PUBLICATION NO: 2575

REEL NO: 129

TITLE: FEDERAL REGISTER

VOLUME: 31

DATE: May-June 1966

Notice: This periodical may be copyrighted, in which case the contents remain the property of the copyright owner. The microfilm edition is reproduced by agreement with the publisher. Extensive duplication or resale without permission is prohibited.

University Microfilms, A Xerox Company, Ann Arbor, Michigan

VOL 31

N21f
SOCIOLOGY & ECONOMICS
ROOM
DETROIT PUBLIC LIBRARY MAR 9 1967

FEDERAL REGISTER

VOLUME 31 • NUMBERS 1–253

ANNUAL SUBJECT INDEX

1966



66-000—66——1

THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

THE FEDERAL REGISTER SUBJECT INDEX

The Subject Index to the daily *Federal Register* is published separately, covering the contents of the *Federal Register* as follows: Monthly for the months of January, February, April, May, July, August, October, November, and December; quarterly for the quarters ending in March, June, and September; and annually for the calendar year.

Entries in this Index are carried primarily under the names of the issuing agencies, with the most significant subjects additionally carried in appropriate alphabetical position.

This Subject Index should be distinguished from the numerical codification guide (List of CFR Sections Affected) which is also published separately. The numerical guide is designed for quick checking in the *Code of Federal Regulations* numbering system of provisions whose numbers are already known or have been learned through use of the Subject Index.

Accidents: Page
AIRCRAFT ACCIDENTS, investigation. *See* Civil Aeronautics Board.
BOATING, accident reports 2602, 8539, 10320
CANAL ZONE, marine accidents, investigations, control, and responsibility 12310
NATURAL GAS PIPELINE COMPANIES, reporting of accidents by. *See* Federal Power Commission.

Accounts Bureau:
See Treasury Department.

Additives, Color and Food:
See Food and Drug Administration.

Administration on Aging:
See Aging, Administration on.

Administrative Committee of Federal Register:
See Federal Register.

Advisory Commission on Intergovernmental Relations:
CONDUCT STANDARDS 13113

Advisory Committee on Federal Buildings in National Capital Region:
ESTABLISHMENT by GSA Administrator:
(Letter of January 29, 1966) 2469
Membership, functions 2504

Aerial Flights:
INCENTIVE PAY FOR HAZARDOUS DUTY by members of Armed Forces (Executive Order 11292) 10447

Agency for International Development:
AUTHORITY DELEGATIONS:
By Administrator to certain officials:
Assistant Administrator, Administration:
Participating agency service agreements, change in title 299
Personal property claims 8186
Assistant Administrator, Development Finance and Private Enterprise, et al.; loan investments for Latin American housing projects, etc 2785
Assistant Administrator, Material Resources; advance acquisition of property programs 3264
Assistant Administrator, Technical Cooperation and Research; participating agency service agreements, change in title 299
Associate Assistant Administrator, Private Enterprise; risk guaranties 12967
By Assistant Administrator, Administration, to Deputy Assistant Administrator; authorities of Assistant Administrator 5587
By Assistant Administrator, Development Finance and Private Enterprise, to Associate Assistant Administrator, Private Enterprise, et al.; investment surveys and guaranties 16472
By Assistant Administrator, Far East, to certain officials:
Associate Administrator, Far East; development loans, contracts, etc 14885
Director, Office of Capital Development and Finance; guaranty actions 14695
By Assistant Administrator, Material Resources, to Director, Industrial Resources Division; disposal of domestic excess property 10927
By Assistant Administrator, Technical Cooperation and Research, to certain officials:
Ambassador at Athens, Greece, et al.; grant agreements between U.S. and Roberts College, Turkey, et al 358
Director, Program Planning and Coordination Staff; interregional services and programs 13051
By Deputy Administrator to certain officials:
Assistant Administrator, Material Resources; disposal of domestic excess property 9811
U.S. Ambassador in Lebanon; assistance to certain schools, libraries, hospitals, etc 10584
By Packers and Stockyards Division Director to Chief, Rates, Services, and Facilities Branch, et al.; default notices, posting and deposting of stockyards, etc 4528

Agency for International Development—Con. Page
CAPITAL PROJECTS GUIDELINES, borrower procurement of goods and services of U.S. source and origin 7842
COMMODITY TRANSACTIONS financed by A.I.D.; supplier's certificate, concerted pricing, etc 14079, 15195, 16693
CONDUCT STANDARDS 6300
ECONOMIC DEVELOPMENT TRAINING PROGRAMS, nonmilitary; per diem payment to participants 13993
FOOD COMMODITIES, transfer for use in disaster relief, economic development, etc 6105
FOREIGN ASSISTANCE PROGRAMS, General Advisory Committee on; changes in membership 12732
HOUSING GUARANTIES, maximum rate 15201
LATIN AMERICA, housing investment program; reopening, guaranty fees, etc 5640, 10042, 10584
PROCUREMENT:
Contracts:
Appeal procedure 11031
Cost principles and procedures 11031
Labor 11030
Negotiation 11030
SUPPLIERS OF COMMODITIES and commodity-related services ineligible for A.I.D. financing:
Criteria for determining affiliation 15571
Lists 481, 9554
VOLUNTARY FOREIGN AID AGENCIES, certificates of registration:
DATA International, Inc., 16281.
Laubach Literacy, Inc., 13178.
Medical Assistance Programs, Inc., 6876.
Mizrachi Women's Organization of America, Inc., 8186.

Aging, Administration on:
AUTHORITY DELEGATION from Assistant Secretary of HEW for Administration to Commissioner, et al.; certify copies of documents 4811
ORGANIZATION AND FUNCTIONS 5770
RECORDS, non-Federal; retention requirements 4023

Agricultural and Rural Area Development:
FEDERAL PROGRAMS, coordination (Executive Order 11307) 12917

Agriculture Department:
ADMINISTRATIVE REGULATIONS; official records, compulsory process 2894
AGREEMENT between Secretary and American Sheep Producers Council, Inc.; sales and promotion programs for lambs and wool 10202, 13921
AGRICULTURAL STABILIZATION AND CONSERVATION county and community committees; selection and functions 6569
ALMONDS:
See also Nuts.
Marketing:
Orders:
California, 10963, 11465, 11744, 13984.
Record retention requirements 4005
ANIMALS AND PRODUCTS:
See also Livestock; Meat and products; Packers and Stockyards Division.
Animal Health Division:
Authority delegation by Director to veterinarians in charge, et al.; inspection, warrants, etc 13948
Redesignation 81, 101, 1208
Diseases:
Brucellosis (Bang's) 7, 2473, 2591, 9849, 12082, 13465, 16308
Foot-and-mouth 538, 3002, 4210
General provisions; movement of diseased carcasses, proposed rules 15670
Hog-cholera, swine 3401, 7029, 10313, 10541
Paratuberculosis 12082
Rinderpest 538, 3002, 4210
Scabies:
Cattle 745, 4276, 5053, 8907
Sheep 16347
Screwworms, revocation 6015
Tuberculosis 12082
Dogs, cats, etc.:
Certified products for; inspection fees and charges 10248
Humane handling standards, proposed rules 16112

Agriculture Department—Continued Page

ANIMALS AND PRODUCTS—Continued
- Laboratory animal welfare, proposed rules 16110
- Definitions 16110
- Licensing, registration, records, etc 16110
- Standards for humane handling of dogs, cats, rabbits, primates, etc 16112
- Overtime services, imports and exports:
  - Overtime work 10314
  - Travel time 8020, 13114, 13939, 14826, 15013
- Slaughter of livestock. *See under* Livestock.
- Veterinary Biologics Division, redesignation 82, 101, 1208
- Viruses, serums, toxins, etc. *See* Viruses, serums, toxins, etc., *below*.

APPEAL REGULATIONS for various allotment programs 7393

APPLES, standards for grades 7757, 11171

APRICOTS, marketing:
- Orders:
  - Washington, 7673, 7674, 9413, 9874, 10733.
- Record retention requirements 4004

ASPARAGUS, fresh; standards for grades 3185

AUTHORITY DELEGATIONS:
- By Agricultural Research Service officials:
  - Administrator to Deputy Administrator, Regulatory and Control; functions 3351
  - Director, Animal Health Division, to veterinarians in charge, et al.; inspection, warrants, etc 13948
- By Agricultural Stabilization and Conservation Service officials:
  - Administrator to certain officials:
    - Deputy Administrator, State and County Operations:
      - Certain payments 9790
      - Publication of determinations in FEDERAL REGISTER 14789
    - Director, Kansas City ASCS Commodity Office; processor wheat marketing certificates 9557, 10549
    - Director, Procurement and Sales Division, et al.; approval of institutions, performance security, and casualty losses 6458
    - Director, Procurement and Sales Division, to certain officials:
      - Contracting officers, Wheat Subsidy and Market Branch, Procurement and Sales Division; export, etc 4742
    - Director, Kansas City ASCS Commodity Office:
      - Processing report, approval 6142
      - Wheat export 4742
  - By Commodity Credit Corporation Executive Vice President to certain officials of Agricultural Stabilization and Conservation Service:
    - Evanston ASCS Commodity Office Director, sight drafts and certain certificates; authority transferred to Branch Office Manager 718
    - Suspend and debar individuals and firms, revocations 3039
  - By Packers and Stockyards Division Director to Chief, Rates, Services, and Facilities Branch, et al.; default notices, posting and deposting of stockyards, etc 4528

AVOCADOS:
- Import restrictions 7514
- Marketing:
  - Florida, 7394, 8181, 8592, 9044, 9678, 9790, 9841, 12398, 13135, 13386, 14543.

BARLEY:
- *See also* Grains.
- Cropland adjustment. *See* Land use adjustment program.
- Loan and purchase programs:
  - 1966 and subsequent crops, 7964, 9842, 10957, 11013.
- Price-support programs:
  - 1965 crop, 2665.
  - 1966 crop, 474, 3490, 5941, 10179, 13641.
- Reseal loan program:
  - 1966–67 storage period, 9600, 11090.
- Warehouses, Federally licensed:
  - Standards for approval 13910
  - Storage loans, due date 2665

BASIC COMPENSATION, Federal Crop Insurance Corporation Manager 13051

Agriculture Department—Continued Page

BEANS:
- Canned green and wax beans, standards for grades; proposed rule withdrawn 6871
- Dry edible:
  - Inspection, fees and charges 14923
  - Loan and purchase programs:
    - 1965 crop, 6103, 6405.
    - 1966 and subsequent crops, 6904, 7243, 7477.
  - Price-support programs:
    - 1965 crop, 2665.
    - 1966 crop, 474, 3490, 5941, 10179, 13641.
  - Warehouses, Federally licensed:
    - Standards for approval 13910
    - Storage in 6139, 6141
    - Storage loans, due date 2665

BLUEBERRIES, standards for grades 6189

BRAZIL NUTS:
- *See also* Nuts.
- Standards for grades, nuts in shell 5968, 10069, 11546

BROOMCORN; warehouses, Federally licensed, storage in 6139

BUTTER, marketing; determination of equivalent prices for Grades AA and A 5481

BUTTERFAT, price-support program:
- April 1966–March 1967; 5664, 9497.

CANNED FOODS:
- Grade standards, etc. *See specific commodities.*
- Warehouses, Federally licensed:
  - Revocation of certain regulations 11614, 13203
  - Storage in 6141

CARROTS:
- Guam, entry of untreated carrots from Taiwan 5607
- Marketing:
  - Orders:
    - Texas, 974, 2648, 2729, 4353, 5608, 8178.
  - Record retention requirements 4004

CATS, DOGS, etc.:
- Certified products for, inspection fees and charges 10248
- Standards for humane handling, proposed rules 16112

CAULIFLOWER, Colorado; termination of marketing agreement and order 13394, 15728

CELERY, marketing:
- Orders:
  - Florida, 260, 1304, 3115, 4276, 6194, 9118, 10111, 14990.
- Record retention requirements 4005

CHEESE, Swiss; standards for grades 6715, 9443

CHERRIES, marketing:
- Orders:
  - Washington, 7675, 10038, 10611.
- Record retention requirements 4004

COMMODITY CREDIT CORPORATION. *See main heading* Commodity Credit Corporation.

COMMODITY EXCHANGE AUTHORITY. *See main heading* Commodity Exchange Authority.

CONDUCT STANDARDS 8528, 9544

CONSERVATION PROGRAMS:
- Agricultural:
  - National:
    - 1966 2728, 6957, 7169, 7513, 7735, 7814
    - 1967 9712, 11591, 11965, 13035
  - Naval stores, 1967 13979
  - Payment, assignment of 2815, 15791
  - Record retention requirements 4008
  - Great Plains:
    - Counties within listed States:
      - Montana, 16281.
      - New Mexico, 15245.
      - Oklahoma, 852, 5908, 10585, 12617.
      - South Dakota, 852.
    - General provisions:
      - Cost-share payments 12513
      - Land eligible for program 12513
    - Land use adjustment program; 1966–1969 3483, 4343, 5748, 5874, 9545, 9789, 9839, 10461, 14254

CONSUMER FOOD PROGRAMS, editorial note and recodification 14297

CONTAINERS, FOOD; standards for condition 4687, 4949

CONTRACT MARKET for soybeans, under Commodity Exchange Act, designation of New York Produce Exchange 11040

Agriculture Department—Continued Page

COOPERATIVE MARKETING ASSOCIATIONS, price-support program:
- Eligibility requirements 10514, 12514
- Record retention requirements 4010

CORN:
- Cropland adjustment. *See* Land use adjustment program.
- Loan and purchase program:
  - 1966 and subsequent crops, 10464, 14307.
- Price-support program:
  - 1965 crop, 2665.
  - 1966 crop, 474, 3490, 5941, 10179, 13641.
- Reseal loan program:
  - 1966–67 storage period, 9600, 11090.
- Standards; "corn of other colors", interpretations 5905, 8113
- Warehouses, Federally licensed:
  - Standards for approval 13910
  - Storage loans, due date 2665

COTTON:
- Certificates, payment-in-kind; redemption, liquidation of certificate pools 3284
- Cropland adjustment. *See* Land use adjustment program.
- Diversion program, 1966 and subsequent years 6861
- Equalization program, payment-in-kind:
  - 1964–66, termination, 813.
  - 1966; 7110, 13696.
- Export market acreage; upland cotton:
  - 1966 crop, 2531, 2997.
  - 1967 crop, 15142.
- Farm conserving base, upland cotton, 1966 5874
- Loan programs:
  - 1965–66; 6533.
  - 1966 crop, 8860, 9270, 9445.
- Marketing; research and promotion orders:
  - Procedural rules 10510, 13478, 14438, 14771
  - Upland cotton 10532, 12956, 14441, 16757
- Marketing quotas, acreage allotments, etc.:
  - Appeal regulations 7393
  - Extra long staple:
    - 1966 and succeeding crops, 2471, 5321, 6247, 6573, 9445, 13035, 13530, 15791.
    - 1967 crop, 9138, 13132, 13465, 13936, 15316.
  - Upland:
    - 1965–68; 6533.
    - 1966 and succeeding crops, 2471, 2776, 4884, 5300, 5321, 5570, 6573, 6580, 6859, 7472, 7554, 8337, 8619, 9445, 11011, 11307, 12513, 13035, 13529, 14254, 15791.
    - 1967 and subsequent crops, 6580, 8758, 9138, 10568, 10691, 11965, 13168, 13205, 13303, 13465, 13589, 14077, 15142.
  - Payments when there has been failure to comply fully with program 9789
- Price-support programs:
  - 1966 and subsequent years, 474, 6861, 10179, 13641.
- Record retention requirements 4004, 4007, 4008, 4010
- Standards, classification, and testing; micronaire readings, fees, etc 7734, 9412, 11213
- Surplus supply, extra long staple, available for export, 1964–65 marketing year 8472
- Warehouses, Federally licensed; storage in 6123, 6140
- Wrapping cotton; jute bagging and bale ties, specifications 8314

COTTONSEED:
- Record retention requirements 4007, 4009, 4010
- Standards for grades, cottonseed for crushing; linters factor 13936
- Warehouses, Federally licensed; storage in 6140

COTTONSEED OIL AND MEAL; purchase program:
- 1966 crop, 8348, 12837.

CRANBERRIES, marketing:
- Orders, certain States 6745, 8472, 13136, 13984
- Record retention requirements 4005

CROP INSURANCE. *See main heading* Federal Crop Insurance Corporation.

CROPLAND CONVERSION, land use adjustment programs:
- 1963 13531
- 1964–65 13531
- 1966–69 3483, 4343, 5748, 5874, 9545, 9839, 10461, 14254
- Payments where there has been failure to comply fully with program 9789

Agriculture Department—Continued Page

DAIRY PRODUCTS:
- *See also* Milk and products.
- Export payment-in-kind program, liquidated damages 11090
- Import quotas; record retention requirements 4004
- Inspection:
  - Manufactured or processed products, inspection and grading services 903, 4878
  - Plants manufacturing, processing, and packaging, minimum specifications for; proposed rules 12354
  - Record retention requirements 4005
- Price-support program, milk and butterfat:
  - April 1966–March 1967; 5664, 9497.

DATES:
- Import restriction exemptions 960
- Marketing:
  - Orders:
    - California, 960, 5360, 6257, 9461, 10611, 10692, 10768, 11214, 14004, 14736, 15022, 15746.
  - Record retention requirements 4005

DISASTER AREAS, need for agricultural credit:
- Alabama, 16211.
- Arizona, 914.
- Arkansas, 10966, 15758.
- California, 542, 8602, 12106.
- Colorado, 7357, 12576, 13147, 13610, 14958, 16727.
- Connecticut, 16502.
- Delaware, 11691, 13051.
- Florida, 5843, 9138, 10288.
- Georgia, 9561, 14658.
- Idaho, 9882, 10373, 11691.
- Illinois, 11401, 12106, 16371.
- Indiana, 11989, 13051, 14365.
- Iowa; 3317, 9470, 9882, 10928, 11691, 13811.
- Kansas, 719, 8647, 9690, 10928, 12106.
- Louisiana, 2503.
- Maryland, 11691.
- Massachusetts, 16727.
- Michigan, 8473, 13483.
- Minnesota, 19, 981, 4473.
- Mississippi, 1285, 4628, 4851, 13483, 14365, 14958, 15330, 16211.
- Missouri, 9364, 11989.
- Montana, 981.
- Nebraska, 5642, 5843, 7150, 8928, 9139, 9690, 10327, 10585, 10928, 11691, 12576, 13921, 14958.
- Nevada, 719, 8602.
- New Jersey, 8082, 10966.
- New Mexico, 2503, 13051.
- New York, 13147.
- North Carolina, 2702, 4473, 4851, 9470, 10288, 10373, 10928, 10966, 11187, 11497, 11989, 12106, 13051, 13356, 14658.
- North Dakota, 102, 981, 1285, 2912, 4256, 4931, 5149, 9690, 11401, 12576, 13051, 13610, 16212.
- Ohio, 8473, 8647, 11187, 11989.
- Oklahoma, 2503, 9882, 10080, 10855, 11402.
- Oregon, 6839.
- Pennsylvania, 16212.
- Rhode Island, 16727.
- South Carolina, 1122, 10080, 13356, 15758.
- South Dakota, 4256, 4851, 4852, 9690, 10585, 10644, 11497, 13610.
- Texas, 719, 2557, 2702, 2912, 3265, 4256, 4851, 5265, 7637, 7978, 8185, 8379, 8647, 8963, 9364, 9882, 10288, 10373, 10549, 10928, 11187, 11989, 12685, 13147, 13811, 14535, 14958, 15330, 16327.
- Utah, 6839, 10855, 11497, 12576.
- Virginia, 542, 9027, 11691.
- West Virginia, 8928, 11691.
- Wyoming, 11691.

DOGS, CATS, etc.:
- Certified products for, inspection fees and charges 10248
- Standards for humane handling, proposed rules 16112

EGGS AND PRODUCTS:
- *See also* Poultry and products.
- Grading and inspection; fees, licensing, sanitary requirements, etc 2771, 2951, 10108, 11666, 14982, 16516

EXPORTS:
- Animals and products 81, 8020, 10314, 13114, 13939, 14826, 15013
- Cash payment:
  - Tobacco 6862, 7556, 9208
  - Wheat flour (GR–346) 7817, 14504
- Chicken payment program, record retention requirements 4005

Agriculture Department—Continued Page

EXPORTS—Continued
Cotton:
Extra long staple; surplus supply 8472
Upland; export market acreage:
1966 crop 2531, 2997
1967 crop 15142
Credit sales program (GSM–3) 2997, 7515, 11013, 11861
Record retention requirements 4004
Flour; payment-in-kind (GR–346) 7817, 14504
Meats. *See under* Meat and products.
Oranges, grapefruit, and tangelos; restrictions 12836
Payment-in-kind:
Dairy products, 11090.
Feed grains (GR–368), 11451.
Flaxseed (PS–GR–4), 2954, 3336, 7735, 11310, 11453.
Record retention requirements, 4004.
Linseed oil (PS–GR–4), 2954, 3336, 7735, 11310, 11453.
Record retention requirements, 4004.
Rice (GR–369), 7396, 11309, 11449.
Wheat (GR–345), 4728, 9719, 10072, 11450.
Plants and products 1052, 4722, 6247, 8113, 9593, 10311, 11213, 13203
Poultry and products 4005, 13747
Tobacco:
Cash payment 6862, 7556, 9208, 12997, 14826
Commodity certificates, redemption 11013
Credit sales program 11013
FARMERS HOME ADMINISTRATION. *See main heading* Farmers Home Administration.
FARMS, reconstitution; allotments, history, and soil bank base acreages 1236, 3186, 4580, 7030, 13204
FEDERAL CROP INSURANCE CORPORATION. *See main heading* Federal Crop Insurance Corporation.
FEDERAL SEED ACT, record retention requirements 4007
FEED GRAINS:
Cropland adjustment. *See* Land use adjustment program.
Emergency programs, livestock 13532
Export, payment-in-kind program (GR–368) 11451
Price support and diversion payments, payment-in-kind; 1966–69 3385
Record retention requirements 4004, 4010
Special programs:
1964–65 194, 9840
1966–69 315, 2472, 3187, 8339, 13791
Payments when there has been failure to comply fully with program 9789
FEES AND CHARGES for certain Federal inspection services 14825, 14923
FIGS, dried; standards for grades, proposed rules 13551
FILBERTS:
See also Nuts.
Marketing:
Orders:
Oregon and Washington, 12954, 13346, 13591, 13837.
Record retention requirements 4005
FLAXSEED:
Export payment-in-kind (PS–GR–4):
Record retention requirements 4004
Terms and conditions 2954, 3336, 7735, 11310, 11453
Loan and purchase programs:
1966 and subsequent crops, 8003, 9940.
Price-support programs:
1965 crop, 2665.
1966 crop, 474, 3490, 5941, 10179, 13641.
Purchase program, Texas flaxseed:
1966 crop, 6408.
Warehouses, Federally licensed:
Standards for approval 13910
Storage loans, due date 2665
FLOUR, wheat; export program, cash payment (GR–346) 7817, 14504
FLOWERS, CUT, Hawaiian; plant quarantine notice 999
FOOD CONTAINERS, standards for condition 4687, 4949
FOOD STAMP PROGRAM, record retention requirements 4005
FOREST SERVICE. *See main heading* Forest Service.
FRUITS:
See also specific fruits.
Cold-pack fruit; Federally licensed warehouses:
Revocation of certain regulations 11614, 13203
Storage in 6141
Hawaiian; plant quarantine notice 999

Agriculture Department—Continued Page

GRAIN SORGHUM:
Cropland adjustment. *See* Land use adjustment program.
Loan and purchase programs:
1966 and subsequent crops, 8000, 8306, 9847, 11013.
Price-support programs:
1965 crop, 2665.
1966 crop, 474, 3490, 5941, 10179, 13641.
Reseal loan program:
1966–67 storage period, 9600, 11090.
Warehouses, Federally licensed:
Standards for approval 13910
Storage loans, due date 2665
GRAINS:
See also specific grains.
Price-support programs:
1965 crop, 2665.
1966 crop, 474, 3490, 5941, 10179, 13641.
Standards, inspection; fees and charges 14825, 14923
Warehouses, Federally licensed:
Record retention requirements 4007
Storage in 6127, 6140
Storage loans, due date 2665
GRAPEFRUIT:
Export restrictions 12836
Import restrictions 2728, 5569, 6959, 12012
Marketing:
Orders:
Arizona and California, 534, 6825, 7109, 13134, 13174, 13939.
Florida, 259, 564, 2373, 2694, 2695, 2952, 2953, 2954, 3020, 4106, 4344, 5568, 6958, 7286, 7971, 8114, 11236, 11553, 11971, 12445, 13758, 13800, 13897, 13899, 14316, 14495, 14543, 14987, 15059, 15189, 16756.
Texas, 999, 2552, 3062, 4276, 4445, 7480, 8429, 10461, 11139, 11448, 12533, 13750, 14348, 14359, 14563, 14926, 15233, 16402.
Record retention requirements 4004
GRAPES:
Imported Vinifera; cold treatments 16601
Marketing:
Orders:
Arizona, 3020, 15153.
California, 3020, 10571, 11035, 11657, 15153.
Record retention requirements 4005
GREAT PLAINS CONSERVATION PROGRAM:
Counties within listed States:
Montana, 16281.
New Mexico, 15245.
Oklahoma, 852, 5908, 10585, 12617.
South Dakota, 852.
General provisions:
Cost-share payments 12513
Land eligible for program 12513
GUAM, entry of untreated carrots from Taiwan 5607
HAY, inspection; fees and charges 14923
HONEY:
Price-support programs 6257, 6582
1966 crop, 7, 474, 815, 10179, 13641.
Record retention requirements 4010
HONEY DEW MELONS and honey ball type melons; standards for grades, proposed rules 11184
HOPS:
Inspection; fees and charges 14923
Marketing, domestic hops; certain States 2479, 7397, 9118, 9713, 10072, 10131, 10532, 10768, 11171, 12399, 13394, 14077.
HUMANE SLAUGHTER of livestock; identification of carcasses 1208, 3138, 5330, 6877, 7637, 9557, 10288, 11771, 12651, 13811, 15102, 16724.
HUMANE TREATMENT of laboratory animals, proposed rules 16112
IMPORTS; restrictions, etc.:
Animals and products 81, 82, 101, 1208, 8020, 10314, 13114, 13939, 14826, 15013
Avocados 7514
Dairy commodities, import quotas; record retention requirements 4004
Dates 960
Grapefruit 2728, 5569, 6959, 12012
Limes 1057, 5750, 6102, 8000, 15484
Meats. *See under* Meat and products.

Agriculture Department—Continued Page

IMPORTS; restrictions, etc.—Continued
Onions 3190, 10368, 11089
Proposed rule 16159
Oranges 1001, 11140
Plants and products. *See under* Plant quarantine.
Sugar 8536, 8541, 9495, 9790, 15147, 16518
Tomatoes 6276, 6629
INSPECTION:
See also Dairy products; Meat and products; Poultry and products; Tobacco.
Definitions "Federal inspection service" and "Federal-cooperator inspection service" 5605
Fees and charges 5605, 6629, 14825, 14923
Practice rules, withdrawal of inspection and grading services 6570
LAMBS, sales and promotion programs; agreement between Secretary and American Sheep Producers Council, Inc. 10202, 13921
LAND USE ADJUSTMENT PROGRAM, cropland:
1963 13531
1964–65 13531
1966–69 3483, 4343, 5748, 5874, 9545, 9839, 10461, 14254
Payments where there has been failure to comply fully with program 9789
LANDS, administrative jurisdiction transferred from Reclamation Bureau to Secretary for recreational and other purposes:
Colorado; White River National Forest, 5385.
Montana:
Flathead National Forest, 12606.
Lewis and Clark National Forest, 15548.
Oregon; Whitman National Forest, 14696, 15099.
Utah:
Ashley National Forest, 7191, 10424.
Cache National Forest, 7191.
Manti-Lasal National Forest, 11770.
Washington:
Snoqualmie National Forest, 13761.
Wenatchee National Forest, 12455, 13560, 13760.
Wyoming:
Bridger National Forest, 9384.
Caribou National Forest, 9384.
LEMONS, marketing:
Orders:
Arizona and California, 6, 80, 259, 474, 534, 888, 1199, 2420, 2695, 2952, 2997, 3189, 3446, 4345, 4727, 5009, 5043, 5074, 5314, 5608, 5876, 5941, 6194, 6256, 6534, 6826, 7110, 7394, 7473, 7673, 7962, 8045, 8231, 8303, 8538, 8591, 8860, 8921, 9113, 9206, 9413, 9445, 9678, 9713, 9840, 10035, 10313, 10413, 10570, 10767, 11089, 11344, 11656, 11931, 12012, 12398, 12431, 12593, 12634, 12837, 13077, 13386, 13640, 13898, 14307, 14495, 14736, 14927, 15190, 15544, 15585, 15631, 16185, 16225, 16493, 16520, 16755.
Record retention requirements 4004
LENTILS, inspection; fees and charges 14923
LETTUCE, marketing:
Orders:
Texas, 557, 1239, 3189, 10327, 11619, 13551, 14585, 15153.
Record retention requirements 4005
LIMES:
Import restrictions 1057, 5750, 6102, 8000, 15484
Marketing:
Orders:
Florida, 959, 1143, 5663, 6102, 7482, 7962, 8231, 8539, 9841, 15484.
Record retention requirements 4004
LINSEED OIL; export payment-in-kind (PS–GR–4):
Record retention requirements 4004
Terms and conditions 2954, 3336, 7735, 11310, 11453
LIVESTOCK:
See also Animals and products; Meat and products; Packers and Stockyards Division.
Feed grain emergency program 13532
Grading services, fees and charges 10241
Slaughter of livestock:
Humane, identification of carcasses 1208, 3138, 5330, 6877, 7637, 9557, 10288, 11771, 12651, 13811, 15102, 16724.
Standards, slaughter cattle 4873
MARKETING QUOTAS, farm acreage allotments, etc.:
See also specific commodities.
Acreage and compliance, determinations 1143, 2590, 5812, 6405, 6859, 7393, 9677, 10877, 15810
Appeal regulations 7393
Reconstitution of farms, allotments, history, and soil bank base acreages 1236, 3186, 4580, 14253, 15019

Agriculture Department—Continued Page

MARKETING QUOTAS, farm acreage allotments, etc.—Continued
Referenda 2413, 4193, 5941, 6533, 12011, 14673, 16401
Review:
Definition of "quota" 830, 4271
Examination by county committee 5663
MEAT AND PRODUCTS:
See also Livestock; Packers and Stockyards Division.
Bribes; product procurement by Meat Inspection Division employees, certain instructions removed 1200
Export stamps and certificates; issuance, vessel clearance, etc., proposed rules 11614
Grading services, fees and charges 10241
Import limitations 5330, 12927, 16630
Imported products:
Frozen boneless manufacturing meat, requirements for sampling and defrosting samples 10666
Marking and labeling, inspection legend, outside containers; effective dates postponed 1058
Inspection:
Ante-mortem inspection, proposed rules:
Carcasses of animals slaughtered without inspection 2484
Marking diseased, dead, or dying animals as "U.S. condemned" 14005
Tanking and denaturing condemned carcasses and parts, disposition 14005
Dogs, cats, etc., certified products for; fees and charges 10248
Facilities; overtime work of meat inspection employees, fees and charges 10248, 10414
Retail butchers and dealers, applications for inspection or exemption 2543
Special services, meat and other product; fees and charges 10248
Preparation; approval of substances for use in meat food products:
Cooling and retort water treatment agents, denuding agents, etc 5905, 13856
Phosphates, use in bacon 6378, 10884
Slaughter of livestock:
Humane, identification of carcasses 1208, 3138, 5330, 6877, 7637, 9557, 10288, 11771, 12651, 13811, 15102, 16724.
Standards, slaughter cattle 4873
Transportation; denaturing of meat known to be unsound, proposed rule 11614
MELONS, honey dew and honey ball type; standards for grades, proposed rules 11184
MILK AND PRODUCTS:
Butter, marketing; determination of equivalent prices for Grades AA and A 5481
Butterfat; price-support program, April 1966–March 1967 5664, 9497
Dairy products:
Export payment-in-kind program; liquidated damages 11090
Import quotas, record retention requirements 4004
Inspection:
Manufactured or processed products, inspection and grading services 903, 4878
Plants manufacturing, processing, and packaging, minimum specifications for; proposed rules 12354
Record retention requirements 4005
Indemnity payment program 4008, 15483, 15791
Marketing in various States, orders proposed or adopted:
Arizona, 3466, 5380, 5481, 5617, 7757, 9127, 9206, 14407, 14946, 15061, 16277.
Arkansas, 564, 1079, 1151, 2430, 2698, 3191, 3257, 3383, 3401, 3465, 5115, 5345, 5368, 5374, 5375, 5481, 5615, 7831, 9127, 9206, 13395, 14406, 14946, 15060.
Colorado, 477, 3025, 3383, 3466, 4732, 5315, 5345, 5375, 5380, 5481, 5617, 7757, 9127, 9206, 11397, 11860, 14407, 14523, 14946, 15061, 15087.
Connecticut, 3383, 3465, 5345, 5366, 5610, 7520, 7911, 8242, 9127, 10414, 14402, 14946, 15811.
Delaware, 3383, 3465, 5345, 5346, 5360, 7911, 9045, 9127, 13751, 14402, 14946, 15670, 16471.
District of Columbia, 974, 2965, 3294, 3381, 3383, 3465, 5321, 5345, 5366, 5609, 6375, 6534, 7911, 9127, 13863, 14402, 14946, 14950, 15060.

Agriculture Department—Continued

MILK AND PRODUCTS—Continued
Marketing in various States, orders proposed or adopted—Continued
Florida, 352, 975, 2730, 3125, 3465, 5366, 5481, 5610, 5611, 7829, 7911, 8131, 8956, 9045, 9127, 9206, 11397, 11465, 11669, 12102, 13272, 13605, 13655, 13863, 13901, 14402, 14403, 14495, 14946, 14952, 14988, 15061, 15062.
Idaho, 3466, 5247, 5323, 5380, 5481, 5617, 6195, 6986, 7757, 7831, 8542, 8950, 9127, 9206, 14407, 14946, 15061.
Illinois, 434, 564, 1079, 2659, 3190, 3383, 3401, 3465, 4459, 5345, 5372, 5373, 5481, 5612, 5613, 5638, 5685, 6195, 6497, 6631, 7061, 7831, 7971, 8115, 8634, 9127, 9152, 9206, 9593, 10038, 12104, 12954, 13037, 13864, 14028, 14406, 14523, 14946, 15061, 15064, 15076, 15598, 15631, 15793, 16520.
Indiana, 564, 1079, 3383, 3401, 3465, 5247, 5345, 5367, 5372, 5481, 5611, 5612, 5685, 7831, 7911, 9127, 9206, 9420, 9996, 10369, 10464, 14403, 14406, 14946, 15061.
Iowa, 434, 564, 1079, 2659, 3190, 3383, 3401, 3465, 3466, 4459, 5345, 5373, 5374, 5379, 5380, 5481, 5613, 5614, 5616, 5685, 6873, 7757, 7831, 9127, 9206, 10131, 11149, 11316, 11491, 11859, 11896, 12013, 12431, 12447, 13864, 14406, 14407, 14523, 14946, 15061.
Kansas, 3383, 3401, 3465, 3466, 4148, 4968, 5345, 5368, 5373, 5374, 5380, 5481, 5614, 5617, 5693, 5877, 7757, 7831, 8000, 9113, 9127, 9206, 9279, 9306, 9719, 9808, 10313, 10800, 10825, 11345, 11356, 14406, 14407, 14523, 14946, 15061, 15087, 15544, 16308, 16625.
Kentucky, 434, 1152, 1200, 2384, 3126, 3225, 3383, 3401, 3465, 4968, 5345, 5366, 5367, 5374, 5375, 5481, 5609, 5610, 5611, 5615, 5696, 6120, 6202, 6500, 6536, 6549, 6581, 6861, 7110, 7129, 7477, 7524, 7758, 7831, 7911, 7963, 9127, 9206, 9303, 9875, 10112, 10692, 11149, 11397, 12845, 13090, 13726, 13899, 14403, 14406, 14946, 15061.
Louisiana, 3383, 3401, 3465, 5345, 5368, 5374, 5481, 5611, 5615, 7831, 9127, 9206, 11318, 12023, 14406, 14946, 15061.
Maryland, 974, 2965, 3294, 3381, 3382, 3383, 3465, 5321, 5345, 5366, 5367, 5609, 5610, 6375, 6534, 6535, 7911, 9127, 13863, 14402, 14946, 14950, 15060, 15063.
Massachusetts, 3383, 3465, 5345, 5366, 5609, 7520, 7911, 8242, 9127, 10111, 10414, 14402, 14946, 15811.
Michigan, 3383, 3465, 5345, 5367, 5373, 5481, 5610, 5611, 5613, 7483, 7831, 7911, 8496, 8999, 9127, 9206, 13136, 14403, 14406, 14777, 14946, 15061, 15074.
Minnesota, 92, 1242, 2696, 3466, 5379, 5380, 5481, 5616, 7129, 7757, 9127, 9206, 9351, 10131, 10615, 11140, 11150, 12448, 12594, 13091, 13864, 13916, 14407, 14946, 14954, 15061, 15086.
Mississippi, 2430, 3257, 3383, 3401, 3465, 5115, 5345, 5368, 5374, 5481, 5611, 5615, 7831, 9127, 9206, 11153, 13476, 13910, 14081, 14406, 14586, 14946, 15061.
Missouri, 434, 564, 1079, 1851, 1152, 1200, 2698, 3191, 3383, 3401, 3465, 4148, 4968, 5345, 5368, 5373, 5374, 5375, 5481, 5613, 5614, 5615, 5685, 5693, 5696, 5877, 6120, 6500, 6536, 6861, 7110, 7129, 7477, 7758, 7831, 7963, 9127, 9206, 9279, 9306, 9719, 9808, 9875, 10692, 10800, 11345, 13395, 14406 14946, 15061, 15544, 16308, 16625.
Nebraska, 3466, 5379, 5481, 5616, 6873, 7757, 9127, 9206, 11149, 11491, 12431, 12447, 14407, 14946, 15061.
Nevada, 3466, 5247, 5380, 5481, 5617, 7757, 9127, 9206, 14407, 14946, 15061.
New Hampshire, 7520.
New Jersey, 3383, 3465, 5345, 5346, 5360, 5366, 5609, 7911, 9045, 9127, 9206, 13751, 14402, 14946, 15585, 15670, 16273, 16471, 16716, 16756.
New Mexico, 477, 3025, 3383, 3466, 4732, 5315, 5345, 5380, 5481, 5617, 7757, 9127, 9206, 14407, 14946, 15061.
New York, 3383, 3465, 5345, 5366, 5609, 7911, 9127, 9206, 14402, 14946, 15585, 16273, 16716, 16756.
North Dakota, 9351, 14407, 14946.
Ohio, 2384, 3126, 3225, 3227, 3383, 3465, 5345, 5360, 5366, 5367, 5481, 5609, 5610, 5611, 7483, 7911, 8496, 8999, 9127, 9206, 11149, 11397, 12845, 13090, 13136, 13726, 13899, 14403, 14406, 14946, 15061.
Oklahoma, 1304, 3227, 3383, 3401, 3465, 5345, 5368, 5375, 5481, 5615, 7831, 9127, 9206, 13607, 14407, 14946, 15061, 15598, 16365, 16757.
Pennsylvania, 3383, 3465, 5345, 5346, 5360, 7911, 9045, 9127, 13751, 14402, 14946, 15670, 16471.
Rhode Island, 3383, 3465, 5345, 5366, 5609, 7520, 7911, 8242, 9127, 10111, 10414, 14402, 14946, 15811.
South Dakota, 3466, 5379, 5380, 5481, 5616, 7757, 9127, 9206, 14407, 14946, 15061.
Tennessee, 2430, 3195, 3257, 3383, 3401, 3465, 4148, 4968, 5115, 5345, 5366, 5368, 5374, 5481, 5610, 5611, 5614, 5615, 6202, 6549, 6581, 7524, 7831, 7911, 9127, 9206, 9303, 10112, 10847, 11367, 14403, 14406, 14946, 15061, 15154.

Agriculture Department—Continued Page

MILK AND PRODUCTS—Continued
Marketing in various States, orders proposed or adopted—Continued
Texas, 92, 477, 910, 3025, 3296, 3383, 3401, 3465, 3466, 4732, 5044, 5315, 5345, 5368, 5375, 6380, 5481, 5615, 5617, 6631, 7757, 7831, 8431, 9114, 9127, 9206, 10371, 11154, 13005, 13607, 13641, 14316, 14407, 14946, 15061, 15598, 16365, 16576, 16757.
Utah, 3466, 5247, 5380, 5481, 5617, 7757, 9127, 9206, 14407, 14946, 15061.
Vermont, 7520.
Virginia, 974, 2965, 3294, 3381, 3383, 3465, 5321, 5345, 5366, 5481, 5609, 5610, 6375, 6534, 7911, 9127, 9206, 13863, 14402, 14403, 14946, 14950, 15060, 15061.
Washington, 3466, 5323, 5380, 5481, 5617, 6195, 6986, 7062, 7757, 7831, 8405, 8542, 8950, 9127, 9206, 10847, 12399, 14407, 14946, 15061.
Washington, D.C. *See* District of Columbia.
West Virginia, 3383, 3465, 5345, 5366, 5481, 5609, 5610, 7911, 9127, 9206, 11149, 11397, 12845, 13090, 13726, 13899, 14403, 14946, 15061.
Wisconsin, 564, 1079, 3383, 3401, 3465, 3466, 5345, 5372, 5373, 5380, 5481, 5613, 5616, 5685, 7061, 7757, 7831, 7971, 7972, 8115, 8116, 9127, 9206, 10131, 12104, 12954, 13037, 13091, 14406, 14407, 14946, 15061, 16225.
Wyoming, 3466, 5247, 5380, 5481, 5617, 7757, 9127, 9206, 14407, 14946, 15061.
Plants manufacturing, processing, and packaging dairy products:
Inspection and grading services 903, 4878
Minimum specifications for; proposed rules 12354
Price-support program, milk and butterfat; April 1966–March 1967 5664, 9497
Record retention requirements 4005, 4007
School lunch program for children. *See* School lunch program.
Special program for children; reimbursement, requirements for participation, etc 14925

MOHAIR:
Payment program:
1965; 4953.
1966; 5817.
1967; 15234.
Record retention requirements 4010

MUSHROOMS, standards for grades 4806, 8535

NATIONAL DEFENSE EXECUTIVE RESERVE; policies and organization 1014

NATIONAL RESEARCH COUNCIL PESTICIDE RESIDUES COMMITTEE; report on no residue and zero tolerance 5723

NAVAL STORES:
Conservation, 1967 13979
Price-support program, 1966 4951
Record retention requirements 4007, 4008

NECTARINES:
Marketing:
Orders:
California, 295, 5635, 6871, 7474, 7475, 7482, 7554, 7555, 8176, 8177, 9413.
Record retention requirements 4004
Standards for grades 6243

NONDISCRIMINATION:
Direct programs, complaints 2545, 8175
Hearing procedures, admissions as to facts and documents 8586

NUTS:
See also Almonds; Brazil nuts; Filberts; Peanuts; Pecans; Tung nuts; Walnuts.
Warehouses, Federally licensed; storage in 6140

OATS:
Loan and purchase programs:
1966 and subsequent crops, 4581, 5481, 9337, 13078.
Price-support programs:
1965 crop, 2665.
1966 crop, 474, 3490, 5941, 10179, 13641.
Reseal loan program:
1966–67 storage period, 9600, 11090.
Warehouses, Federally licensed:
Standards for approval 13910
Storage loans, due date 2665

OIL. *See* Cottonseed oil; Linseed oil; Tung oil.

OILSEEDS. *See* Cottonseed; Flaxseed; Peanuts; Soybeans; Tung nuts.

OKRA; imports from Mexico, fumigation 2589

Agriculture Department—Continued Page

OLIVES:
Marketing:
Orders:
California, 153, 811, 10038, 11012, 11758, 12483, 12634, 13171.
Record retention requirements 4005
Standards for grades:
Canned ripe olives 8542, 11591
Green olives 270, 5074, 7185, 14249, 14875, 15019

ONIONS:
Import restrictions 3190, 10368, 11089
Proposed rule 16159
Marketing:
Orders:
Idaho and Oregon, 10178, 11465, 12940.
Texas, 811, 813, 6860, 13862, 14987, 15530.
Record retention requirements 4004
Purchase program GMP 45a 4810
Standards for grades, other than Bermuda-Granex-Grano and Creole types 10577, 13637

ORANGE JUICE:
Marketing, frozen concentrated juice:
Florida, 15594.
Standards for grades:
Canned juice 14081, 16515
From concentrate, proposed rules 15151, 16789
Frozen concentrated 880
Pasteurized, proposed rules 15149, 16789

ORANGES:
Export restrictions 12836
Import restrictions 1001, 11140
Marketing:
Orders:
Arizona and California:
Navel oranges, 148, 259, 342, 533, 704, 888, 1000, 1199, 2420, 2694, 2776, 2951, 3188, 3445, 4344, 4446, 4726, 4889, 5007, 5313, 5442, 5481, 5607, 5875, 6013, 6256, 14306, 14494, 14735, 14825, 14927, 15021, 15190, 15316, 15585, 15727, 16184, 16304, 16470, 16493, 16604, 16755.
Valencia oranges, 2895, 2952, 3188, 3445, 4344, 4446, 4727, 4889, 5008, 5115, 5314, 5443, 5481, 5568, 5608, 5750, 5876, 6256, 6375, 6533, 6825, 7030, 7109, 7394, 7513, 7673, 7961, 8538, 8859, 9112, 9412, 9497, 9677, 10034, 10111, 10312, 10570, 10767, 11088, 11344, 11656, 11743, 11931, 12012, 12397, 12477, 12593, 12836, 13077, 13385, 13639, 13897.
Florida, 5, 148, 2694, 3020, 3188, 4106, 5007, 6958, 7287, 7971, 8114, 11236, 11553, 11971, 12445, 13800, 14543, 14735, 15059, 15189, 15584.
Texas, 1000, 2552, 7480, 8429, 10461, 11139, 11140, 11448, 12533, 13750, 14348, 14359, 14563, 14926, 15233, 16401.
Record retention requirements 4004
Plant quarantine, foreign; restricted importation of Unshu oranges from Japan 14881

ORGANIZATION AND FUNCTIONS:
See also Authority delegations.
Agricultural Research Service 81, 82, 101, 1208, 3350, 4974, 4975
Consumer and Marketing Service 7916, 10079, 13249, 14463, 15026
National Defense Executive Reserve 1014

OVERTIME SERVICES, imports and exports:
Animals and products:
Overtime work 10314
Travel time 8020, 13114, 13939, 14826, 15013
Plants and products:
Overtime work 10311
Travel time 1052, 4722, 6247, 8113, 9593, 11213, 13203

PACKERS AND STOCKYARDS DIVISION:
Authority delegation by Director to Chief, Rates, Services, and Facilities Branch, et al.; default notices, posting and deposting of stockyards, etc 4528
Posted stockyards, designation or removal 19, 1013, 1121, 3199, 3470, 4810, 4974, 6142, 7089, 7293, 8501, 9468, 10372, 10373, 11497, 11557, 12414, 13253, 13672, 13921, 14463, 14566, 14657, 14790, 15609, 15758.
Rates and charges; modification of rate orders, petitions, etc 460, 852, 3351, 4307, 6279, 6326, 7531, 8027, 8185, 10205, 11157, 14320, 15818.

Agriculture Department—Continued Page

PACKERS AND STOCKYARDS DIVISION—Continued
Regulations:
Accounts and records, retention requirements 4005, 4006
Policy statements; custodial funds, handling by livestock market agencies and poultry licensees 4118
Schedules of rates and charges; area supervisors, information to be furnished, etc., proposed rules 10325, 11398
Reparation awards; increased interest rate, policy change 4173, 6551

PARITY PRICES, determination; deletion of certain seed crops 10767

PEACHES:
Marketing:
Orders:
California, 7476, 7703, 8404, 8491.
Colorado, 9547, 10275, 10883.
Georgia, 6958, 7555, 7735, 14657.
Washington, 9547, 9841, 11237, 11315, 11932, 12477.
Record retention requirements 4004
Standards for grades, fresh freestone peaches for canning, freezing, or pulping 5448, 5449, 7671

PEANUTS:
See also Nuts.
Cropland adjustment. *See* Land use adjustment program.
Loan and purchase program:
1966 crop, 10241, 10634, 11141, 11592, 12709.
Marketing agreement, quality regulations, etc 5330, 8600, 13147
Marketing quotas, acreage allotments, etc.:
Appeal regulations 7393
1966 crop, 6957, 12563, 12633, 12921.
1966–68 crops, 4889.
1967 crop, 10471, 12940.
Price-support program:
1966 crop, 474, 10179, 13641.
Record retention requirements 4009, 4010
Supply available, Valencia type, 1966–67 marketing year 2479, 5002, 6581
Warehouse storage loan and sheller purchase regulations; 1966 crop 10241, 10634, 11141, 11592, 12709, 13207

PEARS:
Marketing:
Orders:
Bartlett pears, fresh:
California, 7476, 7703, 8404, 8921.
Oregon and Washington, 10036, 10510, 10963, 11657.
Beurre D'Anjou, Beurre Bosc, etc.; California, Oregon and Washington, 10177, 10963, 11657.
Record retention requirements 4004, 4005
Purchase program HMP 96a:
Canned Bartlett pears 11240
Fresh pears 14958

PEAS:
Inspection; fees and charges 14923
Marketing, fresh peas, Colorado; termination of marketing agreement and order 13394, 15728

PECANS:
See also Nuts.
Domestic; marketing, certain States 8021, 10747, 13090

PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930:
Record retention requirements 4005
Reparation awards; increased interest rate, policy change 4173, 6551

PESTICIDES; report on no residue and zero tolerance by National Research Council Pesticide Residues Committee 5723

PICKLES, standards for grades 10235

PIMIENTOS, canned; standards for grades, proposed rules 10471

PLANT PEST REGULATIONS:
Mediterranean fruit fly 9544, 14925
Soil from parts of Canada exempted from certain restrictions 7479, 10177

Agriculture Department—Continued Page

PLANT QUARANTINE:
Domestic:
Agreement phrase changed from "dealer-carrier" to "compliance" 8857
Black stem rust, 580, 5908, 13887, 13889, 13890, 13896, 14451, 16753.
European chafer, 4255, 4386, 4501, 10424, 14363, 14990.
Fire ant, imported, 4255, 4388, 10424, 11341, 12709, 14363.
Gypsy and brown-tail moths, 7636, 10509.
Japanese beetle, 4255, 4385, 4712, 10424, 14363, 16753.
Khapra beetle, 427, 7609, 11341.
Mediterranean fruit fly; revoked, 14925.
Pink bollworm, 4579, 12023, 13747, 13835.
Soybean cyst nematode, 4387, 14339, 14986.
White-fringed beetle, 4255, 4386, 8586, 9494, 10424, 14363.
White-pine blister rust; revoked, 13896.
Witchweed, 4388, 4714.
Foreign:
Bulbs, 12834.
Carrots, untreated, from Taiwan; entry into Guam, 5607.
Chrysanthemum plants, 5074, 10241.
Dutch elm disease, 5745, 6246, 8337, 10109.
Grapes, imported, and certain other fresh fruits; cold treatments, 16601.
Nursery stock, plants and seeds; proposed rule, 3124.
Okra from Mexico, 2589.
Oranges, Unshu, from Japan, restricted importation, 14881.
Hawaii; fruits, vegetables, and cut flowers 999
Overtime services, imports and exports:
Overtime work 10311
Travel time 1052, 4722, 6247, 8113, 9593, 11213, 13203
Plant pest regulations. *See* Plant pest regulations.
PLUMS:
Marketing, fresh plums:
Orders:
California, 7241, 7242, 7348, 7476, 7703, 7963, 8114, 8177, 8231, 8232, 8303, 8304, 8305, 8306, 8404.
Record retention requirements 4004
Purchase program HMP 96a, canned purple plums 12067
Standards for grades 6240, 7169
POTATOES:
Marketing, Irish potatoes:
Orders:
California, 9269, 12709, 13171, 13758, 14987.
Colorado, 9007, 9679, 10463, 10747, 10888, 11658, 11712, 11743, 12953, 13791, 15234.
Idaho, 8949, 9874, 10883.
Oregon, 8949, 9269, 9874, 10883, 12709, 13171, 13758, 14987.
Washington, 9044, 10368, 11743.
Record retention requirements 4004, 4005, 4007
Purchase program GMP 45a, sweetpotatoes 5457
Standards for grades, frozen french fried potatoes 6190
Proposed rules 13861
POULTRY AND PRODUCTS:
See also Eggs and products.
Exports:
Chickens, payment program; record retention requirements 4005
Consumption programs; recodification of regulations 13747
Improvement plans, national; proposed rules 12639
Inspection:
Grading, fees, licenses, equipment and utensils, etc. 2774, 2951, 9871, 10108, 11185, 13527
Record retention requirements 4005
Soups, effective date postponed 999, 3060, 5189, 6295, 7553, 9043, 10311, 11448, 13203
Live poultry marketing by licensees, handling of custodial funds 4118
Redesignation and transfer of regulations, editorial note 16264
PRACTICE RULES, withdrawal of inspection and grading services 6570
PRICE-SUPPORT PROGRAMS. *See main heading* Commodity Credit Corporation.
PROCUREMENT REGULATIONS:
Disputes and appeals policy and procedure 7902
Foreign purchases 7819, 9497
General; debarred and ineligible bidders 7819
PROGRAMS administered by ASCS:
Authority to make payments when there has been failure to comply with program 9789
Conserving base and designated diverted acreage 5873

Agriculture Department—Continued Page

PRUNES:
Marketing:
Orders:
Dried prunes:
California, 80, 2777, 4895, 5751, 10611, 10612, 10964, 11987, 13037, 13136, 13751, 14402, 14988.
Fresh prunes:
Idaho, 10462, 11035, 11238, 12478, 12773.
Oregon, 10035, 10462, 10665, 10888, 11035, 11238, 11657, 12478, 12773.
Washington, 10035, 10665, 10888, 11657.
Record retention requirements 4004, 4005
Standards for grades, fresh prunes 6240, 7169
QUARANTINE:
Animal diseases. *See* Animals and products.
Plants. *See* Plant quarantine.
RABBITS:
Domestic, grading and inspection; charges, license suspension, etc 2771, 10107
Standards for humane handling, proposed rules 16112
RAISINS, marketing:
Orders:
California, 13244, 13552, 13696, 14081, 14316, 14875, 15145, 16305.
Record retention requirements 4005
RECORDS:
Non-Federal; retention requirements 4004
Agricultural Research Service 4007
Agricultural Stabilization and Conservation Service 4008
Commodity Credit Corporation 4009
Commodity Exchange Authority 4010
Consumer and Marketing Service 4004
Farmers Home Administration 4011
Federal Crop Insurance Corporation 4011
Foreign Agricultural Service 4004
Official; compulsory process 2894
RECREATION AREAS:
Establishment and description of boundaries:
Mount Rogers National, Va., 16327.
Spruce Knob-Seneca Rocks, W. Va., 9470.
Whiskeytown-Shasta-Trinity, Calif., 9469.
Jurisdiction of certain lands transferred from Reclamation Bureau. *See* Lands.
RICE:
Cropland adjustment. *See* Land use adjustment program.
Export payment-in-kind program (GR-369) 7396, 11309, 11449
Inspection; fees and charges 14923
Loan and purchase program:
1966 and subsequent crops, 8346, 9116, 11449.
Marketing quotas, farm acreage allotments, etc.:
Appeal regulations 7393
1964 and subsequent crops, 5, 148, 1239, 6254, 9420, 11213.
1966 and subsequent crops, 903, 3061, 4106, 4889, 7472, 8619.
1967 crop, 12952, 15529, 15548, 16603.
Parity prices 15631
Price-support program:
1965 crop, 2665.
1966 and subsequent crops, 474, 903, 3061, 3490, 4106, 4889, 5941, 10179, 13641.
Record retention requirements 4004, 4009
Standards for inspection and certification, rough rice 11653
Warehouses, Federally licensed:
Standards for approval 13910
Storage loans, due date 2665
RURAL AND AGRICULTURAL AREA DEVELOPMENT, coordination of Federal programs (Executive Order 11307) 12917
RURAL ELECTRIFICATION ADMINISTRATION. *See main heading* Rural Electrification Administration.
RYE:
Loan and purchase program:
1966 crop, 6406, 9341, 10113.
Price-support program:
1965 crop, 2665.
1966 crop, 474, 3490, 5941, 10179, 13641.
Warehouses, Federally licensed:
Standards for approval 13910
Storage loans, due date 2665
SALES of agricultural commodities:
See also Surplus commodities.
Commercial sales, financing 16818

Agriculture Department—Continued Page

SCHOOL LUNCH PROGRAM:
Assistance funds, apportionment 5002, 5811, 13035, 13887
Definition of "school", requirements for lunches 14924
Donation of food commodities, etc.:
Editorial note and recodification 14297, 16264
Inventory shortages 13940
Milk, special program for children; definition of milk 11743
Record retention requirements 4005
SEEDS:
Crops, parity prices; deletion of certain crops 10767
Federal Seed Act, record retention requirements 4007
Oilseeds. *See* Cottonseed; Flaxseed; Peanuts; Soybeans; Tung nuts.
Warehouses, Federally licensed:
Revocation of certain regulations 11614, 13203
Standards for approval 13910
SIRUP; warehouses, Federally licensed, storage in 6139, 6141
SOIL CONSERVATION SERVICE; Great Plains. *See under* Conservation Programs.
SOYBEANS:
Contract market under Commodity Exchange Act; designation of New York Produce Exchange 11040
Loan and purchase programs:
1966 and subsequent crops, 6013, 12051, 12564.
Price-support program:
1965 crop, 2665.
1966 crop, 474, 3490, 5941, 10179, 13641.
Standards, interpretation of term "bicolored soybeans" 2965, 4949
Warehouses, Federally licensed:
Standards for approval 13910
Storage loans, due date 2665
SPINACH, canned; standards for grades, proposed rules 3253
STANDARDS FOR GRADES. *See specific commodities.*
STOCKYARDS. *See* Packers and Stockyards Division.
STRAW, inspection; fees and charges 14923
SUGAR:
Allotment of quotas:
Domestic beet area:
1965 crop, 71.
1966 crop, 72, 2835, 6819, 13589, 15483, 16303.
Hawaii, local consumption, 1967 crop, 15323, 16517.
Mainland cane area:
1965 crop, 74, 7815.
1966 crop, 197, 1151, 5682, 10109, 16669.
1967 crop, 14457.
Puerto Rico:
Direct-consumption portion of mainland quota:
1966 crop, 74, 6860, 10665, 12563, 13836.
1967 crop, 14598.
Local consumption, 1967 crop, 15323, 16517.
Commercially recoverable sugar:
Beet sugar area; 1966 and subsequent crops, 11591, 11931, 12514, 12771.
Mainland sugarcane; 1966 crop, 14390.
Conditional payments provisions:
Domestic beet sugar area:
1962 and subsequent crops, 1143.
Sugarcane; Puerto Rico:
1966–67 and subsequent crops, 7816.
Continental requirements and area quotas:
1966 crop, 2776, 2895, 3283, 5681, 7999, 9546, 9939, 11307, 11711, 13133, 13313.
1967 crop, 14745, 15581.
Importation of sugar or liquid sugar, sugar-containing products or mixtures 8536, 8541, 9495, 9790, 15147, 16518
Marketing of sugar and liquid sugar; exchange between two processors, proposed rule 14685
Normal yields and eligibility for abandonment and crop deficiency payments:
Beet sugar area; 1964 crop, 5749.
Sugarcane; Puerto Rico, 1965–66 crop, 13837.
Prices:
Sugarbeet; 1967 crop, 13731.
Sugarcane:
Florida, 1966 crop, 7192, 13748.
Hawaii:
1966 crop, 8857.
1967 crop, 14319.

Agriculture Department—Continued Page

SUGAR—Continued
Prices—Continued
Sugarcane—Continued
Louisiana, 1966 crop, 7192, 12395, 12940.
Puerto Rico:
1965–66 crop, 199.
1966–67 crop, 13610.
Virgin Islands; 1966 crop, 79.
Proportionate shares:
Sugarbeets:
Domestic area:
1966 crop, 2648, 5816, 8770.
1967 crop, 11771.
National acreage reserve:
1962 and subsequent crops, 4726.
1966 and subsequent crops, 1297, 6255, 9840.
Prevented acreage credit, 1965 crop, 13695.
Sugarcane:
Mainland:
1965 crop, 11966.
1967 crop, 7843, 11967, 13896.
Puerto Rico:
1966–67 crop, 981, 4197.
1967–68 crop, 14789.
Record retention requirements 4009
Wage rates:
Sugarbeets:
1965–66, 5003.
1966 crop, 5442, 16280.
Sugarcane; 1966 crops.
Florida, 7192, 13937.
Louisiana, 7192, 12771.
Virgin Islands, 77.
SURPLUS COMMODITIES, sales:
Certain commodities acquired through price-support operations; sales list:
1965, December 102
1966:
January 300
February 3084
March 4743
April 5976
May 7252
June 8643
July 9686, 10139
August 10898, 10965
September 11687, 12414, 12576
October 13010, 13449, 13811
November 14271, 14601
December 15495, 15758
Commercial sales, financing 16818
Foreign currencies, use of 3059
Credit under long-term supply contracts; record retention requirements:
Export sales, commercial; supplier and importer records 4004
Private trade agreements 4004
Foreign currencies; commercial sales, financing 3059
Record retention requirements 4004
SWEETPOTATOES, purchase program GMP 45a 5457
SWISS CHEESE, standards for grades 6715, 9443
TANGELOS:
Export restrictions 12836
Marketing:
Florida, 2693, 3020, 4106, 7971, 11236, 11553, 12445, 12835, 13800, 14543, 15059, 16183.
TANGERINES, marketing:
Florida, 1198, 3020, 4106, 7971, 11236, 11553, 12445, 13385, 13800, 14543, 14735, 15059, 16183.
TOBACCO:
Cropland adjustment. *See* Land use adjustment program.
Exports:
Cash payment 6862, 7556, 9208, 12997, 14826
Commodity certificates, redemption 11013
Credit sales program 11013
Inspection; price-support services, hearings on applications 7256

Agriculture Department—Continued

TOBACCO—Continued
Loan program 9679
1965 crops:
Burley, dark air-cured, cigar filler and binder, flue-cured, Virginia fire-cured and sun-cured, and Maryland tobacco, 5817.
Puerto Rican, 5817.
1966 crops:
Burley, dark air-cured, cigar filler and binder, flue-cured, Virginia fire-cured and sun-cured, and Maryland tobacco, 9679, 10113, 14451.
Connecticut Valley:
Broadleaf, 15485.
Havana seed, 15485.
Kentucky-Tennessee fire-cured, 7679, 14451.
New York and Pennsylvania Havana seed, 15485.
Ohio filler, 15485.
Wisconsin:
Northern, 15485.
Southern, 15485.
Marketing, shade-grown cigar-leaf tobacco:
Florida and Georgia, 5324, 6483, 9337.
Marketing quotas, farm acreage allotments, etc.:
Appeal regulations 7393
1964–70 marketing years 300, 703, 718, 881, 886, 1233, 1237, 1238, 1259, 1297, 2414, 2590, 2645, 4197, 4343, 4580, 6819, 8819, 9775, 11655, 13242, 14002, 14560, 15020, 16755
Record retention requirements 4008, 4009
Warehouses, Federally licensed, storage in 6140
TOMATOES:
Import restrictions 6276, 6629
Marketing:
Orders:
Texas, 6295, 6592, 7243.
Record retention requirements 4004, 4005
Standards for grades, greenhouse tomatoes 3193, 5939
TUNG NUTS:
See also Nuts.
Price-support program:
Record retention requirements, 4009.
TUNG OIL:
Loan program:
1966 crop, 11932.
Loan and purchase program:
Record retention requirements, warehouse stored oil, 4010.
Price-support program:
1966 crop, 474, 10179, 13641.
VEGETABLES:
See also specific vegetables.
Hawaiian; plant quarantine notice 999
VIRUSES, SERUMS, TOXINS, etc.:
General provisions, definitions 82
Handling of anti-hog-cholera serum and hog-cholera virus:
Budget of expenses and rates of assessment, 1966 9745, 11607
Marketing agreement and order, termination 12102, 16185
Organisms and vectors, definitions 81
Record retention requirements 4007
Veterinary Biologic Division, redesignation 82, 101, 1208
WALNUTS:
See also Nuts.
Marketing:
Orders:
California, Oregon, and Washington, 12795, 13005, 13421, 13640.
Record retention requirements 4005
WAREHOUSES, Federally licensed:
Canned food, cold-pack fruit, and seeds warehouses; revocation of certain regulations 11614, 13203
Record retention requirements 4006, 4007, 4010
Standards for approval 13910
Storage loans, due date 2665
Peanuts; 1966 crop 10241, 10634, 11141, 11592, 12709, 13207
Warehouses and warehousemen, licensed and bonded; list 6123

Agriculture Department—Continued

WHEAT:
Cropland adjustment. *See* Land use adjustment program.
Diversion and certificate programs, 1966–1969 181, 745, 3187, 7814, 8338, 8678, 8758, 9110, 10356, 10449, 11171, 11859, 12675, 13036, 14383, 14673, 15792.
Farm conserving base 5873
Payments when there has been failure to comply fully with program 9789
Diversion program, 1964 and 1965 811
Export program:
Cash payment, flour (GR–346) 7817, 14504
Payment-in-kind (GR–345) 4728, 9719, 10072, 11450
Loan and purchase program:
1966 and subsequent crops, 9414, 9594, 9719.
Marketing certificate programs:
Exporters, 1966 4722, 5043, 7997
Authority delegation 4742
1964 and 1965 194, 10072
Processors, 1966 194, 4271, 8878, 9111, 13502
Authority delegation 9557, 10549
Marketing quotas, farm acreage allotments, etc.:
Appeal regulations 7393
1964 and subsequent crops, 810, 2728.
1966–1969 crops, 181, 745, 3187, 8758, 9110, 9545, 10356, 11859, 12675, 13036, 14383, 15792.
1967–1968 marketing year, 7814, 8337, 3678, 10449, 11171.
Price-support program:
1965 crop, 2665.
1966 crop, 474, 3490, 5941, 10179, 13641.
Processor marketing certificates, authority delegation by ASCS Administrator to Director, Kansas City ASCS Commodity Office 9557, 10549
Record retention requirements 4008, 4009, 4010
Reseal loan program:
1966–67 storage period, 9600, 11090.
Warehouses, Federally licensed:
Standards for approval 13910
Storage loans, due date 2665
WOOL:
Payment programs:
1965 4953
1966–69 4582, 15234
Record retention requirements 4010
Sales and promotion programs; agreement between Secretary and American Sheep Producers Council, Inc 10202, 13921
Warehouses, Federally licensed; storage in 6140

Air Carriers:

See Aircraft and air carriers.

Air Force Department:

See also Defense Department.
AERO CLUBS, purpose, membership, etc 15540
AIRCRAFT other than that of Defense Department, use of installations 13081
AUTHORITY DELEGATIONS:
From Deputy Secretary of Defense:
Appoint contracting officers in support of Defense Intelligence Agency activities 7636
Collection of claims, etc 16722
From Secretary of Defense; secrecy of certain inventions and withholding of patent 13396
BANDS, Air Force, editorial change 10270
BUY AMERICAN ACT, finding of violation 8378
CLASSIFIED INFORMATION, safeguarding; authorized dissemination, etc 4146
CONDUCT STANDARDS 10779
CREDIT UNIONS 4145, 16143
CRIMINAL PROCEEDINGS, release of information 16143
DECORATIONS AND AWARDS, Vietnam Service Medal; description, etc 4146
DOCUMENTARY STILL PHOTOGRAPHS, sale of; exclusion of aerial photography 4145
EQUAL OPPORTUNITY and treatment of military personnel; reports of racial incidents, deleted 10274
GIFTS, items of historic and artistic significance, and gifts from foreign governments 15318

Air Force Department—Continued

INFORMATION:
Classified information, safeguarding 4146
Criminal proceedings, release of information 16143
OFFICER TRAINING SCHOOL 16352
PROCUREMENT:
Advertising, formal 2684, 7684, 13217, 14974, 16623
Appendix E, contract financing 2688, 13220
Bonds and insurance 2687
Deleted 13219
Construction and contracting for architect-engineer services 2688, 13220
Contracts:
Administration 2689, 13220, 14979, 16624
Clauses 2686, 4592, 5355, 7686, 8371, 13218, 13547, 14979, 16624
Cost principles and procedures; applicability, deleted 2688
General 1303, 2688, 8371, 13220
Extraordinary contractual actions to facilitate national defense 2688, 13220
Foreign purchases 2685, 5355
Buy American Act, finding of violation 8378
"Buy U.S. Here" program 16624
Forms 2688, 4593, 7687
General provisions 2681, 4590, 5354, 7684, 8370, 13213, 14974, 16623
Government property 2687, 8371, 13219, 14979
Inspection and acceptance 8371
Labor 7687, 13548
Negotiation 2684, 4592, 5354, 7684, 8311, 8870, 13217, 13547, 14975, 16623
Reports, financial management 2689
Special types and methods 2685, 8371, 13217, 14978
Taxes 4593
PUBLIC EVENTS, participation in 10270, 15318
RECORDS, non-Federal; retention requirements 4017
ROTC:
Background, organization, eligibility, etc 16555
Cadets 15318
Junior ROTC 7459
SECURITY:
Protection of resources; restricted area, warning signs, and identification badges 5619
Safeguarding classified information; authorized dissemination, etc 4146
VETERINARY CARE from civilian sources; purpose, definition, etc 4146
VIETNAM SERVICE MEDAL, description, etc 4146

Air Pollution:

BOUNDARY AREAS, United States and Canada; investigation by International Joint Commission 13956
ENVIRONMENTAL POLLUTION CONTROL COMMITTEE, Defense Department; establishment 849
FEDERAL GOVERNMENT ACTIVITIES, pollution from; prevention, control, and abatement:
See also Public Health Service.
Executive Order 11282 7663
FUNCTIONS. *See* Public Health Service.
INTERSTATE CONTROL, certain metropolitan areas. *See* Health, Education, and Welfare Department.
MOTOR VEHICLES, control of pollution from 1312, 5170

Aircraft and Air Carriers:

ACCIDENTS, investigations, etc. *See* Civil Aeronautics Board.
AIR COMMERCE REGULATIONS. *See* Customs Bureau.
AIR FORCE REGULATIONS. *See* Air Force Department.
EMERGENCY BOARDS to investigate labor disputes. *See* National Mediation Board.
FEDERAL AIRWAYS, control areas, etc. *See* Federal Aviation Agency.
IMPORTED AIRCRAFT, for repair or alteration, entry and clearance, Customs Bureau 2817
MAIL TRANSPORTATION by air. *See* Post Office Department.
MARKING of Coast Guard aircraft. *See* Coast Guard.
MILITARY AIRCRAFT INDUSTRY, Boards of Inquiry to investigate labor disputes (Executive Order 11314, 11321) 13419, 16301
MILITARY STAND-BY AUTHORIZATION, commercial air travel. *See* Defense Department.

Aircraft and Air Carriers—Continued

MOTOR CARRIER SERVICES due to cessation of normal air transportation occasioned by work stoppages. *See* Interstate Commerce Commission.
PARTS, ACCESSORIES, AND COMPONENTS of aircraft, export control 13046
PAY RATES, adjustment; air carrier operations inspectors, et al 11498
RADIO SERVICES. *See* Federal Communications Commission.
REGULATORY AGENCIES. *See* Canal Zone; Civil Aeronautics Board; Federal Aviation Agency.
RESTRICTED AREAS over military installations. *See* Federal Aviation Agency.
SMALL BUSINESS aircraft manufacturing, regulations 15145
WRIGHT BROTHERS NATIONAL MEMORIAL, N.C., designation and use of airstrip; proposed rules 14685

Airports:

CUSTOMS CHARGES. *See* Customs Bureau.
FEDERAL AID, etc. *See* Federal Aviation Agency.
INTERNATIONAL AIRPORTS:
Designation. *See* Customs Bureau.
Immigration port of entry. *See* Immigration and Naturalization Service.

Alcoholic Beverages:

CANAL ZONE, manufacture, importation, etc 12230
CHINESE-TYPE, imported directly from Taiwan (Formosa). *See* Treasury Department.
DUTY-FREE IMPORTS, service personnel and families, restrictions 1148
EXCISE TAXES. *See* Internal Revenue Service.
INDIANS, legalizing sale to:
Cochita Reservation, Pueblo, N. Mex., 11988.
Colorado River Indian Reservation, Ariz., 5230.
Lower Brule Reservation, S. Dak., 13610.
Swinomish Indian Reservation, Wash., 13948.
Walker River Paiute Reservation, Nev., 7764.
INTOXICATING LIQUORS, labeling and advertising, etc. *See* Internal Revenue Service.
PARACHUTE JUMPING, restriction on use of alcoholic beverages; proposed rule 6988
RETAIL LIQUOR DEALERS, furnishing of window and other interior displays by industry members 14773
RETURNING RESIDENTS, certain exemptions 4627
STAINLESS STEEL DRUMS for alcoholic beverages, instruments of international traffic 12413

Alien Property Office:

BLOCKED ASSETS, transfer of regulations to Foreign Assets Control 7333
RECORDS, non-Federal; retention requirements 4026
RETURN OF VESTED PROPERTY:
Elektrokemisk A/S, 11554.
Henderson, Jack Douglas, et al., 482.
Hoffman, Herta, et al., 4809.
Horn, Friedrich N. et al., 1029.
Jedlickova, Henriette, et al., 4809.
Johannes, H. J. Van Spanie, et al., 1208.
Leonhardy, Henry P., 14957.

Aliens:

AGRICULTURAL AND LOGGING INDUSTRY EMPLOYMENT, certification for 7966
ARMED FORCES of U.S., permanent-residence aliens serving in. *See* Defense Department.
BLOCKED ASSETS:
Transfer of jursidiction from Attorney General to Secretary of Treasury (Executive Order 11281) 7215
Transfer of regulations from Alien Property Office to Foreign Assets Control 7333
CUBAN REFUGEES, appointments to certain excepted positions 5245, 15133, 15727
EMERGENCY PREPAREDNESS FUNCTIONS of Attorney General (Executive Order 11310) 13199
IMMIGRATION regulations. *See* Immigration and Naturalization Service; State Department.
LABOR COMPETITION, regulations. *See* Employment Security Bureau; Labor Department.
LABOR STANDARDS. *See* Employment Security Bureau.
SCIENTISTS AND TECHNICIANS, Interior Department 11651
TAXES, income and employment. *See* Internal Revenue Service.

Aliens—Continued Page
VESTED PROPERTY. *See* Alien Property Office.
VISAS. *See* State Department.

Almonds:
MARKETING. *See* Agriculture Department.

Aluminum Siding Industry, Residential:
TRADE PRACTICE RULES. *See* Federal Trade Commission.

American Education Week, 1966:
PROCLAMATION 3753 ---- 14379

American Heart Month, 1966:
PROCLAMATION 3700 ---- 1037

American Samoa:
DISASTER AREA, Federal assistance ---- 3144
TAXES, EMPLOYMENT; special rules as employer ---- 2596
WATCH AND WATCH MOVEMENT PRODUCERS, joint notice by Secretaries of Commerce and Interior respecting quotas ---- 16579

Anchorage Regulations:
See Engineers Corps.

Animals:
See also Livestock; Wildlife.
DISEASES, humane slaughter, etc. *See* Agriculture Department.
DOGS, CATS, etc.; certified products for, and humane treatment. *See* Agriculture Department.
HARMLESS LIVE animals acceptable for mailing. *See* Post Office Department.
OVERTIME SERVICES, imports and exports. *See* Agriculture Department.
RAILWAY EXPRESS CHARGES, minimum, for live animals; prehearing conference ---- 16287
RESTORATION, mammals. *See* Fish and Wildlife Service.

Antenna Structures:
AIRSPACE RESTRICTIONS, etc. *See* Federal Aviation Agency.
COMMUNITY ANTENNA TELEVISION SYSTEMS. *See* Federal Communications Commission.

Antibiotic Drugs:
See Food and Drug Administration.

Antidumping Act of 1921:
DETERMINATIONS. *See* Customs Bureau; Treasury Department.
INVESTIGATIONS. *See* Tariff Commission.
TRADE INFORMATION COMMITTEE, consideration of international agreement on antidumping ---- 9619, 10970

Appalachian Regional Commission:
CONDUCT STANDARDS ---- 5189, 5481

Apples:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
STANDARDS FOR GRADES. *See* Agriculture Department.

Apricots:
MARKETING. *See* Agriculture Department.

Area Redevelopment Administration:
CONTINUITY of certain regulations under Economic Development Administration ---- 8

Armament Industry:
BOARD OF INQUIRY to investigate labor dispute (Executive Order 11314) ---- 13419

Armed Services:
See also Defense Department *and specific services.*
COURTS-MARTIAL MANUAL, UNITED STATES, 1951; amendment of provisions respecting maximum punishments (Executive Order 11317) ---- 15305
GIFTS from U.S. Armed Forces members in combat zones, certain importations temporarily free of customs duty ---- 5260, 14520

Armed Services—Continued Page
HAZARDOUS AND SEA DUTY, incentive pay for (Executive Order 11292) ---- 10447
INCOME TAX, exclusion, combat pay of members ---- 16615
INTEREST RATE on savings deposited (Executive Order 11298) ---- 10915
NATIONAL DEFENSE SERVICE MEDAL, provisions respecting (Executive Order 11265) ---- 425
PROCUREMENT. *See* Air Force Department; Army Department; Defense Department.
EXCISE TAXES, etc. *See* Internal Revenue Service.
INTERNATIONAL TRAFFIC. *See* State Department.

Arms Control and Disarmament Agency, U.S.:
BASIC COMPENSATION, public affairs adviser ---- 10430
CONDUCT STANDARDS ---- 4391

Army Department:
See also Defense Department.
AUTHORITY DELEGATIONS:
From Deputy Secretary of Defense:
Appoint contracting officers in support of Defense Intelligence Agency activities ---- 7636
Collection of claims, etc ---- 16722
From Secretary of Defense; secrecy of certain inventions and withholding of patent ---- 13396
CANAL ZONE:
Functions of Secretary (Executive Order 11305) ---- 12007
Regulations, etc. *See main heading* Canal Zone.
CIVIL DEFENSE OFFICE, identification for Federal employees, reservists and non-Federal support personnel; issuance authority, etc ---- 6963, 7175
CLAIMS:
Against U.S.:
Explosion at U.S. Army Ordnance Plant in Bowie County, Tex., July 8, 1963; claims ---- 16618
Maritime claims ---- 10639
Military or civilian personnel, claims arising from noncombat activities ---- 10637, 10886, 11880, 12712
National Guard personnel, claims arising from activities of, while engaged in duty or training ---- 11217
Responsibilities, supervisory authority, etc ---- 10075
Vehicles, Government, claims incident to use; settlement ---- 10687
Authority delegation from Deputy Secretary of Defense; collection of claims ---- 16722
On behalf of U.S., maritime claims ---- 10640
CONDUCT STANDARDS ---- 11642, 12520
DISASTER RELIEF ASSISTANCE ---- 7966
ENGINEERS CORPS regulations. *See main heading* Engineers Corps.
FLOOD HAZARD INFORMATION, functions of Secretary (Executive Order 11296) ---- 10663
LOAN OF PROPERTY, Army/DSA, to recognized veterans' organizations for use at national and State conventions ---- 4786
NATIONAL CEMETERIES, persons ineligible for burial ---- 2834
ORGANIZATION AND FUNCTIONS, central and field agencies ---- 7005
PROCUREMENT:
Advertising, formal ---- 2368, 9962
Bonds, insurance, and indemnification ---- 2370, 9974
Contracts:
Clauses ---- 9972
Termination ---- 9973
Foreign purchases; Buy American Act, Canadian purchases ---- 9971
Forms ---- 2371, 9975
General provisions ---- 2367, 9950
Government property ---- 2371, 9975
Interdepartmental and coordinated ---- 2369, 9971
Labor ---- 2370, 9974
Negotiation ---- 2368, 9963
Patents, data, and copyrights ---- 2370, 9973
Special types and methods ---- 2369, 9965
Supplemental provisions ---- 2371
Revoked ---- 9976
RECORDS:
Non-Federal; retention requirements ---- 4017
Release of, by commands subordinate to headquarters ---- 11416
RESERVOIR PROJECT LANDS, joint policy of Interior and Army Departments ---- 9108
STUDENTS attending OCD schools, reimbursement toward expenses ---- 9348

Artichokes: Page
CANNED, identity standards. *See* Food and Drug Administration.

Asparagus:
FRESH, standards for grades. *See* Agriculture Department.

Assassination:
PRESIDENT JOHN F. KENNEDY, acquisition and preservation of items of evidence pertaining to assassination ---- 13968

Atomic Energy Commission:
ALABAMA, agreement with; assumption of certain AEC regulatory authority ---- 7844, 8137, 8473, 8702, 10644
APPEALS, CONTRACT, procedure; certain pending proceedings transferred to Board of Contract Appeals ---- 1058
AUTHORITY DELEGATION from General Services Administrator, lease space in Idaho Falls, Idaho ---- 11993
BASIC COMPENSATION, Director, Division of Military Application, et al ---- 10329
BYPRODUCT MATERIAL. *See under* Nuclear material.
COMMITTEES, BOARDS, PANELS, established by Commission; list ---- 9539
CONDUCT STANDARDS:
Certification for work under certain contracts:
Bush, Dr. Spencer H., Battelle Northwest Laboratory, 9610.
Hanauer, Dr. Stephen H., Tennessee University, 9610.
McClellan, Roger O., Lovelace Foundation for Medical Education and Research, 13015.
Monson, Dr. Harry O., Argonne National Laboratory, 9611.
Okrent, Dr. David, Argonne National Laboratory, 9611.
Palladino, Nunzio J., Pennsylvania State University, 9611.
Rosenthal, Dr. Murray W., Oak Ridge National Laboratory, 11990.
Thompson, Dr. Theos J., Massachusetts Institute of Technology, 9611.
Contractors and consultants ---- 6907
Cost-type contractors that construct or operate AEC plants or perform research and development services:
Procurement regulation ---- 5128
Proposed rules ---- 2699, 5075
Employees ---- 4502
EDITORIAL CHANGE ---- 5120
FINANCIAL PROTECTION requirements and indemnity agreements:
Amounts of financial protection, power or testing reactors; proposed rule, extension of time ---- 2614
Communications ---- 4670
LOUISIANA, proposed agreement with; assumption of certain AEC regulatory authority ---- 9471, 9753, 10080, 10374
NEBRASKA, agreement with; assumption of certain AEC regulatory authority ---- 9243, 9515, 9814, 10139, 11948
NEW HAMPSHIRE, agreement with; assumption of certain AEC regulatory authority ---- 1016, 1286, 2562, 2787, 3503, 4426, 4811, 5082, 7090
NUCLEAR MATERIAL:
Byproduct material, licensing:
Applicability, general; exemptions:
Electrical meters containing tritium-activated light sources ---- 5082
Fire and smoke detectors using americum 241; petition for rulemaking ---- 14419
Iodine 125 for clinical and laboratory testing of thyroid function; petition for rulemaking ---- 14419
Luminous light sources containing krypton 85, petition for rulemaking ---- 10619
Promethium 147 or tritium contained in certain items ---- 2734, 5316, 8596, 14349
Marine compasses and other marine navigational instruments, proposed rule ---- 12023
Petitions for rulemaking ---- 12111, 15332, 15552, 15709
Resins containing scandium 46 and designed for sand-consolidation in oil wells; proposed rule ---- 15747
Self-luminous screws, tritium-activated ---- 852
Terms and conditions of licenses, proposed rule withdrawn ---- 9943
Exports to Southern Rhodesia, general licenses for ---- 7959, 8417
Human uses, licenses for groups of diagnostic uses; proposed rules ---- 14317

Atomic Energy Commission—Continued Page
NUCLEAR MATERIAL—Continued
Byproduct material, licensing—Continued
Specific licenses to manufacture, distribute, or import exempted and generally licensed items:
Annual report, certain items containing byproduct material; proposed rules ---- 15747
Editorial changes ---- 15145
Luminous safety devices, petition for proposed rulemaking ---- 12111
Resins containing scandium 46 and designed for sand-consolidation in oil wells; proposed rule ---- 15747
Licenses issued for transportation, etc.:
Allied-Crossroads Nuclear Corp., 10329, 11050.
American Mail Line, 12536.
Armed Forces Radiobiology Research Institute, 6640.
Army Department, 10619, 12357.
Atcor, Inc., 7091, 10929, 11051, 11990, 12484, 15499.
Atomic Disposal Co., Inc., 8707, 12685.
California Nuclear, Inc., 2632, 5331, 9371, 10620, 11625, 14575, 15550.
California Salvage Co., 363, 12733.
California University, Regents, 6641.
Consolidated Edison Co. of New York, 10331.
Laboratory for Electronics, Inc., 12651.
Long Island Nuclear Service Corp., 5771, 13561.
National Institutes of Health, 12462.
Nuclear Diagnostic Laboratories, Inc., 16376.
Nuclear Engineering Co., Inc., 5332.
Oregon State University, 10329.
Radiological Service Co., Inc., 11157.
Walker Trucking Co., 12686.
Westinghouse Electric Corp., 6796.
Packaging of radioactive material for transport ---- 9941, 10414
Source material, licensing:
Applications for specific licenses ---- 4669
Communications ---- 4669
Editorial changes ---- 15145
Expiration of licenses; proposed rule ---- 16367
General licenses to export ---- 4669
Southern Rhodesia ---- 7959, 8417
Special nuclear material:
Applications, contents and requirements for approval; proposed rules ---- 14881
Communications ---- 4670
Filing ---- 4670
Inventory, control and physical; requirements, proposed rules ---- 7634
Licensee's responsibility for special nuclear material, deleted; proposed rule ---- 14881
Licenses, issuance and reduction and termination of allocations; proposed rules ---- 14881
Reports, material status and transfer; proposed rules ---- 5076
Transfer; proposed rule withdrawn ---- 9943
War or national emergency, suspension or operation in; proposed rule ---- 14881
Uranium:
Domestic procurement program, 1967–70, modification ---- 11402, 14531
Hexafluoride; charges and specifications ---- 5385, 16584
ORGANIZATION, AUTHORITY DELEGATIONS, etc ---- 8866, 8999, 9539, 12399, 16309
PRACTICE, RULES OF:
Appendix A, policy statement ---- 833, 12777
Definition "contested proceeding" ---- 12776
General applicability ---- 833, 4339, 4390, 12776, 16310
Hearing on application, how initiated ---- 833, 12776
PROCUREMENT REGULATIONS:
Advertising, formal ---- 13046, 14649
Contracts:
Actions ---- 16200
Clauses ---- 9063, 10324, 12021, 14650, 15017
Construction; bonds ---- 4208
Cost principles and procedures ---- 6415, 14651
Contractors, selection by Board process ---- 9349
Forms ---- 4788, 10324, 11103, 12021, 14651
General ---- 11103, 13046, 14649
Labor ---- 5128, 5555, 6907, 8237, 10324, 12021
Negotiation ---- 13046, 14649
Patents and copyrights ---- 14650
Special types and methods; research and development contracts ---- 11103

Atomic Energy Commission—Continued Page

PROCUREMENT REGULATIONS—Continued
Uranium domestic procurement program, 1967–70; modification ---- 11402, 14531
RADIATION, protection against, standards:
Communications ---- 4669
Editorial changes ---- 15145
Operations offices ---- 4669
Precautionary procedures ---- 4669, 10514
Radioactivity concentrations in air and water, correction ---- 86
Reports of overexposures and excessive levels and concentrations ---- 4669
RADIOISOTOPES, certain; AEC withdrawal from production and distribution ---- 1015, 5331
REACTORS AND CRITICAL EXPERIMENT FACILITIES:
Construction and/or operation:
Exemptions from licensing requirements:
Applications for authorizations ---- 837, 4670, 12781, 13792
Approval of changes, tests, and experiments ---- 837, 4670, 12781, 13792
Communications ---- 4670
Contents of applications ---- 837, 12781
Designation of technical specifications ---- 837, 12781, 13792
Provisional construction authorizations, issuance ---- 837, 12781, 13792
Provisional operating authorization ---- 837, 4340, 12781
Scope and definition of applicant ---- 17, 12478
Licenses or permits to listed companies, etc.:
Allis-Chalmers Manufacturing Co., 15816.
Armed Forces Radiobiology Research Institute, 3142, 14790.
Brigham Young University, 11188.
California University, Regents, 3308, 5584, 7196, 8838, 10929, 11498.
Carolina Power & Light Co., 10551.
Catholic University, 11692.
Columbia University Trustees, 14900.
Commonwealth Edison Co., 543, 3041, 8503, 11189, 11691, 13616, 16286.
Connecticut Light and Power Co. et al., 4748, 5022, 7534, 7637.
Consolidated Edison Co. of New York, Inc., 11113, 13616.
Consumers Power Co., 8381.
Dow Chemical Co., 11557, 15028, 16732.
Duke Power Co., 16286.
Florida Power & Light Co., 5457.
General Dynamics Corp., 719, 853, 2702, 3141, 6459, 7413, 8028, 10928, 11050, 12462, 15029, 16732.
General Electric Co., 1286, 4931, 5331, 6282, 10426, 11558, 13397, 15332.
General Services Administration, 3266, 6207.
Isochem, Inc., 9243, 15610.
Kansas State University of Agriculture and Applied Science, 2875.
Kansas, University of, 4931.
Lockheed Aircraft Corp., 3266, 6207.
Los Angeles, Calif., Water and Power Department, 6459.
Lowell Technological Institute, 1167.
Martin-Marietta Corp., 2734.
Michigan University, 12608.
Mississippi State University, 2664, 4171.
Missouri University, Curators, 8838, 9372, 10550, 13561, 16328.
New Mexico University, 6517, 8647, 9566, 11559, 12578.
New York State Atomic and Space Development Authority, 5529, 6325.
North Carolina State College, 12415.
Northern States Power Co., 11189.
Nuclear Engineering Co., Inc., 11727.
Nuclear Fuel Services, Inc., 5529, 6325.
Oregon State University, 11188.
Pacific Gas & Electric Co., 2975, 11727.
Pennsylvania State University, 274.
Philadelphia Electric Co., 1221, 14577.
Power Reactor Development Co., 10551, 15551.
Public Service Company of Colorado, 14366.
Puerto Rico Water Resources Authority, 8092, 9610.
Purdue University, 10206.
Rochester Gas & Electric Corp., 3472, 4171, 4852, 6552, 14752.
Southern California Edison Co. et al., 13365.
Southwest Atomic Energy Associates, 4931.
Tennessee Valley Authority, 10143.
Texas University, 5771.
Texas A & M University, 13189.
Union Carbide Corp., 11158, 15202.

Atomic Energy Commission—Continued Page

REACTORS AND CRITICAL EXPERIMENT FACILITIES—Continued
Construction and/or operation—Continued
Licensing or permits to listed companies, etc.—Con.
U.S. Army Materials Research Agency, 7300, 8249, 12927.
U.S. Naval Postgraduate School, 11188.
Vermont Yankee Nuclear Power Corp., 15816.
Virginia Polytechnic Institute, 8091, 9089.
Washington University, 11899.
Wisconsin Michigan Power Co., 11990.
Wisconsin University, 11558, 12968.
Licensing:
See also Exemptions from licensing requirements.
Allocation of special nuclear material; proposed rule ---- 14881
Applications ---- 837, 4669, 12780
Proposed rules ---- 10892, 14881
Authorization of changes, tests, and experiments ---- 837, 4669, 12781
Proposed rule ---- 10893
Boiling and pressurized light water reactors; petitions for rule making ---- 220, 14658, 16732
Communications ---- 4669
Conditions of construction permits; proposed rule ---- 14881
Definition, "design bases"; proposed rule ---- 10891
Editorial changes ---- 15145
Light water reactors, certain, findings of practical value; proposed rule, determination ---- 221
Operators' licenses ---- 837, 4669, 12781
Provisional construction permits, issuance; safety analysis report ---- 837, 12781
Provisional operating license ---- 4340
Technical specifications:
Proposed rule ---- 10893
Safety analysis report ---- 837, 12781
War or national emergency, suspension and operation in; proposed rule ---- 14881
Dismantling order:
Aerojet General Corp., 5232.
Export license applications:
Atomics International, Interatom Internationale, Atomreaktorbau, G.m.b.H., Bensberg, Cologne, West Germany, 9475, 10481.
General Atomic Division of General Dynamics Corp., Heidelberg, West Germany, 1166, 2912.
Lockheed-Georgia Co., Montevideo, Uruguay, 9426.
Reactor site criteria, copies of Technical Information Document 14844 ---- 4670
RECORDS:
Non-Federal; retention requirements ---- 4055
Public; editorial changes ---- 15145
REGULATORY AUTHORITY OF AEC:
Communications ---- 4670
Editorial changes ---- 15145
Exemptions in agreement States, persons exempt; proposed rule ---- 5076
State licenses, recognition of ---- 4670
States, agreements for assumption of authority:
Alabama, 7844, 8137, 8473, 8702, 10644.
Louisiana, proposed, 9471, 9753, 10080, 10374.
Nebraska, 9243, 9515, 9814, 10139, 11948.
New Hampshire, 1016, 1286, 2562, 2787, 3503, 4426, 4811, 5082, 7090.
Washington, 13360, 13611, 13867, 14278, 16375.
Submission to Commission of material status and transfer reports; proposed rule ---- 5076
SOURCE MATERIAL. *See under* Nuclear material.
URANIUM:
Charges and specifications, uranium hexafluoride ---- 5385
Enrichment services, criteria ---- 16479
Hexafluoride, charges and specifications ---- 16584
Procurement program, domestic, 1967–70; modification ---- 11402, 14531
Reconnaissance reports of exploration, preliminary; availability of film copies ---- 11949
WASHINGTON, proposed agreement with; assumption of certain AEC regulatory authority ---- 13360, 13611, 13867, 14278, 16375

Attorney General:
See Justice Department.

Audiovisual Materials:
IMPORTS, implementation of Beirut Agreement of 1948 (Executive Order 11311) ---- 13413

Authority Delegations by the President: Page
See Delegations of authority by the President.

Automatic Data Processing:
See General Services Administration.

Automobiles:
See Motor vehicles.

Automotive Agreement Adjustment Assistance Board:
DETERMINATIONS with respect to petitions of certain workers:
Ford Motor Co., Pennsauken, N.J. ---- 5982
Fram Corp., Birmingham, Ala. ---- 11497
General Motors Corp., Grand Rapids, Mich. ---- 10378
Maremont Corp., Cleveland, Ohio ---- 16733
ORGANIZATION, FUNCTIONS, AND PROCEDURES ---- 827
Automotive Assistance Committee, establishment and delegation of functions ---- 853
REPORTS from Tariff Commission respecting certain employees:
Fram Corp. ---- 10868
Maremont Corp. ---- 15772

Automotive Products:
U.S.-CANADIAN TRADE AGREEMENT:
Implementation (Proclamation 3743) ---- 12003
Origin disclosure on packages ---- 5687

Avocados:
MARKETING, etc. *See* Agriculture Department.

Awards:
See Decorations, medals, and awards.

B

Balloons:
See Federal Aviation Agency.

Banks:
BANK HOLDING COMPANIES. *See* Federal Reserve System.
COMMERCIAL BANKS, price-support programs. *See* Commodity Credit Corporation.
COOPERATIVES, banks for. *See* Farm Credit Administration.
DEPOSITARY BANKS, equal employment opportunity program; guidelines for compliance ---- 15024
FEDERAL RESERVE BANKS. *See* Federal Reserve System.
HOME LOAN BANK BOARD regulations. *See* Federal Home Loan Bank Board.
INSURED BANKS. *See* Federal Deposit Insurance Corporation.
MERGERS:
Federal Savings and Loan banks. *See* Federal Home Loan Bank Board.
National banks, etc. *See* Comptroller of Currency; Federal Reserve System.
NATIONAL BANKS. *See* Comptroller of Currency; Federal Reserve System.

Barley:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
CROPLAND ADJUSTMENT PROGRAM. *See* Agriculture Department.
PRICE SUPPORT PROGRAM, etc. *See* Commodity Credit Corporation.

Bean Sprouts:
CANNED, identity standards. *See* Food and Drug Administration.

Beans, Canned:
STANDARDS, green and wax beans:
Grades. *See* Agriculture Department.
Identity. *See* Food and Drug Administration.

Beans, Dry:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
INSPECTION, etc. *See* Agriculture Department.
PRICE SUPPORT PROGRAM, etc. *See* Commodity Credit Corporation.

Beirut Agreement of 1948: Page
AUDIOVISUAL MATERIALS, implementation of provisions respecting (Executive Order 11311) ---- 13413

Beverages:
See also Alcoholic beverages; Fruit juices.
SODA WATER, identity standards, optional ingredients. *See* Food and Drug Administration.

Bill of Rights Day:
PROCLAMATION 3758 ---- 15567

Biological Products:
LICENSING, etc. *See* Public Health Service.
VIRUSES, SERUMS, TOXINS, etc. *See* Agriculture Department.

Birds:
HUNTING AND POSSESSION. *See* Fish and Wildlife Service.
MANAGEMENT, migratory birds. *See* General Services Administration.
RAILWAY EXPRESS CHARGES, minimum, for live birds; prehearing conference ---- 16287

Blind:
BLIND-MADE PRODUCTS, Committee on Purchases of:
Purchases ---- 1076
Records, non-Federal; retention requirements ---- 4057
VENDING STAND PROGRAMS. *See* Post Office Department; Vocational Rehabilitation Administration.
WHITE CANE SAFETY DAY, 1966 (Proclamation 3749) ---- 12935

Blueberries:
STANDARDS for grades. *See* Agriculture Department.

Boards:
See Committees, boards, etc.; Committees, boards, etc., Presidential.

Boating:
ACCIDENT REPORTS ---- 2602, 8539, 10320
NATIONAL PARKS, boating in. *See* National Park Service.
NATIONAL SAFE BOATING WEEK, 1966 (Proclamation 3698) ---- 937

Boats:
See Vessels.

Bonds:
REGULATIONS of various agencies. *See specific agencies.*
SAVINGS BONDS, etc. *See* Treasury Department.
STATE AND MUNICIPAL BOND WEEK (Proclamation 3717) ---- 6011
SURETY COMPANIES acceptable on Federal bonds. *See* Treasury Department.

Bonneville Power Administration:
AUTHORITY DELEGATION by Administrator to Procurement Section Head; materials and equipment contracts ---- 5577
EQUAL OPPORTUNITY, employment and contract compliance; designation of policy officers ---- 7724
SURPLUS ELECTRIC POWER at certain projects, designation as marketing agent ---- 13560

Brazil Nuts:
STANDARDS FOR GRADES. *See* Agriculture Department.

Bread:
IDENTITY STANDARDS, optional ingredients. *See* Food and Drug Administration.

Bridge Regulations:
See Engineers Corps.

Broomcorn:
STORAGE in Federally licensed warehouses. *See* Agriculture Department.

66-000—66——3

Budget Bureau: Page
ADVISORY COMMITTEES utilized during fiscal year 1965, report 8648
ALLOWANCES for Federal employees assigned to California offshore islands, regulations (Executive Order 11275) 5283
CONDUCT STANDARDS 6000
HOSPITAL AND MEDICAL CARE furnished by U.S., recovery of cost from tortiously liable third persons; rates 10754
TRANSPORTATION EXPENSES of Federal employees, functions of Director (Executive Order 11290) 10067

Buildings and Facilities, Federal:
See Federal buildings and facilities.

Bureau of Labor Standards:
See Labor Standards Bureau.

Bureau of Standards:
See National Bureau of Standards.

Burial:
NATIONAL CEMETERIES, persons ineligible for burial 2834
PUBLIC HEALTH SERVICE, commissioned officers; burial payments 11454
VETERANS. *See* Veterans Administration.

Buses:
SEAT BELTS, requirements; proposed rules 7911, 10326

Business and Defense Services Administration:
AUTHORITY DELEGATION by Administrator to Assistant Secretary of Defense, Installations and Logistics; information on copper 13360
CADMIUM PRODUCTS and stockpile cadmium, directions revoked 6590
COPPER AND COPPER-BASE ALLOYS, set-asides:
Ammo strip set-aside 13856, 15320
Domestic refined copper 3009, 7626, 10789, 15321
List A, change in 13852, 15319
Percentages, various copper products 2657, 7036, 10788
DEFENSE MATERIALS SYSTEM, basic rules; authorized program identifications and allotting agencies 4594
FOREIGN EXCESS PROPERTY sold by foreign governments not acting as agents for U.S. Government, general policy statement 1007
MOTOR VEHICLE MANUFACTURERS, bona fide; determinations 156, 1127, 4852, 7978, 11620
ORGANIZATION AND FUNCTIONS, equal opportunity 14751
PRIORITIES SYSTEM, basic rules; change in List A 3009
RECORDS, non-Federal; retention requirements 4012

Butterfat:
PRICE SUPPORT PROGRAM. *See* Commodity Credit Corporation.

Buy American Act:
GENERAL SERVICES ADMINISTRATION regulation 2689, 9498
PROCUREMENT REGULATIONS:
Air Force Department; violation notice 8378
Army Department 9971
UNITED STATES INFORMATION AGENCY regulation 10794

Buy U.S. Here Program:
PROCUREMENT REGULATIONS, Air Force Department 16624

C

California Offshore Islands:
FEDERAL EMPLOYEES ASSIGNED TO, allowances (Executive Order 11275) 5283

Canada:
AIRCRAFT, U.S. registered, repairs performed on, by Canadian mechanics 5948
ANTIDUMPING ACT investigations and determinations. *See* Customs Bureau; Tariff Commission; Treasury Department.

Canada—Continued Page
AUTOMOTIVE PARTS, Canadian-made:
Origin disclosure on package 5687
Trade agreement (Proclamation 3743) 12003
BOAT LANDING CARD, qualification for use by Canadian nationals, etc. visiting U.S. temporarily 9103
BROADCAST STATIONS. *See* Federal Communications Commission.
CRUDE OIL PIPELINE at international boundary line with United States, application for Presidential permit for construction, operation, and maintenance 6204
EXPORT RESTRAINT, elastic braid imported into Canada 373
FOREIGN ASSETS CONTROL importation regulation. *See* Treasury Department.
FOREIGN SOCIAL INSURANCE. *See* Social Security Administration.
IMMIGRATION REGULATIONS, landing of alien crewmen, Great Lakes vessels of Canadian registry. *See* Immigration and Naturalization Service.
IMPORTATION of ginseng from 13794
INTERNATIONAL JOINT COMMISSION regulations. *See* International Joint Commission—United States and Canada.
PURCHASES from:
Army Department procurement regulations 9972
Defense Department procurement regulations 1046
RAILROADS, routing. *See* Interstate Commerce Commission.
SOIL from certain parts of Canada exempt from Agriculture Department plant pest regulations 7479, 10177
TAX EXEMPTION FOR U.S. CITIZENS on acquisition of original or new issues of Canadian stocks or debt obligations, exceptions (Executive Order 11304) 12005
TRADE AGREEMENT WITH U.S. on automotive products, implementation (Proclamation 3743) 12003

Canal Zone:
AIR NAVIGATION 12228
ALCOHOLIC BEVERAGES 12230
CONDUCT STANDARDS 5191, 6491, 6831, 12347
CUSTOMS SERVICE 12230
DELEGATION OF PRESIDENTIAL FUNCTIONS to Governor of Zone and Secretary of Army (Executive Order 11305) 12007
EFFECTIVE DATE of revised regulations, correction 12679
EMPLOYMENT AND COMPENSATION:
Conduct standards 5191, 6491, 6831, 12347
President of United States, regulations of 12337
Recodification note 12572
Secretary of Army, regulations of 12338
EXCLUSION AND DEPORTATION of persons 12232
HEALTH, SANITATION AND QUARANTINE 12236
JUDICIARY 12337
LICENSES AND FEES 12250
NARCOTICS 12251
OPERATION AND NAVIGATION of Canal and adjacent waters; marine licenses, term and suspension or revocation 7566
ORGANIZATION AND ADMINISTRATION:
Claims of employees 12406
Definitions, etc 12202
Government organization 12203
Public lands and military reservations 12204
POSTAL SERVICE 12254, 14552
PROFESSIONS AND OCCUPATIONS 12279
RECORDS, non-Federal; retention requirements 4068
SHIPPING AND NAVIGATION:
Accidents, marine; investigation, control, and responsibility 12310
Arriving and departing vessels; various quarantine, customs, immigration, and admeasurement requirements 12287
Board of Local Inspectors, composition and functions 12310
Collisions, rules for prevention 12295
General provisions governing vessels 12289
Hazardous cargoes 12302
Inspection and registration of vessels 12317
Licensing of officers 12311, 14269
Locks, entering and preparing to enter 12294
Manning of vessels, requirements concerning officers and crews 12293
Measurement of vessels, rules of 12328

Canal Zone—Continued Page
SHIPPING AND NAVIGATION—Continued
Neutrality of Canal 12326
Pilotage 12292
Radio communication 12323
Safeguarding of vessels, harbors, ports, and waterfront facilities 12325
Sanitary requirements; vessel wastes, garbage, and ballast 12324
Seamen of U.S. vessels 12324
Tolls for use of Canal 12327

Cancer Control Month, 1966:
PROCLAMATION 3704 2811

Cancer Research:
GRANTS, proposed rules 4969

Canned Food:
See also specific foods.
DISTRIBUTOR STOCKS, surveys 13867, 14994
RAILROAD TRANSPORTATION from Pacific Coast to East, rates and charges 14711
STANDARDS FOR GRADES. *See* Agriculture Department.
STANDARDS OF IDENTITY. *See* Food and Drug Administration.
WAREHOUSES, Federally licensed. *See* Agriculture Department.

Captive Nations Week, 1966:
PROCLAMATION 3732 9537

Carrots:
MARKETING, etc. *See* Agriculture Department.

Cats:
HUMANE TREATMENT and certified products for. *See* Agriculture Department.

Catsup:
IDENTITY STANDARDS, optional ingredients. *See* Food and Drug Administration.

Cauliflower:
MARKETING. *See* Agriculture Department.

Celery:
MARKETING. *See* Agriculture Department.

Cement Industry:
VERTICAL INTEGRATION, hearing 6285, 7772

Cemeteries, National:
BURIAL IN, persons ineligible; Army Department regulation 2834
REGULATIONS, recodification 12750, 16650
VETERANS ADMINISTRATION cemeteries, interment in. *See* Veterans Administration.

Census Bureau:
CANNED FOODS, survey of distributors stocks 13867, 14994
FOREIGN TRADE STATISTICS 11367
Exemptions:
Armed forces, shipments to 260
Shipments under $100 6587
Monthly declarations for spare parts 6262
MANUFACTURERS' SHIPMENTS and services for Federal Government and contractors, survey 914, 8380
MANUFACTURING AREA, annual surveys 13356, 14567
MULTIUNIT COMPANIES, surveys 3503, 6067
ORGANIZATION AND FUNCTIONS 2631
Assistant Director for Operations 7300
International statistics 16731
Statistics, collection and publication of 5081
RETAILERS' INVENTORIES, sales, and number of establishments; survey 102, 14275, 15330
VOTING RIGHTS, determinations of Director respecting certain counties in listed States:
Arizona 982
North Carolina 19, 3317, 5080

Cheese: Page
IMPORT QUOTAS, increase in; cheddar (Proclamation 3709) 5281
INVESTIGATION AND HEARING, cheddar. *See* Tariff Commission.
STANDARDS FOR GRADES. *See* Agriculture Department.
STANDARDS OF IDENTITY. *See* Food and Drug Administration.

Cherries:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
MARKETING. *See* Agriculture Department.

Child Health Day, 1966:
PROCLAMATION 3737 11339

Child Labor:
STATE CERTIFICATES OF AGE, acceptance; extension of expiration date 9348

Children's Bureau:
COMMISSIONER, definition 203
SCHOOL AND PRESCHOOL CHILDREN, special project grants for health of; comprehensiveness 203

Churchill (Sir Winston) Day:
PROCLAMATION 3714 5743

Cigarettes:
See also Tobacco and products.
HEALTH HAZARD WARNING on imported cigarette packages 9468, 14850
TAR AND NICOTINE CONTENT, methods to be used in determination of; hearing 14278

Citizens' Advisory Committee on Recreation and Natural Beauty:
ESTABLISHMENT (Executive Order 11278) 6681

Citizens' Stamp Advisory Committee:
APPOINTMENT OF MEMBERS 4252, 4527

Citizenship Day and Constitution Week, 1966:
PROCLAMATION 3731 8571

Citrus Fruit:
See also specific fruits.
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
FOREIGN AGRICULTURAL LABOR, Florida citrus industry; wage rates 13466
MARKETING, grapefruit, lemons, oranges, etc. *See* Agriculture Department.

Civil Aeronautics Board:
ACCIDENTS:
Investigations:
Ardmore, Okla., 7360.
Carmel, N.Y., 1254.
Falls City, Nebr., 14321.
Greater Cincinnati Airport, 3506.
Jackson, Mich., 2913.
Salt Lake City, Utah, 853, 2702.
Regulations; accidents, inflight hazards, overdue aircraft and safety investigations 6585
AGREEMENTS. *See under* Economic regulations.
AIR SAFETY PROCEEDINGS; rules of practice, motions to disqualify Board member in review proceedings 10115
CONDUCT STANDARDS 1298
ECONOMIC PROCEEDINGS:
Contracts and agreements, certain, undocketed, applicability, etc 84
Rules of practice, motions to disqualify Board member in review of hearing matters 10115
Subsidized air carriers; applications for new or modified route authority 13942

Civil Aeronautics Board—Continued

Page

ECONOMIC REGULATIONS:
- Accounts, uniform system:
  - Costing of services, refinements to facilitate; proposed rules, time extension 9358, 10198, 11186
  - Group II accounting and reporting classification of supplemental air carriers; proposed rule 16626
  - Scheduled all-cargo services; filing requirements 9992
  - Tariff records and memoranda, reduction of period of preservation by foreign air carriers 5352
- Agreements, filing:
  - Air Traffic Conference, travel agents "in-plant" 10854
  - Air Transport Association of America:
    - Containerized shipments, incentive discounts 12578
    - Entertainment, visual, in-flight 14088
    - Unaccompanied minors 13952
  - International Air Transport Association:
    - Fare and rate matters, etc 157, 158, 461, 2565, 3268, 4257, 4749, 5085, 5584, 5908, 6753, 6840, 6841, 7715, 8315, 8648, 8969 9028, 10620, 15820.
    - Specific commodity rates 157, 544, 2634, 2736, 4171, 5386, 5387, 6641, 6754, 6840, 8194, 8249, 9426, 9427, 9612, 10143, 10207, 11323, 12456, 12484, 12485, 12609, 14275, 14320, 14852, 14853, 16329, 16377.
    - Unaccompanied minors 13952
  - Warsaw Convention and Hague protocol; death or injury of passengers, limitation of liability, approval of agreement 7302
- Airlift among air carriers in certain emergencies and war air service program (WASP) 4212, 16526
- Assembly and distribution services, model rules; modifications 5267
- Charter operations:
  - Foreign carriers 5346, 10316
    - Definition of "charter flight"; free transporation of carrier's own personnel and property and employees of other carriers 5381, 8951
    - Study group charters, proposed rule 15811
  - U.S. carriers:
    - Special services, definitions of "Hawaiian", "transatlantic" and "transpacific" charter trips eliminated, definition of "point" applied; applicability of rules to carriers, proposed rule 8438
    - Supplemental carriers. *See* Supplemental air transportation.
- Classification and exemption of certain air carriers:
  - Air taxi operators, Hawaii; removal of regularity limitations, proposed rule 10894
  - Indirect air carriers, certain:
    - Household goods services for Defense Department; temporary relief 2735, 6841, 14366
    - Prohibition on operations unless tariffs observed in accordance with direct air carriers; proposed rule 12060, 14632
  - International air freight forwarders; prohibition on operations unless tariffs observed in accordance with direct air carriers, proposed rule 12061, 14632
- Military contracts and substitute service, compensation level, minimum charges 573, 5408, 5419, 10467
- Defense Department, household goods services; temporary order granted to certain indirect air carriers 2735, 6841, 14366
- Indirect air carriers. *See under* Classification of exemption of certain air carriers.
- Interlocking relationships, exemption and approval of; directors of air carriers, requirements 5121, 12518
- Military exemptions 573, 5408, 5419, 10467
- Military services; minimum rates, air carrier petition 14568
- Reports of stock ownership of affiliates of air carriers:
  - Definition of "affiliate of air carrier" 6986, 10074
  - Stock reports; descriptions of occupations of individuals and business activities of companies 6986, 10074
- Supplemental air transportation:
  - Domestic operations 4771
    - Definitions, "supplemental air transportation", etc 12947
    - Proposed rule 15811

Civil Aeronautics Board—Continued

Page

ECONOMIC REGULATIONS—Continued
- Supplemental air transportation—Continued
  - Domestic operations—Continued
    - Flight delays and substitute air transportation, foreign, interstate, and overseas 12947, 14936
    - Study group charters, proposed rule 15811
    - Tariffs 12947
    - Waivers, record retention, tariffs, etc 6620
  - Inclusive tours 4779, 6621, 12948, 13875
  - Policy respecting future authorization by exemption 14421
  - Transatlantic operations:
    - Definitions 558, 2681, 5381, 8952, 12948, 14937
    - Proposed rule 15811
    - Study group charters; proposed rule 15811
- Tariffs of air carriers:
  - Free or reduced-rate transportation:
    - Authorization to carry persons not listed 6584
    - Carrier's records 5351
    - Restrictions on general public 6584
  - Publication, filing, posting, etc 754, 12573
    - Passenger credit plans 2424
    - Posting at principal or general office 5351
    - Warsaw Convention and Hague protocol; death or injury of passengers, limitation of liability, approval of agreement 7302
  - Trade agreements 2928, 7508, 10357
- Transatlantic supplemental air transportation. *See under* Supplemental air transportation.

EMERGENCY AUTHORITY granted to certain carriers due to machinists' strike 9519, 9520, 9521, 9693, 9885, 9887, 10006, 10207, 10331, 11322.

Termination of various orders 10931

EMERGENCY REGULATION, transfer of airlift among air carriers; proposed rules 4212

HEARINGS, INVESTIGATIONS, etc. *See list at end of this agency.*

INCLUSIVE TOURS, supplemental air transportation. *See under* Economic regulations.

INTERLOCKING RELATIONSHIPS, air carriers:
- Commercial lending institutions 5121
- Person controlling another air carrier, approval by Board; proposed rule, time extension 224

MILITARY EXEMPTIONS 573, 5408, 5419, 10467

ORGANIZATION; emergency conditions, designation of Directors of Bureau of Economics and of Operating Rights, to act for Board and as Board's Chairman 702

POLICY STATEMENTS:
- Interlocking relationships between air carrier and person controlling another air carrier, approval by Board, proposed rule, time extension 224
- Military exemptions and tariff rates 574, 5419
- Operating authority; local service carriers, nonstop authority, proposed rule 15750, 16790

PROCEDURAL REGULATIONS. *See* Air safety proceedings; Economic proceedings.

RECORDS, non-Federal; retention requirements 4056

WARSAW CONVENTION and Hague protocol 7302, 12573

HEARINGS, INVESTIGATIONS, ETC.:
- ABC Air Freight Co., Inc. et al., 15103.
- Aerolineas Nacionales del Ecuador, S.A., 4853, 6552.
- Aerolineas Peruanas, S.A., 4631, 5151.
- Aerovias Condor de Colombia, Ltda., 9089, 9426, 10903.
- Aerovias Quisqueyana, C. por A., 7766.
- Aerovias Sud Americana, Inc., 11626.
- Air Afrique, 9476, 11242.
- Air Canada, 4631, 4975, 9882, 10086, 10932.
- Air express charge investigation, 7486, 7916, 9309, 11503, 12969, 13399, 15104, 16165.
- Air Taxi Co., 7532.
- Airlift International, Inc., 11322.
- Airlift renewal proceeding, 6642.
- Akron-Canton Regional Airport, 5908.
- Alaska Airlines, Inc., 102, 8194, 9757, 10084.
- Allegheny Airlines, Inc., 6878, 8970.
- Allstates Air Cargo, Inc., 14604.
- Aloha Airlines, Inc., 10903, 12969, 13148, 14013, 16481.
- American Air Taxi, Inc., 8973.
- American Airlines, Inc. et al., 3088, 4631, 5065, 5529, 12687, 16329.
- Apache Airlines, Inc., 3202.
- Arizona Douglas, service to, 721.

Civil Aeronautics Board—Continued

HEARINGS, INVESTIGATIONS, ETC.—Continued
- Baby poultry rates, 13148.
- Baggage liability rules case, 8639.
- Balair AG, 853, 2565, 3088.
- Bekins Airvan Co. et al., 5386, 7849.
- Bismark-Mandan, North Dakota, 720.
- Blocked-space airfreight tariffs, 13449, 13674, 14366.
- Bonanza Air Lines, Inc. et al., 10006, 15759.
- Braniff Airways, Inc., 9519, 15247.
- Braniff-Panagra acquisition case, 2876, 4354.
- British Eagle International Airlines, Ltd., 915, 2876, 8839, 9387, 14568.
- British Overseas Airways Corp., 8503, 9089, 9611, 9818, 10966, 13617, 14568.
- Buker Airways, Inc., 9758.
- Caledonian Airways, Ltd., 6282, 10552, 12610.
- California, Lake Tahoe, service to, 483.
- Canadian Pacific Air Lines, Ltd., 9818.
- Cannon Aviation Co., Inc., 14604.
- Capitol Airways, Inc., 4355, 4749, 4975.
- Cathay Pacific Airways, Ltd., 8194, 11990, 14659.
- Central Airlines, Inc., 4928, 9693.
- Chicago-Los Angeles; rates for magazines, 2666, 2975.
- Civil Air Transport Co., Ltd., 11114, 11324, 11952, 12660, 13180.
- Coeur d'Alene/Roseburg service investigation, 10426.
- Compagnie Nationale Air France, 10482, 11322.
- Compania de Aviacon "Faucett", S.A., 7256, 13922.
- Condor Flugdienst G.m.b.H., 8839, 11773.
- Continental Air Lines, Inc., 103, 9693.
- Cordova Airlines, Inc., 3472, 4310, 7982, 16329.
- Delta Air Lines, Inc., 8381, 15030.
- Denver-Aspen service investigation, 5844, 9519, 16502.
- Denver-Grand Junction-Las Vegas service investigation, 14568.
- Detroit-California nonstop service investigation, 4975, 10007.
- Detroit-Toronto, Erie-Toronto route case, 2633, 3141, 6208, 12852.
- Deutsche Lufthansa Aktiengesellschaft, 4171, 14419.
- Domestic service mail rate investigation, 5150.
- Drake Motor Lines, Inc., 7594.
- East Coast Flying Service, Inc., 15709.
- Eastern Air Lines, Inc. et al., 720, 982, 2633, 2876, 3268, 4257, 4632, 5457, 6069, 8885.
- Eastern-Mackey merger case, 7256, 7715.
- El Al Israel Airlines, Ltd., 14275, 14994.
- Empresa Guatemalteca de Aviacion, 7766, 9309.
- Entertainment charge, in-flight, 6283, 10044, 11773, 15104.
- Erie-Toronto route case, 2633, 3141, 6208, 12852.
- Executive Jet Aviation, Inc., 10646, 12969, 13617.
- Flying Tiger Line, Inc., 274, 7092, 9476, 10331, 10426, 10646, 11158, 11322, 11402, 12608.
- Frontier Airlines, Inc., 720, 982, 5843, 7715, 9611, 9693, 10006, 10379, 14568, 16734.
- General Air Freight, Inc., 14013, 15248, 15332.
- Greater Albuquerque Chamber of Commerce, 10332, 10427.
- Greenville-Spartanburg case, 6328.
- Gulf States-midwest points service investigation, 12609.
- Harle Services, Inc., 9694.
- Harrison Airways, Ltd., 2565.
- Hawaii, Hilo-mainland temporary service, 10929, 13732, 14014, 16481.
- Hawaiian Airlines, Inc., 7257, 7595, 10903, 12969, 13148, 14013, 16481.
- Hawthorne-Los Angeles service investigation, 5457, 9519.
- Hood Airlines, Inc., 6071.
- Huntsville-New Orleans nonstop service investigation, 720, 1128.
- Illinois:
  - Kankakee, 9309, 9522, 11626, 15710.
  - Lawrenceville, 5909, 9309, 9522, 11626, 15710.
- Indiana:
  - Terre Haute, service to, 5844, 6328, 10084.
  - Vincennes, 5909, 9309, 9522, 11626, 15710.
- International Export Packers, Inc. et al., 156.
- Island Mail, Inc., 8886.
- Japan Air Lines Co., Ltd., 5150, 5725, 8972.
- KAR-AIR oy, 275.
- Kantzer, Henry, 4425.
- Kodiak Airways, 10552.
- Korean Airlines, Inc., 10482, 10854.
- Lake Central Airlines, Inc., 16287, 16584.
- Latin American service mail rate proceedings, 6912, 7982, 9519.
- Leeward Islands Air Transport Services, Ltd., 8698, 10905, 11114.
- Linea Aerea Nacional-Chile, 12811, 13180.
- Lineas Aereas Costarricenses, S.A. (LACSA), 14605, 14791.
- Los Angeles/Chicago-Toronto service case, 1350, 5151, 5844, 12852.
- Los Angeles/San Francisco-Vancouver service case, 2975, 6641, 11324.
- Louisville-Indianapolis local service investigation, 2912, 3268.
- Lufthansa German Airlines, 2876, 13732.
- Mackey Airlines, Inc., 3203.

Civil Aeronautics Board—Continued

HEARINGS, INVESTIGATIONS, ETC.—Continued
- Margolin, Max, 4425.
- Miami-Key West service investigation, 8839, 13254.
- Michigan, Traverse City, 6282.
- Miliardair, Ltd., 12610, 12688.
- Modern Air Transport, Inc. 3472, 5150, 10206.
- Mohawk route 94 realignment investigation, 3268, 4355, 6071.
- Montreal-Tampa/Miami case, 6594, 7532, 13780, 14276.
- Montreal/Toronto-Tampa/Miami case, 2399, 2565.
- Motor carrier-air freight forwarder investigation, 582, 853, 1019, 10206.
- Multicharter cargo rates investigation, 15499.
- National Airlines, Inc. et al., 6069, 9028, 13367.
- New Bern and Jacksonville-Camp Lejeune service case, 2736, 3473.
- New York Airways, Inc., 13055.
- New York-Florida renewal case, 4750.
- Nippon Express, U.S.A., Inc., 8839, 10482, 10587.
- North Central Airlines, Inc., 6282, 6460, 9818.
- Northeast Airlines, Inc., 8972.
- Northeast-Bahamas service case, 229, 5387, 8028, 13149, 13874.
- Northwest Airlines, Inc., 985.
- Northwest Territorial Airways, Ltd., 14697.
- Novo Industrial Corp., 14420.
- Olympic Airways, S.A., 721.
- Ozark Air Lines, Inc., 772, 1167, 2635.
- Ozark-Central merger case, 13148, 13922.
- Pacific Air Freight, Inc., 14994.
- Pacific Air Lines, Inc., 9882.
- Pacific Northwest-Southwest service investigation, 10755.
- Pacific Southwest Airlines, Inc., 9884.
- Pan American-Grace Airways, Inc., 9521, 10006, 15710, 16503.
- Pan American World Airways, Inc., 9521, 10006, 10552, 11324, 12610, 15030, 15247, 15710, 16503.
- Panagra acquisition case, 7486.
- Piedmont Aviation, Inc., 9384, 1167, 13617.
- Port Colborne Flying Service, 12028.
- Puerto Rican Forwarding Co., Inc., 9309, 11403.
- Puerto Rico-Virgin Islands service case, 6797.
- REA enforcement case, 10482, 11403.
- RKO General Acquisition, 4258, 4975.
- Railway Express Agency, Inc. et al., 4172, 15611.
- Railway express charges, minimum, for live animals and birds, 16287.
- RealAire, et al., 14791.
- St. Catherines Flying Club, 6282.
- San Francisco & Oakland Helicopter Airlines, Inc., 13055, 15611.
- Saturn Airways, Inc., 9887.
- Scandinavian Airlines System, 8249.
- Seaboard World Airways, Inc., 10331, 10426.
- Service mail rate cases, 12111, 13674, 14419.
- Shulman, Inc., 7594.
- Signal Trucking Service, Ltd. et al., 13673.
- Skyway Air Cargo, Inc., 7257, 7595.
- Southeast Airlines, Inc., 7848, 8973.
- Southern Airways, Inc., 10207, 10646, 11324.
- Southern segment 11 renewal case, 582.
- Standard Airways, Inc., 7016.
- Sudflug, Suddeutsche Fluggesellschaft mbH, 8249, 10587, 13253.
- Supplemental air carriers, 4853, 8503, 9885, 10380, 12610, 14421.
- Trans Caribbean Airways, Inc., 4750, 7301, 15104, 15499.
- Trans International Airlines, Inc., 8194.
- Trans-Texas Airways, Inc., 2876.
- Trans World Airlines, Inc., 984, 14659.
- Transatlantic charter investigation reopened, 720.
- Transatlantic route renewal case, 2975, 4928, 5151, 5232, 5909, 6328, 11042.
- Transglobe Airways, Ltd., 483, 915.
- Transpacific route investigation, 3088, 4853, 7716.
- Transportes Aereos Portugueses, S.A.R.L., 22, 156, 2565, 6071.
- Twin Cities/California service investigation, 10030.
- Union Speditions-Gesellschaft m.b.H., 12927, 13149, 14060.
- United Air Lines, Inc., 984, 14958.
- United-Pacific transfer case, 7716, 10620, 10967.
- Varanair-Siam Air Co., Ltd., 14853.
- Visit USA, joint trunkline tariffs, 7714.
- W.A.A.C. (Nigeria) Ltd., 12969, 13181, 14569, 15204.
- Washington/Baltimore Helicopter service, 11626.
- Waycross and Rome case, 4750.
- West Coast Airlines, Inc., 985.
- West Yellowstone, Mont., service case, 10587, 12456.
- Western Airlines, Inc., 7715.
- Western Alaska Airlines, 10552.
- Western Montana service investigation, 3029, 8382, 8648, 11990.

Civil Aeronautics Board—Continued

HEARINGS, INVESTIGATIONS, ETC.—Continued
- Western-Pacific Northern merger, 14994.
- Western Tennessee service investigation, 13617.
- Wilson's American Co., Inc. et al., 10085.
- Wings and Wheels Express, Inc., 10552, 12852.
- Youth fares:
  - Exclusion of Government transportation requests from, 8503, 9029.
  - Standby, 1128.

Civil Air Patrol Day, National:
PROCLAMATION 3742 — 11855

Civil Defense:
EMERGENCY PREPAREDNESS FUNCTIONS of Attorney General (Executive Order 11310) — 13199
NATIONAL CIVIL DEFENSE PROGRAM ASSISTANCE, Commerce Department; revocation — 5081
REGIONAL INTERDEPARTMENTAL and Interagency Coordinating Boards; organization and functions — 3036

Civil Defense Office:
IDENTIFICATION for Federal employees, reservists and non-Federal support personnel; issuance, authority, etc. — 6963, 7175

Civil Rights Commission:
COMMUNICATIONS with Commission — 11890
SCHOOLS, racial isolation; hearings:
- Massachusetts, 11560.
- New York, 10934.
- Ohio, 3319.

STATE ADVISORY COMMITTEES, meetings — 13999

Civil Service Commission:
ADVERSE ACTIONS by agencies, exclusions; overseas appointments — 9839
APPEALS:
- Agency appeals system; definition, "days" — 6353
- Commission, appeals to — 6353, 6569, 6949
- Retirement annuities, prohibition on payments — 8677

COMPETITIVE SERVICE, exceptions; authority, revocation (Executive Order 11315) — 14729
CONDUCT STANDARDS:
- Commission employees — 873
- Executive Office of the President — 8556

EDUCATIONAL REQUIREMENTS for certain positions:
- Anthropology series, Smithsonian Institution, 3309.
- Education and vocational training series, 9513.
- Employment counselors, 14605.
- Geophysics series, 9554.
- Physiology series, 544.
- Range conservation series, 9513.
- Urban planning series, 16332.

EMPLOYEE DEVELOPMENT, payment for training on overtime, holiday, etc — 4873
EQUAL OPPORTUNITY — 3069, 4271
EXAMINING SYSTEM, rating applicants; five point preference granted to persons entitled under Veterans' Preference Act — 3381
EXCEPTED SERVICE — 15646
- Agencies with positions added, amended, or revoked:
  - Agency for International Development, 9271.
  - Agriculture Department, 287, 809, 1074, 7733, 9005, 9740, 11171.
    - Cuban refugees, 15133.
  - Air Force Department, 7733, 8949, 14928.
  - Army Department, 71, 8746.
  - Civil Aeronautics Board, 1270, 2373, 8857.
  - Civil Rights Commission, 1233, 7734, 9994.
  - Commerce Department, 147, 288, 473, 533, 557, 3175, 4271, 5245, 5246, 6013, 8619, 9408, 9539, 14077, 15013.
  - Defense Department, 5, 473, 533, 873, 4101, 5299, 5605, 5659, 9271, 9408, 12675, 14260.
  - District of Columbia Redevelopment Land Agency, 7671, 12937.
  - Economic Opportunity Office, 288, 3175, 5345, 9005, 10919.
  - Emergency Planning Office, 7169, 7959.
  - Entire executive civil service, temporary positions:
    - GS–7 and below to assist scientific and technical personnel, 1233.
    - Inmates of Federal penal and correctional institutions participating in special work release programs, 5659.
    - President's Youth Opportunity Back-to-School Drive, 7351, 16601.
    - President's Youth Opportunity Campaign summer trainees, 5686.

Civil Service Commission—Continued

EXCEPTED SERVICE—Continued
- Agencies with positions added, amended or revoked—Continued
  - Equal Employment Opportunity Commission, 15727.
  - Executive Office of the President, 1271, 12834.
  - Federal Aviation Agency, 8175.
  - Federal Communications Commission, 3283.
  - Federal Deposit Insurance Corporation, 10413, 14928.
  - General Accounting Office, 6903.
  - General Services Administration, 6769, 11300, 13465.
  - Health, Education, and Welfare Department, 71, 147, 533, 809, 1270, 2932, 3069, 3113, 4385, 4445, 4684, 4771, 5245, 5345, 5659, 5811, 5871, 5939, 6903, 7959, 8527, 8619, 9994, 12081, 12513, 13695, 15133, 15727.
    - Cuban refugees, 5245, 15727.
  - Housing and Home Finance Agency, 147, 6859, 7379, 8949, 11301, 11447, 14260.
  - Housing and Urban Development Department, 2645, 4570, 4953, 5939, 6013, 6235, 6353, 6859, 7671, 8949, 9271, 9995, 10413, 10919, 11301, 11447, 14260, 14673, 15727.
  - Interior Department, 287, 5300, 6949, 9005, 9539, 11651, 13695, 14077, 16348.
    - Aliens, 11651.
  - Justice Department, 5043, 5245, 6483, 8527, 9408, 13835, 15727.
  - Labor Department, 288, 693, 9005, 12675.
  - Marine Science, Engineering, and Resources Commission, 12834.
  - National Advisory Commissions:
    - Food and Fiber, 5.
    - Health Manpower, 8746.
    - Rural Poverty, 15133.
    - Selective Service, 9775.
  - National Aeronautics and Space Administration, 1074, 9043, 15013.
  - National Conference on Problems of Mexican-American and Puerto Rican Communities, 13935.
  - National Foundation on Arts and Humanities, 2645, 4445, 5043, 8281, 10919.
  - Navy Department, 71, 8175, 11545, 13113, 13521, 16303.
  - Peace Corps, 2645.
  - Post Office Department, 1075, 6483, 7733, 10665, 13113, 16347.
  - President's Committee on Juvenile Delinquency and Youth Crime, 15727.
  - President's Council on Equal Opportunity, 7380.
  - Regional Commissions, Public Works and Economic Development Act of 1965; 5547.
  - Select Commission on Western Hemisphere Immigration, 13113.
  - Small Business Administration, 2471, 5300, 6949, 10919, 14673, 16303.
  - State Department, 473, 2583, 11392.
  - Treasury Department, 5245, 5547, 5659, 6317, 6949, 7671, 10919, 13835, 14629, 16303.
  - White House Conference "To Fulfill These Rights", 4101, 11300.
- Definitions, etc — 15646
- Employment in excepted service:
  - Eligibility standards, etc.; five point preference granted to persons entitled under Veterans' Preference Act — 3381
  - Method of filling positions and status of incumbents — 8527
  - Temporary employment, restrictions against nepotism — 1233, 14825

EXECUTIVE ASSIGNMENT SYSTEM for positions in grades GS–16, 17, and 18 of the General Schedule (Executive Order 11315) — 14729
GRIEVANCES. *See* Appeals.
HEALTH BENEFITS PROGRAM, Federal employees:
- Minimum standards, enrollment, coverage, etc. — 8678, 12477
- Open season — 6318, 8491

HOSPITALS, GOVERNMENT, certain trainee positions; maximum stipends. *See under* Pay regulations.
HOURS OF DUTY, variations of 40-hour work week for educational purposes — 12774
JOB CORPS ENROLLEES, motor vehicle operators; waiver of State driver's license requirement, authorization — 12081
LEAVE, annual and sick:
- Reduction in leave credits, employees with breaks in service during leave year — 7380
- Refund for unearned leave, separation of employees because of disability — 7279

Civil Service Commission—Continued

LIFE INSURANCE; coverage, exclusions — 3381, 15233
MANPOWER SHORTAGES, appointees to certain positions; payment of travel and transportation expenses — 20, 4179, 4311, 4355, 5645, 6517, 6594, 8648, 8698, 9694, 9695, 10483, 10587, 10755, 11158, 11435, 12415, 12416, 12660, 13016, 13875, 15032, 15249
- Cancellation of certain positions — 12463

MOTOR VEHICLE OPERATORS; waiver of State driver's license requirement, authorization, Job Corps enrollees — 12081
NONDISCRIMINATION; equal opportunity without regard to race, sex, etc — 3069, 4271
OVERSEAS EMPLOYMENT; duration, status and trial period, within-grade increases — 9839
PAY REGULATIONS:
- Allotments and assignments from Federal employees:
  - Circumstances under which allotments permitted — 4385, 4579
  - Contributions to Defense Department Overseas Combined Federal Campaign — 8585
- Back pay; entitlement, corrective action, etc — 11447
- Classification Act system:
  - Superior qualifications appointments — 10567
  - Within-grade increases, work of acceptable level of competence — 809, 11447
- Compensation from more than one civilian office, exceptions; multiple-designation appointments in train and engine service of Alaska Railroad — 6353
- Government hospital trainees, maximum stipends:
  - Medical record students, 10311.
  - Medical technology interns, 11546, 11651.
  - Student food service administration trainees, 12711.
  - Student nurses, 10311, 13521.
- Minimum rates of pay, increases; certain positions:
  - Accounting series, 6594.
  - Air carrier operations inspectors and specialists, 11498.
  - Aviation operations specialists, Washington, D.C., 11498.
  - Card punch operators, 363.
  - Electric accounting machine operators, 363.
  - Engineers, professional, 4529, 4815.
  - Estate tax examiners, California, 7152.
  - Geophysics series, 14994.
  - Industrial hygiene series, engineers, etc., 10208.
  - Internal Revenue agents, 6594.
  - Mathematicians, 4529, 4815.
  - Nurses, 3204.
    - Staten Island, N.Y., 11990.
  - Pharmacists, El Paso, Tex., 10483.
  - Photographic technology series, 6460.
  - Physical scientists, 4529, 4815.
  - Postal field service, 6594.
  - Technology series; certain specialization canceled, 12463.
- Overseas employment, within-grade increases — 9839
- Premium pay; overtime, compensatory time instead of payment, Sunday work, etc — 10567, 13835
- Severance pay; coverage, entitlement, etc — 147, 7881, 16187

POSITION CLASSIFICATION, Classification Act system; exclusions:
- Medical record students, 10311.
- Medical technology interns, 11546.
- Student food service administration trainees, 12711.

PROMOTION and internal placement, agency authority; overseas appointments — 9839
QUALIFICATION REQUIREMENTS, members-of-family; restrictions on sons and daughters — 1233, 14825
REDUCTION IN FORCE, reemployment priority list; exception from right to entry on overseas list — 13521
RETIREMENT, annuities, appeals, etc — 8677
TRAVEL AND TRANSPORTATION EXPENSES, appointees to certain positions where there are manpower shortages — 20, 4179, 4311, 4355, 5645, 6517, 6594, 8648, 8698, 9694, 9695, 10483, 10587, 10755, 11158, 11435, 12415, 12416, 12660, 13016, 13875, 15032, 15249
- Cancellation of certain positions — 12463

VOTING RIGHTS PROGRAM:
- Dates, times, and places for filing, certain States:
  - Alabama — 902, 2693, 2928, 3185, 3464, 3497, 4599, 6591, 7755
  - Georgia — 14357

Civil Service Commission—Continued

VOTING RIGHTS PROGRAM—Continued
- Dates, times, and places for filing, certain States—Continued
  - Louisiana — 265, 2657, 2693, 2902, 3286, 10799
  - Mississippi — 15, 5902, 8623, 9797, 9993, 10468, 10576, 11890, 11935
- Examiners, addresses; Georgia — 14358
- Loss of eligibility, Georgia — 14358
- Qualification requirements, Georgia — 14358

Claims:
AUTHORITY DELEGATIONS, regulations, etc. *See specific agencies.*

Clinical Thermometers:
IMPORTS, termination of increased duty (Proclamation 3696) — 421
- Codification in Title 48 CFR — 7032

Coal Lands:
CLASSIFICATIONS. *See* Geological Survey.

Coal Leases:
See Land Management Bureau.

Coast and Geodetic Survey:
CHARGES for aerial photographic reproductions — 2898

Coast Guard:
ACCIDENTS, boating, reports of — 2602, 8539, 10320
AUTHORITY DELEGATIONS from Assistant Secretary of Treasury:
- Aviation cadets, training — 11495
- Awards — 3036, 5975, 10042
- Housing facilities — 11039, 14418
- National Defense Service Medal, award of — 10042
- Pay and allowances — 1166, 11989
- Plan for Navy support in emergency or quasi-war situation — 5329
- Vietnam Service Medal, award of — 5975

BULK GRAIN CARGOES, loading and stowage — 4208
CARGO VESSELS — 15284
- Barges carrying dangerous cargoes, chlorine in bulk — 2603, 2606, 5903
- Lights, foghorns, etc.; proposed rules — 2612

CHARGES for services, proposed rules:
- Regatta or marine parade application — 2613
- Small passenger vessels, inspection, etc — 2613

COAST GUARD DISTRICTS:
- Second — 4787
- Seventh — 4787
- Ninth — 4788
- Eleventh, Captain of Port areas — 10359

CONTINENTAL SHELF, manned platforms; lifefloats, painters — 2609, 10612
DANGEROUS CARGOES:
- Chlorine in bulk — 2603, 2606, 5903
- Transportation or storage of explosives, etc — 8295, 15264, 15573

ELECTRICAL ENGINEERING — 2606, 15288, 16781
EQUIPMENT, installations, or materials; approvals and terminations of approval — 1122, 1283, 2439, 2442, 2628, 4417, 4897, 5840, 11763, 14689
- Lifeboat equipment, desalter and fishing kits — 3426, 9391, 10042

EXPLOSIVES, transportation or storage, etc — 8295, 15264, 15573
INSPECTED VESSELS, proposed rules — 2609
LAUNCHING of certain vessels, navigation restrictions. *See* Navigation restrictions.
LIFEBOAT EQUIPMENT, approvals for desalter and fishing kits — 3426, 9391, 10042
LIGHTS:
- Coast Guard vessels of special construction; towing lights — 10360
- Moored barges, navigation lights, blue lights for law enforcement vessels — 2611, 3122, 10319

LOAD LINES, establishment — 15280
MANNING OF VESSELS, requirements — 15296
MARINE ENGINEERING — 15280
MARKINGS for Coast Guard vessels and aircraft, ensigns and pennants — 15239

Coast Guard—Continued Page

MERCHANT MARINE OFFICERS AND SEAMEN:
- Apprentice engineers, licensing of 11665, 13916, 15669
- Deck engine mechanics and engineman ratings 13649
- License applications 15266
- Military service, transcripts; proposed rule 2612
- Officer's licenses, inspected vessels; proposed rule 3123
- Officers and motorboat operators 15266
- Temporary grades or special endorsements for temporary service 4517

NAUTICAL SCHOOL SHIPS 15298

NAVIGABLE WATERS, determinations respecting:
- California, Idaho, North Carolina and Virginia 4956
- Florida, Georgia, and South Carolina 16198

NAVIGATION AIDS, private; State aids and uniform markers 2602, 10320

NAVIGATION REQUIREMENTS:
- Great Lakes:
  - Law enforcement vessels, blue lights 3123, 10323
  - Pilot rules, posting 2611, 10325
- Inland waters:
  - Boundary lines:
    - Atlantic and Pacific coasts 4401, 5620
    - Pacific Coast, Puerto Rico, Virgin Islands, Alaska 10322
  - California, demarcation between inland and international waters 2611, 10322
  - Gulf Coast 2427, 4401
  - Pilot rules:
    - Blue lights for law enforcement vessels 3122, 10322
    - Gulf of Mexico area, lights for moored barges 11722
  - Towing of barges; hawser length 9996, 13647
- St. Mary's River, Mich.; pilot rules, etc 3123, 10323
- Western rivers, lights:
  - Blue lights for law enforcement vessels 3123, 10323
  - Moored barges 2611, 11723

NAVIGATION RESTRICTIONS for launching or movement of certain vessels:
- James River:
  - *Lapon* 15606
  - *Queenfish* 2910
  - *Ray* 8378
- New London Harbor:
  - *Francis Scott Key* 5841
  - *Pargo* 12106
  - *Sturgeon* 3198
  - *Will Rogers* 9026, 9811

NONDISCRIMINATION in Auxiliary program 15024

OCEANOGRAPHIC VESSELS, inspection and certification; proposed rules 12860

PASSENGER VESSELS 15280
- *See also* Small passenger vessels.

PROCUREMENT:
- Advertising, formal; preparation of invitations for bids 821, 959
- Bonds and insurance 820
- Contracts:
  - Clauses, fixed-price supply and construction contracts 14357
  - Financing 1201
  - General 15239
- Debarred and ineligible bidders, reference 9457
- Forms 11104, 14553
- General 817, 821, 2898, 3184, 8954, 14356, 14515, 14980
- National defense, extraordinary contractual actions to facilitate 11230
- Negotiation:
  - Experimental, development, or research work, reports 9457
  - Small purchases 821, 9457
- Special and directed sources of supply 822, 9458
- Special types and methods 817
- Tax exemption forms 14357

RECORDS, non-Federal; retention requirements 4054

RECREATIONAL BOATING; navigation aids, accident reports 2602, 8539, 10320

SEAL (Executive Order 11319) 15629

SECURITY:
- Control over vessel movement, advance notice of arrival time 10324
- Port Canaveral—Cape Kennedy 4246

SMALL PASSENGER VESSELS, inspection, fire protection, licensing, etc 2603, 2613, 15298

Coast Guard—Continued Page

SPECIFICATIONS:
- Engineering equipment 563
- Lifesaving equipment 562, 4957, 15297
- Materials 563

TANK VESSELS 2612, 15267

UNDOCUMENTED VESSELS, numbering standards:
- Certificate of number 12407
- Hawaii system approved 5836

UNINSPECTED VESSELS, requirements 2611, 2612, 15267

VESSEL INSPECTION:
- Certificates and/or registers issued by International Cargo Gear Bureau, Inc., acceptance of 7529
- Forms 15266

Coffee:

INTERNATIONAL COFFEE ORGANIZATION, coffee import quotas, etc. *See* Customs Bureau.

Color Additives:

See Food and Drug Administration.

Columbus Day, 1966:

PROCLAMATION 3746 12673

Commerce Department:

See Business and Defense Services Administration.
Census Bureau.
Coast and Geodetic Survey.
Economic Development Administration.
Environmental Science Services Administration.
Great Lakes Pilotage Administration.
International Commerce Bureau.
Maritime Administration.
National Bureau of Standards.
National Shipping Authority.
Patent Office.
Public Roads Bureau.
Saint Lawrence Seaway Development Corporation.

APPALACHIAN ASSISTANCE; general, grants-in-aid, etc 11174

APPOINTMENTS and statements of business interests under Defense Production Act of 1950 2702, 2912, 4354, 4852, 5022, 5266, 6458, 6459, 7151, 10854, 11040, 12110, 13560, 13952, 14368.

AUTHORITY DELEGATIONS:
- *See also* Organization and functions.
- By Assistant Secretary for Administration to certain officers:
  - Director, Administration Services Office; designation as claims officer 12811
  - Organization units, procurement authority 8086
  - Secretarial officers, et al., release of information and records 10585
  - Under Secretary for Transportation; traffic and motor vehicle safety 13952
- By Secretary to various officials; settlement of claims for loss of personal property by commissioned officers of Environmental Science Services Administration 8837

CLAIMS by commissioned officers of Environmental Science Services Administration for personal property loss, settlement of; authority delegation 8837

COMMUNITY RELATIONS SERVICE, transfer to Justice Department (Reorganization Plan No. 1 of 1966) 6187

CONDUCT STANDARDS 5858, 6174

EQUAL OPPORTUNITY OFFICE, designation of Contracts Compliance Officer and Equal Employment Opportunity Officer 9425

HIGHWAY SAFETY. *See* Vehicle and highway safety.

INTERAGENCY COMMITTEES chaired by Department 11113

INTER-AMERICAN CULTURAL AND TRADE CENTER, designation of Department as agency through which U.S. shall participate (Executive Order 11286) 8279

MOTOR VEHICLES:
- *See also* Vehicle and highway safety.
- Seat belts, hardware standards 7833, 11528

NATIONAL CIVIL DEFENSE PROGRAM ASSISTANCE, revocation 5081

Commerce Department—Continued Page

NONDISCRIMINATION in Federally assisted and other programs and activities 2817, 15548

ORGANIZATION AND FUNCTIONS 3471
- Area Redevelopment Administration, certain functions continued by Economic Development Administration 8
- Assistant Secretary for Administration 7089, 14751
- Business and Defense Services Administration, equal opportunity 14751
- Census Bureau 2631
  - Assistant Director for Operations 7300
  - Statistics 5081, 16731
- Congressional Relations Office 6749
- Domestic and International Business:
  - Assistant Secretary 16731
  - Office of Administration 4169, 4170
- Economic Development Activities, staff and support offices 6752
- Economic Development Administration 6746, 6747, 16729
  - Assistant Secretary and Director 6745, 16728
  - Continuity of certain functions of Area Redevelopment Administration 8
- Environmental Science Services Administration 772, 5081, 6749, 10700, 10752, 15548
- Equal Opportunity Office 580
- International Commerce Bureau, Office of International Trade Promotion 4169
- Maritime Administration 8087, 8246, 15331
- National Bureau of Standards 7713, 8083
  - Computer Sciences and Technology Center 8961
- National Highway Safety Agency 15099, 15101
- Organization chart, deletion of Community Relations Service 7766
- Patent Office 6751, 10702, 15550
- Public Roads Bureau 273, 542, 4169
- Regional Economic Development Office 581, 6750
- Saint Lawrence Seaway Development Corporation 8928
- Science and Technology, Assistant Secretary for 6746
- Under Secretary of Commerce for Transportation 15331

PROCUREMENT REGULATIONS, general; purpose, authority, etc 11885

RECORDS, non-Federal; retention requirements 4011

SEAT BELTS for use in motor vehicles, hardware standards 7833, 11528

STATE TECHNICAL SERVICES OFFICE, general regulations 5951
- Planning grant, amount and term 16265

VEHICLE AND HIGHWAY SAFETY:
- *See also* Seat belts.
- Authority delegation by Assistant Secretary for Administration to Under Secretary for Transportation 13952
- General procedural rules:
  - Scope 16267
  - Service of process 16267
  - Submittals in writing 16267
- Highway safety programs, apportionment of discretionary funds deferred 16731
- Motor vehicle safety standards, Federal:
  - Advance notice of proposed rule making 13094
  - Initial standards, proposed rules 15212, 15600
  - Rule making:
    - Comments on 15197
    - Procedural rules 13128

WATCHES AND WATCH MOVEMENTS, producers located in Virgin Islands, Guam, and American Samoa; joint notice by Secretaries of Commerce and Interior respecting quotas and procedures 16579

Commissions:

See Committees, boards, etc.; Committees, boards, etc., Presidential.

Committees, Boards, etc.:

See also Committees, boards, etc., Presidential.

AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEES. *See* Agriculture Department.

APPALACHIAN REGIONAL COMMISSION, conduct standards 5189, 5481

AUTOMOTIVE AGREEMENT ADJUSTMENT ASSISTANCE BOARD. *See* Automotive Agreement Adjustment Assistance Board.

Committees, Boards, etc.—Continued Page

AUTOMOTIVE ASSISTANCE COMMITTEE, establishment 853

BLIND-MADE PRODUCTS, COMMITTEE ON PURCHASES OF. *See under* Blind.

BUDGET BUREAU, utilization of advisory committees by, during fiscal year 1965; availability of report 5648

CITIZENS' STAMP ADVISORY COMMITTEE, appointment of members 4252, 4527

CIVIL AERONAUTICS BOARD. *See* Civil Aeronautics Board.

CIVIL DEFENSE, Regional Interdepartmental and Interagency Coordinating Boards; organization and functions 3036

CIVIL RIGHTS COMMISSION. *See* Civil Rights Commission.

DISTRICT OF COLUMBIA BOARD OF COMMISSIONERS. *See* District of Columbia Board of Commissioners.

EMPLOYEE WELFARE AND PENSION BENEFIT PLANS, ADVISORY COUNCIL; recommendation for appointment 6882

ENVIRONMENTAL POLLUTION CONTROL COMMITTEE, Defense Department; establishment 849

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. *See* Equal Employment Opportunity Commission.

FEDERAL COAL MINE SAFETY BOARD OF REVIEW, conduct standards 2897

FEDERAL HOME LOAN BANK BOARD. *See* Federal Home Loan Bank Board.

FOREIGN ASSISTANCE PROGRAMS, GENERAL ADVISORY COMMITTEE; changes in membership 12782

FOREIGN SERVICE BOARD, reestablishment (Executive Order 11264) 67

FOREIGN SERVICE BOARD OF EXAMINERS, reestablishment (Executive Order 11264) 67

FOREIGN TRADE ZONES BOARD. *See* Foreign Trade Zones Board.

INDUSTRY REVIEW COMMITTEES, Puerto Rico and Virgin Islands 18211

INTERAGENCY COMMITTEES chaired by certain agencies:
- Commerce Department 11112
- General Services Administration 9248

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE. *See* Interagency Textile Administrative Committee.

INTERGOVERNMENTAL RELATIONS, ADVISORY COMMISSION ON. *See* Advisory Commission on Intergovernmental Relations.

LAND MOBILE RADIO SERVICES, ADVISORY COMMITTEE FOR 364

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION INVENTIONS AND CONTRIBUTIONS BOARD, hearing before; California Institute of Technology 2916

NATIONAL AERONAUTICS AND SPACE COUNCIL. *See* National Aeronautics and Space Council.

NATIONAL CAPITAL REGION, ADVISORY COMMITTEE ON FEDERAL BUILDINGS IN, establishment by GSA Administrator:
- (Letter of January 29, 1966) 2469
- Membership, functions 2504

NATIONAL CAPITAL REGIONAL PLANNING COUNCIL, abolition (Reorganization Plan No. 5 of 1966) 11857

NATIONAL MEDIATION BOARD. *See* National Mediation Board.

NATIONAL POWER SURVEY ADVISORY COMMITTEES; establishment, continuance, etc 586, 918, 2875

NATIONAL RESEARCH COUNCIL PESTICIDE RESIDUES COMMITTEE, statement for implementation of report on no residue and zero tolerance 5723

NAVY EMERGENCY FACILITIES DEPRECIATION BOARD, regulations deleted 14590

RAILROAD RETIREMENT BOARD. *See* Railroad Retirement Board.

RENEGOTIATION BOARD. *See* Renegotiation Board.

SUBVERSIVE ACTIVITIES CONTROL BOARD. *See* Subversive Activities Control Board.

TRADE INFORMATION COMMITTEE. *See* Trade Information Committee.

Committees, Boards, etc.—Continued Page

WATER POLLUTION CONTROL ADVISORY BOARD, transfer to Interior Department (Reorganization Plan No. 2 of 1966) 6857

Committees, Boards, etc., Presidential:

ESTABLISHMENT:
- Emergency boards to investigate labor disputes. *See* National Mediation Board.
- Health Manpower, National Advisory Commission on (Executive Order 11279) 6947
- Health Manpower, President's Committee on (Executive Order 11279) 6947
- Inquiry, Boards of, to investigate labor disputes in military aircraft, armament, and electronics industries (Executive Order 11314, 11321) 13419, 16301
- International Monetary and Financial Policies, National Advisory Council on (Executive Order 11269) 2813
- Libraries, National Advisory Commission on (Executive Order 11301) 11709
- Libraries, President's Committee on (Executive Order 11301) 11709
- Mental Retardation, President's Committee on (Executive Order 11280) 7167
- Recreation and Natural Beauty, Citizens' Advisory Committee on (Executive Order 11278) 6681
- Recreation and Natural Beauty, President's Council on (Executive Order 11278) 6681
- Rural Poverty, National Advisory Commission on (Executive Order 11306) 12769
- Rural Poverty, President's Committee on (Executive Order 11306) 12769
- Selective Service, National Advisory Commission on (Executive Order 11289) 9265

NATIONAL MEDAL OF SCIENCE, PRESIDENT'S COMMITTEE ON; continuation (Executive Order 11287) 8995

PART-TIME, members appointed by President; conduct standards 8556

PATENT SYSTEM, PRESIDENT'S COMMISSION ON; final report, extension of time limit (Executive Order 11309) 13075

RURAL DEVELOPMENT COMMITTEE, termination (Executive Order 11307) 12917

Commodity Credit Corporation:

AUTHORITY DELEGATIONS by Executive Vice President to various officials of Agricultural Stabilization and Conservation Service:
- Directors of divisions and offices, suspend and debar individuals and firms; revocations 3039
- Evanston ASCS Commodity Office Director; sight drafts and certain certificates, authority transferred to Branch Office Manager 718

CASH PAYMENTS for exports:
- Tobacco 6862, 7556, 9208, 12997, 14826
- Wheat flour 7817, 14504

COOPERATIVE MARKETING ASSOCIATIONS, eligibility requirements for price-support 10514, 12514
- Record retention requirements 4010

DIVERSION PROGRAM; upland cotton:
- 1966 and subsequent years, 6861.

EMERGENCY PROGRAM, feed grain for livestock 13532

EQUALIZATION PROGRAM, cotton; payment-in-kind:
- 1964–66, termination; 813.
- 1966; 7110, 13696.

EXPORTS:
- Cash payment:
  - Tobacco 6862, 7556, 9208, 12997, 14826
  - Wheat flour (GR–346) 7817, 14504
- Commodity certificates, tobacco, redemption 11013
- Credit sales program (GSM–3):
  - General statement 2997, 7515, 11861
  - Record retention requirements 4004
  - Tobacco 11013
- Payment-in-kind:
  - Dairy products, 11090.
  - Feed grains (GR–368), 11451.
  - Flaxseed (PS–GR–4), 2954, 3336, 7735, 11310, 11453.
    - Record retention requirements, 4004.
  - Linseed oil (PS–GR–4), 2954, 3336, 7735, 11310, 11453.
    - Record retention requirements, 4004.
  - Rice (GR–369), 7396, 11309, 11449.
  - Wheat (GR–345), 4728, 9719, 10072, 11450.

Commodity Credit Corporation—Continued Page

GENERAL POLICIES; setoff, withholding and stop payment, debts due CCC 10733

JUTE BAGGING AND BALE TIES used in wrapping cotton; specifications 8314

LOAN PROGRAMS:
- Cotton 9791
  - 1965 crop, 4389, 8642.
  - 1966 crop, 8860, 9270, 9445.
- Tobacco 9679
  - 1965 crops:
    - Burley, dark air-cured, cigar filler and binder, flue-cured, Virginia fire-cured and sun-cured, and Maryland tobacco, 5817.
    - Puerto Rican, 5817.
  - 1966 crops:
    - Burley, dark air-cured, cigar filler and binder, flue-cured, Virginia fire-cured and sun-cured, and Maryland tobacco, 10113, 14451.
    - Connecticut Valley:
      - Broadleaf, 15485.
      - Havana seed, 15435.
    - Kentucky-Tennessee fire-cured, 14451.
    - New York and Pennsylvania Havana seed, 15485.
    - Ohio filler, 15485.
    - Wisconsin:
      - Northern, 15485.
      - Southern, 15485.
- Tung oil:
  - 1966 crop, 11932.

LOAN AND PURCHASE PROGRAMS:
- 1965 crop; beans, dry, edible, 6103, 6405.
- 1966 and subsequent crops:
  - Barley, 7964, 9842, 10957, 11013.
  - Beans, dry, edible; 6904, 7243, 7477.
  - Corn, 10464, 14307.
  - Flaxseed, 8003, 9940.
  - Grain sorghum, 8000, 8306, 9847, 11013.
  - Oats, 4581, 5481, 9337, 13078.
  - Peanuts, 10241, 10634, 11141, 12709, 13207.
  - Rice, 8346, 9116, 11449.
  - Rye, 6406, 9341, 10113.
  - Soybeans, 6013, 12051, 12564.
  - Wheat, 9414, 9594, 9719.

PAYMENT-IN-KIND:
- Cotton:
  - Certificates; redemption, liquidation of certificate pools 3284
  - Equalization program:
    - 1964–66, termination, 813.
    - 1966; 7110, 13696.
- Exports:
  - Dairy products, 11090.
  - Feed grains (GR–368), 11451.
  - Flaxseed (PS–GR–4), 2954, 3336, 7735, 11310, 11453.
    - Record retention requirements, 4004.
  - Linseed oil (PS–GR–4), 2954, 3336, 7735, 11310, 11453.
    - Record retention requirements, 4004.
  - Rice (GR–369), 7396, 11309, 11449.
  - Wheat (GR–345), 4728, 9719, 10072, 11450.
- Feed grains:
  - 1966–69 regulations 3385
  - Exports 11451

PAYMENT PROGRAMS:
- Mohair, 4953, 5817, 15234.
- Wool, 4582, 4953, 15234.

PRICE-SUPPORT PROGRAMS:
- Cooperative marketing associations 10514, 12514
  - Record retention requirements 4010
- Participation in pools of CCC price-support loans:
  - Certificates of interest, special series 5346
  - Increase in rate of interest:
    - Commercial banks, certain commodities 474, 10179, 13641
    - Financial institutions, cotton 474, 10179, 13641
- Sales of certain commodities acquired through price-support operations; monthly sales list:
  - 1965, December 102

Commodity Credit Corporation—Continued Page

PRICE-SUPPORT PROGRAMS—Continued
- Sales of certain commodities acquired through price-support operations; monthly sales list—Continued
  - 1966:
    - January 300
    - February 3084
    - March 4743
    - April 5976
    - May 7252
    - June 8643
    - July 9686, 10139
    - August 10898, 10965
    - September 11687, 12414, 12576
    - October 13010, 13449, 13811
    - November 14271, 14601
    - December 15495, 15758
- Various commodities:
  - Barley, 474, 2665, 3490, 5941, 10179, 13641.
  - Beans, dry edible, 474, 2665, 3490, 5941, 10179, 13641.
  - Butterfat, 5664, 9497.
  - Corn, 474, 2665, 3490, 5941, 10179, 13641.
  - Cotton, 474, 6861, 10179, 13641.
  - Flaxseed, 474, 2665, 3490, 5941, 10179, 13641.
  - Grain sorghum, 474, 2665, 3490, 5941, 10179, 13641.
  - Grains, 474, 2665, 3490, 5941, 10179, 13641.
  - Honey, 7, 474, 815, 6257, 6582, 10179, 13641.
  - Milk, 5664, 9497.
  - Naval stores, 4951.
  - Oats, 474, 2665, 3490, 5941, 10179, 13641.
  - Peanuts, 474, 10179, 13641.
  - Rice, 474, 2665, 3490, 5941, 10179, 13641.
  - Rye, 474, 2665, 3490, 5941, 10179, 13641.
  - Soybeans, 474, 2665, 3490, 5941, 10179, 13641.
  - Tobacco, 7256.
  - Tung oil, 474, 10179, 13641.
  - Wheat, 474, 2665, 3490, 5941, 10179, 13641.

PURCHASE PROGRAMS; 1966 crops:
- Cottonseed oil and meal, 8348, 12887.
- Flaxseed, Texas, 6408.

RECORDS, non-Federal; retention requirements 4009

RESEAL LOAN PROGRAMS, 1966–67 storage period:
- Barley, 9600, 11090.
- Corn, 9600, 11090.
- Grain sorghum, 9600, 11090.
- Oats, 9600, 11090.
- Wheat, 9600, 11090.

SUSPENSION AND DEBARMENT from contracting with CCC 4950

WAREHOUSES, Federally licensed:
- Standards for approval 13910
- Storage loans, due date 2665
- Storage loans, peanuts, 1966 crop 10241, 10634, 11141, 11592, 12709, 13207

Commodity Exchange Authority:

COMMODITY EXCHANGE ACT:
- Controlled accounts, closing trades in 1079, 4590
- Transactions, execution; exceptions 5054

CONTRACT MARKET for soybeans, designation of New York Produce Exchange 11040

RECORDS, non-Federal; retention requirements 4010

Communications-Satellite Facilities:

See Federal Communications Commission.

Community Relations Service:

TRANSFER from Commerce Department to Justice Department (Reorganization Plan No. 1 of 1966) 6187

Comptroller of Currency:

ADVERTISING FOR FUNDS by National banks, policy statement 16581

CAPITAL STRUCTURE, changes in 5954, 8951

CONTROLLING OWNERSHIP, reports of change in 6955

EMPLOYEE STOCK OPTION and stock purchase plans 6953

FEES, assessment, national and District of Columbia banks; daily rate for special examinations and investigations 16761

INSURED BANKS, joint calls for report of condition 275, 6283, 9426, 12689

Comptroller of Currency—Continued Page

INTERPRETATIONS:
- Acquisition of controlling stock interest in subsidiary operations corporation 11459
- Purchase of participation certificates issued and guaranteed by Export-Import Bank of Washington; rescinded 14630

INVESTMENT SECURITIES; eligibility of specific bond issues for purchase by national banks:
- Alaska State Housing Authority revenue bonds, 8521.
- Commodity Credit Corporation certificates of interest in pools of price support loans, 5547.
- Export-Import Bank portfolio fund participation certificates, 14629.
- Federal National Mortgage Association participation certificates, 8060.
- Florida State Board of Education higher education bonds, 13431.
- Louisiana Capital Construction and Improvement Commission public improvement bonds, 11641.
- San Diego Stadium Authority bonds, 5659.
- Santa Monica Parking Authority bonds, 6826.
- State of Israel bonds, Development Investment Issue, 6905.

MERGERS OF BANKS:
- *See also main heading* Federal Reserve System.
- Application to merge:
  - Citizens National Bank, 13354, 13948.
  - Crocker-Anglo National Bank, 13354, 13948.

OWNERSHIP REPORTS by certain persons 6952

PROXIES, solicitation of 6950
- Information to be furnished stockholders; proposed rule 13725

RECORDS, non-Federal; retention requirements 4030

REGISTRATION STATEMENTS and offering circulars 6955

STOCKHOLDERS, annual report 6949

UNLISTED TRADING PRIVILEGES, application; Chase Manhattan Bank (National Association) 458

Conduct Standards:

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS, 13113.
AGENCY FOR INTERNATIONAL DEVELOPMENT, 6300.
AGRICULTURE DEPARTMENT, 8528, 9544.
AIR FORCE DEPARTMENT, 10779.
APPALACHIAN REGIONAL COMMISSION, 5189, 5491.
ARMY DEPARTMENT, 11642, 12520.
ATOMIC ENERGY COMMISSION:
- Contractors and consultants, 2699, 5075, 6907, 9610, 9611, 11990, 13015.
- Employees, 4502.

BUDGET BUREAU, 6000.
CANAL ZONE, 5191, 6491, 6831, 12347.
CIVIL AERONAUTICS BOARD, 1298.
CIVIL SERVICE COMMISSION, 873.
COMMERCE DEPARMENT, 5886, 6174.
DEFENSE DEPARTMENT, 4989, 5353, 8621.
DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY, 13787.
EMERGENCY PLANNING OFFICE, 5551.
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, 4345.
EXECUTIVE OFFICE OF THE PRESIDENT, 6556.
EXPORT-IMPORT BANK OF WASHINGTON, 3048.
FARM CREDIT ADMINISTRATION, 4101, 6235.
FEDERAL AVIATION AGENCY, 5104.
FEDERAL COAL MINE SAFETY BOARD OF REVIEW, 2897.
FEDERAL COMMUNICATIONS COMMISSION, 2721, 4834, 11898.
FEDERAL DEPOSIT INSURANCE CORPORATION, 5751.
FEDERAL HOME LOAN BANK BOARD, 4277.
FEDERAL MARITIME COMMISSION, 7180.
FEDERAL MEDIATION AND CONCILIATION SERVICE, 5423.
FEDERAL POWER COMMISSION, 4118, 4448.
FEDERAL RESERVE SYSTEM, 3446.
FEDERAL TRADE COMMISSION, 6197.
FOREIGN CLAIMS SETTLEMENT COMMISSION, 3945.
GENERAL ACCOUNTING OFFICE, 5293.
GENERAL SERVICES ADMINISTRATION, 4828.
HEALTH, EDUCATION, AND WELFARE DEPARTMENT, 4644.
HOUSING AND URBAN DEVELOPMENT DEPARTMENT, 8781.
INDIAN CLAIMS COMMISSION, 5445.
INTERIOR DEPARTMENT:
- Board of Contract Appeals, 8429, 9866, 10468.
- Employees, 2512, 9866, 10468.

INTERSTATE COMMERCE COMMISSION, 2718, 3344, 4512.
LABOR DEPARTMENT, 8306.

Conduct Standards—Continued Page

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, 8418.
NATIONAL CAPITAL HOUSING AUTHORITY, 5246.
NATIONAL CAPITAL TRANSPORTATION AGENCY, 5811.
NATIONAL FOUNDATION ON ARTS AND HUMANITIES, 9408.
NATIONAL GALLERY OF ART, 6116.
NATIONAL LABOR RELATIONS BOARD, 4376.
NATIONAL MEDIATION BOARD, 894.
NATIONAL SCIENCE FOUNDATION, 4595.
NATIONAL SECURITY COUNCIL, 4281, 8556.
NAVY DEPARTMENT, 9271.
PANAMA CANAL AGENCIES, 5191, 6491, 6831, 12347.
PEACE CORPS, 6474.
POST OFFICE DEPARTMENT, 3234, 3397, 4348, 5965.
RAILROAD RETIREMENT BOARD, 3178.
RENEGOTIATION BOARD, 2928.
SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, 2778.
SECURITIES AND EXCHANGE COMMISSION, 5483, 8952, 13533.
SELECTIVE SERVICE SYSTEM, 4936.
SMALL BUSINESS ADMINISTRATION, 4670, 7375, 10633, 12596.
SMITHSONIAN INSTITUTION, 4512, 6112.
STATE DEPARTMENT, 6300.
SUBVERSIVE ACTIVITIES CONTROL BOARD, 3069.
TARIFF COMMISSION, 2593.
TENNESSEE VALLEY AUTHORITY, 6410.
TRADE NEGOTIATIONS, OFFICE OF SPECIAL REPRESENTATIVE, 5009, 8556.
TREASURY DEPARTMENT, 5886.
UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY, 4391.
UNITED STATES INFORMATION AGENCY, 6300.
UNITED STATES SOLDIERS' HOME, 6405.
VETERANS ADMINISTRATION, 5828, 10687.
WITHOUT COMPENSATION EMPLOYEES, statements of financial interests. *See* Commerce Department; Interior Department; Interstate Commerce Commission.

Conflict of Interest:
See Conduct standards.

Conservation:
AREAS, occupancy of private and Government cabins. *See* Interior Department.
PROGRAMS, agricultural. *See* Agriculture Department.

Constitution Week, Citizenship Day and, 1966:
PROCLAMATION 3731 8571

Containers, Food:
STANDARDS FOR CONDITION. *See* Agriculture Department.

Continental Shelf, Outer:
MANNED PLATFORMS. *See* Coast Guard.
OIL AND GAS LEASING. *See* Land Management Bureau.

Contracts:
See Procurement.

Convention Between U.S. and Greece:
IMPLEMENTATION OF ARTICLE XIII (Executive Order 11300) 11009

Copyright Office:
CATALOG OF COPYRIGHT ENTRIES, prices 2614, 6119

Corn:
CANNED, identity standard, optional ingredients. *See* Food and Drug Administration.
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
CROPLAND ADJUSTMENT PROGRAM, etc. *See* Agriculture Department.
PRICE SUPPORT PROGRAM, etc. *See* Commodity Credit Corporation.

Cosmetic Industry:
TRADE PRACTICE RULES. *See* Federal Trade Commission.

Cotton: Page
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
MARKETING, STANDARDS, etc. *See* Agriculture Department.
PRICE SUPPORT PROGRAMS, etc. *See* Commodity Credit Corporation.

Cotton Institute, International:
PUBLIC INTERNATIONAL ORGANIZATION entitled to enjoy certain privileges, exemptions, and immunities (Executive Order 11283) 7667

Cotton Textiles:
CUSTOMS requirements. *See* Customs Bureau.
IMPORT LICENSES from Czechoslovakia, Foreign Assets Control Office 9391
IMPORT RESTRICTIONS, etc. *See* Interagency Textile Administrative Committee.

Cottonseed:
PURCHASE PROGRAM. *See* Commodity Credit Corporation.
STANDARDS for grades, etc. *See* Agriculture Department.

Cottonseed Oil and Meal:
PURCHASE PROGRAMS. *See* Commodity Credit Corporation.

Councils:
See Committees, boards, etc.; Committees, boards, etc., Presidential.

Counsel to the President:
STANDARDS OF CONDUCT for part-time Presidential committees, commissions, and boards; functions respecting 8556

Courts-Martial Manual, United States, 1951:
MAXIMUM PUNISHMENTS, amendment of provisions respecting (Executive Order 11317) 15305

Cranberries:
MARKETING. *See* Agriculture Department.

Credit Unions:
See Federal Credit Unions Bureau.

Crop Insurance:
See Federal Crop Insurance Corporation.

Cuba:
ASSETS CONTROL REGULATIONS. *See* Treasury Department.
REFUGEES, excepted Civil Service positions. *See* Civil Service Commission.
VESSELS, free world and Polish flag, arriving since January 1, 1963. *See* Maritime Administration.

Cultural Objects:
IMPORTS FOR TEMPORARY DISPLAY (Executive Order 11312) 13415

Cumberland National Forest:
CHANGE OF NAME to Daniel Boone National Forest (Proclamation 3715) 5807

Customs Bureau:
AIR COMMERCE REGULATIONS, Houlton Municipal Airport, Houlton, Maine, designation as international airport of entry; proposed rule 15587
AIRPORTS; proposed rules:
Houlton Municipal Airport, Houlton, Maine; designation as international airport of entry 15587
Overtime charges, proration at airports 15544
ALCOHOLIC BEVERAGES, tobacco products, etc.:
Exemptions, certain, for returning residents 4627
Free entry, duty-free importations, servicemen and families 1149
ANTIDUMPING ACT, 1921:
Commissioner's determinations; various imports:
Cast iron soil pipe and fittings; Poland, 14655.
Ceramic glazed wall tile; Japan, 9751.
Coaxial cable, aluminum sheathed; Canada, 11401.
Dartboards and dartgames; England, 11277.
Disc brake pads; Canada, 12106, 14418.

Customs Bureau—Continued Page

ANTIDUMPING ACT, 1921—Continued
Commissioner's determinations; various imports—Continued
Eggs, whole frozen; United Kingdom, 5080, 5148, 5907.
Electrical generators, vertical water wheel, 13396.
Fishery products; U.S.S.R., 5975, 7529.
Ice skate blades; Japan, 8599.
Pig iron:
East Germany, 11495.
U.S.S.R., 12851.
Plastic containers; Canada, 5527, 11727.
Refrigeration compressors; Denmark, 9425.
Steel jacks; Canada, 11974.
Steel reinforcing bars; Canada, 5265.
TMTD and ZDC; Netherlands, 12606.
Thiourea:
Japan, 8883.
West Germany, 8641.
Titanium dioxide; Japan, 3198.
Tubeless tire valves:
Italy, 9751, 13559.
West Germany, 9751, 13178.
Secretary of Treasury's determinations. *See main heading* Treasury Department.
APPRAISEMENT, footwear subject to American selling price; guidelines 2393
ARTICLES CONDITIONALLY FREE, subject to reduced rate, etc.:
Appropriation and revenue accounting system, proposed rules 11394, 12409
Fisheries, American, products of; abolition of form 11416
International traffic, instruments of:
Acetylene and rare gas cylinders, 11618.
Beer and ale bottles of unusual design, 11618.
Lift vans, cargo vans, etc., 2546.
Stainless steel drums for alcoholic beverages, 12413.
Salt for curing fish, proof of use, certain forms abolished 6769
Temporary importations under bond; vehicles, pleasure boats, and aircraft imported for repair or alteration 2817
Vegetable oils rendered permanently unfit for use as food; abolition of form 11416
Works of art; antiques 11593
AUTHORITY DELEGATIONS:
See also Organization and functions.
By Commissioner to various officials:
Agents; classification, value, and rate of duty of imported merchandise, etc 11039
Deputy Regional Commissioner, Region II, New York; functions, etc., of district directors, et al. 7842
Port Directors; certain functions, rights, privileges, powers, and duties 16581
Regional Commissioners; settlement of certain claims 10540
From Assistant Secretary of Treasury for Administration; property and services procurement 5527
BONDS, customs:
Appropriation and revenue accounting system, proposed rule 11394, 12409
Approved by collectors, form and execution 2546, 14255
Nonproduction of documents, failure to redeliver packages, sums to be collected 15645
CIGARETTES, imported, health hazard warning on packages 9468, 14850
COFFEE:
Certificates of origin, certain, considered invalid 14738
Grown in member country of International Coffee Agreement and shipped to United States via nonmember country or area 5359
Import quotas on coffee produced in nonmember countries of International Coffee Organization 12964, 14544
CUSTOMHOUSEBROKERS, licenses 4527, 16581
CUSTOMS PORTS OF ENTRY, etc. *See under* Organization and functions.
DRAWBACK, allowance on certain petroleum products; industry standards of potential production on practical operating basis 1012
DUTY-FREE IMPORTATIONS:
Gifts from members of U.S. Armed Forces in combat zone 5260, 14521
Servicemen and families; free entry of alcoholic beverages and cigars 1149

Customs Bureau—Continued Page

ENTRY OF IMPORTED MERCHANDISE:
Additional invoicing information:
Boots, shoes, or other footwear 2727
Spruce and pine lumber, proposed rule 14787
Appropriation and revenue accounting system; proposed rules 11394, 12409
Cotton textiles from Hong Kong, requirements on entry 14451
Invoices required, special; exceptions 15644
Powers of attorney 5489
EXAMINATION, MEASUREMENT, TESTING:
Brix values of unconcentrated natural fruit juices 2727
Glass, cast, etc.; ascertainment of weight 2430, 13722
Sugar, molasses, and syrup, review of tests 2347, 3499, 14772
FINANCIAL AND ACCOUNTING PROCEDURE:
Appropriation and revenue accounting system; proposed rules 11394, 12409
Customs fees, charges for storage 2778
Overtime charges, proration at airports; proposed rule 15544
FISH, tariff-rate quota, 1966 calendar year:
Cod, haddock, etc 2499
Tuna 6324
FOOTWEAR:
Appraisement 2393
Entry of imported merchandise 2727
FORMS, certain; revisions 14689
FRUIT PRODUCTS:
Brix values of unconcentrated natural fruit juices 2727
Deciduous, from Republic of South Africa, involving convict labor, special procedures 5329
IMPORTATION PROHIBITED, manicure set cases, etc., made of material containing ground, shredded, or pulverized leather 7249
LIABILITY FOR DUTY. *See* Entry of imported merchandise, *above*.
LIQUIDATION OF DUTIES:
Appropriation and revenue accounting system; proposed rules 11394, 12409
Countervailing duties; sugar content of certain articles from Australia 2728, 14684
Suspension of liquidation 15645
MARKING:
Country of origin, certain articles excepted from requirements 10372
False, restrictions upon use of term "Goodyear" 3005
ORGANIZATION AND FUNCTIONS:
See also Authority delegations.
Assistant Commissioner, et al.; certain decisions, etc 226
Commissioner; order of succession 15098
Deputy Commissioner, et al.; changes in titles of certain officers and designations of divisions 228, 459
Field Officers, Region II, New York; certain functions, rights, privileges, powers, and duties 7150
Field Service; reorganization, changes in certain district boundaries, etc 1338, 6456, 7150
Judicial districts, California 10927
Regional Commissioners and District Directors; functions, etc 981, 9529
Regions, districts, ports, etc 10668, 16563
Agency Service Regions 6611, 10673, 16564
Authority of customs officers 16563, 16765
Ports of entry:
Boundary, Wash.; designation, proposed rule, 14685.
Frontier, Wash.; designation, proposed rule, 14685.
International Falls-Ranier, Minn.; extension of limits, 14313.
Morgan City, La.; description, correction, 15193.
Northport, Wash.; revocation, proposed rule, 14685.
Oklahoma City, Okla.; designation, 6871, 8928.
Pittsburgh, Pa., 13390.
Port Canaveral, Fla., 12938, 13080.
Providence, R.I.; extension of limits, 16312.
San Diego, Calif., 13721.
Tacoma, Wash., 13755.
Reorganization 10668
PETROLEUM, drawback allowance on certain products; industry standards of certain potential production on practical operating basis 1012
PROTESTS:
Appropriation and revenue accounting system, proposed rule 11394, 12409
Power of attorney to file 5489

Customs Bureau—Continued Page

RECORDS, non-Federal; retention requirements 4030
REGULATIONS, proposed revisions; inquiry 12102
SEAL 315, 10676
TARIFF CLASSIFICATIONS:
Anhydrous sodium sulfate and crude salt cake, 7764.
Dog leads, leashes, and chains of iron or steel, 11495, 16245.
Electric desk lamps, 8082, 9242.
Handkerchiefs produced in Philippines, 540.
Typewriter ribbons on spools, 3308, 7636.
Wool shorn from washed sheepskins, 14525.
TARIFF-RATE QUOTA, 1966:
Fish:
Cod, haddock, etc 2499
Tuna 6324
Potatoes, white or Irish, other than certified seed 12542
TREASURY DECISIONS:
Name of publication changed to Customs Bulletin 16580
Numbering system, inauguration 156
UNCLAIMED AND ABANDONED MERCHANDISE, disposition of; sale, proposed rule rescinded 6908
VESSELS:
Documentation:
Pleasure vessels, optional simplified admeasurement; proposed rules 14839
Qualification as U.S. citizen:
Bunge Corp., 7978.
Dundee Cement Co., 10540.
International Paper Co., 6912.
Rimrock, Inc., 16629.
Schlumberger Technology Corp., 11988.
Signal letters, awards of, application for cancellation 10358
Yacht privileges and obligations, application for cruising license for foreign yacht 5755
In foreign and domestic trades:
Coastwise transportation of empty cargo vans and shipping tanks 11214, 12520, 13424
Intercoastal residue-cargo procedure 16142
Preliminary entry from foreign port, master's certificate 14394
Special tonnage tax and light money:
Algeria, 14973.
Kuwait, 536.
Malta, 5260.
Nigeria, 7512.
Rumania, 13755.
Singapore, 13944.
Syrian Arab Republic, 10885.
Vietnam, 5260.
Measurement:
Closed-in spaces omitted from gross tonnage 266, 434, 4294, 4594
Foreign systems; Pakistan added 15349
Pleasure vessels, optional simplified admeasurement; proposed rules 14839
Owners, identification 14009
WAREHOUSES, reimbursement for services of customs officers by bonded warehouse proprietors 9743, 11215
"WEEKLY TREASURY DECISIONS," name of publication changed to Customs Bulletin 16580
WILDLIFE or eggs thereof, import restrictions 5358

Cyprus:
FOREIGN SOCIAL INSURANCE SYSTEM 8548

D

Dairy Products:
See Agriculture Department.

Danger and Restricted Areas:
AIRCRAFT restricted areas over military installations. *See* Federal Aviation Agency.
VESSELS, danger zones. *See* Engineers Corps.

Dangerous Cargoes:
BULK CARGOES. *See* Coast Guard.
EXPLOSIVES, etc. *See* Federal Aviation Agency; Interstate Commerce Commission; St. Lawrence Seaway Development Corporation.

Daniel Boone National Forest:
DESIGNATION (Proclamation 3715) 5807

Data Processing:
See General Services Administration.

Dates: Page
MARKETING, etc. *See* Agriculture Department.

Deaf, National Technical Institute For:
ACCREDITING AGENCIES, nationally recognized 7594
CONSTRUCTION AND OPERATION, invitation to institutions of higher education to submit proposals 5578

Death, Display of U.S. Flag at Half-Staff:
NIMITZ, FLEET ADM. CHESTER W. (Executive Order 11271) 2991

Decorations, Medals, and Awards:
AIR FORCE DEPARTMENT regulations; Vietnam Service Medal 4146
COAST GUARD:
Authority delegations 3036, 10042
Vietnam Service Medal 5975
FOREIGN DECORATIONS, regulations, functions of Secretary of State (Executive Order 11320) 15789
GOLD STAR LAPEL BUTTON, eligibility and distribution 11936
NATIONAL DEFENSE SERVICE MEDAL, award of:
Authority delegation 10042
Executive Order 11265 425
NATIONAL MEDAL OF SCIENCE (Executive Order 11287) 8995
NAVY DEPARTMENT regulations 291, 16193
VIETNAM:
Campaign Medal and device; purpose, applicability, etc 10318
Service Medal 4146, 5975

Defense Department:
See Air Force Department.
Army Department.
Defense Supply Agency.
Navy Department.
ADMINISTRATIVE DISCHARGES 705, 2887
ALIENS, permanent-residence, serving in U.S. armed forces to fulfill naturalization requirements; separation 16188
AUTHORITY DELEGATIONS:
By Deputy Secretary to listed officials:
Assistant Secretary; disposal of surplus property 10584
Secretaries of Army, Navy, Air Force, et al.:
Appoint contracting officers in support of Defense Intelligence Agency activities 7636
Collection of claims, etc 16722
By Secretary to Secretaries of Army, Navy, and Air Force; secrecy of certain inventions and withholding of patent 13396
From Business and Defense Services Administrator to Assistant Secretary, Installations and Logistics; information on copper 13360
From General Services Administrator; representation of executive agencies before Interstate Commerce Commission 10333
CIVIL DEFENSE, Regional Interdepartmental and Interagency Coordination Boards; organization and functions 3036
COMMERCIAL ACTIVITIES on military installations 7228, 9458, 9861
COMMERCIAL AIR TRAVEL, military stand-by authorization 16495
COMMUNITY RELATIONS PROGRAMS:
Policy 10677
Public events supporting, requests for armed forces participation 10681
CONDUCT STANDARDS 4989, 5353, 8621
CONTRACT FINANCING regulations, advance payments 12020
COST INFORMATION REPORTS 10183
DECORATIONS AND AWARDS:
Gold Star Lapel Button; eligibility and distribution 11936
Vietnam Republic Campaign Medal and device; purpose, applicability, etc 10318
ENVIRONMENTAL POLLUTION CONTROL 849
FEDERAL EXECUTIVE SALARY SCHEDULE, positions placed in Level V:
Deputy Director of Defense Research and Engineering (Chemistry and Materials) (Executive Order 11268) 871
Principal Deputy Assistant Secretary of Defense (Comptroller) (Executive Order 11273) 4947

Defense Department—Continued Page

GOLD STAR LAPEL BUTTON, eligibility and distribution 11936
GRANTS, RESEARCH, and title to equipment purchased under grants 8007
MEDICALLY REMEDIAL ENLISTMENT PROGRAM 16351
MILITARY SEA TRANSPORTATION SERVICE, organization, functions, etc 14830
NATURAL RESOURCES, soil and water management program procedures; billboards and signs 6547
NONDISCRIMINATION in Federally-assisted programs, effectuation of Title VI of Civil Rights Act of 1964; programs to which applicable, list 6831
ORGANIZATION AND FUNCTIONS:
Assistant Secretary (Comptroller) 4251
Defense Supply Agency 360, 4246
Environmental Pollution Control Committee 849
Military Sea Transporation Service 14830
Regional Civil Defense Interdepartmental and Interagency Coordination Boards 3036
Telephone Service 12454
PAY:
Advance, for military personnel; policy 7625
ROTC staff members, acceptance of payments or benefits from educational institutions 5288
POLLUTION CONTROL, air, water, soil 849
PROCUREMENT REGULATIONS:
Advertising, formal 1040, 4449, 9853, 13329
Appendixes C, H, and K 1052, 7814
Bonds, insurance, and indemnification; corporate sureties and co-sureties 1051
Construction and contracting for architect-engineering services 1052, 4450, 9859, 13337
Contracts:
Clauses 1050, 4450, 7811, 9856, 13331, 14876
Cost principles and procedures 1051, 13336
Termination 1050, 7812, 13332
Extraordinary contractual actions to facilitate national defense 9859
Foreign purchases:
Canadian purchases 1046
International agreements 9856
Forms 1052, 4450, 7814, 9859
General provisions 1039, 4449, 7807, 9851, 13326
Government property 1051, 13336
Interdepartmental and coordinated 1046
Labor 1051, 9857
Negotiation 1041, 4449, 7807, 9854, 13329
Special types and methods 1041, 7810, 13330
Taxes; Federal, State, and local 1051, 13332
RECORDS, non-Federal; retention requirements 4015
ROTC:
Programs, secondary educational institutions 898, 2681
Staff members, acceptance of payments or other benefits offered by educational institutions 5288
SALARIES AND PERSONNEL PRACTICES, teachers and other employees of overseas dependents' school system 4450
SECURITY:
Civilian applicant and employee security program 13642
Industrial personnel security clearance program 16188
TELEPHONE SERVICE, functions and responsibilities 12454
TRAVEL EXPENSES of Federal civilian personnel, functions of Secretary (Executive Order 11294) 10601
VIETNAM REPUBLIC Campaign Medal and device; purpose, applicability, etc 10318

Defense Industries:
BOARDS OF INQUIRY to investigate labor disputes (Executive Order 11314, 11321) 13419, 16301

Defense Supply Agency:
NONCONTRACTUAL CLAIMS, certain; investigating and processing, and reporting related litigation 8061
ORGANIZATION 360, 4246

Defense Transportation Day, National, 1966:
PROCLAMATION 3716 6567

Delaware River Basin Commission:
COMPREHENSIVE PLAN, hearings 774, 4633, 6143, 7257, 8503, 9555, 12578, 13562, 13761, 14959.
WATER RESOURCES PROGRAM, hearing 774

Delegations of Authority by the President: Page
BUDGET BUREAU, DIRECTOR (Executive Order 11275, 11290) 5283, 10067
COMMERCE DEPARTMENT (Executive Order 11286) 8279
COUNSEL TO THE PRESIDENT 8556
NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL POLICIES (Executive Order 11269) 2813
PANAMA CANAL ZONE, GOVERNOR (Executive Order 11305) 12007
SECRETARY OF ARMY (Executive Order 11305) 12007
SECRETARY OF DEFENSE (Executive Order 11294) 10601
SECRETARY OF STATE (Executive Order 11264, 11294, 11295, 11312, 11320) 67, 10601, 10603, 13415, 15789
SECRETARY OF TREASURY (Executive Order 11269) 2813
UNITED STATES INFORMATION AGENCY (Executive Order 11311) 13413

Dietary Supplements:
See Food and Drug Administration.

Disaster Areas:
ARMY DEPARTMENT relief activities 7966
FEDERAL ASSISTANCE. *See* Agriculture Department; Emergency Planning Office; Small Business Administration.
FISHERY FAILURE due to resource disaster; oyster industry in certain States 7724, 11187
FOREIGN COUNTRIES, assistance to, AID regulations 6105
LIVESTOCK FEED, transportation to certain areas at reduced rates. *See* Interstate Commerce Commission.
POST OFFICE COOPERATION with Red Cross during national disasters 12480
SCHOOLS AFFECTED, assistance to. *See* Education Office.

Discrimination:
See Nondiscrimination.

District of Columbia:
AIRCRAFT PROHIBITED AREA 13422

District of Columbia Board of Commissioners:
NATIONAL ZOOLOGICAL PARK, buildings and bridges, transfer of functions to Smithsonian Institution (Reorganization Plan No. 4 of 1966) 11137

District of Columbia Redevelopment Land Agency:
CONDUCT STANDARDS 13787

Dogs:
HUMANE TREATMENT, and certified products for. *See* Agriculture Department.

Dressings for Foods:
FRENCH AND SALAD, identity standards, optional ingredients. *See* Food and Drug Administration.

Drugs:
ANIMAL FEED, drug additives. *See* Food and Drug Administration.
ANTI-HOG-CHOLERA SERUM. *See* Agriculture Department: viruses, serums, etc.
CERTIFICATION, TESTS, ETC. *See* Food and Drug Administration.
FEDERAL SUPPLY SCHEDULE regulations 10923
NARCOTICS in Canal Zone 12251
OPIATES. *See* Narcotics Bureau.
PARACHUTE JUMPING, restriction on use of drugs; proposed rule 6988

E

Eagles:
DEPREDATING GOLDEN, order permitting taking in certain States. *See* Fish and Wildlife Service.

Eavesdropping:
RADIO DEVICES used for eavesdropping purposes prohibited; Federal Communications Commission regulations 3397

Economic Development Administration: Page

APPALACHIAN ASSISTANCE 11174, 15312, 16713
AREA REDEVELOPMENT ADMINISTRATION, applicability of regulations 8
ECONOMIC DEVELOPMENT DISTRICT PROGRAM 16675
GENERAL RULES; labor standards, penalties, nondiscrimination, etc 11292
GRANTS, LOANS, AND GUARANTEES 16677
ORGANIZATION AND FUNCTIONS 6746, 6747, 11287, 16729, 16669
PUBLIC WORKS ACCELERATION, deleted 15312
RECORDS, non-Federal; retention requirements 4011
REDEVELOPMENT AREAS, designation of 16674
REGIONAL ACTION PLANNING COMMISSIONS 16678
TECHNICAL ASSISTANCE PLANNING and administrative grants-in-aid, and research 16678

Economic Opportunity Office:

COMMUNITY ACTION PROGRAMS:
Grants exceeding 90 percent of program costs, criteria for 8623
Public information, access to, and hearing requirements 4454
Reallotment of funds, 1966 fiscal year 4179
Waiving requirements respecting prior level of expenditures or contributions, criteria for 4117
PROCUREMENT REGULATIONS:
Contract appeals 6625
Scope, authority, exclusions, etc 13001
PUBLIC HEARING prior to submission of application for assistance, waiver of requirement 6547

Education and Educational Facilities:

See also Education Office.
CIVIL SERVICE, educational requirements for certain positions. *See* Civil Service Commission.
DEFENSE DEPARTMENT:
Overseas dependents' school system 4450
ROTC:
Programs, secondary educational institutions 898, 2681
Staff members, acceptance of benefits offered by educational institutions 5288
FM and UHF BROADCAST CHANNELS. *See* Federal Communications Commission.
GOVERNMENT EMPLOYEES, hours of duty, variations of 40-hour workweek for educational purposes 12774
GRANTS, schools of medicine, dentistry, osteopathy, etc. *See* Public Health Service.
INCOME TAXES, expenses for education. *See* Internal Revenue Service.
INTERNATIONAL EDUCATIONAL EXCHANGE PROGRAM, grants to foreign participants to observe, consult, or demonstrate special skills 9348
LOANS, educational, to executive officers of Federal Reserve banks 10179
LOANS to students:
Federal Credit Unions Bureau regulations 4801
Low-interest loans, students in institutions of higher education. *See* Education Office.
National defense student loan program 7463
Pharmacy and podiatry practicing in shortage area 4791, 5691
MINIMUM WAGES for work outside school hours. *See* Labor Department; Wage and Hour Division.
NAVAL ACADEMY, appointment as midshipman, procedures and requirements; nomination, examination, etc 15016
NONDISCRIMINATION, schools in certain States; hearings:
Massachusetts 11560
New York 10934
OCCUPATIONAL TRAINING of unemployed persons; eligibility, subsistence allowances, etc 954
REAL PROPERTY for educational purposes, heads of Federal agencies; General Services Administration temporary regulation 2504
ROTC:
Programs for secondary educational institutions 898, 2681
Staff members, acceptance of benefits from educational institutions 5288
SCHOOL AND PRESCHOOL CHILDREN, health, special project grants 203
SCHOOL LUNCH PROGRAM. *See* Agriculture Department.

Education and Educational Facilities—Con. Page

STUDENTS:
Attending Office of Civil Defense schools, reimbursement toward expenses 9348
Grants, student loans. *See* Public Health Service.
Immigration regulations. *See* Immigration and Naturalization Service.
Loans to. *See* Loans to students.
Minimum wages for certain employed students. *See* Labor Department; Wage and Hour Division.
Trainees in Government hospitals. *See* Civil Service Commission.
SURPLUS REAL PROPERTY, disposition and utilization for educational purposes. *See* Health, Education, and Welfare Department.
TEACHERS:
Indian schools, teachers in; manpower shortage. *See* Civil Service Commission.
Overseas dependents' school system, salaries and personnel practices of teachers. *See* Defense Department.
TELEVISION STATIONS, noncommercial educational, Federal assistance. *See* Education Office.
USAF OFFICER TRAINING SCHOOL. *See* Air Force Department.
VETERANS EDUCATION AND VOCATIONAL REHABILITATION. *See* Veterans Administration.
VISUAL AND AUDITORY educational materials, American-made, circulation abroad, United States Information Agency regulation 2426
WAR ORPHANS' EDUCATIONAL ASSISTANCE 4347, 4681, 13992

Education Office:

COMMUNITY COLLEGES and technical institutions:
Allotment ratios for States 12606
Criteria for determining Federal share of cost 2477
DESEGREGATION of public schools, policy statement 5623
DISASTER AREAS, financial assistance:
Construction of elementary and secondary schools 4403
Current school expenditures, local educational agencies 4405
HIGHER EDUCATIONAL INSTITUTIONS, financial assistance:
Community colleges and public technical institutes:
Allotment ratios for States 12606
Criteria for determining Federal share of cost 2477
Community service and continuing education programs 5562
Construction 8544, 13220
Low-interest loans to students 6109, 6591, 9003, 14836
Undergraduate instruction in, acquisition of equipment, applications, etc 4795, 7128, 14013
National teaching fellowships; grants for cooperative arrangements, application date 4308
HUMANITIES AND ARTS, instruction in:
Private nonprofit schools, loans to 825
Public schools, financial assistance to 824
LIBRARY SERVICES and construction, Federal share 12734
LOANS:
Low-interest, to students in higher education institutions; Federal, State, and private programs 6109, 6591, 9003, 14836
Adjusted family income 9003
National defense student loan program 7463
Advancement and repayment of loans 10575
Vocational students, low-interest and direct Federal loans 14942
LOW-INCOME FAMILIES, education of children of; financial assistance to local educational agencies 4299
NATIONAL TECHNICAL INSTITUTE FOR DEAF:
Accrediting agencies, nationally recognized 7594
Construction and operation, invitation to institutions of higher education to submit proposals 5578
NONDISCRIMINATION, desegregation of public schools; policy statement 5623
ORGANIZATION AND FUNCTIONS 8089
Bureau of Adult and Vocational Education 16163
RECORDS, non-Federal; retention requirements 4017
SCHOOL CONSTRUCTION:
Areas affected by Federal activities, applications for Federal assistance 4894, 14878
Disaster areas 4403

Education Office—Continued Page

SCIENCE, MATH, AND LANGUAGE INSTRUCION, financial assistance; allotment ratios 16281
TELEVISION BROADCAST FACILITIES, noncommercial, educational, Federal financial assistance, applications 483, 2396, 3202, 5231, 5385, 7293, 8028, 8547, 9575, 10005, 10753, 12415, 13731, 13732, 15331, 16281
TRAINING PROGRAM under Manpower Development and Training Act of 1962 5559
Allowable costs and in-kind matching 12101
VOCATIONAL STUDENTS, low-interest loans and direct Federal loans 14942

Education Week, American, 1966:

PROCLAMATION 3753 14379

Educational, Scientific, and Cultural Materials Importation Act of 1966:

EFFECTIVE DATE (Proclamation 3754) 14381

Eggs and Products:

ANTIDUMPING NOTICE, whole frozen eggs. *See* Customs Bureau; Treasury Department.
GRADING AND INSPECTION. *See* Agriculture Department.
IDENTITY STANDARDS, etc. *See* Food and Drug Administration.
WILDLIFE EGGS, Customs Bureau importation restrictions 5358

Electronics Industry:

BOARD OF INQUIRY to investigate labor dispute (Executive Order 11314) 13419

Emergencies:

AIRLIFT, transfer of air carriers. *See* Civil Aeronautics Board.
AUTHORITY granted to certain air carriers due to machinists' strike. *See* Civil Aeronautics Board.
LIVESTOCK FEED PROGRAM. *See* Agriculture Department.
NAVY EMERGENCY FACILITIES DEPRECIATION BOARD, regulations deleted 14590
RADIO COMMUNICATIONS. *See* Federal Communications Commission.

Emergency Boards:

INVESTIGATION OF LABOR DISPUTES. *See* National Mediation Board.

Emergency Planning Office:

CONDUCT STANDARDS 5551
DISASTER AREAS, Federal assistance:
American Samoa, 3144.
Arizona, 6880.
California, 374, 1259.
Georgia, 5591, 9463.
Kansas, 8607.
Minnesota, 5095, 7197.
Nebraska, 11789, 13450.
North Dakota, 5591, 9763.
Texas, 8146, 9463, 13018.
DISASTER ASSISTANCE, grant in lieu of temporary housing or other emergency shelter 3121
Revoked 9005
SECURITY; investigation of imports of antifriction bearings and parts, termination 14470
VOLUNTARY TANKER PLAN for national defense requirements, additions to and deletions from membership 6926

Emergency Preparedness:

FUNCTIONS OF ATTORNEY GENERAL (Executive Order 11310) 13199

Employ the Physically Handicapped Week, National, 1966:

PROCLAMATION 3736 11135

Employees' Compensation Bureau: Page

NON-CITIZENS outside United States, compensation for disability or death:
Criteria 2376
Japanese seamen 14828
RECORDS, non-Federal; retention requirements 4026

Employment Security Bureau:

ALIENS. *See* Foreign labor.
EX-SERVICEMEN'S UNEMPLOYMENT COMPENSATION PROGRAM, schedule of remuneration 11382
FOREIGN LABOR:
Certification and use for agricultural and logging industry employment 7966
Cooperation of U.S. Employment Service and States; citrus industry in Florida, wage rates 13466
Temporary agricultural employment; minimum wages and working condition standards, hearing 14840
UNITED STATES EMPLOYMENT SERVICE:
Florida, citrus industry, wage rates; cooperation with States 13466
Information needed to evaluate adequacy of services to minority groups, older workers, and women 8281
Multi-State labor areas, placement services in; proposed rule 15490
National system of public employment offices, cooperation with States in establishing; certain hearings revoked 16187

Employment Service, United States:

See United States Employment Service.

Engineers Corps:

ADMINISTRATIVE PROCEDURE, shipping safety fairways and anchorage areas:
Gulf of Mexico, 955.
Pacific Ocean at Port Hueneme, California, 11434.
ANCHORAGE REGULATIONS:
Arizona:
Lake Powell, 8403.
California:
Los Angeles and Long Beach Harbors, 8343.
Marina Del Rey Harbor, 561.
Morro Bay Harbor, 8690.
San Francisco Bay, 8128.
Connecticut:
Mumford Cove, 12436.
Florida:
Atlantic Ocean off Fort George Inlet, 7284.
Mississippi:
Gulf of Mexico, 11229.
Mississippi Sound, 11229.
New York:
Hudson River, 13129.
Port of New York, 3457.
Utah:
Flaming Gorge Lake, 8403.
Lake Powell, 8403.
Virgin Islands:
St. Thomas Harbor, Charlotte Amalie, 16144.
Wyoming:
Flaming Gorge Lake, 8403.
BRIDGE REGULATIONS:
Arkansas:
St. Francis River, 4346.
California:
Mare Island Strait (Napa River), 4893, 13647.
Sacramento River, 15310.
Delaware:
Indian River Inlet, 8907.
Florida:
Lake Worth, 8573.
Ortega River, 8907.
St. Lucie Canal, 5961.
St. Marks River, 7350.
Louisiana:
Bayou Lafourche, 7827.
Tensas River, 4346.

Engineers Corps—Continued Page

BRIDGE REGULATIONS—Continued
- Maryland:
  - Kent Island Narrows, 10962.
  - Little Annemessex River, 8312.
  - Neale Sound, 10962.
  - Oak Creek, 10962.
  - South River, 8312.
  - Spa Creek, 12437.
- Massachusetts:
  - Mystic River, 6907.
- Michigan:
  - Manistee River, 13647.
- Minnesota:
  - Red River of the North, 8312.
  - St. Croix River, 8312.
- New York:
  - Bronx River, 7175.
- North Dakota:
  - Red River of the North, 8312
- Virginia:
  - Albemarle and Chesapeake Canal, 9993.
  - Mattaponi River, 1005.
  - Urbanna Creek, 7284.
- Washington:
  - Skagit River, 15310.
- Wisconsin:
  - St. Croix River, 8312.

DANGER ZONE REGULATIONS:
- California:
  - Pacific Ocean at San Miguel Island, 816.
  - San Pablo Bay, 13992.
- Florida:
  - Florida Bay, 13129.
  - Straits of Florida, 13129.
- Hawaii, Oahu; Pacific Ocean:
  - Barber's Point, 8129.
  - Kahuku Point, revoked, 14255.
  - Keahi Point, 12437.
- Marshall Islands:
  - Pacific Ocean at Kwajalein Atoll, 9850.
- Maryland:
  - Chesapeake Bay, 13647.
- New Jersey:
  - Atlantic Ocean, Sea Girt Military Reservation, 561.
- North Carolina:
  - Albemarle Sound, 12436.
  - Pamlico Sound, 12436.
- Ohio:
  - Lake Erie, 9993.
- Oregon:
  - Coos Bay, 13647.
- Virginia:
  - Atlantic Ocean, 13445.

FISHING REGULATIONS:
- Rhode Island:
  - Narragansett Bay, 10668.
- Virginia:
  - York River, 10360.

FLOOD CONTROL REGULATIONS:
- Alabama:
  - Coosa River, 6707.
- Georgia:
  - Coosa River, 6707.
- Kansas:
  - Ninnescah River, North Fork, 7751.
- Texas:
  - Canadian River, 7751.
  - Twin Buttes Dam and Reservoir, 12521.

LIGHTS for Great Lakes pilot vessels, proposed rule 15810

NAVIGATION REGULATIONS:
- Alabama:
  - Black Warrior-Tombigbee Rivers, 14255.
- Arizona:
  - Colorado River, 6590.
  - Lake Powell, 6590.

Engineers Corps—Continued Page

NAVIGATION REGULATIONS—Continued
- California:
  - Lake Tahoe, 9497.
  - Los Angeles and Long Beach Harbors, 3343.
  - Marina del Rey, 561.
  - Oakland Harbor, 6590.
- Florida:
  - Biscayne Bay, 6622.
  - Kissimmee River, 7566.
- Illinois:
  - Ohio and Mississippi Rivers, 6867.
- Michigan:
  - St. Marys Falls Canal and Locks, 4346.
- Mississippi:
  - Black Warrior-Tombigbee Rivers, 14255.
- Ohio:
  - Ohio and Mississippi Rivers, 6867.
- Texas:
  - Gulf Intracoastal Waterway, 15310.
- Virginia:
  - Gunston Cove, 16560.
- Washington:
  - Puget Sound Area, 2898.

RESERVOIR AREAS, public use:
- Arkansas:
  - Dardanelle Reservoir Area, Arkansas River, 13172.
- Kansas:
  - Milford Reservoir Area, Republican River, 13313.
- New York:
  - Almond Reservoir Area, Canacadea Creek, 13313.
- Ohio:
  - Shenango River Reservoir Area, Shenango River, 13313.
- Pennsylvania:
  - Curwensville Reservoir Area, West Branch Susquehanna River, 13313.
  - Shenango River Reservoir Area, Shenango River, 13313.
- Texas:
  - Pat Mayse Reservoir Area, Sanders Creek, 13313.

Engraving and Printing Bureau:
- AUTHORITY DELEGATION by Director to Assistant Director, et al.; order of succession to act as Director 13247

Environmental Pollution Control Committee, Defense Department:
- ESTABLISHMENT 849

Environmental Science Services Administration:
- AUTHORITY DELEGATION by Secretary of Commerce respecting claims for personal property loss by commissioned officers 8837
- COAST AND GEODETIC SURVEY, charges for aerial photographic reproductions 2898
- ORGANIZATION AND FUNCTIONS 6749, 10700, 10752, 15548
  - Administration office 772
  - Fallout forecasting 5081

Equal Employment Opportunity Commission:
- COMPLIANCE REPORTING SYSTEM, construction contractors and subcontractors 4256
- CONDUCT STANDARDS 4345
- EMPLOYER REPORTING REQUIREMENTS 2832, 15022, 16779
- GUIDELINES on discrimination:
  - Religion 8370
  - Sex, job opportunities advertising 6414
- NOTICES to be posted upon premises 9004
- PROCEDURAL REGULATIONS 10269, 14255

Equal Opportunity:
See Nondiscrimination.

Equal Opportunity Office, Commerce Department:
- ORGANIZATION AND FUNCTIONS 580
  - Contracts Compliance Officer and Equal Employment Opportunity Officer, designation 9425

Erickson (Leif) Day, 1966: Page
- PROCLAMATION 3745 12475

Ethical Standards:
See Conduct standards.

European Space Research Organization:
- PUBLIC INTERNATIONAL ORGANIZATION entitled to certain privileges, exemptions, and immunities (Executive Order 11318) 15307

Executive Assignment System:
- POSITIONS IN GRADES 16, 17, AND 18 OF GENERAL SCHEDULE, regulations (Executive Order 11315) 14729

Executive Office of the President:
See Budget Bureau.
Economic Opportunity Office.
Emergency Planning Office.
National Aeronautics and Space Council.
- CONDUCT STANDARDS 8556

Executive Orders:
See Presidential documents.

Explosives:
- TRANSPORTATION, etc. *See* Canal Zone; Coast Guard; Interstate Commerce Commission.

Export Control:
See International Commerce Bureau.

Export-Import Bank of Washington:
- CONDUCT STANDARDS 3048

Exports:
See Imports and exports.

F

Family Services Bureau:
- MEDICAL ASSISTANCE to State residents 10576

Farm-City Week, National, 1966:
- PROCLAMATION 3738 11445

Farm Credit Administration:
- AUTHORITY DELEGATIONS by Governor to certain officials:
  - Deputy Director of Short-Term Credit Service, et al.; act as Deputy Governor and Director 12927
  - Deputy Governor, et al.:
    - Act as Governor 9557
    - Authenticate documents, certify official records, and affix seal 9522
- BANKS FOR COOPERATIVES:
  - Consolidated debentures; Custodian and Acting Custodian 2531, 15233
  - Loan policies; lending limits of district banks and farm supplies eligible as security for commodity loans 7029
  - Recodification 16255
- COMPENSATION, basic; Deputy Governors, certain 8478
- CONDUCT STANDARDS 4101, 6235
- RECODIFICATION AND TRANSFER of regulations:
  - Administrative provisions 16227
  - Banks for cooperatives 16255
  - Editorial note 16264
  - Federal farm loan system 16236
  - Federal intermediate credit banks and production credit associations 16244

Farm Safety Week, National, 1966:
- PROCLAMATION 3706 3223

Farmers Home Administration:
- ACCOUNT SERVICING 14194, 16225
- GENERAL; administrative, property insurance, nondiscrimination, etc 14109
- INDIANS, loans to 14192
- INSURED LOANS, rates, terms and conditions 9199, 14129
- MINERAL INTERESTS, reserved, disposal of 14242
- ORGANIZATION, functions and authority 3352, 14109
- PRODUCTION LOANS 14177
- REAL ESTATE LOANS AND GRANTS 14129

Farmers Home Administration—Continued Page
- RECODIFICATION AND TRANSFER of regulations 14109, 16225
  - Account servicing; analyzing credit needs and graduation of borrowers 16225
  - Editorial note 16264
- RECORDS, non-Federal; retention requirements 4011
- RURAL HOUSING LOANS AND GRANTS 4663, 14138
  - Eligibility, etc 4663, 14138
  - Farm labor housing grant policies 6235, 14138
  - Senior citizens rental housing loans 5435, 14138
- SECURITY SERVICING AND LIQUIDATIONS 14212
- TITLE ABSTRACTS, sale of 14244
- WATERSHED LOANS 14245

Father's Day, 1966:
- PROCLAMATION 3730 8569

Federal Aviation Agency:
- ACCIDENTS. *See main heading* Civil Aeronautics Board.
- ADMINISTRATIVE REGULATIONS, editorial changes 9211
- AGRICULTURAL AIRCRAFT OPERATIONS, dispensing economic poisons for experimental purposes 6685
- AIR CARRIERS and commercial operators, large aircraft:
  - Air carrier and flight release rules; takeoff and landing weather minimums, "Look-See" when runway visual range (RVR) is operational, proposed rule withdrawn 4845
  - Airplane limitations; extended overwater operations without certification or approval for ditching 6592, 13078
  - Flight maneuvers required for airline transport pilot certificate and certain checks; proposed rule 4735, 5076
  - Flight time limitations; crew of two pilots and one additional flight airman as required 1146
  - Instrument and equipment requirements:
    - Airborne distance measuring equipment; civil aircraft within Alaska and Hawaii 6265
    - Airborne weather radar equipment requirements; installation in cargo-only operations of transport category airplanes 5825
    - Cockpit voice recorders 8911, 15191
    - Emergency passenger evacuation:
      - Requirements, proposed rules 10275, 11725, 12682
      - Slide or rope at exit and megaphones aboard aircraft 5495, 8911
    - Flight recorders; installation requirements and minimum performance standards 125
    - Flotation equipment, emergency 1146
  - Maintenance and alterations, certificate requirements; repair stations 10612
  - Records and reports:
    - Airworthiness release or aircraft log entry, maintenance or alterations 10612
    - Record retention periods, certain; proposed reduction 13802
  - Supplemental air carrier operating certificates, duration, proposed rule 14956
  - Training and minimum experience requirements; turbojet engine powered aircraft, proposed rule 9876
  - Training program, crewmember and aircraft dispatcher; curriculum requirements, initial flight assignment 1002
- AIR NAVIGATION:
  - Altitude minimums for instrument flight. *See* Instrument flight rules.
  - Approach procedures. *See* Instrument flight rules.
  - Construction or alteration of structures. *See* Airspace.
  - Control areas and zones on Federal airways, designation of. *See* Federal airways.
  - Jet routes. *See* Jet routes.
  - Obstructions, construction of. *See under* Airspace.
  - Reporting points, on Federal airways. *See* Federal airways.
  - Restricted areas. *See* Restricted areas.
  - Security control of air traffic; Alaskan distant early warning identification zone 13941

Federal Aviation Agency—Continued Page

AIR TAXI and commercial operators, small aircraft; proposed rules:
- Filing of flight plans; withdrawn ... 717, 14413
- Operable condition ... 12726

AIR TRAFFIC AND GENERAL OPERATING RULES:
- *See also* Instrument flight rules.
- Airport traffic patterns, special; Portland terminal area, two-way radio communications, proposed rule:
  - Columbia River Seaplane Base, Vancouver, Washington ... 8078
  - Portland International Airport, Pearson Airpark ... 8078
- Balloons, free, unmanned; equipment and marking requirements, proposed rule ... 15490, 15750
- General operating and flight rules:
  - Airworthiness certificates, special; proposed rules:
    - Civil aircraft certificates required ... 9136, 11318
    - Registration certificate or temporary authority ... 10282
  - Operating limitations, aircraft:
    - Amateur-built ... 9136, 11318
    - Experimental purposes ... 9136, 11318
    - General ... 9136, 11318
    - Provisionally certificated ... 9136, 11318
    - Restricted category ... 9136, 11318
  - Editorial changes ... 9211
  - Flight maneuvers required for airline transport pilot certificate and certain checks; proposed rule ... 4735, 5076
  - Flight rules, proposed rules:
    - Positive control areas and route segments ... 10517
    - Takeoff and landing under IFR, landing minimums, "Look-See" when RVR is operational, withdrawn ... 4845
    - VFR weather minimums, basic and special, ground visibility in control zone ... 8026
  - General:
    - Applicability; U.S. registered civil aircraft outside United States ... 8354
    - Automatic pressure altitude reporting equipment, data correspondence; proposed rule ... 10538
    - Careless or reckless ground use of aircraft not incident to flight; proposed rule ... 13352
    - Distance measuring equipment; Alaska and Hawaii, civil aircraft:
      - Foreign ... 6265
      - U.S. registered ... 6265
    - Ferry flight with one engine inoperative, authorization, extension of time for compliance ... 5381, 13525, 14928
    - Parachuting; civil aircraft within United States ... 8354
    - Portable electronic devices, proposed rule ... 5134
    - Powered civil aircraft with standard category U.S. airworthiness certificates; instrument and equipment requirements; proposed rule ... 12726
    - Restricted category civil aircraft, operating limitations; within United States ... 8354
    - Towing:
      - Civil aircraft within United States ... 8354
      - Gliders, etc.; requirements, proposed rule ... 8439
    - Weights, increased maximum certificated takeoff, for certain airplanes in Alaska (SFAR–12) ... 5250
  - Lateral separation of aircraft over North Atlantic; termination of hearing ... 4522, 4972, 8440
  - Maintenance, preventive maintenance, etc. *See* Maintenance, *below*.
- Parachute jumping:
  - Alcoholic beverages and drugs, restrictions; proposed rule ... 6988
  - Civil aircraft within United States ... 8354
  - Information required, and notice of cancellation or postponement of jump ... 6988, 16612
  - Jumps into positive control areas or other airspace ... 6988, 16612
  - Radio equipment ... 6988, 16612
- Portable electronic devices ... 15317
- Security control, Alaskan distant early warning identification zone ... 13941

AIRMEN, certification:
- *See also* Schools and other certificated agencies.
- Editorial changes ... 9211

Federal Aviation Agency—Continued Page

AIRMEN, certification—Continued
- Flight crew members other than pilots:
  - Certificate requirements ... 5326, 13523
  - Flight engineer certificates, aeronautical experience requirements ... 9047
  - Written tests, prerequisites for ... 7609, 8913
  - Rescinded ... 10884
- Medical standards:
  - Cardiovascular disease, examination procedures; proposed rules and hearing ... 15324
  - Certificates ... 1312, 8355
  - Special medical certificates for air traffic control tower operators ... 5190
- Other than flight crew members:
  - Air traffic control-tower operators:
    - Certificates ... 5327, 7455, 13524
    - Written tests, prerequisites ... 7609, 8913
    - Rescinded ... 10884
  - Aircraft dispatcher:
    - Certificate required ... 5327, 13524
    - Written tests, prerequisites ... 7609, 8913
    - Rescinded ... 10884
  - General:
    - Application, change of name, etc ... 5326, 13524
    - Written tests, prerequisites ... 7609, 8913
    - Rescinded ... 10884
  - Mechanics:
    - Certificate, display ... 5327, 13524
    - Inspection authorization:
      - "Periodic inspection" changed to "annual inspection"; clarification of 100-hour inspection requirement ... 3336
      - Privileges and limitations ... 5327, 13524
    - Tests, oral, practical, and written ... 5949
      - Written tests, prerequisites ... 7609, 8913
      - Rescinded ... 10884
  - Parachute riggers:
    - Certificate required ... 5327, 13524
    - Written tests, prerequisites ... 7609, 8913
    - Rescinded ... 10884
  - Repairmen; display of certificate ... 5327, 13524
- Pilots and flight instructors:
  - Airline transport pilot:
    - Flight maneuvers required in proficiency and certain other flight checks, proposed rule ... 4735, 5076
    - Rotorcraft rating ... 12399
      - Proposed rule ... 13557
    - Written tests, prerequisites ... 7609, 8913
      - Rescinded ... 10884
  - Commercial pilots; airplane, glider, and rotorcraft ratings, aeronautical skill, etc., proposed rules ... 10536, 13557
  - General:
    - Certificates and aircraft ratings; inspection and instrument rating ... 5325, 13522
    - Duration of certificate ... 13523
    - Flight instruction received from flight instructors not certificated by FAA, proposed rule ... 13556
    - Flight instructor or pilot certificate, suspension or revocation ... 5325, 13523
    - Foreign pilot licenses and issuance of instrument and aircraft ratings, validation; proposed rules ... 10475
    - Glider towing, experience and instruction requirements, proposed rule ... 8438
    - Graduates of certificated flying schools, special rules ... 5326, 13523
    - Instrument ratings:
      - Helicopter (rotorcraft), requirements ... 12399
      - Skill requirements; proposed rule ... 10536
    - Medical certificate, replacement ... 5326, 13523
    - Pilot certificate; operation of U.S. registered civil aircraft outside United States ... 8354
    - Tests:
      - Prerequisites for flight tests:
        - Proposed rule ... 13556
        - Written tests ... 7609, 8913
        - Rescinded ... 10884
      - Retesting after failure; flight and written tests ... 5326, 13523
        - Proposed rule ... 13556

Federal Aviation Agency—Continued Page

AIRMEN, CERTIFICATION—Continued
- Pilots and flight instructors—Continued
  - Private pilots; airplane, glider, and rotorcraft ratings, aeronautical skill, etc., proposed rules ... 10536, 13557
  - Student pilots; medical certificates serving as student pilot certificates, eligibility requirements, proposed rule ... 10415
  - Rotorcraft pilots. *See under* Pilots and flight instructors.

AIRPORTS:
- Alaska:
  - Annette Island Airport ... 9991
  - Cold Bay; deletion ... 10772
- Alexander Hamilton Airport, St. Croix, V.I., operation of control tower ... 13183
- Construction, alteration, reactivation and deactivation ... 1269
- Federal aid:
  - Area managers ... 6686
  - Equal employment opportunity ... 10261
  - Procedures, offer; sponsor assurances, exclusive rights prohibition ... 11747
  - Programing standards and eligibility criteria, review ... 4523, 5906, 16521
  - Project costs ... 11747
  - Public airports receiving Federal funds; policy statement ... 7766
  - Public land States, U.S. share of project costs in ... 15730
  - Technical guidelines ... 11605, 13423
- National Capital airports:
  - Dulles International Airport:
    - Small aircraft, unattended, securing of; proposed rule withdrawn ... 11036
    - Student pilot operations ... 5258
  - Motor vehicles, operation of and registration of pilots ... 9865
  - Washington National Airport:
    - Air carrier operations each hour, limitations; proposed rules ... 10199, 10476
    - Policy governing use, effective date postponed ... 9145, 10905
    - Private pilot certificate ... 5258
    - Small aircraft, unattended, securing of; proposed rule withdrawn ... 11036
- Traffic patterns, special; Portland terminal area, two-way radio communications, proposed rule:
  - Columbia River Seaplane Base, Vancouver, Washington ... 8078
  - Portland International Airport, Pearson Airpark ... 8078

AIRSPACE:
- *See also* Federal airways, etc.; Jet routes.
- Construction, proposed:
  - Radio and television antennas and towers, 229, 987, 2448, 2736, 3205, 4633, 5086, 6072, 6283, 7917, 9321, 10288, 11728, 14570, 16584, 16798.
  - Transmission line, 986.
- Navigable airspace, objects affecting; construction; Discretionary review; proposed rule ... 11155
  - Form and time of notice ... 9448
- Restricted areas. *See* Restricted areas, *below*.
- Special use airspace; prohibited area, District of Columbia ... 13422

AIRWORTHINESS DIRECTIVES:
- Aero, 5496, 5767, 7881, 14391.
- Air and Space Model 18A gyroplanes, 4837.
- Beech, 7170, 10357, 16311.
- Beechcraft, 249.
- Bell, 9399, 9675, 12082, 14312, 14545.
- Bendix, 7111.
- Boeing, 82, 3015, 3063, 3196, 3449, 4283, 4459, 4520, 4836, 5482, 6353, 7031, 7111, 7170, 7675, 8498, 8833, 8870, 9793, 10248, 11615, 11715, 12083, 12516, 13167, 13751, 13986, 14006, 14312, 14391, 14407, 14545, 15014, 15634, 16126.
- Brantley, 16469.
- British Aircraft, 6427, 6428, 7146, 9046, 10074, 10852, 12534, 12921, 14686, 16125, 16368.
- Canadair, 13986.
- Cessna, 10466.
- Curtiss-Wright, 129, 1002.
- De Havilland, 129, 1144, 7111, 9446, 10769.
- Dornier, 16126.
- Douglas, 10073, 14005, 16368.

Federal Aviation Agency—Continued Page

AIRWORTHINESS DIRECTIVES—Continued
- Dowty Rotol, 352, 574, 4447, 4836, 8417, 11973, 12924, 16264.
- Edison, 352, 3388.
- Fairchild, 1144, 3078, 3450, 4837, 4895, 6959, 9000, 10057, 11715, 13521, 13554, 13985, 13986, 15191, 15317, 16265, 16605.
- Garwin, 352.
- General Dynamics, 16606.
- General Electric, 2422, 7354, 7882, 16606.
- Grumman, 5482, 5660, 6200, 8746, 13912, 16311.
- Hawker Siddeley, 11641.
- Hiller, 5548, 11593.
- Hughes, 475, 1267.
- Lear, 7170, 7735, 10467, 14771.
- Lensenich, 6015.
- Lockheed, 1175, 2422, 2649, 2927, 4282, 4493, 5823, 6296, 11897, 12597, 14546, 16347, 16604.
- Lockwood, 693.
- Lycoming, 2650, 4520, 8045, 10958, 15813.
- Martin, 4283, 6790, 10631.
- Marvel-Schebler, 82, 1267, 14956.
- Mooney, 288, 3063, 7882, 11091.
- Morane-Saulnier, 1156, 4493.
- Pilatus, 14392.
- Piper, 3388, 4771, 6296, 6582, 7351, 10023, 10074, 10957, 13554, 14547, 14880, 15634, 16126, 16161.
- Pratt and Whitney, 2887, 5665, 7483, 8046, 9109, 9399, 11593.
- SIAI-Marchetti, 14827.
- Sensenich, 12515.
- Sikorsky, 2681, 3063, 3064, 10466, 11714.
- Superior, 16406.
- Vertol, 715, 7279.
- Vickers, 574, 3196, 3450, 4493, 6790, 7354, 10022, 10078, 11714, 12682, 14391, 16264, 16607.

AIRWORTHINESS REQUIREMENTS:
- Airplane; standards:
  - Normal, utility, and acrobatic aircraft; proposed rules:
    - Casting factors and inspection procedures, withdrawn ... 6062, 16367
    - Design and construction, fire protection, combustion heater ... 95
    - Fire protection, lines and fittings ... 95
    - Flight manual; operating procedures ... 95
    - Powerplant, propeller vibration ... 95
    - Static pressure system ... 16790
  - Transport category:
    - Casting factors and inspection procedures, proposed rule withdrawn ... 6062, 16367
    - Crashworthiness and emergency passenger evacuation, proposed rule ... 10275, 12682
    - Design and construction; combustion heater fire protection, proposed rule ... 95
    - Emergency exit arrangement; approved device such as slide or rope to assist passengers to ground ... 5495, 8911
    - Fatigue evaluation, sonic; turbojet powered airplanes ... 11933
    - Flight manual, operating procedures; proposed rule ... 97
    - Flight recorders; installation requirements and minimum performance standards ... 125
    - Powerplant, proposed rules:
      - Controls, cooling, fire protection, etc ... 95, 96, 97
      - Vibration information from engine and propeller manufacturers ... 95
    - Static pressure systems, proposed rule ... 16790
- Engines; standards, proposed rules:
  - Design features, general; deletion ... 2486
  - Engine mounting attachments and structures ... 2486
  - Flammable fluid contact with hot surfaces, prevention ... 2486
  - Ignition allowance for single engine, turbine engine powered helicopters ... 2486
  - Power and thrust terminology and ratings ... 2486
- Propellers; standards, proposed rules:
  - Centrifugal load test, intent ... 2487
  - Endurance test, propeller diameter ... 2487
  - Pitch control system ... 2487
  - Vibration load limit test ... 2487

Federal Aviation Agency—Continued Page

AIRWORTHINESS REQUIREMENTS—Continued
Rotorcraft:
Editorial changes 9211
Normal category, standards, proposed rules:
Casting factors and inspection procedures; withdrawn 6062, 16367
Design and construction, fire protection, heating systems 97
Flight manual, operating procedures 97
Powerplant 97, 2485
Scheduled commercial carriers:
Airworthiness release or helicopter log entry 10612
Maintenance and alterations, certificate requirements; repair stations 10612
Transport category, standards, proposed rules:
Casting factors and inspection procedures; withdrawn 6062, 16367
Design and construction, combustion heater fire protection 97
Flight manual, operating procedures 98
Powerplant 97, 98, 2485
ALCOHOLIC BEVERAGES; parachute jumping, restriction on use of, proposed rule 6968
ALTITUDES, instrument. *See* Instrument flight rules.
APPROACH PROCEDURES. *See* Instrument flight rules.
AUTHORITY DELEGATION from General Services Administrator; repair, alter, and improve certain premises 10094
BALLOONS, free, unmanned; equipment and marking requirements, proposed rule 15490, 15750
CERTIFICATION PROCEDURES for products and parts:
Airworthiness certificates:
Provisional, Class II and type certificates, requirements 5969, 13387
Special, proposed rules:
Aircraft identification 5971
Amateur-built aircraft-airworthiness standards 9134, 11318
Experimental purposes for aircraft 9133, 11318
Provisional type certificates 9135, 11318
Editorial changes 9211
Export airworthiness approvals 2421, 3336, 12564
Power and thrust terminology, proposed rule 2485
Type certificates:
Provisional, Class II; foreign manufacturers 5969, 13387
Requirements; proposed rule 10275, 12682
Standard, conformity to type design data before FAA tests, proposed rule 8075
CONDUCT STANDARDS 5104
DANGEROUS ARTICLES and magnetized materials, transportation of 9058
DEFINITIONS AND ABBREVIATIONS:
Applicability to Federal Aviation regulations, limitation 5054
"Rated takeoff power", "rated takeoff thrust", "maximum continuous power", and "maximum continuous thrust"; proposed rule 2485
FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS 2003
Colored Federal airways 2006
Alterations 5286, 6428, 8747, 8870, 9400, 10026, 11036, 13314, 14547, 14631
Continental control area, restricted areas included 2047
Alterations 1060, 1145, 4414, 4415, 5057, 5287, 8375, 10027, 10572, 10772, 11016, 12452, 13987, 15087.
Control areas and control area extensions 2049
Additional control areas 2050
Alterations 4350, 4351, 5132, 5455, 6685, 6959, 7031, 7827, 8113, 8178, 8242, 8694, 9109, 9363, 9423, 9448, 10696, 10769, 11154, 11717, 11745, 12084, 12433, 12517, 12646, 13525, 13699, 13941, 16127.
Control areas associated with jet routes outside continental control area 2049
Alterations 8242, 10697, 11745, 13941, 14631
Extension of control areas 2055
Alterations 131, 250, 428, 1059, 2422, 2474, 2650, 3175, 4396, 4499, 4520, 5285, 5496, 6062, 6716, 7456, 7836, 8178, 8182, 8358, 8620, 10417, 10769, 10770, 11014,

Federal Aviation Agency—Continued Page

FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS—Continued
Control areas and control area extensions—Continued
Extension of control areas—Continued
Alterations—Continued
11715, 11760, 13038, 13941, 14260, 14410, 14841, 16127.
Control zones 2065
Alterations 83, 129, 131, 154, 249, 250, 271, 288, 342, 224, 427, 428, 876, 877, 878, 911, 912, 1058, 1059, 1060, 2422, 2474, 2475, 2488, 2489, 2531, 2552, 2650, 2717, 2732, 2904, 3064, 3065, 3284, 3285, 3337, 3388, 3500, 4107, 4108, 4200, 4284, 4350, 4396, 4414, 4499, 4520, 4588, 4589, 4838, 4843, 4844, 5055, 5056, 5057, 5077, 5078, 5120, 5133, 5285, 5407, 5496, 5687, 5709, 5823, 5824, 5838, 5839, 5950, 5951, 6062, 6104, 6264, 6265, 6276, 6319, 6408, 6409, 6428, 6489, 6584, 6685, 6716, 6827, 6864, 6873, 6908, 6987, 7171, 7456, 7507, 7527, 7528, 7560, 7575, 7760, 7762, 7836, 7975, 7977, 8025, 8077, 8357, 8358, 8372, 8373, 8374, 8492, 8575, 8597, 8620, 8636, 8637, 8747, 8749, 8750, 8870, 8871, 8909, 8910, 8923, 9000, 9009, 9010, 9137, 9306, 9307, 9362, 9447, 9460, 9549, 9550, 9602, 9606, 9607, 9863, 9864, 9875, 10024, 10025, 10039, 10040, 10115, 10132, 10414, 10417, 10418, 10419, 10420, 10515, 10536, 10571, 10580, 10643, 10769, 10770, 10771, 11014, 11015, 11016, 11092, 11285, 11319, 11399, 11460, 11461, 11462, 11594, 11595, 11615, 11715, 11716, 11745, 11760, 11862, 12061, 12083, 12084, 12432, 12433, 12516, 12517, 12597, 12603, 12943, 13038, 13115, 13207, 13315, 13389, 13390, 13421, 13466, 13641, 13669, 13699, 14260, 14261, 14392, 14408, 14410, 14457, 14556, 14557, 14630, 14652, 14674, 14687, 14991, 15236, 15242, 15569, 15635, 16127, 16208, 16407, 16470, 16497, 16607, 16764, 16791.
General 2004
Positive control areas 2276
Alterations 6546, 11092, 11641, 13481, 16278
Reporting points 2277
Alaska:
High altitude 2290
Alterations 8242, 9400, 10467, 10697, 11461, 11745, 12433, 12678, 15238, 16494.
Low altitude 2289
Alterations 8242, 8747, 8870, 9000, 9400, 10697, 11745, 12433, 12678, 13421, 14631, 15238.
Designation 2277
Domestic:
All altitudes 2287
Alterations 5285, 5286 6685, 7762, 7827, 8117, 8694, 12084, 12517
High altitude 2284
Alterations 5058, 5287, 5710, 6428, 8047, 9363
Low altitude 2277
Alterations 2473, 3230, 3499, 4839, 4842, 5055, 5408, 7508, 9000, 9363, 11461.
Hawaii 2291
Transition areas 2149
Alterations 83, 98, 129, 131, 153, 154, 249, 250, 270, 271, 272, 288, 342, 427, 428, 429, 536, 698, 716, 877, 878, 911, 912, 1058, 1059, 1060, 1145, 1156, 1204, 1205, 1268, 2422, 2423, 2474, 2488, 2489, 2490, 2531, 2552, 2553, 2650, 2651, 2660, 2661, 2717, 2732, 2888, 2903, 2904, 3064, 3065, 3078, 3079, 3080, 3337, 3338, 3347, 3348, 3388, 4107, 4108, 4149, 4200, 4201, 4283, 4284, 4350, 4351, 4352, 4396, 4499, 4520, 4521, 4522, 4589, 4600, 4838, 4839, 4843, 4844, 4845, 4889, 5055, 5056, 5077, 5120, 5121, 5132, 5133, 5190, 5203, 5250, 5285, 5286, 5407, 5455, 5456, 5496, 5497, 5498, 5686, 5823, 5824, 5825, 5838, 5839, 5950, 5951, 5972, 6062, 6104, 6276, 6296, 6297, 6319, 6354, 6355, 6408, 6409, 6483, 6489, 6490, 6546, 6584, 6685, 6716, 6717, 6826, 6827, 6837, 6838, 6864, 6873, 6908, 6960, 6987, 7031, 7112, 7149, 7217, 7352, 7456, 7507, 7527, 7528, 7559, 7560, 7561, 7575, 7736, 7760,

Federal Aviation Agency—Continued Page

FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS—Continued
Transition areas—Continued
Alterations—Continued
7761, 7836, 7975, 7976, 8025, 8046, 8047, 8077, 8078, 8178, 8179, 8182, 8183, 8242, 8357, 8358, 8372, 8373, 8374, 8492, 8498, 8575, 8596, 8597, 8620, 8636, 8637, 8679, 8747, 8749, 8750, 8834, 8870, 8871, 8879, 8909, 8910, 8923, 9000, 9009, 9010, 9011, 9047, 9109, 9110, 9137, 9306, 9307, 9361, 9362, 9399, 9400, 9423, 9446, 9447, 9448, 9460, 9549, 9550, 9602, 9606, 9607, 9863, 9864, 9865, 9875, 10023, 10024, 10025, 10039, 10040, 10115, 10132, 10198, 10414, 10417, 10418, 10419, 10420, 10515, 10536, 10537, 10538, 10571, 10572, 10580, 10666, 10770, 10771, 10772, 10852, 10885, 10895, 11014, 11015, 11016, 11035, 11092, 11109, 11285, 11286, 11319, 11399, 11460, 11461, 11462, 11546, 11594, 11595, 11615, 11616, 11715, 11716, 11724, 11745, 11759, 11760, 11862, 11973, 12054, 12061, 12083, 12084, 12432, 12433, 12452, 12516, 12517, 12597, 12603, 12726, 12840, 12921, 12925, 12943, 13038, 13039, 13115, 13207, 13315, 13389, 13390, 13421, 13422, 13669, 13698, 13699, 13725, 13800, 13801, 13916, 13917, 14260, 14261, 14392, 14407, 14408, 14409, 14410, 14411, 14453, 14547, 14557, 14558, 14630, 14631, 14652, 14653, 14687, 14771, 14880, 14973, 14992, 15087, 15096, 15236, 15237, 15242, 15243, 15531, 15545, 15569, 15600, 15635, 15703, 15798, 15799, 15814, 16127, 16407, 16469, 16497, 16764, 16791, 16792.
VOR Federal airways 2009
Alaska 2045
Alterations 5285, 8242, 9001, 9400, 10697, 11745, 12433, 12678, 12726, 15238, 15799.
Designation 2009
Domestic 2009
Alterations 83, 99, 203, 475, 478, 536, 877, 911, 957, 1144, 1157, 1268, 1312, 2423, 2436, 2437, 2473, 2475, 2490, 2553, 2717, 3230, 3231, 3348, 3467, 3468, 4839, 4841, 4842, 5055, 5056, 5057, 5058, 5077, 5120, 5285, 5287, 5408, 5498, 5665, 5686, 5709, 5823, 5824, 6264, 6297, 6483, 6487, 6582, 6685, 6791, 6827, 6960, 7031, 7171, 7172, 7187, 7279, 7351, 7352, 7507, 7556, 7560, 7561, 7573, 7610, 7612, 8046, 8117, 8179, 8493, 8621, 8679, 8747, 8750, 8910, 8923, 8924, 9000, 9008, 9009, 9012, 9363, 9423, 9602, 10024, 10026, 10027, 10248, 10418, 10516, 10631, 10693, 10694, 10695, 10696, 11141, 11154, 11286, 11319, 11398, 11462, 11716, 11725, 11716, 11725, 11761, 11861, 11934, 12517, 12602, 12646, 12682, 12726, 12921, 13039, 13314, 13315, 13421, 13941, 14261, 14408, 14412, 14559, 14631, 14653, 14654, 15097, 15236, 15237, 15531, 15703, 15796, 15797, 15798, 15799, 15814, 15815, 16127, 16201, 16608.
Hawaii 2046
Alterations 12433, 14558, 16494
FOREIGN AIR CARRIERS, operations; radio and distance measuring equipment, civil aircraft within Alaska and Hawaii 6265
HELICOPTERS:
See also Airmen.
Certification and operation; disposition of load manifest and flight release, certain record retention periods, proposed reduction 13802
Rotorcraft airworthiness. *See under* Airworthiness requirements.
IDENTIFICATION AND REGISTRATION MARKING of aircraft:
Display of marks, general, special airworthiness certificates; proposed rule 9136, 11318
Engines and propellers, proposed rule 5971
Geographical and airspeed limitations in marking requirement applicable to antique aircraft; deletion 1268
Location and size of marks 9862
Three-digit and temporary registration numbers, proposed rules 14686

Federal Aviation Agency—Continued Page

INSTRUMENT FLIGHT RULES:
Altitudes, minimum en route IFR:
Changeover points; VOR Federal airways 880, 3068, 4501, 5873, 7114, 8284, 9489, 10633, 11747, 12946, 13990, 15015, 16610.
Particular routes and intersections:
Colored Federal airways 9487, 10632, 11745, 12944, 13987, 14587, 15014, 16608
Direct routes 878, 3066, 4500, 5871, 7112, 8281, 9487, 10632, 11745, 12944, 16608.
Jet routes 3068, 5873, 7114, 8284, 9489, 10633, 11747, 12946
VOR Federal airways 879, 3066, 4500, 5058, 5871, 7112, 8282, 9487, 10632, 11746, 12944, 16608.
Hawaii 12946
Approach procedures:
Radar control approach facility at Waco, Texas; closing 6552
Take-off and landing, alterations:
Landing system 144, 208, 258, 700, 1185, 1194, 2539, 2587, 2894, 4113, 4290, 5065, 5256, 6276, 6367, 6619, 6901, 7221, 7389, 7619, 7890, 8018, 8056, 8126, 8225, 8290, 8365, 8581, 8756, 8909, 9056, 9213, 9406, 9738, 9989, 10257, 10525, 10739, 11022, 11424, 11603, 11868, 12090, 12571, 12787, 13123, 13323, 13601, 13844, 14267, 14513, 14683, 14934, 15138, 15642, 16134, 16411, 16688.
Radar 146, 210, 258, 702, 1189, 1196, 2542, 4115, 4292, 5066, 5257, 6273, 6369, 6620, 6828, 7223, 7621, 7892, 7896, 8019, 8057, 8129, 8229, 8291, 8366, 8583, 8767, 9407, 9739, 9990, 10260, 10527, 10741, 11426, 11604, 11870, 12091, 12571, 12789, 13125, 13325, 13602, 13848, 14515, 14936, 15141, 15644, 16137
Radio 132, 204, 251, 694, 1177, 1190, 2532, 2584, 2588, 2889, 4109, 4285, 5059, 5251, 6266, 6357, 6612, 6685, 6828, 6894, 7218, 7385, 7614, 7615, 7617, 7619, 7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359, 8576, 8751, 9048, 9212, 9401, 9732, 9980, 10249, 10518, 10734, 11017, 11019, 11020, 11021, 11417, 11596, 11864, 12085, 12566, 12782, 13116, 13316, 13594, 13642, 13838, 13913, 14262, 14263, 14265, 14266, 14507, 14509, 14510, 14511, 14675, 14677, 14680, 14681, 14929, 14930, 14931, 14934, 15134, 15136, 15137, 15636, 15638, 15640, 16128, 16130, 16133, 16408, 16683.
JET ROUTES, establishment 2345
General, applicability, etc 2345
Jet advisory areas 2361
En route 2361
Alteration 7280, 11725
Terminal 2362
Jet routes 2346
Alterations 99, 342, 352, 1146, 1156, 2475, 2614, 2777, 2888, 3348, 4839, 5058, 5078, 5328, 5710, 6428, 6546, 7561, 7562, 7635, 7736, 7762, 7827, 8047, 8242, 8418, 8924, 9000, 9267, 9363, 9400, 9423, 9675, 10028, 10199, 10666, 10697, 11155, 11745, 12104, 12433, 12517, 12646, 12678, 12726, 13176, 13941, 14393, 14631, 14688, 15088, 15238, 15799, 16161, 16278
MAINTENANCE, preventive maintenance, rebuilding, and alteration:
Altimeter system:
Inspections; extension of compliance time 9793
Requirements; proposed rule 16790
Applicability, U.S. registered civil aircraft, etc 8354
Canadian mechanics, mechanical work performed on United States registered aircraft 5948
"Periodic inspection" changed to "annual inspection"; clarification of 100-hour inspection requirement 3336
Persons authorized, manufacturer 5249
NAVIGATION FACILITIES, NON-FEDERAL; scope of applicability broadened, facilities to support IFR procedures 5408

Federal Aviation Agency—Continued — Page

OPERATING RULES. *See* Air traffic and general operating rules.
ORGANIZATION AND FUNCTIONS — 838
  Airport Traffic Control Tower, Alexander Hamilton Airport, St. Croix, V.I.; commissioned — 13183
  Area offices:
    Annette, Alaska; closed and consolidated with Juneau Area, Juneau, Alaska — 13055
    Chicago, Ill.; relocated in Des Plaines, Ill — 544
    Kodiak, Alaska, Woody Island; closed and consolidated with Kenai Area, Kenai, Alaska — 14570
    Kotzebue, Alaska; closed and consolidated with Nome Area — 6283
    New York, N.Y.; relocated in Jamaica, N.Y — 4473
    Washington, D.C.; relocated in Falls Church, Va — 15555
  Avionics Maintenance and Calibration Unit; establishment, Manila, Philippines — 8649
  District Offices:
    Airports:
      Columbus, Ohio; closed and services transferred to Cleveland Area Office — 9685
      Harrisburg, Pa.; closed and services transferred to New York Area Office, Jamaica, N.Y — 10056
      Reno, Nev., closed and services transferred to Salt Lake City Area Office — 11695
    Engineering and Manufacturing, Harrisburg, Pa.; relocated in New Cumberland, Pa — 14995
    Flight Inspection, Manila, Philippines; closed and consolidated with Tokyo Flight Inspection Group, Tokyo, Japan — 8649
  Flight Service Stations:
    St. Croix, V.I.; closed and services transferred to International Flight Service Station, San Juan, Puerto Rico — 13183
    Tampa, Fla.; closed and services transferred to St. Petersburg, Fla. Flight Service Station — 11114
  National Capital Airports Bureau; relocated in Falls Church, Va — 15555
  Regional Office, Central Region, Kansas City, Mo.; relocation in Kansas City, Mo — 7595
  Secondary Aircraft Maintenance Base, Manila, Philippines; services transferred to Tokyo Flight Inspection Group and Honolulu Flight Inspection Group — 8649
PARACHUTE JUMPING. *See under* Air traffic and general operating rules.
PARACHUTE RIGGERS. *See under* Airmen.
PROCEDURAL RULES, general:
  Airworthiness directives — 13697
  Enforcement procedures; warning notice of violation — 8353
  Other than airworthiness directives and airspace assignment and use — 13697
  Rule-making, air-space and other than air-space matters — 2903, 11091
PROCUREMENT REGULATIONS:
  Advertising, formal — 16430
  Bonds and insurance — 16461
  Contracts:
    Appeals — 16463
    Clauses — 16441
    Contractual actions to facilitate national defense — 16463
    Cost principles and procedures — 16462
  General — 16420
  Negotiation — 16435
  Patents, data, and copyrights — 16455
  Special types and methods — 16440
PROHIBITED AREA, District of Columbia — 13422
RECORDING of aircraft, titles and security documents:
  Fees and conveyances, proposed rule — 10282
  Registry, signatures, acknowledgments, and powers of attorney — 4494, 15349
RECORDS, non-Federal; retention requirements — 4557
REGISTRATION, aircraft:
  Applicability, certificates, etc — 4494, 5483, 8077, 13313, 15349
  Application, temporary operating authority, etc.; proposed rule — 10282
  Identification and registration marking. *See* Identification and registration marking of aircraft, *above.*

Federal Aviation Agency—Continued — Page

RESTRICTED AREAS over military installations, etc — 2292
  Applicability, restrictions, reports, etc — 2293
  General — 2293
  Various States, and Puerto Rico — 2294
    Alterations:
      Alabama, 10581, 14738, 14828.
      Alaska, 1269, 12922.
      Arizona, 7977, 10421.
      Arkansas, 297, 958, 4589, 4590.
      California, 2969, 4738, 5057, 5287, 5327, 7612, 7613, 9866, 10041, 10631, 12402, 12922, 12925, 14827, 15088, 15531.
      Colorado, 8375, 11016.
      Florida, 8911, 10696, 14270, 14412, 15815.
      Georgia, 1145, 11320, 15087.
      Hawaii, 10517.
      Idaho, 4415, 6893.
      Louisiana, 297, 1176, 5328, 5355, 9110, 9267.
      Maine, 13899.
      Massachusetts, 7613, 8910, 16470.
      Michigan, 5287.
      Minnesota, 5057, 7827.
      Mississippi, 10695, 15087.
      Missouri, 1269.
      Nebraska, 10885.
      Nevada, 4414, 5287, 10027, 10885, 12944, 16209.
      New Hampshire, 958, 6355, 13913.
      New Jersey, 7736, 14745, 14992.
      New Mexico, 958, 1060, 7112, 7613, 12452, 13987, 16127.
      New York, 878, 12711.
      North Carolina, 9267, 11863.
      Ohio, 3231, 5617.
      Oklahoma, 297, 7217.
      Oregon, 1268.
      Pennsylvania, 13802, 16521.
      Puerto Rico, 11319, 14548, 14841.
      Texas, 3469, 10772.
      Utah, 475, 2583, 4415, 4972, 7032, 11863, 15799.
      Vermont, 4738, 7882, 14841.
      Virginia, 5250, 11863, 13115.
      Washington, 16764.
      Wisconsin, 1145.
ROTORCRAFT. *See* Airmen; Airworthiness requirements; Helicopters.
SECURITY CONTROL of air traffic, Alaskan distant early warning identification zone — 13941
SECURITY DOCUMENTS, recording of:
  Fees and conveyances, proposed rule — 10282
  Registry, signatures, acknowledgments and powers of attorney — 4494, 15349
SCHEDULED AIR CARRIERS. *See* Air carriers; Helicopters.
SCHOOLS AND OTHER CERTIFICATED AGENCIES:
  Editorial changes — 9211
  Ground instructors — 5327, 13524
  Repair stations:
    Domestic:
      "Periodic inspection" changed to "annual inspection"; clarification of 100-hour inspection requirement:
        Certificates, privileges of — 3336
        Personnel requirements — 3336
      Records and performance standards — 8585, 10612
    General:
      Application and issue, inspection — 8585
      Maintenance, alterations and inspections for air carrier or commercial operator under continuous airworthiness — 10612
    Limited ratings for manufacturers — 5248, 10612
SPECIAL USE AIRSPACE. *See* Restricted areas.
TECHNICAL STANDARD ORDERS, C Series; minimum performance standards:
  Airborne ATC transponder equipment (C74a); proposed rule — 5570
  Aircraft audio and interphone amplifiers (C50a) — 9977
  Aircraft seats and berths (C39), proposed rule — 10275, 12682
  Cargo and baggage compartment smoke detection instrument (C1b); proposed rule — 7084
  Evacuation slides, emergency (C69), proposed rule — 10275, 12682
  Flight recorder (C51a) — 125

Federal Aviation Agency—Continued — Page

TECHNICAL STANDARD ORDERS, C SERIES; MINIMUM PERFORMANCE STANDARDS—Continued
  Flotation devices, individual (C72a) — 296, 10275, 12682, 12941
  Pressure altitude digitizer equipment, automatic; proposed rule — 5454
  Safety belts (C22e), proposed rule — 10275, 12682
  Turn and slip indicator (C3b), proposed rule — 14599

Federal Buildings and Facilities:
LOCATIONS, evaluation of flood hazard (Executive Order 11296) — 10663
NATIONAL CAPITAL REGION (Letter of January 29, 1966) — 2469
WATER POLLUTION CONTROL STANDARDS (Executive Order 11288) — 9261

Federal Buildings in National Capital Region, Advisory Committee on:
ESTABLISHMENT by GSA Administrator:
  (Letter of January 29, 1966) — 2469
  Membership, functions — 2504

Federal Coal Mine Safety Board of Review:
CONDUCT STANDARDS, employees — 2897
ORGANIZATION — 7638
  Board office address — 489
PROCEDURE RULES — 7621
  Application form, where to file — 475

Federal Communications Commission:
ADVISORY COMMITTEE FOR LAND MOBILE RADIO SERVICES, formation of new technical committee working group — 364
AERONAUTICAL EXTRAORDINARY ADMINISTRATIVE RADIO CONFERENCE, International Telecommunications Union — 2566, 3317
  Proceeding terminated — 11190
ALASKA, public fixed stations and maritime service stations:
  Applications — 6113
  Operator requirements, proposed rule — 763
AMATEUR RADIO SERVICE:
  Application procedures for transmitting facilities on public lands, proposed rules — 6063, 7837
  Civil emergency service (RACE) — 576, 3407, 7768, 7769, 9806, 10429, 13254
  Operators:
    Change in name or address of license — 6422
    Eligibility of national of United States for new operator license — 15543
    Examination point, Butte, Mont — 16567
  Station license, changes in name or address — 6422
ANTENNA STRUCTURES, construction, marking, and lighting; proposed rules — 3302, 4972, 8376
AVIATION SERVICES:
  Aeronautical advisory stations, proposed rules — 6910, 7086
  Aeronautical multicom services, proposed rule — 16577
  Air-ground radio-telephone service, proposed rules — 7709
  Airborne stations:
    Alaska, use of 122.1 Mc/s by air carrier aircraft — 6417
    Frequencies, 131.5 Mc/s — 15315
    Private aircraft; frequencies, proposed rules — 6910, 7086
  Airdrome control stations, listening watch requirements — 15316
  Applications:
    Aircraft radio station license — 8627
    Place of filing — 6178
    Procedures for transmitting facilities on public lands, proposed rules — 6063, 7837
    Renewal of license — 6114
  Changes of name or address — 6421
  Civil Air Patrol mobile stations:
    Fleet licensing — 5691
    Single sideband operation — 9746, 16782
  Cooperative use of fixed radio facilities — 18, 9803
  Emergency frequency 121.5 Mc/s, use by additional aeronautical ground stations — 8628
  Operational stations, Hawaii; frequencies, proposed rule — 353
    Terminated — 8880
  Radionavigation land stations, low frequency hyperbolic system for helicopter operations in New York City area — 756, 6416
BATTERY-OPERATED RECEIVERS, AM/FM; promotional campaign — 4312

Federal Communications Commission—Con. — Page

CANADIAN BROADCAST STATIONS — 20, 21, 484, 2568, 4531, 4853, 5088, 5153, 8195, 8319, 8978, 9320, 10208, 10754, 13767, 15032, 16799
CITIZENS RADIO SERVICE:
  Applications:
    Form, revision of — 2600
    Procedures for transmitting facilities on public lands, proposed rules — 6063, 7837
  Changes in name or address — 6422
  Frequencies available, class A stations, 460–461 Mc/s — 4210
  Model aircraft control, use of 72–76 Mc/s band — 7237
  Operating requirements, Class A stations:
    Communication with Government stations for coordination of activities — 2551
    Station identification requirements — 959, 9511, 15744
  Technical regulations — 15580
COMMERCIAL PRACTICES of radio and television stations, inquiry — 13875
COMMERCIAL RADIO OPERATORS:
  Applications, filing fees — 15
  Temporary limited radio-telegraph second class operator license — 12480, 14591
COMMUNICATIONS SATELLITE CORP. *See* Satellite communications.
COMMUNITY ANTENNA TELEVISION (CATV) SYSTEMS — 4540, 4569, 4570, 6114, 6313, 7822, 12811, 13953
COMPUTER SERVICES, interdependence with communications facilities; inquiry — 14752, 16163
CONDUCT STANDARDS — 2721, 4834, 11393
CONTESTS AND PROMOTIONS which adversely affect public interest, policy statement — 2568
DISASTER COMMUNICATIONS SERVICE:
  Change in name or address of licensee — 6422
  Frequencies 1750–1800 kc/s shared with industrial radiolocation service — 13234
DOMESTIC PUBLIC RADIO SERVICES:
  Applications:
    Amendments prior to designation — 14395
    Contents — 14591
    Procedures for transmitting facilities on public lands, proposed rules — 6063, 7837
    Processing, filing of petitions to deny applications — 4457
    Revision of form — 2600
  License period, proposed rules — 14598
  Technical standards — 10360, 14836, 15601
    Proposed rule — 15601
  Various services:
    Air-ground radio-telephone service, proposed rules — 7704
    Land mobile service — 10361
      Proposed rules — 10135, 14318, 15301
    Local TV transmission service — 10361
    Point-to-point microwave service — 10361
      Community antenna television systems — 4568, 6114, 7822
      Frequencies, etc.; proposed rules — 15603
      Hawaii; frequencies, proposed rule — 353
        Terminated — 8880
    Rural service, proposed rules — 15602, 16717
EMERGENCY PLANS:
  Amateur radio service, RACES plans. *See under* Amateur radio service.
  Petroleum and gas industry, interim basic plan — 11311, 11325, 12853
EXPERIMENTAL BROADCAST SERVICES:
  Application procedures for transmitting facilities on public lands, proposed rules — 6063, 7837
  Community antenna relay stations — 4569
  Community antenna television systems:
    Distribution of television broadcast signals — 6313, 7822
    Filing information — 4569, 4570, 6114
  Instructional TV fixed services, frequency assignment — 2904, 10742
  Land mobile services:
    Allocation of presently unassignable spectrum, proposed rule — 10133, 12409
    Frequency sharing with TV services:
      Committee for testing, establishment of — 10143
      Inquiry, further notice — 10144
      Optimum frequency spacing between assignable frequencies, inquiry — 10144
  Remote pickup broadcast stations; frequencies, etc., proposed rules — 10135, 12409, 15491

Federal Communications Commission—Con. Page

EXPERIMENTAL BROADCAST SERVICES—Con.
TV auxiliary broadcast stations 3307, 11720, 15314, 15486, 16151
TV translator stations 758, 4847, 5764, 6315, 8026, 15314
FM STATIONS. *See* Radio broadcast services.
FRAUDULENT BILLING PRACTICES, interpretation 4260
FREQUENCY ALLOCATIONS:
Definitions:
Hertz 14395
Public air-ground radiotelephone service, proposed rules 7705
Eavesdropping, prohibition against use of radio device for 3400
Table, amendments:
70–90 kc/s, 756, 6416.
90–110 kc/s, 755, 6415, 16316.
90–160 kc/s, 9550.
110–130 kc/s, 756, 6416, 16316.
130–160 kc/s, 16316.
1750–1800 kc/s, 13230.
2390 kc/s, 350.
2400 kc/s, 9350.
2586 kc/s, 350.
3023 kc/s, 15315.
72–76 Mc/s, 7235.
121.5 Mc/s, 15315.
121.975–123.075 Mc/s, 6910, 7086.
122.1 Mc/s, 6417.
122.5 Mc/s, 15315.
122.9 Mc/s, 16577.
150.8–152 Mc/s, 2550.
150.8–162 Mc/s, 10133, 11726, 12409, 14318.
152–157 Mc/s, 12068, 13487.
450–470 Mc/s, 15577, 15600, 16151, 16717.
450.5–451 Mc/s, 15491.
454.675–455.000 Mc/s, 7704.
455–456 Mc/s, 15491.
459.675–60.000 Mc/s, 7704.
460–461 Mc/s, 4209.
2000 Mc/s, 758, 15313.
2110–2130 Mc/s, 10360.
2160–2180 Mc/s, 10360.
6575–6875 Mc/s, 353, 8880.
Treaties and other international agreements relating to radio 292, 9603
HEARINGS, etc. *See list at end of this agency.*
HIGHWAY EMERGENCY LOCATING PLAN RADIO SERVICE (HELP), petition for establishment 4473
HIGHWAY SAFETY, use of radio communications; inquiry 16380
INDUSTRIAL RADIO SERVICES:
Allocation of certain unassigned band-edge frequencies, proposed rules 10136, 11726
Application procedures for transmitting facilities on public lands, proposed rules 6063, 7837
Changes of name or address 6421
Cooperative use of fixed and mobile radio facilities 18, 9804, 11627, 14401
Frequency coordination, etc 2550, 15741
Hawaii, frequencies; proposed rules 353
Terminated 8880
Mobile secondary frequency sharing, test of; action deferred 8640
Technical standards 15579, 15742, 16151
Various services:
Business service, community antenna television systems 4573, 6114, 7822
Forest products service, eligibility 11433
Industrial radiolocation service 13233
Manufacturers service, sharing of 72–76 Mc/s band with Citizens Radio Service for model aircraft control 7237
Petroleum service:
Cooperative use of private microwave systems 9804, 11627
Emergency operations 11311, 11325, 12853
INDUSTRIAL, SCIENTIFIC, AND MEDICAL EQUIPMENT:
RF welding equipment, proposed rules 6319, 10135, 14007, 15158
Ultrasonic equipment, prototype certification 7821
INFORMATION, compliance with Freedom of Information Law 10143

Federal Communications Commission—Con. Page

INTERNATIONAL FIXED PUBLIC RADIOCOMMUNICATION SERVICES, application procedures for transmitting facilities on public lands, proposed rules 6063, 7837
INTERNATIONAL TELECOMMUNICATION UNION:
Aeronautical Extraordinary Administrative Radio Conference:
Preparation 2566, 3317
Proceeding terminated 11190
World Administrative Conference, inquiry 2491, 9887, 10621, 13055
LAND TRANSPORTATION RADIO SERVICES:
Application procedures for transmitting facilities on public lands, proposed rules 6063, 7837
Changes of name or address 6422
Cooperative use of fixed and mobile radio facilities 18, 9805
Frequency coordination 15741
Mobile secondary frequency sharing, test of; action deferred 8640
Technical standards 15579, 15743
Microwave frequencies, Hawaii; proposed rule 353
Terminated 8880
Various services:
Railroad radio service, licensing of certain unattended stations 10137, 15743
Taxicab radio service in standard metropolitan areas, use of certain frequencies, inquiry 12068, 13487
MARITIME RADIO SERVICES:
Land stations:
Application procedures for transmitting facilities on public lands, proposed rules 6063, 7837
Changes of name or address 6421
Land mobile service stations, station documents; proposed rule 760
Operator requirements, proposed rules 759
Telegraphy, use by coast stations; station documents, proposed rules 760
Telephony, use by coast stations:
Baltimore, Md 9350
Boston, Mass 350
Station documents, proposed rules 760
Transmitting equipment, changes in 10126
Shipboard stations:
Applications 6113, 6114, 6421
Changes of name or address 6421
Clock required 13653
Operator requirements, proposed rule 760
Radiodetermination, ship-radar stations, records 9505
Radiotelephony:
Baltimore, Md 9350
Boston, Mass 350
VHF stations, operation on more than one frequency; proceeding terminated 9607
Station requirements, operating controls; proposed rules 760
Transmitting equipment:
Changes in 10126
Power input 9273
MEXICAN BROADCAST STATIONS 5458, 6334, 6799, 7717, 10054, 10333
MEXICO-UNITED STATES Bilateral Agreement, standard AM band broadcasting; joint Government-industry meeting 3509
ORGANIZATION AND FUNCTIONS:
Applications:
Amateur radio examination point, Butte, Mont 16557
Place for filing; Gettysburg, Pa 6112
Broadcast Bureau Chief 3074, 4456, 4457, 6627, 13474, 16566
CATV Task Force 16714
Commission Chairman, tort claims 11756
Common Carrier Bureau, Chief 3074, 4456, 13474, 16315
Engineer, Chief 3074, 1156
Field Engineering Bureau, Chief 3074, 4457
General Counsel 3074, 4456, 11756, 13474
Opinions and Review Office, Chief 3074
Safety and Special Radio Services Bureau 3074, 4457, 6831, 10124, 13474, 16316
PAYOLA and other advertising practices, inquiry 7486
POLITICAL CANDIDATES, use of broadcast facilities by 6660
PRACTICE AND PROCEDURE:
Application procedures for transmitting facilities on public lands, proposed rules 6063, 7837

Federal Communications Commission—Con. Page

PRACTICE AND PROCEDURE—Continued
Broadcast applications:
Amendment of applications prior to designation 14394
Call sign assignments, new or modified 9797
Comparative broadcast hearings, policy statement 4261
Instructional TV fixed service, form 330–P, proposed rules 2904
Records maintained locally for inspection 13999
Television program form 13228, 13593
Common carriers:
Amendment of applications prior to designation 14394
Annual reports 746, 747
Petitions for suspension of tariff schedules 6868
General rules, petitions for reconsideration of final action 3074
Hearing proceedings, depositions and discovery; proposed rules 3405, 5264, 9424
Safety and special services applications and proceedings 2550, 2600, 6112, 6113, 6114, 6832, 14394
Waiver of construction permit requirement, proposed rule 10133
PUBLIC SAFETY RADIO SERVICES:
Application procedures for transmitting facilities on public lands, proposed rules 6063, 7837
Changes in name or address of authorized stations 6421
Cooperative use of fixed and mobile radio facilities 18, 763, 9804
Frequency coordination 15741
Mobile secondary frequency sharing, test of; action deferred 8640
Police radio stations; surveillance activities on available frequencies, proposed rules 10136
Technical standards 15578, 15742
Hawaii; frequencies, proposed rule 353
Terminated 8880
RADIO BROADCAST SERVICES:
Application procedures for transmitting facilities on public lands, proposed rules 6063, 7837
Educational stations:
FM:
Allocations and technical standards, inquiry 14755, 16332
Logs; programs, operating, maintenance 752
Operation under subsidiary communications authorizations 3344
Remote control authorization, proposed rule 14883
UHF television channel, Nebraska 14837
FM stations:
See also Educational stations.
Application procedures for transmitting facilities on public lands, proposed rules 6063, 7837
Channel assignments, various States:
Alabama, 7839, 9809, 13234, 13803, 14395, 14842.
Arizona, 7841, 14395, 14842.
Arkansas, 4846, 6429, 7469, 8132, 10365, 14842.
California, 3293, 4845, 6053, 7469, 7839, 9239, 10583, 14395.
Florida, 350, 2554, 3075, 3293, 6051, 9809, 13234.
Georgia, 7840, 14395, 14842.
Idaho, 6065, 8069.
Illinois, 4847, 6053, 6055, 7469, 7840, 8625, 9810, 13234, 13803, 14395.
Indiana, 3075, 4845, 7469, 8625, 9808, 13234, 13803, 14842.
Iowa, 349, 3075, 3293, 3349, 4847, 6053, 6055, 6429, 7469, 8071, 8132, 13245, 16316.
Kentucky, 354, 2555, 3075, 3293, 4665, 6051, 6429, 7576, 7838, 8132, 10365, 13803, 14395, 14842.
Louisiana, 3075, 4845, 7469.
Maryland, 14842.
Massachusetts, 3293, 10362.
Michigan, 6053, 6429, 7839, 8132, 9810, 10365, 11761, 13755, 14395.
Minnesota, 3075, 3349, 5147, 6429, 7840, 8071, 8132, 8639, 9809, 10365, 13234, 13653, 14395.
Mississippi, 6429, 8132, 9810, 10365, 13234.
Missouri, 2554, 4847, 6051, 6053, 7469, 7838, 13803, 14395.
Nebraska, 14842.
New Jersey, 6053.
New York, 6053, 7841, 8639, 11431, 14395, 14842.
North Carolina, 14607.
North Dakota, 6429, 8132, 10365.
Ohio, 7238, 7841, 11808, 13803, 14413, 14842.
Oklahoma, 757, 6050, 6053, 6429, 8132, 9809, 10365, 13234, 13803.
Oregon, 4834.

Federal Communications Commission—Con. Page

RADIO BROADCAST SERVICES—Continued
FM Stations—Continued
Channel assignments, various States—Continued
Pennsylvania, 3075, 3293, 13803.
Rhode Island, 10362.
South Dakota, 9808, 13234.
Tennessee, 3075, 6053, 6430, 7576, 8132, 10365.
Texas, 756, 3075, 3293, 4845, 6053, 7469, 9809, 10362, 13234.
Utah, 3293.
Virginia, 4845, 6430, 7469, 7576, 8132, 10365, 13794, 13803, 14844.
Washington, 4834.
West Virginia, 355, 3293, 6627, 14844.
Wisconsin, 2554, 3075, 3293, 6051, 6429, 7839, 8132, 9808, 10365, 13234, 13803, 14395, 14842.
Classification of stations, frequency assignment, etc 10125
Commercial practices, inquiry 13875
Contests and promotions which adversely affect public interest, policy statement 2568
Engineering charts, field strength curves; proposed rules 4303, 6638, 9088, 12603
Fraudulent billing practices, interpretation 4260
Interference of FM channels with TV reception, policy statement regarding change of channels 2567
Logs:
Program log analysis, composite week 11501
Programs, operating, maintenance 751
Minimum power requirements, class C stations; proposed rule 14844, 16369
Multiplex stereophonic programing or SCA operation, effective date for making measurements 9216
Payola, plugola, inquiry 7486
Political candidates, use of broadcast facilities by 6660
Program log analysis, composite week 11501
Remote control authorization, proposed rule 14883
Stereophonic programing or SCA operation, frequency and modulation monitors 7904
Technical standards 10126
Standard broadcast stations:
Applications:
Ready and available for processing 232, 305, 364, 2668, 2736, 2976, 6072, 6460, 7487, 7533, 7767, 9477, 9556, 11324, 11502, 12489, 12610, 14698, 15764.
Transmitting facilities on public lands, procedures for; proposed rules 6063, 7837
Class IV stations, minimum permissible power 2438, 8067
Commercial practices, inquiry 13875
Contests and promotions which adversely affect public interest, policy statement 2568
Directional antenna systems, calculation of proposed radiation patterns; proposed rules 757
Petition denied 8637
Fraudulent billing practices, interpretation 4260
Logs:
Program log analysis, composite week 11501
Programs, operating, maintenance 750
Payola, plugola, inquiry 7486
Personal attacks, political editorials; proposed rule 5711, 6838
Political candidates, use of broadcast facilities by 6660
Program log analysis, composite week 11501
Radiation for use in evaluating interference coverage and overlap; proposed rule, extension of time 9552
Rebroadcast, definition 10887
Remote control authorization, proposed rule 14883
Suburban communities, facilities involving; policy statement, petitions for reconsideration 4432
Technical violations by licensees, Notices of Apparent Liability to be issued 989
Television broadcast stations:
Application procedures for transmitting facilities on public lands, proposed rules 6063, 7837
Channel assignments, VHF and UHF, various States:
Arkansas, 9551, 13474.
California, 2972, 6628, 7246, 12638, 12649.
Delaware, 6052.
Florida, 8080, 13245.
Illinois, 6419.
Indiana, 2972, 8625.
Kansas, 7246, 8070, 10367.

Federal Communications Commission—Con. Page

RADIO BROADCAST SERVICES—Continued
Television broadcast stations—Continued
Channel assignments, VHF and UHF, various States—Continued
Kentucky, 2972, 6637, 8625, 11432.
Louisiana, 14415.
Michigan, 2972, 8625, 13481.
Minnesota, 3080, 8072, 14414.
Nebraska, 11493, 14837.
Nevada, 6868.
New Jersey, 10135.
New Mexico, 16320.
New York, 14842.
North Carolina, 2972, 8079, 8625, 11431.
North Dakota, 8081, 11977.
Ohio, 4807, 6792, 9239, 10364, 14591.
Oklahoma, 9746, 16317.
Oregon, 6064, 8073, 8081, 9551, 11432.
South Carolina, 6052.
South Dakota, 15097.
Tennessee, 14007.
Texas, 9746, 14400, 16317.
Utah, 6868.
Vermont, 6419.
Virginia, 6874, 11492, 11493, 12650, 14399, 15312.
Washington, 2972, 8625.
Commercial practices, inquiry 13875
Competition and responsibility in network broadcasting; proposed rules, extension of time 575
Contests and promotions which adversely affect public interest, policy statement 2568
Fraudulent billing practices, interpretation 4260
Interference of FM channels with TV reception, policy statement regarding change of channels 2567
Logs:
Program log analysis, composite week 11501
Programs, operating, maintenance 752, 13238
Monitoring equipment, engineering charts; field strength curves, proposed rules 4303, 6638, 9088, 12603
Multiple ownership; proposed rules, extension of time 5078, 12965
Network broadcasting, competition, and responsibility; proposed rules, extension of time 5838
Payola, plugola, inquiry 7486
Political candidates, use of broadcast facilities by 6660
Program log analysis, composite week 11501
Remote control operation of VHF stations; proposed rules, extension of time 2555
Subscription TV service, proposed rules and inquiry 5136, 7086, 8882, 11036
UHF channels, expanded use 2932, 4390, 6419, 7576, 8623
Table of assignments 2943, 4807
Proposed rules 2970, 4738, 5146
RADIO FREQUENCY DEVICES:
Eavesdropping, prohibition against 3400
Radio-operated door controls, effective date stayed 4301
Radio receivers, measurement procedure 7469, 13391
RECORDS, non-Federal; retention requirements 4059
SATELLITE COMMUNICATIONS:
Communications Satellite Corp.:
Authorized entities and authorized users under Communications Satellite Act of 1962 10144, 10334, 11902, 13055
Furnishing satellite services and channels 8977
Leasing channels to common carriers, prehearing conference 15333
Definitions, earth station complex, complex functions, interface 3289
Domestic noncommon carrier facilities, establishment by nongovernmental entities; inquiry 3507, 12068, 13763, 14792
Procurement of apparatus and services 5135, 9216
Satellite earth station ownership policy 15737
TELEPHONE AND TELEGRAPH COMPANIES:
Annual reports of carriers and certain affiliates 747
Domestic telegraph service, hearing 364
Radiotelegraph carriers, wire-telegraph and ocean-cable carriers; transportation equipment, proposed rules 354, 4303
Telephone companies:
Accounts, uniform system, class A, B, and C companies:
Reduction in number of filings 6417
Revenues from TWX, proposed rules 13244
Transportation equipment, proposed rules 354, 4303

Federal Communications Commission—Con. Page

TELEPHONE TELEGRAPH COMPANIES—Con.
Telephone companies—Continued
Accounts, uniform system, class A, B, and C companies—Continued
Annual report form M, proposed change 13245
Occupational classification and compensation of employees 747
TELEVISION:
Broadcast stations. *See under* Radio broadcast services.
Community antenna television systems, report form 4540, 6114, 6313, 7822, 12811
Experimental broadcast stations. *See under* Experimental broadcast services.
UNITED STATES-MEXICO Bilateral Agreement, standard AM band broadcasting; joint Government-industry meeting 3509
WALKIE-TALKIE RADIOS, caution against purchase 15503
WORLD ADMINISTRATIVE CONFERENCE, International Telecommunication Union; inquiry 2491, 9887, 10621, 13055

HEARINGS, ETC.:
Abacoa Radio Corp (WRAI), 2568, 5267, 5725, 8029.
Able Paging Service, 2702, 2737, 3431, 5268, 7258.
Adirondack Television Corp., 9427, 9428, 10288, 12113, 13062, 13484, 16377, 16584.
Advanced Electronics, 1132, 15202.
Allied Broadcasting Co., 1133, 3089, 4854, 5332.
American Broadcasting Companies, Inc. (ABC), 11190.
American Colonial Broadcasting Corp. et al., 7917, 8029, 8886, 12485.
American Homes Stations, Inc. (WVCF), 13485, 13618, 16164.
American Telephone & Telegraph Co. et al., 365, 484, 583, 853, 987, 1251, 2913, 4258, 5773, 5774, 5845, 5846, 6462, 6642, 6798, 6918, 7093, 7257, 7716, 8030, 8649, 8651, 8737, 8974, 9090, 9758, 9759, 9888, 10150, 10209, 10289, 10334, 11502, 13762, 13876, 14330, 14423, 14606, 14900, 15104, 15105, 15500, 15552, 15764, 16163, 16723.
American Television Service, 10045, 10046, 10291, 11729, 12485.
Ascension Parish Broadcasting Co., 11499, 12579, 13812, 14014, 14423, 15159.
Asheboro Broadcasting Co., 10289, 11501.
Associated Bell System Companies, 13761, 13876, 14606, 15104, 15105.
Atlantic Broadcasting Co. (WUST), 10044, 13618, 14421, 15105.
Audubon Broadcasting Corp. et al., 12811, 12969, 13485.
B & K Broadcasting Co., 1133, 4750, 5586, 5725.
BBPS Broadcasting Corp. et al., 12113, 12688, 16330, 16585.
BCU–TV, 13060, 13151, 13677, 14757.
Back Mountain Telecable, Inc., 12416.
Bay Broadcasting Co., 8318, 8319, 9557, 11728, 11773, 13063.
Beaverhead Broadcasting Co., 14464, 14606, 14607, 15202.
Belk Broadcasting Co. of Florida, Inc., 583, 3088.
Bethesda-Chevy Chase Broadcasters, Inc., 10044, 13618, 14421, 15105.
Bigham, Allen C., Jr., 9818, 10045, 11991, 16585.
Black Hawk Broacasting Co. (KWWL–TV), 8975, 9090, 10045, 13397.
Boardman Broadcasting Co., 774, 4474, 4853, 6552, 8382.
Booth Communications Co., 7415.
Branch Associates, Inc., 11499, 12479, 13812, 14014, 14423, 15159.
Brown Broadcasting Co., Inc., 3268, 3317, 4854, 6329, 7716, 8093, 8141, 8651.
Buckeye Cablevision, Inc., 5586.
California Water & Telephone Co., 13485, 13486, 14014.
Camden, N.J., city of, 10427, 10588, 11773, 12486, 14423, 15501.
Capital Broadcasting Corp., 365, 4750.
Capital News, Inc., 365, 4750.
Capitol Television Broadcasting Corp., 15203, 16723.
Carter Broadcasting Corp., 14896, 15032.
Cascade Broadcasting Corp., 7918, 8319.
Cavallaro, Augustine L., Jr., 13056, 13151, 13677, 14792, 16165.
Central Broadcasting Corp., 2737, 5152, 5268, 6463, 6798, 7258, 7850, 8141.
Central Coast Television (KCOY–TV), 854, 915, 3269, 3318, 6461, 7767, 9320.
Central Du Page County Broadcasting Co., 14465, 14607, 15333.
Century Broadcasting Co., Inc., 5772, 5984, 6916, 9387, 11325.
Chance, Albert I. et al., 16377, 16585.
Chapman Radio & Television Co. et al., 10049, 10050, 11773, 13674.
Charlottesville Broadcasting Corp. (WINA), 229, 2449.
Chicago Federation of Labor & Industrial Union Council, 12969, 13063, 13486, 14014.
Chicagoland TV Co., 12969, 13063, 13486, 14014.
Christopher, E. B., 3430, 4429.
Circle L, Inc. et al., 5844, 12486, 16378, 16586.
Cirilli, Arthur A. et al., 3430, 3506, 4854, 5725, 8250, 8736, 8974, 10588, 11501, 13676.

Federal Communications Commission—Con.

HEARINGS, ETC.—Continued
City Broadcasting Co., Inc., 10905.
City Index Corp., 6329, 6917, 8030, 9320, 10045.
Clay County Broadcasting Co., 366, 4312, 4854, 5153.
Collins, John W., Jr., 6552.
Columbia Telephone Answering Service, Inc., 2737.
Communications Satellite Corp., 2586, 3431, 6839, 10144, 10334, 11902, 15333.
Community Communicators of Ohio, Inc., 13059, 13149.
Connecticut Radio Foundation, Inc., 5984, 5985, 6329, 12660.
Connecticut Television, Inc., 5984, 5985, 6329, 12660.
Continental Broadcasting of California, Inc. (KDAY), 988.
Corinth Broadcasting Co., Inc., 2703, 3088, 4429, 6329, 6463, 7716.
Cosmopolitan Enterprises, Inc., 5772, 5985, 6917, 7850, 12416.
Cosmos Broadcasting Corp. (WSFA–TV), 14896, 15032, 16331.
Courier Cable Co., Inc., 13618, 13619, 14284, 14899.
D & F Broadcasting Co., 14284, 15203.
D & T Broadcasting Co., 15552, 15553, 16331.
Daily Express, Inc. et al., 12486, 12579, 13149, 15710, 16380.
Daniel Enterprises, Inc., 774, 4474, 4853, 6552, 8382.
Dixie Broadcasting Corp., 3268, 3317, 4854, 6329, 7716, 8093, 8141, 8651.
Domestic Telegraph Service, 364.
Du Page County Broadcasting, Inc., 14465, 14607, 15333.
Edgefield-Saluda Radio Co. (WJES), 366, 12971, 12973, 13486.
Elyria-Lorain Broadcasting Co. et al., 584, 2915, 3507.
Emmet Radio Corp., 8654, 8887, 10048, 11503, 14757, 16164.
Faith Tabernacle, Inc. (KRVC), 4751, 4752, 6331, 7767, 10150, 12488.
Family Broadcasting, Inc., 10289, 10335, 11773, 15032.
Farmers Broadcasting Service, Inc., 4750, 4854, 6331.
Fidelity Broadcasting Co., Inc., 3269, 3317, 4474, 5268.
Fidelity Television, Inc., 8253, 10048, 14285, 15160.
Filbert, Roy A., 8031.
Fine Music Broadcasts, Inc., 583, 3088.
Fischer, Edwin R., 988, 2451.
Fond Du Lac County Broadcasting Co., 10046, 10047, 11991.
1400 Corp. (KBMI), et al., 11114, 11189, 12114, 13676.
Fox River Broadcasting Co., 11500, 12068, 12114, 13876, 15107, 16722.
Friendly Broadcasting Co., 12973, 13398, 14285, 15032, 15333.
Galveston Television, Inc., 9390, 9428, 9760, 10429, 12416.
Gill, Raymond W., 8142, 9888.
Goodman Broadcasting Co., 12114, 12115, 13016, 14899, 15765.
Gould, Charles M., 9613, 9819, 13063.
Granik, Theodore, et al., 2449, 3507.
HGR Broadcasting Co., 4750, 4854, 6331.
Haddox Enterprises, Inc., 7259, 7415, 8737, 9477.
Hall County Broadcasting Co. (WLBA), 231, 12688, 12853, 12974.
Harriscope, Inc. et al., 104, 230, 2450, 10289, 10335, 11773, 15032.
Harrisonville Telephone Co., 3509, 4261, 5086.
Hawaiian Paradise Park Corp., 12973, 13398, 14285, 15032, 15333.
Hennepin Broadcasting Associates, Inc., 3508, 4261, 5459, 7093.
Henryetta Radio Co., 485, 2636, 5586.
Hernreich, George T. (KZNG), 4752, 4753, 5985.
Highwood Service, Inc., 6801, 6802, 7768.
Holston Valley Broadcasting Corp., 10045, 10046, 10291, 11729, 12485.
Huntley, H. H., 5772, 5985, 6917, 7850, 12416.
Hutchens, James L., 4751, 4752, 6331, 7767, 10150, 12488, 13676, 13953.
ITT Cable and Radio Inc. et al., 15759.
ITT World Communications, Inc., 365, 854, 4475, 6464, 7413.
Industrial Communications Systems, Inc., 1132, 15202.
International Electronic Development Corp., 15554, 15710.
Iowa State University of Science and Technology (WOI), 3451, 3089, 10905.
Island Broadcasting System (WRIV), Inc., 8651, 8840, 9819, 11500, 13063, 14607, 16380.
Island City Flying Service, 10967, 11190.
Jackson TV & Cable Co., 8887.
James Broadcasting Co., Inc., 8840, 8887, 9760, 11991, 11993, 12488, 12612, 13017, 13254.
Jersey Cape Broadcasting Corp. (WCMC), 230.
Jobbins, Charles W. et al., 230, 484, 2737, 5458, 7414.
Jupiter Associates, Inc. et al., 584, 915, 3509, 4819, 5985, 7257, 7595, 8030, 8382, 9247, 9613, 9819, 13254.
K-Six Television, Inc. (KVER), et al., 583, 5725, 7767.
KASI Iowa, Inc., 8196, 8252, 9557, 12115.
KFIZ Broadcasting Co., 10046, 10047, 11991.
KJJJ–TV, 4311, 4431, 4854, 5459, 7093, 8031.
KJRD, Inc., 10047, 10048, 12115, 15033, 15765.
KWEN Broadcasting Co., 12069.

Federal Communications Commission—Con.

HEARINGS, ETC.—Continued
KWHK Broadcasting Co., Inc. (KWHK), et al., 6331, 7533, 9819, 11901, 15766.
Kansas State Network, Inc., 6801, 6802, 7768, 14466, 14607, 15160.
Kentuckiana Television, Inc., 5726, 5846, 8197.
Kentucky Central Broadcasting, Inc., 365.
Kentucky Central Television, Inc., 8652, 8887, 9819, 12611, 13149, 14285.
Key West Aero, 10967, 11190.
Kittel, David Joseph, 13059, 13149.
Kops Communication, Inc., 2914, 3089, 5153.
L & P Broadcasting Corp., 10427, 10588, 11773, 12486, 14423, 15501.
Lafayette Broadcasting Co., Inc., 7918, 8031, 8977, 11325.
Lamar Life Broadcasting Co., 7851, 7852, 8252, 8649, 9247.
Lamar Life Insurance Co., 12974, 13254, 14015, 15553, 16332, 16800.
Lamoreaux, Richard P., 13812, 13876, 14285, 14853.
Lebanon Valley Radio, et al., 3269, 3431, 8382, 6331, 7414, 8030, 13254.
Lewis Broadcasting Corp. et al., 14698, 16164.
Livesay, William R., 15553, 15554.
Lorain Community Broadcasting Co. et al., 13149, 13151, 13676, 15160, 15710.
Lunde Corp., 8196, 8252, 9557, 12115.
Lynn Mountain Broadcasting, 10621, 10755, 12115, 13487.
Madison County Broadcasting Co., Inc. (WRTH), 14899, 15033, 16332.
Marbro Broadcasting Co., Inc., 3352, 4430.
Martorell, Luis Prado, 13056, 13151, 13677, 14792, 16165.
Maupin Broadcasting Co. (WKMK), 14284, 15203.
Maxwell Electronics Corp., 2915, 4816, 5086, 7258, 7596, 8250, 10150, 16587.
McAlister Broadcasting Corp., 4311, 4431, 4854, 5459, 7093, 8031.
McCulloch County Translator Co-Op, et al., 9613, 9760, 10566.
McLendon, John M., 9320, 10045.
McQueen and Co., Inc., 4753, 4754, 6334, 8383.
Meroco Broadcasting Co., 12579, 14792.
Metro Group Broadcasting, Inc., 14896, 15032.
Microwave Communications, Inc. et al., 2666, 2737, 3432, 7717, 7852, 8737, 12852, 15333.
Mid-Ocean Broadcasting Corp., 2568, 5267, 5725, 8029.
Midway Television, Inc., 1133, 3089, 4854, 5332, 5725.
Midwest Television, Inc. (KFMB–TV), et al., 3432, 10335, 10341, 10426, 11730, 12116, 15034, 15107, 15109.
Mid-Western Radio Corp., 12579.
Miners Broadcasting Service, Inc. (WMBA), 366, 2451, 3738, 3318, 5269.
Mission Cable TV, Inc., 5776, 5985, 6799.
Monroeville Broadcasting Co., 366, 2451, 3738, 3318, 5269.
Moorman, Frank R., Jr., 230, 1252, 3269.
Mount-Ed-Lynn, Inc., 10047, 10048, 12115, 15033, 15765.
Muskegon Television System, 7415.
Naugatuck Valley Service, Inc. (WOWW), 1134, 7596, 7852.
Nebraska Rural Radio Association (KRVN), 2569.
New South Broadcasting Corp., 365, 2635.
New York University, 6800.
Normandy Broadcasting Corp., 9321, 9477, 10429.
North Central Video, Inc., 8196, 8253, 9477, 12416, 14423.
Northeast TV Cablevision Corp., 9427, 9428, 10288, 12113, 13062, 13484, 16377, 16584.
Northern Indiana Broadcasters, Inc., 4815, 7717, 8031, 8977, 12853.
Northwest Broadcasters, Inc. (KBVU), et al., 6802, 6878, 9522.
Northwest Tennessee Broadcasting Co., Inc., 7918, 8030, 8887, 11190, 13016, 13813, 15765.
Northwestern Indiana Broadcasting Corp. et al., 6917, 7093.
Northwestern Indiana Radio Co., Inc., 11501, 13398.
O'Connor, Richard, 2914, 3089, 5153.
Ohio Radio, Inc., 365, 584, 916, 7414, 7487, 8737.
Olean Broadcasting Corp., 9321, 9477, 10429.
Olmstead County Broadcasting Co., 8196, 8253, 9477, 12416, 14423.
Omicron Television Corp., 4975, 5086, 5918, 8840, 9388, 9522, 12069.
Osborne, Marvin H., 13061, 13152, 13763.
Overmyer, D. H., Communications Co. et al., 105, 231, 856, 2451, 2915, 4816, 5086, 7258, 7596, 8250, 10150, 16587.
Parker, J. T., Jr., 15553, 15554.
Patroon Broadcasting Co., Inc., 1252.
Pike-Mo Broadcasting Co., 4855.
Porter County Broadcasting Corp., 11501, 13398.
Prairieland Broadcasters, 13812, 13876, 14285, 14853.
Progressive Broadcasting Co., 2703, 3088, 4429, 6329, 6463, 7717.
RKO General, Inc., 5772, 5984, 6916, 8253, 8382, 9387, 10048, 11325, 14285, 15160.
Radio KHAI, Inc., 8254, 8256, 9819, 11730, 12488, 13677, 13953.
Radio Orangeburg, Inc., 6920, 7093, 8383, 10048.

Federal Communications Commission—Con.

HEARINGS, ETC.—CONTINUED
Radio Oshkosh, Inc., 11500, 12068, 12114, 13876, 15107, 16722.
Radio Thirteen-Eighty, Inc., 4855.
Reising, Keith L. et al., 365, 775, 3432, 5726, 5846, 8197.
Reporter Broadcasting Co., 11728, 13063.
Rice Capital Broadcasting Co., 10291, 10341, 12688, 13876.
Richardson, Donald B., 8030.
Richland Broadcasting Co., 776, 856, 2915, 4754, 5728, 7414.
Riggs, Francis G., 4431, 5726.
Romac Baton Rouge Corp., 15203, 16722.
Rosenberg, Sam, Auto Sales, 7414, 8737.
Royal Broadcasting Co. (KHAI), 8254, 8256, 9819, 11730, 11991, 12488, 13677, 13953.
Santa Rosa Broadcasting Co. (WSRA), 8319, 8383, 10341, 14015.
Sawnee Broadcasting Co. (WSNE), 231, 12688, 12853, 12974.
Scanlon, James J. B. (KCAT), 4752, 4753, 5985.
Scott Broadcasting Co. of Pa., Inc., 16330, 16585.
Second Thursday Corp., 2737, 5152, 5268, 6463, 6798, 7258, 7850, 8141.
Selma Television, Inc. (WLSA–TV), 5458, 7919, 11501, 12069, 13063.
Semo Broadcasting Corp., 7767, 7768, 8887, 9321.
Service Communications, Inc., 15552, 15553, 16331.
Service Electric Cable TV, Inc., 2704, 6072, 6463, 6552.
Seven (7) League Productions, Inc. (WIII), et al., 305, 1253, 4261, 5269, 5726, 9247.
Shaffer, Russel, 15554, 15710.
Sherman, Gordon, 4975, 5086, 6918, 8840, 9388, 9522, 12069.
Sikeston Community Broadcasting Co., 7767, 7768, 8887, 9321.
Southern Radio and Television Co., 366.
Southington Broadcasters, 4431, 7717, 15554.
Southwestern Bell Telephone Co., 3509, 4261, 5086.
Southwestern Operating Co. (KGNS–TV), 7767.
Sports Network, Inc., 6918, 7093, 8737, 12854, 14423, 16723.
Stallings, J. C., 231, 365, 1253, 4261, 6553, 8257, 9819, 10967.
Star Stations of Indiana, Inc., 6642, 6800, 6842, 7768, 10293, 13487.
State Gazette Broadcasting Co., 4753, 4754, 6334, 8383.
State Line Broadcasting Co., Inc., 7918, 8031, 8977, 11325.
Steel City Broadcasting Co., 13619, 13681, 15501.
Storer Broadcasting Co. (WJW), 10050, 10053.
Sudbury, Jones T., 7918, 8030, 8887, 11190, 13016, 13813, 15765.
Sunset Broadcasting Co. (KNDX–FM), et al., 7918, 8319, 13677, 13764.
Sunset Broadcasting Corp. et al., 14607, 16723.
Supat Broadcasting Corp., 3352, 4430.
Symphony Network Association, Inc., 13619, 13681, 15501.
Syracuse Television, Inc. et al., 915, 3432, 5269, 6800, 13764.
T.V. Broadcasters, Inc., 8735, 8887, 12116, 10905, 15766.
TVUE Associates, Inc., 9390, 9428, 9760, 10429, 12416.
Taft Broadcasting Co. (WKYT–TV), et al., 15160, 15204, 16380.
Tallahassee Appliance Corp., 232.
Tele/Mac of Jackson, 6329, 6917, 8030.
TeleSystems Corp., 7918, 8654.
Texan Broadcasting Co., Inc., 231, 365, 1253, 4261, 6552, 8257, 9819, 10967.
Texas Two Way Radio Co., 1252, 3269.
Tidewater Broadcasting Co., 988, 2451.
Tinker, Inc., 5269, 6072, 9091, 9477, 9523, 9556, 11502.
Topeka Television, Inc., 14466, 14607, 15160, 16332.
Town & Farm Co., Inc. (KMMJ), 2569.
Trans-Video Corp., 5776, 5985, 6799.
Trend Radio, Inc., 8840, 8887, 9760, 11991, 11993, 12488, 12612, 13017, 13254.
Tri-City Broadcasting Co., Inc., 485, 2636, 5586, 8735, 8887, 12116, 15501, 15766.
Tri-State Broadcasters, Inc., 8654, 8887, 10048, 11503, 14757, 16164.
Tri-State Television Translators, Inc., 232.
Triple C Broadcasting Corp. (WLOR), 366.
Twin-State Radio, Inc., 776, 856, 2915, 4754, 5728, 7414.
Ultravision Broadcasting Co., 5087, 5088, 5586, 13618, 13619, 14284, 14899.
United Telephone Co., 5845, 5846, 7716.
Valparaiso Broadcasting Co. et al, 8257, 9390.
Video Service Co., 12812, 13399, 15711.
Virgin Islands Telephone Corp., 366, 2704.
WBEJ, Inc., 10621, 10755, 12115, 13487.
WBLG–TV, Inc., 8652, 8887, 9819, 12611, 13149, 14285.
WBXM Broadcasting Co., Inc., 229, 2449.
WCJU, Inc., 7259, 7415.
WDIX, Inc., 6920, 7093, 8383, 10048.
WEBR, Inc., 5087, 5088, 5586.
WLCY–TV, Inc. (WLCY–TV), 16800.
WLEX–TV, Inc., 15160.
WMEN, Inc., 232.

Federal Communications Commission—Con.

Page

HEARINGS, ETC.—CONTINUED
WMGS, Inc. (WMGS), 365, 584, 916, 7414, 7487, 8737.
WMIN, Inc., 3508, 4261, 5459, 7093.
WOL, Inc., 4754, 4855, 7919, 8031, 8142, 8649, 9247.
WQIZ, Inc. (WQIZ), 366, 12971, 13973, 13486.
WTCN Television, Inc. (WTCN–TV), et al., 584, 3089, 3510, 4312, 7257, 8031, 8321, 10293, 13152.
WUST, Inc. (WUST), et al., 8649, 8888.
Walker, Ernest L. and Mildred F., 583, 856.
Washington Broadcasting Co., 4754, 4855, 5728, 7919, 8031, 8142, 8649, 9247.
Western Union Telegraph Co., 4755.
Wilderness Road Broadcasting Co., 366, 4312, 4854, 5153.
Wilkes County Radio, 21, 305, 1253, 3318, 11325, 13254.
Wilkesboro Broadcasting Co., 21, 305, 1253, 3318.
Williams, Arthur Powell, 12417, 12489, 12969, 13397, 13953, 16723.
Woodland Broadcasting Co., 12069.
Woodward Broadcasting Co., 10050, 10053.
Yellow Cab, Inc., 12116.

Federal Contract Compliance Office, Labor Department:

COMPLIANCE REPORTING SYSTEM:
Construction contractors and subcontractors 4258
Filing 863
CONSTRUCTION CONTRACTORS, revocation of standard form 41 6083
EQUAL EMPLOYMENT OPPORTUNITY, pre-award procedure to insure compliance by Government contractors 6881, 7266
ESTABLISHMENT of Office 6921

Federal Credit Unions Bureau:

INSURED LOANS to student members in eligible higher education or vocational institutions 4801
ORGANIZATION AND OPERATION, accounting records; proposed rules 14990

Federal Crop Insurance Corporation:

BASIC COMPENSATION, Manager of FCIC 13051
FEDERAL CROP INSURANCE:
1966 and succeeding crop years:
Barley, 3225, 3335.
Citrus, 1054, 3335, 7554, 10355.
Corn, 1297.
Cotton, 1297.
Grain sorghum, 3335.
Oats, 1297, 3335.
Oranges, 7553.
Raisins, 5746, 6247.
Soybeans, 1297, 3335, 7553.
Sugarbeets, 3335.
Tobacco, 1297.
Wheat, 3225, 3335.
1967 crops:
Apples, 9709, 9711, 13589, 14304.
Barley, 3113, 5745, 7553, 8175, 10312, 13581, 14302, 14491.
Beans, dry, 13581, 14491.
Cherries, 9710.
Citrus crops:
Arizona, 13589.
California, 13589.
Florida, 9711, 14491, 15019.
Combined crop, 13581, 14491.
Corn, 13581, 14303.
Cotton, 13583.
Flax, 13581, 13583, 14491.
Grain sorghum, 9545, 9939, 13584.
Oats, 13581, 13584, 14491.
Oranges, 13588.
Peaches, 9709, 13588.
Peanuts, 13585.
Peas:
Canning and freezing, 13585.
Dry, 13585.
Potatoes, 13585, 14303.
Raisins, 13588.
Rice, 13585.
Rye, 13581, 14491.
Soybeans, 9495, 13581, 13586, 14491.
Sugarbeets, 13587.
Sugarcane, 10070, 10312.

Federal Crop Insurance Corporation—Con.

Page

FEDERAL CROP INSURANCE—Continued
1967 crops—Continued
Tobacco, 13587.
Tomatoes, 13588.
Tung nuts, 9710, 13588.
Wheat, 3113, 5745, 7553, 10312, 13581.
Policy, 1967 crop 1054
RECORDS, non-Federal; retention requirements 4011

Federal Deposit Insurance Corporation:

ADVERTISING FOR FUNDS by insured State nonmember banks, policy statement 16581
CONDUCT STANDARDS 5751
INSURED BANKS:
Annual report of income and dividends; mutual savings banks and State nonmember banks 275
Assessments; classification of deposits 12727, 15794
Joint calls for report of condition 275, 6283, 9428, 12689
Nonmember banks:
Advertising for funds, policy statement 16581
Alaska, maximum interest or dividends 12837
Payment of deposits and interest:
Maximum interest rates 9862, 12636
Multiple maturity time deposit 9862
Savings and time deposits 12727, 15794
Summary of deposits 9322
RECORDS, non-Federal; retention requirements 4061
SECURITIES EXCHANGE ACT of 1934, applications for exemption from certain requirements:
Banco de Ponce, Ponce, P.R., 1208.
Ludlow Savings Bank & Trust Co., Ludlow, Vt., 5022.
Volunteer-State Bank, Knoxville, Tenn., 385.

Federal Employees:

See Government employees.

Federal Executive Salary Schedule:

LEVEL V, positions placed in (Executive Orders 11268, 11273, 11293, 11299, 11316) 871, 4947, 10507, 10917, 15011

Federal Home Loan Bank Board:

ADVERTISING FOR FUNDS by financial institutions, policy statement 16582
CONDUCT STANDARDS 4277
DISTRICT OF COLUMBIA savings and loan offices; definitions, etc 1314, 1315, 4198, 4262
FEDERAL HOME LOAN BANK SYSTEM:
Advances:
Extension of credit; proposed rule 15158
Limitations; proposed rule withdrawn 7483
Policy statements 7360, 7361, 7362, 8772, 8774, 10315, 10920, 12515
Restrictions 13152
Board rulings; liquidity requirement, deposits 287
Rescinded 8772
Credit:
Member institutions, California and Nevada; policy statement 7361, 8772
Rescinded 14827
Restrictions:
California, removal 8772
Suspension 9429
Rescinded 16802
Five percent 6-month savings account certificates, use of; policy statement 7361, 9006
Rescinded 14827
Limitations on rate of return 12595, 13039, 14415, 15728, 15729, 16762
Members of banks, holdings of cash and obligations of U.S 7354, 8771
Prior proposal withdrawn 7483
Operations of banks, budgets 4808, 6906
Organization of banks, compensation 4808, 6905
Time deposits as cash, continued inclusion; policy statement 7362, 8773, 11972, 13591
FEDERAL SAVINGS AND LOAN ASSOCIATIONS:
Change of office location, approvals 3142
Mobile facilities, establishment and operation; policy statement 4262
FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION:
Appraisal of real estate securing assets of insured institutions; policy statement 8005

Federal Home Loan Bank Board—Continued

Page

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION—Continued
Board rulings:
Cash; rescinded 8777
Lending territory, relocation of principal office 5009
Definitions:
Cash 7356, 8776
Guaranteed loan 6278, 8353
Insured accounts, $15,000 13592
Slow loans 8776
Hazard insurance, policy statement 9539
Institutions failing to meet requirements of certain insurance regulations; policy statement 8777
Limitations on rate of return 12595, 14415, 15729, 15730, 16763
Operations:
Auditors and audits, acceptibility of; policy statement 5621
Federal insurance reserve, required amounts and maintenance 7356, 8776
Insurance accounts 3229, 4390
Loans to one borrower, limitations; proposed rule withdrawn 7484
Other insurance or guaranty 11156, 13167
Premiums, amount, payment 6278, 8004, 9862
Organization, Federal association proposed by Corporation 225, 2544
Termination of insurance; voluntary, by Corporation, etc 16762
Time deposits as cash, continued inclusion; policy statement 7362, 8777, 13592
FEDERAL SAVINGS AND LOAN SYSTEM:
Board rulings; certificates of deposit 287
Rescinded 8775
Mergers; definitions, effective date, transfer of assets 6323, 15235, 15569
Operations:
Capital:
Bonus on monthly payment and fixed-balance accounts 5053, 8774
Distribution of earnings 576, 4198, 4416, 5054, 5258, 7355, 7361, 8775, 9006, 12061, 12062, 12838, 12839, 13000.
Loans:
Foreign Assistance Act of 1961, loans and investments guaranteed under 6277, 8353
Real estate 315, 6277, 7508
Unsecured, cash and Government obligations 7355, 8775
Organization, Federal association proposed by Federal Savings and Loan Insurance Corporation 225, 2544
Time deposits as cash, continued inclusion; policy statement 7362, 8776, 13592
RECORDS, non-Federal; retention requirements 4061

Federal Housing Administration:

AUTHORITY DELEGATIONS:
From Housing and Urban Development Department Secretary:
Community disposition activities 6839
Cost-level findings 12577
Particular position delegations 6867, 7565, 7743, 9005, 12792, 16495
CONDOMINIUM OWNERSHIP mortgage insurance, eligibility requirements:
Individually owned units; maximum interest rate 2478, 5757, 13000
Projects, conversion individual sales units; eligibility of property 16269
COOPERATIVE HOUSING mortgage insurance:
Contract rights and obligations 16268
Eligibility requirements 2477, 5757, 10317, 14594, 14597, 16615
ELDERLY PERSONS HOUSING mortgage insurance, eligibility requirements 5757
ENFORCEMENT REMEDIES, refusal of participation; authority of Director of Field Office 14593
LAND DEVELOPMENT mortgage insurance, eligibility requirements 5757, 10318, 13001, 14596, 16269
LOW-COST AND MODERATE-INCOME mortgage insurance, eligibility requirements:
Low-cost homes 14595, 14928
Moderate-income projects 5757, 6547, 7565, 7744, 10317, 13000, 14595, 14928, 16269, 16615.

Federal Housing Administration—Con. Page

MORTGAGE INSURANCE PROCEDURES and processing, provisions and characteristics of debentures 14593
MULTIFAMILY HOUSING mortgage insurance. *See* Condominium ownership; Cooperative housing; Rental housing.
MUTUAL MORTGAGE INSURANCE and insured home improvement loans:
Contract rights and obligations 2887, 8539, 16187, 16268
Eligibility requirements 2477, 5756, 13000, 14593
NURSING HOMES mortgage insurance, eligibility requirements 5757, 10318, 13000
ORGANIZATION AND FUNCTIONS:
"Commissioner", definition 816, 7743
Community disposition activities 6839
Creation and status 7743
PROPERTY IMPROVEMENT LOANS, Classes 1 and 2 16268, 16615
RECORDS, non-Federal; retention requirements 4023
RENT SUPPLEMENT PAYMENTS 7563, 13081
RENTAL HOUSING, multifamily housing mortgage insurance:
Contract rights and obligations 8539, 14594, 16187, 16268
Eligibility requirements; maximum fees and charges by mortgagee 10317
URBAN RENEWAL mortgage insurance and insured improvement loans:
Contract rights and obligations 8539, 16187
Eligibility requirements 5757, 10317, 13000, 14594

Federal Lands and Properties:

DISPOSAL, evaluation of flood hazard (Executive Order 11296) 10663

Federal Maritime Commission:

CONDUCT STANDARDS 7180
FREIGHT FORWARDERS, independent, ocean:
Agreements under section 15 of Act; terminations, etc.:
Alltransport, Inc. et al., 7488.
Bernard, J. E., & Co., Inc. et al., 10154.
Friedman, Morris, & Co. et al., 5270.
Gallagher & Ascher Co. et al., 12490.
Hauser, D., Inc. et al., 1129, 14996, 15822.
Lake Shipping Co. et al., 7984.
Lewin, Martin, Forwarding Co. et al., 10968.
Meisner Shipping Service, et al., 1128.
Mohegan International Corp. et al., 14015.
Norton & Ellis, Inc. et al., 12538.
Oceanic Forwarding Co., 8200.
Premier Shipping Co., Inc. et al., 9515.
Seaport Shipping Corp. et al., 9029.
Seaway Forwarding Co. et al., 4759, 8603.
Smith, J. D., Inter-Ocean, Inc. et al., 7718.
Smith, R. W., & Co. et al., 6208.
Steeb, J. B., & Co., Inc. et al., 4356.
Applications for licenses; filings, withdrawals, etc.:
Air Freight Specialists, Inc., 13182.
Alden, Amsi George, et al., 16588.
Boyle, James J. & Co., 15109.
Chiarella & Grimes Forwarding Co. et al., 4477.
E & R Forwarders, Inc., 6803.
Eastern Forwarding Service, 5333.
Foreign Freight Forwarders, Inc., 3433.
Gollott's Freight Forwarding Co. et al., 14660.
Hasman & Baxt of Louisiana, Inc. et al., 9322.
Hunter, John H., & Son, Inc. et al, 8095.
Independent Trade Association, et al., 15821.
International Shipping Services, Inc. et al., 916.
Kominers & Fort, 13682.
Morehead City, N.C., port of, 15115.
Ovalle, M. J., Co., 7294.
Peeters Transportation Co., Inc. et al., 11116.
Pensacola, Fla., port of, 15114.
Pensacola Steamship Association, Inc., 13682.
Port Services, Inc., 9478.
Sea-En Shipping Co. et al., 12612.
Tampa, Fla., port of, 15115.
Wilmington, N.C., port of, 15115.
Licenses suspended, revoked, or show cause orders; hearings, etc.:
Academy Forwarding Corp. et al., 7770, 8383, 9322.
Afro-Asian Forwarding Co., Inc., 13813.
All American Foreign Freight Forwarding Co., 2738.
All Nations Forwarding Co. et al., 1168, 9615, 1116.

Federal Maritime Commission—Continued Page

FREIGHT FORWARDERS, INDEPENDENT, OCEAN—Continued
Licenses suspended, revoked, or show cause orders; hearings, etc.—Continued
American Enterprises, Inc., 4476, 5232.
Atlantic Passenger Steamship Conference, 4475, 5459, 6843.
Avila Shipping Co. et al., 1254.
Bayport Shipping Corp., 2870.
Bermuda Forwarders, 7152.
Boyle, James J., & Co., 2397.
Cargofast Pacific, Inc., 2705, 6925.
Chiarella & Grimes Forwarding Co., 2704.
Church Purchasing & Service Agency, 13621.
Coleman, T. A., & Co., Inc. et al., 3510, 5728.
Coedel International Co., 6804.
Crescent Forwarding Service, 5910, 6804.
Diaz-Wandembergh, 8095, 8478.
Dixie Forwarding Co., Inc., 10381, 13955.
Doranco, Inc. et al., 14660, 15821.
Eastern Freight Forwarders, Inc., 12690.
Export Chemical Shipping Co., Inc. et al., 10380, 10968, 12612.
Fahner, Albert, 15834, 16165, 16588.
Fenton Co., 8549.
George Co. et al., 13156, 14660.
Godwin's, E. J., Sons, Inc., 106, 916.
Green, Scott & Co., Inc., 11436.
Gulf & South Atlantic Havana Steamship Conference, et al., 4475.
Haydee Forwarding Co., Inc., 10967.
Interstate Auto Shippers, Inc., 3143, 4426.
Jasper, E. A., Inc., 158.
Jay International, Inc., 4476, 5459.
La Salle International Freight Forwarding Corp., 3511, 7294.
Latin American Shipping Co., Inc., 9029, 9685.
Madison Shipping Co., Inc., 16504.
Manaco International Forwarders, 13682, 14424.
Mercal International, Inc., 2705, 13255, 13956.
New York Freight Bureau, et al., 13094.
Oceanbrokers, Inc. et al., 12538, 13182.
Pacific Coast Australasian Tariff Bureau, 2451.
Pan-Inter, 16503.
Patrick & Graves, 10381, 13955.
Presto Shipping Agency, Inc., 8888, 9563.
Richards, H. C., Co., 12463.
Rogers, H. B., Inc., 232.
Sawyer, Carl, Steamship Agency, Inc., 3511.
Sockrider Forwarding Co., 1128.
Star Foreign Freight Forwarding, Inc., 7152.
Sullivan, W. C., & Co., 15334, 16478, 16588.
Texas Gulf Forwarding Co., 22.
Tice & Lynch, Inc., 4173, 4426.
United States Forwarding Corp. et al., 2738.
Valdes, F. V., & Co., Inc., 5910, 6804.
World-Wide Services, Inc., 2397.
Licensing; proposed rules:
Duties and obligations:
Compensation and certifications 6792, 7248, 8958, 13652, 14879
Definition, beneficial interest 6792
Licensees' duties and obligations 6792, 7248, 8958, 13652, 14879
Oceangoing common carriers and persons shipping for own account 764, 2972, 6792, 7248, 7596, 8142, 8958, 11652, 12022, 13652, 14879.
Licensing requirements 6792
MARITIME CARRIERS:
See also Freight forwarders, *above*.
Audits and auditing procedures, proposed rules 5575, 6838
Conference agreements:
See also Transportation agreements, terminal agreements, etc., *below*.
Concerted activities 1203, 6547, 8915, 11310
Hearings relating to effects on foreign commerce 917, 6804, 11056
Dual-rate contract systems in U.S. foreign commerce 12524
Overcharge claims, time limit on filing; proposed rule 13805
Rates, fares, and charges, publication, posting and filing:
See also Rates, *below*.
Contents of tariff publications, proposed rule 11616
Project rates, filing, special permission requirements 8834, 16314

Federal Maritime Commission—Continued Page

MARITIME CARRIERS—Continued
Security for public protection, financial responsibility; proposed rules and hearings:
Indemnification of passengers for nonperformance of transportation 15703
Liability incurred for death or injury to passengers or other persons on voyages 16497
Shippers' requests and complaints; reporting requirements 7392
Tariffs:
Automobiles, contents of tariff measurement publication; proposed rule 11616
Filing of tariffs by terminal operators 2429, 8816
Pricing practices, meeting 12538
Vessel operating common carriers in domestic offshore trades, reports of rate base and income account; availability to public, proposed rule 5575, 6838, 7596
MILITARY CARGO on competitive bid basis, institution of proceedings 10008
ORGANIZATION AND FUNCTIONS 6079, 11205, 15110, 15113
PASSENGER VESSELS embarking passengers at U.S. ports, information requested as to liability 14276
PRACTICE AND PROCEDURE, rules of, small claims, formal and informal procedure for adjudication; proposed rules 356
RATES, schedules, tariffs, etc.:
Investigations and hearings:
Alaska Steamship Co., 584, 917, 5986, 7017, 8603, 8737, 15613, 15614.
Atlantic-Gulf/Puerto Rico trades, 4262, 11560, 12116, 13621.
Domestic Guam trade, 5459, 6595, 11560.
Gulf Puerto Rico Lines, Inc., 10295, 11115.
Jacksonville/Puerto Rico trade, 367.
Kimbrell-Lawrence Transportation, Inc., 8201.
New York Harbor, truck loading and unloading, 6079.
North Atlantic Mediterranean Freight Conference, 11328, 12974.
Pacific Coast European Conference, 10969.
Pacific Far East Lines, 1253.
Pacific Northwest Tidewater Elevators Association, 11116.
Persian Gulf Outward Freight Conference, 6284.
Sea-Land Service, Inc., 5909, 10295, 11115, 14608, 14900, 14996.
Seatrain Lines, Inc., 14900, 14996.
TMT Trailer Ferry, Inc., 232.
U.S. ports to ports in Puerto Rico; machinery and tractors, 14995, 15821.
Waterman Steamship Corp., 6285.
Publication, posting, and filing. *See under* Maritime carriers, *above*.
RECORDS, non-Federal; retention requirements 4062
TRANSPORTATION AGREEMENTS, terminal agreements, etc.:
See also Maritime carriers: conference agreements, *above*.
Exclusive patronage (dual rate) contracts under Public Law 87-346:
D. B. Turkish Cargo Lines, 7415.
Latin America/Pacific Coast Steamship Conference, 14757.
North Atlantic Mediterranean Freight Conference, 6754.
Pacific Coast-Australasian Tariff Bureau, 9888.
R.C.D. Shipping Services, 7415.
South and East Africa Rate Agreement, 4635, 12463.
Straits/Pacific Conference, 5232.
United Arab Co. for Maritime Transport (Martrans), 6754.
U.S. Great Lakes and St. Lawrence River Ports/West Africa Agreement, 7197.
Wallenius Line, 10970.
Section 15 agreements:
A. P. Moller-Maersk Line, 5232, 5233.
Ahlmann-Transport K.G., 7639.
Alaska, State of; terminal agreement, 11205.
American and Australian Steamship Lines Joint Service, 13399.
American Export Isbrandtsen Lines, Inc., 2397, 2915.
American-Flag Passenger Lines, 15161.
American Mail Line, et al., 12028, 14853.
American Mail Line, Ltd. et al., 461, 2976, 5587, 7853, 10621, 10856, 14995, 15822.
American President Lines, et al., 4477, 5587, 7853, 12028.
American President Lines, Ltd., 461, 13956, 14015, 14660, 15204, 15822.
American West African Freight Conference, 14328.
Anchor Line, Ltd., 5387.

Federal Maritime Commission—Continued

TRANSPORTATION AGREEMENTS, terminal agreements, etc.—Continued
Section 15 agreements—Continued
Anchorage, Alaska, city of; terminal agreements, 8032, 9141, 11205.
Asia Africa Shipping Co., Ltd., 8201.
Atlantic Container Line, Ltd. et al., 10647, 15248.
Atlantic and Gulf/Panama Canal Zone, Colon and Panama City Conference, 13399.
Atlantic and Gulf/West Coast of South America Conference, et al., 10589, 15823.
Atlantic Passenger Steamship Conference, 5587, 5645, 10968, 15162, 15613.
Australia West Pacific Line, 5587, 14015, 15204, 15822.
Azta Shipping Co., 9615, 13063.
Bahama Islands Rate Agreement, 8979.
Bank Line, Ltd., 2976, 9615.
Barber West African Line Joint Service, 4634.
Black Diamond Steamship Corp., 14609.
Blue Star Line, Ltd., 13400.
Booth Line, 21.
Brasil/United States Canada Freight Conference, et al., 4355.
Calcutta, East Coast of India and East Pakistan/U.S.A. Conference, 3473, 11902.
California, Association of Port Authorities, 3041.
California/Japan Cotton Pool, 3089.
Calmar Steamship Corp.; terminal agreement, 2569.
Canton Co. et al.; terminal agreement, 5644.
Cargill of California, Inc.; terminal agreement, 9141.
Ceylon/U.S.A. Conference, 9562.
Chesapeake Operating Co.; terminal agreement, 12069.
China Navigation Co., Ltd., 3041, 13955, 14015.
Columbus Line/Pacific Australia Direct Line, 6079.
Compagnie Des Messageries Maritimes, 4355.
Compagnie Generale Transatlantique, et al., 6553, 10647.
Compagnie Maritime Belge, S.A. et al., 12491.
Concordia Line Joint Service, 5987.
Connecticut, State of; terminal agreement, 3433.
Continental North Atlantic Westbound Freight Conference, 5910, 7596, 11507.
Cunard Steam-Ship Co., Ltd., 6595, 15249.
Dell/Pacific Rate Agreement, 13953.
Delta Steamship Lines, Inc. et al., 21, 3142, 13682.
Detroit, port of, Operator's Association, 2977, 4173.
Deutsche Ost-Afrika-Linie/South African Lines, Ltd., 9822.
East Coast Costa Rica Rate Agreement, 5645.
Elder Dempster Lines, Ltd., 6335.
Ellerman & Bucknall Steamship Co., Ltd., 6595.
Evans Products Co., 7638.
Terminal agreement, 12463.
Far East Conference, 7638.
Farrell Lines, Inc., 3142, 4355, 4634, 5270, 6335, 13181.
Federal New Zealand Lines Joint Service, 13399, 13400.
Flota Mercante Gran Centroamericana S.A. et al., 15822.
Furness Withy & Co., Ltd., 15249.
Gebr. van Uden's Scheepvaart & Agentuur Mij., N.V., 5988.
Gemstone Shipping Corp. et al., 8929.
Global Steamship Transport, Ltd. et al., 14608, 14997.
Grace Line, Inc., 10483, 13181, 13955, 16381.
Terminal agreements, 368, 4816.
Great Lakes/Japan Memorandum, 14570.
Great Lakes/South and East Africa Rate Agreement, 3270.
Great Lakes-United Kingdom Westbound Conference, 14854.
Greece/United States Atlantic Rate Agreement, 7639.
Guatemalteca De Navegacion—Linea Nacional, 4855.
Gulf Lines, Ltd., 11115.
Gulf/Mediterranean Ports Conference, 367, 6335, 8979, 11436, 14996.
Gulf/Scandinavian and Baltic Sea Ports Conference, 9091.
Gulf/United Kingdom Conference, 9091, 13369.
Hamburg-Amerika Linie, et al., 14609.
Hamburg-Amerika Linie Norddeutscher Lloyd, 2916.
Hamburg Chicago Linie, 15503.
Hanseatische Reederei Emil Offen & Co., 7094.
Harrison, Thos. & Jas. Ltd. (Harrison Line), 3510.
Hawaii/Europe Rate Agreement, 2636, 6384, 6517.
Hellenic Lines, Ltd., 4759.
Hilo Transportation and Terminal Co., Ltd., 367.
Hoegh Lines, 8201, 15162.
Holland-America Line, et al., 14609.
Howard Terminal, 485, 8200.
Terminal agreements, 485, 544.
Israel/U.S.A.-U.S.A./Israel Freight Pool Agreement, 12490.
Isthmian Lines, Inc., 7853, 11436, 11783.

Federal Maritime Commission—Continued

TRANSPORTATION AGREEMENTS, TERMINAL AGREEMENTS, ETC.—Continued
Section 15 agreements—Continued
Italy, France, Spain, and Portugal/North Pacific Freight Pool, 8979.
Italy, South France/U.S. Gulf Conference, 2798, 13682, 15823.
Japan-Atlantic & Gulf Freight Conference, 3270, 5668.
Japan/Great Lakes memorandum, 14570.
Java/Pacific Rate Agreement, 13954.
Kawasaki Wisen Kaisha, Ltd., 5232, 5233, 9478.
Klaveness Line Joint Service, 5233, 11626.
Learner Co., 8200.
Liverpool Liners, Ltd. et al., 8478.
Long Beach, Calif., city of; terminal agreements, 3318, 12463, 15204.
Los Angeles, city of; terminal agreement, 6335.
Lumber Terminals, Inc.; terminal agreement, 10429.
Lykes Bros. Steamship Co., Inc., 21, 22, 158, 3510, 5988, 6334, 7639, 9822, 13955, 14015.
MANZ Line Joint Service, 1168, 9615, 13400.
Marina Merchante Nicarguense, S.A., 4855, 12491, 12613.
Marine Terminals Corp. (of Los Angeles), et al.; terminal agreement, 486, 8478.
Maritima Mexicana, S.A., 461.
Maryland Port Authority; terminal agreements, 6517, 10429, 12069, 13017.
Matson Navigation Co., 367, 16381, 16630.
Terminal agreement, 7490.
Mediterranean/North Pacific Coast Freight Conference, 8979, 10381, 13620.
Mediterranean-U.S.A. Great Lakes Westbound Freight Conference, 10647, 16723.
Messrs. Rederiaktiebolaget Helsingborg, 13181.
Meyer Line, et al., 8032.
Micronesian Line (ML), 6335, 12662.
Middle Atlantic Ports Dockage Association, 14792.
Mitsui O.S.K. Lines, Ltd., 11626.
Moore-McCormack Lines, Inc., 6383, 6384, 10483, 10588, 13181, 13487.
Moore-McCormack Lines (Canada), Ltd., 2915.
Morey, Adolfo, E Hijos, 13181.
National Metal & Steel Corp.; terminal agreement, 6335.
Nedlloyd Lijnen, N.V., 8201, 15162.
New Orleans, port of; terminal agreement, 723.
New Orleans, port of, Board of Commissioners; terminal agreement, 15162.
New Orleans Cold Storage and Warehouse Co., Ltd.; terminal agreement, 723.
New York Central System, et al., 210.
New York City; terminal agreements, 2503, 4816.
New York Freight Bureau (Hong Kong), et al., 2636, 6642, 7259, 8583, 10294.
New York Terminal Conference, 7487.
Nippon Yusen Kaisha, 3041, 6335, 12662, 13369.
Noonan, Fred P., Co., Inc., 11436.
North Atlantic Baltic Freight Conference, 5154.
North Atlantic Continental Freight Conference, 5154.
North Atlantic French Atlantic Freight Conference, 5154.
North Atlantic Israel Eastbound Freight Conference, 5669.
North Atlantic Israel Freight Conference, 2397.
North Atlantic Mediterranean Freight Conference, 6878, 1019, 1130, 5154.
North Atlantic United Kingdom Freight Conference, 5154, 9247, 13182.
North Atlantic Westbound Freight Association, 11403.
Northern Pan-America Line A/S (Nopal West Africa Line), 4355.
Northwest Marine Terminal Association, 545.
Norton Line joint service, 6464.
Norway North Atlantic Conference, 8478, 9515.
Norwegian America Line; terminal agreement, 2503.
Nouvelle Compagnie Havraise Peninsulaire De Navigation, 6334.
Oakland, Calif., city of, et al.; terminal agreements, 7490, 12734, 16238.
Oakland, port of, 485.
Terminal agreements, 485, 486, 544.
Olsen, Fred, & Co., 10648.
Olympic Steamship Co.; terminal agreement, 11436.
Outward Continental North Pacific Freight Conference, 8198, 9760.
Pacific Coast Australasian Tariff Bureau, 9821.
Pacific Far East Line, Inc., 11783, 13732.
Pacific Westbound Conference, 7638, 13181.
Pacific Western Lines, et al., 6283.

Federal Maritime Commission—Continued

Page
TRANSPORTATION AGREEMENTS, TERMINAL AGREEMENTS, ETC.—Continued
Section 15 agreements—Continued
Parr-Richmond Terminal Co.; terminal agreements, 106, 2569, 12690.
Petromark, Inc.; terminal agreement, 106, 12690.
Port Line, Ltd., 13400.
Portnica Shipping Co., Inc., 6208, 8603, 13369.
Portnica Shipping Co., S.A., 9429.
Portugal/United States North Atlantic Rate Agreement, 14854.
Puget Sound Freight Lines, 11627.
R.C.D. Shipping Services, 6384.
Red Sea and Gulf of Aden/U.S. Atlantic and Gulf Rate Agreement, 14016.
Rederiaktiebolaget Nordstjernan (Johnson Line), 12028, 15822.
Retia Steamship Co., 7638.
Royal Netherlands Steamship Co., 6383, 13181.
Rumania/United States Atlantic Rate Agreement, 12613.
Sacramento-Yolo Port District; terminal agreement, 9141.
Saipan Shipping Co., 11783.
Salonika (Yugoslav Cargo)/U.S. Atlantic Rate Agreement, 2397.
San Francisco Port Authority, 11436.
Sea-Land Service, 6208, 6595, 9429, 9615, 11627, 11783, 12491, 12613, 13063, 13369, 14660.
Terminal agreements, 3319, 8032, 9141, 14997.
Seatrain Lines, Inc., 4759, 8603, 9478, 11436, 13487, 13956, 14609, 14960.
Seattle, port of; terminal agreements, 3319, 11436.
Servicios Martimos Mexicanos, S.A., 461.
Shaw Savill & Albion Co., Ltd., 13400.
South African Marine Corp., Ltd., 21, 158.
South Bay Warehouse Corp.; terminal agreement, 15204.
South Carolina State Ports Authority; terminal agreement, 14997.
Sovfracht, V/O, 10588, 11115.
Spain/U.S. Atlantic Rate Agreement, 22.
States Marine Lines, Inc., 10755.
States Marine Lines/Global Bulk Transport Corp. et al., 5233.
States Steamship Co., 9615, 12662.
Stockyard Shipping and Terminal Corp.; terminal agreement, 13017.
Swedish American Line, 7293.
Thailand/United States Atlantic & Gulf Rubber Pool, 14276.
Trans-Atlantic Passenger Steamship Conference, 7415, 1254, 4634, 13562.
Transatlantic Shipping Corp. et al., 7197.
Transporte Maritimo Oriental C.A., 6384, 13955.
Truk Transportation Co., Inc., 13732.
Turkey/United States Atlantic Rate Agreement, 7639.
U.S.-Alaska/Guam/Hawaii/Puerto Rico Movers' rate agreement, 2704.
U.S. Flag Ocean Carriers, 12855, 13487.
Ulster Steamship Co., Ltd. (Head Line), 5387.
United States Atlantic and Gulf/Australia-New Zealand Conference, 9821, 10056.
United States Great Lakes-Bordeaux/Hamburg Range Eastbound Conference, 5388.
United States Great Lakes-Bordeaux/Hamburg Range Westbound Conference, 4357.
United States Great Lakes and St. Lawrence River Ports/West Africa Agreement, 16381.
United States Gulf/Japan Cotton Pool, 7259.
United States Lines Co., 2916, 6563, 6595, 10755, 14960, 16630.
Terminal agreement, 368.
Vaasa Line Oy, 7094.
Waterman Steamship Corp., 22.
West Coast of Italy, Sicilian and Adriatic Ports North Atlantic Range Conference, 9247, 10482, 13813, 14367.
Westfal-Larsen & Co. A/S, 10648.
Westwind Shipping Corp., 5270.
Weyerhaeuser Line, 2397.
Wilhelmsen Line, 7293.
Yamashita-Shinnihon Steamship Co., Ltd., 13369.

Federal Mediation and Conciliation Service:

CONDUCT STANDARDS 5423

Federal National Mortgage Association:

MORTGAGE AND LOAN PURCHASES, etc.:
Acceptability requirements, general, for mortgages and loans 16515
Below-market interest rate mortgages 16515
Management and liquidating functions 9492
Secondary market operations 12055, 16515

Federal Office Space:

Page
NATIONAL CAPITAL REGION, acquisition and utilization (Letter of January 29, 1966) 2469

Federal Personnel:

See Government employees.

Federal Power Commission:

CONDUCT STANDARDS 4118, 4448
FEDERAL POWER ACT regulations:
Accounts, uniform system of:
Class A and B public utilities and licensees, expenditures relating to fish, recreation, and wildlife, proposed rule 9877
Class C public utilities and licensees, electric plant instructions, work order and property record system required 3391
Definitions, research and development 7897
Forms:
Application for license for minor project, exhibit relating to fish and wildlife resources; proposed rule 10582
Bulk electric power supply interruptions, report of 6066, 7287, 16691
No. 1, annual report, Class A and B licensees, etc.:
Expenditures relating to fish, recreation, and wildlife; proposed rule 9877
Independent certification of compliance with accounting requirements; proposed rule 13557, 14884
Net investment in licensed projects, reports required; proposed rule 1082, 2784, 6515, 10326, 14884
Pumped storage data, schedules for reporting 16560
Research and development activities 7897
Schedules, certain, changes in 12055, 13593
No. 1–F, annual report, Class C and D licensees, etc.; schedules for reporting pumped storage data 16560
No. 1–M, annual report, municipal electric utilities; proposed rule 14786
No. 12, power system statements, Class I and II systems, and Class IV and V systems where requested 12093, 12572
No. 80, licensed projects recreation report 16202
Licenses, permits, and determination of project costs; certain applications 899, 6379, 8780
Policy and interpretation, calculation of net investment in limited projects; proposed rule 1081, 2784, 6515
Recreation at licensed projects:
Development, correction 2778
Discrimination prohibited; proposed rule 8376
Information respecting use and development of recreational opportunities 16202
Reports. *See under* Forms.
HEARINGS, etc. *See list at end of this agency.*
LANDS; withdrawals, etc., for listed projects:
No. 412, Colorado; vacated, 8606.
No. 1354, California, 15711.
No. 2128, California, 8096.
NATIONAL POWER SURVEY Advisory Committees:
Executive, continuance 918
Regional, establishment and procedures 586
Reliability of Electric Bulk Power Supply, establishment 2875
NATURAL GAS ACT regulations:
Accounts, uniform system of:
Definitions, research and development 7897
Gas plant instructions, etc:
Class A and B companies 10605
Class C companies 3391, 10605, 12840
Class D companies 10606, 11101
Measuring and regulating stations, accounting for 5690
Budget-type certificate applications, gas purchase facilities 215
Certificates of public convenience and necessity under section 7:
Applications, general conditions applicable to certificates, etc 432, 9347
Lists of applicants 9820
Exemption from certain provisions, contents, filing fee 432
Exports or imports of natural gas, applications for; contents, filing fee, etc 432
Fees for certain applications filed 431, 4890

Federal Power Commission—Continued

Page
NATURAL GAS ACT REGULATIONS—Continued
Forms:
Annual report of gas purchased by all natural gas companies; proposed rule 15325
No. 2, annual report, Class A and B companies:
Editorial changes, etc 9062, 16561, 16562
Gas purchases, proposed rule 15325
Independent certification of compliance with accounting requirements; proposed rule 13557, 14884
Main line direct industrial sales 5428
Pipeline system accident or failure, reports on 12018
Research and development activities 9897
No. 2–A, annual report, Class C and D companies:
Editorial changes, etc 9062, 16561, 16562
Gas purchases, proposed rule 15325
Pipeline system accident or failure, reports on 12018
Nos. 15 and 15–A, annual report, gas supply; proposed rules 12729
Nos. 301–A and 301–B, statements of sales and revenues of independent producers; proposed revocations 15325
Pipeline system accidents or failures, reports on 12017, 15309
System flow diagrams 7226
Orders under section 7(a); applications, number of copies, etc 432
Policy and interpretation, general; certificate applications, provision for reserve capacity, proposed rule dismissed 11947
Rate schedules and tariffs:
Area rate proceeding 1345, 6075, 7926, 11403
General terms and conditions 5973, 13721
Rate schedule defined 1316, 15486
Reporting gas purchases; proposed rule 15325
Suspended changes in rate schedules:
Motions to make effective at end of period of suspension, procedure 11935
Proposed rule 15325, 16279
Reports. *See under* Forms.
NONDISCRIMINATION in connection with recreational opportunities at licensed projects; proposed rules 8376
PRACTICE AND PROCEDURES; pleading, requirement that title include name of party making filing 5878
RECORDS, non-Federal; retention requirements 4062
HEARINGS, ETC.:
Abercrombie, A. L. et al., 4173, 5588, 9370, 9616.
Acoma Oil Corp. et al., 7530, 10086.
Ada Oil Co. et al., 2872.
Adams, K. S., Jr., 11094.
Alabama Power Co., 6518, 15768.
Alabama-Tennessee Natural Gas Co. et al., 463, 4362, 6845, 8032, 8929, 12659, 14088.
Algonquin Gas Transmission Co., 3143, 11561, 14528, 14795.
Altenburg and Frohna, Mo., cities of, 7017.
Altex Corp., 14700.
Ambrose, Z. C. et al., 8034.
Amerada Petroleum Corp. et al., 233, 6843, 9370.
American Gas Co. of Wisconsin, Inc. et al., 14424.
American Louisiana Pipe Line Co., 464.
American Petrofina Company of Texas, et al., 9463, 12456.
American Thread Co., 5271.
American Trading & Production Corp. et al., 3033.
An-Son Corp. et al., 7984.
Anadarko Production Co. et al., 7920.
Andersonville, Ga., city of, 16170.
Apco Oil Corp., 5988.
Appalachian Power Co., 4478, 10092.
Ares, Sam D., 6760.
Arizona Power Authority, 5669.
Arizona Public Service Co., 1218.
Arka Exploration Co., 9368.
Arkansas Louisiana Gas Co., 158, 918, 6844, 8507, 8929, 9142, 9370, 10932, 11627, 13101, 13400, 13621.
Arkansas Power & Light Co., 305.
Army Department, Secretary, 6385, 8843.
Artesia, Miss., town of, 8844.
Ashland Oil & Refining Co. et al., 1339, 1343, 2798, 3209, 4821, 5913, 7157, 10483, 11774, 12418.
Atlantic Refining Co., 6923.
Atlantic Richfield Co. et al., 9889, 10617, 11732, 12652, 14799.
Atlantic Seaboard Corp. et al., 277, 1340, 5093, 6385, 8202, 8843, 9617, 10054, 16735.

Federal Power Commission—Continued

HEARINGS, ETC.—Continued

Axas Petroleum Corp. et al., 16284.
Aztec Oil & Gas Co. et al., 12419.
B & G Oil & Gas Co. et al., 6922.
Baca Gas Gathering System, Inc., 16212.
Bachus Oil Co., 13772.
Bangor Hydro-Electric Co., 10703, 14068.
Barnes, J. C., Oil Co. et al., 11119, 12974.
Barnhart, Paul F. et al., 13961.
Bass, Perry R. et al., 3433.
Belle Rive, Ill., village of, 926.
Berry, Thomas E. et al., 14999, 16214.
Bibb Manufacturing Co., 4362.
Big Chief Drilling Co., 14700.
Big Injun Development Co. et al., 2499.
Black Marlin Pipeline Co., 6518.
Blackaville Oil and Gas Co., 15167.
Bluebonnet Gas Corp., 2907, 14701.
Bluford, Ill., village of, 7263.
Bogle Farms, Inc. et al., 5914, 7158.
Bowers Drilling Co., Inc., 13065.
Bridwell Oil Co. et al., 2500, 5022.
British-American Oil Producing Co., 487, 4481.
Brooklyn, Iowa, town of, 14799.
Brooks Pipe Line Co., 1019.
Buckles, George L. et al., 7839.
Burk Gas Corp. et al., 13958.
Burlington Bank & Trust Co. et al., 8699, 9094, 10856, 12855.
California Co. et al., 4817.
California Department of Water Resources, 5462, 14571.
Callery, F. A., Inc. et al., 6519.
Cascade Natural Gas Corp., 4177, 7924, 15768.
Central Hudson Gas & Electric Corp., 14901.
Central Illinois Electric & Gas Co., 4481, 8142.
Central Illinois Public Service Co., 5388, 6843, 6924, 7298, 7924, 10932.
Central Maine Power Co. et al., 159, 464, 1019, 7416, 14960, 15769.
Chamberlain, Wm. H. et al., 16382.
Champlin Petroleum Co. et al., 5530, 8386, 8604, 9370, 14701, 15505.
Chandeleur Pipe Line Co., 8701.
Chelan County, Wash., Public Utility District No. 1, 13375.
Chevron Oil Co. et al., 14793.
Chicago District Pipeline Co., 2798.
Cincinnati Gas & Electric Co., 305.
Cities Service Gas Co. et al., 108, 925, 1345, 4178, 4363, 6845, 9092, 10093, 10933, 11628, 12975, 13621, 13622, 13815, 13960, 15769.
Cities Service Oil Co. et al., 5094, 8035, 8384, 9433, 9434.
Clarence, Mo., city of, 6758.
Clear Fork Gas Co., 12540.
Cleary Petroleum, Inc. et al., 276.
Coastal States Gas Producing Co. et al., 16165.
Cobden, Ill., village of, 8034.
Colorado Interstate Gas Co., 2559, 2908, 3315, 5333, 5530, 6077, 6759, 9761, 10863, 11951, 13622, 14089, 14758, 15769.
Columbia Gulf Transmission Co. et al., 159, 6804, 13815, 14424, 14795, 16588.
Columbian Fuel Corp, et al., 109, 5094.
Columbus and Southern Ohio Electric Co., 14758.
Commercial Pipeline Co., Inc., 3316.
Commonwealth Edison Co., 4481, 8142.
Community Natural Gas Co., Inc., 11782.
Community Public Service Co., 4363.
Concord Natural Gas Corp., 10484.
Concordia Parish, La., 15770.
Connecticut Light & Power Co. et al., 5023, 8480, 13400.
Consolidated Edison Co. of New York, Inc., 1341, 3311, 8143, 13102.
Consolidated Gas Supply Corp., 1219, 2873, 5024, 7017, 7645, 10589, 11506, 11628, 14424.
Consolidated Water Power Co., 13102.
Consumers Power Co., 1256, 2502, 5233, 7268, 7924, 8701, 14997.
Continental Oil Co. et al., 368, 3311, 4257, 5919, 10296, 11774, 13064, 13488, 13924.
Corinth, Miss., city of, 12659.
Crawford Oil & Gas Reserves, Inc. et al., 9030.
Creal Springs, Ill., city of, 14570.
Crisp County Power Commission, 6518.
Cumberland and Allegheny Gas Co., 12659.
Cumberland Gas Co. et al., 13767.
Dalton, W. F., 5670.
Davidor & Davidor, Inc. et al., 11732.
Davis, James, Jr. et al., 16806.

Federal Power Commission—Continued

HEARINGS, ETC.—Continued

Dayton Power & Light Co., 2800.
Delta Natural Gas Co., Inc., 12069.
Depco, Inc. et al., 13733.
Despot, George, et al., 12480, 13065, 16213.
Detroit Edison Co., 1256, 2502, 8701, 14528.
Duke Power Co., 4262, 6553, 7297, 8263, 13255, 14089.
Earlsboro Oil & Gas Co. et al., 6845.
East Feliciana Parish, La., 16170.
East Tennessee Natural Gas Co., 5670, 7925, 13106, 14901.
Eastern Shore Natural Gas Co., 2501, 4531, 12070, 16588.
Edible Herring Products, Inc., 8893.
Edwards Oil & Gas Co. et al., 918.
El Paso Natural Gas Co., 1020, 2800, 4363, 4817, 4978, 5094, 5672, 5918, 6521, 6846, 7416, 7646, 7986, 8032, 8387, 9031, 9092, 9563, 11628, 11733, 11904, 12029, 12420, 12584, 12976, 13733, 13959, 14570, 14702, 14758, 14960, 15711, 16808.
El Paso Products Co., 9618.
Empire District Electric Co., 3435.
Enfield, Ill., village of, 4177.
Equitable Gas Co., 2873, 5271.
Fabian, Louis, 488.
Falcon Seaboard Drilling Co. et al., 2909, 14467.
Featherstone, Olen F. et al., 12029.
Fellers, W. J. et al., 1132.
Finance & Service Co. et al., 15504, 16214.
Florida Gas Transmission Co., 919, 7925, 10703, 10863, 13374, 13401, 13733, 14961.
Florida Power & Light Co., 14286.
Foree Co. et al., 11117, 11404.
Foree Drilling Co. et al., 4362.
Forest Oil Corp., 1347.
Fox, Grady L. et al., 7018, 9031.
Gainseville Utilities Department, et al., 6385.
Gardner Gas Fuel & Light Co. et al., 2873, 7260.
Gardner Pipeline, Inc., 7260.
Garner, J. Ralph, et al., 109, 3029.
Gas, Inc. et al., 160.
Gas Gathering Corp., 1344.
Gawthrop, E. R., 3029.
General American Oil Co. of Texas, 160, 2669, 2909.
Georgia Power Co., 6518, 8387, 10381.
Gillespie, H. M. et al., 13683, 14424.
Glamorgan Pipe & Foundry Co., 7492.
Grand Valley Transmission Co., 6078.
Granite State Gas Transmission, Inc., 13103.
Great Lakes Gas Transmission Co. et al., 3312.
Great Northern Paper Co., 7417.
Great Western Drilling Co., 7299.
Green Mountain Power Corp., 13401.
Gulf Oil Corp. et al., 486, 585, 1345, 3315, 5155, 5847, 6073, 6644, 8260, 14961, 15767.
Gulf Resources, Inc., 277, 10619.
Gulf States Utilities Co., 10863, 13816, 16809.
Hall-Jones No. 4, et al., 8840.
Hamilton, Ohio, city of, et al., 1218, 14424.
Hamilton Brothers, Ltd., 14703.
Hammermill Paper Co., 14961, 16285.
Hardy, C. O. et al., 5089.
Harfell Drilling Co., 1020.
Harrisonburg, La., village of, 3435.
Hartford Electric Light Co., 9618.
Hawkinson, K. C. et al., 6465.
High Plains Natural Gas Co. et al., 920.
Hill & Meeker, et al., 8700.
Holyoke Water Power Co., 8033.
Home Gas Co., 13103.
Horizon Oil Co. et al., 5915.
Houston Natural Gas Production Co. et al., 13489.
Hugoton-Anadarko, 6075, 7926.
Hugoton Production Co., 14795.
Humble Gas Transmission Co., 277, 12976, 15770, 16170, 16285.
Humble Oil & Refining Co. et al., 7490, 12735, 16477.
Hunt, H. L. et al., 1254, 16474.
Hunt Oil Co. et al., 161, 776, 921, 10553, 13814.
Hyde Carbon Black Co., 5388, 13103.
Idaho Power Co., 162, 2800, 3316, 8096, 11782, 12619, 12855.
Illinois Power Co., 922, 2908, 4174, 5777, 10589, 10864, 13255, 14286.
Indiana & Michigan Electric Co., 4313, 8480.
Inland Gas Co., Inc., 5917.
International Paper Co., 13490, 14287.
Interstate Power Co., 6646.

Federal Power Commission—Continued

HEARINGS, ETC.—Continued

Iowa Electric Light & Power Co., 3435, 10864.
Iowa Power and Light Co., 12660.
Iowa Southern Utilities Co., 2801, 4482, 4532, 5721, 6385.
Iroquois Gas Corp., 7260.
James, T. L., & Co., Inc. et al., 234, 4817, 4928.
Jeffersonville, Ill., village of, 15771.
Johnson Oil & Gas Co. et al., 13371, 15615.
Jonesboro, Ill., city of, 8142.
Kansas Gas and Electric Co., 5271.
Kansas-Nebraska Natural Gas Co., Inc., 2801, 3034, 7261, 14528, 14529.
Kaskaskia Gas Co., 1219.
Kaukauna, Wis., city of, 9514.
Kentucky Gas Transmission Corp., 6924, 12069, 13104.
Kentucky Utilities Co., 5092.
Kerr McGee Corp. et al., 922, 8506, 13100.
Ketchikan, Alaska, city of, 9760.
Kuhn, Walter F. et al., 13373, 14902.
Lake Shore Pipe Line Co., 8605, 16589.
Lake Superior District Power Co., 4364, 9032, 14470.
Landa Oil Co. et al., 10971, 13153.
Lewis, J. P., Co., 9514.
Linesville, Iowa, city of, 10484.
Lively, H. B., 15036.
Lone Star Cement Corp., 12583.
Lone Star Gas Co. et al., 278, 4818, 8606, 9761, 12421, 13622, 14425, 14703, 15168, 15770.
Lumar Gas Corp., 8841.
M&G and Schneider Oil Co. et al., 5095.
Mantachie Natural Gas District, Miss., 16589.
Manufacturers Light & Heat Co. et al., 162, 722, 5670, 7018, 7158, 8894, 9034, 9695, 12491, 14286, 14796.
Marathon Oil Co. et al., 4482, 4483, 4819, 11326, 13256, 14285, 14902.
Marengo Corp., 10093.
Marietta, Tex., city of, 10703.
Marquette, Mich., city of, Board of Light and Power, 8893.
Mason, Tenn., town of, 462, 5918.
Maxwell Herring Drilling Corp. et al., 13102.
Maxwell Oil Co. et al., 917, 10155, 12855, 13065.
May Petroleum, Inc., 13257, 16381.
Mayfio Oil Co., 777, 1021.
McBride, W. C., Inc. et al., 4364.
McCulloch Oil Corp. of California, 6646.
McElvain, T. H. et al., 15555.
Meadows, A. H., 2669.
Mercer, Mo., city of, 10484.
Michigan Gas Storage Co., 4175, 4532.
Michigan Wisconsin Pipe Line Co. et al., 464, 922, 2799, 2801, 2908, 4482, 4532, 6759, 6925, 7417, 8034, 8144, 8202, 8203, 8655, 9144, 9696, 9762, 10555, 10590, 12030, 12492, 13255, 13922, 15713.
Micos, Inc. et al., 15249.
Midhurst Oil Corp., 5916, 6846, 15506.
Midwest Oil Corp. et al., 10553.
Midwestern Gas Transmission Co., 2874, 10932, 11782, 13401, 13922, 14287, 15204.
Miles Kimball Co. et al., 6520.
Milstar Manufacturing Corp., 7596.
Mississippi River Tranmission Corp., 278, 922, 1219, 2908, 3090, 7771, 8144, 8145, 12030, 12116, 15712.
Missouri Natural Gas Co., 8144, 8145.
Missouri Power & Light Co., 5672.
Missouri Utilities Co., 2501.
Mobil Oil Corp. et al., 9032, 12117, 14323, 14609, 15252, 15507.
Monahan, Rex, 4481.
Monsanto Co. et al., 1344, 2557, 4175, 11561, 15035.
Montana-Dakota Utilities Co., 5670, 5718, 7492, 8894.
Montana Light & Power Co., 10341.
Montana Power Co., 10093.
Montezuma, Iowa, town of, 14799.
Montgomery, Don D. and Gilbert, 159.
Moorhead, Ethyle, et al., 6754.
Moreau Manufacturing Co., 109.
Moses, Lucy G. et al., 7262.
Moss Point, Miss., city of, 12491, 16212.
Mountain Fuel Supply Co., 5333, 7159, 16809.
Nantahala Power & Light Co., 11905, 12070, 16589.
Napoleon, Ind., town of, 14427.
National Sulphur Co., 6925.
Natural Gas Gathering Co., Inc., 277, 10619.
Natural Gas and Oil Corp., 9762.

Federal Power Commission—Continued

HEARINGS, ETC.—Continued

Natural Gas Pipeline Co. of America, et al., 2560, 3090, 3143, 5848, 6074, 6385, 6843, 7017, 7646, 7771, 7924, 7986, 7987, 8145, 8263, 8264, 9142, 9761, 10342, 10703, 11158, 11195, 11627, 11629, 12117, 12976, 14799, 16736.
Niagara Mohawk Power Corp., 5334, 14089.
Northern Electric Cooperative, 6077.
Northern Indiana Fuel & Light Co., Inc., 12492.
Northern Indiana Public Service Co., 8322, 10865.
Northern Natural Gas Co., 279, 306, 465, 585, 856, 3034, 3434, 3435, 4365, 5776, 6078, 6219, 6553, 7297, 7647, 8655, 8656, 8842, 8894, 9032, 9618, 10055, 10342, 11952, 12030, 12541, 12690, 13104, 13257, 13816, 14287, 14759, 14961, 14962, 15204, 15770, 16589, 16737.
Northern Natural Gas Pipeline Co. et al., 5720, 8842.
Northern Natural Gas Transportation Co., 721.
Northern Pump Co. et al., 488, 14425.
Northern States Power Co., 5334, 6554, 8145, 14759, 14997.
Northern Utilities, Inc., 8895.
Northwest Paper Co., 10484.
Northwestern Public Service Co., 7987.
Ohio Fuel Gas Co., 163, 463, 5848, 12584, 13257.
Ohio Power Co., 4313, 7925, 7926.
Ohio Valley Gas Corp., 6759.
Oil & Gas Ventures, Inc., 1021.
Oklahoma Natural Gas Co., 486.
Oklahoma Natural Gas Gathering Corp., 778, 14529.
Okmar Oil Co., 3315.
Orange & Rockland Utilities, Inc., 8895, 10298, 15712.
Oringderff, Alma, et al., 8383.
Osborn, W. B., Jr. et al., 12539.
Osgood, Ind., town of, 10556.
P & R. Oil & Gas Co. et al., 3310.
Pacific Gas and Electric Co., 4483, 7597, 8607.
Pacific Power & Light Co., 8145, 9514, 11695, 15713.
Pacolet Industries, Inc., 14962.
Palm Petroleum Corp. et al., 106.
Pan American Petroleum Corp. et al., 109, 2670, 6209, 7295, 8507, 9565, 10655, 11949, 15034.
Panhandle Eastern Pipe Line Co., 857, 1219, 2501, 2502, 2801, 3035, 3090, 3091, 4174, 5388, 5672, 6219, 6758, 6759, 6924, 7298, 7492, 7596, 7597, 7924, 8146, 8896, 9032, 9322, 11159, 12660, 14901, 16171, 16736.
Paris, Ky., city of, 5092.
Pawnee Rock, Kans., city of, 6384.
Peacock, Frank E., 13562.
Pecos Co., 13402, 14796.
Pennsylvania Electric Co., 6647.
Pennsylvania Gas Co., 5531, 14704, 16736.
Pennsylvania Gas and Water Co., 13960.
Peoples Gas Light and Coke Co., 7772.
Permian Basin, 1345.
Petroleum, Inc. et al., 6386, 8962.
Petroleum Corp. of Texas, et al., 8504, 11191.
Philadelphia Electric Power Co., 7296.
Phillips Petroleum Co. et al., 9435, 13684.
Piney Point Petroleum, et al., 6879.
Pipeline Production, 6075.
Placid Oil Co. et al., 5718, 7095.
Plains Gas Farmers' Cooperative Society of Hereford, Texas, et al., 9143.
Plateau Natural Gas Co., 922, 6220, 8930.
Portales Valley Gas Association, 7298.
Powers, M. F., Estate, et al., 10556.
Preston, Iowa, town of, 8655.
Princeton, Mo., city of, 10484.
Puckett, L. H., 465.
Puget Sound Power & Light Co., 14901.
Red Snapper Pipe Line Co., 923.
Reed, Charles L., 488.
Regester, H. W. et al., 8702.
Reserve Oil & Gas Co., 4316.
Ridgetop, Tenn., city of, 5530.
Rochester Gas and Electric Corp., 7492, 7598, 10298.
Rocky Mountain Power Co., 6805, 9144.
Rodman and Late, et al., 11195, 14613, 15556.
Ross, Wilhelmina duP. et al., 9620.
Rudman, M. B. et al., 11734, 14797.
Sabula, Iowa, town of, 8656.
Sacramento Municipal Utility District, 11695.
St. Joseph Light & Power Co., 6925, 9144, 9762.
St. Lawrence Gas Co., Inc., 9514.

Federal Power Commission—Continued

HEARINGS, ETC.—Continued
St. Michaels Utilities Commission, et al., 163, 2560.
St. Regis Paper Co., 14998.
Saltillo-Guntown Natural Gas District, Miss., 16590.
Saturn Oil & Gas Co. et al., 15163.
Sentinel Petroleum Corp., 6843.
Service Pipe & Equipment, Inc. et al., 5712.
Sharples & Co. Properties, et al., 5334.
Shelbina, Mo., city of, 6759.
Shell Oil Co. et al., 3210, 9369, 9467, 15557, 16808.
Shenandoah Gas Co., 5234, 9762.
Sho-Me Power Corp., 4263, 13064.
Signal Oil and Gas Co. et al., 462.
Sinclair Oil & Gas Co. et al., 857, 1342, 4976, 6645, 14322, 14468, 14526.
Singleton, Wiley W., Drilling Co., Inc. et al., 14469.
Skelly Oil Co. et al., 4175, 10342.
Smith, L. E. et al., 13923.
Socony Mobil Oil Co., Inc. et al., 109, 234, 5671, 12541.
Sohio Petroleum Co. et al., 2871, 7647, 12618, 16282.
Solar Oil Co. et al., 9696.
Sorrells, Ray D. et al., 7364.
South Georgia Natural Gas Co., 279, 9564, 13773, 16170.
South Texas Natural Gas Gathering Co., 5462, 7018, 7159, 14798.
Southeastern Indiana Natural Gas Co., Inc., 14798.
Southern California Edison Co., 4176.
Southern Natural Gas Co., 163, 279, 5719, 5720, 5917, 7261, 8844, 9033, 9696, 13773, 15205, 16736.
Southern Petroleum Exploration, Inc. et al., 4636, 6336.
Southland Royalty Co. et al., 279, 5849.
Southwest Gas Producing Co. Inc. et al., 16804.
Sparta Oil Co., 11562.
Standard Oil Co. of Texas, 6464, 9033.
Stearns, G. M. et al., 10554.
Storage Corp., 278.
Sumner Utility District, Tenn., 4977.
Sun Oil Co. et al., 9564, 10298, 11195, 11404, 14469.
Sunray DX Oil Co. et al., 1213, 2501, 4483, 9617, 11503.
Sunset International Petroleum Corp. et al., 5093, 7094, 14288.
Superior Oil Co. et al., 976, 2802, 7720, 12541, 12618, 13816, 15253.
Susquehanna Power Co., 7296.
Switzerland County Natural Gas Co., 14759, 16382.
Taylor, Vernon, Jr. et al., 2906.
Tenneco Oil Co. et al., 1255, 5645, 7362, 7364, 7365, 7491, 8033, 8097, 10619, 14998.
Tennessee Gas Pipeline Co., 7298, 7492, 8481, 8702, 9323, 9369, 9465, 9695, 10094, 10382, 10484, 11562, 11905, 12695, 12691, 13105, 14530, 14704.
Tennessee Gas Transmission Co., 923, 3143, 3435, 3436, 4319, 4977, 5024, 5272, 5530, 5672, 16590.
Tennessee Natural Gas Lines, Inc., 5721
Tennessee-Texas Oil Co., 8033.
Tennessee Valley Municipal Gas Association, et al., 13960.
Texaco, Inc. et al., 2559, 4422, 5532, 5590, 5647, 7718, 8385, 8386, 8504, 8888, 9370, 11780, 12582, 16476, 16807, 16809.
Texas Eastern Transmission Corp., 4177, 5460, 6074, 7417, 8034, 8142, 8843, 10555, 11120, 11506, 13105, 13402, 14427, 14570, 14799, 15204, 16285, 16589.
Texas Gas Pipe Line Corp., 9144, 10865, 11403.
Texas Gas Transmission Corp., 305, 1220, 3035, 3434, 3436, 4820, 6554, 6806, 7648, 9465, 12977, 13255, 13257, 14759, 14798, 16382.
Texas Gas Utilities Co., 925, 12977.
Texas Oil & Gas Corp., 9466, 10590.
Thompson, J. Cleo, et al., 16214.
Thompson & Cone, et al., 2398.
Tidewater Oil Co. et al., 8033, 9364, 13106, 15508.
Tipton County, Tenn., Second Utility District, 9465.
Transcontinental Gas Pipe Line Corp., 164, 722, 2453, 4176, 4318, 4319, 5720, 6078, 6464, 6647, 6760, 6844, 7297, 8896, 9034, 10055, 10056, 11403, 11562, 13960, 14427, 15035, 16382, 16810.
Transwestern Pipeline Co. et al., 856, 1343, 4821, 5025, 5272, 7298, 11629, 11733, 13105, 13961, 14704, 14759, 14760, 16737.
Trenton Rock Oil & Gas Corp., 13064.
Trunkline Gas Co., 462, 858, 925, 926, 4174, 5918, 6844, 7018, 7263, 8508, 11507, 13922, 14530, 14798, 15771, 16382.
U.S. Natural Gas Corp. et al., 12117.
Union Electric Co., 9466, 14998.
Union Gas System, Inc., 108, 925.
Union Oil Co. of California, et al., 858, 1215, 2453, 3206, 4177, 5460, 7926, 10934, 13684, 15205.
Union Texas Petroleum, 10933.
United Cities Gas Co., 15204.

Federal Power Commission—Continued

Page

HEARINGS, ETC.—Continued
United Fuel Gas Co., 164, 2589, 6846, 7987, 9564, 14530, 16737.
United Gas Distribution Co., 12977.
United Gas Pipe Line Co., 466, 1220, 2874, 4319, 4484, 5531, 6220, 6760, 6806, 7261, 7648, 8264, 9034, 9467, 10299, 10933, 11119, 11120, 111121, 11507, 11782, 12031, 12491, 13734, 14571, 15035, 15334, 16212, 16382, 16738.
United Natural Gas Co., 7260, 9034, 16171.
Utah Gas Service Co., 4177.
Utah Power & Light Co., 109.
Valley Gas Transmission, Inc., 8896.
Valley Power Co., 4176.
Vanceburg, Ky, 13734.
Vanceburg Electric Light, Heat & Power System, 13734.
Vermont Marble Co., 4366.
Vici Public Works Authority, 8896.
Volunteer Natural Gas Co., 13106.
Warren Petroleum Corp., 1220.
Washington Gas Light Co., 926.
Washington Water Power Co., 8481, 9093.
Waugh, E. G., Oil & Gas Co., 6285.
Wertz, R. E., 465.
West Ohio Gas Co., 8034, 15713.
West Penn Power Co., 4321.
West Texas Gathering Co., 14571.
Western Kentucky Gas Co., 5272.
Western Massachusetts Electric Co. et al., 5026, 10865.
Western Transmission Corp., 9035.
Wisconsin Gas Co., 8203, 8203.
Wisconsin Power & Light Co., 13923.
Wisconsin Public Service Corp., 4177, 4532, 9035, 9618.
Wolfson Oil Co., 13065.
Woods Falls B Hydro, Inc., 13562.
Woods Oil & Gas Co. et al., 14427.
Yale Gas Co., Inc., 4178.
Yates, Harvey E. et al., 4485.
Young, Marshall R., Oil Co. et al., 11693.
Yuronka, John, et al., 14796.

Federal Property Management:

See General Services Administration.

Federal Register:

ACTS requiring publication in FEDERAL REGISTER 4989
CFR CHECKLIST 3225, 5245, 6569, 7733, 9043, 10355, 11545, 12833, 13935, 15059.
INCORPORATION BY REFERENCE, standards for approval; proposed rules 15023
INDEX-DIGESTS AND GUIDES 15013
RECORDS, non-Federal; retention requirements 4002
U.S. GOVERNMENT ORGANIZATION MANUAL, distribution to Congress 15013

Federal Reserve System:

ADVANCES AND DISCOUNTS by Federal Reserve banks:
Eligibility of demand paper 5443
Export-Import Bank participation certificates as collateral for advances 1001
Small Business Administration notes, eligibility for purchase and as security for advances 4390
ADVERTISING FOR FUNDS by member State banks, policy statement 16582
BANK HOLDING COMPANIES:
Affiliates, voting permits; regulations terminated 9445
Annual report form, proposed revision; request for data, etc 14800
Applications, requests for determinations, etc.:
Allied Bankshares Corp., 14854.
BT New York Corp., 15205.
Approved, 5777.
Barnett National Securities Corp., 5778, 7720.
Approved, 109, 8930, 10704, 12542.
Denied, 110.
Baystate Corp., 1167, 13183.
Approved, 7598, 16721.
Central Wisconsin Bankshares, Inc., 8324, 14705.
Denied, 370.
Charter New York Corp.; approved, 5777.
Commercial Bancorp, Inc., 13624.
Denver U.S. Bancorporation, Inc.; approved, 7599.

Federal Reserve System—Continued

Page

BANK HOLDING COMPANIES—Continued
Applications, requests for determinations, etc.—Con.
Depositors Corp., 10704.
Approved, 13924.
First At Orlando Corp., 8607.
First Florida Bancorporation, 10343.
Approved, 13734.
First Montana Bank Corporation; denied, 8896.
First National Bank of Tampa, 10704.
Approved, 14089.
First National Corp., 9763.
First Virginia Corp., 5778, 9763, 13402.
Approved, 9697, 11908.
First Wisconsin Bankshares Corp., 14902.
General Bancshares Corp., 8508.
Geneva Shareholders, Inc., 15040.
Hawkeye Bancorporation, 12814.
Lincoln First Group, Inc., 13017.
Marshall & Ilsley Bank Stock Corp., 13624.
Mid-Continent Bancorporation; denied, 2669.
New Hampshire Bankshares, Inc., 1167, 4976.
Otto Bremer Co., 8195, 12814.
Approved, 14854.
Otto Bremer Foundation, 12814.
Approved, 14854.
Security New York State Corp.; approved, 5272.
Society Corp., 13873.
Union Security & Investment Co., 10704.
Approved, 14089.
United Bancshares of Florida, Inc., 4426.
Approved, 7927.
United Virginia Bankshares, Inc., 6080, 6760.
Approved, 10382, 10430.
Valley Bancorporation, 11695.
Virginia Commonwealth Corp., 4319, 7720, 14090.
Approved, 10485.
Form, registration, revision; proposed rule 12965
Investment by bank holding company subsidiary 4277, 10263
CONDUCT STANDARDS 3446
CREDIT by brokers, dealers and members of national securities exchanges; joint account between two creditors, applicability of margin requirements 7169
DEFENSE PRODUCTION loan guarantees, maximum rates of interest 13444
FOREIGN ACTIVITIES of national banks, proposed rules 10895
FOREIGN BANKING AND FINANCING, corporations engaged in; monthly average deposits 14259
INSURED BANKS, joint call for report of condition 275, 6283, 9428, 12689
INTEREST ON DEPOSITS:
Definitions, certain deposits 1010, 5320, 9103, 10022, 12730, 15793
Demand deposits 12730, 16311
Maximum rates of interest payable on time and savings deposits 10022, 10315, 12676
Savings deposits, withdrawal 12730, 15794
LOANS:
Banks, loans by, for purchasing or carrying registered stocks, form deleted 5443
Executive officers of member banks, loans to:
Definitions, proposed rule 11399
Educational loan plan 10179
MERGERS OF BANKS, consolidations, etc.; applications by listed banks:
Bank of Commonwealth; approved, 12815.
Bank of New York; approved, 14572.
Brazil Trust Co.; approved 13490.
Central State Bank; approved, 11160.
Citizens Bank and Trust Co.; approved, 7599.
Colonial Bank and Trust Co.; approved, 14368.
County Trust Co.; approved, 1168.
Depositors Trust Co.; approved, 13924.
First Old State Bank; approved, 15503.
Harter Bank & Trust Co.; approved, 6388.
Lake City Bank; approved, 5533.
Ohio Citizens Trust Co.; approved, 13145.
Reading Trust Co.; approved, 1212.
Rockbridge Bank & Trust Co.; approved, 10429.
St. Joseph Valley Bank; approved, 15503.
Security Bank; approved, 16721.
Springville Banking Co.; approved, 5849.

Federal Reserve System—Continued

Page

MERGER OF BANKS, consolidations, etc.; applications by listed banks—Continued
State Bank and Trust Co.; approved, 8097.
United California Bank; approved, 2705.
Upper Main Line Bank; approved, 13491.
Wachovia Bank & Trust Co.; approved, 11695.
Wells Fargo Bank; denied, 6080.
PROCEDURE, rules of; merger applications 4197, 4390
RESERVES OF MEMBER BANKS:
Definitions, certain deposits 1010, 5320, 9103, 12730, 15793
Editorial changes 16310
Reserves against funds received by member banks in connection with instalment loans 8060
Supplement 9103, 9445, 11172, 15793
SECURITIES DEALERS, relations with; exceptions 1175, 5482, 9976
STATE BANKS in Federal Reserve System:
Acquisition of stock of another bank by member bank 7224
Investments in securities 13985
Reports of affiliates, waiver 12514
Stock purchases of "operations subsidiaries" 10021, 10356

Federal Roads:

LOCATIONS, evaluation of flood hazard (Executive Order 11296) 10663

Federal Savings and Loan Insurance Corporation:

See Federal Home Loan Bank Board.

Federal Seed Act:

RECORD RETENTION REQUIREMENTS. *See* Agriculture Department.

Federal Trade Commission:

ADMINISTRATIVE RULINGS, etc.:
Advertising:
Adhesive compositions, extension of effective date 5826
Allowances, payment of, based on certain percentage of purchases from supplier 5551
Aluminum siding, lifetime guarantees 14393
Cooperative advertising programs 6546, 13210
Diamonds as "clear, pure color" 8521
Guarantee; disclosure of terms and conditions 8621
Manufacturer planning to make both wholesale and direct mail sales 5826
Mothers, new, promotions addressed to 4890
Newspapers right to reject 13210
Prohibiting certain advertising claims by members of trade association 10572
Promotional, three-party, and merchandising assistance plan available to direct and indirect purchasers 14772
Review board; disapproval of private group 8492
"Reward"; retailers advertising of approved 13913
Satisfaction guarantee 10733
Tire advertising and labeling guides 4293, 4303, 11025
Bargain offers based upon purchase of other merchandise 9214
Book jobbers, "premium", functional discount to 8913
Broadcast of suppliers' commercials in retail stores conditionally approved 8871
Broker-distributor of fresh fruits and vegetables, establishment of buying corporation 5259
Canadian-made automotive part, origin disclosure on package 5687
Cigarettes, methods to determine tar and nicotine content 14278
Clothing industry, tailored, men's and boys'; certain discriminatory practices, proposed rule 14416
Clothing manufacturers, men's, promotional allowance program 6490
Coffee, regular and instant, use of "cents-off" and other price-saving claims; hearing 3473
Common sales agency 7225
Customer selection by single trader 5660
Discount-buying membership organization 1239
Discount stamp advertising plan 7737
Discounts, functional, meeting competition 6300
Domestic markets supplying from foreign plant operated by Export Trade Association member 12479

Federal Trade Commission—Continued

ADMINISTRATIVE RULINGS, etc.—Continued — Page

Domestic origin:
- Affirmative misrepresentation — 5551, 5826, 6410
- Products containing imported components, affirmative domestic origin representation — 5660

Equal treatment, proportionally, for competing customers — 12015
Exclusive seller to U.S. Government; approval of descriptions — 15238
Flocked fabric, descriptions "velvet" and "suede" — 4786
Food manufacturer, retailer promotion program — 7737
Food store promotional plan — 5260, 8585
Foreign origin:
- Canadian-made automotive part, origin disclosure on package — 5687
- Combination sets, individual items repackaged in — 10116
- Computers — 13423
- Marking "U.S. made", impropriety — 2503, 5069, 5125, 5551, 5660, 5826, 6410, 10733, 11030
- Razor blade dispensers — 9214
- Strain release device, necessity to disclose foreign origin if servomotor is labeled as "Made in "U.S." — 5069
- Time clocks; removal of foreign origin disclosure and use of word "manufacturing" — 13913
- Toy balloons — 8492

Franchise agreements — 4833, 9794
"Free" offer of merchandise — 5069
Fuses, rebuilt, labeling — 11030
Glass fiber fabrics and finished textile products; failure to disclose hazards of washing or handling, proposed rule — 14559
Gold:
- Improper use of terms such as "gold filled" or "rolled gold plate" — 8521
- Items partly made of, use of description "14 K" — 5287

Goods of like grade and quality — 6906
Grocery chain and suppliers, exhibition; in-store promotion — 8585
Leather:
- Ground products composed of — 9794
- Terms in description of nonleather gloves, use of — 7281

Licensee and sublicensee selling to competing jobber, legality of — 7281
Lottery, disapproval of certain plans — 6547, 7225, 8403, 10358, 11302, 11607
Lumber, softwood, grading and grademarking — 14800
- Hearing rescheduled — 16171

Manufacturer advertising in customer-connected trade publication — 4448
Membership in trade association, FTC trade practice rules as condition — 8621
Merchandising by means of chance or gaming device — 7225
Newsstand display:
- Calling attention to advertisements in magazines — 8403
- Promotional assistance — 8233

Product certification program — 13754
Promotional assistance programs — 85, 6262, 6263, 6490, 8233, 8871, 10357, 12014, 12479, 13423, 14520.
Pseudonym for doctor's real name on radio programs, clearance given for use — 8913
Publisher's display allowance plan given conditional approval — 10116
Publisher payments to single reseller of publisher's periodical, promotional assistance — 55
Rebate pricing plan — 5687
Retail credit transactions — 16504
Skip-tracing operation; rejection of deceptive firm name — 10572
Store hours, uniform, agreement among retailers for — 6906
Television, deception as to size of picture; rescission — 16266
Tires, advertising and labeling:
- Deceptive pricing — 4293
- Guides — 4303, 11025

Trade associations:
- Code governing dealings with customers — 13754
- Reference service for members of — 11302
- Resolution, proposed by wholesalers; pricing and business policies — 3492

Trademark, exclusive use in designated trading area — 3450

Federal Trade Commission—Continued

ADMINISTRATIVE RULINGS, etc.—Continued — Page

Warranty plans, uniform, dissemination by Trade Association to its members — 8233
Weight-reducing claims for garments, proposed, disapproval — 14520

AUTHORITY DELEGATION by Secretary to Director and Assistant Director, Bureau of Industry Guidance; initiation of investigations — 10556
CEASE AND DESIST ORDERS. *See* Prohibited trade practices *at end of this agency.*
CEMENT INDUSTRY, vertical mergers; notice of public hearing — 6285, 7772
CONDUCT STANDARDS — 6197
FLAMMABLE FABRICS ACT; proposed rules:
- Products disposition, records — 9683
- Wearing apparel with raised-fiber surface — 9683, 9684, 12453

FUR PRODUCTS NAME GUIDE, "Mink, China" and "Mink, Japanese"; proposed rule — 2661
PRACTICE AND PROCEDURES; in camera data, initial decision, proof of service — 5123
RECORDS, non-Federal; retention requirements — 4062
TEXTILE FIBER PRODUCTS IDENTIFICATION ACT:
- Fiber content of special types of products, proposed rule — 10581, 13353
- Generic names and definitions of manufactured fibers — 2651, 3002, 10581

TRADE PRACTICE OR REGULATION RULES; various industries:
- Cosmetic and toilet preparations industry — 5018, 6379, 9058, 9267
- Household furniture industry, interpretations — 5069
- Imported wool products; testing and compliance, proposed rule — 12063

Lime industry, proposed revocation of rules — 4601, 6960
Lumber, softwood; grading and grademarking — 14800, 16171
Multi-color printers of transparent and translucent materials; rescinded — 539, 5826
Optical products industry; deceptive pricing — 8244, 10667
Residential aluminum siding industry; deceptive pricing — 8243, 11108
Rubber tire industry; rescission, proposed — 11037, 14394
Solvents industry, rescission — 7757, 10667
Television receiving sets, deceptive advertising as to sizes of viewable pictures — 3342, 3349, 5551
- Prior regulation rescinded — 16266
- Watch case industry, proposed rule — 8882, 13865

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS:

A–B Chemical Corp., 11747.
Abens, John, 14549.
Abington Shoe Co., 14587.
Abrams, Howard, 5124.
Accro Watch Co., Inc., 1003.
Adler, Coleman E., & Sons, Inc., 1061.
Airport Machinery Co., Inc., 9345.
Alamo Industries, Inc., 11747.
Albanese, Eugene, 347.
Alexander, A. E., Ltd., 5259.
Alhambra Motor Parts, 3339.
Allen, Raymond, 7960.
Allen Auto Electric, 9345.
Allied Automotive, Inc., 7960.
Allied Motor Parts, 3339.
Aluminum Shingle Co., Inc., 9449.
American Bakeries Co., 13078.
Anderson, Elmer L., 7960.
Anderson, Elmer M., 3339.
Anisgarten, David, 12676.
Annis-Stanton Co., 12676.
Anstett, Edgar P., 3341.
Anthony, Lee R., 3339.
Anton, Willis and Willis, Jr., 14550.
Arlen Trophy Co., Inc., 11675.
Armstrong Cork Co., 343.
Arthur, John F., 3339.
Artistic Leather Goods Manufacturing Corp., 14616.
Ashby, William L., 13792.
Asher, Eugene P., 7960.
Atlantic Co., 6410.
Auto Parts Sales Co., 7960.
Automation Institute of Omaha, Inc., 11477.

Federal Trade Commission—Continued

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Automotive Parts Co., 3339, 7960.
Automotive Parts and Machine Shop Co., 7960.
Automotive Parts Service, 9345.
Automotive Products, Inc., 9345.
Automotive Supply, 3339.
Automotive Supply Co., Inc., 7960.
Avedano, L. C., 7960.
B.B. & H. Motor Parts, Inc., 3339.
B & H Sportswear, Inc., 3231.
Bailey, Miller, 14517.
Baptist Memorial Hospital, 14517.
Barber, James R., 3339.
Barlow Motor Supply Co., 3339.
Barney's Super Center, Inc., 261.
Barney's Tile & Paint:
- Baden, Inc., 261.
- Butler, Inc., 261.
- New Castle, Inc., 261.
- Wheeling, W. Va., Inc., 261.
- Youngstown, Inc., 261.

Baskin, Ned R., 15192.
Bates, Helen, 3339.
Baugh, Roy, 3339.
Beacon Auto Parts, Inc., 3339.
Beatrice Foods Co., 1060, 11750.
Beebe, Eleanor and Harold G., 11302.
Beedee Auto Parts, Inc., 3339.
Belmont Auto Parts, Inc., 7960.
Bennett, Claude S., Inc., 1061.
Bennett, J. A., 7960.
Benson, Floyd E., 7960.
Benson and Ridenhour, 7960.
Benson & Rixon Co., 3389.
Benson and Zimmerman Co., 7960.
Berkeley Automotive Center, 7960.
Berkley Associates, 8058.
Berkley, Philip T., 8058.
Berkowitz, E. B., 14517.
Berman, Benjamin Jay, 14550.
Berris, Morris and Norman, 3231.
Best Products Co., Inc., 3232.
Bianchi, Mario A., 9345.
Bidinger, Jack, 3339.
Bidinger, Jack, Auto Parts, 3339.
Bidnick, Joseph J., 12677.
Blackmore, Donald M., 3339.
Blum, Frank J., 12938.
Bobby, Jean, 4399.
Boggs, Frank G., 3339.
Boggs & McBurney Auto Parts, 3339.
Borba, V., 7960.
Boulay, Thomas H., 16348.
Bower, Benjamin D., 14550.
Bowman Dairy Co., 15800.
Bridgens, G. M., 14517.
Broadway-Hale Stores, Inc., 7058.
Bromberg & Co., Inc., 1061.
Brooks, T. E., & Co., 343.
Brown, A. C. and Mable S., 3339.
Brown, Mable M., 3339.
Brown Shoe Co., 11754.
Brownell, Arthur D., Randall W., and Wilma M., 3339.
Bryant, Elizabeth K., F. Ray, and Stewart J., 3339.
Buchenau, John H., 3339.
Buhler, Victor B., 14517.
Burbank Auto Parts, Inc., 3339.
Burien Auto Parts, Inc., 9345.
Burns, Hal, 16349.
Burns Auto Parts, Inc., 9345.
Burstein, J. E., 3232.
Burstein-Applebee Co., 3232.
Business Development Sales, Inc., 16348.
Bussey, Bert C. and James E., 3339.
Bussey Auto Parts, 3339.
Butler, T. R., 14517.
By-Products Inc., 14587.
C. and H. Auto Parts, 7960.
Cabe, Loy G. and Roy L., 3339.
Caldwell, R. R., 9345.
Caldwell Bearing & Parts Co., 9345.
Calmoor Coats, 5124.

Federal Trade Commission—Continued

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Camel Manufacturing Co., 14550.
Camp, Harry F. and Meyer M., 1148.
Camp, Harry, Millinery Co., 1148.
Car Parts, Inc., 9345.
Carp, Robert, 1061.
Carp, Robert, Inc., 1061.
Carpet Discount Mart, Inc., 16348.
Carpetland U.S.A., 11428.
Carroll's Jewelers, Inc., 1061.
Carter, Mary, Paint Co., 12678.
Cast-O-Brick, Inc., 12519.
Chaiken, Morris, 16348.
Chambers, Harry J., 6409.
Chambers & Chambers, Inc., 6409.
Chandler, F. M., 7960.
Chandler, Robert T., 7960.
Charles, Conrad A., 9345.
Chicago Freezer Meats Co., 14549.
Chico Automotive Supply, 7960.
Chostner, J. E. and Vera J., 11429.
Clairol, Inc., 10262.
Clammer, Paul, 3339.
Clark, B. C., Inc., 1061.
Coburn, Walter V., 14517.
Coffey, Ralph R., 14517.
Cohen, Hilliard, 14517.
Cole, Art, 3339.
Cole, Art, Auto Parts, 3339.
Collier, P. F., & Son Corp., 14518.
Colorama Textile Corp., 12677.
Community Blood Bank of Kansas City Area, Inc., 14517.
Con's Auto Parts, 9345.
Cone, Dalton Co., 14519.
Congdon, Lester L., 3339.
Congress Textile Printers, Inc., 558.
Consolidated Foods Corp., 1147.
Continental School of Denver, Inc., 3389.
Contra Costa Auto Parts, 7960.
Cornell, Donald E., 9345.
Cornell Automotive Parts Co., 9345.
Cornell Group Service Corp., 1061.
Coronet Manufacturing Co., Inc., 4400.
Cott Beverage Corp., 6297.
Cott Corp., 6297.
Courtman, N., 3341.
Cover Girl of Miami, Inc., 11172.
Covey, E. L., 3339.
Covey, E. L., Auto Parts, 3339.
Crawford, Earl, 3339.
Cresta, William J., Jr., 7960.
Cresta Bros. Auto Parts, 7960.
Crowell-Collier Publishing Co., 14518.
Curtis, F. J., and Mable B., 3339.
Curtis & Christensen, Inc., 3339.
Custom Sleep Shoppes, Ltd., 16613.
Dabrol Products Corp., 14548.
Dales' Auto Parts, 3339.
Daly, Tom J., 14517.
Darling, Charles M., 3339.
Davis, Albert H., 7960.
Davis, Douglas, 7960.
Davis, I. G., 12678.
Davis' Auto Parts, 7960.
Dayco Corp., 14587.
Dean Foods Co., 15800.
Deaver, A. Neal, 14517.
Decorwood Corporation of America, 11174.
DeMarsh, Albert J., 16348.
DeMartine, Robert B., 14550.
Desalvo, Ralph, 3390.
Deutsch, Rudolph, Co., 1061.
Devorkin, Philip Morris and Saul, 13079.
Diaco, Elizabeth, 9489.
Diamond, Norman, 11428.
Dickstein, Frank, 12677.
Dingle, William T., 3339.
Dixon, Helen, 3339.
Dixon, John F., 3339.
Dixon, John F., Inc., 3339.
Dodson, George R., Inc., 1061.
Doherty, Clifford, Steers and Shenfield, Inc., 7059, 13209.

Federal Trade Commission—Continued

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Dollar Vitamin Plan, Inc., 11427.
Dopyera, Robert, 3339.
Douglas, Richard W., 3342.
Drye, Wolford, 3339.
Drye Automotive Parts, 3339.
Dunn, Dewey A., J. Elmo, and Nancy Jane, 3339.
Dunn Supply Co., Inc., 3339.
Durable Hat Co., 3341.
Dyer Bros., 3339.
EPA Manufacturing Co., 3341.
East Tennessee Hosiery Co., 11430.
Eastern Golf Co., 3390.
Ebbert, Harry J., 7059.
Eckdahl, Burdette T., 3339.
Eckdahl Auto Parts Co., 3339.
Eckert, E. R. 3339.
Educational Home Services, 5352.
El Monte Auto Parts, Inc., 3339.
Emporium Capwell Co., 7056.
Encell, Mary R., 3339.
Encell, C. E., Auto Parts Service, Inc., 3339.
Endicott-Johnson Corp., 261.
Ephrata Auto Parts, 9345.
Epstein, Louella, 9346.
Erskine, Benjamin H., 13753.
Eureka Tent & Awning Co., Inc., 14550.
Everett, Leonard, 3342.
Evergreen Warehouse Distributors, Inc., 9345.
Everts, Arthur A., Co., 1061.
Fae's House of Brides, 5353.
Fairchild Camera and Instrument Corp., 344.
Fairchild Credit Corp., 344.
Farnsworth and Callahan, 7960.
Feder, Abraham, 16612.
Feder, Al, Furs, 16612.
Federal Parts and Products Co., Inc., 7960.
Fedler, Irving, 11172.
Feit, Nathaniel, 3341.
Feldman, Herman, 7056.
Feschrach, E. P., 3339.
Findlay Fashions, Inc., 12937.
Firth, Juanita, 3339.
Fisher, Jack A. and James V., 7960.
Flammer, Edna M. and Edwin T., 3339.
Flammer Auto Parts, Inc., 3339.
Foley, Eugene J., 1004.
Frazier Wright Co., 3339.
Fredericks Furs, Inc., 13208.
Freeman, Edward, 3389.
French Poodle, Inc., 9346.
Frieder, S., & Sons Co., 345.
Friedlander & Sons, Inc., 1061.
Friedman, Jerome, Furs, Inc., 14588.
Fruehauf Corp., 4397.
Fullerton Motor Parts, Inc., 3339.
Furs by Vanity, Inc., 9489.
G & M Auto Supply, Inc., 9345.
Gallagher, William R., 3339.
Gardner, Earl, 7511.
Gaughn, Edward, 3339.
Gelfand, Sidney, 13208.
Gelperin, Abraham, 14517.
General Foods Corp., 6299.
General Motors Corp., 7057.
Gerstner, Alvin, 12520.
Gibson, Curtis C. and J. Leonard, 3339.
Gibson, David M., 14517.
Gibson Motor Parts, 3339.
Glaeser, Gerald, 11427.
Glasser, James W., 14589.
Globe Auto Supply, 7960.
Golding, Barney, 7511.
Goldman, Meyer L., 14517.
Goldman, Ronald D., 11301.
Goldschmidt, Adolf W., 11427, 11428.
Goldstein, Sol L., 5123.
Goldstein Co., Inc., 5123.
Gonick, George, 4398.
Gooding, Gladys, 9345.
Goodrich, B. F., Co., 5443.
Gordon, Dorothy and Joseph, 16614.

Federal Trade Commission—Continued

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Gordon, William, 13078.
Gosney Motor Parts, 9345.
Graves, Lemuel A., 3339.
Graves Automotive Supply, 3339.
Gray, Thomas J., 11429.
Greenbaum, Abraham, 12937.
Greenhouse, David and Irving, 11875.
Greer, Kenneth A., 7960.
Growcock, Lowell, 15192.
Gruber, Ann, 9450.
Guffin, F. O., 3339.
Guild, Lawrence W., 10263.
Guild Mills Corp., 10263.
Haase, Carl D., 3339.
Haase Auto Parts Co., 3339.
Hall, J. Herbert, Co., Inc., 1061.
Halpern, Simon A., 13209.
Hargo Woolen Mills, Inc., 13753.
Harry Camp Millinery Co., 1148.
Hartman, John J., 3339.
Hartman Auto Parts, 3339.
Haskins, L. C., 3339.
Hazelton, Burton E., 7960.
Heavy Construction Schools of Illinois, Inc., 8058.
Hecht, George J., 14589.
Heenan, Brian S. A., 3339.
Heffner, Robert, 3339.
Helby, Walter A., 347.
Heller Co., 16351.
Helwig, Ferdinand C., 14517.
Henderson, W. W., 14517.
Henderson Bros. Stores, Inc., 7960.
Hercules Specialty Co., 9345.
Hermsen, Bernard, 9452.
Herron, Mack, 14517.
Hibbard & Rodgers, 3339.
Hicks, Barrett T., 7960.
Hicks, Eleanor B., 7060.
Hill, Jack H., 14517.
Hill Auto Parts, Inc., 9345.
Hillcrest Auto Supply Co., 3339.
Hirsch, Jacob and Sadie, 11753.
Hochberger, Joseph B., 4399.
Holiday Products, Inc., 9452.
Hollister Auto Parts, 7960.
Hollywood Film Studios, 15192.
Home Carpet Co., Inc., 14519.
Horler, L. R., 7960.
Hoskins, D. A., 14517.
House Beautiful, 11428.
House of Lords, Inc., 4397.
Howe, H. J., Inc., 1061.
Hubbard, E. Floyd and Elwin A., 3339.
Huffaker, Dora L., 3339.
Huffaker's Auto Parts, 3339.
Huggins, Raymond E. and Roland L., 9445.
Hungate, Carroll P., 14517.
Hust Bros., Inc., 7960.
Huston, George E. and Robert G., 7960.
I & S Fur Co., Inc., 3340.
Ideal Cement Co., 9449.
Inciardi, Joseph A., 13209.
Inland Container Corp., 5879.
International Creditors' Association, Inc., 11802.
International Oil & Metals Corp., 11428.
Irving Auto Supply, 7960.
J. & J. Rugs, 14519.
Jacana Sportswear Co., Inc., 11173.
Jacobs, S., Co., 1061.
Jade Footwear Co., 14587.
Jaeger, William O., 16690.
Jameson Machine Supply, Inc., 9345.
Jenkins, Susan, 14517.
Jessop, J., & Sons, Inc., 1061.
Jocelyn, Alden C., 13209.
Joette Coat & Suit Co., Inc., 14548.
Johnes, C. Kenneth, 13792.
Johnson, J. W., Co., 14550.
Johnson, Joe W. and Velda L., 3339.
Johnson, Mac, 3339.
Johnson, Maurice, 14517.

Federal Trade Commission—Continued

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Johnson, Ralph E., 14550.
Johnson, Thomas M., 14517.
Johnson, Walter N., 14517.
Johnston, D. T., 3339.
Jones, Burris M., 11427.
Jones, Thomas R., 14519.
Josefowitz, Samuel, 11427.
Joseph, S., & Sons, Inc., 1061.
Jostan-Montgomery Plastics Co., 346.
Kalin, Benjamin D., 11751.
Kalin's, 11751.
Kalin's Furs & Fashions, 11751.
Kansas City Area Hospital Association, 14517.
Kansas City College of Automation, Inc., 12519.
Kaplan, Joseph A., & Sons, Inc., 6297.
Karosen, Leon, 4400.
Kashmir, Irving, 559.
Keller & George, Inc., 1061.
Kellogg Automotive Supply, Inc., 9345.
Kelly, H. C., 3339.
Kenworthy, Edward L., 3339.
Kimball's Inc., 1061.
King's Boott Mills Store, Inc., 345.
King's Department Store of Springfield, Inc., 345.
King's Department Store of Worcester, Inc., 345.
King's Department Stores, Inc., 345.
Kinn, James D., 14550.
Kirchen, Grover, 14549.
Kirchen Brothers, 14549.
Kirschner, D. Bernard, 11174.
Kiehman, Joseph S., 10262.
Kleopfer, Gloria and Laura, 3339.
Knoll Associates, Inc., 12055.
Kopman, Solomon, 9450.
Korvette, E. J., Inc., 3233, 12789.
Kraft, E. C., and Co., 7960.
Kramer, Guidbrand J. and Herbert J., 7960.
Kramer Auto Supply Co., 7960.
Krebs, Herman, 7960.
Kurtenbach, Vernon F., 11427.
Lacey Automotive Parts Co., 7960.
Lagerquist, Milton and Richard, 9345.
Lakeside Automotive, Inc., 7960.
Lamoore Auto Supply, 7960.
Lapi, Angelo, 14517.
Lasater, Harold M., 6410.
Lawson, Jesse W., 3340.
Laxer, Gene B., 14550.
Lazzaretto, Louis P., 7960.
Lee, G. E., 3339.
Leeds, Louis, 8059.
Leeds Manufacturing, 8059.
Lehnhoff, William, 7960.
Leibowitz, Sidney, 9450.
Leininger, Allison R., 1004, 14589.
Lerer, G. W., 7960.
Lerer, M., and Sons, 7960.
LeRoy Knitted Sportswear, Inc., 8058.
Lesovsky, Victor, 3339.
Lessner, Morris, 5550.
Letts, Donald S., 347.
Levinson, Harold, 6298.
Levinson, M., & Sons, Inc., 6298.
Levy, Abraham H. and Peter B., 558.
Levy, Julian, 5124.
Levy-Abrams Co., 5124.
Lewis, Frank A., 7960.
Lewis, Sydney, 3232.
Libbey-Owens-Ford Glass Co., 7057.
Life Nutrition, 11428.
Lincoln Rug & Carpet Mart, Inc., 16614.
Lindenbaum, Jerry, 13208.
Lindholm, Arthur, 3339.
Lindquist, Carl E. and Dwight C., 1061.
Lindquist Jewelers, 1061.
Lint, James W., 5352.
Liquidation Corporation of America, 7511.
Littrell Parts, 7960.
Lobel, Jack, 559.
Loman, Jack, 14550.
London, Alan N., 12677.

Federal Trade Commission—Continued

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Lone Star Cement Corp., 9490.
Long, C. E. and Glenn L., 3339.
Long, Peter B., 3339.
Long, Thomas, Co., 1061.
Long Beach Auto Parts Co., 3339.
Lounsbury, Earl, 7960.
Loyal Flag Co., 3389.
Lu Mar Fashions, Inc., 13078.
Luccheze, Joe, 559.
Ludwick, Otis and Margaret A., 3339.
Lukens, Thomas F., Metal Co., 11750.
Luster, Otha, 3339.
Lyle's Auto Parts, Inc., 9345.
Lyon, Percy T., 3339.
M. Hat Shoppe, Inc., 11753.
M & M Motor Parts, 7960.
Mangel Stores Corp., 7058.
Mangel's, 7058.
Mannington, Ethel and Henry A., 3339.
Mantz, Frank A., 14517.
Mans, Edward H., Jr., 9451.
Manz, Ed, Hosiery Co., 9451.
Marangione, Louis, 13078.
Marcus, Lee, 3232.
Marilly Auto Parts Co., 9345.
Marmie, Robert K., 9449, 12520.
Marshall, James D., 14517.
Mar-Tee Fashions, Inc., 4398.
Martin-Marietta Corp., 6298.
Masters Automotive Supply, 3339.
Materiel, Inc., 9345.
Maurer, Wilmer C., 6409.
Maxwell Motor Supply Co., Inc., 7960.
May Department Stores Co., 12792.
McBurney, Rollin, 3339.
McCann, Wayne T., 9345.
McConnell, Ben, 3339.
McConnell Motor Parts, 3339.
McCreary, E. E., 3339.
McCullock Auto Supply, 7960.
McDonald, Thomas Harris, 11752.
McDonald & Son Golf Co., 11752.
McFarland, K. A., 3339.
Mcfee, William, 14517.
McOsker, Ben A., 15801.
McPartland, Arrell, S., 3339.
Menoarah Medical Center, 14517.
Mercantile and Medical Credit Adjusters, 11751.
Merced Motor Parts, 7960.
Merck and Co., Inc., 7059, 13209.
Mermod, Jaccard & King Jewelry Co., 1061.
Merritt, Muriel, 3339.
Metropolitan Industries, 5352.
Middleton Motor Parts Co., 9345.
Mid-Land Advertising Co., 15192.
Midwest Color Studios, Inc., 12938.
Midwest Hosiery Inc., 9450.
Miles, Bobbie Paul, 12519.
Mill, Joseph, 14549.
Mill Valley Auto Parts, Inc., 7960.
Miller, Charles Douglas, 9345.
Miller, John C., 12678.
Miller, Russell H., 14517.
Miller-Pybus Auto Parts, 9345.
Millstein, Dan, Inc., 559.
Mission Auto Supply, 3339.
Mixson, William C., 14517.
Modern Builders, Inc., 14589.
Mohawk Refining Corp., 13792.
Molgren, Robert A., 14517.
Monroe Wholesale Co., 12678.
Monte's Auto Parts, 3339.
Monteverde, Jack A. and Ruth B., 3339.
Montgomery Auto Parts, 7960.
Montgomery Ward & Co., 11719.
Morgan, Perry, 14517.
Moriarty, L. R., 14517.
Morris, Philip, Originals, Ltd., 13079.
Morse, Earl W., Jack W., and Jewell T., 3339.
Moses & Moses Motor Parts, 7960.
Mossman, Ross L., 3339.

Federal Trade Commission—Continued

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Motor Car Supply Co. of Seattle, Inc., 9345.
Motor Parts Co., 7960, 9345.
Motor Parts Depot, 3339.
Motor Parts & Equipment Co., 3339.
Motor Parts & Equipment, Inc., 9345.
Motor Parts Machine Co., 9345.
Motor Specialty Co., 9345.
Motor Supply Co., 7960.
Mountain Auto Parts, 9345.
Muriel Hats, 11753.
Murphy, Gilbert C., 14517.
Murphy, John, 14517.
Myers, Edward S., Co., 346.
Myers, Edward S., Louis, and Stanley, 346.
Naiditch, Harold, 16613.
Natco Hat Co., 3341.
Natelson's Crossroads, Inc., 16349.
Natelson's Gateway, Inc., 16349.
Natelson's, Inc., 16349.
National Aluminum Co., 9490.
National Auto Parts Co., Inc., 7960.
National Canvas Products Corp., 14550.
National Dairy Products Corp., 8719.
National Distillers & Chemical Corp., 11747.
National Enterprises, 3340.
National Health & Life Insurance Co., 13753.
National Jewelers Group, Inc., 1061.
National Modernizers of Connecticut, Inc., 347.
National Modernizers, Inc., 347.
National Modernizers of Massachusetts, Inc., 347.
National Outdoor Display, Inc., 16349.
National Parts Co., 7960.
National Tea Co., 6300.
Neiman, Mary A., 8058.
Neilsen, Earl, 7960.
Neufeld, Henry C., 3339.
Neufeld's Auto Parts, 3339.
Nichole of California, 5124.
Nitsch, Dorothy, 6298.
Nor-Cal Distributors, Inc., 7960.
North Bend Auto Parts, 9345.
North Long Beach Motor Supply Co., 3339.
Northwest Motor Parts & Manufacturing Co., 9345.
Novato Auto Parts, 7960.
Novick, A. C., 15801.
Numes, John, 7960.
Nuveen Tax-Exempt Bond Fund, Series 11; 6286.
O'Blasney, Andrew, 14548.
Ockey, Gwenlyn D., 3339.
Ogus, Rabinovich & Ogus, Inc., 3233.
Olympian Auto Parts, Inc., 9345.
Orm, F. G., 3339.
Orwin, Franklin B., 12678.
Osborn, George E., 3339.
Osborne, Amos, 9452.
Osborne, Bobby and Bobby G., 9453.
Osborne Hosiery Co., 9452.
Oscarson, Edwin T., 14550.
Ovation Cosmetics, Inc., 7059.
Owel Auto Supply, 3339.
P. & W. Parts Store, Inc., 3339.
Pacific Wholesale, Inc., 9345.
Padavich, Frank, 9345.
Pageant Press, Inc., 13209.
Pappas, Gus, 7057.
Pappas, Gus, Furs, 7057.
Parents' Home Service Institute, Inc., 1004.
Parents' Magazine Enterprises, Inc., 1004, 14589.
Parfumerie Lido, Inc., 5125.
Parker, Jack W., 7960.
Parts Service Co., 3339.
Paso Robles Auto Parts, 3339.
Pate, Carl, 7960.
Patty, Loren K., 3339.
Pearson, Adolph R., 14517.
Pease, Fred L., 9345.
Pease Bros., 9345.
Peck and Peck, 8059.
Pedee, Allan, 9345.
Penn, Cecil D., 3339.
Peschke, A. C. and J., 3339.
Peterborough Mills, Inc., 13753.

Federal Trade Commission—Continued

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Peters, Evelyn, 14517.
Peyser, David, Sportswear, Inc., 11173.
Peyser, Paul, 11173.
Pfueller, Gale, 9345.
Philadelphia Processing Co., 346.
Phillip Morris Originals, Ltd., 13079.
Phillips Petroleum Co., 11747.
Phoenix, Howard L., 3339.
Phoenix Motor Parts, 3339.
Pick, Richard, 16351.
Piston Service Co., 9345.
Piston Service, Inc., 9345.
Piston Service of University, Inc., 9345.
Piston Service of Wenatchee, Inc., 9345.
Piston Service of Westlake, Inc., 9345.
Pitzer, Ernest V., 9345.
Pomona Motor Parts, 3339.
Potash, Leon, 11427, 11428.
Powernail Co., 3341.
Powers, Mabel C., 14550.
Powers & Co., Inc., 14550.
Precision Equipment Co., 347.
Prochaska, J. T., Jr., 3339.
Procter & Gamble Co., 9451.
Procter & Gamble Distributing Co., 9451.
Projansky, Morris, 12938.
Providence Hospital, 14517.
Pruett, A. Clyde, 6410.
Quinton Co., 7059, 13209.
Rabiner & Jontow, Inc., 13423.
Railroad Communications Training Center, 11429.
Rainier Auto Parts, 9345.
Ransburg, Walter T., 13753.
Ray Hat Co., 347.
Regalia Auto Parts, Inc., 9345.
Regan, Joe L., 7961.
Reich, Walter A., 14517.
Rettenmaier, Ralph J., 14517.
Reynolds Metals Co., 12711.
Rhude, A. Lauren, 11427.
Rich, James R., 14517.
Richter, Henry, 14519.
Robb, Fred W., 9345.
Roberts, John M., & Son Co., 1061.
Rohiffs, C. D., 11427.
Rorer, William H., Inc., 8059.
Rosenthal, Benjamin, 6298.
Rosenzweig, Harry and Newton, 1061.
Rosenzweig, I., & Sons, 1061.
Rossi, Julius G., 7960.
Royal Oil Corp., 13209.
Rubin, Donald, Milton, Philip, and Robert, 4833.
Rubin, M., & Sons, Inc., 4833.
Rundle, Leonard L., 7960.
Russell, Charles G., 3339.
Ryan, Clarence R., 3339.
Sallie Ann, 7058.
Sals, Alexander S. and Sam, 5125.
Salzman, Abraham and Ruben, 3340.
Samuels, Albert S., Co., 1061.
Sand, Edward A., 1004, 14589.
Santa Ana Motor Parts & Machine Works, Inc., 3339.
Santa Barbara Motor Parts, 3339.
Sawyer, Ellsworth O., 9345.
Sawyers Valley Parts, 9345.
Schaefer, Paul A., 3389.
Scharf, Leon, Roy, and Samuel, 8058.
Scharff, Charles, 1062.
Schnapper, Abraham, 12937.
Schneider's Jewelers, Inc., 1061.
Schulke, Edward W., 16690.
Schwartz, Charles & Son, Inc., 1061.
Scott, Harry W., 7960.
Scott, Joe H., 16690.
Scott Manufacturing and Installation Co., Inc., 16690.
Sedro Woolley Auto Parts, 9345.
Seedman Co., Inc., 11876.
Sebola, William J., 14517.
Selland, John R., 9345.
Selland Motor Parts, 9345.
Sellers, Frank N., 3339.

Federal Trade Commission—Continued

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Senn, Dona Jane, 3339.
Sequoia Auto Parts, 7960.
Shane, Sol, 9489.
Sharpe, Lorraine E. and William H., 3339.
Sharpe, R. B., 3339.
Shaw, A. D., 3339.
Shearer, Glen M., 9345.
Sheridan, Jack, 9345.
Shields, Albert C., 9345.
Shields, Bert, Auto Supply, 9345.
Shinyei Co., Inc., 12938.
Ship 'n Shore, Inc., 13337.
Shopper's Fair, 7058.
Sibco Products Co., Inc., 1003.
Sibert, Frank, 1003.
Siler Auto Parts, Inc., 9345.
Silver Star Chinchilla, Inc., 16690.
Simmons, Thomas J., 11427.
Sirridge, Marjorie S., 14517.
Sister Michaellia Marie, 14517.
Sisters of Charity of Leavenworth, 14517.
Skaggs Automotive, Inc., 9345.
Slavin, Theodore J., 11301.
Smarz, William, 11751.
Smith, John B., 4399.
Smith, O. Dale, 14517.
Soden, John R., 9449.
Solberg Co., C. A., 9345.
Souders, Milton A., 3339.
Southern California Jobbers, Inc., 3339.
Southern Pacific Salvage Co., 4398.
Sparks, Carlos A., Floyd A., James W. H., and Willie D., 3339.
Sparks, James T., 14517.
Sparks Auto Parts Service, 3339.
Spartans Industries, Inc., 12789.
Spelman, Arch E., 14517.
Spinnerin Yarn Co., Inc., 5259.
Spivey, Claude E., 11430.
Spoon Automotive Parts, Inc., 9345.
Springer, Joseph, 14548.
Springer, Joseph, Inc., 14548.
Standard Associates, 5352.
Standard Educational Library, 12677.
Stanton, Alfred, 12676.
Star of Siam, 15801.
Stark, Nathan J., 14517.
Steer Leather Goods Corp., 14516.
Stein & Salomon, 4399.
Stein's Fur Shop, Inc., 7511.
Steinberg, Mitchell, 11750.
Steinberger, Franklin, and Howard, 11750.
Steinberger Bros., Inc., 11750.
Stroud, John E. C., 13792.
Sturtevant, S. P., 3339.
Sturtevant, Sabin B., 3339.
Sturtevant Auto Parts, Inc., 3339.
Sullivan Distributing Co., 9345.
Sunflower Chinchilla Co., 12520.
Supreme Food Products Co., Inc., 14550.
Sutton, Ruela B., 3339.
Swanson, James L., 15192.
Swarthout, Fae, 5353.
Swartz, Herman and Sidney, 14587.
Sweet Service Co., 7960.
Sweet Service Co. of Santa Cruz, 7960.
Swindel, Chester E., 12519.
Taff, Jack, 4398.
Talento, Inc., 559.
Tasco Auto Parts, 3339.
Tate, D. B., 14587.
Taylor, Larry, 4398.
Taylor-Friedsam Co., Inc., 6298.
Terrell, Inc., 559.
Texaco, Inc., 5443.
Texas Industries, Inc., 1004.
Thomas, C. Ed and Evelyn, 3339.
Thompson, Arthur H., Brooks K., Edward B., Fred A., Harry K., and Robert H., 343.
Times Square Stores Corp., 11876.
Top Flight Fashions, Inc., 1062.
Top Flight Rainwear Co., Inc., 1062.

Federal Trade Commission—Continued

Page

PROHIBITED TRADE PRACTICES, CEASE AND DESIST ORDERS—Con.

Topeka Tent & Awning Co., Inc., 14550.
Topkin, Abraham, 3340.
Torrance Auto Parts, 3339.
Tracy Auto Parts, 7960.
Triangle Motor Parts, 3339.
Tri-City Auto Supply, 7960.
Tri-State Press Service, Inc., 7961.
Tri-Valley Packing Association, 11753.
Tucker, Hyman, 6299.
Turk, Philip, 6299.
Turk-Tucker Furs, Inc., 6299.
U.S. Purchasing Exchange, 11301.
Udell, Joseph, 1003.
Ulins, Inc., 9345.
Underwood Jewelers, Inc., 1061.
United Auto-Sweet Service Co., 7960.
United Leather Goods Corp., 14516.
United States Purchasing Exchange, 11301.
United States Sales Corp., 11301.
Universal Publishing & Distributing Corp., 8060.
Valley Auto Parts, 9345.
Valley Auto Supply of San Bernardino, Inc., 3339.
Van Valkenburg, Frank H. and J. Robert, 9345.
Van Worp, Robert, Jr., 12678.
Vitasafe Corp., 11427.
Walker, Harry M., 14517.
Walla Walla Motor Supply, Inc., 9345.
Wallisford Mills, Inc., 13753.
Wallisford Mills of Vermont, Inc., 13753.
Wasson, Gladys and Roy, 7511.
Wayne's Auto Parts, 9345.
Weatherway, John C., 3339.
Wedeking, Willard, 3339.
Weil, Irving H., 13209.
Weisberg, Lawrence R., 261.
Weisglass, David, 14516.
Wellington, Glenn, 3339.
Wellington, Glenn, Auto Parts, 3339.
Weltman, Harry, 261.
Wenzel, Fred H., Herman F., and William H., 14550.
Wenzel, H., Tent and Duck Co., 14550.
Weren, Donald B., 3389.
West Seattle Auto Parts, Inc., 9345.
Westside Auto Parts, Inc., 7960.
White, James M., 7960.
Whitelock, James, 3339.
Whities Auto Parts, 7960.
Whitmore, Theodore B., 3339.
Wilke, H. P. and N. Alta, 3339.
Wilke Machine & Auto Parts, 3339.
Wilkinson, J. K., 3339.
Williams, Robert D., 9345.
Wilmington Chemical Corp., 10262.
Wilson, David L., 1148.
Wilson, John, 3339.
Wilson, Woodrow C., 9345.
Wind, N. Kalmar and Samuel, 1062.
Winn-Dixie Stores, Inc., 13080.
Wise, William, & Son, Inc., 1061.
Wood, William T., 7960.
Woodbury, Herbert A. and Vera L., 3343.
Woodbury Chemical Co., 3342.
Woodcock, William H., 3339.
Woody's Auto Parts, 9345.
Wright, Emma E. and Roy, 3339.
Yakima Grinding Co., 9345.
Yarnell, William D., 9490.
Yoel, Charles, 14548.
Youngman, David, 347.
Youngstown Awning and Window Co., 16690.
Youthcraft Manufacturing Co., Inc., 4400.
Zell, Allen, Daniel, Harry, Leonard, Martin, and Milton, 1061.
Zell Brothers, 1061.
Zignone, G. Theodore, 1004.
Zimmer, Leonard G., Jr., and Victoria, 1061.
Zimmer, Robert F., 14517.
Zimmer Brothers, 1061.
Zittle, Pearl C., 3339.

Federal Urban Programs:

COORDINATION (Executive Order 11297) ---------- 10765

Federal Water Pollution Control Administration: Page
COMMISSIONER, position placed in Level V of Federal Executive Salary Schedule (Executive Order 11293) 10507
GRANTS for water pollution control 7114
ORGANIZATION AND FUNCTIONS 6877
PUBLIC HEARINGS under Federal Water Pollution Control Act 7127
TRANSFER to Interior Department:
Regulations 7114
Reorganization Plan No. 2 of 1966 6857

Feed Grains:
EXPORT PROGRAM. *See* Commodity Credit Corporation.
SPECIAL PROGRAM, etc. *See* Agriculture Department.

Fees:
VARIOUS SERVICES performed by agencies, charges for. *See specific agencies.*

Fellowships:
See also Grants.
NATIONAL INSTITUTES OF HEALTH, etc. *See* Public Health Service.

Figs:
CANNED:
Identity standards, optional ingredients. *See* Food and Drug Administration.
Maximum Brix limit. *See* Food and Drug Administration.
FRESH, standards for grades. *See* Agriculture Department.

Filberts:
MARKETING. *See* Agriculture Department.

Fire Prevention Week, 1966:
PROCLAMATION 3733 9591

Firearms:
EXCISE TAXES, etc. *See* Internal Revenue Service.
INTERNATIONAL TRAFFIC. *See* State Department.

Firefighters, Day of Recognition:
PROCLAMATION 3721 6817

Fiscal Service:
See Treasury Department.

Fish, Fishing:
COMMERCIAL FISHERIES. *See* Fish and Wildlife Service.
DISASTER, fishery failure due to; oyster industry in certain States 7724, 11187
ENGINEERS CORPS regulations. *See* Engineers Corps.
HYDROELECTRIC LICENSE APPLICATIONS, protection of fish and wildlife resources. *See* Federal Power Commission.
INDIAN FISHING SITES, Columbia River. *See* Indian Affairs Bureau.
PACIFIC HALIBUT FISHERIES, regulations approved by President 14256
PROCESSED FISH by commercial fisheries. *See* Fish and Wildlife Service.
PRODUCTS of American fisheries, duty-free; abolition of customs form 11416
SPORT FISHING:
National parks. *See* National Park Service.
Wildlife refuges. *See* Fish and Wildlife Service.
TARIFF RATE QUOTAS, 1966:
Cod, haddock, etc. 2499
Tuna 6324
TUNA:
Fisheries, Eastern Pacific 7516, 7518, 11939, 11942, 16094
Identity standard 12060, 16767
Tariff rate quotas, 1966 6324
VESSEL CONSTRUCTION or purchase; differential subsidies, loans, etc. *See* Fish and Wildlife Service.
VETERANS PROCUREMENT of fish 15312
ANADROMOUS FISHERIES, conservation, development and enhancement 8130, 11944, 16107

Fish and Wildlife Service: Page
AUTHORITY DELEGATIONS:
By Assistant Director, Resource Development, Commercial Fisheries Bureau, to Chief, Loans and Grants Branch; execution of satisfaction of mortgages 16795
By Director, Commercial Fisheries Bureau, to listed officials:
Assistant Director, Resource Development; execution of satisfaction of mortgages 16795
Assistant Directors, Administration, Biological Research, et al.; travel and transfer of employees and officers 10541
By Director, Sport Fisheries and Wildlife Bureau, to regional directors and field personnel; wildlife matters 5907
From Secretary of Interior to Director, Sport Fisheries and Wildlife Bureau; FEDERAL REGISTER documents 5266
COMMERCIAL FISHERIES 16037
Authority delegations by certain officials. *See* Authority delegations, *above.*
Eastern Pacific tuna fisheries 16094
Restrictions on tuna imports 7518, 11942
Yellowfin tuna 7516, 11939
Fishing vessel purchase or construction:
Differential subsidies for construction:
Applications; hearings:
American Stern Trawlers, Inc., 7764.
Ann B., Inc., 6205, 7150.
Boat Seafarer, Inc., 11684.
Grace & Philip, Inc., 5149.
Hercules Fishing Products, Inc., 769.
Ildhuso Fisheries, Inc., 14535.
Liberty King, Inc., 5842.
Liberty Queen, Inc., 5842.
Maire Marine Products, Inc., 459.
Murphy, Harlan Truitt, 11771.
Northbeach, Inc., 6205.
O'Hara, Dorothy M., Inc., 5842.
Old Colony Trawling Corp., 6720.
Pacific King, Inc., 5842.
Pacific Prince, Inc., 5842.
Pacific Queen, Inc., 5842.
Potter, Clyde R., 11684.
Ralston Purina Co., 3503.
Rosa, Nicholas, 12413.
Seven Seas, Inc., 13867.
Trawler Jeanne d'Arc, Inc., 3503.
Victoria Fishing Corp., 3084.
Procedures 9108, 16049
Loan funds, construction or purchase:
Applications:
Allen, Lorne M., 14789.
Allenbaugh, James Peyton, 5719.
Ames, Crosby B., 8378.
Andrich, Lee G., 1207.
Arndt, Donald J., 8599.
Barber, Robert Miles, 2733.
Beyers, Charles W., 4354.
Bidle, Arthur Walter, 8599.
Boat Lady of the Rosary, Inc., 16162.
Bold, George and Fritz, 5265.
Bowman, Howard Jake, 4528.
Brandenburg, James M, 6458.
Brenha, Frank, Jr. and Ida Marie, 5265.
Bundrant, Charles H., 8599.
Chasse, Robert Joseph, 5230.
Chieslak, Sylvester, Jr., 13608.
Childers, Jack L., 2910.
Cole, Winfred D., 2664.
Colvin, Gary, 16162.
Conley, William Rose, Jr., 1251.
Conn, Howard H., 7978.
Couch, Glenn J., 5529.
Crowley, Jack E. and Winnifred V., 14789.
Curcuru, Salvatore and Providenza, 12966.
Dondik Co. et al., 16795.
Edward, John Clifford, 6720.
Finlay, Lawrence, 8379.
Frank, Ned, 14850.
Gillham, Donald Claude, 10372.
Glenn, Robert L., 13671.

Fish and Wildlife Service—Continued Page
COMMERCIAL FISHERIES—Continued
Fishing vessel purchase or construction—Continued
Loan funds, construction or purchase—Continued
Applications—Continued
Griffin, Erhard Frank, 10344.
Hagan, Marion F. and Jules A., 14566.
Hall, David V., 5907.
Hall, Leon D., 15608.
Hemnes, Olaf, 14362.
Hotch, Steven V., 6122.
Humphries, Chester R., 8698.
Jamison, Vernon Leo, 10855, 14566.
Johnson, Charles L. and B. J., 3502, 4741.
Johnson, Olaf M., 13866.
Johnson, Richard N., 11684.
Kiesel, Donald F. and Cecilia W., 13606.
Kopun, Alois, Sr., 8472.
Krigbaum, Gilbert Lee, 7252.
Landry, Earl L., 10616.
Leekley, Robert James, 2734.
Lesher, Charles Roy and Phyllis A., 8039.
M/V Sea Quail, 16472.
Macagulwa, Manuel, 14696.
"Margaret F." Corp., 9553.
Marlow, Bill W., 16795.
Martin, Samuel, 5385, 11111.
McFarland, Jack E., 4354.
McKean, Robert D., 769.
McKinley, Levy, 5266, 11771.
Mello, James Joseph, 2702.
Morgan, John C., 8027.
Murphy, Wayne A., 1207.
Nims, Charles H., 1207.
Ohler, Thane B., 3083.
Olofson, Adolph G., 13866.
Permar, Clark D., 14086.
Porter, LeRoy Albert, 14566.
Prior, Cecil E., 13608.
Rosenberg, Karl, 5230.
Russell, James O., Jr., 13092.
Sandin, Jack R., 13672.
Schneider, Fred, 13866.
Smith, Paul C., 980.
Thackwell, Robert A. and Billie S., 13867.
Todd, Frank D., 8379.
Torgerson, Jack Mathew, 4354.
Watson, Ronald Divers, 3503.
Wedel, Frederick N., 12966, 14993.
West, Hartzell, 5230.
Whitford, E. W., 16474.
Williams, Edsel J., 1207.
Wright, Leigh Sydney, 2631.
Yates, Richard L., 6458.
Interest rate, change of 3466, 5072, 12681, 16043
Master hull policy mortgage insurance, intent to request proposals 13092
Processed fishery products 16052
Shrimp, frozen raw breaded; standards for grades 2783, 5357, 16066
Whiting, frozen headless dressed; standards for grades 7244, 9543, 16085
FISHERIES CONSERVATION AREAS 16033
HUNTING AND POSSESSION OF WILDLIFE 16003
Golden eagles, depredating, taking to protect domestic livestock in counties in listed States:
Montana, 4353.
New Mexico, 19, 16795.
Wyoming, 1285, 5265.
Hunting or sport fishing, areas open to. *See under* Wildlife refuges, national, *below.*
Migratory birds:
American mergansers, depredating, control of in certain areas in western Washington 541
Permits 7700, 11231
Seasons and limits 7479, 8817, 10194, 10887, 11658, 11892, 12439, 12527
MIGRATORY BIRDS. *See under* Hunting and possession of wildlife.
ORGANIZATION AND FUNCTIONS, general program authority:
Commissioner 11685
Directors, Commercial Fisheries Bureau and Sport Fisheries and Wildlife Bureau 11685

Fish and Wildlife Service—Continued Page
RECORDS, non-Federal; retention requirements 4024
REPUBLICATION of regulations 16002
RESEARCH, wildlife, Patuxent Wildlife Research Center 6833, 16033
RESTORATION of game birds, fish, and mammals 12442, 16034
SHRIMP, frozen raw breaded; standards for grades 2783, 5357, 16066
WHITING, frozen headless dressed; standards for grades 7244, 9543, 16085
WILDERNESS PROPOSALS, hearings:
Bear River Unit, 16370.
Dodge, M. Hartley, Unit, 16162.
Monomoy Island, 14363.
Wisconsin Islands Unit, 16162.
WILDLIFE REFUGES, NATIONAL 16021
See also Hunting and possession of wildlife.
Hunting or sport fishing, areas open to 16028, 16031
Alabama, 3117, 8694, 10797, 11182, 11756, 13130.
Alaska, 5492, 5493, 6115, 7569, 7909, 7910, 10743, 10962, 11662, 14879.
Arizona, 11551, 11721, 11758, 12679, 14879, 15645.
Arkansas, 2583, 3117, 10689, 10924, 11894.
California, 3345, 4107, 9994, 11551, 11721, 11756, 12095, 12481, 12529, 12530, 12679, 12720, 12721, 12722, 12724, 12725, 13003, 13048, 13342, 14879, 15645.
Colorado, 10641, 11895, 12440, 12679.
Delaware, 10576, 10688, 10690, 11937, 15018.
Florida, 3014, 3117, 3402, 5904, 6425, 6893, 12529, 13003, 13130, 13447.
Georgia, 433, 1008, 4107, 8694, 11182, 12057, 12440, 12724, 13131, 13549.
Idaho, 5765, 6964, 7225, 11194, 12439, 12440, 12528.
Illinois, 6870, 9505, 10641, 11234, 11722, 11757, 11892, 12722, 12723, 13240, 13241, 14080, 16271.
Iowa, 5765, 11663, 11892, 12722, 12723, 13240, 16319.
Kansas, 10641, 11721, 11987, 12679, 12923, 13475, 14776, 15197, 15241.
Kentucky, 10798.
Louisiana, 2383, 3118.
Maine, 10799, 15133.
Maryland, 11184, 12923, 12939.
Massachusetts, 7910, 11235, 11937.
Michigan, 351, 1078, 5494, 13447, 14838, 15018.
Minnesota, 5662, 7756, 12057, 12058, 12722, 12723, 13004, 13240, 14401.
Mississippi, 88, 1303, 3118, 4349, 10689, 12600, 13004, 13131, 14593.
Missouri, 1150, 6629, 12723.
Montana, 3466, 5493, 5494, 5568, 5904, 6964, 7225, 7226, 7285, 11552, 11892, 11893, 11947, 12462, 12528, 12579, 12592, 13048, 13088.
Nebraska, 9867, 10924, 14506, 14776, 16319.
Nevada, 5493, 5494, 6114, 10924, 10961, 11893, 11894, 12056, 12564, 12725, 12781, 13049, 15809.
New Jersey, 7627, 11312, 12408.
New Mexico, 3345, 8065, 10642, 12680.
New York, 4349, 7061, 7569, 7627, 8817, 11612, 11937, 12021, 12100, 16415, 16560.
North Carolina, 3118, 13131, 13391.
North Dakota, 4519, 5014, 5432, 5764, 6315, 11433, 11895, 12057, 12058, 12529, 12638, 12723, 12725, 13550, 14648, 15018, 15581.
Oklahoma, 3118, 10641, 10961, 11463, 12441, 12531, 12680, 13550, 13757, 14880.
Oregon, 1150, 2551, 3346, 3400, 5201, 5967, 6115, 7970, 10961, 11184, 11235, 11393, 11551, 11610, 11611, 11612, 11757, 12099, 12100, 12527, 12530, 12720, 12923, 16153.
Pennsylvania, 8694, 9994, 11147, 11462, 11463, 11757.
South Carolina, 941, 1008, 4210, 10690, 10799, 11552, 13131.
South Dakota, 12059, 12482, 12723, 14455, 14456.
Tennessee, 433, 3118, 3402, 5904, 6263, 6425, 7570, 10798, 12530, 12531, 12939.
Texas, 10925, 12530, 12532, 13550, 14000, 14880.
Utah, 7703, 9994, 10274, 11722, 12680, 16153.
Vermont, 4894, 11612, 11894.
Virginia, 8693.
Washington, 3346, 6115, 12099, 12528, 12531, 12533, 12724, 13003, 13049, 13851.
Wisconsin, 1078, 2784, 4804, 4849, 6426, 6832, 11463, 12722, 12723, 13240, 14776, 15241.
Wyoming, 11312, 12680, 15489.
National Wilderness Preservation System, areas qualifying for study; list 13146

Fish and Wildlife Service—Continued Page

WILDLIFE REFUGES, NATIONAL—Continued
- Public access, use, and recreation 16024
  - Alaska, 2383.
  - Delaware, 2383, 15645.
  - Illinois, 2717, 4411.
  - Iowa, 5014.
  - Maine, 5128.
  - Massachusetts, 1078, 4958, 5764.
  - Nebraska, 5014.
  - New Jersey, 4958, 5248, 16414.
  - New York, 4959, 5129, 5248, 16415.
  - Oklahoma, 5492.
  - Pennsylvania, 5129.
  - Vermont, 16415.
- Restricted or prohibited acts, artificial lights 8819, 11147, 16022
- Revenue sharing with counties 7286, 11107, 16032

Fishing:
See Fish, fishing.

Flag, U.S.:
DISPLAY AT HALF-STAFF upon death of Fleet Adm. Chester W. Nimitz (Executive Order 11271) 2991

Flag Day and National Flag Week, 1966:
PROCLAMATION 3728 8277

Flax:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.

Flaxseed:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
PRICE-SUPPORT PROGRAMS, etc. *See* Commodity Credit Corporation.

Flood Control:
See Engineers Corps.

Flood Hazard:
EVALUATION in locating Federally owned or financed buildings, roads, and other facilities, and in disposing of Federal lands and properties (Executive Order 11296) 10663
EXCESS REAL PROPERTY, utilization; data on hazards 15541

Flour:
EXPORT CONTROL, licensing, multiple commodity section provisions 8214
EXPORT PROGRAM. *See* Commodity Credit Corporation.
IDENTITY STANDARDS, optional ingredients. *See* Food and Drug Administration.

Flowers, Cut:
HAWAIIAN; plant quarantine notice. *See* Agriculture Department.

Food and Drug Administration:
ADDITIVES. *See* Color additives; Food additives.
ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES:
- Editorial change 4201
- Federal Hazardous Substances Labeling Act, deletion of "labeling" from name of Act 16564
- Public hearings 3003
- Redesignations, certain 3008

ANTIBIOTIC DRUGS:
See also Drugs.
Definitions and interpretative regulations:
- Certification, release, or exemption of antibiotic-containing drugs, policy statement 4128, 5755
- Gentamicin 890
- Methacycline 4201
- Triacetyloleandomycin 4129

Exemptions from labeling and certification requirements:
- Animal feed containing certifiable antibiotic drugs 11879, 14591
- Investigational use 4892
- Manganese bacitracin-medicated animal feed 1070, 10744

Food and Drug Administration—Continued Page

ANTIBIOTIC DRUGS—Continued
Exemptions from labeling and certification requirements—Continued
- Microbiological culture media containing antibiotics 11216
- Procedures for obtaining and conditions on effectiveness 5959

Labeling requirements, antibiotic and antibiotic-containing drugs intended for use in milk-producing animals; extension of effective date 7173
Laboratory diagnosis of disease; antibiotic sensitivity discs 4201
Procedural regulations:
- Approval of labeling 11415
- Forms for certification or exemption of antibiotics 2653
- Hearing procedure 3008
- Suspension of certification service 12841

Reports of information for drug effectiveness 13014, 14851
Specific antibiotics; rules proposed or adopted:
- Amphotericin B cream; certification, 86.
- Bacitracin and bacitracin-containing drugs:
  - Certification, 560, 4128, 7228.
  - Tests and methods of assay, 560, 4128, 4345.
- Chloramphenicol and chloramphenicol-containing drugs:
  - Certification, 9993, 11216.
  - Tests and methods of assay, 9993.
- Chlortetracycline and chlortetracycline-containing drugs; certification, 11, 6830.
- Colistin, 1070.
- Erythromycin, 5755, 10123, 13991.
- Gentamicin, 890.
- Griseofulvin, 712.
- Kanamycin sulfate, 10358.
- Lincomycin, 4203.
- Methacycline, 4201, 4512.
- Neomycin sulfate, 4129, 4149, 8876.
- Nystatin, 13603.
- Oleandomycin, 4135.
- Oxytetracycline, 4139.
- Penicillin and penicillin-containing drugs:
  - Certification, 889, 893, 4512, 8876, 10123.
  - Tests and methods of assay, 889.
- Polymyxin, 4142.
- Sodium ampicillin, 13723.
- Streptomycin and streptomycin-containing drugs; tests and methods of assay, 11383.
- Tyrothricin, 4142, 4149.

Sterility test methods and procedures 10029
Veterinary medicine, antibiotics used in, required data, etc.:
- Policy statements 11141, 11383
- Warning and caution statements 11383

ARTICHOKES, canned. *See under* Vegetables, canned, *below*.
AUTHORITY DELEGATIONS:
By Commissioner to certain officers:
- Assistant Commissioners for Regulations and Operations; new drug applications 5489
- Deputy Commissioner, et al.; certain functions 12018
- Director, Drug Abuse Control Bureau; certain functions 8953
- Director, Veterinary Medicine Bureau; new drug applications 5489, 5661

From Assistant Secretary of HEW for Administration to Director, Drug Abuse Control Bureau; certify copies of documents 4811

BEANS, canned, green and sprouts. *See under* Vegetables, canned, *below*.
BEVERAGES. *See* Fruits and fruit juices; Soda water.
BREAD, white, etc., identity standards, optional ingredients:
- Ascorbic acid 12028
- Azodicarbonamide; proposed rules 15095
- Dioctyl sodium sulfosuccinate, proposed rules 10415
- Lactylic stearate 9997, 13793, 16564
- Propylene glycol mono- and diesters of fats and fatty acids 8497, 12949, 15088
- Succinylated monoglycerides 5432, 7562
- Tallowyl-β-lactic acid, proposed rule 7412
- Torula yeast, inactive dried 10039, 13792, 16564

CATSUP, identity standards, corn and glucose syrup as optional ingredients; proposed rule terminated 8594

Food and Drug Administration—Continued Page

CHEESE; identity standards, optional ingredients:
- Cheddar, washed curd, etc.; milk-clotting enzymes, proposed rules 13005
- Cottage, creamed:
  - Caseinates, certain, and dried milk proteins 7572, 11717, 13991
  - Dioctyl sodium sulfosuccinate; proposed rule 10415
- Cream:
  - Carrageenan 10889, 14349
  - Dioctyl sodium sulfosuccinate; proposed rule 10415
- Edam; colored coatings 5202, 9602, 11876
- Neufchatel:
  - Dioctyl sodium sulfosuccinate; proposed rule 10415
  - Guar gum and carrageenan 10889, 14349
- Pasteurized process cheese spread, etc., dioctyl sodium sulfosuccinate; proposed rules 10415

COLOR ADDITIVES:
- Beet juice, provisional list 9105
- Canthaxanthin, food and drug use, exempt from certification 10287
- Certificates canceled, certain additives 5490
- D&C Red No. 39:
  - Drug use, subject to certification 1066
  - Provisional list 1066
- Definition and interpretation, Bureau of Science 12019
- FD&C Yellow No. 5, food and drug use, subject to certification 3008, 8369
- Fruit juice, food use, exempt from certification 1065, 4396
- Grape skin extract (enocianina):
  - Food use, exempt from certification 4784, 7172
  - Provisional list 7172
- Hearing procedure 3008
- Iron oxides:
  - Drug use, exemption from certification 2653, 5127
  - Provisional list 5127, 9105
- Logwood-fustic mixtures, drug use, exempt from certification 1285
- Orange B, food use, subject to certification 8, 4127
- Paprika and its oleoresins:
  - Food use, exempt from certification 1064, 4396
  - Provisional list 9105
- Prophyllite, drug use, exempt from certification; effective date 7172
- Provisional listings:
  - Beet juice, 9105.
  - D&C Red No. 39; 1066.
  - Grape skin extract, 7172.
  - Iron oxides, 5127, 9105.
  - Paprika and its oleoresins, 9105.
  - Saffron and its oleoresins, 9105.
  - Titanium dioxide, 12840.
  - Turmeric and curcumin, 9105.
- Pyrophyllite, drug use, exempt from certification 5070
- Saffron and its oleoresins:
  - Food use, exempt from certification 1064, 4396
  - Provisional list 9105
- Tagetes meal and extract, food use, exempt from certification 5070, 7227
- Titanium dioxide:
  - Food and drug use, exempt from certification 1065, 12840
  - Provisional list 12840
- Turmeric and its oleoresin:
  - Food use, exempt from certification 1064, 4396
  - Provisional list 9105
- Ultramarine blue, food use, exempt from certification 1285, 6104, 8216
- Vegetable juice, food use, exempt from certification 1065, 4396

CORN, canned. *See under* Vegetables, canned, *below*.
DIETARY FOODS:
- Definitions, label statements, etc 8522, 15733
- Dietary management, oils, fats, and fatty foods, label statements; proposed rule terminated 3301
- Exemption from labeling requirements, certain foods with added artificial sweetener not intended for special dietary use 8524, 15730
- Supplements:
  - Identity and label statements 8525, 15730, 16312
  - Interpretations of orders 9215
- Vitamin and mineral-fortified foods:
  - Identity and label statements 8525, 15730
  - Proposed rule 15746
  - Interpretations of orders 9215

Food and Drug Administration—Continued Page

DRESSINGS, French and salad, identity standards, dioctyl sodium sulfosuccinate as optional ingredients; proposed rules 10415
DRUGS:
See also Antibiotic drugs.
- Belladonna preparations, hyoscyamus, stramonium, etc.; human use, warning statements, over-the-counter sale 6705, 6906
- Coronary vasodilators, drugs for human use containing; policy statement 5957, 10425
- Dimethylsulfoxide (DMSO) preparations, clinical testing and investigational use; policy statement 16403
- Drug Abuse Control Amendments of 1965, depressants and stimulants:
  - Definitions and procedural and interpretative regulations 264, 565, 1071, 1074, 1156, 1239, 3394, 4448, 4679, 6104, 7174, 7573, 10124.
  - Enforcement regulations, proposed rule 14840
  - Hearing, agenda 2975
  - Listing of drugs:
    - Chloral betaine, 10039, 12436, 14830.
    - Chlordiazepoxide and its salts and diazepam, 7174, 7573, 9752.
    - Chlorhexadol, 10039, 12436, 14830.
    - Lysergic acid and lysergic acid amide added, 7174, 7245, 9492, 11384.
    - Meprobamate, 7174.
    - Petrichloral, 10039, 12436, 14830.
    - Phenmetrazine and its salts, 10029, 11754.
    - Sulfondiethylmethane, 10039, 12436, 14830.
    - Sulfonethylmethane, 10039, 12436, 14830.
    - Sulfonmethane, 10039, 12436, 14830.
  - Redesignations, certain 1074
- Drug Abuse Control Bureau organization. *See* Organization and functions, *below*.
- Good manufacturing practice, current; medicated premixes, proposed rules 7185, 7354, 10039
- Habit-forming, certain chemical derivatives designated as; proposed rule 12451
- Insulin, batches composed wholly or partly of:
  - Certification; definitions, etc 2653
  - Hearing procedure 3008
- LSD, DMT, mescaline, and certain other hallucinogenic drugs, conditions for investigational use; policy statement 9540
- Labeling requirements, certain, exemption from; policy statement, proposed rule 14840
- New drugs:
  - Applications:
    - Approvals, list 2561, 2665, 2786, 5151, 5529, 9370, 9771, 9812, 10005, 13873
    - Authority delegations respecting 5489, 5661
    - Coronary vasodilators 5957, 10425
    - Reasons for refusal to file; proposed rules 13347, 14652
    - Supplemental applications; proposed rules 13347, 14652, 15096
  - Withdrawals, refusals, etc.:
    - Betaprone (beta-propiolactone), 12576.
    - Dextran injection 6 percent, 6281, 7113.
    - Elipten tablets, 2786, 8380.
    - Librax capsules, 1015.
    - Madricidin capsules, 4747.
    - Master mix broiler concentrate, 14658, 14790.
    - Measurin tablets, 11041.
    - Norgesic tablets; hearing, 6795.
    - Relay, continuous action aspirin, 15819.
    - Stendin tablets, 13483.
  - Exemption for certain drugs limited by new-drug applications to prescription sale; tyloxapol and benzalkonium chloride 5203, 9992
- Experience reporting; proposed rules 13347, 14652
- Procedural and interpretative regulations:
  - Applications:
    - Medicated feeds 2653
    - Related drugs, submission of information on; proposed rule 2967
  - Definitions and interpretations:
    - Edible products of animals treated with experimental drugs 4891
    - Related drugs, submission of information on; proposed rule 2967
  - Investigational new drugs, consent for use on humans; policy statement 11415

Food and Drug Administration—Continued

Page

DRUGS—Continued
New drugs—Continued
Procedural and interpretative regulations—Con.
Investigational use, certain exemptions:
Animals ... 4891
Humans ... 4891, 8009
Proposed rule ... 2967
Reports of information for drug effectiveness ... 9426, 11989
Requirements for submission of information on related drugs; proposed rules ... 2967
Official names, proposed rules ... 10890
Prenatal drugs, oral, containing fluorides intended for human use, policy statement ... 13537, 16266
Producers and certain wholesalers of drugs, times for registration ... 14551
Veterinary medicine, antibiotics used in, required data, etc.:
Policy statements ... 11141, 11383
Warning and caution statements ... 11383
EGGS AND EGG PRODUCTS:
Identity standards; whole, yolk, and egg white products ... 4677, 7562
Shipped for pasteurization or other treatment ... 4676, 6490
ENFORCEMENT REGULATIONS:
Drugs and devices, directions for use; proposed rule ... 14840
Food:
Labeling, designation of ingredients; propylene glycol and glycerin in quiescently frozen confections ... 3115
Special dietary uses; deleted ... 8522, 15730
Hearings, rules of practice for; revoked ... 3003
Imports and exports; certain editorial changes ... 8521
FIGS, canned. *See under* Fruits and fruit juices, *below*.
FISH, TUNA, canned; identity standard, blackfin tuna listed separately ... 12060, 16767
FLOUR, wheat, etc.; identity standards:
Deviating from identity standard, temporary permit for market testing ... 12028
Nitrogen and nitrosyl chloride, deletion as optional ingredients; proposed rules ... 11398
FOOD:
See also Dietary foods.
Definitions and standards:
Cross reference ... 3008
Procedure for establishing standards under Federal Food, Drug, and Cosmetic Act ... 7227
Enforcement regulations ... 3115, 8522
Labeling exemptions, egg products shipped for pasteurization ... 4676, 6490
FOOD ADDITIVES in animal feed, foods for human consumption, packaging materials, etc.:
Definitions and procedural and interpretative regulations:
Exemption for investigational use and procedure for obtaining authorization to market edible products from experimental animals ... 4891
Obsolete material, certain, deleted ... 8008
Specific additives, proposed or adopted:
Acetic anhydride, 14351.
2-Acetyl-amino-5-nitrothiazole, 12027.
Acetylated monoglycerides, 8008.
Acrylate ester copolymer coating, 15570.
Acrylic polymer modifiers, 6593.
N-Acyl sarcosines, 16481.
Adhesives, 1068, 1286, 2896, 2897, 2974, 3429, 4123, 8884, 11718, 12967, 13179, 13484, 13793, 13874, 14366, 14973, 15090, 15570.
Adipic anhydride, 14351.
Agaric, white (*polyporus officinalis* Fries); petition withdrawn, 15610.
Aklomide (2-chloro-4-nitrobenzamide), 11878, 14350, 15550.
Alkyl (C_9–C_{15}) phenoxypolyethoxyethanol (4–10, 30–50 moles), 4257.
Alkyl (C_7–C_{15}) phenoxypolyethoxyethanol (11–15 moles), 4256.
Alkyl dimethylethylbenzyl ammonium cyclohexyl sulfamate, 14366.
Aluminum phosphide, 4447, 4836, 10287.
Ammonia; petition withdrawn, 16163.
Ammonium chloride, 5643.
Amprolium, 1272, 2448, 2912, 3202, 6142, 7281, 8373, 8874, 9425, 10139, 12435, 14590.
Petition withdrawn, 9425.
Animal glue, 15570.

Food and Drug Administration—Continued

FOOD ADDITIVES in animal feed, foods for human consumption, packaging materials, etc.—Continued
Specific additives, proposed or adopted—Continued
Anti-offset substances, 2897.
Antibiotics for growth promotion and feed efficiency, 2912, 6593, 11183, 16692.
Petition withdrawn, 10044.
Antioxidants and/or stabilizers for polymers, 1068, 2964, 4785, 10373, 11188, 13015, 14697.
Antistatic and/or antifogging agents, 10122, 10616, 12967, 16481.
Arsanilic acid, 1069, 8875, 15331.
Petition withdrawn, 8381.
Azodicarbonamide, 11113.
Bacillus cereus, 14852.
Bacitracin combinations, 7192, 8874, 8875, 9425.
Binapacryl, 7593, 11187.
1,1-Bis-(*p*-chlorophenyl)-2,2,2-trichloroethanol, 8028.
Boiler water additives, 7245, 10703, 13812.
Petition withdrawn, 16583.
Buquinolate, 4529, 13722, 13723, 15331.
Butadiene copolymers, 16731.
Butoxy monoether of polyoxypropylene-polyoxyethylene glycol, 14012.
Butoxy polyoxyethylene polyoxypropylene glycol, 15610.
Butylated, styrenated cresols, 1068.
1,3-Butylene glycol mono- and diesters of edible fatty acids, 4151.
Calcium disodium EDTA, 8885, 11523.
Calcium periodate, basic, 14013.
Calcium stearate, 11624.
Calcium stearyl-2-lactylate, 1015, 10264, 12028, 13474.
Carbarsone, 1127.
Carrageenan with polysorbate 80; 3116.
Cellophane, 2448, 2666, 2963, 3141, 7228, 13874, 15090, 15570.
Chemicals used for certain purposes, 2666, 4256, 4257, 5958, 7227, 7593.
Chewing gum base, 10198, 13128.
Chlormadinone acetate, 5982.
Petition withdrawn, 12968.
2-Chloro-4-nitrobenzamide, 4529, 5770, 10966.
Chlortetracycline, 4529, 6142, 6830, 7192, 8874, 9425, 10574, 10966, 11183.
Petition withdrawn, 5643.
Closures with sealing gaskets for food containers, 10745, 13874, 14852, 15570.
Coatings on fresh citrus fruit, 15103.
Cobaltous salts, 9008, 10744.
1,4-Cyclohexylene dimethylene terephthalate and 1,4-cyclohexylene dimethylene isophthalate copolymer, 15570.
2,4-D, 14360.
DDT, 903, 5644, 7562, 9454, 12435.
Defoaming agents, 2975, 8008, 11113, 15570, 15610, 16768.
2,5-Di (5-*tert*-butyl-benzoxazolyl-2') thiophene, 10044.
2,2'-Di-*tert*-butyl-4,4'-isophopylidenediphenol bis(*p*-nonylphenyl) phosphite, 13484.
Dibutyl phthalate, 14012.
Dichlorodifluoromethane, 15201.
1,2-Dichloroethylene (mixed isomers), 14974.
Dienestrol diacetate, 582, 2912, 7282, 9425, 10139, 10616, 14590.
Diethanolamine salts of mono- and bis[1*H*,1*H*,2*H*,2*H*-perfluoroalkyl (C_6–C_{18})] phosphates, 14012.
Diethyl pyrocarbonte, 6839.
Diethylcarbamazine, 7192.
Diethylstilbestrol, 2449.
Petitions withdrawn, 1127, 13054.
Dihydrostreptomycin; petition withdrawn, 14658.
Dimerized and trimerized fatty acids from linoleic acid, 14013.
O,O-Dimethyl-*O*-*p*-(dimethylsulfamoyl)-phenylphosphorothioate, 11187.
O,O-Dimethyl *O*-[4-methylthio)-*m*-tolyl] phosphorothioate, 15609.
O,O-Dimethyl *S*[2-(ethylsulfinyl)ethyl] phosphorothioate, 14852.
2,2-Dimethyl-1,3-propanediol, 11241.
N,N-Dimethyl-ethanolamine; petition withdrawn, 16583.
Dimethylpolysiloxane, 16768.
Dimetridazole, 2974, 10959.
Dimyristyl thiodipropionate, 11112.
Petition withdrawn, 15331.
3,5-Dinitrobenzamide, 11877.
Dioctyl sodium sulfosuccinate, 10549.
Petition withdrawn, 16584.
Disodium EDTA, 12968.
Petitions withdrawn, 363, 8884.

Food and Drug Administration—Continued

FOOD ADDITIVES in animal feed, foods for human consumption, packaging materials, etc.—Continued
Specific additives, proposed or adopted—Continued
Emulsifiers and/or surface-active agents, 3266, 4151, 4256, 4257, 4423, 7228, 7512, 8876, 9417, 13811, 16583.
Enzyme, milk-clotting, 12967.
Epichlorohydrin, 14351.
Erythromycin, 16582, 16693.
Erythromycin phosphate, 5643.
Erythromycin thiocyanate, 16692.
Petition withdrawn, 12068.
Estradiol monopalmitate, 6142.
Ethanolamine-modified polyethylene adipate (polyesteramide), 14013.
Ethion, 12734.
Ethopabate, 2448, 6142, 12435.
Ethyl 4,4'-dichlorobenzilate, 3430.
Petition withdrawn, 11623.
Ethylene-acrylic acid copolymers, 2974.
Ethylene-alkene-1 copolymers; revoked, 2963.
Ethylene dibromide, 4932.
Ethylene dichloride, 4748.
Ethylene-ethyl acrylate copolymers, 2863.
Ethylene-methacrylic acid copolymers, and salts, 3040.
Ethylene propylene polymers, 11112.
Ethylene-vinyl acetate copolymers, 2974, 8009.
Fatty acids, 5644, 11215.
Ferrous fumarate, 15550.
Petition withdrawn, 5644.
Filters, resin-bonded, 4425, 11113, 12968, 15570, 16163.
Petition withdrawn, 16563.
Fish protein concentrate, 6593.
Flavoring substances:
Natural, 5131.
Petition withdrawn, 15610.
Synthetic, and adjuvants, 4425, 6120, 7563, 12027.
Food packaging materials, certain substances, 2897, 11609.
Food starch-modified, 4424, 14351.
Fumigants for grain-mill machinery, 8370, 12849, 15309.
Furazolidone, 7192.
Glucan polysaccharide, 13732.
Graphite-base microtracers; petition withdrawn, 8963.
Hexachlorophene, 289, 290, 6142.
Hydrogen-*n*-butyl(3,6-endomethylene-1,2,3,6-tetrahydro-*cis*-phthalate), 4423.
Hydrogenated polybutene, 2912.
Hydrolysates, condensed animal protein, 11623.
Hydrolyzed tannery byproduct, 10966.
Hydroxyethyl cellulose film, water-insoluble, 15570.
Hygromycin B, 1069, 8874.
Petition withdrawn, 8381.
Inorganic bromides, 4785, 6318, 8369, 12841, 12849, 15309.
Iodine, elemental, 14012.
Ion-exchange membranes, 2961, 13812.
Ion-exchange resins, 3429, 14012.
Petition withdrawal, 16163.
Iron ammonium citrate, 1068.
Isobutylene polymers, 10182.
Isoparaffinic petroleum hydrocarbons, synthetic, 5644, 11101.
4,4'-Isopropylidenediphenol-epichlorohydrin thermo-setting epoxy resins, 14013.
Lincomycin, 8248.
Lubricants:
Surface lubricants in manufacture of metallic articles, 10, 216, 3394, 3429, 4151, 11610, 13475.
With incidental food contact, 12734, 15570.
Maneb, 16281.
Marine protein concentrate, 3317.
Melengestrol acetate, 6327.
Menadione dimethylpyrimidinol bisulfite, 10574.
Metatartaric acid, 11402.
L- or DL-Methionine; petitions withdrawn, 1127, 1161.
Methyl alcohol, 13484.
Methyl bromide, 4932.
Methyl glucoside-coconut oil ester, 12577, 14012.
Methyl methacrylate copolymers, 16731.
Methylene chloride, 10903.
4,4'-Methylenedianiline, 14012.
α-Methylstyrene-vinyltoluene copolymer resins, 16583.
Meticlorpindol (3,5-dichloro-2,6-dimethyl-4-pyridinol), 10616, 13484.
Milk-producing animals, additives for use in, 16582.

Food and Drug Administration—Continued

FOOD ADDITIVES in animal feed, foods for human consumption, packaging materials, etc.—Continued
Specific additives, proposed or adopted—Continued
Mineral oil, 3394, 4296, 5457, 11241.
Nickel sulfate, 3116, 5082.
Nihydrazone, 3178, 15331.
3-Nitro-4-hydroxyphenylarsonic acid, 2448, 3202, 4529, 5770, 8875, 10966, 11876, 12435, 14350, 15331.
Nitrodan, 11936.
Novobiocin, 6282.
N-Octylbicyclo-heptenedicarboximide, 6593, 3429.
Olefin polymers, 2961, 6830, 7173.
Oxidized polyethylene, 3039.
Oxytetracycline, 8875.
Paper and paperboard, 560, 1149, 2476, 2666, 2897, 2974, 3040, 5644, 8954, 9107, 10606, 11609, 12415, 13793, 14012, 15090.
Petition withdrawn, 8885.
Penicillin combinations, 582, 5081, 6142, 7192, 8875, 10616, 14590.
Penta-erythritol ester of maleic anhydride-modified wood resin, 15103.
Petroleum alicyclic hydrocarbon resins, 14012.
Phenolformaldehyde, cross-linked, 14012.
Petition withdrawn, 16163.
Phenolic resins in molded articles, 2476.
Phenothiazine, 289, 290, 6142.
Phorate, 4423.
Phosphoric acid anhydride, 11041.
Pigments, certain, in polyolefin food-contact articles, 3266.
Piperonyl butoxide, 1162, 6593, 11608, 11609, 15310.
Plasticizers in polymeric substances, 2963, 3040.
Poloxalene, 15610.
Poloxalene molasses block, 9140.
Poloxypropylene-polyoxyethylene condensate, 16583.
Petition withdrawn, 16584.
Poly [2-(diethylamino) ethyl methacrylate] phosphate, 4423.
Polyacrylamide resin, modified, 5959, 7563.
Polyamide-epichlorohydrin resin, 3040, 7563, 13484.
Polybutene-1; petition withdrawn, 15201.
Polycarbonate resins, 4811, 11241.
Petition withdrawn, 4151.
Polyester resins, cross-linked, 290, 13179.
Polyethoxylated (20 moles) oleyl alcohol, 14852.
Polyethylene, chlorinated, 4424.
Polyethylene glycol 400; 1161, 15103.
Polyethylene, partially oxidized, 3429.
Polyethylene, revoked, 2963.
Polyethylene terephthalate film, 15570.
Polyethyleneamine mixture, 12415.
Polyglycerol esters of fatty acids, 7193.
Polyhydric alcohol diesters of oxidatively refined montan wax acids, 4424.
Polyisobutylene, 1127.
Polymers, certain, as coatings on nylon film, 11113.
Polyoxyethylene (20) sorbitan tristearate, 10264.
Polyoxypropylene-polyoxyethylene condensate, 10549.
Polyphenylene oxide resins, 13874.
Polypropylene film coating components, 11113.
Polysorbate 60 (polyoxyethylene (20) sorbitan monostearate), 10264, 13179.
Polysorbate 80; 3116, 5543, 8380, 10122, 10264, 10886, 11113, 11609, 15089, 15239.
Polyterpene resins, 6593.
Polyurethane resins, 1155, 11241, 16482.
Polyvinyl alcohol, 4256.
Film, 2896.
Polyvinyl butral, 14852.
Polyvinyl chloride resins, propylene modified, 3040.
Polyvinyl chloride sheeting, rigid; petition withdrawn, 16731.
Potassium bromate, 4785.
Preservatives for wood, 11772.
Propyl alcohol, 15103.
Pyrethrins, 1162, 6593, 11608, 11609, 15310.
Radiation, 2963, 3196, 3402, 5453, 7256, 9491, 11241, 12651, 14013.
Petition withdrawn, 16162.
Reserpine, 5081, 7282, 10744.
Resinous and polymeric coatings, 2666, 2897, 2964, 2974, 4423, 4424, 4529, 6839, 9106, 10575, 11040, 11610, 11772, 13179, 13475, 14012, 15570, 16583.
Petition withdrawn, 9028.
Rice hulls, ammoniated, 4955.
Rosins and derivatives, 11719, 11900, 12577, 9028.
Petitions withdrawn, 4811, 9470.

Food and Drug Administration—Continued Page

FOOD ADDITIVES in animal feed, foods for human consumption, packaging materials, etc.—Continued
Specific additives, proposed or adopted—Continued
Rubber articles intended for repeated use, 216, 260, 1068, 3040, 10182, 11900, 15570.
Petition withdrawn, 16163.
Salicylic acid, 14012.
Sanitizing solutions, 3429, 4257, 10264, 11718, 14012.
Silicon dioxide, 3429, 9106.
Slimicides, 4151, 8735.
Petition withdrawn, 8028.
Sodium alkylbenzenesulfonate, 2666.
Sodium arsanilate, 8875.
Sodium hydrosulfite, 13179.
Sodium lauryl sulfate, 12651.
Sodium mono- and dimethyl naphthalene sulfonates, 7713, 9216.
Sodium nitrite; petition withdrawn, 10005.
Sodium stearyl fumarate, 8885, 16583.
Sodium sulfachlorpyridazine, 4256.
Sodium sulfate, 6142.
Sorbitan monostearate, 2449, 5619, 10264, 11322.
Petition withdrawn, 13484.
Spectinomycin; petition withdrawn, 12484.
Stannic oxide; petition withdrawn, 12968.
Streptomycin, 4425.
Petitions withdrawn, 7256, 12577.
Styrene copolymers, 16731.
Styrene oxide, 14012.
Succinylated monoglycerides, 5434.
Succistearin (stearoyl propylene glycol hydrogen succinate), 15089.
Sulfachlorpyridazine, 4811.
Sulfadimethoxine, 4425.
Sulfaethoxypyridazine, 2426, 2547, 3429, 7713.
Sulfamethazine, 4424, 6274, 7192, 10966.
Petition withdrawn, 7256.
Sulfanitran (acetyl-(*p*-nitrophenyl)-sulfanilamide), 11877, 15550.
TDE (DDD), 7562.
Tallowyl-*B*-lactic acid, 7413.
Terpene resins, 15090.
Tetrakis[methylene(3,5-di-*tert*-butyl - 4 - hydroxyhydrocinnamate)] methane, 12110.
Textiles and textile fibers, 15570.
Textryls, 15570.
Thiabendazole, 10182.
Petitions withdrawn, 7193, 11623.
Toxaphene, 9454, 12435.
Triethylene glycol; petition withdrawn, 4811.
Trimellitic anhydride, 11041.
2,2,4-Trimethylpentane-1,3-diisobutyrate, 11622.
Tris(2-methyl-4-hydroxy-5-*tert*-butylphenyl) butane, 14697.
Tylosin combinations, 2834, 4811, 6274.
Petitions withdrawn, 7256, 8381, 14658.
Verxite, 5643.
Vinyl acetate and crotonic acid, copolymer, 15570.
Vinyl acetate-acrylamide resins; petition withdrawn, 16583.
Vinyl chloride-propylene copolymers, 15194, 15349.
Vinyl chloridecetyl vinyl ether copolymers; petition withdrawn, 8885.
Vinylidene chloride copolymer coatings for nylon film, 8009.
Wax, reinforced, 15570.
Yellow prussiate of soda, 4511.
Zinc ion, 16281.
Zinc-silicon dioxide matrix coatings, 14852.
Zoalene, 10616.

FRENCH DRESSING. *See* Dressings.
FROZEN DESSERTS. *See* Ice cream, etc.
FRUIT PRESERVES and jams; identity standards, concentrated fruits as optional ingredients 5638, 5906, 9796, 11754
FRUITS AND FRUIT JUICES; identity standards, etc.:
Color additive fruit juice, for food use, exempt from certification 1065, 4396
Figs, canned, optional ingredients; Brix limit for packing medium; proposed rules 17, 16716
Petition withdrawn 16577
Lemonade, canned, frozen concentrate:
Artificially sweetened 8497, 8502, 12019, 14451
Colored and plain 8493, 12020
Orange juice and products:
Canned, pasteurized, etc.; proposed rules, hearing 4413
Concentrate, optional ingredient; effective date 2896, 12949

Food and Drug Administration—Continued Page

FRUIT AND FRUIT JUICES; identity standards, etc.—Continued
Peaches, canned, optional ingredients; proposed rule terminated 5638
Pineapple, canned; temporary permit for market testing 11241
Prune juice, canned, identity standard, ascorbic acid (Vitamin C) as optional ingredient 17, 5958
HAZARDOUS SUBSTANCES, procedural and interpretative regulations:
Exemptions from labeling requirements:
Cigarette lighters containing butane fuel and/or isobutane, 3117.
Felt pad impregnated with ethylene glycol, 3117.
Fire extinguishers, 11719.
Painting and other coating materials, 13006, 16565.
Porous-tip ink-marking devices, 6622.
Solder kits, outer retail containers, 15091.
Federal Hazardous Substances Labeling Act, deletion of "labeling" from name of Act 16564
Hearing procedure 3008
Labeling requirements, methyl alcohol-base radiator antifreeze 11462
ICE CREAM, fruit sherbets, water ices, etc., identity standards, optional ingredients:
Dioctyl sodium sulfosuccinate, proposed rule 10415
Microcrystalline cellulose 10889, 14829
INSECTICIDES, chemicals, etc. *See* Pesticide chemicals.
LABELING REQUIREMENTS:
See also Hazardous substances.
Exemptions, antioxidants as chemical preservatives of fatty emulsifiers; proposed rule 10888
LEMONADE, canned, frozen concentrate. *See under* Fruits and fruit juices, *above*.
MACARONI and products, identity standards:
Nonfat milk as optional ingredient 5618, 7562
Temporary permit for market testing 12651
MARGARINE, oleomargarine; identity standards:
Liquid margarine 3028, 5434, 7375
Optional ingredients:
Culturing milk, requirement for; proposed rule 14556
Water, artificial flavoring ingredients, etc 5433, 8873
MILK AND PRODUCTS:
Evaporated, identity standards, dioctyl sodium sulfosuccinate as optional ingredient; proposed rule 10415
Imported canned heat-processed milk products; status, policy statement 11935
OILS, FATS, AND FATTY FOODS, dietary management, label statements; proposed rule terminated 3301
ORANGE JUICE and products. *See under* Fruits and fruit juices, *above*.
ORGANIZATION AND FUNCTIONS, Drug Abuse Control Bureau:
Authority delegations 4811, 8953
Field offices 8953, 15088
State and local officials commissioned to conduct examinations and investigations; revoked 9426
Washington headquarters 12018, 15088
PEACHES, canned. *See under* Fruits and fruit juices, *above*.
PEAS, canned. *See under* Vegetables, canned, *below*.
PESTICIDE CHEMICALS in or on raw agricultural commodities:
Definitions and interpretative regulations, tolerances for related pesticide chemicals 9453, 10959
Exemption from tolerance:
Viable spores of micro-organism *Bacillus thuringiensis* Berliner, 3141, 7376.
Procedural regulations; certain obsolete material deleted 11754
Specific tolerances; rules proposed or adopted:
2-Aminobutane, 11623.
Ammoniates of [ethylenebis (dithiocarbamato)] zinc, 8381.
Ammonium chloride, 10616.
Ammonium nitrate, 10616.
Ammonium thiosulfate, 10616.
Atrazine (2-chloro-4-[ethylaminol]-6-[isopropylamino]-*s*-triazine), 11772.
1,1-Bis(*p*-chlorophenyl)-2,2,2-trichloroethanol, 4748.
Petition withdrawn, 11623.
Bromacil (5-bromo-3-sec-butyl-6-methyl-uracil), 9243.
Bromides, inorganic, 6318, 9643.
N-(p-Bromophenyl)-*N'*-methyl-*N'*-methoxy-urea, 13054.

Food and Drug Administration—Continued

PESTICIDE CHEMICALS in or on raw agricultural commodities—Continued
Specific tolerances; rules proposed or adopted—Con.
Bromoxynil, 13179.
3-*tert*-Butyl-5-chloro-6-methyluracil, 10005.
N-Butyl-*N*-ethyl-α,α,α-trifluoro-2,6-dinitro-*p*-toluidine, 11112.
Carbaryl (1-naphthyl *N*-methylcarbamate), 13874.
2-Chloro-*N*-isopropylacetanilide, 5082, 13812.
(3-[*p*-(*p*-Chlorophenoxy) phenyl]-1,1-dimethylurea, 8884.
p-Chlorophenoxyacetic acid, 289.
Chlortetracycline, 11155.
2,4-D, 5453, 7680, 14360.
DDT, 903, 9454.
1,2-Dibromo-2,2-dichloroethyldimethyl phosphate, 12967.
Dicamba, 4151.
Petition withdrawn, 8547.
Dichlobenil, 9028.
2,6-Dichloro-4-nitroaniline, 4425, 8381, 10263, 16768.
2,6-Dichlorobenzoic acid, 9028.
2,4-Dichlorophenyl *p*-nitrophenyl ether, 9610.
Petition withdrawn, 11623.
O,O-Diethyl *O*-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate, 5152, 13450, 14830.
O,O-Diethyl O-3-chloro-4-methyl-2-oxo-2*H*-1-benzopyran-7-yl phosphorothioate, 5231.
O,O-Diethyl *S*-2-[(ethylthio) ethyl] phosphorodithioate, 4423, 5081, 5770, 10181, 15331.
Petition withdrawn, 14697.
Dimethoate and its oxygen analog, 10959.
O,O-Dimethyl-*O*-[4-(methylthio)-*m*-tolyl] phosphorothioate, 12734.
O,O-Dimethyl *O*-*p*-(dimethylsulfamoyl) phenyl phosphorothioate, 8884.
O,O-Dimethyl *S*-[2-ethylsulfinyl) ethyl] phosphorothioate, 14852.
O,O-Dimethyl S-[4-oxo-1,2,3-benzotriazin-3 (4*H*)-yl-methyl] phosphorodithioate, 14012.
1,1-Dimethyl-3-(α,α,α-trifluoro-*m*-tolyl) urea, 9471.
Dimethyl phosphate of 3-hydroxy-*N*-methyl-*cis*-crotonamide, 8381.
Diuron, 5619, 8884, 16565.
Endosulfan, 11772.
Endrin, 13211.
Ethion, 11623, 11900.
O-Ethyl *S*-phenyl ethylphosphonodithioate, 15820.
S-Ethyl cyclohexylethylthiocarbamate, 11241.
Ethyl 4,4'-dichlorobenzilate, 5958.
Ethylenebis[dithiocarbamic acid] bimolecular and trimolecular cyclic anhydrosulfides and disulfides, 8381.
Ferbam, 4424, 9001.
Gibberellic acid, 16583.
Isopropyl 4,4'-dichlorobenzilate, 15610.
N-Isopropylaniline, 5082.
Linuron (3-(3,4-dichlorophenyl) - 1 - methoxy - 1-methyl-urea, 14697.
Maneb, 2561, 5082, 6327, 7741, 10574.
N-(Mercaptomethyl)-phthalimide *S*-(*O,O*-dimethyl phosphorodithioate, 11241, 11435.
Nickel sulfate, 5082.
Oxytetracycline, 11155.
Paraquat, 5643.
Phorate (*O,O*-diethyl *S*-[(ethylthio) methyl] phosphorodithioate, 4423, 11402.
Phosphamidon, 15103.
Phosphine, 10373.
Simazine (2-chloro-4,6-bis(ethylamino)-*s*-triazine), 20, 13812.
Terbacil (3-*tert*-butyl-5-chloro-6-methyluracil), 16583.
cis-N[(1,1,2,2-Tetrachloroethyl) thio]-4-cyclohexene-1,2-dicarboximide, 5982, 8380.
2,3,5,6-Tetrachloronitrobenzene, 20, 7172, 7173.
Toxaphene, 9454.
Trifluralin, 8547.
Viable spores of *Bacillus thuringiensis* Berliner, residues, 3141.
Zinc ion and maneb coordination product, 2561, 5082, 7741.
Temporary tolerances:
2-Aminobutane, 3040, 14851.
1,1-Bis(*p*-chlorophenyl)-2,2,2-trichloroethanol, 10966.
CIPC (isopropyl *N*-(3-chlorophenyl) carbamate, 9027.
Exo-3-Chloro-*endo*-6-cyano-2-norbornanone *O*-(methylcarbamoyl) oxime, 12967.
2,3-Dichlorobenzyl methylcarbamate, 13732.
3,4-Dichlorobenzyl methylcarbamate, 13732.
1,1'-Dimethyl-4,4'-bipyridinium, 9309.
Dimethyl phosphate of 3-hydroxy-*N*-methyl-*cis*-crotonamide, 8964.

Food and Drug Administration—Continued Page

PESTICIDE CHEMICALS in or on raw agricultural commodities—Continued
Temporary tolerances—Continued
Dodine, 3140.
Isopropyl 4,4'-dichlorobenzilate, 8248, 14463.
Maneb, 3141.
N-(Mercaptomethyl) phthalimide *S*-(*O,O*-dimethyl phosphorodithioate), 15331, 16481.
2-Methyl-2-(methylthio)-propionaldehyde *O*-(methylcarbamoyl)-oxime, 6593.
Nickel sulfate, 3141.
Phosphamidon, 11188.
Toluene-α,α-dithiol bis(*O,O*-dimethyl Phosphorodithioate), 2666.
Trifluralin, 8028.
PINEAPPLE, canned. *See under* Fruits and fruit juices, *above*.
PRUNE JUICE, canned. *See under* Fruits and fruit juices, *above*.
RADIATION:
Food processing, etc.:
Electron beam 3196, 3402, 5453, 9491
Gamma 3402, 5453, 7256, 9491, 11241
Ultraviolet 12651, 14013
Petition withdrawn 16162
X-radiation, high dose 3402, 5453, 9491
Packaging materials for prepackaged foods 2963
RECORDS, non-Federal; retention requirements 4019
SALAD DRESSING. *See* Dressings.
SODA WATER, identity standards, optional ingredients 1067, 5490
Dicotyl sodium sulfosuccinate; proposed rule 10415
Dimethylpolysiloxane; proposed rule 11109
Methylparaben or propylparaben; editorial change 10886
Stannous chloride in canned soda water; proposed rule 12104
SPINACH, canned. *See under* Vegetables, canned, *below*.
STANDARDS OF IDENTITY. *See specific commodities*.
TEA IMPORTATION, standards, 1966–67 5071
TOMATOES, canned. *See under* Vegetables, canned, *below*.
VEGETABLES, canned; identity standards, etc.:
Artichokes; ascorbic acid 9, 3116
Bean sprouts; calcium lactate, effective date
Beans, green:
Butter and emulsifier or stabilizer 6120, 6792, 12716
Corn and glucose sirups; proposed rule terminated 5969
Color additive vegetable juice, for food use, exempt from certification 1065, 4396
Corn:
Butter and emulsifier or stabilizer 6120, 6792, 12716
Corn and glucose sirups; proposed rule 5969
Other than those specifically regulated; butter and emulsifier or stabilizer 12716
Peas:
Butter and emulsifier or stabilizer 6120, 6792, 12716, 12950
Corn and glucose sirups; terminated, proposed rule 5969
Spinach, whole leaf, cut leaf or sliced; proposed rule 12643
Tomatoes:
Organic acidifying agents 1154, 10676, 12840
Solid pack, definition 16266
VITAMIN AND MINERAL-FORTIFIED FOODS. *See under* Dietary foods.

Food Stamp Program:
RECORD RETENTION REQUIREMENTS. *See* Agriculture Department.

Foreign Aid:
See Agency for International Development.

Foreign Assets Control:
See Treasury Department.

Foreign Claims Settlement Commission:
CONDUCT STANDARDS 3245

Foreign Exchange:
EMPLOYMENT TAXES, wages paid in nonconvertible foreign currency 149
SURPLUS AGRICULTURAL COMMODITIES, financing commercial sales for foreign currency 3059, 4004
TRANSACTIONS, exports of coins and currency, etc. *See* Treasury Department.

Foreign Gifts and Decorations: Page
REGULATIONS, functions of Secretary of State (Executive Order 11320) ---- 15789

Foreign Labor:
CITRUS INDUSTRY in Florida, wage rates ---- 13466
EMPLOYMENT of aliens. *See* Employment Security Bureau; Labor Department.

Foreign Service Board:
REESTABLISHMENT (Executive Order 11264) ---- 67

Foreign Service Board of Examiners:
REESTABLISHMENT (Executive Order 11264) ---- 67

Foreign Social Insurance:
See Social Security Administration.

Foreign Trade:
STATISTICS ---- 260, 11367

Foreign-Trade Zones Board:
HAWAII, Honolulu, zone No. 9, expansion ---- 9323
MICHIGAN, Bangor Township, Bay County; zone and subzones ---- 12070
NEW ORLEANS, La.; reduction of zone boundary, and erection of building ---- 13258

Forest Products Week, National, 1966:
PROCLAMATION 3751 ---- 13197

Forest Service:
ADMINISTRATION; procedure of Board of Forest Appeals ---- 7628, 16357
LAND USES:
Experimental areas and research natural areas ---- 5072
National forest wilderness and national forest primitive areas; administration and use ---- 7899
TIMBER; advertisements and bids ---- 8180, 9417
TRESPASS:
Criminal cases, revocation ---- 1074
Occupancy; requirements for registration, camping, grazing of recreation livestock, etc ---- 7902
WILDERNESS AREAS, proposed establishment; hearings:
Arizona:
Mount Baldy, 10044.
Pine Mountain, 12732.
California, Angeles National Forest, 8185.
Colorado, Flat Tops, 11619.
Montana, Spanish Peaks, 9821.
Oregon, Mount Jefferson, 11322.
Utah, High Uintas, 10288.
Wyoming, Washakie, 13949.

Forests, National:
See Forest Service; Land Management Bureau; National forests, parks, etc.; National Park Service; Reclamation Bureau.

Fruit:
See also specific fruits.
COLD-PACK, warehouses. *See* Agriculture Department.
DECIDUOUS FRUIT PRODUCTS from Republic of South Africa involving convict labor, customs restrictions ---- 5329
IDENTITY STANDARDS, optional ingredients, etc. *See* Food and Drug Administration.
MARKETING ORDERS, import restrictions, quarantine, etc. *See* Agriculture Department.

Fruit Juices:
BRIX VALUES, unconcentrated juices, Customs Bureau regulations ---- 2727
CANNED, identity standard, optional ingredients, etc. *See* Food and Drug Administration.
MARKETING, etc. *See* Agriculture Department.

Fruit Preserves and Jams:
IDENTITY STANDARDS, optional ingredients. *See* Food and Drug Administration.

Furniture, Household, Industry:
TRADE PRACTICE RULES. *See* Federal Trade Commission.

G

Gas: Page
See also Oil and gas.
EXCISE TAXES ---- 5491

Gas Companies:
EMERGENCY COMMUNICATIONS. *See* Federal Communications Commission.
RATES, CHARGES, etc. *See* Federal Power Commission.

Gas Industry Week:
PROCLAMATION 3729 ---- 8567

General Accounting Office:
CIVIL CLAIMS by Government for money or property, joint regulations of GAO and Justice Department ---- 13381
CONDUCT STANDARDS ---- 5293
FREIGHT TRANSPORTATION; bills of lading and delivery receipts ---- 6101
RECORDS, non-Federal; retention requirements ---- 4063

General Agreement on Tariffs and Trade:
SCHEDULE XX:
U.S.-Japan renegotiation (Proclamation 3744) ---- 12391
U.S.-U.K. renegotiation (Proclamation 3712) ---- 5543
Codification in Title 48 CFR ---- 7034

General Pulaski's Memorial Day, 1966:
PROCLAMATION 3747 ---- 12671

General Services Administration:
See Federal Register, Public Buildings Service.
ADVISORY COMMITTEE on Federal Buildings in National Capital Region, establishment:
(Letter of January 29, 1966) ---- 2469
Membership, functions ---- 2504
AUTHORITY DELEGATIONS by Administrator to various officials:
Atomic Energy Commission Chairman, lease space in Idaho Falls, Idaho ---- 11993
Defense Department Secretary, representation of executive agencies before Interstate Commerce Commission ---- 10333
Federal Aviation Agency Administrator; repair, alter, and improve certain premises ---- 10094
Health, Education, and Welfare Department Secretary; appointment of special policemen at N.I.H. ---- 13924
National Aeronautics and Space Administrator, representation of executive agencies before Interstate Commerce Commission ---- 6648, 10010
COMMITTEES, standing, interagency, chaired by GSA during 1966 ---- 9248
CONDUCT STANDARDS ---- 4328
DATA PROCESSING:
Establishment and maintenance of inventories ---- 7418, 12816
Surplus electronic equipment, disposal ---- 3495
FEDERAL BUILDINGS IN NATIONAL CAPITAL REGION, ADVISORY COMMITTEE ON; establishment by Director:
(Letter of January 29, 1966) ---- 2469
Membership, functions ---- 2504
FEDERAL PROPERTY MANAGEMENT REGULATIONS:
Accounting machines, electrical, leased by Government; reporting and transferring ---- 12815
Automatic data processing sharing exchange program, Government-wide ---- 7418, 12816
Cost reduction in procurement, supply, and property management; reports ---- 12817
Defense materials, lead and zinc stabilization ---- 7752
Equipment replacement standards ---- 12819
Motor vehicles:
Interagency pools, official use ---- 12522
Motor equipment management, official Government tags, service at service stations, forms, etc ---- 15571
Replacement standards ---- 13773, 13774
Safety devices ---- 4088, 9628, 10194
Sale of vehicles, no trade-in bids ---- 4997
National Archives, public use of records and facilities ---- 4682
Presidential libraries ---- 6311
Public buildings and space:
Construction projects, architectural and engineering services ---- 8117
Management of public buildings and grounds ---- 7234
Sidewalk installation, repair, and replacement ---- 6312

General Services Administration—Continued Page
FEDERAL PROPERTY MANAGEMENT REGULATIONS—Continued
Supply and procurement:
Federal catalog system, instructions for maintenance ---- 11106
Federal specifications, use of; exceptions ---- 4684
Inventory management:
Long supply inventories, maximizing use of ---- 12818
Shelf life materials, maximum use of ---- 12819
Stock replenishment ---- 9541
Motor vehicles:
Safety devices ---- 4088, 9628, 10194
Sale of vehicles, no trade-in bids ---- 4997
Non-essential, supplies and equipment, restrictions on procurement ---- 12818
Office furniture, and convenience items:
Restrictions ---- 2471
Use standards ---- 13450
Office machines, servicing, annual maintenance contracts ---- 14260
Personal property, exchange or sale ---- 4997
Procurement sources and programs:
Federal supply schedules; customer's guide, security cabinets, drugs ---- 10922
GSA stores stock ---- 9541
General Supply Fund billings ---- 5447
Interior planning and design services ---- 9797
Motor vehicle requisitioning and delivery schedule ---- 7234
Similar items ---- 6963
U.S. Government national credit card ---- 15571
Purchase or lease determinations, guidelines ---- 3462
Transportation, interagency motor vehicle pools, official use ---- 12522
Utilization and disposal:
Personal property:
Dangerous excess property ---- 5885
Donation of property; definition of public body, Puerto Rico and Indian tribes added ---- 5043
Electronic data processing equipment ---- 3495
Equal opportunity clause in contracts ---- 6491, 6831
Exchange sale property ---- 4997
Motor vehicles for upgrading, replacement, or emergency purposes ---- 1007
Sale, abandonment, or destruction ---- 4997, 5000, 9542, 15094
Real property, excess:
Disposal, delegations, etc ---- 2504, 2658, 8540, 16780
Flood hazards, data on ---- 15541
Utilization; screening of property ---- 2658
MIGRATORY BIRD MANAGEMENT, transfer of portion of U.S. Naval Ammunition Depot, Hastings, Nebr., to Sport Fisheries and Wildlife Bureau ---- 15503
MOTOR VEHICLES:
Interagency pools:
Contractors, use by ---- 12521
Official use ---- 12522
Motor equipment management, official Government tags, service at service stations, forms, etc ---- 15571
Replacement standards ---- 13773, 13774
Requisitioning and delivery schedule ---- 7234
Safety devices ---- 4088, 9628, 10194
Sale of vehicles, no trade-in bids ---- 4997
Storage, exemptions from use of official tags, etc ---- 9003
Surplus, utilization ---- 1007
NATIONAL CAPITAL REGION, Advisory Committee on Federal Buildings in; establishment:
(Letter of January 29, 1966) ---- 2469
Membership, functions ---- 2504
NONDISCRIMINATION in employment:
Compliance reports, temporary regulation ---- 3511, 6388, 10094, 16504
Procurement regulations ---- 13337, 13450
PROCUREMENT REGULATIONS:
Federal:
Advertising, formal ---- 348
Aluminum, use of ---- 3271, 8621
Bonds and insurance, surety affidavit ---- 15092
Contracts:
Financing ---- 348
Termination for default ---- 5880
Copper substitutes, use; temporary regulation ---- 4976
Equal opportunity in employment, compliance reports; temporary regulation ---- 3511, 6388, 10094, 16504

General Services Administration—Continued Page
PROCUREMENT REGULATIONS—Continued
Federal—Continued
Forms:
Advertised construction contracts ---- 5880
Affidavit of individual surety ---- 15093
Equal employment opportunity ---- 13450
Standard Forms:
No. 37 ---- 9866
No. 129 ---- 5199
Supply and service contracts ---- 14738
General:
Forms for construction contracts:
Contingent fees ---- 5880
Small business concerns ---- 5880
Postaward orientation of contractors ---- 12437
Labor:
Equal opportunity, preaward compliance reviews ---- 8592
Service Contract Act of 1965 ---- 11
Negotiation ---- 348, 1150, 8116, 15805
Public utility services ---- 16417
Special and directed sources of supply:
Aluminum, excess, use of ---- 3271, 8621, 9216
Interagency motor pool services, use by contractors ---- 12521
Taxes; excise taxes and exemption forms ---- 6370
GSA:
Advertising:
Information to bidders ---- 9498
Postponement of bid openings ---- 7391
Debarred, suspended, and ineligible bidders ---- 708
Foreign purchases:
Balance of payments ---- 2689
Buy American Act ---- 2689, 9498
Forms ---- 3243
General policies, use of specifications ---- 14979
Labor:
Equal opportunity in employment ---- 13337
Walsh-Healey Public Contracts Act ---- 3243
Negotiation, procurement by:
Emergency ---- 2689
Experimental or research, deleted ---- 2689
Personal or professional services, deleted ---- 2689
Small business concerns, set-asides ---- 10528
Special and directed sources of supply, use of stockpile aluminum ---- 5200
RECORDS, non-Federal; retention requirements ---- 4065
WILDLIFE CONSERVATION PURPOSES, transfer of certain lands:
Bong, Richard I., Air Force Base, Kansasville, to State of Wisconsin ---- 11732
Creede National Fish Hatchery to State of Colorado ---- 10866
Kingsbury Ordnance Plant, La Porte, to State of Indiana ---- 12978

Geological Survey:
AUTHORITY DELEGATION from Secretary of Interior, mineral leasing functions ---- 6876
COAL LAND CLASSIFICATIONS:
Alaska, 5021.
Colorado, 542, 1206, 5021.
New Mexico, 5529, 5843, 5976.
Utah, 4741, 10479.
Wyoming, 101, 1012, 5021, 6794, 8883, 9089, 10479, 10898.
MINERAL RESERVE EXPLORATION, Federal assistance; copper as eligible mineral ---- 9062
OIL AND GAS:
Fields, known geologic structures; various States ---- 483, 5842, 9685, 14609
Operating regulations, approval of drilling plan ---- 2614, 6414
PHOSPHATE LAND CLASSIFICATIONS:
Idaho, 8599.
Wyoming, 8599, 8883.
RECORDS, non-Federal; retention requirements ---- 4025

Gifts:
AIR FORCE DEPARTMENT, gifts to ---- 15318
ARMED FORCES MEMBERS in combat zone, gifts from; temporarily duty-free imports ---- 14521
FOREIGN, functions of Secretary of State (Executive Order 11320) ---- 15789
INCOME TAX, allowance of deduction on gifts ---- 14632

Government Employees: Page
CIVIL DEFENSE IDENTIFICATION for Federal employees ... 6963, 7175
CIVIL SERVICE REGULATIONS. *See* Civil Service Commission.
CONDUCT STANDARDS. *See* Conduct standards.
EQUAL EMPLOYMENT OPPORTUNITY. *See* Nondiscrimination.
EXECUTIVE ASSIGNMENT SYSTEM for positions in grades 16, 17, and 18 of General Schedule, regulations (Executive Order 11315) ... 14729
HEALTH BENEFITS PROGRAM. *See* Civil Service Commission.
PAY AND ALLOWANCES:
Federal employees assigned to California offshore islands (Executive Order 11275) ... 5283
Federal Executive Salary Schedule, positions placed in Level V (Executive Order 11268, 11273, 11293, 11299, 11316) ... 871, 4947, 10507, 10917, 15011
Travel and transportation expenses (Executive Order 11290, 11294) ... 10067, 10601
POSTAL EMPLOYEES, field service, excluded from certain regulations relating to holiday observance (Executive Order 11272) ... 3111
SAFETY PROGRAM, Mission SAFETY–70 (Memorandum and Statement of February 16, 1966) ... 2993, 2995
TRANSFER OF EMPLOYEES to public international organizations; waiver of certain provisions in case of Reginald C. Price (Executive Order 11303) ... 11963
WITHOUT-COMPENSATION EMPLOYEES. *See* Commerce Department; Interior Department; Interstate Commerce Commission.

Grain Sorghum:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
CROPLAND ADJUSTMENT PROGRAM, etc. *See* Agriculture Department.
PRICE–SUPPORT PROGRAM, etc. *See* Commodity Credit Corporation.

Grains:
See also specific grains.
BULK SHIP CARGOES, loading and stowage ... 4208
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
PRICE–SUPPORT PROGRAM, etc. *See* Commodity Credit Corporation.
RATE STRUCTURE INVESTIGATION by Interstate Commerce Commission, grain and products in western districts and for export ... 4536
STANDARDS, etc. *See* Agriculture Department.

Grants:
APPALACHIAN ASSISTANCE ... 11175
COMMUNITY ACTION PROGRAMS, Office of Economic Opportunity; criteria for grants exceeding 90 percent of costs ... 8623
DISASTER ASSISTANCE, grants in lieu of temporary housing or emergency shelter ... 3121
Revoked ... 9005
FARM LABOR HOUSING, policies ... 6235
HEART DISEASE, CANCER, AND STROKE, research, training, etc., regional medical programs; proposed rules ... 4969
HOME HEALTH SERVICES, basis of allotments; correction ... 1058
INTERNATIONAL EDUCATIONAL EXCHANGE PROGRAM, foreign participants ... 9348
LAND ACQUISITION for public works. *See* Housing and Urban Development Department.
MENTAL HEALTH:
Community mental health centers, specialized service facilities ... 3246
Mental hospitals, modernization allotments, etc ... 12095
Mentally retarded, construction of facilities for ... 914, 11900
NATIONAL ENDOWNMENT FOR ARTS, labor standards on projects or productions assisted by grants from. *See* Wage and Hour Division.
NATIONAL INSTITUTES OF HEALTH training grants ... 9505
NATIONAL LIBRARY OF MEDICINE grants ... 9499, 9505
PUBLIC HEALTH grants. *See* Public Health Service.
RAILROADS, grants by, for valuation purposes; revoked ... 11180

Grants—Continued Page
SAFETY STANDARDS applicable to workshops and rehabilitation facilities assisted by grants ... 6370
SCHOOL AND PRESCHOOL CHILDREN, health, special project grants ... 203
SCHOOLS of medicine, dentistry, etc.:
Quality improvement ... 7376, 7755
Scholarship grants ... 7378
SCIENTIFIC RESEARCH, Defense Department policy ... 8007
SOLID WASTE DISPOSAL PROJECTS ... 5180, 7456
TECHNICAL SERVICES, planning grants; State Technical Services Office ... 16265
WATER and related land resources, planning grants to States ... 9747, 14716
WATER POLLUTION CONTROL, regulations:
Health, Education, and Welfare Department ... 2900, 5758, 5761
Public Health Service ... 5758
WATER AND SEWER FACILITIES. *See* Housing and Urban Development Department.

Grapefruit:
MARKETING, etc. *See* Agriculture Department.

Grapes:
MARKETING, etc. *See* Agriculture Department.

Grazing:
PUBLIC LANDS. *See* Land Management Bureau.

Great Lakes Pilotage Administration:
GREAT LAKES PILOTAGE REGULATIONS:
Definitions ... 5450, 9064
Pilot registration ... 5451, 9064
Pools, establishment by voluntary associations of U.S. registered pilots ... 5452, 9066
Rates, charges, and conditions for pilotage services ... 5452, 9066
Representation ... 5453, 9067
GREAT LAKES PILOTAGE RULES, certain provisions revoked ... 9067
RECORDS, non-Federal; retention requirements ... 4015

Great Plains Conservation Program:
See Agriculture Department.

Greece:
CONVENTION BETWEEN U.S. AND GREECE, implementation of Article XIII:
Executive Order 11300 ... 11009
Immigration regulations ... 11720
COTTON TEXTILE import restrictions. *See* Interagency Textile Administrative Committee.
WARSHIPS, deserters from, special procedures ... 12774

Guam:
BASIC COMPENSATION, Governor ... 10898
CARROTS, untreated; entry from Taiwan ... 5607
TAXES, EMPLOYMENT; special rules as employer ... 2596
WATCH AND WATCH MOVEMENT PRODUCERS, joint notice by Secretaries of Commerce and Interior respecting quotas ... 16579

Gum Naval Stores:
CONSERVATION PROGRAM, etc. *See* Agriculture Department.
PRICE-SUPPORT PROGRAM. *See* Commodity Credit Corporation.

H

Halibut Commission:
See International Pacific Halibut Commission.

Handicapped Persons:
NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1966 (Proclamation 3736) ... 11135

Hay:
DISASTER AREAS, transportation of hay at reduced rates. *See* Interstate Commerce Commission.
INSPECTION. *See* Agriculture Department.

Hazardous Duty:
INCENTIVE PAY for members of Armed Forces (Executive Order 11292) ... 10447

Hazardous Substances: Page
EXPLOSIVES, etc., transportation, storage. *See* Canal zone; Coast Guard; Interstate Commerce Commission.
GLASS FIBER FABRICS and fiber textile products, hazards of washing or handling; proposed rule ... 14559
LABELING REQUIREMENTS, exemptions, regulations. *See* Food and Drug Administration.

Health Benefits:
AGED, medical insurance. *See* Social Security Administration.
GOVERNMENT EMPLOYEES. *See* Civil Service Commission.

Health, Education, and Welfare Department:
See Aging, Administration on.
Children's Bureau.
Education Office.
Family Services Bureau.
Federal Credit Unions Bureau.
Food and Drug Administration.
Public Health Service.
Social Security Administration.
Vocational Rehabilitation Administration.
Welfare Administration.
AIR POLLUTION:
Authority of Public Health Service ... 15709
Federal activities, functions respecting pollution prevention, control, and abatement (Executive Order 11282) ... 7663
Kansas City, Kans.-Kansas City, Mo.; conference ... 16732
Motor vehicles and engines, new ... 1312, 5170
New York-New Jersey area, conference ... 14790, 15202
AUTHORITY DELEGATIONS:
By Assistant Secretary for Administration, certify copies of documents:
Aging, Administration on; Commissioner, et al ... 4811
Food and Drug Administration; Drug Abuse Control Bureau, Director ... 4811
By Secretary to certain officials:
Assistant Secretary, Health and Scientific Affairs; patents and inventions ... 12842
Special Assistant for Civil Rights; hearings ... 15159
From General Services Administrator; appointment of special policemen at N.I.H ... 13924
CONDUCT STANDARDS ... 4644
DEAF, technical institutes for; invitation to institutions of higher education to submit proposals ... 5578
MENTAL RETARDATION and community mental health centers construction, Federal percentages ... 11900
MOTOR VEHICLES, new, and engines; air pollution control ... 1312, 5170
NONDISCRIMINATION in Federally assisted programs, hearings ... 1303
ORGANIZATION AND FUNCTIONS:
Aging, Administration on ... 5770
Education Office ... 8089
Adult and Vocational Education Bureau, Manpower Development and Training Division ... 16163
General Counsel Office ... 1015, 16375
Public Health Service ... 16796
Air pollution ... 15709
Grants for construction of facilities for mentally retarded, etc ... 914
Reorganization:
Interim plan ... 8964
Transfer of functions to Secretary (Reorganization Plan No. 3 of 1966) ... 8855
Student loans, health professions and nursing ... 5724
Social Security Administration ... 4308, 9140, 12111, 13610, 14366, 14889
Surplus Property Utilization Divison ... 10585
Vocational Rehabilitation Administration ... 9812
PATENTS AND INVENTIONS, authority of Assistant Secretary, Health and Scientific Affairs ... 12842
PESTICIDE RESIDUES COMMITTEE, implementation of report on no residue and zero tolerance ... 5723
RECORDS, non-Federal; retention requirements ... 4017
REORGANIZATION PLANS OF 1966:
No. 2, transfer of certain water pollution control functions to Interior Department ... 6857
No. 3, transfer of functions from Public Health Service to Secretary of HEW ... 8855

Health, Education, and Welfare Department—Continued Page
SURPLUS REAL PROPERTY, disposal for educational and public health purposes ... 11886
WATER POLLUTION CONTROL:
Grants:
Demonstration projects ... 2900, 5758
Research fellowships ... 5761
Research and training ... 5758
Transfer to Interior Department ... 7114
Reorganization Plan No. 2 of 1966 ... 6857

Health Manpower, National Advisory Commission on:
ESTABLISHMENT (Executive Order 11279) ... 6947

Health Manpower, President's Committee on:
ESTABLISHMENT (Executive Order 11279) ... 6947

Health, National Institutes of:
ABOLITION (Reorganization Plan No. 3 of 1966) ... 8855
REESTABLISHMENT, interim plan ... 8964

Health Standards:
LONGSHORING ... 7430

Heart Disease Research:
GRANTS, proposed rules ... 4969

Heart Month, American, 1966:
PROCLAMATION 3700 ... 1037

Highway Week, National, 1966:
PROCLAMATION 3735 ... 11133

Highways:
See also Public Roads Bureau.
FEDERAL HIGHWAYS, flood hazard evaluation (Executive Order 11296) ... 10663
NATIONAL HIGHWAY WEEK, 1966 (Proclamation 3735) ... 11133
RIGHTS–OF–WAY over public lands. *See* Land Management Bureau.
SAFETY:
Programs. *See* Commerce Department.
Radio communications. *See* Federal Communications Commission.

Holidays:
POSTAL FIELD SERVICE, employees excluded from certain regulations relating to observance of holidays by Federal agencies (Executive Order 11272) ... 3111

Home Loan Bank Board:
See Federal Home Loan Bank Board.

Homesteads:
See Land Management Bureau.

Honey:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
PRICE SUPPORT PROGRAM. *See* Commodity Credit Corporation.
RECORD RETENTION REQUIREMENTS. *See* Agriculture Department.

Hops:
MARKETING, etc. *See* Agriculture Department.

Hospital Care:
See Medical and dental care.

Hospitals:
CONSTRUCTION and modernization, grants for ... 12095
GOVERNMENT. *See* Civil Service Commission.
HEALTH INSURANCE for aged, conditions of hospital participation, etc. *See* Social Security Administration.
VETERANS' HOSPITAL. *See* Veterans Administration.

Housing Assistance Administration:
ORGANIZATION AND FUNCTIONS, designation of acting officials ... 9141

Housing and Urban Development Department: Page

See Federal Housing Administration.
Federal National Mortgage Association.
Housing Assistance Administration.
Public Housing Administration.

ACTING SECRETARY, designation of certain officers to serve as (Executive Order 11274) 5243

AUTHORITY DELEGATIONS:
By Assistant Secretary, Demonstrations and Intergovernment Relations, to certain officials; demonstration programs:
Cayton, Howard, or Don I. Patch; urban renewal 13397
Craun, Bernard T.; low-income housing 13396
By Assistant Secretary, Metropolitan Development, to listed officials:
Deputy Director, Office of Transportation; authority of Director, Urban Transportation Administration 7360
Deputy Regional Administrators:
Issue certain rules and regulations, etc 13148
Urban planning assistance program 7359
Director and Deputy Director, Urban Transportation Administration; contracts for mass transportation research 7360
Regional Administrators:
Grants for water and sewer facilities 6796
Issue certain rules and regulations, etc 13148
Urban planning assistance program 7359
By Assistant Secretary, Renewal and Housing Assistance, to listed officials:
Deputy Assistant Secretary, Housing Assistance, et al.:
College housing program, etc 8969
Low-rent housing in private accommodations, etc 8968
Deputy Assistant Secretary, Renewal, et al.; slum clearance and urban renewal program, etc 8965
Regional Administrators and Deputy Regional Administrators:
College housing program, etc 8969, 16375
Low-rent public housing 11624
Slum clearance and urban renewal programs, etc 8966
By Regional Administrators to listed officials:
All regions, Assistant Regional Administrators, Housing Assistance, et al.; low-rent public housing 11624, 11625
Region I (New York); Administration:
Acting Regional Director; designation 7357
Regional Director; legends on bonds, notes, etc 8548
Region II (Philadelphia):
Acting Regional Administrator; designation 9323
Acting Regional Director, Community Facilities; designation 915
Regional Director, Administration; legends on bonds, notes, etc 5849
Regional Director, Community Facilities; loans and grants, etc. under Area Redevelopment Act 2705
Region III (Atlanta), Regional Director, Administration; legends on bonds, notes, or other obligations 13732
Region IV (Chicago); legends on bonds, etc.:
Chief, Accounting Branch 8091
Regional Director, Administration 8091
Region V (Fort Worth):
Assistant Regional Administrator, Program Coordination and Services; urban planning assistance program 14275, 16327
Regional Director, Administration; legends on bonds, notes, etc 6383
Region VI (San Francisco):
Acting Regional Director, Administration; designation 14419
Regional Director, Administration; legends on bonds, notes, etc 6383
Region VII (San Juan, P.R.), Regional Director, Community Facilities; advances for public works planning program 7358
By Secretary to certain officials:
Acting Assistant Secretary, Demonstrations and Intergovernmental Relations; designation 11773
Acting Commissioner, Community Facilities; designation 3041, 6753
Acting Commissioner, Urban Renewal; designation 5232, 5457

Housing and Urban Development Department—Continued Page

AUTHORITY DELEGATIONS—Continued
By Secretary to certain officials—Continued
Acting Director, Office of Transportation; designation 4814
Acting Regional Administrator, Region I (New York); designation 7594, 8248
Acting Regional Director, Administration, Region II (Philadelphia); designation 10373
Assistant Secretary, Administration; functions of Assistant Administrator, Administration 10754
Assistant Secretary, Metropolitan Development:
Grants for water and sewer facilities 6796
Issue certain rules and regulations, etc 13148
Urban planning assistance program, etc 7358
and regulations, etc 13148
Assistant Secretary, Mortgage Credit and Federal Housing Commissioner:
Community disposition activities 6839
Cost-level findings 12577
Assistant Secretary and Deputy Assistant Secretary, Demonstrations and Intergovernmental Relations; powers and authorities of Secretary in housing research programs, etc 9752
Assistant Secretary and Deputy Assistant Secretary, Renewal and Housing Assistance:
College housing program, etc 8968
Low-rent public housing program, etc 8967, 11624
Slum clearance and urban renewal program, etc 8964
Contracts Compliance Officer, et al.; designation and functions 5584, 5725
Deputy Assistant Secretary, Administration; powers and authority of Assistant Administrator, Administration 10754
Deputy Assistant Secretary, Metropolitan Development:
Issue certain rules and regulations, etc 13148
Urban planning assistance program, etc 7358
Director, Community Disposition Program or Community Disposition Staff; prior delegations revoked 6839
Director, Finance and Accounts Division; legends on obligations evidencing loans 4814
Equal Employment Opportunity Officer; designation and assignment of functions 14525
Federal Housing Commissioner:
Community disposition activities 6839
Cost-level findings 12577
Regional Administrators; et al.:
All regions, legends on obligations evidencing loans 4814
Region II (Philadelphia); grants, urban planning program, portion of Steubenville-Weirton metropolitan area, Ohio 5266
Region III (Atlanta); urban planning program, Saint Tammany Parish, La 9471
Region V (Fort Worth); urban planning program, portion of Navajo Indian Reservation in Arizona and Utah 4257
Under Secretary; power and authority of Secretary 6878
CONDUCT STANDARDS 8781
CONTINUITY OF FUNCTIONS 815
DIRECTOR, DEMONSTRATION CITIES ADMINISTRATION, position placed in Level V of Federal Executive Salary Schedule (Executive Order 11316) 15011
DIRECTOR, URBAN TRANSPORTATION ADMINISTRATION, position placed in Level V of Federal Executive Salary Schedule (Executive Order 11299) 10917
FEDERAL URBAN PROGRAMS, functions (Executive Order 11297) 10765
GRANTS:
Public water and sewer facilities, basic 151, 13995
Public works, advance acquisition of land 432, 537, 13995
OPEN-SPACE LAND, relocation payments 11384
ORGANIZATION AND FUNCTIONS:
Continuity of functions 815
Housing Assistance Administration and Renewal Projects Administration; designation of acting officials 9141
PUBLIC WORKS:
Acceleration, information, application forms, and applications 151
Grants for advance acquisition of land 432, 537, 13995

Housing and Urban Development Department—Continued Page

RECORDS, non-Federal; retention requirements 4023
RELOCATION PAYMENTS, public facility loans, grants for water and sewer facilities, and grants for advance acquisition of land 13995
RENT SUPPLEMENT PAYMENTS 7563, 13081
SEAL, design 816
URBAN RENEWAL, relocation payments 5826

Human Rights Day:
PROCLAMATION 3758 15567

Human Rights Week:
PROCLAMATION 3758 15567

Humane Slaughter:
LIVESTOCK, identification of carcasses. *See* Agriculture Department.

Humane Treatment:
LABORATORY ANIMALS. *See* Agriculture Department.

Hunting:
MIGRATORY BIRDS. *See* Fish and Wildlife Service.
WILDLIFE REFUGES. *See* Fish and Wildlife Service.

I

Ice Cream:
IDENTITY STANDARDS, optional ingredient. *See* Food and Drug Administration.

Immigrants:
IMMIGRATION REGULATIONS. *See* Immigration and Naturalization Service; Labor Department.
VISA REGULATIONS. *See* State Department.

Immigration and Naturalization Service:
IMMIGRATION REGULATIONS:
Aliens:
Admission of, on giving bond or cash deposit 11714
Applying for admission 5118, 9103, 16125
Crewmen, landing, special procedures:
Great Lakes vessels 9267, 12675, 15322
Spanish or Greek ships of war 6196, 12774
Deportability of, in United States, apprehension, custody, hearing, and appeal; cancellation of proceedings 5547
Deportation of, in United States; imposition of sanctions 11744
Exclusion of; decision of special inquiry officer, notice to applicant 8045
Registration and fingerprinting 16125
Forms:
Prescribed 536, 4446, 11714, 15235, 15322
Reproduction by private parties 15322
Immigrants, documentary requirements, waivers; visas 13387
Lawful admission, presumption of 535
Nonimmigrants:
Classes; requirements for admission, extension, and maintenance of status 2373, 2784, 4446, 5948, 6611, 7170, 8045, 10607, 11714, 11744, 12081.
Documentary requirements, waiver 2373, 5118, 8045, 10021, 10355, 10413, 10957, 11714, 13114, 14674.
Permanent residence:
Adjustment of status to that of person admitted for; eligibility, etc 535, 2373, 5119, 6196, 15235
Creation of records of lawful admission; application 15235
Relative of United States citizen or preference immigrant, petition 535, 5117, 7217, 10530, 15322
Revocation of approval of petitions, automatic 535
Service officers, powers and duties:
Applications, petitions, and other documents 535
Authority delegations, district directors 5547, 6196
Denials, appeals, and precedent decisions; proposed rule 830, 3062
Surety bonds 11713
Visitors or students, admission under bond 11714

Immigration and Naturalization Service—Continued Page

NATIONALITY REGULATIONS:
Absences, application for benefits with respect to; appeal 14629
Forms:
Official 14078, 14629
Prescribed 14079, 14629
Special classes of persons who may be naturalized:
Lost U.S. citizenship through service in armed forces of foreign country during World War II, petition 14078, 14629
Seamen, petition 14078
Three years service in armed forces of U.S., petition 14078
Veterans of U.S. armed forces who served during World War I or World War II or enlisted under Act of June 30, 1950, as amended, petition 14078
Women who have lost U.S. citizenship by marriage, former citizen at birth or by naturalization 14078, 14629
ORGANIZATION AND FUNCTIONS:
Convention between United States and Greece, implementation of 11720
Field service:
Border patrol sectors, certain 4307, 9242, 12660
Suboffices:
Interior locations, certain 228, 14011
Ports of entry, certain 980, 6204, 9242, 10139, 13092, 14011
Procedures, general and rule making 13156
Treaty of Friendship between United States and Spain, implementation of 3286

Imports and Exports:
AGRICULTURAL COMMODITIES:
Export programs. *See* Agriculture Department; Commodity Credit Corporation.
Import restrictions, quarantine, etc. *See* Agriculture Department.
AIRCRAFT, special export airworthiness approval 12565
ANIMAL PRODUCTS, inspection. *See* Agriculture Department.
ANTIDUMPING ACT of 1921:
Determinations. *See* Customs Bureau; Treasury Department.
Investigations. *See* Tariff Commission.
Trade Information Committee, Office of Special Representative for Trade Negotiations; consideration of international agreement on antidumping 9619, 10970
ATOMIC REACTORS, export licenses. *See* Atomic Energy Commission.
AUDIOVISUAL MATERIALS, imports (Executive Order 11311) 13413
AUTOMOTIVE PRODUCTS FROM CANADA (Proclamation 3743) 12003
BILLS OF LADING, uniform through export; railroads and water carriers. *See* Interstate Commerce Commission.
CHEDDAR CHEESE, increase in import quotas (Proclamation 3709) 5281
CIGARETTE PACKAGES, health hazard warning label; import requirements 9468, 14850
CLINICAL THERMOMETERS, termination of increased duty on imports (Proclamation 3696) 421
Codification in Title 48 CFR 7032
COFFEE IMPORTS. *See* Customs Bureau.
COTTON TEXTILES, export restraint and import restrictions. *See* Interagency Textile Administrative Committee.
CULTURAL OBJECTS imported for temporary display (Executive Order 11312) 13415
CUSTOMS REGULATIONS. *See* Customs Bureau.
DISTILLED SPIRITS, wines, and beer, importation of 2377
EDUCATIONAL, SCIENTIFIC, AND CULTURAL MATERIALS IMPORTATION ACT OF 1966, effective date (Proclamation 3754) 14381
ENTRY of imported merchandise, duty-free merchandise, etc. *See* Customs Bureau.
EXPORT CONTROL. *See* International Commerce Bureau.
FOREIGN ASSETS CONTROL, certain imports. *See* Treasury Department.

Imports and Exports—Continued Page

INVESTIGATION of certain imports. *See* Emergency Planning Office; Tariff Commission.
NATURAL GAS, applications for authorization to export or import 432
OIL IMPORTS. *See* Interior Department; Oil Import Administration.
OVERTIME SERVICES. *See* Agriculture Department.
SAFETY PINS, termination of increased duty on imports (Proclamation 3703) 1295
Codification in Title 48 CFR 7034
SOUTHERN RHODESIA, export restrictions 28, 4783
STAINLESS-STEEL FLATWARE, reduction of increased duties on imports (Proclamation 3697) 423
Codification in Title 48 CFR 7033
WILDLIFE and eggs thereof, Customs Bureau importation requirements 5358

Income Tax Regulations:
See Internal Revenue Service.

Indian Affairs Bureau:
AUTHORITY DELEGATIONS:
By Area Directors to various officials:
Certain employees, Billings Area Office; credit matters and Indian irrigation projects 7250
Superintendents, et al.; lands and minerals:
Aberdeen Area Office 5667
Billings Area Office 5721
By Commissioner to certain officials:
Area Directors:
Billings Area, redelegation, per capita payments to Arapahoe and Shoshone Tribes 228
Sale or exchange of certain ceded lands restored to tribal ownership 11239
Contracting officers respecting contracting and related matters 4973
Superintendents, et al.:
Billings Area Office 12606, 13731
Muskogee Area Office 11554
Portland Area Office 4850
Red Lake Agency 9553
From Secretary of Interior:
Sale or exchange of certain ceded lands restored to tribal ownership 9610
To Superintendent, Wind River Indian Agency; contracts 10616
Tribal ordinances, resolutions, constitutions and charters 6551
COLUMBIA RIVER Indian in-lieu fishing sites; proposed rule 9087
ENROLLMENT:
Appeals 7745
Membership rolls 7744, 16565
IRRIGATION PROJECTS, operation and maintenance charges:
Flathead, Mont 5766, 7283
Fort Hall, Idaho 13242, 14876
San Carlos, Ariz 9007, 10742
Wapato, Wash.; proposed rule 13946
LEASING AND PERMITTING; suspension of direct rental payment provisions, proposed rule 7353
OSAGE RESERVATION; leasing of lands for oil and gas mining, proposed rules:
Penalties, amount 12794
Wells, plugging:
Revocations, certain 12794
Shutdown and abandonment 12794
PYRAMID LAKE RESERVATION; duration of leases, proposed rule 13605
RECORDS, non-Federal; retention requirements 4025

Indian Claims Commission:
CONDUCT STANDARDS 5445

Indians:
ALCOHOLIC BEVERAGES, legalizing sale to Indians:
Cochiti Reservation Pueblo, N. Mex 11988
Colorado River Indian Reservation, Ariz 5230
Lower Brule Reservation, S. Dak 13610
Swinomish Reservation, Wash 13948
Walker River Paiute Reservation, Nev 7764
AUTHORITY DELEGATIONS, regulations, etc. *See* Indian Affairs Bureau; Indian Claims Commission.

Indians—Continued Page

CALIFORNIA RANCHERIAS, certain; termination of Federal supervision 2911, 9685, 12536, 15494
FEES AND EXPENSES, payment under attorney contracts with Indian tribes 9138
HOLLYWOOD INDIAN RESERVATION, Florida, designation 6795
LANDS, restoration to tribal ownership. *See* Land Management Bureau.
LOANS. *See* Farmers Home Administration.
NATIVE AMERICANS OF NEBRASKA, Ponca tribe; termination of Federal trust relationship and of supervision over affairs of individual members 13810
PROBATE AND ENROLLMENT APPEALS, authority delegation 4631
SCHOOLS, teachers in, manpower shortage. *See* Civil Service Commission.
TRIBES, donation of personal property to; Federal property management regulations 5043

Information Agency:
See United States Information Agency.

Inquiry, Boards of:
INVESTIGATION OF LABOR DISPUTES in military aircraft, armament, and electronics industries (Executive Order 11314, 11321) 13419, 16301

Insecticides, Pesticides, etc.:
NATIONAL RESEARCH COUNCIL PESTICIDE RESIDUES COMMITTEE, tolerance 5723
TOLERANCES for residues on various agricultural commodities. *See* Food and Drug Administration.

Insurance:
AGED, health insurance, survivors insurance, etc. *See* Social Security Administration.
AGRICULTURAL CREDIT INSURANCE FUND, assignment and reservations of functions 3352
BANK DEPOSITS. *See* Federal Deposit Insurance Corporation.
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
FEDERAL HOME LOAN BANK BOARD policy statement regarding institutions failing to meet requirements of insurance regulation 3229, 4390
FEDERAL OLD-AGE, survivors, and disability insurance. *See* Social Security Administration.
FEDERAL SAVINGS AND LOAN INSURANCE. *See* Federal Home Loan Bank Board.
FEDERAL SHIP MORTGAGE and loan insurance 4410
FOREIGN SOCIAL INSURANCE. *See* Social Security Administration.
GOVERNMENT EMPLOYEES:
Group life insurance. *See* Civil Service Commission.
Health benefits program. *See* Civil Service Commission.
HEALTH INSURANCE PROGRAM FOR AGED. *See* Social Security Administration.
HOME LOAN BANKS. *See* Federal Home Loan Bank Board.
HOUSING mortgage insurance. *See* Federal Housing Administration.
INSURANCE COMPANIES, welfare-pension reports. *See* Labor-Management and Welfare-Pension Reports Office.
LIFE INSURANCE:
Government employees. *See* Civil Service Commission.
Income tax regulations. *See* Internal Revenue Service.
Servicemen's and veterans' insurance. *See* Veterans Administration.
MARINE PROTECTION AND INDEMNITY INSURANCE. *See* National Shipping Authority.
POSTAL INSURANCE, fees. *See* Post Office Department.
PROCUREMENT REGULATIONS. *See specific agencies.*
RAILROAD UNEMPLOYMENT INSURANCE ACCOUNT. *See* Railroad Retirement Board.
SAVINGS AND LOAN INSURANCE. *See* Federal Home Loan Bank Board.
VESSELS:
Master hull policies. *See* Fish and Wildlife Service.
War risk insurance. *See* Maritime Administration.

Interagency Textile Administrative Committee: Page

EXPORT RESTRAINT, elastic braid:
Canada, 373.
IMPORT RESTRICTIONS, cotton textiles:
Categories by tariff schedules, list 9310
Various countries, etc.:
Brazil, 373, 9619, 10343, 10591, 13956, 15334.
China Republic, 2978, 7263, 7533, 11993, 15555.
Columbia, 9619.
Greece, 9619.
Hong Kong, 373, 9619, 12118.
Israel, 9619.
Japan, 2978, 5460.
Korea, 371, 9619, 12118, 15771, 16630.
Malaysia, 12118.
Mexico, 373, 9619, 12118.
Pakistan, 2978, 6220, 7264, 9094, 9433, 10934, 15713.
Philippines, 373, 1212.
Poland, 373, 8098, 9619, 12118, 15335.
Portugal, 370, 12072, 12118, 15714.
Singapore, 2978, 5533, 9619, 12118, 12613.
Yugoslavia, 372, 1273, 2978, 7152, 7264, 10485.

Inter-American Cultural and Trade Center (Interama):
DADE COUNTY, FLA.:
Designation of Commerce Department as agency through which U.S. shall participate in Interama (Executive Order 11286) 8279
Invitation to States and foreign countries to participate (Proclamation 3710) 5403

Interest Equalization Tax:
FOREIGN COUNTRIES, designation as economically less developed for purposes of tax (Executive Order 11265) 8211
INTERNAL REVENUE SERVICE regulations 13723

Interest Rates:
See also specific agencies.
SAVINGS deposited by members of uniformed services (Executive Order 11298) 10915

Intergovernmental Relations, Advisory Commission on:
CONDUCT STANDARDS 13113

Interior Department:
See Bonneville Power Administration.
Federal Water Pollution Control Administration.
Fish and Wildlife Service.
Geological Survey.
Indian Affairs Bureau.
Land Management Bureau.
Mines Bureau.
National Park Service.
Oil Import Administration.
Reclamation Bureau.
Saline Water Office.
ALASKA, oil and gas leasing:
Protraction diagrams 4741, 12575
Suspension of lease issuance, Northern Alaska 15494
APPOINTMENTS and statements of business interests under Defense Production Act of 1950 1338, 1339, 2445, 2446, 2664, 3137, 3138, 3350, 4973, 4974, 5080, 5231, 5668, 5976, 6279, 6382, 6383, 6640, 6720, 6877, 7292, 7485, 7486, 8082, 8698, 9686, 9882, 10042, 10043, 10079, 10202, 10424, 10928, 11240, 11497, 11556, 11685, 11686, 11687, 11988, 12414, 12851, 13354, 13355, 13356, 14319, 14566, 14750, 14751, 15159, 16280.
AUTHORITY DELEGATIONS:
See also Organization and functions.
By Deputy Assistant Secretary for Administration to Regional Directors and Auditors-in-Charge; contracts for supplies or services 16280
By Secretary to certain officials:
Bonneville Power Administrator; designation as marketing agent for surplus power at certain projects 13560
Contract Appeals Board, functions 5529
Geological Survey Director; mineral leasing functions 6876

Interior Department—Continued Page

AUTHORITY DELEGATIONS—Continued
By Secretary to certain officials—Continued
Indian Affairs Commissioner:
Sale or exchange of certain ceded lands restored to tribal ownership 9610
Tribal ordinances, resolutions, constitutions and charters 6551
Mines Bureau Director:
Appalachian Regional Development Act 2396
Contributions and cooperative agreements 4810
Federal Coal Mine Safety Act 13609
Research contracts 16580
Solid waste disposal 4809
Reclamation Bureau Commissioner; Federal Water Project Recreation Act 3426
Solicitor, personal property claims 9610
Southwestern Power Administration, marketing agency for surplus electric power 6205
Sport Fisheries and Wildlife Bureau, Director; FEDERAL REGISTER documents 5266
Superintendent, Wind River Indian Agency, Indian Affairs Bureau; contracts 10616
By Solicitor to certain officials:
Assistant Solicitors, land appeals and patents; functions 6325
Associate Solicitors:
Indian Affairs Division; Indian probate and enrollment appeals 4631
Territories, Wildlife and Claims, et al.:
Employee claims 10002
Tort claims 6325
Regional and Field Solicitors:
Employee claims 10002
Fees and expenses under attorney contracts with Indian tribes; notice of transfer 9138
Regional Solicitors; Indian probate and enrollment appeals 4631
BASIC COMPENSATION:
Administrator, Southwestern Power Administration, Governors of Guam and Virgin Islands 10898
Commissioner, Federal Water Pollution Control Administration; Level V of Federal Executive Salary Schedule (Executive Order 11293) 10507
CONDUCT STANDARDS 2512, 9866, 10468
CONGRESS OF MICRONESIA, Trust Territory of Pacific Islands; legislative authority 9138
CONSERVATION AND RECREATION AREAS, occupancy of private and Government cabins on; proposed rules 14563
CONTRACT APPEALS BOARD:
Functions 5529
Membership, conduct standards, etc 8429, 9866, 10468
FISHERY FAILURE, oyster industry disaster:
Connecticut 7724
Virginia, Maryland, Delaware, New Jersey, and New York 11187
INDIANS:
Hollywood, Florida, Indian Reservation, designation 6795
Liquor sales legalized:
Cochiti Reservation Pueblo, N. Mex 11988
Colorado River Indian Reservation, Ariz 5230
Lower Brule Reservation, S. Dak 13610
Swinomish Reservation, Wash 13948
Walker River Paiute Reservation, Nev 7764
Termination of Federal supervision over property and members:
California rancherias, certain 2911, 9685, 12536, 15494
Ponca Tribe of Native Americans of Nebraska 13810
NEVADA AND CALIFORNIA, certain reclamation and irrigation projects, etc.; proposed rules 11314
NONDISCRIMINATION in Federally-assisted programs of Department, rules for proceedings 8690
OIL AND GAS LEASING; Alaska:
Northern Alaska, suspension of lease issuance 15494
Protraction diagrams 4741, 12575
OIL IMPORTS:
District I; residual fuel oil to be used as fuel 580, 5071, 5960
Petrochemical plants, allocations to 530, 10887
Puerto Rico:
Crude and unfinished oils, maximum level 5149
Finished products other than residual fuel oil, adjustment in maximum level 7764

Interior Department—Continued

ORGANIZATION AND FUNCTIONS:
- Fish and Wildlife Service, general program authority:
  - Commissioner — 11685
  - Director, Commercial Fisheries Bureau — 11685
  - Director, Sport Fisheries and Wildlife Bureau — 11685
- Water pollution control, Assistant Secretary and Deputy Assistant Secretary — 10584

PATENT REGULATIONS, licenses — 10796
RECLAMATION AND IRRIGATION PROJECTS, certain, etc.; Nevada and California; proposed rules — 11314
RECORDS, non-Federal; retention requirements — 4024
RECREATION AREAS, occupancy of private and Government cabins; proposed rules — 14563
RESERVOIR PROJECT LANDS; joint policy of Departments of Interior and Army, codification — 9108
WATCHES AND WATCH MOVEMENTS, producers located in Virgin Islands, Guam, and American Samoa; joint notice by Secretaries of Commerce and Interior respecting quotas and procedures — 16579
WATER POLLUTION CONTROL:
- Authority delegation — 10584
- Functions (Executive Order 11288) — 9261
- Program, purpose, organization, policy, etc. — 6877
- Transfer from Health, Education, and Welfare Department (Reorganization Plan No. 2 of 1966) — 6857

WILDERNESS PRESERVATION — 3011
- Lands administered through Land Management Bureau — 3012
- National wilderness preservation system — 3011

Internal Revenue Service:

AGENTS transferred from Office of General Counsel, Treasury Department, special enrollment examination for practice by — 6639
ATTORNEYS, ACCOUNTANTS, etc., practice before IRS — 4960, 6318, 10773, 12638, 13992
AUTHORITY DELEGATIONS:
- By Commissioner to various officials:
  - Assistant Commissioner (Administration), et al.; claims — 2785
  - Assistant Commissioner (Compliance), et al.; closing agreements concerning tax liability — 8641
  - Assistant Commissioners, et al.; closing agreements concerning tax liability — 14601
  - Directors of certain Service Centers; filing of returns — 16282
  - District Directors, et al.:
    - Exemptions, revocation and reestablishment of — 227, 2785
    - Returns, inspection of — 7249, 7250
  - Regional Commissioners, et al.; protested and tax court cases — 2393
- From Assistant Secretary of Treasury for Administration; property and services procurement — 5527

DISTILLED SPIRITS. *See* Excise taxes; Intoxicating liquors; Procedural rules.
EMPLOYMENT TAXES:
- Collection at source:
  - Nonresident aliens, Federal employees in Puerto Rico, etc — 15593, 16775
  - Supplemental wage payments — 5661
- Definition of wages — 2596
- Deposit of, use of Government depositaries — 6515, 7183, 15095, 16269
- Foreign currency, nonconvertible, wages paid in — 149
- Returns:
  - Magnetic tape, use of — 6590
  - Time for filing; FICA taxes and income tax withheld — 11430
- Special rules, Guam or American Samoa as employer — 2596
- Tips, treatment of; proposed rules — 965, 3263
- Withholding. *See* Collection at source.

EXCESS PROFITS TAX, relief from, because of inadequate excess profits credit; allowances during fiscal year ended June 30, 1966 — 14085
EXCISE TAXES:
- Alcohol, corporate sureties; denatured and tax-free — 11975
- Ammunition, interstate traffic in — 9869, 13443
- Beer, corporate sureties — 11976

Internal Revenue Service—Continued

EXCISE TAXES—Continued
- Distilled spirits:
  - Corporate sureties:
    - Drawback — 11974
    - Plants — 11975
  - Deferred payment of taxes — 217, 352, 3178, 3285
  - Importation of — 2377
- Facilities and services taxes; semimonthly deposits in Government depositaries, proposed rule — 16157
- Firearms. *See* Machineguns.
- Interest equalization tax:
  - Exclusions:
    - Export loans — 13724
    - International monetary stability — 13723
    - Inclusion, commercial bank loans — 13723
- Liquor, exports, etc.; corporate sureties — 11974, 11976
- Machineguns and other firearms:
  - Exemption and transfer — 14359, 16616
  - Interstate traffic in — 9869, 13443
- Manufacturers and retailers taxes:
  - Diesel fuel, special motor fuels and gasoline — 974, 5491
  - Semimonthly deposits in Government depositaries, proposed rule — 16157
- Oil for nonlubricating use or seldom used as lubricant; proposed rules and hearing — 9086, 10615
- Procedural rules — 2831
- Rum, corporate sureties — 11975
- Taxes payable by return; semimonthly deposits in Government depositaries, proposed rule — 16157
- Tires and tubes delivered to manufacturer's retail outlet — 12402
- Tobacco other than cigars and cigarettes, repeal of tax and elimination of controls — 32
- Volatile fruit-flavor concentrates, corporate sureties — 11975
- Wine:
  - Amelioration and sweetening — 3451
  - Corporate sureties — 11975

FEDERAL FIREARMS ACT, relief pursuant to:
- Also, Merlin L — 14993
- Olin Mathieson Chemical Corp — 540
- Warchak, John S — 14993

FIREARMS. *See* Excise taxes; Federal Firearms Act.
INCOME TAXES:
- Accounting periods and methods:
  - Adjustments:
    - Allocation of income and deductions among taxpayers; proposed rules and hearing — 10394, 10643, 12809, 13091
    - Interest on certain deferred payments — 942, 2427
  - Methods:
    - Installment method:
      - Disposition of depreciable real property, proposed rule — 6967
      - Interest on certain deferred payments — 941
    - Taxable year of deduction, treatment of interest or dividends paid by certain savings institutions; proposed rules and hearing — 7571, 9351
    - Taxable year of inclusion; treatment of tips, proposed rules and hearing — 965, 3263
- Aliens, withholding tax on. *See under* Withholding of tax on nonresident aliens, etc.
- Capital gains and losses, disposition of depreciable real property; proposed rules — 6968
- Consolidated returns:
  - Basis, stock ownership, and earnings and profits rules — 11848, 11850, 16698
  - Affiliated group, allocation of tax liability among members; proposed rules — 16788
  - Consolidated items, computation of — 11848, 11850, 16697
  - Corporations — 11794, 12479
  - Disallowance of surtax exemption and accumulated earnings credit, proposed rule — 9743
  - Earnings and profits, election, etc.; proposed rules — 16789
  - Net operating loss carryovers and carrybacks from separate to consolidated return years — 1271
  - Separate taxable income, computation of — 11845, 11850, 16694
- Corporations:
  - *See also* Foreign corporations.
  - Acquisitions, carryovers; charitable contributions — 14641
  - Distributions, depreciable real property; proposed rules — 6966

Internal Revenue Service—Continued

INCOME TAXES—Continued
- Corporations—Continued
  - Organization; transfer to corporation controlled by transferor, proposed rule and hearing — 9549, 10691
- Deductions:
  - Charitable contributions and gifts — 14632
  - Depreciable real property, proposed rule — 6966
  - Education expenses, proposed rules and hearing — 9276, 9745, 12843, 12845
  - Interest on certain deferred payments — 941
  - Net operating loss deduction — 14641
  - Not allowed:
    - Interest relating to tax-exempt income; proposed rules — 3016
    - Personal, living, and family expenses, education expenditures, proposed rules — 9278, 12845
- Deferred compensation, pension, profit-sharing, etc.; employee stock options and purchase plans, treatment of — 8785
- Depletion percentage, certain minerals and ores; proposed rules and hearing — 9506, 9869
- Prior proposals withdrawn — 9506
- Estates and trusts, taxation of income of:
  - Decedents, income in respect of — 8812
  - Foreign trusts, proposed rules — 11978
- Export trade corporations, citation — 11144
- Foreign corporations, controlled:
  - Blocked earnings and profits, treatment of — 11142
  - Stock ownership, rules for determining — 9454
- Foreign personal holding company, undistributed income; charitable contributions — 14644
- Gross income:
  - Definitions, interest on certain deferred payments — 941
  - Exclusion, combat pay of members of armed forces — 16615
  - Group-term life insurance for employees — 9200
  - Life insurance cost — 9200
- Income outside United States, withholding by China Trade Act corporation — 15587, 16769
- Investment companies, regulated; proposed rules and hearing:
  - Dividends received from — 10130, 13242
  - Foreign tax credit — 10130, 13242
  - Taxation of companies and shareholders — 10128, 13242
- Life insurance companies:
  - Capital gains and losses — 8689
  - Definition, taxable years affected, segregated asset accounts — 8680
  - Distribution to shareholders — 8689
  - Foreign companies, percentage for computing tax for 1965 and estimated tax for 1966 — 3285
  - Gain and loss from operations — 8687
  - Investment income — 8686
  - Tax imposed, taxable income defined, etc. — 8685
- Mining, exploration expenditures — 16776
- Natural resources, deduction for depletion; proposed rules and hearing — 9506, 9869
- Prior proposals withdrawn — 9506
- Partnerships, unrealized receivables; depreciable real property, proposed rule — 6967
- Personal holding companies, undistributed income; charitable contributions — 14643
- Property disposition, gain or loss from; stock disposition:
  - Cost basis — 8812
  - Property acquired from decedent — 8812
- Readjustment of tax between years, income averaging — 7789
- Regulated investment companies. *See* Investment companies.
- Returns:
  - Information:
    - Dividends and interest — 3492, 10468, 15592, 16774
    - Magnetic tape, use of — 6589
    - Stock options; requirements, time and place for filing, etc — 8812
    - Wages in form of group-term life insurance — 9205
  - Place for filing; Director of International Operations, tax to be paid in foreign currency — 149
  - Time for filing — 15593, 16775
- Small business concerns, election as to taxable status; classes of stock — 16527
- Sources of income, computation of taxable income:
  - Allowable deductions, proposed rule — 10405, 12809, 13091
  - Personal exemptions — 11144

Internal Revenue Service—Continued

INCOME TAXES—Continued
- Withholding of tax on nonresident aliens and foreign corporations and tax-free covenant bonds:
  - Aliens, nonresident, withholding tax on — 954, 2427, 15587, 16769
  - Application of withholding provisions — 15592, 16774
  - Foreign corporations, withholding tax on — 15591, 16773
  - Foreign tax-exempt organizations, rents paid to — 15592, 16774
  - Tax-free covenant bonds, exemption from withholding — 15592, 16774

INTOXICATING LIQUORS:
- Excise taxes. *See* under Excise taxes, *above*.
- Inducements furnished to retailers, window and other interior displays — 14773
- Labeling and advertising; proposed rules:
  - Aging effect from storage in reused cooperage; postponement of hearing — 1009
  - Wine; hearing — 14556

NARCOTIC DRUGS, regulatory taxes; mailing of excess and undesired narcotics — 429
ORGANIZATION AND FUNCTIONS; special enrollment examination for practice by agents transferred from Office of General Counsel, Treasury Department — 6639
PROCEDURAL RULES:
- Distilled spirits, wines, beer, cigars, firearms — 2827, 14353
- Employment taxes — 14354, 14773
- Excise taxes collected by return or sale of revenue stamps — 2831
- General — 2818, 14351
- Records, publication and public inspection — 2832
- Rules, regulations, and forms — 2832
- Rulings — 2824, 14353

PROCEDURE AND ADMINISTRATION:
- Additions to tax for failure to file certain information returns or furnish certain statements — 8814
- Proposed rules and hearing — 973, 3263
- Collection:
  - Check or money order, payment by — 9731
  - Foreign currency, payment of tax in — 149
- Judicial proceedings, authority to sanction civil actions — 15736
- Penalty, fraudulent statement or failure to furnish statement to employee; proposed rule and hearing — 974, 3263

RECORDS:
- Non-Federal; retention requirements — 4031
- Publication and public inspection — 2832

TAX CONVENTIONS, United Kingdom residents, withholding tax — 13466

International Commerce Bureau:

EXPORT CONTROL:
- Boycotts or foreign restrictive trade practices, reporting requirements — 7037, 14939
- Cattle hides, calf skins, etc.:
  - Commodity control list — 3498
  - Licensing, individual commodity section provisions — 13040, 13041
  - Notice to exporters, etc — 6600, 6866, 7380
  - Rescission of export license requirement — 14506
- Commodity control list:
  - Changes — 3498, 6711, 7038, 10636, 11870, 13044
  - Commodity interpretations:
    - Aircraft, parts, accessories and components — 13046
    - Gear making and finishing machinery — 13045
    - Magnetic materials — 13045
    - Numerical control systems — 13045
    - Transistors — 13045
    - Wire or cable cut to length — 6709
  - Notes — 6829, 6866, 7380
  - Revision to permit certain nonstrategic commodities to U.S.S.R. and other Eastern European Communist countries — 13699
- Denial and probation orders:
  - *See also* Suspension of export privileges, *below*.
  - Additions and amendments — 6710, 7038, 8216, 10635, 13044, 14941
  - Civil penalties, charging letters, appeals, publication of orders — 7509
  - Failure to comply with requests to produce evidence — 6708

International Commerce Bureau—Continued Page

EXPORT CONTROL—Continued
- Denial and probation orders—Continued
  - Temporary denials, table of orders in effect; changes, etc 6709
- Enforcement provisions, sanctions 7509
- Export clearance and destination control 6710, 8215, 13042, 14941
- General orders:
  - Authority to field office directors in event of enemy attack 6711
  - Copper exports 960, 9001, 16481
  - Rhodesia, export of certain commodities to 85, 4783, 6864
- Licenses:
  - Blanket 8215
  - General, GLR 10634
  - Individual 7038, 8213, 13040
  - Periodic requirements 8214, 8215
  - Project 6708, 8215, 10635, 13042, 14940
  - Time limit 6708, 8214, 8215
- Licensing policies 11059
  - Countries adhering to limited nuclear test ban treaty 7038
  - Destination provisions 11077
  - Import certificate/delivery verification system; authorities administering in foreign countries 14940
  - Individual commodity section provisions 11072
  - Cattle hides 13040, 13041
  - Molybdenum 8215
  - Multiple commodity section provisions 11060
  - Foreign-based subsidiary, distribution of commodities by 6708
  - Wheat and flour 8214
  - Time schedules, submission of applications; certain commodities 14940
- Priority ratings; deleted 13044
- Technical data 6711, 8214, 8216, 13044, 14942

ORGANIZATION AND FUNCTIONS, Office of International Trade Promotion 4169

RECORDS, non-Federal; retention requirements 4012

SUSPENSION OF EXPORT PRIVILEGES:
- Antwerp Marine Radio Co., 7765.
- Bailes, George H., Jr., 5980.
- Becker, Eli P. and Caroline, 15245.
- Bone, Albert Sydney, 6206, 8136, 9691.
- Caramant Gesellschaft fuer Technik und Industrie m.b.H. & Co., K. G., 10480.
- Caramant Industrial Trade Agency, 10480.
- Cargo Consolidation Services, Ltd., 6206, 8136, 9691.
- Centner, Robert; terminated, 13014.
- Charles Leopold & Co., Ltd., 12456.
- Con-Mech Engineers, Ltd., terminated, 6068.
- Contresty, Pierre Emile Marie, 5980.
- De Fiori, Enrica L. and Victor E., terminated, 3265.
- Diatron-Oschanitzky K. G., 7150.
- Dorling, P., 12456.
- Ejtoe, S. A.; terminated, 13014.
- Electrical Agencies Ltd.; terminated, 13093.
- Electronic Enterprise, 12851.
- Gevirtzman, F.; terminated, 13093.
- Glovet Traders, Ltd., 8501, 10902, 13359, 15708.
- Gruber, Josef Leo, 7843.
- Hakanson, Sven Olaf, 9242.
- Handelsonderneming, J. H. Vos, 5980.
- Hardt, Manfred, 10480.
- Hauck, C., & Co., 10480.
- Hi-Grade Import-Export, 9139.
- Ho Chee Choon, 12851.
- Hopkinson, Anthony G., 3140, 6280.
- Hydraulics, A. G., 3138.
- Industrie-En Handelsonderneming N.V. et al., terminated, 16328.
- Jones, Illman, Inc., 5980.
- Jones, Jimmy Lee, 5980.
- Kausch, Manfred, 10327.
- Klements, Maximilian, 770.
- Koenig & Co., S.p.r.L., 771.
- Kuala Lumpur Branch, 8836.
- Lefton, Charles, 12456.
- Leopold, Charles & Co., Ltd., 12456.
- Masatsugu, Kazushige, conditionally terminated, 3266.

International Commerce Bureau—Continued Page

SUSPENSION OF EXPORT PRIVILEGES—Continued
- Massengale, Jack, 9139.
- Nema Meet-En Regeltechniek, 4746.
- Overseas Chinese Radio and Television Institute, 8836.
- Petuch, Boleslaw, 3138.
- Rad Reps (Factors) Ltd., 3140, 6280.
- Radio-Meteor, 10327.
- Rawlins, C. J., 13357.
- Reinitz, Jerome L., 13950.
- Royal Zenith Corp., 13950.
- Scientific Supply Co., 13357.
- Seltz, Ute Hilma and Waldamar, 4746.
- Sooklas, John M., 13951.
- Takeo Sakamoto, 13358.
- Television & Elektronik K. G., 10327.
- Teltronik, Arnhem, 10327.
- Teltronik Buchert & Co., 10327.
- Tetalon, 13949.
- Tokyo Seidensha Co., Ltd., 8837, 11111, 13358.
- Trauzl-Werke Aktiengesellschaft, 3426.
- Vos, Johannes Hendrikus, 5980.
- Werschlein, Johann and Frieda, 15245.
- Werschlein & Becker, 15245.
- Woodham Trading, Ltd., 8501, 10902, 13359, 15708.

International Cotton Institute:

PUBLIC INTERNATIONAL ORGANIZATION entitled to certain privileges, exemptions, and immunities (Executive Order 11283) 7667

International Development Agency:

See Agency for International Development.

International Joint Commission—United States and Canada:

AIR POLLUTION in boundary areas, investigation 13956

CHAMPLAIN WATERWAY:
- Construction, maintenance, and operation 4320
- Hearings 5912

KOOTENAY LAKE, storage of water 10344

International Literacy Day:

PROCLAMATION 3739 11639

International Monetary and Financial Policies, National Advisory Council on:

ESTABLISHMENT (Executive Order 11269) 2813

International Organizations:

FEDERAL PERSONNEL, transfer to public international organizations; waiver of certain provisions in case of Reginald C. Price (Executive Order 11303) 11963

PRIVILEGED:
- European Space Research Organization (Executive Order 11318) 15307
- International Cotton Institute (Executive Order 11283) 7667
- International Telecommunications Satellite Consortium (Executive Order 11277) 6609

International Pacific Halibut Commission:

PACIFIC HALIBUT FISHERIES 14256, 16100

RECORDS, non-Federal; retention requirements 4025

International Telecommunications Satellite Consortium:

INTERNATIONAL ORGANIZATION entitled to certain privileges, exemptions, and immunities (Executive Order 11277) 6609

International Whaling Commission:

RECORDS, non-Federal; retention requirements 4025

WHALING REGULATIONS 16104

Interstate Commerce Commission:

APPOINTMENTS without compensation and statements of financial interests under Defense Production Act, 1950 493, 592, 930, 4824, 4857, 8988, 9432, 13268, 13369, 13405.

CONDUCT STANDARDS 2718, 3344, 4519

DISASTER AREAS. *See under* Railroads.

Interstate Commerce Commission—Con. Page

EXPLOSIVES and other dangerous articles, packing and transportation:
- Commodity list, 3017, 3408, 6423, 6492, 6591, 9068, 11756.
- General information, regulations, 3408, 9068, 11756.
- Motor carriers, 537, 2590, 3019, 3413, 6425, 6495, 9073, 10531, 11549, 11756, 16318, 16495.
  - Proposed rules, 12795.
- Nitromethane, 5920.
- Radioactive materials, 6492, 6493, 6495.
  - Petitions denied, 13756.
- Rail express carriers, 6495.
- Rail freight carriers, 3019, 3413, 6425, 6495, 9072, 11756.
- Shippers, 3017, 3408, 6423, 6493, 6591, 9068, 9676, 11756.
  - Proposed rules, 12795.
- Shipping container specifications, 3413, 6495, 9073, 9676, 11756.
  - Proposed rules, 12795.
- Tank car specifications, 9083, 11756.

FEES, filing; services performed in connection with licensing and related activities 8574

FREIGHT FORWARDERS, applications for certificates, permits, and licenses 2862, 3164, 5224, 5795, 6451, 7590, 8166, 9022, 9901, 10999, 14219.

LONG-AND-SHORT HAUL CHARGES. *See* Tariffs and schedules, *below.*

MOTOR CARRIERS:
- Agreements under section 5a, applications for approval:
  - Automobile Transporters Tariff Bureau, Inc., 11631.
  - Central States Motor Common Carriers, 591.
  - Maine Motor Rate Bureau, 11000.
  - Middle Atlantic Conference, 10869.
  - Middlewest Motor Freight Bureau, 10869.
  - National Association of Specialized Carriers, Inc., 10384.
  - Pacific Inland Tariff Bureau, Inc., 801.
  - Steel Carriers' Tariff Association, Inc., 10383.
- Applications for certificates, permits, and licenses:
  - Brokers; lists of applicants:
    - Passenger carriers 456, 799, 1116, 1334, 3164, 3372, 4243, 4922, 5523, 6164, 6451, 6741, 7950, 8166, 8469, 8731, 9022, 9380, 9573, 9901, 10225, 10722, 10998, 11583, 12042, 13028, 13267, 13573, 14103, 14912, 15831.
    - Property carriers 6741, 8731, 9022
  - Operating authority, lists of applicants:
    - Intrastate carriers 380, 733, 1025, 1275, 2570, 2790, 3095, 4179, 4468, 5164, 5473, 5730, 6088, 6652, 6937, 7272, 7537, 8105, 8661, 8987, 9326, 9526, 9830, 10160, 10651, 10936, 11202, 11517, 11788, 12042, 12119, 12501, 12697, 13189, 13498, 13770, 14023, 14432, 14614, 14861, 15050, 15342, 15781, 16339.
    - Passenger carriers 174, 240, 456, 798, 1115, 1117, 1333, 1335, 2625, 2626, 2860, 3164, 3372, 4242, 4244, 4624, 4921, 4922, 5224, 5468, 5522, 5524, 5795, 6093, 6164, 6450, 6451, 6739, 6742, 7001, 7320, 7543, 7590, 7950, 7951, 8165, 8468, 8729, 8732, 9021, 9023, 9379, 9573, 9901, 10167, 10225, 10496, 10497, 10721, 10997, 10999, 11271, 11273, 11582, 11788, 11919, 12042, 12744, 13027, 13028, 13268, 13573, 13778, 13825, 14023, 14102, 14432, 14483, 14912, 15124, 15519, 15777, 16338, 16393, 16634, 16640.
    - Property carriers 113, 166, 174, 238, 377, 378, 379, 437, 725, 730, 733, 780, 1021, 1024, 1083, 1116, 1277, 1278, 1317, 1335, 2571, 2572, 2575, 2616, 2626, 2793, 2794, 2795, 2836, 2862, 2917, 3093, 3099, 3100, 3146, 3165, 3324, 3325, 3354, 3372, 4179, 4182, 4184, 4215, 4243, 4245, 4322, 4463, 4465, 4467, 4602, 4625, 4859, 4864, 4902, 4921, 5161, 5162, 5163, 5204, 5224, 5464, 5465, 5466, 5468, 5499, 5523, 5594, 5731, 5733, 5734, 5780, 5795, 6087, 6090, 6092, 6146, 6390, 6391, 6393, 6431, 6451, 6649, 6650, 6651, 6721, 6741, 6933, 6934, 6936, 6937, 6990, 7001, 7268, 7269, 7270, 7271, 7302, 7321, 7324, 7541, 7542, 7543, 7577, 7590, 7593, 7857, 7858, 7859, 7930, 7950, 8101, 8103, 8104, 8147, 8166, 8389, 8390, 8391, 8441, 8469, 8660, 8661, 8710, 8731, 8983, 8984, 9013, 9023, 9324, 9328, 9330, 9373, 9380, 9525, 9567, 9824, 9827, 9892, 9901, 10162, 10212, 10226, 10438, 10486, 10497, 10654, 10706, 10722, 10906, 10938, 10940, 10973, 10999, 11048, 11199, 11201, 11244, 11273, 11514,

Interstate Commerce Commission—Con. Page

MOTOR CARRIERS—Continued
- Applications for certificates, permits, and licenses—Continued
  - Operating authority, lists of applicants—Continued
    - Property carriers—Continued
      11515, 11522, 11566, 11583, 11787, 11909, 11919, 12033, 12034, 12035, 12037, 12039, 12042, 12497, 12498, 12499, 12544, 12552, 12695, 12696, 12737, 12744, 12982, 12983, 12984, 12986, 13019, 13028, 13185, 13186, 13188, 13259, 13268, 13495, 13496, 13497, 13564, 13573, 13776, 13777, 13778, 13818, 13826, 14016, 14020, 14021, 14022, 14093, 14103, 14429, 14431, 14433, 14473, 14483, 14614, 14618, 14619, 14620, 14661, 14856, 14858, 14859, 14861, 14904, 14912, 15002, 15040, 15045, 15119, 15125, 15340, 15341, 15531, 15774, 15775, 15777, 15824, 15831, 16336, 16337, 16338, 16339, 16384, 16631, 16632, 16634, 16641.
- Temporary authority under section 210a(a) of Act:
  - Passenger carriers 112, 309, 550, 734, 864, 1120, 1159, 1258, 2461, 2980, 3099, 3375, 3474, 3515, 4924, 5033, 5098, 5227, 5274, 5799, 6343, 6455, 6931, 7155, 7424, 7425, 7723, 7775, 7857, 8328, 8513, 8611, 8735, 8846, 8935, 8987, 9025, 9903, 10058, 10098, 10434, 11162, 11275, 11790, 13452, 14616, 14914, 14964, 15560, 16291, 16483, 16484, 16643.
  - Property carriers 27, 111, 308, 375, 456, 491, 549, 590, 734, 799, 863, 928, 990, 1118, 1158, 1257, 2460, 2507, 2626, 2708, 2742, 2790, 2863, 2918, 2979, 3096, 3165, 3211, 3276, 3320, 3374, 3438, 3474, 3515, 4244, 4370, 4438, 4471, 4626, 4760, 4822, 4922, 5032, 5097, 5158, 5225, 5273, 5337, 5392, 5471, 5526, 5650, 5730, 5797, 5927, 5991, 6089, 6165, 6223, 6341, 6395, 6452, 6522, 6556, 6651, 6742, 6809, 6883, 6929, 7002, 7154, 7205, 7322, 7422, 7425, 7536, 7591, 7722, 7774, 7856, 7951, 7989, 8265, 8325, 8388, 8511, 8514, 8549, 8610, 8732, 8845, 8932, 8986, 9024, 9096, 9145, 9252, 9326, 9381, 9432, 9479, 9527, 9574, 9700, 9766, 9827, 9903, 10012, 10058, 10096, 10160, 10300, 10345, 10384, 10431, 10498, 10559, 10593, 10624, 10652, 10724, 10757, 10870, 10936, 11000, 11045, 11125, 11161, 11204, 11274, 11330, 11405, 11512, 11519, 11584, 11632, 11697, 11788, 11920, 11954, 12043, 12120, 12422, 12467, 12502, 12554, 12585, 12625, 12698, 12745, 12824, 12856, 12928, 12987, 13067, 13099, 13157, 13189, 13268, 13370, 13404, 13451, 13625, 13736, 13739, 13826, 13878, 13927, 14023, 14289, 14290, 14370, 14433, 14532, 14533, 14574, 14615, 14761, 14802, 14863, 14913, 14964, 15001, 15125, 15169, 15208, 15257, 15343, 15520, 15559, 15621, 15716, 15778, 15832, 16174, 16290, 16334, 16482, 16505, 16641, 16742, 16811.
  - Transfer proceedings 29, 174, 241, 280, 380, 492, 550, 734, 800, 929, 930, 1120, 1159, 1222, 1257, 1279, 2406, 2461, 2508, 2627, 2672, 2744, 2797, 2918, 2920, 2980, 3166, 3213, 3327, 3436, 3476, 3515, 4184, 4370, 4438, 4535, 4626, 4760, 4864, 4924, 4980, 5033, 5227, 5274, 5338, 5526, 5595, 5651, 5674, 5796, 5929, 5993, 6093, 6222, 6287, 6343, 6344, 6390, 6455, 6523, 6557, 6598, 6599, 6650, 6655, 6744, 6810, 6847, 6884, 7004, 7099, 7156, 7206, 7272, 7324, 7367, 7495, 7544, 7652, 7724, 7776, 7855, 7952, 7990, 8037, 8106, 8203, 8269, 8328, 8329, 8395, 8470, 8513, 8550, 8612, 8662, 8735, 8846, 8897, 8987, 9025, 9147, 9253, 9325, 9431, 9480, 9528, 9575, 9622, 9702, 9829, 9904, 10012, 10057, 10096, 10167, 10226, 10299, 10431, 10558, 10593, 10623, 10725, 10758, 10870, 11047, 11162, 11274, 11406, 11437, 11513, 11585, 11633, 11697, 11790, 11791, 11920, 11995, 12044, 12121, 12422, 12467, 12556, 12586, 12661, 12699, 12823, 12857, 12929, 13029, 13068, 13158, 13159, 13370, 13403, 13404, 13450, 13573, 13627, 13687, 13735, 13780, 13879, 13957, 14024, 14104, 14329, 14372, 14484, 14574, 14709, 14763, 14867, 14965, 15048, 15127, 15259, 15521, 15621, 15773, 16175, 16291, 16333, 16484, 16506, 16593, 16810, 16811.

Commercial zones:
- Baltimore, Md., redefinition, 829.
- Cincinnati, Ohio, 7392.

Interstate Commerce Commission—Con. Page

MOTOR CARRIERS—Continued
Commercial zones—Continued
Davenport, Iowa-Rock Island and Moline, Ill., 4849, 8312.
Houston, Tex., redefinition; proposed rule, 1010.
Kansas City, Mo.-Kansas City, Kans., 14080.
Minneapolis-St. Paul, Minn., redefinition of limits; proposed rule, 7841, 8882, 10138.
St. Louis, Mo.-East St. Louis, Ill.; proposed rule, 14417.
Seattle, Wash.; petition for redefinition of limits, 16645.
Washington, D.C., redefinition of limits; proposed rule, 9308, 10643.
Control or consolidation of motor carriers or their properties, computation and deduction of gross operating revenues 8873
Credit to shippers, extension of, payment of rates and charges 6965, 10076
Explosives. *See* Explosives, *above*.
Forms:
BOC 101, household goods, practices of carriers 13446
OP-OR-9, application for certificate or permit 6058
Household goods, transportation in interstate or foreign commerce 4460, 8915, 8916, 8919, 9024, 10193, 10469, 13446, 14879
Licensing procedures, policy statement 6600
Petitions:
Aljay Trucking Corp., 4245.
Atchison, Topeka, and Santa Fe Railway Co. et al.; declaratory order, 4865.
Bolich, Floyd; declaratory order, 380.
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, AFL-CIO, 4472, 5164.
Carrier status sought by rail-affiliated motor carriers, extension of time, 6397.
Dependable Trucking Co.; maximum hours of service, 8100.
Gray Line Scenic Tours, Inc., 381, 4473.
New York airports, passengers moving to and from; removal of all points in Connecticut from exemption; hearing, 1025.
Pacific Intermountain Express Co.; declaratory orders, 4865, 6088.
Process agents, form of designation 12434
Rates and charges:
See also Tariffs and schedules.
American Movers Conference, et al.; household goods 16217
Class rates, Middle Atlantic and New England territories 548
Criteria to be used in determining compensatory nature in proceedings involving owner-operators; proposed rule 11320, 12795
Increased rates; California, Arizona, New Mexico, and Texas 14803, 14965
LTL class and commodity rates, increased, Pacific Northwest 493
Oilfield equipment, materials and supplies to and between Southwest 7004
Per-shipment and minimum charges; middlewest, central, and southwest States 735, 1258, 5929, 6937
Records, destruction of; Class I, II, and III motor carriers and brokers 4302, 11182
Reports, annual:
Class I motor carriers 913, 3077, 9741
Class II property carriers 3345
Class III property carriers 4349
Other than Class I passenger carriers 4349
Routes, alternate; deviation notices 114, 376, 731, 1026, 1275, 2792, 3093, 3321, 4461, 4858, 5159, 5469, 6084, 6394, 6653, 6931, 7266, 7540, 7859, 8100, 8393, 8658, 8982, 9327, 9523, 9822, 10157, 10434, 10649, 10937, 11203, 11520, 11786, 12032, 12495, 12694, 12986, 13185, 13494, 13775, 14017, 14428, 14617, 14860, 15049, 15338, 15778, 16335, 16643.
Safety regulations:
Applicability 16318, 16495
Emergency equipment:
Seat belts in buses; proposed rule 7911, 10326
Traffic hazard warning devices on all power units 8920
Lamps and reflectors 10469, 12720
Maximum hours of service, proposed modification 8100, 9528
Qualifications of drivers, minimum requirements 3081, 6374
Sorting or segregating of shipments, Middlewest Motor Freight Bureau Carriers 591, 1024, 2628

Interstate Commerce Commission—Con. Page

MOTOR CARRIERS—Continued
Special or chartered parties by common carriers, passenger transportation; proposed rules:
Applications, certificates, definitions, etc 2662, 7288, 8696, 10198
Broker operations 2663, 7287, 10198
States, certain dealings with:
Cooperative agreements 16402
Standards for registration of certificates and permits 16567
Tariffs and schedules:
See also Tariffs and schedules, *below*.
Extension of credit to shippers; payment of rates and charges 6965, 10076
Household goods, released rates 8919, 10193, 10469
Multiple pickup and discount rules, Middle Atlantic and New England States 7424
Publication by individual carriers when publication is to be effected by rate conference; proposed rules 13392, 14599
Suspension supplements and postponement notices 12719
Temporary passenger and property services due to cessation of normal transportation by work stoppages:
Air transportation 9528
Order vacated 12661
Rail transportation 5474
Order vacated 5800
Truckload lot restrictions, removal 384, 4434
ORGANIZATION AND FUNCTIONS; divisions and boards and assignment of work, business, and functions 242, 4762, 9248, 9529, 12693, 13099, 14025
PIPE LINE COMPANIES, destruction of records 3464
PRACTICE, general rules 4599, 6056, 9676, 9908, 16318
RADIOACTIVE MATERIALS, packing and transportation 6492, 6493, 6495
RAILROADS:
Agreement under section 5a, application for approval by Eastern Railroads 1282
Bill of lading, uniform through export; revoked 8244, 14945
Car service:
Appointment of agents 1303, 16271
Authorization to use certain trackage:
Atchison, Topeka & Santa Fe Railway Co., 8872, 16152.
Brimstone and New River Railway Corp., 125.
Chicago, Burlington & Quincy Railroad Co., 16152.
Chicago, Rock Island and Pacific Railroad Co., 8872, 16151.
Illinois Central Railroad Co., 15581.
Missouri Pacific Railroad Co., 9084, 9085.
Norfolk Southern Railway Co., 2692.
Norfolk & Western Railway Co., 8954, 16271.
Northern Pacific Railway Co., 4894, 16152.
Southern Pacific Co., 710, 3077.
Union Pacific Railroad Co., 15488.
Boxcars:
Distribution:
Appointment of agents 5357, 16363
Order vacated 5432
Directions, various companies 5389, 5390, 5391, 5392, 5994, 6654, 6655, 7496, 7497, 7498, 7499, 8167, 9249, 9250, 9251, 10011, 10162, 10302, 10999, 11000, 11276, 11922, 11923, 12693, 13066, 13498, 13780, 14620, 14621.
Service orders 4686, 5318, 5691, 6060, 6832, 7468 7469, 8064, 8816, 10274, 10923, 11231.
Free time on unloading at ports 5014
Refrigerator cars substituted for 5966
Stock cars substituted for 5196
Boxcars and covered hopper cars:
Return of covered hopper cars 6061, 16152
Unloading at ports 4685, 4840, 4958, 5196, 5965, 16363
Freight cars:
Adequacy of ownership, utilization, distribution, rules and practices, investigation; proposed rules 3081, 10853, 13393
Demurrage and detention 4803, 5196, 5966, 6548, 14878
Movement, railroad operating regulations 4802, 5317, 6058, 7806, 16363
Shortage; distribution, orders ,etc 1279, 1280, 1281, 1282, 2404, 2405, 2458, 2459, 2506, 2573, 2574, 2672, 2673, 2674, 2707, 2741, 2742, 3102, 3103, 5028, 5029, 5030, 5031, 5032.

Interstate Commerce Commission—Con. Page

RAILROADS—Continued
Car service—Continued
Freight cars—Continued
Use, incentive per diem charges; proposed rule 9240, 12731
Special rules of Commission 4686, 4958
Disaster areas, transportation of hay at reduced rates to certain drouth areas in listed States:
Pennsylvania, 13156.
Utah, 15000.
Virginia, 14710.
Explosives. *See* Explosives, *above*.
Inspection, locomotives other than steam 11179
Passenger service between California and Louisiana, Southern Pacific Co.; inquiry 10907
Passes, officers issuing and requesting, etc 5319, 11551
Petition, declaratory order; Union Pacific Railroad Co. 3102
Rates and charges:
Canaveral Port Authority, et al 12825
Canned goods and foodstuffs, from Pacific coast to East 309, 14711
Grain and products within western district and for export; rate structure investigation 4536
Hay, transportation at reduced rates to certain drouth areas in listed States:
Pennsylvania, 13156.
Utah, 15000.
Virginia, 14710.
Perishable freight, protective service; charges 290
Transcon Lines 9654
Recordation of documents; eligibility of documents, etc 16318
Reports:
See also under Valuation, *below*.
Annual, Class II railroads, Form C 4210
Special, Class I railroads 913, 9741
Routing of traffic:
Appointment of agents 16271
Freight car use, incentive per diem charges; proposed rule 9240, 12731
Rerouting; authority to divert certain traffic:
All railroads, 6937.
Ann Arbor Railroad Co., 12504.
Association of American Railroads, 10302.
Canadian National Railways, 6224, 6599.
Canadian Pacific Railway Co. et al., 11407, 11698.
Order vacated, 11922.
Certain railroads affected by work stoppage, 5395, 5785.
Order vacated, 5527.
Chicago, Burlington & Quincy Railroad Co., 9251, 11205, 11522.
Chicago, Milwaukee, St. Paul & Pacific Railroad, 4472.
Order vacated, 4768.
Columbus and Greenville Railway Co., 15260, 16398.
Frankfort & Cincinnati Railroad Co., 8514, 12825, 15051.
Great Northern Railway, 4371.
Order vacated, 4472.
Missouri Pacific Railroad Co. et al., 6599, 6848.
Northern Pacific Railway, 4371.
Order vacated, 4472.
St. Johnsbury & Lamoille County Railroad, 11163, 12503, 15560.
Soo Line Railroad Co., 5164, 7591, 8898.
Southern Industrial Railroad, Inc., 4434, 10441, 12080.
Texas & Pacific Railway Co., 6455.
Safety regulations, installation, inspection, maintenance, and repair of systems, devices, and appliances; rules, standards, and instructions 2380
Valuation, revocations:
Corporate history; aids, gifts, grants, and donations 11180
Land schedules and industrial tracks 11181
Record inventory 11181
Register of equipment and original cost forms 11181
Uniform system of records and reports of property changes, common carriers; statements of certain reports, etc 11181, 12601
RECORDS:
See also under Motor carriers; Pipe line companies.
Non-Federal; retention requirements 4066
REPORTS. *See under* Motor carriers; Railroads.
SAFETY REGULATIONS. *See under* Motor carriers; Railroads.
STANDARD TIME ZONE, eastern U.S.; petition for investigation, South Bend County, Ind 12825

Interstate Commerce Commission—Con. Page

TARIFFS AND SCHEDULES:
See also under Motor carriers, *above*.
Long-and-short-haul charges; fourth section applications for relief 175, 281, 381, 458, 493, 551, 734, 864, 865, 929, 991, 1024, 1121, 1159, 1223, 1259, 1283, 2405, 2462, 2508, 2575, 2628, 2672, 2709, 2744, 2798, 2864, 2981, 3044, 3104, 3213, 3373, 3439, 3476, 3516, 4245, 4324, 4371, 4438, 4473, 4535, 4626, 4762, 4824, 4857, 4925, 5034, 5099, 5158, 5225, 5273, 5337, 5392, 5463, 5593, 5650, 5673, 5729, 5796, 5853, 5930, 5994, 6089, 6165, 6222, 6287, 6343, 6452, 6524, 6555, 6598, 6655, 6742, 6809, 6882, 6938, 7002, 7098, 7207, 7266, 7325, 7367, 7424, 7499, 7538, 7581, 7652, 7721, 7776, 7953, 7989, 8038, 8105, 8203, 8264, 8268, 8324, 8395, 8469, 8510, 8549, 8658, 8732, 8845, 8982, 9023, 9096, 9145, 9248, 9326, 9381, 9431, 9480, 9523, 9573, 9622, 9700, 9765, 9822, 9902, 10058, 10098, 10162, 10227, 10345, 10442, 10498, 10592, 10625, 10724, 10757, 10870, 10907, 11163, 11276, 11405, 11512, 11520, 11584, 11631, 11697, 11732, 11922, 11953, 11995, 12032, 12074, 12421, 12495, 12554, 12624, 12661, 12692, 12745, 12824, 12856, 12928, 13028, 13100, 13157, 13184, 13371, 13405, 13499, 13573, 13624, 13687, 13736, 13775, 13826, 13878, 13927, 14289, 14329, 14428, 14532, 14573, 14666, 14709, 14802, 14963, 15048, 15125, 15168, 15207, 15257, 15338, 15519, 15559, 15716, 15831, 16217, 16333, 16393, 16505, 16592, 16743, 16812.
WATER CARRIERS:
Applications for certificates, permits, and licenses:
Passenger carriers 4625, 12552
Property carriers 1334, 2862, 3372, 6451, 7590, 9380, 10497, 10998, 11273, 11919, 12552.
Bill of lading, uniform through export; revoked 8244, 14945
Passes, officers issuing and requesting, etc 5319, 11551

Intoxicants:
See Alcoholic beverages; Wine.

Inventions:
See Patents.

J

Japan:
INTERIM AGREEMENT WITH U.S. relating to renegotiation of Schedule XX to General Agreement on Tariffs and Trade (Proclamation 3744) 12391

Justice Department:
See Alien Property Office.
Immigration and Naturalization Service.
ALIEN PROPERTY, transfer of jurisdiction over blocked assets from Attorney General to Secretary of Treasury (Executive Order 11281) 7215
ASSASSINATION of President John F. Kennedy, acquisition and preservation of evidence 13968
CIVIL RIGHTS ACT of 1964, guidelines for enforcement; policy statement 5292
CLAIMS:
Administrative, under Federal Tort Claims Act 16016
Civil claims by Government for money or property, joint regulations of Department and GAO 13381
COMMUNITY RELATIONS SERVICE:
Organization and functions 6274
Transfer from Commerce Department (Reorganization Plan No. 1 of 1966) 6187
CONVENTION BETWEEN U.S. AND GREECE:
Functions of Attorney General (Executive Order 11300) 11009
Implementation 11720
EMERGENCY PREPAREDNESS FUNCTIONS of Attorney General (Executive Order 11310) 13199
EQUAL EMPLOYMENT OPPORTUNITY within Department 10388
FEDERAL REGISTER ADMINISTRATIVE COMMITTEE, designation of representative 7014
FOREIGN AGENTS REGISTRATION ACT of 1938, as amended, administration and enforcement; proposed rules 13343

Justice Department—Continued Page

NONDISCRIMINATION:
Equal employment opportunity within Department 10388
Federally-assisted programs of Department 10265
ORGANIZATION AND FUNCTIONS:
Administrative Division:
Personnel and administrative matters 12082
Training by, in, or through non-Government facilities 10961
Antitrust Division, designation of attorneys to appear before grand juries 5071
Civil claims, authority respecting, judgments, fines, penalties, and forfeitures 6317
Civil Division 2427
Community Relations Service 6274
Federal prisoners and juveniles, functions relating to, reassigned from Civil Rights Division to Criminal Division 6867
Immigration and Naturalization Service:
Convention between United States and Greece, implementation of 11720
Treaty of Friendship between United States and Spain, implementation of 3286
Internal Security Division 14590
Prisons Bureau:
District of Columbia correctional institutions 704
Extending limits of place of confinement 5071
PRISONERS, YOUTH OFFENDERS, JUVENILE DELINQUENTS:
Functions relating to Federal prisoners and juveniles reassigned from Civil Rights to Criminal Division 6867
Warrants for parolees and mandatory releasees 4204
RECORDS, non-Federal; retention requirements 4026
TREATY OF FRIENDSHIP AND GENERAL RELATIONS, United States-Spain, implementation:
Attorney General, functions (Executive Order 11267) 807
Immigration and Naturalization Service, functions 3286
VOTING RIGHTS ACT of 1965, certifications by Attorney General pursuant to:
Alabama, 914, 6593, 7764.
Georgia, 14373.
Louisiana, 10855.
Mississippi, 5768, 10007.

K

Kennedy, John F.:
ASSASSINATION, acquisition and preservation of items of evidence 13968

L

Labor Department:
See Employees' Compensation Bureau.
Employment Security Bureau.
Federal Contract Compliance Office.
Labor-Management and Welfare-Pension Reports Office.
Labor Standards Bureau.
Public Contracts Division.
Wage and Hour Division.
ADVISORY COUNCIL on employee welfare and pension benefit plans, recommendations for appointment 6882
ALIENS entering United States to perform labor:
Certification and noncertification schedules 16412
Nonprofit organizations within religious denomination, duties related to 2436, 3494
Reconsideration or review by Secretary, proposed rule 16466
Request for certification, proposed rule 16466
Schedule A 9420, 9808, 10580, 16412
Schedule B 9998, 10580, 16413
Schedule C, proposed rule 16466
AUTOMOTIVE PRODUCTS TRADE ACT of 1965, adjustment assistance for workers after certification 826, 5355, 8915, 11890
CONDUCT STANDARDS 8306
FARM LABOR CONTRACTOR REGISTRATION 13174, 14773
FEDERAL CONTRACT COMPLIANCE OFFICE, establishment 6921
LABOR STANDARDS for Federal service contracts, wage requirements; tolerance for apprentices, student-learners and handicapped workers, proposed rule 15702
MISSION SAFETY–70, interim report by Secretary (Statement of February 16, 1966) 2995

Labor Department—Continued Page

NATIONAL FOUNDATION ON ARTS AND HUMANITIES, authority delegations and assignment of responsibilities 1274
OCCUPATIONAL TRAINING of unemployed persons, allowances 954, 4786, 7624
ORGANIZATION AND FUNCTIONS:
Federal Contract Compliance Office, establishment 6921
Labor Standards Bureau, occupational safety and health functions 12620
Public Contracts and Wage and Hour Divisions, occupational safety and health functions transferred 12620
RECORDS, non-Federal; retention requirements 4026
SAFETY AND HEALTH ACTIVITIES, occupational; responsibility 12620
SAFETY STANDARDS for workshops and rehabilitation facilities assisted by grants 6370
SERVICE CONTRACTS, proposed rules:
Exempted from Walsh-Healey Act 9998, 12061
Federal service contracts, labor standards 12646
Fringe benefits, equivalents 12648
UNEMPLOYMENT AREAS, substantial or persistent; determination under DMP No. 4 and Executive Order 10582 893
UNEMPLOYMENT COMPENSATION LAWS; certifications:
State laws to Secretary of Treasury 307
States to Secretary of Treasury 307
WAGE APPEALS BOARD, authority and functions under Tennessee Valley Authority Act 5649
Revoked 7099

Labor Disputes:
BOARDS OF INQUIRY to investigate disputes in military aircraft, armament, and electronics industries (Executive Order 11314, 11321) 13419, 16301
EMERGENCY BOARDS. *See* National Mediation Board.

Labor-Management and Welfare-Pension Reports Office:
LABOR-MANAGEMENT REPORTS, surety companies 1009, 11177
RECORDS, non-Federal; retention requirements 4027
WELFARE-PENSION REPORTS, variation from publication requirements 13001

Labor Standards Bureau:
CHILD LABOR, State certificates of age, acceptance; extension of expiration date 9348
GEAR CERTIFICATION, criteria covering accreditation 4786
LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT, enforcement proceedings 3027, 11144
LONGSHORING, safety and health regulations 7430
Life rings and lines, variation granted to William Spencer and Son Corp 1222
RECORDS, non-Federal; retention requirements 4029

Lambs:
AGREEMENT between Secretary and American Sheep Producers Council, Inc.; sales and promotion programs 10202, 13921

Land Management Bureau:
ALASKA:
Authority delegations by certain officials:
Anchorage Land Office Manager to Chief, Lands Branch, et al 9751
State Director to District Managers, Anchorage and Fairbanks 9752
Chugach and Tongass National Forest, lands excluded for purchase as homesites (PLO 4019, 4041, 4081, 4082) 7568, 8693, 11755
Homesteads, lands opened to entry. *See under* Homesteads, *below.*
Mental health purposes:
Afognak, Ekwak, Savoonga, 7567.
Anchorage Townsite, 10530.
Bethel, 4795.
Chaniliut, 5901.
Chugach National Forest, 9268.
Fairbanks, 2548.
Fairbanks Meridian, 2547.
Galena, 7512.
Kodiak Island, 16202.

Land Management Bureau—Continued Page

ALASKA—Continued
Mental health purposes, etc.—Continued
Moose Pass Townsite, 10031.
Nunlchik, 900.
Richardson Clear Creek Area, 3496, 8692.
Ruby, 4834.
Seward Meridian, 5901, 5902, 7462, 7627, 10030, 10797, 13995.
Sitka, 4793.
Tanunak, 5900.
Tongass National Forest, 2548.
Mineral lands opened. *See under* Mineral lands, *below.*
Oil and gas leasing, protraction diagrams 12575
Right-of-way, highway purposes; Chugach National Forest, PLO 334 revoked in part (PLO 4058) 10033
School purposes. *See under* School purposes, *below.*
Scrip claimants, disposal of lands to; proposed classification 10541
Survey, filing of plats of. *See under* Survey plats, *below.*
Wildlife Range, National, Clarence Rhode; proposed withdrawal 2630
Withdrawals of lands for use of Federal agencies, etc. *See* Withdrawals, *below.*
APPLICATION PROCEDURES; land offices:
Filings 15541, 16783
Office hours 6313
AUTHORITY DELEGATIONS:
By Associate Director to certain officials:
Chief, Administrative Services Division, State Directors, et al.; redelegations 11496
Director, Boise Interagency Fire Center; contracts and leases 11496
District Managers; lands and resources 6594
Service Center Directors; contracts and leases 6551
By Center Directors; contracts and leases:
Castle Valley Job Corps Conservation Center, Price, Utah, to Chief, Administration Branch 11555
Denver Service Center, to Chief, Engineering Division, et al 12484
Kingman Job Corps Conservation Center, Arizona, to Chief, Administration Branch 7915
Portland, Oreg., Service Center, to Chiefs, Administrative Services Branch and Procurement Section 7191
By Chief, Administrative Services Division, to Chiefs, Branch of Office Services and Property Management and Procurement Section; contracts 6067
By Chief, Lands and Minerals Division, to Chief, Branch of Lands, et al., contracts and leases; correction 4421
By Director to District Managers; lands and resources 6794
By Director, Eastern States Office, to Land Office Manager, et al 1012
By District Managers:
Arizona, to Area Managers 10042, 10478, 14655
Colorado, to Area Managers; fiscal affairs, land use, etc.:
Canon City, 15606.
Craig, 15607.
Glenwood Springs, 15607.
Grand Junction, 15607.
Montrose, 15606.
New Mexico:
Albuquerque District:
Area Managers; trespass, grazing, etc 13809
Chief, Administration Division; records, repayments, etc 13809
Las Cruces District:
Area Managers; trespass, grazing, etc 13948
Chief, Administration Division; records, etc 13948
Roswell District:
Area Managers; trespass, grazing, etc 13808
Chief, Administration Division; records, repayments, etc 13808
Socorro District:
Area Managers; trespass, grazing, etc 13808
Chief, Administration Division; records, repayments, etc 13808
Utah, Area Managers; trespass resource management, etc.:
Cedar City, 16472.
Fillmore, 16472.

Land Management Bureau—Continued Page

AUTHORITY DELEGATIONS—Continued
By District Managers—Continued
Utah, Area Managers; trespass resource management, etc.—Continued
Kanab, 16371.
Monticello, 16473.
Price, 16473.
Richfield, 16472.
Salt Lake, 16371.
Vernal, 16473.
Wyoming, to Area Managers; range management 11555, 11556
By Managers, certain land offices, to listed officials:
Anchorage, Alaska, Land Office; Chief, Lands Branch, et al 9751
Colorado; Chief, Lands Branch, et al., various functions 12455
Eastern States Land Office; Assistant Manager, Lands and Minerals Adjudication Branch, et al 1012
Montana Land Office; Chief, Lands Branch, et al 300
Phoenix, Ariz., Land Office; Chief, Lands Branch, et al 2445
Portland, Oreg., Land Office; Chief, Lands Branch, et al 4168
By State Directors:
Alaska, to District Managers, Anchorage and Fairbanks 9752
Montana, to Area Managers; certain functions 13010
Revoked 14362
New Mexico, to District Managers, et al.:
Contracts 10644
Land use 15159
Utah, purchases:
Administrative Assistants 9881
District Managers, et al 9027
Wyoming, to District Directors; sales of materials other than forest products 12926
CLASSIFICATION OF LANDS; proposals, etc.:
Desert land entry:
Idaho, 13248.
Exchanges:
Arizona, 15493.
California, 14462.
Montana, 12454, 13178, 13449, 15708.
Nevada, 851, 2865, 5577, 6718, 6876, 10478.
New Mexico, 2396, 3264, 7014, 8471, 9881, 11239, 13559, 14462, 16629, 16794.
Oregon, 6381, 7015, 7292, 9383, 10752.
Utah, 2395, 2866, 6457, 7015, 10478, 15547, 16721.
Multiple use management:
Arizona, 12065, 13092, 16324, 16325, 16326.
California, 14749.
Colorado, 16718.
Idaho, 9382, 12926.
Montana, 7914, 11239.
Nevada, 14459, 14655, 15098.
New Mexico, 9881, 14085, 14656, 16794.
North Dakota, 14788.
Oregon, 8642, 9553.
Recreation and public purposes:
Arizona, 9882, 14361, 16323.
Scrip claimants, disposal to:
Alaska, 10541.
Arizona, 10001, 13671, 14319, 16502.
California, 10000, 10751, 14319, 14361.
Nevada, 10001, 10541, 13007, 13483, 14319, 14850, 16322.
Termination of prior order, 15244.
Washington, 10001, 10541.
State Indemnity Act:
Arizona, 9882, 16323.
CONTINENTAL SHELF, OUTER; oil and gas lease offer:
California, 14534, 16629.
Louisiana, 2868, 9879, 10201, 10898, 13178.
DESERT LAND APPLICATIONS:
Idaho, Boise Meridian, 13248.
DISPOSITIONS, grants; satisfaction of scrip 6985, 11178
EXCHANGES, classification for. *See under* Classification of lands.
FISH HATCHERY, Jones Hole National, Uintah County, Utah, addition to (PLO 4090) 12599
FOREST PRODUCTS DISPOSAL 4805, 8914, 10415, 13446

Land Management Bureau—Continued Page

GRAZING:
- District boundaries modified, etc.:
  - California, No. 2, elimination of lands (PLO 4117) — 14554
  - Colorado:
    - No. 2 — 6794, 7842
    - No. 4 — 13559
    - No. 7 — 6794, 7842, 13559
  - Idaho, Shoshone, District No. 5; special rule — 3137
  - Montana Cooperative State Grazing Districts, applications for grazing licenses — 769
- Federal Range Code for grazing districts:
  - Lease rentals, rate tabulation — 2868
  - Qualifications, fees, etc — 2869, 7628, 12100
- Land office references — 16785
- New Mexico, No. 1 and No. 7, Navajo permits — 13731

HOMESTEADS, various States; lands opened to entry:
- Alabama, 11755.
- Alaska, 900, 2547, 2547, 4793, 4794, 4834, 5900, 5901, 5902, 7462, 7512, 7567, 7627, 8238, 8692, 9268, 10031, 10032, 10033, 10530, 10797, 13995, 16202.
- Arizona, 900, 2692, 5228, 6640, 7969, 8836, 10751, 11554, 12950, 13396, 13671, 14461, 14555, 16719.
- Arkansas, 10031.
- California, 899, 901, 2548, 5899, 10032, 12598, 15329.
- Colorado, 899, 5621, 12598.
- Florida, 8883, 8961, 11546.
- Idaho, 900, 5229, 7462, 8238, 9268, 10031.
- Illinois, 12732.
- Louisiana, 16370.
- Montana, 2394, 2630, 3248, 3495, 3502, 5621, 5901, 6122, 9383, 10194, 13010.
- Nebraska, 10030.
- Nevada, 2691, 3136, 4794, 5722, 7350, 8238, 11548, 13760, 13994.
- New Mexico, 87, 2691, 3495, 4793, 5901, 6718, 7969, 8379, 9601, 10530, 10796, 11547, 12950.
- North Dakota, 11496.
- Oregon, 900, 2547, 4516, 5621, 5622, 5897, 5898, 7567, 7915, 10688, 14462, 14554, 14886, 15816.
- Utah, 2547, 6719, 7512, 8238, 10032, 11899, 13995.
- Washington, 5621, 5897, 7513, 7567, 12598.
- Wyoming, 3496, 5900, 8239, 10031, 12950.

INDIAN LANDS; restoration to tribal ownership:
- Idaho, Bingham County, Shoshone-Bannock Tribe of Fort Hall Reservation (PLO 4072) — 10688
- Oklahoma, Kiowa, Comanche, and Caddo Counties (PLO 4105) — 13549

LAND TENURE MANAGEMENT — 16784

MINERAL LANDS:
- *See also* Oil and gas leases.
- Coal land withdrawal Arizona No. 2 revoked in part (PLO 4118) — 14555
- Leases, permits, and licenses; qualifications of applicant, etc.:
  - Coal — 6834, 8181, 16272
  - Phosphate — 6836, 8181, 8873, 16272
  - Potassium — 8181, 8873, 16272
  - Sodium — 8181, 8873, 16272
  - Sulphur — 8181, 16272
- Mineral development, Whiskeytown-Shasta-Trinity National Recreation Area, Calif — 11548
- Mineral leasing; national forest wilderness — 3013
- Minerals management, applications to proper land office — 16785
- Various States, lands opened to mineral entry:
  - Alaska, 900, 2547, 2548, 4793, 4795, 4834, 5900, 5901, 5902, 7462, 7512, 7567, 8692, 10031, 10032, 10530, 10797, 13995, 16202.
  - Arizona, 900, 2692, 5228, 8836, 10751, 11554, 16719.
  - California, 899, 901, 2548, 5662, 5899, 6868, 10032, 15329.
  - Colorado, 899, 5621.
  - Idaho, 900, 5229, 7462, 10031.
  - Montana, 2395, 2630, 3248, 3495, 3502, 5621, 5901, 6122, 10194.
  - Nebraska, 10030.
  - Nevada, 2691, 3136, 4794, 5722, 10749, 13994.
  - New Mexico, 88, 2691, 3495, 4793, 5901, 9601, 10530, 10796, 11547, 12950.
  - Oregon, 900, 2547, 4516, 5621, 5622, 5897, 5898, 10688, 14462, 14886, 15816.
  - Utah, 2547, 6719, 8133, 10032, 11899, 13995, 14888.
  - Washington, 5621, 5897, 12598.
  - Wyoming, 3496, 5900, 8239, 10031.

Land Management Bureau—Continued Page

NATIONAL FOREST LANDS; additions, exclusions, etc.:
- *See also under* Withdrawals, *below*.
- Alaska; homesites excluded:
  - Chugach National Forest (PLO 4019, 4041, 4082) — 7568, 8693, 11755
  - Tongass National Forest (PLO 4019, 4041, 4081) — 7568, 8693, 11755
- Arizona:
  - Coronado National Forest, lands excluded, Proclamations No. 33, 668, and 1066 revoked in part (PLO 4083) — 11755
  - Sitgreaves National Forest, coal land withdrawal No. 2 revoked in part (PLO 4118) — 14555
- California:
  - Shasta National Forest, addition, PLO 3875 amended (PLO 3936) — 2692
  - Trinity National Forest, addition, PLO 3875 amended (PLO 3936) — 2692
- Florida, Ocala National Forest, lands excluded; PLO 750 revoked in part (PLO 4076) — 11546
- Idaho, Salmon National Forest, survey plat — 13248
- Indiana, Hoosier National Forest, proposed addition — 15758
- Michigan, Hiawatha National Forest, proposed addition — 15758
- Montana:
  - Bitterroot National Forest, addition (PLO 3938) — 3248
  - Deerlodge National Forest, addition (PLO 3938) — 3248
  - Flathead National Forest, addition (PLO 3938) — 3248
  - Helena National Forest, addition (PLO 3938) — 3248
  - Kaniksu National Forest, addition (PLO 3938) — 3248
  - Kootenai National Forest, addition (PLO 3938) — 3248
  - Lewis and Clark National Forest, lands excluded (PLO 3938) — 3248
  - Lolo National Forest, addition and exclusion of lands (PLO 3938) — 3248
- New Mexico:
  - Carson National Forest, classification for exchange — 8471, 11239
  - Cibola National Forest:
    - Additions (PLO 3962, 3963, 4008) — 5430, 5431, 7463
    - Exchange, proposed classifications for — 13559, 14462
  - Lincoln National Forest, proposed classification for exchange — 7014
  - Santa Fe National Forest, addition (PLO 4062) — 10034
- Utah:
  - Dixie National Forest, lands excluded (PLO 4010) — 7512
  - Fishlake National Forest; addition, proposed — 7250
  - Manti-LaSal National Forest, addition (PLO 4020) — 7568
  - Wasatch National Forest, addition (PLO 3935) — 2692
  - Proposed addition — 7251

NATIONAL FOREST WILDERNESS, prospecting, mineral leasing, mineral locations, and mineral patents within — 3013

OIL AND GAS LEASES:
- Continental shelf:
  - California — 14534, 16629
  - Louisiana — 2868, 9879, 10201, 10898, 13178
- Continuation as result of actual drilling operations — 7806
- Exploration operations, proposed rules — 13799
- Protraction diagrams:
  - Alaska, 12575.
  - California, 3501, 3502, 4421, 11240, 11618, 11619, 13760, 15328.
  - Idaho, 3136, 4527, 6324, 7191, 7292, 7532, 8698, 9026, 9553, 10927, 11496, 12535, 12926, 13449, 14695.
  - Nevada, 7087.
  - New Mexico, 4254.

ORGANIZATION:
- Administrative jurisdiction:
  - King Mountain Area, Colo., transferred from Craig to Glenwood Springs District Office — 6324
  - Montana State Director, responsibility for public land in Minnesota except minerals — 4353
- District offices, consolidated; Durango and Montrose, Colo — 2556, 4353
- Land offices, new locations:
  - California:
    - Riverside — 10478
    - Sacramento — 13922
  - Eastern States Office — 13092
  - Nevada State Office and Land Office — 11770
  - Oregon Land Office — 3501
- Spokane Field Office, name changed to Spokane District Office — 5723

Land Management Bureau—Continued Page

PETROLEUM RESERVES, California; Executive orders modified:
- July 2, 1910 (PLO 3977, 3998, 4000) — 5662, 6313, 6868
- January 26, 1911 (PLO 3977, 4000) — 5662, 6868

POWER PROJECTS, powersite reserves, etc.; restoration of lands:
- Alabama:
  - Project No. 2165; 11755.
- Arizona:
  - Powersite classification No. 429, prior order revoked in part (PLO 3975), 5623.
  - Powersite reserves:
    - No. 446, Executive order of September 5, 1914, revoked in part (PLO 3975), 5623.
    - No. 447, prior orders revoked in part (PLO 3975), 5623.
  - Water power designation No. 7, prior orders revoked in part (PLO 3975), 5623.
- California:
  - Powersite classifications; prior orders revoked in part:
    - No. 179 (PLO 3916, 3970), 901, 5622.
    - No. 267 (PLO 3970), 5622.
    - No. 246 (PLO 3916), 901.
  - Powersite reserves:
    - No. 84, Executive order of July 2, 1910 revoked in part (PLO 3970), 5622.
    - No. 202, Executive order of August 30, 1911, revoked in part (PLO 3970), 5622.
    - No. 237, Executive order of December 16, 1911, revoked in part (PLO 3916), 901.
  - Reservoir site reserve No. 17, Executive order of June 8, 1926, revoked in part (PLO 3970), 5622.
- Colorado:
  - Powersite classification No. 355 (PLO 3933), 2692.
  - Powersite reserve No. 81, Executive order of July 2, 1910 revoked in part (PLO 3967, 4003), 5621, 7351.
- Montana:
  - Powersite classification No. 231, prior order revoked in part (PLO 3995), 5902.
  - Powersite reserve No. 589, Executive order of April 4, 1917 revoked in part (PLO 3995), 5902.
- Oregon; power site reserves:
  - No. 26 (PLO 3969), 5622.
  - No. 591 (PLO 3923), 2547.
- Washington:
  - Powersite classifications:
    - Nos. 349 and 405 modified for highway right-of-way (PLO 3954), 4794.
    - No. 407 (PLO 4113), 13995.
    - No. 426, prior order revoked in part (PLO 3979), 5897.
  - Powersite reserve No. 179, Executive order of March 31, 1911, revoked in part (PLO 4113), 13995.
- Wyoming:
  - Powersite classification No. 345, prior order revoked in part (PLO 3989), 5900.
  - Powersite reserve No. 115, Executive order of July 2, 1910, revoked in part (PLO 3989), 5900.

PROGRAM POLICY, designation of areas and sites — 6984, 13914

RECREATION AREAS:
- Mineral development, Whiskeytown-Shasta-Trinity National Recreation Area — 11548
- Withdrawals in national forests, etc. *See under* Withdrawals, *below*.

RECREATION AND PUBLIC PURPOSES ACT, leases of lands — 11546

RIGHTS-OF-WAY; highway purposes:
- Alaska, Chugach National Forest, PLO 334 revoked in part (PLO 4058), 10033.
- Arizona, 5899.
- Washington, 4794.

SALE OF LANDS, Nevada; Mount Diablo Meridian — 13809

SALE OF TOWN LOTS, Oregon:
- Harney townsite — 12535
- La Grande — 9383
- Umatilla County, to Port of Umatilla — 10423

SCHOOL PURPOSES:
- Alaska, 5900, 5901, 7014, 7462, 7567, 10531, 12599.
- Arizona, 7969.
- California, 10032.
- Colorado, 5621.
- Florida, 11546.
- Idaho, 7463, 10031.

Land Management Bureau—Continued Page

SCHOOL PURPOSES—Continued
- Montana, 3248, 10194.
- Nebraska, 10030.
- New Mexico, 87, 9601.
- Oregon, 5621, 5622, 5898.
- Utah, 7512, 10032, 13995.
- Washington, 5897, 12598.
- Wyoming, 3496, 5900, 8239, 10031.

SCRIP RIGHTS, satisfaction of:
- Classification of certain lands for disposal. *See under* Classification of lands, *below*.
- Satisfaction of; objectives, procedures, etc — 6985, 11178

SMALL TRACTS, Oregon, classifications revoked:
- No. 2; 11554.
- No. 35; 11555.
- No. 58–1; 11554.
- No. 60–1; 7532.

SURVEY PLATS, various States:
- Alaska:
  - Fairbanks Meridian, 2445, 2865, 7914.
  - Kenai Peninsula, 8133.
  - Seward Meridian, 2631, 3136, 6279, 13448.
- Arizona:
  - Gila and Salt River Meridian, 2973, 3083, 3501, 5228, 6324, 10751, 11554, 13671, 16719.
  - Prescott National Forest, 6067.
- California:
  - Islands, 10478.
  - Mount Diablo Meridian, 15329.
- Florida, Tallahassee Meridian, 2503, 3350, 4353, 8883, 8961, 15201.
- Idaho, Boise Meridian, 300, 2503, 7914, 13248.
- Illinois, Fourth Principal Meridian, 12732.
- Louisiana, Duck Lake, 16370.
- Michigan, islands, etc., 11039, 12413.
- Minnesota:
  - Fifth Principal Meridian, 16720.
  - Islands, 11496, 12535.
- Nevada, Mount Diablo Meridian, 3136, 5722, 13760.
- North Dakota, Fifth Principal Meridian, 10201.
  - Suspended, 12455.
- Oregon, Snake River islands, 7915.
- Utah:
  - Great Salt Lake, 15159.
  - Salt Lake Meridian, 2867, 5229.

TIMBER, disposal; qualification of bidders and purchasers — 10415, 13446

WATER RESERVES, public, Executive orders revoked in part:
- No. 8, Arizona; order of February 20, 1913, (PLO 3915) — 900
- No. 21, New Mexico No. 1; order of June 24, 1914 (PLO 4048) — 9601
- No. 65, New Mexico; order of July 10, 1919 (PLO 4048, 4073) — 9601, 10796
- No. 107, New Mexico; order of April 17, 1926 (PLO 4048, 4077, 4098) — 9601, 11547, 12950

WILDLIFE REFUGES:
- Alaska, Clarence Rhode National Wildlife Range; proposed withdrawal — 2630
- California, Havasu Lake National Wildlife Refuge; proposed withdrawals terminated — 10287, 11240
- Idaho, Bannock (formerly Dingle Swamp) National Wildlife Refuge; proposed withdrawal, hearing — 5230
- Louisiana, Breton National Wildlife Refuge, addition (PLO 4100) — 6912, 12950
- Nevada, Desert National Wildlife Range (PLO 4079) — 11547, 12564
- New Mexico, Bitter Lake National Wildlife Refuge; proposed withdrawal — 16730
- North Dakota, Billings Lake Migratory Waterfowl Refuge, Executive Order 8111 revoked (PLO 4017) — 7567
- Oregon, John Day Wildlife Management Area; proposed withdrawal amended — 851
- Utah, Ouray National Wildlife Refuge, addition (PLO 3999) — 6907
- Washington:
  - Lenore Game Range, PLO 1249 revoked in part (PLO 4085) — 12598
  - Quillayute Needles National Wildlife Refuge, Executive order of October 23, 1907, revoked in part (PLO 4095) — 12600
  - San Juan National Wildlife Refuge, proposed addition — 11899

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.:
- Alaska:
  - Afognak, Ekwak, Savoonga, school purposes, Indian Affairs Bureau (PLO 4016) 7567
  - PLO 1177 revoked in part (PLO 4016) 7567
  - Alaska-Canadian border, Border Station, General Services Administration; proposed withdrawal 8314
  - Anchorage:
    - Alaska Road Commission, Executive Order 4258 revoked in part (PLO 4066) 10530
    - Microwave repeater station protection, Alaska Railroad; proposed withdrawal 1284
    - Recreation area, Land Management Bureau; proposed withdrawal terminated in part 2733, 4527
    - Townsite purposes and War Department use, Executive Orders 2216, 3672, and 6626 revoked in part (PLO 4042) 9108
    - Townsite and railroad purposes, Executive Orders 1919½, 2216, and 3676 revoked in part (PLO 4066) 10530
  - Bethel:
    - Administrative site (PLO 3956) 4795
    - Military purposes, Air Force Department, PLO 1173 revoked in part (PLO 3956) 4794
  - Chanilut, school purposes, prior order revoked in part (PLO 3993) 5901
  - Chefornak and Kwigillingok, educational purposes, Executive Order 5289 revoked in part (PLO 3947) 4348
  - Chugach National Forest:
    - Recreation area, PLO 829 revoked (PLO 4028, 4044) 8238, 9268
    - Road right-of-way; PLO 334 revoked in part (PLO 4058) 10033
  - Fairbanks, recreational purposes, PLO 1394 revoked in part (PLO 3926) 2548
  - Fairbanks Meridian:
    - Air Force Department, PLO 684, land transferred to Army Department (PLO 3922) 2547
    - Eielson Air Force Base, Air Force Department, PLO 577 and 684 revoked in part (PLO 3922) 2547
    - VORTAC air navigation facility, Federal Aviation Agency; proposed withdrawal 101
  - Fort Yukon and Takotna, Alaska Game and Road Commissions, Executive Orders 5361 and 5384 revoked (PLO 3944) 4282
  - Galena:
    - Military purposes, Air Force Department, PLO 843 revoked in part (PLO 4009) 7512
    - School and medical purposes, prior order revoked in part (PLO 4006) 7462
  - Indian Mountain Area, airfield etc., Air Force Department (PLO 3942) 3496
  - Kasigluk, school purposes, Indian Affairs Bureau (PLO 4068) 7014, 10531
  - Kodiak, communications system receiver site, Army Department, PLO 2470 revoked in part (PLO 3992) 5901
  - Kodiak Island, naval purposes, Executive Order 8278 revoked in part (PLO 4119) 16202
  - Kotzebue, protection of public water supply, Public Health Service; proposed withdrawal 765
  - McGrath Airport area, protection of approach zones, Federal Aviation Agency; proposed withdrawal terminated 11240
  - Moose Pass Townsite, PLO 245 revoked in part (PLO 4051) 10031
  - Nunilchik, air navigation site No. 138, prior order revoked in part (PLO 3914) 900
  - Oscarville and Tuluksak, school purposes (PLO 4091) 12599
  - Richardson Clear Creek area, recreation values protection (PLO 3943) 3496
  - Revoked in part (PLO 4039) 8692
  - Ruby, administrative site, Land Management Bureau, PLO 498 revoked (PLO 3957) 4834
  - Seward Meridian:
    - Administration; PLO 1462 revoked (PLO 4074) 10796
    - Alaska Railroad, Executive Order 8102 revoked in part (PLO 3960) 5430
    - Ammunition storage, Army Department, PLO 2787 revoked in part (PLO 3994) 5901

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.—Continued
- Alaska—Continued
  - Seward Meridian—Continued
    - Bradley Lake Hydroelectric Project, Engineers Corps (PLO 3953) 4793
    - Revoked (PLO 4056) 10032
    - Clarence Rhode National Wildlife Range, Sport Fisheries and Wildlife Bureau; proposed withdrawal 2630
    - Military purposes, PLO 5 revoked in part (PLO 4111) 13995
    - Mineral leasing, Air Force Department, PLO 639 modified (PLO 3920) 1007
    - Railroad terminal facility, Executive Order 8102 revoked in part (PLO 3919) 902
    - Recreation values, PLO 3365 revoked (PLO 3996) 5902
    - Water supply, Anchorage and Fort Richardson; PLO 280 revoked, PLO 576 revoked in part (PLO 4049) 10030
  - Sitka, water supply protection, prior departmental order and PLO 1508 revoked (PLO 3951) 4793
  - Steese Highway, south side, recreation sites, Land Management Bureau; proposed withdrawal 9026
  - Tanunak, school purposes, Indian Affairs Bureau, PLO 1177, 1216, 1814 and prior departmental order revoked in part (PLO 3987) 5900
  - Tatalina Air Force Station, protection of water supply, Air Force Department; proposed withdrawal 7842
  - Tongass National Forest:
    - Lighthouse purposes, Executive Order 3406 revoked in part (PLO 3924) 2548
    - Snettisham Project (PLO 4108) 13994
- Arizona:
  - Apache National Forest, administrative site, Forest Service, prior departmental order and PLO 3263 revoked in part (PLO 3934) 2692
  - Coconino County, roadside zones, PLO 3152 and 3584 revoked in part (PLO 4104) 12951
  - Coconino National Forest:
    - Administrative sites, Forest Service, prior departmental orders and PLO 1195 and 3263 revoked in part (PLO 3934, 4099) 2692, 12950
    - Recreation purposes, Forest Service; proposed withdrawal 5148
  - Gila and Salt River Meridian, proposed withdrawals:
    - Flood control purposes, Whitlow Ranch Reservoir, Engineers Corps; terminated 11435
  - Fort Bowie National Historic Site:
    - Land Management Bureau 718
    - National Park Service 718
  - Maricopa County:
    - Auxiliary field, Air Force Department; PLO 662 revoked (PLO 4025) 8240
    - Mining restriction, Land Management Bureau; proposed withdrawal 10965
    - Stock driveway withdrawal No. 164, Arizona No. 6 prior order modified for highway right-of-way (PLO 3985) 5899
  - Mohave County:
    - Alamo Dam and Reservoir, Engineers Corps; proposed withdrawal 7014
    - Public water reserve No. 8, Executive order of February 20, 1913, revoked in part (PLO 3915) 900
  - Navajo County, stock driveway withdrawal No. 10 revoked in part (PLO 4047) 9269
  - Pima County, defense purposes, Engineers Corps; proposed withdrawal 13807
  - Pinal County, stock driveway No. 164, Arizona No. 6, revoked in part (PLO 4025) 7969
  - Prescott National Forest, recreation area, Forest Service; proposed withdrawal 13807, 14461
  - Sitgreaves National Forest, recreation purposes, Forest Service; proposed withdrawal 5148
  - Tonto National Forest:
    - Administrative sites, Agriculture Department (PLO 3965) 5431
    - Salt River Project (PLO 3930) 2549
  - Yavapai County, stock driveway No. 56, Arizona No. 2; revoked in part (PLO 4069) 10640
  - Yuma County, Alamo Dam and Reservoir, Engineers Corps; proposed withdrawal 7014

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.—Continued
- Arkansas:
  - Ouachita National Forest, protection of Choctaw Trail (PLO 4103) 1251, 12951
  - Ozark National Forest, recreation area, PLO 1779 revoked (PLO 4053) 6456, 10031
- California:
  - Angeles National Forest, water storage, Forest Service; proposed withdrawal 5228
  - Barstow, U.S. Marine Corps Rifle Range, Navy Department, proposed withdrawal terminated 6380
  - China Lake, naval ordnance test station, Navy Department; proposed withdrawal 14461
  - Eldorado National Forest:
    - Reclamation purposes, Truckee-Carson Project, prior order revoked in part (PLO 3988) 5900
    - Recreation area, Agriculture Department (PLO 4018) 7567
  - Humbolt County, Executive Order 5237 revoked in part (PLO 3948) 4348
  - Klamath National Forest, proposed withdrawals:
    - Campgrounds, Forest Service 1126, 9382
    - Reservoir site reserves, Geological Survey; terminated in part 459, 2865, 3350
  - Lassen National Forest, experimental forests, Agriculture Department (PLO 3918) 901
  - Modoc County:
    - Reclamation withdrawal, Klamath River project; prior orders revoked in part (PLO 4013) 7513
    - XL Ranch, addition to, Indian Affairs Bureau; proposed withdrawal 16370
  - Modoc National Forest, Klamath River project, prior orders revoked in part (PLO 4084) 12598
  - Mount Diablo Meridian:
    - Central Valley Project, Reclamation Bureau; proposed withdrawals 1126, 13608, 13248, 14011
    - Flight test program, Edwards Air Force Base, Engineers Corps; proposed withdrawal 16370
    - Petroleum reserves:
      - No. 2, Executive order of July 2, 1910 modified (PLO 3977, 3998, 4000) 5662, 6313, 6868
      - No. 18, Executive order of January 26, 1911, revoked in part (PLO 3977, 4000) 5662, 6868
    - Redwood protection (PLO 4096, 4116) 12793, 14554
    - Washoe Project, Stampede Reservoir, Reclamation Bureau; proposed withdrawal 4308
  - Plumas National Forest:
    - Administrative sites and ranger stations, prior orders revoked in part (PLO 3910) 899
    - Experimental forests, Agriculture Department (PLO 3918) 901
    - Recreation area, Forest Service; proposed withdrawal 14461, 15025
  - Riverside County, Colorado River Storage Project, prior order revoked in part (PLO 3925) 2548
  - San Bernardino Meridian:
    - Administrative sites, etc., Forest Service; proposed withdrawal 4168
    - Dike and flood control, All-American Canal System; proposed withdrawal 8471
    - Havasu Lake National Wildlife Refuge, Fish and Wildlife Service; proposed withdrawals terminated 10287, 11240
    - Pala Indian Reservation, forest guard station, prior order revoked (PLO 3973) 5623
    - Parachute test range, Navy Department; proposed withdrawal 6718
    - Sespe Creek Project, Reclamation Bureau; proposed withdrawal 15025
  - San Bernardino National Forest, recreation purposes, Forest Service; proposed withdrawal 5148, 6457
  - San Diego, electronics laboratory, Navy Department; proposed withdrawal 8697
  - Shasta National Forest, campground, Forest Service; proposed withdrawal terminated in part 6457, 6517
  - Sierra National Forest, recreation areas, Forest Service; proposed withdrawal 1126, 2394
  - Six Rivers National Forest, campgrounds, Forest Service; proposed withdrawals 1126, 6718, 12810

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.—Continued
- California—Continued
  - Stanislaus National Forest:
    - Administrative site and campgrounds, Forest Service; proposed withdrawal terminated in part 8697
    - Experimental forests, Agriculture Department (PLO 3918) 901
    - Job Corps camp site (PLO 4007) 7463
    - Recreation sites etc., Forest Service; proposed withdrawal 2394
  - Tahoe National Forest, administrative sites, Executive Order 4203 and certain departmental orders revoked in part (PLO 4055) 10032
  - Toiyabe National Forest, administrative site, Agriculture Department (PLO 4012) 851, 7513
  - Trinity County, recreation site (PLO 3997) 6056
  - Trinity National Forest:
    - Administration, Executive Order 6544 revoked in part (PLO 3984) 5899
    - Campground and picnic area, Forest Service; proposed withdrawal 482
  - Twentynine Palms, training area, Navy Department; proposed withdrawal terminated 13051
- Colorado:
  - Gunnison National Forest, Fruitland Mesa Project (PLO 3945) 4282
  - New Mexico Principal Meridian, recreation values and road relocation purposes (PLO 3982) 5898
  - Pike National Forest, recreation sites, PLO 725, 2314 and 2783 revoked in part (PLO 4087) 12598
  - Roosevelt National Forest, recreation sites, PLO 725, 2314 and 2783 revoked in part (PLO 4087) 12598
  - Routt National Forest, recreation area, Forest Service; proposed withdrawal 8697
  - Sixth Principal Meridian, development of oil shale processing techniques, Mines Bureau; proposed withdrawal 9609
  - Uncompahgre National Forest:
    - Bostwick Park Project (PLO 3945, 4001) 1284, 4282, 7350
    - Recreation area, Forest Service; proposed withdrawal 8641
    - White River National Forest, Blue-South Platte Reclamation Project, prior order revoked in part (PLO 3911) 899
  - Florida, Ocala National Forest, national forest purposes, Agriculture Department; proposed modification of PLO 750 3083
- Idaho:
  - Bear Lake County, reclamation purposes, prior order revoked in part (PLO 4054) 10031
  - Bitterroot National Forest, campgrounds, Agriculture Department (PLO 4033) 766, 2865, 8293
  - Boise County, Ponderosa pine seed orchard, Land Management Bureau (PLO 4046) 6458, 9268
  - Boise Meridian, Snake River Project, Reclamation Bureau; proposed withdrawal 14886, 15201
  - Boise National Forest, reclamation purposes, Owyhee Project; prior order revoked in part (PLO 4026) 8238
  - Bonneville County, Ririe Reservoir and Dam, Engineers Corps; proposed withdrawal amended and terminated in part 5384
  - Caribou National Forest:
    - Campgrounds, Agriculture Department; proposed withdrawal 4527
    - Upper Snake River Project, prior order revoked in part (PLO 4045) 9268
    - Warehousing complex and horse pasture, Forest Service; proposed withdrawal 6380
  - Cassia County, range research and grazing area study, Land Management Bureau; proposed withdrawal 4253
  - Challis National Forest:
    - Campground, Agriculture Department; proposed withdrawal 4527, 8133
    - Historic site, Agriculture Department; proposed withdrawal 10965
    - Department; proposed withdrawal 4527, 8133
  - Clearwater National Forest, recreation areas, Agriculture Department (PLO 4032, 4033) 766, 4908, 8239, 8293, 8954
  - Proposed withdrawal 14418

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.—Continued
- Idaho—Continued
  - Coeur d'Alene National Forest:
    - Administrative sites, Executive Order No. 6816 and prior departmental orders revoked in part (PLO 3912) 900
    - Campgrounds, Agriculture Department (PLO 4032) 4900, 8239
  - Idaho County, recreation area along Salmon River, Land Management Bureau (PLO 4086) 9880, 12598
  - Kaniksu National Forest, scenic area, Agriculture Department; proposed withdrawal 9880
  - Kootenai County, scenic area, Land Management Bureau; proposed withdrawal 10201
  - Minidoka and Jerome Counties, reclamation purposes, Minidoka Project; prior orders revoked in part (PLO 4004) 7462
  - Nez Perce County:
    - Asotin Dam and Reservoir Project, Engineers Corps (PLO 4040) 8692
    - Campground and recreation area, Land Management Bureau; proposed withdrawal 6456
  - Nez Perce National Forest, campgrounds, Agriculture Department (PLO 4033) 766, 8293
    - Proposed withdrawal 12066
  - Payette National Forest, administrative site, Agriculture Department (PLO 4043) 4527, 5769, 9268
    - PLO 3873 revoked in part (PLO 4043) 9268
  - Salmon National Forest, recreation areas, Agriculture Department (PLO 4021) 7568
  - Sawtooth National Forest:
    - Recreation areas, Agriculture Department (PLO 4021, 4032) 7568, 8239
    - Winter sports complex, Agriculture Department; proposed withdrawal 4254, 5265
  - Targhee National Forest, Upper Snake River Project; prior order revoked in part (PLO 4045) 9268
- Indiana, Hoosier National Forest, addition, Forest Service; proposed withdrawal 15758
- Louisiana:
  - Breton National Wildlife Refuge, addition (PLO 4100) 6912, 12950
  - Chandeleur Island, lighthouse purposes, Executive order of September 24, 1847, revoked (PLO 4100) 12950
- Michigan, Hiawatha National Forest, addition, Forest Service; proposed withdrawal 15758
- Montana:
  - Beaverhead National Forest; proposed withdrawals:
    - Historical site, preservation, Forest Service 15098
    - Recreation areas, Forest Service 11039
  - Flathead National Forest:
    - Administrative site, Agriculture Department (PLO 4094) 5528, 12600, 13475
    - Hungry Horse Project, prior orders revoked in part (PLO 3968) 5621
  - Helena National Forest, campground and recreation areas:
    - Agriculture Department; proposed withdrawal 2630
    - Forest Service:
      - PLO 1692 and 1718 revoked in part (PLO 3939) 3495
      - PLO 2924 revoked in part (PLO 3990) 5901
  - Lolo National Forest, administrative site, Agriculture Department (PLO 4093) 12600
    - Prior orders revoked in part (PLO 3990) 5901
  - Phillips County, Milk River Project (PLO 4032) 8240
  - Principal Meridian:
    - Administrative site:
      - Agriculture Department; proposed withdrawal 5722
      - Executive Order 1502, PLO 3017 and prior departmental orders revoked in part (PLO 3938) 3251
    - Air navigation aids, land transferred from Federal Aviation Agency to Interior Department:
      - PLO 3980 5897
      - PLO 3986 6196
    - Libby Dam Reservoir Project, Engineers Corps; proposed withdrawal 3037

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.—Continued
- Montana—Continued
  - Principal Meridian—Continued
    - Malmstrom Air Force facilities, security, Engineers Corps; proposed withdrawals 459, 7914
    - Milk River Project:
      - Reclamation Bureau, proposed withdrawal 5080
      - Reclamation purposes, prior order revoked in part (PLO 3937) 2692
    - Recreation purposes, Land Management Bureau; proposed withdrawal 10201
    - West Yellowstone Townsite, Executive Order 3195 revoked in part (PLO 4063) 10194
  - Nebraska; prior orders revoked in part:
    - Cherry County, Ainsworth Project (PLO 4050) 10030
    - Sioux County, reclamation purposes, North Platte Project (PLO 3972) 5622
  - Nevada:
    - Clark County:
      - Administrative site, PLO 338 revoked (PLO 3981) 5897
      - Desert Game Range, Executive Order 7373 and PLO 156 revoked (PLO 4079) 11547, 12564
    - Elko County, stock driveway No. 84, Nevada No. 24, revoked in part (PLO 4002) 7350
    - Eureka County, stock driveway No. 104, Nevada No. 29, revoked in part (PLO 4029) 8238
    - Mount Diablo Meredian:
      - Air Force Department use, PLO 1991 revoked in part (PLO 3110) 13994
      - Air navigation facilities, Federal Aviation Agency:
        - PLO 3447 revoked in part (PLO 3931) 2691
        - Proposed withdrawals 13807, 14656, 14657, 15816
      - Legislation aid (PLO 3950) 4792
      - Pacific Northwest-Pacific Southwest Intertie Project, Reclamation Bureau; proposed withdrawal 3265
      - Washoe Reclamation Project, PLO 2715 revoked in part (PLO 3955) 4794
  - New Mexico:
    - Apache National Forest, administrative sites and experimental ranges, prior departmental orders and PLO 1120, 1230, 1663 and 1902 revoked in part (PLO 3952) 4793
    - Carson National Forest:
      - Administrative sites and experimental ranges, prior departmental orders and PLO 1120, 1230, 1663 and 1902 revoked in part (PLO 3952) 4793
      - Recreation purposes, Forest Service; proposed withdrawal 4901
    - Catron County:
      - Stock driveway No. 9, New Mexico No. 3, revoked in part (PLO 3909, 4024) 87, 7960
      - Water reserves, certain Executive orders revoked in part (PLO 4048) 9601
    - Cibola National Forest:
      - Administrative sites and experimental ranges, prior departmental orders and PLO 1120, 1230, 1663 and 1902 revoked in part (PLO 3952) 4793
      - Conservation of natural resources, Forest Service; proposed withdrawals 766, 3038, 6381
    - Grant County:
      - Ecological plots and demonstration area (PLO 4038) 8241
      - Exchange selections, Executive Orders 6143, 6276, and 6583 revoked in part (PLO 4077) 11547
      - Public water reserve No. 107, Executive order of April 17, 1926, revoked in part (PLO 4098) 12950
    - Guadalupe County, public water reserve No. 65; Executive order of July 10, 1919, revoked in part (PLO 4073) 10796
    - Hidalgo County:
      - Ecological plots and demonstration area (PLO 4038) 8241
      - Exchange selections, Executive Orders 6143, 6276, and 6583 revoked in part (PLO 4077) 11547
    - Lincoln County:
      - Ecological plots and demonstration area (PLO 4038) 8241
      - Water reserve, public, No. 65; Executive order of July 10, 1919, revoked in part (PLO 4073) 10796

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.—Continued
- New Mexico—Continued
  - Lincoln National Forest:
    - Administrative site, prior departmental orders and PLO 1120, 1230, 1663 and 1902 revoked in part (PLO 3952) 4793
    - Recreation areas, Agriculture Department (PLO 4078) 4851, 11547
  - Luna County:
    - Ecological plots and demonstration area (PLO 4038) 8241
    - Exchange selections, Executive Orders 6276 and 6583 revoked in part (PLO 4064) 10530
  - Otero County:
    - Alamogordo Army Air Field, Army Department, PLO 409 revoked (PLO 3932) 2691
    - Ecological plots and demonstration area (PLO 4038) 8241
    - Stock driveway withdrawal No. 47, New Mexico No. 5, prior order revoked in part (PLO 3991) 5901
  - Principal Meridian; proposed withdrawals:
    - Animas-La Plata Project, Reclamation Bureau 15493
    - Bitter Lake National Wildlife Refuge, Fish and Wildlife Service 16720
    - Cattle and sheep testing experiments, Agriculture Department, terminated 14886
    - Land treatment projects, Land Management Bureau, corrected and terminated in part 2733
    - Mexican Duck, protection of, Land Management Bureau 10201
      - Terminated 15025
    - National forest lands, consolidation with, Forest Service 14362
    - Navajo Indian Irrigation Project, Indian Affairs Bureau 12685, 15493
    - Research projects, New Mexico State University, Land Management Bureau 2733, 8471
  - San Juan County, school site, Indian Affairs Bureau; proposed withdrawal 11899
  - San Miguel County, Conchas Dam and Reservoir Project, Engineers Corps (PLO 4088) 12599
  - Santa Fe National Forest, national resources conservation, Forest Service; proposed withdrawal 2866
  - Sierra County, ecological plots and demonstration area (PLO 4038) 8241
  - Socorro County:
    - Exchange selections, Executive Order 6583 revoked in part (PLO 3940) 3495
    - Stock driveway withdrawal No. 9, New Mexico No. 3, prior departmental order revoked in part (PLO 3909) 87
    - Water reserves, certain Executive orders revoked in part (PLO 4048) 9601
  - Valencia County, public water reserves No. 21, 65, and 107; Executive orders of June 24, 1914, July 10, 1919, and April 17, 1926, revoked in part (PLO 4048) 9601
- North Dakota:
  - Cavalier County, Billings Lake Migratory Waterfowl Refuge, Executive Order 8111 revoked (PLO 4017) 7567
  - Fifth Principal Meridian:
    - Aid of legislation, Fish and Wildlife Service; proposed withdrawal terminated 15244
    - Reclamation purposes, Bismarck Project, prior order revoked in part (PLO 3927) 2549
    - Waterfowl management, Fish and Wildlife Service; proposed withdrawal 15244
  - Oklahoma, Murray County, Arbuckle Dam and Reservoir Project (PLO 4031) 8239
- Oregon:
  - Bend, stock driveway withdrawal No. 57–1 revoked in part (PLO 4114) 14554
  - Coos County, materials source for highway construction (PLO 3961) 5431
  - Fremont National Forest, Goose Lake Project, reclamation uses, prior order revoked (PLO 3913) 900
  - Malheur County:
    - Owyhee Project, prior orders revoked (PLO 3963, 4071) 5698, 10687
    - Warmsprings Dam and Reservoir, Vale Project (PLO 4059) 10033

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.—Continued
- Oregon—Continued
  - Mt. Hood National Forest:
    - Administrative sites and recreation areas, Agriculture Department; PLO 3634 corrected 11307
    - Flood control, Bonneville Dam Project, Army Department (PLO 3966) 5620
  - Rogue River National Forest, reclamation purposes, prior orders revoked in part (PLO 3949) 4516
  - Siskiyou National Forest, recreation areas, Forest Service; proposed withdrawals 14086, 15494
  - Siuslaw National Forest, lighthouse purposes, Executive order of July 18, 1891, revoked in part (PLO 3978) 5897
  - Snoqualmie National Forest, recreation use, Forest Service; proposed withdrawal 6456
  - Umatilla National Forest, recreation areas, etc., Forest Service; proposed withdrawals 4901, 12066, 13808, 15493
  - Umpqua National Forest, administrative site, Agriculture Department; PLO 3688, correction 11014
  - Whitman National Forest:
    - Experimental seed production area, Agriculture Department (PLO 4107) 768, 13994
    - Recreation area, Forest Service; proposed withdrawal 3350
  - Willamette Meridian:
    - Administrative site (PLO 3917) 901
    - Federal Emergency Administration of Public Works, Executive Order 6574 revoked (PLO 3966) 5621
    - Irrigation projects:
      - Rogue River Basin Project (PLO 4087) 5528, 8241
        - Proposed withdrawal terminated 16720
      - Umatilla Project, prior order revoked in part (PLO 3109) 13994
      - Umpqua River Project, Reclamation Bureau; proposed withdrawal terminated 16721
      - Vale Project, Reclamation Bureau; proposed withdrawal 5768
    - John Day Lock and Dam Project, Engineers Corps; PLO 3871, correction 12480
    - John Day Wildlife Management Area, Engineers Corps; proposed withdrawal amended 851
    - Merlin Seed Orchard, Land Management Bureau; proposed withdrawal 12575
    - Project planning, etc., Engineers Corps; proposed withdrawal 2868
    - Protection of scientific, wildlife and recreation values, Jordan Crater Area, Land Management Bureau; proposed withdrawal 768
    - Recreation areas (PLO 3959, 3964) 5430
    - War Department, prior orders revoked (PLO 3966) 5621
    - Winema National Forest, administrative site, Agriculture Department (PLO 4014) 2445, 7566
      - Prior order revoked in part (PLO 4014) 7566
- South Dakota:
  - Black Hills Meridian:
    - Ellsworth Air Force Base, Engineers Corps; proposed withdrawal 10699
    - Fort Meade Military Reservation, Executive order of Dec. 18, 1878, revoked in part (PLO 3946) 4348
    - Black Hills National Forest, roadside zones, etc., Agriculture Department; proposed withdrawal 3264
- Utah:
  - Ashley National Forest, recreation areas, Agriculture Department (PLO 4102) 5384, 8471, 12951
  - Dixie National Forest:
    - Job Corps Center, Powell Conservation Center (PLO 3928) 2549
    - Recreation areas, Agriculture Department (PLO 4027) 2556, 8238
      - PLO 1775 revoked in part (PLO 4027) 8238
  - Fishlake National Forest, recreation areas, Agriculture Department (PLO 4115) 7250, 14554
  - Grand County, Pack Creek Project; prior order revoked in part (PLO 4112) 13995
  - Kane County, coal land withdrawal, Executive order of July 7, 1910, revoked in part (PLO 4057) 10032

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.—Continued
Utah—Continued
Salt Lake Meridian:
Bear River Project, prior order revoked in part (PLO 3921) 2547
Dixie Project, Reclamation Bureau; proposed withdrawal 7250
Terminated 6839, 12966
Ouray National Wildlife Refuge, addition (PLO 3999) 6907
Tyzack Dam and Reservoir, Reclamation Bureau; proposed withdrawal 15026
Waterfowl management area; Land Management Bureau, proposed withdrawal 6457
Weber Basin Project (PLO 4067) 10531
Uintah County, Jones Hole National Fish Hatchery: Addition (PLO 4090) 12599
Proposed withdrawal terminated 14888
Uintah National Forest, American Fork Canyon watershed, protection (PLO 4060, 4106) 10033, 13993
Wasatch National Forest, proposed withdrawals:
Addition, Forest Service 7251
Recreation areas, etc., Forest Service 5384
Washington County, Dixie Project (PLO 4036, 4061) 8240, 10033
Washington:
Benton County, John Day Lock and Dam Project, Engineers Corps (PLO 4101) 12951
Buck Island, addition to San Juan National Wildlife Refuge, Fish and Wildlife Service; proposed withdrawal 11899
Gifford Pinchot National Forest:
Flood control, Bonneville Dam Project, Army Department (PLO 3966) 5620
Recreation area addition, Forest Service; proposed withdrawal 11401
Grand County, Lenore Game Range, PLO 1249 revoked in part (PLO 4085) 12598
James Island, Quillayute Needles National Wildlife Refuge; Executive order of October 23, 1907, revoked in part (PLO 4095) 12600
Mount Baker National Forest:
Administrative sites, etc., Agriculture Department, PLO 3870 corrected 2380
Highway construction, Agriculture Department, PLO 3794 corrected 4893
Okanogan National Forest, administrative site, Forest Service; prior order revoked (PLO 4011) 7513
Snoqualmie National Forest:
Reclamation purposes, prior orders revoked in part (PLO 4015) 7567
Recreation site, Agriculture Department (PLO 4092) 2785, 12599
Roadside zones, Agriculture Department; proposed withdrawal terminated in part 14957
Wenatchee National Forest; proposed withdrawals:
Recreation areas, Forest Service 2785
Roadside zone, Agriculture Department; terminated in part 14957
Willamette Meridian:
Columbia Basin Project, Reclamation Bureau; proposed withdrawal 10479
Federal Emergency Administration of Public Works, Executive Order 6574 revoked (PLO 3966) 5621
Little Goose Lock and Dam Project, Engineers Corps (PLO 3971) 5622
Lower Granite Lock and Dam Project, Engineers Corps (PLO 3929) 2549
Project planning and wildlife management area, Engineers Corps; proposed withdrawal 2396
Wyoming:
Big Horn County, Shoshone Project (PLO 4070) 10641
Black Hills National Forest, recreation purposes, Forest Service; proposed withdrawal 402
Bridger National Forest, Upper Snake River Project; prior order revoked in part (PLO 4097) 12950
Goshen County, North Platte Project; prior order revoked in part (PLO 4075) 11431
Laramie, air navigation site No. 114 revoked (PLO 4030) 8239

Land Management Bureau—Continued Page

WITHDRAWALS of lands for specified uses of Federal agencies, etc.—Continued
Wyoming—Continued
Lincoln County, Green River Project; prior order revoked in part (PLO 4052) 10031, 10687
Medicine Bow National Forest, recreation purposes, Forest Service; proposed withdrawal 482
Sixth Principal Meridian:
Administrative site (PLO 3976) 5623
Missouri River Basin Project, Reclamation Bureau; proposed withdrawal 16580
Missouri River Basin Project and Yellowtail Wildlife Habitat Management Area (PLO 4023) 2867, 7969
North Platte Project, Reclamation Bureau; proposed withdrawals 15098, 16280
Oil shale retorting experiments, Mines Bureau, proposed withdrawal 7016
Seedskadee Project, Reclamation Bureau; proposed withdrawal terminated 15098
Shoshone Project, Reclamation Bureau; proposed withdrawals 5722, 15547
VORTAC antenna, protection of; proposed withdrawal 12732
Sweetwater County, oil shale tests (PLO 4089) 12599
Targhee National Forest, reclamation purposes, prior orders revoked in part (PLO 3941) 3496
Washakie County, Missouri River Basin Project (PLO 3958) 5430

Land Use Adjustment Program:
See Agriculture Department.

Latin America:
HOUSING INVESTMENT PROGRAM; reopening, guaranty fees, etc 5640, 10042, 10584

Leif Erikson Day, 1966:
PROCLAMATION 3745 12475

Lemonade:
IDENTITY STANDARDS. *See* Food and Drug Administration.

Lemons:
MARKETING. *See* Agriculture Department.

Lentils:
INSPECTION. *See* Agriculture Department.

Lettuce:
MARKETING. *See* Agriculture Department.

Libraries:
NATIONAL ADVISORY COMMISSION ON, establishment (Executive Order 11301) 11709
NATIONAL LIBRARY OF MEDICINE, training grants, etc 9499, 9505
PRESIDENT'S COMMITTEE ON, establishment (Executive Order 11301) 11709
SERVICES AND CONSTRUCTION, Federal share 12734

Library of Congress:
See Copyright Office.

Lime Industry:
TRADE PRACTICE RULES. *See* Federal Trade Commission.

Limes:
MARKETING, etc. *See* Agriculture Department.

Linseed Oil:
EXPORT PROGRAM. *See* Commodity Credit Corporation.
RECORD RETENTION REQUIREMENTS. *See* Agriculture Department.

Liquor:
See Alcoholic beverages.

Literacy Day, International:
PROCLAMATION 3739 11639

Livestock:
See also Meat and products.
DISEASE CONTROL, HUMANE SLAUGHTER, etc. *See* Agriculture Department.

Livestock—Continued Page

FEED:
Disaster areas, certain, transportation to, at reduced rates. *See* Interstate Commerce Commission.
Emergency program. *See* Agriculture Department.
Hay and straw, inspection. *See* Agriculture Department.
FOOD ADDITIVES in feed and drinking water. *See* Food and Drug Administration.
STOCKYARDS, posting, etc. *See* Agriculture Department.

Loans:
AGRICULTURAL COMMODITIES:
Loan programs. *See* Commodity Credit Corporation. Production credit associations, intermediate credit banks. *See* Farm Credit Administration.
AUTHORITY DELEGATIONS respecting various loan programs. *See specific agencies.*
BANK loans. *See* Federal Reserve System.
COMMODITY loans, banks for cooperatives. *See* Farm Credit Administration.
DEFENSE PRODUCTION loan guarantees 13444
DISASTER AREAS, emergency loans. *See* Agriculture Department; Emergency Planning Office; Small Business Administration.
FARMERS, loans to. *See* Farmers Home Administration.
FEDERAL FARM LOAN SYSTEM. *See* Farm Credit Administration.
FEDERAL RESERVE member banks, loans to executive officers. *See* Federal Reserve System.
FEDERAL SAVINGS AND LOAN SYSTEM, etc. *See* Federal Home Loan Bank Board.
FISHING VESSELS, construction and purchase loans. *See* Fish and Wildlife Service.
HOUSING GUARANTIES. *See* Agency for International Development.
HOUSING LOANS. *See* Farmers Home Administration; Federal Home Loan Bank Board; Federal Housing Administration; Federal National Mortgage Association.
INDIANS. *See* Farmers Home Administration.
PUBLIC FACILITY LOANS. *See* Housing and Urban Development Department.
SCHOOLS, loans to. *See* Education Office.
SMALL BUSINESS loans. *See* Small Business Administration.
STUDENT LOANS. *See* Education Office; Federal Credit Unions Bureau; Public Health Service.
VETERANS:
Loans to. *See* Veterans Administration.
Property to veterans' organizations, Army Department regulation 4786

Loyalty Day, 1966:
PROCLAMATION 3716 5809

Lumber:
See also Timber.
PINE AND SPRUCE, Custom entry requirement. *See* Customs Bureau.
SOFTWOOD:
Trade practice rules. *See* Federal Trade Commission.
Voluntary product standards. *See* National Bureau of Standards.

M

Macaroni and Noodle Products:
IDENTITY STANDARDS. *See* Food and Drug Administration.

Malta:
SOCIAL INSURANCE AND PENSION SYSTEM 5231

Manpower, Health:
NATIONAL ADVISORY COMMISSION ON HEALTH MANPOWER, establishment (Executive Order 11279) 6947
PRESIDENT'S COMMITTEE ON HEALTH MANPOWER, establishment (Executive Order 11279) 6947

Manual for Courts-Martial, United States, 1951: Page
MAXIMUM PUNISHMENTS, amendment of provisions respecting (Executive Order 11317) 15305

Margarine:
IDENTITY STANDARDS, optional ingredients. *See* Food and Drug Administration.

Marine Corps:
ADMINISTRATIVE DISCHARGES, SEPARATIONS 16404, 16405, 16528
FINANCIAL RESPONSIBILITY of personnel in commercial affairs and action on complaints of indebtedness 16622
LIEUTENANT GENERALS, number of, suspension of sec. 5232(b), Title 10, U.S. Code (Executive Order 11270) 2989
RESERVE, procurement of military personnel, etc 15531

Maritime Administration:
See National Shipping Authority.
AUTHORITY DELEGATIONS:
By Administrator to listed officials:
Chief, Office of Government Aid:
Insurance matters, etc 770
Waivers, permissions, etc 2786
Chief, Office of Ship Operations; approval or disapproval of banks and trust companies as trustees 6551
By Maritime Subsidy Board; subsidized vessels, etc 542
CUBA, free world and Polish flag vessels arriving in, since January 1, 1963; list 2446, 3200, 4928, 6166, 7193, 7979, 8959, 10003, 13052, 14601, 16372.
DOCUMENTATION, TRANSFER, OR CHARTER of vessels:
Approval of trustees under Public Law 89-346:
Applicants:
Bank of America National Trust and Savings Association, 6551.
Bankers Trust Co., 9610.
Chase Manhattan Bank (National Association), 5849.
Chemical Bank New York Trust Co., 5457.
Crocker-Citizens National Bank, 6068.
First National City Bank, 11989.
First Pennsylvania Banking & Trust Co., 13179.
Irving Trust Co., 7534.
Manufacturers Hanover Trust Co., 11622.
Marine Midland Grace Trust Company of New York, 13952.
Mellon National Bank and Trust Co., 14087.
Morgan Guaranty Trust Company of New York, 6745.
National Commercial Bank and Trust Co., 5457.
Old Colony Trust Co., 7256.
Pacific National Bank of Seattle, 10973, 11240.
Philadelphia National Bank, 9887.
Savings Banks Trust Co., 11622.
Regulations 4408
Authority delegation from Administrator to Chief, Office of Ship Operations; approve or disapprove applicants as trustees 6551
Bareboat charters, continuance:
Alaska Steamship Co., 13396, 14087.
Citizenship declarations by owners or mortgagees of U.S. vessels 4410
Editorial changes 3015
Exceptions to approvals granted 10642
FEDERAL SHIP MORTGAGE AND LOAN INSURANCE, eligibility requirements, United States citizenship, approved trustee 4410
MARITIME SUBSIDY BOARD, procedures relating to review of actions by Under Secretary for Transportation 8065
MERCHANT MARINE TRAINING on subsidized vessels, pay 16203
NORTH VIETNAM, free world and Polish flag vessels arriving in, since January 25, 1966; list 2706, 3470, 5231, 6166, 8602, 10002, 12067, 15247
ORGANIZATION AND FUNCTIONS 8087, 8246, 15331
POLICY, PRACTICE, AND PROCEDURE:
Charges for documents 3397
Fees 3397, 9867
RECORDS, non-Federal; retention requirements 4013
REPORTS required to be filed, cargo and passenger; forms of vessel utilization and performance reports prescribed 11607

Maritime Administration—Continued Page

RHODESIA, shipment of oil to, by United States flag ships 6878
SUBSIDIZED VESSELS AND OPERATORS:
Construction-differential subsidies:
Applications for subsidies and other direct financial aid:
Charges 3397
Eligibility of cost of design and plan approval work; proposed rule 6427
Contracts, sale or transfer of vessels by owner, canceled 7131
Construction reserve funds, establishment; application to establish fund, fee 3397
Military-sponsored cargo in coastwise or intercoastal trade, use of owned vessels for carrying; request 1221
Operating-differential subsidies:
Applications under Merchant Marine Act, 1936:
American Export Isbrandtsen Lines, Inc., 8502, 10002, 13093, 14958, 15819.
American President Lines, Ltd., 3428, 6795, 12414.
Delta Steamship Lines, Inc., 13094, 14087, 16374.
Lykes Bros. Steamship Co., Inc., 10080.
Moore-McCormack Lines, Inc., 1350, 8245, 8315, 11557.
Prudential Lines, Inc., 11112.
United States Lines Co., 12810.
Waterman Steamship Corp., 10080.
Cruise applications pursuant to Public Law 87-45:
American Export Isbrandtsen Lines, Inc., 1254, 5149, 7357, 7593, 10654.
Moore-McCormack Lines, Inc., 5149, 8547.
United States Lines Co., 4973, 8137, 12027.
Policy regarding foreign-performed repairs, etc.; proposed rule cancelled 8494
Reasonable working conditions; cash allowance in lieu of vacation 6427, 8494
TANKERS, A2-SE, for exchange; availability 10481
TROOPSHIP, C4:
Allocation 15027
Availability 10425
WAR RISK INSURANCE:
Expiration dates, etc 1201, 5432, 7970, 10468, 12523
Values for 1240, 6891, 7627, 7691, 11455
Binders and policies, terms and conditions of issuance; proposed rule 7704

Maritime Commission, Federal:
See Federal Maritime Commission.

Maritime Day, National, 1966:
PROCLAMATION 3708 4945

Marshall Islands:
VESSEL DANGER ZONE, Kwajalein Atoll 9850

Meat and Products:
See also Livestock.
HUMANE SLAUGHTER of livestock, identification of carcasses. *See* Agriculture Department.
INSPECTION REGULATIONS, etc. *See* Agriculture Department.

Medals:
See Decorations, medals, and awards.

Medical and Dental Care:
AGED, health insurance for. *See* Social Security Administration.
COST, recovery from tortiously liable third persons 10754, 11226
MEDICAL ASSISTANCE to State residents, Family Services Bureau 10576
VETERANS. *See* Veterans Administration.

Medical Services Bureau:
ABOLITION (Reorganization Plan No. 3 of 1966) 8855
REESTABLISHMENT, interim plan 8964

Medicare Enrollment Month, National, March 1966:
PROCLAMATION 3707 4191

Melons:
STANDARDS for grades. *See* Agriculture Department.

Memorial Day, 1966: Page
PRAYER FOR PEACE (Proclamation 3727) 7661

Mental Health:
ALASKA, certain public lands reserved for mental health purposes. *See* Land Management Bureau.
COMMUNITY MENTAL HEALTH CENTERS 3246, 11900
HOSPITALS, MENTAL, grants for construction, modernization, etc 12095
MENTAL RETARDATION FACILITIES 914, 11900

Mental Retardation, President's Committee on:
ESTABLISHMENT (Executive Order 11280) 7167

Merchant Marine:
REGULATIONS. *See* Coast Guard; Maritime Administration.

Mexico:
ANTIDUMPING ACT determination. *See* Treasury Department.
BILATERAL AGREEMENT, Mexico-United States, standard AM band broadcasting; joint Government-industry meeting 3509
BROADCAST STATIONS. *See* Federal Communications Commission.
COTTON TEXTILE import restrictions. *See* Interagency Textile Administrative Committee.
CRUDE OIL PIPELINE at international boundary line, application for Presidential permit for construction, etc 16211
IMMIGRATION REGULATIONS, Mexican nationals 10957, 10960
OKRA importation, fumigation 2589

Micronesia:
TRUST TERRITORY of Pacific Islands, legislative authority 9138

Migratory Birds:
HUNTING, etc. *See* Fish and Wildlife Service.
MANAGEMENT PROGRAM. *See* General Services Administration.

Migratory Waterfowl Day:
PROCLAMATION 3755 15227

Military Aircraft, Armament, and Electronics Industries:
BOARDS OF INQUIRY to investigate labor disputes (Executive Order 11314, 11321) 13419, 16301

Military Personnel:
See Armed services.

Milk and Products:
IDENTITY STANDARDS, optional ingredient, etc. *See* Food and Drug Administration.
MARKETING ORDERS, etc. *See* Agriculture Department.
PESTICIDES in milk and manufactured dairy products, establishment of tolerances; proposed rules, extension of time 903
PRICE SUPPORT PROGRAM. *See* Commodity Credit Corporation.
SCHOOL LUNCH PROGRAM, special. *See* Agriculture Department.
SMALL BUSINESS fluid milk industry, definition, size standard 225, 4340

Mineral Lands and Minerals:
See also Oil and gas.
COAL AND PHOSPHATE LANDS, classification. *See* Geological Survey.
COPPER EXPORTS restricted 960, 16481
LEAD AND ZINC MINING, stabilization 7752
OIL AND GAS FIELDS, known geologic structures. *See* Geological Survey.
OIL IMPORTS. *See* Interior Department.
PUBLIC LANDS, leases, mineral entry, etc. *See* Land Management Bureau.

Mines Bureau: Page
APPALACHIAN REGIONAL DEVELOPMENT ACT:
Authority delegation from Secretary of Interior 2396
Subsidence and strip mine rehabilitation 2378, 5446
AUTHORITY DELEGATIONS:
By Assistant Director, Health and Safety, to District Manager, District E, et al.; contracts 12413
From Secretary of Interior:
Appalachian Regional Development Act 2396
Contributions and cooperative agreements 4810
Federal Coal Mine Safety Act 13609
Research contracts 16580
Solid waste disposal 4809
GRANTS:
Administration of; change of heading 15745
Solid waste disposal projects 7456
METHANE-MONITORING SYSTEMS 89, 8630, 10607
RECORDS, non-Federal; retention requirements 4025
SOLID WASTE DISPOSAL:
Authority delegation 4809
Grants 7456

Mint Bureau:
TABLE OF CHARGES at U.S. Mints and Assay Offices 6960

Mission SAFETY-70:
SAFETY PROGRAM FOR FEDERAL EMPLOYEES (Memorandum and Statement of February 16, 1966) 2993, 2995

Mohair:
PAYMENT PROGRAM. *See* Commodity Credit Corporation.
RECORD RETENTION REQUIREMENTS. *See* Agriculture Department.

Monetary Offices:
PAPER CURRENCY AND COIN. *See* Treasury Department.

Monuments, National:
See National forests, parks, etc.

Mother's Day, 1966:
PROCLAMATION 3723 6945

Motor Carriers:
LIQUID HELIUM, transportation 6648
OPERATING AUTHORITY routes, etc. *See* Interstate Commerce Commission.

Motor Vehicles:
AIR POLLUTION, control of; new motor vehicles and engines 1312, 5170
GOVERNMENT-OWNED VEHICLES, regulations. *See* General Services Administration.
IMPORTATIONS UNDER BOND, temporary, for repair or alteration; Customs Bureau regulation 2817
MANUFACTURERS, bona fide, of motor vehicles; determinations 156, 1127, 4852, 7978, 11620
NATIONAL CAPITAL AIRPORTS, operation of motor vehicles at 9865
NATIONAL CAPITAL REGION, operation of commercial trucks on part of Constitution Ave 9107
NATIONAL PARKS, operation of motor vehicles in. *See* National Park Service.
OPERATORS, Job Corps enrollees; waiver of State driver's license requirement, authorization 12081
SAFETY STANDARDS. *See* Commerce Department; General Services Administration.
SEAT BELTS:
Buses, belt requirements; proposed rules 7911, 10326
Standards 7833, 11528
SHIPPING RATES, automobiles, uniform rates and measurements; proposed rule 11616
SMALL BUSINESS, manufacturing of tires and passenger cars 12024, 15737

Motorcycles:
GOVERNMENT PROCUREMENT, deletion of regulations 7234

Mushrooms:
STANDARDS for grades. *See* Agriculture Department.

N

Narcotics: Page
See Drugs.

Narcotics Bureau:
AUTHORITY DELEGATION from Assistant Secretary of Treasury for Administration; property and services procurement 5527
DRUGS, regulatory taxes, mailing of excess and undesired narcotics 429
FENTANYL, application for license to manufacture 14329
OPIATES, piritramide added to chronological list 5434
RECORDS, non-Federal; retention requirements 4054

National Academy of Sciences:
NATIONAL MEDAL OF SCIENCE AWARD, functions (Executive Order 11287) 8995

National Advisory Commission on Health Manpower:
ESTABLISHMENT (Executive Order 11279) 6947

National Advisory Commission on Libraries:
ESTABLISHMENT (Executive Order 11301) 11709

National Advisory Commission on Rural Poverty:
ESTABLISHMENT (Executive Order 11306) 12769

National Advisory Commission on Selective Service:
ESTABLISHMENT (Executive Order 11289) 9265

National Advisory Council on International Monetary and Financial Policies:
ESTABLISHMENT (Executive Order 11269) 2813

National Aeronautics and Space Administration:
AUTHORITY DELEGATIONS:
By Deputy Administrator to Assistant Administrator for Industry Affairs, and Director, Facilities Management Office; real property acquisition, management, and disposal 7676
From General Services Administrator; representation of executive agencies before Interstate Commerce Commission 6648, 10010
CONDUCT STANDARDS 8418
INVENTIONS AND CONTRIBUTIONS BOARD; California Institute of Technology, hearing 2916
PATENTS:
Foreign patent licensing 10958
Waivers 7677
PROCUREMENT:
Advertising, formal 598
Appendix G, management manual instruction 686
Bonds and insurance 650
Contracts:
Clauses 610
Cost principles and procedures 674
Management procedures 679
Termination 614
Foreign purchases 609
Forms 674
General provisions 596
Government property 666
Inspection and acceptance 672
Interdepartmental 608
Inventions, patents, data, and copyrights 643
Waived inventions 7689
Labor 651
Negotiation 599
Priorities and allocations 682
Special types and methods 606
Taxes, Federal, State, and local 650
RECORDS, non-Federal; retention requirements 4067

National Aeronautics and Space Council:
BASIC COMPENSATION, staff assistant and aerospace assistants 10485
SPECIAL ASSISTANT to Chairman, appointment of 13686

National Bureau of Standards: Page
ORGANIZATION AND FUNCTIONS 7713, 8083
Computer Sciences and Technology Center 8961
RADIO STATIONS:
Location change, WWV, Greenbelt, Md. to Fort Collins, Colo 9089, 13396
Standard frequency and time broadcasts 20, 1285, 3266, 5150, 6551, 7916, 9089, 10386, 11523, 12811, 14087, 14604, 15608, 16795.
SIMPLIFIED PRACTICE RECOMMENDATIONS and commercial standards, certain; withdrawal of regulations 2562, 12027
Certain voluntary standards, proposed withdrawal, extensions of time 12027, 14697, 15159, 16630
STANDARD REFERENCE MATERIALS:
Certified chemical composition 6201, 7737, 7968, 11974, 13752, 13753, 15309
Certified properties and purity 343, 1201, 3497, 3498, 5352, 6015, 6201, 7737, 7819, 8680, 8952, 10920, 12434, 12711, 13167, 13390, 13753, 14875.
TEST FEE SCHEDULES:
Analytical chemistry 14875
Electricity 5548, 8679, 9794
Mechanics 5549
Metrology 5549
Radiation physics 16186
VOLUNTARY PRODUCT STANDARDS, proposed withdrawals, extensions of time 12027, 14697, 15159, 16630
Book cloths, buckrams, etc.; proposed withdrawal 16630
Cotton cloth for rubber and proxylin coating; proposed withdrawal 16630
Softwood lumber:
Proposed withdrawal 16630
Revision of recommendation 15159
WEIGHTS AND MEASURES, 51st National Conference; announcement 8082

National Capital Housing Authority:
CONDUCT STANDARDS 5246

National Capital Region:
ADVISORY COMMITTEE ON FEDERAL BUILDINGS, establishment by GSA Administrator:
Letter of January 29, 1966 2469
Membership, functions 2504
FEDERAL OFFICE SPACE, acquisition and utilization (Letter of January 29, 1966) 2469
NATIONAL CAPITAL REGIONAL PLANNING COUNCIL, abolition (Reorganization Plan No. 5 of 1966) 11857

National Capital Regional Planning Council:
ABOLITION (Reorganization Plan No. 5 of 1966) 11857

National Capital Transportation Agency:
CONDUCT STANDARDS 5811

National Civil Air Patrol Day:
PROCLAMATION 3742 11855

National Days of Prayer:
MEMORIAL DAY, 1966, prayer for peace (Proclamation 3727) 7661
NATIONAL DAY OF PRAYER, 1966 (Proclamation 3750) 12995

National Defense Executive Reserve:
POLICIES AND ORGANIZATION, Agriculture Department 1014

National Defense Service Medal:
PROVISIONS RESPECTING (Executive Order 11265) 425

National Defense Transportation Day, 1966:
PROCLAMATION 3718 6567

National Employ the Physically Handicapped Week, 1966:
PROCLAMATION 3736 11135

National Farm-City Week, 1966:
PROCLAMATION 3738 11445

National Farm Safety Week, 1966:
PROCLAMATION 3706 3223

National Flag Week, 1966: Page
PROCLAMATION 3728 8277

National Forest Products Week, 1966:
PROCLAMATION 3751 13197

National Forests, Parks, etc.:
See also Forest Service: National Park Service.
ADMINISTRATIVE JURISDICTION, transfer. *See* Reclamation Bureau.
CUMBERLAND NATIONAL FOREST, change of name to Daniel Boone National Forest (Proclamation 3715) 5807
DANIEL BOONE NATIONAL FOREST, change of name from Cumberland National Forest (Proclamation 3715) 5807
NATIONAL ZOOLOGICAL PARK, buildings and bridges, transfer of functions to Smithsonian Institution from D.C. Board of Commissioners (Reorganization Plan No. 4 of 1966) 11137
WITHDRAWALS for specific use of Federal agencies, etc. *See* Land Management Bureau.

National Foundation on Arts and Humanities:
AUTHORITY AND RESPONSIBILITIES, Labor Department 1274
CONDUCT STANDARDS 9408

National Gallery of Art:
CONDUCT STANDARDS 6116

National Highway Safety Agency:
ORGANIZATION AND FUNCTIONS 15099, 15101

National Highway Week, 1966:
PROCLAMATION 3735 11133

National Institutes of Health:
ABOLITION (Reorganization Plan No. 3 of 1966) 8855
REESTABLISHMENT, interim plan 8964

National Labor Relations Board:
CONDUCT STANDARDS 4376
EX PARTE COMMUNICATIONS 13850, 14313, 14394
PROCEDURE STATEMENTS, consent adjustments before formal hearing 10030
RULES AND REGULATIONS, election procedure, hearing in consent election 10030

National Maritime Day, 1966:
PROCLAMATION 3708 4945

National Medal of Science:
AWARD (Executive Order 11287) 8995

National Medal of Science, President's Committee on:
CONTINUATION (Executive Order 11287) 8995

National Mediation Board:
CONDUCT STANDARDS for employees 894
EMERGENCY BOARDS to investigate labor disputes:
American Airlines, Inc. (Executive Order 11291) 10175
Five Carriers Negotiating Committee, representing carriers (Executive Order 11276) 6233
Pan American World Airways, Inc. (Executive Order 11308) 12919
SPECIAL ADJUSTMENT BOARDS, establishment of 10697, 11494, 13176, 13946, 14644

National Medicare Enrollment Month, March 1966:
PROCLAMATION 3707 4191

National Park Service:
AUTHORITY DELEGATIONS:
By Assistant Director, Administration, to Chief, Branch of Museums, et al.; contracts for supplies, revocation 2734
By Assistant Director, Design and Construction, to Chief, Contract Administration and Construction Division, Washington; contracts 10202

National Park Service—Continued Page
AUTHORITY DELEGATIONS—Continued
By Chiefs, Design and Construction Offices, to certain Chiefs; contracts:
Philadelphia Planning and Service Center, Contract Administration and Construction Division 10202
San Francisco Planning and Service Center, Contract Administration and Construction Division 8134
By Director to various officials:
Design and Construction Field Offices, Chiefs; construction contracting activities 769
Land acquisition officers; options and offers to sell to or exchange with United States, lands, or interests in lands, etc.:
Service Centers, correction 2870, 8245
Special projects 8245
Planning and Service Centers, Washington, D.C., and San Francisco, California, chief land acquisition officers:
Condemnation cases; approval of settlement 8245
Contracts 4901
Regional Directors; authority vested in Director 4255
Supervisory Archeologist, Southwest Archeological Center, Globe, Ariz.; contracts and purchase orders 11771
By Regional Directors to certain park superintendents, et al., exercise certain authority of Regional Directors:
Midwest Region, 5769.
National Capital Region, 8500.
Northeast Region, 8135.
Southeast Region, 8136.
Southwest Region, 8134.
Western Region, 5577.
By Superintendents of certain parks, etc., to various officials; contracts and purchase orders:
Bighorn Canyon Recreation Area, certain designated officials 7251, 13093
Cabrillo and Channel Islands National Monuments, Administrative Assistant 13609
Canyonlands National Park, Assistant Superintendent, et al 13093
Capitol Reef National Monument, Administrative Assistant 12027
Carlsbad Caverns National Park, Administrative Assistant and General Supply Assistant 13093
Chalmette National Historical Park, La., Park Historian and Clerk (typing) 14319
Colorado National Monument, Administrative Officer, et al 460
Curecanti Recreation Area, Administrative Officer, et al 460
Dinosaur National Monument, Administrative Assistant, et al 273
Fort Davis National Historic Site, Administrative Assistant 15201
Fort Laramie National Historic Site, Supervisory Historian, et al 7357
George Washington Memorial Parkway and Prince William Forest Park, Supervisory Park Ranger and Administrative Assistant 10928
Glen Canyon National Recreation Area, Administrative Officer and Procurement and Property Management Assistant 15201
Jefferson National Expansion Memorial, Assistant Superintendent, et al 273
Lake Mead National Recreation Area, Assistant Superintendent, et al 4741, 10928
Mammoth Cave National Park, Job Corps Office Services Supervisor 459
Mount McKinley National Park, Management Assistant, et al 11684
New York City National Park Service Group, Administrative Officer, et al 14696
Organ Pipe Cactus National Monument, Chief Park Ranger 12414
Petersburg National Battlefield, Clerk-Stenographer, et al 1012
Prince William Forest Park and George Washington Memorial Parkway, Supervisory Park Ranger and Administrative Assistant 10928
Tonto National Monument, Administrative Assistant 13609

National Park Service—Continued Page
FEES, miscellaneous; recodification 16662
GENERAL REGULATIONS, recodification:
Boating 12754, 16655
Commercial and private operations 12759, 16660
Fees 16662
General provisions 12750, 16651
Public use and recreation 12751, 16651
Vehicles and traffic safety 12758, 16659
NATIONAL CAPITAL PARKS:
District of Columbia; commercial trucks, operation on part of Constitution Ave 9107
Minimum collateral, schedule 6315
Parades, public gatherings, and penalties 6263, 7566
Recodification 12750, 16650
NATIONAL CEMETERY regulations; recodification 12750, 16650
NATIONAL PARKS, etc.:
See also Wilderness areas.
Blue Ridge Parkway:
Concession contract, extension of 2557, 4308, 13609
Fishing 3193, 4996
Cape Cod National Seashore; establishment 7778
Cape Hatteras National Seashore; concession permits 2557, 4809, 13609
Coulee Dam National Recreation Area; concession permits 5266
Crater Lake National Park; concession contract 4902
Dinosaur National Monument; concession permits 3350
Fire Island National Seashore:
Filing of map 7089
Zoning standards 5288
Flaming Gorge Recreation Area Project; concession permit 6640
Fort Matanzas National Monument; concession permit 4902
Fort Sumter National Monument, concession contract 12851
Fredericksburg National Military Park; concession permit 14566
George Washington Memorial Parkway; concession permit 3199
Glacier National Park:
Concession permit and contract 2557, 13609
Timber disposal, deletion 12750, 16650
Grand Canyon National Park; concession permit 6205, 13609
Grand Portage National Monument; concession permit 5667
Grand Teton National Park 6205, 8642, 13609
Great Smoky Mountains National Park; fishing, load and vehicle weight limitations 3253, 5827
Gunnison National Monument; concession permit 14851
Hot Springs National Park; concession contract 13609
Isle Royale National Park; concession permits 14851
Katmai National Monument, concession contract 13609
Kings Canyon National Park, concession permit 13609
Lake Mead National Recreation Area, concession contract 13609
Lassen Volcanic National Park, fishing; proposed rule 5495
Lehman Caves National Monument; concession permit 4809
Mesa Verde National Park, concession contracts 6325, 13609
Mount McKinley National Park; extension of concession contract 2734
Mount Rainier National Park:
Commercial passenger-carrying motor vehicles (except Highway No. 5, U.S. 410), deletion 9062
Timber disposal regulations; deletion 12750, 16650
Muir Woods National Monument, concession permit 13672
Natchez Trace Parkway, concession contract 13609
National Capital Region:
Concession contract 13609
District of Columbia; commercial trucks, operation on part of Constitution Ave 9107
Minimum collateral, schedule 6315
Parades, public gatherings, and penalties 6263, 7566
Recodification 12750, 16650

66-000—66——13

National Park Service—Continued

NATIONAL PARKS, etc.—Continued
- Olympic National Park:
  - Concession contract — 13609, 14993
  - Concession permits — 5667, 10752
  - Land use regulation, temporary — 9278, 15804
  - Timber disposal regulations; deletion — 12750, 16650
- Padre Island National Seashore:
  - Lands and waters; jurisdiction over — 9609
  - Visitors and area, fishing, hunting, etc.; control and protection of — 3457
- Petrified Forest National Park, concession contract — 13609
- Platt National Park; concession permits — 3309
- Prince William Forest Park; concession permit — 3199
- Rocky Mountain National Park:
  - Concession contract — 13609
  - Concession permit — 2556
- Sanford Recreation Area; concession permit — 6205
- Sequoia National Park, concession permits — 2556, 13051
- Shadow Mountain National Recreation Area; concession permits — 2556, 8245
- Shenandoah National Park; concession permits — 3470, 11497
- Shiloh National Military Park; concession permit — 16371
- Statue of Liberty National Monument, concession contract — 13609
- Timpanogos Cave National Monument; concession permit — 3470
- Wind Cave National Park, concession contract — 4902, 11435
- Wright Brothers National Memorial, N.C.; first flight airstrip operations, proposed rule — 14685
- Yellowstone National Park:
  - Boating — 8954
  - Concession contract — 6720
- Yosemite National Park:
  - Concession contract — 13609, 14535
  - Camping — 11454

RECODIFICATION — 12750, 16650
RECORDS, non-Federal; retention requirements — 4026
WILDERNESS AREAS, proposed establishment; hearings:
- Craters of the Moon National Monument, 9811.
- Great Smokey Mountains National Park, 5667.
- Isle Royale National Park, 15026.
- Kings Canyon National Park, 12535.
- Lassen Volcanic National Park, 10287, 10584.
- Lava Beds National Monument, 16211.
- Pinnacles National Monument, 15608.
- Sequoia National Park, 12535.

National Poison Prevention Week, 1966:

PROCLAMATION 3701 — 1231

National Safe Boating Week, 1966:

PROCLAMATION 3698 — 937

National School Lunch Week, 1966:

PROCLAMATION 3734 — 10411

National School Safety Patrol Week:

PROCLAMATION 3722 — 6855

National Science Foundation:

CONDUCT STANDARDS — 4595
NATIONAL MEDAL OF SCIENCE AWARD, functions (Executive Order 11287) — 8995
ORGANIZATION AND FUNCTIONS — 22
RECORDS, non-Federal; retention requirements — 4068

National Security Council:

CONDUCT STANDARDS — 4281, 8556

National Shipping Authority:

AUTHORITY of general agents to undertake in continental U.S. ports voyage repairs and service equipment of vessels — 16713
CERTIFICATE OF OWNERSHIP and operation — 10640
COMPENSATION of general agents for predelivery services, etc — 3182, 11651
MARINE PROTECTION instructions under general agency and berth agency agreements — 5125

National Ski Week:

PROCLAMATION 3699 — 939

National Technical Institute for Deaf:

ACCREDITING AGENCIES, nationally recognized — 7594
CONSTRUCTION AND OPERATION, invitation to institutions of higher education to submit proposals — 5578

National Transportation Week, 1966:

PROCLAMATION 3718 — 6567

National Zip Code Week:

PROCLAMATION 3746 — 12511

National Zoological Park:

BUILDINGS AND BRIDGES, transfer of functions to Smithsonian Institution from D.C. Board of Commissioners (Reorganization Plan No. 4 of 1966) — 11137

Natural Beauty and Recreation:

COMMITTEE AND COUNCIL, establishment (Executive Order 11278) — 6681

Naval Stores:

CONSERVATION PROGRAM, etc. *See* Agriculture Department.
PRICE SUPPORT PROGRAM. *See* Commodity Credit Corporation.

Navigation Regulations:

AIRWAYS. *See* Canal Zone; Federal Aviation Agency.
WATERWAYS. *See* Canal Zone; Coast Guard; Engineers Corps.

Navy Department:

See also Defense Department.
ADMINISTRATIVE DISCHARGES, SEPARATIONS:
- Marine Corps:
  - General instructions and procedures — 16404, 16528
  - Purpose, policy, etc — 16405
- Navy:
  - Classification of discharges, etc — 10185
  - Purpose, policy, etc — 16405

AUTHORITY DELEGATIONS from certain officials:
- Deputy Secretary of Defense:
  - Appoint contracting officers in support of Defense Intelligence Agency activities — 7636
  - Collection of claims, etc — 16722
- Secretary of Defense; secrecy of certain inventions and withholding of patent — 13396

BIRTHS AND DEATHS, reporting in cooperation with other agencies — 15803
CLAIMS:
- Affirmative salvage, settlement and rates — 16619
- Authority delegation from Deputy Secretary of Defense; collection of claims — 16722
- General, Federal tort claims, etc — 11224
- Medical care cost recovery — 11226
- Personnel, scope, etc — 11225

CONDUCT STANDARDS — 9271
COURTS and certain fact-finding bodies:
- Administrative fact-finding bodies, generally — 16701
- Appendices, certain — 11221
- Convening courts-martial — 11220, 16312
- Courts of inquiry — 16706
- Investigations:
  - Formal, other than courts of inquiry — 16710
  - Informal — 16711
- Nonjudicial punishment — 11219
- Parties and witnesses — 16705
  - In certain fact-finding bodies; deleted — 16700
- Post-trial matters — 11221, 16312

DECORATIONS AND AWARDS:
- Foreign awards to U.S. military personnel for service in Vietnam, etc — 16193
- Oak leaf cluster, chain of command, etc — 291

EMERGENCY FACILITIES DEPRECIATION BOARD, regulations deleted — 14590
MARINE CORPS:
- Administrative discharges, separations — 16404, 16405, 16528
- Financial responsibility — 16622
- Lieutenant Generals, number of, suspension of sec. 5232(b), Title 10, U.S. Code (Executive Order 11270) — 2989
- Reserve; procurement of military personnel, etc — 15531

Navy Department—Continued

MENTALLY INCOMPETENT members, payment of amounts due; procedure for designation of trustee — 11224
MISSING PERSONS ACT, editorial change — 15318
MUSTERING-OUT PAYMENTS, deleted — 15318
NAVAL ACADEMY, appointment as midshipman, procedures and requirements; nomination, examination, etc — 15016
NONJUDICIAL PUNISHMENT. *See* Courts and certain fact-finding bodies.
ORGANIZATION AND FUNCTIONS — 7188
PHYSICAL DISABILITY, disposition of cases involving — 14831
PUBLIC, rules applicable to; Pearl Harbor regulations, etc — 16620
REAR ADMIRALS IN LINE not restricted in performance of duty, suspension of certain provisions which relate to continuation on active list (Executive Order 11284) — 7669
RECORDS:
- *See also under* Reserve, *below*.
- Official, availability of; medical records, etc — 11219

RESERVE:
- Marine Corps; procurement of military personnel, etc — 15531
- Naval; records, reports, etc — 4204, 10184, 13794, 16193

TRAINEES from accredited non-Federal institutions at naval medical department facilities — 15801
VESSELS, navigational light waivers — 4955, 6962

Nectarines:

MARKETING, etc. *See* Agriculture Department.

Nimitz, Fleet Adm. Chester W.:

DEATH OF, display of U.S. flag at half-staff (Executive Order 11271) — 2991

Nondiscrimination:

AGENCY PROGRAMS, Federally-assisted, direct grants, etc. *See specific agencies.*
BUSINESS AND DEFENSE SERVICES ADMINISTRATION — 14751
COAST GUARD AUXILIARY PROGRAM — 15024
EDUCATION:
- Desegregation plans for public schools; policy statement — 5623
- Schools in certain States; hearings:
  - Massachusetts — 11560
  - New York — 10934

EMPLOYMENT:
- *See also main headings* Equal Employment Opportunity Commission; Equal Opportunity Office, Commerce Department; Federal Contract Compliance Office.
- Compliance reports. *See* General Services Administration.
- Contract clauses in procurement regulations. *See specific agencies.*
- Depository banks, guidelines for compliance — 11388, 15024
- Equal pay for equal work under Fair Labor Standards Act — 2657, 6770, 11720
- Federal aid to airports — 10261
- Federal employees. *See* Civil Service Commission.
- Justice Department policy and procedures — 10388
- United States Employment Service policies — 8281
- Veterans Administration loan guaranty on Federally-assisted construction contracts — 8745

FEDERALLY-ASSISTED PROGRAMS, effectuation of Title VI of Civil Rights Act of 1964:
- Agriculture Department, 2645, 8175, 8586.
- Commerce Department, 2617, 15548.
- Defense Department, 6631.
- Health, Education, and Welfare Department, 1303.
- Interior Department, 8690.
- Justice Department, 5292, 10265.
- Small Business Administration, 2374.
- Veterans Administration, 5836, 8745.

FINANCIAL ASSISTANCE PROGRAMS, Small Business Administration, effectuation of policies of Loan Policy Board — 2374
HOUSING, Farmers Home Administration regulations — 14127
PROMOTIONAL ASSISTANCE PROGRAMS. *See* Federal Trade Commission.
RACIAL INCIDENTS, Air Force reports; deleted — 10274
RECREATIONAL FACILITIES at licensed power projects, proposed rules — 8376

Nondiscrimination—Continued

VOTING RIGHTS. *See* Census Bureau; Civil Service Commission; Justice Department.

Noodle Products:

MARKET TESTING, temporary permit. *See* Food and Drug Administration.

North Vietnam:

VESSELS, free world and Polish flag, arriving since January 25, 1966. *See* Maritime Administration.

Nuts:

See Agriculture Department; Commodity Credit Corporation; Federal Crop Insurance Corporation.

O

Oats:

CROP INSURANCE. *See* Federal Crop Insurance Corporation.
LOAN AND PURCHASE PROGRAMS, etc. *See* Commodity Credit Corporation.

Office Space, Federal:

NATIONAL CAPITAL REGION, acquisition and utilization (Letter of January 29, 1966) — 2469

Oil:

COTTONSEED, purchase program. *See* Commodity Credit Corporation.
LINSEED, export payment-in-kind program. *See* Commodity Credit Corporation.
TUNG OIL, loan program, etc. *See* Commodity Credit Corporation.

Oil and Gas:

COMMUNICATIONS EMERGENCY PLAN, petroleum industry. *See* Federal Communications Commission.
CRUDE OIL PIPELINE at international boundary line. *See* State Department.
EXCISE TAXES, sales of oil for nonlubricating use, etc.; proposed rules and hearing — 9086, 10615
EXPLORATION OPERATIONS. *See* Land Management Bureau.
FIELDS, operating regulations, etc. *See* Geological Survey.
IMPORTS. *See* Interior Department; Oil Import Administration.
LEASES on public lands. *See* Interior Department; Land Management Bureau.
PETROLEUM:
- Drawback allowance, industry standards of potential production on practical operating basis — 1012
- Products, definition of small business concern for Government procurement. *See* Small Business Administration.

SOUTHERN RHODESIA, restriction on shipment of oil to — 8878
WELLS, resins containing scandium 46 and designed for sand-consolidation in — 15747

Oil Import Administration:

CRUDE OIL, FINISHED AND UNFINISHED OILS; allocations, Districts I–IV, and V — 12924, 13050, 16785
DEFINITION, refinery inputs — 15803
IMPORT REGULATIONS — 7745
REFINERS AND PETROCHEMICAL PLANTS, allocations — 5130, 7745, 10887
RESIDUAL FUEL OIL to be used as fuel, District I — 5071, 5960, 7748

Oilseeds:

See Cottonseed; Flaxseed; Peanuts; Soybeans.

Okra:

FOREIGN QUARANTINE notice, okra from Mexico. *See* Agriculture Department.

Old-Age Insurance:

See Social Security Administration.

Oleomargarine:

STANDARDS. *See* Food and Drug Administration.

Olives: Page
IMPORTATION, investigation. *See* Tariff Commission.
MARKETING, etc. *See* Agriculture Department.

Onions:
MARKETING, IMPORT RESTRICTIONS, etc. *See* Agriculture Department.

Opiates:
NARCOTIC DRUGS. *See* Narcotics Bureau.

Optical Products Industry:
TRADE PRACTICE RULES. *See* Federal Trade Commission.

Orange Juice and Products:
STANDARDS, grade and indentity. *See* Agriculture Department; Food and Drug Administration.

Oranges:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
MARKETING, etc. *See* Agriculture Department.

Organizations, International:
See International organizations.

Outer Continental Shelf:
See Continental shelf, outer.

P

Pan American Day and Pan American Week, 1966:
PROCLAMATION 3713 ---- 5603

Panama Canal:
See Canal Zone.

Parks, National:
See also National forests, parks, etc.
REGULATIONS. *See* National Park Service.

Passports:
See also State Department.
RULES GOVERNING GRANTING, ISSUING, AND VERIFYING; authority of Secretary of State (Executive Order 11295) ---- 10603

Patent Office:
ORGANIZATION AND FUNCTIONS ---- 6751, 10702, 15550
PATENT CASES, rules of practice:
Abandonment of application ---- 5202, 7391
Declaration in lieu of oath ---- 7284, 9540
Fees ---- 7284
Interference, burden of proof ---- 7285
Office action, reply by applicant ---- 13944
Specifications and drawings ---- 4412, 4413, 4969, 12922
TRADEMARK CASES:
Forms ---- 5261, 13648
Practice rules ---- 5261, 5554, 7285

Patent System, President's Commission on:
FINAL REPORT, extension of time limit (Executive Order 11309) ---- 13075
FUNCTIONS, studies regarding performance ---- 1222

Patents:
See also Patent Office; Patent System, President's Commission on.
AUTHORITY DELEGATION by Secretary of Defense to Secretaries of Air Force, Army, and Navy; secrecy of certain inventions and withholding of patent ---- 13396
LICENSE REGULATIONS:
Interior Department ---- 10796
National Aeronautics and Space Administration ---- 10958
PROCUREMENT REGULATIONS. *See specific agencies.*
RESEARCH GRANTS, inventions resulting from. *See* Health, Education, and Welfare Department.
VETERANS ADMINISTRATION employees inventions ---- 5291

Pay, Allowances, etc.:
ARMED FORCES:
Advance pay for; policy ---- 7625

Pay, Allowances, etc.—Continued Page
ARMED FORCES—Continued
Incentive pay for hazardous and sea duty (Executive Order 11292) ---- 10447
Income tax, exclusion, combat pay ---- 16615
AUTHORITY DELEGATION by Assistant Secretary of Treasury to Coast Guard Commandant; pay and allowances ---- 11989
BASIC COMPENSATION, increase:
Certain officials:
Atomic Energy Commission, Director, Division of Military Application, et al., 10329.
Farm Credit Administration certain Deputy Governers, 8478.
Federal Crop Insurance Corporation, Manager, 13051.
Guam, Governor, 10898.
National Aeronautics and Space Council, staff assistant and aerospace assistants, 10485
Renegotiation Board, General Counsel, 10095.
Southwestern Power Administration, Administrator, 10898.
United States Arms Control and Disarmament Agency, public affairs adviser, 10430.
Virgin Islands, Governor, 10898.
Federal Executive Salary Schedule, positions placed in Level V (Executive Order 11268, 11273, 11293, 11299, 11316) ---- 871, 4947, 10507, 10917, 15011
BURIAL PAYMENTS, Public Health Service commissioned officers ---- 11454
CIVIL SERVICE. *See* Civil Service Commission.
CUSTOMS warehouse officers, reimbursable compensation ---- 9743, 11215
ECONOMIC DEVELOPMENT TRAINING PROGRAMS, nonmilitary; per diem payments to participants. *See* Agency for International Development.
EX-SERVICEMEN'S UNEMPLOYMENT COMPENSATION PROGRAM, schedule of remuneration ---- 11382
FEDERAL EMPLOYEES:
See also Civil Service Commission.
Assigned to California offshore islands (Executive Order 11275) ---- 5283
Travel and transportation expenses (Executive Order 11290, 11294) ---- 10067, 10601
FEDERAL HOME LOAN BANK SYSTEM, officers, compensation; proposed rules ---- 4808
LEARNERS, employment at subminimum wages. *See* Wage and Hour Division.
MERCHANT MARINE training on subsidized vessels, monthly pay ---- 16203
MILITARY PERSONNEL, advance pay for; policy ---- 7625
MINIMUM WAGES, etc. *See* Labor Department; Public Contracts Division; Wage and Hour Division.
MUSTERING-OUT PAYMENTS, deleted ---- 15318
NATIONAL SHIPPING AUTHORITY general agents, compensation for predelivery services ---- 3182, 11651
OVERTIME SERVICES, imports and exports. *See* Agriculture Department.
SUBSIDIZED MARITIME VESSELS, officers and seamen, cash allowance in lieu of vacation ---- 6427, 8494
SUGAR PRODUCTION, wage rates. *See* Agriculture Department.
TEACHERS and other employees of overseas dependents' school system of Defense Department ---- 4450
TRAVEL EXPENSES:
See also under Civil Service Commission.
Executive Order 11290, 11294 ---- 10067, 10601
Veterans, travel expenses of claimants and beneficiaries (Executive Order 11302) ---- 11741
VETERANS' PENSIONS, etc. *See* Veterans' Administration.
WITHOUT-COMPENSATION EMPLOYEES. *See* Commerce Department; Interior Department; Interstate Commerce Commission.

Peace Corps:
AUTHORITY DELEGATION from Secretary of State; certain functions of Secretary ---- 10000
CONDUCT STANDARDS ---- 6474

Peaches:
CANNED, identity standards. *See* Food and Drug Administration.
FRESH:
Crop insurance. *See* Federal Crop Insurance Corporation.
Marketing, etc. *See* Agriculture Department.

Peanuts: Page
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
MARKETING QUOTAS, etc. *See* Agriculture Department.
PRICE-SUPPORT PROGRAM, etc. *See* Commodity Credit Corporation.

Pearl Harbor:
REGULATIONS, Navy Department ---- 16620

Pearl Harbor Day:
PROCLAMATION 3756 ---- 15229

Pears:
MARKETING, etc. *See* Agriculture Department.

Peas:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
IDENTITY STANDARDS, canned peas. *See* Food and Drug Administration.
MARKETING, etc. See Agriculture Department.

Pecans:
MARKETING. *See* Agriculture Department.

Penal Institutions, Federal:
EMERGENCY PREPAREDNESS FUNCTIONS of Attorney General (Executive Order 11310) ---- 13199

Pesticides:
NATIONAL RESEARCH COUNSEL PESTICIDE RESIDUES COMMITTEE. *See* Agriculture Department.
TOLERANCES for residues. *See* Food and Drug Administration.

Petroleum and Petroleum Products:
See Oil and gas.

Phosphate Lands:
CLASSIFICATION. *See* Geological Survey.
LEASES. *See* Land Management Bureau.

Photography, Aerial:
CHARGES for reproductions. *See* Coast and Geodetic Survey.
DOCUMENTARY still photographs, sale of; aerial photography excluded. *See* Air Force Department.

Physically Handicapped Persons:
NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1966 (Proclamation 3736) ---- 11135

Pickles:
STANDARDS. *See* Agriculture Department.

Pimientos:
CANNED, standards for grades. *See* Agriculture Department.

Pineapple:
CANNED, deviation from identity standards. *See* Food and Drug Administration.

Plant Quarantine:
See Agriculture Department.

Plums:
CANNED, purchase program. *See* Agriculture Department.
FRESH, marketing. *See* Agriculture Department.

Poison Prevention Week, National, 1966:
PROCLAMATION 3701 ---- 1231

Poland:
NATIONAL AND CHRISTIAN MILLENNIUM, commemoration (Proclamation 3720) ---- 6679

Political Candidates:
RADIO AND TV BROADCASTS. *See* Federal Communications Commission.

Pollution: Page
AIR POLLUTION; prevention, control, etc.:
Defense Department regulations ---- 849
Federal Government activities:
Executive Order 11282 ---- 7663
Public Health Service regulations ---- 7902, 14785, 15709, 16628
Motor vehicles ---- 1312, 5170
ENVIRONMENTAL POLLUTION CONTROL, Defense Department:
Committee, establishment ---- 850
Regulations ---- 849
WATER POLLUTION:
Defense Department regulations ---- 849
Federal Water Pollution Control Administration regulations ---- 6857, 6877, 7114, 7127, 10507
Health, Education, and Welfare Department grants, etc ---- 2900, 5758, 5761, 7114
Prevention, control, and abatement of pollution caused by Federal activities (Executive Order 11288) ---- 9261
Transfer of certain functions from Health, Education, and Welfare Department to Interior Department (Reorganization Plan No. 2 of 1966) ---- 6857

Post Office Department:
ACTING POSTMASTER GENERAL, order of succession to position (Executive Order 11313) ---- 13417
AUTHORITY DELEGATIONS:
See also Organization and functions.
By Assistant Postmaster General, Bureau of Facilities, to certain officials:
Chief and Assistant Chief, Real Estate Branch; real property management ---- 4900
Director, Office of Headquarters Services; headquarters and field service procurement ---- 4900
Director, Realty Division; leases, substitution of tax clause rider form ---- 7914
CITIZENS' STAMP ADVISORY COMMITTEE, appointment of members ---- 4252, 4527
CONDUCT STANDARDS ---- 3234, 3397, 4348, 5965
CONGO (Kinshasa), mail to; names changed ---- 9468
DIRECTORY OF INTERNATIONAL MAIL. *See under* International mail.
DOMESTIC SERVICES:
Classification and rates:
Airmail, parcel post and eighth zone ---- 5963
First class ---- 5963, 6716, 10359
Fourth class, player piano rolls accepted as sound recordings at special rate ---- 7752
Official mail ---- 5963, 8234, 11101
Second class ---- 476, 5198, 5430, 7752, 11101
Third class ---- 5202, 5228, 6716, 9541, 10079, 10359, 10922
Collection and delivery:
City delivery; receptacles:
Apartment house ---- 5964, 6055
Mail; door slot specifications, proposed rule ---- 14523
Conditions of delivery; Government checks, etc ---- 5964
Deposit and collection; mail chutes, receiving boxes, etc ---- 7752, 8235, 9871, 12437, 13394, 14835
Forwarding mail; postage, change of address, etc ---- 11102, 11145
Post offices, service in ---- 8234, 9795, 13860
Rural service ---- 537, 2384, 4347, 8235
Undeliverable mail ---- 3074, 3120, 11103
Information on postal matters:
Privileged matter, patrons' names and addresses ---- 537
Publications ---- 9795
Red Cross, cooperation with during national disasters ---- 12479
Money orders ---- 295, 434, 2384, 3120, 4207, 4347, 8237, 11101
Postage:
Metered stamps ---- 3119, 4207
Availability of meter records in custody of licensee, proposed rule ---- 13800
Use of meter, proposed rule ---- 16625
Permit imprints ---- 3119, 11145
Philately ---- 13857
Prepayment, insufficient; registered mail excluded from certain requirements ---- 11102
Special cancellations; disposition, obtainment by sponsors ---- 11102
Stamps, envelopes, and postal cards ---- 5198, 5964
Imitations of postage stamps, etc.: proposed rule ---- 14748

Post Office Department—Continued Page

DOMESTIC SERVICES—Continued
Special mail services:
COD ... 295, 434, 3120, 8236, 11103
Certificates of mailing, forms; nonpersonnel rural stations and branches ... 8236
Certified mail ... 295, 434, 3120, 8237, 11103
Insurance ... 294, 434, 538, 564, 3120, 3286, 5198, 8236, 11146
Payment for losses; statement of value, Form 3825 ... 5964
Registry ... 294, 434, 538, 3120, 5198, 8236, 11103
Special delivery ... 8236, 11103
Subchapter A, scope and content ... 15351
Wrapping and mailing:
Addresses ... 5962, 6196, 7752, 9740, 10077, 11144
Harmless animals acceptable ... 12533, 15745
Mail sent via State Department to U.S. Foreign Service personnel abroad ... 15351
Military post offices overseas, mail addressed to; post office numbers ... 3073, 3286, 3462, 7391, 11145
Second-class bulk mailings ... 537, 5963, 9540, 10079
INTERNATIONAL MAIL ... 15352
Categories ... 15352
Directory ... 15385
Individual country regulations ... 810, 2428, 4518, 5355, 5555, 7529, 15385
Postal Union mail; discontinuance of 8-ounce merchandise packages to certain countries ... 2428
Importations ... 15379
Customs ... 15379
Plant quarantine inspection ... 15382
Sealed letters believed to contain prohibited matter ... 15381
Inquiries, indemnities, and refunds ... 15382
Indemnity claims and payments ... 15383
Inquiries and complaints ... 15382
Postage refunds ... 15385
Nonpostal export regulations ... 15375
Agriculture Department, dried whole eggs and tobacco seed and plants ... 15378
Commerce Department, commodities and technical data ... 15376
Drawback arrangement ... 15378
Invoices, consular and commercial ... 15378
Shipper's export declaration ... 15375
State Department, arms and technical data ... 15377
Treasury Department, gold and certificates ... 15377
Official correspondence ... 15352
Parcel post ... 15363
Incoming ... 10470, 12405, 12565, 15368
Outgoing ... 15363
Postal Union mail ... 15353
Articles mailed abroad by or on behalf of U.S. senders ... 476, 15363
Conditions applicable to all classes ... 4454, 15353
Incoming mail, treatment ... 2428, 10470, 12405, 12565, 15362
Outgoing mail, treatment ... 15361
Rates and conditions for specific classes ... 2428, 15356
Postal Unions ... 15352
Special services ... 15369
Air service ... 15369
Certificates of mailing ... 15375
Insurance ... 295, 434, 538, 3121, 15372
Recall and change of address ... 15373
Registration ... 295, 434, 3120, 15370
Special delivery (exprès) ... 15373
Special handling ... 15373
ORGANIZATION AND FUNCTIONS:
See also Authority delegations, *above*.
Acting Postmaster General, order of succession (Executive Order 11313) ... 13417
Authority delegations, etc ... 9644
Board of Zip Code Extension Appeals, establishment and procedural rules ... 13247
Organization statements:
Bureaus and offices ... 9650, 11230, 13172
Postal data centers ... 9674
Postmaster General and Deputy Postmaster General, Office of ... 9647
Regional Director, Office of ... 9670
Prior organization statements:
Assistant Controller for Budget and Program Review ... 4253
Executive Planning Board ... 4252
Personnel Bureau ... 4850
Planning Office ... 4252

Post Office Department—Continued Page

ORGANIZATION AND FUNCTIONS—Continued
Prior organization statements—Continued
Regional Director, Personnel Division ... 4253
Special Assistant to Postmaster General for International Postal Organizations ... 6122
Transportation and International Services Bureau ... 6067
POSTAL FIELD SERVICE, employees excluded from certain regulations relating to observance of holidays by Federal agencies (Executive Order 11272) ... 3111
POSTAL SAVINGS SYSTEM:
Depository banks, procedural rules revoked ... 12082
Discontinuance ... 6380
PRACTICE RULES:
Intervention in proceedings relating to denial, suspension, or revocation of second-class privileges ... 5198, 5430
Recodification ... 16270
RAILROAD STRIKES, nationwide, standby instructions; second-, third-, and fourth-class mail, postage, etc ... 12810
RECODIFICATION ... 15350, 16270, 16271
RECORDS, non-Federal; retention requirements ... 4029
REWARDS, payment of; procedures ... 265
TRANSPORTATION OF MAIL:
Air:
Domestic; priority of airmail within Alaska by Intra-Alaska air carriers ... 9643, 13794
Forms and procedures for dispatching airmail ... 12781, 16271
International air transportation ... 15478
Highway; star route, mail messenger, and water route service ... 12637
Military ordinary mail, dispatch and division ... 712, 5665, 14645
UNIFORM QUALITY CONTROL PROGRAM, fabric and color specifications ... 12684
VENDING STANDS AND MACHINES ... 15481
ZIP CODE REGULATIONS ... 5962, 5963, 6196, 10079, 11101, 13145
Board of Zip Code Extension Appeals, establishment and procedural rules ... 13247

Potatoes:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
MARKETING. *See* Agriculture Department.
TARIFF-RATE QUOTA ... 12542

Poultry and Products:
See also Eggs and egg products.
EXPORTS, INSPECTION, etc. *See* Agriculture Department.
RATES, increased, for air transport; prehearing conference ... 13148

Power Commission:
See Federal Power Commission.

Power Sites, Projects, etc.:
CLASSIFICATION, restoration of lands to entry, etc. *See* Land Management Bureau.
LANDS WITHDRAWN. *See* Federal Power Commission.

Prayer, National Days of:
See National days of prayer.

President, The:
CANAL ZONE regulations ... 12337
DELEGATIONS OF AUTHORITY. *See* Delegations of authority by the President.
EXECUTIVE ORDERS, proclamations, etc. *See* Presidential documents.
PACIFIC HALIBUT FISHERIES, regulations approved by President ... 14256
REPORTS TO:
Boards of Inquiry to investigate labor disputes in military aircraft, armament, and electronics industries (Executive Order 11314, 11321) ... 13419, 16301
Civil Service Commission, executive assignment system (Executive Order 11315) ... 14729
Health Manpower, National Advisory Commission on (Executive Order 11279) ... 6947
Interior Department, water pollution control (Executive Order 11288) ... 9261
Libraries, National Advisory Commission on (Executive Order 11301) ... 11709

President, The—Continued Page

REPORTS TO—Continued
Mental Retardation, President's Committee on (Executive Order 11280) ... 7167
Mission SAFETY-70:
Interim report by Secretary of Labor (Statement of February 16, 1966) ... 2995
Report from agencies and departments requested (Memorandum of February 16, 1966) ... 2993
Patent System, President's Commission on (Executive Order 11309) ... 13075
Rural Poverty, National Advisory Commission on (Executive Order 11306) ... 12769
Selective Service, National Advisory Commission on (Executive Order 11289) ... 9265
Tariff Commission. *See main heading* Tariff Commission.

Presidential Documents:
ADVISORY COMMITTEE ON FEDERAL BUILDINGS IN NATIONAL CAPITAL REGION, establishment by Administrator, General Services Administration (Letter of January 29, 1966) ... 2469
AERIAL FLIGHTS by members of Armed Forces, incentive pay for (EO 11292) ... 10447
AGRICULTURAL AND RURAL AREA DEVELOPMENT, coordination of Federal programs (EO 11307) ... 12917
AIR CARRIERS; emergency boards to investigate labor disputes. *See* National Mediation Board.
AIR POLLUTION from Federal activities; prevention, control, and abatement (EO 11282) ... 7663
AIRCRAFT INDUSTRY, MILITARY; Boards of Inquiry to investigate labor disputes (EO 11314, 11321) ... 13419, 16301
ALIENS AND ALIEN PROPERTY:
Blocked assets, transfer of jurisdiction from Attorney General to Secretary of Treasury (EO 11281) ... 7215
Emergency preparedness functions of Attorney General (EO 11310) ... 13199
AMERICAN EDUCATION WEEK, 1966 (Proc. 3753) ... 14379
AMERICAN HEART MONTH, 1966 (Proc. 3700) ... 1037
ARMAMENT INDUSTRY, Board of Inquiry to investigate labor dispute (EO 11314) ... 13419
ARMED FORCES:
Courts-Martial Manual, United States, 1951; amendment of provisions respecting maximum punishments (EO 11317) ... 15305
Hazardous and sea duty, incentive pay for (EO 11292) ... 10447
Interest rate on savings deposited (EO 11298) ... 10915
National Defense Service Medal, provisions respecting (EO 11265) ... 425
ARMY DEPARTMENT:
Flood hazard information, functions of Secretary (EO 11296) ... 10663
Panama Canal Zone, functions of Secretary (EO 11305) ... 12007
ATTORNEY GENERAL. *See* Justice Department.
AUDIOVISUAL MATERIALS, implementation of Beirut Agreement of 1948 (EO 11311) ... 13413
AUTHORITY DELEGATIONS BY THE PRESIDENT. *See* Delegations of authority by the President.
AUTOMOTIVE PRODUCTS, implementation of U.S.-Canadian trade agreement (Proc. 3743) ... 12003
AWARDS. *See* Decorations and awards.
BEIRUT AGREEMENT OF 1948, implementation of provisions relating to audiovisual materials (EO 11311) ... 13413
BILL OF RIGHTS DAY (Proc. 3758) ... 15567
BLIND PERSONS; White Cane Safety Day, 1966 (Proc. 3749) ... 12935
BOARDS. *See* Committees, boards, etc.
BOATING; National Safe Boating Week, 1966 (Proc. 3698) ... 937
BONDS; State and Municipal Bond Week (Proc. 3717) ... 6011
BUDGET BUREAU:
Allowances for Federal employees assigned to California offshore islands, regulations (EO 11275) ... 5283
Transportation expenses of Federal employees, functions of Director (EO 11290) ... 10067
BUILDINGS AND FACILITIES, FEDERAL. *See* Federal buildings and facilities.
CALIFORNIA OFFSHORE ISLANDS, allowances for Federal employees assigned to (EO 11275) ... 5283

Presidential Documents—Continued Page

CANADA:
Tax exemption for U.S. citizens on acquisition of original or new issues of Canadian stocks or debt obligations, exceptions (EO 11304) ... 12005
Trade agreement with U.S. on automotive products, implementation (Proc. 3743) ... 12003
CANAL ZONE, PANAMA; functions of Governor of Zone and Secretary of Army (EO 11305) ... 12007
CANCER CONTROL MONTH, 1966 (Proc. 3704) ... 2811
CAPTIVE NATIONS WEEK, 1966 (Proc. 3732) ... 9537
CHEDDAR CHEESE, increase in import quotas (Proc. 3709) ... 5281
CHILD HEALTH DAY, 1966 (Proc. 3737) ... 11339
CHURCHILL (SIR WINSTON) DAY (Proc. 3714) ... 5743
CITIZENS' ADVISORY COMMITTEE ON RECREATION AND NATURAL BEAUTY, establishment (EO 11278) ... 6681
CITIZENSHIP DAY AND CONSTITUTION WEEK, 1966 (Proc. 3731) ... 8571
CIVIL AIR PATROL DAY, NATIONAL (Proc. 3742) ... 11855
CIVIL DEFENSE, emergency preparedness functions of Attorney General (EO 11310) ... 13199
CIVIL SERVICE:
Conduct standards for Executive Office of the President (3 CFR, Ch. V, Pt. 100) ... 8556
Executive assignment system for positions in grades 16, 17, and 18 of General Schedule, regulations (EO 11315) ... 14729
Pay and allowances:
Federal employees assigned to California offshore islands (EO 11275) ... 5283
Federal Executive Salary Schedule, positions placed in Level V (EO 11268, 11273, 11293, 11299, 11316) ... 871, 4947, 10507, 10917, 15011
Travel and transportation expenses (EO 11290, 11294) ... 10067, 10601
Safety program for employees, Mission SAFETY-70 (Memorandum and Statement of February 16, 1966) ... 2993, 2995
Transfer of Federal employees to public international organizations; waiver of certain provisions in case of Reginald C. Price (EO 11303) ... 11963
CIVIL SERVICE COMMISSION:
Conduct standards for Executive Office of the President (3 CFR, Ch. V, Pt. 100) ... 8556
Executive assignment system for positions in grades 16, 17, and 18 of General Schedule, regulations (EO 11315) ... 14729
CLINICAL THERMOMETERS, termination of increased duty on imports (Proc. 3696) ... 421
Codification in Title 48 CFR ... 7032
COAST GUARD, seal for (EO 11319) ... 15629
COLUMBUS DAY, 1966 (Proc. 3748) ... 12673
COMMERCE DEPARTMENT:
Community Relations Service, transfer to Justice Department (Reorganization Plan No. 1 of 1966) ... 6187
Inter-American Cultural and Trade Center, designation of Commerce Department as agency through which U.S. shall participate (EO 11286) ... 8279
COMMISSION. *See* Committees, boards, etc.
COMMITTEES, BOARDS, ETC.:
Establishment:
Emergency boards to investigate labor disputes. *See* National Mediation Board.
Foreign Service Board, reestablishment (EO 11264) ... 67
Foreign Service Board of Examiners, reestablishment (EO 11264) ... 67
Health Manpower, National Advisory Commission on (EO 11279) ... 6947
Health Manpower, President's Committee on (EO 11279) ... 6947
Inquiry, Boards of, to investigate labor disputes in military aircraft, armament, and electronics industries (EO 11314, 11321) ... 13419, 16301
International Monetary and Financial Policies, National Advisory Council on (EO 11269) ... 2813
Libraries, National Advisory Commission on (EO 11301) ... 11709
Libraries, President's Committee on (EO 11301) ... 11709
Mental Retardation, President's Committee on (EO 11280) ... 7167

Presidential Documents—Continued Page

COMMITTEES, BOARDS, ETC.—Continued
Establishment—Continued
National Capital Region, Advisory Committee on Federal Buildings in (Letter of January 29, 1966) 2469
Recreation and Natural Beauty, Citizens' Advisory Committee on (EO 11278) 6681
Recreation and Natural Beauty, President's Council on (EO 11278) 6681
Rural Poverty, National Advisory Commission on (EO 11306) 12769
Rural Poverty, President's Committee on (EO 11306) 12769
Selective Service, National Advisory Commission on (EO 11289) 9265
National Capital Regional Planning Council, abolition (Reorganization Plan No. 5 of 1966) 11857
National Medal of Science, President's Committee on; continuation (EO 11287) 8995
Patent System, President's Commission on; final report, extension of time limit (EO 11309) 13075
Presidential part-time committees, commissions, and boards; conduct standards (3 CFR, Ch. V, Pt. 100) 8556
Rural Development Committee, termination (EO 11307) 12917
Trade Information Committee, public hearings on articles considered for trade agreement concessions (Notice of August 16, 1966) 10949
Water Pollution Control Advisory Board, transfer to Interior Department (Reorganization Plan No. 2 of 1966) 6857
COMMUNITY RELATIONS SERVICE, transfer from Commerce Department to Justice Department (Reorganization Plan No. 1 of 1966) 6187
CONDUCT STANDARDS for Executive Office of the President (3 CFR, Ch. V, Pt. 100) 8556
CONSTITUTION WEEK, CITIZENSHIP DAY AND, 1966 (Proc. 3731) 8571
CONVENTION BETWEEN U.S. AND GREECE, implementation of Article XIII (EO 11300) 11009
COTTON INSTITUTE, INTERNATIONAL; designation as public international organization entitled to certain privileges, exemptions, and immunities (EO 11283) 7667
COUNCILS. *See* Committees, boards, etc.
COUNSEL TO THE PRESIDENT, functions respecting standards of conduct for part-time Presidential committees, commissions, and boards (3 CFR, Ch. V, Pt. 100) 8556
COURTS-MARTIAL MANUAL, UNITED STATES, 1951; amendment of provisions respecting maximum punishments (EO 11317) 15305
CULTURAL OBJECTS imported for temporary display, functions of Secretary of State (EO 11312) 13415
CUMBERLAND NATIONAL FOREST, change of name to Daniel Boone National Forest (Proc. 3715) 5807
DANIEL BOONE NATIONAL FOREST, change of name from Cumberland National Forest (Proc. 3715) 5807
DAYS OF OBSERVANCE:
Bill of Rights Day (Proc. 3758) 15567
Cancer Control Month, 1966 (Proc. 3704) 2811
Captive Nations Week, 1966 (Proc. 3732) 9537
Child Health Day, 1966 (Proc. 3737) 11339
Churchill (Sir Winston) Day (Proc. 3714) 5743
Citizenship Day and Constitution Week, 1966 (Proc. 3731) 8571
Civil Air Patrol Day, National (Proc. 3742) 11855
Columbus Day, 1966 (Proc. 3748) 12673
Defense Transportation Day, National, 1966 (Proc. 3718) 6567
Education Week, American, 1966 (Proc. 3753) 14379
Employ the Physically Handicapped Week, National, 1966 (Proc. 3736) 11135
Farm City Week, National, 1966 (Proc. 3738) 11445
Farm Safety Week, National, 1966 (Proc. 3706) 3223
Father's Day, 1966 (Proc. 3730) 8569
Fire Prevention Week, 1966 (Proc. 3733) 9591
Firefighers, Day of Recognition (Proc. 3721) 6817
Flag Day and National Flag Week, 1966 (Proc. 3728) 8277
Forest Products Week, National, 1966 (Proc. 3751) 13197
Gas Industry Week (Proc. 3729) 8567
Heart Month, American, 1966 (Proc. 3700) 1037
Highway Week, National, 1966 (Proc. 3735) 11133

Presidential Documents—Continued Page

DAYS OF OBSERVANCE—Continued
Human Rights Day (Proc. 3758) 15567
Human Rights Week (Proc. 3758) 15567
Leif Erikson Day, 1966 (Proc. 3745) 12475
Literacy Day, International (Proc. 3739) 11639
Loyalty Day, 1966 (Proc. 3716) 5809
Maritime Day, National, 1966 (Proc. 3708) 4945
Medicare Enrollment Month, National, March 1966 (Proc. 3707) 4191
Memorial Day, 1966, prayer for peace (Proc. 3727) 7661
Migratory Waterfowl Day (Proc. 3755) 15227
Mother's Day, 1966 (Proc. 3723) 6945
Pan American Day and Pan American Week, 1966 (Proc. 3713) 5603
Pearl Harbor Day (Proc. 3756) 15229
Poison Prevention Week, National, 1966 (Proc. 3701) 1231
Poland's National and Christian Millennium, commemoration (Proc. 3720) 6679
Prayer, National Day of, 1966 (Proc. 3750) 12995
Prayer for Peace, Memorial Day, 1966 (Proc. 3727) 7661
Pulaski's (General) Memorial Day, 1966 (Proc. 3747) 12671
Red Cross Month, 1966 (Proc. 3705) 3221
Safe Boating Week, National, 1966 (Proc. 3698) 937
Save Your Vision Week, 1966 (Proc. 3702) 1265
School Lunch Week, National, 1966 (Proc. 3734) 10411
School Safety Patrol Week, National (Proc. 3722) 6855
Senior Citizens Month, May 1966 (Proc. 3711) 5405
Ski Week, National (Proc. 3699) 939
Small Business Week (Proc. 3726) 7551
State and Municipal Bond Week (Proc. 3717) 6011
Thanksgiving Day, 1966 (Proc. 3752) 13635
Trade Week, World, 1966 (Proc. 3719) 6607
Transportation Day, National Defense, 1966 (Proc. 3718) 6567
Transportation Week, National, 1966 (Proc. 3718) 6567
Truman, Harry S, 82d birthday (Proc. 3724) 7027
United Nations Day, 1966 (Proc. 3725) 7107
United Nations Educational, Scientific and Cultural Organization (UNESCO), 20th anniversary (Proc. 3741) 11707
USO Day (Proc. 3695) 123
Veterans Day, 1966 (Proc. 3740) 11705
White Cane Safety Day, 1966 (Proc. 3749) 12935
Wright Brothers Day, 1966 (Proc. 3757) 15231
Zip Code Week, National (Proc. 3746) 12511
DEATH OF FLEET ADM. CHESTER W. NIMITZ, display of U.S. flag at half-staff (EO 11271) 2991
DECORATIONS AND AWARDS:
Foreign decorations, regulations, functions of Secretary of State (EO 11320) 15789
National Defense Service Medal, provisions respecting (EO 11265) 425
National Medal of Science (EO 11287) 8995
DEFENSE DEPARTMENT:
See also Armed Forces; Army Department; Marine Corps; Navy Department.
Federal Executive Salary Schedule, positions placed in Level V:
Deputy Director of Defense Research and Engineering (Chemistry and Materials) (EO 11268) 871
Principal Deputy Assistant Secretary of Defense (Comptroller) (EO 11273) 4947
Travel expenses of Federal civilian personnel, functions of Secretary (EO 11294) 10601
DEFENSE INDUSTRIES; Boards of Inquiry to investigate labor disputes (EO 11314, 11321) 13419, 16301
DEFENSE TRANSPORTATION DAY, NATIONAL, 1966 (Proc. 3718) 6567
DELEGATIONS OF AUTHORITY BY THE PRESIDENT:
Budget Bureau, Director (EO 11275, 11290) 5283, 10067
Commerce Department (EO 11286) 8279
Counsel to the President (3 CFR, Ch. V, Pt. 100) 8556
National Advisory Council on International Monetary and Financial Policies (EO 11269) 2813
Panama Canal Zone, Governor (EO 11305) 12007
Secretary of Army (EO 11305) 12007
Secretary of Defense (EO 11294) 10601
Secretary of State (EO 11264, 11294, 11295, 11312, 11320) 67, 10601, 10603, 13415, 15789
Secretary of Treasury (EO 11269) 2813
United States Information Agency (EO 11311) 13413

Presidential Documents—Continued Page

DISTRICT OF COLUMBIA BOARD OF COMMISSIONERS; transfer of functions respecting buildings and bridges of National Zoological Park to Smithsonian Institution (Reorganization Plan No. 4 of 1966) 11137
EDUCATION WEEK, AMERICAN, 1966 (Proc. 3753) 14379
EDUCATIONAL, SCIENTIFIC, AND CULTURAL MATERIALS IMPORTATION ACT OF 1966, effective date (Proc. 3754) 14381
ELECTRONICS INDUSTRY, Board of Inquiry to investigate labor dispute (EO 11314) 13419
EMERGENCY BOARDS to investigate labor disputes. *See* National Mediation Board.
EMERGENCY PREPAREDNESS FUNCTIONS of Attorney General (EO 11310) 13199
EMPLOY THE PHYSICALLY HANDICAPPED WEEK, NATIONAL, 1966 (Proc. 3736) 11135
ERIKSON (LEIF) DAY, 1966 (Proc. 3745) 12475
EUROPEAN SPACE RESEARCH ORGANIZATION, designation as public international organization entitled to certain privileges, exemptions, and immunities (EO 11318) 15307
EXECUTIVE ASSIGNMENT SYSTEM for positions in grades 16, 17, and 18 of General Schedule, regulations (EO 11315) 14729
EXECUTIVE OFFICE OF THE PRESIDENT, standards of conduct (3 CFR, Ch. V, Pt. 100) 8556
EXECUTIVE ORDERS, PRESIDENTIAL; emergency preparedness functions of Attorney General (EO 11310) 13199
FARM-CITY WEEK, NATIONAL, 1966 (Proc. 3738) 11445
FARM SAFETY WEEK, NATIONAL, 1966 (Proc. 3706) 3223
FATHER'S DAY, 1966 (Proc. 3730) 8569
FEDERAL BUILDINGS AND FACILITIES:
Locations, evaluation of flood hazard (EO 11296) 10663
National Capital Region (Letter of January 29, 1966) 2469
Water pollution control standards (EO 11288) 9261
FEDERAL BUILDINGS IN NATIONAL CAPITAL REGION, ADVISORY COMMITTEE ON; establishment by Administrator, General Services Administration (Letter of January 29, 1966) 2469
FEDERAL EMPLOYEES. *See* Civil service; Civil Service Commission.
FEDERAL EXECUTIVE SALARY SCHEDULE, positions placed in Level V (EO 11268, 11273, 11293, 11299, 11316) 871, 4947, 10507, 10917, 15011
FEDERAL LANDS AND PROPERTIES, disposal; evaluation of flood hazard (EO 11296) 10663
FEDERAL OFFICE SPACE in National Capital Region, acquisition and utilization (Letter of January 29, 1966) 2469
FEDERAL ROADS, locations; evaluation of flood hazard (EO 11296) 10663
FEDERAL URBAN PROGRAMS, coordination (EO 11297) 10765
FEDERAL WATER POLLUTION CONTROL ADMINISTRATION, transfer to Interior Department (Reorganization Plan No. 2 of 1966) 6857
FIRE PREVENTION WEEK, 1966 (Proc. 3733) 9591
FIREFIGHTERS, DAY OF RECOGNITION (Proc. 3721) 6817
FLAG, U.S. display at half-staff upon death of Fleet Adm. Chester W. Nimitz (EO 11271) 2991
FLAG DAY AND NATIONAL FLAG WEEK, 1966 (Proc. 3728) 8277
FLOOD HAZARD; evaluation in locating Federally owned or financed buildings, roads, and other facilities, and in disposing of Federal lands and properties (EO 11296) 10663
FOREIGN COUNTRIES:
See also specific countries.
Designation of certain countries as economically less developed for purposes of interest equalization tax (EO 11285) 8211
Gifts and decorations, regulations, functions of Secretary of State (EO 11320) 15789
FOREIGN SERVICE BOARD, reestablishment (EO 11264) 67
FOREIGN SERVICE BOARD OF EXAMINERS, reestablishment (EO 11264) 67
FOREST PRODUCTS WEEK, NATIONAL, 1966 (Proc. 3751) 13197
FORESTS, NATIONAL; Cumberland National Forest, change of name to Daniel Boone National Forest (Proc. 3715) 5807

Presidential Documents—Continued Page

GAS INDUSTRY WEEK (Proc. 3729) 8567
GENERAL AGREEMENT ON TARIFFS AND TRADE; renegotiation of Schedule XX:
U.S.-Japan (Proc. 3744) 12391
U.S.-United Kingdom (Proc. 3712) 5543
GENERAL PULASKI'S MEMORIAL DAY, 1966 (Proc. 3747) 12671
GENERAL SERVICES ADMINISTRATION; Advisory Committee on Federal Buildings in National Capital Region, establishment by Director (Letter of January 29, 1966) 2469
GIFTS, FOREIGN; functions of Secretary of State (EO 11320) 15789
GOVERNMENT EMPLOYEES. *See* Civil service; Civil Service Commission.
GREECE; Convention between U.S. and Greece, implementation of Article XIII (EO 11300) 11009
HANDICAPPED PERSONS; National Employ the Physically Handicapped Week, 1966 (Proc. 3736) 11135
HAZARDOUS DUTY, incentive pay for members of Armed Forces (EO 11292) 10447
HEALTH, EDUCATION, AND WELFARE DEPARTMENT:
Air pollution from Federal activities; prevention, control, and abatement (EO 11282) 7663
Public Health Service, transfer of functions to Secretary (Reorganization Plan No. 3 of 1966) 8855
Water pollution control functions, transfer to Interior Department (Reorganization Plan No. 2 of 1966) 6857
HEALTH MANPOWER, NATIONAL ADVISORY COMMISSION ON; establishment (EO 11279) 6947
HEALTH MANPOWER, PRESIDENT'S COMMITTEE ON; establishment (EO 11279) 6947
HEALTH, NATIONAL INSTITUTES OF; abolition (Reorganization Plan No. 3 of 1966) 8855
HEART MONTH, AMERICAN, 1966 (Proc. 3700) 1037
HIGHWAY WEEK, NATIONAL, 1966 (Proc. 3735) 11133
HOLIDAYS; postal field service employees excluded from certain regulations relating to observance by Federal agencies (EO 11272) 3111
HOUSING AND URBAN DEVELOPMENT DEPARTMENT:
Acting Secretary, designation of certain officers to serve as (EO 11274) 5243
Federal Executive Salary Schedule, positions placed in Level V:
Director, Demonstration Cities Administration (EO 11316).
Director, Urban Transportation Administration (EO 11299).
Federal urban programs, functions (EO 11297) 10765
HUMAN RIGHTS DAY (Proc. 3758) 15567
HUMAN RIGHTS WEEK (Proc. 3758) 15567
IMPORTS:
Audiovisual materials (EO 11311) 13413
Automotive products from Canada (Proc. 3743) 12003
Cheddar cheese, increase in import quotas (Proc. 3709) 5261
Clinical thermometers, termination of increased duty (Proc. 3696) 421
Codification in Title 48 CFR 7032
Cultural objects for temporary display (EO 11312) 13415
Educational, Scientific, and Cultural Materials Importation Act of 1966, effective date (Proc. 3754) 14381
Safety pins, termination of increased duty (Proc. 3703) 1295
Codification in Title 48 CFR 7034
Stainless-steel flatware, reduction of increased duties (Proc. 3697) 423
Codification in Title 48 CFR 7033
INQUIRY, BOARDS OF, to investigate labor disputes in military aircraft, armament, and electronics industries (EO 11314, 11321) 13419, 16301
INTERAMA. *See* Inter-American Cultural and Trade Center.
INTER-AMERICAN CULTURAL AND TRADE CENTER (INTERAMA), Dade County, Fla.:
Commerce Department, designation as agency through which U.S. shall participate (EO 11286) 8279
Invitation to States and foreign countries to participate (Proc. 3710) 5403
INTEREST EQUALIZATION TAX; designation of certain foreign countries as economically less developed for purposes of (EO 11285) 8211

Presidential Documents—Continued Page

INTEREST RATE on savings deposited by members of uniformed services (EO 11298) 10915
INTERIOR DEPARTMENT:
Commissioner, Federal Water Pollution Control Administration, position placed in Level V of Federal Executive Salary Schedule (EO 11293) 10507
Water pollution control, functions (EO 11288) 9261
Transfer from Health, Education, and Welfare Department (Reorganization Plan No. 2 of 1966) 6857
INTERNATIONAL COTTON INSTITUTE, designation as public international organization entitled to certain privileges, exemptions, and immunities (EO 11283) 7667
INTERNATIONAL LITERACY DAY (Proc. 3739) 11639
INTERNATIONAL MONETARY AND FINANCIAL POLICIES, NATIONAL ADVISORY COUNCIL ON; establishment (EO 11269) 2813
INTERNATIONAL ORGANIZATIONS:
Federal personnel, transfer to public international organizations; waiver of certain provisions in case of Reginald C. Price (EO 11303) 11963
Privileged:
European Space Research Organization (EO 11318) 15307
International Cotton Institute (EO 11283) 7667
International Telecommunications Satellite Consortium (EO 11277) 6609
INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM, designation as international organization entitled to enjoy certain privileges, exemptions, and immunities (EO 11277) 6609
JAPAN, interim agreement with U.S. relating to renegotiation of Schedule XX to General Agreement on Tariffs and Trade (Proc. 3744) 12391
JUSTICE DEPARTMENT:
Alien property, transfer of jurisdiction over blocked assets from Attorney General to Secretary of Treasury (EO 11281) 7215
Community Relations Service, transfer from Commerce Department (Reorganization Plan No. 1 of 1966) 6187
Convention between U.S. and Greece, functions of Attorney General (EO 11300) 11009
Emergency preparedness functions of Attorney General (EO 11310) 13199
Treaty of Friendship and General Relations, U.S.-Spain, implementation, functions of Attorney General (EO 11267) 807
LABOR DEPARTMENT; Mission SAFETY-70, interim report by Secretary (Statement of February 16, 1966) 2995
LABOR DISPUTES:
Boards of Inquiry to investigate disputes in military aircraft, armament, and electronics industries (EO 11314, 11321) 13419, 16301
Emergency boards. *See* National Mediation Board.
LEIF ERIKSON DAY, 1966 (Proc. 3745) 12475
LIBRARIES, NATIONAL ADVISORY COMMISSION ON; establishment (EO 11301) 11709
LIBRARIES, PRESIDENT'S COMMITTEE ON; establishment (EO 11301) 11709
LITERACY DAY, INTERNATIONAL (Proc. 3739) 11639
LOYALTY DAY, 1966 (Proc. 3716) 5809
MANPOWER, establishment of President's Committee on Health Manpower and National Advisory Commission on Health Manpower (EO 11279) 6947
MANUAL FOR COURTS-MARTIAL, UNITED STATES, 1951; amendment of provisions respecting maximum punishments (EO 11317) 15305
MARINE CORPS; number of lieutenant generals, suspension of sec. 5232(b), Title 10, U.S. Code (EO 11270) 2989
MARITIME DAY, NATIONAL, 1966 (Proc. 3708) 4945
MEDALS. *See* Decorations and awards.
MEDICAL SERVICES, BUREAU OF; abolition (Reorganization Plan No. 3 of 1966) 8855
MEDICARE ENROLLMENT MONTH, NATIONAL, MARCH 1966 (Proc. 3707) 4191
MEMORIAL DAY, 1966, PRAYER FOR PEACE (Proc. 3727) 7661
MENTAL RETARDATION, PRESIDENT'S COMMITTEE ON; establishment (EO 11280) 7167
MIGRATORY WATERFOWL DAY (Proc. 3755) 15227

Presidential Documents—Continued Page

MILITARY AIRCRAFT, ARMAMENT, AND ELECTRONICS INDUSTRIES; Boards of Inquiry to investigate labor disputes (EO 11314, 11321) 13419, 16301
MISSION SAFETY-70, safety program for Federal employees (Memorandum and Statement of February 16, 1966) 2993, 2995
MOTHER'S DAY, 1966 (Proc. 3723) 6945
NATIONAL ACADEMY OF SCIENCES; functions respecting National Medal of Science award (EO 11287) 8995
NATIONAL ADVISORY COMMISSION ON HEALTH MANPOWER, establishment (EO 11279) 6947
NATIONAL ADVISORY COMMISSION ON LIBRARIES, establishment (EO 11301) 11709
NATIONAL ADVISORY COMMISSION ON RURAL POVERTY, establishment (EO 11306) 12769
NATIONAL ADVISORY COMMISSION ON SELECTIVE SERVICE, establishment (EO 11289) 9265
NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL POLICIES, establishment (EO 11269) 2813
NATIONAL CAPITAL REGION:
Advisory Committee on Federal Buildings, establishment by Administrator, General Services Administration (Letter of January 29, 1966) 2469
Federal office space, acquisition and utilization (Letter of January 29, 1966) 2469
NATIONAL CAPITAL REGIONAL PLANNING COUNCIL, abolition (Reorganization Plan No. 5 of 1966) 11857
NATIONAL CIVIL AIR PATROL DAY (Proc. 3742) 11855
NATIONAL DAYS OF PRAYER:
Memorial Day, 1966, prayer for peace (Proc. 3727) 7661
National Day of Prayer, 1966 (Proc. 3750) 12995
NATIONAL DEFENSE SERVICE MEDAL, provisions respecting (EO 11265) 425
NATIONAL DEFENSE TRANSPORTATION DAY, 1966 (Proc. 3718) 6567
NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1966 (Proc. 3736) 11135
NATIONAL FARM-CITY WEEK, 1966 (Proc. 3738) 11445
NATIONAL FARM SAFETY WEEK, 1966 (Proc. 3706) 3223
NATIONAL FLAG WEEK, 1966 (Proc. 3728) 8277
NATIONAL FOREST PRODUCTS WEEK, 1966 (Proc. 3751) 13197
NATIONAL FORESTS; Cumberland National Forest, change of name to Daniel Boone National Forest (Proc. 3715) 5807
NATIONAL HIGHWAY WEEK, 1966 (Proc. 3735) 11133
NATIONAL INSTITUTES OF HEALTH, abolition (Reorganization Plan No. 3 of 1966) 8855
NATIONAL MARITIME DAY, 1966 (Proc. 3708) 4945
NATIONAL MEDAL OF SCIENCE, award (EO 11287) 8995
NATIONAL MEDAL OF SCIENCE, PRESIDENT'S COMMITTEE ON; continuation (EO 11287) 8995
NATIONAL MEDIATION BOARD; emergency boards to investigate labor disputes:
American Airlines, Inc. (EO 11291) 10175
Five Carriers Negotiating Committee, representing carriers (EO 11276) 6233
Pan American World Airways, Inc. (EO 11308) 12919
NATIONAL MEDICARE ENROLLMENT MONTH, MARCH 1966 (Proc. 3707) 4191
NATIONAL PARKS; buildings and bridges of National Zoological Park, transfer of functions to Smithsonian Institution from D.C. Board of Commissioners (Reorganization Plan No. 4 of 1966) 11137
NATIONAL POISON PREVENTION WEEK, 1966 (Proc. 3701) 1231
NATIONAL SAFE BOATING WEEK, 1966 (Proc. 3698) 937
NATIONAL SCHOOL LUNCH WEEK, 1966 (Proc. 3734) 10411
NATIONAL SCHOOL SAFETY PATROL WEEK (Proc. 3722) 6855
NATIONAL SCIENCE FOUNDATION; functions respecting National Medal of Science award (EO 11287) 8995
NATIONAL SKI WEEK (Proc. 3699) 939
NATIONAL TRANSPORTATION WEEK, 1966 (Proc. 3718) 6567
NATIONAL ZIP CODE WEEK (Proc. 3746) 12511
NATIONAL ZOOLOGICAL PARK; transfer of buildings and bridges to Smithsonian Institution from D.C. Board of Commissioners (Reorganization Plan No. 4 of 1966) 11137

Presidential Documents—Continued Page

NATURAL BEAUTY AND RECREATION, COMMITTEE AND COUNCIL; establishment (EO 11278) 6681
NAVY DEPARTMENT; suspension of provisions of sections 5701(a)(1) and 6371 of Title 10, U.S. Code, which relate to continuation on active list of rear admirals in line not restricted in performance of duty (EO 11284) 7669
NIMITZ, FLEET ADM. CHESTER W., death of; display of U.S. flag at half-staff (EO 11271) 2991
OFFICE SPACE, FEDERAL, in National Capital Region, acquisition and utilization (Letter of January 29, 1966) 2469
ORGANIZATIONS, INTERNATIONAL. *See* International organizations.
PAN AMERICAN DAY AND PAN AMERICAN WEEK, 1966 (Proc. 3713) 5603
PANAMA CANAL ZONE; functions of Governor of Zone and Secretary of Army (EO 11305) 12007
PARKS, NATIONAL; buildings and bridges of National Zoological Park, transfer of functions to Smithsonian Institution from D.C. Board of Commissioners (Reorganization Plan No. 4 of 1966) 11137
PASSPORTS, U.S., rules governing granting, issuing, and verifying; authority of Secretary of State (EO 11295) 10603
PATENT SYSTEM, PRESIDENT'S COMMISSION ON; final report, extension of time limit (EO 11309) 13075
PAY AND ALLOWANCES:
Armed Forces, incentive pay for hazardous and sea duty (EO 11292) 10447
Federal employees:
Assigned to California offshore islands (EO 11275) 5283
Federal Executive Salary Schedule, positions placed in Level V (EO 11268, 11273, 11293, 11299, 11316) 871, 4947, 10507, 10917, 15011
Travel and transportation expenses (EO 11290, 11294) 10067, 10601
Veterans Administration, travel expenses of claimants and beneficiaries (EO 11302) 11741
PEARL HARBOR DAY (Proc. 3756) 15229
PENAL INSTITUTIONS, FEDERAL; emergency preparedness functions of Attorney General (EO 11310) 13199
PHYSICALLY HANDICAPPED PERSONS; National Employ the Physically Handicapped Week, 1966 (Proc. 3736) 11135
POISON PREVENTION WEEK, NATIONAL, 1966 (Proc. 3701) 1231
POLAND'S NATIONAL AND CHRISTIAN MILLENNIUM, commemoration (Proc. 3720) 6679
POLLUTION. *See* Air pollution; Water pollution control.
POST OFFICE DEPARTMENT:
Acting Postmaster General, order of succession to position (EO 11313) 13417
Postal field service, employees excluded from certain regulations relating to observance of holidays by Federal agencies (EO 11272) 3111
POSTAL FIELD SERVICE, employees excluded from certain regulations relating to observance of holidays by Federal agencies (EO 11272) 3111
PRAYER, NATIONAL DAYS OF. *See* National days of prayer.
PRESIDENT OF THE UNITED STATES:
Delegations of authority. *See* Delegations of authority by the President.
Reports to. *See* Reports to the President.
PRESIDENT'S COMMISSION ON PATENT SYSTEM; final report, extension of time limit (EO 11309) 13075
PRESIDENT'S COMMITTEE ON HEALTH MANPOWER, establishment (EO 11279) 6947
PRESIDENT'S COMMITTEE ON LIBRARIES, establishment (EO 11301) 11709
PRESIDENT'S COMMITTEE ON MENTAL RETARDATION, establishment (EO 11280) 7167
PRESIDENT'S COMMITTEE ON NATIONAL MEDAL OF SCIENCE, continuation (EO 11287) 8995
PRESIDENT'S COMMITTEE ON RURAL POVERTY, establishment (EO 11306) 12769
PRESIDENT'S COUNCIL ON RECREATION AND NATURAL BEAUTY, establishment (EO 11278) 6681
PRICE, REGINALD C., case of; waiver of certain provisions respecting transfer of Federal personnel to public international organizations (EO 11303) 11963

Presidential Documents—Continued Page

PRIVILEGED INTERNATIONAL ORGANIZATIONS. *See* International organizations.
PROCLAMATIONS, PRESIDENTIAL; emergency preparedness of Attorney General (EO 11310) 13199
PUBLIC HEALTH SERVICE:
Surgeon General. *See* Surgeon General.
Transfer of functions to Secretary of Health, Education, and Welfare (Reorganization Plan No. 3 of 1966) 8855
PUBLIC INTERNATIONAL ORGANIZATIONS. *See* International organizations.
PULASKI'S (GENERAL) MEMORIAL DAY, 1966 (Proc. 3747) 12671
PUNISHMENTS, MAXIMUM, under Manual for Courts-Martial, United States, 1951; amendment of provisions respecting (EO 11317) 15305
RECREATION AND NATURAL BEAUTY, CITIZENS' ADVISORY COMMITTEE ON; establishment (EO 11278) 6681
RECREATION AND NATURAL BEAUTY, PRESIDENT'S COUNCIL ON; establishment (EO 11278) 6681
RED CROSS MONTH, 1966 (Proc. 3705) 3221
REORGANIZATION PLANS OF 1966:
No. 1, Community Relations Service, transfer from Commerce Department to Justice Department 6187
No. 2, water pollution control functions, transfer from Health, Education, and Welfare Department to Interior Department 6857
No. 3, Public Health Service, transfer of functions to Secretary of Health, Education, and Welfare 8855
No. 4, buildings and bridges of National Zoological Park, transfer of functions to Smithsonian Institution from D.C. Board of Commissioners 11137
No. 5, National Capital Regional Planning Council, abolition 11857
REPORTS TO THE PRESIDENT:
Boards of Inquiry to investigate labor disputes in military aircraft, armament, and electronics industries (EO 11314, 11321) 13419, 16301
Civil Service Commission, executive assignment system (EO 11315) 14729
Health Manpower, National Advisory Commission on (EO 11279) 6947
Interior Department, water pollution control (EO 11288) 9261
Libraries, National Advisory Commission on (EO 11301) 11709
Mental Retardation, President's Committee on (EO 11280) 7167
Mission SAFETY-70:
Interim report by Secretary of Labor (Statement of February 16, 1966) 2995
Report from agencies and departments requested (Memorandum of February 16, 1966) 2993
Patent System, President's Commission on (EO 11309) 13075
Rural Poverty, National Advisory Commission on (EO 11306) 12769
Selective Service, National Advisory Commission on (EO 11289) 9265
RURAL AND AGRICULTURAL AREA DEVELOPMENT, coordination of Federal programs (EO 11307) 12917
RURAL DEVELOPMENT COMMITTEE, termination (EO 11307) 12917
RURAL POVERTY, NATIONAL ADVISORY COMMISSION ON; establishment (EO 11306) 12769
RURAL POVERTY, PRESIDENT'S COMMITTEE ON; establishment (EO 11306) 12769
SAFETY:
Federal employees, Mission SAFETY-70 (Memorandum and Statement of February 16, 1966) 2993, 2995
National Farm Safety Week, 1966 (Proc. 3706) 3223
National Safe Boating Week, 1966 (Proc. 3698) 937
National School Safety Patrol Week (Proc. 3722) 6855
SAFETY PINS, termination of increased duty on imports (Proc. 3763) 1295
Codification in Title 48 CFR 7034
SAVE YOUR VISION WEEK, 1966 (Proc. 3702) 1265
SCHOOL LUNCH WEEK, NATIONAL, 1966 (Proc. 3734) 10411
SCHOOL SAFETY PATROL WEEK, NATIONAL (Proc. 3722) 6855

Presidential Documents—Continued Page

SCIENCE, NATIONAL MEDAL OF; award (EO 11287) 8995
SEA DUTY by members of Armed Forces, special pay for (EO 11292) 10447
SEAL FOR COAST GUARD (EO 11319) 15629
SELECTIVE SERVICE, NATIONAL ADVISORY COMMISSION ON; establishment (EO 11289) 9265
SELECTIVE SERVICE REGULATIONS (EO 11266) 743
SENIOR CITIZENS MONTH, MAY 1966 (Proc. 3711) 5405
SIR WINSTON CHURCHILL DAY (Proc. 3714) 5743
SKI WEEK, NATIONAL (Proc. 3699) 939
SMALL BUSINESS WEEK (Proc. 3726) 7551
SMITHSONIAN INSTITUTION; buildings and bridges of National Zoological Park, transfer of functions from D.C. Board of Commissioners (Reorganization Plan No. 4 of 1966) 11137
SPACE RESEARCH ORGANIZATION, EUROPEAN; designation as public international organization entitled to certain privileges, exemptions, and immunities (EO 11318) 15307
SPAIN; Treaty of Friendship and General Relations with United States, implementation (EO 11267) 807
STAINLESS-STEEL FLATWARE, reduction of increased duties on imports (Proc. 3697) 423
Codification in Title 48 CFR 7033
STATE DEPARTMENT:
Cultural objects imported for temporary display, functions of Secretary (EO 11312) 13415
Foreign gifts and decorations, regulations, functions of Secretary (EO 11320) 15789
Foreign Service Board and Foreign Service Board of Examiners, reestablishment (EO 11264) 67
Passports, U.S., rules governing granting, issuing, and verifying; authority of Secretary (EO 11295) 10603
Travel expenses of Federal civilian personnel, functions of Secretary (EO 11294) 10601
STATE AND MUNICIPAL BOND WEEK (Proc. 3717) 6011
STATE SERVICES, BUREAU OF; abolition (Reorganization Plan No. 3 of 1966) 8855
SURGEON GENERAL:
Abolition of office (Reorganization Plan No. 3 of 1966) 8855
Water quality control functions, transfer to Secretary of Health, Education, and Welfare (Reorganization Plan No. 2 of 1966) 6857
TARIFF COMMISSION; articles considered for trade agreement concessions, functions (Notice of August 16, 1966) 10949
TARIFF SCHEDULES OF THE UNITED STATES:
Modification from proclamation of interim agreements between U.S. and foreign countries:
U.S.-Japan (Proc. 3744) 12391
U.S.-United Kingdom (Proc. 3712) 5543
Codification in Title 48 CFR 7034
Modification with respect to certain imports:
Audiovisual materials (EO 11311) 13413
Automotive products from Canada (Proc. 3743) 12003
Cheddar cheese, increase in import quotas (Proc. 3709) 5281
Clinical thermometers, termination of increased duty on imports (Proc. 3696) 421
Codification in Title 48 CFR 7032
Safety pins, termination of increased duty on imports (Proc. 3703) 1295
Codification in Title 48 CFR 7034
Stainless-steel flatware, reduction of increased duties on imports (Proc. 3697) 423
Codification in Title 48 CFR 7033
TARIFFS AND TRADE, GENERAL AGREEMENT ON. *See* General Agreement on Tariffs and Trade.
TAXES:
Exemption for U.S. citizens on acquisition of original or new issues of Canadian stocks or debt obligations, exceptions (EO 11304) 12005
Interest equalization tax, designation of certain foreign countries as economically less developed for purposes of (EO 11285) 8211
TELECOMMUNICATIONS SATELLITE CONSORTIUM, INTERNATIONAL; designation as international organization entitled to certain privileges, exemptions, and immunities (EO 11277) 6609
TENNESSEE VALLEY AUTHORITY; flood hazard information, functions of Secretary (EO 11296) 10663
THANKSGIVING DAY, 1966 (Proc. 3752) 13635

Presidential Documents—Continued Page

THERMOMETERS, CLINICAL; termination of increased duty on imports (Proc. 3696) 421
Codification in Title 48 CFR 7032
TRADE AGREEMENTS:
Articles considered for trade agreement concessions (Notice of August 16, 1966) 10949
Canada, implementation of agreement on automotive products (Proc. 3743) 12003
Japan, interim agreement with U.S. relating to renegotiation of Schedule XX to General Agreement on Tariffs and Trade (Proc. 3744) 12391
United Kingdom, interim agreement with U.S. relating to renegotiation of Schedule XX to General Agreement on Tariffs and Trade (Proc. 3712) 5543
Codification in Title 48 CFR 7034
TRADE INFORMATION COMMITTEE, public hearings on articles considered for trade agreement concessions (Notice of August 16, 1966) 10949
TRADE WEEK, WORLD, 1966 (Proc. 3719) 6607
TRANSPORTATION DAY, NATIONAL DEFENSE, 1966 (Proc. 3718) 6567
TRANSPORTATION WEEK, NATIONAL, 1966 (Proc. 3713) 6567
TRAVEL AND TRANSPORTATION EXPENSES:
Federal employees (EO 11290, 11294) 10067, 10601
Veterans Administration, expenses of claimants and beneficiaries (EO 11302) 11741
TREASURY DEPARTMENT:
Alien property, transfer of jurisdiction over blocked assets from Attorney General to Secretary of Treasury (EO 11281) 7215
Interest equalization tax, designation of certain foreign countries as economically less developed for purposes of (EO 11285) 8211
International finance, functions of Secretary (EO 11269) 2813
Tax exemption for U.S. citizens on acquisition of original or new issues of Canadian stocks or debt obligations, functions (EO 11304) 12005
TREATY OF FRIENDSHIP AND GENERAL RELATIONS, U.S.-Spain, implementation (EO 11267) 807
TRUMAN, HARRY S, 82d birthday (Proc. 3724) 7027
UNESCO, 20th anniversary (Proc. 3741) 11707
UNIFORMED SERVICES:
See also Armed Forces.
Interest rate on savings deposited (EO 11298) 10915
UNITED KINGDOM, interim agreement with U.S. relating to renegotiation of Schedule XX to General Agreement on Tariffs and Trade (Proc. 3712) 5543
Codification in Title 48 CFR 7034
UNITED NATIONS DAY, 1966 (Proc. 3725) 7107
UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO), 20th anniversary (Proc. 3741) 11707
UNITED STATES INFORMATION AGENCY; implementation of Beirut Agreement of 1948 respecting audiovisual materials (EO 11311) 13413
URBAN PROGRAMS, FEDERAL; coordination (EO 11297) 10765
USO DAY (Proc. 3695) 123
VESSELS:
Crews aboard U.S. ships in Spanish ports, jurisdiction of U.S. officials (EO 11267) 807
National Safe Boating Week, 1966 (Proc. 3698) 937
VETERANS ADMINISTRATION; travel expenses of claimants and beneficiaries (EO 11302) 11741
VETERANS DAY, 1966 (Proc. 3740) 11705
VISION PRESERVATION; Save Your Vision Week, 1966 (Proc. 3702) 1265
WASTE TREATMENT FACILITIES, water pollution control standards (EO 11288) 9261
WATER POLLUTION CONTROL:
Prevention, control, and abatement of pollution from Federal activities (EO 11288) 9261
Transfer of certain functions from Health, Education, and Welfare Department to Interior Department (Reorganization Plan No. 2 of 1966) 6857
WATER POLLUTION CONTROL ADVISORY BOARD, transfer to Interior Department (Reorganization Plan No. 2 of 1966) 6857
WATERFOWL DAY, MIGRATORY (Proc. 3755) 15227
WHITE CANE SAFETY DAY, 1966 (Proc. 3749) 12935
WORLD TRADE WEEK, 1966 (Proc. 3719) 6607

Presidential Documents—Continued Page

WRIGHT BROTHERS DAY, 1966 (Proc. 3757) 15231
ZIP CODE WEEK, NATIONAL (Proc. 3746) 12511

President's Commission on Patent System:
FINAL REPORT, extension of time limit (Executive Order 11309) 13075

President's Committee on Health Manpower:
ESTABLISHMENT (Executive Order 11279) 6947

President's Committee on Libraries:
ESTABLISHMENT (Executive Order 11301) 11709

President's Committee on Mental Retardation:
ESTABLISHMENT (Executive Order 11280) 7167

President's Committee on National Medal of Science:
CONTINUATION (Executive Order 11287) 8995

President's Committee on Rural Poverty:
ESTABLISHMENT (Executive Order 11306) 12769

President's Council on Recreation and Natural Beauty:
ESTABLISHMENT (Executive Order 11278) 6681

Price, Reginald C., Case of:
WAIVER OF CERTAIN PROVISIONS respecting transfer of Federal personnel to public international organizations (Executive Order 11303) 11963

Price Support:
AGRICULTURAL COMMODITIES. *See* Commodity Credit Corporation.

Printers, Multi-color:
TRADE PRACTICE RULES. *See* Federal Trade Commission.

Privileged International Organizations:
See International organizations.

Proclamations:
See Presidential documents.

Procurement:
ARMED SERVICES. *See* Air Force Department; Army Department; Defense Department.
FEDERAL PROCUREMENT REGULATIONS. *See* General Services Administration.
REGULATIONS of various agencies. *See specific agencies.*
URANIUM PROCUREMENT PROGRAM, modification 14531

Prune Juice:
CANNED, identity standard, optional ingredient. *See* Food and Drug Administration.

Prunes:
MARKETING, etc. *See* Agriculture Department.

Public Buildings Service:
PROCUREMENT:
Advertising, formal 2597, 3183, 9796, 14876
Contracts, construction:
Administration 3184, 9797, 14877
Clauses, fixed-price contracts 9796
Forms, building service contracts 2600
General policies, liquidated damages 2597

Public Contracts Division:
AUTHORITY DELEGATION from Secretary of Labor, certain functions in connection with National Foundation on Arts and Humanities 1274
MINIMUM WAGE DETERMINATIONS:
Adjustments to wage increases under Fair Labor Standards Act, proposed rule 16160
Machine tools industry; revoked 14835
OCCUPATIONAL SAFETY AND HEALTH ACTIVITIES, certain functions transferred to Labor Standards Bureau 12620
RADIATION SAFETY AND HEALTH STANDARDS for Federal supply contracts:
AEC-agreement State licensees or registrants, Atomic Energy Act and other sources 1075

Public Contracts Division—Continued Page

RADIATION SAFETY AND HEALTH STANDARDS for Federal supply contracts—Continued
AEC-agreement State licensees, etc.—Continued
Application in certain States, proposed rules:
Alabama 12794
New Hampshire 12483
Overexposure reports, storage of radioactive materials, waste disposal, etc. 1075
RECORDS, non-Federal; retention requirements 4027
SERVICE CONTRACTS, certain, exempted from Walsh-Healey Act; proposed rule 9998, 12061

Public Health Service:
AIR POLLUTION:
From Federal Government activities, prevention, control, and abatement:
Executive Order 11282 7663
Performance standards and techniques of measurement 7902
Sulfur oxides emission limits and control measures, proposed rules 14785, 16628
Organization and functions 15709
BIOLOGICAL PRODUCTS:
Dating periods for specific products 11388
Establishment standards 8594, 14000
Immune serum globulin (human); additional standards 14
License revocation, Metro Blood Service, Inc. 2870
Licensed products, manufacturers, and license numbers, list 4152, 6327, 10550
Measles virus vaccine, live, attentuated; additional standards 8594, 8923, 14000
Poliovirus vaccine, live, oral; additional standards 8594, 8923, 11388, 14000
Standards for products, general 8594, 14000
Whole blood (human); additional standards 9676, 11185, 15092
COMMISSIONED OFFICERS:
Burial payments; reimbursement and dependents 11454
Prescription of numbers in grade 4299
CONSULTANTS, special, appointment of 12939
FELLOWSHIPS, etc.:
Fellowships, regular and service 5758, 9504, 12096
National Library of Medicine:
Traineeships 9505
Training grants 9505
GRANTS:
See also under Fellowships, etc., *above.*
Community mental health centers, initial cost of professional and technical personnel 3246
Graduate training in public health, project grants 4403
Revoked 10414
Heart disease, cancer, and stroke research, training, etc., proposed rules 4969
Mental hospitals, modernization allotments, etc. 12095
Mentally retarded, etc., facilities for; organization and functions 914
National Library of Medicine 9499
Public health training, including graduate training 4402
Research projects, nature and purpose, etc. 5758, 9504, 13445
Schools of medicine, osteopathy, dentistry, optometry, podiatry, or pharmacy:
Quality improvement 7376, 7755
Scholarship grants 7378
Solid waste disposal projects 5180
States; allotments, etc. 1058, 11216
Student loans:
Health professions and nursing 5724
Pharmacy and podiatry, practicing in shortage area 4791, 5691, 14592
HEART DISEASE, CANCER, AND STROKE, grants for research, training, etc.; proposed rules 4969
LOANS, students. *See under* Grants.
ORGANIZATION AND FUNCTIONS 16796
Air pollution 15709
Grants for construction of facilities for mentally retarded, etc. 914
Interim plan pending reorganization 8964
Student loans, health professions and nursing 5724
Transfer of functions to Secretary of Health, Education, and Welfare (Reorganization Plan No. 3 of 1966) 8855

Public Health Service—Continued Page
RECORDS, non-Federal; retention requirements 4021
WATER POLLUTION CONTROL, transfer of regulations to Interior Department 7114

Public Housing Administration:
See also Housing Assistance Administration.
ORGANIZATION AND FUNCTIONS, delegations of final authority 3308

Public International Organizations:
See International organizations.

Public Roads Bureau:
HIGHWAY BEAUTIFICATION, hearings 1162
ORGANIZATION AND FUNCTIONS 273, 542, 4169
RECORDS, non-Federal; retention requirements 4015
STANDARDS CRITERIA, hearing location 4256
STATE HIGHWAY DEPARTMENTS, maintenance of records and documents 9270

Puerto Rico:
COAST GUARD, navigation regulations 10322
EMPLOYMENT TAXES, collection of; employees in Puerto Rico. *See* Internal Revenue Service.
HUNTING, migratory game birds; seasons 7479, 8817
INDUSTRY REVIEW COMMITTEES. *See* Wage and Hour Division.
NUCLEAR POWER STATION, operating authorization 8092, 9610
OIL IMPORTS. *See* Interior Department.
PERSONAL PROPERTY, donation of; Federal property management regulations 5043
RESTRICTED AREAS over military reservations. *See* Federal Aviation Agency.
SUGAR; production, marketing, etc. *See* Agriculture Department.

Pulaski's (General) Memorial, Day, 1966:
PROCLAMATION 3447 12671

Q

Quarantine Regulations:
ANIMAL DISEASES, control of. *See* Agriculture Department.
CANAL ZONE REGULATIONS. *See* Canal Zone.
PLANT QUARANTINE. *See* Agriculture Department.

R

Rabbits:
GRADING AND INSPECTION. *See* Agriculture Department.

Radiation:
FOOD TREATMENT AND PROCESSING. *See* Food and Drug Administration.
PACKAGING MATERIALS for use in preservation of prepackaged foods 2963
PACKING AND TRANSPORTATION of radioactive materials. *See* Interstate Commerce Commission.
PHYSICS. *See* National Bureau of Standards.
PROTECTION against radiation, standards 86, 4469
REACTORS, construction, operation, etc. *See* Atomic Energy Commission.
SAFETY AND HEALTH STANDARDS, Federal supply contracts. *See* Public Contracts Division.
STANDARD REFERENCE MATERIALS, radioactivity standards. *See* National Bureau of Standards.

Radio Communications:
See also Federal Communications Commission; National Bureau of Standards.
CANAL ZONE 12323
RADIO FREQUENCY MANAGEMENT OFFICE, establishment in Treasury Department 12684

Railroad Retirement Board:
CONDUCT STANDARDS 3178
RAILROAD RETIREMENT ACT regulations:
Eligibility for annuity 3177
Insurance annuities and lump sums for survivors, definition of child 3177
Reports of compensation and registration of employees 15238

Railroad Retirement Board—Continued Page
RAILROAD UNEMPLOYMENT INSURANCE ACCOUNT, notice of deficit 15205
RAILROAD UNEMPLOYMENT INSURANCE ACT:
Employers' contributions and reports 15238, 16265
Initial determinations under, and review of and appeals from determinations 10180
RECORDS, non-Federal; retention requirements 4069

Railroads:
COMPENSATION from more than one civilian office, exceptions; multiple-designation appointments in train and engine service of Alaska Railroad 6353
NATIONWIDE STRIKES, postal standby instructions for guidance during 12810
RADIO SERVICE. *See* Federal Communications Commission.
RETIRED EMPLOYEES. *See* Railroad Retirement Board.
ROUTING, car service, etc. *See* Interstate Commerce Commission.

Raisins:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
MARKETING. *See* Agriculture Department.

Reclamation Bureau:
AUTHORITY DELEGATION from Secretary of Interior; Federal Water Project Recreation Act 3426
BOSTWICK PARK PROJECT, Colo.; land class equivalents 7843
COLUMBIA BASIN PROJECT, Wash.; sale of farm units 4628, 6382
NEVADA AND CALIFORNIA, certain reclamation and irrigation projects, etc.; proposed rules 11314
TRANSFER OF JURISDICTION of certain national forest lands to Agriculture Secretary for recreational and other purposes:
Colorado: White River, 5885.
Montana:
Flathead, 12606.
Lewis and Clark, 15548.
Oregon; Whitman, 14696, 15099.
Utah:
Ashley, 7191, 10424.
Cache, 7191.
Manti-Lasal, 11770.
Washington:
Snoqualmie, 13761.
Wenatchee, 12455, 13560, 13760.
Wyoming:
Bridger, 9384.
Caribou, 9384.
YUMA IRRIGATION PROJECT, Arizona-California Reservation Division, Calif.; annual operation, maintenance, and water rental charges 15329

Records:
AVAILABILITY for research, retention, fees for reproduction, etc. *See specific agencies.*
NON-FEDERAL RECORDS, guide to record retention requirements 4002
Index 4072
Supplements:
Civil Aeronautics Board requirements, availability of credentials for inspection 4071
Second War Powers Act of 1942, requirements under 4071

Recreation:
CABINS, private and Government, occupancy of, on recreation areas. *See* Interior Department.
HYDROELECTRIC PROJECTS, licensed, recreational facilities at 9877, 16201
NATIONAL FORESTS, PARKS, etc., lands withdrawn for recreation sites. *See* Land Management Bureau; National Park Service.
NATIONAL RECREATION AREAS, certain, designation of boundaries. *See* Agriculture Department.
PUBLIC LANDS, withdrawals for recreation areas. *See* Land Management Bureau.
TRANSFER OF JURISDICTION of certain lands for recreational purposes. *See* Reclamation Bureau.
WILDLIFE REFUGES, public recreation. *See* Fish and Wildlife Service.

Recreation and Natural Beauty, Citizens' Advisory Committee on: Page
ESTABLISHMENT (Executive Order 11278) 6681

Recreation and Natural Beauty, President's Council on:
ESTABLISHMENT (Executive Order 11278) 6681

Red Cross Month, 1966:
PROCLAMATION 3705 3221

Regional Economic Development Office, Commerce Department:
ORGANIZATION AND FUNCTIONS 581

Renegotiation Board:
BASIC COMPENSATION, General Counsel 10095
CONDUCT OF RENEGOTIATION, filing of information and requests by contractor; principal office 6906
CONDUCT STANDARDS 2928
EXEMPTIONS FROM RENEGOTIATION:
Mandatory:
Common carriers by water 5620
Contracts not directly connected with national defense, Engineers Corps 5827
Permissive; certain subcontracts, "stock item" exemption 11651
ORGANIZATION AND FUNCTIONS, Western Regional Board location 6926
PRIME CONTRACTS and subcontracts within scope of Act, general coverage 10029
TERMINATION of renegotiation; statutory provision and termination date 10029

Rent Supplements:
See Housing and Urban Development Department.

Reorganization Plans of 1966:
No. 1, Community Relations Service, transfer from Commerce Department to Justice Department 6187
No. 2, water pollution control functions, transfer from Health, Education, and Welfare Department to Interior Department 6857
No. 3, Public Health Service, transfer of functions to Secretary of Health, Education, and Welfare 8855
No. 4, buildings and bridges of National Zoological Park, transfer of functions to Smithsonian Institution from D.C. Board of Commissioners 11137
No. 5, National Capital Regional Planning Council, abolition 11857

Restricted Areas:
AEROSPACE operational resources. *See* Air Force Department.
AIRCRAFT restricted areas over military installations. *See* Federal Aviation Agency.
PASSPORTS invalid for travel in restricted areas. *See* State Department.
VESSELS:
Danger zones. *See* Engineers Corps.
Navy vessels, launching; navigation restrictions. *See* Coast Guard.

Rhodesia:
EXPORT RESTRICTIONS 85, 4783, 6864, 6878
NUCLEAR MATERIAL, export licensing 7959, 8417

Rice:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
LOAN AND PURCHASE PROGRAM, etc. *See* Commodity Credit Corporation.
MARKETING QUOTAS, etc. *See* Agriculture Department.

Rural and Agricultural Area Development:
FEDERAL PROGRAMS, coordination (Executive Order 11307) 12917

Rural Development Committee:
TERMINATION (Executive Order 11307) 12917

Rural Electrification Administration:
AUTHORITY DELEGATIONS by Administrator to Deputy Administrator, et al., powers of Administrator 12107, 14087

Rural Electrification Administration—Con. Page
ORGANIZATION AND FUNCTIONS 11619
REDESIGNATION AND TRANSFER of regulations; editorial note 16225, 16264

Rural Poverty:
NATIONAL ADVISORY COMMISSION ON, establishment (Executive Order 11306) 12769
PRESIDENT'S COMMITTEE ON, establishment (Executive Order 11306) 12769

Rye:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
PRICE-SUPPORT PROGRAMS, etc. *See* Commodity Credit Corporation.

S

Safety:
AIRPLANES, safety belts; proposed rule 10275, 12682
FEDERAL EMPLOYEES, Mission SAFETY-70 (Memorandum and Statement of February 16, 1966) 2993, 2995
FEDERAL SUPPLY CONTRACTS. *See* Public Contracts Division.
HIGHWAYS:
National Highway Safety Agency, organization and functions 15099, 15101
Programs. *See* Commerce Department.
Radio communications. *See* Federal Communications Commission.
LONGSHORING, standards 1222, 7430
MOTOR CARRIERS, safety regulations. *See* Interstate Commerce Commission.
MOTOR VEHICLES:
Safety standards. *See* Commerce Department; General Services Administration.
Seat belts 7833, 11528
Buses, proposed rules 7911, 10326
NATIONAL FARM SAFETY WEEK, 1966 (Proclamation 3706) 3223
NATIONAL SAFE BOATING WEEK, 1966 (Proclamation 3698) 937
NATIONAL SCHOOL SAFETY PATROL WEEK (Proclamation 3722) 6855
OCCUPATIONAL safety. *See* Labor Department
RADIATION, protection against 86, 4469
RAILROADS, safety regulations. *See* Interstate Commerce Commission.
SHIPPING safety fairway, Pacific Ocean, Port Hueneme, Calif 11434
WORKSHOPS and rehabilitation facilities assisted by grants 6370

Safety Pins:
IMPORTS, termination of increased duty (Proclamation 3703) 1295
Codification in Title 48 CFR 7034

Saint Lawrence Seaway Development Corporation:
CONDUCT STANDARDS 2778
ORGANIZATION AND FUNCTIONS 8928
SEAWAY REGULATIONS AND RULES:
Condition of vessels 5019, 8062
Dangerous cargo 5019, 8062
Radio communications 5019, 8062
Toll assessment 5020, 8062
Transit instructions 5019, 8062
TOLLS, proposed revision; hearing 5973, 7356

Saline Water Office:
AUTHORITY DELEGATION by Director to certain Assistant Directors; procurement 8884

Samoa, American:
DISASTER AREA, Federal assistance 3144
TAXES, EMPLOYMENT; special rules as employer 2596
WATCH AND WATCH MOVEMENT PRODUCERS, joint notice by Secretaries of Commerce and Interior respecting quotas 16579

Satellite Communications:
See Federal Communications Commission.

Save Your Vision Week, 1966: Page
PROCLAMATION 3702 — 1265

School Lunch Program:
See Agriculture Department.

School Lunch Week, National, 1966:
PROCLAMATION 3734 — 10411

School Safety Patrol Week, National:
PROCLAMATION 3722 — 6855

Schools:
See Education and educational facilities; Education Office.

Science, National Medal of:
AWARD (Executive Order 11287) — 8995

Sea Duty:
INCENTIVE PAY for members of Armed Forces (Executive Order 11292) — 10447

Seals:
COAST GUARD (Executive Order 11319) — 15629
CUSTOMS BUREAU — 315, 10676
HOUSING AND URBAN DEVELOPMENT DEPARTMENT — 816

Seat Belts:
AIRPLANES, proposed rule — 10275, 12682
BUSES, belt requirements; proposed rules — 7911, 10326
MOTOR VEHICLES, standards for belts for use in — 7833, 11528

Securities and Exchange Commission:
ACCOUNTING MATTERS, interpretative release; examination required to be made of funds and securities held in custody of investment advisers, etc — 7821
CONDUCT STANDARDS — 5483, 8952, 13533
HEARINGS, etc. *See list at end of this agency.*
INVESTMENT ADVISERS ACT, 1940:
Books and records to be maintained by investment advisers — 4848, 10921
Interpretative releases, beneficial ownership of securities held by family members — 1005, 3175
INVESTMENT COMPANY ACT, 1940:
Exemption of certain purchase or sale transactions between affiliated registered investment companies — 7913, 12092
Forms for statement of beneficial ownership of securities; proposed rules:
No. 3 — 1247
No. 4 — 1247
Interpretative releases:
Beneficial ownership of securities held by family members — 1005, 3175
Examination required to be made of funds and securities held in custody of investment advisers, etc — 7821
ORGANIZATION AND FUNCTIONS, certain authority delegations — 6588
PRACTICE, rules of; initial decisions, administrative subpoenas, etc — 5688, 10573
PUBLIC UTILITY HOLDING COMPANY ACT, 1935:
Exemptions respecting financial connections with small or commercial banking institutions — 3424, 8234
Interpretative releases; beneficial ownership of securities held by family members — 1005, 3175
Uniform system of accounts, mutual and subsidiary service companies, preservation and destruction of records — 7692, 11093, 12402
RECORDS, non-Federal; retention requirements — 4069
SECURITIES ACT, 1933:
Delivery of prospectus by dealers, certain exemptions; proposed rule — 14845
Fees, computation and payment — 578, 7739
Forms:
Registration statements:
D–1 and D–1A — 578, 7739
S–6 — 579, 7739
S–7, proposed rule — 14845
S–8 — 7740
S–12 — 579, 7740
S–13 — 4341
Statements and reports; proposed rules:
No. 3 — 1247
No. 4 — 1247

Securities and Exchange Commission—Con. Page
SECURITIES ACT, 1933—Continued
Interpretative releases:
Beneficial ownership of securities held by family members — 1005, 3175
Brokers' transactions — 2544
Clarification of prospectuses — 10667
SECURITIES EXCHANGE ACT, 1934:
Brokers and dealers, registration:
Conduct, supervision, and records, proposed rules — 13917
Fees for non-members — 4739, 7289, 7484, 9105
Withdrawal from — 5445
Directors, officers, and principal stockholders, reports of certain transactions; proposed rule — 1247
Foreign issuers:
Exemption of securities — 6705
Extension of temporary exemption — 6706
Forms:
Annual report:
10–K — 1063
12–K — 1063
Brokers and dealers transacting business on over-the-counter markets, registration:
BDW, withdrawal from registration — 5445
SECO–4 — 4740, 9105
SECO–5 — 4740, 9105
National securities exchanges, registration:
10 — 1063
12 — 1063
Reports of certain transactions; proposed rules:
X–17A–9(2), market makers in common stocks listed on New York Stock Exchange — 16321
X–17A–9(3), broker-dealers who acted as intermediary between public buyers and sellers — 16321
Reports to be filed by officers, directors, and security holders; proposed rules:
No. 3 — 1247
No. 4 — 1247
Hypothecation of customers' securities — 7740
Insider trading:
Definition of certain terms; proposed rule — 8924
Exemptions:
Acquisition of shares of stock and stock options under certain stock bonus, stock option or similar plans — 86, 262
Transactions, certain — 3390
Interpretative releases:
Beneficial ownership of securities held by family members — 1005, 3175
Consummation of securities transactions by broker-dealers when trading is suspended — 10076
Expediting processing of proxy material — 2475
Market-makers:
Qualified, nonmember — 12604, 13990
Reports of, and other registered broker-dealers in securities traded on national securities exchanges; proposed rule — 16321
Over-the-counter markets, hypothecation of customers' securities — 7741
Proxy solicitation — 211, 475, 560, 2592
Proposed rules — 15750
Stockholder information statements — 262
Proposed rules — 15750
TRUST INDENTURE ACT, 1939, interpretative releases, beneficial ownership of securities held by family members — 1005, 3175

HEARINGS, ETC.:
AMCAP Investments, Inc., 2399.
Admiral Corp. et al., 9764.
Alabama By-Products Corp., 12614.
Alabama Power Co., 10210.
Allegheny Power System, Inc. et al, 5157, 6081, 14800.
Allegheny & Western Railway Co., 8098.
Allis-Chalmers International Finance Corp., 16803.
American-Amicable Life Insurance Co., 6926.
American Biltrite Rubber Co., Inc. et al., 7535.
American Dualvest Fund, Inc., 16738.
American Electric Power Co., Inc. et al., 2977, 8257, 8707, 11242, 12492, 12615, 14369.
American & Foreign Power Co., Inc., 11783.
American Gas Co., 6081, 8707, 13491.
American Gas Co. of Wisconsin, Inc., 6081, 13491.
American-Ideal Standard International, Inc., 859, 11629.
American Natural Gas Co., 778, 4635, 4925, 6339, 9094, 12494.

Securities and Exchange Commission—Con.
HEARINGS, ETC.—Continued
American Seating Co., 11785.
American South African Investment Co., Ltd., 8607.
Amoskeag Co., 9324.
Ampal-American Israel Corp., 860.
Apollo Corp., 7772.
Arkansas Power & Light Co., 1160, 5920, 12464, 12543.
Associated Dry Goods Corps., 5593.
Associated Life Insurance Investors Corp., 4978.
Associated Oil and Gas Co., 989, 2399, 2679, 2740.
Associated Transport, Inc., 5778.
Atchison, Topeka & Santa Fe Railway Co., 3144.
Atlantic Research Corp., 6928.
Atlantic Richfield Co., 7600, 7853.
Avon Overseas Capital Corp., 587.
B.S.F. Co., 15619, 16504.
Baldwin Securities Corp., 6521, 6596.
Banlife Corp., 3353.
Barber Oil Corp., 489.
Barnett First National Bank of Jacksonville, 4533.
Barnett National Securities Corp., 4533.
Basic Metals, Inc., 9429, 11121.
Bausch & Lomb, Inc., 10095.
Bear, Stearns & Co., 2456.
Beckman Instruments, Inc. et al., 12821.
Bell Intercontinental Corp., 15254.
Bendix Corp., 5779.
Beneficial Finance Co. et al., 3272.
Bowser, Inc. et al., 13925.
Bristol Dynamics, Inc., 165, 545, 1134, 2560.
Broad Street Investing Corp., 13403, 14470, 16383.
Brown Co., 6596.
Brown Fund of Hawaii, Ltd., 8481.
Business Resources, Inc., 2877, 14369.
CIG Corp., 4925, 9094.
Cabot International Finance Corp., 10755.
Cambridge Growth Fund, Inc., 9880.
Canadian International Growth Fund, Ltd., 13368.
Capital Exchange Fund, Inc., 2637.
Central Florida Investments, Inc., 12821.
Central Maine Power Co., 164.
Central & South West Corp. et al., 1348.
Channing Income Fund, Inc. et al., 24.
Channing International Growth Fund, Inc., 10557.
Channing Securities, Inc., 7197.
Channing Shares, Inc., 10557.
Chemetron Corp., 15336.
Chicago & North Western Railway Co. et al., 4366.
Chrysler Overseas Capital Corp., 3511.
Cincinnati International Finance Corp., 4366.
Cisco Group, Inc., 9565.
Cities Service International Capital Corp., 7019.
Clark Equipment Overseas Finance Corp., 2977.
Colorado Business Development Corp., 2739.
Columbia Gas of Ohio, Inc., 7773.
Columbia Gas of Pennsylvania, Inc., 4856, 8930.
Columbia Gas System, Inc. et al., 4856, 5234, 6927, 7773, 8930, 10648, 11508, 15254, 16591.
Compania Metalurgica Mexicana, 8323.
Connecticut Fiduciaries' Fund, Inc., 15714.
Connecticut Light & Power Co., 9764, 11510.
Consolidated Foods Corp., 13734.
Consolidated Natural Gas Co. et al., 7535, 8608, 13098.
Consolidated Natural Gas Service Co., Inc., 8608.
Constitution Exchange Fund, Inc., 4534.
Continental Assurance Co. Separate Account (B), 13925.
Continental Oil International Finance Corp., 6082.
Continental Vending Machine Corp., 165, 545, 1134, 2453, 2802, 3144, 3512, 4534, 5026, 5533, 5851, 6388, 6761, 7198, 7600, 7988, 8482, 8897, 9324, 9565, 10095, 10482, 10866, 11244, 11630, 12031, 12543, 12978, 13258, 13686, 14090, 14530, 14855, 15116, 15715, 16214, 16739.
Corning International Corp., 4367.
Corroon & Reynolds Corp., 10866.
Cosmopolitan Hotel Co. of Dallas, Inc., 4925.
Cummings Engine Co., Inc., 10867.
Danville Auto Auction, Inc., 9830.
Delaware Power & Light Co., 1161, 5591, 6388, 9697, 10591, 11122.
Dorachel Fund, Inc., 6979.
Drexel Equity Fund, Inc., 724.
Drexel Harriman Ripley, Inc., 724.
Dunfee Savings & Lease, 3092, 5649, 6928.
DuPont de Nemours, E. I., and Co., 4263, 8482.
Duval Corp., 14472.
East Ohio Gas Co. et al., 10295.
Eastern Gas & Fuel Associates, 3091.
Eastern Shore Public Service Co. of Maryland, 6388.
Eastern Shore Public Service Co. of Virginia, 5591.
Eastern Utilities Associates, et al., 6466, 9095, 15037.
Eazor Express, Inc., 8609.
Eden, Sidney, 9430.
Electric Bond and Share Co. et al., 8258.
Elk Refining Co., 8099.
Elkton Co., 6222, 6597, 7020, 7419, 7927, 8259, 8656, 9035.
Emerson Radio & Phonograph Corp., 467.
Employers Group Fund, Inc. et al., 6760.
Engineered Royalties, Inc., 10935.
Enterprise Securities Fund, Inc., 6928.
Eversharp, Inc., 4368.
Exeter Fund, Inc., 25.
Second Fund, Inc., 11122.
Third Fund, Inc., 15255.
FIF Monthly Accumulation Plan (MAP), 6339.
F-I-F Plan Corp., 11630.
Fairchild Hiller Corp., 11122.
Fasco, Inc., 6521.
Fidelity Capital Fund, Inc., 15509, 15510.
Fidelity Fund, Inc., 7264.
Fidelity Trend Fund, Inc., 15509.
Finance Company of Pennsylvania, 724.
Financial Independence Founders, 11630.
First Equity Security Life Insurance Company Segregated Investment Account, 8708.
First Springfield Corp., 14801.
First Standard Corp., 12614, 12978, 13258, 13686.
Fotochrome, Inc., 165, 546.
Fourth Empire Fund, Inc., 235.
Gemini Fund, Inc., 16739.
General American Transportation Corp., 7264.
General Motors Overseas Capital Corp., 13963.
General Precision Equipment Corp. et al., 5779, 13098.
General Public Utilities Corp., 587, 5335, 12821, 13964, 15116, 15336.
Georgia Power Co., 7536.
Gilbert, A. C., Co., 5850, 6339.
Goodrich, B. F., International Finance Co., 9889.
Goodyear International Finance Corp., 12072.
Grandin, John L., Jr., 4534.
Granite State Electric Co., 13774.
Great American Industries, Inc., 5458, 5779, 6143, 6761, 7020, 7424, 7928, 8259, 8709, 9096, 9566, 9890, 10382, 10704, 11124, 11631, 11905, 12492, 12822, 13183, 13562.
Great Western Financial Corp., 1349.
Greater Washington Industrial Investments, Inc., 10010.
Growth Capital, Inc., 11159.
Gulf Power Co., 5156, 7199.
Hartford Electric Light Co., 15038, 15116.
Hercules International Finance Corp., 13816.
Hercules Mines Co. of Nevada, 12073, 12074.
Hess Oil & Chemical Corp. et al., 10095.
Home Insurance Co., 11160.
Home Telephone Co. of Ridgway, 2453.
Horace Mann Insurance Co. Separate Account, 4926, 5026, 14471.
Income and Capital Shares, Inc., 16740.
Indiana & Michigan Electric Co., 15256.
Inland Gas Co., Inc., 16691.
Insured Accounts Fund, Inc., 6521.
International Bank, 15254.
International Harvester Co., 9764, 9765, 10382.
International Harvester Overseas Capital Corp., 4320.
International Investments, Inc., 4927.
International Utilities Investment Corp., 14705.
International Utilities Overseas Capital Corp., 3145.
Investors Diversified Services, Inc., 16214, 16215.
Investors Financial Trust Fund, 7265.
Investors Inter-Continental Fund, Inc., 5592, 12822.
Investors Syndicate of America, Inc., 16214.
Investors Syndicate Title & Guaranty Co., 16215.
Investors Variable Payment Fund, Inc., 5592.
Iroquois Gas Corp., 13876.
Istel Fund, Inc., 15117.
Itek Corp. et al., 11785.
Jamestown Telephone Corp. et al., 2455, 2456, 4264, 5712, 7265, 7928, 9248.
Jersey Central Power & Light Co., 1135, 8981, 9697, 11510.
John Deere Overseas Capital Corp., 7928.
Kentucky Power Co., 12492.
Keystone Custodian Funds, Inc., 10010.
Kjobenhavns Telefon Aktieselskab, 8099.

Securities and Exchange Commission—Con.

HEARINGS, ETC.—Continued
Laing Vortex, Inc., 15336.
Leach Corp., 6880, 8259.
Lee National Corp., 3272.
Leeds & Northrup Co., 6468.
Liberian American-Swedish Minerals Co., 2706.
Liberian Iron Ore, Ltd., 2706.
Life Stock Exchange Fund, Inc., 6597.
Lincoln Printing Co., 10558, 10905, 11244, 11696, 12073, 12614, 13018, 13258, 13735, 13740, 14090, 14572, 14902, 15168, 15772, 16216.
Loomis-Sayles Second Fund, Inc., 14472.
Louisiana Power & Light Co., 2456, 12822, 14572.
Lubrizol Corp., 14370.
Madison Fund, Inc., 14801.
Maguire, William G., estate of, 5990, 8980.
Marathon International Finance Co., 2740.
Marathon Securities Corp., 2456.
Marine Capital Corp., 2877, 14427.
Marrud, Inc., 110, 466.
Marsh Growth Fund, 10648.
Marshall Savings and Loan Association, 14706.
Massachusetts Electric Co., 2802.
Massachusetts Investors Growth Stock Fund, Inc., 14090.
Massachusetts Investors Trust, 15511.
Mayflower Investors, Inc., 5095.
McCord Corp., 7601.
Meadville Telephone Co., 2457.
Mechanics Finance Co., 2506.
Metropolitan Edison Co., 6847, 6881.
Michigan Consolidated Gas Co., 6339, 10705.
Michigan Gas Utilities Co., 11242, 12615.
Michigan Wisconsin Pipe Line Co., 4635, 7095.
Middle South Utilities, Inc. et al., 165, 723, 1160, 4321, 4368, 12464, 12543, 12822.
Midwest Technical Development Corp., 14573.
Miller, Theodore T., 2637.
Mississippi Power Co., 5156, 8709.
Mississippi Power & Light Co., 12978, 13403.
Missouri-Kansas Pipe Line Co., 5990, 8980.
Missouri-Kansas-Texas Railroad Co., 14801.
Mohawk Airlines, Inc., 8981.
Monongahela Power Co., 926, 4369, 4979.
Montana-Dakota Utilities Co., 2398, 2399.
Morton, B. C., Fund, Inc., 2400, 3093.
Municipal Investment Trust Fund:
First California Series, 862.
Second Florida Series, 110.
Second Presidential Series, 6143.
Series G, 862.
National Aeronautical Corp., 1349.
National Aviation Corp., 8981, 10344, 10383, 10692, 11196, 12543, 12979, 13563.
National Fuel Gas Co. et al., 6597.
National Investors Corp., 489.
National Variable Annuity Co. of Florida Separate Accounts, 14760.
National Video Corp., 5779.
New England Electric System, et al., 2401, 12031, 12979, 13774.
New England Fund, 15336.
New England Power Co., 11994, 13877.
New Jersey Power & Light Co., 16804.
New Orleans Public Service, Inc., 165, 2803, 4321.
Newmont Mining Corp., 8607.
Noramco, Inc., 166, 546, 1135, 2560.
North American Investment Corp., 8709.
Northeast Utilities, et al., 11962, 14962.
Northeast Utilities Service Co. et al., 8322.
Northwestern Terra Cotta Corp., 14530, 14761.
Nuveen Tax-Exempt Bond Fund:
Series 12; 8844.
Series 13; 15620.
Ohio Edison Co., 8609.
Ohio Power Co., 13184, 15337.
Ohio Valley Electric Corp., 8931.
Orchard Supply Building Co., 12616.
Oxford Cumulative Trust Fund, 7536.
Pacific Power & Light Co., 2916.
Pakco Co., Inc., 16590.
Pallas Corp., 15117.
Participating Annuity Life Insurance Co., 11506.
Paul Revere Variable Annuity Contract Accumulation Fund, 3650, 15117.

Securities and Exchange Commission—Con.

HEARINGS, ETC.—Continued
Pennsylvania Electric Co. et al., 588, 7366, 7537, 12464, 16590.
Pennsylvania Gas Co. et al., 11696.
Pennsylvania Gas and Water Co., 8982.
Pennzoil Co. et al., 4534, 7419, 7493, 7600, 8099, 8186, 8710, 11511, 14277, 15511, 16172.
People's Radio Association, 3210.
Pepsico Overseas Corp., 2637.
Phillips Petroleum International Investment Co., 235.
Pinal County Development Association, 166, 467, 989, 2402, 2671, 3146, 3353, 4433, 4927, 5336, 5779, 6221, 6648, 7020, 7494, 7928, 8260, 8710, 9096, 9566, 9890, 10383, 10705, 11124, 11631, 11905, 12493, 12823, 13184, 13563, 13926 14472, 14707, 15038, 15512, 16216, 16741.
Pinnacle Investment Corp., 8260.
Pittsburgh Coke & Chemical Co., 5336.
Pittsburgh Des Moines Steel Corp., 15338.
Plaza Investors, 9890.
Potomac Edison Co. et al., 5157, 6221.
Presidential Balanced Fund, Inc., 6806.
Presidential Stock Fund, Inc., 6806.
Preston Oil Co., 10648.
Public Service Company of Oklahoma, 545.
Putnam Exchange Fund, Inc., 10756.
Quinby & Co., Inc., 12493, 13491.
Regency Fund, Inc., 14091.
Registered Exchange Fund, Inc., 11124.
Research Investing Corp., 7493.
Rex Chainbelt, Inc., 166.
Roberts, Susan, Inc., 12493.
Scheuer, S. H., 3091.
Scudder Duo-Vest Inc., 16741.
Second Diversification Fund, Inc., 10867.
Second Federal Street Fund, Inc., 14902.
Selama-Dindings Plantations, Ltd., 1340.
Selas Corp., of America, 2638.
Shell Oil Co., 3513.
Sheraton Corp of America, et al., 13098.
Skagit Valley Telephone Co., 589, 2561, 3513, 5673, 6761, 7774.
Slick Corp., 7494.
Small Business Investment Co. of New York, Inc., 10972, 11123.
Socony Mobil Oil Co., Inc., 374.
Sonic Oil Recover Co., Inc., 4178, 5673.
Southern Co. et al., 2402.
Southern Electric Generating Co. et al., 13877.
Southport Commercial Corp., 10649.
Sports Arenas, Inc., 15715, 16383, 16742.
State Street Investment Corp., 3273, 4322.
Stauffer Chemical Co., 9463.
Sun International Finance Corp., 15038.
Syntex Corp. et al., 4369, 10095.
Tax Exempt Income Fund, Series 2; 861.
Teledyne, Inc., 11122, 14761.
Television-Electronics Fund, Inc., 6928.
Third Presidential Fund, Inc., 236.
Total American, Inc., 14855.
Towne Mines Corp., 8323.
Townsend U.S. & International Growth Fund, Inc., 9372.
Trans Caribbean Airways, Inc., 10383.
Trans World Airlines, Inc., 11123.
Underwater Storage, Inc., 12494, 12823, 13184, 13563, 13926, 14472, 14707, 15039, 15512, 16216, 16742.
Union Fund, Inc., 9891.
United Gas Corp. et al., 489, 267, 6389, 7419, 11511, 14472.
United Security Life Insurance Co., 2639, 2878, 3211, 4178, 4535, 5006, 5534, 5919, 6468, 6807, 7266, 7601, 8100, 8482, 8897, 9372, 9698, 10139, 10482, 10905, 11244, 11696, 12074, 12614, 13018, 13259, 13735, 14091, 14573, 14903, 15168, 15772, 16215, 16742.
United States Gypsum Co. (Delaware), 11122.
United States Smelting, Refining & Mining Co., 1348.
United States Steel Corp., 7096, 7097.
VTR, Inc., 375, 779, 1259, 2638, 2978, 3353, 4322, 4857, 5234, 5673, 6144, 6555, 7021, 7366, 7774.
Vitro Corp. of America, 2877.
Wall Street Commodity Fund, Inc., 12118.
Warner-Lambert International Capital Corp., 2706.
Wellington Fund, Inc., 4636, 4821.
Westec Corp., 11696, 11994, 12543, 12856, 13259, 13611, 14017, 14473, 14802, 15118, 15621, 16216, 16742.
Westgate-Pacific Growth Fund, Inc., 12417.
Wheelabrator Corp. et al., 12601.

Securities and Exchange Commission—Con.

HEARINGS, ETC.—Continued
Wheeling Steel Corp., 9463.
White Caps Gold Mining Co., 12074.
White Cross Stores, Inc., 14370.
Wilcox Electric Co., Inc., 306.
Wisconsin Gas Co., 12494.
Wolf's Head Oil Refining Co., Inc., 15511.
Woodward & Lothrop, Inc., 16216.
Worth Fund, Inc., 15715.
Wrather Corp., 5850, 6340.
Zayre Corp., 7494.

Security:

AGENCY FOR INTERNATIONAL DEVELOPMENT procurement regulations 11030
AIR FORCE DEPARTMENT:
Classified information, safeguarding 4146
Resources, protection 5619
AIR TRAFFIC, security control. *See* Federal Aviation Agency.
AIRCRAFT, recording of documents. *See* Federal Aviation Agency.
DEFENSE DEPARTMENT:
Employee security program 13642
Industrial personnel security program 16188
IMPORTS of antifriction bearings and parts, termination of investigation 14470
INDUSTRIAL SECURITY:
Coast Guard 14515
Defense Department 16188
JOHN F. KENNEDY SPACE CENTER security zone Port Canaveral—Cape Kennedy and adjacent areas 4246
VESSELS. *See* Coast Guard; Federal Maritime Commission.

Seeds:

FEDERAL SEED ACT regulations. *See* Agriculture Department.
OILSEEDS. *See* Agriculture Department.
PARITY PRICES, seed crops. *See* Agriculture Department.
WAREHOUSES, Federally licensed. *See* Agriculture Department.

Selective Service, National Advisory Commission on:

ESTABLISHMENT (Executive Order 11289) 9265

Selective Service System:

CLASSIFICATION, registration:
Fathers in certain specialized occupations allied to medicine or dentistry 743
Optometrists and registered professional male nurses included in "allied specialist category" 3182, 4893
Students, criteria concerning placing in Class II–S 4893
CONDUCT STANDARDS 4936

Senior Citizens Month, May 1966:

PROCLAMATION 3711 5405

Shipping Authority:

See National Shipping Authority.

Ships:

See Vessels.

Shrimp:

FROZEN RAW BREADED, standards for grades. *See* Fish and Wildlife Service.

Sir Winston Churchill Day:

PROCLAMATION 3714 5743

Sirup:

STORAGE in Federally licensed warehouses. *See* Agriculture Department.

Ski Week, National:

PROCLAMATION 3699 939

Small Business Administration:

ADMINISTRATION, purpose, function, etc.; applicable law 10486

Small Business Administration—Continued

AUTHORITY DELEGATIONS:
By Administrator to certain officials:
Area Administrators 9035, 11734, 13258
Assistant Administrator for Administration 10622
Deputy Administrator, Financial Assistance 12692
Deputy Administrator, Investment Division 13563
Deputy Administrator, Procurement and Management Assistance 11949
By Area Administrators to certain officials:
Assistant Regional Director for Disaster Loans, New Orleans, La 8657
Rescinded 16211
Program Coordinator, Disaster Area, Louisiana 2570
Regional Directors:
Middle Atlantic Area, 7854.
Midwestern Area, 7537.
New York Area, 3274.
Northeastern Area, 490,3275.
Rocky Mountain Area, 7495.
By Assistant Regional Director, New Orleans Disaster Field Office, to certain officials:
Chief, Loan Administration Section, Financial Assistance Division 10552
Manager, Disaster Office; designations 9309, 9765
By Deputy Administrator, Financial Assistance, to Assistant Deputy Administrator (Economic Development Assistance) 1274
By Deputy Administrator, Investment, to Special Assistant to Deputy Administrator 4857
By Deputy Administrator, Procurement and Management Assistance, to Assistant Deputy Administrator 490
By Disaster Director, Southwestern Area; certain Louisiana Field Offices, designation of Managers:
Chalmette, 3043.
Revoked, 3043.
Grand Isle; revoked, 3042.
Houma; revoked, 3042.
Metairie; revoked, 3042.
New Orleans:
Acting Manager, 3042.
Prior designation revoked, 3042.
Port Sulphur, 3043.
Revoked, 3043.
By Executive Administrator to certain officials:
Area Administrators 6761
Assistant Deputy Administrator for Financial Assistance (Economic Development Assistance); revoked 1274
By Manager, Disaster Field Office, New Orleans, La.; designation of Acting Manager 5534
Prior designation revoked 5535
By Program Coordinator, Disaster Area, Louisiana, to certain officials:
Disaster Loan Group, Southwestern Area:
Designation of members 3043
Revoked 8147
Functions 3042
Rescinded 8146
Manager, Disaster Disbursing Office, New Orleans; designations 5534, 6466
Manager, Disaster Field Office, New Orleans:
Designations 3042, 5534, 6649
Functions 3042
Rescinded 8147
By Regional Directors to certain officials:
Chiefs, Financial Assistance Divisions, et al.:
Middle Atlantic Area:
Baltimore, Md., 4432, 7929.
Cleveland, Ohio, 7929.
Columbus, Ohio, 7929.
Newark, N.J., 9621.
Philadelphia, Pa., 8658.
Pittsburgh, Pa., 927, 7929.
Richmond, Va., 7930.
Midwestern Area:
Chicago, Ill., 1273, 4979.
Des Moines, Iowa, 6144.
Detroit, Mich., 5534.
Indianapolis, Ind., 4530.
Kansas City, Mo., 5151.
Madison, Wis., 6648.
Minneapolis, Minn., 3274, 7098.

Small Business Administration—Continued Page

AUTHORITY DELEGATIONS—Continued
By Regional Directors to certain officials—Continued
Chiefs, Financial Assistance Divisions, et al.—Con.
New York Area:
New York, N.Y., 7097.
Puerto Rico, 7097.
Syracuse, N.Y., 7097, 10908.
Pacific Coastal Area:
Anchorage, Alaska, 7853.
Boise, Idaho, 6146.
Honolulu, Hawaii, 6340.
Los Angeles, Calif., 6145.
Phoenix, Ariz., 6145.
Portland, Oreg., 6146.
San Diego, Calif., 6145.
San Francisco, Calif., 6145.
Seattle, Wash., 6340.
Spokane, Wash., 6145.
Rocky Mountain Area:
Casper, Wyo., 7721.
Denver, Colo., 7421.
Fargo, N. Dak., 7721.
Helena, Mont., 7420.
Omaha, Nebr., 7420.
Salt Lake City, Utah, 7721.
Sioux Falls, S. Dak., 7988.
Wichita, Kans., 7420.
Southeastern Area:
Atlanta, Ga., 6807.
Birmingham, Ala., 6807.
Charlotte, N.C., 6807.
Columbia, S.C., 6808.
Jackson, Miss., 6808.
Jacksonville, Fla., 6808.
Louisville, Ky., 6808.
Miami, Fla., 6808.
Nashville, Tenn., 6809.
Southwestern Area:
Albuquerque, N. Mex., 7200.
Dallas, Tex., 7202.
Houston, Tex., 589, 7202.
Little Rock, Ark., 7199.
Lubbock, Tex., 7203.
Marshall, Tex., 3273, 7204.
New Orleans, La., 7201.
Oklahoma City, Okla., 7200.
San Antonio, Tex., 7204.
Manager, Disaster Branch Office, Topeka, Kans. 8844, 8931, 9309, 14525
Managers, Disaster Field Offices:
Denver, Colo.; rescinded, 4760.
Tampa, Fla.:
Designation, 6144.
Rescinded, 7855.
Functions, 6144.
Revoked, 7855.
CONDUCT STANDARDS 4670, 7375, 10633, 12596
DISASTER AREAS requiring Federal assistance:
Alabama, 4486.
Alaska, 589.
Arizona, 375, 12584.
Arkansas, 490, 6389, 7098.
California, 375, 990, 16505.
Florida, 5851, 8657, 13686.
Georgia, 4857.
Hawaii, 10656.
Illinois, 307, 6761, 7494, 7649.
Iowa, 13686.
Kansas, 5534, 6762, 8656.
Louisiana, 7098.
Maine, 15000.
Maryland, 12736.
Michigan, 7420.
Minnesota, 5852.
Mississippi, 4486.
Nebraska, 11329.
New Jersey, 13107.
New Mexico, 11785.
North Dakota, 5852, 9622.
Ohio, 7420, 10157, 13368.

Small Business Administration—Continued Page

DISASTER AREAS requiring Federal assistance—Con.
Oklahoma, 8656.
South Dakota, 12736.
Tennessee, 3319.
Texas, 6762, 7098, 11329, 11785.
Virginia, 12736.
NONDISCRIMINATION:
Federally assisted programs; employment, accommodations, or services 2374
Financial assistance programs, policies of Loan Policy Board 2374
RECORDS, non-Federal; retention requirements 4070
SMALL BUSINESS ACT REGULATIONS, size standards 9721
Appeals 12572, 16763
Definition of terms:
Affiliates, applicable to franchisees 11973
Base maintenance (housekeeping) contracts 7375
Definitions of small business for various purposes:
Government procurement:
Aircraft 13758, 15145
Fluid milk 225, 4340
Janitorial and custodial services 4213, 7375
Management logistics support outside States, Puerto Rico, etc 14311
Manufacturing of tires and passenger cars 12024, 14544, 15737
Marine cargo handling services 10114
Men's dress shirts and nightwear 8926, 11651
Naval architectural and marine engineering services 11037, 14516
Petroleum products, refined 12849, 12924, 13353, 14737
Priority payments under War Claims Act, requests for size determinations 12479
SBA business loans 12840, 13758, 14351, 15145, 16210
Franchise agreements, determination respecting small business status; inquiry, hearing postponed 480
SMALL BUSINESS INVESTMENT ACT REGULATIONS:
Loans to State and local development companies, interest rate; section 501 and section 502 loans 9270, 14516
Small business investment companies:
Borrowing by:
Collection or compromise of licensee's indebtedness 13532
Operating loans; proposed rules 15604
Capital requirements, proposed rules 15604
Changes in ownership and control 2816
Definition, 1940 Act company 2816
Disbursement of SBA funds, deletion; proposed rule 15605
Enforcement, violations based on false filings and nonperformance of agreements 8695, 10114
Internal control, disbursements by certified check; proposed rule 4150
License application, proposed rule 15604
License revocations:
Alar Small Business Investment Corp 8932
Caladesi Capital Corp 14091
Long term loans, commitments 8695, 10114
Proposal, proposed rule 15604
Reports:
Financial reports 3466, 4954, 7710, 9720
Program evaluation reports 1206, 4954, 5285
VOLUNTARY PROGRAMS, withdrawals:
Astro Age Industries, Inc 10056
N.Y.R.A.D. Team, Inc 10056

Small Business Week:
PROCLAMATION 3726 7551

Smithsonian Institution:
CONDUCT STANDARDS 4512, 6116
NATIONAL GALLERY OF ART, conduct standards 6116
NATIONAL ZOOLOGICAL PARK:
Buildings and bridges, transfer of functions from D.C. Board of Commissioners (Reorganization Plan No. 4 of 1966) 11137
Traffic and parking regulations 2597
VEHICLE PARKING:
Editorial note 6264
National Zoological Park 2597

Social Security Administration: Page

See Federal Credit Unions Bureau.
DISCLOSURE OF INFORMATION as to whereabouts of absent parents, proposed rules 12644
FEDERAL OLD-AGE, SURVIVORS, and disability insurance:
Child's insurance benefits; conditions and duration of entitlement, dependency, etc 13126
Evidence as to age 6611
Family relationships, determination; child's benefits 13127
Hospital insurance benefits, entitlement to 3392, 4343
Joint payments to family, negotiation of check by survivors 3394
Procedures, payment of benefits, and representation of parties 16765
Representation of parties, proposed rules 15198
Quarters of coverage and insurance status 12093
Records of wages and self-employment income, maintenance and revision 9795
Special payments at age 72 to certain uninsured individuals 13533
Spouse, child, or parent, legally dependent, support of 3394
State and local government employees, coverage 8367
Underpayments, adjustment of 3393, 4343
FOREIGN SOCIAL INSURANCE or pension systems, reciprocal benefits:
Canada 13560
Cyprus 8548
Malta 5231
Spain 9812
HEALTH INSURANCE FOR AGED:
Exclusions, recovery of overpayment, and liability of certifying officer 13534
Extended care facilities, proposed rules 7131
Home health agencies, proposed rules 7143
Hospital insurance benefits 10116
Hospital participation 2748, 13424
Independent laboratories, conditions for coverage of services 8668, 16137
Physicians, hospital-based; reimbursement 8940, 13456
Reimbursable costs:
Physicians, hospital-based 8940, 13456
Providers 7864, 14808
Supplementary medical insurance benefits 9580
ORGANIZATION AND FUNCTIONS 4308, 9140, 12111, 13610, 14366, 14889
RECORDS, non-Federal; retention requirements 4022

Soda Water:
IDENTITY STANDARDS, optional ingredients. *See* Food and Drug Administration.

Soil Conservation Service:
GREAT PLAINS:
Counties within certain States:
Montana 16281
New Mexico 15245
Oklahoma 852, 5908, 10585, 12617
South Dakota 852
General provisions:
Cost-share payments 12513
Land eligible for program 12513

Soldiers' Home, United States:
CONDUCT STANDARDS 6405

Solid Waste Disposal:
AUTHORITY DELEGATION to Director of Mines Bureau 4809
GRANTS for research projects, etc 5180

Solvents Industry:
TRADE PRACTICE RULES. *See* Federal Trade Commission.

Southwestern Power Administration:
AUTHORITY DELEGATION from Secretary of Interior, designation as marketing agency for surplus electric power 6205
BASIC COMPENSATION, Administrator 10898

Soybeans:
CONTRACT MARKET. *See* Commodity Exchange Authority.
CROP INSURANCE. *See* Federal Crop Insurance Corporation.

Soybeans—Continued Page

LOAN AND PURCHASE PROGRAM, etc. *See* Commodity Credit Corporation.
STANDARDS. *See* Agriculture Department.

Space Research Organization, European:
PUBLIC INTERNATIONAL ORGANIZATION entitled to certain privileges, exemptions, immunities (Executive Order 11318) 15307

Spain:
DESERTERS from Spanish warships, special immigration procedures 12774
FOREIGN SOCIAL INSURANCE. *See* Social Security Administration.
TREATY OF FRIENDSHIP AND GENERAL RELATIONS WITH UNITED STATES, implementation (Executive Order 11267) 807
Immigration and Naturalization Service regulation 3286

Spinach:
CANNED:
Identity standards. *See* Food and Drug Administration.
Standards for grades. *See* Agriculture Department.

Stainless-Steel Flatware:
IMPORTS, reduction of increased duties (Proclamation 3697) 423
Codification in Title 48 CFR 7033

Standards:
AGRICULTURAL COMMODITIES. *See* Agriculture Department.
CONDUCT STANDARDS. *See* Conduct standards.
FOODS, canned, processed, etc. *See* Food and Drug Administration.
LABOR STANDARDS. *See* Employment Security Bureau; Wage and Hour Division.
TECHNICAL STANDARDS for equipment, materials, operations, etc. *See specific agencies.*

Standards Bureau:
See National Bureau of Standards.

Standards of Conduct:
See Conduct standards.

State Department:
See Agency for International Development. Peace Corps.
ARMS, international traffic in 15174
AUTHORITY DELEGATIONS:
By Deputy Under Secretary for Administration to certain officials:
Chief, Supply and Transportation Services Division, Office of Operations, et al.; Government bills of lading 10699
Deputy Director, Office of Operations; personal property claims 10699
Diplomatic and consular posts outside U.S., procurement authority 9741
Director, Budget Office, personal property claims 914
By Secretary to certain officials:
Legal Adviser and Deputy Legal Advisers; determine and certify certain claims to Treasury Secretary 12967
Peace Corps Director; certain functions of Secretary 10000
Special Assistant to Secretary for Refugee and Migration Affairs and Deputy Under Secretary for Administration; migration and refugee assistance 13866
CANADA, crude oil pipeline at international boundary line; Presidential permit for construction, operation, and maintenance 6204
CONDUCT STANDARDS 6300
CRUDE OIL PIPELINES at international boundary lines; Presidential permits for construction, operation, and maintenance:
Canada-U.S. line 6204
Mexico-U.S. line, application for permit 16211
CULTURAL OBJECTS IMPORTED FOR TEMPORARY DISPLAY, functions of Secretary (Executive Order 11312) 13415
FOREIGN AFFAIRS RESEARCH, Government-sponsored; procedures for review 358

State Department—Continued Page

FOREIGN GIFTS AND DECORATIONS, regulations, functions of Secretary (Executive Order 11320) 15789
FOREIGN SERVICE BOARD AND FOREIGN SERVICE BOARD OF EXAMINERS, reestablishment (Executive Order 11264) 67
INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM; grants to foreign participants to observe, consult, or demonstrate special skills 9348
MARRIAGES 13546
MEXICO, crude oil pipeline at international boundary line; application for Presidential permit for construction, operation, and maintenance 16211
NATIONALITY PROCEDURES 13537, 14521
PASSPORTS 13540, 13654, 14521, 14522, 16143
Foreign; 6-month validity extension, agreements with certain countries:
Italy 12413
Sudan 6794
Vietnam 6794
Yugoslavia 8470
U.S., granting, issuing, and verifying; authority of Secretary (Executive Order 11295) 10603
PROCUREMENT REGULATIONS:
Advertising, formal 6623, 10193
Authority delegations 6309, 9741
Contracts:
Appeal regulations 6625
Clauses 6624, 10194
Financing 6624
General 6622, 10193
Negotiation 6623, 10193
Special and directed sources 6624
Taxes, Federal, State, and local 6624
RECORDS:
Non-Federal; retention requirements 4030
Research in Department records, official and nonofficial use 10575
TRAVEL CONTROL of U.S. citizens in time of war or national emergency 13546
TRAVEL EXPENSES of Federal civilian personnel, functions of Secretary (Executive Order 11294) 10601
VISAS, documentation under Immigration and Nationality Act:
Immigrants; relatives of U.S. citizens, quotas, waiting lists, etc 7742, 10316, 11416, 11755, 13081
Nonimmigrants:
Application for visa, issuance, revalidation, etc 13080
Not required to present passports, visas, or border-crossing cards 7741, 10960, 14674

State and Municipal Bond Week:
PROCLAMATION 3717 6011

State Services, Bureau of:
ABOLITION (Reorganization Plan No. 3 of 1966) 8855
REESTABLISHMENT, interim plan 8964

State Technical Services Office, Commerce Department:
GENERAL REGULATIONS, State Technical Services Act of 1965 5951
PLANNING GRANT, amount and term 16265

Stockyards:
See Agriculture Department.

Straw:
INSPECTION. *See* Agriculture Department.

Students:
See also Education and educational facilities; Education Office.
MINIMUM WAGES for certain employed students. *See* Wage and Hour Division.
PILOT CERTIFICATES, medical certificates to serve as; parental consent required, proposed rule 10415
SELECTIVE SERVICE CLASSIFICATION, criteria concerning placement of registrants in Class II–S 4893

Subversive Activities Control Board:
CONDUCT STANDARDS 3069

Sugar:
COUNTERVAILING DUTIES, Australia 2728, 14684

Sugar—Continued Page

CROP INSURANCE. *See* Federal Crop Insurance Corporation.
EXAMINATION, MEASUREMENT, AND TESTING, re-tests of sugar 3347, 3499, 14772
PRODUCTION, PRICES, wages, etc. *See* Agriculture Department.
STANDARDS of certified properties and purity 14875

Surety Companies:
ACCEPTABLE ON FEDERAL BONDS. *See* Treasury Department.
REPORTS, labor-management and welfare-pension 1009, 11177

Surgeon General:
ABOLITION OF OFFICE (Reorganization Plan No. 3 of 1966) 8855
REESTABLISHMENT, interim plan 8964
WATER QUALITY CONTROL FUNCTIONS, transfer to Secretary of Health, Education, and Welfare (Reorganization Plan No. 2 of 1966) 6857

Surplus Property and Commodities:
AGRICULTURAL COMMODITIES. *See* Agriculture Department; Commodity Credit Corporation.
DEFENSE DEPARTMENT PROPERTY, disposal of; authority delegation by Deputy Secretary of Defense to Assistant Secretary 10584
REAL AND PERSONAL GOVERNMENT PROPERTY, disposal. *See* General Services Administration.
REAL PROPERTY, disposal and utilization for educational and public health purposes. *See* Health, Education, and Welfare Department.

Sweetpotatoes:
PURCHASE PROGRAM. *See* Agriculture Department.

T

Tangelos:
MARKETING, etc. *See* Agriculture Department.

Tangerines:
MARKETING. *See* Agriculture Department.

Tariff Classifications:
See Customs Bureau.

Tariff Commission:
CONDUCT STANDARDS 2593
ADJUSTMENT ASSISTANCE:
Borg-Warner Corp., worker's petition 16722
Ford Motor Co. employees' petition, report to President 5337, 9036
Fram Corp., employees' petition 10868
Report to Automotive Agreement Adjustment Assistance Board 6340
General Motors Corp., certain auto workers, petition 8269
Report to President 13775, 14525
Maremont Corp., workers' petitions 15772
Report to Automotive Agreement Adjustment Assistance Board
IMPORTS, INVESTIGATION:
Automotive products, petition for adjustment assistance, 2741.
Carpets and rugs, Wilton and velvet, report to President, 12418.
Ceramic floor and wall tile, 13735.
Cheeses, cheddar, 5535.
Chemical products, 6762, 10430.
Clams, canned, 6762, 10430.
Fabrics containing wool, 14707.
Flatware, stainless-steel; report to President, 14278.
Footwear, 6762, 10430.
Gloves, knit, 6762, 10430.
Jacks, steel, from Canada, 7534, 8185, 11197.
Olives, 13774.
Sheet glass, annual report to President, 8483.
Titanium dioxide:
Japan, 3319, 4486.
No injury, 7495.
West Germany, 779, 1021.
No injury, 5852.
Typewriter ribbon cloth, cotton, 8009.
Report to President, 15512.
Vehicle seat suspension systems, 4486, 12693.

Tariff Commission—Continued Page

IMPORTS, INVESTIGATION—Continued
Watch movements, report to President, 4179.
Workshoes, leather, from Czechoslovakia, 7366, 7421, 10906.
TRADE AGREEMENT NEGOTIATIONS; President's supplemental list of articles for consideration:
Hearings 11048
Notice of August 16, 1966 10949
VALUATION LAWS, investigation of; inquiry and hearing 2878, 12692

Tariff Rate Quota:
FISH, certain, 1966:
Cod, haddock, etc 2499
Tuna 6324
POTATOES, white, other than certified seed 12542

Tariff Schedules of the United States:
MODIFICATION with respect to certain imports:
Audiovisual materials (Executive Order 11311) 13413
Automotive products from Canada (Proclamation 3743) 12003
Cheddar cheese, increase in import quotas (Proclamation 3709) 5281
Clinical thermometers, termination of increased duty on imports (Proclamation 3696) 421
Codification in Title 48 CFR 7032
Safety pins, termination of increased duty on imports (Proclamation 3703) 1295
Codification in Title 48 CFR 7034
Stainless-steel flatware, reduction of increased duties on imports (Proclamation 3697) 423
Codification in Title 48 CFR 7033
MODIFICATION resulting from proclamation of interim agreements between U.S. and foreign countries relating to renegotiation of Schedule XX to General Agreement on Tariffs and Trade:
Japan (Proclamation 3744) 12391
United Kingdom (Proclamation 3712) 5543
Codification in Title 48 CFR 7034

Tariffs and Trade, General Agreement on:
See General Agreement on Tariffs and Trade.

Taxes:
EXCISE, income, etc. *See* Internal Revenue Service.
EXEMPTION FOR U.S. CITIZENS on acquisition of original or new issues of Canadian stocks or debt obligations, exceptions (Executive Order 11304) 12005
INTEREST EQUALIZATION TAX, designation of certain foreign countries as economically less developed for purposes of (Executive Order 11285) 8211
PROCUREMENT REGULATIONS. *See specific agencies.*

Tea:
IMPORT STANDARDS, 1966–67 5071

Telecommunications Management, Director:
INTERIM NATIONAL COMMUNICATIONS SYSTEM PRIORITIES 3204

Telecommunications Satellite Consortium, International:
INTERNATIONAL ORGANIZATION entitled to enjoy certain privileges, exemptions, and immunities (Executive Order 11277) 6609

Telephone Companies:
See Federal Communications Commission.

Television:
BROADCAST STATIONS, regulations. *See* Federal Communications Commission.
EDUCATIONAL FACILITIES, non-commercial, Federal financial assistance; applications accepted for filing. *See* Education Office.
TRADE PRACTICE RULE, rescinded. *See* Federal Trade Commission.

Tennessee Valley Authority:
CONDUCT STANDARDS 6410
FLOOD HAZARD INFORMATION, functions of Secretary (Executive Order 11296) 10663

Thanksgiving Day, 1966:
PROCLAMATION 3752 13635

Thermometers, Clinical: Page

IMPORTS, termination of increased duty (Proclamation 3696) 421
Codification in Title 48 CFR 7032

Timber:
See Forest Service; Land Management Bureau.

Tire Industry:
TRADE PRACTICE RULES. *See* Federal Trade Commission.

Tobacco and Products:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
DUTY-FREE IMPORTS, cigars 1148
EXCISE TAXES, tobacco other than cigars and cigarettes; repeal of tax and elimination of controls 32
HEALTH HAZARD WARNING label on imported cigarette packages 9468, 14850
LOAN PROGRAM, etc. *See* Commodity Credit Corporation.
MARKETING QUOTAS, acreage allotments, etc. *See* Agriculture Department.
TAR AND NICOTINE CONTENT, methods to be used in determination of; hearing 14278

Toilet Preparations Industry:
TRADE PRACTICE RULES. *See* Federal Trade Commission.

Tomatoes:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
IDENTITY STANDARDS, canned tomatoes. *See* Food and Drug Administration.
MARKETING, etc. *See* Agriculture Department.

Trade Agreements:
ARTICLES considered for trade agreement concessions (Notice of August 16, 1966) 10949
CANADA, implementation of agreement on automotive products (Proclamation 3743) 12003
JAPAN, interim agreement with U.S. relating to renegotiation of Schedule XX to General Agreement on Tariffs and Trade (Proclamation 3744) 12391
UNITED KINGDOM, interim agreement with U.S. relating to renegotiation of Schedule XX to General Agreement on Tariffs and Trade (Proclamation 3712) 5543
Codification in Title 48 CFR 7034

Trade Commission:
See Federal Trade Commission.

Trade Information Committee:
ANTIDUMPING, consideration of international agreement; hearing 9619, 10970
KOREA, negotiations for accession to General Agreement on Tariffs and Trade; hearing 9814
TRADE AGREEMENT CONCESSIONS, articles to be considered:
Hearing 11049
Notice of August 16, 1966 10949

Trade Negotiations, Office of Special Representative:
See also Trade Information Committee.
CONDUCT STANDARDS 5009, 8556

Trade Practices:
See Federal Trade Commission.

Trade Week, World, 1966:
PROCLAMATION 3719 6607

Trademarks:
See Patent Office.

Training:
See Education and educational facilities; Education Office.

Trains:
See Railroads.

Transportation Day, National Defense, 1966:
PROCLAMATION 3718 6567

Transportation Week, National, 1966: Page
PROCLAMATION 3718 — 6567

Travel and Transportation Expenses:
APPOINTEES to certain positions where there are manpower shortages. *See* Civil Service Commission.
FEDERAL EMPLOYEES (Executive Order 11290, 11294) — 10067, 10601
VETERANS ADMINISTRATION, expenses of claimants and beneficiaries (Executive Order 11302) — 11741

Treasury Department:
See Coast Guard.
Comptroller of Currency.
Customs Bureau.
Engraving and Printing Bureau.
Internal Revenue Service.
Narcotics Bureau.
ACCOUNTS BUREAU:
Authority delegations by certain officials:
Accounts Commissioner to Assistant Accounts Commissioner, et al.; emergency order of succession — 5148
Fiscal Assistant Secretary to Commissioner; accounting and financial reporting — 5768
Treasurer to Commissioner; issue substitute checks — 16796
Checks and warrants, withholding of delivery to addresses outside U.S., territories, and possessions — 10960
Deposit of public moneys and payment of Government checks:
Acceptable securities — 6950, 7899, 8234
Equal employment opportunity applicable to Government depositaries — 11388
Equal employment opportunity:
Applicable to Government depositaries — 11388
Guidelines for compliance by depositary banks — 15024
Foreign Claims Settlement Commission, payment on account of awards — 9418
Special deposits of public moneys:
Acceptable securities — 2596, 7899, 8234
Equal employment opportunity applicable to Government depositaries — 11388
Surety and reinsuring companies acceptable on Federal bonds:
Certificates of authority issued to listed companies:
American Central Insurance Co.; terminated, 360.
Boston Insurance Co.; terminated, 13448.
Boston Old Colony Insurance Co.; name changed, 13448.
Buckeye Union Casualty Co.; terminated, 100.
Buckeye Union Insurance Co., 100.
Buffalo Insurance Co.; terminated, 13155.
Central Surety and Insurance Corp.; terminated, 360.
Charter Oak Fire Insurance Co., 14957.
Connecticut Fire Insurance Co., 15547.
Cumis Insurance Society, Inc., 11435.
Fireman's Fund Insurance Co., 765.
Home Fire and Marine Insurance Co. of California, 765.
Merchants Fire Assurance Corporation of New York; terminated, 8500.
Merchants Indemnity Corporation of New York; terminated, 8500.
Milwaukee Insurance Co.; terminated, 100.
New Amsterdam Casualty Co.; terminated, 12684.
Phoenix Insurance Co., 15547.
Provident Insurance Co. of New York; terminated, 8314.
Prudence Mutual Casualty Co., 8027, 11684.
Ranger Insurance Co.; name changed, 13811.
Reliable Insurance Co.; terminated, 5329.
Royal Exchange Assurance; terminated, 8314.
Safeco Insurance Company of America, 12732.
Security Insurance Co. of Hartford; name changed, 100.
United Bonding Insurance Co., 8082, 11495.
United Fire and Casualty Co., 11727.
United States Casualty Co.; terminated, 12684.
Wisconsin Surety Corp., 15024.
Yorkshire Insurance Co. of New York, 16478.
List of companies holding certificates of authority — 8187
United Benefit Fire Insurance Co., reports of bonds executed by — 4850
ALIEN PROPERTY, transfer of jurisdiction over blocked assets from Attorney General to Secretary (Executive Order 11281) — 7215

Treasury Department—Continued Page
ANTIDUMPING ACT, 1921:
Customs Commissioner's determinations. *See main heading* Customs Bureau.
Determinations by Secretary:
Fair value determinations:
Cement, white portland; Japan, 10327, 13672.
Eggs, whole frozen; United Kingdom, 5907, 7764.
Fur felt hat bodies; Czechoslovakia, 15024.
Mesh, steel welded wire; Italy, 10540, 13448.
Salt, bulk, crude, undried solar; Mexico, 5975, 10696.
Shoes:
Czechoslovakia, 1207.
Poland, 9609, 12106.
Rumania, 14361.
Velvet floor coverings; Great Britain, 540, 4151.
Vinyl asbestos floor tile; Canada, 7413.
Sales at less than fair value:
Steel jacks; Canada, 100, 7485.
Titanium dioxide:
Japan, 3198.
West Germany, 849.
Vinyl asbestos floor tile; Canada, 228.
Work shoes; Czechoslovakia, 7087.
ATTORNEYS, ACCOUNTANTS, etc., practice before Internal Revenue Service — 4960, 6318, 10773, 12638, 13992
AUTHORITY DELEGATIONS:
By Accounts Commissioner to Assistant Accounts Commissioner, et al.; emergency order of succession — 5148
By Assistant Secretary to Coast Guard Commandant:
Aviation cadets, training — 11495
Awards — 3036, 5975, 10042
Housing facilities — 11039, 14418
National Defense Service Medal, award of — 10042
Pay and allowances — 1166, 11989
Plan for Navy support in emergency or quasi-war situation — 5329
Vietnam Service Medal, award of — 5975
By Assistant Secretary for Administration to Bureau heads; property and services procurement — 5527
By Fiscal Assistant Secretary to certain officials:
Accounts Commissioner, accounting and financial reporting — 5768
Treasurer of United States; signing of official papers — 7529
By Treasurer to listed officials:
Commissioner of Accounts; issue substitute checks — 16796
Deputy Treasurer, et al.; sign official papers — 7529, 10079
BONDS:
Surety companies acceptable on Federal bonds. *See* Accounts Bureau.
United States savings. *See* Public Debt Bureau.
CONDUCT STANDARDS — 5886
CUBAN ASSETS CONTROL REGULATIONS. *See under* Foreign Assets Control.
EXCHANGE TRANSACTIONS:
Foreign exchange, credit transfers and export of coin and currency — 8179
U.S. coin and currency — 9493, 16226
FEDERAL FIREARMS ACT, granting of relief from disabilities; Olin Mathieson Chemical Corp — 540
FISCAL SERVICE. *See* Accounts Bureau; Public Debt Bureau.
FOREIGN ASSETS CONTROL:
Cuban assets control regulations, authorized trade territory; Singapore — 13945
Denial of unlicensed entry, human hair items; United Kingdom, Belgium, France, Federal Republic of Germany, and Italy — 1284
Foreign funds control regulations, general licenses, etc — 7333, 7625, 8404, 13001
Hog bristles, certain transactions with respect to — 14506
Importations:
Certain commodities:
Beans, red and soy, withdrawn; Japan, 16581.
Camel hair noils; United Kingdom, 765.
Duck eggs, dried shell fish (oysters, scallops, other); Republic of Korea, 11039.
Fish, dried; Republic of Korea, 12066.
Foodstuffs, Chinese-type, frozen:
Hong Kong, 9879.
Taiwan (Formosa), 8883, 9391.

Treasury Department—Continued Page
FOREIGN ASSETS CONTROL—Continued
Importations—Continued
Certain commodities—Continued
Hair (wigs, etc.):
Badger, etc., from countries not in authorized trade territory; applications for licenses, 481, 12065.
Goat, processed; Hong Kong, 6380.
Human, raw or processed:
Austria, 16327.
Belgium, 3036.
Canada, 14525.
France, 4246.
Germany, 4973.
Hong Kong, 3036.
India, 3470, 16502.
Indonesia, Republic of, 7357, 9609.
Italy, 4973.
Japan, 4973.
Philippines, 5907.
Taiwan (Formosa), 6067.
United Kingdom, 3036.
Jade stones, cut but not set, for jewelry:
Austria, 16327.
Ecuador, 14525.
Taiwan (Formosa), 4527.
Jelly grass products; Taiwan (Formosa), 9391.
Rhubarb root; India, 482.
Shoes, leather soled with nonleather uppers; Hong Kong, 6380.
Silk piece goods, tussah; Republic of Korea, 7087.
Wine and other Chinese-type alcoholic beverages; Taiwan (Formosa), 7357.
Licenses, intention to issue:
Cotton piece goods, etc.; Czechoslovakia, 9391.
Prohibitions:
Beaded bags, etc., 13914.
Bristles, hog (except nondyed European), 14506.
Cassia; Indonesia and Sabah, Malaysia, 14775.
Ginseng; Canada, 13794.
Hair in various forms, 5191, 7745.
Jade articles, Chinese type, 13945.
Paintings and scrolls, Chinese type, from Japan, 7899.
Restrictions:
Wigs and other human hair products:
Austria, 11187.
Portugal, 9391.
Organization statement — 7485, 8500
Specially designated nationals of North Vietnam; National Liberation Front of South Vietnam, Viet Cong, etc — 8586
FOREIGN EXCHANGE TRANSACTIONS, credit transfers, and export of coin and currency; appendix — 8179
INTEREST EQUALIZATION TAX, designation of certain foreign countries as economically less developed for purposes of (Executive Order 11285) — 8211
INTERNATIONAL FINANCE, functions of Secretary (Executive Order 11269) — 2813
MINT BUREAU, table of charges at U.S. Mints and Assay Offices — 6960
NONDISCRIMINATION, equal employment opportunity program:
Applicable to Government depositaries — 11388
Guidelines for compliance by depositary banks — 15024
ORGANIZATION AND FUNCTIONS:
Customs Bureau:
Deputy Commissioner, et al.; changes in titles of certain officers and designations of divisions — 228, 459
Field Service:
Region II, N.Y. — 7764, 8027
Region VI, Houston, Tex — 6456
Reorganization; changes in certain district boundaries, etc — 1338, 7150
Foreign Assets Control Office — 7485, 8500
Internal Revenue Service, special enrollment examination for practice by agents transferred to — 6639
Radio Frequency Management Office, establishment — 12684
PAPER CURRENCY AND COIN, exchange — 9493, 16226
PROCUREMENT REGULATIONS, extraordinary contractual actions to facilitate national defense — 11230
PUBLIC DEBT BUREAU:
Certificates, Treasury, offering:
Series A–1966, 4¾ percent, 290.
Series A–1967, 5¼ percent, 10423.
Notes, Treasury, offering:
Series A–1968, 5⅝ percent, 14009.
Series A–1970, 5 percent, 1337.
Series A–1971, 5¼ percent, 10422.
Series B–1971, 5⅝ percent, 14010.
Series E–1967, 4⅞ percent, 1336.
Series F–1967, 4⅞ percent, 6639.
United States retirement plan bonds, description of — 7625
United States savings bonds:
Regulations — 5015, 7680, 8914, 11303, 11879
Series E, offering — 6016, 6831, 11229
Series H, offering — 6687, 6831, 11303, 11879
RADIO FREQUENCY MANAGEMENT OFFICE, establishment — 12684
RECORDS, non-Federal; retention requirements — 4030, 4053, 4054
SECURITIES EXCHANGE ACT of 1934, designation for exemption from certain requirements, Commodity Credit Corporation, certificate of interest — 4899
TAX EXEMPTION FOR U.S. CITIZENS on acquisition of original or new issues of Canadian stocks or debt obligations, functions (Executive Order 11304) — 12005
TREASURER OF UNITED STATES, Office of:
Authority delegations:
By Treasurer to Accounts Commissioner; issue substitute checks — 16796
From Fiscal Assistant Secretary; signing of official papers — 7529
Checks drawn on Treasurer:
Indorsement and payment; deceased payee — 14684
Lost, destroyed, etc., issue of substitutes; performance of functions of Treasurer — 16780

Treaty of Friendship and General Relations, U.S.-Spain:
IMPLEMENTATION:
Executive Order 11267 — 807
Immigration and Naturalization Service — 3286

Trucks:
See Motor vehicles.

Truman, Harry S:
82D BIRTHDAY (Proclamation 3724) — 7027

Tung Nuts:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
PRICE-SUPPORT PROGRAM. *See* Commodity Credit Corporation.

Tung Oil:
CROP INSURANCE. *See* Federal Crop Insurance Corporation.
PRICE-SUPPORT PROGRAM. *See* Commodity Credit Corporation.

U

UNESCO:
20TH ANNIVERSARY (Proclamation 3741) — 11707

USO Day:
PROCLAMATION 3695 — 123

Uniformed Services:
See also Armed Services.
INTEREST RATE on savings deposited (Executive Order 11298) — 10915

United Kingdom:
ANTIDUMPING ACT determinations. *See* Customs Bureau; Treasury Department.
INTERIM AGREEMENT WITH U.S. relating to renegotiation of Schedule XX to General Agreement on Tariffs and Trade (Proclamation 3712) — 5543
Codification in Title 48 CFR — 7034

United Nations Day, 1966:
PROCLAMATION 3725 — 7107

United Nations Educational, Scientific and Cultural Organization (UNESCO):
20TH ANNIVERSARY (Proclamation 3741) — 11707

United States Arms Control and Disarmament Agency:
BASIC COMPENSATION, public affairs adviser ... 10430
CONDUCT STANDARDS ... 4391

United States Board of Parole:
PRISONERS, YOUTH OFFENDERS, JUVENILE DELINQUENTS; warrants for parolees and mandatory releasees ... 4204

United States Commission on Civil Rights:
See Civil Rights Commission.

United States Employment Service:
FOREIGN AGRICULTURAL LABOR:
Citrus industry in Florida, wage rates ... 13466
Minimum wages and working condition standards, hearing ... 14840
PLACEMENT SERVICES in multi-State labor areas, proposed rule ... 15490
POLICIES, information needed to evaluate adequacy of services to minority groups, older workers, and women ... 8281

United States Information Agency:
AUDIOVISUAL MATERIALS:
American-made, circulation abroad ... 2426
Implementation of Beirut Agreement of 1948 (Executive Order 11311) ... 13413
AUTHORITY DELEGATIONS by Director to Chief of Contract and Procurement Division:
Electrical power for relay station ... 110
Procurement transactions ... 5027
CONDUCT STANDARDS ... 6300
PROCUREMENT REGULATIONS:
Advertising ... 10792
Construction contracts with design architect-engineers ... 3494
Contract cost principles and procedures ... 10794
Foreign purchases, Buy American Act, etc ... 10794
Forms ... 10794
General; policies and procedures, definitions, ineligible bidders, etc ... 10789
Negotiation ... 10793

United States Soldiers' Home:
CONDUCT STANDARDS ... 6405

Uranium and Uranium Hexafluoride:
See Atomic Energy Commission.

Urban Renewal:
See also Federal Housing Administration; Housing and Urban Development Department.
FEDERAL URBAN PROGRAMS, coordination (Executive Order 11297) ... 10765

V

Vegetable Juice:
COLOR ADDITIVE, exemption from certification ... 1065, 4396

Vegetables:
See specific vegetables.

Vehicles:
See Motor vehicles.

Vending Stands:
BLIND PERSONS, stands on Federal property. *See* Post Office Department; Vocational Rehabilitation Administration.

Vessels:
ACCIDENT REPORTS, recreational boating ... 2602, 8539, 10320
ANCHORAGE REGULATIONS. *See* Engineers Corps.
CANADIAN BORDER boat landing card, qualification for use by temporary visitors for pleasure ... 9103
CANAL ZONE REGULATIONS. *See* Canal Zone.
COAST GUARD regulations. *See* Coast Guard.
CREWS ABOARD U.S. SHIPS IN SPANISH PORTS, jurisdiction of U.S. officials (Executive Order 11267) ... 807
CUBA, list of free world and Polish flag vessels arriving since January 1, 1963. *See* Maritime Administration.

Vessels—Continued
CUSTOMS REGULATIONS. *See* Customs Bureau.
DANGER ZONE REGULATIONS. *See* Engineers Corps.
DOCUMENTATION, transfer, or charter. *See* Maritime Administration.
FISHING VESSELS, construction or purchase. *See* Fish and Wildlife Service.
FOREIGN VESSELS, exemption from tonnage tax and light money. *See* Customs Bureau.
GREAT LAKES vessels:
Alien crewmen on, immigration regulations. *See* Immigration and Naturalization Service.
Lights, pilot vessels. *See* Engineers Corps.
INSURANCE:
Protection and indemnity. *See* National Shipping Authority.
War risk insurance. *See* Maritime Administration.
LIGHTS:
Great Lakes pilot vessels ... 15810
Waivers, navigational ... 4955, 6962
MARITIME CARRIERS, regulations affecting. *See* Federal Maritime Commission; Maritime Administration.
MEASUREMENT, closed-in spaces omitted from gross tonnage ... 266, 434, 4294, 4594
MILITARY-SPONSORED CARGO, in coastwise or intercoastal trade, proposal to use vessels of subsidized operators ... 1221
NATIONAL SAFE BOATING WEEK, 1966 (Proclamation 3698) ... 937
NAVIGATION REGULATIONS. *See* Coast Guard; Engineers Corps.
NORTH VIETNAM, list of free world and Polish flag vessels arriving since January 25, 1966. *See* Maritime Administration.
OWNERSHIP AND OPERATION CERTIFICATE, general agency vessels ... 10640
RADIO COMMUNICATIONS. *See* Federal Communications Commission.
SAINT LAWRENCE SEAWAY, condition of vessels ... 8062
TROOPSHIPS, allocation. *See* Maritime Administration.
WAR RISK INSURANCE. *See* Maritime Administration.
WAR SHIPS, Spanish or Greek, special immigration procedures for deserters. *See* Immigration and Naturalization Service.

Veterans Administration:
ADJUDICATION. *See* Burial; Death gratuity; Pension; Waiver of overpayments.
ADMINISTRATIVE ERROR, relief on account of ... 14775
AUTHORITY DELEGATIONS by Deputy Administrator to certain officials:
Certain employees; guaranty or insurance of and making of loans ... 12716
Chief Attorneys, tort claims ... 13548
Chief Benefits Director, et al.:
Education or special restorative training programs, and reimbursement of State agencies ... 6770
Establish income limitations ... 14454
Compensation, Pension, and Education Service Director:
Approve courses, waive penalties, etc ... 6770
Waiver of overpayments, etc ... 14454
General Counsel:
Patents and inventions ... 5292
Tort claims ... 13548
VA hospital Directors; members of uniformed services being furnished medical care in VA hospitals, determination of mental competency ... 5429
BURIAL:
Death while traveling under prior authorization or while hospitalized by VA, transportation ... 5757
VA cemeteries, interment in ... 8064
Wartime and peacetime veterans ... 4790, 14455
CHIEF ATTORNEYS, veterans' benefits; surety bonds ... 12056
CONDUCT STANDARDS ... 5828, 10687
DEATH GRATUITY; basic requirements, amount payable, etc ... 15633
FLAG, U.S.; eligibility and disposition for burial purposes ... 4959

Veterans Administration—Continued
INFORMATION from VA records:
Inspection ... 3459
Loan guarantees ... 15091
Representatives of organizations, inspection by ... 15092
INSURANCE:
National Service life ... 5661, 5961
Servicemen's group life ... 7175
United States Government ... 5961
INVENTIONS BY EMPLOYEES; general provisions, definitions, etc ... 5291
LEGAL SERVICES, GENERAL COUNSEL:
Authority to pay tort claims in foreign countries ... 13548
Fees of agents or attorneys, penalty ... 3059
Medical care and treatment in or for Department of Medicine and Surgery, defense of certain suits ... 2782
Recognition of organizations, accredited representatives, attorneys, agents, rules of practice and information concerning fees ... 16415
LOAN GUARANTY:
Direct loans:
Authority delegation ... 12717
Definitions, joint loans, etc ... 3461, 16713
Guaranty entitlement, use ... 16713
Interest rates ... 5690, 13003
Guaranty or insurance of loans to veterans:
Definitions ... 3459, 9063, 16713
Federally-assisted construction contracts; nondiscrimination in employment ... 8745
General provisions:
Authority delegation ... 12717
Charges and fees, reporting requirements, etc ... 3460
Guaranties or insurance credits, computation ... 16713
Interest rates ... 5690, 13003
Waivers and compromises; refund of payments received and offsets made in waiver cases ... 12056
MEDICAL CARE:
Hospital and domiciliary care, eligibility ... 4116
Interment in VA cemeteries ... 8064
Outpatient treatment and examination ... 16199
State home facilities for nursing home care ... 16144
Uniformed services members in VA hospitals, determination of mental competency ... 5429
NONDISCRIMINATION:
In employment; Federally-assisted construction contracts ... 8745
VA benefits programs, revocation ... 5836
ORGANIZATION AND FUNCTIONS, field stations and areas of jurisdiction ... 7649
PENSION, COMPENSATION:
Accrued; veterans educational assistance ... 4790
Adjustments and resumptions ... 10124, 13172, 15633
Authority delegations ... 14455
Benefits and elections, concurrent ... 4681, 9850
Claims ... 12055, 12056
Dependency, income and estate ... 4789, 13390, 15631
Evidence requirements; court decisions, unremarried widows ... 2782
General:
Dependency and indemnity compensation, group life insurance ... 4346
Discharge to change status ... 9063
Duty periods, active duty ... 4347
Hospitalization adjustments ... 4790
Philippine and insular forces ... 14455
Rating considerations, relative to tuberculosis disease ... 4681
Ratings and evaluations, service connection ... 4680
Reductions and discontinuances; death gratuity, date of last payment revoked ... 15633
Retirement pay; general, waiver ... 4347
Special benefits; certification:
Loan guaranty for widow ... 4347
War orphans' educational assistance ... 4347
War orphans' education, Philippine service ... 13992
PROCUREMENT:
Advertising, formal ... 7820, 12717
Authority delegations ... 14878
Bonds and insurance ... 7688, 16200
Contracts:
Administration ... 7688
Clauses ... 7178, 7350, 7687, 14878, 15312
Termination ... 7687

Veterans Administration—Continued
PROCUREMENT—Continued
Foreign purchases ... 14878
General ... 7820, 12717, 15311, 16199
Inspection and acceptance ... 14878, 15312
Labor ... 7179, 7350
Negotiation ... 16312
Taxes, Federal, State, and local ... 1631
Transportation, personal property ... 745
RECORDS:
Non-Federal; retention requirements ... 4070
Release of information ... 3459
TRAVEL EXPENSES of claimants and beneficiaries (Executive Order 11302) ... 11741
VOCATIONAL REHABILITATION AND EDUCATION:
Educational assistance ... 6771, 11454
Educational benefits; administration ... 6774, 8292, 11454, 13993
Rehabilitation ... 3010, 6771, 16199
War orphans' educational assistance ... 6773, 11454, 13992
WAIVER OF OVERPAYMENTS:
Decisions, revision of ... 13446
Overpayments; exclusions ... 9605, 12056, 13088, 13446
Waiver ... 13446

Veterans Day, 1966:
PROCLAMATION 3740 ... 11705

Vietnam:
CAMPAIGN MEDAL and device; purpose, applicability, etc ... 10318
DECORATIONS AND AWARDS for service in ... 4146, 5975, 10318, 16193
FOREIGN ASSETS CONTROL REGULATIONS, specially designated nationals of North Vietnam ... 9588
PASSPORTS, validity extension ... 6794
VESSELS:
Arriving in North Vietnam. *See* Maritime Administration.
Exemption from tonnage tax and light money ... 5260

Virgin Islands:
BASIC COMPENSATION, Governor ... 10898
COAST GUARD regulations ... 10322
HUNTING, migratory game birds; seasons. *See* Fish and Wildlife Service.
INDUSTRY REVIEW COMMITTEES. *See* Wage and Hour Division.
ST. CROIX:
Airport Traffic Control Tower, commissioned ... 13183
Flight Service Station, closed ... 13183
SUGARCANE PRODUCTION, prices, wages, etc. *See* Agriculture Department.
WATCH AND WATCH MOVEMENT PRODUCERS; joint notice by Secretaries of Commerce and Interior respecting quotas ... 16579

Visas:
See State Department.

Vision Preservation:
SAVE YOUR VISION WEEK, 1966 (Proclamation 3702) ... 1265

Vitamin-Fortified Foods:
See Food and Drug Administration.

Vocational Education:
ORGANIZATION, Adult and Vocational Education Bureau. *See* Education Office.

Vocational Rehabilitation:
VETERANS. *See* Veterans Administration.

Vocational Rehabilitation Administration:
CORRECTIONAL REHABILITATION STUDY ... 526
NATIONAL COMMISSION on architectural barriers to rehabilitation of handicapped ... 527
ORGANIZATION AND FUNCTIONS ... 9812
PROJECT GRANTS and assistance for workshops and rehabilitation facilities ... 514
RESEARCH AND TRAINING ... 519
STATE ALLOTMENT PERCENTAGES, promulgation ... 12607
STATE PROGRAMS ... 498
Disability beneficiaries, payment of costs of rehabilitation services from social security trust funds ... 3244

Vocational Rehabilitation Administration—Continued — Page

VENDING STAND PROGRAM for blind on Federal and other property — 523

Voluntary Plans:

AID AGENCIES. *See* Agency for International Development.

DEFENSE PRODUCTION POOLS, business, industry, etc. *See* Emergency Planning Office.

Voting Rights Act of 1965:

DETERMINATIONS, PROGRAMS, etc. *See* Census Bureau; Civil Service Commission; Justice Department.

W

Wage and Hour Division:

AUTHORITY DELEGATIONS:
- By Administrator to Regional Directors, et al.; grant or deny certificates — 12981
- From Secretary of Labor, certain functions in connection with National Foundation on Arts and Humanities — 1274

EQUAL PAY for equal work:
- Application to employees — 11720
- Equality and inequality of pay in particular situations; commissions — 6770
- Examples, employment cost factors — 2657

LEARNERS, employment, wage rates:
- Below minimum wage; certificates, special, to various industries — 25, 237, 780, 2403, 2505, 2879, 3043, 3205, 3514, 4433, 5096, 5157, 6083, 7153, 7421, 7988, 8036, 8509, 9698, 10056, 10622, 10705, 10868, 11404, 11563, 12621, 12980, 13097, 13493, 14092, 14707, 15206, 16591.
- Increased minimum wage, specified industries; proposed rules — 15200

NATIONAL ENDOWMENT FOR ARTS, labor standards on projects or productions assisted by grants from; proposed rules — 14314

OCCUPATIONAL SAFETY AND HEALTH ACTIVITIES, certain functions transferred to Labor Standards Bureau — 12620

OVERTIME PAY, authorization of established basic rates for computing; exclusion of certain petty sums — 4149, 6769

PUERTO RICO, review committees — 13211

RECORDS, non-Federal; retention requirements — 4027

RETAIL OR SERVICE ESTABLISHMENTS, certificates authorizing employment of full-time students at special minimum wages — 546, 2916, 5463, 7299, 8508, 10211, 11198, 11565, 11906, 12465, 12622, 12981, 13492, 14321, 16288.

VIRGIN ISLANDS, review committees — 13211

Wages:

See also Pay, allowances, etc.

MINIMUM WAGES, certain industries. *See* Public Contracts Division; Wage and Hour Division.

Walnuts:

MARKETING. *See* Agriculture Department.

Warehouses, Federally-Licensed:

STORAGE IN. *See* Agriculture Department.

STORAGE LOANS. *See* Commodity Credit Corporation.

Warsaw Convention and Hague Protocol:

DEATH OR INJURY OF PASSENGERS, limitation of liability — 7302, 12573

Waste Disposal:

SOLID WASTE:
- Authority delegation to Director of Mines Bureau — 4809
- Grants for research projects, etc — 5180, 7456

Waste Treatment Facilities:

WATER POLLUTION CONTROL STANDARDS (Executive Order 11288) — 9261

Watches, etc.:

QUOTAS, watches and watch movements, joint notice by Secretaries of Commerce and Interior — 16579

TARIFF COMMISSION investigation, watch movements; report to President — 4179

Watches, etc.—Continued — Page

TRADE PRACTICE RULES, watch case industry. *See* Federal Trade Commission.

Water Carriers:

See Federal Maritime Commission; Interstate Commerce Commission; Maritime Administration.

Water Pollution Control:

See also Federal Water Pollution Control Administration; Health, Education, and Welfare Department; Interior Department; Public Health Service.

PREVENTION, CONTROL, AND ABATEMENT of pollution caused by Federal activities (Executive Order 11288) — 9261

Water Pollution Control Advisory Board:

TRANSFER to Interior Department (Reorganization Plan No. 2 of 1966) — 6857

Water Resources Council:

GRANTS to States for water and related land resources planning — 9747, 14716

Water Resources Research Office:

RECORDS, non-Federal; retention requirements — 4026

Waterfowl Day, Migratory:

PROCLAMATION 3755 — 15227

Weights and Measures:

NATIONAL CONFERENCE, announcement — 8082

Welfare Administration:

See Children's Bureau.

FAMILY SERVICES BUREAU, medical assistance to State residents — 10576

FEDERAL PERCENTAGES, promulgation:
- Child welfare — 12607
- Medical assistance — 12607
- Medical expenditures on behalf of aid recipients — 12607
- State assistance expenditures — 12607

Whaling:

FISH AND WILDLIFE SERVICE regulations — 16038

INTERNATIONAL WHALING COMMISSION regulations — 16104

Wheat:

CROP INSURANCE. *See* Federal Crop Insurance Corporation.

EXPORT CONTROL, licensing policies — 8214

MARKETING QUOTAS, etc. *See* Agriculture Department.

PRICE-SUPPORT PROGRAM, etc. *See* Commodity Credit Corporation.

White Cane Safety Day, 1966:

PROCLAMATION 3749 — 12935

Wilderness Areas:

See Fish and Wildlife Service; Forest Service; National Park Service.

Wildlife:

CONSERVATION PURPOSES. *See* General Services Administration.

HYDROELECTRIC LICENSE APPLICATIONS, protection of fish and wildlife resources. *See* Federal Power Commission.

IMPORTATION RESTRICTIONS — 5358

REFUGES:
- Hunting, sport fishing. *See* Fish and Wildlife Service.
- Lands withdrawn. *See* Land Management Bureau.

Wine:

See also Alcoholic beverages.

EXCISE TAXES. *See* Internal Revenue Service.

LABELING AND ADVERTISING, proposed rule, hearing — 14556

Without-Compensation Employees:

APPOINTMENTS and statements of financial interest. *See* Commerce Department; Interior Department; Interstate Commerce Commission.

Wood:

See Timber.

Wool: — Page

IMPORTS of fabrics containing wool, investigation — 14707

PAYMENT PROGRAMS. *See* Commodity Credit Corporation.

PRODUCTS, imported. *See* Federal Trade Commission.

SALES AND PROMOTION PROGRAMS. *See* Agriculture Department.

WAREHOUSES, Federally-licensed, storage in. *See* Agriculture Department.

WASHED SHEEPSKINS, wool shorn from; proposed tariff classification — 14525

World Trade Week, 1966: — Page

PROCLAMATION 3719 — 6607

Wright Brothers Day, 1966:

PROCLAMATION 3757 — 15231

Z

Zip Code:

NATIONAL ZIP CODE WEEK (Proclamation 3746) — 12511

REGULATIONS. *See* Post Office Department.



S.N21f ROOM
SOCIOLOGY & ECONOMICS
DETROIT PUBLIC LIBRARY JAN 30 1967

FEDERAL REGISTER

VOLUME 31 • NUMBERS 1–253

List of CFR Sections Affected

(Codification Guide)



Annual
1966

Includes U.S.C.-CFR
Table of Authorities (see last page)

66-000—66——1

LIST OF CFR SECTIONS AFFECTED

(The Codification Guide)

The List of CFR Sections Affected is published monthly on a cumulative basis. It lists by number the titles, parts, and sections of the *Code of Federal Regulations* amended or otherwise affected by documents published in the *Federal Register* during 1966. Entries indicate the nature of changes effected. Proposed rules are listed at the end of appropriate titles.

Daily numerical guides listing parts affected are carried following the Contents of each issue of the *Federal Register*, and within-the-month cumulations appear at the end of each issue.

A subject Index to the daily *Federal Register* is published separately, covering the contents of the *Federal Register* as follows: Monthly for the months of January, February, April, May, July, August, October, November, and December; quarterly for the quarters ending in March, June, and September; and annually for the calendar year.

LIST OF CFR SECTIONS AFFECTED

(Cumulative Codification Guide)

1 CFR

Page

Chapter I
Appendix A revised 4002
Appendix B amended 4989
14.9
Center heading and section added 15013
31.21
Revised 15013
Proposed Rules:
20 15023

3 CFR

Proclamations
Nov. 5, 1906
Revoked in part by PLO 4083 .. 11755
33 of July 30, 1902
Revoked in part by PLO 4083 .. 11755
1066
Revoked in part by PLO 4083 .. 11755
1755
See PLO 4013 7513
2416
See PLO 4095 12600
2761A
See Proc. 3712 5543
3212
Terminated by Proc. 3703 1296
3235
Terminated by Proc. 3696 422
3323
Terminated by Proc. 3697 424
3548
See Proc. 3709 5281
See Proc. 3712 5543
3558
See Proc. 3709 5281
3562
See Proc. 3709 5281
3597
See Proc. 3709 5281
3695 123
3696 421
3697 423
3698 937
3699 939
3700 1037
3701 1231
3702 1265
3703 1295
3704 2811
3705 3221
3706 3223
3707 4191
3708 4945
3709 5281
3710 5403
3711 5405
3712 5543
3713 5603
3714 5743
3715 5807
3716 5809
3717 6011
3718 6567
3719 6607
3720 6679
3721 6817
3722 6855
3723 6945
3724 7027
3725 7107

3 CFR—Continued

Page

Proclamations—Continued
3726 7551
3727 7661
3728 8277
3729 8567
3730 8569
3731 8571
3732 9537
3733 9591
3734 10411
3735 11133
3736 11135
3737 11339
3738 11445
3739 11639
3740 11705
3741 11707
3742 11855
3743 12003
3744 12391
3745 12475
3746 12511
3747 12671
3748 12673
3749 12935
3750 12995
3751 13197
3752 13635
3753 14379
3754 14381
3755 15227
3756 15229
3757 15231
3758 15567
Executive Orders
Sept. 24, 1847
Revoked by PLO 4100 12950
Dec. 18, 1878
Revoked in part by PLO 3946 .. 4348
May 27, 1885
See PLO 3946 4348
July 18, 1891
Revoked in part by PLO 3978 .. 5897
Oct. 23, 1907
Revoked in part by PLO 4095 .. 12600
July 2, 1910
Revoked in part by PLO 3967 .. 5621
Revoked in part by PLO 3970 .. 5622
Revoked in part by PLO 3977 .. 5662
Revoked in part by PLO 3989 .. 5900
Modified by PLO 3998 6313
Revoked in part by PLO 4003 .. 7351
July 7, 1910
Revoked in part by PLO 4057 .. 10032
Jan. 26, 1911
Revoked in part by PLO 3977 .. 5662
Mar. 31, 1911
Revoked in part by PLO 4113 .. 13995
Aug. 30, 1911
Revoked in part by PLO 3970 .. 5622
Dec. 16, 1911
Revoked in part by PLO 3916 .. 901
Feb. 20, 1913
Revoked in part by PLO 3915 .. 901
June 24, 1914
Revoked in part by PLO 4048 .. 9601
Sept. 5, 1914
Revoked in part by PLO 3975 .. 5623
Apr. 4, 1917
Revoked by PLO 3995 5902
Apr. 13, 1917
Revoked in part by PLO 4118 .. 14555

3 CFR—Continued

Page

Executive Orders—Continued
July 10, 1919
Revoked in part by PLO 4048 .. 9601
Revoked in part by PLO 4073 .. 10796
Apr. 17, 1926
Revoked in part by PLO 4048 .. 9601
Revoked in part by PLO 4077 .. 11547
Revoked in part by PLO 4098 .. 12950
June 8, 1926
Revoked in part by PLO 3970 .. 5622
1502
Revoked in part by PLO 3938 .. 3251
1919½
Revoked in part by PLO 4066 .. 10531
2216
Revoked in part by PLO 4042 .. 9108
Revoked in part by PLO 4066 .. 10531
3195
Revoked in part by PLO 4063 .. 10194
3672
Revoked in part by PLO 4042 .. 9108
3676
Revoked in part by PLO 4066 .. 10531
4203
Revoked in part by PLO 4055 .. 10032
4258
Revoked in part by PLO 4066 .. 10531
5237
Revoked in part by PLO 3948 .. 4348
5289
Revoked in part by PLO 3947 .. 4348
5361
Revoked by PLO 3944 4282
5384
Revoked by PLO 3944 4282
6143
Revoked in part by PLO 4077 .. 11547
6276
Revoked in part by PLO 4064 .. 10530
Revoked in part by PLO 4065 .. 10530
Revoked in part by PLO 4077 .. 11547
6544
Revoked in part by PLO 3984 .. 5899
6574
Revoked by PLO 3966 5621
6583
Revoked in part by PLO 3940 .. 3495
Revoked in part by PLO 4064 .. 10530
Revoked in part by PLO 4077 .. 11547
6626
Revoked in part by PLO 4042 .. 9108
6816
Revoked in part by PLO 3912 .. 900
7373
Revoked by PLO 4079 11548
7676
Superseded in part by EO 11305 12009
7856
Provisionally superseded by EO 11295 10603
8102
Revoked in part by PLO 3919 .. 902
Revoked in part by PLO 3960 .. 5431
8111
Revoked by PLO 4017 7567
8278
Revoked in part by PLO 4199 .. 16202
8389
See EO 11281 7215
8820
Provisionally superseded by EO 11295 10603

3 CFR—Continued

Executive Orders—Continued

8962
Superseded by EO 11305 ... 12009
9721
Modified by EO 11303 ... 11963
9746
Superseded by EO 11305 ... 12009
9989
Superseded by EO 11281 ... 7216
10033
Amended by EO 11269 ... 2814
10103
See EO 11303 ... 11963
10126
Superseded by 14 CFR 73.87 ... 13422
10154
Superseded by EO 11313 ... 13417
10214
See EO 11317 ... 15305
10292
See EO 11266 ... 743
10348
Superseded by EO 11281 ... 7216
10358
Amended by EO 11272 ... 3111
10448
Amended by EO 11265 ... 425
10469
See EO 11266 ... 743
10522
See EO 11264 ... 67
10558
Superseded by EO 11313 ... 13417
10595
Superseded by EO 11305 ... 12009
10621
Amended by EO 11294 ... 10601
10644
Amended by EO 11281 ... 7216
10686
Superseded by EO 11313 ... 13417
10707
Amended by EO 11319 ... 15629
10779
Superseded by EO 11282 ... 7665
10910
Amended by EO 11287 ... 8997
10961
Revoked by EO 11287 ... 8997
10970
Superseded by EO 11294 ... 10601
11017
Superseded by EO 11278 ... 6681
11069
Superseded by EO 11278 ... 6681
11098
See EO 11266 ... 743
11122
Superseded by EO 11307 ... 12918
11142
Superseded by EO 11302 ... 11742
11157
Amended by EO 11292 ... 10447
11175
Amended by EO 11304 ... 12005
11215
Amended by EO 11309 ... 13075
11218
Superseded by EO 11278 ... 6681
11224
Superseded by EO 11285 ... 8212
11226
See EO 11272 ... 3111
11230
Amended by EO 11275 ... 5283
Amended by EO 11290 ... 10067
Amended by EO 11294 ... 10601

3 CFR—Continued

Executive Orders—Continued

11248
Amended by EO 11268 ... 871
Amended by EO 11273 ... 4947
Amended by EO 11293 ... 10507
Amended by EO 11299 ... 10917
Amended by EO 11316 ... 15011
11258
Superseded by EO 11288 ... 9264
11264 ... 67
11265 ... 425
11266 ... 743
11267 ... 807
11268 ... 871
11269 ... 2813
11270 ... 2989
11271 ... 2991
11272 ... 3111
11273 ... 4947
11274 ... 5243
11275 ... 5283
11276 ... 6233
11277 ... 6609
11278 ... 6681
11279 ... 6947
11280 ... 7167
11281 ... 7215
11282 ... 7663
11283 ... 7667
11284 ... 7669
11285 ... 8211
11286 ... 8279
11287 ... 8995
11288 ... 9261
11289 ... 9265
11290 ... 10067
11291 ... 10175
11292 ... 10447
11293 ... 10507
11294 ... 10601
11295 ... 10603
11296 ... 10663
11297 ... 10765
11298 ... 10915
11299 ... 10917
11300 ... 11009
11301 ... 11709
11302 ... 11741
11303 ... 11963
11304 ... 12005
11305 ... 12007
11306 ... 12769
11307 ... 12917
11308 ... 12919
11309 ... 13075
11310 ... 13199
11311 ... 13413
11312 ... 13415
11313 ... 13417
11314 ... 13419
11315 ... 14729
11316 ... 15011
11317 ... 15305
11318 ... 15307
11319 ... 15629
11320 ... 15789
11321 ... 16301

Presidential documents other than Proclamations and Executive Orders

Reorganization Plan No. 3 of 1950
See Reorganization Plan No. 2 of 1966 ... 6857
Notice of Oct. 21, 1963
Supplemented by Notice of Aug. 16, 1966 ... 10949

3 CFR—Continued

Presidential documents other than Proclamations and Executive Orders—Continued

Reorganization Plan No. 4 of 1965
See EO 11264 ... 67
See EO 11269 ... 2813
Letter of Jan. 29, 1966 ... 2469
Memorandum of Feb. 16, 1966 ... 2993
Statement of Feb. 16, 1966 ... 2995
Reorganization Plan No. 1 of 1966 ... 6187
Reorganization Plan No. 2 of 1966 ... 6857
Reorganization Plan No. 3 of 1966 ... 8855
Notice of Aug. 16, 1966 ... 10949
Reorganization Plan No. 4 of 1966 ... 11137
Reorganization Plan No. 5 of 1966 ... 11857

Chapter V
Added ... 8556
100
Added ... 8556

4 CFR

Chapter I
8
Revised ... 5293
52.9
Revised ... 6101
52.9a
Added ... 6101
52.9b
Added ... 6101
52.13
Revised ... 6102
Chapter II
Added ... 13381
101
Added ... 13381
102
Added ... 13381
103
Added ... 13382
104
Added ... 13383
105
Added ... 13384

5 CFR

Chapter I
Subchapter C added ... 873
6.1
(a) revised ... 14731
6.6
Revised ... 14732
9
Added ... 14729
213
Revised ... 15646
213.3101
(b) revised; (c) added ... 1233
(b) and (c) revised ... 14825
213.3102
(q) revised ... 1233
(x) added ... 5659
(v) added ... 5686
(w) revised ... 7351
(v) revoked; (w) revised ... 16601
213.3103
(b) added ... 12834
213.3104
(a)(7) revoked ... 2583
213.3105
(d) revoked ... 5547
(d) reinstated ... 7671

5 CFR—Continued

Chapter I—Continued

213.3106
(a)(5) revoked ... 473
(b)(2) revised ... 5659
213.3108
(g) revised ... 8175
(a)(10) added ... 11545
(a)(11) added ... 13113
(e) revised ... 13521
(a)(11) revised ... 16303
213.3109
(b)(1) added ... 8949
213.3110
(a)(4) revised ... 15727
213.3111
(a)(6) revoked ... 13113
213.3112
(a)(11) added ... 11651
(h)(1) revised; (h)(2) and added ... 14077
213.3113
(g)(3) revised ... 1074
(a)(8) revised ... 15133
213.3114
Heading of (j) and (j)(3) revised ... 3175
(d)(2) added ... 5245
(h)(10) and (11) revised ... 5245
213.3116
(g) revised ... 5245
(h) added ... 9994
(a)(10) added ... 15133
(e)(1) and (g)(1) revised ... 15727
213.3138
(b) revised ... 3283
213.3144
(c) revoked ... 147
213.3160
Revoked ... 2645
213.3166
Revoked ... 15727
213.3182
(a)(1) revised ... 2645
(b) added ... 4445
(a)(4) revised ... 5043
(b)(2) through (9) added ... 8281
(b)(10) added ... 10919
213.3183
Added ... 5
213.3185
Added ... 4101
Revoked ... 11300
213.3187
Added ... 12937
213.3188
Added ... 8746
213.3189
Added ... 9775
213.3190
Added ... 12834
213.3191
Added ... 13113
213.3192
Added ... 13936
213.3193
Added ... 15133
213.3210
(a) revoked ... 8527
(c) added ... 9408
(c) revoked ... 15727
213.3212
(b) revised ... 287
(b) revised ... 9005
213.3213
Revised ... 287
(a) revised ... 9005

5 CFR—Continued

Chapter I—Continued

213.3214
Revised ... 4271
(b) added ... 6013
(c) added ... 8619
(a) revoked ... 9408
(d) added ... 15013
213.3215
Revised ... 288
213.3216
(a)(2) revoked; (b) added ... 7959
213.3244
Revoked ... 7379
213.3256
Revised ... 9994
213.3260
Revoked ... 2645
213.3273
(a) revised ... 288
(a) and (f) revised ... 9005
213.3277
Revoked ... 15727
213.3303
(c)(4) added ... 1271
213.3304
(a)(15) revoked; (a)(22) added ... 473
(n)(1) and (4) revoked; (n)(7) and (8) added ... 11392
213.3305
(a)(18) revoked ... 5245
(a)(23) added ... 5659
(a)(10) revised ... 6317
(b) and (c)(3) revoked ... 6949
(a)(10) revised; (a)(24) added ... 10919
(a)(25) added ... 13835
(a)(26) added ... 14629
(a)(27) added ... 16303
213.3306
(a)(31) revised ... 5
(a)(2) and (43) revised ... 533
(c)(3) added ... 873
(a)(31) corrected ... 4101
(a)(50) added ... 4101
(a)(20) revised; (a)(51) added ... 5299
(a)(52) added ... 5605
(a)(44) revoked; (b)(1) revised ... 9271
(a)(9) revised ... 9408
(c)(2) revised ... 9408
(a)(2) revised ... 12675
(a)(23) revoked ... 14260
213.3307
(a)(9) revoked ... 71
(a)(2) revoked; (a)(17) added ... 8746
(a)(5), (7), (8), and (10) revised; (a)(11) revoked ... 8746
213.3308
(a)(6) revised; (a)(10) added ... 71
213.3309
(a)(1) revised; (a)(5) added ... 7733
(a)(6) added ... 14928
213.3310
(b)(7) and (8) added ... 5043
(f)(6) revoked; (f)(10) revised ... 5246
(d)(13) and (14) revoked; (d)(16) and (17) added ... 6483
(r) added ... 9408
(h)(7) added ... 13835
213.3311
(a)(2) revised ... 1075
(h)(5) added ... 6483
(a)(19) added ... 7733
(a)(20) added; (h)(1) revised ... 10665
(h)(6) added ... 16347

5 CFR—Continued

Chapter I—Continued

213.3312
(a)(18) revoked ... 5300
(e), (f)(1), and (l)(3) revoked ... 6949
(b)(4) revised ... 9539
(n) added ... 13695
(a)(30) added ... 16348
213.3313
(b)(3) revised; (b)(5) added ... 809
(p)(2) added ... 7733
(a)(3), (11), (13), and (15) revoked ... 9740
(r) added ... 11171
213.3314
(b) revoked ... 147
(n)(3) and (4) added ... 288
(a)(7) revised; (a)(17) and (32) revoked; (a)(38) added ... 473
(q)(6), (7), and (10) revoked; (q)(15), (16), and (17) added ... 5[illegible]
(q)(12) revoked; (q)(14) revised; (q)(18) through (24) added ... 557
(a)(35) and (36) revised ... 5246
(a)(28), (c)(6) and (7), (h)(2), and (k) and (m)(12), (13) and (14) revoked ... 5246
(o) revoked ... 9408
(h)(4) added ... 9539
(q)(23) and (24) revoked; (q)(25) added ... 14077
(a)(39) and (40) added ... 15013
213.3315
(a)(24) added ... 693
(a)(16) revoked; (a)(25) added ... 12675
213.3316
(j)(2) added ... 71
(k) added ... 147
(a)(27) added ... 533
(a)(28) added ... 533
(a)(29) and (30) added ... 809
(l) and (m) added ... 1270
(k)(2) added ... 1270
(k)(3) added ... 2932
(a)(31) added ... 3069
(n) added ... 3113
(a)(16) through (19) revoked; (j)(3) through (6) added ... 4385
(j)(7) added ... 4445
(h)(2) and (3) added ... 4684
(c)(7), incorrectly designated as (c)(16), added ... 4771, 5811
(j)(8) added ... 5345
(a)(32) and (h)(4) added; Corrected; (a)(32) deleted ... 5659, 5871
(l)(2) added ... 5939
(h)(5) added ... 6903
(j)(1) revised ... 6903
(a)(30) revised; (d)(2) and (3) revoked ... 8527
(h)(6) added ... 8619
(n)(2) and (3) added ... 12081
(j)(1) revised ... 12513
(m) revoked ... 13695
(k)(2) and (3) revoked; (k)(4) and (5) added ... 15133
(n)(4) added ... 15727
213.3323
Revoked ... 6903
213.3326
(a)(5) revoked; (a)(6) added; (f)(2) and (3) revoked ... 7169
(c)(2) and (m) revoked ... 7959

5 CFR—Continued

Chapter I—Continued

213.3332
(u) revoked 2471
(gg) and (hh) added 5300
(c) revised; (y) revoked 6949
(dd) and (hh) revised; (ii) added 10919
(v) revised 14673
(a) revised; (b) revoked; (f) revised; (m), (p), (q), (r), and (t) revoked; (v) revised; (w) revoked; (x) revised; (bb) through (ee) revoked; (gg) revised 16303
213.3333
(g) added 10413
(h) added 14928
213.3337
(a)(4) revoked; (a)(9) revised 6769
(a)(3) and (7) revised; (a)(10) revoked 11300
(e) and (g) revoked; (h) added 13465
213.3338
(c) added 3283
213.3340
(c) revised; (k) added 1270
(d) and (e) revoked 2373
(a) revoked 8857
213.3344
(d) revoked 6859
(a) (14), (21), and (31) revoked 8949
(a)(9) revoked 11301
(a)(25) 11447
(a)(4) and (8) revoked 14260
213.3348
(g) through (m) added 1075
(n) added 9043
(d) revised 15013
213.3356
(f) added 1233
(e) revoked; (g) added 7734
213.3357
(a) revised 8175
213.3360
Revoked 2645
213.3368
(b) revised 9271
213.3373
(a) (11) and (12) added 3195
(a) (13) and (14) added 5345
(c) (2) through (4) revoked; (c)(5) through (7) added; (d) (2) and (3) revoked; (d) (4) and (5) added 10919
213.3375
Revoked 7380
213.3384
Added 2645
(a) (4) and (5) added 4579
(a) (6) through (8) and (b) through (e) added 4953
Amended 5939
(a)(9) added 6013
(a)(2) revised 6235
Corrected 6353
(a)(10), (11), and (12), (c)(2) through (5), (d)(3), (4), and (5), and (e)(2) added 6859
(a)(13) added 7671
(a) (14) and (15) added 8949
(a)(16) added 9271
(a)(14) and (d)(3) and (4) revised 9995
(c)(2) revised; (d) (6) and (7) and (e)(3) added 10413
(e)(3) revised 10919
(a)(17) added 11301

5 CFR—Continued

Chapter I—Continued

213.3384—Continued
(d)(8) added 11447
(a)(17) revised; (a)(18) added 14260
(a)(17) revised 14674
(e)(4) added 15727
213.3386
Added 5547
213.3387
Added 7671
301.204
Revised 9839
301.205
(a) revised 9839
301.207
Revised 9839
302.102
(b) revised; (c) added 8528
302.201
Revised 3381
302.302
(a) revised 3381
335.102
(c) revised 9839
337.101
(b) revised 3381
338.202
Revised 1233
Revised 14825
351.1001
(b) revised 13521
410.602
(a)(3) revised 4873
511.201
(b) amended 10311
(b) amended 11546
(b) amended 12711
531.203
(b)(1) revised 10567
531.407
Revised 809
(j) added 11447
534.202
(b) amended 10311, 11546, 11651, 12711, 13521
550
Subpart G added 147
Subpart H added 11447
550.103
(i) and (j) revised; (p) added 10567
550.111
(a) revised; (d) and (e) added 10567
550.113
(a) and (b) revised 10567
550.114
(b) revised 10567
550.132
(a) revised 10567
550.141
Revised 10567
550.144
(a) introductory text and (b) revised 10567
(a)(4) added 13835
550.151
Revised 10568
550.153
Introductory text of (b) and (b)(3) revised 10568
550.154
Revised 10568
550.162
(d) revised 10568
550.163
(a), (b), and (c) revised 10568

5 CFR—Continued

Chapter I—Continued

550.164
(b) revised 10568
550.171, 550.172
Center heading and sections added 10568
550.302
(c) revised 8585
550.304
(a)(5) revised 4385
(a)(5) corrected 4579
550.505
(j) added 6353
550.701—550.708
Subpart G added 147
550.701
(b)(3) added 7881
(b)(1) revised 16187
550.704
(a) revised 7881
550.707
Revised 7881
550.801—550.804
Subpart H added 11447
610.122
Added 12774
630.208
(a) revised 7380
630.209
(b) revised 7279
713
Revised 3069
Effective date 4271
752.103
(a)(7) revised 9839
771.202
(g) added 6353
772.305
(c) revised 6569
Effective date of revision of (c) 6949
772.306
(a) revised 6353
772.307
(a) revised 6353
831
Subpart K added 8677
831.107
(a) revised 8677
831.1101—831.1112
Subpart K added 8677
870.202
Introductory text of (a) amended; (a) (1), (2), and (3) revoked; (a)(4) amended; (a)(5) revised; (a)(8) and (10) amended; (a) (11) revoked 3381
(a)(8) revoked 15233
870.601
(e) revised 15233
890.201
(b)(1) revised 8678
890.202
Amended 8678
890.205
(a), (b), and (e) amended 8678
890.301
(d)(2) revised 8491
(k) amended; (r) revoked 8678
890.302
(b) revised 12477
890.303
(b) amended 8678
(e) revised 12477
890.306
(c)(1) and (2) revised 8491
890.501
(a) revised 12477

5 CFR—Continued

Chapter I—Continued

930.102
(b) revised 12081
930.110
Revised 12081
930.112
Revised 12081
1001
Added 873
Chapter II
Recodified and revised as 35 CFR Ch. I, Subchapter E 12202
Chapter III
Added 6000
1300
Added 6000
Chapter VII
Added 13113
1700
Added 13113
Chapter VIII
Added 5811
1800
Added 5811
Chapter IX
Added 5189
1900
Added 5189
1900.735–102
Corrected 5481
Chapter X
Added 5246
2000
Added 5246
Chapter XI
Added 6405
2100
Added 6405
Chapter XII
Added 13787
2200
Added 13787
Chapter XIII
Added 9408
2300
Added 9408
Proposed Rules:
890 6318

6 CFR

Vacated 16264
Chapter I
Redesignated as 12 CFR Ch. VI 16227
4—73
Redesignated as 12 CFR Parts 604—673 16227
5
Revised 4101
Corrected 6235
70.22
Revised 7029
70.53
Amended 7029
73.2
Revised 2531
Revised 15233
Chapter II
Redesignated as 7 CFR Ch. XVII 16225
200
Redesignated as 7 CFR Part 1700 16225
Chapter III
Recodified as Ch. XVIII (Parts 1800—1891) of Title 7 14109
300—391
Ch. III recodified as 7 CFR Ch. XVIII 14109

6 CFR—Continued

Chapter III—Continued

310
Revised 9199
322
Subpart C added 4663
Subpart D added 5435
Subpart E added 6235
322.61—322.77
Subpart C added 4663
322.81—322.98
Subpart D added 5435
322.201—322.222
Subpart E added 6235
Chapter V
Subchapter B recodified as Subchapter M of 7 CFR Ch. I 13747
503
Redesignated as Part 250 of 7 CFR Ch. II 14297
503.6
(b) and (l) revised 13940
530
Recodified as 7 CFR Part 207 13747

7 CFR

Subtitle A
0
Added 8528
0.735–23
(b) revised 9544
1.6
Revised 2894
5.2
Amended 10767
Amended 15631
5.4
Amended 10767
7.18
Revised 6570
11.2
(c)(6) revised 3059
11.7
(c) revised 3059
11.10
(e) revised 3059
11.11
(p) revised 3059
11.12
Heading of (j) revised; (j)(4) added 3059
11.13
(c)(3), (d) and (e)(2) revised 3059
11.14
(c) revised 3060
11.15
Introductory text added; introductory text of (a), (a) (1), (5) and (8), (b) (2) and (3) revised; (b)(10) and (c) (7) and (8) added 3060
15.52
Added 2645
Revised 8175
15.124
Added 8586
16.2
(f), (h), and (j) revised 15483
16.8
Revised 15483
17
Added 16818
Chapter I
Subchapter M added; recodified from Subchapter B of 6 CFR Ch. V 13747
26.74
(g) amended 14825
26.903
Added 4949

7 CFR—Continued

Chapter I—Continued

26.904
Added 8113
26.905
Added 8113
28.2
(p) revised 7734
28.15
(d) revised 7734
28.25
(g) revised 9412
28.40
(b) revised 7734
28.116
(a), (c), and (d) revised 7734
(c) revised 11213
28.910
Revised 7734
28.956
Amended 7734
42
Revised 4687
Corrected 4949
50
Added 6570
51.312
Revised 11171
51.1520—51.1537
Subpart recodified as 51.1520—51.1538; revised 6240
51.1520—51.1538
Subpart recodified from 51.1520—51.1537; revised 6240
51.1537
Corrected 7169
51.2830—51.2850
Subpart recodified as 51.2830—51.2854; revised 13637
51.2830—51.2854
Subpart recodified from 51.2830—51.2850; revised 13637
51.3145—51.3159
Subpart recodified as 51.3145—51.3160; revised 6243
51.3145—51.3160
Subpart recodified from 51.3145—51.3159; revised 6243
51.3345—51.3360
Subpart recodified from 51.3345—51.3361; revised 5939
51.3345—51.3361
Subpart recodified as 51.3345—51.3360; revised 5939
51.3385—51.3398
Subpart revised 8535
51.3475—51.3487
Subpart added 6189
51.3500—51.3511
Subpart revised 10069, 11546
51.3695—51.3712
Subpart added 7671
51.3720—51.3734
Subpart added 3185
52
Table V corrected 15019
52.1559
(a)(1) and (2) revised 16515
(b)(2) revised 16516
52.1589
(a) and (b) amended 881
52.1681—52.1699
Subpart recodified as 52.1681—52.1702; revised 10235
52.1681—52.1702
Subpart recodified from 52.1681—52.1699; revised 10235
52.2391—52.2404
Subpart recodified as 52.2391—52.2405; revised 6190

7 CFR—Continued

Chapter I—Continued

52.2391—52.2405
Subpart recodified from 52.2391—52.2404; revised ... 6190
52.3763
(e)(1)(ii) and (3)(ii) revised ... 11591
52.5441—52.5458
Subpart added ... 14249
52.5443
(g) corrected ... 15019
52.5451
(d)(1) amended ... 14875
52.5453
Table V amended ... 14875
52.5454
(e) amended ... 14875
53.29
(a) amended ... 10241
53.203
Revised ... 4873
53.204
Revised ... 4874
53.205
Redesignated as 53.206 ... 4873
53.205
Added ... 4876
53.206
Redesignated as 53.207 ... 4873
53.206
Redesignated from 53.205 ... 4873
53.207
Redesignated as 53.208 ... 4873
53.207
Redesignated from 53.206 ... 4873
53.208
Redesignated as 53.209 ... 4873
53.208
Redesignated from 53.207 ... 4873
53.209
Redesignated from 53.208 ... 4873
54.1
Amended ... 2771
54.20
Heading, (b) and (d) revised ... 2771
54.21
Amended ... 2771
54.31
Revised ... 2771
54.49
Revised ... 2771
54.101
Revised ... 10107
54.104
Deleted ... 10107
54.107
(a)(10) deleted; (a)(13) revised ... 2771
Revised ... 10107
54.108
Heading, (a)(3) and (b)(4) revised ... 2772
Heading revised; (a)(1) amended ... 10107
(a)(2) amended ... 10108
54.111
(b) revised ... 2772
54.130
(f) amended ... 2772
54.131
(b) deleted ... 2772
54.152
(a)(2) revised ... 2772
54.290—54.292
Center headings and sections deleted ... 2772

7 CFR—Continued

Chapter I—Continued

55.2
(w) and (y) deleted ... 14983
Paragraph designations deleted; amended ... 16516
55.5
Revised ... 16516
55.6
(b) revised ... 14983
55.10
Revised ... 16516
55.11
Revised ... 2772
55.12
Revised ... 2772
55.13
Revised ... 2772
Revised ... 16516
55.14
Revised ... 2772
55.15
Revised ... 2772
Corrected ... 2951
Revised ... 16516
55.16
Revised ... 16516
55.17
(a)(5) revised ... 14983
55.20
Revised ... 14983
Center heading revised ... 16516
55.22
Heading and (b) revised ... 2772
(a) revised ... 14983
(c) revised ... 16516
55.23
(b) amended ... 14983
55.24
Amended ... 14983
55.30
(a)(1)(i) revised ... 16516
55.32
Revised ... 14983
55.33
Revised ... 14984
55.35
Amended ... 14984
55.36
(b) revised ... 14984
55.38
Revised ... 14984
55.39
Revised ... 14984
55.41
(b) amended ... 2772
55.45
Revised ... 14984
55.60
(a) revised ... 16516
55.61
(b) and (c) amended ... 10108
(b) revised ... 16516
55.62
(b) amended ... 10108
(b) revised ... 16517
55.65
Revised ... 10108
55.68
(a)(3) and (b)(4) revised ... 2772
Heading revised; (a)(1) amended ... 10108
55.77
(c), (k), (o), and (p) revised ... 14984
55.79
(b), (e), (f), and (g) revised ... 14985
55.80
Revised ... 14985
55.81
Revised ... 14985

7 CFR—Continued

Chapter I—Continued

55.82
(o) deleted ... 14985
55.83
(h) revised ... 2773
(k) revised; (o) deleted; (y) and (bb) revised ... 14985
55.84
Deleted ... 14985
55.85
Revised ... 14985
55.86
(a) revised ... 14986
55.91
(i) revised ... 14986
55.92
(a) revised ... 14986
55.93
(b)(4) revised ... 14986
55.101
(b) revised ... 14986
55.103
Revised ... 14986
55.122
Center heading and section deleted ... 2773
56
Heading revised ... 2771
56.11
Revised ... 2773
56.12
Revised ... 2773
56.13
Revised ... 2773
56.14
Revised ... 2773
56.16
Revised ... 2773
56.21
Revised ... 2773
56.36
(b)(2) revised ... 2773
56.40
Revised ... 2773
56.46
(b) and (c) amended ... 10108
56.50
Revised ... 10108
56.52
Heading, (a)(3) and (b)(3) and (5) revised ... 2773
(a)(1) and (2) amended ... 10108
56.54
Revised ... 2774
56.100
Center heading and section deleted ... 2774
56.203
Amended ... 2774
56.204
Amended ... 2774
56.208
(c), (d) and (e) revised ... 2774
56.209
(b), (c) and (d) revised ... 2774
56.210
(b), (c), (d) and (e) revised ... 2774
56.211
Revised ... 2774
56.212
(b) revised ... 2774
56.217
Amended ... 2774
56.222
Amended ... 2774
56.232
Amended ... 2774

7 CFR—Continued

Chapter I—Continued

58
Subpart A revised ... 4878
Subpart N recodified and revised ... 9443
58.1—58.63
Subpart A revised ... 4878
58.2570—58.2574
Subpart N recodified from 58.2571—58.2574 and revised ... 9443
58.2571—58.2574
Subpart N recodified as 58.2570—58.2574 and revised ... 9443
61.102
(b) revised ... 13936
68.2
(u) and (v) added ... 5605
68.4a
(b) revised ... 5605
68.42
Revised ... 5605
Corrected ... 6629
Revised ... 14923
68.42a
Deleted ... 5606
68.43
Revised ... 5606
68.44
Revised ... 5606
68.46
Revised ... 5606
68.47
Deleted ... 5607
68.202
(c) revised ... 11653
68.233
Added ... 11653
70.30
Heading and (d) revised ... 2774
70.31
Amended ... 2775
70.41
Revised ... 2775
70.131
Revised ... 10108
70.133
Revised ... 10108
70.134
Deleted ... 10108
70.137
Revised ... 2775
70.138
Heading, (a)(3) and (b)(4) revised ... 2775
(a)(1) amended ... 10108
70.141
(a)(12) deleted ... 2775
Revised ... 10108
70.182
Revised ... 2775
70.183
(b) revised ... 2775
70.254
(b) revised ... 2775
70.260
Center heading and section deleted ... 2775
70.265, 70.266
Center heading and sections deleted ... 2775
81.7
Revised ... 13527
81.35
(b)(1) revised ... 13527
81.41
(e)(4) revised ... 13527
81.49
(g) revised ... 13527

7 CFR—Continued

Chapter I—Continued

81.50
(d) revised ... 13527
81.71
Revised ... 13528
81.81
Amended ... 13528
81.95
Heading, (a), and (c) revised ... 13528
81.96
Revised ... 13528
81.98
Amended ... 10108
81.100
(g) amended ... 13528
81.105
Added ... 13528
81.130
Introductory text of (a) and (a)(3) revised ... 13528
81.134
Effective date of revision partly postponed ... 999, 3060, 5189, 6295, 7553, 9043, 10311, 11448, 13203.
(c)(4)(iii) revised ... 13529
81.170
Amended ... 10108
81.171
(a) amended ... 10108
81.172
Amended ... 10108
81.208
Effective date of revision partly postponed ... 999, 3060, 5189, 6295, 7553, 9043, 10311, 11448, 13203.
81.301
(a) revised ... 13529
110
Revoked ... 13203
112
Revoked ... 13203
113
Revoked ... 13203
207
Recodified from 6 CFR Part 530 ... 13747

Chapter II
Heading revised; Subchapter A heading added; Subchapter B added ... 14297
210, 215
Designated as Subchapter A ... 14297
210
Appendix added ... 5002
Appendix added ... 5811
Appendix added ... 13035
Appendix added ... 13887
210.2
(m) revised ... 14924
210.9
(a)(2) revised ... 14924
215.2
(k) revised ... 11743
(t) revised ... 14925
215.6
(b)(6) revised ... 14925
215.7
(a) and (b) revised ... 14925
215.9
(b)(4), (g), (h), and (i) revised ... 14925
250
Added; redesignated from 6 CFR Part 503 ... 14297

Chapter III
301
Amended ... 8857

7 CFR—Continued

Chapter III—Continued

301.38—301.38–9
Subpart recodified from 301.38—301.38–11; revised ... 13887
301.38—301.38–11
Subpart recodified as 301.38—301.38–9; revised ... 13887
301.38–2a
Added ... 13889
301.38–2b
Added ... 13890
Corrected ... 14451
Corrected ... 16753
301.38–2c
Added ... 13896
301.45–2a
Revised ... 10509
301.48a
Revised ... 4385
301.48–2a
Revised ... 4712
Revised ... 16753
301.52
Revised ... 13747
301.52–2a
Revised ... 4579
Revised ... 13835
301.63—301.63–9
Subpart revoked ... 13896
301.72a
Revised ... 4386
301.72–2a
Revised ... 8586
Corrected ... 9494
301.76–2a
Revised ... 427
Revised ... 7609
Revoked ... 11341
301.77a
Revised ... 4387
301.77–2a
Revised ... 4501
301.78—301.78–10
Revoked ... 14925
301.79a
Revised ... 4387
301.79–2a
Revised ... 14339
Corrected ... 14986
301.80a
Revised ... 4388
301.80–2a
Revised ... 4714
301.81a
Revised ... 4389
301.81–2a
Revised ... 11341
Corrected ... 12709
318.13–71
(b) revised ... 999
319.37–1a
Revised ... 12834
319.37–19
(c) amended ... 6246
(c) amended ... 10241
319.37–24c
Added ... 8337
Revised ... 10109
319.56a
(a)(7) revised ... 5607
319.56–2d
Revised ... 16601
319.56–2k
Revised ... 2589
319.70—319.70–6
Subpart revoked ... 5745
330.300a
Revised ... 10177

7 CFR—Continued — Page

Chapter III—Continued
331
Added — 9544
331.1
Revoked — 14925
354.1
Revised — 10311
354.2
Revised — 1052
Amended — 4722, 6247, 8113, 9593, 11213, 13204

Chapter IV
401.1—401.11
Applicability — 1054
401.1
Appendix amended — 1297 (5 docs.), 3113 (2 docs.), 3225 (2 docs.), 3335 (6 docs.), 7553 (3 docs.), 8175, 10312 (3 docs.), 13581–13588 (16 docs.)
401.3
(a) amended — 5745
(a) amended — 9545
(a) amended — 10070
401.11
Amended — 1054
401.17
Amended — 5745
Amended — 14303
401.18
Amended — 14491
401.19
Amended — 14491
401.20
Heading and introductory text revised — 14303
401.23
Amended — 9545
401.29
Appendix amended — 9495
401.32
Amended — 5745
401.33
Applicability — 1054
401.37
Revised — 14303
401.44
Heading and introductory text revised — 14303
401.45
Added — 10070
402.1—402.6
Subpart added — 5746
402.1
Appendix added — 13588
402.4
Corrected — 6247
403.40
Appendix amended — 13588
403.45
Amended — 9709
404.6
Amended — 9709
404.20—404.25
Subpart added — 14304
405.6
Amended — 9710
406.1
Appendix amended — 7553
Appendix amended — 13588
407.1
Appendix amended — 13588
407.6
Amended — 9710

7 CFR—Continued — Page

Chapter IV—Continued
408.1
Appendix amended — 13589
408.6
Amended — 9711
409.1
Appendix amended — 7554
Appendix amended — 13589
409.6
Amended — 10355
Amended — 10356
410
Added — 1055
410.1
Appendix amended — 3335, 7554
410.6
Amended — 9711
410.20—410.25
Added — 14491
410.25
Amended — 15019

Chapter VI
601.4
Revised — 12513
601.16
Revised — 12513

Chapter VII
701.1—701.97
Subpart heading revised; effectiveness of subpart — 9712
701.2
(a) revised — 11965
701.15
Amended — 11591
Corrected — 13035
701.17
Introductory text amended — 9712
701.29
(b) amended; (c) added — 473
(c) (9) (iii) revised; (d) added — 7513
701.30
Amended — 6957
Amended — 7814
701.32
Revised — 9712
701.32A
Added — 9712
701.34
Amended — 9712
701.41
(g) amended — 6957
(g) amended — 7814
701.59
Revised — 9712
701.63A
Added — 9712
701.72
Amended — 9712
701.75
Amended — 9712
701.77
Revised — 9712
706
Revised — 13979
709.2
Amended — 2815
Amended — 15791
709.3
Amended — 2815
Amended — 15791
709.4
Revised — 2815
709.5
(a) amended — 2815
(a) and (b) amended — 15791
709.10
Amended — 2815
Amended — 15791

7 CFR—Continued — Page

Chapter VII—Continued
709.12
Revised — 15791
709.16
(b) amended — 15791
709.20
Amended — 15791
709.28
(b) deleted; (c) redesignated as (b) and amended — 2815
711.2
(d) revised — 4271
711.14
(e) revised — 5663
717.1
(m) revised — 2413
717.2
(b) amended — 2413
717.3
(b) (2) amended; (c) revised — 2413
717.4
Amended — 2413
Text designated as (a); (b) added — 4193
(b) corrected — 5941
717.5
Amended — 4193
717.6
(a) amended — 2413
717.7
(d) (3) added — 2413
(d) amended — 14673
717.11
(c) amended — 2413
(a) and (b) amended — 14673
717.12
Amended — 14673
717.17
Heading revised; (c) added — 6533
Terminated — 12011
717.17
Added — 12011
Amended — 16401
717.18
Added — 6533
Revoked — 12012
718.2
(d) deleted; (c) redesignated as (d); new (c) added — 10877
718.5
(e) (1) and (2) revised; (e) (4) deleted — 2590
(h) revised — 10877
718.7
(a) revised; (c) added — 1143
Revised — 10877
718.8
(b) (6) amended — 1143
Revised — 10878
718.8a
Added — 10878
718.8b
Added — 10878
718.10
(d) redesignated as (e); new (d) added — 9677
718.13
(a) (2) revised; (d) deleted — 10879
718.14
(b) (2) revised — 1143
Revised — 10879
718.15
(b) amended — 1143
Revised — 10880
718.16
Added — 5812
(b) corrected — 6405
(b) corrected — 6859

7 CFR—Continued — Page

Chapter VII—Continued
718.16—Continued
Amended — 7393
Amended — 9677
(b) amended — 10881
718.17
Added — 10882
719.2
(f (5) revised — 13204
719.3
(b) (8) added; (d) (3) revised — 1236
719.6
Revised — 1236
719.7
(b) (1) revised — 1237
(b) (1) revised — 7030
719.8
(j) revised — 1237
(k) added — 7030
(b) amended — 15019
719.10
Revised — 13204
719.11
(f) (4) and (j) (2) revised — 4580
(a) (6) through (9) redesignated as (7) through (10), respectively; new (a) (6) added; (b) (5) revised; (b) (6) added — 14253
719.14
Added — 3187
722.4
(b) (1) amended; (b) (23) revised; (b) (33) added — 2471
722.6
(b) amended — 2472
722.8
(b) amended — 2472
722.9
Amended — 2472
722.10
Heading revised; text amended — 2472
722.14
Introductory text amended — 2472
722.16
(a) amended — 2472
722.61—722.100
Subpart added — 6573
722.62
Revised — 13035
722.64
(b) (1) amended — 13035
722.66
(b) amended — 13035
722.89
(b) (2) revised — 13035
722.99
Revised — 15791
722.100
(a) added — 9445
722.232
(c) (3) added — 2531
(b) (5) revised; (b) (6) added — 2997
722.275
(g) amended — 6580
722.277
(b) amended — 2776
(b) amended — 7472
722.401—722.450
Subpart added — 5300
722.404
(b) (2) (iii) and (15) revised — 11011
722.408
Introductory text revised — 11011
722.409
(a) amended — 11011
722.412
(e) revised — 13036

7 CFR—Continued — Page

Chapter VII—Continued
722.417
Revised — 13529
722.429
(b) added — 13205
722.430
(h) added — 7554
(h) amended — 8337
(h) amended — 8619
(g) amended — 12513
722.434
(c) revised — 11011
722.436
(a) revised — 6859
722.437
(d) revised — 6860
(c) revised — 11012
(c) (1) corrected — 11307
Existing text of (b) designated as (b) (1); (b) (1) heading and (b) (2) added; (d) revised — 13036
722.438
(l) added — 15142
722.451
Added — 13205
(b) (3) revised — 15142
722.461
Subpart added — 6580
722.462
Added — 8758
722.463—722.466
Added — 10569
722.467, 722.468
Added — 11965
722.469
Added — 13303
(c) corrected — 13589
722.470
Added — 13168
(e) (1) corrected — 13589
(f) amended — 14077
722.471
Added — 15142
722.472
Added — 13465
722.501—722.525
Subpart added — 6247
722.516
Revised — 13530
722.551—722.553
Subpart added — 13132
722.554
Added — 13936
722.555
Added — 15316
722.556
Added — 13465
722.801—722.824
Subpart added — 4884
722.809
(a) amended — 14254
722.815
(f) amended — 14254
722.817
(d) amended — 14254
724.35b
Added — 881
724.35c
Added — 886
724.35d
Added — 1233
724.35e
Added — 1234
724.35f, 724.35g
Subpart added — 1237
724.35h—724.35l
Subpart added — 886

7 CFR—Continued — Page

Chapter VII—Continued
724.35m—724.35o
Subpart added — 703
724.35p, 724.35q
Subpart added — 2414
724.35q
Corrected — 4343
724.35r
Added — 1235
724.35s
Added — 1234
724.35t, 724.35u
Subpart added — 2590
724.35v
Added — 4197
724.35w
Added — 4197
724.35x
Added — 4581
724.35y
Added — 6819
724.58
Revised — 2646
724.62
(a) (3) and (c) (3) added — 2646
724.67
(y) and (z) revised — 10072
724.69
(v) added — 1239
724.70
Added — 2646
724.92
(j) and (k) added — 11655
725
Added — 9775
725.1, 725.2
Subpart added — 15020
725.1
(b) corrected — 16755
728.15a
(b) (2) corrected — 2728
728.19
(b) (8) added — 811
728.29
(d) added — 811
728.64
(h) added — 811
728.102
(c) added — 194
728.107
(e) amended — 10072
728.108
(a) amended; (e) and (f) added — 10072
728.309—728.513
Subpart added — 8758
Subpart heading revised — 11859
728.309
(a) (3) amended — 15792
728.310
(i) (7) added — 10356
(k) amended — 15792
728.315
(b) (2) amended — 9110
728.316
Amended — 11859
728.317
(b) (6) and (7) redesignated as (7) and (8), respectively; new (b) (6) added — 12675
728.318
(d) added — 11859
728.323
Amended — 13036
728.341
Redesignated from 728.448 — 11859
728.342
Redesignated from 728.449; (b) amended — 11859

7 CFR—Continued

Chapter VII—Continued

728.343
Redesignated from 728.450; amended ... 11859
728.344
Redesignated from 728.451; amended ... 11859
728.345
Redesignated from 728.452 ... 11859
728.346
Redesignated from 728.453 ... 11859
728.347
Redesignated from 728.454; amended ... 11859
728.400
(a) amended; (d) added ... 15792
728.401
(b)(4) and (c)(2)(ii) amended ... 15792
728.416
Added ... 181
(f) corrected ... 745
(f) amended ... 3187
728.416a
Added ... 14383
(e) corrected ... 14673
728.417
Added ... 193
728.448
Added ... 7814, 8678
Redesignated as 728.341 ... 11859
728.449
Added ... 7814, 8678
Redesignated as 728.342; (b) amended ... 11859
728.450
Added ... 7814, 8678
Redesignated as 728.343 and amended ... 11859
728.451
Added ... 8338
Redesignated as 728.344 and amended ... 11859
728.452
Added ... 8339
Redesignated as 728.345 ... 11859
728.453
Added ... 10449
Redesignated as 728.346 ... 11859
728.454
Added ... 10449
Corrected ... 11171
Redesignated as 728.347 and amended ... 11859
728.500
(a) amended ... 15792
728.501
(b) amended ... 12675
(b) amended; (d) added ... 15792
728.501a
Added ... 15792
728.501b
Added ... 15792
728.502
(a)(2) amended ... 12675
(a)(2)(i) amended ... 15793
728.506
(f) added ... 10356
728.507
(b) amended ... 12675
729.1435
(a) and (b) amended ... 6957
729.1442
Introductory text revised ... 12563
729.1446
Closing text of (d) amended ... 12563
729.1457
(e) added ... 12563
729.1705
Subpart added ... 5003
(b) amended ... 6581
729.1707
Subpart added ... 12633
Corrected ... 12921
729.1709
Subpart added ... 4889
729.1801—729.1803
Subpart added ... 12940
730.1511
(e) amended ... 5
(b) deleted ... 11214
730.1516
(f)(2)(i) revised; (g)(2)(ii) amended ... 11214
730.1517
(d) added ... 3061
730.1518
(f) added ... 3061
730.1520
Revised ... 6255
730.1521
(a) amended ... 11214
730.1524
(a) amended ... 4889
730.1526
Amended ... 11214
730.1527
(e)(2)(i) revised ... 11214
730.1528
(d) added ... 1239
(e) added ... 3061
730.1529
(g) revised ... 5
(h) added ... 3062
730.1533
(a) amended ... 4889
730.1534
Revised ... 6255
730.1555
Revised ... 4106
730.1573
Amended ... 8619
730.1703
Amended ... 3061
730.1708
Added ... 7472
730.1801—730.1804
Subpart added ... 15529
730.1805—730.1807
Added ... 16603
751.19
Amended ... 13531
751.21
(g) added ... 13531
751.61
Amended ... 13531
751.63
(f) added ... 13531
751.101—751.141
Subpart added ... 3483
751.101
(h) amended ... 9545
(e) amended ... 14254
751.108
(a) amended ... 14254
751.109
(a)(1) amended; (a)(6) redesignated as (a)(7); new (a)(6) added ... 9545
(a)(1) amended ... 14254
751.113
(d) amended ... 14254
751.115
(b) amended ... 9545
(e) amended ... 14254
751.116
(i) added ... 9545
751.118
(b)(2)(xiii) corrected ... 4343
(b)(2)(iv) and (xii), and (c) amended ... 9545
(b)(2)(xiii) amended ... 14254
751.121
Amended ... 14254
751.123
(d) added ... 9546
(d) amended ... 14254
751.132
(a) amended ... 9546
751.137
Revised ... 14254
751.142
Added ... 5748
(c) amended ... 9546
(d) amended ... 10461
751.150—751.152
Subpart added ... 9839
775.302
(q)(2) amended ... 9840
775.318
(h) added ... 194
775.327
(b) amended ... 194
(b) amended ... 9840
775.401—775.429
Subpart added ... 8339
775.402
(b)(2)(vi), (c)(2)(ix), (d)(2)(viii), and (h)(2)(v) added ... 13791
775.417
(g) amended ... 13791
775.419
(b) amended ... 13791
775.427
Added ... 315
Corrected ... 2472
Amended ... 3187
Amended ... 13791
777
Appendix IV added ... 196
Appendix II revised ... 4274
Appendix III revised ... 4275
Appendix IV amended ... 4276
Appendices II, III, and IV amended ... 9112
Republished ... 13502
777.3
(b)(1)(i) revised; (g)(4), (u), (v), and (w) added ... 194
(b)(1)(ii) revised; (b)(1)(v) amended; (c)(2) revised; (r) and (s) added ... 4272
(g)(5) and (x) added ... 9111
777.4
(b)(2) amended; (b)(3) deleted; (b)(5), (6), and (7) added ... 4272
(a) amended ... 9111
777.5
(a) amended ... 4273
(a) amended ... 9111
777.8
(a) and (b) revised ... 4273
777.9
Amended ... 4273
777.11
Introductory text of (b) revised ... 4273
(f) added ... 9111
777.12
(b)(3) revised; (d) and (g) amended ... 4273
777.13
(a) amended; (b) added ... 9111
777.14
(c) amended; (f) added ... 9111
777.16
Amended ... 195
777.18
Added ... 195
Revised ... 4273
(c) amended ... 9112
777.19
Added ... 195
(f) revised; (j) amended; (l) added ... 4274
(c) and (e) revised ... 9112
777.20
Added ... 196
(f) added ... 4274
778.2
Amended ... 4722
778.3
(b) and (h) amended; (m) added ... 4722
778.5
(a) through (e) revised ... 4722
(d) amended ... 7997
778.6
Introductory text of (a) amended; (a)(5) added ... 4723
778.7
(a)(1) amended; (a)(2) and (3) redesignated as (3) and (4), respectively; new (a)(2) added ... 4723
(b)(1), (2), and (3) revised ... 4724
778.7a
Added ... 4724
(i) corrected ... 5043
778.7b
Added ... 4726
Revised ... 7997
778.9
(b) amended; (c) added ... 4726
780.1
(d),(k), (l), and (m) revised; (n) and (o) added ... 7393
791
Added ... 9789
792
Added ... 5873
Chapter VIII
811.40
Revised ... 5681, 9546, 9939, 11308, 11711, 13133
811.41
(a)(1) revised ... 5681
(a)(2) added ... 7999
(a)(1) revised ... 9546
(a)(1) revised ... 9939
(a)(1) revised ... 11308
(a)(1) revised ... 11711
(a)(1) revised ... 13133
(a)(3) added ... 16304
811.42
Added ... 7999
Revised ... 11308
(b) and (c) revised ... 11711
(b) and (c) revised ... 13134
Existing text of (a) redesignated as (a)(1); (a)(2) and (d) added ... 16304
811.43
(d)(1) revised; (d)(6) added ... 2776
(d)(1) revised; (d)(7) added ... 2895
(d)(1) and (6) revised; (d)(7) revoked ... 3283
(b) and (c) revised ... 5681
(b) redesignated as (b)(1); (b)(2) added; (c) revised ... 7999
(b) and (c) revised ... 9546
(b) and (c) revised ... 9939
(a), (b), and (c) revised ... 11308
(a), (b), and (c) revised ... 11712
(a), (b), and (c) revised ... 13134
(c) corrected ... 13313
(c) revised ... 16304
811.50—811.55
Added ... 15582
812
Revised ... 16517
813.4
(a) revised ... 71
813.5
Added ... 73
Revised ... 6824
Incorrectly designated as 813.4; (a) revised ... 13591
(a) revised ... 15484
814.3
(a) revised ... 74
814.4
Revised; incorrectly designated as 814.3 ... 199
Revised ... 5685
(a) revised ... 10110
(a) revised ... 16669
815.7
Added ... 77
(a) revised ... 6860, 10665, 12563, 13836
817.1
(a) revised ... 8537
817.10
Added ... 8537
(c) added ... 9496
(b)(2) revised; (b)(3) and (4) added ... 9790
Revised ... 16518
831.4
Introductory text of (b)(3) and (b)(3)(i) revised ... 12514
831.13
Added ... 11591
(c) corrected ... 11931
(a) and (c) amended ... 12771
833.13
Added ... 14390
842.10
Added ... 5749
845.7
Added ... 7815
847.14
Added ... 13837
849.9
Added ... 13695
850.168
(e) amended ... 5816
850.172
(e) amended ... 2648
(e) amended; (f) revised; (g) added ... 8770
850.174
(e)(5) revised ... 5816
(b)(2) and (c)(2) revised ... 8771
850.180
(a) revised ... 5816
850.184
(b) amended ... 8771
850.187
Introductory text of (h) amended ... 2648
851.1
(m)(2)(i), heading of (o) and (o)(2)(i), (ii) and (iii) revised ... 1298
(k)(2)(ii), (l)(2)(ii), and (m)(2)(ii) revised ... 4726
(n)(2)(ii) revised; (n)(2)(iii) amended; (o)(2)(ii) revised; (o)(2)(iii) amended ... 6255
(b) amended ... 9840
855.10
(h)(1) revised ... 11966
855.23—855.36
Added ... 11967
855.25
(a) revised ... 13896
855.29
(a) revised ... 13896
855.31
(b) revised ... 13897
855.32
(a) revised ... 13897
857.15
Added ... 4197
862.6
Added ... 5003
Introductory text of (a)(1) amended; (a)(1)(ii) and (iii) revised ... 5442
863.18
Added ... 13937
864.13
Added ... 12771
868.18
Added ... 77
873.19
Added ... 13748
874.19
Added ... 12395
(c)(2) corrected ... 12940
876.18
Added ... 8857
877.18
Added ... 199
878.18
Added ... 79
891.1
(b) amended ... 1143
893
Added ... 7816
Chapter IX
905.16
Added ... 15060
905.34
(b) revised ... 15060
905.125
Added ... 4106
905.126
Added ... 4107
905.205
Added ... 14543
905.475
(b)(3)(v) revised; (b)(3)(vi) added ... 2694
(b)(3)(ii) and (iii) revised ... 4344
905.476
Terminated by 905.479 ... 5
905.477
Terminated by 905.480 ... 1198
905.478
(b)(3)(i) revised ... 2693

7 CFR—Continued

Chapter IX—Continued

905.479
Added ... 5
(b)(3)(iii) corrected ... 148
(b)(3)(iii) and (v) revised ... 2694
(b)(3)(ii) and (iv) revised ... 3188
(b)(3)(iii) and (v) revised ... 5007
(b)(3)(i) revised ... 6958
905.480
Added ... 1198
905.481
Added ... 5568
(b)(3)(ii) revised ... 6958
905.482
Added ... 8114
905.483
Added ... 8114
905.484
Added ... 11971
(a)(1)(i) revised ... 14735
Terminated by 905.490 ... 15190
905.485
Added ... 11972
(a)(1)(iii) deleted; (a)(1)(iv) redesignated as (v); new (a)(1)(iii) and (iv) added ... 13897
Terminated by 905.489 ... 15189
905.486
Added ... 12835
Introductory text of (a)(1) and (a)(1)(iii) revised ... 16183
905.487
Added ... 12836
905.488
Added ... 13385
(a)(2) revised ... 14735
Introductory text of (a)(1) revised; (a)(3) added ... 16184
905.489
Added ... 15189
905.490
Added ... 15190
Introductory text of (a)(2) revised; (a)(2)(v) and (vi) added ... 15584
906.19
(b) amended ... 10462
906.27
Revised ... 10462
906.35
(a)(2) revised ... 10462
906.37
Revised ... 10462
906.137
Added ... 15233
906.205
(a) revised ... 11449
906.206
Added ... 14348
906.311
(b)(1)(vi) revised ... 11139
906.314
Terminated by 906.316 ... 1000
906.315
Terminated by 906.317 ... 1000
906.316
Added ... 999
906.317
Added ... 1000
Terminated by 906.321 ... 11140
906.318
Added ... 3062
(b)(2)(ii) revised ... 4276
906.319
Added ... 4445
Terminated by 906.320 ... 11139
906.320
Added ... 11139
906.321
Added ... 11140
906.322
Added ... 13750
906.323
Added ... 13750
906.324
Added ... 14926
906.325
Added ... 14926
906.326
Added ... 16401
906.327
Added ... 16402
907.113
(a) revised ... 16184
907.394
(b)(1)(ii) corrected ... 148
(b)(1)(i) and (iii) revised ... 342
907.395
Added ... 259
(b)(1)(i) and (iii) revised ... 704
907.396
Added ... 533
(b)(1)(iii) revised ... 1001
907.397
Added ... 888
907.398
Added ... 1199
907.399
Added ... 2420
(b)(1)(i) and (ii) revised ... 2777
907.400
Added ... 2694
907.401
Added ... 2951
907.402
Added ... 3188
907.403
Added ... 3445
(b)(1)(i) and (ii) revised ... 4446
907.404
Added ... 4344
907.405
Added ... 4726
907.406
Added ... 5007
(b)(1)(i) and (ii) revised ... 5443
907.407
Added ... 5313
907.408
Added ... 5607
(b)(1)(i) and (ii) revised ... 6013
907.409
Added ... 5875
907.410
Added ... 6256
907.411
Added ... 14306
907.412
Added ... 14494
(b)(1)(i) and (iv) revised ... 14826
907.413
Added ... 14735
(b)(1)(i), (iii), and (iv) revised ... 15021
907.414
Added ... 14927
(b)(1)(i), (iii), and (iv) revised ... 15317
907.415
Added ... 15190
(b)(1)(i), (iii), and (iv) revised ... 15728
907.416
Added ... 15585
(b)(1)(iii) revised ... 16305
907.417
Added ... 16184
(b)(1)(ii) revised ... 16604
907.418
Added ... 16493
907.419
Added ... 16755
908.205
Added ... 7030
908.446
Added ... 2895
908.447
Added ... 2952
908.448
Added ... 3188
908.449
Added ... 3445
(b)(1)(iii) revised ... 4446
908.450
Added ... 4344
908.451
Added ... 4727
(b)(1)(iii) revised ... 5115
908.452
Added ... 5008
908.453
Added ... 5008
(b)(1)(iii) revised ... 5443
908.454
Added ... 5314
(b)(1)(iii) revised ... 5750
908.455
Added ... 5568
908.456
Added ... 5608
908.457
Added ... 5876
908.458
Added ... 6256
908.459
Added ... 6533
908.460
Added ... 6825
908.461
Added ... 7109
(b)(1)(i) revised ... 7514
908.462
Added ... 7394
908.463
Added ... 7673
908.464
Added ... 7961
908.465
Added ... 8230
908.466
Added ... 8538
908.467
Amended ... 8859
908.468
Added ... 9112
(b)(1)(i) and (ii) revised ... 9497
908.469
Added ... 9412
908.470
Added ... 9677
(b)(1)(i) and (ii) revised ... 10111
908.471
Added ... 10034
908.472
Added ... 10312
908.473
Added ... 10570
908.474
Added ... 10767
908.475
Added ... 11088
908.476
Added ... 11344
(b)(1)(ii) revised ... 11743
908.477
Added ... 11656
(b)(1)(ii) revised ... 12012
908.478
Added ... 11931
(b)(1)(i) and (ii) revised ... 12477
908.479
Added ... 12397
908.480
Added ... 12593
908.481
Added ... 12836
908.482
Added ... 13077
908.483
Added ... 13385
908.484
Added ... 13639
908.485
Added ... 13897
909.205
Added ... 13939
909.330
Terminated by 909.331 ... 534
909.331
Added ... 534
Terminated by 909.332 ... 6825
909.332
Added ... 6825
(b)(3) and (4) revised ... 7109
909.333
Added ... 13135
910.116
(b) and (c) revised ... 6194
910.117
Revised ... 6194
910.204
Added ... 474
910.205
Added ... 16493
910.494
(b)(1)(ii) revised ... 80
910.495
Added ... 6
910.496
Added ... 259
910.497
Added ... 534
910.498
Added ... 888
910.499
Added ... 1199
910.500
Added ... 2420
910.501
Added ... 2695
(b)(1)(ii) revised ... 2997
910.502
Added ... 2952
910.503
Added ... 3189
910.504
Added ... 3446
910.505
Added ... 4345
910.506
Added ... 4727
(b)(1)(i) and (ii) revised ... 5043
910.507
Added ... 5009
910.508
Added ... 5314
910.509
Added ... 5608
(b)(1)(i) and (ii) revised ... 5941
910.510
Added ... 5876
910.511
Added ... 6256
910.512
Added ... 6534
910.513
Added ... 6826
910.514
Added ... 7110
(b)(1)(ii) revised ... 7474
910.515
Added ... 7394
910.516
Added ... 7673
(b)(1)(ii) revised ... 8045
910.517
Added ... 7962
(b)(1)(ii) revised ... 8303
910.518
Added ... 8231
(b)(1)(ii) revised ... 8592
910.519
Added ... 8538
(b)(1)(ii) revised ... 8921
910.520
Added ... 8860
(b)(1)(ii) revised (2 docs.) ... 9206
910.521
Added ... 9113
(b)(1)(ii) revised ... 9445
910.522
Added ... 9413
(b)(1)(ii) revised ... 9712
(b)(1)(ii) revised ... 9841
910.523
Added ... 9678
(b)(1)(ii) revised ... 10035
910.524
Added ... 10035
(b)(1)(ii) revised ... 10414
910.525
Added ... 10313
910.526
Added ... 10570
910.527
Added ... 10767
910.528
Added ... 11089
910.529
Added ... 11344
910.530
Added ... 11656
(b)(1)(ii) revised ... 12012
910.531
Added ... 11931
(b)(1)(ii) and (iii) revised ... 12431
910.532
Added ... 12398
(b)(1)(ii) revised ... 12634
910.533
Added ... 12593
910.534
Added ... 12837
910.535
Added ... 13077
910.536
Added ... 13386
910.537
Added ... 13640
910.538
Added ... 13898
910.539
Added ... 13898
910.540
Added ... 14307
910.541
Added ... 14495
910.542
Added ... 14736
910.543
Added ... 14927
910.544
Added ... 15190
(b)(1)(i), (ii), and (iii) revised ... 15631
910.545
Added ... 15585
(b)(1)(i), (ii), and (iii) revised ... 16225
910.546
Added ... 16185
(b)(1)(i), (ii), and (iii) revised ... 16520
910.547
Added ... 16493
910.548
Added ... 16755
911.206
Added ... 8231
911.310
(b)(1)(iv) redesignated as (b)(1)(vi); new (b)(1)(iv) and (v) added ... 8539
911.311
(b)(1)(ii) revised ... 7963
911.322
(b)(2)(iii) revised ... 960
(b)(2)(iii) corrected ... 1144
911.323
Added ... 5663
911.324
Added ... 6102
(b)(1)(ii) revised ... 7963
(b)(1)(ii) and (iii) revised ... 15484
912.150
Added ... 2953
912.206
Added ... 14495
912.331
Added ... 2695
912.332
Added ... 2953
913.150
Added ... 2953
913.201
Added ... 2373
913.202
Added ... 14987
913.302
Added ... 259
913.303
Added ... 2695
913.304
Added ... 2954
913.305
Added ... 13899
913.306
Added ... 16756
915.206
Added ... 9044
(b) revised ... 9791
915.306
(b)(2)(ii) revised ... 9841
915.308
Added ... 7394
(b) amended ... 8592
(b) amended ... 9679
(b) amended ... 12398
(b)(2) amended; (b)(11) added ... 13135
(b) amended ... 13387
(b) amended ... 14543
916.12
Revised ... 8176

7 CFR—Continued

Chapter IX—Continued

916.20
Revised ... 8176
916.22
(b) (1) and (2) amended ... 8176
916.27
Amended ... 8176
916.32
(a) revised ... 8176
916.33
Revised ... 8177
916.45
Revised ... 8177
916.64
(d) deleted; (e) redesignated as (f); new (d) and (e) added ... 8177
916.110
Revised ... 7474
916.205
Added ... 8177
(a) revised ... 9413
916.324
Added ... 7474
916.325
Added ... 7475
916.326
Added ... 7475
916.327
Added ... 7554
916.328
Added ... 7555
917.100
Revised ... 7476
917.102
Deleted ... 7476
917.110
Revised ... 7476
917.116
Deleted ... 7476
917.117
Deleted ... 7476
917.118
Deleted ... 7476
917.120
Deleted ... 7476
917.138
Deleted ... 7476
917.141
(a) amended ... 7476
917.143
Revised ... 7476
917.150—917.158
Deleted ... 7476
917.150
Added ... 7476
917.176
Amended ... 7477
917.178
Amended ... 7477
917.179
Amended ... 7477
917.205
Added ... 8404
917.215
Deleted ... 7476
917.372
Added ... 7241
917.373
Added ... 7242
917.374
Added ... 7242
917.375
Added ... 7348
917.376
Added ... 7348
(b) (2) revised ... 7963
917.377
Added ... 8114
917.378
Added ... 8177
917.379
Added ... 8231
917.380
Added ... 8232
917.381
Added ... 8232
917.382
Added ... 8303
917.383
Added ... 8303
917.384
Added ... 8304
917.385
Added ... 8305
917.386
Added ... 8305
917.387
Added ... 8306
917.388
Added ... 8491
917.389
Added ... 8921
918.205
Added ... 7555
918.307
Added ... 6958
918.308
Added ... 7735
919.205
Added ... 10883
919.305
Added ... 9547
921.203
(a) revised ... 12478
921.206
Added ... 11932
921.304
Added ... 9547
(a) (6) and (7) amended ... 9841
922.206
Added ... 10733
922.305
Added ... 7673
(b) (1) (ii) revised ... 9414
922.306
Added ... 7674
923.206
Added ... 10611
923.305
Added ... 7675
924.206
Added ... 11657
924.305
Added ... 10035
(a) (2) deleted ... 10665
925.203
(a) revised ... 12478
925.206
Added ... 12773
925.305
Added ... 10463
926.206
Added ... 11657
926.305
Added ... 10571
927.206
Added ... 11657
927.305
Added ... 10177
929.105
(b) revised ... 13984
929.204
(b) revised; (c) deleted ... 13984
929.207
Added ... 13984
931.201
Added ... 11658
931.301
Added ... 10036
(a) (6) corrected ... 10510
932.108
Added ... 12634
932.129
Added ... 12634
932.150
Added ... 11012
932.151
Added ... 12635
932.152
Added ... 12635
932.154
Added ... 12636
932.201
Added ... 811
932.202
Added ... 13171
932.203
Added ... 13171
944.6
Added ... 7514
944.103
(a) and (g) revised ... 2728
(a) revised ... 5569
(a) revised ... 6959
Terminated by 944.104 ... 12013
944.104
Added ... 12012
944.201
(a) revised ... 1057
(a) revised ... 5750
944.202
Added ... 6102
Introductory text of (a) and (a) (1), (2), and (3) revised ... 8000
Introductory text of (a) and (a) (1), (2), and (3) revised ... 15484
944.306
(a) and (g) revised ... 1001
(a) revised ... 11140
945.219
Added ... 10883
945.325
Added ... 8949
946.218
Added ... 11743
946.321
Added ... 9044
947.219
Added ... 14987
947.324
Added ... 9269
Introductory text, (a), (b), and (c) revised ... 12709
Introductory text and (a) revised ... 13172
948.251
Added ... 11744
948.252
Added ... 11658
948.253
Added ... 13791
948.351
Added ... 9679
948.352
Added ... 10463
(d) (1) revised ... 15234
948.353
Added ... 11712
958.210
Added ... 12941
958.311
Added ... 10178

7 CFR—Continued

Chapter IX—Continued

959.206
Added ... 813
959.207
Added ... 14987
959.306
Added ... 812
Introductory text amended ... 6861
959.307
Added ... 15530
965.208
Added ... 7243
965.308
Added ... 6295
967.165
Added ... 4276
967.166
Added ... 4276
967.201
Added ... 3115
967.301
Added ... 260
(a) revised ... 6194
967.302
Added ... 10111
970.1—970.42
Terminated ... 8178
970.48—970.84
Terminated ... 8178
970.87—970.206
Terminated ... 8178
970.205
Revised ... 2649
970.206
Added ... 2649
970.306
(a), (g), (h) and (j) revised ... 2729
Terminated ... 5609
971.308
(a) suspended ... 557
(a) deleted ... 1239
Introductory text amended ... 3190
971.309
Added ... 14585
972
Terminated ... 15728
980.104
Introductory text and (a) revised; (b) republished; (h) revised ... 3190
980.105
Added ... 11089
980.202
Added ... 6630
981.216
Added ... 11744
981.451
Added ... 13984
982.216
Added ... 13591
982.311
Added ... 13837
984.214
Added ... 13421
984.318
Added ... 13640
987.122
Revised ... 6257
987.202—987.204
Subpart heading revised ... 14737
987.202
Added ... 14737
987.203
Revised ... 14737
987.204
(a) revised ... 14737
987.214
Added ... 10611
987.256
Subpart added ... 960
Subpart revised ... 10768
987.311
Added ... 11214
989.105
Revised ... 16305
989.158
(a) (1) and (2) and (c) (1), (3), and (6) revised ... 16305
989.159
(a), headings of (g) and (g) (2), and (g) (2) (i) and (ii) (f) (3) revised ... 16306
989.166
(b) deleted; (d) (2) and (3) revised ... 16307
989.167
(b) revised ... 16307
989.168
Existing text designated as (a); (b) added ... 16307
989.169
Deleted ... 16307
989.173
(b) (1) (i), (4), (5), and (6) and (d) (2) revised ... 16307
989.224
Revised ... 13696
989.317
Added ... 14875
(a) corrected ... 15145
991
Added ... 9713
991.25
(b) corrected ... 10072
991.201
Added ... 10768
991.202
Added ... 14078
991.301
Added ... 11172
(b) corrected ... 12399
993
Determination ... 10611
993.128
(a) revised ... 2777
993.149
(b) (2) (vi) and (vii) revised; (d) (2) amended ... 13751
993.157
(d) revised; (g) added ... 81
993.159
Added ... 5751
993.165
Added ... 5751
993.172
Heading and (d) revised ... 14988
993.202
Added ... 10612
993.317
Added ... 13037
999.1
(d) revised ... 960
Chapter X
1001.60
(e) suspended in part ... 3384
Partial suspension of (e) terminated ... 5345
(e) amended ... 5609
Determination ... 10112
1002.40
(a) (11) suspended in part ... 3384
Partial suspension of (a) (11) terminated ... 5345
Introductory text of (a) revised ... 5609
(a) (1) amended ... 9207
1002.40—Continued
Introductory text of (a) suspended in part ... 16757
1002.65
(e) suspended in part ... 15585
1002.70
Suspended in part ... 15585
1003.9
Introductory text of (a) and (c) (3) and (4) revised ... 6535
1003.10
(e) added ... 6535
1003.13
Revised ... 6535
1003.30
(d) added ... 6535
1003.44
(b–1) added; introductory text of (c), (d), and introductory text of (e) revised ... 6535
1003.46
(a) (3) revised ... 6535
1003.50
Introductory text of (a) revised ... 3382
Introductory text of (a) revised; (a) (1) (i) and (iii) suspended in part ... 3384
Introductory text of (a) revised ... 5609
Introductory text of (a) revised ... 15061
1004.50
(a) (2) suspended in part ... 3384
Partial suspension of (a) (2) terminated ... 5345
(a) (2), (3), (4), and (5) suspended ... 5346
(a) (2) suspended in part; (a) (3) suspended ... 9045
Partial suspension of (a) (2) corrected ... 13751
1005
Determination ... 5481
1005.11
(b) revised ... 13900
1005.15
Revised ... 13900
1005.16
Revised ... 13900
1005.19
Added ... 13900
1005.32
(d) added ... 13900
1005.50
Amended ... 9207
Amended ... 15062
1005.51
(a) (1) amended ... 5609
1005.53
Revised ... 13900
1005.72
Revised ... 13900
1006
Added ... 14495
1006.50
Amended ... 15062
1008
Determination ... 5481
1008.50
Amended ... 9207
Amended ... 15062
1008.51
Introductory text of (a) revised ... 5609
1009
Determination ... 5481

66-000—66—3

7 CFR—Continued Page

Chapter X—Continued

1009.50
Amended ... 9207
Amended ... 15062
1009.51
Introductory text of (a) revised ... 5610
1011
Determination ... 5481
1011.50
Amended ... 9207
Amended ... 15062
1011.51
(a) suspended in part ... 3384
Partial suspension of (a) terminated ... 5345
(a) revised ... 5610
1012
Determination ... 5481
1012.7
Revised ... 14989
1012.13
Revised ... 14989
1012.14
Revised ... 14989
1012.16
(a) revised ... 14989
1012.30
Revised ... 14989
1012.31
Introductory text of (a) revised ... 14989
1012.32
(c) added ... 14989
1012.41
(c)(5) revised ... 14989
1012.50
Amended ... 9207
Amended ... 15062
1012.51
(a) revised ... 5610
1012.60
Introductory text revised ... 14989
1013
Determination ... 5481
Revised ... 13901
1013.7
Suspended in part ... 5611
1013.50
(a) revised ... 5610
(a) revised; (b) and (c) revoked ... 9046
(a) amended ... 9207
1013.50–a
Added ... 9046
1013.51
(a) revised ... 15063
1015.60
(e) suspended in part ... 3384
Partial suspension of (e) terminated ... 5345
(e) amended ... 5610
Determination ... 10112
1016.2
(c) revised; (g)(5) added ... 6536
1016.3
Introductory text of (b) amended; (c) (3) and (4) revised ... 6536
1016.31
(h) added ... 6536
1016.44
(b–1) added; (c) and introductory text of (d) revised ... 6536
1016.46
(a)(3) revised ... 6536
1016.50
Introductory text of (a) revised ... 3382

7 CFR—Continued Page

Chapter X—Continued

1016.50—Continued
Introductory text of (a) revised; (a)(1) (i) and (iii) suspended in part ... 3384
Introductory text of (a) revised ... 5610
Introductory text of (a) revised ... 15063
1030
Determination ... 5481
1030.0—1030.81
Terminated ... 6195
1030.51
(a) suspended in part ... 3383
Partial suspension of (a) terminated ... 4345
1030.90
Terminated ... 6195
1030.91
Terminated ... 6195
1031
Determination ... 5481
Determination ... 5685
1031.10
(a) amended ... 10464
1031.50
Amended ... 9207
Amended ... 15062
1031.51
(a) suspended in part ... 3383
Partial suspension of (a) terminated ... 5345
(a) revised ... 5612
1032
Determination ... 5481
Determination ... 5685
Revised ... 15064
1032.12
(c) terminated in part ... 16520
1032.14
(b) (2), (4), and (5) revised; (b)(6) added ... 9594
1032.50
Amended ... 9207
Amended (2 docs.) ... 15062
1032.51
(a)(1) suspended in part ... 3383
Partial suspension of (a)(1) terminated ... 5345
(a)(1) revised ... 5612
1032.81
Corrected ... 15631
1033
Determination ... 5481
1033.14
Revised ... 3226
1033.15
Revised ... 3226
1033.41
Revised ... 3226
1033.42
(b) amended ... 3226
1033.43
(c)(3)(iv), and (d) (3) and (5) amended ... 3226
1033.45
Amended ... 3226
1033.46
(a)(1), (a)(2)(i), introductory text of (a)(3) and of (a)(4), (a)(4)(i), introductory text of (a)(4)(ii), (a)(4)(ii)(c)(2), (a)(4)(iii), (a)(6), introductory text of (a)(8)(i), (a)(8)(ii), and (a)(10) amended ... 3226

7 CFR—Continued Page

Chapter X—Continued

1033.50
Amended ... 9207
Amended ... 15062
1033.51
Introductory text of (a) amended; (b) revised; (c) revoked ... 3226
Introductory text of (a) revised ... 5610
1033.52
(b) amended; (c) revoked ... 3227
1033.53
(a) (1) and (2) and (b) amended ... 3227
1033.60
(d) amended ... 3227
1033.61
(a)(1)(i) and (b)(4) amended ... 3227
1033.72
(b) amended ... 3227
1034
Determination ... 5481
1034.50
Amended ... 9207
Amended ... 15062
1034.51
(a) amended ... 3227
Introductory text of (a) revised ... 5610
1035
Determination ... 5481
1035.50
Amended ... 9207
Amended ... 15062
1035.51
Introductory text of (a) revised ... 5610
1036
Determination ... 5481
1036.50
Amended ... 9207
Amended ... 15062
1036.51
Introductory text of (a) suspended in part ... 3384
Partial suspension of introductory text of (a) terminated ... 5345
Introductory text of (a) revised ... 5610
1038
Determination ... 5481
Determination ... 5686
1038.11
(a) revised ... 13038
1038.44
(c) and introductory text of (d) revised ... 8115
1038.50
Amended ... 9207
Amended ... 15062
1038.51
(a) suspended in part ... 3383
Partial suspension of (a) terminated ... 5345
(a) revised ... 5613
1039
Determination ... 5481
Determination ... 5686
1039.12
(a) revised ... 8116
1039.44
(c) and introductory text of (d) revised ... 8116
1039.50
Amended ... 9207
Amended ... 15062

7 CFR—Continued Page

Chapter X—Continued

1039.51
(a) suspended in part ... 3383
Partial suspension of (a) terminated ... 5345
(a) revised ... 5613
1040
Determination ... 5481
1040.50
Amended ... 9207
Amended ... 15062
1040.51
(a) amended ... 5610
1041
Determination ... 5481
1041.13
(a) revised ... 15074
1041.15
(a), (b), and (c)(3) revised ... 15074
1041.16
Revised ... 15074
1041.18
Revised ... 15075
1041.20
Added ... 15075
1041.27
(g) and (j)(2) revised ... 15075
1041.30
Introductory text revised ... 15075
1041.50
Amended ... 9207
Amended ... 15062
1041.51
Introductory text of (a) and (a)(1) suspended in part ... 3384
Partial suspension of introductory text of (a) and of (a)(1) terminated ... 5345
(a) amended ... 5611
(a) suspended in part ... 8999
(a) revised ... 9207
Introductory text of (a) and (a)(1) revised ... 15075
1041.53
Revised ... 15075
1041.73
(a) revised ... 15075
1041.80
(a) (1) and (2) and introductory text of (c) revised ... 15075
1041.82
Introductory text revised ... 15076
1041.83
Revised ... 15076
1041.85
(a) revised ... 15076
1041.86
Revised ... 15076
1043
Determination ... 5481
1043.50
Amended ... 9207
Amended ... 15062
1043.51
(a) suspended in part ... 3384
Partial suspension of (a) terminated ... 5345
(a) revised ... 5611
1044
Determination ... 5481
1044.50
Amended ... 9207
Amended ... 15062
1044.51
Introductory text of (a) suspended in part ... 3384
Partial suspension of introductory text of (a) terminated ... 5345
Introductory text of (a) revised ... 5613

7 CFR—Continued Page

Chapter X—Continued

1045
Determination ... 5481
1045.50
Amended ... 9207
Amended ... 15062, 16225
1045.51
Introductory text of (a) suspended in part ... 3384
Partial suspension of introductory text of (a) terminated ... 5345
Introductory text of (a) revised ... 5613
1046
Determination ... 5481
1046.50
Amended ... 9207
Amended ... 15062
1046.51
Introductory text of (a) amended ... 5611
1047
Determination ... 5481
1047.50
Amended ... 9207
Amended ... 15062
1047.51
Introductory text of (a) revised ... 5611
1047.62
(b) (1) and (2) suspended in part ... 5247
1047.71
(h) suspended ... 5247
1048
Determination ... 5481
1049
Determination ... 5481
1049.50
Amended ... 9207
Amended ... 15062
1049.51
Introductory text of (a) revised ... 5611
1050
Added ... 15076
1050.50
Amended ... 15062
1050.88
Corrected ... 15631
1050.89
Corrected ... 15631
1051
Determination ... 5481
Determination ... 5686
1051.50
Amended ... 9207
Amended ... 15062
1051.51
(a) suspended in part ... 3383
Partial suspension of (a) terminated ... 5345
(a) revised ... 5613
1061
Determination ... 5481
Revoked; recodified in new Part 1064 ... 11346
1061.51
(c) revised ... 5877
1062
Determination ... 5481
Determination ... 5686
1062.50
Amended ... 9207
Amended ... 15062
1062.51
(a) suspended in part ... 3383
Partial suspension of (a) terminated ... 5345
(a) revised ... 5613

7 CFR—Continued Page

Chapter X—Continued

1063
Determination ... 5481
Determination ... 5686
1063.18
Terminated ... 3190
1063.19
Terminated ... 3190
1063.22
(j)(3) and (l) terminated ... 3190
1063.30
(a) amended ... 3190
1063.50
(b) suspended in part ... 3383
Partial suspension of (b) terminated ... 5345
(b) revised ... 5613
(a) amended ... 9207
(a) amended ... 15062
1063.64
Terminated ... 3190
1063.65
Terminated ... 3190
1063.72
(b) amended ... 3190
1063.73
Terminated ... 3190
1063.80
(a) amended ... 3190
1063.82
(a) amended ... 3190
1064
Determination ... 5481
Revised ... 11346
1064.12
(b) suspended in part ... 16308
1064.15
(a) and (b) suspended in part ... 16308
1064.50
Amended ... 9207
Amended ... 15062
1064.51
(a) suspended in part ... 3383
Partial suspension of (a) terminated ... 5345
Introductory text of (a) revised ... 5614
(c) revised ... 5878
1064.62
Suspended in part ... 9719
1065
Determination ... 5481
1065.12
(a) terminated in part ... 12431
1065.50
Amended ... 9207
Amended ... 15062
1065.51
(a) revised ... 5616
1066
Determination ... 5481
1066.50
Amended ... 9207
Amended ... 15062
1066.51
(a) revised ... 5616
1067
Determination ... 5481
1067.17
Revised ... 3192
1068.9
(a) amended ... 2696
(b) revised ... 12594
1068.11
(b) terminated in part ... 11140
1068.17
Revoked ... 2697
1068.18
Revoked ... 2697

7 CFR—Continued Page

Chapter X—Continued

1068.22
(h) revised 2697
1068.30
(a)(4) revoked 2697
1068.44
(d) and (e) revised 2696
1068.51
Amended 9207
Amended 15062
1068.53
Amended 5616
Introductory text revised 15086
1068.55
Revised 2697
Amended 12594
1068.56
(a) and (b) revised 2697
1068.63
Revised 2697
1068.72
Revoked 2697
1068.73
(b) revised 2697
1068.75–1068.77
Center heading and sections revoked 2697
1068.80
(b)(1) revised; (b)(2) revoked; (c)(1) amended 2697
1068.81
Revised 2697
1068.82
(a) revised 2697
(a) amended 12594
1068.84
Introductory text amended 2697
1068.85
Amended 2697
1068.87
(b) revised; (c) amended 2697
1069
Determination 5481
1069.50
Amended 9207
Amended 15062
1069.51
(a) revised 5616
1070
Determination 5481
Determination 5686
1070.50
(b) suspended in part 3383
Partial suspension of (b) terminated 5345
(b) revised 5614
(a) amended 9207
(a) amended 15062
1071
Determination 5481
1071.50
Amended 9207
Amended 15062
1071.51
(a) suspended in part 3383
Partial suspension of (a) terminated 5345
Introductory text of (a) revised 5614
1073
Determination 5481
Revised 11357
1073.50
Amended 9207
Amended 15062
1073.51
Introductory text of (a) revised 5614

7 CFR—Continued Page

Chapter X—Continued

1074
Determination 5481
Superseded; recodified in new Part 1073 11357
1074.50
Amended 9207
1074.51
Introductory text of (a) revised 5614
(a)(1), (2), and (3) suspended 8000
(a)(3)(ii) and (iii) suspended 9113
(a)(3)(ii) and (iii) suspended 10313
1075
Determination 5481
1075.50
Amended 9207
Amended 15062
1075.51
(a) revised 5616
1076
Determination 5481
1076.50
Amended 9207
Amended 15062
1076.51
(a) revised 5616
1078
Determination 5481
Determination 5686
1078.50
(b) suspended in part 3383
Partial suspension of (b) terminated 5345
(b) revised 5614
(a) amended 9207
(a) amended 15062
1079
Determination 5481
Determination 5686
1079.12
(a) revised 12014
1079.22
Terminated 11860
1079.23
Terminated 11860
1079.27
(j)(2) terminated in part; (j)(3) terminated 11860
1079.30
(a) terminated in part 11860
1079.31
(b)(1)(ii) terminated in part 11860
1079.50
(b) suspended in part 3383
Partial suspension of (b) terminated 5345
(b) revised 5614
(a) amended 9207
(a) amended 15062
1079.60
Terminated in part 11860
1079.65–1079.67
Terminated 11860
1079.72
(b) terminated in part 11860
1079.73
Terminated 11860
1079.80
(a)(2) and (c)(2) terminated in part 11860
1079.81
Terminated in part 11860
1079.82
(a) and (b) terminated in part 11860
1090
Determination 5481

7 CFR—Continued Page

Chapter X—Continued

1090.50
Amended 9207
Amended 15062
1090.51
Introductory text of (a) revised 5614
1094
Determination 5481
1094.50
Amended 9207
Amended 15062
1094.51
Introductory text of (a) suspended in part 3384
Partial suspension of introductory text of (a) terminated 5345
Introductory text of (a) revised 5611
1096
Determination 5481
1096.50
Amended 9207
Amended 15062
1096.51
(a) revised 5615
1097
Determination 5481
1097.7
Revised 5116
1097.8
Revised 5116
1097.9
Introductory text revised 5116
1097.10
(a) and (c) revised; (d), (e), and (f) added 5116
1097.13
Introductory text of (a) revised 5116
1097.16
Revised 5116
1097.31
(b)(3) amended 5117
1097.42
(b)(1) revised 5116
1097.50
Amended 9207
Amended 15062
1097.51
Introductory text of (a) suspended in part 3383
Partial suspension of introductory text of (a) terminated 5345
Introductory text of (a) revised 5615
1097.61
Revised 5116
1097.70
(e) revised 5116
1097.71
Introductory text revised 5116
1097.72
Revised 5117
1097.80
Revised 5117
1097.81
Revised 5117
1097.82
Revised 5117
1097.83
Revised 5117
1098
Determination 5481
1098.13
(a) revised 10112
1098.30
Introductory text revised 10112

7 CFR—Continued Page

Chapter X—Continued

1098.32
(d) and (e) added 10112
1098.41
(b)(5) revised 10113
1098.46
Introductory text revised 10113
1098.50
Amended 9207
Amended 15062
1098.51
Introductory text of (a) suspended in part 3383
Partial suspension of introductory text of (a) terminated 5345
Introductory text of (a) revised 5615
(b) revised 6582
1098.70
Introductory text revised 10113
1098.91
Revised 10113
1099
Determination 5481
Revised 6536
1099.43
(d)(6) corrected 6861
1099.45
Introductory text corrected 6861
1099.50
Amended 9207
1099.51
(a) revised 1200
(a) suspended in part 3383
Partial suspension of (a) terminated 5345
(a) revised 5615
(a) suspended in part 7110
Termination of partial suspension of (a) 7963
(a) revised 7964
1099.80
(a)(2) corrected 7477
1101
Determination 5481
1101.12
Suspended in part 11367
1101.50
Amended 9207
Amended 15062
1101.51
Introductory text of (a) revised 5611
1102
Determination 5481
1102.50
Amended 9207
Amended 15062
1102.51
Introductory text of (a) suspended in part 3384
Partial suspension of introductory text of (a) terminated 5345
Introductory text of (a) revised 5615
1103
Determination 5481
1103.50
Amended 9207
Amended 15062
1103.51
(a) suspended in part 3384
Partial suspension of (a) terminated 5345
(a) revised 5611
(a) suspended in part 13910
(a) revised 14586
1104
Determination 5481

7 CFR—Continued Page

Chapter X—Continued

1106
Determination 5481
1106.12
Revised 3228
1106.30
(f) revised 3228
1106.41
(a) and (b)(7) revised 3228
1106.44
Introductory text of (c) and (e)(3) revised 3228
1106.46
(a)(2–a) added; (a)(5) revised 3228
1106.50
Amended 9207
Amended 15062
1106.51
(a) suspended in part 3383
Partial suspension of (a) terminated 5345
Introductory text of (a) revised 5615
Introductory text of (a) revised 16757
1106.53
(a) revised 3228
1106.61
Revised 3229
1106.70
(c) revised 3229
1108
Determination 5481
1108.50
Amended 9207
Amended 15062
1108.51
Introductory text of (a) suspended in part 3384
Partial suspension of introductory text of (a) terminated 5345
Introductory text of (a) revised 5615
1120
Determination 5481
1125
Determination 5481
Revised 8405
1125.11
(b) corrected 12399
1125.50
Amended 9207
Amended 15062
1125.51
(a) revised 5617
1126
Determination 5481
1126.7
Deleted 9114
1126.7
Added 9114
1126.8
Revised 9114
1126.9
Introductory text revised 9114
1126.10
Revised 9114
(c) suspended in part 13641
1126.11
(d) added 9115
1126.12
(c) and (d) amended; (e) added 9115
1126.13
Revised 9115
1126.19
Added 9114

7 CFR—Continued Page

Chapter X—Continued

1126.30
(h) added 9115
1126.31
Introductory text revised 9115
1126.41
(a)(1) revised 9115
1126.44
Introductory text of (g) and (g)(2), (3) and (5) revised 9115
1126.50
Amended 9207
Amended 15062
1126.51
(a) suspended in part 3383
Partial suspension of (a) terminated 5345
Introductory text of (a) revised 5615
Introductory text of (a) revised 16757
1126.62
Added 9115
1126.92
Revised 9116
1126.97
Revised 9116
1127
Determination 5481
1128
Determination 5481
1129
Determination 5481
1130
Revised 5045
Determination 5481
1131
Determination 5481
1131.50
Amended 9207
Amended 15062
1131.51
Introductory text of (a) revised 5617
1132
Determination 5481
1132.50
Amended 9207
Amended 15062
1132.51
(a) suspended in part 3384
Partial suspension of (a) terminated 5345
(a) revised 5615
1133
Determination 5481
1133.12
(c)(1) and (2) revised 8951
1133.50
Amended 9207
Amended 15062
1133.51
(a) revised 5617
1133.52
(a) and (b) amended 6195
1134
Determination 5481
1134.9
(a)(1) suspended in part 11660
1136
Determination 5481
1136.50
Introductory text of (a) revised 5617
1136.51
Amended 9207
Amended 15062
1136.82
(a)(2) amended 5247

7 CFR—Continued Page

Chapter X—Continued
1137
Determination ... 5481
1137.7
(a) suspended in part ... 15087
1137.50
Amended ... 9207
Amended ... 15062
1137.51
Introductory text of (a) revised ... 5617
1138
Determination ... 5481
1138.50
Amended ... 9207
Amended ... 15062
1138.51
(a) suspended in part ... 3384
Partial suspension of (a) terminated ... 5345
(a) revised ... 5617
1138.55
Added ... 5315
1138.70
(f) added ... 5315

Chapter XI
1201.53
Suspended ... 9337
1201.300
Subpart added ... 6483
1205
Added ... 10510
1205.200—1205.210
Subpart added ... 14438
1205.202
(a)(4)(iii) revised ... 14771
1205.300—1205.342
Subpart added ... 16758

Chapter XIV
1407
Revised ... 4950
1408.4
(a) through (e) redesignated as (b) through (f), respectively; new (a) added; introductory text of new (b) and (b)(4) amended ... 10733
1421.50—1421.78
Subpart revised ... 5941
1421.50
Revised ... 3490
1421.52
(e) revised ... 3490
1421.53
(a), (c), and (e) revised ... 3490
1421.54
(a) revised ... 3490
1421.55
(a) revised ... 3491
1421.60
Revised ... 3491
1421.64
(a) revised ... 3491
1421.67
(b) amended ... 3491
1421.69
(d) revised ... 3491
1421.71
Revised ... 3491
1421.72
(a) and (g) revised; (h) amended ... 3491
1421.76
(h) added ... 3492
1421.78
Revised ... 3492
1421.2161—1421.2172
Subpart added ... 9414

7 CFR—Continued Page

Chapter XIV—Continued
1421.2172
Heading of (d) and (d)(1) corrected ... 9719
1421.2175—1421.2179
Subpart added ... 9594
1421.2261—1421.2271
Subpart added ... 7964
1421.2275—1421.2279
Subpart added ... 9842
1421.2279
(b) corrected ... 10957
(a) corrected ... 11013
1421.2361—1421.2372
Subpart added ... 10454
1421.2376—1421.2381
Subpart added ... 14307
1421.2448
Revised ... 6103
Revised ... 6405
1421.2460—1421.2472
Subpart added ... 6904
1421.2461
Corrected ... 7243
1421.2475—1421.2478
Subpart added ... 7477
1421.2561—1421.2571
Subpart added ... 8000
1421.2571
(b) corrected ... 8306
1421.2575—1421.2579
Subpart added ... 9847
1421.2579
(b) corrected ... 11013
1421.2651—1421.2660
Subpart added ... 4581
Authority citation corrected ... 5481
1421.2661—1421.2665
Subpart added ... 9337
1421.2665
(a) corrected ... 13078
1421.2760—1421.2772
Subpart added ... 8347
1421.2775—1421.2778
Subpart added ... 9116
1421.2778
(a) amended ... 11449
1421.2840—1421.2849
Subpart added ... 6406
1421.2851—1421.2855
Subpart added ... 9341
1421.2855
(a) and (c) corrected ... 10113
1421.2951—1421.2960
Subpart added ... 6013
1421.2965—1421.2968
Subpart added ... 12051
1421.2968
(a) and (c)(2) and (3) corrected ... 12564
1421.3051—1421.3060
Subpart added ... 8003
1421.3065—1421.3068
Subpart added ... 9940
1421.3105
Subpart added ... 6408
1421.3510—1421.3517
Subpart added ... 9600
1421.3510
Corrected ... 11090
1421.3511
Corrected ... 11090
1421.3613—1421.3622
Subpart added ... 12709
1421.3686—1421.3696
Subpart added ... 11932
1421.3773—1421.3790
Subpart added ... 3385

7 CFR—Continued Page

Chapter XIV—Continued
1421.3825
(a) revised ... 474
(a) revised ... 10179
(a) revised ... 13641
1421.3827
(e) added ... 10179
1421.5551—1421.5558
Subpart recodified from 1421.5551—1421.5560; revised ... 13910
1421.5551—1421.5560
Subpart recodified as 1421.5551—1421.5558; revised ... 13910
1425.7
Revised ... 10514
1425.15
(d) added ... 10514
(e) added ... 12514
1425.21
Revised ... 10514
1427.1354
(a) and (c) revised ... 9791
1427.1356
Revised ... 9791
1427.1357
(f) revised ... 9792
1427.1359
(a) revised ... 9792
1427.1360
Revised ... 9792
1427.1361
Revised ... 9792
1427.1365
(c) revised ... 9792
1427.1368
(e) added ... 4389
1427.1379
Added ... 9793
1427.1505—1427.1509
Subpart added ... 8860
1427.1506
Corrected ... 9270
Corrected ... 9445
1427.1952
(a), (l), and (m) revised ... 813
(c) revised ... 13696
1427.1966
Amended ... 813
1427.1967
(a)(6) added ... 814
1427.1969
Revised ... 814
1427.1970
Revised ... 814
1427.1975
Added ... 814
1427.1976
Added ... 814
(a) revised ... 7111
1427.2101—1427.2106
Subpart added ... 6861
1427.2239
(a) revised ... 474
(a) revised ... 10179
(a) revised ... 13641
1427.2241
(e) added ... 10179
1427.2250—1427.2255
Subpart added ... 3284
1430.280
Added ... 5664
(b)(1) amended ... 9497
1434
Revised ... 6257
1434.52
Section incorrectly designated as 1434.56; (a) revised; (f) added ... 7
Correctly designated as 1434.52 ... 815

7 CFR—Continued Page

Chapter XIV—Continued
1434.65
(b) revised ... 7
1434.108
(b) corrected ... 6582
1438.1615—1438.1624
Subpart added ... 4951
1443.2041—1443.2054
Subpart added ... 8348
1443.2044
(b)(2) amended ... 12837
1446.1630—1446.1656
Subpart added ... 10241
Table added to subpart ... 10634
1446.1633
(d)(1)(i) revised ... 11592
1446.1640
(d)(6)(i) corrected ... 11141
1446.1643
(e) corrected ... 11141
(e) corrected ... 13207
1464.1745
Added ... 5817
1464.1750
Added ... 5817
1464.1755—1464.1764
Subpart added ... 9680
1464.1765
Added ... 10113
1464.1766—1464.1770
Added ... 14451
1464.1771—1464.1775
Added ... 15485
1468.205
(e) added ... 4953
1468.251—1468.276
Added ... 5817
1468.255
(c) added ... 15234
1468.259
(b) revised ... 15234
1472.1105
(e) added ... 4953
1472.1121
(e) added ... 4953
1472.1148
(e) added ... 4953
1472.1201—1472.1255
Subpart added ... 4582
1472.1204
(b) amended ... 15234
1472.1205
(c) added ... 15234
1472.1209
(b) revised ... 15234
1472.1246
Existing text designated as (a); (b) added ... 15234
1475.201
Revised ... 13532
1475.205
(d)(2) revised ... 13532
1475.208
Revised ... 13532
1479
Added ... 5346
1481.101—1481.159
Subpart heading revised ... 11449
1481.101
Amended ... 11449
1481.106
Amended ... 7396
1481.111
(c)(1) and (d) amended ... 11309
1481.113
(a) revised ... 7396
1481.117
Revised ... 11449

7 CFR—Continued Page

Chapter XIV—Continued
1481.125
(f) and (g) added ... 11449
1481.128
(a)(3) amended ... 11309
1481.130
(b)(1) and (2) revised ... 11309
Introductory text of (a) amended ... 11450
1481.137
(b) amended ... 11450
1483.101—1483.199
Subpart heading revised ... 11450
1483.101
Amended ... 11450
1483.105
(e)(4) and (j) amended ... 4728
1483.107
Revised ... 4728
1483.109
(b)(8) and (e) revised ... 4728
1483.110
Deleted ... 4728
1483.112
(b)(1)(i) and (viii) amended ... 4728
1483.114
(c) amended ... 4728
1483.115
(a) and (d) amended ... 4728
(c) amended ... 9719
Effective date of amendment of (c) ... 10072
1483.120
Amended ... 4729
1483.121
(f) revised; (i) and (j) added ... 4729
1483.125
(b)(1) revised; (b)(1a) added; (b) (9), (17), and (20) revised ... 4729
(b)(4) and (8) revised ... 9720
Effective date of revision of (b)(4) and (8) ... 10072
1483.126
(b) and (c) revised ... 4729
(a) and (b) amended; (c) revised ... 9720
Effective date of amendment of (a) and (b) and of revision of (c) ... 10072
1483.127
(b)(10) revised; (b)(12a) added; (b)(17) and (20) revised ... 4729
(b) (6), (9), and (10) revised ... 9720
Effective date of revision of (b)(6), (9), and (10) ... 10072
1483.141
(c) revised ... 4729
1483.145
Revised ... 4730
Center heading revised ... 11450
1483.146
(a) revised ... 4730
Revised ... 11450
1483.147
Introductory text revised ... 4730
1483.151
(g)(1) and (2) amended; (g)(3) revised ... 4730
1483.155
Amended ... 4730
1483.158
(b)(3)(ii) amended ... 9270
Effective date of amendment of (b)(3)(ii) ... 10072
(f) and (g) added ... 11451
1483.161
(b) revised ... 4730

7 CFR—Continued Page

Chapter XIV—Continued
1483.162
(b) amended ... 4730
1483.163
Introductory text of (a) amended ... 11451
1483.176
(a) and (b) amended ... 4730
(b) amended ... 11451
1483.178
Amended ... 4730
1483.180
Revised ... 4731
1483.188a
Added ... 9720
Effective date ... 10072
1483.189
Revised ... 4731
1483.201
Amended ... 7818
1483.204
Added ... 14504
1483.205
(a) amended; (c) revised ... 7818
(d)(4) amended ... 14504
1483.209
(e) revised ... 7818
1483.221
(e) amended ... 14504
1483.225
(b)(2)(iv) and (ix) revised ... 7818
(b)(1)(x) added ... 14504
1483.226
(b) amended ... 14504
1483.227
(b)(1)(x) and (2)(viii) revised ... 7818
(b)(1)(xiii) added ... 14504
1483.241
(c) amended ... 7818
(a)(3) amended; (c) revised ... 14504
1483.246
(a)(4) amended; (a)(5)(iii) revised ... 7818
(a)(1) and (4) amended ... 14505
1483.251
(g) amended ... 7818
1483.260
Amended ... 7818
1483.263
(f) and (g) added ... 14505
1483.266
(f) deleted ... 7818
(a) and (c) amended ... 14505
1483.268
(a) and (b) amended ... 14505
1483.276
(a) amended ... 7818
1483.278
Amended ... 7818
1483.280
Revised ... 7818
1483.289
Revised ... 7818
1483.291
Amended ... 7818
1483.293
Amended ... 7819
1484.101—1484.158
Subpart heading revised ... 11451
1484.101
Amended ... 11452
1484.117
Revised ... 11452
1484.123
(f) and (g) added ... 11452
1484.128
Introductory text of (a) amended ... 11452

7 CFR—Continued

Chapter XIV—Continued

1484.136
(b) amended 11452
1485.211
(c) revised 11090
1486.101—1486.157
Subpart recodified from 1486.101—1486.198; revised 2954
Subpart heading revised 11453
1486.101—1486.198
Subpart recodified as 1486.101—1486.157; revised 2954
1486.101
Amended 11453
1486.105
(a) amended 11453
1486.108
(b) revised 11310
1486.109
(c) corrected 3336
1486.117
Revised 11453
1486.123
(f) and (g) added 11453
1486.126
(a) amended 11310
(c) amended 11453
1486.127
(c) revised 11453
1486.136
(b) amended 11453
1486.153
Revised 7735
1487.5
(e) revised 11013
1488
Revised 2997
1488.1
(b) amended 7515
1488.3
Revised 11861
1488.7
(a) and (b) amended 11861
1488.14
Amended 11861
1489.1
Amended 11013
1489.4
(d) revised 11013
1490
Added 6862
Revised 9208
Revised 12997
1490.1
Revised 7556
1490.3
(b)(1) revised 14826
1490.4
Revised 7556
1490.6
Revised 7556
1490.7
(a) revised 14826

Chapter XVII
Added; redesignated from 6 CFR Ch. II 16225
1700
Added; redesignated from 6 CFR Part 200 16225

Chapter XVIII
Added; recodified from Ch. III (Parts 300–391) of Title 6 14109
1800—1891
Ch. XVIII added; recodified from 6 CFR Ch. III 14109
1865
Revised 16225

7 CFR—Continued

Proposed Rules:

26 2965, 5905
51 3193, 4806, 5448, 5449, 5968, 7757, 10577, 11184.
52 270, 3253, 5074, 6871, 7185, 8542, 10471, 13551, 13861, 14081, 15149, 15151, 16789.
55 11666
58 903, 5715, 12354
81 9871, 11185
110 11614
112 11614
113 11614
301 12023, 14990
319 3124, 5074, 14881
330 7479
711 830
717 5570, 10691
718 15810
722 5321
724 14002, 14560
725 8819, 13242
729 2479, 10471
730 903, 9420, 12952
777 8878
811 14745
812 15323
813 2835
814 1151, 14457
815 14598
816 14685
817 8541, 15147
Ch. IX 15594
905 3020, 7286, 7287, 7971, 11236, 11553, 12445, 13800.
906 2552, 7480, 8429, 12533, 14359, 14563
907 16470
908 6375
909 13174
910 5074, 15544
911 7482
912 13758
913 564, 14316
915 8181
916 295, 5635, 6871, 7482
917 7703
919 10275
921 11237, 11315
922 9874
923 10038
924 10888
925 11035, 11238
926 11035
927 10963
929 13136
931 10963
932 153, 10038, 11758, 12483
945 9874
946 10368
947 13758
948 9007, 10747, 10888, 12953
958 11455
959 13862
965 6592
967 1304, 9118, 14990
970 974
971 13551, 15153
972 13394
980 6276, 10368, 15159
981 10963, 11455
982 12954, 13346
984 12795, 13005
987 5360, 9461, 10692, 14004, 15022, 15746
989 13244, 13552, 14081, 14316
991 2479, 7397, 9118, 10131, 10532, 13394
992 3020, 15153
993 4895, 10964, 11987, 13136, 14402
994 8021, 10747, 13090
1001 3465, 5360, 7520, 7911, 8242, 9127, 14402, 14946, 15811.
1002 3465, 5360, 7911, 9127, 14402, 14946, 16279, 16716.

7 CFR—Continued

Proposed Rules—Continued

1003 974, 2965, 3294, 3465, 5321, 5360, 6375, 7911, 9127, 13863, 14402, 14946, 14950.
1004 3465, 5360, 7911, 9127, 14402, 14946, 15670, 16471.
1005 3465, 5360, 7911, 9127, 11149, 11397, 12845, 13090, 13726, 14403, 14946.
1006 352, 11465, 13272, 14402, 14946
1008 3465, 5360, 7911, 9127, 14403, 14946
1009 3465, 5360, 7911, 9127, 14403, 14946
1011 3465, 5360, 7911, 9127, 14403, 14946
1012 3125, 3465, 5360, 7911, 9127, 11397, 12102, 13605, 14402, 14403, 14946.
1013 975, 2730, 3465, 5360, 7829, 7911, 8131, 8956, 9127, 11669, 13655, 13863, 14402, 14946, 14952.
1015 3465, 5360, 7520, 7911, 8242, 9127, 14402, 14946, 15811.
1016 974, 2965, 3294, 3465, 5321, 5360, 6375, 7911, 9127, 13863, 14402, 14946, 14950.
1030 564, 1079, 3401, 3465, 5368, 5638
1031 564, 1079, 3401, 3465, 5368, 7831, 9127, 9420, 9996, 10369, 14406, 14946.
1032 564, 1079, 3401, 3465, 5368, 6497, 6631, 7831, 8634, 9127, 9152, 10038, 14028, 14406, 14946, 15598.
1033 2384, 3126, 3465, 5360, 7911, 9127, 14403, 14946.
1034 2384, 3126, 3465, 5360, 7911, 9127, 14403, 14946, 16204.
1035 3465, 5360, 7911, 9127, 14403, 14946
1036 3465, 5360, 7911, 9127, 14403, 14946
1038 564, 1079, 3401, 3465, 5368, 7061, 7831, 7971, 9127, 12104, 12954, 14406, 14946.
1039 564, 1079, 3401, 3465, 5368, 7061, 7831, 7973, 9127, 14406, 14946.
1040 3465, 5360, 7911, 9127, 14403, 14946
1041 3465, 5360, 7483, 7911, 8496, 9127, 13136, 14403, 14777, 14946.
1043 3465, 5360, 7911, 9127, 14403, 14946
1044 3465, 5368, 7831, 9127, 14406, 14946
1045 3465, 5368, 7831, 9127, 14406, 14946
1046 3465, 5360, 7911, 9127, 14403, 14946
1047 3465, 5360, 7911, 9127, 14403, 14946
1048 3465, 5360, 7911, 9127, 14403, 14946
1049 3465, 5360, 7911, 9127, 14403, 14946
1050 6497, 6631, 8634, 9152, 10038, 14028, 14406, 14946.
1051 564, 1079, 3401, 3465, 5368, 7831, 9127, 14406, 14946.
1060 9351, 14407, 14946
1061 3401, 3465, 4148, 4966, 5368, 5693, 7831, 9127, 9279, 9808, 10800.
1062 564, 1079, 3401, 3465, 5368, 7831, 9127, 14406, 14946.
1063 434, 564, 1079, 2659, 3401, 3465, 4459, 5368, 7831, 9127, 13864, 14406, 14523, 14946
1064 3401, 3465, 4148, 4966, 5368, 5693, 7831, 9127, 9279, 9306, 9808, 10800, 14406, 14946, 15544, 16625.
1065 3466, 5375, 6873, 7757, 9127, 11149, 11491, 12447, 14407, 14946.
1066 3466, 5375, 7757, 9127, 14407, 14946
1067 564, 1079, 1151, 2698, 3401, 3465, 5368, 7831, 9127, 13395, 14406, 14946.

7 CFR—Continued

Proposed Rules—Continued

1068 92, 1242, 3466, 5375, 7129, 7757, 9127, 10615, 11150, 12448, 13864, 13916, 14407, 14946, 14954.
1069 3466, 5375, 7757, 9127, 10131, 13901, 14407, 14946.
1070 564, 1079, 3401, 3465, 5368, 7831, 9127, 13864, 14406, 14523, 14946.
1071 3401, 3465, 5368, 7831, 9127, 14406, 14946
1073 3401, 3465, 5368, 7831, 9127, 9218, 10825, 14406, 14946.
1074 3401, 3465, 5368, 7831, 9127, 9218, 10825
1075 3466, 5375, 7757, 9127, 14407, 14946
1076 3466, 5375, 7757, 9127, 14407, 14946
1078 564, 1079, 3401, 3465, 5368, 7831, 9127, 13864, 14406, 14523, 14946
1079 564, 1079, 3401, 3465, 5368, 7831, 9127, 10131, 11316, 11896, 13864, 14406, 14523, 14946.
1090 3401, 3465, 5368, 7911, 9127, 14403, 14946
1094 3465, 5360, 7831, 9127, 14406, 14946
1096 3401, 3465, 5368, 7831, 9127, 11318, 12023, 14406, 14946.
1097 2430, 3257, 3401, 3465, 5368, 7831, 9127, 14406, 14946.
1098 3401, 3465, 4966, 5368, 6202, 6549, 7524, 7911, 9127, 9303, 14403, 14946.
1099 434, 1152, 3401, 3465, 5368, 5696, 6120, 6500, 7129, 7758, 7831, 9127, 9875, 10692, 14406, 14946.
1101 3195, 3465, 4148, 5360, 7911, 9127, 10847, 14406, 14946, 15154.
1102 2430, 3257, 3465, 5368, 7831, 9127, 13395, 14406, 14946.
1103 3465, 5360, 7831, 9127, 11153, 13476, 14081, 14406, 14946.
1104 3401, 3465, 5368, 7831, 9127, 14407, 14946
1106 1304, 3401, 3465, 5368, 7831, 9127, 13607, 14407, 14946, 15598, 16365.
1108 2430, 3257, 3401, 3465, 5368, 7831, 9127, 14406, 14946.
1120 3401, 3465, 5368, 7831, 9127, 14407, 14946
1125 3466, 5375, 7062, 7757, 9127, 10847, 14407, 14946.
1126 910, 3401, 3465, 5368, 6631, 7831, 8431, 9127, 13005, 13607, 14316, 14407, 14946, 15598, 16365, 16576.
1127 3401, 3465, 5368, 7831, 9127, 14407, 14946
1128 3401, 3465, 5368, 7831, 9127, 10371, 11154, 14407, 14946.
1129 3401, 3465, 5368, 7831, 9127, 14407, 14946
1130 92, 3296, 3401, 3465, 5368, 7831, 9127, 14407, 14946.
1131 3466, 5375, 7757, 9127, 14407, 14946, 16277
1132 3401, 3465, 5368, 7831, 9127, 14407, 14946
1133 3466, 5323, 5375, 6986, 7757, 7831, 8542, 9127, 14407, 14946.
1134 3466, 5375, 7757, 9127, 11397, 14407, 14946
1136 3466, 5375, 7757, 9127, 14407, 14946

7 CFR—Continued

Proposed Rules—Continued

1137 3466, 5375, 7757, 14407, 14523, 14946
1138 477, 3025, 3466, 4732, 5375, 7757, 9127, 14407, 14946.
Ch. XI 10532
1201 5324
1205 12956, 13478, 14441

8 CFR

Chapter I

101.1
(j)(1) revised 535
103.1
(f) amended 5547
(f) amended 6196
103.2
(b)(1) amended 535
103.3
Revised 3062
103.6
Revised 11713
204.1
(d) revised 5117
(a) amended 7217
(a) amended 10530
(b) amended 15322
204.2
(f) amended 535
(f) and (g) revised 5118
205.1
(b) revised; (c) amended 535
211.1
Revised 13387
212.1
(c) amended 10957
(b) revised 14674
212.2
Amended 2373
212.4
(c) amended; (d) through (g) redesignated as (e) through (h), respectively; new (d) added 10413
212.6
(b) amended 8045
212.7
Introductory text of (b) amended 5118
(b)(3) amended 11714
(b)(1) amended 13114
212.8
Added 10021
(b)(3) corrected 10355
213.1
Amended 11714
214.1
(a) amended 11714
214.2
(c)(1) amended 2373
(h)(2)(ii) revised 4446
(h)(2)(i) and (4) amended 5948
(h)(2)(ii) and (h)(3) amended 6611
(h)(2)(ii) corrected 7170
(c)(1) amended 8045
(h)(2)(i) amended 10607
(h)(2)(ii) amended 11744
(c)(1) amended 12081
221.1
Amended 11714
235.1
Heading revised; text designated as (a); (b) added 9103
235.9
(a), (b), and (c) redesignated as (c), (d), and (e), respectively; new (a) and (b) added 5118

8 CFR—Continued

Chapter I—Continued

235.9—Continued
(c) amended; (d) and (e) redesignated as (e) and (f); new (d) added 16125
236.3
(a) amended 8045
242.7
Revised 5547
243.8
Revised 11744
245.1
(a) and (d) amended 535
(f) revised 2373
(e) and (g) revised 5119
(b) revised; (c) and (g) amended 15235
245.2
Text designated as (a); (b) added 5119
(a) revised; (c) added 15235
245.3
Amended 6196
245.4
Amended 536
249.2
Amended 15235
252.3
Revised 9267
Revised 12675
Revised 15322
252.5
Added 6196
Revised 12774
264.1
(c) amended 16125
299.1
Amended 536
Amended 4446
Amended 11714
Amended 15235
Amended 15322
299.3
Amended 15322
316a.21
(c) revised 14629
324.11
Revised 14078
Amended 14629
327.1
Revised 14078
Amended 14629
328.3
Amended 14078
329.2
Amended 14078
330.1
Amended 14078
332a.2
Amended 14078
332a.13
(h) added 14079
(e) revised; (i) added 14629
499.1
Amended 14079
Amended 14629

Chapter II

511
Superseded; recodified in 31 CFR Part 520 7333

Proposed Rules:

103 830
214 2784

9 CFR

Chapter I

51
Amended 81

9 CFR—Continued

Chapter I—Continued

51.1 (m) revised 2473
51.9 (d) revised 12082
52 Amended 81
53 Amended 81
54 Amended 81
55 Amended 81
56 Amended 81
71 Amended 81
72 Amended 81
73 Amended 81
73.1a Added 745; Revised 4277; Revised 5053
73.5 Revised 8907
74 Amended 81
74.2 (a) revised 16347
74.3 Revised 16347
75 Amended 81
76 Amended 81
76.1 (f) revised 7029
76.2 (f) and (g) revised 10314
76.4 (b) amended 81; Introductory text revised 7029
76.5 (b) amended 81; Revised 7029
76.7 (b) amended 81
76.10 Introductory text revised; introductory texts of (a), (b), and (c) revised 10314
76.16 (b) revised 10314
77 Amended 81
78 Amended 81
78.1 (j) revised 2473
78.13 Revised 7, 2591, 9849, 16308
78.14 (a) amended 13465
79 Amended 81
80 Amended 81
81 Amended 81
82 Amended 81
83 Amended 81; Revoked 5015
91 Amended 81
92 Amended 81
94 Amended 81
94.1 (b) revised; (c) added 3002; (a) (1) revised 4210
95 Amended 81
96 Amended 81
97 Amended 81
97.1 Revised 10314
97.2 Amended 8020; Amended 13114; Amended 13939; Amended 14827; Corrected 15013
101 Amended 82
101.1 Introductory text revised 82
102 Amended 82
120 Amended 82
122.1 Redesignated as 122.2 81
122.1 Added 81
122.2 Redesignated as 122.3 81
122.2 Redesignated from 122.1 81
122.3 Redesignated as 122.4 81
122.3 Redesignated from 122.2 81
122.4 Redesignated from 122.3 81
123 Amended 82
131 Amended 82; Terminated 16185
131.166 Added 11607
151 Amended 82
156 Amended 82

Chapter II

203.9 Added 4118

Chapter III

304.2 (a) amended 2543
304.3 Revised 2543
307.4 Text revised 10248; Heading corrected 10414
318.7 (b) (4) amended 10884; (b) (4) amended 13856
323.1 (b) revoked 1200
327.8 (m) amended 10666
327.16 Effective date of revision of heading, (a), and (b) postponed 1058
327.17 Effective date of revision of (a) postponed 1058
340.7 (c) revised 10248
355.12 Revised 10248

Proposed Rules:

Ch. I 16110
71 15670
76 3401
94 538
131 9745, 12102
145 12639
146 12639
147 12639
201 10325, 11398
309 14005
312 2484
314 14005
318 8905, 6378
324 11614
325 11614

10 CFR

Chapter I

0 Added, superseding 1.256 4502
1.5 (b) (1) (i) 8866
1.6 Revised 8999
1.10 (d) revised 8866; (d) amended 16310
1.15 (a) revised 8867
1.15a Added 16310
1.16 (a) revised 8867
1.20 (d), (e), and (g) revised; (j) through (o) added 8867
1.41 Revised 8868
1.43 (c) added 12399
1.44 (c) added 8868
1.46 Redesignated from 1.83 8868
1.50 (b) revised 8868
1.51 (b) revoked 12399
1.52 (c) revised 8866
1.54 Deleted 8868
1.60 (b) revised 8868
1.63 Revised 8868
1.66 Added 8868
1.67 Added 8868
1.68 Added 8868
1.69 Added 8869
1.70 (c) revised 8869
1.72 Revoked 8869
1.80 Revised 8869

10 CFR—Continued

Chapter I—Continued

1.82 (a) (4) and (5) and (b) revised 8869
1.83 Redesignated as 1.46 8868
1.90 (b) revised 8869
1.95 Added 8869; (c) added 12399
1.225 Center heading and (a) revised 8869
1.226 (a) revised 8870
1.240 (e) revised 16310
1.242 (a) revised 9539
1.243 Added 8870
1.256 Superseded by new Part 0 4502
2 Appendix A added 12777; Appendix A amended 16310
2.4 (n) added 12776
2.104 (b) redesignated as (c); new (b) added 12776
2.105 (b) (2) amended 12776
2.106 (b) (2) amended 12776
2.704 (a) revised 16310
2.712 (b) revised 4390
2.717 (a) revised 12776
2.719 (b) and (c) revised; (d) added 12776
2.720 (a) revised 16310
2.721 Revised 12777
2.743 (i) revised 4339
2.760 (a) and (c) (3) and (4) revised 4339
2.761 (a) (1) and (c) (1) revised 4339
2.762 Revised 4339
2.763 Revised 4339
2.764 (b) revised 4340; Revised 12777
2.771 (a) revised 4340
2.780 (d) revised; (e) added 12777
3.34 Added 1058
9.3 (d) and (e) amended 15145
20 Appendix B corrected 88; Appendix D amended 4669
20.7 Revised 4669
20.203 (f) revised 10515
20.204 (d) added 10515
20.205 Deleted 10515
20.206 (c) amended 4669
20.401 (b) revised 15145
20.405 (a) amended 4669
30.15 Deleted 5316
30.15 Added 5316; (a) (7) added 14349
30.16 Deleted 5316
30.17 Deleted 5316
32.14 Deleted 5316; Added 5316
32.15 Deleted 5316; Added 5317
32.15 (c) revised 14349
32.16 Deleted 5317; Added 5317
32.17 Deleted 5317
32.18 Deleted 5316
32.19 Deleted 5317
32.40 Introductory text revised 5317
32.102 Heading amended 15145
32.110 (a) revised 5317
36.21 Text designated as (a) and amended; (b) added 7959; (a) corrected 8417
36.22 (a) amended; (b) redesignated as (c) and amended; new (b) added 7959
36.23 Amended 7960
40.4 (l) amended 15145
40.5 Revised 4669
40.23 (a) amended 4669; Amended 7960
40.31 (a) revised; (e) deleted 4669
40.41 (d) amended 15145
50.2 (b), (p), and (q) amended 15145
50.4 Added 4669
50.21 (c) amended 15145
50.30 (a) revised 4669; (c) amended 12781
50.34 Heading revised 12780; (f) amended 15145
50.35 (a) (1), (2), and (3) revised 12780; (c) (1) amended 12781
50.36 (a) and (c) amended 12781
50.57 (e) revised 4340
50.59 (d) amended 4669; (a) through (e) amended 12781
55.5 Revised 4669
55.10 Introductory text of (a) revised 4669
55.20 Amended 12781
55.60 (b) and note revised 4670
70.5 Revised 4670
70.21 (a) revised; (e) deleted 4670
71 Revised 9943; Appendix C corrected 10414
71.5 (c) and (d) corrected 10414
100.11 Amended 4670
115.2 Revised 12478
115.3 (b) revised 12478
115.6 Added 4670
115.20 (a) revised 4670; (c) amended 12781
115.23 Heading revised 12781
115.24 (a) (1), (2), and (3) revised 12781; (c) (1) amended 12781
115.25 (a) and (c) amended 12781
115.45 (e) revised 4340
115.47 (d) amended 4670; (a), (b), (c), and (e) amended 12781, 13792; (d) amended 12781
140.5 Revised 4670
150.3 (b) and (i) revised 15145
150.4 Revised 4670
150.20 Introductory text of (b) amended; (b) (1) and (2) revised 4670

Proposed Rules:

Ch. I 220, 221, 2699, 5075
2 830, 831, 832
30 8595, 12023, 15747
32 8595, 15747
35 14317
40 16367
50 832, 10891, 14881
55 832
70 5075, 7634, 14881
115 17, 832
140 2614
150 5075

12 CFR

Chapter I

1.168 Added 5547
1.169 Added 5659
1.170 Added 5826
1.171 Added 6905

12 CFR—Continued

Chapter I—Continued
1.172
Added 8060
1.173
Added 8521
1.174
Added 11641
1.175
Added 12431
1.176
Added, superseding 7.4 14629
7.4
Rescinded; superseded by 1.176 14630
7.10
Added 11459
8.3
Revised 16761
10
Revised 6949
11
Revised 6950
12
Revised 6952
13
Revised 6953
14
Revised 6954
14.2a
Added 8951
15
Added 6955
16
Revised 6955
Chapter II
201.105
Added 1001
201.106
Added 4390
201.107
Added 5443
204
Amended 15794
204.1
(f) through (i) redesignated as (g) through (j), respectively; new (f) added 9103
(d) and (e) revised 15793
(i) amended 16310
204.2
(b) and (d) amended 16310
204.3
Amended 16310
204.5
Revised 9103
Revised 11172
Revised 15793
204.51
Amended 16310
204.111
Added 8060
208.9
(c) added 12514
208.118
Added 7224
208.119
Added 10021
(g) corrected 10356
208.120
Added 13985
211.102
Added 14259
215.107
Added 10179
216
Terminated 9445
217
Amended 15794
217.1
(f) added 9103

12 CFR—Continued

Chapter II—Continued
217.1—Continued
(g) added 10022
(d) and (e) revised 15793
217.2
Revised 16311
217.3
Amended 16311
217.5
Revised 15794
217.6
Revised 10022
Revised 12676
217.141
Added 10315
218.2
Revised 1175
Revised 5482
Revised 9976
220.121
Added 7169
221.51
Deleted 5443
222.120
Added 4277
222.121
Added 10263
262.2
(f)(5) revised 4197
(f)(5)(ii) corrected 4390
264
Added 3446
Chapter III
327.2
(b) (2) and (4) revised 15795
329.0
Revised 12636
329.1
(f) added 9862
(d) and (e) revised 15795
329.5
Revised 15795
329.6
Revised 9862
Revised 12636
Amended 15796
329.7
Added 12636
(e) added 12837
Amended 15796
336
Added 5751
Chapter IV
400
Added 3048
Chapter V
Subchapter E added 4198
511
Added 4277
522.71
(a) revised 6905
523.12
Revised 8771
524.6
Revised 6906
526
Added 12594
526.2
(b) and (e) revised 15728
526.3
(b) revised 15728
(b) (1) revised 16762
526.4
(b) corrected 13039
(d) revised 15729
530.1
Revised 287
Rescinded 8772
531
Added 8772

12 CFR—Continued

Chapter V—Continued
531.3
Revised 10920
531.4
Added 8773
Rescinded 14827
531.5
Added 8773
531.6
Added 8773
Revised 11972
Revised 13591
531.7
Added 8774
531.8
Added 9006
Rescinded 14827
531.9
Added 10315
(e) revised 12515
543.7–1
Added 2544
545.1–1
(c) revised 4198
(f) added 5258
(b), (c), and (d) revised 12839
545.3
Introductory text of (b) revised 5053
(b) revised 8774
545.3–1
(b)(2) and (g) revised 5054
(b)(2) and (g) revised 8775
(b)(2) and (g) revised 9006
Revised 12838
(c)(1) corrected 13000
545.6–1
(a)(4) (v), (vi), and (vii) revised; (a)(4)(xi) added 315
545.6–12
Revised 7508
545.6–20
Added 8353
545.8–2
Revised 8775
546.1
Revised 15235
Effective date of revision corrected 15569
546.2
Revised 15236
Effective date of revision corrected 15569
546.3
Revised 15236
Effective date of revision corrected 15569
555.10
Revised 287
Rescinded 8775
556
Added 8776
556.1
Revised 13592
561.3
Amended 13592
561.4
Amended 13592
561.5
Amended 13592
561.6
Amended 13592
561.16
(e) revised 8776
561.17
(a) amended 13592
561.18
Revised 8776

12 CFR—Continued

Chapter V—Continued
561.21
Revised 8353
563
Policy statement 5821
563.13
Procedure and policy 3229
Procedure and policy corrected 4290
(a)(3) revoked; (b)(1) revised; (b)(5) revoked; new (b)(5) added; (c) revised 8776
563.15
(a) revised 8004
Effective date of revision of (a) postponed 9862
563.31
Revised 13167
565
Revised 16762
569
Added 12595
569.2
(b) and (e) revised 15729
569.3
(b) revised 15729
(b)(1) revised 16763
569.4
(d) added 15730
570.1
Rescinded 8777
570.9
Added 5009
571
Added 8004
571.2
Added 8777
Revised 13593
571.3
Added 8777
571.4
Added 9539
581
Added 4198
582
Added 4198
Chapter VI
Added; redesignated from 6 CFR Ch. I 16227
604—673
Added; redesignated from 6 CFR Parts 4—73 16227
Proposed Rules:
11 13725
204 1010, 5320, 12730
213 10895
215 11399
217 1010, 5320, 12730
222 12965
327 12727
329 12727
522 4808
523 7354, 7483
524 4808
525 7483, 15158
526 14415
543 225
545 576, 4416, 6277, 7355, 12061, 13062
546 6322
561 6278, 7356
563 6278, 7356, 7484, 11156
569 14415
581 1314, 1315
582 1314, 1315

13 CFR

Chapter I
101.1
(d) added 10466
105
Revised 4670

13 CFR—Continued

Chapter I—Continued
105.735–3–3
(g)(2) revoked 10633
105.735–3–4
Revised 7375
105.735–4–3
(a) revised 12596
107.12
Amended 2816
107.404
Added 13532
107.650
(b) revised 10114
107.704
(g) deleted 2816
107.725
Added 2816
107.726
Added 2816
107.802
(i) redesignated as (j) and revised; new (i) added 4954
Introductory text of (d) revised 4954
(d) and (e) revised 9720
(g) and (h) amended 9721
107.903
Added 10114
108.501–1
(f) revised; (h) deleted 9270
(f) revised 14516
108.502–1
(h) revised 9270
112.2
(a)(4) deleted 2374
112.4
Revised 2374
112.6
Revised 2374
113
Added 2374
121
Schedule B amended 4340
Revised 9721
Schedule A amended 11651
Schedule A corrected 12840
Schedule B amended 14544
Schedules A and B amended 15146
121.3–2
(d–1) added 7375
(a) revised 11973
(d–2) added 14737
121.3–6
(a) revised 12572
(b)(4) and (d) revised 16764
121.3–8
Introductory text amended 7375
(e)(5) added 10114
Introductory text amended 14311
(b) revised; (c) amended; (g) added 14737
(e)(1) revised and (e)(6) added 14516
(b) revised 14544
(b) revised 15737
121.3–10
(f)(4) amended 14351
121.3–13
(b) revised 12479
Chapter III
Heading revised; continued applicability of regulations 8
Revised 11287
301—306
Recodified from Parts 301—307 and revised in revision of Ch. III 11287

13 CFR—Continued

Chapter III—Continued
301—307
Recodified as Parts 301—306 and revised in revision of Ch. III 11287
301
Subpart C recodified and revised 16670
301.1
Revised 16669
301.2
Revised 16670
301.10
Amended 16670
301.12
Amended 16670
301.13
Amended 16670
301.14
Amended 16670
301.15
Amended 16670
301.16
Amended 16670
301.17
Amended 16670
301.30—301.41
Subpart C recodified as 301.30—301.44; revised 16670
301.30—301.44
Subpart C recodified from 301.30—301.41; revised 16670
301.50
(b) amended 16673
301.52
Amended 16673
301.54
Revised 16673
301.55
(a) and (b) amended 16674
301.56
Amended 16674
301.57
Revised 16674
301.60
Amended 16674
301.62
Amended 16674
301.63
Added 16674
302.10
Amended 16674
302.20
Introductory text, (a), (c), and (d) amended 16674
302.50
Amended 16674
302.51
Amended 16674
302.52
Amended 16674
302.53
Amended 16674
303
Rescinded 16675
303
Added 16675
305.3
Introductory texts of (a) and (b) amended 16677
305.4
(a) amended; (b) revised 16677
305.5
Introductory text amended 16677
305.8
Revised 16677
305.9
Amended 16677

13 CFR—Continued

Chapter III—Continued

305.17
Introductory text of (a) and (a) (2) amended ... 16677
305.18
Amended ... 16677
305.20
(d) amended ... 16677
305.21
Revised ... 16677
305.22
Amended ... 16677
305.33
Introductory text, (d), (e), (f), and (g) (3) amended ... 16677
305.34
Revised ... 16677
305.35
Amended ... 16677
305.36
Amended ... 16677
305.37
Revised ... 16677
305.38
Amended ... 16677
305.41
Amended ... 16677
305.42
(b) and (c) amended ... 16677
305.43
Amended ... 16677
305.44
Revised ... 16677
305.45
Amended ... 16677
305.51
Revised ... 16678
305.52
Revised ... 16678
305.53
Added ... 16678
306.2
Amended ... 16678
306.3
(b) amended ... 16678
306.4
Introductory text, (b), and (d) amended ... 16678
306.5
Amended ... 16678
306.6
Revised ... 16678
306.7
Amended ... 16678
306.11
Amended ... 16678
306.12
Introductory text, (b), and (c) amended ... 16678
306.13
Revised ... 16678
306.14
Amended ... 16678
306.21
Introductory text of (a) and (b) revised ... 16678
306.22
Introductory text and (b) amended ... 16678
306.30
Revised ... 16678
307
Added ... 16678

Proposed Rules:

107 ... 1206, 3466, 4149, 7710, 7711, 8695, 15603
121 ... 225, 480, 4213, 8926, 11037, 12024, 12849, 12924, 13353, 13758, 16209.

14 CFR

Chapter I

Amended ... 3337
Subchapter O added ... 5104
Amended ... 9211
1.1
Introductory text revised ... 5055
1.2
Introductory text revised ... 5055
1.3
Introductory text of (a) and of (b) revised ... 5055
11
Subpart C heading revised ... 13697
Subpart E added ... 13697
11.11
Amended ... 13697
11.15
Amended ... 11091
11.25
(a) amended ... 11091
11.41—11.55
Subpart C heading revised ... 13697
11.41
(a) amended ... 11091
(b) revised ... 13697
11.47
(a) amended ... 11091
11.61
(c) amended ... 11091
11.81—11.93
Subpart E added ... 13697
13.11
Revised ... 8353
21.73
(b) redesignated as (c); new (b) added ... 13388
21.75
Amended ... 13388
21.83
(a) amended ... 9211
Revised ... 13388
21.85
(d) (3) revised; (e) amended ... 9211
Revised ... 13388
21.223
(a) (2) and (f) amended ... 13389
21.225
(a) (2) and (e) amended ... 13389
21.329
(c) revised; (e) deleted; (f) and (g) redesignated as (e) and (f), respectively ... 2421
(c) amended ... 3336
21.337
(d), (e) and (f) added ... 2421
21.339
Revised ... 12565
25.571
(a) revised; (d) added ... 11934
25.809
(f) revised ... 8912
25.1459
Added ... 127
37.149
Revised ... 9978
37.150
Revised ... 127
37.178
Revised ... 12942
39.13
Amended ... 82
(2 docs.), 129 (2 docs.), 249, 288, 475, 693, 1002, 1144, 1175, 1267 (2 docs.), 2422 (2 docs.), 2649, 2650, 2681, 2887, 2927, 3015, 3063–3064 (4 docs.), 3388 (2 docs.), 3449–3450 (3 docs.), 4283 (3 docs.), 4447, 4493–4494 (3 docs.), 4771, 4836–4837 (4 docs.), 5482

14 CFR—Continued

Chapter I—Continued

39.13—Continued
Amended—Continued
(2) docs.), 5548, 5660, 5823, 6015, 6201, 6296 (2 docs.), 6353, 6582, 6790 (2 docs.), 6959, 7031, 7111–7112 (3 docs.), 7170 (3 docs.), 7279, 7351, 7676, 7736, 7881–7882 (3 docs.), 8045, 8046, 8417, 8746, 8870 (2 docs.), 9000, 9046 (2 docs.), 9109, 9399 (2 docs.), 9446, 9675, 9793, 10023 (2 docs.), 10073–10074 (3 docs.), 10248, 10357, 10466–10467 (3 docs.), 10631, 10769 (2 docs.), 10957–10958 (3 docs.), 11091, 11593, 11594, 11641, 11714–11715 (5 docs.), 11973, 12083 (2 docs.), 12515, 12516, 12597, 12921, 13167, 13521, 13752, 13912, 13985–13987 (4 docs.), 14312 (3 docs.), 14391–14392 (4 docs.), 14545–14547 (4 docs.), 14771, 14827, 14880, 15014, 15191, 15634 (2 docs.), 16125–16126 (4 docs.), 16264–16265 (3 docs.), 16311 (2 docs.), 16347, 16407, 16604–16607 (5 docs.).
43
Appendices C and D amended ... 3336
43.3
(d) and (i) amended ... 3336
(l) revised ... 5249
43.9
Heading and (c) amended ... 3336
43.11
Heading, introductory text of (a), (a) (4) and (5), and (b) amended ... 3336
43.15
Heading, (a), (b), introductory text of (c), and (c) (1) and (2) amended ... 3336
43.17
Added ... 5949
45.21
(e) (2) deleted ... 1268
45.25
Revised ... 9863
45.29
(a) revised; (f) added ... 9863
47
Revised ... 4495
47.13
(g) revised ... 15349
47.15
(a) revised ... 13314
47.33
(c) corrected ... 5483
47.41
(b) (3) corrected ... 5483
47.43
(a) (4) corrected ... 5483
49.11
Revised ... 4498
49.13
Revised ... 4499
(d) revised ... 15349
49.15
(b) amended ... 4499
49.17
(b) and (c) revised; (d) (1), (2), and (3) amended; (e) (1) revised; (e) (3) amended ... 4499
49.21
Amended ... 4499
49.33
(b) amended; (c) revised ... 4499
49.55
(a) amended ... 4499

14 CFR—Continued

Chapter I—Continued

61.3
(a) revised ... 8355
(f) revised ... 12400
(e) and (f) revised ... 13522
61.5
(e) and (f) revised ... 13523
61.9
(g) revised ... 13523
61.13
(b) (1) deleted; (b) (2) and (3) redesignated as (b) (1) and (2), respectively; (c) revised ... 13523
61.15
(l) added ... 12400
61.21
(b) amended ... 7610
Effective date of amendment of (b) postponed ... 8913
Amendment of (b) rescinded ... 10885
61.27
(a) revised; (c) deleted, introductory text of (d) revised; (e) and (f) deleted ... 13523
61.29
Revised ... 13523
61.31
(c) revised ... 12400
61.35
(a) (2), introductory text of (c), and (c) (3) revised ... 12400
61.37
(c) (2) (iii) and (vi) revised ... 12401
61.39
(e) amended ... 13523
61.47
(d) and (e) revised ... 12401
61.49
Deleted ... 13523
61.143
Introductory text amended ... 7610
Effective date of amendment of introductory text postponed ... 8913
Amendment of introductory text rescinded ... 10885
61.149
Deleted ... 12401
61.151
Revised ... 12401
61.153
(c) added ... 12401
61.155
Revised ... 12401
61.157
Heading and introductory text of (a) revised; (b) redesignated as (c); new (b) added ... 12401
63
Appendix B amended ... 9211
63.3
(c) revised ... 13523
63.11
(c) and (d) added ... 13523
63.15
(b) revised ... 13523
63.16
Added ... 13523
63.35
(c) deleted ... 7610
Effective date of deletion of (c) postponed ... 8913
Deletion of (c) rescinded ... 10885
63.37
(a) and (b) (4) revised ... 9047
63.39
(a) amended ... 7610
Effective date of amendment of (a) postponed ... 8913
Amendment of (a) rescinded ... 10885

14 CFR—Continued

Chapter I—Continued

63.57
Revised ... 7610
Effective date of revision postponed ... 8913
Revision rescinded ... 10885
65.11
(c) and (d) added ... 13524
65.15
(c) revised ... 13524
65.16
Added ... 13524
65.30
Added ... 7455
65.33
Revised ... 7455
65.37
Introductory text amended ... 7610
Effective date of amendment of introductory text postponed ... 8913
Amendment of introductory text rescinded ... 10885
65.39
(a) (3) revised; (a) (4) revoked ... 7455
65.41
(b) and (c) revised ... 7455
65.45
(a) revised ... 13524
65.51
(b) revised ... 13524
65.59
Introductory text revised ... 7610
Effective date of revision of introductory text postponed ... 8913
Revision of introductory text rescinded ... 10885
65.71
(c) revoked ... 5950
65.75
(a) revised ... 5950
(a) amended ... 7610
Effective date of amendment of (a) postponed ... 8913
Amendment of (a) rescinded ... 10885
65.79
Amended ... 7610
Effective date of amendment postponed ... 8913
Amendment rescinded ... 10885
65.80
Added ... 5950
65.88
Revised ... 13524
65.91
(c) (5) amended ... 3337
65.93
(a) (1) amended ... 3337
65.95
(a) amended ... 3337
(b) revised ... 13524
65.105
Revised ... 13524
65.111
(c) revised ... 13524
65.115
(a) and (b) redesignated as (b) and (a), respectively; (c) revised ... 7610
Effective date of amendment postponed ... 8913
Amendment rescinded ... 10885
65.119
Introductory text of (b) revised; (c) revised ... 7610
Effective date of amendment postponed ... 8913
Amendment rescinded ... 10885

14 CFR—Continued

Chapter I—Continued

65.123
(b) revised ... 7610
Effective date of revision of (b) postponed ... 8913
Revision of (b) rescinded ... 10885
67.19
(d) revised ... 5190
67.25
(b) revised ... 8356
67.27
Revised ... 8357
67.31
Revised ... 8357
71
Republished ... 2003
71.101
Amended ... 14631
71.103
Amended ... 10027
71.105
Amended ... 9400
71.107
Amended ... 8747, 8870, 14547
71.109
Amended ... 5286, 9400, 10027, 13314
71.123
Amended ... 83, 203, 475, 536, 877, 957, 958, 1144, 1268, 2423, 2473, 2475, 2717, 3230, 3231 (2 docs.), 4839 (2 docs.), 5055–5058 (6 docs.), 5120–5121 6582, 6685, 6791 (2 docs.), 6827, 6960, 7031, 7171, 7172, 7279, 7352 (2 docs.), 7507, 7556, 7561 (2 docs.), 7611, 7612, 8046, 8117, 8179, 8492, 8621, 8747, 8750, 8910, 9000, 9602, 10023–10026 (5 docs.), 10028, 10249, 10516, 10631, 10885, 11141, 11286, 11462, 11716, 11862, 11934, 12517, 12921, 13039, 13314, 13315, 13421, 13941, 14261, 14631, 15237 (2 docs.), 15531, 15796–15799 (4 docs.), 16201, 16608.
71.125
Amended ... 5285, 9001, 9400, 11745, 12433, 12679, 15238, 15799.
71.127
Amended ... 12434, 16494
71.151
Amended ... 1060, 1146, 5058, 5287, 10028, 10572, 10772, 10885, 11016, 13987, 15087
71.161
Amended ... 11745, 12679, 13941, 14631, 16494
71.163
Amended ... 5285, 6685, 6959, 7031, 7827, 8117, 8178, 9109, 9446, 10025, 10769, 11717, 11745, 12084, 12433, 12517, 13525, 13699, 13941, 16127.
71.165
Amended ... 131, 250 (2 docs.), 428, 2423, 2474 (2 docs.), 2650, 3065, 3175, 4396, 4499, 4838, 5285, 7456, 8178, 8358, 8620 (2 docs.), 10769, 10770, 11014, 11715, 13038, 13941, 14260, 16127.
71.171
Amended ... 83, 84, 130, 131, 249–250 (3 docs.), 342, 427–428 (3 docs.), 877–878 (3 docs.), 1058–1060 (4 docs.), 2422, 2474–2475 (3 docs.), 2531, 2650 (3 docs.), 2717, 3065, (2 docs.), 3284–3285 (3 docs.), 3337–

14 CFR—Continued

Page

Chapter I—Continued

71.171—Continued
Amended—Continued
3338 (2 docs.), 3388, 4108 (2 docs.), 4200, 4284 (2 docs.), 4396, 4499, 4589 (3 docs.), 4838 (2 docs.), 5055–5058 (6 docs.), 5120, 5285, 5407, 5687, 5823–5824 (3 docs.), 5951 (2 docs.), 6104, 6264, 6265, 6408, 6409, 6489 (2 docs.), 6584, 6685 (2 docs.), 6827, 6864 (3 docs.), 7171, 7456 (2 docs.), 7507, 7560 (2 docs.), 8357–8358 (4 docs.), 8492, 8575 (2 docs.), 8620 (2 docs.), 8747, 8749, 8750, 8870–8871 (3 docs.), 8909–8910 (3 docs.), 9001, 9447, 9602, 9863–9864 (5 docs.), 10024, 10025, 10115, 10414, 10515, 10769–10771 (4 docs.), 11014–11016 (5 docs.), 11092, 11285 (2 docs.), 11460–11462 (5 docs.), 11594–11595 (4 docs.), 11715–11717 (3 docs.), 11745, 11862 (2 docs.), 12083–12084 (2 docs.), 12432–12434 (4 docs.), 12516–12517 (4 docs.), 12597 (2 docs.), 12944, 13038 (3 docs.), 13115, 13207, 13208, 13315 (2 docs.), 13389–13390 (3 docs.), 13466, 13641, 13699, 14260, 14261, 14393, 14630 (3 docs.), 14674, 15236, 15569 (4 docs.), 15635 (2 docs.), 16127 (2 docs.), 16407 (3 docs.), 16607, 16608, 16764 (2 docs.).

71.181
Amended ..... 83, 130–131 (4 docs.), 249–250 (5 docs.), 288, 342, 428–429 (5 docs.), 536, 693 (2 docs.), 877–878 (3 docs.), 1059 (3 docs.), 1145 (2 docs.), 1268, 2423 (3 docs.), 2474 (2 docs.), 2531, 2650–2651 (4 docs.), 2717, 2888 (2 docs.), 3064–3065 (4 docs.), 3337–3338 (5 docs.), 3388, 4108 (3 docs.), 4200–4201 (4 docs.), 4284 (2 docs.), 4396, 4499, 4589 (2 docs.), 4838–4839 (4 docs.), 4889, 5055–5058 (4 docs.), 5120–5121 (4 docs.), 5190, 5250, 5285–5286 (3 docs.), 5407 (3 docs.), 5686, 5823–5825 (6 docs.), 5950–5951 (3 docs.), 6104, 6296–6297 (3 docs.), 6354–6355 (6 docs.), 6408–6409 (2 docs.), 6483, 6489–6490 (3 docs), 6584, 6685, 6826–6827 (4 docs.), 6864 (2 docs.) 6960 (2 docs.) 7031, 7032, 7112, 7217, 7352 (2 docs.), 7456, 7507, 7559–7561 (6 docs.), 7736 (2 docs.), 8046–8047 (3 docs.), 8178, 8179, 8357–8358 (3 docs.), 8492, 8575 (2 docs.), 8620 (3 docs.), 8679 (2 docs.), 8747, 8749–8750 (4 docs.), 8870–8871 (2 docs.), 8909, 8910, 9047 (2 docs.), 9109–9110 (3 docs.), 9399, 9400, 9446–9448 (8 docs.), 9602, 9863–9865 (8 docs.), 10024 (3 docs.), 10026, 10115, 10414, 10515, 10571–10572 (3 docs.), 10666, 10770–10772 (8 docs.), 10885, 11014–11016 (8 docs), 11092 (2 docs.), 11285–11286 (4 docs.), 11460–11462 (5 docs.), 11546, 11594–11595 (5 docs.), 11716 (2 docs.), 11745, 11862–11863 (4 docs.), 11973, 12054, 12083–12084 (4 docs.), 12432–12434 (5 docs.), 12516–12517 (2 docs.), 12597, 12840, 12921, 12943–12944 (3 docs.), 13038–13039 (6 docs.), 13115 (3 docs.), 13207–13208 (3 docs.), 13315 (3 docs.), 13389–13390 (3 docs.), 13422, 13698–13699 (5 docs.), 14260–14261 (4 docs.), 14392, 14453 (2 docs.), 14547, 14630, 14631, 14771, 14772, 14880, 14973 (2 docs.), 15087, 15236–15237 (3 docs.), 15531, 15570, 15635, 15798–15799 (3 docs.), 16127, 16407, 16764.

71.193
Amended 6546, 11092

71.203
Amended ..... 2473, 3230, 4839, 5055, 5408, 7508, 9000, 11461.

71.207
Amended 5058, 5287, 8047

71.209
Amended ..... 5286 (2 docs.), 6685, 7827, 12084, 12517

71.211
Amended ..... 8747, 8870, 9001, 9400, 11745, 12433, 12679, 13421, 14631, 15238.

71.213
Amended ..... 9400, 10467, 11461, 11745, 12433, 12679, 15238, 16494.

73
Republished 2292
Subpart C added 13422

73.1
Amended 13422

73.15
(a) amended 13422

73.21
Center heading deleted 13422
Amended 14738, 14828

73.22
Amended 1269, 12922

73.24
Amended ..... 958, 4590 (2 docs.)

73.25
Amended 5058, 5287, 7612, 7613, 9865, 10631, 12402, 12922, 14828, 15088, 15531

73.26
Amended 11016

73.29
Amended 8911

73.30
Amended 1145, 15087

73.31
Amended 10517

73.32
Amended 6893

73.38
Amended 1176, 6356, 9110, 9267

73.39
Amended 13699

73.41
Amended 7613, 8910

73.43
Amended 5057, 7827

73.44
Amended 15087

73.45
Amended 1269

73.47
Amended 10885

73.48
Amended 10028, 12944

73.49
Amended 958, 6355, 13913

73.50
Amended 7736

73.51
Amended 958, 1060, 7112, 7613, 13987, 16128

73.52
Amended 878, 12711

73.53
Amended 9267, 11864

73.55
Amended 3231, 5617

73.56
Amended 7217

73.57
Amended 1268

73.58
Amended 16521

73.63
Amended 10772

73.64
Amended ..... 475, 2583, 7032 (2 docs.), 11863 (2 docs.), 15799.

73.65
Amended 7882

73.66
Amended 5250, 11863, 13115

73.67
Amended 16764

73.69
Amended 1145

73.71
Amended 14548

73.81—73.87
Subpart C added 13422

75
Republished 2345

75.100
Amended ..... 342, 1146, 2475, 2778, 2888, 4840, 5058 (3 docs.), 5287 (2 docs.), 6546, 7561, 7562, 7737, 7827, 8047, 8418, 9000, 9267, 9400, 9675, 10028, 10666, 11745, 12433, 12517, 12679, 13941, 14393, 14631 15088, 15238, 15799 (2 docs.).

75.200
Amended 7281, 15799

77.17
(c) redesignated as (d); new (c) added 9449

91.1
Revised 8355

91.15
(b) amended 8355

91.17
(a) amended 8355

91.19
Revised 15318

91.33
(e) amended 6265

91.38
Added 5250

91.39
(d) and (e) amended 8355

91.43
(e) amended 6265

91.45
Revised 13526
(a)(2)(iv) and (3)(ii) revised 14929

91.97
Revised 10517
(a)(4) revised 11641

91.101
(a) amended 9211

14 CFR—Continued

Page

Chapter I—Continued

91.161
(a) revised 8355

91.163
(a) revised 8355

91.169
(a) amended; (b) revised 3337
(a)(1) revised 9211

91.170
(b) revised 9793

91.171
(c) amended 3337

95
Amended ..... 878, 3066, 4500, 5058, 5871, 7112, 8281, 9487, 10631, 11745, 12944, 13987, 14587, 15014, 16608.

97.11—97.19
Subpart B amended ..... 132, 204, 251, 694, 1177, 1190, 2532, 2584, 2889, 4109, 4285, 5059, 5251, 6266, 6357, 6612, 6685, 6828, 6894, 7218, 7385, 7614, 7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359 8576, 8751, 8908, 9048, 9212, 9401, 9732, 9980, 10249, 10518, 10734, 11017, 11417, 11596, 11864, 12085, 12566, 12782, 13116, 13316, 13594, 13642, 13838, 13913, 14262, 14507, 14675, 14929, 15134, 15636, 16128, 16408, 16683.

99.47
Amended 13942

103.5
(b) amended 9058

103.7
(b) revised 9058

103.19
(a) and (c) revised 9058

103.31
(c) revised 9058

105.14
Added 16612

105.21
Revised 16612

105.23
Revised 16612

105.25
Revised 16612

121
Appendix E amended 1003

121.161
(b) revised 13078

121.309
(f), (g), and (h) amended 8912

121.310
(a) revised; (b), (c), and (d) amended; (h) (1) and (2) revised; (l) added 8912

121.319
Amended 8912

121.340
Added 1147

121.343
(d) added 127

121.349
(c) revised 6265

121.357
Heading revised; (b) redesignated as (c) and introductory text revised; new (b) added; (c) redesignated as (d) and amended; (d) redesignated as (e) 5825

121.359
(a) amended 8912
Closing sentence of (a) amended 15192

121.378
(a) revised 10613

121.414
(c)(3) revised 1002

121.521
(a) amended 1147

121.709
Closing sentence added to (b) 10613

127.139
(a) revised 10613

127.319
Closing sentence added to (b) 10613

129.17
(b) revised 6265

133.43
(b) amended 9211

137.39
Revised 6686

141
Appendix B amended 9211

141.19
(a) amended 9211

141.43
(c)(2) revised 9211

143.3
(c) and (d) added 13524

143.7
(b) revised 13524

143.8
Added 13525

143.13
Deleted 13525

143.21
Revised 13525

145
Subpart D added 5249

145.1
(c) added 5249

145.2
Added 10614

145.11
(a)(1) deleted 8585

145.23
Revised 8585

145.39
(d) amended 3337

145.43
(d) revised 8585

145.51
(c) amended 3337

145.57
(d) amended 8585
(a) amended 10614

145.101—145.105
Subpart D added 5249

145.105
Revised 10614

151
Appendix I added 11606
Appendix I amended 13423
Appendices A and E amended 16525
Appendix F amended 16526

151.7
(a) revised 16524

151.15
Added 16524

151.21
(a) and (c) amended 6686

151.23
Amended 16524

151.26
Heading revised; introductory text, (a), (b), and (c) redesignated as introductory text of (a), (a)(1), (2), and (3), respectively; new (b) added 16524

151.27
(c) revised 16524

151.29
(b) and (c) amended 6686

151.33
(e) revised 6686

151.39
(a)(5) revised; (c) amended 16524

151.41
(c)(2) revised 11747

151.43
(c) amended 15730
(b) and (d)(1) and (2) revised 16524

151.45
(c), (d) and (e)(1) amended 6686

151.47
(c) and (e) amended 6686

151.51
(a) amended 6686
(b) deleted 16525

151.53
(d) amended 6686

151.54
Introductory text revised; (d), (e), and (g) amended 10261

151.57
(a)(2) amended 16525

151.59
Amended 6686

151.63
(b)(1) amended 6686

151.65
(a) amended 6686

151.67
(a)(6) amended; (b) revised 6686
(a)(2)(ii) and (5) amended 16525

151.72
Added 11605

151.77
(a) amended 16525

151.79
Revised 16525

151.80
Added 16525

151.87
(d) amended; (e) revised; (j) redesignated as (k); new (j) added 16525

151.93
(b) revised 16525

151.95
(f) revised 16525

151.99
Added 11605

151.117
(a) revised 6686

151.121
Amended 11747

157
Revised 1270

159.17
(c) amended 9865

159.53
Revised 5258

159.55
Amended 9865

161
Deleted 10772

167
Added 9991

171.1
Amended 5408

171.11
(a) and (b)(13) amended; (e) revised 5408

171.21
(a) amended 5408

14 CFR—Continued

Page

Chapter I—Continued

171.31
(a) and (b) (13) amended; (d) revised 5408
171.41
Amended 5408
171.51
(a) and (b) (13) amended; (e) revised 5408
199
Added 5104

Chapter II

208
Reissued 4772
Forms deleted 6621
208.3
(c) and (t) revised 12947
208.3a
Revised 6620
208.32
(d) revised 12947
208.32a
Added 12947
(a) (4) revised 14937
208.33
Heading revised 12948
208.34
Revised 6620
208.35
(c) revised 6620
208.103
Added 6621
208.201
Revised 6621
208.204
Deleted 6621
208.214
Revised 6621
208.215
Revised 6621
208.216
Deleted 6621
208.301
Revised 6621
208.302
Deleted 6621
208.302
Redesignated from 208.303 6621
208.303
Redesignated as 208.302 6621
214
Added 5348
214.2
(b) amended 8951
214.5
(d) deleted 10316
221.38
(1) (1) and (2) redesignated as (1) (2) and (3), respectively; new (1) (1) added 2425
221.107a
Added 2425
221.170
Revised 5351
223.2
(b) (3) revised 6585
223.5
Revised 5351
223.8
Revised 6585
225.1
(a) (4) revised; (a) (5) deleted 2928
(a) (6) revised 10357
225.2
(a) revised 2928
225.5
(a) revised 2928

14 CFR—Continued

Page

Chapter II—Continued

225.6
(b) revised; (c) deleted 2928
(b) revised; (c) added 7508
242.2
(b) revised 9992
246.1
Revised 10075
246.2
Introductory text revised; (c) added 10075
249.12
Revised 5352
287.1
(f) added 5122
287.2
(f) added 5122
287.3
(e) added 5122
287.3a
Added 5122
Revised 12518
288
Revised 5417
288.7
(a) (1) (i) amended 10467
290
Added 16527
295.2
(k) revised; (m) added 558
Effective date of revision of (k) and addition of (m) postponed 2681
(b) amended 8952
(b) revised 12948
Introductory text of (b) revised 14937
295.5
(a) revised 12948
295.31
Revised 558
Effective date of revision postponed 2681
295.32
Revised 558
Effective date of revision postponed 2681
295.35
(d) revised 558
Effective date of revision of (d) postponed 2681
296.46a
Added 14632
297
Heading revised 14632
297.39
Revised 14632
301.10
(a-1) added 10115
302
Subpart L added 84
302.1
Introductory text of (a) revised 84
302.3
(b) and (c) revised 13942
302.4
(d) (2) revised 84
302.6
(a) amended 13942
302.15
Heading and (a) revised 13942
302.18
(a-1) added 10115
(a-2) added 13942
302.24
(m) amended 13943
302.28
Heading, (a), (b), and (d) (2) (i) revised 13943

14 CFR—Continued

Page

Chapter II—Continued

302.31
Revised 13943
302.32
Revised 13943
302.303
(b) and (c) revised 13943
302.400
Revised 13944
302.909
(a) revised 13944
302.915
(c) revised 13944
302.1201—302.1209
Subpart L added 84
320
Revised 6585
370
Added 1298
378
Added 4780
Appendix amended 6622
378.1
Revised 12948
378.2
(d) revised 6621
(a) revised 12949
378.11
(b) revised 6621
378.12
Revised 6621
378.18
(a) revised 6621
378.20
(a) revised 6621
387.4
(c) and (d) revised 702
399.16
(c) revised; (d) added; introductory text of (e), (e) (1), (2) and (6) revised 5422
399.38
Revised 5422

Chapter V

1200
Added 8418
1204
Subpart 7 superseded by Part 1200 8418
1204.501
Revise-1 7676
1204.700—1204.702
Subpart 7 superseded by Part 1200 8418
1245
Subpart 1 recodified and revised 7677
Subpart 4 added 10958
1245.100—1245.114
Subpart 1 recodified as 1245.100—1245.116; revised 7677
1245.100—1245.116
Subpart 1 recodified from 1245.100—1245.114; revised 7677
1245.400—1245.405
Subpart 4 added 10958

Proposed Rules:

1 2485
11 2903
21 2485, 5969, 5971, 8075, 9131, 10275, 11318, 12682.
23 93, 6062, 16367, 16790
25 93, 5495, 6062, 10275, 12682, 16367, 16790
27 93, 2485, 6062, 16367
29 93, 2485, 6062, 16367
33 2485
35 2485
37 296, 5454, 5570, 7064, 10275, 12682, 14599

14 CFR—Continued

Page

Proposed Rules—Continued

39 352, 574, 715, 1156, 3078, 3196, 4459, 4520, 4841, 4895, 5496, 5665, 5767, 6427, 6428, 7148, 7354, 7483, 8498, 8833, 10078, 10852, 11615, 11897, 12534, 12682, 12924, 13554, 14005, 14006, 14407, 14686, 14956, 15813, 16161, 16368, 16469.
43 16790
45 5971, 9131, 11318, 14686
47 8077, 10282, 14686
49 10282
61 4735, 5076, 5324, 8438, 10415, 10475, 10536, 13554.
63 5324
65 5324
67 1312, 15324
71 98, 99, 153, 154, 224, 270–272, 478, 716, 911, 912, 1156, 1157, 1204, 1205, 1312, 2436, 2437, 2488–2490, 2552, 2553, 2660, 2661, 2732, 2903, 2904, 3078–3080, 3347, 3348, 3467–3469, 3499, 3500, 4149, 4350–4352, 4414, 4415, 4520–4522, 4600, 4841–4845, 4972, 5077, 5078, 5132, 5133, 5303, 5455, 5456, 5496–5498, 5665, 5709, 5710, 5838, 5839, 5972, 6062, 6276, 6319, 6428, 6514, 6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187, 7527, 7528, 7573, 7575, 7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498, 8596, 8597, 8636, 8637, 8694, 8834, 8879, 8923, 8924, 9008–9012, 9137, 9306, 9307, 9361, 9362, 9363, 9423, 9460, 9549, 9550, 9606, 9607, 9875, 10039, 10040, 10132, 10198, 10199, 10417–10420, 10536–10538, 10580, 10643, 10693–10697, 10852, 10895, 11035, 11036, 11109, 11154, 11318, 11319, 11395, 11399, 11492, 11615–11616, 11724, 11725, 11759–11761, 12061, 12453, 12602, 12603, 12646, 12682, 12726, 12925, 13481, 13669, 13725, 13800, 13801, 13916, 13917, 14407–14412, 14457, 14556–14559, 14652–14654, 14687, 14841, 14991, 14992, 15096, 15097, 15242, 15243, 15545, 15600, 15703, 15814, 16208, 16278, 16469, 16470, 16497, 16791, 16792.
73 297, 2969, 3080, 3469, 4414, 4415, 4738, 4972, 5327, 5328, 5838, 7977, 8375, 10041, 10421, 10581, 10695, 10696, 11319, 11320, 12452, 12925, 13802, 14271, 14412, 14745, 14841, 14992, 15815, 16209, 16470.
75 99, 352, 1156, 2614, 3348, 5078, 5328, 5710, 6428, 7085, 7635, 7762, 8242, 8924, 9363, 9423, 10199, 10697, 11725, 12104, 12646, 12726, 13176, 14688, 15161, 16278.
77 11155
91 4522, 4735, 4845, 4972, 5076, 5134, 5381, 8026, 8438, 8440, 9131, 10282, 10638, 11318, 12726, 13352, 16790.
93 8078
101 15490, 15750
105 6988
121 4735, 4845, 5076, 5495, 6592, 9876, 10275, 11725, 12682, 13802, 14956.
127 13802
135 717, 12726, 14413
143 5324
151 4523, 5906
159 10199, 10476, 11036
207 8438
208 15811
214 5381, 15811
221 754, 12573
241 9358, 10198, 11186, 16626
246 6986
288 565
290 4212
295 5381, 15811
298 12060

14 CFR—Continued

Page

Proposed Rules—Continued

297 12060
298 10894
399 224, 565, 15747, 16790

15 CFR

Subtitle A

0
Added 5858, 6174
8
Appendix A revised 2817
9
Revised 11528

Chapter I

30
Republished 11367
30.37
(a) (2) revised 260
30.39
(d) added; closing text amended 6262
30.50
Revised 6587
30.52
Heading and introductory text revised 261
30.55
(h) revised 6587
30.56
(e) deleted 6588
30.57
(c) deleted 6588

Chapter II

201.910
(a) through (g) revised 5548
Amended 9794
201.912
Added 5548
201.920
Amended 9794
201.930
(c) revised 8680
201.940
Amended 9794
201.941
Amended 9794
202.402
Revised 5549
202.403
Revised 5549
204.201
Revised 16186
204.202
Revised 16186
204.203
Revised 16186
206.041—206.045
Revised 5549
230.7–1
Amended 7737
(b) amended 11974
230.7–2
(b) (6) added 6201
(b) (2) amended 7968
(b) amended 7737
(b) (6) amended 13752
230.7–11
(c) added 13753
230.7–16
Amended 15309
230.7–20
Amended 15309
230.7–22
Amended 7968
230.8–1
(b) amended 10920
(b) amended 13390
230.8–2
Revised 13167

15 CFR—Continued

Page

Chapter II—Continued

230.8–5
(b) (3) amended (2 docs.) 3497
(b) (1) amended 5352
(b) (3) amended 6015
(b) (5) amended 6201
(b) (9) amended 7819
(b) (5) amended 8680
(b) (3) and (5) amended 12434
230.8–6
(b) amended 8952
(a) amended 10920
230.8–8
Amended 343
Amended 3497
Amended 13753
230.8–9
Amended 13753
230.8–11
Amended 3498
230.8–16
Amended 12711
230.8–22
Amended 343
230.8–23
Added 1201
230.8–24
Added 7737
230.8–25
Added 14875

Chapter III

Amended 14506
369.2
Revised 7037
(b) amended 14939
371.18
Revised 10634
372.4
(c) (2) (iv) and (e) revised 8213
372.5
(a) (4) amended 7038
(a) (1) through (4) revised 8213
372.12
(c) (2) (ii) (a) revised 13040
373
Supplement 4 amended 7038
Revised 11059
Supplement 2 revised 13041
Supplements 1 and 2 revised 14940
373.4
(c) (1) revised 6708
373.5
(b) (4) amended 8214
373.18
Revised 13040
373.21
Added 8215
373.36
Added 8216
373.44
(b) added 8216
(a) amended 13041
374.2
(d) added 6708
Revised 10635
Revised 13042
(c) and (d) revised 14940
374.4
(a) amended 8215
375.2
(a) amended 8215
376.4
Introductory text of (a) revised 8214
(a) amended 8215
377.2
(c) added 6708

15 CFR—Continued

Chapter III—Continued

	Page
377.5	
(a) revised	8214
(a) amended	8215
379.1	
(a)(1)(ii) revised; (a)(3) added	6710
Revised	13042
379.4	
(c) (1) and (2) revised	8215
379.12	
(c) revised	14941
381.1	
(b) revised	7509
382.1	
Amended	6709, 6710
(a) revised	7509
382.3	
(a) revised	7509
382.13	
(a) revised	7510
382.15	
Revised	6708
382.18	
Revised	7510
382.51	
(b) amended	7036, 7510, 8216, 10635, 13044
Amended	14941
384.3	
Revised	6711
384.7	
Revised	961
Revised	9001
384.8	
Added	85
Revised	4783
Revised	6865
385.2	
(c)(5)(ii)(c) amended	6711
(c)(4)(iii)(w) and (cc) revised; (c)(4)(iii)(dd) added	8216
(c)(4)(iii)(ee) added	13044
(c)(3)(iv) revised; (c)(4)(iii)(ff) added	14942
385.4	
(b) revised	8214
(c)(3)(iv) revised	14942
398	
Deleted	13044
399.1	
Amended	3496, 6711, 6829, 6866, 7038, 7380, 10636, 11870, 13044, 13700.
399.2	
Amended	6709
Amended	13045
Chapter VII	
Added	5951
700	
Added	5951
700.4	
(b) revised	16265
Proposed Rules:	
9	7833

16 CFR

Chapter I

	Page
0	
Added	6197
3.16	
(g) through (j) added	5122
3.21	
(a) revised	5123
4.4	
(c)(2) and (3) redesignated as (3) and (4), respectively; new (c)(2) added	5123
13.5	
C-1009	261
8656	1004
6653o	1060
C-1024	1147
6608	4397
7993	5879
8280	6298
8600o	6299
7453o	6300
C-1057	7056
8678	9449
C-1075	9490
7009	12711
C-1106	12789
C-1105	12792
C-1111	13078
C-1110	13080
8674o	15800
13.7	
C-1088	11747
13.15	
C-1030	3232
C-1036	3389
C-1039	4398
C-1074	9449
C-1080	11174
C-1082	11301
C-1084	11429
C-1103	12677
C-1101	12678
13.20	
7643	7057
8675	9452
13.25	
7643	7057
13.30	
C-1016	345
C-1025	1147
C-1040	4400
C-1043	4833
C-1044	5123
C-1054	6409
C-1055	7058
C-1069	9346
C-1079	11173
C-1086	11428
C-1093	11751
C-1096	11875
C-1098	12519
C-1114	13208
C-1134	14588
C-1136	15801
C-1140	16348
C-1141	16349
C-1139	16351
C-1143	16612
13.50	
C-1080	11174
C-1137	16349
C-1144	16690
13.60	
C-1037	3389
8673	8058
C-1087	11427
C-1084	11429
C-1099	12519

16 CFR—Continued

Chapter I—Continued

	Page
13.60—Continued	
C-1100	12520
C-1137	16349
C-1144	16690
13.70	
8628o	1003
C-1031	3232
C-1082	11301
C-1086	11428
8617o	11719
C-1098	12519
C-1100	12520
C-1130	14589
C-1140	16348
C-1143	16612
C-1142	16690
13.71	
8709	16613
13.73	
C-1043	4833
C-1044	5123
C-1054	6409
C-1055	7058
C-1069	9346
C-1079	11173
C-1086	11428
C-1093	11751
C-1114	13208
C-1134	14588
C-1140	16348
C-1141	16349
C-1139	16351
C-1143	16612
13.75	
C-1103	12677
8290	12678
7751o	14518
C-1122	14549
C-1130	14589
4902	15192
13.90	
7542	9451
13.95	
C-1093	11751
8161	13337
C-1130	14589
13.105	
C-1130	14589
13.110	
7542	9451
C-1133	14589
13.115	
C-1037	3389
C-1049	5352
C-1064	8058
C-1087	11427
C-1084	11429
C-1099	12519
13.125	
C-1122	14549
C-1144	16690
13.130	
C-1136	15801
13.140	
6702	13209
6588o	13792
5656	14548
C-1143	16612
13.143	
C-1087	11427
C-1137	16349
13.155	
C-1008	261
C-1012	347
C-1017	347
C-1030	3232
C-1031	3232

16 CFR—Continued

Chapter I—Continued

	Page
13.155—Continued	
C-1026	3233
C-1032	3233
C-1036	3389
C-1044	5123
C-1054	6409
C-1061	7511
C-1074	9449
C-1082	11301
C-1098	12519
C-1101	12678
C-1114	13208
7751o	14518
C-1118	14519
C-1122	14549
8699	14550
C-1123, etc.	14550
C-1130	14589
8709	16613
C-1142	16690
13.160	
C-1115	13209
13.170	
8628o	1003
C-1035	3342
8635o	7059
C-1074	9449
8675	9452
8636o	11427
8637o	11428
8635	13209
C-1136	15801
8709	16613
13.175	
7643	7057
C-1098	12519
C-1122	14549
C-8699	14550
C-1142	16690
13.180	
C-1008	261
13.185	
C-1143	16612
13.235	
C-1082	11301
8161	13337
13.240	
C-1017	347
7751o	14518
13.255	
7751o	14518
13.260	
C-1116	13753
C-1144	16690
13.285	
C-1008	261
C-1026	3233
C-1100	12520
C-1136	15801
C-1144	16690
13.330	
7542	9451
13.345	
8677	6410
13.350	
C-1063	7961
13.355	
C-1013	344
13.358	
C-1028	3341
13.395	
C-1088	11747
8519o	14517
13.407	
8519o	14517
13.425	
C-1010	343
7604	14587
13.452	
C-1088	11747
13.470	
C-1088	11747
13.510	
C-1051	6298
13.512	
C-1141	16349
13.523	
C-1141	16349
13.525	
C-1141	16349
13.535	
6485o	5443
13.560	
8519o	14517
13.610	
C-1013	344
8519o	14517
13.670	
6485o	5443
7542	9451
7606	11754
13.685	
C-1013	344
13.700	
8549o	12055
13.715	
C-1010	343
7813	6297
7225o, 7496o	11753
13.725	
7018o	11719
13.730	
8599o	8059
13.770	
C-1010	343
13.824	
8631o	4397
C-1052	6297
7813	6297
8647o	10262
7018o	11719
7225o, 7496o	11753
8629o	13423
13.825	
C-1020o	559
8631o	4397
C-1052	6297
C-1066	8060
8647o	10262
7018o	11719
C-1090	11750
8629o	13423
13.846	
7813	6297
13.855	
6889o	3338
C-1062	7960
C-1070	9345
13.892	
C-1023	1061
C-1068	8059
C-1097	11876
13.990	
C-1027	3340
13.1010	
C-1013	344
13.1015	
7643	7057
C-1122	14549
13.1053	
C-1019	559
C-1022	1062
C-1029	3340
C-1041	4399
C-1040	4400
13.1053—Continued	
C-1043	4833
1047	5259
8658o	6298
C-1081	11172
C-1079	11173
C-1091	11750
C-1112	13079
C-1117	14519
C-1121	14548
C-1131	14587
13.1055	
C-1014	343
C-1018	345
C-1015	348
8628o	1003
C-1034	3341
C-1036	3389
C-1038	3390
8667	5125
C-1051	6298
8675	9452
C-1076	9490
8648o	10262
C-1083	11302
C-1092	11751
C-1094	11752
C-1096	11875
8161	13337
C-1119	14516
5656	14548
C-1123, etc.	14550
C-1132	14587
C-1133	14589
C-1136	15801
13.1060	
C-1065	8059
C-1078	10263
C-1104	12676
C-1108	12938
C-1120	14549
13.1085	
8519o	14517
13.1108	
C-1016	345
C-1022	1062
C-1025	1148
C-1032	3233
C-1029	3340
C-1042	4398
C-1041	4399
C-1040	4400
C-1043	4833
C-1044	5123
1047	5259
C-1050	5550
C-1053	6299
C-1054	6409
C-1059	7056
C-1058	7057
C-1069	9346
C-1077	9489
C-1091	11750
C-1093	11751
C-1095	11753
C-1109	12937
C-1113	13078
C-1114	13208
8665	13753
C-1121	14548
C-1134	14588
C-1141	16349
C-1143	16612
13.1130	
C-1056	7059
7604	14587

16 CFR—Continued Page

Chapter I—Continued

13.1155
C–1010 343
C–1028 3341
C–1056 7059
13.1160
C–1028 3341
13.1165
C–1028 3341
13.1185
C–1014 343
C–1018 345
C–1016 345
C–1019 559
C–1022 1062
C–1025 1148
C–1033 3231
C–1029 3340
C–1042 4398
C–1041 4399
C–1040 4400
C–1043 4833
C–1044 5123
C–1045 5124
C–1046 5259
1047 5259
C–1048 5353
C–1050 5550
8658o 6298
C–1059 7056
C–1058 7057
C–1055 7058
C–1067 8058
8676 9450
C–1077 9489
C–1081 11172
C–1079 11173
C–1086 11428
C–1091 11750
C–1093 11751
C–1095 11753
C–1104 12676
C–1102 12677
C–1109 12937
C–1113 13078
C–1114 13208
8665 13753
C–1117 14519
C–1121 14548
C–1131 14587
C–1134 14588
C–1140 16348
C–1141 16349
C–1139 16351
C–1143 16612
13.1200
C–1089 11750
13.1212
C–1042 4398
C–1041 4399
C–1040 4400
C–1045 5124
C–1046 5259
1047 5259
C–1048 5353
C–1050 5550
8658o 6298
C–1059 7056
C–1058 7057
C–1055 7058
C–1067 8058
8676 9450
C–1077 9489
C–1081 11172
C–1079 11173
C–1086 11428
C–1085 11430
C–1091 11750
C–1093 11751
C–1095 11753
C–1104 12676
13.1212—Continued
C–1102 12677
C–1109 12937
C–1113 13078
C–1114 13208
8665 13753
C–1117 14519
C–1121 14548
C–1131 14587
C–1134 14588
C–1140 16348
C–1141 16349
C–1139 16351
C–1143 16612
13.1230
8161 13337
13.1255
C–1112 13079
13.1265
C–1015 348
C–1044 5123
6588o 13792
5656 14548
C–1143 16612
13.1280
C–1044 5123
13.1295
8676 9450
C–1072 9451
C–1071 9452
C–1073 9453
C–1085 11430
13.1325
C–1014 343
C–1018 345
C–1041 4399
C–1044 5123
1047 11753
C–1095 13079
C–1112 13337
8161 14548
C–1121 14588
C–1134
13.1390
8652 1004
C–1092 11751
13.1395
C–1063 7961
8648o 10262
13.1400
C–1036 3389
8676 9450
13.1405
C–1074 9449
13.1415
C–1080 11174
13.1425
C–1082 11301
13.1430
C–1092 11751
13.1440
C–1092 11751
13.1460
C–1083 11302
13.1490
C–1060 7511
C–1080 11174
C–1082 11301
C–1083 11302
C–1084 11429
C–1092 11751
13.1540
C–1080 11174
13.1550
C–1030 3232
8688 16614
13.1553
C–1083 11302
13.1555
C–1107 12938
13.1565
C–1060 7511
C–1103 12677
C–1101 12678
13.1575
C–1026 3233
13.1590
C–1014 344
C–1016 345
8639 1003
C–1079 11173
C–1096 11875
C–1098 12519
C–1136 15801
C–1140 16348
13.1595
C–1011 346
13.1605
C–1089 11750
13.1608
C–1115 13209
C–1138 16348
C–1137 16349
C–1144 16690
13.1615
C–1037 3389
8673 8058
8648o 10262
C–1087 11427
C–1084 11429
C–1099 12519
C–1100 12520
C–1115 13209
C–1138 16348
C–1137 16349
C–1144 16690
13.1623
C–1061 7511
C–1079 11173
C–1085 11430
C–1140 16348
13.1625
C–1049 5352
C–1103 12677
7751o 14518
C–1122 14549
C–1130 14589
C–1135 15192
13.1635
C–1132 14587
13.1645
C–1132 14587
13.1647
8628o 1003
8639 1003
C–1031 3232
8648o 10262
C–1082 11301
C–1086 11428
8617o 11719
C–1098 12519
C–1130 14589
C–1140 16348
C–1142 16690
13.1655
C–1130 14589
13.1663
C–1049 5352
C–1130 14589
C–1135 15192
13.1665
C–1133 14589

16 CFR—Continued Page

Chapter I—Continued

13.1670
C–1037 3389
C–1049 5352
C–1064 8058
C–1087 11427
C–1084 11429
C–1099 12519
13.1680
C–1015 348
C–1136 15801
13.1685
C–1039 4398
13.1695
C–1015 348
C–1034 3341
C–1038 3390
C–1094 11752
6702 13209
6588o 13792
5656 14548
13.1697
C–1087 11427
C–1138 16348
C–1137 16349
13.1705
C–1135 15192
13.1710
8628o 1003
C–1027 3340
8675 9452
8636o 11427
8637o 11428
8635 13209
C–1136 15801
13.1715
8676 9450
C–1072 9451
C–1071 9452
C–1073 9453
C–1085 11430
C–1098 12519
C–1107 12938
C–1119 14516
C–1122 14549
8699 14550
8688 16614
C–1142 16690
13.1720
C–1008 261
13.1745
C–1014 344
8639 1003
C–1034 3341
C–1039 4398
1047 5259
C–1050 5550
C–1053 6299
C–1076 9490
8648o 10262
C–1082 11301
C–1119 14516
8688 16614
13.1747
C–1017 347
C–1049 5352
7751o 14518
C–1122 14549
8688 16614
C–1144 16690
13.1750
8709 16613
13.1757
7751o 14518
C–1135 15192
13.1760
C–1116 13753
C–1144 16690
13.1762
8648o 10262
C–1133 14589
13.1775
C–1008 261
C–1026 3233
C–1100 12520
C–1135 15192
C–1136 15801
C–1144 16690
13.1778
C–1107 12938
8699 14550
13.1779
C–1012 347
C–1118 14519
C–1122 14549
8709 16613
13.1780
C–1049 5352
13.1785
C–1008 261
C–1017 347
C–1031 3232
C–1026 3233
C–1044 5123
13.1800
C–1076 9490
C–1098 12519
C–1130 14589
C–1142 16690
13.1805
C–1031 3232
C–1032 3233
C–1061 7511
C–1098 12519
8709 16613
13.1810
C–1036 3389
C–1054 6409
C–1123, etc. 14550
13.1820
C–1030 3232
C–1103 12677
C–1101 12678
C–1135 15192
13.1825
7751o 14518
13.1835
C–1011 346
13.1845
C–1016 345
C–1019 559
C–1021 559
C–1033 3231
C–1032 3233
C–1042 4398
C–1041 4399
C–1040 4400
C–1043 4833
C–1044 5123
C–1045 5124
C–1050 5550
C–1053 6299
C–1054 6409
C–1058 7057
C–1060 9346
C–1081 11172
C–1079 11173
C–1093 11751
C–1095 11753
C–1109 12937
C–1113 13078
C–1112 13079
C–1114 13208
C–1131 14587
C–1134 14588
C–1140 16348
13.1845—Continued
C–1141 16349
C–1139 16351
C–1143 16612
13.1852
C–1033 3231
C–1032 3233
C–1042 4398
C–1041 4399
C–1040 4400
C–1043 4833
C–1044 5123
C–1045 5124
C–1046 5259
C–1048 5353
C–1050 5550
C–1053 6299
C–1054 6409
C–1059 7056
C–1058 7057
C–1055 7058
C–1069 9346
8676 9450
C–1077 9489
C–1081 11172
C–1079 11173
C–1085 11430
C–1093 11751
C–1095 11753
C–1104 12676
C–1109 12937
C–1113 13078
C–1112 13079
C–1114 13208
8665 13753
C–1117 14519
C–1121 14548
C–1131 14587
C–1134 14588
C–1140 16348
C–1141 16349
C–1139 16351
C–1143 16612
13.1855
7751o 14518
13.1880
C–1015 348
C–1038 3390
C–1044 5123
C–1094 11752
6702 13209
6588o 13792
5656 14548
C–1143 16612
13.1882
C–1011 346
4902 15192
13.1886
8676 9450
C–1072 9451
C–1071 9452
C–1073 9453
C–1085 11430
C–1119 14516
13.1900
C–1119 14516
13.1905
4902 15192
13.2105
8667 5125
13.2120
C–1080 11174
13.2160
C–1080 11174
13.2165
C–1080 11174
13.2168
C–1092 11751

16 CFR—Continued

Chapter I—Continued

13.2275
7643 — 7057
13.2280
C–1014 — 344
C–1018 — 345
C–1098 — 12519
5656 — 14548
13.2285
C–1076 — 9490
13.2300
8667 — 5125
13.2345
C–1014 — 344
C–1018 — 345
C–1039 — 4398
5656 — 14548
13.2380
C–1082 — 11301
13.2385
8676 — 9450
13.2395
C–1083 — 11302
13.2425
C–1039 — 4398
C–1060 — 7511
13.2460
C–1101 — 12678
14.3
(j) revised — 4293
Revised — 11025
14.13
Effective date extended — 5826
15.12
Added — 85
15.13
Added — 1239
15.14
Added — 3450
15.15
Added — 3492
15.16
Added — 4448
15.17
Added — 4786
15.18
Added — 4833
15.19
Added — 4890
15.20
Added — 5069
15.21
Added — 5069
15.22
Added — 5125
15.23
Added — 5259
15.24
Added — 5260
15.25
Added — 5287
15.26
Added — 5551
15.27
Added — 5551
15.28
Added — 5660
15.29
Added — 5660
15.30
Added — 5687
15.31
Added — 5687
15.32
Added — 5826
15.33
Added — 5826
15.34
Added — 6262

16 CFR—Continued

Chapter I—Continued

15.35
Added — 6263
15.36
Added — 6300
15.37
Added — 6410
15.38
Added — 6490
15.39
Added — 6546
15.40
Added — 6547
15.41
Added — 6866
15.42
Added — 6866
15.43
Added — 6906
15.44
Added — 6906
15.45
Added — 7225
15.46
Added — 7225
15.47
Added — 7281
15.48
Added — 7281
15.49
Added — 7349
15.50
Added — 7349
15.51
Added — 7737
15.52
Added — 7737
15.53
Added — 7806
15.54
Added — 8233
15.55
Added — 8233
15.56
Added — 8403
15.57
Added — 8403
15.58
Added — 8492
15.59
Added — 8492
15.60
Added — 8521
15.61
Added — 8521
15.62
Added — 8585
15.63
Added — 8621
15.64
Added — 8621
15.65
Added — 8871
15.66
Added — 8871
15.67
Added — 8913
15.68
Added — 8913
15.69
Added — 9214
15.70
Amended — 9214
15.71
Added — 9794
15.72
Added — 9794
15.73
Added — 9977

16 CFR—Continued

Chapter I—Continued

15.74
Added — 9977
15.75
Added — 10116
15.76
Added — 10116
15.77
Added — 10357
15.78
Added — 10358
15.79
Added — 10572
15.80
Added — 10572
15.81
Added — 10733
15.82
Added — 10733
15.83
Added — 11030
15.84
Added — 11030
15.85
Added — 11302
15.86
Added — 11302
15.87
Added — 11607
15.88
Added — 12014
15.89
Added — 12015
15.90
Added — 12479
15.91
Added — 12479
15.92
Added — 13210
15.93
Added — 13210
15.94
Added — 13423
15.95
Added — 13423
15.96
Added — 13754
15.97
Added — 13754
15.98
Added — 13913
15.99
Added — 13913
15.100
Added — 14393
15.101
Added — 14520
15.102
Added — 14520
15.103
Added — 14772
15.104
Added — 15238
45
Rescinded — 10667
57.3
Revised — 11108
59
Deleted — 6960
70
Rescinded — 5826
75.101
Added — 5069
115
Rescinded — 14394
142.9
Rescinded — 16267
192.6
Revised — 10667

16 CFR—Continued

Chapter I—Continued

221
Revised — 9059
221.3
(b) (2) corrected — 9267
303.7
(b), (j) and (m) revised — 2652
(b) and (j) (2) corrected — 3002
410
Added — 3342
Effective date extended — 5551
Proposed Rules:
14 — 4303
45 — 7757
57 — 8243
59 — 4601
70 — 539
115 — 11037
142 — 3349
170 — 8882, 13866
174 — 8882, 13865
192 — 8244
221 — 5018, 6379
300 — 12063
301 — 2661
302 — 9683, 9684, 12453
303 — 10561, 13353
407 — 5018
412 — 14416
413 — 14559

17 CFR

Chapter I

1.38
(a) revised — 5054
1.46
(b) revised — 4590

Chapter II

200
Subpart B deleted; Subpart M added — 5483
200.30–1
Introductory texts of section and (a), (a) (3) and (5) revised; (a) (7) added; (e) (3) revised; (e) (6) and (7) added — 6588
200.30–2
Introductory text revised; (a) (5) through (9) added; (b) (1) revised — 6588
200.30–3
Introductory text revised; (b) (7) and (8) added — 6589
200.30–6
Introductory text of section and (a) (1) revised; (a) (1) (v) and (a) (2) added — 6589
200.31—200.40
Subpart B deleted; superseded by Subpart M — 5483
200.53
(b) and (c) revised — 13533
200.735–1—200.735–15
Subpart M added, superseding Subpart B — 5463
200.735–4
(c) revised — 8952
201.2
(d) revised — 5688
201.3
Heading, (c), and (d) revised — 10573
201.11.1
Added — 10573
201.14
(b) (2) revised — 5689
201.15
(a), (b), and (f) revised — 10573
201.16
(a) added; (f) revised — 5688

17 CFR—Continued

Chapter II—Continued

201.17
(b) and (f) revised — 5688
201.21
(b) and (c) revised; (f) added — 5689
211
Interpretative release — 7821
230.155
(b) amended — 7740
230.457
Revised — 7738
230.458
(b) revised — 7739
231
Interpretative releases — 1005, 2544, 3175, 10667
239.6
Amended — 7739
239.7
Amended — 7739
239.9
Revoked — 4341
239.16
Amended — 7739
239.16b
Amended — 7740
239.19
Amended — 7740
239.25
Added — 4341
240
Effective date of amendments corrected — 560
240.3a12–3
Revised — 6705
240.8c–1
(g) added — 7740
240.12g3–1
Revised — 6706
240.14a–4
(b) revised — 212
240.14a–9
Revised — 212
240.14a–11
(b) and (d) revised — 212
240.14a–12
Added — 213
240.14a–101
Amended — 213
Corrected — 475
Amended — 2592
240.14a–102
Amended — 215
240.14c–1—240.14c–7
Center heading and sections added — 262
240.14c–101
Added — 264
240.15b6–1
Revised — 5445
240.15b6–2
Added — 9105
240.15c2–1
(g) added — 7741
240.16b–3
(d) (3) added — 86
Effective date of (d) (3) — 262
240.16b–8
Revised — 3391
240.16b–9
Revised — 3391
240.19b–1
Added — 13990
241
Interpretative releases — 1005, 2475, 3175, 10076
249.210
Amended — 1063

17 CFR—Continued

Chapter II—Continued

249.212
Amended — 1063
249.310
Amended — 1063
249.312
Amended — 1063
249.501a
Added — 5445
249.504
Added — 9105
249.505
Added — 9105
250.70
(a) (4) (iii) revised — 8234
251
Interpretative releases — 1005, 3175
256.01–8
(c) revised — 11093
256a
Added — 11093
256a.37
Added — 12402
261
Interpretative releases — 1005, 3175
270.17a–7
Added — 12092
271
Interpretative releases — 1005, 3175
275.204–2
(a) (12) added — 10921
276
Interpretative releases — 1005, 3175, 7821
Proposed Rules:
1 — 1079
230 — 577
239 — 577, 14845
240 — 1247, 4739, 7289, 7484, 8924, 12604, 13917, 15750, 16321.
249 — 1247, 4739, 7289, 16321
250 — 8424
256a — 7692
259 — 1247
270 — 7913
274 — 1247
275 — 4848

18 CFR

Chapter I

1.15
(a) revised — 5878
2.58
Introductory text amended; (e) added — 215
3
Heading revised; text designated as Subpart A; Subparts C and D added — 4118
3.1—3.7
Designated as Subpart A — 4118
3.735–1—3.735–11
Subpart C added — 4118
3.735–5
(a) and (b) (5) (i) corrected — 4448
3.735–7
(c) (4) and (e) corrected — 4448
3.735–9
(e) (1) (ii) corrected — 4448
3.735–11
(f) (4) and (g) corrected — 4448
3.735–21—3.735–32
Subpart D added — 4118
3.735–24
(h) corrected — 4448
3.735–27
(c) corrected — 4448

66-000—66——6

18 CFR—Continued

Chapter I—Continued

3.735–28
(f) corrected ... 4448
3.735–31
(a) corrected ... 4448
4.31
Amended ... 8780
4.41
Corrected ... 889
Amended ... 8780
4.50
Amended ... 8780
8
Heading revised ... 16202
8.11
Added ... 16202
101
Amended ... 7898
104
Amended ... 3391
141
Forms amended ... 16560
141.1
(d) amended ... 7898
(d) amended ... 12055
(d) amended ... 13593
141.14
Added ... 16202
141.51
(c), incorrectly designated as (d), amended ... 12093
(c) correctly designated ... 12572
141.58
Added ... 16691
152.3
Introductory text revised ... 432
153.3
Introductory text revised ... 432
153.11
Introductory text revised ... 432
154.39
Revised ... 13721
154.93
(b) amended; (b–1) added ... 15486
154.102
(c) revised; (f) added ... 11935
156.3
Introductory text of (b) revised ... 432
157.6
Introductory text of (b) revised ... 432
157.14
(a)(9)(vi) added ... 9347
157.20
(f) added ... 432
(g) added ... 9348
159
Added ... 431
159.1
Heading, (d), and (f) revised ... 4890
159.2
Introductory text and (c) revised; (e) added ... 4890
159.3
(c) revised; (d) added ... 4890
201
Amended ... 5690
Amended ... 7898
Amended ... 10605
204
Amended ... 3392
Amended ... 5690
Amended ... 10605
Corrected ... 12840
205
Amended ... 10606
Corrected ... 11101

18 CFR—Continued

Chapter I—Continued

260
Form 2 amended ... 5429
Forms amended ... 16561
Forms amended ... 16562
260.1
(c) amended ... 7898
Amended ... 9062
(c) amended ... 12018
Amended ... 16563
260.2
Amended ... 9062
(c) amended ... 12018
260.8
Revised ... 7226
260.9
Added ... 12017
(b) amended ... 15309

Chapter II

300
Added ... 6410

Chapter V

Added ... 7114
601
Added; recodified and revised from 42 CFR Part 55 and 45 CFR Part 90 ... 7114
606
Added; recodified and revised from 42 CFR Part 81 ... 7127

Chapter VI

Added ... 14716
701
Added ... 14716
703
Added ... 14720

Proposed Rules:

2 ... 1079, 2784, 6515, 10326, 11947, 14884
4 ... 6379
8 ... 8376
14 ... 1079, 2784, 6515, 10326
101 ... 9877
131 ... 10582
141 ... 5066, 7287, 9877, 13557, 14786, 14884
154 ... 1316, 5972, 15325, 16279
260 ... 12729, 13557, 14884, 15325
Ch. VI ... 9747

19 CFR

Chapter I

1
Revised ... 10668
1.1
(d) added ... 16563, 16765
1.2
(c) amended ... 12939, 13390, 13721, 13755, 14313, 15193, 16312.
1.4a
Added ... 16564
1.5
Amended ... 6611
Amended ... 16564
1.9
(a) revised ... 315
2
Authority citation revised ... 4294
2.0
Deleted ... 4294
2.1
(a) revised ... 4294
2.5
Revised ... 4294
2.6
(a) amended; (b) revised ... 4295

19 CFR—Continued

Chapter I—Continued

2.7
Revised ... 4295
2.23
Revised ... 4295
2.26
(a) revised ... 4295
2.39
Introductory text of (a) and (b) revised ... 4295
2.42
Revised ... 4295
2.43
Introductory text revised ... 4295
2.44
(a) amended ... 4295
2.60a
(a)(1) and (2) added ... 4295
2.80—2.100
Center heading and sections added ... 4295
3.13
(f) revised ... 10358
3.53
(e) amended ... 5755
4.8
Revised ... 14394
4.22
Amended ... 537
Amended ... 5260
Amended ... 7512
Amended ... 10886
Amended ... 13755
Amended ... 13944
Amended ... 14973
4.85
(c) amended ... 16142
4.86
(a) amended ... 16142
4.93
Added ... 11214
(b) amended ... 12520
(b) amended ... 13424
8.8
(a) amended ... 14451
8.13
(h) amended ... 2727
8.15
(d) revised ... 15644
8.19
Authority citation added; (a) amended ... 5489
10.31
(a) amended; (e) revised; (f) amended ... 2817
10.36a
Added ... 2817
10.41a
(c) revised ... 2546
10.53
(c) revised; (e) amended; (g) deleted; (i) amended ... 11593
10.56
(f) amended ... 11416
10.79
(a) and (b) amended ... 11416
10.82
(a)(1), (2), and (3) and (b) revised ... 6769
12.26
(a), introductory text of (b) and (b)(1) and (2) revised ... 5358
12.27
Amended ... 5358
12.29
(c) revised ... 5358

19 CFR—Continued

Chapter I—Continued

12.70
(a) revised; (b) amended ... 5359
(b) redesignated as (b)(1); (b)(2) added ... 14738
12.71
Added ... 14544
13.8
Revised ... 14772
13.19
Amended ... 2728
13.20
Center heading and section added ... 13722
14.13
(b) amended ... 11974
16.3
(a) revised ... 15645
16.24
(f) amended ... 2728
(f) amended ... 14684
17.2
(a) amended ... 5489
19.5
(b) amended ... 11215
24.12
(b)(2) revised ... 2778
25.4
(a)(34) amended ... 2547
(a)(17) revised ... 14255
25.17
(b) revised ... 15645
54.2
(a), (c), and authority citation revised ... 1149
54.3
Added ... 5260
Revised ... 14521

Chapter II

200
Added ... 2593

Proposed Rules:

Ch. I ... 13102
1 ... 6871, 14685
3 ... 266, 434, 14839
3 ... 10839
6 ... 15587
8 ... 11894, 12409, 14787
10 ... 11394, 12409
12 ... 12964
16 ... 11394, 12409
17 ... 11394, 12409
19 ... 9743
20 ... 6906
24 ... 11394, 12409, 15644
25 ... 11394, 12409

20 CFR

Chapter I

25.5
Revised ... 2376
25.26
Added ... 14828

Chapter II

208.7
(a) (3) and (4) revised ... 3177
208.10
Added ... 3177
208.11
(a) revised ... 3177
208.15
Deleted ... 3177
208.17
(a) revised ... 3177
208.25
Revised ... 3177
237.306
(b)(4) revised ... 3177
250.3
(a) and (b) revised ... 15238

20 CFR—Continued

Chapter II—Continued

250.4
(a) revised ... 15238
320
Heading revised ... 10180
320.5
Revised ... 10180
320.8
Revised ... 10180
320.10
Revised ... 10180
320.12
Revised ... 10180
320.15
Revised ... 10180
320.30
Revised ... 10181
320.32
Revised ... 10181
320.42
Revised ... 10181
320.50
Revised ... 10181
345.1
Amended ... 16265
345.4
Revised ... 15238
345.5
(b) and (c) revised ... 15239
396
Added ... 3178

Chapter III

404.109
(a), (b), and (e) revised ... 12093
404.113a
Added ... 12094
404.320
Revised ... 13126
404.321
Revised ... 13126
404.323
(a) revised ... 13127
404.325
(a)(3) revised ... 13127
404.366—404.373
Added ... 3392
404.370
(a)(1)(ii) corrected ... 4343
404.374—404.380
Added ... 13533
404.501
Revised ... 3393
404.503
Revised ... 3393
(b) corrected ... 4343
404.703
(b) and (c) revised ... 6611
404.801
(d) and (e) added ... 9795
404.805
Revised ... 9795
404.901
Revised ... 16765
404.902
Revised ... 16765
404.904
Revised ... 3394
404.905
Heading, (a), (b), (d), (f), (h), and (i) revised; (l) and (m) added ... 16765
404.907
Revised ... 16766
404.910
Revised ... 16766
404.917
Revised ... 16766
404.919
Revised ... 16766

20 CFR—Continued

Chapter III—Continued

404.920
Revised ... 16766
404.951
Revised ... 16766
404.953
Revised ... 16766
404.954
(a) revised ... 16767
404.957
(c)(6) revised ... 16767
404.1101
(d) added ... 13127
404.1109
(c) revised ... 13128
404.1221
Revised ... 8367
404.1230
Revised ... 8367
404.1250
(c) revised ... 8367
404.1250a
Revised ... 8367
404.1250b
Revised ... 8368
404.1266
(c) added ... 8369
404.1607
Revised ... 3394
405
Added ... 9580
Subpart A added ... 10116
Subpart J added ... 13424
Subpart D added ... 13456
Subpart C added ... 13534
Subpart M added ... 16137
405.101—405.181
Subpart A added ... 10116
405.301—405.359
Subpart C added ... 13534
405.401—405.454
Added ... 14808
405.480—405.488
Subpart D added ... 13456
405.1001—405.1040
Subpart J added ... 13424
405.1301—405.1316
Subpart M added ... 16137

Chapter V

602.10
(c) added ... 7966
(d) amended ... 13466
602.23
Revoked ... 16187
604.1
(b) revised ... 8281
604.8
(d) revised ... 8281
604.17
(c) added ... 8281
604.20
(e) added ... 8281
614.17
(e) added ... 11383

Proposed Rules:

401 ... 13644
404 ... 15198
405 ... 2745, 7131, 7143, 7864, 8668, 8940
602 ... 14840, 15490

21 CFR

Chapter I

1.10
(g) added ... 3115
1.11
Deleted ... 8522
1.315
(b) amended ... 8521

21 CFR—Continued Page

Chapter I—Continued

1.316
Amended 8521
1.318
(a) and (b) amended 8521
1.320
(a), (b), and (c) amended 8521
1.321
(b) amended 8521
1.701–1.715
Revoked 3003
2
Subpart F added 3003
2.48–2.104
Subpart F added 3003
2.48
Amended 16564
2.52
(l) amended 16564
2.63
Amended 15349
2.65
(b) amended 16564
2.66
(a) amended 4201
Amended 16564
2.68
(a) amended 4201
(a) amended 16564
2.90
Redesignated as 2.120 3008
2.91
Redesignated as 2.121 3008
2.101
Redesignated as 2.171 3008
2.102
Redesignated as 2.172 3008
2.103
Redesignated as 2.173 3008
2.120
Redesignated from 2.90 3008
(a) and (c) amended 16564
2.121
Redesignated from 2.91 3008
(j) revised 5489
(j) corrected 5661
(b) (1) and (4) revised; (b) (5) added; (c), (d), and (e) revised 8953
(a) and (f) revised; (g) deleted; (h), (i), and (j) revised 12018
(b) (1) and (2) (i) and (c) (1) amended 16564
2.171
Redesignated from 2.101 3008
Revised 12018
Amended 15088
2.172
Redesignated from 2.102 3008
2.173
Redesignated from 2.103 3008
Heading revised 8953
2.174
Added 8953
Revised 15088
3.1
(b) and designation of (a) deleted 5490
3.21
Added 5957
3.46
Added 9215
3.47
Added 9540
3.52
Revised 16403
3.53
Added 13537
(d) revised 16266

21 CFR—Continued Page

Chapter I—Continued

3.54
Added 11383
3.55
Added 11141
3.56
Added 11935
5.2
(c) added 4677
(c) revised 6491
5.3
(a), (b), and introductory text of (c) amended 6491
5.5
Added 8524
8.1
(e) amended 12019
8.21
Revised 3008
8.202
Added 8
Effective date 4127
8.275
Added 3008
Effective date stayed 8369
8.306
Revised 5070
Effective date of revision 7227
8.307
Added 1064
Effective date 4396
8.308
Added 1064
Effective date 4396
8.309
Added 1064
Effective date 4396
8.310
Added 1064
Effective date 4396
8.311
Added 1064
Effective date 4396
8.313
Added 1064
Effective date 4396
8.314
Added 1065
Effective date 4396
8.316
Added 1065
Effective date 12840
8.318
Added 4784
8.319
Added 6104
Effective date 8216
8.501
(b) amended 1066
(f) amended 5127
(e) amended 7172
(e) amended 8216
(a), (b), (c), and (e) amended 9106
(e) and (f) amended 12840
8.510
(d) added 5490
8.4175
Added 3008
Effective date stayed 8369
8.6001
Revised 2653
Effective date of revision 5127
8.6005
Added 1065
Effective date 12840
8.6006
Added 5070
Effective date 7172

21 CFR—Continued Page

Chapter I—Continued

10
Cross reference revised 3008
10.2
(d) added 7227
16.13
Added 5618
Effective date 7562
16.14
Added 5618
Effective date 7562
17.1
(a) (15) revised 5432
Effective date of revision of (a) (15) 7562
(a) (1) revised 12949
(a) (7) revised 13792
(a) (15) revised 13793
Effective date of revision of (a) (1) 15089
Effective date of amendment of (a) (7) 16564
19.515
(b) (2) and (c) revised 14350
19.520
(b) (2) and (c) revised 14350
19.530
(b), (c), and (d) (1) revised 11717
Effective date of revision of (b), (c), and (d) (1) 13991
19.555
(a) revised 9602
Effective date of revision of (a) 11876
20.1
(a) amended; (f) (6) added; (g) (3) revised 14829
20.3
(e) revised 14830
20.4
(a) amended; (e) (11) and (g) (4) added 14830
27.60
(a) revised; (b) (3) and (c) (2) (iv) added 5958
27.101
Heading, (a), and (b) revised; (d) and (e) deleted 8493
Effective date of revision of heading, (a), and (b), and of deletion of (d) and (e) 12020
27.102
Revised 8494
Effective date of revision 12020
27.103
Added 12019
Effective date 14451
27.107
Effective date of revision of (d) and (e) postponed 12949
27.111
Effective date of revision of (a) 2896
Effective date of revision of (c) and (d) postponed 12949
29.3
Introductory text of (b) revised; (c) (4) and (e) (7) added 9796
Effective date of revision of introductory text of (b) and addition of (c) (4) and (e) (7) 11754
31
Added 1066
31.1
(a) and (b) (2) (i), (6), and (10) amended 5490
(b) (10) amended 10886
37.1
(b) amended 16767

21 CFR—Continued Page

Chapter I—Continued

42.10
Revised 4677
Effective date of revision 7562
42.20
Revised 4677
Effective date of revision 7562
42.30
(a) revised 4677
Effective date of revision of (a) 7562
42.40
Revised 4678
Effective date of revision 7562
42.50
Revised 4678
Effective date of revision 7562
42.60
(a) revised 4678
Effective date of revision of (a) 7562
42.70
Added 4678
Effective date 7562
42.71
Added 4678
Effective date 7562
42.72
Added 4678
Effective date 7562
45.1
Introductory text of (a) (2) revised; (a) (2) (vii) added; (a) (3) (iv) and (b) revised 5433
Effective date of revision of introductory text of (a) (2), addition of (a) (2) (vii), and revision of (a) (3) (iv) and (b) confirmed 8874
45.2
Added 5434
Effective date 7375
51.1
(d) (6) added; (f) (5) revised 12716
Heading corrected 12950
51.2
Heading revised 12716
51.3
Heading revised 12716
51.10
Introductory text of (a) revised; (b) (7) added 12716
51.20
(a) (5) and (d) (4) added 12716
51.990
Effective date of (c) (3) (iii) and (f) (12) confirmed 9
(c) (12) and (f) (13) added 9
Effective date of addition of (c) (12) and (f) (13) 3116
(c) (13) and (f) (14) added 12716
53.40
Revised 10676
Effective date of revision 12840
(b) amended 16266
53.41
(a) (3) revised 10677
Effective date of revision of (a) (3) 12840
80
Added 8525
Revised; effective date stayed 15731
80.1
Corrected 16312
120.3
(e) (4) amended 289
(e) (4) amended 7172
Introductory text of (e) revised 9453
(e) (5) amended 10959

21 CFR—Continued Page

Chapter I—Continued

120.36
Deleted 11754
120.37
Deleted 11754
120.106
Revised 5619
Amended 16565
120.109
Revised 5958
120.110
Amended 10574
120.114
Amended 9001
120.123
Amended 9643
120.131
Revised 13211
120.138
Amended 9454
120.142
Revised 7680
120.147
Amended 9454
120.153
Amended 14830
120.176
Amended 7741
120.183
Amended 10181
120.200
Amended 10263
Amended 16768
120.202
Added 289
120.203
Added 7173
120.204
Added 10959
120.1011
(b) revised 7376
121.75
Revised 4891
121.84
Deleted 8008
121.89
Deleted 8008
121.90
Deleted 8008
121.91
Deleted 8008
121.205
(c) amended 7282
(c) amended 10744
121.208
(d) amended 6830, 8874, 10574, 11183
121.210
(c) amended 1272
(c) amended 7281
(c) amended; (d) (3) revised 8573
(c) amended 8874
(c) amended 12435
(c) amended 14590
121.213
(d) amended 1069
(d) amended 8874
121.217
(d) amended; (f) added 2834
(d) amended 6274
121.225
(f) (3) (viii) added 11183
(j) revised 16692
121.226
Revised 7562
121.227
Revised 7562

21 CFR—Continued Page

Chapter I—Continued

121.232
(d) amended 8874
121.233
(d) amended 8875
121.237
(d) corrected 3178
121.242
Amended 3116
121.251
(d) amended 8875
121.252
(d) amended 8875
121.253
(c) amended 1069
(c) amended 8875
121.254
(c) amended 8875
121.256
(d) amended 8875
121.258
(c) amended 10959
121.260
(c) amended 10182
121.262
(c) amended 8875, 11876, 12435, 14350
121.263
(b) amended 11877
121.264
Revised 11877
121.266
(c) amended 7282
(c) amended 14590
121.269
Revised 11878
(c) amended 14350
121.270
Revised 8569
121.278
Added 289
121.279
Added 289
121.280
Added 2426
(a) corrected 2647
121.281
Added 4447
121.282
Added 1068
121.284
Added 4511
121.285
Added 4955
121.286
Added 10574
121.287
Added 11101
121.288
Added 11936
121.289
Added 11608
121.290
Added 11608
121.291
Added 13722
121.292
Added 16692
121.1002
Added 13723
121.1008
(c) (3) (iii) added 10264
121.1009
(c) (9) added 10264
(c) (10) added; incorrectly designated as (c) (9) 10886
(c) (10) correctly designated 11609

21 CFR—Continued

Chapter I—Continued

121.1009—Continued
(c)(11) added ... 11609
(c)(4) revised ... 15089
121.1014
Introductory text of (c) revised ... 11183
121.1018
(a)(1) revised ... 8008
121.1020
(c) redesignated as (w); new (c) added ... 4785
(a), (b), and (w) revised ... 8369
(a) and (b) amended ... 12841
(b) amended ... 15309
121.1022
(c) revised ... 8573
121.1029
(c)(6) added ... 5619
(c)(1)(iii) added ... 10264
121.1030
(c)(1)(iii) added ... 10264
121.1031
(d) and (f) amended ... 14351
121.1032
(a) amended ... 4511
121.1047
(c)(2)(iii) added ... 10264
(c)(3) added ... 13474
121.1058
Introductory text and (b) revised ... 9106
121.1059
(a) amended ... 13128
121.1070
(b)(2) and (c)(2) and (3) revised ... 11215
121.1074
Revised ... 11609
(a)(1) and (2) revised; (b) deleted ... 15310
121.1075
Revised ... 11609
(a)(1) and (2) revised; (b) deleted ... 15310
121.1091
(a)(2) amended ... 7227
(a)(2) amended ... 9216
121.1093
Revised ... 9454
Amended ... 12435
121.1099
(a)(2) amended ... 16768
121.1122
Amended ... 3116
121.1133
(c) revised ... 8370
(c) revised ... 15309
121.1142
Revoked ... 10744
121.1143
Revised ... 16693
121.1144
Added ... 2426
121.1153
Revised ... 10182
121.1155
Introductory text and (b) revised ... 5958
121.1164
(b) amended ... 7563
121.1178
Added ... 4447
(b) corrected ... 4836
121.1180
(a) amended ... 2961
121.1188
Added ... 290
121.1189
Added ... 290
121.1190
Added ... 1068
121.1192
Added ... 5959
(b) corrected ... 7563
121.1193
Added ... 3116
121.1194
Added ... 4785
121.1195
Added ... 5434
121.1196
Added ... 9454
Revised ... 12435
121.1197
Added ... 15089
121.2001
(a) amended ... 2897
Amended ... 11609
121.2501
Revised ... 2961
(a)(3) revised; (c) amended ... 6830
(c) amended; (d)(2) revised ... 7173
121.2503
Revised ... 15090
121.2507
(c) amended ... 2963
(c) amended ... 7228
(c) amended ... 15090
(d) amended ... 15570
121.2508
Revoked ... 2963
121.2510
Revoked ... 2963
121.2511
(b) amended ... 2963
121.2513
Revoked ... 10122
121.2514
(b)(3)(xxviii)(b) and (xxxiii) amended ... 2897
(b)(3)(xx) amended ... 9106
Introductory text of (b)(3)(xxxi) revised ... 10575
(b)(3)(xxvi) amended ... 13475
(b)(3) revised ... 15570
121.2520
(c)(5) amended ... 1068, 2896, 2897, 4128, 11718, 13793, 14973, 15090, 15570.
121.2521
Added ... 15194
(d)(3)(ii) corrected ... 15349
121.2524
(c) revised ... 15570
121.2525
(b) amended ... 15570
121.2526
(d)(3) revised ... 560
(b)(2) and (c) amended ... 1149
(b)(2) amended ... 2476
(a)(5) amended ... 2897
(b)(2) amended ... 9107
(a)(5) amended ... 13793
121.2527
Revised ... 10122
121.2530
(c) revised ... 15570
121.2531
Revised ... 10
(f) corrected ... 216
(a)(3) added ... 3394
(a)(2) amended ... 11610
(a)(2) amended ... 13475
121.2533
(c) revised ... 15570
121.2534
(c) revised ... 15570
121.2535
(c) revised ... 15570
121.2536
(c) revised ... 15570
121.2537
(c) amended ... 2897
121.2540
(c) revised ... 15570
121.2541
(c) amended ... 7228
(c) corrected ... 7512
(c) amended ... 8876
(c) revised ... 9417
121.2542
(a) revised ... 7563
121.2543
(b)(4) revised; (b)(5) and (6) deleted ... 2963
121.2545
(b) revised ... 15570
121.2547
(b)(5) added; (c)(3) and (4) revised ... 10264
(b)(8) added; (c)(4) revised ... 11718
121.2550
(b)(5) amended ... 10745
(b)(4) amended ... 15570
121.2553
(c) revised ... 15570
121.2554
(b), introductory text of (c), and (c)(2) revised ... 2963
121.2557
(d)(3) amended ... 8008
(c) revised ... 15570
121.2562
(c)(4)(ii)(b) amended ... 216
(g) and (h) added ... 560
(c)(4)(iii) amended ... 1068
(c)(4)(ii)(b), (iii), and (iv) amended ... 10183
Introductory text of (c)(4) revised ... 15570
121.2566
(b) amended ... 1068
(b) amended ... 2964
(b) amended ... 4785
121.2567
(c) revised ... 15570
121.2569
(a) revised ... 2964
(b)(3) amended ... 11610
(b)(3)(iii) amended ... 15570
121.2570
(c) added ... 8009
121.2571
(b)(2) amended ... 8954, 10606, 11609, 15090
121.2573
Added ... 11609
121.2576
Introductory text of (a) revised; (a)(1) and (2) and (b) amended ... 290
121.2587
Added ... 2476

21 CFR—Continued

Chapter I—Continued

121.2589
(c) added ... 3394
(c)(1)(iii) and (c)(2) corrected ... 4299
121.2590
(c) added ... 10182
121.2592
(a)(3)(xvii) added ... 11719
121.2598
Added ... 2896
121.2599
Added ... 8009
121.3002
Heading and introductory text revised; (d) added ... 9491
121.3003
Heading and (b) revised; (c) added ... 9491
121.3004
Heading revised; (e) added ... 9491
121.3005
Heading revised; (d) added ... 9491
121.3007
Added ... 9491
125
Revised ... 8522
Revised ... 15733
130.1
(i) and (j) added ... 4891
130.3
Heading revised; (f) revoked ... 4891
Closing paragraph of (d) amended ... 8009
130.3a
Added ... 4891
130.4
Introductory text of (c) revised ... 2653
130.37
Added ... 11415
130.102
(a)(28) added ... 9992
131.15
Amended ... 6705
Amended ... 6906
131.21
Amended ... 11383
132.3
(a) revised ... 14551
141.2
(b)(2) amended; (c)(3) revised ... 10029
141a.126
Added ... 889
141b.105
Revised ... 11383
141d.315
Heading revised ... 9993
141e.404
Revoked ... 4128
141e.406
Revoked ... 4128
141e.415
Revoked ... 4128
141e.420
Revoked ... 4128
141e.433
Effective date ... 560
144.1
Added ... 5959
144.2
Added ... 5960
144.8
Amended ... 4892
144.12
Added ... 11216
144.24
Revised ... 1070
Revised ... 10744
144.26
(b)(35) revised ... 11879
(b)(21)(vii) added ... 14591
145.2
(a)(28) added ... 890
(a)(20) added ... 4129
145.3
(a)(30) and (b)(30) added ... 890
(a)(29) and (b)(24) added ... 4129
(a)(35) and (b)(35) added ... 4201
145.4
(b)(31) added ... 890
(b)(23) added ... 4129
(b)(37) added ... 4201
145.32
Added ... 4128
(c) revised; (d) added ... 5755
146.2
(b) revised ... 11415
146.6
Revised ... 12841
146.10
(h) revised ... 11415
146.13
Amended ... 2653
146.14
(a)(5) revised ... 11416
146.15
Added ... 3008
146a.8
Heading and (a) revised ... 10123
146a.89
(b)(1) revised ... 8876
146a.113
(a) revised ... 4512
146a.115
(d)(2)(i)(a) and (3)(i)(b) revised ... 893
146a.119
(b) revised ... 13723
146a.122
Added ... 889
146c.219
(f)(4)(viii) deleted ... 6830
146c.260
(c) revised ... 11
146d.308
(c)(1)(i) revised ... 11216
146d.315
Heading revised; (a) and introductory text of (b) amended; (b)(2) revised ... 9993
146d.316
(b) revised ... 9107
146e.404
Revoked ... 4128
146e.406
Revoked ... 4128
146e.415
Revoked ... 4128
146e.418
(c)(3) revised ... 7228
146e.420
Revoked ... 4128
146e.433
Effective date ... 560
147.1
(c)(3) and (d) amended ... 4201
147.2
(a)(29) added ... 4202
148.5
Effective date of revision further postponed ... 7173
148b.5
Added ... 86
148c.1
(b)(1)(v) and (b)(5) revised ... 1070
148c.4
(b)(8) revised ... 1070
148c.5
Heading revised; (a)(1) amended; (a)(3)(ii)(b)(1) and (a)(4) revised ... 1071
148e.2
(b)(1) amended ... 13991
148e.6
(b)(6) revised ... 13991
148e.11
(b)(1) amended ... 13991
148e.16
(a)(1) and (3)(i)(a) and (b) revised ... 13991
148e.18
(a)(1) revised ... 10123
(b)(2) revised ... 13991
148e.20
(a)(4) revised ... 13991
148e.23
(a)(1) amended ... 13991
148e.24
(a)(1) revised ... 13991
148e.27
(b)(2) revised ... 13991
148e.29
(b)(2) revised ... 13992
148e.32
Added ... 5756
148e.33
Added ... 5756
148h.1
(b)(3) and (4) revised ... 10359
148h.3
(a)(3)(i)(a) revised ... 10359
148i.13
Added ... 4129
148i.17
Added ... 4130
148i.28
Added ... 4130
148i.30
Added ... 4131
148i.30a
Added ... 4131
148i.30b
Added ... 4132
148i.31
Added ... 4132
148i.36
Added ... 4132
148i.37
Added ... 4132
148i.38
Added ... 4133
148i.40
Added ... 4134
148i.41
Added ... 4134
148i.42
Added ... 4134
148i.43
Added ... 4135
148i.46
Added ... 8876
148k.3
Heading and (a)(1) revised ... 13603
148m.2
Added ... 4135
148m.4
Added ... 4137

21 CFR—Continued

Chapter I—Continued

148m.5
Added — 4138
148m.6
Added — 4138
148m.7
Added — 4139
148m.8
Added — 4139
148n.25
Added — 4139
148n.26
Added — 4140
148n.27
Added — 4140
148n.28
Added — 4141
148n.29
Added — 4141
148p.7
Added — 4142
148q
Added — 890
148r.2
Added — 4142
148r.3
Added — 4142
148r.4
Added — 4143
148r.5
Added — 4143
148r.6
Added — 4143
148r.7
Added — 4143
148r.8
Added — 4144
148r.9
Added — 4144
148r.10
Added — 4144
148x.5
Added — 4203
148y
Added — 4202
148y.1
(b)(1)(vi) corrected — 4512
164.1
Revised — 2654
164.2
(a), (d), (e), (f)(11), and (g)(1), (6), and (7) revised — 2654
164.3
(a)(2) revised; (c) amended — 2655
164.4
(b) revised — 2655
164.5
Revised — 2655
164.6
(a)(2) and (3), (d), (e), introductory texts of (f) and (g), and (i)(2) revised — 2656
164.7
Introductory texts of (a), (b), (c), (d), and (e) revised — 2656
164.10
(a)(2), (b), and (e) revised — 2656
164.13
Revoked — 2656
164.14
Revoked — 2656
164.15
Introductory text and (a) revised — 2656
(b), (d), and (e) deleted; (f)(2), (g)(2), and (h) amended; (i) and (j) revised — 2657
164.16
Added — 3008

21 CFR—Continued

Chapter I—Continued

166.1
Added — 1071
166.2
Added — 1071
166.3
Added — 1072
(a)(3) corrected — 1240
(b) and (c) added — 4679
Effective date — 7174
(e)(1) amended — 9492
(b) amended — 10029
Effective date of amendment of (b) — 11754
(c)(1) amended — 12436
Effective date of amendment of (e)(1) — 11384
Effective date of amendment of (c)(1) — 14830
166.4
Added — 1072
(a) amended — 3397
166.5
Added — 1072
166.6
Added — 1072
166.7
Added — 1072
(a) amended — 3397
166.8
Redesignated from 166.51 — 1074
(b) revised — 4679
Effective date — 7174
Introductory text revised — 10124
166.16
Added — 1073
(a) revised — 4679
Effective date — 7174
166.17
Added — 1074
166.18
Added — 4448
(d)(1) revised — 6104
166.19
Redesignated from 166.101 — 1074
166.51
Added — 264
Redesignated as 166.8 — 1074
166.101
Redesignated as 166.19 — 1074
191.1
(a) amended — 16564
191.63
(a)(28) added — 3117
(a)(29) added — 3117
Introductory text of (a)(9) and (a)(9)(i) revised — 6622
(a)(24) revised — 11719
(a)(30) added — 15091
(a)(25) revised — 16565
191.109
Introductory text amended — 16564
191.111
Added — 11462
191.201
(d) revised — 3008
191.212
(b)(1) and (2) amended — 16564
191.213
(c) amended — 16564
281.19
(a) revised — 5071

Chapter II

305.2
(b) revised — 5435

Proposed Rules:

1 — 14840
3 — 14840

21 CFR—Continued

Chapter I—Continued

Proposed Rules—Continued

5 — 10883
15 — 11398
17 — 7412, 8497, 9997, 10039, 10415, 15095
18 — 10415
19 — 5202, 7572, 10415, 10889, 13005
20 — 10415, 10889
25 — 10415
27 — 17, 4413, 5638, 8497, 16577, 16716
29 — 5638, 5906
31 — 10415, 11109, 12104
37 — 12060
45 — 3028, 14556
51 — 5969, 6120, 6792, 8594, 12643
53 — 1154, 8594
80 — 15746
120 — 903, 5453, 6318, 11155, 14359
121 — 903, 1155, 3196, 3402, 5131, 5453, 6120, 6318, 7245, 9008, 10198, 12849, 14359
125 — 3301
130 — 2967, 5203, 13347, 14652, 15096
133 — 7185, 7354, 10039
138 — 10890
148g — 712
148i — 4149
148r — 4149
165 — 12451
166 — 565, 1155, 7245, 7573, 10039
191 — 13006

22 CFR

Chapter I

Subchapter F revised — 13537
Subchapter M revised — 15174

10
Added — 6300
41.6
(e)(1) revised — 7741
(c) revised — 10960
(b) revised — 14674
41.114
Revised — 13080
41.115
(a) revised — 13080
41.117
Revised — 13081
41.120
(b)(2) revised — 13081
41.121
(c)(1) revised — 13081
42.21
Revised — 7742
42.30
(b) revised — 7742
42.31
(b) revised — 7742
42.32
(b) revised — 7742
42.33
(b) revised — 7742
42.34
(b) revised — 7742
42.35
(b) revised — 7742
42.50
Revised — 7742
42.60
(b) revised — 11416
Section designation corrected — 11755
42.62
Revised — 7742
42.63
Deleted — 7743
42.63
Redesignated from 42.65; revised — 7743
42.64
Deleted — 7743
42.64
Redesignated from 42.68; revised — 7743

22 CFR—Continued

Chapter I—Continued

42.65
Redesignated as 42.63; revised — 7743
42.66
Rescinded — 7743
42.67
Rescinded — 7743
42.68
Redesignated as 42.64; revised — 7743
42.91
(a)(14) revised — 10316
42.110
Revised — 13081
50
Revised — 13537
50.1
(f) corrected — 14521
50.11
Corrected — 14521
51
Revised — 13540
51.1
(f) corrected — 14522
51.8
(b) corrected — 14521
51.21
Introductory text corrected — 14521
51.22
Corrected — 14521
51.27
(c) corrected — 14521
51.31
(c) corrected — 14522
51.60
Corrected — 14522
51.72
Corrected — 13654
Revised — 16143
52
Revised — 13546
53
Revised — 13546
61.3
(c) revised — 9348
121
Revised — 15174
122
Revised — 15177
123
Revised — 15177
124
Revised — 15181
125
Revised — 15182
126
Revised — 15184
127
Revised — 15184
133.3
(a) revised — 10575
133.4
(a) and (b) (2) and (3) revised; (c)(2) revoked — 10575

Chapter II

200
Added — 6309
201
Appendix D added — 14079
Appendix A revised — 15195
Appendix D amended — 16694
201.01
(s) revised — 15195
(v) added — 16693
201.52
Introductory text of (a) amended; (a)(6) revised; (a)(7) and (8) and (c) added — 14079
(a)(7) revised; (a)(8) and (c) amended — 16693

22 CFR—Continued

Chapter II—Continued

201.72
(b) amended; (c) revised — 16693
201.73
(a) amended; (b) revised — 16694
201.86
(c) added — 15195
201.87
Amended — 14079
205
Revised — 13993
208.11
Revised — 15571
211
Added — 6105

Chapter III

Added — 6474
301
Added — 6474

Chapter V

500
Added — 6309
502.1
(b) revised — 2426
502.4
(c) revised — 2426
502.8
Introductory text revised — 2426
502.10
Revised — 2426
502.12
Introductory text revised — 2427
502.13
Revised — 2427
502.14
Revised — 2427

Chapter VI

Added — 4391
601
Added — 4391

23 CFR

Heading revised — 13128

Chapter I

1.30
Revised — 9270

Chapter II

Added — 13128
209
Added — 16267
215
Added — 13128
215.11
Revised — 15197

Proposed Rules:

245 — 15212, 15600

24 CFR

Subtitle A

Heading revised — 815
0
Added — 6781
3.101
(s) revised; (y) added — 5826
3.102
Corrected — 5827
3.103
(d)(3) revised — 5827
3.103a
(d)(2) corrected — 5827
3.103b
(b)(2) corrected — 5827
3.104
(c) revised — 5827
4
Added — 11384
5
Added — 7563

24 CFR—Continued

Subtitle A—Continued

5.15
(d) revised — 13081
11
Added — 816

Chapter II

200.1
Revised — 7743
200.2
Revised — 7743
200.4
Added — 816
200.32
(a) revised — 7743
200.40
Revised — 7743
200.50
Revised — 7743
200.77
(n) revised — 9005
200.83a
Added — 6867
Heading, (a), and introductory text of (b) revised — 7744
200.95
(aa) added — 7565
Heading and introductory text revised; (bb) added — 12792
200.98
(b) added — 12792
200.108
Added — 16495
200.157
(f)(3) and (4) revised — 14593
200.190
Introductory text revised — 14593
201.2
(f) added — 16615
201.5
(e) revised — 16615
201.6
(d)(4) revoked; (f) redesignated as (g); new (f) added — 16268
201.7
(b) amended — 16268
201.9
(e)(2) and (4) revised — 16615
203.18
(a) revised; (b) through (d) redesignated as (c) through (e), respectively; new (b) added — 14593
203.20
(a) revised — 2477
Revised — 5756
(a) revised — 13000
203.28
Revised — 14594
203.253
(a)(1)(iii) revised; (a)(1)(iv) added; (c)(6) and (d)(3) revised — 16268
203.278
(b) revised; (c) added — 2887
203.287
(j) amended; (k) added — 16268
203.345
Revised — 16268
203.405
Revised — 8539
Revised — 16187
203.479
Revised — 8539
Revised — 16187
207.2
Revised — 10317
207.258
Heading and introductory text of (b)(4) and (c)(9) revised — 1200

24 CFR—Continued

Chapter II—Continued

207.259
(e)(6) revised 8539
(b)(2)(iv) revised 14594
(e)(6) revised 16187
213.3
(g) revised 16615
213.4
Revised 10317
Corrected 14597
213.7
Introductory text of (l) and (l)(1) revised 14594
213.262
(a)(1)(iii) revised; (a)(k)(iv) added; (b)(9) revised 16268
213.263
(b)(1)(iii) and (iv) and (c)(4) added 16269
213.511
(a) revised 2477
Revised 5757
220.30
(a) revised; (b) redesignated as (c); (c)(1) and (2)(i) and introductory text of (2)(ii) revised; new (b) added 14594
220.507
Heading of (a), (a)(3), and (b) revised 14595
220.510
Revised 5757
(a) revised 13000
220.562
Revised 10317
220.830
Revised 16187
221.3
Added 14928
221.10
Revised 14595
221.12
(b) revised 14928
221.30
(a)(1) revised 14928
221.50
Introductory text revised 14928
221.501
Revised 7565
221.508
Revised 10317
221.518
(a) revised 5757
(b) amended 6547
(a) revised 13000
221.524
(a) revised 7566
(a) revised 16615
221.537
(a) and (b) revised; (c) redesignated as (d) and heading added; new (c) added 14595
(c) revised 14928
221.538
Introductory text designated as introductory text of (a) and revised; (a) through (d) redesignated as (a)(1) through (4), respectively; new (b) added 14595
221.542a
Added 7744
221.543
Center heading and (b) revised 7744
221.546
Revised 14596
221.762
(b) revised 16269

24 CFR—Continued

Chapter II—Continued

231.1
(a) amended 5757
231.2a
Added 5757
232.15
Revised 10318
232.29
Revised 5757
(a) revised 13000
234.29
Revised 2478
Revised 5757
(a) revised 13000
234.520
(a)(2) revised 16269
1000.1
(d) revised 14596
1000.25
Revised 10318
1000.47
Revised 14596
1000.50
Revised 5757
Revised 13001
1000.52
Revised 14596
1000.86
Added 14596
1000.92
Revised 14596
(a) revised 16269

Chapter IV

1600.12
(c) revised 16515
1600.13
Revised 16515
1600.15
(b) amended 12055
1600.25
Revised 16515
Revised 16768
1600.31
Revised 9492
1600.32
Revised 9492
1600.41
Revised 9492
1600.42
Revised 9493
1600.53
(b) revised 16515
1600.54
Revised 16515

25 CFR

Chapter I

41.3
Revised 7744
Revised 16565
41.5
Revised 7744
42.3
Revised 7745
42.4
Revised 7745
221.16
Revised 7283
221.17
Revised 7283
221.24
Revised 7283
221.26
Revised 7283
221.28
Revised 7283
221.32
Revised 14876

25 CFR—Continued

Chapter I—Continued

221.63
Revised 10742

Chapter III

500
Added 5445

Proposed Rules:

131 7353, 13605
183 12794
221 5766, 9007, 13242, 13946
255 9087

26 CFR

Chapter I

1
Determination 3285
1.1–3
Revised 7802
1.5
Amended 7802
1.61–2
(d)(2) revised 9200
1.61–7
(a) revised 941
1.72
Amended 7798
1.72–2
(a)(3)(i) revised 7798
1.72–11
(a)(2), (c)(3), (d)(2), (f)(1) and (3), and (g) revised 7798
1.72–17
(b)(3) revised 7800
1.72–18
(b)(3)(iii) revised 7800
1.79—1.79–3
Added 9200
1.105–4
(a)(3)(i) revised 9204
1.112
Amended 16615
1.112–1
(a)(2) and (h) revised 16615
1.144
Amended 7800
1.144–3
Added 7800
1.163–1
(a) revised 941
1.170–1
(a)(1), (b), and (d) revised 14633
1.170–2
(b)(1) revised; (b)(5) redesignated as (6) and revised; new (b)(5) and (g) added 14634
1.170–3
(c) revised 14640
1.172–5
Introductory text of (a)(3)(ii) revised 14641
1.381(c)(19)
Revised 14642
1.381(c)(19)–1
(a), (b)(3), (c), and (d) revised 14642
1.402(a)
Amended 7800
Amended 8786
1.402(a)–1
(a)(1)(ii) revised 7800
(b)(1)(ii) revised 8786
1.402(b)
Revised 7800
1.402(b)–1
(b) revised 7801
1.402(d)
Revised 7801
1.402(d)–1
(a) revised 7801

26 CFR—Continued

Chapter I—Continued

1.403(a)
Amended 7801
1.403(a)–1
(b) revised 7801
1.403(b)
Amended 7801
1.403(b)–1
(c)(1) revised 7802
1.403(c)
Revised 7802
1.403(c)–1
(a) and (b) revised 7802
1.421
Center heading and section revised 8786
1.421–1
Heading revised; (g) added 8786
1.421–6
(a)(1), (d)(7), and (f) revised 8787
1.421–7
Added 8787
1.421–8
Added 8789
1.422—1.422–2
Added 8791
1.423—1.423–2
Added 8798
1.424—1.424–2
Added 8803
1.425, 1.425–1
Added 8807
1.453–1
(b) revised 941
1.483—1.483–2
Added 942
1.483–1
(f)(5) corrected 2427
1.545
Amended 14643
1.545–2
(b)(1) and (2) revised 14643
1.556
Amended 14644
1.556–2
(b)(1) and (2) revised 14644
1.691(a)–3
(b)(3) revised 7803
1.691(c)
Amended 8812
1.691(c)–1
(c)(1) revised; (d) amended 8812
1.702–1
(c)(1)(ii) revised 7803
1.801
Amended 8680
1.801–2
Revised 8681
1.801–8
Added 8681
1.802
Amended 8685
1.802–2
Revised 8685
1.802–3
(f) revised 8685
1.804
Amended 8686
1.804–1
Revised 8686
1.804–2
(d)(1) revised 8686
1.805
Amended 8686
1.805–3
Revised 8686
1.805–7
(b)(2) and (3) revised 8686

26 CFR—Continued

Chapter I—Continued

1.809
Amended 8686
1.809–1
Revised 8687
1.809–2
(a) revised 8687
1.809–3
(a) and (b) revised 8687
1.809–4
(a) introductory text and (b) revised 8687
1.809–5
(a)(6) heading and (a)(6)(i) revised 8687
1.809–7
(b) and (c) revised 8688
1.812
Amended 8688
1.812–1
Revised 8689
1.812–6
(b)(2) revised 8689
1.815
Amended 8689
1.815–1
Revised 8689
1.815–4
(b)(3) and (c)(1)(ii) revised 8689
1.817–1
Revised 8689
1.817–2
(a) revised 8689
1.817–3
(a)(1) revised 8689
1.817–4
(a) and (b) revised 8689
1.861–2
Introductory text of (a) revised 953
1.861–8
(b) revised 11144
1.943–1
Revised 16769
1.952–1
(c)(2)(iii) revised 11144
1.958—1.958–2
Added 9454
1.964–2
Added 11142
1.970–1
(d)(3) amended 11144
1.1012–1
(d) revised 8812
1.1014–1
(c) revised 8812
1.1235–1
(c)(1) revised 7803
1.1301—1.1305
Center heading and sections added 7789
1.1301—1.1307–2
Redesignated as 1.1301A–1–1307A–2 and amended 7803–7805
1.1301
Redesignated as 1.1301A; amended 7803
1.1301–1
Redesignated as 1.1301A–1; revised 7803
1.1301–2
Redesignated as 1.1301A–2 7803
1.1301A
Redesignated from 1.1301; amended 7803
1.1301A–1
Redesignated from 1.1301–1; revised 7803

26 CFR—Continued

Chapter I—Continued

1.1301A–2
Redesignated from 1.1301–2 7803
1.1301A–3
Added 7803
1.1302
Redesignated as 1.1302A; amended 7804
1.1302–1
Redesignated as 1.1302A–1; (d)(2) and (3) revised; (e) added 7804
1.1302A
Redesignated from 1.1302; amended 7804
1.1302A–1
Redesignated from 1.1302–1; (d)(2) and (3) revised; (e) added 7804
1.1303
Redesignated as 1.1303A; amended 7804
1.1303–1
Redesignated as 1.1303A–1; (d)(2) and (3) revised; (e) added 7804
1.1303A
Redesignated from 1.1303; amended 7804
1.1303A–1
Redesignated from 1.1303–1; (d)(2) and (3) revised; (e) added 7804
1.1304
Redesignated as 1.1304A; amended 7804
1.1304–1
Redesignated as 1.1304A–1; (d)(2) and (3) and (f) revised 7804
1.1304A
Redesignated from 1.1304; amended 7804
1.1304A–1
Redesignated from 1.1304–1; (d)(2) and (3) and (f) revised 7804
1.1305
Redesignated as 1.1305A; amended 7804
1.1305–1
Redesignated as 1.1305A–1; (d)(3) and (4), (g), and (h) revised 7804
1.1305–2
Redesignated as 1.1305A–2; revised 7804
1.1305A
Redesignated from 1.1305; amended 7804
1.1305A–1
Redesignated from 1.1305–1; (d)(3) and (4), (g), and (h) revised 7804
1.1305A–2
Redesignated from 1.1305–2; revised 7804
1.1306
Redesignated as 1.1306A; amended 7805
1.1306–1
Redesignated as 1.1306A–1; (d)(2) and (3) and (e) revised 7805
1.1306A
Redesignated from 1.1306; amended 7805
1.1306A–1
Redesignated from 1.1306–1; (d)(2) and (3) and (e) revised 7805

26 CFR—Continued

Chapter I—Continued

	Page
1.1307	
Redesignated as 1.1307A; amended	7805
1.1307–1	
Redesignated as 1.1307A–1	7805
1.1307–2	
Redesignated as 1.1307A–2; (a) (3) and (c) revised; (e) amended	7805
1.1307A	
Redesignated from 1.1307; amended	7805
1.1307A–1	
Redesignated from 1.1307–1	7805
1.1307A–2	
Redesignated from 1.1307–2; (a) (3) and (c) revised; (e) amended	7805
1.1307A–3	
Added	7806
1.1371–1	
(g) revised	16527
1.1441	
Revised	16769
1.1441–1	
Revised	16770
1.1441–2	
(a) (1) revised	954
(a) (1) and (3), (b), and (c) revised	16770
1.1441–3	
(b), (c) (1), (d), (e) (2), and (f) revised	16771
1.1441–4	
(a) and (b) revised; (f), (g), and (h) added	16772
1.1441–5	
Heading, (b), and (d) revised; (e) deleted	16773
1.1442	
Revised	16773
1.1442–1	
Revised	16773
1.1442–2	
Added	16773
1.1443–1	
Revised	16774
1.1451–2	
(c) revised	16774
1.1461–1	
(a), (b), (d), (e), (f) (3), and (i) revised	16774
1.1465–1	
(b) (1) revised	16774
1.1502—1.1502–51	
Recodified as 1.1502—1.1502–51A; revised	11794
1.1502—1.1502–51A	
Recodified from 1.1502—1.1502–51; revised	11794
1.1502–14	
Added	16694
1.1502–15	
(a) (3) revised; (a) (4) and (b) added	16695
1.1502–19	
Added	16695
1.1502–25	
Added	16697
1.1502–31	
(b) (3) (i) and (21) (i) and (ii) revised	1271
Deleted	11794
1.1502–31	
Added	16698
1.1502–32	
Added	16698
1.1502–33	
Added	16700
1.1502–75	
(c) (1) (i) corrected	12479
1.6012–1	
(a) (7) (ii) (j) and (k) revised; (a) (7) (ii) (I) added; (a) (7) (viii) revised	7803
1.6039—1.6039–2	
Added	8812
1.6041–1	
(d) (1) revised	9205
1.6041–7	
Added	6589
1.6042–2	
(a) (1) and (c) revised	3493
(e) added	6589
(a) (1) (i) revised	10468
1.6042–3	
(b) (2) and (3) revised	16774
1.6042–4	
(b) and (c) (1) revised	3493
1.6044–2	
(d) revised	3493
(f) added	6589
1.6044–5	
(b) and (c) (1) revised	3493
1.6047–1	
(d) added	6589
1.6049–1	
(a) (1) and (c) revised	3494
(e) added	6589
(a) (1) (i) revised	10468
1.6049–2	
(b) (3) and (4) revised	16774
1.6049–3	
(b) and (c) (1) revised	3494
1.6052—1.6052–2	
Added	9205
1.6071–1	
(c) revised	8814
(c) (15) and (16) added	16775
1.6072–4	
Revised	16775
1.6091–1	
(b) revised	8814
1.6091–3	
(a) revised	149
1.9101–1	
Added	6589
15	
Added	16776
31.3121(a) (5)	
Revised	2596
31.3121(a) (5)–1	
Revised	2596
31.3401(a)–1	
(b) (13) added	16775
31.3401(a) (6)	
Redesignated as 31.3401(a) (6) A; amended	16775
31.3401(a) (6)	
Added	16775
31.3401(a) (6) A	
Redesignated from 31.3401(a) (6); amended	16775
31.3401(a) (6)–1	
Redesignated as 31.3401(a) (6)–1A; heading revised; (e) added	16775
31.3401(a) (6)–1	
Added	16775
31.3401(a) (6)–1A	
Redesignated from 31.3401(a) (6)–1; heading revised; (e) added	16775
31.3401(a) (7)	
Amended	16776
31.3401(a) (7)–1	
Heading revised; (e) added	16776
31.3402(f) (6)–1	
Revised	16776
31.3402(g)–1	
(a) (2) revised; (b) (1) amended	5661
31.6091–5	
(a) (7) revised	16776
31.6011(a)–1	
(e) added	149
31.6011(a)–7	
(b) revised	6590
31.6071(a)–1	
(a) (1) revised	11430
31.6151–1	
(b) revised	149
31.6205	
Amended	2596
31.6302(c)–1	
(b) revised	149
(a) (1) and (3) revised	7184
(a) (1) (i) and (ii) revised	16269
48.4041–6	
Revised	5491
48.4041–7	
(c) revised	5491
48.6421(a)–1	
(c) (1) and (d) revised	5492
144	
Added	12402
147.4–1	
(c) revised	13723
147.9–1	
(c) (1), introductory text of (c) (2), and (d) revised	13723
147.9–2	
(a) revised; (b) amended	13724
151.474	
(a) revised	429
170	
Subpart C added	3179
Subpart B deleted	11974
170.21—170.24	
Subpart B deleted	11974
170.41—170.63	
Subpart C added	3179
170.42	
Revised	11974
170.46	
Corrected	3285
170.95	
Revised	11974
170.95a	
Added	11974
170.95b	
Added	11974
177.10	
Amended	13443
177.25	
Revised	13443
177.27	
Revised	13443
177.29	
Revised	13443
177.31	
Revised	13443
177.80	
Revised	13444
177.83	
Revised	13444
177.84	
Revised	13444
177.85	
Revised	13444
177.102	
Revised	13444
179.105	
Revised	16616

26 CFR—Continued

Chapter I—Continued

	Page
197.67	
Revised	11974
197.69	
Revised	11975
198.82	
Revised	11975
198.82a	
Added	11975
198.82b	
Added	11975
201.194	
Revised	11975
201.194a	
Added	11975
201.194b	
Added	11975
211.73	
Revised	11975
211.73a	
Added	11975
211.73b	
Added	11975
213.72	
Revised	11975
213.72a	
Added	11975
213.72b	
Added	11975
240.13	
Revised	3451
240.30	
Revoked	3451
240.36	
Revoked	3451
240.40	
Revised	3451
240.40a	
Revised	3451
240.40c	
Added	3451
240.42	
Revoked	3451
240.46	
Revised	3451
240.163	
Revised	3451
240.221	
Revised	3452
240.226	
Revised	11975
240.227	
Revised	11976
240.228	
Revised	11976
240.229	
Revised	11976
240.230	
Deleted	11976
240.231	
Revised	11976
240.252	
Revised	11976
240.354	
Revised	3452
240.360	
Revised	3452
240.362	
Revised	3452
240.363	
Revised	3452
240.366	
Revised	3452
240.367	
Revised	3452
240.368	
Revised	3452
240.369	
Revoked	3453
240.370	
Revoked	3453
240.371	
Revoked	3453
240.372	
Revoked	3453
240.373	
Revoked	3453
240.374	
Revised	3453
240.402	
Revised	3453
240.406	
Revised	3453
240.407	
Revised	3453
240.408	
Revised	3454
240.409	
Revised	3454
240.410	
Revoked	3454
240.411	
Revised	3454
240.430	
Revised	3454
240.443	
Revised	3454
240.463	
Revised	3454
240.464	
Revised	3454
240.483	
Revised	3455
240.488	
Revised	3455
240.634	
Revised	3455
240.906	
Revoked	3455
240.907	
Revoked	3455
240.908	
Revised	3455
240.914	
Revised	3455
240.914a	
Added	3455
240.914b	
Added	3456
240.915	
Revised	3456
240.972	
Center heading revised	3456
240.975	
Revised	3456
240.976	
Center heading and section revised	3456
240.978	
Amended	3456
240.978a	
Added	3457
240.978b	
Added	3457
240.978c	
Added	3457
245.54	
Revised	11976
245.59	
Revised	11976
251.65a	
Revised	2377
251.72	
Revised	2377
251.73	
Revised	2377
251.91	
Revised	2377
251.135	
Revised	2377
251.136	
Revised	2377
251.184	
Revised	2378
252.52	
Revised	11976
252.52a	
Added	11976
252.52b	
Added	11976
252.72	
Revised	11976
270	
Heading revised	32
270.1	
Revised	32
270.11	
Amended	32
270.22	
Revised	32
270.25	
Deleted	32
270.26	
Revised	32
270.27	
Revised	32
270.42	
Revised	33
270.44	
Revised	33
270.61	
Revised	33
270.66	
Revised	33
270.69	
(c) revised	33
270.71	
Revised	33
270.72	
Revised	33
270.75	
Revised	33
270.104	
Revised	33
270.133	
Revised	33
270.141	
Revised	34
270.161	
Center heading and section revised	34
270.162	
Revised	34
270.166	
Revised	34
270.167	
Revised	34
270.168	
Revised	35
270.181	
Revised	35
270.182	
Revised	35
270.183	
Revised	35
270.184	
Revised	35
270.186	
Revised	35
270.201	
Revised	35
270.202	
Revised	36
270.211	
Revised	36

26 CFR—Continued Page

Chapter I—Continued

270.212
Revised 36
270.213
Deleted 36
270.214
Revised 36
270.216
Deleted 36
270.217
Revised 36
270.231
Center heading and section revised 36
270.232
Revised 37
270.233
Revised 37
270.234
Revised 37
270.235
Revised 37
270.236
Revised 37
270.251
Center heading and section revised 37
270.252
Revised 37
270.253
Revised 37
270.254
Revised 37
270.255
Revised 38
270.261–270.266
Center heading and sections deleted 38
270.281
Revised 38
270.282
Revised 38
270.283
Revised 38
270.284
Revised 39
270.286
Revised 39
270.287
Revised 39
270.301
Center heading and section revised 39
270.311
Center heading and section revised 39
270.312
Revised 39
270.313
Revised 39
270.331
Revised 40
275
Heading revised 40
Subpart F heading revised 42
Subpart G heading revised 42
275.1
Revised 40
275.11
Amended 40
275.23
Revised 40
275.25
Revised 40
275.33
Deleted 41
275.37
Revised 41

26 CFR—Continued Page

Chapter I—Continued

275.40
Revised 41
275.41
Revised 41
275.50
Revised 41
275.60
Revised 41
275.62
Revised 41
275.71
Revised 41
275.72
Deleted 41
275.73
Revised 41
275.75
Revised 41
275.81–275.86
Subpart F heading revised 42
275.81
Revised 42
275.85
Center heading and section revised 42
275.85a
Revised 42
275.86
Revised 42
275.90, 275.91
Center heading and sections deleted 42
275.101–275.145
Subpart G heading revised 42
275.101
Revised 43
275.105
Center heading and section revised 43
275.106
Revised 43
275.107
Revised 43
275.109
Center heading and section revised 43
275.110
Revised 44
275.111
Revised 44
275.112
Revised 44
275.116
Revised 44
275.117
Revised 44
275.120
Revised 44
275.121
Revised 44
275.125
Revised 45
275.135
Center heading and section revised 45
275.136
Revised 45
275.137
Revised 45
275.138
Revised 45
275.139
Revised 45
275.140
Revised 45
275.141
Revised 46

26 CFR—Continued Page

Chapter I—Continued

275.145
Center heading and section deleted 46
275.161
Revised 46
275.162
Revised 46
275.163
Revised 46
275.165
Center heading and section revised 46
275.170
Center heading and section revised 46
275.171
Revised 46
275.172
Revised 46
275.173
Revised 47
275.174
Revised 47
275.180
Center heading and section deleted 47
280
Revoked 47
285.11
Amended 47
285.28
Revised 47
285.71
Revised 47
285.131
Revised 47
290
Heading revised 48
Subpart I deleted 51
Subpart J heading revised 51
290.1
Revised 48
290.13
Deleted 48
290.19
Deleted 48
290.23
Deleted 48
290.24
Deleted 48
290.26
Deleted 48
290.27
Revised 48
290.28
Revised 48
290.30
Revised 48
290.32
Revised 48
290.34
Deleted 48
290.35
Deleted 48
290.37
Revised 48
290.38
Revised 48
290.39
Deleted 48
290.43
Revised 48
290.44
Deleted 48
290.45
Deleted 48
290.47
Deleted 48

26 CFR—Continued Page

Chapter I—Continued

290.48
Deleted 48
290.49
Deleted 48
290.50
Revised 48
290.53
Deleted 48
290.61
Revised 48
290.61a
Revised 48
290.62
Revised 48
290.63
Revised 49
290.64
Revised 49
290.65
Revised 49
290.66
Revised 49
290.67
Revised 49
290.68
Deleted 49
290.69
Revised 49
290.70
Revised 49
290.72
Revised 49
290.73
Revised 50
290.74
Deleted 50
290.90
Revised 50
290.107
Revised 50
290.112
Revised 50
290.121
Revised 50
290.123
Revised 50
290.142
Revised 50
290.143
Revised 51
290.147
Revised 51
290.152
Revised 51
290.153
Revised 51
290.154
Revised 51
290.161
Revised 51
290.171, 290.172
Subpart I deleted 51
290.181–290.213
Subpart J heading revised 51
290.181
Revised 51
290.182
Revised 51
290.183
Revised 51
290.184
Revised 51
290.185
Revised 52
290.186
Revised 52
290.187
Revised 52

26 CFR—Continued Page

Chapter I—Continued

290.188
Revised 52
290.189
Revised 52
290.190
Revised 52
290.191
Revised 52
290.192
Revised 52
290.193
Revised 52
290.194
Revised 52
290.195
Revised 52
290.196
Revised 53
290.196a
Revised 53
290.197
Revised 53
290.198
Revised 53
290.200
Revised 53
290.201
Revised 53
290.202
Revised 53
290.203
Revised 53
290.204
Revised 53
290.205
Revised 54
290.206
Revised 54
290.207
Revised 54
290.207a
Revised 54
290.208
Revised 54
290.210
Revised 54
290.212
Revised 55
290.213
Revised 55
290.221
Revised 55
290.222
Revised 55
290.223
Revised 55
290.224
Revised 55
290.225
Revised 55
290.226
Revised 55
290.227
Revised 56
290.228
Revised 56
290.229
Revised 56
290.230
Revised 56
290.253
Revised 56
290.255
Revised 56
290.264
Revised 56
295
Heading revised 57
Subpart D revised 57

26 CFR—Continued Page

Chapter I—Continued

295.1
Revised 57
295.11
Amended 57
295.23
Revised 57
295.25
Revised 57
295.31–295.37
Subpart D revised 57
295.41
Revised 58
295.42
Revised 58
295.43
Deleted 58
295.44
Revised 58
295.46
Revised 58
295.51
Revised 58
296
Heading revised 58
Subpart A heading revised 59
Subpart C heading revised 59
Subpart G heading revised 60
296.1–296.16
Subpart A heading revised 59
296.71–296.80
Subpart C heading revised 59
296.71
Revised 59
296.72
Amended 59
296.73
Revised 59
296.74
Revised 59
296.75
Revised 59
296.76
Revised 59
296.77
Revised 59
296.78
Revised 59
296.79
Center heading and section revised 60
296.80
Revised 60
296.91
Revised 60
296.92
Revised 60
296.101
Revised 60
296.103
Revised 60
296.161–296.168
Subpart G heading revised 60
296.161
Revised 60
296.163
Amended 60
296.164
Revised 60
296.166
Revised 60
296.167
Revised 60
301.6311–1
(c) added 149
(a) revised 9731
301.6316–1
Revised 149

26 CFR—Continued

Chapter I—Continued

301.6316–2
Introductory text and (a) revised ... 149
301.6316–4
(a) and (b)(1) revised ... 149
301.6316–5
(a), (c) and (d)(1) revised ... 150
301.6316–6
(a) and (c)(2) revised ... 150
301.6316–7
Redesignated as 301.6316–8 and revised ... 150
301.6316–7
Added ... 150
301.6316–8
Redesignated as 301.6316–9 and revised ... 150
301.6316–8
Redesignated from 301.6316–7 and revised ... 150
301.6316–9
Redesignated from 301.6316–8 and revised ... 150
301.6652
Amended ... 8814
301.6652–1
(a)(1) revised; (c), (d), and (e) redesignated as (e), (f), and (g), respectively, and revised; new (c) and (d) added ... 8815
301.6678
Revised ... 8815
301.6678–1
(a)(4) and (5) added ... 8815
301.7401–1
(a) revised ... 15736
301.7403–1
Revised ... 15736
507.1
Center heading revised ... 13467
507.13
Added ... 13467
507.21—507.33
Center heading and sections added ... 13467
601
Subpart C heading revised ... 2827
601.101
(a) and (b) revised ... 2818
601.103
(a), (b), and (c)(1) revised ... 2818
601.104
(a) (1), (3), and (5), and (c) revised ... 2819
(a)(4) revised ... 14351
601.105
(a), (b) (1), (2), (4) and (5) (iii) (a), (vi) (b) and (c), (c), (d) (1) and (2) (i), (e) (1) and (2), and (i) revised ... 2820
(b) (1) and (4), (d)(1), and (e)(6) revised ... 14352
601.106
(a)(1), (b), and (c) revised; (d)(2)(iii) added; (f) (3), (5), and (9) revised ... 2822
(d)(1)(ii) and (f)(9) revised ... 14352
601.107
(a)(2) revised ... 2823
601.108
Revised ... 2823
601.109
(b) (1) and (3) revised ... 2822
601.201
(a) (1), (2), and (6), (c)(4), (e) (2), (6), (7) and (9), (f) (2), (i) (1), (7) and (8), (m), and (n)(2) and (11) (i) and (ii) revised ... 2824
(b) (1), (3), and (4) revised ... 14353
601.202
(b), (c) and (d) revised ... 2825
(a)(1) and (c) revised ... 14353
601.203
(a)(1), (c)(1) (iii) and (iv) and (3) and (4), and (d) revised ... 2826
601.204
Revised ... 2826
601.205
Revised ... 2826
601.301–601.328
Subpart C heading revised ... 2827
601.301
Introductory text of (c) revised; (c)(2)(vi) deleted; (c)(2)(ii) through (v) redesignated as (c)(2)(iii) through (vi) respectively; (c)(2)(ii) added; (c) (4), (12), (16), (18), (21), and (28) revised ... 2827
Introductory text of (c) revised; (c)(2)(vii) added ... 14353
601.306
Revised ... 2827
601.307
Revised ... 2827
601.309
Revised ... 2827
601.311
Section and center heading revised ... 2827
(b)(2) revised ... 14353
601.312
(b), (b–1), and (d) revised ... 2828
(b–1) revised ... 14353
601.313
(a) and (c) revised ... 2828
601.314
Revised ... 2828
601.315
(a) through (f) revised; (g) added ... 2829
601.317
Revised ... 2829
601.319
Revised ... 2829
Revised ... 14354
601.322
Revised ... 2829
601.327
Revised ... 2829
(a) and (c) revised ... 14354
601.328
Section and center heading added ... 2830
(a) revised ... 14354
601.401
(a)(5) revised ... 14354
601.402
(a), (c) (1) and (3), and (d) (1) and (2) revised ... 2830
(c)(3) revised ... 14355
601.403
(a) and (c) (1) and (2) revised; (e)(1) deleted; (e)(2) and (3) redesignated as (e) (1) and (2) ... 2831
(a)(3) and (c)(1) revised ... 14355
(c)(1) corrected ... 14773
601.404
(b)(1) revised; (b)(3) and (c)(7) deleted; (c)(8) redesignated as (c)(7); (d)(2) revised; (d)(3) deleted; (f) (1), (2), and (4), and (g) revised; (i) deleted; (j) (1) and (3) and (k) revised ... 2831
(h)(1) and (2) revised ... 14355
601.601
(a)(1) and (c) revised ... 2832
601.602
(c) revised ... 2832
601.702
(a) (4) and (7) and (d)(1) revised ... 2832
Proposed Rules:
1 ... 965, 3016, 3263, 6966, 7571, 9276, 9351, 9506, 9549, 9743, 9745, 9869, 10128, 10394, 10643, 10691, 11845, 11850, 11978, 12809, 12843, 12845, 13091, 13243, 15587, 16788.
31 ... 965, 3263, 6515, 15005, 15587
46 ... 16157
48 ... 974, 9086, 10615, 16157
49 ... 16157
170 ... 217, 352
177 ... 9869
179 ... 14359
301 ... 965, 3263

27 CFR

6.21
Amended ... 14773
Proposed Rules:
4 ... 14556
5 ... 1009

28 CFR

Chapter I

0
Appendix added to Subpart Q ... 705
Subpart F added ... 6275
Subpart W heading revised ... 6317
Subpart O Appendix amended ... 10961
Subpart O Appendix amended ... 12082
0.30—0.32
Subpart F added ... 6275
0.40
(a) revised ... 5071
0.45
(e) and (h) revoked; (i) amended ... 2427
(i) amended ... 6317
0.50
(g), (h), and (i) revoked ... 6867
0.52
Revoked ... 6867
0.55
(e) revoked ... 6317
(j) revised; (p) and (q) added ... 6867
0.56a
Added ... 6867
0.60
(j) and (k) added ... 14590
0.75—0.84
Subpart O Appendix amended ... 10961
Subpart O Appendix amended ... 12082
0.95—0.99
Appendix added to Subpart Q ... 705
0.96
(c–1) added ... 5071
0.109
Added ... 3286
0.110
Added ... 11720

28 CFR—Continued

Chapter I—Continued

0.160—0.178
Subpart W heading revised ... 6317
0.178
Added ... 6317
2.37
Revised ... 4204
14
Added ... 16616
42
Heading revised; Subpart C added ... 10265
Subpart A revised ... 10388
42.1—42.35
Subpart A revised ... 10388
42.101—42.112
Subpart C added ... 10265
50.3
Added ... 5292
Chapter II
200
Added ... 3069
Proposed Rules:
5 ... 13343

29 CFR

Subtitle A
0
Added ... 8306
6
Deleted ... 894
8
Added ... 894
10
Added ... 6370
20.30
(c) revised ... 954
(a) revised ... 4786
20.40
(d) added ... 954
20.41
Revised ... 954
(a) revised ... 7625
40.3
Revised ... 14773
40.4
Revised ... 14773
40.5
Revised ... 14774
40.6
Revised ... 14774
40.10
(a) revised; (b) revoked; (c) (9) and (15) revised ... 14775
40.11
Revised ... 14775
40.27
Revoked ... 14775
60
Schedule A amended ... 3494
Schedules A and B revised ... 16412
60.2
(a)(1) revised ... 16412
Chapter I
100
Added ... 4376
101.19
(b) revised ... 10030
102
Subpart P added ... 13850
Subpart P corrected ... 14313
Subpart P corrected ... 14394
102.59
(h) added ... 10030
102.126—102.134
Subpart P added ... 13850
Subpart P corrected ... 14313
Subpart P corrected ... 14394
Chapter IV
409
Added ... 11177
461.2
Revised ... 11178
461.4
Revised ... 11178
461.5
Revised ... 11178
461.7
Added ... 11178
462.26
(b) revised ... 13001
Chapter V
512
Revised ... 13211
548.3
(e) revised ... 6769
548.305
Revised ... 6769
800.104
Revised ... 11720
800.116
(e) revised ... 6770
800.151
Added ... 2657
Chapter X
1200
Added ... 894
1207
Added ... 14644
Chapter XII
1400
Added ... 5423
Chapter XIH
1500.21
Continued effectiveness ... 9348
1504
Revised ... 7430
1505.6
(a) revised ... 4786
1508.16
Revised ... 11144
Chapter XIV
1600
Added ... 4345
1601.11
Revised ... 10269
1601.13
Revised ... 10269
1601.14
Revised ... 10269
1601.19
Revised ... 10269
1601.21
Deleted ... 10270
1601.22
Revised ... 10270
1601.25
Center heading revised ... 10270
1601.25a
Added ... 14255
1601.27
Revised ... 9004
1602
Text designated as Subpart A ... 2832
Subparts B and C added ... 2833
1602.2—1602.6
Designated as Subpart A ... 2832
1602.7—1602.11
Subpart B added ... 2833
1602.7
Revised ... 16780
1602.12—1602.14
Subpart C added ... 2833
1604.4
Revised ... 6414
1605
Added ... 8370
Proposed Rules:
4 ... 12646, 15702
40 ... 13174
60 ... 2486, 9420, 9808, 9998, 10580, 16466
400 ... 1009
505 ... 14314
522 ... 15200
548 ... 4149
1207 ... 10697, 11494, 13176, 13946
1508 ... 3027
1602 ... 15022

30 CFR

Chapter I
Subchapter M added ... 7456
Subchapter M heading revised ... 15745
27
Revised ... 10607
42
Added ... 2378
42.4
(c) revised ... 5446
42.5
(a) and (d) revised; (e) deleted ... 5446
42.6
(b) and (d) revised ... 5447
51
Added ... 7456
Subchapter M heading revised ... 15745
Chapter II
221.21
(b) revised ... 6415
229.2
Revised ... 9062
Chapter IV
400
Added ... 2697
401
Revised ... 7621
401.3
Revised ... 475
401.4
Amended ... 475
Proposed Rules:
27 ... 69, 8630
221 ... 2614

31 CFR

Subtitle A
0
Added ... 5885
10
Revised ... 10773
Corrected ... 12638
10.51
(c) amended ... 13992
10.57
(b) and (c) added ... 13992
Chapter I
0
Revised ... 6960
100
Revised ... 9493
100.2
Revised ... 16226
128
Appendix amended ... 8179
128.2
Note added ... 8179
Chapter II
202.1
(d) revised; (g) added ... 11388

31 CFR—Continued

Chapter II—Continued

202.20
(h) and (i) added ... 6590
(i) revised ... 7899
(j) added ... 8234
203.1
Revised ... 11388
203.4
Redesignated as 203.5 ... 11388
203.4
Added ... 11388
203.5
Redesignated as 203.6 ... 11388
203.5
Redesignated from 203.4 ... 11388
203.6
Redesignated as 203.7 ... 11388
203.6
Redesignated from 203.5 ... 11388
203.7
(n) revised ... 2596
(o) revised ... 7899
(q) added ... 8234
Redesignated as 203.8 ... 11388
203.7
Redesignated from 203.6 ... 11388
203.8
Redesignated as 203.9 ... 11388
203.8
Redesignated from 203.7 ... 11388
203.9
Redesignated as 203.10 ... 11388
203.9
Redesignated from 203.8 ... 11388
203.10
Redesignated as 203.11 ... 11388
203.10
Redesignated from 203.9 ... 11388
203.11
Redesignated as 203.12 ... 11388
203.11
Redesignated from 203.10 ... 11388
203.12
Redesignated as 203.13 ... 11388
203.12
Redesignated from 203.11 ... 11388
203.13
Redesignated as 203.14 ... 11388
203.13
Redesignated from 203.12 ... 11388
203.14
Redesignated as 203.15 ... 11388
203.14
Redesignated from 203.13 ... 11388
203.15
Redesignated as 203.16 ... 11388
203.15
Redesignated from 203.14 ... 11388
203.16
Redesignated as 203.17 ... 11388
203.16
Redesignated from 203.15 ... 11388
203.17
Redesignated as 203.18 ... 11388
203.17
Redesignated from 203.16 ... 11388
203.18
Redesignated as 203.19 ... 11388
203.18
Redesignated from 203.17 ... 11388
203.19
Redesignated as 203.20 ... 11388
203.19
Redesignated from 203.18 ... 11388
203.20
Redesignated as 203.21 ... 11388
203.20
Redesignated from 203.19 ... 11388
203.21
Redesignated as 203.22 ... 11388
203.21
Redesignated from 203.20 ... 11388
203.22
Redesignated as 203.23 ... 11388
203.22
Redesignated from 203.21 ... 11388
203.23
Redesignated as 203.24 ... 11388
203.23
Redesignated from 203.22 ... 11388
203.24
Redesignated as 203.25 ... 11388
203.24
Redesignated from 203.23 ... 11388
203.25
Redesignated from 203.24 ... 11388
211.2
(b) revised ... 10960
250
Revised ... 9418
315.2
(i) amended ... 11303
315.6
(b) and (c) revised ... 7680
315.7
(c) redesignated as (f) and revised; (b) redesignated as (b) through (e) and revised ... 7680
Introductory text of (b)(4) and (b)(4)(ii) corrected ... 8914
315.10
(a) and (b) revised ... 7682
315.11
(b)(3) and (c)(3), (6), and (9) revised ... 7682
315.30
(b) amended ... 11303
315.35
Revised ... 11303
(c) corrected ... 11879
315.36
(e) revised ... 7682
Revised; incorrectly designated as 315.37 ... 11303
Designated correctly ... 11879
315.37
Deleted ... 11879
315.38
(c) revised ... 7682
315.42
(b) revised ... 7682
315.50
Revised ... 7683
315.56
(c) and (d) revised ... 7683
315.61
(a) revised ... 7683
315.65
(b) redesignated as 315.66 and revised; designation of (a) deleted; revised ... 7683
315.66
Redesignated as 315.67; revised ... 7683
315.66
Redesignated from 315.65(b), revised ... 7683
315.67
Redesignated from 315.66; revised ... 7683
316
Revised ... 6016
316.5
(a) revised ... 6831
316.6
(a)(2) redesignated as (3); new (a)(2) added ... 11229
332
Revised ... 6686
Tables added ... 11304
332.2
(d) revised ... 11303
332.5
(a) revised; (d) added ... 6831
332.8
(a) and (b)(3) revised; (b)(4) added ... 11304
(b)(3) corrected ... 11879
332.10
Revised ... 11304
Corrected ... 11879
341.1
(a) revised ... 7625
360.4
(c) revised ... 14684
365.7
Added ... 16780

Chapter V

500.204
Appendix amended ... 5191
Appendix amended ... 7899
Appendix amended ... 7745
Appendix amended ... 13794
Appendix amended ... 13914
Appendix amended ... 13945
(a)(2) amended ... 14506
Appendix amended ... 14775
500.306
(b) added ... 8586
500.322
Revised ... 13945
500.539
Revised ... 14506
515.322
Revised ... 13945
520
Added, recodified from 8 CFR Part 511 ... 7333
520.4
(d) corrected ... 7626
520.5
Corrected ... 7626
520.30
Introductory text corrected ... 7626
520.204
(a)(10) corrected ... 7626
520.205
(g) corrected ... 8404
(g) amended ... 13001
520.205b
(g) amended ... 13001

Proposed Rules:

10 ... 4060, 6318
315 ... 5015

32 CFR

Chapter I

1
Subpart D recodified and revised ... 1039
1.201–3
Amended ... 1039
1.201–14
Revised ... 1039
Revised ... 13326
1.201–28
Added ... 9851
1.307–1
(b) revised ... 13326
1.307–3
Added ... 13326

32 CFR—Continued

Chapter I—Continued

1.314
(g) added ... 13326
1.319
(f) revised ... 13326
1.321
Revised ... 9851
1.324–6
(a) amended ... 1029
1.325
Revised ... 7807
1.325–1
Added ... 7807
1.325–2
Added ... 7807
1.326–5
(a) revised ... 1039
1.327—1.327–3
Added ... 9851
1.400—1.404
Subpart D recodified as 1.400—1.405–5; revised ... 1039
1.400—1.405–5
Subpart D recodified from 1.400—1.404; revised ... 1039
1.503
Revised ... 9852
1.606
Revised ... 7807
1.701–1
(a) revised ... 13326
1.701–4
Amended ... 13327
1.702
(c) revised ... 13327
1.703
Revised ... 13327
1.704–2
(b) revised ... 1040
1.706–5
(b) revised ... 7807
1.903–1
(c) revised ... 13329
1.1002–4
Revised ... 1040
1.1003–9
(b) amended ... 9852
1.1005–2
(b) revised ... 7807
1.1103
Introductory text revised ... 1040
Introductory text revised ... 13329
1.1105
Introductory text revised ... 1040
1.1107–1
(a) revised ... 1040
1.1107–2
Revised ... 1040
(a) amended ... 4449
1.1203–2
(a) amended ... 4449
1.1204
(b) revised ... 9852
1.1404
Introductory text of (b)(2)(ii) revised ... 9852
1.1405
Revised ... 9852
1.1405–1
Revoked ... 9852
1.1405–2
Revoked ... 9852
1.1419
Revised ... 9852
1.1602
(c) amended ... 4449
1.1604
Introductory text of (c) revised ... 4449
1.1902
(b)(4) added ... 4449
1.1903
(a)(3) added ... 4449
2.102–2
Revised ... 1040
2.201
(a)(11) revoked ... 4449
Introductory text revised; (a)(27) and (39) and (b)(22) added ... 9853
(a)(40) added ... 13329
2.202–3
Added ... 9853
2.202–4
(h) revised ... 9853
2.205–5
(a) revised ... 9853
2.403
Revised ... 9853
2.406–2
Revised ... 9853
2.406–3
(b)(1) revised ... 1041
2.407–3
(a) revised ... 9853
2.407–4
(a) revised ... 9854
2.502
(b)(4) revised ... 13329
2.503–1
Introductory text of (a)(8) and (b) through (f) revised; (g) added ... 1041
(a)(8), (d), (e), (f) and (g) revised; (h) added ... 9854
3.201–3
Revised ... 7807
3.217–2
Revised ... 7807
3.302
(h) revised ... 1041
3.407–2
(a)(7) added ... 7807
3.408
(c)(3) revised ... 9854
3.500
Revised ... 7807
3.501
(b)(54) revoked ... 4449
(b)(54) added ... 7807
(b)(60), (61), and (62) revised ... 9854
Introductory text of (b) revised; (b)(63) and (64), and (c) added ... 13329
3.507–2
(a) revised ... 7808
3.508
Redesignated as 3.508—3.508–4; revised ... 7808
3.508—3.508–4
Redesignated from 3.508; revised ... 7808
3.602
Revised ... 9854
3.604–2
Revised ... 7808
Amended ... 9855
3.605–5
Revised ... 4449
Revised ... 13329
3.606–2
Revised ... 9855
3.606–3
(b)(2) revised; (b)(4) amended ... 9855
3.607–3
Revised ... 7808
3.607–4
(c)(1) and (j) revised ... 7808
3.608–1
Revised ... 7809
3.608–2
(a) and (b) revised ... 7809
(b)(1)(ii) revised; (b)(1)(xiv) and (xv) added ... 9855
(b)(1)(i) revised ... 13329
3.608–4
(a) revised; (c) added; closing paragraph designated as (d) and revised ... 7810
Revised ... 13330
3.608–6
(c) added ... 7810
(d) added ... 13330
3.608–7
Revised ... 7810
3.808–4
(c) and (e) revised ... 4449
3.808–5
(d)(2) revised ... 13330
3.809
(c) revised ... 9855
3.811
(a) revised ... 4450
3.902–3
(a) (4), (5), and (6) revised; (a) (7), (8), and (9) added ... 13330
4
Subpart C added ... 1041
4.205–4
(d) revised ... 13330
4.215
Revised ... 13330
4.301—4.303–24
Subpart C added ... 1041
4.303–10
Amended ... 7810
Amended ... 13330
4.901–5
(c) revised ... 13331
5.902
Revised ... 1046
5.903–3
Revised ... 1046
6
Subpart E recodified and revised ... 1046
Subpart I heading revised ... 9856
6.501—6.504
Subpart E recodified as 6.501—6.507; revised ... 1046
6.501—6.507
Subpart E recodified from 6.501—6.504; revised ... 1046
6.603–3
(a) amended ... 1049
6.605–1
(a) revised ... 1049
6.605–2
Amended ... 1050
6.605–3
Introductory text revised ... 1050
6.901—6.903
Subpart I heading revised ... 9856
6.901
Revised ... 9856
6.902
Revised ... 9856
7
Corrected ... 14876
7.103–8
Existing text designated as (a); (b) added ... 7811

32 CFR—Continued

Chapter I—Continued

7.103–14
Added ... 13331
7.103–24
Added ... 13331
7.104–12
(a) amended ... 7811
7.104–31
Revised ... 1050
7.104–46
Revised ... 9856
7.104–56
Revised ... 1050
7.104–57
Added ... 9856
Deleted ... 14876
7.104–58
Added ... 9856
Deleted ... 14876
7.104–59
Added ... 9856
7.105–8
Revoked ... 13332
7.203–4
(b) amended; (c) (6) added ... 7811
(b) amended ... 9856
7.204–12
Revised ... 7811
7.204–22
Revised ... 1050
7.204–33
Revised ... 9856
7.204–41
Added ... 9856
Deleted ... 14876
7.204–42
Added ... 9856
Deleted ... 14876
7.204–43
Added ... 9856
7.205–7
Revised ... 13332
(c) corrected ... 14876
7.302–27
Added ... 13332
7.303–18
Revised ... 9856
7.303–41
Added ... 9856
Deleted ... 14876
7.303–42
Added ... 9856
Deleted ... 14876
7.303–43
Added ... 9856
7.304–6
Revoked ... 13332
7.403–29
Revised ... 9856
7.403–36
Added ... 9856
Deleted ... 14876
7.403–37
Added ... 9856
Deleted ... 14876
7.403–38
Added ... 9857
7.404–5
Revised ... 13332
7.504–6
Added ... 9857
Deleted ... 14876
7.504–7
Added ... 9857
Deleted ... 14876
7.602–47
Added ... 9857
7.603–19
Revised ... 1050

32 CFR—Continued

Chapter I—Continued

7.603–31
Revoked ... 9857
7.603–42
Added ... 9857
7.603–43
Added ... 9857
Deleted ... 14876
7.603–44
Added ... 9857
7.604–3
Added ... 9857
7.605–40
Added ... 9857
7.606–14
Added ... 9857
7.606–15
Added ... 9857
Deleted ... 14876
7.606–16
Added ... 9857
7.607–2
Revised ... 9857
7.607–27
Added ... 9857
Deleted ... 14876
7.702–19
Revised ... 9857
7.702–26
Amended ... 1050
7.702–28
Revised ... 1050
7.702–32
Revoked ... 13332
7.703–15
Revised ... 9857
7.703–20
Revised ... 9857
7.705–15
Revised ... 1050
Revised ... 4450
7.705–16
Added ... 1050
7.705–17
Added ... 9857
Deleted ... 14876
7.705–18
Added ... 9857
Deleted ... 14876
7.705–19
Added ... 9857
7.802–4
Redesignated as 7.802–5 ... 7812
7.802–4
Added ... 7812
7.802–5
Redesignated from 7.802–4 ... 7812
7.901–8
Revised ... 1050
7.902–22
Added ... 1050
7.902–23
Added ... 9857
Deleted ... 14876
7.902–24
Added ... 9857
Deleted ... 14876
7.1002–16
Amended ... 1050
7.1002–19
Revised ... 1050
7.1003–13
Added ... 1050
8.208–4
(a) (1) revised ... 7812
8.303
Introductory text of (b) revised; (c) revoked ... 7812

32 CFR—Continued

Chapter I—Continued

8.404–1
(a) revised ... 1050
8.404–5
Revised ... 1050
8.404–6
Revised ... 1050
8.701
(a) amended; (c) and (d) revised ... 7812
8.706
Amended ... 7813
8.802–6
Revised ... 13332
10.102–5
Revised ... 9857
10.201–1
(c) revised ... 1051
11
Subpart A revised ... 13332
Subpart B revised ... 13335
11.000
(c) added ... 1051
11.100—11.104
Subpart A revised ... 13332
11.200—11.203
Subpart B revised ... 13335
11.500
(c) revised ... 13336
11.501
Revised ... 13336
11.501–3
Revised ... 13336
11.501–4
Revoked ... 13336
12
Subpart J added ... 9857
12.305
Introductory text revised ... 1051
12.806–4
(b) revoked ... 9857
12.1001—12.1006
Subpart J added ... 9857
13.102–1
Revised ... 13336
13.102–2
Revised ... 13336
13.501
Revised ... 1051
13.505
Revised ... 1051
13.702
(b) revised ... 13336
15.205–10
Revised ... 1051
15.205–14
Revoked ... 1052
15.205–22
(e) revised ... 13336
16.101–2
(e) revised ... 4450
16.202
(b) (2) (vi) revoked ... 9859
16.206–1
Revised ... 4450
16.206–2
(b) revised ... 4450
16.206–3
Revised ... 4450
16.208—16.208–2
Added ... 4450
16.303
Revised ... 7814
16.812
(d) amended ... 1052
17.207–1
Introductory text revised ... 9859
17.208–5
Revised ... 9859

32 CFR—Continued

Chapter I—Continued

18
Subpart I added ... 9859
18.108–1
(a) revised ... 4450
18.110
(b) revised ... 4450
(b) revised ... 9859
18.113
Amended ... 9859
18.301
Revised ... 1052
18.900—18.910–3
Subpart I added ... 9859
18.1001–1
Revised ... 13337
18.1001–2
Revised ... 13337
18.1001–3
Revised ... 13337
18.1001–4
Revised ... 13337
30.3
Amended ... 1052
30.6
Amended ... 1052
30.7
Amended ... 1052
Amended ... 7814
40
Added ... 4989
Appendix B corrected ... 5353
40.735–16
Added ... 8621
41
Revised ... 705
41.4
(a) (7) redesignated as (a) (9); new (a) (7) and (8) added ... 2887
43
Revised ... 7228
Attachment B corrected ... 9459
Attachment B corrected ... 9861
47
Added ... 10318
50
Added ... 16188
52
Added ... 16495
53
Added ... 16351
55.2
(a) (4) (iii) revised ... 7625
111
Added ... 898
111.4
(e) (4) revised ... 2681
137
Superseded by Part 40 ... 4995
140
Revised ... 5288
142
Added ... 11936
155
Revised ... 16188
156
Added ... 13642
163.53
Revised ... 12020
163.60
Amended ... 12020
163.64–2
Amended ... 12020
200
Authority citation revised ... 14830
200.1
(d) revised ... 14831
200.3
(b) revised ... 14831

32 CFR—Continued

Chapter I—Continued

200.4
(b), (c), and (e) revised; (g) deleted ... 14831
234.4
(d) revised ... 6547
237
Added ... 10677
238
Added ... 10681
250
Added ... 10183
259
Added ... 4450
273
Revised ... 8007
300
Appendix A amended ... 6831

Chapter V

502.1—502.5
Added, superseding 502.1—502.6 ... 7966
502.1—502.6
Superseded by 502.1—502.5 ... 7966
518.2
(c) revised ... 11416
536.4
Revised ... 10075
536.4a
Added ... 10075
536.4b
Added ... 10075
536.7
Revised ... 10075
536.11
Revised ... 10076
536.11b
(a) revised ... 10076
536.14
Revised ... 10637
536.15
(m) revised ... 10638
536.16
Revised ... 10638
536.22
Revised ... 10638
536.23
Revised ... 10638
536.24
Added ... 10639
536.24a
Added ... 10639
536.24b
Added ... 10639
536.26
Revised ... 12712
536.27
Revised ... 11880
536.29
(c) revised ... 10686
536.45
(b) revised; (e) (6) added; (f), (h), and (i) revised ... 10639
536.140
(b) revised ... 11217
536.141
(a) revised ... 11217
536.142
(b) revised; (d) and (e) added ... 11217
536.143
Revised ... 11217
536.145
Revised ... 11218
536.151a
Added ... 11218
536.152
Revised ... 11218
536.169
Revised ... 10687

32 CFR—Continued

Chapter V—Continued

536.181–536.184
Added ... 16618
537.7
Revised ... 10640
553.18
(b) (3) (i) revised ... 2854
579
Added ... 11642
579.2
(c) corrected ... 12520
591
Subpart I revoked ... 2368
Subpart P revoked ... 2368
Subpart B revoked ... 9950
Subpart H revoked ... 9961
Subpart XX added ... 9961
591.103
Revised ... 9950
591.108
Revised ... 2367
591.109
Revised ... 2367
591.109–2
(b) and (c) revised ... 2367
591.150
(b) (7), (8), and (9) revoked ... 2367
591.151
Added ... 2367
591.201—591.201–54
Subpart B revoked ... 9950
591.201–53
Revoked ... 2367
591.201–53
Redesignated from 591.201–54; revised ... 2367
591.201–54
Redesignated as 591.201–53; revised ... 2367
591.302–50
Revoked ... 2367
591.302–51
Revoked ... 2367
591.307
Revoked ... 9950
591.307–2
Revoked ... 9950
591.310
Revised ... 9950
591.314
Revised ... 9950
591.314–50
Added ... 9950
591.350
Revised ... 9951
591.352
Revoked ... 2367
591.352
Added ... 9952
591.353
Revised ... 9952
591.354
Revised ... 9952
591.355
Revised ... 9952
591.356
Revised ... 9953
591.357
Revoked ... 9951
591.359
Revoked ... 9951
591.401
(c) revised ... 2367
(a) and (b) revised ... 9953
591.402
(d) and (g) (4) revised ... 2367
Revised ... 9953

32 CFR—Continued

Chapter V—Continued

591.403, 591.403–50 Recodified as 591.403—591.403–54 and revised ... 9953
591.403—591.403–54 Recodified from 591.403, 591.403–50 and revised ... 9953
591.403 Revised ... 2367
591.405 Redesignated from 591.450 and vised ... 9954
591.450 Redesignated as 591.405 and revised ... 9954
591.450—591.450–9 Added ... 9954
591.452 (d) revised; (f) amended ... 2368
Recodified as 591.452—591.452–15 and revised ... 9956
591.452—591.452–15 Recodified from 591.452 and revised ... 9956
591.453 (a) revised ... 2368
Revoked ... 9958
591.503 Revoked ... 9958
591.601 Added ... 9958
591.601–3 Revoked ... 2368
591.601–3 Added ... 9958
591.601–6 Revised ... 9958
591.604 Added ... 9958
591.604–50 Revised ... 9958
591.605 Added ... 9958
591.605–3 Revoked ... 9958
591.605–50 Added ... 9958
591.608 Added ... 9959
591.608–8 Revoked ... 9959
591.608–50 Added ... 9959
591.650 Added ... 9959
591.652 Heading revised ... 2368
Revoked ... 9959
591.704 Added ... 9959
591.704–3 Revised ... 9959
591.704–50 Revoked ... 9959
591.750 Added ... 9959
591.751—591.751–5 Added ... 9959
591.752 Revoked ... 9961
591.801–50—591.803–50 Subpart H revoked ... 9961
591.902 Subpart I revoked ... 2368
591.1002–6 Revoked ... 2368
591.1006–50 Introductory text of (b) revised ... 2368
(b)(3) revised ... 9961
591.1202 Added ... 9961
591.1202–50 Revised ... 9961
591.1206 Recodified as 591.1206, 591.1206–2 and revised ... 9961
591.1206, 591.1206–2 Recodified from 591.1206 and revised ... 9961
591.1506 Added ... 9961
591.1604, 591.1650 Subpart P revoked ... 2368
591.5001—591.5005 Subpart XX added ... 9961
592 Subpart B revoked ... 2368
592.201, 592.250 Subpart B revoked ... 2368
592.403 Revoked ... 2368
592.406 Added ... 9962
592.406–3 Revised ... 9962
592.406–50 (c) revised ... 2368
(a) revised ... 9962
592.407 Added ... 9962
592.407–9 Introductory text of (c) and (g)(3) revised ... 2368
(c) amended ... 9962
592.450 Added ... 9962
592.451 (a) and (b)(1) revised ... 2368
Revoked ... 9962
593.102 Revised ... 9963
593.202–2 Revised ... 9963
593.212–2 Revised ... 9963
593.213–2 (a), (b), and (e) revised ... 2368
593.215–50 Revised ... 9963
593.302 Revised ... 9963
593.305 (p)(1) and (2) amended ... 2369
(a), (b), (e), (j), (g), and (p)(1) and (6) revised ... 9963
593.306 (g), (j), and (k) revised ... 9965
593.605–6 Revoked ... 2369
593.605–50 Revoked ... 2369
593.607 Revoked ... 9963
593.607–3 Revoked ... 2369
593.608–6 Introductory text revised ... 2369
593.608–7 Revoked ... 9963
593.705 (h)(1) revised ... 9965
593.850–5 (c)(2) revised ... 9965
594 Subpart XX added ... 9965
Subpart YY added ... 9968
594.1002 (b) revoked ... 2369
594.1003–4 Introductory text of (c)(3) and (d) revised ... 2369
594.1003–5 (e) revised ... 2369
594.1005 Introductory text of (a) revised ... 2369
594.5000—594.5005 Subpart XX added ... 9965
594.5101—594.5106 Subpart YY added ... 9968
595.101 Revised ... 2369
595.106 Revoked ... 2369
595.204 Revoked ... 9971
596.103 Added ... 9971
596.103–2 Revised ... 9971
596.501 Revised ... 9972
596.501–50 Revoked ... 9971
596.501–51 Revoked ... 9971
596.501–52 Revoked ... 9971
596.501–54 Revoked ... 9971
596.501–55 Revoked ... 9971
596.503–50 Revoked ... 9971
596.504 Recodified as 596.504, 596.504–1 and revised ... 9972
596.504, 596.504–1 Recodified from 596.504 and revised ... 9972
596.550 Added ... 9972
597.103 Added ... 9972
597.103–12 (a) revised; (e) and (f) added ... 9972
597.103–20 Added ... 9972
597.150–2 Revised ... 9973
597.150–4 Added ... 9973
598.209 Added ... 9973
598.211 Added ... 9973
598.504–2 Revoked ... 9973
598.602 Added ... 9973
598.602–3 Revised ... 9973
599.105–55 (a) revised ... 9973
599.202–1 Revoked ... 2370
599.202–3 Revoked ... 2370
599.202–6 Revoked ... 2370
599.203–1 Revoked ... 2370
599.203–3 Revoked ... 2370
599.302 Revised ... 9974
599.304 Added ... 9974
600.105–50 Revoked ... 2370
600.110 Revoked ... 2370
600.112 Added ... 2370
600.201–1 Heading revised; (c) revoked ... 2370
600.201–50 Heading and (a) revised ... 2370
600.301 Introductory text revised ... 2370
600.303 Revoked ... 2370
600.403 Revoked ... 2370
600.501–1 Revised ... 2370
600.503 Revised ... 2370
Revised ... 9974
600.551 Revised ... 9974
600.553 (a)(1) revised ... 2370
600.554 Revised ... 9974
602.051 Revised ... 9974
602.101 Added ... 9974
602.101–3 Revised ... 2370
602.102 Added ... 9974
602.103 Added ... 9974
602.105 Added ... 9974
602.105–3 (c) and (g) revised ... 9974
602.202 Revoked ... 9974
602.404 Added ... 9974
602.404–1 Revised ... 9974
602.606 (c)(2) revised ... 9975
602.650 Introductory text of (a) revised ... 2370
Revoked ... 9975
603.702–51 Introductory text amended ... 2371
603.704 Revised ... 9975
603.1700 (b) revised ... 2371
603.1711–1 (b)(3) amended ... 2371
603.1712–2 (d) revised ... 2371
606 Subpart B revoked ... 2371
Subpart XX added ... 9975
606.101 Added ... 9975
606.101–2 Revised ... 9975
606.102–2 Revoked ... 2371
606.203–2, 606.206 Subpart B revoked ... 2371
606.504 Revoked ... 2371
606.550 Introductory text revised ... 9975
606.551 (b) amended ... 9975
606.5001—606.5002–3 Subpart XX added ... 9975
610 Subpart A recodified and revised ... 2371
Revoked ... 9976
610.101—610.102–3 Subpart A recodified from 610.101—610.103–3; revised ... 2371
610.101—610.103–3 Subpart A recodified as 610.101—610.102–3; revised ... 2371
610.204–2 (b)(1) and (c) revised ... 2372
610.204–7 (b) revised ... 2372
610.204–8 Revised ... 2372
610.204–9 Revised ... 2372
610.701 Revoked ... 2373
621.1 Heading, (b) and (e) revised ... 4786
Chapter VI
701.2 (e) revised ... 11219
701.3 (a)(1) revised ... 11219
706.2 Amended ... 6962
Amended ... 4956
710 Authority citation revised ... 15016
710.13 (b) (6), (8), (9), and (11) and (e)(2)(ii) revised ... 15016
710.24 (a) amended ... 15017
710.25 (a) amended ... 15017
710.32 (c) amended ... 15017
710.41 (f) revised ... 15017
710.52 Revised ... 15017
710.53 Revised ... 15017
710.54 Amended ... 15017
711.316 (e) added ... 16193
713 Center heading and note deleted ... 13794
713.38 Added ... 4204
713.214 (e)(4) added; (h)(1) revised ... 4205
713.221 (g)(2) revised ... 4205
713.327 Revised ... 4205
713.337 (c) and (f) revised ... 4205
713.361 (b) revised ... 4206
713.391 Center heading and section added ... 13794
713.412 Introductory text of (c)(4) and (c)(4)(i) revised ... 4206
(a)(3)(x) and (xi) revised; (a)(3)(xii) through (xxix) added; (b)(1) revised ... 10184
713.413 (d) amended ... 4206
713.425 (a) revised ... 4206
713.427 Introductory text of (g)(2) revised ... 4207
713.428 (b)(2) and (3) revised ... 4207
713.603 Revised ... 15531
713.606 (c) deleted ... 15532
713.608 Revised ... 15532
713.609 Deleted ... 15532
713.609 Added ... 15532
713.610 Added ... 15532
713.612 (b)(1)(i) and (ii) revised ... 15533
713.613 (a) deleted ... 15533
713.614 Added ... 15533
713.615 Added ... 15533
713.631—713.641 Added ... 15533
713.651—713.659 Added ... 15538
717 Deleted ... 15318
718 Authority citation revised ... 15318
719 Subpart F deleted; Subparts I through M added ... 16700
719.101 (f)(1) revised ... 11219
719.102 (b), (e)(4), and (g)(1) revised ... 11219
719.103 (a) and (b) revised ... 11220
(b)(6) and (7) revised ... 16312
719.106 (d)(3)(i) revised ... 11221
719.115 Revised ... 16312
719.117 (d)(6) and (e) revised ... 16312
719.120 (a) revised ... 16312
719.126 Introductory text of (d)(3), (d)(3)(ii), introductory text of (d)(4), and (d)(4)(i) revised ... 11221
719.157, 719.159 Subpart F deleted ... 16700
719.201 (a) revised ... 11221
719.204 Revised ... 11221
719.205 Heading revised; text amended ... 11223

32 CFR—Continued

Chapter V—Continued

599.203–1 Revoked ... 2370
599.203–3 Revoked ... 2370
599.302 Revised ... 9974
599.304 Added ... 9974
600.105–50 Revoked ... 2370
600.110 Revoked ... 2370
600.112 Added ... 2370
600.201–1 Heading revised; (c) revoked ... 2370
600.201–50 Heading and (a) revised ... 2370
600.301 Introductory text revised ... 2370
600.303 Revoked ... 2370
600.403 Revoked ... 2370
600.501–1 Revised ... 2370
600.503 Revised ... 2370
Revised ... 9974
600.551 Revised ... 9974
600.553 (a)(1) revised ... 2370
600.554 Revised ... 9974
602.051 Revised ... 9974
602.101 Added ... 9974
602.101–3 Revised ... 2370
602.102 Added ... 9974
602.103 Added ... 9974
602.105 Added ... 9974
602.105–3 (c) and (g) revised ... 9974
602.202 Revoked ... 9974
602.404 Added ... 9974
602.404–1 Revised ... 9974
602.606 (c)(2) revised ... 9975
602.650 Introductory text of (a) revised ... 2370
Revoked ... 9975
603.702–51 Introductory text amended ... 2371
603.704 Revised ... 9975
603.1700 (b) revised ... 2371
603.1711–1 (b)(3) amended ... 2371
603.1712–2 (d) revised ... 2371
606 Subpart B revoked ... 2371
Subpart XX added ... 9975
606.101 Added ... 9975
606.101–2 Revised ... 9975
606.102–2 Revoked ... 2371
606.203–2, 606.206 Subpart B revoked ... 2371
606.504 Revoked ... 2371
606.550 Introductory text revised ... 9975
606.551 (b) amended ... 9975
606.5001—606.5002–3 Subpart XX added ... 9975
610 Subpart A recodified and revised ... 2371
Revoked ... 9976
610.101—610.102–3 Subpart A recodified from 610.101—610.103–3; revised ... 2371
610.101—610.103–3 Subpart A recodified as 610.101—610.102–3; revised ... 2371
610.204–2 (b)(1) and (c) revised ... 2372
610.204–7 (b) revised ... 2372
610.204–8 Revised ... 2372
610.204–9 Revised ... 2372
610.701 Revoked ... 2373
621.1 Heading, (b) and (e) revised ... 4786
Chapter VI
701.2 (e) revised ... 11219
701.3 (a)(1) revised ... 11219
706.2 Amended ... 6962
Amended ... 4956
710 Authority citation revised ... 15016
710.13 (b) (6), (8), (9), and (11) and (e)(2)(ii) revised ... 15016
710.24 (a) amended ... 15017
710.25 (a) amended ... 15017
710.32 (c) amended ... 15017
710.41 (f) revised ... 15017
710.52 Revised ... 15017
710.53 Revised ... 15017
710.54 Amended ... 15017
711.316 (e) added ... 16193
713 Center heading and note deleted ... 13794
713.38 Added ... 4204
713.214 (e)(4) added; (h)(1) revised ... 4205
713.221 (g)(2) revised ... 4205
713.327 Revised ... 4205
713.337 (c) and (f) revised ... 4205
713.361 (b) revised ... 4206
713.391 Center heading and section added ... 13794
713.412 Introductory text of (c)(4) and (c)(4)(i) revised ... 4206
(a)(3)(x) and (xi) revised; (a)(3)(xii) through (xxix) added; (b)(1) revised ... 10184
713.413 (d) amended ... 4206
713.425 (a) revised ... 4206
713.427 Introductory text of (g)(2) revised ... 4207
713.428 (b)(2) and (3) revised ... 4207
713.603 Revised ... 15531
713.606 (c) deleted ... 15532
713.608 Revised ... 15532
713.609 Deleted ... 15532
713.609 Added ... 15532
713.610 Added ... 15532
713.612 (b)(1)(i) and (ii) revised ... 15533
713.613 (a) deleted ... 15533
713.614 Added ... 15533
713.615 Added ... 15533
713.631—713.641 Added ... 15533
713.651—713.659 Added ... 15538
717 Deleted ... 15318
718 Authority citation revised ... 15318
719 Subpart F deleted; Subparts I through M added ... 16700
719.101 (f)(1) revised ... 11219
719.102 (b), (e)(4), and (g)(1) revised ... 11219
719.103 (a) and (b) revised ... 11220
(b)(6) and (7) revised ... 16312
719.106 (d)(3)(i) revised ... 11221
719.115 Revised ... 16312
719.117 (d)(6) and (e) revised ... 16312
719.120 (a) revised ... 16312
719.126 Introductory text of (d)(3), (d)(3)(ii), introductory text of (d)(4), and (d)(4)(i) revised ... 11221
719.157, 719.159 Subpart F deleted ... 16700
719.201 (a) revised ... 11221
719.204 Revised ... 11221
719.205 Heading revised; text amended ... 11223

32 CFR—Continued Page

Chapter VI—Continued

719.207
Revised ... 11223
719.208
Deleted ... 11223
719.212
Revised ... 11223
719.251—719.265
Subpart I added ... 16700
719.301—719.307
Subpart J added ... 16700
719.401—719.437
Subpart K added ... 16700
719.501—719.514
Subpart L added ... 16700
719.601—719.613
Subpart M added ... 16700
721
Revised ... 9271
725
Subpart J added ... 14835
725.216
(b) revised ... 14831
725.218
(c)(3) revised ... 14831
725.300—725.310
Recodified from 725.301—725.310; revised ... 14831
725.301—725.310
Recodified as 725.300—725.310; revised ... 14831
725.402
Revised ... 14833
725.408
Revised ... 14833
725.436
Revised ... 14834
725.502
Revised ... 14834
725.511
Revised ... 14834
725.703
(a)(4) revised; (a)(6) added ... 14834
725.704
Revised ... 14834
725.801
(c) revised; (d) added ... 14834
725.901
(c) and (h) revised; (i) deleted; (k) revised ... 14835
725.902
Redesignated as 725.903 ... 14835
725.902
Added ... 14835
725.903
Redesignated as 725.904 ... 14835
725.903
Redesignated from 725.902 ... 14835
725.904
Redesignated as 725.905 ... 14835
725.904
Redesignated from 725.903 ... 14835
725.905
Redesignated as 725.906 ... 14835
725.905
Redesignated from 725.904 ... 14835
725.906
Redesignated as 725.907 ... 14835
725.906
Redesignated from 725.905 ... 14835
725.907
Redesignated as 725.908 ... 14835
725.907
Redesignated from 725.906 ... 14835
725.908
Redesignated from 725.907 ... 14835
725.951
Subpart J added ... 14835

32 CFR—Continued Page

Chapter VI—Continued

726.6
(g) revised ... 11224
730
Subpart C added ... 16405
730.1
Revised ... 10185
730.2
(a)(2) revised ... 10186
730.6
(a) revised ... 10187
730.10
Revised ... 10187
730.12
Revised ... 10188
730.13
Revised ... 10190
730.15
Revised ... 10191
730.15a
Added ... 10192
730.50—730.69
Recodified as 730.50—730.76 and revised ... 16528
730.50—730.76
Recodified from 730.50—730.69 and revised ... 16528
730.101
(a), (b), and (c) revised ... 16404
730.111
Revised ... 16404
730.126
(d) added ... 16404
730.150
Introductory text, (h), and (i) revised ... 16404
730.153
Revised ... 16404
730.154
Revised ... 16404
730.158
(a) revised ... 16404
730.159
Revised ... 16405
730.160
Revised ... 16555
730.161
Introductory text of (b) and (b)(2)(iii)(c) revised; (b)(3)(iii) amended ... 16405
730.301—730.305
Subpart C added ... 16405
731
Added ... 15801
733.21
(c)(4) and (d) added ... 291
733.22
(b) revised ... 291
733.24
Revised ... 16194
733.53
(a)(1)(x) revised; (a)(1)(xi) added; (d)(3) revised ... 16194
733.57
(g)(2) amended; (h)(2)(v) and (j)(2)(ii)(a) revised ... 291
(f)(1)(ii) and (h)(2)(v) amended; (h)(2)(viii), (k), and (l) added ... 16194
733.70
Added ... 16196
735
Added ... 15803
743
Deleted ... 14590
750.3
(c)(3) revised ... 11224
750.34
(a)(4) deleted ... 11224

32 CFR—Continued Page

Chapter VI—Continued

750.35
(d) deleted ... 11224
750.37
(j) deleted ... 11225
750.41
(a)(8) revised ... 11225
750.45
Revised ... 11225
751
Authority citation revised; note deleted ... 11225
751.2
Revised ... 11225
751.13
Revised ... 11225
751.16
Revised ... 11225
751.17
(a)(5) revised ... 11226
751.22
(b) revised ... 11226
751.26a
Added ... 11226
751.28
Revised ... 11226
754
Revised ... 16619
757
Added ... 11226
765.5
Revised ... 16620
765.6
Revised ... 16620
765.9
Revised ... 16620
765.10
Added ... 16622
765.19
(f) added ... 16620

Chapter VII

811.2
Revised ... 4145
817
Added ... 4145
817.3
(c)(3) and (8) revised; (c)(10) added ... 16143
824.4
820
Heading revised; center heading deleted ... 10270
824
Revised ... 10270
(d) revised ... 15318
825a.3
(i) and (j) revised ... 15318
825a.8
(a) revised ... 15318
836
Added ... 16143
850.6
(a) revised ... 4146
850.12a
Amended ... 4146
850.16
Deleted ... 4146
850.17
Deleted ... 4146
850.17a
Deleted ... 4146
850.18
Deleted ... 4146
850.19
Deleted ... 4146
851.2
(e) revised ... 5619
851.7
Revised ... 5619

32 CFR—Continued Page

Chapter VII—Continued

851.8
Added ... 5620
855
Revised ... 13081
861
Revised ... 15540
870
Revised ... 16555
871
Revised ... 15318
872
Added ... 7459
880.1
(c) revised ... 4146
880.2
(g) revised ... 4146
880.12
Revised ... 4146
880.13
Revised ... 4146
882.212
(f) added ... 4146
882.212a
Added ... 4147
886.11
Deleted ... 10274
902
Revised ... 16352
920
Revised ... 10779
1001
Subpart E recodified and revised ... 2684
Subpart I deleted ... 2684
Subpart F revised ... 4590
Subpart B recodified and revised ... 13213
Subpart J recodified and revised ... 13216
1001.101
Amended ... 2681
1001.102
Revised ... 2682
1001.104
Revised ... 2682
1001.105
Revised ... 2682
1001.106, 1001.106–1
Deleted ... 2683
1001.107
Revised ... 2682
1001.109–51
Deleted ... 2683
1001.112
Deleted ... 2683
1001.201—1001.201–60
Subpart B recodified from 1001.201—1001.201–65 and revised ... 13213
1001.201—1001.201–65
Subpart B recodified as 1001.201—1001.201–60 and revised ... 13213
1001.302—1001.302–50
Deleted ... 2683
1001.305–3
Revised ... 5354
1001.305–4
Deleted ... 2683
1001.305–50
Deleted ... 16623
1001.310
(a) (1) and (3) and (d) revised ... 2683
1001.312
(a) through (c) deleted ... 2683
1001.313–50
Revised ... 2683
1001.313–51
Deleted ... 16623

32 CFR—Continued Page

Chapter VII—Continued

1001.314
(a) revised ... 2683
1001.315
Added ... 2683
1001.318
Deleted ... 2683
1001.321
Added ... 2682
1001.352
Deleted ... 7684
1001.362
Deleted ... 2683
1001.363
Introductory text revised; (f) and (g) added ... 8370
1001.366
Deleted ... 13213
1001.367
Added ... 13213
1001.402
Heading, (a), (b) (1) and (3), and (f) revised ... 13214
1001.405—1001.405–51
Added ... 13214
1001.451
(b) and (c) revised ... 2683
Deleted ... 13214
1001.452
Introductory text and (b) revised ... 2683
Deleted ... 13214
1001.453
Introductory text, (f), introductory text of (j) and (j) (1) and (4), and (m)(3) revised ... 13215
(j)(2) revised ... 14974
1001.454
Deleted ... 13215
1001.455
Revised ... 13215
1001.456
Revised ... 13215
1001.457
Deleted ... 13215
1001.458
Deleted ... 13215
1001.459
Deleted ... 13215
1001.461
Amended ... 13216
1001.462
Deleted ... 13216
1001.464
Added ... 13216
1001.465
Deleted ... 13216
1001.507—1001.550
Subpart E recodified as 1001.508—1001.508–3 and revised ... 2684
1001.508—1001.508–3
Subpart E recodified from 1001.507—1001.550 and revised ... 2684
1001.601—1001.651
Subpart F revised ... 4590
1001.704–3
Revised ... 5354
1001.704–50
Added ... 2684
1001.706–1
(a) amended ... 2684
Revised ... 16623
1001.707–4
Revised ... 5354
1001.707–5
Revised ... 5354
1001.801–2
Revised ... 13216

32 CFR—Continued Page

Chapter VII—Continued

1001.804–1
Added ... 13216
1001.902—1001.952
Subpart I deleted ... 2684
1001.1002—1001.1006–2
Subpart J recodified as 1001.1002—1001.1007–3 and revised ... 13216
1001.1002—1001.1007–3
Subpart J recodified from 1001.1002—1001.1006–2 and revised ... 13216
1001.1002
(a)(1) revised ... 16623
1001.1003–1
(e) revised ... 2684
1002.201
(a)(17)(xii) added; (a)(17)(xiii) deleted; (a)(17)(xiv) redesignated as (xiii); new (a)(17)(xiv), (xv), (xvi), and (xviii) added; (b) revised ... 7684
Revised ... 13217
Revised ... 16623
1002.205–4
Deleted ... 7684
1002.205–6
Added ... 7684
1002.205–51
Deleted ... 7684
1002.407–9
(b)(2)(i)(a)(1) revised ... 2684
(b) and (c) revised ... 14974
1002.408–1
(b) amended ... 14975
1003
Subpart E revised ... 2685
Subpart E revised ... 13217
Subpart D recodified and revised ... 14975
1003.101–51
Deleted ... 8371
1003.201—1003.202–3
Deleted ... 7684
1003.207–2
Revised ... 7684
1003.208–2
(a) revised ... 7684
1003.210–2
Revised ... 7684
(m) revised ... 16623
1003.213–3
Deleted ... 7684
1003
Subpart D recodified and revised ... 14975
1003.404—1003.410–2
Subpart D recodified as 1003.405—1003.410–3; revised ... 14975
1003.405—1003.410–3
Subpart D recodified from 1003.404—1003.410–2; revised ... 14975
1003.408
Revised ... 7685
(c)(3) corrected ... 8311
1003.409
Text deleted ... 7686
1003.409–2
Added ... 7686
1003.409–3
Added ... 7686
1003.409–50
Heading revised ... 7686
1003.410–1
Revised ... 2684
(b) through (e) recodified as (b) through (f) and revised ... 5354

32 CFR—Continued

Chapter VII—Continued

1003.410–2 (a)(6)(i)(b), (b)(1), and (d)(6)(i) and (8) revised — 2685
1003.501 Subpart E revised — 2685; (b)(4)(ii) and (31) revised — 5354; Subpart E revised — 13217
1003.605 Deleted — 2685
1003.605–3 Deleted — 2685
1003.607 Heading revised — 13217
1003.607–4 (a) revised — 13217
1003.608–4 Deleted — 13217
1003.608–6 Revised — 4592; (a), introductory text of (c), and (c)(4) revised — 13217; Revised — 14978
1003.651–2 (d revised; (i) amended — 13217
1003.704–1 Revised — 13547
1003.704–2 Revised — 13547
1003.705 Revised — 13547
1003.706 Revised — 13547
1004 Subpart C added — 8371; Subpart Y deleted — 8371
1004.101—1004.107 Deleted — 2685
1004.150–5 (a)(2)(iv) amended — 2685
1004.214–4 (a), (b), and (c)(1) revised — 2685; (c)(1) corrected — 13217
1004.302, 1004.302–50 Subpart C added — 8371
1004.2100 Added — 13218
1004.2101 Added — 13218
1004.2102 Revised — 13218; Revised — 14978
1004.2402 (e)(1) amended — 8371
1004.2500—1004.2502 Subpart Y deleted — 8371
1006 Subpart T recodified and revised — 2685; Subpart H added — 16624; Subpart T deleted — 16624
1006.850—1006.850–3 Subpart H added — 16624
1006.2000—1006.2005 Subpart T recodified from 1006.2000–1006.2008; revised — 2685; Subpart T deleted — 16624
1006.2000—1006.2008 Subpart T recodified as 1006.2000–1006.2005; revised — 2685
1006.2002 Revised — 5355
1006.2003 (a)(3) and (b) revised — 5355
1007 Subparts B and C deleted — 2686; Subpart D recodified and revised — 2686; Subpart WW heading revised — 2687
1007—Continued Subpart U recodified and revised — 4592; Subpart JJ deleted — 4592; Subparts II and LL deleted — 5355; Subpart F added — 13547
1007.105–51 Revised — 13218
1007.105–52 Deleted — 13218
1007.200—1007.205–50 Subpart B deleted — 2686
1007.302—1007.304–50 Subpart C deleted — 2686
1007.402—1007.404–51 Subpart D recodified as 1007.403–1007.404–51; revised — 2686
1007.403—1007.404–51 Subpart D recodified from 1007.402–1007.404–51; revised — 2686
1007.403–15 Heading revised — 8371
1007.602–36 Subpart F added — 13547
1007.2100—1007.2103–3 Subpart U recodified from 1007.2100—1007.2105–1; revised — 4592
1007.2100—1007.2105–1 Subpart U recodified as 1007.2100—1007.2103–3; revised — 4592
1007.2103–1 Deleted — 13547
1007.3204–10 (b) amended — 7686
1007.3304–3 Revised — 5355; Revised — 16624
1007.3500—1007.3506–1 Subpart II deleted — 5355
1007.3600—1007.3605–7 Subpart JJ deleted — 4592
1007.3800—1007.3803–7 Subpart LL deleted — 5355
1007.4014 Deleted — 8371
1007.4014 Added — 13219
1007.4020 Deleted — 2686
1007.4021 (c) amended — 7687
1007.4024 Deleted — 7687
1007.4025 Deleted — 7687
1007.4028 Deleted — 4592
1007.4033 Deleted — 13219
1007.4034 Deleted — 14979
1007.4039 Deleted — 4592
1007.4040 Introductory text revised — 16624
1007.4047 Amended — 7687; Amended — 13547
1007.4048 (b) amended — 4592; (a) amended — 13219; Amended — 13547
1007.4050 Introductory text revised — 4592; Revised — 13547
1007.4053 (b) amended — 2686
1007.4058 Deleted — 13219
1007.4064 Added — 2686
1007.4066 Amended — 2687
1007.4900—1007.4903–6 Subpart WW heading revised — 2687
1007.4900 Revised — 2687
1007.4901 Heading, (a) and (b) revised — 2687
1007.4902 Revised — 2687
1007.4902–17 Revised — 2687
1007.4903 Revised — 2687
1010 Subparts A, B, and E deleted — 2687; Deleted — 13219
1010.102—1010.108–56 Subpart A deleted — 2687
1010.201–1010.203 Subpart B deleted — 2687
1010.501–1010.504 Subpart E deleted — 2687
1011 Heading revised — 4593; Subparts A, B, and D deleted — 4593
1011.054 Deleted — 4593
1011.055 Added — 4593
1011.101—1011.103 Subpart A deleted — 4593
1011.201, 1011.205 Subpart B deleted — 4593
1011.301 Introductory text and (c) deleted — 4593
1011.302 Added — 4593
1011.356 (b) revised — 4593
1011.356–1 Amended — 4593
1011.357 Deleted — 4593
1011.358 (a) revised — 4593
1011.358–1 Amended — 4593
1011.358–1.1 Deleted; recodified in 1011.358–1 — 4593
1011.401—1011.403–2 Subpart D deleted — 4593
1012.102–1—1012.102–3 Deleted — 7687
1012.102–4 Revised — 7687; Revised — 13548
1012.102–5 Deleted — 7687
1013 Subpart C deleted — 13219
1013.102–3 (a)(10)(viii) revised; (a)(10)(ix) deleted; (a)(15) and (b) revised; introductory text of (c) amended; (c)(2) added — 13219
1013.351 Subpart C deleted — 13219
1013.401 (a) amended — 13220; (a)(1) revised — 14979

32 CFR—Continued

Chapter VII—Continued

1013.2106 (b)(1) revised — 2687
1013.2501 Introductory text revised — 2687
1013.2505 (d), (e)(1)(v)(f) and (g), (f), and (g) revised — 2687
1013.2506 (a) and (c)(1)(xi) revised — 2687
1014.105 Deleted — 8371
1014.106 Deleted — 8371
1015 Subpart A deleted — 2688
1015.150 Subpart A deleted — 2688
1016 Subpart A deleted — 2688; Subpart H recodified and revised — 4593
1016.000 Deleted — 2688
1016.101—1016.102–2 Subpart A deleted — 2688
1016.201 Deleted — 2688
1016.201–50 Deleted — 2688
1016.202 Heading revised — 2688
1016.203—1016.206–2 Deleted — 2688
1016.207–54 Deleted — 2688
1016.207–56 Heading revised — 2688
1016.503—1016.504–50 Deleted — 2688
1016.809—1016.814–2 Subpart H recodified as 1016.810—1016.812 and revised — 4593
1016.810—1016.812 Subpart H recodified from 1016.809—1016.814–2 and revised — 4593
1016.810–3 Added — 7687
1016.814–2 Deleted — 2688
1017 Subpart D deleted — 2688; Subpart D added — 13220
1017.207–1 (a) deleted; designation of (b) deleted — 2688
1017.208–50 Deleted — 2688
1017.208–51 Deleted — 2688
1017.303 Amended — 2688
1017.400–1017.403 Subpart D deleted — 2688
1017.403 Subpart D added — 13220
1018 Added — 2688
1018.108–1 Revised — 13220
1030.5 Amended — 2688; Amended — 13220
1053 Subpart B deleted — 16624
1053.201—1053.201–4 Subpart B deleted — 16624
1053.404–2 Corrected — 1303; (f) revised — 8371
1053.405—1053.405–3 Deleted — 13220
1053.407–3 Revised — 13220
1053.407–4—1053.407–9 Deleted — 13220
1053.2504 (a) revised — 2688
1053.2505 (a) revised — 2688
1054 Subpart CC deleted — 14979
1054.104 (z) deleted — 2689
1054.114 Deleted — 2689
1054.302 Revised — 13220; Deleted — 16624
1054.303 (a)(5) added; introductory text of (c) revised — 13220
1054.304 (a), (b), and (d) revised — 16624
1054.2900—1054.2914 Subpart CC deleted — 14979
1054.3004 (b)(2) revised — 2689
1057.3702 (a) and (e) revised — 2689
Chapter XII 1250 Added — 8061
Chapter XIV 1450 Added — 2928
1452.1 (b)(1)(iii) amended — 10029
1453.3 (d)(2) revised — 5620
1453.5 (b)(12) amended — 5827
1455.6 (b) amended — 11651
1466.1 Amended — 10029
1466.2 Amended — 10029
1472.6 (d)(1) revised — 6907
Chapter XVI 1600 Added — 4936
1622.25a Added — 4893
1622.30 (a) revised — 743; (a)(1) added — 3182; (a)(1) deleted — 4893
1622.30a Added — 4893
Chapter XVII 1710.10 (d)(3) added — 3121; (d)(3) revoked — 9005
Chapter XVIII 1800 Revised — 9346
1810.4 Revised — 6963; (b) corrected — 7175
1810.6 (a) and (c) revised — 6963
1810.7 (g) and (h) revised — 6963
1810.8 Heading revised — 6963
1810.9 Revised — 6963
1810.10 Deleted — 6963
Chapter XX Added — 4281; Superseded by 3 CFR Part 100 — 8561
2000 Added — 4281; Superseded by 3 CFR Part 100 — 8561

32A CFR

OEP (Chapter I) OEP Reg. 6 Added — 5551
BDSA (Chapter VI) BDSA Reg. 2 Amended — 3009; Dir. 9 and 10 revoked — 6590; Amended — 13852
DMS Reg. 1 Schedule II amended — 4594
M–11A Schedule A revised — 2658; Schedule A revised — 7036; Schedule A revised — 10788; Revised — 13852; Schedule A revised — 15320
M–11A, Dir. 1 Revised — 13856; Revised — 15320
M–11A, Dir. 2 Added — 3007; Amended — 7626; Amended — 10789; Revised — 15321
OIA (Chapter X) Bulletin 2 Added — 10887
OI Reg. 1 Amended — 5071; Revised — 7746; Amended — 15804; Amended — 16786
Residual Fuel Oil Import Instructions—District 1 Added — 5960
FRS (Chapter XV) Reg. V Amended — 13444
NSA (Chapter XVIII) AGE–4 Amended — 3182; Amended — 11651
AGE–6 Amended — 10640
INS–1 Revised — 5125
SRM–3 Amended — 16713
Proposed Rules: Ch. X — 5130, 12924, 13050

33 CFR

Chapter I 2 Subpart 2.99 heading revised — 4956; Authority citation revised — 16199
2.15–15 (b) revised — 4956
2.20–5 (c) revised — 4956
2.25–20 Added — 4956
2.30–20 Added — 16199

33 CFR—Continued

Chapter I—Continued

2.31–10
Revised ... 16199
2.34–1
Revised ... 4956
2.34–25
Added ... 4956
2.55–20
Revised ... 4956
2.63–25
Revised ... 16199
2.69–20
Revised ... 4956
2.99–1—2.99–270
Subpart 2.99 heading revised ... 4956
2.99–1
(a) revised ... 4956
2.99–70
Added ... 4957
2.99–245
Added ... 4957
3.10–50
Amended ... 4787
3.35–55
Revised ... 4787
3.35–60
Revised ... 4787
3.35–65
Revised ... 4787
3.35–70
Revised ... 4788
3.35–72
Added ... 4788
3.35–75
Revised ... 4788
3.35–80
Revised ... 4788
3.35–85
Revised ... 4788
3.45–5
Amended ... 4788
3.55–55
Revised ... 10359
3.55–60
Revised ... 10360
23.01
(b) revised ... 15239
23.05
Revised ... 15239
66
Authority citation revised ... 10320
Subpart 66.05 added ... 10320
Subpart 66.10 added ... 10321
66.05–1—66.05–40
Subpart 66.05 added ... 10320
66.10–1—66.10–45
Subpart 66.10 added ... 10321
80.16a
(h) revised ... 11723
80.45
Added ... 10322
82.20
Revised ... 4401
82.25
Revised ... 4402
82.35
Revised ... 4402
82.40
Revised ... 4402
82.45
Revised ... 4402
82.80
Revised ... 4402
82.95
Revised ... 4402
82.103
Revised ... 2427
Revised ... 4402
82.106
Revised ... 2426
82.111
Revised ... 2426
82.116
Revised ... 4402
82.122
Revised ... 4402
82.125
Revised ... 4402
82.131
Revised ... 4402
82.139
Revised ... 4402
82.141
Revised ... 4402
82.145
Revised ... 4402
82.147
Revised ... 4402
82.151
Revised ... 10322
82.153
Revised ... 4402
Corrected ... 5620
82.155
Revised ... 4402
82.210
Revised ... 10322
82.215
Revised ... 10323
82.235
Revised ... 10323
82.245
Revised ... 10323
82.275
Revised ... 10323
84
Authority citation revised ... 13647
84.01
(c) canceled ... 13647
84.10
(a) revised ... 13647
90.5
Amended ... 10323
90.8
(a) amended ... 10323
90.15
(b) (1) revised ... 10323
90.22
Center heading revised ... 10323
90.25
Center heading deleted ... 10323
90.30
Added ... 10323
92.26
(b) amended ... 10323
95.35
Canceled; recodified in 95.36 ... 11723
95.36
Revised ... 11723
95.39
(a) (3) amended ... 10323
95.80
Added ... 10323
124.10
(a) (6) and (b) (4) amended ... 10324
135.35
Amended ... 10360
135.47
Added ... 10360
144.01–10
(a) revised ... 10612

Chapter II

202.50c
Added ... 12436
202.60
(p) revised ... 13129

33 CFR—Continued

Chapter II—Continued

202.111
Amended ... 561
202.125
Revised ... 8690
202.127a
Added ... 8403
202.127b
Added ... 8404
202.155
(j) (1) revised ... 3457
202.182
Added ... 7284
202.194b
Added ... 11229
202.214
Introductory text of (a) (3), (a) (4) and introductory text of (a) (5) revised; (a) (5) (iv) revoked ... 3343
202.224
(a) (5) revised ... 5128
202.250
(a) (1), (2), (4) and (5) revised ... 16144
203.75
(g) (2) revised ... 6907
203.156
Revised ... 7175
203.239
Revoked ... 8907
203.245
(f) (22–a) added ... 1005
(f) (21) revoked ... 7284
(i) (6–a) added ... 7350
(j) (3) and (4) revised ... 7828
(f) (11) revoked ... 8312
(f) (16) revoked ... 10962
(h) (19) revised ... 14454
203.250
Revoked ... 8312
203.285
Heading revised ... 10962
203.290
(b) revoked ... 10962
203.311
Added ... 12437
203.350
Added ... 9993
203.431
Heading, (a), and (d) revised ... 8907
203.439
(a) and (b) revised ... 5961
203.439a
(a) revised ... 5961
203.439b
(a) and (b) revised ... 8573
203.446
Heading revised; (e) added ... 14454
203.446c
Revised ... 14454
203.560
(f) (11) and (37) revised ... 4346
(g) (17) revised ... 8312
203.640
Revised ... 8312
203.641
(f) (4–a) added ... 13647
203.712
(i) (3) revised ... 4893
(i) (1) revised ... 13647
203.716
(a) (3–a) added ... 15310
203.720
Revised ... 13647
203.810
(f) (3) revised ... 15310

33 CFR—Continued

Chapter II—Continued

204.20
(a) revised ... 561
204.27
Added ... 13445
204.42
Revised ... 13648
204.54
(b) (2) and (d) (2) and (4) revised ... 12436
204.95
(a) (2) (iii) amended ... 13129
204.187
(a) (2) (vii) and (b) (2) (iv) and (vi) revised ... 9993
204.203
Added ... 816
204.216
Added ... 13992
204.223
(a) (1) revoked ... 14255
204.224a
Added ... 8129
204.224b
Added ... 12437
204.227
Added ... 9850
206.15
(d) (1) revised; (d) (1–a) added ... 10668
207.126
Added ... 16560
207.170c
(a) revised ... 7566
207.172
Heading revised; (a) revoked; (b) (1) and (d) revised ... 6622
207.180
(d) (8) revised ... 14256
207.187
Added ... 15310
207.300
(b) and (aa) revised ... 6867
207.440
(w) redesignated as (x); new (w) added ... 4346
207.616
(a) revised ... 3344
207.619a
Added ... 561
207.640
(g) revised; (g–1), (g–2), and (g–3) added; (m) revoked ... 6590
207.642
(a) (2) and (3) redesignated as (a) (3) and (4), respectively; new (a) (2) added ... 9497
207.644
Added ... 6591
207.750
(b) (2) revised ... 2898
208.22
Added ... 12521
208.32
Added ... 7751
208.33
Added ... 7751
208.65
Added ... 6707
209.135
Added ... 955
209.138
Added ... 11434

Chapter III

303.8
Revised ... 2898

Chapter IV

400
Added ... 2778
401.3
(c) revised ... 8063

33 CFR—Continued

Chapter IV—Continued

401.9
(a) revised ... 8063
401.102–1
Revised ... 8063
401.102–13
Introductory text and (b) revised; Table 2 added ... 8063
401.102–21—401.102–25
Added ... 8063
401.103–4
Revised ... 8063
401.103–5
Revised ... 8063
401.104–1
Revised ... 8063
401.104–16
Added ... 8063
401.104–17
Revised ... 8063
401.105–1
Revised ... 8063
401.105–7
Revised ... 8064
401.106–9
Revised ... 8064

Proposed Rules:

1 ... 2602
66 ... 2602
80 ... 2602, 3122
82 ... 2602
84 ... 9996
90 ... 2602, 3122
95 ... 2602, 3122
100 ... 2602
144 ... 2602
201 ... 15810
401 ... 5018
402 ... 5973, 7356

35 CFR

Chapter I

Revised ... 12202
Effective date corrected ... 12679
3
Added ... 12007
4.158
Revised ... 7566
7
Added ... 12406
67.4
(b) revised ... 14552
67.114
Revised ... 14552
67.115
(a) revised ... 14552
67.163
(d) (1) revised ... 14552
67.184
(e) added ... 14552
67.221
Revised ... 14552
67.281
(b) (2) (i) revised ... 14552
67.291
Added ... 14552
67.441
(d) (5) revised ... 14552
67.442
(a) and (b) revised ... 14552
67.493
Revised ... 14553
67.494
(c) revised ... 14553
67.591
(b) revised ... 14553
67.701
(a) (1) revised ... 14553
67.762
(a) revised ... 14553

35 CFR—Continued

Chapter I—Continued

119.141
Revised ... 14269
255
Added ... 5191
255.735–7
Added ... 6491

36 CFR

Chapter I

1
Revised ... 16651
1.36
(a) amended ... 9062
2
Revised ... 16651
3
Redesignated as Part 50 ... 16655
3
Added ... 16655
3.5
(d) added ... 6264
3.19
Revised ... 6263
(b) (4) corrected ... 7566
3.20—3.23
Deleted ... 6264
3.29
(c) deleted; (d) redesignated as (c) ... 6264
3.36
(c) revised ... 9107
3.101
(a) (3), (b), and (c) deleted; (d) redesignated as (b) and revised ... 6315
4
Redesignated as Part 55 ... 16658
4
Added ... 16658
5
Revised ... 16660
6
Revised ... 16662
7.5
(e) amended ... 9062
7.13
(d) (3) and (6) deleted ... 8954
7.14
(a) (1) revised; (a) (3) through (7) recodified and revised; (b) through (e) deleted; (f) revised ... 5827
7.16
(e) (1) revised ... 11454
7.34
(b) (3) and (4) added ... 4997
7.75
Added ... 3458
22
Deleted ... 16664
26
Deleted ... 16664
28
Added ... 5289
29
Added ... 15804
50
Added; redesignated from Part 3 ... 16655
55
Added; redesignated from Part 4 ... 16658

Chapter II

211
Subpart C added ... 16357
211.101—211.119
Subpart C added ... 16357
221.8
(a) revised ... 9417

36 CFR—Continued

Chapter II—Continued

221.10
(d) added ... 8180
251.20—251.21a
Revoked ... 7899
251.23
Revised ... 5072
251.70—251.84
Added ... 7899
251.86
Added ... 7902
261.11
(m) added ... 7902
261.12a
Revoked ... 1074

Chapter III

311.1
Amended ... 13313
311.6
Amended ... 13313
326.1
(e) amended ... 13172

Chapter V

Heading revised ... 4512
500
Added ... 4512
501.2
Revised ... 2597
502
Redesignated as Part 503; heading revised ... 6264
502
Added ... 6116
503
Redesignated from Part 502; heading revised ... 6264

Proposed Rules:

Ch. I ... 12750
7 ... 3193, 3263, 5495, 14685
29 ... 9278
211 ... 7628

37 CFR

Chapter I

1.21
Amended ... 7284
1.68
(b) revised ... 7284
(b) corrected ... 9540
1.72
Revised ... 12922
1.75
Revised ... 12922
1.77
Revised ... 12922
1.78
Revised ... 12922
1.83
Revised ... 12923
1.84
(g) revised ... 12923
1.111
(b) revised ... 13945
1.138
Revised ... 7391
1.257
(b) revised ... 7285
2.6
Amended ... 5261
2.20
Revised ... 5261
2.66
Revised ... 5261
2.68
Revised ... 5261
2.82
Revised ... 5555
2.87
Revised ... 5261

37 CFR—Continued

Chapter I—Continued

2.112
Revised ... 5261
2.153
Revised ... 5262
2.162
Revised ... 5262
2.171
Revised ... 5262
2.172
Revised ... 5262
2.173
(a) revised ... 5262
2.175
(b) revised ... 5262
2.183
(d)(1) deleted; (d) (2) and (3) redesignated as (d) and (e), respectively, and revised ... 5262
2.185
(a)(2) revised ... 7285
4.1
Amended ... 5262
4.1a
Amended ... 5262
4.5
Amended ... 5262
4.6
Amended ... 5262
4.13
Amended ... 5262
Revised ... 5263
Revised ... 13648
4.14
Revised ... 5263
4.15
Revised ... 5263
4.16
Revised ... 5263
4.17
Amended ... 5262
4.21
Amended ... 5262
4.22
Amended ... 5262

Chapter II

201.3
Revised ... 6119

Proposed Rules:

1 ... 4412, 4969, 5202
201 ... 2614

38 CFR

Chapter I

0
Added ... 5828
0.735–21
(h) revised ... 10687
1.10
(a) and (b)(3) revised ... 4959
1.400
Center heading and section revoked ... 5836
1.511
(a) and (e) revised ... 15091
1.512
Revised ... 15091
1.525
(a)(1), (b)(1) through (3) and (c) revised ... 3459
(a)(1) revised ... 15092
1.526
Introductory text of (e) revised ... 3459
1.650
Center heading revised ... 5291
1.651
(b) and (c) revised ... 5291
1.652
(a) amended; (c) revoked ... 5291

38 CFR—Continued

Chapter I—Continued

1.653
Revised ... 5291
1.654
Revised ... 5291
1.655
Revised ... 5291
1.656
(b) revised ... 5291
1.657
Revised ... 5291
1.658
Revised ... 5291
1.659
Revised ... 5291
1.660
Revised ... 5292
2.6
(e)(5) added ... 13548
2.7
Added ... 14775
2.52
Revised ... 12717
2.55
Revised ... 12717
2.56
Revised ... 5429
2.67a
Added ... 14454
2.68
Revised ... 14454
2.68a
Revised ... 14454
2.78
Revised ... 6771
2.79
Revised ... 6771
2.80
Revised ... 6771
2.81
Revised ... 6771
2.82
Revised ... 6771
2.83
Added ... 5292
3.5
(d) revised ... 4346
3.6
Introductory text of (b)(3) revised ... 4347
3.8
(b) and (c)(1) revised ... 14455
3.13
(b) revised ... 9063
3.100
(b) and (c) redesignated as (c) and (d), respectively; new (b) added ... 14455
3.157
Introductory text of (b) and (b)(1) and (3) revised ... 12055
3.160
(d) revised ... 12056
3.214
Added ... 2782
3.251
(a)(2) revised ... 14455
(a)(1) revised ... 15631
3.261
(a) amended ... 4789
Amended ... 15632
3.262
(i), (j)(2) and (3) revised; (j)(4) added ... 13390
(e), (i)(2), (j), (k)(5), (m), and (n) revised; (o) and (p) added ... 15632

38 CFR—Continued

Chapter I—Continued

3.304
Heading, (a) and introductory text of (b) revised ... 4680
3.305
Heading and (a) revised ... 4680
3.307
Heading and (a) revised ... 4680
3.308
Revised ... 4680
3.309
Introductory texts of (a) and of (b) revised ... 4680
3.314
Revised ... 4680
3.315
Added ... 4681
3.371
Heading and (c) revised ... 4681
3.500
(x) revoked ... 15633
3.551
(e) revised ... 4790
3.552
(b)(3) revised ... 4790
3.653
(b) and (c) revised ... 13172
3.656
(d) added ... 10124
3.660
(a)(2) and (3) revised ... 15633
3.666
Introductory text revised ... 10124
3.702
(f) revised ... 9850
3.707
(a)(3) revised ... 4681
3.750
(a) and (c) revised ... 4347
3.805
(a) revised ... 4347
3.807
(b) and (c) revised ... 4347
(b) revised ... 13992
3.1000
(g) added ... 4790
3.1600
Introductory text added; (a) and (b) revised ... 4790
(a) and (b) revised ... 14455
3.1605
(b)(1) revised ... 5757
3.1850
Introductory text revised ... 15633
3.1851
Revised ... 15633
3.1852
(b) revised ... 15633
3.1853
(a) and (b) revised ... 15634
3.1902
(b) revised ... 9605
(b)(7) revised ... 13088
(b)(9) revised ... 13446
3.1903
(b) revised ... 13446
3.1906
(c) revised ... 13446
6.19
(b) and (c) revised ... 5961
8.7c
(b) and (c) revised ... 5961
8.36
Revised ... 5662
9
Added ... 7175
13.105
(b) revised ... 12056

38 CFR—Continued

Chapter I—Continued

14.514b
Added ... 2782
14.615—14.617
Center heading and sections added ... 13548
14.627
(b) revised ... 16415
14.628
(a) revised; (e) revoked ... 16416
14.629
(a) and (b) revised; (c) and (d) revoked ... 16416
14.630
Revised ... 16416
14.631
Added ... 16416
14.634
Revoked ... 16416
14.640
Revised ... 16416
14.644
Revised ... 16416
14.647
Revoked ... 16416
14.649
Revised ... 16416
14.670
Added ... 3059
17.36
(b)(1)(iii) revised ... 4116
17.47
Introductory text of (d) revised ... 4116
17.60
(a)(3) revised ... 16199
17.172
Revised ... 16144
17.173
(d) revised ... 16144
17.176
Appendix A revised; Appendix B amended ... 16144
17.200
Revised ... 8064
17.952
Revised ... 5429
21
Subpart B added ... 6771
Subpart D added ... 6774
21.20
(c)(1) revised ... 6771
21.21
Revised ... 6771
21.22
(b)(5) and (c)(3) and (5) revised ... 3010
Revised ... 6771
21.131
Introductory text revised ... 6771
21.136
Revised ... 6771
21.224
(b) revised ... 6771
21.253
(a)(3) revised; (a) (4) added ... 16199
21.1020—21.1045
Subpart B added ... 6771
21.1041
(a)(1) corrected ... 11454
21.3001—21.3009
Revoked ... 6773
21.3020
(a) and (c) revised ... 6773
21.3021
(a) and (e) revised ... 6773
(a) revised ... 13992
21.3022
Revised ... 6773

38 CFR—Continued

Chapter I—Continued

21.3023
(c)(1) revised ... 6773
21.3025
Revised ... 6773
21.3040
(d) revised ... 13993
21.3041
(d)(3) revised; (e)(2) and (3) amended ... 6773
Introductory text of (d) and (d)(4) and (5) revised; (d)(6) added ... 13993
21.3042
(a) revised ... 6773
21.3043
Introductory text revised ... 6773
21.3044
(a) revised ... 6774
21.3045
Revised ... 6774
21.3100—21.3278
Revoked ... 6774
21.3302
(d) revoked ... 6774
Effective date of revocation of (d) ... 11454
21.3330
(a), (b)(2), and (c) revised ... 6774
21.3331
Revised ... 6774
21.3332
(c) revised ... 6774
21.3333
Revised ... 6774
(a) revised; (c) added ... 13993
21.4001—21.4278
Subpart D added ... 6774
21.4133
Deleted ... 11454
21.4135
(t) added ... 11454
21.4136
Revised ... 8292
(c) revised ... 11454
21.4137
(a) and (c) revised; (d) added ... 13993
21.4260
(b)(3) corrected ... 11454
21.4270
Revised ... 8292
21.4272
Introductory text of (d) revised; (d) (4) and (5) and (f) (4) and (5) added ... 8293
21.4273
(a) and introductory text of (b) revised ... 8293
36.4301
Introductory text and (gg) revised; (hh) and (ii) added ... 3459
(jj) added ... 9063
(gg) revised ... 16713
36.4302
(j) added ... 16713
36.4303
(a), (d) and (g) revised ... 3459
36.4311
(a) revised ... 3460
(a) revised ... 5690
(a) revised ... 13003
36.4312
(a) revised; (e) added ... 3460
36.4336
Revised ... 3460
36.4342
(b) revised ... 12717
36.4349
Added ... 3461

38 CFR—Continued

Chapter I—Continued

36.4389
Added — 13056
36.4390
Center heading and section revised — 8745
36.4391
(a), introductory texts of (b) and (c), and (c)(4) revised — 8745
36.4392
Revised — 8745
36.4393
(f) revised — 8746
36.4501
(n) revised; (p) and (q) added — 3461
(n) revised — 16713
36.4502
Revised — 3461
Revised — 16713
36.4503
(a) revised — 3461
(a) revised — 5690
(a) revised — 13003
36.4504
Introductory text of (b) and (b)(1) revised — 3461
36.4509
(b) revised — 3461
36.4511
(a) revised — 3461
36.4519
(c) added — 3461
36.4520
(b) revised — 12717

39 CFR

Chapter I

Subchapters V and W added — 9644
Subchapters A through G (Parts 1–63) recodified as Subchapter A (Parts 111–173); Subchapter H (Parts 92–96) recodified as Subchapter E (Parts 511–545); Subchapter U (Parts 201–204) redesignated as Subchapter B (Parts 201–204) — 15350
Subchapter T (Part 200) recodified as Subchapter I (Part 742) redesignated as Subchapter K (Parts 811–813); Subchapter V (Parts 811–813); Subchapter W (Parts 821–824) redesignated as Subchapter L (Parts 821–824) — 15351
Subchapters K through R (Parts 101–168) recodified as Subchapter C (Parts 211–273 and Appendix) and revised — 15352
Subchapter I (Part 98) recodified as Subchapter G (Part 614) and revised — 15481
Subchapter N (Parts 951–955) added; recodified from Parts 202—204 and Subparts A and L of Part 201, of Subchapter B — 16270

1
Recodified as Part 111 and revised — 15351
2–6
Recodified as Parts 112–116, respectively — 15350
4.2
Amended — 9795
4.3
(d) revised — 537
4.5
(c) and (d) revised — 12480
9
Recodified as Part 119 — 15350

39 CFR—Continued

Chapter I—Continued

11–17
Subchapter B recodified as Parts 121–127, respectively, of Subchapter A — 15350
13.2
(b) revised — 5962
13.4
(a)(1) amended — 5962
(a) and (b) revised — 9740
13.5
(a)(2)(i), (c), and (e) revised — 5962
(c) corrected — 6196
(a)(1) revised — 7752
13.6
(a) and (c)(2) and (3) revised — 5963
13.8
(a)(1) and (2) revised; (a)(3) redesignated as (4) and revised; new (a)(3) and (b)(3) added — 11144
16.2
(a) revised — 5963
16.3
(b) amended — 537
(b)(9) amended — 9540
17.1
(a) through (d) redesignated as (b) through (e), respectively; new (a) added — 7391
17.2
(a) amended — 3074
(a) corrected — 3286
(a) corrected — 3462
(a) amended — 7391
(a) and (b) amended — 11145
21–29
Subchapter C recodified as Parts 131–139, respectively, of Subchapter A — 15350
21.2
(b)(2)(iii) revised — 10359
21.3
(b)(5) added — 10359
21.5
(b)(2) revised — 5963
22.2
(b)(5) and (8) revised — 476
22.4
(c) amended — 11101
22.8
(a) revised — 7752
24.2
(b) revised — 10922
24.3
(b)(4) added — 10359
24.4
(b)(7) amended — 9540
25.2
(a)(4)(v) revised — 7752
26.2
(c)(4) revised; (c)(5) added — 5963
27.2
(c)(1)(ii) and (iii) and (f) revised — 5963
(c)(1)(ii) amended — 8234
27.6
(c) amended — 11101
27.7
Existing text designated as (a); (b) redesignated from 27.8; revised — 11102
27.8
Redesignated as 27.7(b); revised — 11102
27.8
Redesignated from 27.9; revised — 11102
27.9
Redesignated as 27.8; revised — 11102

39 CFR—Continued

Chapter I—Continued

27.9
Added — 11102
31–37
Subchapter D recodified as Parts 141–147, respectively, of Subchapter A — 15350
31.1
(a) revised — 5198
31.2
(a)(3) revised; (b)(2) amended — 5198
31.3
(a) amended — 5198
31.7
(c) added — 5964
33.5
(a) amended — 3119
33.6
(a) revised — 3119
33.8
(e)(2)(vii) revised — 4207
34.4
Revised — 3119
34.5
(f) revised — 3119
(c) revised — 11145
35
Revised — 13858
36.2
(c)(3)(i) revised — 11102
36.3
(a) revised — 11102
37.1
(b)(1) revised — 11102
41–49
Subchapter E recodified as Parts 151–159, respectively, of Subchapter A — 15350
41.1
(b) and (c) revised — 8234
41.3
(c)(2)(i) (a), (b), and (c), (c)(2)(ii) (a) and (b), and (d)(5) revised — 8235
(b) revised — 9795
(b)(3)(i) revised — 13860
43.2
(b) revised — 8235
43.6
(h)(2) amended — 7752
(c)(2)(i) revised; (e)(5) added — 12437
(c)(2)(i) revised — 14835
44.1
(d) deleted; new (d) added; (e) through (g) redesignated as (f) through (h), respectively; new (e) added — 5964
44.5
Heading revised — 5964
45.6
(f)(1) and (2) amended — 5964
(c)(1)(iv) amended — 6056
46.1
Revised — 8235
46.3
(b) revised — 8236
46.5
(a)(5) amended — 537
(b) revised — 4347
47.1
(a) and (b)(2) revised — 11102
47.3
(b)(7) revised — 11102
47.4
Revised — 11145

39 CFR—Continued

Chapter I—Continued

48.4
(b)(2) revised — 3120
(b) revised — 11103
48.8
Republished — 3074
51–58
Subchapter F recodified as Parts 161–168, respectively, of Subchapter A — 15350
51.2
(a) revised — 3120
(b) revised — 11103
51.3
(b)(3) added — 8236
51.4
(a) amended; (e) deleted — 5198
51.5
(a) revised — 5198
51.9
(e) revised — 8236
52.1
(b) revised; (c) added — 11146
52.2
(a) revised — 3120
(c)(1) corrected — 3286
52.3
(d)(1) and (2) amended — 5198
(g) added — 8236
Revised — 11146
52.4
Amended — 5198
52.5
(a)(3) and (4) deleted — 3120
(e) amended — 5198
(c), (d), and (e) redesignated as (d), (e), and (f), respectively; new (c) added — 8236
Revised — 11146
52.6
Added — 11147
53.1
Revised — 3120
53.3
(b) revised; (h) deleted — 8236
53.5
(d) and (e) redesignated as (e) and (f), respectively; new (d) added — 8236
(a)(2) revised — 11103
54.4
(e)(2) revised — 5964
55.3
(a) revised — 8236
56.1
(a) revised — 8236
56.3
(b) revised — 11103
56.4
(d) revised — 8237
58.3
Revised — 3120
58.4
(c) revised — 8237
(d)(6) and (e)(6) revised — 11103
58.5
(c) revised — 8237
61—63
Subchapter G recodified as Parts 171—173, respectively, of Subchapter A — 15350
61.1
(b)(2) revised — 3120
(g)(2)(ii)(b) and (g)(2)(iii) revised — 4207
(e)(2) revised — 4347
(a) revised; (e)(4) added — 8237

39 CFR—Continued

Chapter I—Continued

61.2
(d)(2)(iii) and (iv), (e) and (f) revised; (h) amended — 4207
61.3
(h) and (i) revised — 4208
(b)(2) and (3) revised — 8237
61.4
(b)(2) revised — 4208
61.5
Revised — 4208
61.6
(a) revised — 4208
61.7
(a) revised — 4208
Deleted — 11101
61.7
Redesignated from 61.6; revised — 11101
61.8
(b) revised — 4208
Redesignated as 61.7; revised — 11101
92
Recodified as Part 511 — 15350
93
Recodified as Part 545 — 15351
94
Subparts A through F recodified as Parts 521 through 526, respectively — 15351
94.2
(a)(4) revised — 12637
94.4
(b)(1) revised — 12637
94.17
(a)(2) revised — 12637
94.27
(g)(2) revised — 12637
94.29
Revised — 12637
95
Recodified as Part 541 — 15351
96
Subpart F added — 14648
Subparts A through D recodified as Parts 531 through 534, respectively — 15351
Subpart E recodified as Part 542 and revised — 15478
96.3
(b)(5) revised — 9643, 13794
96.23
Deleted — 12781
96.24
Revised — 12781
96.27
Amended — 12781
96.33
(d) deleted; (e) redesignated as (d) and revised — 12781
96.55
Subpart F added — 14648
98
Subchapter I recodified as Part 614 (Subchapter G) and revised — 15481
101—168
Subchapters K through R recodified as Parts 211–273 and Appendix (Subchapter C) and revised — 15352
111
Recodified from Part 1 and revised — 15351
111.2
(e)(1) and (3) revised — 4454
112—116
Recodified from Parts 2—6, respectively — 15350

39 CFR—Continued

Chapter I—Continued

112.8
Revised — 2428
112.9
Revised — 2428
114.1
(f)(1) revised — 2428
(d) revised — 12405
114.4
(a)(2) revised — 12405
115
Revised — 476
119
Recodified from Part 9 — 15350
121—127
Recodified from Subchapter B, Parts 11–17 respectively — 15350
122.1
(c) revised — 12405
125.3
(a) and (c)(2) revised — 15745
128
Added, superseding Part 139 — 15351
131—139
Recodified from Subchapter C, Parts 21—29 respectively — 15350
132.3
Revised — 3120
133.3
Revised — 3121
139
Deleted; superseded by Part 128 — 15350
141—147
Recodified from Subchapter D, Parts 31—37 respectively — 15350
151—159
Recodified from Subchapter E, Parts 41—49 respectively — 15350
161—168
Recodified from Subchapter F, Parts 51—58 respectively — 15350
168.1
(a) amended — 2428
168.5
Amended — 810
Amended — 2428
Amended — 4518
Amended — 5355
Corrected — 5555
171—173
Recodified from Subchapter G, Parts 61–63 respectively — 15350
200
Added — 3234
Recodified as Part 742 — 15351
200.735–26
(c)(1)(vii) revised — 5965
200.735–71
(d) revised — 5965
200.735–74
(d) corrected — 4348
201—204
Subchapter U redesignated as Subchapter B (Parts 201—204) — 15350
201
Subpart I revised — 265
Subpart F revoked — 12082
Subparts A and L recodified as Parts 953 and 955, respectively, of Subchapter N — 16270
201.1—201.33
Subpart A recodified as Part 952 of Subchapter N — 16270
201.70
Subpart F revoked — 12082
201.82
Subpart I revised — 265

39 CFR—Continued

Chapter I—Continued

201.101—201.121 Subpart L recodified as Part 955 of Subchapter N ... 16270
202 Recodified as Part 951 of Subchapter N ... 16270
203 Recodified as Part 953 of Subchapter N ... 16270
204 Recodified as Part 954 of Subchapter N ... 16270
204.10 Revised ... 5198
211—273 Subchapter C recodified from Parts 101—168 (Subchapters K through R) and revised ... 15352
225.2 (a) revised ... 2928
225.5 (a) revised ... 2928
225.6 (b) revised; (c) deleted ... 2928
511 Recodified from Part 92 ... 15350
521 Recodified from Subpart A of Part 94 ... 15351
522 Recodified from Subpart B of Part 94 ... 15351
523 Recodified from Subpart C of Part 94 ... 15351
524 Recodified from Subpart D of Part 94 ... 15351
525 Recodified from Subpart E of Part 94 ... 15351
526 Recodified from Subpart F of Part 94 ... 15351
531 Recodified from Subpart A of Part 96 ... 15351
532 Recodified from Subpart B of Part 96 ... 15351
533 Recodified from Subpart C of Part 96 ... 15351, 16271
534 Recodified from Subpart D of Part 96 ... 15351
541 Recodified from Part 95 ... 15351
542 Recodified from Subpart E of Part 96 and revised ... 15478
545 Recodified from Part 93 ... 15351
614 Subchapter G recodified from Part 98 (Subchapter I) and revised ... 15481
742 Recodified from Part 200 ... 15351
811—813 Subchapter V redesignated as Subchapter K (Parts 811—813) ... 15351
811 Added ... 9644
812 Added ... 9644
813 Added ... 9646
821—824 Subchapter W redesignated as Subchapter L (Parts 821—824) ... 15351
821 Added ... 9647
822 Added ... 9650
822.1 Headings of section and (a) corrected ... 11230
822.7 (h) (1), (2), and (3) redesignated as (h) (2), (3), and (4), respectively; new (h) (1) added ... 13172
823 Added ... 9670
824 Added ... 9674
951—955 Subchapter N added; recodified from Parts 202—204, and Subparts A and L of Part 201, of Subchapter B ... 16270

Proposed Rules:

15 ... 12533
21 ... 6715
24 ... 5202, 6715
31 ... 14748
33 ... 13800
43 ... 9871, 13394
45 ... 14523
46 ... 2384
51 ... 294, 434, 538
52 ... 294, 434, 538, 564
53 ... 294, 434, 538
58 ... 294, 434, 538
61 ... 294, 434, 538, 2384
96 ... 712, 5665
114 ... 10470
122 ... 10470
132 ... 294, 434, 538
133 ... 294, 434, 538
143 ... 16625

41 CFR

Chapter 1

1-1 Subpart 1-1.18 added ... 12437
1-1.503 Revised ... 5880
1-1.709 Revised ... 5880
1-1.1800—1-1.1806 Subpart 1-1.18 added ... 12437
1-2.102 (c) and (d) added ... 348
1-3 Subpart 1-3.7 added ... 15805
1-3.000 Revised ... 348
1-3.204 (b) revised ... 8116
1-3.211 (c) deleted ... 1150
1-3.215 (b) revised; (c) added ... 348
1-3.700—1-3.707 Subpart 1-3.7 added ... 15805
1-4 Subpart 1-4.4 added ... 16417
1-4.400—1-4.411-4 Subpart 1-4.4 added ... 16417
1-5 Subpart 1-5.10 added ... 8622
Subpart 1-5.5 added ... 12521
1-5.500—1-5.504 Subpart 1-5.5 added ... 12521
1-5.1000—1-5.1001-3 Subpart 1-5.10 added ... 8622
1-5.1001-2 Corrected ... 9216
1-8.709-2 Revised ... 5880
1-10.203 (c) revised ... 15093
1-11 Subpart 1-11.1 revised ... 6370
1-11.100—1-11.103 Subpart 1-11.1 revised ... 6370
1-11.201 Revised ... 6372
1-11.202 (a) revised ... 6372
1-11.203 (c) deleted ... 6372
1-11.401-1 (b) revised; (c) amended ... 6373
1-11.401-3 (b) corrected ... 6373
1-11.401-4 Revised ... 6373
1-11.501 (b) revised ... 6373
1-11.501-3 Redesignated from 1-11.501-4; revised ... 6373
1-11.501-4 Redesignated as 1-11.501-3; revised ... 6373
1-12 Subpart 1-12.9 added ... 11
1-12.803-6 Added ... 8592
1-12.901—1-12.905-9 Subpart 1-12.9 added ... 11
1-16 Subpart 1-16.5 added ... 14739
1-16.000 Revised ... 14739
1-16.100 Revised ... 14739
1-16.101 Revised ... 14739
1-16.103 Deleted ... 14739
1-16.105 Revised ... 14739
1-16.106 Revised ... 14739
1-16.200 Revised ... 14739
1-16.202—1-16.202-2 Added ... 14739
1-16.401 (a) revised; (c) through (g) redesignated as (d) through (h), respectively, and revised; new (c) added ... 5880
1-16.402 Revised ... 5880
1-16.402-1 Revised ... 5881
1-16.402-2 Revised ... 5881
1-16.402-3 Revised ... 5881
1-16.402-4 Deleted ... 5881
1-16.403 Revised ... 5881
1-16.406 Deleted ... 5881
1-16.500, 1-16.501 Subpart 1-16.5 added ... 14739

41 CFR—Continued

Chapter 1—Continued

1-16.801 (a) (5) revised ... 15093
1-16.804 (c) revised ... 9666
1-16.901-18 Revised ... 14740
1-16.901-19 Revised ... 5881
1-16.901-19B Added ... 5883
1-16.901-21 Revised ... 5884
1-16.901-26 Revised ... 14741
1-16.901-28 Revised ... 15093
1-16.901-30 Added ... 14741
1-16.901-33 Revised ... 14742
1-16.901-33A Revised ... 14743
1-16.901-36 Revised ... 14744
1-16.901-129 Revised ... 5199
1-30.000 (c) revised ... 348
1-30.406 Revised ... 349
Chapter 2 Revised ... 16420
Chapter 4
4-1.650—4-1.650-6 Added ... 7819
4-6 Subpart 4-6.51 added ... 7820
Subpart 4-6.50 added ... 9497
4-6.5000—4-6.5007 Subpart 4-6.50 added ... 9497
4-6.5100, 4-6.5101 Subpart 4-6.51 added ... 7820
4-50.202-1 Revised ... 7902
Chapter 5
5-1 Subpart 5-1.6 recodified and revised ... 709
Subpart 5-1.7 recodified and revised ... 10528
5-1.305-50 Revised ... 14979
5-1.307 Revised ... 14979
5-1.600—5-1.607-52 Subpart 5-1.6 recodified from 5-1.602—5-1.607-51; revised ... 709
5-1.602—5-1.607-51 Subpart 5-1.6 recodified as 5-1.600—5-1.607-52; revised ... 709
5-1.700—5-1.708 Subpart 5-1.7 recodified as 5-1.700—5-1.710 and revised ... 10528
5-1.700—5-1.710 Subpart 5-1.7 recodified from 5-1.700—5-1.708 and revised ... 10528
5-2.202-50 (a) and (c) revised; (d) added ... 7391
5-2.408 Added ... 9498
5-3.201 Revised ... 2689
5-3.204 Deleted ... 2589
5-3.211 Deleted ... 2689
5-5.5008—5-5.5008-3 Added ... 5200
5-6 Added ... 2689
5-6.104-4 (b) revised ... 9498
5-12 Subpart 5-12.6 recodified and revised ... 3243
Subpart 5-12.8 revised ... 13337
5-12.603 Subpart 5-12.6 recodified as 5-12.604; revised ... 3243
5-12.604 Subpart 5-12.6 recodified from 5-12.603; revised ... 3243
5-12.800—5-12.812 Subpart 5-12.8 revised ... 13337
5-16.854 Revised ... 3243
5-16.855 Deleted ... 3243
5-16.856 Revised ... 3243
Chapter 5B
5B-1.315 Amended ... 2597
5B-1.315-2 (b) revised ... 2597
5B-2 Subpart 5B-2.4 added ... 3184
5B-2.201 Deleted ... 2597
5B-2.202-70 Revised ... 3183
(c) amended ... 9796
(d) and (e) revised ... 14876
5B-2.202-71—5B-2.202-78 Added ... 2597
5B-2.202-73 Revised ... 14877
5B-2.203-2 Added ... 2599
5B-2.203-3 Added ... 2599
5B-2.207 Added ... 2599
5B-2.404—5B-2.404-70 Subpart 5B-2.4 added ... 3184
5B-2.404-70 (a) (4) revised ... 14877
5B-7.602-70 Added ... 9796
5B-16 Subpart 5B-16.5 redesignated as Subpart 5B-16.70 and revised ... 2600
5B-16.501-70—5B-16.501-72 Subpart 5B-16.5 redesignated as Subpart 5B-16.70 and revised ... 2600
5B-16.7000—5B-16.7002 Subpart 5B-16.70 redesignated from Subpart 5B-16.5 and revised ... 2600
5B-53 Added ... 3184
5B-53.7001 (a) (9) amended ... 9797
(a) (9) revised ... 14877
Chapter 6
6-1 Subpart 6-1.6 recodified and revised ... 6623
Subpart 6-1.9 revised ... 6623
6-1.104 Redesignated as 6-1.106 and revised ... 10193
6-1.104 Redesignated from 6-1.105; (c) revised ... 10193
6-1.105 Redesignated as 6-1.104; (c) revised ... 10193
6-1.105 Redesignated from 6-1.106 ... 10193
6-1.106 Redesignated as 6-1.105 ... 10193
6-1.106 Redesignated from 6-1.107 ... 10193
6-1.107 Redesignated as 6-1.106 ... 10193
6-1.107—6-1.107-3 Redesignated from 6-1.108—6-1.108-3 ... 10193
6-1.108—6-1.108-3 Redesignated as 6-1.107—6-1.107-3 ... 10193
6-1.108 Redesignated from 6-1.104 and revised ... 10193
6-1.109 Revised ... 6622
6-1.302-2 Deleted ... 10193
6-1.302-3 Added ... 6623
6-1.307 Deleted ... 10193
6-1.311 Deleted ... 10193
6-1.601, 6-1.602 Subpart 6-1.6 recodified from 6-1.601—6-1.606; revised ... 6623
6-1.601—6-1.606 Subpart 6-1.6 recodified as 6-1.601, 6-1.602; revised ... 6623
6-1.901 Subpart 6-1.9 revised ... 6623
6-2.201 (a) (19) deleted ... 10193
6-2.406 Revised ... 6623
6-2.407-8 Revised ... 6623
6-3 Subpart 6-3.3 added ... 6623
Subpart 6-3.4 revised ... 6624
Subpart 6-3.8 added ... 6624
Subpart 6-3.4 heading revised ... 10193
6-3.301—6-3.308 Subpart 6-3.3 added ... 6623
6-3.405-3 Subpart 6-3.4 revised ... 6624
Subpart 6-3.4 heading revised ... 10193
6-3.605-1 Deleted ... 10193
6-3.605-2 Deleted ... 10193
6-3.606-5 (c) revised ... 10193
6-3.814 Subpart 6-3.8 added ... 6624
6-5.5001 Revised ... 6624
6-7.101-12 Revised ... 6624
6-7.101-14 Deleted ... 10194
6-7.101-18 Deleted ... 10194
6-7.101-19 Deleted ... 10194
6-11 Subpart 6-11.2 revised ... 6624
6-11.205 Subpart 6-11.2 revised ... 6624
6-30 Added ... 6624

41 CFR—Continued

Chapter 6—Continued
6–60.103–1
Revised ... 6625
6–75
Added ... 6309
6–75.205
Revised ... 9741
Chapter 7
7–3.211
Amended ... 11030
7–12.5100
Revised ... 11030
7–12.5102
Revised ... 11030
7–15.307–4
Added ... 11031
7–60
Revised ... 11031
Chapter 8
8–1.108–1
(b) and (c) revised ... 12717
8–1.108–2
(b) through (e) revised ... 12717
8–1.302–3
Redesignated from 8–2.404–2 (b); revised ... 7820
8–1.305
Revised ... 15311
8–1.305–3
Revised ... 15311
8–1.305–6
Revised ... 15311
8–1.306–1
(a) revised ... 15312
8–1.350
Revised ... 7820
8–1.350–1
Revoked ... 12717
8–1.350–2
Revoked ... 12717
8–1.350–3
Revoked ... 7821
8–1.602
Revised ... 12717
8–1.602–1
(a) and (c) revised ... 12717
8–1.603
(a) revised ... 12718
8–1.604–1
(a) (3), (4), (6), and (7) revised ... 12718
(a) (7) (i) revised ... 16199
8–1.605
Added ... 16199
8–1.605–1
Added ... 16199
8–1.605–4
Added ... 16200
8–1.606
Revised ... 12718
8–1.708–3
(b) revised ... 12718
8–2.301
Revised ... 12718
8–2.404–2
(b) redesignated as 8–1.302–3 and revised; designation of (a) deleted; revised ... 7820
Revised ... 12718
8–2.406–3
Revised ... 12718
8–2.406–4
Revised ... 12718
8–2.407–1
(a) and (b) revised ... 12718
8–2.407–8
(a) and (b) (2) revised ... 12719
8–3.204
Revised ... 16312
Chapter 8—Continued
8–3.207
Revised ... 16313
8–3.209
Revised ... 16313
8–3.210
Revised ... 16313
8–3.211
Revised ... 16313
8–3.215
Revised ... 16313
8–6.5302
Revised ... 14878
8–7.150–4
(b) revised ... 7687
8–7.150–11
(b) revised ... 14878
8–7.150–20
Added ... 7350
8–7.150–21
Added ... 15312
8–7.650–3
(a) amended ... 7178
8–7.650–16
Heading, (a) (b), and (c) revised ... 7178
8–8
Added ... 7687
8–10
Subpart 8–10.51 added ... 7688
8–10.451
Added ... 7688
Introductory text revised; (c) and (d) added ... 16200
8–10.5100—8–10.5103
Subpart 8–10.51 added ... 7688
8–11.203
Revised ... 16313
8–11.250—8–11.250–4
Added ... 16313
8–12
Subpart 8–12.4 added ... 7179
8–12.404–2—8–12.404–13
Subpart 8–12.4 added ... 7179
8–12.853
Added ... 7350
8–12.854
Added ... 7350
8–14.105–51
Added ... 15312
8–14.151
Revised ... 14878
8–19
Revised ... 745
8–52.101
Revised ... 7688
8–52.103
Revoked ... 7688
8–52.106
Revised ... 7688
8–52.109
(a) and (b) revised ... 7689
8–75.201–6
Revised ... 14878
8–75.201–7
Revised ... 14878
8–75.201–11
Revised ... 14878
8–75.201–13
(c) revised ... 14878
Chapter 9
9–1.105–1
Revised ... 14649
9–1.105–2
Revised ... 14649
9–1.110
Added ... 13046
9–1.302–1
Revised ... 14649
Chapter 9—Continued
9–1.305–3
Revised ... 14649
9–1.350–2
Deleted ... 14649
9–1.352
Revised ... 14649
9–1.356
Deleted ... 14649
9–1.507–1
Revised ... 14649
9–1.606–54
Revised ... 11103
9–1.606–55
Deleted ... 11103
9–1.606–56
Deleted ... 11103
9–1.1101
Amended ... 14649
9–1.5007
Revised ... 14649
9–2.102
Revised ... 13047
9–2.406–4
Revised ... 14649
9–3
Subpart 9–3.3 revised ... 13047
9–3.000–50
Revised ... 14649
9–3.200
Revised ... 13047
9–3.202
Deleted ... 13047
9–3.204
Revised ... 13047
9–3.211
Deleted ... 13047
9–3.213
Revised ... 13047
9–3.215
Revised ... 13047
9–3.301—9–3.303
Subpart 9–3.3 revised ... 13047
9–3.404–5
Amended ... 14649
9–3.404–7
Amended ... 14649
9–3.404–51
(b) and (h) (1) amended ... 14649
9–3.405–5
(b) revised; (c) added ... 13047
9–3.604
Deleted ... 14649
9–3.604–3
Deleted ... 14650
9–3.804
(b) revised ... 14650
9–3.805
(a) revised ... 14650
9–3.805–50
(b) revised ... 14650
9–3.807–1
Revised ... 14650
9–3.807–50
Revised ... 14650
9–3.808–51
(c) revised ... 14650
9–3.903–2
Revised ... 13047
9–4.5109–8
Amended ... 11104
9–7.5003
(a) and (c) revised ... 9063
9–7.5004–11
Amended ... 9063
9–7.5004–13
Revised ... 9063
Revised ... 12021

41 CFR—Continued

Chapter 9—Continued
9–7.5004–15
Revised ... 12021
9–7.5004–16
Amended ... 9063
9–7.5005–11
Revised ... 9063
9–7.5005–15
Revised ... 9063
9–7.5005–18
Revised ... 9063
9–7.5005–19
Revised ... 9063
9–7.5005–20
Revised ... 9064
9–7.5006–1
Amended ... 14650
9–7.5006–9
Amended ... 9064
Amended ... 15018
9–7.5006–10
Amended ... 15018
9–7.5006–12
Amended ... 15018
9–7.5006–23
Amended ... 9064
Amended ... 15018
9–7.5006–24
Amended ... 15018
9–7.5006–29
Amended ... 9064
9–7.5006–52
Revised ... 9064
9–7.5006–55
Added ... 10324
9–9.5013
Revised ... 14650
9–9.5103
(d) and (e) amended ... 14650
9–10.104–1
Revised ... 4208
9–10.105–1
Revised ... 4208
9–12
Subpart 9–12.9 added ... 5128
Subpart 9–12.50 redesignated as Subpart 9–12.4 and revised ... 5555
Subpart 9–12.8 recodified and revised ... 8237
9–12.103–51
Added ... 12021
9–12.400—9–12.450–2
Subpart 9–12.4 redesignated from Subpart 9–12.50 and recodified from 9–12.5000—9–12.5005–2; revised ... 5555
9–12.800, 9–12.805
Subpart 9–12.8 recodified as 9–12.800 — 9–12.805–50; revised ... 8237
9–12.800—9–12.805–50
Subpart 9–12.8 recodified from 9–12.800, 9–12.805; revised ... 8237
9–12.902—9–12.904–2
Subpart 9–12.9 added ... 5128
9–12.904–1
Revised ... 12021
9–12.5000—9–12.5005–2
Subpart 9–12.50 redesignated as Subpart 9–12.4 and recodified as 9–12.400—9–12.450–2; revised ... 5555
9–12.5400
Revised ... 10324
9–12.5402
Revised ... 8907
9–12.5406
Revised ... 5128
Chapter 9—Continued
9–12.5409
Deleted ... 6907
9–15.000–50
Revised ... 14651
9–15.5010–8
Closing paragraph revised ... 14651
9–15.5010–18
Added ... 6415
9–16.104–50
Heading revised; (a) amended ... 4788
9–16.404–50
(b) (1), (3) and (7) amended ... 4788
9–16.404–52
Heading revised; (a) amended ... 4788
9–16.5002–1
Amended ... 4788
9–16.5002–2
Amended ... 4788
Amended ... 4789
Amended ... 12021
9–16.5002–3
Amended ... 4788
9–16.5002–4
Amended ... 4788
Amended ... 4789
Amended ... 12021
Amended ... 14651
9–16.5002–5
Amended ... 4789
Amended ... 12021
9–16.5002–6
Amended ... 4789
Amended ... 12021
9–16.5002–8
Amended ... 4789
Amended ... 11104
9–16.5002–9
Amended ... 4789
Amended ... 10324
Amended ... 12021
Amended ... 14651
9–51
Subpart 9–51.6 added ... 16200
9–51.000–50
Revised ... 16200
9–51.600—9–51.602
Subpart 9–51.6 added ... 16200
9–56.000
Revised ... 9349
9–56.002
Revised ... 9349
9–56.100—9–56.102
Subpart 9–56.1 recodified from 9–56.100—9–56.105 and revised ... 9349
9–56.100—9–56.105
Subpart 9–56.1 recodified as 9–56.100—9–56.102 and revised ... 9349
9–56.405
(a) (2) and (b) revised; Note A deleted; (c) added ... 9349
Chapter 10
10–17
Added ... 11230
Chapter 11
11–1
Subpart 11–1.9 added ... 821
Subpart 11–1.50 added ... 2899
Subpart 11–1.1 redesignated as Subpart 11–1.0; revised ... 14356
Subpart 11–1.51 added ... 14980
11–1.001—11–1.009–2
Subpart 11–1.0 redesignated from Subpart 11–1.1 and recodified from 11–1.100—11–1.108–2; revised ... 14356
Chapter 11—Continued
11–1.100—11–1.108–2
Subpart 11–1.1 redesignated as Subpart 11–1.0 and recodified as 11–1.001—11–1.009–2; revised ... 14356
11–1.313
Revised ... 3184
11–1.315
Revised ... 817
11–1.317
Text designated as (a); (b) added ... 821
11–1.318
Added ... 8954
11–1.352
Added ... 14515
11–1.606
(a) and (c) amended ... 9457
11–1.708–2
Revised ... 821
11–1.708–3
Added ... 821
11–1.901
Subpart 11–1.9 added ... 821
11–1.5000—11–1.5005
Subpart 11–1.50 added ... 2899
11–1.5101—11–1.5107
Subpart 11–1.51 added ... 14980
11–2.201
(a) (51) (ii) and (iv) revised ... 821
(a) (50) added ... 959
11–3.211
(c) revised ... 9457
11–3.602
Added ... 821
11–3.603–1
Added ... 821
11–3.607
Added ... 9457
11–4
Subpart 11–4.51 recodified and revised ... 817
11–4.5100—11–4.5103–27
Subpart 11–4.51 recodified as 11–4.5100—11–4.5105–35; revised ... 817
11–4.5100—11–4.5105–35
Subpart 11–4.51 recodified from 11–4.5100—11–4.5103–27; revised ... 817
11–5.5001
Revised ... 822
11–5.5002–2
(a) and (b) revised ... 822
11–5.5004–1
Revised ... 822
11–5.5005
Revised ... 822
11–5.5007
Added ... 822
11–5.5008
Added ... 823
11–5.5100
Revised ... 824
11–5.5104
Revised ... 9456
11–5.5108
Added ... 824
Revised ... 9458
11–5.5306–2
Revised ... 9458
11–5.5402
Revised ... 824
11–5.5404–1
Revised ... 824
11–5.5404–2
Revised ... 9458
11–5.5405
Revised ... 824

41 CFR—Continued

Chapter 11—Continued

11–5.5407
Added 824
11–7.101–64
Revised 14357
11–7.101–68
Revised 14357
11–7.602–64
Revised 14357
11–7.602–74
Revised 14357
11–10
Subpart 11–10.4 revised 821
11–10.109
Revised 820
11–10.450
Subpart 11–10.4 revised 821
11–11.550–6
(a) revised 14357
11–16
Subpart 11–16.2 added 11104
11–16.200—11–16.252–3
Subpart 11–16.2 added 11104
11–16.800
Added 14553
11–16.850—11–16.850–2
Added 14553
11–16.851
Added 11106
11–16.852—11–16.852–2
Added 11106
11–17
Added 11230
11–30
Added 1201
11–50
Added 15239
Chapter 13
Added 11885
13–1
Added 11885
Chapter 18
18–1.109–3
Revised 596
18–1.113
Revised 596
18–1.113–1
Revised 596
18–1.113–2
Added 596
18–1.114
(a) revised 596
18–1.115
(a) amended 596
18–1.315
Revised 597
18–1.316
(b) and (c) revised 597
18–1.320
Added 597
18–1.351
Added 597
18–1.352
Added 598
18–1.603
(a)(6) revised 598
18–1.604–2
(c) revised 598
18–1.604–3
(a) revised 598
18–1.605–3
(b) revised 598
18–1.701–1
(a)(2)(iv) revised 598
18–1.5003
(b)(4)(ii) revised 598
(c)(6) and (7) revised 598
18–1.5004
(b)(2) and (h) revised 598

41 CFR—Continued

Chapter 18—Continued

18–1.5105
(a)(3) revised 598
18–2.201
(a)(18) revised 598
(a)(24) added 599
18–3
Subpart 18–3.5 added 600
18–3.102
(b)(19) added 599
18–3.204–3
Revised 599
18–3.400
Revised 599
18–3.450
(c) revised; (f) and (g) added 599
18–3.451
Added 600
18–3.452
Added 600
18–3.500, 18–3.501
Subpart 18–3.5 added 600
18–3.606–3
(b) revised 602
18–3.704–1
Amended 602
18–3.704–2
(b) amended 602
18–3.802–2
(d)(2) revised 602
18–3.802–3
(a) and (b) revised 603
18–3.804–1
Revised 603
18–3.804–2
(c) revised 603
18–3.804–3
Revised 603
18–3.805–1
(b)(6) and (7) revised 603
18–3.807–3
(e) revised 602
18–3.850
(a) revised 603
18–3.852
Revised 604
18–3.852–1
Revised 604
18–3.852–2
(a) revised 605
18–3.852–3
Revised 605
18–3.852–5
Text revised 605
18–3.903–2
(d) added 606
18–3.903–4
(d), (e), (f) and (g) added 606
18–3.903–5
Added 606
18–4
Subpart 18–4.52 revised 606
18–4.5200—18–4.5206
Subpart 18–4.52 revised 606
18–5
Subpart 18–5.50 added 608
Subpart 18–5.51 added 609
18–5.903–1
Revised 608
18–5.903–2
Revised 608
18–5.904–1
Revised 608
18–5.906
Revised 608
18–5.1002–1
(a) and (b) revised 608
18–5.1002–3
Revised 608
18–5.5000—18–5.5005
Subpart 18–5.50 added 608

41 CFR—Continued

Chapter 18—Continued

18–5.5100, 18–5.5101
Subpart 18–5.51 added 609
18–6
Subpart 18–6.6 revised 609
Subpart 18–6.8 added 610
18–6.601
Subpart 18–6.6 revised 609
18–6.801—18–6.801–3
Subpart 18–6.8 added 610
18–7
Subpart 18–7.5 added 612
18–7.103–8
Revised 610
18–7.103–16
Revised 610
18–7.103–18
Revised 610
18–7.104–1
(a) revised 610
18–7.104–7
Revised 610
18–7.104–9
Revised 610
18–7.104–57
Revised 610
18–7.104–58—18–7.104–62
Added 611
18–7.203–16
Revised 611
18–7.203–18
Revised 611
18–7.204–1
(a) revised 611
18–7.204–7
Revised 611
18–7.204–9
Revised 611
18–7.204–57
Deleted 611
18–7.204–58—18–7.204–62
Added 611
18–7.302–16
Revised 611
18–7.302–17
Revised 611
18–7.303–1
(a) revised 611
18–7.303–13
Revised 611
18–7.303–57—18–7.303–62
Added 611
18–7.350–7
Revised 611
18–7.350–14
Revised 611
18–7.402–16
Revised 611
18–7.402–17
Revised 611
18–7.402–22
Revised 611
18–7.403–1
(a) revised 612
18–7.403–9
Revised 612
18–7.403–14
Revised 612
18–7.403–57—18–7.403–62
Added 612
18–7.404
Revised 612
18–7.404–50
Revised 612
18–7.404–53
Revised 612
18–7.451–16
Revised 612
18–7.451–17
Revised 612

41 CFR—Continued

Chapter 18—Continued

18–7.451–22
Revised 612
18–7.452–1
(a) revised 612
18–7.452–14
Revised 612
18–7.452–57—18–7.452–62
Added 612
18–7.453–53
Revised 612
18–7.460–8
Revised 612
18–7.460–9
Revised 612
18–7.460–16
Revised 612
18–7.702–19
Revised 612
18–7.702–20
Revised 612
18–7.702–25
Revised 613
18–7.703–10
Revised 613
18–7.703–19
Revised 613
18–7.703–20
Revised 613
18–7.703–22
Revised 613
18–7.703–27
Revised 613
18–7.703–28
Revised 613
18–7.704–6
Revised 613
18–7.704–12
Revised 613
18–7.704–19
Revised 613
18–7.704–20
Revised 613
18–7.704–51
Revised 613
18–7.704–52
Revised 613
18–7.705–5
Amended 613
18–7.705–7
Revised 614
18–7.705–8
Cancelled 614
18–7.705–10
Added 614
18–7.705–11
Added 614
18–7.5001–5
Revised 614
18–7.5002–2
Revised 614
18–7.5004–5
Revised 614
18–8
Subpart 18–8.1 revised 614
Subpart 18–8.3 revised 621
Subpart 18–8.4 revised 622
Subpart 18–8.8 recodified and revised 636
18–8.000
(b) deleted 614
18–8.101
Subpart 18–8.1 revised 614
18–8.200
Revised 615
18–8.202
Revised 615
18–8.203
Revised 615
18–8.204
Revised 615

41 CFR—Continued

Chapter 18—Continued

18–8.205
Revised 615
18–8.205–51
Revised 616
18–8.207
Revised 616
18–8.208
Revised 616
18–8.208–1—18–8.208–8
Added 616
18–8.209–1—18–8.209–7
Added 618
18–8.210
Revised 619
18–8.211–1
Revised 619
18–8.211–2
Revised 619
18–8.212
Revised 620
18–8.212–1, 18–8.212–2
Added 620
18–8.213
Revised 620
18–8.301—18–8.308
Subpart 18–8.3 revised 621
18–8.401—18–8.407
Subpart 18–8.4 revised 622
18–8.501
Revised 624
18–8.501–1, 18–8.501–2
Added 624
18–8.502
Revised 624
18–8.502–1—18–8.502–3
Added 624
18–8.503
Revised 624
18–8.503–1—18–8.503–7
Added 624
18–8.504
Revised 625
18–8.504–1, 18–8.504–2
Added 625
18–8.505
Revised 625
18–8.506
Revised 625
18–8.507—18–8.507–4
Revised 625
18–8.507–6
Revised 626
18–8.508
Revised 626
18–8.509
Revised 626
18–8.510
Revised 626
18–8.511
Revised 626
18–8.511–1, 18–8.511–2
Added 626
18–8.512
Added 627
18–8.513
Revised 627
18–8.513–1—18–8.513–4
Added 627
18–8.514
Revised 627
18–8.514–1, 18–8.514–2
Added 627
18–8.515
Revised 627
18–8.601
Revised 627
18–8.602
Revised 628
18–8.602–1—18–8.602–7
Added 628

41 CFR—Continued

Chapter 18—Continued

18–8.603
Revised 629
18–8.603–1—18–8.603–6
Added 629
18–8.701
(b) revised 630
18–8.702
(b) revised 631
18–8.703
Revised 632
18–8.705—18–8.705–2
Revised 633
18–8.706
Revised 634
18–8.707
Revised 635
18–8.709
(a) revised 635
18–8.710
Revised 636
18–8.800
Subpart 18–8.8 recodified as 18–8.800—18–8.807; revised 636
18–8.800—18–8.807
Subpart 18–8.8 recodified from 18–8.800; revised 636
18–9.101—18–9.101–8
Revised 643
18–9.101–3
Revised 7689
18–9.101–4
Revised 7690
18–9.103
Revised 646
18–9.104
Revised 646
18–9.105
Revised 647
18–9.106
Revised 647
18–9.108–2
Revised 647
18–9.109
Revised 647
18–9.110
Revised 647
18–9.150
Revised 647
18–9.151
Revised 648
18–9.152
Revised 648
18–9.154
Revised 648
18–9.202–1
(f) added 648
18–9.203
Revised 649
18–9.203–1
Revised 649
18–9.204–2
Revised 649
18–9.204–51
Revised 649
18–9.204–52
Added 649
18–10.201–1
Revised 650
18–10.5002
Revised 650
18–11.401–1
Revised 650
18–11.401–2
(b) revised 650
18–12
Subpart 18–12.8 recodified and revised 655
Subpart 18–12.10 added 665
18–12.000
Revised 651

41 CFR—Continued

Chapter 18—Continued
18–12.101
(d) revised 651
18–12.101–1
Revised 651
18–12.101–2
(a), (c) and (d) revised 651
18–12.300
Revised 651
18–12.301
Revised 652
18–12.302—18–12.302–3
Revised 652
18–12.302–3
Deleted 651
18–12.303–1
Revised 652
18–12.401
(d) revised 652
18–12.403—18–12.403–5
Revised 652
18–12.404–4
Revised 654
18–12.404–8
Revised 654
18–12.603
Revised 655
18–12.800—18–12.805
Subpart 18–12.8 recodified as 18–12.800—12.809; revised 655
18–12.800—18–12.809
Subpart 18–12.8 recodified from 18–12.800—18–12.805; revised 655
18–12.1000—18–12.1002
Subpart 18–12.10 added 665
18–13
Subpart 18–13.2 recodified and revised 666
Subpart 18–13.50 added 668
Subpart 18–13.51 revised 669
18–13.102–3
(a) revised 666
18–13.200—18–13.203
Subpart 18–13.2 recodified as 18–13.200—18–13.204; revised 666
18–13.200—18–13.204
Subpart 18–13.2 recodified from 18–13.200—18–13.203; revised 666
18–13.502–50
Added 666
18–13.503
Revised 666
18–13.505–2
Amended 667
18–13.5000—18–13.5003
Subpart 18–13.50 added 668
18–13.5100—18–13.5106
Subpart 18–13.51 revised 669
18–14.000
Revised 672
18–14.101
Revised 672
18–14.102
Revised 672
18–14.103
Revised 673
18–14.104
Revised 673
18–14.106
Revised 673
18–14.108
Revised 673
18–14.204
(b) revised 673
18–14.205
Revised 673
18–14.5000
Revised 673
18–14.5001
Revised 673
18–14.5002
(a) revised 673
18–14.5003
Revised 674
18–15.205–47
Revised 674
18–16
Subpart 18–16.4 revised 676
Subpart 18–16.7 revised 677
18–16.000
(b) revised 674
18–16.001
Revised 675
18–16.101–1
Revised 676
18–16.102–1
Revised 676
18–16.202–1
Revised 676
18–16.202–6
Revised 676
18–16.202–7
Revised 676
18–16.202–8
Revised 676
18–16.202–9
Deleted 676
18–16.400—18–16.401–4
Subpart 18–16.4 revised 676
18–16.700—18–16.706
Subpart 18–16.7 revised 677
18–16.803–2
Revised 677
18–16.804
Revised 678
18–16.805
Revised 678
18–16.811–2
Revised 678
18–16.814
Revised 678
18–16.815
Revised 678
18–16.853
Revised 678
18–16.855
Deleted 678
18–16.856
Revised 678
18–16.863
Added 678
18–16.864
Added 678
18–16.904–3
Revised 678
18–16.960
Added 678
18–51
Subpart 18–51.3 added 679
Subpart 18–51.18 added 681
18–51.300—18–51.311
Subpart 18–51.3 added 679
18–51.1801
Subpart 18–51.18 added 681
18–52
Subpart 18–52.1 recodified and revised 682
Subpart 18–52.2 recodified and revised 682
Subpart 18–52.3 recodified and revised 683
Subpart 18–52.4 added 684
Subpart 18–52.5 added 684
Appendix G added 686
18–52.000
Revised 682
18–52.001
Revised 682
18–52.002
Added 682
18–52.100—18–52.103
Subpart 18–52.1 recodified from 18–52.201—18–52.204; revised 682
18–52.101—18–52.107
Subpart 18–52.1 recodified as 18–52.100—18–52.103; revised 682
18–52.200—18–52.206
Subpart 18–52.2 recodified from 18–52.201—18–52.204; revised 682
18–52.201—18–52.204
Subpart 18–52.2 recodified as 18–52.200—18–52.206; revised 682
18–52.300—18–52.305
Subpart 18–52.3 recodified from 18–52.301—18–52.305; revised 683
18–52.301—18–52.305
Subpart 18–52.3 recodified as 18–52.300—18–52.305; revised 683
18–52.400—18–52.404
Subpart 18–52.4 added 684
18–52.500—18–52.508
Subpart 18–52.5 added 684
Chapter 19
19–1
Subpart 19–1.3 added 3495
Subpart 19–1.2 added 10789
Subpart 19–1.3 recodified and revised 10790
Subpart 19–1.6 added 10790
Subpart 19–1.7 added 10791
Subpart 19–1.9 added 10791
Subpart 19–1.53 added 10791
19–1.101
Revised 3494
Revised 10789
19–1.104
Revised 3495
Revised 10789
19–1.201—19–1.258
Subpart 19–1.2 added 10789
19–1.302, 19–1.302–50
Subpart 19–1.3 added 3495
Subpart 19–1.3 recodified as 19–1.302—19–1.355; revised 10790
19–1.302—19–1.355
Subpart 19–1.3 recodified from 19–1.302, 19–1.302–3; revised 10790
19–1.602, 19–1.604
Subpart 19–1.6 added 10790
19–1.704
Subpart 19–1.7 added 10791
19–1.902
Subpart 19–1.9 added 10791
19–1.5301—19–1.5307
Subpart 19–1.53 added 10791
19–2
Added 10792
19–3
Added 10793
19–6
Added 10794
19–15
Added 10794
19–16
Added 10794
Chapter 22
Added 6625
22–1
Added 13001
22–60
Added 6625

41 CFR—Continued

Chapter 50
50–202.28
Revoked 14856
50–204.312
Introductory text revised 1075
50–204.313
Revised 1075
50–204.314
Revised 1075
50–204.315
Revised 1075
50–204.316
(a) revised 1075
50–204.320
Heading revised; (c) added 1075
Chapter 51
51–1
Revised 1076
Chapter 101
101–7
Revised 4682
101–10
Revised 6311
101–15
Revised 7752
101–17.402
(c) revised 8117
101–17.501
Revised 8117
101–19
Subpart 101–19.7 added 6312
101–19.300
Revised 7234
101–19.301
Revised 7234
101–19.700—101–19.705
Subpart 101–19.7 added 6312
101–25
Subpart 101–25.5 added 3462
101–25.102
Revised 4997
101–25.104
Introductory text of (a) revised 2471
101–25.105
Revised 2471
101–25.106
Added 14260
101–25.500—101–25.504
Subpart 101–25.5 added 3462
101–26.103
(d) (2) revised 5447
101–26.300
Revised 9541
101–26.301
Revised 9541
101–26.301–1
(b) revised; (c) added 6963
101–26.303–3
Revised 9541
101–26.401
(b) revised 10922
101–26.401–1
Revised 10922
101–26.401–3
Revised 6964
101–26.402–3
Revised 10922
101–26.402–5
Revised 10923
101–26.406–4
Revised 15571
101–26.406–5
(b) revised 15571
101–26.406–6
(b) revised 15571
101–26.407–3
Revised 10923
101–26.407–4
Revised 10923
101–26.409
Added 10923
101–26.501–1
(a) revised 7234
101–26.501–2
(a) and (c) revised 7234
101–26.501–3
(a), introductory text of (c), and (c) (2) revised 7234
101–26.501–4
(a) and (b) (1) revised 7235
101–26.501–5
(a) (1) and (b) (1) revised 7235
101–26.501–7
Revised 4997
101–26.506—101–26.506–5
Added 9797
101–26.4901–149
Added 15571
101–26.4902
Revised 7235
101–26.4902–1781
Heading revised 7234
101–27.102–2
Revised 9541
101–27.102–3
(c) added 9541
101–29.204
Revised 4684
101–29.303
Revised 9628
(b) corrected 10194
101–30
Subpart 101–30.5 recodified and revised 11106
Subpart 101–30.49 added 11107
101–30.500—101–30.502
Subpart 101–30.5 recodified as 101–30.500—101–30.505; revised 11106
101–30.500—101–30.505
Subpart 101–30.5 recodified from 101–30.500—101–30.502; revised 11106
101–30.4900—101–30.4902–2175
Subpart 101–30.49 added 11107
101–38
Subpart 101–38.10 deleted 9003
Subpart 101–38.11 added 9003
101–38.304–1
Amended 9003
Amended 15571
101–38.602
(b) revised 9003
(c) and (h) revised 15572
101–38.603
(a) (2) revised 15572
101–38.803
(c) revised 15572
101–38.806–2
Revised 15572
101–38.808
Revised 15572
101–38.1000—101–38.1003
Subpart 101–38.10 deleted 9003
101–38.1100—101–38.1103
Subpart 101–38.11 added 9003
101–38.4900
Revised 15572
101–38.4906
Revised 15572
101–38.4907
Revised 15572
101–38.4908
Revised 15573
101–38.4909
Revised 15573
101–39
Subpart 101–39.6 revised 12522
101–39.600—101–39.603–2
Subpart 101–39.6 revised 12522
101–43
Subpart 101–43.2 deleted 4997
101–43.200—101–43.206
Subpart 101–43.2 deleted 4997
101–43.302
(e) added 1007
101–43.313–5
(a) (1), (2) and (3) revised 3495
101–43.315–5
(h) added 5885
101–43.317–1
Revised 5885
101–43.4908
Deleted 4997
101–44.201–14
Revised 5043
101–45.105–3
(b) revised 9542
101–45.303
Introductory text and (b) revised 5000
101–45.303–3
Revised 5000
101–45.304–2
(c) revised 5001
101–45.304–3
Introductory text and (b) revised 5001
101–45.304–5
Revised 5001
101–45.304–11
(a) (3) revised 15094
101–45.305
Deleted 4997
101–45.305–1
Deleted 4997
101–45.305–2
Deleted 4997
101–45.305–3
Deleted 4997
101–45.307
Revised 5001
101–45.315
Revised 6491
101–45.317
Added 9542
101–45.4900
Revised 9542
101–45.4911
Deleted 4997
101–45.4919
Revised 5001
101–45.4923
Added 5001
101–45.4923–1
Added 5001
101–45.4924
Added 5001
101–45.4924–1
Added 5001
101–45.4924–2
Added 5001
101–45.4925
Added 5491
Corrected 5831
101–45.4926
Added 9542
101–46
Added 4997
101–47.202–2
(b) (4) added 15541
101–47.203–5
(b) revised 2658
101–47.302–2
(a) (1) revised 2658
(b) revised 16780

41 CFR—Continued

Chapter 101—Continued
101–47.304–4
(a) revised ... 8540
101–47.308–4
(j) revised ... 16780
101–47.309
Amended ... 16780
101–47.315
Revised ... 2658
101–47.601
(c) revised ... 16780
101–47.602
(c) revised ... 16780
101–47.603
(c) revised ... 16780
Chapter 105
Added ... 4328
105–735
Added ... 4328
Proposed Rules:
50–201 ... 9998, 12061
50–202 ... 16160
50–204 ... 12483, 12794
101–29 ... 4088

42 CFR

Chapter I
Subchapter G (Part 81) deleted; recodified and revised as 18 CFR Part 606 ... 7114
21.111
Revised ... 4299
21.332
Revised ... 11454
21.333
Revised ... 11454
22.3
(b) revised; (d) revoked ... 12939
51.1
(m) added ... 11216
51.3
(j) corrected ... 1058
51.4
(c) revised; (d) revoked ... 11216
51.8
(a) and (c) revised; (d) revoked ... 11217
51.10
(c) revised ... 11217
52.10
(b) amended ... 5758
(e) added ... 9504
52.41
Revised ... 13445
53
Subpart D recodified and revised ... 12095
Subpart I heading revised ... 12095
53.1
(d) revised ... 12095
53.31, 53.32
Subpart D recodified from 53.31—53.34; revised ... 12095
53.31—53.34
Subpart D recodified as 53.31, 53.32; revised ... 12095
53.81—53.87
Subpart I heading revised ... 12095
53.91
Revised ... 12095
53.128
(c) revised ... 12095
53.134
(c) added ... 12095
54
Heading revised; Subpart D added ... 3246
54.301–54.308
Subpart D added ... 3246

42 CFR—Continued

Chapter I—Continued
55
Deleted; recodified and revised as Subparts A and B of 18 CFR Part 601 ... 7114
57
Heading revised; Subpart F added ... 7376
Subpart G added ... 7378
57.201
Revised ... 4791
57.202
(d)(1), (f), (g)(3) and (n)(1) and (3) revised ... 4791
57.206
(c) revised ... 4791
57.207
(a) revised ... 4792
57.208
(c) added ... 4792
(c)(2)(ii)(a) corrected ... 5691
(c)(2) revised ... 14592
57.501—57.512
Subpart F added ... 7376
57.511
(b) corrected ... 7755
57.601—57.612
Subpart G added ... 7378
58
Heading revised; text designated as subpart ... 4402
58.1—58.10
Designated as subpart ... 4402
58.31, 58.32
Subpart added ... 4403
Subpart revoked ... 10414
59
Revoked ... 4403
59
Added ... 5180
59a
Added ... 9499
61
Revised ... 12096
61.1
(b) revoked ... 5758
61.2
Amended ... 9504
61.7
Amended ... 9504
61.9
(c) amended ... 9504
61.10
(f) added ... 9504
61.11
Text designated as (a) and amended; (b) added ... 9504
63
Heading revised ... 9504
63.1
Text designated as (a); (b) added ... 9505
63.5
(f) added ... 9505
63.7
Amended ... 9505
64.1
(a) and (b) redesignated as (a)(1) and (2), respectively; new (b) added ... 9505
64.8
Amended ... 9505
73.36
(h) revised ... 14000
73.38
Revised ... 14000

42 CFR—Continued

Chapter I—Continued
73.74
(a)(2) and (b)(1) revised ... 14000
73.81
Revised ... 14001
73.86
Added ... 11388
73.104
(e) deleted ... 11388
73.116
(f) deleted ... 11388
(e) revised ... 14001
73.134
(h) deleted ... 11388
73.140
(c)(1) amended ... 14001
73.144
(e) revised; (f) redesignated as (h); new (f) and (g) added ... 14001
73.301
(a) and introductory text of (b) revised; (b)(7) and (f) added ... 15092
73.302
(a) and (e) revised ... 15092
73.303
(a) revised ... 9674
73.304
(f) deleted; new (f) added ... 9676
73.305
Revised ... 9676
73.306
Deleted ... 11388
73.325
Deleted ... 11388
73.354
(e) and (f) deleted ... 11388
73.355–73.359
Center heading and sections added ... 14
73.503
Deleted ... 11388
76
Added ... 7902
81
Deleted; recodified and revised as 18 CFR Part 606 ... 7114
Chapter II
Heading revised ... 203
200.1
(e) revised ... 203
203
Added ... 203
Proposed Rules:
66 ... 4969
73 ... 8594, 8923, 11185
76 ... 14785, 16628

43 CFR

Subtitle A
4
Appendix I amended ... 9866
4.1
Revised ... 9866
4.2
Revised ... 9866
4.3
Revoked ... 9866
4.3
Added ... 9866
Corrected ... 10468
4.4
Revised ... 9866
4.11
(d) revised ... 9866
6.51
Revised ... 10796
6.52
Introductory text revised ... 10796

43 CFR—Continued

Subtitle A—Continued
6.54
Revised ... 10796
6.55
(a) and (b)(2) revised ... 10796
8
Revised ... 9108
17a
Added ... 8690
19
Added ... 3011
20
Added ... 2512
Chapter II
1720
Subpart 1727 added ... 13914
1727.0–1—1727.5
Subpart 1727 added ... 13914
1821.2–1
(a) revised ... 6313
Heading revised; (b)(1) revoked; (c) added ... 15541
1821.2–3
Revised ... 16783
1821.3–2
(c) revised ... 16783
1852.1–3
Revised ... 16784
2022.3
(a) revised ... 16784
2211.6–2
(a) revised ... 16784
2214.5–2
(a) revised ... 16784
2215.2
(a) revised ... 16784
2221.01
Added ... 11178
2221.02
Added ... 11179
2221.05
Added ... 11179
2221.06
Added ... 11179
2221.07
Added ... 11179
2221.2—2221.2–2
Recodified as 2221.2—2221.2–4; revised ... 11179
2221.2—2221.2–4
Recodified from 2221.2—2221.2–2; revised ... 11179
2221.3–3
(c) revised ... 16784
2226.1–1
(a)(1) revised ... 16784
2232.0–3
Revised ... 11546
2232.1–2
Heading and (a)(1) revised; (a)(5) and (6) redesignated as (6) and (7) respectively; new (a)(5) added ... 11546
2232.2–2
(a) revised ... 11546
2234.1–1
(b)(4) revised ... 16784
2235.1–2
(e) revised ... 16784
2243.0–5
(f) revised ... 16784
2243.2–1
(c)(3) revised ... 16784
2244.6–2
(a) revised ... 16784
2244.7–1
(b) revised ... 16785
2254.1–3
Revised ... 16785

43 CFR—Continued

Chapter II—Continued
2312.1–1
(a) revised ... 16785
3001.0–6
Revised ... 16785
3123.1
(b) revised ... 16785
3127.2
Revised ... 7806
3131.2
(e) added ... 16272
3141.2
(b)(5) added ... 16272
3143.2–2
Revised ... 8873
3150
Heading revised ... 8873
3151.2
(b)(5) added ... 16272
3153.2–2
Revised ... 8873
3161.2
(b)(5) added ... 16272
3162.2
Revised ... 8873
3181.2
(b)(5) added ... 16272
3212.4
(b) revised ... 16785
3320
Subpart 3327 added ... 3013
Subpart 3328 added ... 11548
3322.1–6
Revised ... 16785
3327.1–3327.5
Subpart 3327 added ... 3013
3328.0–3—3328.5–3
Subpart 3328 added ... 11548
3440.1
Revised ... 16785
3630
Subpart 3638 added ... 3014
3638.1–3638.6
Subpart 3638 added ... 3014
4111.1–1
Revised ... 12100
4115.2–1
(k)(4) revised ... 12101
4122.0–5
(d) and (f) revised ... 16785
5400.0–5
Revised ... 8914
5433.1
(b) recodified as 5436.1(b); designation of (a) deleted; revised ... 8914
Revised ... 13446
5436.1
(b) added, recodified from 5433.1(b); revised ... 8914
5437.1
(b) revised ... 8915
5441.2
(c)(2) and (d) revised ... 8915
5443.1
Revised ... 8915
5443.2
(b) revised ... 8915
Public Land Orders
5
Revoked in part by PLO 4005 ... 7462
Revoked in part by PLO 4111 ... 13995
156
Revoked by PLO 4079 ... 11548
245
Revoked in part by PLO 4051 ... 10031
280
Revoked by PLO 4049 ... 10030

43 CFR—Continued

Chapter II—Continued
Public Land Orders—Continued
334
Revoked in part by PLO 4058 ... 10033
338
Revoked by PLO 3981 ... 5898
498
Revoked by PLO 3957 ... 4834
509
Revoked by PLO 3932 ... 2691
576
Revoked by PLO 4049 ... 10030
577
Revoked in part by PLO 3922 ... 2547
639
Modified by PLO 3920 ... 1007
662
Revoked by PLO 4035 ... 8240
694
Revoked in part by PLO 3922 ... 2547
725
Revoked in part by PLO 4087 ... 12598
750
Revoked in part by PLO 4076 ... 11546
829
Revoked in part by PLO 4028 ... 8238
Revoked in part by PLO 4044 ... 9268
843
Revoked in part by PLO 4009 ... 7512
1120
Revoked in part by PLO 3952 ... 4793
1173
Revoked in part by PLO 3956 ... 4794
1177
Revoked in part by PLO 3987 ... 5900
Revoked in part by PLO 4016 ... 7567
1182
See PLO 4119 ... 16202
1195
Revoked in part by PLO 4099 ... 12950
1216
Revoked in part by PLO 3987 ... 5900
1230
Revoked in part by PLO 3952 ... 4793
1249
Revoked in part by PLO 4085 ... 12598
1394
Revoked in part by PLO 3926 ... 2548
1462
Revoked by PLO 4074 ... 10797
1493
Revoked in part by PLO 4087 ... 12598
1506
Revoked by PLO 3951 ... 4793
1663
Revoked in part by PLO 3952 ... 4793
1692
Revoked in part by PLO 3939 ... 3495
1718
Revoked in part by PLO 3939 ... 3495
1775
Revoked in part by PLO 4027 ... 8238
1779
Revoked by PLO 4053 ... 10031
1814
Revoked in part by PLO 3987 ... 5900
1902
Revoked in part by PLO 3952 ... 4793
1910
See PLO 3942 ... 3496
1991
Revoked in part by PLO 4110 ... 13994
2133
See PLO 4006 ... 7462
2314
Revoked in part by PLO 4087 ... 12598
2470
Revoked in part by PLO 3992 ... 5901

43 CFR—Continued

Page

Chapter II—Continued
Public Land Orders—Continued

2715
Revoked in part by PLO 3955 4794
2757
See PLO 4090 12599
2783
Revoked in part by PLO 4087 12598
2787
Revoked in part by PLO 3994 5902
2834
See PLO 3994 5902
2924
Revoked in part by PLO 3990 5901
3017
Revoked in part by PLO 3938 3251
3152
Revoked in part by PLO 4104 12951
3263
Revoked in part by PLO 3934 2692
3365
Revoked by PLO 3996 5902
3406
Revoked in part by PLO 3924 2548
3447
Revoked in part by PLO 3931 2691
3584
Revoked in part by PLO 4104 12951
3634
Corrected 11307
3688
Corrected 11014
3794
Corrected 4893
3870
Corrected 2380
3871
Corrected 12480
3875
Amended by PLO 3936 2692
3909 87
3910 899
3911 899
3912 900
3913 900
3914 900
3915 900
3916 901
3917 901
3918 901
3919 902
3920 1007
3921 2547
3922 2547
3923 2547
3924 2548
3925 2548
3926 2548
3927 2549
3928 2549
3929 2549
3930 2549
3931 2691
3932 2691
3933 2692
3934 2692
3935 2692
3936 2692
3937 2692
3938 3248
3939 3495
3940 3495
3941 3496
3942 3496
3943 3496
Revoked in part by PLO 4039 8692
3944 4282
3945 4282
3946 4348

43 CFR—Continued

Page

Chapter II—Continued
Public Land Orders—Continued

3947 4348
3948 4348
3949 4516
3950 4792
3951 4793
3952 4793
3953 4793
Revoked in part and corrected by PLO 4056 10032
3954 4794
3955 4794
3956 4794
3957 4834
3958 5430
3959 5430
3960 5430
3961 5431
3962 5430
3963 5431
3964 5430
3965 5431
3966 5620
3967 5621
3968 5621
3969 5622
3970 5622
Corrected 5836
3971 5622
3972 5622
3973 5623
3974 5623
3975 5623
3976 5623
3977 5662
Amended by PLO 4000 6868
3978 5897
3979 5897
3980 5897
3981 5897
3982 5898
3983 5898
3984 5899
3985 5899
3986 6196
3987 5900
3988 5900
3989 5900
3990 5901
3991 5901
3992 5901
3993 5901
3994 5901
3995 5902
3996 5902
3997 6056
3998 6313
3999 6907
4000 6868
4001 7350
4002 7350
4003 7351
4004 7462
4005 7462
4006 7462
4007 7463
4008 7463
4009 7512
4010 7512
4011 7513
4012 7513
4013 7513
4014 7566
4015 7567
4016 7567
4017 7567
4018 7567
4019 7568
Corrected by PLO 4081 11755

43 CFR—Continued

Page

Chapter II—Continued
Public Land Orders—Continued

4020 7568
4021 7568
4022 7626
4023 7969
4024 7969
4025 7969
4026 8238
4027 8238
4028 8238
4029 8238
4030 8239
4031 8239
4032 8239
Corrected 8954
4033 8293
4034 8240
4035 8240
4036 8240
4037 8241
4038 8241
4039 8692
4040 8692
4041 8693
4042 9108
4043 9268
4044 9268
4045 9268
4046 9268
4047 9269
4048 9601
4049 10030
4050 10030
4051 10031
4052 10031
Corrected 10687
4053 10031
4054 10031
4055 10032
4056 10032
4057 10032
4058 10033
4059 10033
4060 10033
4061 10033
4062 10034
4063 10194
4064 10530
4065 10530
4066 10530
4067 10531
4068 10531
4069 10640
4070 10641
4071 10687
4072 10688
4073 10796
4074 10796
4075 11431
4076 11546
4077 11547
4078 11547
4079 11547
Corrected 12564
4080 11755
4081 11755
4082 11755
4083 11755
4084 12598
4085 12598
4086 12598
4087 12598
4088 12599
4089 12599
4090 12599
4091 12599
4092 12599

43 CFR—Continued

Page

Chapter II—Continued
Public Land Orders—Continued

4093 12600
4094 12600
Corrected 13473
4095 12600
4096 12793
Revoked in part by PLO 4116 14554
4097 12950
4098 12950
4099 12950
4100 12950
4101 12951
4102 12951
4103 12951
4104 12951
4105 13549
4106 13993
4107 13994
4108 13994
4109 13994
4110 13994
4111 13995
4112 13995
4113 13995
4114 14554
4115 14554
4116 14554
4117 14554
4118 14555
4119 16202

Proposed Rules:

4 8429
21 14563
418 11814
1720 6984
2220 6985
3107 13799
3130 6834, 8181
3140 8181
3150 8181
3160 6836, 8181
3180 8181
4110 7628
5400 4806
5430 4806, 10415
5440 4805

44 CFR

Chapter IV
401
General policy statement 1007
Chapter VII
Heading revised 151
705.20
Amended 151
707
Added 151
708
Added 432
708.1
Corrected 537
710
Added 13995
Chapter VIII
Subchapter B added 11174
Heading revised; Subchapter A deleted; designation of Parts 803—806 as Subchapter B canceled 15312
801
Deleted 15312
802
Deleted 15312
803
Added 11174
Amended 15312
803.1
Revised 15312
Revised 16713

44 CFR—Continued

Page

Chapter VIII—Continued
803.3
(e) revised 16713
804
Added 11175
Amended 15312
804.1
Amended 16714
805
Added 11175
805.1
Amended 16714
805.2
Amended 16714
805.5
Amended; (k) and (l) deleted 16714
805.6
Added 16714
806
Added 11176
806.1
Amended 16714
806.2
Amended 16714
806.6
Amended 16714
806.9
Amended; (c) and (d) deleted 16714
806.10
Added 16714

45 CFR

Subtitle A
6.0
Deleted 12842
6.0
Redesignated from 6.1 12842
6.1
Redesignated as 6.0 12842
6.1
Redesignated from 6.2 12842
6.2
Redesignated as 6.1 12842
6.2
Added 12842
6.5
Revised 12842
6.5
Deleted 12842
6.6
Deleted 12842
7.1
Revised 12842
7.2
Deleted 12842
7.3
Introductory text, (a) and (b) amended 12842
7.5
Deleted 12842
7.6
Deleted 12842
7.7
Revised 12842
7.8
Amended 12842
8.1
Introductory text, (a) and (b) amended 12842
8.2
Introductory text amended 12842
8.5
Amended 12842
8.6
(a) amended 12842
8.7
Amended 12842

45 CFR—Continued

Page

Subtitle A—Continued
12
Revised 11886
73
Added 4644
81.21
(a) revised 1303
81.79
Revised 1303
85
Added 5170
90
Added 2900
Deleted; recodified and revised as Subparts C, D, and E of 18 CFR Part 601 7114
90.70—90.100
Subpart added 5758
90.110—90.125
Subpart added 5761
Chapter I
112
Added 4403
113
Added 4405
114.29e
Added 4894
114.29f
Added 14878
116.1
(d), (l), (p) and (t) revised 4299
116.2
(e) added 4299
116.3
(d) added 4299
116.17
(b) and (d) revised; (h) added 4299
116.19
(a) revised; (e) added 4300
116.21
Revised 4300
116.33
(c) revised 4300
116.41
(c) and (d) revised 4300
116.42
Revised 4300
116.45
(c) revised 4300
116.46
(a) revised; (e) added 4301
116.48
Added 4301
116.53
Revised 4301
141
Heading revised; Subpart H added 824
Authority citation revised 824
141.1
Introductory text of (e) revised; (e)(9) added 824
141.50—141.52
Subpart H added 824
142
Heading revised; Subpart G added 825
Authority citation revised 825
142.2
Introductory text of (e) revised; (e)(9) added 825
142.20, 142.21
Subpart G added 825
144
Revised 7463
144.8
(h) and (l)(1) revised 10575
160
Revised 5559

45 CFR—Continued

Chapter I—Continued
160.6
(a)(1) and (b)(1) and (2) revised; (b)(3) amended; (d) revised ... 12101
160.16
Added ... 12101
170
Revised ... 13221
170.16
Revised ... 2477
171
Added ... 4795
171.4
(a) and (f) amended ... 7128
173
Added ... 5562
177
Added ... 8109
177.2
(a) and (b)(4) revised ... 14836
177.3
Revised ... 9003
177.12
(a)(1)(i) revised ... 14836
177.15
Revised ... 14836
177.16
(b)(2)(i) corrected ... 6591
178
Added ... 14942
181
Revised ... 5623
Chapter II
202
Revised ... 10576
Chapter III
301.25
Added ... 4802
Chapter IV
Revised ... 498
401—405
Recodified as Parts 401—406 and revised in revision of Ch. IV ... 498
401—406
Recodified from Parts 401—405 and revised in revision of Ch. IV ... 498
401
Subpart D recodified and revised ... 3244
401.80—401.88
Subpart D recodified from 401.90—401.98; revised ... 3244
401.90—401.98
Subpart D recodified as 401.80—401.88; revised ... 3244
Chapter V
502
Added ... 3245
Chapter VI
600
Added ... 4595
Chapter VII
703.7
Revised ... 13999
704.1
Revised ... 11890
Chapter VIII
801
Appendix A amended ... 15, 265, 902, 2657, 2693, 2902, 2928, 3185, 3286, 3464, 3497, 4599, 5902, 6591, 7755, 8623 (2 docs.), 9797, 9993, 10468, 10576, 10799, 11890, 11936, 14357.
Appendices B, C, and D amended ... 14356

45 CFR—Continued

Chapter X
1030.5
Added ... 4454
Waiver ... 6547
1030.10
Revised ... 8623
1030.15
Added ... 4117
Proposed Rules:
85 ... 1312
170 ... 8544
301 ... 14990

46 CFR

Chapter I
2.20–1
(e) canceled ... 15266
3.01–1
Amended ... 15266
10.02–9
(a)(1) and (g)(1) and (g)(4)(ii) revised ... 15266
10.02–13
(a) revised ... 15266
10.05–46
(d)(6) added ... 15266
10.10–21
(a)(7) amended; (a)(8) added ... 15669
10.13–21
(a)(1) and (b)(1) amended ... 15266
10.15–9
Revised ... 15266
10.20–9
(a)(1) amended ... 15267
11
Added ... 4517
11.10–50
(a) amended ... 15669
12.15–7
Revised ... 13649
12.15–9
(c) revised; (d) added ... 13649
12.15–11
Amended ... 13649
12.15–13
Added ... 13649
12.15–15
Added ... 13650
12.25–35
Added ... 15669
25
Subpart 25.05 heading revised; Subparts 25.10, 25.15, and 25.20 canceled ... 15267
25.05–1
Revised ... 15267
25.05–5
Canceled ... 15267
25.05–10
Added ... 15267
25.10–1—25.10–10
Subpart 25.10 canceled ... 15267
25.15–1, 25.15–5
Subpart 25.15 canceled ... 15267
25.20–1—25.20–10
Subpart 25.20 canceled ... 15267
30.10–39
Revised ... 15267
31.10–1
(b) amended ... 15267
32.15–10
Revised ... 15267
32.45–1
(f)(1) and (h)(2) revised ... 15268
32.55–10
Heading revised ... 15268
32.57–10
(f) revised ... 15268

46 CFR—Continued

Chapter I—Continued
32.70–5
Revised ... 15268
33.35–1
(a) and (b) revised ... 15268
33.35–5
Revised ... 15268
33.55–5
Revised ... 15268
34.15–90
(a)(7) revised ... 15268
35.20–1
Revised ... 15268
35.35–5
Amended ... 15269
36.01–5
Authority citation amended ... 15269
38
Revised ... 15269
40
Subpart 40.10 added ... 15276
40.01–5
Revised ... 15276
40.05–69
(b) amended ... 15276
40.10–1—40.10–87
Subpart 40.10 added ... 15276
43.01–1
(d)(6) revised ... 15280
51.04–10
Amended ... 15280
52.05–10
(a) amended ... 15280
52.45–1
(b) revised ... 15280
52.55–5
(f)(1) revised ... 15280
52.65–1
(b) revised ... 15280
54.03–10
(c) amended ... 15280
54.03–15
(a) amended ... 15280
54.03–25
(c)(1) amended ... 15280
70.05–3
(a)(2) revised ... 15280
70.05–15
Revised ... 15280
70.10–21
(b) amended ... 15281
70.10–44
Added ... 15281
71.65–15
(a)(3)(i) and (ii) revised ... 15281
72.01–90
Heading revised ... 15281
72.15–15
(c) added ... 15281
72.20–55
(a) revised ... 15281
73.15–5
(b) revised ... 15281
75.10–20
Amended ... 15281
75.10–90
(a)(2) amended ... 15282
75.35–5
(b)(4)(v) amended ... 15282
75.40–15
(b) revised ... 15282
76.05–1
Amended ... 15282
76.13–90
(b) amended ... 15283
76.15–5
(f) added ... 15283
76.15–40
(a) amended ... 15283

46 CFR—Continued

Chapter I—Continued
76.50–10
Amended ... 15283
77.05–1
(b) added ... 15283
77.27–1
Revised ... 15283
78
Subpart 78.83 added ... 15284
78.05–1
Revised ... 15283
78.45–1
(a) revised ... 15283
78.47–75
Added ... 15284
78.47–90
(a)(1) amended ... 15284
78.83–1
Subpart 78.83 added ... 15284
90.10–38
Added ... 15284
91.55–15
(a)(3)(i) and (ii) revised ... 15284
92.15–10
(d) added ... 15284
92.20–55
Revised ... 15284
94.40–10
(a) and (c) revised ... 15284
94.40–15
(a)(1) revised ... 15284
95.05–1
Revised ... 15285
95.05–10
(b)(4) added ... 15285
95.10–5
(b) amended ... 15285
95.15–5
(f) added ... 15285
96
Subpart 96.17 canceled; Subpart 96.20 heading revised; Subparts 96.23 and 96.25 canceled ... 15285
96.05–1
(b) added ... 15285
96.17–1
Subpart 96.17 canceled ... 15285
96.20–1—96.20–10
Subpart 96.20 heading revised ... 15285
96.20–1
Revised ... 15285
96.20–5
Canceled ... 15285
96.20–10
Revised ... 15285
96.23–1, 96.23–5
Subpart 96.23 canceled ... 15285
96.25–1—96.25–10
Subpart 96.25 canceled ... 15285
96.27–1
(a) revised ... 15286
97
Subpart 97.80 added ... 15286
97.05–1
Revised ... 15286
97.12–5
Amended ... 15286
97.36–1
(a) revised ... 15286
97.37–40
(b) amended ... 15286
97.37–50
Added ... 15286
97.37–90
(a)(1) amended ... 15286
97.80–1
Subpart 97.80 added ... 15286

46 CFR—Continued

Chapter I—Continued
98
Subpart 98.16 added ... 15286
98.01–5
(d) added ... 15286
98.03–5
(c) added ... 5903
98.03–7
(c) added ... 5903
98.03–15
(b)(1) added ... 5903
98.03–20
(b)(4) added ... 5904
98.03–25
(c) added ... 5904
98.18–1—98.18–50
Subpart 98.16 added ... 15286
98.35–1
(a) amended ... 15288
110.10–1
(e)(18) and (h) added ... 15288
(d)(1) and (2) revised; (g) amended ... 16781
110.15–15
Amended ... 16781
110.15–40
(b) amended ... 16781
110.15–55
Amended ... 16781
110.15–85
(e) amended ... 15288
110.15–100
(i) added ... 15288
111.05–1
(a) amended ... 16781
111.05–5
(b)(4)(i) and (ii) revised ... 15288
111.05–10
(d)(1) amended ... 16781
111.05–25
(a)(2) and (3) amended ... 16781
111.25–10
(a) amended ... 15288
111.35–1
(b) amended ... 15288
111.35–5
(b) amended ... 16781
111.35–10
(c) amended ... 16781
111.45–1
(e) revised ... 15288
111.45–5
(b)(3) amended ... 15288
111.45–20
Amended ... 16781
111.45–30
(e)(2)(ii) amended ... 15288
111.50
(a) amended ... 15288
111.55–1
(k) added ... 15289
(b)(10) and (d) amended ... 16781
111.55–15
(b) revised ... 15289
111.60–1
(b) amended ... 16781
111.60–10
(b)(8) revised ... 15289
111.60–30
(b) amended ... 16781
111.60–35
(a)(3) revised ... 15289
111.60–40
Revised ... 15289
111.65–3
Added ... 15292
Amended ... 16781

46 CFR—Continued

Chapter I—Continued
111.65–10
Revised ... 15296
111.65–20
(b) amended ... 16782
111.65–40
Amended ... 16782
111.70–5
(h) revised ... 15296
111.70–10
(c)(3) and (4) revised ... 15296
(b)(4)(ii)(e) amended ... 16782
111.90–20
(a) amended ... 16782
113.15–90
(b) amended ... 16782
113.20–90
(b) amended ... 16782
113.25–10
(a)(3)(ii) and (5) revised ... 15296
(b)(1) amended ... 16782
113.50–15
Amended ... 16782
113.65–5
(a) amended ... 16782
144.20–10
(b) revised; (c) added ... 4209
144.20–20
(a) amended ... 4209
144.20–34
(a)(4) cancelled ... 4209
146.01–1
Revised ... 8296
146.01–4
Revised ... 8296
146.02–10
(b) revised ... 8296
146.02–11
(b) and (c) revised ... 8296
146.02–19
(a) revised ... 15573
146.03–18
Revised ... 15574
146.03–36
(a)(1) revised ... 8297
146.04–5
Amended ... 8297
Amended ... 15574
146.05–11
(a) revised; (d) redesignated as (e); new (d) added ... 8297
146.05–12
(f)(5) revised ... 8297
146.05–15
(e)(1) revised ... 8297
146.06–15
(b)(3) and (5) revised ... 8298
146.07–1
Revised ... 8298
146.07–10
(a) revised ... 8298
146.20–3
(q) revised ... 15574
146.20–90
Amended ... 8298
Amended ... 15574
146.20–100
Amended ... 8298
Amended ... 15574
146.20–200
Amended ... 8299
Amended ... 15574
146.20–300
Amended ... 15574
146.21–25
(a) and (b) revised ... 8299
146.21–100
Amended ... 15575

46 CFR—Continued

Chapter I—Continued

146.22–30
(c) (1) and (2) revised ... 8299
146.22–40
(b) revised ... 8299
146.22–100
Amended ... 8300
Heading revised; table amended ... 15575
146.22–200
Added ... 15575
146.23–100
Amended ... 8300
Amended ... 15576
146.24–20
(c) (1), (2), (4), and (5) and (d) revised ... 15576
146.24–21
(b), (c) and (e) revised ... 15576
146.24–100
Amended ... 8300
Amended ... 15577
146.25–200
Amended ... 8301
146.26–25
(a) revised ... 8301
146.27–30
Revised ... 8301
146.27–50
Added ... 15577
146.27–100
Amended ... 8302
Amended ... 15577
146.29–39
(n) added ... 8302
146.29–59
(d)(1) revised ... 8302
157.30–10
Revised ... 15296
160.001–2
Revised ... 15297
160.002–6
Revised ... 4957
160.005–6
Revised ... 4957
160.009–1
Revised ... 562
160.009–3
(c) and (e) amended ... 562
160.012–5
(a) revised ... 15297
160.012–6
(b) added ... 15297
160.012–7
(b) revised ... 15297
160.050–1
Revised ... 562
160.050–3
(e) amended ... 562
160.051–8
(a) revised ... 562
(a) amended ... 15297
160.051–9
(b) amended ... 562
(b) amended ... 15297
160.052–7
(d) amended ... 562
160.052–8
(b) revised ... 562
160.055–8
Revised ... 4957
160.060–8
(b) revised ... 562
162.039–3
(c)(6) amended ... 563
164.015–1
Heading amended ... 563
164.015–4
(a), (c)(1), (f)(3), (g)(1) and (h)(1) amended ... 563
167.15–30
Added ... 15298
167.15–50
Revised ... 15298
167.65–45
Revised ... 15298
171.10–1
(a)(1) and (b) amended ... 5837
171.10–25
(a) amended ... 12407
171.15–1
Revised ... 12407
171.15–20
(b) and (c) amended ... 12408
173.01–1
(a) revised ... 8540
173.01–5
(b) revised ... 8540
176.25–25
(a)(2) amended ... 15298
181.01–5
Revised ... 15298
181.30–1
(a) amended; (c) revised ... 15298
182.15–25
(a) amended ... 15299
182.20–25
(a) amended ... 15299
185.30–1
(a) revised ... 15300
187.05–5
(a) amended ... 15300
187.10–10
Amended ... 15300
187.15–1
(b) amended ... 15300
187.15–5
(a)(1) amended ... 15300

Chapter II

201
Subpart U added ... 3397
201.5
Revised ... 9867
201.186
Subpart U added ... 3397
202
Revised ... 8065
206
Subpart C added ... 3397
206.20
Subpart C added ... 3397
221.6
Revised ... 10642
221.11
Introductory text, (a) and introductory text of (b) revised; (g) added ... 4410
221.21–221.30
Center heading and sections added ... 4408
222.2
Revised ... 11607
251.31
Added ... 3397
262.34
Added ... 8494
287.4
(c) added ... 3397
298.4
(f) revised ... 4410
308.6
Amended ... 1201
Amended ... 5432
Amended ... 7970
Amended ... 10468
Amended ... 12523
308.101
Amended ... 1201
308.106
Amended ... 1201
Amended ... 5432
Amended ... 7970
Amended ... 10468
Amended ... 12523
308.201
Amended ... 1201
308.206
Amended ... 1201
Amended ... 5432
Amended ... 7970
Amended ... 10468
Amended ... 12523
308.301
Amended ... 1201
308.305
Amended ... 1201
Amended ... 5432
Amended ... 7970
Amended ... 10468
Amended ... 12523
309
Revised ... 1240
Corrected ... 7691
309.1—309.101
Revised ... 11455
309.102
Added ... 6891
Corrected ... 7627
310.58
(c) amended ... 16203

Chapter III

401.110
(a)(4) deleted; new (a)(4) added ... 9064
401.200
Revised ... 9064
401.210
(b) deleted; (c) redesignated as (b) ... 9065
401.211
(a)(1) and (3)(v) revised; (a)(3)(vi), (b), (c), and (d) added ... 9065
401.220
(b) through (e) revised ... 9065
401.230
(d) revised ... 9065
401.240
(a) revised ... 9065
401.250
(f) added ... 9065
401.260
Added ... 9065
401.320
(b) and (d)(1) revised ... 9066
401.340
Text designated as (a); (b) and (c) added ... 9066
401.400
Revised ... 9066
401.410
Revised ... 9066
401.420
Revised ... 9067
401.615
Revised ... 9067

46 CFR—Continued

Chapter III—Continued

402.200
Revoked ... 9067
402.211
Revoked ... 9067
402.220
(c) revoked ... 9067
402.240
Revoked ... 9067
402.250
Revoked ... 9067
402.260
Revoked ... 9067
402.340
Revoked ... 9067

Chapter IV

500
Added ... 7180
510.22
(a) revised ... 11652
(a) amended ... 13652
Effective date of amendment of (a) postponed ... 14879
510.23
(a) amended; (f) revised; (j) amended ... 13652
Effective date of revision of (f) postponed ... 14879
510.24
(a) and (f) revised ... 13652
Effective date of revision of (a) and (f) postponed ... 14879
527.3
Amended ... 7392
527.6
Amended ... 7392
531.0
(n) added ... 16314
531.7
(e) added ... 16314
533
Compliance date postponed ... 2429
533.5
Amended ... 5816
537
Added ... 1203
Revised ... 11310
537.10
(a) amended ... 6547
(a) amended ... 8915
538
Added ... 12524

Proposed Rules:

2 ... 12860
10 ... 2602, 2972, 3122, 11665, 13916
11 ... 11665, 13916
12 ... 11665, 13916
24 ... 12860
25 ... 2602
30 ... 2602, 12860
32 ... 2602
33 ... 2602
35 ... 2602
38 ... 2602
40 ... 2602
70 ... 2602, 12860
72 ... 2602
73 ... 2602
75 ... 2602
76–78 ... 2602
90 ... 2602, 12860
92 ... 2602
94 ... 2602
95–98 ... 2602
110 ... 2602, 12860
111 ... 2602
113 ... 2602
146 ... 2602
157 ... 2602
160 ... 2602

46 CFR—Continued

Proposed Rules—Continued

167 ... 2602
179 ... 2602
175 ... 12860
176 ... 2602
181 ... 2602
187 ... 2602
188–196 ... 12860
251 ... 6427
262 ... 6427
290 ... 7131
308 ... 7704
401 ... 5450
502 ... 356
510 ... 764, 6792, 7248, 8958
512 ... 5575, 6838
513 ... 5575, 6838
525 ... 13805
531 ... 8834, 11616
540 ... 15703, 16497, 16628

47 CFR

Chapter I

0.5
(m) added ... 16714
0.85
Center heading and section added ... 16714
0.91
Revised ... 16315
0.92—0.99
Deleted ... 16315
0.92
Added ... 16315
0.93
Added ... 16315
0.131
Revised ... 6832
0.132
Revised ... 6832
0.133—0.139
Deleted ... 6832
0.211
(d) revised ... 11756
0.243
(d) added ... 3074
(e) added ... 4456
0.251
(c) added ... 3074
(d) added ... 4456
(a) deleted ... 11756
(b) revised ... 13474
0.281
(aa) added ... 3074
(bb) added ... 4456
(d)(16) added ... 4457
(d)(17) added ... 6627
(d)(8) revised ... 13474
(cc) added ... 16567
0.289
Center heading and section added ... 16715
0.291
(i) added ... 3074
(j) added ... 4456
0.303
(c) revised ... 13474
0.311
(a)(14) added ... 3074
(a)(15) added ... 4457
0.331
(b)(18) added ... 10125
(b)(4) revised ... 13474
(b)(16) revised ... 16316
0.332
(l) added ... 3074
(m) added ... 4457
0.371
(a)(3) added ... 3074
0.441
Revised ... 6112

47 CFR—Continued

Chapter I—Continued

0.445
(c) amended ... 16567
1
Forms amended ... 746
Forms amended ... 13230
1.106
(k)(3) revised ... 3074
1.522
(a) revised ... 14394
1.526
(d) revised ... 14000
1.550
(c)(1) revised ... 9798
1.744
(a) revised ... 14394
1.773
Revised ... 5868
1.785
(a) revised ... 747
1.912
(d) revised ... 6113
1.918
(b) revised ... 14394
1.922
Amended; incorrectly designated as 1.992 ... 6113
1.924
(b)(2)(iv) deleted; (b)(2)(vi) revised ... 2600
1.926
(b)(2) added; (b)(9) revised ... 6113
1.951
Revised ... 5332
1.991
Revised ... 2550
1.1115
(a) revised ... 6114
2
Subpart H added ... 3400
2.1
Amended ... 14395
2.106
Amended ... 6416–6417 (3 docs.), 7237, 13233, 16316
2.601
Revised ... 292
Revised ... 9603
2.603
(a) revised ... 292
Revised ... 9603
2.701
Subpart H added ... 3400
13
Appendix added ... 15
13.2
(a)(1)(iii) added ... 12480
(a)(1)(iii) revised ... 14591
13.3
Revised ... 12480
13.4
(a) revised; (d) added ... 12480
13.5
(d) added ... 12481
13.11
(a) revised ... 15
13.22
(d) through (g) redesignated as (e) through (h), respectively; new (d) added ... 12481
13.25
Revised ... 12481
13.61
(c) added ... 12481
13.94
Introductory text revised ... 12481
15.11
Added ... 3400

47 CFR—Continued

Chapter I—Continued

15.75
(b)(4) added 7469
(b)(4) revised 13391
15.211
Effective date of (a)(6) further stayed 4301
15.220
Added 3400
18.83
Added 7822
19
Added 2721
19.735–202
(b)(3) corrected 4834
19.735–403
(c) revised 11393
21
Order 6114
21.15
(c) (2) and (3) revised 14591
21.23
(a) revised 14395
21.27
(c) revised 4457
21.29
(h) revised 2601
21.101
Revised 10360
21.121
Revised 14837
21.501
(e) revised 10361
21.701
(a), (b), and (g) revised 10361
21.703
(g) revised 10361
21.710
(a) and (b) revised; (i) added 4568
21.712
(b), (c), (d)(3), (e), (g), (h), and introductory text of (i) revised; (i)(4) added; (j) revised; (k) added 4569
21.801
(a) and (b) revised; (c) deleted; (d) revised; (e) deleted; (f) revised; (g) deleted 10361
21.804
(d) revised 10362
25
Policy statement 15737
25.103
(d), (e), and (f) revised 3289
25.156
(e) revised 9216
31
Appendix B amended 6419
31.01–2
(d) and (e) revised 6418
31.1–13
(a) revised 6418
31.1–16A
Revoked 6418
31.100:4
(b) revised; (c)(3) amended 6418
31.150
(a) revised 6418
31.2–21
(b)(3) and (e) revised 6418
31.2–26
(a) and (d) amended 6418
31.231
(b) revised 6418
31.672
(d) revised 6418
31.8
Introductory text revised 6419
33.1
(b) revised 6419
33.21
(f) revoked 6419
33.32
(b) amended 6419
33.81
Introductory text revised 6419
43.21
(a) revised 747
51
Heading revised 747
51.1
Revised 747
73.21
(c)(1) amended 8068
73.23
(c) and (e) revised 8068
73.41
Revised 8068
73.52
(b) amended 8068
73.111
(a), (c) and (d) revised 750
73.112
(d) added 750
73.113
Introductory text of (a) revised; (a)(6), (c) and (d) added 750
73.114
Revised 750
73.121
(a) revised 10887
73.182
(a)(4) amended; (f) revised; (v) amended 8068
73.189
(b)(2)(i) revised 8069
73.202
(b) amended 350 (2 docs.), 3077, 3293, 4685, 4836, 6050, 6051, 6055 (2 docs.), 6628, 7241, 7472, 8069, 8072, 8627.
(a) revised 10125
(b) amended 10364, 10366, 11431, 13237, 13653, 13756, 13798, 14399, 16317.
73.205
Introductory text and (a) revised 10125
73.207
Introductory text of (a) revised 10126
73.210
(c) deleted 10126
73.211
(b)(3) and (d) revised 10126
73.242
(a) revised 10126
73.253
(a) revised 7907
73.281
(a), (c) and (d) revised 751
73.282
(d) added 751
73.283
Introductory text of (a) revised; (a)(5), (c) and (d) added 751
(a)(6) added 7907
73.284
Revised 751
73.295
(f)(5) and (i) added 7907
Effective date of (i) postponed 9217
73.297
Revised 7907
Effective date of (b) postponed 9217
73.311
(b) revised 10126
73.312
(c) revised 10126
73.319
(c) amended 7907
73.332
Introductory text of (b) revised; (d) through (g) added 7907
73.553
(a) revised 7908
73.581
(a), (c) and (d) revised 752
73.582
(c) added 752
73.583
Introductory text of (a) revised; (a)(5), (c) and (d) added 752
(a)(6) added 7909
73.584
Revised 752
73.595
Revised 3344
(f)(5) and (i) added 7909
Effective date of (i) postponed 9217
73.596
Revised 7909
Effective date of (b) postponed 9217
73.606
(b) revised 2943
(b) corrected 4390
(b) amended 6052, 6419, 6420, 6629, 6869, 8071, 8073, 8074, 8625, 10365, 10367, 11432 (3 docs.), 11977, 12638, 13474, 14400 (2 docs.), 14592, 14838, 15312, 16318.
73.669
(a), (c) and (d) revised 752
73.670
(c) added 753
Revised 13238
73.671
Introductory text of (a) revised; (a)(5), (c) and (d) added 753
73.672
Revised 753
74
Subpart K added 4570
Order 6114
74.1
(c)(4) deleted; (d) and (e) added 4569
74.601
(d) added 15314
74.602
(h) and (i) added 15314
74.631
(d) and (e) revised 11721
(g) added 15314
74.632
(e) added 15314
74.635
(a) revised 15314
74.637
(a) revised 15314
74.661
(c) added 15314
74.682
(f) added 15314, 16151
Revised 15488
74.701
(a) revised 15315
74.731
(b) revised 15315
74.750
(c)(7) revised 5764
74.751
(b)(1) revised 6315
74.761
Revised 16315
74.783
(a) revised 5764
74.902
(c) revised 10743
74.1001
(e)(1) and (2) revised; (e)(9) added 4569
74.1031
(c) revised 4570
74.1033
(a), (b)(3), (c), (e) and (f) revised; (g)(4) and (h) added 4570
74.1101–74.1109
Subpart K added 4570
74.1107
(d) revised 6314
74.1109
(h) added 6315
81.118
Added 6421
81.304
(a)(1) amended 9350
81.306
(b) amended 351
(c) amended 9350
83.24
(a) revised 6113
83.33
Revised 6421
(a) revised; (d) and (e) added 10127
83.35
(a) revised 10127
83.36
(a) revised 6114
83.106
(f) added 9275
83.114
Revised 13654
83.134
Introductory text of (d) revised 9350
(a) revised; (g) deleted 10127
83.351
(a)(1) amended 9350
83.354
(a)(1) amended 351
(a)(2) amended 9350
83.405
(e) deleted; introductory text of (f) revised 9505
85.22
(c) and (d) revised 6113
(a) revised 10127
85.153
(a) revised 10127
87.23
Revised 6113
87.29
(b) revised 5691
(d) added 8627
87.31
(b) revised 5691
87.33
Revised 6114
87.67
(b)(1) amended 16782
87.95
(d) added 5691
87.131
Added 6421
87.183
(f) revised 15315
87.195
(d) added 6417
87.253
Revised 8628
87.271
Revised 8629
87.331
(d) added 8629
87.341
Revised 8629
87.401
(b) and (d) revised 15316
87.403
Revised 15316
87.405
Revised 15316
87.441
Revised 8629
87.467
Added 9803
87.507
Added 6416
87.513
(a) through (f) revised 16783
89.13
Heading and introductory text revised 9804
89.14
Added 9804
89.15
(a), (b), and (c) revised 15742
89.75
(d) added 6421
89.103
(a) revised 15578
89.107
(b)(2) revised 15579
89.109
(h) revised; (i) added 15579
89.111
(a) amended 15742
91
Order 6114
Subpart M recodified and revised 13233
91.6
Heading and (a) revised 9804
(d) added 14401
91.8
(e) revised 2550
(a) revised 15742
91.9
Added 9805
91.64
(d) added 6421
91.102
(a) amended 13233
Revised 15579
(a) amended 16151
91.104
(b) revised 15579
91.105
(f) and (g) revised; (h) added 15579
91.106
(a) amended 15743
91.109
(b) revised 13233
91.152
(f) and (g) added 13233
91.306
Added 11311
91.351
Revised 11433
91.557
(a) and (b) revised; (i) added 4573
91.559
(a), (b)(3), (c), (e) and (f) revised; (g)(4) and (h) added 4573
91.561
Revised 4573
91.601—91.606
Subpart M recodified from 91.601—91.611 and revised 13233
91.601—91.611
Subpart M recodified as 91.601—91.606 and revised 13233
91.730
(a) amended; (b)(13) added 7237
93.3
Heading revised; (d) deleted; (f) revised 9805
93.4
Redesignated as 93.5 9805
93.4
Added 9805
93.5
Redesignated as 93.6 9805
93.5
Redesignated from 93.4 9805
93.6
Redesignated as 93.7 9805
93.6
Redesignated from 93.5 9805
93.7
Redesignated from 93.6 9805
93.9
(a) revised 15743
93.64
(d) added 6422
93.102
Revised 15579
93.104
(b) revised 15580
93.105
(f) and (g) revised; (h) added 15580
93.106
(a) amended 15743
93.357
(c) revised 15744
95.3
(b) amended 7237
95.5
(d) added 7237
95.15
(b) revised 2600
95.19
(a)(4) and (b)(6) deleted; (c) added 2600
95.35
(b) revised 6422
(c) revised 7237
95.37
(d) added 7237
95.41
(e) revised 4210
(c) revised 7237
95.43
Amended 7237
95.45
Amended 7238
Revised 15580
95.49
(c) revised 15580
95.51
(b) revised; (c), (d), and (e) added 15580
95.55
Revised 7238
95.57
(a) revised 7238

47 CFR—Continued

Chapter I—Continued

95.69
(b) revised; (c) added ... 7238
95.83
(a)(5) revised ... 2551
95.95
(c) revised ... 959
(d) revised ... 15745
95.989
Added ... 15581
97
Appendix 1 amended ... 16567
97.9
(a), (c), (d), (e), and (f) revised ... 15543
97.13
(d) revised; (f) added ... 6422
97.47
(a) revised; (c) added ... 6422
97.161
(a) revised ... 9807
97.163
(a) revised ... 9807
97.189
(c) revised ... 9807
97.191
(a) revised ... 9807
99.11
(f) added ... 6422
99.29
Revised ... 13234
Proposed Rules:
1 ... 2904, 3403, 5264, 6063, 7837, 9424, 10133
2 ... 353, 755, 6909, 7086, 7704, 8880, 9550, 10133, 12409, 15491.
17 ... 3302, 4972, 8376
18 ... 6319, 10135, 14007, 15158
21 ... 353, 6063, 7704, 7837, 8880, 10135, 14318, 14598, 15600, 16717.
23 ... 6063, 7837
25 ... 5135
31 ... 354, 3403, 13244
33 ... 354, 3403, 13244
34 ... 354, 3403
35 ... 354, 3403
73 ... 354, 555, 575, 756, 757, 2438, 2554, 2555, 2970, 3080, 3348, 4303, 4738, 4807, 4845, 5078, 5136, 5146, 5147, 5710, 6063–6065, 6429, 6637, 6638, 6792, 6838, 6874, 7086, 7246, 7576, 7837, 7838, 8079–8081, 8132, 8637–8639, 8882, 9088, 9239, 9551, 9552, 9746, 9808, 10135, 10583, 11036, 11492, 11493, 11761, 11898, 12603, 12649, 12650, 12965, 13245, 13246, 13481, 13803, 14007, 14413–14415, 14842–14844, 14883, 15097, 16320, 16369.
74 ... 758, 2904, 3305, 4847, 6063, 7837, 9026, 10133, 12409, 15491.
81 ... 759, 6063, 7837
83 ... 759, 9607
85 ... 759
87 ... 18, 353, 755, 763, 6063, 6909, 7086, 7704, 7837, 8880, 9746, 16577.
89 ... 18, 353, 763, 6063, 7837, 8640, 8880, 10136
91 ... 18, 353, 763, 6063, 7837, 8640, 8880, 10136, 11726.
93 ... 18, 353, 763, 6063, 7837, 8640, 8880, 10137
95 ... 6063, 7837, 9240, 9511
97 ... 575, 3407, 6063, 7837, 9240

48 CFR

Chapter I

16
Added ... 7032
17
Added ... 7033

48 CFR—Continued

Chapter I—Continued

18
Added ... 7034
19
Added ... 7034
Chapter II
203
Added ... 5009
Superseded by 3 CFR Part 100 ... 8561
Chapter IV
410.4
Revised ... 11891
410.5
Revised ... 11891
410.6
Revised ... 11891
410.7
Heading revised ... 11891
410.10
Revised ... 11891
410.11
Revised ... 11891
410.12
Revised ... 11891
410.13
Heading revised ... 11891
410.14
Revised ... 11891
410.15
Revised ... 11891
410.16
Revised ... 11891
410.17
(a) revised ... 11891
410.18
(a) revised ... 11891
410.19
(c) revised ... 11891
411.5
(e) revised ... 5355
(f) revised ... 5355, 8915
411.15
(b) revised ... 5355
411.16
(b) revised; (c) deleted ... 5356
411.23
(a) and (b) revised ... 5356
411.24
(a)(3) revised ... 5356
412
Added ... 826
Chapter V
Added ... 827
501
Added ... 827

49 CFR

Chapter I

0
Text designated as Subpart A; Subpart B added ... 2718
Subpart B, Appendix I amended ... 3344
0.1, 0.5
Designated as Subpart A ... 2718
0.735–11—0.735–30
Subpart B added ... 2718
Subpart B, Appendix I amended ... 3344
1
Republished ... 9908
1.16
(a) amended ... 16318
1.70
Text designated as (a); (b) added ... 4599
1.72
(d) amended ... 16318
1.101
(a)(5) amended ... 16318

49 CFR—Continued

Chapter I—Continued

1.225
(d) revised ... 9676
1.241
Deleted ... 6056
1.247
Revised ... 6056
5
Heading revised ... 8574
6.1
Heading revised ... 8574
5.2
Added ... 8574
7.78
Revised ... 6058
7.101
Added ... 13446
31.4
Revoked ... 14945
31.5
Revoked ... 14945
31.6
Revoked ... 14945
57.3
(b) amended ... 16318
57.4
(d) and (e) redesignated as (e) and (f) respectively; new (d) added ... 16318
57.5
(e) added ... 16318
71.4
Heading and (a) revised ... 9068
71.5
Revised ... 9068
72.5
(a) amended ... 6423
(a) amended ... 6492
(a) corrected ... 6591
(a) amended ... 9068
73.22
Introductory text of (a) revised; (l) added ... 9068
Effective date of revision of introductory text of (a) stayed ... 11756
73.31
(a)(4) and (d)(2) and (7) revised; (d)(8) amended; (d)(9) added ... 9068
73.34
Introductory text of (e)(10) revised ... 9069
73.51
(q) revised ... 9069
73.53
(p) and (t) revised ... 6423
(q) revised ... 9069
73.54
(a) revised ... 9069
73.56
(e)(1) added ... 9069
73.58
Revised ... 9069
73.66
(g)(1) revised ... 9069
73.79
Revised ... 6423
73.88
(c) and (e) revised; (h) and (i) added ... 6424
73.90
Revised ... 6424
73.91
(a)(6) added ... 9070
73.92
Revised ... 6424
73.95
Added ... 6424

49 CFR—Continued

Chapter I—Continued

73.100
Introductory text of (b) revised; (b)(2) revised; (b)(4) added ... 9070
73.119
(b)(9) revised ... 9070
73.126
(a) revised ... 9070
73.139
(a)(5) added ... 9070
73.154
(a)(14) added ... 9070
73.157
(a)(2) canceled ... 9070
73.164
(a)(6) added ... 9070
73.182
(b)(6) revised ... 9070
73.239a
(a)(2) revised ... 9070
73.245
(a)(24) revised; (a)(26) added ... 9070
73.248
(a)(4) and (5) revised ... 9070
73.256
(a)(5) revised ... 9070
73.263
Heading and (a)(22) revised; (a)(28) added ... 9071
73.265
(d)(5) revised ... 9071
73.266
(a)(2) and (b)(3) revised; (b)(7) added ... 9071
Corrected ... 9676
73.272
(f)(6) revised; (f)(6) added ... 9071
73.277
(a)(6) added ... 9071
73.301
(d)(5) added; (h) amended ... 9071
73.304
(a)(2) amended; (d)(3)(i) revised ... 9071
73.306
(a) and (b) revised ... 9071
73.314
(c) amended ... 9072
73.315
(b)(1) added; (k) revised ... 9072
Effective date of (b)(1) stayed ... 11756
73.334
Introductory text of (a), and (a)(1), revised ... 9072
73.369
(a)(13) and (14) revised ... 9072
73.370
(a)(12) revised ... 9073
73.391
Introductory text of (a) revised; (a)(4) added; (b) and (c) deleted; new (b) and (c) added ... 6493
73.392
(a)(2) and (c) revised ... 6493
73.393
Introductory text of (f) revised; (f)(6) added; (g) through (k) revised; (l) through (n) added ... 6493
73.394
(a) and (b) revised; (d) added ... 6494
73.400
(f) revised ... 6425
73.402
(a)(8), (9), and (10) revised ... 6494

49 CFR—Continued

Chapter I—Continued

73.414
(a), introductory text of (c), and (c)(1) amended; (c)(1) and (d) redesignated as (d) and (e), respectively ... 6495
74.526
(b) and introductory text of (c) revised ... 6425
74.527
(a) revised ... 9073
74.532
(j)(2) amended ... 6495
74.538
(a) amended ... 6425
(a) amended ... 9073
74.541
(b) revised ... 6495
74.544
(a)(6) revised ... 6495
74.586
(h)(2) and (4) amended ... 6495
75.655
(j)(2) and (7) amended ... 6495
77
Effective date of Subpart F postponed ... 537
77.823
Revised ... 2950
Effective date of revision postponed ... 10531
Revised ... 11550
77.841
(d)(1) and (5) amended ... 6495
77.848
(a) amended ... 6425
(a) amended ... 9073
77.875, 77.876
Effective date of Subpart F postponed ... 537
78
Subpart G heading revised ... 9082
78.19—78.19–7
Added ... 9073
78.33
Heading revised ... 9074
78.33–2
(b) revised ... 9074
78.33–6
(b)(2) and (c) revised ... 9074
78.33–7
(a) revised ... 9074
78.33–8
(a) and (b) revised; (c) canceled ... 9074
78.33–9
(a) revised ... 9074
78.33a—78.33a–9
Added ... 9074
78.37–5
(a) amended ... 9075
Corrected ... 9676
78.44–5
(a) amended ... 9075
78.47–5
(a) amended ... 9075
78.48–5
(a) revised ... 9075
78.49–5
(a) revised ... 9076
78.51–20
(a) amended ... 9076
78.52–5
(a) revised ... 9076
78.53–5
(a) amended ... 9076
Corrected ... 9676
78.55–5
(a) revised ... 9076

49 CFR—Continued

Chapter I—Continued

78.56–20
(a) amended ... 9076
Corrected ... 9677
78.57–21
(a) amended ... 9077
78.58–5
(a) amended ... 9077
78.60–4
(a) amended ... 9077
78.61—78.61–21
Added ... 9077
78.61–5
Corrected ... 9677
78.61–20
Corrected ... 9677
78.63–5
(a) revised ... 9081
78.66–5
(a) revised ... 9081
78.67–5
(a) revised ... 9081
78.68–13
(a) and (b) revised; (d) redesignated as (e) and revised; new (d) added ... 9081
78.68–16
(a) revised ... 9081
78.103—78.103–6
Added ... 6495
78.209–11
(b) revised ... 9081
78.224–1
(a)(2) canceled ... 9081
78.224–2
(d) canceled ... 9081
78.224–4
(a)(1) revised; (a)(2) canceled; (a)(3) and (4) redesignated as (a)(2) and (3), respectively, and revised ... 9081
78.225—78.225–5
Added ... 9081
78.230—78.240
Subpart G heading revised ... 9082
78.238–2
(c) revised ... 9082
78.238–3
(b) revised ... 9082
78.241—78.241–5
Added ... 9082
78.247–7
(a)(2) revised ... 9083
78.255–1
(a) revised ... 9083
78.255–2
(a) revised ... 9083
79.300–6
(a) revised ... 9083
91.201
(b) amended ... 11179
91.206
(c) added ... 11180
91.208
Revised ... 11180
91.212
(c) and (d) revised ... 11180
91.247
(b) revised ... 11180
91.264—91.267
Center heading and sections added ... 11180
91.330
Deleted ... 11180
91.331
Deleted ... 11180
91.334
Deleted ... 11180

49 CFR—Continued

Chapter I—Continued

	Page
95.935	
(f) revised	16271
95.948	
(d) revised	8872
(d) revised	16151
95.949	
(d) revised	8872
(d) revised	16152
95.950	
(d) revised	16152
95.953	
Vacated	5014
95.958	
(e) revised	8955
(e) revised	16271
95.962	
(e) revised	125
95.964	
(e) revised	9084
95.966	
(e) revised	4894
(e) revised	16152
95.970	
(e) revised	9085
95.972	
Added	710
Vacated	3077
95.973	
Added	1303
Vacated	5432
95.974	
Added	2693
95.975	
Added	4802
Revised	5317
Revised	6058
Temporarily suspended	7806
(e) revised	16363
95.976	
Added	4685
(g) amended	4840
Revised	4958
Revised	5196
Revised	5965
(h) revised	16363
95.977	
Added	4686
Revised	5318
Revised	5691
Revised	6060
Vacated	6832
95.978	
Added	4686
Effective date postponed	4958
95.979	
Added	4803
Revised	5197
Revised	5966
Revised	6548
(k) revised	14878
95.980	
Added	5197
95.981	
Added	5357
(d) revised	16364
95.982	
Added	5966
95.983	
Added	6060
(e) revised	7469
Vacated	8816
95.984	
Added	6061
(f) revised	16152
95.985	
Added	7468
Revised	8064
Vacated	8816

49 CFR—Continued

Chapter I—Continued

	Page
95.986	
Added	8617
(e) revised	10274
95.987	
Added	10923
(a)(2) corrected	11231
95.988	
Added	15488
97.562	
(d) revised	16272
101.3	
Revised	5319
101.5	
(a), (b), and (c) revised	11551
101.24	
(a) revised	11551
101.101	
Amended	11551
110.87	
Amended	3484
120.9	
Added	9741
120.12	
Revised	4210
136.0	
Revised	2380
136.2	
Revised	2381
136.6	
Revised	2381
136.11	
Revised	2381
136.16	
Added	2381
136.51	
Revised	2381
136.201	
Revised	2381
136.204	
Revised	2381
136.301	
Revised	2381
136.302	
Revised	2381
136.303	
Revised	2381
136.305	
Revised	2381
136.311	
Revised	2381
136.312	
Revised	2382
136.314	
Revised	2382
136.328	
Revised	2382
136.339	
Revised	2382
136.402	
Revised	2382
136.404	
Revised	2382
136.405	
Revised	2382
136.407	
Revised	2382
136.408	
Revised	2382
136.502	
Revised	2382
136.504	
Revised	2382
136.553	
Revised	2382
136.564	
Revised	2382
136.576	
Revised	2382

49 CFR—Continued

Chapter I—Continued

	Page
136.587	
Revised	2382
136.602	
Deleted	2382
136.802a	
Added	2382
136.831a	
Added	2382
142.1	
Revised	6965
Effective date of revision postponed	10976
142.8	
Revised	6965
Effective date of revision postponed	10976
150	
Revoked	11181
151	
Revoked	11181
153	
Revoked	11181
155.0	
(f) through (m) revoked	12601
155.19	
Revoked	11181
155.20	
Revoked	11181
155.22	
Revoked	11181
157	
Revoked	11181
170.7	
Revised	7392
170.8	
Revised	14080
170.10	
Revised	6312
170.21	
Effective date of revision	829
174a.2	
Revised	12434
176.1	
Revised	8916
176.3	
(c) revised	8916
176.7	
Revised	8917
176.8	
Revised	8917
176.9	
(b) and (c) revoked; (d) redesignated as (b)	8917
Effective date of amendment postponed	10193
176.10	
(a) and (c) revised; (d) redesignated as (f); new (d), (e), and (g) added	8917
Effective date of amendment postponed	10193
(f) revised	14879
176.12	
Revised	8917
Effective date of revision postponed	10193
176.14	
Added	8919
Effective date postponed	10193
177a	
Added	16402
177b	
Added	16567
180.3	
Revised	8873
180.4	
Added	8873

49 CFR—Continued

Chapter I—Continued

	Page
187.90	
Revised	12719
187.201	
Revised	8920
(a) corrected	10469
188.1	
Revised	6965
Effective date of revision postponed	10076
190.33	
Amended	16319
Effective date of amendment postponed	16495
191.2	
Introductory text of (e) and (e)(4) and (5) revised; (e) (8) and (9) added	6374
193.12	
(a) revised	10469
193.13	
(a) revised	10469
193.26	
(e)(4) revised	12720
193.95	
Introductory text of (l) and (l)(1) and (2) revised	8921
203.1	
Revised	11182
203.8	
Amended	4302
Amended	11182
203.10	
Added	11182
203.20	
(a) amended; (b) revised	11182
203.21	
Amended	11182
205.1	
Revised	3497
205.1a	
Revised	3345
205.3	
Revised	4349
205.3a	
Revised	3077
205.4	
Revised	4349
205.5	
Added	9741
Proposed Rules:	
Ch. I	11320, 12795, 13392, 14599
31	8244
71–79	3408, 12795
72	3017
73	3017
74	3017
77	3017
95–97	3081, 10853, 13393
95	12731
97	12731
120	912
170	1010, 4849, 7841, 8882, 9308, 10138, 10643, 14417.
176	4460
178	2662, 2663, 7287, 7288, 8696, 10198
191	3081
193	7911, 10326
205	912

50 CFR

	Page
Republished	16002
Chapter I	
Republished	16002
10.41	
Revised	10194
10.46	
Revised	10195
(a) corrected	10887
10.52	
Revised	8817
(c) added	11659

50 CFR—Continued

Chapter I—Continued

	Page
10.53	
Revised	10197
(b) revised; (c) through (g) added	11659
(c) corrected	11892
(f) corrected	11892
(e) and (f) corrected	12439
(c) amended	12527
10.54	
Revised	11662
16.1—16.14	
Recodified as 16.1—16.16; revised	11231
16.1—16.16	
Recodified from 16.1—16.14; revised	11231
26.11	
Revised	11147
28.28	
Amended	1078, 2383 (2 docs.), 2717, 4411, 4958–4959 (3 docs.), 5014, 5128–5129 (3 docs.), 5248 (2 docs.), 5492, 5764, 14879, 15645, 16415 (4 docs.).
32.11	
Amended	5967, 8817, 11147, 11182, 11721, 12923, 13048, 13851.
32.12	
Amended	10641 (2 docs.), 10688 (2 docs.), 11312, 11463, 11610–11611 (3 docs.), 11662, 11756–11757 (4 docs.), 11892–11895 (8 docs.), 11937 (3 docs.), 12021, 12056 (2 docs.), 12099 (4 docs.), 12408, 12439–12440 (3 docs.), 12481, 12527–12529 (6 docs.), 12679, 12720–12725 (10 docs.), 12781, 13003, 13048–13049 (3 docs.), 13089, 13130, 13241, 13342, 13851, 14455
32.21	
Amended	4804, 5967, 8818, 9994, 11147, 11721, 12923, 13851.
32.22	
Amended	88, 351, 433, 1078, 1303, 4894, 7569, 8693, 9505, 9867, 10576, 10689–10690 (3 docs.), 10797, 10798, 10924 (2 docs.), 10961, 11234, 11463 (2 docs.), 11551 (2 docs.), 11611–11612 (5 docs.), 11663, 11721–11722 (3 docs.), 11893, 11894, 12057 (3 docs.), 12100 (2 docs.), 12439–12440 (5 docs.), 12482, 12528–12530 (5 docs.), 12564 (3 docs.), 12600, 12721, 12724–12725 (3 docs.), 12923, 13003–13004 (3 docs.), 13048–13049 (3 docs.), 13240, 13549, 13757, 13851, 14775.
32.31	
Amended	5967, 11148, 12530, 12923, 13475
32.32	
Amended	7909, 8065, 9994, 9867, 10274, 10689–10690 (3 docs.), 10799 (2 docs.), 10924 (2 docs.), 10961 (2 docs.), 11235 (2 docs.), 11312 (3 docs.), 11393, 11433, 11463 (2 docs.), 11551–11552 (3 docs.), 11612, 11613, 11663, 11757, 11893–11895 (4 docs.), 12057–12059 (4 docs.), 12100, 12439–12441 (3 docs.), 12482 (2 docs.), 12529–12532 (9

50 CFR—Continued

Chapter I—Continued

	Page
32.32—Continued	
Amended—Continued	
docs.), 12638, 12724, 12725, 12939, 13003 (2 docs.), 13240, 13447, 13550, 14080, 14401, 14506, 14592, 14776, 14838.	
33.4	
Amended	5904, 5967, 6263, 11148, 13475
33.5	
Amended	433, 941, 1008 (2 docs.), 1078, 1150 (3 docs.), 2383, 2551, 2583, 3014, 3117, 3118, 3345–3346 (5 docs.), 3400 (2 docs.), 4107 (2 docs.), 4210, 4349 (2 docs.), 4519, 4894, 5014, 5432, 5492–5494 (11 docs.), 5568, 5662, 5764–5765 (3 docs.), 6114–6115 (6 docs.), 6315, 6425, 6426, 6629, 6832, 6870, 6893, 6964 (3 docs.), 7225–7226 (3 docs.), 7285 (2 docs.), 7569, 7570, 7627 (2 docs.), 7756, 7910, 7070, 9867, 9994, 10743, 10962, 12059, 12532, 12939, 13391, 13447, 13550 (2 docs.), 14000, 14456, 14648 (2 docs.), 14776 (2 docs.), 14879–14880 (3 docs.), 15018–15019 (3 docs.), 15133, 15197, 15241 (2 docs.), 15489, 15581, 15645, 15809, 16153 (3 docs.), 16271, 16319, 16415, 16560.
34	
Added	11107
60.11	
Amended	6833
80	
Revised	16153
Chapter II	
Republished	16037
250.10	
Amended	5073
Amended	12681
256.10	
(d) added	9108
262	
Applicability	2783
262.21	
(s) amended	5357
262.25	
Table 1 revised	5357
271	
Added	9543
280	
Added	11939
281	
Added	11942
Chapter III	
Republished	16100
301	
Revised	14256
Chapter IV	
Republished	16107
Added	11944
401	
Added	11944
Proposed Rules:	
10	7479
16	7700
26	8819
32	2784, 7061, 7703, 8094, 10926, 11184, 11947, 11987, 12533.
33	3402, 3466, 8094, 11987
34	7286
80	12442
250	3466
271	7244
280	7516
281	7516
401	8100

PARALLEL TABLE OF STATUTORY AUTHORITIES AND RULES

(Additions to 2 CFR; 1966)

This table lists the sections of the U.S. Code which were added to 2 CFR as a result of new citations of authority carried in the *Federal Register* during 1966. Recent legislation not yet assigned within the U.S. Code is carried by public law number at the end of the list.

In order to determine the *Federal Register* page numbers of the parallel CFR citations, users should consult the List of CFR Sections Affected, above.

5 U.S.C.:	CFR
140	13 Part 159
151c	41 Parts 6–30, 6–75
303	7 Parts 719, 722
552	32 Parts 735, 743
611	48 Part 410
624d	24 Parts 4, 11; 44 Part 710
652c	5 Parts 531, 550
1012	19 Part 8
1013–1014	16 Parts 3, 4
1117	5 Part 550
1302	5 Part 351
2352	32 Part 259
3301, 3302	5 Part 213
3502	5 Part 351
3571	32 Part 156
5102	5 Parts 511, 534; 32 Part 731
5351–5356	32 Part 731
5351, 5352	5 Part 534
5541	5 Part 534
5545	5 Part 550
5548	5 Part 550
5561–5568	32 Part 718
5594	32 Part 156
6101	5 Part 610
7312	32 Part 156
7532	32 Part 156
8136–8138	20 Part 25
8144	22 Part 731
8145	20 Part 25
8149	20 Part 25
8331, 8332	32 Part 731
7 U.S.C.:	
78	7 Part 26
150dd–150ff	7 Part 331
218d	9 Part 203
601–674	7 Parts 972, 991
608c note	7 Part 792
1113	7 Part 812
1114	7 Part 811
1116	7 Part 817
1117	7 Part 815
1131	7 Part 893
1132	7 Parts 878, 893
1153	7 Part 893
1301	7 Parts 711, 725
1305	7 Part 719
1305–1306	7 Parts 728, 775
1313–1314	7 Part 725
1314b–1314c	7 Part 725
1314c	7 Part 717
1334b	7 Part 728
1339	7 Part 791
1339a–1339c	7 Part 728
1339a	7 Parts 722, 775
1339c	7 Part 775
1344a	7 Part 717
1344b	7 Parts 717, 722
1363	7 Part 725
1371	7 Part 730
1372–1375	7 Part 725
1375	7 Part 719
1377–1378	7 Part 725
1379	7 Parts 719, 722, 728, 791
1379a–1379j	7 Part 728
1421	7 Part 725
1441 note	7 Part 791
1444	7 Parts 722, 791

7 U.S.C.—Continued	CFR
1506	7 Part 410
1516	7 Part 410
1622	50 Part 271
1624	7 Part 50; 50 Part 271
1694	22 Part 211
1701–1709	7 Part 17
1706	22 Part 211
1721–1723	22 Part 211
1731–1735	7 Part 17
1812	7 Part 719
1813	7 Part 725
1824	7 Part 725
1836	7 Part 725
1838	7 Parts 719, 751, 791
1982	7 Part 1865
1989	7 Part 1865
2114	7 Part 1205
10 U.S.C.:	
125	32 Parts 200, 1250
133	32 Parts 200, 250, 730, 733
137	41 Part 11–1
280	32 Part 730
510	32 Part 713
591	32 Part 713
1004	32 Part 713
1124	32 Part 142
1161	32 Part 730
1162	32 Parts 41, 713
1163–1168	32 Part 730
2031	32 Part 111
2101–2111	32 Part 870
2107	32 Part 711
2202	32 Part 273
2301–2314	32 Part 1018; 41 Parts 11–30, 11–50
2734	32 Part 536
3012	32 Part 579
4801–4804	32 Parts 536, 537
4806	32 Parts 536, 537
5031	32 Parts 735, 757
5067	32 Part 713
6241–6255	32 Part 733
6291–6298	32 Part 713
8012	32 Parts 817, 836, 872, 1018
12 U.S.C.:	
1 et seq	12 Part 15
24	12 Part 222
248	12 Part 222
335	12 Part 222
355	12 Part 201
371c	12 Part 222
611	12 Part 222
618	12 Part 222
640l	12 Parts 606, 607
1425b	12 Parts 526, 569
1437	12 Part 531
1464	12 Parts 556, 581, 582
1701c	44 Parts 707, 708
1701s	24 Part 5
1725–1726	12 Part 571
1749jj	24 Part 1000
1817	12 Part 15
14 U.S.C.:	
633	41 Parts 11–30, 11–50
15 U.S.C.:	
13	16 Part 221
14	16 Part 221

15 U.S.C.—Continued	CFR
41–58	16 Part 410
61–64	16 Part 15
70	16 Part 15
78l	12 Parts 10, 11, 16
78m	12 Part 10
78n	12 Part 11
78p	12 Part 12
79m	17 Part 256a
79o	17 Part 256a
79t	17 Part 256a
633–634	13 Part 113
671	13 Part 113
687	13 Part 113
714b–714c	7 Parts 1479, 1490
717	16 Part 159
717b	16 Part 159
717d	16 Part 154
717f	16 Parts 154, 159, 260
717i–717m	16 Part 260
717o	16 Part 159
717s	16 Part 157
1113	37 Parts 2, 4
1262	21 Part 2
1362	15 Part 700
1392	23 Part 215
1399	23 Part 209
1407	23 Parts 209, 215
16 U.S.C.:	
1	36 Part 2
3	36 Parts 28, 29
9a	36 Parts 2–6
17j–2	36 Parts 3–6
459e–2	36 Part 28
460q—460q–9	43 Part 3320
462	36 Parts 2–6
528–531	36 Part 261
590	7 Part 601
590p	7 Part 725
668aa–668ee	50 Parts 25–33, 60, 70, 71
706	50 Part 10
715s	50 Part 34
742e	50 Part 271
757a–757f	50 Part 401
824a	18 Part 141
824f	18 Part 141
825c	18 Part 141
825f	18 Part 141
951	50 Part 280
955	50 Part 281
1131–1136	36 Part 261; 43 Parts 19, 3320, 3630
18 U.S.C.:	
201–209	32 Part 579
834	49 Part 190
19 U.S.C.:	
1356a	19 Part 12
1802	48 Parts 203, 411
1862	32A, Ch. X, OI Reg. 1
2022	48 Part 501
2031	48 Part 412
20 U.S.C.:	
241–1	45 Part 113
242	45 Part 113
244	45 Part 113
642	45 Part 112
646	45 Part 112
961	45 Parts 141, 142
993	45 Part 178

20 U.S.C.—Continued	CFR
995	45 Part 301
1071–1085	45 Part 177
1084	45 Part 301
1121–1129	45 Part 171
1141–1143	45 Part 171
1143	45 Part 173
21 U.S.C.:	
134a	9 Part 73
134f	9 Part 73
141–143	21 Part 3
321	21 Part 166
341	21 Part 80
343	21 Part 80
345	21 Part 5
346a	21 Part 121
357	21 Parts 148q, 148y
360a	21 Part 3
371	21 Part 80
503	21 Part 305
22 U.S.C.:	
811a	41 Parts 6–30, 6–75
1641i	31 Part 250
1642l	31 Part 250
23 U.S.C.:	
315	23 Part 209
401–404	23 Part 209
26 U.S.C. (1954 I.R.C.):	
1502	26 Part 1
7805	26 Part 144
28 U.S.C.:	
2671–2680	32 Part 536
2672	28 Part 14
29 U.S.C.:	
31–42	45 Parts 401–403
41b	29 Part 10
41d	45 Part 406
42	45 Part 405
441	29 Part 409
30 U.S.C.:	
192c	43 Part 3320
359	43 Part 3320
31 U.S.C.:	
240–243	32 Parts 536, 751
241	35 Part 7
553	42 Part 51
952	4 Parts 101–105
33 U.S.C.:	
403	33 Part 209
466c	18 Part 601
466c–1	45 Part 90
466g	18 Part 606
466l	18 Parts 601, 606
37 U.S.C.:	
551–558	32 Part 718
1006	32 Part 85
38 U.S.C.:	
210	38 Part 9
765–776	38 Part 9
1651–1686	38 Part 21
39 U.S.C.:	
501	39 Parts 200, 811–813, 821–824
505	39 Parts 45, 46, 52, 61, 200, 811–813, 821–824
509	39 Part 204
705–706	39 Part 17
712	39 Part 17
40 U.S.C.:	
318	41 Part 101–19
442	7 Part 1865
486	41 Parts 5–6, 8–1—8–2, 10–17, 11–17, 13–1, 19–2—19–3, 19–6, 19–15—19–16, 101–46.
702	41 Part 101–29
40 U.S.C. App.:	
101	44 Part 803

40 U.S.C. App.—Continued	CFR
201	44 Part 803
203	7 Parts 719, 1865
205	30 Part 42
214	13 Parts 301–303, 305, 306; 44 Parts 803, 804
224	44 Parts 804, 805
302	13 Parts 301–303, 305, 306; 44 Parts 803, 805, 806.
303	44 Part 804
41 U.S.C.:	
10a–10d	29 Part 8
251–260	41 Part 22–1
42 U.S.C.:	
216	42 Part 57
280b–2—280b–3	42 Part 59a
280b–2	42 Parts 52, 61, 63, 64
280b–4—280b–6	42 Parts 52, 61, 63, 64
280b–7—280b–9	42 Part 59a
295f–295f–4	42 Part 57
295g	42 Part 57
422	45 Part 401
426–428	20 Part 404
729–1	42 Part 203
1302	20 Part 405; 42 Part 203
1395–1395i	20 Part 405
1395j–1395u	20 Part 405
1395x	20 Part 405
1395aa	20 Part 405
1395ff	20 Part 404
1395hh	20 Parts 404, 405
1396a	45 Part 202
1484–1486	6 Part 322
1488	6 Part 322
1490	6 Part 322
1857b	42 Part 61
1857g	42 Part 61; 45 Part 85
1962d–1	18 Part 701
2000d–1	28 Part 42; 44 Part 805
2073	10 Part 71
2092	10 Part 71
2111	10 Part 71
2305	10 Part 1
2457	41 Part 18–9
2601	45 Part 160
2651–2653	32 Part 757
2688–2688d	42 Part 54
2697	42 Part 54
2782	45 Part 1030
2881	7 Part 16
2942	7 Part 1865; 41 Parts 22–1, 22–60
3105	44 Parts 707, 708
3201	44 Part 803
3211	13 Parts 301–303, 305–307; 44 Part 803
3251–3252	45 Part 85
3253	30 Part 51; 42 Part 59
3255–3256	45 Part 85
3255	30 Part 51; 42 Part 59
43 U.S.C.:	
1201	43 Parts 19, 3320
1333	33 Part 209
1334	18 Part 159
45 U.S.C.:	
151–163	29 Part 1207
46 U.S.C.:	
83h	19 Part 2
114	46 Part 310
224	46 Part 11
224a	46 Part 11
228–229	46 Part 11
231	46 Part 11
233	46 Part 11
235	46 Parts 10, 11

46 U.S.C.—Continued	CFR
237	46 Part 11
367	46 Part 11
375	46 Part 11
391a	46 Part 11
404–405	46 Part 11
416	46 Part 11
672b–1	46 Part 12
813a	46 Part 538
814	46 Part 537
820	46 Part 537
841a	46 Parts 537, 538
961	46 Part 221
47 U.S.C.:	
151–153	47 Part 74
155	47 Parts 13, 15
204	47 Part 1
219	47 Part 1
308	47 Part 2
309	47 Part 74
403	47 Part 74
409	47 Part 21
606	47 Part 91
49 U.S.C.:	
302	49 Part 177b
304	49 Parts 177a, 177b
305	49 Part 177a
306	49 Part 180
307	49 Part 1
309	49 Part 180
311	49 Part 180
319–320	49 Part 176
323	49 Part 176
1159	14 Part 167
1301	14 Parts 73, 246, 378
1302	14 Part 296
1321–1322	14 Part 370
1324	14 Parts 214, 370, 378
1325	14 Part 290
1343–1344	14 Part 151
1343	14 Part 11
1344	14 Parts 67, 167
1347	14 Part 73
1348	14 Parts 47, 49, 67, 167, 171
1350	14 Part 157
1354	14 Parts 167, 199
1371	14 Parts 242, 290, 378
1371 note	14 Part 378
1372	14 Part 214
1373	14 Parts 214, 249, 290, 295
1374	14 Part 296
1378	14 Part 290
1379	14 Parts 246, 378
1382	14 Parts 290, 302
1384	14 Part 378
1386	14 Parts 246, 287, 290
1401	14 Part 49
1406	14 Parts 47, 49
1422	14 Part 145
1425	14 Part 145
1429	14 Part 67
1482	14 Part 223
1507	14 Part 167
50 U.S.C.:	
198	46 Part 11
1431–1435	41 Parts 10–17, 11–17
50 U.S.C. App.:	
5	31 Part 520
456	32 Part 870
2071	32A Ch. VI, M–11A
2155	32A Ch. VI, M–11A
2166	32A Ch. VI, BDSA Reg. 2; DMS Reg. 1
2281	32 Part 1809
Public Laws:	
Pub. Law 89–358	38 Parts 3, 17
Pub. Law 89–601	29 Part 512

DETROIT PUBLIC LIBRARY MAY 5 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 85

Tuesday, May 3, 1966 • Washington, D.C.

Pages 6563–6601

Agencies in this issue—

The President
Agricultural Stabilization and Conservation Service
Agriculture Department
Business and Defense Services Administration
Census Bureau
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Education Office
Engineers Corps
Federal Aviation Agency
Federal Maritime Commission
Federal Register Administrative Committee
Fiscal Service
Food and Drug Administration
Internal Revenue Service
International Commerce Bureau
Interstate Commerce Commission
Justice Department
Land Management Bureau
Securities and Exchange Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

US. N21f
v.31 no.85-104

How To Find U.S. Statutes and U.S. Code Citations

[Revised Edition—1965]

This pamphlet contains typical legal references which require further citing. The official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been included. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

This revised edition contains illustrations of principal finding aids and reflects the changes made in the new master table of statutes set out in the 1964 edition of the United States Code.

Price: 10 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

[Published by the Committee on the Judiciary, House of Representatives]

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER
Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C., 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

SE

Contents

THE PRESIDENT

PROCLAMATION

National Defense Transportation Day and National Defense Transportation Week, 1966 ... 6567

EXECUTIVE AGENCIES

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Cotton acreage allotments and marketing quotas:
- Upland:
  - County projected yields, 1966 ... 6580
  - Referenda for out-of-county transfers of allotments, 1967 ... 6580
- Upland and extra long staple, 1966 and succeeding crop years ... 6573

Peanuts, Valencia, 1966–1967; allotment for Georgia ... 6581

AGRICULTURE DEPARTMENT

See also Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.

Rules and Regulations

Committees; county and community committeemen; terms of office ... 6569

ARMY DEPARTMENT

See Engineers Corps.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION

Rules and Regulations

Priorities system; basic rules; revocation of directives regarding cadmium ... 6590

CENSUS BUREAU

Rules and Regulations

Foreign trade statistics; shipments under $100 ... 6587

CIVIL AERONAUTICS BOARD

Rules and Regulations

Aircraft accidents, incidents, overdue aircraft and safety investigations ... 6585

Tariffs of air carriers; free and reduced rate transportation; eligibility and authority ... 6584

Notices

Montreal - Tampa/Miami case; hearing ... 6594

CIVIL SERVICE COMMISSION

Rules and Regulations

Appeals to the Commission; hearing procedures ... 6569

Voting Rights Program; Sumter County, Ala ... 6591

Notices

Accountants, auditors, and Internal Revenue agents; minimum rates and rate ranges ... 6594

Blacksmiths et al.; manpower shortage ... 6594

COMMERCE DEPARTMENT

See Business and Defense Services Administration; Census Bureau; International Commerce Bureau.

COMMODITY CREDIT CORPORATION

Rules and Regulations

Honey price support regulations; correction ... 6582

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Milk in Nashville, Tenn., marketing area; order amending order ... 6581

Withdrawal of inspection and grading services; rules of practice ... 6570

Proposed Rule Making

Tomatoes grown in Lower Rio Grande Valley in Texas; proposed expenses and rate of assessment ... 6592

DEFENSE DEPARTMENT

See Engineers Corps.

EDUCATION OFFICE

Rules and Regulations

Low-interest loans to students in institutions of higher education; correction ... 6591

ENGINEERS CORPS

Rules and Regulations

Navigation; Oakland Harbor, Calif., and Lake Powell and Colorado Rivers, Arizona-Utah ... 6590

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directive; Piper Model PA-30 airplanes ... 6582

Control zone; alteration ... 6584

Federal airways; alteration ... 6582

Transition areas:
- Alteration and revocation ... 6584
- Designation; correction ... 6584

Proposed Rule Making

Convair 240 and Martin 404 airplanes; extended overwater operations without certification or approval for ditching ... 6592

FEDERAL MARITIME COMMISSION

Notices

Agreements filed for approval:
- Cunard Steam-Ship Co., Ltd., and United States Lines Co. (2 documents) ... 6595
- Ellerman and Bucknall Steamship Co., Ltd., and Sea-Land Service, Inc ... 6595

Domestic Guam trade; investigation of general rate increase; expansion ... 6595

FEDERAL REGISTER ADMINISTRATIVE COMMITTEE

CFR Checklist ... 6569

FISCAL SERVICE

Rules and Regulations

Deposit of public moneys and payment of Government checks; acceptable securities ... 6590

FOOD AND DRUG ADMINISTRATION

Notices

Food additives; filing of petitions:
- Chas. Pfizer & Co., Inc ... 6593
- McLaughlin Gormley King Co ... 6593
- Pennsylvania Industrial Chemical Corp ... 6593
- Rohm & Haas Co ... 6593
- Viobin Corp ... 6593

Union Carbide Corp.; establishment of temporary tolerance ... 6593

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Education Office; Food and Drug Administration.

INTERIOR DEPARTMENT

See Land Management Bureau.

INTERNAL REVENUE SERVICE

Rules and Regulations

Taxes, income and employment; permission to submit information required by certain returns and statements on magnetic tape ... 6589

INTERNATIONAL COMMERCE BUREAU

Notices

Cattle hides, calf and kip skins and bovine leathers; notice to exporters ... 6600

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Explosives and other dangerous articles; miscellaneous amendments; correction 6591

Notices

Fourth section applications for relief 6598
Motor carrier licensing procedures; general policy statement 6600
Motor carrier transfer proceedings (2 documents) 6598, 6599
Railroads; rerouting of traffic:
Canadian National Railways; vacation of order 6599
Missouri Pacific Railroad Co. et al 6599

JUSTICE DEPARTMENT

Notices

Sumter County, Ala.; certification of Attorney General pursuant to section 6 of Voting Rights Act of 1965 6593

LAND MANAGEMENT BUREAU

Notices

District managers; authority to redelegate authority 6594

SECURITIES AND EXCHANGE COMMISSION

Rules and Regulations

Organization; conduct and ethics; and information and requests; miscellaneous amendments 6588

Notices

Hearings, etc.:
Baldwin Securities Corp 6596
Elkton Co 6597
Life Stock Exchange Fund, Inc 6597
National Fuel Gas Co. et al 6597

TREASURY DEPARTMENT

See Fiscal Service; Internal Revenue Service.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATION:
3718 6567

5 CFR

772 6569

7 CFR

7 6569
50 6570
722 (3 documents) 6573, 6580
729 6581
1098 6581
1434 6582
PROPOSED RULES:
965 6592

14 CFR

39 6582
71 (4 documents) 6582, 6584
223 6584
320 6585
PROPOSED RULES:
121 6592

15 CFR

30 6587

17 CFR

200 6588

26 CFR

1 6589
31 6589

31 CFR

202 6590

32A CFR

BDSA (Ch. VI) 6590
BDSA Reg. 2 6590

33 CFR

207 6590

45 CFR

177 6591
801 6591

49 CFR

71–79 6591

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3718

NATIONAL DEFENSE TRANSPORTATION DAY AND NATIONAL TRANSPORTATION WEEK, 1966

By the President of the United States of America

A Proclamation

America's vast system of transportation is a monument to what free men can achieve in a free and enterprising society.

The United States is the only nation which maintains a system of transport that is both privately-owned and privately-operated.

That system has met every challenge, in war as in peace. It was created by farsighted men and private capital. It flourished with the encouragement of their Government. From that partnership has emerged the mighty and far-flung transportation network that gives Americans the greatest mobility ever enjoyed by any nation.

In the past 20 years, the number of automobiles and trucks in this vast network has increased threefold, from 31 million to 90 million.

In two decades, our paved roads have grown from 1.5 million miles to twice that much today.

Twenty years ago, there were 38,000 private and commercial aircraft in our skies; today there are nearly 100,000.

Our inland waterways now carry 150 billion ton miles of freight across the nation every year, and our system of pipelines move 284 billion more.

Our railroads have also rejoined the ranks of expanding industries. Since 1961, reversing a period of long decline, railroads have been catching up with the steady and uninterrupted growth of the Nation's economy.

Today, transportation accounts for one in every five dollars in the American economy. In 1965, that amounted to $120 billion—more than the entire Gross National Product of this Nation in 1940.

Yet, great as our transportation system has become, it must grow still faster in the years ahead.

Our population is growing.

Our economy is expanding.

Our trade with other nations continues to increase.

And all depend on fast, efficient and safe transportation. During the next two decades, we must prepare to meet a demand for transportation which will be at least twice what is required today.

A fast, modern, and coordinated transportation network—by land, air, and sea—is also essential to our national defense. If we are to remain strong, transportation must keep abreast of our ever-changing military technology.

In recognition of these facts, the Congress, by Senate Joint Resolution 22 of May 16, 1957 (71 Stat. 30), has requested the President to proclaim annually the third Friday of May of each year as National Defense Transportation Day, and by House Joint Resolution 628 of May 14, 1962 (76 Stat. 69), has requested the President to proclaim annually the week of May in which that Friday falls as National Transportation Week, as a tribute to the men and women who, night and day, move our goods and our people throughout the land and around the world.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Friday, May 20, 1966, as National Defense Transportation Day, and the week beginning May 15, 1966, as National Transportation Week.

I urge our people to participate with representatives of the transportation industry, our armed services, and other governmental agencies, in the observance of these occasions through appropriate ceremonies.

I also invite the Governors of the States to provide for the observance of National Defense Transportation Day and National Transportation Week in a way that will give the citizens of each community the opportunity to recognize and appreciate fully the vital role our great and modern transportation system plays in their daily lives and in the defense of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-second day of April in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

[SEAL]

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

[F.R. Doc. 66-4846; Filed, Apr. 29, 1966; 4:32 p.m.]

Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

1966 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the issuance date and price of revised volumes and supplements of the Code of Federal Regulations issued to date during 1966. New units issued during the month are announced on the inside cover of the daily FEDERAL REGISTER as they become available.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

CFR Unit (as of Jan. 1, 1966):	*Price*
3 1965 Supp	$1.00
4 (Rev.)	.30
5 (Supp.)	.60
6 (Rev.)	1.00
7 Parts:	
1–45 (Rev.)	1.25
46–51 (Rev.)	1.00
52 (Rev.)	2.00
53–209 (Rev.)	2.00
210–399 (Rev.)	1.00
1000–1029 (Rev.)	1.00
1030–1059 (Rev.)	1.00
1060–1089 (Rev.)	1.00
1090–1119 (Rev.)	.70
1120–1199 (Rev.)	.75
10–11 (Supp.)	.60
12 (Supp.)	1.25
13 (Supp.)	.60
16 (Supp.)	1.00
21 Parts 130–end (Rev.)	2.50
22 (Rev.)	1.00
23 (Rev.)	.25
26 Parts:	
1 (§§ 1.301–1.400) (Rev.)	.65
1 (§§ 1.401–1.500) (Rev.)	.65
1 (§§ 1.501–1.640) (Rev.)	.70
1 (§§ 1.641–1.850) (Rev.)	1.00
1 (§§ 1.851–1.1200) (Rev.)	1.25
20–29 (Supp.)	.40
30–39 (Supp.)	.50
300–499 (Supp.)	.50
500–599	(*)
600–end (Supp.)	.40
27 (Supp.)	.30
28 (Rev.)	.50
29 Parts:	
1–499 (Rev.)	.65
500–899 (Rev.)	1.75
900–end (Rev.)	.65
30 (Rev.)	1.25
31 (Rev.)	1.25
32 Parts:	
40–399 (Rev.)	1.00
590–699 (Rev.)	4.25
800–999 (Rev.)	1.00
CFR Unit (as of Jan. 1, 1966):	*Price*
35	(*)
41 Chapters:	
1 (Rev.)	1.75
5–5D (Rev.)	.50
18 (Rev.)	1.75
44 (Supp.)	.40
46 Parts 146–149 (Rev.)	2.50
47 Parts 70–79 (Rev.)	1.00
48 (Rev.)	.40
49 Parts 0–70 (Supp.)	.40
List of Sections Affected, 1949–1963 (Compilation)	6.75

*NOTE: No amendments to these volumes were promulgated during 1965. The cumulative pocket supplements issued as of January 1, 1965, should be retained.

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 772—APPEALS TO THE COMMISSION

Hearing Procedures

Section 772.305 is amended to provide that agencies shall make their employees available as witnesses at Commission hearings when requested by the Commission. Effective on publication in the FEDREAL REGISTER, paragraph (c) of § 772.305 is amended as set out below.

§ 772.305 Hearings.

* * * * *

(c) *Hearing procedures.* (1) An appellant is entitled to appear at the hearing on his appeal personally or through or accompanied by his representative. The agency is also entitled to participate in the hearing. Both parties are entitled to produce witnesses. The Commission is not authorized to subpoena witnesses.

(2) An agency shall make its employees available as witnesses at the hearing when (i) requested by the Commission after consideration of a request by the appellant or the agency and (ii) it is administratively practicable to comply with the request of the Commission. If the agency determines that it is not administratively practicable to comply with the request of the Commission, it shall submit to the Commission its written reasons for the declination. Employees of the agency shall be in a duty status during the time they are made available as witnesses. Employees of the agency shall be free from restraint, interference, coercion, discrimination, or reprisal in presenting their testimony.

(3) Hearings are not open to the public or the press. Attendance at hearings is limited to persons determined by the Commission to have a direct connection with the appeal.

(4) A representative of the Commission shall conduct the hearing and shall afford the parties opportunity to introduce evidence (including testimony and statements by the appellant, his representative, representatives of the agency, and witnesses), and to cross-examine witnesses. Testimony is under oath or affirmation. Rules of evidence are not applied strictly, but the representative of the Commission shall exclude irrelevant or unduly repetitious testimony.

(5) The office of the Commission having initial jurisdiction of the appeal shall determine how the hearing will be reported. When the hearing is reported verbatim, that office shall make the transcript a part of the record of the proceedings and shall furnish a copy of the transcript to each party. When the hearing is not reported verbatim, the representative of the Commission who conducts the hearing shall make a suitable summary of pertinent portions of the testimony. When agreed to in writing by the parties, the summary constitutes the report of the hearing and is made a part of the record of the proceedings. Each party is entitled to be furnished a copy of the report of the hearing. If the representative of the Commission and the parties fail to agree on the summary, the parties are entitled to submit written exceptions to any part of the summary which are made a part of the record of the proceedings for consideration in deciding the appeal.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended, secs. 11, 14, 19, 58 Stat. 390, 391, as amended, sec. 1101, 63 Stat. 971, sec. 113, 68 Stat. 1106; 5 U.S.C. 631, 633, 860, 863, 868, 1072, 1072a; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218, E.O. 10988, 27 F.R. 551)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-4791; Filed, May 2, 1966; 8:46 a.m.]

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

[Amdt. 1]

PART 7—AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEES

County and Community Committeemen; Terms of Office

By virtue of the authority vested in the Secretary of Agriculture by the Soil Conservation and Domestic Allotment Act of 1936, as amended, the regulations in this subpart published in the FED-

ERAL REGISTER of November 16, 1965 (30 F.R. 14301), are amended to permit newly elected members and alternates of the county committee to take office at the beginning of the second month following the month of election if so determined by the State committee. The regulations in this subpart are, therefore, amended as follows:

§ 7.18 County and community committeemen.

(a) The terms of office of community committeemen and alternates to such office shall begin on the first day of the month next after their election;

(b) The terms of office of county committeemen and alternates to such office shall begin on the first day of the month following the month of their election, or if so determined by the State committee the first day of the second month following the month of their election: *Provided, however,* That before any such county committeeman or alternate county committeeman may take office he shall sign a pledge that he will faithfully, fairly, and honestly perform to the best of his ability all of the duties devoving on him as a committeeman;

(c) A term of office shall continue until a successor has been elected and qualified as provided in §§ 7.11 and 7.12.

(Sec. 4, 49 Stat. 164, as amended; 16 U.S.C. 590d; interpret or apply sec. 8, 49 Stat. 1149, as amended; 16 U.S.C. 590h)

Effective date. Publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on April 27, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-4807; Filed, May 2, 1966; 8:47 a.m.]

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER C—REGULATIONS AND STANDARDS UNDER THE AGRICULTURAL MARKETING ACT OF 1946

PART 50—RULES OF PRACTICE GOVERNING WITHDRAWAL OF INSPECTION AND GRADING SERVICES

Part 50 is added to Chapter I of Title 7 of the Code of Federal Regulations, reading as follows:

Subpart A—General

Sec.
50.1 Meaning of words.
50.2 Definitions.
50.3 Scope and applicability of this part.

Subpart B—Conditional Withdrawal of Service Proceedings

50.11 General.
50.12 Notice.

Subpart C—Disciplinary Withdrawal of Service Proceedings

50.21 Notice of violations.
50.22 Amendments.
50.23 Answer.
50.23-1 General.
50.23-2 Contents.
50.23-3 Failure to file.
50.24 Motions and requests.
50.24-1 General.
50.24-2 Motions entertained.
50.24-3 Contents.
50.24-4 Answers to motions.
50.25 Consent orders.
50.26 Procedure upon admission of facts.
50.26-1 General.
50.26-2 Exceptions.
50.26-3 Final order.
50.27 Procedure upon failure to request an oral hearing or upon express waiver of an oral hearing.
50.27-1 General.
50.27-2 Exceptions.
50.27-3 Final order.
50.28 Procedure upon request for an oral hearing.
50.28-1 Assignment of docket number; notice of time and place of hearing.
50.28-2 Time and place of hearing.
50.28-3 Appearances.
50.28-4 Failure to appear.
50.28-5 Order of proceeding.
50.28-6 Powers of Hearing Officer.
50.28-7 Who may act in the absence of the Hearing Officer.
50.28-8 Evidence.
50.28-9 Filing the transcript of evidence.
50.28-10 Transcripts.
50.28-11 Proposed findings of fact, conclusions, and order.
50.28-12 Hearing Officer's report.
50.28-13 Exceptions; proposed orders; objections.
50.28-14 Final order.
50.29 Summary action.
50.29-1 General.
50.29-2 Actual or threatened physical violence.
50.30 Filing; number of copies.
50.31 Service; proof of service.
50.32 Computation of time.
50.33 Extensions of time.

Subpart D—Withdrawal of Recognition of a Nonfederally Inspected Meat Establishment

50.34 Notice.
50.35 Withdrawal on verbal notification.

AUTHORITY: The provisions of this Part 50 issued under sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624.

Subpart A—General

§ 50.1 Meaning of words.

As used in this part, words in the singular form shall be deemed to import the plural, and vice versa, as the case may require.

§ 50.2 Definitions.

(a) The term "act" means the Agricultural Marketing Act of 1946, approved August 14, 1946, and any legislation amendatory thereof (7 U.S.C. 1621-1627).

(b) "Administrator" means the Administrator, Consumer and Marketing Service, U.S. Department of Agriculture, or any officer or employee to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(c) "Division" means the Division of the Consumer and Marketing Service initiating the withdrawal proceedings.

(d) "Director" means the Director of the Division or any officer or employee to whom authority has heretofore delegated, or to whom authority may hereafter be delegated, to act in his stead.

(e) "Hearing Officer" means an examiner of the Office of Hearing Examiners, U.S. Department of Agriculture, or other officer or employee of the Department of Agriculture, duly assigned to preside at a hearing held pursuant to the rules in this part.

(f) "Person" means any individual, partnership, corporation, or other business entity.

(g) "Respondent" means the person to whom notice of proposed withdrawal of service is given.

(h) "Hearing Clerk" means the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C.

(i) "Conditional withdrawal of service" means the withdrawal, not involving disciplinary action, of grading or inspection service from a person for a correctable cause such as failure to pay bills for service or insanitary or unsatisfactory plant conditions.

(j) "Disciplinary withdrawal of service" means the withdrawal of grading or inspection service for any reason (other than a conditional withdrawal) due to a violation of the act or the regulations issued thereunder. The term includes termination of service contracts for cause even though the contract may provide for the unilateral termination by the Consumer and Marketing Service under certain specified conditions.

(k) "Withdrawal of recognition of a nonfederally inspected meat establishment" means a withdrawal of recognition on a finding that such establishment is not complying with applicable requirements of § 53.6 of this chapter.

(l) "Decision and order" includes the Administrator's findings of fact; conclusions with respect to all material issues of fact and law as well as the reasons or basis therefor; and order.

§ 50.3 Scope and applicability of this part.

The rules of practice in this part shall govern all withdrawals of inspection and grading service furnished by the Consumer and Marketing Service pursuant to the act and withdrawals of recognition of a nonfederally inspected meat establishment pursuant to § 53.7 of this chapter. They do not modify existing procedures for refusing to inspect, grade, or certify a specific lot of a product because of adulteration, improper preparation or improper presentation of the lot for grading, or because of failure to comply with any similar requirements set forth in applicable regulations.

Subpart B—Conditional Withdrawal of Service Proceedings

§ 50.11 General.

The Director may withdraw grading or inspection service from a person for a correctible cause. Such service, after appropriate correction action is taken, will be restored immediately, or as soon thereafter as a grader or inspector can be made available.

§ 50.12 Notice.

Written notice shall be given to the person concerned, in advance of a conditional withdrawal, whenever it is feasible to do so. If advance written notice is not given, the conditional withdrawal action shall be promptly confirmed in writing and the reason therefor shall be stated, except in instances where the person has already corrected the deficiency.

Subpart C—Disciplinary Withdrawal of Service Proceedings

§ 50.21 Notice of violations.

The Director (hereinafter sometimes referred to as the complainant) shall transmit to respondent a written notice (telegram or letter) which shall set forth briefly the nature of the violation or violations, including allegations of fact which constitute a basis for the proceeding. The notice shall offer respondent the opportunity to submit a specific written statement by way of answer and the right to request an oral hearing at which evidence may be presented in support of respondent's position, and shall state the time within which answer by respondent must be made, which shall not be less than 10 days after service of the notice.

§ 50.22 Amendments.

At any time prior to the close of the hearing, the notice of violations may be amended; but, in case of an amendment adding new provisions, the hearing shall, on the request of the respondent, be adjourned for a period not exceeding 15 days.

§ 50.23 Answer.

§ 50.23-1 General.

The respondent shall file an answer to the allegations of the notice with the Director, signed by the respondent or his attorney, within the period of time for answering set forth in the notice.

§ 50.23-2 Contents.

The answer shall (a) contain a concise statement of the facts which constitute the grounds of defense, and shall specifically admit, deny, or explain each of the facts alleged in the notice unless the respondent is without knowledge, in which case, the answer shall so state; or (b) state that the respondent admits all of the facts alleged in the notice. The answer may contain a request for an oral hearing or an express waiver of such hearing.

§ 50.23-3 Failure to file.

Failure to file an answer to or plead specifically to any allegation of fact in the notice shall constitute an admission of such allegation.

§ 50.24 Motions and requests.

§ 50.24-1 General.

All motions and requests shall be filed with the Administrator, except that if a hearing has been requested by respondent, such motions and requests shall be filed with the Hearing Clerk, unless made during the course of an oral hearing, in which case they may be stated orally and made a part of the transcript. The Administrator shall rule upon all motions and requests filed, except that if a hearing has been requested by respondent, the Hearing Officer is authorized to rule upon all motions and requests filed or made prior to the filing of his report as hereinafter provided, except motions to dismiss.

§ 50.24-2 Motions entertained.

Any motion will be entertained except a motion to dismiss on the pleadings.

§ 50.24-3 Contents.

All written motions shall state the particular order, ruling, or action desired and the grounds therefor.

§ 50.24-4 Answers to motions.

Within 15 days after service of any written motion, or within any longer period fixed by the Administrator or Hearing Officer, the opposing party shall file an answer to the motion or shall be deemed to have no objection to the granting of the relief asked for in the motion. Unless permitted by the Administrator or Hearing Officer, the moving party shall have no right to reply to the answer.

§ 50.25 Consent orders.

At any time after the institution of a proceeding, the respondent may file an answer consenting to an order. Such an answer shall contain an admission of all jurisdictional facts, an express waiver of further procedural steps, and the order consented to by the respondent. Within 10 days after service of such an answer, the complainant shall file its recommendation. The Administrator may, in his discretion, enter the order consented to by the respondent, which shall have the same force and effect as other orders issued hereunder.

§ 50.26 Procedure upon admission of facts.

§ 50.26-1 General.

The admission, in the answer or by failure to file an answer, of all the material allegations of fact contained in the notice shall constitute a waiver of oral hearing. Upon such admission of facts, the Administrator, without further investigation or hearing, shall issue a tentative decision and order, in which he shall adopt as his tentative findings of fact the material facts alleged in the notice. The tentative decision and order shall be served upon the respondent and the Washington office of the Division.

§ 50.26-2 Exceptions.

The parties shall be given a period of not less than 10 days in which to file with the Administrator exceptions to the tentative order and briefs in support thereof.

§ 50.26-3 Final order.

Within a reasonable time after the expiration of the period for filing exceptions and briefs, the Administrator shall issue and cause to be served upon the parties his final decision and order, including his ruling on any exceptions received from the parties.

§ 50.27 Procedure upon failure to request an oral hearing or upon express waiver of an oral hearing.

§ 50.27-1 General.

Failure to request an oral hearing within the time allowed for the filing of the answer shall constitute a waiver of such hearing. Upon such failure to request an oral hearing or upon express waiver of such hearing by respondent, the parties shall have a period of 20 days from the final date for filing the answer in which to file with the Administrator sworn statements or affidavits in support of their respective positions. Within a reasonable time thereafter, the Administrator shall issue and cause to be served upon the parties a tentative decision and order.

§ 50.27-2 Exceptions.

The parties shall be given a period of 20 days in which to file with the Administrator exceptions to the tentative order and briefs in support thereof.

§ 50.27-3 Final order.

Within a reasonable time after the expiration of the period for filing exceptions and briefs, the Administrator shall issue and cause to be served upon the parties his final decision and order, including his ruling on any exceptions received from the parties.

§ 50.28 Procedure upon request for an oral hearing.

§ 50.28-1 Assignment of docket number; notice of time and place of hearing.

If respondent requests an oral hearing, a copy of the notice and answering statement of respondent shall be filed with the Hearing Clerk who shall assign the matter a docket number and, when the time and place of hearing have been fixed, serve respondent with notice thereof.

§ 50.28-2 Time and place of hearing.

The Hearing Officer, after careful consideration of the convenience of the parties, shall set a time and place of hearing and shall file with the Hearing Clerk a notice stating the time and place of hearing which shall be served upon the parties. If any change in the time or place of the hearing is made, the Hearing Officer shall file with the Hearing Clerk a notice of such change, which notice shall be served upon the parties, unless it is made during the course of an oral hearing and made a part of the transcript.

§ 50.28-3 Appearances.

The parties may appear in person or by counsel or other representative. Persons who appear as counsel or in a representative capacity for a respondent must conform to the standards of ethical conduct required of practitioners before the courts of the United States.

§ 50.28–4 Failure to appear.

If any party to a proceeding, after being duly notified, fails to appear at the hearing, he shall be deemed to have waived the right to an oral hearing in the proceeding. In the event that a party appears at the hearing and no party appears for the opposing side, the party who is present shall have an election whether to present his evidence, in whole or in part, in the form of affidavits or by oral testimony before the Hearing Officer. Failure to appear at a hearing shall not be deemed to be a waiver of the right to be served with a copy of the Hearing Officer's report and to file exceptions as hereinafter provided.

§ 50.28–5 Order of proceeding.

Except as may be determined otherwise by the Hearing Officer, the moving party shall proceed first at the hearing.

§ 50.28–6 Powers of Hearing Officer.

The Hearing Officer shall have the power to:

(a) Rule upon motions and requests;

(b) Set the time and place of hearing, adjourn the hearing from time to time, and change the time and place of hearing;

(c) Administer oaths and affirmations and take affidavits;

(d) Examine witnesses;

(e) Admit or exclude evidence;

(f) Hear oral argument on facts or law; and

(g) Do all acts and take all measures necessary for the maintenance of order at the hearing and for the efficient, fair and impartial conduct of the proceeding.

§ 50.28–7 Who may act in the absence of the Hearing Officer.

In case of the absence of the Hearing Officer or his inability to act, the powers and duties to be performed by him under this part in connection with a proceeding assigned to him may, without abatement of the proceeding unless otherwise directed by the Administrator, be assigned to any other Hearing Officer.

§ 50.28–8 Evidence.

(a) *General.* The testimony of witnesses at a hearing shall be upon oath or affirmation and subject to cross-examination. Any witness may, in the discretion of the Hearing Officer, be examined separately and apart from all other witnesses except those who may be parties to the proceeding. The Hearing Officer shall admit all relevant and material evidence, except evidence which is unduly repetitious.

(b) *Objections.* If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, he shall state briefly the grounds for such objection, whereupon an automatic exception will follow if the objection is overruled by the Hearing Officer. The transcript shall not include argument or debate thereon except as ordered by the Hearing Officer. The ruling of the Hearing Officer on any objection shall be a part of the transcript. Only objections made before the Hearing Officer may subsequently be relied upon in the proceeding.

(c) *Records of the Department.* A true copy of every written entry in the records of the Department, made by an officer or employee thereof in the course of his official duty and relevant and material to the issues involved in the hearing, shall be admissible as prima facie evidence of the facts stated therein, without the production of such officer or employee.

(d) *Exhibits.* Except where the Hearing Officer finds that the furnishing of copies is impracticable, copies of each exhibit, in addition to the original, shall be filed with the Hearing Officer, for the use of the other parties to the proceeding.

(e) *Official notice.* Official notice may be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical or scientific fact of established character: *Provided*, That the parties shall be given adequate notice, at the hearing or by reference in the Hearing Officer's report or otherwise, of matters so noticed, and shall be given adequate opportunity to show that such facts are erroneously noticed.

(f) *Offer of proof.* Whenever evidence is excluded from the record, the party offering such evidence may make an offer of proof, which shall be included in the transcript. The offer of proof shall consist of a brief statement describing the evidence to be offered. If the evidence consists of a brief oral statement or of an exhibit, it shall be inserted into the transcript in toto. In such event, it shall be considered a part of the transcript if the Administrator decides that the Hearing Officer's ruling in excluding the evidence was erroneous. The Hearing Officer shall not allow the insertion of such evidence in toto if the taking of such evidence will consume a considerable length of time at the hearing. In the latter event, if the Administrator decides that the Hearing Officer's ruling in excluding the evidence was erroneous, the hearing shall be reopened to permit the taking of such evidence.

§ 50.28–9 Filing the transcript of evidence.

As soon as practicable after the close of the hearing, the Hearing Officer shall transmit to the Hearing Clerk an original and two copies of the transcript of testimony and the original and copies of exhibits introduced in evidence at the hearing. He shall attach to the original transcript of the evidence a certificate stating that the transcript is a true transcript of the testimony offered or received at the hearing, except in such particulars as he shall specify, and that the exhibits transmitted are all the exhibits introduced at the hearing, with such exceptions as he shall specify. A copy of such certificate shall be attached to each of the copies of the transcript of evidence.

§ 50.28–10 Transcripts.

Parties to the proceeding who desire a copy of the transcript of the hearing may place orders at the hearing with the reporter who will furnish and deliver such copies direct to the purchaser upon payment therefor at the rate per page provided by the contract between the reporter and the Department for such reporting service.

§ 50.28–11 Proposed findings of fact, conclusions, and order.

Within such time as the Hearing Officer may prescribe, each party may file with the Hearing Clerk proposed findings of fact and conclusions, and a brief in support thereof. A copy of each such document filed by a party shall be served upon the other party by the Hearing Clerk.

§ 50.28–12 Hearing Officer's report.

The Hearing Officer, within a reasonable time after the filing of the transcript of evidence, shall prepare and shall file with the Hearing Clerk, a report containing his recommended findings of fact and conclusions, but no recommended order. A copy of such report shall be served by the Hearing Clerk upon each of the parties.

§ 50.28–13 Exceptions; proposed orders; objections.

The complainant, within 20 days, and the respondent within 30 days, after service of the Hearing Officer's report, may take exception to any matter set out in such report and in such case shall file exceptions in writing with the Hearing Clerk, referring to the relevant pages of the transcript, and suggesting corrected findings of fact and conclusions. Complainant and respondent, within such periods of time, shall file their proposed orders, whether or not exceptions are filed. Within the same periods of time, each party shall file with the Hearing Clerk a brief statement in writing concerning each of the objections taken to the action of the Hearing Officer at the hearing, as set out in § 50.28–8(b), upon which the party wishes to rely, referring, where relevant, to the pages of the transcript. A party, if he files exceptions or a statement of objections, may file a brief in support of his exceptions or objections.

§ 50.28–14 Final order.

Within a reasonable time after the expiration of the period for filing exceptions, proposed orders, and objections, the Administrator shall issue and cause to be served upon the parties his final decision and order, including his ruling on any exceptions or objections filed by the parties.

§ 50.29 Summary action.

§ 50.29–1 General.

In any situation where the integrity of the service would be seriously jeopardized if service were continued pending a decision in the proceeding, service to respondent may be suspended effective on or after the third day after mailing of notice thereof to respondent's last known or designated address or upon actual receipt of such notice, whichever is earlier.

§ 50.29–2 Actual or threatened physical violence.

In any case of actual or threatened physical violence to an inspector or grader, service to respondent may be suspended prior to the transmittal of written notice to respondent. A written notice shall be given as promptly as circumstances permit.

§ 50.30 Filing; number of copies.

Except as is provided otherwise by the rules in this subpart, all documents or papers required or authorized to be filed shall be filed in triplicate: *Provided*, That, where there are more than two parties to the proceeding, a sufficient number of copies shall be filed so as to provide copies for service upon all the parties to the proceeding.

§ 50.31 Service; proof of service.

Copies of all documents or papers required or authorized by the rules in this subpart to be served on any party to a proceeding shall be served by the Hearing Officer, Hearing Clerk, Administrator, or by some other employee of the Department. Except as is provided otherwise by the rules in this subpart, service shall be made either (a) by delivering a copy of the document or paper to the individual to be served or to a member of the partnership to be served or to the president, secretary, or other executive officer or any director of the corporation, organization, or association to be served, or to the attorney, or agent of record of such individual, partnership, corporation, organization, or association; (b) by leaving a copy of the document or paper at the principal office or place of business of such individual, partnership, corporation, organization, or association or of his or its attorney or agent of record; (c) by registering or certifying and mailing a copy of the document or paper, addressed to such individual, partnership, corporation, organization, or association, or to his or its attorney or agent of record, at his or its last known residence or principal office or place of business; or (d) in the case of service upon an attorney or agent of record, by mailing, by regular mail, a copy of the document or paper, addressed to him at his address of record. Proof of service hereunder shall be made by the affidavit of the person who actually made the service: *Provided*, That if the service is made by the Hearing Clerk by regular mail, proof of service shall be made by certification of the Hearing Clerk, and if the service be made by registered or certified mail, proof of service shall be made by the return post office receipt. The affidavit or post office receipt contemplated hereby shall be filed with the Administrator or with the Hearing Clerk (after an oral hearing has been requested) and the fact of filing thereof shall be noted in the record of the proceeding.

§ 50.32 Computation of time.

Saturdays, Sundays, and holidays shall be included in computing the time allowed for the filing of any document or paper: *Provided*, That, when such time expires on a Saturday, Sunday, or legal holiday, such period shall be extended to include the next following business day.

§ 50.33 Extensions of time.

The time for filing any document or paper required or authorized by the rules in this subpart to be filed may be extended by the Administrator or the Hearing Officer (after an oral hearing has been requested and before the Hearing Officer's report is filed), if request for such extension of time is made prior to or on the final date allowed for such filing, and if in the judgment of the Administrator or Hearing Officer, as the case may be, after notice to and consideration of the views of the other party, when practicable, there is good reason for the extension.

Subpart D—Withdrawal of Recognition of a Nonfederally Inspected Meat Establishment

§ 50.34 Notice.

The Washington office of the Livestock Division shall give written notice (telegram or letter) to the operator of the establishment. The notice shall specify the nature of the violation, the minimum withdrawal period, and the effective date thereof, in accordance with § 53.7 of this chapter.

§ 50.35 Withdrawal on verbal notification.

If circumstances warrant, the withdrawal may be made effective upon verbal notification which shall be confined in writing within 24 hours.

The rules of practice in this part shall become effective upon publication in the FEDERAL REGISTER, provided that they shall not apply to any proceeding initiated prior to that date.

Done at Washington, D.C., April 27, 1966.

S. R. SMITH,
Administrator.

[F.R. Doc. 66–4784; Filed, May 2, 1966; 8:45 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—Marketing Quotas for the 1966 and Succeeding Crops of Upland Cotton and Extra Long Staple Cotton

(a) The provisions of §§ 722.61 to 722.100 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). These provisions govern the farm marketing quota and farm marketing excess for upland cotton and extra long staple cotton; the rate of penalty and manner in which penalties shall be paid by producers and buyers; the refunding of penalty overpayments; the records and reports required to be made by cotton producers, ginners, buyers, warehousemen, and others; and other miscellaneous matters regarding the production and marketing of such cotton.

(b) Notice of proposed formulation of regulations for marketing quotas for the 1966 and succeeding crops of upland cotton and extra long staple cotton was published in the FEDERAL REGISTER on April 2, 1966 (31 F.R. 5321), in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003). No submissions in response to such notice have been received. Sections 722.61 to 722.100 shall be effective 30 days after publication of this document in the FEDERAL REGISTER.

GENERAL

Sec.
722.61 Applicability.
722.62 Extent of calculations and rule of fractions.
722.63 Expiration of time limitations.
722.64 Definitions.

FARM MARKETING QUOTA AND FARM MARKETING EXCESS

722.65 Cotton subject to marketing quotas.
722.66 Farm marketing quota and farm marketing excess.
722.67 Notice of farm marketing excess and farm marketing quota.
722.68 Farm marketing excess adjustment.
722.69 Publication of the farm allotment, projected yield, marketing quota and marketing excess.
722.70 Marketing quotas for upland cotton and extra long staple cotton not interchangeable, special situations for transfer of marketing quotas between forms.
722.71 Successors-in-interest.
722.72 Review of quotas.
722.73 Exemption for publicly owned agricultural experiment stations.
722.74 Determination of planted acreage.

IDENTIFICATION OF COTTON

722.75 Identification of cotton by producer.
722.76 Identification of cotton by buyer.
722.77 Marketing of penalty free cotton.
722.78 Marketing of penalty cotton.

PENALTY

722.79 Rate of penalty.
722.80 Lien for the penalty.
722.81 Interest on unremitted penalty.
722.82 Payment of penalty by producers.
722.83 Payment of penalty by buyers.
722.84 Remittance of penalty to the county office manager.
722.85 Deposit of funds.
722.86 Refunds of money in excess of the penalty.
722.87 Refund of penalty erroneously, illegally, or wrongfully collected.
722.88 Report of violations and court proceedings to collect penalty.

RECORDS AND REPORTS

722.89 Records to be kept and reports to be made by ginners.
722.90 Records to be kept and reports to be made by buyers.
722.91 Records to be kept by warehousemen, processors, and others.
722.92 Availability of records kept by ginners, buyers, warehousemen, and others.
722.93 Penalty for failure or refusal to keep records or make reports.

Sec.
722.94 Records to be kept and reports to be made by producers.
722.95 Enforcement.
722.96 Revision of county committee determinations and erroneous notices.
722.97 Supervisory authority of State committee.
722.98 Availability of records.
722.99 Designation of representatives of the Secretary to examine records.
722.100 Penalty rate for each crop year.

AUTHORITY: The provisions of this subpart issued under secs. 301, 344, 345, 346, 347, 362, 363, 365–368, 372–374, 375, 388, 52 Stat. 38, as amended, 63 Stat. 670, as amended, 63 Stat. 674, as amended, 63 Stat. 675, as amended, 52 Stat. 62, as amended, 52 Stat. 63, as amended, 52 Stat. 64, 52 Stat. 65, as amended, 52 Stat. 66, as amended, 52 Stat. 68; 7 U.S.C. 1301, 1344, 1345, 1346, 1347, 1362, 1363, 1365–1368, 1372–1374, 1376, 1388.

GENERAL

§ 722.61 Applicability.

The provisions §§ 722.61 to 722.100 apply to upland cotton and extra long staple cotton produced in 1966 and succeeding years when marketing quotas are in effect and to carryover cotton which is marketed by producers in the 1966–67 and succeeding marketing years. The term "cotton" as used in §§ 722.61 to 722.100 includes upland cotton and extra long staple cotton. However, upland cotton and extra long staple cotton are separate commodities and marketing quotas for upland cotton shall not be combined or commingled with marketing quotas for extra long staple cotton. The regulations in this subpart supersede the Marketing Quota Regulations for the 1964 and Succeeding Crops of Upland Cotton and Extra Long Staple Cotton (29 F.R. 9767, as amended), which applied to the 1964 and 1965 crops of cotton.

§ 722.62 Extent of calculations and rule of fractions.

In making any computation in connection with §§ 722.61 to 722.100, the amount of lint cotton shall be rounded to the nearest whole pound and the amount of penalties or refunds shall be rounded to the nearest whole cent. Fractions of exactly five-tenths of a pound or cent shall be dropped.

§ 722.63 Expiration of time limitations.

The provisions of Part 720 of this chapter concerning the expiration of time limitations shall apply to §§ 722.61 to 722.100.

§ 722.64 Definitions.

(a) *General terms.* In determining the meaning of §§ 722.61 to 722.100, unless the context indicates otherwise, words importing the singular include and apply to several persons or things, words importing the plural include the singular, words importing the masculine gender include the feminine as well, and words used in the present tense include the future as well as the present. The definitions of the following terms in Part 719 of this chapter, as amended, shall apply to §§ 722.61 to 722.100:

Community committee.
County.
County committee.
County office manager.
Cropland.
Deputy administrator.
Farm.
Farm number.
Operator.
Owner.
Person.
Producer.
Representative of the State committee.
Secretary.
Sharecropper.
State committee.
State executive director.
Tenant.

(b) *Cotton program terms.* The following terms shall have the following meanings:

(1) Acreage planted to cotton on the farm in the current year (for use in determining compliance with the farm allotment)—the acreage seeded to cotton plus stub cotton acreage (acreage devoted to the production of cotton but seeded prior to the current year) on the farm in the current year, excluding any acreage in excess of the farm allotment which is destroyed or disposed of in accordance with the requirements of Part 718 of this chapter. In determining compliance on farms participating in the export market acreage program for the 1966 crop of upland cotton under section 346(e) of the act, the provisions of § 722.450(o) of the regulations for Acreage Allotments for the 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5313) shall be applicable.

(2) Act—Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.).

(3) Actual production on the farm—Number of pounds of lint cotton determined to have been produced on the farm in the current year.

(4) Actual yield per acre—Number of pounds of lint cotton determined by dividing the actual production on the farm by the number of acres of cotton harvested on the farm.

(5) Barter or exchange—The transfer of title to cotton by a producer to another person in exchange for cotton or any other commodity, service, property, or for use of land.

(6) Buyer—Person who acquires cotton from a producer by purchase, barter and exchange, gift inter vivos and an agricultural cooperative association which makes agreements with producers under which title to the cotton passes upon delivery of the cotton by the producer and the association is authorized to deal with such cotton as owner.

(7) Carry-over cotton—Unmarketed cotton from any previous crop which the producer has on hand as of August 1 of the current year.

(8) Current year—Calendar year in which the cotton is planted.

(9) Director—Director, or acting director, Farmer Programs Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(10) Extra long staple cotton—American-Egyptian, Sea Island, Sealand, and all other varieties of the Barbadense species of cotton and any hybrid thereof, and any other cotton in which one or more of these varieties predominate, produced in an area designated under section 347(a) of the act.

(11) Farm allotment—Cotton acreage allotment established for a farm pursuant to section 344 of the act.

(12) Farm marketing excess—Normal production of the acreage planted to cotton in excess of the farm allotment subject to any downward adjustment where the actual production is established to be less than such normal production.

(13) Farm marketing quota—Actual production of the acreage planted to cotton on the farm less the farm marketing excess.

(14) Gift inter vivos—Transfer of title to cotton, accompanied by delivery, by a producer to another person which takes effect immediately and irrevocably and is made without any consideration or compensation therefor.

(15) Ginner—Person engaged in the business of ginning cotton.

(16) Ginning—Process by which lint cotton is removed from the cotton seed.

(17) Harvest—Act of extracting seed cotton from the cotton plant by manual or mechanical means, grazing by livestock and salvage operations. Cotton is available for harvest when the cotton bolls are sufficiently open to permit harvest.

(18) Lint cotton—Fiber taken from seed cotton by ginning.

(19) Market—To dispose of cotton in raw or processed form by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos.

(20) Marketing year—Period beginning August 1 of a crop year and ending July 31 of the following year, both dates inclusive.

(21) New cotton farm—Farm for which a cotton acreage allotment is established for the current year and for which there is no history acreage in the 3-year farm base period.

(22) Normal production on the farm—The number of pounds of lint cotton determined by multiplying the projected yield of lint cotton for the farm by the number of acres planted to cotton on the farm.

(23) Penalty—Amount payable with respect to the farm marketing excess.

(24) Projected yield for the farm—Yield determined on the basis of the yield per harvested acre of cotton on the farm during each of the 3 calendar years immediately preceding the year in which such projected farm yield is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields, and for any significant changes in production practices. In accordance with section 708 of the Food and Agriculture Act of 1965 (79 Stat. 1211; 7 U.S.C. 1306) the projected yield so determined for a farm shall not be less than the actual yield proved by the producer on the farm for the 3-year base period used if the county committee finds that the proof of actual yield furnished by the producer is satisfactory.

(25) Sale—Transfer of title to cotton by a producer to another person by any means other than barter or exchange or gift inter vivos.

(26) Seed cotton—Harvested fruit of the cotton plant before ginning.

(27) Upland cotton—Any cotton other than extra long staple cotton.

FARM MARKETING QUOTA AND FARM MARKETING EXCESS

§ 722.65 Cotton subject to marketing quotas.

If marketing quotas are in effect for a crop of cotton, all cotton produced from such crop of cotton shall be subject to marketing quotas, including cotton of such crop available for marketing prior to the beginning or after the ending of the marketing year which begins in the year when such crop of cotton is planted.

§ 722.66 Farm marketing quota and farm marketing excess.

(a) *Farm marketing quota.* The farm marketing quota for the current year's crop shall be that number of pounds of lint cotton of such crop produced on the farm less the amount of the farm marketing excess for such year's crop.

(b) *Farm marketing excess.* The county committee shall establish the farm marketing quota and farm marketing excess for each farm on which the acreage planted to cotton in the current year exceeds the farm allotment. The farm marketing excess for the current year's crop shall be the normal production of the acreage planted to cotton on the farm in excess of the farm allotment for such year's crop. For a farm having a zero allotment, or no allotment, the entire acreage planted to cotton shall be used in determining the farm marketing excess. Where it is established to the satisfaction of the county committee by any producer on the farm in accordance with § 722.68 that the actual production of cotton on the farm in the current year is less than the normal production of the acreage planted to cotton on the farm in such year, the farm marketing excess shall be adjusted downward to the amount by which such actual production exceeds the normal production of the farm allotment. In the case of the 1966 crop of upland cotton, there shall be no farm marketing excess if the farm is in compliance with the export market provisions of § 722.450 of the regulations for Acreage Allotments for the 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5311).

§ 722.67 Notice of farm marketing excess and farm marketing quota.

The county committee shall mail to the farm operator a written notice of farm marketing excess and farm marketing quota for any farm with a farm marketing excess. The notice shall contain substantially the following statement: "To all persons who as operator, landlord, tenant, or sharecropper, for the crop year shown above, are interested in the cotton described herein and produced on this farm." Notice so given shall constitute notice to all such persons. Such notice shall also contain a brief statement of the procedure whereby application for review of the marketing quota may be made under section 363 of the Act. Such notice shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by the county committeeman or an employee of the county office. A copy of each notice containing a notation thereon of the date of mailing the notice to the operator of the farm shall be kept among the permanent records of the county committee and, upon request, a copy thereof, duly certified as a true and correct copy shall be furnished without charge to any person who as operator, landlord, tenant, or sharecropper, is interested in the cotton produced in the current year on the farm for which the notice is given.

§ 722.68 Farm marketing excess adjustment.

(a) *Application for adjustment in the farm marketing excess.* Any producer having an interest in the cotton produced in the current year on a farm with a farm marketing excess may apply in writing to the county committee for a downward adjustment of the farm marketing excess on the basis of the amount of cotton produced in such year on the farm. Any such application shall be filed with the county committee not later than the earlier of (1) 60 days after harvest of such cotton crop is completed on the farm or by such later date as is approved by the State committee on the basis of a recommendation by the county committee and a showing that the producer's failure to apply for such adjustment within the 60-day period was due to circumstances beyond his control or (2) March 15 of the year following the year in which the cotton was planted. If the harvesting of cotton on the farm has not been completed by March 15 of the year following the year in which the cotton was planted but an application has been timely filed under this paragraph, the producer may request the county committee to provide for an estimate to be made of the amount of unharvested cotton on the farm in order that a final determination of the actual production on the farm for such year may be made. The county committee shall notify the applicant of the time and place of the hearing regarding his application. Unless application for an adjustment in the farm marketing excess is made within the period of time provided for in this paragraph, the farm marketing excess as determined pursuant to § 722.66 shall be final as to the producers on the farm. Notwithstanding the foregoing provisions of this paragraph whenever the county committee determines that no cotton has been or will be produced on a farm with a farm marketing excess for the year for which such farm marketing excess is determined, the county committee may adjust the farm marketing excess and notify the operator of such adjustment, as provided in paragraph (b) of this section.

(b) *County committee action on an application for adjustment in the farm marketing excess.* The county committee shall consider each application on the basis of facts known by or made available to it and on the basis of such evidence as may be presented to it by the applicant. The cotton acreage on the farm for the crop year in question shall be determined by official measurement, or such other method of ascertaining acreage as may be authorized for the farm under section 374(a) of the act (79 Stat. 1210), before the county committee approves a determination of the actual production of cotton on the farm. The actual production of cotton in such crop year on any farm shall be determined in view of the relevant facts, including the acreage planted to cotton in such crop year on the farm, the past production on the farm, the actual yields per acre in such crop year for other farms in the community which are similar with regard to farming practices followed, type of soil and productivity; the harvesting, ginning and sales of the cotton produced on the farm in such crop year; and weather conditions and other factors in such crop year affecting the production of cotton on the farm and in the locality in which the farm is situated. In the consideration of any application for adjustment in the farm marketing excess the producer shall have the burden of proof. The evidence presented by the applicant may be in the form of written statements or other documentary evidence or of oral testimony in a hearing before the county committee during its consideration of the application. In order to expedite the consideration of applications, the county committee shall receive, in advance of the time fixed for consideration of the application, any written statement or documentary evidence offered by or on behalf of the applicant, and the application may be disposed of upon the basis of such statement or evidence, together with any other information bearing on or establishing the facts, which is available to the county committee, unless the applicant appears before the county committee at the time fixed for consideration of the application and requests a hearing for the purpose of offering additional documentary evidence or oral testimony, in support of the application. Every such hearing shall be open to the public. The county committee shall make its determination in connection with each application not later than 5 calendar days next succeeding the day on which the consideration of the application was concluded. The determination of the county committee shall be in writing and shall contain (1) a concise statement of the grounds upon which the applicant sought an adjustment in the amount of the farm marketing excess, (2) a concise statement of the findings of the county committee upon the question of fact and (3) the determination of the county committee as to the farm marketing quota, the actual production of cotton on the farm, the farm marketing excess, and the penalty due on the farm marketing excess. The determination made by the county committee under this paragraph shall be subject to approval by a representative of the State committee. A notice showing the result of the determination made as aforesaid, shall be

mailed to the operator of the farm and also to the applicant if he is not such operator.

(c) *Application for adjustment in the farm marketing excess in cases where the initial notice of farm marketing excess mailed after 30 days prior to expiration of filing period established under paragraph (a) of this section.* Notwithstanding the provisions of paragraph (a) of this section, in any case where the initial notice of farm marketing excess is mailed to the farm operator any time after a date which is 30 days prior to the expiration date for filing application for the crop year under paragraph (a) of this section, any producer having any interest in the cotton produced on the farm in such crop year may apply in writing to the county committee for a downward adjustment in the amount of the farm marketing excess on the basis of the amount of cotton produced in such crop year on the farm. Any such application shall be filed with the county committee not later than 30 days after the date of mailing of such notice of farm marketing excess to the farm operator. The county committee shall keep a record of each application so made and the date thereof. The county committee shall notify the applicant of the time and place of the hearing regarding his application. Unless application for an adjustment in the farm marketing excess in cases arising under this paragraph is made within the period of time provided for in this paragraph, the farm marketing excess as determined pursuant to § 722.66 shall be final as to the producers on the farm. The procedures provided in paragraph (b) of this section shall be followed to the extent practicable in cases arising under this paragraph.

§ 722.69 Publication of the farm allotment, projected yield, marketing quota, and marketing excess.

A record of the farm allotment, projected yield, farm marketing quota, and farm marketing excess established for farms in the county shall be kept readily available in the office of the county committee for public inspection for a period of not less than 30 calendar days. At the end of such period, the records shall be filed in the office of the county committee and remain readily available for further public inspection. Copies of notices, or other compilations upon which the pertinent data are shown may be used for this purpose.

§ 722.70 Marketing quotas for upland cotton and extra long staple cotton not interchangeable, special situations for transfer of marketing quotas between farms.

A farm marketing quota for cotton established for a farm may not be assigned or otherwise transferred in whole or in part to any other farm except in the following special situations: (a) Release and reapportionment of cotton allotments under section 344(m)(2) of the act; (b) natural disaster transfers of cotton allotments under section 344(n) of the act; (c) transfers of pooled cotton allotments under section 378 of the act; (d) transfers of allotments for upland cotton only under section 344a of the act; (e) exchange of rice allotments for upland cotton only under subsection (h) of section 344a of the act; and (f) transfers of cotton allotments under 7 U.S.C. 1305. Under sections 345 and 347 of the act, farm marketing quotas are established for each crop year for both upland and extra long staple cotton. The farm marketing quota established for a crop of upland cotton may not be used in whole or in part in connection with the marketing of extra long staple cotton nor may the farm marketing quota established for a crop of extra long staple cotton be used in whole or in part in connection with the marketing of upland cotton.

§ 722.71 Successors-in-interest.

Any person who succeeds to the interest of a producer in a farm, or in a cotton crop produced on a farm, for which a farm marketing quota and farm marketing excess were established, including a farm on which cotton was planted in a crop year but for which a farm cotton allotment was not established for such crop year, shall, to the same extent as his predecessor, be entitled to all the rights and privileges incident to such marketing quota and marketing excess and be subject to the penalty on the farm marketing excess and to the lien on the entire crop of cotton and to the restrictions on the marketing of cotton. However, a successor to a deceased producer shall not be personally liable for an unpaid marketing quota penalty incurred by the producer prior to his death, but a suit may be brought to enforce the lien for the penalty against the cotton.

§ 722.72 Review of quotas.

Any producer who is dissatisfied with the farm marketing quota and farm marketing excess determined for his farm, may, by making application in writing within 15 days after the mailing to him of the notice provided in § 722.67 or § 722.68, have such farm marketing quota and farm marketing excess reviewed by a review committee pursuant to section 363 of the act and the Marketing Quota Review Regulations set forth in Part 711 of this chapter, a copy of which may be obtained from the county committee.

§ 722.73 Exemption for publicly owned agricultural experiment stations.

The farm marketing quota and penalty shall not apply to the marketing of any cotton grown for experimental purposes only on a farm (a) operated by a publicly owned agricultural experiment station and produced at public expense by employees of the experiment station or (b) operated by a person under a written agreement with a publicly owned agricultural experiment station, approved by the State committee, whereby the experiment station bears the costs and risks of production of the cotton and the proceeds of the crop inure to the benefit of the experiment station. Farm marketing quotas shall apply to any other cotton produced by a publicly owned agricultural experiment station which is not produced for experimental purposes only.

§ 722.74 Determination of planted acreage.

The county committee shall provide for determining the acreage planted to cotton on farms in accordance with Part 718 of this chapter, as amended.

IDENTIFICATION OF COTTON

§ 722.75 Identification of cotton by producer.

Each producer of cotton shall, at the time he markets any cotton, identify the cotton to the buyer as being (a) not subject to the penalty provided under this subpart and not subject to the lien for such penalty, or (b) subject to the penalty provided under this subpart and subject to the lien for such penalty. The producer shall furnish to the buyer in connection with such identification of the cotton the following:

(1) Name and address of producer.

(2) County and State where farm on which the cotton was produced is located.

(3) Farm number.

(4) Whether the cotton is current year's crop or carryover cotton.

§ 722.76 Identification of cotton; by buyer.

Each buyer of cotton from a producer shall obtain from such producer the identification of cotton required under § 722.75. In addition, before acquiring any cotton, each buyer of cotton shall obtain from the county committee of each county where the cotton being offered to him was produced, or from the State executive director, a list showing the names and addresses of producers and the farm number for each farm in the county on which such producers are subject to the penalty for the current year's crop and any unpaid penalty for a previous crop. If there are no farms in such county subject to the penalty for the current year's crop or a previous crop, the list shall so state. The county committee or the State executive director shall furnish such list to any buyer of cotton upon request. The buyer shall determine whether the name of the producer and farm number furnished him by the producer who identifies cotton under § 722.75 appear on the list obtained for the applicable county. If the name of the producer and farm number so furnished appear on such list, or if the producer identifies the cotton as subject to penalty, the buyer shall take the cotton as subject to penalty at the applicable rate and to the lien for the penalty.

§ 722.77 Marketing of penalty free cotton.

Each buyer of cotton which is identified in accordance with §§ 722.75 and 722.76 as not subject to the penalty provided under this subpart and not subject to the lien for such penalty, may purchase the cotton so identified without collection, deduction, or payment of the penalty.

§ 722.78 Marketing of penalty cotton.

Each buyer of cotton which is identified in accordance with § 722.75 or § 722.76 as being subject to the penalty and the lien for such penalty shall take such cotton as subject to penalty at the applicable rate and to the lien for the penalty and such buyer shall collect the required penalty or deduct the required penalty from the purchase price of the cotton and remit the amount thereof to the county committee. In addition, each buyer of cotton shall collect penalty at the applicable rate or deduct such penalty from the purchase price of the cotton and remit the amount thereof to the county committee in each case where such buyer has not obtained the applicable list as required under § 722.76.

PENALTY

§ 722.79 Rate of penalty.

(a) Upland cotton: The rate of penalty for upland lint cotton is 50 percent of the parity price for upland cotton as of June 15 of the year in which the cotton is planted, as provided in section 346(a) of the act.

(b) Extra long staple cotton: The rate of penalty for extra long staple lint cotton is the higher of 50 percent of the parity price for ELS cotton as of June 15 of the year in which the ELS cotton is planted, or 50 percent of the support price for such crop of ELS cotton as provided in sections 346(a) and 347(c) of the act.

(c) Section 722.100 will be amended annually to set forth the exact rate of the penalty for upland and ELS cotton for each year.

§ 722.80 Lien for the penalty.

(a) *Upland cotton.* Until the penalty on the farm marketing excess of upland cotton for any crop year is paid, all upland cotton produced on the farm in such crop year and marketed shall be subject to the penalty at the rate prescribed in § 722.79(a) for upland cotton and a lien on such entire crop of upland cotton produced on the farm shall be in effect in favor of the United States.

(b) *Extra long staple cotton.* Until the penalty on any farm marketing excess of ELS cotton for any crop year is paid, all ELS cotton produced on the farm in such crop year and marketed shall be subject to the penalty at the rate prescribed in § 722.79(b) for ELS cotton and a lien on such entire crop of ELS cotton produced on the farm shall be in effect in favor of the United States. Notwithstanding the definition of ELS cotton in § 722.64(b)(10), the lien in favor of the United States under this paragraph applies to the varieties of cotton named in such definition wherever grown in the United States.

§ 722.81 Interest on unremitted penalty.

The person liable for the payment or collection of the penalty shall be liable also for interest on the amount of penalty which is not remitted in accordance with § 722.78 at the rate of 6 percent per annum from the final date for remitting the penalty until the date such penalty is remitted. The computation of interest on any penalty due shall be made beginning with the day following the final date for remitting the penalty.

§ 722.82 Payment of penalty by producers.

(a) *Producer liable for payment of penalty.* Each producer having an interest in the crop of cotton on any farm produced in a crop year for which a farm marketing excess has been determined shall be liable for the entire amount of the penalty on the farm marketing excess. The amount of the penalty which any producer shall pay shall nevertheless be reduced by the amount of the penalty which is paid by another producer or a buyer of cotton produced on the farm.

(b) *Time when penalty becomes due and payable.* The farm marketing excess for a farm shall be regarded as available for marketing and the penalty thereon shall become due at the time any cotton produced on the farm is harvested or is available for harvest. The amount of the penalty on the farm marketing excess for any farm shall be remitted on the date it becomes due or not later than March 15 of the year following the year in which the cotton was planted, even though the cotton is not harvested: *Provided*, That the penalty on any bale or lot of cotton marketed from a farm for which the penalty on the farm marketing excess has not been paid shall be due on the date of such marketing and shall be remitted not later than 7 calendar days next succeeding the end of the calendar week in which the cotton was marketed.

(c) *Time when penalty becomes due in cases where the initial notice of farm marketing quota and farm marketing excess mailed after 30 days prior to time when penalty would become due under paragraph (b) of this section.* Notwithstanding the provisions of paragraph (b) of this section, in any case where the initial notice of farm marketing quota and farm marketing excess is mailed to the farm operator any time after a date which is 30 days prior to the time when penalty would become due under paragraph (b) of this section, the penalty on the farm marketing excess shall become due 30 days after mailing of such notice of farm marketing quota and farm marketing excess to the farm operator.

§ 722.83 Payment of penalty by buyers.

(a) *Buyers liable for payment of penalty.* Each person within the United States who buys or acquires from the producer any cotton subject to the lien for the penalty shall be liable for and shall pay the amount of the penalty on each pound thereof in satisfaction of the lien thereon.

(b) *Time when penalty becomes due.* The penalty to be paid by any buyer pursuant to paragraph (a) of this section shall become due at the time the cotton is marketed and shall be remitted not later than 7 calendar days next succeeding the end of the calendar week in which the cotton was marketed. Cotton shall be deemed to be sold when either title to or actual or constructive possession of the cotton is delivered by or on behalf of the producer or any part of the purchase price is paid. Cotton shall be deemed to have been marketed by barter or exchange when it is delivered to another person by actual or constructive delivery or such person has received any part of the property, goods, or services for which the cotton is being bartered or exchanged. Cotton shall be deemed to have been marketed by gift inter vivos when there is actual or constructive delivery of the cotton to another person during the lifetime of the producer. Cotton shall be deemed to have been marketed in processed form when the producer, or some person on his behalf, converts cotton into an article of trade and thereby causes the cotton to lose its identity as lint cotton. An article of trade is any article made in whole or in part from cotton for the purpose of marketing such article.

(c) *Manner of deducting penalty and issuance of receipts.* The buyer may deduct from the price paid for any cotton an amount equivalent to the amount of the penalty to be paid by the buyer pursuant to paragraph (a) of this section. Any buyer who deducts an amount equivalent to the penalty shall issue to the person from whom the cotton was purchased a receipt for the amount so deducted.

§ 722.84 Remittance of penalty to the county office manager.

The county office manager for and on behalf of the Secretary shall receive the penalty and any interest due thereon and issue a receipt therefor to the person remitting the penalty as required by established fiscal procedure. The penalty and interest shall be remitted only in legal tender or by check, draft, or money order drawn payable to the order of Agricultural Stabilization and Conservation Service, USDA. All checks, drafts, or money orders tendered in payment of the penalty and interest shall be received by the county office manager subject to collection and payment at par.

§ 722.85 Deposit of funds.

All funds received by the county office manager in connection with penalties for cotton shall be scheduled and transmitted by him on the day received or not later than the morning of the next succeeding business day, to the State committee, which, in accordance with applicable instructions, shall cause such funds to be deposited to the credit of the Treasurer of the United States. In the event the funds so received are in the form of cash, the county office manager shall deposit such cash in the county committee bank account and issue a check in the amount thereof payable to the Agricultural Stabilization and Conservation Service, USDA, and transmit such check to the State committee. The county office manager shall make and keep a record of each amount received by him, showing the name of the person who remitted the funds, the identification of the farm or farms for which the funds were remitted, and the names of the per-

sons who marketed the cotton in connection with which the funds were remitted.

§ 722.86 Refunds of money in excess of the penalty.

(a) *Determination of refunds.* The county committee and the county office manager, upon their own motion or upon the request of any interested person, shall review the amount of money received in connection with the penalty for any farm to determine for each producer the amount thereof, if any, which is in excess of the penalty incurred. The excess amount shall be refunded. Any refund shall be made only to persons who bore the burden of the payment and who have not been reimbursed therefor. The excess sum shall be first applied, insofar as the sum will permit, so as to make refunds to eligible persons other than producers and the remainder, if any, shall be applied so as to make refunds to the eligible producers. No refund shall be made to any buyer of any amount which he collected from the producer, deducted from the price or other consideration for the cotton or for which he was liable.

(b) *Certification of refunds.* A member of the county committee, or the county office manager, shall notify the State committee of the amount which the county committee determines may be refunded to each person with respect to the farm, and the State committee shall cause to be certified to the appropriate Disbursing Officer of the Treasury Department for payment such amounts as are approved by it. No refund of money shall be certified under this section unless the money has been collected and transmitted to the State committee but has not been covered into the general fund of the Treasury of the United States.

§ 722.87 Refund of penalty erroneously, illegally, or wrongfully collected.

Whenever a claim for refund of any sum of money erroneously, illegally, or wrongfully collected as a penalty with respect to cotton is duly filed in accordance with section 372 of the act and §§ 714.21 to 714.28, Subpart—Cotton Marketing Quota Provisions, of Part 714 of this chapter, as amended, and a determination is duly made that a part or all of the penalty was erroneously, illegally, or wrongfully collected, a refund of such penalty or part thereof shall be made as provided in the regulations pertaining to refunds of penalties (§§ 714.21 to 714.28 of this chapter).

§ 722.88 Report of violations and court proceedings to collect penalty.

The county office manager shall report in writing to the State executive director each case of failure or refusal to pay the penalty or to remit the same as provided in §§ 722.61 to 722.100 to the county office manager when collected. The State executive director shall report each such case in writing to the Office of the General Counsel of the U.S. Department of Agriculture, in accordance with instructions issued by the deputy administrator, with a view to the institution of proceedings by the U.S. Attorney for the appropriate district, under the direction of the Attorney General of the United States, to collect the penalties as provided in section 376 of the act.

RECORDS AND REPORTS

§ 722.89 Records to be kept and reports to be made by ginners.

(a) *Necessity for records and reports.* Each ginner shall, in conformity with section 373(a) of the act, keep the records and make the reports prescribed by this section which the Secretary hereby finds to be necessary to enable him to carry out, with respect to cotton, the provisions of the act.

(b) *Ginner's record of cotton ginned.* Each ginner shall keep, for each crop year, as a part of or in addition to the records maintained by him in the conduct of his business, a record showing with respect to each bale, and each lot of cotton less than a bale, ginned by him the following information: (1) The date the seed cotton was delivered to the gin; (2) the name of the operator of the farm on which the cotton was produced; (3) the name of the producer of the cotton; (4) the name and address of the person who delivered the cotton to the gin in those cases where the ginner has doubt as to the accuracy of the name of the farm operator or producer of the cotton as furnished; (5) the county and State in which the farm on which the cotton was produced is located; (6) the gin bale number or mark or other identification; and (7) the gross weight of each bale of cotton and (the net weight of) each lot of lint cotton less than a bale ginned by the ginner.

(c) *Requests for reports.* Each ginner, upon written request of the State committee, State executive director, or county committee, shall make a report showing the information provided for in this section, or any part thereof as specified in the request, with respect to cotton ginned for the person or persons specified in the request or for the period of time specified in the request. This report shall be filed not later than the date designated by the State committee, State executive director, or county committee in the written request for such report.

(d) *Manner of submitting reports.* The county office manager designated in the request for such report, or his successor in office, is hereby authorized and empowered to receive each such report on behalf of the Secretary. Each report shall be mailed or delivered directly to the said county office manager.

§ 722.90 Records to be kept and reports to be made by buyers.

(a) *Necessity for records and reports.* Each person who buys or acquires seed cotton or lint cotton from the producer thereof, in conformity with section 373 (a) of the act, shall keep the records and make the reports prescribed by this section which the Secretary hereby finds to be necessary to enable him to carry out, with respect to cotton, the provisions of the act.

(b) *Nature of records.* Each buyer shall keep for each crop year, as a part of or in addition to the records maintained by him in the conduct of his business, a record which shall show with respect to each bale of cotton, and each lot of cotton less than a bale, which is purchased by him from the producer thereof the following information: (1) The name and address of the producer from whom the cotton was purchased; (2) the date on which the cotton was purchased; (3) the original gin bale number and warehouse receipt number; or if there is no gin bale number, the gin bale mark or other information showing the origin or source of the cotton and in the case of seed cotton purchased, the number of pounds of seed cotton and the known or estimated amount of lint in such seed cotton; (4) the number of pounds of lint cotton in each bale, and each lot of lint cotton less than a bale, purchased from the producer; and (5) the amount of penalty collected in connection with the cotton purchased from the producer. The county committee shall, upon request of any buyer, furnish to him without cost blank copies of Form MQ–80–Cotton, which may be used by him for the purpose of keeping the records required pursuant to this paragraph.

(c) *Buyer's record and report.* In the event the county committee, the State committee, or State executive director has reason to believe that any buyer failed or refused to collect or to remit the penalty required to be collected by him for any cotton which he purchased, or otherwise in any manner failed or refused to comply with §§ 722.61 to 722.100, the buyer shall, within 15 days after a written request therefor by either the county committee, State committee, or State executive director is sent to him by certified mail at his last known address, make a report verified as true and correct on Form MQ–80–Cotton, to the designated county office manager with respect to cotton purchased or acquired by him from the person or persons specified in the request or purchased or acquired by him during the period of time specified in the request. Such report shall include the information required to be kept under paragraph (b) of this section for each bale of cotton, and each lot of cotton less than a bale, purchased by such buyer.

(d) *Manner of submitting report.* The county office manager for the county in which the cotton covered by the report was produced is hereby authorized and empowered to receive for and on behalf of the Secretary, each report required pursuant to this section. Each report shall be mailed or delivered directly to the said county office manager.

§ 722.91 Records to be kept by warehousemen, processors, and others.

Each warehouseman, processor (including compressman), common carrier, or other person, as defined in section 373(a) of the act, who stores, processes (including compressing), transports as a common carrier or otherwise deals with cotton from, for, or on behalf of the producer thereof, shall for each crop year keep the records relating to such cotton which are normally kept by persons engaged in the same or similar business. The Secretary hereby finds such records to be necessary to enable him to carry out, with respect to cotton, the provisions of the act.

§ 722.92 Availability of records kept by ginners, buyers, warehousemen, and others.

Each ginner, buyer, warehouseman, processor (including compressman), common carrier, or other person as defined in section 373(a) of the act, who gins, buys, stores, processes (including compressing), transports as a common carrier, or otherwise deals with cotton from, for, or on behalf of the producer thereof, shall make available for examination and inspection by the Secretary or by any authorized representative of the Secretary, the records kept in his business concerning such cotton, for the purpose of ascertaining the correctness of any report made or record kept pursuant to §§ 722.61 to 722.100, or of obtaining the information required to be furnished in any report pursuant to §§ 722.61 to 722.100, but not so furnished. The records to be kept pursuant to the provisions of §§ 722.89, 722.90, and 722.91 shall be kept available for examination and inspection by the Secretary, or by any authorized representative of the Secretary, until December 31 of the second year following the year in which the cotton is planted. Such records shall be kept for such longer period of time as may be requested in writing by the State executive director or by the director.

§ 722.93 Penalty for failure or refusal to keep records or make reports.

Any ginner, buyer, warehouseman, processor (including compressman), common carrier, or other person, as defined in section 373(a) of the act who gins, buys, acquires, stores, processes (including compressing), transports as a common carrier, or otherwise deals with cotton from, for, or on behalf of the producer thereof who fails to keep the records, make the reports as required by § 722.89, § 722.90, or § 722.91, or who makes any false report or false record shall, as provided for in section 373(a) of the act, be deemed guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine of not more than $500 for each such offense.

§ 722.94 Records to be kept and reports to be made by producers.

(a) *Necessity for records and reports.* Each person who produces or who has produced in any crop year, cotton which is subject to the provisions of §§ 722.61 to 722.100 shall, in conformity with section 373(b) of the act, keep the records and make the reports prescribed by this section, which records and reports the Secretary hereby finds to be necessary to enable him to carry out, with respect to cotton, the provisions of the act. The records required to be kept pursuant to this section shall be kept until December 31 of the second year following the year in which cotton is planted, or for such longer period of time as may be requested in writing by the State executive director or by the director.

(b) *Cotton marketed to persons not within the United States.* In each case where cotton is marketed to any person not within the United States the producer shall furnish to the county committee within 15 days next succeeding the day on which the cotton was marketed, the name and address of the buyer or transferee, the amount of cotton, and indicate that such person is not within the United States.

(c) *Farm operator's report.* The operator of the farm shall file with the county office manager for the county in which the farm is located a farm operator's report on Form MQ–98–Cotton in the following cases: (1) Where the producer is making an application for a downward adjustment in the farm marketing excess pursuant to § 722.68 except that the county committee may waive this requirement in case it determines that the evidence otherwise submitted by the producer is satisfactory evidence of the actual production of cotton on the farm; (2) where a farm marketing excess is determined for the farm but an application for downward adjustment in the farm marketing excess has not been filed and the county office manager or the State executive director requests the report in writing; and (3) where a farm marketing excess is not established but the county office manager or the State executive director determines that a farm operator's report is necessary for proper administration of §§ 722.61 to 722.100 and requests such report in writing. Upon written request by the county office manager or the State executive director for a farm operator's report on Form MQ–98–Cotton, the operator of the farm shall make the report in the manner specified in this paragraph not later than the date designated in the request. Form MQ–98–Cotton shall show for the farm the following information or any part thereof as specified in such request for a specified crop year: (i) the date harvesting of the crop of cotton was completed on the farm, the date of the last ginning of cotton produced on the farm, and the acreage of cotton on the farm; (ii) the total number of pounds of lint cotton ginned from the crop of cotton; (iii) the name and address of each ginner who ginned such cotton and the number of and net weight of bales or lots less than a bale ginned by him; (iv) the total amount of seed cotton of the crop marketed; (v) the total amount of lint cotton of the crop marketed; (vi) the amount of unmarketed cotton of the crop on hand; (vii) the total number of pounds of lint cotton produced from such crop; (viii) the name and address of each buyer of such crop lint or seed cotton and the amount thereof marketed to him; and (ix) the amount of penalty paid by the producer or collected by the buyer.

(d) *Manner of submitting reports.* The county office manager for the county in which the cotton covered by the report was produced is hereby authorized and empowered to receive, for and on behalf of the Secretary, each report required pursuant to this section. Each report shall be mailed or delivered directly to such county office manager.

§ 722.95 Enforcement.

The county office manager shall report in writing to the State executive director each case of failure or refusal to make any report or keep any record as required by §§ 722.61 to 722.100 and so to report each case of making any false report or record. The State executive director shall report each such case in writing to the Office of the General Counsel of the U.S. Department of Agriculture, in accordance with instructions issued by the deputy administrator, with a view to the institution of proceedings by the U.S. Attorney for the appropriate district, under the direction of the Attorney General of the United States, to enforce the provisions of the act.

§ 722.96 Revision of county committee determinations and erroneous notices.

(a) *Revision of determinations.* In any case where a determination of the county committee under §§ 722.61 to 722.100 is found to be in error, the county committee on its own motion or upon request of a representative of the State committee, shall revise such determinations.

(b) *Erroneous notices of cotton allotment and planted acreage.* In any case where an erroneous notice of cotton allotment or an erroneous notice of planted acreage is issued, the county committee shall follow the applicable upland or ELS cotton acreage allotment regulations and the provisions of Part 718 of this chapter.

§ 722.97 Supervisory authority of State committee.

The State committee may take any action required to be taken by the county committee which the county committee fails to take and the State committee may correct or require the county committee to correct any action taken by such county committee which is not in accordance with §§ 722.61 to 722.100. The State committee may also require the county committee to withhold taking any action which is not in accordance with §§ 722.61 to 722.100. A copy of each notice issued by the State committee hereunder shall be kept among the permanent records of the appropriate county committee and copies thereof shall be made available in accordance with the provisions of §§ 722.61 to 722.100 to any person who as operator, landlord, tenant, or sharecropper, is interested in the cotton produced on the farm for which the notice is given.

§ 722.98 Availability of records.

The State and county committees shall make available for inspection by owners or operators of farms receiving cotton allotments all records pertaining to cotton allotments and marketing quotas.

§ 722.99 Designation of representatives of the Secretary to examine records.

(a) *Designation of representatives.* In order to carry out the provisions of §§ 722.89 to 722.92, relating to the examination of records, the deputy administrator is hereby authorized and directed to designate in writing with the counter signature of the State executive director, an appropriate number of persons from the officers or employees of the Department of Agriculture to act as the authorized representatives of the Secretary for the purpose of said provisions. In addition, investigators, and accountants (special agents), Office of the Inspector General, U.S. Department of Agriculture are hereby designated as authorized representatives of the Secretary for the purposes of said provisions.

(b) *Authorization to administer oaths.* Each person designated pursuant to this section to act as the authorized representative of the Secretary is hereby authorized and empowered under 5 U.S.C. 521 to administer to or take from any person an oath, affirmation, or affidavit whenever such oath, affirmation, or affidavit is for use in any prosecution or proceeding under or in the enforcement of the cotton marketing quota provisions of the act or §§ 722.61 to 722.100.

§ 722.100 Penalty rate for each crop year.

This section will be amended annually to establish the penalty rate for each crop year pursuant to § 722.79.

NOTE: The recordkeeping and reporting requirements of these regulations have been approved by, and subsequent recordkeeping and reporting requirements will be subject to, the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. Thirty days after publication of this document in the FEDERAL REGISTER.

Signed at Washington, D.C., on April 27, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-4781; Filed, May 2, 1966; 8:45 a.m.]

PART 722—COTTON

Subpart—1966 Crop of Upland Cotton; Acreage Allotments and Marketing Quotas

REVISED COUNTY PROJECTED YIELDS

Basis and purpose. This amendment to § 722.275 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.), to revise the 1966 county projected yields for upland cotton for certain counties as established under section 301(b)(13)(L) of the act.

Revisions were made on the basis of corrected official yield estimates for 1 or more years of the base period, 1960–64, and ASC State Committee recommendations.

Since the only purpose of this amendment to § 722.275 is to revise the county projected yields for certain counties as published in the FEDERAL REGISTER on December 29, 1965 (30 F.R. 16185), it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is unnecessary. Accordingly, this amendment shall be effective upon filing this document with the Director, Office of the Federal Register.

The projected yields for the following counties as established under paragraph (g) of § 722.275 are corrected to read as follows:

County	Projected yield (pounds per acre)
ARKANSAS	
Pulaski	516
LOUISIANA	
Bossier	545
Grant	546
LaSalle	584
Natchitoches	545
NEW MEXICO	
Luna	934
Roosevelt	533
TEXAS	
Houston	383

(Sec. 301(b)(13)(L), (M), 79 Stat. 1197; 7 U.S.C. 1301(b)(13)(L), (M))

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on April 28, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-4808; Filed, May 2, 1966; 8:47 a.m.]

PART 722—COTTON

Subpart—1967 Crop of Upland Cotton; Acreage Allotments and Marketing Quotas

REFERENDA FOR OUT-OF-COUNTY TRANSFERS OF ALLOTMENTS

Section 722.461 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.).

(a) The purpose of § 722.461 is to fix the time for holding referenda on out-of-county transfers of upland cotton allotments by sale or lease in designated counties under section 344a of the act.

(b) Notice of the proposed fixing of the time for holding the referenda of 1966 upland cotton producers in designated counties as to out-of-county transfers of upland cotton allotments by sale or lease to take effect during 1967, 1968, and 1969 was published in the FEDERAL REGISTER on April 8, 1966 (31 F.R. 5570). No submissions in response to such notice were received. Since the period for holding these referenda begins less than 30 days from the date of filing this document with the Director, Office of the Federal Register, compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest. Accordingly, § 722.461 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.461 Referenda on transfers of allotment by sale or lease in designated counties.

(a) *Authority.* Subsection (b)(ii) of section 344a of the act provides as follows:

(ii) No farm allotment may be sold or leased for transfer to a farm in another county unless the producers of cotton in the county from which transfer is being made have voted in a referendum within 3 years of the date of such transfer, by a two-thirds majority of the producers participating in such referendum, to permit the transfer of allotments to farms outside the county, which referendum, insofar as practicable, shall be held in conjunction with the marketing quota referendum for the commodity; * * *

This provision permits transfer of allotment by sale or lease out of a county to another county in the same State if the referendum vote is favorable.

(b) *Referenda held on November 23, 1965.* Referenda under subsection (b)(ii) of section 344a of the act were held on November 23, 1965, in all counties of the United States for which upland cotton allotments were established for the 1965 crop (§ 722.261, 29 F.R. 16775) with respect to transfers by sale or lease across county lines within the same State to become effective in 1966, 1967, and 1968. The counties in which the referendum vote was favorable and for which such transfers may be approved were designated in § 722.277, as amended (30 F.R. 15647, 31 F.R. 2776), and accordingly, no referenda in such counties are required to be held in 1966 under subsection (b)(ii) of section 344a of the act.

(c) *Referenda to be held during the period May 16–25, 1966.* Referenda under subsection (b)(ii) of section 344a of the act shall be held in all counties of the United States for which upland cotton allotments were established for the 1966 crop (§ 722.273, 30 F.R. 14412) except the counties designated in § 722.277, as amended (30 F.R. 15647, 31 F.R. 2776), to determine whether transfers by sale or lease out of such counties to other counties within the same State shall be permitted to take effect in 1967, 1968, and 1969. It is hereby determined that such referenda shall be held in such counties during the period May 16–25, 1966, by mail ballot in accordance with Part 717 of this chapter. If the vote in a county is favorable, transfers of allotment by sale or lease from such county to other counties in the same State to take effect in 1967, 1968, and 1969 may be permitted in accordance with section 344a of the act. If the vote in a county is unfavorable, no transfers of allotment by sale or lease from such county to other counties may be made and a referendum under subsection (b)(ii) of section 344a of the act would be required in 1967 with respect to future transfers beginning with 1968.

(d) *Determination that holding referenda in conjunction with the national marketing quota referendum under section 343 of the act is impracticable.* Under subsection (b) of section 344a the period for filing applications for transfers of allotment is prescribed for each year as the period beginning June 1 and ending December 31. In order to permit owners and operators to utilize such period to the fullest extent, it is hereby found that it is impracticable to hold the referenda under subsection (b)(ii) of section 344a in conjunction with the national marketing quota referendum for upland cotton under section 343 of the act which will be held after any proclamation of national marketing quota for upland cotton of the 1967 crop is made.

(Secs. 344a, 375, 79 Stat. 1197, 52 Stat. 66, as amended; 7 U.S.C. 1344b, 1375)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on April 27, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-4782; Filed, May 2, 1966; 8:45 a.m.]

PART 729—PEANUTS

Subpart—Determination With Respect to Supply of Valencia Type Peanuts for 1966–1967 Marketing Year

AMENDED STATE ALLOTMENT FOR GEORGIA

Basis and purpose. This amendment is issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), to amend the apportionment of the increase in State acreage allotments to States producing Valencia type peanuts.

In F.R. Doc. 66-3175 published in the FEDERAL REGISTER of March 26, 1966 (31 F.R. 5002), the 1966 peanut acreage allotment for the State of Georgia was increased by 31 acres. It has been determined that this increase was based on incorrect data. Based on correct data, the increase should have been 11 acres.

The 1966 increase in the basic State allotment for the State of Georgia is being changed from 31 acres to 11 acres and the 20-acre difference is being added to the National Reserve for corrections.

Since peanut growers are now engaged in planting their 1966 crop of peanuts and need to know of the amendment herein, it is hereby found and determined that compliance with the notice, public procedure and effective date provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is impracticable and contrary to the public interest. Therefore, this amendment shall become effective upon its filing with the Director, Office of the Federal Register.

Section 729.1705(b) is amended, with respect to the State of Georgia and the National Reserve, as follows:

State	1947 Harvested acreage of peanuts	1963–65 Average acreage valencia type peanuts	1966 Increase in State allotment	1966 Previous State allotment	1966 Revised State allotment
	Acres	*Acres*	*Acres*	*Acres*	*Acres*
Georgia	1,124,000	30.6	11	528,551.4	528,562.4
National reserve	0	0	27	0	27.0

Effective date. Date of filing this document with the Director, Office of the Federal Register.

(Secs. 358, 375, 55 Stat. 89, as amended, 65 Stat. 29, 52 Stat. 66, as amended; 7 U.S.C. 1358, 1375)

Signed at Washington, D.C., on April 27, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-4783; Filed, May 2, 1966; 8:45 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 98]

PART 1098—MILK IN NASHVILLE, TENN., MARKETING AREA

Order Amending Order

§ 1098.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Nashville, Tenn., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1966. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator was issued April 19, 1966. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1966, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Nashville, Tenn., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

Section 1098.51(b) is revised to read as follows:

§ 1098.51 Class prices.

* * * * *

(b) *Class II milk price.* The Class II milk price shall be the basic formula price for the month.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601, 674)

Effective date. May 1, 1966.

Signed at Washington, D.C., on April 28, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66–4757; Filed, Apr. 29, 1966; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1434—HONEY

Subpart—Honey Price Support Regulations

Correction

In F.R. Doc. 66–4439, appearing at page 6257 of the issue for Saturday, April 23, 1966, "loan maturity data" in the first sentence of § 1434.108(b) should read "loan maturity date".

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7331; Amdt. 39–229]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Model PA–30 Airplanes

There has been excessive vibration in the stabilator on a Piper Model PA–30 airplane. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to impose a maximum airspeed operating limitation until modification of the stabilator system on the subject airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PIPER. Applies to Model PA–30 airplanes.

Compliance required within the next 10 hours' time in service after the effective date of this AD, unless already accomplished.

As a result of excessive vibration that could result in partial failure of the stabilator, accomplish the following:

(a) Attach the following operating limitation placard to the airspeed indicator in full view of the pilot:

"Do not exceed 218 mph (190 knots) IAS."

(b) After a modification of the stabilator system approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, has been incorporated, the placard required by pargaraph (a) may be removed.

This amendment becomes effective May 3, 1966.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on April 29, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66–4845; Filed, May 2, 1966; 8:48 a.m.]

[Airspace Docket No. 65–CE–130]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On December 21, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 15759) stating that the Federal Aviation Agency was considering raising the floors of Federal airway segments in the Kansas City, Mo., flight advisory area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. Due consideration was given to all comments received.

The Air Transport Association of America stated that implementation of the actions proposed in the notice would result in the loss of cardinal altitudes on several airway segments. They are opposed to such loss, especially on airway segments adjacent to terminal areas and on short haul airways.

The regulations that established the floors of control area and that precipitated the actions proposed in the notice was the subject of rule making procedures and adopted by the Federal Aviation Agency on January 16, 1961 (26 F.R. 570). This regulation was implemented to provide additional uncontrolled airspace for visual flight rule operations. Interested persons were cognizant of the fact that, in some instances, minimum en route altitudes would be raised and cardinal altitudes lost. The minimum en route altitudes for the airway segments proposed in the docket are now in effect and will not be altered further by adoption of the proposals contained in the notice. No other comments were received.

Subsequent to publication of the notice, it was determined that V–13 from Butler, Mo., and Neosho, Mo., and V–125 from Hutchinson, Kans., to Anthony, Kans., should have been considered for 1,200 feet AGL floors. Such action is taken herein. V–125 is within transition areas with 1,200 feet AGL floors. In the case of V–13 the relation of the minimum obstruction altitude to the minimum en route altitude is such that no additional uncontrolled airspace could be realized by establishing the floor at 500 feet MSL below the minimum en route altitude. Since these actions reduce a burden on the public, the Administrator has determined that notice and public procedure thereon are unnecessary.

V–69 from Farmington, Mo., to Walnut Ridge, Ark., and V–275 from Dayton, Ohio, to Findlay, Ohio, are not considered herein as they were processed in Airspace Dockets Nos. 65–SW–29 and 65–CE–131, respectively.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t. July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 2473) is amended as follows:

1. In V–4 all betweeen "Thurman, Colo.;" and "INT of Evansville 080°" is deleted and "Goodland, Kans.; 12 AGL Hill City, Kans.; 12 AGL Russell, Kans.; 12 AGL Salina, Kans.; 12 AGL Topeka, Kans., including a 12 AGL S alternate via INT Salina 095° and Topeka 236° radials; 12 AGL Kansas City, Mo., including a 12 AGL N alternate and also a 12 AGL S alternate via INT Topeka 099° and Kansas City 231° radials; 12 AGL Marshall, Mo.; 12 AGL Hallsville, Mo.; 12 AGL St. Louis, Mo.; including a 12 AGL N alternate; 12 AGL Troy, Ill.; 12 AGL Centralia, Ill.; 12 AGL Evansville, Ind., including a 12 AGL S alternate;" is substituted therefor.

2. In V–9 all between "Memphis, Tenn.," and "Pontiac, Ill.;" is deleted and "including an E alternate and also a W alternate: Malden, Mo.; 12 AGL Farmington, Mo.; 12 AGL St. Louis, Mo., including a 12 AGL W alternate; 12 AGL Capital, Ill., including a 12 AGL W alternate;" is substituted therefor.

3. In V–10 all before "Bradford, Ill.;" is deleted and "From Pueblo, Colo., via Lamar, Colo.; 12 AGL Garden City, Kans.; 12 AGL Dodge City, Kans.; 12 AGL Hutchinson, Kans., including a 12 AGL N alternate via INT Dodge City 060° and Hutchinson 296° radials excluding the airspace between the main and alternate airway; 12 AGL Emporia, Kans.; 12 AGL Kansas City, Mo., including a 12 AGL N alternate Emporia to Kansas City via Topeka, Kans.; 12 AGL Kirksville, Mo.; 12 AGL Burlington, Iowa;" is substituted therefor.

4. In V–12 all between "Wichita 190° radials;" and "Richmond, Ind.;" is deleted and "12 AGL Emporia, Kans., including a 12 AGL N alternate via INT Wichita 037° and Emporia 259° radials; 12 AGL INT Emporia 050° and Topeka, Kans., 099° radials; 12 AGL INT Topeka 099° and Blue Springs, Mo., 268° radials; 12 AGL Blue Springs; 12 AGL Blackwater, Mo.; 12 AGL Readsville, Mo.; 12 AGL Maryland Heights, Mo., including a 12 AGL S alternate; 12 AGL Troy, Ill.; 12 AGL Bible Grove, Ill.; 12 AGL Lewis, Ind.; 12 AGL Shelbyville, Ind.;" is substituted therefor.

5. In V–13 all between "Neosho, Mo.;" and "Des Moines, Iowa," is deleted and "12 AGL Butler, Mo.; 12 AGL Kansas City, Mo., including a 12 AGL E alternate via INT Butler 013° and Kansas City 157° radials; 12 AGL Lamoni, Iowa;" is substituted therefor.

6. In V–15 "From Kansas City, Mo., via St. Joseph, Mo.;" is deleted and "From Kansas City, Mo., 12 AGL St. Joseph, Mo.;" is substituted therefor.

7. In V–17 all after "Gage 133° radials;" is deleted and "12 AGL Garden City, Kans., including a 12 AGL W alternate from Gage to Garden City via Liberal, Kans.; 12 AGL Goodland, Kans. The airspace above 9,000 feet MSL is excluded between McAllen and Laredo." is substituted therefor.

8. In V–44 all before "Nabb, Ind.;" is deleted and "From Maryland Heights, Mo.; 12 AGL Centralia, Ill.; 12 AGL Samsville, Ill.;" is substituted therefor.

9. V–50 is amended to read as follows:

V–50 From Pawnee City, Nebr., 12 AGL St. Joseph, Mo.; 12 AGL Kirksville, Mo.; 12 AGL Quincy, Ill.; 12 AGL Capital, Ill.; 12 AGL Decatur, Ill.; 12 AGL Terre Haute, Ind.; 12 AGL Indianapolis, Ind.; 12 AGL Dayton, Ohio, including a 12 AGL N alternate from Indianapolis to Dayton via Muncie, Ind.

10. V–52 is amended to read as follows:

V–52 From Des Moines, Iowa, via Ottumwa, Iowa; 12 AGL Quincy, Ill.; 12 AGL St. Louis, Mo., including a 12 AGL N alternate; 12 AGL Troy, Ill.; 12 AGL INT Troy 099° and Evansville, Ind., 309° radials; 12 AGL Evansville, Ind.

11. In V–63 all between "12 AGL Springfield, Mo.;" and "From the INT of Polo, Ill., 268°" is deleted and "12 AGL Hallsville, Mo.; 12 AGL Quincy, Ill.; Burlington, Iowa." is substituted therefor.

12. V–65 is amended to read as follows:

V–65 From INT Kansas City, Mo., 231° and St. Joseph, Mo., 178° radials; 12 AGL St. Joseph; 12 AGL Lamoni, Iowa.

13. In V–69 all between "12 AGL Farmington, Mo.;" and "Pontiac, Ill.;" is deleted and "12 AGL INT Farmington 351° and Troy, Ill., 234° radials; 12 AGL Troy; 12 AGL Capital, Ill.;" is substituted therefor.

14. In V–71 all after "excluding the airspace between the main and this W alternate;" is deleted and "12 AGL Butler, Mo.; 12 AGL Kansas City, Mo.; 12 AGL INT Kansas City 310° and Pawnee City, Nebr., 122° radials; 12 AGL Pawnee City; 12 AGL INT Pawnee City 334° and Raymond, Nebr., 146° radials; 12 AGL Raymond." is substituted therefor.

15. In V–72 all before "From Akron, Ohio," is deleted and "From Fayetteville, Ark., 12 AGL Dogwood, Mo.; 12 AGL Maples, Mo.; 12 AGL Richwoods, Mo.; 12 AGL Troy, Ill." is substituted therefor.

16. V–73 is amended to read as follows:

V–73 From Wichita, Kans., 12 AGL Hutchinson, Kans.; 12 AGL INT Hutchinson 025° and Salina, Kans., 184° radials; 12 AGL Salina.

17. In V–74 all before "12 AGL Ponca City, Okla.;" is deleted and "From Garden City, Kans.; 12 AGL Dodge City, Kans.; 12 AGL Anthony, Kans.;" is substituted therefor.

18. In V–77 all after "12 AGL Wichita;" is deleted and "12 AGL INT Wichita 037° and Topeka, Kans., 236° radials; 12 AGL Topeka; 12 AGL St. Joseph, Mo.; 12 AGL Lamoni, Iowa; to Des Moines, Iowa. The airspace within R–5601 is excluded." is substituted therefor.

19. In V–108 all after "Hugo 250° radials;" is deleted and "Goodland, Kans.; 12 AGL Hill City, Kans." is substituted therefor.

20. In V–116 all before "Peoria, Ill.;" is deleted and "From Kansas City, Mo., 12 AGL Macon, Mo.; 12 AGL Quincy, Ill.;" is substituted therefor.

21. V–125 is amended to read as follows:

V–125 From Anthony, Kans., 12 AGL Hutchinson, Kans.

22. In V–131 all after "12 AGL Chanute, Kans.;" is deleted and "12 AGL Topeka, Kans." is substituted therefor.

23. V–132 is amended to read as follows:

V–132 From Cheyenne, Wyo., via Akron, Colo.; Goodland, Kans., 60 miles 12 AGL, 97 miles 92 MSL, 12 AGL Hutchinson, Kans.; 12 AGL INT Hutchinson 078° and Chanute, Kans., 294° radials; 12 AGL Chanute; 12 AGL INT Chanute 100° and Springfield, Mo., 276° radials; 12 AGL Springfield.

24. In V–161 all between "12 AGL Oswego, Kans.;" and "Des Moines, Iowa;" is deleted and "12 AGL Butler, Mo.; 12 AGL Blue Springs, Mo.; 12 AGL INT Blue Springs 016° and Lamoni, Iowa, 174° radials; 12 AGL Lamoni." is substituted therefor.

25. V–175 is amended to read as follows:

V–175 From Vichy, Mo., 12 AGL via INT Vichy 321° and Hallsville, Mo., 209° radials; 12 AGL Hallsville.

26. V–179 is amended to read as follows:

V–179 From Paducah, Ky., 12 AGL Marion, Ill.; 12 AGL Centralia, Ill.

27. In V–190 all after "12 AGL Springfield;" is deleted and "12 AGL Maples, Mo.; 12 AGL Farmington, Mo.; 12 AGL Marion, Ill.; 12 AGL Evansville, Ind." is substituted therefor.

28. In V–191 all before "12 AGL INT Farmington 351°" is deleted and "From Memphis, Tenn., via Walnut Ridge, Ark.; 12 AGL Farmington, Mo.;" is substituted therefor.

29. In V–205 all between "12 AGL Springfield, Mo.;" and "INT of St. Joseph 343°" is deleted and "12 AGL Blue Springs, Mo.; 12 AGL Kansas City, Mo.; 12 AGL St. Joseph, Mo.;" is substituted therefor.

30. V–206 is amended to read as follows:

V–206 From Blue Springs, Mo., 12 AGL INT Blue Springs 068° and Kirksville, Mo., 225° radials; 12 AGL Kirksville.

31. In V–234 "to Hutchinson, Kans." is deleted and "32 miles 12 AGL, 74 miles 75 MSL, 12 AGL Hutchinson, Kans." is substituted therefor.

32. In V–244 all after "Lamar, Colo.;" is deleted and "20 miles 12 AGL, 57 miles 65 MSL, 61 miles 95 MSL, 24 miles 50 MSL, 12 AGL Russell, Kans. The airspace within R–2531 is excluded." is substituted therefor.

33. In V–280 all after "12 AGL Hutchinson, Kans.;" is deleted and "12 AGL INT Hutchinson 062° and Topeka, Kans., 236° radials; 12 AGL Topeka; 12 AGL INT Topeka 064° and Kansas City, Mo., 274° radials; 12 AGL Kansas City." is substituted therefor.

34. V–424 is amended to read as follows:

V–424 From Blue Springs, Mo., 12 AGL Marshall, Mo.; 12 AGL Macon, Mo.

35. V–446 is amended to read as follows:

V–446 From Troy, Ill., 12 AGL INT Troy 099° and Centralia, Ill., 056° radials; 12 AGL Samsville, Ill.

36. In V–516 all before "12 AGL Ponca City, Okla.;" is deleted and "From Liberal, Kans., 12 AGL Anthony, Kans.;" is substituted therefor.

37. In V–11 all between "12 AGL Fort Wayne, Ind.," and "12 AGL Salem, Mich.;" is deleted and "including a 12 AGL E alternate via INT Indianapolis 060° and Shelbyville, Ind., 006° radials and INT of Shelbyville 006° and Fort Wayne 218° radials;" is substituted therefor.

38. In V–14 all between "Indianapolis 230° radials;" and "Attica, Ohio;" is deleted and "12 AGL Muncie, Ind.; 12 AGL Findlay, Ohio;" is substituted therefor.

39. In V–178 all before "Central City, Ky.;" is deleted and "From Farmington, Mo., 12 AGL Paducah, Ky., including a 12 AGL S alternate;" is substituted therefor.

40. In V–210 all between "Indianapolis 230° radials;" and "Tiverton, Ohio;" is deleted and "12 AGL Muncie, Ind.; 12 AGL Rosewood, Ohio;" is substituted therefor.

41. V–313 is amended to read as follows:

V–313 From Malden, Mo., 12 AGL Cape Girardeau, Mo.; 12 AGL Centralia, Ill., including a 12 AGL E alternate from Cape Girardeau to Centralia via Marion, Ill.; 12 AGL Decatur, Ill.; 12 AGL Pontiac, Ill.

42. V–335 is amended to read as follows:

V-335 From Maryland Heights, Mo., 12 AGL Marion, Ill.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on April 26, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-4763; Filed, May 2, 1966; 8:45 a.m.]

[Airspace Docket No. 65-EA-97]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration and Revocation of Transition Areas

On pages 1204 and 1205 of the FEDERAL REGISTER for January 29, 1966, the Federal Aviation Agency published proposed regulations which would revoke the Westerly State Airport, Westerly, R.I., transition area and alter the Trumbull Airport, Groton, Conn., transition area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t. June 23, 1966.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on April 14, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to revoke the Westerly, R.I., transition area.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Groton, Conn., transition area and substitute in lieu thereof the following:

That airspace extending upwards from 700 feet above the surface within the area bounded by a line beginning at 41°10'30" N., 72°00'00" W. to 41°12'00" N., 72°10'00" W. to 41°18'00" N., 72°14'00" W. to 41°27'00" N., 72°09'00" W. to 41°25'00" N., 71°42'00" W. to 41°18'00" N., 71°42'00" W. to 41°16'00" N., 71°49'00" W. to 41°13'00" N., 71°48'00" W. to point of beginning.

[F.R. Doc. 66-4764; Filed, May 2, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-17]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Westover, Mass., control zone (31 F.R. 2146).

This alteration results from the phasing out of KC-97 type aircraft from the Westover AFB, Chicopee Falls, Mass. This action will permit a minor reduction in the southwest control zone extension.

Since this amendment is minor in nature and is basically less restrictive, notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t. June 23, 1966 as follows:

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Westover, Mass. control zone the phrase, "within 2 miles each side of the centerline of Runway 23 extended 7 miles SW from the end of the runway" and insert in lieu therof, "within 2 miles each side of the Westover AFB TACAN 221" radial extending from the 5 mile radius zone to 6 miles SW of the TACAN."

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on April 14, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-4765; Filed, May 2, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-4]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

Correction

In F.R. Doc. 66-4554 appearing at page 6355 in the issue for Wednesday, April 27, 1966, the third paragraph is corrected by deleting the bracketed material and inserting an effective date as follows.

"In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., June 23, 1966."

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-461]

PART 223—TARIFFS OF AIR CARRIERS: FREE AND REDUCED-RATE TRANSPORTATION

Eligibility and Authority

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of April 1966.

The Board has published in 30 F.R. 11178 and circulated to the industry in EDR-90, dated August 25, 1965, Docket 16448, a notice of proposed rule making which would clarify the meaning of § 223.2(b)(3) with respect to the furnishing of free or reduced-rate overseas or foreign air transportation pursuant to requirements of law, and would clarify § 223.8 with respect to applications for free or reduced-rate overseas or foreign air transportation falling within the exemption of Part 223 but not included in the carrier's manual on file with the Board. Four foreign air carriers responded to the notice. Lufthansa German Airlines and Japan Air Lines, Ltd., stated they were not opposed to the proposal. JAL suggested that the term "or government directive," used in the amendatory proviso, also be added to the authorizing language of § 223.2(b)(3) to prevent any misinterpretation. This suggestion has been adopted. Air France advised that, since the proposal was an intergovernmental matter, the carrier was not in a position to comment. Swissair was of the opinion that the proposal could have serious diplomatic consequences and recommended that the proposal not be adopted.

Swissair states that it is basically in favor of any step that would prevent the undermining of the IATA rate structure by improper grants of free or reduced-rate foreign air transportation, and agrees that the filing of tariffs for such transportation to be furnished over a long period of time and to a reasonably large class of persons might be a solution of the problem. Swissair is concerned, however, that the rejection of a tariff or application for approval of free or reduced-rate transportation by a carrier pursuant to its own government's directive could lead to embroilments with foreign governments. Swissair, therefore, suggests that the solution to the problem be sought through IATA, whose actions are subject to governmental approval, or through consultation with the government concerned.

Swissair has misunderstood the Board's intention. The amendment involves nothing more than a clarification of the Board's rule, issued under section 403(b) of the Act, authorizing carriers to afford free or reduced-rate overseas or foreign air transportation to a limited class of persons (not listed in the statute) as required by their governments without filing tariffs therefor. As stated in the notice, § 223.2(b)(3) was never intended to authorize the furnishing of free or reduced-rate overseas or foreign air transportation to the general public or to a substantial segment thereof under a government directive without the filing of a tariff. If such a widespread reduction in tariff rates is contemplated by a government, the carrier involved should file a tariff.

With respect to the filing of applications under § 223.8, the amendment offers a relief to those carriers who have not filed rules and regulations covering all the classes of persons authorized in § 223.2 because passes for some of such classes are issued only occasionally.

We have also made an editorial change in § 223.8 to make it clear that a carrier may file an application under that section to furnish free or reduced-rate overseas or foreign air transportation to any person or persons to whom the carrier would not otherwise be authorized to furnish such transportation under section 403(b) or Part 223.

Accordingly, the Board hereby amends Part 223 of the Economic Regulations (14 CFR Part 223), effective June 2, 1966, as follows:

1. Amend § 223.2(b) by revising subparagraph (3) to read as follows:

§ 223.2 Persons to whom free and reduced-rate transportation may be furnished.

* * * * *

(b) Any carrier engaged in overseas or foreign air transportation may provide free or reduced-rate overseas or foreign air transportation to:

* * * * *

(3) Other persons to whom such carrier is required to furnish free or reduced-rate transportation by law or government directive or by a contract or agreement, now or hereafter in effect, between such carrier and the government of any country served by such carrier, but only to the extent so required and only if such contract or agreement is filed with the Board and if the provisions thereof relating to such transportation are not disapproved by the Board as being contrary to the public interest: *Provided, however,* That the foregoing provision shall not be applicable to free or reduced-rate overseas or foreign air transportation pursuant to a law or government directive that requires the furnishing of such transportation to the general public or any segment thereof, and that the Board may without prior notice direct the carrier to file a tariff covering such transportation if the Board finds that the law or government directive in question requires the provision of such transportation.

* * * * *

2. Amend § 223.8 to read as follows:

§ 223.8 Application for authority to carry other persons.

Any carrier desiring special authorization under section 403(b) of the Act to furnish free or reduced-rate overseas or foreign air transportation to a person or persons to whom the carrier would not otherwise be authorized to furnish such transportation under section 403(b) or this part, or who are not listed in the carrier's rules filed with the Board pursuant to § 223.6, may apply to the Board, by letter or other writing, for such authorization. The application shall state the identity of the person or persons to whom, and the points between which, such transportation is to be furnished, the time or approximate time of departure, and the carrier's reasons for desiring to furnish such transportation. The application shall contain a definite statement that the carrier is willing and intends to furnish such transportation if authority to do so is granted by the Board. No transportation for which approval is requested therein shall be furnished by the carrier unless and until such approval is received by the carrier.

(Secs. 204, 403, 404, 1002, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 758, 760, 788; 49 U.S.C. 1324, 1373, 1374, 1482)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-4795; Filed May 2, 1966; 8:46 a.m.]

SUBCHAPTER C—SAFETY INVESTIGATION REGULATIONS

[Reg. SIR-7]

PART 320—RULES PERTAINING TO AIRCRAFT ACCIDENTS, INCIDENTS, OVERDUE AIRCRAFT, AND SAFETY INVESTIGATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of April 1966.

In November 1965, the Council of the International Civil Aviation Organization (ICAO) adopted certain major revisions of Annex 13 to the International Civil Aviation Convention (Chicago Convention) dealing with the standards and recommended practices in connection with aircraft accident investigations. These revisions have become effective March 24, 1966. Under the terms of the Chicago Convention, member states must notify ICAO of any differences that may exist between their national regulations and the provisions of Annex 13 after that date.

While Part 320 of the Board's Safety Investigation Regulations has required the notification and reporting of aircraft accidents, it does not employ the definition of the term "accident" as that term is employed in Chapter 1 of Annex 13 to the International Civil Aviation Convention. By prescribing certain occurrences associated with the operation of aircraft for which notification and reports were required, Part 320 in effect obtained notification and reports of accidents without defining that term in the rule. However, the Board believes it desirable that its regulations conform with the provisions of Annex 13 to the extent feasible, and therefore is incorporating the definition of the term "accident" contained in the Annex in its regulations. This will impose no additional reporting or notification requirements on any person.

In addition, the Board believes it necessary and desirable that it continue to be notified of certain ground occurrences, outside the scope of the definition of the term "accident", which involved serious injury to persons, or substantial damage to property. This has been accomplished by substituting for the phrase "in flight hazards", the more commonly understood term "incident", and requiring that the Board be notified of certain incidents.

The part is being further revised by eliminating certain occurrences which presently require notification because the reporting of such incidents is no longer considered necessary. Thus the incidents of unwanted or asymmetrical thrust reversal or rapid decompression do not presently warrant notification and hence are being eliminated.

The revisions here being made will reduce the notification and reporting requirements of the part. Because the Board recently amended Part 320, by Regulation SIR-6, effective August 30, 1965, and because the amendments herein made involve revision of other sections of the part, the Board finds it desirable that the amended part should be reissued.

Since the reissued part involves only a rule of agency practice and procedure, and will not impose any additional burden on any person, public procedures and notice hereon are unnecessary, and the rule may be made effective in less than 30 days after adoption; and is here being made effective 3 weeks after adoption.

Accordingly, the Civil Aeronautics Board hereby amends and reissues Part 320 of its Safety Investigation Regulations (14 CFR Part 320) effective May 18, 1966, to read as follows:

Subpart A—General

Sec.
320.1 Applicability.
320.2 Definitions.

Subpart B—Initial Notification of Aircraft Accidents, Incidents, and Overdue Aircraft

320.5 Immediate notification.
320.6 Information to be given in notification.

Subpart C—Preservation, Access to and Release of Aircraft Wreckage, Mail, Cargo, and Records

320.10 Preservation of aircraft wreckage, mail, cargo, and records.
320.11 Access to and release of aircraft wreckage, records, mail, and cargo.

Subpart D—Reporting of Aircraft Accidents, Incidents, and Overdue Aircraft

320.15 Reports and statements to be filed.

Subpart E—Investigations and Special Studies

320.20 Authority of Board representatives.
320.25 Authority of the Director, Deputy Director, and hearing officers pertaining to aircraft accidents and air safety investigations.

AUTHORITY: The provisions of this Part 320 issued under secs. 204(a), 701, as amended, 72 Stat. 743, 781; 49 U.S.C. 1324, 1441. Interpret or apply secs. 202, 407(e), 415, 702, 703, 1004, 72 Stat. 741, 766, 770, 782, 792; 49 U.S.C. 1322, 1377, 1385, 1442, 1443, 1484, and sec. 2, Reorganization Plan No. 13, 64 Stat. 1266; 5 U.S.C. 133z-15.

Subpart A—General

§ 320.1 Applicability.

This part contains rules pertaining to:

(a) Giving notice of and reporting aircraft accidents and incidents and certain other occurrences in the operation of aircraft when they involve civil aircraft of the United States wherever they occur, or foreign civil aircraft when such events occur in the United States, its territories or possessions.

(b) Preservation, access to, and release of aircraft wreckage, mail, cargo, and records involving all civil aircraft in the United States, its territories or possessions.

(c) Investigation of aircraft accidents, certain incidents, and overdue aircraft and special studies and investigations conducted by the Board pertaining to safety in air navigation and the prevention of accidents.

§ 320.2 Definitions.

As used in this part the following words or phrases are defined as follows:

"Aircraft accident" means an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which any person suffers death or serious injury as a result of being in or upon the aircraft or by direct contact with the aircraft or anything attached thereto, or the aircraft receives substantial damage.

"Fatal injury" means any injury which results in death within 7 days.

"Operator" means any person who causes or authorizes the operation of an aircraft, such as the owner, lessee, or bailee of an aircraft.

"Serious injury" means any injury which (1) requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) involves lacerations which cause severe hemorrhages, nerve, muscle, or tendon damage; (4) involves injury to any internal organ; or (5) involves second or third degree burns, or any burns affecting more than 5 percent of the body surface.

"Substantial damage":

(1) Except as provided in subparagraph (2) of this paragraph:

(i) Substantial damage in aircraft of 12,500 pounds maximum certificated takeoff weight or less means damage or structural failure reasonably estimated to cost $300 or more to repair.

(ii) Substantial damage in aircraft of more than 12,500 pounds maximum certificated takeoff weight means damage or structural failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component.

(2) Engine failure, damage limited to an engine, bent fairings or cowling, dented skin, small punctured holes in the skin or fabric, taxiing damage to propeller blades, damage to tires, engine accessories, brakes, or wing tips are not considered "substantial damage" for the purpose of this part.

Subpart B—Initial Notification of Aircraft Accidents, Incidents, and Overdue Aircraft

§ 320.5 Immediate notification.

The operator of an aircraft shall immediately, and by the most expeditious means available, notify the nearest Civil Aeronautics Board, Bureau of Safety[1] Field Office when:

(a) An aircraft accident or any of the following listed incidents occur:

(1) Flight control system malfunction or failure;

(2) Inability of any required flight crew member to perform his normal flight duties as a result of injury or illness;

(3) During ground operations of an aircraft with engine(s) functioning without the intention of flight any person suffers death or serious injury as a result of being in or upon the aircraft or by direct contact with the aircraft or anything attached thereto, or the aircraft receives substantial damage;

(4) Turbine engine rotor failures excluding compressor blades and turbine buckets.

(5) In-flight fire;

(6) Aircraft collide in flight;

(b) An aircraft is overdue and is believed to have been involved in an accident.

§ 320.6 Information to be given in notification.

The notification required in § 320.5 shall contain the following information, if available:

(a) Type, nationality, and registration marks of the aircraft;

(b) Name of owner, and operator of the aircraft;

(c) Name of the pilot-in-command;

(d) Date and time of the accident;

(e) Last point of departure and point of intended landing of the aircraft;

(f) Position of the aircraft with reference to some easily defined geographical point;

(g) Number of persons aboard, number killed, and number seriously injured;

(h) Nature of the accident including weather and the extent of damage to the aircraft so far as is known;

(i) A description of any explosives, radioactive materials, or other dangerous articles carried.

Subpart C—Preservation, Access to and Release of Aircraft Wreckage, Mail, Cargo, and Records

§ 320.10 Preservation of aircraft wreckage, mail, cargo, and records.

(a) The operator of an aircraft is responsible for preserving to the extent possible any aircraft wreckage, cargo, and mail aboard the aircraft, and all records, including those of flight recorders, pertaining to the operation and maintenance of the aircraft and to airmen involved in an accident or incident for which notification must be given until the Board takes custody thereof or a release is granted pursuant to § 320.11.

(b) Prior to the time the Board or its authorized representative takes custody of aircraft wreckage, mail, or cargo, such wreckage, mail and cargo may be disturbed or moved only to the extent necessary:

(1) To remove persons injured or trapped;

(2) To protect the wreckage from further damage, or

(3) To protect the public from injury.

(c) Where it is necessary to disturb or move aircraft wreckage, mail or cargo, sketches, descriptive notes, and photographs shall be made, if possible, of the accident locale including original position and condition of the wreckage and any significant impact marks.

§ 320.11 Access to and release of aircraft wreckage, records, mail and cargo.

(a) *Access to aircraft wreckage, records, mail and cargo.* Only the Board's accident investigation personnel and the persons authorized by the Investigator-in-Charge or the Director, Bureau of Safety, to participate in any particular investigation, examination or testing shall be permitted access to aircraft wreckage, records, mail or cargo which is in the Board's custody.

(b) *Release of aircraft wreckage, records, mail and cargo.* Aircraft wreckage, records, mail and cargo in the Board's custody shall be released by an authorized representative of the Board[2] when it is determined that the Board has no further need of such wreckage, mail, cargo or records.

Subpart D—Reporting of Aircraft Accidents, Incidents, and Overdue Aircraft

§ 320.15 Reports and statements to be filed.

(a) *Reports.* The operator of an aircraft shall file a report as provided in paragraph (c) of this section on CAB Form 453 or 454, which forms are attached hereto and incorporated herein as part of this section.[3]

(1) Within ten (10) days after an accident for which notification is required by § 320.5(a) or when after seven (7) days, an overdue aircraft is still missing.

(2) A report on an incident for which notification is required by § 320.5(a) shall be filed only as requested by an authorized representative of the Civil Aeronautics Board.

(b) *Crew member statement.* Each crew member, if physically able at the time the report is submitted, shall attach thereto a statement setting forth the facts, conditions, and circumstances relating to the accident or incident as they appear to him to the best of his knowledge and belief. If the crew member is incapacitated, he shall submit the statement as soon as he is physically able.

(c) *Where to file the reports.* (1) The operator of an aircraft shall file with the Field Office of the Civil Aeronautics Board nearest the accident or incident any report required by this section involving:

(i) Aircraft having a maximum takeoff weight of more than 12,500 pounds, or rotorcraft regardless of weight.

[1] CAB field offices are listed under U.S. Government in the telephone directories in the following cities: Anchorage, Alaska; Chicago, Ill.; Denver, Colo.; Fort Worth, Tex.; Kansas City, Mo.; Los Angeles, Calif.; Miami, Fla.; New York, N.Y.; Oakland, Calif.; Seattle, Wash.

[2] An authorized representative of the FAA has authority to release aircraft wreckage, property, or records in those accidents which the Board, pursuant to PN–16 (see footnote 4, infra), has requested the FAA to investigate.

[3] Forms are obtainable from the Civil Aeronautics Board Field offices (see footnote 1), the Civil Aeronautics Board, Washington, D.C., 20428, and the Federal Aviation Agency Flight Standards District Office. Forms filed as part of original document.

(ii) Aircraft having a maximum takeoff weight of 12,500 pounds or less operated by an air carrier certificated to engage in air transportation in the State of Alaska, or operated in accordance with Part 135 of this title (Federal Aviation Regulations; Air Taxi Operators and Commercial Operators of Small Aircraft); and

(iii) Aircraft, regardless of maximum takeoff weight, where fatal injuries have occurred to any occupant of such aircraft.

(2) The operator of an aircraft shall file with the FAA Flight Standards District Office nearest the accident or incident any report required by this section involving fixed-wing aircraft with a maximum takeoff weight of 12,500 pounds or less except reports which are required to be filed with the Board pursuant to subparagraph (1) of this paragraph.

Subpart E—Investigations and Special Studies

§ 320.20 Authority of Board representatives.

Upon demand of an authorized representative of the Board and presentation of credentials issued to such representative, any air carrier, airman, or person engaged in air commerce or in any phase of aeronautics, and any other person having possession or control of any aircraft, aircraft engine, propeller, appliance, air navigation facility, equipment, or any pertinent records and memoranda, including all documents, papers, and correspondence now or hereafter existing and kept or required to be kept, shall forthwith permit inspection, photographing, or copying thereof by such authorized representative for the purpose of investigating an aircraft accident,[4] incident or overdue aircraft, or any special study or investigation pertaining to safety in air navigation or the prevention of accidents. Authorized representatives of the Board may interrogate any person having knowledge relevant to an aircraft accident, incident, overdue aircraft, study, or investigation.

§ 320.25 Authority of the Director, Deputy Director, and hearing officers pertaining to aircraft accidents and air safety investigations.

(a) The Director or Deputy Director of the Bureau of Safety of the Board shall have authority in connection with aircraft accidents or incidents to:

(1) Order an investigation into the facts, conditions, circumstances, and probable cause of all occurrences involving civil aircraft, which he or the Board determines to constitute accidents or incidents. In such investigations he may order the taking of depositions, and may order a public hearing in accordance with the provisions of Part 303 of the Board's Procedural Regulations (Part 303 of this chapter) where it is deemed necessary in the public interest.

(2) Designate one or more hearing officials with authority to sign and issue subpoenas, to administer oaths and affirmations, and to take depositions or cause them to be taken in connection with such investigations.

(b) The Director or Deputy Director may also order a special study or investigation on matters pertaining to safety in air navigation, and if necessary, designate a hearing official in this connection.

NOTE: The reporting and recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66–4794; Filed, May 2, 1966; 8:46 a.m.]

[4] The Board in PN–16, 30 F.R. 10122, 10168, effective Aug. 30, 1965, requested the Administrator of the FAA to investigate aircraft accidents involving fixed-wing aircraft with a maximum takeoff weight of 12,500 pounds or less except accidents in which fatal injuries have occurred to an occupant of such aircraft, accidents involving aircraft being operated in accordance with Part 135 of the Federal Aviation Regulations (14 CFR Part 135, Air Taxi Operators and Commercial Operators of Small Aircraft), and accidents involving aircraft operated by an air carrier authorized by a certificate of public convenience and necessity to engage in air transportation in the State of Alaska, and to submit a report to the Board concerning each such investigation.

Title 15—COMMERCE AND FOREIGN TRADE

Chapter I—Bureau of the Census, Department of Commerce

PART 30—FOREIGN TRADE STATISTICS

Shipments Under $100

Pursuant to section 302, Title 13, U.S.C., the following amendment is made to the regulations published in the FEDERAL REGISTER on March 16, 1963 (28 F.R. 2556), as amended. In accordance with section 4 of the Administrative Procedure Act, 5 U.S.C. 1003 (60 Stat. 238), it has been found that notice and hearing on this amendment and postponement of the effective date thereof are unnecessary because of the permissive nature of the amendment.

Recent action was taken to eliminate the requirement for the filing of Shipper's Export Declarations for shipments (except shipments requiring a validated export license) valued under $100 to Canada, to the U.S. possessions and between the United States and Puerto Rico. The present amendment will extend this exemption to cover shipments valued under $100 to all countries (except Cuba) in North and South America, except shipments requiring a validated export license or moving under General License GLV. This amendment will also eliminate the requirement that bills of lading, air waybills, or other loading documents covering shipments which are exempt from Shipper's Export Declaration filing requirements on the basis of value and destination bear a notation referring to the particular section of these regulations covering the exemption.

Effective date. This amendment is effective on the date of publication.

Section 30.50 is amended to read as follows:

§ 30.50 Procedure for shipments exempt from the requirement for Shipper's Export Declarations.

Except as provided below, where an exemption from the requirement for the filing of a Shipper's Export Declaration is provided in this subpart, a notation describing the basis for the exemption shall be made on the bill of lading, air waybill, or other loading document for carrier use, with a reference to the number of the section in this part where the particular exemption is provided so that the carrier at the time of lading, and the Collector at the time of exportation may verify that no declaration is required. If none of the above named documents are used, the person transporting the merchandise must be prepared to identify to the Collector of Customs at the port of exportation, at the time of exportation but prior to departure, any merchandise which is exempt from the requirement for the filing of a Shipper's Export Declaration and explain to the Collector the basis for the exemption. Where shipments are exempt from the requirement for Shipper's Export Declarations on the basis of value and destination, the appearance of the value and destination on the bill of lading, air waybill, or other loading document for carrier use, shall be acceptable as evidence of the exemption, and no reference need be made to the particular section of the regulations in this part where the exemption is provided.

Section 30.55(h) is amended to read as follows:

§ 30.55 Miscellaneous exemptions.

* * * * * *

(h) Shipments (except shipments requiring a validated export license or moving under Office of Export Control General License GLV) to all countries (except Cuba) in North and South America (as listed in Schedule C), to the U.S. possessions, and between the United States and Puerto Rico, where the value of the commodities classified under a single Schedule B number and shipped on the same exporting carrier from one exporter to one importer does not exceed $100: *Provided*, That in order to adequately maintain factors for estimating the statistics on under $100 shipments, the Bureau of the Census may from time to time require the complete enumeration of such shipments for selected periods.

§§ 30.56, 30.57 [Amended]

Paragraph (e) of § 30.56 and paragraph (c) of § 30.57 are hereby deleted.

Dated: March 11, 1966.

A. ROSS ECKLER,
Director, Bureau of the Census.

I concur:

Dated: March 31, 1966.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-4761; Filed, May 2, 1966; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release Nos. 33-4828, 34-7873, 35-15455, TI-231, IC-4578, IA-200]

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Miscellaneous Amendments

The Securities and Exchange Commission has amended §§ 200.30-1, 200.30-2, 200.30-3, and 200.30-6, Subpart A, statement of Organization and Program Management.

Under the amendments to § 200.30-1, the Director of the Division of Corporation Finance has been delegated, under the Securities Act of 1933, the Securities Exchange Act of 1934 and the rules and regulations under these acts, authority to accelerate certain registration statements, reduce the prospectus delivery period, grant applications for confidential treatment of contract provisions, and issue notices of applications for exemptions.

The Director of the Division of Corporate Regulation, under the amendments to § 200.30-2, has been delegated, under the Investment Company Act of 1940, the Public Utility Holding Company Act of 1935 and the rules and regulations under these acts, authority to issue notices of certain applications, grant applications for revocation of previously granted exemptions under certain circumstances, permit the filing of preliminary registration statements, authorize the destruction of certain records, authorize the discontinuance of reporting information otherwise required, and grant extensions of time for filing registration statements and reports.

The Director of the Division of Trading and Markets, under the amendments to § 200.30-3, has been delegated, under the Securities Exchange Act of 1934 and the rules and regulations thereunder, authority to grant requests for exemptions from Rule 10b-6 (§ 240.10b-6 of this chapter) and grant exemptions for brokers or dealers from Rule 15c3-1 (§ 240.15c3-1 of this chapter).

The Director of the Office of Opinions and Review has been delegated, under the amendments to § 200.30-6, authority to grant petitions for full review of initial decisions by a hearing officer and grant requests, upon a showing of good cause to vacate orders entered upon default.

The text of the Commission's action is as follows:

I. Section 200.30-1 has been amended.
II. Section 200.30-2 has been amended.
III. Section 200.30-3 has been amended.
IV. Section 200.30-6 has been amended.

The foregoing sections, as amended, are as follows:

§ 200.30-1 Delegation of authority to Director of Division of Corporation Finance.

Pursuant to the provisions of Public Law No. 87-592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Director of the Division of Corporation Finance, to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to registration of securities pursuant to the Securities Act of 1933, 15 U.S.C. 77a, et seq., and Regulation C thereunder, § 230.400, et seq. of this chapter:

* * * * * *

(3) To grant applications for confidential treatment of contract provisions pursuant to Rule 485 under the Act, § 230.485 of this chapter:

* * * * * *

(5) Pursuant to section 8(a) of the Act, 15 U.S.C. 77h(a), regarding the following types of registration statements:

(i) Statements filed on Form S-12, § 239.19 of this chapter,

(ii) Statements filed on Form S-13, § 239.25 of this chapter,

(iii) Statements filed on Form S-14, § 239.23 of this chapter,

(iv) Statements filed in situations involving competitive bidding subject to Rule 415, § 230.415 of this chapter,

(v) Statements filed on any form where the issuer is subject to and is filing reports in compliance with the reporting requirements of section 13 or section 15 (d) of the Securities Exchange Act of 1934, 15 U.S.C. 78m and 78o(d).

(a) To determine such registration statements to be effective within shorter periods of time than 20 days after filing thereof;

(b) To consent to the filing of amendments prior to the effective dates of such registration statements as parts thereof, or to determine that amendments filed prior to the effective dates of such registration statements have been filed pursuant to orders of the Commission, so as to be treated as parts of the registration statements for the purpose of section 8(a) of the Act;

(c) To determine to be effective applications for qualification of trust indentures filed therewith.

* * * * * *

(7) To reduce the 90-day period with respect to transactions referred to in section 4(3)(B) of the Act.

* * * * * *

(e) With respect to the Securities Exchange Act of 1934, 15 U.S.C. 78a, et seq.:

* * * * * *

(3) (i) To grant applications for confidential treatment of contract provisions under section 24(b) of the Act and Rule 24b-2 thereunder, § 240.24b-2 of this chapter;

(ii) To accord confidential treatment to material other than contract provisions filed pursuant to section 24b-2 thereunder, § 240.24b-2 of this chapter, but only when the Commission has previously by order granted confidential treatment to the same information;

* * * * * *

(6) To accelerate at the request of the issuer the effective date of registration statements filed pursuant to section 12(g) of the Act:

(7) To issue notices of applications for exemptions under section 12(h) of the Act.

* * * * * *

§ 200.30-2 Delegation of authority to Director of Division of Corporate Regulation.

Pursuant to the provisions of Public Law No. 87-592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Director of the Division of Corporate Regulation, to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to the Public Utility Holding Company Act of 1935, 15 U.S.C. 79a, et seq.:

* * * * * *

(5) To issue notices and grant applications by a holding company or any subsidiary company thereof, under section 3(c) of the Act, for revocation of previously granted exemptions from registration, unless, upon examination, the application appears to him to present issues not previously settled by the Commission or to raise questions of fact or policy indicating that the public interest or the interest of investors or consumers requires that a hearing be held;

(6) To permit the filing of preliminary registration statements pursuant to section 5(c) of the Act;

(7) To authorize the destruction of records pursuant to the provisions of General Instruction 3(c) of the Uniform System of Accounts for public utility holding companies, § 257.0-3(c) of this chapter.

(8) To authorize the discontinuance of reporting of information otherwise required to be reported under sections 5(b), 13(c), 13(e), 13(f), 14, and 20(a) of the Act;

(9) To grant extensions of time for filing registration statements and reports pursuant to sections 5(b), 13(c), 13(e), 13(f), 14, and 20(a) of the Act.

(b) With respect to the Investment Company Act of 1940, 15 U.S.C. 80a-1, et seq.:

(1) To issue notices, pursuant to Rule 0-5(a), § 270.0-5(a) of this chapter, with respect to applications for orders under the following sections of the Act and the rules and regulations promulgated thereunder where, upon examination, the application does not appear an him he present issues not previously settled by the Commission or to raise questions of fact or policy indicating that the public interest or the interest of investors requires that a hearing be held:

* * * * * *

§ 200.30-3 Delegation of authority to Director of Division of Trading and Markets.

Pursuant to the provisions of Public Law No. 87-592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Director of the Division of Trading and Markets to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

* * * * * *

(b) With respect to the Securities Exchange Act of 1934, 15 U.S.C. 78a, et seq.:

* * * * * *

(7) Pursuant to Rule 10b-6(f), § 240.10b-6(f) of this chapter, to grant requests for exemptions from Rule 10b-6, § 240.10b-6 of this chapter:

(8) Pursuant to Rule 15c3-1(b)(3), § 240.15c3-1(b)(3) of this chapter, to grant exemptions to brokers or dealers from Rule 15c3-1, § 240.15c3-1 of this chapter.

* * * * * *

§ 200.30-6 Delegation of authority to Director of Office of Opinions and Review.

Pursuant to the provisions of Public Law No. 87-592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Director of the Office of Opinions and Review, to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) (1) With respect to proceedings conducted pursuant to the Securities Act of 1933, 15 U.S.C. 77a, et seq., the Securities Exchange Act of 1934, 15 U.S.C. 78a, et seq., the public Utility Holding Company Act of 1935, 15 U.S.C. 79a, et seq., the Trust Indenture Act of 1939, 15 U.S.C. 77aaa, et seq., the Investment Company Act of 1940, 15 U.S.C. 80a-1, et seq., and the Investment Advisers Act of 1940, 15 U.S.C. 80b-1, et seq.:

* * * * * *

(v) To grant petitions for full review of initial decisions by a hearing officer.

(2) With respect to proceedings conducted pursuant to the Securities Act of 1933, 15 U.S.C. 77a, et seq., the Securities Exchange Act of 1934, 15 U.S.C. 78a, et seq., and the Investment Advisers Act of 1940, 15 U.S.C. 80b-1, et seq., to issue findings and orders taking the remedial action described in the order for proceedings where the respondents expressly consent to such action, fail to appear, or default in the filing of answers required to be filed; to grant a request, based upon a showing of good cause, to vacate an order of default, so as to permit presentation of a defense.

* * * * * *

The Commission finds that the foregoing amendments involve matters of agency organization or procedure and that notice and subsequent procedure pursuant to subsections 4 (a) and (b) of the Administrative Procedure Act are not required. The Commission also finds that the provisions of subsection 4(c) of the Administrative Procedure Act regarding postponement of the effective date are inapplicable inasmuch as the foregoing amendments are not of a substantive nature.

Accordingly, the foregoing action, which was taken pursuant to Public Law No. 87-592, 76 Stat. 394, becomes effective April 27, 1966.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

APRIL 27, 1966.

[F.R. Doc. 66-4776; Filed, May 2, 1966; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6883]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

SUBCHAPTER C—EMPLOYMENT TAXES

PART 31—EMPLOYMENT TAXES; APPLICABLE ON AND AFTER JANUARY 1, 1955

Permission To Submit Information Required by Certain Returns and Statements on Magnetic Tape

In order to provide authority under the Income Tax Regulations (26 CFR Part 1) and the Employment Tax Regulations (26 CFR Part 31) for the granting of permission to payers and others to submit information required by certain returns and statements on magnetic tape or by other media, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after § 1.6041-6 the following new section:

§ 1.6041-7 Permission to submit information required by Form 1099 or W-2 on magnetic tape.

For rules relating to permission to submit the information required by Form 1099 or W-2 on magnetic tape or other media, see § 1.9101-1. See also paragraph (b)(2) of § 31.6011(a)-7 of this chapter (Employment Tax Regulations) for additional rules relating to Form W-2.

PAR. 2. Section 1.6042-2 is amended by adding a new paragraph (e) to read as follows:

§ 1.6042-2 Returns of information as to dividends paid in calendar years after 1962.

* * * * * *

(e) *Permission to submit information required by Form 1087 or 1099 on magnetic tape.* For rules relating to permission to submit the information required by Form 1087 or 1099 on magnetic tape or other media, see § 1.9101-1.

PAR. 3. Section 1.6044-2 is amended by adding a new paragraph (f) to read as follows:

§ 1.6044-2 Returns of information as to payments of patronage dividends with respect to patronage occurring in taxable years beginning after 1962.

* * * * * *

(f) *Permission to submit information required by Form 1099 on magnetic tape.* For rules relating to permission to submit the information required by Form 1099 on magnetic tape or other media, see § 1.9101-1.

PAR. 4. Section 1.6047-1 is amended by adding a new paragraph (d) to read as follows:

§ 1.6047-1 Information to be furnished with regard to employee retirement plan covering an owner-employee.

* * * * * *

(d) *Permission to submit information required by Form 1099 on magnetic tape.* For rules relating to permission to submit the information required by Form 1099 on magnetic tape or other media, see § 1.9101-1.

PAR. 5. Section 1.6049-1 is amended by adding a new paragraph (e) to read as follows:

§ 1.6049-1 Returns of information as to interest paid in calendar years after 1962.

* * * * * *

(e) *Permission to submit information required by Form 1087 or 1099 on magnetic tape.* For rules relating to permission to submit the information required by Form 1087 or 1099 on magnetic tape or other media, see § 1.9101-1.

PAR. 6. There is inserted immediately after § 1.9100-1 the following new section:

§ 1.9101-1 Permission to submit information required by certain returns and statements on magnetic tape.

In any case where the use of a Form 1087, 1099, or W-2 is required by the regulations under this part for the purpose of making a return or reporting information, such requirement may be satisfied by submitting the information required by such form on magnetic tape or by other media, provided that the prior consent of the Commissioner or other authorized officer or employee of the In-

ternal Revenue Service has been obtained. Applications for such consent must be filed in accordance with procedures established by the Internal Revenue Service. See paragraph (b)(2) of § 31.6011(a)-7 of this chapter (Employment Tax Regulations) for additional rules relating to Form W-2.

PAR. 7. Paragraph (b) of § 31.6011(a)-7 is amended to read as follows:

§ 31.6011(a)-7 Execution of returns.

* * * * *

(b) *Use of prescribed forms.*—(1) *In general.* Copies of the prescribed return forms will so far as possible be regularly furnished taxpayers by district directors. A taxpayer will not be excused from making a return, however, by the fact that no return form has been furnished to him. Taxpayers not supplied with the proper forms should make application therefor to the district director in ample time to have their returns prepared, verified and filed with the district director on or before the due date. See §§ 31.6071(a)-1 and 31.6091-1, relating, respectively, to the time and place for filing returns. In the absence of a prescribed return form, a statement made by a taxpayer disclosing the aggregate amount of wages or compensation reportable on such form for the period in respect of which a return is required and the amount of taxes due may be accepted as a tentative return. If filed within the prescribed time, the statement so made will relieve the taxpayer from liability for the addition to tax imposed for the delinquent filing of the return, provided that without unnecessary delay such tentative return is supplemented by a return made on the proper form. For additions to the tax in case of failure to file a return within the prescribed time, see the provisions of § 301.6651-1 of this chapter (Regulations on Procedure and Administration).

(2) *Permission for use of magnetic tape.*—(i) *Form W-2.* In any case where an employer is required by the regulations under this part to submit a copy of a Form W-2 as part of a return or together with an information statement, such requirement may be satisfied by submitting the information required by such form on magnetic tape or by other media, provided that the prior consent of the Commissioner or other authorized officer or employee of the Internal Revenue Service has been obtained. Applications for such consent must be filed in accordance with procedures established by the Internal Revenue Service. See § 1.9101-1 of this chapter (Income Tax Regulations) for additional rules relating to Form W-2.

(ii) *Schedule A of Form 941 or 943.* In any case where the use of a Schedule A of Form 941 or 943 is required by such Forms or the regulations under this part for the purpose of making a return, such requirement may be satisfied, to the extent prior consent is obtained from the Commissioner or other authorized officer or employee of the Internal Revenue Service, by submitting selected items of the information required by such Schedule on magnetic tape or by other media. Applications for such consent must be filed in accordance with procedures established by the Internal Revenue Service.

* * * * *

Because this Treasury decision merely prescribes regulations to provide an alternative means for submitting information required by certain returns and statements, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of the Act.

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: April 27, 1966.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-4790; Filed, May 2, 1966; 8:46 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS

[Dept. Circular 176 (Rev.), 13th Amdt.]

PART 202—DEPOSIT OF PUBLIC MONEYS AND PAYMENT OF GOVERNMENT CHECKS

Acceptable Securities

Part 202, Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States (appearing also as Treasury Department Circular No. 176 (Revised), 11 F.R. 102, January 3, 1946, as amended) is hereby further amended by adding immediately following paragraph (g) of § 202.20 two new paragraphs to read as follows:

§ 202.20 Collateral security for deposits.

* * * * *

(h) Participation Certificates issued by the Export-Import Bank of Washington which evidence a participation in the Eximbank Portfolio Fund, at face value (principal amount less payments made thereon).

(i) Participation Certificates issued by the Federal National Mortgage Association as Trustee of Government Mortgage Liquidation Trust, at face value.

* * * * *

(Sec. 10, 56 Stat. 356, as amended; 12 U.S.C. 265)

Dated: April 27, 1966.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 66-4789; Filed, May 2, 1966; 8:46 a.m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Reg. 2 (formerly NPA Reg. 2), Directions 9 and 10—Revocation]

BDSA REG. 2—BASIC RULES OF THE PRIORITIES SYSTEM

Dir. 9—Required Use of Ratings on Orders for Cadmium Products

Dir. 10—Rated Orders on Sales of Stockpile Cadmium—Replacement of Inventory

REVOCATION

Direction 9 (28 F.R. 6833) and Direction 10 (29 F.R. 8480) to BDSA Reg. 2 (formerly NPA Reg. 2), are hereby revoked. This revocation does not relieve any person of any obligation or liability incurred under Direction 9 or Direction 10 to BDSA Reg. 2, nor deprive any person of any rights received or accrued under said directions prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2154; Sec. 1, P.L. 88-343, 78 Stat. 235)

This revocation shall take effect April 29, 1966.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
FORREST D. HOCKERSMITH,
Acting Administrator.

[F.R. Doc. 66-4788; Filed, May 2, 1966; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

Oakland Harbor, Calif., and Lake Powell, and Colorado River, Arizona-Utah

1. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.640 is hereby amended revising paragraph (g), adding new paragraphs (g-1), (g-2) and (g-3), and revoking paragraph (m) effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.640 San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, San Joaquin River, and connecting waters, Calif.

* * * * *

(g) *Oakland Inner Harbor adjacent to Alameda Facility, Naval Supply Center, Oakland; restricted area.*—(1) *The area.* Within 100 feet of the Alameda Facility wharf.

(2) *The regulations.* No vessel or other craft, except vessels of the U.S. Government or vessels duly authorized by the Commanding Officer, Naval Supply Center, Oakland, shall enter this area.

(g-1) *Oakland Harbor in vicinity of Naval Supply Center, Oakland; restricted area and navigation.*—(1) *The area.* Bounded by the shore of the Naval Supply Center and the following lines: Beginning at a point on the north shore located at about latitude 37°48'26", longitude 122°19'34"; thence 225°12', 290 yards; and thence 173°10', 620 yards to a point on the south shore at about latitude 37°48'02", longitude 122°19'39".

(2) *The regulations.* (i) No vessel or other craft, except vessels of the U.S. Government or vessels duly authorized by the Commanding Officer, Naval Supply Center, Oakland, shall enter this area.

(ii) All vessels over 1,000 tons displacement, bound for the Naval Supply Center, Oakland, shall use a qualified pilot regularly licensed for the waters of Oakland Harbor.

(g-2) *Oakland Outer Harbor adjacent to the Military Ocean Terminal, Bay Area, Pier No. 8 (Port of Oakland Berth No. 10); restricted area.*—(1) *The area.* Within 100 feet of the pier.

(2) *The regulations.* No vessel or other craft, except vessels of the U.S. Government or vessels duly authorized by the Commander, Oakland Army Base, shall enter this area.

(g-3) *Oakland Outer Harbor adjacent to the Oakland Army Base; restricted area.*—(1) *The area.* Within 100 feet of the wharves, piers or shore.

(2) *The regulations.* No vessel or other craft, except vessels of the U.S. Government or vessels duly authorized by the Commander, Oakland Army Base, shall enter this area.

* * * * *

(m) *Carquinez Strait in vicinity of Benicia Arsenal, Benicia; restricted area.* [Revoked.]

(Regs., April 12, 1966, 1507-32, Oakland Harbor, Calif., ENGCW-ON; sec. 7, 40 Stat. 266; 33 U.S.C. 1)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.644 is hereby prescribed to govern the use and navigation of two restricted areas at Glen Canyon Dam, Page, Ariz., effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.644 Glen Canyon Dam, Lake Powell, and Colorado River, Page, Ariz.; restricted areas.

(a) *The areas.* That portion of Lake Powell extending 1,500 feet above the dam axis and that portion of the Colorado River extending 2,500 feet below the dam axis.

(b) *The regulations.* (1) The restricted areas shall be closed to navigation and other use by the general public. Only vessels owned by or controlled by the U.S. Government shall navigate or anchor in the restricted areas.

(2) The regulations in this section shall be enforced by the Superintendent, Glen Canyon Recreation Area, National Park Service, and other agencies he may so designate.

(Regs., April 12, 1966, 1507-32, Lake Powell and Colorado River, Arizona-Utah, ENGCW-ON; sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-4762; Filed, May 2, 1966; 8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Docket No. 3666; Order 72]

PARTS 71-79—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Miscellaneous Amendments

Correction

In F.R. Doc. 66-4677, appearing at page 6422 of the issue for Thursday, April 28, 1966, the following corrections are made:

1. In the second column of the tabular matter appearing under § 72.5(a), "Example" should read "Explosive".

2. In the first paragraph of amendatory language under the Part 73 heading, "and § 73.95" should read "add § 73.95".

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 177—FEDERAL, STATE, AND PRIVATE PROGRAMS OF LOW-INTEREST LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Correction

In F.R. Doc. 66-4355 appearing at page 6109 in the issue for Thursday, April 21, 1966, the word "or" is inserted in § 177.16(b)(2)(i) so that the subdivision reads as follows:

"(i) Such loan is made to a student who had obtained a prior loan on or before June 30, 1968, with respect to which interest is payable under this subpart, and".

Chapter VIII—Civil Service Commission

PART 801—VOTING RIGHTS PROGRAM

Appendix A

ALABAMA

Appendix A to Part 801 is amended as set out below to show, under the heading "Dates, Times, and Places for Filing," one additional place for filing in Alabama:

ALABAMA

County; place for filing; beginning date
* * * * *
Sumter; Livingston—Post Office; May 3, 1966.

(Secs. 7 and 9 of the Voting Rights Act of 1965; P.L. 89-110)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-4844; Filed, May 2, 1966; 8:06 p.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 965]

TOMATOES GROWN IN LOWER RIO GRANDE VALLEY, TEXAS

Notice of Proposed Expenses and Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering the approval of the expenses and rate of assessment hereinafter set forth which were recommended by the Texas Valley Tomato Committee, established pursuant to Marketing Order No. 965. Said marketing order regulates the handling of tomatoes grown in the counties of Cameron, Hidalgo, Starr, and Willacy in Texas (Lower Rio Grande Valley) and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same in quadruplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than 7 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposals are as follows:

§ 965.208 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Texas Valley Tomato Committee, established pursuant to Marketing Order No. 965, for its maintenance and functioning, and for such other purposes as the Secretary determines to be appropriate, during the fiscal period ending July 31, 1966, will amount to $7,000.00.

(b) The rate of assessment to be paid by each handler pursuant to Marketing Order No. 965 shall be one cent ($0.01) per 40-pound crate of tomatoes, or the equivalent quantity thereof in other containers, handled by him as the first handler thereof during said fiscal period.

(c) The terms used in this section shall have the same meaning as when used in Marketing Order No. 965 (7 CFR Part 965).

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: April 28, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-4755; Filed, May 2, 1966; 8:45 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 121]

[Docket No. 7329; Notice 66-17]

CONVAIR 240 AND MARTIN 404 AIRPLANES

Extended Overwater Operations Without Certification or Approval for Ditching

The Federal Aviation Agency is considering amending Part 121 of the Federal Aviation Regulations to permit the operation of Convair 240 (CV–240) and Martin 404 airplanes in extended overwater operations without being certificated or approved as adequate for ditching under the airworthiness requirements of Part 25.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before July 5, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Section 121.161(b) requires land airplanes operated in extended overwater operations to be certificated or approved as adequate for ditching. However, the DC–3 and C–46 are excepted from the requirement on the basis of their proven ability in actual ditchings to ditch successfully. The CV–340 and CV–440 airplanes are excepted from the requirement on the basis of successful tests performed on scale models of those airplanes.

In response to petitions by holders of certificates issued under Part 121 the Agency considered and granted exemptions (Exemptions Nos. 403 and 483) to § 121.161 to the extent necessary to permit the petitioners concerned to operate CV–240 and Martin 404 airplanes in extended overwater operations without certification or approval for ditching under Part 25. These exemptions were based primarily on the finding that the Martin 404 and CV–240 airplanes are similar in configuration, size, weight, structure, and speed to the CV–440 airplane which has been shown by tests to have very satisfactory ditching characteristics. Certification of an airplane type for ditching by comparison with airplanes of similar configuration for which the ditching characteristics have already been determined either in actual ditchings, or in tests run on scale models of the airplanes is authorized under § 25.801(c) of the airworthiness requirements.

In view of the determinations made in regard to the ditching characteristics of the Martin 404 and CV–240 airplanes under the Agency's exemption authority, it is proposed herein to amend § 121.161(b) to extend the same approval or authority to all other certificate holders under Part 121.

In consideration of the foregoing, it is proposed to amend § 121.161(b) of Part 121 of the Federal Aviation Regulations to read as follows:

§ 121.161 Airplane limitations; type of route.

* * * * *

(b) No certificate holder may operate a land airplane (other than a DC–3, C–46, CV–240, CV–340, CV–440, or Martin 404) in an extended overwater operation unless it is certificated or approved as adequate for ditching under the ditching provisions of Part 25 of this chapter.

These amendments are proposed under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, and 1424).

Issued in Washington, D.C., on April 27, 1966.

C. W. WALKER,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-4766; Filed, May 2, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF JUSTICE

Office of the Attorney General

SUMTER COUNTY, ALA.

Certification of the Attorney General Pursuant to Section 6 of the Voting Rights Act of 1965 (Public Law 89–110)

In accordance with section 6 of the Voting Rights Act of 1965, I hereby certify that in my judgment the appointment of examiners is necessary to enforce the guarantees of the 15th Amendment to the Constitution of the United States in Sumter County, Ala. This county is included within the scope of the determinations of the Attorney General and the Director of the Census made on August 6, 1965, under section 4(b) of the Voting Rights Act of 1965 and published in the FEDERAL REGISTER on August 7, 1965 (30 F.R. 9897).

NICHOLAS DEB. KATZENBACH,
Attorney General of the United States.

MAY 2, 1966.

[F.R. Doc. 66-4803; Filed, May 2, 1966; 3:07 p.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

McLAUGHLIN GORMLEY KING CO.

Notice of Amendment of Food Additive Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), the following notice is given:

A notice was published in the FEDERAL REGISTER of March 4, 1966 (31 F.R. 3429), of the filing of a food additive petition (FAP 6H1946) by McLaughlin Gormley King Co., 1715 Southeast Fifth St., Minneapolis, Minn., 55414, proposing the issuance of a regulation to provide for the safe use of a combination of *N*-octylbicyclo-heptenedicarboximide, piperonyl butoxide, and pyrethrins as an insecticide in areas used for processing and storing foods, except meats, dairy products, and other fatty foods.

Notice is given that in accordance with § 121.53 *Substantive amendments to petitions* the petitioner has amended said petition by deleting the limitation "except meats, dairy products, and other fatty foods."

Dated: April 25, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-4769; Filed, May 2, 1966; 8:45 a.m.]

2-METHYL-2-(METHYLTHIO)PROPIONALDEHYDE O-(METHYLCARBAMOYL)OXIME

Notice of Establishment of Temporary Tolerance

Notice is given that at the request of the Union Carbide Corp., 270 Park Avenue, New York, N.Y., 10017, a temporary tolerance is established for residues of the insecticide 2-methyl-2-(methylthio)-propionaldehyde *O*-(methylcarbamoyl)-oxime in or on cottonseed and potatoes at 0.3 part per million. The Commissioner of Food and Drugs has determined that this temporary tolerance will protect the public health.

Conditions under which this temporary tolerance is established are as follows:

1. The total amount of the actual insecticide to be used under the experimental permit issued by the U.S. Department of Agriculture will not exceed 22,500 pounds. Of this amount, 12,500 pounds will be provided for use on cotton and 10,000 pounds on potatoes. Distribution will be under the Union Carbide Corp. name.

2. The insecticide will not be marketed for general use but will be supplied to qualified persons for bona fide experimental use.

3. The Union Carbide Corp. will comply with the requirements of § 120.31(e)(3) and (4).

This temporary tolerance expires April 22, 1967.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)), and delegated by him to the Commissioner (21 CFR 2.120; 31 F.R. 3008).

Dated: April 22, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-4770; Filed, May 2, 1966; 8:45 a.m.]

PENNSYLVANIA INDUSTRIAL CHEMICAL CORP.

Notice of Filing of Petition for Food Additives Polyterpene Resins

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5B1651) has been filed by Pennsylvania Industrial Chemical Corp., 120 State Street, Clairton, Pa., 15025, proposing an amendment to § 121.2503 *Polyterpene resins* to provide for the safe use of terpene resins as components of polymeric films for food-contact use.

Dated: April 22, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-4771; Filed, May 2, 1966; 8:45 a.m.]

ROHM & HAAS CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6B1872) has been filed by Rohm & Haas Co., Independence Mall West, Philadelphia, Pa., 19105, proposing an amendment to § 121.2597. *Acrylic polymer modifiers in semirigid and rigid polyvinyl chloride plastics* to provide for increased levels of acrylic modifiers to be used in semirigid and rigid polyvinyl chloride plastics for food-contact use.

Dated: April 22, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-4772; Filed, May 2, 1966; 8:45 a.m.]

VIOBIN CORP.

Notice of Filing of Petition for Food Additive Fish Protein Concentrate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6A2015) has been filed by VioBin Corp., 226 West Livingston Street, Monticello, Ill., 61856, proposing the issuance of a regulation to provide for the safe use of fish protein concentrate prepared from whole hake and hakelike species of fish by solvent extraction with ethylene dichloride and isopropyl alcohol.

Dated: April 21, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-4773; Filed, May 2, 1966; 8:45 a.m.]

CHAS. PFIZER & CO., INC.

Notice of Filing of Petition for Food Additive Oleandomycin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348

(b)(5)), notice is given that a petition (FAP 6D1956) has been filed by Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y., 10017, proposing an amendment to paragraph (i) of § 121.225 *Antibiotics for growth promotion and feed efficiency* to provide for the safe use of oleandomycin in swine rations for growth promotion and feed efficiency.

Dated: April 22, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-4774; Filed, May 2, 1966; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Order 701; Amdt. 2]

DISTRICT MANAGERS

Redelegation of Authority; Lands and Resources

Order No. 701 of July 23, 1964, is amended, as follows: A new section 3.1 is added to Part III—Redelegation to District Managers, as follows:

SEC. 3.1 *Authority to redelegate.* The District Manager may redelegate to Area Managers or Chief, Division of Administration, authority vested in him by this part. Any order of delegation must specify the extent of and limitations on the grant of authority, be approved by the State Director and published in the FEDERAL REGISTER.

This change shall become effective upon publication in the FEDERAL REGISTER.

JOHN O. CROW,
Associate Director.

APRIL 26, 1966.

[F.R. Doc. 66-4775; Filed, May 2, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16909]

MONTREAL-TAMPA/MIAMI CASE

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on May 24, 1966, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., April 27, 1966.

[SEAL] JAMES S. KEITH,
Hearing Examiner.

[F.R. Doc. 66-4796; Filed, May 2, 1966; 8:46 a.m.]

CIVIL SERVICE COMMISSION

BLACKSMITH ET AL.

Manpower Shortage; Notice of Listing

Under the provisions of section 7(b) of the Administrative Expenses Act of 1946, as amended, relating to the payment of travel and transportation expenses of appointees, the Civil Service Commission has found that there is a manpower shortage for the following positions:

Series code and grade	Positions	Location	Effective date
Journeyman positions. (Also "Mechanics (limited)"—Navy Department category only).	Blacksmith (other fires)	Island of Oahu, Hawaii	Mar. 4, 1966
Do	Boilermaker	do	Do.
Do	Caulker and chipper (iron) (test experience).	do	Do.
Do	Electrician	do	Do.
Do	Electronics mechanic (crypto)	do	Do.
Do	Flange turner	do	Do.
Do	Machinist	do	Do.
Do	Machinist (marine)	do	Do.
Do	Pipefitter	do	Do.
Do	Pipe coverer and insulator	do	Do.
Do	Radio mechanic	do	Do.
Do	Refrigeration and air-conditioning mechanic.	do	Do.
Do	Riveter	do	Do.
Do	Shipfitter	do	Do.
Do	Welder	do	Do.
GS-1712-7 and 9	Training instructor—watercraft operations.	Fort Eustis, Va	Do.
GS-1712-7 and 9	Training instructor—aircraft maintenance.	do	Do.
W-3414-11	Machinist	Rock Island, Ill	Mar. 15, 1966
GS-802-4/11	Engineering technician	San Francisco Bay Area (Within 35-mile radius of San Francisco).	Mar. 25, 1966
GS-856-4/11	Electronics technician	do	Do.
W-11	Machinist	Portsmouth, N.H	Apr. 5, 1966

Appointees to these positions, or comparable positions under other pay systems, may be paid for the expenses of travel and transportation to their first duty station.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-4792; Filed, May 2, 1966; 8:46 a.m.]

ACCOUNTING SERIES ET AL.

Notice of Adjustment of Minimum Rates and Rate Ranges

1. Under authority of section 504 of the Federal Salary Reform Act of 1962 and Executive Order 11073, the Civil Service Commission has increased the minimum salary rates and rate ranges for positions in the Accounting Series, GS-510, and Internal Revenue Agent Series, GS-512, at grades 5 through 9, and, after consultation with the Post Office Department, has increased the minimum rates and rate ranges for Accounting and Auditing positions code 510, in the Postal Field Service at levels 5, 7, and 9.

a. The revised rates for positions subject to the Classification Act are as follows:

Grade	1	2	3	4	5	6	7	8	9	10
GS-5	$6,036	$6,207	$6,378	$6,549	$6,720	$6,891	$7,062	$7,233	$7,404	$7,575
GS-6	6,470	6,662	6,854	7,046	7,238	7,430	7,622	7,814	8,006	8,198
GS-7	6,890	7,097	7,304	7,511	7,718	7,925	8,132	8,339	8,546	8,753
GS-8	7,097	7,325	7,553	7,781	8,009	8,237	8,465	8,693	8,921	9,149
GS-9	7,733	7,987	8,241	8,495	8,749	9,003	9,257	9,511	9,765	10,019

b. The revised rates for positions in the Postal Field Service are as follows:

Grade	1	2	3	4	5	6	7	8	9	10	11	12
PFS-5	$6,094	$6,280	$6,466	$6,652	$6,838	$7,024	$7,210	$7,396	$7,582	$7,768	$7,954	$8,140
PFS-7	6,997	7,209	7,421	7,633	7,845	8,057	8,269	8,481	8,693	8,905	9,117	
PFS-9	7,697	7,945	8,193	8,441	8,689	8,937	9,185	9,433	9,681	9,929		

2. Geographic coverage: Worldwide.

3. The effective date will be the first day of the first pay period which commences on or after June 1, 1966.

4. On and after the effective date, new employees in the specified occupational levels will be hired at the new minimum rates.

5. As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the rates of the statutory range, shall receive compensation at the corresponding numbered rate authorized by this notice on or after such date.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-4793; Filed, May 2, 1966; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

CUNARD STEAM-SHIP CO., LTD., AND UNITED STATES LINES CO.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Ronald A. Capone, Kirlin, Campbell & Keating, The Farragut Building, 900 17th Street NW., Washington, D.C., 20006.

Agreement 9545 provides for the interchange of cargo containers and related equipment between the parties thereto, the Cunard Steam-Ship Co., Ltd. and United States Lines Co., operating in the trade between the ports of the United Kingdom of Great Britain and Northern Ireland and U.S. North Atlantic ports in the Hampton Roads/Portland, Maine range, in accordance with the terms and conditions set forth therein.

Dated: April 28, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-4802; Filed, May 2, 1966; 8:47 a.m.]

CUNARD STEAM-SHIP CO., LTD., AND UNITED STATES LINES CO.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. D. E. Berger, Traffic Analyst, Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J., 07207.

Agreement 9547, between Ellerman & Bucknall Steamship Co., Ltd. (North American Service) and Sea-Land Service, Inc., proposes the establishment of a through billing arrangement on the movement of general and controlled temperature cargo from ports in the Commonwealth of Australia (including Tasmania) to ports in Puerto Rico with transshipment at Charleston, S.C., and New York, N.Y., in accordance with the terms and conditions set forth in the agreement.

Dated: April 28, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-4804; Filed, May 2, 1966; 8:47 a.m.]

[Docket No. 66-18]

GENERAL RATE INCREASE IN DOMESTIC GUAM TRADE

Notice of Expansion of Investigation

Whereas, By order served March 31, 1966, the Federal Maritime Commission entered into an investigation concerning the lawfulness of tariffs filed by Pacific Far East Line, Inc. and American President Lines, Ltd., which published generally increased commodity rates in the Pacific Coast/Guam Trade to become effective March 31, 1966, and April 20, 1966, and named the said carriers as respondents in this proceeding;

Whereas, On March 24, 1966, American President Lines, Ltd., filed with the Commission a new tariff, FMC-F No. 13, which will upon becoming effective April 27, 1966, generally increase commodity rates in the Atlantic Coast/Guam Trade;

Whereas, The Commission has considered the new tariff and protest thereto, and has reason to believe that the said tariff may result in rates, charges, and/or practices which would be unjust, unreasonable, or otherwise unlawful in violation of the Shipping Act, 1916, or the Intercoastal Shipping Act, 1933;

Whereas, The Commission is of the opinion that the new Atlantic/Guam tariff should be included in the investigation to determine if it is unjust, unreasonable, or otherwise unlawful, under the aforementioned shipping acts;

ELLERMAN & BUCKNALL STEAMSHIP CO., LTD., AND SEA-LAND SERVICE, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at

Now therefore it is ordered, That this proceeding be, and it is hereby expanded to include an investigation into and a hearing concerning the lawfulness of the said tariff, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant;

It is further ordered, That all subsequent revisions of the rates or other tariff matter contained in the said tariff, and in other tariffs currently under investigation in this proceeding shall be, and they are hereby placed under investigation in this proceeding;

It is further ordered, That (I) a copy of this order shall forthwith be served upon all respondents and protestants herein; (II) the said respondents and protestants be duly notified of the time and place of the hearing ordered; and (III) this order and notice of the said hearing be published in the FEDERAL REGISTER.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(1) (46 CFR 502.72).

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 66-4805; Filed, May 2, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1942]

BALDWIN SECURITIES CORP. AND BROWN CO.

Notice of Filing of Application for Order Exempting Proposed Transaction

APRIL 27, 1966.

Notice is hereby given that Baldwin Securities Corp. ("Baldwin"), 1 Chase Manhattan Plaza, New York, N.Y., a registered closed-end diversified investment company and Brown Co. ("Brown"), 277 Park Avenue, New York, N.Y., a Delaware corporation (hereinafter sometimes collectively called "applicants") have filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting from the provisions of section 17(a) of the Act transactions incident to a proposed merger of KVP Sutherland Paper Co. ("KVP"), a Delaware corporation, with and into Brown. Under the proposal the outstanding common stock of Brown is to remain outstanding without alteration and each share of KVP outstanding common stock (other than shares held by Brown) is to be converted into one share of Series A Convertible Preferred Stock of Brown. All interested persons are referred to the application, which is on file with the Commission, for a statement of the representations therein, which are summarized below.

Brown has outstanding 2,530,021 shares of common stock which are listed on the American Stock Exchange. Baldwin, which owns 344,417 shares or approximately 14 percent of Brown common stock, agreed on March 28, 1966, to sell 180,000 of these shares at $22.50 a share to Fasco Inc. ("Fasco"), a Delaware corporation. Fasco is a wholly owned subsidiary of Fasco A. G., a Liechtenstein corporation which beneficially owns approximately 22 percent of Brown's outstanding common stock. The acquisition by Fasco of the 180,000 shares of Brown stock is subject to the issuance by the Commission of an order under section 17(b) of the Act exempting such transaction from section 17(a). A separate application for such an order is presently pending (File No. 812-1937). After the sale to Fasco of Brown common stock, Baldwin will own 164,417 shares or approximately 6.5 percent of Brown's outstanding common stock.

Ira Guilden and his associates and corporations controlled by Guilden and his associates owned as of March 15, 1966, approximately 40 percent of the outstanding voting securities of Baldwin. Guilden, who is president and a director of Baldwin, is also a member of Brown's board of directors consisting of 11 members; Philip A. Roth, who is vice president and treasurer and a director of Baldwin, is also a director of Brown.

KVP has outstanding 2,217,862 shares of common stock which are listed on the New York Stock Exchange. Brown owns 1,108,930 shares or approximately 50 percent of KVP's outstanding common stock. Brown acquired these shares on January 25, 1966, at a cost of $33 a share, as the result of a tender offer which it made to the shareholders of KVP. Four officers of Brown are members of KVP's board of directors consisting of 12 members.

Under section 2(a)(3) of the Act, Brown is an affiliated person of Baldwin, and KVP is an affiliated person of Brown. Section 17(a) of the Act, in pertinent part, prohibits an affiliated person of a registered investment company from selling to or purchasing from such registered company any security or other property, subject to certain exceptions, unless the Commission upon application pursuant to section 17(b) of the Act grants an exemption from the provisions of section 17(a) after finding that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned and that it is consistent with the general purposes of the Act.

The applicants state that the application is not to be construed as a waiver by them of any right to take the position that the proposed transaction is not prohibited by the provisions of section 17(a) of the Act.

The merger agreement provides for the creation of an initial series of Brown preferred stock designated as Series A $1.50 Commulative Convertible Preferred Stock ("preferred stock"). Each share of KVP common stock outstanding at the time of the merger, other than treasury shares and shares held by Brown, will be converted into one share of preferred stock. This will result in Brown as the surviving company having outstanding a maximum of 1,108,932 shares of preferred stock. Each share of Brown common stock will continue to be one share of the common stock of Brown as the surviving company. The preferred stock will be listed on the New York Stock Exchange. Each share of preferred stock will be entitled to $1.50 annual dividend in preference to the Brown common stock; will be convertible at any time after issuance at a conversion value of $33 a share, into shares of Brown common stock at a conversion price (subject to certain adjustments) of $28 a share; will be noncallable for 5 years and will thereafter, unless the holder exercises his right of conversion, be redeemable in whole or in part at Brown's option at redemption prices ranging from $34.65 to $33 a share, based on the date of redemption; and will be entitled, in preference to the Brown common stock, to $34.65 a share in a voluntary liquidation and to $33 a share in an involuntary liquidation. Following the consummation of the merger, the Brown common stock will be listed on the New York Stock Exchange.

Brown is engaged in the manufacture and sale of a variety of papers, paper towels, tissue, plywood, bituminous fiber pipe, and other cellulous products. KVP is engaged in the manufacture of pulp, paper, and paperboard. Some of each product is sold but the greater portion of each product is used in further processing within its own operations. Pulp is used in the manufacture of paper and paperboard which in turn are converted into product packaging materials, stock products, and book matches.

Applicants state that the preferred stock has been designed to sell at an initial market price of approximately $33 a share, equivalent to the price paid by Brown to acquire approximately 50 percent of KVP's common stock on January 25, 1966, through a tender offer. On March 25, 1966, the business day prior to the date of the merger agreement (March 28, 1966), the KVP common stock closed on the New York Stock Exchange at 31¾. From March 25, 1966, through April 20, 1966, the KVP common stock ranged in price from 30⅝ to 33¾ and closed at 30⅞ on the latter date. On March 25, 1966, the Brown common stock closed on the American Stock Exchange at 24⅜. From March 25, 1966, through April 20, 1966, the Brown common stock ranged in price from 22¾ to 25½ and closed on April 20, 1966, at 24⅛.

Applicants have claimed the following to be common advantages of the proposed merger: Greater financial resources and marketing strength, greater stability and opportunities for continued growth, economies in expenses and operating efficiences. KVP has been advised by William Blair & Co., an independent adviser, that in its opinion the terms of the proposed merger agreement are fair and equitable and that the merger would be in the best interest of the shareholders of both companies.

The merger is subject to the affirmative vote of two-thirds of the outstanding shares of common stock of each of the constituent companies.

Notice is further given that any interested person may, not later than May 10, 1966, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-4777; Filed, May 2, 1966; 8:45 a.m.]

[File No. 14-1]

ELKTON CO.

Order Suspending Trading

APRIL 27, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 1¢ par value, of the Elkton Co. otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 28, 1966, through May 7, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-4778; Filed, May 2, 1966; 8:45 a.m.]

[812-1933]

LIFE STOCK EXCHANGE FUND, INC.

Notice of Application for Order of Exemption

APRIL 27, 1966.

Notice is hereby given that Life Stock Exchange Fund, Inc. ("applicant"), 50 Broadway, New York, N.Y., a Delaware corporation, and an open-end, diversified management investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting applicant from compliance with the provisions of section 14(a) of the Act. In substance, section 14(a) of the Act provides that no registered investment company shall make a public offering of securities of which it is the issuer unless it has a net worth of at least $100,000. All interested persons are referred to the application on file with the Commission for a full statement of the representations therein which are summarized below.

Applicant has filed a registration statement under the Securities Act of 1933 for 1,250,000 shares of common stock, $1 par value, to be offered to investors in exchange for securities of the character of those included in a list set forth in the prospectus. Applicant is intended as an investment vehicle for investors who wish to exchange securities they presently hold for shares of the applicant in a simultaneous exchange on a tax-free basis. The minimum deposit to be accepted from any investor is to be securities having a market value of $20,000, and the exchange will not be consummated unless the aggregate market value of the deposited securities as at the effective date of the planned exchange is at least $10,000,000. In the event that such value is not then realized, the deposited securities will be returned to investors without charge to them.

Notice is further given that any interested person may, not later than May 17, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-4779; Filed, May 2, 1966; 8:45 a.m.]

[File No. 70-4875]

NATIONAL FUEL GAS CO., ET AL.

Notice of Proposed Issue of Short-Term Notes to Banks and Proposed Intrasystem Issue of Short-Term Notes

APRIL 27, 1966.

Notice is hereby given that National Fuel Gas Co. ("National"), 30 Rockefeller Plaza, New York, N.Y., 10020, a registered holding company, and three of its gas utility subsidiary companies, Iroquois Gas Corp. ("Iroquois"), Pennsylvania Gas Co. ("Penn"), and United Natural Gas Co. ("United"), have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, 9(a), 10, and 12(b) of the Act and rules 23, 42(b)(2), 43, 45, 50(a)(2), and 70 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

National proposes to issue and sell, from time to time prior to December 31, 1966, its unsecured promissory notes to the Chase Manhattan Bank (National Association) ("Chase") in an aggregate face amount not to exceed $12,000,000 outstanding at any one time. The notes will mature on December 31, 1967, will bear interest, payable quarterly, at the prime commercial rate (currently 5½ percent), and will be prepayable, in whole or in part, at any time without penalty, except that a premium of three-eighths of 1 percent must be paid if the prepayment results from borrowings from a bank other than Chase. National will use the proceeds from the sale of the notes to acquire notes of Iroquois, Penn, and United as described below.

Iroquois, Penn, and United propose to issue and sell, from time to time prior to December 31, 1966, to National, unsecured promissory notes not to exceed an aggregate face amount outstanding at any one time of $8,400,000 for Iroquois, $2,100,000 for Penn, and $1,500,000 for United. The notes will bear interest at the same prime rate, and will be subject to the same general terms and conditions, as the notes to be issued by National to Chase, except that no prepayment penalty or premium will be incurred under any circumstances.

Penn and United also propose to issue and sell to the banks named below, from time to time during 1966, short-term notes not to exceed an aggregate face amount of $1,800,000 for Penn and

$3,700,000 for United. The notes will mature no later than 9 months from the date of issue, will bear interest at the prime rate in effect at Chase or the lending bank, whichever is lower on the date of issue, and will be prepayable at any time, in whole or in part, without penalty or premium. The notes will be issued to the following banks in amounts not exceeding those set forth:

	Penn	United
Bradford National Bank, Bradford, Pa		$300,000
DuBois Deposit National Bank, DuBois, Pa		230,000
Elk County Bank & Trust Co., Ridgway, Pa		100,000
Emporium Trust Co., Emporium, Pa		130,000
Exchange Bank & Trust Co., Franklin, Pa		200,000
First National Bank of Mercer Co., Greenville, Pa		150,000
The First National Bank of Erie, Erie, Pa	$750,000	
First Seneca Bank & Trust Co., Oil City, Pa		501,000
McDowell National Bank, Sharon, Pa		400,000
Marine National Bank, Erie, Pa	275,000	
Marine Midland Chautauqua National Bank, Jamestown, N.Y	300,000	
Mellon National Bank & Trust Co., Pittsburgh, Pa		360,000
Northwest Pennsylvania Bank & Trust Co., Oil City, Pa		300,000
Pennsylvania Bank & Trust Co., Titusville, Pa		500,000
Producers Bank & Trust Co., Bradford, Pa		70,000
St. Marys National Bank, St. Marys, Pa		160,000
Warren National Bank, Warren, Pa	475,000	
Total	1,800,000	3,700,000

The notes to be issued by Penn and United represent approximately 8.9 percent and 9.0 percent of the principal amount and par value of the other securities outstanding on December 31, 1966, of each of these companies, and any amount in excess of 5 percent is not exempt under the provisions of section 6(b) of the Act and may be issued only pursuant to an order herein.

Iroquois, Penn, and United will use the proceeds from the issue and sale of their notes, together with funds available from current operations, for additions to utility plant, and for underground storage gas inventories. Construction expenditures for 1966 are estimated at $9,675,000 for Iroquois, $2,569,000 for Penn, and $4,323,000 for United.

It is contemplated that National will pay its notes prior to maturity from the proceeds of the public sale of its long-term debentures, and upon such sale the notes proposed to be issued to it by Penn, Iroquois, and United will be converted to long-term serially maturing notes. Such transactions will be the subject of future filings with the Commission.

The proposed issue and sale of notes by Iroquois are subject to the jurisdiction of the Public Service Commission of New York, and the issue and sale by Penn and United are subject to the jurisdiction of the Pennsylvania Public Utility Commission. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The estimated expenses to be incurred in connection with the proposed transactions are as follows: National, $1,000, including counsel fees of $850; Penn, $1,010, including counsel fees of $500; Iroquois, $3,740, including counsel fees of $800; and United $1,010, including counsel fees of $500.

Notice is further given that any interested person may, not later than May 20, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the joint applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-4780; Filed, May 2, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 28, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40453—*Chlorine to Henderson, Ky.* Filed by O. W. South, Jr., agent (No. A4886), for and on behalf of Illinois Central Railroad Co. Rates on chlorine, in tank carloads, from Vicksburg, Miss., to Henderson, Ky.

Grounds for relief—Market competition.

Tariff—Supplement 105 to Southern Freight Association, agent, tariff ICC S-397.

FSA No. 40454—*Substituted service—UP for Ashworth Transfer, Inc., et al.* Filed by Ashworth Transfer, Inc. (No. 6), for interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between interchange points on UP R.R. west of Missouri River, on traffic originating at or destined to such points or points beyond, as described in the application.

Grounds for relief—Motortruck competition.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4797; Filed, May 2, 1966; 8:47 a.m.]

[Notice 1336]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 28, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 C.F.R. Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68530. By order of April 26, 1966, the Transfer Board approved the transfer to Magee Truck Service, Inc., Klickitat, Wash., of the operating rights of Eastern-Western Trucking, Inc., Puyallup, Wash., in certificates Nos. MC-116587, MC-116587 (Sub-No. 2), MC-116587 (Sub-No. 3), MC-116587 (Sub-No. 5), and MC-116587 (Sub-No. 7), issued November 8, 1957, December 19, 1962, October 12, 1962, February 19, 1964, and April 30, 1963, respectively, authorizing the transportation over irregular routes, of lumber, stone, and rejected shipments of lumber, from, to, and between specified points in Montana, Idaho, Wyoming, North Dakota, South Dakota, Nebraska, Colorado, Oregon, Washington, New Mexico, and Arizona, varying with the commodities transported. Earle V. White, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201, attorney for applicants.

No. MC-FC-68545. By order of April 26, 1966, the Transfer Board approved the transfer to Cashen Moving & Storage Co., Inc., 2645 South Ninth Street, Milwaukee, Wis., of the operating rights in certificate No. MC-42536, issued May 26, 1941, to John I. Cashen, doing business as Cashen Cartage Co., 2645 South Ninth Street, Milwaukee, Wis., authorizing the transportation of household goods, over irregular routes, between points in Milwaukee County, Wis., to points in Minnesota, Iowa, Illinois, Indiana, and Michigan.

No. MC-FC-68608. By order of April 26, 1966, the Transfer Board approved the transfer to Hanson M. Savage, doing business as Savage Trucking Co., Chester Depot, Vt., of the certificate in No. MC-10131, issued September 2, 1958, to Lester J. Lewis, doing business as Lewis & Sons, Chester, N. H., authorizing the transportation of: Forest products and lumber, between points in New Hampshire, on the one hand, and, on the other, points in Massachusetts and Vermont.

No. MC-FC-68624. By order of April 26, 1966, the Transfer Board approved the transfer to Ronald E. Williams, 1927 Gebhart, Salina, Kans., of certificate No. MC-118040, issued November 16, 1960, to A. S. Elliott, doing business as Elliott Fruit & Groceries, 1221 North Seventh Street, Salina, Kans., authorizing the transportation of: Bananas, from New Orleans, La., and Galveston, Tex., to Salina and Emporia, Kans., with no transportation for compensation on return except otherwise authorized, subject to certain restrictions.

No. MC-FC-68639. By order of April 25, 1966, the Transfer Board approved the transfer to Evergreen Freight Lines, Inc., Spokane, Wash., of the operating rights in certificates Nos. MC-125624 (Sub-No. 1), MC-125624 (Sub-No. 2), and certificate of registration No. MC-125624 (Sub-No. 3), issued March 15, 1965, December 28, 1965, and December 29, 1965, respectively, to Robert E. Haugen and Orville Clouse, a partnership, doing business as Evergreen Freight Lines, Spokane, Wash., authorizing the transportation of: General commodities with the usual exceptions, and general freight, between points in Washington. Harold D. Clarke, 912 Paulsen Building, Spokane, Wash., 99201, attorney for applicants.

No. MC-FC-68640. By order of April 25, 1966, the Transfer Board approved the transfer to Evergreen Freight Lines, Inc., Spokane, Wash., of the operating rights in certificate No. MC-48549, issued December 6, 1956, to Drinkard's Freight, Inc., Spokane, Wash., authorizing the transportation of: General commodities between points in Washington. Harold D. Clarke, 912 Paulsen Building, Spokane, Wash., 99201, attorney for applicants. Hugh H. Dressel, 702 O. N. B. Building, Spokane, Wash., 99201, Attorney for applicants.

No. MC-FC-68649. By order of April 25, 1966, the Transfer Board approved the transfer to Terrance J. O'Keefe, Wales, Mass., of the operating rights of Richard E. Souliere, Brimfield, Mass., in certificate No. MC-6074, issued August 2, 1960 authorizing the transportation, over irregular routes, of road building and grading materials, between Springfield, Mass., and points in Massachusetts within 15 miles of Springfield, on the one hand, and on the other, points in Hartford and Tolland Counties, Conn. William L. Mobley, 1694 Main Street, Springfield, Mass., 01103, representative for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4798; Filed, May 2, 1966; 8:47 a.m.]

[Notice 1338-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 28, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68191. By order of April 25, 1966, Division 3, acting as an Appellate Division approved the transfer to Parcel Delivery & Transfer, Inc., Anchorage, Alaska; of certificate in No. MC-118446 (Sub-No. 2), issued May 4, 1965, to John P. Knudsen, doing business as Knudsen Fast Freight, Anchorage, Alaska; authorizing the transportation of: General commodities, except those of unusual value, classes A and B explosives, commodities in bulk, and those requiring special equipment, over regular routes, between Anchorage, Alaska, and Tok Junction, Alaska; between Valdez, Alaska, and Delta Junction, Alaska, between Big Delta, Alaska, and Northway, Alaska, and between junction Alaska Highways 4 and 10, and Cordova, Alaska, serving all intermediate points on said routes, and certain named off-route points. John M. Stern, Jr., Box 1672, Anchorage, Alaska, 99501, W. T. Croft, Federal Bar Building, 1815 H Street NW., Washington, D.C., 20006, attorneys for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4799; Filed, May 2, 1966; 8:47 a.m.]

[3d Rev. S.O. 562; Pfahler's ICC Order 206]

MISSOURI PACIFIC RAILROAD CO., ET AL.

Diverting or Rerouting of Traffic

Account of high water and washouts affecting operations on the Missouri Pacific Railroad Co., The Texas & Pacific Railway Co., and the Kansas Oklahoma & Gulf Railway Co. in Texas, these carriers are, in the opinion of R. D. Pfahler, Agent, unable to transport traffic routed over their lines.

It is ordered, That:

(a) Rerouting traffic: Account of high water and washouts affecting operations on the Missouri Pacific Railroad Co., The Texas & Pacific Railway Co., and the Kansas Oklahoma & Gulf Railway Co. in Texas, and being unable to transport traffic in accordance with shippers' routing, these carriers are hereby authorized to reroute or divert such traffic over any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the direction of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rate of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 9 a.m., April 27, 1966.

(g) Expiration date: This order shall expire at 11:59 p.m., May 3, 1966, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as Agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 27, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-4800; Filed, May 2, 1966; 8:47 a.m.]

[3d Rev. S.O. 562; Pfahler's ICC Order 204-A]

CANADIAN NATIONAL RAILWAYS

Diverting or Rerouting of Traffic; Order Vacated

Upon further consideration of Pfahler's ICC Order No. 204 and good cause appearing therefor:

It is ordered, That:

(a) Pfahler's ICC Order No. 204, be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 11:59 p.m., April 28, 1966.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 27, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-4801; Filed, May 2, 1966; 8:47 a.m.]

[Ex Parte No. 55]

MOTOR CARRIER LICENSING PROCEDURES

General Policy Statement

The number of applications filed for authority to conduct operations, in interstate or foreign commerce, as common and contract carriers by motor vehicle, long has been on the increase. The rate of this increase has accelerated markedly in recent years and shows no signs of abating. Motor carrier applications alone, which now make up about 85 percent of the Commission's formal case docket, increased from 5,655 new filings in 1964 to 7,658 new filings in 1965. In the first quarter of 1966, 2,454 motor carrier applications already have been opened. The pending docket of this category of cases alone on April 1, 1966, totaled 6,534.

Motor carrier application proceedings involve issues of substantial interest not only to the regulated transportation industry, but to every shipper and receiver of goods, regardless of the size of his operation; to manufacturers, wholesalers, distributors, and retailers; and to all members of the general public, both as buyers and consumers, and as travelers over the lines of the Nation's common carriers of passengers. To delay a determination that a newly-proposed motor transportation is required by the public convenience and necessity or would be consistent with the public interest and the national transportation policy can result in an irretrievable loss of sales and can unjustifiably deprive the public of needed products and transportation services. For the regulated surface transportation industry to continue to thrive, to grow, and to keep pace with the expanding national economy, the mechanics of regulation must be such that administrative decisions are not only fair and impartial, but are rendered with reasonable dispatch and efficiency. The regulatory process in which competing claims are considered and adjudicated must be geared to the type of proceeding involved, and must not entail an expenditure of time and money, either for the parties or the Government, which is disproportionate to the scope, importance, and economic significance of the particular proceeding.

Operating under its present procedures, the Commission no longer is able to deal with motor carrier application proceedings with the promptness and efficiency to which the parties are entitled, and which the nature of the proceedings themselves and the public interest require. The due and timely execution of the Commission's functions, therefore, imperatively and unavoidably, requires that these procedures be modified to eliminate those steps and procedural requirements which result in undue and unnecessary delay and in unjustified expense.

To achieve the foregoing ends and to insure that application proceedings are adjudicated with the maximum possible speed and efficiency consistent with the requirements of due process of law, this Commission has adopted, among other things, a number of general policies and internal procedures governing the handling and processing of motor carrier operating authority applications. A new form for applying for operating rights has been approved and released, and revised special rules of practice have been issued.

In processing the motor carrier caseload, the scheduling of unnecessary oral hearings will be avoided to the extent possible. Where the issues presented are well defined or where the matters involved are not of sufficient moment to justify the expense of an oral hearing, parties will be required to submit their evidence in the form of verified statements under the modified procedure, and the issuance of an initial report by a hearing officer will be dispensed with. Oral hearings for the sole purpose of cross-examination will be scheduled only where material facts are in dispute.

All applications for motor carrier operating rights will be noticed in the FEDERAL REGISTER as at present. After the 30-day period for filing protests has expired, the Commission will determine whether an application should be placed on the hearing docket or the modified procedure docket.

All unopposed applications will be assigned directly to the Commission's Operating Rights Board No. 1, as is done at present. Where the necessary supporting information has not been filed with the application, an order will be entered calling for the filing of the necessary supporting verified statements, after which the case will be disposed of by that Board.

All opposed applications will be placed either on the hearing docket or the modified procedure docket. To the hearing docket will be assigned the more complex cases, and those which, for one reason or another, might be handled more expeditiously and effectively with an oral hearing. Applications placed on the hearing docket will be processed through oral hearing and the issuance of a report and recommended order.

To the modified procedure docket will be assigned those applications in which an oral hearing is not necessary for their proper disposition. Assignments to the modified procedure docket will be followed by the entry of an order requiring the submission of the supporting and opposing evidence under the present general rules of practice. Such order will provide that "except for good cause shown" all preliminary motions or other requests for relief filed prior to a decision will not be handled separately but will be acted upon by those making the decision in the case.

Following the filing of all verified statements under the modified procedure in opposed application proceedings, the cases will be submitted to one of the three existing Operating Rights Review Boards, in rotation, to the extent practicable, for the issuance of final reports. The Boards' decisions will be subject to petitions to Appellate Division 1.

A request for cross-examination by any party will be disposed of by the Review Board. If the Board concludes that the request has merit, it will have the authority to refer the case for hearing for the purpose of cross-examination. Requests which are found to be without merit will be denied in the Board's report, with the reasons for the action taken. The Review Board also will have authority to refer for full oral hearing any case in which it believes such treatment is warranted.

(49 U.S.C. sec. 17, 40 Stat. 270, as amended; 49 U.S.C. sec. 204(a)(6), 52 Stat. 1237; 49 U.S.C. sec. 205, 49 Stat. 548, as amended; 5 U.S.C. secs. 1002(a)(2) and 1007(a), 60 Stat. 247)

The above procedures and policies will be effective as of the date of service hereof, and notice of this General Policy Statement will be given the public by publication of this document in the FEDERAL REGISTER.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-4809; Filed, May 2, 1966; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

CATTLE HIDES, CALF AND KIP SKINS AND BOVINE LEATHERS

Notice to Exporters

The Department of Commerce is now in the process of reviewing the testimony given at the recent hearings on controls over cattle hides, calf and kip skins, and bovine leather.

At the hearings, considerable emphasis was placed on the inability of exporters to honor export commitments made prior to the date export controls were imposed over these commodities. In order to give proper consideration to this matter, additional facts are needed to establish the volume of these prior commitments.

For this purpose, a prior commitment is defined to involve all of the following circumstances:

(1) The U.S. exporter received and accepted the export order on or prior to March 7, 1966;

(2) On or prior to March 7, 1966, the U.S. exporter purchased or contracted to purchase the commodities required to fill this export order; and

(3) As of May 3, 1966, the U.S. exporter will not have shipped, nor will he have obtained a validated export license to ship this export order.

If you have any unfilled orders which meet the conditions set forth in the above definition of a prior commitment, please provide us with this information in the format shown in Attachment A to this notice, and return it as soon as possible, but postmarked no later than May 7, 1966; addressed to:

U.S. Department of Commerce, Office of Export Control, Attention: 862, Washington, D.C., 20230.

Please note that a separate report is required for each of the quotas described on Attachment B to this notice. The report(s) should be accompanied by a letter signed by an authorized official of your company, and contain the following certification:

I certify that all information provided you in response to notice of April 29, 1966, is true and correct. I am aware of the penalties provided for false representation under Title 18 U.S.C. 1001.

Dated: April 29, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

ATTACHMENT A

PRIOR EXPORT COMMITMENTS AS DEFINED IN DEPARTMENT NOTICE OF APRIL 29, 1966

Date form completed_____
Name and address of firm_____
Description of quota covered by this form____

Name of country	Quantity covered by commitments requiring delivery by June 30, 1966	Quantity covered by commitments requiring delivery between July 1 and Dec. 31, 1966	Total quantity

ATTACHMENT B

A separate report should be submitted for each of the following applicable quotas:

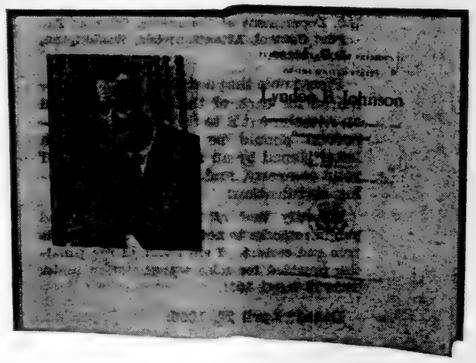
Name of quota	*Unit of quantity*
Cattle hides, whole (Export Control Commodity No. 21110)	Number.
Cattle hides, except whole (Export Control Commodity No. 21110)	Do.
a. Cattle hide croupons Crops, Dossets, Sides, butts and bends	Pieces.
b. All other types of cattle hide pieces	Do.
Calf skins and kip skins (Export Control Commodity No. 21120)	Number.
Cattle hide and kip side upper leather, grain, except patent and metalized; and cattle hide and kip side leather, n.e.c. (Export Control Commodity No. 61150)	Square Feet.
Cattle hide and kip side sole, belting, welting, grain, offal, rough, russet, and crust leather (Export Control Commodity No. 61150)	Pounds.
Calf and whole kip upper leather, except patent and metalized; and calf and whole kip leather, n.e.c., except patent and metalized (Export Control Commodity No. 61150)	Square Feet.

[F.R. Doc. 66-4893; Filed, May 2, 1966; 11:27 a.m.]

PUBLIC PAPERS OF THE PRESIDENTS OF THE UNITED STATES

Now available

Lyndon B. Johnson
1963-64



Book I (November 22, 1963 to June 30, 1964)
Price $6.75

Book II (July 1, 1964 to December 31, 1964)
Price $7.00

Contents

- Messages to the Congress
- Public speeches and letters
- The President's news conferences
- Radio and television reports to the American people
- Remarks to informal groups

Published by

Office of the Federal Register
National Archives and Records Service
General Services Administration

Order from

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

Prior volumes

Prior volumes covering most of the Truman administration and all of the Eisenhower and Kennedy years are available at comparable prices from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

86

PART 1

DETROIT PUBLIC LIBRARY MAY 6 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 86

Wednesday, May 4, 1966 • Washington, D.C.

Pages 6603–6674

PART I

(Part II begins on page 6659)

Agencies in this issue—

The President
Atomic Energy Commission
Civil Aeronautics Board
Consumer and Marketing Service
Customs Bureau
Economic Opportunity Office
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Food and Drug Administration
General Services Administration
Immigration and Naturalization Service
Interior Department
Interstate Commerce Commission
Land Management Bureau
National Park Service
Securities and Exchange Commission
Small Business Administration
Social Security Administration
State Department
Treasury Department

Detailed list of Contents appears inside.



NATIONAL ARCHIVES OF THE UNITED STATES · 1934 ·

5-Year Compilations of Presidential Documents

Supplements to Title 3 of the Code of Federal Regulations

The Supplements to Title 3 of the Code of Federal Regulations contain the full text of proclamations, Executive orders, reorganization plans, trade agreement letters, and certain administrative orders issued by the President and published in the Federal Register during the period June 2, 1938–December 31, 1963. Tabular finding aids and subject indexes are included. The individual volumes are priced as follows:

1938–1943 Compilation—$3.00
1943–1948 Compilation—$7.00
1949–1953 Compilation—$7.00
1954–1958 Compilation—$4.00
1959–1963 Compilation—$6.00

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER
Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION
World Trade Week, 1966 6607

EXECUTIVE ORDER
Designating the International Telecommunications Satellite Consortium as an international organization entitled to enjoy certain privileges, exemptions, and immunities 6609

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT
See Consumer and Marketing Service.

ARMY DEPARTMENT
See Engineers Corps.

ATOMIC ENERGY COMMISSION
Notices
Armed Forces Radiobiology Research Institute; issuance of facility license amendment 6640
Regents of the University of California; issuance of construction permit amendment 6641

CIVIL AERONAUTICS BOARD
Rules and Regulations
Inclusive tours by supplemental air carriers and tour operators 6621
Terms, conditions and limitations of certificates to engage in supplemental air transportation 6620
Notices
Hearings, etc.:
Airlift renewal proceeding 6642
International Air Transport Association 6641
Los Angeles/San Francisco-Vancouver case 6641

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Regulations and Standards for inspection and certification of certain agricultural commodities; correction 6629
Tomatoes; import restrictions 6629
Proposed Rule Making
Milk handling in certain marketing areas:
Central Illinois and suburban St. Louis 6631
North Texas 6631

CUSTOMS BUREAU
Rules and Regulations
Customs districts, ports and stations; changes in Customs Agency Region I 6611

DEFENSE DEPARTMENT
See Engineers Corps.

ECONOMIC OPPORTUNITY OFFICE
Rules and Regulations
Contract appeals 6625

ENGINEERS CORPS
Rules and Regulations
Biscayne Bay, Fla.; navigation regulations 6622

FEDERAL AVIATION AGENCY
Rules and Regulations
Standard instrument approach procedures; miscellaneous amendments 6612

FEDERAL COMMUNICATIONS COMMISSION
Rules and Regulations
Chief, Broadcast Bureau; regulations regarding delegation of authority 6627
FM broadcast stations, Charleston and Logan, W. Va.; table of assignments 6627
UHF television stations; expanded use 6628
Proposed Rule Making
Commercial UHF Channel, Somerset, Ky.; table of assignments 6637
FM and TV broadcast stations; field strength curves 6638
Notices
Use of broadcast facilities by candidates for public office 6660
Hearings, etc.:
American Telephone and Telegraph Co., and United Telephone Co 6642
Star Stations of Indiana, Inc 6642

FEDERAL MARITIME ADMINISTRATION
Notices
Hong Kong tonnage agreement; order to show cause 6642

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Gulf Oil Corp., et al 6644
Interstate Power Co 6646
McCulloch Oil Corporation of California 6646
Pennsylvania Electric Co 6647
Sinclair Oil & Gas Co., et al 6645
Transcontinental Gas Pipe Line Corp 6647

FISH AND WILDLIFE SERVICE
Rules and Regulations
Squaw Creek National Wildlife Refuge, Mo.; sport fishing 6629

FOOD AND DRUG ADMINISTRATION
Rules and Regulations
Hazardous substances; porous-tip ink-marking devices; exemption from labeling requirements 6632

GENERAL SERVICES ADMINISTRATION
Notices
Administrator, National Aeronautics and Space Administration; delegation of authority 6648

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration; Social Security Administration.

IMMIGRATION AND NATURALIZATION SERVICE
Rules and Regulations
Miscellaneous amendments to chapter 6611

INTERIOR DEPARTMENT
See also Fish and Wildlife Service; Land Management Bureau; National Park Service.
Notices
Millican, George E.; report of appointment and statement of financial interests 6640

INTERSTATE COMMERCE COMMISSION
Notices
Distribution of box cars:
Kansas City Southern Railway Co., and Atchison, Topeka and Santa Fe Railway Co 6654
Kansas City Southern Railway Co., and Union Pacific Railroad Co 6655
Fourth section applications for relief 6655
Motor carrier:
Alternate route deviation notices 6653
Applications and certain other proceedings (2 documents) 6649, 6651
Intrastate applications; filing 6652
Temporary authority applications 6651
Transfer proceedings (2 documents) 6650, 6655
Transcon Lines; request for interpretation of tariffs published regarding pool distribution charges and local distribution rates 6654

(*Continued on next page*)

JUSTICE DEPARTMENT
See Immigration and Naturalization Service.

LAND MANAGEMENT BUREAU
Notices
Arizona; opening of public lands... 6640

NATIONAL PARK SERVICE
Notices
Flaming Gorge Recreation Area Project; notice of intention to issue concession permit(s)..... 6640

SECURITIES AND EXCHANGE COMMISSION
Notices
Pinal County Development Association; order suspending trading 6648

SMALL BUSINESS ADMINISTRATION
Notices
Madison, Wisconsin Regional Office; delegation of authority to conduct program activities..... 6648
Manager, Disaster Field Office, New Orleans, La.; designation... 6649

SOCIAL SECURITY ADMINISTRATION
Rules and Regulations
Federal old-age, survivors, and disability insurance; proof of age..... 6611

STATE DEPARTMENT
Rules and Regulations
Miscellaneous amendments to chapter 6622

TREASURY DEPARTMENT
See also Customs Bureau.
Notices
4⅞ percent Treasury Notes of Series F–1967; offering of notes.. 6639
Internal Revenue Service; transfer of special enrollment function..... 6639

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATION:
3719 6607

EXECUTIVE ORDER:
11277 6609

7 CFR

68 6629
980 6629

PROPOSED RULES:
1032 6631
1050 6631
1126 6631

8 CFR

214 6611

14 CFR

97 6612
208 6620
378 6621

19 CFR

1 6611

20 CFR

404 6611

21 CFR

191 6622

33 CFR

207 6622

41 CFR

6–1 6622
6–2 6623
6–3 6623
6–5 6624
6–7 6624
6–11 6624
6–30 6624
6–60 6625
22–60 6625

47 CFR

0 6627
73 (2 documents) 6627, 6628

PROPOSED RULES:
73 (2 documents) 6637, 6638

50 CFR

33 6629

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3719

WORLD TRADE WEEK, 1966

By the President of the United States of America

A Proclamation

Expansion of world trade is the principal objective of the liberal foreign trade policies our Nation has followed for more than thirty years.

This two-way trade between the United States and other nations has resulted in many benefits for our country:

—It has advanced the peaceful progress of our Nation and the well-being of all Americans by strengthening the growth of private enterprise and employment.

—It has provided the American businessman with increased opportunities to export more United States products and services.

—It has given the American consumer a wider choice of products at competitive prices.

—It has promoted the cause of peace by broadening the scope of our cooperation with other nations.

—It has been of great importance in helping the developing nations modernize their economies.

Much remains to be done if we are to achieve a balanced international economy where all nations, developed and developing, can share the fruits of freer trade:

—We must continue to work diligently this year to bring the Kennedy Round of trade negotiations to a timely conclusion in a manner that assures the realization of the hopes and expectations with which this great effort at trade liberalization was launched.

—We must intensify our efforts to reduce the United States balance-of-payments deficit and reach our goal of equilibrium in our international accounts.

Progress towards accomplishing these objectives is the aim of World Trade Week.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning May 22, 1966, as World Trade Week; and I request the appropriate Federal, State, and local officials to cooperate in the observance of that week.

I also urge business, labor, agricultural, educational, professional, and civic groups, as well as the people of the United States generally, to observe World Trade Week with gatherings, discussions, exhibits, ceremonies, and other appropriate activities designed to promote continuing awareness of the importance of world trade to our economy and our relations with other nations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 29th day of April in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

By the President:

LYNDON B. JOHNSON

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-4902; Filed, May 2, 1966; 2:45 p.m.]

Executive Order 11277

DESIGNATING THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE CONSORTIUM AS AN INTERNATIONAL ORGANIZATION ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by Section 1 of the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288), I hereby designate the International Telecommunications Satellite Consortium, an organization in which the United States participates pursuant to the authority of the Communications Satellite Act of 1962 (76 Stat. 419; 47 U.S.C. 701–744) and which was established pursuant to the Agreement Establishing Interim Arrangements for a Global Commercial Communications System of August 20, 1964, TIAS 5646, and the Special Agreement signed pursuant thereto, as an international organization, as that term is defined in Section 4(i) of the International Organizations Immunities Act, entitled to enjoy, from and after August 20, 1964, all of the privileges, exemptions, and immunities provided by Section 4(a) of that Act.

The foregoing designation is not intended to abridge in any respect any privileges, exemptions, or immunities which such organization or the Interim Communications Satellite Committee (provided for by the above-mentioned Agreements) may have acquired or may hereafter acquire by treaty, Congressional action, or other Executive order.

LYNDON B. JOHNSON

THE WHITE HOUSE,
April 30, 1966.

[F.R. Doc. 66-4899; Filed, May 2, 1966; 1:43 p.m.]

Rules and Regulations

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 214—NONIMMIGRANT CLASSES

Special Requirements for Admission, Extension, and Maintenance of Status

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

1. The following sentences are inserted immediately preceding the last sentence of subdivision (ii) *Petition for alien to perform other temporary service or labor* of subparagraph (2) *Supporting evidence* of paragraph (h) *Temporary employees* of § 214.2 *Special requirements for admission, extension, and maintenance of status* to read as follows: "If there is attached to the petition a notice from the Secretary of Labor or tification cannot be made, the petitioner his designated representative that cershall be permitted to present countervailing evidence that qualified persons in the United States are not available and that the employment policies of the Department of Labor have been observed. All such evidence submitted will be considered in the adjudication of the petition."

2. The existing third and fourth sentences of subparagraph (3) *Admission, employment, and extension* of paragraph (h) *Temporary employees* of § 214.2 *Special requirements for admission, extention, and maintenance of status* are deleted and the following three sentences are inserted in lieu thereof: "A nonimmigrant visa petition in a case in which a certification is not submitted shall be valid for not more than 1 year from the date of the petition's approval. If a certification by the Secretary of Labor or his designated representative is attached to a petition to accord an alien a classification under section 101(a)(15)(H)(ii) of the Act, the approval of the petition shall not be valid beyond the date to which the certification is valid. When the certification does not set forth a date until which it is valid, the approval of the petition shall not exceed 1 year from the date on which the certification was issued."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure.

Dated: April 28, 1966.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 66-4831; Filed, May 3, 1966; 8:47 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Regs. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950_____)

Subpart H—Evidence

EVIDENCE AS TO AGE

Regulations No. 4, as amended, of the Social Security Administration (20 CFR 404.1 et seq.) are further amended as follows:

1. Paragraphs (b) and (c) of § 404.703 are amended to read as follows:

§ 404.703 Evidence as to age.

* * * * *

(b) *Type of evidence to be submitted.* Where an individual is required to submit evidence of date of birth as indicated in paragraph (a) of this section, he shall submit a public record of birth or a church record of birth or baptism established or recorded before his fifth birthday, if available. Where no such document recorded or established before age 5 is available, the individual shall submit as evidence of age another document or documents which may serve as the basis for a determination of the individual's date of birth provided such evidence is corroborated by other evidence or by information in the records of the Administration.

(c) *Evaluation of evidence.* Generally, the highest probative value will be accorded to a public record of birth or a church record of birth or baptism established or recorded before age 5. Where such record is not available, and other documents are submitted as evidence of age, in determining their probative value, consideration will be given to when such other documents were established or recorded, and the circumstances attending their establishment or recordation. Among the documents which may be submitted for such purpose are: school record, census record, bible or other family record, church record of baptism or confirmation in youth or early adult life, insurance policy, marriage record, employment record, labor union record, fraternal organization record, military record, voting record, vaccination record, delayed birth certificate, birth certificate of child of applicant, physician's or midwife's record of birth, immigration record, naturalization record, or passport.

* * * * *

(Secs. 205 and 1102, 53 Stat. 1368, as amended, 49 Stat. 647, as amended; sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 405 and 1302)

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

APRIL 15, 1966.

Approved: April 27, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-4819; Filed, May 3, 1966; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 66-92]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

Customs Agency Region I

Part of Customs Agency Service Region I is realigned to increase operational effectiveness. In keeping with this realignment § 1.5 of the Customs Regulations (19 CFR 1.5) is being amended to delete two customs agents in charge offices and to designate a new customs agent in charge office and to state its geographical jurisdiction.

Section 1.5 of the Customs Regulations (19 CFR 1.5) is, accordingly, hereby amended as follows:

The offices of the customs agent in charge at Ogdensburg, N.Y., and St. Albans, Vt., are deleted.

A new customs agent in charge office at Rouses Point, N.Y., is added with the following area of jurisdiction:

Vermont and Coos County, N.H. The northern part of the State of New York bounded by and including the counties of Jefferson, Lewis, Herkimer, Hamilton, Warren, and Washington.

(R.S. 161, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1624)

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: April 27, 1966.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-4861; Filed, May 3, 1966; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7186; Amdt. 472]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
TOY VOR	ALN RBn	Direct	2200	T–dn	300–1	300–1	200–½
Prairie Int	ALN RBn	Direct	2200	C–dn	600–1	600–1	600–1½
Hartford Int	ALN RBn	Direct	2200	S–dn–17	600–1	600–1	600–1
Godfrey Int	ALN RBn	Direct	2200	A–dn$	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 005° Outbnd, 185° Inbnd, 2200′ within 10 miles of Dorsey Int.
Minimum altitude over Dorsey Int on final approach crs, 2200′.
Crs and distance, Dorsey Int to airport, 185°—5.8 miles; breakoff point to runway, 168°—0.62 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing Dorsey Int, make left turn climbing to 2200′ on 100° bearing from ALN RBn within 10 miles, make left turn and return to ALN RBn.
NOTES: (1) Operating VOR/ADF equipment required to identify Dorsey Int. (2) Obtain altimeter setting from STL FSS when control zone not effective.
$Alternate minimums authorized only during hours control zone is effective.
MSA within 25 miles of facility: 270°–180°—2100′; 180°–270°—3700′.

City, Alton; State, Ill.; Airport name, Civic Memorial; Elev., 541′; Fac. Class., MHW; Ident., ALN; Procedure No. 1, Amdt. 2; Eff. date, 9 Apr. 66; Sup. Amdt. No. 1; Dated, 1 Aug. 64

TOY VOR	ALN RBn	Direct	2200	T–dn	300–1	300–1	200–½
Prairie Int	ALN RBn	Direct	2200	C–dn	600–1	600–1	600–1½
Hartford Int	ALN RBn	Direct	2200	S–dn–29	600–1	600–1	600–1
Godfrey Int	ALN RBn	Direct	2200	A–dn$	800–2	800–2	800–2
				Carpenter Int minimums:			
				VOR and ADF receivers required; #			
				C–dn#	500–1	500–1	500–1½
				S–dn–29#	500–1	500–1	500–1

Radar available.
Procedure turn N side of crs, 100° Outbnd, 280° Inbnd, 2200′ within 10 miles.
Minimum altitude over Carpenter Int on final approach crs, 1141′.#
Facility on airport; crs and distance, Carpenter Int to airport, 280°—4.0 miles; breakoff point to runway, 286°—0.78 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing ALN RBn or 4 miles after passing Carpenter Int, make right turn climbing to 2200′ on 100° bearing from ALN RBn within 10 miles, make left turn and return to ALN RBn.
NOTES: (1) Operating VOR/ADF equipment required to identify Carpenter Int. (2) Obtain altimeter setting from STL FSS when control zone not effective.
$Alternate minimums authorized only during hours control zone is effective.
MSA within 25 miles of facility: 270°–180°—2100′; 180°–270°—2700′.

City, Alton; State, Ill.; Airport name, Civic Memorial; Elev., 541′; Fac. Class., MHW; Ident., ALN; Procedure No. 2, Amdt. 2; Eff. date, 9 Apr. 66; Sup. Amdt. No. 1; Dated, 1 Aug. 64

PROCEDURE CANCELED, EFFECTIVE 9 APR. 1966.

City, Alton; State, Ill.; Airport name, Civic Memorial; Elev., 541′; Fac. Class., MHW; Ident., ALN; Procedure No. 3, Amdt. 1; Eff. date, 1 Aug. 64; Sup. Amdt. No. Orig. Dated, 19 Oct. 63

Nashville VORTAC	LOM	Direct	2500	T–dn	300–1	300–1	200–½
Knob Int	LOM	Direct	2500	C–dn	400–1	500–1	500–1½
Franklin Int	LOM	Direct	2500	S–dn–2L*	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 196° Outbnd, 016° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2100′.
Crs and distance, facility to airport, 016°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing LOM, climb to 2500′ on crs of 016° within 20 miles of airport or, when directed by ATC, turn right, climb to 2500′ on R 042°, BNA VORTAC within 20 miles.
CAUTION: Brightly lighted building W of ALS Runway 2L.
Other change: Deletes transition from Nashville RBn.
*Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–180°—2400′; 180°–360°—3100′.

City, Nashville; State, Tenn.; Airport name, Nashville Metropolitan; Elev., 597′; Fac. Class., LOM (HW); Ident., BN; Procedure No. 1, Amdt. 14; Eff. date, 9 Apr. 66; Sup. Amdt. No. 13; Dated, 6 Mar. 64

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
EVV VOR	OWB RBn	Direct	2400	T–dn*	300–1	300–1	200–½
CCT VOR	OWB RBn	Direct	2100	C–dn	400–1	700–1½	700–1½
Booneville Int	OWB RBn	Direct	2100	S–dn–35	400–1	400–1	400–1
Lamar Int	OWB RBn	Direct	2100	A–dn**	NA	NA	NA
Nuckols Int	OWB RBn (final)	Direct	1800				

Procedure turn E side of crs, 180° Outbnd, 360° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1800′.
Crs and distance, facility to airport, 360°—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing OWB RBn, make left turn to 2100′ and return to OWB RBn.
NOTE: Obtain Evansville altimeter setting.
*When weather below 1000–3, takeoffs on Runway 5, climb to 1800′ on runway heading prior to making turn; takeoffs Runway 35, climb to 1800′ on 340° crs before turning right.
**AIR CARRIER NOTE: Alternate minimums of 800–2 apply for those air carriers with weather reporting service.
MSA within 25 miles of facility: 000°–270°—2100′; 270°–360°—2500′.

City, Owensboro; State, Ky.; Airport name, Owensboro-Daviess County Airport; Elev., 407′; Fac. Class., MHW; Ident., OWB; Procedure No. 1, Amdt. 1; Eff. date, 9 Apr. 66; Sup. Amdt. No. Orig.; Dated, 24 Apr. 65

Freeport Int	PW LOM	Direct	2100	T–dn	800–1	800–1	200–½
Kennebunk VOR	Buxton Int	Direct	2100	C–dn	800–1	800–1	600–1½
Burton Int	PW LOM (final)	Direct	1800	S–dn–11**	800–1	800–1	800–1
				A–dn	800–2	800–2	800–2

Procedure turn S side of crs, 292° Outbnd, 112° Inbnd, 2100′ within 10 miles of LOM.
Minimum altitude over facility on final approach crs, 1800′.
Crs and distance, facility to airport, 112°—5.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing PW LOM, make right-climbing turn to 2100′ direct PW LOM. Hold W of PW LOM, 112° Inbnd, 1-minute right turns.
**Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—3500′; 090°–180°—1500′; 180°–270°—2500′; 270°–360°—4000′.

City, Portland; State, Maine; Airport name, Portland Municipal; Elev., 66′; Fac. Class., LOM; Ident., PW; Procedure No. 1, Amdt. 5; Eff. date, 9 Apr. 66; Sup. Amdt. No. 4; Dated, 26 Apr. 66

PROCEDURE CANCELED, EFFECTIVE 9 APR. 1966.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 809′; Fac. Class., SABH; Ident., SAT; Procedure No. 2, Amdt. 9; Eff. date, 30 Oct. 65; Sup. Amdt. No. 8; Dated, 4 Sept. 65

Chester VOR	BAF RBn	Direct	2300	T–d*	700–1	700–1	700–1
Westfield VOR	BAF RBn	Direct	2300	T–n*	700–2	700–2	700–2
				C–d	800–1½	800–1½	800–2
				C–n	800–2	800–2	800–2
				S–dn–20	800–1½	800–1½	800–1½
				A–dn	1500–2	1500–2	1500–2

Procedure turn W side of crs, 023° Outbnd, 203° Inbnd, 2800′ within 10 miles.
Minimum altitude over facility on final approach crs, 1800′.
Crs and distance, facility to airport, 203°—4.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing BAF RBn, climb straight ahead on crs, 203° to 1500′ within 5 miles, then right-climbing turn to 2800′ direct BAF RBn. Hold N of BAF RBn, 203° Inbd, 1-minute right turns.
NOTES: (1) Altimeter setting from Westover when control zone not effective. (2) Approach from a holding pattern not authorized. Procedure turn required.
Departures: Runway 9, left turn to 020° and Runway 15, right turn to 210° as soon as practicable after takeoff.
*800′ ceiling required for takeoffs on Runways 9 and 15.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2500′; 180°–270°—3000′; 270°–360°—4000′.

City, Westfield; State, Mass.; Airport name, Barnes Municipal; Elev., 270′; Fac. Class., RBMHZ; Ident., BAF; Procedure No. 1, Amdt. 2; Eff. date, 9 Apr. 66; Sup. Amdt. No. 1; Dated, 8 May 65

Bradley Int	BD LOM	Direct	2800	T–dn%	800–1	800–1	200–½
Meadow Int	BD LOM	Direct	3000	C–dn	700–1	700–1	700–1½
Bristol Int	Penwood Int	Direct	2700	S–dn–6	700–1	700–1	700–1
Penwood Int	BD LOM (final)	Direct	1700	A–dn	800–2	800–2	800–2

Radar available.
Procedure turn S side of crs, 236° Outbnd, 056° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1700′.
Crs and distance, facility to airport, 056°—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing BD LOM, make right-climbing turn to 2500′ direct BD LOM. Hold SW of BD LOM, 056° Inbnd, 1-minute right turns.
NOTES: (1) Penwood Int and Bristol Int may be substituted by a Radar Fix. (2) Final approach from a holding pattern not authorized. Procedure turn required.
CAUTION: 768′ obstruction light on hills, 2.4 miles W of airport.
Other change: Deletes transitions from New Britain Int and Tamie Int.
%Departures from Runway 38, make a right turn to 350°, as soon as practicable after takeoff, to 1800′.
MSA within 25 miles of facility: 000°–270°—2800′; 270°–360°—3000′.

City, Windsor Locks; State, Conn.; Airport name, Bradley Field; Elev., 173′; Fac. Class., LOM; Ident., BD; Procedure No. 1, Amdt. 13; Eff. date, 9 Apr. 66; Sup. Amdt. No. 12; Dated, 7 Sept. 65

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
AEX VOR	ESF VOR	Direct	1700	T–dn	300–1	300–1	200–½
AEX RBn	ESF VOR	Direct	1700	C–dn	400–1	500–1	500–1½
Boyce Int	ESF VOR	Direct	1700	S–dn–14	400–1	400–1	400–1
Larto Int	ESF VOR	Direct	2000	A–dn	800–2	800–2	800–2
V–114, V–114N	ESF VOR	ESF–148	1700				
Van Int	ESF VOR (final)	Direct	1000				

Radar available.
Procedure turn E side of crs, 331° Outbnd, 151° Inbnd, 1700′ within 10 miles.
Minimum altitude over facility on final approach crs, 1000′.
Crs and distance, facility to airport, 151°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing ESF VOR, climb to 1700′ on ESF VOR, R 151°, turn left and return to ESF VOR.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—1400′; 180°–270°—2800′; 270°–360°—1000′.

City, Alexandria; State, La.; Airport name, Esler Field; Elev., 108′; Fac. Class., T–BVOR; Ident., ESF; Procedure No. 1, Amdt. 5; Eff. date, 9 Apr. 66; Sup. Amdt. No. 4; Dated, 22 May 65

AEX VOR	ESF VOR	Direct	1700	T–dn	300–1	300–1	200–½
AEX RBn	ESF VOR	Direct	1700	C–dn	400–1	500–1	500–1½
Boyce Int	ESF VOR	Direct	1700	S–dn–32	400–1	400–1	400–1
Larto Int	ESF VOR	Direct	2000	A–dn	800–2	800–2	800–2
V–114	Marks Int	AEX 119/ESF 148	1700				
Marks Int	Cox Int (final)	Direct	1600				

Radar available.
Procedure turn E side of crs, 148° Outbnd, 328° Inbnd, 1600′ within 10 miles of Cox Int.
Minimum altitude over Cox Int on final approach crs, 1300′.
Crs and distance, Cox Int to airport, 328°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing Cox Int, climb to 1700′ and proceed to ESF VOR. Hold NW on ESF, R 331° left turns.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—1400′; 180°–270°—2800′; 270°–360°—1600′.

City, Alexandria; State, La.; Airport name, Esler Field; Elev., 108′; Fac. Class., T–BVOR; Ident., ESF; Procedure No. 2, Amdt. 5; Eff. date, 9 Apr. 66; Sup. Amdt. No. 4; Dated, 13 Nov. 65

AMA VOR	ARO VOR	Direct	5000	T–dn	300–1	300–1	300–1
AM LOM	ARO VOR	Direct	5000	C–dn	500–1	500–1	500–1½
				A–dn	NA	NA	NA

Radar available.
Procedure turn E side of crs, 182° Outbnd, 002° Inbnd, 5100′ within 10 miles.
Minimum altitude over facility on final approach crs, 4700′.
Crs and distance, facility to airport, 002°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing ARO VOR, turn left, climb to 6000′ on R 352° within 20 miles of ARO VOR.
NOTE: No weather service at airport. Air carrier use not authorized.
CAUTION: Towers, 3929′ and 3994′—2.1 miles NE of airport. Silver painted water tower, 3800′—2 miles NW of airport.
MSA within 25 miles of facility: 000°–360°—5400′.

City, Amarillo; State, Tex.; Airport name, Tradewind; Elev., 3642′; Fac. Class., VORW; Ident., ARO; Procedure No. 1, Amdt. 4; Eff. date, 9 Apr. 66; Sup. Amdt. No. 3; Dated, 8 May 65

PROCEDURE CANCELED, EFFECTIVE 9 APR. 1966.

City, Atlanta; State, Ga.; Airport name, Atlanta; Elev., 1024′; Fac. Class., BVORTAC; Ident., ATL; Procedure No. 1, Amdt. 8; Eff. date, 2 Jan. 65; Sup. Amdt. No. 7; Dated 5 Sept. 64

				T–dn%	1500–3	1500–3	1500–3
				C–dn	2000–3	2000–3	2000–3
				A–dn	2500–4	2500–4	2500–4

Procedure turn S side of crs, 260° Outbnd, 080° Inbnd, 11,000′ within 10 miles. Not authorized beyond 10 miles.
Minimum altitude over facility on final approach crs, 10,500′.
Crs and distance, facility to airport, 067°—8.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.2 miles after passing BCE VOR, left-climbing turn, return to VOR and climb to 11,000′ on R 260° within 10 miles.
%Takeoff all runways: Climb clear of clouds over the airport to 9100′, continue climb direct to BCE VOR, thence climb on crs to MEA.
MSA within 25 miles of facility: 000°–090°—11,900′; 090°–180°—10,400′; 180°–270°—13,400′; 270°–360°—11,400′.

City, Bryce Canyon; State, Utah; Airport name, Bryce Canyon; Elev., 7586′; Fac. Class., BVORTAC; Ident., BCE; Procedure No. 1, Amdt. 4; Eff. date, 9 Apr. 66; Sup. Amdt No. 3; Dated, 26 Sept. 64

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
					2-engine or less#		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
				T–d*	1000–2	1000–2	1000–2
				T–n*	2000–3	2000–3	[illegible]
					or	or	or
					BCOB	BCOB	BCOB
				C–d*	1000–2	1000–2	1000–2
				C–n*#	2000–3	2000–3	2000–3
					or	or	or
					BCOB	BCOB	BCOB
				A–d*	1000–3	1000–3	1000–3
				A–n*#	1000–3	1000–3	1000–3
					2000–3	2000–3	2000–3
					or	or	or
					BCOB	BCOB	BCOB
					1000–3	1000–3	1000–3

Procedure turn W side of crs, 005° Outbnd, 185° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2600′.
Crs from facility to missed approach point, 185°. Descend to 1000′ on crs, 185° within 5 miles, then proceed NE, VFR to airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, if unable to proceed VFR to airport upon descent to 1000′, turn left, and climb to 2600′ on R 162° within 20 miles of STT VOR.
* Any circling for landing or turn after takeoff must be made to the S of airport—circling N of airport not authorized due high terrain.
Landing to the W at night not authorized.
MSA within 25 miles of facility: 000°–180°—2800′; 180°–360°—1700′.
City, Charlotte Amalie, St. Thomas, V.I.; Airport name, Harry S. Truman; Elev., 11′; Fac. Class., BVOR; Ident., STT; Procedure No. 1, Amdt. 5; Eff. date, 9 Apr. 66; Sup. Amdt. No. 4; Dated, 26 Mar. 66

V–141	HYA VOR	Via radar vector to within 15 miles final approach crs.	1500	T–dn	500–1	800–1	NA
				C–d*	800–1	800–1	NA
				C–n*	800–2	800–2	NA
V–167	HYA VOR			A–dn	NA	NA	NA

Radar required.
Procedure turn not authorized.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 113°—10.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing HYA VOR, make a climbing right turn to 1900′, return to HYA VOR. Hold S, R 177°, right turns, 1-minute, 357° Inbnd.
NOTE: Point of visual contact to airport, 4.2 miles.
CAUTION: 310′ antenna, 2 miles SW of airport.
*If radar inoperative, procedure is not authorized.
MSA within 25 miles of facility: 000°–360°—1800′.

City, Chatham; State, Mass. ;Airport name, Chatham Municipal; Elev., 66′; Fac. Class., L–BVOR; Ident., HYA; Procedure No. 1, Amdt. 1; Eff. date, 9 Apr. 66; Sup. Amdt. No. Orig.; Dated, 10 Oct. 64

				T–dn%	300–1	300–1	200–½
				C–dn	400–1	500–1	500–1½
				S–dn–34	400–1	400–1	400–1
				A–dn*	800–2	800–2	800–2

Procedure turn W side crs, 180° Outbnd, 360° Inbnd, 7300′ within 10 miles. All turns to be made on W side of crs, high terrain to E.
Minimum altitude over facility on final approach crs, 6000′.
Crs and distance, facility to airport, 345°—4.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing DTA VOR, climb to 7300′ on R 348° within 20 miles. All turns W of crs, high terrain E.
NOTE: Night IFR operations not authorized from 1800–0600 local time.
*Flight service facility operates from 1300–0100Z. Alternate minimums authorized during these hours only.
%Takeoff all runways: Climb on the 187° radial of DTA VOR within 15 miles to minimum altitude required for direction of flight.

Direction of flight	MCA
N, V–287	6000
N, V–21	6000

MSA within 25 miles of facility: 000–090°—10,800′; 090°–180°—11,200′; 180°270°—9000′; 270°360°—8300′.
City, Delta; State, Utah; Airport name, Delta Municipal; Elev., 4755′; Fac. Class., M–BVORTAC; Ident., DTA; Procedure No. 1, Amdt. 7; Eff. date, 9 Apr. 66; Sup. Amdt. No. 6; Dated, 27 Feb. 65

PEQ VOR	FST VOR	Via PEQ, R 150° and FST, R 283°.	8000	T–dn	300–1	300–1	200–½
				C–dn	600–1	600–1	600–1½
				S–dn	600–1	600–1	600–1
				A–dn	NA	NA	NA

Procedure turn S side of crs, 296° Outbnd, 116° Inbnd, 4500′ within 10 miles.
Minimum altitude over facility on final approach crs, 4000′.
Crs and distance, facility to airport 116°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing GST VOR, turn left, climb to 8000′ on R 098° within 20 miles.
CAUTION: Altimeter setting from Wink FSS.
MSA within 25 miles of facility: 090°–180°—9000′; 180°–270°—8000′; 270°–090°—6200′.

City, Fort Stockton; State, Tex.; Airport name, Pecos County; Elev., 2010′; Fac. Class., H–BVORTAC; Ident., FST; Procedure No. VOR 1, Amdt. Orig.; Eff. date, 9 Apr. 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Strathmore Int	Porterville VOR	Direct	3000	T-dn	300-1	300-1	200-½
Woody Int	Ducor Int	Direct	5000	C-d	700-1	700-1	700-1½
Bakersfield VOR	Ducor Int	Direct	3000	C-n	700-2	700-2	700-2
Ducor Int	Porterville VOR (final)	Direct	2500	A-dn	NA	NA	NA

Procedure turn W side of crs, 147° Outbnd, 327° Inbnd, 3000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2500′.
Crs and distance, facility to airport, 327°—6.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.9 miles after passing PTV VOR, turn left, climb direct to PTV VOR continuing climb to 3000′ in 1-minute holding pattern NW of PTV VOR (143° Inbnd) right turns.
NOTE: Altimeter setting and weather available from Bakersfield FSS.
MSA within 25 miles of facility: 000°–090°—11,000′; 090°–180°—9300′; 180°–270°—1600′; 270°–360°—6100′.

City, Porterville; State, Calif.; Airport name, Porterville Municipal; Elev., 444′; Fac. Class., L-BVOR; Ident., PTV; Procedure No. 1, Amdt. Orig.; Eff. date, 9 Apr. 66

Losoya Int	Bellaire Int	Direct	2300	T-dn	300-1	300-1	200-½
Bellaire Int	Lion Int	Direct	2300	C-d*	500-1	500-1½	500-1½
Lion Int	Olmos Int (final)	Direct	°1400	C-n*	500-1½	500-2	500-2
				S-dn-356*	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn not authorized.
Minimum altitude over Lion Int on final approach crs, 2300′; over Olmos Int, 1400′.
Crs and distance, Lion Int to airport, 354°—4.9 miles; Olmos Int to airport, 354°—2.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles after passing Olmos Int, proceed direct to SAT VOR, climb to 3300′ on R 353° within 20 miles of VOR or, when directed by ATC, climb to 3300′ on bearing 355° from SAT RBn within 20 miles.
*Descent below 1400′ not authorized unless position over Olmos Int is identified on final approach.
#Reduction of landing visibility below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–360°—3100′.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 808′; Fac. Class., H-BVORTAC; Ident., SAT; Procedure No. 2, Amdt. 4; Eff. date, 9 Apr. 66; Sup. Amdt. No. 3; Dated, 4 Sept. 65

STP VOR	Bonin Int	Direct	2200	T-dn	300-1	300-1	NA
				C-d#	600-1	600-1	NA
				C-n#	600-2	600-2	NA
				A-dn	NA	NA	NA

Radar available.
Procedure turn S side of crs, 226° Outbnd, 046° Inbnd, 2200′ within 10 miles of Bonin Int.
Minimum altitude over Bonin Int on final approach crs, 1900′.
Crs and distance, Bonin Int to airport, 046°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 miles after passing Bonin Int climb on R 226° to the STP VOR, then continue climb to 2500′ on R 046° of STP VOR within 10 miles of STP VOR.
#Authorized only for aircraft equipped to receive VOR and ILS simultaneously, or Bonin Int identified by MSP radar.
MSA within 25 miles of facility: 000°–360°—2600′.

City, South St. Paul; State, Minn.; Airport name, South St. Paul Municipal-Richard E. Fleming Field; Elev., 829′; Fac. Class., T-VOR; Ident., STP; Procedure No. 1, Amdt. 2; Eff. date, 9 Apr. 66; Sup. Amdt. No. 1; Dated, 29 Apr. 65

White Bear Int	STP VOR	Direct	2500	T-dn	300-1	300-1	NA
FCT VOR	STP VOR	Direct	2500	C-d	700-1	700-1	NA
				C-n	700-2	700-2	NA
				A-dn	NA	NA	NA

Radar available.
Procedure turn N side of crs, 046° Outbnd, 226° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′.
Crs and distance, facility to airport, 226°—4.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing STP VOR, climb to 2200′ on R 226° of STP VOR within 15 miles.
MSA within 25 miles of facility: 000°–360°—2600′.

City, South St. Paul; State, Minn.; Airport name, South St. Paul Municipal-Richard E. Fleming Field; Elev., 829′; Fac. Class., T-VOR; Ident., STP; Procedure No. 2, Amdt. ?; Eff. Date, 9 Apr. 66; Sup. Amdt. No. 1; Dated, 29 Apr. 65

Lee VHF Int	VLD VOR	Direct	1900	T-dn#	300-1	300-1	200-½
				C-dn	600-1	600-1	600-1½
				S-d-34#	600-1	600-1	NA
				S-n-35	NA	NA	NA
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn E side of crs, 156° Outbnd, 006° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1200′.
Crs and distance, facility to airport, 006°—5.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing VLD VOR, turn left, climb to 1900′ on R 346° within 20 miles of the VLD VOR.
NOTES: (1) No lights on Runways 12–30. Advance notice required for operation of runway lights after 2200′. (2) Night landing not authorized on Runways 35, 3, 9, 12. Night takeoff not authorized on Runways 17, 27, 21, 30.
CAUTION: Unlighted trees, 1000′ from approach end of Runway 35. Trees in all approach areas.
#Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—1500′; 090°–180°—1500′; 180°–270°—1600′; 270°–360°—1600′.

City, Valdosta; State, Ga.; Airport name, Valdosta Municipal; Elev., 204′; Fac. Class., BVOR; Ident., VLD; Procedure No. 1, Amdt. 14; Eff. date, 9 Apr. 66; Sup. Amdt. No. 13; Dated, 31 July 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300-1	300-1	NA
				C-d	600-1	600-1	NA
				C-n	600-2	600-2	NA
				A-dn	NA	NA	NA

Radar available.
Procedure turn W side of crs, 332° Outbnd, 152° Inbnd, 2900′ within 10 miles.
Minimum altitude over facility on final approach crs, 2900′.
Crs and distance, facility to airport, 152°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing Milwaukee VOR, make right turn, climb to 2900′ and proceed to MKE VOR or, when directed by ATC, make left-climbing turn to 2900′ and proceed to MKE VOR.
MSA within 25 miles of facility: 000°–180°—2800′; 180°–270°—2700′; 270°–360°—2400′.

City, Waukesha; State, Wis.; Airport name, Waukesha County; Elev., 909′; Fac. Class., BVORTAC; Ident., MKE; Procedure No. 1, Amdt. 8; Eff. date, 9 Apr. 66; Sup. Amdt. No. 2; Dated, 14 Dec. 65

Salem Int	GON VOR	Direct	2000	T-dn*	300-1	300-1	NA
Watch Hill Int	GON VOR	Direct	2000	C-d	600-1	600-1	NA
				C-n	600-2	600-2	NA
				A-dn	NA	NA	NA

Procedure turn S side of crs, 278° Outbnd, 098° Inbnd, 2000′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 098°—11.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing GON VOR, make left-climbing turn to 2000′ direct GON VOR. Hold NE of GON VOR, right turns, 1 minute, 241° Inbnd.
NOTE: Distance from point of visual contact to airport, 5.3 miles.
CAUTION: 365′ water tank, 0.5 mile SW of runway 25.
*Takeoff minimums of 500–1 required for Runway 25.
MSA within 25 miles of facility: 000°–360°—1800′.

City, Westerly; State, R.I.; Airport name, Westerly State; Elev., 81′; Fac. Class., T-BVOR; Ident., GON; Procedure No. 1, Amdt. 1; Eff. date, 9 Apr. 66; Sup. Amdt. No. Orig.; Dated, 17 Oct. 64

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for an route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Lamar Int	VOR	Direct	2100	T-dn*	300-1	300-1	200-½
Booneville Int	VOR	Direct	2100	C-dn	800-1	700-1½	700-1½
				S-dn-6	800-1	800-1	800-1
				A-dn**	NA	NA	NA
EVV VOR	VOR	Direct	2400	ADF minimums; ADF equipment required#			
CCT VOR	VOR	Direct	2100	C-dn#	400-1	700-1½	700-1½
Onton Int	Panther Int (final)	Direct	1800	S-dn-5#	400-1	400-1	400-1

Procedure turn S side of crs, 219° Outbnd, 039° Inbnd, 2100′ within 10 miles.
Minimum altitude over Panther Int on final approach crs, 807′.
Distance, Panther Int to end of Runway 05, 3.5 miles; to VOR, 3.9 miles.
Crs and distance, breakoff point to end of runway, 049°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9 mile of OWB VOR, climb to 2100′ on crs of 039° within 10 miles make left turn and return to VOR.
**AIR CARRIER NOTE: Alternate minimums of 800-2 apply for these air carriers with weather reporting service.
NOTE: Obtain Evansville altimeter setting.
CAUTION: 803′ tower, 1.5 miles N; 527′ tower, 2.2 miles E.
#When WX below 1000-3, takeoffs Runway 5, climb to 1500′ on runway heading prior to making turn, takeoffs Runway 35, climb to 1500′ on 340° crs before turning right.
MSA within 25 miles of facility: 000°–270°—2100′; 270°–360°—2300′.

City, Owensboro; State, Ky.; Airport name, Owensboro-Daviess County; Elev., 407′; Fac. Class., T-BVOR; Ident., OWB; Procedure No. TerVOR-5, Amdt. 3; Eff. date, 9 Apr. 66; Sup. Amdt. No. 2; Dated, 24 Apr. 66

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Lamar Int	VOR	Direct	3100	T–dn*	300–1	300–1	200–½
Booneville Int	VOR	Direct	2100	C–dn	500–1	700–1½	700–1½
EVV VOR	VOR	Direct	2400	S–dn–35◎	500–1	500–1	500–1
CCT VOR	VOR	Direct	2100	A–dn**	NA	NA	NA
CCT VOR	Nuckols Int	Direct	2100	ADF minimums: ADF equipment required:			
Nuckols Int	OWB RBn (final)	Direct	1800	C–dn‡	600–1	700–1½	700–1½
				S–dn–35◎	400–1	400–1	400–1

Procedure turn E side of crs, 181° Outbnd, 001° Inbnd, 1800′ within 10 miles.
Minimum altitude over RBn on final approach crs, 907′.
Crs and distance, breakoff point to end of Runway 35, 354°—0.2 mile.
Distance, RBn to end of Runway 35—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 mile of OWB VOR, climb to 1800′ on crs, 001° within 10 miles, make left turn and return to VOR.
**AIR CARRIER NOTE: Alternate minimums of 800–2 apply for those air carriers with weather reporting service.
NOTE: Obtain Evansville altimeter setting.
CAUTION: 808′ tower, 1.5 miles N; 827′ tower, 2.2 miles E.
*When WX below 1000–3, takeoffs Runway 5, climb to 1500′ on runway heading prior to making turn; takeoffs Runway 35, climb to 1500′ on 340° crs before turning right.
◎Reduction not authorized for nonstandard condenser discharge approach lights.
MSA within 25 miles of facility: 000°–270°—2100′; 270°–360°—2500′.

City, Owensboro; State, Ky.; Airport name, Owensboro-Daviess County; Elev., 407′; Fac. Class., T–BVOR; Ident., OWB; Procedure No. TerVOR–35, Amdt. 3; Eff. date, 9 Apr. 66; Sup. Amdt. No. 2; Dated, 24 Apr. 65

Chester VOR	BAF VOR	Direct	3300	T–d*	700–1	700–1	700–1
Skylark Int	BAF VOR	Direct	3000	T–n*	700–2	700–2	700–2
				C–dn	1500–2	1500–2	1500–2
				S–dn–20	NA	NA	NA
				A–dn	1500–2	1500–2	1500–2
				After passing BAF RBn:			
				C–d	800–1½	800–1½	800–2
				C–n	800–2	800–2	800–2
				S–dn–20	800–1½	800–1½	800–1½

Procedure turn W side of crs, 023° Outbnd, 203° Inbnd, 2800′ within 10 miles.
Minimum altitude over facility on final approach crs, 1770′; after passing BAF RBn, 1070′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished when over BAF VOR or 4.8 miles after passing BAF RBn, climb straight ahead on R 203° to 1500′ within 5 miles, then right-climbing turn to 2800′ direct BAF VOR. Hold N of BAF VOR, 1-minute right turns, 203° Inbnd.
NOTE: (1) Altimeter setting from Westover when control zone not effective. (2) Approach from a holding pattern not authorized. Procedure turn required.
Departures: Runway 9, left turn to 020° and Runway 15, right turn to 210° as soon as practicable after takeoff.
*300′ ceiling required for takeoffs on Runways 9 and 15.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2500′; 180°–270°—3000′; 270°–360°—4000′.

City, Westfield; State, Mass.; Airport name, Barnes Municipal; Elev., 270′; Fac. Class., BVOR; Ident., BAF; Procedure No. TerVOR–20, Amdt. 4; Eff. date, 9 Apr. 66; Sup. Amdt. No. 3; Dated, 1 Feb. 64

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
15.5-mile DME Fix, R 238°	8-mile DME Fix, R 288° (final)	Direct	2500	T–dn	300–1	300–1	#200–½
				C–dn*	500–1	500–1	500–1½
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn not authorized. Aircraft must (1) proceed from Commodore Int or (2) be radar vectored to final approach crs, 108°.
Minimum altitude over 8-mile DME Fix, R 288°—2500′; 8-mile DME Fix, R 288°—1500′; VOR, 500′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums of if landing not accomplished within 6 mile after passing OAK VOR, climb to 2500′ on OAK VOR, R 114° to 12-mile DME Fix, R 114° (Decoto Int).
CAUTION: Extensive Navy jet operations between 8-mile DME Fix and 6-mile DME Fix, R 288°, Navy Alameda.
#300–1 required for takeoff on Runway 33.
*700′ ceiling required for circling to Runway 15 due to 362′ tank, 1.6 miles N of Runways 15/33.
MSA within 25 miles of facility: 000°–090°—4900′; 090°–180°—4200′; 180°–270°—3000′; 270°–360°—3600′.

City, Oakland; State, Calif.; Airport name, Metropolitan Oakland International; Elev., 6′; Fac. Class., BVORTAC; Ident., OAK; Procedure No. VOR/DME No. 2, Amdt. 4 Eff. date, 9 Apr. 66; Sup. Amdt. No. 3; Dated, 23 Oct. 65

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Nashville VORTAC	LOM	Direct	2500	T–dn	300–1	300–1	200–½
Knob Int	LOM	Direct	2500	C–dn	400–1	500–1	500–1½
Franklin Int	LOM	Direct	2500	S–dn–2L*	200–½	200–½	200–½
				A–dn	600–2	600–2	600–2

Radar available.
Procedure turn E side S crs, 196° Outbnd, 016° Inbnd, 2500′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2100′.
Altitude of glide slope and distance to approach end of runway at OM, 2100′—5 miles; at MM, 817′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing LOM, climb to 2500′ on N crs, ILS (016°) within 20 miles of airport or, when directed by ATC, turn right, climb to 2500′ on R 042°, BNA VORTAC within 20 miles.
CAUTION: Brightly lighted building W of ALS Runway 2L.
*400–¾ required when glide slope not utilized. Reduction not authorized.

City, Nashville; State, Tenn.; Airport name, Nashville Metropolitan; Elev., 597′; Fac. Class., ILS; Ident., I–BNA; Procedure No. ILS–2L, Amdt. 14; Eff. date, 9 Apr. 66; Sup. Amdt. No. 13; Dated, 7 Mar. 64

				T–dn	300–1	300–1	200–½
				C–dn	500–1	500–1	500–1½
				S–dn–27	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2

Radar required.
Procedure turn not authorized.
Minimum altitude over Camden Int final approach crs, 1400′.
Crs and distance, Camden Int to airport, 265°—4.7 miles. Breakoff point to runway not authorized.
No glide slope.
Altitude of glide slope and distance to approach end of runway at OM, not authorized; at MM, not authorized.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing Camden Int, climb to 1000′ on crs, 265°, then left-climbing turn direct to Woodstown VOR at 2000′. Hold SW, R 211°, 031° Inbnd, 1-minute left turns.

City, Philadelphia; State, Pa.; Airport name, Philadelphia International; Elev., 14′; Fac. Class., ILS; Ident., I–PHL; Procedure No. ILS–27 (back crs), Amdt. Orig.; Eff. date, 9 Apr. 66

Bradley Int	BD LOM	Direct	2500	T–dn%	300–1	300–1	#200–½
Meadow Int	BD LOM	Direct	3000	C–dn	500–1	500–1	500–1½
Bristol Int	Penwood Int	Direct	2700	S–dn–6**	300–1½	200–1½	200–1½
Penwood Int	BD LOM (final)	Direct	1700	A–dn	600–2	600–2	800–2
				With glide slope inoperative:			
				C–dn	700–1	700–1	700–1½
				S–dn–6*	700–1	700–1	700–1
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn S side of crs, 238° Outbnd, 058° Inbnd, 2500′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1700′.
Altitude of glide slope and distance to approach end of runway at OM, 1671′—4.5 miles; at MM, 416′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing BD LOM, climb to 3000′ on NE crs of ILS to CTR/VOR, R 149°, then SE on ORW/VOR, R 330° to Skylark Int. Hold E of Skylark Int, right turns, 1 minute, 276° Inbnd.
NOTES: (1) Penwood Int and Bristol Int may be substituted by a Radar Fix. (2) Final approach from a holding pattern not authorized. Procedure turn required.
CAUTION: 768′ obstruction light on hills, 2.4 miles W of airport.
Other change: Deletes transitions from New Britain Int and Tamie Int.
%Departures from Runway 33, make a right turn to 350°, as soon as practicable after takeoff, to 1500′.
*RVR 2400′ authorized for Runway 6.
**RVR 2400′. Descent below 373′ not authorized unless approach lights are visible.
#700–¾ authorised, except for 4-engine turbojet aircraft, with operative high-intensity runway lights, 700–½ authorized, except for 4-engine turbojet aircraft, with operative ALS.

City, Windsor Locks; State, Conn.; Airport name, Bradley Field; Elev., 173′; Fac. Class., ILS; Ident., I–BDL; Procedure No. ILS–6, Amdt. 15; Eff. date, 9 Apr. 66; Sup. Amdt. No. 14; Dated, 7 Sept. 63

Putnam VOR	Redstone Int	Direct	2000	T–dn%	300–1	300–1	#200–½
Redstone Int	Thompson Int (final)	Direct	1900	C–dn	500–1	500–1	500–1½
Bradley Int	DL LMM	Direct	2700	S–dn–24#	400–1	400–1	400–1
Bristol Int	DL LMM	Direct	2700	A–dn	800–2	800–2	800–2

Radar available.
Procedure turn S side of crs, 058° Outbnd, 238° Inbnd, 2700′ within 13 miles of DL LMM, but NE of Thompson Int.
Minimum altitude over Thompson Int on final approach crs, 1900′.
Crs and distance, Thompson Int to airport, 238°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing Thompson Int, climb straight ahead to 2500′ direct to BD LOM. Hold SW of BD LOM, 058° Inbnd, 1-minute right turns.
NOTE: Redstone Int and Thompson Int may be substituted by a Radar Fix.
CAUTION: 768′ obstruction light on hills, 2.4 miles W of airport.
*RVR 2400′ authorized for Runway 6.
#400–¾ authorized except for 4-engine turbojet aircraft with operative high-intensity runway lights.
%Departures from Runway 33, make a right turn to 350°, as soon as practicable after takeoff, to 1500′.

City, Windsor Locks; State, Conn.; Airport name, Bradley Field; Elev., 173′; Fac. Class., ILS; Ident., I–BDL; Procedure No. ILS–24 (back crs), Amdt. 4; Eff date, 9 Apr. 66; Sup. Amdt. No. 3; Dated, 14 Nov. 64

6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes	Ceiling and visibility minimums		
	Condition	2-engine or less	More than 2-engine more than 65 knots
		65 knots or less / More than 65 knots	
Within 5 miles: 012°-238°—1800'; 238°-012°—2200'. Within 10 miles: 012°-192°—2000'; 192°-238°—2500'; 238°-012°—2700'. Within 15 miles: 012°-058°—2200'; 058°-148°—2000'; 148°-238°—2500'; 238°-012°—3000'. Within 20 miles: 012°-148°—2700'; 148°-238°—2500'. Within 25 miles: 012°-148°—2700'; 148°-238°—2500'; 238°-012°—3300'. Within 30 miles: 012°-148°—2700'; 148°-238°—2500'; 238°-012°—3600'. Within 35 miles: 012°-058°—2800'; 058°-148°—2700'; 148°-192°—2500'; 192°-238°—2600'; 328°-012°—3800'. Within 50 miles: All directions, 5300'.	Surveillance approach		
	T-dn⅞	300-1	300-1 / 200-½
	C-dn	400-1	400-1 / 300-1
	S-dn-1, 23, 19, and 34.*	400-1	400-1 / 400-1
	A-dn	800-2	800-2 / 800-2

All bearings are from radar site with sector azimuths progressing clockwise.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 1: Make a climbing left turn to 2500' direct to BD LOM. Hold SW of BD LOM, 058° Inbnd, 1-minute right turns. Runways 19 and 33: Make a climbing right turn to 2500' direct to BD LOM. Hold SW of BD LOM, 058° Inbnd, 1-minute right turns. Runway 24: Climb straight ahead to 2500' direct to BD LOM. Hold SW of BD LOM, 058° Inbnd, 1-minute right turns.

CAUTION: 758' obstruction light on hills, 2.4 miles W of airport.

*400-¾ authorized for Runway 24 except for 4-engine turbojet aircraft with operative high-intensity runway lights.

⅞Departures from Runway 33, make a right turn to 350°, as soon as practicable after takeoff, to 1500'.

City, Windsor Locks; State, Conn.; Airport name, Bradley Field; Elev., 173'; Fac. Class., and Ident., Bradley Radar; Procedure No. 1, Amdt. 2; Eff. date, 9 Apr. 66; Sup. Amdt. No. 1; Dated, 14 Nov. 64

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 755)

Issued in Washington, D.C., on March 4, 1966.

C. W. WALKER,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-4929; Filed, May 3, 1966; 9:15 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-462]

PART 208—TERMS, CONDITIONS AND LIMITATIONS OF CERTIFICATES TO ENGAGE IN SUPPLEMENTAL AIR TRANSPORTATION

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of April 1966.

By Order E-23350, adopted March 11, 1966, in the Supplemental Air Service Proceeding, Docket 13795 et al., the Board adopted and issued concurrently therewith Revised Part 208 of the Board's Economic Regulations,[1] which contains all the regulatory provisions pertaining to the domestic charter operations of the supplemental air carriers certificated under section 401 of the Federal Aviation Act, except those rules applicable to inclusive tour charters.[2] In its opinion on reconsideration in the Supplemental proceeding,[3] the Board has determined, for the reasons set forth therein, to amend Revised Part 208 in a number of respects. The discussion of these amendments, which normally accompanies the amended rule, is contained in the aforesaid opinion.[4]

For the reasons set forth in Regulation ER-454, the Board finds that further notice and public procedure hereon are unnecessary and not in the public interest. Accordingly, the Board hereby amends Revised Part 208 of its Economic Regulations (14 CFR Part 208), effective May 13, 1966, in the following respects:

1. By deleting §§ 208.204, 208.216, and 208.303 from the Table of Contents and revising certain titles of the remainder thereof to read as follows, and by adding new section 208.103:

Sec.

* * * * *

208.34 Record retention.

* * * * *

208.103 Tariffs and terms of service.

* * * * *

208.301 Tariffs and terms of service.

208.302 Commissions paid to travel agents.

* * * * *

2. By revising § 208.3a to read as follows:

§ 208.3a Waiver.

A waiver of any of the provisions of this part may be granted by the Board upon the submission by an air carrier of a written request therefor not less than 30 days prior to the flight to which it relates provided such a waiver is in the public interest and it appears to the Board that special or unusual circumstances warrant a departure from the provisions set forth herein. Notwithstanding the foregoing, waiver applications filed less than 30 days prior to a flight may be accepted by the Board in emergency situations in which the circumstances warranting a waiver did not exist 30 days before the flight.

3. By deleting § 208.34(a) so that § 208.34 reads as follows:

§ 208.34 Record retention.

Each carrier operating pursuant to this part shall comply with the applicable record-retention provisions of Part 249 of this subchapter, as amended.

4. By revising § 208.35(c) to read as follows:

§ 208.35 Payments, gratuities and donations.

* * * * *

(c) Nothing in this section shall preclude a carrier from paying a commission (within the limits of §§ 208.202 and 208.302) to a member of a chartering organization if such member is its agent, or restrict a carrier or a travel agent from offering to each member of the charter group such advertising and good will items as are customarily extended to individually ticketed passengers (e.g., canvas traveling bag or a money exchange computer).

5. By adding new § 208.103 which reads as follows:

§ 208.103 Tariffs and terms of service.

The provisions of § 208.32 shall apply to charters under this subpart except that paragraphs (e) and (f) and the second sentence of paragraph (b) of such section shall not be applicable.

6. By revising § 208.201 to read as follows:

§ 208.201 Pretrip notification.

Upon a charter flight date being reserved by the carrier or its agent, the carrier shall provide the prospective charterer with a copy of this Part 208.[5] The charter contract shall include a provision that the charterer, and any agent thereof, shall only act with regard to the charter in a manner consistent with this part and that the charterer shall within due time submit to the carrier such information as specified in § 208.215.

7. By deleting § 208.204.

8. By deleting § 208.214(b) so that § 208.214 reads as follows:

§ 208.214 Statements of charges.

Any announcements or statements by the charterer to prospective charter participants of the anticipated individual charge for the charter shall clearly identify the portion of the charges to be paid separately for air transportation, for the land tour, and for the administrative expenses of the charterer.

9. By revising § 208.215 to read as follows:

§ 208.215 Passenger manifests.

Prior to each one-way or round-trip flight a manifest shall be filed by the charterer with the air carrier showing the names and addresses of persons to be transported in interstate or overseas air transportation.

10. By deleting § 208.216.

11. By revising § 208.301 to read as follows:

§ 208.301 Tariffs and terms of service.

The provisions of § 208.32 shall apply to charters under this subpart except that paragraphs (e) and (f) and the second sentence of paragraph (b) of such section shall not be so applicable.

12. By deleting § 208.302 and redesignating § 208.303 (Commissions paid to travel agents) as § 208.302.

13. By deleting the forms (Statement of Supporting Information and Post Flight Report) attached to the regulation.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply secs. 401(d)(3), 401(n), 407, and 417, Federal Aviation Act of 1958, as amended; 76 Stat. 143; 49 U.S.C. 1371(d)(3); 76 Stat. 144; 49 U.S.C. 1371(n); 72 Stat. 766; 49 U.S.C. 1377; 76 Stat. 145; 49 U.S.C. 1387; and sec. 7 of Public Law 87-528, 76 Stat. 146)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-4853; Filed, May 3, 1966; 8:48 a.m.]

SUBCHAPTER D—SPECIAL REGULATIONS

[Reg. SPR-15]

PART 378—INCLUSIVE TOURS BY SUPPLEMENTAL AIR CARRIERS AND TOUR OPERATORS

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of April 1966.

By Order E-23350, adopted March 11, 1966, in the Supplemental Air Service Proceeding, Docket 13795 et al., the Board adopted and issued concurrently therewith new Part 378 of the Board's Special Regulations,[1] which contains the provisions governing the operation of inclusive tour charters. In its order on reconsideration in the Supplemental proceeding,[2] the Board determined, inter alia, to amend Part 378 so as to delete any verification requirements imposed therein. This action was prompted by the belief that such requirements are unnecessary in view of 18 U.S.C. 1001, which imposes criminal punishment for false statements made in documents such as those required under Part 378. The Board also decided on reconsideration to amend § 378.2(d) so as to preclude all direct air carriers, rather than supplementals alone, from acting as tour operators.

For the reasons set forth in Regulation SPR-14, the Board finds that further notice and public procedure hereon are unnecessary and not in the public interest. Accordingly, the Board hereby amends Part 378 of its Special Regulations (14 CFR Part 378), effective May 13, 1966, in the following respects:

1. By revising § 378.2(d) to read as follows:

§ 378.2 Definitions.

* * * * *

(d) "Tour operator" means any person (other than a direct air carrier) authorized hereunder to engage in the formation of groups for transportation on inclusive tours.

* * * * *

2. By revising § 378.11(b) to read as follows:

§ 378.11 Procedure for obtaining a Statement of Authorization.

* * * * *

(b) The application shall be signed by a duly authorized officer of both the supplemental air carrier and the tour operator and shall include the Statement of Tour Operator's Qualifications and the Tour Prospectus.[3] In the event of any change in the facts as reflected in the application, an amended application shall be filed no later than five (5) days following such change.

* * * * *

3. By revising § 378.12 to read as follows:

§ 378.12 Statement of Tour Operator's Qualifications.

The Statement of Tour Operator's Qualifications shall be in the form set forth in the Appendix. A tour operator who has filed a Statement of Tour Operator's Qualifications in connection with one application may, with respect to subsequent applications, file a statement to the effect that the facts contained in his previously filed Statement of Qualifications have not changed, except as set forth in the later statement.

4. By revising § 378.18(a) to read as follows:

§ 378.18 Procedure applicable to periods on or after January 1, 1968.

(a) No inclusive tour or series of tours scheduled to commence on or after January 1, 1968, shall be operated, nor shall any tour operator sell or offer to sell, solicit or advertise such tour or tours, unless there is on file with the Board a Tour Prospectus satisfying the requirements of § 378.13. If a series of tours is to be operated for one tour operator pursuant to one charter contract, the Prospectus may cover the entire series, provided the elapsed time between the commencement of the first tour and the completion of the last tour shall not be over 180 days. The Tour Prospectus shall be filed at least 60 days before the commencement of the tour or tours. Late filing of the Prospectus will not be permitted except for good cause shown.

* * * * *

5. By revising § 378.20(a) to read as follows:

§ 378.20 Post tour reporting.

(a) Within 30 days after completion of a tour or in the case of a series of tours, the last of the series, the supplemental air carrier and tour operator shall jointly file with the Board (Supplementary Services Division, Bureau of Operating Rights) a post tour report. This report shall indicate whether or not the tours as authorized hereunder were, in fact, performed. To the extent that the operations differed from those authorized under § 378.11 or described in the Prospectus filed under § 378.18, such differences

---

[1] Regulation No. ER-454.

[2] Inclusive tour charters are governed by Part 378 of the Board's Special Regulations.

[3] Order E-23600, adopted on Apr. 29, 1966.

[4] Id., pp. 6-8.

[5] Copies of this part are available by purchase from the Superintendent of Documents, Washington, D.C., 20402. Single copies will be furnished without charge on written request to the Publications Section, Civil Aeronautics Board, Washington, D.C., 20428.

[1] Regulation SPR-14.

[2] Order E-23600, adopted on Apr. 29, 1966.

[3] Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willingly falsifies, conceals or covers up by any trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C., § 1001.

shall be fully detailed including the reasons therefor. However, the making of such an explanation shall not of itself operate as authority for or excuse any such deviation.

* * * * *

6. By deleting page 1 of the Appendix (Verification form).

(Secs. 101(3), 204(a), 401, 409, and 414 Federal Aviation Act of 1958, as amended (72 Stat. 737; 49 U.S.C. 1301; 72 Stat. 743; 49 U.S.C. 1324; 72 Stat. 754 as amended by 76 Stat. 143; 49 U.S.C. 1371; 72 Stat. 768; 49 U.S.C. 1379; 72 Stat. 770; 49 U.S.C. 1384) and sec. 7 of Public Law 87-528 (76 Stat. 146; 49 U.S.C. 1371))

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-4852; Filed, May 3, 1966; 8:48 a. m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER D—HAZARDOUS SUBSTANCES

PART 191—HAZARDOUS SUBSTANCES; DEFINITIONS AND PROCEDURAL AND INTERPRETATIVE REGULATIONS

Porous-Tip Ink-Marking Devices; Exemption From Labeling Requirements

There has been submitted to the Commissioner of Food and Drugs, pursuant to section 3(c) of the Federal Hazardous Substances Labeling Act and § 191.62 of the regulations thereunder, a request to exempt certain porous-tip ink-marking devices from the special labeling required because of their ethylene glycol content. Although the ink in these articles contains more than 10 percent by weight of ethylene glycol, and therefore under § 191.7 (a)(3) and (b)(4) of the hazardous substances regulations special labeling would be required, the petitioner represents that such labeling is unnecessary since the article contains only a small quantity of the chemical, there is no free liquid in the article, and the ink will only emerge through the porous writing nib.

On the basis of the information supplied to him by the petitioner and other relevant information, the Commissioner has concluded that compliance with § 191.7(b)(4) is unnecessary for the adequate protection of the public health and safety. Accordingly, pursuant to the provisions of the Federal Hazardous Substances Labeling Act (sec. 3(c), 74 Stat. 374; 15 U.S.C. 1262) and under the authority delegated by the Secretary of Health, Education, and Welfare to the Commissioner (21 CFR 2.120; 31 F.R. 3008), § 191.63(a) is amended by changing the introduction to subparagraph (9) and subdivision (i) of subparagraph (9) to read as follows:

§ 191.63 Exemptions for small packages, minor hazards, and special circumstances.

* * * * *

(a) * * *

(9) Porous-tip ink-marking devices are exempt from the labeling requirements of section 2(p)(1) of the act and § 191.7(b)(3) (ii) and (iii) and (4) insofar as such requirements would be necessary because the ink contained therein is a toxic substance as defined in § 191.1 (f)(1); and/or because the ink contains 10 percent or more by weight of toluene (also known as toluol), xylene (also known as xylol), or petroleum distillates as defined in § 191.7(a)(4); and/or because the ink contains 10 percent or more by weight of ethylene glycol: *Provided*, That:

(i) The porous-tip ink-marking devices are of such construction that the ink is held within the device by an absorbent material so that there is no free liquid within the device, and under any reasonably foreseeable conditions of manipulation and use including reasonably foreseeable abuse by children, the ink will emerge only through the porous writing nib of the device; and

* * * * *

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since the Federal Hazardous Substances Labeling Act contemplates such modification of the labeling requirements under certain conditions.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 3(c), 74 Stat. 374; 15 U.S.C. 1262)

Dated: April 27, 1966.

J. K. KIRK, *Assistant Commissioner for Operations.*

[F.R. Doc. 66-4818; Filed, May 3, 1966; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

Biscayne Bay, Fla.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.172 is hereby amended, revising the caption; revoking paragraph (a) and modifying paragraphs (b)(1) and (d) effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.172 Biscayne Bay, Fla.; Seaplane Operating Area, Coast Guard, Miami, Fla.

(a) [Revoked].

(b) *The seaplane operating area.*—(1) *The area.* Beginning at Dinner Key Seaplane Channel Approach Light 2; thence 54° for approximately 9,900 feet to Biscayne Bay Range Three Front Light C; thence 178° for approximately 4,350 feet to Biscayne Bay Range Three Rear Light; thence 182° for approximately 12,750 feet to Southwest Point Daybeacon 26; thence 270° for approximately 13,500 feet to a position in Biscayne Bay at latitude 25°41'24", longitude 80°13'30"; thence 30° for approximately 9,900 feet to Dinner Key Channel Light 1; and thence 21° for approximately 3,050 feet to the point of beginning.

NOTE: All bearings are referred to true meridian.

* * * * *

(d) *Enforcement.* The regulations in this section shall be enforced by the Commanding Officer, U.S. Coast Guard Base, Miami Beach, Fla., and such agencies as he may designate.

(Regs., Apr. 15, 1966, 1507-32 (Biscayne Bay, Fla.)-ENGCW-ON; Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT, *Major General, U.S. Army, The Adjutant General.*

[F.R. Doc. 66-4812; Filed, May 3, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 6—Department of State

[Departmental Reg. 108.531]

MISCELLANEOUS AMENDMENTS TO CHAPTER

By virtue of the authority vested in the Secretary of State by the Act of May 26, 1949 (63 Stat. 111; 5 U.S.C. 151c and 22 U.S.C. 811), as amended, 41 CFR Chapter 6 is amended as follows:

PART 6-1—GENERAL

Subpart 6-1.1—Introduction

1. The following sections are amended to reflect new organizational titles:

§ 6-1.109 Control of deviations.

In the interest of establishing and maintaining uniformity to the greatest extent feasible, deviations from the FPR System shall be kept to a minimum and controlled as follows:

(a) Requests for deviations from the FPR and from the DOSPR, in individual cases and in classes of cases, shall be submitted by memorandum. A statement setting forth the nature of the deviation and the reasons for the special action sought shall be included with the request, and a copy thereof shall be included in the contract file.

(b) Deviations from the FPR and the DOSPR in individual cases, and from the DOSPR, in classes of cases, may be authorized by the Chief, Supply and Transportation Services Division or his designee, or, in foreign buildings procurement operations, by the Director, Office of Foreign Buildings or his designee.

(c) Deviations from the FPR in classes of cases will be considered jointly by the Department of State and the General Services Administration (GSA) unless circumstances preclude such effort. In such case, the Chief, Division of Supply and Transportation Services or the Director, Office of Foreign Buildings, as appropriate, will approve such class deviations as he determines necessary and will notify GSA of such action.

Subpart 6-1.3—General Policies

§ 6-1.302-3 Procurement from employees of the Government.

No procurement of supplies, equipment or services may be made from any employee of the Government through contract, purchase order or any other method of procurement, except where a service or product is not otherwise obtainable and such a determination is made in writing by the principal officer or the Chief, Supply and Transportation Services Division and retained as a part of the procurement file.

2. Contents of Subpart 6-1.6 is amended as follows:

Subpart 6-1.6—Debarred and Ineligible Bidders

Sec.
6-1.601 Purpose.
6-1.602 Department of State procedure for administrative debarment.

3. Subpart 6-1.6 is amended to read as follows:

Subpart 6-1.6—Debarred and Ineligible Bidders

§ 6-1.601 Purpose.

This subpart prescribes the procedures for administrative debarments.

§ 6-1.602 Department of State procedure for administrative debarment.

(a) Administrative debarment may be initiated by any Contracting Officer of the Department.

(b) The recommendation for debarment together with a statement of the causes or conditions (§ 1-1.605 of this title), the suggested term of debarment and documentary evidence to support the recommendation will be submitted to the Chief, Supply and Transportation Services Division. If concurred in, the recommendation will be forwarded through the legal advisor to the Deputy Under Secretary of State for Administration for final decision and return to the Chief, Supply and Transportation Services Division.

4. The following sections are amended to reflect new organizational titles:

Subpart 6-1.9—Reporting Possible Antitrust Violations

§ 6-1.901 General.

Reports of possible antitrust violations shall be forwarded by contracting officers of the Department to the Supply and Transportation Services Division in Washington. These reports shall include the documents and additional information required pursuant to §§ 1-1.902 and 1-1.903 of this title.

PART 6-2—PROCUREMENT BY FORMAL ADVERTISING

Subpart 6-2.4—Opening of Bids and Award of Contract

§ 6-2.406 Mistakes in bids.

(a) The Deputy Under Secretary for Administration is authorized to make the determinations under FPR 1-2.406-3 and 1-2.406-4 which shall be approved by the Legal Advisor's Office.

(b) In doubtful cases under FPR 1-2.406-3(e) or where an administrative determination is precluded by the limitations of FPR 1-2.406-4, a request for the decision of the Comptroller General will be submitted by the Supply and Transportation Services Division through the Legal Advisor's Office.

§ 6-2.407-8 Protests against award.

(a) While a case involving a protest before award is pending in the office of the Comptroller General, no award may be made under FPR 1-2.407-8(b)(3) without the prior approval of the Chief, Supply and Transportation Services Division, or, in the case of overseas posts, the Principal Officer of the post. The request for approval will include complete documentation of the determination to make the award.

(b) The Chief, Supply and Transportation Services Division (or the Principal Officer), shall notify the Comptroller General of the intent to make the award and request advice as to the status of the case. A copy of such notice shall be given to the Contracting Officer. The Chief, Supply and Transportation Services (or the Principal Officer), shall notify the Contracting Officer of his approval or disapproval of the determination to make award.

(c) When a written protest is lodged with the Contracting Officer after award, the Contracting Officer will furnish the protestor a written explanation of the basis for the award.

PART 6-3—PROCUREMENT BY NEGOTIATION

5. Contents of Part 6-3 is amended as follows:

Sec.
6-3.000 Scope of part.

Subpart 6-3.1—Use of Negotiation

6-3.101 General requirements for negotiation outside the United States.

Subpart 6-3.2—Circumstances Permitting Negotiation

6-3.210 Impracticable to secure competition by formal advertising.

Subpart 6-3.3—Determinations, Findings, and Authorities

6-3.301 Scope of subpart.
6-3.303 Determinations and findings required.
6-3.305 Form and requirements of determinations and findings.
6-3.308 Preservation of data.

Subpart 6-3.4—Types of Purchases

6-3.405-3 Letter contract.

Subpart 6-3.6—Small Purchases

6-3.604 Imprest funds (petty cash) method.
6-3.604-3 Agency responsibilities.
6-3.606 Order-Invoice-Voucher.
6-3.605-1 Standard Form 44.
6-3.605-2 Standard Forms 147 and 148.
6-3.605-50 Foreign Service Forms 455 and 455a.
6-3.606 Blanket purchase arrangements.
6-3.606-5 Agency implementation.

Subpart 6-3.8—Price Negotiation Policies and Techniques

6-3.814 Contract clauses.

6. New Subpart 6-3.3 is added as follows:

Subpart 6-3.3—Determinations, Findings, and Authorities

§ 6-3.301 Scope of subpart.

(a) Formal written findings and determinations (F&D) shall be made in accordance with Subpart 1-3.3 of Part 1-3 of this title and this subpart.

§ 6-3.302 Determinations and findings required.

(a) F&D made under the following sections of this title are to be prepared for the signature of the Deputy Under Secretary of State for Administration and submitted for review through the Chief, Supply and Transportation Services Division:

(1) Experimental, developmental, or research work in excess of $25,000 under FPR 1-3.211.

(2) Purchase not to be publicly disclosed for reasons of national security under FPR 1-3.212.

(3) Technical equipment requiring standardization and interchangeability of parts under FPR 1-3.213.

(b) F&D made under the following sections of this title are to be prepared for the signature of the Chief, Supply and Transportation Services Division:

(1) Experimental, developmental, or research work not exceeding $25,000 under FPR 1-3.211.

(2) The use of a cost, cost-plus-a-fixed-fee, or incentive-type contract outside the United States under FPR 1-3.405-1.

(c) Authority to make F&D under the following sections of this title is delegated to the contracting officers and shall be executed by such contracting officers within the contracting authority delegated to them:

(1) National emergency under FPR 1-3.201.

(2) Public exigency under FPR 1-3.202.

(3) Impracticable to secure competition by formal advertising under FPR 1-3.210.

(4) The rejection of all bids and negotiation after advertising under FPR 1-3.214.

(5) The use of a cost, cost-plus-a-fixed-fee, or incentive-type contract within the United States under FPR 1-3.405-1.

(6) The estimated cost and fees to be paid under a cost-plus-a-fixed-fee contract as required by FPR 1-3.302(a).

(7) The authorization and approval of advance payments under FPR 1-30.405 and unusual progress payments under 1-30.505(a).

(8) The waiving of the requirement for submission of cost and pricing data under FPR 1-3.807-3(b)(2) and waiving the use of the clauses in FPR 1-3.814-1 through 1-3.814-3.

§ 6-3.305 Form and requirements of determinations and findings.

(a) Each F&D shall include a description of the property or services being procured and, except for class determinations, the estimated cost including, when applicable, statement of the fee. The findings shall include all facts which are relevant to the determination or determinations being made. The extent of competition and potential sources shall be shown or, if no competition is intended, the basis for the decision. The reasons for selecting a particular method of contracting must be explained.

(b) The determination or determinations must be a clear and concise statement of the decision reached and must clearly identify the specific individual purchase or contract.

(c) Class determinations may be made for a period not in excess of 6 years and shall be reviewed annually.

§ 6-3.308 Preservation of data.

(a) The original of class F&D under 6-3.302(a)(3) will be retained by the Chief, Supply and Transportation Services Division with facsimile copies to the preparing office and contracting officer.

(b) The originals of all other F&D with supporting documents shall be filed in the procurement office contract file. Overseas posts shall file one copy of the F&D with the General Accounting Office copy of the contract.

Subpart 6-3.4—Types of Purchases

7. The following section is amended to reflect a new organizational title:

§ 6-3.405-3 Letter contract.

(a) Prior to the execution of a letter contract (FPR 1-3.405-3), the Chief, Supply and Transportation Services Division, or, in the case of oversea posts, the Principal Officer of the post, shall determine in writing that no other type of contract is suitable. The determination shall establish the limit of effectiveness of the letter contract; i.e., the date by which the definitive contract will be entered into. This date shall not be more than 90 days from the date of the letter contract or the completion of 25 percent of the production of the supplies or the performance of the work called for under the contract, whichever occurs first.

(b) The maximum liability under a letter contract shall not exceed 50 percent of the total estimated contract price.

8. New Subpart 6-3.8 is added as follows:

Subpart 6-3.8—Price Negotiation Policies and Techniques

§ 6-3.814 Contract clauses.

Requests for waivers from the inclusion of the clauses in contracts with foreign governments or agencies thereof shall be submitted with complete justification to the Chief, Supply and Transportation Services Division, in accordance with FPR 1-3.814-1(c), 1-3.814-2(d), and 1-3.814-3(c).

PART 6-5—SPECIAL AND DIRECTED SOURCES

Subpart 6-5.50—Special and Directed Sources of Supply

9. Section 6-5.5001 is amended to read as follows:

§ 6-5.5001 Motorized transportation equipment.

Motorized transportation equipment such as, but not limited to, automobiles, trucks, jeeps, and boats shall not be procured without the prior approval of the Department. Requests for approval along with justification shall be submitted to OPR/ST.

PART 6-7—CONTRACT CLAUSES

Subpart 6-7.1—Fixed-Price Supply Contracts

10. The following sections are amended to reflect organizational changes:

§ 6-7.101-12 Disputes.

(a) The disputes clause in § 1-7.101-12 of this title will be incorporated in all contracts and grant agreements awarded and performed within the United States, or awarded to U.S. Nationals but performed outside of the United States, or performed outside of the United States by persons or business entities which have a place of business within the United States. Appeals resulting from disputes under this clause will be handled in accordance with Part 6-60 of this chapter.

(b) Contracts other than those cited in § 6-7.101-12(a) will incorporate the following disputes clause:

DISPUTES

(a) Except as otherwise provided in this contract, any dispute arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Contracting Officer shall be final and conclusive unless within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the Contracting Officer a written appeal addressed to the Deputy Under Secretary of State for Administration whose decision shall be final and conclusive. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision.

(b) Within 30 days after receipt of a notice of appeal received under the disputes clause in 6-7.101-12(b), the Contracting Officer will submit the notice of appeal and the contract file, including the documents specified in 6-60.303-2, to the Deputy Under Secretary of State for Administration, attention L/O, for decision.

PART 6-11—FEDERAL, STATE, AND LOCAL TAXES

Subpart 6-11.2—Exemptions From Federal Excise Taxes

§ 6-11.205 Exemptions from other Federal taxes.

(a) With respect to motor vehicles purchased by the Department of State or the U.S. Information Agency for use by such agencies in foreign countries, the Secretary of the Treasury has granted an exemption from the federal excise tax imposed by 26 U.S.C. 4061(a) provided such vehicles are exported from the United States by such agencies within a period of 6 months from the date of delivery of such vehicles to the agencies, notwithstanding any use made by such agencies of the vehicles within the United States during the 6-month period. The contract for sale of such vehicles must include a statement to the effect that the sale of the vehicles is made for the exclusive use of the United States and qualifies for the exemption under order of the Secretary of the Treasury dated May 6, 1964 (29 F.R. 6254). The manufacturers must be furnished proof of export within 6 months after the sale.

(b) Taxable articles purchased for presentation abroad as gifts to foreign dignitaries and taxable articles purchased for presentation as gifts to foreign dignitaries visiting in the United States but which are almost immediately taken out of the United States may be exempt from any retailers or manufacturers excise taxes in accordance with letter of October 18, 1963 from Chief, Excise Tax Branch, Internal Revenue Service on file in Supply and Transportation Services Division.

(c) With respect to purchases from vendors in the United States for export to a Foreign Service Post, the following statement will be included in purchase orders for items subject to excise taxes:

This is to certify that the item(s) covered by this purchase order is/are for export solely for the use of the American Foreign Service post shown above. It is, therefore, requested that the extra signed copy of the purchase order furnished herewith be accepted as evidence of intent to export. Final proof of exportation may be obtained from the U.S. Despatch Agent, handling the shipment; such proof to be accepted in lieu of payment of excise tax.

PART 6-30—CONTRACT FINANCING

11. Part 6-30 is added as follows:

Subpart 6-30.4—Advance Payments

Sec.
6-30.406 Responsibility—delegation of authority.

Subpart 6-30.5—Progress Payments Based on Cost

Sec.
6-30.505 Unusual progress payments—standards—procedure.

AUTHORITY: The provisions of this Part 6-30 issued under 63 Stat. 111; 5 U.S.C. 151c, 22 U.S.C. 811.

Subpart 6-30.4—Advance Payments

§ 6-30.406 Responsibility—delegation of authority.

Prior to committing the Department to making an advance payment, the Contracting Officer will prepare and sign the determination and findings under authority of § 6-3.302(c)(7) of this chapter.

Subpart 6-30.5—Progress Payments Based on Costs

§ 6-30.505 Unusual progress payments-standards-procedure.

(a) Requests for "unusual" progress payments supported by sufficient justification may be approved by the Contracting Officer, under § 6-3.302(c)(7) of this chapter.

PART 6-60—CONTRACT APPEAL REGULATIONS

Subpart 6-60.1—Establishment, Authority, and Organization of the Contract Appeals Board

12. Section 6-60.103-1 is amended to reflect organizational changes.

§ 6-60.103-1 Membership.

The Board shall be appointed by the Deputy Under Secretary of State for Administration at such times as may be considered necessary and shall consist of not less than three (3) members, one member who shall be from the Legal Adviser's Office, who shall be designated chairman. At the discretion of the Deputy Under Secretary not more than two additional members may be appointed who have technical knowledge of the subject matter of the contract involved.

For the Secretary of State.

WILLIAM J. CROCKETT,
Deputy Under Secretary for Administration.

APRIL 22, 1966.

[F.R. Doc. 66-4830; Filed, May 3, 1966; 8:46 a.m.]

Chapter 22—Office of Economic Opportunity

PART 22-60—CONTRACT APPEALS

Part 22-60 of Chapter 22 of Title 41 of the Code of Federal Regulations is added as follows:

Sec.
22-60.000 Scope of part.
22-60.001 Definitions.

Subpart 22-60.1—Board of Contract Appeals Establishment and Functions

22-60.101 Scope of subpart.
22-60.102 Determination of appeals.
22-60.103 Establishment and membership of the Board.
22-60.104 Functions of the Board.

Subpart 22-60.2—Appeal Procedures

Sec.
22-60.201 Scope of subpart.
22-60.202 Notice to contractor of appeals procedures.
22-60.203 Filing of notice of appeal.
22-60.204 Form and content of notice of appeal.
22-60.205 Duties of the Contracting Officer.
22-60.206 Designation of Board, delegation of final decision power; appeal file.
22-60.207 Optional procedure for appeals.
22-60.208 Submission without a hearing.
22-60.209 Settlement; withdrawal of appeal.
22-60.210 Pre-hearing conference.
22-60.211 Hearings.
22-60.211-1 Notice and where held.
22-60.211-2 Representation.
22-60.211-3 Absence of parties.
22-60.211-4 Nature of hearings; evidence.
22-60.211-5 Examination of witnesses.
22-60.211-6 Copies of documents.
22-60.211-7 Post-hearing briefs.
22-60.211-8 Transcript of proceedings.
22-60.211-9 Withdrawal of exhibits.
22-60.212 Submission of additional information at Board's request.
22-60.213 Communications between parties and the Board; evidence of service.
22-60.214 Findings, recommendations, and decision.

AUTHORITY: The provisions of this Part 22-60 issued under 42 U.S.C. 2942(n).

§ 22-60.000 Scope of part.

This part established policies and procedures regarding appeals from decisions of contracting officers filed pursuant to "Disputes" clauses of contracts entered into by the Office of Economic Opportunity.

§ 22-60.001 Definitions.

As used in the contract appeal regulations in this part:

(a) "Assistant Director" means the Assistant Director for Management of the Office of Economic Opportunity.

(b) "Board" means the Board of Contract Appeals established pursuant to the regulations in this part and included individual members of the Board exercising the powers of the full Board in connection with prehearing conferences and hearings at which they have been designated to preside pursuant to § 22-60.210 or § 22-60.211.

(c) "Contracting Officer" means the contracting officer or administrative or successor contracting officer designated under an Office of Economic Opportunity contract from whose decision an appeal has been taken under the "Disputes" clause of the contract.

(d) "General Counsel" means the General Counsel of the Office of Economic Opportunity or any attorney in the General Counsel's Office who has been designated to represent the Government as respondent in connection with an appeal under the regulations in this part.

(e) "Parties," "Appellant," and "Government" include duly authorized attorneys and other representatives appearing for the parties, the appellant, or the Government in connection with an appeal under the regulations in this part.

Subpart 22-60.1—Board of Contract Appeals Establishment and Functions

§ 22-60.101 Scope of subpart.

This subpart describes the establishment, membership, and functions of the Board of Contract Appeals of the Office of Economic Opportunity.

§ 22-60.102 Determination of appeals.

Determination of appeals from decisions of contracting officer shall be made by the Assistant Director after receipt of findings and recommendations by a Board, or by the Board itself pursuant to delegation of the Assistant Director in accordance with § 22-60.206(a).

§ 22-60.103 Establishment and membership of the Board.

(a) Members of the Board shall be designated by the Assistant Director and shall consist of a chairman and two associate members. At least one of the members shall be either an attorney or a qualified hearing examiner. No person shall be designated as a member of the Board if he has participated in or has any interest, direct or indirect, in the awarding or administering of the contract in dispute, if he is engaged at the time in the administration of a related or similar contract, or if he is a member of the General Counsel's Office of the Office of Economic Opportunity. When he deems appropriate, the Assistant Director may designate a person from the academic community or from industry to serve as a member of the Board.

(b) In all cases under the regulations in this part requiring action by the full Board, majority vote shall govern. A quorum of the full Board for purposes of doing business shall consist of two members.

§ 22-60.104 Functions of the Board.

(a) The Board shall perform all acts and make all orders and rulings necessary and appropriate in connection with the procedures specified in Subpart 22-60.2 of this part and shall perform such other duties as may be delegated to it by the Assistant Director.

(b) The Board may in its discretion hear, consider, and make findings and recommendations on all questions which it deems appropriate for the complete adjudication of the issues involved in the appeal, including questions of law.

Subpart 22-60.2—Appeal Procedures

§ 22-60.201 Scope of subpart.

This subpart sets forth the procedures governing the filing and disposition of an appeal.

§ 22-60.202 Notice to contractor of appeals procedures.

Whenever a contractor protests a decision of the Contracting Officer made pursuant to a contract "Dispute" clause or otherwise advises the Contracting Officer of an intention to contest or appeal such a decision, the Contracting Officer shall promptly make available to the contractor (hereafter called the "appellant") a copy of the contract appeals regulations in this part.

§ 22–60.203 Filing of notice of appeal.

Notice of an appeal must be in writing and signed personally by the appellant, by an officer of the appellant corporation, or member of the appellant firm, or by the appellant's duly authorized representative or attorney. The notice shall be addressed to the Contracting Officer or the Assistant Director and shall be mailed or otherwise filed with the Contracting Officer whose decision is being disputed. The notice of appeal must be mailed or otherwise filed within the time specified in the contract.

§ 22–60.204 Form and content of notice of appeal.

The notice of appeal should indicate that an appeal is thereby intended and should include the following information:

(a) Identification of the contract involved;

(b) The specific decision of the Contracting Officer from which the appeal is taken, including the date and form of such decision;

(c) The specific portion or portions of the findings of fact or decision from which the appeal is being taken, and the reasons why such findings or decisions are deemed erroneous;

(d) The relief sought by the appellant, and

(e) Whether the appellant wishes a hearing or is willing to have the appeal decided on the basis of written submissions.

§ 22–60.205 Duties of the Contracting Officer.

Upon receipt of the notice of appeal, the Contracting Officer shall promptly acknowledge receipt thereof in writing to the appellant, enclosing a copy of the contract appeal regulations in this part, and shall transmit a copy of such acknowledgment to the Assistant Director together with the appeal file consisting of the documents specified in § 22–60.206 and a separate listing by title and date of such documents. A copy of the acknowledgment shall be transmitted simultaneously to the General Counsel. The Contracting Officer may retain a duplicate copy of the appeal file. In any case where the notice of appeal does not specify whether a hearing is desired, the letter of acknowledgment shall specifically call the appellant's attention to the provisions of §§ 22–60.207 and 22–60.208.

§ 22–60.206 Designation of Board, delegation of final decision power; appeal file.

(a) After the Assistant Director has received notification of the appeal, he shall designate the Board in accordance with the provisions of § 22–60.103 and shall transmit the appeal file to the Board Chairman. Simultaneously the Assistant Director may also delegate to the Board the power of final decision in the matter being appealed. The Board Chairman shall send a copy of the notice of designation, including any delegation of final decision power and the list of documents in the appeal file, to the appellant and to the General Counsel.

(b) The file shall consist of the original, whenever possible, or copies of all documents pertinent to the appeal, including the following:

(1) Notice of appeal.

(2) The findings of fact or decision of the Contracting Officer from which the appeal is taken.

(3) The invitation for bids or proposals, the contract, pertinent plans and specifications amendments, and change orders.

(4) All correspondence between the parties relating to or pertinent to the dispute.

(5) Transcripts of any testimony taken in connection with the dispute prior to the filing of the appeal, and affidavits or statements of any witnesses which were considered by the Contracting Officer in reaching decision being appealed.

(6) Any additional data that the Contracting Officer may consider pertinent.

(c) Upon receipt of the appeal file, the Board Chairman shall provide both the appellant and the General Counsel with a listing of the appeal file contents and shall notify them where the file may be examined. Each party may furnish or suggest additional documentation deemed pertinent to the appeal. The appeal file shall be available for examination by the parties or their counsel or representatives at the office of the Board Chairman, or at the office of the Contracting Officer.

§ 22–60.207 Optional procedure for appeals.

In order to eliminate the costs of a hearing to the contractor and to the Government on appeals involving relatively small amounts, and to expedite the decisions on such appeals, appeals may be considered without a hearing in accordance with the provisions of § 22–60.208, unless a hearing has been requested by either party within 20 days after receipt of the Contracting Officer's letter of acknowledgment of the notice of appeal or unless the Board orders a hearing.

§ 22–60.208 Submission without a hearing.

Where neither party desires a hearing, and the Board does not order one, the Board's findings and recommendations will be based upon the appeal file and such written submissions (including briefs) as the parties may submit on their own initiative or at the request of the Board. In all such cases the Board shall determine the time schedule for written submissions.

§ 22–60.209 Settlement; withdrawal of appeal.

A dispute may be settled at any time before decision by written stipulation between the appellant and the Contracting Officer, or their counsel or representatives, subject to the approval of the Assistant Director (or the Board in cases where final decision has been delegated to the "Board"). If only part of the dispute is settled, the appeal shall continue as to any issues remaining in dispute. At any time prior to decision the appellant may withdraw the appeal with prejudice, by written notice to the Board.

§ 22–60.210 Pre-hearing conference.

(a) The Board, upon the request of either party, or in its own discretion, may call the parties to a prehearing conference to consider the following:

(1) Simplification or clarification of the issues.

(2) Possibility of obtaining stipulations, admissions of fact, and agreement respecting the introduction of documents.

(3) Limitation of the number of expert witnesses.

(4) Possibility of agreement disposing of all or any of the issues in dispute.

(5) Such other matters as may aid in the disposition of the appeal.

(b) A member of the Board may be designated to conduct the prehearing conference. The results of the conference including any stipulations by the parties, shall be reduced to writing by the presiding member and shall be made part of the record.

§ 22–60.211 Hearings.

§ 22–60.211–1 Notice and where held.

In cases where a hearing has been requested or has been ordered by the Board, the parties will be given a minimum of 20 days notice in writing of the time and place of the hearing. Hearings will normally be held in Washington, D.C., unless the Board is satisfied that fairness to one or both of the parties requires a different hearing place. The Board may designate one of its members to conduct the hearing and to take all actions and make all rulings in connection with the conduct of the hearing which the full Board could make pursuant to the regulations in this part. In all such cases the designated member shall be an attorney or a qualified hearing examiner.

§ 22–60.211–2 Representation.

An appellant may appear before the Board in person, or may be represented by counsel or by any other duly authorized representative.

§ 22–60.211–3 Absence of parties.

The unexcused absence of a party or his authorized representative at the time and place set for the hearing will not be the occasion for delay of the hearing. In such event, the hearing will proceed and the case will be regarded as submitted on the record by the absent party, or the Board may, in its discretion and with the consent of the present party, cancel the hearing and treat the appeal as submitted on the written record.

§ 22–60.211–4 Nature of hearings; evidence.

Hearings will be informal and will seek to provide the Board with the pertinent facts and positions of the parties. The Board shall not be bound by formal rules of evidence. The parties shall be permitted reasonable latitude to present such relevant and trustworthy evidence and such arguments as they deem appropriate. However, the Board, in its discretion, may limit the extent and manner of presentation and may exclude repetitious material.

§ 22–60.211–5 Examination of witnesses.

Witnesses may be excused from testifying under oath, in the discretion of the Board. All witnesses may be examined or cross-examined by the members of the Board, the parties, or their representatives.

§ 22–60.211–6 Copies of documents.

Accurate copies of documents may be accepted in evidence if submission of original documents is not practicable.

§ 22–60.211–7 Posthearing briefs.

Posthearing briefs may be submitted upon such terms as may be ordered by the Board at the conclusion of the hearing. Unless otherwise ordered by the Board, the briefs of both parties shall be served and filed within 30 days after the hearing transcript is received.

§ 22–60.211–8 Transcript of proceedings.

Hearings shall be reported verbatim unless the Board orders otherwise. Copies of transcripts of proceedings can be obtained by appellants by ordering same from the public reporter and paying the cost thereof.

§ 22–60.211–9 Withdrawal of exhibits.

After a decision has become final, upon request and after notice to the other party, the Board may in its discretion permit the withdrawal of original exhibits, or any part thereof, by the party entitled thereto. The substitution of certified true copies of exhibits or any part thereof may be required by the Board in its discretion as a condition of granting permission for such withdrawal.

§ 22–60.212 Submission of additional information at Board's request.

The Board may request either party at any stage of an appeal proceeding to furnish any information which the Board deems necessary or desirable in connection with its consideration of the appeal. Submission thereof shall be made within a reasonable time limit to be specified by the Board.

§ 22–60.213 Communications between parties and the Board; evidence of service.

(a) Copies of all briefs, pleadings, notices and other communications between a party and the Board shall be simultaneously served upon the other party, except that in the case of lengthy written material placed in the appeal file pursuant to § 22–60.206 or § 22–60.212, it shall be sufficient to serve upon the other party a description of the material in question and the date of its transmission for the file. All written communications by a party to the Board shall contain or be accompanied by evidence of simultaneous service upon the other party by means of personal delivery or by mail.

(b) Except as provided in § 22–60.211–3, all communications between one party to a pending appeal and members of the Board which relate to the merits of the appeal shall be made in the presence of the other party, if oral, or shall be served upon the other party in accordance with paragraph (a) of this section, if written.

§ 22–60.214 Findings, recommendations, and decision.

(a) In cases where the Board has not been delegated the power of final decision, it shall submit its written findings and recommendations to the Assistant Director. The Assistant Director may accept, modify or reject the Board's findings and recommendations, and in his discretion he may direct that copies thereof be served upon the parties and that they be given such opportunity as he may specify to comment orally or in writing prior to making his decision. The decision of the Assistant Director in such cases shall be final and conclusive within the meaning of the Disputes clause of the contract.

(b) In cases where pursuant to § 22–60.206(a) the Assistant Director has delegated to the Board the power of final decision, the Board's findings and decision shall be final and conclusive within the meaning of the "Disputes," clause of the contract.

(c) Every final decision pursuant to paragraphs (a) and (b) of this section and all findings and recommendations of the Board pursuant to paragraph (a) of this section shall be based upon substantial evidence of record.

(d) A copy of each decision shall be furnished to both parties to the appeal and shall be available for public inspection at the office of the Contracting Officer.

These regulations shall become effective as of the date they are published in the FEDERAL REGISTER.

SARGENT SHRIVER,
Director.

APRIL 26, 1966.

[F.R. Doc. 66–4836; Filed, May 3, 1966; 8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 66–388]

PART 0—COMMISSION ORGANIZATION

Delegation of Authority to Chief, Broadcast Bureau

Order. At a session of the Commission held at its offices in Washington, D.C., on the 27th day of April 1966;

1. The Commission has under consideration the requirements of § 73.652(a) of its rules, dealing with station identification by television broadcast stations (call letters and location).

2. The Commission has waived these provisions so as to permit multiple city identification in all situations in which the additional community or communities with which the station concerned wished to be identified were provided with the requisite predicted field intensity specified in § 73.685(a) of the rules. Therefore, it is deemed appropriate that the Commission delegate to the Chief, Broadcast Bureau, authority to act on requests for waiver of § 73.652(a) to permit multiple-city identification, if all of each community for which identification permission is sought is provided with the requisite predicted field intensity specified in § 73.685(a) of the rules by the station seeking such authority.

3. Since this amendment relates to a matter of agency organization and procedure, neither a prior notice of rule making nor a waiting period for the change to become effective is necessary (section 4 of the Administrative Procedure Act; 5 U.S.C. 1003). Authority for promulgation of this amendment to the Commission's rules and regulations is contained in sections 4 (i) and (j), 5(d), and 303(r) of the Communications Act of 1934, as amended.

4. *It is ordered*, That, effective May 6, 1966, § 0.281 of the Commission's rules and regulations is amended by the addition of subparagraph (17) to paragraph (d), to read as follows:

§ 0.281 Authority delegated.

* * * * * * *

(d) * * *

(17) For waiver of the provisions of § 73.652(a) of this chapter to permit multiple-city identification, where the additional community or communities with which identification is sought are provided with the requisite field intensity specified in § 73.685(a) of this chapter by the station seeking such authority.

* * * * * * *

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; sec. 5, 66 Stat. 718; 47 U.S.C. 303, 155)

Released: April 28, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–4854; Filed, May 3, 1966; 8:48 a.m.]

[Docket No. 16409; FCC 66–391]

PART 73—RADIO BROADCAST SERVICES

Report and Order

In the matter of amendment of § 73.202, *Table of assignments*, FM Broadcast Stations (Charleston and Logan, W. Va.); Docket No. 16409, RM–887.

1. The Commission has before it for consideration its notice of proposed rule making, FCC 66–20, issued in this proceeding on January 7, 1966 (31 F.R. 355), inviting comments on a proposal advanced by Reeves Broadcasting Corp., licensee of Station WHTN–TV, Huntington, W. Va., as follows:

[1] Commissioner Loevinger absent.

City	Channel No.	
	Present	Proposed
Charleston, W. Va.	241, 248, 253, 260, 290	241, 248, 253, 260, 274
Logan, W. Va.	270, 274	270

The proposal would delete Channel 290 from Charleston, substitute Channel 274 therefor and delete Channel 274 from Logan. Since Station WTIO operates on Channel 290 in Charleston, its authorization will have to be modified in the event the proposal is adopted.

2. The stated purpose of the proposed shifts is to eliminate the second harmonic interference which occurs to reception in Charleston of TV Station WHTN–TV, which operates on Channel 13 at Huntington, due to the operation of FM Station WTIO on Channel 290. Reeves states that the interference occurs within a radius of 2 miles from the WTIO transmitter and is due to overloading of the input circuits of the TV receivers by the strong signal of that station which causes a second harmonic signal to appear within the Channel 13 signal. Petitioner further submits that the proposal is the only practical solution to the problem and that there has not been any application filed for either of the two FM assignments in Logan, a community of 4,185 persons.

3. In the notice we invited comments on the question of whether the channel proposed to be deleted from Charleston cannot be assigned elsewhere, and if not, whether the proposal does not represent an inefficient use of available spectrum space. In reply to this query Reeves shows that there is an area of 11,300 square miles, of which 2,300 square miles is beyond the Grade B contour of WHTN–TV, in which Channel 290 may be assigned and that within this area is populous Fayette County, with a population of 67,731. Reeves further states that the only FM channel assigned in that county is Channel 231, occupied by Station WOAY–FM at Oak Hill and that the assignment of Channel 290 to this community would provide a competitive FM service. Finally, petitioner points out that WTIO has been cooperative in seeking a solution to the interference problem and is willing to shift from Channel 290 to 274 as soon as possible.

4. Chemical City Broadcasting Company, the licensee of Station WTIO, Charleston, W. Va., states that it will not oppose the modification of its license to specify Channel 274 in lieu of 290 if Channel 290 is moved to Oak Hill, W. Va., and provided that Reeves Broadcasting Corp. agrees to pay the sum of $1,000 as partial payment of the expected expenses. Chemical City further submits that it has been authorized by counsel for Reeves to state that the financial payment is satisfactory to Reeves.

5. We have on several occasions pointed out that second harmonic interference to TV reception from FM stations is basically a problem of transmitter and receiver design and is not a factor normally taken into account in the assignment of FM and TV channels. However, we have made some channel changes where a simple solution was found which was agreeable to all the parties concerned and did not adversely affect the public interest. See Information Bulletin dated February 19, 1965, FCC 65–130 and public notice dated February 3, 1966, FCC 66–106. We are of the view that the proposal advanced by Reeves as modified by both Reeves and WTIO would serve the public interest and should be adopted. This would remove the interference problem without deleting an FM channel from use in the general area. While Oak Hill is not a large community (1960 Census population 4,711), a second channel assigned there is available for use in a number of other communities under the "25-mile rule," and if used would provide a competitive broadcast service (the AM, FM, and TV stations at Oak Hill are owned by the same licensee). We further are of the view that the payment of $1,000 toward the cost of the changeover is reasonable.

6. In summary, we believe that the deletion of Channel 290 from Charleston and the substitution of Channel 274 would serve the public interest since it would remove the existing interference problem without any loss of FM assignments or a shift of the problem to any other city or TV station. We also believe that the assignment of a second FM channel to Oak Hill rather than to Logan would be in the public interest since the former is somewhat larger than the latter, since Logan has two AM stations (both unlimited time operations) while Oak Hill has only one daytime-only AM station, and since it would provide a competitive broadcast service in Oak Hill.

7. Authority for the adoption of the amendments contained herein is contained in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

8. In view of the foregoing: *It is ordered*, That effective June 6, 1966, § 73.202 of the Commission's rules, the FM Table of Assignments, is amended to read, with respect to the communities named below, as follows:

City	Channel No.
Charleston, W. Va.	241, 248, 253, 260, 274
Logan, W. Va.	270
Oak Hill, W. Va.	231, 290

9. *It is further ordered*, That the outstanding license held by Chemical City Broadcasting Co. for Station WTIO on Channel 290 at Charleston, W. Va., is modified, to specify operation on Channel 274 subject to the following conditions:

(a) The licensee shall submit to the Commission by May 13, 1966, all the technical information normally required for the issuance of a construction permit for operation on Channel 274, including any changes in antenna and transmission line.

(b) The licensee may continue to operate on Channel 290 until upon its request, the Commission authorizes interim operation on Channel 274, following which the licensee shall submit (within 30 days) the measurement data normally required of an applicant for an FM station license.

10. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., 1066, 1082, 1083, as amended, sec. 316, 66 Stat. 717; 47 U.S.C. 154, 303, 307, 316)

Adopted: April 27, 1966.

Released: April 28, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-4855; Filed, May 3, 1966; 8:48 a.m.]

[Docket No. 14229; FCC 66-396]

PART 73—RADIO BROADCAST SERVICES

Memorandum Opinion and Order

In the matter of fostering expanded use of UHF television channels; petition for reconsideration of assignments at Modesto and Stockton, Calif., Docket No. 14229.

1. KLOC Broadcasting Co., Inc. (KLOC–TV), permittee of KLOC–TV, Channel 17, Modesto, Calif., has filed a Petition for Reconsideration of the Fifth Report and Memorandum Opinion and Order in the above-entitled matter, insofar as it retained the assignment of Channel 17 in Modesto.

2. In support thereof, the petitioner calls attention to its application (BMPCT–6126) for the relocation of KLOC–TV to a site on Mount Oso, some 22 miles southwest of Modesto from which it will be able to provide substantially better coverage to the San Joaquin Valley. Channel 17 may not be used at the Mount Oso site and meet the required 75-mile geographic separation to KSAN–TV, Channel 32, San Francisco, Calif. The petitioner claims that the mileage separation problem came as a complete shock because it believed that the move of Channel 17 to Mount Oso presented no unusual problems and its plan for such a move has advanced to the point where substantial commitments have been made and payment of some of the obligations commenced. KLOC–TV further claims that Channel 14 was deleted from Modesto and Channel 17 substituted therefor "over the strong objections of the principals of KLOC–TV—" in the proceedings in Docket No. 14484, adopted March 28, 1962 (FCC 62–364) which moved Channel 14 to San Mateo, Calif., for educational use.

3. A review of that proceeding shows that objections to the move were filed by the Mayor of Modesto and two individuals who are the original applicants for Channel 17 in a partnership agreement, and who subsequently formed a corporation to bring in additional individuals and secure additional financing. The objections were not based upon the contemplated use of the Mount Oso site but merely opposed to the loss of a low numbered UHF channel. In the adopted amendment, Channel 17 was substituted for Channel 14 in Modesto and the objectors apparently found this to be satisfactory. It may be noted that KCSM–TV, a noncommercial educational TV station began operation on Channel 14 in San Mateo on October 12, 1964, and although KLOC–TV has held a construction permit since November 12, 1964, the station has not yet been placed in operation. Its application for the move to Mount Oso was not filed until July 1, 1965.

4. The petitioner has suggested that the site problem may be resolved by shifting Channel 19 from Stockton to Modesto, deleting Channel 17 from Modesto, and substituting Channel 31 for Channel 19 in Stockton. Channel 19 could not be placed in Modesto using the main Post Office reference point because Channel *23 is assigned there and a minimum geographic separation of 20 miles must be maintained between Channel 19 and Channel 23. However, since the Mount Oso site is 22 miles from the Post Office, Channel 19 can be used there in full compliance with the geographic separation requirements. Channel 17 must be deleted from Modesto if 31 is to be used at Stockton. Therefore, Channel 19 would be a substitute for the currently authorized Channel 17 for KLOC–TV. The application for authority to move to Mount Oso is granted, and that site becomes the reference point for Channel 19. The assignment of Channel 19 to Modesto will restrict to some extent the location of a station proposing to use Channel 23 because of the 20 mile "taboo" on assignments four channels apart; but it is already somewhat restricted (for example as to location at Mount Oso) by other assignments including Channel 38 at San Francisco. If the permittee fails to proceed diligently with the construction and operation of the authorized facilities, steps may be instituted to delete the new assignment.

5. In light of the foregoing and pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended: *It is ordered*, That, effective June 10, 1966, the Table of Assignments in § 73.606(b) of the Commission's rules is amended, insofar as the cities listed below are concerned, to read as follows:

City	Channels
Modesto, Calif.	19—, *23
Stockton, Calif.	13+, 31, 58

6. By this action, the Petition for Reconsideration filed by KLOC Broadcasting Co., Inc., is granted.

7. *It is further ordered*, That, the application of KLOC Broadcasting Co., Inc., for modification of construction permit of Station KLOC–TV, Modesto, Calif. (BMPCT–6126), is granted except that Channel 19— is specified instead of Channel 17; the revised specifications for KLOC–TV will be set forth in a modified permit to be issued shortly.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: April 29, 1966.

Released: April 29, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-4856; Filed, May 3, 1966; 8:49 a.m.]

[1] Commissioners Bartley and Cox dissenting; Commissioner Loevinger absent.

[1] Commissioners Lee and Loevinger absent.

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Squaw Creek National Wildlife Refuge, Mo.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations: sport fishing: for individual wildlife refuge areas.

MISSOURI

SQUAW CREEK NATIONAL WILDLIFE REFUGE

Sport fishing on the Squaw Creek National Wildlife Refuge, Mo., is permitted only on the area designated by signs as open to fishing. These open areas, comprising 1,000 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(1) Open season: May 1, 1966, through September 30, 1966, daylight hours only.

(2) the use of boats, without motors, is permitted only in designated portions of the Main Pool as shown on the map available.

The provisions of this special regulation supplement the regulations which govern fishing on Wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33 and are effective through September 30, 1966.

HAROLD H. BURGESS, *Refuge Manager, Squaw Creek National Wildlife Refuge, Mound City, Mo.*

APRIL 26, 1966.

[F.R. Doc. 66-4890; Filed, May 3, 1966; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 68—REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

Miscellaneous Amendments

Correction

In F.R. Doc. 66–3895 appearing at page 5605 in the issue for Saturday, April 9, 1966, the following corrections are made in § 68.42. The line immediately following item (a)(2) under "Hay and straw inspection" is deleted and the following is inserted: "(3) Minimum fee; truck, warehouse, barn, or elsewhere....10.00". Item (a)(21) under "Laboratory testing" is corrected to read: "(21) Fat acidity ....2.05".

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 980—TOMATOES

Import Restrictions

Findings. (a) Notice of rule making regarding proposed restrictions on the importation of tomatoes into the United States, to be effective May 5, 1966, to July 15, 1966, pursuant to the requirements of section 8e–1 (7 U.S.C. 608e–1) of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601 et seq.) was published in the FEDERAL REGISTER April 23, 1966 (31 F.R. 6276). This notice afforded interested persons an opportunity to file data, views, or arguments in regard thereto through April 28, 1966. None was filed.

After consideration of all relevant material, including the proposals set forth in the aforesaid notice, it is hereby found that the restrictions on the importation of tomatoes into the United States, as hereinafter provided, are in accordance with section 8e–1 of the act.

(b) It is further found that good cause exists for not postponing the effective date of this regulation beyond May 9, 1966 (5 U.S.C. 1003) in that (1) the requirements established by this import regulation are issued pursuant to section 8e–1 of the Agricultural Marketing Agreement Act of 1937, as amended, which makes such regulations mandatory; (2) compliance with this tomato import regulation should not require any special preparation by importers which cannot be completed by the effective date; (3) notice hereof is in excess of the minimum period of 3 days specified in section 8e–1 of the act; (4) in fixing the effective date hereof due consideration has been given to the time required for the transportation and entry into the United States after picking of imported

tomatoes to which this regulation is applicable as required by section 8e–1 of the act; (5) such notice is hereby determined to be reasonable; and (6) the regulations hereby established for tomatoes that may be imported into the United States comply with the size restriction imposed upon domestic tomatoes under Marketing Order No. 965.

§ 980.202 Tomato Import Regulation No. 11.

Except as otherwise provided, during the period from May 9, 1966, to July 15, 1966, no person shall import fresh tomatoes of any variety except Cerasiform type commonly referred to as cherry tomatoes and elongated types, commonly referred to as pear shaped or paste tomatoes and including, but not limited to, San Marzano, Red Top, and Roma varieties unless they are inspected and meet the requirements of this section.

(a) *Size requirement.*—(1) Size. $1^{14}/_{16}$ inches minimum diameter or larger.

(2) *Tolerance for size.* Not more than ten (10) percent, by count, of the tomatoes in any lot may be smaller than the specified minimum diameter.

(b) *Minimum quantity.* Any importation which in the aggregate does not exceed 120 pounds, may be imported without regard to the provisions of paragraph (a) of this section.

(c) *Plant quarantine.* No provisions of this section shall supersede the restrictions or prohibitions on tomatoes under the Plant Quarantine Act of 1912.

(d) *Designation of Governmental inspection service.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, and the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are designated as governmental inspection services for certifying the grade, size, quality, and maturity of tomatoes that are imported, or to be imported, into the United States under the provisions of section 8e–1 of the act.

(e) *Inspection and official inspection certificates.* (1) Inspection by the Federal or Federal-State Inspection Service, by the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, or by such other governmental inspection service as may be designated, or approved, by the Director, Fruit and Vegetable Division, Consumer and Marketing Service, with appropriate evidence thereof in the form of an official inspection certificate issued by the respective service and applicable to a particular shipment of tomatoes, is required. Each such lot shall be made available and accessible for inspection. Such inspection and certification will be made available in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title). Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers of uninspected and uncertified tomatoes should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the tomatoes will be imported.

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, Post Office Box 111, 222 McClendon Building, Harlingen, Tex., 78550 (Phone—Garfield 3-5644).	1 day.
All Arizona points.	R. H. Bertelson, 136 Grand Avenue, Post Office Box 1646, Nogales, Ariz., 85621 (Phone—Atwater 7-2902).	Do.
All California points.	Carley D. Williams, 784 South Central Avenue, Room 294, Los Angeles, Calif., 90021 (Phone—Madison 2-6756).	3 days.
New York City.	Edward J. Beller, 346 Broadway, Room 306, New York, N.Y., 10013 (Phone—Rector 2-8000, ext. 807).	1 day.
Miami, Fla...	Lloyd W. Boney, 1350 Northwest 12th Avenue, Room 538, Miami, Fla., 33136 (Phone—371-2514 or 371-2518).	Do.
All other points.	D. S. Matheson, Fruit and Vegetable Division, C&MS, Washington, D.C., 20250 (Phone—Dudley 8-5870).	3 days.

(2) Inspection certificates shall cover only the quantity of tomatoes that is being imported at a particular port of entry by a particular importer.

(3) The cost of inspection and certification shall be borne by the applicant therefor.

(4) Each inspection certificate issued with respect to any tomatoes to be imported into the United States shall set forth, among other things:

(i) The date and place of inspection;

(ii) The name of the shipper, or applicant;

(iii) The commodity inspected;

(iv) The quantity of the commodity covered by the certificate;

(v) The principal identifying marks of the containers;

(vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and

(vii) The following statement, if the facts warrant: Meets U.S. Import requirements under section 8e–1 of the Agricultural Marketing Agreement Act.

(f) *Reconditioning prior to importation.* Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of tomatoes for the purpose of making it eligible for importation.

(g) *Definitions.* "Importation" means release from custody of the U.S. Bureau of Customs.

Effective date. Dated May 2, 1966, to become effective May 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-4916; Filed, May 3, 1966; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1032, 1050]

[Docket Nos. AO 355, AO-313-A8]

MILK IN CENTRAL ILLINOIS AND SUBURBAN ST. LOUIS MARKETING AREAS

Notice of Additional Time for Filing Exceptions To Recommended Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that additional time is given for filing exceptions to the recommended decision with respect to the proposed agreements and to the orders regulating the handling of milk in the Central Illinois and Suburban St. Louis marketing areas, which was issued April 26, 1966 (31 F.R. 6497). Such exceptions should be filed not later than May 12, 1966, with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Signed at Washington, D.C., on April 29, 1966.

CLARENCE H. GIRARD,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 66-4846; Filed, May 3, 1966; 8:48 a.m.]

[7 CFR Part 1126]

[Docket No. AO-231-A24]

MILK IN NORTH TEXAS MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the North Texas marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, by the 15th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Dallas, Tex., on January 27, 1966, pursuant to notice thereof which was issued January 19, 1966 (31 F.R. 910).

The material issues on the record of the hearing relate to:

1. Definitions and other provisions relating to plants;
2. Interorder diversion of producer milk;
3. Classification of sterilized cream; and
4. Administrative expense.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Definitions and other provisions relating to plants.* The present pooling standards for distributing plants and cooperative association plants should be changed. Provisions relating to newly defined "partially regulated distributing plants" should be included in the order. Also, a new "plant" definition should be added and the present "distributing plant" definition should be modified.

The North Texas order now provides that a distributing plant shall be a pool plant in any month in which it sells fluid milk products on routes in the North Texas marketing area.[1] In the case of a plant operated by a cooperative association, the order provides that a plant not qualifying as a pool distributing plant or a pool supply plant shall be a pool plant if located in the marketing area and Grade A milk is received at the plant from dairy farmers and also is delivered directly from members' farms to pool plants of other handlers. For either type of plant, token performance by the plant operator is sufficient for the plant to qualify for pooling.

[1] Under certain conditions, a distributing plant selling packaged milk in the North Texas market and in another federally regulated market in the same month may be a pool plant under the other order. Further attention to this situation is unnecessary in considering the issue at hand.

The North Texas Producers Association, whose members supply about 85 percent of the producer milk in the North Texas market, proposed a revision of the pooling standards for these types of plants. It recommended that a pool distributing plant should sell as fluid milk products at least 50 percent of its receipts of Grade A milk on routes, and at least 10 percent of such receipts on routes in the North Texas marketing area. For a plant operated by a cooperative association, producers proposed that 50 percent of the producer milk of members should be received at pool distributing plants of other handlers or be transferred to such plants from the association's plant.

These proposed pooling standards are reasonable and appropriate under current marketing conditions and should be adopted.

When a plant acquires pool plant status under the North Texas order, all milk received at the plant from producers is pooled and priced under the terms of the order. The returns to the producers are based on the overall utilization of all producer milk received during the month at all pool plants in the market. Essential to the operation of a marketwide pool is the establishment of minimum performance requirements to distinguish between those plants substantially engaged in serving the fluid needs of the market and those plants which do not serve the market in a way, or to a degree, that warrants their sharing (by being included in the market pool) in the market average utilization of Class I milk. Such distinction is necessary; otherwise, the proceeds from the higher priced Class I milk could be dissipated by including in the market pool additional quantities of milk which were acquired by handlers primarily for manufacturing purposes. Such dissipated proceeds could accrue to the benefit of producers supplying milk to handlers who do not regularly or dependably furnish the fluid milk needs of consumers in the North Texas market.

In this manner, the uniform price for the market could be depressed to the point that it would not serve its function of attracting an adequate supply of milk for the market's fluid needs without providing for a Class I price higher than otherwise would be necessary. Since they are generally passed on to the public, Class I price increases necessitated solely because of inadequate pooling standards would be contrary to the public interest. Therefore, if they are to share in the market pool funds, it is essential that plant operators perform marketing functions (i.e., deliver milk to the market in specified proportions) which contribute to providing adequate and dependable market supplies. The proper performance requirements for pool plants are essential provisions in a

milk order if the order is to attain the statutory purpose of assuring adequate supplies of milk in the most economical manner and in a way that best serves the public interest.

The establishment of proper pooling standards is also essential to the determination of which distributing plants need not be subject to full regulation under the order. Some handlers may make only a very minor proportion of their total route sales in the defined marketing area. In other federally-regulated markets, it has been found that the objectives of an order may be achieved in most cases without applying full regulation to such persons.

The present pooling standards of the North Texas order cannot be relied upon to fulfill the purposes which performance requirements should serve. They have worked reasonably well in this market, though, because plants associated primarily with other markets or engaged primarily in the manufacturing of milk have not become pool plants under the order. However, revision of the pooling standards would give greater assurance that orderly marketing conditions will be maintained in this area. Pooling standards similar to those adopted herein have been incorporated in many other Federal orders. They have contributed generally to an adequate identification of those plants which are an integral part of the markets involved. This has assisted in assuring an adequate supply of pure and wholesome milk for consumers in these areas.

At the hearing a handler proposed that a distributing plant be fully regulated if the plant's route sales in the marketing area are 5 percent or more of its receipts. The handler contended that this pooling standard would provide greater competitive protection to fully regulated handlers than would the "10 percent" pooling requirement proposed by producers.

This should not be adopted. The 10 percent requirement is a reasonable standard for distinguishing between those distributing plants which are substantially engaged in supplying consumers in the North Texas market and those which do so to only a minor extent. As described later, provisions are proposed herein for pricing in-area route sales by the latter, or "fringe area," plants. These provisions should adequately equate the competitive position in the marketing area between fully regulated handlers and partially regulated fringe area handlers.

A distributing plant selling at least 50 percent of its receipts on routes is primarily in the fluid milk business. Such a percentage, then, represents a performance standard by which plants engaged significantly in supplying fluid milk to consumers may be identified. This performance requirement should be applied somewhat differently, though, in the case of distributing plants operated by the same handler. The order should provide that if two or more such plants each meet the 10 percent in-area sales requirement, the 50 percent requirement may be based on the combined receipts and route disposition of all such plants.

This provision was proposed at the hearing by a handler who operates a distributing plant at Dallas and another such plant at Fort Worth. The Dallas plant is a fluid milk operation with no manufacturing facilities. Fluid milk items are processed and packaged at the nearby Fort Worth plant, also. In addition, the handler manufactures products at the latter plant for distribution from both plants. The two plants have qualified as pool distributing plants since the inception of the order. Under the proposed pooling standards, however, the Fort Worth plant would not have qualified as a pool plant during six months of a recent 12-month period. During these 6 months less than 50 percent of its receipts were sold in the form of fluid milk products. The handler contended that if he were to insure pool plant status for this plant under the pooling standards proposed by the cooperative association he could not take full advantage of the costly specialized manufacturing equipment installed only in the Fort Worth plant.

This situation can be accommodated by use of the above-mentioned pooling provisions. Such performance requirements in this type of situation would be consistent with the purposes which pooling standards should serve. Under this arrangement a handler operating more than one distributing plant in the market would be afforded the opportunity of effecting economies available through specialization of plant operations. The handler's total operation, however, would be primarily engaged in supplying fluid milk to consumers.

There appears to be no reason to require that distributing plants qualifying for pool status in this manner qualify individually as pool plants for the preceding 12 months, as the handler suggested. Adequate association with the market can be based on current marketing practices without detriment to the regulatory scheme of the order.

Pooling provisions were established in the North Texas order for plants operated by the major cooperative association in the market in conjunction with its supplying member milk to handlers. Customarily in this market, milk is moved from members' farms directly to pool distributing plants. Milk not needed by handlers is usually moved by the association to its plants for manufacturing. For this reason it is not practical for the association's plants to qualify for pool status on the basis of shipments from the plants to other pool plants. Nevertheless, the plants are essential to the service provided by the association in supplying daily milk requirements of handlers. Because of the part these plants play in the handling of reserve milk, it is necessary that they be allowed pool status. Then, when milk of members is moved to such plants rather than to processing plants, such farmers will maintain their producer status.

At the time the present pooling standards for such plants were adopted, distributing plants could obtain pool plant status on the basis of token in-area Class I sales. Because of this it was not practical to establish pooling standards for cooperative association plants significantly different from those for distributing plants. With the standards proposed herein for distributing plants, the basis for pooling association plants can be changed also. It is desirable that a standard of performance be provided to assure that such plants and the milk handled by them are substantially associated with the fluid milk requirements of the market. The 50 percent requirement with respect to deliveries of member milk to pool distributing plants of other handlers would provide such a standard.

As indicated, the required deliveries of milk by a cooperative association should be made to pool distributing plants other than its own. This was proposed by the proponent association which operates a pool distributing plant. No other such plant in the market is operated by a cooperative association. This provision would tend to assure that an association's balancing plant would be qualified for pooling only on the basis of a bona fide association with the Class I requirements of the market. This would not be the case of an association operating a pool distributing plant could qualify another plant merely on the basis of the deliveries of member milk from farms to its own distributing plant.

The order now requires that a cooperative association plant be located in the marketing area. With the establishment of pooling standards which require greater performance, this requirement is no longer necessary. Under most circumstances any plant, wherever located, should be allowed to become a pool plant if it meets the marketing performance standards for regulation which at any time are equal for all plants performing the same function.

The proposed pooling standards for distributing plants and cooperative association plants, as adopted herein, would not affect the present status of plants now regulated under the North Texas order.

The requirement that a pool distributing plant have at least 10 percent of its route sales in the marketing area would tend to keep to a minimum the amount of producer milk sold outside the area. It is likely, though, that some out-of-area sales would exist. Presently, all producer milk disposed of not only within the North Texas marketing area but outside this area is fully regulated and priced under the order. It is necessary that this arrangement be continued under the order. Otherwise, the effect of the order could be nullified, thereby jeopardizing the orderly marketing process.

If only his in-area sales were subject to classification, pricing and pooling, a regulated handler with Class I sales both inside and outside the marketing area could assign any value he chose to his outside sales. He thereby could reduce his average cost of all of his Class I milk below that of other regulated handlers having all, or substantially all, of their Class I sales within the marketing area. In short, unless all milk of such a handler is fully regulated under the order, he in effect will not be subject to effective price regulation. The absence of effective classification, pricing and pooling of such milk would disrupt orderly marketing conditions within the regulated marketing area and would lead to a complete breakdown of the order. If a regulated handler were free to value a portion of his milk at any price he chooses, it would be impossible to enforce uniform prices to all fully regulated handlers or a uniform basis of payments to the producers who supply the market. It is essential, therefore, that the order price all the producer milk received at a pool plant regardless of the point of disposition.

In conjunction with their proposed changes in pooling standards, the cooperative association proposed that provision be made for pricing fluid milk products sold on routes in the marketing area by distributing plants which do not qualify as pool plants under this or any other Federal order. This should be done. With the present pooling provisions there has been no need for this. However, the proposed changes in the pooling standards make such action necessary.

The order should be amended to provide that the unregulated distributor who disposes of fluid milk products on routes in the marketing area be accorded the following choices as a means of integrating his plant operations into the market's regulatory scheme:

(a) He should be allowed to show that payment for his total supply of milk from dairy farmers has been at least as much as if his plant were fully regulated. This amount may be paid entirely to his dairy farmers or may be paid in part to his dairy farmers and in part to the producer-settlement fund of the order;

(b) He may show that he has purchased Class I milk priced under some Federal order in an amount at least equivalent to his total Class I sales within the North Texas marketing area;

(c) He may make a payment to the producer-settlement fund on the quantity of Class I sales made in the marketing area at a rate equal to the difference between the Class I price and the uniform price under the order, both applicable at the location of the distributing plant; or

(d) Any combination of choices (b) and (c).

Distributing plants with route distribution in a regulated market may not meet the performance standards for regulation either because of insufficient route sales in the defined marketing area or because too large a proportion of the milk receipts are utilized for purposes other than route disposition. However, it is usually for the former reason that such plants fail to qualify. Distributing-type plants generally use a high proportion of their receipts in Class I disposition on routes.

Ideally, marketing area boundaries are drawn to encompass that territory where the same handlers compete with each other for route sales and to minimize overlapping sales areas with unregulated handlers. Improvements in refrigeration, transportation, and packaging, however, encourage expansion of sales areas to such an extent that it is often difficult to delineate an area which wholly accomplishes these objectives. Even if such a delineation were initially possible, it inevitably would be only a temporary situation.

Milk distributors are interested in selling milk. One way of expanding their businesses is to expand geographically. This presents no particular problem for the order program with respect to the fully regulated handler since he is required to pay for his producer milk receipts on a classified use basis at the specified minimum order prices regardless of where his milk is sold. For each additional unit of Class I sales he makes he must pay the Class I price, whether such sales are made inside or outside the marketing area. He cannot use milk bought at the lower surplus class price to expand his sales in either the regulated market or in other markets. He must report all receipts and utilization of milk and the payments made to producers, and maintain records which will substantiate such reports on audit. The butterfat tests upon which he pays producers likewise are subject to verification. He must pay his pro rata share of the cost of administering the order.

The operator of the unregulated distributing plant is in a substantially different situation. He is not required to purchase his milk on a classified use basis nor is he required to pay his dairy farmers any particular minimum price. Normally, he pays a "flat" price without regard to the manner in which he utilizes the milk. The flat price which such a dealer pays is usually at a level which, in relation to competitive conditions in his area of procurement, will obtain sufficient milk for his needs. The operator of the unregulated distributing plant who competes with fully regulated handlers for his milk supply is, in effect, in competition with the Federal order blend price. He usually may procure his supply for an equivalent price. This was described as generally being the case with respect to unregulated distributing plants located in some of the nearby areas surrounding the North Texas marketing area. The operator of the unregulated distributing plant thus is in a position to obtain his Class I milk for sale in the regulated market at a lower price than the handler who is fully regulated by the Federal order.

Order provisions are needed to minimize the price advantage which the operator of an unregulated distributing plant has on fluid milk sales in the regulated marketing area. The options which it is concluded should be accorded such a person, taken in combination, are designed to achieve this end.

If the operator of an unregulated distributing plant elects to show that he has complied with option (a) above, it will be clearly evident that he has paid at least as much for his Class I milk as a fully regulated handler, for in fact he has paid for all his milk as if he were fully regulated. Such an option accords him competitive parity with respect to his minimum class prices with regulated handlers. The regulated handler is required to pay for all his milk sold as Class I, whether inside or outside the marketing area, at the Class I price established by the order. The operator of the unregulated distributing plant would show that he has also paid at least the equivalent of the order Class I and Class II prices for milk utilized in these respective classes. This option provides a meaningful determination of actual pay prices of milk by such an operator for comparison with order values.

The above option has been provided previously in many of the Federal orders. Many operators of unregulated plants with route distribution in regulated markets have found that using this option is advantageous. When he is paying for his milk supply as much as he would if he were fully regulated, this option gives such an operator an opportunity to distribute milk in regulated areas without incurring any additional financial obligations on such milk as the result of the order. At the same time, the fact that he has paid full class prices for his milk will assure that the integrity of the regulatory plan has been protected.

Special provision should be made for an unregulated distributing plant which receives part (or all) of its milk supply from another plant which serves as a supply plant for the unregulated distributing plant. If performance of the supply plant in shipping to the unregulated distributing plant is equivalent to the performance of a regulated supply plant, the operator of the unregulated distributing plant should be permitted, at his election, to show that payments to dairy farmers at the supply plant are in accordance with order accounting and prices. If the necessary information and authority for audit are provided by the unregulated distributing plant, the operations of the supply plant may be included with those of the distributing plant to determine if the payments to dairy farmers are equivalent to payments which would be required under full regulation. Under this option, any amount by which such payments at both plants are less than under full regulation would be owed to the producer-settlement fund. This accords the same conditions to milk from a supply-type plant as is accorded milk received directly from dairy farmers at an unregulated distributing plant.

If the necessary information as to the supply plant is not provided, the obligation of the unregulated distributing plant under this option for milk from the supply plant should be computed in the same manner as the obligation of a regulated plant for a receipt of unregulated milk.

The second option—to purchase milk for his marketing area sales from a source fully regulated under a Federal order—also affords the operator of an unregulated distributing plant an opportu-

nity to sell milk in the regulated area on a basis of competitive equity with respect to such sales.

The equivalent of the milk which he distributes in the marketing area would be fully priced Class I milk. Presumably, he would purchase it on the same basis as any other handler who purchases milk for Class I sales within the regulated market. Again, since the milk would be fully regulated under some Federal order, it would afford adequate protection to the regulatory plan.

Under certain conditions option (c) also would afford to the operator of an unregulated distributing plant competitive equity with respect to his sales within the regulated marketing area, and would protect the integrity of the regulatory scheme. The rate of payment is the difference between the Class I price and the uniform price of the market for the month when the sale is made. This rate is a constant for all locations at a given butterfat test of milk. In essence, the option fixes a value of the sale at the Class I price and assumes payment to dairy farmers at the uniform price of the market. It also assumes that all milk purchased by such distributor is for Class I use, i.e., that he has no surplus, or reserve supply.

If the operator of an unregulated distributing plant actually pays as much as the blend price to his dairy farmers, and if the milk distributed in the regulated marketing area is not, in fact, surplus to his normal operations, the payment of a Class I price minus the market blend price on his sales in the marketing area usually will tend to protect the regulatory scheme. In the case of regular everyday distribution of about the same quantities of milk in a regulated area by the operator of an unregulated distributing plant, the supply of milk for such sales normally would be acquired on a regular basis and would not be milk surplus to other fluid operations.

The producer proposal to modify the "distributing plant" definition should be adopted. Under the present definition, only those distributing plants which are approved by a health authority having jurisdiction in the marketing area are allowed to be pool plants. Health approval should not be limited to only that given by local authorities. Distributing plants which are approved by any duly constituted State or municipal health authority, or which are acceptable to an agency of the State or Federal Government for the disposition of Grade A fluid milk products in the marketing area, should be allowed to be pool plants. This is consistent with the concept expressed earlier that any plant, wherever located, should be allowed to become a pool plant if it meets the performance requirements for regulation which at any time are equal for all plants performing the same function.

The proposed changes in the definitions of "distributing plant" and "pool plant" necessitate a conforming change in the "supply plant" definition. Under the present order provisions, a distributing plant and a pool distributing plant, as defined, are synonymous. This would not be the case under the order changes proposed herein. As the performance requirements are now written, a supply plant must make certain shipments of milk to distributing plants. The order should now provide, however, that such shipments must be made to a distributing plant which qualifies as a pool plant. This would assure that supply plants which are pooled under the order are performing the function of supplying milk for the fluid milk requirements of the market.

The producer proposal to add a new "plant" definition also should be adopted. "Plant" would mean the land, buildings, facilities and equipment constituting a single operating unit or establishment at which milk or milk products are received, processed and/or packaged. A reload point used only as a place at which bulk milk is transferred from one tank truck to another should not be considered as a plant. Similarly, a distribution point used for storing packaged fluid milk products en route in the course of disposition should not be a plant. However, any reloading operations on the premises of a plant engaging in other operations should constitute a part of the operations of such plant.

Various types of plants are defined by the order. There are no definitive standards, though, by which to determine for regulatory purposes what comprises a plant. This definition would assist in the administration of the order and, thus, in the integrity of the regulatory scheme.

The "nonpool plant" definition should be revised to include as one of the categories of such plants "partially regulated distributing plants". In addition, the "handler" definition should be changed to include the operators of such plants. Such handlers should be required to submit to the market administrator those reports which are necessary for determining their obligation under the order.

It is not necessary to include under the "handler" definition the operator of an unregulated supply plant, as the cooperative association proposed. Those who are "handlers" under the order normally are required to submit reports to the market administrator concerning their plant operations. Customarily, only occasional shipments of milk are made from unregulated supply plants to pool plants. Reports by the operators of the supply plants in these cases are not necessary inasmuch as any obligation on such milk applies to the regulated handler receiving the milk.

2. *Inter-order diversion of producer milk.* The order should be changed to allow milk from producers to be diverted for surplus disposal purposes from a North Texas pool plant to a plant regulated under another Federal order. The milk could be so diverted only if such persons are not designated as producers under the other order. The "producer" definition also should be revised to accommodate the reverse situation, i.e., exclude as producers those dairy farmers whose milk is diverted from other Federal order plants to North Texas pool plants.

These changes were proposed by the major cooperative association in the market. The association contended that they would allow more economical handling of milk not needed by local handlers for fluid use.

The order now provides for the classification of milk transferred from a North Texas pool plant to an other order plant. If the operators of both plants involved so request, such milk may be classified as Class II to the extent there is Class II utilization available in the transferee plant. No provision is made for the classification of milk diverted from a North Texas pool plant to an other order plant, however. In some cases the other order would designate such milk so diverted as producer milk under that order since the milk would have been received at the other order plant directly from farms. This is true under the North Texas order in the case of milk diverted to North Texas pool plants from other order plants.

There are occasions when it is more economical and efficient to move surplus milk directly from farms to manufacturing plants in other nearby markets than to plants in the market with which the milk is normally associated. Such times are usually in the spring months when milk production is seasonally high and exceeds handlers' fluid milk requirements. Manufacturing facilities in the local market are sometimes inadequate to handle the larger volumes of surplus milk. Orderly disposal of such milk would be promoted if the milk could be moved to other order plants. This assumes that the other order has complementary provisions which would exclude such milk from being producer milk under the other order. If such milk were to become producer milk and thereby pooled under the other order, the milk likely would cause a decrease in that order's Class I and blend prices.

Revision of the transfer provisions to provide for the classification of milk diverted to an other order plant would accommodate this situation. Such diversions would be possible, of course, only when the other order does not require such milk to be pooled under its provisions.

The North Texas order also should allow milk from other markets to be diverted to North Texas pool plants without the dairy farmers involved becoming producers under this order. The exclusion should be limited, however, to that milk which is designated for Class II use by both the handler diverting the milk and the operator of the North Texas pool plant to which the milk is diverted. The provisions for assignment of other order milk not so designated are designed to apply to inter-plant transfers rather than to farm-to-plant movements. When milk moved from the farm to a pool plant under this order is to share in the Class I sales of this market, it should be priced and pooled under the North Texas order as producer milk.

3. *Classification of sterilized cream.* Sterilized cream and sterilized cream products disposed of in hermetically sealed metal or glass containers should be classified as Class II milk rather than as Class I milk.

Such a change in the classification provisions of the North Texas order was proposed by the operator of a plant located at Springfield, Mo. This plant manufactures sterilized whipping cream from manufacturing grade milk. Under present order provisions, this product would be considered as Class I milk if sold in the North Texas marketing area. Proponent claimed that the product could not compete, at the higher classification, with non-dairy products of a similar nature.

Class I milk products are intended to include milk and milk products eligible for disposition in a form for which Grade A sources of milk are required. Products which may be made from manufacturing grade milk and sold in the marketing area should not be included as a Class I product.

4. *Administrative expense.* The operator of a partially regulated distributing plant should be required to pay a pro rata share of the cost of administering the order. Also, a pool plant operator buying direct-delivered milk from a cooperative association which acts as the handler for such milk should be required to pay the administrative assessment applicable to such milk.

The Act provides that the cost of administering an order shall be financed through an assessment on handlers. Sufficient funds must be available for the market administrator to enable him to administer properly the terms of the order. A principal function of the market administrator is to verify the receipts and disposition of milk from all sources that becomes involved under the regulatory provisions of the order. Presently, an administrative assessment is to be paid by each handler with respect to his receipts of producer milk (including his own production) and other source milk, excluding that on which an assessment was made under another Federal order.

The market administrator, in administering the order as it would apply to the operator of a partially regulated distributing plant, must incur expenses in essentially the same manner as in applying the order to pool handlers. However, the order would not be applicable to such a plant operator to the same extent as fully regulated handlers. Hence, payment of the administrative assessment on his in-area sales would reasonably constitute his pro rata share of the expense of administering the order. Route disposition on which the assessment would apply should exclude that for which offsetting purchases of Class I milk priced under any Federal order have been made. An administrative assessment will already have been paid on such milk.

The order provides that a cooperative association may act as the handler for milk of members which is delivered directly from the farm to pool plants of other handlers. As the order is now written, an association acting in this capacity must pay the administrative assessment on such milk since it is the first handler to receive the milk from producers. Under current practice it is customary for the association to collect from the plant operator buying the milk an additional amount to cover the assessment. This procedure is cumbersome and unnecessary.

Most of the verification work which must be done by the market administrator involves the auditing of the receipts and utilization at pool plants. This is the case whether the plant operator buys his milk directly from producers or from a cooperative association acting as a handler. No plant of the association is involved in this particular circumstance. The association is acting as a handler only insofar as certain record-keeping is concerned. It is reasonable, therefore, that the administrative assessment be paid by the handler actually processing such milk.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the North Texas marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. The provision formerly contained in § 1126.7 is now contained in a new § 1126.19, and § 1126.7 is deleted. Section 1126.19 reads as follows:

§ 1126.19 Route.

"Route" means any delivery (including any delivery by a vendor or disposition at a plant store) of milk, skim milk, buttermilk, flavored milk, flavored milk drinks or cream other than a delivery in bulk form to a milk processing plant.

2. A new § 1126.7 is added and reads as follows:

§ 1126.7 Plant.

"Plant" means the land, buildings, facilities and equipment constituting a single operating unit or establishment at which milk or milk products are received, processed and/or packaged. An establishment used only as a reload point for transferring bulk milk from one tank truck to another, or only as a distribution point for storing fluid milk products in transit on routes, shall not be a plant under this definition. Any reloading operations on the premises of a plant engaging in other operations shall constitute a part of the operations of such plant.

3. Section 1126.8 is revised to read as follows:

§ 1126.8 Distributing plant.

"Distributing plant" means a plant approved by any duly constituted State or municipal health authority, or acceptable to an agency of the State or Federal Government for the disposition of Grade A fluid milk products in the marketing area, at which milk products are received, processed and/or packaged, and from which fluid milk products are disposed of on routes in the marketing area.

4. In § 1126.9, the introductory text is revised to read as follows:

§ 1126.9 Supply plant.

"Supply plant" means any plant approved by the appropriate health authority to supply fluid milk for distribution as Grade A milk in the marketing area and from which milk is moved to a pool distributing plant as follows:

* * * * *

5. Section 1126.10 is revised to read as follows:

§ 1126.10 Pool plant.

"Pool plant" means:

(a) Any distributing plant, except a producer-handler plant or an other order plant, from which during the month:

(1) The disposition of fluid milk products on routes within the marketing area is 10 percent or more of the receipts of Grade A milk at such plant; and

(2) The total disposition of fluid milk products on routes is 50 percent or more of the receipts of Grade A milk at such plant, except that if two or more distributing plants operated by the same handler each meet the performance requirement of subparagraph (1) of this paragraph and total disposition of fluid milk products on routes of such plants is 50 percent or more of receipts of Grade A milk at such plants, each such plant shall be deemed to have met the requirement of this subparagraph;

(b) Any supply plant; or

(c) Any plant operated by a cooperative association which has been approved by any duly constituted state or municipal health authority and at which milk is received from dairy farmers holding permits or authorization from such health authority, and at least 50 percent or more of the producer milk of members of such cooperative association is physically received during the month at pool plants of other handlers described in paragraph (a) of this section or is transferred to such pool plants from the plant of the cooperative association.

6. In § 1126.11, a new paragraph (d) is added and reads as follows:

§ 1126.11 Nonpool plant.

* * * * *

(d) "Partially regulated distributing plant" means a nonpool plant that is neither an other order plant nor a producer-handler plant, from which fluid milk products labeled Grade A in consumer-type packages or dispenser units are distributed on routes (other than to pool plants) in the marketing area during the month.

§ 1126.12 [Amended]

7. In § 1126.12, the reference "the proviso in § 1126.53" in each of the paragraphs (c) and (d) is revised to read "§ 1126.53(b)" and a new paragraph (e) is added to read as follows:

(e) Any person in his capacity as the operator of a partially regulated distributing plant.

8. Section 1126.13 is revised to read as follows:

§ 1126.13 Producer.

(a) "Producer" means any person, except a producer-handler as defined in any order (including this part) issued pursuant to the Act, who produces milk approved for consumption as Grade A milk by any duly constituted State or municipal health authority, which milk is:

(1) Received at a pool plant; or

(2) Diverted by a handler for his account from a pool plant to a nonpool plant on any day during the months of January through July and on not more than half of the days of delivery during any other month. Such diverted milk shall be deemed to have been received by the diverting handler at a pool plant at the location of the plant from which it was diverted.

(b) "Producer" shall not include:

(1) Any person during periods of temporary degrading by any duly constituted State or municipal health authority if such health authority notifies the operator of the pool plant or the market administrator in writing of the effective date or dates of such action and subsequent reapproval;

(2) Any person with respect to milk produced by him which is diverted to a pool plant from an other order plant if the other order designates such person as a producer under that order and the handler under the other order diverting such milk and the operator of the pool plant each have requested Class II classification of such milk in the reports of receipts and utilization filed with their respective market administrators; and

(3) Any person with respect to milk produced by him which is diverted to an other order plant if such person is designated as a producer under the other order with respect to such milk.

9. In § 1126.30, a new paragraph (h) is added to read as follows:

§ 1126.30 Reports of receipts and utilization.

* * * * *

(h) Each handler operating a partially regulated distributing plant shall report as required in this section except that receipts of Grade A milk from dairy farmers shall be reported in lieu of receipts of producer milk. Such report shall include a separate statement showing the respective amounts of skim milk and butterfat disposed of as Class I milk on routes in the marketing area.

10. In § 1126.31, the introductory text is revised to read as follows:

§ 1126.31 Payroll reports.

On or before the 20th day of each month, each handler, except a handler making payments pursuant to § 1126.62 (b), shall submit to the market administrator his producer payroll (or, in the case of a handler making payments pursuant to § 1126.62(a), his payroll for dairy farmers delivering Grade A milk) for deliveries made in the preceding month which shall show:

* * * * *

11. Section 1126.41(a)(1) is revised to read as follows:

§ 1126.41 Classes of utilization.

* * * * *

(a) * * *

(1) Disposed of in the form of milk, skim milk, buttermilk, flavored milk drinks, cream (except sterilized cream and sterilized cream products disposed of in hermetically sealed metal or glass containers and cultured sour cream), and any mixture (except eggnog and bulk ice cream and frozen dairy product mixes) of cream and milk or skim milk: *Provided*, That when any fluid milk product is fortified with nonfat milk solids the amount of skim milk to be classified as Class I shall be only that amount equal to the weight of skim milk in an equal volume of an unfortified product of the same nature and butterfat content;

* * * * *

12. In § 1126.44(g), the introductory text and subparagraphs (2), (3), and (5) are revised to read as follows:

§ 1126.44 Transfers.

* * * * *

(g) As follows, if transferred, or diverted if such milk is not producer milk under the other order, to an other order plant, in excess of receipts from such plant in the same category, as described in subparagraph (1), (2), or (3) of this paragraph:

* * * * *

(2) If transferred or diverted in bulk form, classification shall be in the classes to which allocated as a fluid milk product under the other order (including allocation under the conditions set forth in subparagraph (3) of this paragraph);

(3) If the transferor or diverting handler and the operator of the other order plant so request in their reports of receipts and utilization filed with their respective market administrators, transfers and diversions in bulk form shall be classified as Class II to the extent of the Class II utilization (or comparable utilization under the other order) available for such assignment pursuant to the allocation provisions of the other order;

* * * * *

(5) For purposes of this paragraph, if the order to which the milk is transferred or diverted provides for more than two classes of utilization, milk allocated to a class consisting primarily of fluid milk products shall be classified as Class I, and milk allocated to other classes shall be classified as Class II; and

* * * * *

13. A new § 1126.62 is added and reads as follows:

§ 1126.62 Obligation of handler operating a partially regulated distributing plant.

Each handler who operates a partially regulated distributing plant shall pay to the market administrator for the producer-settlement fund on or before the 25th day after the end of the month either of the amounts (at the handler's election) calculated pursuant to paragraph (a) or (b) of this section. If the handler fails to report pursuant to §§ 1126.30 and 1126.31 the information necessary to compute the amount specified in paragraph (a) of this section, he shall pay the amount computed pursuant to paragraph (b) of this section:

(a) An amount computed as follows:

(1) (i) The obligation that would have been computed pursuant to § 1126.70 at such plant shall be determined as though such plant were a pool plant. For purposes of such computation, receipts at such nonpool plant from a pool plant or an other order plant shall be assigned to the utilization at which classified at the pool plant or other order plant and transfers from such nonpool plant to a pool plant or an other order plant shall be classified as Class II milk if allocated to such class at the pool plant or other order plant and be valued at the uniform price of the respective order if so allocated to Class I milk. There shall be included in the obligation so computed a charge in the amount specified in § 1126.70(e) and a credit in the amount specified in § 1126.93(b)(2) with respect to receipts from an unregulated supply plant, unless an obligation with respect to such plant is computed as specified in subdivision (ii) of this subparagraph.

(ii) If the operator of the partially regulated distributing plant so requests, and provides with his reports pursuant to §§ 1126.30 and 1126.31 similar reports with respect to the operations of any other nonpool plant which serves as a supply plant for such partially regulated distributing plant by shipments to such plant during the month equivalent to the requirements of § 1126.9, with agreement of the operator of such plant that the market administrator may examine the books and records of such plant for purposes of verification of such reports, there will be added the amount of the obligation computed at such nonpool supply plant in the same manner and subject to the same conditions as for the partially regulated distributing plant.

(2) From this obligation there will be deducted the sum of (i) the gross payments made by such handler for Grade A milk received during the month from dairy farmers at such plant and like payments made by the operator of a supply plant(s) included in the computations pursuant to subparagraph (1) of this paragraph, and (ii) any payments to the producer-settlement fund of another order under which such plant is also a partially regulated distributing plant.

(b) An amount computed as follows:

(1) Determine the respective amounts of skim milk and butterfat disposed of as Class I milk on routes (other than to pool plants) in the marketing area;

(2) Deduct the respective amounts of skim milk and butterfat received as Class I milk at the partially regulated distributing plant from pool plants and other order plants, except that deducted under a similar provision of another order issued pursuant to the Act;

(3) Combine the amounts of skim milk and butterfat remaining into one total and determine the weighted average butterfat content; and

(4) From the value of such milk at the Class I price applicable at the location of the nonpool plant, subtract its value at the uniform price applicable at such location (not to be less than the Class II price).

14. Section 1126.92 is revised to read as follows:

§ 1126.92 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to §§ 1126.62, 1126.93, and 1126.95, and out of which he shall make all payments to handlers pursuant to §§ 1126.94 and 1126.95.

15. Section 1126.97 is revised to read as follows:

§ 1126.97 Expense of administration.

As his pro rata share of the expense of administration of the order, each handler shall pay to the market administrator on or before the 15th day after the end of the month 4 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to:

(a) Receipts from producers (including such handler's own production);

(b) Receipts from cooperative associations in their capacity as a handler pursuant to § 1126.12 (c) and (d);

(c) Other source milk allocated to Class I pursuant to § 1126.46(a) (3) and (7) and the corresponding steps of § 1126.46(b); and

(d) Class I milk disposed of from a partially regulated distributing plant on routes in the marketing area that exceeds Class I milk received during the month at such plant from pool plants and other order plants.

Signed at Washington, D.C., on April 28, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66-4833; Filed, May 3, 1966; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16606; FCC 66-390]

TELEVISION BROADCAST CHANNELS; COMMERCIAL UHF CHANNEL

Notice of Proposed Rule Making

1. The Commission has received a request for the assignment of a commercial UHF television broadcast channel to Somerset, Ky. The request filed by Oris Gowen, Dr. A. B. Morgan, Beecher Frank, all of Somerset; Dr. Thomas Penn, Grundy, Va., and Hogan Teater of Lancaster, Ky., states that it is the intention of the parties to file an application for authority to construct and operate a new television broadcast station in Somerset if a channel is provided.

2. Somerset is located in southeastern Kentucky approximately 70 miles south of Lexington, Ky., and is the County Seat of Pulaski County. According to the U.S. Census of 1960 it had a population of 7,112. Pulaski County has a total population of 34,403. Direct television reception is extremely difficult if not impossible, the closest stations being in Lexington. A CATV system operates in Somerset with 1,000 subscribers out of a potential 2,000, and provides reception from WATE-TV and WAVE-TV, Louisville, Ky.; WSIX-TV, Nashville, Tenn.; and, WLEX-TV and WKYT, Lexington, Ky.

3. Somerset is in an area where available additional UHF assignments are considered to be adequate to meet expected demands. In the corrected Table of Assignments adopted in the Fifth Report and Memorandum Opinion and Order in Docket No. 14229, Channel 29 was assigned to Somerset and reserved for educational use. Since the population is less than 25,000 and there was no evidence of interest in a commercial assignment at that time, no commercial assignment was made. However, the Commission stated that additional assignments would be made in such places if a need arose and the assignment could be made without depriving other cities of needed channels. Such is the case here.

4. Using the program described in Appendix D of the Fifth Report and Memorandum Opinion and Order in Docket No. 14229, the electronic computer found that Channel 16 assigned to Somerset would have the least impact on remaining available assignments and is therefore the most efficient assignment. Since no proposed transmitter site has been supplied, the location of the main Post Office in Somerset has been used for the computation of distances. Geographic flexibility of at least 10 miles for cochannel assignments and at least 5 miles for the "taboo" channels has been provided.

5. Accordingly, pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the Table of Assignments in § 73.606(b) of the Commission's rules insofar as the city listed below is concerned, to read as follows:

City	*Channels*
Somerset, Ky	16, *29

6. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations interested parties may file comments on or before June 6, 1966, and reply comments on or before June 16, 1966. All submissions by parties to this proceeding, or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

7. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: April 27, 1966.

Released: April 28, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4857; Filed, May 3, 1966; 8:49 a.m.]

[1] Commissioner Loevinger absent.

[47 CFR Part 73]

[Docket No. 16004]

FIELD STRENGTH CURVES FOR FM AND TV BROADCAST STATIONS

Notice of Issuance of Engineering Report

1. In an order extending time for filing comments and reply comments issued in this proceeding on March 7, 1966, FCC Mimeo No. 80797, the Commission, in addition to extending the dates for filing comments, stated that a report of the engineering working group, charged with revising the new curves, would be issued before April 30, 1966, together with the revised propagation curves. Notice is hereby given that the report and revised curves are now in the docket in this proceeding and that extra copies of the report entitled "Report of the Working Group for the Engineering Conference in Docket No. 16004, on the development of new FM and TV Propagation Curves" and dated April 12, 1966, are available at the Office of the Chief Engineer of the Commission. Interested parties may obtain such copies in Room 802, 521 Building, Washington, D.C., 20554, or by writing to the Chief Engineer at the Commission.

2. As provided for in the above-mentioned order of March 7, 1966, comments in this proceeding are due by May 31, 1966, and replies to comments by June 10, 1966.

Released: April 28, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4858; Filed, May 3, 1966; 8:49 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circular; Public Debt Series—No. 4-66]

4⅞ PERCENT TREASURY NOTES OF SERIES F–1967

Offering of Notes

APRIL 28, 1966.

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, offers notes of the United States, designated 4⅞ percent Treasury Notes of Series F–1967, at 99.85 percent of their face value, in exchange for the following securities maturing May 15, 1966, singly or in combinations aggregating $1,000 or multiples thereof: 4 percent Treasury Notes of Series D–1966; or 3¾ percent Treasury Bonds of 1966. The cash payment due subscribers will be made as set forth in section IV hereof. The amount of this offering will be limited to the amount of eligible securities tendered in exchange. The books will be open only on May 2 through May 4, 1966, for the receipt of subscriptions.

II. *Description of notes.* 1. The notes will be dated May 15, 1966, and will bear interest from that date at the rate of 4⅞ percent per annum, payable semi-annually on November 15, 1966, and on May 15 and November 15, 1967. They will mature November 15, 1967, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of $1,000, $5,000, $10,000, $100,000, $1,000,000, $100,000,000, and $500,000,000. Provision will be made for the interchange of notes of different denominations and of coupon and registered notes, and for the transfer of registered notes, under rules and regulations prescribed by the Secretary of the Treasury.

5. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions accepting the offer made by this circular will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington, D.C., 20220. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. Under the Second Liberty Bond Act, as amended, the Secretary of the Treasury has the authority to reject or reduce any subscription, and to allot less than the amount of notes applied for when he deems it to be in the public interest; and any action he may take in these respects shall be final. Subject to the exercise of that authority, all subscriptions will be allotted in full.

IV. *Payment.* 1. Payment for the face amount of notes allotted hereunder must be made on or before May 16, 1966, or on later allotment, and may be made only in a like face amount of securities of the two issues enumerated in paragraph 1 of section I hereof, which should accompany the subscription. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. A cash payment of $1.50 per $1,000 will be made to subscribers on account of the issue price of the new notes. The payment will be made by check or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District, following acceptance of the maturing securities. In the case of registered securities, the payment will be made in accordance with assignments on the securities surrendered. When payment is made with securities in bearer form, coupons dated May 15, 1966, should be detached and cashed when due. When payment is made with registered securities, the final interest due on May 15, 1966, will be paid by issue of interest checks in regular course to holders of record on April 15, 1966, the date the transfer books closed.

V. *Assignment of registered securities.* 1. Treasury securities in registered form tendered in payment for notes offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered with the subscription to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington, D.C., 20220. The maturing securities must be delivered at the expense and risk of the holder. If the new notes are desired registered in the same name as the securities surrendered, the assignment should be to "The Secretary of the Treasury for exchange for 4⅞ percent Treasury Notes of Series F–1967"; if the new notes are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 4⅞ percent Treasury Notes of Series F–1967 in the name of ----------"; if new notes in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 4⅞ percent Treasury Notes of Series F–1967 in coupon form to be delivered to ----------."

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JOSEPH W. BARR,
Acting Secretary of the Treasury.

[F.R. Doc. 66-4862; Filed, May 3, 1966; 8:49 a.m.]

[Dept. Order 175-3]

INTERNAL REVENUE SERVICE

Transfer of Special Enrollment Examination Function

By virtue of the authority vested in me by Reorganization Plan No. 26 of 1950, it is hereby ordered that the function of administering the Special Enrollment Examination for practice by agents before the Internal Revenue Service is transferred from the Office of the Director of Practice in the Office of the General Counsel to the Internal Revenue Service.

Such personnel, funds, records and equipment as are determined by the General Counsel and the Commissioner of Internal Revenue to be necessary to perform the function relating to the Special Enrollment Examination shall be transferred to the Internal Revenue Service as of the date of this order.

Dated: April 28, 1966.

[SEAL] JOSEPH W. BARR,
Acting Secretary.

[F.R. Doc. 66-4863; Filed, May 3, 1966; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Arizona 0787]

ARIZONA

Order Providing for Opening of Public Lands

APRIL 26, 1966.

1. Pursuant to the Act of May 13, 1946 (60 Stat. 179), the following lands are open to entry, subject to the terms and conditions cited below:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 11 S., R. 9 E.,
Sec. 36, W½W½, SE¼NW¼, NE¼SW¼.

The area described aggregates 240.00 acres.

2. The lands are located in Pima County. The soil is sandy, loose, and dry. The topography is rolling with a covering of typical desert brush.

3. No application for these lands will be allowed under the homestead, desert land or any other nonmineral public land law unless the lands have already been classified as valuable, or suitable for such type of application, or shall be so classified upon consideration of a petition-application. Any petition-application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified. This order shall become effective at 10 a.m., June 1, 1966.

4. Inquiries concerning these lands shall be addressed to the Bureau of Land Management, Arizona Land Office, 3022 Federal Building, Phoenix, Ariz., 85025.

GLENDON E. COLLINS,
Acting State Director.

[F.R. Doc. 66-4821; Filed, May 3, 1966; 8:46 a.m.]

National Park Service

FLAMING GORGE RECREATION AREA PROJECT

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5, Public Law 89-249, public notice is hereby given that the Department of the Interior, through the Superintendent of Flaming Gorge Recreation Area Project, National Park Service, proposes, thirty (30) days after the date of publication of this notice, to issue for the period January 1, 1966, through December 31, 1968, the concession permit under which Robert C. Witherspoon provides concession facilities and services for the public in Flaming Gorge Recreation Area Project.

The foregoing concessioner has performed his obligation under a prior permit to the satisfaction of the National Park Service and, therefore, pursuant to the act cited above is entitled to be given preference in the renewal of the permit and in the negotiation of a new permit. However, under the act cited above the Service is also required to consider and evaluate all proposals received as a result of this notice.

WELDON W. GRATTON,
Superintendent of Flaming Gorge National Recreation Area Project.

MARCH 22, 1966.

[F.R. Doc. 66-4835; Filed, May 3, 1966; 8:47 a.m.]

Office of the Secretary

GEORGE E. MILLICAN

Report of Appointment and Statement of Financial Interests

MARCH 24, 1966.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: George E. Millican.
Name of employing agency: Office of Oil and Gas.
The title of the appointee's position: Deputy Regional Administrator, Emergency Petroleum and Gas Administration.
The name of the appointee's private employer or employers: (Retired) Gulf Oil Corp., Atlanta, Ga.

The statement of "financial interests" for the above appointee is enclosed.

STEWART L. UDALL,
Secretary of the Interior.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on April 25, 1966, as Deputy Regional Administrator, Emergency Petroleum and Gas Administration, an officer or director:

Retired as Vice President, Domestic Marketing, Gulf Oil Corp., December 31, 1965.
Alderman, city of Atlanta, for 4-year period expiring December 31, 1969.
Director, United Trust Life Insurance Co., Atlanta, Ga.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

Gulf Oil Corp.
United States Sugar Corp.
Socony-Mobil Oil Corp.
Rich's, Inc., Atlanta, Ga.
Georgia International Life Insurance Co., Atlanta.
United Trust Life Insurance Co., Atlanta.
Phoenix Investment Corp., Atlanta.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

GEORGE E. MILLICAN.

APRIL 25, 1966.

[F.R. Doc. 66-4822; Filed, May 3, 1966; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-170]

ARMED FORCES RADIOBIOLOGY RESEARCH INSTITUTE

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 10, set forth below, to Facility License No. R-84 to the Armed Forces Radiobiology Research Institute (AFRRI), Bethesda, Md. The amendment authorizes AFRRI to increase the maximum pulsed reactivity insertions in its TRIGA Mark F nuclear reactor from 1.9 percent Δk/k to 2.3 percent Δk/k, as requested in the application for license amendment dated April 1, 1966, subject to certain provisions.

Within 15 days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's regulations (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated April 1, 1966, and (2) a related Safety Evaluation prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 25th day of April, 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[License No. R-84; Amdt. No. 10]

AMENDMENT TO FACILITY LICENSE

The Atomic Energy Commission (hereinafter referred to as "the Commission") having found that:

a. The application for amendment dated April 1, 1966, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

b. Operation of the reactor in accordance with the license, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

c. Prior public notice of proposed issuance of amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated.

License No. R-84, issued to Armed Forces Radiobiology Research Institute, is hereby amended in the following respects:

1. Paragraph 4.A.(3) is revised in its entirety to read as follows:

"4.A.(3) Mode II—Armed Forces Radiobiology Research Institute may operate the reactor by pulsing with reactivity insertions up to a maximum of 2.3 percent Δk/k, provided (a) that during the initial approach to the new maximum limit of 2.3 percent Δk/k reactivity insertion limit, the pulse size is increased from 1.9 percent Δk/k to 2.3 percent Δk/k in four approximately equal increments with not less than five pulses conducted within each increment step, and (b) the fuel elements in the B and C rings are inspected after the first 50 pulses above 1.9 percent Δk/k",

as described in its application for license amendment dated April 1, 1966.

This amendment is effective as of the date of issuance.

For the Atomic Energy Commission.

Date of issuance: April 25, 1966.

Director,
Division of Reactor Licensing.

[F.R. Doc. 66-4810; Filed, May 3, 1966; 8:45 a.m.]

[Docket No. 50-224]

REGENTS OF UNIVERSITY OF CALIFORNIA

Notice of Issuance of Construction Permit Amendment

Please take notice that the Atomic Energy Commission has issued effective as of the date of issuance, Amendment No. 1 to Construction Permit No. CPRR-83. The construction permit authorizes the Regents of the University of California at Berkeley, Calif., to construct a TRIGA Mark III nuclear reactor located on the campus at Berkeley, Calif. The amendment authorizes the insertion into the reactor for testing purposes of three control rods having fueled followers and two instrumented fuel elements, as described in the application amendment dated March 31, 1966.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's Regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for amendment dated March 31, 1966, and (2) the Safety Evaluation prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 21st day of April 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[Construction Permit No. CPRR-83; Amdt. No. 1]

AMENDMENT TO CONSTRUCTION PERMIT

The Commission has found that:

(1) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

(2) Testing of the reactor components in accordance with the permit, as amended, will not be inimical to the common defense and security or to the health and safety of the public.

(3) Prior public notice of proposed issuance of the amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated.

Construction Permit No. CPRR-83, issued to the Regents of the University of California in Berkeley, Calif., is amended by adding a new subparagraph C. to paragraph 3. as follows:

"C. University of California at Berkeley, Calif., is authorized in the construction of the facility to insert into the reactor for testing purposes three control rods having fueled followers and two instrumented fuel elements."

This amendment is effective as of the date of issuance.

Date of issuance: April 21, 1966.

For the Atomic Energy Commission.

Director,
Division of Reactor Licensing.

[F.R. Doc. 66-4811; Filed, May 3, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16236; Order E-23590]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of April 1966.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated March 25, and April 8 and 18, 1966,[1] as set forth in the attachment hereto,[2] (1) names a rate under a new commodity description, (2) names additional rates under existing commodity descriptions, and (3) reduces the minimum weight requirement for an existing specific commodity rate. The agreed rates reflect reductions ranging from 17.7 to 88.0 percent and are consistent with the present level of specific commodity rates within the applicable area.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That Agreement CAB 18683, R-8 through R-14, be approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-4849; Filed, May 3, 1966; 8:48 a.m.]

[Docket No. 16984]

LOS ANGELES/SAN FRANCISCO-VANCOUVER CASE

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on June 1, 1966, at 10 a.m. e.d.s.t.,

[1] Received in the Board Mar. 29, Apr. 14 and 20, 1966, respectively.
[2] Attachment filed as part of original document.

in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned.

Dated at Washington, D.C., April 28, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-4850; Filed, May 3, 1966; 8:48 a.m.]

[Docket No. 11749]

AIRLIFT RENEWAL PROCEEDING

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be heard on May 25, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., April 28, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-4851; Filed, May 3, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16565-16571; FCC 66M-595]

AMERICAN TELEPHONE & TELEGRAPH CO. AND UNITED TELEPHONE CO.

Order Continuing Hearing

In re applications of American Telephone & Telegraph Co., Docket No. 16565, File No. 114-C1-P-66; for a construction permit to add new facilities to Station KQF58 in the Domestic Public Point-to Point Microwave Radio Service at West Unity, Ohio. Docket No. 16566, File No. 122-C1-P-66; for a construction permit to establish few facilities in the Domestic Public Point-to-Point Microwave Radio Service at Bluffton, Ohio. Docket No. 16567, File No. 123-C1-P-66; for a construction permit to establish new facilities in the Domestic Public Point-to-Point Microwave Radio Service at Ayersville, Ohio. The United Telephone Co., Docket No. 16568, File No. 3292-C1-P-66; for a construction permit to add new facilities to Station KQI71 in the Domestic Public Point-to-Point Microwave Radio Service at West Unity, Ohio. Docket No. 16569, File No. 3293-C1-P-66; for a construction permit to add new facilities to Station KQI72 in the Domestic Public Point-to-Point Microwave Radio Service at Napoleon, Ohio. Docket No. 16570, File No. 3294-C1-P-66; for a construction permit to add new facilities to Station KQI73 in the Domestic Public Point-to-Point Microwave Radio Service at Ottawa, Ohio. Docket No. 16571, File No. 3295-C1-P-66; for a construction permit to establish new facilities in the Domestic Public Point-to-Point Microwave Radio Service at Bluffton, Ohio.

Pursuant to agreement of counsel arrived at during the prehearing conference in the above-styled proceeding held on this date: *It is ordered*, This 27th day of April 1966, that the hearing presently scheduled to commence on May 29, 1966, be and the same is hereby continued to May 25, 1966, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: April 28, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4859; Filed, May 3, 1966; 8:49 a.m.]

[Docket No. 16612; FCC 66-395]

STAR STATIONS OF INDIANA, INC.

Order Designating Applications for Hearing on Stated Issues

In re applications of Star Stations of Indiana, Inc., Docket No. 16612, File No. BR-1144, BRH-1267; for renewal of licenses of Stations WIFE AM-FM, Indianapolis, Ind.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 28th day of April 1966;

1. The Commission has before it for consideration (1) the above-captioned applications for renewal of licenses of Stations WIFE AM-FM, Indianapolis, Ind.; and (2) the Commission's field inquiry with respect to the operations of Stations WIFE AM-FM.

2. The Commission's inquiry into the operations of Stations WIFE AM-FM raises a number of serious questions bearing upon whether Star Stations of Indiana, Inc., possesses the qualifications to remain the licensee of WIFE AM-FM.

3. In view of these questions the Commission is unable to find that a grant of the above-captioned applications for renewal of licenses would serve the public interest, convenience and necessity and must, therefore, designate these applications for a hearing.

4. *Accordingly, it is ordered*, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications are designated for a hearing to be held at Indianapolis, Ind., at a time and place to be specified in a subsequent order, upon the following issues:

(1) To determine the facts as to the "Eaton Water Filter" contest carried by the applicant in October 1964.

(2) To determine the facts as to the "Mystery Santa Claus" contest carried by the applicant in December 1964.

(3) To determine whether from on or before October 1964, until at least May 1965, the applicant furnished numerous affidavits of performance or invoices to various advertisers or advertising agencies containing false or misleading information with respect to times and dates of advertising broadcast on WIFE;

(4) To determine on the basis of the facts adduced in responses to issues one through three whether the applicant misled or defrauded the public, advertisers, or their agencies.

(5) To determine whether, in light of the findings and conclusions made under the foregoing issues and the fact that short-term renewals for WIFE AM-FM were granted by Commission action on October 28, 1964 (see 3 R.R. 2d 745, FCC 64-998), a grant of the above-captioned applications would serve the public interest, convenience, and necessity.[1]

5. *It is further ordered*, That the Chief, Broadcast Bureau shall furnish a Bill of Particulars to the applicant herein setting forth the basis for the above issues. See Dispatch, Inc., 10 R.R. 1190.

6. *It is further ordered*, That to avail itself of the opportunity to be heard, the applicant herein, pursuant to § 1.221 of the Commission's rules in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this order.

7. *It is further ordered*, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act and § 1.594 of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule and shall advise the Commission thereof as required by § 1.594 of the Commission's rules.

Released: April 28, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4860; Filed, May 3, 1966; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 66-29]

HONG KONG TONNAGE CEILING AGREEMENT

Order To Show Cause

By its order dated September 28, and served October 4, 1965, the Commission approved Agreement 9431 (9431), as filed on March 4, 1965, on behalf of 17 carriers, also members of the New York Freight Bureau (Hong Kong), Agreement No. 5700, as amended (Bureau), provided that the carriers modify 9431 to conform with two proposed modifications set forth in the Commission's order. The order specified that approval of 9431 was to become effective at such time as the Commission received written notice that the parties had agreed to the Commission's proposed modifications, but that such approval was to become null and void unless 9431, as modified, was filed with the Commission within 60 days from the date of service of the order. The time for acceptance and refiling by the parties was later extended to include February 3, 1966.

By telegram received by the Commission on January 21, 1966, States Marine Lines, Inc., a party to Agreements Nos. 5700 and 9431 lodged its "dissent to reviving or renewing" 9431 on the ground that "changed conditions in the trade" no longer rendered it "valid or necessary." Consequently, the Commission withdrew its conditional approval by telegram dated January 24, 1966, directed to the parties through the Bureau's office in Hong Kong. By telegram received February 2, 1966, the Bureau informed the Commission that at least 15 of the 17 subscribers to 9431 had voted to accept the Commission's conditions of approval and that the requisite refiling would be made by February 3, 1966. By reply telegram, the Bureau was informed that since the Commission's approval had already been withdrawn, the Bureau's acceptance was "without effect." A Bureau petition for reconsideration of the Commission's withdrawal of approval was denied by Commission order of February 16, 1966, for the reasons set forth therein. At the same time, a docketed proceeding (66-6), initiated by the Commission at States Marine's request, was discontinued for those reasons dictating denial of the petition for reconsideration.

On March 25, 1966, the Bureau filed another petition with the Commission praying that it be accorded "immediate section 15 action" with respect to 9431 either in the form of an unqualified approval of 9431 as originally filed on March 4, 1965, or a hearing pursuant to section 15 of the Shipping Act, 1916, as amended, directed to the issue of whether or not 9431 should be approved, disapproved, or modified to conform with the statutory criteria of approvability set forth in that section.

The Commission believes, however, that it cannot undertake to approve or disapprove 9431 at this time for the following reasons:

Firstly, section 15 requires that carriers file a "true copy" of anticompetitive arrangements to which they "may be a party or conform in whole or in part."

Secondly, there is no apparent statutory authority for the Commission to compel participation in such arrangements against the will of a carrier.

In consideration of the facts narrated above, it appears that 9431 may no longer represent a "true copy" of an anticompetitive agreement among carriers and that the Commission may have no authority under section 15 to approve or disapprove 9431 since at least one party to the agreement; namely, States Marine Lines, Inc., no longer desires to participate and apparently urges disapproval if it is required to participate.

The above matters do not involve questions of fact requiring an evidentiary hearing.

Now, therefore, pursuant to sections 15 and 22 of the Shipping Act, 1916, as amended;

It is ordered, That the common carriers by water designated in Appendix A hereto the signatures of which appear on the document designated Agreement 9431 as originally filed with the Commission on March 4, 1965, show cause why the document designated Agreement 9431 should not be rejected as failing to constitute an agreement between all of said carriers within the meaning of section 15 or in the alternative why the document designated Agreement 9431 should not be disapproved under section 15 for the same reason and for the additional reasons that the document no longer constitutes a "true copy" of the agreement between only the carriers party thereto, and that the Commission is without statutory authority to compel a common carrier by water to participate in an agreement to which it is not a party and against its will.

In aid of resolution of the issues herein and with particular attention to the facts of this proceeding, the Commission desires the parties to this proceeding to brief the following questions:

1. May the Commission reject a document purporting to be an agreement filed for section 15 approval when it is established that a carrier signatory thereto, is at the time approval is to be granted, no longer a party thereto, or must the Commission "disapprove" such a document within the meaning of section 15?

2. What effect does the failure of a carrier originally a party to an agreement filed under section 15 to accept modification imposed by the Commission as a condition precedent to its approval have,

a. On the agreement itself?, and

b. On the dissenting carrier's status under the agreement?

3. Under what statutory provision, if any, may the Commission compel the participation by a common carrier by water in foreign commerce in an agreement to which it is not a party or against its will?

4. May the Commission modify Agreement 9431 so as to delete therefrom any carrier not a party to the agreement and then proceed to a determination of what action to take under section 15?

5. Is Agreement 9431 governed by any of the provisions of Agreement 5700 as amended to date?

It is further ordered, That this proceeding shall be limited to the submission of affidavits and memoranda and oral argument. The affidavits of fact and memoranda of law shall be filed by respondents no later than close of business May 20, 1966, replies thereto shall be filed by Hearing Counsel and interveners, if any, no later than close of business May 31, 1966. An original and 15 copies of affidavits of fact, memoranda of law, and replies are to be filed with the Secretary, Federal Maritime Commission, Washington, D.C., 20573. Copies of any papers filed with the Secretary should also be served upon all parties hereto. Oral argument will be heard at a date and time to be announced later.

It is further ordered, That the carriers indicated in Appendix A are hereby made respondents in this proceeding;

It is further ordered, That this order be published in the FEDERAL REGISTER and a copy of such order be served upon each respondent;

Persons other than respondents and Hearing Counsel who desire to become a party to this proceeding shall file a petition for leave to intervene in accordance with Rule 5(1) (46 CFR 502.72) of the Commission's rules of practice and procedure no later than the close of business May 13, 1966, with copy to respondents.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

APPENDIX A

New York Freight Bureau, Hong Kong, D. Parker, Chairman/Secretary, P & O Building, Des Voeux Road Central, Hong Kong, British Crown Colony.
American President Lines, Ltd., 29 Broadway, New York, N.Y., 10006.
Barber-Wilhelmsen Line—Joint Service, c/o Barber Steamship Line, Inc., 17 Battery Place, New York, N.Y., 10004.
Blue Sea Line, c/o Funch, Edye & Co., 25 Broadway, New York, N.Y., 10004.
Central Gulf Steamship Corp., 1 Whitehall Street, New York, N.Y., 10004.
Japan Line, Ltd., c/o A. L. Burbank & Co., Ltd., 120 Wall Street, New York, N.Y., 10005.
Kawasaki Kisen Kaisha, Ltd., c/o Kerr Steamship Co., 51 Broad Street, New York, N.Y., 10004.
Lykes Bros. Steamship Co., Inc., 17 Battery Place, New York, N.Y., 10004.
Marchessini Lines, c/o P. D. Marchessini & Co., Inc., 26 Boardway, New York, N.Y., 10004.
Maritime Co. of the Philippines, Inc., c/o Furness, Withy & Co., Ltd., 34 Whitehall Street, New York, N.Y., 10004.
Mitsui O.S.K. Lines, Ltd., 17 Battery Place, New York, N.Y., 10004.
Moller-Maersk Lines, A. P., c/o Moller Steamship Co., Inc., 67 Broad Street, New York, N.Y., 10004.
Nedlloyd Lines, Inc., 25 Broadway, New York, N.Y., 10004.
Nippon Yusen Kaisha, Ltd., 25 Broadway, New York, N.Y., 10004.
States Marine Lines—Joint Service, c/o States Marine-Isthmian Agency, Inc., 90 Broad Street, New York, N.Y., 10004.
United Philippine Lines, Inc., c/o Stockard Shipping Co., Inc., 17 Battery Place, New York, N.Y., 10004.
United States Lines Co. (American Pioneer Line), 1 Broadway, New York, N.Y., 10004.
Yamashita-Shinnihon Steamship Co., Ltd., c/o Texas Transport & Terminal Co., Inc., 52 Broadway, New York, N.Y., 10004.

[F.R. Doc. 66-4847; Filed, May 3, 1966; 8:48 a.m.]

[1] With respect to issue 5 above, it is pertinent to note that the final paragraph of the Commission's letter granting the short term renewals for WIFE AM-FM states that the decision to renew the licenses for 1 year "* * * thus affords the Commission an early opportunity to reexamine your operations and determine the degree of responsibility which you have exhibited during the year."

[2] Commissioner Hyde dissenting and stating "I would favor a prehearing letter"; Lee dissenting; Loevinger absent.

FEDERAL POWER COMMISSION

[Docket No. G–10148, etc.]

GULF OIL CORP., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

APRIL 26, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 18, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G–10148 D 4–18–66	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla., 74102 (partial abandonment).	Cities Service Gas Co., Rhodes Pool, Barber County, Kans.	Depleted	.....
G–19200 D 4–18–66	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001.	Southern Natural Gas Co., Hub Field, Marion County, Miss.	Assigned	.....
CI61–28 C 4–18–66	J. M. Huber Corp., 2401 East 2d Ave., Denver, Colo., 80206.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper and Beaver Counties, Okla.	[2] 18.0	14.65
CI61–244 E 4–15–66	Skelly Oil Co. (successor to Cyprus Mines Corp.), Post Office Box 1650, Tulsa Okla., 74102.	Lone Star Gas Co., Marlow (Beaver Field) Plant, Stephens County, Okla.	[3] 15.0	14.65
CI63–355 4–18–66 [4]	Ainslie Perrault (Operator), et al. (formerly J. L. Mills, et al.), c/o Richard L. Harris, attorney, 602 National Bank of Tulsa Bldg., Tulsa, Okla., 74101.	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	13.0	15.025
CI64–49 C 2–7–66	Belco Petroleum Corp., 630 3d Ave., New York, N.Y., 10017.	El Paso Natural Gas Co., San Juan Basin Field, San Juan County, N. Mex.	13.0	15.025
CI64–1325 D 4–4–66	Texaco Inc. (Operator), et al., Post Office Box 52332, Houston, Tex., 77052.	Lone Star Gas Co., Sho-Vel-Tum Field, Stephens County, Okla.	(5)	.....
CI64–1389 C 4–20–66	Anadarko Production Co., Post Office Box 9317, Fort Worth, Tex., 76107.	Northern Natural Gas Co., Northwest Flats Field, Texas County, Okla.	15.0	14.65
CI65–54 C 4–15–66	Tenneco Oil Co. (Operator), et al., Post Office Box 2511, Houston, Tex., 77001.	Arkansas Louisiana Gas Co., South Milton Area, Le Flore County, Okla.	15.0	14.65
CI65–180 C 2–7–66	Belco Petroleum Corp.	El Paso Natural Gas Co., San Juan Basin Field, San Juan County, N. Mex.	13.0	15.025
CI65–549 C 4–8–66	A. M. van Flick, agent for Jennings Petroleum Corp., 826 First National Bldg., Oklahoma City Okla., 73102.	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI65–766 E 4–11–66	Iri A. Nichols (successor to GMC Oil & Gas Corp., et al.), Post Office Box 279, Duncan, Okla., 73533.	Michigan Wisconsin Pipe Line Co., Richmond Pool, Woodward County, Okla.	[6] 17.0	14.65
CI65–817 C 4–7–66	A. M. van Flick, agent for Jennings Petroleum Corp., 826 First National Bldg., Oklahoma City, Okla., 73102.	Equitable Gas Co., Otter District, Braxton County, W. Va.	25.0	15.325
CI65–875 C 4–18–66	CWM and VLM Trust, 2300 First National Bank Bldg., Dallas, Tex., 75202.	El Paso Natural Gas Co., Basin Dakota and Blanco Mesaverde Fields, San Juan County, N. Mex.	13.0	15.025
CI65–1159 C 4–18–66	Tenneco Oil Co., et al., Post Office Box 2511, Houston, Tex., 77001.	El Paso Natural Gas Co., Ignacio Mesaverde Field, La Plata County, Colo.	13.0	15.025
CI65–1205 E 4–19–66	Union Texas Petroleum, a division of Allied Chemical Corp. (successor to Anschutz Oil Co., Inc. (Operator), et al.), Post Office Box 2180, Houston, Tex., 77001.	Cities Service Gas Co., Northeast Forest City Field, Barber County, Kans.	14.0	14.65
CI66–650 A 1–24–66 [8] 4–19–66 [9a]	Grace Park, et al., 281 Jefferson St., Brookville, Pa., 15825.	United Natural Gas Co., acreage in Clarion County, Pa.	[7] 24.0	14.73
CI66–970 A 4–11–66	Blain M. Mead, Box 661, 101 Lookout St., Warren, Pa., 16365.	Pennsylvania Gas Co., Mead Township, Warren County, Pa.	27.0	15.025
CI66–972 B 4–8–66	The British-American Oil Producing Co., Post Office Box 749, Dallas, Tex., 75221.	Texas Gas Transmission Corp., South Bayou Mallet, Acadia Parish, La.	Depleted	.....
		Tennessee Gas Transmission Co.,[9] West Rock Island Field, Colorado County, Tex.	Depleted	.....
		Mountain Fuel Supply Co., Potter Mountain Field, Sweetwater County, Wyo.	Depleted	.....
		Champlin Petroleum Co.,[9] Munger Field, Oklahoma County, Okla.	Depleted	.....
		Champlin Petroleum Co.,[9] Witcher-Munger Field, Oklahoma County, Okla.	Depleted	.....
		Kansas-Nebraska Natural Gas Co., Inc., Walker Field, Logan County, Colo.	Depleted	.....
CI66–973 B 4–8–66	do	Socony Mobil Oil Co., Inc. (formerly Magnolia Petroleum Co.), Cameron Field, Cameron Parish, La.	[10]	.....
CI66–981 A 4–12–66	Southern Minerals Corp., Post Office Box 716, Corpus Christi, Tex., 78403.	Texas Eastern Transmission Corp., acreage in Nueces County, Tex.	14.0	14.65
CI66–982 A 4–14–66	Anadarko Production Co., Post Office Box 9317, Fort Worth, Tex., 76107.	Northern Natural Gas Co., acreage in Texas County, Okla.	17.0	14.65
CI66–983 A 4–15–66	Shenandoah Oil Corp. (Operator), et al., 406 Mutual Savings Bldg., Fort Worth, Tex., 76102.	Northern Natural Gas Co., Como Field, Beaver County, Okla.	[11] 17.5	14.65
CI66–985 B 4–15–66	Jack Properties, Inc. (successor to South Texas Oil & Gas Co.), c/o Robert L. Blevins, Jr., attorney, Fulbright, Crooker, Freeman, Bates & Jaworski, Bank of the Southwest Bldg., Houston, Tex., 77002.	Tennessee Gas Transmission Co.,[9] Morales Field, Jackson County, Tex.	Depleted	.....

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66–986 B 4–15–66	do	Tennessee Gas Transmission Co.,[9] Tolson or Nursery Field, Victoria County, Tex.	Depleted	.....
CI66–987 A 4–15–66	Neville G. Penrose, et al., 1605 Commerce Bldg., Fort Worth, Tex., 76102.	El Paso Natural Gas Co., Ignacio-Blanco Field, La Plata County, Colo.	13.0	15.025
CI66–988 A 4–15–66	Shell Oil Co., 50 West 50th St., New York, N.Y., 10020.	Panhandle Eastern Pipe Line Co., South Feldman Field, Hemphill County, Texas and South Bishop Field, Ellis County, Okla.	[12] 17.0	14.65
CI66–990 A 4–15–66	Hamilton Brothers, Ltd., c/o James E. Horigan, Horigan & Thompson, 1610 Denver Club Bldg., Denver, Colo., 80202.	Northern Natural Gas Co., acreage in Texas County, Okla.	15.0	14.65
CI66–991 B 4–18–66	Monsanto Co., 1300 Main St., Houston, Tex., 77002.	Arkansas Louisiana Gas Co., Ada Field, Bienville Parish, La.	Depleted	.....
CI66–992 (G–16093) F 4–18–66	Graham-Michaelis Drilling Co. (successor to Champlin Petroleum Co.),[9] 211 North Broadway, Graham Bldg., Wichita, Kans., 67202.	Cities Service Gas Co., Aetna Field, Barber County, Kans.	[13] 14.0	14.65
CI66–993 B 4–18–66	W. V. Hardin, 1404 Capital National Bank Bldg., Austin, Tex., 78710.	United Gas Pipe Line Co., Weesatche Field, Goliad County, Tex.	[14]	.....
CI66–995 A 4–18–66	Shell Oil Co., 50 West 50th St., New York, N.Y., 10020.	Panhandle Eastern Pipe Line Co., Checkerboard Field, Hemphill County, Tex.	17.0	14.65
CI66–996 A 4–18–66	Midwest Oil Corp., 1700 Broadway, Denver, Colo., 80202.	Arkansas Louisiana Gas Co., Centrahoma Field, Coal County, Okla.	15.0	14.65
CI66–997 A 4–18–66	Olive H. Daube and Carol Daube Sutton d.b.a. The Daube Co., Post Office Box 758, Ardmore, Okla., 73401.	Lone Star Gas Co., acreage in Jefferson County, Okla.	15.0	14.65
CI66–998 B 4–15–66	Strata Drilling, Inc., et al., Post Office Box 355, Great Bend, Kans., 67530.	Panhandle Eastern Pipe Line Co., Childs Pool, Stafford County, Kans.	[15]	.....
CI66–1001 A 4–20–66	H. D. Bruns (Operator), et al.,[15] 1122 Jefferson Bldg., Houston, Tex., 77002.	Lone Star Gathering Co., Speary Field Area, Karnes County, Tex.	[15a] 16.0	14.65
CI66–1002 A 4–18–66	Fairmont Oil Co. (successor to Robinson Brothers), Box 43, James City, Pa., 16734.	Pennsylvania Gas Co., Barnes Field, Sheffield Township, Warren County, Pa.	[16]	14.73

[1] Includes 1.0 cent per Mcf upward B.t.u. adjustment.
[2] Rate in effect subject to refund in Docket No. RI64–8.
[3] Amendment to certificate filed to reflect change in Operator.
[4] Deletes expired leases.
[5] Plus B.t.u. adjustment.
[6] Application previously noticed Mar. 3, 1966 in Docket Nos. G–4824, et al. at a total initial rate of 21.67 cents per Mcf.
[7a] Amendment to application filed to reflect a toatal initial rate of 24.0 cents per Mcf in lieu of 21.67 cents.
[7] Contract (dated July 26, 1963) provides for a sliding scale of rates depending upon the volume of gas sold each month. Rates range from 24.0 cents to 29.0 cents per Mcf.
[8] Now Tennesse Gas Pipeline Co., a Division of Tenneco Inc.
[9] Formerly Champlin Oil & Refining Co.
[10] The sale under the subject rate schedule was a temporary one which was made only to hold the leases. A long term contract has been entered into between Applicant and another purchaser.
[11] Subject to upward and downward B.t.u. adjustment.
[12] Rate currently being collected subject to refund in Docket No. RI65–380.
[13] No longer produces in commercial quantities.
[14] Lack of gas.
[15] Contract rate is 18.0 cents. Applicant states its willingness to accept certificate conditioned at 16.0 cents per Mcf.
[16] Price is 28.0 cents per Mcf for 7 months; 32.0 cents per Mcf for 5 months.

[F.R. Doc. 66–4767; Filed, May 3, 1966; 8:45 a.m.]

[Docket Nos. RI66–345, etc.]

SINCLAIR OIL & GAS CO., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

APRIL 27, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Apendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

[1] Does not consolidate for hearing or dispose of the several matters herein.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until

date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 6, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-345	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla., 74102.	303	8	Trunkline Gas Co. (Clear Creek Field, Beauregard Parish, La.), (South Louisiana).	$1,349	4-1-66	[2] 5-2-66	10-2-66	[6] 17.7	[4] [5] 19.5	
	do	308	[illegible]	Southern Natural Gas Co. (Gwinville Field, Jefferson Davis County, Miss.).	29,053	4-1-66	[2] 5-2-66	10-2-66	[6] 14.0	[4] 21.0	
	do	313	7	Transcontinental Gas Pipe Line Corp. (Gueydan Field, Vermilion Parish, La.) (South Louisiana).	4,226	4-1-66	[2] 5-2-66	10-2-66	[6] 17.5	[4] [5] 19.5	
	do	306	7	United Gas Pipe Line Co. (Bayou Rambio Field, Terrebonne Parish, La.) (South Louisiana).	103,801	4-4-66	[2] 5-5-66	10-5-66	[6] 17.75	[4] [7] 23.05	
	do	[illegible]	7	United Gas Pipe Line Co. (DeLange Field, Terrebonne Parish, La.) (South Louisiana).	78,835	4-4-66	[2] 5-5-66	10-5-66	[6] 17.75	[4] [7] 23.05	
	do	310	7	United Gas Pipe Line Co. (Dulac Field, Terrebonne Parish, La.) (South Louisiana).	192,452	4-4-66	[2] 5-5-66	10-5-66	[6] 17.75	[4] [7] 23.05	
	do	314	6	United Gas Pipe Line Co. (Abbeville Field, Vermilion Parish, La.) (South Louisiana.)	17,636	4-4-66	[2] 5-5-66	10-5-66	[6] 15.75	[4] [8] 22.75	
RI66-346	Sinclair Oil & Gas Co. (Operator), et al., P.O. Box 521, Tulsa, Okla., 74102.	304	12	Trunkline Gas Co. (Ragley Field, Beauregard Parish, La.) (South Louisiana).	1,392	4-1-66	[2] 5-2-66	10-2-66	[6] 17.7	[4] [5] 19.5	
RI66-347	Braden-Deem, Inc., Agent (Operator), et al., 210 One Twenty Building, Wichita, Kans., 67202.	1	3	Panhandle Eastern Pipe Line Co. (Carver-Robbins Field, Pratt County, Kans.).	1,594	4-7-66	[2] 5-8-66	10-8-66	15.0	[9] [10] 16.0	
	do	2	3	do	1,063	4-7-66	[2] 5-8-66	10-8-66	15.0	[9] [10] 16.0	
	do	3	2	do	1,063	4-7-66	[2] 5-8-66	10-8-66	15.0	[9] [10] 16.0	
	do	4	2	do	1,063	4-7-66	[2] 5-8-66	10-8-66	15.0	[9] [10] 16.0	
	do	5	2	do	1,063	4-7-66	[2] 5-8-66	10-8-66	15.0	[9] [10] 16.0	
	do	[illegible]	3	do	558	4-7-66	[2] 5-8-66	10-8-66	15.0	[9] [10] 16.0	
	do	7	3	do	797	4-7-66	[2] 5-8-66	10-8-66	15.0	[9] [10] 16.0	

[2] The stated effective date is the first day after expiration of the statutory notice.
[3] Periodic rate increase.
[4] Pressure base is 15.025 p.s.i.a.
[5] Includes 1.5 cents per Mcf tax reimbursement.
[6] Settlement rate as provided by Commission order of Dec. 30, 1963, in Docket Nos. G-9476, et al. Moratorium provision expired Apr. 1, 1966.
[7] Includes 2.05 cents per Mcf tax reimbursement.
[8] Includes 1.75 cents per Mcf tax reimbursement.
[9] The stated effective date is the effective date requested by Respondent.
[10] Pressure base is 14.65 p.s.i.a.

The proposed increases submitted by Sinclair Oil & Gas Co., successor to Texas Gulf Producing Co. (Texas Gulf) are filed under rate schedules included in Texas Gulf's rate settlement approved by the Commission's order issued December 30, 1963, in Docket Nos. G-9476, et al. The moratorium period imposed by such settlement for filing rate increases under the rate schedules involved expired on April 1, 1966.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

[F.R. Doc. 66-4817; Filed, May 3, 1966; 8:45 a.m.]

[Docket No. E-7287]

INTERSTATE POWER CO.

Notice of Application

APRIL 27, 1966.

Take notice that on April 20, 1966, the Interstate Power Co. (Applicant), a public utility incorporated under the laws of the State of Delaware and domesticated in the States of Illinois, Iowa, Minnesota, and South Dakota, filed an application with the Federal Power Commission seeking an order pursuant to section 204 of the Federal Power Act authorizing the issuance and sale of unsecured promissory notes up to but not exceeding $18,130,000 principal amount.

According to the application, Applicant proposes to borrow from time to time an amount not exceeding $18,130,000 of which not more than $16,000,000 of notes will be outstanding at any one time. Applicant proposes to borrow this amount from the Chase Manhattan Bank (National Association) and Manufacturers Hanover Trust Company. These borrowings will be evidenced by notes to be dated the dates of their respective deliveries and will be expressed to mature 1 year from the date of their respective dates, or August 31, 1967, whichever date shall be earlier. The rate of interest will be the prime commercial rate of interest of the Chase Manhattan Bank (National Association) for unsecured borrowings prevailing five business days prior to the date of each borrowing.

Applicant states that the net proceeds from the issuance of the notes will be used to carry out its 1966 construction program estimated to cost $21,742,000. The principal items in this program are the construction of Applicant's Milton L. Kapp generating plant, Unit No. 2, at Clinton, Iowa, which will require an expenditure of $9.4 million in 1966 and the construction of a 55-mile portion of the 345 kv transmission line from Twin Cities to St. Louis which is expected to cost $1.8 million in 1966.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 18, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-4813; Filed, May 3, 1966; 8:45 a.m.]

[Docket No. G-18119, etc.]

McCULLOCH OIL CORP. OF CALIFORNIA

Order Amending Orders Issuing Certificates, Substituting Applicant, Substituting Respondent, Redesignating Proceedings, and Requiring Filing of Agreement and Undertaking

APRIL 27, 1966.

On March 14, 1966, McCulloch Oil Corp. of California (Petitioner) filed a petition to amend the orders issuing certificates of public convenience and necessity to Compass Exploration, Inc., by authorizing Petitioner to continue the sales of natural gas authorized therein, all as more fully set forth in the petition.

Petitioner has merged Compass Exploration, Inc., and proposes to continue the sales of natural gas heretofore authorized to be made by Compass Exploration, Inc. Petitioner was the sole shareholder of Compass Exploration, Inc., prior to the merger.

The Commission finds: It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates to Compass Exploration, Inc., be amended, that the related rate schedules be redesignated, that Petitioner be substituted in lieu of Compass Exploration, Inc., in pending proceedings and that Petitioner be required to file an agreement and undertaking, all to reflect the merger by Petitioner of Compass Exploration, Inc.

The Commission orders:

(A) The orders issuing certificates to Compass Exploration, Inc., in the following dockets are amended by substituting Petitioner as certificate holder, and the related FPC gas rate schedules are redesignated accordingly:

Certificate docket No.	Compass Exploration, Inc., FPC Gas Rate Schedule No.	McCulloch Oil Corp. of California, FPC Gas Rate Schedule No.
G-18119	[1] 1	4
G-19220	2	5
CI61-299	3	6
CI61-564	4	7
CI61-1184	5	8
CI62-197	6	9
CI62-570	7	[1] 10
CI62-598	8	[1] 11
CI64-271	[1] 9	12
CI64-270	[1] 10	[1] 13
CI61-1523	11	14
CI65-289	12	15

[1] (Operator), et al.

(B) Petitioner is substituted in lieu of Compass Exploration, Inc., as applicant in the pending application filed December 30, 1965, to amend the order issuing a certificate in Docket No. CI64-271, and the proceeding is redesignated accordingly.

(C) Petitioner is substituted in lieu of Compass Exploration, Inc., as respondent in the proceeding pending in Docket No. RI64-475, and the proceeding is redesignated accordingly.

(D) Within 30 days from the issuance of this order Petitioner shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI64-475 to assure the refund of all amounts collected, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(E) Petitioner shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking filed in Docket No. RI64-475 shall remain in full force and effect until discharged by the Commission.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

Suggested agreement and undertaking.

BEFORE THE FEDERAL POWER COMMISSION

(Name of Respondent _____)

Docket No. _____

AGREEMENT AND UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF SECTION 154.102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees and undertakes to comply with the refunding and reporting provisions of section 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to the proceeding in Docket No. ____ (and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto [1]), this _____ day of _____, 196__.

By _____
(Name of Respondent)

Attest:

_____

[F.R. Doc. 66-4814; Filed, May 3, 1966; 8:45 a.m.]

[Project No. 1899]

PENNSYLVANIA ELECTRIC CO.

Notice of Application for Surrender of License for Constructed Project

APRIL 27, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Pennsylvania Electric Co. (correspondence to: R. F. Pruner, Secretary, Pennsylvania Electric Co., 1001 Broad Street, Johnstown, Pa., 15907) for surrender of the license for constructed Project No. 1899, known as the Oakland Hydroelectric Project, located on the North Branch of the Susquehanna River in Susquehanna County, Pa.

The existing project consists principally of a dam, reservoir, powerhouse with installed capacity of 700 horsepower, and appurtenant electrical and mechanical facilities.

The application states that: Neither the operation of the existing project nor its redevelopment is economically feasible; the small capacity of electric energy which would be lost by discontinuance of operation of the project can readily be replaced economically from other sources; and that the project site is unattractive and not suitable for recreation or other beneficial uses. Applicant plans to remove the powerhouse upon Commission approval of its application for surrender.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is June 14, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-4815; Filed, May 3, 1966; 8:45 a.m.]

[1] If a corporation.

[Docket No. CP66-327]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

APRIL 27, 1966.

Take notice that on April 15, 1966, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex., 77001, filed in Docket No. CP66-327 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization for the construction and operation of minor lateral and field facilities to enable it to take into its certificated main pipeline system natural gas purchased from producers thereof in the general area of its existing transmission system from time to time during the 12-month period following the date of authorization.

The application states that the purpose of this "budget-type" application is to authorize Applicant to establish additional connections in fields from which Applicant is already authorized to receive gas where it is not possible to construct facilities under the exemption provided by § 2.55(d) of the Commission's rules, to provide necessary booster compressor facilities in such fields, and to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally coextensive with said system.

The total estimated cost of Applicant's proposed construction is not to exceed $2,000,000, with no single project to exceed a cost of $500,000, and will be financed from cash on hand or alternatively by short term bank loans.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 23, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-4816; Filed, May 3, 1966; 8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[FPMR Temporary Reg. No. F-7]

ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Delegation of Authority To Represent Customer Interest of Federal Government in Transportation Service Proceeding

To: Heads of Federal agencies.

1. *Purpose.* This regulation delegates authority to the Administrator, National Aeronautics and Space Administration to represent the customer interest of the Federal Government in a transportation service proceeding.

2. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4), 205(d), and 205(e), authority is delegated to the Administrator, National Aeronautics and Space Administration to represent the interests of the executive agencies of the Federal Government before the Interstate Commerce Commission in proceedings concerning the transportation of liquid helium by motor carriers.

b. The Administrator, National Aeronautics and Space Administration may redelegate this authority to any officer, official, or employee of the National Aeronautics and Space Administration.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and further, shall be exercised in cooperation with the responsible officers, officials, and employees of the General Services Administration.

3. *Effective date.* This regulation is effective April 2, 1966.

4. *Expiration date.* Unless sooner revoked, this regulation expires with termination of the subject proceeding.

Dated: April 26, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66-4834; Filed, May 3, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

PINAL COUNTY DEVELOPMENT ASSOCIATION

Order Suspending Trading

APRIL 28, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5⅞ percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended this order to be effective for the period April 29, 1966, through May 8, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-4827; Filed, May 3, 1966; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30, Madison, Wis., Regional Office; Rev. 1]

MADISON, WIS., REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30, Midwestern Area, 30 F.R. 3252; as amended, 30 F.R. 7686 and 8599; and 30 F.R. 13556; Delegation of Authority 30 F.R. 7629 is hereby revised to read as follows:

I. The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations* (delegated to the positions as indicated below). To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Eligibility determinations* (delegated to the positions as indicated below). To determine the eligibility of applicants for assistance under any program of the agency in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division* (and Assistant Chief, if assigned). 1. Item I.A. (size determinations for financial assistance only).

2. Item I.B. (eligibility determinations for financial assistance only).

3. To approve business and disaster loans not exceeding $350,000 (SBA share).

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington and Area approved loans and loans approved under delegated authority, said execution to read as follows:

(*Name*), *Administrator,*
By ----------
(Name)
Title of person signing.

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and to certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefore, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs or claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *Working Supervisor or Chief, Loan Processing.* 1. Item I.C.3.

2. To decline business and disaster loans of any amount.

3. Items I.C.6 through 10.

4. Item I.A. (size determinations for financial assistance only).

5. Item I.B. (eligibility determinations for financial assistance only).

E. *Working Supervisor or Chief, Loan Administration.* 1. To approve the amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12, only the authority for servicing administration and collection, including subitems a. and b.

F. *Working Supervisor or Chief, Loan Liquidation.* Item I.C. 12, only the authority for liquidation, including collateral purchased, and subitems a. and b.

G. *To Loan Specialists GS-9 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorizations.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

H. *Chief, Procurement and Management Assistance.* 1. Item I.A. (size determinations on PMA activities only).

2. Item I.B. (eligibility determinations on PMA activities only).

I. *Regional Counsel.* To disburse approved loans.

J. *Administrative Assistant.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; (d) issue Government bills of lading; and (e) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegation of Authority prior to the date hereof.

Effective date. April 18, 1966.

LAWRENCE J. HAYES,
Regional Director, Madison, Wis.

[F.R. Doc. 66-4828; Filed, May 3, 1966; 8:46 a.m.]

MANAGER, DISASTER FIELD OFFICE, NEW ORLEANS, LA.

Designation

Pursuant to the authority delegated to the Program Coordinator, Disaster Area, State of Louisiana, by Delegation of Authority No. 30-6 (southwest area—Dallas), Disaster No. 7, effective February 1, 1966, I hereby appoint the following employee to serve as Manager, Disaster Field Office, New Orleans, La.: J. B. Alexander.

This designation shall remain in effect until revoked in writing.

Effective beginning of business April 25, 1966.

JAMES R. WOODALL,
Program Coordinator, Disaster Area.

[F.R. Doc. 66-4829; Filed, May 3, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 918]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 29, 1966.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 94265 (Sub-No. 178) (Republication), filed April 11, 1966, published FEDERAL REGISTER issue of April 28, 1966, and republished this issue. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pine plywood*, in sheets, from Emporia, Va., to points in North Carolina, South Carolina, Pennsylvania, Delaware, Maryland, New Jersey, New York, Michigan, Ohio, Illinois, Indiana, and the District of Columbia. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: June 7, 1966, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Dallas B. Russell.

No. MC 107871 (Sub-No. 48), filed April 18, 1966. Applicant: BONDED FREIGHTWAYS, INC., 441 Kirkpatrick Street West, Post Office Box 1012, Syracuse, N.Y., 13201. Applicant's representative: Herbert M. Canter, Mezzanine, Warren Parking Center, 345 South Warren Street, Syracuse, N.Y., 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement*, in bulk, from Flexi-Flo rail-motor interchange terminal facilities on the lines of the New York Central Railroad Co., located in New Jersey, exclusive of team tracks or other public facilities, to points in New Jersey, Suffolk, Nassau, Westchester, Rockland, Putnam, Dutchess, Orange, Sullivan, Greene, Columbia, and Ulster Counties, N.Y., Fairfield, New Haven, Litchfield, Hartford, and Middlesex Counties, Conn., and New York, N.Y., restricted to shipments having a prior movement by rail. NOTE: Applicant states no duplicative authority is sought.

HEARING: June 6, 1966, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 118130 (Sub-No. 48) (Republication), filed March 28, 1966, published in FEDERAL REGISTER April 14, 1966, and amended and republished this issue. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's representative: M. Ward Bailey, Continental Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potato products*, and *potato products when transported in mixed shipments with exempt commodities*, from points in Colorado to points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas. NOTE:

The purpose of this republication is to reflect the hearing information and to delete the States of Arizona and California.

HEARING: May 11, 1966, in Room 15036, New Courthouse and Federal Building, 1961 Stout Street, Denver, Colo., before Examiner George A. Dahan.

NOTICE OF FILING OF PETITION

No. MC 103490 (Sub-No. 36) (Notice of filing of petition seeking modification of certificate), filed April 21, 1966. Petitioner: PROVAN TRANSPORT CORP., Newburg, N.Y. Petitioner's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. This petition is directed particularly to that portion of its certificate in MC 103490 (Sub-No. 36), authorizing the transportation of: Stone, in bulk, in dump vehicles, from points in Rockland, Dutchess, and Ulster Counties, N.Y., to points in Connecticut, Massachusetts, and New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties, N.J.), with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner seeks elimination of "in dump vehicles," as it relates to the transportation of stone, and requests the Commission issue a corrected certificate to transport stone, in bulk, from and to the points presently authorized. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9408. Authority sought for purchase by GEORGE A. TAYLOR, INC., 4 Philmore Avenue, Post Office Box 188, Caledonia, N.Y., of the operating rights and property of ORRIE J. DEMAY (ESTHER M. DEMAY, Executrix), doing business as ORRIE'S EXPRESS LINE, 4977 Ellicott Street Road, Batavia, N.Y., and for acquisition by GEORGE A. TAYLOR, also of Caledonia, N.Y., of control of such rights and property through the purchase. Applicants' attorneys and representative: Norman M. Pinsky and Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y., 13202, and J. D. Le Seur, 98 Main Street, Batavia, N.Y., 14020. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-45762 (Sub-No. 2), covering the transportation of general commodities, as a common carrier, in intrastate commerce, within the State of New York. Vendee is authorized to operate as a *contract carrier*, in New York, Ohio, Pennsylvania, Michigan, Connecticut, Massachusetts, Rhode Island, and New Jersey. Application has been filed for temporary authority under section 210a(b). NOTE: Docket Nos. MC-128132 and (Sub-No. 1) are matters directly related.

No. MC-F-9409. Authority sought for purchase by MURPHY MOTOR FREIGHT LINES, INC., 2323 Territorial Road, St. Paul, Minn., of a portion of the operating rights and certain property of MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill., and for acquisition by E. L. MURPHY, JR., also of St. Paul, Minn., and S. L. WASIE, 498 South Ferndale, Wayzata, Minn., of control of such rights and property through the purchase. Applicants' attorneys: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Operating rights sought to be transferred: *General commodities*, except those of unusual value, household goods as defined by the Commission, commodities in bulk, livestock, classes A and B explosives, articles of virtu, articles injurious or contaminating to other lading, and those requiring special equipment, as a *common carrier*, over regular routes, between La Crosse, Wis., and Prairie du Chien, Wis.,[1] serving no intermediate points, between Prairie du Chien, Wis., and Chicago, Ill., serving all intermediate and off-route points in the Chicago, Ill., commercial zone, as defined by the Commission. Vendee is authorized to operate as a *common carrier* in Iowa, Minnesota, Wisconsin, South Dakota, Illinois, and North Dakota. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9410. Authority sought for purchase by P & G MOTOR FREIGHT, INCORPORATED, 450 Burnham Street, South Windsor, Conn., of the operating rights of COMMERCIAL TRANSPORT, INC., 40 B Street, South Boston, Mass. Applicants' attorneys: Clyde E. Herring, the Shoreham Building, 15th and H Streets NW., Washington, D.C., 20005, Frank J. Weiner, Investors Building, 556 Granite Street, Braintree, Mass., 02184, and Louis Barsky, 400 Court Street, Boston, Mass., 02108. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-120037 (Sub-No. 1), covering the transportation of general commodities, as a common carrier, over irregular routes, in intrastate commerce, in the State of Massachusetts. Vendee is authorized to operate as a *common carrier* in Connecticut, New Jersey, Massachusetts, and New York. Application has been filed for temporary authority under section 210a(b). NOTE: Docket No. MC-66512 (Sub-No. 4), is a matter directly related.

No. MC-F-9411. Authority sought for purchase by TRI-STATE MOTOR TRANSIT CO., Post Office Box 113, Joplin, Mo., of the operating rights of AYERS CARTAGE COMPANY, 3750 West 57th Street, Chicago, Ill. Applicants' attorneys: Edmond M. McCarthy, 224 North La Salle Street, Chicago, Ill., and Max G. Morgan, 450 American National Building, Oklahoma City, Okla., 73102. Operating rights sought to be transferred: Under a certificate of registration, in docket No. MC-98645 (Sub-No. 1), covering the transportation of general commodities (except household goods and commodities in bulk in tank or hopper type vehicles), as a common carrier, in intrastate commerce, within the State of Illinois. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Hawaii), and the District of Columbia. Applications has been filed for temporary authority under section 210a(b). NOTE: Docket No. MC-109397 (Sub-No. 141) is a matter directly related. If a hearing is deemed necessary, Applicants request Washington, D.C.

No. MC-F-9412. Authority sought for control by BYRON C. SHOUPPE, 100 Fourth Street South, St. Petersburg, Fla., of GULF COAST MOTOR LINE, INC., 100 South Myrtle Avenue, Clearwater, Fla., 33516. Applicants' attorney: John M. Allison, Post Office Box 1531, Tampa, Fla., 33601. Operating rights sought to be controlled: Passengers and their baggage, in the same vehicle with passengers, in charter service, as a *common carrier*, over irregular routes, beginning and ending in Clearwater, Fla., and extending to all points in the United States (except points in Alaska and Hawaii). BYRON C. SHOUPPE holds no authority from this Commission. However, he is controlling stockholder of SOUTHERN TOURS, INC., 921 Third Street South, St. Petersburg, Fla., which is authorized to operate as a *common carrier* in the State of Florida. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4838; Filed, May 3, 1966; 8:47 a.m.]

[Notice 1339-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 29, 1966.

Application filed for temporary authority under section 210(a)(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 179:

No. MC-FC-68780. By application filed April 25, 1966, SUPERIOR FAST DRAYAGE, doing business as SUPERIOR EXPRESS, 4527 Loma Vista Avenue, Los Angeles, Calif., seeks temporary authority to lease the operating rights of BARGSTEN TRUCK LINES, INC., 301 South Harbor Boulevard, Fullerton, Calif., under section 210a(b). The transfer to SUPERIOR FAST DRAYAGE, doing business as SUPERIOR EXPRESS, of the operating rights of BARGSTEN TRUCK LINES, INC., is presently pending.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4839; Filed, May 3, 1966; 8:47 a.m.]

[1] Proposal of applicants.

[Notice 915]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 29, 1966.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

Special rules of procedure for hearing.

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 124774 (Sub-No. 37), filed April 27, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr., 68701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lafayette, Ind., to points in Colorado, Iowa, Kansas, Nebraska, and Wyoming, and Kansas City and St. Louis, Mo. NOTE: Applicant states that it will transport exempt commodities on return.

HEARING: May 24, 1966, in the Northeast Room, Indiana War Memorial Building, 431 North Meridian Street, Indianapolis, Ind., before Examiner Joseph A. Reilly.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4840; Filed, May 3, 1966; 8:47 a.m.]

[Notice 175]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 29, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 17002 (Sub-No. 34 TA), filed April 26, 1966. Applicant: CASE DRIVEWAY, INC., 6001 U.S. Route 60 East, Post Office Box 1156, Huntington, W. Va., 25714. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, except those which because of their size or weight require the use of special equipment, from Huntington, W. Va., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, for 180 days. Supporting shipper: H. K. Porter Co., Inc., Conners Steel Division, Huntington, W. Va. Send protests to: H. R. White, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 3202 Federal Office Building, Charleston, W. Va., 25301.

No. MC 61506 (Sub-No. 26 TA), filed April 26, 1966. Applicant: RUSSELL TRANSFER COMPANY, INC., Athens-Augusta Highway, Washington, Ga. Applicants representative: Theodore M. Forbes, Jr., Suite 825, The Citizens & Southern National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products*, as defined in appendix XIII to ex parte No. 45, *Descriptions in Motor Carrier Certificates, including naphthas* (but excluding all other acids and chemicals as defined in appendix XV to ex parte 45), from Charleston, S.C., to points in Alabama, Tennessee, and Kentucky, under continuing contract or contracts with Hess Oil & Chemical Corp., with authority to transport *empty containers and rejected shipments* in return movement; (2) *petroleum and petroleum products*, as defined in appendix XIII to ex parte No. 45, *Descriptions in Motor Carrier Certificates*, from Louisville and Doe Run, Ky., on the one hand, to Doraville, Ga. (near Atlanta), on the other, under continuing contract or contracts with Hess Oil & Chemical Corp., with authority to transport *empty containers and rejected shipments*, in return movement; (3) *petroleum and petroleum products*, as defined in appendix XIII to ex parte No. 45, *Descriptions in Motor Carrier Certificates, including naphthas* (but excluding all other acids and chemicals as defined in appendix XV to ex parte 45), from Doraville, Ga. (near Atlanta), to points in Alabama, Tennessee, and Kentucky, under continuing contract or contracts with Hess Oil & Chemical Corp., with authority to transport *empty containers and rejected shipments*, in return movement for 180 days. Supporting shipper: Hess Oil & Chemical Corp., 3384 Peachtree Road NE., Atlanta, Ga., 30326. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308.

No. MC 63973 (Sub-No. 7 TA), filed April 26, 1966. Applicant: HARRY KALER, doing business as KALER FREIGHT LINE, 504 12th Street SE., Mason City, Iowa. Applicant's representative: Clayton L. Wornson, 206 Brick and Tile Building, Mason City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Mason City, Iowa, and Saratoga, Iowa: From Mason City, east over U.S. Highway 18 to junction unnumbered highway, thence over unnumbered highway through Plymouth, Iowa, to junction Iowa Highway 9; thence over Iowa Highway 9 to junction Iowa Highway 337; thence over Iowa Highway 337 to junction unnumbered highway at Grafton, Iowa; thence over unnumbered highway to junction Iowa Highway 105 at Carpenter, Iowa; thence over Iowa Highway 105 to junction U.S. Highway 218; thence east over U.S. Highway 218 to junction unnumbered highway; thence over unnumbered highway to Stacyville, Iowa; thence east over unnumbered highway to junction Iowa Highway 312; thence over Iowa Highway 312 to junction Iowa Highway 9; thence over Iowa Highway 9 to Saratoga, Iowa; thence returning over Iowa Highway 9 to Osage, Iowa; thence east and south over U.S. Highway 218 to junction U.S. Highway 18; thence over U.S. Highway 18 to Mason City, Iowa; service is au-

thorized to, from and between all intermediate points, and the off-route points of Rock Falls, Otranto, Toeterville, Little Cedar, Meyer, David, Bailey, Mitchell, Orchard, and Colwell, for 180 days. Supporting shippers: the application is supported by statements from 36 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 85233 (Sub-No. 3 TA), filed April 26, 1966. Applicant: METRO CARRIER CORP., 18 Vreeland Avenue, Clifton, N.J., 07011. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers*, plastic or glass, from the plantsite of Modern Decorating Co., Paterson, N.J., to the plantsite of Helena Rubenstein, East Hills, N.Y., and *empty pallets*, on return, for 150 days. Supporting shipper: Modern Decorating Co., 155–165 Oxford Street, Paterson, N.J., 07500. Send protests to: Joel Morrows, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J., 07102.

No. MC 94350 (Sub-No. 168 TA), filed April 26, 1966. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Transit Homes Building, Post Office Box 1628, Greenville, S.C., 29602. Applicant's representative: Henry P. Willimon, Post Office Box 1075, Greenville, S.C., 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, from Easley, S.C., to points in Georgia, Alabama, and Florida, for 180 days. Supporting shipper: Gem Marine Products, Inc., 128 Cumberland Avenue, Easley, S.C. Send protests to: Arthur B. Abercrombie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 509 Federal Building, 901 Sumter Street, Columbia, S.C., 29201.

No. MC 110420 (Sub-No. 520 TA), filed April 26, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hog mucosa or slime*, in bulk, in stainless steel insulated tank vehicles, from Waterloo, Iowa, to Chicago, Ill., for 180 days. Supporting shipper: Cohelford Laboratories, Inc., 3432 West Henderson, Chicago, Ill., 60618 (Erwin Coyne). Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 115876 (Sub-No. 10 TA, filed April 26, 1966. Applicant: ERWIN HURNER, 2605 South Rivershore Drive, Moorhead, Minn. Applicant's representatives: Van Osdel, Foss & Johnson, 502 First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty preformed milk cartons and miscellaneous dairy supplies* in mixed loads, in full truckloads, weighing less than 5,000 pounds per truckload, from Moorhead, Minn., to Bordulac, Devils Lake, and Hazen, N. Dak.; Conrad, Livingston, and Plentywood, Mont.; Hoven and Pierre, S. Dak.; and Milwaukee, Wis., for 180 days. Supporting shipper: Northwestern Carton Formers, Inc., 815 Center Avenue, Moorhead, Minn. Send protests to Joseph H. Ambs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1621 South University Drive, Room 213, Fargo, N. Dak., 58102.

No. MC 124078 (Sub-No. 212 TA), filed April 26, 1966. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrolyzed fats*, in bulk, from Chattanooga, Tenn., to points in Alabama, Georgia, and Tennessee, with a prior movement by rail from Cincinnati, Ohio, for 180 days. Supporting shipper: The Procter & Gamble Co., Post Office Box 599, Cincinnati, Ohio, 45201 (George P. Hahn). Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 128030 (Sub-No. 16 TA), filed April 26, 1966. Applicant: THE STOUT TRUCKING CO., INC., Box 167, Rural Route No. 1, Urbana, Ill. Applicant's representative: W. L. Jordan, 201–2 Merchants Savings Building, 7 South Sixth Avenue, Terre Haute, Ind., 47801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Milwaukee, Wis., to Loda, Ill., and *containers*, empty malt, from Loda, Ill., to Milwaukee, Wis., for 180 days. Supporting shipper: C. E. Healy & Son, Inc., Loda, Ill. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Room 1086, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4841; Filed, May 3, 1966; 8:47 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

APRIL 29, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MC–4792, filed March 9, 1966. Applicant: J. T. LUNA AND CLYDE D. HADDOCK, doing business as WAYNESBORO FREIGHT LINE, Highway No. 64, Waynesboro, Tenn. Applicant's representatives: MacFarland and Colley, Middle Tennessee Bank Building, Columbia, Tenn. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (except household goods, explosives, and commodities requiring special equipment), between Waynesboro and Memphis, Tenn., over U.S. Highway 64, and service to Clifton and Collinwood, Tenn., over Tennessee Highways 13 and 114. To be involved in interstate commerce by the receipt in Memphis of items forwarded through interstate commerce and transportation to Memphis of items to be placed in interstate commerce.

HEARING: June 1, 1966, at 9:30 a.m., at the Tennessee Public Service Commission's Court Room, C–1–110 Cordell Hull Building, Nashville, Tenn. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn., 37219, and should not be directed to the Interstate Commerce Commission.

State Docket No. MT–8188, filed April 4, 1966. Applicant: GARY VAN BUITEN, SR. AND GARY VAN BUITEN, JR., a partnership, doing business as G. VAN BUITEN AND SON, Midland Hill, Box 329, Oxford, N.Y. Applicant's representatives: Palmer, Hankin, Peyton & Hanifin, 117 Hawley Street, Binghamton, N.Y., 13901. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *rough lumber* and *dressed rough lumber*, from points in Chenango County, N.Y., to points in Chautauqua, Chenango, Erie, and Tioga Counties, N.Y., and *returned, refused, and rejected merchandise of the same description*, in the reverse direction.

HEARING: To be hereafter scheduled. Requests for procedural information, including the time for filing protests, concerning this application, should be addressed to the New York State Public Service Commission, 55 Elk Street, Albany, N.Y., 12225.

State Docket No. L–13165, Case No. 1, filed April 4, 1966. Applicant: BOYD & ASSOCIATES, INC., 50 West North Street, Jackson, Mich. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* restricted to shipments not exceeding 5,000 pounds from any one consignor to any one consignee moving in the same vehicle, and restricted to traffic having an immediately prior or immediately subsequent movement by air, between Jackson, Mich., and points within 4 miles thereof, on the one hand, and, on the other, Detroit Metropolitan Wayne County Airport, located in Romulus Township, Wayne County, Mich., the Willow Run Airport, located in Van Buren Township, Wayne County, Mich., and in Ypsilanti Township, Washtenaw County, Mich., the Capitol City Airport located at or near Lansing, Mich., Kent County Airport, located at or near Grand Rapids, Mich.

HEARING: June 1, 1966, 9:30 a.m., Michigan Public Service Commission, Lewis Cass Building, S. Walnut Street, Lansing, Mich. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich., 48913, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4842; Filed, May 3, 1966; 8:47 a.m.]

[Notice 393]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 29, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 14295 (Deviation No. 4), D. G. & U. TRUCK LINES, INC., 1215 West Mound Street, Columbus, Ohio, 43223, filed April 21, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 27 and Interstate Highway 75, at Cincinnati, Ohio, over Interstate Highway 75 to junction Ohio Highway 49, at Dayton, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Dayton, Ohio, over Ohio Highway 49 to Greenville, Ohio, thence over U.S. Highway 127 to West Manchester, Ohio, (2) from Cincinnati, Ohio over U.S. Highway 27 to Oxford, Ohio, and (3) from Oxford, Ohio, over Ohio Highway 73 to junction U.S. Highway 127, thence over U.S. Highway 127 to West Manchester, Ohio, and return over the same routes.

No. MC 92709 (Deviation No. 1), THE BLUE RIBBON TRANSPORTATION CO., INC., 157 Barton Street, Pawtucket, R.I., filed April 11, 1966. Carrier's representative: Joseph A. Kline, 185 Devonshire Street, Boston, Mass., 02110. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Boston, Mass., and Providence, R.I., over Interstate Highway 95, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: Between Boston, Mass., and Providence, R.I., over U.S. Highway 1.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 308), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio, 44113, filed April 18, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, over deviation routes as follows: (1) From junction Interstate Highways 65 and 465, northwest of Indianapolis, Ind., over Interstate Highway 465 to junction Indiana Highway 100, thence over Indiana Highway 100 to junction U.S. Highway 40, east of Indianapolis, Ind., (2) from junction Interstate Highway 65 and U.S. Highway 52, 0.8 mile west of Lebanon, Ind., over Interstate Highway 65 to junction Interstate Highway 465, (3) from Indianapolis, Ind., over U.S. Highway 52 to junction Interstate Highway 65, thence over Interstate Highway 65 to junction Interstate Highway 465, northwest of Indianapolis, Ind., (4) from Indianapolis, Ind., over Interstate Highway 74 to junction Interstate Highway 465, west of Indianapolis, Ind., (5) from Indianapolis, Ind., over U.S. Highway 40 to junction Interstate Highway 465, (6) from Plainfield, Ind., over U.S. Highway 40 to junction Interstate Highway 465, (7) from Washington, Ind., over Indiana Highway 57 to junction Indiana Highway 67, thence over Indiana Highway 67 to junction Interstate Highway 465, (8) from Indianapolis, Ind., over U.S. Highway 31 to junction Interstate Highway 465, (9) from Indianapolis, Ind., over Indiana Highway 67 to junction Interstate Highway 465.

(10) From Franklin, Ind., over U.S. Highway 31 to junction Interstate Highway 465, (11) from Indianapolis, Ind., over Interstate Highway 65 to junction Interstate Highway 465, south of Indianapolis, Ind., (12) from Indianapolis, Ind., over U.S. Highway 421 to junction Interstate Highway 74, thence over Interstate Highway 74 to junction Interstate Highway 465, east of Indianapolis, Ind., (13) from Cincinnati, Ohio, over Interstate Highway 74 to junction U.S. Highway 465, east of Indianapolis, Ind., (14) from Indianapolis, Ind., over U.S. Highway 40 to junction Indiana Highway 100, and (15) from Cumberland, Ind., over U.S. Highway 40 to junction Indiana Highway 100, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Paoli, Ind., over Indiana Highway 37 via Bedford and Bloomington, Ind., to Indianapolis, Ind., (2) from Indianapolis, Ind., over Indiana Highway 67 to junction Indiana Highway 57, thence over Indiana Highway 57 to Washington, Ind., (3) from Richmond, Ind., over U.S. Highway 40 via Stilesville, Ind., to junction Alternate U.S. Highway 40, at or near Mulberry Grove, Ill., (4) from Cincinnati, Ohio, over U.S. Highway 52 via Rushville and Lebanon, Ind., to Lafayette, Ind., (5) from Columbus, Ind., over Alternate U.S. Highway 31 to junction U.S. Highway 31, thence over U.S. Highway 31 to Indianapolis, Ind., thence over U.S. Highway 36 to junction unnumbered highway at a point approximately 1½ miles south of Pendleton, Ind., (6) from Indianapolis, Ind., over Indiana Highway 37 to junction Inidana Highway 13, and (7) from Indianapolis over new U.S. Highway 31 to junction old U.S. Highway 31, near Whiteland, Ind., and return over the same routes.

No. MC 1515 (Deviation No. 309), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio, 44113, filed April 21, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 66 and Interstate Highway 55, near Sherman, Ill., over Interstate Highway 55 to junction U.S. Highway 66, approximately 4.5 miles south of Springfield, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Bloomington, Ill., over U.S. Highway 66 via Springfield, Ill., to

junction unnumbered highway at a point approximately 2 miles south of Mount Olive, Ill., and return over the same route.

No. MC 2866 (Deviation No. 5), EDWARDS MOTOR TRANSIT COMPANY, 56 East Third Street, Williamsport, Pa., filed April 19, 1966. Carrier representative: Robert H. Griswold, Commerce Building, Post Office Box 432, Harrisburg, Pa., 17108. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express, mail and newspapers*, in the same vehicle with passengers, over deviation routes as follows: (1) From junction U.S. Highway 322 and Pennsylvania Highway 310, east of Emerickville, Pa., over Pennsylvania Highway 310 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 322, with the following access roads: (a) From junction Interstate Highway 80 and Pennsylvania Highway 949 over Pennsylvania Highway 949 to Corsica, Pa., (b) from junction Interstate Highway 80 and Pennsylvania Highway 36 over Pennsylvania Highway 36 to junction U.S. Highway 322, west of Brookville, Pa., and (c) from junction Interstate Highway 80 and Pennsylvania Highway 28 over Pennsylvania Highway 28 to junction U.S. Highway 322, east of Brookville, Pa., (2) from junction U.S. Highway 15 and Pennsylvania Highway 54 over U.S. Highway 15 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Pennsylvania Highway 29, with the following access roads: (a) From West Milton, Pa., over U.S. Highway 15 to junction Interstate Highway 80, (b) from junction Interstate Highway 80 and Pennsylvania Highway 147 over Pennsylvania Highway 147 to junction Pennsylvania Highway 405, north of Milton, Pa., (c) from junction Interstate Highway 80 and Pennsylvania Highway 254 over Pennsylvania Highway 254 to Milton, Pa., (d) from junction Interstate Highway 80 and Pennsylvania Highway 54 over Pennsylvania Highway 54 to Mausdale, Pa.

(e) From junction Interstate Highway 80 and Pennsylvania Highway 44 over Pennsylvania Highway 44 to junction U.S. Highway 11, west of Bloomsburg, Pa., (f) from junction Interstate Highway 80 and Pennsylvania Highway 339 over Pennsylvania Highway 339 to Bloomsburg, Pa., and (g) from junction Interstate Highway 80 and Pennsylvania Highway 242 over Pennsylvania Highway 242 to Nescopeck, Pa., and (3) from junction Interstate Highway 80 and Pennsylvania Highway 29 over Interstate Highway 80 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction Pennsylvania Highway 29, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From junction U.S. Highway 322 and Pennsylvania Highway 310, east of Emerickville, Pa., over U.S. Highway 322 to junction Interstate Highway 80, west of Corsica, Pa., (2) from junction U.S. Highway 15 and Pennsylvania Highway 54, west of Montgomery, Pa., over Pennsylvania Highway 54 to Montgomery, Pa., thence over Pennsylvania Highway 405 to junction Pennsylvania Highway 147 (formerly Pennsylvania Highway 14), thence over Pennsylvania Highway 147 to Milton, Pa., thence over Pennsylvania Highway 642 to junction Pennsylvania Highway 54, at Mausdale, Pa., thence over Pennsylvania Highway 54 to Danville, Pa., thence over U.S. Highway 11 to junction Pennsylvania Highway 93, east of Berwick, Pa., thence over Pennsylvania Highway 93 to junction Pennsylvania Highway 29, thence over Pennsylvania Highway 29 to junction Interstate Highway 80, and (3) from junction Pennsylvania Highway 29 and Interstate Highway 80, north of Sybertsville, Pa., over Pennsylvania Highway 29 to junction Interstate Highway 81, south of Conyngham, Pa., and return over the same routes.

No. MC 8500 (Deviation No. 10) (Cancels Deviation No. 4), TENNESSEE TRAILWAYS, INC., 710 Sevier Avenue, Knoxville, Tenn., 37920, filed April 25, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, over a deviation route as follows: From junction Interstate Highways 81 and 381, at or near Bristol, Va., over Interstate Highway 81 to junction Interstate Highway 581, at or near Roanoke, Va., with the following access roads, (1) from the Tennessee-Virginia State line over Interstate Highway 381 to junction Interstate Highway 81 (Exit No. 2), at or near Bristol, Va., (2) from junction Interstate Highway 81 and access roads (Exit No. 7), over access roads to Abingdon, Va., (3) from junction Interstate Highway 81 and Virginia Highway 75, over Virginia Highway 75 to Abingdon, Va., and (4) from junction Interstate Highway 81 and Interstate Highway 581 over Interstate Highway 581 to Roanoke, Va., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: Between Bristol, Tenn., and Roanoke, Va., over U.S. Highway 11.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4843; Filed, May 3, 1966; 8:48 a.m.]

[No. 34679]

TRANSCON LINES

Request for Interpretation of Tariffs Published Regarding Pool Distribution Charges and Local Distribution Rates

Order. At a session of the Interstate Commerce Commission, division 2, acting as an appellate division, held at its office in Washington, D.C., on the 14th day of April A.D. 1966.

Upon consideration of the record in the above-entitled proceeding, the petition filed on February 17, 1966, by Transcon Lines for reconsideration of the order of the Commission, division 2, dated January 7, 1966, denying the petition for a declaratory order filed November 24, 1965; and good cause appearing:

It is ordered, That the petition be, and it is hereby, granted and that the requested proceeding be, and it is hereby, instituted;

It is further ordered, That this proceeding be handled under modified procedure; and that the filing and service of pleadings be as follows: (a) Opening statement of facts and argument by petitioner, and any party supporting petitioner, on or before May 18, 1966; (b) 30 days after that date, statement of facts and argument by any party in opposition; and (c) 10 days thereafter reply by petitioner and any supporting party;

And it is further ordered, That notice of this proceeding be given to the general public by depositing a copy of this order in the Office of the Secretary of the Commission at Washington, D.C., and by filing with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

By the Commission, division 2, acting as an appellate division.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4823; Filed, May 3, 1966; 8:46 a.m.]

[S.O. 981; Pfahler's Car Dist. Dir. 9]

KANSAS CITY SOUTHERN RAILWAY CO. AND ATCHISON, TOPEKA & SANTA FE RAILWAY CO.

Distribution of Boxcars

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Kansas City Southern Railway Co. shall deliver to the Atchison, Topeka & Santa Fe Railway Co. a weekly total of 350 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in service order No. 977.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., May 2, 1966.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., May 28, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 28, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-4824; Filed, May 3, 1966; 8:46 a.m.]

[S.O. 981; Pfahler's Car Dist. Dir. 10]

KANSAS CITY SOUTHERN RAILWAY CO. AND UNION PACIFIC RAILROAD CO.

Distribution of Boxcars

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Kansas City Southern Railway Co. shall deliver to the Union Pacific Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Order No. 977.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., May 2, 1966.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., May 28, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 28, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-4825; Filed, May 3, 1966; 8:46 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 29, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40455—*Joint motor-rail rates—Central States.* Filed by Central States Motor Freight Bureau, Inc., agent (No. 103), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Central States territory.

Grounds for relief—Motortruck competition.

Tariff—Supplement 9 to Central States Motor Freight Bureau, Inc., agent, tariff MF-ICC 1163.

FSA No. 40456—*Joint motor-rail rates—Central States.* Filed by Central States Motor Freight Bureau, Inc., agent (No. 104), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Central States territory.

Grounds for relief—Motortruck competition.

Tariff—Supplement 9 to Central States Motor Freight Bureau, Inc., agent, tariff MF-ICC 1163.

FSA No. 40457—*Gravel from Dickason Pit, Ind.* Filed by Illinois Freight Association, agent (No. 309), for and on behalf of Chicago & Eastern Illinois Railroad Co. Rates on traffic bound gravel, road surfacing, passing through a 1 inch screen (not suitable for concrete construction), in carloads, from Dickason Pit, Inc., to Holland, Moccasin, and Altamont, Ill.

Grounds for relief—Motortruck competition.

Tariff—Supplement 55 to Chicago & Eastern Illinois Railroad Co. tariff ICC 330.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4826; Filed, May 3, 1966; 8:46 a.m.]

[Notice 1339]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 29, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68590. By order of April 27, 1966, the Transfer Board approved the transfer to Campbell's Moving Co., Inc., Philadelphia, Pa., of the entire certificate in No. MC-75541, and a portion of certificate in No. MC-75541 (Sub-No. 1), each issued January 16, 1958, to W & A Express, Inc., Toms River, N.J., authorizing the transportation of: Household goods, between points in New Jersey, on the one hand, and, on the other, points in New Jersey, New York, Pennsylvania, Connecticut, and Massachusetts, and household goods, between points in Monmouth, and Ocean Counties, N.J., on the one hand, and, on the other, points in New Jersey, New York, and Pennsylvania, within 150 miles of Toms River, N.J. James C. Brennan, Esq., 19 West Fifth Street, Chester, Pa., 19013, attorney for applicants.

No. MC-FC-68625. By order of April 27, 1966, the Transfer Board approved the transfer to Paramount Express of Paterson, Inc., Paterson, N.J., of the operating rights in certificate No. MC-

69073, issued June 7, 1941, to Joseph Staso, doing business as Paramount Express, Paterson, N.J., authorizing the transportation of general commodities, with exceptions, over irregular routes, between points in Bergen, Passaic, Essex, Union, and Hudson Counties, N.J., and New York, N.Y., and points in Rockland County, N.Y. John M. Zachara, Post Office Box Z, Paterson, N.J., 07509, attorney for applicants.

No. MC-FC-68636. By order of April 27, 1966, the Transfer Board approved the transfer to Trans Western Transport, Inc., Post Office Box 490, Odessa, Tex., 79760, of the certificate of registration No. MC-120228 (Sub-No. 1), issued April 14, 1964, to William E. McBride, doing business as Trans Western Transport, Post Office Box 490, Odessa, Tex., 79760, evidencing a right to engage in operations in interstate or foreign commerce, in the transportation of: Oilfield equipment, and pipe, and various related commodities, between points in Texas.

No. MC-FC-68638. By order of April 27, 1966, the Transfer Board approved the transfer to A. A. Metler, Knoxville, Tenn., of certificate in No. MC-104800, issued April 19, 1957, to Baxter Transfer, Inc., Baxter, Ky., authorizing the transportation of: Fresh fruits and vegetables, mining machinery, new furniture uncrated, coal-mine cars, mine cars and parts, coal, scrap iron, and mining-machinery parts, from, to, or between specified parts of or points in Alabama, Georgia, Kentucky, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia. Robert M. Pearce, 1033 State Street, Bowling Green, Ky., 42101, attorney for applicants.

No. MC-FC-68642. By order of April 27, 1966, the Transfer Board approved the transfer to Carlos J. Stilwell, doing business as Stilwell Truck Service, Detroit, Ill., of the operating rights set forth in permit Nos. MC-30518, MC-30518 (Sub-No. 1), and MC-30518 (Sub-No. 3), issued August 31, 1944, September 12, 1958, and February 25, 1966, to Carlos A. Stilwell, doing business as Stilwell Truck Service, Detroit, Ill., authorizing the transportation of, among other things, fresh meat and packinghouse products between Jacksonville, Ill., and Mexico, Mo., and cream from Mexico, Mo., to Jacksonville, Ill.; dry whey from Dundee and Pittsfield, Ill., to points in Indiana, Iowa, Minnesota, Missouri, Ohio, and Wisconsin, under continuing contract with Milk Specialties, Inc., of Dundee, Ill. Robert T. Lawley, 308 Reisch Building, Springfield, Ill., attorney for applicants.

No. MC-FC-68643. By order of April 27, 1966, the Transfer Board approved the transfer to Hillside Motor Lines, Inc., Orange, Conn., of certificate No. MC-118402, issued December 7, 1960, to John Capecelatro and Ralph Capecelatro, a partnership, doing business as Hillside Farms Co., Orange, Conn., authorizing the transportation of: Bananas, from points in the New York, N.Y., commercial zone, as defined by the Commission, to Boston and Springfield, Mass.; Portland, Maine; Albany, N.Y.; New Haven, Conn.; and Providence, R.I.; with no transportation for compensation on return except as otherwise authorized. Thomas W. Murrett, Joseloff, Murrett and Knierim, 410 Asylum Street, Hartford, Conn., 06103, attorney for applicants.

No. MC-FC-68669. By order of April 28, 1966, the Transfer Board approved the transfer to Billy Barrett, doing business as Billy Barrett Trucking, Hamburg, Iowa, of the operating rights of Cecil H. McAlexander, Leroy S. McAlexander, and Roger Mattes, a partnership, doing business as Cecil H. McAlexander & Sons, Hamburg, Iowa, in certificate No. MC-23876, issued August 25, 1965, authorizing the transportation, over irregular routes, of feed, from Omaha and Nebraska City, Nebr., to Tabor, Iowa, and points in Iowa within 20 miles of Tabor, and building materials, farm implements and coal, from Omaha, Nebr., to Tabor, Iowa, and points in Iowa within 20 miles of Tabor. A. R. Fowler, 2288 University Avenue, St. Paul, Minn., 55114, representative for applicants.

No. MC-FC-68682. By order of April 28, 1966, the Transfer Board approved the transfer to Gene D. Weinrich and Gene A. Carstens, a partnership, doing business as Gene's Trucking, Route 1, Plainview, Nebr., 68769, of the operating rights of Dennis W. Doerr, Plainview, Nebr., 68769, in certificate No. MC-93200, issued August 19, 1963, authorizing the transportation, over regular routes, of livestock, from Plainview, Nebr., to Sioux City, Iowa, and of livestock, agricultural implements and parts, lumber, building materials, iron and steel articles, hardware, and petroleum products in containers, from Sioux City, Iowa, to Plainview, Nebr.

No. MC-FC-68756. By order of April 28, 1966, the Transfer Board approved the transfer to James H. Hartman & Son, Inc., Pocomoke City, Md., of the certificate No. MC-69397, issued March 19, 1956, to Harold Franklin Gladding, doing business as Gladding & Son, Tasley, Va., authorizing the transportation, over irregular routes, of agricultural commodities from Accomac and Northampton Counties, Va., to specified points and areas in Maryland, Delaware, New York, Connecticut, Massachusetts, Rhode Island, New Jersey, Pennsylvania, and the District of Columbia; hay, feed, flour, wheat, corn, and straw from specified points in Maryland and Delaware to points in Accomac and Northampton Counties, Va.; seafoods from specified points in Virginia to specified points in Delaware, Pennsylvania, New York, Maryland, New Jersey, North Carolina, and the District of Columbia; lumber, piling, cedar posts, and shingles from specified points and areas in Virginia, Maryland, and North Carolina to specified points and areas in Maryland, Delaware, Pennsylvania, New York, New Jersey, and the District of Columbia; fertilizer from specified points in Maryland and Pennsylvania to points in Accomac and Northampton Counties, Va.; household goods between Accomac and Northampton Counties, Va., on the one hand, and, on the other, points in Maryland, Pennsylvania, and the District of Columbia; malt beverages from specified points in New Jersey, Pennsylvania, and Maryland to Exmore, Va.; and empty malt beverage containers from Exmore, Va., to specified points in Maryland, Pennsylvania, and New Jersey, with certain restrictions.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-4864; Filed, May 3, 1966; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR — Page

PROCLAMATION:
3718 — 6567
3719 — 6607
EXECUTIVE ORDER:
11277 — 6609

5 CFR
722 — 6569

7 CFR
7 — 6569
50 — 6570
68 — 6629
722 (3 documents) — 6573, 6580
729 — 6581
980 — 6629
1098 — 6581
1434 — 6582
PROPOSED RULES:
965 — 6592
1032 — 6631
1050 — 6631
1126 — 6631

8 CFR
214 — 6611

14 CFR — Page
39 — 6582
71 (4 documents) — 6582, 6584
97 — 6612
208 — 6620
223 — 6584
320 — 6585
378 — 6621
PROPOSED RULES:
121 — 6592

15 CFR
30 — 6587

17 CFR
200 — 6588

19 CFR
1 — 6611

20 CFR
404 — 6611

21 CFR
191 — 6622

26 CFR
1 — 6589
31 — 6589

31 CFR
202 — 6590

32A CFR — Page
BDSA (Ch. VI) — 6590
BDSA Reg. 2 — 6590

33 CFR
207 — 6590, 6622

41 CFR
6-1 — 6622
6-2 — 6623
6-3 — 6623
6-5 — 6624
6-7 — 6624
6-11 — 6624
6-30 — 6624
6-60 — 6625
22-60 — 6625

45 CFR
177 — 6591
801 — 6591

47 CFR
0 — 6627
73 — 6627, 6628

49 CFR
71-79 — 6591
PROPOSED RULES:
73 — 6637, 6638

50 CFR
33 — 6629

86

PART 2

FEDERAL REGISTER

VOLUME 31 • NUMBER 86

Wednesday, May 4, 1966 • Washington, D.C.

PART II

Federal Communications Commission



Use of Broadcast Facilities by Candidates for Public Office

[Public Notice of April 27, 1966]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 66-386]

USE OF BROADCAST FACILITIES BY CANDIDATES FOR PUBLIC OFFICE

APRIL 27, 1966.

This Public Notice is a compilation of the Commission's interpretive rulings under section 315 of the Communications Act of 1934, as amended, and the Commission's rules implementing that section of the Act and brings up-to-date and supersedes all prior Public Notices issued by the Commission entitled "Use of Broadcast Facilities by Candidates for Public Office." The Commission has reviewed both its Public Notice (Oct. 9, 1962; FCC 62-1019) and its Supplement thereto (July 31, 1964; FCC 64-733) which contained section 315, as amended, the Commission's rules, additional rulings, and recommended complaint procedures. Significant rulings made subsequent to the 1964 Supplement have been added, and editorial and other revisions have been made with respect to some of the interpretations previously published. Where appropriate, cumulative rulings have been cited. Included herein are the determinations of the Commission with respect to problems which have been presented to it and which appear likely[1] to be involved in future campaigns. While the information contained herein does not purport to be a discussion of every problem that may arise in the political broadcast field, experience has shown that these documents have been of assistance to candidates and broadcasters in understanding their rights and obligations under section 315.

The purpose of this Notice is to apprise licensees, candidates, and other interested persons of their respective responsibilities and rights under section 315, and the Commission's rules, when situations similar to those discussed herein are encountered. In this way, resort to the Commission may be obviated in many instances and time—which is of great importance in political campaigns—will be saved. We do not mean to preclude inquiry to the Commission when there is a genuine doubt as to licensee obligations and responsibilities to the public interest under section 315. Procedures for filing complaints are set out below. But it is believed that the following document will, in many instances, remove the need for inquiries, and that licensees will be able to take the necessary prompt action in accordance with the interpretations and positions set forth below.

[1] A few of the questions taken up within have been presented to the Commission informally—that is, through telephone conversations or conferences with station representatives. They are set out in this Public Notice because of the likelihood of their recurrence and the fact that no extended Commission discussion is necessary to dispose of them; the answer in each case is clear from the language of section 315.

This discussion relates solely to obligations of broadcast licensees towards candidates for public office under section 315 of the Act. It is not intended to include the question of the treatment by broadcast licensees of political or other controversial programs not governed by the "equal opportunities" provisions of that section. As to the responsibilities of broadcast licensees with respect to controversial issues of public importance included in political broadcasts, licensees are referred to the Commission's "fairness doctrine," and the current Public Notice entitled "Applicability of the Fairness Doctrine in the Handling of Controversial Issues of Public Importance."

We have continued the question-and-answer format as an appropriate means of delineating the section 315 problems. Wherever possible, reference to Commission's decisions or rulings are made so that the researcher may, if he desires, review the complete text of the Commission's ruling. Copies of rulings may be found in a "Political Broadcast" folder kept in the Commission's Reference Room. Citations in "R.R." refer to Pike and Fischer, Radio Regulations. To facilitate future additions a new numbering system for Question and Answers has been inaugurated with this Public Notice. A Correlation Table indicating the new numbers of Question and Answers retained from the 1962 Public Notice and Supplement thereto is found in Appendix A.

Recommended Complaint Procedures

Complaints relating to 315 matters are given priority consideration by the Commission. Compliance with the following recommended procedures will further greatly assist in the orderly and expeditious disposition of such complaints. However, we do not mean, of course, to preclude in any way inquiry to the Commission when there is a genuine question as to licensee rights and obligations under section 315. We set out these recommended procedures in order to expedite and permit timely consideration of complaints in this important area. Failure to follow these procedures may result in unnecessary delays in resolution of section 315 complaints.

First, barring unusual circumstances, a complaint should not be made to the Commission until the licensee has denied the candidate's request for time after opportunity for passing on the essential claims raised by the candidate. Further, it has been the Commission's consistent policy to encourage negotiations between licensees and candidates seeking broadcast time or having questions under section 315, looking toward a disposition of the request or questions in a manner which is mutually agreeable to all parties. A complaint relating to a section 315 matter thus should be filed with the Commission after an effort has been made in good faith by the parties concerned to resolve the questions at issue. In this way, resort to the Commission might be obviated in many instances and time—which is of great importance in political campaigns—might be saved.

Where a complaint is filed with the Commission, (i) the complainant should simultaneously send a copy to the licensee, (ii) the licensee should respond, as promptly as possible, and not await Commission inquiry regarding the complaint, and (iii) the complainant and licensee should furnish each other with copies of all correspondence sent to the Commission.

A complaint filed with the Commission should be in written form and should contain: (i) The name and address of the complainant, (ii) the call letters and location (city and State) of the station against whom the complaint is made, and (iii) a detailed statement of the factual basis of the complaint which shall include, but not necessarily be limited to: the public office involved, the date and nature of the election to be held, whether the complainant and his opponent(s) are legally qualified candidates for public office, the date(s) of prior appearances by opponents if any, the time of request for equal opportunities submitted to the licensee, and the licensee's stated reasons for refusing to satisfy the complaint.

If at any time the licensee satisfies the complaint, the licensee should so notify the Commission, setting forth when and how the complaint has been satisfied and furnish a copy of such notification to complainant.

I. The Statute

Section 315 of the Communications Act of 1934, as amended, provides as follows:

SEC. 315. (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting stations: *Provided*, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate. Appearance by a legally qualified candidate on any—

(1) Bona fide newscast,

(2) Bona fide news interview,

(3) Bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary), or

(4) On-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto), shall not be deemed to be use of a broadcasting station within the meaning of this subsection. Nothing in the foregoing sentence shall be construed as relieving broadcasters, in connection with the presentation of newscasts, news interviews, news documentaries, and on-the-spot coverage of news events, from the obligation imposed upon them under this Act to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on issues of public importance.

(b) The charges made for the use of any broadcasting station for any of the purposes set forth in this section shall not exceed the charges made for comparable use of such station for other purposes.

(c) The Commission shall prescribe appropriate rules and regulations to carry out the provisions of this section.

II. The Commission's Rules and Regulations With Respect to Political Broadcasts

The Commission's rules and regulations with respect to political broadcasts coming within section 315 of the Communications Act are set forth in §§ 73.120 (AM), 73.290 (FM), 73.590 (noncommercial Educational FM), and 73.657 (TV), respectively. These provisions are identical (except for elimination of any discussion of charges in § 73.590 relating to noncommercial educational FM stations) and read as follows:

Broadcasts by candidates for public office—(a) *Definitions:* A "legally qualified candidate" means any person who has publicly announced that he is a candidate for nomination by a convention of a political party or for nomination or election in a primary, special, or general election, municipal, county, State or national, and who meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate, so that he may be voted for by the electorate directly or by means of delegates or electors, and who:

(1) Has qualified for a place on the ballot or

(2) Is eligible under the applicable law to be voted for by sticker, by writing in his name on the ballot, or other method, and (i) has been duly nominated by a political party which is commonly known and regarded as such, or (ii) makes a substantial showing that he is a bona fide candidate for nomination or office, as the case may be.

(b) *General requirements.* No station licensee is required to permit the use of its facilities by any legally qualified candidate for public office, but if any licensee shall permit any such candidate to use its facilities, it shall afford equal opportunities to all such other candidates for that office to use such facilities: *Provided*, That such licensee shall have no power of censorship over the material broadcast by any such candidate.

(c) *Rates and practices.* (1) The rates, if any, charged all such candidates for the same office shall be uniform and shall not be rebated by any means direct or indirect. A candidate shall, in each case, be charged no more than the rate the station would charge if the candidate were a commercial advertiser whose advertising was directed to promoting its business within the same area as that encompassed by the particular office for which such person is a candidate. All discount privileges otherwise offered by a station to commercial advertisers shall be available upon equal terms to all candidates for public office.

(2) In making time available to candidates for public office no licensee shall make any discrimination between candidates in charges, practices, regulations, facilities, or services for or in connection with the service rendered pursuant to this part, or make or give any preference to any candidate for public office or subject any such candidate to any prejudice or disadvantage; nor shall any licensee make any contract or other agreement which shall have the effect of permitting any legally qualified candidate for any public office to broadcast to the exclusion of other legally qualified candidates for the same public office.

(d) *Records; inspection.* Every licensee shall keep and permit public inspection of a complete record of all requests for broadcast time made by or on behalf of candidates for public office, together with an appropriate notation showing the disposition made by the licensee of such requests, and the charges made, if any, if request is granted. Such records shall be retained for a period of 2 years.

NOTE: See § 1.526 of this chapter.

(e) *Time of request.* A request for equal opportunities must be submitted to the licensee within 1 week of the day on which the prior use occurred.

(f) *Burden of proof.* A candidate requesting such equal opportunities of the licensee, or complaining of noncompliance to the Commission shall have the burden of proving that he and his opponent are legally qualified candidates for the same public office.

In addition, the attention of the licensees is directed to the following provisions of §§ 73.119, 73.289, and 73.654, relating to sponsorship identification which provide in pertinent part:

(a) When a television broadcast station transmits any matter for which money, services, or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, such station, the station shall broadcast an announcement that such matter is sponsored, paid for, or furnished, either in whole or in part, and by whom or on whose behalf such consideration was supplied: *Provided, however*, That "service or other valuable consideration" shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with, a broadcast unless it is so furnished in consideration for an identification in a broadcast of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the broadcast.

(b) The licensee of each television broadcast station shall exercise reasonable diligence to obtain from its employees, and from other persons with whom it deals directly in connection with any program matter for broadcast, information to enable such licensee to make the announcement required by this section.

(c) In any case where a report (concerning the providing or accepting of valuable consideration by any person for inclusion of any matter in a program intended for broadcasting) has been made to a television broadcast station, as required by section 508 of the Communications Act of 1934, as amended, of circumstances which would have required an announcement under this section had the consideration been received by such television broadcast station, an appropriate announcement shall be made by such station.

(d) In the case of any political program or any program involving the discussion of public controversial issues for which any films, records, transcriptions, talent, scripts, or other material or services of any kind are furnished, either directly or indirectly, to a station as an inducement to the broadcasting of such program, an announcement shall be made both at the beginning and conclusion of such program on which such material or services are used that such films, records, transcriptions, talent, scripts, or other material or services have been furnished to such station in connection with the broadcasting of such program: *Provided, however*, That only one such announcement need be made in the case of any such program of 5 minutes' duration or less, which announcement may be made either at the beginning or conclusion of the program.

* * * * *

(f) The announcement required by this section shall fully and fairly disclose the true identity of the person or persons by whom or in whose behalf such payment is made or promised, or from whom or in whose behalf such services or other valuable consideration is received, or by whom the material or services referred to in paragraph (d) of this section are furnished. Where an agent or other person contracts or otherwise makes arrangements with a station on behalf of another, and such fact is known to the station, the announcement shall disclose the identity of the person or persons in whose behalf such agent is acting instead of the name of such agent.

(g) In the case of any program, other than a program advertising commercial products or services, which is sponsored, paid for, or furnished, either in whole or in part, or for which material or services referred to in paragraph (d) of this section are furnished, by a corporation, committee, association, or other unincorporated group, the announcement required by this section shall disclose the name of such corporation, committee, association, or other unincorporated group. In each such case the station shall require that a list of the chief executive officers or members of the executive committee or of the board of directors of the corporation, committee, association, or other unincorporated group shall be made available for public inspection at the studios or general offices of one of the television broadcast stations carrying the program in each community in which the program is broadcast.

* * * * *

(i) Commission interpretations in connection with the foregoing rules may be found in the Commission's Public Notice entitled "Applicability of Sponsorship Identification Rules" (FCC 63-409; 28 F.R. 4732, May 10, 1963) and such supplements thereto as are issued from time to time.

(Sec. 317, 48 Stat. 1089, as amended; 47 U.S.C. 317)

III. "Uses," in General

In general, any use of broadcast facilities by a legally qualified candidate for public office imposes an obligation on licensees to afford "equal opportunities" to all other such candidates for the same office.

Section 315 of the Act was amended by the Congress in 1959 to provide that appearances by legally qualified candidates on specified news-type programs are deemed not to be a "use" of broadcast facilities within the meaning of that section. In determining whether a particular program is within the scope of one of these specified news-type programs, the basic question is whether the program meets the standard of "bona fides." To establish whether such a program is in fact a "bona fide" program, the following considerations, among others, may be pertinent: (1) The format, nature and content of the programs; (2) whether the format, nature and content of the program has changed since its inception and, if so, in what respects; (3) who initiates the programs; (4) who produces and controls the program; (5) when the program was initiated; (6) is the program regularly scheduled; and (7) if the program is regularly scheduled, specify the time and day of the week when it is broadcast. Questions have also been presented by the appearances on news-type broadcast programs of station employees who are also legally qualified candidates. In such cases, in addition to the above, the following considerations, among others, may be pertinent to a determination of the applicability of section 315: (1) What is the dominant function of the

employee at the station?; (2) what is the content of the program and who prepares the program?; and (3) to what extent is the employee personally identified on the program? In the rulings set forth below, wherein the Commission held that the "equal opportunities" provision was applicable, it should be assumed that the news-type exemptions contained in the 1959 amendments were not involved.

III.A. Types of Uses

III.A. 1. Q. Does section 315 apply to one speaking for or on behalf of the candidate, as contrasted with the candidate himself?

A. No. The section applies only to legally qualified candidates. Candidate A has no legal right under section 315 to demand time where B, not a candidate, has spoken against A or in behalf of another candidate. (Felix v. Westinghouse Radio Stations, 186 F. 2d 1 (3d Cir. 1950), cert. den. 341 U.S. 909.)

2. Q. Does section 315 confer rights on a political party as such?

A. No. It applies in favor of legally qualified candidates for public office, and is not concerned with the rights of political parties, as such. (Letter to National Laugh Party, May 8, 1957; see also In re WPRO–TV, Letter of Oct. 20, 1964.)

3. Q. Does section 315 require stations to afford "equal opportunities" in the use of their facilities in support of or in opposition to a public question to be voted on in an election?

A. No. Section 315 has no application to the discussion of political issues, as such, but is concerned with the use of broadcast stations by legally qualified candidates for public office. In the 1959 amendment of section 315, relating to certain news-type programs, Congress stated specifically that its action was not to be construed "* * * as relieving broadcasters, in connection with the presentation of newscasts, news interviews, news documentaries, and on-the-spot coverage of news events, from the obligation imposed upon them under this Act to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on issues of public importance." The Commission has considered this statement to be an affirmation of its "fairness doctrine", as enunciated in its Report on Editorializing by Broadcast Licensees.

III.B. What Constitutes a "Use" of Broadcast Facilities Entitling Opposing Candidates to "Equal Opportunities"?

III.B. 1. Q. If a legally qualified candidate secures air time but does not discuss matters directly related to his candidacy, is this a use of facilities under section 315?

A. Yes. Section 315 does not distinguish between the uses of broadcast time by a candidate, and the licensee is not authorized to pass on requests for time by opposing candidates on the basis of the licensee's evaluation of whether the original use was or was not in aid of a candidacy. (Letter to WMCA, Inc., May 15, 1952, 7 R.R. 1132.)

2. Q. Must a broadcaster give equal time to a candidate whose opponent has broadcast in some other capacity than as a candidate?

A. Yes. For example, a weekly report of a Congressman to his constituents via radio or television is a broadcast by a legally qualified candidate for public office as soon as he becomes a candidate for reelection, and his opponent must be given "equal opportunities" for time on the air. Any "use" of a station by a candidate, in whatever capacity, entitles his opponent to "equal opportunities." (Letter to Station KNGS, May 15, 1952, 7 R.R. 1130; see Q. and A. III.C.1, for a joint Congressional Report; see also letter to Senator Joseph S. Clark, Jan. 31, 1962; and for a Judge's report, see also telegram to Station KSHO–TV, Apr. 24, 1961; see also Q. and A.'s III.B.10, III.C.4; for recent rulings see Q. and A.'s III.B. 11, 12, and 13.)

3. Q. If a candidate appears on a variety program for a very brief bow or statement, are his opponents entitled to "equal opportunities" on the basis of this brief appearance?

A. Yes. All appearances of a candidate, no matter how brief or perfunctory, are a "use" of a station's facilities within section 315.

4. Q. If a candidate is accorded station time for a speech in connection with a ceremonial activity or other public service, is an opposing candidate entitled to equal utilization of the station's facilities?

A. Yes. Section 315 contains no exception with respect to broadcasts by legally qualified candidates carried "in the public interest" or as a "public service." It follows that the station's broadcasts of the candidate's speech was a "use" of the facilities of the station by a legally qualified candidate giving rise to an obligation by the station under section 315 to afford "equal opportunities" to other legally qualified candidates for the same office. (Letter to CBS (WBBM), Oct. 31, 1952; letter to KFI, Oct. 31, 1952.)

*5. Q. The United Community Campaigns of America advised the Commission that dating back to the early thirties it had "kicked off" its United Fund and Community Chest Campaigns with a special message broadcast by the President of the United States each fall. For the past several years the broadcast has consisted of a 5 minute program filmed on video-tape in advance at the White House and later carried on the three television networks and the four radio networks. Would the candidate opposing the President be entitled to equal opportunities if the message were carried?

A. The Commission held that section 315 contains no exceptions with respect to broadcasts by legally qualified candidates carried "in the public interest" or as a "public service" and that a candidate's speech in connection with a ceremonial activity is a section 315 "use." It is immaterial whether or not the candidate uses the time to discuss matters related to his candidacy, and the fact that the appearance of the candidate is nonpolitical is not determinative of whether his appearance is a "use." Whether the presentation of the special message in connection with a particular newstype program would meet the criteria for exemption specified in the 1959 amendment is a question initially for the exercise of the good faith judgment of the broadcast licensee. (In re United Community Campaigns, letter of Sept. 2, 1964, 3 R.R. 2d 320; but see Q. and A. III.B.14.)

6. Q. Where a candidate delivers a nonpolitical lecture on a program which is part of a regularly scheduled series of lectures broadcast by an educational FM station, is that station required to grant equal time to opposing candidate?

A. Yes. Unless the candidate's appearance comes within the category of broadcasts exempt from section 315's "equal opportunities" provision, equal time must be granted. The use to which the candidate puts this broadcast time is immaterial. (See Q. and A. III.B.1, supra.) (Telegram to Station WFUV–FM Oct. 27, 1961.)

7. Q. Are acceptance speeches by successful candidates for nomination for the candidacy of a particular party for a given office, a use by a legally qualified candidate for election to that office?

A. Where the successful candidate for nomination becomes legally qualified as a candidate for election as a result of the nomination, his acceptance speech constitutes a use. (Letter to Progressive Party, July 2, 1952, 7 R.R. 1300.) However, after 1959, acceptance speeches in connection with *political conventions* are governed by section 315(a)(4). (For rulings after the 1959 Amendments see Telegram in re CBS and NBC, July 7, 1960, Q. and A. III.C.22; and letter to Deberry-Shaw Campaign Committee, Sept. 11, 1964, Q. and A. III.C.23.)

8. Q. Does section 315 apply to broadcasts by a legally qualified candidate where such broadcasts originate and are limited to a foreign station whose signals are received in the United States?

A. No. Section 315 applies only to stations licensed by the FCC. (In re CKLW–TV, letter of July 19, 1955.)

9. Q. A candidate for the Democratic nomination for President appeared on a network variety show. A claimant for "equal opportunities" showed that his name had been on the ballots in the Democratic presidential primary elections in two states; that the network had shown him in a film on a program concerned with the various 1960 presidential candidates; and that he was continuing his efforts as a candidate for the Democratic nomination. Would the claimant be entitled to "equal opportunities"?

A. Yes, since the appearance of the first candidate was on a program which was not exempt from the "equal opportunities" requirement of section 315 and the claimant had shown that he was a "legally qualified" candidate for the nomination for the same office. (Telegram to NBC, July 6, 1960.)

10. Q. If a station owner, or a station advertiser, or a person regularly employed as a station announcer were to make appearances over a station after having qualified as a candidate for public office, would section 315 apply?

A. Yes. Such appearances of a candidate are a "use" under section 315. (Letters to KUGN, Apr. 9, 1958; to KTTV, Jan. 23, 1957, 14 R.R. 1227; In re WCVS, letter of Nov. 19, 1956, 14 R.R. 1226b, respectively; and letter to Georgia Assoc. of Broadcasters, May 18, 1962. See also Q. and A.'s III.B. 11, 12, and 13. But cf. letter to KWTX Broadcasting Co., Mar. 16, 1960; Brigham vs. FCC, 276 F. 2d 828 (C.A. 5), Apr. 19, 1960 and Q. and A. III.C.4.)

*11. Q. A television station employs an announcer who, "off camera" and unidentified, supplies the audio portion of required station identification announcements, public service announcements, and commercial announcements. The announcer is not authorized to make comments or statements concerning political matters, and he has no control over the format or content of any program material. In the event that this employee announced his candidacy for the city council, would his opponent be entitled to equal opportunities?

A. No. The employee's appearance for purposes of making commercial, noncommercial, and station identification announcements would not constitute a "use" where the announcer himself was neither shown nor identified in any way. (In re WNEP, letter of Mar. 16, 1955.)

*12. Q. The station employee mentioned in Q. and A.III.B.11, supra, also hosts a weekly dance party on which he is identified but during which he appears or is heard only a portion of the time. He has some discretion with respect to the program's content insofar as he conducts brief conversations with teenagers appearing on the program. In the event he becomes a candidate for the city council, would his opponent be entitled to "equal opportunities"?

A. Yes. The employee's appearance as host of the dance party program would entitle other candidates for the same office to "equal opportunities" for the amount of time he appeared on the program. The deletion of the announcer's identity would not exempt his appearances from the "equal opportunities" provision, since in the case of television it is the appearance itself which constitutes the "use" of the facilities without regard to the format of the program. If an appearance of this nature were made, other candidates would be entitled to free time since the announcer would not have paid for the time he appeared. (In re WNEP, letter of Mar. 16, 1965.)

*13. Q. An employee of a radio station who had been for a number of years the station's news director and is responsible for preparing the news material and presenting it on regularly scheduled news programs announced his candidacy for the school board. Prior to becoming a candidate the employee was identified on the news programs he announced, but he will not be identified during his candidacy. Would the appearance of the employee while he was a legally qualified candidate on the particular news-type programs constitute a "use" of the station entitling the employee's opponents to "equal opportunities"?

A. Yes. In cases where the newscaster is identified up to the date of his candidacy and prepares and broadcasts the news, including that of a local nature, the general line of rulings prior to the 1959 amendments to section 315 would be applicable and such appearances would constitute a "use" of the station's facilities. (In re WMAY, letter of Mar. 31, 1965, 4 R.R. 2d 849.)

14. Q. When a station, as part of a newscast, uses film clips showing a legally qualified candidate participating as one of a group in official ceremonies and the newscaster, in commenting on the ceremonies, mentions the candidate and others by name and describes their participation, has there been a "use" under section 315?

A. No. Since the facts clearly showed that the candidate had in no way directly or indirectly initiated either filming or presentation of the event, and that the broadcast was nothing more than a routine newscast by the station in the exercise of its judgment as to newsworthy events. (Letter to Allen Blondy, Feb. 6, 1957, 14 R.R. 1199; cf. CBS, Inc. (Lar Daly case), 26 FCC 715, 18 R.R. 701 [1959] and letter to Lar Daly, Sept. 9, 1959, 18 R.R. 750; see also rulings in III. C., infra, concerning the 1959 Amendments.)

III.C. What Constitutes an Appearance Exempt From the Equal Opportunities Provisions of Section 315?

III.C. 1. Q. Does an appearance on a program subject to the equal opportunities provision of section 315 such as a Congressman's Weekly Report, attain exempt status when the Weekly Report is broadcast as part of a program not subject to the equal opportunities provisions, such as a bona fide newscast?

A. No. A contrary view would be inconsistent with the legislative intent and recognition of such an exemption would in effect subordinate substance to form. (Letter to Congressman Clark W. Thompson, Feb. 9, 1962, 23 R.R. 178.)

2. Q. Are appearances by an incumbent-candidate in film clips prepared and supplied by him to the stations and broadcast as part of a station's regularly scheduled newscast, "uses" within the meaning of section 315?

A. Yes. Broadcast of such film clips containing appearances by a candidate constitute uses of the station's facilities. Such appearances do not attain exempt status when the film clips are broadcast as part of a program not subject to the equal opportunities provision, for the reasons set forth in Question and Answer III.C.1, above. (Letter to Congressman Clem Miller, June 15, 1962.)

3. Q. A sheriff who was a candidate for nomination for U.S. Representative in Congress conducted a daily program, regularly scheduled since 1958, on which he reported on the activities of his office. He terminated each program with a personal "Thought for the Day." Would his opponent be entitled to "equal opportunities?"

A. Yes. In light of the fact that the format and content of the program were determined by the sheriff and not by the station, the program was not of the type intended by Congress to be exemot from the "equal opportunities" requirement of section 315. (Letter to Station WCLG, Apr. 27, 1960.)

4. Q. A local weathercaster who was a candidate for reelection for Representative in the Texas Legislature was regularly employed by an AM and TV station in Texas. His weathercasts contained no references to political matters. He was identified over the air while a candidate as the "TX Weatherman." Would his opponent be entitled to "equal opportunities?"

A. No. The Court of Appeals, Fifth Circuit, ruled that the weathercaster's appearance did not involve anything but a bona fide effort to present the news; that he was not identified by name but only as the "TX Weatherman"; that his employment did not arise out of the election campaign but was a regular job; and that the facts did not reveal any favoritism on the part of the stations or any intent to discriminate among candidates. (Letter to KWTX Broadcasting Co., Mar. 16, 1960; Brigham v. FCC, 276 F. 2d 828 (C.A. 5), Apr. 19, 1960; but see Q. and A.'s III.B. 11, 12, and 13.)

*5. Q. Where the facts are the same as those set forth in Q. and A. III.B.13, supra, would the appearances of the employee while a legally qualified candidate on news type programs constitute a "use" exempted from the provisions of 315 by reason of the 1959 Amendment?

A. No. The main purpose of the amendment was to allow greater freedom to the broadcaster in reporting *news* to the public, that is to say, in carrying news about and pictures of candidates as part of the contents of news programs. The amendment did not deal with the question of whether the appearance of station employees who have become candidates for office should be exempted on a news-type program where such employees are announcing the news (rather than being a part of the content of the news), any more than it dealt with the general question of such appearances (e.g., on a variety program or as a commercial continuity announcer), and the legislative history indicates that the appearance of the candidate on a news-type program in which he has participated in the "format and production" would not be exempt. (In re WMAY, letter of Mar. 31, 1965, 4 R.R. 2d 849.)

6. Q. A Philadelphia TV station had been presenting a weekly program called "Eye on Philadelphia." This program consisted of personalities being interviewed by a station representative.

*An asterisk denotes a new question and answer.

Three candidates for the office of Mayor of Philadelphia, representing different political parties, appeared on the program. Would a write-in candidate for Mayor be entitled to "equal opportunities"?

A. No, since it was ascertained that the appearances of the three mayoralty candidates were on a bona fide, regularly scheduled news interview program and that such appearances were determined by the station's news director on the basis of newsworthiness. (Telegram In re WCAU–TV, Nov. 2, 1959; see also In re WTMJ–TV, Telegram of Nov. 2, 1964.)

7. Q. A New York television station had been presenting a weekly program called "Search Light". This program consisted of persons, selected by the station on the basis of their newsworthiness, interviewed by a news reporter selected by the station, a member of the Citizens Union (a permanent participant initially selected by the station), and a station newsman who acted as moderator. Two candidates appeared on the program and were interviewed. Is a third opposing candidate entitled to "equal opportunities"?

A. No. The format of the program was such as to constitute a bona fide news interview pursuant to section 315(a)(2), since the program was regularly scheduled, was under the control of the licensee, and the particular program had followed the usual program format. (Telegram in re WNBC, Nov. 1, 1961.)

8. Q. A Washington, D.C., television station had been presenting a weekly program called "City Side". This program consisted of persons being interviewed by a panel of reporters. The panel was selected by the station and the persons interviewed were selected by the station on the basis of newsworthiness. Three candidates for the Democratic nomination for the office of Governor of Maryland were invited to appear on the program and one of them accepted. Would a fourth candidate for the same nomination, not invited by the station to appear, be entitled to "equal opportunities"?

A. No. It was determined that "City Side" was a regularly scheduled, weekly, live, news-interview program on the station for approximately 6 years; that the normal format of the program consisted of the interview of a newsworthy guest or guests by a panel of reporters; that the appearances on the program were determined by the station on the basis of newsworthiness; and that it was on this basis that the three candidates were invited to appear. Such a program constitutes a bona fide news-interview program pursuant to section 315(a)(2). (Telegram to Charges Luthard, Sr., May 12, 1962.)

9. Q. A New York television station had been presenting a weekly half-hour program series for over 2 years. The program, "New York Forum", was presided over by a station moderator and consisted of interviews of currently newsworthy guests by a panel of three lawyers. The guests were selected by the station in the exercise of its bona fide news judgment and not for the political advantage of any candidate for public office. The local bar association suggested the lawyer-interviewers to be used on a particular program but their final selection remained subject to the station's approval. The Democratic and Republican candidates for the office of Governor of New Jersey had appeared on separate programs in the series. Would a third party candidate be entitled to "equal opportunities"?

A. No. Such a program is a bona fide news interview and, as such, appearances on the program are exempt pursuant to section 315(a)(2). (Telegram to Socialist Labor Party of New Jersey, Nov. 2, 1961.)

10. Q. Certain networks had presented over their facilities various candidates for the Democratic nomination for President on the programs "Meet the Press", "Face the Nation", and "College News Conference." Said programs were regularly scheduled and consisted of questions being asked of prominent individuals by newsmen and others. Would a candidate for the same nomination in a State primary be entitled to "equal opportunities"?

A. No. The programs were regularly scheduled, bona fide news interviews and were of the type which Congress intended to exempt from the "equal opportunities" requirement of section 315. (Letter to Andrew J. Easter, April 28, 1960; In re Lar Daly, letters of May 12 and June 13, 1960; and letter to Congressman Frank Kowalski, July 10, 1962.)

11. Q. On September 30, 1962, one of the networks interviewed two Congressmen, one presenting the Republican Party view and the other presenting the Democratic Party view concerning legislative achievements of the current Congressional session. The program in which the Congressmen appeared, "Direct Line", was initiated in April 1959, and its format, nature, and content had not materially changed since its inception; it was produced and controlled by the network and was regularly scheduled on Sundays as a half-hour program, although the particular program had been expanded to an hour because of preelection interest in the subject matter. The persons interviewed were asked questions submitted by viewers of the program, supplemented by questions prepared in cooperation with the League of Women Voters. The questions to be asked were selected exclusively by employees of the network and propounded by a moderator, also a network employee, although on some occasions, an additional person such as a news reporter assisted the moderator in asking questions. Would the opponent of one of the Congressmen running for re-election be entitled to "equal opportunities"?

A. No. On the basis of the information submitted, the Commission was of the view that the program "Direct Line" was a "bona fide news interview" within the meaning of section 315(a)(2) and, therefore, the Congressmen's appearances were exempt. (Telegram to Martin B. Dworkis, Oct. 10, 1962; see also Telegram to Aaron M. Orange, Nov. 3, 1962; letter to Aaron M. Orange, July 25, 1963, FCC 63–721)

12. Q. One of the networks had been presenting a program called "Issues and Answers" each Sunday since November 27, 1960, and the format, nature, and content of the program had not changed since its inception. The program, originated, produced and controlled by the network in question, consisted of one or more news correspondents interviewing one or more nationally or internationally prominent individuals such as Government officials, U.S. Senators, U.S. Congressmen, foreign ambassadors, etc., on topics of national interest. The Minority Leaders of the Senate and House, one of whom was a candidate for reelection, were interviewed on the program as the official Republican Congressional spokesmen. The following week the official Democratic Congressional spokesmen appeared and were interviewed on the program. Would the opponent of the Republican spokesman who was running for reelection be entitled to "equal opportunities"?

A. No. The Commission ruled that the program "Issues and Answers" was a bona fide news interview program of the type which Congress intended to be exempt from the "equal opportunities" provisions of section 315. (Telegram to Mr. William S. Flanagan, Oct. 23, 1962.)

13. Q. A candidate for the Democratic nomination for President was interviewed on a network program known as "Today." It was shown that this was a daily program emphasizing news coverage, news documentaries, and on-the-spot coverage of news events; that the determination as to the content and format of the interview and the candidate's participation therein was made by the network in the exercise of its news judgment and not for the candidate's political advantage; that the questions asked of the candidate were determined by the director of the program; and that the candidate was selected because of his newsworthiness and the network's desire to interview him concerning current problems and events. Would the candidate's opponent be entitled to "equal opportunities"?

A. No, since the appearance of the candidate was on a program which was exempt from the "equal opportunities" requirement of section 315. (Telegram to Lar Daly, July 6, 1960.)

14. Q. Does the appearance of a candidate on any of the following programs constitute a "use" under the "equal opportunities" provisions of section 315: "Meet the Press", "Youth Wants to Know", "Capitol Cloakroom", "Tonight", and "PM"?

A. The programs "Meet the Press" and "Youth Wants to Know" were specifically referred to during the Senate debates on the 1959 amendments as being regularly scheduled news interview programs of the type intended to be exempt from the "equal opportunities" provision of section 315. Thus, if the format of these programs is not changed in any material respect, appearances by a candidate on such programs would not constitute a "use" under section 315. (Letter to Senator Russell B. Long, June 13, 1962; see also Q. and A. III.C.10; as to the "Tonight" program, see Q. and A. III.B.9.)

15. Q. A candidate for Governor of the State of New York appeared on "The Barry Gray Show", a nightly news and discussion program which had been broadcast by the station, using the same format, for a period of at least 4 years. The program consisted of a series of interviews of indeterminate length with persons from all walks of life concerning newsworthy events. The show was interrupted five times nightly for 5-minute newscasts, two of which were given by Barry Gray. Barry Gray, an independent contractor, exercised day-to-day control over the program subject to overall and ultimate control by the station. Candidates appearing on the program were selected, not for their own political advantage, but on the basis that they were bona fide candidates and would serve to inform the audience on issues on which the audience would have to make a decision in order to vote. The station allowed Barry Gray the maximum latitude for initiative and editorial freedom. Barry Gray determined, on the basis of the interest value of the guest and the articulate manner in which he expressed himself on the topic under discussion, the amount of time to be allocated to any particular interview, and either actively participated in the discussion, acted as an impartial moderator in the interview, or on occasion, "talked the show" out if the guest was of little interest value. In some instances, the program consisted of an exchange of views and in other instances, constituted a panel discussion. Would the opponent of the candidate for Governor of New York be entitled to "equal opportunities"?

A. Yes. The Commission held that the definition of a bona fide news interview must be derived from the specific examples of such programs cited in the legislative history of the 1959 amendment to section 315. On the basis of the information submitted, the Commission could not determine that the Barry Gray Show was a bona fide news interview. (Telegram to WMCA, Inc., Oct. 20, 1962, FCC 62–1133.)

16. Q. A New Jersey television station had been presenting for approximately 2½ years a weekly program called "Between the Lines." This program consisted of interviews by a station moderator of persons involved with current public events in New Jersey and New York. The incumbent, candidate for reelection to the State assembly, appeared on the program. Would his opponent be entitled to "equal opportunities"?

A. No. The Commission ruled that "* * * the program in question is the type of program Congress intended to be exempt from the equal time requirements of section 315." (Letter to George A. Katz, Esq., Nov. 2, 1960.)

17. Q. The "Governor's Radio Press Conference" is a weekly 15-minute program which has been broadcast approximately 2 years employing essentially the same format since its inception. In the program, the Governor-candidate is seated in his office and speaks into a microphone; each of the participating stations has selected a newsman, who, while located at his respective station, asks questions of the Governor which the newsman considers to be newsworthy. The questions are communicated to the Governor-candidate by telephone from the respective stations and the questions and the Governor's answers are communicated to the stations by the means of a broadcast line from his office to the stations. The questions and answers are taped both by his office and each of the participating stations, and no tapes are supplied by the Governor to the stations. Questions asked of the Governor and all of the material, including his answers, are not screened, or edited by anyone in his office or on his behalf. The program is unrehearsed and there is no prepared material of any kind used by the Governor or by anyone on his behalf. The newsmen are free to ask any question they wish and each program in under the control of the participating stations. Does the appearance of the Governor-candidate on said program constitute a "use" under the "equal opportunities" provision of section 315?

A. No. Since the program involves the collective participation of the stations' newsmen, is prepared by the stations, is under their sole supervision and control, has been regularly scheduled for a period of time, and was not conceived or designated to further the candidacy of the Governor, it was held to be a bona fide news interview program and, therefore, exempt from the "equal opportunities" provision of section 315. (Letter to Governor Michael DiSalle, June 8, 1962.)

18. Q. The "Governor's Forum" program has been broadcast for approximately 8 months by several participating stations. In this program, the Governor-candidate is seated in his office and speaks into a microphone. The program consists of his answers to and questions submitted by the listening public. Questions asked are either telephoned or written to the stations or directly to his office. The questions which are telephoned or written to the several stations are forwarded to the principal participating station, which then selects the questions, edits the questions, and accumulates them on a tape. The questions telephoned or written to the Governor's office are likewise selected and edited by his office for taping. The tape or tapes containing the questions are played in his office and the questions and the Governor's answers are then recorded on a master tape prepared by his office. Additional questions are asked of the Governor by the principal station's newsman, present in the Governor's office, to amplify any prior question and answer. On occasion, further editing of the tape has been made by the Governor's office or by the stations. The tape is sent to each of the participating stations by the Governor's office. There is no prepared material or rehearsal by the Governor's office. Would the appearance by the Governor-candidate on the above program constitute a "use" under the "equal opportunities" provision of section 315?

A. Yes. Such a program is not a news-interview program as contemplated by section 315(a)(2). This conclusion has been reached since the selection and compilation of the questions, as well as the production, supervision, control, and editing of the program are not functions exercised exclusively by the stations. (Letter to Governor Michael DiSalle, June 8, 1962.)

19. Q. A Congressmen who was a candidate for reelection appeared in a news interview on a station and was interviewed by the station's Public Affairs Department regarding his experiences as a freshman Congressman. The program was described by the licensee as a "bona fide special news interview" and the licensee stated that it had sought the interview on the basis of its news judgment. The interview was conducted by a station employee and the questions asked related to current newsworthy events. The licensee stated further that although the program was a "special news interview" (the station did not broadcast regularly scheduled news interviews but presented special news interviews as the occasion arose and this was deemed by the licensee to be such an occasion), the interview itself and the format and nature of the questions were the same as in news interview programs of other newsworthy individuals and that the program was initiated, produced, and controlled by the licensee. Would the Congressman's opponent be entitled to "equal opportunities"?

A. Yes. The Commission pointed out that the legislative history of the 1959 amendment to section 315 clearly indicated that a basic element of a "bona fide news interview" is that it be regularly scheduled. Accordingly, it held that the Congressman's appearance did not occur in connection with a "bona fide news interview" within the meaning of section 315(a)(2) and that his appearance, therefore, constituted a "use" entitling his opponent to "equal opportunities." (Telegram to Station KFDX–TV, Oct. 26, 1962.)

20. Q. CBS Television Network presented a 1-hour program entitled "The Fifty Faces of '62." The program consisted of a comprehensive news report of the current off-year elections and campaigns. It included a brief review of the history of off-year elections, individual and group interviews, on-the-spot coverage of conventions and campaigns, and flashbacks of currently newsworthy aspects of the current campaigns and elections. In addition to the appearances on the broadcast of private citizens, voters, college students, and candidates, there were approximately 25 political figures, none of whom was on camera for more than approximately 2 or 3 minutes. Some of the candidates appearing on the program mentioned their candidacy; others, including the minority leader of the House of Repre-

sentatives, who appeared in that capacity and discussed the prospect of his party in the Fall elections, did not discuss their candidacies. The determination as to who was to appear on the program was made solely by CBS News on the basis of its bona fide news judgment that their appearances were in aid of the coverage of the subject of the programs and not to favor or advance the candidacies of any of those who appeared, such appearances being incidental and subordinate to the subject of the documentary. Is the appearance on the program of a candidate, in his capacity as minority leader of the House of Representatives, a "use" within the "equal opportunities" provision of section 315?

A. No. Such a program is a bona fide news documentary pursuant to section 315(a)(3). The appearance of the candidate therein is incidental to the presentation of the subject covered by the documentary and the program is not designed to aid his candidacy. (Telegram to Judge John J. Murray, June 12, 1962.)

21. Q. A television station had been presenting since 1958 a weekly 30 minute program concerning developments in the State legislature with principal Democratic and Republican party leaders of both houses of the legislature participating. At the close of each legislative term, the station televised a one hour summary of the legislature's activities, using film and recordings made during its meetings. Is the appearance, in the latter program, of an officer of the State legislature, who is also a candidate, in which he and others express their views on the accomplishments of the legislative session a "use" under the "equal opportunities" provision of section 315?

A. No. For the reasons stated in Q. and A. III.C.19, supra.

22. Q. A former President expressed his views with respect to a forthcoming national convention of his party. A candidate for that party's nomination for President called a press conference at the convention site and immediately prior to the convention to comment on said views, which conference was broadcast by two networks. Would said candidate's opponent for the same nomination be entitled to "equal opportunities"?

A. No, since the appearance of the first candidate incidental to a political convention was on a program which constituted "on-the-spot coverage of bona fide news events," pursuant to section 315(a)(4). (Telegram in re CBS and NBC, July 7, 1960; see sec. 315(a)(4), and Q. and A. III.C.23, infra; but see Q. and A. III.B.7, supra.)

*23. Q. Are acceptance speeches made at a nominating convention by successful candidates for a political party's nomination for president and vice president uses which entitle other parties' candidates for those offices to "equal opportunities" under section 315?

A. No. Prior to 1959 any use of a station's facilities by a candidate for public office required the station to afford "equal opportunities" to other candidates for the same office. However, one of the specific types of news programs exempted by Congress was "on-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto)" in the language of 315(a)(4). The broadcast of an acceptance speech made at a political convention is an aspect of the coverage of the political convention. (Letter to Deberry-Shaw Campaign Committee, Sept. 11, 1964. See also Q. and A. III.C.22., supra; but for a ruling prior to the 1959 Amendments see letter to Progressive Party, July 2, 1952, 7 R.R. 1300, Q. and A. III.B.7.)

24. Q. A Chicago television station covered the annual Saint Patrick Day parade in that city. During the broadcast, the Mayor, a candidate for reelection, appeared for 2 minutes. Would the Mayor's opponent be entitled to "equal opportunities"?

A. No. Broadcast coverage of a parade is the type of bona fide news event contemplated by Congress in enacting the 1959 amendments to section 315. Therefore, such a broadcast would appear to constitute "on-the-spot coverage of bona fide news events" pursuant to section 315(a)(4) and any appearance by a candidate during the course of such a broadcast would not constitute a "use" of broadcast facilities entitling opposing candidates to "equal opportunities." (Letter to Lar Daly, Mar. 28, 1963.)

25. Q. An Indiana station presented the County Court Judge, who was a candidate for the Democratic mayoralty nomination in Gary, Ind., on a program entitled "Gary County Court on the Air". The program had been broadcast live by the station as a public service for the past 14 years, each Monday, Wednesday, Thursday and Friday from 9:05 a.m. to 10 a.m. One of the programs was taped for broadcast 1 day prior to the actual broadcast. The station had met with the presiding Judge some 14 years prior to the election in question to arrange for the broadcasts and each succeeding judge had agreed to continue the program because of its public interest value. For 7½ years prior to the election in question, the judge who was a candidate for the mayoralty nomination had appeared on the program. Persons appearing in the court had the privilege of declining to have their cases heard during broadcast time to prevent invasion of privacy. If, in the opinion of the presiding judge, certain cases did not lend themselves to broadcast, they were heard at times when the proceedings were not being covered by the station. The court was the usual type of City Court, handling a variety of cases and was not solely a traffic court, and it was, generally, impossible for the judge to control the content and/or persons who did appear. The program could not be by its nature and was not, by licensee insistence, tailored to suit the judge who was a candidate. The format of "Gary County Court on the Air" had remained unchanged since the inception of the program. The station used City Court case decisions on its regularly scheduled newscasts and such decisions also appeared in Gary newspapers. Would the Judge's opponent for the nomination for Mayor be entitled to "equal time"?

A. No. The Commission concluded that the program fell within the "news event" exemption of section 315(a)(4) because the program covered the operation of an official governmental body and because the court proceedings were newsworthy. The Commission held that the program was "bona fide" in view of the fact that it had been presented by the station for 14 years, with this particular judge for 7½ years, and inasmuch as the appearance of the candidate was incidental to the on-the-spot coverage of a news event rather than for the purpose of advancing his candidacy. Therefore, the Commission ruled that "Gary County Court on the Air" fell within the reasonable latitude allowed to licensees for the exercise of good faith news judgment and was exempt from the "equal time" requirement of section 315. (Letter to Thomas R. Fadell, Apr. 10, 1963 (FCC 63–331); affirmed by order entered Apr. 29, 1963, Thomas R. Fadell v. U.S., FCC and WWCA Radio Station, Case No. 14,142 (USCA, 7th).)

26. Q. On September 30, 1962, two candidates for the office of Governor of California held a 1-hour debate which was given coverage on every major television station in California, the time being donated by the stations carrying the debate. The debate was held in San Francisco as part of the annual convention of United Press International which had invited the two candidates to appear and had invited all news media to cover the event. The debate was not arranged by the stations but was broadcast by them as a public service and in the exercise of their bona fide news judgment. No other aspect of the UPI convention was broadcast other than the joint appearance of the two candidates. A third candidate for the same office requested "equal opportunities" and the stations denied the request on the basis that the prior appearances constituted "on-the-spot coverage of a bona fide news event" pursuant to section 315(a)(4) of the Communications Act. Was the third candidate entitled to "equal opportunities"?

A. Yes. The Commission held that neither the language of the amendment, the legislative history nor subsequent Congressional action indicated a Congressional intent to exempt from the "equal opportunities" provision of section 315 a debate qua debate between legally qualified candidates. The Commission pointed out that the bona fides of the licensee's news judgment, while not questioned, was not the sole criterion to be used in determining whether section 315(a)(4) had been properly invoked. It was concluded that where the appearance of the candidates was designed by them to serve their own political advantage and such appearance was ultimately the subject of a broadcast program encompassing only their entire appearance, such program cannot be considered to be on-the-spot coverage of a bona fide news event simply because the broadcaster deems that the candidates' appearance (or speeches) will be of interest to the general public and, therefore, newsworthy. (Telegrams to NBC and KFMB–TV, Oct. 19, 1962; letter to NBC and CBS, Oct 26, 1962, FCC 62–1132; see also letter to The Goodwill Stations, Inc. (WJR), Oct. 19, 1962.)

*27. Q. The Columbia Broadcasting System, Inc., advised the Commission that over the years it had become the practice of the President to hold press conferences; that President Johnson had held such conferences on a periodic, though irregular, basis in the past and would undoubtedly hold press conferences prior to election day, as would his opposing candidate Senator Goldwater. CBS stated that it considered Presidential press conferences important news events, and had given them such broadcast coverage as it in its news judgment had thought was warranted and that it believed it would be in the public interest to continue to cover these press conferences, as well as those of Senator Goldwater, or some of them, in whole or in part, provided this would not require it to afford equal time to all other persons who might also be candidates for the presidency. Would such press conferences be exempt from the requirements of section 315 on the ground that the appearances were considered to be either "bona fide news interviews" or "on the spot coverage" of "bona fide news events"?

A. No. The broadcast of press conferences, such as the one described in the inquiry, would not be exempt from the provisions of section 315 either as "bona fide news interviews" or "on the spot coverage of a bona fide news event." The press conference could not qualify as a "bona fide news interview" exemption inasmuch as it was not a regularly scheduled program, within the recognized and accepted meaning of that term, but rather was one that could be called by the candidates solely in their discretion and at times they themselves specify. Such a press conference could not, in any event, qualify for exemption, since the scheduling and in significant part the content and format of the press conference was not under the control of the network. In addition the broadcast of the press conference could not be deemed to be an "on-the-spot coverage of a bona fide news event," since prior Commission rulings issued on October 19 and 26, 1962 (see Q. and A. III.C.26) pointed out inter alia, "* * * that if the sole test of the on-the-spot coverage exemption is simply whether or not the station's decision to cover the event and put it on a broadcast program constitutes a bona fide news judgment, there would be no meaning to the other three exemptions in section 315(a) since these, too, all involve a bona fide news judgment by the broadcaster." Such a test would, in effect, amount to a repeal of the "equal opportunities" provision of section 315(a)—something Congress clearly did not intend, as shown, for example by the necessity for the suspension of that provision for the 1960 debates between the two major presidential candidates. (Letter to CBS, Sept. 30, 1964, 3 R.R. 2d 623.)

*28. Q. The President of the United States during a presidential campaign used 15 minutes of radio and television time to address the Nation with respect to an extraordinary international situation in the Middle East (the so-called Suez crisis). Would the networks carrying this address be obliged to afford "equal opportunities" to the other presidential candidates?

A. No. On the basis of the legislative history of section 315 the Commission concluded that Congress did not intend to grant equal time to all presidential candidates when the President uses the air waves in reporting to the Nation on an international crisis. (Telegram to NBC, CBS, and ABC, Nov. 5, 1956, Public Notice 38387, 14 R.R. 720.)

*29. Q. The President of the United States, upon the recommendation of the National Security Council, went on the air to deliver a report to the Nation with respect to an important announcement by the Soviet Government as to change in its leadership, and the explosion by Communist China of a nuclear device. Would the President's opponents for the Presidency be entitled to "equal opportunities?"

A. No. The networks carrying the report, in determining that such a report by the President on specific, current international events affecting the country's security falls within the "on-the-spot coverage of a bona fide news event" exemption of section 315(a)(4), acted within their "reasonable latitude for the exercise of good faith news judgment." The Commission also discussed its previous ruling of 1956 (Q. and A. III.C.28 supra) and noted that this ruling had been fully reported to the Congress and that Congress had reexamined the concept of "use" in connection with extensive amendments in 1959 to section 315, but did not alter or comment adversely upon the 1956 ruling. The decision was appealed to the U.S. Court of Appeals (D.C. Cir.) and was affirmed by a vote of 3 to 3 without opinion. A petition for certiorari to the Supreme Court was denied. (Letter to Dean Burch, Oct. 21, 1964; cert. denied, 379 U.S. 893 (1964), 3 R.R. 2d 647, 3 R.R. 2d 2025.)

IV. Who is a Legally Qualified Candidate?

IV 1. Q. How can a station know which candidates are "legally qualified"?

A. The determination as to who is a legally qualified candidate for a particular public office within the meaning of section 315 and the Commission's rules must be determined by reference to the law of the State in which the election is being held. In general, a candidate is legally qualified if he can be voted for in the State or district in which the election is being held, and, if elected, is eligible to serve in the office in question.

2. Q. Need a candidate be on the ballot to be legally qualified?

A. Not always. The term "legally qualified candidate" is not restricted to persons whose names appear on the printed ballot; the term may embrace persons not listed on the ballot if such persons are making a bona fide race for the office involved and the names of such persons, or their electors can, under applicable law, be written in by voters so as to result in their valid election. The Commission recognizes, however, that the mere fact that any name may be written in does not entitle all persons who may publicly announce themselves as candidates to demand time under section 315; broadcast stations may make suitable and reasonable requirements with respect to proof of the bona fide nature of any candidacy on the part of applicants for the use of facilities under section 315. (§§ 3.120, 3.290, 3.657, esp. par. (f); letters to Socialist Labor Party, Nov. 14, 1951, 7 R.R. 766; CBS Inc., May 28, 1952, 7 R.R. 1189; Press Release of Nov. 26, 1941 (Mimeo 55732); see also Q. and A.'s IV. 11, 12, and 13.)

3. Q. May a person be considered to be a legally qualified candidate where he has made only a public announcement of his candidacy and has not yet filed the required forms or paid the required fees for securing a place on the ballot in either the primary or general elections?

A. The answer depends on applicable State law. In some States persons may be voted for by electorate whether or not they have gone through the procedures required for getting their names placed on the ballot itself. In such a State, the announcement of a person's candidacy—if determined to be bona fide—is sufficient to bring him within the purview of section 315. In other States, however, candidates may not be "legally qualified" until they have fulfilled certain prescribed procedures. The applicable State laws and the particular facts surrounding the announcement of the candidacy are determinatives. (Letter to Senator Earle C. Clements, Feb. 2, 1954; and see also par. (f) of §§ 3.120, 3.290, 3.657.)

4. Q. May a station deny a candidate "equal opportunities" because it believes that the candidate has no possibility of being elected or nominated?

A. No. Section 315 does not permit any such subjective determination by the station with respect to a candidate's chances of nomination or election. (Letter to CBS Inc., May 28, 1952, 7 R.R. 1189.)

5. Q. When is a person a legally qualified candidate for nomination as the candidate of a party for President or Vice President of the United States?

A. In view of the fact that a person may be nominated for these offices by the conventions of his party without having appeared on the ballot of any State having presidential primary elections, or having any pledged votes prior to the convention, or even announcing his willingness to be a candidate, no fixed rule can be promulgated in answer to this question. Whether a person so claiming is in fact a bona fide candidate will depend on the particular facts of each

* An asterisk denotes a new question and answer.

situation, including consideration of what efforts, if any, he has taken to secure delegates or preferential votes in State primaries. It cannot, however, turn on the licensee's evaluation of the claimant's chances for success. (Letter to CBS Inc., May 28, 1952, 7 R.R. 1189; and see also par. (f) of sections 73.120, 73.290, 73.657.)

6. Q. Has a claimant under section 315 sufficiently established his legal qualifications when the facts show that after qualifying for a place on the ballot for a particular office in the primary, he notified State officials of his withdrawal therefrom and then later claimed he had not really intended to withdraw, and where the facts further indicated that he was supporting another candidate for the same office and was seeking the nomination for an office other than the one for which he claimed to be qualified?

A. No. Where a question is raised concerning a claimant's legal qualification, it is incumbent on him to prove that he is in fact legally qualified. The facts here did not constitute an unequivocal showing of legal qualification. (Letter to Lar Daly, Apr. 11, 1956; letter to American Vegetarian Party, Nov. 6, 1956.)

7. Q. If a candidate establishes his legal qualifications only after the date of nomination or election for the office for which he was contending, is he entitled to equal opportunities which would have been available had he timely qualified?

A. No, for once the date of nomination or election for an office has passed, it cannot be said that one who failed timely to qualify therefor is still a "candidate". The holding of the primary or general election terminates the possibility of affording "equal opportunities", thus mooting the question of what rights the claimant might have been entitled to under section 315 before the election. (Letter to Socialist Workers' Party, Dec. 13, 1956; letter to Lar Daly, Oct. 31, 1956, 14 R.R. 713, appeal sub. nom. Daly v. U.S. Case No. 11,946 (C.A. 7th Cir.) dismissed as moot Mar. 7, 1957; cert. den. 355 U.S. 826.)

8. Q. Under the circumstances stated in the preceding question, is any post-election remedy available to the candidate, before the Commission, under section 315?

A. None, insofar as a candidate may desire retroactive "equal opportunities". But this is not to suggest that a station can avoid its statutory obligation under section 315 by waiting until an election has been held and only then disposing of demands for "equal opportunities". (See citations in Q. and A. IV.7.)

9. Q. A, a candidate for the Democratic Party nomination for President, appeared on a variety program prior to the nominating convention because of the prior appearance of B, his opponent. After the closing of the convention, A claimed he was entitled to additional time in order to equalize his appearance with that afforded B. Would A be entitled to additional time?

A. No. A licensee may not be required to furnish the use of its facilities to a candidate for nomination for President after the convention has chosen its nominee. (Telegram to Lar Daly, Nov. 3, 1960.)

10. Q. When a State Attorney General or other appropriate State official having jurisdiction to decide a candidate's legal qualification has ruled that a candidate is not legally qualified under local election laws, can a licensee be required to afford such "candidate" "equal opportunities" under section 315?

A. In such instances, the ruling of the State Attorney General or other official will prevail, absent a judicial determination. (Telegram to Ralph Muncy, Nov. 5, 1954; letter to Socialist Workers' Party, Nov. 23, 1956.)

*11. Q. A television station afforded time to the Democratic candidate from the State of California for the U.S. Senate. The station subsequently turned down a request from the Socialist Labor Party for time for their candidate for the same office, on the basis of a telegram which it had received from the Secretary of State of the State of California which declared that he did not consider the Socialist Labor Party candidate a legally qualified candidate under provisions of the California Election Code. The candidate in question was duly nominated and had accepted the nomination at the Party State Convention; the Secretary of State's office was officially notified of his nomination; notification of his candidacy was sent to all news media and was published in the metropolitan newspapers; he had addressed public meetings in four large California cities on behalf of his candidacy. Upon request of the Secretary of State the Deputy Attorney General advised the Commission that under California election law write-in votes may be cast and counted for an individual seeking the office of U.S. Senator and if the individual received a plurality of the votes cast for the office the Secretary of State would certify the individual as having been elected. Would the candidate be considered legally qualified so as to be entitled to "equal opportunities" for the use of the station's facilities?

A. Yes. The Commission's rules define a legally qualified candidate, in part, as any person who has publicly announced that he is a candidate; meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate so that he may be voted for by the electorate; is eligible under the law to be voted for by writing in his name on the ballot; and makes a substantial showing that he is a bona fide candidate for nomination or office. On the basis of the facts recited it was determined that the candidate was a legally qualified candidate and as such was entitled to "equal opportunities." (Letter to Metromedia, Inc., Oct. 28, 1964.)

*12. Q. An incumbent county clerk having publicly announced his intention to run for renomination in an upcoming primary continued to broadcast sports events and otherwise speak on radio. It appeared that he had not filed his notification and declaration papers with the appropriate State official. Is a legally qualified candidate for the same nomination entitled to "equal opportunities" in response to the broadcast by the incumbent?

A. No. The State Attorney General indicated that a person does not become a legally qualified or "bona fide" candidate in the primary until his notification and declaration papers have been received and accepted by the applicable State officer. Since the incumbent county clerk had not filed these required papers, he was not a legally qualified candidate under section 73.120(a) of the Commission rules at the time of his broadcasts. His opponent, therefore, was not entitled to "equal opportunities" to respond to these broadcasts. (In re WDOC; letter of June 4, 1965.)

*13. Q. When a State Secretary of State has ruled that an individual has not followed the procedures required by State law for becoming a legally qualified candidate for U.S. Senator from that State, can a licensee be required to afford that individual "equal opportunities" under section 315?

A. No. When it appears that a State Secretary of State has ruled that an individual is not a legally qualified candidate under the State election law and that individual has presented no further information regarding his claimed candidacy, he has failed to meet the burden imposed by section 73.120(f) of the Commission's rules of proving that he is a legally qualified candidate for public office under section 73.120(a) of those rules. (Letter to Socialist Workers Party, in re KNX Oct. 28, 1964.)

*14. Q. An individual seeking a U.S. Senate seat requested time from a station equal to that afforded his opponents. The individual's request had been refused by the station on the grounds that he was not a bona fide candidate. The candidate informed the Commission that he had been advised by the local election board that he possessed the necessary requisites to be a write-in candidate and claimed that he was thus entitled to equal time. Would the individual be entitled to equal opportunities under these circumstances?

A. No. The Commission found that the individual had not complied with the Commission's rules for establishing one's self as a legally qualified candidate. He had failed to submit any proof other than his own statements relating to whether he was "eligible under the applicable law to be voted for * * * by writing in his name on the ballot." Therefore, he had not met his burden of proof under section 73.657(f) of the rules. (In re WNHC–TV, letter of Nov. 4, 1964.)

V. When Are Candidates Opposing Candidates?

V. 1. Q. What public offices are included within the meaning of section 315?

A. Under the Commission's rules, section 315 is applicable to both primary and general elections, and public offices include all offices filled by special or general election on a municipal, county, state, or national level as well as the nomination by any recognized party of a candidate for such an office.

2. Q. May the station under section 315 make time available to all candidates for one office and refuse all candidates for another office?

A. Yes. The "equal opportunities" requirement of section 315 is limited to all legally qualified candidates for the same office.

3. Q. If the station makes time available to candidates seeking the nomination of one party for a particular office, does section 315 require that it make equal time available to the candidates seeking the nomination of other parties for the same office?

A. No, the Commission has held that while both primary elections or nominating conventions and general elections are comprehended within the terms of section 315, the primary elections or conventions held by one party are to be considered separately from the primary elections or conventions of other parties, and, therefore, insofar as section 315 is concerned, "equal opportunities" need only be afforded legally qualified candidates for nomination for the same office at the same party's primary or nominating convention. The station's actions in this regard, however, would be governed by the public interest standards encompassed within the "fairness doctrine". (Letters to KWFT, Inc., Oct. 22, 1948, 4 R.R. 885; Socialist Labor Party of America, May 13, 1952, 11 R.R. 234; WCDL, Apr. 3, 1953; Senator Joseph S. Clark, Jan. 25 and Apr. 13, 1962; telegram to Dr. Edward J. Leuddeke, Oct. 25, 1961; Letter to E. C. French, Oct. 28, 1964, 3 R.R. 2d 811, Q. and A. V.5; and In re WCBS–TV, Telegram of Oct. 29, 1965.)

4. Q. If the station makes time available to all candidates of one party for nomination for a particular office, including the successful candidate, may candidates of other parties in the general election demand an equal amount of time under section 315?

A. No. For the reason given above. (Letter to KWFT, Inc., Oct. 22, 1948, 4 R.R. 885.)

*5. Q. On May 3, 1964, an incumbent Congressman from New York was afforded time to appear on a television program. At that time he was the only person who had been designated by petition under New York law as the Republican nominee for his Congressional seat. The complainant at that date was the only designated Democratic—Liberal nominee. Primaries for both parties were due to be held on June 2, 1964. However, if no further nominees were designated by April 28, 1964, and if no petitions for write-in nominees were filed by May 5, 1964, no primary would be held, since the incumbent and the complainant each would have the uncontested nomination of his respective party. In fact, no further petitions, either "designating" or "write-in," were ever filed. Was the licensee correct in refusing "equal opportunities" to the complainant in response to incumbent's May 3, broadcast on the ground that on that date each was merely a candidate for his respective party's nomination, and thus they were not opposing candidates for the same office?

A. Yes. The issue must be determined under the New York State election laws and should be resolved by appropriate State or local authorities. Since neither the complainant nor the Commission was able to obtain an interpretation of that law from the New York authorities, the Commission of necessity interpreted the law. An "uncontested position" as defined by the New York statute is one as to which (1) the number of candidates designated for the particular office does not exceed the number to be nominated or elected thereto by the party in the primary, and (2) no valid petition requesting an opportunity to write-in the name of an undesignated candidate has been filed. If both conditions are fulfilled when the period for filing such petitions is over (May 5), no primary is required. Since condition (2) of this definition could not be fulfilled until May 5, 1964, 2 days after the Republican incumbent's broadcast, neither designated candidate here involved could be considered the nominee of his respective party until May 5, and, therefore, they were not opposing candidates for Congress at the time of incumbent's broadcast. (Letter to E. C. French, Oct. 28, 1964, 3 R.R. 2d 881.)

VI. What Constitutes Equal Opportunities?

A. In General.

VI.A. 1. Q. Generally speaking, what constitutes "equal opportunities"?

A. Under section 315 and §§ 73.120, 73.290, and 73.657 of the Commission's rules, no licensee shall make any discrimination in charges, practices, regulations, facilities, or services rendered to candidates for a particular office.

2. Q. Is a licensee required or allowed to give time free to one candidate where it had sold time to an opposing candidate?

A. The licensee is not permitted to discriminate between the candidates in any way. With respect to any particular election it may adopted a policy of selling time, or of giving time to the candidates free of charge, or of giving them some time and selling them additional time. But whatever policy it adopts it must treat all candidates for the same office alike with respect to the time they may secure free and that for which they must pay.

3. Q. Is it necessary for a station to advise a candidate or a political party that time has been sold to other candidates?

A. No. The law does not require that this be done. If a candidate inquires, however, the facts must be given him. It should be noted here that a station is required to keep a public record of all requests for time by or on behalf of political candidates, together with a record of the disposition and the charges made, if any, for each broadcast. (§§ 73.120(d), 73.290(d), 73.657(d); and telegram to Norman William Seemann, Esq., May 18, 1962.)

4. Q. If a station desires to make its facilities available on a particular day for political broadcasts to all candidates for the same office, is one of the candidates precluded from requesting "equal opportunities" at a later date if he does not accept the station's initial offer?

A. This depends on all of the circumstances surrounding the station's offer of time and, particularly, whether the station has given adequate advance notice. The Commission has held that a 4-day notice by a Texas station to a Congressman while Congress is in session does not constitute adequate advance notice and the Congressman is not foreclosed from his right to request "equal opportunities". (Letter to Jack Neil, Station KTRM, Apr. 18, 1962.)

5. Q. With respect to a request for time by a candidate for public office where there has been no prior "use" by an opposing candidate, must the station sell the candidate the specific time segment he requests?

A. No. Neither the Act nor the Commission's rules contain any provisions which require a licensee to sell a specific time segment to a candidate for public office. (Letter to Mr. Bill Neil, Station KTRM, Mar. 9, 1962.)

6. Q. Is a station required to sell to a candidate time which is unlimited as to total time and as to the length of each segment?

A. Neither the Act nor the Commission's rules contain provisions requiring stations to sell unlimited periods of time for political broadcasts. Section 315 of the Act imposes no obligation on any licensee to allow the use of its station by any candidate. Commission's programming statement contemplates the use of stations for political broadcasting. Where the station showed that sale of limited time segments to candidates was based on its experience and the interests of viewers in programing diversification, no Commission action was required. (Telegram to J. B. Lahan, May 18, 1962; and telegrams to Grover C. Doggette, Esq., May 22 and 23, 1962. Cf., letter to Station WLBT–TV, Apr. 17, 1962 and letter to Station WROX, May 3, 1962, where the Commission indicated that a public interest question would be raised if the station failed to provide any broadcast time to candidates in a major election being held within the station's coverage area.)

7. Q. If a station offers free time to opposing candidates and one candidate declines to use the time given him, are other candidates for that office foreclosed from availing themselves of the offer?

A. No. The refusal of one candidate does not foreclose other candidates wishing to use the time offered. However, whether the candidate initially declining the offer could later avail himself of "equal opportunities" would depend on all the facts and circumstances. (Letter

* An asterisk denotes a new question and answer.

on offers of free time, June 13, 1956, 14 R.R. 65.)

8. Q. If one political candidate buys station facilities more heavily than another, is a station required to call a halt to such sales because of the resulting imbalance?

A. No. Section 315 requires only that all candidates be afforded "equal opportunities" to use the facilities of the station. (Letter to Mr. M. R. Oliver, Oct. 23, 1952, 11 R.R. 239.)

9. Q. Can a station contract with the committee of a political party whereby it commits itself in advance of an election to furnish substantial blocks of time to the candidates of that party?

A. Neither section 315 nor the Commission's rules prohibit a licensee from contracting with a party for reservation of time in advance of an election. However, substantial questions as to a possible violation of section 315 would arise if the effect of such prior commitment were to disable a licensee from meeting its "equal opportunities" obligations under section 315. (Letter to Congressman Frank M. Karsten, Nov. 25, 1955.)

10. Q. Where a television station had previously offered certain specified time segments during the last week of the campaign to candidate A, who declined the purchase, and then sold the same segments to A's opponent was the station obligated under section 315 to accede to A's subsequent request for particular time periods immediately preceding or following the time segments previously offered to him and refused by him and subsequently sold to his opponent?

A. No. But the time offered to candidate A must be generally comparable. The principal factors considered in this situation were: (a) the total amount of time presently scheduled for each candidate; (b) the time segments presently offered to candidate A; (c) the time segments presently scheduled for candidate A's opponent and previously rejected by candidate A; (d) the time segments now scheduled for candidates for other offices, if any, and previously rejected by candidate A; and (e) the station's possible obligations to other candidates for office. (Telegram to Major General Harry Johnson, Nov. 1, 1961.)

11. Q. If a station has a policy of confining political broadcasts to sustaining time, but has so many requests for political time that it cannot handle them all within its sustaining schedule, may it refuse time to a candidate whose opponent has already been granted time, on the basis of its established policy of not canceling commercial programs in favor of political broadcasts?

A. No. The station cannot rely upon its policy if the latter conflicts with the "equal opportunities" requirement of section 315. (Stephens Broadcasting Co., September 4, 1945, 11 F.C.C. 61, 3 R.R. 1.)

12. Q. If one candidate has been nominated by Parties A, B, and C, while a second candidate for the same office is nominated only by Party D, how should time be allocated as between the two candidates?

A. Section 315 has reference only to the use of facilities by persons who are candidates for public office and not to the political parties which may have nominated such candidates. Accordingly, if broadcast time is made available for the use of a candidate for public office, the provisions of section 315 require that "equal opportunities" be afforded each person who is a candidate for the same office, without regard to the number of nominations that any particular candidate may have. (Letter to Thomas W. Wilson, Oct. 31, 1946.)

B. Comparability

VI.B. 1. Q. Is a station's obligation under section 315 met if it offers a candidate the same amount of time an opposing candidate has received, where the time of the day or week afforded the first candidate is superior to that offered his opponent?

A. No. The station in providing "equal opportunities" must consider the desirability of the time segment allotted as well as its length. And while there is no requirement that a station afford candidate B exactly the same time of day on exactly the same day of the week as candidate A, the time segments offered must be comparable as to desirability.

2. Q. If candidate A has been afforded time during early morning, noon and evening hours, does a station comply with section 315 by offering candidate B time only during early morning and noon periods?

A. No. However, the requirements of comparable time do not require a station to make available exactly the same time periods, nor the periods requested by candidate B. (Letter to D. L. Grace, July 3, 1958.)

3. Q. If a station broadcasts a program sponsored by a commercial advertiser which includes one or more qualified candidates as speakers or guests, what are its obligations with respect to affording "equal opportunities" to other candidates for the same office?

A. If candidates are permitted to appear without cost to themselves, on programs sponsored by commercial advertisers, opposing candidates are entitled to receive comparable time also at no cost. (Letter to Senator A. S. Mike Monroney, Oct. 9, 1952, 10 R.R. 451; and telegram to WWIN, May 3, 1962; but see Q. and A. VI.B.4, infra.)

*4. Q. When a station broadcasts an appearance by a candidate which constitutes a use and it is paid for by the political campaign committee of a labor union, is an opposing candidate entitled to comparable *free* time?

A. No. Where a political committee of an organization such as a labor union purchases time specifically on behalf of a candidate, opposing candidates are not entitled to *free* time. There is a distinction between this situation and a case where a candidate is permitted to appear on a program which is regularly sponsored. (Telegram to Metromedia in re ILGWU Campaign Committee, Oct. 29, 1964, 3 R.R. 2d 774; but see Q. and A. VI.B.3, supra.)

5. Q. Where a candidate for office in a State or local election appears on a national network program, is an opposing candidate for the same office entitled to equal facilities over stations which carried the original program and serve the area in which the election campaign is occurring?

A. Yes. Under such circumstances an opposing candidate would be entitled to time on such stations. (Letter to Senator A. S. Mike Monroney, Oct. 9, 1952.)

6. Q. Where a candidate appears on a particular program—such as a regular series of forum programs—are opposing candidates entitled to demand to appear on the same program?

A. Not necessarily. The mechanics of the problem of "equal opportunities" must be left to resolution of the parties. And while factors such as the size of the potential audience because of the appearance of the first candidate on an established or popular program might very well be a matter for consideration by the parties, it cannot be said, in the abstract, that "equal opportunities" could only be provided by giving opposing parties time on the same program. (Letter to Harold Oliver, Oct. 31, 1952; letter to CBS, Inc., Oct. 31, 1952; In re WPRO–TV, letter of Oct. 20, 1964.)

7. Q. Where a station asks candidates A and B (opposing candidates in a primary election) to appear on a debate-type program, the format of which is generally acceptable to the candidate, but with no restrictions as to what issues or matters might be discussed, and candidate A accepts the offer and appears on the program and candidate B declines to appear on the program, is candidate B entitled to further "equal opportunities" in the use of the station's facilities within the meaning of section 315 of the act? If so, is any such obligation met by offering candidate B, prior to the primary, an opportunity to appear on a program of comparable format to that on which candidate A appeared, or is the station obligated to grant candidate B time equal to that used by candidate A on the program in question unrestricted as to format?

A. Since the station's format was reasonable in structure and the station put no restrictions on what matters and issues might be discussed by candidate B and others who appeared on the program in question, it offered candidate B "equal opportunities" in the use of its facilities within the meaning of section 315 of the Act. The station's further offer to candidate B, prior to the primary, of its facilities on a "comparable format" was reasonable under the facts of the case, consistent with any continuing obligation to afford candidate B "equal opportunities" in the use of the station which he may have had. (Letter to Congressman Bob Wilson, Aug. 1, 1958.)

8. Q. A licensee offered broadcast time to all the candidates for a particular office for a joint appearance, the details of which program were determined solely by the licensee. If Candidate "A" rejects the offer and Candidate "B" and/or other candidates accepts and appears, would Candidate "A" be entitled to "equal opportunities" because of the appearance of Candidate "B" and/or other candidates on the program previously offered by the licensee to all of the candidates?

A. Yes, provided the request is made by the candidate within the period specified by the rules. The Commission stated that licensees should negotiate with the affected candidates and that where the offer was mutually agreeable to such candidates, "equal opportunities" were being afforded to the candidates. Where the candidate rejected the proposal, however, and other candidates accepted and appeared, the Commission stated: "Where the licensee permits one candidate to use his facilities, section 315 then—simply by virtue of that use—requires the licensee to 'afford equal opportunities to all other such candidates for that office in the use of such broadcasting station.' This obligation may not be avoided by the licensee's unilateral actions in picking a program format, specifying participants other than and in addition to the candidates, setting the length of the program, the time of taping, the time of broadcast, etc., and then offering the package to the candidates on a 'take it or leave it—this is my final offer' basis. For * * * section 315 provides that the station 'shall have no power of censorship over the material broadcast.' (Cf. Port Huron Broadcasting Co., 4 R.R. 1.) Clearly, the 'take it or leave it' basis described above would constitute such prohibited censorship, since it would, in effect, be dictating the very format of the program to the candidate—and thus, an important facet of 'the material broadcast.' We wish to make clear that the Commission is in no way saying that one format is more in the public interest than another. On the contrary, the thrust of our ruling is that the Act bestows upon the candidate the right to choose the format and other similar aspects of 'the material broadcast', with no right of 'censorship' in the licensee." Cf. Farmers Educational and Cooperative Union of America, North Dakota Division v. WDAY, Inc., 360 U.S. 525. (Letter to Nicholas Zapple, Oct. 5, 1962.)

9. Q. In affording "equal opportunities", may a station limit the use of its facilities solely to the use of a microphone?

A. A station must treat opposing candidates the same with respect to the use of its facilities and if it permits one candidate to use facilities over and beyond the microphone, it must permit a similar usage by other qualified candidates. (Letter to D. L. Grace, July 3, 1958.)

VII. What Limitations Can Be Put on the Use of Facilities by a Candidate?

VII. 1. Q. May a station delete material in a broadcast under section 315 because it believes the material contained therein is or may be libelous?

A. No. Any such action would entail censorship which is expressly prohibited by section 315 of the Communications Act. (Port Huron Broadcasting Co., 12 FCC 1069, 4 R.R. 1; WDSU Broadcasting Co., 7 R.R. 769.)

2. Q. If a legally qualified candidate broadcasts libelous or slanderous remarks, is the station liable therefor?

A. In Port Huron Broadcasting Co., 12 FCC 1069, 4 R.R. 1, the Commission expressed an opinion that licensees not directly participating in the libel might be absolved from any liability they might otherwise incur under State law, because of the operation of section 315, which precludes them from preventing a candidate's utterances. In a subsequent case, the Commission's ruling in the Port Huron case was, in effect, affirmed, the Supreme Court holding that since a licensee could not censor a broadcast under section 315, Congress could not have intended to compel a station to broadcast libelous statements of a legally qualified candidate and at the same time subject itself to the risk of damage suits. (Read: Farmers Educational & Cooperative Union of America v. WDAY, Inc., 79 S. Ct. 1302 (Oct. 1958) 89 N.W. 2d 102, 164 F. Supp. 928.)

3. Q. Does the same immunity apply in a case where the Chairman of a political party's campaign committee, not himself a candidate, broadcasts a speech in support of a candidate?

A. No, licensees are not entitled to assert the defense that they are not liable since the speeches could have been censored without violating section 315. Accordingly, they were at fault in permitting such speeches to be broadcast. (Felix v. Westinghouse Radio Stations, 186 F. 2d 1, cert. den. 341 U.S. 909.)

4. Q. A candidate prepared a 15-minute video tape which contained the opinions of several private citizens with respect to an issue pertinent to the pending election. If the station broadcast such program in which the candidate did not appear, would the immunity afforded licensees by section 315 from liability for the broadcast of libelous or slanderous remarks by candidates be applicable?

A. No. The provision of section 315 prohibiting censorship by a licensee over material broadcast pursuant to section 315 applies only to broadcasts by candidates themselves. Section 315, therefore, is not a defense to an action for libel or slander arising out of broadcasts by non-candidates speaking in behalf of another's candidacy. Since section 315 does not prohibit the licensee from censoring such a broadcast, the licensee is not entitled to the protection of section 315. (Letter to Mr. William P. Webb, Apr. 24, 1962.)

5. Q. If a candidate secures time under section 315, must he talk about a subject directly related to his candidacy?

A. No. The candidate may use the time as he deems best. To deny a person time on the ground that he was not using it in furtherance of his candidacy would be an exercise of censorship prohibited by section 315. (Letter to WMCA, Inc., May 15, 1952, 7 R.R. 1132.)

6. Q. If a station makes time available to an office holder who is also a legally qualified candidate for reelection and the office holder limits his talks to nonpartisan and informative material, may other legally qualified candidates who obtain time be limited to the same subjects or the same type of broadcast?

A. No. Other qualified candidates may use the facilities as they deem best in their own interest. (Letter to Congressman Allen Oakley Hunter, May 28, 1952, 11 R.R. 234.)

*7. Q. May a licensee, as a condition to allowing a candidate the use of its broadcast facilities, require the candidate to submit an advance script of his program?

A. Section 315 expressly provides that licensees "shall have no power of censorship over the material broadcast under the provisions of this section." The licensee may request submission of an advance script, to aid in its presentation of the program (e.g., suggestions as to the amount of time needed to deliver the script). But any requirement of an advance script from a candidate violates section 315. A licensee could not condition permission to broadcast upon receipt of an advance script, because "the Act bestows upon the candidate the right to choose the format and other similar aspects of 'the material broadcast', with no right of 'censorship in the licensee.'" Letter to Nicholas Zapple, October 5, 1962, FCC 62–1031. (See also Farmers Educational and Cooperative Union of America v. WDAY, Inc., 360 U.S. 525 [1958], but cf. letter to H. A. Rosenberg, Louisville, Ky., July 9, 1952, 11 R.R. 236, for a ruling antedating the WDAY decision.)

*8. Q. Where a candidate desires to record his proposed broadcast, may a station require him to make the recording at his own expense?

A. Yes. Provided that the procedures adopted are applied without discrimination between candidates for the same office and no censorship is attempted.

VIII. What Rates Can Be Charged Candidates for Programs Under Section 315?

VIII. 1. Q. May a station charge premium rates for political broadcasts?

A. No. Section 315, as amended, provides that the charges made for the use of a station by a candidate "shall not exceed the charges made for comparable use of such stations for other purposes."

2. Q. Does the requirement that the charges to a candidate "shall not exceed the charges for comparable use" of a station for other purposes apply to political broadcasts by persons other than qualified candidates?

A. No. This requirement applies only to candidates for public office. Hence, a station may adopt whatever policy it desires for political broadcasts by organizations or persons who are not candidates for office, consistent with its obligation to operate in the public interest.

* An asterisk denotes a new question and answer.

* An asterisk denotes a new question and answer.

FEDERAL REGISTER, VOL. 31, NO. 86—WEDNESDAY, MAY 4, 1966

(Letter to Congressman Charles C. Diggs, Jr., Mar. 16, 1955.)

3. Q. May a station with both "national" and "local" rates charge a candidate for local office its "national" rate?

A. No. Under §§ 73.120, 73.290, and 73.657 of the Commission's rules a station may not charge a candidate more than the rate the station would charge if the candidate were a commercial advertiser whose advertising was directed to promoting its business within the same area as that within which persons may vote for the particular office for which such person is a candidate.

4. Q. Considering the limited geographical area which a member of the House of Representatives serves, must candidates for the House be charged the "local" instead of the "national" rate?

A. This question cannot be answered categorically. To determine the maximum rates which could be charged under section 315, the Commission would have to know the criteria a station uses in classifying "local" versus "national" advertisers before it could determine what are "comparable charges." In making this determination, the Commission does not prescribe rates but merely requires equality of treatment as between 315 broadcasts and commercial advertising. (Letter to Congressman Richard M. Simpson, Feb. 27, 1957.)

5. Q. Is a political candidate entitled to receive discounts?

A. Yes. Under §§ 73.120, 73.290, and 73.657 of the Commission's rules political candidates are entitled to the same discounts that would be accorded persons other than candidates for public office under the conditions specified, as well as to such special discounts for programs coming within section 315 as the station may choose to give on a nondiscriminatory basis.

6. Q. Can a station refuse to sell time at discount rates to a group of candidates for different offices who have pooled their resources to obtain a discount, even though as a matter of commercial practice, the station permits commercial advertisers to buy a block of time at discount rates for use by various businesses owned by them?

A. Yes, section 315 imposes no obligation on a station to allow the use of its facilities by candidates, and neither that section nor the Commission's rules require a station to sell time to a group of candidates on a pooled basis, even though such may be the practice with respect to commercial advertisers. (Letter to WKBT–WKBH, Oct. 14, 1954.)

7. Q. If candidate A purchases 10 time segments over a station which offers a discount rate for purchase of that amount of time, is candidate B entitled to the discount rate if he purchases less time than the minimum to which discounts are applicable?

A. No. A station is under such circumstances only required to make available the discount privileges to each legally qualified candidate on the same basis.

8. Q. If a station has a "spot" rate of 2 dollars per "spot" announcement, with a rate reduction to 1 dollar if 100 or more such "spots" are purchased on a bulk time sales contract, and if one candidate arranges with an advertiser having such a bulk time contract to utilize five of these spots at the 1 dollar rate, is the station obligated to sell the candidates of other parties for the same office time at the same 1 dollar rate?

A. Yes. Other legally qualified candidates are entitled to take advantage of the same reduced rate. (Letter to Senator A. S. Mike Monroney, Oct. 16, 1952.)

9. Q. Where a group of candidates for different offices pool their resources to purchase a block of time at a discount, and an individual candidate opposing one of the group seeks time on the station, to what rate is he entitled?

A. He is entitled to be charged the same rate as his opponent since the provisions of section 315 run to the candidates themselves and they are entitled to be treated equally with their individual opponents. (Report and order, Docket 11092, 11 R.R. 1501.) (Cf. Q. and A. VI.B.3; and telegram of WWIN, May 3, 1962.)

10. Q. Is there any prohibition against the purchase by a political party of a block of time for several of its candidates, for allocation among such candidates on the basis of personal need, rather than on the amount each candidate has contributed to the party's campaign fund?

A. There is no prohibition in section 315 or the Commission's rules against the above practices. It would be reasonable to assume that the group time used by a candidate is, for the purposes of section 315, time paid for by the candidate through the normal device of a recognized political campaign committee, even though part of the campaign funds was derived from sources other than the candidates' contributions. (Letter on distribution of time among candidates, Oct. 14, 1954.)

11. Q. When a candidate and his immediate family own all the stock in a corporate licensee and the candidate is the president and general manager, can he pay for time to the corporate licensee from which he derives his income and have the licensee make a similar charge to an opposing candidate?

A. Yes. The fact that a candidate has a financial interest in a corporate licensee does not affect the licensee's obligation under section 315. Thus, the rates which the licensee may charge to other legally qualified candidates will be governed by the rate which the stockholder candidate actually pays to the licensee. If no charge is made to the stockholder candidate, it follows that other legally qualified candidates are entitled to equal time without charge. (Letter to WKOA, Mar. 18, 1957.)

12. Q. A station adopted and maintained a policy under which commissions were not paid to advertising agencies in connection with political advertising although it did pay such commissions in connection with commercial advertising. Further, in the case of commercial advertisers who did not use advertising agencies, the station performed those functions which the advertising agency would normally perform, but in the case of political advertisers, the station performed no such services. An agency which had placed political advertising over the station in a recent election made a demand of the station for payment of the agency commission. Was the station's policy consistent with section 315 of the Communications Act?

A. No. The Commission held that such a policy violated both section 315(b) of the Act and § 73.120(c) of the rules; that the benefits accruing to a candidate from the use of an advertising agency were neither remote, intangible nor insubstantial; and that while under the station's policy, a commercial advertiser would, in addition to broadcast time, receive the services of an advertising agency merely by paying the station's established card rate, the political advertiser, in return for payment of the same card rate, would receive only broadcast time. The Commission held that such a resultant inequality in treatment vis-a-vis commercial advertisers is clearly prohibited by the Act and the rules. (In re KNOE–TV, letter of May 13, 1964, FCC 64–430.)

*13. Q. The Commission received a complaint on behalf of a member of the Pennsylvania House of Representatives running for reelection claiming that a local station was charging him more for his political spot announcements than it had charged him for commercial announcements on behalf of his business in the past. The station stated that the rates normally charged to the complainant for his commercial spot announcements on behalf of his business were based on an existing contract between the station and the complainant which had been entered into 8 years previously. The provisions of the contract had apparently been renewed with unchanged rates and the rates set at the time the contract was entered into were less than the present rates the local station charged to other commercial advertisers. The rates being charged to the complainant for his political announcements were the same rates the station currently charged to other commercial advertisers for a comparable use of the station's facilities. Under these circumstances is the station acting in compliance with the provisions of section 315(b) of the Communications Act and of the Commission's rules?

A. Yes. If the station were to allow the complainant to purchase political spot announcements at the rates charged to him for his commercial spot announcements, then the station would either be giving him treatment preferential to that given to his opponents or it would have to charge all candidates this lesser rate. This was not the intent of either section 315(b) of the Communications Act or the Commission's rules. In charging the complainant the rate for a political advertisement that was normally charged other commercial advertisers for a comparable use, the station was acting in compliance with both the Act and the rules. (In re WCBG, letter of Nov. 3, 1964.)

*14. Q. The Commission received a complaint alleging that several stations were charging the national rate to a candidate for election to Congress but were charging a candidate for local office a local rate which was less than the national rate. The stations informed the Commission that this classification of national as against local rates for political broadcast purposes paralleled their commercial rate policy which provided that the local retail rate was applicable only to strictly local concerns whose products or services were confined to the immediate metropolitan area and that all other advertisers taking advantage of the station circulation and coverage outside and beyond the metropolitan area must pay the general or national rate. Is the stations' practice with respect to rates charged to political candidates consistent with the Act and the Commission rules?

A. Yes. The stations' action was not inconsistent with either the Act or its rules, since the rates charged to candidates (both for the local office and Congress) were the same as the rates charged to commercial advertisers whose advertising was directed to promoting their businesses within the same area as that encompassed by the political office for which such person is a candidate. (In re WSAV, letter of Sept. 11, 1964.)

IX. Period Within Which Request Must Be Made

IX. 1. Q. When must a candidate make a request of the station for opportunities equal to those afforded his opponent?

A. Within 1 week of the day on which the prior use occurred. (Par. (e) of §§ 73.120, 73.290, and 73.657 of the Commission rules; and telegram to WWIN, May 3, 1962.)

2. Q. A U.S. Senator, unopposed candidate in his party's primary had been broadcasting a weekly program entitled "Your Senator Reports". If he becomes opposed in his party's primary, would his opponent be entitled to request "equal opportunities" with respect to all broadcasts of "Your Senator Reports" since the time the incumbent announced his candidacy?

A. No. A legally qualified candidate announcing his candidacy for the above nomination would be required to request "equal opportunities" concerning a particular broadcast of "Your Senator Reports" not later than 1 week after the date of such broadcast. Thus, any of the incumbent's opponents for the nomination who first announced his candidacy on a particular day, would not be in a position to request "equal opportunities" with respect to any showing of "Your Senator Reports" which was broadcast more than 1 week prior to the date of such announcement. (Letter to Senator Joseph S. Clark, Apr. 16, 1962.)

3. Q. A candidate for U.S. Senator in the Democratic primary, who was also the part owner and president of AM and FM stations in the State, wrote to his opponent, the incumbent Senator, and stated, in substance, that he was using a certain amount of time daily on his stations and that the incumbent was "entitled to equal time, at no charge" and was urged to take advantage of the time. A couple of weeks later, the incumbent, by letter, thanked the station owner for advising him "of the accumulation of time" on each station and stated that the station owner would be notified when incumbent decided to start using the accumulated time. The station owner did not respond to the incumbent's letter. About 6 weeks later, incumbent requested equal opportunities. Were the stations correct in advising incumbent that the Commission's 7-day rule was applicable, thereby precluding requests for "equal opportunities" for any broadcasts prior to 7 days before the request?

A. No. The Commission stressed that where, as here, the licensee, or a principal of the licensee, was also the candidate, there is a special obligation upon the licensee to insure fair dealings in such circumstances and held that the licensee was estopped in the circumstances from relying upon the 7-day rule. The Commission held that the incumbent's letter reasonably constituted a notification as required under the rules; that the licensee knew that equal opportunities were requested; and that he could have made, if he wished, reasonable scheduling plans. (Letter in re KLIF, Apr. 22, 1964, FCC 64–363.)

X. Issuance of Interpretations of Section 315 by the Commission

X.1. Q. Under what circumstances will the Commission consider issuing declaratory orders, interpretive rulings, or advisory opinions with respect to section 315?

A. Section 5(d) of the Administrative Procedure Act, Title 5, U.S.C.A., provides that "The agency is authorized in its sound discretion, with like effect as in the case of other orders, to issue a declaratory order to terminate a controversy or remove uncertainty." However, agencies are not required to issue such orders merely because a request is made therefor. The grant of authority to agencies to issue declaratory orders is limited, and such orders are authorized only with respect to matters which are required by statute to be determined "on the record after opportunity for an agency hearing." See Attorney General's Manual on the Administrative Procedure Act, pp. 59, 60; also, In re Goodman, 12 FCC 678, 4 Pike and Fischer R.R. 98. In general, the Commission limits its interpretive rulings or advisory opinions to situations where the critical facts are explicitly stated without the possibility that subsequent events will alter them. It prefers to issue such rulings or opinions where the specific facts of a particular case in controversy are before it for decision. (Letter in re WDSU, June 18, 1958.)

Adopted: April 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

* An asterisk denotes a new question and answer.

Appendix A—Correlation Table

1966 Public notice	1962 Public notice	1964 Supplement	New rulings
III.A.			
1	1		
2	2		
3	3		
III.B.			
1	4		
2	5		
3	6		
4	7		
5			In re United Community Campaigns.
6	[18] 8		
7	9		
8	10		
9	11		
10	12		
11	13		
12			In re WNEP.
13			In re WNEP.
14			In re WMAY.
	14		
III.C.			
1	15		
2	16		
3	17		
4	18		
5			In re WMAY.
6	19		
7	20		
8	21		
9	22		
10	23		
11		1	
12		2	
13	24		
14	25		
15		3	
16	26		
17	27		
18	28		
19		4	
20	29		
21	30		
22	31		
23			Debarry-Shaw Campaign Committee.
24		5	
25		7	
26		8	
27			Letter to CBS on presidential press conferences.
28			Telegram on "Suez crisis" speech.
29			Letter to D. Burch.
IV.			
1	32		
2	33		
3	34		
4	35		
5	36		
6	37		
7	38		
8	39		
9	40		
10	41		
11			Letter to Metromedia.
12			In re WDOC.
13			In re KNX.
14			In re WNHC.
V.			
1	42		
2	43		
3	44		
4	45		
5			Letter to E. C. French.

[1] Commissioner Loevinger absent.

Appendix A—Correlation Table—Continued

1966 Public notice	1962 Public notice	1964 Supplement	New rulings
VI.A.			
1	46		
2	47		
3	48		
4	49		
5	50		
6	51		
7	52		
8	53		
9	54		
10	55		
11	56		
12	57		
VI.B.			
1	58		
2	[redacted]		
3	60		
4			In re ILGWU.
5	61		
6	62		
7	63		
8	64		
9	65		
VII.			
1	66		
2	67		
3	68		
4	69		
5	70		
6	71		
	[2] 72		
	[3] 73		
7			Hypothetical.
8			Hypothetical.
VIII.			
1	74		
2	75		
3	76		
4	77		
5	78		
6	79		
7	80		
8	81		
9	82		
10	83		
11	84		
12		VIII.1.	
13			In re WCBG.
14			In re WSAV.
IX.			
1	85		
2	86		
3		IX.1.	
X.			
1	87		

[1] Deleted (reversed by 1959 amendments, and superseded by Q. and A. III.C.25.)
[2] Deleted (updated by Q. and A. VII.7.)
[3] Deleted (replaced by Q. and A. VII.8.)

[F.R. Doc. 66-4786; Filed, May 3, 1966; 8:45 a.m.]

87

DETROIT PUBLIC LIBRARY MAY 9 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 87

Thursday, May 5, 1966 • Washington, D.C.

Pages 6675–6763



Agencies in this issue—

The President
Civil Aeronautics Board
Commerce Department
Consumer and Marketing Service
Engineers Corps
Federal Aviation Agency
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Fiscal Service
Fish and Wildlife Service
Food and Drug Administration
Housing and Urban Development Department
Interior Department
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Park Service
Post Office Department
Securities and Exchange Commission
Small Business Administration
Tariff Commission

Detailed list of Contents appears inside.

THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

CURRENT WHITE HOUSE RELEASES

INDEXED AND DISTRIBUTED WEEKLY

The *Weekly Compilation of Presidential Documents* began with the issue dated Monday, August 2, 1965. It contains transcripts of the President's news conferences, messages to Congress, public speeches, remarks and statements, and other Presidential material released by the White House up to 5 p.m. of each Friday. This weekly service includes an Index of Contents preceding the text and a Cumulative Index to Prior Issues at the end. Cumulation of this index terminates at the end of each quarter and begins anew with the following issue. An Annual Index is published separately.

The *Weekly Compilation of Presidential Documents* is sold to the public on a subscription basis. The price of individual copies varies.

Subscription Price: $6.00 per year

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents
Government Printing Office
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

Title 3—THE PRESIDENT

PROCLAMATION

Commemoration of Poland's National and Christian Millenium.. 6679

EXECUTIVE ORDER

Establishing a President's Council and a Committee on Recreation and Natural Beauty..... 6681

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT

See Consumer and Marketing Service.

ARMY DEPARTMENT

See Engineers Corps.

CIVIL AERONAUTICS BOARD

Notices

International Air Transport Association agreements:
Fare matters..... 6753
Specific commodity rates..... 6754

COMMERCE DEPARTMENT

See also International Commerce Bureau; Maritime Administration.

Notices

Organization, etc.:
Assistant Secretary of Commerce and Director of Economic Development..... 6745
Assistant Secretary of Commerce for Science and Technology..... 6746
Congressional Relations Office.. 6749
Economic Development Administration (2 documents).. 6746, 6747
Environmental Science Services Administration..... 6749
Patent Office..... 6751
Regional Economic Development Office..... 6750
Staff and support offices for economic development activities.. 6752

CONSUMER AND MARKETING SERVICE

Proposed Rule Making

Swiss cheese; standards for grades..... 6715

Notices

Cranberries grown in certain states; referendum..... 6745

DEFENSE DEPARTMENT

See Engineers Corps.

ENGINEERS CORPS

Rules and Regulations

Flood control; Weiss Dam and Reservoir, Coosa River, Alabama and Georgia..... 6707

FEDERAL AVIATION AGENCY

Rules and Regulations

Agricultural aircraft operations; dispensing of economic poisons for experimental purposes..... 6685
Control zone; temporary alteration..... 6685
Control zone, control area, reporting points, transition area and airways; alterations designation, and realignment..... 6685
Federal aid to airports; references to area managers..... 6686
Standard instrument approach procedures; miscellaneous amendments; correction..... 6685

Proposed Rule Making

Control zones, transition area and control area extension; alteration and revocation; supplemental notice..... 6716
Transition area; revocation..... 6717

FEDERAL MARITIME COMMISSION

Notices

Contract between North Atlantic Freight Conference and United Arab Company for Maritime Transport; hearing..... 6754

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Ares, Sam D..... 6760
City of Clarence, Mo., and Panhandle Eastern Pipe Line Co.. 6758
City of Shelbina, Mo., and Panhandle Eastern Pipe Line Co.. 6759
Colorado Interstate Gas Co..... 6759
Moorhead, Ethyle, et al..... 6754
Ohio Valley Gas Corp. and Michigan Wisconsin Pipe Line Co..... 6759
United Gas Pipe Line Co. and Transcontinental Gas Pipe Line Corp..... 6760

FEDERAL RESERVE SYSTEM

Notices

United Virginia Bankshares, Inc.; application for approval of acquisition of shares of bank..... 6760

FISCAL SERVICE

Rules and Regulations

U.S. Savings Bonds, Series H..... 6686

FISH AND WILDLIFE SERVICE

Notices

Loan and/or subsidy applications:
Allenbaugh, James Peyton..... 6719
Edwards, John Clifford..... 6720
Old Colony Trawling Corp..... 6720

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Drugs and devices for over-the-counter sale; belladonna..... 6705

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notices

Acting Community Facilities Commissioner; designation..... 6753

INTERIOR DEPARTMENT

See also Fish and Wildlife Service; Land Management Bureau; National Park Service.

Notices

Sewell, Kenneth Irving; appointment and statement of financial interests..... 6720

INTERNATIONAL COMMERCE BUREAU

Rules and Regulations

Export control; miscellaneous amendments (2 documents).. 6707, 6709

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief..... 6742
Motor carrier:
Broker, water carrier and freight forwarder application.. 6721
Temporary authority applications..... 6742
Transfer proceedings..... 6743

LAND MANAGEMENT BUREAU

Notices

California; proposed withdrawal and reservation of lands (2 documents)..... 6718
Nevada; proposed classification.. 6718
New Mexico; opening of public lands..... 6718
Utah; opening of lands to application, entry and location..... 6719

(Continued on next page)

MARITIME ADMINISTRATION
Notices
Morgan Guaranty Trust Company of New York; approval of applicant as trustee ---- 6745

NATIONAL PARK SERVICE
Notices
Yellowstone Park Co.; intention to negotiate concession contract ---- 6720

POST OFFICE DEPARTMENT
Proposed Rule Making
Postal cards; classification, weight and size ---- 6715

SECURITIES AND EXCHANGE COMMISSION
Rules and Regulations
Foreign issuers; exemptions (2 documents) ---- 6705, 6706
Notices
Hearings, etc.:
Continental Vending Machine Corp ---- 6761
Employers' Group Fund, Inc., et al ---- 6760
Great American Industries, Inc. ---- 6761
Skagit Valley Telephone Co. ---- 6761

SMALL BUSINESS ADMINISTRATION
Notices
Area administrators; authority delegation ---- 6761
Disaster area declarations:
Illinois ---- 6761
Kansas ---- 6762
Texas (2 documents) ---- 6762

TARIFF COMMISSION
Notices
Certain products subject to duty on American selling price basis of valuation; investigation and hearing ---- 6762

TREASURY DEPARTMENT
See Fiscal Service.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR
PROCLAMATION:
3720 ---- 6679
EXECUTIVE ORDER:
11278 ---- 6681
11017 (superseded by EO 11278) ---- 6681
11069 (superseded by EO 11278) ---- 6681
11218 (superseded by EO 11278) ---- 6681

7 CFR
PROPOSED RULES:
58 ---- 6715

14 CFR
71 (2 documents) ---- 6685
97 ---- 6685
137 ---- 6685
151 ---- 6686
PROPOSED RULES:
71 (2 documents) ---- 6716, 6717

15 CFR
373 ---- 6707
374 ---- 6707
377 ---- 6707
379 ---- 6709
382 (2 documents) ---- 6707, 6709
384 ---- 6709
385 ---- 6709
399 (2 documents) ---- 6707, 6709

17 CFR
240 (2 documents) ---- 6705, 6706

21 CFR
131 ---- 6705

31 CFR
332 ---- 6686

33 CFR
208 ---- 6707

39 CFR
PROPOSED RULES:
21 ---- 6715
24 ---- 6715

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3720

COMMEMORATION OF POLAND'S NATIONAL AND CHRISTIAN MILLENNIUM

By the President of the United States of America

A Proclamation

May 3 marks an important anniversary for freedom-loving people the world over. It was on this date, 175 years ago, that the patriots of Poland adopted a Constitution that stirred the hopes of the Polish people.

But this year, May 3 takes on a significance that is truly unique. It marks the 1000th anniversary of Polish Christianity and Polish nationhood.

Ten centuries ago today, Poland became a part of the community of Western nations. Ten centuries ago today, Poland entered the mainstream of Western thought and Western culture.

It was this tradition that gave birth to the Polish Constitution of 1791. The Christian expression of the dignity of man found its ultimate expression in the cause of freedom and national independence.

It was no accident that this great political document came into being just four years after the American Constitution—or that the two were so similar in content and spirit. The same spark of freedom that flared into the American Revolution also burned in the hearts of the Polish people. Our Revolution was theirs, and to these shores, to help in our struggle, came two great champions of liberty: Tadeusz Kosciuszko and Kazimierz Pulaski.

The rest is history: a triumph for America—for the most part tragedy for Poland. Today, after nearly two centuries of struggle, of invasion, of foreign domination, of partition—and always of bravery—love for national independence and for the basic rights of man still lies deep in the hearts of the Polish people.

The spark of freedom has never been extinguished.

And through it all, the historic ties between our two great nations have remained as a symbol of friendship and hope. Today, on this anniversary, we reaffirm that friendship and pledge ourselves to that hope.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim this day, May 3, 1966, as Poland's National and Christian Millennium Day on which we spiritually unite ourselves with the people of Poland and those gathered today at Jasna Gora and wherever they might be observing this historical event. I invite the American people to observe this day with appropriate ceremonies and activities and particularly to join with Americans of Polish heritage in their continued celebrations throughout this memorable year, both in America and in Poland.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this third day of May, in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON,
The White House,
Washington, D.C.

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-4989; Filed, May 4, 1966; 10:43 a.m.]

Executive Order 11278

ESTABLISHING A PRESIDENT'S COUNCIL AND A COMMITTEE ON RECREATION AND NATURAL BEAUTY

With each passing year America becomes more thoroughly a nation of cities. Of our two hundred million citizens, 135 million live in major urban areas. The proportion of city-dwellers is certain to rise in the decades to come.

The problems, and the opportunities, of city life have dominated our thoughts in recent years. We have devoted billions of dollars, and millions of man-hours, to planning and building better cities for our people.

Yet beyond the limits of the city there lies another America.

It is the America of forests and great plains, of mountains and valleys, of quiet lakes and lonely shores. In that America, the changing of the seasons is more than the turning of pages on a calendar. It is the cycle of decay and rebirth on which all natural life depends.

To be isolated from that natural America is to be impoverished—no matter how affluent one may be. To destroy it, to treat it carelessly, is to disregard one of the profound needs of the human spirit.

We know that we must keep open the avenues between the city and the natural America that surrounds it. We know that part of the good life in the city is the opportunity to leave it from time to time—to be refreshed by a world no human hand has fashioned.

Because the Federal Government administers massive programs that affect the natural beauty of our land, it must pursue a course that will enhance and protect that beauty. It must stimulate action in behalf of natural beauty and outdoor recreation on the part of others—of State and local governments, of private organizations and individual citizens.

If it is to do this well, its own house must be in order. Its programs must be wise, and they must be coordinated. Its organization must reflect its responsibilities.

Therefore, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

PART I. PRESIDENT'S COUNCIL ON RECREATION AND NATURAL BEAUTY

SECTION 101. *Membership and chairmanship.* (a) There is hereby established the President's Council on Recreation and Natural Beauty (hereinafter referred to as the "Council") which shall be composed of the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Chairman of the Federal Power Commission, the Chairman of the Board of Directors of the Tennessee Valley Authority, and the Administrator of General Services. Each of the foregoing officers may appoint a delegate to represent him in Council activities.

(b) The chairmanship of the Council shall rotate among the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Housing and Urban Development, in the order named, for terms of two years each. Prior service as chairman of the Recreation Advisory Council, established by Executive Order No. 11017 of April 27, 1962, as amended, shall be construed as service as chairman of the Council for the purposes of such rotation.

(c) When matters are to be considered by the Council which affect the interests of Federal agencies (including, as used in this order, executive departments and other executive agencies) the heads of which are not members of the Council, the chairman of the Council shall invite such heads to participate in the deliberations of the Council.

SEC. 102. *Functions of the Council.* (a) The Council shall review plans and programs of Federal agencies for or affecting outdoor recreation and natural beauty. The Council shall make recommendations to the President on matters of policy in the fields of outdoor recreation and natural beauty. The Council may conduct studies in those fields and shall encourage and assist Federal agencies to accomplish effective coordination in such fields.

(b) In carrying out the provisions of subsection (a) of this section, the Council shall, as far as may be practical, advise Federal agencies with respect to the effect of their respective plans and programs on recreation and natural beauty, and may suggest to such agencies procedures to better accomplish the purposes of this order. For the purposes of this order, plans and programs may include, but are not limited to, those for or affecting: (1) development, restoration, and preservation of the beauty of the countryside, urban and suburban areas, water resources, wild rivers, scenic roads, parkways and highways, (2) the protection and appropriate management of scenic or primitive areas, natural wonders, historic sites, and recreation areas, (3) the management of Federal land and water resources, including fish and wildlife, to enhance natural beauty and recreational opportunities consistent with other essential uses, (4) cooperation with the States and their local subdivisions and private organizations and individuals in areas of mutual interest, (5) interstate arrangements, including Federal participation where authorized and necessary, and (6) vigorous and cooperative leadership in a nationwide recreation and beautification effort.

SEC. 103. *Coordination.* The Secretary of the Interior may make available to the Council for promoting coordination of outdoor recreation the authorities and resources available to him under the Act of May 28, 1963, 77 Stat. 49; to the extent permitted by law, he may make such authorities and resources available to the Council also for promoting coordination in natural beauty.

SEC. 104. *Assistance and cooperation.* (a) The Federal agencies headed by the officers composing the Council shall furnish necessary assistance to the Council in consonance with the provisions of Section 214 of the Act of May 3, 1945 (59 Stat. 134; 31 U.S.C. 691).

(b) The staff of the Council shall include an Executive Director, from the Bureau of Outdoor Recreation, and one individual appointed by each member of the Council.

(c) Upon request of the chairman of the Council, each Federal agency shall, to the extent permitted by law and within available funds, furnish information, data, and reports needed by the Council to accomplish the purposes of this order.

(d) All Federal officials, in carrying out their statutory responsibilities and programs, shall be mindful of the objectives of this order, shall take into account any advice given by the Council under Section 102(b) herein, and shall take such measures, consistent with their authorities and available funds, as will assist in protecting and enhancing the outdoor recreation opportunities and the natural beauty of the Nation.

SEC. 105. *Construction.* Nothing in this order shall be construed as subjecting any function vested by law in, or assigned pursuant to law to, any Federal agency or the head thereof to the authority of any other agency or officer or as abrogating or restricting any such function in any manner.

SEC. 106. *Prior orders.* Executive Order No. 11017 of April 27, 1962, Executive Order No. 11069 of November 28, 1962, and Executive Order No. 11218 of April 24, 1965, are hereby superseded.

PART II. CITIZENS' ADVISORY COMMITTEE ON RECREATION AND NATURAL BEAUTY

SEC. 201. *Establishment.* There is hereby established the Citizens' Advisory Committee on Recreation and Natural Beauty (hereinafter referred to as the "Committee") which shall be composed of not more than 12 members appointed by the President. Appointments to membership on the Committee shall be for two years initially, but for staggered terms thereafter, except that the chairman of the Committee shall be appointed by the President to serve until his successor is appointed.

SEC. 202. *Duties and responsibilities.* (a) The Committee shall advise both the President and the Council on matters relating to (1) outdoor recreation and the beautification of our Nation's cities and countryside, (2) the correlation of natural beauty and outdoor recreation activities by Federal agencies and bureaus, and (3) local, State, and private outdoor recreation and natural beauty activities.

(b) The Committee shall advise and assist the Council in the evaluation of the progress made in carrying out the functions of the Council and recommend to the Council, as necessary, action to accelerate such progress.

(c) The Committee may, on its own motion, request information relating to the functions set forth in Section 202(a), above, and initiate consideration of items which relate to those functions.

SEC. 203. *Expenses.* Members of the Committee shall receive no compensation from the United States by reason of their services under this order but may, subject to law, be allowed travel expenses and per diem in lieu of subsistence.

LYNDON B. JOHNSON

THE WHITE HOUSE,
May 4, 1966.

[F.R. Doc. 66-11278; Filed, May 4, 1966; 12:37 p.m.]

Rules and Regulations

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65-WE-38]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE AND REPORTING POINTS

Alterations of Control Zone, Control Area and Reporting Points, Designation of Transition Area and Realignment of Airways

On March 12, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4350) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the controlled airspace in the vicinity of Hoquiam, Wash.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

Subsequent refinement of the proposed VOR approach to Bowerman Field indicates that the control zone extension should be based on the Hoquiam VORTAC 081° True radial rather than the 079° True radial. Although not mentioned in the Notice of Proposed Rule Making, the alteration of Control 1418 effected herein requires that the Gateway Cedar Intersection be relocated to conform to the centerline of Control 1418 as realigned. Since these modifications are minor in nature, notice and public procedure hereon are unnecessary.

The descriptions of the Gateway Cedar Intersection, the Gateway Hemlock Intersection and the Gateway Pine Intersection presently make reference to the Seattle Oceanic Control Area which has been renamed the Oakland Oceanic Control Area. Editorial changes are made herein to correct the descriptions of these intersections.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 23, 1966, as hereinafter set forth.

1. Section 71.123 (31 F.R. 2009) is amended as follows:

a. In V-27 all between "Olympia, Wash.," and "The airspace below 2,000 feet" is deleted and "INT of Olympia 010° and Seattle, Wash., 249° radials; to Seattle ,including a W alternate from Astoria to INT of Olympia 010° and Seattle 249° radials via Hoquiam, Wash., excluding the airspace between the main and this W alternate airway." is substituted therefor.

b. In V-99 all between "Olympia;" and "The airspace within R-6711" is deleted and "INT of the Olympia 010° and Seattle, Wash., 249° radials; to Seattle." is substituted therefor.

2. In § 71.163 (31 F.R. 2050) Control 1418 is amended to read:

CONTROL 1418

That airspace extending upward from 2,000 feet MSL centered on the Hoquiam, Wash., VORTAC 232° radial, 10 nmi in width at the VORTAC with each edge diverging at an angle of 5° with the centerline, extending from the VORTAC to the E boundary of the Oakland Oceanic Control Area.

3. In § 71.171 (31 F.R. 2065) the Hoquiam, Wash., control zone is amended to read:

HOQUIAM, WASH.

Within a 5-mile radius of Bowerman Field, Hoquiam, Wash. (latitude 46°58'15" N., longitude 123°56'05" W.), and within 2 miles each side of the Hoquiam VORTAC 081° radial, extending from the 5-mile radius zone to the VORTAC.

4. In § 71.181 (31 F.R. 2149) the Hoquiam, Wash., transition area is added as follows:

HOQUIAM, WASH.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Hoquiam VORTAC 069° radial, extending from the arc of a 5-mile radius circle centered on Bowerman Field, Hoquiam, Wash. (latitude 46°58'15" N., longitude 123°56'05" W.), to 20 miles E of the VORTAC; within 2 miles each side of the Hoquiam VORTAC 089° radial, extending from the arc of a 5-mile radius circle centered on Bowerman Field to 20 miles E of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 8 miles N and 8 miles S of the Hoquiam VORTAC 069° and 249° radials, extending from 13 miles W to 15 miles E of the VORTAC.

5. Section 71.209 (31 F.R. 2287) is amended as follows:

a. Gateway Cedar INT is amended to read:

Gateway Cedar INT: INT Hoquiam, Wash., 232° radial, E boundary Oakland Oceanic Control Area at latitude 45°30'35" N., longitude 126°43'10" W.

b. In Gateway Hemlock INT, delete "Seattle Oceanic Control Area" and substitute therefor "Oakland Oceanic Control Area."

c. In Gateway Pine INT, delete "Seattle Oceanic Control Area" and substitute therefor "Oakland Oceanic Control Area."

(Secs. 307(a) and 1110 Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565)

Issued in Washington, D.C., on April 28, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-4866; Filed, May 4, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-17]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Temporary Alteration of Control Zone

On March 15, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4414), stating that the Federal Aviation Agency is considering an amendment to Part 71 that would temporarily alter the hours of operation of the Santa Monica, Calif., control zone.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 23, 1966, as hereinafter set forth:

In § 71.171 (31 F.R. 2135) the Santa Monica, Calif., control zone is temporarily altered by adding "During that period of July 1 through July 9, 1966, inclusive, this control zone shall be effective 24 hours daily." This will be canceled by its own terms effective July 10, 1966.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on April 25, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-4867; Filed, May 4, 1966; 8:45 a.m.]

[Reg. Docket No. 7173; Amdt. 470]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

Correction

In F.R. Doc. 66-4447 appearing at page 6266 in the issue for Saturday, April 23, 1966, the eleventh line after the last table in the amendments to § 97.13 is corrected to read in part: "MSA within 25 miles of facility: 000°-090°—2800'; * * *."

[Docket No. 7280; Amdt. No. 137-2]

PART 137—AGRICULTURAL AIRCRAFT OPERATIONS

Dispensing of Economic Poisons for Experimental Purposes

The purpose of this amendment is to except from the prohibitions of § 137.39, the dispensing of economic poisons for experimental purposes.

Section 137.39 prohibits the dispensing from an aircraft of economic poisons registered with the U.S. Department of Agriculture for a use other than that for which it is registered, contrary to the safety instructions or use limitations on

its label, or in violation of any law or regulation of the United States.

The Agency has been advised that there is considerable interest in research to develop low volume aerial application methods for control of a number of pests. This research may lead to substantial improvements in pest control by reducing the amounts of pesticides required for the effective control and the cost of the applications. The most promising chemicals for this purpose have been registered by the Department of Agriculture. However, under § 137.39 these chemicals cannot be experimentally evaluated using low volume aerial applications on commodities or pests other than those for which registration has been granted for the low volume application.

Upon consideration of the need for the research and development of efficient and economical chemicals for use by agricultural aircraft operators, the Agency finds that it would be in the public interest to amend § 137.39 to permit the experimental aerial dispensing of an economic poison for a use other than that for which it is registered, or contrary to the use limitations on its label. However, in order to maintain control over such experimentation, the Agency has decided that the experimentation may be conducted only by those agricultural aircraft operators dispensing the economic poison under (1) the supervision of a Federal or State agency authorized to conduct research in the field of economic poisons, or (2) a permit from the U.S. Department of Agriculture to dispense economic poisons for experimental purposes. The Department of Agriculture concurs in these amendments.

Since immediate relief from the present restrictions of § 137.39 is needed in order to permit interested persons to develop research plans for the summer season, I find that compliance with the notice and procedure requirements of the Administrative Procedure Act is impractical.

In consideration of the foregoing, effective May 5, 1966, § 137.39 of the Federal Aviation Regulations is amended to read as follows:

§ 137.39 Economic poison dispensing.

(a) Except as provided in paragraph (b) of this section, no person may dispense or cause to be dispensed from an aircraft, any economic poison that is registered with the U.S. Department of Agriculture under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135–135k)—

(1) For a use other than that for which it is registered;

(2) Contrary to any safety instructions or use limitations on its label; or

(3) In violation of any law or regulation of the United States.

(b) This section does not apply to any person dispensing economic poisons for experimental purposes under—

(1) The supervision of a Federal or State agency authorized by law to conduct research in the field of economic poisons; or

(2) A permit from the U.S. Department of Agriculture issued pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135–135k).

(Secs. 313(a), 307(c), 601, and 607, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1348, 1421, 1427)

Issued in Washington, D.C., on April 30, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-4900; Filed, May 4, 1966; 8:47 a.m.]

[Docket No. 7330; Amdt. 151-11]

PART 151—FEDERAL AID TO AIRPORTS

References to Area Managers

The purpose of this amendment is to change the point of contact for sponsors of airport development projects or advance planning and engineering proposals from the District Airport Engineer to the Area Manager.

Amendment 2 to the Organization Statement of the Federal Aviation Agency (31 F.R. 838) established the subdivision of the regions into areas and stated the functions and jurisdiction of the Area Managers and the location of the area offices. As a result of this change of organization, the area office is now the appropriate point of contact for sponsors of airport development projects and advance planning and engineering proposals under the Federal-aid airport program.

Since the term "Area Manager" is defined, where it first occurs, as the Area Manager of the area where the sponsor is located, the term is used without further qualification in all those sections where this meaning is intended.

The procedural and effective date requirements of section 4 of the Administrative Procedure Act do not apply to this amendment because it relates to public grants, benefits and contracts.

In consideration of the foregoing, Part 151 is amended, effective May 19, 1966, as follows:

1. Section 151.21(a) is amended by striking out the words "Director of the District Office of the Airports Division of an FAA Regional Office for the district in which the sponsor is located (hereafter in this Part referred to as the "District Airport Engineer")" and inserting the words "Area Manager of the area in which the sponsor is located (hereafter in this Part referred to as the "Area Manager")" in place thereof.

2. Sections 151.21(c), 151.29(b), 151.29(c), 151.45(c), 151.45(d), 151.45(e)(1), 151.47(c), 151.47(e), 151.51(a), 151.53(d), 151.59, 151.63(b)(1), and 151.67(a)(6) are amended by striking out the words "District Airport Engineer" wherever they appear and inserting the words "Area Manager" in place thereof.

3. Section 151.33(e) is amended to read as follows:

§ 151.33 Cosponsorship and agency.

* * * * *

(e) When the cosponsors of an airport are not located in the same area, they must submit a joint request to the Area Manager of the area in which the airport development will be located.

4. The first sentence of § 151.65(a) is amended to read as follows: "At any time before the FAA issues a grant offer for a project, any public agency or person having a substantial interest in the disposition of the project application may file a memorandum supporting or opposing it with the Area Manager of the area in which the project is located."

5. Section 151.67(b) is amended to read as follows:

§ 151.67 Forms.

* * * * *

(b) Copies of the forms named in this section, and assistance in completing and executing them, are available from the Area Manager.

6. Section 151.117(a) is amended to read as follows:

§ 151.117 Advance planning proposals-procedures; application.

(a) Each eligible sponsor desiring to obtain Federal aid for the purpose of advance planning and engineering must submit a completed FAA Form 3731, "Advance Planning Proposal", to the Area Manager.

* * * * *

(Secs. 1-15 and 17-21, Federal Airport Act; 49 U.S.C. 1101-1114, 1116-1120 and secs. 302(f) and 303(d), Federal Aviation Act of 1958; 49 U.S.C. 1343, 1344)

Issued in Washington, D.C., on April 27, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-4870; Filed, May 4, 1966; 8:45 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 332—OFFERING OF UNITED STATES SAVINGS BONDS, SERIES H

The regulations set forth in Treasury Department Circular No. 905, Third Revision (31 CFR 332), dated December 23, 1964, are hereby further revised in the form shown below. This revision of the regulations is issued under authority of Revised Statutes, section 161 (5 U.S.C. 22), and the Second Liberty Bond Act (31 U.S.C. 757c, 757c-1), both as amended.

The revision increases the interest rates on Series H savings bonds. As these matters involve fiscal policy of the United States, notice and public procedure hereon are unnecessary. The regulations, as revised, were adopted on April 7, 1966.

Dated: April 7, 1966.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

Department Circular No. 905, Third Revision, dated December 23, 1964, and the tables incorporated therein (31 CFR Part 332), are hereby further amended and reissued as the Fourth Revision.

Sec.
332.1 Offering of bonds.
332.2 Description of bonds.
332.3 Governing regulations.
332.4 Registration.
332.5 Limitations on holdings.
332.6 Purchase of bonds.
332.7 Delivery of bonds.
332.8 Extended term and improved yields for outstanding bonds.
332.9 Taxation.
332.10 Payment or redemption.
332.11 Reservation as to issue of bonds.
332.12 Preservation of rights.
332.13 Fiscal agents.
332.14 Reservation as to terms of offer.
Tables of Checks Issued and Investment Yields.

AUTHORITY: The provisions of this Part 332 issued under authority of secs. 22 and 25 of the Second Liberty Bond Act, as amended, 49 Stat. 21, as amended, and 73 Stat. 621 (31 U.S.C. 757c, 757c-1).

§ 332.1 Offering of bonds.

The Secretary of the Treasury hereby offers for sale to the people of the United States, U.S. Savings Bonds of Series H, hereinafter generally referred to as Series H bonds. This offering of bonds will continue until terminated by the Secretary of the Treasury.

§ 332.2 Description of bonds.

(a) *General.* Series H bonds bear a facsimile of the signature of the Secretary of the Treasury and of the Seal of the Treasury Department. They are issued only in registered form and are nontransferable.

(b) *Denominations and prices.* Series H bonds are issued at par and are available in denominations of $500, $1,000, $5,000, and $10,000.

(c) *Inscription and issue.* At the time of issue the issuing agent will (1) inscribe on the face of each Series H bond the name, taxpayer identifying number,[1] and address of the owner, and the name of the beneficiary, if any, or the name and address of the first-named coowner and the taxpayer identifying number[1] of one coowner, (2) enter in the upper right-hand portion of the bond the issue date, and (3) imprint the agent's dating stamp in the lower right-hand portion to show the date the bond is actually inscribed. A Series H bond shall be valid only if an authorized issuing agent receives payment therefor and duly inscribes, dates, stamps and delivers it in accordance with the purchaser's instructions.

(d) *Term.* A Series H bond will be dated as of the first day of the month in which payment therefor is received by an agent authorized to issue such bonds. This date is the issue date and the bond will mature and be payable 10 years from such issue date. The bond may not be called for redemption by the Secretary of the Treasury prior to maturity, but may be redeemed AT PAR after 6 months from issue date, at the owner's option, but only upon 1 calendar month's notice as provided in § 332.10.

(e) *Interest (investment yield).* The interest on a Series H bond will be paid semiannually by check drawn to the order of the registered owner or coowners, beginning six months from issue date. Interest payments will be on a graduated scale, fixed to produce an investment yield of approximately 4.15 percent per annum compounded semiannually, if the bond is held to maturity;[2] but the yield will be less if the bond is redeemed prior to maturity. See Table 1. Interest will cease at maturity or, in the case of redemption before maturity, at the end of the interest period next preceding the date of redemption, except that if the date of redemption falls on an interest payment date, interest will cease on that date.

(f) *Bonds with issue dates December 1, 1965, or thereafter.* Series H bonds with issue dates of December 1, 1965, or thereafter, are deemed to be Series H bonds issued under the terms of this circular and the interest (investment yield) provided for in paragraph (e) of this section is applicable to such bonds. Series H bond stock on sale prior to December 1, 1965, will be used for issue under this circular until such time as new stock is printed and supplied to issuing agents. Such bonds have the new interest rate as fully as if expressly set forth in the text of the bonds. It will be unnecessary for owners to exchange bonds issued on the old stock for bonds on the new stock as the Treasury Department will issue interest checks for the bonds in the appropriate amounts as set forth in Table 1. However, when the new stock becomes available, issuance on the new stock may be obtained by presentation for that purpose of bonds issued on the old stock to any Federal Reserve Bank or Branch, or to the Treasurer of the United States, Securities Division, Washington, D.C., 20220.

§ 332.3 Governing regulations.

Series H bonds are subject to the regulations of the Treasury Department, now or hereafter prescribed, governing U.S. Savings Bonds, contained in Department Circular No. 530, current revision (31 CFR Part 315).[3]

[1] The number required to be used on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security account number or employer identification number). If the coowners are husband and wife, the husband's number should be furnished. If the coowners are a minor and an adult, the adult's number should be furnished.

[2] Under authority of sec. 25, 73 Stat. 621 (31 U.S.C. 757c-1), the President of the United States on Feb. 16, 1966, concluded that with respect to Series H bonds it was necessary in the national interest to exceed the maximum interest rate and investment yield prescribed in sec. 22 of the Second Liberty Bond Act, as amended (31 U.S.C. 757c).

[3] Copies may be obtained on application to any Federal Reserve Bank or Branch or the Bureau of the Public Debt, Washington, D.C., 20220, or its Chicago Office, 536 South Clark Street, Chicago, Ill., 60605.

§ 332.4 Registration.

(a) *General.* Generally, only residents of the United States, its territories and possessions, the Commonwealth of Puerto Rico, the Canal Zone and citizens of the United States temporarily residing abroad are eligible to be named as owners of Series H bonds. The bonds may be registered in the names of natural persons in their own right as provided in paragraph (b) of this section, and in the names and titles or capacities of fiduciaries and organizations as provided in paragraph (c) of this section. Full information regarding authorized forms of registration and restrictions with respect thereto will be found in the governing regulations.

(b) *Natural persons in their own right.* The bonds may be registered in the names of natural persons (whether adults or minors) in their own right, in single ownership, coownership, and beneficiary forms.

(c) *Others.* The bonds may be registered in single ownership form in the names of fiduciaries and private and public organizations, as follows:

(1) *Fiduciaries.* In the names of and showing the titles or capacities of any persons or organizations, public or private, as fiduciaries (including trustees, legal guardians or similar representatives, and certain custodians) but not where the fiduciary would hold the bonds merely or principally as security for the performance of a duty, obligation, or service.

(2) *Private and public organizations.* In the names of private or public organizations (including private corporations, partnerships, and unincorporated associations, and States, counties, public corporations, and other public bodies), in their own right, but not in the names of commercial banks.[4]

§ 332.5 Limitations on holdings.

The amount of Series H bonds originally issued during any one calendar year that may be held by any one person at any one time, computed in accordance with the governing regulations, is limited, as follows:

(a) *General limitation.* $20,000 (face value) for the calendar year 1962 and each calendar year thereafter.

(b) *Special limitation for owners of savings bonds of Series F, G, J, and K.* Owners, except commercial banks[4] in their own right (as distinguished from a representative or fiduciary capacity), of outstanding bonds of Series F and G, all of which are now matured, and bonds of Series J and K, at or after maturity, may apply the proceeds of such bonds to the purchase of Series H bonds without regard to the general limitation on holdings, under the following restrictions and conditions:

(1) The bonds must be presented to a Federal Reserve Bank or Branch, the

[4] Commercial banks, as defined in sec. 315.7(c)(1), Department Circular No. 530, current revision, for this purpose are those accepting demand deposits.

Office of the Treasurer of the United States, Securities Division, or the Bureau of the Public Debt, Division of Loans and Currency Branch, for the specific purpose of taking advantage of this privilege. The Series H bonds will be dated as of the first day of the month in which the bonds presented are received by the issuing agent.

(2) Series H bonds may be purchased with the proceeds of the bonds presented only up to the denominational amounts that the proceeds thereof will fully cover. Any difference between such proceeds and the purchase price of the Series H bonds will be paid to the owner.

(3) The Series H bonds will be registered in the name of the owner in any authorized form of registration subject to the restrictions prescribed by the governing regulations.

(4) This privilege will continue until terminated by the Secretary of the Treasury.

(c) *Exchanges pursuant to Department Circular No. 1036, as amended.* Series H bonds issued in exchange for bonds of Series E or Series J under the provisions of Department Circular No. 1036, as amended (31 CFR Part 339), are exempt from the annual limitation.

§ 332.6 Purchase of bonds.

(a) *Agents.* Only the Federal Reserve Banks and Branches and the Treasury Department are authorized to act as official issuing agents for the sale of Series H bonds. However, commercial banks and trust companies may forward applications for purchase of the bonds. The date of receipt of the application and payment to an issuing agent will govern the issue date of the bonds purchased.

(b) *Application for purchase and remittance.* The applicant for purchase of Series H bonds should furnish (1) instructions for registration of the bonds to be issued, which must be in authorized form, (2) the appropriate taxpayer identifying number,[1] (3) the post office address of the owner or first-named coowner, and (4) the address for delivery of the bonds and for mailing checks in payment of interest, if other than that of the owner or first-named coowner. The application should be forwarded to a Federal Reserve Bank or Branch or the Office of the Treasurer of the United States, Securities Division, Washington, D.C., 20220, accompanied by a remittance to cover the purchase price. Any form of exchange including personal checks will be accepted subject to collection. Checks or other forms of exchange should be drawn to the order of the Federal Reserve Bank or Treasurer of the United States, as the case may be. Checks payable by endorsement are not acceptable. Any depositary qualified pursuant to Treasury Department Circular No. 92, current revision (31 CFR Part 203), will be permitted to make payment by credit for bonds applied for on behalf of its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its district.

§ 332.7 Delivery of bonds.

Authorized issuing agents will deliver the Series H bonds either in person, or by mail at the risk and expense of the United States, at the address given by the purchaser, but only within the United States, its territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone. No small deliveries elsewhere will be made. If purchased by citizens of the United States temporarily residing abroad, the bonds will be delivered at such address in the United States as the purchaser directs.

§ 332.8 Extended term and improved yields for outstanding bonds.

(a) *Extended maturity period for bonds with issue dates June 1, 1952, through January 1, 1957.* Owners of Series H bonds with issue dates of June 1, 1952, through January 1, 1957, have the option of retaining their bonds for an extended maturity period of 10 years.[2]

(b) *Improved yields*[3]—(1) *Bonds with issue dates June 1, 1952, through March 1, 1956.*[4] The investment yield on outstanding Series H bonds with issue dates of June 1, 1952, through March 1, 1956, is hereby increased by four-tenths of 1 percent per annum for the remaining period to the extended maturity date, but the increase in yield will be less if the bonds are redeemed earlier. The increase, on a graduated basis, will begin with the first interest period starting on or after December 1, 1965.

(2) *Bonds with issue dates April 1, 1956, through January 1, 1957.*[5] The investment yield on outstanding Series H bonds with issue dates of April 1, 1956, through January 1, 1957, is hereby increased by four-tenths of 1 percent per annum for any remaining period to the maturity date, but the increase in yield will be less if the bonds are redeemed earlier. The increase, on a graduated basis, will begin with the first interest period of 6 months starting on or after December 1, 1965. The investment yield for the extended maturity period will be approximately 4.15 percent per annum for each half-year period.

(3) *Bonds with issue dates February 1, 1957, through November 1, 1965.*[6] The investment yield on outstanding Series H bonds with issue dates of February 1, 1957, through November 1, 1965, is hereby increased by four-tenths of 1 percent per annum for the remaining period to the maturity date, but the increase in yield will be less if the bonds are redeemed earlier. The increase, on a graduated basis, will begin with the first interest period starting on or after December 1, 1965.

§ 332.9 Taxation.

The income derived from Series H bonds is subject to all taxes imposed under the Internal Revenue Code of 1954. The bonds are subject to estate, inheritance, gift, or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, by any of the possessions of the United States, or by any local taxing authority.

§ 332.10 Payment or redemption.

(a) *Prior to maturity.* Prior to maturity a Series H bond will be redeemed AT PAR, in whole or in part, in the amount of an authorized denomination or multiple thereof, at the option of the owner, after six months from the issue date upon one calendar month's notice to (1) a Federal Reserve Bank or Branch, (2) the Office of the Treasurer of the United States, Securities Division, Washington, D.C., 20220, or (3) the Bureau of the Public Debt, Division of Loans and Currency Branch, 536 South Clark Street, Chicago, Ill., 60605. Such notice may be given separately, in writing, or by presenting and surrendering the bond with a duly executed request for payment. If notice is given separately, the bond must be presented with a duly executed request for payment to the same agent not less than twenty days before the redemption date fixed by the notice. Payment will be made as of the first day of the first month following by at least one full calendar month the date of the receipt of notice.

(b) *At maturity.* Upon maturity a Series H bond will be redeemed at par upon presentation of the bond with a duly executed request for payment to one of the agents designated in paragraph (a) of this section. Any Series H bond having an extended maturity period will be redeemed at par upon original maturity and for two calendar months following the month in which the bond originally matures without advance notice.[7]

[1] Maturities and summary of investment yields to maturity and extended maturity dates under regulations heretofore prescribed for Series H bonds with issue dates prior to Dec. 1, 1965:

Bonds with issue dates June 1, 1952, through Jan. 1, 1957:

9-year, 8-month maturity; 3.00 percent per annum compounded semiannually.

Increased five-tenths of 1 percent per annum for remaining period to maturity date, beginning with interest checks due Dec. 1, 1959.

Extended maturity period (10 years), approx. 3.75 percent per annum for each half-year period.

Bonds with issue dates Feb. 1, 1957, through May 1, 1959:

10-year maturity; 3.25 percent per annum compounded semiannually.

Increased five-tenths of 1 percent per annum for remaining period to maturity date, beginning with interest checks due Dec. 1, 1959.

Bonds with issue dates June 1, 1959, through Nov. 1, 1965:

10-year maturity; 3.75 percent per annum compounded semiannually.

[2] The tables incorporated herein, arranged according to issue dates, show the current schedules of interest payments and investment yields.

[7] For example, if a bond is dated June 1, 1956, the date of original maturity is Feb. 1, 1966. The date on which the right to payment without advance notice will be suspended is May 1, 1966.

(c) *During extended maturity period.* A Series H bond having an extended maturity period will, beginning with the first day of the third calendar month following the calendar month in which the bond originally matures, be regarded as unmatured until it reaches its final maturity date and may be redeemed in the same manner and subject to the same notice for redemption as provided in paragraph (a) of this section.

§ 332.11 Reservation as to issue of bonds.

The Secretary of the Treasury reserves the right to reject any application for Series H bonds, in whole or in part, and to refuse to issue or permit to be issued hereunder any such bonds in any case or any class or classes of cases if he deems such action to be in the public interest, and his action in any such respect shall be final.

§ 332.12 Preservation of rights.

Nothing contained herein shall limit or restrict rights which owners of Series H bonds heretofore issued have acquired under offers previously in force.

§ 332.13 Fiscal agents.

Federal Reserve Banks and Branches, as fiscal agents of the United States, are authorized to perform such services as may be requested of them by the Secretary of the Treasury in connection with the issue, delivery, redemption and payment of Series H bonds.

§ 332.14 Reservation as to terms of offer.

The Secretary of the Treasury may at any time or from time to time supplement or amend the terms of this offering of bonds (31 CFR Part 332), or of any amendments or supplements thereto.

TABLES OF CHECKS ISSUED AND INVESTMENT YIELDS FOR UNITED STATES SAVINGS BONDS OF SERIES H

Each table shows: (1) The amounts of interest check payments during the current maturity period and during any authorized subsequent maturity period, on bonds bearing issue dates covered by the table; (2) the approximate investment yield on the face value from the beginning of the current maturity period to each subsequent interest payment date; and (3) the approximate investment yield on the face value from each interest payment date to next maturity. Yields are expressed in terms of rate percent per annum, compounded semiannually.

TABLE 1

BONDS BEARING ISSUE DATES BEGINNING DECEMBER 1, 1965

Face value: Maturity value / Redemption value[1] / Issue price	$500 / 500 / 500	$1,000 / 1,000 / 1,000	$5,000 / 5,000 / 5,000	$10,000 / 10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amount of interest check for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity[2]
½ year	$5.50	$11.00	$55.00	$110.00	Percent 2.20	Percent 4.27
1 year	9.70	19.40	97.00	194.00	3.08	4.30
1½ years	10.75	21.50	107.50	215.00	3.45	4.30
2 years	10.75	21.50	107.50	215.00	3.65	4.30
2½ years	10.75	21.50	107.50	215.00	3.75	4.30
3 years	10.75	21.50	107.50	215.00	3.86	4.30
3½ years	10.75	21.50	107.50	215.00	3.92	4.30
4 years	10.75	21.50	107.50	215.00	3.96	4.30
4½ years	10.75	21.50	107.50	215.00	3.99	4.30
5 years	10.75	21.50	107.50	215.00	4.00	4.30
5½ years	10.75	21.50	107.50	215.00	4.03	4.30
6 years	10.75	21.50	107.50	215.00	4.05	4.30
6½ years	10.75	21.50	107.50	215.00	4.07	4.30
7 years	10.75	21.50	107.50	215.00	4.08	4.30
7½ years	10.75	21.50	107.50	215.00	4.10	4.30
8 years	10.75	21.50	107.50	215.00	4.11	4.30
8½ years	10.75	21.50	107.50	215.00	4.12	4.30
9 years	10.75	21.50	107.50	215.00	4.13	4.30
9½ years	10.75	21.50	107.50	215.00	4.13	4.30
10 years (maturity)	10.75	21.50	107.50	215.00	4.14	4.30

[1] Approximate investment yield for entire period from issuance to maturity is 4.15 percent per annum.

[2] At all times, except that bonds are not redeemable during first 6 months.

TABLE 2

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH SEPTEMBER 1, 1952

Face value: Issue price / Redemption and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value†	
Period of time bond is held after maturity date	(1) Amounts of interest checks for each denomination — EXTENDED MATURITY PERIOD ‡				(2) From beginning of extended maturity period to each interest payment date ‡	(3) From each interest payment date to extended maturity* ‡
					Percent	Percent
½ year	$9.37	$18.75	$93.75	$187.50	3.75	*3.75
1 year	9.37	18.75	93.75	187.50	3.75	*3.75
1½ years	9.37	18.75	93.75	187.50	3.75	*3.75
2 years	9.37	18.75	93.75	187.50	3.75	*3.75
2½ years	9.37	18.75	93.75	187.50	3.75	*3.75
3 years	9.37	18.75	93.75	187.50	3.75	*3.75
3½ years	9.37	18.75	93.75	187.50	3.75	**4.15
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
4½ years	9.55	19.10	95.50	191.00	3.76	4.19
5 years	9.55	19.10	95.50	191.00	3.76	4.23
5½ years	9.55	19.10	95.50	191.00	3.77	4.26
6 years	10.15	20.30	101.50	203.00	3.79	4.31
6½ years	10.15	20.30	101.50	203.00	3.81	4.34
7 years	10.15	20.30	101.50	203.00	3.83	4.39
7½ years	10.60	21.20	106.00	212.00	3.85	4.43
8 years	10.60	21.20	106.00	212.00	3.87	4.48
8½ years	10.60	21.20	106.00	212.00	3.89	4.52
9 years	10.60	21.20	106.00	212.00	3.91	4.56
9½ years	11.40	22.80	114.00	228.00	3.95	4.56
10 years (extended maturity) ³	11.40	22.80	114.00	228.00	§3.97	

†Calculated on the basis of $1,000 bond.
*2.75 percent yield from the beginning of each half year period of the 10 year extension on the basis of the original schedule of interest checks, prior to the December 1, 1965 revision.
**Yield from effective date of the December 1, 1965 revision to extended maturity date.
‡Yield from issue date to extended maturity date is 3.48 percent.
For interest checks and investment yields during the original maturity period see Department Circular No. 966, Second Revision dated September 23, 1960.
³10 years and 3 months after issue date.

TABLE 3

BONDS BEARING ISSUE DATES FROM OCTOBER 1, 1952 THROUGH MARCH 1, 1953

Face value: Issue price / Redemption and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value†	
Period of time bond is held after maturity date	(1) Amounts of interest checks for each denomination — EXTENDED MATURITY PERIOD ‡				(2) From beginning of extended maturity period to each interest payment date ‡	(3) From each interest payment date to extended maturity* ‡
					Percent	Percent
½ year	$9.37	$18.75	$93.75	$187.50	3.75	*3.75
1 year	9.37	18.75	93.75	187.50	3.75	*3.75
1½ years	9.37	18.75	93.75	187.50	3.75	*3.75
2 years	9.37	18.75	93.75	187.50	3.75	*3.75
2½ years	9.37	18.75	93.75	187.50	3.75	*3.75
3 years	9.37	18.75	93.75	187.50	3.75	**4.15
3½ years	9.37	18.75	93.75	187.50	3.75	**4.15
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
4 years	9.55	19.10	95.50	191.00	3.76	4.18
4½ years	9.55	19.10	95.50	191.00	3.76	4.22
5 years	9.55	19.10	95.50	191.00	3.77	4.26
5½ years	10.05	20.10	100.50	201.00	3.79	4.29
6 years	10.05	20.10	100.50	201.00	3.81	4.33
6½ years	10.05	20.10	100.50	201.00	3.83	4.38
7 years	10.60	21.20	106.00	212.00	3.85	4.40
7½ years	10.60	21.20	106.00	212.00	3.87	4.44
8 years	10.60	21.20	106.00	212.00	3.89	4.49
8½ years	10.60	21.20	106.00	212.00	3.91	4.53
9 years	10.60	21.20	106.00	212.00	3.94	4.53
9½ years	11.45	22.90	114.50	229.00	3.97	4.58
10 years (extended maturity) ³	11.45	22.90	114.50	229.00	§3.99	

†Yield from issue date to extended maturity date on bonds dated: October 1 and November 1, 1952 is 3.49 percent; December 1, 1952 through March 1, 1953 is 3.50 percent.
For all other footnotes see table 2.

TABLE 4

BONDS BEARING ISSUE DATES FROM APRIL 1 THROUGH SEPTEMBER 1, 1953

Face value: Issue price / Redemption and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value†	
Period of time bond is held after maturity date	(1) Amounts of interest checks for each denomination — EXTENDED MATURITY PERIOD ‡				(2) From beginning of extended maturity period to each interest payment date ‡	(3) From each interest payment date to extended maturity* ‡
					Percent	Percent
½ year	$9.37	$18.75	$93.75	$187.50	3.75	*3.75
1 year	9.37	18.75	93.75	187.50	3.75	*3.75
1½ years	9.37	18.75	93.75	187.50	3.75	*3.75
2 years	9.37	18.75	93.75	187.50	3.75	*3.75
2½ years	9.37	18.75	93.75	187.50	3.75	*3.75
3 years	9.37	18.75	93.75	187.50	3.75	**4.15
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
2¼ years	9.55	19.10	95.50	191.00	3.76	4.18
4 years	9.55	19.10	95.50	191.00	3.76	4.21
4½ years	9.55	19.10	95.50	191.00	3.77	4.24
5 years	10.00	20.00	100.00	200.00	3.77	4.26
5½ years	10.00	20.00	100.00	200.00	3.79	4.28
6 years	10.00	20.00	100.00	200.00	3.81	4.32
6½ years	10.00	20.00	100.00	200.00	3.83	4.36
7 years	10.50	21.00	105.00	210.00	3.85	4.39
7½ years	10.50	21.00	105.00	210.00	3.87	4.42
8 years	10.50	21.00	105.00	210.00	3.89	4.47
8½ years	10.50	21.00	105.00	210.00	3.91	4.54
9 years	11.35	22.70	113.50	227.00	3.94	4.54
9½ years	11.35	22.70	113.50	227.00	3.97	4.54
10 years (extended maturity) ³	11.35	22.70	113.50	227.00	3.99	4.54
					§4.01	

§Yield from issue date to extended maturity date on bonds dated: April 1 and May 1, 1953 is 3.51 percent; June 1 through September 1, 1953 is 3.53 percent.
For all other footnotes see table 2.

TABLE 5

BONDS BEARING ISSUE DATES FROM OCTOBER 1, 1953 THROUGH MARCH 1, 1954

Face value: Issue price / Redemption and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value†	
Period of time bond is held after maturity date	(1) Amounts of interest checks for each denomination — EXTENDED MATURITY PERIOD ‡				(2) From beginning of extended maturity period to each interest payment date ‡	(3) From each interest payment date to extended maturity* ‡
					Percent	Percent
½ year	$9.37	$18.75	$93.75	$187.50	3.75	*3.75
1 year	9.37	18.75	93.75	187.50	3.75	*3.75
1½ years	9.37	18.75	93.75	187.50	3.75	*3.75
2 years	9.37	18.75	93.75	187.50	3.75	*3.75
2½ years	9.37	18.75	93.75	187.50	3.75	**4.15
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
3 years	9.55	19.10	95.50	191.00	3.76	4.18
3½ years	9.55	19.10	95.50	191.00	3.77	4.21
4 years	9.55	19.10	95.50	191.00	3.78	4.25
4½ years	9.95	19.90	99.50	199.00	3.80	4.27
5 years	9.95	19.90	99.50	199.00	3.81	4.31
5½ years	9.95	19.90	99.50	199.00	3.83	4.33
6 years	10.45	20.90	104.50	209.00	3.85	4.37
6½ years	10.45	20.90	104.50	209.00	3.88	4.40
7 years	10.45	20.90	104.50	209.00	3.89	4.44
7½ years	10.45	20.90	104.50	209.00	3.91	4.50
8 years	10.45	20.90	104.50	209.00	3.93	4.58
8½ years	11.45	22.90	114.50	229.00	3.96	4.58
9 years	11.45	22.90	114.50	229.00	3.99	4.58
9½ years	11.45	22.90	114.50	229.00	4.01	4.58
10 years (extended maturity) ³	11.45	22.90	114.50	229.00	§4.04	

†Yield from issue date to extended maturity date on bonds dated: October 1 and November 1, 1953 is 3.53 percent; December 1, 1953 through March 1, 1954 is 3.55 percent.
For all other footnotes see table 2.

TABLE 6

BONDS BEARING ISSUE DATES FROM APRIL 1 THROUGH SEPTEMBER 1, 1954

Face value	$500	$1,000	$5,000	$10,000	Approximate investment yield on face value†	
Issue price	500	1,000	5,000	10,000		
Redemption and maturity value						
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination — EXTENDED MATURITY PERIOD [1]				(2) From beginning of extended maturity period to each interest payment date [1]	(3) From each interest payment date to extended maturity* [1]
					Percent	Percent
¼ year	$9.37	$18.75	$93.75	$187.50	3.75	*3.75
1 year	9.37	18.75	93.75	187.50	3.75	*3.75
1½ years	9.37	18.75	93.75	187.50	3.75	**4.15
2 years	9.37	18.75	93.75	187.50	3.75	**4.15
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
2¼ years	9.55	19.10	95.50	191.00	3.76	4.18
2½ years	9.55	19.10	95.50	191.00	3.77	4.20
2¾ years	9.55	19.10	95.50	191.00	3.78	4.24
3 years	9.55	19.10	95.50	191.00	3.78	4.28
3½ years	10.15	20.30	101.50	203.00	3.91	4.30
4 years	10.15	20.30	101.50	203.00	3.82	4.33
4½ years	10.15	20.30	101.50	203.00	3.83	4.36
5 years	10.15	20.30	101.50	203.00	3.87	4.40
5½ years	10.60	21.20	106.00	212.00	3.89	4.43
6 years	10.60	21.20	106.00	212.00	3.92	4.46
6½ years	10.60	21.20	106.00	212.00	3.93	4.51
7 years	10.60	21.20	106.00	212.00	3.95	4.58
7½ years	11.45	22.90	114.50	229.00	4.01	4.58
8 years	11.45	22.90	114.50	229.00	4.03	4.78
8½ years	11.45	22.90	114.50	229.00	4.03	4.78
9 years	11.45	22.90	114.50	229.00	4.03	4.78
9½ years	11.45	22.90	114.50	229.00	4.03	4.78
10 years (extended maturity)*	11.45	22.90	114.50	229.00	§4.06	

§Yield from issue date to extended maturity date on bonds dated: April 1 and May 1, 1954 is 3.55 percent; June 1 through September 1, 1954 is 3.57 percent.

For all other footnotes see table 2.

TABLE 7

BONDS BEARING ISSUE DATES FROM OCTOBER 1, 1954 THROUGH MARCH 1, 1955

Face value	$500	$1,000	$5,000	$10,000	Approximate investment yield on face value†	
Issue price	500	1,000	5,000	10,000		
Redemption and maturity value						
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination — EXTENDED MATURITY PERIOD [1]				(2) From beginning of extended maturity period to each interest payment date [1]	(3) From each interest payment date to extended maturity* [1]
					Percent	Percent
¼ year	$9.37	$18.75	$93.75	$187.50	3.75	*3.75
1 year	9.37	18.75	93.75	187.50	3.75	*3.75
1½ years	9.37	18.75	93.75	187.50	3.75	**4.15
2 years	9.37	18.75	93.75	187.50	3.75	**4.15
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
2 years	9.55	19.10	95.50	191.00	3.77	4.17
2½ years	9.55	19.10	95.50	191.00	3.78	4.20
3 years	9.55	19.10	95.50	191.00	3.78	4.23
3½ years	9.55	19.10	95.50	191.00	3.79	4.27
4 years	10.10	20.20	101.00	202.00	3.82	4.29
4½ years	10.10	20.20	101.00	202.00	3.84	4.32
5 years	10.10	20.20	101.00	202.00	3.86	4.35
5½ years	10.10	20.20	101.00	202.00	3.87	4.39
6 years	10.55	21.10	105.50	211.00	3.90	4.41
6½ years	10.55	21.10	105.50	211.00	3.92	4.44
7 years	10.55	21.10	105.50	211.00	3.94	4.48
7½ years	10.55	21.10	105.50	211.00	3.96	4.54
8 years	10.55	21.10	105.50	211.00	3.97	4.62
8½ years	11.55	23.10	115.50	231.00	4.00	4.62
9 years	11.55	23.10	115.50	231.00	4.03	4.62
9½ years	11.55	23.10	115.50	231.00	4.06	4.62
10 years (extended maturity)*	11.55	23.10	115.50	231.00	§4.08	

§Yield from issue date to extended maturity date on bonds dated: October 1 and November 1, 1954 is 3.59 percent; December 1, 1954 through March 1, 1955 is 3.59 percent.

For all other footnotes see table 2.

TABLE 8

BONDS BEARING ISSUE DATES FROM APRIL 1 THROUGH SEPTEMBER 1, 1955

Face value	$500	$1,000	$5,000	$10,000	Approximate investment yield on face value†	
Issue price	500	1,000	5,000	10,000		
Redemption and maturity value						
Period of time bond is held after maturity date	(1) Amounts of interest checks for each denomination — EXTENDED MATURITY PERIOD [1]				(2) From beginning of extended maturity period to each interest payment date [1]	(3) From each interest payment date to extended maturity* [1]
					Percent	Percent
¼ year	$9.37	$18.75	$93.75	$187.50	3.75	*3.75
1 year	9.37	18.75	93.75	187.50	3.75	**4.15
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
1¼ years	9.55	19.10	95.50	191.00	3.76	4.18
2 years	9.55	19.10	95.50	191.00	3.77	4.20
2½ years	9.55	19.10	95.50	191.00	3.78	4.20
3 years	9.55	19.10	95.50	191.00	3.79	4.23
3½ years	10.05	20.10	100.50	201.00	3.80	4.27
4 years	10.05	20.10	100.50	201.00	3.83	4.29
4½ years	10.05	20.10	100.50	201.00	3.85	4.31
5 years	10.05	20.10	100.50	201.00	3.87	4.34
5½ years	10.05	20.10	100.50	201.00	3.88	4.38
6 years	10.05	20.10	100.50	201.00	3.89	4.42
6½ years	10.70	21.40	107.00	214.00	3.92	4.44
7 years	10.70	21.40	107.00	214.00	3.95	4.47
7½ years	10.70	21.40	107.00	214.00	3.97	4.50
8 years	10.70	21.40	107.00	214.00	3.98	4.55
8½ years	11.55	23.10	115.50	231.00	4.00	4.62
9 years	11.55	23.10	115.50	231.00	4.03	4.62
9½ years	11.55	23.10	115.50	231.00	4.06	4.62
10 years (extended maturity)*	11.55	23.10	115.50	231.00	§4.08	4.62
10 years (extended maturity)*	11.55	23.10	115.50	231.00	§4.10	

§Yield from issue date to extended maturity date on bonds dated: April 1 and May 1, 1955 is 3.80 percent; June 1 through September 1, 1955 is 3.82 percent.

For all other footnotes see table 2.

TABLE 9

BONDS BEARING ISSUE DATES FROM OCTOBER 1, 1955 THROUGH MARCH 1, 1956

Face value	$500	$1,000	$5,000	$10,000	Approximate investment yield on face value†	
Issue price	500	1,000	5,000	10,000		
Redemption and maturity value						
Period of time bond is held after maturity date	(1) Amounts of interest checks for each denomination — EXTENDED MATURITY PERIOD [1]				(2) From beginning of extended maturity period to each interest payment date [1]	(3) From each interest payment date to extended maturity* [1]
					Percent	Percent
½ year	$9.37	$18.75	$93.75	$187.50	3.75	**4.15
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
1 year	9.55	19.10	95.50	191.00	3.78	4.17
1½ years	9.55	19.10	95.50	191.00	3.80	4.20
2 years	9.55	19.10	95.50	191.00	3.80	4.23
2½ years	9.55	19.10	95.50	191.00	3.80	4.23
3 years	9.55	19.10	95.50	191.00	3.81	4.26
3½ years	10.00	20.00	100.00	200.00	3.84	4.28
4 years	10.00	20.00	100.00	200.00	3.86	4.31
4½ years	10.00	20.00	100.00	200.00	3.87	4.34
5 years	10.00	20.00	100.00	200.00	3.89	4.37
5½ years	10.00	20.00	100.00	200.00	3.90	4.41
6 years	10.65	21.30	106.50	213.00	3.93	4.43
6½ years	10.65	21.30	106.50	213.00	3.95	4.45
7 years	10.65	21.30	106.50	213.00	3.97	4.48
7½ years	10.65	21.30	106.50	213.00	3.99	4.53
8 years	10.65	21.30	106.50	213.00	4.01	4.58
8½ years	11.45	22.90	114.50	229.00	4.04	4.58
9 years	11.45	22.90	114.50	229.00	4.06	4.58
9½ years	11.45	22.90	114.50	229.00	4.06	4.58
10 years (extended maturity)*	11.45	22.90	114.50	229.00	4.11	4.58
10 years (extended maturity)*	11.45	22.90	114.50	229.00	§4.13	

§Yield from issue date to extended maturity date on bonds dated: October 1 and November 1, 1955 is 3.83 percent; December 1, 1955 through March 1, 1956 is 3.84 percent.

For all other footnotes see table 2.

TABLE 10

BONDS BEARING ISSUE DATES FROM APRIL 1 THROUGH MAY 1, 1956

Face value: Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value[†]	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date (a) to maturity[2]
					Percent	*Percent*
½ year	$2.00	$4.00	$20.00	$40.00	0.80	*3.13
1 year	6.25	12.50	62.50	125.00	1.65	*3.18
1½ years	6.25	12.50	62.50	125.00	1.93	*3.22
2 years	6.25	12.50	62.50	125.00	2.07	*3.27
2½ years	6.25	12.50	62.50	125.00	2.15	*3.34
3 years	6.25	12.50	62.50	125.00	2.21	*3.41
3½ years	6.25	12.50	62.50	125.00	2.25	13.99
4 years	6.50	13.00	65.00	130.00	2.39	14.13
4½ years	8.75	17.50	87.50	175.00	2.42	14.20
5 years	8.75	17.50	87.50	175.00	2.52	14.28
5½ years	8.75	17.50	87.50	175.00	2.60	14.38
6 years	9.50	19.00	98.00	196.00	2.70	14.45
6½ years	9.50	19.00	98.00	196.00	2.79	14.54
7 years	9.50	19.00	98.00	196.00	2.86	14.66
7½ years	9.50	19.00	98.00	196.00	2.92	14.85
8 years	10.55	21.10	105.50	211.00	3.00	15.04
8½ years	10.55	21.10	105.50	211.00	3.06	15.41
9 years	10.55	21.10	105.50	211.00	3.11	16.33
9½ years	10.55	21.10	105.50	211.00	3.16	†12.93
9 years and 8 months (maturity)	10.55	21.10	105.50	211.00	3.19	
Period of time bond is held after maturity date	EXTENDED MATURITY PERIOD					(b) To extended maturity**
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
½ year	10.37	20.75	103.75	207.50	3.33	4.15
1 year	10.37	20.75	103.75	207.50	3.37	4.15
1½ years	10.37	20.75	103.75	207.50	3.39	4.15
2 years	10.37	20.75	103.75	207.50	3.42	4.15
2½ years	10.37	20.75	103.75	207.50	3.44	4.15
3 years	10.37	20.75	103.75	207.50	3.47	4.15
3½ years	10.37	20.75	103.75	207.50	3.49	4.15
4 years	10.37	20.75	103.75	207.50	3.50	4.15
4½ years	10.37	20.75	103.75	207.50	3.52	4.15
5 years	10.38	20.75	103.75	207.50	3.54	4.15
5½ years	10.38	20.75	103.75	207.50	3.55	4.15
6 years	10.38	20.75	103.75	207.50	3.57	4.15
6½ years	10.38	20.75	103.75	207.50	3.58	4.15
7 years	10.38	20.75	103.75	207.50	3.59	4.15
7½ years	10.38	20.75	103.75	207.50	3.60	4.15
8 years	10.38	20.75	103.75	207.50	3.61	4.15
8½ years	10.38	20.75	103.75	207.50	3.62	4.15
9 years	10.38	20.75	103.75	207.50	3.63	4.15
9½ years	10.38	20.75	103.75	207.50	3.64	4.15
10 years (extended maturity)[3]	10.38	20.75	103.75	207.50	3.65	

[1] Calculated on the basis of $1,000 bond.
[2] Yield, on the basis of the original schedule of interest checks before the June 1, 1959 revision: (1) 3.93 percent per annum for entire period from issuance to first maturity, (2) as shown for any period from each interest payment date to first maturity.
[3] Starting with the effective date of the June 1, 1959 revision yields, from each interest payment date to first maturity.
[4] 4.15 percent per annum yield for the full 10 year extension period.
[†] At all times, except that bond was not redeemable during first 6 months.
[*] 19 years and 8 months from issue date.

TABLE 12

BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1956 THROUGH JANUARY 1, 1957

Face value: Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value[†]	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date (a) to maturity[2]
					Percent	*Percent*
½ year	$2.00	$4.00	$20.00	$40.00	0.80	*3.13
1 year	6.25	12.50	62.50	125.00	1.65	*3.18
1½ years	6.25	12.50	62.50	125.00	1.93	*3.22
2 years	6.25	12.50	62.50	125.00	2.07	*3.27
2½ years	6.25	12.50	62.50	125.00	2.15	*3.34
3 years	6.25	12.50	62.50	125.00	2.21	*3.41
3½ years	6.50	13.00	65.00	130.00	2.25	13.99
4 years	8.75	17.50	87.50	175.00	2.42	14.13
4½ years	8.75	17.50	87.50	175.00	2.52	14.20
5 years	8.75	17.50	87.50	175.00	2.60	14.28
5½ years	9.50	19.00	98.00	196.00	2.70	14.38
6 years	9.50	19.00	98.00	196.00	2.79	14.45
6½ years	9.50	19.00	98.00	196.00	2.86	14.54
7 years	9.50	19.00	98.00	196.00	2.92	14.66
7½ years	10.55	21.10	105.50	211.00	3.00	14.85
8 years	10.55	21.10	105.50	211.00	3.06	15.04
8½ years	10.55	21.10	105.50	211.00	3.11	15.41
9 years	10.55	21.10	105.50	211.00	3.16	16.33
9½ years	10.55	21.10	105.50	211.00	3.19	†12.93
9 years and 8 months (maturity)	10.55	21.10	105.50	211.00	3.19	
Period of time bond is held after maturity date	EXTENDED MATURITY PERIOD					(b) To extended maturity**
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
9½ years	11.25	22.50	112.50	225.00	3.23	13.87
9 years and 8 months (maturity)	11.30	22.60	113.00	226.00	3.30	
Period of time bond is held after maturity date	EXTENDED MATURITY PERIOD					(b) To extended maturity**
½ year	10.37	20.75	103.75	207.50	3.41	4.15
1 year	10.37	20.75	103.75	207.50	3.44	4.15
1½ years	10.37	20.75	103.75	207.50	3.46	4.15
2 years	10.37	20.75	103.75	207.50	3.49	4.15
2½ years	10.37	20.75	103.75	207.50	3.51	4.15
3 years	10.37	20.75	103.75	207.50	3.53	4.15
3½ years	10.37	20.75	103.75	207.50	3.55	4.15
4 years	10.37	20.75	103.75	207.50	3.56	4.15
4½ years	10.37	20.75	103.75	207.50	3.57	4.15
5 years	10.38	20.75	103.75	207.50	3.58	4.15
5½ years	10.38	20.75	103.75	207.50	3.59	4.15
6 years	10.38	20.75	103.75	207.50	3.60	4.15
6½ years	10.38	20.75	103.75	207.50	3.61	4.15
7 years	10.38	20.75	103.75	207.50	3.62	4.15
7½ years	10.38	20.75	103.75	207.50	3.63	4.15
8 years	10.38	20.75	103.75	207.50	3.64	4.15
8½ years	10.38	20.75	103.75	207.50	3.65	4.15
9 years	10.38	20.75	103.75	207.50	3.66	4.15
9½ years	10.38	20.75	103.75	207.50	3.67	4.15
10 years (extended maturity)[3]	10.38	20.75	103.75	207.50	3.70	

[1] Yield from effective date of the December 1, 1965 revision to first maturity.
For all other footnotes see table 10.

TABLE 11

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1956

Face value: Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value[†]	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date (a) to maturity[2]
					Percent	*Percent*
½ year	$2.00	$4.00	$20.00	$40.00	0.80	*3.13
1 year	6.25	12.50	62.50	125.00	1.65	*3.18
1½ years	6.25	12.50	62.50	125.00	1.93	*3.22
2 years	6.25	12.50	62.50	125.00	2.07	*3.27
2½ years	6.25	12.50	62.50	125.00	2.15	*3.34
3 years	6.25	12.50	62.50	125.00	2.21	*3.41
3½ years	6.50	13.00	65.00	130.00	2.28	14.03
4 years	8.75	17.50	87.50	175.00	2.42	14.17
4½ years	8.75	17.50	87.50	175.00	2.53	14.24
5 years	8.75	17.50	87.50	175.00	2.65	14.38
5½ years	9.50	19.00	97.50	195.00	2.74	14.45
6 years	9.75	19.50	97.50	195.00	2.82	14.55
6½ years	9.75	19.50	97.50	195.00	2.89	14.66
7 years	9.75	19.50	97.50	195.00	2.93	14.85
7½ years	10.60	21.20	106.00	212.00	3.02	15.07
8 years	10.60	21.20	106.00	212.00	3.08	15.44
8½ years	10.60	21.20	106.00	212.00	3.14	16.36
9 years	10.60	21.20	106.00	212.00	3.19	†12.99
9 years and 8 months (maturity)	10.60	21.20	106.00	212.00	3.21	
Period of time bond is held after maturity date	EXTENDED MATURITY PERIOD					(b) To extended maturity**
Amounts of interest checks and investment yields to extended maturity on basis of December 1, 1965 revision						
½ year	10.37	20.75	103.75	207.50	3.35	4.15
1 year	10.37	20.75	103.75	207.50	3.39	4.15
1½ years	10.37	20.75	103.75	207.50	3.42	4.15
2 years	10.37	20.75	103.75	207.50	3.44	4.15
2½ years	10.37	20.75	103.75	207.50	3.47	4.15
3 years	10.37	20.75	103.75	207.50	3.49	4.15
3½ years	10.37	20.75	103.75	207.50	3.51	4.15
4 years	10.37	20.75	103.75	207.50	3.53	4.15
4½ years	10.37	20.75	103.75	207.50	3.54	4.15
5 years	10.38	20.75	103.75	207.50	3.56	4.15
5½ years	10.38	20.75	103.75	207.50	3.57	4.15
6 years	10.38	20.75	103.75	207.50	3.58	4.15
6½ years	10.38	20.75	103.75	207.50	3.59	4.15
7 years	10.38	20.75	103.75	207.50	3.60	4.15
7½ years	10.38	20.75	103.75	207.50	3.61	4.15
8 years	10.38	20.75	103.75	207.50	3.62	4.15
8½ years	10.38	20.75	103.75	207.50	3.63	4.15
9 years	10.38	20.75	103.75	207.50	3.64	4.15
9½ years	10.38	20.75	103.75	207.50	3.65	4.15
10 years (extended maturity)[3]	10.38	20.75	103.75	207.50	3.67	4.15

For footnotes see table 10.

TABLE 13

BONDS BEARING ISSUE DATES FROM FEBRUARY 1 THROUGH MAY 1, 1967

Face value (Issue price / Redemption[1] and maturity value)	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80	1.60	*3.35
1 year	7.25	14.50	72.50	145	2.25	*3.38
1½ years	8.45	16.90	84.50	169	2.62	*3.38
2 years	8.45	16.90	84.50	169	2.80	†3.88
2½ years	8.45	16.90	84.50	169	2.92	†3.91
3 years	8.70	17.40	87.00	174	3.01	†3.92
3½ years	8.70	17.40	87.00	174	3.07	†3.95
4 years	8.70	17.40	87.00	174	3.12	†4.00
4½ years	8.70	17.40	87.00	174	3.16	†4.05
5 years	8.70	17.40	87.00	174	3.19	†4.11
5½ years	9.90	19.80	99.00	198	3.25	†4.13
6 years	9.90	19.80	99.00	198	3.30	†4.16
6½ years	9.90	19.80	99.00	198	3.35	†4.19
7 years	9.90	19.80	99.00	198	3.39	†4.23
7½ years	9.90	19.80	99.00	198	3.42	†4.29
8 years	10.50	21.00	105.00	210	3.46	†4.31
8½ years	10.50	21.00	105.00	210	3.50	†4.35
9 years	10.50	21.00	105.00	210	3.53	**4.83
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
9¼ years	11.55	23.10	115.50	231	3.58	5.04
10 years (maturity)	12.60	25.20	126.00	252	3.64	

*Yields on the basis of the original schedule of interest checks prior to the June 1, 1965 revision are: (1) 3.35 percent for entire period from issuance to maturity; (2) as shown for any period from each interest payment date to maturity.

†Starting with the effective date of the June 1, 1965 revision yields for any remaining period from each interest payment date to maturity prior to the December 1, 1965 revision.

**Yield from the effective date of the December 1, 1965 revision to maturity.

[1] At all times, except that bond was not redeemable during first 6 months.

TABLE 14

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1967

Face value (Issue price / Redemption[1] and maturity value)	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80	1.60	*3.35
1 year	7.25	14.50	72.50	145	2.25	*3.38
1½ years	8.45	16.90	84.50	169	2.62	*3.38
2 years	8.70	17.40	87.00	174	2.94	†3.91
2½ years	8.70	17.40	87.00	174	3.02	†3.95
3 years	8.70	17.40	87.00	174	3.08	†3.99
3½ years	8.70	17.40	87.00	174	3.13	†4.03
4 years	8.70	17.40	87.00	174	3.17	†4.09
4½ years	9.75	19.50	97.50	195	3.24	†4.11
5 years	9.75	19.50	97.50	195	3.29	†4.14
5½ years	9.75	19.50	97.50	195	3.34	†4.17
6 years	9.75	19.50	97.50	195	3.38	†4.21
6½ years	9.75	19.50	97.50	195	3.41	†4.27
7 years	10.45	20.90	104.50	209	3.45	†4.29
7½ years	10.45	20.90	104.50	209	3.49	†4.31
8 years	10.45	20.90	104.50	209	3.53	**4.76
8½ years	10.45	20.90	104.50	209		
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
9 years	11.40	22.80	114.00	228	3.58	4.87
9½ years	11.40	22.80	114.00	228	3.62	5.18
10 years (maturity)	12.96	25.90	129.50	259	3.68	

For footnotes see table 13.

TABLE 15

BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1967 THROUGH MAY 1, 1968

Face value (Issue price / Redemption[1] and maturity value)	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
¼ year	$4.00	$8.00	$40.00	$80	1.60	*3.35
1 year	7.25	14.50	72.50	145	2.25	*3.38
1½ years	8.45	16.90	84.50	169	2.62	†3.88
2 years	8.70	17.40	87.00	174	2.83	†3.91
2½ years	8.70	17.40	87.00	174	2.96	†3.94
3 years	8.70	17.40	87.00	174	3.04	†3.98
3½ years	8.70	17.40	87.00	174	3.10	†4.02
4 years	8.70	17.40	87.00	174	3.14	†4.07
4½ years	9.65	19.30	96.50	193	3.22	†4.10
5 years	9.65	19.30	96.50	193	3.28	†4.12
5½ years	9.65	19.30	96.50	193	3.33	†4.15
6 years	9.65	19.30	96.50	193	3.37	†4.19
6½ years	9.65	19.30	96.50	193	3.40	†4.25
7 years	10.35	20.70	103.50	207	3.45	†4.27
7½ years	10.35	20.70	103.50	207	3.49	†4.29
8 years	10.35	20.70	103.50	207	3.53	**4.74
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
8½ years	10.65	21.30	106.50	213	3.56	4.90
9 years	11.70	23.40	117.00	234	3.61	5.01
9½ years	12.55	25.10	125.50	251	3.67	5.02
10 years (maturity)	12.55	25.10	125.50	251	3.73	

For footnotes see table 13.

TABLE 16

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1968

Face value (Issue price / Redemption[1] and maturity value)	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
¼ year	$4.00	$8.00	$40.00	$80	1.60	*3.35
1 year	7.25	14.50	72.50	145	2.25	†3.88
1½ years	8.70	17.40	87.00	174	2.65	†3.91
2 years	8.70	17.40	87.00	174	2.83	†3.94
2½ years	8.70	17.40	87.00	174	2.98	†3.97
3 years	8.70	17.40	87.00	174	3.06	†4.01
3½ years	8.70	17.40	87.00	174	3.11	†4.06
4 years	9.55	19.10	95.50	191	3.20	†4.08
4½ years	9.55	19.10	95.50	191	3.26	†4.11
5 years	9.55	19.10	95.50	191	3.31	†4.14
5½ years	9.55	19.10	95.50	191	3.35	†4.18
6 years	9.55	19.10	95.50	191	3.39	†4.23
6½ years	10.30	20.60	103.00	206	3.44	†4.25
7 years	10.30	20.60	103.00	206	3.48	†4.27
7½ years	10.30	20.60	103.00	206	3.52	**4.71
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
8 years	10.55	21.10	105.50	211	3.56	4.84
8½ years	10.55	21.10	105.50	211	3.59	5.06
9 years	12.65	25.30	126.50	253	3.66	4.96
9½ years	12.65	25.30	126.50	253	3.72	5.06
10 years (maturity)	12.66	25.30	126.50	253	3.75	

For footnotes see table 13.

TABLE 17

BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1953 THROUGH MAY 1, 1959

Face value: Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
¼ year	$4.00	$8.00	$40.00	$80	1.60	†3.85
½ year	7.50	15.00	75.00	150	2.30	†3.91
1 year	8.70	17.40	87.00	174	2.68	†3.94
1½ years	8.70	17.40	87.00	174	2.88	†3.97
2 years	8.70	17.40	87.00	174	3.00	†4.01
2½ years	8.70	17.40	87.00	174	3.07	†4.05
3 years	9.45	18.90	94.50	189	3.17	†4.08
3½ years	9.45	18.90	94.50	189	3.24	†4.10
4 years	9.45	18.90	94.50	189	3.30	†4.14
4½ years	9.45	18.90	94.50	189	3.34	†4.18
5 years	9.45	18.90	94.50	189	3.38	†4.23
5½ years	10.25	20.50	102.50	205	3.43	†4.24
6 years	10.25	20.50	102.50	205	3.48	†4.26
6½ years	10.25	20.50	102.50	205	3.52	**4.70
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
7 years	10.50	21.00	105.00	210	3.56	4.81
7½ years	10.50	21.00	105.00	210	3.59	4.97
8 years	10.50	21.00	105.00	210	3.62	5.24
8½ years	13.10	26.20	131.00	262	3.70	5.24
9 years	13.10	26.20	131.00	262	3.76	5.24
9½ years	13.10	26.20	131.00	262	3.83	
10 years (maturity)	13.10	26.20	131.00	262	3.87	

For footnotes see table 18.

TABLE 18

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1959

Face value: Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
¼ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	*4.00
2½ years	10.00	20.00	100.00	200.00	3.12	*4.00
3 years	10.00	20.00	100.00	200.00	3.26	*4.00
3½ years	10.00	20.00	100.00	200.00	3.36	*4.00
4 years	10.00	20.00	100.00	200.00	3.44	*4.00
4½ years	10.00	20.00	100.00	200.00	3.49	*4.00
5 years	10.00	20.00	100.00	200.00	3.54	*4.00
5½ years	10.00	20.00	100.00	200.00	3.58	*4.00
6 years	10.00	20.00	100.00	200.00	3.61	*4.00
6½ years	10.00	20.00	100.00	200.00	3.64	**4.41
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
7 years	10.20	20.40	102.00	204.00	3.66	4.47
7½ years	10.20	20.40	102.00	204.00	3.68	4.55
8 years	10.90	21.80	109.00	218.00	3.72	4.60
8½ years	10.90	21.80	109.00	218.00	3.76	4.68
9 years	11.70	23.40	117.00	234.00	3.80	4.68
9½ years	11.70	23.40	117.00	234.00	3.84	4.68
10 years (maturity)	11.70	23.40	117.00	234.00	3.87	

*Yields on the basis of the original schedule of interest checks prior to the December 1, 1965 revision are: (1) 3.75 percent for entire period from issuance to maturity, (2) as shown for any period from each interest payment date to maturity.
**Yield from the effective date of the December 1, 1965 revision to maturity.
† At all times, except that bond was not redeemable during first 6 months.

TABLE 19

BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1959 THROUGH MAY 1, 1960

Face value: Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
¼ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	*4.00
2½ years	10.00	20.00	100.00	200.00	3.12	*4.00
3 years	10.00	20.00	100.00	200.00	3.26	*4.00
3½ years	10.00	20.00	100.00	200.00	3.36	*4.00
4 years	10.00	20.00	100.00	200.00	3.44	*4.00
4½ years	10.00	20.00	100.00	200.00	3.49	*4.00
5 years	10.00	20.00	100.00	200.00	3.54	*4.00
5½ years	10.00	20.00	100.00	200.00	3.55	*4.00
6 years	10.00	20.00	100.00	200.00	3.61	**4.41
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
6½ years	10.20	20.40	102.00	204.00	3.64	4.46
7 years	10.20	20.40	102.00	204.00	3.67	4.53
7½ years	10.80	21.60	108.00	216.00	3.71	4.57
8 years	10.80	21.60	108.00	216.00	3.74	4.63
8½ years	10.80	21.60	108.00	216.00	3.77	4.74
9 years	11.85	23.70	118.50	237.00	3.81	4.74
9½ years	11.85	23.70	118.50	237.00	3.85	4.74
10 years (maturity)	11.85	23.70	118.50	237.00	3.89	

For footnotes see table 18.

TABLE 20

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1960

Face value: Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
¼ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	*4.00
2½ years	10.00	20.00	100.00	200.00	3.12	*4.00
3 years	10.00	20.00	100.00	200.00	3.26	*4.00
3½ years	10.00	20.00	100.00	200.00	3.36	*4.00
4 years	10.00	20.00	100.00	200.00	3.44	*4.00
4½ years	10.00	20.00	100.00	200.00	3.49	*4.00
5 years	10.00	20.00	100.00	200.00	3.54	*4.00
5½ years	10.00	20.00	100.00	200.00	3.58	**4.40
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
6 years	10.20	20.40	102.00	204.00	3.62	4.44
6½ years	10.20	20.40	102.00	204.00	3.65	4.50
7 years	10.70	21.40	107.00	214.00	3.69	4.54
7½ years	10.70	21.40	107.00	214.00	3.72	4.60
8 years	10.70	21.40	107.00	214.00	3.75	4.68
8½ years	10.70	21.40	107.00	214.00	3.78	4.78
9 years	12.05	24.10	120.50	241.00	3.83	4.78
9½ years	12.05	24.10	120.50	241.00	3.87	4.78
10 years (maturity)	12.05	24.10	120.50	241.00	3.91	

For footnotes see table 18.

TABLE 21

BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1960 THROUGH MAY 1, 1961

Face value / Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	*4.00
2½ years	10.00	20.00	100.00	200.00	3.12	*4.00
3 years	10.00	20.00	100.00	200.00	3.26	*4.00
3½ years	10.00	20.00	100.00	200.00	3.36	*4.00
4 years	10.00	20.00	100.00	200.00	3.44	*4.00
4½ years	10.00	20.00	100.00	200.00	3.49	**4.40
5 years	10.00	20.00	100.00	200.00	3.54	**4.40
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
5½ years	10.20	20.40	102.00	204.00	3.58	4.44
6 years	10.20	20.40	102.00	204.00	3.62	4.49
6½ years	10.20	20.40	102.00	204.00	3.65	4.56
7 years	11.00	22.00	110.00	220.00	3.70	4.58
7½ years	11.00	22.00	110.00	220.00	3.74	4.63
8 years	11.00	22.00	110.00	220.00	3.78	4.68
8½ years	11.00	22.00	110.00	220.00	3.81	4.73
9 years	11.95	23.90	119.50	239.00	3.85	4.78
9½ years	11.95	23.90	119.50	239.00	3.89	4.78
10 years (maturity)	11.95	23.90	119.50	239.00	3.93	

For footnotes see table 18.

TABLE 22

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1961

Face value / Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	*4.00
2½ years	10.00	20.00	100.00	200.00	3.12	*4.00
3 years	10.00	20.00	100.00	200.00	3.26	*4.00
3½ years	10.00	20.00	100.00	200.00	3.36	*4.00
4 years	10.00	20.00	100.00	200.00	3.44	**4.40
4½ years	10.00	20.00	100.00	200.00	3.49	**4.40
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
5 years	10.20	20.40	102.00	204.00	3.55	4.44
5½ years	10.20	20.40	102.00	204.00	3.59	4.48
6 years	10.20	20.40	102.00	204.00	3.63	4.54
6½ years	10.85	21.70	108.50	217.00	3.68	4.57
7 years	10.85	21.70	108.50	217.00	3.72	4.61
7½ years	10.85	21.70	108.50	217.00	3.75	4.66
8 years	11.35	22.70	113.50	227.00	3.80	4.70
8½ years	11.35	22.70	113.50	227.00	3.83	4.75
9 years	11.38	22.70	113.50	227.00	3.87	4.86
9½ years	12.15	24.30	121.50	243.00	3.91	4.86
10 years (maturity)	12.15	24.30	121.50	243.00	3.96	

For footnotes see table 18.

TABLE 23

BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1961 THROUGH MAY 1, 1962

Face value / Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	*4.00
2½ years	10.00	20.00	100.00	200.00	3.12	*4.00
3 years	10.00	20.00	100.00	200.00	3.26	*4.00
3½ years	10.00	20.00	100.00	200.00	3.36	*4.00
4 years	10.00	20.00	100.00	200.00	3.44	**4.40
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
4½ years	10.20	20.40	102.00	204.00	3.50	4.43
5 years	10.20	20.40	102.00	204.00	3.56	4.47
5½ years	10.20	20.40	102.00	204.00	3.60	4.53
6 years	10.75	21.50	107.50	215.00	3.65	4.55
6½ years	10.75	21.50	107.50	215.00	3.69	4.59
7 years	10.75	21.50	107.50	215.00	3.73	4.64
7½ years	11.25	22.50	112.50	225.00	3.78	4.68
8 years	11.25	22.50	112.50	225.00	3.82	4.73
8½ years	11.25	22.50	112.50	225.00	3.85	4.80
9 years	12.00	24.00	120.00	240.00	3.89	4.80
9½ years	12.00	24.00	120.00	240.00	3.93	4.80
10 years (maturity)	12.00	24.00	120.00	240.00	3.97	

For footnotes see table 18.

TABLE 24

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1962

Face value / Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	*4.00
2½ years	10.00	20.00	100.00	200.00	3.12	*4.00
3 years	10.00	20.00	100.00	200.00	3.26	*4.00
3½ years	10.00	20.00	100.00	200.00	3.36	**4.40
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
4 years	10.20	20.40	102.00	204.00	3.45	4.43
4½ years	10.20	20.40	102.00	204.00	3.51	4.47
5 years	10.20	20.40	102.00	204.00	3.56	4.51
5½ years	10.65	21.30	106.50	213.00	3.62	4.54
6 years	10.65	21.30	106.50	213.00	3.67	4.58
6½ years	10.65	21.30	106.50	213.00	3.71	4.63
7 years	11.25	22.50	112.50	225.00	3.76	4.65
7½ years	11.25	22.50	112.50	225.00	3.80	4.69
8 years	11.25	22.50	112.50	225.00	3.84	4.74
8½ years	11.25	22.50	112.50	225.00	3.87	4.82
9 years	12.05	24.10	120.50	241.00	3.91	4.82
9½ years	12.05	24.10	120.50	241.00	3.95	4.82
10 years (maturity)	12.05	24.10	120.50	241.00	3.99	

For footnotes see table 18.

TABLE 25

BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1962 THROUGH MAY 1, 1963

Face value { Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	*4.00
2½ years	10.00	20.00	100.00	200.00	3.12	**4.40
3 years	10.00	20.00	100.00	200.00	3.25	**4.40
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
3½ years	10.20	20.40	102.00	204.00	3.37	4.43
4 years	10.20	20.40	102.00	204.00	3.41	4.46
4½ years	10.20	20.40	102.00	204.00	3.52	4.50
5 years	10.60	21.20	106.00	212.00	3.55	4.53
5½ years	10.60	21.20	106.00	212.00	3.64	4.57
6 years	10.60	21.20	106.00	212.00	3.68	4.61
6½ years	11.15	22.30	111.50	223.00	3.74	4.64
7 years	11.15	22.30	111.50	223.00	3.78	4.67
7½ years	11.15	22.30	111.50	223.00	3.82	4.71
8 years	11.15	22.30	111.50	223.00	3.85	4.78
8½ years	11.95	23.90	119.50	239.00	3.94	4.78
9 years	11.95	23.90	119.50	239.00	3.98	4.78
9½ years	11.95	23.90	119.50	239.00	4.01	4.78
10 years (maturity)	11.95	23.90	119.50	239.00	4.01	

For footnotes see table 18.

TABLE 26

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1963

Face value { Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	*4.00
2½ years	10.00	20.00	100.00	200.00	3.12	**4.40
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
3 years	10.20	20.40	102.00	204.00	3.27	4.43
3½ years	10.20	20.40	102.00	204.00	3.38	4.46
4 years	10.20	20.40	102.00	204.00	3.46	4.49
4½ years	10.55	21.10	105.50	211.00	3.54	4.52
5 years	10.55	21.10	105.50	211.00	3.60	4.56
5½ years	10.55	21.10	105.50	211.00	3.65	4.60
6 years	11.10	22.20	111.00	222.00	3.71	4.62
6½ years	11.10	22.20	111.00	222.00	3.76	4.65
7 years	11.10	22.20	111.00	222.00	3.80	4.69
7½ years	11.10	22.20	111.00	222.00	3.84	4.74
8 years	11.10	22.20	111.00	222.00	3.87	4.82
8½ years	12.05	24.10	120.50	241.00	3.92	4.82
9 years	12.05	24.10	120.50	241.00	3.96	4.82
9½ years	12.05	24.10	120.50	241.00	4.00	4.82
10 years (maturity)	12.05	24.10	120.50	241.00	4.03	

For footnotes see table 18.

TABLE 27

BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1963 THROUGH MAY 1, 1964

Face value { Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	*4.00
2 years	10.00	20.00	100.00	200.00	2.91	**4.40
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
2½ years	10.20	20.40	102.00	204.00	3.14	4.43
3 years	10.20	20.40	102.00	204.00	3.20	4.46
3½ years	10.20	20.40	102.00	204.00	3.29	4.49
4 years	10.20	20.40	102.00	204.00	3.47	4.53
4½ years	10.75	21.50	107.50	215.00	3.56	4.55
5 years	10.75	21.50	107.50	215.00	3.63	4.58
5½ years	10.75	21.50	107.50	215.00	3.68	4.62
6 years	10.75	21.50	107.50	215.00	3.73	4.66
6½ years	11.25	22.50	112.50	225.00	3.78	4.69
7 years	11.25	22.50	112.50	225.00	3.83	4.72
7½ years	11.25	22.50	112.50	225.00	3.86	4.77
8 years	11.25	22.50	112.50	225.00	3.90	4.84
8½ years	12.10	24.20	121.00	242.00	3.94	4.84
9 years	12.10	24.20	121.00	242.00	3.99	4.84
9½ years	12.10	24.20	121.00	242.00	4.02	4.84
10 years (maturity)	12.10	24.20	121.00	242.00	4.06	

For footnotes see table 18.

TABLE 28

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1964

Face value { Issue price / Redemption[1] and maturity value	$500 / 500	$1,000 / 1,000	$5,000 / 5,000	$10,000 / 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
½ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	*3.95
1½ years	8.00	16.00	80.00	160.00	2.56	**4.40
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
2 years	10.20	20.40	102.00	204.00	2.93	4.42
2½ years	10.20	20.40	102.00	204.00	3.15	4.45
3 years	10.20	20.40	102.00	204.00	3.30	4.48
3½ years	10.20	20.40	102.00	204.00	3.41	4.52
4 years	10.70	21.40	107.00	214.00	3.51	4.54
4½ years	10.70	21.40	107.00	214.00	3.59	4.57
5 years	10.70	21.40	107.00	214.00	3.65	4.60
5½ years	10.70	21.40	107.00	214.00	3.70	4.64
6 years	11.20	22.40	112.00	224.00	3.76	4.66
6½ years	11.20	22.40	112.00	224.00	3.81	4.69
7 years	11.20	22.40	112.00	224.00	3.85	4.73
7½ years	11.20	22.40	112.00	224.00	3.89	4.78
8 years	11.20	22.40	112.00	224.00	3.92	4.88
8½ years	12.15	24.30	121.50	243.00	3.96	4.86
9 years	12.15	24.30	121.50	243.00	4.01	4.88
9½ years	12.15	24.30	121.50	243.00	4.04	4.86
10 years (maturity)	12.15	24.30	121.50	243.00	4.06	

For footnotes see table 18.

TABLE 29

BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1964 THROUGH MAY 1, 1965

Face value {Issue price / Redemption and maturity value}	$500 500	$1,000 1,000	$5,000 5,000	$10,000 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
¼ year	$4.00	$8.00	$40.00	$80.00	1.60	*3.88
1 year	7.25	14.50	72.50	145.00	2.25	**4.35
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
1½ years	8.20	16.40	[illegible]	164.00	2.59	4.42
2 years	10.20	20.40	102.00	[illegible]	2.95	4.45
2½ years	10.20	[illegible]	102.00	204.00	3.17	4.48
2½ years	10.20	[illegible]	102.00	204.00	3.31	4.51
3 years	10.20	20.40	102.00	204.00	3.44	4.53
3½ years	10.65	21.30	106.50	213.00	3.54	4.56
4 years	10.65	21.30	106.50	213.00	3.61	4.59
4½ years	10.65	21.30	106.50	213.00	3.67	4.63
5 years	10.65	21.30	106.50	213.00	3.72	4.67
5½ years	11.35	22.70	113.50	227.00	3.78	4.69
6 years	11.35	22.70	113.50	227.00	3.83	4.72
6½ years	11.35	22.70	113.50	227.00	[illegible]	4.75
7 years	11.35	22.70	113.50	227.00	3.91	4.79
7½ years	11.35	22.70	113.50	227.00	3.95	4.86
8 years	12.15	24.30	121.50	243.00	3.99	4.86
8½ years	12.15	24.30	121.50	243.00	4.03	4.86
9 years	12.15	24.30	121.50	243.00	4.07	4.86
9½ years	12.15	24.30	121.50	243.00	4.10	
10 years (maturity)	12.15	24.30	121.50	243.00		

For footnotes see table 18.

TABLE 30

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1965

Face value {Issue price / Redemption and maturity value}	$500 500	$1,000 1,000	$5,000 5,000	$10,000 10,000	Approximate investment yield on face value	
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	Percent
¼ year	$4.00	$8.00	$40.00	$80.00	1.60	**4.23
Amounts of interest checks and investment yields to maturity on basis of December 1, 1965 revision						
1 year	7.45	14.90	74.50	149.00	[illegible]	4.37
1½ years	[illegible]	16.40	[illegible]	164.00	2.61	4.45
2 years	10.20	20.40	102.00	[illegible]	2.97	4.47
2½ years	10.20	20.40	102.00	[illegible]	3.18	4.51
3 years	10.60	21.20	106.00	212.00	3.35	4.53
3½ years	10.60	21.20	106.00	212.00	3.47	4.55
4 years	10.60	21.20	106.00	212.00	3.56	4.58
4½ years	10.60	21.20	106.00	212.00	3.63	4.62
5 years	10.60	21.20	106.00	212.00	[illegible]	4.66
5½ years	11.30	[illegible]	113.00	[illegible]	3.76	4.68
6 years	11.30	[illegible]	113.00	[illegible]	3.81	4.70
6½ years	11.30	[illegible]	113.00	[illegible]	[illegible]	4.73
7 years	11.30	[illegible]	113.00	[illegible]	[illegible]	4.77
7½ years	11.30	[illegible]	113.00	[illegible]	3.94	4.82
8 years	12.05	24.10	120.50	241.00	[illegible]	4.82
8½ years	12.05	24.10	120.50	241.00	4.02	4.82
9 years	12.05	24.10	120.50	241.00	4.06	4.82
9½ years	12.05	24.10	120.50	241.00	4.09	4.82
10 years (maturity)	12.05	24.10	120.50	241.00	4.12	

For footnotes see table 18.

[F.R. Doc. 66-4444; Filed, Apr. 25, 1966; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 131—INTERPRETATIVE STATEMENTS RE WARNINGS ON DRUGS AND DEVICES FOR OVER-THE-COUNTER SALE

Belladonna Preparations and Preparations of Its Alkaloids (Atropine, Hyoscyamine, and Scopolamine (Hyoscine)); Hyoscyamus, Stramonium, Their Derivatives, and Related Drug Preparations

The Food and Drug Administration has received complaints of eye injuries associated with the use of belladonna preparations, preparations of its alkaloids, and related drug preparations attributed to the failure of drug labeling to contain a specific warning against use of such preparations by persons having glaucoma or excessive pressure within the eye. It is generally recognized by physicians that the use of such preparations in persons having glaucoma or excessive pressure within the eye may result in serious eye injury. Based on these considerations, it is concluded that the labeling of drugs containing such preparations does not meet the requirement that labeling bear adequate warnings in a manner and form necessary for the protection of users, unless such labeling bears a specific warning against use by persons having glaucoma or excessive pressure within the eye. Further, it is considered necessary to retain the previously recommended warning against use of such preparations by elderly persons in view of the higher incidence of glaucoma among the aged and the possibility that such cases are undiagnosed.

Therefore, to assist industry in preparing proper labeling for over-the-counter preparations containing such drugs, in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502(f)(2), 701(a), 52 Stat. 1051, 1055; 21 U.S.C. 352(f)(2), 371(a)), and delegated by the Secretary of Health, Education, and Welfare to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), § 131.15 is amended by revising the heading and warning statements for the subject preparations to read as follows:

§ 131.15 Drugs for human use; recommended warning and caution statements.

* * * * *

BELLADONNA PREPARATIONS AND PREPARATIONS OF ITS ALKALOIDS (ATROPINE, HYOSCYAMINE, AND SCOPOLAMINE (HYOSCINE)); HYOSCYAMUS, STRAMONIUM, THEIR DERIVATIVES, AND RELATED DRUG PREPARATIONS.

Warning.—Not to be used by persons having glaucoma or excessive pressure within the eye, by elderly persons (where undiagnosed glaucoma or excessive pressure within the eye may be present), or by children under 6 years of age, unless directed by a physician. Discontinue use if blurring of vision, rapid pulse, or dizziness occurs. Do not exceed recommended dosage. Not for frequent or prolonged use. If dryness of the mouth occurs, decrease dosage.

See also Rectal Preparations for additional warnings.

In the case of scopolamine or scopolamine aminoxide preparations indicated for insomnia, the portion of the above warning that reads "children under 6 years of age" should read instead "children under 12 years of age."

Notice and public procedure are unnecessary prerequisites to the promulgation of this order, and I so find, since the statute provides that the labeling of drugs shall bear "adequate warnings against use in those pathological conditions * * * where its use may be dangerous to health," and the clinical history of the drugs named is such that the revised warning is deemed necessary for the protection of the public health.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER. Regulatory proceedings may be initiated with respect to drug preparations failing to bear warnings in accordance with this order if shipped within the jurisdiction of the Federal Food, Drug, and Cosmetic Act after this order becomes effective.

(Secs. 502(f)(2), 701(a), 52 Stat. 1051, 1055; 21 U.S.C. 352(f)(2), 371(a))

Dated: May 2, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-4919; Filed, May 4, 1966; 8:49 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 34-7866]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Exemption of Certain Foreign Issuers

The Securities and Exchange Commission today adopted an amendment to Rule 3a12-3 under the Securities Exchange Act of 1934 (§ 240.3a12-3 of this chapter).

Notice of the proposed amendment was published November 16, 1965, in Release No. 34-7746 and all comments and suggestions received in response to that notice have been considered in the preparation of the final draft of the rule adopted by the Commission.

Section 240.3a12-3 of this chapter as previously in effect provided that securities for which the filing of applications on Forms 18, 19, 20, or 21 (17 CFR 249.218–249.221 inclusive) is authorized are exempt from the operation of sections 14(a) and 16 of the Act. The amendment adopted would remove the exemption from sections 14 and 16 for securities for which Form 20 (17 CFR 249.220) (for securities other than bonds of foreign private issuers) is authorized and receipts and voting trust certificates therefor if more than 50 percent of the outstanding voting securities are held by United States residents and the business of the issuer is administered principally in the United States or 50 percent or more of the members of the Board of Directors are residents of the United States.

In view of the Commission's action extending the exemption from section 12(g)(1) of the Act for the securities of foreign issuers (Release No. 34-7867), the Commission decided not to adopt at this time paragraph (d) of the proposed § 240.3a12-3 of this chapter which would have under certain circumstances subjected solicitations in the United States by foreign issuers to the proxy rules under section 14(a) (of the Securities Exchange Act of 1934).

Commission action. Section 240.3a12-3 of Chapter II of Title 17 of the Code of Federal Regulations is amended to read as follows:

§ 240.3a12-3. Exemption from sections 14 and 16 for securities of certain foreign issuers.

(a) Securities for which the filing of registration statements on Forms 18 (17 CFR 249.218) and 21 (17 CFR 249.221) are authorized shall be exempt from the operation of sections 14 and 16 of the Act.

(b) Securities for which the filing of registration statements on Form 20 (17 CFR 249.220) is authorized shall be exempt from the operation of sections 14 and 16 of the Act except that this paragraph shall not apply if at the end of the last fiscal year of the issuer (1) more than 50 percent of the outstanding voting securities of the issuer are held of record either directly or through voting trust certificates or depositary receipts by residents of the United States, and (2) the business of such issuer is administered principally in the United States or 50 percent or more of the members of the Board of Directors are residents of the United States. For the purpose of this paragraph the term "resident," as applied to security holders, shall mean any person whose address appears on the records of the issuer, the voting trustee or the depositary as being located in the United States.

(c) Securities for which the filing of registration statements on Form 16 (17 CFR 249.216) or 19 (17 CFR 249.219) is authorized shall be exempt from the operation of sections 14 and 16 of the Act if the securities deposited pursuant to the voting trust or other agreement are so exempt pursuant to paragraph (b) of this section.

The foregoing action, which has been taken pursuant to the Securities Exchange Act of 1934, particularly sections

3(a)(12) and 23(a) thereof, shall become effective June 1, 1966.

(Sections 3(a)(12), 16, 48 Stat. 884, 896, 15 U.S.C. 78c(a)(12), 78p)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

APRIL 21, 1966.

[F.R. Doc. 66-4885; Filed, May 4, 1966; 8:46 a.m.]

[Release No. 34-7867]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Extension of Temporary Exemption for Foreign Issuers

The Securities and Exchange Commission today announced the adoption of an amendment to Rule 12g3-1 (§ 240.12g3-1 of this chapter) under the Securities Exchange Act of 1934 (Exchange Act) extending to November 30, 1966, the exemption from the provisions of section 12(g)(1) of the Act for the securities of a foreign issuer and certificates of deposit therefor. Under the amended rule, the earliest date on which a foreign issuer could be required to register will be 120 days after its first fiscal year end following November 30, 1966.

Section 12(g) was added to the Exchange Act by the Securities Acts Amendments of 1964. Section 240.12g3-1, which was adopted on September 15, 1964, exempted all foreign securities from registration until November 30, 1965. This exemption provided the Commission time to study the problems involved in the registration of foreign securities traded in the over-the-counter market. On November 16, 1965, the Commission published proposed rules and forms for the registration of certain foreign securities, and invited interested persons to submit their views and comments thereon (see Securities Exchange Act Releases No. 7746, 7747, 7748, 7749). The foreign issuers which would be subject to registration and which have fiscal year ends on December 31, 1965, would be required to register by April 30, 1966.

The Commission received many comments on the proposed rules. Among these, many were from persons and companies who would be directly affected by the proposed rules and from representatives of foreign governments. Most suggested that the application of the registration and other requirements of the Exchange Act to foreign issuers which were neither listing shares on our securities exchanges nor offering new shares in our markets would be improper under international law. A number of comments indicated that in particular cases there would be technical difficulties in superimposing the requirements of the proposed rules on existing law to which issuers are subject in their country of incorporation. It was also suggested that the application of the Exchange Act to foreign issuers would have the effect of retarding foreign countries from adopting improved corporate and securities laws governing issuers incorporated in those countries, including issuers which have securities traded in our over-the-counter markets. Although the Commission does not necessarily agree with all these suggestions they appear to reflect fairly the attitude of the large number of persons commenting on the proposed rules.

The Commission has noted that there has been a marked improvement by foreign companies in their reporting practices and that there exists in many foreign countries an active movement to improve the reporting of corporate information, particularly the presentation of financial data, and the regulation of activities such as insider trading and takeover bids. The London Stock Exchange adopted new rules requiring increased disclosure by listed companies. The British government proposed a substantial revision of the Companies Act, particularly with respect to the provision of financial and other information by those companies subject to the Act. The International Federation of Stock Exchanges, whose members are the leading European stock exchanges, proposed widespread changes in disclosure by companies whose securities are listed on member exchanges. The Ontario government introduced legislation whose provisions are similar in many respects to provisions of the Securities Exchange Act of 1934 and which would affect all companies whose securities are traded on the Toronto Stock Exchange, the largest of the Canadian stock exchanges, the exchange on which the securities of most of the Canadian issuers which would be subject to section 12(g) are traded. It is significant also that the Government of Canada and many of the Canadian provinces are contemplating complementary legislation. France and Germany revised their corporate laws to require greater disclosure. These actions (which are illustrative rather than inclusive) affect a substantial majority of those foreign companies which the Commission has reason to believe would be required to register under section 12(g) of the Exchange Act.

The Commission believes that this movement is most desirable, and that these new laws, when fully implemented, will provide substantial protection to shareholders in corporations subject to them. This will, of course, benefit American investors as well.

Based on all the foregoing considerations, the Commission deems it appropriate to grant a further postponement of the application of section 12(g) (of the Exchange Act) to foreign issuers. This delay will enable the Commission to continue its study of the adequacy of information now furnished by foreign issuers, the development and effects of the changing foreign law in this field, and the necessity for or desirability of technical changes in the light of foreign laws and practices. Although the exemption from section 12(g) (of the Exchange Act) is until November 30, the statutory requirement that registration be effected 120 days after the issuer's fiscal year ending after that date means that the postponement will be for approximately 1 year, which it is hoped will be sufficient time for the Commission to seek solutions to the problems posed.

To assist the Commission during this period, and to provide information as promptly as possible to American investors, the Commission is asking foreign issuers whose securities are held by 300 or more residents of the United States, and which have $1,000,000 or more of total assets and 500 or more holders of a class of equity securities at the end of a fiscal year end after November 30, 1965, to furnish certain information to the Commission. This information, which would be available for public inspection, consists of all information, documents and reports which the issuers, during their past fiscal year, (1) were required to make public in the countries of their domicile or in which they were incorporated or organized, or (2) filed with a foreign stock exchange on which their securities are traded and which was made public by the exchange, or (3) distributed to their security holders. This material will also be requested on a continuing current basis. Companies should furnish documents or reports which contain significant information with respect to the issuer and its subsidiaries concerning their financial condition or results of operations, changes in business, acquisition or disposition of assets, issuance, redemption, or acquisition of the issuer's securities, or changes in management or control, but not information of the type not normally required to be provided under our securities laws. Many foreign issuers have already expressed their willingness to furnish such information, and the Commission anticipates that companies will comply with the request.

The Commission has instructed its staff to ask all foreign companies whose securities are held by 300 or more residents of the United States, and which have the assets and number of shareholders set forth above, to furnish the desired information as promptly as possible. To emphasize the importance which the Commission places upon this information the Commission proposes to publish a list of companies which are believed to be within the class of issuers from which the information is requested, showing whether or not they have furnished such information. Such a list will, among other things, be useful to brokers and dealers in making recommendations to their customers with respect to the securities of these foreign companies.

Commission action. Section 240.12g3-1 of Chapter II of Title 17 of the Code of Federal Regulations is amended to read as follows:

§ 240.12g3-1. Temporary exemption of foreign securities from section 12(g) of the Exchange Act.

Securities issued by (a) any foreign government or political subdivision thereof, (b) any national of any foreign country, (c) any corporation organized under the laws of any foreign country, and (d) certificates of deposit, receipts, or other evidences of interest relating to any of the foregoing securities, shall be exempt from section 12(g) of the Act until November 30, 1966.

Since the foregoing amendment is in the nature of a temporary exemption, the Commission finds that notice and procedure pursuant to the Administrative Procedure Act is unnecessary and that the amended rule may be made effective upon publication thereof on April 21, 1966. The Commission also finds that the amended rule is necessary and appropriate and is not inconsistent with the public interest or the protection of investors. The foregoing action is taken pursuant to the Securities Exchange Act of 1934, as amended, particularly sections 12(g)(3), 12(h), and 23(a) thereof.

(Sections 12, 48 Stat. 892; Section 3(c) 78 Stat. 565; 15 U.S.C. 781)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

APRIL 21, 1966.

[F.R. Doc. 66-4884; Filed, May 4, 1966; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 208—FLOOD CONTROL REGULATIONS

Weiss Dam and Reservoir, Coosa River, Alabama and Georgia

Pursuant to the provisions of section 9 of Public Law 436, 83d Congress, approved June 28, 1954 (68 Stat. 303), the following regulations are hereby prescribed to govern the use of flood control storage in the Weiss Reservoir and the operation of the Weiss Dam for flood control purposes. The storage within the range of power pool drawdown between elevations 564 and 558 feet m.s.l. will be used seasonally for flood control. The storage above elevation 564 is reserved primarily for flood control purposes and regulations for the use of this storage are provided herein.

§ 208.65 Weiss Dam and Reservoir, Coosa River, Alabama and Georgia.

The Alabama Power Co., owner and operator of the Weiss project, shall operate the dam and reservoir in the interest of flood control according to regulations prescribed below, and as described in detail in the current Reservoir Regulation Manual for Weiss Reservoir. The current manual is dated October 1965 and is on file in the office of the District Engineer, U.S. Army Engineer District, Corps of Engineers, Mobile, Ala.

(a) Flood control regulations: (1) When the reservoir level is at or below the indicated elevation on the Storage Delineation Curve (top-of-power-pool curve) currently in force, and said elevation is below 564 feet m.s.l., releases shall be made through the powerplant at rates up to continuous operation, at plant capacity (three units at full gate), as required to keep the reservoir stage from exceeding top-of-power-pool elevations. The Storage Delineation Curve in force as of the promulgation of this section is that dated April 13, 1966, File No. 208.-65A, and is on file in the Office of the Chief of Engineers, Department of the Army, Washington, D.C., and in the office of the Alabama Power Co., Birmingham, Ala. Revisions of the Storage Delineation Curve may be developed from time to time as necessary by the Corps of Engineers and the Alabama Power Co. Each such revision shall be effective upon the date specified in the approval thereof by the Chief of Engineers and the Alabama Power Co. and from that date until replaced shall be the Storage Delineation Curve currently in force for purposes of this section. Copies of the Storage Delineation Curve currently in force shall be kept on file in and may be obtained from the Office of the District Engineer, Corps of Engineers, in charge of the locality, and the Alabama Power Co.

(2) When inflows cause the reservoir level to rise above the top-of-power-pool elevation as indicated by the Storage Delineation Curve currently in force, and said elevation is below 564 feet m.s.l., releases shall be made through the powerplant operating continuously at plant capacity (three units at full gate) until the reservoir stage:

(i) Recedes to top-of-power-pool after which the regulation in subparagraph (1) of this paragraph applies, or

(ii) Reaches elevation 564 after which the regulation in subparagraph (3) of this paragraph applies.

(3) If reservoir level reaches elevation 564 feet m.s.l. this elevation shall be maintained by passing the inflow up to 40,000 cfs. Releases are to be made by continuous operation of the powerplant supplemented by spillway discharge as needed.

(4) When higher inflows unavoidably raise the reservoir level above elevation 564 feet m.s.l., a total discharge of 40,000 cfs shall be maintained until either the stage recedes to elevation 564 feet m.s.l. or the stage and inflow indicate a higher rate of discharge as specified by the Induced Surcharge Schedule currently in force. The Induced Surcharge Schedule in force as of the promulgation of this section is that dated April 13, 1966, File No. 208.65 B, and is on file in the office of the Chief of Engineers, Department of the Army, Washington, D.C., and in the office of the Alabama Power Co., Birmingham, Ala. Revisions of the Induced Surcharge Schedule may be developed from time to time as necessary by the Corps of Engineers and the Alabama Power Co. Each such revision shall be effective upon the date specified in the approval thereof by the Chief of Engineers and the Alabama Power Co. and from that date until replaced shall be the Induced Surcharge Schedule currently in force for purposes of this section. Copies of the Induced Surcharge Schedule currently in force shall be kept on file in and may be obtained from the office of the District Engineer, Corps of Engineers, in charge of the locality, and the Alabama Power Co.

(5) Operation according to Induced Surcharge Schedule requires that the outflow shall be passed through the powerplant and spillway, except that whenever the schedule specifies an outflow greater than 51,000 cfs the excess shall be discharged through the gated overflow section adjacent to the powerhouse to the extent of its capacity until the reservoir outflow reduces to 51,000 cfs.

(6) When the reservoir level begins to fall, maintain the gate openings in effect at time of peak stage and continue powerplant discharge in effect at that time until reservoir level recedes to elevation 564. The regulation in subparagraph (3) of this paragraph then applies.

(b) Releases made in accordance with the regulations of this section are subject to the condition that releases shall not be made at rates or in a manner that would be inconsistent with requirements for protecting the dam and reservoir from major damage.

(c) The Alabama Power Co. shall furnish the District Engineer, Mobile District, daily records of precipitation, reservoir elevation, reservoir inflow and outflow, and such other hydrologic and operating data as may be required to properly monitor the flood control operations of the project.

(d) The flood control regulations of this section are subject to temporary modifications by the District Engineer if it is found to be desirable on the basis of conditions at the time a flood occurs. Requests for an action on such modifications may be made by any available means of communication and the action taken by the District Engineer shall be confirmed in writing under date of same day to the Alabama Power Co.

(Regs., Apr. 13, 1966, ENGCW-EY; sec. 9, 68 Stat. 303)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-4865; Filed, May 4, 1966; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10th Gen. Rev. of Export Regs., Amdt. 14]

MISCELLANEOUS AMENDMENTS

Parts 373, 374, 377, 382, and 399 of Title 15 of the Code of Federal Regulations are amended as set forth below.

(Secs. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959–1963 Comp.)

RAUER H. MEYER,
Director, Office of Export Control.

I. *Exclusion of certain commodities from the Project License, Time Limit License, and Form FC–243 procedure.*

Purpose and effect: No outstanding Project License or Time Limit License may be used to export certain commodities listed below. Additionally, no new applications for Project Licenses or Time Limit Licenses will be approved for these commodities.

In the case of the Form FC–243 procedure, license applications submitted under Forms FC–143, Request for Authorization to Distribute U.S. Origin Commodities Stocked Abroad to Approved Customers, as well as Forms FC–243, Multiple Transactions Statement by Customer of Distributor of U.S. Commodities Stocked Abroad, will not be approved for proposed exportations of commodities listed below.

Exporters desiring to export these commodities may make application on an individual validated export license basis.

The following commodities are subject to this exclusion:

Export control commodity No.	*Commodity description*
71420	Electronic computers.
72620	X-ray machines, and specially designed parts therefor, and flash discharge type X-ray tubes.
72952	Vibration testing equipment.
72952 and 86198	Mass spectrometers.
72970	Neutron generators and specially designed parts therefor, and neutron generator tubes.

Effective date of action: March 11, 1966.

Accordingly, § 373.4(c)(1) is amended and new §§ 374.2(d) and 377.2(c) are added to read as set forth below.

II. *Requests to produce or make available tangible things bearing upon an investigation.*

Purpose and effect: The Export Regulations relating to the production of books, records, and other writings during the course of an investigation, have been expanded to cover other tangible things. This includes making available for inspection abroad commodities or technical data exported from the United States. Although the subpoena power may be used to inspect such commodities or technical data in any investigation in the United States, they may be inspected abroad only through voluntary submission upon request.

Previously, the Export Regulations contained no provision for the issuance of an indefinite denial order in cases where a person did not comply with a request to produce commodities or technical data for inspection. For this reason, the Export Regulations have been revised to provide that upon failure of any person to comply with a request to produce such commodities or technical data or to make them available for inspection without good cause, that person's privileges of participating in U.S. export trade may be denied.

Effective date of action: March 4, 1966.

Accordingly, § 382.15 of the Comprehensive Export Schedule is amended to read as set forth below.

III. *Interpretation 5: Wire or cable cut to length.*

Purpose and effect: Wire or cable, whether or not cut to length, may be included as a component of a system or a piece of equipment if it is necessary to its operation, and only in sufficient quantity to make original installation of the equipment. Wire or cable in excess of that required for the original installation, as well as shipments for replacement or spares, or for manufacture overseas, shall be reported in the wire and cable classifications.

The rules for determining the appropriate classification are delineated in Commodity Interpretation 5, added to section 399.2.

Effective date of action: March 4, 1966.

Accordingly, § 399.2 of the Comprehensive Export Schedule is amended to read as set forth below.

IV. *Amendment of Denial and Probation Orders (Supp. No. 1 to Part 382).*

The Denial and Probation Orders, Supplement No. 1 to Part 382 (§ 382.51) are amended as set forth below.

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

§ 373.4 Distribution of U.S. commodities by foreign-based subsidiary, affiliate, or branch.

* * * * *

(c) *Exportations, reexportations, and distributions under the Form FC–243 procedure.* (1) A U.S. exporter who qualifies under the provisions of paragraph (d) of this section may apply for and obtain licenses for exportations to an approved destination for the purpose of maintaining a foreign-based stock covering any commodity not identified by the symbol "B" in the last column of the Commodity Control List, except the following commodities:

Export control commodity No.	*Commodity description*
71420	Electronic computers.
72620	X-ray machines, and specially designed parts therefor, and flash discharge type X-ray tubes.
72952	Vibration testing equipment.
72952 and 86198	Mass spectrometers.
72970	Neutron generators and specially designed parts therefor, and neutron generator tubes.

In addition, the U.S. exporter may apply for an export license to ship directly to his distributor's customer either:

(i) Upon instructions from his distributor, when shipment directly from the United States is necessary to supply promptly an urgent need or specialized requirement for commodities which are covered by this Form FC–243 procedure but are not available from the foreign-based stock, or

(ii) For shipment to an approved customer of parts and components to be used in repairing equipment originally manufactured by the U.S. exporter.

These exportations may be made without obtaining or submitting documents otherwise required by the Export Regulations and referred to in paragraph (b) of this section.

* * * * *

PART 374—PROJECT LICENSES

§ 374.2 Commodities and technical data subject to Project License.

* * * * *

(d) Unpublished technical data related to nuclear weapons, nuclear explosive devices, or nuclear testing, as described in § 385.2(c)(3)(v) of this chapter.

PART 377—TIME LIMIT (TL) LICENSE

§ 377.2 Commodities subject to TL License.

* * * * *

(c) The commodities listed in § 374.2 (c) of this chapter.

PART 382—DENIAL OF EXPORT PRIVILEGES

§ 382.15 Failure to comply with interrogatories or requests to produce evidence—indefinite denial.

(a) Whenever the Office of Export Control finds it impracticable, during the course of an investigation or other proceeding or action, to subpoena a person, or his books, records, other writings, or other tangible things bearing upon the matter being investigated, the Office of Export Control may serve upon such person interrogatories, requests for admissions of facts, requests for the production of books, records, and other writings, or requests to produce or make available other tangible things for inspection, including commodities or technical data exported from the United States, as therein specifically set forth. If such person, within 20 days after service thereof, fails or refuses to furnish responsive answers to such interrogatories or requests for admissions, fails to produce the requested books, records and other writings, or fails to produce or make available for inspection other tangible things requested, including commodities or technical data exported from the United States, which are in his possession, custody or control, without good cause being shown, an order may be issued without prior notice, as provided in § 382.1, denying export privileges to such person. This order shall remain in effect until such person shall respond to the interrogatories or requests or shall give adequate reasons for his failure or refusal to so respond. Such interrogatories or requests may be served in the same manner as provided in § 382.3(b) for service of a charging letter.

(b) The procedure regarding applications for indefinite denial orders and motions to vacate or modify such orders shall conform substantially to that provided for temporary denial orders by § 382.11 (b) (2) and (c).

Amendments to § 382.1 *Supplement 1: Table of denial and probation orders currently in effect* are as follows:

A. *Additions*

Name and address	Effective date	Expiration dates	Export privileges affected	Federal Register citation
Eurorlew Establishment, Vaduz, Liechtenstein.	1–20–66	7–15–66 (on probation from 7–16–65 to 7–15–70).[1]	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Otto R. Steinfeliner, which see.)	30 F.R. 8013–8015, 7–15–65.
Hopkinson, Anthony G., Lawrence House, Green Lane, Hounslow, Middlesex, England.	2–18–66	4–19–66	General and validated licenses, all commodities, any destination, also exports to Canada.	31 F.R. 3140, 2–25–66.
Hydraulics A. G., also known as Hydraulics S. A., Avenue Wawrgasse, Vienna XVI, Austria.	2–25–66	Duration	do	31 F.R. 3138, 2–25–66.
Koenig & Co., S.p.r.l., Meir 26, Antwerp, Belgium.	1–20–66	(On probation from 1–20–66 to 1–20–86.)[1]		21 F.R. 771–772, 1–20–66.
Lai, Chum Sing, doing business as Wing Yick Cheong Co., Room No. 907, Man Yee Building, Hong Kong.	1–13–66	Duration	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Leves & Co., Tokyo, which see.)	21 F.R. 773–777, 2–8–66.
Lamprecht, Anton Aichholzgasse 42, Vienna, Austria.	1–20–66	7–15–66 (on probation from 7–16–66 to 7–15–70).[1]	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Otto R. Steinfeliner, which see.)	30 F.R. 8013–8015, 7–15–65.
Masumoto, Yoshio, Manager, Tairo Denki K. K., No. 13 Ebara-cho, 3-Chome, Nakano-Ku, Tokyo, Japan.	2–9–66	Duration	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Leves & Co., Tokyo, which see.)	21 F.R. 775–777, 2–8–66.
Petsch Boleslav, 1 Wawrgasse, Vienna XVI, Austria.	2–25–66	Duration	General and validated licenses, all commodities, any destination, also exports to Canada.	31 F.R. 3139, 2–25–66.
Rad Reps (Factors) Ltd., Lawrence Estates, Green Lane, Hounslow, Middlesex, England.	2–18–66	4–19–66	do	31 F.R. 3140, 2–25–66.
Tairo Denki K. K., No. 13 Ebara-cho, 3-Chome, Nakano-Ku, Tokyo, Japan.	2–9–66	Duration	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Leves & Co., Tokyo, which see.)	21 F.R. 775–777, 2–8–66.

[1] Although the named person or firm is entitled to all export privileges during this probation period, these privileges may be revoked upon a finding that the probation has been violated.

B. *Amendments*

Name and address	Effective date	Expiration dates	Export privileges affected	Federal Register citation
B. W. Trading Corp., 125 Cedar Street, New York, N.Y.	6–25–64	11–14–65 (on probation from 11–15–65 for duration).[1]		29 F.R. 8180–8181, 6–26–64. 30 F.R. 14279–14280, 10–13–65.
Klements, Maximilian, Moenckebergstrasse 17, 2000 Hamburg 1, Germany, West.	8–9–65	Duration	General and validated licenses, all commodities, any destination, also exports to Canada.	30 F.R. 10166–10167, 8–14–65.
Masatsugu, Kazushige, 217–218, Koshigaya-shi, Saitama-ken, Japan.	8–31–60	2–28–66 (on probation from 8–1–66 to 2–28–66).[1]		30 F.R. 12204, 9–28–65. 31 F.R. 770–771, 1–21–66. 25 F.R. 2668, 3–31–60.
Winkler, Benjamin, 125 Cedar Street, New York, N.Y.	6–25–64	11–14–65 (on probation from 11–15–65 for duration).[1]		29 F.R. 3295, 3–1–66. 29 F.R. 8180–8181, 6–26–64. 30 F.R. 14279–14280, 10–13–65.

[1] Although the named person or firm is entitled to all export privileges during this probation period, these privileges may be revoked upon a finding that the probation has been violated.

C. *Deletions*

Name	Address
De Fiori, Enrico L.	1664 Broadway, New York, N.Y.
De Fiori, Victor E.	Do.
Kazanis, Theodore E.	17 Battery Place, New York, N.Y.
La Rapida Shipping & Trading Co.	564 Broadway, New York, N.Y.
Youssem, Leon.	12 Avenue des Arts, Brussels, Belgium.

PART 399—COMMODITY CONTROL LIST AND RELATED MATTERS

§ 399.2 Commodity interpretations.

* * * * *

INTERPRETATION 5: WIRE OR CABLE CUT TO LENGTH

Wire or cable may be included as a component of a system or piece of equipment, whether or not the wire or cable is cut to length and whether or not it is fitted with connectors at one or both ends so long as it is in normal quantity necessary to make the original installation of the equipment and is necessary to its operation.

Wire or cable shipped as replacement or spares, or for further manufacture overseas, shall be reported under the applicable wire or cable classification only and, in the case of copper (Export Control Commodity Nos. 68221 and 72310), comes under the quota established for semifabricated products. This includes wire or cable, whether or not cut to length or fitted with connectors at one or both ends.

* * * * *

[F.R. Doc. 66–4804; Filed, May 4, 1966; 8:45 a.m.]

MISCELLANEOUS AMENDMENTS

Parts 379, 382, 384, 385, and 399 of Title 15 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959–1963 Comp.)

Effective date: April 29, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

I. *Exemption from requirement of a shipper's Export Declaration.*

Purpose and effect: The Export Regulations have been revised to exempt from the requirement of a Shipper's Export Declaration certain shipments to Canada or to Country Group T. A Declaration is not required for any shipment to these destinations if the shipment is valued at less than $100.00 and is not made under the provisions of either General License GLV or a validated license. Shipments to destinations other than Canada or

Country Group T, however, are not affected by this change.

For purposes of this provision, a "shipment" is defined as all of the commodities classified under a single seven-digit Schedule B number that are shipped on the same exporting carrier from one exporter to one importer.

Effective date of action: To be announced soon in FEDERAL REGISTER (Title 15, Ch. 1, Part 30).

Accordingly, § 379.1(a)(1)(ii) of the Comprehensive Export Schedule is amended, and a new paragraph 379.1(a)(3) is established to read as set forth below.

II. *Extension of deferment of assurance requirement for products of foreign plants built with the use of United States technical data.*

Purpose and effect: A complete revision of the Export Regulations regarding exports of technical data will be issued in a forthcoming *Current Export Bulletin*. Although the publication of these regulations is imminent, they will not be issued prior to the expiration on April 30, 1966 of the deferment of the requirement of the written assurances with respect to products of foreign plants built by using U.S. technical data.

Therefore, pending the issuance of the revised technical data regulations, the deferment of the requirement for a written assurance, which expires on April 30, 1966, is extended until further notice.

Effective date of action: April 30, 1966.

Accordingly, the Note following paragraph 385.2(c)(5)(ii)(c) is amended to read as set forth below.

III. *Amendment of the Commodity Control List.*

A. *Amendments.* The Commodity Control list is amended as set forth below, effective April 29, 1966, unless otherwise specified, and unless an export is being made to Southern Rhodesia (see § 371.7(d) regarding exports to Southern Rhodesia). Exporters are advised that only the items listed below opposite the specific Export Control Commodity Numbers are affected by these changes. The unnumbered captions serve only to identify the broad categories of commodities within which these items are to be found in Schedule B.

Two different types of explanatory numerical references are used at the end of a commodity description:

(a) A numerical reference enclosed in parentheses to indicate the entry being amended. For example, where an amended entry is followed by (1), this indicates that the new entry amends the first entry or only entry presently on the Commodity Control List under the same Export Control Commodity Number; if the entry is followed by a (2), it amends the second entry on the Commodity Control List, etc.

(b) A footnote reference referring to the footnote below which explains effect of the amendment.

B. *Saving clause.* Shipments of commodities removed from general license as a result of changes set forth in Part A above which were on dock for lading, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a.m., May 6, 1966, may be exported under the previous general license provisions up to and including May 31, 1966. Any such shipment not laden aboard the exporting carrier on or before May 31, 1966, requires a validated license for export.

IV. *Amendment of Denial and Probation Orders (Supp. No. 1 to Pt. 382).*

The Denial and Probation Orders, Supplement No. 1 to Part 382 (§ 382.1), are amended as set forth below.

PART 379—EXPORT CLEARANCE AND DESTINATION CONTROL

§ 379.1 General export clearance requirments.

(a) Exports by water or air carrier.

* * * * *

(1) * * *

(ii) *For shipments under a general license.* A duly executed declaration, in the requisite number of copies, consistent with the provisions of an applicable general license, has been presented to, and authenticated by, the Customs Office, and a copy returned to the person presenting it (except as provided in subparagraph (3) of this paragraph). Where the filing of a Declaration is not required, an oral declaration describing the commodity or technical data about to be exported and identifying the applicable general license shall be made to the Customs Office at the port of exit.

* * * * *

(3) A shipment to Canada or to Country Group T does not require the submission of a Shipper's Export Declaration if the shipment is valued at less than $100.00 and is not made under the provisions of General License GLV or a validated export license.' As used in this § 379.1(a)(3), a "shipment" is defined as all of the commodities classified under a single seven-digit Schedule B Number that are shipped on the same exporting carrier from one exporter to one importer.

PART 382—DENIAL OF EXPORT PRIVILEGES

Amendments to § 382.1 *Supplement 1: Table of denial and probation orders currently in effect* are as follows:

A. *Additions*

Name and address	Effective date	Expiration dates	Export privileges affected	Federal Register citation
Amerikanische Baumaschinen, Theatinerstrasse 23, Munich, West Germany.	4- 1-66	7-15-68 (on probation from 7-16-68 to 7-15-70).[1]	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Otto R. Steinfellner, which see.)	30 F.R. 8913, 7-15-65.
Huber & Co., Albert, 10 Halbeingasse, Vienna X, Austria.	1-20-66	7-15-68 (on probation from 7-16-68 to 7-15-70).[1]	do	30 F.R. 8913, 7-15-65.
Nema Meet-En Regeltechniek, also known as Nema Kantoren, 13 Minervalaan, Amsterdam, Netherlands.	3-14-66	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada.	31 F.R. 4746-4747, 3-18-66.
Seitz, Ute Hilma, owner, Nema Meet-En Regeltechniek, Seitz, Waldamar, 13 Minervalaan, Amsterdam, Netherlands.	3-14-66	Indefinite	do	31 F.R. 4746-4747, 3-18-66.
Technica Hoellerer & Co., 103 Mariahilferstrasse, Vienna VI, Austria.	4- 1-66	7-15-68 (on probation from 7-16-68 to 7-15-70).[1]	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Otto R. Steinfellner, which see.)	30 F.R. 8913, 7-15-65.

[1] Although the named person or firm is entitled to all export privileges during this probation period, these privileges may be revoked upon a finding that the probation has been violated.

B. *Amendments*

Name and address	Effective date	Expiration dates	Export privileges affected	Federal Register citation
Bailie, George H., Jr., 2056 Castro Valley Boulevard, Castro Valley, Calif.	7-30-64	11-30-66 (on probation from 12-1-66 to 12-1-68).[1]	General and validated licenses, all commodities, any destination, also exports to Canada.	29 F.R. 10618-10619, 7-30-64. 31 F.R. 5980-5982, 4-19-66. 30 F.R. 10013, 8-21-65.
Con-Mech Engineers Ltd., 4 Southampton Place, London W.C. 1, England.	8-28-65	4-11-66 (on probation from 4-11-66 to 4-11-68).[1]	do	31 F.R. 6088, 4-20-66.
Contresty, Pierre Emile Marie, also known as Contresty, Pierre Ernest and Scott, Pierre, now or formerly of Montreal, Quebec, Canada, New York, N.Y., Paris, France, or Rotterdam, Netherlands.	10-20-63	Duration	do	28 F.R. 9445, 9-23-63. 28 F.R. 11461-11462, 10-25-63. 29 F.R. 605, 1-21-64. 31 F.R. 5980-5982, 4-19-66.
Illman Jones, Inc., 24731 Clawiter Road, Hayward, Calif.	7-30-64	11-30-66 (on probation from 12-1-66 to 12-1-68).[1]	do	29 F.R. 10618-10619, 7-30-64. 31 F.R. 5980-5982, 4-19-66.
Jones, Jimmy Lee, 610 Oregon Avenue, San Mateo, Calif.	7-30-64	11-30-66 (on probation from 12-1-66 to 12-1-68).[1]	do	29 F.R. 10618-10619, 7-30-64. 31 F.R. 5980-5982, 4-19-66.
Vos, Johannes Hendrikus, doing business as Handelsonderneming J. H. Vos, Werkenmondestraat 3, Dordrecht, Netherlands.	10-20-63	Duration	do	28 F.R. 9445, 9-28-63. 28 F.R. 11461-11462, 10-25-63. 29 F.R. 605, 1-21-64. 31 F.R. 5980-5982, 4-19-66.

[1] Although the named person or firm is entitled to all export privileges during this probation period, these privileges may be revoked upon a finding that the probation has been violated.

C. *Deletions*

Name	Address
Gibbs, D. E	4 Southampton Place, London W. C. 1, England.

PART 384—GENERAL ORDERS

Section 384.3 is revised to read as follows:

§ 384.3 Export control authority to be exercised by U.S. Department of Commerce field office directors in the event of enemy attack on the United States.

(a) *Delegation to field office Director.* In the event of an enemy attack on the United States, each Director of a Department of Commerce field office is authorized to exercise control over exports from the area assigned to him for purposes of this regulation.

(b) *Areas for which field office Directors may control exports.* The area of jurisdiction assigned to each Director will be his area of jurisdiction at the time of an attack.

(c) *Orders from U.S. Department of Commerce.* The authorization set forth in paragraph (a) of this section, shall be subject to any orders or directions transmitted from the U.S. Department of Commerce.

a written commitment that he will notify the U.S. Government, directly or through the exporter, whenever he enters into negotiations to export any product of the plant to any destination covered by § 385.2(c)(5)(ii)(b), when such product is not identified by the symbol "A" in the last column of the Commodity Control List and requires a validated license for exportation to Country Group W by the information set forth in the column titled "Validated License Required for Country Groups Shown Below." The notification should state the product, quantity, country of destination, and the estimated date of shipment.

Moreover, during the period of deferment, the remaining written assurance requirement of § 385.2(c)(5)(ii)(b) and (c) as to plant products which are identified by the symbol "A" in the last column of the Commodity Control List, or are on the U.S. Munitions List, will be waived if the plant is located in one of the following Cocom countries: Belgium, Canada, Denmark, The Federal Republic of Germany, France, Greece, Italy, Japan, Luxembourg, The Netherlands, Norway, Portugal, Turkey, and the United Kingdom.

This deferment applies to exportations of technical data pursuant to any type of contract or arrangement, including licensing agreements, regardless of whether entered into before or after April 1, 1964.

PART 399—COMMODITY CONTROL LIST AND RELATED MATTERS

Amendments to the Commodity Control List (§ 399.1) are as follows:

Department of Commerce export control commodity No. and commodity description	Unit	Processing code and related commodity group No.	Validated license required for country groups shown below	GLV dollar-value limits for shipment to country groups			Special import data list
				T	V	X	
CHEMICAL ELEMENTS AND COMPOUNDS							
51208 Alphatrioxymethylene (for example, Trioxane®). (30) [1]	Lb.	ORGN 8..	XYZ	.....	.....	100	B
51209 Alphatrioxymethylene (for example, Trioxane®). (30) [1]	Lb.	ORGN 8..	XYZ	.....	.....	100	B
51360 Monocrystalline gallium compounds; and monocrystalline indium compounds. (Specify by name.) (3) [1]	Lb.	SALT 1...	TVWXYZ	500	.....	.....	A E-18
51470 Cobaltous halide. (3) [1]	Lb.	SALT 2...	TVWXYZ	800	200	.....	E-13
51480 Phosphor compounds specially prepared for lasers, including but not limited to: neodymium-doped calcium tungstate; dysprosium-doped calcium fluoride; europium-doped yttrium trifluoride. (9) [1]	Lb.	ORGN 2.	TVWXYZ	800	100	.....	

See footnotes at end of table.

Department of Commerce export control commodity No. and commodity description	Unit	Processing code and related commodity group No.	Validated license required for country groups shown below	GLV dollar-value limits for shipment to country groups			Special provisions list
				T	V	X	
PLASTIC MATERIALS, REGENERATED CELLULOSE, AND ARTIFICIAL RESINS							
58110 **Acetal resins.** (7)[1]	Lb.	RESN 8...	XYZ			100	B
IRON AND STEEL							
67850 Pressure tube and pipe fittings having a tube or pipe size connection of 8 inches or more inside diameter, for tube or pipe having a wall thickness of 8 percent or more of the inside diameter and made of (a) stainless steel, or (b) other alloy steel containing 10 percent or more nickel and/or chromium. (3) [2, 7]	Lb.	STEE 4...	TVWXYZ..	500			
67860 Seamless pressure tube and pipe of 8 inches or more inside diameter, having a wall thickness of 8 percent or more of the inside diameter and made of (a) stainless steel, or (b) other alloy steel containing 10 percent or more nickel and/or chromium. (10)[5]	Lb.	STEE 4...	TVWXYZ..	500			
NONFERROUS METALS							
68225 Pressure tube and pipe, copper-nickel alloy, of 8 inches or more inside diameter and having a wall thickness of 8 percent or more of the inside diameter. (1)[5]	Lb.	NONF 6..	TVWXYZ..	100			
68226 Pressure tube and pipe fittings, copper-nickel alloy, having a tube or pipe size connection of 8 inches or more inside diameter, for tube or pipe having a wall thickness of 8 percent or more of the inside diameter. (1)[5]	Lb.	NONF 6..	TVWXYZ..	100			
68323 Pressure tube and pipe fittings containing 32 percent or more nickel, having a tube or pipe size connection of 8 inches or more inside diameter, for tube or pipe having a wall thickness of 8 percent or more of the inside diameter. (2)[6, 8]	Lb.	NONF 6..	TVWXYZ..	500			
68950 Hafnium metal and alloys containing more than 15 percent hafnium by weight. (Specify hafnium content.) (12)[9]	Lb.	MINL 1...	TVWXYZ..	500			A
68950 Zirconium metal and alloys, unwrought, and waste and scrap, containing more than 50 percent zirconium in which the ratio of hafnium content to zirconium content is less than one part to 500 parts by weight. (See § 399.2, Interpretations 10 and 12.) (23)[10]	Lb.	MINL 1...	TVWXYZ..	500			A
68950 Zirconium metal powders, and zirconium alloy metal powders containing more than 50 percent zirconium in which the ratio of hafnium content to zirconium content is less than one part to 500 parts by weight. (25)[9, 10]	Lb.	MINL 1...	TVWXYZ..	500			A
68950 Other zirconium or zirconium alloys, wrought, containing more than 50 percent zirconium in which the ratio of hafnium content to zirconium content is less than one part to 500 parts by weight. (28)[9, 10]	Lb.	MINL 1..	TVWXYZ..	500			A
MACHINERY, OTHER THAN ELECTRIC							
71120 Tubular type heat exchangers designed to operate at pressures of 1,500 p.s.i. and above and with all flow-contact surfaces made of or lined with 10 percent or more nickel and/or chromium; and specially designed parts and accessories, n.e.c. (Give full specifications.) (4 and 6)[9, 11]	.....	CONS 2..	TVWXYZ..	500			
71130 Steam turbines designed for use of saturated steam for an output of 2,000 horsepower (1,500 kilowatts) up to and including 100,000 horsepower (75,000 kilowatts); and parts and accessories, n.e.c. (Specify horsepower or kilowatts.) (1 and 2)[9, 12]	.....	CONS 2..	TVWXYZ..	500			
71170 Parts and accessories, n.e.c., specially designed for nuclear reactors (including mechanical devices designed to control or shut-down a nuclear reactor). (Specify by name.) (1)[13]	.....	ELME 1..	TVWXYZ..	500			A
MACHINERY, OTHER THAN ELECTRIC							
71250 Military type tracklaying tractors; and military type contractors' off-highway wheel tractors. (3 and 5)[13]	No.	CONS 1..	TVWXYZ..	500			A
71852 The following machines, and specially designed parts and accessories, n.e.c.: (a) Glass-working machines (specify by name), specially designed for the manufacture of components of the types of electron tubes, transistors or crystal diodes (Export Control Commodity No. 72930) which are subject to The Import Certificate/Delivery Verification procedure, or (b) machinery for automatic or semiautomatic assembly of all types of electron tubes, or components or subassemblies therefor. (1 and 3)[13, 14]	.....	GIEQ 1.	TVWXYZ..	500	100		A
71852 Other glass-working machines (specify by name), capable of manufacturing or assembling components or subassemblies of electron tubes, transistors or crystal diodes; and specially designed parts and accessories, n.e.c. (1 and 3)[9, 13]	.....	GIEQ 2...	TVWXYZ..	500	100		
71915 Cryogenic refrigeration equipment specially designed for maintaining an ambient temperature below minus 130° C. (minus 202° F.), and (a) designed for use in marine, airborne, or space applications, (b) ruggedized for mobile ground use, or (c) designed to maintain operating temperatures for electrical, magnetic or electronic equipment or components; and specially designed parts therefor. (2)[14]	.....	FINP 1...	TVWXYZ..	500	500		A
71921 Vertically shafted centrifugal pumps, glandless, hermetically sealed (canned) type or mechanical pressurized sealed type, having all flow-contact surfaces made of or lined with 10 percent or more nickel and/or chromium and rated at 50 kilowatts or more; and parts and attachments, n.e.c. (Give full specifications.) (4 and 18)[9, 17]	.....	CONS 2.	TVWXYZ..	500			
71923 Counter-current solvent extractors specially designed for the extraction of radioactive substances (for example, pulsed columns and mixer-settlers made of stainless steel); and specially designed parts. (1)[13]	.....	GIEQ 1...	TVWXYZ..	500			A
71923 Equipment for filtering, purifying, separating, or treating radioactive impurities from nuclear reactor coolant; and specially designed parts. (3, 4, 5, and 13)[9, 13]	.....	GIEQ 2...	TVWXYZ..	500			
71980 Machinery, n.e.c. (specify by name), specially designed for: (a) Manufacturing types of transistors or crystal diodes, or components or subassemblies therefor (Export Control Commodity No. 72930) which are subject to the Import Certificate/Delivery Verification procedure, or (b) automatic or semiautomatic assembly of all types of transistors or crystal diodes, or components or subassemblies therefor; and specially designed parts and accessories, n.e.c. (15)[9, 19]	.....	GIEQ 1...	TVWXYZ..	500	100		A
71980 Other machinery, n.e.c. (specify by name), capable of manufacturing or assembling transistors or crystal diodes, or components or subassemblies therefor; and specially designed parts and accessories, n.e.c. (15)[9, 19]	.....	GIEQ 2...	TVWXYZ..	500	100		

See footnotes at end of table.

FEDERAL REGISTER, VOL. 31, NO. 87—THURSDAY, MAY 5, 1966

Department of Commerce export control commodity No. and commodity description	Unit	Processing code and related commodity group No.	Validated license required for country groups shown below	GLV dollar-value limits for shipment to country groups			Special provisions list
				T	V	X	
71980 **Standard equipment designed for automatic or semiautomatic gettering of standard entertainment-type 7-pin miniature and 9-pin noval tubes.** (34)[20]	.....	GIEQ 8...	WXYZ		100		B
71992 **Pipe valves having all of the following characteristics: A pipe size connection of 8 inches or more inside diameter, all flow contact surfaces made of or lined with alloys of 10 percent or more nickel and/or chromium, and rated at 1,500 p.s.i. or more; and specially designed parts, n.e.c.** (Give full specifications.) (1, 4, and 11)[9, 21]	Lb.	GIEQ 2...	TVWXYZ..	500			
71992 **Other valves, cocks, or pressure regulators having all flow-contact surfaces made of or lined with any of the following materials: (a) 50 percent or more nickel or tungsten either separately or combined, (b) 13 percent or more silicon, (c) steel alloys containing any combination of chromium, with either or both molybdenum or tungsten in which the sum of the alloying elements exceeds 3 percent of the total, (d) 2.5 percent or more nickel, (e) fluoro and/or silico resins, (f) glass acid-, heat-, or shock-resistant, (g) ceramics, (h) carbon, (i) graphite, or (j) acid/heat resistant cement; and specially designed parts.** (Give full specifications.)[22]	.....	GIEQ 8...	WXYZ			100	B
71992 **Other valves, cocks, or pressure regulators, specially designed for use in the processing of petroleum, petrochemicals, natural gas, or their fractions; and specially designed parts.** (Give full specifications.)[22]	.....	GIEQ 8...	WXYZ			100	B
ELECTRICAL MACHINERY, APPARATUS, AND APPLIANCES							
72210 **Turbine-generator sets specially designed for use of saturated steam.** (Specify name, type, and rating.) 14 and 15)[9, 24]	No.	ELME 1..	TVWXYZ..	500			A
72952 Voltmeters, with a full scale sensitivity of 10 nanovolts or less. (24)[1]	No.	ELME 2..	TVWXYZ..	500	500		
72952 Nuclear radiation detection and measuring instruments designed to measure neutron flux in connection with the determination of the power level of an operating nuclear reactor. (26 and 27)[1, 6]	No.	SATE 2...	TVWXYZ..	500			
72952 **Underwater detection apparatus, and specialized component instruments (for example, hydrophones), except marine depth sounders of a kind used solely for measuring the depth of water or the distance of submerged objects vertically below the apparatus.** (Specify by name and model number.) (30)[1]	No.	RARA 1..	TVWUYZ..	500	100		A
TRANSPORT EQUIPMENT							
73208 **Off-highway trucks and trailers which possess or are built to current military specifications differing materially from normal commercial specifications.** (1)[13]	No.	CONS 1...	TVWXYZ..	500			A
73208 Other off-highway trucks and trailers (including logging trailers), having an axle load rating of 47,500 lbs. or more for any one axle assembly (whether the axle assembly consists of one or two axles). (Specify type and axle load rating.) (2)[13]	No.	CONS 1...	VWXYZ				E-11

See footnotes at end of table.

Department of Commerce export control commodity No. and commodity description	Unit	Processing code and related commodity group No.	Validated license required for country groups shown below	GLV dollar-value limits for shipment to country groups			Special provisions list
				T	V	X	
73208 **Other off-highway trucks and trailers (including logging trailers).** (3)[13]	No.	CONS 8...	XYZ			100	B
73280 **Parts and accessories specially designed for off-highway trucks and trailers possessing or built to current military specifications differing materially from normal commercial specifications.** (9)[13]	.....	CONS 1...	TVWXYZ..	500			A
73280 **Parts and accessories specially designed for other off-highway trucks and trailers (including logging trailers) having an axle load rating of 47,500 lbs. or more for any one axle assembly whether the axle assembly consists of one or two axles.** (10)[23]	.....	CONS 2..	VWXYZ		1,000		E-11
73280 Other parts and accessories for off-highway trucks and trailers (including logging trailers).[24]	.....	CONS 8..	XYZ			100	B
73300 **Off-the-road hauler wagons and trailers having an axle load rating of 47,500 lbs. or more for any one axle assembly (whether the axle assembly consists of one or two axles); and parts.** (Specify type and axle load rating.) (1)[23]	No.	CONS 2..	VWXYZ				E-11
73300 Other off-the-road wagons and trailers; and parts. (Specify type and axle load rating.) (2)[23]	.....	CONS 8..	XYZ			100	B
PROFESSIONAL, SCIENTIFIC, AND CONTROLLING INSTRUMENTS; PHOTOGRAPHIC AND OPTICAL GOODS, WATCHES, AND CLOCKS							
86190 **Parts and accessories specially designed for electronic closed loop feed back control systems designed solely for positioning operations for: (a) Metalworking machine tools, or (b) balancing and correcting machines for balancing metal parts statically and/or dynamically.**[26]	.....	TOOL 2..	TVWXYZ..	1,000	1,000		
86199 **Parts and accessories specially designed for other electronic closed loop feed back control systems in which a continuous feed back of information from the actual operation results in continuous correction of control commands, for (a) metalworking machine tools, or (b) balancing and correcting machines for balancing metal parts statically and/or dynamically.**[26]	.....	TOOL 1..	TVWXYZ..	500	500		A
86199 Other parts and accessories, n.e.c., for meters, instruments, appliances, and devices classified under Export Control Commodity Nos. 72951, 72952, 86181, 86195, 86196, and 86197. (Specify name of meter, instrument, appliance, or device.) (12)[27]	.....	Export controls applicable to commodities included in this entry are those which apply to the meter, instrument, appliance, or device for which the parts and accessories are designed.					

[1] A validated license is no longer required for export of this commodity to Country Group W.
[2] A separate entry is established and a validated license is no longer required for export of this commodity to Country Group W.
[3] Revisions are made to conform the controls to those in effect prior to Jan. 1, 1965 where no change has been announced since that date.
[4] This entry is deleted, and the commodity is included in the last entry under this Export Control Commodity Number on the Commodity Control List.
[5] A separate entry is established, and effective May 6, 1966, a validated license is required for export of these commodities to Country Groups T, V, and W.
[6] A separate entry is established for this commodity under the same Export Control Commodity Number.
[7] Effective May 6, 1966, a validated license will be required for export of these commodities to Country Groups T, V, W, X, and Y.
[8] Effective May 6, 1966, a validated license will be required for export of these commodities to Country Groups T, V, W, and X.
[9] The symbol "E" is deleted in the column titled "Special Provisions List," indicating that the commodity may no longer be exported under the Periodic Requirements licensing procedure (see Part 376).

[10] Effective May 6, 1966, the GLV dollar-value limit is decreased for shipments to Country Group V.

[11] Effective May 6, 1966, the GLV dollar-value limit is decreased for shipments to Country Group V of those heat exchangers having all flow contact surfaces made of nickel or alloys containing 60 percent or more nickel. Also effective May 6, 1966, a validated license will be required for export to Country Groups T, V, and W of other heat exchangers described in this entry.

[12] Effective May 6, 1966, a validated license will be required for export of steam turbines (including parts and accessories therefore) (a) 1,500 up to but not including 60,000 kilowatts to Country Groups T, V, and W, and (b) 60,000 up to and including 75,000 kilowatts to Country Groups T and V.

[13] Commodity description is revised with no change in controls.

[14] Two entries are substituted for two entries presently on the Commodity Control List under this Export Control Commodity Number.

[15] Commodities covered by this entry are no longer subject to the Import Certificate/Delivery Verification procedure (see § 373.2).

[16] A separate entry is established, and effective June 13, 1966, an Import Certificate (or a Hong Kong Import License) will be required in support of a license application covering export of these commodities to the countries specified in § 373.2.

[17] Effective May 6, 1966, the GLV dollar-value limit is decreased for shipments to Country Group V for parts and attachments specially designed for the centrifugal pumps described in this entry.

[18] Effective May 6, 1966, the GLV dollar-value limit is decreased for shipments to Country Group V for centrifugal counter-current solvent extractors and power-driven bowl-type centrifuges having product contact surfaces of aluminum, nickel, or alloys containing 60 percent or more nickel, and parts therefor. Also effective May 6, 1966, a validated license will be required for export to Country Groups T, V, and W of other equipment described in this entry.

[19] Two entries are substituted for an entry presently on the Commodity Control List under this Export Control Commodity Number.

[20] This entry is deleted. This commodity is included under Export Control Commodity No. 71852.

[21] Effective May 6, 1966, the GLV dollar-value limit is decreased for shipments to Country Group V of any of these valves which are fitted with bellows seal and have all flow contact surfaces made of or lined with alloys containing 60 percent or more nickel. Also effective May 6, 1966, a validated license will be required for export to Country Groups T, V, and W of other pipe valves described in this entry.

[22] A new entry is established to conform the controls to those in effect prior to Jan. 1, 1965, as no change has been announced since that date.

[23] Effective May 6, 1966, a validated license will be required for the export of generator sets described in this entry but not specially designed for use with nuclear reactors to Country Groups T and V.

[24] A separate entry is established and the Processing Code is changed.

[25] This entry is deleted. Those off-the-road wagons and trailers are included under Export Control Commodity No. 73203, and the parts therefor are included under No. 73280.

[26] A new entry is established to correct the GLV dollar-value limits applicable to parts and accessories for electronic closed loop feedback controls for metal-working machine tools, and to increase the GLV dollar-value limits applicable to parts and accessories for electronic closed loop feedback controls for the described balancing and correcting machines.

[27] Effective May 6, 1966, a validated license is required for export to Country Groups T, V, and W of parts and accessories specially designed for voltmeters with a full scale sensitivity of 10 nanovolts or less (Export Control Commodity No. 72952).

[F.R. Doc. 66-4895; Filed, May 4, 1966; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 58]

SWISS CHEESE

Proposed Standards for Grades

Notice is hereby given that the U.S. Department of Agriculture is considering the issuance, as hereinafter provided, of an amendment to the U.S. Standards for Grades of Swiss Cheese pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended, 7 U.S.C. 1621–1627).

The proposed amendment provides under Subpart N, §§ 58.2571 to 58.2574, provisions to cover finish and appearance characteristics for rindless cheese not presently covered in the standards.

Statement of considerations. In January 1953 standards for grades of Swiss cheese were published. These standards provide only for the grading of Swiss cheese of the rind type. Increasing amounts of rindless Swiss cheese being manufactured have made it necessary for changes in the Grade Standards to provide for this type of cheese. A description of the type of packaging for rindless and rind type cheese is included in the amendment to distinguish between the two styles. The proposed amendment further provides for changes in finish and appearance in § 58.2573 as they relate to rindless type Swiss cheese. No other changes relating to the other characteristics for the respective grades are being made at this time. The proposal has been discussed with the Standards Committee of the National Cheese Institute and others in the Swiss cheese industry.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal shall file the same in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112A, Administration Building, Washington, D.C., 20250, not later than 30 days after publication of this notice in the FEDERAL REGISTER. All written submissions pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed amendment is as follows:

1. Renumber § 58.2571 *Swiss cheese* to § 58.2570.

2. Reword paragraph (a)(1) as follows: "The Swiss cheese in these standards shall mean cheese of the rind or rindless type."

3. Add new § 58.2571:

§ 58.2571 Types of packaging.

The following are the types of packaging for Swiss cheese:

(a) *Rind.* The cheese in wheel or block form is completely covered by a thick rind sufficient to protect the interior of the cheese. The cheese may or may not be paraffined.

(b) *Rindless.* The cheese in rindless form is properly enclosed in a wrapper or covering or by any other means of handling which will not impart any objectionable flavor, odor or color to the cheese. The wrapper or covering is of sufficiently low permeability to water vapor and air as to fully protect the surface and prevent the entrance of air and further drying of the surface.

4. Add to the last sentence of opening paragraph § 58.2573 *Basis for determination of U.S. grades*, the following words: "or rindless type."

5. Add to § 58.2573, paragraph (a)(4) *Finish and appearance*, as follows: "Rindless type cheese shall be well shaped. The wrapper or covering shall adequately envelop the cheese, conform closely to its shape and fully protect the surface. The cheese shall be free from mold under the wrapper or covering in the current classification but may have slight mold under the wrapper or covering in the cured classification but show no indication that mold has entered the cheese, except that cuts and slices shall be free from mold under the wrapper or covering."

6. Add to § 58.2573(b)(4) *Finish and appearance*, as follows: "Rindless type cheese may be slightly uneven in shape. The wrapper or covering shall adequately envelop the cheese, conform reasonably close to its shape and fully protect the surface. The cheese may have very slight mold under the wrapper or covering in the current classification and slight mold under the wrapper or covering in the cured classification but show no indication that mold has entered the cheese, except that cuts and slices shall be free from mold under the wrapper."

7. Add to § 58.2573(c)(4) *Finish and appearance*, as follows: "Rindless type cheese may be definitely uneven in shape. The wrapper or covering shall envelop the cheese and protect the surface but may be wrinkled and soiled to a definite degree. The cheese may have slight mold under the wrapper or covering in the current classification and definite mold under the wrapper or covering in the cured classification but show no indication that mold has entered the cheese."

8. Add to § 58.2573(d)(4) *Finish and appearance*, as follows: "Rindless type cheese may be uneven in shape. The wrapper or covering shall envelop the cheese, substantially protect the surface but may have occasional tears or breaks and may be wrinkled and soiled to a pronounced degree. May have definite mold under the wrapper or covering in the current or cured classification but show no indication that mold has entered the cheese."

9. Add to § 58.2574 *Explanation of terms*, (e) *With respect to finish and appearance*, as follows:

(2) *Wrapper or covering.* Flexible material placed next to the surface of the cheese used as an enclosure or covering of the cheese.

(3) *Adequately envelop.* Wrapper or covering properly closed and entirely covering the cheese to prevent it from contamination and desiccation.

(4) *Mold under wrapper or covering.* Mold spots or areas that have formed under the wrapper or on the cheese.

(60 Stat. 1090; 7 U.S.C. 1624)

Done at Washington, D.C., this 29th day of April 1966.

G. R. GRANGE,
Deputy Administrator, Marketing Services. Consumer and Marketing Service.

[F.R. Doc. 66-4917; Filed, May 4, 1966; 8:49 a.m.]

POST OFFICE DEPARTMENT

[39 CFR Parts 21, 24]

POSTAL CARDS

Notice of Proposed Rule Making

Notice is hereby given of proposed rule making consisting of proposed amendments to Part 21 and Part 24 of Title 39, Code of Federal Regulations. One proposed amendment to § 21.2(b)(2)(iii) includes a provision which will limit attachments to postal and post cards to adhesive address and return address labels. A second proposed amendment will add a new § 21.3(b)(5) which will provide that post cards measuring less than .006 of an inch in thickness are nonmailable. A third proposed amendment will add a new § 24.3(b)(4) and provide that all third-class cards measuring less than .006 of an inch in thickness are nonmailable. These three proposed amendments are to become effective on April 1, 1967, if adopted.

Although the procedures in 39 CFR Part 21 and Part 24 relate to a proprietary function of the Government, it is the desire of the Postmaster General voluntarily to observe the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) in order that patrons of the postal service may have an opportunity to comment on the proposed amendments. Written data, views, and arguments may be filed with the Director, Classification and Special Services Division, Bureau of Operations, Post Office Department, Washington, D.C., 20260, at any time prior to the 30th day following the date of publication of this notice in the FEDERAL REGISTER.

The proposed amendments to be effective on April 1, 1967, read as follows:

§ 21.2 Classification.

* * * * * *

(b) *Use of postal cards.* * * *

(2) Additions to postal cards and post cards are limited to the following:

* * * * * *

(iii) Labels may be affixed by adhesive to the address side for the purpose of showing the address and the return address. No other attachments are permitted.

NOTE: The corresponding Postal Manual section is 131.222c.

§ 21.3 Weight and size limits.

* * * * * *

(b) *Size, shape, ratio, and sealing.* * * *

(5) Cards having a thickness of less than .006 of an inch are nonmailable.

* * * * * *

NOTE: The corresponding Postal Manual section is 131.32e.

§ 24.3 Weight and size limitations.

* * * * * *

(b) *Size, shape, and ratio.* * * *

(4) Cards having a thickness of less than .006 of an inch are nonmailable.

* * * * * *

NOTE: The corresponding Postal Manual section is 134.32d.

(R.S. 161, as amended; 5 U.S.C. 22, 39, U.S.C. 501)

TIMOTHY J. MAY,
General Counsel.

MAY 3, 1966.

[F.R. Doc. 66-4969; Filed, May 4, 1966; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-CE-123]

CONTROL ZONES, TRANSITION AREA AND CONTROL AREA EXTENSION

Proposed Alteration and Revocation; Supplemental Notice

The Federal Aviation Agency is considering a revised proposal with respect to the alteration of controlled airspace in the Minot, N. Dak., terminal area.

In the notice of proposed rule making published in the FEDERAL REGISTER on December 3, 1965 (30 F.R. 14996), the Federal Aviation Agency proposed in part the following airspace actions:

(1) Redesignate the Minot, N. Dak. (Minot International Airport) control zone to comprise the airspace within a 5-mile radius of Minot International Airport (latitude 48°15'44" N., longitude 101°17'04" W.), within 2 miles each side of the Minot VORTAC 097° radial extending from the 5-mile radius zone to 8 miles E of the VORTAC, and within 2 miles each side of the Minot VORTAC 260° radial extending from the 5-mile radius zone to 8 miles W of the VORTAC.

(2) Designate the Minot, N. Dak., transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Minot International Airport (latitude 48°15'44" N., longitude 101°17'04" W.), within 5 miles N and 8 miles S of the Minot VOR 260° radial extending from the VOR to 12 miles W of the VOR, within an 8-mile radius of Minot AFB (latitude 48°24'56" N., longitude 101°21'26" W.), and within 2 miles each side of the Minot AFB TACAN 307° radial extending from the 8-mile radius area to 12 miles NW of the TACAN; and that airspace extending upward from 1,200 feet above the surface within a 35-mile radius of the Minot AFB TACAN; and that airspace extending upward from 5,000 feet MSL within a 5-mile radius of Minot AFB TACAN, excluding the area north of latitude 49°00'00" N.

Subsequent to the publication of the notice of proposed rule making, two additional approach procedures have been developed for the Minot International Airport. In addition, the proposed approach procedure for Runway 8 at Minot International Airport has been modified. Accordingly, the notice is herein amended in part to propose the following airspace actions:

(1) Redesignate the Minot, N. Dak. (International Airport) control zone to comprise the airspace within a 5-mile radius of Minot International Airport (latitude 48°15'44" N., longitude 101°17'04" W.), within 2 miles each side of the Minot VORTAC 097° radial, extending from the 5-mile radius zone to 8 miles E of the VORTAC, within 2 miles each side of the Minot VORTAC 129° radial extending from the 5-mile radius zone to 12 miles SE of the VORTAC, and within 2 miles each side of the Minot VORTAC 260° radial, extending from the 5-mile radius zone to 8 miles W of the VORTAC.

(2) Redesignate the Minot, N. Dak., transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Minot International Airport (latitude 48°15'44" N., longitude 101°17'04" W.), within an 8-mile radius of Minot AFB (latitude 48°24'56" N., longitude 101°21'26" W.), and within 2 miles each side of the Minot AFB TACAN 307° radial extending from the 8-mile radius to 12 miles NW of the TACAN; that airspace extending upward from 1,200 feet above the surface within a 35-mile radius of Minot AFB TACAN; and that airspace extending upward from 5,700 feet MSL within a 50-mile radius of Minot AFB TACAN, excluding the area north of latitude 49°00'00" N., and the area which overlies V430 and V15.

The control zone, as now proposed, would provide controlled airspace protection for aircraft departing Minot International Airport during climb to 700 feet above the surface and for aircraft executing the prescribed instrument approach procedures during descent below 1,000 feet above the surface.

The proposed 700-foot floor transition area would provide controlled airspace protection for arriving and departing aircraft during descent from 1,500 to 1,000 feet above the surface and during climb from 700 to 1,200 feet above the surface. The proposed 1,200-foot floor transition area would provide controlled airspace protection for aircraft executing the prescribed instrument approach procedures at the Minot International Airport during the portions of those procedures executed between 6,000 feet MSL and 1,500 feet above the surface. The 5,700-foot MSL floor transition area, as proposed, would provide controlled airspace protection for aircraft executing the prescribed instrument approach procedures for Minot AFB during the portions of those procedures executed above 6,000 feet MSL. The transition areas with floors of 1,200 feet above the surface and 5,700 feet MSL would combine to provide controlled airspace protection for the holding pattern areas and for a maximum of flexibility in radar control of Minot terminal area arriving and departing air traffic.

The floors of the airways that traverse the transition areas proposed herein would automatically coincide with the floors of the transition areas.

One minor revision is being made to an approach procedure at Minot AFB in conjunction with the action proposed herein.

Specific details of the new approach procedures for Minot International Airport and the revision to the Air Force approach procedure may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The Public Docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on April 26, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-4868; Filed, May 4, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-WE-28]

TRANSITION AREA

Proposed Revocation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would accomplish the following airspace actions:

1. Revoke the Luke AFB, Ariz., 700-foot transition area.

2. Redesignate the Phoenix, Ariz., 700-foot transition as follows:

PHOENIX, ARIZ.

That airspace extending upward from 700 feet above the surface, bounded by a line beginning at: Latitude 33°40'00" N., longitude 112°29'00" W., thence to latitude 33°40'00" N., longitude 112°15'00" W., thence to latitude 33°23'00" N., longitude 111°30'00" W., thence to latitude 33°14'00" N., longitude 111°30'00" W., thence to latitude 33°10'00" N., longitude 111°36'00" W., thence to latitude 33°21'00" N., longitude 112°15'00" W., thence to latitude 33°21'00" N., longitude 112°30'00" W., thence to latitude 33°22'30" N., longitude 112°30'00" W., thence to latitude 33°22'30" N., longitude 112°41'30" W., thence to latitude 33°31'30" N., longitude 112°41'30" W., thence to latitude 33°31'30" N., longitude 112°29'00" W., thence to point of beginning.

The additional 700-foot transition area is required to provide controlled airspace for maximum utilization of radar capability for vectoring aircraft in the Sky Harbor Airport, Luke and Williams AFB terminal areas.

It is planned that, at a future date, the floors of adjacent airways will be raised to 1,200 feet or more above the surface.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

These amendments are proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on April 25, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-4869; Filed, May 4, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Sacramento 079492]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands; Correction

APRIL 25, 1966.

The notice of an application Serial No. Sacramento 079492, for withdrawal and reservation of lands as published in the FEDERAL REGISTER, Document No. 66-5758 on pages 7321 and 7322, of the issue for June 3, 1965, is corrected to read as follows:

SIX RIVERS NATIONAL FOREST

HUMBOLDT MERIDIAN

Patrick Creek Campground

T. 17 N., R. 3 E.,
Sec. 16, SW¼NE¼NW¼, S½NW¼NW¼, N½SW¼NW¼, and NW¼SE¼NW¼.

R. J. LITTEN,
Chief, Lands Adjudication Section.

[F.R. Doc. 66-4878; Filed, May 4, 1966; 8:46 a.m.]

[R. 07600]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 26, 1966.

The Bureau of Yards and Docks, Southwest Division, U.S. Department of the Navy, has filed an application, Serial No. R 07600, for the withdrawal of lands described below from prospecting, location, entry and purchase under the General Mining Laws, including the Mineral Leasing Laws, as well as the disposal of material under the Act of July 21, 1947 (61 Stat. 681) as amended, subject to valid claims and existing withdrawals.

The lands, originally withdrawn under the First Form for reclamation purposes in connection with the Yuma Projects, were restored to mineral entry and location by Departmental Orders of January 25, 1951 (F.R. Doc. 51-1265), and April 21, 1948 (F.R. Doc. 48-3917).

The applicant desires the exclusion of mining activity to permit use of such lands for a recovery parachute test range, which use is incompatible with mineral development.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 Eighth Street, Box 723, Riverside, Calif., 92502.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's need, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

CALIFORNIA

SAN BERNARDINO MERIDIAN

T. 14 S., R. 11 E.,
Sec. 4, S½SW¼,
Sec. 5, S½S½,
Sec. 6, S½SE¼,
Sec. 8, NE¼, NE¼SE¼,
Sec. 9, W½, SW¼SE¼,
Sec. 15, W½NW¼, SE¼NW¼,
Sec. 23, SE¼NE¼, NE¼SE¼,
Sec. 24, SW¼NW¼, NW¼SW¼.

The areas described aggregate 1,160 acres, more or less.

HALL H. MCCLAIN,
Manager.

[F.R. Doc. 66-4879; Filed, May 4, 1966; 8:46 a.m.]

[Nevada 066625]

NEVADA

Notice of Proposed Classification

APRIL 26, 1966.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the lands described below for disposal through exchange, under section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended by section 3 of the Act of June 26, 1936 (49 Stat. 1976), for lands located in Elko and Eureka Counties, Nev.

This proposal has been discussed with the District Advisory Board, local governmental officials and other interested parties. Information derived from discussions and other sources indicate that these lands meet the criterion of 43 CFR 2410.1-3(c)(4), which authorizes classification of lands "for exchange under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values, arising from the interest of exchange proponents, for exchange for other lands which are needed for the support of a Federal program." Information concerning the lands, including the record of public discussions, is available for inspection and study at the Bureau of Land Management, Federal Building, 300 Booth Street, Reno, Nev. For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager of the Elko District.

The lands affected by this proposal are located in Elko and Eureka Counties and are described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 32 N., R. 52 E.,
Sec. 2;
Sec. 4, lot 1, SE¼NE¼, SE¼;
Sec. 14, E½, N½NW¼, SE¼NW¼, W½SW¼, SE¼SW¼;
Sec. 15;
Sec. 16;
Sec. 20, E½, SW¼SW¼, E½SW¼;
Sec. 26;
Sec. 28.

The area described above aggregates 4,443.88 acres.

CLAIR M. WHITLOCK,
Acting State Director.

[F.R. Doc. 66-4880; Filed, May 4, 1966; 8:46 a.m.]

[NM Misc.; NM 13]

NEW MEXICO

Order Providing for Opening of Public Lands

APRIL 28, 1966.

1. In exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (49 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 5 N., R. 10 W.,
Sec. 1;
Sec. 2, SW¼;
Sec. 3;
Sec. 4, lots 1, 2, 3, S½NE¼ and SE¼NW¼;
Secs. 5, 9, and 11;
Sec. 12, SW¼;
Sec. 13, W½NE¼, W½, and SE¼;
Secs. 14 and 15;
Sec. 17, E½E½, NW¼NE¼, W½ and W¼SE¼;
Secs. 21 and 22;
Sec. 23, N½, SW¼, W½SE¼ and SE¼SE¼;
Sec. 24, W½W½;
Sec. 25, E½, NW¼, N½SW¼ and SE¼SW¼;
Sec. 26, N½, SW¼ and W½SE¼;
Sec. 27, N½NE¼, W½ and S½SE¼;
Sec. 28, N½;
Sec. 29.

The area described aggregates 10,836.32 acres.

2. The lands are located approximately 35 miles south of the town of Grants and about 35 miles north of the village of Datil in Valencia County, New Mexico. The topography is rolling to mountainous. The soils are quite variable from commonly deep, sandy loam to shallow and rocky. Vegetation consists of native grasses and shrubs with an abundance of pinon-juniper on the rougher areas.

3. Pursuant to authority delegated to me by Bureau Order No. 701 of July 23, 1964, section 1.5c, the land affected by this order is hereby restored to the operation of the public land laws, subject to any valid rights, the provisions of existing withdrawals, and the requirements of applicable law, rules and regulations, as of 10 a.m. on May 31, 1966.

4. The United States did not acquire minerals in the lands described herein.

5. Inquiries and applications concerning the lands shall be addressed to the Chief, Branch of Lands & Minerals Program Management and Land Office, Post Office Box 1449, Santa Fe, N. Mex., 87501.

W. J. ANDERSON,
State Director.

[F.R. Doc. 66-4881; Filed, May 4, 1966; 8:46 a.m.]

[Utah 0147201, etc.]

UTAH

Order Opening Lands to Application, Entry and Location

APRIL 22, 1966.

1. In exchanges of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

SALT LAKE MERIDIAN, UTAH

Utah 0147201

T. 13 N., R. 19 W.,
Sec. 14, N½SW¼, S½SE¼.

Utah 0147568

T. 14 N., R. 9 W.,
Sec. 32, E½.

Utah 0147569

T. 9 N., R. 13 W.,
Secs. 7 and 18.

Utah 0147717

T. 31 S., R. 4 W.,
Sec. 13, SW¼NW¼, NW¼SW¼;
Sec. 14, SE¼NW¼, NE¼SW¼, S½ NE¼, N½SE¼.

Utah 0148911

T. 8 N., R. 6 E.,
Sec. 1;
Sec. 17, S½N½, S½;
Sec. 18, lots 2, 3, 4, S½NE¼, SE¼NW¼, SE¼SW¼, SE¼;
Sec. 20, SW¼SW¼;
Sec. 21, N½, S½SW¼, N½SE¼.

Utah 0149347

T. 12 N., R. 6 E.,
Sec. 31, N½SE¼.

Utah 0149352

T. 11 N., R. 12 W.,
Sec. 31.
T. 11 N., R. 13 W.,
Sec. 35, N½.
T. 13 N., R. 10 W.,
Sec. 12, W½.

Utah 0149353

T. 6 S., R. 5 W.,
Sec. 4, SW¼, SW¼SE¼;
Sec. 5, SW¼NW¼, N½S½, SW¼SW¼;
Sec. 6, E½SW¼, SE¼;
Sec. 7, S½NE¼, SE¼;
Sec. 8, W½NW¼, NE¼SW¼;
Sec. 18, NE¼, N½SE¼;
Sec. 19, E½.
T. 7 S., R. 6 W.,
Sec. 13, E½.
T. 8 S., R. 5 W.,
Sec. 33, S½SW¼.

Utah 0149354

T. 14 N., R. 10 W.,
Sec. 22, SE¼.

Utah 0149356

T. 8 N., R. 6 E.,
Sec. 23, lots 1, 2, W½NE¼, NW¼;
Sec. 34, SE¼NE¼.

Utah 0149359

T. 4 N., R. 19 W.,
Sec. 36, W½.

The areas described aggregate 8,368.78 acres.

2. The lands in T. 13 N., R. 19 W., are located in Box Elder County, Utah, about 10 miles northwest of Grouse Creek. The topography is rolling hills. The silty loam soil is moderately deep with rocky outcrops. The vegetation is northern desert shrub type. Minerals were reserved by the grantor.

The lands in T. 9 N., R. 13 W., are located in Box Elder County, Utah, about 10 miles southwest of Snowville. The topography is flat with a deep clay loam soil. The vegetation is northern desert shrub type. Minerals were reserved to the grantor.

The lands in T. 9 N., R. 13 W., are located in Box Elder County, Utah, about 20 miles south of Park Valley. The topography is rolling, with a deep silty loam soil. The vegetation is of the northern desert shrub type. Minerals were reserved by the grantor.

The lands in T. 31 S., R. 4 W., are located in Piute County, Utah, about 4 miles south of Circleville. The topography is slightly sloping with a sandy loam soil. The vegetation is a typical sagebrush type.

The lands in T. 8 N., R. 6 E., are located in Rich County, Utah, ranging from 5 to 12 miles southwest of Woodruff. The topography is rolling with some moderately steep slopes and drainages. The soil is a silty loam with some gravel and rock outcroppings. The vegetative cover is sagebrush with an understory of wheatgrass, Indian rice grass and annual weeds. Minerals were reserved by the grantor.

The lands in T. 12 N., R. 6 E., are located in Rich County, Utah, about 8 miles northwest of Randolph. The topography is rolling to rough with shallow rocky soils. The vegetative cover consists of sagebrush with an understory of grasses. Minerals were reserved by the grantor.

The lands in T. 11 N., Rgs. 12 and 13 W., and T. 13 N., R. 10 W., are located in Box Elder County, Utah, ranging from 12 miles east to 8 miles southeast of Park Valley. The topography is flat; the soil is a deep silty loam. The vegetative cover is desert shrubs.

The lands in T. 6 S., R. 5 W., T. 7 S., R. 6 W., and T 8 S., R. 5 W., are located in Tooele County, Utah, ranging from 1 to 20 miles south of Clover. The topography has a gentle southeast slope. The soils are deep clay loam. The vegetation consists of sagebrush with an understory of assorted grasses.

The lands in T. 14 N., R. 10 W., are located in Box Elder County, Utah, about 8 miles west of Snowville. The topography is level. The soils are a deep silty loam. The vegetation consists of sagebrush with an understory of various grasses. Minerals were reserved by the grantor.

The lands in T. 8 N., R. 6 E., are located in Rich County, Utah, about 7 miles south of Woodruff. The topography is rolling and the soil is shallow and rocky. The vegetative cover consists of sagebrush with an understory of miscellaneous weeds and grasses. Minerals were reserved by the grantor.

The lands in T. 4 N., R. 19 W., are located in Box Elder County, Utah, about 21 miles north of Wendover. The topography is undulating. The soil is a deep alluvium with rocky outcrops. The vegetation consists of dwarf juniper and sage with an understory of miscellaneous weeds and grasses.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby opened to application, petition, location and selection (including location under the U.S. Mining laws in T. 13 N., R. 10 W., T. 11 N., R. 12 W., T. 11 N., R. 13 W., T. 4 N., R. 19 W., T. 6 S., R. 5 W., T. 7 S., R. 6 W., T. 8 S., R. 5 W., and T. 31 S., R. 4 W.).

All valid applications received at or prior to 10 a.m., on June 6, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Post Office Box 11505, Salt Lake City, Utah, 84111.

J. E. KEOGH,
Acting State Director.

[F.R. Doc. 66-4882; Filed, May 4, 1966; 8:46 a.m.]

Fish and Wildlife Service

[Docket No. S-354]

JAMES PEYTON ALLENBAUGH

Notice of Loan Application

James Peyton Allenbaugh, 724 Terrace Avenue, Aberdeen, Wash., 98520, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 42-foot wood vessel to engage in the fishery for crabs, salmon and tuna.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised August 11, 1965) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

H. E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

MAY 2, 1966.

[F.R. Doc. 66-4913; Filed, May 4, 1966; 8:48 a.m.]

[Docket No. S-353]

JOHN CLIFFORD EDWARDS

Notice of Loan Application

John Clifford Edwards, 61 O Street, Hoquiam, Wash., 98550, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 49.6-foot registered length wood vessel to engage in the fishery for crabs, tuna, and bottomfish.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised August 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

H. E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

MAY 2, 1966.

[F.R. Doc. 66-4914; Filed, May 4, 1966; 8:48 a.m.]

[Docket No. Sub-B-49]

OLD COLONY TRAWLING CORP.

Notice of Hearing

Old Colony Trawling Corp., 220 Northern Avenue, Boston, Mass., 02110, has applied for a fishing vessel construction differential subsidy to aid in the construction of a 131-foot overall length steel vessel to engage in the fishery for groundfish and flounder.

Notice is hereby given pursuant to the provisions of the U.S. Fishing Fleet Improvement Act (P.L. 88-498) and Notice and Hearing on Subsidies (50 CFR Part 257) that a hearing in the above-entitled proceedings will be held on June 21, 1966, at 10 a.m. e.d.s.t., in Room 3356, Interior Building, 18th and C Streets NW., Washington, D.C., 20240. Any person desiring to intervene must file a petition of intervention with the Director, Bureau of Commercial Fisheries, as prescribed in 50 CFR Part 257 at least 10 days prior to the date set for the hearing. If such petition of intervention is granted, the place of the hearing may be changed to a field location. Telegraphic notice will be given to the parties in the event of such a change along with the new location.

DONALD L. MCKERNAN,
Director,
Bureau of Commercial Fisheries.

MAY 2, 1966.

[F.R. Doc. 66-4915; Filed, May 4, 1966; 8:48 a.m.]

National Park Service

YELLOWSTONE PARK CO.

Notice of Intention To Negotiate Concession Contract

Pursuant to the provisions of section 5, Public Law 89-249, public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with the Yellowstone Park Co., authorizing it to provide concession facilities and services for the public in Yellowstone National Park for a period of thirty (30) years from October 1, 1966. Before doing so, however, and before granting a new contract pursuant to the Act cited above, the Secretary hereby gives public notice of his intention in the matter and will consider and evaluate all proposals received as a result of this notice.

Interested parties should contact the Director of the National Park Service, Washington, D.C., 20240, for information as to the requirements of the proposed contract.

Dated: April 29, 1966.

GEORGE B. HARTZOG, JR.,
Director, National Park Service.

[F.R. Doc. 66-4952; Filed, May 4, 1966; 8:50 a.m.]

Office of the Secretary

KENNETH IRVING SEWELL

Report of Appointment and Statement of Financial Interests

APRIL 6, 1966.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Kenneth Irving Sewell.

Name of employing agency: Department of the Interior, Office of Assistant Secretary for Water and Power Development.

The title of the appointee's position: Deputy Director, Defense Electric Power Area 6.

The name of the appointee's private employer or employers: The Detroit Edison Co., 2000 Second Avenue, Detroit, Mich., 48226.

The statement of "financial interests" for the above appointee is enclosed.

STEWART L. UDALL,
Secretary of the Interior.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on April 14, 1966, as Deputy Director, Defense Electric Power Area 6, Defense Electric Power Administration, an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

The Detroit Edison Co.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

K. I. SEWELL.

APRIL 21, 1966.

[F.R. Doc. 66-4883; Filed, May 4, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 914]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

APRIL 29, 1966.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 531 (Sub-No. 207), filed April 19, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal fats, animal oils, and vegetable oils, including products and blends of commodities specified*, in bulk, in tank vehicles, from Chicago, Ill., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, (2) *animal fats and animal oils*, in bulk, in tank vehicles, from Cedar Rapids, Denison, Des Moines, Dubuque, Estherville, Ottumwa, and Sioux City, Iowa, Kansas City, Mo., Kansas City, Kans., Albert Lea, Austin, Duluth, St. Cloud, and St. Paul, Minn., Lincoln and Omaha, Nebr., Sioux Falls, S. Dak., and Cudahy and Milwaukee, Wis., to Chicago, Ill., and (3) *vegetable oils*, in bulk, in tank vehicles, from points in Illinois, Indiana, Iowa, Missouri, Tennessee, and Wisconsin, to Chicago, Ill. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 1872 (Sub-No. 62), filed April 18, 1966. Applicant: ASHWORTH TRANSFER, INC., 1526 South 600 West, Salt Lake City, Utah. Applicant's representative: Keith E. Taylor, Kearns Building, Salt Lake City, Utah, 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives and rejected shipments*, between points in New Mexico and points in Nevada. NOTE: Applicant states it is authorized to transport explosives between points in New Mexico and points in Utah and between points in Utah and points in Nevada. The sole purpose of this application is to permit the use of highways in the State of Arizona for operating convenience only to avoid circuitous routing. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 3109 (Sub-No. 2), filed April 8, 1966. Applicant: G. KENNETH MCLAUGHLIN, Flintstone, Md., 21530. Applicant's representative: Donald E. Freeman, Post Office Box 880, Westminster, Md., 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Zihlman, Md., to Baltimore, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 3468 (Sub-No. 154), filed April 20, 1966. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., 705 South Dort Highway, Flint, Mich. Applicant's representative: Harry C. Ames, Jr., Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles and automobile parts and accessories* moving in connection therewith, in initial movements, in truckaway and driveaway service, from places of manufacture or assembly in Nassau County, N.Y., to points in the United States (excluding Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 4405 (Sub-No. 441), filed April 11, 1966. Applicant: DEALER'S TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's representative: James W. Wrape, 1624 Eye Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semitrailers and trailer chassis and semitrailer chassis* (except those designed to be drawn by passenger automobiles), in initial movements in truckaway and driveaway service, from Bridgewater, Va., to points in the United States, including Alaska, but excluding Hawaii, and, (2) *tractors*, in secondary driveaway service, only when drawing trailers moving in initial driveaway service, from Bridgewater, Va., to points in Alaska, Arizona, Nevada, Oregon, and Vermont. NOTE: Applicant states no tacking with existing authority of applicant is contemplated. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 4405 (Sub-No. 442), filed April 11, 1966. Applicant: DEALER'S TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's representative: James W. Wrape, 1624 Eye Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semitrailers and trailer chassis and semitrailer chassis* (except those designed to be drawn by passenger automobiles), in initial movements in truckaway and driveaway service, from Ashdown, Ark., to points in the United States, including Alaska, but excluding Hawaii, and, (2) *tractors*, in secondary driveaway service, only when drawing trailers moving in initial driveaway service, from Ashdown, Ark., to points in Alaska, Arizona, Nevada, Oregon, and Vermont. NOTE: Applicant states no tacking with existing authority of applicant is contemplated. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Dallas, Tex.

No. MC 4405 (Sub-No. 443), filed April 14, 1966. Applicant: DEALERS TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's representative: James W. Wrape, Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semitrailers and trailer chassis and semitrailer chassis* except those designed to be drawn by passenger automobiles, in initial movements, in truckaway and driveaway service, from Clearfield, Utah, to points in the United States, including Alaska but excluding Hawaii, and (2) *tractors*, in secondary driveaway service, only when drawing trailers moving in initial driveaway service, from Clearfield, Utah, to points in Alaska, Arizona, Nevada, Oregon, and Vermont. NOTE: Applicant states that no tacking with existing authority is contemplated. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 7387 (Sub-No. 3), filed April 15, 1966. Applicant: LAWNDALE RAILWAY & INDUSTRIAL COMPANY, a corporation, Lawndale, N.C., 28090. Ap-

[1] Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

plicant's representative: Gordon P. MacDougall, 743 Investment Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Cleveland, Rutherford, and Gaston Counties, N.C. Restriction: The proposed service will be restricted to traffic having an immediately prior or subsequent movement by railroad. NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 8973 (Sub-No. 8), filed April 20, 1966. Applicant: METROPOLITAN TRUCKING, INC., 2424 95th Street, North Bergen, N.J. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products*, from Edgewater, N.J., to points in the Washington, D.C., commercial zone as defined by the Commission. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 10343 (Sub-No. 17), filed April 15, 1966. Applicant: CHURCHILL TRUCK LINES, INC., Highway 36 West, Chillicothe, Mo. Applicant's representative: Thomas P. Rose, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and dangerous explosives, household goods as defined by the Commission in 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Kansas City, Mo., and Kansas City, Kans., and the Kansas City, Mo., and Kansas City, Kans., commercial zone, and St. Joseph, Mo., and its commercial zone, on the one hand, and, on the other, points in Iowa, on and east of U.S. Highway 65, points in Illinois on and north of U.S. Highway 40 and Interstate 70, and points in Missouri, on and east of U.S. Highway 65, and on or north of U.S. Interstate 70. NOTE: Applicant states he holds authority in MC 10343 to transport the same commodities between the above named points and areas via the gateway point of Meadville, Mo., and points within ten (10) miles thereof. The purpose of this application is to eliminate the gateway point of Meadville, Mo., and the 10-mile radius thereof, subject to the following restriction: Any duplication between the authority proposed herein and any other authority held by the carrier shall be considered as a single operating right, not severable by sale or otherwise. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 10655 (Sub-No. 10) (Amendment), filed March 3, 1966, published FEDERAL REGISTER issue March 24, 1966, amended April 19, 1966, and republished as amended, this issue. Applicant: ROETHLISBERGER TRANSFER COMPANY, a corporation, Mohican Street, Shelby, Ohio. Applicant's representative: Paul F. Beery, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Automobile tail pipes, pool tables, pool table parts and equipment, bowling alley parts and equipment, and pin spotter parts and equipment, and materials and supplies used in the manufacture of automobile tail pipes, pool tables, pool table parts and equipment, bowling alley parts and equipment, and pin spotter parts and equipment*, between Shelby and Toledo, Ohio; (1) from Shelby, Ohio, north over Ohio Highway 61 to junction Ohio Highway 61 and U.S. Highway 224, thence west over U.S. Highway 224, to junction U.S. Highway 224 and Ohio Highway 18, thence west over Ohio Highway 18 to junction Ohio Highway 18 and U.S. Highway 23, thence north over U.S. Highway 23 to junction U.S. Highway 23 and Ohio Highway 199, thence north over Ohio Highway 199 to junction Ohio Highway 199 and U.S. Highway 20, thence west over U.S. Highway 20 to Toledo, Ohio, and return over the same route, serving no intermediate points, and (2) from Shelby, Ohio, north over Ohio Highway 61 to junction Ohio Highway 61 and U.S. Highway 224, thence west over U.S. Highway 224 to junction U.S. Highway 224 and Ohio Highway 18, thence west over Ohio Highway 18 to junction Ohio Highway 18 and U.S. Highway 23, thence north over U.S. Highway 23 to junction U.S. Highway 23 and Ohio Highway 199, thence north over Ohio Highway 199 to junction Ohio Highway 199 and U.S. Highway 20, thence west over U.S. Highway 20 to junction U.S. Highway 20 and Interstate Highway 280, thence north over Interstate Highway 280 to Toledo, Ohio, and return over the same route, serving no intermediate points. NOTE: The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 14295 (Sub-No. 6) filed April 18, 1966. Applicant: D.G. & U. TRUCK LINES, INC., 1215 West Mound Street, Columbus, Ohio. Applicant's representative: William E. Rance, 1200 West Fifth Avenue, Columbus, Ohio, 43212. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between junction Ohio Highway 73 and U.S. Highway 127 and Cincinnati, Ohio, from junction Ohio Highway 73 and U.S. Highway 127, thence over U.S. Highway 127 to Cincinnati, Ohio, and return over the same route, serving no intermediate points, and as an alternate route for operating convenience only, in connection with applicant's presently authorized regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 17002 (Sub-No. 33), filed April 20, 1966. Applicant: CASE DRIVEWAY, INC., 6001 U.S. Route 60, East Huntington, W. Va. Applicant's representative: Paul F. Sullivan, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles* as described in appendix V to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Hennepin, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 18253 (Sub-No. 22), filed April 21, 1966. Applicant: EASTERN MOTOR DISPATCH, INC., 1215 West Mound Street, Columbus, Ohio. Applicant's representative: William E. Rance, 1200 West Fifth Avenue, Columbus, Ohio, 43212. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment other than refrigeration), serving the plantsite of the P. H. Gladfelter Paper Co., at Spring Grove, Pa., as an off-route point in connection with applicant's presently authorized regular-route operations. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 19215 (Sub-No. 3), filed April 15, 1966. Applicant: SIGLE TRUCKING CO., a corporation, Box 332, North Lima, Ohio. Applicant's representative: Joe F. Asher, Suite 1680, 88 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Limestone and limestone products; fertilizer and fertilizer compounds, ingredients and materials; insecticides, herbicides and fungicides; and iron-bearing agglomerates*, from points in Mahoning Township, Lawrence County, Pa., to points in Ohio, on and east of U.S. Highway 23, and points in West Virginia, on and north of U.S. Highway 50; and (2) *iron-bearing fines*, from points in Ohio, on and east of U.S. Highway 23 and points in West Virginia, on and north of U.S. Highway 50, to points in Mahoning Township, Lawrence County, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 19227 (Sub-No. 107), filed April 13, 1966. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles requiring the use of special equipment and parts thereto* when moving in connection therewith, between points in Colorado, on the one hand, and, on the other, points in California, Florida, Illinois, Indiana, Maryland, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia. NOTE: Applicant states it holds authority to transport commodities which because of size or weight require the use of special equipment, between points in Florida on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, traversing Arkansas and Iowa for operating convenience only. By tacking through Florida applicant would be in a position to transport shipments from and to Colorado to and from the States named. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 21170 (Sub-No. 212), filed April 20, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Hussmann Refrigerator Co., at St. Charles Rock Road and Taussig Road, Bridgeton, Mo., as an off-route point in connection with applicant's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 21945 (Sub-No. 2), filed April 12, 1966. Applicant: P. A. K. TRANSPORT, INC., 96 Laurel Street, Newport, N.H. Applicant's representative: Andre J. Barbeau, 795 Elm Street, Manchester, N.H. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas*, (2) *groceries*, (3) *fruits and vegetables*, and (4) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with bananas, groceries, fruits, and vegetables, from Boston, Mass., to Newport, N.H. NOTE: Applicant states that under the proposed contract carrier service a representative of the shipper will travel to and from Boston, Mass., on applicant's vehicle for the purpose of purchasing the commodities that are to be transported by the applicant. Applicant holds common carrier authority under MC 32948 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 25708 (Sub-No. 21), filed April 12, 1966. Applicant: LANEY TANK LINES, INCORPORATED, 1009 Church Street, Camden, S.C. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C., 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquified petroleum gas*, in bulk, in tank vehicles, from the site of the pipeline terminal of the Dixie Pipe Line Co. located near Alma, Ga., to points in South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 25798 (Sub-No. 138), filed April 15, 1966. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. Applicant's representative: Harry Ross, 848 Warner Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed and feed ingredients and supplements thereto* (except in bulk, in tank vehicles), from points in La Fourche Parish, La., to points in Missouri, Kansas, Iowa, Nebraska, Illinois, Wisconsin, Minnesota, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 25869 (Sub-No. 68), filed April 18, 1966. Applicant: NOLTE BROS. TRUCK LINES, INC., Post Office Box 7184, South Omaha, Nebr. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Tama, Iowa, to points in Colorado, Wyoming, Nebraska, Iowa, Illinois, Indiana, Ohio, and Michigan. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 25869 (Sub-No. 69), filed April 18, 1966. Applicant: NOLTE BROS. TRUCK LINES, INC., Post Office Box 7184, South Omaha, Nebr. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, serving Clarinda, Iowa, and the plantsite of Nodaway Packing Co. at or near Clarinda, Iowa, as intermediate or off-route points in connection with applicant's authorized regular route authority between Omaha, Nebr., and Churdan, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 27845 (Sub-No. 2), filed April 11, 1966. Applicant: BITER'S FREIGHT SYSTEMS, INC., 1800 North Olden Avenue, Trenton, N.J., 08638. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between points in Ewing Township, N.J., on the one hand, and, on the other, points in that part of New Jersey south and east of U.S. Highway 130, beginning at Camden, N.J., and extending to New Brunswick, N.J. (but not including points in New Jersey within thirty (30) miles of City Hall, New York, N.Y.). NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 29120 (Sub-No. 87), filed April 21, 1966. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and liquid commodities in bulk, in tank vehicles), from Fargo, N. Dak., to points in Illinois, on and north of U.S. Highway 136 (except Chicago, Ill.). NOTE: Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 30374 (Sub-No. 17), filed April 18, 1966. Applicant: MOEY LIHN, doing business as TRI-STATE TRANSPORTATION CO., West and Railroad Avenue, Post Office Box 1, Vineland, N.J. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel, and materials, supplies and equipment* used in the manufacture of wearing apparel, between points in Cumberland, Salem, Atlantic, Camden, and Gloucester Counties, N.J., on the one hand, and, on the other, points in Hudson, Bergen, Passaic, and Essex Counties, N.J. NOTE: Applicant states that it intends to tack the proposed authority with existing authority, in which it is authorized to operate in the States of Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and West Virginia, and the District of Columbia. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 31024 (Sub-No. 35), filed April 21, 1966. Applicant: NEPTUNE WORLD-WIDE MOVING, INC., 55 Weyman Avenue, New Rochelle, N.Y. Applicant's representative: S. S. Eisen, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tabulating machines*, uncrated; between points in Wake and Durham Counties, N.C., on the one hand, and, on the other, points in the

United States (except those in Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31617 (Sub-No. 3), filed April 18, 1696. Applicant: W.G. THALMANN, doing business as JONES TRUCK LINE, RFD 6, Hopkinsville, Ky. Applicant's representative: Harold Seligman, 1808 West End Building, 12th Floor, Nashville, Tenn., 37203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, petroleum products in bulk) between points in that part of Kentucky on and west of U.S. Highway 31W, not including Louisville, Ky., on the one hand, and on the other Evansville, Ind., Copperhill, Tenn., and points in Tennessee west of U.S. Highway 27. NOTE: Applicant states it presently holds authority under certificate 31617, a grandfather certificate, which includes many items which are classified general commodities. The present application is to broaden and clarify the existing certificate with regard to general commodities. The present certificate includes without limitation agricultural commodities, household goods, machinery, building materials, junk, acids, scrap metals, hides, wool, and fertilizer, over irregular routes between the points requested in this application. Applicant would surrender its existing certificate except for household goods; machinery and building materials, which because of size and weight require specialized handling; and acids and fertilizer in bulk, conditioned upon the grant of the instant application. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 32948 (Sub-No. 11), filed April 15, 1966. Applicant: P. A. K. TRANSPORT, INC., 96 Laurel Street, Newport, N.H., 03773. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated structural beams and arches, prefabricated buildings, complete, knocked down, or in sections*, and when transported in connection with such buildings, *component parts thereof and equipment and materials incidental to the erection and completion of such buildings*, from points in Sullivan County, N.H., to points in Windham, Windsor, and Orange Counties, Vt. NOTE: Applicant is authorized to operate as a contract carrier in MC 21945, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 32948 (Sub-No. 12), filed April 22, 1966. Applicant: P. A. K. TRANSPORT, INC., 96 Laurel Street, Newport, N.H., 03773. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, from New Haven, Conn., to points in Vermont and New Hampshire. NOTE: Applicant holds contract carrier authority in MC 21945, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Claremont, N.H.

No. MC 41255 (Sub-No. 51), filed April 18, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned, prepared and preserved foodstuffs*, from Haddock, Ga., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, and *damaged, refused and returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 41432 (Sub-No. 97), filed April 15, 1966. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 623 North Washington Avenue, Post Office Box 26040, Dallas, Tex., 75226. Applicant's representative: Paul M. Daniell, Suite 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Stone Mountain, Tucker and Tucker-Stone Mountain industrial district, Georgia, as off-route points in connection with applicant's regular route operations from and to Atlanta, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 41951 (Sub-No. 6), filed April 18, 1966. Applicant: WHEATLEY TRUCKING, INC., Cambridge, Md. Applicant's respresentative: M. Bruce Morgan, 206 Azar Building, Glen Burnie, Md., 21061. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, except frozen, and in bulk, from Cambridge, Md., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, with *damaged or refused shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 43654 (Sub-No. 66), filed April 11, 1966. Applicant: DIXIE OHIO EXPRESS, INC., Post Office Box 750, Akron, Ohio, 44309. Applicant's representative: John P. Carlton, 325–29 Frank Nelson Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except perishables, livestock, petroleum and its products, in tank trucks, coal, sand, gravel, grain, household goods as defined by the Commission, classes A and B explosives, and those requiring special equipment, serving the plantsite of Revere Copper and Brass, Inc., located at or near Scottsboro, Ala., as an off-route point in connection with carrier's authorized regular route operations between Akron, Ohio, and Atlanta, Ga., and Birmingham, Ala. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 94350 (Sub-No. 167), filed April 19, 1966. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Transit Homes Building, Post Office Box 1628, Greenville, S.C. Applicant's representative: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Knox County, Ohio, to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, including the State of Louisiana, and *damaged or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 47142 (Sub-No. 90), filed April 11, 1966. Applicant: C. I. WHITTEN TRANSFER COMPANY, a corporation, 200 19th Street, Huntington, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives, and blasting agents, blasting materials, and blasting supplies*, between Reynolds and Tamaqua, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, New Hampshire, and Rhode Island. NOTE: Applicant states it will tack the proposed authority with its existing authority in the States of Pennsylvania, Virginia, North Carolina, West Virginia, Ohio, Kentucky, Indiana, and Illinois. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 49304 (Sub-No. 17), filed April 15, 1966. Applicant: BOWMAN TRUCKING COMPANY, INC., Post Office Box 6, Stephens City, Va. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va., 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone*, from points in Madison and Rappahannock Counties, Va., to points in Allegheny and Washington Counties, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 50069 (Sub-No. 354), filed April 15, 1966. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill., 60521. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Detroit, Mich., to Baltimore, Md.; High Point, N.C.; Roanoke, Va.; Jacksonville and Miami, Fla.; and Athol, Mass. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 50069 (Sub-No. 355), filed April 18, 1966. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill., 60521. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from Genoa, Ohio, to Taft, La. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 50069 (Sub-No. 356), filed April 18, 1966. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill., 60521. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Brecksville, Ohio, to points in Michigan. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Detroit, Mich.

No. MC 50069 (Sub-No. 357), filed April 18, 1966. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 933 North York Road, Hinsdale, Ill., 60521. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal fats, animal oils, vegetable oils, including products and blends thereof*, in bulk, from Chicago, Ill., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Tennessee, Vermont, West Virginia, Virginia, Wisconsin, and the District of Columbia, (2) *animal fats, and animal oils*, in bulk, in tank vehicles, from Cedar Rapids, Denison, Des Moines, Dubuque, Estherville, Ottumwa, and Sioux City, Iowa; Kansas City, Mo.; Kansas City, Kans.; Albert Lea, Austin, Duluth, St. Cloud, and St. Paul, Minn.; Lincoln and Omaha, Nebr.; Sioux Falls, S. Dak.; and Cudahy and Milwaukee, Wis.; to Chicago, Ill., and (3) *vegetable oils*, in bulk, in tank vehicles, from points in Illinois, Indiana, Iowa, Missouri, Tennessee, and Wisconsin, to Chicago, Ill. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 50493 (Sub-No. 29), filed April 8, 1966. Applicant: P. C. M. TRUCKING, INC., 1063 Main Street Orefield, Pa. Applicant's representative: Frank A. Doocey, 527 Hamilton Street, Allentown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed mix material*, in bulk, in dump vehicles and pneumatic trailers, between points in New York, Rhode Island, Pennsylvania, New Jersey, Massachusetts, and Connecticut. NOTE: Applicant holds contract carrier authority in MC 115859 Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 50935 (Sub-No. 11), filed April 15, 1966. Applicant: WOLVERINE TRUCKING COMPANY, a corporation, 8205 Mount Elliott, Detroit, Mich., 48211. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Building, 1001 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Detroit, Mich., to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 52110 (Sub-No. 97), filed April 20, 1966. Applicant: BRADY MOTORFRATE, INC., 1223 Sixth Avenue, Des Moines, Iowa. Applicant's representative: B. W. LaTourette, Jr., Suite 1230, Boatmen's Building, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, bullion, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between the plantsite of Hussmann Refrigerator Co. at St. Charles Rock Road and Taussig Road in Bridgeton, Mo., on the one hand, and, on the other, points in Iowa, South Sioux City, Lincoln, and Omaha, Nebr.; Chicago, Ill., Albert Lea, Rochester, Chemolite Siding, Minneapolis and St. Paul, Minn., Canton, Mitchell, Sioux Falls, and Yankton, S. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 55236 (Sub-No. 131), filed April 18, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A and B explosives*, between Green Bay, Wis., and K. I. Sawyer Air Force Base, located at or near Sands, Mich.; from Green Bay over U.S. Highway 41 to junction Marquette County Michigan Highway 480, thence over Marquette County Highway 480 to junction Marquette County Highway 553, and thence over Marquette County Highway 553 to the U.S. K. I. Sawyer Air Force Base, and return over the same route, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 59117 (Sub-No. 24), filed April 18, 1966. Applicant: ELLIOTT TRUCK LINE, INC., Post Office Box 1, Vinita, Okla. Applicant's representative: Leslie R. Kehl, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia, ammonium nitrate, urea, acids, fertilizers, fertilizer solutions, and fertilizer materials*, liquid and dry, in bulk, and (2) *ammonium nitrate, urea, fertilizer materials, and fertilizer ingredients*, dry, in bags, from Helena, Ark., and points in Arkansas within 10 miles thereof, to points in Iowa, Kansas, Missouri, Nebraska, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 64650 (Sub-No. 18), filed April 18, 1966. Applicant: W. T. COWAN, INCORPORATED, 820 South Oldham Street, Baltimore, Md., 21224. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, serving points in Nassau and Suffolk Counties, N.Y., as intermediate and off-route points in connection with applicant's presently authorized regular route authority in MC 64650. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 67200 (Sub-No. 22), filed April 20, 1966. Applicant: THE FURNITURE TRANSPORT COMPANY, INC., Furniture Row, Post Office Box 392, Milford, Conn., 06461. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by furniture, homefurnishings and retail department stores*, between points in Connecticut and points in Massachusetts. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 67450 (Sub-No. 20), filed April 15, 1966. Applicant: PETERLIN CARTAGE CO., a corporation, 9651 South Ewing Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlon, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar, syrup and blends thereof*, in bulk, in tank vehicles, (1) from Detroit, Mich., to points in Ohio, and, (2) from Toledo, Ohio, to points in Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., Chicago, Ill., or Cleveland, Ohio.

No. MC 67450 (Sub-No. 21), filed April 15, 1966. Applicant: PETERLIN CARTAGE CO., a corporation, 9651 South Ewing Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlon, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar and syrups, and blends, mixtures and products thereof*, from Louisville, Ky., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Tennessee, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Louisville, Ky.

No. MC 69116 (Sub-No. 98), filed April 15, 1966. Applicant: SPECTOR FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill., 60606. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Refractory products*, serving points in Audrian, Callaway, and Montgomery Counties, Mo., as off-route points in connection with applicant's presently authorized regular route authority. NOTE: If a hearing is

deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 69402 (Sub-No. 2), filed April 14, 1966. Applicant: BEE LINE TRUCKING COMPANY, a corporation, 718 South Seventh Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between St. Louis, Mo., and points in the St. Louis, Mo., East St. Louis, Ill., commercial zone, as defined by the Commission, and the plantsite of Hussmann Refrigerator Co., located in St. Louis County, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 69492 (Sub-No. 33), filed April 14, 1966. Applicant: HENRY EDWARDS, doing business as HENRY EDWARDS TRUCKING COMPANY, Post Office Box 97, Clinton, Ky. Applicant's representative: Walter Harwood, Nashville Bank & Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, commodities in bulk, commodities requiring special equipment, and commodities injurious or contaminating to other lading), serving La Center, Wingo, and Water Valley, Ky., as off-route points in connection with applicant's authorized regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Paducah, Ky.

No. MC 71478 (Sub-No. 31), filed March 18, 1966. Applicant: THE CHIEF FREIGHT LINES COMPANY, a corporation, 2401 North Harvard, Tulsa, Okla., 74115. Applicant's representative: Carl V. Kretsinger, Suite 510 Professional Building, Kansas City, Mo., 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Glass products*, (1) serving Ada, Okla., as an off-route point in connection with applicant's presently authorized regular-route operations between Tulsa and Oklahoma City, Okla., and between Dallas and Fort Worth, Tex., and (2) serving Muskogee, Okla., as an off-route point in connection with applicant's presently authorized regular-route operations between Kansas City, Mo., and Tulsa, Okla. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 71516 (Sub-No. 79), filed April 13, 1966. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue, South Birmingham, Ala. Applicant's representative: Robert E. Tate, Suite 2025–2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring specialized equipment), (1) between Lincoln, Ill. and junction Illinois Highway 98, Interstate Highway 74 and U.S. Highway 150, at or near Morton, Ill., over Illinois Highway 121, (2) between Bloomington, Ill. and junction Illinois Highway 98, Interstate Highway 74 and U.S. Highway 150, over U.S. Highway 150, (3) between Bloomington, Ill. and Champaign-Urbana, Ill., over U.S. Highway 150, and (4) between Decatur, Ill. and junction Illinois Highways 47 and 10, over Illinois Highway 47, serving no intermediate points in (1), (2), (3), and (4) above, as alternate routes for operating convenience only in connection with applicant's authorized regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 73390 (Sub-No. 5), filed April 18, 1966. Applicant: H. A. HARTMAN & SON, INC., 537 North Front Street, Steelton, Pa. Applicant's representative: John W. Frame, 2207 Old Gettysburg Road, Post Office Box 626, Camp Hill, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, between points in that part of Pennsylvania south and east of a line extending from Philadelphia, Pa., along U.S. Highway 422 to Reading, Pa., thence along U.S. Highway 122 to Sunbury, Pa., thence along Pennsylvania Highway 14 to Northumberland, Pa., thence along U.S. Highway 11, to Selinsgrove, Pa., and thence along U.S. Highway 522 to the Pennsylvania-Maryland State line, on the one hand, and, on the other, points in Pennsylvania. NOTE: Applicant states that the above operation is to be restricted to shipments having a prior or subsequent movement beyond said points by a motor carrier, other than applicant; and, restricted to pickup or delivery service incidental to and in connection with storage-in-transit; or, packing, crating, and containerization; or unpacking, uncrating, and decontainerization of shipments. Application accompanied by motion for dismissal. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 75185 (Sub-No. 266), filed April 21, 1966. Applicant: SERVICE TRUCKING CO., INC., Post Office Box 276, Preston Road, Federalsburg, Md., 21632. Applicant's representative: James W. Lawson, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen or in bulk), moving in insulated equipment, from Cambridge, Md., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 78228 (Sub-No. 12), filed April 18, 1966. Applicant: THE J. MILLER COMPANY, a corporation, 147 Nichol Avenue, McKees Rocks, Pa. Applicant's representative: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, and household goods as defined by the Commission), between the plantsites or other facilities of Jones & Laughlin Steel Corp. located at or near Hennepin, Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 83539 (Sub-No. 179), filed April 8, 1966. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron and plastic pipe and pipe fittings* (except those requiring the use of special equipment because of their size and weight, and except those items described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from Tyler, Tex., to points in Arkansas, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin.

NOTE: Applicant states it now holds no authority that will tack with the authority sought herein. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83539 (Sub-No. 180), filed April 11, 1966. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rust preventative pipeline coating* in metal drums, from Indianapolis, Ind., to points in Michigan and Wisconsin. NOTE: Applicant states it does not propose to tack the authority sought herein to its present authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 85934 (Sub-No. 42), filed April 14, 1966. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming Avenue, Dearborn, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals, cleaning compounds, liquid starch, liquid, and dry animal and poultry feed*, in bulk, in tank or hopper type vehicles, from Harbor Beach, Mich., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, New Jersey, North Carolina, Tennessee, Texas, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 87720 (Sub-No. 50), filed April 18, 1966. Applicant: BASS TRANSPORTATION CO., INC., Star Route A, Old Croton Road, Flemington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic bottles, jars, jugs, together with closures*, in cartons or containers, from Nashua, N.H., to points in New Jersey, Pennsylvania, on and east of U.S. Highway 11, and New York, N.Y., points in Nassau, Suffolk, Westchester, Putnam, Dutchess, Columbia, Rensselaer, Albany, Greene, Ulster, Orange, and Rockland Counties, N.Y., and (2) *rejected, returned and damaged shipments*, from the above-described destination territory to the above-described origin point. NOTE: Applicant states the service to be performed is restricted to a service under contract with Bemis Co., Inc., located at or near East Pepperell, Mass. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 92983 (Sub-No. 512), filed April 13, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugars and syrups*, including blends and products thereof, in bulk, from points in Colorado, to points in California, Illinois, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 513), filed April 15, 1966. Applicant: ELDON MILLER, INC., 531 Walnut Street, Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from points in Kansas to points in Arkansas, Colorado, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 93944 (Sub-No. 3), filed April 18, 1966. Applicant: DANELLA BROS., INC., 250 Diamond Avenue, Norristown, Pa. Applicant's representative: Morris J. Winokur, Suite 1920, 2 Penn Center Plaza, John F. Kennedy Boulevard at 15th Street, Philadelphia, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel, slag, slag products, and bituminous concrete*, between points in Falls Township, Pa., on the one hand, and, on the other, points in New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 94265 (Sub-No. 179), filed April 12, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's reprsentative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C., 209 and 766, from Oakland, Iowa, and points within 5 miles thereof, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Washington, D.C.

No. MC 94350 (Sub-No. 165), filed April 15, 1966. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Greenville, S.C. Applicant's representative: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Stephens County, Okla., to points in Louisiana and points in the United States on and west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, excluding Hawaii, but including Alaska, and *damaged or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 94350 (Sub-No. 166), filed April 14, 1966. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Post Office Box 1628, Transit Homes Building, Greenville, S.C. Applicant's representative: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, from points in Pickens County, S.C., to points in Virginia, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 85233 (Sub-No. 2), filed April 18, 1966. Applicant: METRO CARRIER CORP., 18 Vreeland Avenue, Clifton, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic and glass containers*, from the plantsite of the Modern Decorating Co., Paterson, N.J., to Deer Park, East Hills, Farmingdale, and Glen Cove, N.Y., and *empty pallets*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 95540 (Sub-No. 669), filed April 15, 1966. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway, director of operating rights, Watkins Motor Lines, Inc., Albany Highway, Thomasville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from Fort Wayne, Ind., to points in Arkansas, Florida, Georgia, Iowa, Kansas, Missouri, Oklahoma, and West Virginia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 95540 (Sub-No. 670), filed April 18, 1966. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway, director of operating rights, Watkins Motor Lines, Inc., Albany Highway, Thomasville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, frozen foods, food products and chewing gum*, from points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, and Pennsylvania, to points in Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 95540 (Sub-No. 671), filed April 18, 1966. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomas-

ville, Ga. Applicant's representative: Jack M. Holloway, director of operating rights, Watkins Motor Lines, Inc., Albany Highway, Thomasville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, potato and potato products*, from Detroit, Mich., to points in Alabama, Connecticut, Florida, Georgia, Maryland, Massachusetts, New York, Pennsylvania, Virginia, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 95540 (Sub-No. 672), filed April 18, 1966. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway, director of operating rights, Watkins Motor Lines, Inc., Albany Highway, Thomasville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, dessert toppings*, in cans (aerated or nonaerated), boxes or fruit tins, *coffee whitener*, in cartons, plastic bottles, for use in tea, coffee, cereals, and cooking and in dry form when shipped in small quantities not to exceed 10 percent of the truckload, *bakery goods, such as eclairs, chocolate rolls*, in boxes, not to exceed 10 percent of the truckload, from Buffalo, N.Y., to points in Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Washington, D.C.

No. MC 97344 (Sub-No. 5), filed April 15, 1966. Applicant: HARPETH FREIGHT LINES, INC., Post Office Box 444, Columbia Avenue, Franklin, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission and commodities requiring special equipment), (1) between Franklin and Nashville, Tenn.; (a) over U.S. Highway 31, and (b) over Tennessee Highway 106 (U.S. Highway 431), and (2) between Arrington and Nashville, Tenn.; from Arrington over Tennessee Highway 96 to junction Interstate Highway 65, and thence over Interstate Highway 65 to Nashville, and return over the same route, serving all intermediate points on the indicated portions of the highways specified in (1) and (2) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 100666 (Sub-No. 81), filed April 18, 1966. Applicant: MELTON TRUCK LINES, INC., Box 7295, Shreveport, La. Applicant's representative: Wilburn L. Williamson, 443–54 American Building, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, from Hennepin, Ill., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, and Florida, and (2) *materials and supplies used in the manufacture and distribution of iron and steel articles*, from the destination States named in (1) above, to Hennepin, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield or Chicago, Ill.

No. MC 102616 (Sub-No. 796), filed April 12, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement*, (1) from the terminal site of the Capital Cement Co., Division of Martin-Marietta Corp., located at or near Pittsburgh, Pa., to points in Trumbull, Mahoning, Columbiana, Jefferson, Harrison, Belmont, Monroe, and Noble Counties, Ohio, and points in Tyler, Wetzel, Harrison, Taylor, and Monongalia Counties, W. Va., and that area in West Virginia north of the named counties, and (2) from the terminal site of the Capital Cement Co., Division of Martin-Marietta Corp., located at or near Parkersburg, W. Va., to points in Jefferson, Harrison, Belmont, Monroe, and Noble Morgan, Washington, Athens, Meigs, Gallia, and Lawrence Counties, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103051 (Sub-No. 208), filed April 14, 1966. Applicant: FLEET TRANSPORT COMPANY, INC., 1000 44th Avenue, Post Office Box 7645, Nashville, Tenn., 37209. Applicant's representative: R. J. Reynolds, Jr., 403–11 Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, in tank vehicles, from points in Barbour, Bullock, Coffee, Dale, Elmore, Geneva, Henry, Houston, Lee, Macon, Montgomery, Pike, and Russell Counties, Ala., and Alachua, Baker, Bradford, Calhoun, Clay, Columbia, Dixie, Duval, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Jackson, Jefferson, Lafayette, Leon, Liberty, Madison, Nassau, Putnam, St. Johns, Suwannee, Taylor, Union, Wakulla, and Washington Counties, Fla. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 106291 (Sub-No. 6), filed April 15, 1966. Applicant: E. B. ST. JOHN, doing business as ST. JOHN TRUCK LINE, Byhalia, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, other than small arms ammunition, household goods as defined in *Practices of Motor Carriers of Household Goods* 17, M.F.I.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Red Banks, Miss., to Memphis, Tenn., from Red Banks, Miss., over U.S. Highway 78, to Memphis, Tenn., and return over the same route, serving all intermediate points, and offroute points within 7 miles of U.S. Highway 78. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 106400 (Sub-No. 64), filed April 11, 1966. Applicant: KAW TRANSPORT COMPANY, a corporation, 701 North Sterling, Sugar Creek, Mo., 64054. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glues and adhesives*, in bulk, in tank vehicles, from Kansas City, Kans., to points in Missouri, Kansas, Oklahoma, Texas, Colorado, Nebraska, Iowa, Arkansas, Louisiana, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 106644 (Sub-No. 65), filed April 18, 1966. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. Applicant's representative: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, as described by the Commission, from Hennepin (Putnam County), Ill., to points in Kansas, Texas, Missouri, Wisconsin, Indiana, Tennessee, Louisiana, Georgia, Oklahoma, Iowa, Arkansas, Michigan, Kentucky, Mississippi, Alabama, Florida, North Carolina, South Carolina, and Virginia, and (2) *articles used in the manufacture of iron and steel or iron and steel articles, and commodities used in the maintenance of steel plants*, from points in Kansas, Texas, Missouri, Wisconsin, Indiana, Tennessee, Louisiana, Georgia, Oklahoma, Iowa, Arkansas, Michigan, Kentucky, Mississippi, Alabama, Florida, North Carolina, South Carolina, and Virginia, to Hennepin (Putnam County), Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106760 (Sub-No. 59) (Correction), filed March 30, 1966, published FEDERAL REGISTER issue of April 14, 1966, and republished as corrected this issue. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building, from Detroit, Mich., to points in Alabama, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that it presently holds authority to transport prefabricated houses and buildings, prefabricated house and building sections, prefabricated house and building panels, with parts and accessories. Division 1 has interpreted this authority that all commodities authorized may be transported only when intended for use in a prefabricated house or building. The purpose of this application is to remove the obligation of predetermining the degree of prefabrication of the building in the intended use as applied by Division 1. It is requested that application be dismissed on the basis that applicant already holds authority as applied for herein. The purpose of this republication is to include certain destination States that were omitted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107286 (Sub-No. 21), filed April 18, 1966. Applicant: M. PASCALE TRUCKING, INC., 8–10 Rice Street, South Attleboro, Mass., 02774. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, in vehicles equipped with mechanical loading and unloading devices, from Bridgewater and Middleborough, Mass., to Attleboro, Mass., and points in Connecticut. NOTE: Applicant states it is his intent to tack the proposed authority to its authorized authority contained in certificate No. MC 107286. If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 107403 (Sub-No. 675), filed April 15, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, in tank vehicles, from points in New Jersey. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107403 (Sub-No. 676), filed April 18, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Selkirk, N.Y., to Auburn and Brewer, Maine. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 469), filed April 14, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in pneumatic type trailers, from the plantsite of Cowles Chemical Co., at or near Joliet, Ill., to points in Ohio, Michigan, Missouri, Iowa, Indiana, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107496 (Sub-No. 470), filed April 14, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, acids, and chemicals*, in bulk and in bags, from the plantsite of Terra Chemicals International, Inc., at Port Neal, Iowa, to points in Iowa, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Kansas, Nebraska, Wyoming, Colorado, and Montana. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Des Moines, Iowa.

No. MC 107496 (Sub-No. 471), filed April 14, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer and fertilizer ingredients*, in bulk, in tank vehicles (except cryogenic liquids, in bulk, in tank vehicles), from the plantsite of Apple River Chemical Co., at Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 107515 (Sub-No. 546), filed April 11, 1966. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Atlanta, Ga., 30310. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Granulated shellac* in bags, from Memphis, Tenn., to Augusta and Savannah, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 108067 (Sub-No. 11), filed April 18, 1966. Applicant: AL ZEFFIRO TRANSFER AND STORAGE, INC., Eighth Street and Meldon Avenue, Donora, Pa. Applicant's representative: Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precut and prefabricated buildings and materials, equipment, supplies, fixtures, appliances and accessories used or useful in construction, selling or distribution thereof*, from Beaver Borough, Lawrence County, Pa., to points in Allen, Crawford, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lorain, Lucas, Marion, Morrow, Ottawa, Paulding, Putnam, Richland, Sandusky, Seneca, Van Wert, Williams, Wood, and Wyandot Counties, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 108188 (Sub-No. 11), filed April 15, 1966. Applicant: ROLLO TRUCKING CORPORATION, INC., 295 Broadway, Keyport, N.J. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Muriatic acid*, in bulk, in tank vehicles, from the plantsite of Standard Chlorine of Delaware, Inc., located at or near Delaware City, Del., to points in New Jersey, Maryland, that part of Pennsylvania on and east of U.S. Highway 220, that part of Virginia on and east of a line beginning at the Virginia-North Carolina State line and extending along U.S. Highway 220 to and including Roanoke, Va., and thence along U.S. Highway 11 to the Virginia-West Virginia State line, that part of New York, on, east, south, and west of a line beginning at the New York-Pennsylvania State line and extending along New York Highway 34 to Waverly, N.Y., thence along New York Highway 17 to Binghamton, N.Y., thence along New York Highway 7 to and including Troy, N.Y., thence along U.S. Highway 4 to junction U.S. Highway 9, thence along U.S. Highway 9 to junction U.S. Highway 6, thence along U.S. Highway 6 to the New York-Connecticut State line, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108207 (Sub-No. 188), filed April 21, 1966. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Post Office Box 5888, Dallas, Tex., 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from Lafayette, La., to points in Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 108228 (Sub-No. 28), filed April 12, 1966. Applicant: MILES TRUCKING CO., INC., Post Office Box 578, Plant City, Fla. Applicant's representative: Thomas F. Kilroy, Federal Bar Building, 1341 G Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and potato products* (except frozen with and without other ingredients, cooked diced, flaked, powdered, shredded, and sliced), from Detroit, Mich., to points in Illinois, Missouri, Kentucky, Tennessee, Arkansas, Louisiana, Mississippi, Florida, Georgia, Alabama, South Carolina, North Carolina, Indiana, Virginia, West Virginia, Ohio, Maryland, Delaware, New Jersey, New York, Pennsylvania, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 108449 (Sub-No. 226) (Correction), filed March 2, 1966, published FEDERAL REGISTER issue of March 18, 1966, and republished as corrected, this issue. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn., 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid dispenserts, refrigerants, and mixtures thereof*, in bulk, in tank vehicles, from Minneapolis and St. Paul, Minn., to points in Illinois, Indiana, and Wisconsin. NOTE: The purpose of this correction is to show the correct commodities to be transported, in lieu of *liquid dispensers* shown in pre-

vious publication, in error. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 109326 (Sub-No. 89), filed April 18, 1966. Applicant: C & D TRANSPORTATION CO., INC., Post Office Box 1503, Mobile, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, frozen foods, food products, and chewing gum*, from points in Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Maryland, and Delaware, to points in Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Mississippi, and Louisiana, and *returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 109376 (Sub-No. 5), filed April 18, 1966. Applicant: E. R. SKINNER, doing business as E. R. SKINNER TRANSFER, Reedsburg, Wis. Applicant's representative: Claude J. Jasper, Suite 301, Provident Building, 111 South Fairchild Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Logs and rough lumber*, from that part of Wisconsin on and west of U.S. Highway 51 from the Illinois-Wisconsin State line to Wausau, Wis., and on and south of Wisconsin Highway 29 from Wausau, Wis., to the Minnesota-Wisconsin State line, to points in Gogebic County, Mich.; and (2) *lumber*, from points in the Upper Peninsula of Michigan to points in the above described territory in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 109589 (Sub-No. 3), filed April 20, 1966. Applicant: ILLMO TRANSFER, INC., 1508 North Park Avenue, Herrin, Ill., 62948. Applicant's representative: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsite of Hussmann Refrigerator Co., located at St. Charles Rock Road and Taussig Road, Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular route authority. NOTE: Applicant states that Hussmann Refrigerator Co. is in the process of relocating its plant and facilities from within the City of St. Louis, Mo., to the above plantsite and has requested carriers presently serving it in St. Louis, Mo., to request authority as above so as to be able to continue service at its new facility. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 109633 (Sub-No. 11), filed April 11, 1966. Applicant: ARBET TRUCK LINES, INC., 222 East 135th Place, Chicago, Ill., 60627. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities requiring special equipment, and those injurious or contaminating to other lading), between Indianapolis, Ind., on the one hand, and, on the other, Louisville, Ky., Paducah, Ky., St. Louis, Mo., and points in Illinois on and south of Illinois Highway 119 and U.S. Highway 136. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109708 (Sub-No. 43), filed April 12, 1966. Applicant: ERVIN J. KRAMER, doing business as MARYLAND TANK TRANSPORTATION CO., 401 Highland Street, Frederick, Md. Applicant's representative: Wilmer B. Hill, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Lyons, North Rose, and Lyndonville, N.Y., to points in Virginia, North Carolina, South Carolina, Tennessee, Georgia, Alabama, and Florida. NOTE: Applicant has pending a contract carrier application in MC 126871, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 110193 (Sub-No. 145), filed April 18, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind., 46613. Applicant's representative: Walter J. Kobos (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Absorbent cotton*, in boxes, from New York, N.Y., to Jefferson City, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 110420 (Sub-No. 517), filed April 20, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chocolate, chocolate coatings, chocolate liquor, chocolate products, cocoa, butter, and confectioners' coating*, in bulk, in tank vehicles, from Fulton, N.Y., to points in Kentucky, Michigan, and Minneapolis, Minn., and Burlington, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110420 (Sub-No. 518), filed April 22, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium gluconate*, dry, in bulk, from Edison, N.J., to Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110420 (Sub-No. 519), filed April 22, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer and fertilizer ingredients* (except cryogenic liquids) in bulk, in tank vehicles, from the plantsite of the Apple River Chemical Co. located at Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 780), filed April 6, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Leonard A. Jaskiewicz, Esq., 1155 15th St., NW., Madison Building, Washington, D.C., 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea-formaldehyde resin*, in bulk, in tank vehicles, from Bainbridge, N.Y., to the ports of entry on the international boundary line between the United States and Canada at or near the Niagara River, for furtherance in foreign commerce. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 782), filed April 15, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank or hopper vehicles, from Henry, Ill., to points in Delaware, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, and West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 783), filed April 19, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrup, sweeteners, and blends thereof*, in bulk, in tank vehicles, from Edinburg, Ind., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110988 (Sub-No. 192), filed April 8, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqua ammonia*, in bulk, in tank vehicles, from Milwaukee, Wis., to points in Michigan, Iowa, Minnesota, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 110988 (Sub-No. 193), filed April 11, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, and *dry commodities*, in bags, when moving at the same time and in the same vehicle with liquid chemicals, from points in the Chicago, Ill., commercial zone, to points in Illinois, Indiana, Michigan, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 194), filed April 11, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis., 54957. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, in bulk, from Louisville, Ky., to points in Illinois, Indiana, Iowa, Minnesota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110988 (Sub-No. 195), filed April 11, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis., 54957. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from Weldon Springs, Mo., to points in Illinois, Indiana, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110988 (Sub-No. 196), filed April 11, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Resins and varnishes*, in bulk, from St. Louis, Mo., to points in Alabama, Arkansas, Colorado, Iowa, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, Minnesota, Mississippi, Nebraska, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110988 (Sub-No. 198), filed April 11, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis., 54957. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ink*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Illinois, Indiana, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 110988 (Sub-No. 199), filed April 12, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis., 54957. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from points in Iowa, to points in Illinois, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 110988 (Sub-No. 200), filed April 12, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, in bulk, in tank vehicles, from Kenton, Ohio, to points in Alabama, Georgia, Illinois, Indiana, Iowa, Michigan, Nebraska, North Carolina, Oregon, Pennsylvania, Tennessee, Washington, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110988 (Sub-No. 201), filed April 12, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Latex*, in bulk, in tank vehicles, from Mogadore, Ohio, to points in Illinois, Indiana, Minnesota, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 202), filed April 12, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, liquid, vinyl acetate, and latex*, in bulk in tank vehicles, from Illiopolis, Ill., to points in Colorado, Minnesota, Missouri, Kansas, Ohio, Wisconsin, Texas (except points within 50 miles of Houston), Indiana (except Wabash), Georgia (except Austell and Dalton), Pennsylvania (except Bloomsburg and New Carlyle), and Massachusetts, and Newark, N.Y., and Glen Cove, Long Island, and Saugerties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 203), filed April 12, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products*, from Evansville and Mount Vernon, Ind., and Owensboro, Ky., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 110988 (Sub-No. 205), filed April 18, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from Davenport, Iowa, and points within 5 miles thereof, to points in Illinois, Iowa, Minnesota, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 206), filed April 18, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial chemicals and fertilizers*, in bulk, in tank vehicles, from points in Woodbury County, Iowa, to points in Nebraska, South Dakota, North Dakota, Minnesota, Wisconsin, Wyoming, Montana, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 111435 (Sub-No. 29), filed April 21, 1966. Applicant: C & E TRUCKING CORPORATION, Rural Delivery No. 3, Box 42, Saugerties, N.Y. Applicant's representative: W. T. Croft, Federal Bar Building, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juices*, in bulk, in tank vehicles, from Fredonia, N.Y., to Philadelphia, Pa., and *exempt commodities*, on return. NOTE: Applicant states that under contract with the Fredonia Products Co., Inc., he already has authority to serve this shipper between other points and no increase in the number of shippers authorized to be served is authorized. If a hearing is deemed necessary,

applicant requests it be held at Washington, D.C., or Buffalo, N.Y.

No. MC 112304 (Sub-No. 17), filed April 15, 1966. Applicant: ACE DORN HAULING & RIGGING CO., a corporation, 1061 Blue Rock Street, Cincinnati, Ohio. Applicant's representative: James M. Burtch, 100 East Broad Street, Columbus, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials and supplies*, between Hennepin, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Iowa, Illinois, Indiana, Kansas, Kentucky, Louisiana, Lower Peninsula of Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, Nevada, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112520 (Sub-No. 143), filed April 19, 1966. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Helium*, in Government-owned trailers and (2) *empty trailers* owned by Government, between Waycross, Ga., on the one hand, and, on the other Eglin Air Force Base and Eglin Air Force Base facilities, Florida. NOTE: If a hearing is deemed necessary, applicant did not specify a location.

No. MC 112617 (Sub-No. 228), filed April 14, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's representative: L. A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, from points in Boyd County, Ky., to points in Mason County, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 112696 (Sub-No. 33), filed April 15, 1966. Applicant: HARTMANS, INCORPORATED, Post Office Box 898, Harrisonburg, Va. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between Baltimore, Md., and points in Atlantic and Cumberland Counties, N.J., on the one hand, and, on the other, points in West Virginia and that part of Virginia west of U.S. Highway 1. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112801 (Sub-No. 43), filed April 19, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, Cicero Station, Post Office Box 272, Chicago, Ill. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products*, in bulk, in tank or hopper type vehicles, from Danville, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 44), filed April 19, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, Post Office Box 272, Cicero Station, Chicago, Ill., 60650. Applicant's representative: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn flour*, in bulk, from Danville, Ill., to Elkhart, Ind. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 112801 (Sub-No. 45), filed April 19, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, Post Office Box 272, Cicero Station, Chicago, Ill., 60650. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn grits*, in bulk, from Danville, Ill., to Cincinnati, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113325 (Sub-No. 92), filed April 14, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone products and cement kiln dust*, from points in Jefferson County, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Tennessee, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113325 (Sub-No. 93), filed April 14, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from Sugar Creek, Mo., to points in Arkansas, Iowa, Kansas, Missouri, Nebraska, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 113325 (Sub-No. 94), filed April 14, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid adhesives*, in bulk, in tank vehicles, from Kansas City, Mo., to points in Nebraska, Missouri, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 113388 (Sub-No. 70), filed April 18, 1966. Applicant: LESTER C. NEWTON TRUCKING CO., a corporation, Post Office Box 265, Bridgeville, Del. Applicant's representative: H. Charles Ephraim, 1411 K Street, NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Lexington, N.C., to points in Connecticut, Delaware, Florida, Georgia, Delaware, Florida, Georgia, Maine, Maryland, Massachussetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, and *rejected, refused, or damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 113434 (Sub-No. 24), filed April 6, 1966. Applicant: GRA-BELL TRUCK LINE, INC., 679 Lincoln Avenue, Holland, Mich. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Building, 1001 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the site of the St. Regis Paper Co. plant at or near Willis, Washtenaw County, Mich., to points in Indiana, Illinois, and Ohio, and *refused, rejected, or damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 113495 (Sub-No. 23), filed April 19, 1966. Applicant: GREGORY HEAVY HAULERS, INC., 51 Oldham Street, Post Office Box 5266, Nashville, Tenn. Applicant's representative: Wilmer B. Hill, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dredges and workboats*, and (2) *parts* for the commodities named in (1) above, between points in Davidson County, Tenn., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113514 (Sub-No. 96), filed April 14, 1966. Applicant: SMITH TRANSIT, INC., 3300 Republic National Bank Building, Dallas, Tex., 75201. Applicant's representative: William D. White, Jr., 2505 Republic National Bank Tower, Dallas, Tex., 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid caustic soda*, in bulk, in tank vehicles, from Houston, Tex., to Bauxite, Ark. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 113678 (Sub-No. 249), filed April 12, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Great Falls, Mont., to points in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Great Falls, Mont.

No. MC 113678 (Sub-No. 250), filed April 14, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from Great Falls, Mont., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Great Falls, Mont.

No. MC 113678 (Sub-No. 251), filed April 18, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Minnesota, to points in Iowa and Nebraska. NOTE: If a hearing is deemed necessary, applicant did not specify a location.

No. MC 113678 (Sub-No. 252), filed April 18, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Applicant's representative: Harry Ross, Warner Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed and feed ingredients and supplements thereto* (except in bulk in tank vehicles) from points in Lafourche Parish, La., to points in Illinois, Wisconsin, Minnesota, Iowa, Nebraska, Missouri, Kansas, Colorado, Oregon, Washington, California, Utah, Arkansas, Texas, Oklahoma, South Dakota, North Dakota, Montana, Wyoming, New Mexico, Arizona, Nevada, and Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 113843 (Sub-No. 116), filed April 20, 1966. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass., 02210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, frozen foods, food products and chewing gum*, from points in Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Maryland, and Delaware, to points in Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Mississippi, Louisiana, Maryland, Florida, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113861 (Sub-No. 37), filed April 21, 1966. Applicant: WOOTEN TRANSPORTS, INC., 153 Gaston Avenue, Memphis, Tenn., 38106. Applicant's representative: Louis I. Dailey, 2111 Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia, ammonium nitrate, urea, acids, fertilizers, fertilizer solutions and fertilizer materials*, liquid and dry, in bulk and (2) *ammonium nitrate, urea, fertilizer materials, and fertilizer ingredients*, dry, in bags, from Helena, Ark. and points within 10 miles thereof, to points in Alabama, Arkansas, Illinois, Kentucky, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas. NOTE: Applicant states no duplicative authority sought. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Little Rock, Ark.

No. MC 114045 (Sub-No. 221) (Amendment), filed December 20, 1965, published in FEDERAL REGISTER, issue of January 20, 1966, amended April 22, 1966, and republished as amended this issue. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, (1) from Hackettstown, N.J., to points in Oklahoma, and Chicago, Ill., and (2) from Chicago, Ill., to points in Arizona, California, Utah, Oregon, and Nevada. NOTE: The purpose of this republication is to add the destination State of Nevada. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114045 (Sub-No. 246), filed April 11, 1966. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite of George A. Hormel & Co., located at or near Bureau, Ill., to points in Arkansas, Arizona, California, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114045 (Sub-No. 248), filed April 18, 1966. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Finley and Belt Line Road, Dallas, Tex., 75240. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, and fish food, feed, feed ingredients, and supplements thereto* (except in bulk, in tank vehicles), from points in Lafourche Parish, La., to points in Illinois, Wisconsin, Minnesota, Iowa, Nebraska, Missouri, Kansas, Colorado, Oregon, Washington, California, Utah, Arkansas, Texas, Oklahoma, South Dakota, North Dakota, Montana, Wyoming, New Mexico, Arizona, Nevada, and Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 114194 (Sub-No. 131), filed April 11, 1966. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Starch*, in bulk, from Granite City, Ill., to points in Kings, Queens, Nassau, and Suffolk Counties, N.Y., and rejected shipments, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 114194 (Sub-No. 132), filed April 14, 1966. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Starch*, in bulk, from Decatur, Ill., to points in Texas, Oklahoma, Kansas, and Nebraska, and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 114323 (Sub-No. 2), filed April 15, 1966. Applicant: PAUL MARCKESANO AND SONS CO., INC., 54th Avenue, and 5th Street, Long Island City, N.Y. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement*, in bulk, from the storage site of Marquette Cement Manufacturing Co. in College Point, N.Y., to points in New Jersey, and *returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 114457 (Sub-No. 53), filed April 11, 1966. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill.,

60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses* as described in appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), (1) from Kansas City, Mo., to Austin, Minn., and Madison and Milwaukee, Wis., and (2) between Kansas City, Mo., and Sioux Falls, S. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 114533 (Sub-No. 136), filed April 21, 1966. Applicant: B.D.C. CORPORATION, 4970 South Archer Avenue, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Accounting and data processing media, business reports and records*, between Chicago, Ill., and Watertown, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114679 (Sub-No. 10), filed April 18, 1966. Applicant: HOWARD H. KRAPF, doing business as KRAPF TRUCK SERVICE, Rural Delivery No. 4, Allentown, Pa. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slag*, in dump vehicles, from Bethlehem, Pa., to New York, N.Y., and points in Nassau, Suffolk, and Westchester Counties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 115162 (Sub-No. 126), filed April 13, 1966. Applicant: WALTER POOLE, doing business as POOL TRUCK LINE, Post Office Box 310, Evergreen, Ala. Applicant's representative: Robert E. Tate, Suite 2025, 2028 City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum, petroleum products, vehicle body sealer, and sound deading* compound, in packages or containers (except in bulk), from Buffalo, N.Y., Farmers Valley and Emlenton, Pa., and St. Marys, W. Va., to points in Alabama, Arkansas, Florida, Georgia, Kansas City, Kans., Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas, and *damaged and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115180 (Sub-No. 34), filed April 12, 1966. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cosmetics, toilet preparations, perfumes, soap, advertising materials and displays*, from the plantsite of Dana Perfumes Corp., Mountaintop, Pa., to Detroit, Mich.; Chicago, Ill.; Minneapolis, Minn.; and St. Louis, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC 115648 (Sub-No. 8), filed April 14, 1966. Applicant: LUTHER LOCK, doing business as LUTHER LOCK TRUCKING, 705 13th Street, Wheatland, Wyo. Applicant's representative: Ward A. White, Post Office Box 568, 1600 Van Lennen Avenue, Cheyenne, Wyo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry processed animal and poultry feed*, from Ault, Colo., to points in Platte County, Wyo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 115648 (Sub-No. 9), filed April 14, 1966. Applicant: LUTHER LOCK, doing business as LUTHER LOCK TRUCKING, 705 13th Street, Wheatland, Wyo. Applicant's representative: Ward A. White, Post Office Box 578, 1600 Van Lennen Avenue, Cheyenne, Wyo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Natural broken, crushed and ground stone*, from points in Platte, Albany, and Laramie Counties, Wyo., to rail loading points in Albany, Platte, and Laramie Counties, Wyo., and to points in Colorado, Nebraska, South Dakota, Kansas, Utah, and Idaho. NOTE: Applicant states that it presently holds authority for transportation of some of these commodities from points in Platte County, Wyo., and from specified points in Albany County, Wyo., to several points and counties in Colorado and Nebraska. If authority requested herein is granted, applicant states that it would request cancellation of presently held authority to the extent it duplicates new grant of authority. If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 115648 (Sub-No. 10), filed April 14, 1966. Applicant: LUTHER LOCK, doing business as LUTHER LOCK TRUCKING, 705 13th St., Wheatland, Wyo. Applicant's representative: Ward A. White, P.O. Box 578, Cheyenne, Wyo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete products*, from points in Adams County, Colo., to points in Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 115841 (Sub-No. 286), filed April 18, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectioneries*, from Pewaukee, Wis., to points in Kentucky, Tennessee, Alabama, Arkansas, Oklahoma, Texas, Mississippi, Louisiana, Georgia, Virginia, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 115841 (Sub-No. 287), filed April 18, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, from Springdale, Ark., to points in Kansas, Missouri, Kentucky, and Alton, Cairo, Carbondale, Centralia, East St. Louis, Eldorado, Granite City, Marion, Mount Vernon, Murphysboro, Staunton, Litchfield, Quincy, and Scott Air Force Base, Ill., and (2) *foodstuffs and baby supplies*, from Fort Smith, Ark., to points in Kansas, Missouri, Kentucky, and Alton, Cairo, Carbondale, Centralia, East St. Louis, Eldorado, Granite City, Marion, Mount Vernon, Murphysboro, Staunton, Litchfield, Quincy, and Scott Air Force Base, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Little Rock, Ark.

No. MC 116077 (Sub-No. 199), filed April 14, 1966. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9527, 5700 Polk Avenue, Houston, Tex. Applicant's representative: Thomas E. James, 721 Brown Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Lake Charles, La., to points in the United States (except points in the States of Alabama, Arkansas, Florida, Georgia, Mississippi, Oklahoma, Tennessee, Texas, and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 116544 (Sub-No. 71), filed April 13, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 E. Fairview Ave., Carthage, Mo. Applicant's representative: Harry Ross, Warner Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed and feed ingredients and supplements thereto* (except in bulk in tank vehicles), from LaFourche Parish, La., to points in Missouri, Kansas, Oklahoma, Nebraska, Iowa, Minnesota, Wisconsin, Illinois, North Dakota, South Dakota, Texas, Arkansas, Arizona, California, and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 117119 (Sub-No. 366), filed April 11, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from points in Ohio, to points in Minnesota and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 367), filed April 11, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Foodstuffs*, from Memphis, Tenn., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Washington, D.C., and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117119 (Sub-No. 368), filed April 10, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Fruitland, Md., and points in Sussex County, Del., to points in Tennessee and Arkansas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117212 (Sub-No. 4), filed April 19, 1966. Applicant: LEAMINGTON TRANSPORT (WESTERN) LIMITED, Post Office Box 188, Leamington, Ontario, Canada. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats*, fresh, frozen, salted, cooked, cured, and preserved, and *dairy products*, in foreign commerce only, from (A) points in Minnesota and Wisconsin, (B) those points in North Dakota, South Dakota, and Iowa on and east of a line extending along Interstate Highway 29 from Pembina, N. Dak., junction to North Dakota Highway 44 at or near Drayton, N. Dak., thence along North Dakota Highway 44 to junction U.S. Highway 81 at or near Manvel, N. Dak., thence along U.S. Highway 81 to junction Interstate Highway 29 at or near Sioux Falls, S. Dak., thence along Interstate Highway 29 to junction Iowa Highways 37 and 175, at or near Onawa, Iowa, thence along Iowa Highways 37 and 175, to junction U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 30 at or near Missouri Valley, Iowa, thence over U.S. Highway 30 to junction Interstate Highway 29, thence along Interstate Highway 29 to junction U.S. Highways 6, 75, and Alternate 30, at Council Bluffs, Iowa, thence along U.S. Highways 6, 75 and Alternate 30 to junction Iowa Highway 375 at Council Bluffs, Iowa, thence along Iowa Highway 375 to junction U.S. Highway 275, thence along U.S. Highway 275 to the Iowa-Missouri State line, including points on the described highways, (C) those points in Missouri on and east of a line extending along U.S. Highway 275 from the Missouri-Iowa State line to St. Joseph, Mo., thence along Interstate Highway 29 to Kansas City, Mo., and on and north of a line extending along U.S. Highway 40 (Interstate Highway 70) from Kansas City, Mo., to St. Louis, Mo., including points on the described highways, and (D) those points in Illinois north and west of a line extending along Interstate Highway 55 from East St. Louis, Ill., to Chicago, Ill., including points on the described highway, to the ports of entry on the international boundary line between the United States and Canada located at or near Noyes, Minn., and Pembina, N. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117815 (Sub-No. 104), filed April 11, 1966. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Harlan, Iowa, to points in Wisconsin, and the Upper Michigan Peninsula. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 117815 (Sub-No. 105), filed April 11, 1966. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Michigan, to points in Iowa, Kansas, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117815 (Sub-No. 106), filed April 11, 1966. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, animal and poultry feed concentrates and animal and poultry feed ingredients*, between points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 117815 (Sub-No. 107), filed April 11, 1966. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from Pewaukee, Wis., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 117815 (Sub-No. 108), filed April 11, 1966. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Kans., to points in Iowa and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 117815 (Sub-No. 110), filed April 11, 1966. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts*, and *articles distributed by meat packinghouses* as described in sections A and C of appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Oakland, Iowa, and points within 5 miles thereof, to points in Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 117883 (Sub-No. 82), filed April 18, 1966. Applicant: SUBLER TRANSFER, INC., East Main Street, Post Office Box 62, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides, and commodities in bulk, in tank vehicles), from points in York County, Nebr., to points in Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia; restricted to traffic originating at points in York County, Nebr. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118130 (Sub-No. 50), filed April 15, 1966. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from Lawton and Decatur, Mich., to points in Illinois, Indiana, Ohio, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 118831 (Sub-No. 46), filed April 15, 1966. Applicant: CENTRAL TRANSPORT, INCORPORATED, Uwharrie Road, Post Office Box 5044, High Point, N.C. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquids* (except petroleum and petroleum products), in bulk, in tank vehicles, from points in South Carolina, to points in Alabama and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119765 (Sub-No. 9), filed April 20, 1966. Applicant: HENRY G. NELSEN, INC., 1548 Locust Street, Avoca, Iowa. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, from traffic originating at the plant or facilities of the America Beef Packing Co.,

at or near Oakland, Iowa, to points in Illinois, Indiana, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119767 (Sub-No. 162), filed April 20, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Post Office Box 339, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, as described in section B of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Remington, Ind., to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 163), filed April 20, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet, Burlington, Wis. Applicant's representative: Fred Figge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, as described in appendix I(B) *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209–766, from Pana, Ill., to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 164), filed April 20, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Post Office Box 339, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuffs*, between Toledo, Ohio, on the one hand, and, on the other, points in Indiana, Kentucky, Michigan, New York, Ohio, Pennsylvania, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 120312 (Sub-No. 7), filed April 18, 1966. Applicant: ANDERSON DEVELOPMENT CORPORATION, 4204 Coal Avenue SE., Albuquerque, N. Mex., 87108. Applicant's representative: S. Russell Rager, 914 Bank of New Mexico Building, Post Office Box 1031, Albuquerque, N. Mex., 87101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral-bearing waste, slag, dust*, and *residue materials*, between points in New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 121507 (Sub-No. 1), filed April 13, 1966. Applicant: PERISHABLE DELIVERIES, INC., 901 South Eutaw Street, Baltimore, Md., 21230. Applicant's representative: Charles E. Creager, Post Office Box 81, Winchester, Va., 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Commodities* requiring controlled temperature and/or refrigeration: (1) between Baltimore, Md., and the District of Columbia line, over U.S. Highway 1; (2) between Baltimore, Md., and Camp Springs, Md.: From Baltimore, over U.S. Highway 1 to Waterloo, Md., thence over Maryland Highway 175 to junction Maryland Highway 3 and U.S. Highway 301, thence over Maryland Highway 3 and U.S. Highway 301 to Upper Marlboro, Md., thence over Maryland Highway 4 to Meadows, Md., thence over Maryland Highway 337 to Camp Springs; (3) between Baltimore, Md., and Buena Vista, Md.: From Baltimore, over U.S. Highway 1 to junction Maryland Highway 430, thence over Maryland Highway 430 to Buena Vista; (4) between Baltimore, Md., and Glenn Dale, Md.: From Baltimore, over U.S. Highway 1 to junction Maryland Highway 193, thence over Maryland Highway 193 to Glenn Dale; (5) between Baltimore, Md., and Collington, Md.: From Baltimore, over U.S. Highway 1 to junction U.S. Highway 50, thence over U.S. Highway 50 to Collington; (6) between Baltimore, Md., and Seat Pleasant, Md.: From Baltimore, over U.S. Highway 1 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Maryland Highway 202, thence over Maryland Highway 202 to junction Maryland Highway 704, thence over Maryland Highway 704 to Seat Pleasant.

(7) Between Baltimore, Md., and the District of Columbia line: From Baltimore, over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S. Highway 29 to the District of Columbia line; (8) between Baltimore, Md., and Rockville, Md.: From Baltimore, over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S. Highway 29 to junction Maryland Highway 108, thence over Maryland Highway 108 to Olney, Md., thence over Maryland Highway 97 to Norbeck, Md., thence over Maryland Highway 28 to Rockville; (9) between Baltimore, Md., and Wheaton, Md.: From Baltimore, over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S Highway 29 to junction Maryland Highway 108, thence over Maryland Highway 108 to Olney, Md., thence over Maryland Highway 97 to Norbeck, Md., thence over Maryland Highway 28 to Rockville, Md., thence over Maryland Highway 586 to Wheaton; (10) between Baltimore, Md., and Wheaton, Md.: From Baltimore, over U.S. Highway 40 to junction U.S. Highway 29, thence over U.S. Highway 29 to junction Maryland Highway 108, thence over Maryland Highway 108 to Olney, Md., thence over Maryland Highway 97 to Wheaton; (11) between Baltimore, Md., and Sykesville, Md.: From Baltimore, over U.S. Highway 40 to junction Maryland Highway 32, thence over Maryland Highway 32 to Sykesville; (12) between Baltimore, Md., and Oxon Hill, Md.: From Baltimore, over Maryland Highway 3 to Dorrs Corners, thence over U.S. Highway 301 to Upper Marlboro, Md., thence over Maryland Highway 4 to junction Maryland Highway 210, thence over Maryland Highway 210 to Oxon Hill.

(13) Between Baltimore, Md., and Randallstown, Md., over Maryland Highway 26; (14) between Baltimore, Md., and the Pennsylvania State line, over U.S. Highway 140; (15) between Baltimore, Md., and Fort Ritchie, Md.: From Baltimore, over U.S. Highway 140 to junction Maryland Highway 97, thence over Maryland Highway 97 to Emmitsburg, Md., thence over U.S. Highway 15 to junction Maryland Highway 81, thence over Maryland Highway 81 to Fort Ritchie; (16) between Baltimore, Md., and Cockeysville, Md., over Maryland Highway 45; (17) between Baltimore, Md., and Cowenton, Md., over Maryland Highway 148; (18) between Baltimore, Md., and the Pennsylvania State line, over U.S. Highway 1; (19) between Baltimore, Md., and Aberdeen, Md.: From Baltimore, over U.S. Highway 1 to junction Maryland Highway 24, thence over Maryland Highway 24 to Belair, Md., thence over Maryland Highway 22 to Aberdeen; (20) between Baltimore, Md., and Whiteford, Md.: From Baltimore, over U.S. Highway 1 to Darlington, Md., thence return over U.S. Highway 1 to junction Maryland Highway 440, thence over Maryland Highway 440 to junction Maryland Highway 136, thence over Maryland Highway 136 to Whiteford; (21) between Baltimore, Md., and Stepney, Md., over Maryland Highway 7; (22) between Baltimore, Md., and the Maryland-Delaware State line, over U.S. Highway 40; (23) between Baltimore, Md., and Edgewood Arsenal, Md.: From Baltimore, over U.S. Highway 40 to junction Maryland Highway 24, thence over Maryland Highway 24 to Edgewood Arsenal;

(24) Between Baltimore, Md., and Aberdeen Proving Grounds, Md.: From Baltimore, over U.S. Highway 40 to Aberdeen, Md., thence return over U.S. Highway 40 to junction Maryland Highway 715, thence over Maryland Highway 715 to Aberdeen Proving Grounds; (25) between Baltimore, Md., and Rising Sun, Md.: From Baltimore, over U.S. Highway 40 to Perryville, Md., thence over U.S. Highway 222 to Port Deposit, Md., thence over Maryland Highway 276 to junction Maryland Highway 273, thence over Maryland Highway 273 to Rising Sun; (26) between Baltimore, Md., and Rising Sun, Md.: From Baltimore, over U.S. Highway 40 to Perryville, Md., thence over U.S. Highway 222 to junction Maryland Highway 269, thence over Maryland Highway 269 to junction Maryland Highway 276, thence over Maryland Highway 276 to junction Maryland Highway 273, thence over Maryland Highway 273 to Rising Sun; (27) between Baltimore, Md., and Sparrows Point, Md., over Maryland Highway 151; (28) between Baltimore, Md., and Chase, Md.: From Baltimore, over Maryland Highway 151 to junction Maryland Highway 150, thence over Maryland Highway 150 to Chase.

(29) Between Baltimore, Md., and Eastport, Md.: From Baltimore, over Maryland Highway 2 to Annapolis, Md., thence over Maryland Highway 181 to Eastport; (30) between Baltimore, Md., and Indian Head, Md.: From Baltimore, over U.S. Highway 301 (Maryland Highway 3) to La Plata, Md., thence return over U.S. Highway 301 to junction Maryland Highway 225, thence over Maryland Highway 225 to junction Maryland Highway 210, thence over Maryland Highway 210 to Indian Head; and (31) between Baltimore, Md., and Lexington Park, Md.: From Baltimore, over Maryland Highway 3 to Dorrs Corner, Md., thence over Maryland Highway 178 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Maryland Highway 2, thence over Maryland Highway 2 to Prince Frederick, Md., thence over Maryland Highway 231 to Hughsville, Md., thence over Maryland Highways 5 and 235 to Lexington Park; and return over the same routes, serving all intermediate points. NOTE: Applicant states that the authority described herein is substantively the same as the authority held by the applicant under its Maryland Service Commission permit Nos. 65F–57 and 65F–58. If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md.

No. MC 123639 (Sub-No. 70), filed April 21, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Clovis, N. Mex., to points in Connecticut, Delaware, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. 123639 (Sub-No. 71), filed April 21, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oils, petroleum lubricating products, proprietary antifreeze, alcohol compounds, carbon, gum and sludge removing compounds, greases, core oils and compounds, and automobile chemicals and compounds*, from Danville and Seneca, Ill., to points in Indiana, Kentucky, Michigan, Minnesota, Ohio, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 72), filed April 21, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (1) from points in Oregon and Washington, to Sanger, Calif., and (2) from Sanger, Calif., to points in Texas, Missouri, Kansas, Indiana, Ohio, Illinois, Kentucky, Louisiana, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 73), filed April 21, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo., 80216. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, agricultural products, and commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with bananas, (1) from points in California to points in Utah, and (2) from points in Utah to points in Colorado, Idaho, Montana, and Wyoming. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 74), filed April 21, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo., 80216. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield equipment, materials, and supplies), between Pueblo and Minnequa, Colo., on the one hand, and, on the other, points in Arizona, California, Kansas, Nebraska, Nevada, and New Mexico. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 75), filed April 21, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo., 80216. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield equipment, materials, and supplies), between points in Illinois, Indiana, Iowa, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 76), filed April 21, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuff*, from Green Bay, Wis., to points in North Dakota, South Dakota, Kansas, and Nebraska, and Estherville, Des Moines, Mason City, and Waterloo, Iowa, and Casper, Wyo. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 77), filed April 21, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the Report in *Descriptions in Motor Carrier Certificates*, by M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), and *frozen foods*, from Colorado Springs, Denver, and Greeley, Colo., to Brigham City and Vernal, Utah, and points in Idaho, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123842 (Sub-No. 1), filed April 8, 1966. Applicant: COLUMBIA VAN LINES MOVING & STORAGE, CO., INC., 631 South Pickett Street, Alexandria, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between points in Maryland and the District of Columbia, on the one hand, and, on the other, points in Pennsylvania, Connecticut, Massachusetts, New Jersey, and New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124078 (Sub-No. 210), filed April 20, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Cleveland, Ohio, to points in St. Lawrence, Jefferson, Lewis, Oneida, Oswego, Madison, Onondaga, Cortland, Chenango, Broome, Tioga, Chemung, Schuyler, Tomkins, Yates, Seneca, Cayuga, Wayne, Monroe, Orleans, Niagara, Erie, Genesee, Wyoming, Livingston, Ontario, Steuben, Allegany, Cattaraugus, and Chautauqua Counties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 124211 (Sub-No. 98), filed April 13, 1966. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Post Office Box 824, Lincoln 1, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk, in tank vehicles), from the plantsite and/or storage facilities of Geo. A. Hormel & Co. at or near Bureau, Ill., to points in Colorado (except Denver), Indiana, Iowa, Kansas, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124211 (Sub-No. 101), filed April 18, 1966. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Post Office Box 824, Lincoln 1, Nebr. Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, between Hennepin, Ill., and points within 15 miles thereof, on the one hand, and, on the other, points in Colorado, Idaho, Kansas, Montana, Nebraska, Oklahoma, Texas, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill., or Washington, D.C.

No. MC 124211 (Sub-No. 102), filed April 18, 1966. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Post Office Box 824, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, between Hennepin, Ill., and points within 15 miles thereof, on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Louisiana, Minnesota, Missouri, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 125973 (Sub-No. 2), filed April 21, 1966. Applicant: CROWN WAREHOUSE & TRANSPORTATION COMPANY, INC., 710 East Ninth Avenue, Gary, Ind., 46401. Applicant's representative: Carl Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sugar, salt, and canned goods*, from points in Illinois, Ohio, Michigan, Pennsylvania, Kentucky, New Jersey, New York, and West Virginia, to the warehouses of the Indiana Wholesale Food Supply Corp. at Gary, Ind. NOTE: Applicant states that the operations proposed to be performed will be under a continuing contract or contracts with the Indiana Wholesale Food Supply Corp. of Gary, Ind., applicant's present only contracting shipper. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127277 (Sub-No. 1), filed April 11, 1966. Applicant: LEONARD DOUGHERTY, 3140 John R Street, Rochester, Mich. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich., 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Die sets*, assembled and unassembled, and *materials and supplies used in the manufacture thereof*, between Cleveland, Dayton, and Canton, Ohio, and Chicago, Ill., on the one hand, and, on the other, Detroit, Mich., under a continuing contract or contracts with Die Supply Corp. of Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 127472 (Sub-No. 1), filed April 15, 1966. Applicant: AUSCENCIO LOPEZ GONZALEZ, doing business as A. L. GONZALEZ, Route 3, Box 313C, Milton-Freewater, Oreg., 97862. Applicant's representative: Charles Snyder, 301 Baker Building, Walla Walla, Wash. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sugarbeet pulp and sugarbeet pellets*, for the account of Archie Harris Feed Lot, Touchet, Wash., from Moses Lake and Quincy, Wash., to points in Umatilla County, Oreg. NOTE: If a hearing is deemed necessary, applicant requests it be held at Walla Walla, Wash.

No. MC 127513 (Sub-No. 1), filed April 15, 1966. Applicant: HARPETH FREIGHT LINES, INC., Post Office Box 444, Columbia Avenue, Franklin, Tenn., 37064. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, gift wrappings, ribbon, tape, film, foil, decorations, ornaments, flowers, foliage, store displays, racks, stands, machinery, machine parts, tools, and raw materials* used in the manufacture of such products, between Franklin, Tenn., on the hand, and, on the other, Cincinnati and Columbus, Ohio; Chicago, Ill.; St. Louis, Mo.; and West Memphis, Ark.; for the account of Franklin Manufacturing Co. NOTE: Applicant is also authorized to conduct operations as a common carrier in Certificate No. MC 97344 and Sub 2; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 127610 (Sub-No. 2), filed April 18, 1966. Applicant: TRUCK LEASING, INC., 112 Pitman Street, Providence, R.I., 02906. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, abrasive or foundry, in bulk, from points in Coventry, R.I., and Barnstable and Plymouth Counties, Mass., to points in Maine and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 127673, filed October 22, 1965. Applicant: BILLY DEAN, doing business as BILLIE DEAN SERVICE COMPANY, 5837 Ragor Drive, Hixson, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is sold by retail department stores, from Chattanooga, Tenn., to points in Franklin, Marion, Grundy, Warren, Van Buren, Bledsoe, Rhea, McMinn, Polk, Bradley, and Hamilton Counties, Tenn.; points in Jackson and De Kalb Counties, Ala.; and points in Walker, Catoosa, Chattooga, Floyd, Bartow, Whitfield, Gordon, Murray, and Dade Counties, Ga., and *refused or rejected merchandise*, on return, under a continuing contract or contracts with J. C. Penney Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chattanooga, Tenn.

No. MC 127937 (Sub-No. 2), filed April 18, 1966. Applicant: JOHN WHITE, No. 2 Renns Lake Place, Jefferson City, Mo. Applicant's representative: Frank J. Luen, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfinished lumber, finished lumber, finished mill work, staves, treated and untreated posts and poles, pallets and pallet materials, blocking lumber, crating lumber, dimension lumber, wooden flooring, ties, wooden fencing materials, wooden boxes, wooden crates, wooden shapes, wooden windows, wooden doors*, from points in Missouri located on, west and north of a line commencing at the Mississippi River at St. Louis, Mo., thence over U.S. Highway 50 to Jefferson City, Mo., thence over U.S. Highway 54 to the Missouri-Kansas State line to points in Illinois, Indiana, Arkansas, Kentucky, Tennessee, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo.

No. MC 128031, filed March 18, 1966. Applicant: GEORGE A. McFARLAND, doing business as McFARLAND TRUCKING, Route 5, Austin, Minn. Applicant's representative: Clay R. Moore, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ice milk mix, milk, skim milk, cream, half and half, butter, eggs, cottage cheese, margarine, chocolate milk, chocolate drink, ice cream, ice milk, ice cream mix, novelties, citrus juices, sour cream, cheese, chip dips, nondairy coffee whitener, aerosol whips, dairy products and merchandise premiums*, and *all of the above commodities when transported with each other*, from Austin and Albert Lea, Minn., to Buffalo Center, St. Ansgar, Osage, Mason City, Charles City, Northwood and Fort Dodge, Iowa, and Alden, Wells, Kiester, and Albert Lea, Minn., and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128036 (Sub-No. 1), filed April 1, 1966. Applicant: COR-O-VAN CORPORATION, 144 B Avenue, Coronado, Calif. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in San Diego County, Calif.; (2) between points in Riverside County, Calif., on and west of California Highway 86 and U.S. Highway 60; (3) between points in Orange County, Calif., on and south of California Highways 91 and 55; and (4) between points in San Diego County, Calif., on the one hand, and, on the other, points in Los Angeles Harbor, Calif.; restricted to shipments having a prior or subsequent movement in containers beyond said counties, and further restricted to pickup and delivery service incidental to and in connection with packing, crating and containerization, or unpacking, uncrating and decontainerization of such shipments over irregular routes. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

No. MC 128070 (Sub-No. 1), filed April 4, 1966. Applicant: VANDENBERG VAN & STORAGE, INC., 334 North E Street, Post Office Box 272, Lompoc, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in Los Angeles, Ventura, Santa Barbara, and San Luis Obispo Counties, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 128071 (Sub-No. 3), filed April 11, 1966. Applicant: CALIFORNIA AND WESTERN STATES AMMONIA TRANSPORT, INC., 2010 South Anaheim Boulevard, Anaheim, Calif. Applicant's representative: Donald Murchison, Suite 211, Allen Paris Building, 211 South Beverly Drive, Beverly Hills, Calif., 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from points in California to points in Pima, Maricopa, Pinel, Yuma, and Cochise Counties, Ariz. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 128100 (Sub-No. 1), filed April 15, 1966. Applicant: AIR FREIGHT HANDLERS INC., Post Office Box No. 83, Windsor Locks, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Baggage*, between Bradley Field, Windsor Locks, Conn., on the one hand, and, on the other, points in Massachusetts on and west of Massachusetts Highway 31. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 128108 (Sub-No. 1), filed April 18, 1966. Applicant: BACA & ASSOCIATES, INC., 215 Rossmore SW., Albuquerque, N. Mex. Applicant's representative: Grantham, Spann and Sanchez, 914 Bank of New Mexico Building, Post Office Box 1031, Albuquerque, N. Mex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, as described in Appendix VI: *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 279, between points in that portion of New Mexico, including points on the indicated portions of the specified highways, north of U.S. Highway 66 and west of U.S. Highway 85, and in that portion of Arizona, including points on the specified highway, north of U.S. Highway 66. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 128110, filed April 11, 1966. Applicant: C. RICHARD HAYES, doing business as HAYES TRANSPORT, Waterford, Vt. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Petroleum products and liquefied gas*, (1) between Portland, Maine, and Burlington, Vt., from Portland over U.S. Highway 302 to junction New Hampshire Highway 18, thence over New Hampshire Highway 18 to the New Hampshire-Vermont State line, thence over Vermont Highway 18 to junction U.S. Highway 2, thence over U.S. Highway 2 (Interstate Highway 89), to Burlington, and return over the same route, (2) between Littleton and Woodville, N.H., over U.S. Highway 302, and, (3) between St. Johnsbury, Vt., and Lyndonville, Vt., over U.S. Highway 5, serving all intermediate points on routes (1), (2), and (3) above, except no pickup and delivery will be made within a single State. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt., or Littleton, N.H.

No. MC 128116, filed April 13, 1966. Applicant: GUY Mc DONALD, 602 Riverside Drive, Williston, N. Dak. Applicant's representative: Gordon Thompson, 102 Park Towers, Post Office Box 122, Fargo, N. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and soft drinks*, from Milwaukee, Wis., and Minneapolis, St. Paul, Minn., to Williston, N. Dak., and *empty bottles, kegs, and containers*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Bismarck or Fargo, N. Dak.

No. MC 128124, filed April 18, 1966. Applicant: FREESEN BROS. TRUCKING, INC., Bluffs, Ill. Applicant's representative: Robert T. Lawley, 306–308 Reisch Building, Springfield, Ill., 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Road construction machinery and equipment*, between Bluffs, Ill., on the one hand, and, on the other, points in Indiana, Iowa, and Missouri, for the account of Freesen Bros., Inc., and Illinois Valley Asphalt, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 128126, filed April 15, 1966. Applicant: FLOYD P. JUNG, 3613 Pershing Avenue, Odessa, Tex. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Camper coaches and camping units* (living quarters), which are designed to be mounted on vehicles, from the site of Red Dale plant located at Longmont, Colo., to Odessa, Tex., and *rejected components* and *parts* of the units, on return. NOTE: Applicant states the proposed operation will be under continuing contracts with Mr. R. H. Jourdan, Odessa, Tex. If a hearing is deemed necessary, applicant requests it be held at Odessa, Tex.

No. MC 128127, filed April 15, 1966. Applicant: FRANK L. ZWICKER, Rural Route No. 3, Bridgewater, Nova Scotia, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Yachts and fiberglass boats*, from ports of entry on the international boundary line between the United States and Canada to Raymond, Maine, Worcester, Mass., Mystic, Conn., New York, N.Y., Monmouth Beach, N.J., Galesville, Md., and points in New Hampshire and Pennsylvania, and (2) *lumber*, from points in New York to ports of entry on the international boundary line between the United States and Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Augusta, Maine.

MOTOR CARRIERS OF PASSENGERS

No. MC 2395 (Sub-No. 3), filed April 20, 1966. Applicant: DELAWARE BUS COMPANY, a corporation, 1609 Delaware Avenue, Wilmington, Del. Applicant's representative: L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between Chester, Pa., and junction New Jersey County Route 581 and U.S. Highway 40, near Pole Tavern, as an alternate route, for operating convenience purposes only, as follows: From Chester, across the Chester Bridgeport Delaware River ferry, thence via U.S. Highway 322 to junction New Jersey County Route 538, near Swedesboro, N.J., thence over New Jersey County Route 538, to junction New Jersey County Route 76, thence over New Jersey County Route 76, to junction New Jersey County Route 581, thence over New Jersey County Route 581 to junction U.S. Highway 40, near Pole Tavern, and return over the same route, serving no intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 29935 (Sub-No. 3), filed April 4, 1966. Applicant: THE BLUE LINE, INC., 147 Pineywoods Avenue, Springfield, Mass. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express*, and *newspapers* in the same vehicle with passengers, between Springfield, Mass., and Norwich, Conn., and Westerly, R.I., via Connecticut Highway 2, and serving all intermediate points. NOTE: The authority sought is proposed to be tacked to the applicant's presently authorized route between Springfield, Mass., and Norwich, Conn. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 30490 (Sub-No. 6), filed April 5, 1966. Applicant: APPLEYARD'S BUS, INC., 7 Lowell Street, Methuen, Mass. Applicant's representative: Maxwell A. Howell, 1511 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle, in special operations, in one-way and round-trip tours and excursions, from Andover and North Andover, Lowell, Lawrence, Methuen, Haverhill, Merrimac, Amesbury, Dracut, Salisbury, and Newburyport, Mass., and Salem, N.H., to points in the United States (except Alaska and Hawaii), and return. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 69260 (Sub-No. 2), filed March 18, 1966. Applicant: GARDEN STATE TRANSIT LINES, INC., 157 Outwater Lane, Garfield, N.J. Applicant's repre-

sentative: Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *mail and newspapers*, in the same vehicle with passengers, between Picatinny Arsenal, N.J., and Stroudsburg, Pa., as follows: From Picatinny Arsenal, over New Jersey Highway 15 to junction Interstate Highway 80, thence over Interstate Highway 80 to Netcong, N.J., thence over U.S. Highway 46 to Columbia, N.J., thence over U.S. Highway 611 to Stroudsburg, and return over the same route, serving all intermediate points; restricted to the transportation of passengers who are picked up or discharged at the site of the Picatinny Arsenal, N.J. NOTE: Applicant states that upon completion of Interstate Highway 80 it will use the following alternate route: From Picatinny Arsenal, over New Jersey Highway 15 to junction Interstate Highway 80, thence over Interstate Highway 80 to Columbia, N.J., thence over U.S. Highway 611 to Stroudsburg, and return over the same route, serving all intermediate points. If a hearing is deemed necessary, applicant requests it be held at Stroudsburg, Pa.

No. MC 77066 (Sub-No. 15), filed April 15, 1966. Applicant: ORSON LEWIS AND JOSEPH M. LEWIS, doing business as LEWIS BROS. STAGES, 360 South West Temple, Salt Lake City, Utah. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah, 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express* in the same vehicle, serving the following off-route points: (1) From junction U.S. Highway 6 and Utah Highway 147, over Utah Highway 147 to Genola, Utah, and return over the same route; (2) from junction U.S. Highway 6 and Utah Highway 159, over Utah Highway 159 to Dividend, Utah, and thence over Utah Highway 159 to Mammoth, Utah, and return over the same route; and (3) from junction U.S. Highway 6 and Utah Highway 132, over Utah Highway 132 to Leamington, Utah, thence over Utah Highway 125 to Oak City, Utah, thence over Utah Highway 125 to Delta, Utah, thence over U.S. Highway 6 to junction Nevada Highway 73, thence over Nevada Highway 73 to Baker, Nev., thence over Nevada Highway 73 to the Utah-Nevada State line, thence over Utah Highway 21 to Garrison, Utah, and return to U.S. Highway 6. NOTE: Applicant states that it presently has authority to serve from Salt Lake City, Utah, to Ely, Nev., and as pertinent here, more particularly over U.S. Highway 50–6 from Santaquin, Utah, to the Utah-Nevada State line; and that the purpose of the application is to seek authority to serve the off-route points above specified. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 78374 (Sub-No. 10), filed April 14, 1966. Applicant: THE CONNECTICUT COMPANY, a corporation, 53 Vernon Street, Hartford, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn., 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, mail and newspapers* in the same vehicle with passengers, between Stamford, Conn., and Pound Ridge, N.Y., as follows: From Stamford, over Connecticut Highway 137 to the New York State line, thence over New York Highway 137 to junction New York Highway 394 in Pound Ridge, thence easterly on New York Highway 394 to Scotts Corners in Pound Ridge, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Stamford, Conn.

No. MC 109495 (Sub-No. 14), filed April 14, 1966. Applicant: BRUNSWICK TRANSPORTATION COMPANY, INC., Elm and Middle Streets, Brunswick, Maine. Applicant's representative: Kenneth B. Williams, 111 State Street, Boston, Mass., 02109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations limited to round-trip, sightseeing, or pleasure tours designed for leisurely travel, as distinguished from expeditious point-to-point transportation, beginning and ending at points in Cumberland, York, Oxford, Androscogging, Sagadahoc, Kennebec, and Lincoln Counties, Maine, and Coos County, N.H., and extending to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, North Carolina, South Carolina, Georgia, and Florida, and the District of Columbia; subject to all of the following requirements: (1) Each tour must include: (a) Sightseeing stops en route or stops at points or events of interst en route, and (b) an overnight stop every night during the entire tour; (2) on each such tour the passengers must: (a) Maintain their identity as a group for the duration of the tour, (b) engage in some group activities that are organized, supervised and controlled by the carrier, and (c) be accompanied by a tour conductor or guide (who may be the driver of the vehicle, qualified to act as a tour conductor or guide); and (3) the price of each such tour must include all of the following elements: (a) Some of the meals, (b) lodging for each night during the entire tour, (c) admission fees to any points or events of interest visited for which a fee is charged, and (d) the cost of transportation. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine.

No. MC 110373 (Sub-No. 11), filed April 17, 1966. Applicant: NORTHEAST COACH LINES, a corporation, 730 Madison Avenue, Paterson, N.J. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between Hamburg and McAfee, N.J.; from junction New Jersey Highway 23 and New Jersey Highway 94 in Hamburg, thence over New Jersey Highway 94 to McAfee, N.J., and return over the same route, serving all intermediate points. NOTE: Applicant states it seeks to tack this authority with presently pending authority in MC 110373, Sub 9, between Hamburg, N.J., and New York, N.Y., so as to provide through service to New York, N.Y. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 123577 (Sub-No. 9), filed April 13, 1966. Applicant: WARWICK-GREENWOOD LAKE AND NEW YORK TRANSIT, INC., 730 Madison Avenue, Paterson, N.J. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between junction Paterson and Hamburg Turnpike and Valley Road, Wayne Township, N.J., and junction Valley Road and Ratzer Road, Wayne Township, N.J., as follows: From junction Paterson and Hamburg Turnpike and Valley Road, over Valley Road to junction Ratzer Road, serving that portion of Valley Road between junction Paterson and Hamburg Turnpike and Valley Road, and junction Salisbury Road and Valley Road, including both junctions. NOTE: Applicant states that it proposes to join the above route to its existing routes at Ratzer Road and Valley Road in Wayne Township, N.J., as set forth in Docket MC 123577 (Sub-No. 1), in order to provide direct service from points on the proposed route to New York, N.Y., and return. Since applicant is not presently authorized to serve the junction of Ratzer Road and Valley Road, it is requested by applicant that joinder be authorized at such junction. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 125569 (Sub-No. 15), filed April 15, 1966. Applicant: VALLEY TRANSPORTATION COMPANY, a corporation, 829 State Street, Lemoyne, Pa. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, between Harrisburg, Camp Hill, Middletown, Elizabethtown, Mount Joy, Lancaster, Columbia, Wrightsville (York County) and York, Pa., on the one hand, and, on the other, Baltimore Memorial Stadium, Baltimore, Md. NOTE: Applicant states the transportation authorized herein shall be restricted to persons transported to or from events held at Baltimore Memorial Stadium, Baltimore, Md. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 126876 (Sub-No. 1) (Amendment), filed January 26, 1966, published in FEDERAL REGISTER, issue of March 3, 1966, amended March 31, 1966, and republished as amended this issue. Applicant: BUTLER MOTOR TRANSIT COMPANY, a corporation, Post Office Box 625, Butler, Pa. Applicant's representative: Martin E. Cusick, First Federal Building, Sharon, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round-trip, special, and charter operations, beginning and ending at points on Pennsylvania Highways 68, 268, and 356 in Butler and Armstrong Counties, Pa., and extending to points in the United States (except Alaska and Hawaii). NOTE: The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 128019 (Sub-No. 1), filed April 15, 1966. Applicant: AIRPORT TRANSPORTATION SERVICE, INC., 1270 East Philadelphia Street, York, Pa., 17403. Applicant's representative: John M. Musselman, 400 North Third Street, Post Office Box 46, Harrisburg, Pa., 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, restricted to passengers having prior or subsequent movement by air, between points in York County, Pa., on the one hand, and, on the other, Philadelphia International Airport, Philadelphia, Pa., Friendship International Airport, Baltimore, Md., Dulles International Airport, Loudoun-Fairfax Counties, Va., Washington National Airport, Gravelly Point, Va., John F. Kennedy International Airport, New York, N.Y., La Guardia Airport, New York, N.Y., and Newark Airport, Newark, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 128111, filed March 21, 1966. Applicant: TENT & TRAVEL, INC., 18 Twig Lane, Levittown, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, seasonal between July 1 and August 31, inclusive, transporting: *Passengers and their baggage*, in special operations, in the same vehicle, beginning and ending at points in Nassau County, N.Y., and extending to points in the United States (except Alaska and Hawaii). NOTE: Applicant states the proposed operation will be for teenage passengers on camping trips. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

APPLICATIONS FOR BROKERAGE LICENSES

No. MC 12989, filed April 6, 1966. Applicant: JOE FORTUNER, Carbondale, Scranton Highway, Post Office Box 187, Carbondale, Pa. For a license (BMC 4) to engage in operations as a *broker* at Carbondale, Pa., in arranging for the transportation by motor vehicle in interstate or foreign commerce of *household goods*, between points in Bradford, Carbon, Columbia, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne, and Wyoming Counties, Pa., on the one hand, and, on the other, points in the United States.

No. MC 12991, filed April 8, 1966. Applicant: ELDEN COLLINS, doing business as COLLINS TOURS, 3 North Fifth Street, Humboldt, Iowa. Applicant's representative: Homer E. Bradshaw, Fifth Floor, Central National Building, Des Moines, Iowa, 50309. For a license (BMC 5) to engage in operations as a *broker* at Humboldt, Iowa, in arranging for the transportation by motor vehicle in interstate or foreign commerce of *passengers and their baggage*, in the same vehicle, in groups and as individuals, beginning and ending at Humboldt, Iowa, and extending to points in the United States.

No. MC 12992, filed April 12, 1966. Applicant: CRICKET TICKET SERVICE, INC., 3582 Main Street, Buffalo, N.Y., 14226. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y., 14202. For a license (BMC 5) to engage in operations as a *broker* at Buffalo, N.Y., in arranging for transportation by motor vehicle in interstate or foreign commerce of *Passengers and their baggage*, in the same vehicle, in round-trip, all-expense tours, beginning and ending at points in Erie County, N.Y., and extending to ports of entry on the international boundary line between the United States and Canada between New York and Ontario on the Niagara River.

No. MC 12993, filed April 18, 1966. Applicant: JENNIE LUCILLE HOOK, doing business as TOUR CO-ORDINATOR, 423 Graham Street, Florence, S.C. Applicant's representative: P. H. McEachin, Post Office Box 266, Florence, S.C., 29501. For a license (BMC 5) to engage in operations as a *broker* at Florence, S.C., in arranging for the transportation by motor vehicle in interstate or foreign commerce of *Passengers and their baggage*, in groups, beginning and ending at Florence, S.C., and extending to points in South Carolina and North Carolina.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 3009 (Sub-No. 65), filed April 13, 1966. Applicant: WEST BROTHERS, INC., 796 East Pine Street, Hattiesburg, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of the Magna American Corp. at or near Raymond, Miss., as an off-route point in connection with applicant's present authority, which includes interstate service to and from Jackson, Miss., and also over U.S. Highway 51.

No. MC 44592 (Sub-No. 23) (Amendment) filed January 28, 1966, published FEDERAL REGISTER issue of February 17, 1966, amended April 22, 1966, republished, as amended this issue. Applicant: MIDDLE ATLANTIC TRANSPORTATION CO., INC., 976 West Main Street, New Britain, Conn. Applicant's representative: John C. Bradley, 1111 E Street NW., Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of unusual value, dangerous explosives, commodities in bulk, commodities injurious or contaminating to other lading, and household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467), (1) between Erie, Pa., and junction U.S. Highway 19 and U.S. Highway 422, over U.S. Highway 19, serving no intermediate points, as an alternate route for operating convenience only, with service at junction U.S. Highway 19 and U.S. Highway 422 for the purpose of joinder only with applicant's regular routes over U.S. Highways 422 and 19, (2) between junction U.S. Highway 19 and U.S. Highway 422 and junction U.S. Highway 19 and the Pennsylvania Turnpike, over U.S. Highway 19, serving no intermediate points as an alternate route for operating convenience only, with service at the termini of said route for the purpose of joinder only with applicant's regular routes over the Pennsylvania Turnpike and U.S. Highways 19 and 422, and (3) between junction U.S. Highway 19 and the Pennsylvania Turnpike and Pittsburgh, Pa., over U.S. Highway 19, serving no intermediate points as an alternate route for operating convenience only with service at said junction limited to joinder with applicant's regular routes over U.S. Highway 19 and the Pennsylvania Turnpike. NOTE: The purpose of this republication is (a) to avoid crossing an existing regular route with an alternate route and (b) to provide greater flexibility in the use of the proposed route over U.S. Highway 19 between Erie and Pittsburgh.

No. MC 64994 (Sub-No. 76), filed April 18, 1966. Applicant: HENNIS FREIGHT LINES, INC., OPERATOR OF HANCOCK-TRUCKING, INCORPORATED, Sheldon A. Key, trustee, Post Office Box 612, Winston-Salem, N.C., 27102. Applicant's representative: Frank C. Philips, Post Office Box 612, Winston-Salem, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *Fixtures used in retail food stores, including but not limited to commercial type refrigerators, cooling rooms*, knocked down, *steel shelving*, knocked down, *cooling or freezing machines and checkout stands*, and (2) *materials and supplies used in the manufacture of (1) above*, serving the plant site of Hussmann Refrigeration Co., a division of Pet Milk Co. in Bridgeton, Mo., as an off-route point in connection with applicant's regular-route operations to and from St. Louis, Mo.

No. MC 123061 (Sub-No. 31), filed April 18, 1966. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah. Applicant's representative: Harry D. Pugsley, Suite 600, El Paso Natural Gas Building, 315 East Second South, Salt Lake City, Utah, 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, in mixed or straight

loads, split deliveries and pickups, between points in Idaho and points in Oregon.

No. MC 127750 (Sub-No. 1), filed April 13, 1966. Applicant: GEORGE T. ALLEN, doing business as ALLEN SALES AND SERVICE, Rural Route No. 2, Carnesville, Ga. Applicant's representative: William Addams, Room 620, 1776 Peachtree Street NW., Atlanta, Ga., 30309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Expanded polystyrene insulating material*, from Anderson, S.C., to points in North Carolina, Georgia, Florida, Alabama, Louisiana, and Virginia; for the account of Dyplast of South Carolina, Inc.

No. MC 128079 (Sub-No. 1), filed April 4, 1966. Applicant: GARY VAN BUITEN AND GARY VAN BUITEN, JR., a partnership, doing business as G. VAN BUITEN AND SON, Midland Hill Street, Box 329, Oxford, N.Y. Applicant's representative: Joe B. Munk, Professional Building, 117 Hawley Street, Binghamton, N.Y., 13901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber and dressed rough lumber*, from points in Chenango County, N.Y., to points in Susquehanna, Luzerne, Columbia, and Berks Counties, Pa., and *refused, rejected, and damaged shipments*, on return.

No. MC 128107, filed April 12, 1966. Applicant: BELMONT MINE SUPPLY, INC., Box 175, Flushing, Ohio. Applicant's representative: John Malik, Sr., 3381 Belmont Street, Bellaire, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *High explosives, caps, and blasting supplies*, from Flushing and Adena, Ohio, to Beechbottom, Colliers, Cumberland, Follansbee, Moundsville, Newell, Short Creek, Wellsburg, and Wheeling, W. Va., and (2) *ammonium nitrate prills*, from Adena, Ohio, to points in West Virginia.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 102), filed April 18, 1966. Applicant: GREYHOUND LINES, INC., 140 South Deaborn Street, Chicago, Ill., 60603. Applicant's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif., 94105. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers. *Revision of Alternate Route No. 79, on first revised certificate sheet No. 20 to adopt segments of Scott Road, White Rock Road, and Grant Line Road between Scott Road Junction and North Grant Line Road Junction in lieu of present segment of Bradshaw Road between Bradshaw Road Junction and North Grant Line Road Junction, herein proposed to be revoked.* Alternate Route No. 79. Between Scott Road Junction and Grant Line Road Junction: From junction Scott Road and U.S. Highway 50 (Scott Road Junction), over Scott Road to White Rock Road to Grant Line Road to junction U.S. Highway 99 (Grant Line Road Junction), to be used for operating convenience only, with no service at intermediate points. NOTE: Applicant states all present operating authority of applicant, so far as affects the territory and subject matter herein involved, is contained in second revised certificate of public convenience and necessity dated October 25, 1965, in Docket No. MC 1515 (Sub-No. 7). Common control may be involved.

No. MC 128128, filed April 14, 1966. Applicant: HARRY SNODERLY, doing business as SNODERLY TRANSPORTATION COMPANY, Route 1, Box 34, Arco, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip, charter operations, beginning and ending at Arco and Mackay, Idaho, and extending to points in Utah, Nevada, Oregon, Washington, Montana, Wyoming, California, Arizona, and Colorado.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4837; Filed, May 4, 1966; 8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 2, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40458—*Chlorine to Naheola, Ala.* Filed by Southwestern Freight Bureau, agent (No. B-8846), for interested rail carriers. Rates on chlorine, in tank carloads, subject to minimum shipment of three tank carloads, from Taft, La., to Naheola, Ala.

Grounds for relief—Market competition.

Tariff—Supplement 15 to Southwestern Freight Bureau, agent, tariff ICC 4668.

FSA No. 40459—*Chlorine to Palatka, Fla.* Filed by Southwestern Freight Bureau, agent (No. B-8847), for interested rail carriers. Rates on chlorine, in tank carloads, from Taft, La., to Palatka, Fla.

Grounds for relief—Market competition.

Tariff—Supplement 15 to Southwestern Freight Bureau, agent, tariff ICC 4668.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4910; Filed, May 4, 1966; 8:48 a.m.]

[Notice 176]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 2, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 732 (Sub-No. 1 TA), filed April 27, 1966. Applicant: ALBINA TRANSFER COMPANY, INC., 3706 North Mississippi Avenue, Portland, Oreg., 97227. Applicant's representative: William R. Robinson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Lane, Linn, Benton, Marion, Polk, Clackamas, and Yamhill Counties, Oreg., to steamship docks in Portland, Oreg., Vancouver and Longview, Wash., for 150 days. Supporting shippers: Lumber Specialties, Inc., Post Office Box 696, Vancouver, Wash.; Western Wood Supply, 437 Terminal Sales Building, Portland, Oreg.; B-J Lumber Co., Dallas, Oreg.; Industrial Lumber Co., Inc., Terminal Sales Building, Portland, Oreg.; Patrick Lumber Co., Terminal Sales Building, Portland, Oreg. Send protests to: S. F. Martin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 56082 (Sub-No. 59 TA), filed April 28, 1966. Applicant: DAVIS & RANDALL, INC., 154 Chautauqua Road, Post Office Box 390, Fredonia, N.Y., 14063. Applicant's representative: H. James Abdella, Bank of Jamestown Building, Jamestown, N.Y., 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials*, from South Bend, Ind., to points in Pennsylvania, New Jersey, New York, Connecticut, and to Wilmington, Del., *empty malt beverage containers*, on return, for 180 days. Supporting shipper: Piel Bros., Inc., 315 Liberty Avenue, Brooklyn, N.Y., 11207. Send protests to: George M. Parker, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 324 Federal Office Building, Buffalo, N.Y., 14203.

No. MC 60868 (Sub-No. 12 TA), filed April 28, 1966. Applicant: RUFFALO'S TRUCKING SERVICE, INCORPORATED, West Pearl Street, Post Office Box 148, Newark, N.Y. Applicant's representative: Nicholas A. Santino (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing materials*, from points in Union, Somerset, Bergen, Hudson, Middlesex, and Essex Counties, N.J., to points in New York, for 180 days. Supporting shippers: F. A. Kwiatkowski, manager, traffic, Barrett Division, Allied Chemical Corp., 40 Rector Street, New York, N.Y., 10006; R. F. Quinn, purchasing agent, Central City Roofing Co., Inc., 1051 East Erie Boulevard, Post Office Box 1266, Syracuse, N.Y., 13201; H. S. Ray, Traffic supervisor, Johns-Manville Corp., Manville, N.J. Send protests to: Morris H. Gross, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1025 Chimes Building, Syracuse, N.Y., 13202.

No. MC 83539 (Sub-No. 184 TA), filed April 28, 1966. Applicant: C & H TRANSPORATATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75208. Applicant's representative: J. P. Welsh (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from Libby, Mont., and Tacoma, Wash., to points in Arkansas, Delaware, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, Virginia, West Virginia, and District of Columbia, for 180 days. Supporting shipper: St. Regis Paper Co., 1019 Pacific Avenue, Tacoma, Wash., 98401. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 103993 (Sub-No. 254 TA), filed April 27, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind., 46515. Applicant's representative: Bill R. Privitt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages with hitchball connector, from Wayne, Delaware County, Pa., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia, for 180 days. Supporting shipper: Madway Main Line Homes, Inc., Wayne, Delaware County, Pa. (Ralph K. Madway, president). Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 111401 (Sub-No. 194 TA), filed April 28, 1966. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla., 73701. Applicant's representative: Alvin L. Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Plainview, Tex., to points in Kansas, for 150 days. Supporting shipper: James J. Kerr, manager, Motor Carrier Service, Agrico Chemical Co., 1222 Riverside Boulevard, Memphis, Tenn., 38101. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla., 73102.

No. MC 111401 (Sub-No. 195 TA), filed April 28, 1966. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla., 73701. Applicant's representative: Alvin L. Hamilton (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from El Dorado, Ark., to points in Louisiana, for 150 days. Supporting shipper: James J. Kerr, manager, Motor Carrier Service, Agrico Chemical Co., 1222 Riverside Boulevard, Memphis, Tenn., 38101. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla., 73102.

No. MC 111401 (Sub-No. 196 TA), filed April 28, 1966. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla., 73701. Applicant's representative: Alvin L. Hamilton (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphatic fertilizer solution*, liquid, in bulk, in tank vehicles, from Lowe, Kans., to points in Colorado, Oklahoma, and Texas, for 150 days. Supporting shipper: James J. Kerr, Manager, Motor Carrier Service, Agrico Chemical Co., 1222 Riverside Boulevard, Memphis, Tenn., 38101. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla., 73102.

No. MC 113524 (Sub-No. 23 TA), filed April 27, 1966. Applicant: JAMES F. BLACK, doing business as PARKVILLE TRUCKING COMPANY, 3641 Pulaski Highway, Baltimore, Md., 21224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cattle hides;* green, salted, pickled, or otherwise partially processed, from Westminster, Md., to North Pownell, Vt., for 180 days. Supporting shipper: The Westminster Hide & Tallow Co., Inc., Westminster, Md. Send protests to: William L. Hughes, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 312 Appraisers' Stores Building, 103 South Gay Street, Baltimore, Md., 21202.

No. MC 125701 (Sub-No. 1 TA), filed April 27, 1966. Applicant: RALPH P. WILLIAMS, doing business as CAYUGA TRANSPORT CO., Willard Street, Cayuga, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, agricultural insecticides, and fungicides, herbicides*, from Newark, New York, and Oneida, N.Y., to points in Bradford, Lycoming, Potter, Sullivan, Susquehanna, Tioga, and Wyoming Counties, Pa., for 180 days. Supporting shipper: Kerr-McGee Corp. of Oklahoma City, Okla., 28 Benedict Street, Waterbury, Conn. (Attention: Benjamin S. Douglas, traffic consultant). Send protests to: Morris H. Gross, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1025 Chimes Building, Syracuse, N.Y., 13202.

No. MC 126198 (Sub-No. 1 TA), filed April 27, 1966. Applicant: EARL MICHAUD, 133 Birch Street, Kingsford, Mich., 49802. Applicant's representative: William J. Bolognesi, Iron Mountain, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, namely beer and ale*, from Fort Wayne, Ind., to points in Marquette, Delta, Dickinson, and Menominee Counties, Mich., and from South Bend, Ind., to points in Houghton County, Mich., and from St. Paul, Minn., to points in Houghton, Keweenaw, Marquette, Menominee, and Delta Counties, Mich.; and *empty containers*, on return, for 180 days. Supporting shippers: John Bergeron and Ovide Bergeron, doing business as Bergeron Brothers Distributing Co., Ishpeming, Mich., 49849; Bernard Ammel, doing business as Ammel Distributing Co., Escanaba, Mich., 49829; Peter Calcatera, doing business as Calcatera Distributing Co., Iron Mountain, Mich.; George H. Beaudoin, doing business as Beaudoin Distributing Co., Stephenson, Mich., 49887; Edna Hocking, doing business as George M. Hocking Distributing Co., Hancock, Mich., 49930; Ferdinand Peterlin, and Roman J. Peterlin, doing business as Peterlin Brothers, Calumet, Mich.; Frank Sager, doing business as Sager Distributing Co., Ahmeek, Mich., 49901. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich., 48933.

No. MC 128030 (Sub-No. 17 TA), filed April 28, 1966. Applicant: THE STOUT TRUCKING CO., INC., Box 167, Rural Route 1, Urbana, Ill. Applicant's representative: W. L. Jordan, 201-2 Merchants Savings Building, 7 South Sixth Street, Terre Haute, Ind., 47801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bleachers, grandstands and portable grandstand seats*

and component parts thereof and supplies therefor, from Urbana, Ill., to points in California, Idaho, Oregon, and Washington, for 180 days. Supporting shipper: Leavitt Bleacher Co., 206 Griggs Street, Urbana, Ill. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Room 1086, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 128069 (Sub-No. 1 TA), filed April 28, 1966. Applicant: KARL MARKUS, doing business as MARKUS TRUCKING, 810 Mayor Magrath Drive, Lethbridge, Alberta, Canada. Applicant's representative: Joseph F. Meglen, Behner Building, Billings, Mont., 59101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts*, between ports of entry on the international boundary between the United States and Canada at or near Sweetgrass, Mont., on the one hand, and, on the other, points in Montana, Colorado, Iowa, Texas, Oklahoma, Kansas, Nebraska, South Dakota, and Wyoming, restricted to shipments moving to or from points in Canada, for 180 days. Supporting shippers: Noble Cultivators Ltd., Nobleford, Alberta, Canada; Wheat Belt Industries, Ltd., 1334 10th Avenue SW., Calgary, Alberta, Canada; United Machine Distributors Ltd., 1817 Ninth Avenue SE., Calgary, Alberta, Canada; Western Agricultural Supply Co., Box 890, Red Deer, Alberta, Canada. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, U.S. Post Office Building, Billings, Mont., 59101.

No. MC 128075 (Sub-No. 1 TA), filed April 27, 1966. Applicant: LEON JOHNSRUD, 757 Second Street West, Cresco, Iowa, 52136. Applicant's representative: Grant J. Merritt, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from Cresco, Iowa, and points in Iowa within 20 miles thereof, and Tripoli, Iowa, to Plymouth, Wis., for 150 days. Supporting shippers: Farmers Co-op Creamery, Tripoli, Iowa, 50676; C & F Co-op Dairy Association, Calmar, Iowa, 52132; Ridgeway Cheese & Butter Co., Ridgeway, Iowa, 52165; Schley Cheese Co., Rural Route 2, Cresco, Iowa, 52136. Send protests to: Charles C. Biggers, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 235 U.S. Post Office Building, Davenport, Iowa, 52801.

No. MC 128076 (Sub-No. 1 TA), filed April 27, 1966. Applicant: PROTECTIVE SERVICE COMPANY, 725–29 South Broad Street, Philadelphia, Pa., 19147. Applicant's representative: Edward D. Marsh (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records and audit and accounting media of all kinds* (excluding plant removals), between Harrisburg, Pa., Baltimore, Md., and Washington, D.C., for 150 days. Supporting shipper: The Service Bureau Corp., 2135 North Front Street, Harrisburg, Pa. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 128096 (Sub-No. 1 TA), filed April 28, 1966. Applicant: BEEM TRUCKING CO., INC., 5820 North Montana Avenue, Helena, Mont., 59601. Applicant's representative: Lloyd J. Skedd, Horsky Block, Helena, Mont., 59601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes and camp trailers*, between points in Washington, Idaho, and Montana, on the one hand, and, on the other, Hermiston, Oreg.; Red Lake Falls, Ironwood, Marshfield, and Adams, Wis.; Guttenburg, Iowa; Arkansas, Mo.; Great Bend, Kans.; Loveland, Colo.; Falls City, York, and Grand Island, Nebr.; and Watertown, S. Dak., for 180 days. Supporting shippers: Bell Manufacturing Corp., Kalispell, Mont.; Stockton Mobile Homes, Kalispell, Mont.; Matelich Trailer Sales, Missoula, Mont.; Gold Star Homes, Helena, Mont. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, U.S. Post Office Building, Billings, Mont., 59101.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–4911; Filed, May 4, 1966; 8:48 a.m.]

[Notice 1340]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 2, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68451. By order of April 27, 1966, the Transfer Board approved the transfer to A. M. Kennedy Transporation Co., Inc., Wappinger Falls, N.Y., of the remaining portion of the operating rights in certificate in No. MC–84752, issued August 20, 1943, to Alexander M. Kennedy, doing business as A. M. Kennedy Transportation Co., Wappinger Falls, N.Y., authorizing the transportation of: Household goods, as defined, between Millbrook, N.Y., and points in New York within 15 miles of Millbrook, on the one hand, and, on the other, points in New York, Rhode Island, Vermont, Maryland, Massachusetts, Connecticut, New Jersey, Pennsylvania, and the District of Columbia. Joseph Fogarty, 100 Third Street, Newburgh, N.Y., 12553, attorney for applicants.

No. MC–FC–68465. By order of April 28, 1966, the Transfer Board approved the transfer to Jacob Kleger & Rose Kleger, Philadelphia, Pa., of the operating rights in certificate No. MC–96083, issued March 21, 1941, authorizing the transportation of: Household goods, as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, over irregular routes, between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., and points and places in New Jersey. Joseph Skale, 1400 South Penn Square, Philadelphia, Pa., 19102, attorney for applicants.

No. MC–FC–68604. By order of April 28, 1966, the Transfer Board approved the transfer to Vincent P. Bromgone, Metuchen, N.J., of the operating rights of William R. Struck & Sons, Inc., Roselle, N.J., in permit No. MC–2294, issued September 25, 1950, authorizing the transportation, over irregular routes, of such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business between points in Richmond County, Staten Island, N.Y., and those in a described territory in New Jersey, and between the points in the said described territory, on the one hand, and, on the other, Paterson, Hawthorne, and Edgewater, N.J., and points in New York, Bronx, Kings, Queens, and Nassau Counties, N.Y., and fruits, vegetables, farm products, poultry, and sea food, in the respective seasons of their production, from points in a described portion of New Jersey. George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306, representative for applicants.

No. MC–FC–68607. By order of April 28, 1966, the Transfer Board approved the transfer to Hoppy's Oil Service, Inc., Brockton, Mass., of the operating rights of Jack Hopwood and Robert Hopwood, a partnership, doing business as Hoppy's Ice & Oil Service, Brockton, Mass., in certificate of registration No. MC–58468 (Sub-No. 1), issued January 27, 1965, authorizing the transportation, over irregular routes, of general commodities anywhere in the Commonwealth of Massachusetts. Mary E. Kelley, 10 Tremont Street, Boston, Mass., 02108, attorney for applicants.

No. MC–FC–68633. By order of April 27, 1966, the Transfer Board approved the transfer to Butler Trucking Co., a corporation, Drifting, Pa., of certificate in Nos. MC–123744 and MC–123744 (Sub-No. 1), issued December 20, 1961, and March 2, 1965, to Emanuel Butler, Sr., and Emanuel Butler, Jr., a partnership doing business as Butler Trucking Co., Drifting, Pa., authorizing the transportation of Refractory products from specified plantsites in Pennsylvania to points in New Hampshire, Vermont, Massachusetts, Connecticut, and a specified area of Maine, and of clay products from points in Centre County, Pa., to points in Massachusetts, Connecticut, New York, New Jersey, Ohio, Delaware, Maryland, and West Virginia. Christian V. Graf, 407 North Front Street, Harrisburg, Pa., attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–4912; Filed, May 4, 1966; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

CRANBERRIES GROWN IN CERTAIN STATES

Order Directing That Referendum Be Conducted, Designation of Referendum Agent, and Determination of Representative Period

Pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), it is hereby directed that a referendum be conducted among the growers who, during the period August 1, 1965, through April 30, 1966 (which period is hereby determined to be a representative period for the purposes of such referendum), were engaged, in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, in the production of cranberries for market to determine whether such growers favor continuation of the said amended marketing agreement and order. George B. Dever, Jr., of the Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, is hereby designated as agent of the Secretary of Agriculture to conduct the referendum.

The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (30 F.R. 15414).

Copies of the text of the aforesaid marketing agreement and order may be examined in the Office of the Director, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Ballots to be cast in the referendum may be obtained from any referendum agent and any appointee hereunder.

Dated: April 29, 1966.

CLARENCE H. GIRARD, *Deputy Administrator, Regulatory Programs.*

[F.R. Doc. 66-4918; Filed, May 4, 1966; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

MORGAN GUARANTY TRUST COMPANY OF NEW YORK

Notice of Approval of Applicant as Trustee

Notice is hereby given that Morgan Guaranty Trust Co. of New York has been approved as a trustee pursuant to Public Law 89–346 and 46 CFR 221.21–221.30.

Dated: May 3, 1966.

M. I. GOODMAN, *Chief, Office of Ship Operations.*

[F.R. Doc. 66-4987; Filed, May 4, 1966; 11:00 a.m.]

Office of the Secretary

[Dept. Order 5]

ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR OF ECONOMIC DEVELOPMENT

Authority and Responsibilities

The following order was issued by the Secretary of Commerce on April 6, 1966. This material supersedes the material appearing at 30 F.R. 11892–11893 of September 16, 1965, and 30 F.R. 14999 of November 24, 1965.

SECTION 1. *Purpose.* The purpose of this order is to designate the title of the Assistant Secretary of Commerce and Director of Economic Development and to prescribe the scope of his authority, functions, duties, and responsibilities.

SEC. 2. *Administrative designation.* The position of Assistant Secretary of Commerce, established by Title VI of the Public Works and Economic Development Act of 1965 (Public Law 89–136), is hereby designated as the Assistant Secretary of Commerce and Director of Economic Development (hereinafter called the "Assistant Secretary"). The Assistant Secretary is appointed by the President by and with the advice and consent of the Senate.

SEC. 3. *Scope of authority.* .01 The Assistant Secretary shall serve as the principal adviser to the Secretary of Commerce on matters concerning the economic development of States, regions, areas, districts, centers, and communities in the United States. He shall also serve as adviser to other departmental officials with respect to such matters.

.02 The Assistant Secretary shall exercise policy direction and general supervision of the Economic Development Administration and the Office of Regional Economic Development, and shall also supervise the staff and support offices for economic development activities established by Department Order 11.

.03 Pursuant to the authority vested in the Secretary of Commerce by the Public Works and Economic Development Act of 1965 (Public Law 89–136) and otherwise by law, and subject to such policies and directives as the Secretary of Commerce shall prescribe, the Assistant Secretary shall:

a. Exercise the authority of the Secretary of Commerce under sections 301(e), 501, 502, 503(b), 601(a), and 603 of this Act and such other functions as the Secretary may prescribe under this Act; and

b. When there is a vacancy in the office of Administrator, exercise the authority of the Administrator of the Economic Development Administration as set forth in Department Order 4–A, or designate an official who reports to the Assistant Secretary to exercise the authority of the Administrator in the Assistant Secretary's absence or at such other times as he may deem necessary.

.04 Pursuant to the authority vested in the Secretary of Commerce by the Appalachian Regional Development Act of 1965 (Public Law 89–4) and otherwise by law, and subject to such policies and directives as the Secretary of Commerce shall prescribe, the Assistant Secretary shall:

a. Exercise the authority of the Secretary of Commerce under section 201 of the Appalachian Regional Development Act of 1965 (Public Law 89–4), to approve in whole or in part, or to require modifications or revisions of, the recommendations of the Appalachian Regional Commission with respect to general corridor locations and termini of development highways, designation of local access roads to be constructed, priorities for construction of local access roads and of major segments of the development highways, and other criteria for the program as authorized by section 201 of this Act, including approval of any general formulas for the allocation of total mileage or overall financial authorizations among the Appalachian States;

b. Determine whether and the extent to which the provisions of Title 23, United States Code, and regulations issued pursuant thereto, are not inconsistent with the activities authorized by section 201 of this Act;

c. Establish any requirements, make any determinations, and issue any additional regulations otherwise necessary to carry out the provisions of section 201 of this Act;

d. Approve regulations necessary to carry out the functions or responsibilities assigned to the Department by this Act prior to their issuance by the Economic Development Administration pursuant to section 214 of this Act; and

e. Approve regulations issued by the Economic Development Administration and any general arrangements entered into by the Economic Development Administration with the Appalachian Regional Commission or with other public or private organizations for the making of grants or the provision of funds, pursuant to section 302 of this Act.

.05 The Assistant Secretary shall, subject to such policies and directives as the Secretary of Commerce shall prescribe, exercise the authority vested in the Secretary under section 217 of Public Law 89–298 and under other present or subsequent laws relating to economic development.

.06 The Assistant Secretary may redelegate any authority conferred on him by this order to any official reporting to

him, subject to such conditions in the exercise of such authority as he may prescribe.

SEC. 4. *Duties and responsibilities.* .01 The Assistant Secretary shall provide policy direction and general supervision over, and coordinate the development of, any new programs, activities, or organizations dealing with regional or other aspects of economic development as may be assigned to the Department.

.02 The Assistant Secretary shall appraise the need for new Commerce activities to stimulate economic development, alleviate poverty, and promote economic opportunity, and shall arrange for appropriate study of legislative and programmatic requirements to meet such needs including the financial, manpower and organizational resources required to bring such needed activities into existence.

.03 With respect to the Public Works and Economic Development Act of 1965, the Assistant Secretary shall:

a. Establish the group to study the effect of Government procurement, scientific, technical, and other related policies upon regional economic development as required by section 301(e), with the understanding that the report of such study group will be forwarded to the Congress by the Secretary;

b. Designate "economic development regions" within the United States according to the provisions of section 501;

c. Determine whether the State of Hawaii or the State of Alaska meets the requirements for an economic development region and establish commissions for either of them if it is so determined, as authorized by section 502(f);

d. Invite and encourage the States wholly or partially within "economic development regions" to establish multi-State regional commissions, according to the provisions of section 502(a);

e. Coordinate the activities of the Federal Cochairmen, receive the recommendations made by the commissions, and take all other necessary and appropriate actions to carry out the provisions of sections 503 and 601(a);

f. Present plans and proposals of Regional Action Planning Commissions to other Federal agencies, as provided for by section 503(b) of the Act (the authority to present such plans and proposals to the President is reserved to the Secretary);

g. Call together, confer, and consult with other persons and agencies, as provided for by section 603 of the Act; and

h. Approve, prior to issuance by the Administrator, the rules, regulations, and procedures required by the Act or otherwise deemed necessary for carrying out the functions, powers, duties, and authorities delegated to the Administrator for Economic Development and to the Director, Office of Regional Economic Development, except those internal orders not required to be issued to the public.

.04 With respect to the Appalachian Regional Development Act, the Assistant Secretary shall provide for adequate coordination of activities of the Department of Commerce under this Act, both internally and in dealings with the Federal Development Committee for Appalachia, the Appalachian Regional Commission, and the other Federal agencies conducting programs of assistance to the Appalachian region. In so doing, he shall:

a. Represent the Secretary on the Federal Development Committee for Appalachia, to which he may designate one or more alternate members to act in his stead, and otherwise act to carry out the requirements of Executive Order 11209 of March 25, 1965;

b. Act to formally resolve any policy or program problems which may arise between the Commission, its Federal Cochairman, the Committee, or other Federal agencies, and organizational units of the Department; and

c. Perform such other functions as in his judgment are necessary to carry out the Department's responsibilities under the Act or the Executive order.

Effective date. April 6, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-4920; Filed, May 4, 1966; 8:49 a.m.]

[Dept. Order 177]

ASSISTANT SECRETARY OF COMMERCE FOR SCIENCE AND TECHNOLOGY

Authority and Responsibilities

The following order was issued by the Secretary of Commerce on April 14, 1966. This material supersedes the material appearing at 27 F.R. 11244 of November 14, 1962, and 28 F.R. 6921 of July 6, 1963.

SECTION 1. *Purpose.* The purpose of this order is to prescribe the scope of authority and the duties and responsibilities of the Assistant Secretary of Commerce for Science and Technology.

SEC. 2. *Administrative designation.* The position of Assistant Secretary of Commerce established by Public Law 87-405 of February 16, 1962, is designated as the Assistant Secretary of Commerce for Science and Technology. The Assistant Secretary is appointed by the President by and with the advice and consent of the Senate.

SEC. 3. *Scope of authority.* The Assistant Secretary of Commerce for Science and Technology shall exercise policy direction and general supervision over the Environmental Science Services Administration, National Bureau of Standards, Patent Office, and the Office of State Technical Services.

SEC. 4. *Duties and responsibilities.* The Assistant Secretary of Commerce for Science and Technology shall serve as the principal adviser to the Secretary on all scientific and technological matters of concern to the Department, and shall serve as adviser to all departmental officials with respect to matters of science and technology, in which capacity he shall have cognizance of the research and development activities carried out in the fields of science and technology by all organization units of the Department. His particular duties and responsibilities shall include:

a. The coordination and evaluation of existing programs of the Department in the fields of science and technology;

b. The expansion of such programs where deemed desirable to meet the national needs;

c. The development and implementation of new research and development programs in furtherance of the Department's objectives;

d. Representing the Department on top policy level scientific committees and groups, including the Federal Council for Science and Technology; and

e. The coordination of the Department's scientific and technological activities with other agencies of Government.

SEC. 5. *Deputy Assistant Secretary of Commerce for Science and Technology.* The Deputy Assistant Secretary of Commerce for Science and Technology shall be the principal assistant to the Assistant Secretary of Commerce for Science and Technology and shall assume full responsibilities of the Assistant Secretary during the latter's absence.

Effective date. April 14, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-4921; Filed, May 4, 1966; 8:49 a.m.]

[Dept. Order 4-A]

ECONOMIC DEVELOPMENT ADMINISTRATION

Authority and Responsibilities

The following order was issued by the Secretary of Commerce on April 6, 1966. This material supersedes the material appearing at 30 F.R. 11399-11400 of September 8, 1965, and 30 F.R. 14999 of November 24, 1965.

SECTION 1. *Purpose.* The purpose of this order is to continue the Economic Development Administration, delegate authority to the Administrator, and describe the functions of the Administration.

SEC. 2. *General.* .01 The Economic Development Administration is hereby continued as a primary operating unit of the Department of Commerce pursuant to the authority vested in the Secretary of Commerce by the Public Works and Economic Development Act of 1965 (Public Law 89-136), the Appalachian Regional Development Act of 1965 (Public Law 89-4), and otherwise by law.

.02 The Economic Development Administration (hereinafter called the "Administration") shall be headed by the Administrator for Economic Development, appointed by the President by and with the advice and consent of the Senate. The Administrator for Economic Development (hereinafter called the "Administrator") shall report and be responsible to the Assistant Secretary of Commerce and Director of Economic Development (hereinafter called the "Assistant Secretary"). The Administrator shall be assisted by a Deputy Administrator who shall perform the functions of the Administrator in the latter's absence.

SEC. 3. *Delegation of authority.* .01 Pursuant to the authority vested in the Secretary of Commerce by law and subject to such policies and directives as the Assistant Secretary may prescribe, the Economic Development Administrator is hereby delegated the functions, powers, duties, and authorities vested in the Secretary of Commerce by:

a. Titles I, II, III, IV, VI, and VII except section 601 of the Public Works and Economic Development Act of 1965 (Public Law 89-136) with the following exceptions:

1. Establishment of the independent study group as required by section 301(e) of the Act, which function shall be performed by the Assistant Secretary, with the proviso that the report of the study group shall be submitted to the Congress by the Secretary;

2. Transmittal of the annual report to the Congress as required by sections 301(c) and 707 of the Act, which function shall be exercised by the Secretary;

3. Appointment of a National Public Advisory Committee on Regional Economic Development as required by section 602 of the Act, which function shall be exercised by the Secretary; and

4. Exercise of the Secretary's authority to delegate pursuant to section 708(a) of the Act, which functions shall be exercised by the Secretary.

b. The Manpower Act of 1965 (Public Law 89-15; 79 Stat. 75) which amends the Manpower Development and Training Act of 1962 (76 Stat. 23).

c. Sections 214 and 302 (except research) of the Appalachian Regional Development Act of 1965 (Public Law 89-4; 79 Stat. 5), except that any general arrangements entered into with other public or private organizations for the making of grants or the provision of funds must be approved by the Assistant Secretary.

.02 The approval of the Assistant Secretary shall be obtained before issuance by the Administrator of any rules, regulations, or procedures required by the Acts cited above or otherwise deemed necessary for carrying out the functions, powers, duties and authorities delegated to the Adminstrator by paragraph .01 of this section. Such approval will not be obtained for internal orders not required to be issued to the public.

.03 The Administrator may redelegate any authority conferred on him by this order to any officer of the Economic Development Administration subject to such conditions in the exercise of such authority as the Administrator shall prescribe.

.04 When there is a vacancy in the office of Administrator, the Assistant Secretary may exercise the authority of the Administrator or may designate an official who reports to the Assistant Secretary to exercise the authority of the Administrator in the Assistant Secretary's absence or at such other times as he may deem necessary.

SEC. 4. *Functions and responsibilities.* .01 The Administration shall perform functions under the Public Works and Economic Development Act of 1965 which include, but are not limited to, the following:

a. Designate redevelopment areas, economic development districts and economic development centers and terminate such designations when conditions require;

b. Encourage and assist State and local agencies in preparing and carrying out economic development programs for designated areas, districts and centers; establish guides as to nature, scope, content, and format of any overall economic development plan submitted for approval; review, evaluate, and act upon requests for approval of overall economic development plans;

c. Undertake development and economic growth studies for redevelopment areas, designated districts and centers, and other areas which have substantial need for such technical assistance;

d. Request from other agencies the special studies, information and data which they are authorized to furnish, with appropriate reimbursement, by the provisions of section 401(c) of the Act;

e. Encourage and assist State and local agencies in developing proposals for financial assistance through loans, guarantees, and grants, including assistance for public works and development facilities; review, evaluate and act upon requests for approval of economic development projects; develop, issue and interpret policy guides and criteria to be followed by other agencies performing functions under the financial assistance programs;

f. Keep informed of research in fields of economic development, relate results to current development programs, and make results generally available for guidance of Government agencies or others interested in economic development;

g. Provide staff support and assistance to the Assistant Secretary and the Secretary of Commerce in developing coordinated policies on Federal assistance to redevelopment areas and economic development districts and centers;

h. Compile and disseminate to interested parties useful economic development information as prescribed in section 301(d) of the Act;

i. Coordinate Federal assistance in redevelopment areas, districts and centers, and review the economic development activities of agencies or departments delegated functions by the Secretary of Commerce under authority of the Act;

j. Consult with the designated representatives of the Department of Labor in determining occupational training or retraining needs in redevelopment areas;

k. Determine the positions or activities which involve discretion with respect to the granting of assistance under the Act, as required by section 711 of the Act;

l. Subject to the provisions of paragraph 3.02 of this order, issue rules, regulations, and procedures as appropriate to carry out provisions of the Act; and

m. Undertake such other activities as are necessary and proper to assure effective administration of the Act.

.02 The Administration shall administer grant-in-aid programs authorized by sections 214 and 302 of the Appalachian Regional Development Act, in accordance with appropriate rules and regulations approved by the Assistant Secretary.

SEC. 5. *Staff services.* The Economic Development Administration will obtain administrative management and other staff services from or through the staff and support offices established by Department Order 11.

SEC. 6. *Savings provision.* All rules, regulations, orders, authorizations, delegations, or other actions duly issued, made, or taken by or pursuant to applicable law by or related to the Area Redevelopment Administration or the Appalachian Assistance Staff or any officials thereof shall continue in full force and effect until rescinded or modified by proper authority.

Effective date. April 6, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-4922; Filed, May 4, 1966; 8:49 a.m.]

[Dept. Order 4-B]

ECONOMIC DEVELOPMENT ADMINISTRATION

Organization and Functions

SECTION 1. *Purpose.* The purpose of this order is to prescribe the organization and to assign functions within the Economic Development Administration.

SEC. 2. *Organization.* The Economic Development Administration (hereinafter called the "Administration") shall consist of the following organization units:

a. Office of the Administrator:
1. Administrator.
2. Deputy Administrator.
b. Office of Program Coordination.
c. Office of Field Coordination.
d. Office of Program Evaluation.
e. Office of Technical Assistance.
f. Office of Public Works.
g. Office of Business Loans.
h. Office of Appalachian Assistance.
i. Economic Development Area Offices.

SEC. 3. *Functions of the Office of the Administrator.* .01 The Administrator shall direct the programs and be responsible for the conduct of all activities of the Economic Development Administration subject to the policies and directives prescribed by the Secretary of Commerce and the Assistant Secretary of Commerce and Director of Economic Development.

.02 The Deputy Administrator shall assist the Administrator in all matters affecting the Economic Development Administration, and shall perform the duties of the Administrator during the latter's absence.

SEC. 4. *Functions of the Office of Program Coordination.* The Office of Program Coordination shall:

a. Coordinate interagency policy matters;

b. Plan and coordinate operations between Federal, State and local governments;

c. Coordinate the efforts of the Administration in the manpower retraining program;

d. Promote the development and coordinate the activities of the small business development and opportunity centers;

e. Provide guidance on questions and problems relative to industry relocation and coordinate related activities;

f. Provide guidance on questions and problems associated with the equal opportunity program; conduct investigations and other types of surveillance under, obtain compliance with, and coordinate the efforts of the Administration relative to, this program; and

g. Maintain liaison with Federal and State agencies and non-government organizations on the aforegoing functions.

SEC. 5. *Functions of the Office of Field Coordination.* The Office of Field Coordination shall:

a. Propose policies and guidelines for the establishment of the Area Offices and the conduct of program responsibilities delegated to the field;

b. Assist in the development and issuance of program and administrative standards and procedures pertaining to field activities;

c. Provide continuing evaluation of program progress in the Area Offices;

d. Conduct liaison between Area Offices and Washington offices to insure effective coordination of activities; and

e. Carry out other assignments pertinent to the administration of field activities and to continuing improvement in their effectiveness.

SEC. 6. *Functions of the Office of Program Evaluation.* The Office of Program Evaluation shall:

a. Evaluate the effectiveness of economic development projects, activities, and programs in achieving the objectives of the Economic Development and Appalachian Assistance Acts, and the goals of the Economic Development Administration;

b. Assemble, evaluate, and monitor information relating to the designation of qualified areas, districts, and centers; conduct an annual review of such designations; and recommend modification or termination of eligibility;

c. Review and approve Overall Economic Development Plans, and propose policies and criteria to govern their preparation, modification, and improvement;

d. Establish and maintain a system of statistical and factual information to serve project and program analysis requirements;

e. Conduct studies and investigations to develop policies concerning industry and market potential and program effect;

f. Conduct economic evaluation of industrial and commercial project proposals as required;

g. Prepare and collect publications and other materials useful within the Administration, the cooperating agencies, and economic development organizations and distribute them to interested parties;

h. Develop and carry out experimental programs using new or modified methods and techniques, or demonstrating the effectiveness of research findings;

i. Provide reports and other information on existing economic development programs, both domestic and overseas; and

j. Carry out such liquidation of the affairs and functions conducted under the Area Redevelopment Act as may be directed by the Administrator.

SEC. 7. *Functions of the Office of Technical Assistance.* The office of Technical Assistance shall with respect to Title III of the Public Works and Economic Development Act of 1965:

a. Propose policies and criteria to govern the review and approval of all requests for technical assistance and administrative grants-in-aid;

b. Propose rules, regulations, and procedures pertaining to the acceptance, review, and approval of requests for technical assistance and administrative grants-in-aid consistent with the Act;

c. Plan and develop, and originate where appropriate, technical assistance projects and review and evaluate requests for technical assistance for submission to the Administrator for appropriate action;

d. Serve as the focal point, technical and administrative, for the review, evaluation, and recommendation of technical assistance applications and provide the necessary assistance and controls for administration of approved requests;

e. Direct or oversee the performance and implementation of approved technical assistance projects;

f. Arrange for the execution of agreements with other Federal departments and agencies and with State and local governments for the conduct of specialized technical assistance;

g. Arrange for contracts or grant agreements with private individuals, partnerships, firms, corporations or other suitable institutions to perform approved technical assistance projects;

h. Arrange terms and conditions within policy framework for administrative grants-in-aid and administer approved requests;

i. Propose terms and conditions for repayment of technical assistance when such repayment is required and administer such repayment agreements;

j. Recommend policies and practices to facilitate effective relationships with other Government agencies having similar complementary programs on technical assistance and administrative grants-in-aid; and

k. Assist in the implementation of program grants and contracts including the study, training, and research programs of the Office of Program Evaluation and of the Office of Economic Research, to assure proper coordination and relationship between the Administration and prospective contractors.

SEC. 8. *Functions of the Office of Public Works.* The Office of Public Works shall:

a. Propose policies and criteria to govern the approval and administration of grants and loans for public works and development facilities;

b. Propose rules, regulations, and procedures pertaining to the acceptance, review, and approval of requests for grants consistent with the criteria contained in the Public Works and Economic Development Act of 1965;

c. Review and make recommendations on applications for public works and development facilities grants;

d. Review and make recommendations on applications for public works and development facilities loans, suggesting alternate methods of financing where indicated;

e. Monitor approved requests for grants and loans for public works and development facilities;

f. Arrange for services from other Federal agencies for administration of approved grants and loans as required, and maintain liaison with such agencies;

g. Maintain liaison with other agencies having grant-in-aid programs which are eligible for supplementary grants; and

h. Evaluate the progress of the public works and development facilities program.

SEC. 9. *Functions of the Office of Business Loans.* The Office of Business Loans shall:

a. Propose policies and criteria to govern the approval and administration of financial assistance for industrial or commercial usage;

b. Propose rules, regulations, and procedures pertaining to the acceptance, review, and approval of requests for financial assistance for industrial and commercial usage consistent with the criteria contained in the Public Works and Economic Development Act of 1965;

c. Review and make recommendations on applications for industrial and commercial financial assistance in the form of (1) industrial or commercial loans, and (2) working capital guarantees;

d. Monitor operations of active industrial and commercial projects approved by the Administration and also outstanding loans for projects approved under provisions of the Area Redevelopment Act;

e. Provide specialized assistance to recipients of the Economic Development Administration industrial and commercial loans and guarantees, and Area Redevelopment Administration loans;

f. Develop plans to improve or terminate projects in default of loan conditions;

g. Carry out such liquidation of the affairs and functions conducted under the Area Redevelopment Act as directed by the Administrator; and

h. Maintain liaison with other agencies concerned with activities of this Office.

SEC. 10. *Functions of the Office of Appalachian Assistance.* The Office of Appalachian Assistance shall:

a. Propose policies and criteria for the administration of the supplemental grant-in-aid program, administrative expense grant program, and other programs authorized by sections 214 and 302 of the Appalachian Regional Development Act of 1965, and administer these programs in accordance with such approved policies and criteria;

b. Propose rules, regulations, and procedures governing the acceptance, review, evaluation, and approval of requests for supplemental grants-in-aid, and administrative expense grants to States, local development districts, localities, and other public or private bodies in the Appalachian region;

c. Review and act upon specific recommendations of the Appalachian Regional Commission for the allocation of funds to other Federal departments, agencies, and instrumentalities, or for the approval of grants for administrative expenses of local development districts, as provided in sections 214 and 302(a)(1) of the Act;

d. Administer regulations governing supplementation of the Federal share of grants-in-aid project costs and make grants as authorized by section 214, and require necessary reports on the application, expenditure, and results of funds so allocated;

e. Administer regulations governing the approval of grants for administrative expenses of local development districts, evaluate the contribution of such districts to the total budgeted expenses, and make grants for such administrative expenses as authorized by section 302(a)(1) of the Act;

f. Review periodic reports submitted by grantees to monitor performance of approved projects or programs, in accordance with appropriate regulations, and arrange for audit as may be desirable with respect to assistance provided;

g. Represent the Administrator in the survey of strip and surface mining authorized by section 205(c) of the Act, and in the preparation of the comprehensive plan for the development and utilization of water and related sources as authorized by section 206(c) of the Act;

h. Evaluate, and accept or reject, any certifications of maintenance of effort, determinations of eligibility, and other reviews or approvals, under sections 221, 223, 224, 301, and 302 of the Act, as may be desirable in carrying out the responsibilities of the Assistant Secretary under the Act, and under Executive Order 11209, except as may be delegated to the Federal Highway Administrator;

i. Act as a focal point within the Administration and the Department for coordinating requested assistance to the Federal Cochairman, the Appalachian Regional Commission, or the Federal Development Committee for Appalachia by other operating units in the Department possessing data, expertise, or resources related to the purposes of the Act;

j. Develop close and effective relationships with the Federal Cochairman, the Appalachian Regional Commission, the Bureau of Public Roads, and the other Federal agencies and departments participating in programs authorized or assisted by the Act; and

k. Act to carry out any other functions which may be assigned to the Administrator under the Act or Executive Order 11209.

SEC. 11. *Functions of the Economic Development Area Offices.* The Economic Development Area Offices shall:

a. Cooperate with and assist local areas in organizing for economic development;

b. Provide economic development informational services, covering all programs, Federal and otherwise;

c. Provide for field surveys of local area problems through staff or through contract;

d. Cooperate with local area and other economic development representatives in the development or modification of Overall Economic Development Plans (OEDP's);

e. Review those OEDP's submitted for approval and take appropriate action in accordance with prescribed Administration policies and procedures;

f. Review applications for industrial and commercial assistance, for development facilities assistance and supplementary grants, and for technical assistance, including administrative grants, and take appropriate final action in accordance with Administration policies, rules, regulations, and procedures and within the authority specifically delegated by the Administrator;

g. Review financial assistance project reports of processing offices, submitting analysis and recommendation for action to the Administration's Washington office;

h. Develop in cooperation with appropriate agencies' requirements for conducting, and evaluating, training projects within the area served by the Area Office; and

i. Provide for official liaison channels with State economic development agencies, multi-county economic development organizations, economic development centers, and regional or local offices of other Federal agencies located within the same area, particularly those with related programs such as Small Business Administration, Community Facilities Administration, Office of Economic Opportunity, Department of Labor, Department of Agriculture, etc.

Effective date. April 6, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-4923; Filed, May 4, 1966; 8:49 a.m.]

[Dept. Order 2-B; Amdt. 2]

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Organization and Functions

The following material further amends the material appearing at 30 F.R. 13100-13103 of October 14, 1965, and 31 F.R. 772 of January 20, 1966.

Department Order 2-B, effective October 1, 1965, as amended, is further amended as follows:

1. Section 2. *Administrator of the Environmental Science Services Administration:* This section is amended to read:

.01 The Administrator develops the objectives of the Administration, formulates policies and programs for achieving those objectives and directs execution of these programs. He is assisted by the Deputy Administrator. Liaison activities with Congress are centered in the Office of the Administrator.

.02 The Assistant Administrator for Resources and Management Review reviews and coordinates allocation of resources and management practices to insure the effective and economical conduct of ESSA programs.

2. Section 8. *General Staff Offices:* Subparagraphs .03b. and .03c. are amended to read:

b. The Budget Division analyzes and aggregates ESSA's budgetary requirements, prepares and coordinates formal budget documents for consideration by appropriate elements of the Executive and Legislative Branches; and develops, applies, and reviews fiscal plans to insure that appropriations and other available funds are used properly and economically, and reflects these reviews by providing input to ESSA's management information system.

c. The Finance Division provides central accounting support for ESSA, reviews needs for ESSA and its operating units for accounting data and develops systems of financial reporting to insure a sound accounting and management of ESSA's financial resources; accounts and other records are maintained and processed to reflect fund status, obligations, costs, and program expenditure.

3. Section 9. *Special Staff Offices:* A new paragraph .07 is added to read:

.07 The Office of World Weather Systems provides leadership and coordination in the development of plans and operations for U.S. participation in the cooperative international program in meteorology known as the World Weather Watch; develops requirements to meet U.S. commitments in this program; and determines and advises ways to derive maximum benefit from this global weather program.

Effective date. April 12, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-4924; Filed, May 4, 1966; 8:49 a.m.]

[Dept. Order 187]

OFFICE OF CONGRESSIONAL RELATIONS

Functions and Responsibilities

The following order was issued by the Secretary of Commerce on April 14, 1966. This material supersedes the material appearing at 28 F.R. 6921 of July 6, 1963.

SECTION 1. *Purpose.* The purpose of this order is to describe the functions of the Office of Congressional Relations.

SEC. 2. *General.* The Office of Congressional Relations is hereby continued as a departmental staff office in the Office of the Secretary. The Office shall be headed by the Special Assistant to the Secretary for Congressional Relations who shall report and be responsible to the Secretary of Commerce.

SEC. 3. *Functions and responsibilities.* .01 The Office of Congressional Relations shall coordinate departmental activities pertaining to Congressional relations and serve as the channel for the exchange of information with Members of Congress. More specifically, the Office shall:

a. Serve as the focal point within the Department for handling Congressional relations and advise the Secretary on such matters; and

b. Be primarily responsible for the handling of Congressional mail and telephone or other forms of inquiries or requests for information or assistance or reports from Members of Congress or their staffs, except as excluded in paragraph .03 of this section.

.02 All such inquiries or requests from Congress shall be reported to the Special Assistant to the Secretary for Congressional Relations in such a manner as he may direct.

.03 Nothing herein shall be deemed to affect the responsibility of the Office of the General Counsel for the preparation of and furnishing to the Congress the Department's legislative program and for furnishing reports to the Congress on any proposed legislation; nor the responsibility of the Office of the Assistant Secretary for Administration for the presentation to the Congress of budget estimates and direct liaison with appropriations committees and their staffs.

Effective date. April 14, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-4925; Filed, May 4, 1966; 8:49 a.m.]

[Dept. Order 6-A]

OFFICE OF REGIONAL ECONOMIC DEVELOPMENT

Authority and Responsibilities

The following order was issued by the Secretary of Commerce on April 6, 1966. This material supersedes the material appearing at 31 F.R. 581 of January 18, 1966.

SECTION 1. *Purpose.* The purpose of this order is to continue the Office of Regional Economic Development, define its functions, and delegate authority to the Director.

SEC. 2. *General.* .01 The Office of Regional Economic Development is hereby contiffued as a primary operating unit of the Department of Commerce pursuant to the authority vested in the Secretary of Commerce by the Public Works and Economic Development Act of 1965 (Public Law 89-136) (hereinafter called the "Act"), and otherwise by law.

.02 The Office of Regional Economic Development (hereinafter called the "Office") shall be headed by a Director who shall report and be responsible to the Assistant Secretary of Commerce and Director of Economic Development (hereinafter referred to as the "Assistant Secretary"). The Director shall be assisted by a Deputy Director who shall perform the functions of the Director in the latter's absence.

SEC. 3. *Delegation of authority.* .01 Subject to such policies and directives as the Secretary and Assistant Secretary may prescribe, the Director is hereby delegated the authority to perform all functions vested in the Secretary of Commerce by Title V, except:

a. Those functions set forth in sections 501 and 502 of the Act, relating to the designation of economic development regions;

b. Those functions set forth in section 503(b) and 503(e) of the Act, relating to the submission of plans, proposals and recommendations of the regional commissions; and

c. Those activities relating to research, as authorized by section 505(a), which have been delegated to the Office of Research by Department Order 11.

.02 The approval of the Assistant Secretary shall be obtained before issuance by the Director of any rules, regulations, or procedures to be published in the FEDERAL REGISTER.

.03 The Director may redelegate any authority conferred on him by this order to any officer of the Office, subject to such conditions in the exercise of such authority as he may prescribe, except that any redelegations of authority to provide or allocate funds or to make grants-in-aid to the commissions under section 505(a) of the Act will require the prior approval of the Assistant Secretary.

SEC. 4. *Functions and responsibilities.* .01 The Office shall administer the various provisions of Title V of the Act. In carrying out these responsibilities, the Office shall:

a. Provide and evaluate information to aid the Assistant Secretary in designating economic development regions;

b. Assist States to establish Regional Action Planning Commissions (hereinafter called "regional commissions") within designated regions;

c. Review recommendations submitted by the regional commissions for changing boundaries of economic development regions;

d. Develop standards and procedures to guide the regional commissions in conducting economic devlopment planning;

e. Assist regional commissions to prepare work programs for regional economic planning;

f. Review and approve work programs and administrative expense budgets of the regional commissions and approve the use of such funds;

g. Formulate and recommend technical assistance projects for regional economic development planning, review requests for all projects submitted by the regional commissions, and arrange for such technical assistance projects through the employment of private individuals, partnerships, firms, corporations, or suitable institutions under contracts entered into for such purposes, or through grants-in-aid;

h. Compile information and data of use to the regional commissions (including the results of research projects) and make these available to the regional commissions;

i. Formulate needs for general research on regional economic development;

j. Provide continuing advice, information and assistance to the regional commissions on the preparation of economic development plans;

k. Provide staff assistance and support to the Federal cochairmen of regional commissions;

l. Coordinate all Federal recommendations with respect to the economic development of a designated region, and make such recommendations available to the regional commission and the Federal Cochairman;

m. Provide liaison between regional commissions and the Economic Development Administration and other Department organizations and Federal agencies interested in regional economic development;

n. Maintain a continuous review of the progress and activities of the regional commissions;

o. Evaluate plans, proposals, and recommendations transmitted to the Department by the regional commissions, prepare comments and recommendations thereon for the Assistant Secretary, and coordinate the review of such proposals by other interested Federal agencies;

p. Assist in the development of legislative and other proposals to implement the regional commissions' recommendations;

q. Advise the Assistant Secretary of major policy issues under consideration by the regional commissions; and

r. Encourage each regional commission, in developing recommendations and priorities for programs and projects for future regional economic development, to follow procedures that will insure consideration of all the factors listed in section 504;

s. Arrange for the provision of technical assistance to the regional commissions which would be useful in carrying out their functions under the Act, as provided by section 505(a);

t. Determine the amount and authorize payment of the administrative expenses of each regional commission according to the provisions of section 505 (b); and

u. Perform such other services as directed by the Assistant Secretary.

.02 The Office shall assist the Assistant Secretary in carrying out the provisions of section 601(a) of the Act as relates to coordination of the activities of the Federal cochairmen.

.03 The Office shall assist the Assistant Secretary in carrying out the provisions of section 603 of the Act, relating to consultation with other persons and agencies.

SEC. 5. *Staff services.* The Office of Regional Economic Development will obtain administrative management and other staff services from or through the staff and support offices established by Department Order 11.

Effective date. April 6, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-4926; Filed, May 4, 1966; 8:49 a.m.]

[Dept. Order 89-B]

PATENT OFFICE

Organization and Functions

The following material supersedes the material appearing at 30 F.R. 11152-11153 of August 28, 1965.

SECTION 1. *Purpose.* The purpose of this order is to prescribe the organization structure and to assign functions within the Patent Office.

SEC. 2. *Organization.* The Patent Office shall consist of the following organization units:

a. Office of the Commissioner of Patents.

1. Commissioner of Patents.
2. First Assistant Commissioner of Patents.
3. Assistant Commissioner of Patents (2) (Officers reporting to the Commissioner).

b. Office of Internal Audit.

c. Office of Research, Development, and Analysis.

d. Office of Administration (Offices reporting to the First Assistant Commissioner).

e. Office of the Solicitor.

f. Board of Appeals.

g. Board of Patent Interferences.

h. Trademark Trial and Appeal Board.

i. Trademark Examining Operation (Offices reporting to an Assistant Commissioner).

j. Office of Patent Classification.

k. Office of Patent Services.

l. Office of Examining Control.

m. Chemical Examining Operation.

n. Electrical Examining Operation.

o. Mechanical Examining Operation.

p. Office of Information Services.

q. Office of Legislative Planning.

r. Office of International Patent and Trademark Affairs.

SEC. 3. *Functions of the Office of the Commissioner.* .01 the Commissioner determines the policies and directs the programs of the Patent Office and is responsible for the conduct of all activities of the Patent Office.

.02 The Assistant Commissioners shall perform the duties pertaining to the Office of the Commissioner assigned to them by the Commissioner under his prior and continuing authority. Principal functions assigned to the Assistant Commissioners are:

a. The First Assistant Commissioner shall provide administrative and policy direction to the Office of the Solicitor, the Board of Appeals, the Board of Patent Interferences, the Trademark Trial and Appeal Board, and the Trademark Examining Operation.

b. An Assistant Commissioner shall provide administrative and policy direction to the Office of Patent Classification, Office of Patent Services, Office of Examining Control, and to each of three patent examining operations (Chemical, Electrical, and Mechanical).

c. An Assistant Commissioner shall provide administrative and policy direction to the Office of Information Services, the Office of Legislative Planning, and the Office of International Patent and Trademark Affairs.

.03 Administrative and policy direction of organization components of the Patent Office not delegated to an Assistant Commission in paragraph .02 of this section, is reserved in the Commissioner.

SEC. 4. *Functions of offices reporting to the Commissioner.* .01 The Office of Internal Audit shall conduct a continuing program of independent, objective, and constructive comprehensive internal audits of the operating, administrative, and financial activities of the Patent Office to determine whether in the direction and execution of these activities they are being carried out effectively, efficiently, and economically and in conformance with applicable laws, administrative rules and regulations, operating procedures, policy, and sound administrative practice; report findings and make appropriate recommendations for corrective action.

.02 The Office of Research, Development and Analysis shall plan and conduct a comprehensive operations improvement program aimed at achieving maximum effectiveness in fulfilling the current and future objectives of the Patent Office. The responsibilities of this office shall be carried out through the Office of the Director, which shall also be responsible for providing mechanized data processing services, and the following Divisions:

a. The Research and Development Division shall identify areas of needed research, formulate approaches to research problems, conduct research (or monitor research carried out under contract), design and install experimental systems, new equipment, or other products of research, and evaluate their effectiveness after installation. Major research and development efforts are aimed at development of automated search and retrieval systems and more effective dissemination of stored information to Patent Office examiners, the patent profession, and the scientific community.

b. The Organization and Systems Analysis Division, as a staff organization serving the entire Patent Office, provides analytical and system research resources for management in developing and implementing improvements in methods, procedures, systems, organization, and manpower and equipment utilization to resolve operational problems, achieve improved efficiency, economy, and effectiveness in operations, and strengthen management practices; develops information for management planning, evaluation, program budgeting, and control; aids in planning to meet future requirements; develops cost-benefit system applications of new technology; and performs related functions.

.03 The Office of Administration shall be responsible for overall Patent Office administrative functions. These functions shall be carried out, as indicated, in the following Divisions which constitute the Office of Administration:

a. Administrative Services Division shall provide office-wide services including the procurement and supply of equipment, furnishings, and consumable items; the procurement of property and services through formally advertised and negotiated contracts; space and facilities management; communications; travel and transportation services; mail, messenger, and general correspondence services; procurement and supply of graphic services and administrative printing, including office forms and publications. This Division is also responsible for carrying out a comprehensive paperwork management program in the Patent Office, embracing forms, reports, directives and records.

b. Budget and Finance Division shall provide staff assistance in the development, application and execution of budgetary and fiscal policies and programs; conduct accounting operations for revenue, trust funds, and the Patent Office appropriation; and administer payroll and related employee accounts.

c. Personnel Division shall administer activities relating to recruitment, placement, employee relations, training and career development, incentive awards, performance rating, position classification and wage administration, group-management relations and various employee benefit programs.

SEC. 5. *Functions of offices reporting to the First Assistant Commissioner.* .01 The Office of the Solicitor comprises the Solicitor, who is the chief legal officer for the Patent Office and his professional associates. This Office shall handle all litigation to which the Commissioner is a party and provide all other required legal services including advice and assistance on legislative matters.

.02 The Board of Appeals shall conduct hearings and render decisions on appeals from adverse decisions of examiners rejecting claims in patent applications.

.03 The Board of Patent Interferences shall conduct patent interference proceedings and make final determination in the Patent Office as to priority of invention. The Board, also, shall decide questions concerning property rights in inventions in the atomic energy and space fields brought before it under the provisions of 42 U.S.C. 2182 and 2457 (d) and (e).

.04 The Trademark Trial and Appeal Board shall be responsible for hearing and deciding adversary proceedings involving interfering applications, oppositions to registration, cancellation petitions, and concurrent use proceedings; and for hearing and deciding appeals from final refusals of the trademark examiners to allow the registration of trademarks.

.05 The Trademark Examining Operation shall be responsible for the classification and examination of applications for the registration of trademarks and service marks and the maintenance of the principal and supplemental registers of trademarks.

SEC. 6. *Functions of offices reporting to an Assistant Commissioner.* .01 The Office of Examining Control shall develop procedures and quality and quantity standards relating to the conduct of the examination function; evaluate examiner compliance with such standards; and train new examiners in patent practice and procedures.

.02 The Office of Patent Classification shall be responsible for developing a system for the classification of patents in the various useful arts and insuring the effective use of this system in the classification of issued patents.

.03 The Office of Patent Services shall review incoming applications for compliance as to form, assign applications to appropriate examining units, issue patent grants, record instruments transferring property rights in patents and trademarks, provide drafting services, furnish copies of patents and office records, maintain a search room for public use in searching and examining patents, coordinate the mailing of examiner's actions and cited reference matter, and maintain a Scientific Library to provide pertinent technical and scientific information to patent and trademark examiners and for public reference.

.04 There are three Examining Operations respectively the Chemical, Electrical, and Mechanical each of which shall examine patent applications falling in its generic category. An Examining Operation comprises a number of groups, each representing a broad field of invention within a generic category and having jurisdiction over several examining subdivisions representing art groupings.

SEC. 7. *Functions of offices reporting to an Assistant Commissioner.* .01 The Office of Information Services shall advise and represent the Commissioner on information matters; conduct programs fostering public understanding of the American patent system and the functions, services and publications of the Patent Office; develop publication policies; provide direction and assistance in developing new and revised publications; and assure conformity with policies, regulations, and standards concerning publications and publication practices.

.02 The Office of Legislative Planning shall make studies and advise the Commissioner on matters which may require legislative action and, with advice and assistance of the Solicitor, prepare necessary legislation and supporting reports.

.03 The Office of International Patent and Trademark Affairs shall make studies and advise on policy and action concerning international patent and trademark matters.

Effective date. April 13, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-4927; Filed, May 4, 1966; 8:50 a.m.]

[Dept. Order 11]

STAFF AND SUPPORT OFFICES FOR ECONOMIC DEVELOPMENT ACTIVITIES

Organization and Functions

The following order was issued by the Secretary of Commerce on April 6, 1966.

SECTION 1. *Purpose.* The purpose of this order is to establish the staff and support offices necessary for the efficient conduct of economic development activities of the Department, and to prescribe their organizational structure and functions.

SEC. 2. *Organization.* The following staff and support offices, which shall report directly to the Assistant Secretary of Commerce and Director of Economic Development, are hereby established and designated as constituent operating units of the Department of Commerce:

a. The Office of Economic Research.
b. The Office of Administration.
c. The Office of Program Plans and Analyses.
d. The Office of the Chief Counsel.
e. The Office of Public Affairs.
f. The Office of Congressional Affairs.

SEC. 3. *Functions.* Staff and support offices established herein shall carry out the following functions and responsibilities in providing staff services and administrative support to the Economic Development Administration and the Office of Regional Economic Development:

.01 The Office of Economic Research shall:

Direct and conduct a program of research to meet the needs of the Assistant Secretary, the Economic Development Administration, and the Office of Regional Economic Development as authorized by sections 301(c) and 505(a) of the Public Works and Economic Development Act and section 302(a)(2) of the Appalachian Regional Development Act. In so doing, the Office shall:

a. Perform in-house research;

b. Arrange for the performance of research by other Government agencies or by private organizations, and monitor the performance of such research;

c. Review on-going research both in and out of Government which is pertinent to economic development, and compile and make available reports on the progress of such research;

d. Advise on the state of the art in economic development research and related fields;

e. Encourage and stimulate research on economic development by other Government agencies and by nongovernment organizations;

f. Maintain liaison with all research organizations working in the field of economic development or related areas;

g. Plan, develop, and organize seminars, institutes, workshops, training sessions, etc., to stimulate interest in and increase knowledge of economic development;

h. Perform special studies and research projects as requested by the Assistant Secretary;

i. Recommend new areas of research which are worthy of further investigation and study; and

j. Perform other assignments as directed by the Assistant Secretary.

.02 The Office of Administration shall:

a. Develop, promulgate, and administer administrative management policies, programs, and standards;

b. Review and coordinate budget requirements and prepare and control fiscal plans and programs;

c. Plan and conduct comprehensive audit of all activities and programs;

d. Plan and conduct an investigations program;

e. Conduct organization and management studies and surveys;

f. Plan and conduct a program for maximum economy, effectiveness, efficiency, and personnel utilization;

g. Provide office services for the headquarters and Field Offices;

h. Develop and conduct a program for the efficient management of all official records and the design and control of official forms;

i. Plan, arrange for, and coordinate any personnel, procurement, fiscal, or other administrative management services obtained through the staff offices of the Department;

j. Plan and conduct comprehensive employee development programs to meet the training needs of assigned staff;

k. Provide administrative support for institutes and other training activities for State, local and other economic development personnel, and assist in the planning and conduct of such activities;

l. Develop a list of business firms, within redevelopment area, desirous of obtaining Government contracts and provide such data to appropriate Government procurement offices;

m. Carry out such liquidation of the affairs and functions conducted under the Area Redevelopment Act as directed by the Administrator; and

n. Maintain liaison with counterpart offices reporting to the Assistant Secretary for Administration.

.03 The Office of Program Plans and Analyses shall:

a. Develop measures of resource utilization and methods of characterizing resource limitations and availabilities to provide quick and accurate answers to questions about the cost and feasibility of various alternative programs for economic development and the alleviation of economic distress, projected over a period of several years;

b. Develop consolidations of, and present, economic development programs to show the total financial implication of currently approved, new, or alternate programs, so as to clarify the problems of choice;

c. Establish and implement a Program Planning and Budgeting System by identifying objective oriented program categories and developing an eight-year program budget for these categories;

d. Develop cost benefit studies, to aid the Assistant Secretary in making choices and decisions, employing advanced techniques of operations research analysis, econometrics, and mathematical economics to determine the relative merit between, and the optimum balance among, the various programs for economic development;

e. Develop alternative long range plans and make appropriate recommendations on these;

f. Prepare the annual Program Memorandum required by the Bureau of the Budget;

g. Develop techniques, and assist other offices in the implementation of techniques, which can bring precise information to bear on the problems of efficient and effective resource allocations for economic development; and

h. Maintain liaison and coordinate with other Government agencies as necessary for efficient and economic allocations of available resources.

.04 The Office of the Chief Counsel shall:

a. Render all necessary legal services, subject to the provisions of Department Order 104; and

b. Have primary responsibility for the preparation, coordination and clearance of all legislation, regulations, and external orders, subject to the provisions of applicable Department and Administrative Orders.

.05 The Office of Public Affairs shall:

a. Advise on all public information matters;

b. Under the policy guidance of the Department's Office of Public Information, conduct a public information program;

c. Provide assistance in the editing, printing or reproduction, and distribution of technical materials and publications; and

d. Carry out such other functions as the Assistant Secretary may direct.

.06 The Office of Congressional Affairs shall:

a. Advise on all Congressional matters pertinent to the activities under the direction of the Assistant Secretary;

b. Within the policy framework of the Department of Commerce, and in collaboration with the Special Assistant to the Secretary for Congressional Relations, serve as the primary point of coordination for continuing liaison with the Congress; and

c. Carry out such other assignments as the Assistant Secretary may direct.

Effective date. April 6, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-4928; Filed, May 4, 1966; 8:50 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

ACTING COMMUNITY FACILITIES COMMISSIONER

Designation

The officers appointed to the following listed positions in the Community Facilities Administration are hereby designated to serve as Acting Community Facilities Commissioner during the present vacancy in the position of Community Facilities Commissioner, with all the powers, functions, and duties delegated or assigned to the Community Facilities Commissioner, provided that no officer is authorized to serve as Acting Community Facilities Commissioner unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Assistant Commissioner for Management Control.
2. Assistant Commissioner for Operations and Engineering.
3. Chief Counsel.

This designation supersedes the designation of Acting Community Facilities Commissioner effective February 16, 1966 (31 F.R. 3041, Feb. 22, 1966).

(79 Stat. 670, 5 U.S.C. 624d(d))

Effective date. This designation shall be effective as of April 30, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-4909; Filed, May 4, 1966; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15353; Order E-23606]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of April 1966.

An agreement[1] has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA). The agreement, which has been assigned the above-designated CAB Agreement number, was adopted at the Panama Conference, January 31 through February 10, 1966, for effect May 1, 1966, through March 31, 1967.

The agreement relates to fares and related resolutions for application within the Western Hemisphere between the United States and the limited area north of a line Caracas/Bogota. More specifically, this includes points in the Caribbean, the Bahamas, Bermuda, Mexico, Central America, Panama, Colombia, Venezuela, and the Guianas.

In general, the agreement embraces the basic fares that have been offered during the open-rate situation that has existed in this area. While the agreement includes a number of adjustments, most of these reflect minimal reductions. With limited exceptions, the adjustments, both upward and downward, are within the range of $3.00 in one-way fares.

The introduction of excursion fares between U.S. points and Acapulco reflects one of the more significant changes in special fares. These new fares are valid for 17 days between April 15 and January 21, and represent reductions ranging from about 12 to 23 percent from the normal round-trip economy-class fares. Excursion fares were also adopted for application between Miami/New Orleans and Guatemala City reflecting reductions of 41 and 34 percent, respectively, from the otherwise applicable fares. While family fares between the United States and Bermuda will be dropped, excursion fares now offered in this market, as well as other markets, will be retained. Similarly, affinity-type group fares will be retained. Also, group fares will be added between New York and St. John's/Tobago of $182 and $242, respectively. These provide reductions of about 22 percent from the normal economy-class fares.

The agreement also readopts resolutions prescribing conditions of service with a limited number of amendments. For the most part, these amendments prescribe seating standards for newer type aircraft. Additionally, the construction rule for passenger fares has been readopted and amended to conform with provisions applicable in other areas which the Board has previously approved.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board finds that on the basis of all facts presently known, the following resolution, contained in Agreement CAB 18760, does not affect air transportation within the meaning of the Act:

CAB No.	IATA No.	Title
R-17	080j	Canada-Bermuda Caribbean 21-day round-trip excursion fares.

2. The Board does not find the following resolutions, contained in Agreement CAB 18760, to be adverse to the public interest or in violation of the Act:

CAB No.	IATA No.	Title
R-1	001b	Special effectiveness resolution.
R-5	014j	Jet/propeller construction rule.
R-6	014y	Construction rule for high density-class fares.
R-10	080	First-class conditions of service.
R-11	061	Conference 1 first-class fares.
R-12	060	Economy-class conditions of service.
R-13	060a	Mixed-class aircraft.
R-14	060e	Special exemption resolution.
R-15	061	Conference 1 economy fares.
R-16	080	Excursion fares.
R-19	100	Conditions of service—Inflight entertainment.
R-20	201	Children's fares.

3. The Board does not find the following resolutions, contained in Agreement CAB 18760, to be adverse to the public interest or in violation of the Act, provided that approval shall be subject to the same conditions as set forth in Order E-19385, dated March 18, 1963:

[1] R-1, R-4 through R-6, and R-10 through R-20.

CAB No.	IATA No.	Title
R-4	014a	Construction rule for passenger fares.
R-18	088a	Group travel discount—Traffic conference 1.

Accordingly, it is ordered, That:

1. Jurisdiction is disclaimed with respect to that portion of Agreement CAB 18760, as set forth in finding paragraph 1;

2. That portion of Agreement CAB 18760, as set forth in finding paragraph 2, is approved; and

3. That portion of Agreement CAB 18760, as set forth in finding paragraph 3, is approved, subject to the condition stated therein.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's proposed action. An original and 19 copies of the statements should be filed with the Board's Docket Section.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-4904; Filed, May 4, 1966; 8:48 a.m.]

[Docket No. 16236; Order E-23609]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 29th day of April 1966.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 3 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated April 18, 1966,[1] as set forth in the attachment hereto,[2] names rates under a new commodity description—Ponies/small horses not exceeding 200 kilos each, in containers. The rates will apply from New York to points within Europe and will afford significant reductions from the otherwise applicable rate. For example, the New York-London rate would afford a reduction of 66.8 percent from the present rate.

[1] Received in the Board April 20, 1966.

[2] Attachment filed as part of original document.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered:

That Agreement CAB 18703, R-15, be approved, provided that approval thereof shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-4905; Filed, May 4, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

[No. 66-3]

NORTH ATLANTIC MEDITERRANEAN FREIGHT CONFERENCE AND UNITED ARAB CO. FOR MARITIME TRANSPORT (MARTRANS)

Notice of Hearing Regarding Contract

This proceeding having been initiated by the Federal Maritime Commission, and the Commission having fully considered the matter and having this date made and entered of record a report containing its findings and conclusion thereon, which report is hereby referred to and made a part hereof; and having further concluded that the record before us is insufficient for the resolution of all of the issues raised by the order to show cause,

Therefore, it is ordered, That this proceeding be referred to the Commission's Office of Hearing Examiners for hearing before an Examiner at a date and place to be hereafter determined and announced by the Chief Examiner, on the following issues:

1. Whether the contract between Martrans and the North Atlantic Mediterranean Freight Conference (Conference), is subject to section 14b, and if so, whether it meets the requirements of section 14b and should be permitted pursuant to that section.

2. Assuming the contract is a dual rate contract, whether the Conference may have more than one dual rate contract system in effect at the same time in the same trade.

3. If the contract is not subject to section 14b, whether it should be approved, disapproved or modified pursuant to section 15.

4. Whether implementation of the contract would not give rise to a situation as contemplated by section 19(1)(b) of the Merchant Marine Act, 1920, in which a foreign government, through its laws, rules or regulations, creates conditions unfavorable to shipping in the foreign trade of the United States, and such that approval of the contract would be incompatible with the responsibilities of the Commission under this statute.

It is further ordered, That any person who desires to actively participate in this proceeding may file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, by close of business May 20, 1966.

It is further ordered, That this order and notice of hearing shall be published in the FEDERAL REGISTER, and a copy of such order and notice of hearing shall be served upon respondents.

By the Commisison.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 66-4906; Filed, May 4, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-2715, etc.]

ETHYLE MOORHEAD, ET AL.

Findings and Order

APRIL 26, 1966.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, making successor corespondent, redesignating proceeding, accepting agreement and undertaking for filing, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC Gas Rate Schedules and propose to initiate, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's Statement of General Policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

Graham-Michaelis Drilling Co., Applicant in Docket No. CI66-780, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-11457 to be made pursuant to Westhoma Oil Co. FPC Gas Rate Schedule No. 2. Applicant has filed the contract comprising said rate schedule as its own rate schedule. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. G-20279.[1] Concurrently with the subject application Applicant filed a "Motion to be Allowed to Intervene" in Docket No. G-20279 which motion includes an agreement and undertaking in which Applicant agrees to refund any amounts collected by it in excess of the amount determined to be just and reasonable in Docket No. G-20279. Said motion will be accepted for filing as a motion to be made co-respondent in Docket No. G-20279, said proceeding will be redesignated accordingly and the agreement and undertaking will be accepted for filing.

After due notice, a notice of intervention by the New York Public Service Commission was filed on March 14, 1966, in Docket No. CI66-698. Notice of withdrawal of the intervention by intervener was filed on April 11, 1966, in said docket. No other petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on April 20, 1966, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-2715, G-2780, G-4541, G-9877, G-11944, G-16394, G-19591, CI61-747, CI62-1360, CI63-523, CI63-1300, CI63-1342, CI64-835, CI64-974, CI64-1155, CI64-1487, CI65-154, and CI65-1159 should be amended as hereinafter ordered and conditioned.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates issued in the following dockets should be amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	*New certificate and/or amendment to add acreage*
G-10525	G-19591
G-10663	G-19591
G-11457	CI66-780
G-16157	G-19591
CI61-323	CI66-797
CI61-1252	CI65-1255
CI62-37	CI66-740
CI64-1405	CI66-810

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Graham-Michaelis Drilling Co. should be made a co-respondent in the proceeding pending in Docket No. G-20279, that said proceeding should be redesignated accordingly, and that the agreement and undertaking submitted by Applicant in said proceeding should be accepted for filing.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Comisision necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts, particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's Statement of General Policy 61-1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 2 and 8 in the tabulation set forth below.

(E) The certificate heretofore issued in Docket No. G-4541 is amended to include the sale of natural gas from the additional acreage subject to the following conditions:

(a) The initial rate shall be the applicable area rate prescribed in Opinion No. 468, as modified by Opinion No. 468-A, or the contract rate, whichever is lower.

(b) No increase in rate may be filed prior to January 1, 1968, except in compliance with a specific order of the Commission for a rate in excess of the applicable area rate as determined pursuant to the Commission's Opinion No. 468, as modified by Opinion No. 468-A, or pursuant to a later order of the Commission.

(c) The filing, within 90 days from the date of initial delivery, of a Rate Schedule-Quality Statement in the format specified by Ordering paragraph (F) of the Commission's Opinion No. 468, as modified by Opinion No. 468-A.

(F) The certificate heretofore issued in Docket No. CI64-835 is amended to include the sale of natural gas from the additional acreage, further, Applicant is required to submit a billing statement for the first month of service.

(G) The certificates heretofore issued in Docket Nos. G-16394, CI63-523, CI63-1300, CI64-974, CI64-1155, CI64-1487, CI65-154, and CI65-1159 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(H) The certificate issued herein in Docket No. CI64-1381 and the authorization granted in Docket No. CI64-1487 in paragraph (G) above are issued at a

[1] Consolidated with Docket No. AR64-1, et al.

total initial rate of 15.0 cents per Mcf at 14.65 p.s.i.a.

(I) The certificate heretofore issued to Belco Petroleum Corporation in Docket No. G–19591 is amended to include the sales of natural gas from acreage acquired from Socony Mobil Oil Company, Inc. in Docket No. G–10525 and from Phillips Petroleum Company in Docket Nos. G–10663 and G–16157. The rate increase moratorium applicable to the sale by Socony as a result of the Settlement proposal approved on May 5, 1964, in Docket Nos. G–12193, et al., shall be equally applicable to Belco.

(J) The certificates heretofore issued in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	*New certificate and/or amendment to add acreage*
G–10525	G–19591
G–10663	G–19591
G–11457	CI66–780
G–16157	G–19591
CI61–328	CI66–797
CI61–1252	CI65–1255
CI62–37	CI66–740
CI64–1405	CI66–810

(K) The certificates heretofore issued in Docket Nos. G–2715, G–2780, G–9877, G–11944, CI62–1360, and CI63–1342 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(L) The certificate heretofore issued in Docket No. CI61–747 is amended to reflect the change in corporate name from Marine Drilling, Inc., to Great National Corp.

(M) Graham-Michaelis Drilling Co. shall be a co-respondent in the proceeding pending in Docket No. G–20279, said proceeding is redesignated accordingly,[2] and the agreement and undertaking submitted by Graham-Michaelis Drilling Co. in said proceeding is accepted for filing.

(N) Graham-Michaelis Drilling Co. shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking filed by it in Docket No. G–20279 shall remain in full force and effect until discharged by the Commission.

(O) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[2] Westhoma Oil Co. and Graham-Michaelis Drilling Co.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and Date of document	No.	Supp.
G–2715 E 3–2–66	Ethyle Moorhead, et al. (successor to A. C. Moorhead, et al.).	Northern Natural Gas Co., Hugoton Field, Stevens County, Kans.	A. C. Moorhead, et al., FPC GRS No. 1.	2	
			Supplement Nos. 1–2	2	1–2
			Notice of succession (undated).		
			Final settlement 9–27–65.[1]	2	3
			Effective date: 9–27–65.		
G–2780 E 3–2–66	Ethyle Moorhead (successor to A. C. Moorhead).	Panhandle Eastern Pipe Line Co., Hugoton Field, Stevens County, Kans.	A. C. Moorhead, FPC GRS No. 3.	1	
			Supplement No. 1	1	1
			Notice of succession (undated).		
			Final settlement 9–27–65.[1]	1	2
			Effective date: 9–27–65.		
G–4541 C 11–26–65 [2]	Sinclair Oil & Gas Co.[2]	El Paso Natural Gas Co., North Justis Blinebry Field, Lea County, N. Mex.	Amendatory agreement 9–29–65.[4]	275	23
G–9877 E 1–24–66	Ralph A. Kapp, et al., d.b.a., P & R Oil & Gas Co. (successor to Shorts Oil & Gas Co.).	United Natural Gas Co., Mill Creek Township, Clarion County, Pa.	Shorts Oil & Gas Co., FPC GRS No. 1.	1	
			Supplement No. 1	1	1
			Notice of succession 1–21–66.		
			Assignment 1–15–63	1	2
			Effective date: 1–15–63.		
G–11457 D 3–7–66	Westhoma Oil Co	Panhandle Eastern Pipe Line Co., acreage in Texas County, Okla.	Assignment 1–19–66 [3] [5]	2	11
G–11944 E 3–9–66	Humble Oil & Refining Co. (successor to Socony Mobil Oil Co., Inc.).	Texas Eastern Transmission Corp., Helen Gohlke Field, De Witt County, Tex.	Socony Mobil Oil Co., Inc., FPC GRS No. 60.	391	
			Supplement Nos. 1–17	391	1–17
			Notice of succession 3–8–66.		
			Assignment 2–24–66 [7]	391	18
			Effective date: 1–1–66.		
G–16394 C 2–25–66 [2]	Mercury Drilling Co	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Amendatory agreement 1–12–66.	1	2
			Letter 3–15–66 [4] [9]	1	3
F G–19591 (G–10525) [10] (G–10663) [10] (G–16157) [10] C 1–17–66	Belco Petroleum Corp. (successor to Socony Mobil Oil Co., Inc. and Phillips Petroleum Co).	El Paso Natural Gas Co., South Hogsback Field, Lincoln County, Wyo.	Assignment 10–7–65 [10]	3	16
			Supplemental agreement 11–1–65.[11] [12]	3	17
CI61–747 2–24–66 [13]	Great National Corp., (formerly Marine Drilling, Inc.).	El Paso Natural Gas Co., Dakota Field, San Juan County, N. Mex.	Marine Drilling, Inc., FPC GRS No. 1.	1	
			Supplement Nos. 1–8	1	1–8
			Notice of Change in name 2–23–66.[14]		
			Effective date: 7–8–64.		
CI61–747 2–24–66 [13]	do	do	Marine Drilling, Inc., FPC GRS No. 2.	2	
			Supplement Nos. 1–8	2	1–8
			Notice of change in name 2–23–66.[14]		
			Effective date: 7–8–64.		
CI61–1252 D 1–18–65	Union Oil Co. of California (Operator), *et al.* (formerly The Pure Oil Co.).	Michigan Wisconsin Pipe Line Co., acreage in Woodward County, Okla.	Assignment 10–26–64 [15] [16]	137	3
CI62–1360 E 8–23–65	David Crow (Operator), *et. al.*, (successor to Crow Drilling & Producing Co.).	Texas Gas Transmission Corp., Terryville Field, Lincoln Parish, La.	Crow Drilling & Producing Co., FPC GRS No. 3.	11	
			Supplement No. 1	11	1
			Notice of Succession 8–18–65.		
			Assignment 6–7–62	11	2
			Assignment 7–30–62	11	3
			Assignment 5–4–65 [16]	11	4
			Assignment 4–1–65 [6] [17] [17a]	12	3
CI63–523 D 6–14–65	George R. Brown (Operator), et al.	Transcontinental Gas Pipe Line Corp., Live Oak Field, Vermilion Parish, La.			
CI63–523 D 5–17–65	do	do	Assignment 8–31–64 [6] [17] [17b]	12	2
CI63–1300 C 3–4–66 [8]	Socony Mobil Oil Co., Inc.	Natural Gas Pipeline Co. of America, West Crane and Putnam Fields, Dewey and Custer Counties, Okla.	Amendment 7–1–65 [4]	339	2
CI63–1342 E 1–25–66	Sunset International Petroleum Corp. (successor to Lavaca Production Co.).	Valley Gas Transmission, Inc., Tres Encinos Field, Brooks County, Tex.	Lavaca Production Co., FPC GRS No. 2.	44	
			Notice of succession 1–19–66.		
			Assignment 10–21–65 [16]	44	1
			Effective date: 10–21–65.		
CI64–685 C 2–28–66 [8]	Sunray DX Oil Co	Natural Gas Pipeline Co. of America, acreage in Dewey and Custer Counties, Okla.	Amendatory agreement 7–1–65.[4]	244	2

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and Date of document	No.	Supp.
A CI66–780 (G–11457) F 2–25–66	Graham-Michaelis Drilling Co. (successor to Westhoma Oil Co.).	Panhandle Eastern Pipe Line Co. Channing Field, Texas County, Okla.	Contract 11–1–56 [18] Amendment 1–15–62 [4] Assignment 1–19–66 [4] [5]	76 76 76	— 1 2
CI66–785 A 2–25–66 [2]	Betz Oil, Inc.	Kansas-Nebraska Natural Gas Co., Inc., North Bluewater-Flat Top Field, Converse County, Wyo.	Contract 10–26–65 [4]	2	
CI66–703 A 2–28–66 [2]	H. L. (Ike) Poole	Almos Gas Gathering Co.,[19] Southwest Silva Field, Live Oak County, Tex.	Contract 11–5–65 [4]	1	
A CI66–797 (CI61–323) F 2–28–66	Delta Corp.	Transwestern Pipeline Co., Southeast Logan Field, Beaver County, Okla.	Contract 7–14–60 [18] Amendment 5–23–61 [17] Letter agreement 3–26–64.[18]	3 3 3	— 1 2
			Assignment 1–22–65 [16] Assignment 5–7–66 [3] Assignment 10–11–65 [4]	3 3 3	3 4 5
			Letter agreement 1–4–66.[4] [12]	3	6
CI66–822 A 2–28–66 [2]	Harry Allen Chapman, National Bank of Tulsa, agent.	Kansas-Nebraska Natural Gas Co., Inc., North Bluewater-Flat Top Field, Converse County, Wyo.	Contract 10–26–65 [4]	5	
CI66–807 A 3–2–66 [2]	J. M. Huber Corp	Mountain Fuel Supply Co., Jack's Draw Unit No. 5, Moffat County, Colo.	Contract 1–28–66 [13]	69	
CI66–809 A 3–2–66 [2]	Cleary Petroleum, Inc.	Panhandle Eastern Pipe Line Co., Adams Ranch Field, Meade County, Kans.	Contract 1–24–66	16	
A CI66–810 (CI64–1405) [3] [4] F 3–1–66	Austral Oil Co., Inc., general operating agent for Godsylve Petroleum, Inc. (successor to Camerina Petroleum Corp.).	Arkansas Louisiana Gas Co., Arkoma Area, Hartshorne, Latimer, and Pittsburg Counties, Okla., and Franklin County, Ark.	Contract 8–30–64 [18] Letter amendment 3–30–64 Supplemental agreement 4–15–64 [3] Supplemental agreement 11–2–64 [3] Letter agreement 1–5–65.[4] Supplemental agreement 5–27–65 [20] Supplemental agreement 9–9–65 [20] Assignment 7–1–66 [21] Assignment 7–1–66 [3] Effective date: 7–1–66.	28 28 28 28 28 28 28 28 28 28	1 2 3 4 5 6 7 8 — —
CI66–818 A 3–3–66 [2]	Cities Service Oil Co.	Texas Eastern Transmission Corp., North Panther Reef Field, Calhoun County, Tex.	Contract 1–14–66. Letter agreement 1–14–66.[4]	200 200	— 1
CI66–815 A 3–7–66 [2]	Leben Drilling, Inc. (Operator), et al.	Panhandle Eastern Pipe Line Co., acreage in Edwards County, Kans.	Letter agreement 1–17–66.[4] [12] Contract 2–2–66 [4]	200 2	2 —
CI66–816 A 3–7–66 [2]	Chief Drilling Co., Inc. (Operator), et al.	Cities Service Gas Co., Dress Gas Unit, Kans.	Contract 2–24–66 [4]	4	—
CI66–817 A 3–7–66 [2]	Mid-East Oil Co.	Consolidated Gas Supply Corp., Gaskill Township, Jefferson County, Pa.	Contract 10–1–65 [4]	1	—
CI66–819 A 3–4–66 [2]	Jas. F. Smith (Operator), et al.	Panhandle Eastern Pipe Line Co., acreage in Beaver County, Okla.	Contract 1–17–66 [4]	[illegible]	—

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and Date of document	No.	Supp.
CI64–971 C 2–28–66 [3]	Tidewater Oil Co.	Natural Gas Pipeline Co. of America, West Crane Field, Custer and Dewey Counties, Okla.	Amendatory agreement 7–1–65.[4]	133	1
CI64–1155 C 2–21–66 [3]	Chevron Oil Co., Western Division.	Cassinga Natural Gas Corp., Main Creek Area, Garfield County, Colo.	Supplemental agreement 2–2–66.[4] [12]	4	5
CI64–1361 A 5–10–64	Ashland Oil & Refining Co.[22]	Arkansas Louisiana Gas Co., Star Field, Kingfisher County, Okla.	Ratified 12–13–62 [21] Amended 2–24–64 [3] Assignment 10–1–63 [3] Supplemental agreement 10–16–62.[24]	162 162 162 162	— 1 2 3
CI64–1487 C 1–3–66 [3]	Pan American Petroleum Corp.[22]	Arkansas Louisiana Gas Co., Star Field, Blaine County, Okla.	Supplemental agreement 11–4–65.	306	12
CI65–154 C 3–4–66 [3]	Warren Petroleum Corp.	Natural Gas Pipeline Co. of America, Thomas Area, Dewey and Custer Counties, Okla.	Amendatory agreement 7–1–65.[4]	83	1
CI65–1159 C 2–2–66 [3]	Tenneco Oil Co., et al.	El Paso Natural Gas Co., Basin Dakota Field, Rio Arriba County, N. Mex.	Supplemental agreement 1–11–66.[4]	170	2
A CI65–1255 (CI61–1252) F 6–1–65	Cleary Petroleum, Inc.[25] (successor to Union Oil Co. of California).	Michigan Wisconsin Pipe Line Co., acreage in Woodward County, Okla.	Contract 4–26–65. Letter agreement 2–26–65.	15 15	— 1
CI66–208 A 10–4–65 [3]	Kater Oil Co.	Phillips Petroleum Co., West Panhandle Field, Gray County, Tex.	Contract 5–6–60 [18] Supplemental agreement 2–1–60.[4]	7 7	— 1
CI66–485 A 12–9–65 [3]	Woods Petroleum Corp. (Operator), et al.[26]	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Contract 9–7–65	10	—
CI66–568 A 1–12–66 2–22–66 [3]	Gas Producers Corp. (Operator), et al. (successor to E. F. Centner, deceased).[27]	El Paso Natural Gas Co., West Kutz Field, San Juan County, N. Mex.	Contract 5–15–53 [28] Amendment 10–9–53 [29]. Assignment 3–30–55 [21] Effective date: 3–30–55.	3 3 3	— 1 2
CI66–606 A 2–7–66 [3]	The Carter Oil Co., a division of Cities Service Oil Co. (Operator).	Texas Eastern Transmission Corp., North Carlton Field, Ouachita and Union Parishes, La.	Contract 11–1–65. Letter agreement 11–1–65.[12] Letter agreement 11–1–65.[30]	38 38 38	— 1 2
			Letter agreement 11–1–65.[31]	38	3
CI66–721 A 2–8–66 [3]	Coastal States Gas Producing Co.	Lone Star Gas Co. Nellis District, North Field, Stephens County, Okla.	Contract 8–30–65 [27] Assignment 9–2–65 [4] [21]	59 59	— 1
CI66–725 A 2–7–66 [3]	Ann W. Darrow	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	Contract 10–5–65 [4]	1	—
A CI66–740 (CI62–37) F 2–7–66	Burk Gas Corp. (Operator), et al. (successor to Estate of M. G. Hansbro, deceased (Operator), et al.).	United Gas Pipe Line Co., Bethany Field, Panola Tex.	Estate of M. G. Hansbro, deceased (Operator), et al., FPC GRS No. 10	4	—
			Supplement Nos. 1–2	4	1–2
			Notice of succession 12–28–65.		
			Assignment 10–1–65 [32]	4	3
			Assignment 10–1–65 [33]	4	4
			Assignment 10–1–65 [34]	4	5
			Effective Date: 10–1–65.		
CI66–777 A 2–24–66 [3]	The Superior Oil Co.	Kansas-Nebraska Natural Gas Co., Inc., North Shawnee-Flat Top Field, Converse County, Wyo.	Contract 10–26–65 [4]	118	—

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and Date of document	No.	Supp.
CI66-820..... A 3-7-66 [3]	Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co.	United Gas Pipe Line Co., Lafourche Crossing Field, Lafourche Parish, La.	Contract 2-25-66 [4] [35].....	87	.....
CI66-824..... A 2-25-66 [3]	Marshall Exploration, Inc.	Southern Natural Gas Co., Logansport Field, De Soto Parish, La.	Contract 2-2-66..... Letter agreement 3-1-66 [36]	1 1	 1
CI66-828..... A 3-8-66 [3]	Mesa Petroleum Co. (Operator), et al.	Northern Natural Gas Co., Lovedale Field, Harper County, Okla.	Contract 2-10-66 [3].....	8	.....

[1] Settlement of will bequeaths properties to Applicant.
[2] Jan. 1, 1968, moratorium date pursuant to Commission's Statement of General Policy 61-1, as amended.
[3] By letter filed Feb. 28, 1966, Applicant agreed to accept authorization for the subject sale conditioned as Opinion No. 468, as modified by 468-A.
[4] Effective date: Date of initial delivery.
[5] Conveys acreage to Graham-Michaelis Drilling Co. which has filed for authorization in Docket No. CI66-780.
[6] Effective date: Date of this order.
[7] Conveys interests from Socony Mobile Oil Co., Inc., to Humble Oil & Refining Co.
[8] July 1, 1967, moratorium date pursuant to Commission's Statement of General Policy 61-1, as amended.
[9] Provides for downward B.t.u. adjustment (filed Mar. 18, 1966).
[10] Conveys Socony Mobile Oil Co., Inc., and Phillips Petroleum Co.'s respective interests in the Hogsback Unit Area which are covered under Socony's FPC GRS No. 217 (Doc. No. G-10625) and Phillip's FPC GRS No. 279 (Doc. Nos. G-10663 and G-16157).
[11] Adds acreage acquired by Oct. 7, 1965, assignment.
[12] Jan. 1, 1967, moratorium date applicable to 15.0 cents per Mcf rate under Socony's FPC GRS No. 217, pursuant to order approving rate settlement proposal issued May 5, 1964, in Docket Nos. G-12193, et al.
[13] Amendment to the certificate to reflect change in corporate name only.
[14] Changes corporate name of Marine Drilling, Inc., to Grent National Corp.
[15] Deletes acreage assigned to Cleary Petroleum, Inc., which has filed for authorization in Docket No. CI65-1255.
[16] Effective date: Date of transfer of properties involved.
[17] Assigns acreage to Callery Properties, Inc., which in turn assigned acreage to Edwin L. Cox who received authorization for the sale in Docket No. CI65-1259.
[17a] Assigns interests in unitized acreage insofar as they pertain to Stovall Sand Area, which is also covered by Cox's filing in Docket No. CI65-1259.
[17b] Assigns acreage with a depth limitation of 13,800 feet.
[18] In addition to acreage dedicated in Docket No. CI63-1342, Lavaca has also conveyed acreage which is not productive or dedicated to a gas sales contract.
[19] Adds acreage and deletes provisions for maximum daily volume.
[20] By letters filed July 2, 1964 and Apr. 1, 1966, the respective Applicants advised willingness to accept permanent authorization conditioned to a total initial rate of 15.0 cents per Mcf at 14.65 p.s.i.a.
[21] Adopts basic contract between Calvert Exploration Co. and Arkansas Louisiana dated Oct. 15, 1962 (Supp. No. 2 to FPC GRS No. 162).
[22] Amends ratification agreement by dedicating acreage covered by the instant application.
[23] Provides for 1 cent per Mcf escalation during each of the second, third, and fourth 5-year periods; 100 percent take-or-pay with a 2-year makeup period.
[24] Amends basic contract to provide for deliveries of casinghead gas if available.
[25] By compliances filed Oct. 13, 1965 and Mar. 29, 1966, the respective Applicants advised willingness to accept permanent certificates under the same conditions specified in their temporary certificates issued Sept. 10, 1965 and Mar. 18, 1966, respectively.
[26] Either party may terminate the contract after 10 years by giving the other party 60 days notice.
[27] Revised contract-summary filed reflecting a rate of 10.0 cents in lieu of 12.0 cents shown in original application.
[28] Predecessor did not file a certificate application or a rate schedule.
[29] Contract is between E. F. Cesinger (now deceased) and El Paso Natural Gas Co.
[30] Changes contract provisions concerning price, delivery point, and pressure.
[31] Assignment of interest in lease by E. F. Cesinger to Gas Producers Corp.
[32] Pertains to daily contract quantity.
[33] Pertains to point of measurement for B.t.u. content of gas.
[34] Pertains to tax reimbursement.
[35] Omitted.
[36] Omitted.
[37] Contract between Peake Petroleum Co., et al., and Lone Star Gas Co.
[38] Assignment from Peake Petroleum Co. to Applicant.
[39] Assignment from Carrie Hansbro to E. D. Markham.
[40] Assignment from E. D. Markham to Burk Royalty Co., Hunter Parks, and M. W. Evans.
[41] Assignment from Burk Royalty Co. to Burk Gas Corp.
[42] Basic contract between Westhoma Oil Co. and Panhandle Eastern Pipe Line Co.; on file as Westhoma Oil Co. FPC GRS No. 2.
[43] Agreement between Westhoma and buyer substituting revised Exhibit A to basic contract.
[44] Conveys acreage from Westhoma Oil Co. to Graham-Michaelis Drilling Co. (limited to the producing zone between 6,400 feet and 6,905 feet).
[45] Almos resells gas to United Gas Pipe Line Co. as authorized in Docket No. CI64-1384.
[46] Basic contract between Union Oil Co. of California (seller) and Transwestern Pipeline Co. (buyer).
[47] Deletes upward B.t.u. adjustment.
[48] Provides for greater daily contract quantity.
[49] Assignment of subject acreage from Union Oil Co. of California to Southwest Oil Industries, Inc.
[50] Assignment of subject acreage from Southwest Oil Industries, Inc., to Delta Corp.
[51] Reinstates upward B.t.u. adjustment pursuant to Opinion No. 404.
[52] Applicant adopts gas purchase agreement dated July 14, 1960 between Union Oil Co. and buyer, as amended.
[53] Adopts terms and provisions of Apr. 3, 1964 contract between Sinclair Oil & Gas Co. and Mountain Fuel.
[54] Certificate issued to Steve Gose (Operator), et al., in Docket No. CI64-1405.
[55] Basic contract between Arkla (buyer) and Steve Gose, et al. (seller); on file as Steve Gose (Operator), et al., FPC GRS No. 1.
[56] Amends basic contract with respect to annual contract volume and abandonment pressure.
[57] Ratification of basic contract by Wilshire Oil Co. of Texas and Camerina Petroleum Corp.
[58] Modifies basic contract provisions with respect to volume of gas taken from certain acreage in the Fish Creek Area.
[59] Provides for a 3.0 cents per Mcf deduction for compression in the Pine Hollow-Arpelar Fields.
[60] Release of certain wells from basic contract.
[61] Assignment from Wilshire Oil Co. of Texas to Gyrodyne Co. of America, Inc.
[62] Assignment from Gyrodyne Co. of America, Inc., to Gyrodyne Petroleum, Inc.
[63] Provides for increase in daily contract quantity in event there is drainage.
[64] Changes take-or-pay for quantity.
[65] Contract contains a primary term ending Mar. 1, 1971.
[66] Deletes indefinite pricing provisions.

[F.R. Doc. 66-4768; Filed, May 4, 1966; 8:45 a.m.]

[Docket No. CP66-330]

CLARENCE, MO., AND PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

APRIL 28, 1966.

Take notice that on April 18, 1966, the city of Clarence, Mo. (Applicant), filed in Docket No. CP66-330 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Panhandle Eastern Pipe Line Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The community of Clarence is located in Shelby County in northeastern Missouri, approximately 50 miles west of Hannibal, Mo., has a population of approximately 1,103, and is situated approximately 46 miles north of Respondent's main transmission line in Missouri.

Applicant proposes to construct a natural gas distribution system within its borders and a 3-inch lateral transmission line approximately 8 miles in length, extending east and south from its border to an interconnection with a common 6-inch transmission line to be jointly owned by Applicant and the city of Shelbina, Mo. The application states that 32 percent of this jointly owned transmission line would be owned by Applicant and 68 percent by the city of Shelbina. The proposed transmission line would be approximately 38 miles in length. Applicant proposes that deliveries of its gas requirement be made at the point of interconnection with Respondent's main transmission line and that said gas be transmitted through the jointly owned transmission line to a point of interconnection with Applicant's 3-inch lateral for transmission to Applicant.

The total estimated volumes of natural gas involved to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf).....	84,408	93,442	104,637
Peak day (Mcf).....	756.5	851.5	960

The total estimated cost of Applicant's proposed transmission and distribution facilities is $525,000, which cost will be financed through the issuance of Gas Revenue System Bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 23, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-4872; Filed, May 4, 1966; 8:45 a.m.]

[Docket No. CP66-329]

SHELBINA, MO., AND PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

APRIL 28, 1966.

Take notice that on April 18, 1966, the city of Shelbina, Mo. (Applicant), filed in Docket No. CP66-329 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Panhandle Eastern Pipe Line Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The community of Shelbina is located in Shelby County in northeastern Missouri, approximately 40 miles west of Hannibal, Mo., has a population of approximately 2,067, and is situated approximately 43 miles north of Respondent's main transmission line in Missouri.

Applicant proposes to construct and operate a natural gas distribution system within its borders and a 4-inch lateral transmission line approximately 5 miles in length, extending west from the city border to an interconnection with a common 6-inch transmission line to be jointly owned by the Applicant and the city of Clarence, Mo. The application states that 68 percent of this jointly owned transmission line would be owned by Applicant, and 32 percent by the city of Clarence. The proposed transmission line would be approximately 38 miles in length. Applicant proposes that deliveries of its gas requirement be made at the point of interconnection with Respondent's main transmission line and that said gas be transmitted through the jointly owned transmission line to a point of interconnection with Applicant's 4-inch lateral for transmission to Applicant.

The total estimated volumes of natural gas involved to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf).....	245,426	269,490	291,889
Peak day (Mcf).....	1,892	2,121	2,317

The total estimated cost of Applicant's proposed transmission and distribution facilities is $960,000, which will be financed through the issuance of Gas Revenue System Bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 23, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-4873; Filed, May 4, 1966; 8:45 a.m.]

[Docket No. CP65-144]

COLORADO INTERSTATE GAS CO.

Notice of Petition To Amend

APRIL 28, 1966.

Take notice that on April 18, 1966, Colorado Interstate Gas Co. (Petitioner), Post Office Box 1087, Colorado Springs, Colo., 80901, filed in Docket No. CP65-144 a petition to amend the certificate of public convenience and necessity issued in said docket on March 10, 1965, requesting that the authority granted by said certificate for the construction and operation of a meter station on Petitioner's Fourway-to-Kit Carson 20-inch main line for delivery of natural gas to El Paso Natural Gas Co. (El Paso) be rescinded, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that it was granted authority in the instant docket to make deliveries of natural gas to El Paso at two delivery points on Petitioner's Fourway-to-Kit Carson 20-inch main line in Moore County, Tex., and that one of these delivery points is an existing interconnection between Petitioner and Northern Natural Gas Co. (Northern). Petitioner is delivering gas to Northern for El Paso's account at this delivery point. Petitioner further states that the other authorized delivery point is a proposed interconnection between Petitioner's Fourway line and El Paso's 18-inch Panoma line and that this interconnection has not been constructed.

The petition to amend states that the authorized proposed interconnection between Petitioner's and El Paso's pipelines has not been required to meet the delivery requirements for the sale of gas to El Paso and thus the proposed interconnection has not been constructed. Petitioner states that it has delivered gas to El Paso through the existing interconnection with Northern for approximately 1 year and actual operations have proven that the proposed second delivery point is not required. Accordingly, Petitioner requests that the authority granted in the instant docket for the construction and operation of a meter station at the proposed interconnection between Petitioner's Fourway line and El Paso's Panoma line be rescinded.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 23, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-4874; Filed, May 4, 1966; 8:45 a.m.]

[Docket No. CP66-328]

OHIO VALLEY GAS CORP. AND MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

APRIL 28, 1966.

Take notice that on April 18, 1966, Ohio Valley Gas Corp. (Applicant), Post Office Box 469, Winchester, Ind., filed in Docket No. CP66-328 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipe Line Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in the communities of Ferdinand and Saint Meinrad, Ind., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the town of Ferdinand is located in Du Bois County, Ind., approximately 3,200 feet from Respondent's main transmission line and that the unincorporated village of Saint Meinrad is located approximately 6 miles southeast of Ferdinand.

Applicant proposes that Respondent construct approximately 24,288 feet of 4-inch lateral pipeline from its transmission line to the border of Ferdinand and further toward the unincorporated village of Saint Meinrad. Applicant proposes to extend the lateral, at its own expense, to Saint Meinrad. Applicant further proposes to construct distribution systems in both of the aforementioned communities.

The total estimated volumes of natural gas necessary to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

FERDINAND

	First year	Second year	Third year
Annual (Mcf).....	82,016	104,985	115,356
Peak day (Mcf).....	700	800	888

SAINT MEINRAD

	First year	Second year	Third year
Annual (Mcf).....	6,601	16,760	23,300
Peak day (Mcf).....	3	123	203

The total estimated cost of Applicant's proposed transmission and distribution facilities is $196,792, which cost will be financed from cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 23, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-4875; Filed, May 4, 1966; 8:45 a.m.]

[Docket Nos. G-9116, G-9117]

UNITED GAS PIPE LINE CO. AND TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Petition To Amend

APRIL 28, 1966.

Take notice that on April 14, 1966, United Gas Pipe Line Co. (United), and Transcontinental Gas Pipe Line Corp. (Transco), 1525 Fairfield Avenue, Shreveport, La., 71101 and Post Office Box 1396, Houston, Tex., 77001, respectively, filed in Docket Nos. G-9116 and G-9117 a petition to amend the order issued in said dockets on November 29, 1955, requesting authorization for the operation, as an emergency interconnection, of an existing point of interconnection between the Petitioners' pipeline facilities in Pike County, Miss., pursuant to an agreement between the parties dated March 3, 1966, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By order issued in the instant dockets on November 29, 1955, Petitioners were granted certificates of public convenience and necessity authorizing the construction and operation of certain natural gas facilities to be used for the exchange of natural gas under the terms of an exchange agreement between the Petitioners dated June 1, 1955 (United's Rate Schedule X-6 and Transco's Rate Schedule X-14).

Petitioners state that the proposed additional point will be used by them for the exchange of natural gas under the existing agreement between the parties dated June 1, 1955, as amended, and will facilitate the exchange of gas under such agreement. Petitioners further state that at the appropriate time the amendatory agreement of March 3, 1966, will be filed with the Commission amending United's Rate Schedule X-6 and Transco's Rate Schedule X-14.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 20, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-4876; Filed, May 4, 1966; 8:45 a.m.]

[Docket No. CS66-46]

SAM D. ARES

Findings and Order After Statutory Hearing; Correction

APRIL 20, 1966.

In the findings and order after statutory hearing issuing small producer certificates of public convenience and necessity, terminating certificates, severing and terminating proceedings, dismissing applications, and canceling FPC gas rate schedules, issued April 8, 1966, and published in the FEDERAL REGISTER April 16, 1966 (F.R. Doc. 66-4075, F.R. Vol. 31, 5914), change the word "successor" to read "predecessor" and the footnote will read as follows: "7 Certificate issued to A. F. Roberts, Jr. (Operator), et al., predecessor in interest to Sam D. Ares."

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-4871; Filed, May 4, 1966; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

UNITED VIRGINIA BANKSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842 (a)(2)), by United Virginia Bankshares, Inc., which is a bank holding company located in Richmond, Va., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of Spotswood Bank, Harrisonburg, Va.

In determining whether to approve this application submitted pursuant to section 3(a)(2) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the following factors: (1) The financial history and condition of the company and the banks concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 28th day of April 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-4877; Filed, May 4, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1939]

EMPLOYERS' GROUP FUND, INC., ET AL.

Application for Temporary Exemption

APRIL 29, 1966.

Notice is hereby given that Employers' Group Fund, Inc. ("Fund"), a Massachusetts corporation and an open-end diversified management investment company registered under the Investment Company Act of 1940 ("Act"), Egret Services Co., Inc. ("Egret Services"), a Delaware corporation, which is presently the investment adviser of Fund, and Egret Management Co., Inc. ("Egret Management"), a Delaware corporation, which proposes to become the investment adviser of the Fund, have filed an application pursuant to section 6(c) of the Act. The application seeks a temporary order exempting Egret Management from the provisions of section 15(a) of the Act in order to permit Egret Management to serve as investment adviser to Fund without a written contract approved by shareholders of Fund. The exemption would be in effect during the period from May 16, 1966, until the date of the annual meeting of the stockholders of Fund scheduled to be held on December 9, 1966. All interested persons are referred to the application on file with the Commission for a statement of the applicants' representations which are summarized below.

Egret Services has served the Fund as investment adviser pursuant to a written contract dated November 16, 1964, which contract has been continued annually since that time. The contract provides that it will automatically terminate in the event of its assignment by Egret Services. Because of state tax reasons, Egret Services has organized Egret Management as a wholly owned subsidiary of Egret Services to act as investment adviser to the Fund commencing on May 16, 1966.

The application states that the next annual meeting of the stockholders of Fund is scheduled for December 9, 1966, and that it would be expensive to call a special meeting solely for the purpose of approving a new contract with Egret Management. Therefore, Egret Management proposes to serve the Fund as investment adviser pursuant to a written contract which will not be submitted to shareholders of the Fund until December 9, 1966. The application states that there will be no change in management or management policy as a result of Egret Management becoming investment adviser to the Fund since Egret Management would have the same officers and directors as Egret Services and the terms of the contract would be exactly as they now exist with the exception of the name of the company.

Section 15(a) of the Act provides, among other things, that it shall be unlawful for any person to serve or act as investment adviser of a registered investment company except pursuant to a written contract which has been approved according to a vote of a majority of the outstanding shares and provides for its automatic termination in event of its assignment by the investment adviser.

Section 6(c) of the Act provides that the Commission, by order upon application, may exempt any person or transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than May 12, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-4886; Filed, May 4, 1966; 8:46 a.m.]

[File No. 1-3782]

GREAT AMERICAN INDUSTRIES, INC.

Order Suspending Trading

APRIL 29, 1966.

The common stock, 10 cents par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, $10 par value, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 29, 1966, through May 8, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-4887; Filed, May 4, 1966; 8:47 a.m.]

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

APRIL 29, 1966.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976 being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 2, 1966, through May 11, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-4888; Filed, May 4, 1966; 8:47 a.m.]

[01-49]

SKAGIT VALLEY TELEPHONE CO.

Order Postponing Hearing

APRIL 29, 1966.

This matter involves a request of Skagit Valley Telephone Co., Mount Vernon, Wash., for an exemption from the registration requirements of section 12(g) of the Securities Exchange Act of 1934. The case was first scheduled for hearing on November 15, 1965; the hearing has been postponed on several occasions and is now scheduled for May 2, 1966. Counsel for Skagit Valley Telephone Co. and for Telephones, Inc., have requested a further 30-day postponement of the hearing, pending the consummation of certain undertakings entered into in an injunctive action instituted by the Commission against Skagit Valley Telephone Co., et al.

It is ordered That the hearing is hereby postponed to June 1, 1966, but with the understanding that the hearing will commence that date, with no further continuances, unless good cause is shown on or before May 20, 1966, why the hearing should not commence on June 1, 1966.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-4889; Filed, May 4, 1966; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30 (Rev. 10) Amdt. 4]

AREA ADMINISTRATORS

Delegation of Authority To Conduct Program Activities in Area Offices

Pursuant to the authority vested in the Administrator by the Small Business Act, 72 Stat. 384, as amended; the Small Business Investment Act of 1950, 72 Stat. 689, as amended; Title IV of the Economic Opportunity Act of 1964; Delegation of Authority No. 30 (Rev. 10), 30 F.R. 972, as amended by 30 F.R. 2742, 11984, and 12434 is further amended by the addition of Item I.A.12. to read as follows:

I. * * *

A. *Financial assistance.* 12. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the original disaster declaration, or extension thereof, has expired.

* * * * * * *

Effective date. April 26, 1966.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66-4891; Filed, May 4, 1966; 8:47 a.m.]

[Declaration of Disaster Area 571]

ILLINOIS

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Du Page County in the State of Illinois;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Deputy Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid county and areas adjacent thereto, suffered damage or destruction resulting from tornado and accompanying conditions occurring on or about April 19, 1966.

Office: Small Business Administration Regional Office, 219 South Dearborn Street, Chicago, Ill., 60604.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to October 31, 1966.

Dated: April 20, 1966.

LOGAN B. HENDRICKS,
Deputy Administrator.

[F.R. Doc. 66-4890; Filed, May 4, 1966; 8:47 a.m.]

[Declaration of Disaster Area 569]

KANSAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Johnson County in the State of Kansas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, Therefore, as Deputy Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from tornado and accompanying conditions occurring on or about April 19, 1966.

Office: Small Business Administration Regional Office, 911 Walnut Street, Kansas City, Mo., 64106.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to October 31, 1966.

Dated: April 20, 1966.

LOGAN B. HENDRICKS,
Deputy Administrator.

[F.R. Doc. 66-4896; Filed, May 4, 1966; 8:47 a.m.]

[Declaration of Disaster Area 570]

TEXAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Maverick County in the State of Texas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Deputy Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from a tornado and accompanying conditions occurring on or about April 17, 1966.

Office: Small Business Administration Regional Office, 410 South Main Avenue, San Antonio, Tex., 78204.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to October 31, 1966.

Dated: April 22, 1966.

LOGAN B. HENDRICKS,
Deputy Administrator.

[F.R. Doc. 66-4897; Filed, May 4, 1966; 8:47 a.m.]

[Declaration of Disaster Area 572]

TEXAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Henderson County in the State of Texas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Deputy Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from a tornado and flooding and accompanying conditions occurring on or about April 23, 1966.

Office: Small Business Administration Regional Office, 101 East Austin Street, Marshall, Tex., 75671.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to October 31, 1966.

Dated: April 25, 1966.

LOGAN B. HENDRICKS,
Deputy Administrator.

[F.R. Doc. 66-4898; Filed, May 4, 1966; 8:47 a.m.]

TARIFF COMMISSION

[332-47]

CERTAIN PRODUCTS SUBJECT TO DUTY ON AMERICAN SELLING PRICE BASIS OF VALUATION

Notice of Investigation and Date of Hearing

Notice is hereby given that the U.S. Tariff Commission has ordered a public hearing to be held in connection with an investigation instituted under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332) with respect to certain products subject to the American selling price basis of valuation.

Notice of the institution of this investigation was issued on December 23, 1965, and was published in the FEDERAL REGISTER on December 29, 1965 (30 F.R. 16226). The Commission stated in the notice that it expected to publish in due course a list of converted rates of duty for the cited products, and to order a public hearing in connection therewith. Said list titled "List of Tentative Converted Rates of Duty Together with Explanatory Material," has now been published and copies thereof are available to interested parties upon request at the offices of the Commission in Washington, D.C., and New York, N.Y.

The hearing will be opened in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., at 10 a.m., e.d.s.t., on June 8, 1966. Information and views may be submitted either in writing or by oral testimony at the public hearing, or both. Interested parties desiring to appear and to be heard should notify the Secretary of the Commission, in writing, at least 3 days in advance of the date set for the hearing. Written submissions should be received by the Commission not later than June 10, 1966.

Issued: May 2, 1966.

By direction of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 66-4892; Filed, May 4, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR — Page

PROCLAMATION:
3718 — 6567
3719 — 6607
3720 — 6679
EXECUTIVE ORDER:
11277 — 6609
11278 — 6681
11017 (Superseded by EO 11278) — 6681
11069 (Superseded by EO 11278) — 6681
11218 (Superseded by EO 11278) — 6681

5 CFR
772 — 6569

7 CFR
7 — 6569
50 — 6570
68 — 6629
722 (3 documents) — 6573, 6580
729 — 6581
980 — 6629
1098 — 6581
1434 — 6582
PROPOSED RULES:
58 — 6715
965 — 6592
1032 — 6631
1050 — 6631
1126 — 6631

8 CFR
214 — 6611

14 CFR
39 — 6582, 6685
71 (4 documents) — 6582, 6584
97 — 6612, 6685
137 — 6685
151 — 6686

14 CFR—Continued — Page
208 — 6620
223 — 6584
320 — 6585
378 — 6621
PROPOSED RULES:
71 — 6716, 6717
121 — 6592

15 CFR
30 — 6587
373 — 6707
374 — 6707
377 — 6707
379 — 6709
382 — 6707, 6709
384 — 6709
385 — 6709
399 — 6797, 6709

17 CFR
200 — 6588
240 — 6705, 6706

19 CFR
1 — 6611

20 CFR
404 — 6611

21 CFR
131 — 6705
191 — 6622

26 CFR
1 — 6589
31 — 6589

31 CFR
202 — 6590
332 — 6686

32A CFR — Page
BDSA (Ch. VI):
BDSA Reg. 2 — 6590

33 CFR
207 — 6590, 6622
208 — 6707

39 CFR
PROPOSED RULES:
21 — 6715
24 — 6715

41 CFR
6-1 — 6622
6-2 — 6623
6-3 — 6623
6-5 — 6624
6-7 — 6624
6-11 — 6624
6-30 — 6624
6-60 — 6625
22-60 — 6625

45 CFR
177 — 6591
801 — 6591

47 CFR
0 — 6627
73 — 6627, 6628
PROPOSED RULES:
73 — 6637, 6638

49 CFR
71-79 — 6591

50 CFR
33 — 6629



DETROIT PUBLIC LIBRARY MAY 10 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 88

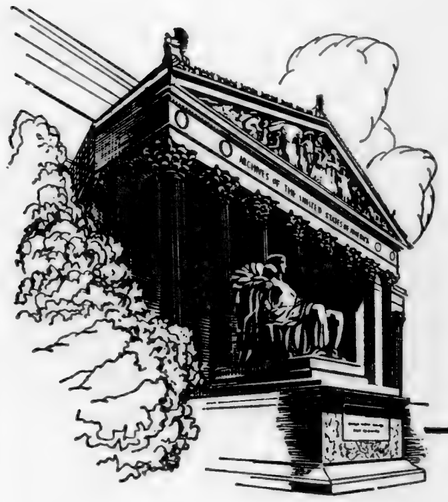
Friday, May 6, 1966 • Washington, D.C.

Pages 6765–6811

Agencies in this issue—

Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Customs Bureau
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Food and Drug Administration
Geological Survey
Housing and Urban Development Department
Interior Department
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
Securities and Exchange Commission
Small Business Administration
State Department
Veterans Administration
Wage and Hour Division

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Latest Edition

GUIDE TO RECORD RETENTION REQUIREMENTS

[Revised as of January 1, 1966]

This useful reference tool is designed to keep industry and the general public informed concerning published requirements in laws and regulations relating to records-retention. It contains over 900 digests detailing the retention periods for the many types of records required to be kept under Federal laws and rules.

The "Guide" tells the user (1) what records must be kept, (2) who must keep them, and (3) how long they must be kept. Each digest also includes a reference to the full text of the basic law or regulation governing such retention.

The booklet's index, numbering over 2,000 items, lists for ready reference the categories of persons, companies, and products affected by Federal record-retention requirements.

Price: 40 cents

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

ATOMIC ENERGY COMMISSION
Notices
Westinghouse Electric Corp.; issuance of facility license amendment ... 6798

CIVIL AERONAUTICS BOARD
Notices
Puerto Rico-Virgin Islands service case; notice of oral argument ... 6797

CIVIL SERVICE COMMISSION
Rules and Regulations
General Services Administration; excepted service ... 6769

COMMERCE DEPARTMENT
See Maritime Administration.

CUSTOMS BUREAU
Rules and Regulations
Articles conditionally free, subject to reduced rate, etc.; proof of use of salt ... 6769

FEDERAL AVIATION AGENCY
Rules and Regulations
Airworthiness directives:
Martin Model 202, 202A, and 404 Series airplanes ... 6790
Vickers Viscount Models 744, 745D, and 810 Series airplanes ... 6790
Federal airways:
Alteration ... 6791
Alteration; correction ... 6791
Notices
Minnesota-Iowa Television Co.; petition for and grant of discretionary review ... 6797

FEDERAL COMMUNICATIONS COMMISSION
Proposed Rule Making
Television broadcast stations, Akron and Canton, Ohio; table of assignments ... 6792
Notices
Mexican broadcast stations; list of changes, proposed changes and corrections in assignments ... 6799
Hearings, etc.:
American Telephone and Telegraph Co., et al ... 6798
Central Broadcasting Corp., and Second Thursday Corp ... 6798
Kansas State Network, Inc., and Highwood Service, Inc. (2 documents) ... 6801, 6802
Mission Cable TV, Inc., and Trans-Video Corp ... 6799
New York University ... 6800
Northwest Broadcasters, Inc., et al ... 6802
Star Stations of Indiana, Inc ... 6800
Syracuse Television, Inc., et al ... 6800

FEDERAL MARITIME COMMISSION
Proposed Rule Making
Independent ocean freight forwarders et al.; practices ... 6792
Notices
E & R Forwarders, Inc.; institution of proceeding ... 6803
Revocation of licenses:
Crescent Forwarding Service ... 6804
Cosdel International Co ... 6804
Valdes, F. V., & Co., Inc ... 6804
Steamship Conference; notice of hearing regarding effects on foreign commerce of United States ... 6804

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Columbia Gulf Transmission Co., et al ... 6804
Rocky Mountain Power Co ... 6805
Texas Gas Transmission Corp ... 6806
United Gas Pipe Line Co ... 6806

FOOD AND DRUG ADMINISTRATION
Proposed Rule Making
Canned vegetables; proposed amendment to standards of identity; correction ... 6792
Notices
Riker Laboratories, Inc.; notice of opportunity for hearing regarding Norgestic Tablets ... 6795

GEOLOGICAL SURVEY
Notices
Wyoming; coal land classification order ... 6794

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT
Notices
Delegations of authority:
Assistant Secretary for Metropolitan Development ... 6796
Regional Administrators ... 6796

INTERIOR DEPARTMENT
See also Geological Survey; Land Management Bureau.
Notices
Hollywood Indian Reservation; designation ... 6795

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section application for relief ... 6809
Motor carrier:
Temporary authority applications ... 6809
Transfer proceedings ... 6810

LABOR DEPARTMENT
See Wage and Hour Division.

LAND MANAGEMENT BUREAU
Notices
Colorado; modification of Bureau of Land Management's Districts No. 2 and No. 7 ... 6794
District managers; redelegation of authority ... 6794

MARITIME ADMINISTRATION
Notices
American President Lines, Ltd.; notice of application ... 6795

SECURITIES AND EXCHANGE COMMISSION
Notices
Hearings, etc.:
Presidential Balanced Fund, Inc., and Presidential Stock Fund, Inc ... 6806
United Security Life Insurance Co ... 6807

SMALL BUSINESS ADMINISTRATION
Notices
Delegations of authority to conduct program activities in certain Regional Offices:
Atlanta, Ga ... 6807
Birmingham, Ala ... 6807
Charlotte, N.C ... 6807
Columbia, S.C ... 6808
Jackson, Miss ... 6808
Jacksonville, Fla ... 6808
Louisville, Ky ... 6808
Miami, Fla ... 6808
Nashville, Tenn ... 6809

STATE DEPARTMENT
Notices
Sudan and Viet Nam; validity of foreign passports ... 6794

TREASURY DEPARTMENT
See Customs Bureau.

(Continued on next page)

CONTENTS

VETERANS ADMINISTRATION

Rules and Regulations

Delegations of authority; miscellaneous amendments 6770
Miscellaneous amendments to chapter 6771

WAGE AND HOUR DIVISION

Rules and Regulations

Authorization of established basic rates for computing overtime pay; exclusion of certain petty sums 6769
Equality and inequality of pay in particular situations; commissions 6770

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

213 6769

14 CFR

39 (2 documents) 6790
71 (2 documents) 6791

19 CFR

10 6769

21 CFR

PROPOSED RULES:
51 6792

29 CFR

548 6769
800 6770

38 CFR

2 6770
21 6771

46 CFR

PROPOSED RULES:
510 6792

47 CFR

PROPOSED RULES:
73 6792

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

General Service Administration

Section 213.3337 is amended to show that three positions of Confidential Assistant to the Administrator and one position of Confidential Assistant to the Deputy Administrator are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3337 is amended by revoking subparagraph (4) and amending subparagraph (9) as set out below.

§ 213.3337 General Services Administration.

(a) *Office of the Administrator.* • • •

(4) [Revoked]

• • • • • •

(9) One Confidential Assistant to the Deputy Administrator.

• • • • • •

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-4986; Filed, May 5, 1966; 8:50 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 66-93]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Customs Forms Abolished

Customs Form 3745, "Affidavit of Use of Bonded Salt in Curing Fish on Vessels," customs Form 3751, "Affidavit of Principal on Withdrawal Bond as to Salt Withdrawn From Warehouse and Used in Curing Fish," and customs Form 3753, "Affidavit of Two Persons Actually Employed in Curing Fish on Shore as to the Quantity of Salt Used for That Purpose," have been abolished.

Although this action was taken on the basis of our conclusion that the regulation which prescribed the forms (§ 10.82, Customs Regulations) was sufficiently detailed so that separate forms were not necessary, the amendment required to delete reference to the forms from the regulations was inadvertently not made. In order that that omission may be corrected, § 10.82(a) of the Customs Regulations is amended as follows:

Subparagraph (1) is amended by substituting "A" for "The" before "certificate", and by deleting ", customs Form 3751," so that that subparagraph will read as follows:

(1) A certificate of the person making the withdrawal that the salt has been actually used in curing fish taken by vessels of the United States licensed to engage in the fisheries or in curing fish on the shores of navigable waters of the United States, giving the names of the vessels, tonnage, names of masters, the approximate quantity of fish cured thereby, and the locality in the district where cured if cured on shore;

Subparagraph (2) is amended by substituting "A" for "The" before "certificate", and by deleting ", customs Form 3745," so that that subparagraph will read as follows:

(2) A certificate of the master and of at least one other person employed on board any vessel during any voyage on which it is claimed that any part of the salt so withdrawn for curing fish was used, that the salt delivered to the vessel by the person making the withdrawal was actually used in curing fish taken by such vessel; and

Subparagraph (3) is amended by deleting ", customs Form 3753," so that that subparagraph will read as follows:

(3) The certificates of at least two persons actually employed in curing fish on shore (if two or more were so employed) if any part of such salt was so used, stating the quantity of salt used in curing fish on shore and where cured, that it was used in curing fish taken by American fishermen, and the approximate quantity of fish cured.

Section 10.82(b) is amended by substituting "a" for "the" before "certificate" and by deleting ", customs Form 3751," so that that subparagraph will read as follows:

(b) If the person making the withdrawal is actually employed in curing the fish on shore, a certificate of one other person so employed will be sufficient.

(Sec. 313 (e), (i), 46 Stat. 694, as amended; 19 U.S.C. 1313 (e), (i))

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: April 28, 1966.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-4966; Filed, May 5, 1966; 8:48 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 548—AUTHORIZATION OF ESTABLISHED BASIC RATES FOR COMPUTING OVERTIME PAY

Exclusion of Certain Petty Sums

In the March 9, 1966, issue of the FEDERAL REGISTER (31 F.R. 4149), there was published a proposal to amend Part 548 of Title 29 of the Code of Federal Regulations to increase from 30 to 50 cents a week the maximum amount that may be excluded from overtime compensation otherwise required under the Fair Labor Standards Act by reason of certain complex "regular rate" computations.

Interested persons were given 15 days in which to file statements of data, views, or argument in regard to this proposal. None were received. Accordingly, the proposal is hereby adopted effective June 5, 1966, as set forth below.

1. Paragraph (e) of § 548.3 is amended to read as follows:

§ 548.3 Authorized basic rates.

• • • • • •

(e) The rate or rates (not less than the rates required by section 6 (a) and (b) of the act) which may be used under the act to compute overtime compensation of the employee but excluding additional payments in cash or in kind which, if included in the computation of overtime under the act, would not increase the total compensation of the employee by more than 50 cents a week on the average for all overtime weeks (in excess of the number of hours applicable under section 7(a) of the act) in the period for which such additional payments are made.

• • • • • •

2. Section 548.305 is amended to read as follows:

§ 548.305 Excluding certain additions to wages.

(a) Section 548.3(e) authorizes as established basic rates: "The rate or rates (not less than the rates required by section 6 (a) and (b) of the act) which may be used under the act to compute overtime compensation of the employee but excluding additional payments in cash or in kind which, if included in the computation of overtime under the act, would not increase the total compensation of the employee by more than 50 cents a week on the average for all overtime weeks (in excess of the number of hours applicable under section 7(a) of the act) in the period for which such additional payments are made."

(b) Section 548.3(e) permits the employer, upon agreement or understanding with the employee, to omit from the computation of overtime certain incidental payments which have a trivial effect on the overtime compensation due. Examples of payments which may be excluded are: modest housing, bonuses or prizes of various sorts, tuition paid by the employer for the employee's attendance at a school, and cash payments or merchandise awards for soliciting or obtaining new business. It may also include such things as payment by the employer of the employee's social security tax.

(c) The exclusion of one or more additional payments under § 548.3(e) must not affect the overtime compensation of the employee by more than 50 cents a week on the average for the overtime weeks.

Example. An employee, who normally would come within the 40-hour provision of section 7(a) of the act, is paid a cost-of-living bonus of $260 each calendar quarter, or $20 per week. The employee works overtime in only 2 weeks in the 13-week period, and in each of these overtime weeks he works 50 hours. He is therefore entitled to $2 as overtime compensation on the bonus for each week in which overtime was worked (i.e., $20 bonus divided by 50 hours equals 40 cents an hour; 10 overtime hours, times one-half, times 40 cents an hour, equals $2 per week). Since the overtime on the bonus is more than 50 cents on the average for the 2 overtime weeks, this cost-of-living bonus would not be excluded from the overtime computation under section 548.3(e).

(d) It is not always necessary to make elaborate computations to determine whether the effect of the exclusion of a bonus or other incidental payment on the employee's total compensation will exceed 50 cents a week on the average. Frequently the addition to regular wages is so small or the number of overtime hours is so limited that under any conceivable circumstances exclusion of the additional payments from the rate used to compute the employee's overtime compensation would not affect the employee's total earnings by more than 50 cents a week. The determination that this is so may be made by inspection of the payroll records or knowledge of the normal working hours.

Example. An employer has a policy of giving employees who have a perfect attendance record during a 4-week period a bonus of $10. The employee never works more than 50 hours a week. It is obvious that exclusion of this attendance bonus from the rate of pay used to compute overtime compensation could not affect the employee's total earnings by more than 50 cents a week.[14]

(e) There are many situations in which the employer and employee cannot predict with any degree of certainty the amount of bonus to be paid at the end of the bonus period. They may not be able to anticipate with any degree of certainty the number of hours an employee might work each week during the bonus period. In such situations the employer and employee may agree prior to the performance of the work that a bonus will be disregarded in the computation of overtime pay if the employee's total earnings are not affected by more than 50 cents a week on the average for all overtime weeks during the bonus period. If it turns out at the end of the bonus period that the effect on the employee's total compensation would exceed 50 cents a week on the average, then additional overtime compensation must be paid on the bonus. (See § 778.209 of this chapter, for an explanation of how to compute overtime on the bonus.)

(f) In order to determine whether the exclusion of a bonus or other incidental payment would affect the total compensation of the employee by not more than 50 cents a week on the average, a comparison is made between his total compensation computed under the employment agreement and his total compensation computed in accordance with the applicable overtime provisions of the act.

Example. An employee, who normally would come within the 40-hour provision of section 7(a) of the act, is paid at piece rates and at one and one-half times the applicable piece rates for work performed during hours in excess of 40 in the workweek. The employee is also paid a bonus, which when apportioned over the bonus period, amounts to $2 a week. He never works more than 50 hours a week. The piece rates could be established as basic rates under the employment agreement and no additional overtime compensation paid on the bonus. The employee's total compensation computed in accordance with the applicable overtime provision of the act, section 7(f)(1),[15] would be affected by not more than 20 cents in any week by not paying overtime compensation on the bonus.[16]

(g) Section 548.3(e) is not applicable to employees employed at subminimum wage rates under learner certificates, or special certificates for handicapped workers, or in the case of employees in Puerto Rico or the Virgin Islands employed at special minimum rates authorized by wage orders issued pursuant to the act.

(Sec. 7, 52 Stat. 1063, as amended; 29 U.S.C. 207)

Signed at Washington, D.C., this 2d day of May 1966.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 66-4984; Filed, May 5, 1966; 8:50 a.m.]

PART 800—EQUAL PAY FOR EQUAL WORK UNDER FAIR LABOR STANDARDS ACT

Equality and Inequality of Pay in Particular Situations; Commissions

Pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and General Order No. 45–A of the Secretary of Labor (15 F.R. 3290), I hereby amend paragraph (e) of § 800.116 of Part 800 of Title 29 of the Code of Federal Regulations to read as set forth below.

The provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) which require notice of proposed rule making, opportunity for public participation, and delay of effective date are not applicable because 29 CFR Part 800 consists only of interpretative rules. I do not believe such procedures will serve a useful purpose here. Accordingly, the amendment shall become effective immediately.

As amended 29 CFR 800.116(e) reads as follows:

§ 800.116 Equality and inequality of pay in particular situations.

* * * * *

(e) *Commissions.* The establishment of different rates of commission on different types of merchandise would not result in a violation of the equal pay provisions where the factor of sex provides no part of the basis for the differential. For example, suppose that a retail store maintains two shoe departments, each having employees of both sexes, that the shoes carried in the two departments differ in style, quality, and price, and that the male and female sales clerks in the one department are performing "equal work" with those in the other. In such a situation, a prohibited differential would not result from payment of a lower commission rate in the department where a lower price line with a lower markup is sold than in the other department where the merchandise is higher priced and has a higher markup, if the employer can show that the commission rates paid in each department are applied equally to the employees of both sexes in the establishment for all employment in that department and that the factor of sex has played no part in the setting of the different commission rates.

(52 Stat. 1060, as amended; 77 Stat. 56; 29 U.S.C. 201 et seq.)

Signed at Washington, D.C., this 2d day of May 1966.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 66-4985; Filed, May 5, 1966; 8:50 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—DELEGATIONS OF AUTHORITY

Chief Benefits Director, et al.

In Part 2, §§ 2.78, 2.79, 2.80, 2.81, and 2.82 are revised to read as follows:

§ 2.78 Except as otherwise provided, Chief Benefits Director and supervisory or adjudicative personnel within jurisdiction of Compensation, Pension and Education Service designated by him delegated authority to make findings and decisions under 38 U.S.C. Chapters 34, 35, and 36 and applicable regulations, precedents and instructions, as to programs of education or special restorative training.

This delegation of authority is identical to § 21.4001(a) of this chapter.

§ 2.79 Chief Benefits Director delegated authority to enter into agreements for reimbursement of State approving agencies under § 21.4153 of this chapter.

This delegation of authority is identical to § 21.4001(b) of this chapter.

§ 2.80 Director, Compensation, Pension and Education Service delegated authority to waive penalties for conflicting interests under § 21.4005 of this chapter.

This delegation of authority is identical to § 21.4001(c)(1) of this chapter.

§ 2.81 Director, Compensation, Pension, and Education Service delegated authority to exercise the functions otherwise required of State approving agencies, under § 21.4150(c) of this chapter.

This delegation of authority is identical to § 21.4001(c)(2) of this chapter.

§ 2.82 Director, Compensation, Pension, and Education Service delegated authority to approve courses under § 21.4250(c) of this chapter.

This delegation of authority is identical to § 21.4001(c)(3) of this chapter.

By direction of the Administrator.

[SEAL] A. H. MONK,
Acting Deputy Administrator.

[F.R. Doc. 66-4907; Filed, May 5, 1966; 8:45 a.m.]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Miscellaneous Amendments

1. In § 21.20(c), subparagraph (1) is amended to read as follows:

§ 21.20 Vocational rehabilitation.

* * * * *

(c) *Training in a foreign country.* (1) Vocational rehabilitation may not be afforded to a veteran outside of a State (see § 3.1(i) of this chapter) based on post-World War II service if the veteran was not a citizen of the United States when he rendered such service (38 U.S.C. 1502(c)).

* * * * *

2. Sections 21.21 and 21.22 are revised to read as follows:

§ 21.21 Nonduplication; 38 U.S.C. chapters 31, 34, and 35.

A person who is eligible for vocational rehabilitation training under chapter 31 and is also eligible for educational assistance under chapters 34 or 35 must elect which benefit he will receive. The election is subject to the restrictions specified in § 21.4022 (38 U.S.C. 1661(d), 1711(c)).

§ 21.22 Nonduplication; Federal programs.

Neither vocational rehabilitation training nor subsistence allowance may be authorized for any period during which the veteran is enrolled in and pursuing a course of education or training under a Federal program which is subject to the restrictions contained in § 21.4025.

3. In § 21.131, the introductory portion preceding paragraph (a) is amended to read as follows:

§ 21.131 Commencing dates.

The commencing date of an award or increased award of subsistence allowance will be determined under this section, but will not be authorized for any period prior to the earliest date for which disability compensation is payable, or would be payable except for the receipt of retirement pay.

* * * * *

4. Section 21.136 is revised to read as follows:

§ 21.136 Two-veteran cases; dependents.

The payment of additional subsistence allowance under § 21.133 to a veteran for a wife who is also a veteran and for a child will not bar the payment of additional subsistence allowance or educational assistance allowance under § 21.4136 to the wife for her husband and the same child. The husband of a female veteran may be considered a dependent only if he meets the requirements of § 3.51(a) of this chapter.

5. In § 21.224, paragraph (b) is amended to read as follows:

§ 21.224 Effective date of induction into training.

* * * * *

(b) A veteran, however, may be inducted into vocational rehabilitation training retroactively when the facts, equities, and demonstrated good faith on the part of the veteran justify such action.

6. In Part 21, a new Subpart B is added to read as follows:

Subpart B—Veterans' Educational Assistance Under 38 U.S.C. Chapter 34

GENERAL

Sec.
21.1020 Educational assistance.
21.1021 Definitions.
21.1022 Nonduplication; 38 U.S.C. chapters 31, 34, and 35.
21.1025 Nonduplication; Federal programs.

CLAIMS

21.1030 Claims.
21.1031 Informal claims.
21.1032 Time limits.

ELIGIBILITY AND ENTITLEMENT

21.1040 Basic eligibility.
21.1041 Periods of entitlement.
21.1042 Ending dates of eligibility.
21.1045 Entitlement charges.

AUTHORITY: The provisions of this Subpart B issued under 72 Stat. 1114, 80 Stat. 12; 38 U.S.C. 210, chapter 34.

GENERAL

§ 21.1020 Educational assistance.

(a) *General.* A program of education may be authorized for a veteran whose service meets the requirements of § 21.1041.

(b) *36 months limitation.* Educational assistance may not exceed a period of 36 months, or the equivalent in part-time training, except as specified in § 21.1041.

(c) *Training in a foreign country.* A course to be pursued at a school not located in a State may not be approved except under the circumstances outlined in § 21.4260.

§ 21.1021 Definitions.

(a) "Eligible veteran" or "veteran" means a veteran whose service meets the requirements of § 21.1040. Unless otherwise specifically identified the terms include a person on active duty who has basic eligibility for educational assistance under the provisions of § 21.1040(e).

(b) "Active duty" means active duty as defined in § 3.6(b)(1) of this chapter (38 U.S.C. 1652(a); 1682(b)). See §§ 21.1040, 21.1042, and 21.4136.

(c) "State" means each of the several States, Territories, and possessions of the United States, the District of Columbia, the Commonwealth of Puerto Rico and the Canal Zone (38 U.S.C. 101(20); Pub. Law 89–358).

§ 21.1022 Nonduplication; 38 U.S.C. chapters 31, 34, and 35.

A person who is eligible for educational assistance under chapter 34 and is also eligible for vocational rehabilitation under chapter 31 or educational assistance under chapter 35 must elect which benefit he will receive. The election is subject to the restrictions specified in § 21.4022.

§ 21.1025 Nonduplication; Federal programs.

Educational assistance is subject to the restrictions contained in § 21.4025 with respect to a veteran who is pursuing a course of education or training under a Federal program (38 U.S.C. 1781).

CLAIMS

§ 21.1030 Claims.

A specific claim in the form prescribed by the Administrator must be filed by the veteran in order for an educational assistance allowance to be paid (38 U.S.C. 1671).

§ 21.1031 Informal claims.

(a) Any communication from a veteran, an authorized representative or a Member of Congress indicating an intent to apply for educational assistance may be considered an informal claim. Upon receipt of an informal claim, if a formal claim has not been filed, an application form will be sent to the veteran for execution. If received within 1 year after the date it was sent to the veteran, it will be considered filed as of the date of receipt of the informal claim.

[14] For a 50-hour week, an employee's bonus would have to amount to $5 a week to affect his overtime compensation by 50 cents.

[15] Section 7(f)(1) of the act provides that overtime compensation may be paid at one and one-half times the applicable piece rate but extra overtime compensation must be properly computed and paid on additional pay required to be included in computing the regular rate.

[16] Bonus of $2 divided by 50 hours equals 4 cents an hour. Half of this hourly rate multiplied by 10 overtime hours equals 20 cents.

(b) The act of enrolling in an approved school does not in itself constitute an informal application.

§ 21.1032 Time limits.

The provisions of this section are applicable to original applications, formal or informal, and to applications for increased educational assistance allowance by reason of the existence of a dependent.

(a) *Completion of claim.* Where evidence requested in connection with a claim is not furnished within 1 year after the date of request, or the veteran for other than a reason determined by the Veterans Administration to have been beyond his control, fails to report for a required scheduled counseling appointment within 1 year after the scheduled date, the claim will be considered abandoned. After the expiration of 1 year, further action will not be taken unless a new claim is received.

(b) *New claim.* Where an application has been considered abandoned, any subsequent communication which meets the requirements of an informal claim will be considered a new application. The date of receipt of such later communication will be considered the date of application. Where counseling was required, educational assistance allowance may not be paid for any period prior to the date the veteran reports for counseling.

(c) *Failure to furnish claim or notice of time limit.* Failure to furnish any form or information concerning the right to file claim or to furnish notice of the time limit for the filing of claim or for the completion of any action required will not extend the periods allowed for these actions. As to appeals, see § 19.110 of this chapter.

CROSS REFERENCES: *Notice to claimants.* See § 3.103 of this chapter.

Computation of time limit. See § 3.110 of this chapter.

ELIGIBILITY AND ENTITLEMENT

§ 21.1040 Basic eligibility.

Basic eligibility for educational assistance to subject to the following requirements:

(a) *Service.* The veteran must have served on active duty for a continuous period of 181 days or more, any part of which occurred on or after February 1, 1955, or if he served for less than 181 days, must have been discharged or released on or after February 1, 1955, because of service-connected disability. Travel time which meets the requirements of § 3.6(b)(6) of this chapter may be included.

(b) *Periods excluded.* In computing the 181 days service, there will be excluded any period during which he:

(1) Was assigned full time by the service department to a civilian school for a course of education which was substantially the same as established courses offered to civilians;

(2) Served as a cadet or midshipman at one of the service academies;

(3) Served under the provisions of 10 U.S.C. 511(d) in an enlistment in the Army National Guard or the Air National Guard, or as a reservist in the Army, Navy, Air Force, Marine Corps, or Coast Guard Reserve; or

(4) Is not entitled to credit for service for the periods of time specified in § 3.15 of this chapter.

(c) *Periods excluded; Korean conflict veterans.* Where a veteran has received education or training under the Veterans' Readjustment Assistance Act of 1952, Title II, or 38 U.S.C. chapter 33 (as in effect before Feb. 1, 1965) as a Korean conflict veteran based on service which extended beyond January 31, 1955, the months of service after January 31, 1955, which were previously used to establish eligibility for the education or training received will be excluded in determining eligibility credits for educational assistance under chapter 34.

(d) *Discharge or release.* The veteran must have received an unconditional discharge or release under conditions other than dishonorable from the period of service on which eligibility is predicated. A discharge or release will be considered unconditional if the veteran was eligible for complete separation from active duty on the date the discharge was issued. The provisions of § 3.12 of this chapter as to character of discharge and § 3.13 of this chapter as to conditional discharges are applicable.

(e) *Persons on active duty.* Educational assistance may be afforded a person while on active duty if he:

(1) Meets the requirements applicable to a discharged veteran under paragraphs (a), (b), and (d) of this section, or

(2) Has served a total of 2 or more years (730 days or more) on active duty, any part of which occurred on or after February 1, 1955, excluding periods of time specified in § 3.15 of this chapter. Educational assistance otherwise payable may be provided under this subparagraph so long as he continues on active duty.

(38 U.S.C. 1652, Pub. Law 89-358)

CROSS REFERENCES: *Duty periods.* See § 3.6(b) of this chapter.

Persons included. See § 3.7 of this chapter.

§ 21.1041 Periods of entitlement.

(a) *General.* (1) A veteran or a person on active duty who meets the requirements of § 21.1040 will be eligible for full-time educational assistance for a period computed on the basis of 1 month (or the equivalent in part-time educational assistance) for each month or fraction of month of service on active duty on or after February 1, 1955, but not in excess of 36 months. There will be excluded from the period of entitlement the periods specified in § 21.1040 (b) and (c).

(2) The veteran may use his entitlement at any time during the 8-year period determined under § 21.1042. It is not required that the entitlement time will be used in consecutive months.

(b) *Prior Veterans Administration training.* The period of entitlement for educational assistance when added to education or training received under any or all of the following laws, will not exceed 36 months of full-time educational assistance, except where an extension is authorized under paragraph (d) of this section. A reduction in the period of entitlement by reason of prior training will be computed as provided in paragraph (c) of this section.

(1) Veterans Regulation No. 1(a), Parts VII or VIII;

(2) Veterans' Readjustment Assistance Act of 1952, Title II;

(3) War Orphans' Educational Assistance Act of 1956;

(4) Title 38, United States Code, chapters 31, 33 (as in effect before February 1, 1965), or 35.

(c) *Reduction for prior Veterans Administration training.* Where the period of entitlement is subject to reduction by reason of prior training the period remaining after subtracting the period of prior training will be converted to months and quarter fractions of a month. Periods of less than a month will be converted to quarter fractions as follows:

1 to 7 days, inclusive—one-fourth month.
8 to 15 days, inclusive—one-half month.
16 to 23 days, inclusive—three-fourth month.
24 to 31 days, inclusive—full month.

(d) *Extension.* The period of entitlement, including the 36 months period, may be extended, but not beyond the 8-year delimiting date specified in § 21.1042:

(1) To the end of a term, quarter, or semester in a school regularly operated on a term, quarter or semester system, when the period of entitlement ends during the term, quarter or semester.

(2) To the end of the course or for 12 weeks, whichever is less, in all other schools, when the period of entitlement ends after more than half of the course has been completed.

(38 U.S.C. 1661; Pub. Law 89-358)

§ 21.1042 Ending dates of eligibility.

The ending date of eligibility will be the latest of the following dates:

(a) *General.* No educational assistance will be afforded a veteran later than 8 years after his last discharge or release from active duty after January 31, 1955.

(b) *Correction of military records.* If the veteran became eligible for educational assistance as the result of a correction of military records under 10 U.S.C. 1552 or a change, correction, or modification of a discharge or dismissal pursuant to 10 U.S.C. 1553, or other corrective action by competent military authority, educational assistance will not be afforded later than 8 years after the date his discharge or dismissal was changed, corrected or modified.

(c) *Discharge or release before June 1, 1966.* Where eligibility is based on a discharge or release from active duty before June 1, 1966, educational assistance will not be afforded later than May 31, 1974.

(d) *Discontinuance.* If the veteran is pursuing a course on the date of expiration of eligibility as determined under this section, the educational assistance allowance will be discontinued effective

the day preceding the end of the 8-year period.

(38 U.S.C. 1662; Pub. Law 89-358)

§ 21.1045 Entitlement charges.

(a) *General.* Charges against a period of entitlement will be made in terms of full months and fractions of a month for periods during which the veteran is enrolled in an approved course. Where a program of education is pursued on a full-time basis the total elapsed time will be charged. Where a program is pursued on a three-fourths, one-half time or less than half-time basis, a proportionate rate of the elapsed time will be charged. Where the computation results in a period of time other than a full month, or exactly three-fourths, one-half, or one-fourth fractional part of a month, the figure will be reduced to the next lower quarter.

(b) *Correspondence courses.* A charge against the period of entitlement for a program of education conducted exclusively by correspondence will be made on the basis of one-fourth of the elapsed time during which the course is pursued. The date of commencement for pursuit of a correspondence course will be the date the first lesson is sent to the veteran; the date of discontinuance will be the date the last lesson is serviced by the school (38 U.S.C. 1682(c)(2)).

(c) *Less than half-time.* A charge against the period of entitlement for a program of education pursued at less than half-time will be made on the basis of one-fourth of the elapsed time during which the course is pursued.

(d) *Active duty.* A charge against the period of entitlement for a program of education pursued by a veteran or serviceman on active duty will be made on the basis of the credit hours for which enrolled or clock hours of attendance. See § 21.4270.

(e) *Elapsed time.* The elapsed time will be computed from commencing date of enrollment to date of discontinuance on the basis of full calendar months and quarter fractions of a month. The fractional months are those periods other than full calendar months at the beginning and end of the enrollment period. These partial months will be converted to fractions of a month, or to full months, in accordance with the following table. No charge will be made for any quarter month in which the full quarter was not utilized.

Commencing date of enrollment sec. 21.4131	Elapsed time	Date of discontinuance sec. 21.4135	Elapsed time
1st day of month.	Full month.		
2d to 7th, inclusive.	¾ month.	1st to 7th day of month, inclusive.	No charge.
8th to 15th, inclusive.	½ month.	8th to 15th, inclusive.	¼ month.
16th to 23d, inclusive.	¼ month.	16th to 23d, inclusive.	½ month.
24th to 31st, inclusive.	No charge.	24th to day before end of month, inclusive.	¾ month.
		Last day of month.	Full month.

§§ 21.3001—21.3009 [Revoked]

7. In Subpart C, §§ 21.3001 through 21.3009 are revoked.

8. In § 21.3020, paragraphs (a) and (c) are amended to read as follows:

§ 21.3020 Educational assistance.

(a) *General.* A program of education or special restorative training may be authorized for a child whose education would otherwise be impeded or interrupted by reason of the disability or death of a parent from a disease or injury incurred or aggravated in the Armed Forces after the beginning of the Spanish-American War (38 U.S.C. 1701(d)). The requirements of basic eligibility of a child are set forth in § 3.807 of this chapter.

* * * * *

(c) *Courses in foreign countries.* A course to be pursued at a school not located in a State or in the Philippines may not be approved except under the circumstances outlined in § 21.4260.

9. In § 21.3021, paragraphs (a) and (e) are amended to read as follows:

§ 21.3021 Definitions.

(a) "Eligible person" means a son or daughter of a veteran who died of a service-connected disability or has a total disability permanent in nature arising from a service-connected disability or who died while a disability so evaluated was in existence, arising out of active military, naval or air service after April 20, 1898. See §§ 3.6 and 3.807 of this chapter.

* * * * *

(e) "State" means each of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, and the Canal Zone (38 U.S.C. 101(20)). (Although the Republic of the Philippines is not included in the definition of a State, eligible persons may pursue courses of training in that country.)

10. Section 21.3022 is revised to read as follows:

§ 21.3022 Nonduplication; 38 U.S.C. chapters 31, 34, and 35.

A person who is eligible for educational assistance under 38 U.S.C. chapter 35 and is also eligible for vocational rehabilitation under 38 U.S.C. chapter 31 or educational assistance under chapter 34, must elect which benefit he will receive. The election is subject to the restrictions specified in § 21.4022.

11. In § 21.3023(c), subparagraph (1) is amended to read as follows:

§ 21.3023 Nonduplication; pension, compensation and dependency and indemnity compensation.

* * * * *

(c) *Election.* The commencement of a program of education constitutes an election.

(1) Except as provided in subparagraph (2) of this paragraph, an election is final when the payee has negotiated one check for this benefit.

* * * * *

12. Section 21.3025 is revised to read as follows:

§ 21.3025 Nonduplication; Federal programs.

Educational assistance is subject to the restrictions contained in § 21.4025 with respect to an eligible person who is pursuing a course of education or training under a Federal program (38 U.S.C. 1781)).

13. In § 21.3041, paragraphs (d)(3) and (e) footnotes 1 and 2 are amended to read as follows:

§ 21.3041 Periods of eligibility.

* * * * *

(d) *Modified ending date.* * * *

(3) Date of first unconditional discharge or release from "duty with the Armed Forces" served as an eligible person if he served after age 18 and before age 23. See § 21.3042.

* * * * *

(e) *Extensions to ending dates.* * * *

(2) * * *

[1] "Processing time" means the period of time which elapses between the eligible person's 18th birthday or the date of receipt of the application, whichever is later, and the date on which the Certificate for a Program of Education is signed by an authorized official, or would have been signed except that the expected date of enrollment is more than 60 days in the future.

(3) * * *

[2] Such extension applies, without regard to whether the midpoint of the quarter, semester, or course has been reached, when a son or daughter who, while enrolled, ceases to be an eligible person because the parent from whom eligibility is derived is found to no longer have a "total disability permanent in nature" § 21.4135(o).

14. In § 21.3042, paragraph (a) is amended to read as follows:

§ 21.3042 Service with Armed Forces.

(a) No educational assistance may be provided an otherwise eligible person during any period he is on duty with the Armed Forces. See § 21.3021 (c) and (d). This does not apply to brief periods of active duty for training. See § 21.4135 (n).

* * * * *

15. In § 21.3043, the introductory portion preceding paragraph (a) is amended to read as follows:

§ 21.3043 Suspension of program.

For an eligible person who suspends his program due to conditions determined by the Veterans Administration to have been beyond his control the period of eligibility may, upon his request, be extended by the number of months and days intervening the date the suspension began and the date the reason for suspension ceased to exist. The burden of proof is on the eligible person to establish that suspension of a program was due to conditions beyond his control. The period of suspension shall be considered to have ended as of the date of the person's first available opportunity to resume training after the condition which caused it ceased to exist. The fol-

lowing circumstances may be considered as beyond the eligible person's control:

• • • • •

16. In § 21.3044, paragraph (a) is amended to read as follows:

§ 21.3044 Entitlement.

(a) Each eligible person is entitled to educational assistance for a period not in excess of 36 months, or the equivalent thereof in part-time training. The period of entitlement will be reduced by the full-time equivalent of any period of vocational rehabilitation received by him under 38 U.S.C. chapter 31, or education under chapter 33 or 34. The period of entitlement will not be reduced by any period during which subsistence allowance was paid after determination of employability following vocational rehabilitation. Where the period of entitlement is subject to reduction by reason of prior training the period remaining after subtracting the period of prior training will be converted to months and quarter fractions of a month. Periods of less than a month will be converted by using the table in § 21.1041(c).

• • • • •

17. Section 21.3045 is revised to read as follows:

§ 21.3045 Entitlement charges.

Charges against the period of entitlement of an eligible person pursuing a program of education will be made in accordance with § 21.1045 (a) and (e).

§§ 21.3100—21.3278 [Revoked]

18. Sections 21.3100 through 21.3278 are revoked.

19. In § 21.3302, paragraph (d) is revoked.

§ 21.3302 Agreements.

• • • • •

(d) [Revoked]

20. In § 21.3330, paragraphs (a), (b) (2), and (c) are amended to read as follows:

§ 21.3330 Payments.

(a) Payments will be made to the person designated to receive the payments under the provisions of § 21.4139.

(b) • • •

(2) An educational assistance allowance is paid.

(c) The following regulations governing the payment of educational assistance allowance apply to the payment of special restorative training allowance:

(1) Section 21.4140, *Apportionment.*

(2) Section 21.4141, *Offsets; pension, compensation and dependency and indemnity compensation.*

21. Section 21.3331 is revised to read as follows:

§ 21.3331 Commencing dates.

The commencing date of an authorization of a special training allowance will be the date of entrance or reentrance into the prescribed course of special restorative training, or the date the Vocational Rehabilitation Board approved such course for the eligible person, whichever is later. See also § 21.4131.

22. In § 21.3332, paragraph (c) is amended to read as follows:

§ 21.3332 Discontinuance dates.

• • • • •

(c) Date of discontinuance under the applicable provisions of § 21.4135.

23. Section 21.3333 is revised to read as follows:

§ 21.3333 Rates.

(a) *Rates.* Special training allowance is payable at the following monthly rate.

Course	Monthly rate	Accelerated charges
Special restorative training.	$130	If costs for tuition and fees average in excess of $41 per month, rate may be increased by such amount in excess of $41.

(b) *Accelerated charges.* The additional monthly rate may be paid if the parent or guardian concurs in having the eligible person's period of entitlement reduced by 1 day for each $4.25 that the special training allowance exceeds the basic monthly rate of $130. Fractions of more than one-half day will be charged as 1 day; fractions of one-half or less will be disregarded. Charges will be recorded when the eligible person is entered into training (38 U.S.C. 1742).

24. In Part 21, a new Subpart D is added to read as follows:

Subpart D—Administration of Educational Benefits; 38 U.S.C. Chapters 34, 35, and 36

ADMINISTRATIVE

Sec.
21.4001 Delegations of authority.
21.4002 Finality of decisions.
21.4003 Revision of decisions.
21.4005 Conflicting interests.
21.4006 False or misleading statements.
21.4007 Forfeiture.
21.4008 Overpayments.
21.4009 Overpayments; waiver or recovery.

GENERAL

21.4022 Nonduplication; 38 U.S.C. chapters 31, 34, and 35.
21.4025 Nonduplication; Federal programs.

COUNSELING

21.4100 Counseling.
21.4101 Requirement; 38 U.S.C. chapter 34.
21.4102 Requirement; 38 U.S.C. chapter 35.
21.4103 Failure to cooperate.
21.4104 Travel expenses.
21.4105 Special training; 38 U.S.C. chapter 35.
21.4106 Counseling; change or reentrance.

PAYMENTS; EDUCATIONAL ASSISTANCE ALLOWANCE

21.4130 Educational assistance allowance.
21.4131 Commencing dates.
21.4132 Waiver of time limits.
21.4133 Change of rates.
21.4134 Withholding and discontinuance.
21.4135 Discontinuance dates.
21.4136 Rates; educational assistance allowance; 38 U.S.C. chapter 34.
21.4137 Rates; educational assistance allowance; 38 U.S.C. chapter 35.
21.4138 Certifications.
21.4139 Payee.
21.4140 Apportionment.
21.4141 Offsets; 38 U.S.C. chapter 35; pension, compensation and dependency and indemnity compensation.

STATE APPROVING AGENCIES

21.4150 Designation.
21.4151 Cooperation.
21.4152 Control by agencies of the United States.
21.4153 Reimbursement of expenses.

SCHOOLS

21.4200 Definition.
21.4201 Schools listed by Attorney General.
21.4202 Overcharges; restrictions on enrollments.
21.4203 Reports by schools; requirements.
21.4204 Periodic certifications.
21.4205 Absences.
21.4207 Failure of school to meet requirements.
21.4208 Central Office Education and Training Review Panel.
21.4209 Examination of records.

PROGRAMS OF EDUCATION

21.4230 Requirements.
21.4231 Educational plan; 38 U.S.C. chapter 35.
21.4232 Specialized vocational training; 38 U.S.C. chapter 35.
21.4233 Combination.
21.4234 Change of program.

COURSES

21.4250 Approval of courses.
21.4251 Period of operation of course.
21.4252 Courses precluded.
21.4253 Accredited courses.
21.4254 Nonaccredited courses.
21.4255 Refund policy; nonaccredited courses.
21.4256 Correspondence courses; 38 U.S.C. chapter 34.
21.4257 Cooperative courses.
21.4258 Notice of approval.
21.4259 Disapproval.
21.4260 Courses in foreign countries.

ASSESSMENT AND PURSUIT OF COURSE

21.4270 Measurement of courses.
21.4271 Trade or technical; high schools.
21.4272 Collegiate undergraduate; credit-hour basis.
21.4273 Collegiate graduate.
21.4274 Professional; nonaccredited.
21.4275 Professional; accredited.
21.4276 Special assistance; 38 U.S.C. chapter 35.
21.4277 Discontinuance; unsatisfactory progress.
21.4278 Reentrance after discontinuance.

AUTHORITY: The provisions of this Subpart D issued under 72 Stat. 1114; 38 U.S.C. 210.

Subpart D—Administration of Educational Benefits; 38 U.S.C. Chapters 34, 35, and 36

ADMINISTRATIVE

§ 21.4001 Delegations of authority.

(a) Except as otherwise provided, authority is delegated to the Chief Benefits Director and to supervisory or adjudicative personnel within the jurisdiction of the Compensation, Pension, and Education Service designated by him to make findings and decisions under 38 U.S.C. chapters 34, 35, and 36 and the applicable regulations, precedents, and instructions, as to programs of education or special restorative training.

(b) Authority is delegated to the Chief Benefits Director to enter into agreements for reimbursement of State approving agencies under § 21.4153.

(c) Authority is delegated to the Director, Compensation, Pension, and Education Service to exercise the functions required of the Administrator for:

(1) Waiver of penalties for conflicting interests under § 21.4005;

(2) Actions otherwise required of State approving agencies, under § 21.4150(c);

(3) Approval of courses under § 21.4250(c).

§ 21.4002 Finality of decisions.

(a) The decision of a duly constituted agency of original jurisdiction on which an action was predicated will be final and binding upon all field offices of the Veterans Administration as to conclusions based on evidence on file at that time and will not be subject to revision on the same factual basis except by duly constituted appellate authorities or except as provided in § 21.4003. (See §§ 19.153 and 19.154 of this chapter.)

(b) Current determinations of line of duty, character of discharge, relationship, and other pertinent elements of eligibility for a program of education or special restorative training, made by either an adjudicative activity or an insurance activity by application of the same criteria and based on the same facts are binding one upon the other in the absence of clear and unmistakable error.

§ 21.4003 Revision of decisions.

The revision of a decision on which an action was predicated will be subject to the following sections:

(a) Clear and unmistakable error, § 3.105(a) of this chapter;

(b) Difference of opinion, § 3.105(b) of this chapter;

(c) Character of discharge, § 3.105(c) of this chapter;

(d) Severance of service connection, § 3.105(d) of this chapter;

(e) Veteran no longer totally and permanently disabled, § 21.4135(o).

§ 21.4005 Conflicting interests.

(a) *General.* (1) Every officer or employee of the Veterans Administration who has, while such an officer or employee, owned any interest in, or received any wages, salary dividends, profits, gratuities, or services from, any school operated for profit in which a veteran or eligible person was pursuing a course of education under 38 U.S.C. chapter 34 or 35 will be immediately dismissed from his office or employment.

(2) If the Administrator finds that any person who is an officer or employee of a State approving agency has, while he was such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, a school operated for profit in which a veteran or eligible person was pursuing a course of education or training under chapter 34 or 35, payments under § 21.4153 to such State approving agency will be discontinued unless such agency takes, without delay, such steps as may be necessary to terminate the employment of such person and payments will not be resumed while such person is an officer or employee of the State approving agency, or State Department of Veterans' Affairs or State Department of Education.

(3) A State approving agency will not approve any course offered by a school operated for profit and, if any such course has been approved, will disapprove each such course, if it finds that any officer or employee of the Veterans Administration, or the State approving agency owns an interest in, or receives any wages, salary, dividends, profits, gratuities, or service from, such school.

(4) The Administrator may, after reasonable notice, and public hearings if requested, waive in writing the application of this paragraph in the case of any officer or employee of the Veterans Administration or of a State approving agency, if it is found that no detriment will result to the United States or to veterans or eligible persons by reason of such interest or connection of such officer or employee (38 U.S.C. 1783).

(b) *Waiver.* Where a request is made for waiver of application of paragraph (a)(1) of this section, it will be considered that no detriment will result to the United States or to veterans or eligible persons by reason of such interest or connection of such officer or employee, if the officer or employee:

(1) Acquired his interest in the school by operation of law, or before the statute became applicable to the officer or employee, and his interest has been disposed of and his connection discontinued, or

(2) Meets all of the following conditions:

(i) His position involves no policy determinations, at any administrative level, having to do with matters pertaining to payment of educational assistance allowance, or special training allowance.

(ii) His position has no relationship with the processing of any veteran's or eligible person's application for education or training.

(iii) His position precludes him from taking any adjudicative action on individual applications for education or training.

(iv) His position does not require him to perform duties involved in the investigation of irregular actions on the part of schools or veterans or eligible persons in connection with 38 U.S.C. chapters 34 and 35.

(v) His position is not connected with the processing of claims by, or payments to, schools, or students enrolled therein under the provisions of 38 U.S.C. chapters 34 and 35.

(vi) His work is not connected in any way with the inspection, approval, or supervision of schools desiring to train veterans or eligible persons.

(c) *Authority.* (1) Authority is delegated to the Director, Compensation, Pension, and Education Service and to the field station head in cases of Veterans Administration employees under his jurisdiction, to waive the application of paragraph (a)(1) of this section in the case of any Veterans Administration employee who meets the criteria of paragraph (b) of this section and to deny requests for waiver which do not meet such criteria. If the circumstances warrant, the request may be submitted to the Administrator for decision.

(2) Authority is reserved to the Administrator to waive the requirement of paragraph (a)(1) of this section in the case of an officer of the Veterans Administration, and in the case of any employee who does not meet all of the criteria of paragraph (b) of this section.

(d) *Disapproval of courses.* Where it is found that an officer or employee of the Veterans Administration has any interest in, or receives any wages, salary, dividends, profits, gratuities, or services from any such school, and waiver has not been granted, the State approving agency and the school will be notified immediately that the courses offered by the school shall be disapproved, the reason for disapproval, and the conditions under which the disapproval may be lifted.

(e) *Notice to veterans and eligible persons.* The veteran or eligible person will be notified in writing sent to his latest address of record when:

(1) The course or courses are disapproved by the State approving agency, or

(2) The State approving agency fails to disapprove the course or courses within 15 days after the date of written notice to the agency, and no waiver has been requested, or

(3) Waiver has been denied.

The veteran or eligible person will be informed that he may apply for enrollment in an approved course in another school, but that in the absence of such transfer, educational assistance allowance payments will be discontinued effective the date of discontinuance of the course, or the 30th day following the date of such letter, whichever is earlier.

§ 21.4006 False or misleading statements.

(a) Except as provided in this section, payments may not be authorized based on a claim where it is found that the school or any person has willfully submitted a false or misleading claim, or that the veteran or eligible person with the complicity of the school or other person has submitted such a claim. A complete report of the facts will be made to the State approving agency, and if in order to the Attorney General of the United States (38 U.S.C. 1787).

(1) Where it is determined prior to payment that a certification or claim is false or misleading, payment will be authorized for only that portion of the claim to which entitlement is established on the basis of other evidence of record.

(2) Where the falsity of a certification or claim is discovered after payment has been released an overpayment will be set up for only that portion of the claim to which the claimant was not entitled.

(b) A determination that false or misleading statements have been made will not constitute a bar to payments based on further training, if the requirements

of § 21.4008(b) as to waiver or recovery of any overpayment have been satisfied.

(c) The provisions of this section are not for application where forfeiture of all rights has been or may be declared under the provisions of § 21.4007.

§ 21.4007 Forfeiture.

The rights of a veteran or eligible person to receive educational assistance allowance or special training allowance are subject to forfeiture under the provisions of §§ 19.1, 19.2, and 19.3 of this chapter (38 U.S.C. 3503, 3504, and 3505).

§ 21.4008 Overpayments.

(a) *Denial of further benefits.* Where an overpayment of educational assistance or special training allowance or other gratuitous benefit has been made to or on behalf of a veteran or eligible person, no further payments of educational assistance allowance or special training allowance will be made to the veteran or eligible person until the overpayment has been collected or arrangements have been made for repayment, unless recovery has been waived.

(b) *Benefits following recovery or waiver.* Where a veteran or eligible person has been denied entrance or reentrance under this section and subsequently liquidates or makes arrangements to liquidate the outstanding overpayment, or the overpayment has been waived, the effective date of entrance or reentrance will be determined under § 21.4131 or as to eligible persons in special restorative training, under § 21.3331.

(c) *Prevention of overpayments.* Where there is a question on whether approval of a course should be withdrawn, and it appears that overpayments may exist or be created, further payments to veterans or eligible persons enrolled in the school may be withheld pending resolution of the question. See § 21.4134.

§ 21.4009 Overpayments; waiver or recovery.

(a) *General.* The amount of an overpayment of educational assistance allowance or special training allowance on behalf of a veteran or eligible person constitutes a liability of the school if it is determined that the overpayment was made as the result of (1) willful or negligent failure of the school to report, as required by § 21.4204, excessive absences from a course, or discontinuance or interruption of a course by the veteran or eligible person, or (2) false certification by the school. The amount of the overpayment may be recovered from the school in the same manner as any other debt due the United States. Any amount so collected from the school will be reimbursed if the overpayment is recovered from the veteran or eligible person. This provision does not preclude the imposition of any civil or criminal liability under this or any other law (38 U.S.C. 1785).

(b) *False certification.* Liability resulting from a false certification is not contingent upon willfullness or negligence, but simply upon a finding that the overpayment resulted from a certification which was contrary to fact at the time it was made and therefore false.

(c) *Evidence.* A determination will be made whether there is prima facie evidence that an overpayment is the result of a false certification. When the decision is in the affirmative the school will be notified in writing of the Veterans Administration's intent to apply the liability provisions of paragraph (a) of this section. The notice will also state that unless a written request for a hearing is filed within 30 days of the receipt of such notice, a determination of liability will be made on the evidence of record. The case will then be referred to the Committee on Waivers for the field station having jurisdiction where the school is located.

(d) *Committees on Waivers.* If the overpayment amounts to less than $2,500, and jurisdiction is not assumed by Central Office, Chairmen and Section Chairmen, Committees on Waivers in the field stations having jurisdiction over the school are authorized to find:

(1) Whether recovery may be waived as to the veteran or eligible person.

(2) Liability of the school.

(3) Liability of both the school and the veteran or eligible person.

(e) *Extent of liability.* Waiver of collection of an overpayment as to a veteran or eligible person will not relieve the school of liability for the overpayment. Recovery in whole or in part from the veteran or eligible person will limit such liability accordingly. If an overpayment has been recovered from the school and the veteran or eligible person subsequently repays the amount in whole or in part, the amount repaid will be reimbursed to the school.

(f) *Notice to school.* If the school is found liable for an overpayment, the school will be notified of the decision and the right to request an administrative review of the decision within 60 days from the date notice of the decision is mailed to the school. The 60-day time limit may be extended to 90 days at the discretion of the Liability Review Section, Compensation, Pension, and Education Service. The request must be in writing, setting forth fully all of the contentions and errors assigned.

(g) *Liability Review Section.* Administrative review will be conducted by the Liability Review Section, whose decisions will serve as authority for instituting collection proceedings, if appropriate, or to discontinue collection proceedings instituted on the basis of the original decision of the regional Committee on Waivers in any case where the Review Section reverses a finding made by the regional Committee that the school is liable.

(h) *Review and modification.* The Liability Review Section may review and modify its decision upon submission of new and material evidence. The regional Committee will forward such evidence with its recommendation.

CROSS REFERENCE: *Waiver; educational benefits.* See § 3.1908 of this chapter.

GENERAL

§ 21.4022 Nonduplication; 38 U.S.C. chapters 31, 34, and 35.

(a) *Election.* A veteran or eligible person who is eligible for education or training under more than one program under 38 U.S.C. chapters 31, 34, and 35 must elect which benefit he will receive. The election must be in writing, except as provided in paragraph (b) of this section.

(1) If he elects vocational rehabilitation under chapter 31 he will have no further right to benefits under chapter 34 or 35.

(2) If he elects educational assistance under chapter 34 or 35 he will have no further right to vocational rehabilitation, except that such election will not bar him from a course of vocational rehabilitation to overcome a handicap arising out of a period of service subsequent to the election.

(3) If he elects either chapter 34 or 35 benefits he may at any time elect or reelect the other, subject to continuing eligibility.

(b) *Inferred election.* A veteran or an eligible person will be considered to have made his election if he:

(1) Enters or resumes a program of education under chapter 34 or 35, or special restorative training under chapter 35, after he has been notified of potential rights to vocational rehabilitation under chapter 31, or

(2) Continues to pursue a program of education or special restorative training for a period of more than 30 days after such notification without having filed an application for vocational rehabilitation, or

(3) Having filed an application for vocational rehabilitation, continues to pursue a program of education or special restorative training for a period of more than 30 days after the date of notice that he has been found in need of vocational rehabilitation.

(c) *Prior training.* (1) Where a veteran or an eligible person becomes entitled to and elects to receive vocational rehabilitation after having commenced a program of education under chapter 34 or 35, or special restorative training under chapter 35, the program of education or special restorative training previously pursued shall be utilized to the fullest extent practicable in determining the character and duration of vocational rehabilitation to be furnished him (38 U.S.C. 1661(d), 1711(c)).

(2) Where a veteran who is also an eligible person has received educational assistance under chapter 34 or chapter 35, the program of education previously pursued will be utilized to the fullest extent practicable in determining the character and duration of the course for which enrollment may be approved under the other chapter.

§ 21.4025 Nonduplication; Federal programs.

(a) *General.* Neither educational assistance allowance nor special training allowance may be authorized for any period during which the veteran or eligible person is enrolled in and pursuing a course of education or training paid for by the United States in whole or in part under any other provision of law, where the educational assistance would constitute a duplication of benefits from the Federal Treasury. This includes the receipt of a stipend paid under a grant or fellowship or receipt of a payment as a trainee or student under any program administered by another Federal agency if the stipend or payment is to provide an allowance for living expenses or tuition and is paid from the Federal Treasury to the veteran or eligible person or to his parent or guardian in his behalf (38 U.S.C. 1781).

(b) *Programs barred.* The bar to concurrent payments includes the following:

(1) An Atomic Energy Commission fellowship,

(2) A Public Health Service fellowship,

(3) A National Science Foundation fellowship,

(4) The U.S. Maritime Commission training program,

(5) The Financial Assistance program in the Senior Reserve Officers' Training Corps of the Air Force, Army or Navy (Pub. Law 88-647) (similar to the former regular Navy ROTC program, Holloway Plan),

(6) The program provided under the Universal Military Training and Service Act (Pub. Law 51, 82d Cong.),

(7) The Veterans Administration Career Resident program as a full-time physician of the Veterans Administration Department of Medicine and Surgery,

(8) Tuition assistance paid by a service department to a person on active duty,

(9) A National Defense Education Act fellowship (Pub. Law 85-864, as amended), and

(10) Educational assistance under the Manpower Development and Training Act (Pub. Law 87-415).

(c) *Programs not barred.* Educational assistance allowance or special training allowance is not barred solely because the veteran or eligible person is:

(1) Enrolled in a land-grant college which is receiving Morrill-Nelson and Bankhead-Jones funds,

(2) Enrolled in a vocational training course conducted under the Act of February 23, 1917, as amended or the Vocational Educational Act of 1946 (Pub. Law 586, 79th Cong.),

(3) Enrolled in a school and participating in the 2-year Senior Reserve Officers' Training Corps, or the 4-year Senior ROTC program of the Air Force, Army, or Navy, other than the Financial Assistance program (see par. (b)(5) of this section),

(4) Participating in an on-the-job training program in a governmental establishment, such as a Navy Yard,

(5) Receiving benefits under Public Law 87-256 (Fulbright Act),

(6) Participating in the residency and internship program operated by the Veterans Administration Department of Medicine and Surgery under the provisions of 38 U.S.C. 4114(b) or in the Veterans Administration training program for clinical psychologists, social workers or similar programs and being paid for part-time work, or

(7) Receiving assistance as part of a Work-Study program under the Economic Opportunity Act (Pub. Law 88-452).

COUNSELING

§ 21.4100 Counseling.

(a) The purpose of counseling is to assist in selecting an objective, in developing a suitable program of education or training and in resolving any personal problems which are likely to interfere with successful pursuit of a program.

(b) Counseling not required by Veterans Administration regulations may be provided upon request so long as the counselor determines that it will aid the veteran or eligible person in obtaining maximum benefit from the pursuit of a program of education.

§ 21.4101 Requirement; 38 U.S.C. chapter 34.

(a) Counseling is not required for approval of an initial course selected by a veteran or for a change from such course when conduct and progress are satisfactory.

(b) Except as required by § 21.4106, counseling may be required before a second change of program is approved, or before a change of program or reentrance is approved where an earlier course was discontinued because of unsatisfactory conduct or progress. See § 21.4277.

§ 21.4102 Requirement; 38 U.S.C. chapter 35.

Counseling is required for the eligible person before approval of an initial course, reentrance after discontinuance because of unsatisfactory conduct or progress, or a change of program. The counselor will assist in preparing an educational plan if requested by the eligible person, his parent or guardian (38 U.S.C. 1720).

§ 21.4103 Failure to cooperate.

When counseling is required and a veteran or eligible person fails to report for or fails to cooperate in the counseling process, further action on the application will not be taken. See §§ 21.1032 and 21.3032.

§ 21.4104 Travel expenses.

Travel at Government expense to and from the place of counseling may be authorized for the veteran or eligible person whenever counseling is required, but not when provided as the result of a voluntary request (38 U.S.C. 111).

§ 21.4105 Special training; 38 U.S.C. chapter 35.

(a) Counseling will be provided a handicapped person before a case is considered by the Vocational Rehabilitation Board (established under § 21.715) for determination of need for a course of specialized vocational training or for special restorative training.

(b) When an eligible person completes or discontinues a course of special restorative training without having selected an objective and a program of education, additional counseling will be provided to assist in selecting a program of education.

§ 21.4106 Counseling; change or reentrance.

(a) *When required.* Counseling, or additional counseling, will be required under the following circumstances unless it is found by the counselor that the change requested is from a program that was not considered suitable in the initial counseling to a program which is supported by the counseling data, and need for additional counseling is not shown.

(1) *38 U.S.C. chapter 34.* For a change from the initial program if interrupted or discontinued due to the veteran's own misconduct, neglect, or lack of application, for any second change of program, or for resumption of a course of education which had been discontinued because of unsatisfactory conduct or progress under § 21.4277.

(2) *38 U.S.C. chapter 35.* For any change of program or for resumption of a course of education which had been discontinued because of unsatisfactory conduct or progress under § 21.4277.

(b) *Approval.* The counselor will recommend approval of a change of program or reentrance into the same program, if he finds that the program which the veteran or eligible person proposes to pursue is suitable to his aptitudes, interests, and abilities; and where the veteran's or eligible person's program has been interrupted, or he has failed to progress in, his program due to his own misconduct, neglect or lack of application, the cause for the unsatisfactory conduct or progress has been removed and there exists a reasonable likelihood that there will not be a recurrence of such an interruption or failure to progress. Negative determinations involving unsatisfactory conduct or progress will be made by the Vocational Rehabilitation Board.

PAYMENTS; EDUCATIONAL ASSISTANCE ALLOWANCE

§ 21.4130 Educational assistance allowance.

Educational assistance allowance will be paid at the rate specified in § 21.4136 or § 21.4137 while the veteran or eligible person is pursuing a course of education. No payment will be made, however, based on a course not leading to a standard college degree, for excessive absences as determined under § 21.4205(b).

(a) The commencing date will be the date of entrance or reentrance into a course as determined under § 21.4131.

(b) The ending date will be the earliest of the following dates:

(1) The ending date of the course or period of enrollment as certified by the school.

(2) The ending date of the veteran's eligibility as determined under §§ 21.1041 and 21.1042.

(3) The ending date of the eligible person's eligibility as determined under §§ 21.3041 and 21.3042.

(4) The ending date specified in § 21.4135.

§ 21.4131 Commencing dates.

The commencing date of an award or increased award of educational assistance allowance will be determined under this section.

(a) *Entrance or reentrance including change of program or school (§ 21.4234).* (1) The date certified by school as provided in paragraph (b) or (c) of this section, or date of approval of course, whichever is later, if application for entrance or reentrance or request for change is received not later than 15 days after date certified by school and notice of State approving agency's approval is received not later than 60 days after date of approval.

(2) If time limits specified in subparagraph (1) of this paragraph are not met, the date of receipt of application or request for change, or 60 days prior to receipt of notice of approval by State approving agency.

(3) The time limits specified in subparagraphs (1) and (2) of this paragraph may be waived under § 21.4132.

(b) *Certification by school; course leads to standard college degree.* The date of registration, or the date of reporting where the student is required by published standards of the school to report in advance of registration, but not later than the date the person first reports for classes.

(c) *Certification by school; course does not lead to standard college degree.* First date of class attendance.

(d) *Reopened application after abandonment (§§ 21.1032 and 21.3032).* The date the veteran or eligible person reports for counseling if pursuing an approved course.

(e) *Increase for dependent; chapter 34.* Date of entrance or reentrance into program if dependent shown on the application and evidence is received within 1 year after date of request; otherwise date of receipt of claim for dependent or date entitlement for dependent arose, whichever is later, subject to 1-year time limit for filing evidence.

(f) *Liberalizing laws and Veterans Administration issues.* In accordance with facts found, but not earlier than the effective date of the act or administrative issue.

CROSS REFERENCE: Special restorative training. See § 21.3331.

§ 21.4132 Waiver of time limits.

The time limits specified in § 21.4131 (a) may be waived under the following circumstances:

(a) *Veteran or eligible person.* The time limit for filing application or request for a change of program or place of training may be waived if the facts, equities and demonstrated good faith on the part of the veteran for purposes of 38 U.S.C. chapter 34, or on the part of the parent, guardian, or eligible person for purposes of 38 U.S.C. chapter 35, warrant such waiver.

(b) *State approving agency.* The time limit for receipt of notice of approval from the State approving agency may be waived if the facts, equities and demonstrated good faith on the part of the veteran, parent, guardian, or eligible person and the State approving agency warrant such waiver, and

(1) Approval action was not denied or withheld for cause during the retroactive period, and

(2) Credit is granted toward completion of the course from the date of approval.

§ 21.4133 Change of rate.

An increase or reduction in the monthly rate of educational assistance allowance because of a change in the extent of the course being pursued, e.g., change from full-time to part-time pursuit of a course, will be effective the first day of the month following the month in which the change occurred.

§ 21.4134 Withholding and discontinuance.

Nothwithstanding the approval of a course by a State approving agency, educational assistance allowance may be discontinued if it is determined that the course of education in which the individual is enrolled fails to meet, or the school has violated, any of the requirements of chapters 34, 35, or 36 (38 U.S.C. 1686, 1736). Where preliminary evidence indicates that it would be to the best interests of the Government, the station head may withhold further payments to persons enrolled in the school until a determination has been made as to whether approval should be withdrawn and whether overpayments exist. Payments will be promptly released whenever the facts developed justify such action.

§ 21.4135 Discontinuance dates.

The effective date of reduction or discontinuance of educational assistance allowance will be as specified in this section. If more than one type of reduction or discontinuance is involved, the earliest date will control.

(a) *Death of veteran or eligible person.* Last date of attendance.

(b) *Death of dependent.* Last day of month in which death occurs.

(c) *Divorce.* Last day of month in which divorce occurs.

(d) *Child*—(1) *Marriage.* Last day of month in which marriage occurred.

(2) *Age 18.* Day preceding 18th birthday.

(3) *School attendance.* Last day of month in which school attendance ceased or day preceding 23d birthday, whichever is earlier.

(4) *Helplessness ceased.* Last day of month following 60 days after notice to the payee that helplessness has ceased.

(e) *Course discontinued.* Last date of attendance or, if enrollment certified for ordinary school year and veteran or eligible person has completed one or more terms, but does not return for the next term, discontinuance will be effective the end of the term completed.

(f) *Discontinued by Veterans Administration (§§ 21.4134 and 21.4207).* End of month in which action is taken.

(g) *Unsatisfactory progress (§ 21.4277).* The date the veteran's or eligible person's enrollment is discontinued by the school or the date of administrative determination by the Veterans Administration, whichever is earlier.

(h) *Monthly certifications not received after certification of enrollment (§§ 21.4203 and 21.4204).* (1) Date of enrollment if no certifications are received for first two reporting periods.

(2) The end of the month for which the last payment was properly made, if payments have been made for one or or more periods and certifications are not received for two consecutive reporting periods.

(i) *False or misleading statements.* See § 21.4006.

(j) *Disapproval by State approving agency (§ 21.4259(a)).* End of month in which disapproval is effective or notice of disapproval is received in Veterans Administration, whichever is later.

(k) *Disapproval by Veterans Administration (§§ 21.4207 and 21.4259(c)).* End of month in which disapproval occurred.

(l) *Conflicting interests (not waived) (§ 21.4005).* Thirty days after date of letter notifying veteran or eligible person, unless terminated earlier for other reason.

(m) *School listed by Attorney General (§ 21.4201).* Day before date of listing.

(n) *Active duty (§§ 21.4136(a) and 21.8042).* Day before entrance on active duty. (Does not apply to brief periods of active duty for training if school permits such absence without interruption of training; however, where course does not lead to standard college degree, the absence must be reported as required by § 21.4205.)

(o) *Veteran no longer rated permanent total disabled; chapter 35 (§ 21.3041).* End of quarter or semester if school is operated on quarter or semester system.

(2) End of course or 9 weeks whichever is earlier, if school is not operated on quarter or semester system.

(p) *Error; payee's or administrative.* (1) Effective date of award or day preceding act, whichever is later, but not prior to the date entitlement ceased, on an erroneous award based on an act of commission or omission by a payee or with his knowledge.

(2) Date of last payment on an erroneous award based solely on administrative error or error in judgment.

(q) *Fraud; forfeiture resulting (§ 21.4007).* Beginning date of award or day preceding date of fraudulent act, whichever is later.

(r) *Treasonable acts or subversive activities; forfeiture (§ 21.4007).* Beginning date of award or date preceding date of commission of treasonable act or subversive activities for which convicted, whichever is later.

(s) *Reduction in rate of pursuit of course (§ 21.4270).* End of month in which reduction occurred.

CROSS REFERENCE: *Special restorative training.* See § 21.3332.

§ 21.4136 Rates; educational assistance allowance; 38 U.S.C. chapter 34.

(a) *Rates.* Educational assistance allowance is payable for periods commencing on or after June 1, 1966, at the following monthly rates.

Type of courses	Monthly rate		
	No dependents	1 dependent	2 or more dependents
Institutional:			
Full time	$100	$125	$150
¾ time	75	95	115
½ time	50	65	75
Less than ½ time	(1)	(1)	(1)
Cooperative (full time only)	80	100	120
Correspondence	(2)	(2)	(2)

[1] See paragraph (b) of this section.
[2] Established charge for number of lessons completed by veteran and serviced by school—allowance paid quarterly.

(b) *Active duty or less than half-time.* Educational assistance allowance for an individual who is eligible solely by reason of the provisions of § 21.1040(e)(2) and is pursuing an institutional course while on active duty or for any individual who is pursuing an institutional course on less than half-time basis will be computed on the lesser of the following rates:

(1) The established charges for tuition and fees which the school requires similarly circumstanced nonveterans enrolled in the same course to pay, or

(2) $100 per month for a full-time course.

(c) *June 1966.* A veteran who commenced a course prior to June 1, 1966, will not be paid for any part of the month of June 1966, unless his course continues through June 30, 1966. (Sec. 12(a), Pub. Law 89–358.)

(d) *Excessive absences.* When enrollment is in a course which does not lead to a standard college degree absences in excess of the maximum number allowable will cause a reduction in the educational assistance allowance payable for the month in which such absences occurred. The rate of reduction will be determined by the following table:

Days of scheduled attendance per week	Rate of reduction for each day of excessive
5 or more	1/22
4	1/20
3	1/15
2	1/10
1	1/5

(e) *Dependents.* The term "dependent" means a wife, child, or dependent parent who meets the definitions of relationship specified in §§ 3.50, 3.51, 3.57, and 3.59 of this chapter. A child adopted outside the veteran's family is included only if the veteran is contributing to the child's support.

(f) *Two-veteran cases; dependents.* The payment of additional educational assistance allowance to a veteran for a wife who is also a veteran and for a child will not bar the payment of additional educational assistance allowance or additional subsistence allowance under § 21.133 to the wife for her husband and the same child. The husband of a female veteran may be considered a dependent only if he meets the requirements of § 3.51(a) of this chapter.

(38 U.S.C. 1682)

§ 21.4137 Rates; educational assistance allowance; 38 U.S.C. chapter 35.

(a) *Rates.* Educational assistance allowance is payable at the following monthly rates.

Type of course	Monthly rate		
	Full time	¾ time	½ time
Institutional	$130	$95	$60
Cooperative (full time only)	105	None	None

(b) *Less than half-time.* No educational assistance allowance will be paid when an institutional course is pursued at less than half time (38 U.S.C. 1732).

(c) *Excessive absences.* Reduction of educational assistance allowance by reason of excessive absences in a course which does not lead to a standard college degree will be made in the same manner described in § 21.4136(d) (38 U.S.C. 1732).

§ 21.4138 Certifications.

Educational assistance allowance will be paid to or on behalf of a veteran or eligible person under chapter 34 or 35 for any period only after the Veterans Administration has received a report which shows that the individual has been pursuing his course. The report must be certified by the student on a form provided by the Veterans Administration for that purpose. Where the student is enrolled in a course which does not lead to a standard college degree, or a course pursued exclusively by correspondence, a certification from the school is required. On certifications of enrollment, periodic certifications and absences, see §§ 21.4203, 21.4204, and 21.4205 respectively.

§ 21.4139 Payee.

(a) *Educational assistance allowance; chapter 34.* Payment will be made to the veteran or to a duly appointed fiduciary. Direct payment to the veteran may be made notwithstanding his minority.

(b) *Educational assistance allowance; chapter 35.* (1) Payment will be made to the eligible person if he has attained majority and has no known legal disability or, notwithstanding his minority, where it is found to be in his best interests unless there is some known reason why he should not be designated as payee.

(2) Where the eligible person is not designated as payee, payments will be made to the parent or guardian of the eligible person, to a fiduciary or to some other suitable person.

§ 21.4140 Apportionment.

Educational assistance allowance is not subject to apportionment.

§ 21.4141 Offsets; 38 U.S.C. chapter 35; pension, compensation and dependency and indemnity compensation.

Payment of educational assistance allowance will be subject to offset of amounts of pension, compensation, or dependency and indemnity compensation paid over the same period on behalf of a child based on school attendance (38 U.S.C. 1762).

CROSS REFERENCE: *Discontinuance of pension, compensation or dependency and indemnity compensation.* See § 3.503(h) of this chapter.

STATE APPROVING AGENCIES

§ 21.4150 Designation.

(a) The Chief Executive of each State is requested to create or designate a State department or agency as the "State approving agency" for his State, for the purpose of assuming the responsibilities delegated to the State under 38 U.S.C. chapter 36, or if the law of the State provides otherwise, to indicate the agency provided by such law (38 U.S.C. 1771(a)).

(b) The Chief Executive of each State will notify the Veterans Administration of any change in the designation of a State approving agency.

(c) If any State does not have and fails or declines to create or designate a State approving agency, the provisions of 38 U.S.C. chapter 36 which refer to the State approving agency will, with respect to such State, be deemed to refer to the Administrator (38 U.S.C. 1771(b)). See § 21.4001(c).

(d) Any function, power or duty otherwise required to be exercised by a State, or by an officer or agency of a State, will, with respect to the Republic of Philippines, be exercised by the station head (38 U.S.C. 212(a), 1761(b)).

CROSS REFERENCE: *Approval of courses.* See § 21.4250.

§ 21.4151 Cooperation.

(a) The Veterans Administration and the State approving agencies will take cognizance of the fact that definite duties, functions and responsibilities are conferred upon each of them. To assure that programs of education are administered effectively and efficiently, the cooperation of the Veterans Administration and the State approving agencies is essential (38 U.S.C. 1773(a)).

(b) State approving agencies are responsible for inspecting and supervising schools within the borders of their respective States and for determining those courses which may be approved for the enrollment of veterans and eligible persons. They are also responsible for ascertaining whether a school at all times complies with its established standards relating to the course or courses which have been approved.

(c) The Veterans Administration will furnish State approving agencies with

copies of such Veterans Administration informational and instructional material as may aid them in carrying out the provisions of 38 U.S.C. chapter 36 (38 U.S.C. 1773(b)).

§ 21.4153 Control by agencies of the United States.

(a) No department, agency, or officer of the United States will exercise any supervision or control over any State approving agency or State educational agency, or any educational institution.

(38 U.S.C. 1782)

(b) The provisions of paragraph (a) of this section do not restrict the authority conferred on the Veterans Administration:

(1) To define full-time training in certain courses.

(2) To determine whether overcharges were made by a school and to disapprove the school for enrollment of veterans or eligible persons not previously enrolled. See § 21.4202.

(3) To determine whether the State approving agencies under the terms of contract or reimbursement agreements are complying with the standards and provisions of the law.

(4) To examine the records and accounts of schools which are required to be made available for examination by duly authorized representatives of the Federal Government. See § 21.4209.

(5) To disapprove schools or courses for reasons stated in the law and to approve schools or courses notwithstanding lack of State approval.

§ 21.4153 Reimbursement of expenses.

(a) *General.* If a State or local agency requests to be paid for service contemplated by the law, and submits information prescribed in paragraph (e) of this section, contracts or agreements will be negotiated with such State agencies to pay for the reasonable and necessary expenses of salary and travel incurred by its employees in:

(1) Determining the qualification of educational institutions for furnishing courses of training to veterans and eligible persons and in the supervision of such educational institutions. Supervision for which reimbursement may be made will consist of services required in determining that the courses are furnished in accordance with the criteria set forth in the law or prescribed by the State approving agencies pursuant to the law and upon which the original approval was granted, and of those services required in disapproving any courses which fall below the established criteria.

(2) Furnishing any other services in connection with the law as may be requested by the Veterans Administration.

(b) *Reimbursement.* The Chief Benefits Director is authorized to enter into agreements for reimbursement to the extent necessary to fulfill the purpose of paragraph (a) of this section. See § 21.4001(b).

(c) *Reimbursable expenses.* Reimbursement may be made from the funds provided in the existing contract with the State approving agency under the provisions of this section. No reimbursement may be authorized for expenses incurred by any individual who is not an employee of the State approving agency.

(1) *Salaries.* Salaries for which reimbursement may be authorized under contract will not be in excess of the established rate of pay for other employees of the State having comparable or equivalent duties and responsibilities and will further be limited to the actual salary expense incurred by the State.

(2) *Travel.* Travel expenses for which reimbursement may be authorized under contract will be determined on the basis of expenses allowable under applicable State laws or travel regulations of the State or agency and will be for travel actually performed by employees specified under the terms of the contract. Reimbursement for travel will be provided only to cover actual expenses for transportation, meals, lodging, and local telephone calls, or the regular per diem allowance in lieu thereof. In claiming reimbursement for travel authorized under the terms of a contract, all claims must be supported by factual vouchers and all transportation allowances must be supported by detailed claims which can be checked against work assignments in the office of the State approving agency. Reimbursement will be made for expenses of attending out-of-State meetings and conferences only where the travel is performed upon prior approval and at the request of the Director, Compensation, Pension, and Education Service.

(3) *Committee assignments.* Reimbursement may also be authorized for the salary and travel of the employee of the State approxing agency serving as a designated member of the field station Committee on Educational Allowances.

(d) *Nonreimbursable expenses.* Reimbursement will not be provided under reimbursement contracts for:

(1) Expenditures other than salaries and travel of personnel required to perform the services specified in the contract and Veterans Administration regulations.

(2) Supplies, equipment, printing, postage, telephone services, rentals, and other miscellaneous items or a service furnished directly or indirectly.

(3) Except as provided in paragraph (c)(2) of this section, the salaries and travel of personnel while attending training sessions, or when they are engaged in activities other than: Those in connection with the inspection, approval, or supervision of educational institutions; or services rendered as members of a field station Committee on Educational Allowances.

(4) The supervision of educational institutions which do not have veterans or eligible persons enrolled.

(5) Expenses incurred in the administration of an educational program which are costs properly chargeable as tuition costs, such as the development of course material or individual educational programs, teacher training or teacher improvement activities, expenses of coordinators, or administrative costs, such as those involving selection and employment of teachers. (This does not preclude reimbursement for expenses of the State agency incurred in the development of standards and criteria for the approval of courses under the law.)

(6) Expenses of a State approving agency for inspecting, approving, or supervising courses where such agency is responsible for establishing, conducting, and supervising the courses approved.

(7) Any expense for supervision or other services to be covered by contract which are already being reimbursed or paid from tuition funds under this law.

(e) *Agency operating plan.* A request by a State approving agency for reimbursement under the law will be subject to the requirements of 41 CFR 8–7.5101–8 as to "Equal Opportunity". The request will be accompanied by the proposed plan of operation and the specific duties and responsibilities of all personnel for which reimbursement of salaries and travel expense is required.

(1) Personnel requirements for which reimbursement is to be provided will be determined on the basis of estimated workloads as agreed upon between the Veterans Administration and the State agency. Such agreements will be subject to constant review and any necessary adjustment.

(2) Workloads will be determined upon three factors: (i) Inspection and approval visits, (ii) supervisory visits, and (iii) special visits at request of the Veterans Administration.

(f) *Contract compliance.* Reimbursement under each contract or agreement will be conditioned upon compliance with the standards and provisions of the contract and the law. If it is determined that the State has failed to comply with the standards and provisions of the law and with the terms of the reimbursement contract, the station head will withhold reimbursement for claimed expenses under the contract. In any instance in which the State takes exception to the field station action, the matter will be referred to the Director, Compensation, Pension, and Education Service, for review (38 U.S.C. 1774).

SCHOOLS

§ 21.4200 Definition.

(a) *School.* The term "school," "educational institution," or "institution" means any public or private secondary school, vocational school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or any other institution if it furnishes education at the secondary school level or above.

(1) *Chapter 34.* The term includes correspondence schools.

(2) *Chapter 35.* The term includes institutions which provide specialized vocational courses for the mentally or physically handicapped generally recognized as on the secondary school level or above (38 U.S.C. 1652(c) and 1701(a)(6)).

(b) *Quarter; semester.* These terms include:

(1) "Term," any regularly established division of the ordinary school year under which the school operates.

(2) "Quarter," a division of the ordinary school year, usually a period from 10 to 13 weeks long.

(3) "Semester," a division of the ordinary school year, usually a period from 15 to 19 weeks long.

(4) "Summer quarter" (term or session), the whole of the summer period of instruction specified for the course in which the veteran or eligible person is enrolled, without regard to any divisions of such a period which may be made by the institution for administrative or other purposes.

§ 21.4201. Schools listed by Attorney General.

Enrollment may not be approved for a course in a school while it is listed by the Attorney General under section 12, Executive Order 10450 (38 U.S.C. 1789).

§ 21.4202 Overcharges; restrictions on enrollments.

(a) *Overcharges.* When it is found that a school has charged or received from any veteran or eligible person any amount in excess of the established charges for tuition and fees which the school requires from similarly circumstanced nonveterans or noneligibile persons enrolled in the same course, the school may be disapproved for enrollment of any person not already enrolled in the school. A school disapproved for chapter 35 purposes before March 3, 1966, is considered disapproved for chapter 34 purposes for enrollment of any veteran not already enrolled (38 U.S.C. 1684). See § 21.4207.

(b) *Restrictions on enrollments.* A school will be disapproved for further enrollments or reenrollments, and educational assistance allowance to veterans or eligible persons already enrolled will be discontinued when one or more of the following conditions has been found to exist:

(1) The school has willfully and knowingly submitted a false report or certification concerning a student or his course of education which has or could result in an improper payment of allowances.

(2) The school has willfully and knowingly failed to report to the Veterans Administration excessive absences, discontinuance, or interruption of education, which has resulted or could result in improper payment of allowances.

(3) The school through gross negligence has submitted improper or incorrect reports which have resulted or could result in improper payment of allowances. This condition will not be found to exist where:

(i) The improper report occurs only in an isolated instance or instances; or

(ii) It is the first occurrence and the school has not been previously notified in writing; or

(iii) The improper report or reports represent a very small proportion of the reports submitted by the school and may be attributed to clerical errors and are shown not to be the result of failure upon the part of the school to provide and maintain a recording and reporting procedure which under normal circumstances would result in proper reports to the Veterans Administration.

(4) The school has, after being notified in writing of a violation of a provision of law or of failure of a course to meet the specific requirements of law other than approval criteria, failed to correct the situation within 30 days of date of such notice or has knowingly and willfully repeated the violation.

(5) The school, after having been disapproved for the enrollment of any veteran or eligible person not already enrolled therein, has willfully and knowingly repeated the violation.

(6) The school fails or refuses to make available for examination to duly authorized representatives of the Government records and accounts pertaining to the education of veterans and eligible persons enrolled therein under chapters 34 and 35.

(7) The requirements of §§ 21.4250, 21.4253, and 21.4254 are not being met in respect to a substantial number of veterans and eligible persons, written notice having been given to the State approving agency as to specific violations and such violations have not been eliminated within 30 days following such notice or 60 days following such notice when the station head determines that conditions warrant allowing the additional time to take corrective action.

(c) *Restrictions; 85 percent enrollment.* Enrollment under chapter 34 will not be approved for any veteran, not already enrolled, in any nonaccredited course below the college level offered by a proprietary school during any period when more than 85 percent of the students enrolled in the course are having all or any part of their tuition, fees, or other charges paid to or for them by the school or the Veterans Administration under chapters 31, 34, or 35 (38 U.S.C. 1673(d)).

§ 21.4203 Reports by schools; requirements.

(a) *General.* Educational institutions are required to report promptly the entrance, reentrance, change in hours of credit, or attendance, interruption, and termination of attendance of each veteran or eligible person who is enrolled.

(b) *Entrance or reentrance.* The certification must clearly specify the program objective. Upon receipt of a certification of enrollment, an official authorization will be issued showing the beginning and ending dates of each period for which an allowance may be paid. The authorization will be for the period of enrollment or the extent of the eligible person's entitlement, whichever is the lesser.

(1) Schools organized on a term, quarter, or semester basis may report enrollment for the term, quarter, or semester, or for the ordinary school year. Enrollment certifications for the ordinary school year are encouraged. A summer session may not be included as part of the ordinary school year but must be reported separately.

(2) Schools organized on a year-round basis will report enrollment for the length of the course. The certification will include a report of the dates during which the school closes for summer vacation, the dates of any intervals between the dates of any intervals between periods of instruction which occur in the summer and any intervals designated in the school's approval data as breaks between school years. No allowances are payable for these intervals.

(c) *Course changes.* Any changes in the number of credit hours or the clock hours of attendance or instruction or any other modification in the course as certified at enrollment must be reported promptly to the Veterans Administration.

(d) *Interruptions and terminations.* When a veteran or eligible person interrupts or terminates his training for whatever reason, including unsatisfactory conduct or progress, this fact must be reported promptly to the Veterans Administration.

(1) Where the school is required to submit monthly certifications, the information required by this paragraph and paragraph (c) of this section should be included in the endorsement to the veteran's or eligible person's certification.

(2) In other cases the school will initiate the certification. Information regarding any changes or an interruption or termination of training must be reported during or immediately after the end of the month in which the event occurred.

(e) *Correspondence courses.* Where the course in which a veteran is enrolled under 38 U.S.C. chapter 34, is pursued exclusively by correspondence the school will report by an endorsement on the veteran's certification the number of lessons completed by the veteran and serviced by the school. Such reports will be submitted quarterly.

(f) *Monthly certification*—(1) *Courses not leading to standard college degree.* A certification must be submitted monthly, except as provided in paragraph (e) of this section, for each veteran and eligible person enrolled in a course which does not lead to a standard college degree. See § 21.4204. The report will consist of a certification containing the information required for release of payment, signed by the veteran or eligible person and the school on or after the final date of the reporting period. The date on which each person signed must be clearly shown. The only exception to the requirement of two signatures is a certification of interruption of training when the veteran or eligible person is not available for signature.

(2) *Courses leading to a standard college degree.* Schools which have veterans or eligible persons enrolled in courses which lead to a standard college degree are not required to submit monthly certifications for students enrolled in such courses. Certifications are, however, required under paragraphs (b), (c), and (d) of this section.

§ 21.4204 Periodic certifications.

Educational assistance allowance is payable only after the Veterans Administration has received the required certification that the veteran or eligible per-

son has been pursuing his course during the reporting period.

(a) *Reports by veterans and eligible persons.* A veteran or eligible person enrolled in a course which leads to a standard college degree must submit to the Veterans Administration a monthly report certifying as to continued enrollment in and pursuit of his course during the month. Reports by other veterans and eligible persons will be submitted in accordance with § 21.4203 (e) or (f).

(b) *Requirements.* The certifications required by § 21.4203 and paragraph (a) of this section will include a report on the following items when applicable:

(1) Continued enrollment in and pursuit of the course.

(2) Absences. See § 21.4205.

(3) Conduct and progress. See § 21.4277.

(4) Date of interruption or termination of training.

(5) Changes in number of semester hours or clock hours of attendance.

(6) Any other changes or modifications in the course as certified at enrollment.

(c) *Term, quarter, or semester.* For a course which does not lead to a standard college degree, if a school organized on a term, quarter, or semester basis has reported enrollment:

(1) For the ordinary school year, the periodic certification will show the intervals between terms, quarters, or semesters as absences. This also applies to intervals between the ordinary school year and a summer session.

(2) By term, quarter, or semester, the periodic certification will not cover the intervals between terms, quarters, or semesters.

(d) *Year-round courses.* Where appropriate, the monthly certification will show the dates on which the school closed for summer vacation, the date of any intervals between periods of instruction which occurred in the summer, and the dates of any intervals which are designated in the approval data as breaks between school years.

§ 21.4205 Absences.

Absences must be reported on the monthly certification of pursuit of a course which does not lead to a standard college degree.

(a) *General.* Absence will be charged for a full day when the veteran or eligible person did not attend any scheduled class on that day. Tardiness will be charged when the veteran or eligible person was late for the start of the school day. A partial day of absence will be charged for any period of absence during or at the end of a day.

(b) *Maximum allowable absences.* Maximum allowable absences will be determined as provided in this paragraph.

(1) For a 12-month course requiring attendance for 5 or more days a week, 30 days.

(2) For a 12-month course requiring attendance for less than 5 days a week, the pro rata part of 30 days which the number of days per week of scheduled attendance bears to 5.

(3) If the length of the course is not 12 months or a multiple of 12, allowable absences will be figured separately for each 12-month period and for any period which is less than 12 months.

(4) In computing pro rata allowable absences a fraction of one-half day or less will be disregarded. A fraction greater than one-half day will be counted as 1 day.

(5) Unused allowable absences may not be carried over from one 12-month period to another, or from one school year to another.

(c) *Reporting.* (1) Veterans and eligible persons must report each full day of absence from scheduled attendance as well as days when the school was closed for Federal, State or local holidays and school holidays and intervals between terms, quarters or semesters. When the school is closed for the weekend, those days will not be reported. However, if classes are normally scheduled for Saturday and Sunday, absences must be reported.

(2) The school will verify the full days of absence reported and endorse the report. In addition, the school will convert partial days of absence to full days in accordance with the following formula and report the accumulated total.

(i) Compute the average hours of daily attendance. (Divide the hours of required attendance per week by the days of required attendance per week.)

(ii) Total the absences of less than a full day which occurred during the month (see subpar. (3) of this paragraph).

(iii) Divide the total hours of absence for the month (subdivision (ii) of this subparagraph) by the average hours of daily attendance (subdivision (i) of this subparagraph) to determine the full days of absence to be reported.

(3) An occasional tardiness (not more than two per week) of one-half hour or less will not be counted if it is excused by the school. Tardiness which is not excused and tardiness of more than one-half hour, whether excused or not, will be counted as one or more hours of absence. Absences during any portion of the day will be counted, whether more or less than an hour. All early departures will be counted, even though excused. Except for an occasional tardiness of one-half hour or less which is excused by the school, any absence of less than an hour will be counted as a full hour of absence.

§ 21.4207 Failure of school to meet requirements.

When the Veterans Adminstration discovers facts which appear to warrant a finding that the school is in violation of specific criteria of 38 U.S.C. chapters 34, 35, or 36, including failure to meet requirements for approval of a course offered to a veteran or eligible person, the facts will be referred to the field station Committee on Educational Allowances.

(a) *Committee on Educational Allowances.* The Committee on Educational Allowances in the field station is authorized to make recommendations on action to be taken for the purposes of this section, subject to approval by the station head. The Committee will include one member designated by the State approving agency, or in the absence of such designation, a staff employee designated by the station head. The recommendation of the Committee, when approved by the station head, becomes the final administrative decision of the Veterans Administration unless an application for review is filed as provided in paragraph (d) of this section.

(b) *Hearings.* A hearing may be held at the request of the school. No expenses incurred for counsel or witnesses will be paid by the Veterans Administration.

(c) *Referral to Central Office.* If the station head does not approve the recommendation of the Committee on Educational Allowances, the decision will be made by Central Office.

(d) *Request for review.* The school may file an application for review by Central Office of any decision rendered under paragraph (a) of this section. The application must be received in Central Office within 30 days after the date of notice of the decision. See § 21.4208.

(e) *Effective date.* The decision of the station head will be effective as of the date of the decision. A decision rendered under § 21.4208 affirming discontinuance of educational assistance allowance will be effective the date of receipt of the decision in the field station. A decision which reverses the field station's decision will be effective as of the date of the original decision.

(f) *Reapproval of enrollments.* Educational assistance allowance which was finally discontinued by reason of the provisions of this section will not be resumed without prior approval at the level of authority where the final decision was made.

§ 21.4208 Central Office Education and Training Review Panel.

(a) *Purpose.* The panel will receive evidence and hear the testimony of witnesses and the arguments of interested parties regarding matters considered by the field station Committee on Educational Allowances and make recommendations to the Director, Compensation, Pension, and Education Service, in connection with such matters which are before him for final administrative determination under § 21.4202 or § 21.4207.

(b) *Composition of panel.* The panel will consist of one staff employee from the Office of the Director of Compensation, Pension, and Education Service, and two persons who are not employees of the Veterans Administration chosen from a group of consultants selected for that purpose.

(c) *Disposition of matters reviewed by the panel.* The concurrence of the Director with the recommendation of the panel will constitute the final administrative decision of the Veterans Administration. If the Director does not concur with the recommendation of the panel, the final decision will be made by the Chief Benefits Director.

§ 21.4209 Examination of records.

(a) *Availability.* The records and accounts of educational institutions pertaining to veterans and eligible persons enrolled in programs of education or special restorative training under 38 U.S.C. chapters 34 or 35 will be available for examination by duly authorized representatives of the Government (38 U.S.C. 1786).

(b) *Type of records.* Each school will upon request of duly authorized representatives of the Government make available for examination all appropriate records and accounts, including but not limited to:

(1) Records and accounts which are evidence of tuition and fees charged to and received from or on behalf of all veterans and eligible persons and from other students similarly circumstanced.

(2) Records of previous education or training of veterans and eligible persons at the time of admission as students and records of advance credit, if any, granted by the school at the time of admission, and

(3) Records of the veteran's or eligible person's grades and progress.

(c) *Below college level.* The school having veterans or eligible persons enrolled in a course or courses which do not lead to a standard college degree will make available, in addition to the records and accounts required in paragraph (b) of this section, the records of leave, absences, class cuts, makeup work, and tardiness.

(d) *Nonaccredited courses.* The school having veterans or eligible persons enrolled in nonaccredited courses will make available, in addition to the records and accounts required in paragraphs (b) and (c) of this section the following:

(1) Records of interruptions for unsatisfactory conduct or attendance.

(2) Records of refunds of tuition, fees and other charges made to a veteran or eligible person who fails to enter the course or withdraws or is discontinued prior to completion of the course.

(e) *Nonavailability.* Failure to make such records available as provided in this section will be grounds for discontinuing the payment of educational assistance allowance or special training allowance.

(f) *Retention of records.* The records and accounts, as described in this section, pertaining to each period of enrollment of a veteran or eligible person, will be kept intact and in good condition at the school for at least 3 years following the termination of such enrollment period. Longer retention will not be required unless a written request is received from the General Accounting Office or the Veterans Administration not later than 30 days prior to the end of the 3-year period.

PROGRAMS OF EDUCATION

§ 21.4230 Requirements.

A program of education will consist of a combination of subjects or unit courses pursued at a school which is generally acceptable to meet requirements for a predetermined educational, professional, or vocational objective (38 U.S.C. 1652(b), 1701(a)(5)).

(a) *Educational.* An educational objective is one that leads to the awarding of a diploma, degree, or certificate which reflects educational attainment.

(b) *Professional or vocational.* A professional or vocational objective is one that leads to an occupation. It may include educational objectives essential to prepare for the chosen occupation. When a program consists of a series of courses not leading to an educational objective, such courses must be directed toward attainment of a designated professional or vocational objective.

(c) *Selection; chapter 34.* A program of education under chapter 34 selected by an eligible veteran will be approved if it meets the requirements of paragraph (a) or (b) of this section and the veteran is not already qualified for the objective for which the program of education is offered (38 U.S.C. 1670).

(d) *Provisional; chapter 35.* When application for educational assistance under chapter 35 is approved provisionally the eligible person and, if a minor, the parent or guardian also will be informed of the need to develop a program of education consistent with paragraphs (a) and (b) of this section (38 U.S.C. 1713, 1720).

§ 21.4231 Educational plan; 38 U.S.C. chapter 35.

(a) During or subsequent to counseling the eligible person (with concurrence of the parent or guardian, if a minor, and with the assistance of the counselor, if desired), will prepare an educational plan on a prescribed form which will be signed and treated as an integral part of the application. The educational plan will show the objective and program selected, the school where the program will be pursued and the estimated cost for tuition and fees.

(b) Final approval of the educational plan will be given when it is determined that:

(1) The eligible person is not already qualified for the objective for which the plan is prepared.

(2) The educational plan is consistent with Veterans Administration regulations on providing a program of education and does not include any courses which are precluded under 38 U.S.C. chapter 36 (38 U.S.C. 1720).

§ 21.4232 Specialized vocational training; 38 U.S.C. chapter 35.

(a) A program consisting of a specialized course of vocational training may be provided to an eligible person who has passed his 14th birthday, who is not in need of special restorative training and who requires such a program because of a mental or physical handicap (38 U.S.C. 1737). The Vocational Rehabilitation Board will determine whether such a course is in the best interest of the eligible person. If the determination is in the affirmative the Board will assist in developing the program and a suitable educational plan. If it is determined that such a program is not in the best interest of the eligible person the application for the program will be denied.

(b) The objective of a program of specialized vocational training will be designated as a vocational objective.

(c) When needed, special assistance will be provided under § 21.4276.

§ 21.4233 Combination.

An approved program may consist of a combination of courses with instruction offered by a school alternating with instruction in a business or industrial establishment (a cooperative course); courses offered by two schools concurrently; or courses offered through class attendance and by television concurrently.

(a) *Cooperative courses.* A full-time program of education consisting of phases of school instruction alternated with training in a business or industrial establishment with such training being strictly supplemental to the school instruction may be approved. For purposes of approval the school offering the course must submit to the State approving agency with its application statements of fact showing at least the following:

(1) That the alternate in-school periods of the course are at least as long as the alternate periods in the business or industrial establishment;

(2) That the course is set up as a cooperative course in the school catalog or other literature of the school;

(3) That the school itself arranges with the employer's establishment for providing the alternate on-job periods of training on such basis that the on-job portion of the course will be training in a real and substantial sense and will supplement the in-school portion of the course;

(4) That the school arranges directly with the employer's establishment for placing the individual student in that establishment and exercises supervision and control over the student's activities at the establishment to an extent that assures training in a true sense to the student; and

(5) That the school grants credit for the on-job portion of the course for completion of a part of the work required for granting a degree or diploma (38 U.S.C. 1682(a)(2) and 1732(b)).

(b) *Concurrent enrollment.* Where a veteran or eligible person cannot successfully schedule his complete program at one school, a program of concurrent enrollment may be approved. When requesting such a program the veteran or eligible person must show that his complete program of education or training is not available at the school in which he will pursue the major portion of his program (the primary school), or that it cannot be scheduled successfully within the period in which he plans to complete his program.

(1) Where the standards for measurement of the courses pursued concurrently in the two schools are different, the extent of the course will be determined by converting the measurement of courses in the second school to its equivalent in value to the measurement re-

quired for full-time courses in the primary institution; e.g., school courses on a clock-hour basis converted to its equivalent in value to semester hours of credit will be 0.56 semester credits (14÷30), as applicable, for each clock hour of attendance.

(2) Periodic certifications of training will be required from the veteran and each of the schools where concurrent enrollment is approved in a course which does not lead to a standard college degree.

(c) *Television—(1) Open circuit telecast.* An undergraduate program may be pursued in part by open circuit telecast when:

(i) The veteran or eligible person is enrolled as a resident student in a program leading to a standard college degree.

(ii) The subjects taken by television are integral parts of his degree program.

(iii) A major portion of the credit hours for which the veteran or eligible person is enrolled during any semester or quarter is offered through conventional classroom and/or laboratory sessions. In no instance may a veteran or eligible person include in his program during any one semester or quarter more than 6 credit hours of open circuit telecast instruction for the purpose of computing the rate of educational assistance allowance. Under these circumstances, a veteran or eligible person may pursue 8 or more credit hours during any one term through regular classroom and/or laboratory instruction and 6 credit hours by open circuit telecast for a full-time resident training load.

(2) *Closed circuit telecast.* Instruction offered through closed circuit telecast which requires regular classroom attendance is to be recognized to the same extent as regular classroom and/or laboratory instruction.

§ 21.4234 Change of program.

A request for a change of program will be made by a veteran or eligible person on the prescribed form. The request of the eligible person will have the concurrence of his parent or guardian, where required. Not more than two changes of program may be approved.

(a) *Definition.* A change of program consists of a change in the educational, professional or vocational objective for which the veteran or eligible person entered training and a like change in the type of courses required to attain a new objective.

(b) *Chapter 34.* The veteran may make one optional change of program if his previous course was not interrupted or discontinued due to his own misconduct, neglect or lack of application. He may make a second change or an initial change after interruption or discontinuance due to his own misconduct, neglect or lack of application if it is found that:

(1) The program of education which the veteran proposes to pursue is suitable to his aptitudes, interests, and abilities; and

(2) In any instance where the veteran has interrupted, or failed to progress in, his program due to his own misconduct, neglect or lack of application, there exists a reasonable likelihood with respect to the program which the veteran proposes to pursue that there will not be a recurrence of such an interruption or failure to progress (38 U.S.C. 1672).

(c) *Chapter 35.* After further counseling one change will be approved and a second change may be approved, if the criteria of paragraph (b) (1) and (2) of this section are satisfied. The approval of such change will also be subject to the requirement that the educational plan for the new program must meet the criteria applicable to final approval of an original application. See §§ 21.4230 and 21.4231 (38 U.S.C. 1722).

(d) *Adjustments; transfers.* A change in courses or places of training will not be considered a change of objective in the following instances:

(1) The pursuit of the first program is a prerequisite for entrance into and pursuit of a second program.

(2) A transfer from one school to another when the program at the second school leads to the same educational, professional or vocational objective, and does not involve a material loss of credit, or increase training time.

(3) Revision of a program which does not involve a change of objective or material loss of credit nor loss of time originally planned for completion of the veteran's or eligible person's program. For example, an eligible person enrolled for a bachelor of science degree may show a professional objective such as chemist, teacher, or engineer. His objective for purposes of this paragraph shall be considered to be "bachelor degree" and any change of courses will be considered only an adjustment in the program, not a change, so long as the subjects he pursues lead to the bachelor degree and there is no extension of time in the attaining of that degree.

COURSES

§ 21.4250 Approval of courses.

(a) *General.* A course of education offered by a school must be approved by the State approving agency for the State in which the school is located, or, where appropriate, by the Veterans Administration.

(1) A course approved under chapter 36 shall be deemed approved for purposes of chapters 34 and 35.

(2) Any course which was approved under chapter 33 (as in effect before February 1, 1965), or under chapter 35 prior to March 3, 1966, and was not or is not disapproved for failure to meet any of the requirements of the applicable chapters will be deemed to be approved for purposes of chapter 36 (38 U.S.C. 1770).

(b) *State approving agencies.* Approval by State approving agencies will be in accordance with the provisions of 38 U.S.C. chapter 36 and such regulations and policies as the agency may adopt not in conflict therewith.

(1) *Notice of approval.* Each State approving agency will furnish to the Veterans Administration a current list of schools specifying courses which it has approved, and will furnish such other information as it and the Veterans Administration may determine to be necessary. See § 21.4258.

(2) *Notice of disapproval.* Each State approving agency will notify the Veterans Administration of the disapproval of any course previously approved and will set forth the reasons for such disapproval. See § 21.4259 (38 U.S.C. 1772 (a)).

(3) *Failure to act.* If notice has been furnished that the State approving agency does not intend to act on the application of a school, the school may request approval by the Veterans Administration.

(c) *Veterans Administration approval.* The Director, Compensation, Pension, and Education Service may approve:

(1) Special restorative training in excess of 9 months, to overcome or lessen the effects of a physical or mental disability so as to enable an eligible person to pursue a program of education under chapter 35;

(2) A course of education offered by an agency of the Federal government authorized under other laws to offer such courses;

(3) A course of education to be pursued under 38 U.S.C. chapter 34 or 35 offered by a school located in the Canal Zone, Guam, or Samoa;

(4) Except as provided in § 21.4150(d) as to the Republic of the Philippines, a course of education to be pursued under 38 U.S.C. chapter 34 offered by an institution of higher learning not located in a State (38 U.S.C. 1676); and

(5) Any course in any other school in accordance with the provisions of 38 U.S.C. chapter 36 (38 U.S.C. 1772(b)).

§ 21.4251 Period of operation of course.

(a) *General.* A course offered by a school will be appropriate for the enrollment of a veteran or eligible person only if it has been in operation for 2 years or more immediately prior to the date of enrollment of such person, except that this provision does not apply to:

(1) Any course to be pursued in a public or other tax-supported educational institution;

(2) Any course which is similar in character to instruction previously offered by the school for more than 2 years;

(3) Any course which has been offered by a school for a period of more than 2 years, notwithstanding that the school has moved to another location within the same general locality; or

(4) Any course which is offered by a nonprofit school of college level and which is recognized for credit toward a standard college degree (38 U.S.C. 1675, 1725).

(b) *Operation for 2 years.* A course is considered to have been in operation for 2 years when it has been given continuously for 24 calendar months inclusive of reasonable vacation and holiday periods. Where courses are only offered on an ordinary school-year basis (approximately 9 months), 2 ordinary school years in the 24 calendar months will constitute a 2-year period. Where short courses of less than an ordinary school year are offered on a regular cycle each calendar year, two cycles of such operation will constitute the 2-year period.

(c) *Course similar in character.* A course will be considered similar in character if it provides training for the same general objective and involves the same or related instructional processes, tools, and material as a course previously furnished by the school for a period of at least 2 years. When the State approving agency approves a new course which has not been in operation for a period of at least 2 years, as similar in character to a course which has been in operation for at least 2 years, the State will furnish the Veterans Administration with a copy of the approval and the basis for its view as to the similarity in character.

(d) *Move to new location.* A school will be considered to have moved to another location in the same general locality when the new location is within normal commuting distance of the original location, and remains essentially the same as to faculty and student body and offers the same courses.

(e) *Change of ownership or management.* Where a school has been in operation for 2 years or more and changes ownership or management, and remains essentially the same as to faculty, student body and courses offered, the school will not again be subject to the 2-year limitation.

(f) *Subsidiary branch or extension.* The 2-year period of operation requirement will apply to courses offered by a subsidiary branch or extension of a school. Additional facilities acquired by a school in the same general locality because of space limitations will not be considered to be a subsidiary branch or extension and will not be subject to the 2-year limitation if all of the following conditions are met:

(1) The school has been in operation for a period of 2 years or more;

(2) The school has reached the limit of its enrollment capacity in its present facilities;

(3) The courses to be offered at the additional facilities are the same as those given in the present facilities; and

(4) The additional facilities are within normal commuting distance of the present facilities.

§ 21.4252 Courses precluded.

(a) *Bartending, dancing, and personality development.* Enrollment will not be approved in any bartending, dancing, or personality development course, except where dancing is included in a physical education course in an institution of higher learning.

(b) *Avocational and recreational.* Enrollment will not be approved in any course which is avocational or recreational in character. The courses identified in subparagraphs (1), (2), and (3) of this paragraph, are presumed to be avocational or recreational in character and require justification for their pursuit.

(1) Any photography course or entertainment course, or

(2) Any music course, instrumental or vocal, public speaking course, or course in sports or athletics, such as horseback riding, swimming, fishing, skiing, golf, baseball, tennis, bowling, sports officiating, or other sport or athletic courses, except courses of applied music, physical education, or public speaking which are offered by institutions of higher learning for credit as an integral part of a program leading to an educational objective, or

(3) Any other type of course which the Veterans Administration determines to be avocational or recreational (38 U.S.C. 1673(a), 1723(a)).

(4) To overcome the presumption that a course is avocational or recreational in character, the veteran or eligible person will be required to establish that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

(c) *Flight training.* Enrollment in a course of flight training will not be approved except one given by an institution of higher learning for credit toward the standard collegiate degree for which the veteran or eligible person is enrolled (38 U.S.C. 1673(b), 1723(b)).

(d) *Apprenticeship or other training on the job, on-farm and courses by radio.* Enrollment in such courses will not be approved.

(e) *Correspondence courses.* Enrollment in such courses will not be approved for eligible persons under chapter 35. See § 21.4256 as to chapter 34.

(f) *Courses on secondary level; chapter 35.* (1) A curriculum offered by a public or private school at the secondary level leading to the completion of the eligible person's regular secondary school education, that is, leading to a high school diploma or its equivalent, may not be pursued as a program of education or as a part of a course of education under chapter 35.

(2) Where the eligible person has ended his secondary school education, by completion or otherwise, after having passed the age of compulsory school attendance, he may pursue a specialized vocational program of education in a school at the secondary level if such program leads to a bona fide vocational objective. Such a program may be pursued if it is deemed adequate to prepare graduates to enter directly into employment in the occupation or vocation which the eligible person expects to enter.

(3) Enrollment in a specialized vocational program will not be approved where the program, although containing essential elements of vocational instruction, includes a heavy weighting of subjects of secondary level thereby requiring for completion a total number of instructional hours approximately equal to that required for high school graduation (38 U.S.C. 1723(d)).

§ 21.4253 Accredited courses.

(a) *General.* A course may be approved as an accredited course if it meets one of the following requirements:

(1) The course has been accredited and approved by a nationally recognized accrediting agency or association.

(2) Credit for such course is approved by the State department of education for credit toward a high school diploma (chapter 34 only).

(3) The course is conducted under 20 U.S.C. 11–28 (vocational education).

(4) The course is accepted by the State department of education for credit for a teacher's certificate or teacher's degree (38 U.S.C. 1775).

(b) *Course objective.* Any curriculum offered by a college or university which is a member of one of the nationally recognized accrediting agencies or associations and which leads to a degree, diploma, or certificate will be accepted as an accredited course when approved as such by the State approving agency. Approval of the individual subjects, required or elective, which are designated as a part of the curriculum will not be necessary. Such approval may include noncredit subjects that are prescribed as a required part of the curriculum.

(c) *Accrediting agencies.* A nationally recognized accrediting agency or association is one that appears on the list published by the Commissioner of Education as required by 38 U.S.C. 1775(a). The State approving agencies may utilize the accreditation of such accrediting agencies or associations for approval of the courses specifically accredited and approved by such agency or association.

(d) *School qualification.* A school desiring to enroll veterans or eligible persons in accredited courses will make application for approval of such courses to the State approving agency and will submit copies of its catalog or bulletin, together with such other information as will make it possible for the State approving agency to determine whether:

(1) Adequate records are kept by the school to show the progress of each veteran or eligible person; and

(2) The school maintains a written record of the previous education and training of the veteran or eligible person and clearly indicates that appropriate credit has been given by the school for previous education and training, with the training period shortened proportionately, and the person and the Veterans Administration so notified (38 U.S.C. 1775(b).

(e) *College level.* Under the provisions of paragraph (a)(1) of this section, any course at college level approved by the State approving agency as an accredited course will be accepted by the Veterans Administration as an accredited course when all of the following conditions are met:

(1) The college or university is accredited by a nationally recognized accrediting agency listed by the Commissioner of Education; and

(2) The course has entrance requirements of not less than the requirements applicable to the college level program of the school; and

(3) Credit for the course is awarded in terms of standard semester or quarter hours.

(f) *Business schools.* Any 1- or 2-year business course in a business school approved by the State approving agency will be accepted as an accredited course when all of the following conditions are met:

(1) The school offering such business course is accredited by the appropriate accrediting agency; and

(2) The course offers training in the field of business as distinguished from other fields (this excludes courses such as radio and television service or repair, medical laboratory or X-ray, etc.); and

(3) The course leads to a vocational objective in the field of business; and

(4) The course is offered in residence at the school.

§ 21.4254 Nonaccredited courses.

(a) *General.* Nonaccredited courses are courses which are not approved as accredited courses and which are offered by a public or private, profit or nonprofit, educational institution. These include nonaccredited courses offered by extension centers or divisions, or vocational or adult education departments of institutions of higher learning.

(b) *Application.* Any school desiring to enroll veterans or eligible persons in nonaccredited courses will submit a written application to the appropriate State approving agency for approval of such courses (38 U.S.C. 1776(a)). Such application will be accompanied by not less than two copies of the current catalog or bulletin which is certified as true and correct in content and policy by an authorized owner or official of the school and will include the following:

(1) Identifying data, such as volume number, and date of publication;

(2) Names of the school and its governing body, officials, and faculty;

(3) A calendar of the school showing legal holidays, beginning and ending date of each quarter, term, or semester, and other important dates;

(4) School policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;

(5) School policy and regulations relative to leave, absences, class cuts, makeup work, tardiness, and interruptions for unsatisfactory attendance;

(6) School policy and regulations relative to standards of progress required of the student. This policy will define the grading system of the school, the minimum grades considered satisfactory conditions for interruption for unsatisfactory grades or progress, and a description of the probationary period, if any, allowed by the school, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the school and furnished the student;

(7) School policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct;

(8) Detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;

(9) Policy and regulations relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter the course, or withdraws, or is discontinued therefrom;

(10) A description of the available space, facilities, and equipment;

(11) A course outline for each course for which approval is requested, showing subjects or units in the course, type of work, or skill to be learned, and approximate time and clock hours to be spent on each subject or unit; and

(12) Policy and regulations relative to granting credit for previous education and training (38 U.S.C. 1776(b)).

(c) *Approval criteria.* The appropriate State approving agency may approve the application of such school when the school and its nonaccredited courses are found upon investigation to have met the following criteria:

(1) The courses, curriculum, and instruction are consistent in quality, content, and length with similar recognized accepted standards.

(2) There is in the school adequate space, equipment, instructional material, and instructor personnel to provide training of good quality.

(3) Educational and experience qualifications of directors, administrators, and instructors are adequate.

(4) The school maintains a written record of the previous education and training of the veteran or eligible person and clearly indicates that appropriate credit has been given for previous education and training, with the training period shortened proportionately, and the veteran or eligible person and the Veterans Administration so notified.

(5) A copy of the course outline, schedule of tuition, fees, and other charges, regulations pertaining to absences, grading policy, and rules of operation and conduct will be furnished the veteran or eligible person upon enrollment.

(6) Upon completion of training, the veteran or eligible person is given a certificate by the school indicating the approved course and indicating that training was satisfactorily completed.

(7) Adequate records as prescribed by the State approving agency are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress, and conduct are enforced.

(8) The school complies with all local, city, county, municipal, State, and Federal regulations, such as fire codes, building, and sanitation codes. The State approving agency may require such evidence of compliance as it deemed necessary.

(9) The school is financially sound and capable of fulfilling its commitments for training.

(10) The school does not utilize advertising of any type which is erroneous or misleading, either by actual statement, omission, or intimation. The school will not be deemed to have met this requirement until the State approving agency:

(i) Has ascertained from the Federal Trade Commission whether the Commission has issued an order to the school to cease and desist from any act or practice, and

(ii) Has, if such an order has been issued, given due weight to that fact.

(11) The school does not exceed its enrollment limitations as established by the State approving agency.

(12) The school's administrators, directors, owners, and instructors are of good reputation and character.

(13) The school has and maintains a policy for the refund of the unused portion of tuition, fees, and other charges in the event the veteran or eligible person fails to enter the course or withdraws or is discontinued therefrom at any time prior to completion. Such policy must provide that the amount charged to the veteran or eligible person for tuition, fees, and other charges for a portion of the course shall not exceed the approximate pro rata portion of the total charges for tuition, fees, and other charges that the length of the completed portion of the course bears to its total length. See § 21.4255.

(14) Such additional criteria as may be deemed necessary by the State approving agency (38 U.S.C. 1776(c)).

§ 21.4255 Refund policy; nonaccredited courses.

A refund policy will meet the requirements of § 21.4254(c)(13), if it provides that the amount charged for tuition, fees, and other charges for a portion of the course does not exceed the approximate pro rata portion of the total charges for tuition, fees, and other charges that the length of the completed portion of the course bears to the total length when the school makes provision for refund within the following limitations:

(a) *Registration fee.* An established registration fee in an amount not to exceed $10 need not be subject to proration. Where the established registration fee is more than $10, the amount in excess of $10 will be subject to proration.

(b) *Breakage fee.* Where the school has a breakage fee, it may provide for the retention of only the exact amount of the breakage, with the remaining part, if any, to be refunded.

(c) *Consumable instructional supplies.* Where the school makes a separate charge for consumable instructional supplies, as distinguished from laboratory fees, the exact amount of the charges for supplies consumed may be retained but any remaining part must be refunded.

(d) *Books, supplies and equipment.* Where the veteran or eligible person purchases his books, supplies, and equipment from a bookstore or other source, and the cost of such items is separate and independent from the charge made by the school for tuition and fees, he may retain or dispose of such items at his own discretion. Where the school furnishes the books, supplies, and equipment, with the cost thereof included in the total charge payable to the school for the course, and the veteran or eligible person withdraws or is discontinued prior to the completion of the course, refund will be made in full for the amount of the charge for the unissued books, supplies, and equipment. Issued items may be disposed of at the discretion of the veteran or eligible person.

(e) *Tuition and other charges.* Where the school either has or adopts an established policy for the refund of the unused portion of tuition, fees, and other charges subject to proration, which is more favorable to the veteran or eligible person than the approximate pro rata basis as provided in this section, such established policy will be applicable. Otherwise, the school will refund a sum which does not vary more than 10 percent from the exact pro rata portion of such tuition, fees, and other charges that the length of the completed portion of the course bears to its total length. The exact proration will be determined on the ratio of the number of days of instruction completed by the student to the total number of instructional days in the course.

§ 21.4256 Correspondence courses; 38 U.S.C. chapter 34.

(a) A school desiring to enroll veterans under chapter 34 for correspondence courses may have such courses approved when the courses and the school meet the requirements of § 21.4253 or § 21.4254, as applicable, and when its application demonstrates that the course is satisfactory in all elements.

(b) Whenever the State approving agency approves a correspondence course for training of veterans under chapter 34, it shall immediately notify the Veterans Administration, identifying the school, the course or courses approved, and the educational or vocational objective of each approved course.

§ 21.4257 Cooperative courses.

A cooperative course may be approved when the course meets the requirement of § 21.4233(a).

§ 21.4258 Notice of approval.

(a) The State approving agency, upon determining that a school has complied with all the requirements for approval will notify the school by letter setting forth the courses which have been approved, and will furnish to the Veterans Administration an official copy of the letter and attachments and any subsequent amendments. The letter of approval for each school will be accompanied by a copy of the catalog or bulletin of the school, as approved by the State approving agency, and will contain the following information:

(1) Date of letter and effective date of approval of courses;

(2) Proper address and name of each school;

(3) Authority for approval and conditions of approval, referring specifically to the approved catalog or bulletin published by the school;

(4) Name of each course approved;

(5) Where applicable, enrollment limitations, such as maximum number of students authorized and student-teacher ratio;

(6) Signature of responsible official of State approving agency; and

(7) Such other fair and reasonable provisions as are considered necessary by the appropriate State approving agency (38 U.S.C. 1777).

§ 21.4259 Disapproval.

(a) Any course which, after being approved, fails to meet any of the requirements for approval will be immediately disapproved by the appropriate State approving agency. Upon disapproval, the State approving agency will notify the school by certified or registered letter with a return receipt secured (38 U.S.C. 1778). It is incumbent upon the State approving agency to determine the conduct of courses and to take immediate appropriate action in each case in which it is found that the conduct of a course in any manner fails to comply with the requirements for approval.

(b) Each State approving agency will immediately notify the Veterans Administration of each course which it has disapproved.

(c) The Veterans Administration will disapprove courses under conditions specified in paragraph (a) of this section where it functions for the State approving agency. See § 21.4150(c).

(d) The Veterans Administration will immediately notify the State approving agency in each case of Veterans Administration disapproval of any school under chapter 31 (38 U.S.C. 1778).

§ 21.4260 Courses in foreign countries.

(a) *Chapter 34.* Enrollment in a course at a school not located in a State may be approved when such course is pursued at an institution of higher learning and is approved in accordance with § 21.4250(c). The educational assistance allowance to a veteran pursuing a course in a foreign country will be denied or discontinued when it is found that such enrollment is not for the best interests of the veteran or the Government (38 U.S.C. 1676).

(b) *Chapter 35.* Enrollment in a course at a school not located in a State or in the Republic of the Philippines may be approved when all of the following conditions are met:

(1) The subjects to be taken at the foreign school are an integral part of and fully creditable toward the satisfactory completion of an approved course in which the veteran or eligible person is enrolled in an institution of higher learning (hereafter in this paragraph referred to as his principal school) which is located in a State or in the Republic of the Philippines.

(2) The tuition and fees for attendance at such foreign school are paid for by the principal school, and

(3) The principal school agrees to assume the responsibility for submitting to the Veterans Administration required enrollment certificates and monthly certifications of training as to attendance, conduct, and progress. An application for a program of education or for a change of program which includes education in a foreign school will not be given final approval until the applicant has been provided educational and vocational counseling by a Veterans Administration counseling service in a State or the Republic of the Philippines (38 U.S.C. 1723(c)).

ASSESSMENT AND PURSUIT OF COURSE

§ 21.4270 Measurement of courses.

Clock hours mentioned in this table mean clock hours per week.

Courses		Full time	¾ time	½ time
Kind of school	Kind of course			
(a) Trade or technical (includes college courses not leading to a standard degree).	Shop practice an integral part of course.	30 clock hours attendance with not more than 2½ hours rest period allowance.	22 to 30 clock hours attendance with not more than 2 hours rest period allowance.	15 to 22 clock hours attendance with not more than 1¼ hours rest period allowance.
	Theory and class instruction predominates.	25 clock hours net instruction.	18 to 25 clock hours net instruction.	12 to 18 clock hours net instruction.
(b) High school	High school diploma or equivalent.[1]	25 clock hours net instruction.	18 to 25 clock hours net instruction.	12 to 18 clock hours net instruction.
(c) College undergraduate.	Standard collegiate courses including cooperative.[2]	14 semester hours or equivalent.	10 to 14 semester hours or equivalent.	7 to 10 semester hours or equivalent.
(d) Collegiate graduate.	Standard collegiate graduate courses including law.	As in paragraph (c) of this section or certified by responsible official of school.	As in paragraph (c) of this section or certified by responsible official of school.	As in paragraph (c) of this section or as certified by responsible official of school.
(e) Professional (nonaccredited).	Law only[3]	12 class sessions per week.	9 to 12 class sessions per week.	6 to 9 class sessions per week.
(f) Professional (accredited and equivalent).	Internships and residencies: medical, dental, osteopathic.	As established by accrediting association.	Full time only.	
	Nursing, X-ray medical technology, medical records librarian, physical therapy.	25 clock hours or 14 semester hours, as appropriate.	18 to 25 clock hours or 10 to 14 semester hours, as appropriate.	12 to 18 clock hours or 7 to 10 semester hours, as appropriate.

[1] High school diploma courses available only under chapter 34.
[2] Cooperative course may be pursued on full time basis only.
[3] 12 class sessions per week will consist of at least 600 minutes; 9 class sessions will consist of at least 450 minutes; and 6 class sessions will consist of at least 300 minutes. These required minutes pertain to net instruction, independent of supervised study, class breaks, or rest periods.

§ 21.4271 Trade or technical; high schools.

(a) *Shop practice predominates.* Trade or technical courses, which include shop practice as an integral part of the course, will be measured on a basis of clock hours per week. This includes such courses under the supervision of a college or university where credit is not given towards a standard college degree.

(b) *Theoretical or classroom instruction predominates.* A technical course in which theoretical or classroom instruction constitutes more than 50 percent of the required hours per week, will be measured on a clock-hour basis. This includes such courses given by a college or university for which credit is not granted towards a standard college degree.

(c) *High schools; chapter 34.* Courses offered at the secondary level which lead to a high school diploma or the equivalent will be measured on the basis of clock hours of instruction per week. Enrollment in such courses will not be approved for eligible persons under chapter 35.

§ 21.4272 Collegiate undergraduate; credit-hour basis.

An undergraduate course in an institution of higher learning will be measured on a credit-hour basis provided all the conditions under paragraph (a), (b), or (c) of this section are met:

(a) The course is offered by a college or university which is a member of a nationally recognized accrediting association, and

(1) The course is offered on a semester- or quarter-hour basis, and

(2) The course leads to an associate, baccalaureate, or higher degree which is granted by the school offering the course.

(b) The course is offered by a college or university which is not a member of a nationally recognized accrediting association, and,

(1) The course is offered on a semester- or quarter-hour basis, and,

(2) The course leads to an associate, baccalaureate, or higher degree, which is granted by the school offering the degree, and

(3) The president of the college or university will certify that three institutions identified by him as members of a nationally recognized accrediting association will recognize credit received on transfer at full value; i.e., credit hour for credit hour, and that at least 40 percent of the subjects within each curriculum, desired to be measured on a credit-hour basis, are acceptable in partial fulfillment of the requirements for a baccalaureate or higher degree. In lieu of such certification the school may furnish letters from three schools that are members of nationally recognized accrediting associations certifying that credits are received on transfer at full value, and that at least 40 percent of the subjects within each curriculum, desired to be measured on a credit-hour basis, are acceptable in partial fulfillment of the requirements for a baccalaureate or higher degree.

(c) The course is offered by either a member or nonmember of a nationally recognized accrediting association, and

(1) The course is offered on a semester- or quarter-hour basis, and

(2) The course does not lead to a degree, and

(3) The course requires not less than high school graduation or equivalent for admission, and

(4) A minimum of two full-time academic years is required for completion of the course, and

(5) If the school is a member of a nationally recognized accrediting association, and certifies that credit for at least 40 percent of the subjects within the curriculum, desired to be measured on a credit-hour basis, is granted upon transfer to the element of the school which offers a baccalaureate or higher degree, and credit is awarded at full value; i.e., credit hour for credit hour toward partial fulfillment of the requirements for a baccalaureate or higher degree, or

(6) If the school is not a member of a nationally recognized accrediting association, and it furnishes proper certification as provided in paragraph (b) of this section.

(d) Where the course is of less than a regular semester, term, or quarter duration, it will be measured as full, three-fourths, or one-half time according to the certification of the school. In making such certification, the school will state the number of credit hours for which the veteran or eligible person is registered, including the credit hour equivalent of noncredit courses, if any, required by the school and will be required to observe the following criteria:

(1) Full time—the number of credit hours for which the veteran or eligible person must be registered in order to be considered pursuing full-time training is that number which requires at least 14 standard class sessions of attendance per week or the equivalent in laboratory or fieldwork, research, or other types of prescribed activity. For example, an eligible person pursuing a short, summer session requiring attendance at 14 standard class sessions per week will be considered to be in full-time training, although because of the very short duration of the course he may be registered for only 3 credit hours.

(2) Three-fourths time—less than 14 class sessions of attendance per week or equivalent but not lesss than 10.

(3) One-half time—less than 10 class sessions of attendance per week or equivalent but not less than 7.

(e) Where the course is acceptable for credit but credit may not be awarded to the veteran or eligible person because he has not met college entrance requirements or for some other valid reason, the course will be measured the same as if it were pursued for credit provided the eligible person performs all of the work prescribed for other students who are enrolled for credit.

(f) Where the school requires the veteran or eligible person to pursue noncredit deficiency courses in order to meet certain scholastic or entrance requirements, the school will certify the credit-hour equivalent of such noncredit deficiency courses in addition to the credit hours for which the veteran or eligible person is enrolled. The measurement criteria of § 21.4270 will be applied, with the following modifications:

(1) Full time—12 hours credit plus the noncredit deficiency courses.

(2) Three-fourths time—less than 12 hours credit but not less than 9 hours credit, plus the noncredit deficiency courses.

(3) One-half time—less than 9 hours credit but not less than 6 hours credit in addition to the noncredit deficiency courses.

(g) Courses for which credit is not given toward a standard college degree will be evaluated on a clock-hour basis. See § 21.4271(b).

§ 21.4273 Collegiate graduate.

(a) *In residence.* An accredited graduate or advanced professional course pursued in residence at an institution of higher learning will be assessed in accordance with § 21.4272 unless it is the established policy of the school to consider less than 14 semester hours or the equivalent as full-time enrollment, or the course includes research, thesis preparation, or a comparable prescribed activity beyond that normally required for the preparation of ordinary classroom assignments. In either case a responsible official of the school will certify that the veteran or eligible person is pursuing the course full, three-fourths, one-half or less than one-half time.

(b) *In absentia.* A responsible official of the school will certify a program of research pursued by a veteran or eligible person in absentia as full, three-fourths, one-half time or less than one-half time, and the activity will be assessed by the Veterans Administration accordingly when:

(1) The research activity is defined and organized so as to enable the certifying official to evaluate the time required for its successful pursuit, and

(2) The time certified for the research activity is independent of the time devoted to any employment situation in which the veteran or eligible person might be engaged.

(c) *Undergraduate or combination.* Undergraduate courses required by the school will be assessed in terms of credit hours, even though the veteran or eligible person is enrolled as a graduate student. If the veteran or eligible person is taking both graduate and undergraduate courses, the school will give the credit-hour equivalent of the graduate work so that this equivalent may be combined with the undergraduate credits to determine the extent of training.

(d) *Law.* A law course pursued in an accredited law school for the LL.B. degree where, as is usual, the units of credit are of greater than the standard units of credit for courses leading to undergraduate degrees in other schools will be assessed as in paragraph (a) of this section, except that an accredited 4-year night law course unless approved as a full-time course pursuant to the standards established by the American Bar Association will be considered part time and will be measured as not more than three-fourths time.

§ 21.4274 Professional; nonaccredited.

(a) A law course pursued in a nonaccredited school will be assessed on a clock-hour basis, except that if the school requires for admission to the law course completion of college work consisting of not less than 90 standard semester units of credit or the equivalent in quarter units of credit, and requires for the awarding of the law degree that its students pursue a daytime course of not less than 3 years duration if they devote substantially all of their working time to their course of studies, or if pursued in the evening the school requires not less than 4 school years of attendance, the course will be assessed on the basis of sessions of attendance per week.

(b) In no case will a nonaccredited night law course be measured at more than three-fourths time.

§ 21.4275 Professional; accredited.

Medical, osteopathic and dental internships and residencies will be recognized as full-time institutional courses when accredited and approved by the appropriate accrediting agency as leading to certification for a recognized professional objective.

(a) Medical internship courses will be accredited and approved by the Council on Medical Education and Hospitals of the American Medical Association and for such length as the council has approved for the particular internship course at the particular hospital.

(b) Osteopathic internship courses will be accredited and approved by the American Osteopathic Association and for such length as the association has approved for each particular internship at the particular hospital.

(c) Dental internship courses will be accredited and approved by the Council on Dental Education of the American Dental Association as an integral part of an approved course leading to certification by a Dental Specialty Board recognized by the American Dental Association.

(d) No other medical, dental, or osteopathic internship courses will be recognized, since they are not recognized by the profession as qualifying a person for the practice of the profession.

(e) Medical residency courses will be recognized when accredited and approved by the Council on Medical Education and Hospitals of the American Medical Association as standard residencies leading to a certification by a Specialty Board. For those residencies where there is no Specialty Board, there must be certification by a hospital approved by the Council on Medical Education and Hospitals of the American Medical Association. The length of a residency course is not to exceed the number of months prescribed for the residency training by the appropriate Specialty Board or by the Council on Medical Education and Hospitals of the American Medical Association.

(f) Osteopathic residency courses will be accredited and approved by the American Osteopathic Association for such length as the appropriate Specialty Board of the Association has approved for each particular residency course.

(g) Dental residency courses will be recognized when they are accredited and approved by the Council on Dental Education of the American Dental Association as standard residencies leading to certification by a Dental Specialty Board, and the length of the course is not in excess of the number of months prescribed for the residency training by the appropriate Specialty Board or the Council on Dental Education of the American Dental Association.

(h) No course of residency training will be approved to include a period of practice, following completion of a required residency, even though such practice is required or accepted by a Specialty Board to fulfill board requirements. Further, where a veteran or eligible person after completing an internship prerequisite to residency training has pursued any additional training, whether through internship, fellowship, or other graduate or postgraduate study that is creditable toward residency requirements, the residency course must be proportionately shortened.

(i) No other medical, dental, or osteopathic residency course will be recognized since they are not recognized by the accrediting agency.

(j) Registered nursing and registered professional nursing courses (Accredited or Accepted as Equivalent).

(1) Courses for the objective of registered nurse or registered professional nurse will be assessed as institutional training when they are provided in autonomous schools of nursing, hospital schools of nursing, or schools of nursing established in other schools or departments of colleges and universities, if they are accredited courses pursued in a school accredited by a nationally recognized accrediting agency. A nonaccredited course will be considered appropriate if it meets the requirements of the licensing body of the State in which the school is located.

(2) The hospital or fieldwork phase of a course leading to a degree of Bachelor of Science in nursing, or a comparable degree, will be assessed as an institutional course when the hospital or fieldwork phase is an integral part of the course, the completion thereof is a prerequisite to the granting of the degree, the student remains enrolled in the school during the entire period, and the training is under the direction and supervision of the school. Where measurement of the hospital training segment on a credit-hour basis would not reflect the full-time status of the student, enrollment certifications submitted by the school should include appropriate entries to show clock hours in lieu of credit hours during the hospital training periods.

(3) A veteran or eligible person may not enroll in any other course for the objective of registered or registered professional nurse.

(k) Practical nursing courses (accredited or accepted as equivalent).

(1) Courses offered by schools which lead to the objective of practical nurse, practical trained nurse, or licensed practical nurse will be assessed as institutional training including both the academic subjects and the clinical training if the clinical training is offered in an affiliated or cooperating hospital and the student is enrolled in and supervised by the school during the period of such clinical training. For the academic portion of the course, measurement will be semester hours of credit or clock hours of required attendance per week, whichever is appropriate. The clinical training will be measured in clock hours of required attendance per week.

(2) Enrollment in courses for the objective of nurse's aid will not be authorized.

(l) X-ray technician, medical technician, medical records librarian and physical therapist courses. X-ray technician, medical technician, medical records librarian, and physical therapist courses will be assessed as follows:

(1) Where such courses are offered in hospitals and the courses are accredited and approved by the Council on Medical Education and Hospitals of the American Medical Association, they will be considered full-time institutional training.

(2) Where such courses are offered in hospitals, clinics, or laboratories and are not accredited and approved by the Council on Medical Education and Hospitals of the American Medical Association, they will be considered on-job training and not permitted under chapter 34 or 35.

(3) Where such courses are offered by a school they will be measured in semester hours of credit or clock hours of required attendance per week, whichever is appropriate.

§ 21.4276 Special assistance; 38 U.S.C. chapter 35.

(a) *Need for special assistance.* The assistance of a vocational rehabilitation specialist or of a counselor with assigned vocational rehabilitation specialist duties will be provided in connection with a program of education when it is determined by the Vocational Rehabilitation Board, that although the eligible person is not in need of special restorative training, he will require assistance in order to pursue a program of education successfully because of the handicapping effects of a physical or mental condition, or because of personal adjustment problems. The determination as to need for such assistance will be made by the Vocational Rehabilitation Board upon the basis of information developed in the counseling process, including data and opinions obtained from medical and other specialists as appropriate in the case.

(b) *Factors.* A determination that an eligible person needs such assistance will be made when one or more of the following conditions is found to exist:

(1) The handicapping effects of a physical or mental condition are such that assistance will be required in order for the eligible person to enter and successfully pursue a program of education.

(2) The eligible person has a history of a behavioral pattern which if continued would interfere with or impede his entrance into a pursuit of a program of education.

(c) *Recommendations.* The Vocational Rehabilitation Board will prepare a report as to the need for assistance and the factors taken into account in arriving at the determination. Where an affirmative determination of need is found, the Board will include suggestions and recommendations relative to the nature of the assistance contemplated.

(d) *Duration.* When it is determined by the Vocational Rehabilitation Board that an eligible person needs assistance, the parent or guardian will be informed of the finding and of the underlying reasons. If the parent or guardian concurs in the finding, the assistance will be provided as is indicated until the progress and adjustment of the eligible person in his program of education are such that the assistance is no longer needed.

(e) *Nature of assistance.* Assistance by the vocational rehabilitation specialist will include:

(1) Assisting the eligible person and the school in the implementation of the planned program of education;

(2) Determining the progress of the eligible person through visits at the school as well as through review of records and, when indicated, taking action designed to solve problems which may interfere with satisfactory pursuit of the program of education;

(3) Making referral when indicated and coordinating action with responsible individuals and agencies in order to alleviate or prevent conditions arising which may negatively affect progress;

(4) Referring the case of an eligible person who is receiving assistance to the Vocational Rehabilitation Board when need for special restorative training appears to be for consideration, or the advice and assistance of the Board is needed to resolve difficulties;

(5) Assisting the parent or guardian in locating and arranging for the services of suitable instructors and equipment when the eligible person is homebound.

§ 21.4277 Discontinuance; unsatisfactory progress.

(a) *Satisfactory pursuit of program.* Entitlement to a program of education is subject to the requirement that the veteran or eligible person, having commenced the pursuit of such program, continues to maintain satisfactory conduct and progress in accordance with the regularly prescribed standards and practices of the institution in which he is enrolled.

(b) *Maintenance of satisfactory conduct and progress.* A program of education will be discontinued where it is established that by reason of the veteran's or eligible person's unsatisfactory conduct or progress he will no longer be retained as a student or would not be readmitted as a student by the school in which he is or was enrolled, unless it is found through further development that the action of the school is of a retaliatory nature (38 U.S.C. 1674 and 1724).

§ 21.4278 Reentrance after discontinuance.

(a) A veteran or eligible person may be reentered following discontinuance because of unsatisfactory conduct or progress only when the following conditions exist:

(1) The cause of the unsatisfactory conduct or progress has been removed, and

(2) It is deemed through counseling that the program which the veteran or eligible person now proposes to pursue is suitable to his aptitudes, interests and abilities.

(b) Reentrance may be for the same program, for a revised program or for an entirely different program depending on the cause of the discontinuance, the removal of that cause, and the determinations arrived at through further counseling (38 U.S.C. 1674 and 1724).

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective March 3, 1966, except §§ 21.131, 21.136, and 21.224 which are effective April 8, 1966, and § 21.3023(c) which is effective June 1, 1966.

By direction of the Administrator.

Approved: April 8, 1966.

[SEAL] A. H. MONK,
Acting Deputy Administrator.

[F.R. Doc. 66-4908; Filed, May 5, 1966; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 1819; Amdt. 39-230]

PART 39—AIRWORTHINESS DIRECTIVES

Martin Models 202, 202A, and 404 Series Airplanes

Amendment 610 (28 F.R. 9593), AD 63-18-4, requires repetitive inspection of the engine mounts and repair or replacement of any parts found cracked on Martin Models 202, 202A, and 404 Series airplanes. Subsequent to the issuance of Amendment 610, the Agency has determined that due to additional cracks being found in service, it is necessary to supersede AD 63-18-4 with a new AD that requires a visual inspection for cracks at 350-hour intervals and an X-ray inspection for cracks and corrosion at 2,500-hour intervals.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

MARTIN. Applies to Models 202, 202A, and 404 Series airplanes.

Compliance required as indicated.

Numerous cracks have been discovered in Martin Models 202 (P/N A10100), 202A (P/N A16647-81), and 404 (P/N 404-5000004, and P/N 404-5000005) aircraft engine mounts. To preclude the possibility of engine loss due to this condition, accomplish the following:

(a) Within the next 100 hours' time in service after the effective date of this AD, unless already accomplished within the last 250 hours' time in service before the effective date of this AD, and thereafter at intervals not to exceed 350 hours' time in service from the last inspection, visually inspect the engine mount tubular members and welds for cracks, using a glass of at least 10-power or an FAA-approved equivalent inspection.

(b) Within the next 350 hours' time in service after the effective date of this AD, unless already accomplished within the last 2,150 hours' time in service before the effective date of this AD, and thereafter at intervals not to exceed 2,500 hours' time in service from the last inspection, inspect the engine mount tubular members and welds for external and internal cracks and corrosion, using X-ray or an FAA-approved equivalent inspection.

(c) If a crack or corrosion is detected during the inspections required by paragraphs (a) and (b), before further flight repair the defective part in accordance with an FAA-approved repair procedure, or replace the part with a part of the same part number, or an equivalent part approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(d) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

This supersedes Amendment 610 (28 F.R. 9593), AD 63-18-4.

This amendment becomes effective May 6, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on April 29, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-4941; Filed, May 5, 1966; 8:46 a.m.]

[Docket No. 7175; Amdt. 39-231]

PART 39—AIRWORTHINESS DIRECTIVES

Vickers Viscount Models 744, 745D, and 810 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring dye penetrant and radiographic or ultrasonic inspection of the nacelle structure tubes and end fittings and replacement as necessary on Vickers Viscount Models 744, 745D, and 810 Series airplanes was published in 31 F.R. 3196.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

VICKERS. Applies to Viscount Models 744, 745D, and 810 Series airplanes.

Compliance required as indicated, unless already accomplished.

To prevent failures of tubes and end fittings of high time engine nacelle structures due to fatigue and corrosion, accomplish the following:

(a) For airplanes with 20,000 or more hours' time in service on the effective date of this AD, comply with paragraph (g) within the next 1,000 hours' time in service after the effective date of this AD.

(b) For airplanes with 19,000 or more but less than 20,000 hours' time in service on the effective date of this AD, comply with paragraph (g) before the accumulation of 21,000 hours' time in service.

(c) For airplanes with 17,000 or more but less than 19,000 hours' time in service on the effective date of this AD, comply with paragraph (g) within the next 2,000 hours' time in service after the effective date of this AD.

(d) For airplanes with less than 17,000 hours' time in service on the effective date of this AD, comply with paragraph (g) before the accumulation of 19,000 hours' time in service.

(e) For airplanes with 17,000 or more hours' time in service on the effective date of this AD, comply with paragraph (h) within the next 3,500 hours' time in service after the effective date of this AD.

(f) For airplanes with less than 17,000 hours' time in service on the effective date of this AD, comply with paragraph (h) before the accumulation of 20,500 hours' time in service.

(g) Inspect the end fittings for cracks using dye penetrant or an FAA-approved equivalent in accordance with Inspection "A", British Aircraft Corp. (BAC) Ltd. Preliminary Technical Leaflet (PTL) No. 258, Issue 2 (700 Series), or No. 122, Issue 2 (800/810 Series), or later ARB-approved issues.

(h) Inspect the nacelle structure tubes and end fittings for cracks using radiographic or ultrasonic methods or an FAA-approved equivalent in accordance with Inspection "B", BAC, Ltd., PTL No. 258, Issue 2 (700 Series), or No. 122, Issue 2 (800/810 Series), or later ARB-approved issues.

(i) Replace tubes and end fittings found cracked during the inspections required by paragraphs (g) and (h) before further flight.

This amendment becomes effective June 5, 1966.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., April 29, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-4942; Filed, May 5, 1966; 8:46 a.m.]

[Airspace Docket No. 65-WE-43]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On December 15, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 15437) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors on segments of V-6, 19, 26, 86, 89, 100, 118, 138, 169, 207, and 524.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all comments received. The Air Transport Association of America requested that cardinal altitudes be retained wherever possible. No other comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 23, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009) is amended as follows:

1. In V-6 "INT of Medicine Bow 106° and Sidney, Nebr., 293° radials; Sidney;" is deleted and "12 AGL INT Medicine Bow 106° and Sidney, Nebr., 293° radials; 12 AGL Sidney;" is substituted therefor.

2. In V-19 all between "Cheyenne, Wyo.;" and "INT of Billings 347°" is deleted and "12 AGL Casper, Wyo., including a 12 AGL E alternate from Cheyenne to Casper via INT Cheyenne 002° and Douglas, Wyo., 152° radials and Douglas; 5 miles 12 AGL, 45 miles 71 MSL, 12 AGL Crazy Woman, Wyo.; 12 AGL Sheridan, Wyo., including a 12 AGL E alternate; 21 miles 12 AGL, 35 miles 75 MSL, 12 AGL Billings, Mont., including an E alternate, 21 miles 12 AGL, 38 miles 75 MSL, 12 AGL;" is substituted therefor.

3. In V-26 all between "Casper, Wyo.;" and "Pierre, S. Dak.;" is deleted and "14 miles 12 AGL, 25 miles 75 MSL, 92 miles 90 MSL, 12 AGL Rapid City, S. Dak.; 12 AGL Philip, S. Dak.;" is substituted therefor.

4. In V-86 all after "Livingston;" is deleted and "Billings, Mont.; 32 miles 12 AGL, 35 miles 75 MSL, 12 AGL Sheridan, Wyo.; 20 miles 12 AGL, 45 miles 70 MSL, 72 miles 80 MSL, 12 AGL Rapid City, S. Dak." is substituted therefor.

5. In V-89 all after "Denver;" is deleted and "Cheyenne, Wyo., including an E alternate from Denver to Cheyenne via Gill, Colo., and INT Gill 003° and Cheyenne 131° radials; 12 AGL Chadron, including a 12 AGL E alternate from Cheyenne to Chadron via Scottsbluff, Nebr." is substituted therefor.

6. In V-100 all before "O'Neil, Nebr.;" is deleted and "Medicine Bow, Wyo., 59 miles 12 AGL, 49 miles 85 MSL, 12 AGL Chadron, Nebr.;" is substituted therefor.

7. V-118 is amended to read as follows:

V-118 From Medicine Bow, Wyo., 23 miles 85 MSL, 12 AGL Laramie, Wyo.; 12 AGL Cheyenne, Wyo.

8. In V-138 all between "Medicine Bow, Wyo.;" and "From Grand Island" is deleted and "12 AGL Cheyenne, Wyo., including a 12 AGL N alternate via INT Medicine Bow 106° and Cheyenne 330° radials; 12 AGL Sidney, Nebr." is substituted therefor.

9. In V-169 all between "Akron, Colo.;" and "Dupree, S. Dak.;" is deleted and "Sidney, Nebr., 12 AGL Scottsbluff, Nebr.; 12 AGL Chadron, Nebr.; 12 AGL Rapid City, S. Dak.;" is substituted therefor.

10. V-207 is amended to read as follows:

V-207 From Denver, Colo., via Gill, Colo., 12 AGL Scottsbluff, Nebr.

11. V-524 is amended to read as follows:

V-524 From Laramie, Wyo., 12 AGL INT Laramie 069° and Scottsbluff, Nebr., 254° radials; 12 AGL Scottsbluff; to North Platte, Nebr.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on April 29, 1966.

H. B. HELSTROM,
Acting chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 66-4943; Filed, May 5, 1966; 8:46 a.m.]

[Airspace Docket No. 65-EA-51]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

Correction

In F.R. Doc. 66-4689, appearing at page 6487 of the issue for Friday, April 29, 1966, the letters "ALG" in item 13 should read "AGL."

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 51]

CANNED VEGETABLES

Proposal To Amend Standards of Identity; Correction

In F.R. Doc. 66-4358 published in the FEDERAL REGISTER of April 21, 1966 (31 F.R. 6120), the figures in paragraph (2) that read "0.05" are corrected to read "0.9".

Dated: April 27, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-4938; Filed, May 5, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16538]

TELEVISION BROADCAST STATIONS; TABLE OF ASSIGNMENTS

Order Extending Time for Filing Reply Comments

1. The date for filing reply comments in this proceeding is April 29, 1966. Petitioner herein, WCUE Radio, Inc., has filed a petition requesting that this be extended to May 14, 1966, so that it can study and respond to comments of Summit Radio Corp. and also review and formulate a full response to other comments filed in this proceeding.

2. *Accordingly, it is ordered*, This 29th day of April 1966, that the time for filing reply comments is extended from April 29, 1966, to May 16, 1966.

3. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: April 29, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4930; Filed, May 5, 1966; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 510]

[Docket No. 66-31]

INDEPENDENT OCEAN FREIGHT FORWARDERS, OCEAN FREIGHT BROKERS, AND OCEANGOING COMMON CARRIERS

Notice of Proposed Rulemaking

Notice is hereby given that pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003) and sections 43 and 44 of the Shipping Act, 1916 (46 U.S.C. 841a and 841b), the Federal Maritime Commission is considering amending paragraphs (a) of § 510.22; (a), (f), (j) of § 510.23; and (a) and (f) of § 510.24, Title 46 CFR. These proposed amendments are for the purpose of attaining more efficient and effective regulation over the practices of licensed independent ocean freight forwarders. A comprehensive review of actual operating experience pursuant to Federal Maritime Commission regulations prescribed in General Order 4, as amended, indicates that certain rule modifications and/or optional alternatives may be warranted at this time. Accordingly, the following proposed amendments will be considered.

Numerous changes are contemplated in paragraph (a) of § 510.22 *Oceangoing common carriers and persons shipping for own account*. As proposed to be amended paragraph (a) would read as follows:

§ 510.22 Oceangoing common carriers and persons shipping for own account.

(a) An oceangoing common carrier may perform freight forwarding services without a license only with respect to cargo carried under its own bill of lading, in which case the charge for each forwarding service the carrier is willing to perform shall be assessed in accordance with the carrier's published tariffs on file with the Commission. Any forwarding service on cargo carried under its own bill of lading which the carrier is willing to perform free of charge, including presentation of executed Shipper's Export Declarations to customs authorities shall be specified in its tariffs. No licensee may charge or collect compensation in the event he requests the carrier or its agent to perform any of the forwarding services set forth in § 510.2(c) unless no other licensee is willing and able to perform such services.[1]

* * * * *

Paragraph (a) of § 510.23 *Duties and obligations of licensees*, is proposed to be amended by adding at the end thereof the following new material: "No licensee may provide freight forwarding services through an unlicensed branch office or other separate establishment without written approval of the Federal Maritime Commission. Such approval may be granted only when it is found that qualified personnel competent to perform complete ocean freight forwarding services are employed in the branch office or other separate establishment. Applications for approval of branch offices or other separate establishment in existence on the date of adoption of this rule must be submitted within 3 months of such date."

As proposed to be amended paragraph (a) would read as follows:

§ 510.23 Duties and obligations of licensees.

(a) No licensee shall permit his license or name to be used by any person not employed by him for the performance of any freight forwarding service. No licensee may provide freight forwarding services through an unlicensed branch office or other separate establishment without written approval of the Federal Maritime Commission. Such approval may be granted only when it is found that qualified personnel competent to perform complete ocean freight forwarding services are employed in the branch office or other separate establishment. Applications for approval of branch offices or other separate establishment in existence on the date of adoption of this rule must be submitted within 3 months of such date.

Paragraph (f) of § 510.23 is proposed to be amended by the inclusion of a time limit within which a licensee would be required to pay over to carriers freight monies advanced by its principal. As proposed to be amended paragraph (f) would read as follows:

(f) Each licensee shall pay over to the oceangoing common carrier or its agent within five (5) days after the receipt thereof or within three (3) days after the departure of the vessel from each port of loading whichever is later, all sums advanced the licensee by its principal for freight and transportation charges, and shall disburse to other persons when due all sums advanced by its principal for payment of any charges, debts, or obligations in connection with the forwarding transaction, and shall promptly account to its principal for overpayment, adjustments of charges, reductions in rates, insurance refunds, insurance money paid to the forwarder as a result of claims, proceeds of c.o.d. shipments, drafts, letters of credit and any other sums due such principal.

Paragraph (j) of § 510.23 is proposed to be amended by adding at the end thereof the following new proviso: "*Provided, further*, That a licensee who maintains and adheres to a uniform schedule of fees to be charged for arranging insurance and for performing other accessorial services (stated by dollar amount and/or percentage of markup) need not state separately the components of the charges for such insurance and for such other accessorial services. A licensee who elects to maintain such schedules must make the current schedule and every superseded schedule available upon request. A licensee shall not assess different fees than those specified in the effective schedules. Such schedules shall be filed with the Federal Maritime Commission and posted in a conspicuous place in the forwarder's office, and shall be mailed upon request."

As proposed to be amended paragraph (j) of § 510.23 would read as follows:

(j) Every licensee shall use invoices or other forms of billing which state separately as to each shipment: (1) The actual amount of ocean freight assessed by the oceangoing common carrier; (2) the actual amount of consular fees paid; (3) the insured value, insurance rate, and premium cost of insurance arranged; (4) the charge for each accessorial service performed in connection with the shipment. All other charges or fees assessed by the licensee for arranging the services enumerated in subparagraphs (1), (2), (3), and (4) of this paragraph shall be itemized. Licensees shall not be required to itemize the components of charges with respect to transactions made pursuant to § 510.25: *Provided, however*, That licensees who offer to the public at large to forward small shipments for uniform charges available to all and duly filed with the Federal Maritime Commission, shall not be required to itemize the components of such uniform charges on shipments as to which the charges shall have been stated to the shipper at time of shipment, and accepted by the shipper by payment; but if such licensees procure Marine Insurance to cover such shipments, they must state their total charge for such insurance, inclusive of premiums and placing fees, separately from the aforementioned uniform charge: *Provided, further*, That a licensee who maintains and adheres to a uniform schedule of fees to be charged for arranging insurance and for performing other accessorial services (stated by dollar amount and/or percentage of markup) need not state separately the components of the charges for such insurance and for such other accessorial services. A licensee who elects to maintain such schedules must make the current schedule and every superseded schedule available upon request. A licensee shall not assess different fees than those specified in the effective schedules. Such schedules shall be filed with the Federal Maritime Commission and posted in a conspicuous place in the forwarder's office, and shall be mailed upon request.

Paragraph (a) of § 510.24 *Compensation and freight forwarder certifications*, is proposed to be amended by deleting from the end thereof the language which reads: "unless such principal's name is disclosed on a 'line copy' of the ocean bill of lading which is maintained in files in the United States of the ocean carrier or its agent."

As proposed to be amended paragraph (a) would read as follows:

§ 510.24 Compensation and freight forwarder certifications.

(a) No oceangoing common carrier shall pay to a licensee, and no licensee shall charge or receive from any such carrier, either directly or indirectly, any compensation or payment of any kind whatsoever, whether called "brokerage," "commission," "fee," or by any other name, in connection with any cargo or shipment wherein the licensee's name appears on the ocean bill of lading as shipper or as agent for an undisclosed principal.

Paragraph (f) of § 510.24 is proposed to be amended by adding at the end thereof a new sentence reading as follows: "Every tariff filed pursuant to section 18(b)(1), Shipping Act, 1916, shall specify the rate or rates of compensation to be paid licensed forwarders certifying in accordance with § 510.24(e), and the conditions of payment."

As proposed to be amended paragraph (f) would read as follows:

(f) An oceangoing common carrier may compensate a licensee to the extent of the value rendered such carrier in connection with any shipment forwarded on behalf of others when, and only when, such carrier is in possession of a certification in the form prescribed in paragraph (e) of this section. Every tariff filed pursuant to section 18(b)(1), Shipping Act, 1916, shall specify the rate or rates of compensation to be paid licensed forwarders certifying in accordance with § 510.24(e), and the conditions of payment.

The Commission will receive comments on paragraph (g) of § 510.5, and paragraph (l) of § 510.21 which respectively provide:

§ 510.5 Requirements for licensing.

* * * * *

(g) (1) The purpose of this paragraph is to prescribe a temporary bonding rule and establish the form and amount of a surety bond to be filed with the Federal Maritime Commission by applicants for licenses as independent ocean freight forwarders, who on September 19, 1961, were not operating under a registration number issued by the Commission or who were so operating but failed to file an application for license in the prescribed form on or before January 17, 1962. This requirement is not applicable to other ocean freight forwarders.

(2) A rule making proceeding will be instituted at a later date for the promulgation of a bond in such form and amount as the Commission may require for industry-wide applicability. All applicants temporarily licensed upon the basis of the bond prescribed herein will be required to comply with any future bonding regulations adopted by the Commission.

(3) No license shall be issued to a person to whom this paragraph is applicable unless such person has filed with the Commission a surety bond in the amount of $10,000 on Form FMC-59, in the following form: [2]

* * * * *

§ 510.21 Definitions.

* * * * *

(l) The term "Beneficial interest" for the purpose of these rules includes, but is not limited to, any lien interest in; right to use, enjoy, profit, benefit, or receive any advantage, either proprietary or financial, from; the whole or any part of a shipment or cargo, arising by financing of the shipment or by operation of law or by agreement, express or implied: *Provided, however*, That any obligation arising in favor of a licensee by reason of advances of out-of-pocket expenses incurred in dispatching of shipments shall not be deemed a beneficial interest.

Interested persons may participate in this rulemaking proceeding by filing with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 30 days of the publication of this notice in the FEDERAL REGISTER, an original and 15 copies of their views or arguments pertaining to the proposed amended rules. All suggestions for changes in the text as set out above should be accompanied by drafts of the language thought necessary to accomplish the desired change and should be supported by statements and arguments relating the proposed change to the purposes of section 44 of the Shipping Act, 1916 (46 U.S.C. 841b).

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-4998; Filed, May 5, 1966; 8:50 a.m.]

[1] The last sentence of this paragraph is currently the subject of a rulemaking proceeding in Docket No. 66-2.

[2] The Commission will not receive comments on the contents of Form FMC-59.

Notices

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice 244]

SUDAN AND VIET NAM

Validity of Foreign Passports

Sudan and Viet Nam are added to the list of countries which have entered into agreements with the Government of the United States whereby their passports are recognized as valid for the return of the bearer to the country of the foreign issuing authority for a period of at least six months beyond the expiration date specified in the passport.

This notice amends Public Notice 238 of November 17, 1964 (29 F.R. 16097).

PHILIP B. HEYMANN,
Acting Administrator, Bureau of Security and Consular Affairs.

APRIL 27, 1966.

[F.R. Doc. 66-4979; Filed, May 5, 1966; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

Modification of Grazing Districts Nos. 2 and 7

Pursuant to the authority vested in the Secretary of the Interior by the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended.

The east boundary of Grazing District No. 7, Bureau of Land Management, is adjusted so as to transfer administrative responsibility for all public land within the following described legal subdivisions from Grazing District No. 7 to Grazing District No. 2 which headquarters in Glenwood Springs, Colo.

All vacant, unappropriated public land in:

6TH PRINCIPAL MERIDIAN, COLORADO

T. 10 S., R. 84 W.,
Secs. 5 to 8, inclusive and secs. 17 and 18.
T. 10 S., R. 85 W.,
Secs. 1 to 6, inclusive and secs 11 to 14, inclusive.
T. 10 S., R. 86 W.,
Secs. 1 to 3, inclusive.
T. 9 S., R. 85 W.,
Secs. 3 to 10, inclusive; secs. 14 to 23, inclusive; secs. 26 to 28 inclusive, and secs. 30 to 35, inclusive.
T. 9 S., R. 86 W.,
Secs. 1 to 30, inclusive, and secs. 34 to 36, inclusive.
T. 9 S., R. 87 W.,
Secs. 1, 12, 13, 24 and 25.
T. 8 S., R. 86 W.,
Secs. 3 to 10, inclusive; secs. 15 to 22, inclusive, and secs. 25 to 36, inclusive.
T. 8 S., R. 87 W.,
Secs. 1 to 36, inclusive.
T. 8 S., R. 88 W.,
Secs. 1 to 36, inclusive.
T. 8 S., R. 89 W.,
Secs. 1, 2, and 11 to 14, inclusive; secs. 23 to 25, inclusive; and secs. 26, 35, and 36.
T. 7 S., R. 87 W.,
Secs. 1 to 11, inclusive; secs. 14 to 23, inclusive; and secs. 25 to 35, inclusive.
T. 7 S., R. 88 W.
T. 7 S., R. 89 W.,
Secs. 1 to 16, inclusive; secs. 22 to 27, inclusive; and secs. 34 to 36, inclusive.
T. 7 S., R. 90 W.,
Secs. 1 to 17, inclusive;
Sec. 18, E½NW¼, E½;
Sec. 19 E½;
Secs. 20 to 29;
Sec. 30, E½;
Sec. 31, NE¼, and E½SE¼;
Secs. 32 to 36, inclusive.
T. 7 S., R. 91 W.,
Sec. 1, E½, and E½W½;
Sec. 12, E½, and E½W½.
T. 6 S., R. 87 W.,
Secs. 3 to 10, inclusive, and secs. 14 to 36, inclusive.
T. 6 S., R. 88 W.,
Secs. 13 to 36, inclusive.
T. 6 S., R. 89 W.
T. 6 S., R. 90 W.
T. 6 S., R. 91 W.,
Secs. 1 to 3, inclusive;
Sec. 4, E½E½;
Sec. 9, E½E½;
Secs. 10 to 15, inclusive;
Sec. 16, E½E½;
Sec. 21, E½E½;
Secs. 22 to 24, inclusive;
Sec. 25, E½, and E½W½;
Sec. 36, E½W½.
T. 5 S., R. 88 W.,
Sec. 31.
T. 5 S., R. 89 W.,
Secs. 4 to 9, inclusive; secs. 16 to 21, inclusive; and secs. 25 to 36, inclusive.
T. 5 S., R. 90 W.,
Secs. 1 to 5, inclusive;
Sec. 6, E½;
Secs. 7 to 36, inclusive.
T. 5 S., R. 91 W.,
Sec. 24, E½;
Sec. 25, E½;
Sec. 36, E½.

The transfer of jurisdiction of Grazing District No. 7 (Grand Junction District) to Grazing District No. 2 (Glenwood Springs District) will not effect the status or use of the public lands in any way. Effective with the publication of this notice, the Glenwood Springs District will assume all responsibility for the administration of the area herein described.

JOHN O. CROW,
Acting Director.

APRIL 29, 1966.

[F.R. Doc. 66-4951; Filed, May 5, 1966; 8:47 a.m.]

[Bureau Order 701, Amdt. 2]

DISTRICT MANAGERS

Redelegation of Authority Regarding Lands and Resources

Order No. 701 of July 23, 1964 is amended, by adding a new section 3.1 to Part III, as follows:

PART III—REDELEGATION TO DISTRICT MANAGERS

SEC. 3.1 *Authority To Redelegate.* The district manager may redelegate to area managers or division chiefs authority vested in him by this part. Any order of delegation must specify the extent of, and limitations on the grant of authority, be approved by the State Director and published in the FEDERAL REGISTER. This amendment shall become effective upon publication in the FEDERAL REGISTER.

JOHN O. CROW,
Acting Director.

APRIL 15, 1966.

[F.R. Doc. 66-4978; Filed, May 5, 1966; 8:49 a.m.]

Geological Survey

[Wyoming 132]

WYOMING

Coal Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

SIXTH PRINCIPAL MERIDIAN, WYOMING

COAL LAND

T. 18 N., R. 77 W.,
Secs. 1 to 4, inclusive;
Sec. 5, lot 1, S½NE¼, SE¼;
Sec. 8, NW¼NE¼;
Sec. 9, NE¼, NE¼NW¼, SE¼;
Secs. 10 to 15, inclusive;
Sec. 16, NE¼, N½NW¼, SE¼NW¼, NE¼SW¼, SE¼;
Sec. 21, NE¼, E½SE¼;
Secs. 22 to 27, inclusive;
Sec. 28, E½NE¼;
Secs. 34 to 36, inclusive.
T. 19 N., R. 77 W.,
Sec. 10, W½;
Sec. 15, NW¼; S½;
Sec. 16, NE¼, S½;
Secs. 21 and 22;
Sec. 23, W½;
Sec. 25, SW¼;
Secs. 26 to 28, inclusive;
Sec. 32, SE¼NE¼, E½SE¼;
Secs. 33 to 36, inclusive.

NONCOAL LANDS

T. 18 N., R. 77 W.,
Sec. 5, lots 2, 3, and 4, S½NW¼, SW¼;
Secs. 6 and 7;
Sec. 8, SW¼NE¼, W½, W½SE¼;
Sec. 16, SW¼NW¼, NW¼SW¼, S½SW¼;
Secs. 17 to 20, inclusive;
Sec. 21, W½, W½SE¼;
Sec. 28, W½NE¼, W½, SE¼;
Secs. 29 to 33, inclusive.
T. 19 N., R. 77 W.,
Secs. 1 to 3, inclusive;
Sec. 4 lot 1, SE¼NE¼, NE¼SE¼;
Sec. 29, NE¼, E½W½, SE¼;
Sec. 32, NE¼NE¼, W½NE¼, W½, W½SE¼.

The area described aggregates 32,734 acres, more or less, of which about 21,270 acres are classified as coal lands, and about 11,464 acres are classified as noncoal lands.

ARTHUR A. BAKER,
Acting Director.

APRIL 29, 1966.

[F.R. Doc. 66-4949; Filed, May 5, 1966; 8:46 a.m.]

Office of the Secretary

HOLLYWOOD INDIAN RESERVATION

Designation

Pursuant to Resolution No. C-23-66 of the Tribal Council of the Seminole Tribe of Florida, adopted January 14, 1966, and the petition of the Chairman of the Tribal Council in accordance therewith, and after finding that the same is in the public interest and in the interest of the Indians affected thereby, notice is hereby given that that part of the reservation for the Seminole Indians in southern Florida, sometimes known as the Broward County Reservation or as the Dania Reservation (Act of Oct. 4, 1961, 75 Stat. 804, amending the Act of Aug. 9, 1955, 69 Stat. 539, as amended, 25 U.S.C. sec. 415 (1964)), is hereby designated and shall for all purposes be known as the Hollywood Indian Reservation.

STEWART L. UDALL,
Secretary of the Interior.

MAY 2, 1966.

[F.R. Doc. 66-4953; Filed, May 5, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

AMERICAN PRESIDENT LINES, LTD.

Notice of Application

Notice is hereby given that American President Lines, Ltd., seeks to provide service between Hawaii and the Far East on up to 26 voyages per annum with ships operating on its transpacific freight service on trade route No. 29. The company presently is authorized to make up to 37 sailings on its transpacific freight service between California and the Far East, but ships operating on this service are not authorized to call at Hawaii. The company's application to provide service in the domestic trade between California and Hawaii is presently the subject of Docket S-191. The company's requests would enable it to make annually up to 26 calls at Hawaii in each direction with freight ships operating on its transpacific freight service.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1175, should by the close of business on May 20, 1966, notify the Secretary, Maritime Subsidy Board in writing, in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board.

In the event a hearing is ordered to be held on the application under section 605(c), the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route or line served by citizens of the United States which would be in addition to the existing service, or services, and, if so, whether the service already provided by vessels of U.S. registry in such service, route or line is inadequate, and (2) whether in the accomplishment of the purposes and policy of the act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: May 3, 1966.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, JR.,
Secretary.

[F.R. Doc. 66-4988; Filed, May 5, 1966; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-92; NDA No. 13-416]

RIKER LABORATORIES, INC.

Norgesic Tablets; Notice of Opportunity for Hearing

Notice is hereby given to Riker Laboratories, Inc., Northridge, Calif., that the Commissioner of Food and Drugs proposes to issue an order, under the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of new-drug application No. 13-416 and all amendments and supplements thereto held by Riker Laboratories, Inc., for the drug "Norgesic Tablets (orphenadrine citrate, 25 milligrams; aspirin, 225 milligrams; phenacetin, 160 milligrams; caffeine, 30 milligrams)," on the ground that:

1. New information before the Food and Drug Administration with respect to such drug, evaluated together with the evidence available when the application was approved, show that there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof, in that: New evidence concerning two clinical investigations of Norgesic Tablets reported by Cass Research Associates, Inc., Cambridge, Mass., conducted under the sponsorship of and submitted by the applicant as evidence in said application of the effectiveness of the drug, and which were pertinent to the approval of said new-drug application, shows the presence of irregularities in the reports of these investigations such that the studies are not adequate as a basis on which it can fairly and responsibly be concluded by experts, qualified by scientific training and experience to evaluate the effectiveness of the drug involved, that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

2. The new-drug application contains untrue statements of material fact. Specifically, two clinical investigations reported by Cass Research Associates, Inc., identified by Project Code No. 62-12-A dated January 28, 1963, and Project Code No. 63-5-B dated September 3, 1963, and submitted by the applicant in said application as evidence of the effectiveness of Norgesic Tablets, contain untrue statements of material fact in that:

a. They contain the identification of a number of persons reported as being treated with the drug during the period of said investigations who in fact were not so treated. During all or part of the time pertinent to these investigations a significant number of these persons were not hospitalized at the institution were the investigations were allegedly conducted, as stated in the application. Some of the persons reported as being treated were actually deceased.

b. They contain the identification of clinical conditions for which a number of persons were being treated with the drug, which conditions are contrary to the records of the institution where the investigations were allegedly conducted.

c. They omit full information concerning other relevant treatments, evidenced by the records of the institution where the investigations were allegedly conducted, given concurrently to patients reportedly being treated with the subject drug.

d. They omit full information on all clinical conditions of the persons reported as being treated with the drug during these investigations.

e. They contain statements of adverse effects and useful results observed in a number of persons being treated with the drug, which observations for reasons specified in paragraphs a, b, c, and d above could not have been made.

In accordance with the provisions of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and the regulations appearing in Title 21, Code of Federal Regulations, Part 130, the Commissioner will give the applicant, and any interested person who would be adversely affected by an order withdrawing such approval, an opportunity for a hearing, at which time such persons may produce evidence and arguments to show why approval of new-drug application No. 13-416 should not be withdrawn.

Within 30 days from the date of publication of this notice in the FEDERAL

REGISTER, such persons are required to file with the Hearing Clerk of the Department of Health, Education, and Welfare, Office of the General Counsel, Food and Drug Division, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or

2. Not to avail themselves of the opportunity for a hearing.

If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing the approval of the new-drug application.

Failure of such persons to file such a written appearance of election within 30 days following the date of publication of this notice in the FEDERAL REGISTER will be construed as an election by such persons not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public, except that any portion of the hearing that concerns a method or process which the Commissioner finds is entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing by filing a timely written appearance of election, a hearing examiner will be named by the Commissioner and he shall issue a written notice of the time and place for the hearing.

This notice is issued under the authority contained in the Federal Food, Drug, and Cosmetic Act (secs. 505, 701(a), 52 Stat. 1052, as amended, 1055; 21 U.S.C. 355, 371(a)), and delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008).

Dated: April 28, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-4939; Filed, May 5, 1966; 8:45 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

ASSISTANT SECRETARY FOR METROPOLITAN DEVELOPMENT

Delegation of Authority Regarding Grants for Water and Sewer Facilities

The Assistant Secretary for Metropolitan Development is hereby authorized:

1. To execute the powers and functions vested in the Secretary of Housing and Urban Development under sections 702 and 705 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3102 and 3105) with respect to grants for water and sewer facilities except the authority to sue and be sued pursuant to section 705(a) of the said 1965 Act and section 402(c)(3) of the Housing Act of 1950, as amended (12 U.S.C. 1749a(c)(3)).

2. To redelegate to one or more employees under his jurisdiction and to each Regional Administrator any of the authority delegated herein, and to authorize redelegation by the Regional Administrator.

(Secs. 702 and 705, 79 Stat. 490 and 492, 42 U.S.C. 3102 and 3105; sec. 5(a), 79 Stat. 669, 5 U.S.C. 624c(a); sec. 7(d), 79 Stat. 670, 5 U.S.C. 624d(d))

Effective date. This delegation of authority shall be effective as of May 6, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-4976; Filed, May 5, 1966; 8:49 a.m.]

REGIONAL ADMINISTRATORS

Redelegation of Authority Regarding Grants for Water and Sewer Facilities

Each Regional Administrator in the Department of Housing and Urban Development in carrying out the program of grants for water and sewer facilities under sections 702 and 705 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3102 and 3105) is hereby authorized:

1. To approve applications, authorize grants, and execute grant agreements, involving grants for water and/or sewer facilities.

2. To amend or modify any such grant agreement.

3. To redelegate to one or more employees under his jurisdiction the authority delegated herein except the authority to approve applications, authorize grants, and amend or modify the terms thereof.

4. In the case of the Regional Administrator, Region VI (San Francisco), to redelegate to the Director for Northwest Operations, Region VI, at Seattle, Wash., any of the authority redelegated herein.

(Secretary's delegation effective May 6, 1966, 31 F.R. 6796)

Effective date. This redelegation of authority shall be effective as of May 6, 1966.

CHARLES M. HAAR,
Assistant Secretary for Metropolitan Development.

[F.R. Doc. 66-4977; Filed, May 5, 1966; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-34]

WESTINGHOUSE ELECTRIC CORP.

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 14, set forth below, to Facility License No. CX-6. The license authorizes Westinghouse Electric Corp. to operate the Critical Reactor Experiment (CRX) Facility located at the Westinghouse Reactor Evaluation Center near Waltz Mill in Westmoreland County, Pa. The amendment revises the license in its entirety and incorporates technical specifications in the license in accordance with the application for license amendment dated March 1, 1965.

Within 15 days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the application for license amendment and (2) a related safety evaluation prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's public document room, or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 29th day of April 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

FACILITY LICENSE AMENDMENT

[License No. CX-6; Amdt. 14]

The Atomic Energy Commission having found that:

a. The application for license amendment, dated March 1, 1965, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

b. There is reasonable assurance that (i) the activities authorized by this license, as amended, can be conducted at the designated location without endangering the health and safety of the public, and (ii) such activities will be conducted in compliance with the rules and regulations of the Commission;

c. Westinghouse Electric Corp. is technically and financially qualified to engage in the activities authorized by this license, as amended, in accordance with the rules and regulations of the Commission;

d. Westinghouse Electric Corp. has furnished proof of financial protection to satisfy the requirements of 10 CFR Part 140;

e. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public; and

f. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated;

Facility License No. CX-6, as amended, is hereby amended in its entirety to read as follows:

1. This license applies to the Critical Reactor Experiment (CRX) Facility (hereinafter "the facility") which is owned by Westinghouse Electric Corp. (hereinafter "the licensee"), located at the Westinghouse Reactor Evaluation Center near Waltz Mill in Westmoreland County, Pa., and described in the application for license amendment dated October 6, 1959, and the amendments thereto dated January 13, 1960, January 15, 1960, January 18, 1963, August 19, 1963, December 5, 1963, August 25, 1964, November 20, 1964, January 15, 1965, February 15, 1965, and March 1, 1965 (hereinafter "the application").

2. Subject to the conditions and requirements incorporated herein, the Atomic Energy Commission (hereinafter "the Commission") hereby licenses Westinghouse Electric Corp.:

A. Pursuant to section 104c of the Atomic Energy Act of 1954, as amended (hereinafter "the Act"), and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," to possess, use and operate the facility at the designated location near Waltz Mill, in Westmoreland County, Pa.

B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material," to receive, possess and use at any one time up to 1700 kilograms of contained uranium-235 in low enrichment (less than 7 percent) from and up to 35 kilograms of plutonium as fuel for operation of the facility.

C. Pursuant to the Act and Title 10, CFR, Chapter I, Parts 30 and 70, to possess but not to separate, such byproduct material as may be produced by operation of the facility.

3. This license shall be deemed to contain and is subject to the conditions specified in §§ 50.54 and 50.59 of Part 50, § 70.32 of Part 70 and § 30.34 of Part 30 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. *Maximum power level.* The licensee is authorized to operate the facility at power levels up to a maximum of 2 kilowatts thermal.

B. *Technical specifications.* The Technical Specifications contained in Appendix A to this license (hereinafter the "Technical Specifications") are hereby incorporated in this license. The licensee shall operate the facility only in accordance with the Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in 10 CFR 50.59.

C. *Authorization of changes, tests and experiments.* The licensee may (1) make changes in the facility as described in the hazards summary report, (2) makes changes in the procedures as described in the hazards summary report, and (3) conduct tests or experiments not described in the hazards summary report only in accordance with the provisions of § 50.59 of the Commission's regulations.

D. *Reports.* In addition to reports otherwise required under this license and applicable regulations:

(1) The licensee shall inform the Commission of any incident or condition relating to the operation of the facility which prevented or could have prevented a nuclear system from performing its safety function as described in the Technical Specifications or in the hazards summary report. For each occurrence, the licensee shall promptly notify by telephone or telegraph the Director of the appropriate Atomic Energy Commission Regional Compliance Office listed in Appendix D of 10 CFR Part 20 and shall submit within ten (10) days a report in writing to the Director, Division of Reactor Licensing, with a copy to the Regional Compliance Office.

(2) The licensee shall report to the Commission in writing within 30 days of its observed occurrence any substantial variance disclosed by operation of the facility from performance specifications contained in the hazards summary report or the Technical Specifications.

(3) The licensee shall report to the Commission in writing within 30 days of its occurrence any significant change in transient or accident analysis, as described in the hazards summary report.

E. *Records.* In addition to those otherwise required under this license and applicable regulations, the licensee shall keep the following records:

(1) Facility operating records, including power levels.

(2) Records of in-pile irradiations.

(3) Records showing radioactivity released or discharged into the air or water beyond the effective control of the licensee as measured at the point of such release or discharge.

(4) Records of emergency facility scrams, including reasons for emergency shutdowns.

4. This license, as amended, is effective as of the date of issuance and shall expire at midnight, March 31, 1975, unless sooner terminated.

Date of issuance: April 29, 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

Enclosure: Appendix A, Technical Specifications.[1]

[F.R. Doc. 66-4940; Filed, May 5, 1966; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 14642, etc.]

PUERTO RICO-VIRGIN ISLANDS SERVICE CASE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be held on June 1, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., May 2, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-4970; Filed, May 5, 1966; 8:48 a.m.]

[1] This item was not filed with the Office of the Federal Register, but is available for inspection in the Public Document Room of the Atomic Energy Commission.

FEDERAL AVIATION AGENCY

[OE Docket No. 66-CE-3]

MINNESOTA-IOWA TELEVISION CO.

Notice of Petition for and Grant of Discretionary Review

On March 11, 1966, the Agency's Central Regional Office issued the following Determination of No Hazard to Air Navigation (Aeronautical Study No. CE-OE-5601) at Kansas City, Mo.

The Federal Aviation Agency has circularized the following construction proposal for aeronautical comment and has conducted a study to determine its effect upon the safe and efficient utilization of navigable airspace.

Applicant: Minnesota-Iowa Television Co.
Structure: Television tower.
Location: Near Myrtle, Minn.
Height: 2860' AMSL, 1570' AGL.
Latitude: 43°37'41".
Longitude: 93°09'13".

In April 1964, the proponent submitted a proposal for a 3,300-foot AMSL (2,000-foot AGL) television tower to be located approximately 2 miles northwest of the site now under consideration. The proposal was circularized to all known interested persons and substantial aeronautical objections were received. The objections stated that the 2,000-foot AGL height would have an adverse effect to aviation since (1) It was located adjacent to a four-lane interstate highway used for low altitude navigational guidance; (2) The structure would have an adverse effect on instrument approach procedures into the Austin Municipal Airport; and (3) The structure would adversely affect instrument operations along the adjacent Federal Airways by creating the loss of a 3,000-foot cardinal altitude on two airway segments.

In consideration of the previous aeronautical objections, the proponent revised the site and height to that described above. Aeronautical study of the alternate proposal revealed that instrument approach procedures associated with the Austin Municipal Airport would be unaffected. The 3,000-foot cardinal altitude would be retained on adjacent airways V-13 and V-67W, although the minimum obstruction clearance altitudes would be raised from 2,800 feet and 2,600 feet respectively to 3,000 feet AMSL. Departure/climb restrictions would be established for aircraft departing IFR from the Austin Airport and climbing toward the tower. This is not considered a substantial adverse effect, since the tower would be in uncontrolled airspace and not aligned with airways serving the area. The site was found to be more than 2 statute miles south of the four-lane highway extending from Austin toward Albert Lea, thus providing an unobstructed area along the highway for aircraft that may use the highway as a reference for visual flight.

The revised proposal was circularized to all known interested persons. Most respondents recognized the efforts of the proponent to solve the aeronautical problem by revising the site and height. However, they felt that a tower 1,570 feet AGL would be a hazard to aircraft. The Minnesota Safety Council objected to the proposal and pointed out they consider any tower over 1,000 feet in height an aeronautical hazard regardless of where it is located. Mr. Milo Peterson, a pipeline patrol pilot, objected stating that such structures should not extend more than 1,000 feet AGL. The Air Transport Association ob-

jected on the basis that Part 77 criteria indicated that MEA's on V–13 and V–67W would be raised to 3,300 feet AMSL. In this regard, the Agency does not use § 77.23(a) (6) of Part 77 as a standard for determining MEA's along VOR airways. Other objections were general in nature and were made on the basis of height.

The State of Minnesota, Department of Aeronautics, conducted an on-site count of air traffic for the period of July 26, 1964, through August 22, 1964. The State report indicated a total of 450 aircraft flew in the vicinity of the tower site at altitudes varying from 1,400 feet AMSL to 10,000 feet or above. The survey counted 155 aircraft at 3,000 feet AMSL or below. In a letter of rebuttal referring to the survey, the tower proponent noted that of the 155 aircraft flying at 3,000 feet AMSL or below, 101 of them were at an altitude of 1,000 feet AGL or below. In addition, it was pointed out that techniques used in making the survey violated established survey procedures, since the surveyors were employed directly by the Minnesota Department of Aeronautics and knew the reason for the survey. Further, people interested in aviation in the Albert Lea area knew the details concerning the survey and thus were in a position to influence the results of the survey.

The Agency study recognized the pros and cons associated with the proposal and noted that the Mason City, Iowa, and Austin, Minn., VORs are in such proximity that radials from the ranges could be used by VFR pilots to circumnavigate the tower during periods of reduced ceilings and/or visibility. In addition, a study of the sectional aeronautical chart reveals the presence of prominent highways and railroads that would assist the VFR pilot to avoid the tower site.

Therefore, pursuant to the authority delegated to me, it is found that the structure would have no substantial adverse effect upon the safe and efficient utilization of navigable airspace and it is hereby determined that the structure would not be a hazard to air navigation, provided it is obstruction marked and lighted in accordance with FAA standards. This determination does not preempt or waive the regulations of any other governmental agency. This determination is effective and becomes final on April 20, 1966, unless a petition for review is filed under § 77.37. If a petition is filed, further notice will be given and the determination will not become final pending disposition of the petition. Petitions for discretionary review must be filed in triplicate with the Chief, Obstruction Evaluation Branch, Federal Aviation Agency, Washington, D.C., 20553, within 30 days after the date of issuance and must contain a full statement of the basis upon which it is made.

This determination expires on October 20, 1966, unless application is made to the FCC for a construction permit before that date, or the determination is otherwise extended, revised or terminated. If application is made to the FCC within the 6 months' time period, the determination expires on the date prescribed in the FCC construction permit for completion of construction or on the date the FCC denies the application.

Notice to this office is required at least 48 hours before the start of construction and again within 5 days after the construction reaches its greatest height.

Issued in Kansas City, Mo., on March 11, 1966.

EDWARD C. MARSH,
Director.

On April 6, 1966, the State of Minnesota Department of Aeronautics petitioned the Administrator for a discretionary review of the above determination.

Pursuant to the authority delegated to me by the Administrator, the petition by the State of Minnesota Department of Aeronautics for discretionary review under § 77.37 of Part 77 of the Federal Aviation Regulations is granted and such review will be on the basis of written materials in accordance with § 77.37(c) (1).

The petition as examined by the Agency set forth the following issues for consideration:

1. The determination is erroneous since the present marking and lighting standards are inadequate for warning pilots away from a tower of this height and this construction.

2. The determination is erroneous because it fails to take into account the experience and judgment of actual users of the airspace who operate in the area of the proposed construction.

3. The determination is erroneous since there is no indication that the general atmospheric and weather conditions of the area were given proper consideration.

4. The determination is erroneous because there is no indication that the altitudes generally used by pilots flying in the area were taken into consideration.

5. The determination is erroneous since it relies to some extent for the safety of the proposed antenna on the percentage of light aircraft that contain VOR equipment and that fly in the area of the proposed antenna.

6. The determination is erroneous since the traffic survey conducted by the petitioner was discounted and not given proper value in the determination. The petitioner further states that since the survey was conducted, there has been a substantial increase in general aviation flying and that further growth is forecast for the future.

Interested persons may, within 30 days of the issuance date of this notice, submit any relevant information in writing for consideration in this review to the Federal Aviation Agency, Air Traffic Service, Obstruction Evaluation Branch, 800 Independence Avenue SW., Washington, D.C., 20553. Submissions must be filed in triplicate and be relevant to the effect of the proposed structure on safe air navigation.

A copy of appropriate correspondence in this case is on file in OE Docket No. 66–CE–3, and may be examined by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Dockets, 800 Independence Avenue SW., Washington, D.C., 20553.

Therefore, pursuant to the authority delegated to me by the Administrator (30 F.R. 13023), the determination issued by the Agency's Central Regional Office in Aeronautical Study No. CE–OE–5601 is not and will not be a final determination pending final disposition of this petition.

Issued in Washington, D.C., on April 28, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66–4944; Filed, May 5, 1966; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16258; FCC 66M–605]

AMERICAN TELEPHONE & TELEGRAPH CO.

Order Regarding Filing of Summaries of Testimony

In the matter of American Telephone & Telegraph Co. and the Associated Bell System Cos., Docket No. 16258, Charges for interstate and foreign communication service.

The Telephone Committee having under consideration an informal request, filed April 28, 1966, in behalf of the Bell System Respondents, requesting deletion of the requirement for the prior submission of written summaries of the oral testimony to be given by certain of Respondents' witnesses (as set out in Paragraph 2 of our Order of April 21, 1966; FCC 66M–570; Mimeo. No. 82842), and

It appearing that there is no further need for this procedure because of the interval which will exist between the time of the presentation of Respondents' direct testimony and the time of commencement of cross-examination thereon; and

It further appearing that expeditious action on this request is required in order to facilitate the prompt filing of Respondents' written testimony;

It is ordered, This 28th day of April 1966, that our order of April 21, 1966 (identified above), is amended so as to delete the requirement for the filing of written summaries of the oral testimony to be presented by Respondents' witnesses.

Released: April 29, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–4931; Filed, May 5, 1966; 8:45 a.m.]

[Docket Nos. 16368, 16369; FCC 66R–170]

CENTRAL BROADCASTING CORP. AND SECOND THURSDAY CORP.

Order Enlarging Issues

In re applications of Central Broadcasting Corp., Madison, Tenn., Docket No. 16368, File No. BPH–3773; Second Thursday Corp., Nashville, Tenn., Docket No. 16369, File No. BPH–3778; for construction permits.

The Review Board having before it a "Petition for Reconsideration," filed April 4, 1966, by Second Thursday Corp.[1] requesting that the Board reconsider its Memorandum Opinion and Order (FCC 66R–117) released March 28, 1966, in which issues as to Second Thursday's compliance with § 1.65 of the rules[2] were added;

It appearing that to the extent that petitioner requests reconsideration of the Board's prior Memorandum Opinion and Order, its request cannot be entertained (see §§ 1.102, 1.106 and 1.291(c) (3) of the Commission's rules);

It further appearing that to the extent that the petition requests enlargement of issues, it is untimely filed (see § 1.229 of the rules);

It further appearing that Central Broadcasting Corp., licensee of Station WENO (AM) Madison, Tenn., has failed to conform section II of its application to information contained in current Form 323 Ownership Reports on file with the Commission and that therefore issues concerning Central's compliance with Rule 1.65 should be added on the Board's own motion;

It is ordered, this 2d day of May 1966, That the Petition for Reconsideration, filed by Second Thursday Corp. on April 4, 1966, is dismissed; and

It is further ordered, That the following issues are added to this proceeding on the Board's own motion:

To determine whether Central Broadcasting Corp. failed to perform the responsibilities of continuing accuracy and completeness of information furnished in a pending application as required by § 1.65 of the Commission's rules by its failure to amend the Central Broadcasting broadcast application within 30 days to reflect changes in ownership;

To determine whether the facts adduced pursuant to the foregoing issues bear upon the comparative qualifications of Central Broadcasting Corp.

Released: May 2, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–4932; Filed, May 5, 1966; 8:45 a.m.]

[1] Also before the Board are comments, filed by the Broadcast Bureau on Apr. 13, 1966, wherein the Bureau recommends addition of the requested issues on the Board's own motion. No opposition has been filed by Central.

[2] Section 1.65 of the Commission's rules places a burden of continuing accuracy upon each applicant and requires that changes be reflected by amendments within 30 days unless good cause is shown. Reporting Changed Circumstances, FCC 64–1037, 3 R.R. 2d 1622. The requirements of Rule 1.65 are not met by filing information in the Form 323 Ownership Reports required by the Commission. Cleveland Broadcasting, Inc., 2 FCC 2d 717, released Mar. 2, 1966.

[Mexican Change List No. 234]

MEXICAN BROADCAST STATIONS

Changes, Proposed Changes, and Corrections

FEBRUARY 21, 1966.

Notifications under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement; list of changes, proposed changes and corrections in assignments of Mexican broadcast stations modifying the appendix containing assignments of Mexican broadcast stations (Mimeograph No. 4721–6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
New	Huatabampo, Sonora	680 kilocycles 1 kwD/0.5 kwN.	ND	U	III	8–21–66
XEIS (now in operation).	Cd. Guzman, Jalisco	870 kilocycles 1 kw	ND	U	II	2–21–66
XEORC (increase power).	Guasave, Sinaloa	680 kilocycles 1 kw	ND	D	II	4–21–66
XERPO (now in operation).	Oaxaca, Oaxaca	710 kilocycles 0.5 kwD/0.1 kwN.	ND	U	II	2–21–66
XEFQ (change frequency from 1250 kc/s).	Muzquiz, Coahuila	710 kilocycles 0.5 kwD/0.1 kwN.	ND	U	II	8–21–66
XEIP (delete assignment).	Mexico, D.F.	780 kilocycles 10 kw	DA–N	U	II	2–21–66
New	Cozumel, Quintana Roo.	810 kilocycles 1 kwD/0.5 kwN.	DA–2	U	II	8–21–66
XEOE	Tapachula, Chiapas	810 kilocycles 1 kwD/0.150 kwN.	ND	U	II	2–21–66
XEZX (change in frequency from 1240 kc/s).	Tenosique, Tabasco	860 kilocycles 1 kwD/0.150 kwN.	ND	U	II	8–21–66
XELT (increase daytime power).	Guadalajara, Jalisco	920 kilocycles 0.5 kwD/0.250 kwN.	ND	U	IV	4–21–66
XEOP (now in operation).	Villafrontera, Coahuila	920 kilocycles 0.250 kwD/0.2 kwN.	ND	U	IV	2–21–66.
XEROO (now in operation).	Chetumal, Quintana Roo.	960 kilocycles 1 kwD/0.5 kwN.	ND	U	III	2–21–66.
XEOZ (change frequency from 1340 kc/s).	Jalapa, Veracruz	960 kilocycles 1 kwD/0.25 kwN.	ND	U	III–D IV–N	4–21–66.
XEACM (increase in hours of operation).	Macuspana, Tabasco	1020 kilocycles 1 kwD/0.150 kwN.	ND	U	II	2–21–66.
XEXF (increase power).	Romita, Guanajuato	1140 kilocycles 5 kw	ND	D	II	4–21–66.
XEGE (now in operation).	Oaxaca, Oaxaca	1140 kilocycles 0.5 kwD/0.25 kwN.	ND	U	IV	2–21–66.
XERRT (change frequency from 1190 kc/s).	Cd. Madero, Tamaulipas.	1270 kilocycles 0.250 kwD/0.200 kwN.	ND	U	IV	8–21–66.
XELBL (now in operation—change call letters from XEXV).	San Luis Rio Colorado, Sonora.	1360 kilocycles 0.5 kw	ND	D	III	2–21–66.
XEFS (delete assignment).	Cuautla, Morelos	1400 kilocycles 0.250 kw	ND	U	IV	2–21–66.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–4933; Filed, May 5, 1966; 8:45 a.m.]

[Docket No. 16575; FCC 66M–616]

MISSION CABLE TV, INC., AND TRANS-VIDEO CORP.

Order Changing Presiding Officer

In the matter of cease and desist order to be directed against Mission Cable TV, Inc., and Trans-Video Corp. owner and operator, respectively, of a community antenna television system at Poway, Calif.; Docket No. 16575.

It is ordered, This 29th day of April 1966, that Walther W. Guenther, in lieu of James D. Cunningham, shall serve as Presiding Officer in the above-entitled

proceeding; that, in accordance with previous scheduling, a hearing conference herein shall be convened May 9, 1966, and the formal hearing on May 17, 1966; and that all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: May 2, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4934; Filed, May 5, 1966; 8:45 a.m.]

[FCC 66-393]

NEW YORK UNIVERSITY

Memorandum Opinion and Order Opening FM Channel to Noncommercial Applicants

In re application of New York University, New York, N.Y.; requests: 89.1 mc, No. 206; 7.6 kw(H); 6.4 kw(V); 220 ft. for construction permit.

1. The Commission has before it the above-captioned and described application for a new noncommercial educational FM broadcast station to be operated on Channel 206, the channel reserved for a United Nations station under § 73.501(a) (footnote 1) of the Commission's rules.

2. New York University has submitted an agreement with the United Nations permitting such use of the reserved channel. Although the United Nations disclaims any present intention of using the channel, it reserves the right to do so in the future, on either a part-time or exclusive basis. If the channel is to be used on a part-time basis, such use will be subject to negotiations and a separate written agreement between the parties which would be submitted for approval by the Commission. If the channel is to be used on a full-time basis, the United Nations has the prerogative of taking over the entire operation, subject to adequate compensation, one year's notice, and Commission approval.

3. The reservation of Channel 206 provides for a United Nations station operating with an effective radiated power of 20 kilowatts and antenna height above average terrain of 500 feet. The present allocation rules for noncommercial educational FM broadcast stations, section 1.573 (Note) (c), prohibit the acceptance or granting of any applications where interference within 1 mv/m contours is involved. A United Nations station operating with 20 kilowatts at 500 feet would involve 1 mv/m interference with a total of three stations on Channels 204 and 208; these three assignments were made, however, under the old FM rules where such interference was not considered objectionable. The New York University proposal will involve 1 mv/m interference with one of these three stations (WSOU, South Orange, N.J., 89.5 mc, No. 208, 2 kw; 370 ft.). The provision in the rules to permit United Nations to operate with 20 kilowatts at 500 feet on Channel 206 is to be retained in the rules; however, the Commission is of the opinion that should some other party operate a station on this channel its operation should conform to the present rules for noncommercial educational FM stations. Accordingly, the application of New York University should be amended to specify an operation involving no 1 mv/m interference with any other noncommercial educational FM broadcast stations.

4. No other noncommercial educational FM channels are available for assignment in the New York City area. In the past, parties other than New York University have expressed interest in the United Nations channel. Considering the number of institutions that might be interested in acquiring FM educational facilities, the Commission is of the opinion that the public interest would be better served if the channel were made available to all qualified applicants under the same conditions it would be made available to New York University.

5. *Accordingly, it is ordered,* This 27th day of April 1966, that the application of New York University is accepted subject to its being amended by June 16, 1966, to specify an operation involving no 1 mv/m interference with any other noncommercial educational FM broadcast stations, and further, that applications from other interested parties for operation on Channel 206 will be accepted until the same date, subject to their willingness to accept the same arrangements as agreed upon between the United Nations and New York University and with proposals that involve no 1 mv/m interference with other stations.

Released: May 2, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4935; Filed, May 5, 1966; 8:45 a.m.]

[Docket No. 14368 etc.; FCC 66M-608]

SYRACUSE TELEVISION, INC., ET AL.

Order Continuing Hearing

In re applications of: Syracuse Television, Inc., Syracuse, N.Y., Docket No. 14368, File No. BPCT-2924; W. R. G. Baker Radio & Television Corp., Syracuse, N.Y., Docket No. 14369, File No. BPCT-2930; Onondaga Broadcasting, Inc., Syracuse, N.Y., Docket No. 14370, File No. BPCT-2931; WAGE, Inc., Syracuse, N.Y., Docket No. 14371, File No. BPCT-2932; Syracuse Civic Television Association, Inc., Syracuse, N.Y., Docket No. 14372, File No. BPCT-2933; Six Nations Television Corp., Syracuse, N.Y., Docket No. 14444, File No. BPCT-2957; Salt City Broadcasting Corp., Syracuse, N.Y., Docket No. 14445, File No. BPCT-2958; George P. Hollingbery, Syracuse, N.Y., Docket No. 14446, File No. BPCT-2968; for construction permits for new television broadcast stations.

The Hearing Examiner having under consideration a motion filed jointly, on April 29, 1966, by all the applicants in the above-entitled proceeding except one, in which the latter (and also the Commission's Broadcast Bureau) concurs, requesting that the hearing presently scheduled to be convened on May 2 be continued until such time as may be specified in a further order of the Examiner after the Commission shall have passed upon a petition filed by the seven joint petitioners for approval of a merger and dropout agreement;

It appearing that the joint petitioners have filed with the Commission a complex proposal for a merger of their interests and the dismissal of certain of the competing applications which, if approved by the Commission, may result in the termination of this proceeding, and that it would be in the public interest not to force the parties into a hearing during the pendency before the Commission of their petition;

It is ordered, This 29th day of April 1966, that the joint motion for continuance of the hearing is hereby granted to the extent that the hearing is postponed until Monday, October 3, 1966, at 10 a.m., at the Commission's offices, Washington, D.C., subject, however, to such further orders as may be necessary in the premises.[1]

Released: April 29, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4936; Filed, May 5, 1966; 8:45 a.m.]

[Docket No. 16612; FCC 66M-615]

STAR STATIONS OF INDIANA, INC.

Order Scheduling Hearing

In re applications of Star Stations of Indiana, Inc., Docket No. 16612, File No. BR-1144, BRH-1267; for renewal of licenses of Stations WIFE AM-FM, Indianapolis, Ind.

It is ordered, This 29th day of April 1966, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence at 10 a.m. on July 12, 1966, in Indianapolis, Ind.: *And it is further ordered,* That a prehearing conference in the proceeding will be convened by the Presiding Officer at 9 a.m. on May 25, 1966, in Washington, D.C.

Released: May 2, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4937; Filed, May 5, 1966; 8:45 a.m.]

[1] Commissioner Loevinger absent.

[1] In the event the Commission should take an action significantly before Oct. 3 which requires further hearings, the Examiner will issue an order, on his own motion, rescheduling the hearing to an earlier date. Similarly, if time should be needed beyond Oct. 3 the Examiner will issue the requisite order.

[Docket Nos. 16606, 16607; FCC 66-387]

KANSAS STATE NETWORK, INC., AND HIGHWOOD SERVICE, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of: Kansas State Network, Inc., Topeka, Kans., Docket No. 16606, File No. BPCT-3537; Highwood Service Inc., Topeka, Kans., Docket No. 16607, File No. BPCT-3561; for construction permit for new television broadcast station.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 27th day of April 1966.

1. The Commission has before it for consideration the above-captioned applications, each requesting a construction permit for a new television broadcast station to operate on Channel 29, Topeka, Kans. Since the operation proposed by both of the applicants would result in mutually destructive interference, they are mutually exclusive and a hearing will be required to determine which application should be granted.

2. With respect to the issues set forth below, the following considerations are relevant:

(a) Since Kansas State Network, Inc., presently serves most of the large Kansas television markets with its four VHF television stations,[1] a question arises as to whether a grant of its present application would result in a concentration of control which would be inconsistent with § 73.636 of the Commission's rules.[2] Accordingly, the Commission, on its own motion, has specified an issue with respect to concentration.

(b) Although the original applicant, Studio Broadcasting System, Incorporated, apparently was a Kansas corporation, the new applicant, Highwood Service, Inc., is a Michigan corporation and it has not submitted proof of authority to do business in Kansas. Moreover, even though Highwood proposes to operate the proposed station through its Studio Broadcasting System Division, it states that this is not a separate corporate entity. Therefore, an issue to determine whether Highwood Service, Inc., has, or can obtain, authority to do business in Kansas will be specified.

(c) The application of Highwood Service, Inc., indicates that $2,292,543 (i.e. $311,250—down payment to RCA; $241,025—first year's payments to RCA including interest; $221,000—land, building and professional fees; $30,000—furniture; $648,229—first year's bank loan payments, including interest; $307,528—estimated cost of operation; and $533,511—reduction of net current liabilities) will be needed for construction and first year's operating expenses. To meet the cash requirements, the applicant relies upon the availability of $1,700,000 bank loan and $300,000 in revenues. Although, the applicant has established that the bank loan will be available, it has not sufficiently justified the reasonableness of the $300,000 revenue estimate. However, even if the applicant's estimate of revenues is accepted, it does not appear that Highwood satisfies the financial standards of Ultravision Broadcasting Co., FCC 65-581, 5 R.R. 2d 343. Accordingly, financial issues have been specified.

(d) It appears that Highwood Service, Inc., proposes to locate its main studio outside of the corporate limits of the city of Topeka and therefore it requests a waiver of § 73.613 of the Commission's rules. In view of this, an issue is specified to determine whether circumstances exist that warrant a waiver of said section.

(e) Since the proposed television antenna structure of Highwood Service, Inc., is in the vicinity of Standard Broadcast Station WIBW, Topeka, Kans., any grant of Highwood's application will be made subject to the AM condition specified below.

(f) According to Kansas State Network, Inc.'s application, the geographic coordinates and elevation of the proposed antenna site were derived from a topographic map with a scale of 1:250,000. Information available from the United States Geological Survey indicates that there are larger scale maps available for the area under consideration. Since the applicant's map is drawn to a scale of 1:250,000, it does not lend itself to the same degree of accuracy that one drawn to the larger scale map would. Therefore, since the geographic coordinates and elevation of the proposed antenna site could not be checked, an issue to determine the accuracy of the geographic coordinates and elevation of the proposed antenna site has been specified.

(g) Finally, since FAA approval has not been obtained for Kansas State Network's antenna structure, an air menace issue has been specified.

(h) With respect to both applications it should be noted that offset designators have not been provided. These will be furnished in a subsequent order by the Commission, and therefore, a grant of either of these applications will be made subject to the condition that operation of the station will be in accordance with offset designators which will be specified subsequently.

3. Except as indicated by the issues set forth below, each of the applicants is qualified to construct, own and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is therefore unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of Kansas State Network, Inc., and Highwood Service, Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine with respect to Kansas State Network, Inc.'s application:

(a) Whether a grant of Kansas State Network, Inc.'s application would be consistent with section 73.636 of the Commission's rules with respect to concentration of control.

(b) To determine the accuracy of geographic coordinates and elevation of the antenna site.

(c) To determine whether the antenna structure proposed by Kansas State Network would constitute a menace to air navigation.

2. To determine with respect to Highwood Service, Inc.'s application:

(a) Whether it is, or can be, authorized to do business in the State of Kansas.

(b) Whether its estimate of revenues is reasonable, and, if so, whether additional funds will be available to meet the cash required figure of $2,292,000.

(c) Whether, in view of the evidence adduced pursuant to (b), the applicant is financially qualified.

(d) Whether circumstances exist which would warrant a waiver of § 73.613 of the Commission's rules.

3. To determine which of the proposals would better serve the public interest.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which, if either, of the applications should be granted.

It is further ordered, That any grant of Highwood Service, Inc.'s, application be made subject to the following condition:

That skeleton proof of performance shall be submitted, consisting of at least

[1] Kansas State Network is the licensee of Television Translator Station K74CN, Salina, Kans., and of the following television broadcast stations: KARD-TV, Channel 3, Wichita, Kans.; KCKT, Channel 2, Great Bend, Kans.; KGLD-TV, Channel 11, Garden City, Kans.; and KOMC-TV, Channel 8, McCook, Nebr. The latter three stations are satellites of KARD-TV.

[2] Section 73.636 of the Commission's rules provides, in relevant part, that: "(a) No license for a television broadcast station shall be granted to any party (including all parties under common control) if: (2) Such party, or any stockholder, officer or director of such party, directly or indirectly owns, operates, controls, or has any interest in, or is an officer or director of any other television broadcast station if the grant of such license would result in a concentration of control of television broadcasting in a manner inconsistent with public interest, convenience, or necessity. In determining whether there is such a concentration of control, consideration will be given to the facts of each case with particular reference to such factors as the size, extent and location of area served, the number of people served, and the extent of other competitive service to the areas in question. The Commission, however, will in any event consider that there would be such a concentration of control contrary to the public interest, convenience or necessity for any party or any of its stockholders, officers or directors to have a direct or indirect interest in, or be stockholders, officers, or directors of, more than seven television broadcast stations, no more than five of which may be in the VHF band.

five field intensity measurements made between 2 and 10 miles distance on each radial measured in connection with the original proof of performance, to prove that the directional pattern of Station WIBW has not changed. Data submitted shall include a tabulation of all pertinent meter indications and the measured fields at the monitor locations.

It is further ordered, That a grant of either of the applications be made subject to the following condition:

That operation of the station be in accordance with offset designators to be specified in a subsequent order.

It is further ordered, That the Federal Aviation Agency is made a party to this proceeding with respect to the application of Kansas State Network, Inc.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within twenty (20) days of the mailing of this order, file with Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: April 29, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4981; Filed, May 5, 1966; 8:49 a.m.]

[Docket Nos. 16606, 16607; FCC 66M-619]

KANSAS STATE NETWORK, INC., AND HIGHWOOD SERVICE, INC.

Order Scheduling Hearing

In re applications of: Kansas State Network, Inc., Topeka, Kans., Docket No. 16606, File No. BPCT-3537; Highwood Service Inc., Topeka, Kans., Docket No. 16607, File No. BPCT-3561; for construction permit for new television broadcast station (Channel 29).

It is ordered, This 29th day of April 1966, that Forest L. McClenning shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on June 20, 1966, at 10 a.m.; and that a prehearing conference shall be held on May 25, 1966, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: May 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4982; Filed, May 5, 1966; 8:49 a.m.]

[Docket Nos. 16609-16611; FCC 66-392]

NORTHWEST BROADCASTERS, INC., ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Northwest Broadcasters, Inc. (KBVU), Bellevue, Washington, Docket No. 16609, File No. BR-4369; has license 1540 kc, 1 kw DA-1, U Class II; for renewal of license of Station KBVU. F. Kemper Freeman, Elwell C. Case, and Mrs. Florance G. Hayes, doing business as Bellevue Broadcasters (KFKF), Bellevue, Wash., Docket No. 16610, File No. BP-17059; has 1330 kc, 5 kw, Day Class III, requests 1540 kc, 1 kw, DA-1, U Class II; for construction permit. Northwest Broadcasters, Inc. (KBVU), (assignor), Sunshine Broadcasting Co. (assignee), Docket No. 6611, File No. BAL-5521; for assignment of license of Station KBVU.

1. The Commission has before it for consideration the above-captioned applications and three petitions to deny (and pleadings responsive thereto) filed by three licensees of stations in Seattle, Wash.; namely, (1) Chem-Air, Inc. (KETO, AM and FM), (2) King Broadcasting Co. (KING, AM, FM, and TV), and (3) KIRO, Inc. (KIRO, AM and FM) all of which petitions are directed against the assignment application and one against the renewal application; and a petition to "Return or Dismiss" (and pleadings responsive thereto) filed by Northwest Broadcasters, Inc. (Northwest), against the application of Bellevue Broadcasters (KFKF) for the frequency presently licensed to Northwest.

2. Program test authority for Station KBVU was issued to the proposed assignor, Northwest, on January 3, 1964.[1] The station, for financial reasons, went off the air on July 6, 1965.[2] Also, on that date the application was filed to assign the station license to Sunshine Broadcasting Co. (Sunshine or assignee). Public notice of its acceptance for filing was issued on July 19, 1965. Thereafter, on August 18, November 1, and November 22,[3] the above-named licensees of broadcast stations in Seattle filed the three petitions to deny the assignment application, one petition being also directed against Northwest's renewal application. Responsive pleadings were also filed and on January 5, 1966, Bellevue Broadcasters (KFKF) filed its application for the frequency presently licensed to Northwest. The latter filing automatically requires an evidentiary hearing between the mutually exclusive applications and this fact, in our judgment, obviates the necessity of our passing upon the question of standing of the three who filed petitions to deny, or (with the exception noted below in para. 3) upon the merits of their pleadings, inasmuch as our action herein fundamentally gives the petitioners the relief they are seeking. We, therefore, are dismissing the three petitions to deny the assignment application as moot, being fully cognizant of each petitioner's right to petition for intervention under our Rule 1.223.

3. With respect, however, to the charges brought by Chem-Air, Inc., against KBVU's program performance during its period of operation, we have reviewed the allegations and the responses thereto and do not find that a substantial and material question of fact is presented or that a hearing is otherwise required. During all of Northwest's comparatively short period of time of operation it suffered financial loss. Although there appears to have been appreciable deviation in performance from the specific program representations made in its application for a construction permit in 1956, we do not believe such deviation was motivated by anything other than financial distress. While the licensee did not perform fully the programing representations made during the course of the comparative hearing in which it was involved, it did carry a number of the programs in the areas promised in its original application. The percentages, of course, were substantially different. The licensee has explained its failure to comply fully with its programing representations primarily on the ground that it suffered financial losses from the very beginning of its operation. We are satisfied with the licensee's explanation and in view of our action proposed herein we do not believe that any useful purpose will be served in exploring these matters further on a hearing record in connection with KBVU's application for renewal of license.

4. As to the petition of Northwest to "return or dismiss" the application of KFKF for a construction permit to operate on the frequency presently licensed to KBVU, it, in substance, stands or falls on whether a definite transmitter and antenna site can be said to be reasonably available to KFKF should it prevail in the comparative hearing designated herein. KFKF proposes to use the identical sites used by KBVU. Although Northwest has a 25-year lease on the property and an option to buy it from the owner, it seems fairly clear from the owner's stated position in the application that unless Northwest pays rent in arrears (approximately $2,700 as of February of 1966), continues payments currently becoming due or exercises its option to purchase the property, the owner intends to terminate the lease, repossess the property and lease it to whomever is awarded the authority to operate the station. Under the circumstances, we believe that KFKF has made a showing of reasonable availability and therefore we will deny Northwest's petition.

5. In our decision in In re Applications of Arthur A. Cirilli (WIGL) released February 23, 1966 (2 FCC 2d 692), which likewise involved applications for renewal, assignment and a new construction permit, we held that the public interest would be served by comparing the qualifications of the proposed assignee and the new permit applicant. We come to the same conclusion in the present case. The renewal applicant in this case although qualified in all other respects is not financially qualified to operate the station. It has been silent and its licensee has no plans to return it to the air. For many years, the Commission has under such circumstances of financial disqualification nevertheless granted innumerable renewal applications for the purpose of permitting a qualified buyer to purchase the licensee's assets and become the assignee of the license, when no mutually exclusive application for a construction permit for the facilities was involved. We do not believe that under these circumstances an assignment application properly filed under one section of the Communications Act is automatically nullified, because a construction permit application for the same facilities is subsequently filed under another section of the Act. Except as indicated by the issues specified below, Bellevue Broadcasters and Sunshine Broadcasting Co. are qualified. A hearing will be held to compare their qualifications. The renewal application will be retained in hearing for the purpose of enabling the Examiner to grant it should the assignee prevail in the hearing or to deny it should the applicant for a new construction permit prevail.

6. The Commission's "Three-year Rule" (§ 1.597 of the rules) is applicable to the subject assignment application because the assignor corporation did not receive program test authority until January of 1964. However, we are not including an issue on this subject because it is apparent that the financial record and condition of the licensee and of its stockholders place the case within the "unavailability of capital" exception in the rule itself.

7. The program proposals of Sunshine Broadcasting Co. constitute a specialized type of all-news format which is significantly different in character from the, comparably speaking, diversified format proposed by Bellevue Broadcasters. This raises the question of the extent to which such a specialized proposal reflects the needs and interests of the people of Bellevue. Also, such a program proposed together with evidence that Sunshine intends to apply for increase in power to 50 kw for KBVU raises the second question of whether Sunshine Broadcasting intends to serve Bellevue primarily or Seattle. Evidence on these questions and on the basis of the applicants respective proposals may be received by the Examiner together with such other evidence he deems relevant and material to these questions under the standard comparative issue.

8. On September 29, 1965 (FCC 65-878), we ordered that a hearing be held in the matter of liability of McLendon Pacific Corp. licensee of Station KABL, Oakland, Calif., for forfeiture, Docket No. 16,214, concerning the operation of Station KABL by the proposed assignee. No decision has been reached in that proceeding. However, when a decision is reached, the findings and conclusion in the KABL proceeding should be considered as part of the comparative consideration in this case.

9. *Accordingly, it is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of Bellevue Broadcasters for a construction permit and of Sunshine Broadcasting Co. for assignment of license of Station KBVU are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine which of the proposals would better serve the public interest;

2. To determine in the light of the evidence adduced pursuant to the foregoing issue, which, if either, of the applications should be granted.

It is further ordered, That, the petitions filed by Chem-Air, Inc., King Broadcasting Co., and KIRO, Inc., against the above-captioned assignment application are hereby dismissed as moot and the petition of Chem-Air, Inc., against the renewal application of Northwest Broadcasters, Inc. is hereby denied.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants shall, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the applicants herein shall, pursuant to § 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: April 27, 1966.

Released: May 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[4]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4983; Filed, May 5, 1966; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 66-30]

[Independent Ocean Freight Forwarder License Application No. 654]

E & R FORWARDERS, INC.

Proceeding Opened

By letter dated March 14, 1966, E & R Forwarders, Inc., 150 Broadway, New York, N.Y., was notified of the Federal Maritime Commission's intent to deny its application for an independent ocean freight forwarder license. The ground for denial is that applicant's association with Romerovski Bros., Inc., Remor Waste Material Corp., and Romer Export Corp., shippers and sellers of merchandise to foreign countries, precludes it from qualifying as an independent ocean freight forwarder as defined in section 1, Shipping Act, 1916 (46 U.S.C. 801). Applicant has now requested the opportunity to show at a hearing that denial of the application would be unwarranted.

Therefore, it is ordered, Pursuant to sections 22 and 44 of the Shipping Act, 1916 (46 U.S.C. 831, 841b), that a proceeding is hereby instituted to determine whether applicant qualifies for a license pursuant to sections 1 and 44 of the Shipping Act, 1916 (46 U.S.C. 801, 841b).

It is further ordered, That E & R Forwarders, Inc., be made respondent in this proceeding and that the matter be assigned for hearing before an Examiner of the Commission's Office of Hearing Examiners at a date and place to be announced by the Chief Examiner.

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and a copy thereof and notice of hearing be served upon respondent, E & R Forwarders, Inc.

It is further ordered, That any persons, other than respondent, who desire to become a party to this proceeding and to participate herein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, with a copy to respondent, on or before May 10, 1966, and;

It is further ordered, That all future notices issued by or on behalf of the

[1] Commissioner Loevinger absent.

[1] The license was issued to Northwest on June 19, 1964.

[2] The station has been granted permission by the Commission to remain silent through July 1966. On Nov. 12, 1965, its renewal of license application was timely filed.

[3] Although timeliness of filing the petitions is not a determinative factor here because of our disposition of the applications and petitions, it should be noted that only one petition—that filed on August 18—was timely filed in conformity to the 30-day requirement of section 1.580(i) of our rules. See In re Miami Broadcasting Co., 1 R.R. 2d 43 (1963) and Valley Information Programs, Inc., 1 R.R. 2d 1077 (1964).

[4] Commissioner Loevinger absent.

Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-4971; Filed, May 5, 1966; 8:48 a.m.]

[Independent Ocean Freight Forwarder License No. 337]

COSDEL INTERNATIONAL CO.

Revocation of License

Whereas, Cosdel International Co., 230 California Street, San Francisco, Calif., has ceased to operate as an independent ocean freight forwarder; and

Whereas, Cosdel International Co. has returned Independent Ocean Freight Forwarder License No. 337 to the Commission; and

Whereas, by letter dated April 25, 1966, Cosdel International Co. has requested the cancellation of its Independent Ocean Freight Forwarder License No. 337;

Now therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1, Section 6.03;

It is ordered, That the Independent Ocean Freight Forwarder License No. 337 of Cosdel International Co. be and is hereby revoked, effective this date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

JAMES E. MAZURE,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 66-4972; Filed, May 5, 1966; 8:49 a.m.]

[Independent Ocean Freight Forwarder License No. 313]

CRESCENT FORWARDING SERVICE

Revocation of License

Whereas, by Order To Show Cause served April 13, 1966, the Federal Maritime Commission ordered that James G. Marti doing business as Crescent Forwarding Service, 527 Canal Street, New Orleans, La., 70130, on or before April 21, 1966, either (1) submit a valid bond effective on or before April 28, 1966, or (2) show cause in writing or request a hearing to show cause why his license should not be suspended or revoked pursuant to section 44(d), Shipping Act, 1916; and

Whereas, James G. Marti doing business as Crescent Forwarding Service has failed within the time allotted to comply with the Commission's Order To Show Cause served April 13, 1966.

It is ordered, That the independent ocean freight forwarder license of James G. Marti doing business as Crescent Forwarding Service be and is hereby revoked.

It is further ordered, That James G. Marti doing business as Crescent Forwarding Service return Independent Ocean Freight Forwarder License No. 313 to the Commission for cancellation.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on licensee.

JAMES E. MAZURE,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 66-4973; Filed, May 5, 1966; 8:49 a.m.]

[Independent Ocean Freight Forwarder License No. 746]

F. V. VALDES & CO., INC.

Revocation of License

Whereas, by Order to Show Cause served April 13, 1966, the Federal Maritime Commission ordered that F. V. Valdes & Co., Inc., 607 Market Street, San Francisco, Calif., on or before April 20, 1966, either (1) submit a valid bond effective on or before April 26, 1966, or (2) show cause in writing or request a hearing to show cause why its license should not be suspended or revoked pursuant to section 44(d), Shipping Act, 1916; and

Whereas, F. V. Valdes & Co., Inc., has failed within the time allotted to comply with the Commission's Order to Show Cause.

Now, therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in its Order to Show Cause served April 13, 1966.

It is ordered, That the independent ocean freight forwarder license of F. V. Valdes & Co., Inc., be and is hereby revoked.

It is further ordered, That F. V. Valdes & Co., Inc., return Independent Ocean Freight Forwarder License No. 746 to the Commission for cancellation.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on licensee.

JAMES E. MAZURE,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 66-4974; Filed, May 5, 1966; 8:49 a.m.]

[Fact Finding Investigation No. 6]

STEAMSHIP CONFERENCE

Effects on Foreign Commerce of United States

MAY 2, 1966.

A further hearing in this proceeding will commence at 9:30 a.m. on May 23, 1966, Room 420, 45 Broadway, New York, N.Y. The hearing will be open to the public.

RALPH P. DICKSON,
Investigative Officer.

[F.R. Doc. 66-4975; Filed, May 5, 1966; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP65-102, etc.]

COLUMBIA GULF TRANSMISSION CO., ET AL.

Order Permitting Intervention, Severing Proceedings, and Setting Dates for Filing of Evidence and Hearings

APRIL 29, 1966.

Columbia Gulf Transmission Co., Docket No. CP65-102; Atlantic Seaboard Corp., Docket No. CP65-122; Transcontinental Gas Pipe Line Corp., Docket No. CP65-181; Transcontinental Gas Pipe Line Corp., United Natural Gas Co., and North Penn Gas Co., Docket No. CP65-182; and United Fuel Gas Co., Docket No. CP65-198.

On March 25, 1966 the U.S. Department of Health, Education, and Welfare filed a motion for leave to intervene out of time and a petition to intervene in the above-entitled proceedings along with a proposed brief. Answers to the motion and petition to intervene were filed by Fuels Research Council, Inc., National Coal Association and United Mine Workers of America (coal interests) and by the staff of this Commission.

The Department states that its interests and the public would be served by its intervention to insure that its views are fully and accurately before the Commission. The Department does not request that the record be reopened but states that it seeks participation limited to the right to file briefs with the Presiding Examiner, to take exceptions to the Examiner's Decision, to file replies to exceptions, and to participate in oral argument, if any, before the Commission. Coal interests and the staff both oppose the motion for leave to intervene because it was filed out of time and allege that no justification has been shown for the Department's failure to intervene in a timely manner. The staff suggests, however, that the Department be permitted to appear as amicus curiae in this proceeding drawing a parallel to the Commission's action in permitting amicus curiae participation by the Department in Transwestern Pipeline Co., et al., Docket No. CP63-204, et al. (Order issued Mar. 4, 1966.)

Section 1.8(d) of the Commission's rules provides that petitions to intervene must be filed no later than the date fixed for the filings of petitions to intervene in an order or notice unless in extraordinary circumstances for good cause shown. On May 14, 1965 the Commission issued a notice of supplements and amendments to applications in these proceedings providing that petitions to intervene be filed on or before June 3, 1965. Hearings were held and the record was closed February 4, 1966. Initial briefs before the Presiding Examiner were filed March 18, 1966, and reply briefs were filed April 11, 1966. The Department has not alleged that it was not on notice of these proceedings in order to have filed a timely petition to intervene. Nonetheless, for the reasons stated below, it appears appropriate to permit the Department's intervention provided that it present evidence to support its position.

The issue to which the Department addresses itself is the air pollution issue related to that portion of the application of Transcontinental Gas Pipe Line Corp. (Transco) in Docket No. CP65-181 in which Transco proposes to deliver to Consolidated Edison Co. of New York, Inc. (Con Ed), 55,000 Mcf per day of gas under Transco's CD-3 Rate Schedule in substitution for 55,000 Mcf per day of storage service presently being rendered under its GSS rate schedule. That service is presently being rendered under temporary authority issued March 1, 1966. In the order issuing such temporary authority the Commission observed that it was Transco's position that the proposed service to Con Ed was unrelated to the other issues in the consolidated proceedings.[1] Because of the fact that the proposed service to Con Ed is unrelated to the other issues, severance of that question would not delay a decision on the competitive question and other questions involved in the consolidated proceeding. Since the service to Con Ed will be rendered until March 31, 1967, under temporary authority there is no pressing need for an early decision on that aspect of the proceeding. Accordingly, any delay in an ultimate decision on that aspect caused by the further hearing prescribed herein will not affect deliveries to Con Ed and, because of the severance ordered herein, will not delay consideration of the other aspects of the proceeding.

Presentation of evidence by the Department may assist the Examiner and the Commission in evaluating the proposal of Transco to render additional service to Con Ed. The Department in its brief states:

> While we believe that, on the record of this proceeding, there would be a beneficial effect for air pollution control as a consequence of the proposed gas use, we are not persuaded * * * that such use would constitute the most effective use for air pollution control purposes (footnote omitted).
>
> * * * * * *
>
> The proposed additional 55,000 Mcf/d could make a significant reduction in SO_2 pollution in the amount of 25,500 tons/year. We have reservations, however, that the proposed use of the gas, as outlined by Con Ed, in Units 1 and 2, is the most effective use of this fuel by Con Ed for alleviation of air pollution, already at an undesirable level in New York City. Consequently, although we in general favor any reasonable steps that may be taken to alleviate the air pollution problem in New York City, we would suggest that, insofar as the granting of this application turns on the air pollution problem, the proposed additional supply of gas under this application be approved only if suitable assurances are obtained that it will be used by Con Ed in the most productive way to alleviate the air pollution problem in New York City.

We desire that the Department present evidence to support its position that the use of natural gas would not only be beneficial for air pollution control but also that approval of the proposed service to Con Ed should be granted only if suitable assurances are obtained that the additional gas will be used by Con Ed in the way best designed to alleviate New York City's air pollution problem.

In order that a complete record will be before the Presiding Examiner and the Commission with regard to the Department's position that natural gas should be used in a manner other than that proposed by Con Ed, it is necessary that the Department's motion for leave to intervene out of time be granted, that its petition to intervene be granted, that the proceedings be reopened and further hearings be held so as to enable the Department to present evidence to support its position in this proceeding.

The Commission finds:

(1) Although the petition to intervene filed March 25, 1966 by the U.S. Department of Health, Education, and Welfare was not filed within the time required by § 1.8(d) of the Commission's rules of practice and procedure (18 CFR 1.8(d)), good cause exists to permit the late filing.

(2) It is desirable and in the public interest to allow the above-named petitioner to intervene in these proceedings in order that petitioner may establish the facts and the law from which the nature and validity of alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) The above-named petitioner is hereby permitted to become an intervener in these proceedings subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervener shall be limited to matters affecting asserted rights and interests as specifically set forth in its petition to intervene: *And provided, further*, That the admission of such intervener shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding: *And also provided*, That petitioners shall file evidence as ordered herein.

(B) That portion of the application of Transcontinental Gas Pipe Line Corp., in Docket No. CP65-181 related to the proposed substitution of 55,000 Mcf per day of CD-3 service to Consolidated Edison Co. of New York, Inc., for a like amount of GSS service presently authorized is hereby denominated Phase II of such application.

(C) To the extent possible, the Presiding Examiner is directed to issue an initial decision on the remaining issues in this consolidated proceeding which are unrelated to those matters to be considered in the Phase II proceeding prior to an initial decision in the Phase II proceeding.

(D) The evidence heretofore submitted relating to the proposed substitution of service to Consolidated Edison Co. of New York, Inc., shall be considered part of the record in the Phase II proceeding.

(E) On or before May 16, 1966, the U.S. Department of Health, Education, and Welfare shall file and serve upon all parties direct evidence to support its position and contentions in this proceeding. Any other parties desiring to present direct evidence in this Phase II proceeding shall also file and serve evidence on or before that date. Presentation of answering evidence shall be at such time as may be specified by the Presiding Examiner.

(F) Pursuant to the authority conferred on the Federal Power Commission by the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held May 23, 1966, at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., respecting the matters set forth in the instant order or any further order issued in the instant proceedings prior to said date of hearing.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-4945; Filed, May 5, 1966; 8:46 a.m.]

[1] In addition to the service proposed to Con Ed, Transco proposes additional natural gas service in Docket No. CP65-181 to other existing customers and to two new customers, Commonwealth Natural Gas Co. and Washington Gas Light Co., both of whom presently purchase natural gas solely from Atlantic Seaboard Corp. Atlantic Seaboard proposes competitive service to those customers in Docket No. CP65-122, consolidated herein.

[Project No. 2289]

ROCKY MOUNTAIN POWER CO.

Order Vacating Presiding Examiner's Ruling and Granting Motion To Strike

APRIL 29, 1966.

On April 14, 1966, Commission Staff Counsel filed a motion to reverse the ruling of the Presiding Examiner denying staff motion filed March 18, 1966, to strike certain material submitted as exhibits in this proceeding. The Commission's order of August 19, 1965, fixing hearing and prescribing procedure, provides in subparagraph 6 of paragraph B that "no exhibits, except those of which official notice may properly be taken shall contain narrative material other than brief explanatory notes". The filings submitted by Rocky Mountain Power Co. (Applicant) on March 1, 1966, contain narrative material submitted as part of its exhibits in violation of the Commission's procedural order. The procedural order also provides that all of the testimony except exhibits shall be in question and answer form.

The procedure prescribed by the Commission's order of August 19, 1965, is intended to eliminate any cause which might otherwise exist for a protracted hearing by requiring all parties to submit a full and complete direct case in writing as clearly as possible and in advance of the hearing in order to eliminate the need for recesses and extensive

cross-examination. The situation presented by Staff's motion, and by the Interveners which have joined in that motion, shows the need for the procedure prescribed by the Commission.

The Applicant indicated at the prehearing conference (Tr. 60) and in its response filed April 25, 1966, that it is prepared and is willing to resubmit its direct case pursuant to the Commission's procedural order.

The Commission finds: It is appropriate and in the public interest in carrying out the provisions of the Federal Power Act that the aforesaid motion to strike be granted, and that the Applicant be granted a reasonable period to resubmit its direct case.

The Commission orders:

(A) The aforesaid motions to reverse ruling of presiding examiner and to strike certain material submitted as exhibits by the Applicant as part of the direct case, are granted.

(B) The applicant is given until May 23, 1966, to resubmit his direct case in accordance with the aforesaid procedure.

(C) The Interveners and Commission Staff are given until June 13, 1966, to file their direct cases in accordance with the aforesaid procedure.

(D) Motions to strike shall be filed with the Presiding Examiner by June 20, 1966, with replies to such motions to be filed by June 27, 1966.

(E) The hearing be held beginning on July 6, 1966.

By the Commission.[1]

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-4946; Filed, May 5, 1966; 8:46 a.m.]

[Docket No. CP66-332]

TEXAS GAS TRANSMISSION CORP.

Notice of Application

APRIL 29, 1966.

Take notice that on April 21, 1966, Texas Gas Transmission Corp. (Applicant), Post Office Box 1160, Owensboro, Ky., 42301, filed in Docket No. CP66-332 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities in Henderson County, Ky., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authority to construct and operate one side valve and a positive meter for the establishment of a new delivery point for Western Kentucky Gas Co. (Western), an existing customer of Applicant. Applicant states that natural gas to be delivered through the proposed delivery point is for resale by Western to the community of Anthoston, Henderson County, Ky. Annual and peak day deliveries associated with the service to Anthoston are estimated to be 8,233 and 102 Mcf of gas respectively. No increase in the contract demand of Western is proposed for this service.

The total estimated cost of Applicant's proposed facilities is $5,700, which will be financed with cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 26, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-4947; Filed, May 5, 1966; 8:46 a.m.]

[Docket No. CP66-331]

UNITED GAS PIPE LINE CO.

Notice of Application

APRIL 29, 1966.

Take notice that on April 20, 1966, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La., 71102, filed in Docket No. CP66-331 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale of natural gas to the city of New Summerfield, Cherokee County, Tex., to meet the requirements of said purchaser for resale and distribution through its proposed distribution system serving said city, and the rural customers located along New Summerfield's line lying in Cherokee County, and extending from Applicant's meter station to the city of New Summerfield, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate approximately 60 feet of 2-inch pipeline, a positive meter and regulator station and appurtenant facilities near Milepost 32.5 on its 8-inch Longview-Boggy Creek to Huntsville line, located in the Deson Gee Survey, Abstract 20, Cherokee County, Tex.

The total estimated volumes of natural gas involved to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	25,900	29,400	34,850
Peak day (Mcf)	350	395	450

The total estimated cost of Applicant's proposed facilities is $7,495, which cost will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 26, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-4948; Filed, May 5, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811-1307, 811-1308]

PRESIDENTIAL BALANCED FUND, INC., AND PRESIDENTIAL STOCK FUND, INC.

Notice of Proposal To Terminate Registration

MAY 2, 1966.

Notice is hereby given that the Securities and Exchange Commission proposes on its own motion to declare by order, pursuant to section 8(f) of the Investment Company Act of 1940 ("Act"), that Presidential Balanced Fund, Inc., and Presidential Stock Fund, Inc., 200 Park Avenue, New York, N.Y., have each ceased to be an investment company.

Presidential Balanced Fund, Inc. and Presidential Stock Fund, Inc. each registered under section 8(a) of the Act as an open-end diversified management company by filing a Notification of Registration on March 25, 1965. Neither company has filed a registration statement on Form N-8B-1 pursuant to the provisions of, and as required by, section 8(b) of the Act.

One of the two promoters of the companies has stated, in a letter to the Commission dated July 21, 1965, that neither company sold any of its securities to the public or ever owned any securities issued by other persons or any other assets, and that neither company intends to engage in any business or own any assets in the future, and that neither company is making or proposes to make a public offering of its shares.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on its own motion, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, that upon the taking effect of such order, the registration of such company shall cease to be in effect, and that, if necessary for the protection of investors, such order may be made upon appropriate conditions.

Notice is further given that any interested person may, not later than May 23, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon each company at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations under the Act, an order disposing of the matter may be issued by the Commission upon the basis of information stated in this notice, unless an order for hearing upon this matter shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-4954; Filed, May 5, 1966; 8:47 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

MAY 2, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value, of United Security Life Insurance Company, Birmingham, Ala., otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 3, 1966, through May 12, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-4955; Filed, May 5, 1966; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30, Atlanta, Ga., Region; Rev. 1, Amdt. 1]

ATLANTA REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended, 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Atlanta, Ga. (Revision 1), 30 F.R. 14541 is amended by addition of the following to Item I.G:

I. * * *

G. *To Loan Specialists assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans.

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 1, 1966.

JOHN P. LATIMER, *Regional Director, Atlanta Regional Office.*

[F.R. Doc. 66-4956; Filed, May 5, 1966; 8:47 a.m.]

[Delegation of Authority 30, Birmingham, Ala., Region; Rev. 1, Amdt. 2]

BIRMINGHAM REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Birmingham, Ala. (Revision 1), 30 F.R. 9846, as amended, 30 F.R. 14451 is further amended by addition of the following authority to Item I.G:

I. * * *

G. *To Loan Specialists assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans.

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 18, 1966.

PAUL R. BRUNSON, *Regional Director, Birmingham Regional Office.*

[F.R. Doc. 66-4957; Filed, May 5, 1966; 8:47 a.m.]

[Delegation of Authority 30, Charlotte, N.C., Region; Rev. 1, Amdt. 2]

CHARLOTTE REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended, 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Charlotte, N.C., 30 F.R. 5881 as amended, 30 F.R. 13554, and 30 F.R. 14452 is hereby further amended by addition of the following:

1. Item I.E. is revised to read as follows:

E. *Chief, Loan Administration Section.* 1. To approve the amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C.12—Only the authority for servicing, administration and collection, including subitems a. and b.

3. Items I.A. (Size Determinations for Financial Assistance only.)

4. Items I.B. (Eligibility Determinations for Financial Assistance only.)

2. By adding the following authority to Item I.F.:

F. *Chief, Loan Liquidation Section.* Item I.C.12—Only the authority for liquidation, including collateral purchased, and subitems a. and b.

3. By adding the following authority to Item I.G.:

G. *To Loan Specialists assigned to all financial division programs in all Offices of this region.* Final authority to ap-

[1] Chairman White not participating.

prove the following actions concerning current direct or participation loans.

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 21, 1966.

FRED A. DOW,
Regional Director,
Charlotte Regional Office.

[F.R. Doc. 66-4958; Filed, May 5, 1966; 8:47 a.m.]

[Delegation of Authority 30, Columbia, S.C., Region; Rev. 1, Amdt. 2]

COLUMBIA REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, F.R. 2884, as amended, 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Columbia, S.C., Revision 1, 30 F.R. 13553, as amended, 30 F.R. 14452, is further amended by addition of the following authority to Item I.G.:

I. * * *

G. *To Loan Specialists assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 19, 1966.

H. M. MCKENZIE,
Regional Director,
Columbia Regional Office.

[F.R. Doc. 66-4959; Filed, May 5, 1966; 8:47 a.m.]

[Delegation of Authority 30, Jackson, Miss., Region; Rev. 1, Amdt. 1]

JACKSON REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Jackson, Miss., Revision 1, 30 F.R. 14699 is amended by addition of the following to Item I.G.:

I. * * *

G. *To Loan Specialists assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans.

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 26, 1966.

GEORGE A. FEILD,
Regional Director,
Jackson Regional Office.

[F.R. Doc. 66-4960; Filed, May 5, 1966; 8:47 a.m.]

[Delegation of Authority 30, Jacksonville, Fla., Region; Rev. 1, Amdt. 2]

JACKSONVILLE REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Jacksonville, Fla., Revision 1, 30 F.R. 13555, as amended 30 F.R. 14451, is further amended by addition of the following authority to Item I.G.:

I. * * *

G. *To Loan Specialists assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 27, 1966.

K. H. TURNER,
Regional Director,
Jacksonville Regional Office.

[F.R. Doc. 66-4961; Filed, May 5, 1966; 8:47 a.m.]

[Delegation of Authority 30, Louisville, Ky., Region; Rev. 1, Amdt. 1]

LOUISVILLE REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended, 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Louisville, Ky., 30 F.R. 5878, Revision 1, 30 F.R. 14451, is further amended by addition of the following authority to Item I.G.:

I. * * *

G. *To Loan Specialists assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans.

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 26, 1966.

GEORGE A. FEILD,
Regional Director,
Jackson Regional Office.

[F.R. Doc. 66-4960; Filed, May 5, 1966; 8:47 a.m.]

[Delegation of Authority 30, Jacksonville, Fla., Region; Rev. 1, Amdt. 2]

JACKSONVILLE REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Jacksonville, Fla., Revision 1, 30 F.R. 13555, as amended 30 F.R. 14451, is further amended by addition of the following authority to Item I.G.:

I. * * *

G. *To Loan Specialists assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 18, 1966.

R. B. BLANKENSHIP,
Regional Director,
Louisville Regional Office.

[F.R. Doc. 66-4962; Filed, May 5, 1966; 8:48 a.m.]

[Delegation of Authority 30, Miami, Fla. Region; Rev. 1, Amdt. 1]

MIAMI REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended, 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Miami, 30 F.R. 5876 as revised 30 F.R. 14698, is hereby amended by addition of the following to Item I.G.:

I. * * *

G. *To Loan Specialists assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans.

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 25, 1966.

THOMAS A. BUTLER,
Regional Director,
Miami Regional Office.

[F.R. Doc. 66-4963; Filed, May 5, 1966; 8:48 a.m.]

[Delegation of Authority 30, Nashville, Tenn., Region; Rev. 1, Amdt. 2]

NASHVILLE REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended, 30 F.R. 8080 and 14061, Delegation of Authority No. 30, Nashville, Tenn., Revision 1, 30 F.R. 13556, as amended 30 F.R. 14453, is further amended by addition of the following to Item I.G:

I. * * *

G. *To Loan Specialists assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 20, 1966.

SAM JENNINGS,
Regional Director,
Nashville Regional Office.

[F.R. Doc. 66-4964; Filed, May 5, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

MAY 3, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40460—*Paper and paper articles to points in Wyoming.* Filed by Southwestern Freight Bureau, agent (No. B-8845), for interested rail carriers. Rates on paper and paper articles, in carloads, from points in southwestern territory, to specified points in Wyoming.

Grounds for relief—Market competition.

Tariff—Supplement 38 to Southwestern Freight Bureau, agent, tariff ICC 4623.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-4965; Filed, May 5, 1966; 8:48 a.m.]

[Notice 177]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 3, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTER CARRIERS OF PROPERTY

No. MC 108449 (Sub-No. 232 TA), filed April 28, 1966. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. Applicant's representative: W. A. Myllenbeck (same address as above.) Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tanners processing oil*, in bulk, in tank vehicles, from Milwaukee, Wis., to Red Wing, Minn., for 150 days. Supporting shipper: Mobil Oil Co., a division of Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N.Y., 10017. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 115524 (Sub-No. 8 TA), filed April 29, 1966. Applicant: WILLIAM P. BURSCH, doing business as BURSCH TRUCKING, 4130 Edith NE., Albuquerque, N. Mex., 87107. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, including molding*, from points in Sandoval, Carton, Socorro, Rio Arriba, Santa Fe, Taos, and Colfax Counties, to points in Texas, Arkansas, Missouri, Oklahoma, Kansas, Colorado, and Arizona, from points in Las Animas, Rio Grande, Conejos, Archuleta, La Plata, Costilla, and Montezuma Counties, and Navajo and Coconino Counties, Ariz., to points in New Mexico, Arkansas, Missouri, Oklahoma, Kansas, and Texas, from points in Jasper, Bowie, and Harris Counties, to points in New Mexico, for 180 days. Supporting shipper: Duke City Lumber Co., 1224 Bellamah NW, Albuquerque, N. Mex., 87104. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse, Albuquerque, N. Mex., 87101.

No. MC 126622 (Sub-No. 1 TA), filed April 29, 1966. Applicant: PIERRE LAROCHELLE, Woburn, Frontenac County, Quebec, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, and *lumber*, from ports of entry on the international boundary between Canada and the United States to points in Maine, Massachusetts, Vermont, New Hampshire, and New York, with ports of entry at or near Jackman and Coburn Gore, Maine; Pittsburg, N.H.; Norton, North Troy, and Highgate Springs and Rouses Point, Vt., for 180 days. Supporting shipper: Georges Lemire, Sherbrooke, Quebec; J. A. Fontaine, Woburn, Frontenac County, Quebec. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 14 Parkhurst Street, Lebanon, N.H., 03766.

No. MC 123415 (Sub-No. 7 TA), filed April 29, 1966. Applicant: JAMES STUFFO, INC., Box 1061, Merchantville, N.J. Applicant's representative: Raymond A. Thistle, Jr., Suite 1408-09, 1500 Walnut Street, Philadelphia, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum extrusions*, from plantsite of Aluminum Shapes, Inc., at Delair, N.J., to points in Pennsylvania, for 150 days. Supporting shipper: Aluminum Shapes, Inc., 9000 River Road, Delair, N.J. Send protests to: Raymond T. Jones, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commis-

sion, 410 Post Office Building, Trenton, N.J., 08608.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4966; Filed, May 5, 1966; 8:48 a.m.]

[Notice 1341]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 3, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68634. By order of April 28, 1966, the Transfer Board approved the transfer to Presti Produce, Inc., Hammonton, N.J., of certificate in Nos. MC-77123 and MC-77123 (Sub-No. 2), issued December 4, 1941, and October 24, 1950, respectively, to Nathan C. Presti, Hammonton, N.J., authorizing the transportation of: Agricultural commodities, from Hammonton, N.J., and points and places within 20 miles of Hammonton, N.J., to New York, N.Y., fertilizer from Philadelphia, Pa., to specified points and places in New Jersey, New York, and Pennsylvania, oyster shells, from Port Norris, N.J., to Lebanon, Pa., lumber, from Philadelphia, Pa., to Hammonton, N.J., oysters, between Port Norris, N.J., on the one hand, and, on the other, South Norwalk, Conn., Warren, R.I., Chester and Nanticoke, Md., and Greenport, New Suffolk, and Oyster Bay, N.Y., animal feed, from Wilmington, Del., to Absecon and Hammonton, N.J., and lime, from Cedar Hollow and Plymouth Meeting, Pa., to points and places in Atlantic County, N.J. Mark A. DeMarco, 241 Bellvue Avenue, Hammonton, N.J., attorney for applicants.

No. MC-FC-68644. By order of April 29, 1966, the Transfer Board approved the transfer to Transportation Unlimited, Inc., Las Vegas, Nev., of the operating rights in certificate No. MC-89687, issued April 16, 1963, to Paul G. Ford, doing business as Riddle Scenic Tours, Los Angeles, Calif., authorizing the transportation of: Passengers, and express and newspapers, in limousines or sedans with a seating capacity of not more than seven persons, including the driver, between Las Vegas, Nev., and Furnace Creek Inn, Calif., serving no intermediate points, over specified routes, and passengers and their baggage, in special operations consisting of sightseeing or pleasure tours, beginning at Bakersfield, Baker, and Barstow, Calif., and at Las Vegas and Beatty, Nev., and extending to entrances of the Death Valley National Monument, California-Nevada, and ending at Bakersfield, Lone Pine, Trona, Mojave, Baker, and Barstow, Calif., and Las Vegas and Beatty, Nev., over specified routes. Bertram S. Silver, Silver, Rosen & Kerr, 140 Montgomery Street, San Francisco, Calif., 94104, attorney for applicants. R. Y. Schureman, Russell & Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif., 90017, attorney for applicants.

No. MC-FC-68645. By order of April 29, 1966, the Transfer Board approved the transfer to Harry A. Tulley, doing business as Tulley Trucking Co., Vernon, Calif., of the operating rights listed under the heading "Part II" in certificate of registration No. MC-52744 (Sub-No. 3), issued April 10, 1964, to Chas. J. Worth Drayage Co., a corporation, San Francisco, Calif., corresponding to the grant of intrastate authority to transferor in certificate of public convenience and necessity granted in decision No. 53653, dated August 20, 1956, as amended, and transferred to applicant in decision No. 61561, dated February 21, 1961; and in decision No. 60378, dated July 5, 1960, as amended, by the Public Utilities Commission of the State of California, authorizing the transportation of general commodities between all points and places in the Los Angeles territory. Marshall G. Berol, Berol, Loughran & Geernaert, 100 Bush Street, San Francisco, Calif., 94104, attorney for applicants.

No. MC-FC-68651. By order of April 29, 1966, the Transfer Board approved the transfer to Raymond D. Good, doing business as La Cygne Truck Line, Post Office Box 265, La Cygne, Kans., of certificates Nos. MC-106271 (Sub-No. 1), MC-106271 (Sub-No. 4), and MC-106271 (Sub-No. 6), issued January 12, 1950, October 6, 1959, and October 12, 1960, respectively, to Francis D. Good, Rural Route 1, Drexel, Mo., authorizing the transportation of: General commodities, except commodities in bulk, household goods, and other specified commodities, between Kansas City, Mo., and La Cygne, Kans., serving intermediate specified points on specified highways and specified off-route points and places; household goods, as defined by the Commission, between La Cygne, Kans., and points and places in Kansas and Missouri within 15 miles of La Cygne, on the one hand, and, on the other, points and places in Missouri; livestock, between La Cygne, Kans., and points and places in Kansas and Missouri within 15 miles of La Cygne, on the one hand, and, on the other, Kansas City, Mo., and Kansas City, Kans., gravel, sand, dirt and limestone, in bulk, from La Cygne, Kans., and points in Kansas within 20 miles thereof, to points in Bates and Cass Counties, Mo.; gravel, sand, dirt, lime, and rock, in bulk, in dump trucks and lime truck equipment, from points in Bates and Cass Counties, Mo., to La Cygne, Kans., and points within 20 miles thereof.

No. MC-FC-68655. By order of April 29, 1966, the Transfer Board approved the transfer to William N. Wilcoxson, doing business as Bill Wilcoxson, Lamoni, Iowa, of certificate in No. MC-105194, issued June 30, 1945, to Lamoni Sale Corp., Lamoni, Iowa, authorizing the transportation of: Livestock between points and places within 30 miles of and including Lamoni, Iowa, and between Lamoni, Iowa and points and places within 20 miles of Lamoni, on the one hand, and, on the other, Kansas City, Kans., St. Joseph, Mo., and Ottumwa and Des Moines, Iowa, and feed (animal and poultry), farm machinery, and implements and parts thereof, and building material from Kansas City, Kans., St. Joseph, Mo., and Ottumwa and Des Moines, Iowa, to Lamoni, Iowa, and points and places within 20 miles of Lamoni. William A. Landau, 1307 East Walnut, Des Moines, Iowa, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-4967; Filed, May 5, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR (Page)
PROCLAMATION:
3718 6567
3719 6607
3720 6679
EXECUTIVE ORDER:
11277 6609
11278 6681
11017 (Superseded by EO 11278) 6681
11069 (Superseded by EO 11278) 6681
11218 (Superseded by EO 11278) 6681

5 CFR
213 6769
772 6569

7 CFR
7 6569
50 6570
68 6629
722 6573, 6580
729 6581
980 6629
1098 6581
1434 6582
PROPOSED RULES:
58 6715
965 6592
1032 6631
1050 6631
1126 6631

8 CFR
214 6611

14 CFR
39 6582, 6685, 6790
71 6582, 6584, 6791
97 6612, 6685
137 6685
151 6686
208 6620
223 6584
320 6585
378 6621

14 CFR—Continued (Page)
PROPOSED RULES:
71 6716, 6717
121 6592

15 CFR
30 6587
373 6707
374 6707
377 6707
379 6709
382 6707, 6709
384 6709
385 6709
399 6797, 6709

17 CFR
200 6588
240 6705, 6706

19 CFR
1 6611
10 6769

20 CFR
404 6611

21 CFR
131 6705
191 6622
PROPOSED RULES:
51 6792

26 CFR
1 6589
31 6589

29 CFR
548 6769
800 6770

31 CFR
202 6590
332 6686

32A CFR
BDSA (Ch. VI):
BDSA Reg. 2 6590

33 CFR (Page)
207 6590, 6622
208 6707

38 CFR
2 6770
21 6771

39 CFR
PROPOSED RULES:
21 6715
24 6715

41 CFR
6-1 6622
6-2 6623
6-3 6623
6-5 6624
6-7 6624
6-11 6624
6-30 6624
6-60 6625
22-60 6625

45 CFR
177 6591
801 6591

46 CFR
PROPOSED RULES:
510 6792

47 CFR
0 6627
73 6627, 6628
PROPOSED RULES:
73 6637, 6638, 6792

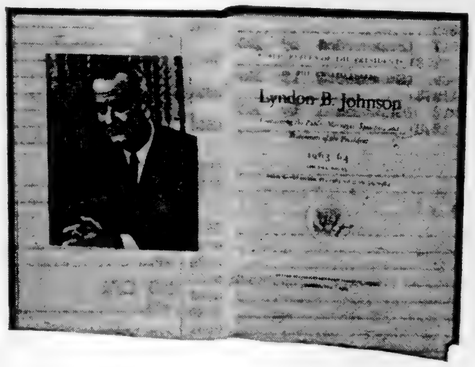
49 CFR
71-79 6591

50 CFR
33 6629

PUBLIC PAPERS OF THE PRESIDENTS OF THE UNITED STATES

Now available

Lyndon B. Johnson
1963-64



Book I (November 22, 1963 to June 30, 1964)
Price $6.75

Book II (July 1, 1964 to December 31, 1964)
Price $7.00

Contents

- Messages to the Congress
- Public speeches and letters
- The President's news conferences
- Radio and television reports to the American people
- Remarks to informal groups

Published by

Office of the Federal Register
National Archives and Records Service
General Services Administration

Order from

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

Prior volumes

Prior volumes covering most of the Truman administration and all of the Eisenhower and Kennedy years are available at comparable prices from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

89

DETROIT PUBLIC LIBRARY MAY 9 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 89

Saturday, May 7, 1966 • Washington, D.C.

Pages 6813–6849

Agencies in this issue—

The President
Agricultural Stabilization and Conservation Service
Agriculture Department
Canal Zone
Civil Aeronautics Board
Comptroller of the Currency
Consumer and Marketing Service
Defense Department
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Fiscal Service
Fish and Wildlife Service
Food and Drug Administration
General Services Administration
Housing and Urban Development Department
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Securities and Exchange Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Just Released

LIST OF CFR SECTIONS AFFECTED

January–March 1966

(Codification Guide)

The List of CFR Sections Affected is published monthly on a cumulative basis. It lists by number the titles, parts, and sections of the Code of Federal Regulations amended or otherwise affected by documents published in the FEDERAL REGISTER during 1966. Entries indicate the exact nature of all changes effected. This cumulative list of CFR sections affected is supplemented by the current lists of CFR parts affected which are carried in each daily FEDERAL REGISTER.

Individually priced: 15 cents a copy

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

Note to subscribers: The January–March 1966 List of CFR Sections Affected was mailed free of charge to FR subscribers on April 29, 1966.

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION

Day of Recognition for Firefighters 6817

EXECUTIVE AGENCIES

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Sugarbeets, domestic area, 1966; quota allotment 6819
Tobacco, burley; referendum results 6819

AGRICULTURE DEPARTMENT

See also Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

Notices

Designation of areas for emergency loans:
Oregon 6839
Utah; extension 6839

CANAL ZONE

Rules and Regulations

Employee responsibilities and conduct; authority to issue supplemental instructions 6831

CIVIL AERONAUTICS BOARD

Notices

Indirect air carriers of household goods for Defense Department; temporary relief 6841
International Air Transport Association; agreements:
Fare matters 6840
Fare and rate matters 6841
Specific commodity rates 6840

COMMERCE DEPARTMENT

See International Commerce Bureau.

COMPTROLLER OF THE CURRENCY

Rules and Regulations

Investment securities; City of Santa Monica Parking Authority Bonds 6826

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Fruit grown in California and Arizona:
Handling limitations:
Lemons 6826
Oranges, Valencia 6825
Shipment limitations; grapefruit 6825

DEFENSE DEPARTMENT

Rules and Regulations

Nondiscrimination in federally assisted programs of Defense Department; applicability 6831

FEDERAL AVIATION AGENCY

Rules and Regulations

Control zone, transition area, and Federal airways; designation and alteration 6827
Standard instrument approach procedures; miscellaneous amendments 6828
Transition areas; alterations (3 documents) 6826, 6827

Proposed Rule Making

Transition areas; designations (3 documents) 6837, 6838

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Safety and Special Radio Services Bureau; reorganization 6831

Proposed Rule Making

Procedures in event of personal attack or where station editorializes as to political candidates; extension of time for comments 6838

Notices

Hearings, etc.:
Connecticut Radio Foundation, Inc., and Connecticut Television, Inc 6842
ITT World Communications, Inc 6842
Star Stations of Indiana, Inc. (2 documents) 6842

FEDERAL MARITIME COMMISSION

Proposed Rule Making

Extension of time for comments:
Audits and auditing procedures 6838
Reports of rate base and income account by vessel operating common carriers in domestic offshore trades 6838

Notices

Atlantic Passenger Steamship Conference; approved scope of trades covered by agreement; postponement of dates 6843

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Alabama-Tennessee Natural Gas Co 6845
Amerada Petroleum Corp. and Sentinel Petroleum Corp 6843
Arkansas Louisiana Gas Co 6844
Central Illinois Public Service Co. and Natural Gas Pipeline Company of America 6843
Cities Service Gas Co. et al 6845
Earlsboro Oil & Gas Co. et al 6845
El Paso Natural Gas Co 6846
Midhurst Oil Corp 6846
Transcontinental Gas Pipe Line Corp. and Trunkline Gas Co 6844
United Fuel Gas Co 6846

FISCAL SERVICE

Rules and Regulations

U.S. Savings Bonds, Series E and H; limitations on holdings 6831

FISH AND WILDLIFE SERVICE

Rules and Regulations

Hunting and/or sport fishing:
Necedah National Wildlife Refuge, Wis 6832
Patuxent Wildlife Research Center, Md 6833

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Drugs; chlortetracycline 6830
Food additives:
Chlortetracycline 6830
Olefin polymers 6830

Notices

Filing of petitions for food additives:
Hazleton Laboratories, Inc 6839
S. C. Johnson & Son, Inc 6839

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Sale, abandonment, or destruction of personal property; equal opportunity clause in contracts; correction 6831

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notices

Assistant Secretary for Mortgage Credit and Federal Housing Commissioner; delegation of authority regarding community disposition activities 6839

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau.

INTERNATIONAL COMMERCE BUREAU

Rules and Regulations

Commodity control list; notes 6829

(Continued on next page)

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Car service; distribution of boxcars ---- 6832

Notices

Missouri Pacific Railroad Co. et al.; diversion or rerouting of traffic; expiration date ---- 6848

Motor carrier transfer proceedings ---- 6847

LAND MANAGEMENT BUREAU

Proposed Rule Making

Coal leases, permits and licenses ---- 6834

Phosphate leases and permits ---- 6836

Notices

District managers; redelegation of authority regarding lands and resources; note ---- 6839

Utah; termination of proposed withdrawal and reservation of lands ---- 6839

SECURITIES AND EXCHANGE COMMISSION

Notices

Metropolitan Edison Co.; proposed sale of short-term notes ---- 6847

TREASURY DEPARTMENT

See Comptroller of the Currency; Fiscal Service.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATION:

3721 ---- 6817

7 CFR

724 ---- 6819
813 ---- 6819
908 ---- 6825
909 ---- 6825
910 ---- 6826

12 CFR

1 ---- 6826

14 CFR

71 (4 documents) ---- 6826, 6827
97 ---- 6828

PROPOSED RULES:

71 (3 documents) ---- 6837, 6838

15 CFR

399 ---- 6829

21 CFR

121 (2 documents) ---- 6830
146c ---- 6830

31 CFR

316 ---- 6831
332 ---- 6831

32 CFR

300 ---- 6831

35 CFR

255 ---- 6831

41 CFR

101-45 ---- 6831

43 CFR

PROPOSED RULES:

3130 ---- 6834
3160 ---- 6836

46 CFR

PROPOSED RULES:

512 ---- 6838
513 ---- 6838

47 CFR

0 ---- 6831
1 ---- 6831

PROPOSED RULES:

73 ---- 6838

49 CFR

95 ---- 6832

50 CFR

33 ---- 6832
60 ---- 6833

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3721

DAY OF RECOGNITION FOR FIREFIGHTERS

By the President of the United States of America

A Proclamation

The firefighter has been a part of the American scene since earliest Colonial days.

From the bucket brigades of Colonial America we have progressed to the modern fire departments and modern firefighting equipment of today.

But fire hazards have more than kept pace with our advanced technology and social progress. The American fireman today must meet the challenge of fires caused by numerous new chemicals, explosives, combustible fibers, and other dangerous materials. He must be prepared to fight fires in crowded cities and giant buildings, as well as in remote rural communities. Those duties are often performed at great personal risk and sacrifice.

Furthermore, the services of firemen are among the first to be sought in other emergency situations. Whether to rescue a stranded child, or to give aid and comfort to victims of a flood, hurricane, or other disaster, the American fireman stands ready to serve his community night and day.

To afford the people of this Nation a special opportunity to express their heartfelt gratitude for the incalculable contributions which our firemen so generously bestow upon us, the Congress by a joint resolution approved May 4, 1966, has requested the President to issue a proclamation designating May 4, 1966, as a Day of Recognition of the personal sacrifices and devotion to duty of firefighters in the United States of America.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Wednesday, May 4, 1966, as a Day of Recognition for Firefighters.

I invite State and local governments, patriotic, civic, and educational organizations, and the people of the United States generally, to observe that day with appropriate ceremonies in honor of our firemen—both career and volunteer—who, by faithful and dedicated service to their communities, are safeguarding the lives and property of their fellow Americans.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fourth day of May, in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-5000; Filed, May 6, 1966; 10:38 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 724—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 AND 52), CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, AND 55), AND MARYLAND TOBACCO

Proclamation of Results of Special Marketing Quota Referendum for Burley Tobacco on an Acreage-Poundage Basis

Basis and purpose. The purpose of this document is to add § 724.35y proclaiming the results of the special acreage-poundage quota referendum for burley tobacco held on March 10, 1966, pursuant to the provisions of subsection (c) of section 317 of the Agricultural Adjustment Act of 1938, as amended (hereinafter referred to as the "Act"). The special referendum was conducted pursuant to the regulations for the holding of referenda on marketing quotas (7 CFR, Part 717). Since a wide variation in the vote by the counties was noted, a spot review of 20 representative counties was made after the referendum. It was found that in some areas there was organized opposition to the acreage-poundage program and such opposition was expressed through the medium of the press, TV, and radio and at public meetings. On the other hand, the farmers were furnished an explanation of the program by the Department, and educational meetings open to all interested persons were held to explain the program. No evidence was found that the voters did not vote their own convictions or that they were intimidated or coerced in any way. Some errors in tabulations were discovered which have been corrected and some minor irregularities may have occurred. However, in accordance with the regulations to insure a secret ballot, the ballots involved in these minor irregularities cannot be identified. In addition, 1,254 ballots were challenged and not counted because they were found to have been cast by ineligible voters by the appropriate county committees. I find that the referendum was fairly conducted and that the referendum met the statutory requirement upon which to base the determination required by section 317(c) of the Act. In the referendum 285,211 votes were cast and counted. Of these, 162,584 or 57 per centum, favored acreage-poundage quotas, and 122,627 or 43 per centum disapproved acreage-poundage quotas. Therefore, it is my determination that the farmers did not approve acreage-poundage quotas by more than 66⅔ per centum of the farmers voting in the special referendum on acreage-poundage quotas for burley tobacco for the 3 marketing years beginning October 1, 1966, October 1, 1967, and October 1, 1968.

Since the only purpose of this document is to announce the results of the special referendum, it is hereby found and determined that compliance with the notice, public procedure and effective date provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is unnecessary and this determination shall become effective upon filing with the Director, Office of the Federal Register.

§ 724.35y Proclamation of results of special referendum on burley tobacco marketing quotas on an acreage-poundage basis for 3 marketing years beginning October 1, 1966, October 1, 1967, and October 1, 1968.

With respect to the special referendum of farmers engaged in the production of burley tobacco of the 1965 crop held on March 10, 1966, to determine whether they favored or opposed the establishment of marketing quotas for burley tobacco on an acreage-poundage basis for the marketing years beginning October 1, 1966, October 1, 1967, and October 1, 1968, 285,211 votes were cast and counted; 162,584 or 57 per centum approved acreage-poundage quotas, and 122,627 or 43 per centum disapproved such quotas. It is hereby determined that the farmers did not approve such quotas by more than 66⅔ per centum of the farmers voting in the special referendum, and under the applicable provisions of law, the national marketing quota of 625.0 million pounds proclaimed for burley tobacco on January 27, 1966 (31 F.R. 1233–1236), for the 1966–67 marketing year on an acreage-poundage basis will not be in effect for such year, and acreage-poundage quotas for the 2 succeeding marketing years beginning October 1, 1967, and October 1, 1968, respectively, will not be in effect unless a special referendum is held on acreage-poundage quotas for burley tobacco for the 1967–68, 1968–69, and 1969–70 marketings years and it is determined that more than 66⅔ per centum of the farmers voting therein approve acreage-poundage quotas for such marketing years. The quota of 500.2 million pounds announced for burley tobacco on January 27, 1966 (31 F.R. 1233–1236), for the 1966–67 marketing year will continue in effect on an acreage basis, and a quota on an acreage basis for the 1967–68 marketing year will be in effect unless a special referendum is held on acreage-poundage quotas for the 1967–68, 1968–69, and 1969–70 marketing years and it is determined that more than 66⅔ per centum of the growers voting therein approve acreage-poundage quotas for such marketing years.

(Secs. 317, 375, 79 Stat. 66, 52 Stat. 38, as amended; 7 U.S.C. 1314c, 1375)

Effective date. Upon filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 3, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–5036; Filed, May. 6, 1966; 8:49 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 813.5, Amdt. 1]

PART 813—ALLOTMENT OF SUGAR QUOTAS, DOMESTIC BEET SUGAR AREA

1966

Basis and purpose. This allotment order is issued under section 205(a) of the Sugar Act of 1948, as amended (61 Stat. 926 as amended), hereinafter called the Act, for the purpose of allotting the 1966 sugar quota for the Domestic Beet Sugar Area among persons who process sugar from sugarbeets and market such sugar for consumption in the continental United States.

Section 205(a) of the Act requires the Secretary to allot a quota whenever he finds that the allotment is necessary, among other things (1) to prevent disorderly marketing of sugar or liquid sugar and (2) to afford all interested persons an equitable opportunity to market sugar or liquid sugar. Section 205 (a) also requires that such allotment be made after such hearing and upon such notice as the Secretary may prescribe.

Pursuant to the applicable rules of practice and procedure a preliminary finding was made that allotment of the quota is necessary and a notice was published on February 17, 1966 (31 F.R. 2835), of a public hearing to be held in Washington, D.C., Room 5219, South Building, U.S. Department of Agriculture, on March 1, 1966, beginning at 10 a.m., e.s.t., for the purpose of receiving evidence to enable the Secretary (1) to affirm or revoke the preliminary finding of necessity for allotments, (2) to establish a fair, efficient, and equitable allotment of the 1966 quota for the Domestic Beet Sugar Area, (3) to revise or amend the allotment of the quota for the purposes of (a) allotting any increase or decrease

in the quota, (b) prorating any deficit in the allotment for any allottee when written notification of release by an allottee of any part of an allotment becomes a part of the official records of the Department, and (c) substituting revised estimates or final actual data for estimates of such data when such data become a part of the official records of the Department, and (4) to provide how certain marketings shall apply to allotments.

The hearing was held at the time and place specified in the notice and testimony was given with respect to all of the issues referred to in the hearing notice.

In arriving at the findings, conclusions and regulatory provisions of this order, all proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that findings and conclusions proposed by the interested persons are inconsistent with the findings and conclusions, the specific or implied request to make such findings and reach such conclusions are denied on the basis of the facts found and stated and the conclusions reached as set forth herein.

Omission of a recommended decision and effective date. The record of the hearing shows that the prospective supply of sugar available for marketing will be substantially in excess of the quota of 3,025,000 tons and that 1966 marketings of beet sugar, unless restricted, would substantially exceed the 1966 quota for the Domestic Beet Sugar Area. The proceeding to which this order relates was instituted for the purpose of allotting the quota for the Domestic Beet Sugar Area to prevent disorderly marketing and to afford each interested person an equitable opportunity to market sugar within the quota for the area. In view of the need for allotments, it is imperative that processors know as soon as possible the approximate quantity of sugar each may market within the quota during the balance of the year in order to plan marketings and prevent disorderly marketing that could occur if the effective date of the allotment order is unduly delayed. Accordingly, in order to fully effectuate the purposes of section 205(a) of the Act it is hereby found that due and timely execution of the functions imposed upon the Secretary under the Act imperatively and unavoidably requires the omission of a recommended decision in this proceeding. It is also hereby further found and determined for the reasons given above for the omission of a recommended decision that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impractical and contrary to the public interest; consequently, this order shall become effective upon publication in the FEDERAL REGISTER.

Basis for findings and conclusions. Section 205(a) of the Act reads in pertinent part as follows:

> • • • Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugarbeets or sugarcane, limited in any year when proportionate shares were in effect to processings to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; and the ability of such person to market or import that portion of such quota or proration thereof allotted to him. The Secretary is also authorized in making such allotments, whenever there is involved any allotment that pertains to a new sugarbeet processing plant or factory serving a locality having a substantial sugarbeet acreage for the first time or that pertains to an existing sugarbeet processing plant or factory with substantially expanded facilities added to serve farms having a substantial sugarbeet acreage for the first time, to take into consideration in lieu of or in addition to the foregoing factors of processing, past marketings, and ability to market, the need of establishing an allotment which will permit such marketing of sugar as is necessary for reasonably efficient operation of any such new processing plant or factory or expanded facilities during each of the first 2 years of its operation. The Secretary is also authorized in making such allotments of a quota for any calendar year to take into consideration in lieu of or in addition to the foregoing factors of processing, past marketings, and ability to market, the need for establishing an allotment which will permit such marketing of sugar as is necessary for the reasonably efficient operation of any nonaffiliated single plant processor of sugarbeets or any processor of sugarcane and as may be necessary to avoid unreasonable carryover of sugar in relation to other processors in the area: *Provided*, That the marketing allotment of any such processor of sugarbeets shall not be increased under this provision above an allotment of 25,000 short tons, raw value, • • •: *Provided further*, That the total increases in marketing allotments made pursuant to this sentence to processors in the domestic beet sugar area shall be limited to 25,000 short tons of sugar, raw value, for each calendar year • • •. In making such allotments, the Secretary may also take into consideration and make due allowance for the adverse effect of drought, storm, flood, freeze, disease, insects, or other similar abnormal and uncontrollable conditions seriously and broadly affecting any general area served by the factory or factories of such person. • • •

The record of the hearing indicates that the prospective supply of domestic beet sugar available for marketing in 1966 exceeds the quota for that area to an extent that allotment of the quota is necessary to prevent disorderly marketing and to provide all processors of beet sugar equitable marketing opportunities within the limitations of the quota (R. 8).

The allotment method set forth in this order follows the proposal made by the government witness and is essentially the same as the allotment method recommended by the Beet Sugar Industry Task Force in their letter of February 21, 1966, to the Director of the Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S.D.A., which was accepted in evidence at the hearing as Exhibit 7 (R. 14). Such method of allotting the quota provides for consideration of all of the factors cited in section 205(a) of the Act.

The substantive features of the allotment method are the calculation of "base allotments" by weighing the "processings" factor by 75 percent and the "past marketings" factor by 25 percent and the adjustment of base allotments when appropriate for inventory imbalances. Except as otherwise provided for, "processings" are measured by using 1965 crop processings and "past marketings" are measured by using average annual quota marketings for the years 1961 through 1965 (R. 16).

Provision is made for an alternative measure of 1965 crop processings and January 1, 1966 "effective inventories", to give consideration for adverse crop conditions (R. 17 and Ex. 8). Applying the basic allotment method by using modified measures of processings, marketings, and inventories for those processors granted allocations from the national sugarbeet acreage reserve for new and expanded processing facilities as shown in Finding (3) gives consideration in establishing allotments to permit reasonably efficient operation of new and expanded processing facilities (R. 20, 21). The allotment otherwise established for one allottee is increased to give consideration to establishing allotments as necessary for the reasonably efficient operation of nonaffiliated single plant processors. (R. 23, 24).

Production of sugar from 1965-crop sugarbeets is the most up-to-date measure of the processings factor available to represent the operations for a year for each processor. A weighting of 75 percent to the processings factor in determining base allotments appears consistent with the importance of this factor considering that sugar produced from the 1965 crop will represent over 75 percent of the sugar to be marketed within the 1966 quota (R. 19 and Ex. 5). Processing of the 1965 crop continues well into the 1966 calendar year. However, processings from the 1965 crop after August 31, 1966, will be relatively insignificant. In order to permit adequate time for processors to plan for orderly marketing within their respective allotment during the last quarter of the year, it is necessary to establish August 31, 1966, as the final termination date through which 1965-crop processings may be used in determining 1966 allotments (R. 17).

The factor "past marketings" when measured by the 1961–65 average annual marketings within allotments and weighted 25 percent in determining base allotments and when considered in conjunction with other provisions of the allotment method herein adopted, which are applicable to 1966, contributes to an orderly rate of change in marketings of each processor relative to the marketings of others (R. 19). The base period is long enough to incorporate a variety of experiences representative of the sharing of marketings during the immediate past.

The ability to market factor is reflected in the above measures of the other two factors (R. 19). When appropriate, additional consideration is given this factor by providing for adjusting base allotments for January 1, 1966, inventory imbalances as set forth in detail in Finding (3).

The basic allotment method adopted herein is similar to the allotment method set forth in the 1965 order in the manner in which the alternative measure of processings is determined and also in the manner in which the alternative effective inventory is determined for use in adjusting base allotments. The steps in determining such alternative measures are set forth in Finding (3).

In giving consideration to the new provision added to section 205(a) of the Act for establishing allotments as is necessary for the reasonably efficient operation of nonaffiliated single plant processors, the allotment otherwise established for The National Sugar Manufacturing Co. is increased to 12,038 short tons, raw value, and such increase is deducted pro rata from the allotments of all other processors except Buckeye Sugars, Inc. The Beet Allotment Task Force recommendation that the increased allotment of The National Sugar Manufacturing Co. be reduced to the extent their estimated 1966 crop production is less than 9,898 short tons, raw value, has not been adopted. Estimated 1966 crop production will not be available until late in the year, thus, any allotment reduction that is necessary can be handled more efficiently as an allotment deficit (R. 16).

The witness for Empire State Sugar Co., Inc., with concurrence of the representative of Maine Sugar Industries, Inc., stated that the proposed allotments for these two processors did not adhere to the intent of the 1962 and 1965 amendments to the Sugar Act pertaining to new processors, although he did not believe that the proposed method was inadequate (R. 33–49). The adopted allotment method would permit these two processors to market all of the sugar processed from the 1965 crop and to market in 1966 a greater percentage of their 1966 crop than other processors as a group (R. 23).

The record of the hearing contains only a single proposal or recommendation on each of the matters with respect to which a finding or conclusion is made in this order, and each such proposal or recommendation was concurred in by all interested persons, with two exceptions noted above, and no alternative proposal was made at the hearing.

Findings and conclusions. On the basis of the record of the hearing, I hereby find and conclude that:

(1) For the calendar year 1966 Domestic Beet Sugar processors will have available for marketing from 1965-crop sugarbeets about 2,575,000 short tons, raw value, of sugar. This quantity of sugar, together with production of sugar from 1966-crop beets, will result in a supply of sugar available for marketing in 1966 sufficiently in excess of the anticipated 1966 quota for the Domestic Beet Sugar Area to cause disorderly marketing and prevent some interested person from having equitable opportunities to market sugar.

(2) The allotment of the 1966 Domestic Beet Sugar Area quota for consumption within the continental United States is necessary to prevent disorderly marketing and to afford all interested persons equitable opportunities to market sugar processed from sugarbeets in that area.

(3) For purposes of determining allotments of the 1966 quota for the Domestic Beet Sugar Area and giving consideration to the factors specified in section 205(a) of the Act, tentative allotments of the 1966 quota shall first be determined by applying the basic allotment method set forth in Part I below giving separate consideration to modifications set forth in (a) of Part II and to modifications set forth in (b) of Part II as follows:

PART I. BASIC ALLOTMENT METHOD

(a) Base allotments shall first be determined by giving consideration to the processing and past marketing factors as follows:

(i) The factor processings from proportionate shares shall be measured by each processor's actual processings of sugar from 1965-crop sugar beets through August 31, 1966, or the alternative measure of processings provided for herein, expressed as a percentage of the total of such actual or alternative processings for all processors, and weighted by 75 percent: To give consideration to the provision in section 205(a) of the Act for making allowance for abnormal and uncontrollable conditions, the alternative measure of processings derived as follows shall be used for any processor when the quantity so derived exceeds such processor's actual 1965-crop-year processings: (Processor's average crop-year processings for 1963 and 1964 crops) times (Industry total 1965-crop-year processings divided by Industry average crop year processings for 1963 and 1964 crops) times 85 percent, except that such alternative measure shall not exceed 125 percent of such processor's actual 1965-crop processings.

(ii) The factor past marketings shall be measured by each processor's average annual quota marketings for the years 1961 through 1965, expressed as a percentage of the total of the measure for all processors, and weighted by 25 percent.

(iii) The total of the percentage resulting from (i) and (ii), above, for each processor shall be multiplied by the Domestic Beet Sugar Area quota in short tons, raw value, to determine his base allotment in short tons, raw value.

(b) The factor "ability to market" shall be given consideration, in addition to that which is inherent in the consideration given to the other factors, by adjusting the base allotments, as determined in (a)(iii), above, for January 1, 1966, inventory imbalances to the extent as determined below: *Provided, however*, That in such determination the January 1, 1966, effective inventory to be used for individual processors shall include: (1) The January 1, 1966, physical inventory of sugar, (2) the sugar processed in 1966 prior to August 31, 1966, from 1965-crop beets and (3) for any processor which the alternative measure of processings is used in (a)(i) above, the quantity by which such alternative measure of processings exceeds his actual 1965-crop year processings:

(i) Compute the "plus" or "minus" January 1, 1966, inventory imbalance for each processor, by algebraically subtracting from his January 1, 1966, effective inventory his January 1, 1961–65, average effective inventory adjusted proportionately so that the total of such adjusted average inventories of all processors is equal to the total January 1, 1966, effective inventories of all processors.

(ii) The "plus" adjustment applicable to the base allotment for each processor having a "plus" inventory imbalance, as determined in (b)(i), shall be the quantity that such imbalance exceeds 10 percent of his adjusted January 1, 1961–65, average effective inventory and such excess multiplied by 25 percent. Such adjustment for any processor shall not exceed 10 percent of his base allotment.

(iii) The "minus" adjustments applicable to the base allotments for processors having "minus" inventory imbalances shall be computed by prorating the total of the "plus" adjustments, as determined in (ii), among such processors on the basis of their "minus" inventory imbalances. Such adjustment for any processor shall not exceed 10 percent of his base allotment, and, if, as a result of this limitation, the sum of the "minus" adjustments is less than the sum of the "plus" adjustments, as determined in (ii) such "plus" adjustments shall be reduced proportionately to a total equal to the total "minus" adjustments.

(iv) The adjustments determined pursuant to (ii) and (iii), representing hundredweight of refined sugar shall be multiplied by the factor 0.0535 to express such adjustments in short tons, raw value.

(c) Allotments for individual processors, in short tons, raw value, shall be the base allotment quantity as determined in (a)(iii) adjusted upward or downward, respectively, on the basis of "plus" or "minus" adjustments as determined in (b)(iv). Such quantities when divided by 0.0535 express allotments in the equivalent hundredweight of refined sugar.

PART II. MODIFICATIONS TO THE BASIC ALLOTMENT METHOD

For the purpose of giving consideration to the provisions of section 205(a) of the Act, relating to establishing allotments to permit reasonably efficient operations of new and expanded processing facilities, the modifications set forth as (a) and (b) of this part and demonstrated in Tables 1 and 2 respectively shall be considered separately in applying the basic allotment method set forth in Part I. Allottees granted allocations from the National Acreage Reserve pursuant to section 302(b)(3) of the Act, the reserve acreage allotted and planted and the quantity of sugar applicable to such acreages are set forth in the following table by years:

Processor	Crop year	Reserve acreage		Quantity of sugar related to reserve acreage		
				Allotted	Planted [1]	
		Allotted	Planted [1]	Short tons, raw value	Short tons, raw value	Cwt. refined equivalent
Reserve allocated and processing started in 1964:						
Buckeye Sugars, Inc.	1964	2,415	1,867	4,430	3,425	64,019
	1965	2,415	2,415	4,430	4,430	82,804
	1966	2,415	2,415	4,430	4,430	82,804
Holly Sugar Corp.	1964	24,730	20,002	50,000	40,441	755,907
	1965	24,730	24,730	50,000	50,000	934,580
	1966	24,730	24,730	50,000	50,000	934,480
Michigan Sugar Co.	1964	4,030	3,079	6,850	5,234	97,832
	1965	4,030	3,055	6,850	5,193	97,065
	1966	4,030	4,030	6,850	6,850	128,037
Utah-Idaho Sugar Co.	1964	8,140	4,060	18,020	8,988	168,000
	1965	8,140	7,383	18,020	16,344	305,495
	1966	8,140	8,140	18,020	18,020	336,822
Reserve allocated and processing started in 1965:						
American Crystal Sugar Co.	1965	31,000	31,000	50,000	50,000	934,580
	1966	31,000	31,000	50,000	50,000	934,580
Empire State Sugar Co.	1965	29,500	20,372	50,000	8,025	150,000
	1966	29,500	29,500	50,000	50,000	934,580
Reserve allocated and processing to start in 1966:						
Maine Sugar Industries, Inc.	1966	33,000	33,000	50,000	50,000	934,580

[1] 1965 data subject to revision; only reserve allotted acreage applicable for 1966.

(a) *Modifications to give credit for production, marketing and inventory history.* (1) For each processor whose reserve allocation began with the 1964 crop: Average marketings 1961–65, shall be the actual average of such marketings, plus 56.25 percent of the sugar applicable to the reserve acreage allocation; from the January 1, 1966, effective inventory shall be deducted 75 percent of the sugar applicable to the 1965 crop reserve acreage planted; and from the January 1, 1961–65, average effective inventory shall be deducted 15 percent of the sugar applicable to the 1964 crop reserve acreage planted.

(ii) For those processors whose reserve allocations began with the 1965 crop: Average marketings 1961–65, for the American Crystal Sugar Co. shall be the actual average of such marketings plus 95 percent of the sugar applicable to their reserve acreage allocation, average marketings 1961–65, for the Empire State Sugar Co. shall be the sugar applicable to their reserve acreage allocation; from the January 1, 1966, effective inventory of American Crystal Sugar Co. shall be deducted 75 percent of the quantity of sugar applicable to the 1965 crop reserve acreage planted, and the January 1, 1966, effective inventory of Empire State Sugar Co. shall be reduced by the sugar applicable to the 1965 crop reserve acreage planted.

(iii) For the processor whose reserve allocation will begin with the 1966 crop and processing from such allocation will start in 1966: Processing from the 1965 crop and 1961–65 average marketings shall be imputed to be 25 percent of the sugar applicable to the reserve acreage allocation.

(b) *Modifications applicable to reserving a special allotment for processors having allocations for new and expanded facilities.* (1) For those processors whose reserve allocations began with the 1964 crop: Processings from the 1965 crop shall be such processings less 75 percent of the sugar applicable to the 1965 reserve acreage planted; average marketings 1961–65, shall be the actual average of such marketings less a quantity equivalent to 15 percent of the sum of (1) the quantity of sugar applicable to 1964 crop reserve acreage planted and (2) 25 percent of the quantity of sugar applicable to 1965 crop reserve acreage planted; from the January 1, 1966 effective inventory shall be deducted 75 percent of the quantity of sugar applicable to 1965 crop reserve acreage planted; from the January 1, 1961–65 average effective inventory shall be deducted 15 percent of the sugar applicable to the 1964 crop reserve acreage planted; and a special allotment equal to 75 percent of the sugar applicable to 1965 crop reserve acreage planted shall be added to the computed base allotment.

(ii) For those processors whose reserve allocations began with the 1965 crop: Processing from the 1965 crop shall be the actual of such processings less the sugar applicable to the 1965 crop reserve acreage planted; average marketings 1961–65, for American Crystal Sugar Co., shall be the actual of such marketings less 5 percent of the sugar applicable to the 1965 crop reserve acreage planted; from the January 1, 1966 effective inventory of American Crystal Sugar Co. shall be deducted 75 percent of the sugar applicable to 1965 crop reserve acreage planted and the January 1, 1966 effective inventory of Empire State Sugar Co. shall be reduced by the sugar applicable to the 1965 crop reserve acreage planted; to the base allotment of American Crystal Sugar Co. shall be added a special allotment equal to 100 percent of the sugar applicable to their reserve acreage allocation and a special allotment shall be established for Empire State Sugar Co. equal to the sum of (1) their January 1, 1966, effective inventory and (2) 25 percent of their full reserve allocation.

(iii) For the processor whose reserve allocation will begin with the 1966 crop and processing from such allocation will begin in 1966: A special allotment shall be established equal to 25 percent of their full reserve allocation.

(4) The determination of tentative allotments in finding (3) above are set forth below with modifications pursuant to Part II(a) in Table 1 and with modifications pursuant to Part II(b) in Table 2. Such tentative allotments are based on data as provided for in the hearing record, including estimates of 1965-crop processings, 1965 marketings and January 1, 1966, inventories which shall be used pending the availability and substitution of revised estimates or final data for such estimates, and as applied to the Domestic Beet Sugar Area quota of 3,025,000 short tons, raw value. The allotments of the 1966 quota shall be determined by adjusting the simple average of the tentative allotments for individual processors as set forth in Table 1 and Table 2 of this finding by increasing the average tentative allotment of The National Sugar Manufacturing Co. to 12,038 short tons, raw value, and by deducting such increase pro rata from the average tentative allotments of all other processors except Buckeye Sugars, Inc., as demonstrated in Table 3 below:

TABLE 1

Processors	Estimated processings of sugar from 1965-crop beets		Average marketings within the quota 1961–65		Base allotments		Jan. 1, effective inventories hundredweights, refined [3]			Adjustments to base allotments [4]		Tentative allotments
	Hundredweight refined [1]	Percent of total	Hundredweight refined [2]	Percent of total	Percent of total (col. 2× 0.75+col. 4×0.25)	Short tons, raw value (col. 5× quota)	1966 estimated	1961–65 adjusted average to col. 7 total	Inventory imbalances col. 7− col. 8	Hundredweight refined	Short tons, raw value	Short tons, raw value (col 6 + or − col. 11)
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Amalgamated Sugar Co., the	7,690,844	14.2097	6,891,985	12.7433	13.3431	418,754	7,083,195	6,482,174	+601,021	0	0	418,754
American Crystal Sugar Co.	6,309,453	11.6575	6,948,955	12.8487	11.9553	361,548	4,624,884	4,435,224	−810,340	−80,079	−4,284	357,264
Buckeye Sugar Co.	461,224	.8522	372,977	.6896	.8146	24,551	164,493	158,158	+6,335	0	0	24,551
Empire State Sugar Co.	82,042	.1516	934,580	1.7280	.5457	16,507	0	0	0	0	0	16,507
Great Western Sugar Co. [5]	11,372,268	21.0116	13,122,188	24.2630	21.8244	660,188	10,637,839	12,876,122	−2,038,283	−201,426	−10,777	649,411
Holly Sugar Corp.	9,164,408	16.9323	8,144,657	15.0595	16.4641	498,039	8,280,611	7,226,051	+1,054,560	+82,980	+4,440	502,479
Layton Sugar Co.	356,150	.6580	285,390	.5277	.6264	18,938	345,427	283,921	+61,506	+6,278	+443	19,381
Maine Sugar Industries, Inc.	233,645	.4317	233,645	.4320	.4318	13,062	0	0	0	0	0	13,062
Michigan Sugar Co.	1,459,383	2.6964	1,715,231	3.1715	2.8152	85,180	1,243,404	1,525,293	−281,889	−27,856	−1,490	83,670
Monitor Sugar Co.	801,836	1.4815	828,172	1.5313	1.4939	45,191	754,486	796,541	−43,055	−4,255	−228	44,963
National Sugar Manufacturing Co.	151,990	.2808	205,151	.3793	.3054	9,238	39,063	139,193	−100,110	−9,893	−529	8,709
Spreckels Sugar Co.	7,653,344	14.1405	6,432,617	11.8940	13.5789	410,762	5,987,474	4,574,068	+1,413,818	+239,102	+12,792	423,554
Union Sugar Division, Consolidated Foods [6]	2,275,471	4.2042	2,350,132	4.3454	4.2805	128,245	2,078,474	2,147,889	−69,415	−6,860	−367	127,878
Utah-Idaho Sugar Co.	6,111,627	11.2920	5,617,444	10.3867	11.0657	334,737	5,349,373	5,143,521	+205,852	0	0	334,737
Total	54,123,685	100.0000	54,083,124	100.0000	100.0000	3,025,000	46,788,175	46,788,175	±3,343,092	±330,369	±17,675	3,025,000

[1] Includes 25 percent of the quantity pursuant to the reserve allocation for Maine Sugar Industries, Inc., equal to 233,645 cwts.

[2] The following quantities pursuant to reserve allocations have been added to average marketings: 887,851 cwts. for American Crystal; 46,577 cwts. for Buckeye; 934,580 cwts. for Empire State Sugar Co.; 525,701 cwts. for Holly; 233,645 cwts. for Maine Sugar Ind., Inc.; 72,021 cwts. for Michigan; and 189,462 cwts. for Utah-Idaho.

[3] All production attributed to reserve acreage has been deducted from inventories as follows: Jan. 1, 1966, effective inventories were reduced 700,935 for American Crystal; 82,103 cwts. for Buckeye; 82,042 cwts. for Empire; 700,935 cwts. for Holly; 72,799 cwts. for Michigan; and 229,121 cwts. for Utah-Idaho. The 1961–66 average Jan. 1 effective inventories were reduced 9,603 cwts. for Buckeye; 113,386 cwts. for Holly; 14,675 cwts. for Michigan; and 28,200 cwts. for Utah-Idaho.

[4] Plus (+) adjustments in col. 10=(Extent (+) quantity in col. 9 exceeds 10 percent of col. 8)×(25 percent); (−) adjustments in col. 10=the total of (+) adjustments in col. 10, prorated to processors on the basis of minus (−) quantities in col. 9 plus (+) and minus (−) adjustments in col. 11=(col. 10 adjustments)×(0.0535).

[5] Prior to the application of the hardship provision, 1965-crop processings were 11,280,633 cwts. for Great Western and 2,128,558 cwts. for Union and Jan. 1, 1966, effective inventories were 10,746,204 cwts. for Great Western and 2,001,561 cwts. for Union.

TABLE 2

Processors	Estimated processings of sugar from 1965-crop beets		Average marketings within the quota 1961–65		Percent of total (col. 2× 0.75+col. 4×0.25)	Base allotments short tons, raw value [1]	Jan. 1, effective inventories hundredweight, refined [2]			Adjustments to base allotments [3]		Tentative allotments
	Hundredweight refined [1]	Percent of total	Hundredweight refined [2]	Percent of total			1966 estimated	1961–1965 average adjusted to col. 7 total	Inventory imbalances col. 7− col. 8	Hundredweight refined	Short tons, raw value	Short tons, raw value (col. 6± col. 11)
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Amalgamated Sugar Co., the	7,690,844	14.8447	6,891,985	13.5321	14.5166	419,331	7,083,195	6,482,174	+601,021	0	0	419,331
American Crystal Sugar Co.	5,374,873	10.3745	6,014,375	11.8089	10.7331	360,040	4,624,884	4,435,224	−810,340	−80,079	−4,284	355,756
Buckeye Sugars, Inc.	399,121	.7704	313,092	.6159	.7318	24,462	164,493	158,158	+6,335	0	0	24,462
Empire State Sugar Co.	0	0	0	0	0	16,889	0	0	0	0	0	16,889
Great Western Sugar Co. [4]	11,372,268	21.9606	13,122,188	25.7648	22.9041	661,516	10,637,839	12,876,122	−2,038,283	−201,426	−10,777	650,739
Holly Sugar Corp.	8,463,473	16.3361	7,470,823	14.6686	16.9192	497,348	8,280,611	7,226,051	+1,054,560	+82,980	+4,440	501,788
Layton Sugar Co.	356,150	.6874	285,390	.5603	.6556	18,938	345,427	283,921	+61,506	+6,278	+443	19,381
Maine Sugar Industries, Inc.	0	0	0	0	0	12,500	0	0	0	0	0	12,500
Michigan Sugar Co.	1,386,584	2.6764	1,624,895	3.1904	2.9049	84,918	1,243,404	1,525,293	−281,889	−27,856	−1,490	83,428
Monitor Sugar Co.	801,836	1.5477	828,172	1.6261	1.5673	45,274	754,486	796,541	−43,055	−4,255	−228	45,046
National Sugar Manufacturing Co.	151,990	.2934	205,151	.4028	.3208	9,267	39,063	139,193	−100,110	−9,893	−529	8,738
Spreckels Sugar Co.	7,653,344	14.7724	6,432,617	12.6301	14.2368	411,249	5,987,906	4,574,068	+1,413,818	+239,102	+12,792	424,041
Union Sugar Division, Consolidated Foods Corp. [5]	2,275,471	4.3921	2,350,132	4.6144	4.4477	128,478	2,078,474	2,147,889	−69,415	−6,860	−367	128,111
Utah-Idaho Sugar Co.	5,882,506	11.3543	5,391,336	10.5866	11.1621	324,690	5,349,373	5,143,521	+205,852	9	0	324,690
Total	51,808,460	100.0000	50,930,746	100.0000	100.0000	3,025,000	46,788,175	46,788,175	±3,343,092	±330,369	±17,675	3,025,000

[1] The following quantities pursuant to reserve allocations were deducted from 1965 crop processings: 934,580 cwts. for American Crystal; 82,103 cwts. for Buckeye; 82,042 cwts. for Empire; 700,935 cwts. for Holly; 72,799 cwts. for Michigan; and 229,121 cwts. for Utah-Idaho.

[2] The following quantities pursuant to reserve allocations were deducted from 1961–65 average marketings: 46,729 cwts. for American Crystal; 12,708 cwts. for Buckeye; 148,433 cwts. for Holly; 15,315 cwts. for Michigan; and 36,656 cwts. for Utah-Idaho.

[3] Column (5)×(quota less total reserve allocation of 136,365 tons) plus individual reserve allocations of 50,000 tons for American Crystal; 3,323 tons for Buckeye; 16,889 tons for Empire; 37,500 tons for Holly; 12,500 tons for Maine Sugar Ind., Inc.; 3,895 tons for Michigan; and 12,288 tons for Utah-Idaho.

[4] All production attributed to reserve acreage has been deducted from inventories as follows: Jan. 1, 1966, effective inventories were reduced 700,935 cwts. for American Crystal; 82,103 cwts. for Buckeye; 82,042 cwts. for Empire; 700,935 cwts. for Holly; 72,799 cwts. for Michigan; and 229,121 cwts. for Utah-Idaho. The 1961–66 average Jan. 1 effective inventories were reduced 9,603 cwts. for Buckeye; 113,386 cwts. for Holly; 14,675 cwts. for Michigan; and 28,200 cwts. for Utah-Idaho.

[5] Plus (+) adjustments in col. 10=(Extent (+) quantity in col. 9 exceeds 10 percent of col. 8)×(25 percent). Minus adjustments in col. 10=the total of (+) adjustments in col. 10 prorated to processors on the basis of minus (−) quantities in col. 9. Plus (+) and minus (−) adjustments in col. 11=(col. 10 adjustments) (0.0535).

[6] Prior to the application of the "hardship" provision, 1965-crop processings were 11,280,633 cwts. for Great Western and 2,128,558 cwts. for Union and Jan. 1, 1966, effective inventories were 10,746,204 cwts. for Great Western and 2,001,561 cwts. for Union.

Processor	Tentative allotments Part IIa, Table 1 (1)	Tentative allotments Part IIb, Table 2 (short tons, raw value) (2)	Average tentative allotments col. (1)×0.5 +col. (2) ×0.5 (3)	Adjustments to tentative allotments [1] (4)	Allotments col. (3)± col. (4) (5)
Amalgamated Sugar Co., the	418,754	419,331	419,042	−464	418,578
American Crystal Sugar Co	357,364	355,756	356,560	−395	356,165
Buckeye Sugars, Inc	24,551	24,462	24,506	0	24,506
Empire State Sugar Co., Inc	16,507	16,889	16,698	−19	16,679
Great Western Sugar Co., Inc	649,411	650,839	650,125	−720	649,405
Holly Sugar Corp	502,479	501,788	502,134	−556	501,578
Layton Sugar Co	19,381	19,381	19,371	−21	19,350
Maine Sugar Industries, Inc	13,062	12,500	12,781	−14	12,767
Michigan Sugar Co	83,670	83,428	83,549	−93	83,456
Monitor Sugar Division, Robert Gage Coal Co	44,963	45,046	45,004	−50	44,954
National Sugar Manufacturing Co., the	8,709	8,738	8,724	+3,314	12,038
Spreckels Sugar Co	423,554	424,041	423,798	−469	423,329
Union Sugar Division, Consolidated Foods Corp	127,878	128,111	127,994	−142	127,852
Utah-Idaho Sugar Co	334,737	334,690	334,714	−371	334,343
Total	3,025,000	3,025,000	3,025,000	±3,314	3,025,000

[1] Adjustments necessary to increase the allotment of National Sugar Manufacturing Co. to 12,038 tons.

(5) The National Sugar Manufacturing Co. and Buckeye Sugars, Inc., are nonaffiliated single plant processors of sugarbeets, and the average tentative allotment computed for each company as set forth in finding (4) is 8,724 and 24,506 short tons, raw value, respectively based on final 1965 crop data. There is a need for establishing allotments for such companies which will permit such marketing of sugar as is necessary for the reasonably efficient operation of their plants, and therefore the allotment of The National Sugar Manufacturing Co. is increased to 12,038 short tons, raw value, which will permit the marketing of the estimated quantity of sugar it will have available for marketing in 1966, consisting of approximately 2,100 tons of 1965 crop sugar, and approximately 9,900 tons of 1966 crop sugar; and the tentative allotment of Buckeye Sugars, Inc., is not subjected to the pro-rata reduction applied to the tentative allotments of allottees other than The National Sugar Manufacturing Co., equal in total to the increase of 3,314 tons in the allotment of The National Sugar Manufacturing Co., as set forth in finding (4).

(6) The order shall be revised without further notice or hearing for the purpose of (a) substituting revised estimates or final data for estimated data on 1965-crop processings, 1965 marketings and January 1, 1966, inventories used in measuring the factors when such data become part of the official records of the Department, (b) allotting any quantity of an allotment which may be released by an allottee to other allottees able to utilize additional allotment in proportion to the established allotments of such allottees when the written notification to the Director of the Policy and Program Appraisal Division of such release becomes a part of the official records of the Department, and (c) revising allotments to give effect to any change in the quota for the area made by the Secretary pursuant to the provisions of the Act. In making revisions to give effect to a change in the quota for the area, allotments shall be made by the full application of the allotment procedure adopted herein.

(7) Official notice will be taken of (a) final or revised estimated data for 1965-crop processings, 1965 marketings and January 1, 1966, inventories submitted by processors on Form SU–70 or other written form when such data become a part of the official records of the Department, (b) any written notice to the Department by an allottee that he is unable to fill part of his allotment when the notification becomes a part of the official records of the Department, and (c) any regulation issued by the Secretary which changes the 1966 Domestic Beet Sugar Area quota.

(8) To assure that the marketing of sugar or liquid sugar is charged against the proper allotment, it is necessary that the order provide for charges to allotments of processors who sell sugarbeets, or molasses derived from sugarbeets, but retain and process such sugarbeets or molasses into sugar or liquid sugar for delivery to or for the account of the buyer.

(9) Allotments established in the foregoing manner and in the quantities set forth in the order provide a fair, efficient and equitable distribution of any 1966 Domestic Beet Sugar Area quota that may be established and meet the requirements of section 205(a) of the Act.

(10) To assure that an allottee will not market a quantity of sugar in excess of his final 1966 allotment to be established later on the basis of final data, allotments established by this order should be limited to 95 percent of the Domestic Beet Sugar Area quota pending the allotment of the quota based upon final data.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the Act, and in accordance with the findings and conclusions heretofore made, it is hereby ordered:

§ 813.5 Allotment of the 1966 sugar quota for the Domestic Beet Sugar Area.

(a) *Allotments.* For the period January 1, 1966, until the date allotments of the entire 1966 calendar year sugar quota for the Domestic Beet Sugar Area are prescribed, 95 percent of the 1966 quota for the Domestic Beet Sugar Area is hereby allotted to the following processors in the quantities which appear opposite their respective names:

Processor	Short tons, raw value	Equivalent in hundredweight refined beet sugar
Amalgamated Sugar Co., The	397,649	7,432,692
American Crystal Sugar Co	338,367	6,324,430
Buckeye Sugars, Inc	23,281	435,159
Empire State Sugar Co	15,845	296,168
Great Western Sugar Co., The	616,935	11,531,495
Holly Sugar Corp	476,499	8,906,523
Layton Sugar Co	18,382	343,589
Maine Sugar Industries, Inc	12,129	226,710
Michigan Sugar Co	79,283	1,481,925
Monitor Sugar Division, Robert Gage Coal Co	42,706	798,243
National Sugar Manufacturing Co., The	11,436	213,757
Spreckels Sugar Co., division of American Sugar Co	402,163	7,517,065
Union Sugar Division, Consolidated Foods Corp	121,459	2,270,262
Utah-Idaho Sugar Co	317,626	5,936,935
Subtotal	2,873,750	53,714,953
Unallotted	151,250	2,827,103
Total	3,025,000	56,542,056

(b) *Marketing of sugarbeets and molasses.* If sugarbeets or molasses derived from sugarbeets are sold by a processor but retained and processed by such processor and the sugar or liquid sugar processed therefrom is delivered to or for the account of the buyer of the sugarbeets or molasses, such delivery at the time it occurs shall constitute a marketing which shall be effective for filling the allotment of the processor who sold and processed such sugarbeets or molasses.

(c) *Marketing limitations.* Marketings shall be limited to allotments as established herein subject to the prohibitions and provisions of §§ 816.1 to 816.9 of this chapter (Sugar Regulation 816, Rev. 1; 23 F.R. 1943; 27 F.R. 1450).

(d) *Transfer of allotments.* The Administrator, Agricultural Stabilization and Conservation Service of the Department, may permit marketings to be made by one allottee, or other person, within the allotment established for another allottee upon relinquishments by such allottee of a commensurate quantity of its allotment and upon receipt of evidence satisfactory to the Administrator that (1) a merger, consolidation, transfer of sugar-processing facilities, or other action of similar effect upon the allottees or persons involved has occurred, or (2) the allottee receiving such permission will process 1966-crop sugarbeets which the allottee relinquishing allotment has become unable to process.

(e) *Delegation.* The Administrator, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, is hereby authorized to revise the allotments established under this order without further notice or hearing in accordance with the findings and conclusions set forth under (6) accompanying this order, to give effect to (1) the substitution of revised estimates or final data for estimates, (2) the reallocation of any quantity of an allotment released by an allottee and (3) any change in the Domestic Beet Sugar Area quota.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; secs. 205, 209; 61 Stat. 926; as amended, 928 as amended; 7 U.S.C. 1115, 1119)

Effective date. This order will become effective when published in the FEDERAL REGISTER.

Signed at Washington, D.C., this 2d of May 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–4980; Filed, May 6, 1966; 8:45 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 160]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.460 Valencia Orange Regulation 160.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 5, 1966.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., May 8, 1966, and ending at 12:01 a.m., P.s.t., May 15, 1966, are hereby fixed as follows:

(i) District 1: 700,000 cartons;

(ii) District 2: 206,727 cartons;

(iii) District 3: 175,000 cartons.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 6, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5112; Filed, May 6, 1966; 11:31 a.m.]

[Grapefruit Reg. 32]

PART 909—GRAPEFRUIT GROWN IN THE STATE OF ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Limitation of Shipments

§ 909.332 Grapefruit Regulation 32.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 909, as amended (7 CFR Part 909), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, Calif.; and in that part of Riverside County, Calif., situated south and east of White Water, Calif., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; and this regulation relieves restrictions on the handling of grapefruit.

(b) *Order.* (1) Grapefruit Regulation 31 (31 F.R. 524) is hereby terminated at 12:01 a.m., P.s.t., May 8, 1966.

(2) Except as otherwise provided in subparagraph (3) of this paragraph, during the period beginning at 12:01 a.m., P.s.t., May 8, 1966, and ending at 12:01 a.m., P.s.t., August 1, 1966, no handler shall handle from the State of California or the State of Arizona to any point outside thereof:

(i) Any grapefruit which do not meet the requirements of the U.S. No. 2 grade which for purposes of this regulation shall include the requirement that the grapefruit be free from peel that is more than one inch in thickness at the stem end (measured from the flesh to the highest point of the peel): *Provided,* That grapefruit having any amount of light or fairly light colored scarring may be handled if they otherwise grade at least U.S. No. 2: *Provided further,* That the tolerances prescribed for the U.S. No. 2 grade shall be the tolerances applicable to the requirements of this subparagraph except that not more than 5 percent shall be allowed for grapefruit having peel more than one inch in thickness at the stem end; or

(ii) Any grapefruit which measure less than 3⁹⁄₁₆ inches in diameter, except that a tolerance of 5 percent, by count, for grapefruit smaller than 3⁹⁄₁₆ inches shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the revised U.S. Standards for Grapefruit (California and Arizona), 7 CFR 51.925–51.955: *Provided,* That in determining the percentage of grapefruit in any lot which are smaller than 3⁹⁄₁₆ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3¹³⁄₁₆ inches in diameter and smaller.

(3) Subject to the requirements of subparagraph (2)(i) of this paragraph, any handler may, but only as the initial handler thereof, handle grapefruit smaller than 3⁹⁄₁₆ inches in diameter directly to a destination in Zone 4 or Zone 3.

(4) As used herein, "handler," "variety," "grapefruit," "handle," "Zone 3," and "Zone 4" shall have the same meaning as when used in said amended marketing agreement and order; terms relating to grade have the same meaning as when used in the aforesaid revised U.S. Standards for Grapefruit; and "diameter" shall mean the greatest dimension measured at right angles to a

line from the stem to blossom end of the fruit.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 5, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5062; Filed, May 6, 1966; 8:49 a.m.]

[Lemon Reg. 213]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.513 Lemon Regulation 213.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 3, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., May 8, 1966, and ending at 12:01 a.m., P.s.t., May 15, 1966, are hereby fixed as follows:

(i) District 1: 4,650 cartons;
(ii) District 2: 292,950 cartons;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 5, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5077; Filed, May 6, 1966; 8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 1—INVESTMENT SECURITIES REGULATION

Santa Monica Parking Authority Bonds

§ 1.170 City of Santa Monica Parking Authority bonds.

(a) *Request.* The Comptroller of the Currency has been requested to rule that the $7,500,000 Parking Revenue Bonds, 1966, of the Parking Authority of the City of Santa Monica are eligible for purchase, dealing in, underwriting, and unlimited holding by National Banks pursuant to paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Parking Authority of the City of Santa Monica is a public body, corporate and politic, created under and exercising its power pursuant to the laws of the State of California. The governing body of the Authority is the Santa Monica City Council acting as the Parking Authority. Under the laws of California and pursuant to a proposition adopted by the Santa Monica to electorate, the Authority has the power to issue bonds for the purposes of financing public parking facilities and improvements thereon and refunding any revenue bonds previously issued. The Authority presently owns, and is operating, surface public parking facilities.

(2) The bonds and the interest thereon will be payable solely from revenues to be derived by the Authority from a lease of parking structures to the city of Santa Monica. The city is obligated, under the lease, to make rental payments in an amount which the Authority estimates to be sufficient to meet the Authority's semiannual bond interest and principal payments. The lease recites that the city agrees to take such actions as may be necessary to include and maintain in its budget for each fiscal year all rentals payable by the city during such fiscal year, to make the necessary appropriations for all such rentals and to provide the funds necessary to meet such appropriations.

(3) The lease rental obligation is a general obligation of the city of Santa Monica. While the city intends to meet its lease rental obligation from the proceeds of special business taxes and on-street parking meter revenues, the city's obligation is not limited to funds derived from such sources. The city's projections indicate that an increase in the general purpose tax within the limits permitted by the city charter, based on present assessed valuation, would yield enough income to equal the maximum annual debt service requirement of the bonds.

Thus, it appears that the city of Santa Monica, a political subdivision of the State of California, which possesses sufficient resources to justify full faith and credit, has pledged its full faith and credit to make payments to the Authority of amounts which will be sufficient to provide for all required payments in connection with the subject bonds.

(c) *Ruling.* It is our conclusion that the $7,500,000 Parking Revenue Bonds, 1966, of the Parking Authority of the city of Santa Monica are public securities as defined in § 1.3 (c), (d), and (e) of the Investment Securities Regulation (12 CFR 1.3 (c), (d), and (e)), issued pursuant to paragraph 7 of 12 U.S.C. 24 and are, therefore, eligible for purchase, dealing in, underwriting, and unlimited holding by National Banks.

Dated: May 4, 1966.

[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 66–5018; Filed, May 6, 1966; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65–CE–153]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Transition Area; Correction

On April 19, 1966, F.R. Doc. 66–4186 was published in the FEDERAL REGISTER (31 F.R. 5950) amending § 71.181 of the Federal Aviation Regulations. Therein, the coordinates of Marshfield Municipal Airport, Marshfield, Wis., were cited as "latitude 44°37'55" N., longitude 90°10'50" W." The correct citation is "latitude 44°38'10" N., longitude 90°11'20" W." Action is taken herein to correct this discrepancy.

Since this amendment is editorial in nature, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the effective date of the final rule, as initially adopted, may be retained.

In consideration of the foregoing, effective immediately, the description of the Marshfield, Wis., transition area contained in F.R. Doc. 66–4186 is amended to read as follows:

MARSHFIELD, WIS.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Marshfield Municipal Airport (latitude 44°38'10" N., longitude 90°11'20" W.), and within 2 miles each side of the 216° bearing from Marshfield Municipal Airport extending from the 5-mile radius area to 8 miles SW of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles NW and 8 miles SE of the 216° bearing from Marshfield Municipal Airport extending from the airport to 12 miles SW of the airport.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on April 27, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66–4991; Filed, May 6, 1966; 8:45 a.m.]

[Airspace Docket No. 65–WE–76]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone and Transition Area; Alteration of Federal Airways

On August 7, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 9884) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations which would provide controlled airspace for instrument flight operations at Pullman, Wash., based on a new VOR and would also realign V–253 and V–536 via the new facility.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth:

In § 71.171 (31 F.R. 2065) the following control zone is added:

PULLMAN, WASH.

Within a 5-mile radius of Pullman-Moscow Regional Airport (latitude 46°44'40" N., longitude 117°06'30" W.) and within 2 miles each side of the Pullman VOR (latitude 46°40'25" N., longitude 117°13'30" W.) 046° and 226° radials, extending from the 5-mile radius zone to 8 miles SW of the VOR. This control zone will be effective during the times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

In § 71.181 (31 F.R. 2149) the following transition area is added:

PULLMAN, WASH.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Pullman-Moscow Regional Airport (latitude 46°44'40" N., longitude 117°06'30" W.) and within 2 miles each side of the Pullman VOR (latitude 46°40'25" N., longitude 117°13'30" W.) 046° and 226° radials, extending from the 5-mile radius area to 8 miles SW of the VOR; that airspace extending upward from 1,200 feet above the surface within 8 miles NW and 7 miles SE of the Pullman VOR 046° and 226° radials, extending from 12 miles SW to 15 miles NE of the VOR.

Section 71.123 (31 F.R. 2035, 2044) is amended as follows:

a. V–253 is amended in part as follows: Delete "to Spokane, Wash." and substitute therefor "12 AGL Pullman, Wash.; 12 AGL Spokane, Wash."

b. V–536 is redesignated as follows: From Walla Walla, Wash., 12 AGL Pullman, Wash.; 27 mi. 12 AGL, 85 MSL Mullan Pass, Idaho; Kalispell, Mont.; to Great Falls, Mont.

(Sec. 307(a) Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on April 29, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66–4992; Filed, May 6, 1966; 8:45 a.m.]

[Airspace Docket No. 65–WE–99]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Transition Area Designation; Correction

On January 19, 1966, F.R. Doc. 66–593 was published in the FEDERAL REGISTER (31 F.R. 693). It contained an amendment to Part 71 of the Federal Aviation Regulations which designated a transition area at Weld County Airport, Greeley, Colo. Subsequent to the publication of the document it was determined that the geographical coordinates of the Weld County Airport were incorrect and should be "latitude 40°25'35" N., longitude 104°37'45" W."

Since this correction imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the effective date of the Final Rule, as initially adopted, may be retained.

In consideration of the foregoing this correction to Part 71 of the Federal Aviation Regulations is effective upon publication in the FEDERAL REGISTER.

In § 71.181 (31 F.R. 693) the Greeley, Colo., transition area is amended in part by deleting "(latitude 40°25'00" N., longitude 104°38'00" W.)" and substituting therefor "(latitude 40°25'35" N., longitude 104°37'45" W.)."

(Sec. 307(a) Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on April 29, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66–4993; Filed, May 6, 1966; 8:45 a.m.]

[Airspace Docket No. 66–SO–20]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On March 23, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4844) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Macon, Ga., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to the publication of the notice, the geographic coordinate for the Smart Airport was verified by Coast and Geodetic Survey as latitude 32°49'20" N., longitude 83°33'50" W. It was also determined that the proposed extension on the Macon, Ga., VORTAC 027° radial was not required because this airspace is currently within the Macon, Ga., control zone. Since these amendments are either editorial or less restrictive in nature and impose no additional burden on the public, they are incorporated in this rule.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

In § 71.161 (31 F.R. 2149) the Macon, Ga., 700-foot transition area is amended to read:

MACON, GA.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Robins AFB; within 8 miles SE and 5 miles NW of the Macon ILS localizer SW course extending from the Macon Municipal Airport (latitude 32°41'35" N., longitude 83°38'50" W.) to 12 miles SW of the ILS OM; within a 6-mile radius of the Smart Airport (latitude 32°49'20" N., longitude 83°33'50" W.).

(Sec. 307(a) Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on April 29, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66–4994; Filed, May 6, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7344; Amdt. 483]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 196° DCA VOR, clockwise	R 326° DCA VOR	via RADAR	2500	LDIN	1100–2	1100–2	1100–2
R 022° DCA VOR, counterclockwise	R 326° DCA VOR	via RADAR	2500	Via river			
R 336° 10-mile DME Fix	R 336° 7-mile DME	via R 326°	2000				

Radar available.
Procedure turn not authorized. Final approach crs, 146° Inbnd, from 7 NM DME Fix.
Minimum altitude over 7-mile DME Fix, 2000'; 5 NM DME Fix, 1400'; 4 NM DME Fix, 1100'.
Crs and distance, facility to airport not authorized. Breakoff point to runway not authorized.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2500' direct to DCA VORTAC, thence direct to DCA RBn, hold S of Washington RBn on bearing 181° Outbnd, 001° Inbnd, 1-minute left turns.
NOTE: When ceiling and visibility are at least 1100–2, arrival aircraft will visually follow the Potomac River when visual contact established.

City, Washington, D.C.; Airport name, Washington National; Elev., 15'; Fac. Class., VORTAC; Ident., DCA; Procedure No. VOR/DME No. 3, Amdt. Orig.; Eff. date, 20 May 66

2. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
RADAR VECTORS				LDIN*	2500–3	2500–3	2500–3
000°	360°	Within:		Via river			
090°	225°	25 miles	2500				
225°	360°	40 miles	#2500				
		40 miles	2800				

Procedure turn not authorized. Radar required to final approach crs (Potomac River).
Minimum altitude over facility on final approach crs, not authorized.
Crs and distance, facility to airport via reference Potomac River. Breakoff point to runway not authorized.
Minimum altitude at glide slope interception Inbnd, not authorized.
Altitude of glide slope and distance to approach end of runway at OM, not authorized.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2500' direct to DCA VORTAC, thence direct to DCA RBn, hold S of Washington RBn on bearing 181° Outbnd, 001° Inbnd, 1-minute left turns.
NOTE: River approach—Radar vectors will be provided to the Potomac River whenever the ceiling is at least 2500' and visibility is at least 3 miles. Aircraft will visually follow the Potomac River to the airport when cleared for a river approach.
MAINTAIN: 1700'—5-miles. DME Fix/Chain Bridge/abeam GTN RBn, 900'—3-miles DME Fix/Key Bridge.
*3-mile flight visibility required throughout approach.
#Exclusive of danger and prohibited areas.
**Radar vectors to river only.

City, Washington, D.C.; Airport name, Washington National; Elev., 15'; Fac. Class. and Ident., Washington RADAR; Procedure No. 2 (River approach), Amdt. Orig.; Eff. date, 20 May 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601, Federal Aviation Act of 1958 (49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775))

Issued in Washington, D.C., on May 4, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66–5042; Filed, May 6, 1966; 8:49 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10th Gen. Rev. of Export Regs., Amdt. CCL–4]

PART 399—COMMODITY CONTROL LIST AND RELATED MATTERS

The following notes are added to § 399.1:

1. *Establishment of export quotas.* The following quotas for export to all countries except Canada are established for calendar year 1966:

(a) Cattle hides, whole (Export Control Commodity No. 21110), 9,920,000 hides.

(b) Cattle hides, except whole (Export Control Commodity No. 21110), 810,000 pieces.

(c) Calf skins and kip skins (Export Control Commodity No. 21120), 2,140,000 skins.

(d) Cattle hide and kip side upper leather, grain, except patent and metalized; and cattle hide and kip side leather, n.e.o. (Export Control Commodity No. 61150), 10,800,000 sq. feet.

(e) Cattle hide and kip side sole, belting, welting, grain, offal, rough, russet, and crust leather (Export Control Commodity No. 61150), 1,700,000 pounds.

(f) Calf and whole kip upper leather, except patent and metalized; and calf and whole kip leather, n.e.c., except patent and metalized (Export Control Commodity No. 61150), 1,900,000 sq. feet.

The total amounts to be licensed under these quotas for the remainder of calendar year 1966 will be determined by subtracting from the above export quotas the quantities exported since January 1, 1966, under General License G–DEST, including those quantities exported under the Saving Clause provision set forth in Current Export Bulletin No. 929 (See 31 F.R. 3498, March 8, 1966).

Licensing will be conducted during two separate licensing periods: (1) a period ending June 30, 1966, and (2) a period of July 1, 1966, through December 31, 1966. In determining the quantities to be licensed in each of the licensing periods, the Office of Export Control will take into consideration exports since January 1, 1966, under General License G–DEST, including the amounts shipped under the Saving Clause provision of Current Export Bulletin No. 929. The quantities to be made available for licensing during the period ending June 30, 1966, will be announced.

In order to avoid disruptions in the normal foreign markets for U.S. cattle hides, the Office of Export Control will divide the quotas for cattle hides (whole) and for cattle hides (except whole) into country allocations and will distribute the exporters' entitlements on a country basis.

2. *Certain exports licensed Ex Quota.* An application for a license to export any of the commodities described in the paragraph numbered (1) will be considered for licensing without a charge against the export quota, provided that the commodities: (a) Were not produced or manufactured in the United States, (b) were imported into the United States under a warehouse entry and stored in a bonded warehouse, and (c) were not and will not be entered under a U.S. Customs Consumption Entry. Such an application shall be accompanied by the following signed certification:

"I(We) certify that the commodities described on this application for export license: (1) Were not produced or manufactured in the United States; (2) were imported into the United States under a warehouse entry and stored in a bonded warehouse; and (3) were not and will not be entered under a U.S. Customs Consumption Entry."

3. *Licensing to be based on past participation.* Each of the export quotas established by the paragraph numbered 1 will be licensed in accordance with the Past Participation in Exports licensing method.

The use of the Past Participation in Exports licensing method aids in accomplishing two of the underlying considerations in licensing; namely, maintenance of a normal pattern of export trade during periods of short supply, and assuring an equitable distribution among exporters of the available export quota. Under this method of license issuance, the bulk of each of the export quotas will be reserved for those firms which have participated in exports of the commodities during the base period of calendar years 1964 and 1965. However, licensing under the Past Participation in Exports licensing method does not completely preclude participation by exporters who do not have a record of past participation in exports during this base period, since a small portion of the quota will also be reserved for exporters within this category.

A single firm will be entitled to only one participation in each of the export quotas. The claiming of an additional participation through any device whatsoever, including the transfer or assignment of an export order, may result in the denial of all export privileges to all persons concerned. In no instance may an additional participation in an export quota be claimed by the device of transferring an export order to another person or firm for the purpose of filing a license application covering a commodity subject to the Past Participation in Exports licensing method.

4. *Submission of statement of past participation.* Each exporter who has exported any of the commodities described in the paragraph numbered 1 above during the base period of calendar years 1964 and 1965, and who wishes to claim a share of the quota, is required to submit a separate statement of past participation in exports for each quota in which he wishes to participate. This statement shall be submitted, in duplicate, to the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230, and shall bear a postmark, or be submitted in person, no later than April 4, 1966. After evaluating the statements of past participation received from exporters, the Office of Export Control will inform each exporter of his share of each of the export quotas for which he submitted a statement of past participation in exports. Shares in each of the export quotas will be allotted in accordance with the percentage relationship of each exporter's shipments to the total exports from the United States during the base period of January 1, 1964 through December 31, 1965. Nevertheless, in establishing the exporter's share of the quota, the Office of Export Control will take into consideration the amounts exported by him since January 1, 1966, under General License G–DEST, including those exported under the Saving Clause provision set forth in Current Export Bulletin No. 929. (See 31 F.R. 3498, March 8, 1966.)

The statement of past participation in exports shall include the following information:

(a) *Quantities exported in 1964 and 1965.* The commodity description, the country of destination, and for each such commodity description and country of destination, the quantity in units specified on the Commodity Control List exported by the exporter during the base period of January 1, 1964, through December 31, 1965, and the value thereof shall be shown on the statement, except that such exports shall *not* include any of the following types of shipments:

(1) Exports to dependencies and other possessions of the United States;

(2) Intransit shipments exported under the provisions of General License GIT;

(3) Exports to Canada; and

(4) Exports of foreign-origin hides, skins, or leather which were not imported into the United States under a Consumption Entry.

(b) *Quantities exported during 1966.* The exporter shall show on a separate sheet of paper the quantities and the value thereof exported and to be exported by him during the period of January 1, 1966, through April 7, 1966, under General License G–DEST, including exports under the Saving Clause provision set forth in Current Export Bulletin No. 929. These quantities shall be shown in the unit specified on the Commodity Control List, by country of destination for each commodity description included on the statement of past participation in exports. In addition, the types of shipments described in paragraphs 4(a) (1) (2), (3), and (4) of this chapter shall be excluded from the quantities reported by the exporter.

(c) *Separate quantities for calf and kip skins.* Each statement of past participation in exports filed in connection with the single quota established for calf skins and kip skins (Export Control Commodity No. 21120) shall show the information required by paragraphs (a) and (b) of this chapter separately for calf skins and for kip skins.

(d) *Information on related firms.* The name of each exporter, dealer, manufacturer, or other business organization engaged in the export of the specified commodity(ies) which is directly or indirectly owned or controlled by the firm submitting the statement of past participation, or which directly or indirectly owns or controls the operations of the firm submitting the statement of past participation, shall be included in the exporter's statement.

(e) *Successors in interest.* A successor firm which has acquired the business interests of a predecessor may include its predecessor's record of past participation in exports for the purpose of establishing the successor firm's position as an historical exporter, providing that the predecessor is not entitled to claim the same past participation in exports. The successor firm shall submit a statement of past participation in exports for consideration by the Office of Export Control and shall set forth a full explanation of the association between the entities concerned, including the following signed statement:

"The terms of acquisition of the business interests of (name of predecessor firm) preclude the predecessor firm from claiming past participation in exports for the purpose of obtaining export licenses under the historical pattern of export licensing."

5. *Submission of applications for licenses—*(a) *Time for submission.* Applications for export licenses for the licensing period ending June 30, 1966, shall be submitted to the Office of Export Control between the period of April 18 and May 31, 1966. Nevertheless, if an emergency makes it necessary for an exporter to obtain an export license prior to April 18, the exporter may submit his license application prior to this date. Such a license application shall include the details of the emergency and, if approved, the quantity will be charged against the exporter's share of the export quota.

(b) *Completion of license application.* The application for export license shall be completed in accordance with the instructions shown on the reverse side of the application form, except for the following modifications:

(1) If the application covers cattle hides, the application shall specify whether the hides are "whole hides" or "pieces of whole hides" and, if pieces, the type of pieces, e.g., croupons, splits, etc.

(2) If the application covers calf skins and/or kip skins, the application shall specify the type of skins, i.e., calf or kip, and the quantity of each.

6. *Amendments of export licenses.* Field offices will not take any action on requests to amend or otherwise extend the validity period of any validated license covering the exportation of a commodity listed in the paragraph numbered 1 above. These requests must be submitted to the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230.

7. *Restrictions on Time Limit, Periodic Requirements, and Project Licenses.* Separate applications for export licenses must be submitted for each export order received by the exporter. Applications for Time Limit, Periodic Requirements, or Project Licenses will not be considered in connection with the export licensing of any commodities listed in the paragraph numbered 1 above.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487; E.O. 11038, 27 F.R. 7003)

Effective date of action: March 11, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 66-4901; Filed, May 6, 1966; 8:49 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

OLEFIN POLYMERS

An order was published in the FEDERAL REGISTER of February 19, 1966 (31 F.R. 2960), amending certain food additive regulations for olefin polymers used as articles or components of articles for food-contact use. Objections have been received to the order with respect to the omission under revised § 121.2501(a)(3) of certain olefin copolymers regulated previously under § 121.2508 (the order revoked § 121.2508).

The Commissioner of Food and Drugs has evaluated the objections, and other relevant information, and concluded that the regulation should be amended as set forth below to provide for the safe use of additional olefin copolymers and to effect an editorial change.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409, 72 Stat. 1785 et seq.; 21 U.S.C. 348), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.2501 *Olefin polymers* is amended as follows:

1. Paragraph (a)(3) is revised to read:

(3) Olefin basic copolymers consist of basic copolymers manufactured by the catalytic copolymerization of two or more of the 1-alkenes having 2 to 8 carbon atoms. Such olefin basic copolymers contain not less than 96 weight-percent of polymer units derived from ethylene and/or propylene, except that olefin basic copolymers manufactured by the catalytic copolymerization of two or more of the monomers ethylene, propylene, butene-1, 2-methylpropene-1, and 2,4,4-trimethylpentene-1 shall contain not less than 85 weight-percent of polymer units derived from ethylene and/or propylene.

2. The table in paragraph (c) is amended by changing the portion of item 1.2 in the first column reading "maximum extractable fraction specifications" to read "maximum extractable fraction and maximum soluble fraction specifications".

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409, 72 Stat. 1785 et seq.; 21 U.S.C. 348)

Dated: May 2, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5021; Filed, May 6, 1966; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

SUBCHAPTER C—DRUGS

PART 146c—CERTIFICATION OF CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS

Chlortetracycline

1. Based on a petition (FAP 5C1744) filed by American Cyanamid Co., Post Office Box 400, Princeton, N.J., 08540, an amendment to § 121.208 of the food additive regulations was published in the FEDERAL REGISTER of October 20, 1965 (30 F.R. 13314), providing for the use of chlortetracycline in cattle feed as an aid in eliminating the carrier state of anaplasmosis, and specifying that such feeds may be administered to beef cattle and nonlactating dairy cows for 60 days.

Following publication, evidence was received indicating that under certain circumstances dairy cows may freshen in less than the 60-day period required for administration of the medicated feed. Since there are no data to assure, under these circumstances, the absence of residues of chlortetracycline in milk for human consumption taken from such treated cows, the Commissioner of Food and Drugs has concluded that the subject regulation should be amended to delete the provision relating to nonlactating dairy cows.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c), 72 Stat. 1786; 21 U.S.C. 348(c)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.208 *Chlortetracycline* is amended by deleting from paragraph (d), table 6, item 9, under "Limitations," the words "and nonlactating dairy cows".

2. Since the exemption from certification of the subject product is covered by § 144.26(b)(25), a reference to an exemption in § 146c.219 is unnecessary. Therefore, under the authority vested in the Secretary by the act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357), and delegated as cited above, § 146c.219 *Crude chlortetracycline oral veterinary* is amended by deleting subdivision (viii) from paragraph (f)(4).

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 409(c), 507, 59 Stat. 463, as amended; 72 Stat. 1786; 21 U.S.C. 348(c), 357)

Dated: May 2, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5020; Filed, May 6, 1966; 8:47 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 316—OFFERING OF UNITED STATES SAVINGS BONDS, SERIES E

PART 332—OFFERING OF UNITED STATES SAVINGS BONDS, SERIES H

Limitations on Holdings

The regulations set forth in Treasury Department Circulars No. 653, Seventh Revision (31 CFR Part 316), dated March 18, 1966, and No. 905, Fourth Revision (31 CFR Part 332), dated April 7, 1966, are hereby revised and amended in the form shown below. These amendments and revisions of the regulations are issued under authority of the Revised Statutes, section 161 (5 U.S.C. 22), and the Second Liberty Bond Act (31 U.S.C. 757c, 757c–1), both as amended.

The revisions and amendments, which increase the annual limitations on holdings of Series E and Series H savings bonds, are matters involving fiscal policy of the United States and public procedures thereon are unnecessary. The regulations, as revised and amended, were adopted on May 3, 1966.

Dated: May 3, 1966.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

1. Department Circular No. 653, Seventh Revision (31 CFR Part 316), dated March 18, 1966, is hereby revised and amended as follows:

§ 316.5 Limitation on holdings.

* * * * * *

(a) *General limitation.* $20,000 (face value) for the calendar year 1966 and each calendar year thereafter.

* * * * * *

2. Department Circular No. 905, Fourth Revision (31 CFR Part 332), dated April 7, 1966, is hereby revised and amended as follows:

§ 332.5 Limitations on holdings.

* * * * * *

(a) *General limitation.* $30,000 (face value) for the calendar year 1966 and each calendar year thereafter.

* * * * * *

(d) *Special limitation for gifts to exempt organizations under 26 CFR 1.501(c)(3)–1.* $200,000 (face value) for the calendar year 1966 and each calendar year thereafter for bonds received as gifts by an organization which at the time of purchase was an exempt organization under the terms of 26 CFR 1.501(c)(3)–1.

[F.R. Doc. 66-5019; Filed, May 6, 1966; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER Q—CIVIL RIGHTS

PART 300—NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF THE DEPARTMENT OF DEFENSE—EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Appendix A—Programs to Which This Part Applies

New Items 15. through 25. have been added to Appendix A to this Part 300, as follows:

APPENDIX A

PROGRAMS TO WHICH THIS PART APPLIES

* * * * * *

15. Research grants made under the authority of Public Law 85–934 (42 United States Code 1892).

16. Contracts with nonprofit institutions of higher education or with nonprofit organizations whose primary purpose is the conduct of scientific research, wherein title to equipment purchased with funds under such contracts may be vested in such institutions or organizations under the authority of Public Law 85–934 (42 United States Code 1891).

17. Army Corps of Engineers participation in cooperative investigations and studies concerning erosion of shores of coastal and lake waters (33 United States Code 426).

18. Army Corps of Engineers assistance in the construction of works for the restoration and protection of shores and beaches (33 United States Code 426e–h).

19. Public park and recreational facilities at water resource development projects under the administrative jurisdiction of the Department of the Army (16 United States Code 460d and Federal Water Project Recreation Act, Public Law 89–72, 79 Stat. 218, July 9, 1965).

20. Payment to States of proceeds of lands acquired by the United States for flood control, navigation, and allied purposes (33 United States Code 701–c–3).

21. Grants of easements without consideration, or at a nominal or reduced consideration, on lands under the control of the Department of the Army at water resource development projects (33 United States Code 558c and 702d–1; 10 United States Code 2668 and 2669); 43 United States Code 961; 40 United States Code 319).

22. Army Corps of Engineers assistance in the construction of small boat harbor projects (33 United States Code 540 and 577, and 47 Stat. 42, Feb. 10, 1932).

23. Emergency bank protection works constructed by the Army Corps of Engineers for protection of highways, bridge approaches, and public works (33 United States Code 701r).

24. Assistance to States and local interests in the development of water supplies for municipal and industrial purposes in connection with Army Corps of Engineers reservoir projects (Water Supply Act of 1958, 43 United States Code 390b).

25. Army Corps of Engineers contracts for remedial works under authority of section 111 of Act of July 3, 1958 (33 United States Code 633).

(Pub. Law 88–352, Civil Rights Act of 1964; 78 Stat. 241, July 2, 1964)

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, Office of Assistant Secretary of Defense (Administration).

MAY 3, 1966.

[F.R. Doc. 66-4990; Filed, May 6, 1966; 8:45 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 255—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Authority To Issue Supplemental Instructions

NOTE: The amendment published as F.R. Document 66-4704 (31 F.R. 6491) was approved by the Civil Service Commission on April 6, 1966.

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER H—UTILIZATION AND DISPOSAL

PART 101–45—SALE, ABANDONMENT, OR DESTRUCTION OF PERSONAL PROPERTY

Equal Opportunity Clause in Contracts

Correction

In F.R. Doc. 66-4723, published at 31 F.R. 6491, the sixth line of paragraph (a) of the clause in § 101–45.4925 is corrected by changing the word "employer" to read "employed".

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 66-405]

PART 0—COMMISSION ORGANIZATION

PART 1—PRACTICE AND PROCEDURE

Reorganization of Safety and Special Radio Services Bureau

Order. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 4th day of May 1966;

The Commission having under consideration its reorganization of the Safety and Special Radio Services Bureau; and

It appearing, that several of the Divisions in the Bureau have been consolidated and renamed and that the rules in Part 0 and 1 should be amended to reflect those changes and to describe the functions of the Bureau more accurately;

It further appearing, that the amendments adopted herein relate to agency organization and, hence, that the prior notice, procedure, and effective date provisions of section 4 of the Administrative Procedure Act are not applicable. Authority for the amendments adopted herein is contained in sections 4(i) and 5(d) of the Communications Act of 1934, as amended.

It is ordered, That, effective May 9, 1966, Parts 0 and 1 of the Commission's rules are amended as set forth below.

Released: May 4, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

1. Section 0.131 is amended to read:

SAFETY AND SPECIAL RADIO SERVICES BUREAU

§ 0.131 Functions of the Bureau.

The Safety and Special Radio Services Bureau develops, recommends, and administers policies and programs for the development and regulation of the Safety and Special Radio Services. These services include nationwide and international uses of radio by persons, businesses, State, and local governments, and other organizations licensed to operate their own communication systems for their own use as an adjunct of their primary business or other activity. This program includes, among others, (1) the compulsory use of radio for safety at sea purposes, and (2) the regulation, jointly with the Common Carrier Bureau, of certain classes of radio stations which render communication service for hire. The Bureau performs the following functions:

(a) Advises and makes recommendations to the Commission and acts for the Commission in matters pertaining to the regulation and development of the Safety and Special Radio Services. These matters include: Rule making, waivers of rules, action on applications for authorizations, adjudicative hearings, enforcement activities, legislation, and defense matters.

(b) Participates in treaty activities and all phases of international conferences concerning the Safety and Special Radio Services.

(c) Conducts studies of frequency requirements in the Safety and Special Radio Services; recommends allocations of frequencies and drafts frequency assignment plans for these services.

(d) Studies technical requirements for equipment for the Safety and Special Radio Services in accordance with standards established by the Chief Engineer.

(e) Collaborates and coordinates with Federal and State Government agencies in matters involving the Safety and Special Radio Services.

(f) Advises and assists members of industry and user groups interested in the Safety and Special Radio Services.

2. Section 0.132 is amended to read:

§ 0.132 Units in the Bureau.

The detailed operations of the Bureau are performed within five major units, as follows:

(a) Legal, Advisory, and Enforcement Division;

(b) Industrial and Public Safety Rules Division;

(c) Industrial and Public Safety Facilities Division;

(d) Aviation and Marine Division; and

(e) Amateur and Citizens Division.

§§ 0.133–0.139 [Deleted]

3. Sections 0.133, 0.134, 0.135, 0.136, 0.137, 0.138, and 0.139 are deleted in their entirety.

4. Section 1.951 is amended to read:

§ 1.951 How applications are distributed.

(a) Amateur and Citizens Division: Amateur, Disaster, RACES, and Citizens.

(b) Aviation and Marine Division:

(1) Aviation Radio Services applications: Air Carrier Aircraft, Private Aircraft, Airdrome Control, Aeronautical En Route, Aeronautical Fixed, Operational Fixed (Aviation), Aeronautical Utility Mobile, Radionavigation (Aviation), Flight Test, Flying School, Aeronautical Public Service, Civil Air Patrol, Aeronautical Advisory, Aeronautical Metropolitan, Aeronautical Search and Rescue Mobile, and Aeronautical Multicom.

(2) Marine Radio Services applications: Public Coast Stations, Limited Coast Stations, Stations on Land in the Maritime Radiodetermination Service, Fixed Stations associated with the Maritime Mobile Service, Stations operated in the Land Mobile Service for maritime purposes, Stations on Shipboard in the Maritime Services, and Public Fixed Stations in Alaska.

(c) Industrial and Public Safety Facilities Division:

(1) Industrial Radio Services applications: Business, Forest Products, Industrial Radiolocation, Manufacturers, Motion Picture, Petroleum, Power, Relay Press, Special Industrial, and Telephone Maintenance.

(2) Land Transportation Radio Services applications: Motor Carrier, Railroad, Taxicab, and Automobile Emergency.

(3) Public Safety Radio Services applications: Fire, Forestry-Conservation, Highway Maintenance, Local Government, Police, Special Emergency, and State Guard.

(Secs. 4, 5, 48 Stat. 1066, 1068, as amended; 47 U.S.C. 154, 155)

[F.R. Doc. 66-5026; Filed, May 6, 1966; 8:48 a.m.]

[1] Commissioner Bartley dissenting; Commissioners Loevinger and Wadsworth absent.

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[3d Rev. S.O. 977-A, Corrected]

PART 95—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, held in Washington, D.C., on the 4th day of May A.D. 1966.

Upon further consideration of Corrected Third Revised Service Order No. 977 (31 F.R. 6059) and good cause appearing therefor:

It is ordered, That § 95.977, *Service Order No. 977* relating to the distribution of boxcars, be and it is ordered vacated and set aside.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That this order shall become effective at 12:01 a.m., May 5, 1966; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of the order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5039; Filed, May 6, 1966; 8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM

PART 33—SPORT FISHING

Necedah National Wildlife Refuge, Wis.

The following special regulation is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

WISCONSIN

NECEDAH NATIONAL WILDLIFE REFUGE

Sport fishing on the Necedah National Wildlife Refuge, Wis., is permitted only on the areas designated by signs as open to fishing. The open area comprising 500 acres is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(1) Open season: Daylight hours June 1, 1966, through September 30, 1966.

(2) The use of boats without motors is permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1966.

EDWARD J. COLLINS, *Refuge Manager, Necedah National Wildlife Refuge.*

APRIL 27, 1966.

[F.R. Doc. 66-5012; Filed, May 6, 1966; 8:47 a.m.]

SUBCHAPTER D—MANAGEMENT OF WILDLIFE RESEARCH AREAS

PART 60—PATUXENT WILDLIFE RESEARCH CENTER

Hunting and Sport Fishing

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 60.11 Special regulations; hunting and sport fishing.

Sport fishing will be permitted on the Patuxent Wildlife Research Center, Md. The open area is confined to Snowden Pond, comprising 7 acres as delineated on a map available at the Center headquarters and from the office of the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Black bass and sunfish.

(b) Open season: June 1, 1966, through September 30, 1966; official sunrise to official sunset only.

(c) Daily creel limits: Black bass, 5; sunfish, no limit.

(d) Methods of fishing:

(1) Hook and line tackle and baits permitted by Maryland law, except that no live minnows or other fish may be used for bait.

(2) The use of boats, canoes, and similar floating devices, without motors, is permitted. Launching of boats is permitted only in the area designated by signs.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on the Patuxent Wildlife Research Center which are set forth in Title 50, Code of Federal Regulations, Part 60.

(2) A Federal permit is required to fish. Anyone requesting a Federal permit must show evidence of having a Maryland State fishing license. A total of 200 permits will be issued in order of receipt of requests. Application should be made to the Director, Patuxent Wildlife Research Center, Laurel, Md., 20810. Each permit shall authorize the holder and members of his immediate family to fish.

(3) Each permittee is required to complete a fishing report form for each day fished, which will show the name of permittee, date of fishing, hours fished, type of bait used, and fish taken by species and size.

(4) The provisions of this special regulation are effective to October 1, 1966.

EUGENE H. DUSTMAN, *Director.*

[F.R. Doc. 66-5013; Filed, May 6, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Part 3130]

COAL LEASES, PERMITS, AND LICENSES

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Mineral Leasing Act of 1920 (41 Stat. 437; 30 U.S.C. 181 et seq.), as amended, the act of August 31, 1964 (Public Law 88-526; 78 Stat. 710), and section 2478 of the Revised Statutes (43 U.S.C. 1201), it is proposed to amend 43 CFR Part 3130, as set forth below.

A purpose of the amendments is to conform the existing regulations on acreage limitations to the new limits and to provide for development contracts for coal as provided by the act of August 31, 1964, supra. The regulations seek to encourage the exploration and development of coal deposits on the public domain in accordance with the stated purpose of the Mineral Leasing Act of 1920.

In recognition of the policy announced by Congress that the public lands of the United States shall be retained and managed or disposed of, in such a manner as to provide the maximum benefit for the general public and consistent with the President's message on natural beauty of our country, the Classification and Multiple Use (43 U.S.C. 1411-18) and Public Sales Acts (43 U.S.C. 1421-1427); the Land and Water Conservation Act (78 Stat. 897); the Appalachia Regional Development Act (79 Stat. 5); the Federal Water Pollution Control Act (33 U.S.C. 466), and in accordance with the policy of the Department to enhance and preserve the natural aesthetic values of the land, to minimize damages thereto and to other resource values, a new section has been added to govern surface use of coal lessees and permittees, and thus, to provide a means for protection of the surface from unnecessary and irreparable damage, and to protect our lakes and streams from pollution and waste.

Perfecting amendments have been made as follows:

(a) The sections relating to permit and compliance bonds have been amended to be consistent with the bond requirements for mineral leases and permits.

(b) To permit the leasing of unsurveyed lands and to make the leasing section consistent with the application section, an amendment has been made to permit leases to be described by protracted surveys and by metes and bounds.

(c) The requirements of a statement as to whether applicant is native-born or naturalized citizen has been deleted, it being sufficient to secure a statement that he is a citizen.

(d) The requirement for the submission of a statement showing the full consideration in the transfer of a permit or lease if the transfer instrument fails to show the true consideration has been eliminated. This requirement serves no useful purpose and its elimination has no adverse effect.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Land Management, Washington, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 3131.1 is amended in its entirety to read as follows:

§ 3131.1 Acreage limitations.

(a) Except where the rule of approximation applies, a permit may not exceed 5,120 acres. The rule of approximation applies to applications for prospecting permits only where elimination of the smallest legal subdivision involved would result in a deficiency of area under 5,120 acres greater than the excess over 5,120 acres resulting from the inclusion of such subdivision. A permit shall include contiguous tracts, or tracts in reasonably compact form.

(b) The act of August 31, 1964 (78 Stat. 710), has eliminated the limitation on the acreage that may be included in any one leasing tract. However, the authorized officer, after consultation with the mining supervisor of Geological Survey, in determining the amount of acreage to be included in one leasing tract shall take into consideration the area required for plant facilities, and such other data as may be pertinent. A lease shall include contiguous tracts, except in cases where noncontiguous tracts can be efficiently worked as a single mine or unit.

(c) Except as hereinafter stated, no person, association or corporation may hold at one time coal leases or permits exceeding 46,080 acres in any one State, whether directly through the ownership of such leases and permits, or interest therein, and applications therefor, or indirectly as a member of an association or as a stockholder of a corporation holding such leases and permits, or interest therein, and applications therefor. In computing acreage holdings or control, the accountable acreage of a party owning an undivided interest in a lease or permit shall be such party's proportionate part of the total lease and permit acreage. Likewise, the accountable acreage of a party owning an interest in a corporation or association shall be such party's proportionate part of the corporation's or association's accountable acreage except that no person shall be charged with his pro rata share of any acreage holdings of any association or corporation, unless he is the beneficial owner of more than 10 percent of the stock or other instruments of ownership or control of such association or corporation.

(d) A person, association, or corporation may file with the Manager of the appropriate land office an application or applications for coal leases or permits for acreage in addition to the 46,080 acres, which application or applications shall be in multiples of 40 acres, not exceeding a total of 5,120 additional acres in any one State, and shall contain a statement showing that the granting of a lease or permit for such additional lands is necessary to carry on business economically and is in the public interest.

(e) Upon the filing of an application for additional lands as specified in paragraph (d) of this section, the coal deposits in the lands covered thereby shall be temporarily set aside and withdrawn from all forms of disposal under the Act.

(f) Notice of all applications filed for additional lands as specified in paragraph (d) of this section shall be posted in the appropriate land office, and the authorized officer shall conduct public hearings thereon. However, the authorized officer in determining the amount of additional acreage to be granted under this section shall take into consideration the area required for plant facilities and such other data as may be pertinent. Thereafter and to the extent necessary for the applicant to carry on business economically, the authorized officer may issue coal leases or permits to the applicant for additional acreage of not more than 5,120 acres, subject to such terms and conditions as may be prescribed by the Secretary of the Interior. Such terms and conditions may require the payment either of cash bonus per acre or fraction thereof or a rental and royalty rate different from that required by the original leases or permits, or both.

2. Paragraph (b) of § 3131.2 is amended to read as follows:

§ 3131.2 Qualifications of applicants.

* * * * *

(b) Every applicant for coal permit or lease must show that, with the area applied for, his or its interest or interests in such permits, leases and applications therefor, directly or indirectly, do not exceed in the aggregate of 46,080 acres in any one State.

* * * * *

3. A new section is added to Subpart 3131 to read as follows:

§ 3131.5 Cooperative conservation provisions.

§ 3131.5–1 General.

Objectives. For the purpose of more properly conserving the natural resources of any coal field or prospective coal area, or any part or zone thereof and to permit an orderly, efficient, and economic development of such coal fields, the act operative agreements among lessees or permittees and their representatives if such agreements or contracts are certified by the Secretary of the Interior to be necessary or advisable in the public interest. It also permits him to enter into a development contract with a single lessee and to consolidate the leases or permits of one or more lessees or permittees.

§ 3131.5–2 Types of contracts.

In order to carry out the objectives of the act as set forth in § 3131.5–1, the Secretary may:

(a) Approve collective contracts of lessees and permittees and their representatives, for prospecting, development, or operation of coal fields or prospective coal areas, or any part or zone thereof.

(b) Enter, for the same purposes, into a development contract with a single lessee or permittee embracing his leases or permits.

(c) Consolidate separate Federal permits or leases of one or more lessees or permittees into a lesser number of permits or leases, or into a single permit or lease.

§ 3131.5–3 Special provisions of contracts.

(a) A contract approved hereunder shall not provide for an apportionment of production or royalties among the separate tracts comprising the contract area, but may provide for the commingling of production with appropriate allocation to the tracts from which produced. In connection with any contract approved or executed or with any consolidation accomplished under this subpart, the authorized officer may, with the consent of the party or parties involved, establish, alter, change, or revoke mining, producing, rental, minimum royalty, and royalty requirements of such leases or permits or contracts.

(b) In the case of any contract between lessees or their representatives, or between them and others for collective development or operation of any coal field or coal area, or any part or zone thereof, such arrangement as the working interest owners may enter into for the sharing or division of production among them shall not be deemed to be an apportionment of production or royalties among the separate tracts comprising the contract area.

§ 3131.5–4 Approval of contracts and exemption from acreage limitations.

Coal leases and permits operated under contract approved or executed by the Secretary pursuant to the provisions of this subpart may be excepted from acreage limitations or maximum holdings or control imposed by the Act, if it be determined that such exception is required to permit economic development of the coal resources and is otherwise consistent with the public interest.

§ 3131.5–5 Application for approval.

A contract submitted for approval under this subpart should be filed with the appropriate land office, together with enough copies to permit retention of five copies after approval. It should be accompanied by a statement showing all the interests held by the contractor in the area or field and the proposed or agreed plan of operation or development of the field. All the contracts held by the same contractor in the area or field should be submitted for approval at the same time, and full disclosure of the project made. Complete details must be furnished in order that the Secretary may have facts upon which to make a definite determination in accordance with the provisions of the act, and to prescribe the conditions on which approval of the contracts is made.

§ 3131.5–6 Common carrier railroads.

Any company or corporation operating a common-carrier railroad which may be a party to a cooperative agreement or development contract with a Federal lessee under this subpart, to develop its own lands in connection with or in cooperation with a Federal lessee or lessees shall not be deemed to be given or hold a lease by virtue of any such arrangement between the working interest owners.

4. A new section is added to Subpart 3131 to read as follows:

§ 3131.6 Surface use.

§ 3131.6–1 General.

(a) *Objectives.* It is the policy of the Department to encourage the exploration of and development of the coal deposits of the public lands and at the same time to minimize damages to other resources and values, both on site and off site, of the lands containing such deposits and all adjacent lands. In furtherance of this policy, each lessee and permittee will be required to follow sound, multiple-use conservation practices in exploration for and the mining of coal.

§ 3131.6–2 Conditions of leases and permits; surface use.

All leases and permits issued under this part will contain terms and conditions sufficient to carry out the objectives and provisions of the regulations in this part, including but not limited to the control of the location and specifications for roads, trails, drill and other holes, and shots; the adoption of safety precautions, including location of shot holes and abandonment of shot holes, use and care of explosives as it may affect surface resources and uses, and rates of travel; control of cross county movement of vehicles; specifications of land, resources and improvements, repair and rehabilitation measures, including revegetation of disturbed areas; protection of livestock, improvements, and special resource values; and use of water, and prevention of its waste or pollution.

§ 3131.6–3 Protection of the surface, natural resources and improvements.

The authorized officer of the Bureau of Land Management will reduce to writing the general practices which are deemed necessary to carry out the objectives in § 3131.6–1. These practices may include, but need not be limited to, the activities to be undertaken or to be avoided in order to prevent operations from unnecessarily: (a) Causing or contributing to soil erosion or damaging any forage and timber growth thereon; (b) polluting the waters of springs, streams, wells or reservoirs; (c) damaging crops, including forage, timber, or improvements of a surface owner; or (d) damaging range improvements whether owned by the United States or by its grazing permittees or lessees. The permittee or lessee will thereafter conduct his operations consistent with these prescribed practices. Upon a partial or total relinquishment or the cancellation or expiration of a lease, or at any time prior thereto when deemed necessary, the lessee will be required to fill any sump holes, ditches, and other excavations, to remove or cover all debris, and, so far as reasonably possible, restore the surface of the leased land to its former condition, including the revegetation of disturbed areas and the removal of structures as and if required.

5. Paragraph (c) of § 3132.1–1 is amended to read as follows:

§ 3132.1–1 Leasing units.

* * * * *

(c) Leasing units may include, in whole or in part, unsurveyed land. If unsurveyed, protracted surveys may be used when the protracted surveys have been approved and the effective date thereof published in the FEDERAL REGISTER. If the lands have neither been surveyed on the ground nor shown on the records as protracted surveys, the lease may describe the lands by metes and bounds.

6. Paragraphs (a) and (b) of § 3132.1–2 are amended to read as follows:

§ 3132.1–2 Leasing of additional coal deposits.

(a) Under section 3 of the Act (30 U.S.C. 203), a lessee may obtain a modification of his lease to include coal lands or coal deposits contiguous to those embraced in his lease if the authorized officer determines that it will be to the advantage of the lessee and the United States. The lessee shall file his application for modification in duplicate in the proper land office, describing the additional lands desired, the needs and reasons for and the advantage to the lessee of such modification. Upon determination by the authorized officer that the modification is justified and that the interest of the United States is protected, the lease will be modified without competitive bidding to include such part of the land or deposits as he shall prescribe. If however, it is determined that the additional lands or deposits can be developed as part of an independent operation or that there is a competitive interest in them, they may be offered as provided in § 3132.4–2.

(b) Under section 4 of the Act (30 U.S.C. 204) upon satisfactory showing by the lessee that all of the workable deposits of coal within a tract covered by the lease will be exhausted, worked out or removed within three years thereafter, an additional tract of land or coal deposit may be leased. Application shall be filed in duplicate in the proper land office and shall contain a description of the lands requested, estimated recoverable reserves, future plan of operation for such reserves and for any lands requested and the proposed method of entry into such lands. If the lands or coal deposits or any part thereof are found to constitute an acceptable leasing unit, they will be offered for leasing as provided in § 3132.4–2. If the applicant be the successful bidder and the additional lands can be practicably operated with the applicant's leasehold as a single mine or unit, the additional lands may be included in a modified lease.

* * * * *

7. Subparagraphs (2), (3), and (5) of § 3132.2(a) are amended to read as follows:

§ 3132.2 Application for lease.

(a) * * *

(2) Proof of citizenship: If applicant is an individual, a statement as to his citizenship; if an association (including a partnership), it must submit a certified copy of the articles of association and a statement by its members as to their citizenship and holdings. If the applicant is a corporation, it must submit statements showing (i) the State in which it is incorporated; (ii) that it is authorized to hold leases and permits for coal deposits, and the names of the officers authorized to act in such matters in behalf of the corporation; (iii) the percentage of the corporate voting stock and of all the stock owned by aliens or those having addresses outside of the United States; and (iv) the name, address, citizenship, and acreage holdings of any stockholder owning or controlling 20 percent or more of the corporate stock of any class. If more than 10 percent of the stock is owned or controlled by or on behalf of aliens, or persons who have addresses outside of the United States, the corporation must give their names and addresses, the amount and class of stock held by each, and to the extent known to the corporation or which can be reasonably ascertained by it, the facts as to the citizenship of each. A municipality must submit evidence of: (a) The manner in which it is organized; (b) that it is authorized to hold a permit or lease; and (c) that the action proposed has been duly authorized by its governing body. Where such material has previqusly been filed a reference by serial number to the record in which it has been filed, together with a statement as to any amendments will be accepted.

(3) A statement of interests, direct or indirect, in other coal leases, permits, or applications thereof on Federal and non-Federal lands in the State in which the lease is desired, and the estimated reserve of coal that applicant has from any source, identifying the Federal leases by serial numbers, and whether such Federal interests, when added to the acreage covered by the application, exceed the aggregate of 46,080 acres in the State. A railroad company or corporation operating a common carrier must state that its interests, together with the acreage covered by the application, do not exceed in the aggregate 10,240 acres.

* * * * *

(5) The showing specified in § 3131.2 (c).

* * * * *

8. Section 3132.3–1 is amended to read as follows:

§ 3132.3–1 Compliance bond.

A compliance bond in an amount to be determined by the authorized officer but not less than $1,000 will be required prior to the issuance of a lease. The right is reserved at any time before or after issuance of a lease to require an increase in the amount of the bond whether a corporate, personal, or individual surety bond, in any case where the Bureau of Land Management deems it proper to do so.

9. Paragraph (b) of § 3132.7 is amended to read as follows:

§ 3132.7 Cancellation of lease.

* * * * *

(b) A lease or permit issued pursuant to § 3131.1(f) may be canceled by the authorized officer, if the cancellation is in the public interest or the coal deposits in the lands covered thereby are no longer necessary for the lessee or permittee to carry on business economically or if the lessee or permittee has divested himself of all or any part of the original 46,080 acres or no longer has facilities for the exploitation of the deposits under lease or permit. However, such lessee or permittee will be given notice of the proposed cancellation and afforded an opportunity of submitting evidence showing why the lease or permit should not be canceled.

10. Paragarph (a) of § 3133.4 is amended to read as follows:

§ 3133.4 Permit bond.

(a) The applicant must furnish a corporate surety bond or a personal bond on a form prescribed by the Director conditioned upon compliance with all the terms of the prospecting permit. The bond shall be in an amount to be determined by the authorized officer, but not less than $1,000.

* * * * *

11. Paragraph (a) of § 3134.1 is amended to read as follows:

§ 3134.1 Transfers, including subleases.

(a) Permits and leases may be transferred, in whole or in part to any person, association, or corporation qualified to hold such leases and permits. The approval of a transfer of only part of the lands described in a permit or lease will create a new permit or lease which will be given a current serial number but a discovery on lands under one permit will not inure to the benefit of the other. The approval of such a transfer will not extend the life of the permit or the readjustment periods of the lease. Transfers of permits and leases, whether by direct assignments, working agreements, transfer of royalty interests, subleases or otherwise, must be filed for approval within 90 days from final execution and must contain evidence of the qualifications of the assignee or transferee, consisting of the same showing required of a lease or permit applicant by § 3132.2. If a bond is necessary it must be furnished. Transfers of record title interest must be filed in triplicate. A single executed copy of all other instruments of transfer is sufficient. A transfer will take effect the first day of the month following its final approval by the Bureau of Land Management, or if the transferee requests, the first day of the month of the approval.

* * * * *

STEWART L. UDALL,
Secretary of the Interior.

MAY 2, 1966.

[F.R. Doc. 66–5014; Filed, May 6, 1966; 8:47 a.m.]

[43 CFR Part 3160]

PHOSPHATE LEASES AND PERMITS

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Mineral Leasing Act of 1920 (41 Stat. 437; 30 U.S.C. 181 et seq.), as amended, the act of August 31, 1964 (Public Law 88–548; 78 Stat. 754), and section 2478 of the Revised Statutes (43 U.S.C. 1201), it is proposed to amend 43 CFR Part 3160 as set forth below.

A purpose of the amendments is to conform the existing regulations on acreage limitations to the new limits as established by the act of August 31, 1964, supra.

In recognition of the policy announced by Congress that the public lands of the United States shall be retained and managed or disposed of, in such a manner as to provide the maximum benefit for the general public and consistent with the President's Message on Natural Beauty of our Country, the Classification and Multiple Use Act (43 U.S.C. 1411–18), the Public Sales Act (43 U.S.C. 1421–27), the Land and Water Conservation Act (78 Stat. 897), the Appalachia Regional Development Act (79 Stat. 5), the Federal Water Pollution Control Act (33 U.S.C. 466), and in accordance with the policy of the Department to encourage and preserve the natural aesthetic values of the land, to minimize damages thereto and to other resource values, a new section has been added to govern surface use by phosphate lessees and permittees, and thus, to provide a means for protection of the surface from unnecessary and irreparable damage, and to protect our lakes and streams from pollution and waste.

The sections relating to permit and compliance bonds have been amended to be consistent with the bond requirements for other leases and permits and the requirement for a statement as to whether applicant is native-born or naturalized citizen has been deleted, it being sufficient to secure a statement that he is a citizen.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Land Management, Washington, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Subparagraph (1) of paragraph (a) of § 3161.1 is amended to read as follows:

§ 3161.1 Area; limitations on holding; term.

(a) * * *

(1) No person, association, or corporation, may hold at any one time more than 20,480 acres in the United States, whether directly through the ownership of phosphate leases, permits, and applications therefor or interests in them, or indirectly through association membership or stock ownership. In computing acreage holdings or control, the accountable acreage of a party owning an undivided interest in a lease or permit shall be such party's proportionate part of the total lease and permit acreage. Likewise the accountable acreage of a party owning an interest in a corporation or association shall be his proportionate part of the corporation's or association's acreage except that no person shall be charged with his pro rata share of any accountable acreage except that no person shall be charged with his pro rata share of any acreage holdings of any association or corporation unless he is the beneficial owner of more than 10 per centum of the stock or other instruments of ownership or control of such association or corporation.

* * * * *

2. Subparagraph (1) of paragraph (b) of § 3161.2 is amended to read as follows:

§ 3161.2 Qualifications of applicant.

* * * * *

(b) * * *

(1) If an individual, a statement as to citizenship.

* * * * *

3. Section 3161.3–4 is amended to read as follows:

§ 3161.3–4 Permit bond.

Prior to the issuance of the permit the applicant must furnish a bond in an amount to be determined by the authorized officer, but not less than $1,000.

4. A new section is added to Subpart 3161 to read as follows:

§ 3161.4 Surface use.

§ 3161.4–1 General.

Objectives. It is the policy of the Department to encourage the exploration of and development of the phosphate deposits of the public lands and at the same time to minimize damages to other resources and values, both on site and off site, of the lands containing such deposits and all adjacent lands. In furtherance of this policy, each lessee and permittee will be required to follow sound, multiple-use conservation practices in exploration for and the mining of phosphate.

§ 3161.4–2 Conditions of leases and permits; surface use.

All leases and permits issued under this part will contain terms and conditions sufficient to carry out the objectives and provisions of the regulations in this part, including but not limited to the control of the location and specifications for roads, trails, drill, and other holes, and shots; the adoption of safety precautions, including location of shot holes and abandonment of shot holes, use and care of explosives as it may affect surface resources and uses, and rates of travel; control of cross country movement of vehicles; specifications of land, resources and improvements repair and rehabilitation measures, including revegetation of disturbed areas; protection of livestock, improvements, and special resource values; and use of water, and prevention of its waste or pollution.

§ 3161.4–3 Protection of the surface, natural resources and improvements.

The authorized officer of the Bureau of Land Management will reduce to writing the general practices which are deemed necessary to carry out the objectives in § 3161.4–1. These practices may include, but need not be limited to, the activities to be undertaken or to be avoided in order to prevent operations from unnecessarily: (a) Causing or contributing to soil erosion or damaging any forage and timber growth thereon; (b) polluting the waters of springs, streams, wells, or reservoirs; (c) damaging crops, including forage, timber, or improvements of a surface owner; or (d) damaging range improvements whether owned by the United States or by its grazing permittees or lessees. The permittee or lessee will thereafter conduct his operations consistent with these prescribed practices. Upon a partial or total relinquishment or the cancellation or expiration of a lease, or at any time prior thereto when deemed necessary, the lessee will be required to fill any sump holes, ditches and other excavations, to remove or cover all debris, and, so far as reasonably possible, restore the surface of the leased land to its former condition, including the revegetation of disturbed areas and the removal of structures as and if required.

5. Section 3162.2 is amended to read as follows:

§ 3162.2 Lease bond.

A compliance bond in an amount to be determined by the authorized officer but not less than $1,000 will be required prior to the issuance of a lease. The right is reserved at any time before or after issuance of the lease to require an increase of the amount of the bond, whether a corporate or personal bond, in any case where the Bureau of Land Management deems it proper to do so.

STEWART L. UDALL,
Secretary of the Interior.

MAY 2, 1966.

[F.R. Doc. 66–5015; Filed, May 6, 1966; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66–WE–29]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations and proposes the following airspace action in the Prosser, Wash., area:

Designate the Prosser, Wash., transition area as that airspace extending upward from 1,200 feet above the ground within 7 miles NE and 5 miles SW of the Pendleton, Oreg., VORTAC 311° radial extending from 40 miles to 60 miles NW of the VORTAC.

The proposed transition area is required to provide protection for en route aircraft holding SE of the Prosser, Wash., INT (Pendleton, Oreg., VORTAC 311° radial and Pasco, Wash., VOR 262° radial).

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A Public Docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on April 29, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66–4995; Filed, May 6, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-WE-30]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate a transition area in the Mullan Pass, Idaho, area as follows:

That airspace extending upward from 8,500 feet MSL within 6 miles N and 9 miles S of the Mullan Pass VORTAC 095° and 275° radials, extending from 8 miles E to 15 miles W of the VORTAC.

The proposed transition area is required to provide controlled airspace for aircraft executing prescribed holding procedures at the Mullan Pass, Idaho, VORTAC.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A Public Docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on April 29, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-4996; Filed, May 6, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-WE-31]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would accomplish the following airspace action:

Designate the Beverly, Wash., transition area as that airspace extending upward from 5,500 feet MSL within 7 miles NW and 11 miles SE of the Ephrata VOR 221° radial, extending from 32 miles to 62 miles SW of the VOR.

This transition area is required to provide controlled airspace for aircraft executing prescribed holding procedures SW of Beverly INT (Ephrata, Wash., VOR 221° and Ellensburg, Wash., VORTAC 106° radials).

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A Public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on April 29, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-4997; Filed, May 6, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16574]

PROCEDURES IN EVENT OF PERSONAL ATTACK OR WHERE STATION EDITORIALIZES AS TO POLITICAL CANDIDATES

Order Extending Time for Filing Comments

1. A notice of proposed rule making was released in this proceeding on April 8, 1966. Comments were to be filed by May 16, 1966, with reply comments due on May 31, 1966. The National Association of Broadcasters, in a petition filed on April 25, 1966, requests a 35-day extension of time. In support of its request, the NAB asserts that more time is needed to evaluate the proposed rules because of the extreme importance of the Commission's "fairness" doctrine to the broadcasting industry.

2. An extension of the period for filing comments and reply comments appears warranted. *Accordingly, it is ordered,* Pursuant to authority contained in sections 4(i) and 5(d)(1) of the Communications Act of 1934, as amended, and § 0.251(b) of the rules of practice and procedure, this 4th day of May 1966, that the time for filing comments in this proceeding is extended from May 16, 1966, to June 20, 1966, and the time for filing reply comments is extended from May 31, 1966, to July 5, 1966.

Released: May 4, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5027; Filed, May 6, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 512]

[Docket No. 66-20]

REPORTS OF RATE BASE AND INCOME ACCOUNT BY VESSEL OPERATING COMMON CARRIERS IN DOMESTIC OFFSHORE TRADES

Enlargement of Time for Filing Comments

At the request of Alcoa Steamship Co., and good cause appearing, time within which written statements, data, views, or comments may be submitted in this proceeding is enlarged to and including May 23, 1966, for all interested persons.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-4999; Filed, May 6, 1966; 8:45 a.m.]

[46 CFR Part 513]

[Docket No. 66-19]

AUDITS AND AUDITING PROCEDURES

Enlargement of Time for Filing Comments

At the request of Alcoa Steamship Co., and good cause appearing, time within which written statements, data, views, or comments may be submitted in this proceeding is enlarged to and including May 23, 1966, for all interested persons.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-5000; Filed, May 6, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Utah 069117]

UTAH

Notice of Termination of Proposed Withdrawal and Reservation of Lands

APRIL 29, 1966.

Notice of an application Serial No. Utah 069117, for withdrawal and reservation of lands was published in the FEDERAL REGISTER for February 1, 1962. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Subpart 2311, such lands will be relieved of the segregative effect of the above identified application at 10 a.m., m.s.t., on Friday, May 6, 1966.

The lands involved in this notice of termination are:

SALT LAKE MERIDIAN, UTAH

T. 42 S., R. 16 W.,
Sec. 15, W½W½SW¼SE¼SW¼.

The area described contains 2½ acres.

R. D. NIELSON,
State Director.

[F.R. Doc. 66-4950; Filed, May 6, 1966; 8:45 a.m.]

[Order 701, Amdt. 2]

DISTRICT MANAGERS

Redelegation of Authority Regarding Lands and Resources

NOTE: Federal Register Document 66-4978 (dated Apr. 15, 1966), published at 31 F.R. 6794, was superseded by Federal Register Document 66-4775 (dated Apr. 26, 1966), published at 31 F.R. 6594.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

OREGON

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Oregon a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

OREGON

Umatilla.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 3d day of May 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-5037; Filed, May 6, 1966; 8:49 a.m.]

UTAH

Extension of Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Utah a natural disaster has caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Utah	*Present designation*
Box Elder	30 F.R. 6927
Davis	30 F.R. 6927
Salt Lake	30 F.R. 6927
Utah	30 F.R. 6927
Weber	30 F.R. 6927

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 3d day of May 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-5038; Filed, May 6, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

HAZLETON LABORATORIES, INC.

Notice of Filing of Petition for Food Additive Diethyl Pyrocarbonate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 6H2011) has been filed by Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va., 22046, proposing an amendment to § 121.1117 *Diethyl pyrocarbonate* to provide for the safe use of diethyl pyrocarbonate in amounts not exceeding 150 parts per million to inhibit microbiological spoilage of fermented malt beverages. The petition also would limit to not more than 0.5 part per million the amount of diethyl pyrocarbonate and not more than 5 parts per million the amount of diethyl carbonate in the treated fermented malt beverage when tested 24 hours after the time of packaging.

Dated: April 29, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5022; Filed, May 6, 1966; 8:47 a.m.]

S. C. JOHNSON & SON, INC.

Notice of Filing of Petitions for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that petitions (FAPs 5B1710, 5B1711, 5B1712) have been filed by S. C. Johnson & Son, Inc., 1525 Howe Street, Racine, Wis., 53403, proposing an amendment to §§ 121.2507 *Cellophane*, 121.2514 *Resinous and polymeric coatings*, and 121.2569 *Resinous and polymeric coatings for polyolefin films* to provide for the safe use of 4,4-bis (4-hydroxyphenyl) pentanoic acid-modified polyamide resins in coatings for food-contact use.

Dated: May 2, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5023; Filed, May 6, 1966; 8:48 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

ASSISTANT SECRETARY FOR MORTGAGE CREDIT AND FEDERAL HOUSING COMMISSIONER

Delegation of Authority With Respect to Community Disposition Activities

The Assistant Secretary for Mortgage Credit and Federal Housing Commissioner, Department of Housing and Urban Development (herein called the

Assistant Secretary), is hereby authorized to exercise the following authority, transferred to the Secretary of Housing and Urban Development (herein called the Secretary) under section 5(a) of the Department of Housing and Urban Development Act (5 U.S.C. 624c), with respect to the activities listed below:

I. *Disposition of certain Government-owned property at AEC Communities of Oak Ridge, Tenn.; Richland, Wash.; and Los Alamos, N. Mex.* To execute the functions, powers, and duties authorized under Executive Order 10657 of February 14, 1956 (21 F.R. 1063, Feb. 16, 1956), as amended by Executive Order 10734 of October 17, 1957 (22 F.R. 8275, Oct. 22, 1957), and Executive Order 11105 of April 18, 1963 (28 F.R. 3909, Apr. 20, 1963), with respect to the disposition of certain Government-owned property at the Atomic Energy Commission communities of Oak Ridge, Tenn., Richland, Wash., and Los Alamos, N. Mex., pursuant to the Atomic Energy Community Act of 1955, as amended (42 U.S.C. 2301), except the Secretary's power to make the finding required under section 51 of the Act (42 U.S.C. 2341).

II. *Disposition of Greentown Projects and subsistence homesteads.* To execute the functions, powers, and duties authorized under the Act of June 29, 1936, 49 Stat. 2035; the Act of May 19, 1949, 63 Stat. 68; and section 4(b) of Reorganization Plan No. 3 of 1947, 61 Stat. 955 (5 U.S.C. 133y—133y-16 note).

III. *Disposition of emergency housing properties.* To execute the functions, powers, and duties authorized under Public Law 781, 76th Cong. (54 Stat. 883); Public Law 849, 76th Cong., as amended (Lanham Act, as amended, 42 U.S.C. 1521), and Reorganization Plan No. 17 of 1950 (64 Stat. 1269); Public Laws 9, 73, and 353, 77th Cong., as amended (55 Stat. 14, 198, and 818, as amended); and Title II of Public Law 266, 81st Cong. (63 Stat. 659).

IV. *Authority to endorse checks.* To endorse any checks or drafts in payment of insurance losses on which the United States of America, acting by and through the Housing and Home Finance Administrator or the Secretary, or the successors or assigns of either of them, is a payee (joint or otherwise) in connection with the disposition of the Government's interest in property at such communities or lease of such property.

V. *Authority to redelegate.* To redelegate any of the authority herein delegated to one or more employees under his jurisdiction.

VI. *Conclusive evidence of authority.* Any instrument or document executed in the name of the Secretary by an employee of the Department of Housing and Urban Development under the authority of this delegation purporting to relinquish or transfer any right, title, or interest in or to real or personal property shall be conclusive evidence of the authority of such employee to act for the Secretary in executing such instrument or document.

VII. *Revocation.* The delegations of authority to the Director, Community Disposition Program or Community Disposition Staff, with respect to the activities described above, effective May 11, 1963 (28 F.R. 4777, May 11, 1963), September 23, 1964 (29 F.R. 13226, Sept. 23, 1964), and March 29, 1960, as amended (25 F.R. 2654, as amended at 25 F.R. 4521), are hereby revoked.

(79 Stat. 670, 5 U.S.C. 624d(d); sec. 4 of E.O. 10657, 21 F.R. 1063 (Feb. 16, 1956))

Effective as of the 5th day of June 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-5025; Filed, May 6, 1966; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15353; Order E-23617]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of April 1966.

An agreement [1] has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA). The agreement, which was adopted at the Panama Conference in January–February 1966, has been assigned the above-designated CAB agreement number and is intended to be effective through March 31, 1967.

In general, the agreement accomplishes the following: (1) Amendments in resolutions relating to rates of exchange and rounding-off passenger fares and cargo units to reflect changes in the Bahamian currency from sterling to the decimal system, (2) readoption of IATA baggage rules for free allowance and excess charges previously approved by the Board for application within the Western Hemisphere and via the Atlantic, and (3) tighter rules governing sales of tickets under installment plans in South American countries. With respect to credit rules, a basic change extends application of the provisions to all situations whether or not a member undertakes a credit risk in whole or in part, directly or indirectly. While these rules affect air transportation, their application to U.S. citizens will be limited. Assumedly, most U.S. passengers using an installment plan would make arrangements for credit within the United States. Therefore, the rules are of primary interest to the governments of South American countries involved.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the following resolutions, incorporated in agreement CAB 18760, to be adverse to the public interest or in violation of the Act provided that resolutions readopted or revalidated shall be subject to the same conditions as previously approved by the Board.

CAB No. 18760	IATA No.	Subject
R-2	002	Standard revalidation resolution.
R-3	003	Standard rescission resolution.
R-7	021b	Rates of exchange.
R-8	023a	Rounding-off passenger fares.
R-9	023b	Rounding-off cargo rates.
R-21	281	Sale of tickets under installment plans—South America.
R-22	281a	Sale of tickets under installment plans—Argentina.
R-23	281b	Sale of tickets under installment plans—Brazil.
R-24	281c	Sale of tickets under installment plans—Chile.
R-25	281d	Sale of tickets under installment plans—Paraguay.
R-26	281f	Sale of tickets under installment plans—Uruguay.
R-27	304	Carriage of baggage at cargo rates.
R-28	311	Baggage excess weight charges.
R-29	311e	Charges for bulky baggage.

Accordingly, it is ordered, That: Agreement CAB 18760, R-2, R-3, R-7, R-8, R-9, and R-21 through R-29, is approved, provided that resolutions readopted or revalidated shall be subject to the same conditions as previously approved by the Board.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5032; Filed, May 6, 1966; 8:48 a.m.]

[1] Agreement CAB 18760, R-2, R-3, R-7, R-8, R-9, and R-21 through R-29.

[Docket No. 16236; Order E-23618]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of April 1966.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1–2, 3–1, and 1–2–3 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated March 25, and April 8, 1966,[1] as set forth in the attachment hereto,[2] (1) names a rate under a new commodity description, (2) names additional rates under existing commodity descriptions, and (3) cancels an existing commodity rate. The new rates under the new and existing commodity descriptions reflect reductions ranging from 28.2 to 70.8 percent and are consistent with the present level of specific commodity rates within the applicable areas.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered: That agreement CAB 18703, R-11 through R-14, be approved, provided that such approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

The order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5033; Filed, May 6, 1966; 8:49 a.m.]

[1] Received in the Board, Mar. 29, and Apr. 14, 1966, respectively.

[2] Attachment filed as part of original document.

[Docket No. 15353; Order E-23630]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Fares and Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 3d day of May 1966.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conferences 2 and 3 and Joint Conference 1–2 of the International Air Transport Association (IATA), and adopted by mail votes. The agreements have been assigned the above designated CAB agreement numbers.

The agreements (1) specify fares and rates for new services to and from Fukuoka and Nagoya, (2) amend the provisions of the North Atlantic excursion fares by providing that travel originating westbound destined to Gander be completed by midnight of the 22d day after the date of departure from the point of origin as opposed to the present 21st day, (3) amend the applicability of "B" fares between Tunis and Paris/Marseilles so as to provide for travel in DC-4 aircraft and in the upper deck of combined cargo/passenger Breguet 763 aircraft, and (4) amend the applicability of family fares between Ireland and the United Kingdom by permitting travel Tuesday through Thursday from June 16 to October 4.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board does not find the following resolutions, contained in agreement CAB 18813, to be adverse to the public interest or in violation of the Act.

300(Mail 210) 053	300(Mail 210) 080
300(Mail 210) 063	300(Mail 210) 553

2. The Board finds that on the basis of all facts presently known, the following resolutions do not affect air transportation within the meaning of the Act.

CAB agreement No.	*IATA Resolution*
18814	JT12(Mail 443) 080d
18861	200(Mail 644) 072
18883	200(Mail 643) 091g

Accordingly, it is ordered:

1. That agreement CAB 18813, is approved; and

2. That jurisdiction is disclaimed with respect to agreements CAB 18814, 18861, and 18883.

Any air carrier party to the agreements, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5034; Filed, May 6, 1966; 8:49 a.m.]

[Order E-23639]

HOUSEHOLD GOODS SERVICES FOR DEPARTMENT OF DEFENSE BY INDIRECT AIR CARRIERS

Order Granting Temporary Relief

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 4th day of May 1966.

At the request of the Department of Defense (DOD), the Board on March 9, 1965, granted temporary relief from certain provisions of the Federal Aviation Act of 1958 to a number of persons who had been operating without Board authorization as indirect air carriers of used household goods pursuant to DOD contracts (DOD carriers).[1] The relief, which allowed these carriers an opportunity to apply for operating authorizations to engage in indirect air transportation as air freight forwarders of used household goods,[2] was granted upon the condition that such carriers file applications in accordance with the provisions of Part 296 and/or Part 297 of the Board's economic regulations on or before April 15, 1965. Subsequently, the Board granted the same relief to other DOD carriers.[3] The relief granted each applicant originally was to terminate on August 16, 1965, or upon the date its application was granted, denied, or dismissed, whichever occurred first.

By subsequent orders the Board has extended the temporary relief granted in Orders E-21883, E-22079, and E-22269 until May 16, 1966.[4] The Board noted that many of the applications filed by DOD carriers posed policy issues awaiting final resolution by the Board and that DOD had advised the Board that it needed the services of the carriers relieved by the foregoing orders until a final decision is reached with respect to the policy issues raised by their applications.[5]

It now appears that processing of some of the applications filed by DOD carriers cannot be completed prior to the expiration date of the temporary relief. Furthermore, the Board has not yet resolved the policy issues raised by some of the applications filed by DOD carriers. Accordingly, we find it in the public interest to extend the relief for these DOD carriers for the reasons given in our previous extension orders.[6]

Accordingly, it is ordered:

1. Pursuant to sections 101(3) and 204 of the Federal Aviation Act of 1958, as amended, the air freight forwarder ap-

[1] Order E-21883.

[2] The term "used household goods" means personal effects (including unaccompanied baggage) and property used or to be used in a dwelling, when a part of the equipment or supply of such dwelling, but specifically excludes (1) furniture, fixtures, equipment, and the property of stores, offices, museums, institutions, hospitals, or other establishments, when a part of the stock, equipment, or supply of such stores, offices, museums, institutions, hospitals, or other establishments, and (2) objects of art (other than personal effects), displays, and exhibits.

[3] See Orders E-22079, Apr. 26, 1965 and E-22269, June 4, 1965.

[4] See Orders E-22544 and E-23210, dated Aug. 13, 1965, and Feb. 9, 1966, respectively.

[5] See Orders E-22185, May 20, 1965, E-22447, July 16, 1965, and E-22496, Aug. 2, 1965.

[6] Nothing in this order should be construed as a determination of the final disposition to be made of the applications for air freight forwarder authority filed by the carriers relieved by this order. Furthermore, nothing in this order should be construed as an approval of control and interlocking relationships or agreements by the carriers relieved by this order, or their affiliates.

plicants listed in Appendix A [1] are hereby relieved from the provisions of Title IV and section 610(a)(4) of the Act from May 16, 1966, through November 15, 1966, or until the date the application for operating authorization is granted, denied, or dismissed, whichever occurs first, to the extent necessary to transport by air used household goods of personnel of the Department of Defense upon tender by the Department;

2. The relief granted in ordering paragraph 1 will not be renewed or extended beyond the termination date of November 15, 1966, for any applicant who has not been granted operating authorization by that date; *Provided:* That the Board may extend such relief in cases in which applicant has been granted additional time to respond to requests for supplemental information necessary to process his application;

3. The transportation services performed pursuant to the authority granted herein do not constitute an activity of a continuing nature within the meaning of section 9(b) of the Administrative Procedure Act, 5 U.S.C. 1008(b);

4. This order may be amended or revoked at any time in the discretion of the Board, without hearing; and

5. Copies of this order shall be served on the Military Traffic Management and Terminal Service, U.S. Army, and all persons listed in Appendix A.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5035; Filed, May 6, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16612; FCC 66-395]

STAR STATIONS OF INDIANA, INC.

Order Designating Applications for Hearing on Stated Issues

In re applications of Star Stations of Indiana, Inc., Docket No. 16612, File No. BR-1144, BRH-1276; for renewal of licenses of Stations WIFE AM-FM, Indianapolis, Ind.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 28th day of April 1966;

1. The Commission has before it for consideration (1) the above-captioned applications for renewal of licenses of Stations WIFE AM-FM, Indianapolis, Ind.; and (2) the Commission's field inquiry with respect to the operations of Stations WIFE AM-FM.

2. The Commission's inquiry into the operations of Stations WIFE AM-FM raises a number of serious questions bearing upon whether Star Stations of Indiana, Inc., possesses the qualifications to remain the licensee of WIFE AM-FM.

3. In view of these questions the Commission is unable to find that a grant of the above-captioned applications for renewal of licenses would serve the public interest, convenience, and necessity and must, therefore, designate these applications for a hearing.

4. *Accordingly, it is ordered,* That pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications are designated for a hearing to be held at Indianapolis, Ind., at a time and place to be specified in a subsequent order, upon the following issues:

(1) To determine the facts as to the "Eaton Water Filter" contest carried by the applicant in October 1964.

(2) To determine the facts as to the "Mystery Santa Claus" contest carried by the applicant in December 1964.

(3) To determine whether from on or before October 1964, until at least May 1965, the applicant furnished numerous affidavits of performance or invoices to various advertisers or advertising agencies containing false or misleading information with respect to times and dates of advertising broadcast on WIFE;

(4) To determine on the basis of the facts adduced in responses to issues one through three whether the applicant misled or defrauded the public, advertisers or their agencies.

(5) To determine whether, in light of the findings and conclusions made under the foregoing issues and the fact that short-term renewals for WIFE AM-FM were granted by Commission action on October 28, 1964 (see 3 R.R. 2d 745, FCC 64-998), a grant of the above-captioned applications would serve the public interest, convenience and necessity.[2]

5. *It is further ordered,* That the Chief, Broadcast Bureau shall furnish a Bill of Particulars to the applicant herein setting forth the basis for the above issues. See Dispatch, Inc., 10 R.R. 1190.

6. *It is further ordered,* That to avail itself of the opportunity to be heard, the applicant herein, pursuant to § 1.221 of the Commission's rules in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this order.

7. *It is further ordered,* That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act and § 1.594 of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule and shall advise the Commission thereof as required by § 1.594 of the Commission's rules.

Released: May 4, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[3]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5028; Filed, May 6, 1966; 8:48 a.m.]

[Docket No. 16612; FCC 66M-615]

STAR STATIONS OF INDIANA, INC.

Order Scheduling Hearing

In re applications of Star Stations of Indiana, Inc., Docket No. 11612, File No. BR-1144, BRH-1276; for renewal of licenses of Stations WIFE AM-FM, Indianapolis, Ind.

It is ordered, This 29th day of April 1966, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence at 10 a.m., on July 12, 1966, in Indianapolis, Ind.: *And it is further ordered,* That a prehearing conference in the proceeding will be convened by the Presiding Officer at 9 a.m., on May 25, 1966, in Washington, D.C.

Released: May 4, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5029; Filed, May 6, 1966; 8:48 a.m.]

[Docket No. 16366; FCC 66M-623]

ITT WORLD COMMUNICATIONS, INC.

Order Continuing Hearing

In the matter of ITT World Communications Inc., Docket No. 16366; proposed revisions to its Tariff FCC No. 7 establishing rates and regulations for Timetran service.

Pursuant to agreement among the parties; *It is ordered,* This 3d day of May 1966, on the Hearing Examiner's own motion, that the hearing in the above-entitled matter now scheduled for May 17, 1966 is hereby rescheduled to commence at 10 a.m., May 25, 1966, in the Commission's offices in Washington, D.C.

Released: May 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5030; Filed, May 6, 1966; 8:48 a.m.]

[Docket No. 16576; FCC 66M-624]

CONNECTICUT RADIO FOUNDATION, INC., AND CONNECTICUT TELEVISION, INC.

Order Regarding Procedural Dates

In re application of Connecticut Radio Foundation, Inc. (Assignor) and Connecticut Television, Inc. (Assignee), Docket No. 16576, File No. BAPCT-370; for assignment of the construction permit of Television Station WTVU (TV) Channel 59, New Haven, Conn.

A prehearing conference having been held on May 2, 1966, at which certain agreements were reached and certain rulings were made;

It is ordered, This 3d day of May 1966, that:

(1) The direct affirmative case in support of the application shall be presented primarily in the form of sworn written exhibits, but may be supplemented by oral testimony;

(2) On or before July 12, 1966, there shall be a preliminary exchange of those exhibits constituting the engineering phase of the case in support of the application;

(3) On or before August 15, 1966, there shall be, with respect to the affirmative case in support of the application, a final exchange of engineering exhibits; an exchange of nonengineering exhibits; and identification of the witnesses to be presented orally; and a brief outline of the scope of the testimony of each witness to be presented orally;

(4) On or before August 29, 1966, any party desiring the production for cross-examination of any individual sponsoring any exchanged exhibit shall give notice thereof to the party offering the exhibit; and,

It is further ordered, That hearing shall commence at 10 a.m., on September 6, 1966, in the offices of the Commission at Washington, D.C.

Released: May 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5031; Filed, May 6, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 66-12]

ATLANTIC PASSENGER STEAMSHIP CONFERENCE

Notice of Postponement of Dates

Respondent Atlantic Passenger Steamship Conference has requested a postponement of the date for filing affidavits of fact and memoranda of law specified in the Order To Show Cause, served March 10, 1966, in this proceeding. Good cause appearing, the following revisions to that order and the amendment thereto, served March 31, 1966, are made:

(1) Respondents shall file affidavits of fact and memoranda of law no later than close of business May 11, 1966.

(2) Hearing Counsel and intervenors, if any, shall file replies to respondent's affidavits of fact and memoranda of law no later than close of business May 25, 1966.

(3) Oral argument will be heard on June 1, 1966, beginning at 9:30 a.m., in Room 114, 1321 H Street NW., Washington, D.C.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-5024; Filed, May 6, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI64-58]

AMERADA PETROLEUM CORP. AND SENTINEL PETROLEUM CORP.

Order Redesignating Proceeding in Part, Making Party Co-respondent and Accepting for Filing Co-respondent's Agreement and Undertaking

MAY 2, 1966.

On July 30, 1965, Sentinel Petroleum Corp. (Sentinel)[1] filed a motion requesting that it be joined as a party respondent in the above-captioned rate suspension proceeding insofar as it pertains to Amerada Petroleum Corp.'s (Amerada) FPC Gas Rate Schedule No. 50. In support of its motion, Sentinel states that effective February 27, 1964, Sentinel acquired certain of the producing properties of Amerada covered by the latter's FPC Gas Rate Schedule No. 50, and proposes to continue the sale of gas now authorized thereunder. Sentinel's agreement and undertaking accompanied its aforementioned motion to be made a party respondent.

The Commission by order issued August 2, 1963, suspended, among other rate schedules,[2] Amerada's FPC Gas Rate Schedule No. 50 for 1 day until August 16, 1963, in Docket No. RI64-58, and permitted such rate schedule to become effective subject to refund upon the filing by Amerada of its agreement and undertaking. A satisfactory agreement and undertaking was filed by Amerada on April 21, 1963.

Amerada's FPC Gas Rate Schedule No. 50 involves a sale of natural gas from the San Juan Field, Rio Arriba County, N. Mex. (San Juan Basin Area) to El Paso Natural Gas Co. The Commission by its order issued on December 1, 1965, in Docket No. CI66-112, amended the certificate authorization heretofore granted Amerada in Docket No. G-10006 to permit Sentinel to continue in part the sale of gas authorized to be made pursuant to Amerada's FPC Gas Rate Schedule No. 50. The contract comprising Sentinel's rate schedule was accepted for filing and designated as Sentinel's FPC Gas Rate Schedule No. 1.

Since Amerada has collected amounts subject to refund, it is necessary that Amerada continue as co-respondent under the rate schedule involved, and that its agreement and undertaking remain in full force and effect. Amerada will be responsible for any monies collected subject to refund under the rate schedule prior to the transfer of Amerada's interest to Sentinel.

The Commission finds: It is necessary and proper in carrying out the provisions of the Natural Gas Act and the regulations thereunder, that Sentinel be made co-respondent with Amerada in the proceeding in Docket No. RI64-58, insofar as it pertains to Amerada's FPC Gas Rate Schedule No. 50; that Sentinel's agreement and undertaking be accepted for filing as hereinafter ordered; that the agreement and undertaking filed by Amerada remain in full force and effect, and the proceeding in Docket No. RI64-58 insofar as it pertains to Amerada's FPC Gas Rate Schedule No. 50 be redesignated as "Amerada Petroleum Corp. and Sentinel Petroleum Corp".

The Commission orders:

(A) Sentinel is hereby joined as co-respondent with Amerada in the proceeding in Docket No. RI64-58, and the proceeding is redesignated as "Amerada Petroleum Corp. and Sentinel Petroleum Corp." insofar as it pertains to Amerada's FPC Gas Rate Schedule No. 50.

(B) The agreement and undertaking submitted by Sentinel on July 30, 1965, in this proceeding is accepted for filing. The agreement and undertaking of Amerada shall assure refund of any excess charges which might be determined in this proceeding to be applicable to sales prior to the acquisition by Sentinel. The agreements and undertakings filed by Amerada and Sentinel in Docket No. RI64-58 shall remain in full force and effect until discharged by the Commission.

(C) Sentinel shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5001; Filed, May 6, 1966; 8:46 a.m.]

[Docket No. CP66-334]

CENTRAL ILLINOIS PUBLIC SERVICE CO. AND NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Application

MAY 2, 1966.

Take notice that on April 25, 1966, Central Illinois Public Service Co. (Applicant), Illinois Building, Springfield, Ill., filed in Docket No. CP66-334 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Natural Gas Pipeline Co. of America (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in the village of Edgewood and the town

[1] Appendix A filed as part of original document.

[2] With respect to issue 5 above, it is pertinent to note that the final paragraph of the Commission's letter granting the short term renewals for WIFE AM-FM states that the decision to renew the licenses for 1 year "* * * thus affords the Commission an early opportunity to reexamine your operations and determine the degree of responsibility which you have exhibited during the year."

[3] Commissioner Hyde dissenting and stating, "I would favor a prehearing letter"; Lee dissenting; Loevinger absent.

[1] Formerly Amerada Petroleum Corp. Redesignated as "Amerada Petroleum Corp. and Sentinel Petroleum Corp." insofar as it pertains to Amerada's FPC Gas Rate Schedule No. 50.

[2] Amerada's FPC Gas Rate Schedule Nos. 51, 2, 49, and 76 were also suspended in said docket.

of Mason, Effingham County, Ill., and their environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the village of Edgewood and the town of Mason are located in the southern part of Effingham County, Ill., approximately 8 and 9½ miles, respectively, east of the gas transmission main of Respondent. Applicant further states that the physical connection sought by it will require Respondent to construct, own, and operate a line tap and a metering and regulating station on its transmission line at a point approximately 8 miles west of Edgewood, Ill.

Specifically, Applicant proposes to construct, operate, and maintain the following facilities:

(a) Approximately 8 miles of 2-inch gas transmission pipeline extending from the proposed metering and regulating station of Respondent to a point near the west corporate limits of Edgewood,

(b) Approximately 2½ miles of 2-inch pipeline extending from a point near the west corporate limits of Edgewood along and near Illinois Route 37 to a point near the west corporate limits of Mason, and

(c) Gas distribution systems in said village of Edgewood and the town of Mason and their environs.

The total estimated volumes of natural gas necessary to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Edgewood:			
Annual (Mcf)	22,688	31,206	34,377
Peak day (Mcf)	199	281	319
Mason:			
Annual (Mcf)	13,387	19,626	23,233
Peak day (Mcf)	129	190	226

The total estimated cost of Applicant's proposed transmission and distribution facilities is $200,212, which cost will be financed from internal funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 31, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5002; Filed, May 6, 1966; 8:46 a.m.]

[Docket No. CP66-337]

ARKANSAS LOUISIANA GAS CO.

Notice of Application

MAY 2, 1966.

Take notice that on April 25, 1966, Arkansas Louisiana Gas Co. (Applicant), Slattery Building, Shreveport, La., filed in Docket No. CP66-337 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate a market lateral pipeline from its existing transmission facilities to a new plant constructed by a new industrial customer, consisting of approximately 4,000 feet of 3-inch pipeline extending to the new plant facility of Arkla Chemical Corp. (Arkla), near Gurdon, Clark County, Ark.

Applicant states that Arkla's annual and peak day natural gas requirements will be approximately 765,000 Mcf and 3,900 Mcf, respectively. Applicant further states that the delivery of these volumes to Arkla through the proposed facilities will not increase the capacity of Applicant's main transmission system or modify the total volumes handled by such system on a maximum day. Pursuant to an agreement between the parties dated April 6, 1966, deliveries of natural gas to Arkla by Applicant will be made on an interruptible basis.

The total estimated cost of Applicant's proposed construction is $21,290, which will be financed from cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 31, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5003; Filed, May 6, 1966; 8:46 a.m.]

[Docket No. CP66-335]

TRANSCONTINENTAL GAS PIPE LINE CORP. AND TRUNKLINE GAS CO.

Notice of Application

MAY 2, 1966.

Take notice that on April 25, 1966, Transcontinental Gas Pipe Line Corp. (Transco), Post Office Box 1396, Houston, Tex., 77001, and Trunkline Gas Co. (Trunkline), Post Office Box 1642, Houston, Tex., 77001, collectively referred to as Applicants, filed in Docket No. CP66-335 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of the facilities necessary to establish an emergency interconnection between their respective pipeline systems at an existing exchange point in Beauregard Parish, La., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to the terms of an agreement dated April 13, 1966, Applicants propose that Trunkline construct, own and maintain a metering station and approximately 75 feet of 8-inch O.D. interconnecting pipeline extending from the existing tap and side valve assembly on its 20-inch Lakeside Lateral pipeline to said metering station and that Transco construct, own and maintain approximately 350 feet of 8-inch interconnecting pipeline extending from the valve assembly on its 30-inch pipeline to the metering station. Applicants state that the proposed facility will be located where their respective pipelines cross in township 7 South, Range 8 West, Section 14, Beauregard Parish, La.

The application states that the proposed facilities will be utilized when either of the Applicants is confronted with an emergency which can be alleviated by the deliveries of natural gas from the other when such deliveries can be made without impairment of service obligations to others.

The total estimated cost of Applicant's proposed facilities is $24,553, of which Transco's share is estimated to be $6,000, and Trunkline's share $18,553. The cost of the proposed facilities will be financed by the respective companies from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 31, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5004; Filed, May 6, 1966; 8:46 a.m.]

[Docket No. CP66-336]

ALABAMA-TENNESSEE NATURAL GAS CO.

Notice of Application

MAY 2, 1966.

Take notice that on April 25, 1966, Alabama-Tennessee Natural Gas Co. (Applicant), Post Office Box 918, Florence, Ala., 35630, filed in Docket No. CP66-336 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of the natural gas facilities required to increase its lateral pipeline capacity in order to render additional natural gas service to the city of Corinth, Miss. (Corinth), an existing customer of Applicant upon a condition proposed to be set forth in the certificate requiring Corinth to enter into certain contractual arrangements, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that in each year, commencing with the winter of 1962-63, Corinth has taken without contractual authority volumes of gas in excess of the presently effective service agreement dated December 1, 1956, which provides for a maximum daily quantity of 3,850 Mcf. Applicant states that by reason of the above situation the certificate sought by the instant application is being requested on the condition that Corinth enter into a service agreement providing for the presently effective maximum daily quantity for the period expiring February 1, 1970, and for an additional maximum daily quantity of 850 Mcf for the period expiring November 1, 1985.

Subject to the condition set forth above, Applicant seeks authorization for the construction and operation of 2.5 miles of 3½-inch O.D. lateral pipeline extending from its existing 10-inch main pipeline to the Corinth resale meter and regulator station located in Alcorn County, Miss. Applicant states that this proposed lateral pipeline will parallel the existing 3½-inch Corinth lateral pipeline and that said proposed new lateral pipeline will increase Applicant's ability to deliver gas to Corinth under maximum daily flow conditions from 5,725 Mcf to approximately 11,500 Mcf.

The total estimated cost of Applicant's proposed facilities is $44,000, which will be financed from cash on hand or through short term bank loans.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 27, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5005; Filed, May 6, 1966; 8:46 a.m.]

[Docket No. CP66-226, etc.]

CITIES SERVICE GAS CO., ET AL.

Notice Setting Date for Hearing

APRIL 29, 1966.

Take notice that the hearing in the above-designated consolidated proceedings is hereby set to commence at 10 a.m., e.d.s.t., on May 23, 1966, in a hearing room of the Federal Power Commission, 441 G Street, NW., Washington, D.C.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5006; Filed, May 6, 1966; 8:46 a.m.]

[Docket No. RI66-348]

EARLSBORO OIL & GAS CO., ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

APRIL 29, 1966.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 15, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-348...	Earlsboro Oil & Gas Co. (partnership), et al., 2803 First National Bldg., Oklahoma City, Okla., 73102.	[1]	1	Cities Service Gas Co. (Wakita Field, Grant County, Okla.) (Oklahoma "Other" Area).	[illegible]	4-1-66	[2] 5-2-66	[3] 5-3-66	[4] 13.0	[4] [6] 14.0	

[1] Contract dated after Sept. 28, 1960, the date of issuance of General Policy Statement No. 61-1.
[2] The stated effective date is the first day after expiration of the statutory notice.
[3] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Subject to a downward B.t.u. adjustment.

Earlsboro Oil & Gas Co. (Partnership), et al. (Earlsboro), request a retroactive effective date of January 1, 1965, for their proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Earlsboro's rate filing and such request is denied.

The contract related to the rate filing proposed by Earlsboro was executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed increased rate is above the applicable area ceiling for increased rates but below the initial service ceiling for the area involved. We believe, in this situation, Earlsboro's rate filing should be suspended for one day from May 2, 1966, the date of expiration of the statutory notice.

[F.R. Doc. 66-5007; Filed, May 6, 1966; 8:45 a.m.]

[Docket No. CP64-99]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

MAY 2, 1966.

Take notice that on April 20, 1966, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP64-99 a petition to amend the order of the Commission issued in said docket on February 18, 1964, and amended on August 7, 1964, October 21, 1964, December 15, 1964, and June 2, 1965, which order, as amended, authorized Petitioner to construct and operate certain facilities, to sell and deliver natural gas to Washington Natural Gas Co. (Washington Natural) and The Washington Water Power Co. (Water Power) and, as to Petitioner's one-third interest, to construct and operate certain other facilities, all for the purpose of testing underground natural gas storage in the Jackson Prairie area of Lewis County, Wash. (Storage Unit), at an estimated cost of $3,579,000. By the instant filing, Petitioner seeks authorization to modify its existing Storage Unit Meter Station, to extend the testing period, to increase its one-third commitment and to increase the volumetric limitation on the inventory of gas in the Storage Unit, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

According to the terms of the order issued in the instant docket, as amended, the inventory of gas in the Storage Unit is limited to 2,000,000 Mcf, the testing activities are to cease on June 30, 1966, or upon divestiture of Petitioner's Northwest Division System, whichever first occurs, and Petitioner's one-third commitment in the testing activities is limited to $1,200,000.

Specifically, by the instant filing, Petitioner seeks authorization to modify its existing Storage Unit Meter Station, at an estimated cost of $47,900, through replacement of its existing 4½-inch O.D. standard orifice type, two-way meter run with six 8⅝-inch O.D. standard orifice-type, two-way meter runs, and necessary appurtenances, and as to its one-third interest to replace two 1,068 horsepower portable-type compressor units. Petitioner states that the Storage Unit Compressor Station will have a total of 2,736 installed horsepower after replacement of the aforementioned compressor units. Petitioner also seeks an extension of time to June 30, 1967, or until divestiture of its Northwest Division System, whichever first occurs, an increase in its one-third commitment from $1,200,000 to $2,000,000 and an increase in the volumetric limitation on the inventory of gas in the Storage Unit from 2,000,000 Mcf to 3,000,000 Mcf.

Petitioner states that gas withdrawn from the Storage Unit during periods of test withdrawal operations will be received into its mainline and utilized by the parties in such quantities as are from time to time delivered to the Storage Unit for their respective accounts.

The total estimated cost of the proposed extended testing program, inclusive of the amount of $3,374,200 jointly expended through December 31, 1965, but exclusive of the amount of $47,900 for Petitioner's metering facilities, is $5,889,000, which cost will be borne equally by Petitioner, Washington Natural and Water Power.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 26, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5008; Filed, May 6, 1966; 8:46 a.m.]

[Docket No. RI66-334]

MIDHURST OIL CORP.

Order Providing for Hearing; Correction

APRIL 27, 1966.

In the order providing for hearing on and suspension of proposed changes in rates, and allowing rate changes to become effective subject to refund, issued April 8, 1966, and published in the FEDERAL REGISTER April 16, 1966 (F.R. Doc. 66-4077, 31 F.R. 5916), change "Supplement No. 13" to read "Supplement No. 14" in the chart, the findings and in ordering paragraphs (A) and (B).

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5009; Filed, May 6, 1966; 8:46 a.m.]

[Docket No. CP66-339]

UNITED FUEL GAS CO.

Notice of Application

MAY 2, 1966.

Take notice that on April 26, 1966, United Fuel Gas Co. (Applicant), Post Office Box 1273, Charleston, W. Va., 25325, filed in Docket No. CP66-339 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain measuring and regulating facilities on its 10-inch pipeline in Boyd County, Ky., in order to provide a new delivery point for the sale of natural gas to Columbia Gas of Kentucky, Inc. (Columbia of Kentucky), an existing customer of Applicant, for resale to Ashland Asphalt Paving Co. (Ashland), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that Columbia of Kentucky has advised Applicant that it has concluded negotiations with Ashland for retail sale of gas for industrial use and that in order to supply natural gas necessary for that purpose Columbia of Kentucky has requested Applicant to provide an additional point of delivery from Applicant's 10-inch gas transmission pipeline in Boyd County, Ky. The application further states that Columbia of Kentucky has advised Applicant that the estimated annual and peak day natural gas requirements for Ashland are 84,000 Mcf and 420 Mcf, respectively.

Applicant states that the additional requirements of Ashland will not necessitate an increase in Applicant's currently effective Contract Demand with Columbia of Kentucky.

The total estimated cost of Applicant's proposed construction is $4,900, which will be financed from cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 31, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5010; Filed, May 6, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4376]

METROPOLITAN EDISON CO.

Notice of Proposed Issue and Sale of Short-Term Notes to Banks

MAY 3, 1966.

Notice is hereby given that Metropolitan Edison Co. ("Met-Ed"), 2800 Pottsville Pike, Berks County, Pa., an electric utility subsidiary company of General Public Utilities Corp., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating section 6(b) thereof as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Met-Ed proposes to issue and sell, from time to time prior to May 31, 1967, to the banks named below its promissory notes, each of which will mature not later than 9 months from the date of issue, will be prepayable without penalty, and will bear interest at the prime rate in effect in New York City (currently 5½ percent) on the date of issue.

Met-Ed expects to issue the notes to the following banks in the maximum amount outstanding at any one time, as follows:

First National City Bank, New York, N.Y.	$3,000,000
Marine Midland Grace Trust Co. of New York, N.Y.	4,000,000
Morgan Guaranty Trust Co. of New York, N.Y.	3,000,000
Fidelity-Philadelphia Trust Co., Philadelphia, Pa.	3,800,000
The First Pennsylvania Banking & Trust Co., Philadelphia, Pa.	3,000,000
American Bank & Trust Co. of Pennsylvania, Reading, Pa.	1,900,000
Peoples Trust City Bank, Reading, Pa.	500,000
Reading Trust Co., Reading, Pa.	800,000
National Bank & Trust Co. of Central Pennsylvania, York, Pa.	1,600,000
The York Bank & Trust Co., York, Pa.	1,000,000
	22,600,000

Met-Ed will use the proceeds from the sale of the notes for construction expenditures and/or to pay other short-term notes, the proceeds of which have been so applied. The contemplated construction program for 1966 is estimated at approximately $26,500,000.

The application states that the net proceeds from any permanent debt financing effected prior to the maturity of any of the proposed notes will be used to pay part or all of the notes then outstanding, and the maximum amount of indebtedness which may be incurred by Met-Ed under this application will be reduced by an amount equal to the net proceeds of the permanent debt financing.

The fees and expenses to be paid by Met-Ed in connection with the issue and sale of the notes are estimated at $3,300, including counsel fees of $3,000. No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 25, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5016; Filed, May 6, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1342]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 4, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68525. By order of April 29, 1966, the Transfer Board approved the transfer to Stanley L. Shiflet, doing business as Shiflet's Transfer, Richwood, W. Va., of certificate in No. MC-30157, issued February 16, 1953, to E. L. Moore, Gassaway, W. Va., authorizing the transportation of: Household goods, between points in Braxton and Nicholas Counties, W. Va., on the one hand, and, on the other, points in Ohio, Virginia, Pennsylvania, Kentucky, and West Virginia; and, such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business, between points in Gassaway and Richwood, W. Va. Dan O. Callaghan, Post Office Box 432, Richwood, W. Va., 26261, attorney for applicants.

No. MC-FC-68526. By order of April 29, 1966, the Transfer Board approved the transfer to Suter, Inc., Chagrin Falls, Ohio, of certificate No. MC-61117 and the certificate of registration in No. MC-61117 (Sub-No. 3), issued February 8, 1951, and June 9, 1965, respectively, to George L. Suter and Merinus D. Suter, a partnership, doing business as L. Suter & Sons, Chagrin Falls, Ohio, authorizing the transportation of: General commodities, with the usual exceptions including household goods and commodities in bulk, between Chagrin Falls, Ohio and Cleveland, Ohio; and property from and to Chagrin Falls, Ohio. Paul F. Beery,

100 East Broad Street, Columbus, Ohio, 43215, attorney for applicants.

No. MC–FC–68646. By order of April 29, 1966, the Transfer Board approved the transfer to Equity Cartage Distributing, Inc., Brooklyn, N.Y., of certificate No. MC–76888 (Sub-No. 3), issued January 12, 1961, to Equity Express, Inc., New York, N.Y., authorizing the transportation of: Aluminum articles, consisting of housewares, kitchenware, cooking utensils, electric housewares, toys, giftwares, and boats, from piers located in the New York, N.Y., commercial zone, as defined by the Commission, to points in Nassau and Westchester Counties, N.Y. Morris Honig, 150 Broadway, New York, N.Y., 10038, attorney for applicants.

No. MC–FC–68695. By order of April 29, 1966, the Transfer Board approved the transfer to Hunting Park Moving & Storage, Inc., Philadelphia, Pa., of certificate in No. MC–103131, issued June 26, 1962, to Frank Snyder, Philadelphia, Pa., authorizing the transportation of: Household goods as defined by the Commission, between Philadelphia, Pa., on the one hand, and, on the other, points in New York, New Jersey, Delaware, and Maryland; and new furniture, uncrated, finished or unfinished, from Philadelphia, Pa., to points in New York, New Jersey, Delaware, and Maryland. James L. Price, Steinberg, Richman, Price & Steinbrook, 1339 Chestnut Street, Philadelphia, Pa., attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–5040; Filed, May 6, 1966; 8:49 a.m.]

[3d Rev. S.O. 562; Pfahler's ICC Order 206, Amdt. 1]

MISSOURI PACIFIC RAILROAD CO., ET AL.

Diverting or Rerouting of Traffic; Expiration Date

Upon further consideration of Pfahler's ICC Order No. 206 and good cause appearing therefor:

It is ordered, That Pfahler's ICC Order No. 206 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) Expiration date: This order shall expire at 11:59 p.m., May 6, 1966, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., May 3, 1966, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 3, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66–5041; Filed, May 6, 1966; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

	Page
PROCLAMATION:	
3718	6567
3719	6607
3720	6679
3721	6817
EXECUTIVE ORDER:	
11277	6609
11278	6681
11017 (Superseded by EO 11278)	6681
11069 (Superseded by EO 11278)	6681
11218 (Superseded by EO 11278)	6681

5 CFR

213	6769
772	6569

7 CFR

7	6569
50	6570
68	6629
722	6573, 6580
724	6819
729	6581
813	6819
908	6825
909	6825
910	6826
980	6629
1098	6581
1434	6582
PROPOSED RULES:	
58	6715
965	6592
1032	6631
1050	6631
1126	6631

8 CFR

214	6611

12 CFR

1	6826

14 CFR

39	6582, 6685, 6790
71	6582, 6584, 6791, 6826, 6827
97	6612, 6685, 6828
137	6685
151	6686
208	6620
223	6584
320	6585
378	6621
PROPOSED RULES:	
71	6716, 6717, 6837, 6838
121	6592

15 CFR

30	6587
373	6707
374	6707
377	6707
379	6709
382	6707, 6709
384	6709
385	6709
399	6707, 6709, 6829

17 CFR

200	6588
240	6705, 6706

19 CFR

1	6611
10	6769

20 CFR

404	6611

21 CFR

121	6830
131	6705
146c	6830
191	6622
PROPOSED RULES:	
51	6792

26 CFR

1	6589
31	6589

29 CFR

548	6769
800	6770

31 CFR

202	6590
316	6831
332	6686, 6831

32 CFR

300	6831

32A CFR

BDSA (Ch. VI):	
BDSA Reg. 2	6590

33 CFR

207	6590, 6622
208	6707

35 CFR

255	6831

38 CFR

2	6770
21	6771

39 CFR

PROPOSED RULES:	
21	6715
24	6715

41 CFR

	Page
6–1	6622
6–2	6623
6–3	6623
6–5	6624
6–7	6624
6–11	6624
6–30	6624
6–60	6625
22–60	6625
101–45	6831

43 CFR

PROPOSED RULES:	
3130	6834
3160	6836

45 CFR

177	6591
801	6591

46 CFR

PROPOSED RULES:	
510	6792
512	6838
513	6838

47 CFR

0	6627, 6831
1	6831
73	6627, 6628
PROPOSED RULES:	
73	6637, 6638, 6792, 6838

49 CFR

71–79	6591
95	6832

50 CFR

33	6629, 6832
60	6833

V
O
L

3

8

DETROIT PUBLIC LIBRARY MAY 21 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 90

Tuesday, May 10, 1966 • Washington, D.C.

Pages 6851–6886

Agencies in this issue—

The President
Agency for International Development
Agricultural Stabilization and Conservation Service
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Emergency Planning Office
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Contract Compliance Office
Federal Housing Administration
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Housing and Urban Development Department
Interior Department
International Commerce Bureau
Interstate Commerce Commission
Justice Department
Labor Department
Land Management Bureau
Maritime Administration
Securities and Exchange Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 41—Public Contracts and Property Management
(Chapters 2–4) (Revised)
$0.70

Title 41—Public Contracts and Property Management
(Chapters 19–100) (Revised)
$0.50

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION

National Safety Patrol Week 6855

REORGANIZATION PLAN

Reorganization Plan No. 2 of 1966; water pollution control 6857

EXECUTIVE AGENCIES

AGENCY FOR INTERNATIONAL DEVELOPMENT

Notices

Medical Assistance Programs, Inc.; registration as a voluntary aid agency 6876

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Determination of acreage and compliance; crop disposition dates; correction 6859
Puerto Rico; allotment of direct-consumption portion of mainland sugar quota 6860
Upland cotton; applications for transfer and amount of allotment transferable 6859

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.

ARMY DEPARTMENT

See Engineers Corps.

CIVIL AERONAUTICS BOARD

Notices

Allegheny Airlines, Inc., Segment 8 renewal and route realignment investigation; notice of hearing 6878

CIVIL SERVICE COMMISSION

Rules and Regulations

Housing and Home Finance Agency; excepted service 6859

COMMERCE DEPARTMENT

See International Commerce Bureau; Maritime Administration.

COMMODITY CREDIT CORPORATION

Rules and Regulations

Cotton, upland; price support and diversion program regulations, 1966 and subsequent years 6861
Tobacco export program 6862

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Milk in Paducah, Ky., marketing area; correction 6861
Onions grown in south Texas; shipment limitations 6860

Proposed Rule Making

Canned green beans and wax beans; standards for grades; termination of rule-making proceeding 6871
Milk in Nebraska-Western Iowa marketing area 6873
Nectarines grown in California; decision and referendum 6871

Notices

Identification of carcasses; changes in lists of establishments 6877

CUSTOMS BUREAU

Notices

Oklahoma City, Okla.; proposed designation as a customs port of entry 6871

DEFENSE DEPARTMENT

See Engineers Corps.

EMERGENCY PLANNING OFFICE

Notices

Arizona; notice of disaster 6880

ENGINEERS CORPS

Rules and Regulations

Ohio and Mississippi Rivers; navigation regulations 6867

FEDERAL AVIATION AGENCY

Rules and Regulations

Alterations:
Control zone 6864
Control zone and transition area (2 documents) 6864

Proposed Rule Making

Control zone and Transition area:
Proposed alteration 6873
Proposed designation and alteration 6873

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Las Vegas, Nev., et al.; table of assignments 6868
Petitions for suspension of tariff schedules 6868

Proposed Rule Making

Commercial UHF assignment for Martinsville, Va.; table of assignments for TV channels 6874

Notices

Northwest Broadcasters, Inc. (KBVU), et al.; order scheduling hearing 6878

FEDERAL CONTRACT COMPLIANCE OFFICE

Notices

Pre-award procedure to insure compliance by Government contractors with equal employment opportunity requirements 6881

FEDERAL HOUSING ADMINISTRATION

Rules and Regulations

Delegations of basic authority and functions 6866

FEDERAL MARITIME COMMISSION

Notices

North Atlantic Mediterranean Freight Conference; notice of agreements filed for approval 6878

FEDERAL POWER COMMISSION

Notices

Piney Point Petroleums et al.; order accepting proposed contract 6879

FEDERAL TRADE COMMISSION

Rules and Regulations

Additional discount to mail order seller of paperback books 6866
Advertising service disclosing where manufacturers' products are sold 6866

FISH AND WILDLIFE SERVICE

Rules and Regulations

Chautauqua National Wildlife Refuge, Ill.; sport fishing 6869

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See also Federal Housing Administration.

Notices

Under Secretary of Housing and Urban Development; delegation of authority 6878

INTERIOR DEPARTMENT

See also Fish and Wildlife Service; Land Management Bureau.

Notices

Geological Survey; delegation of authority 6876
Timme, E. F.; report of appointment and statement of financial interests 6877
Water pollution control program 6877

INTERNATIONAL COMMERCE BUREAU

Rules and Regulations

Miscellaneous amendments to chapter 6864

(Continued on next page)

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief 6882
Motor carrier:
Temporary authority applications 6883
Transfer proceedings 6884

JUSTICE DEPARTMENT

Rules and Regulations

Organization; miscellaneous amendments 6867

LABOR DEPARTMENT

See also Federal Contract Compliance Office.

Notices

Advisory Council on Employee Welfare and Pension Benefit Plans; recommendation for appointment 6882

LAND MANAGEMENT BUREAU

Rules and Regulations

California; public land order 6868

Notices

Nevada; land classification 6876

MARITIME ADMINISTRATION

Notices

Carriage of oil to Rhodesia 6878

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
Leach Corp 6880
Metropolitan Edison Co 6881

STATE DEPARTMENT

See Agency for International Development.

TREASURY DEPARTMENT

See Customs Bureau.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATION:
3722 6855
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 6857

5 CFR

213 6859

7 CFR

718 6859
722 6859
815 6860
959 6860
1099 6861
1427 6861
1490 6862
PROPOSED RULES:
52 6871
916 6871
1065 6873

14 CFR

71 (3 documents) 6864
PROPOSED RULES:
71 (2 documents) 6873

15 CFR

384 6864
399 6866

16 CFR

15 (2 documents) 6866

19 CFR

PROPOSED RULES:
1 6871

24 CFR

200 6866

28 CFR

0 6867

33 CFR

207 6867

43 CFR

PUBLIC LAND ORDERS:
3977 (amended by PLO 4000) 6868
4000 6868

47 CFR

1 6868
73 6868
PROPOSED RULES:
73 6874

50 CFR

33 6869

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3722

NATIONAL SCHOOL SAFETY PATROL WEEK

By the President of the United States of America

A Proclamation

Safety on our streets and highways is one of our Nation's most critical problems. Today, as traffic hazards continue to increase, it is more important than ever that our children be protected as they travel to and from school.

The school safety patrol program, sponsored jointly by our schools, police departments, and motor clubs, has contributed immeasurably to the safety of our youngsters.

Since this program began, over 40 years ago, more than sixteen million children have served as school safety patrol members, safeguarding the lives of their fellow students. During that time the traffic death rate among school children has been reduced by nearly one-half, while the death rate of other age groups has doubled.

To give recognition to the efforts and accomplishments of school safety patrols, the Congress by a joint resolution approved May 5, 1966, has designated the week of May 8 to May 14, 1966, as National School Safety Patrol Week and has requested the President to issue a proclamation calling for its observance.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby call upon the people of the United States to observe National School Safety Patrol Week with ceremonies and activities designed to give honor and recognition to those school children who unselfishly devote their time to insure the safety of their fellow students, and to all others whose unstinting cooperation and assistance have made our school safety patrol program an outstanding success.

I urge parents, school officials, community leaders and others interested in the safety and well being of our school children to give their continued support and encouragement to the school safety patrol program.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this Fifth day of May in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-5148, Filed, May 9, 1966; 10:24 a.m.]

Reorganization Plan No. 2 of 1966

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, February 28, 1966, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.[1]

WATER POLLUTION CONTROL

SECTION 1. *Transfers of functions and agencies.* (a) Except as otherwise provided in this section, all functions of the Secretary of Health, Education, and Welfare and of the Department of Health, Education, and Welfare under the Federal Water Pollution Control Act, as amended, hereinafter referred to as the Act (33 U.S.C. 466 et seq.), including all functions of other officers, or of employees or agencies, of that Department under the Act, are hereby transferred to the Secretary of the Interior.

(b) The Federal Water Pollution Control Administration is hereby transferred to the Department of the Interior.

(c) (1) The Water Pollution Control Advisory Board, together with its functions, is hereby transferred to the Department of the Interior.

(2) The functions of the Secretary of Health, Education, and Welfare (including those of his designee) under section 9 of the Act shall be deemed to be hereby transferred to the Secretary of the Interior.

(3) The Secretary of Health, Education, and Welfare shall be an additional member of the said Board as provided for by section 9 of the Act and as modified by this reorganization plan.

(d) (1) The Hearing Boards provided for in sections 10(c)(4) and 10(f) of the Act, including any Boards so provided for which may be in existence on the effective date of this reorganization plan, together with their respective functions, are hereby transferred to the Department of the Interior.

(2) The functions of the Secretary of Health, Education, and Welfare under the said sections 10(c)(4) and 10(f) shall be deemed to be hereby transferred to the Secretary of the Interior.

(3) The Secretary of the Interior shall give the Secretary of Health, Education, and Welfare opportunity to select a member of each Hearing Board appointed pursuant to sections 10(c)(4) and 10(f) of the Act as modified by this reorganization plan.

(e) There are excepted from the transfers effected by subsection (a) of this section (1) the functions of the Secretary of Health, Education, and Welfare and the Assistant Secretary of Health, Education, and Welfare under clause (2) of the second sentence of section 1(b) of the Act, and (2) so much of the functions of the Secretary of Health, Education, and Welfare under section 3(b)(2) of the Act as relates to public health aspects.

(f) The functions of the Surgeon General under section 2(k) of the Water Quality Act of 1965 (79 Stat. 905) are transferred to the Secretary of Health, Education, and Welfare. Within 90 days after this reorganization plan becomes effective, the Secretary of the Interior and the Secretary of Health, Education, and Welfare shall present to the President for his approval an interdepartmental agreement providing in detail for the implementation of the consultations provided for by said section 2(k). Such interdepartmental agreement may be modified from time to time by the two Secretaries with the approval of the President.

---

[1] Effective May 10, 1966, under the provisions of section 6 of the Act; published pursuant to section 11 of the Act (63 Stat. 208; 5 U.S.C. 133z).

(g) The functions of the Secretary of Health, Education, and Welfare under sections 2(b), (c), and (g) of the Water Quality Act of 1965 are hereby transferred to the Secretary of the Interior: *Provided*, That the Secretary of the Interior may exercise the authority to provide further periods for the transfer to classified positions in the Federal Water Pollution Control Administration of commissioned officers of the Public Health Service under said section 2(b) only with the concurrence of the Secretary of Health, Education, and Welfare.

(h) The functions of the Secretary of Health, Education, and Welfare under the following provisions of law are hereby transferred to the Secretary of the Interior:

(1) Section 702(a) of the Housing and Urban Development Act of 1965 (79 Stat. 490).

(2) Section 212 of the Appalachian Regional Development Act of 1965 (79 Stat. 16).

(3) Section 106 of the Public Works and Economic Development Act of 1965 (79 Stat. 554).

SEC. 2. *Assistant Secretary of the Interior.* There shall be in the Department of the Interior one additional Assistant Secretary of the Interior, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall, except as the Secretary of the Interior may direct otherwise, assist the Secretary in the discharge of the functions transferred to him hereunder, who shall perform such other duties as the Secretary shall from time to time prescribe, and who shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of the Interior.

SEC. 3. *Performance of transferred functions.* The provisions of sections 2 and 5 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262) shall be applicable to the functions transferred hereunder to the Secretary of the Interior to the same extent as they are applicable to the functions transferred to the Secretary thereunder.

SEC. 4. *Incidental provisions.* (a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds, employed, used, held, available, or to be made available in connection with the functions tranferred to the Secretary of the Interior or the Department of the Interior by this reorganization plan as the Director of the Bureau of the Budget shall determine shall be transferred to the Department of the Interior at such time or times as the Director shall direct.

(b) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the transfers referred to in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

(c) This reorganization plan shall not impair the transfer rights and benefits of commissioned officers of the Public Health Service provided by section 2 of the Water Quality Act of 1965.

SEC. 5. *Abolition of office.* (a) There is hereby abolished that office of Assistant Secretary of Health, Education, and Welfare the incumbent of which is on date of the transmittal of this reorganization plan to the Congress the Assistant Secretary of Health, Education, and Welfare designated by the Secretary of Health, Education, and Welfare under the provisions of section 1(b) of the Act.

(b) The Secretary of Health, Education, and Welfare shall make such provisions as he shall deem to be necessary respecting the winding up of any outstanding affairs of the Assistant Secretary whose office is abolished by subsection (a) of this section.

[F.R. Doc. 66-5095; Filed, May 9, 1966; 8:48 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Housing and Home Finance Agency and Department of Housing and Urban Development

Section 213.3384 is amended to show that 11 positions are added to Schedule C. Section 213.3344 is also amended to show that the position of President, Federal National Mortgage Association, is now listed under § 213.3384. Effective on publication in the FEDERAL REGISTER, subparagraph (1) and the headnote of paragraph (d) of § 213.3344 are revoked and subparagraphs (10), (11), and (12) are added to paragraph (a); subparagraphs (2), (3), (4), and (5) are added to paragraph (c); subparagraphs (3), (4), and (5) are added to paragraph (d); and subparagraph (2) is added to paragraph (e) of § 213.3384 as set out below.

§ 213.3344 Housing and Home Finance Agency.

* * * * * *

(d) [Revoked]

§ 213.3384 Department of Housing and Urban Development.

(a) *Office of the Secretary.* * * *

(10) One Executive Assistant to the Secretary.

(11) One Administrative Assistant to the Secretary.

(12) President, Federal National Mortgage Association.

* * * * * *

(c) *Office of the Assistant Secretary for Renewal and Housing Assistance.* * * *

(2) One General Deputy, Renewal and Housing Assistance.

(3) One Deputy Assistant Secretary, Renewal Projects Administration.

(4) One General Deputy, Renewal Projects Administration.

(5) One Deputy Assistant Secretary, Housing Assistance Administration.

(d) *Office of the Assistant Secretary for Metropolitan Development.* * * *

(3) Director, Land and Facilities Administration.

(4) One General Deputy, Land and Facilities Administration.

(5) One Deputy Assistant Secretary for Metropolitan Development.

(e) *Office of the Assistant Secretary for Demonstrations and Intergovernmental Relations.* * * *

(2) One Deputy Assistant Secretary for Demonstrations and Intergovernmental Relations and Director of Urban Program Coordination.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5088; Filed, May 9, 1966; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

Crop Disposition Dates; Correction

In F.R. Doc. 66-4099 appearing on page 5812 of the issue for Friday, April 15, 1966, the following corrections are made in § 718.16(b):

1. Under California (1)(iii), the first word enclosed in parenthesis immediately following Kern is changed from "Tehachipi" to read "Tehachapi".

2. Under South Dakota (1)(ii), "Perkings" is changed to read "Perkins".

Signed at Washington, D.C., on May 4, 1966.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5058; Filed, May 9, 1966; 8:46 a.m.]

[Amdt. 1]

PART 722—COTTON

Subpart—Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton

APPLICATIONS FOR TRANSFER AND AMOUNT OF ALLOTMENT TRANSFERABLE

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The following provisions are included in this amendment.

(a) Subparagraphs (1) and (2) of § 722.436(a) are amended to make clear that a transfer by sale or lease and by owner to take effect during 1966, 1967, 1968, and 1969 may be made from an old cotton farm, as defined in § 722.404(b)(13), which has a current allotment. The present language of these subparagraphs authorizes such transfers from a farm having a 1965 allotment, i.e., an old cotton farm in 1966 and does not properly provide for such transfer rights to take effect in 1967, 1968, and 1969. Subparagraph (1) of § 722.436(a) is further clarified to repeat the rule in § 722.437(d) that the farm to which transfer by sale or lease is made shall be a farm which received a 1965 allotment greater than zero.

(b) Subparagraph (3) of § 722.436(a) and the exception clause in the last sentence of § 722.437(d) provide that the owner of a farm having a 1965 allotment greater than zero retains his eligibility to acquire allotment by sale or lease for another farm if the 1965 farm is taken by an agency having the right of eminent domain and such 1965 allotment is pooled for the benefit of such owner under section 378 of the act.

Since this amendment is applicable to the 1966 crop and producers are currently making plans for such crop, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby found and determined that compliance with the notice, public procedure, and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing this document with the Director, Office of the Federal Register.

The regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300) are amended as follows:

1. Section 722.436(a) of the regulations is amended to read as follows:

§ 722.436 Applications for transfer.

(a) *Persons eligible to file applications for transfers—(1) Sale or lease.* The owner and operator of any old cotton farm, as defined in § 722.404(b)(13), for which an upland cotton allotment is or will be established for the year in which the transfer by sale or lease is to take effect (1966–69) shall be eligible to file an application for sale or lease of all or part of such allotment to any other owner or operator of a farm which received an upland cotton allotment greater than zero for 1965 and which has a current upland cotton allotment for transfer to such farm. If the owner and operator of the farm from which transfer by sale or lease is to be made are different persons, both such persons shall execute the application.

(2) *By owner.* The owner of any old cotton farm, as defined in § 722.404(b)(13), for which an upland cotton allotment is or will be established for the year in which the transfer is to take effect (1966–69) is eligible to file an application to transfer such allotment from the farm to another farm in the same State owned or controlled by such owner.

(3) *Pooled allotments.* Notwithstanding the requirement of subparagraph (1) of this paragraph that the farm to which transfer is made be a farm which received a 1965 upland cotton allotment greater than zero, applications may be filed to transfer allotment by sale or lease to a farm for which a 1965 upland cotton allotment was not established if an allotment is established for such farm during the period 1966–69 from pooled allotment under section 378 of the act derived from a farm which received an upland cotton allotment in 1965 greater than zero, and for which an allotment is or will be established for the year in which the transfer is to take effect.

* * * * *

2. Section 722.437(d) of the regulations is amended to read as follows:

§ 722.437 Amount of allotment transferable.

* * * * *

(d) *Sale and lease transfers—limit on amount of acreage transferred.* The total upland cotton allotment which may be transferred by sale or lease to a farm shall not exceed the acreage obtained by subtracting the allotment (excluding reapportioned acreage) for such farm established for the year the transfer is to take effect from the sum of (1) the 1965 farm allotment before release and reapportionment and (2) 100 acres. No farm shall be eligible for transfer of an allotment by sale or lease unless such farm received an upland cotton allotment greater than zero for 1965 and for the year in which the transfer is to take effect, except that allotment may be transferred to a farm for which an upland cotton allotment was established under provisions of section 378 of the act during the period 1966–69 from pooled allotment if the farm which was acquired by the agency having the power of eminent domain, and which contributed the allotment to the pool, had an allotment greater than zero for 1965. For purposes of determining the amount of allotment eligible for transfer by sale or lease under the first sentence of this paragraph, the 1965 farm allotment on the farm acquired by the agency shall be used, regardless of the allotment actually transferred from the pool.

* * * * *

(Sec. 344a, 375, 79 Stat. 1197, 52 Stat. 66, as amended; 7 U.S.C. 1344b, 1375)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 5, 1966.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5076; Filed, May 9, 1966; 8:47 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 815.7; Amdt. 1]

PART 815—ALLOTMENT OF DIRECT-CONSUMPTION PORTION OF MAINLAND SUGAR QUOTA FOR PUERTO RICO

Calendar Year 1966

Basis and purpose. This amendment is issued under section 205(a) of the Sugar Act of 1948, as amended (hereinafter called the "Act") for the purpose of amending Sugar Regulation 815.7 (31 F.R. 74), which established allotments of the direct-consumption portion of the 1966 mainland quota for Puerto Rico.

This amendment of S.R. 815.7 is necessary to substitute final 1965 data on entries of direct-consumption sugar for estimates of such quantities, and to give effect to Sugar Regulation 811, Amdt. 4 (31 F.R. 5681) which established the direct-consumption portion of the 1966 mainland quota for Puerto Rico of 150,000 short tons, raw value, a quantity 3,000 tons greater than the quantity previously established. This order also allots the entire direct-consumption portion of the 1966 quota. Previous 1966 allotments were limited to 90 percent of such quota.

The substitution of final data for estimates of 1965 direct-consumption entries in finding (7) results in the 1961–65 average annual marketings set forth below, which are used herein in determining the allotments:

Allottee	Average annual marketings 1961–65 (short tons, raw value)
Central Aguirre Sugar Co.	5,804
Central Roig Refining Co.	20,623
Central San Francisco	1,091
Puerto Rican American Sugar Refy., Inc	97,531
Western Sugar Refining Co.	23,772
Total	148,821

Findings heretofore made by the Secretary in the course of this proceeding (31 F.R. 74) provide that this order shall be revised without further notice or hearing for the purposes indicated above and such findings set forth the procedure for the revision of allotments.

Accordingly, allotments are herein established on the basis of and consistent with such findings.

Effective date. Allotments established in this order for all allottees are larger than the allotments established in S.R. 815.7 (31 F.R. 74). To afford adequate opportunity to plan and to market the additional quantities of sugar in an orderly manner, it is imperative that this amendment becomes effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and, consequently, the amendment made herein shall become effective when published in the FEDERAL REGISTER.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the Act, and in accordance with paragraph (c) of § 815.7 of this chapter, it is hereby ordered that paragraph (a) of § 815.7 be amended to read as follows:

§ 815.7 Allotment of the direct-consumption portion of mainland sugar quota for Puerto Rico for the calendar year 1966.

(a) *Allotments.* The direct-consumption portion of the 1966 mainland sugar quota for Puerto Rico, amounting to 150,000 short tons, raw value, is hereby allotted as follows:

Allottee	Direct consumption allotment (short tons, raw value)
Central Aguirre Sugar Co., a trust	6,246
Central Roig Refining Co.	20,906
Central San Francisco	1,308
Puerto Rican American Sugar Refy., Inc	97,797
Western Sugar Refining Co.	23,713
Liquid sugar reserve for persons other than named above	30
Total	150,000

* * * * *

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 205, 207, 209; 61 Stat. 926, 927, 928; 7 U.S.C. 1115, 1117, 1119)

Effective date. This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 4th day of May 1966.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5059; Filed, May 9, 1966; 8:46 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[959.306 Amdt. 1]

PART 959—ONIONS GROWN IN SOUTH TEXAS

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 143 and Order No. 959 (7 CFR Part 959), both as amended, regulating the handling of onions grown in designated counties in South Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601 et seq.), and upon the basis of the recommendation and information submitted by the South Texas Onion Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (2) compliance with this amendment will not require any special preparation on the part of handlers, (3) information regarding the committee's recommendation has been made available to producers and handlers in the production area, and (4) this amendment relieves restrictions on the handling of onions grown in the production area.

Order, as amended. In § 959.306 (31 F.R. 812), the provisions in the opening paragraph preceding "(2)" are amended to read as follows:

During the period beginning March 1, 1966, through June 15, 1966, no handler may (1) except for May 8, 1966, package or load onions on Sundays.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date. Issued May 6, 1966, to become effective upon issuance.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5134; Filed, May 9, 1966; 8:48 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 99]

PART 1099—MILK IN PADUCAH, KY., MARKETING AREA

Order Amending Order

Correction

In F.R. Doc. 66-4758, appearing at page 6536 of the issue for Saturday, April 30, 1966, the following corrections are made:

1. Section 1099.43(d)(6) should read as follows:

§ 1099.43 Transfers.

* * * * *

(d) * * *

(6) If the form in which any fluid milk product is transferred to an other order plant is not defined as a fluid milk product under such other order, classification shall be in accordance with the provisions of § 1099.41.

2. The introductory text of § 1099.45 should read as follows:

§ 1099.45 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1099.44, the market administrator shall determine the classification of producer milk at the pool plant(s) of each handler as follows:

* * * * *

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1427—COTTON

Subpart—Upland Cotton Price Support and Diversion Program Regulations, 1966 and Subsequent Years

Sec.
1427.2101 Purpose.
1427.2102 Issuance of certificates.
1427.2103 Redemption of certificates.
1427.2104 Cash advance.
1427.2105 Marketing of certificates.
1427.2106 Administration.

AUTHORITY: This subpart issued under secs. 4 and 5, 62 Stat. 1070, as amended, secs. 101, 103(d), 401, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1444(d), 1421.

§ 1427.2101 Purpose.

The regulations in this subpart provide for price support and diversion payments earned under the upland cotton diversion and price support payment program regulations for 1966 and subsequent years (Part 722 of Chapter VII of this Title 7) to be made by actual or constructive delivery of negotiable certificates by Commodity Credit Corporation (hereinafter called "CCC") to producers and for the making of cash advances by CCC to producers who wish CCC's assistance in the marketing of certificates earned by them. The regulations in this subpart also provide the methods by which CCC will redeem certificates and market certificates for which its assistance in marketing has been requested.

§ 1427.2102 Issuance of certificates.

The county committee will issue to each producer who is entitled to a payment under the upland cotton diversion and price support payment program regulations for 1966 and subsequent years a cotton payment-in-kind certificate (Form CCC–861) (hereinafter called "certificate") for the amount of such payment, except where the producer requests CCC's assistance in marketing his certificate at the time of applying for payment, subject to the following terms and conditions:

(a) *Terms.* Any certificate issued shall be subject to the provisions embodied in it and the provisions of this subpart.

(b) *Payee.* Each certificate will be issued only to the producer who is entitled to the payment or to his assignee if he has assigned his right to payment in accordance with the upland cotton diversion and price support program regulations for 1966 and subsequent years.

(c) *Face value.* The face value of each certificate, which will be shown on the certificate, will be the amount determined to be payable to the payee.

(d) *Date of issuance.* The date of issuance shown on each certificate shall be the date the certificate is issued. Substitute certificates issued to replace original certificates never received by the payee shall bear a current date of issuance. Substitute certificates issued to replace other original certificates shall bear the same date of issuance as the certificate being replaced.

(e) *Signature and countersignature.* To be valid, each certificate must be signed and countersigned by authorized representatives of CCC.

(f) *Transfer.* The certificate may be transferred to any person or firm, in which case the certificate must be endorsed by the named payee and by the holder who presents it to CCC.

(g) *Expiration date.* The certificate shall expire three years after date of issuance and thereafter will not be redeemable by CCC.

§ 1427.2103 Redemption of certificates.

Certificates shall be redeemable in cotton upon terms and conditions established by the Executive Vice President, CCC, by submitting an application to the New Orleans ASCS Commodity Office, 120 Marais Street, New Orleans, La. If the full amount of the face value of a certificate tendered by the payee or a subsequent holder for redemption in cotton is not fully redeemed in cotton, a balance certificate shall be issued to the certificate holder for the unused amount. If the amount is $3.00 or less, no balance certificate will is issued unless requested. The date of the balance certificate shall be the date of issuance of the original certificate. Balance certificates may be tendered to CCC for redemption in cotton in the same manner as the original certificates. Balance certificates issued to the payee shown on the original certificate may be surrendered by the payee to CCC for marketing.

§ 1427.2104 Cash advance.

A cash advance shall be made by the county committee on behalf of CCC to any payee who requests CCC's assistance in marketing a certificate earned by him under this subpart. Only the payee shall have this option. If such request is made at the time the payee applies for payment, constructive delivery of the certificate to the payee will be made by making the cash advance and crediting a certificate pool with the value of the certificate earned by him. A payee who does not request CCC's assistance in marketing his certificate at such time may subsequently request CCC's assistance in marketing the certificate by delivering it to the county committee for marketing. Such certificate shall also be credited to a certificate pool. A cash advance to a payee shall be made in the form of a CCC sight draft for the face value of the certificate.

§ 1427.2105 Marketing of certificates.

All certificates for which payees have requested CCC's assistance in marketing and received cash advances shall be pooled by CCC and shall lose their identity as individual certificates. The

amount of the certificate pool shall be the total of the value of the certificates of which CCC has made constructive delivery to the payees and the value of the certificates presented to the county offices by the payees for marketing by CCC. Such amount shall be equal to the amount of cash advances. CCC shall market the rights represented by pooled certificates upon terms and conditions established by the Executive Vice President, CCC, at such times and in such manner as CCC determines will best effectuate the purposes of the program.

§ 1427.2106 Administration.

This subpart will be administered by the Agricultural Stabilization and Conservation Service under the general direction and supervision of the Executive Vice President, CCC, and in the field will be carried out by Agricultural Stabilization and Conservation State committees and Agricultural Stabilization and Conservation county committees (herein called State and county committees), and the New Orleans ASCS Commodity Office. State and county offices, State and county committees, the New Orleans ASCS Commodity Office, and employees thereof do not have authority to modify or waive any the provisions of this subpart or any amendments or supplements to this subpart.

Signed at Washington, D.C., on May 4, 1966.

E. A. JAENKE,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-5060; Filed, May 9, 1966; 8:46 a.m.]

SUBCHAPTER C—EXPORT PROGRAMS

PART 1490—PAYMENTS ON EXPORTS OF CERTAIN KINDS OF TOBACCO

Subpart—Tobacco Export Program

Sec.
1490.1 General.
1490.2 Definitions.
1490.3 Rate of payment.
1490.4 Eligible tobacco.
1490.5 Eligible exporter.
1490.6 Sales and purchase contracts.
1490.7 Application for tobacco export payment and evidence of export.
1490.8 Reentry or transshipment.
1490.9 Assignments and setoffs.
1490.10 Records and accounts.
1490.11 Officials not to benefit.
1490.12 Amendment and termination.

AUTHORITY: The provisions of this subpart are issued under secs. 4, 5, 62 Stat. 1070, as amended, 15 U.S.C. 714(b).

§ 1490.1 General.

The regulations in this part state the terms and conditions under which Commodity Credit Corporation, an agency and instrumentality of the United States within the Department of Agriculture, will make a cash payment to an exporter on exportation of eligible tobacco to an eligible country. The tobacco must have been exported by the exporter pursuant to a contract of sale entered into by him with a foreign buyer on or after the date of issuance of the regulations in this part, or the tobacco must have been purchased by the exporter after the date of issuance of the regulations in this part and exported to himself or an affiliate abroad. Export payments will be made on submission of appropriate evidence of compliance with the provisions of this subpart.

§ 1490.2 Definitions.

(a) The term "CCC" means Commodity Credit Corporation.

(b) The term "ASCS" means Agricultural Stabilization and Conservation Service.

(c) The term "eligible country" means any destination outside the United States other than any country or area for which an export license is required under regulations issued by the Bureau of International Commerce, U.S. Department of Commerce, unless a license for shipment or transshipment thereto has been obtained from such bureau.

(d) (1) The terms "export" and "exportation" mean, except as hereinafter provided, a shipment from the United States destined to an eligible country with the intent that the tobacco shall become a part of the mass of goods of the eligible country. Tobacco so shipped shall be considered to have been exported on the date which appears on the applicable on-board vessel export bill of lading or other document authorized by this subpart to be furnished in lieu of such bill of lading, or if shipment from the continental United States is by truck or rail, the date the shipment clears U.S. Customs. If any of the tobacco is lost, destroyed, or damaged after loading on board an export ship, export shall be considered to have been as of the date of the on-board ship ocean bill of lading or other document authorized by this subpart to be furnished in lieu of such bill of lading, or as of the latest date appearing on the loading tally sheet or similar documents if the loss, destruction, or damage occurs subsequent to loading aboard ship but prior to issuance of onboard ship ocean bill of lading or such other document, except that, if the "lost" or "damaged" tobacco remains in the United States, it shall not be considered as exported if CCC determines that the condition of the "lost" or "damaged" tobacco is such that it can be disposed of in the domestic market in a manner which will adversely affect CCC's price support or export programs.

(2) Notwithstanding any of the provisions of this part, a shipment of eligible tobacco pursuant to a sale to a U.S. Government Agency shall not qualify as an export or exportation. The term "U.S. Government Agency" means any corporation wholly owned by the Federal Government, and any department, bureau, administration or other units of the Federal Government as, for example, the Departments of the Army, Navy, and Air Force, the Agency for International Development, the Army and Air Force Exchange Service, and the Panama Canal Company. Sales to foreign buyers, including foreign governments, though financed with funds made available by a U.S. agency such as the Agency for International Development or the Export-Import Bank, are not sales to a U.S. Government Agency unless the tobacco is to be transferred by such buyers to a U.S. Government Agency.

(e) The term "weight certificate" means a certificate executed by a weighman licensed by a State or other governmental authority or by other persons acceptable to CCC which shows the gross weight of tobacco and the container in which it is exported or the net weight of the exported tobacco.

(f) The term "United States" means the 50 States of the United States, the District of Columbia, Puerto Rico, and the territories and possessions of the United States.

§ 1490.3 Rate of payment.

The rate of export payment shall be five dollars ($5) per hundredweight of eligible tobacco.

§ 1490.4 Eligible tobacco.

Tobacco eligible for export payment under this subpart shall be unmanufactured Flue-cured tobacco of the 1960, 1961, and 1962 crops which (a) was produced in the United States, (b) was not purchased from the Flue-Cured Tobacco Cooperative Stabilization Corporation under terms and conditions providing for or authorizing a refund of a part of the purchase price upon proof of exportation.

§ 1490.5 Eligible exporter.

An exporter, to be eligible to participate in this program must be an individual, corporation, partnership, association, or other business entity, who is engaged in the business of buying or selling tobacco for export, for this purpose maintains a bona fide business office in the continental United States, and therein has a person, principal, or resident agent upon whom service of process may be had.

§ 1490.6 Sales and purchase contracts.

The eligible tobacco must have been exported by the exporter pursuant to a contract of sale entered into by him with a foreign buyer on or after the date of issuance of the regulations in this part or the eligible tobacco must have been purchased by the exporter after the date of issuance of the regulations in this part and exported to himself or an affiliate in an eligible country.

§ 1490.7 Application for tobacco export payment and evidence of export.

(a) The exporter shall submit an original and one copy of an application for tobacco export payment on the form prescribed by CCC to the Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C., 20250. Supplies of the applications form may be obtained from that office. In the application, the exporter shall state and certify, among other things, the date of the export sales contract pursuant to which the eligible tobacco is exported or, if it is not exported pursuant to such a contract, the date the exporter purchased such eligible tobacco, the quantity and type of tobacco exported, the crop year in which it was produced and that it was not purchased from CCC loan stocks subject to provisions for refund upon proof of exportation. Each application for tobacco export payment shall be supported by the following documentary evidence, as applicable:

(1) In the case of exportation by water, a nonnegotiable copy, certified as true and correct by the exporter, of an onboard ocean bill of lading showing the number of containers of tobacco, the gross weight of the containers with the tobacco therein, the date and place of loading on board vessel, name of vessel, the name of the exporter and the consignee and destination;

(2) In the case of exportation by rail or truck, a copy of the bill of lading under which the tobacco was shipped, together with (i) an authenticated landing certificate issued by an official of the Government of the country to which the tobacco was exported, or (ii) a copy of Shipper's Export Declaration authenticated by the appropriate U.S. Customs official. The bill of lading and supporting export form (landing certificate or Shipper's Export Declaration) must apply to the same shipment of tobacco, and such forms, or properly authenticated attachments, must show the number of containers of tobacco, the gross weight of containers with the tobacco therein, the date and place of entry into the country of destination, and the name and address of both the exporter and the person to whom it was shipped;

(3) A weight certificate applicable to the eligible tobacco exported which is dated within 60 days of the date of export;

(4) A copy of the exporter's invoice to the foreign buyer or to the consignee showing the net weight of the eligible tobacco exported. If the weight certificate shows only the gross weight of the tobacco, the exporter shall execute the following certification on the copy of the invoice submitted:

I certify that the net weights on this invoice were determined from the gross weights shown on the weight certificate applicable to the tobacco covered by this invoice in accordance with usual trade practices.

(5) Where the exporter establishes that for good cause he is unable to supply the specified documentary evidence of export, CCC may accept such other evidence of export as will establish to its satisfaction that the exporter has qualified for an export payment under this part.

(b) Payment shall be made to the eligible exporter whose name appears as shipper or consignor on the bill of lading or other evidence of export required by paragraph (a) of this section. If the shipper or consignor named in the export bill of lading or other evidence of export is other than the exporter filing the application for tobacco export payment, a waiver will be required from the shipper or consignor named in such bill of lading or other evidence of export of any interest in the claim for payment in favor of the exporter filing such application.

§ 1490.8 Reentry or transshipment.

If any quantity of tobacco with respect to which an export payment has been made under this subpart is reentered into the United States in unmanufactured or processed form, or while in the course of shipment is diverted to an ineligible country, whether or not such reentry or diversion is caused by the exporter, or if any quantity of tobacco with respect to which an export payment has been made under this subpart is transshipped or caused to be transshipped by the exporter to any country or destination not an eligible country, the exporter shall promptly refund to CCC any export payment made with respect to the quantity of tobacco so reentered or transshipped. The exporter shall not be required to make such refund if he establishes to the satisfaction of CCC that (a) the reentry was not due to his fault or negligence and promptly after he received notice of reentry he exported the reentered tobacco, or an equivalent quantity of eligible tobacco with respect to which no export payment has been made, to an eligible country or (b) the tobacco reentered was lost, damaged, or destroyed and its physical condition is such that its reentry will not adversely affect CCC's price support or export programs.

§ 1490.9 Assignments and setoffs.

(a) No assignment shall be made by the exporter of any export payment due hereunder, except that the exporter may assign the payments due the exporter under the application form provided for in § 1490.7 to any trust company, Federal Lending Agency, or other financing institution and, subject to the approval of the Executive Vice President of CCC, assignment may be made to any other person: *Provided*, That such assignment shall be recognized only if and when the assignee thereof files written notice of the assignment on Form CCC–251, "Notice of Assignment," together with a signed copy of the instrument of assignment, in accordance with he instructions on Form CCC–251: *And provided further*, That any such assignment shall cover all amounts payable and not already paid under the application and shall not be made to more than one person and shall not be subject to further assignment, except that any such assignment may be made to one party as agent or trustee for two or more persons. The "Instrument of Assignment" may be executed on Form CCC–252, or the assignee may use his own form of assignment. Forms may be obtained from the Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C., 20250.

(b) If the exporter is indebted to CCC, the amount of such indebtedness may be set off against payments due the exporter under the application form provided for in § 1490.7. In the case of an assignment of any export payment and notwithstanding such assignment, CCC may set off (1) any amount due CCC with respect to the application for such payment, and (2) any other amounts due CCC if CCC notifies the assignee of such amounts to be set off at the time acknowledgement was made of the receipt of notice of such assignment. Setoffs as provided herein shall not deprive the exporter of any right he might otherwise have to contest the justness of the indebtedness involved in the setoff action either by administrative appeal or by legal action.

§ 1490.10 Records and accounts.

Each exporter shall maintain accurate records concerning transactions under this program, including contracts of purchase and sale, storage and other records which will establish that the tobacco upon which export payment is made to the exporter is eligible for such payment under this program. Such records shall be available during regular business hours for inspection and audit by authorized employees of the U.S. Department of Agriculture, and shall be preserved for 3 years after date of export.

§ 1490.11 Officials not to benefit.

No member or delegate to Congress, or resident Commissioner, shall be admitted to any benefit that may arise from any provision of this program, but this program shall not be construed to extend to a payment made to a corporation for its general benefit.

§ 1490.12 Amendment and termination.

These regulations may be amended or terminated by filing of such amendment or termination with the FEDERAL REGISTER for publication. Any such amendment or termination shall not be applicable to exports made prior to the time and date such amendment or termination becomes effective.

The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. Date of filing with the Office of the Federal Register.

Signed at Washington, D.C., on May 6, 1966.

E. A. JAENKE,
Acting Executive Vice President,
Commodity Credit Corporation.

NOTICE TO EXPORTERS

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or reexportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which des-

tination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

[F.R. Doc. 66-5133; Filed, May 6, 1966; 4:39 p.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 66-EA-1]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On Page 2552 of the FEDERAL REGISTER for February 9, 1966, the Federal Aviation Agency published proposed regulations which would alter the Manchester, N.H., control zone and Concord, N.H., transition area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective June 23, 1966, except as follows:

1. Under Item 1 of the proposed regulations delete the term, "Grenier Field, Manchester, N.H." and insert in lieu thereof the term, "Grenier Field/Manchester Municipal, Manchester, N.H."

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on April 15, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Manchester, N.H. control zone the phrase, "to 6 miles south of the RBN" and "within 2 miles each side of the Manchester VOR 142° and 322° radials extending from the 5 mile radius zone to 6 miles SE of the VOR," and insert in lieu thereof, "to 8 miles south of the RBN" and "within 2 miles each side of the Manchester VOR 141° and 321° radials extending from the 5 mile radius zone to 8 miles SE of the VOR."

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the 700-foot Concord, N.H. transition area and insert in lieu thereof the following:

That airspace extending upward from 700 feet above the surface bounded by a line beginning at 43°22'00" N., 71°23'00" W. to 42°47'00" N., 71°09'00" W. to 42°38'00" N., 71°20'00" W. to 42°40'00" N., 71°35'00" W. to 42°43'00" N., 71°36'00" W. to 42°54'00" N., 71°45'00" W. to 42°57'00" N., 71°40'00" W. to 43°17'00" N., 71°46'00" W. to point of beginning.

[F.R. Doc. 66-5044; Filed, May 9, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-16]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

The Federal Aviation Agency is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations which would alter the Portsmouth, N.H., control zone (31 F.R. 2127) and Portsmouth, N.H., transition area (31 F.R. 2242).

With the recent phasing out by the Air Force of KC-97 type aircraft from the Pease AFB, Portsmouth, N.H., the northwest and southeast control zone extensions may be shortened and the northwest extension of the 700-foot floor transition area may be eliminated.

Since this amendment is minor in nature and is basically less restrictive, notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., June 23, 1966, as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Portsmouth, N.H., control zone the phrase, "within 2 miles each side of the extended centerline of Runway 34 extending from the 5-mile radius zone to 9 miles NW of the lift off end of the runway; within 2 miles each side of the extended centerline of Runway 16 extending from the 5-mile radius zone to 8 miles SE of the lift off end of the runway;" and insert in lieu thereof, "within 2 miles each side of the centerline of Runway 16 extended from the 5-mile radius zone to 6 miles SE of the end of the runway."

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Portsmouth, N.H. (Pease AFB), transition area, the phrase, "within 2 miles each side of the extended centerline of Runway 34, extending from the 11-mile radius area to 13 miles NW of the lift off end of the runway."

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on April 14, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-5045; Filed, May 9, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-27]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Reno, Nev. (Reno Municipal Airport), control zone. This amendment will reduce the dimensions of the present Reno, Nev. (Reno Municipal Airport), control zone due to the revocation of the Reno, Nev. (Stead AFB), control zone.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective July 21, 1966, as hereinafter set forth:

In § 71.171 (31 F.R. 2129) the Reno, Nev. (Reno Municipal Airport), control zone is amended to read:

RENO, NEV. (RENO MUNCIPAL AIRPORT)

Within a 5-mile radius of the Reno Municipal Airport (latitude 39°30'02" N., longitude 119°46'07" W.), and within 2 miles each side of the Reno ILS localizer N course, extending from the 5-mile radius zone to the Sparks, Nev., RBN, and within 2 miles each side of the Reno localizer S course, extending from the 5-mile radius zone to 11 miles S of the airport.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on May 2, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-5046; Filed, May 9, 1966; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10th Gen. Rev. of Export Regs., Amdt. 16]

MISCELLANEOUS AMENDMENTS TO CHAPTER

Parts 384 and 399 of Title 15 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

Effective date: March 18, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

PART 384—GENERAL ORDERS EXPORTS TO SOUTHERN RHODESIA

Section 384.8, Exports to Southern Rhodesia, is amended to read as set forth below:

Purpose and Effect: Current Export Bulletin No. 926, dated December 28, 1965 (31 F.R. 4783, Mar. 22, 1966), imposed restrictions on the export and reexport of petroleum and petroleum products to Southern Rhodesia. This Bulletin extends these restrictions to include other shipments of importance to the economy of Southern Rhodesia. However, these extended restrictions will not affect the movement of U.S. origin commodities deemed to be necessary for essential humanitarian or educational purposes. The details of these extended restrictions are described below.

The action with respect to Southern Rhodesia is taken pursuant to foreign policy objectives and international responsibilities of the United States, and in further support of the United Nations Security Council Resolution of November 20, 1965.

§ 384.8 Exports to Southern Rhodesia.

(a) *Additional requirements for validated licenses.* The requirements for a validated export license are increased as a result of the revisions in the general licenses described below.

(1) *General License G-DEST.* Effective 12:01 a.m., e.s.t., March 18, 1966, only the commodities listed below may be exported to Southern Rhodesia under the provisions of General License G-DEST, except as provided by subparagraph (3) of this paragraph. (See § 371.7 of the Comprehensive Export Schedule for provisions of General License G-DEST.) These commodities are deemed to be necessary for essential humanitarian and educational purposes.

Export control commodity No.	*Commodity description*
001-112	Live animals, beverages, and food, except feedingstuff (other than unmilled cereals) for animals.
411-431	Animal and vegetable oils and fats.
51203	Synthetic organic medicinal chemicals.
54110-54900	Medicinal and pharmaceutical products.
82102	Hospital beds, hospital benches, etc.
84111-85100	Clothing, accessories, and footwear.
86111, 86120	Ophthalmic glass, lens blanks, and focus lenses, unmounted; and spectacles and goggles.
86171	Medical, dental, surgical, ophthalmic and veterinary instruments and apparatus (other than electro-medical), except apparatus wholly made of polytetrafluoroethylene.
86248-86300	Developed photographic and motion picture film.
89120	Phonograph records.
89213-89242, 89294.	Printed matter, n.e.c.
89961-89962	Hearing aids, orthopedic appliances and articles, artificial parts of body, and fracture appliances.

(2) *General License GLV.* Effective 12:01 a.m., e.s.t., March 18, 1966, no shipments may be made to Southern Rhodesia under the provisions of General License GLV, except as provided by paragraph (b)(1) of this section. (See § 371.10 of the Comprehensive Export Schedule for provisions of General License GLV.)

(3) *Saving clause exception.* Shipments to Southern Rhodesia removed from General License G-DEST or General License GLV as a result of changes set forth in subparagraphs (1) or (2) of this paragraph and which were on dock for lading, on lighter, laden aboard an exporting carrier, or intransit to a port of exist prior to 12:01 a.m., e.s.t., March 18, 1966, may be exported under the previous General License G-DEST or GLV provisions up to and including April 18, 1966. Any such shipment not laden aboard the exporting carrier on or before April 18, 1966 requires a validated license for export.

(4) *General License GATS.* Effective 12:01 a.m., e.s.t., March 18, 1966, U.S. registered aircraft may no longer depart from the U.S. for a temporary sojourn in Southern Rhodesia under the provisions of General License GATS. Exporters should note that the rescission of General License GATS does not affect the departure of aircraft operating under an Air Carrier Operating Certificate, Commercial Operating Certificate or Air Taxi Operating Certificate issued by the Federal Aviation Agency, as set forth in § 371.5 of the Comprehensive Export Schedule.

(5) *Other general licenses.* Exports to Southern Rhodesia may continue to be made under the provisions of any general license, except as described in subparagraphs (1), (2), and (4) of this paragraph.

(b) *Consideration of license applications.* Under the terms of the restrictive policy on exports and reexports of commodities important to the economy of Southern Rhodesia, applications covering the following commodities will generally not be approved by the Office of Export Control.

Export control commodity Nos.	*Commodity description*
23110-23140	Crude rubber, including synthetic and reclaimed rubber.
331-33296	Petroleum and petroleum products.
51209-51500	Chemicals, organic and inorganic, except medicinal chemicals, pesticides and agricultural chemicals, and radioisotopes.
57112-57140	Explosives and pyrotechnic products.
58110-58190	Plastic materials, and other chemical products, n.e.c., except insecticides, fungicides, disinfectants and similar products.
62101-62980	Rubber manufactures, n.e.c.
67120-67930	Iron and steel.
68050-68950	Nonferrous metals.
71110-71999	Nonelectric machinery, except agricultural equipment.
72210-72999	Electrical machinery, apparatus and appliances, except medical and dental X-ray tubes and valves.
73201-73300	Automotive vehicles and other vehicles, and parts and accessories.
73410-73492	Aircraft and parts.

(1) Consideration will be given to approval of applications for licenses to export the commodities listed in this paragraph (b) only when the export is for:

(i) The essential needs of the Rhodesian Railways, the Central African Airways, or the Central African Power Corp. (which are operated jointly by Southern Rhodesia and Zambia; and in the case of Central African Airways, also by Malawi);

(ii) The essential needs of recognized charitable institutions, diplomatic missions, or their accredited representatives; or

(iii) Purposes justified by other special circumstances.

(2) Applications for licenses to export other commodities to Southern Rhodesia will be denied unless it is found that the shipment would not constitute a significant contribution to the Southern Rhodesian economy.

(c) *Documentation in support of a license application.* A Form FC-842, Single Transaction Statement by Consignee and Purchaser; FC-843, Multiple Transactions Statement by Consignee and Purchaser; a foreign import certificate; or any similar documentation submitted to the Office of Export Control in support of an application for a license to export any commodity listed in paragraph (b) of this section to any destination will not be acceptable if it shows that reexport may be, or will be, made to Southern Rhodesia.

(d) *Outstanding authorizations to export or reexport commodities to Southern Rhodesia.* No commodity listed in paragraph (b) of this section may be exported to Southern Rhodesia under an outstanding Project License, an outstanding Periodic Requirements License, or pursuant to an outstanding Form FC-43, FC-143, or FC-243. These commodities may be exported to Southern Rhodesia only under the individual validated licensing procedure. Any other commodities may continue to be exported to Southern Rhodesia in accordance with the provisions of the outstanding Project License, Periodic Requirements License, or pursuant to an outstanding Form FC-43, FC-143, or FC-243. In addition, any commodity whether or not listed in paragraph (b) of this section, may continue to be exported under an outstanding individual validated license.

(e) *Revision of destination control statement on shipping documents.* Section 379.10(c) of the Comprehensive Export Schedule requires the exporter to place a specified destination control statement on the Shipper's Export Declaration, the Bill of Lading and the commercial invoice for all validated license shipments and most general license shipments. In completing the specified destination control statement shown in § 379.10(c)(2)(ii) or (iii) of the Comprehensive Export Schedule for shipments to any destination except Southern Rhodesia, of any commodity which may not be exported to Southern Rhodesia under General License G-DEST (see para (a)(1) of this section), the exporter is now required to add Southern Rhodesia to the list of excepted or prohibited destinations.

(f) *Reexportation requests.* If a request is submitted to the Office of Export Control for authorization to reexport to Southern Rhodesia a commodity previously exported from the United States, the request shall be supported by the additional information and documentation required under the provisions of § 372.12(c)(2)(ii) of this chapter.

(g) *Amendments of export licenses.* Field offices will not take action on requests to extend the validity period of, or otherwise amend, validated licenses covering exporations to Southern Rhodesia. These requests must be submitted to the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230.

PART 399—COMMODITY CONTROL LIST AND RELATED MATTERS

The following notes are added to § 399.1 *Commodity Control List:*

SUBMISSION DATES—APPLICATIONS FOR LICENSES TO EXPORT CATTLE HIDES, CALF AND KIP SKINS, AND BOVINE LEATHERS

Purpose and effect: Paragraph 5(a) of Current Export Bulletin No. 930, dated March 11, 1966 (31 F.R. 6829), did not differentiate in the filing dates for historical and nonhistorical exporters of cattle hides, calf and kip skins, and bovine leathers. Today's Current Export Bulletin sets forth the filing dates for each of these classes of exporters.

An exporter who does not qualify as an historical exporter of cattle hides, calf and kip skins, or bovine leathers may submit his applications for export license immediately, but not later than April 18, 1966. These applications will be considered for licensing as soon as possible after April 18, 1966. Nevertheless, a nonhistorical exporter may request consideration of his applications before April 18, if an emergency exists. Such a license application shall include the details of the emergency.

As specified in Current Export Bulletin No. 930, an historical exporter of cattle hides, calf and kip skins, or bovine leathers may submit his applications for export licenses between the period of April 18, and May 31, 1966. Nevertheless, if an emergency makes it necessary for an historical exporter to obtain an export license prior to April 18, the exporter may submit his application for license prior to that date. Such a license application shall include the details of the emergency. If the license is approved, the quantity will be charged against the exporter's share of the export quota.

[F.R. Doc. 66-5064; Filed, May 9, 1966; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Additional Discount to Mail Order Seller of Paperback Books

§ 15.41 Additional discount to mail order seller of paperback books.

(a) A seller of paperback books planning to obtain additional discounts from publishers for selling through a mail order catalogue has been advised of the possible law violations involved in the plan and that the Federal Trade Commission is unable to give him an unqualified opinion on its legality.

(b) The Commission pointed out that any plan which results in discriminations in price or allowances between different resellers immediately raises problems of possible violation of the Robinson-Patman Act, and that on the basis of the information supplied, there appear to be two possible ways of viewing this plan.

(c) Firstly, the Commission said, "If the plan involves simply the granting by the publishers of a lower price to you than to their other customers, its legality from the publishers' point of view would be governed by section 2(a) of the Robinson-Patman Act which prohibits discriminations in price which may adversely affect competition. In spite of the fact that your sales would not be made through the same channels of distribution as those of other purchasers of paperback books, it seems likely that you would nevertheless compete with these purchasers to some extent, and that this competition might be lessened by the proposed price discriminations, in violation of section 2(a). Although price discriminations otherwise unlawful under section 2(a) may be justified by cost savings on the part of the seller, the information which you have submitted does not indicate the presence of such "cost justification" in your plan. If the discounts granted to you by sellers should violate section 2(a), your knowing inducement or receipt of such discriminations would also violate section 2(f) of the Act.

(d) Continuing, the Commission said the problem would be somewhat different if the discounts granted to the requesting party were considered as promotional or advertising allowances for his listing of the publishers' books in his catalog.

(e) Granting or receiving such allowances would be unlawful "if they were not made available on proportionally equal terms to competing customers," the Commission advised. "Thus, if your suppliers of paperback books granted proportional advertising or promotional allowances or facilities, such as cooperative advertising allowances, display racks, and the like, to their other purchasers, their granting to you of an allowance for the listing of their books in your catalog would not be unlawful."

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: May 9, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5084; Filed, May 9, 1966; 8:48 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Advertising Service Disclosing Where Manufacturers' Products Are Sold

§ 15.42 Advertising service disclosing where manufacturers' products are sold.

(a) The Federal Trade Commission made public its advice, that a plan to furnish manufacturers a new form of advertising service disclosing where their products are sold would not be illegal.

(b) Under this proposed plan, a manufacturer will publish an advertisement in a national magazine, and will furnish to the proposed corporation represented by the requesting party a complete listing of all retailers selling the advertised product, classified according to the major shopping areas throughout the country. The advertisement will contain a descriptive symbol for the proposed service, with a reference to the page in the same publication containing a telephone number list, also classified according to the major shopping areas throughout the country. Each answering service included in this list will be equipped by the proposed corporation with the manufacturer's list of his retailers in that trade area, which will be given to any consumer who reads the advertisement and calls the number provided to learn where he can purchase the product. The cost of the entire service will be borne by the manufacturer.

(c) The FTC's advisory opinion said, "Since it appears that any potential customer calling will be furnished with the names and addresses of all dealers handling a particular product in a trade area, it is our opinion that the proposed plan described would not subject participating manufacturers or your client to a charge of violating the law. We should caution, however, that great care must be exercised in defining the boundaries of the various trade areas into which the country is to be divided so as not to discriminate against customers located on the fringes but outside the area served by the answering service, since they may be in actual competition with those who are within the area and thus receive the benefit of the service."

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: May 9, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5085; Filed, May 9, 1966; 8:48 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations of Basic Authority and Functions

In Part 200 in the Table of Contents a new § 200.83a is added as follows:

Sec.
200.83a Assistant Commissioner for Property Disposition; Director, Community Disposition Staff; Field Director (Community Disposition) and Liaison Officer (Community Disposition).

Part 200 is amended by adding a new § 200.83a to read as follows:

§ 200.83a Assistant Commissioner for Property Disposition; Director, Community Disposition Staff; Field Director (Community Disposition) and Liaison Officer (Community Disposition).

(a) To the position of Assistant Commissioner for Property Disposition and, under his general supervision, to the position of Director, Community Disposition Staff, there is hereby delegated the authority to execute the functions, powers and duties delegated to the Assistant Secretary for Mortgage Credit and Federal Housing Commissioner under delegation of the Secretary of Housing and Urban Development effective June 5, 1966 (31 F.R. 6839).

(b) To the positions of Field Director (Community Disposition) and Liaison Officer (Community Disposition), there are delegated the following authorities with respect to the functions referred to in paragraph (a) of this section:

(1) To execute any deed, contract to purchase (installment contract of purchase), offer, acceptance, or other form of contract of sale, or other instrument, in connection with the disposition of the Government's interest in property at such communities, or lease of such property.

(2) To make the finding concerning the availability of financing on reasonable terms from sources other than the Secretary of Housing and Urban Development under section 62 of the Atomic Energy Community Act of 1955, as amended (42 U.S.C. 2362), in connection with the disposition of the Government's interest in such property.

(3) To endorse any checks or drafts in payment of insurance losses on which the United States of America, acting by and through the Housing and Home Finance Administrator or the Secretary of Housing and Urban Development, or the successors or assigns of either of them, is a payee (joint or otherwise) in connection with the disposition of the Government's interest in property at such communities or lease of such property.

(c) Each of the officials named in paragraphs (a) and (b) of this section is authorized to execute any contract for advertising under Rev. Stat. § 3828 (44 U.S.C. 324) in connection with the disposition of property within the respective authority hereunder.

(Sec. 2, 48 Stat. 1246, as amended; Sec. 211, 52 Stat. 23, as amended; Sec. 607, 55 Stat. 61, as amended; Sec. 712, 62 Stat. 1281, as amended; Sec. 907, 65 Stat. 301, as amended; Sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Issued at Washington, D.C., May 3, 1966.

PHILIP N. BROWNSTEIN, *Federal Housing Commissioner.*

[F.R. Doc. 66-5089; Filed, May 9, 1966; 8:48 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order 362-66]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Reassigning From Civil Rights Division to Criminal Division the Responsibility for Performance of Certain Functions Relating to Federal Prisoners and to Juveniles

Under and by virtue of the authority vested in me by section 161 of the Revised Statutes (5 U.S.C. 22) and section 2 of Reorganization Plan No. 2 of 1950, it is hereby ordered as follows:

§ 0.50 [Amended]

1. Section 0.50 of Part 0 of Title 28 of the Code of Federal Regulations (relating to the general functions of the Civil Right Division) is amended by revoking paragraphs (g), (h), and (i) thereof.

§ 0.52 [Revoked]

2. Section 0.52 of Part 0 is revoked.

3. Paragraph (j) of § 0.55 of Part 0 is amended to read as follows:

§ 0.55 General functions.

* * * * *

(j) Habeas Corpus proceedings of all types, except that any such proceeding may be conducted, handled, or supervised by another division by agreement between the head of the division concerned and the Assistant Attorney General in charge of the Criminal Division.

* * * * * *

4. Section 0.55 of Part 0 is further amended by adding at the end thereof two new paragraphs as follows:

(p) Resolving questions that arise as to Federal prisoners held in custody by Federal officers or in Federal prisons, commitments of mentally defective defendants and juvenile delinquents, validity and construction of sentences, probation, and parole.

(q) Supervision of matters arising under the Escape and Rescue Act (18 U.S.C. 751, 752), the Fugitive Felon Act (18 U.S.C. 1072, 1073), and the Obstruction of Justice Statute (18 U.S.C. 1503), except as to obstructions which occur in connection with cases within the jurisdiction of the Internal Security Division.

5. Subpart K of Part 0 is amended by inserting immediately after § 0.56 a new § 0.56a as follows:

§ 0.56a Delegation respecting authorization to institute criminal prosecution against a juvenile.

The Assistant Attorney General in charge of the Criminal Division is authorized to exercise the power and authority vested in the Attorney General by Section 5032 of Title 18 of the United States Code, to direct that criminal prosecution be instituted against a juvenile alleged to have committed one or more acts in violation of a law of the United States not punishable by death or life imprisonment.

The amendments made by this order shall be effective as of May 8, 1966.

(R.S. 161; 5 U.S.C. 22; sec. 2, Reorg. Plan No. 2 of 1950; 3 CFR, 1949–53 Comp.; 64 Stat. 1261)

Dated: May 6, 1966.

NICHOLAS DEB. KATZENBACH, *Attorney General.*

[F.R. Doc. 66-5128; Filed, May 6, 1966; 4:36 p.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

Ohio and Mississippi Rivers

Pursuant to the provisions of Section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.300 is hereby amended, modifying paragraph (b) by adding a sentence at the end of the paragraph and revising paragraph (aa), changing the caption and deleting a portion of the first sentence of the paragraph, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.300 Ohio River, Mississippi River above Cairo, Ill.; and their tributaries; use, administration, and navigation.

* * * * *

(b) *Precedence at locks.* The vessel arriving first at a lock shall be first to lock through; but precedence shall be given to vessels belonging to the United States and to commercial vessels in the order named. Passenger boats shall have precedence over tows and like craft. Arrival posts or markers may be established ashore above or below the locks. Vessels arriving at or opposite such posts or markers will be considered as having arrived at the locks within the meaning of this paragraph. The lockmaster may prescribe such departure from the normal order of precedence stated above as, in his judgment, is warranted under prevailing circumstances to achieve best lock utilization.

* * * * *

(aa) *Restricted areas at locks and dams.* All waters immediately above and below each dam, as posted by the respective District Engineers, are hereby designated as restricted areas. No vessel or other floating craft shall enter any such restricted area at any time. The limits of the restricted areas at each dam will be determined by the responsible District

Engineer and marked by signs and flashing red lights installed in conspicuous and appropriate places.

(Regs., Apr. 20, 1966, 1707–32; Ohio and Mississippi Rivers, Ill.-ENGCW–ON; sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66–5043; Filed, May 9, 1966; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4000]

[Sacramento 078910]

CALIFORNIA

Amendment of Public Land Order No. 3977

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Order No. 3977 of April 5, 1966, partially revoking Petroleum Reserves No. 2 and No. 18, appearing in 70 FEDERAL REGISTER, April 12, 1966, at pages 5562–3, is hereby amended to delete paragraph 2.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 6, 1966.

[F.R. Doc. 66–5147; Filed, May 9, 1966; 10:01 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 66-402]

PART 1—PRACTICE AND PROCEDURE

Petitions for Suspension of Tariff Schedules

Order. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 4th day of May 1966;

The Commission has under consideration § 1.773 of the rules which govern petitions for suspension of tariff schedules.

These rules presently permit such petitions to be filed extremely close to the effective date of the tariff schedule in question. This oftentimes imposes an undue and unnecessary burden upon the Commission in its consideration of such petitions. Moreover, at times petitions to suspend improperly include prayers that such petitions also be considered as formal complaints which are governed by different procedures under other provisions of our rules (See § 1.721, et seq.). In addition, the present rules do not specifically require such petitions to indicate in what way the objectionable tariff schedule is considered unlawful and petitions that do not contain this essential ingredient are deficient. Therefore, amendments to § 1.773 of the rules, which will (a) clarify the showing required in such petitions; (b) make it clear that formal complaints shall be filed separately from petitions to suspend; and (c) require service of petitions and replies upon the Chief, Common Carrier Bureau, would be in the public interest.

Authority for the amendments adopted herein is contained in sections 4 (i) and (j), and 204 of the Communications Act of 1934, as amended.

The amendments adopted herein are procedural and interpretative in nature, and hence the notice and effective date provisions of section 4 of the Administrative Procedure Act are inapplicable.

Accordingly, it is ordered, Effective May 13, 1966, that the rules of practice and procedure are amended as set forth below.

(Secs. 4, 204, 48 Stat. 1066, 1071, as amended; 47 U.S.C. 154, 204)

Released: May 5, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

Section 1.773 is amended to read as follows:

§ 1.773 Petitions for suspension of tariff schedules.

(a) *Content.* A petition for suspension of a new tariff schedule or any provision thereof shall indicate the schedule affected by its Federal Communications Commission number and give specific reference to the items against which protest is made, together with a statement indicating in what respects the protested tariff schedule is considered unlawful. No petition shall include a prayer that it also be considered a formal complaint. Any such formal complaint shall be filed as a separate pleading as provided in § 1.721.

(b) *When filed.* A petition for suspension shall be filed with the Commission and served upon the publishing carrier and the Chief, Common Carrier Bureau at least 14 days before the effective date of the tariff schedule. In case of emergency and within the time limits herein provided, a telegraphic request for suspension may be sent to the Commission setting forth succinctly the substance of the matters required by paragraph (a) of this section. A copy of any such telegraphic request shall be sent simultaneously to the publishing carrier and the Chief, Common Carrier Bureau and forthwith confirmed by petition filed and served in accordance with this section.

(c) *Reply.* A publishing carrier may reply to a petition for suspension, but any such reply shall be filed with the Commission and served simultaneously upon petitioner and the Chief, Common Carrier Bureau within 3 days after service of the petition for suspension.

(d) *Copies; service.* An original and 14 copies of each petition or reply must be filed with the Commission, and served in accordance with paragraphs (b) and (c) of this section.

[F.R. Doc. 66–5080; Filed, May 9, 1966; 8:48 a.m.]

[1] Commissioners Loevinger and Wadsworth absent.

[Docket No. 16187; FCC 66–412]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments; Las Vegas, Nev., etc.

Report and order. In the matter of amendment of § 73.606, rules and regulations, *Table of Assignments* (Las Vegas, Boulder City, Goldfield, Nev., and Cedar City, Utah); Docket No. 16187, RM–713.

1. The Commission has before it for consideration its Notice of Proposed Rule Making, FCC 65–789, issued in this proceeding on September 13, 1965 (30 F.R. 11880), and the comments filed in response thereto. The Notice invited comments on a proposal advanced by Southern Nevada Radio & Television Co. (Southern Nevada), licensee of Station KORK–TV, on Channel 2 in Las Vegas, Nev., to make changes in the TV Table of Assignments as follows:

City	Channel No.	
	Delete	Add
Las Vegas, Nev.	2–	3
Boulder City, Nev.	4+	5+
Goldfield, Nev.	5–	2–
Cedar City, Utah	5	4

There are two competing applications for Channel 4+ at Boulder City and an application for a high power translator on Channel 5 at Cedar City. These will have to be amended in the event the proposal is adopted. No application is pending for Channel 5— in Goldfield.

2. Southern Nevada operates KORK–TV from a combined studio and transmitter site near Las Vegas with a maximum effective radiated power of 100 kilowatts and an antenna height of 272 feet above average terrain. The stated purpose of the channel changes is to permit KORK–TV to operate from a newly developed television microwave repeater station location on Potosi Mountain which would afford a much greater antenna height than would be possible in Las Vegas. This location would result in a short spacing to Channel 2 in Los Angeles and hence cannot be used by KORK–TV on its present assignment. Petitioner urges that operating at the proposed site KORK–TV could increase its service to the public to such an extent that it could bring a first Grade A service or better to an area of 9,142 square miles and a first Grade B or better service to an area of 23,919 square miles. It submits that the proposed changes all conform to the minimum required spacings in the rules with the exception of Channel 2 at Reno, which would be 2 miles short of the required 190 miles to Goldfield, Nev. It points out, however, that the same shortage exists presently with respect to Channel 5, which is assigned to both Reno and Goldfield and that this shortage would be eliminated.[2] As a result of the elimination of Channel 5 at Goldfield, Southern Nevada states that applicants for the educational reservation on Channel 5 at Reno will have greater flexibility in selecting a site for the station. Southern Nevada further urges that, due to the greater coverage at the proposed site on Channel 3, many areas which presently receive no television service ("white areas") will be able to receive such service at distances as far as 200 miles from Las Vegas, a result it argues would implement the Commission's first priority in television allocations. Finally, petitioner requests that it be ordered to show cause why its authorization should not be modified to specify operation on Channel 3 instead of Channel 2.

3. Las Vegas Television, Inc. (Las Vegas), licensee of Station KLAS–TV, Channel 8, Las Vegas, filed the only opposition to the petitioner's request. Las Vegas states that the present assignment situation in Las Vegas presents "the well-balanced ideal" and that the proposal would upset this balance in the competitive situation without any appreciable increase in service to the public. Since Channels 4 (presently assigned to Boulder City about 30 miles southeast of Las Vegas) and 13 cannot be used at Potosi Mountain due to the co-channel stations at Los Angeles, these stations would become "cripples in the fierce competitive fight for the advertising dollar" in Las Vegas. As for the increased coverage obtainable from Potosi Mountain, Las Vegas states that the area which is added is "sparsely settled desert." Finally, Las Vegas contends that there is a danger to the public welfare in the proposal in that KORK–TV is owned by a party who controls other broadcast stations as well as newspaper and other media and the proposal would provide him with greater economic and political influence in the State of Nevada.

4. In response to the Las Vegas opposition, Southern Nevada submits that the party which presumably would suffer from the competitive imbalance (KSHO–TV, Channel 13) in Las Vegas did not file any opposition to the proposal and that Las Vegas could utilize Potosi Mountain for its station since it was developed in cooperation with that company. Further, Southern Nevada points out that Las Vegas itself belittles the danger of competitive imbalance since it argues that the additional area to be served by KORK–TV is a sparsely settled desert area. However, petitioner urges that the fact that this area is sparsely settled does not mean that it is not significant either in terms of the first priority or in bringing a first service to the people involved. With respect to the argument advanced by Las Vegas based upon the media ownership of the principal of KORK–TV, Southern Nevada argues that they are without legal significance, whereas the matter of "white area" and section 307(b) considerations are of decisional importance. Even conceding that this contention is valid, Southern Nevada submits that it is untimely and that the question of multiple ownership should be raised when an application is filed requesting a modification of its facilities. In any event, it contends that this is not appropriately considered in a rule making proceeding.

5. After careful consideration of all the comments filed in this proceeding, we are of the view that the proposal advanced by petitioner would serve the public interest and should be adopted. The assignment of Channel 3 in lieu of Channel 2 to Las Vegas would permit use of a very advantageous natural transmitter location with its attendant great potential for increased television coverage. While no figures have been given on the number of people who would be able to obtain a first television service, there is no dispute about the large area which would be covered by such a signal. This would conform to a basic principle in all broadcast allocations and would make for a fair and equitable distribution of available facilities as provided for in section 307(b) of the Communications Act. The opponent of the proposal basically raises two questions: One is that the proposal would seriously impair the competitive equality of the stations in the area and secondly that it would violate the spirit of the multiple ownership rules in view of the holdings of the principal of the proponent's station. On balance, we are of the view that the public interest would benefit from the proposal even if there is some immediate disadvantage to a competitor. With respect to the multiple ownership contention, we note that the principal owner of Southern Nevada has other extensive radio, television, and newspaper interests in several States. But we take into account that the action taken herein merely results in increased facilities for an existing station within the limits permitted by the rules. Further, we have not been shown that there are detriments in this respect of any significant nature, and certainly none which might result of such a nature as to outweigh the benefits to the public interest from improvement of service.

6. Authority for the adoption of the amendments contained herein is contained in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

7. In view of the foregoing: *It is ordered,* That effective June 13, 1966, § 73.606 of the Commission's rules, the Table of Television Assignments, is amended, to read, insofar as the communities named are concerned, as follows:

City	Channel No.
Boulder City, Nev.	5+
Goldfield, Nev.	2–
Las Vegas, Nev.	3, 8–, *10+, 13–, 21
Cedar City, Utah	4, *16

8. *It is further ordered,* That the outstanding license of the Southern Nevada Radio and Television Company for operation of Station KORK–TV is modified to specify operation on Channel 3 in lieu of Channel 2— subject to the following conditions:

(a) The licensee shall inform the Commission in writing by May 27, 1966, of its acceptance of this modification.

(b) The licensee shall submit to the Commission by May 27, 1966, all the technical information normally required for the issuance of a construction permit for operation on Channel 3, including any changes in antenna and transmission line.

(c) The licensee may continue to operate on Channel 2— until upon its request, the Commission authorizes interim operation on Channel 3, following which the licensee shall submit (within 30 days) the measurement data normally required of an applicant for a TV broadcast station license.

(d) No construction on Channel 3 is to commence until the Mexican Government has approved the proposed assignment changes within 250 miles of the Mexico-U.S. border.

9. *It is further ordered,* That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat. 1066, 1082, 1083, as amended, sec. 316, 66 Stat. 717; 47 U.S.C. 154, 303, 307, 316)

Adopted: May 4, 1966.

Released: May 5, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–5081; Filed, May 9, 1966; 8:48 a.m.]

[2] Commissioners Loevinger and Wadsworth absent.

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Chautauqua National Wildlife Refuge, Ill.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

[1] Section 73.611(4) permits an assignment in a community where the separation is less than the minimum provided sites are available from which the required separations can be met and from which the required signal may be placed over the principal community.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ILLINOIS

CHAUTAUQUA NATIONAL WILDLIFE REFUGE

Sport fishing on the Chautauqua National Wildlife Refuge, Ill., is permitted only on the areas designated by signs as open to fishing. These open areas comprising 3,700 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions.

(1) The open season for sport fishing on the refuge extends from 4 a.m. to 9 p.m., local time, each day during the periods: From January 1, 1966, through March 14, 1966, in designated waters of Lake Chautauqua; from January 1, 1966, through September 30, 1966, in the open area of Liverpool Lake; from March 15, 1966, through September 30, 1966, in all waters of Lake Chautauqua; and from October 1, 1966, through December 31, 1966, in designated waters of Lake Chautauqua.

(2) The use of boats, including boats powered by motors not to exceed six (6) horsepower, is permitted in the waters of Lake Chautauqua. The use of boats and motors without horsepower restriction is permitted in the waters of Liverpool Lake and the refuge borrow ditch adjacent to the main dike outside of Lake Chautauqua. Illinois boat registration and Safety Act regulations apply.

(3) The use of seines or other devices for taking minnows or other bait is prohibited.

(4) The use of live boxes is prohibited, except that owners of cottages on Lake Chautauqua may utilize them.

(5) Boats, equipment and other fishing gear may be hauled or taken across dikes only at pull-overs designated by appropriate posting.

(6) No person shall enter upon, cross over, or fish from any dike, water control structure or shoreline within the refuge except as follows: Sport fishing shall be permitted from that part of the main dike that extends for approximately 700 feet easterly from the inlet gate to the main shoreline at Boatyard No. 3, and outward from the shoreline a distance of 660 feet at each of the established boatyards on Chautauqua Lake; these areas are delineated by appropriate posting.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through December 31, 1966.

RICHARD E. TOLTMAN,
Refuge Manager, Chautauqua National Wildlife Refuge, Havana, Ill.

MAY 3, 1966.

[F.R. Doc. 66-5049; Filed, May 9, 1966; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 1]

CUSTOMS PORTS OF ENTRY

Proposed Designation of Oklahoma City, Okla.

MAY 3, 1966.

Notice is hereby given pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authorization given to me by Treasury Department Order No. 190, Rev. 4 (30 F.R. 15769), it is proposed to designate Oklahoma City, Okla., as a customs port of entry in the district of Houston, Tex.

Data, views, or arguments with respect to the proposed designation of the above-described customs port of entry may be addressed to the Commissioner of Customs, Washington, D.C., 20226. To insure consideration of such communications they must be received in the Bureau not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL] JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 66-5072; Filed, May 9, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 52]

CANNED GREEN BEANS AND WAX BEANS

Standards for Grades; Termination of Rule Making Proceedings

Pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 205, 60 Stat. 1090 as amended; 7 U.S.C. 1624) a notice of proposed rule making was issued by the Deputy Administrator, Marketing Services, to amend the U.S. Standards for Grades of Canned Green and Canned Wax Beans. That notice appeared in the FEDERAL REGISTER (30 F.R. 9776) of August 5, 1965.

It was proposed to lower slightly the recommended drained weights in wholestyle canned green and canned wax beans.

Interested persons were invited to submit to the Department not later than October 5, 1965, written data, views, or arguments in connection with the proposed amendment. On the basis of the views received from interested parties, it has been determined that the proposed amendment would not serve the best interests of the canning industry or of consumers and that the amendment is not warranted at this time.

It is found and determined, therefore, that the proposed amendment to the grade standards, as contained in the aforesaid notice should not be effectuated at this time and that the proceeding begun in this matter on August 5, 1965, is hereby terminated, effective upon publication in the FEDERAL REGISTER. Accordingly, the present standards in effect since July 23, 1961, will remain unchanged.

Dated: May 5, 1966.

S. R. SMITH,
Administrator.

[F.R. Doc. 66-5061; Filed, May 9, 1966; 8:46 a.m.]

[7 CFR Part 916]

[Docket No. AO-303-A1]

NECTARINES GROWN IN CALIFORNIA

Decision and Referendum Order With Respect to Proposed Amendment of Marketing Agreement and Order

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Fresno, Calif., on February 11, 1966, after notice thereof published in the FEDERAL REGISTER (31 F.R. 295), on proposed amendment of the marketing agreement and Order No. 916 (7 CFR Part 916), regulating the handling of nectarines grown in California, to be made effective pursuant to the provisions of the Agricultural Marketing and Agreement Act of 1937, as amended (7 U.S.C. 601-674).

On the basis of the evidence adduced at the hearing and the record thereof, the Administrator, Consumer and Marketing Service, on April 5, 1966, filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision in this proceeding. The notice of the filing of such recommended decision affording opportunity to file written exceptions thereto, was published in the FEDERAL REGISTER (F.R. Doc. 66-3842; 31 F.R. 5635). No exception was filed.

The material issues, findings and conclusions, and the general findings, of the recommended decision set forth in the FEDERAL REGISTER (F.R. Doc. 66-3842; 31 F.R. 5635) are hereby approved and adopted as the material issues, findings and conclusions, and the general findings of this decision as if set forth in full herein.

Amendment of the marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement, as Amended, Regulating the Handling of Nectarines Grown in California" and "Order Amending the Order Regulating the Handling of Nectarines Grown in California," which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

Referendum order. Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), it is hereby directed that a referendum be conducted among the producers who, during the period March 1, 1965, through February 28, 1966 (which period is hereby determined to be a representative period for the purpose of such referendum), were engaged, in the State of California in the production of nectarines for market to ascertain whether such producers favor the issuance of the said annexed order amending Order No. 916, as amended (7 CFR Part 916), regulating the handling of nectarines grown in California.

W. B. Blackburn and G. P. Muck, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, are hereby designated agents of the Secretary of Agriculture to conduct said referendum.

The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (30 F.R. 15414).

The ballots used in such referendum shall contain a summary describing the terms and conditions of the proposed amendment of the order.

Copies of the aforesaid annexed order and of the aforesaid referendum procedure may be examined in the Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Ballots to be cast in the referendum, and other necessary forms and instructions, may be obtained from any referendum agent or any appointee.

It is hereby ordered, That all of this decision and referendum order, except the annexed amended marketing agreement, be published in the FEDERAL REG-

ISTER. The regulatory provisions of the said marketing agreement are identical with those contained in the annexed order which will be published with this decision.

Dated: May 4, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending Order Regulating the Handling of Nectarines Grown in California

§ 916.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of the order; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Fresno, Calif., February 11, 1966, upon proposed amendment of the marketing agreement and to Order No. 916 (7 CFR Part 916), regulating the handling of nectarines grown in California. Upon the basis of the evidence adduced at such hearing and the record thereof, it is found that:

(1) The said order, as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order, as hereby amended, regulates the handling of nectarines grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The said order, as hereby amended, is limited in its application to the smallest regional production area that is practicable consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of nectarines grown in the production area which make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of nectarines grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of nectarines grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order as hereby amended as follows:

1. The provisions of § 916.12 are amended to read as follows:

§ 916.12 District.

"District" means the applicable one of the following described subdivisions of the production area or such other subdivision as may be prescribed pursuant to § 916.31:

(a) "District 1" shall include the counties of Madera, Fresno, and Kings and that portion of Tulare County north of the 4th Standard Parallel south of the Mount Diablo Base Line of the General Land Office.

(b) "District 2" shall include that portion of Tulare County not included in District 1.

(c) "District 3" shall include all of the production area lying south of the northern boundaries of the counties of San Luis Obispo, Kern, and San Bernardino.

(d) "District 4" shall include the counties of Merced, Stanislaus, and the balance of the production area.

2. The provisions of § 916.20 are amended to read as follows:

§ 916.20 Establishment and membership.

There is hereby established a Nectarine Administrative Committee consisting of eight members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he is an alternate. The members and their alternates shall be growers or employees of growers. Five of the members and their respective alternates shall be producers of nectarines in District 1. One member and his alternate shall be producers of nectarines in District 2; one of the members and his alternate shall be producers of nectarines in District 3; and one member and his alternate shall be producers of nectarines in District 4.

§ 916.22 [Amended]

3. The last sentence in paragraph (b) (1) and the last sentence in paragraph (b) (2) are deleted from § 916.22.[1]

§ 916.27 [Amended]

4. The last sentence of § 916.27 is deleted and the following substituted therefor: "In the event both a member of the committee and his alternate are unable to attend a committee meeting, the member or the committee members present may designate any other alternate to serve in such member's place and stead provided such action is necessary to secure a quorum."

5. Paragraph (a) of § 916.32 is revised to read as follows:

§ 916.32 Procedure.

(a) Six members of the committee, or alternates acting for members, shall constitute a quorum and any action of the committee shall require the concurring vote of the majority of those present: *Provided,* That actions of the committee with respect to expenses and assessments, or recommendations for regulations pursuant to §§ 916.50 to 916.55, shall require at least six concurring votes.

* * * * *

6. The provisions of § 916.33 are amended to read as follows:

§ 916.33 Expenses and compensation.

The members of the committee, and alternates when acting as members, shall serve without compensation but shall be reimbursed for expenses necessarily incurred by them in the performance of their duties under this part: *Provided,* That the committee at its discretion may request the attendance of one or more alternates at any or all meetings notwithstanding the expected or actual presence of the respective members and may pay expenses as aforesaid.

7. The provisions of § 916.45 are amended to read as follows:

§ 916.45 Marketing research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of nectarines. Such projects may provide for any form of marketing promotion including paid advertising. The expense of such projects shall be paid by funds collected pursuant to § 916.41.

§ 916.64 [Amended]

8. The provisions of § 916.64 are amended as follows:

a. Paragraph (e) is redesignated as paragraph (f).

b. Paragraph (d) is deleted and the following substituted therefor:

(d) The committee shall consider all petitions from growers submitted to it for termination of this part provided such petitions are received by the committee prior to October 1 of the then current fiscal period. Upon recommendation of the committee received not later than December 1 of the then current fiscal period, the Secretary shall conduct a referendum among the growers prior to February 15 of such fiscal period to ascertain whether continuance of this part is favored by producers.

(e) The Secretary shall conduct a referendum within the period beginning December 1, 1968, and ending February 15, 1969, to ascertain whether continuance of this part is favored by the growers. The Secretary shall conduct such a referendum within the same period of every fourth fiscal period thereafter.

[F.R. Doc. 66–5063; Filed, May 9, 1966; 8:46 a.m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and orders have been met.

[1] These sentences, which were suspended on Jan. 15, 1959 (24 F.R. 356) and do not appear in 7 CFR Part 916, read as follows:

"(b) (1) * * * Such procedure shall include the subdivision of multiple member districts into election districts designed to provide equitable distribution of representation.

"(b) (2) * * * Each such grower, including employees of such grower, shall be entitled to cast but one vote for one nominee for member and one vote for one nominee for alternate member in the district or election district in which he produces nectarines."

[7 CFR Part 1065]

[Docket No. AO 86–A18]

MILK IN NEBRASKA-WESTERN IOWA MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Lamplighter Motor Inn, 2808 South 72d Street, Omaha, Nebr., beginning at 9:30 a.m., local time, on May 16, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Nebraska-Western Iowa marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Nebraska-Iowa Non-Stock Cooperative Milk Association: Proposal No. 1: Define Grade B milk as follows: "Grade B Milk" means milk other than Grade A milk.

Proposal No. 2: Provide that Grade A milk and Grade B milk shall be separately classified.

Proposal No. 3: Provide for the pricing of Grade B, Class I milk, by adding the following to paragraph (a) of § 1065.51: *Grade B, Class I milk.* The price for Grade A, Class I milk, less 10 cents.

Proposal No. 4: Amend § 1065.70 and § 1065.71 to provide for the computation of (1) a separate pool obligation for Grade A milk and Grade B milk for each handler, and (2) separate uniform prices for Grade A milk and Grade B milk.

Proposal No. 5: Amend § 1065.81 to provide for the establishment and maintenance of separate producer-settlement funds for Grade A and Grade B milk.

Proposed by the Dairy Division, Consumer and Marketing Service: Proposal No. 6:

Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, James V. O'Meara, 6901 Dodge Street, Room 106, Omaha, Nebr., 68132, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, or may be there inspected.

Signed at Washington, D.C., on May 5, 1966.

CLARENCE H. GIRARD,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 66–5078; Filed, May 9, 1966; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66–WE–32]

CONTROL ZONE AND TRANSITION AREAS

Proposed Designation and Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Hillsboro, Oreg., area and proposes the following airspace action:

1. Designate the Hillsboro, Oreg., control zone as that airspace within a 5-mile radius of Hillsboro Airport (latitude 45°-32'15" N., longitude 122°56'30" W.), and within 2 miles each side of the Newberg, Oreg., VORTAC 007° radial, extending from the 5-mile radius zone to 8 miles S of the airport. This control zone will be effective during the time established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

2. Designate the Hillsboro, Oreg., transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hillsboro Airport (latitude 45°32'15" N., longitude 122°56'30" W.), and within 2 miles each side of the Newberg, Oreg., VORTAC 007° and 187° radials, extending from the 5-mile radius area to 1 mile S of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 15 miles SE and 10 miles NW of the Newberg VORTAC 024° and 204° radials, extending from 12 miles NE to 27 miles SW of the VORTAC.

3. Amend the description of the 700 foot portion of the Portland, Oreg., transition area by deleting "and within 2 miles each side of the Newberg, Oreg., VORTAC 007° radial, extending from the 23-mile radius area to the VORTAC."

The proposed control zone and transition area are required to provide protection for aircraft executing prescribed instrument flight procedures at Hillsboro Airport.

Certain minor revisions to prescribed instrument procedures may accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or landing minima be adversely affected.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A Public Docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

These amendments are proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif. on May 2, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66–5047; Filed, May 9, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66–SW–18]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Lake Charles, La., terminal area.

1. The Lake Charles, La., control zone is presently designated as that airspace within a 5-mile radius of Lake Charles Municipal Airport (latitude 30°07'30" N., longitude 93°13'20" W.); within 2 miles each side of the Lake Charles VOR 259° radial extending from the 5-mile radius zone to 1 mile W of the VOR; within 2 miles each side of the Lake Charles ILS localizer NW course extending from the 5-mile radius zone to the OM; and within 2 miles each side of the Lake Charles ILS localizer SE course extending from the 5-mile radius zone to 6 miles SE of the airport.

2. The Lake Charles, La., transition area is presently designated as that airspace extending upward from 700 feet above the surface within 2 miles each side of the Lake Charles ILS localizer northwest course extending from the OM to 8 miles NW, within 2 miles each side of the Lake Charles VOR 259° radial extending from the VOR to 1 mile W,

and within 2 miles each side of the Lake Charles ILS localizer SE course extending from the airport to 8 miles SE; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 30°37'00'' N., longitude 92°50'00'' W., to latitude 30°24'00'' N., longitude 92°26'00'' W., to latitude 29°45'30'' N., longitude 93°00'-00'' W., thence W via latitude 29°45'30'' N., to and counterclockwise along the arc of a 25-mile radius circle centered at latitude 29°54'40'' N., longitude 94°02'-40'' W., to longitude 93°57'00'' W., thence to point of beginning.

The Federal Aviation Agency proposes to alter the Lake Charles, La., control zone and transition area as follows:

1. Redesignate the Lake Charles, La., control zone as that airspace within a 5-mile radius of Lake Charles Municipal Airport (latitude 30°07'30'' N., longitude 93°13'20'' W.), within 2 miles each side of the Lake Charles VORTAC 259° (252° magnetic) radial extending from the VORTAC to 13 miles W of the VORTAC, within 2 miles each side of the Lake Charles ILS localizer NW course extending from the 5-mile radius zone to the OM, and within 2 miles each side of the Lake Charles ILS localizer SE course extending from the 5-mile radius zone to 7.5 miles SE of the airport.

2. Redesignate the Lake Charles, La., transition area as that airspace extending upward from 700 feet above the surface within a 4-mile radius of East Lake Charles Airport (latitude 30°13'25'' N., longitude 93°08'55'' W.), within 2 miles each side of the Lake Charles VORTAC 339° (332° magnetic) radial extending from the 4-mile radius area to the VORTAC, and within 2 miles each side of the Lake Charles ILS localizer NW course extending from the OM to 8 miles NW of the OM; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 30°37'00'' N., longitude 92°50'00'' W., to latitude 30°24'00'' N., longitude 92°26'00'' W., to latitude 29°45'30'' N., longitude 93°00'00'' W., thence W via latitude 29°45'30'' N., to and counterclockwise along the arc of a 25-mile radius circle centered at latitude 29°54'40'' N., longitude 94°02'40'' W., to longitude 93°57'00'' W., thence to point of beginning.

This proposed alteration of the Lake Charles, La., control zone and transition area would conform to present criteria and would provide airspace protection for aircraft executing instrument approach and departure procedures at East Lake Charles Airport.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Post Office Box 1689, Fort Worth, Tex., 76101. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on May 2, 1966.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 66-5070; Filed, May 9, 1966; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16622; FCC 66-408]

TABLE OF ASSIGNMENTS FOR TV CHANNELS

Commercial UHF Assignment; Martinsville, Va.

In the matter of amendment of § 73.606(b) of the Commission rules and regulations (Table of Assignments for TV Channels) to provide a commercial UHF assignment for Martinsville, Va.; Docket No. 16622, RM-897.

1. Martinsville Broadcasting Co., Inc., licensee of WMVA and WMVA-FM, Martinsville, Va., has filed a petition for rule making requesting that a commercial UHF television channel be assigned to Martinsville, Va. Specifically, the petitioner requests that Channel 16 be assigned. However, the petition which was filed on January 7, 1966, based its request upon the then existing Table of Assignments for UHF television channels. The Table was revised extensively in the Fifth Report and Memorandum Opinion and Order in Docket No. 14229, adopted February 9, 1966, and Channel 16 is not available for assignment at Martinsville.

2. In support of its request, the petitioner states that it has always exercised every effort to keep abreast of the broadcast service needs of its community and that a significant and needed nighttime broadcast service could be provided by a UHF television broadcast station in Martinsville. The petitioner further states that such television reception as provided by other TV stations, is precluded from being effective within substantial areas in and around Martinsville because of terrain conditions.

3. Martinsville is an independent city located in Henry County some 25 miles west of Danville and 40 miles south of Roanoke, Va. According to the 1960 U.S. census its population was 18,798. It is within the theoretical Grade A contours of WDBJ-TV, Channel 7, and WSLS-TV, Channel 10, Roanoke, Va., and WLVA-TV, Channel 13, Lynchburg, Va. It is also within the Grade B contour of WFMY-TV, Channel 2, Greensboro, N.C., and WGHP-TV, Channel 8, High Point, N.C., and within the Grade A contour of WSJS-TV, Channel 12, Winston-Salem, N.C. WBTM-TV, holds a construction permit for Channel 24 in Danville, Va. This station operated from January to December 1954, but has since remained silent. On December 27, 1965, they filed application for increased power and indicated that the operation would be resumed. There are no CATV systems operating or proposed in Martinsville.

4. Martinsville is in an area where available additional assignments are considered to be scarce. Our computer shows that three channels are available from which to choose an assignment, Channels 65, 67, and 69. The choice of either one would eliminate the other two channels in Martinsville. Using the computer program employed for the creation of the overall assignment plan, we have selected Channel 65 as the most efficient assignment for Martinsville.

5. In the light of the foregoing, the petition of Martinsville Broadcasting Co., Inc. appears to have sufficient merit to warrant the institution of rule making proceedings. In adopting the revised UHF Table in the Fifth Report and Order in Docket No. 14229, the Commission stated that although cities of less than 25,000 population were not listed in the Table for new commercial assignments such assignments would be made where a need was shown by a prospective applicant which was prepared to proceed diligently with the construction and operation of a new UHF television broadcast station if authorized to do so. In view of the fact that we are proposing the assignment of a channel other than the one requested in the petition for the reasons set forth herein, we will expect the petitioner to reaffirm its intention to promptly apply for the proposed channel if it is assigned. In the absence of such further expression of interest by the petitioner or some other serious prospective applicant, there will be no basis for making the assignment to Martinsville at this time.

6. Accordingly, pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the Table of Assignments in § 73.606(b) of the Commission rules, insofar as the city listed below is concerned, to read as follows:

City	*Channel*
Martinsville, Va.	65

7. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations interested parties

may file comments on or before June 13, 1966, and reply comments on or before June 23, 1966. All submissions by parties to this proceeding, or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

8. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: May 4, 1966.

Released: May 5, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5082; Filed, May 9, 1966; 8:48 a.m.]

[1] Commissioners Loevinger and Wadsworth absent.

Notices

DEPARTMENT OF STATE

Agency for International Development

MEDICAL ASSISTANCE PROGRAMS, INC.

Registration as Voluntary Foreign Aid Agency

In accordance with the regulations of the Agency for International Development concerning Registration of Agencies for Voluntary Foreign Aid (A.I.D. Regulation 3) 22 CFR Part 203, promulgated pursuant to section 621 of the Foreign Assistance Act of 1961, as amended, notice is hereby given that a certificate of registration [1] as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the Agency for International Development to the following agency:

Medical Assistance Programs, Inc., Post Office Box 50, Wheaton, Ill., 60188.

HERBERT J. WATERS,
Assistant Administrator for Material Resources.

APRIL 25, 1966.

[F.R. Doc. 66-5057; Filed, May 9, 1966; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Nevada 066626]

NEVADA

Notice of Classification

MAY 2, 1966.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal through exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1269) as amended by section 3 of the Act of June 26, 1936 (49 Stat. 1976).

There were no comments received following publication of the notice of proposed classification (33 F.R. 2865).

The lands affected by this classification are located in Elko County and are described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 31 N., R. 53 E.,
Sec. 6, lots 1, 2, 3, 4;
Sec. 8;
Sec. 10;
Sec. 12, SE¼SW¼, S½SE¼;
Sec. 14, NW¼NE¼, SE¼NE¼, SW¼NW¼, E½SW¼, SW¼SW¼, SE¼;
Sec. 16;
Sec. 18, lots 1, 3, 4;
Sec. 22, NE¼.

[1] Certificate of registration filed as part of original document.

The areas described above aggregate 2,968.01 acres.

For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C., 20240 (43 CFR 2411.1-2(d)).

NOLAN F. KEIL,
State Director, Nevada.

[F.R. Doc. 66-5051; Filed, May 9, 1966; 8:45 a.m.]

Office of the Secretary

GEOLOGICAL SURVEY

Delegation of Authority

The following material is a portion of the Departmental Manual and the numbering system is that of the Manual.

PART 220—GEOLOGICAL SURVEY

CHAPTER 4—MINERAL LEASING FUNCTIONS

220.4.1 *Delegation of authority*—A. *Functions relating to unit agreements.* The Director, Geological Survey, is delegated the authority vested in the Secretary of the Interior under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended (30 U.S.C., 181 et seq.), to perform the following functions with respect to unit agreements:

(1) Designate areas logically subject to unitization.

(2) Approve applications for expansion or contraction of unit areas.

(3) Approve the selection or designation of unit operators.

(4) Declare a unit agreement terminated for failure to select a successor unit operator or for failure to comply with the drilling provisions of the agreement.

(5) Grant extensions of time for drilling test wells.

(6) Approve the establishment or revision of participating areas.

(7) Approve payment of compensatory royalty for drainage from unitized lands.

(8) Extend the fixed term of unit agreements.

(9) Approve requests for termination of unit agreements.

(10) Review all determinations by unit operator, appoint arbitrating committees, and render decisions on all determinations by arbitrating committees.

(11) Take appropriate action on commitments of interests to a unit agreement filed subsequent to approval of the unit agreement.

(12) Alter or modify the rate of prospecting and development and the quantity and rate or production.

(13) Approve unit agreements which adopt and follow the form of unit agreements set forth in 30 CFR 226.12.

(14) Approve unit agreements which the Secretary of the Interior has previously approved as to form in accordance with 30 CFR 226.4 and which are submitted duly executed in the same form for final approval.

B. *Functions relating to claimed discoveries of new oil or gas deposits.* The Director, Geological Survey, is authorized to act on applications for royalty benefits by reason of a claimed discovery of a new oil or gas deposit under the Act of August 8, 1946 (60 Stat. 950), and to determine whether a new oil or gas deposit has been discovered, and the effective date of such discovery.

C. *Determination of productive limits of a producing oil or gas deposit.* The Director, Geological Survey, is authorized to determine under the Act of August 8, 1946 (60 Stat. 950), the productive limits of a producing oil or gas deposit, as such limits existed on August 8, 1946, on his own initiative or on application by the holder of an oil and gas lease or his operator.

D. *Approval of crude oil exchange agreements.* The Director, Geological Survey, is authorized to give final approval to agreements providing for the exchange of crude oil purchased under the Act of July 13, 1946 (60 Stat. 533), and the regulations thereunder, 30 CFR 225.1 et seq., for other crude oil.

E. *Approval of communitization or drilling agreements.* The Director, Geological Survey, is authorized to give final approval to communitization or drilling agreements submitted for approval in accordance with 43 CFR 3121.3. The Director has redelegated to the regional oil and gas supervisors the authority delegated by this paragraph (27 F.R. 6395).

F. *Suspension of operations and production.* The Director, Geological Survey, may act for the Secretary of the Interior in finally approving applications for suspension of operations or production or both, filed pursuant to 43 CFR 3102.4 and 3222.6-2 and in terminating suspensions of this kind which have been or may be granted. (The Director has redelegated to the regional oil and gas supervisors and mining supervisors the authority delegated by this paragraph. Survey Orders 218, 17 F.R. 7513, and 218, Amendment 1, 20 F.R. 8427.)

G. *Oil and gas sales contracts.* The regional oil and gas supervisors of the Geological Survey may act for the Secretary of the Interior in finally approving oil and gas sales contracts and agreements filed pursuant to 30 CFR Part 223.

220.4.2 *Appeals.* Any person aggrieved by any action of a regional oil and gas supervisor or a regional mining supervisor may appeal to the Director, Geological Survey, and from his decision to the Secretary of the Interior as provided in 30 CFR 221.66.

CHAPTER 5—ACCEPTANCE OF CONVEYANCE

220.5.1 *Acceptance of conveyance.* The Director of the Geological Survey may enter into agreements for the acquisition and accept conveyances of lands whenever such lands or interests in lands are to be acquired for administration through the Geological Survey pursuant to any act of Congress.

Dated: May 2, 1966.

STEWART L. UDALL,
Secretary of the Interior.

[F.R. Doc. 66-5050; Filed, May 9, 1966; 8:45 a.m.]

E. F. TIMME

Report of Appointment and Statement of Financial Interests

APRIL 6, 1966.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: E. F. Timme.

Name of employing agency: Department of the Interior, Office of Assistant Secretary for Water and Power Development.

The title of the appointee's position: Alternate Deputy Director, Defense Electric Power Area 15.

The name of the appointee's private employer or employers: The Washington Water Power Co.

The statement of "financial interests" for the above appointee is enclosed.

STEWART L. UDALL,
Secretary of the Interior.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on April 20, 1966, as Alternate Deputy District Director, Area 15, DEPA, an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

None.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

E. F. TIMME.

APRIL 25, 1966.

[F.R. Doc. 66-5052; Filed, May 9, 1966; 8:45 a.m.]

[Order No. 2895]

WATER POLLUTION CONTROL PROGRAM

SECTION 1. *Purpose.* This Order implements Reorganization Plan No. 2 of 1966 [1] which, among other things, transferred the Federal Water Pollution Control Administration from the Department of Health, Education, and Welfare to the Department of the Interior.

SEC. 2. *Organization.* (a) The head of the Federal Water Pollution Control Administration shall be a Commissioner, who shall administer the functions of the Administration subject to the supervision and direction of the Secretary of the Interior with the assistance of an Assistant Secretary.

(b) The Federal Water Pollution Control Administration is designated as a bureau of the Department.

SEC. 3. *Policy.* It is the policy of the Department of the Interior to carry out the Federal Water Pollution Control program in a manner that will achieve high standards of water quality in the Nation's rivers, lakes, streams, estuaries, and coastal waters. The Federal Water Pollution Control Administration shall mount a vigorous program of prevention, control, and abatement "to enhance the quality and value of our water resources". The Administration will function as one of the major units of the Department and other bureaus and offices within the Department shall consult with the Administration on all matters within their program areas related to water pollution control. Pending the approval of an interdepartmental agreement to implement the consultations provided for by subsection 2(k) of the Water Quality Act of 1965 (79 Stat. 905), consultations shall be carried out with the Department of Health, Education, and Welfare on the health aspects of the program. All existing relationships of the Administration with the States and their water pollution control agencies and with interstate agencies shall be preserved.

SEC. 4. *Delegation of Authority.* (a) The Commisisoner, subject to the provisions of section 5 of this order, may exercise the authority transferred to the Secretary of the Interior by Reorganization Plan No. 2 of 1966.

(b) As the head of a bureau of the Department, the Commissioner is authorized to exercise the authority granted generally to the heads of bureaus in Part 205 of the Departmental Manual.

(c) Pursuant to 200 DM 2.2 he may redelegate or authorize written redelegation of such authority.

SEC. 5. *Reservation of Authority.* (a) State plans submitted pursuant to subsection 7(f) of the Federal Water Pollution Control Act, as amended, shall not be finally disapproved, nor shall related hearings be held, without prior consultation and discussion with the Secretary.

(b) The Secretary will designate the chairman of the Water Pollution Control Advisory Board, as authorized by subsection 9(a)(1) of the Federal Water Pollution Control Act, as amended.

(c) Enforcement measures and proceedings, as prescribed or authorized by section 10 of the Federal Water Pollution Control Act, as amended, shall be initiated only with the approval of the Secretary; and water-quality standards as prescribed and authorized by subsection 10(c) shall be approved and promulgated by the Secretary.

(d) With respect to Executive Order 11258, (1) any required modification of standards for waste treatment, as authorized by section 5, shall be approved by the Secretary, and (2) reports required by sections 3, 6, 7, and 8 shall be submitted by the Secretary.

SEC. 6. *Assignment of Functions.* Until further notice each function transferred to the Secretary of the Interior by section 1 of Reorganization Plan No. 2 of 1966 is assigned to each officer or employee from whom the function was transferred. The officer or employee to whom a function is assigned by this order shall have the same authority to perform the function as he had before the effective date of Reorganization Plan No. 2 of 1966.

SEC. 7. *Effective date.* This order shall be effective on the effective date of Reorganization Plan No. 2 of 1966.

STEWART L. UDALL,
Secretary of the Interior.

MAY 9, 1966.

[F.R. Doc. 66-5176; Filed, May 9, 1966; 12:02 p.m.]

[1] See F.R. Doc. 66-5095 *supra.*

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

HUMANELY SLAUGHTERED LIVESTOCK

Identification of Carcasses; Changes in Lists of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 381.1, the lists (31 F.R. 1208, 3138, 5330) of establishments which are operated under Federal inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.) and which use humane methods of slaughter and incidental handling of livestock are hereby amended as follows:

The reference to J. Lynn Cornwell, Inc., establishment 107, and the reference to swine with respect to such establishment are deleted. The reference to S. W. Gall's Son, establishment 735, and the reference to sheep and goats with respect to such establishment are deleted. The reference to calves, sheep, and goats with respect to Walden Packing Co., Inc., establishment 886, is deleted.

The following table lists species at additional establishments and additional species at previously listed establishments that have been reported as being slaughtered and handled humanely.

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Knauss Bros., Inc.	204		(*)				
Missouri Beef Packers, Inc.	473	(*)					
Elmer Bender & Son, Inc.	569		(*)	(*)			
New Establishments Reporting: 3.							
Swift & Co.	3C		(*)				
Bub Davis Packing Co.	171			(*)	(*)		
San Angelo Packing Co.	281		(*)	(*)	(*)		
Piute Packing Co.	550			(*)		(*)	
Alice Packing Co.	921					(*)	
Species Added: 9.							

Done at Washington, D.C., this 5th day of May 1966.

R. K. SOMERS,
Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

[F.R. Doc. 66-5079; Filed, May 9, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

CARRIAGE OF OIL TO RHODESIA

Notice is hereby given that the Maritime Administrator has received the following self-explanatory letter from The Honorable Thomas C. Mann, Under Secretary of State for Economic Affairs:

DEPARTMENT OF STATE,
Washington, May 4, 1966.

DEAR MR. JOHNSON: I am writing with regard to a Resolution of the Security Council of the United Nations adopted on April 9, 1966. That Resolution, No. 221, relates to shipments of oil to Southern Rhodesia and provides in part:

The Security Council,

. . . . . .

4. *Calls upon* all States to ensure the diversion of any of their vessels reasonably believed to be carrying oil destined for Rhodesia which may be en route for Beira;

5. *Calls upon* the Government of the United Kingdom to prevent by the use of force if necessary the arrival at Beira of vessels reasonably believed to be carrying oil destined for Rhodesia . . . .

The Government of the United States voted for Resolution No. 221 in the Security Council and supports the efforts of the United Kingdom to end the illegal, unilateral declaration of independence by the Smith regime in Southern Rhodesia. Accordingly, we wish to advise all owners of United States flag ships to take all necessary steps to prevent their ships of United States registry from carrying oil to Beira destined for Rhodesia.

We should appreciate your having this letter and any other notice you believe appropriate published in the FEDERAL REGISTER.

Sincerely yours,

THOMAS C. MANN,
Under Secretary for Economic Affairs.

Dated: May 6, 1966.

NICHOLAS JOHNSON,
Maritime Administrator.

[F.R. Doc. 66-5124; Filed, May 9, 1966; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16474 etc.]

ALLEGHENY AIRLINES, INC.

Segment 8 Renewal and Route Realignment Investigation

Notice hereby is given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding will be held on June 1, 1966, at 10 a.m., local time, in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

For further information regarding the issues involved herein, interested persons may refer to the various orders of the Board, the prehearing conference report, and other documents, which are on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., May 3, 1966.

[SEAL] WALTER W. BRYAN,
Hearing Examiner.

[F.R. Doc. 66-5073; Filed, May 9, 1966; 8:47 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

UNDER SECRETARY OF HOUSING AND URBAN DEVELOPMENT

Delegation of Authority

The Under Secretary of Housing and Urban Development, Robert C. Wood, is hereby authorized to exercise all the power and authority vested in or delegated or assigned to the Secretary of Housing and Urban Development.

(79 Stat. 670, 5 U.S.C. 624d(d))

Effective date. This delegation of authority shall be effective as of May 10, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-5075; Filed, May 9, 1966; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16609-16611; FCC 66M-636]

NORTHWEST BROADCASTERS, INC. (KBVU) ET AL.

Order Scheduling Hearing

In re applications of Northwest Broadcasters, Inc. (KBVU), Bellevue, Wash., Docket No. 16609, File No. BR-4369, for renewal of license of station KBVU: F. Kemper Freeman, Elwell C. Case, and Mrs. Florence G. Hayes, doing business as Bellevue Broadcasters (KFKF), Bellevue, Wash., Docket No. 16610, File No. BP-17059, for construction permit; Northwest Broadcasters, Inc. (KBVU) (Assignor), and Sunshine Broadcasting Co., (Assignee), Docket No. 16611, File No. BAL-5521, for assignment of license of station KBVU:

It is ordered, This 29th day of April 1966, that Sol Schildhause shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 13, 1966, at 10 a.m.; and that a prehearing conference shall be held on May 23, 1966, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: May 4, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5083; Filed, May 9, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

NORTH ATLANTIC MEDITERRANEAN FREIGHT CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Burton H. White, Burlingham, Underwood, Barron, Wright & White, 25 Broadway, New York, N.Y., 10004.

Agreement 9548, between the member lines of the North Atlantic Mediterranean Freight Conference in the trade from United States North Atlantic ports in the Eastport, Maine/Hampton Roads range, either direct or via transshipment, to ports on the Mediterranean Sea (except Spanish and Israeli ports), on the Sea of Marmara and the Black Sea and on the Atlantic Coast of Morocco, will, if approved, supersede and cancel the Conference's present Agreement 7980, as amended.

Agreement 9648 contains certain provisions which are not included in Agreement 7980, and others which amend some of its existing terms and conditions. It contains provisions (1) outlining a procedure for handling shippers' requests and complaints, (2) that the members may employ a vice chairman who shall perform the duties of the chairman in his absence or disability, (3) for 48 hours' advance notice of conference meetings, (4) that the Conference office shall retain for 2 years all reports or circulars, which are distributed to members, relating to matters within the scope of the Agreement, (5) for retention for 2 years of the record of the vote taken on each matter submitted to members for Conference action, (6) for filing with the Commission within 30 days after Conference action of a report of matters discussed specifying the action taken, (7) for a detailed self-policing system and arbitration procedure, and (8) a penalty for disclosure of any confidential matter by a member line.

Dated: May 5, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-5086; Filed, May 9, 1966; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI66-349, etc.]

PINEY POINT PETROLEUMS, ET AL.

Order Accepting Proposed Contract Ratifications and Related Rate Supplements, Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

APRIL 29, 1966.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-349	Piney Point Petroleums, 206 Southwest Tower, Houston, Tex., 77002.	1	3	Tennessee Gas Pipeline Co., a division of Tenneco, Inc.[3] (Deckers Prairie Field, Montgomery County, Tex.) (R.R. District No. 3).	$380	3-31-66	[4] 5-1-66	10-1-66	14.0	[5] [6] 17.16947	
RI66-350	Ashland Oil & Refining Co., Post Office Box 1503, Houston, Tex., 77001, Attn: J. Paul Fly, Esq.	140	7	United Fuel Gas Co. (Kanawha, Fayette, Raleigh and Boone Counties, W. Va.).	140,000	3-30-66	[8] 4-30-66	9-30-66	[10] [11] 28.0	[7] [9] 30.0	
RI66-351	Southwest Gas Producing Co., Inc., Post Office Box 2927, Monroe, La., 71201.	17	2	Arkansas-Louisiana Gas Co. (Vixen Field, Caldwell Parish, La.) (North Louisiana).	5,750	2-30-66	[4] 5-1-66	10-1-66	[12] 18.5	[4] [13] [14] 19.5	
RI66-352	Apache Corp., 823 South Detroit, Tulsa, Okla., 74120.	12	[15] 6	Michigan Wisconsin Pipe Line Co. (Mocane (Tonka) Field, Beaver County, Okla.) (Panhandle Area).	{ 3,650 6,525	4-1-66	[3] 5-2-66	10-2-66	[16] [17] 18.06 [16] [18] 18.15	[4] [5] [16] [19] 20.56 [4] [5] [16] [19] 20.65	
RI66-353	Oklahoma Natural Gas Co., Post Office Box 871, Tulsa, Okla., 74102.	13	3	Panhandle Eastern Pipe Line Co. (Glenwood Field, Beaver County, Okla.) (Panhandle Area).	2,179	4-1-66	[3] 5-2-66	10-2-66	[16] [17] 19.431	[4] [5] [16] [17] 22.2885	
RI66-354	Thomas E. Berry (Operator), et al., Post Office Box 528, Stillwater, Okla., 74074.	9	1	Western Gas Service Co. (Guymon-Hugoton Field, Texas County, Okla.) (Panhandle Area).	226	4-4-66	[3] 5-5-66	10-5-66	14.5	[4] [5] 15.5	
RI66-355	Marathon Oil Co., 539 South Main St., Findlay, Ohio, 45840.	33	4	Michigan Wisconsin Pipe Line Co. (Nichols Field, Kiowa County, Kans.).	313	3-31-66	[4] 5-2-66	10-2-66	[16] 15.0	[4] [5] [16] 17.0	RI66-251 [20]
RI66-356	Harry E. Venters, 603 First National Bldg., Oklahoma City, Okla.	[21] 2 2 2 3 4	[21] 1 [22] 2 [23] 3 [23] 4	Lone Star Gas Co. (East Doyle Field, Stephens County, Okla.) (Oklahoma "Other" Area).	[24]	3-17-66 4-4-66 4-4-66 4-4-66 4-4-66	[3] 4-17-66 [3] 4-17-66 [3] 4-17-66 [3] 4-17-66 [3] 5-5-66	Accepted Accepted Accepted Accepted 10-5-66	15.0	[4] [5] 17.9	
RI66-357	Ernest W. Tate, Post Office Box 1506, Ardmore, Okla., 73401.	[25] 2 2 2 2 2	[21] 1 [22] 2 [23] 3 [23] 4	do	[24]	3-17-66 4-4-66 4-4-66 4-4-66 4-4-66	[3] 4-17-66 [3] 4-17-66 [3] 4-17-66 [3] 4-17-66 [3] 5-5-66	Accepted Accepted Accepted Accepted 10-5-66	15.0	[4] [5] 17.9	
RI66-358	N. Bruce Calder & Curtis E. Calder, Jr., d.b.a. Horizon Oil & Gas Co., 940 Hartford Bldg., Dallas, Tex., 75201.	22	5	Transwestern Pipeline Co. (Dude Wilson Field, Ochiltree County, Tex.) (R.R. District No. 10).	1,313	4-4-66	[3] 5-5-66	10-5-66	[16] 17.0	[4] [5] [16] 19.5	
RI66-359	C. J. Fowlston, et al., 224 Amarillo Bldg., Amarillo, Tex., 79101.	1	3	Colorado Interstate Gas Co. (Keys Field, Cimarron County, Okla.) (Panhandle Area).	500	4-4-66	[3] 5-5-66	10-5-66	[16] 15.0	[4] [16] [26] 17.0	

[3] Formerly Tennessee Gas Transmission Co.
[4] The stated effective date is the first day after expiration of the statutory notice.
[5] Periodic rate increase.
[6] Pressure base is 14.65 p.s.i.a.
[7] The stated effective date is the effective date proposed by Respondent.
[8] "Fractured" rate increase. Ashland is contractually due 31.0 cents, including 2.0 cents for gathering.
[9] Pressure base is 15.325 p.s.i.a.
[10] Includes 3.0 cents per Mcf for gathering.
[11] Includes 2.5 cents per Mcf for gathering.
[12] Initial price set forth in Commission order issued June 11, 1964, in Docket Nos. CP60-123 and CI60-493. Initial contract price is 30.0 cents, including 2.5 cents per Mcf for gathering.
[13] Pressure base is 15.025 p.s.i.a.
[14] Includes 1.5 cents per Mcf tax reimbursement.
[15] C. L. Eades Unit (Includes 1.06 cents upward B.t.u. adjustment).
[16] Subject to upward and downward B.t.u. adjustment.
[17] Thomas Eades Unit No. 1 (Includes 1.15 cents upward B.t.u. adjustment).
[18] Includes 2.431 cents upward B.t.u. adjustment before increase and 2.7885 cents upward B.t.u. adjustment after increase (filing reflects that present B.t.u. content of gas is 1043 B.t.u.'s per cubic feet).
[19] Subject to a downward B.t.u. adjustment.
[20] Rate of 16.0 cents per Mcf suspended in Docket No. RI66-251 until June 23, 1966.
[21] Supersedes Harry E. Venters' FPC Gas Rate Schedule No. 1.
[22] Ratification, dated Aug. 30, 1965.
[23] Contract, dated Oct. 25, 1962.
[24] Letter agreement, dated Feb. 7, 1963.
[25] Amendment, dated Apr. 27, 1964.
[26] Notice of change, dated Apr. 1, 1966.
[27] Respondent states that volumes related to his interest in units involved (Lundy No. 1 and 2 Units) are unknown to him at this time. Total production from subject units from Mar. 18, 1963, to Oct. 31, 1963, was 1,399,061 Mcf based on letter from buyer dated Dec. 16, 1963, contained in Rate Schedule No. 1. (Respondent's interest is not shown in instant or previous filings.)
[28] Completes filing of Mar. 14, 1966.
[29] Renegotiated rate increase.
[30] Supersedes Ernest W. Tate's FPC Gas Rate Schedule No. 1.
[31] Permanently certificated rate applicable to all acreage under rate schedule is 17.0 cents plus B.t.u. adjustment. Notice of change applies only to C. L. Eades and Thomas Eades No. 1 units.

[1] Does not consolidate for hearing or dispose of the several matters herein.

Piney Point Petroleums requests that its proposed rate increase be permitted to become effective as of March 1, 1966. Apache Corp. requests retroactive effective dates of October 1, 1959, and October 1, 1964, for its rate filings. Thomas E. Berry (Operator), et al., request an effective date of October 6, 1965, for their proposed rate increase. Harry E. Venters (Venters) and Ernest W. Tate (Tate) request a retroactive effective date of July 1, 1963, for their proposed rate filings. C. J. Fowlston, et al., request that their proposed rate increase be permitted to become effective as of July 26, 1965, the date that the 17-cent rate became effective subject to refund in Docket No. RI65–509 under Shell Oil Co. (the operator of the unit involved) FPC Gas Rate Schedule No. 85. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied. C. J. Fowlston, et al., have a separate contract and are not a party to Shell Oil Co.'s contract and their request for a retroactive effective date of July 26, 1965, is therefore denied.

On March 14, 1966, and March 17, 1966, Tate and Venters, respectively, submitted a ratification of their respective contract with related rate supplements and a renegotiated rate increase from 15.0 cents to 17.9 cents per Mcf at 14.65 p.s.i.a. for sales of gas to Lone Star Gas Co. in the East Doyle Field, Stephens County, Okla. (Oklahoma "Other" Area). The ratifications dated August 30, 1965, designated as FPC Gas Rate Schedule No. 2 for both Tate and Venters supersedes their FPC Gas Rate Schedule No. 1, respectively, and provide for their proposed rate changes. We believe it would be in the public interest to accept for filing Tate and Venters' contract ratifications and related Supplement Nos. 1, 2, and 3, respectively, to become effective as of April 17, 1966, the date of expiration of the statutory notice, but not the proposed rate contained therein which will be suspended as indicated below.

All of the producers' proposed increased rates and charges exceed the applicable area price level for increased rates as set forth in the Commission's Statement of General Policy No. 61–1, as amended (18 CFR 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing Tate and Venters' proposed contract ratifications dated August 30, 1965, designated as Tate and Venters' FPC Gas Rate Schedule No. 2, respectively, and related rate Supplement Nos. 1, 2, and 3, and for permitting such rate schedules to supersede Tate and Venters' FPC Gas Rate Schedule No. 1, respectively, and for permitting such rate schedules and related rate supplements to become effective as of April 17, 1966, the date of expiration of the statutory notice.

(2) Except for the supplements set forth in (1) above, it is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Tate and Venters' contract ratifications dated August 30, 1965, designated as Tate and Venters' FPC Gas Rate Schedule No. 2, respectively, and related rate Supplement Nos. 1, 2, and 3, are accepted for filing and the rate schedules are permitted to supersede Tate and Venters' FPC Gas Rate Schedule No. 1, respectively. The superseding rate schedules and rate supplements are permitted to become effective as of April 17, 1966.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements (except Supplement Nos. 1, 2, and 3 to Tate and Venters' FPC Gas Rate Schedule No. 2, respectively).

(C) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 15, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66–5011; Filed, May 9, 1966; 8:45 a.m.]

OFFICE OF EMERGENCY PLANNING

ARIZONA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85–763, and Public Law 87–296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated April 30, 1966, reading in part as follows:

I have determined that the damage in the areas adversely affected by flooding beginning on or about December 22, 1965, in the State of Arizona, is of sufficient severity and magnitude to warrant Federal disaster assistance to supplement State and local efforts.

I do hereby determine the following areas in the State of Arizona to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 30, 1966:

The Counties of:

Graham. Pima.
Greenlee. Pinal.
Maricopa.

Dated: May 3, 1966.

FARRIS BRYANT, *Director, Office of Emergency Planning.*

[F.R. Doc. 66–5071; Filed, May 9, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[01–3]

LEACH CORP.

Application and Opportunity for Hearing

MAY 4, 1966.

Notice is hereby given that Leach Corporation (Leach), 405 Huntington Drive, San Marino, Calif., has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended ("the Act"), for an order exempting it from the registration provisions of section 12(g) of the Act. Exemption from section 12(g) will have the additional effect of exempting Leach from section 13 or 14 of the Act and any officer, director or beneficial owner of more than 10 percent of Leach's capital stock from section 16 thereof.

Section 12(g) of the Act requires the registration of the equity securities of every issuer which is engaged in, or in business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce and on the last day of its fiscal year, has total assets exceeding $1 million and a class of equity securities held of record initially by 750 or more persons, and after July 1, 1966, by 500 or more persons. Registration is terminated 90 days after the issuer files a certification with the Commission that the number of holders of the registered class of equity securities is fewer than 300 persons.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuer from registration, periodic reporting and proxy solicitation provisions of the Act if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

Leach's application states, in part:

1. Leach, a Delaware Corporation, had over $1 million total assets and in excess of 750 shareholders of its single class of capital stock, par value $20 on February 28, 1965. It would, therefore, be subject to the registration requirements of section 12(g).

2. Pursuant to an agreement of merger adopted by its shareholders, Leach was merged into Leach Relay Corp. on January 3, 1966. The surviving corporation, renamed Leach Corp., has approximately 130 shareholders.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street NW., Washington, D.C.

Notice is further given that any interested person may, not later than May 25, 1966, submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, D.C., 20549, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application may be issued by the Commission unless an order for hearing upon said application be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5055; Filed, May 9, 1966; 8:46 a.m.]

[File No. 70–4380]

METROPOLITAN EDISON CO.

Proposed Issue and Sale at Competitive Bidding of First Mortgage Bonds

MAY 4, 1966.

Notice is hereby given that Metropolitan Edison Co. ("Met-Ed"), 2800 Pottsville Pike, Muhlenberg Township, Berks County, Pa., an electric utility subsidiary company of General Public Utilities Corp., a registered holding company, has filed an application with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Met-Ed proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 promulgated under the Act, $15 million principal amount of First Mortgage Bonds, __ percent Series, to be dated June 1, 1966. The interest rate of the bonds (which shall be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Met-Ed (which shall be not less than 100 percent nor more than 102.75 percent of the principal amount thereof) will be determined by the competitive bidding. The bonds, which will mature on June 1, 1996, will be issued under an Indenture dated as of June 1, 1944, between Met-Ed and Guaranty Trust Co. of New York (now Morgan Guaranty Trust Co. of New York), Trustee, as heretofore supplemented, and as to be further supplemented by a Supplemental Indenture to be dated June 1, 1966.

The filing states that the proceeds (other than premium, if any, and accrued interest) from the sale of the bonds will be utilized to reimburse Met-Ed's treasury, in part, for $16,000,000 of unreimbursed costs of construction (including interest during construction) expended prior to January 1, 1966. The cost of Met-Ed's 1966 construction program is estimated at approximately $26,500,000, and such costs and other cash requirements will be met, in part, by interim utilization of treasury funds made available from the proposed sale of bonds.

Fees and expenses incident to the proposed transaction are estimated at $60,000, including counsel fees of $17,500 and accounting fees of $5,250. The fees and disbursements of counsel for the underwriters, to be paid by the successful bidders, will be supplied by amendment.

The filing states that the issue and sale of the bonds are subject to the jurisdiction of the Pennsylvania Public Utility Commission, the State commission of the State in which Met-Ed is organized and doing business. It is further stated that no other State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than May 26, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5056; Filed, May 9, 1966; 8:46 a.m.]

DEPARTMENT OF LABOR

Office of Federal Contract Compliance

EQUAL EMPLOYMENT OPPORTUNITY

Preaward Procedure To Insure Compliance by Government Contractors

1. *Purpose.* Both the Armed Services Procurement Regulations (32 CFR 1.905–4) and the Federal Procurement Regulations (41 CFR 1–1.310–9) normally require a preaward on site survey whenever other sources of information do not yield sufficient information that the prospective contractor is able to conform to the standard equal opportunity clause. The purpose of this order is to establish a specific, uniform, and clearly defined program of preaward action by the Federal Government to ensure that Government supply contractors are in compliance with the equal opportunity provisions of Executive Order 11246 and the rules and regulations issued pursuant thereto before being awarded formally advertised contracts.

2. *Background.* Although considerable progress has been made in the past 4 years toward the accomplishment of our objective of equal employment opportunity, many Government contractors have failed to employ minority group personnel, have underutilized their talents and skills or have merely engaged in what amounts to token efforts to employ and utilize minority group personnel. The experience of the President's Committee on Equal Employment Opportunity and discussions with contracting agencies have demonstrated the need for a more uniform and effective preaward procedure in order to accomplish our objective.

3. *Actions.* a. Each agency must include in the specifications for each formally advertised supply contract which

may result in a bid of $1 million or more, a notice (the form of which is approved by the Office of Federal Contract Compliance) to prospective bidders that if their bid is in the amount of $1 million or more, the apparent low responsible bidder and his known first-tier subcontractors with subcontracts of $1 million or more will be subject to a full compliance review before the award of the contract.

b. (1) Before the award of any formally advertised supply contract of $1 million or more, a full compliance review of a prospective contractor's and his known first-tier $1 million subcontractor's employment practices will be conducted by the Predominant Interest Agency (PIA) within 6 months prior to the award of the contract. If no PIA has been assigned for such contractor, the awarding agency will conduct such review. If an agency other than the awarding agency has been assigned as the PIA, the awarding agency will notify the PIA and request appropriate action and findings in accordance with this order within 30 days of the date of such request.

(2) The preaward compliance review will include a comprehensive review of the employers' employment policies and practices with special attention to those relating to recruitment, placement, promotion, and other areas of potential discrimination. Such reviews should be conducted by the personnel regularly involved in the compliance review program. A written report of the review, including findings and subsequent action, will be transmitted to the agency Contract Compliance Officer, who in turn will forward it to this Office for a postaward review within 30 days after the award.

(3) In order to qualify for the award of the contract, the contractor and such first-tier subcontractors must be found on the basis of such review to be able to comply with the required equal opportunity provision unless the contractor and such subcontractors offer a justification which is acceptable to the agency Contract Compliance Officer. If such Officer approves the justification, he will endorse it and include it in the compliance review file when forwarding it to this Office for the postaward review within 30 days after the award.

c. Within 30 days after the award of the prime contract of $1 million or more, the prime contractor shall—and 30 days after the award of each subcontract, each first-tier subcontractor working on a prime contract of $1 million or more shall—be required to file a complete compliance report form if:

(1) Such employers have not submitted a complete compliance report within 12 months preceding the date of the award, and

(2) Such employers are within the definition of "employer" of section 2k(3) of the instructions to the compliance report Standard Form 100 (EEO–1).

d. Each contracting agency will submit to this Office on or before May 20, 1966, its program to implement this order.

e. Requests for exemptions from this order must be made in writing, with justification, to the Director, Office of Federal Contract Compliance, Washington, D.C., and shall be forwarded through and with the endorsement of the agency head.

f. The procedures set forth in a. and b. above shall not apply to any contract when the head of the contracting agency determines that such contracts are essential to the national security and that its award without following such procedures is necessary to the national security. Upon making such a determination, the agency head will notify, in writing, the Director of the Office of Federal Contract Compliance within 30 days.

g. Nothing in this order shall be interpreted to diminish the present contract compliance review and complaint programs.

4. *Authority.* a. Subpart C, section 205 of Executive Order 11246, dated September 24, 1965, which states, in part:

> All contracting agencies shall comply with the rules of the Secretary of Labor in discharging their primary responsibility for securing compliance with the provisions of contracts and otherwise with the terms of this order and of the rules, regulations, and orders of the Secretary of Labor issued pursuant to this order.

b. Subpart D, section 211 of Executive Order 11246, which states:

> If the Secretary shall so direct, contracting agencies shall not enter into contracts with any bidder or prospective contractor unless the bidder or prospective contractor has satisfactorily complied with the provisions of this Order or submits a program for compliance acceptable to the Secretary of Labor or, if the Secretary so authorizes, to the contracting agency.

5. *Effective date.* The provisions of this order will be effective with respect to transactions in which the invitations to bid are issued on or after June 1, 1966.

Signed at Washington, D.C., this 3d day of May 1966.

EDWARD C. SYLVESTER, JR.,
Director.

[F.R. Doc. 66–5053; Filed, May 9, 1966; 8:48 a.m.]

Office of the Secretary

ADVISORY COUNCIL ON EMPLOYEE WELFARE AND PENSION BENEFIT PLANS

Recommendations for Appointment

Section 14 of the Welfare and Pension Plans Disclosure Act Amendments of 1962 (76 Stat. 40, 41, 29 U.S.C. 308e) provides for the establishment of an "Advisory Council on Employee Welfare and Pension Benefit Plans" which is to consist of 13 members to be appointed as follows: One from the insurance field, one from the corporate trust field, two from management, four from labor, and two from other interested groups, all of whom are to be appointed by the Secretary from among persons recommended by organizations in the respective groups. The additional three representatives are to be appointed from the general public by the Secretary. The prescribed duties of the Council are to advise the Secretary with respect to the carrying out of his functions under the Welfare and Pension Plans Disclosure Act, as amended, and to submit to the Secretary recommendations with respect thereto. The Council is required to meet at least twice each year and at such other times as the Secretary requests.

To assure continuity in the handling of the business of the Council, a rotation system is provided whereby the 2-year terms of approximately half the members expire each year. The groups represented by the members whose terms expire on June 30, 1966, are as follows: Labor (2), the corporate trust field (1), other interested groups (2) and the public (1). Appointments of new members will be for 2-year terms, beginning July 1, 1966.

Accordingly, notice is hereby given that any organization desiring to recommend persons for appointment to the "Advisory Council on Employee Welfare and Pension Benefit Plans" may submit recommendations to the Secretary of Labor, 14th Street and Constitution Avenue NW., Washington, D.C., 20210, on or before June 10, 1966. The recommendation may be in the form of a letter, resolution, or petition, signed by an authorized official of the organization. Each recommendation shall identify the candidate by name, occupation or position, and address. It shall specify the field or group which he would represent for purposes of section 14 of the Act, and whether he is available and would accept.

Signed at Washington, D.C., this 30th day of April 1966.

JAMES J. REYNOLDS,
Assistant Secretary for Labor-Management Relations.

[F.R. Doc. 66–5054; Filed, May 9, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 5, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40461—*Anhydrous ammonia from Don and Pocatello, Idaho, and Geneva, Utah.* Filed by Western Trunk Line Committee, agent (No. A–2450), for interested rail carriers. Rates on anhydrous ammonia, in tank carloads, from Don and Pocatello, Idaho, and Geneva, Utah, to points in Minnesota, North Dakota, and South Dakota.

Grounds for relief—Market competition.

Tariff—Supplement 156 to Western Trunk Line Committee, agent, tariff ICC A–4411.

FSA No. 40462—*Acrylonitrile to Lemont, Ill.* Filed by O. W. South, Jr., agent (No. A4888), for interested rail carriers. Rates on acrylonitrile, in tank carloads, from New Orleans, La., to Lemont, Ill.

Grounds for relief—Market competition.

Tariff—Supplement 126 to Southern Freight Association, agent, tariff ICC S–272.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–5067; Filed, May 9, 1966; 8:46 a.m.]

[Notice 178]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 5, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 89723 (Sub-No. 40 TA), filed May 2, 1966. Applicant: MISSOURI PACIFIC TRUCK LINES, INC., 210 North 13th Street, St. Louis, Mo., 63103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, from Houston, Tex., to Brownsville, Tex., serving the presently authorized intermediate points of Bay City, Vanderbilt, Bloomington, Refugio, Sinton, Odem, Kingsville, Bishop, Raymondville, and Harlingen and the additional point of Alvin, Tex. (not presently authorized), over applicant's presently authorized interstate routes, this being solely an application to modify the key point of Odem, Tex., for the transportation of R E A Express traffic on R E A billing, for 180 days. Supporting shipper: R E A Express, 2413 Broadway, Kansas City, Mo., 64108. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 3248–B, 1520 Market Street, St. Louis, Mo., 63103.

No. MC 103341 (Sub-No. 7 TA), filed May 2, 1966. Applicant: YOUNGBLOOD VAN & STORAGE CO., INC., 3908 Hamilton Road, Columbus, Ga. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in: (a) The counties of Dade, Catoosa, Whitfield, Murray, Fannin, Union, Towns, Rabun, Walker, Chattooga, Gordon, Gilmer, Lumpkin, White, Habersham, Pickens, Dawson, Stephens, Floyd, Bartow, Cherokee, Forsyth, Hall, Banks, Franklin, Hart, Polk, Paulding, Cobb, Fulton, Gwinnett, Barrow, Jackson, Madison, Elbert, Haralson, Carroll, Douglas, De Kalb, Walton, Oconee, Clarke, Oglethorpe, Heard, Coweta, Fayette, Henry, Rock Dale, Newton, Morgan, Greene, Troup, Meriwether, Harris, Talbot, Taylor, Chattahoochee, Marion, Stewart, Webster, Schley, Macon, Muscogee, Treutlen, Candler, Bulloch, Effingham, Chatham, Bryan, Evans, Liberty, Long, McIntosh, Tattnall, Toombs, Montgomery, Wheeler, Telfair, Jeff Davis, Appling, Wayne, Coffee, Bacon, Berrien, Atkinson, Ware, Pierce, Cook, Thomas, Brooks, Lowndes, Lanier, Clinch, Echols, Brantley, and Glynn, Ga.; (b) the counties of Lauderdale, Limestone, Madison, Jackson, Colbert, Lawrence, Morgan, Marshall, De Kalb, Franklin, Marion, Winston, Cullman, Blount, Etowah, Cherokee, Lamar, Fayette, Walker, Jefferson, Saint Clair, Calhoun, Cleburne, Pickens, Tuscaloosa, Shelby, Talladega, Bibb, Chilton, Coosa, Clay, Randolph, Tallapoosa, Chambers, Autauga, Elmore, Lee, Lowndes, Montgomery, Macon, Russell, Bullock, Butler, Crenshaw, Pike, and Barbour, Ala.; (c) the counties of Jasper and Beaufort, S.C.; (d) the counties of Jefferson, Madison, Taylor, Hamilton, Sawannee, LaFayette, Columbia, Union, Baker, Nassau, and Duval, Fla., restricted to shipments having a prior or subsequent movement in containers beyond said counties, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments over irregular routes, for 180 days. Supporting shippers: Van-Pak, Inc., 1523 L Street NW., Washington, D.C., 20005; Astron Forwarding Co., Post Office Box 161, Oakland, Calif., 94604; Karevan, Inc., 419 Third Avenue, West, Seattle, Wash., 98119; U.S. Van Lines, Inc., 59642 South U.S. 31, South Bend, Ind., 46614. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308.

No. MC 108461 (Sub-No. 104 TA), filed May 2, 1966. Applicant: WHITFIELD TRANSPORTATION, INC., 300–316 North Clark Road, Post Office Drawer 9897, El Paso, Tex., 79989. Applicant's representative: J. P. Rose (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except livestock, commodities of unusual value, class A & B explosives, household goods as defined by the Commission, and commodities requiring special equipment), (1) between Tularosa and Roswell, N. Mex., over U.S. Highway 70, serving all intermediate points, and the off-route point of Ruidoso, N. Mex., (2) serving Carrizozo, N. Mex., as an intermediate point in connection with applicant's presently authorized route between El Paso, Tex., and Albuquerque, N. Mex. (Sub-No. 60), (3) between Carrizozo, N. Mex., and Corona, N. Mex., over U.S. Highway 54, serving all intermediate points, (4) between Carrizozo, N. Mex., and Hondo, N. Mex., over U.S. Highway 380, serving all intermediate points, (5) between Alamogordo, N. Mex., and Cloudcroft, N. Mex., from Alamogordo, over U.S. Highway 54 to a junction with New Mexico Highway 83; thence over N. Mex. Highway 83 to Cloudcroft, and return over the same route, serving all intermediate points, for 180 days. Supporting shippers: The application is supported by statements from 39 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse, Albuquerque, N. Mex., 87101.

No. MC 111045 (Sub-No. 53 TA), filed May 2, 1966. Applicant: REDWING CARRIERS, INC., 7809 Palm River Road, Post Office Box 426, Tampa, Fla., 33601. Applicant's representative: S. J. Gentcher (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium thiocyanate liquor*, in bulk, in tank vehicles, from Le Moyne, Ala., to Cordova and Lockport, Ill.; Hammond and Terre Haute, Ind.; Clinton and Sioux City, Iowa; Crystal City and Joplin, Mo.; Ashtabula, Lima, Northbend, and South Point, Ohio; and Nitro and Parkersburg, W. Va., for 180 days. Supporting shipper: Halby Chemical Co., Inc., Terminal Avenue and Golding Street, Wilmington, Del., 19899. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1621, 51 Southwest First Avenue, Miami, Fla., 33130.

No. MC 113908 (Sub-No. 188 TA), filed May 2, 1966. Applicant: ERICKSON TRANSPORT CORPORATION, 706 West Tampa Street, Post Office Box 3180, Springfield, Mo. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Citrus juice*, in bulk, in tank vehicles, from Corona and Ontario, Calif., to Glen Roy, Pa., for 180 days. Supporting shipper: Orange Products Division, Sunkist Growers, 616 East Sunkist Street, Ontario, Calif., 91764. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 116077 (Sub-No. 200 TA), filed May 2, 1966. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Houston, Tex., 77023, Mail: Post Office Box 9527, Houston, Tex., 77011. Applicant's representative: J. C. Browder (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate*, in bulk, in tank vehicles, from Luling, La. to Bridgeport, Tex., for 180 days. Supporting shipper: Monsanto Co. (Mr. John Powell, distribution department), 800 North Lindbergh Boulevard, St. Louis, Mo., 63166. Send protests to: John C. Redus, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex., 77061.

No. MC 128076 (Sub-No. 2 TA), filed May 2, 1966. Applicant: PROTECTIVE SERVICE COMPANY, 725–29 South Broad Street, Philadelphia, Pa., 19147. Applicant's representative: Edward D. Marsh (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, reports, records, and audit and accounting media of all kinds* (excluding plant removals), between points in Dauphin, Bucks, and Blair Counties, Pa., and Baltimore County, Md., for 150 days. Supporting shipper: D & H Distributing Co., Inc., 2525 North Seventh Street, Harrisburg, Pa., 17105. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 128088 (Sub-No. 1 TA), filed May 2, 1966. Applicant: ROBERT BURLING, Box 397, Chebanse, Ill. Applicant's representative: Edward G. Vogt, City National Bank Building, Kankakee, Ill., 60901. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, from Dubuque, Waterloo, and Des Moines, Iowa, and Horicon, Wis., to Kankakee, Ill., for 180 days. Supporting shipper: Wheeler Tractor & Equipment Co., Inc., Post Office Box 62, Route 54 North, Kankakee, Ill., 60901. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Room 1086, Interstate Commerce Commission, 219 South Dearborn Street, U.S. Courthouse and Federal Office Building, Chicago, Ill., 60604.

No. MC 128122 (Sub-No. 1 TA), filed May 2, 1966. Applicant: STATE TRANSPORT COMPANY, Post Office Box 691, Corvallis, Oreg. Applicant's representative: John H. Gallagher, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Philomath, Oreg., to Portland, Oreg., for 150 days. Supporting shipper: Clemens Forest Products, Inc., Post Office Box 668, Philomath, Oreg. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 128138 TA, filed May 2, 1966. Applicant: ATLANTIC-PACIFIC PILOT AND DRIVE EXCHANGE, INC., 609 Sutter Street, San Francisco, Calif., 94102. Applicant's representative: Bertram S. Silver, 140 Montgomery Street, San Francisco, Calif., 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles including automobiles and trucks* in driveaway service, between points in California and Hawaii, on the one hand, and, points in the United States, on the other hand, for 180 days. Supporting shippers: Stone Rent A Car, 648 Mission Street, San Francisco, Calif., 94105; Merrill's Mayflower Moving & Storage, 135 Townsend Street, San Francisco, Calif.; Universal C.I.T. Finance Corp. of Santa Clara, 3275 Stevens Creek Road, Santa Clara, Calif., 95050; Neal McNeil Automobiles, 1361 Bush Street, San Francisco, Calif., 94109; John E. Goggin Auto Mart, Inc., 1601 Franklin Street, San Francisco, Calif.; Hays Moving & Storage, 2750 Adeline Street, Berkeley, Calif.; the Mechanics Bank of Richmond, Calif., 2200 Macdonald Avenue, Richmond, Calif.; Pacific Van & Storage Co., Inc., 413 Browning Way, South San Francisco, Calif. Send protests to: William R. Murdoch, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif., 94102.

No. MC 128139 TA, filed May 2, 1966. Applicant: WILLIAM V. MURPHY, doing business as MERCURY TRANSPORT, Stapleton International Airport, Denver, Colo., 80207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* having immediately prior or subsequent movement by air, between Golden, Colo., and Stapleton International Airport, Denver, Colo., for 180 days. Supporting shipper: Adolph Coors Co. and Coors Porcelain Co., Golden, Colo. Send protests to: Luther H. Oldham, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo., 80202.

No. MC 128140 TA, filed May 2, 1966. Applicant: ARLO MILLER, doing business as M & N TRUCK LINE, 431 Adams Street, Afton, Wyo., 83110. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline and fuel oil*, in bulk, in tank vehicles, from Woods Cross and Salt Lake City, Utah, to points in Lincoln County, Wyo., for 180 days. Supporting shipper: Sessions Oil Co., 531 Adams, Afton, Wyo., 83110; Scotts Chevron Service, 307 Washington, Afton, Wyo., 83110. Send protests to: Paul A. Naughton, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, D & S Building, 255 North Center Street, Casper, Wyo., 82601.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5068; Filed, May 9, 1966; 8:47 a.m.]

[Notice 1343]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 5, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68670. By order of April 29, 1966, the Transfer Board approved the transfer to DeNagel Bros., Inc., Norfolk, Va., of the operating rights in certificates Nos. MC–4920, MC–4920 (Sub-No. 6) and a portion of the operating rights in No. MC–4920 (Sub-No. 7), issued January 13, 1950 and February 16, 1951, respectively, to C. O. Bell, doing business as Bell Transfer & Storage, Lawton, Okla., authorizing the transportation of: *Household goods*, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, over irregular routes, between points in Cleveland and McClain Counties, Okla., on the one hand, and, on the other, points in Arkansas, Kansas, and Texas, between points in Oklahoma, on the one hand, and, on the other, points in Colorado, Kansas, Louisiana, Missouri, and Texas, between points in Beckham County, Okla., and those within 50 miles of Beckham County, on the one hand, and, on the other, points in Oklahoma, Texas, and New Mexico. Robert J. Gallagher, attorney for transferee, 111 State Street, Boston, Mass., and Ralph Newcombe, Security Trust Building, Lawton, Okla., attorney for transferor.

No. MF–FC–68674. By order of April 29, 1966, the Transfer Board approved the transfer to DeNagel Bros., Inc., Norfolk, Va., of a portion of the operating rights in certificate No. MC–14751 (Sub-No. 1) issued June 22, 1944, to Nelson Transfer & Storage Co., a corporation, Charleston, W. Va., authorizing the transportation of: *Household goods*, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, over irregular routes, (1) between points and places in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee, and (2) between points in North Carolina and Tennessee, on the one hand, and, on the other, points in Kentucky and Delaware. Robert J. Gallagher, 111 State Street, Boston, Mass., attorney for transferee, and W. T. Brotherton, Jr., 1020 Kanawha Valley Building, Charleston, W. Va., attorney for transferor.

No. MC–FC–68675. By order of April 29, 1966 the Transfer Board approved the transfer to Olney Van & Storage, Inc., Norfolk, Va., a portion of the operating rights in certificate No. MC–14751 (Sub-No. 1) issued June 22, 1944, to Nelson Transfer & Storage Co., a corporation, Charleston, W. Va., authorizing the transportation of: *Household goods*, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, over irregular routes, between points and places in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee, on the one hand, and, on the other, points and places in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Wisconsin, and the District of Columbia. Restriction: Except between points in North Carolina and Tennessee, on the one hand, and, on the other, points in Kentucky and Delaware. Robert J. Gallagher, 111 State Street, Boston, Mass., attorney for transferee, and W. T. Brotherton, Jr., 1020 Kanawha Valley Building, Charleston, W. Va., attorney for transferor.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5069; Filed, May 9, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3718 6567
3719 6607
3720 6679
3721 6817
3722 6855

EXECUTIVE ORDER:
11277 6609
11278 6681
11017 (Superseded by EO 11278) 6681
11069 (Superseded by EO 11278) 6681
11218 (Superseded by EO 11278) 6681

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 6857

5 CFR

213 6769, 6859
772 6569

7 CFR

7 6569
50 6570
68 6629
718 6859
722 6573, 6580, 6859
724 6819
729 6581
813 6819
815 6860
908 6825
909 6825
910 6826
959 6860
980 6629
1098 6581
1099 6861
1427 6861
1434 6582
1490 6862

PROPOSED RULES:
52 6871
58 6715
916 6871
965 6592
1032 6631
1050 6631
1065 6873
1126 6631

8 CFR

214 6611

12 CFR

1 6826

14 CFR

Page

39 6582, 6685, 6790
71 6582, 6584, 6791, 6826, 6827, 6864
97 6612, 6685, 6828
137 6685
151 6686
208 6620
223 6584
320 6585
378 6621

PROPOSED RULES:
71 6716, 6717, 6837, 6838, 6873
121 6592

15 CFR

30 6587
373 6707
374 6707
377 6707
379 6709
382 6707, 6709
384 6709, 6864
385 6709
399 6707, 6709, 6829, 6866

16 CFR

15 6866

17 CFR

200 6588
240 6705, 6706

19 CFR

1 6611
10 6769

PROPOSED RULES:
1 6871

20 CFR

404 6611

21 CFR

Page

121 6830
131 6705
146c 6830
191 6611

PROPOSED RULES:
51 6792

24 CFR

200 6866

26 CFR

1 6589
31 6589

28 CFR

0 6867

29 CFR

548 6769
800 6770

31 CFR

202 6590
316 6831
332 6686, 6831

32 CFR

Page

300 6831

32A CFR

BDSA (Ch. VI):
BDSA Reg. 2 6590

33 CFR

207 6590, 6622, 6867
208 6707

35 CFR

255 6831

38 CFR

2 6770
21 6771

39 CFR

PROPOSED RULES:
21 6715
24 6715

41 CFR

Page

6–1 6622
6–2 6623
6–3 6623
6–5 6624
6–7 6624
6–11 6624
6–30 6624
6–60 6625
22–60 6625
101–45 6831

43 CFR

PUBLIC LAND ORDERS:
3977 (amended by PLO 4000) 6868
4000 6868

PROPOSED RULES:
3130 6834
3160 6836

45 CFR

177 6591
801 6591

46 CFR

PROPOSED RULES:
510 6792
512 6838
513 6838

47 CFR

0 6627, 6831
1 6831, 6868
73 6627, 6628, 6868

PROPOSED RULES:
73 6637, 6638, 6792, 6838, 6874

49 CFR

71–79 6591
95 6832

50 CFR

33 6629, 6832, 6869
60 6833

DETROIT PUBLIC LIBRARY MAY 13 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 91

Wednesday, May 11, 1966 • Washington, D.C.

Pages 6887–6939

Agencies in this issue—

Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Comptroller of the Currency
Customs Bureau
Emergency Planning Office
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Interstate Commerce Commission
Labor Department
Land Management Bureau
Maritime Administration
Renegotiation Board
Securities and Exchange Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 17—Commodity and Securities Exchanges
(Pocket Supplement)
$1.00

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURE DEPARTMENT
See Commodity Credit Corporation.

ARMY DEPARTMENT
See Engineers Corps.

ATOMIC ENERGY COMMISSION
Rules and Regulations
Contractors; employees and consultants; miscellaneous amendments 6907

CIVIL AERONAUTICS BOARD
Notices
Latin American service mail rate proceedings 6912

CIVIL SERVICE COMMISSION
Rules and Regulations
Excepted service:
General Accounting Office 6903
Health, Education, and Welfare Department (2 documents) 6903

COMMERCE DEPARTMENT
See Maritime Administration.

COMMODITY CREDIT CORPORATION
Rules and Regulations
Dry edible bean loan and purchase program, 1966 and subsequent crops 6904

COMPTROLLER OF THE CURRENCY
Rules and Regulations
Investment securities; State of Israel Bonds, Development Investment Issue 6905

CUSTOMS BUREAU
Proposed Rule Making
Disposition of unclaimed and abandoned merchandise; rescission of proposed amendment 6908
Notices
International Paper Co.; U.S. citizenship 6912

DEFENSE DEPARTMENT
See Engineers Corps.

EMERGENCY PLANNING OFFICE
Notices
Voluntary Tanker Plan for Contribution of Tanker Capacity for National Defense Requirements; membership:
Additions 6926
Deletions 6926

ENGINEERS CORPS
Rules and Regulations
Bridges; Mystic River, Mass 6907

FEDERAL AVIATION AGENCY
Rules and Regulations
Standard instrument approach procedures; miscellaneous amendments 6894
Restricted area; designation 6893
Proposed Rule Making
Control zone and transition areas; alteration 6908
Notices
WMAL-TV—WTOP-TV; affirmation of determination of no hazard to air navigation 6915

FEDERAL COMMUNICATIONS COMMISSION
Proposed Rule Making
Aeronautical advisory service 6909
Notices
Hearings, etc.:
Century Broadcasting Co., Inc., and RKO General, Inc. 6916
City Index Corp. and John M. McLendon 6917
Cosmopolitan Enterprises, Inc., and H. H. Huntley 6917
Northwestern Indiana Broadcasting Corp., et al 6917
Sherman, Gordon, and Omicron Television Corp 6918
Sports Network, Inc., and American Telephone and Telegraph Co 6918
WDIX, Inc., and Radio Orangeburg, Inc 6920

FEDERAL HOME LOAN BANK BOARD
Rules and Regulations
Federal Home Loan Bank System; organization and operations; compensation and budgets 6905

FEDERAL MARITIME COMMISSION
Notices
Cargofast Pacific, Inc.; revocation of license 6925

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Atlantic Refining Co 6923
B & G Oil & Gas Co. et al 6922
Central Illinois Public Service Co. and Panhandle Eastern Pipe Line Co 6924
Kentucky Gas Transmission Corp 6924
National Sulphur Co 6925
St. Joseph Light & Power Co. and Michigan Wisconsin Pipe Line Co 6925

FEDERAL TRADE COMMISSION
Rules and Regulations
Administrative opinions and rulings:
Agreement among retailers for uniform store hours 6906
Goods of like grade and quality 6906

FISH AND WILDLIFE SERVICE
Rules and Regulations
Sport fishing at St. Marks National Wildlife Refuge, Fla 6893

FOOD AND DRUG ADMINISTRATION
Rules and Regulations
Belladonna; warning and caution statements 6906

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration.

INTERIOR DEPARTMENT
See Fish and Wildlife Service; Land Management Bureau.

INTERSTATE COMMERCE COMMISSION
Notices
Class rates and per-shipment charges, middlewest, central, and southwest states 6937
Fourth section applications for relief 6938
Motor carrier:
Alternate route deviation notices 6931
Applications and certain other proceedings (2 documents) 6933, 6936
Intrastate applications 6937
Temporary authority applications 6929
Railroads; rerouting of traffic 6937

LABOR DEPARTMENT
Notices
Office of Federal Contract Compliance (EEO); establishment 6921

LAND MANAGEMENT BUREAU
Rules and Regulations
Utah; public land order adding to Ouray National Wildlife Refuge 6907
Notices
Louisiana; proposed withdrawal 6912

MARITIME ADMINISTRATION
Rules and Regulations
Shipping; values for war risk insurance 6891

(Continued on next page)

CONTENTS

RENEGOTIATION BOARD

Rules and Regulations

Conduct of renegotiation; filing of information and requests by contractor ---- 6906

Notices

Organization; location of Western Regional Board ---- 6926

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:

American-Amicable Life Insurance Co ---- 6926
Columbia Gas System, Inc ---- 6927
Dunfee Savings & Lease ---- 6928
Enterprise Securities Fund, Inc ---- 6928
Television-Electronics Fund, Inc ---- 6928

TREASURY DEPARTMENT

See Comptroller of the Currency; Customs Bureau.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

213 (3 documents) ---- 6903

7 CFR

1421 ---- 6904

12 CFR

1 ---- 6905
522 ---- 6905
524 ---- 6905

14 CFR

73 ---- 6893
97 ---- 6894

PROPOSED RULES:

71 ---- 6908

16 CFR

15 (2 documents) ---- 6906

19 CFR

PROPOSED RULES:

20 ---- 6908

21 CFR

131 ---- 6906

32 CFR

1472 ---- 6906

33 CFR

203 ---- 6907

41 CFR

9–12 ---- 6907

43 CFR

PUBLIC LAND ORDER:

3999 ---- 6907

46 CFR

309 ---- 6891

47 CFR

PROPOSED RULES:

2 ---- 6909
87 ---- 6909

50 CFR

33 ---- 6893

Rules and Regulations

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER G—EMERGENCY OPERATIONS

[General Order 82, 14th Rev., Amdt. 1]

PART 309—VALUES FOR WAR RISK INSURANCE

Part 309 is hereby amended by adding a new section following § 309.101 reading as follows:

§ 309.102 Values effective January 1, 1966.

(a) *Vessels covered by §§ 309.3 through 309.5.* (1) The Maritime Administration has found that the values established in accordance with §§ 309.3–309.5 constitute just compensation for the vessels to which they apply, computed as provided in sections 902(a) and 1209 (a), Merchant Marine Act, 1936, as amended; and pursuant thereto has determined the values of the vessels covered by interim binders for war risk hull insurance, Form MA–184, prescribed by Part 308 of this chapter.

(2) The interim binders listed below shall be deemed to have been amended as of January 1, 1966, by inserting in the space provided therefor or in substitution for any value now appearing in such space the stated valuation of the vessels set forth below for the binders and vessels as designated. Such stated valuation shall apply with respect to insurance attaching during the period January 1, 1966, to June 30, 1966, inclusive; *Provided, however,* That the Assured shall have the right within 60 days after date of publication of this section or within 60 days after the attachment of the insurance under said binder, whichever is later, to reject such valuation and proceed as authorized by section 1209 (a) (2), Merchant Marine Act, 1936, as amended.

Binder No.	Name of vessel	Official No.	Stated valuation (in thousands)
870	Achilles	281702	$8,320
722	African Glade	245035	555
723	African Glen	247294	555
724	African Grove	244877	555
605	Alamar	245810	500
1269	Alaska Bear	246004	593
1790	Alcoa Commander	248327	555
1793	Alcoa Explorer	248335	555
1620	Alcoa Mariner	247572	555
1748	Alcoa Marketer	245539	555
1711	Alcoa Master	253572	555
1463	Alcoa Ranger	253116	562
1461	Alcoa Roamer	252567	562
1460	Alcoa Runner	245375	562
1802	Alcoa Trader	248144	555
1749	Alcoa Voyager	253289	555
1850	Aldina	239754	490
1961	Aldine	841	325
659	Alice Brown	249027	555
1552	Alma Victory	248201	593
382	Aloha State	243297	1,000
1972	American Condor	253347	1,000
831	American Eagle	278327	6,660
1769	American Falcon	252524	1,000
534	American Forester	248074	555
1791	American Hawk	243969	1,000
1665	American Hunter	252679	555
841	American Leader	249517	555
940	American Mail	247321	1,000
842	American Manufacturer	247643	555
845	American Miller	243873	555
1688	American Oriole	253304	1,000
546	American Packer	243982	555
549	American Press	247590	555
550	American Producer	254616	555
1679	American Robin	243941	1,000
554	American Scientist	254653	555
1902	American Trader	244855	930
561	American Veteran	247296	555
163	America Sun	240147	495
272	Ames Victory	247292	593
1485	Amoco Connecticut	242851	1,600
1488	Amoco Delaware	245058	1,550
1768	Amoco Louisiana	244329	1,725
1482	Amoco Maryland	242509	640
1484	Amoco New York	244801	762
1486	Amoco Virginia	243518	1,725
641	Amtank	247068	975
1914	Anchorage	246736	3,500
2006	Andrew Jackson	247303	566
19	Angelo Petri	243882	3,540
1040	A. N. Kemp	149	850
2009	Antinous	245979	566
1444	Arizona Standard	248736	555
1039	Atholl McBean	141	835
232	Atlantic Communicator	268196	3,725
233	Atlantic Endeavor	277623	5,950
234	Atlantic Engineer	261167	3,190
1004	Atlantic Enterprise	276911	5,890
1006	Atlantic Navigator	261423	3,220
239	Atlantic Trader	248007	1,910
871	Atlas	277291	6,700
418	Attleboro Victory	247475	465
789	Audrey J. Luckenbach	248884	1,350
1435	Austin	247455	2,250
2099	Australian Isle	256787	582
2107	Boise Victory	248786	593
1986	Bowling Green	244750	555
1816	Bradford Island	247640	555
1490	Brazos	247583	850
1593	Brighton	4445–59	2,210
1473	Brooklyn Heights	247872	525
353	Buckeye State	244577	1,000
1337	Burgan	1538	785
226	Byron D. Benson	246173	555
941	California Mail	252476	1,000
297	Californian	249239	2,860
963	California Standard	262403	345
1949	Calmar	294756	4,500
1575	Caltex Bangkok	2244–48	325
1576	Caltex Capetown	2246–48	325
1577	Caltex Copenhagen	2245–48	325
1578	Caltex Durban	2243–48	325
1579	Caltex Genoa	2248–48	325
1580	Caltex Gothenburg	2249–48	325
1581	Caltex Manila	2247–48	325
1585	Caltex Stockholm	3070–47	325
426	Canada Bear	247385	593
1424	Canterbury Leader	247868	260
1370	Cantigny	247452	2,225
07	Carbide Seadrift	241851	2,000
08	Carbide Texas City	242532	2,000
1931	Chancellorsville	244460	2,025
1213	Chatham	252493	555
353	Chemical Transporter	244042	1,170
243	Chena	247704	297
597	Cherry Valley	242531	555
964	Chevron	250641	245
1041	Chevron Transporter	132	825
610	Chilore	253219	2,300
2010	Choctaw	247785	555
1980	Choctaw Victory	247420	593
1813	Cities Service Baltimore	271866	5,710
1814	Cities Service Miami	272077	5,740
1815	Cities Service Norfolk	272699	5,850
1060	Cities Service Valley Forge	401	1,490
2011	City of Alma	247592	566
101	Claiborne	242378	555
1967	Cleveland	248469	555
266	Coeur D'Alene Victory	247113	593
273	Coe Victory	247894	593
186	Colina	242775	555
1163	Colorado	252492	555
1978	Columbia Victory	247765	525
711	Constitution State	245985	593
1588	Continental II	1650	1,015
1589	Continental III	1695	1,030
712	Copper State	244137	1,000
713	Cotton State	248440	525
704	Cottonwood Creek	246864	1,560
1305	Council Grove	247896	2,150
1051	Cradle of Liberty	467	1,520
1538	C. R. Musser	246754	525
583	Custis Woods	245009	555
1355	Cyclone	245751	525
137	Cynthia Olson	253441	115
1343	David D. Irwin	242354	2,300
212	David E. Day	248880	1,875
1979	Del Aires	252445	555
165	Delaware Sun	264853	3,430
319	Del Campo	241923	382
323	Del Monte	246628	368
2012	De Soto	245398	566
377	Dolly Turman	249747	555
1681	Duval	245041	525
700	Eagle Courier	277561	5,900
699	Eagle Transporter	277710	5,910
697	Eagle Traveler	278442	6,700
698	Eagle Voyager	278624	6,690
167	Eastern Sun	270025	3,900
1994	East Hills	245914	555
187	Eclipse	267144	3,100
786	Edgar F. Luckenbach	248882	1,350
2078	Elaine	247049	525
1917	Elizabethport	297001	4,600
1623	Elwell	248537	555
705	Empire State	248212	555
830	Erna Elizabeth	280193	6,920
983	Esso Baltimore	282272	9,220
987	Esso Bangor	264791	3,300
1312	Esso Bogota		775
984	Esso Boston	283784	9,390
989	Esso Chester	264445	3,050
1378	Esso Colon		765
988	Esso Dallas	269268	2,600
990	Esso Florence	266855	3,250
1007	Esso Gettysburg	273362	6,750
991	Esso Gloucester	265336	3,150
993	Esso Huntington	266329	3,300
994	Esso Jamestown	275519	7,050
995	Esso Lexington	276270	7,180
996	Esso Lima	259142	2,590
992	Esso Miami	259357	2,580
1313	Esso Montevideo		735
997	Esso Newark	264231	3,020
998	Esso New York	259610	2,650
1314	Esso Norfolk		838
1315	Esso Santos		780
1014	Esso Scranton	245830	555
1998	Esso Seattle	277935	6,570
1009	Esso Washington	273896	6,860
2079	Evanthie	240203	1,000
354	Evergreen State	257827	1,000
2080	Evilia	245672	525
855	Exilona	252303	760
858	Expeditor	251971	760
865	Express	252376	760
2027	Express Buffalo	247252	593
1938	Express Virginia	249290	555
262	Fairland	242973	2,225
2075	Fairisle	245027	593
2013	Fairport	249072	566
2037	Fairwind	247042	275
1868	Fanwood	252355	555
1536	F. E. Weyerhaeuser	245564	525
153	Floridian	282733	1,125
1810	Flower Hill	252446	555
218	Flying A-California	268216	1,315
221	Flying A-Delaware	267997	3,350
220	Flying A-New York	267196	3,310
219	Flying A-Washington	268783	1,340
1469	Flying Clipper	252991	555
1480	Flying Cloud	247000	555
1468	Flying Eagle	251664	555
1479	Flying Enterprise II	245734	555
1472	Flying Gull	240462	555
1471	Flying Hawk	240632	555
1478	Flying Spray	246217	365
1481	Flying Trader	248780	525
584	Fort Pecterman	244935	1,650
1211	Fort Hoskins	268735	2,175
247	Fortuna	245880	275
498	Four Lakes	244971	1,725
880	Frank Lykes	245540	555
177	Fruitvale Hills	248716	555

Binder No.	Name of vessel	Official No.	Stated valuation (in thousands)
962	F. S. Bryant	250827	540
1035	Gage Lund	217	900
56	Gaines Mill	244464	1,625
248	Galena	248122	250
1839	Garden City	252444	555
948	Garden State	248057	593
263	Gateway City	251506	2,225
1539	George S. Long	245913	525
384	Gibbes Lykes	245192	555
1588	Globe Carrier	243503	2,550
1339	Globe Progress	244898	2,550
1874	Globe Traveler	269439	2,910
1885	Glory of the Seas	245169	555
714	Golden State	246544	525
355	Gopher State	244979	1,000
2073	Green Bay	248912	1,650
885	Green Cove	247268	555
1129	Green Dale	251748	555
896	Green Harbour	247790	950
887	Green Island	247079	950
2086	Green Lake	248700	1,650
950	Green Mountain State	247158	525
1950	Green Port	252346	1,000
1901	Green Ridge	247322	1,000
889	Green Valley	247950	950
890	Green Wave	252351	555
1249	Guam Bear	252570	555
790	Gulfbear	247309	1,570
791	Gulfbeaver	243657	1,550
792	Gulfcrest	279334	6,090
793	Gulfdeer	245727	1,760
794	Gulfjaguar	246972	1,840
795	Gulfkinr	275193	6,160
796	Gulfknight	277183	6,440
797	Gulflion	246990	1,940
808	Gulflube	254406	575
798	Gulfoil	263424	6,350
799	Gulfpanther	246543	1,760
800	Gulfpride	279769	6,370
801	Gulfprince	276034	6,310
802	Gulfqueen	275583	6,220
805	Gulfseal	247557	1,850
811	Gulfservice	264224	1,330
803	Gulfsolar	240223	6,240
806	Gulfspray	282848	6,600
807	Gulfstag	251066	1,710
1358	Gulfsupreme	267186	7,050
804	Gulftiger	247707	1,940
1659	Halcyon Panther	245922	593
646	Hampton Roads	248748	975
1891	Hanover	246934	255
824	Hans Isbrandtsen	277703	6,520
2014	Hastings	246617	566
299	Hawaiian	249353	2,960
300	Hawaiian Builder	247368	1,000
985	Hawaiian Citizen	252149	3,750
301	Hawaiian Craftsman	247826	1,000
303	Hawaiian Farmer	245860	1,000
304	Hawaiian Merchant	248845	1,000
305	Hawaiian Packer	243929	1,000
307	Hawaiian Planter	246741	1,000
308	Hawaiian Rancher	246294	1,000
309	Hawaiian Refiner	245594	1,000
1445	Hawaii Standard	248602	555
965	H. D. Collier	248737	555
873	Helen H	245029	2,550
885	Helen Lykes	245245	555
1667	Hercules Victory	248857	525
634	Hess Bunker	243804	2,025
635	Hess Diesel	248127	2,050
636	Hess Petrol	244735	2,025
1373	Hess Refiner	248244	2,050
639	Hess Trader	246104	2,000
981	Hillyer Brown	266233	1,350
706	Hoosier State	247762	1,350
1540	Horace Irvine	246933	525
787	Horace Luckenbach	245644	1,000
176	Houston	242936	2,250
1252	Hudson	244463	1,560
2015	Hurricane	246798	555
2016	Iberville	248489	566
679	Idaho	252271	1,000
968	Idaho Standard	245461	555
249	Ilianna	246848	299
442	India Bear	252598	555
945	Java Mail	252478	1,000
1285	J. E. Dyer	274440	6,080
274	Jefferson City Victory	247345	593
970	J. H. MacGaregill	248996	555
973	J. H. Tuttle	242935	590
967	J. L. Hanna	248531	555
2017	John B. Waterman	249234	566
829	John C	242701	555
1017	John F. Shea	247095	950
1535	John Weyerhaeuser	245356	525
586	Julesburg	243529	1,750
812	Kenmar	246062	500
598	Keystoner	266730	1,385
366	Keystone State	247763	1,350
599	Keytanker	265644	1,355
600	Keytrader	267005	1,420
2018	Kyska	248054	566
110	La Salle	251504	566
113	Leland I. Doan	244217	8,500
962	Lena Luckenbach	244049	1,000
391	Letitia Lykes	246897	555
1052	Liberty Bell	519	1,530
293	Lompoc	248653	585
387	Longview Victory	247077	593
1918	Los Angeles	241153	4,600
613	Losmar	245111	500
367	Louisiana Sulphur	242964	1,340
658	Lucile Bloomfield	249291	555
2019	Madaket	246992	566
716	Magnolia State	247144	525
394	Mallory Lykes	244861	555
1356	Manhattan	287253	16,700
275	Mankato Victory	248739	593
2105	Marathon Victory	248563	593
660	Margarett Brown	249174	555
2087	Marine Clipper	248655	650
15	Marine Dow-Chem	267278	3,850
1510	Marine Electric	245675	3,060
1570	Marine Merchant	247867	260
90	Marine Shipper	247596	260
91	Marine Trader	247274	260
92	Marine Transport	247991	260
168	Maryland Sun	246101	555
664	Maryland Trader	247178	1,650
1940	Marymar	294730	4,500
01	Mayflower	284049	9,240
1512	Meadowbrook	280879	2,275
969	M. E. Lombardi	240228	280
1266	Meteor	247331	525
681	Michigan	240590	1,000
1425	Midland	246355	555
587	Mill Spring	244468	1,700
2033	Missouri	249885	1,900
1271	M. L. Gosney	266338	2,980
188	Mobil Aero	278471	6,240
189	Mobil Fuel	274588	5,330
190	Mobilgas	271449	4,820
191	Mobil Lube	275651	5,480
192	Mobiloil	279064	6,330
193	Mobil Power	274966	5,380
420	Moline Victory	247346	525
2095	Mona Pass	23599	325
601	Monmouth	242426	555
2110	Monarch of the Seas	244794	555
1265	Monticello Victory	286819	9,440
1447	Montpelier Victory	289745	9,500
34	Mormacfir	248650	593
50	Mormacrio	248745	1,000
281	Mount Vernon Victory	284178	9,240
250	Nadina	245864	590
598	Naeco	244063	1,500
668	Nashbulk	247307	975
1758	National Defender	279938	11,370
2034	Neches	244235	555
251	Nenana	247015	275
1441	Nevada Standard	247758	555
661	Neva West	249263	555
421	Newberry Victory	284860	525
169	New Jersey Sun	265748	3,510
180	New Market	247276	555
693	New York	248742	1,000
2038	New Yorker	283030	1,125
2118	New Zealand Victory	245474	593
1668	Norberto Capay	244133	555
1658	Norina	247468	2,910
592	Northfield	243253	2,050
1993	North Hills	245040	555
268	Northwestern Victory	247492	593
1466	Norwalk	245848	525
1827	Ocean Anna	266619	3,470
1894	Oceanic Dinny	244215	555
931	Ocean Evelyn	249217	1,350
1297	Oceanic	246006	510
1988	Oceanic Cloud	251970	555
1895	Oceanic Spray	245532	555
1896	Oceanic Tide	244012	555
932	Ocean Ulla	280004	7,200
1894	Oceanic Wave	248065	465
684	Ohio	245388	1,000
170	Ohio Sun	244089	555
1992	Old Westbury	245338	555
1386	Olga	247316	593
971	Oregon Standard	246773	555
1093	Oswego Leader	1258	325
1825	Our Lady of Peace	247571	555
785	Overseas Rose	245923	1,000
717	Palmetto State	247823	525
1217	Panoceanic Faith	245134	555
1037	Paul Pigott	183	555
1272	P. C. Spencer	264903	2,870
718	Pelican State	245354	593
1592	Penn Carrier	246908	555
339	Penn Challenger	280318	6,970
1342	Penn Exporter	247099	1,560
1954	Pennmar	295108	4,500
1860	Penn Sailor	275391	1,625
171	Pennsylvania Sun	280202	9,500
1008	Penn Transporter	248437	1,560
341	Penn Vanguard	242780	525
581	Perryville	244644	1,975
562	Pioneer Cove	249748	555
578	Pioneer Tide	249030	555
1987	Plymouth Victory	245625	593
1754	Point Loma	246982	555
1953	Point Sur	243263	555
16	Ponca City	244335	555
1999	Portmar	294731	4,500
1565	Potomac	248800	2,550
1390	Prairie Grove	246660	2,250
1897	President Harding	252443	555
919	Producer	245888	2,550
228	Providence Getty	254689	245
2064	Pure Oil	248837	620
1273	P. W. Thirtle	270179	3,350
1301	Rainbow	247026	525
1969	Ranger	244598	555
264	Raphael Semmes	242074	2,235
972	R. C. Stoner	243128	590
593	Remsen Heights	247865	525
593	Richmond	241939	485
555	Ridgefield Victory	247454	593
650	Robert Watt Miller	172	855
1162	Robin Goodfellow	247254	1,000
1859	Robin Gray	252626	1,000
260	Robin Hood	247255	1,000
155	Robin Kirk	254272	1,000
158	Robin Mowbray	255316	1,000
160	Robin Trent	254641	1,000
162	Sabine Sun	241558	590
172	Sacramento	245497	2,680
1879	San Angelo Victory	248842	525
422	San Francisco	241220	4,600
1919	San Juan	242653	4,600
1920	Santa Adela	242243	555
891	Santa Emilia	247570	555
1811	Santa Flavia	242762	555
900	Santa Juana	242111	555
962	Santa Malta	245459	555
906	Santa Maria	263781	1,270
211	Santore	254624	2,300
619	Sasstown	1876	995
1822	Sealady	244457	525
26	Seamar	294729	4,500
1970	Seatrain Georgia	262558	1,075
65	Seatrain Louisiana	262835	1,075
66	Seatrain New Jersey	239688	625
67	Seatrain New York	231905	360
68	Seatrain Savannah	231916	360
555	Seatrain Texas	239549	625
69	Seattle	247275	3,500
70	Sierra	247831	1,000
9,440	Sir John Franklin	244734	365
9,500	Sister Kaitingo	277936	6,560
593	Socony Vacuum	268801	3,320
555	Sonoma	252413	1,000
69	Sooner State	247139	555
11,370	Southport II	245183	555
555	Statue of Liberty	430	1,565
9,440	Steel Admiral	252403	1,000
9,500	Steel Advocate	245731	1,000
593	Steel Age	244161	1,000
555	Steel Apprentice	252498	1,000
525	Steel Architect	247168	1,000
555	Steel Artisan	247833	1,000
593	Steel Chemist	252037	1,000
525	Steel Designer	247832	1,000
555	Steel Director	244978	1,000
555	Steel Executive	248843	1,000
555	Steel Fabricator	251781	1,000
593	Steel Flyer	244931	1,000
525	Steel King	252499	1,000
555	Steel Maker	247221	1,000
593	Steel Navigator	248846	1,000
525	Steel Recorder	251847	1,000
555	Steel Rover	252500	1,000
555	Steel Scientist	245730	1,000
555	Steel Seafarer	248738	1,000
510	Steel Surveyor	244968	1,000
555	Steel Traveler	247198	1,000
555	Steel Vendor	246464	1,000
555	Steel Voyager	252501	1,000
7,200	Steel Worker	247834	1,000
465	Suisina	248389	250
1,000	Sylvia Lykes	247841	555
555	Syosset	247458	545
555	Talkeetna	245783	275
593	Tampico	246344	2,250
555	Tanana	247310	250
325	Tatalina	247995	250
555	Texaco Bristol	3481-GE	900
1,000	Texaco California	266910	1,415
525	Texaco Colorado	241758	480
555	Texaco Connecticut	266501	1,735
855	Texaco Florida	271930	2,000
2,870	Texaco Georgia	263819	6,510
593	Texaco Illinois	246993	2,000
555	Texaco Kansas	244230	1,900
6,970	Texaco Kentucky	2439-50	700
1,560	Texaco London	1166	900
4,500	Texaco Louisiana	245053	555
1,625	Texaco Maine	4500-59	2,250
9,500	Texaco Maryland	292735	6,370
1,560	Texaco Massachusetts	290306	6,140
525	Texaco Minnesota	243202	2,325
1,975	Texaco Mississippi	245062	2,325
555	Texaco Montana	286918	6,930
555	Texaco Nebraska	242845	1,950
593	Texaco Nevada	245175	1,800
555	Texaco New Jersey	248831	1,775

Binder No.	Name of vessel	Official No.	Stated valuation (in thousands)
481	Texaco New York	265981	1,780
483	Texaco North Dakota	265006	1,780
1081	Texaco Ohio	2447–50	790
1873	Texaco Oklahoma	275882	6,260
1083	Texaco Pennsylvania	2438–50	780
1899	Texaco Rhode Island	296380	6,700
1085	Texaco Texas	2445–50	785
1270	Texaco Wisconsin	277806	6,540
489	Texaco Wyoming	243048	2,025
209	Texan	249352	1,550
174	Texas Sun	283897	10,030
497	The Cabins	246143	1,775
925	Thetis	270927	8,050
2096	Thomas A	260864	3,160
1357	Thunderbird	247092	525
1622	Thunderhead	246038	555
602	Ticonderoga	242244	745
182	Tillamook	245104	555
1797	Timbo	1778	990
256	Tonsina	252547	275
2020	Topa Topa	247906	566
1453	Transbay	247574	555
881	Transborinquen	246540	365
1722	Transcaribbean	248749	525
231	Transeastern	279438	8,600
1454	Transerie	245989	555
1456	Transhatteras	242942	555
1455	Transorleans	243223	555
1598	Trinidad	4336–58	2,140
1492	Trinity	246600	930
22	Trojan	247177	2,125
2026	Trustco	244131	555
590	Tullahoma	246662	1,975
2091	U.S. Adventurer	247220	593
2092	U.S. Builder	247121	593
1423	U.S. Caper	247194	593
1409	U.S. Conqueror	245519	275
1422	U.S. Defender	248013	525
1395	U.S. Explorer	248565	593
1613	U.S. Merrimac	242477	275
1842	U.S. Pecos	242949	275
1436	U.S. Pilot	245016	555
1614	U.S. Red River	247511	275
1437	U.S. Tourist	248171	593
1410	U.S. Victory	246754	593
966	Utah Standard	251140	540
338	Ventura	252633	1,000
666	Virginia Trader	244789	555
719	Volunteer State	247792	525
1946	Volusia	245415	525
1805	Warm Springs	247264	275
974	Washington Standard	246203	555
667	Washington Trader	245566	555
1713	Wellesley Victory	247564	593
1779	Western Clipper	268288	3,600
1780	Western Comet	266365	3,450
1302	Western Hunter	287156	12,200
1781	Western Planet	268078	3,590
175	Western Sun	268798	3,790
1900	Whitehall	245964	555
1537	W. H. Peabody	246065	525
1389	Wilderness	247348	525
2021	Wild Ranger	249518	555
224	William F. Humphrey	246557	555
620	Wilmar	246507	500
1609	Windsor Victory	247843	593
1511	Wingless Victory	247243	525
358	Wolverine State	248740	1,350
2022	Yaka	246335	566
2098	Yellowstone	248883	1,900
2030	Yorkmar	296361	4,500
2103	Young America	243034	555

(b) *Vessels of less than 1,500 gross tons—As of January 1, 1966.* (1) The Maritime Administration has determined for certain vessels of less than 1,500 gross tons the values which constitute just compensation for the vessels to which they apply, computed as provided in sections 902(a) and 1209(a), Merchant Marine Act, 1936, as amended; and pursuant thereto has determined the values of vessels covered by interim binders for war risk hull insurance Form MA–184 prescribed in Part 308 of this chapter.

(2) The interim binders listed below shall be deemed to have been amended as of January 1, 1966, by inserting in the space provided therefor or in substitution for any value now appearing in such space the stated valuation of the vessels set forth below for the binders and vessels as designated. Such stated valuation shall apply with respect to insurance attaching during the period January 1, 1966, to June 30, 1966, inclusive; *Provided, however,* That the Assured shall have the right within 60 days after date of publication of this section or within 60 days after the attachment of the insurance under said binder, whichever is later, to reject such valuation and proceed as authorized by section 1209(a)(2), Merchant Marine Act, 1936, as amended.

Binder No.	Name of vessel	Official No.	Stated valuation (in thousands)
752	A. H. Dumont	239224	$88
1906	Abl	251250	200
1686	Atlantic	262007	135
1186	Barge 114		9
1187	Barge 116		12
1188	Barge 118		9
1197	Barge 129		9
1198	Barge 133		27
1199	Barge 134		10
1256	Blue Line 107	263055	190
1153	Britton	119	21
1562	Challenger	293882	369
1876	Condado	293169	135
1138	Cyrus Field	147699	170
1165	Dammam 7		15
1166	Dammam 8	255059	16
1167	Dammam 9		46
1168	Dammam 10		46
1169	Dammam 11		46
1170	Dammam 12		62
1171	Dammam 13		51
1172	Dammam 14		62
1877	Dorado	293380	140
1564	Everglades	279577	366
1563	Fort Lauderdale	250507	[illegible]
24	George S	282206	111
764	George Witlock II	241390	100
1150	Habib	112	17
1942	H. J. Sheridan	235802	[illegible]
1565	Hollywood		106
1151	Horne	115	18
765	Hygrade No. 2	270766	220
767	Hygrade No. 8	176732	180
768	Hygrade No. 14	250807	180
769	Hygrade No. 18	272741	205
771	Hygrade No. 26	252977	195
772	Hygrade No. 28	253996	180
773	Hygrade No. 30	264104	185
774	Hygrade No. 32	267118	105
1908	Isleways No. 1	251436	51
1909	Isleways No. 2	251519	51
1910	Isleways No. 3	251682	51
1911	Isleways No. 4	251773	51
1912	Isleways No. 5	251859	51
753	J. F. Gaffney	247436	65
1554	Lewis No. 8	244276	77
1702	Mohawk	254469	187
741	Ocean King	248921	105
742	Ocean Prince	276461	390
1907	Ono	252117	200
1502	Perth Amboy I	171776	175
1503	Perth Amboy II	171686	175
759	Phillip Lemler	215390	62
1571	Ponce	289435	130
1719	Ponce de Leon	244296	77
744	Port Jefferson	274512	378
745	Providence	288312	67
1176	Qatif 7		72
1177	Qatif 8		72
761	R. J. Perry	247205	65
1148	Sandy	114	18
1572	San Juan	280562	130
1278	Saratoga	254128	90
1263	Spartan	273515	430
746	Stamford	240942	71
1152	Swigart	118	10
18	Virginia Phillips	239971	64
763	W. A. Weber	251392	09

NOTE: The record-keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114)

Dated: May 4, 1966.

L. C. HOFFMANN,
Chairman,
Ship Valuation Committee.

[F.R. Doc. 66–5074; Filed, May 10, 1966; 8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

St. Marks National Wildlife Refuge, Fla.; Correction

In F.R. Doc. 66–1970, appearing at page 3117 of the issue for February 25, 1966, subparagraph (3) is corrected to read as follows:

(3) Boats with gasoline engines prohibited, electric motors permitted.

WALTER A. GRESH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 3, 1966.

[F.R. Doc. 66–5102; Filed, May 10, 1966; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 66–WE–5]

PART 73—SPECIAL USE AIRSPACE

Designation of Restricted Area

On March 15, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4415) stating that the Federal Aviation Agency was considering an amendment to Part 73 of the Federal Aviation Regulations that would designate a restricted area in the vicinity of Sailor Creek, Idaho.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments but no comments were received.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

In § 73.32 (31 F.R. 2312) the following is added:

R–3202 SAILOR CREEK, IDAHO

Boundaries: Beginning at latitude 42°48'–45'' N., longitude 115°38'14'' W.; to latitude 42°48'45'' N., longitude 115°32'41'' W.; to latitude 42°40'00'' N., longitude 115°32'41'' W.; to latitude 42°40'00'' N., longitude 115°–38'14'' W.; to the point of beginning.

Designated altitudes: Surface to 12,000 feet MSL.

Time of designation: From sunset to 4 hours thereafter, Monday through Friday.

Controlling agency: Federal Aviation Agency, Salt Lake ARTC Center.

Using agency: Commander, 67th Tactical Reconnaissance Wing, Mountain Home AFB, Idaho.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 4, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66–5092; Filed, May 10, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7196; Amdt. 473]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition: From—	Transition: To—	Transition: Course and distance	Transition: Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Holston Mountains VORTAC	Int BLA, R 200° and 310° bearing to LOM.	Direct	6000	T-dn	300–1	300–1	♯200–½
				C-dn	900–1	900–1½	900–2
Int BLA, R 200° and 310° bearing to LOM.	LOM (MHW)	Direct	3600	S-dn-22°%	900–1	900–1	900–1
Telford Int	LOM (MHW)	Direct	3600	A-dn	900–2	900–2	900–2
Yuma Int	LOM (MIIW)	Direct	4000	If aircraft has operating VOR receiver and Beaver Int received, minimums become:			
Hilton Int	LOM (MIIW)	Direct	5000				
Greendale Int	LOM (MIIW) (final)	Direct	5000	C-dn	800–1	800–1½	800–2
Damascus Int	Int HMV, R 008° and 271° bearing to LOM.	Direct	6000	S-dn-22°%	800–1	800–1	800–1
Int HMV, R 008° and 271° bearing to LOM.	LOM (MIIW)	Direct	3600				
BON RBn	LOM (MIIW)	Direct	3600				

Radar available.
Procedure turn E side of crs, 044° Outbnd, 224° Inbnd, 3600′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 3600′**; over Beaver Int, 2400′.
Crs and distance, facility to airport, 224°—6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing LOM, climb to 4000′ on crs, 224° from LOM within 20 miles or, when directed by ATC, turn right, climb to 4000′ on HMV, R 263° to Yuma Int.
CAUTION: Abrupt changes in terrain elevation immediately adjacent to procedure areas. Due high terrain, aircraft with limited climb capability departing on routes via HMV VORTAC should request clearance to climb on a track of 044° from Boone RBn or 224° from LOM to 4000′ before continuing climb on crs.
♯Runways 4 and 22 only.
**Descent from 5000′ may be made on final after passing HMV VORTAC, R 348°.
°Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—5200′; 090°–270°—6300′; 270°–360°—5200′.

City, Bristol; State, Tenn.; Airport name, Tri-City; Elev., 1,519′; Fac. Class., LOM (MIIW); Ident., TR; Procedure No. 1, Amdt. 8; Eff. date, 16 Apr. 66; Sup. Amdt. No. 7; Dated, 25 July 64

HMV VORTAC	Boone RBn	Direct	6000	T-dn	300–1	300–1	♯200–½
Telford Int	Boone RBn	Direct	3600	C-dn	800–1	800–1½	800–2
Hilton Int	Boone RBn	Direct	5000	S-dn-4°%	600–1	600–1	600–1
Yuma Int	Boone RBn	Direct	4000	A-dn	1000–2	1000–2	1000–2
Unicol Int	Int HMV VORTAC, R 237° and 321° bearing to Boone RBn.	Direct	6000				
Int HMV VORTAC, R 237° and 321° bearing to Boone RBn.	Boone RBn	Direct	6000				
BLA VOR	Int HMV VORTAC, R 320° and 220° bearing to Boone RBn.	Direct	6000				
Int HMV VORTAC, R 320° and 220° bearing to Boone RBn.	Boone RBn	Direct	3600				
LOM	Boone RBn	Direct	3600				

Radar available.
Procedure turn S side of crs, 224° Outbnd, 044° Inbnd, 3600′ within 10 miles.
Minimum altitude over facility on final approach crs, 2700′.
Crs and distance, facility to airport, 044°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing Boone RBn, climb to 3600′ on crs of 044° from Boone RBn within 15 miles or, when directed by ATC, turn right, climb to 3600′ and return direct to Boone RBn.
CAUTION: Abrupt changes in terrain elevations immediately adjacent to procedure areas. Due high terrain, aircraft within limited climb capability departing on routes via HMV VORTAC should request clearance to climb on track of 044° from Boone RBn or 224° from LOM to 4000′ before continuing climb on crs.
♯Runways 4 and 22 only.
°Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—5400′; 090°–180°—7300′; 180°–270°—5900′; 270°–360°—5200′.

City, Bristol; State, Tenn.; Airport name, Tri-City; Elev., 1519′; Fac. Class., HW; Ident., BON; Procedure No. 2, Amdt. 5; Eff. date, 16 Apr. 66; Sup. Amdt. No. 4; Dated, 20 July 63

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition: From—	Transition: To—	Transition: Course and distance	Transition: Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn°%	300–1	300–1	NA
				C-dn	500–1	500–1½	NA
				S-dn-20	400–1	400–1	NA
				A-dn	800–2	800–2	NA

Procedure turn W side of crs, 019° Outbnd, 199° Inbnd, 6000′ within 10 miles.
Minimum altitude over facility on final approach crs, 4900′.
Crs and distance, facility to airport, 199°—2.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles after passing BYI RBn, left-climbing turn direct to BYI RBn. Climb to 6000′ on 019° crs, within 10 miles.
°500–1 required for takeoff on Runways 10, 28, and 24.
%Takeoff all runways—Shuttle climb on the R 272° of the Burley VORTAC within 20 miles to minimum altitude required for direction of flight.

Direction of flight	MCA (feet)
E, V–4	5,500
SE, V–101	8,000

MSA within 25 miles of facility: 000°–090°—6800′; 090°–180°—11,400′; 180°–270°—8700′; 270°–360°—6100′.

City, Burley; State, Idaho; Airport name, Burley Municipal; Elev., 4,150′; Fac. Class., SBH; Ident., BYI; Procedure No. 1, Amdt. 1; Eff. date, 16 Apr. 66; Sup. Amdt. No. Orig.; Dated, 30 Oct. 65

PROCEDURE CANCELED, EFFECTIVE 16 APR. 1966.

City, Milwaukee; State, Wis.; Airport name, General Mitchell Field; Elev., 723′; Fac. Class., LOM; Ident., GM; Procedure No. 2, Amdt. Orig.; Eff. date, 26 Mar. 66

Pendleton VOR	DT LMM	Direct	4200	T-dn%	300–1	300–1	200–½
Pilot Rock VHF Int	DT LMM	Direct	4900	C-dn	500–1	500–1	500–1½
Gardena VHF Int	DT LMM	Direct	4200	A-dn	800–2	800–2	800–2
Helix VHF Int	DT LMM	Direct	4200				

Procedure turn N side of crs, 070° Outbnd, 250° Inbnd, 4200′ within 10 miles of LMM.
(Final approach from holding pattern at PD LOM not authorized, procedure turn required.)
Minimum altitude over PD LOM on final approach crs, 3100′; over DT LMM, 2000′.
Crs and distance, PD LOM to airport, 250°—4.1 miles; DT LMM, 250°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing PD LOM or 0.6 mile after passing DT LMM, climb to 4000′ on crs, 250° Outbnd, 070° Inbnd, within 15 miles of DT LMM or, when directed by ATC, climb to 4000′ direct to PDT VOR, continue climb on R 250° within 15 miles.
%Takeoffs all runways: Climb direct to PDT VOR, thence continue climb on R 234°, PDT VOR within 15 miles so as to cross PDT VOR at or above: Southeastbound, V–4—2500′; southeast bound, V–298—2500′; southwestbound, V–281—2500′.
MSA within 25 miles of facility: 000°–180°—6500′; 180°–270°—4400′; 270°–360°—2800′.

City, Pendleton; State, Oreg.; Airport name, Pendleton Municipal; Elev., 1403′; Fac. Class., LMM; Ident., DT; Procedure No. 1, Amdt. 6; Eff. date, 16 Apr. 66; Sup. Amdt. No. 5; Dated, 17 July 65

Waco VOR	Waco LOM	Direct	1800	T-dn	300–1	300–1	200–½
Brandon Int	Int 185° bearing to LOM and ACT VOR, R 028°.	Direct	1800	C-dn	400–1	500–1	500–1½
Int 185° bearing to LOM and ACT VOR, R 028°.	Waco LOM (final)	Direct	1800	S-dn-18	400–1	400–1	400–1
Bostic Int	Int 005° bearing to LOM and ACT VOR, R 164°.	Direct	2000	A-dn	800–2	800–2	800–2
Int 005° bearing to LOM and ACT VOR, R 164°.	Waco LOM	Direct	2000				

Procedure turn W side of crs, 005° Outbnd, 185° Inbnd, 1800′ within 10 miles.
Minimum altitude over facility on final approach crs, 1800′.
Crs and distance, facility to airport, 185°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing LOM, climb to 2700′ on 185° crs from LOM within 20 miles or, when directed by ATC, (1) turn right, climb to 2000′ proceeding to Waco LOM or (2) turn left, climb to 2000′ and intercept R 136°, Waco VOR within 20 miles.
Other changes: Deletes radar vectoring note. Deletes caution note.
MSA within 25 miles of facility: 090°–180°—2700′; 180°–090°—2100′.

City, Waco; State, Tex.; Airport name, Waco Municipal; Elev., 515′; Fac. Class., LOM; Ident., AC; Procedure No. 1, Amdt. 4; Eff. date, 16 Apr. 66; Sup. Amdt. No. 3; Dated, 6 July 63

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
ADM RBn	ADM VORTAC	Direct	2300	T-dn	300–1	300–1	200–½
DUC VOR	ADM VORTAC	Direct	2600	C-d	700–1	700–1	700–1½
				C-n	700–2	700–2	700–2
				A-dn	800–2	800–2	800–2
				If Autry Int or 7-mile DME Fix received, the following minimums apply:			
				C-dn	500–1	600–1	600–1½

Procedure turn A side of crs, 225° Outbnd, 045° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′; over Autry Int or 7-mile DME Fix, R 045°, 1500′.
Crs and distance, facility to airport, 045°—8.9 miles; Autry Int to airport, 045°—1.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.9 miles after passing ADM VOR, climb to 2700′ on ADM VOR, R 045° within 20 miles.

City, Ardmore; State, Okla.; Airport name, Ardmore Municipal; Elev., 762′; Fac. Class., BVORTAC; Ident., ADM; Procedure No. 1, Amdt. 3; Eff. date, 16 Apr. 66; Sup. Amdt. No. 3, Dated, 3 July 65

OLK VOR	Leo Int	Direct	2600	T-dn	300–1	300–1	300–1
FWA VOR	Parnell Int	Direct	2600	C-dn	700–1	700–1	700–1½
Parnell Int	Leo Int (final)	Direct	2600	A-dn	NA	NA	NA

Radar available.
Procedure turn E side of crs, 196° Outbnd, 016° Inbnd, 2600′ within 10 miles of Leo Int.
Minimum altitude over Leo Int on final approach crs, 2600′.
Crs and distance, Leo Int to airport, 016°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing Leo Int, make right turn, climbing to 2600′, return to Leo Int, or when authorized by ATC, make left turn climbing 2600′, proceed direct to OLK VOR.
NOTES: (1) When authorized by ATC, DME may be used to position aircraft on final approach crs via the 10-mile DME Arc of FWA VOR at 2600′ with the elimination of procedure turn. (2) Obtain altimeter setting from FWA approach control. (3) Dual VOR or VOR and DME required unless Leo Int identified by radar.
MSA within 25 miles of facility: 000°–090°—2700′; 090°–360°—2200′.

City, Auburn; State, Ind.; Airport name, Auburn De Kalb; Elev., 881′; Fac. Class., H-BVORTAC; Ident., FWA; Procedure No. 1, Amdt. 1; Eff. date, 16 Apr. 66; Sup. Amdt. No. Orig.; Dated, 30 Jan. 65

IRL VOR	EWC VOR	Direct	3000	T-dn	500–1	700–1	NA
				C-d	700–1	700–1	NA
				C-n	700–2	700–2	NA
				A-dn	NA	NA	NA

Radar available.
Procedure turn N side of crs, 073° Outbnd, 253° Inbnd, 3000′ within 10 miles.
Minimum altitude over facility on final approach crs, 3000′.
Crs and distance, facility to airport, 253°—8.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.4 miles after passing EWC VOR, make right-climbing turn to 3000′. Return to EWC VOR. Hold ME, 1-minute right turns, 253° Inbnd.
NOTE: No weather service.
NSA within 25 miles of facility: 180°–270°—3900′; 270°–180°—3100′.

City, Beaver Falls; State, Pa.; Airport name, Beaver County; Elev., 1352′; Fac. Class., BVORTAC; Ident., EWC; Procedure No. 1, Amdt. 1; Eff. date, 16 Apr. 66; Sup. Amdt. No. Orig., Dated, 2 May 64

Burley RBn	BYI VOR	Direct	6000	T-dn*%	300–1	300–1	NA
Hazelton Int	BYI VOR (final)	Direct	5300	C-dn	500–1	500–1½	NA
View DME Fix	BYI VOR	Direct	6000	A-dn	800–2	800–2	NA

Procedure turn S side crs, 272° Outbnd, 092° Inbnd, 6000′ within 10 miles.
Minimum altitude over facility on final approach crs, 5300′.
Crs and distance, facility to airport, 103°—4.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing BYI VOR, turn left, climb to 7000′ on R 054° within 20 miles.
NOTE: When authorized by ATC, DME may be used within 10 miles at 6000′ between R 070° clockwise to R 240° and within 20 miles at 6000′ between R 241° clockwise to R 069° to position aircraft on the final approach crs with the elimination of procedure turn.
*500–1 required for takeoff Runways 10, 28, and 24.
%Takeoff all runways: Shuttle climb on the R 272° of the Burley VORTAC within 20 miles to minimum altitude required for direction of flight.

Direction of flight	MCA (feet)
E, V–4	5,500
SE, V–101	8,000

MSA within 25 miles of facility: 000°–090°—6800′; 090°–180°—11,400′; 180°–270°—8700′; 270°–360°—6100′.

City, Burley; State, Idaho; Airport name, Burley Municipal; Elev., 4150′; Fac. Class., BVORTAC; Ident., BYI; Procedure No. 1, Amdt. 7; Eff. date, 16 Apr. 66; Sup. Amdt. No. 6; Dated, 23 Oct. 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn	300–1	300–1	NA
				C-dn	400–1	500–1	NA
				A-dn	800–2	800–2	NA

Procedure turn N side crs, 076° Outbnd, 256° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 256°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing COT VOR, turn left, climb to 2000′ on R 186° within 20 miles.
CAUTION: 560′ unlighted water tower, 0.9 mile WSW, 860′ tower, 5.5 miles ESE of airport.
Other change: Deletes transition from Cotulla RBn.
MSA within 25 miles of facility: 000°–090°—2000′; 090°–180°—1700′; 180°–270°—1900′; 270°–360°—2000′.

City, Cotulla; State, Tex.; Airport name, Municipal; Elev., 471′; Fac. Class., L-BVORTAC; Ident., COT; Procedure No. 1, Amdt. 5; Eff. date, 16 Apr. 66; Sup. Amdt. No. 4; Dated, 8 Feb. 64

Salem VOR	YIP VOR	Direct	2600	T-dn	300–1	300–1	200–½
Carleton VOR	YIP VOR	Direct	2500	C-dn	500–1	500–1	500–1½
				S-d-9	500–1	500–1	500–1
				S-n-9	500–2	500–2	500–2
				A-dn	800–2	800–2	800–2
				Dual VOR minimums; Dual VOR receivers required: #			
				C-dn#	400–1	500–1	500–1½
				S-dn-9#	400–1	400–1	400–1

Radar available.
Procedure turn S side of crs, 282° Outbnd, 102° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′; 1139′ over French Int.
Crs and distance, facility to airport, 102°—7.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.3 miles after passing YIP VOR, make left-climbing turn to 2700′ and proceed to DW LOM.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—2100′; 270°–360°—2600′.

City, Detroit; State, Mich.; Airport name, Detroit Metropolitan-Wayne County; Elev., 639′; Fac. Class., T-VOR; Ident., YIP; Procedure No. 1, Amdt. Orig.; Eff. date, 16 Apr. 66

Border Int	Taylor Int (final)	Direct	1800	T-dn	300–1	300–1	200–½
Carleton VOR	Taylor Int	Direct	2300	C-dn	400–1	500–1	500–1½
YIP VOR	Taylor Int	Direct	2300	S-dn-27	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn S side of crs, 101° Outbnd, 281° Inbnd, 2300′ within 10 miles of Taylor Int.
Minimum altitude over Taylor Int on final approach crs, 1800′.
Crs and distance, Taylor Int to airport, 281°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing Taylor Int, climb to 2300′ and proceed to YIP VOR.
NOTE: Dual VOR equipment or radar identification of Taylor Int required.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—2100′; 270°–360°—2600′.

City, Detroit; State, Mich.; Airport name, Detroit Metropolitan-Wayne County; Elev., 639′; Fac. Class., T-VOR; Ident., YIP; Procedure No. 2, Amdt. Orig.; Eff. date, 16 Apr. 66

PROCEDURE CANCELED, EFFECTIVE 16 APR. 1966.

City, Fayetteville; State, Ark.; Airport name, Drake Field; Elev., 1250′; Fac. Class., BVOR-DME; Ident., FYV; Procedure No. 1, Amdt. 2; Eff. date, 25 Jan. 64; Sup. Amdt. No. 1; Dated, 5 Oct. 63

FYV VOR	DAK VOR	Direct	3000	T-dn	500–2	500–2	500–2
Decatur Int	DAK VOR	Direct	3000	C-dn	800–2	800–2	800–2
Gentry Int	DAK VOR	Direct	3000	A-dn	1000–2	1000–2	1000–2
Elkins Int	DAK VOR	Direct	3000				
Lincoln Int	DAK VOR	Direct	3000				

Procedure turn W side of crs, 321° Outbnd, 141° Inbnd, 3000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2200′.
Crs and distance, facility to airport, 141°—2.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles after passing DAK VOR, climb to 3000′ on R 179° of the DAK VOR within 15 miles.
NOTE: Sliding scale not authorized.
MSA within 25 miles of facility: 090°–180°—3500′; 180°–090°—3100′.

City, Fayetteville; State, Ark.; Airport name, Fayetteville Municipal (Drake Field); Elev., 1250′; Fac. Class., T-BVOR; Ident., DAK; Procedure No. 2, Amdt. 4; Eff. date, 16 Apr. 66; Sup. Amdt. No. 3; Dated, 5 Feb. 66

North Plains VHF Int	UBG VOR	Direct	3000	T-dn	500–1	500–1	500–1
Oswego VHF Int	UBG VOR	Direct	3000	C-d	1000–1	1000–1	1000–1½
Aurora VHF Int	UBG VOR	Direct	3000	C-n	1000–2	1000–2	1000–2
Gladstone VHF Int	UBG VOR	Direct	3500	A-dn*	NA	NA	NA

Procedure turn W side of crs, 166° Outbnd, 346° Inbnd, 2700′ within 10 miles.
Final approach from holding pattern at UBG VOR not authorized, procedure turn required.
Minimum altitude over facility on final approach crs, 2400′.
Crs and distance, facility to airport, 346°—11.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing UBG VOR, turn right to crs, to intercept UBG VOR, R 014° thence direct to UBG VOR climbing to 2700′. Operations from 6 miles to airport must be conducted in accordance with visual flight rules.
CAUTION: VOR reception not available over the airport below 700′.
*No public weather service. Air carrier use not authorized.
MSA within 25 miles of facility: 000°–180°—3100′; 180°–270°—4500′; 270°–360°—4600′.

City, Hillsboro; State, Oreg.; Airport name, Portland-Hillsboro; Elev., 204′; Fac. Class., H-BVORTAC; Ident., UBG; Procedure No. 1, Amdt. 3; Eff. date, 16 Apr. 66; Sup. Amdt. No. 2; Dated, 25 Sept. 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300–1	300–1	NA
				C-dn	700–1	700–1	NA
				S-dn-18	700–1	700–1	NA
				A-dn	NA	NA	NA

Procedure turn W side of crs, 351° Outbnd, 171° Inbnd, 3000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′.
Crs and distance, facility to airport, 171°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing FYV VOR, turn left, climbing to 3000′, return to FYV VOR.
NOTE: No weather reporting service available.
MSA within 25 miles of facility: 090°–180°—3500′; 180°–090°—3000′.

City, Springdale; State, Ark.; Airport name, Springdale Municipal; Elev., 1352′; Fac. Class., H-BVORTAC; Ident., FYV; Procedure No. 1, Amdt. 1; Eff. date, 16 Apr. 66; Sup. Amdt. No. Orig.; Dated, 27 July 63

20-mile DME Fix, R 013°	ACT VOR	Direct	2000	T-dn	300–1	300–1	300–1½
5.4-mile DME Fix, R 321°	ACT VOR (final)	Direct	1400	C-dn	400–1	500–1	500–1½
				S-dn-14	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn W side of crs, 321° Outbnd, 141° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1400′.
Crs and distance, facility to airport, 141°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing ACT VOR, climb to 2000′ on R 136° within 20 miles or, when directed by ATC, turn right, climb to 2000′ on R 187° within 20 miles, or turn right, climb to 2000′ and return to ACT VOR.
NOTE: When authorized by ATC, DME may be used to orbit W of the R 187° and R 028° at 8 miles from the VOR at 2000′ for a final approach with the elimination of a procedure turn.
MSA within 25 miles of facility: 090°–180°—2700′; 180°–090°—2100′.

City, Waco; State, Tex.; Airport name, Waco Municipal; Elev., 515′; Fac. Class., BVORTAC; Ident., ACT; Procedure No. 1, Amdt. 9; Eff. date, 16 Apr. 66; Sup. Amdt. No. 8; Dated, 19 Feb. 66

				T-dn	300–1	300–1	NA
				C-d	1000–1	1000–1	NA
				C-n	1000–2	1000–2	NA
				S-dn	NA	NA	NA
				A-dn*	NA	NA	NA

Procedure turn S side of crs, 080° Outbnd, 260° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 260°—10.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 10.2 miles after passing MEM VORTAC, make right turn, climb to 1800′ on R 272°, proceed direct Edmondson Int, and hold W, R 272°, 002° Inbnd, right turns, 1-minute pattern.
NOTES: (1) Altimeter setting transmitted from Memphis Metropolitan Airport. (2) Runways 18-36 unlighted. (3) Aircraft will cancel IFR with MEM APC prior to landing or upon reaching VFR conditions. (4) Aircraft will not take off under IFR conditions without prior ATC approval.
*Nearest weather observation at Memphis Metropolitan Airport.
MSA within 25 miles of facility: 000°–090°—2400′; 090°–180°—1700′; 180°–270°—1600′; 270°–360°—1800′.

City, Walls; State, Miss.; Airport name, Twinkle Town; Elev., 210′; Fac. Class., H-BVORTAC; Ident., MEM; Procedure No. 1, Amdt. Orig.; Eff. date, 16 Apr. 66

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn*	300–1	300–1	200–½
				C-dn	700–1	700–1	700–1½
				A-dn	800–2	800–2	800–2
				After passing the 6-mile Radar Fix, Inbnd on crs, the following minimums are authorized:			
				C-dn	500–1	500–1	500–1½
				S-dn-1	500–1	500–1	500–1

Radar available.
Procedure turn E side of crs, 195° Outbnd, 015° Inbnd, 2200′ within 10 miles.
Minimum altitude over facility on final approach crs, 968′; after passing 6-mile Radar Fix, 786′.
Facility on airport. Crs and distance, breakoff point to runway, 011°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished when over ALB VOR, climb to 3000′ on R 026° to Bemis Int. Hold N of Bemis Int, 1-minute, right turns, 206° Inbnd.
NOTE: Final approach from a holding pattern not authorized. Procedure turn required.
*300–1 required for takeoffs on Runways 10, 28, 15, and 33.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—4000′; 180°–270°—3600′; 270°–360°—3500′.

City, Albany; State, N.Y.; Airport name, Albany County; Elev., 288′; Fac. Class., BVORTAC; Ident., ALB; Procedure No. TerVOR-1, Amdt. 9; Eff. date, 16 Apr. 66; Sup. Amdt. No. 8; Dated, 19 Mar. 66

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300–1	300–1	200–½
				Minimums when control zone effective:			
				C-d#	500–1	500–1	500–1½
				C-n#	500–1½	500–1½	500–1½
				S-dn#	500–1	500–1	500–1
				A-dn#	800–2	800–2	800–2
				Minimums when control zone not effective:			
				C-d	900–1	900–1	900–1½
				C-n	900–1½	900–1½	900–1½
				S-dn	900–1	900–1	900–1
				A-dn	NA	NA	NA

Procedure turn W side of crs, 313° Outbnd, 133° Inbnd, 2900′ within 10 miles.
Minimum altitude over facility on final approach crs, 2350′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2900′ on R 133° within 10 miles, return to DVL VOR, hold NW on R 313°.
NOTE: Obtain Grand Forks altimeter setting when control zone not effective.
CAUTION: Runways 3–21, 8–26 unlighted.
#These minimums apply at all times for those air carriers with approved weather reporting services.
MSA within 25 miles of facility: 000°–360°—3100′.

City, Devils Lake; State, N. Dak.; Airport name, Devils Lake Municipal; Elev., 1450′; Fac. Class., BVOR; Ident., DVL; Procedure No. TerVOR-13, Amdt. 1; Eff. date, 16 Apr. 66; Sup. Amdt. No. Orig.; Dated, 3 Mar. 66

Williams VOR	MYV VOR	Direct	2500	T-dn%	300–1	300–1	200–½
Yuba Int	MYV VOR	Direct	2500	C-dn	600–1	600–1	600–1½
Grimes Int	MYV VOR	Direct	2500	S-dn-14	600–1	600–1	600–1
Chico VOR	Live Oak Int	Direct	2500	A-dn	800–2	800–2	800–2
Live Oak Int	Sullivan Int (final)	Direct	700	If Sullivan Int received, the following minimums apply:			
				S-dn-14	500–1	500–1	500–1
				C-dn	500–1	500–1	500–1½

Radar available.
Procedure turn E side of crs, 325° Outbnd, 145° Inbnd, 1500′ within 10 miles.
Minimum altitude over Sullivan Int on final approach crs, 700′.
Facility on airport. Crs and distance, Sullivan Int to VOR, 145°—5.8 miles. Breakoff point to runway, 139°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing MYV VOR, turn right, climb to 2000′ on MYV VOR, R 326° within 15 miles.
%Takeoffs all runways: Westbound to Yuba Int, climb on MYV, R 135° or MYV, R 325° within 10 miles to cross VOR at or above 1500′, then continue climb on MYV, R 262°, MCA V23, 3000′ northwestbound. On crs climb authorized direct Chico VOR and direct Grimes Int.
MSA within 25 miles of facility: 000°–090°—4000′; 090°–180°—2700′; 180°–270°—2500′; 270°–360°—3500′.

City, Marysville; State, Calif.; Airport name, Yuba County; Elev., 63′; Fac. Class., T-BVOR; Ident., MYV; Procedure No. VOR-14, Amdt. 1; Eff. date, 16 Apr. 66; Sup. Amdt. No. Orig.; Dated, 14 Aug. 65

Williams VOR	MYV VOR	Direct	2500	T-dn%	300–1	300–1	200–½
Grimes Int	MYV VOR	Direct	2500	C-dn	500–1	500–1	500–1½
Yuba Int	MYV VOR	Direct	2500	S-dn-32	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2
				If Plumas Int received the following minimums apply:			
				C-dn	400–1	400–1	400–1½
				S-dn-32	400–1	400–1	400–1

Radar available.
Procedure turn E side of crs, 135° Outbnd, 315° Inbnd, 1500′ within 10 miles.
Minimum altitude over Plumas Int on final approach crs, 600′.
Facility on airport. Crs and distance, Plumas Int to VOR, 315°—4 miles. Breakoff point to runway, 319°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing MYV VOR, climb to 2000′ on MYV VOR, R 325° within 15 miles.
%Takeoffs all runways: Westbound to Yuba Int, climb on MYV, R 135° or MYV, R 325° within 10 miles to cross VOR at or above 1500′, then continue climb on MYV, R 262°, MCA V23, 3000′ northwestbound. On crs climb authorized direct Chico VOR and direct Grimes Int.
MSA within 25 miles of facility: 000°–090°—4000′; 090°–180°—2700′; 180°–270°—2500′; 270°–360°—3500′.

City, Marysville; State, Calif.; Airport name, Yuba County; Elev., 63′; Fac. Class., T-BVOR; Ident., MYV; Procedure No. VOR-32, Amdt. 1; Eff. date, 16 Apr. 66; Sup. Amdt. No. Orig.; Dated, 14 Aug. 65

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
MZZ VOR	MIE VOR	Direct	2400	Minimums when control zone effective:			
OKK VOR	MIE VOR	Direct	2400	T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				S-dn-14	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2
				VOR/ADF minimums, VOR and ADF receivers required:			
				C-dn	400–1	500–1	500–1½
				S-dn-14	400–1	400–1	400–1
				Minimums when control zone not effective:			
				T-dn	300–1	300–1	200–½
				C-dn	600–1	600–1	600–1½
				S-dn-14	600–1	600–1	600–1
				A-dn**	NA	NA	NA
				VOR/ADF minimums, VOR and ADF receivers required:			
				C-dn	500–1	500–1	500–1½
				S-dn	500–1	500–1	500–1

Radar available.
Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 2400′ within 10 miles.
Minimum altitude over Gaston Int on final approach crs, 1437′ (*1537′ when control zone not effective).
Crs and distance, Gaston Int to airport, 140°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MIE VOR, climb to 2500′ on MIE, R 140° within 10 miles, make left turn and return to MIE VOR.
NOTE: When control zone not in effect, obtain altimeter setting from Indianapolis FSS.
CAUTION: Unlighted, 106′ (1043′) powerline, one-half mile northwest Runway 14.
**Alternate minimums authorized only when control zone in effect or for air carrier with approved weather service.
MSA within 25 miles of facility: 000°–360°—2500′.

City, Muncie; State, Ind.; Airport name, Delaware County-Johnson Field; Elev., 937′; Fac. Class., L-BVOR; Ident., MIE; Procedure No. TerVOR-14, Amdt. 1; Eff. date, 16 Apr. 66; Sup. Amdt. No. Orig.; Dated, 19 Mar. 66

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots

PROCEDURE CANCELED, EFFECTIVE 16 APR. 1966.

City, Ardmore; State, Okla.; Airport name, Ardmore Municipal; Elev., 762′; Fac. Class., L-BVORTAC; Ident., ADM; Procedure No. VOR-DME, No. 1, Amdt. Orig.; Eff. date, 25 Dec. 65

North Plains Int/11-mile DME Fix, R 334°	UBG VOR	Direct	3000	T-dn	500–1	500–1	500–1
Oswego Int/11-mile DME Fix, R 048°	UBG VOR	Direct	3000	C-d	1000–1	1000–1	1000–1½
Aurora Int/10-mile DME Fix, R 111°	UBG VOR	Direct	3000	C-n	1000–2	1000–2	1000–2
10-mile DME Fix, R 183°	5-mile DME Fix, R 183	Direct	2700	A-dn*	NA	NA	NA
5-mile DME Fix, R 183°	UBG VOR (final)	Direct	2400				
Gladstone Int/17-mile DME Fix, R 085°	UBG VOR	Direct	3500				

Procedure turn W side of crs, 166° Outbnd, 346° Inbnd, 2700′ within 10 miles.
Final approach from holding pattern at UBG VOR not authorized, procedure turn required.
Minimum altitude over facility on final approach crs, 2400′.
Crs and distance, facility to airport, 346°—11.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing UBG VOR, or at the 6-mile DME Fix, R 346°, turn right to crs, 110° to intercept UBG VOR, R 014° thence direct to UBG VOR climbing to 2700′. Operations from 6 miles to airport must be conducted in accordance with visual flight rules.
CAUTION: VOR reception not available over airport below 700′.
*No public weather service. Air carrier use not authorized.
MSA within 25 miles of facility: 000°–180°—3100′; 180°–270°—4500′; 270°–360°—4600′.

City, Hillsboro; State, Oreg.; Airport name, Portland-Hillsboro; Elev., 204′; Fac. Class., H-BVORTAC; Ident., UBG; Procedure No. VOR/DME No. 1, Amdt. 2; Eff. date, 16 Apr. 66; Sup. Amdt. No. 1; Dated, 25 Sept. 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
MIA VOR	5-mile DME or Radar Fix on R 108° or Alligator VHF/LF Int (final).	Direct	1000	T-dn	300–1	300–1	200–½
				C-d	1000–1	1000–1	1000–1½
				C-n	1000–2	1000–2	1000–2
				A-dn	NA	NA	NA
				If 5-mile DME or Radar Fix on R 108° or Alligator VHF/LF Int received, the following minimums are authorized:			
				C-dn	500–1	500–1	500–1½
				S-dn-9L/	400–1	400–1	400–1

Radar available.
Procedure turn N side of crs, 316° Outbnd, 136° Inbnd, 1500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′; at 5-mile DME or Radar Fix on R 108° or Alligator VHF/LF Int, 1000′.
Crs and distance, facility to airport, 108°—9.8 miles; 5-mile DME or Radar Fix on R 108° or Alligator VHF/LF Int to airport, 108°—4.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing 5-mile DME or Radar Fix on R 108° or Alligator VHF/LF Int, or 9.8 miles after passing MIA VOR, climb to 1500′ on R 108° within 20 miles.
NOTE: This approach authorized during Opa Locka lower hours of operation.
#400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—1500′; 180°–270°—1700′; 270°–360°—1200′.

City, Miami; State, Fla.; Airport name, Opa Locka; Elev., 9′; Fac. Class., H-VORTAC; Ident., MIA; Procedure No. VOR/DME No. 1, Amdt. 5; Eff. date, 16 Apr. 66; Sup. Amdt. No. 4; Dated, 15 Aug. 64

Gardena Int	PDT VOR	Direct	3500	T-dn%	300–1	300–1	200–½
Pilot Rock Int	PDT VOR	Direct	4900	C-dn	500–1	800–1	800–1½
Echo Int	PDT VOR	Direct	3500	S-dn-7#	400–1	400–1	400–1
Cold Springs Int	PDT VOR	Direct	3500	A-dn	800–2	800–2	800–2
Mission Int	PDT VOR	Direct	3500				

Procedure turn N side of crs, 253° Outbnd, 073° Inbnd, 3500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2500′.
Crs and distance, facility to airport, 073°—3.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing PDT VOR, make left-climbing turn direct to PDT VOR, continue climb to 4000′ on R 253° within 10 miles of PDT VOR.
NOTE: When authorized by ATC, DME may be used within 8 miles at 3500′ to position aircraft for straight-in approach with elimination of the procedure turn.
#400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
C/Takeoffs all runways: Unless otherwise directed by ATC, the following departure procedure is recommended to insure adequate terrain and obstruction clearance: Climb direct to PDT VORTAC, thence continue climb on R 234°, PDT VORTAC within 15 miles so as to cross PDT VORTAC at or above: Southeastbound, V–4—2500′; Southeastbound, V–298—2500′; Southwestbound, V–281—2500′.
MSA within 25 miles of facility: 000°–090°—5100′; 090°–180°—6400′; 180°–270°—5100′; 270°–360°—2800′.

City, Pendleton; State, Orig.; Airport name, Pendleton Municipal; Elev., 1493′; Fac. Class., H-BVORTAC; Ident., PDT; Procedure No. VOR/DME No. 1, Amdt. 8; Eff. date, 16 Apr. 66; Sup. Amdt. No. 7; Dated, 5 Feb. 66

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Holston Mountains VORTAC	Int BLA, R 200° and 310° bearing to LOM.	Direct	6000	T-dn	300–1	300–1	**200–½
				C-dn	800–1	800–1½	800–2
Int BLA, R 200° and 310° bearing to LOM.	LOM (MHW)	Direct	3600	S-dn-22#%	400–¾	400–¾	400–¾
Telford Int	LOM (MHW)	Direct	3600	A-dn	800–2	800–2	800–2
Yuma Int	LOM (MHW)	Direct	4000				
Hilton Int	LOM (MHW)	Direct	5000				
Greendale Int	LOM (final) ##	Direct	5000				
Damascus Int	Int HMV, R 008° and 271° bearing to LOM.	Direct	6000				
Int HMV, R 008° and 271° bearing to LOM.	LOM (MHW)	Direct	3600				
BON RBn	LOM (MHW)	Direct	3600				

Radar available.
Procedure turn E side of crs, 044° Outbnd, 224° Inbnd, 3600′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude at glide slope interception Inbnd, 3600′.##
Altitude of glide slope and distance to approach end of runway at OM, 3462′—6 miles; at MM, 1742′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing LOM, climb to 4000′ on crs, 224° from LOM within 20 miles or, when directed by ATC, turn right, climb to 4000′ on HMV, R 293° to Yuma Int.
CAUTION: Abrupt changes in terrain elevations adjacent to procedure areas NW. Due high terrain, aircraft with limited climb capability departing on routes via HMV VORTAC should request clearance to climb on a track of 044° from Boone RBn or 224° from LOM to 4000′ before continuing climb on crs.
**Runways 4 and 22 only.
C/600–1 required when glide slope not utilized and aircraft must maintain 2400′ or above until passing Beaver Int. 400–1 required when approach lights inoperative.
#Reduction not authorized.
##Descent from 5000′ may be made on glide slope or SW of HMV VORTAC, R 348° on final.

City, Bristol; State, Tenn.; Airport name, Tri-City; Elev., 1519′; Fac. Class., ILS; Ident., I-TRI; Procedure No. ILS–22, Amdt. 9; Eff. date, 16 Apr. 66; Sup. Amdt. No. 8; Dated, 25 July 64

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Mason Int	Madeira RBn (final)	Direct	2700	T–dn#	600–1	600–1	600–1
Hamilton Int	Madeira RBn	Direct	2700	C–dn	800–1	800–1	800–1½
Alexandria Int	Madeira RBn	Direct	2700	S–dn–20L*	400–1	400–1	400–1
CVG VOR	Madeira RBn	Direct	2700	A–dn	800–2	800–2	800–2
Scott DME Int	Madeira RBn	Direct	2700				

Radar available.
Procedure turn S side of crs, 021° Outbnd, 201° Inbnd, 2700′ within 10 miles of Madeira RBn.
Crs and distance, Madeira RBn to airport, 201°—7.2 miles.
Minimum altitude at glide slope interception Inbnd, 2700′.
Altitude of glide slope and distance to approach end of runway at OM, 1484′—3.3 miles; at MM, 666′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.2 miles after passing Madeira RBn, climb to 2700′ to California Int on 201° heading to intercept CVG, R 105°. Proceed to California Int. Hold E. 1-minute left turns, 285° Inbnd.
*500–1 required with glide slope inoperative—visibility reduction below ¾ mile not authorized.
#300–1 takeoff authorized Runways 2R and 6, 400–1 takeoff authorized Runways 20L and 24.

City, Cincinnati; State, Ohio; Airport name, Cincinnati Municipal-Lunken Field; Elev., 488′; Fac. Class., ILS; Ident., I-LUK; Procedure No. ILS–20L, Amdt. Orig.; Eff. date, 16 Apr. 66

Des Moines VOR	LOM	Direct	2400	T–dn*	300–1	300–1	200–½
Ankeny Int	LOM	Direct	2500	C–dn	400–1	500–1	500–1½
Grimes Int	LOM	Direct	2500	S–dn–30**#	300–¾	300–¾	300–¾
Elkhart Int	LOM	Direct	2500	A–dn	600–2	600–2	600–2
Mine Int	LOM (final)	Direct	2400				
Beech Int	Mine Int	Direct	2400				
TNU VOR	Swan Int	Direct	2500				
Swan Int	Mine Int	Direct	2400				

Radar available.
Procedure turn E side of crs, 125° Outbnd, 305° Inbnd, 2400′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2400′.
Altitude of glide slope and distance to approach end of runway at OM, 2871′—4.3 miles; at MM, 1183′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing LOM, climb to 2600′ on 305° bearing from LOM, turn left, proceed direct to DSM VOR or, when directed by ATC, climb to 3000′, proceed to Grimes Int via 305° bearing from LOM and DSM VOR, R 331°.
CAUTION: 1546′ tower, 3.2 miles NNE of airport.
**400–1 required when glide slope not utilized, reduction not authorized.
*When 1546′ tower not visible on takeoff NW or NE, climb to 2100′ prior to turning toward tower.
#300′ required. RVR 4000′ authorized in lieu of ¾-mile visibility. Reduction not authorized.

City, Des Moines; State, Iowa; Airport name, Des Moines Municipal; Elev., 957′; Fac. Class., ILS; Ident., I-DSM; Procedure No. ILS–30, Amdt. 8; Eff. date, 16 Apr. 66; Sup. Amdt. No. 7; Dated, 26 Mar. 66

FI LFR	Cache Int	Direct	2400	T–dn	300–1	300–1	200–½
AI LMM	Cache Int	Direct	2400	C–dn*	400–1	500–1	500–1½
FAI VOR	Cache Int	Direct	2600	S–dn–19#	400–1	400–1	400–1
Wood Int	Cache Int	Direct	1500	A–dn	800–2	800–2	800–2
ENN VORTAC	Wood Int	Direct	2600				

Procedure turn E side of crs, 190° Outbnd, 010° Inbnd, 2400′ within 10 miles of Cache Int.
No glide slope, outer marker, or middle marker.
Minimum altitude over Cache Int, 1500′; over Ester Int, 1000′.
Crs and distance, Cache Int to airport, 010°—5.2 miles; Ester Int to airport, 010°—1.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles after passing Ester Int, turn right, climb to 2400′ proceeding direct to FI LFR, then on E crs (090°) to Chena Int.
#400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
*All maneuvering E of airport: 800′ terrain within 1½ miles W of airport rising to 1000′ within 2 miles.

City, Fairbanks; State, Alaska; Airport name, Fairbanks International; Elev., 434′; Fac. Class., ILS; Ident., I-FAI; Procedure No. ILS–1 (back crs), Amdt. 5; Eff. date, 16 Apr. 66; Sup. Amdt. No. 4; Dated, 1 Jan. 66

PROCEDURE CANCELED, EFFECTIVE 16 APR. 1966.

City, Milwaukee; State, Wis.; Airport name, General Mitchell Field; Elev., 723′; Fac. Class., ILS; Ident., I-GMF; Procedure No. ILS–7R, Amdt. Orig.; Eff. date, 26 Mar. 66

Monroe VOR	LOM	Direct	1400	T–dn	300–1	300–1	200–½
				C–dn	400–1	500–1	500–1½
				S–dn–4	200–½	200–½	200–½
				A–dn	600–2	600–2	600–2

Procedure turn S side of crs, 219° Outbnd, 039° Inbnd, 1400′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude at glide slope interception Inbnd, 1200′.
Altitude of glide slope and distance to approach end of runway at OM, 1187′—4.2 miles; at MM, 256′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing LOM, climb to 1600′ on NE crs ILS within 20 miles.
NOTES: (1) 7-mile DME Arc 1600′ authorized radially 067° clockwise through 292° from the Monroe VOR to intercept final approach crs eliminating procedure turn. (2) Missed approach decision height, 339′ due glide slope restriction.

City, Monroe; State, La.; Airport name, Monroe Municipal; Elev., 79′; Fac. Class., ILS; Ident., I-MLU; Procedure No. ILS–4, Amdt. 6; Eff. date, 16 Apr. 66; Sup. Amdt. No. 5; Dated, 12 Dec. 64

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Pendleton VOR	LOM	Direct	4600	T–dn%	300–1	300–1	200–½
Pilot Rock Int	LOM	Direct	4900	C–dn	800–1	500–1	500–1½
Mission Int	LOM	Direct	4600	S–dn–25R*	200–½	200–½	200–½
Gardena Int	LOM	Direct	4600	A–dn	600–2	600–2	600–2
Helix VHF Int	LOM	Direct	4600				

Procedure turn N side of crs, 070° Outbnd, 250° Inbnd, 4600′ within 10 miles.
(Final approach from holding pattern at PD LOM not authorized, procedure turn required.)
Minimum altitude at glide slope interception Inbnd, 3700′.
Altitude of glide slope and distance to approach end of runway at OM, 2750—4.1 miles; at MM, 1725—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing LOM, climb to 4000′ direct to PDT VOR, continue climb on R 250° within 15 miles or, when directed by ATC, climb to 4000′ on crs, 250° Outbnd, 070° Inbnd, within 15 miles of DT LMM.
%Takeoffs all runways: Unless otherwise directed by ATC, the following departure procedure is recommended to insure adequate terrain and obstruction clearance: Climb direct to PDT VOR, thence continue climb on R 234°, PDT VOR within 15 miles so as to cross PDT VOR at or above: Southeastbound, V–4—2800′; southeastbound, V–208—2500′; southwestbound, V–281—2500′.
*Procedure not authorized with glide slope inoperative.

City, Pendleton; State, Oreg.; Airport name, Pendleton Municipal; Elev., 1493′; Fac. Class., ILS; Ident., I-PDT; Procedure No. ILS–25R, Amdt. 10; Eff. date, 16 Apr. 66; Sup. Amdt. No. 9; Dated, 4 Dec. 65

Bostonia Int	Sweetwater Int	Direct	3700	T–dn#	300–1	300–1	200–½
Sweetwater Int	Encanto Int (final)	Direct	1600	C–dn	800–2	800–2	800–2
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn not authorized. Final approach crs Inbnd, 272°.
Minimum altitude over Encanto Int on final approach crs, 1600′.
Crs and distance, Encanto Int to airport, 272°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles after passing Encanto Int, turn right, climb to 2500′ on SAN VOR, R 324° to Mount Dad Int, or when directed by ATC, climb to 1500′ on localizer crs to Sargo Int.
NOTE: When authorized by ATC, DME may be used at 13 miles from SAN VOR at 3700′ from SAN, R 076° clockwise to R 103°/localizer back crs to position aircraft on localizer back crs for a straight-in approach.
CAUTION: Buildings and terrain, 469′—0.5 mile E of airport.
#500–1 required for takeoff Runway 9.

City, San Diego; State, Calif.; Airport name, San Diego International-Lindberg Field; Elev., 15′; Fac. Class., ILS; Ident., I-SAN; Procedure No. ILS–27 (back crs), Amdt. 8; Eff. date, 16 Apr. 66; Sup. Amdt. No. 4; Dated, 10 Oct. 64

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on March 11, 1966.

GORDON A. WILLIAMS, Jr.,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–5149; Filed, May 10, 1966; 8:49 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that the position of Deputy Assistant Secretary for International Affairs is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (5) is added to paragraph (h) of § 213.3316 as set out below.

§ 213.3316 **Department of Health, Education, and Welfare.**

• • • • • •

(h) *Office of the Assistant Secretary for Health and Scientific Affairs.* • • •

(5) One Deputy Assistant Secretary for International Activities.

• • • • • •

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5145; Filed, May 10, 1966; 8:49 a.m.]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that an additional position of Confidential Assistant to the Assistant Secretary for Education is excepted under Schedule C. Effective upon publication in the FEDERAL REGISTER, subparagraph (1) of paragraph (j) of § 213.3316 is amended as set out below.

§ 213.3316 **Department of Health, Education, and Welfare.**

• • • • • •

(j) *Office of the Assistant Secretary for Education.* (1) Two Confidential Assistants to the Assistant Secretary for Education.

• • • • • •

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5146; Filed, May 10, 1966; 8:49 a.m.]

PART 213—EXCEPTED SERVICE

General Accounting Office

Section 213.3323 is revoked to reflect the fact that the three positions formerly included thereunder are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3323 is revoked in its entirety.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5144; Filed May 10, 1966; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1966 and Subsequent Crops Dry Edible Bean Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops Dry Edible Bean Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support operations are supplemented for the 1966 and subsequent crops of dry edible beans as follows:

Sec
1421.2460 Purpose.
1421.2461 Availability.
1421.2462 Eligible beans.
1421.2463 Determination of quality.
1421.2464 Determination of quantity for loans.
1421.2465 Warehouse receipts.
1421.2466 Warehouse charges and packaging.
1421.2467 Fees and charges.
1421.2468 Maturity of loans.
1421.2469 Inspection certificates.
1421.2470 Settlement.
1421.2471 Storage in-transit.
1421.2472 Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2460 Purpose.

This supplement contains program provisions which, together with the annual dry edible bean crop year supplement, and the provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) and any amendments thereto or revisions thereof, and the Cooperative Marketing Association Eligibility Requirements for Price Support in Part 1425 of this chapter and any amendments thereto or revisions thereof, apply to loans and purchases for the 1966 and subsequent crops of dry edible beans.

§ 1421.2461 Availability.

Producers desiring price support for dry edible beans must obtain their loans or notify the ASCS County Office of intentions to sell to CCC no later than the dates set forth in the applicable annual crop-year supplement to the regulations contained in this part.

§ 1421.2462 Eligible beans.

(a) *General.* To be eligible for price support, the beans must be merchantable for use as food or feed or for other use, as determined by CCC, and must meet the additional requirements of this section.

(1) *Classes.* The beans must be dry edible beans of the classes Pea, Medium White, Great Northern, Small White, Flat Small White, Pink, Small Red, Pinto, Dark Red Kidney, Light Red Kidney, Western Red Kidney, Large Lima, and Baby Lima.

(2) *Contamination and poisonous substances.* The beans must not be contaminated by rodents, birds, insects, or other vermin or contain mercurial compounds or other substances poisonous to man or animals.

(b) *Warehouse stored.* To be eligible as security for a warehouse storage loan, the beans must also be (1) stored in an approved warehouse, and (2) represented by warehouse receipts (or warehouse receipts and supplemental certificates) for beans grading No. 2 or better and containing not more than 18 percent moisture.

§ 1421.2463 Determination of quality.

(a) *Quality.* The class, grade, and all other quality factors shall be in accordance with the Official U.S. Standards for Beans, whether or not such determinations are made on the basis of an official inspection.

(b) *Warehouse storage.* If the beans are stored in an approved warehouse, loans will be made on the class, grade, and quality of beans specified on the warehouse receipt, or supplemental certificate, if applicable, representing such beans.

§ 1421.2464 Determination of quantity for loans.

(a) *In warehouse*—(1) *Commingled.* The amount of a loan on eligible beans stored commingled in an approved warehouse shall be based on the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable, representing such beans.

(2) *Identity preserved.* The amount of a loan on a quantity of eligible beans stored identity preserved in an approved warehouse shall be based on a percentage, as determined by the State committee, of the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable, representing such beans. Such percentage shall not exceed 95 percent of the net weight so specified. The State committee's determination shall be made on a Statewide basis or for specified areas within the State. The county committee may lower such percentage on an individual basis when determined by it to be in the best interest of CCC.

(b) *On farm.* Amount of a loan on a quantity of beans stored in approved farm storage shall be determined in accordance with § 1421.67 on the basis of a percentage of the estimated net weight of the beans so stored, or, if the beans have not been processed, on the basis of a percentage of the estimated net weight of the sound beans so stored as determined by an inspection by a representative of the county committee. Such quantity shall be expressed in whole units of 100 pounds.

§ 1421.2465 Warehouse receipts.

(a) *General.* Warehouse receipts representing beans in approved warehouse storage placed under warehouse storage loan, or delivered in satisfaction of a farm storage loan or for purchase must meet the requirements of this section and the General Regulations Governing Price Support for 1964 and Subsequent Crops as amended or revised.

(b) *Grade and class.* A separate warehouse receipt must be submitted for each grade and class of beans.

(c) *Entries.* Each warehouse receipt, or supplemental certificate properly identified with the warehouse receipt, must show (1) net weight, (2) class, (3) grade, (4) whether the beans will be packaged in jute or paper bags on delivery, and (5) in the case of "identity preserved" beans, the warehouse receipt shall show the lot number, and must be accompanied by a supplemental certificate executed by the producer in which he assumes responsibility for any loss in the quantity or quality of beans shown thereon to the extent provided in the program regulations. When beans stored on a commingled basis have not been processed prior to issuance of the warehouse receipt, the warehouse receipt or the supplemental certificate must also show the gross weight, moisture, and percentage of total defects of the beans received and the quantity and quality which the warehouseman guarantees to deliver.

§ 1421.2466 Warehouse charges and packaging.

(a) *Warehouse charges.* Prior to the time that the beans are placed under warehouse-storage loans, or acquired by CCC, the producer shall arrange for payment of storage, bagging, processing, inspection, and all other charges (except receiving and loading out charges in the warehouse in which the beans are acquired by CCC) accruing through the maturity date for loans. Such charges shall include the cost of movement to a normal railroad shipping point if the warehouse is not located on a railroad, and any unpiling, turning, repiling, or other charges, except loading out charges incident to official weight and grade determinations on identity-preserved beans. CCC will assume warehouse storage charges in accordance with the Bean Storage Agreement accruing after the maturity date for loans for beans acquired by CCC.

(b) *Packaging.* The producer must arrange for the beans to be packaged 100 pounds net weight in new jute or multiwall paper bags prior to their delivery to CCC. Bags must be marked to show the commodity name and class, the net weight, and the name and address of the packer. The bags in which the beans are packed must meet the specifications of subparagraph (1) or (2) of this paragraph:

(1) *Jute bags.* The bags must be made of 36 inch, extra quality 10.4 ounce or heavier jute. Bag seams must be as strong as the full strength of the cloth.

(2) *Multiwall paper bags.* Paper bags must meet the requirements of Federal Specification UU–S–48 as supplemented. The walls shall be either Class A Heavy Duty Shipping Sack Kraft or Class F Heavy Duty Extensible Shipping Sack Kraft Papers. The bag shall be open-mouth style constructed of four walls of either 2/50# and 2/60# 220 pounds total basis weight Class A paper or 4/50# 200 pounds total basis weight Class F paper. The outer wall shall be treated (mechanically or chemically) for antiskid properties. The bottom and top of the bag shall be closed by sewing through all walls with 12/6 needle and 12/5 cotton looper thread, or with a single thread chain stitch, Type 101, with a 12/6 cotton thread (other threads of equivalent strength are permitted). Stitches shall be spaced 3.0 to 3.6 to the inch. The manufactured end of the bag shall be sewn at a depth of not less than three-eighths inch nor more than three-fourths inch and shall incorporate a 2⅛-inch minimum width 70-pound nominal basis weight, flat, creped, or extensible kraft paper. After filling, the top of the bag shall be machine sewn at a depth of not less than three-eighths inch.

§ 1421.2467 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.60(b).

§ 1421.2468 Maturity of loans.

Loans will mature on demand but not later than the date specified in the annual crop year supplement to the regulations in this part.

§ 1421.2469 Inspection certificates.

Except in the case of loans on beans stored commingled in an approved warehouse, settlement with the producer on all beans acquired by CCC will be based on the class, grade, and quality shown on Federal or Federal-State lot inspection certificates. Such inspection certificates shall be dated not earlier than 30 days prior to the applicable maturity date for beans and shall be furnished the county committee at the time of delivery.

§ 1421.2470 Settlement.

Settlement for eligible beans acquired by CCC under loan or by purchase will be made with the producer as provided in § 1421.72 and this section.

(a) *Commingled warehouse stored.* Settlement for eligible beans stored commingled in an approved warehouse and acquired by CCC under a loan or by purchase shall be made on the basis of the class, grade, and quality and net weight which are specified by the warehouse receipt representing such beans or the supplemental certificate, if applicable.

(b) *Other storage.* Settlement for eligible beans acquired under loan or by purchase not stored commingled in an approved warehouse shall be made on the basis of the class, grade, and quality shown on Federal or Federal-State lot inspection certificates and on the basis of the quantity shown on official weight certificates, except that the weight of bagged beans shall be the net weight of the lot as determined from the official weight certificate or a quantity determined by multiplying the number of bags by 100 pounds, whichever is smaller. The inspection and weight certificates specified above in this program must be dated not earlier than 30 days prior to the applicable maturity date for beans and shall be furnished the county committee at the time of delivery.

§ 1421.2471 Storage in-transit.

Reimbursement will be made by CCC to producers or warehousemen for paid-in freight on beans stored in approved warehouses, subject to the following conditions:

(a) The movement from point of origin to storage point must be an "in-line" movement as determined by CCC, and must be no greater than 100 miles from the point of production unless otherwise approved by CCC prior to the date of shipment.

(b) The freight must have been paid by the person claiming reimbursement and he must not have been otherwise reimbursed.

(c) The warehousemen must furnish the descriptive data on all freight bills or transit tonnage slips on all eligible beans received into the storage facility at the time and in the manner stipulated in the Bean Storage Agreement.

(d) The freight bills or transit tonnage slips must be made available to CCC in accordance with the provisions of the Bean Storage Agreement.

(e) Not more than one transit stop must have been used on billing.

(f) The freight bills must be otherwise acceptable to CCC under the terms of the Bean Storage Agreement.

(g) Reimbursement for paid-in freight under this section will be made by the ASCS commodity office subsequent to actual acquisition of the beans by CCC.

§ 1421.2472 Support rates.

The support rates and the schedule of premiums and discounts for use in making loans and for use in settling loans and for purchases shall be set forth in the annual crop year supplement to the regulations in this part.

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 5, 1966.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 66–5111; Filed, May 10, 1966; 8:46 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 1—INVESTMENT SECURITIES REGULATION

State of Israel Bonds, Development Investment Issue

§ 1.171 State of Israel Bonds, Development Investment Issue.

(a) *Request.* The Comptroller of the Currency has been requested to rule that the $100 million Development Investment Issue of State of Israel Bonds, March 30, 1966, are investment securities eligible for purchase by national banks pursuant to paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* The Development Investment issue is similar to the Third issue, which was the subject of our ruling of May 27, 1964, 12 CFR 1.139, except that the State of Israel is offering the present bonds only to banks, insurance companies, labor unions, and employee benefit funds and that, under certain conditions, the State of Israel has undertaken to purchase with U.S. currency any bond held by the original owner. Our rulings of February 6, 1964, and May 27, 1964, on the eligibility of the Second and Third issues, 12 CFR 1.133 and 1.139, respectively, will also be applicable to the Development Investment issue.

(c) *Ruling.* It is our conclusion that the $100 million Development Investment Issue of State of Israel Bonds, March 30, 1966, are investment securities as defined in § 1.3(b) of the Investment Securities Regulation (12 CFR 1.3(b)) issued pursuant to paragraph Seventh of 12 U.S.C. 24 and are eligible for purchase by national banks, subject to the 5-percent limitation of § 1.6 (b) and (c) of the Investment Securities Regulation (12 CFR 1.6 (b) and (c)).

Dated: May 9, 1966.

[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 66–5203; Filed, May 10, 1966; 10:36 a.m.]

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 19,872]

PART 522—ORGANIZATION OF THE BANKS

PART 524—OPERATIONS OF THE BANKS

Compensation and Budgets

MAY 5, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 4808) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of paragraph (a) of § 522.71 and § 524.6 of the Regulations for the Federal Home Loan Bank System (12 CFR 522.71(a) and 524.6) and for the purpose of effecting such amendments, hereby amends said paragraph and said section as follows effective June 11, 1966:

Paragraph (a) of § 522.71 is hereby amended to read as follows:

§ 522.71 Compensation.

(a) The board of directors of each Bank shall annually adopt and submit to the Board appropriate resolutions show-

ing the contemplated compensation of officers and legal counsel, to be effective during the next calendar year. The Board will, for each Bank, either approve or disapprove, in whole or in part, such proposed compensation and will advise the Bank of its action relating thereto. Each Bank may establish the amount and form of compensation of all other employees within the limits set forth in its approved budget. No bonus shall be paid by any Bank to any director, officer, employee or other person.

* * * * *

Section 524.6 is hereby amended to read as follows:

§ 524.6 Budgets.

Each Bank shall prepare and submit to the Board for its approval a budget of operations in the manner and according to the procedure prescribed in its bylaws. Each Bank shall submit to the Board with its budget a certificate signed by its president as to the compliance by each of its officers, legal counsel and employees with the provisions of § 522.70 of this subchapter. The Board will either approve the budget as submitted by each Bank or approve such budget with such adjustments therein as to it appears proper. A Bank may at any time adopt and request the Board's approval of an amendment to its approved budget and, upon approval of any such amendment by the Board, such Bank shall be operated within such amended budget.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-5125; Filed, May 10, 1966; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Goods of Like Grade and Quality

§ 15.43 Goods of like grade and quality.

The Federal Trade Commission advised a manufacturer producing iron castings to special order of its customers that such goods are not of like grade and quality within the meaning of that section of the amended Clayton Act prohibiting price discriminations. The Commission was informed by the manufacturer that:

(a) Its castings are produced in accordance with individual customer specifications;

(b) It submits samples to the customer for approval;

(c) The customer further processes the casting prior to use; and

(d) Castings are not shipped off the shelf but are produced to order with several weeks lead time.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: May 10, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5086; Filed, May 10, 1966; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Agreement Among Retailers for Uniform Store Hours

§ 15.44 Agreement among retailers for uniform store hours.

(a) A retail dealers association of a certain city of substantial size has been advised that a proposed agreement among downtown retailers to establish uniform store hours would not, under the circumstances presented, be in violation of any laws administered by the Federal Trade Commission.

(b) The stated existing downtown shopping hours are 9 a.m. to 5:30 p.m. with Monday and some Thursday hours from 9 a.m. to 9 p.m. The proposed change would make the hours from 11 a.m. to 8 p.m. weekdays and 9 a.m. to 5:30 p.m. on Saturday.

(c) The basic reason advanced for the proposed change in hours is to place the downtown retailers in a more effective competitive position with suburban shopping centers by establishing more convenient shopping hours for office workers and by enabling spouses to meet for dinner and shop. Any business establishment will have the free choice as to whether or not to conform to the proposed change in shopping hours.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: May 10, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5087; Filed, May 10, 1966; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 131—INTERPRETATIVE STATEMENTS RE WARNINGS ON DRUGS AND DEVICES FOR OVER-THE-COUNTER SALE

Belladonna Preparations and Preparations of Its Alkaloids (Atropine, Hyoscyamine, and Scopolamine (Hyoscine)); Hyoscyamus, Stramonium, Their Derivatives, and Related Drug Preparations

Following publication in the FEDERAL REGISTER of May 5, 1966 (31 F.R. 6705), of a revision of the recommended warning statement for belladonna and related preparations, the Commissioner of Food and Drugs concluded that the warning statement should be expanded for clarification as set forth below.

Therefore, in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502(f)(2), 701(a), 52 Stat. 1051, 1055; 21 U.S.C. 352(f)(2), 371(a)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 131.15 is amended by adding a new sentence to the end of the warning statement for the subject preparations. As changed the warning statement reads as follows:

§ 131.15 Drugs for human use; recommended warning and caution statements.

* * * * *

BELLADONNA PREPARATIONS * * *

Warning—Not to be used by persons having glaucoma or excessive pressure within the eye, by elderly persons (where undiagnosed glaucoma or excessive pressure within the eye occurs most frequently), or by children under 6 years of age, unless directed by a physician. Discontinue use if blurring of vision, rapid pulse, or dizziness occurs. Do not exceed recommended dosage. Not for frequent or prolonged use. If dryness of the mouth occurs, decrease dosage. If eye pain occurs, discontinue use and see your physician immediately as this may indicate undiagnosed glaucoma.

* * * * *

Notice and public procedure are unnecessary prerequisites to the promulgation of this order, and I so find, since the statute provides that the labeling of drugs shall bear "adequate warnings against use in those pathological conditions * * * where its use may be dangerous to health," and the clinical history of the drugs named is such that the revised warning is deemed necessary for the protection of the public health.

Effective date. This order shall become effective July 4, 1966.

(Secs. 502(f)(2), 701(a), 52 Stat. 1051, 1055; 21 U.S.C. 352(f)(2), 371(a))

Dated: May 6, 1966.

JAMES L. GODDARD, *Commissioner of Food and Drugs.*

[F.R. Doc. 66-5135; Filed, May 10, 1966; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

SUBCHAPTER B—RENEGOTIATION BOARD REGULATIONS UNDER THE 1951 ACT

PART 1472—CONDUCT OF RENEGOTIATION

Filing of Information and Requests by Contractor

Section 1472.6(d) *Place for filing* is amended by deleting subparagraph (1) in its entirety and substituting in lieu thereof the following:

§ 1472.6 Filing of information and requests by contractors.

* * * * *

(d) Place for filing.—(1) *Principal offices.* The principal office of the Board is located at 1910 K Street NW., Washington, D.C., 20446. The following are the addresses of the offices of the Regional Boards:

Eastern Regional Renegotiation Board, 1634 Eye Street NW., Washington, D.C., 20447.
Western Regional Renegotiation Board, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

* * * * *

(Sec. 109, 65 Stat. 22; 50 U.S.C., App. Supp. 1219)

Dated: May 6, 1966.

LAWRENCE E. HARTWIG, *Chairman.*

[F.R. Doc. 66-5122; Filed, May 10, 1966; 8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Mystic River, Mass.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), paragraph (g)(2), § 203.75 governing the operation of the General Lawrence Highway Bridge across Mystic River, Mass., is hereby amended in its entirety effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.75 Boston Harbor, Mass., and adjacent waters; bridges.

* * * * *

(g) *Mystic River.* * * *

(2) *Metropolitan District Commission highway bridge (General Lawrence Bridge) opposite Harvard Street, Medford.* The draw need not be opened for the passage of vessels, and paragraphs (b) to (f) of this section shall not apply to this bridge.

* * * * *

[Regs., Apr. 25, 1966, 1507-32 (Mystic River, Mass.)-ENGCW-ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT, *Major General, U.S. Army, The Adjutant General.*

[F.R. Doc. 66-5096; Filed, May 10, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-12—LABOR

Subpart 9-12.54—Conduct of Employees and Consultants of AEC Cost-Type Contractors and Certain Other Contractors

MISCELLANEOUS AMENDMENTS

Subpart 9-12.5402 *Gratuities,* is revised to read as follows:

§ 9-12.5402 Gratuities.

A contractor or his employees or consultants shall not, under circumstances which might reasonably be interpreted as an attempt to influence the recipients in the conduct of their duties, accept any gratuity or special favor from individuals or organizations with whom the contractor is doing business, or proposing to do business, in accomplishing the work under the contract. Reference should also be made to the provisions of 41 U.S.C. 51–54.

Subpart 9-12.5409 is deleted in its entirety.

(Sec. 161 of the Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2001; sec. 205 of the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER.

For the U.S. Atomic Energy Commission.

Dated at Germantown, Md., this 4th day of May 1966.

JOSEPH L. SMITH, *Director, Division of Contracts.*

[F.R. Doc. 66-5091; Filed, May 10, 1966; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3999]

[Utah 053085]

Addition to Ouray National Wildlife Refuge

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and are added to and made a part of the Ouray National Wildlife Refuge:

SALT LAKE MERIDIAN

T. 7 S., R. 20 E.,
Sec. 24, lot 6, NW¼NE¼, NW¼, SE¼SE¼;
Sec. 25, lots 1 and 6, NE¼NE¼.
T. 7 S., R. 21 E.,
Sec. 19, lots 9 and 10;
Sec. 29, lot 4;
Sec. 30, lots 2 to 6, incl.;
Sec. 31, lots 17, 18, 19, 25, 26;
Sec. 32, lots 18, 19 and 20;
Sec. 33, lots 2 and 3.
T. 8 S., R. 20 E.,
Sec. 10, SE¼SW¼;
Sec. 11, lots 1, 4, and 5;
Sec. 12, lot 2, SE¼SW¼, S½SE¼;
Sec. 13, NE¼SE¼, S½SE¼;
Sec. 15, NW¼, N½SW¼, SW¼SW¼;
Sec. 21, lot 6;
Sec. 23, part lot 8, northwest of road, part NW¼SE¼SW¼ northwest of road, part NW¼NW¼SE¼ northwest of road;
Sec. 24, NE¼NW¼;
Sec. 26, part NW¼SW¼NW¼, northwest of road;
Sec. 27, lot 1, part SE¼NE¼ northwest of road;
Sec. 28, lot 1.
T. 8 S., R. 21 E.,
Sec. 5, lots 1, 6, 7 S½NE¼;
Sec. 6, lots 9, 10, 16, 17, 18, 19, NE¼SW¼;
Sec. 7, SE¼SW¼;
Sec. 18, E½SW¼, W½SE¼.

Containing 2,158.96 acres, more or less.

2. The minerals in the lands, now or hereafter owned by the United States, shall be administered in accordance with laws and regulations governing the management and disposal of minerals in lands forming a part of the national wildlife refuge system. However, certain of the lands are tribal lands of the Uintah-Ouray Indian Reservation which have been leased by the tribe for refuge purposes. In the tribal lands only the minerals reserved to the United States by the act of March 11, 1948 (62 Stat. 72), are subject to administration under provisions of this order. The remaining lands have been acquired, or are in process of being acquired by the United States for refuge purposes.

HARRY R. ANDERSON, *Assistant Secretary of the Interior.*

MAY 3, 1966.

[F.R. Doc. 66-5104; Filed, May 10, 1966; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 20]

[142.72]

DISPOSITION OF UNCLAIMED AND ABANDONED MERCHANDISE

Rescission of Proposed Amendment

Notice was published in the FEDERAL REGISTER of February 4, 1965 (30 F.R. 1196), of a proposal to amend the Customs Regulations to authorize the sale of merchandise not exceeding $50 in value at public auction after it has remained in general order for 90 days.

Since the publication of the notice, further field studies have indicated that there is insufficient justification for changing the present regulation. The proposal, therefore, is rescinded.

The current practice of handling unclaimed and abandoned merchandise remains unaffected; that is, unclaimed and abandoned merchandise continues to be sold at the next regular sale after the merchandise becomes subject to sale.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: May 3, 1966.

JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 66-5129; Filed, May 10, 1966; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-SO-80]

CONTROL ZONES AND TRANSITION AREAS

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the Charleston, S.C., and Myrtle Beach, S.C., transition areas, and the Myrtle Beach control zone, and would designate a part-time control zone at the Crescent Beach-Myrtle Beach Airport.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the U.S. agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

On or about June 23, 1966, the Federal Aviation Agency plans to relocate the Myrtle Beach VOR at latitude 33°48'48" N., longitude 78°43'31" W., and to convert the facility to a VORTAC. Coincidentally with that relocation the Agency proposes the airspace alterations and designations hereinafter set forth.

1. The 1,200-foot portion of the Charleston transition area would be redescribed as that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the intersection of the SE boundary of V–3 and latitude 33°30'00" N., thence eastward to latitude 33°11'55" N., longitude 79°-08'00" W., to latitude 32°58'30" N., longitude 79°18'00" W., to latitude 32°-50'40" N., longitude 79°23'15" W., thence clockwise along the arc of a 38-mile radius circle centered on the Charleston VORTAC to and west along a line 5 miles S of and parallel to the Charleston VORTAC 109° True radial to a point 3 nautical miles E of the shoreline, thence SW along a line 3 nautical miles from the shoreline to latitude 32°29'30" N., longitude 80°12'00" W., thence to latitude 32°45'50" N., longitude 80°30'30" W., to latitude 32°44'00" N., longitude 80°43'25" W., thence to the intersection of the SE boundary of V–3 and latitude 32°44'00" N., thence NE along the SE boundary of V–3 to the point of beginning.

The Myrtle Beach transition area is presently designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Myrtle Beach AFB (latitude 33°40'45" N., longitude 78°55'45" W.), within a 5-mile radius of Crescent Beach/Myrtle Beach Airport (latitude 33°48'40" N., longitude 78°43'30" W.); within 2 miles each side of the Myrtle Beach VOR 058° True radial extending from the Myrtle Beach AFB 7-mile radius area to the Crescent Beach/Myrtle Beach Airport 5-mile radius area; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the INT of the E boundary of V–437E and a line 5 miles S of and parallel to the Florence, S.C., VORTAC 068° True radial, extending eastward along that line and a line 5 miles S of and parallel to the Wilmington, N.C., VORTAC 272° True radial to its INT with longitude 78°25'30" W., thence to latitude 33°58'30" N., longitude 78°10'45" W., thence to latitude 33°40'10" N., longitude 78°40'10" W., thence clockwise along a 15-mile radius arc centered on the Myrtle Beach TACAN (latitude 33°40'39" N., longitude 78°55'53" W.) to a line 5 miles SE of and parallel to the Myrtle Beach VOR 214° True radial, thence SW along that line to a 25-mile radius arc centered on the Myrtle Beach AFB (latitude 33°40'45" N., longitude 78°55'45" W.), thence clockwise along this arc to the SE boundary of V–1, thence along V–1 to latitude 33°16'00" N., longitude 79°24'30" W., thence to the E boundary of V–437E at latitude 33°20'00" N., longitude 79°-39'20" W., thence N along V–437E to the point of beginning; and that airspace extending upward from 2,700 feet MSL bounded on the N by a 35-mile radius arc centered on Grannis Field, Fayetteville, N.C. (latitude 34°59'25" N., longitude 78°52'50" W.), on the E by a line extending from the INT of the S boundary of V–525 and longitude 78°30'00" W. to latitude 34°18'30" N., longitude 79°-00'00" W., on the S by a line 5 miles S of and parallel to the Wilmington, N.C., VORTAC 272° True radial and Florence, S.C., VORTAC 068° True radial, on the W by V–437E and V–3E, excluding that airspace within 5 miles SE of the Florence, S.C., VORTAC 052° True radial, extending from the VORTAC to 14 miles NE.

2. The Myrtle Beach transition area would be redesignated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Myrtle Beach AFB (latitude 33°40'45" N., longitude 78°55'45" W.); within a 6-mile radius of Crescent Beach/Myrtle Beach Airport (latitude 33°48'40" N., longitude 78°43'30" W.); within 2 miles each side of the Myrtle Beach VORTAC 052° True radial, extending from the 6-mile radius area to 8 miles NE of the VORTAC; within 2 miles each side of the Myrtle Beach VORTAC 214° True radial, extending from the 6-mile radius area to 14 miles SW of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the intersection of the E boundary of V–437E and a line 5 miles S of and parallel to the Florence, S.C., VORTAC 068° True radial, thence eastward to latitude 34°18'40" N., longitude 79°11'00" W., thence along a line extending from latitude 34°18'40" N., longitude 79°11'00" W., through latitude 34°17'45" N., longitude 78°25'30" W., to the E boundary of V–213, to latitude 33°-58'30" N., longitude 78°10'45" W., to latitude 33°40'10" N., longitude 78°40'15" W., thence clockwise along the arc of a 15-mile radius circle centered on the Myrtle Beach TACAN (latitude 33°40'39" N., longitude 78°55'53" W.), to latitude 33°27'40" N., longitude 78°55'20" W., thence to latitude 33°19'40" N., longitude 79°02'10" W., to latitude 33°11'55" N., longitude 79°08'00" W., to latitude 33°-20'00" N., longitude 79°39'20" W., thence N along the E boundary of V–437E to the point of beginning; and that airspace extending upward from 2,700 feet MSL bounded on the N by the arc of a 35-mile radius circle centered on Grannis Field, Fayetteville, N.C. (latitude 34°59'25" N., longitude 78°52'50" W.), on the E by the 2,700-foot MSL portion of the Goldsboro, N.C., transition area, on the S by the 1,200-foot portion of the Myrtle Beach transition area, on the W by V–437E and V–3E, excluding the portion that would coincide with the Florence, S.C., transition area.

The Myrtle Beach control zone is presently designated with a 5-mile radius of Myrtle Beach AFB (latitude 33°40'45" N., longitude 78°55'45" W.); within 2 miles each side of the Myrtle Beach VOR 039° True radial, extending from the 5-mile radius zone to 8 miles NE of the VOR; within 2 miles each side of the Myrtle Beach TACAN 160° and 355° True radials, extending from the 5-mile radius zone to 8 miles S and 8 miles N of the TACAN; within 2 miles each side of the 167° True bearing from the Conway RBN, extending from the 5-mile radius zone to the RBN.

3. The name of the Myrtle Beach control zone would be changed to Myrtle Beach AFB, S.C., control zone and amended to read; within a 5-mile radius of Myrtle Beach AFB (latitude 33°40'45" N., longitude 78°55'45" W.); within 2 miles each side of the Myrtle Beach TACAN 160° and 355° True radials, extending from the 5-mile radius zone to 8 miles S and 8 miles N of the TACAN; within 2 miles each side of the 167° True bearing from the Conway radio beacon, extending from the 5-mile radius zone to the radio beacon.

4. The Crescent Beach/Myrtle Beach, S.C., control zone would be designated within a 5-mile radius of Crescent Beach/Myrtle Beach Airport (latitude 33°48'40" N., longitude 78°43'30" W.); within 2 miles each side of the Myrtle Beach VORTAC 052° True radial extending from the 5-mile radius zone to 8 miles NE of the VORTAC; within 2 miles each side of the Myrtle Beach VORTAC 214° True radial extending from the 5-mile radius zone to 8 miles SW of the VORTAC. This control zone would be effective during specific dates and/or times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

These amendments are proposed under the authority of secs. 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on May 5, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5093; Filed, May 10, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 87]

[Docket No. 16221, FCC 66-401]

AERONAUTICAL ADVISORY SERVICE

Notice of Proposed Rule Making

1. Notice of proposed rule making in the above-entitled matter is hereby given.

2. The Commission, as a result of administering the aeronautical advisory service, Part 87—Subpart C and the recent report of the Radio Technical Commission for Aeronautics (SC–113), feels that certain amendments could provide a more orderly and efficient service. Accordingly, this notice proposes extensive revision of the rules governing the aeronautical advisory service.

3. The present rules, § 87.251(c), provide that only one aeronautical advisory station will be authorized at any landing area. This restriction is good and necessary from the standpoint of aviation safety. In some instances, however, it causes an interruption of advisory service to the landing area. For instance, a fixed-base operator who is the licensee of an advisory station gives up his business, leaves the area, and, in effect, abandons the aeronautical advisory station without cancelling the authorization. This leaves an outstanding authorization for an aeronautical advisory station to serve the landing area but no service is being rendered. Section 87.251(c) as presently written, precludes the licensing of another advisory station at a landing area while an authorization is outstanding. There are other similar situations which also may cause breaks in service. Accordingly, it is proposed to amend § 87.251(c) to allow, under certain conditions, operation of an additional station at a landing area when the original station has ceased to provide service.

4. In order for an applicant to qualify for an aeronautical advisory station under the present rules, he must be the owner of the landing area or if not the owner, a party to a written contractual agreement with the owner which gives the nonowner applicant the exclusive and sole right to establish and maintain an aeronautical advisory station to serve the owner's landing area for a time certain. This rule is based on the theory that if the owner of the landing area is not going to provide the service, it would be in his interest to allow the most responsible and capable person available to become licensee of the station. In practice, however, it appears that this method does not always result in the selection of the most responsible and capable person. In addition, problems are created when an owner withdraws his authority during the term of an outstanding authorization. Accordingly, the Commission proposes to amend the rules to allow, as far as practicable, for the selection by the Commission of the most responsible and capable person as licensee.

5. It is proposed that the special eligibility requirements of § 87.251(d) be deleted. An applicant for an advisory station under the proposed rules would be required to provide notification of his application for an advisory station to persons who would have a primary interest in the efficient operation of an aeronautical advisory station at the particular landing area. This would provide an opportunity for an interested party to file a protest during the section 309(b) statutory notice period, file a competing application for an aeronautical advisory station at the same landing area or enter into some mutual sharing arrangements with the prospective licensee.

6. The rapid growth and growth potential of the aeronautical advisory service dictates that consideration be given to frequency congestion and interference. At present, no separation criteria are established for ground stations and reception of several stations at one time is a source of confusion and interference

to airborne aircraft. This problem could become acute in the near future as more and more advisory radio facilities are established. In order to minimize interference potential from the increase in advisory stations, new criteria for frequency assignments are proposed.

7. Frequency assignment, as proposed, is based on the type of landing area involved; i.e., controlled, uncontrolled, heliport, private or public. During the term of a license, the status of the landing area may change and thereby require a change in frequency by the licensee. When such a change occurs in the status of the landing area, the licensee would be required to operate on the appropriate frequency. In addition, a less restrictive log-keeping requirement has been proposed in order to lessen the burden of the station operator.

8. In order that the rules specifically directed to the aeronautical advisory service may be viewed in their entirety, the proposed amendments together with existing sections which remain unchanged are included in the Appendix. The unchanged sections in the Appendix are as follows: §§ 87.201 (a), (d), (e), and (f), 87.255, 87.257 (a), (b), (c), and (e), and 87.259.

9. The Radio Technical Commission for Aeronautics (RTCA) recently completed a study of the aeronautical advisory service in SC-113. It recommended changes in the eligibility requirements and assignment of additional frequencies. The present proposal is consistent with the recommendations of RTCA.

10. The proposed amendments to the rules, as set forth in the Appendix, are issued pursuant to the authority contained in sections 4(i) and 303 (b), (c), (f), (h), (j), and (r) of the Communications Act of 1934, as amended.

11. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before June 17, 1966 and reply comments on or before July 8, 1966. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

12. In accordance with the provisions of § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: May 4, 1966.

Released: May 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

APPENDIX

1. Footnote US31 to the Table of Frequency Allocations, § 2.106 is amended to read as follows:

[1] Commissioners Loevinger and Wadsworth absent.

US31 The band 121.975–123.075 Mc/s is for use by private aircraft stations. In addition, the frequencies 122.80, 122.85, 122.95, 123.00, and 123.05 Mc/s may be used by aeronautical advisory stations and the frequency 122.90 Mc/s may be used by aeronautical multicom stations.

2. Section 87.99(a) is amended to read as follows:

§ 87.99 Information required in station logs.

(a) Except for radionavigation land test stations (MTF), all stations at fixed locations shall maintain logs showing hours of operation, frequencies used and hours of duty and signature of the operator(s) on duty. In any instance where communications pertain to emergency, distress or danger to life or property, the specific station communicated with, the time of the communications and the nature of the communications shall be recorded.

* * * * *

3. Section 87.201 is amended to read as follows:

§ 87.201 Frequencies available.

The following frequencies, in addition to those listed in § 87.183 are available to private aircraft stations:

(a) 3023.5 kilocycles: Aircraft calling and working frequency for use by private aircraft.

(b) These frequencies are available to private aircraft for air traffic control operations:

122.00, 122.05, 122.10, 122.15, 122.20, 122.25, 122.30, 122.35, 122.40, 122.45, 122.50, 122.55, 122.60, 122.65, 122.70 and 122.75 Mc/s.

(c) These frequencies are available to private aircraft stations for communications (1) with aeronautical advisory stations in accordance with Subpart C of this Part and (2) between private aircraft while in flight provided that harmful interference is not caused to air-ground communications and such communications pertain to the safety of the flight:

122.80, 122.85, 122.95 and 123.05 Mc/s.

In addition, brief keyed RF signals may be transmitted on these frequencies for the control of airport lights from aircraft on the condition that no harmful interference is caused to authorized voice communications.

(d) 122.9 Mc/s, 6A3 emission: Private aircraft stations to aeronautical multicom stations and to Government stations in accordance with the scope of service set forth in § 87.277. Between private aircraft stations and between private aircraft stations and Government aircraft stations while in flight for communications pertaining to safety; agricultural, ranching and conservation activities; forest fire fighting; aerial application; aerial advertising; and parachute jumping.

(e) 123.0 megacycles, 6A3 emission: Private aircraft stations to aeronautical advisory stations in accordance with the scope of service set forth in § 87.257.

(f) The aeronautical frequencies listed under §§ 87.293 through 87.309 are also available to private aircraft upon showing that a need exists and that agreements have been made with the licensees of appropriate ground stations.

4. Subpart C of Part 87 is amended to read as follows:

Subpart C—Aeronautical Advisory Stations

§ 87.251 Special conditions.

(a) Only one aeronautical advisory station may be authorized to operate at a landing area: *Provided, however,* Where the Commission has good cause to believe that an existing station has been abandoned or ceased operation, another station may be authorized to provide service at the landing area on an interim basis while the original station is not operating and pending final determination of the status of the original station.

(b) An applicant for an aeronautical advisory station license must give written notice of such application to the owner of the landing area to be served and all aviation service organizations, so-called fixed-base operators, who are located at the landing area. Such notice shall include the applicant's name and address, name of the landing area to be served, and a statement that the applicant intends to file an application with the Federal Communications Commission for an aeronautical advisory station (Unicom) to serve the named landing area. Such notice shall be given within the 10-day period immediately preceding the filing of the application with the Commission.

(c) Each applicant must submit a statement as part of the application that notice has been given in accordance with paragraph (b) of this section and list the names and addresses of persons given written notice including the dates when such notices were given.

(d) An applicant for interim authority under paragraph (a) of this section must give notice, where possible, to the present licensee of the aeronautical advisory station at the landing area and must also meet the notice requirements of paragraphs (b) and (c) of this section.

(e) An aeronautical advisory station and any associated dispatch or control points must be located on the landing area to be served.

§ 87.253 Frequency assignment.

(a) Aeronautical advisory stations at landing areas open to the public must provide service on a required frequency as follows:

(1) Landing area, other than a heliport, where there is not a control tower or FAA flight service station—122.8 Mc/s;

(2) Landing area, other than a heliport, where there is a control tower or FAA flight service station—123.0 Mc/s;

(3) Landing area that is used exclusively as a heliport—123.05 Mc/s.

(b) Upon a showing of need, stations required to provide service on 123.05 Mc/s also may be assigned 122.8 Mc/s for communication primarily with fixed wing aircraft, and stations required to provide service on 122.8 or 123.0 Mc/s also may be assigned 123.05 Mc/s for communications primarily with helicopters.

(c) Stations at landing areas not open to the public normally will be assigned a frequency in accordance with the provision of paragraph (a) of this section. An alternate frequency of either 122.85 or 122.95 Mc/s, in lieu of that normally assigned, may be authorized upon a showing that harmful interference will be avoided by the use of such alternate frequency.

§ 87.255 Power output.

The power output of aeronautical advisory stations shall not exceed 10 watts.

§ 87.257 Scope of service.

(a) At all times when an aeronautical advisory station is in operation, nonpublic service shall be provided to any private aircraft station upon request and without discrimination.

(b) Communications by an aeronautical advisory station shall be impartial with respect to information concerning similar available ground services.

(c) Aeronautical advisory stations shall not be used for air traffic control purposes.

(d) (1) Communications by an aeronautical advisory station shall be limited to the necessities of safe and expeditious operation of private aircraft, such as, conditions of runways, types of fuel available, wind conditions, weather information, dispatching or other necessary information: *Provided, however,* That at any landing area at which an airdrome control station or FAA flight service station is located, an aeronautical advisory station shall not transmit information pertaining to the conditions of runways, wind conditions or weather information during the hours of operation of the airdrome control station or FAA flight service station. (2) On a secondary basis, communications may be transmitted which pertain to the efficient portal-to-portal transit of which the flight is a portion, such as, requests for ground transportation, food or lodging required during transit.

(e) The frequency 122.8 Mc/s may be used, in addition to its normal purposes, for communications with private aircraft engaged in organized civil defense activities in time of enemy attack or immediately thereafter, and on a secondary basis for communications with private aircraft engaged in organized civil defense activities in preparation for anticipated enemy attack. When used for these purposes, aeronautical advisory stations may be moved from place to place or operated at unspecified locations, except at landing areas served by other aeronautical advisory stations or airdrome control stations, or both.

NOTE: "Civil defense" is defined, for this purpose, in accordance with section 3(b) of the Federal Civil Defense Act of 1950, Public Law 920, 81st Congress as follows:

The term "civil defense" means all those activities and measures designed or undertaken (1) to minimize the effects upon the civilian population caused or which would be caused by an attack upon the United States, (2) to deal with the immediate emergency conditions which would be created by any such attack, and (3) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack. Such term shall include, but shall not be limited to, (a) measures to be taken in preparation for anticipated attack (including the establishment of appropriate organizations, operational plans, and supporting agreements; the recruitment and training of personnel; the conduct of research; the procurement and stockpiling of necessary materials and supplies; the provision of suitable warning systems; the construction or preparation of shelters, shelter areas, and control centers; and when appropriate, the nonmilitary evacuation of civil population), (b) measures to be taken during attack (including the enforcement of passive defense regulations prescribed by duly established military or civil authorities; the evacuation of personnel to shelter areas; the control of traffic and panic; and the control and use of lighting and civil communications); and (c) measures to be taken following attack (including activities for the fire fighting; rescue, emergency medical, health and sanitation services; monitoring for specific hazards of special weapons; unexploded bomb reconnaissance; essential debris clearance; emergency welfare measures; and immediately essential emergency repair or restoration of damaged vital facilities).

§ 87.259 Operator requirements.

(a) An aeronautical advisory station shall be operated, when transmitting during the normal rendition of service, by a person holding a commercial radio operator license or permit of any class.

(b) Aircraft radio stations using radiotelephony, when transmitting during the normal rendition of service, shall be operated by persons holding any class of commercial radio operator license or permit.

(c) All transmitter adjustments or tests during or coincident with the installation, servicing, or maintenance of a radio station, which may affect the proper operation of such station, shall be made by or under the immediate supervision and responsibility of a person holding a first or second class commercial radio operator licence, either radiotelephone or radiotelegraph, who shall be responsible for the proper functioning of the station equipment.

[F.R. Doc. 66-5136; Filed, May 10, 1966; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 66-98]

INTERNATIONAL PAPER CO.

Notice of U.S. Citizenship

MAY 5, 1966.

This is to give notice under § 3.21(j), Customs Regulations, that International Paper Co., 220 East 42d Street, New York, N.Y., 10017, incorporated under the laws of the State of New York, has met the qualification requirements of § 3.19 (a)(4), Customs Regulations, as a citizen of the United States, and has filed the certificate under oath and other papers required by § 3.21 (f) and (g), Customs Regulations. Therefore, a Certificate of Compliance, customs Form 1262, was issued to the corporation by the Commissioner of Customs on May 5, 1966, in accordance with § 3.21(i), Customs Regulations. The certificate is valid for a period of 3 years from the date of its issuance unless there first occurs a change in corporate status requiring a report under § 3.21(h) of the Customs Regulations.

The text of the law is stated in Treasury Decision 54693, dated September 23, 1958. The regulations found necesary to give effect to the law are stated in Treasury Decision 54827, dated April 2, 1959, and the form of the above-mentioned customs form is prescribed in the appendix to the aforesaid Treasury Decision.

Vessels built in the United States and owned by the corporation which are non-self-propelled or which, if self-propelled, are of less than 500 gross tons shall be entitled to documentation, as limited by the restrictions stated in section 883-1, title 46, United States Code. Vessels exempt from documentation under § 3.5 (a), Customs Regulations, and owned by the corporation, which are named and identified on a valid Certificate of Compliance, may be operated by the corporation in the coastwise trade, as limited by the restrictions stated in the aforesaid statute. The vessels which are exempt from documentation and named and identified on the above-mentioned Certificate of Compliance are the following:

a. Barge Nos. 106 and 108, built in 1937.
b. Barge Nos. 119 and 121-123, built in 1938.
c. Barge Nos. 127 and 132-134, built in 1940.
d. Barge Nos. 137, 139-140, and 141-145, built in 1947.
e. Barge Nos. 146-151, built in 1950.
f. Barge Nos. 201-206, built in 1954.
g. Barge Nos. 207-216, built in 1955.
h. Barge Nos. 217-222, built in 1957. (All above built in Mobile, Ala.)
i. Barge Nos. 223 and 224, built in 1960 (at Norfolk, Va.).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-5130; Filed, May 10, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM 080779]

LOUISIANA

Notice of Proposed Withdrawal

MAY 5, 1966.

On July 8, 1965, the Bureau of Sport-Fisheries and Wildlife, Fish and Wildlife Service, requested the withdrawal for use as a part of the Breton National Wildlife Refuge, La., of approximately 1,920 acres at and adjacent to the Chandeleur Island Lighthouse Reservation, Chandeleur Islands, St. Bernard Parish, La. It has been determined that the lands are suitable for wildlife refuge purposes.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington, D.C., 20240.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

JOSEPH P. HAGAN,
Assistant Manager.

[F.R. Doc. 66-5103; Filed May 10, 1966; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15381; E-23642]

LATIN AMERICAN SERVICE MAIL RATE PROCEEDING

MAY 5, 1966.

Latin American service mail rate proceeding; statement of provisional findings and conclusions by the Board.

STATEMENT OF PROVISIONAL FINDINGS AND CONCLUSIONS BY THE BOARD

Service mail rates for the carriage of U.S. mail to most Latin American and Caribbean points are now open by virtue of a petition filed by the Postmaster General on June 30, 1964. Specifically, the services for which rates are currently open are those of Pan American World Airways, Inc. (Pan American), to all of its Latin American and Caribbean points other than San Juan, P.R., and Mexico City, Mexico; the services of Delta Air Lines, Inc. (Delta), to all of its Latin American and Caribbean points except San Juan; the services of Braniff Airways, Inc. (Braniff), to all of its Latin American and Caribbean points other than Mexico City, and Monterrey, Mexico; and all services of Pan American Grace Airways, Inc. (Panagra).[1] Since the opening of these rates, data on the unit cost trends in Latin American services have been assembled and studied and informal mail rate conferences of the parties have been held.[2] On the basis of such conferences and the indicated cost trends in Latin American services, the Board has decided to propose a new Latin American service mail rate of 42.09 cents per mail ton-mile to apply equally to all four carriers' services effective March 1, 1966. This represents an average reduction of about 27.5 percent from the current rates, which vary between carriers. For the open rate period prior to March 1, 1966, the Board will propose to reestablish the final rates in effect prior to the filing of the Postmaster General's petition.

The service mail rates currently being paid for Latin American services were originally made effective January 1, 1954, for Pan American and Braniff, and April 8, 1954, for Delta and Panagra by Order E-9695, October 27, 1955. They were, therefore, in effect as final rates for more than 10 years.

The rates were not the same for all services. Pan American was paid a system rate of 55.10 cents per ton-mile except that its rates to San Juan were equalized with those applying to Eastern under the domestic rate order. Braniff's rate was 65.30 cents per ton-mile for all services except those to the Canal Zone where its rate was equalized with the 55.10 cents per ton-mile rate applying to Pan American. Delta and Panagra were both given system rates of 65.30 cents per ton-mile, equal to the rate paid Braniff for all of its services other than those to the Canal Zone.

The Latin American service rates are the last of the international service rates to be reviewed recently. Service rates for transatlantic and transpacific services were initially established at about the same time as the Latin American rates but were recently reduced following informal conferences similar to those employed here, E-21514, November 19, 1964. Transatlantic rates were reduced by 25 percent to a level of 40 cents per mail ton-mile. The former transpacific rates varied in the case of Pan American according to routings and a composite reduction in that carrier's transpacific rates of approximately 34 percent was effected. The rate for Northwest Airlines, Inc., was reduced by 22.5 percent. Currently, all transpacific priority mail services are compensated at a uniform rate of 36 cents per mail ton-mile.

The former Latin American rates were constructed in basically the same way as the prior transatlantic and transpacific rates. The ton-mile costs of the carriers operating in the Latin American area were compared to the average ton-mile costs of the domestic Big Four carriers.[2a] The resulting ratio was applied to the 37.4 cents per ton-mile mail cost of the Big Four. Because Pan American's revenue ton-mile costs were substantially below those of the other three U.S. flag carriers engaged in Latin American services, separate comparisons were made to Pan American's cost and the average costs of Braniff, Delta and Panagra. By this means it was determined that Pan American's Latin American Division should yield on the average 47.41 cents per mail ton-mile. This was achieved by giving Pan American a rate of 55.10 cents per ton-mile for all services except those to San Juan, together with rates of 34.31 cents per ton-mile and 36.54 cents per ton-mile for its services between New York and San Juan, and Miami and San Juan, respectively. The rate for the other three carriers was established at a level that would return them their average cost taking account of the fact that a lower rate for Braniff's Miami-Balboa services equal to the 55.10 cents per ton-mile applying to Pan American's competitive services would have to be established.

The new rates proposed in this order reflect a level agreed to by the Department and the carriers as a basis for informally disposing of this proceeding after lengthy discussions in the informal mail rate conference. While neither the Department nor the carriers have conceded their right to espouse other costing theories in future proceedings, for purposes of obtaining an informal disposition at this time a consensus developed at conference in favor of basing the new rate on current revenue ton-mile costs. Thus, the focal point of these discussions was the downward trend of costs per revenue ton-mile in Latin American services since the establishment of the former mail rates in 1955, which were based on reported costs for calendar 1954. A comparison of the 1954 revenue ton-mile costs used in E-9695, the rate order, and the revenue ton-mile costs computed from Form 41 data for the 12 months ending September 30, 1965, is set forth below:

	1954	12 months, Sept. 30, 1965	Percent reduction
	cents	*cents*	
Pan American	48.80	38.48	21.1
Panagra	72.66	49.42	32.4
Braniff	63.83	44.63	30.1
Delta	66.84	41.00	39.7
Weighted average	53.52	39.93	25.39

The costs set forth above are reported costs with depreciation adjusted to conform to the Board's policy on depreciation expense, and with passenger service and promotional and sales expense excluded. General and administrative expenses have not been adjusted to exclude that part associated with the exclusions just noted. The weighted average ton-mile cost with such associated general and administrative expense eliminated is 39.09 cents. This is 27 percent below the revenue ton-mile cost used in E-9695 which, however, included total reported general and administrative expenses.

It has also been concluded that the new rate should be uniform for all carriers, and thus the present structure under which higher rates are applicable to the higher cost carriers would not be preserved. While Pan American's unit costs are moderately below those of the other Latin American carriers, the disparity is not nearly as great as it was in 1954. In 1954 the computed revenue ton-mile cost of Pan American was between 67 and 76 percent of the costs computed for the other three carriers; today the range is from 80.5 to 93.1 percent, a disparity that is not substantially greater than that which exists in other areas where uniform rates apply.

The current reported revenue ton-mile costs excluding passenger service expense, promotional and selling expense, and the general and administrative expense associated with such exclusions for the four carriers party to this proceeding are:

	Cents per ton-mile
Pan American	37.74
Panagra	46.89
Braniff	43.51
Delta	40.55
Weighted average	39.09

These costs are reported on the basis of the carriers' entire Latin American operations. Some Latin American services will, however, be covered by the lower domestic rate, e.g., New York-San Juan. Thus, the rates applying to the other routes must be somewhat higher than average ton-mile costs in order to compensate for the dilution in overall system yield attributable to the lower rates applicable on routes covered by the domestic service rate.

During the 12 months ending September 30, 1965, Pan American reported that it carried a total of 6,458,600 revenue ton-miles of mail in its Latin American Division. Of this total, it is estimated the United States-San Juan mail, which takes a current rate of 32.12 cents per ton-mile, accounted for 2,015,000 revenue ton-miles or 31 percent of Pan American's total. In addition Houston-Mexico City mail taking a rate of 36.05 cents per ton-mile accounted for another estimated 6,000 revenue ton-miles. In the case of Braniff, it is estimated that more than 4 percent of its total of 91,000 revenue ton-miles in Latin American service are accounted for by San Antonio-Mexico City mail taking a rate of 36.44 cents per ton-mile. Delta's Latin American operations are relatively small and its weighting would have little impact on an overall weighted average. However, it is estimated that the great majority of the revenue ton-miles of mail carried by it in its Latin American services is accounted for by New Orleans-San Juan mail which takes the domestic rate.

Taking account of all the factors discussed above, the Board has tentatively concluded that a uniform Latin American service mail rate of 42.09 cents per ton-mile for services to all points other than to the stub ends is fair and reasonable. The Board recognizes that this rate appears to be acceptable to both the Department and the carriers despite their divergent interests. In addition, it is our judgment that a rate of 42.09 cents per ton-mile is well within the zone of reasonableness on the basis of all the considerations that have heretofore been used in establishing service mail rates.

The rate formula proposed is the same as that which now applies to transatlantic and transpacific services under Order E-21514. It thus embodies provisions authorizing voluntary equalization of mail rates. It also would apply the rate to standard mileages. However, since standard mileages are currently being applied which will be revised July 1, 1966, little benefit would be derived from tabulating a complete list of such mileages merely for application during the remainder of the fiscal year. Accordingly, we will provide that the rates will be applied to the mileages currently being used for computing Latin American service mail pay. Such mileages are known to all parties. Effective July 1, 1966, a tabulation of new standard mileages will be established to apply during the next fiscal year.

In addition, we will propose amendment of the domestic rate order (E-22512) so as to authorize carriers subject only to that order to join in the equalization of Latin American service mail rates. Also proposed is an amendment making Braniff's service to Acapulco subject to the domestic rate since service to that point is also authorized American, Eastern and Western, the entire systems of which are subject to the domestic rate order. Another amendment which would make Pan American's service to the Virgin Islands subject to the domestic rate is also proposed. While there are no direct services between the continental United States and

[1] Since the opening of the rate, Mackey Airlines was granted an exemption Order E-22945, Nov. 29, 1965, to carry airmail between Florida and the Bahamas and it was given a temporary rate, Order E-23319, Mar. 3, 1966, under the former Latin American order. Its services would be covered by the disposition proposed herein.

[2] Delta elected not to attend such conferences because of the very limited impact that any action herein would have on its revenues.

[2a] American, Eastern, TWA, and United.

the Virgin Islands competitive with Pan American's, the effective rate available to the Department by routing such mail to San Juan at the domestic rate and then from San Juan to the Virgin Islands via Caribbean Atlantic at that carrier's $1.38 per ton-mile rate would be significantly below the 42.09 cents per ton-mile Latin American rate that would otherwise apply to Pan American. Pan American has agreed to provide the service at the domestic rate.

Conclusion. On the basis of the foregoing, the Board has tentatively concluded that Order E–22512, August 6, 1965, should be amended as follows:

(1) On page 5, line 3, the following language should be inserted between "June 19, 1965" and "are set forth below."

and over their routes between points within the 48 contiguous states and the District of Columbia, on the one hand, and the Virgin Islands and Acapulco, Mexico, on the other hand in effect on or after (date of final order);

(2) On page 7 under "4. Equalization of Rates" paragraph (a) line 3, insert the words "Latin American," between the words "including" and "transatlantic";

(3) At the end of footnote 2 on page 7 add the following:

Such offices for the Latin American area are currently located in Chicago, Houston, Los Angeles, Miami, New Orleans, New York, Washington, D.C., San Juan, P.R., and Charlotte Amalie, Frederiksted, and Christiansted, V.I.;

(4) On page 8 line 2 of the first paragraph under (c) insert the words "Latin American," between the words "including" and "transatlantic";

(5) On page 8 line 2 of paragraph (d) insert the words "Latin American," between the words "including" and "transatlantic".

Also on the basis of the foregoing, the Board tentatively finds that the fair and reasonable rates of compensation to be paid the carriers named below by the Postmaster General, pursuant to the provisions of section 406 of the Federal Aviation Act of 1958, for the transportation of mail by aircraft over their respective routes as described below, the facilities used and useful therefor, and the services connected therewith, are as follows:

1. For the period July 1, 1964, through February 28, 1966, a rate of 55.10 cents per ton-mile for the Latin American services of Pan American World Airways, Inc., other than those between the continental United States, on the one hand, and San Juan, P.R., and Mexico City, Mexico, on the other; a rate of 55.10 cents per ton-mile for the services of Braniff International Airways, Inc., between the continental United States, on the one hand, and the Canal Zone, on the other; a rate of 55.10 cents per ton-mile for all services of Mackey Airlines, Inc.; a rate of 65.30 cents per ton-mile for all of the Latin American services of Braniff International Airways, Inc., Delta Air Lines, Inc., and Pan American-Grace Airways, Inc., other than those between the continental United States, on the one hand, and San Juan, P.R., Mexico City, and the Canal Zone, on the other. Such rates shall be applied in accordance with the terms and conditions stated in Order E–9695, October 27, 1955.

2. For the period on and after March 1, 1966, a rate of 42.09 cents per ton-mile for the Latin American services of Braniff International Airways, Inc., Delta Air Lines, Inc., Pan American World Airways, Inc., Pan American-Grace Airways, Inc., and Mackey Airlines, Inc., other than those between the continental United States on the one hand, and San Juan, P.R., the Virgin Islands, and Mexico City, Monterrey, and Acapulco, Mexico, on the other. This rate shall be applied in accordance with the terms and conditions set forth below.

Mail ton-miles. The mail ton-miles for each shipment of mail shall be based upon the standard mileage established herein for service between the points of origin and destination of each shipment.[3]

Standard mileage. The standard mileage for each pair of points shall be as set forth in Appendix B to this order.[4]

Changes in standard mileage. The standard mileages set forth in Appendix B to this order shall remain in effect throughout the period this rate order is in effect: *Provided, however,* That at any time the Board may institute a proceeding, and any carrier subject to this order and/or the Postmaster General, may make application to the Board for establishment of standard mileages to a new point: *And provided further, however,* That once each fiscal year the Board may institute a proceeding and any carrier subject to this order and/or the Postmaster General may make application to the Board for revision of any standard mileage effective July 1 of such fiscal year. Such applications will not be regarded as reopening the rate. Applications provided for above shall be clearly entitled "Application for (New) (Revised) Standard Mileage," shall contain a clear and concise statement of the requested standard mileage or standard mileage revision and the facts upon which such request is based, and shall in all other respects conform to the applicable requirements of the rules of practice.

In establishing standard mileages to a new point, the Board will consider the routings of flights to such point and the number of flights required by the postal service. In establishing revised standard mileages, the Board will consider the effect of changes in airport location, mail flow, and flight routings reflected in the carriers' general schedules during the first seven days of the month immediately preceding the July 1 effective date of such revision.

[3] No tabulation of standard mileages is being attached to this order when initially issued. The standard mileages now being used to compute service mail pay, which are known to both the Department and all affected carriers, will continue to be used until the end of fiscal year 1966. An appendix establishing new standard mileages to apply during fiscal year 1967 will be published by July 1, 1966.

[4] See footnote 3 above.

Origin and destination of mail shipments. As used herein "point of origin" means the point at which the carrier first enplanes the mail shipment after receipt thereof from a Postal Administration or its representatives, from another ratemaking division of the same carrier, the operations of which division are not encompassed herein, or from another carrier; and "point of destination" means the point at which the carrier deplanes the mail shipment for delivery to a Postal Administration or its representatives, to a separate ratemaking division of the same carrier, the operations of which division are not encompassed herein, or to another carrier.

Equalization of rates—Election to equalize. Any air carrier, or, pursuant to agreement, any two or more air carriers providing service on an interline or interchange basis, may, by notice, elect to establish a reduced charge for the carriage of mail between:

(a) Any point where a U.S. Post Office Department international exchange office is located[5] and any other point to which such international exchange office is authorized to dispatch air mail, or

(b) Foreign points,

equal to the charge then in effect for service between such points by any other air carrier or air carriers.[6]

Notice of election to equalize rate. An original and three copies of each notice of election and agreement to equalize shall be filed with the Board and a copy thereof shall be served upon the Postmaster General and each carrier providing on-line or connecting service between the stated points. Such notices shall contain a complete description of the reduced charge being established, the routing over which it applies and how it is constructed and shall similarly describe the charge being equalized with.

Any equalized rate established pursuant to this order shall be effective for the electing carrier or carriers as of the date of filing of the notice or such later date as may be specified in the notice, until such election is terminated. Elections may be terminated by any electing carrier upon 10 days' notice filed with the Board and served upon the Postmaster General and each carrier providing on-line or connecting service between the stated points.

Division of equalized rates. In case of equalization of rates by agreement, the agreement shall provide for the proration of the mail compensation between participating carriers on the basis of the relative compensation which would otherwise be payable to each carrier in the absence of such an equalization. In the absence of an agreement among carriers for equalization of rates for interline or interchange shipments between a stated pair of points, any carrier (or two or more carriers jointly) may, by notice, elect to receive as its portion of the total compensation for each shipment the amount remaining after subtracting from such total compensation the compensation due the other carrier or carriers involved (nonelecting carriers). Such total compensation shall be computed on the basis of the lowest rate then in effect for service between the stated pair of points for any carrier or carriers. The compensation due the nonelecting carrier or carriers shall be that otherwise applicable to the point-to-point service it actually provides. In those instances where there is a nonelecting carrier or carriers involved in providing the through service and two or more carriers elect to receive payment under this provision, the total payment due such electing carriers shall be prorated by them on the basis of the relative compensation which would otherwise be payable to each of them in the absence of the provisions of this paragraph.

[5] Such offices for the Latin American area are: Chicago, Houston, Los Angeles, Miami, New Orleans, New York, Washington, D.C., San Juan, P.R., and Charlotte Amalie, Frederickstead, and Christiansted, V.I.

[6] The domestic multielement service mail rate is being amended herein to permit the air carriers covered by that rate to participate with carriers covered by this order in rate equalizations with respect to mail shipments transported between certain U.S. points and other points subject to the provisions of both the domestic and international service rates.

Divisions of equalized rates prescribed by the Board. In the event that any carrier is unable to enter into an agreement with any other carrier to transport mail between any stated points at a reduced rate it may file an application with the Board requesting it to determine and fix a different method of apportioning the total compensation for each such shipment of mail between the participating carriers. Such applications shall not be deemed to reopen the mail rates fixed by this order. An original and 19 copies of such an application shall be filed. Applications filed pursuant to this paragraph shall conform generally to the provisions of the rules of practice governing the filing of petitions in mail rate cases. Within 7 days after the application is served, any party may file an answer in support of or in opposition to the application, together with any documentary material upon which it relies. Any order upon application filed pursuant to this paragraph shall be effective no earlier than the date of filing of the application with the Board.

In reviewing such application, the Board will consider, among other pertinent factors, the need for the proposed service, the historical participation of electing carrier or carriers in the transportation of mail between such stated points, the amount of absorption required, and the grounds for refusal by the carrier or carriers to enter into an equalization agreement. After hearing the carriers concerned, either orally or in writing, in those cases where it deems such action appropriate the Board will by order prescribe the method for apportioning the total compensation between such carriers, but in no event shall the carrier or carriers which refuse to enter into an agreement to equalize compensation be required to accept less than the compensation which would have been payable if the services were performed under voluntary equalization agreement.

The compensation provided herein shall be in lieu of, and not in addition to, the service mail compensation heretofore received by each carrier for mail transported on and after July 1, 1964. The foregoing rates do not apply to the transportation of first-class and other preferential mail (other than airmail and air parcel post) for which a separate rate has been, or hereafter may be, established.

An appropriate order will be entered.

Murphy, Chairman, Murphy, Vice Chairman, Minetti, Gillilland and Adams, Members, concurred in the above Statement.

ORDER TO SHOW CAUSE

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of May 1966.

Latin American service mail rate case, Docket 15381; domestic service mail rates, Docket 15726.

The Board, having considered all of the information and data set forth or specifically referred to in the Statement of Provisional Findings and Conclusions (Statement), which is set forth above and incorporated herein, and having on the basis thereof made the provisional findings and conclusions and determined the rates specified in the Statement:

It is ordered, That:

1. All interested persons, and particularly Braniff Airways, Inc., Delta Air Lines, Inc., Mackey Airlines, Inc., Pan American-Grace Airways, Inc., Pan American World Airways, Inc., and the Postmaster General, are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine and publish the final rates specified in the Statement as the fair and reasonable rates of compensation to be paid to Braniff Airways, Inc., Delta Air Lines, Inc., Mackey Airlines, Inc., Pan American-Grace Airways, Inc., and Pan American World Airways, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over their systems as specified in the Statement.

2. All interested persons, and particularly American Airlines, Inc., Continental Air Lines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., Northeast Airlines, Inc., United Air Lines, Inc., Western Air Lines, Inc., Airlift International, Inc., The Flying Tiger Lines, Inc., The Slick Corp., Allegheny Airlines, Inc., Bonanza Air Lines, Inc., Central Airlines, Inc., Frontier Airlines, Inc., Lake Central Airlines, Inc., Mohawk Airlines, Inc., North Central Airlines, Inc., Ozark Air Lines, Inc., Pacific Air Lines, Inc., Piedmont Aviation, Inc., Southern Airways, Inc., Trans-Texas Airways, Inc., West Coast Airlines, Inc., Braniff Airways, Inc., Delta Air Lines, Inc., Northwest Airlines, Inc., Pan American World Airways, Inc., Trans World Airlines, Inc., and the Postmaster General are directed to show cause why the Board should not amend Order E–22512, August 6, 1965, as proposed in the Statement.

3. Further procedures herein shall be in accordance with the rules of practice, 14 CFR Part 302, and if there is any objection to the rates or to the other findings and conclusions specified in the Statement, notice thereof shall be filed within 10 days, and, if notice is filed, written answer and supporting documents shall be filed within 30 days, after the date of service of this order.

4. If notice of objection is not filed within 10 days, or if notice is filed and answer is not filed within 30 days, after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order fixing the rates and incorporating the findings and conclusions specified in the Statement.

5. If notice of objection and answer are filed, all issues going to the establishment of the rates shall be open, in accordance with Rule 319 of the rules of practice, except as limited in prehearing conference.

6. This order and the Statement of Provisional Findings and Conclusions set forth above shall be served upon the parties enumerated in paragraphs 1 and 2 above.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66–5132; Filed, May 10, 1966; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 66–EA–2]

WMAL–TV AND WTOP–TV

Affirmation of Determination of No Hazard to Air Navigation

The Federal Aviation Agency (FAA) was notified by FAA Form 117 dated November 15, 1965, that the Washington Post Co. (WTOP–TV) and the Evening Star Broadcasting Co. (WMAL–TV) jointly proposed to construct an antenna tower in Silver Spring, Md., at latitude 39°00′52″ N., longitude 77°03′02″ W. The overall height of the structure would be 1,549 feet above mean sea level (AMSL) (1,218 feet have ground level (AGL)).

On January 28, 1966, the Eastern Regional Office of the Federal Aviation Agency issued a determination that the proposed structure would not be a hazard to air navigation (Aeronautical Study No. EA–OE–65–600). The determination disclosed that:

1. The proposed tower would require an increase from 2,000 feet to 2,500 feet of:

a. The minimum en route altitude (MEA) on Federal airway Victor 265 between the Beltsville and Riverdale Intersections;

b. An altitude of the Andrews Air Force Base, Bethesda 5 Standard Instrument Departure (SID) route; and,

c. The AL–443–ADF–2 transition altitude from the Unity Intersection to the Georgetown RBN.

2. The proposed tower would not exceed obstruction standards in Federal Aviation Regulations (FAR), 14 CFR Part 77, as applied to the Washington National Airport or any other airport.

3. If the proposed tower receives full approval, the existing WMAL–TV and WTOP–TV tower heights would be reduced to a height satisfactory to the FAA.

4. WTOP–TV will withdraw its proposal to increase the height of its existing tower to 1,049 feet AMSL.

5. The proposed tower would be constructed to support the antennas of other television stations provided sufficient notice is given to permit engineering changes.

6. Some adverse effect on the handling of IFR traffic would result if the proposed tower is constructed.

7. The adverse effect of the proposed tower versus advantages of lowering or removing tall towers from a location close to Washington National Airport and the collocation of antennas more distant from the airport must be weighed.

8. The aeronautical study performed in relation to the proposal disclosed:

a. The altitude changes required, as stated above, would result in some changes in air traffic control handling of aircraft; however, radar is primarily used in handling of arriving and departing aircraft permitting flexibility in air traffic control.

b. The MEA could be retained through the use of standard radar separation by vectoring aircraft from the tower; no substantial increase in time or distance flown by aircraft operating in this area would result.

c. The proposed tower is located in a built-up area which influences the altitude of VFR aircraft traversing this site.

d. The site is in proximity of the Capital Beltway which traverses built-up areas and does not provide a route between any airports.

e. No evidence was disclosed that any substantial number of VFR aircraft use this highway for navigational guidance.

f. The proposed tower would have no adverse effect on other aeronautical operations, procedures, or minimum flight altitudes.

9. The proposal conforms to the antenna grouping concept with its attendant long range benefits to aviation.

On February 24, 1966, the Aircraft Owners and Pilots Association (AOPA) petitioned the Administrator for a review of the determination pursuant to § 77.37, FAR. On March 11, 1966, notice was given that the petition was granted and a review would be conducted on the basis of written materials (31 F.R. 4633).

The petition claims there is a high concentration of IFR and VFR traffic, especially in the lower regions of the airspace, in the Washington Metropolitan Area; the tower constitutes inefficient use of the navigable airspace; the MEA on V265, the transition altitude between the Unity Intersection and the Georgetown RBN, and an Andrews Air Force Base SID altitude would be raised affecting IFR traffic; and in general, the tower creates an adverse effect upon VFR traffic, especially during periods of reduced visibility.

The material developed in the regional study as well as the IFR and VFR flight procedures in the Washington area were reviewed.

The review confirmed the region's findings and the structure will have no greater adverse effect upon flight operations in the Washington area than were acknowledged in the determination.

A VFR traffic survey of the Washington, D.C., area conducted during the latter part of 1963 indicated that aircraft proceeded VFR from the immediate vicinity of their base use radio for guidance and traffic information; aircraft passing near the Washington National Airport, Dulles International Airport, and Friendship International Airport control zones contact the appropriate facilities for VFR radar information service or traffic information; aircraft flying VFR over the city of Washington maintain an altitude of 2,000 feet or higher; helicopter flights will not be affected by the proposed tower. The study also indicated that the area which would have the least impact upon IFR and VFR aeronautical operations in the Washington area would be approximately 8 miles north of prohibited area P–56. The proposed site is approximately 7 miles north of P–56.

The VFR traffic study also disclosed that a minimal amount of VFR traffic transverses the area of the proposed site.

The proposed tower constitutes efficient use of the navigable airspace since approximately six antennas will be concentrated on a single tower in a small area rather than on individual structures of varying heights spread over a large area with corresponding sponsors vying for transmission supremacy.

The required MEA increase on V265, and the Andrews Air Force Base SID altitude would result in some change in air traffic control handling of aircraft on these routes; however, the use of radar vectoring should negate, to some extent, the anticipated adverse effect on the handling of traffic in this area. The Unity Intersection was previously deleted for other aeronautical reasons.

The military representatives interposed no objection to the proposal, even though an increase in the Andrews Air Force Base SID altitude would be required, in view of the overall advantages to be derived. The Army representative endorsed the stressing of the proposed tower to accommodate additional antennas.

The region's study disclosed that the Capital Beltway does not provide a route between any airports and there is no evidence that any substantial number of VFR aircraft use this highway for navigational guidance.

As of March 11, 1966, the two other Washington TV stations, WRC–TV and WTTG–TV, have agreed to collocate their antennas on the proposed tower. In addition, it is understood that certain UHF stations in the Washington area have also agreed to relocate on the proposed tower. The collocation of several broadcasting stations in the same area, and particularly on one structure, is deemed to be in the public interest.

Based on the review, it is concluded the determination issued by the Agency's Eastern Region reflected properly the effect the tower would have on aeronautical operations, procedures, or minimum flight altitudes. Accordingly, it is the finding of the Agency that the proposed structure would have no substantial adverse effect upon aeronautical operations in the Washington, D.C., area and the finding of "no hazard to air navigation" issued by the Eastern Region is affirmed.

Therefore, pursuant to the authority delegated to me by the Administrator (30 F.R. 13623), the Determination of No Hazard to Air Navigation issued by the Eastern Region on January 28, 1966, is affirmed, effective this date.

Issued in Washington, D.C., on May 4, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66–5094; Filed, May 10, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16577, 16578; FCC 66M–643]

CENTURY BROADCASTING CO., INC., AND RKO GENERAL, INC.

Order Regarding Procedural Dates

In re applications of Century Broadcasting Co., Inc., Memphis, Tenn., Docket No. 16577, File No. BPH–4785; RKO General, Inc., Memphis, Tenn., Docket No. 16578, File No. BPH–4788; for construction permits.

At a prehearing conference held today, it was agreed that the procedural steps set forth below will be taken on the dates indicated:

July 6, 1966, preliminary exchange of direct presentations.
August 9, 1966, final exchange of direct presentations.
August 16, 1966, notification of witnesses.
September 1, 1966, hearing (continued from June 8, 1966).

So ordered, This 4th day of May 1966.

Released: May 5, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–5137; Filed, May 10, 1966; 8:48 a.m.]

[Docket Nos. 16584, 16585; FCC 66M–637]

CITY INDEX CORP. AND TELE/MAC OF JACKSON

Order Continuing Prehearing Conference

In re applications of City Index Corp., Jackson, Miss., Docket No. 16584, File No. BPCT–3530; John M. McLendon, trading as Tele/Mac of Jackson, Jackson, Miss., Docket No. 16585, File No. BPCT–3647; for construction permit for new television broadcast station (Channel 16).

The Hearing Examiner having under consideration a motion filed April 25, 1966, on behalf of City Index Corp. requesting that the prehearing conference in the above-entitled proceeding now scheduled for May 18, 1966, be held on May 31, 1966, or on some other date mutually convenient to all parties; and

It appearing that the reason for the requested extension is the fact that counsel for City Index Corp. will be out of the United States during the period April 23 to May 25, 1966; and

It further appearing that counsel for Tele/Mac of Jackson and Chief, Broadcast Bureau have no objection to the extension to May 31, 1966, and good cause for granting the motion having been shown:

It is ordered, This the 5th day of May 1966, that the motion is granted, and the prehearing conference now scheduled for May 18, 1966 is continued to May 31, 1966, beginning at 9 a.m. in the offices of the Commission, Washington, D.C.

Released: May 5, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–5138; Filed, May 10, 1966; 8:48 a.m.]

[Docket Nos. 16572, 16573; FCC 66M–642]

COSMOPOLITAN ENTERPRISES, INC., AND H. H. HUNTLEY

Order Continuing Hearing

In re applications of Cosmopolitan Enterprises, Inc., Edna, Tex., Docket No. 16572, File No. BP–16347; H. H. Huntley, Yoakum, Tex., Docket No. 16573, File No. BP–16570; for construction permits.

The Hearing Examiner having under consideration the rescheduling of date for commencement of hearing;

It appearing that a prehearing conference was held on May 4, 1966, at which time the problems of the case were discussed and the following schedule was agreed upon with the approval of the Examiner:

June 9, 1966, exchange of direct cases including all engineering.
June 20, 1966, exchange of any supplemental exhibits and at this time requests for witnesses must be made.
June 28, 1966, commencement of hearing.

It further appearing that if any of the parties intend to produce rebuttal evidence, they shall exchange exhibits on rebuttal by July 12 and a rebuttal hearing (if necessary) will be held on July 19, 1966:

It is ordered, This 4th day of May 1966, that the date of hearing is changed from June 9 to June 28, 1966, at 10 a.m. and the foregoing schedule will be observed.

Released: May 5, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–5139; Filed, May 10, 1966; 8:48 a.m.]

[Docket Nos. 16625–16628; FCC 66–411]

NORTHWESTERN INDIANA BROADCASTING CORP., ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Northwestern Indiana Broadcasting Corp., Valparaiso, Ind., Docket No. 16625, File No. BPH–4110, requests: 105.5 mc, No. 288; 3 kw; 300 feet; William H. Wardle, Robert A. Jones, and F. Patrick Nugent, doing business as Valparaiso Broadcasting Co., Valparaiso, Ind., Docket No. 16626, File No. BPH–4147, requests: 105.5 mc, No. 288; 3 kw; 268 feet; Porter County Broadcasting Corp., Valparaiso, Ind., Docket No. 16627, File No. BPH–4972, requests: 105.5 mc, No. 288; 3 kw; 300 feet; Northwestern Indiana Radio Co., Inc., Valparaiso, Ind., Docket No. 16628, File No. BPH–5045, requests: 105.5 mc, No. 288; 3 kw; 300 feet; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 4th day of May 1966;

1. The Commission has before it for consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would cause mutually destructive interference.

2. Data submitted by the applicants indicate that there would be a significant difference in the size of the populations which would receive service from the various proposals. The population figures vary from a low of 44,987 to a high of 270,538. Consequently, for the purposes of comparison, the area and populations within the respective 1 mv/m contours together with the availability of other FM services of at least 1 mv/m in such areas will be considered under the standard comparative issue for the purposes of determining whether a comparative preference should accrue to any of the applicants.

3. As we stated in the Reising case, 1 FCC 2d 1082, 6 R.R. 2d 431 (1965), programing evidence would not normally be admissible under the standard comparative issue, absent a finding regarding a material and substantial difference between the proposals. In this case, consideration of the programing proposals is required because Northwestern Indiana Radio Co., Inc., proposes to duplicate its companion AM station 48¾ hours per week or about 36.11 percent of the time, while the other applicants propose independent operations. Therefore, programing evidence will be admissible under the standard comparative issue.

4. Porter County Broadcasting Corp., licensee of standard broadcast station WAYK in Valparaiso, has requested waiver of § 73.210(a)(2) of the Commission's rules to permit it to establish its main studio outside the corporate limits of Valparaiso, at a point other than the transmitter site. This location (already used for the studio of its AM station) is on Sager Road, a main thoroughfare, 1.7 miles from the corporate limits of Valparaiso. According to Porter County, this location is easily accessible to all residents of Valparaiso and already includes ample parking space and facilities for expansion to include the proposed FM station. Porter County also has stated that the savings made possible by the reduction in operating costs will be passed on to the public in the form of better quality programing. We believe that Porter County has provided adequate justification, and § 73.210(a)(2) will be waived in the event of a grant of its application.

5. Except as indicated below, the applicants are qualified to construct and operate as proposed. However, because of their mutually exclusivity, the Commission is unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity and is of the opinion that the applications must be designated for hearing on the issues set forth below.

6. *It is ordered,* That pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine which of the proposals would better serve the public interest.

2. To determine in the light of the evidence adduced pursuant to the foregoing issues which of the applications should be granted.

7. *It is further ordered,* That, to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

8. *It is further ordered,* That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

9. *It is further ordered*, That in the event of a grant of the Porter County Broadcasting Corp. application, the permit shall contain the following condition: § 73.210(a)(2) of the Commission's rules is waived to permit the establishment of the main studio outside the corporate limits of Valparaiso, Ind., on Sager Road, 1.7 miles south of Valparaiso.

Released: May 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5140; Filed, May 10, 1966; 8:49 a.m.]

[Docket Nos. 16536, 16537; FCC 66M-648]

GORDON SHERMAN AND OMICRON TELEVISION CORP.

Order Continuing Hearing

In re applications of Gordon Sherman, Orlando, Fla., Docket No. 16536, File No. BPCT-3529; Omicron Television Corp., Orlando, Fla., Docket No. 16537, File No. BPCT-3596; for construction permit for new television broadcast station (Channel 35).

As a result of agreements reached on the record of a prehearing conference held this date in the above-entitled matter: *It is ordered*, This 5th day of May 1966, that:

1. Exchange of engineering and financial data to be accomplished by May 26, 1966.

2. Exchange of written cases to be by June 15, 1966.

3. Hearing (for rulings on objections to written cases) to be held at 10 a.m., June 22, 1966.

4. Witnesses are to be notified by June 24, 1966, and

5. Oral testimony is to be taken in a hearing on September 12, 1966.

It is further ordered, In accordance with the above agreements, that the hearing in this matter now scheduled to commence May 23, 1966 is hereby rescheduled to commence at 10 a.m., June 22, 1966, in the Commission's offices in Washington, D.C.

Released: May 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5141; Filed, May 10, 1966; 8:49 a.m.]

[Docket No. 16043; FCC 66-403]

SPORTS NETWORK, INC., AND AMERICAN TELEPHONE & TELEGRAPH CO.

Memorandum Opinion and Order Designating Formal Complaint for Hearing

Sports Network, Inc., New York, N.Y., complainant, vs. American Telephone & Telegraph Co., New York, N.Y., defendant; Docket No. 16043.

1. The Commission has before it a formal complaint filed June 3, 1965 by Sports Network, Inc. (complainant), against the American Telephone & Telegraph Company (A.T. & T.) regarding charges of A.T. & T. for certain audio and video program transmission services provided under A.T. & T. Tariff F.C.C. Nos. 198 and 216; an answer to the complaint filed by A.T. & T. on July 9, 1965, accompanied by A.T. & T.'s Motion to Dismiss the complaint; an opposition to A.T. & T.'s Motion to Dismiss and a reply to A.T. & T.'s answer filed by complainant on July 22, 1965; and A.T. & T.'s reply to such opposition filed August 3, 1965.

Summary of pleadings. 2. The complaint alleges that complainant is an originator of telecasts of sports events distributed to a network of TV stations; that under the provisions of the tariffs in question a minimum contract rate of $39.50 per airline mile per month for a continuous 8-hour period each day is imposed by A.T. & T. for interexchange channels utilized for audio and video program transmission; that for the 12-month period prior to the filing of the complaint, complainant paid defendant approximately $566,749 for such channels; that notwithstanding that it seldom uses that service for more than 3 hours per day, it is nevertheless compelled under the tariffs to pay A.T. & T. as though it were using the facilities for an 8-hour daily period; that this treatment is unfair, discriminatory, and unreasonable and a violation of sections 201 and 202 of the Communications Act of 1934; that complainant is required to and does give A.T. & T. operation orders so that A.T. & T. knows in advance of complainant's transmission times; that, based on information and belief, A.T. & T. has used facilities contracted for but unprogramed by complainant for other revenue producing purposes during the 5-hour per day, per month paid for but not used by complainant but A.T. & T. has not given complainant credit for such other revenues; and that this latter practice, too, has been unfair, discriminatory, and unreasonable, and a violation of sections 201 and 202 of the Communications Act of 1934.

3. The complaint further alleges that the aforementioned 8-hour minimum period rates have a stultifying and detrimental effect on the development of additional television stations in that such rates tend to cut new stations off from high quality programing resources which new stations must have to stimulate early conversion to UHF and to attract viewers from well-entrenched VHF competition; that it is through a central program producer able to invest money in quality programing and able to offer advertisers a network of stations for simultaneous viewing that stations have been able to become financially stable and to render a good local service; that the Commission recognized the foregoing in its Second Report on Deintermixture, 13 R.R. 1571, 1574 (1956); that for the indefinite future it will be difficult for TV stations, particularly independent UHF stations, to provide a program service that will make it a meaningful competitor to VHF stations in the same market without a network affiliation; that the requirement that program transmission service be purchased at the present 8-hour minimum rate imposes such a heavy financial drain on the promotion of a new network organization as virtually to preclude such formation and this impedes the establishment of new stations which in turn impedes the formation of network organizations; and that the present rate schedule is unjust and unreasonable because it tends to lessen competition and restrain commerce by making it extremely difficult for a new television network to get started and for new television stations to begin and continue operation, in violation of sections 313 and 314 of the Act.

4. Complainant also alleges that the feasible and fair charge by A.T. & T. would be on the basic unit of 3 hours, rather than 8; that the just and reasonable rate which would not discourage competition in the broadcast industry would be approximately three-eighths of the current rate of $39.50 or $14.82 per airline mile based on 3 hours per day of service per month which 3 hours need not be consecutive to one another; that under such a flexible monthly contract a new network would not be saddled with a block of contract hours for which it had no use and this, in turn, would channel money, otherwise invested on unused facilities, into additional programs for UHF stations, and this, in turn, would enable UHF stations to command a more competitive position within their sphere of operations.

5. In addition, complainant alleges that the same tariff in question provides occasional use rates which are based upon a 1-hour minimum rate proportionately higher than the 8-hour rates; that such occasional service charge per interexchange channel is $1.15 per hour per airline mile to which are added certain charges for station connection and local channels; that the existing rates for occasional service based on the 1-hour unit is unjust and tends to discriminate against new stations and to discourage their establishment; that the present rates defeat the ability of new stations to compete effectively against well-entrenched network affiliates in the same market and thereby thwart the allocations objectives of the Commission; that nonaffiliated stations need the ability to buy program transmission service at lower costs for smaller time units, such as 15 minutes; and that requiring such service on the basis of a 15-minute unit would make available to new stations and nonnetwork stations brand new program sources which will enable them to compete more effectively and provide a stimulus to the development of new TV stations and the fuller use of TV channels reserved for education.

6. Complainant cites Carter Mountain Transmission Corp. v. F.C.C., 321 F. 2d 359, and alleges that the Commission has authority to and should regulate common carriers subject to its jurisdiction in a manner that will advance and not negate its allocations objectives of

Commissioners Loevinger and Wadsworth absent.

encouraging fuller utilization of the UHF band and the establishment of more local TV service; and that the present rate structure defeats these objectives. Complainant prays (1) that the Commission find that the rates and charges which A.T. & T. has been requiring complainant to pay under Tariffs No. 198 and 216 for program transmission service have been unjust and discriminatory; (2) that the Commission determine that defendant owes to complainant five-eighths of the charges defendant made of complainant during the past 12-month period for interexchange channel relaying, and order defendant to pay the same to the complainant; (3) that A. T. & T. be directed to show the extent to which it derived revenue from applying the facilities paid for but not used by complainant to service to other customers of defendant, and that the amount awarded to complainant as damages take such revenues into consideration also; (4) that A. T. & T. be directed to file tariffs providing for program transmission rates for audio and video that would be approximately three-eighths of the current combined audio-video rate of $39.50, or approximately $14.82 per airline mile based on 3 hours per day of service per month, which hours do not necessarily have to be consecutive; and (5) that A.T. & T. be directed to file tariffs providing for occasional interexchange channel service based on a lower time unit such as 15 minutes, with the cost per airline mile scaled down in an appropriate manner; and (6) that the Commission grant such other and further relief as may be appropriate in the premises.

7. A.T. & T.'s answer to the complaint admits that it renders service to complainant but that complainant owes A.T. & T. $45,000 which is the subject of a law suit pending in the Supreme Court of the State of New York, Westchester County; that complainant has correctly stated the interexchange channel rates for both the 8-hour minimum period monthly contract service and the 1-hour minimum period occasional service; that complainant gives service orders and A.T. & T. has some advance notice of the hours when complainant's programs will be transmitted; and that defendant must pay the minimum charges for the 8-hour monthly contract service and the minimum charges for 1-hour occasional service whether or not defendant uses the service for the minimum periods. However, A.T. & T. denies all other allegations and states as an affirmative defense that the complaint fails to state any claim against A.T. & T. for which relief can be granted for the reasons that it fails to allege sufficient facts which, even if proven, would constitute a violation of any provision of the Communications Act, or any rule, order or regulation of the Commission.

8. Complainant's reply to A.T. & T.'s answer is that, in defending A.T. & T.'s law suit for $45,000, complainant, among other defenses and counterclaims, is claiming that A.T. & T.'s rates have been unfair, discriminatory, unreasonable, and in violation of sections 201 and 202 of the Communications Act; that the station connection charges of A.T. & T. for program transmission are also excessive and the Commission should investigate such connection charges as well as the interexchange charges for the 8-hour and 1-hour services; that based on custom and regular practice, A.T. & T. should have given complainant credit for revenues earned by A.T. & T. for use by other customers of facilities paid for by complainant; that A.T. & T's rates are having an adverse effect on the growth of the television service and need a major and full review; that, since A.T. & T. has all the figures on costs and expenses in rendering the services in question, it was reasonable to expect that it would respond with facts and figures to show that its monthly contract and occasional use interexchange rates are reasonable and fair; and that the complainant has raised major public interest and policy problems which should be reviewed by the Commission in a comprehensive way in an adjudicatory forum.

9. A.T. & T. moves to dismiss the complaint on the grounds that while the complaint contains a bare conclusory allegation that the charges have been unfair, discriminatory, and unreasonable and a violation of sections 201 and 202 of the Act, it is devoid of any factual allegations which support such conclusion; that the complaint assumes the justness and reasonableness of the charges for 8-hour daily service and 1-hour occasional service for such service periods; that the essence of the complaint is that the tariffs are unjust and unreasonable because the minimum charges are for periods longer than complainant desires; that no showing is made that the costs to A.T. & T. for providing the service for the minimum periods sought by complainant would be proportionally, or even materially, lower than the costs for furnishing the service for the present minimum periods; that, to the contrary, the probable consequence of providing service on a nonconsecutive basis would be to increase costs to A.T. & T.; that throughout each 8-hour daily period or 1-hour period of occasional service, A.T. & T. provided to complainant all of the services for which it had any need or desire; that the fact that a rate may be so high as to make it uneconomical for one particular person does not, of itself, establish the unreasonableness of such rate; that neither the convenience of complainant nor its unique requirements constitute any grounds for requiring tariff revisions; that the charges in question have been in effect for a substantial period of time and the reasonableness thereof is presumed to continue in the absence of a showing of unreasonableness on the part of any complaining party; and that the allegations of complainant concerning competition within the television industry are entirely beside the point since neither section 313 nor section 314 is germane to the matter of lawfulness of the charges.

10. Complainant's reply to the Motion to Dismiss is that complainant does not know the exact investment of A.T. & T. in program transmission facilities and the use of and income from such investment; that it is incumbent upon A.T. & T. to allege matters within its knowledge alone that would indicate that its rates are fair and reasonable; that there is no presumption of reasonableness of long standing rates; that the present tariffs seem to suit not more than three customers and are unlawful for other present or potential customers; that no meaningful justification has been presented to the Commission for the present rates; that exorbitant rates can defeat the hopes for UHF; that technical improvements and economies have been effected by A.T. & T.; that custom and practice require A.T. & T. to give complainant credit for revenue earned by A.T. & T. for use by other customers of facilities paid for by complainant; that a different rate structure would do much to increase the viability of new TV stations; and that sections 313 and 314 of the Act go to the very heart of the Commission's responsibilities to the public.

Discussion. 11. This is a complaint filed pursuant to the provisions of section 208 of the Communications Act of 1934, as amended and §§ 1.716 to 1.735 of our rules implementing that section of the Act. We have summarized the pleadings at some length inasmuch as A.T. & T.'s Motion to Dismiss presents the initial question of whether the complaint, on its face, is legally sufficient to state a cause of action under the Communications Act of 1934, as amended. If the complaint is not legally sufficient, it must be dismissed under § 1.735 of our rules. Pertinent to this area of our inquiry are §§ 1.722 and 1.726 of our rules. Section 1.722 requires formal complaints to be so drawn as to advise the Commission and the defendant fully wherein the provisions of the Communications Act have been violated and as to the facts claimed to constitute any such violation, and § 1.726 requires any complaint alleging discrimination, preference or prejudice, to "specify the particular person, company or other entity, locality or description of traffic affected thereby, and the particular discrimination, preference, prejudice, or disadvantage relied upon as constituting a violation of the Communications Act."

12. Complainant alleges violation of sections 201, 202, 313, and 314 of the Act. Although the complaint is not as specific as it should be in this regard we assume from the context of the complaint that complainant intended to refer to paragraph (b) of section 201 and to paragraph (a) of section 202 and we shall treat the complaint accordingly.

13. Section 201(b) requires all charges, practices, classifications, and regulations to be just and reasonable and any such charge, practice, classification, or regulation that is unjust and unreasonable is declared to be unlawful. Section 202(a) declares unlawful any unjust or unreasonable discrimination in connection with like communication service; or any undue or unreasonable preference or advantage to any particular person or class of persons or locality; or the subjection of any particular per-

son, class of persons, or locality to any undue or unreasonable prejudice or disadvantage.

14. We agree with defendant that complainant's allegations of fact raise no question as to the lawfulness of the present charges for interexchange channel facilities furnished for video program transmission (including audio) when such facilities are used by the customer for the full 8 hour, 7 day a week monthly period to which the present minimum charges now apply under the "Monthly Service" offering. However, complainant's allegations go beyond this and assert, in essence, that under the rates now applicable to the provision of such facilities, complainant pays the same amount for 3 hours a day (or less) use of such facilities that others pay for 8 hours a day use of the same kind of facilities; that the facilities used by complainant for 3 hours (or less) a day are released to defendant and used by it for other revenue-producing purposes during the remaining 5-hour period without any adjustments in such charges to complainant; and that the overall revenue to defendant for providing such facilities to complainant and others for an 8-hour period are substantially greater than the revenue from providing the same facilities to a single customer for the same period. We view these allegations as legally sufficient to raise questions, which we do not now decide, as to whether there is any justification for the application of the same charges for the substantially lesser period of use by complainant. We officially notice, in this connection, that defendant's tariff presently provides for prorating the aforementioned minimum charge among different users of such facilities "when the available facilities are insufficient to meet the total needs of customers for monthly service" or "when the number of customers requesting monthly service * * * exceeds the number of stations desiring such service over such facilities." (Original p. 127, A.T. & T. Tariff FCC No. 260.)

15. We conclude, in view of the foregoing, that complainant's allegations of fact, taken as a whole, fairly raise questions under sections 201(b) and 202(a) as to the lawfulness of the charges now applicable to the interexchange channel facilities provided by defendant for video (and audio) program transmission where the use thereof by a customer is significantly less than 8 hours per day, 7 days per week, per month.

16. With respect to the "occasional use" offering of defendant and the rates therefor, complainant's allegations of fact are to the effect that the charges to the user under this offering are considerably higher per airline mile per hour or fraction thereof than the average charge per airline mile per hour or fraction thereof for the same facilities provided under the "Monthly Service" offering. This is adequate to present questions as to whether the charges for "occasional use" bear a reasonable relationship to the charges for the same facilities for a comparable period of use when such facilities are provided under the "Monthly Service" offering.

17. For the foregoing reasons, we shall deny defendant's Motion to Dismiss without prejudice and shall enter into an investigation of the issues raised by the complaint that are hereinafter specifically set forth in our order.

18. As heretofore stated, the complaint also alleges violations of sections 313 and 314 of the Act. Section 313 of the Act provides for the application of the antitrust laws to the manufacture and sale of, and to trade in, radio apparatus and devices entering into or affecting interstate or foreign commerce and to interstate or foreign radio communications. It further provides for imposition by the Commission or a court of certain sanctions on radio licensees found guilty by a court of violating any such antitrust laws. Section 314 of the Act prohibits common ownership or control of cable and radio facilities if the purpose or effect thereof is to substantially lessen competition between any place in the United States and any place in any foreign country or unlawfully to create monopoly in any line of commerce. The allegations of the complaint fail to advise the Commission and the defendant wherein the provisions of section 313 or section 314 have been violated or as to the facts claimed to constitute any such violation. We, therefore, conclude that the complaint is legally deficient in its allegations of violation of section 313 and section 314 of the Act and, in the investigation we are ordering herein, we shall include no issue with respect to these statutory provisions. This does not mean, however, that evidence in these areas would be inadmissible if pertinent to the section 201(b) or 202(a) issues herein.

19. We believe that it would be useful to point out that the complaint proceedings that we are instituting herein involve questions that are not in issue in the pending proceedings in Docket No. 16258 relating to the investigation of the Bell System charges for interstate and foreign communication services. As we have heretofore indicated, the proceedings in Docket No. 16258 are concerned with the total revenue requirements of the Bell System companies applicable to their interstate and foreign communication services, and the variation in the level of earnings for the different classes of service, and not the internal rate components, practices, or regulations within each of the principal rate classifications of service. In the Matter of A.T. & T. Revision of Definition of Service Points, 2 F.C.C. 2d 359 (Jan. 27, 1966).

Accordingly, it is ordered, That pursuant to the provision of sections 201 through 209 of the Communications Act of 1934, as amended, a public hearing shall be held at a time and place to be hereinafter designated upon the following specific issues raised by the above complaint:

Issues. (1) Whether the charges, classifications, regulations, and practices of defendant, applicable to interexchange channel facilities furnished for television program transmission (both video and audio), that are used for periods shorter than 8 hours per day, 7 days per week, per month are unjust and unreasonable and therefore unlawful within the meaning of section 201(b) of the Communications Act of 1934, as amended, or are unduly discriminatory or preferential in violation of section 202(a) of said Act;

(2) The amount of damages, if any, that the complainant may be entitled to as a result of any charges collected by defendant during the 12-month period prior to the filing of the complaint that may be found herein to be unlawful;

(3) Whether, in the light of facts developed in connection with the foregoing issues, the Commission, in accordance with the provisions of section 205 of the said Act, should prescribe new or revised charges, classifications, regulations and practices applicable to interexchange channel facilities for television program transmission (both video and audio) that are used for periods shorter than 8 hours per day, 7 days per week, per month;

It is further ordered, That defendant's request for dismissal of the complaint is denied without prejudice;

It is further ordered, That a copy of this order shall be served upon the complainant and defendant herein;

It is further ordered, That a Hearing Examiner shall be designated to preside in the complaint proceedings ordered herein, who shall prepare an Initial Decision on all of the issues in the complaint proceedings as provided in § 1.267 of the Commission's rules.

Adopted: May 4, 1966.

Released: May 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5142; Filed, May 10, 1966; 8:49 a.m.]

[Docket Nos. 16623, 16624; FCC 66-410]

WDIX, INC., AND RADIO ORANGEBURG, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of WDIX, Inc., Orangeburg, S.C., Docket No. 16623, File No. BPH-4554, requests: 106.7 mc, No. 294; 94 kw; 278 feet; Radio Orangeburg, Inc., Orangeburg, S.C., Docket No. 16624, File No. BPH-4642, requests: 106.7 mc, No. 294; 96.6 kw; 280 feet; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 4th day of May 1966;

1. The Commission has under consideration the above-captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

[1] Commissioners Loevinger and Wadsworth absent.

2. H. E. Crapps, president and 50 percent stockholder in applicant Radio Orangeburg, Inc., holds a controlling interest in the Ridge Broadcasting, Co., Inc., licensee of station WBLR-FM, Batesburg, S.C., which is located approximately 49 miles from the site proposed in the Radio Orangeburg, Inc. application. Therefore, Radio Orangeburg, Inc. would be restricted in its ability to increase facilities without causing overlap of the 1 mv/m contours in contravention of § 73.240(a)(1) of the Commission's rules.

3. As we stated in the Reising case, 1 FCC 2d 1082, 6 R.R. 2d 431 (1965), programing evidence would not be admissible under the standard comparative issue, absent a finding regarding a substantial and material difference between the proposals. In this case, consideration of the programing proposals is required because WDIX, Inc., proposes to duplicate its companion AM station approximately 14.5 hours per day or 79.88 percent of the time, while Radio Orangeburg, Inc., proposes to duplicate the programing of its AM station 2.5 hours per day or only about 16.11 percent of the time. Therefore, programing evidence will be admissible under the standard comparative issue.

4. WDIX, Inc., has requested waiver of § 73.210(a)(2) of the Commission's rules to permit the main studio to be located outside the city limits of Orangeburg, S.C. The proposed main studio, 1.8 miles from town would be located on U.S. 178, a major artery, and is already used as a main studio for companion AM station WDIX. Under these circumstances, we believe that adequate justification has been provided for waiver in the event of a grant of the WDIX, Inc., application.

5. Except as indicated by the issues set forth below, each of the applicants is qualified to construct and operate as proposed.

6. Consequently, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below:

7. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the extent to which duopoly considerations may preclude future expansion of the proposed facilities of Radio Orangeburg, Inc., and in light of the evidence adduced in response to this question, whether this proposal represents an efficient use of the channel within the meaning of section 307(b) of the Communications Act of 1934, as amended.

2. To determine in the event issue one is resolved in Radio Orangeburg's favor, which of the proposals would better serve the public interest.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications for construction permit should be granted.

8. *It is further ordered*, That in the event of a grant of the WDIX, Inc., application, the permit shall contain the following condition: § 73.210(a)(2) of the Commission's rules are waived to permit the establishment of the main studio 1.8 northwest of the city limits of Orangeburg, S.C., on U.S. 178.

9. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

10. *It is further ordered*, That, the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: May 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5143; Filed, May 10, 1966; 8:49 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[Secretary's Order No. 26-65]

OFFICE OF FEDERAL CONTRACT COMPLIANCE (EEO)

Establishment

1. *Purpose.* To establish the Office of Federal Contract Compliance (EEO) in the Department of Labor and to delegate authority for the discharge of responsibilities assigned to the Secretary of Labor under Executive Order 11246.

2. *Authority and Directives Affected.* a. This Order is issued pursuant to the Act of March 4, 1913 (37 Stat. 736; 5 U.S.C. 611), Reorganization Plan No. 6 of 1950 (15 F.R. 3174; 64 Stat. 1263, 5 U.S.C. 611, Note) and Executive Order 11246 of September 24, 1965, entitled Equal Employment Opportunity.

b. All orders, instructions, and memoranda of the Secretary of Labor or other officials of the Department of Labor are superseded to the extent that they are inconsistent herewith.

3. *Background.* Pursuant to Executive Order 10925 as amended by Executive Order 11114 the President's Committee on Equal Employment Opportunity carried out activities to achieve nondiscrimination in employment within the executive branch of the Government and by Government contractors. Executive Order 11246 superseded those Executive Orders and abolished the President's Committee on Equal Employment Opportunity.

Under provisions of Executive Order 11246 the Civil Service Commission has been assigned responsibility for supervising and providing leadership in the conduct of equal opportunity programs within the executive departments and agencies.

The Secretary of Labor under Executive Order 11246 is responsible for achieving nondiscrimination in employment by Government contractors and subcontractors and by construction contractors in Federally assisted construction contracts.

4. *Establishment of the Office of Federal Contract Compliance (EEO).* There is hereby established in the Department of Labor an Office of Federal Contract Compliance (EEO) which shall be headed by a Director appointed by the Secretary of Labor.

5. *Delegation of Authority and Assignment of Responsibilities.* Under the general direction of the Secretary of Labor the Director of the Office of Federal Contract Compliance (EEO) is hereby delegated authority and assigned responsibility for:

a. Carrying out the responsibilities assigned to the Secretary of Labor by Executive Order 11246, except issuing rules and regulations of a general nature.

b. Developing and recommending to the Secretary rules and regulations necessary and appropriate to achieve the purposes of Executive Order 11246.

c. Coordinating with the Equal Employment Opportunity Commission and the Department of Justice on matters relating to Title VII of the Civil Rights Act of 1964 and maintaining liaison with other agencies having civil rights and equal employment opportunity activities.

d. Providing regular reports to the Secretary of Labor concerning the activities of the Office and problems requiring the Secretary's attention.

6. *Effective date.* This order is effective immediately.

Signed at Washington, D.C., this 5th day of October 1965.

W. WILLARD WIRTZ, *Secretary of Labor.*

[F.R. Doc. 66-5105; Filed, May 10, 1966; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-5557, etc.]

B & G OIL & GAS CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MAY 3, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 26, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-5557 E 3-11-66	B & G Oil & Gas Co. (successor to Bernard S. Graves, et al.) c/o Reta Robinson, disbursing agent, 4606 Chimney Dr., Charleston, W. Va., 25302.	Consolidated Gas Supply Corp., De Kalb District, Gilmer County, W. Va.	20.0	15.325
G-17979 D4-27-66	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla., 74102 (partial abandonment).	Transwestern Pipeline Co., Council Grove Formation, Beaver County, Okla.	(1)	-------
CI60-32 D 1-17-66	Texaco Inc. (Operator), et al., Post Office Box 52332, Houston, Tex., 77052 (partial abandonment).	El Paso Natural Gas Co., La Barge Field, Sublette County, Wyo.	Uneconomical	-------
CI62-604 C 4-27-66	Allerton Miller, 2501 Grant Bldg., Pittsburgh, Pa., 15219.	Equitable Gas Co., Meade District, Upshur County, W. Va.	15.0	15.325
CI62-1251 C 4-25-66	Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co. (Operator), et al., Post Office Box 747, Dallas, Tex., 75221.	Arkansas Louisiana Gas Co., Wilburton Field, Latimer County, Okla.	15.0	14.65
CI63-318 C 4-25-66	Frank A. Schultz, et al., 730 Fidelity Union Tower, Akard and Pacific Sts., Dallas, Tex., 75201.	El Paso Natural Gas Co., Basin Dakota and Blanco Mesaverde Fields, San Juan County, N. Mex.	13.0	15.025
CI64-357 C 4-25-66	American Metal Climax, Inc. (Agent and Operator), et al., Enterprise Bldg., Tulsa, Okla., 74103.	Mountain Fuel Supply Co., acreage in Sweetwater County, Wyo.	15.0	14.65
CI64-670 C 4-27-66	Marathon Oil Co., 539 South Main St., Findlay, Ohio, 45840.	Arkansas Louisiana Gas Co., Wilburton Field, Haskell and Le Flore Counties, Okla.	15.0	14.65
CI65-539 C 3-11-66	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif., 90017.	Natural Gas Pipeline Co. of America, Wait Canyon Unit, Indian Basin Area, Eddy County, N. Mex.	[2] 16.608	14.65
CI65-1175 3-28-66 [3]	James H. Helland (Operator), et al., 2111 Alamo National Bank Bldg., San Antonio, Tex., 78205.	United Gas Pipe Line Co., Weesatche Field, Cabeza Creek Area, Goliad County, Tex.	14.0	14.65
CI66-766 A 2-23-66	MWJ Producing Co. (Operator), agent, 413 First National Bank Bldg., Midland, Tex., 79701.	El Paso Natural Gas Co., acreage in Reagan County, Tex.	[4] 14.5	14.65
CI66-773 (G-6323) F 2-21-66	George L. Buckles, et al. (successor to Amerada Petroleum Corp.), Post Office Box 56, Monahans, Tex., 79756.	El Paso Natural Gas Co., Langlie-Mattix Field, Lea County, N. Mex.	[5] 9.0	14.65
CI66-800 B 2-28-66	Jake L. Hamon (Operator), et al., c/o Wm. Taylor LaGrone, attorney, Post Office Box 663, Dallas, Tex., 75221.	Phillips Petroleum Co., Azalea Field, Midland County, Tex.	Declined in pressure	-------
CI66-804 B 3-3-66	Gulf Oil Corp. (Operator), et al., Post Office Box 1589, Tulsa, Okla., 74102.	El Paso Natural Gas Co., Teague McKee Pool, Lea County, N. Mex.	Depleted	-------
CI66-806 [6] A 3-2-66	Sinclair Oil & Gas Co., [6] Post Office Box 521, Tulsa, Okla., 74102.	El Paso Natural Gas Co., Langlie Mattix Field, Lea County, N. Mex.	[7] 10.5	14.65
CI66-825 A 2-28-66	Joseph S. Gruss, 30 Broad St., New York, N.Y., 10004.	El Paso Natural Gas Co., Spraberry Trend Area, Reagan County, Tex.	16.0	14.65
CI66-833 (CI-18925) F 3-4-66	Socony Mobil Oil Co., Inc. (successor to Jake Jacobsen [8]), Post Office Box 2444, Houston, Tex., 77001.	El Paso Natural Gas Co., Spraberry Field, Midland County, Tex.	[9] 14.5	14.65
CI66-875 A 3-21-66	Midwest Oil Corp., 1700 Broadway, Denver, Colo., 80202.	Northern Natural Gas Co., Meybin Ranch Area, Crockett County, Tex.	16.0	14.65
CI66-913 B 3-31-66	Dalton H. Cobb, 906 Vaughn Bldg., Midland, Tex., 79701.	Pioneer Gathering System, Inc., acreage in Crockett County, Tex.	Depleted	-------
CI66-1003 (G-13299) F 4-18-66	Southern Union Production (successor to Sunray DX Oil Co.[10]), Fidelity Union Tower, Dallas, Tex., 75201.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	17.0	14.65
CI66-1004 A 4-21-66	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla., 74102.	Northern Natural Gas Co., Snake Creek, West Field, Clark County, Kans.	14.0	14.65
CI66-1005 (G-13633) F 4-15-66	G. H. Vaughn, Jr., and Jack C. Vaughn (Operators), et al. (successors to Union Producing Co.), % E. H. Gunter, general manager, 1200 Vaughn Bldg., Dallas, Tex., 75201.	United Gas Pipe Line Co., Northeast Lisbon Field, Claiborne Parish, La.	12.5252	15.025
CI66-1006 A 4-20-66	Yucca Petroleum Co., First National Bank Bldg., Amarillo, Tex.	Transwestern Pipeline Co., South Follett (Morrow) Field, Lipscomb County, Tex.	17.0	14.65
CI66-1007 A 4-20-66	John W. Herndon, et al., Post Office Drawer 6160, Corpus Christi, Tex., 78403.	Banquete Gas Co., a division of Crestmont Oil & Gas Co., North Odem Field, San Patricio County, Tex.	10.0	14.65
CI66-1008 A 4-20-66	Robert Mosbacher (Operator), et al., 602 Bank of Commerce Bldg., Houston, Tex., 77002.	United Gas Pipe Line Co., Roanoke Field, Jefferson Davis Parish, La.	15.75	15.025
CI66-1009 B 4-20-66	Garrett Woodford & Swadley, 316 West Pike St., Clarksburg, W. Va., 26301.	Consolidated Gas Supply Corp., Ten Mile District, Harrison County, W. Va.	Uneconomical	-------
CI66-1010 A 4-20-66	L. W. Prunty, Post Office Box 1068, Ponca City, Okla., 74602.	Carnegie Natural Gas Co., Union District, Ritchie County, W. Va.	20.0	15.325

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.
See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66-1011 B 4-20-66	Rich Oil & Gas Co., 316 West Pike St., Clarksburg, W. Va., 26301.	Consolidated Gas Supply Corp., Murphy District, Ritchie County W. Va.	Uneconomical	-------
CI66-1012 A 4-20-66	Amax Petroleum Corp., et al., Enterprise Bldg., Tulsa, Okla., 74103.	Mountain Fuel Supply Co., acreage in Sweetwater County, Wyo.	15.0	14.65
CI66-1013 A 4-20-66	L. H. Witwer and F. G. Witwer, 2727 South Victor, Tulsa, Okla.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	17.0	14.65
CI66-1014 A 4-22-66	Oil States Sales Co., 4401 Centre Ave., Pittsburgh, Pa., 15213.	Carnegie Natural Gas Co., Union District, Ritchie County, W. Va.	20.0	15.325
CI66-1015 A 4-18-66	Carl Hinkle, Ellenboro, W. Va., 26346.	Carnegie Natural Gas Co., Centerville District, Tyler County, W. Va.	20.0	15.325
CI66-1016 A 4-25-66	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif., 90017.	Texas Gas Transmission Corp., Welsh Field, Jefferson Davis Parish, La.	18.25	15.025
CI66-1017 A 4-25-66	Dan E. McMillen and S. R. McCampbell, 207 Cravens Bldg., Oklahoma City, Okla., 73102.	Michigan Wisconsin Pipe Line Co., acreage in Dewey County, Okla.	19.5	14.65
CI66-1018 B 4-25-66	Monsanto Co., et al., 1300 Main St., Houston, Tex., 77002.	Texas Eastern Transmission Corp., South Lucky Field, Bienville Parish, La.	Depleted	-------
CI66-1019 A 4-15-66	Southwest Oil Industries, Inc., 801 First National Bldg., Oklahoma City, Okla., 73102.	Colorado Interstate Gas Co., Mocane-Laverne Field, Beaver County, Okla.	17.0	14.65
CI66-1020 B 4-25-66	Miller & Fox Minerals Corp. (Operator), et al., Oil Industries Bldg., Corpus Christi, Tex., 78401.	Texas San Juan Oil Corp., Miller and Fox Field, Jim Wells County, Tex.	Depleted	-------
CI66-1021 B 4-25-66	----do----	Hydrocarbon Transmission Co., North ASOG Field, Jim Wells County, Tex.	Depleted	-------
CI66-1022 (G-9837) F 4-25-66	John A. Egan, Operator (successor to E. B. Germany, d.b.a. E. B. Germany & Sons (Operator), et al.), Post Office Box 208, Farmington, N. Mex., 78401.	El Paso Natural Gas Co., San Juan Basin, Rio Arriba County, N. Mex.	12.0495	15.025
CI66-1023 A 4-25-66	Callery Properties, Inc., 1550 First City National Bank Bldg., Houston, Tex., 77002.	Texas Eastern Transmission Corp., Manila Village Field, Jefferson Parish, La.	15.0	15.025
CI66-1024 B 4-25-66	Southwestern Exploration Consultants, Inc., 404 Local Federal Bldg., Oklahoma City, Okla., 73102.	Lone Star Gas Co., acreage in Stephens County, Okla.	Depleted	-------
CI66-1025 B 4-25-66	----do----	Lone Star Gas Co., acreage in Jefferson County, Okla.	[11]	-------
CI66-1026 B 4-25-66	----do----	Lone Star Gas Co., acreage in Stephens County, Okla.	[11]	-------
CI66-1027 B 4-25-66	Southwestern Exploration, Consultants, Inc. (Operator), et al.	Lone Star Gas Co., acreage in Jefferson County, Okla.	Depleted	-------
CI66-028 B 4-29-66	----do----	----do----	[11]	-------
CI66-1029 A 4-25-66	Champlin Petroleum Co., Post Office Box 9365, Fort Worth, Tex., 76107.	Tennessee Gas Pipeline Co., a division of Tenneco Inc.,[12] Beaurline Field, Hidalgo County, Tex.	15.0	14.65
CI66-1030 B 4-27-66	Lewis S. Rosenstiel, et al., c/o Seymour Roberts, controller, 26 Journal Square, Jersey City, N.J., 07306.	United Gas Pipe Line Co., West Puerto Bay Field, San Patricio County, Tex.	Depleted	-------
CI66-1032 A 4-27-66	Hundred Gas Co., c/o A. M. Snider, partner, Hundred, W. Va., 26575.	Carnegie Natural Gas Co., Ellsworth District, Tyler County and Green District, Wetzel County, W. Va.	20.0	15.325
CI66-1033 A 4-27-66	----do----	Carnegie Natural Gas Co., Green District, Wetzel County, W. Va.	20.0	15.325
CI66-1034 A 4-27-66	Bowers Drilling Co., Inc., 1434 Wichita Plaza, Wichita, Kans. 67202.	Cities Service Gas Co., Little Bear Creek, Barber County, Kans.	14.0	14.65
CI66-1035 A 4-27-66	Glenn Tompkins and John R. Welch, d.b.a. Oil Ridge Gas Co., 302 Jarvis St., Charleston, W. Va., 25301.	Pennzoil Co., Grant District, Ritchie County, W. Va.	15.0	15.325
CI66-1036 A 4-25-66	J. Gregory Merrion and Robert L. Bayless, Box 507, Farmington, N. Mex., 87401.	El Paso Natural Gas Co., Flora Vista Mesaverde Field, San Juan County, N. Mex.	13.0	15.025
CI66-1037 A 4-25-66	Socony Mobil Oil Co., Inc., Post Office Box 2444, Houston, Tex., 77001.	Texas Eastern Transmission Corp., Chapman Ranch Field, Nueces County, Tex.	[13] 15.6	14.65

[1] Reserves insufficient to justify buyer constructing facilities necessary to connect to well on subject acreage.
[2] Rate includes an upward adjustment of 0.608 cent per Mcf for heating value above 1000 B.t.u.'s per cu. ft.
[3] Amends contract to include oil well gas which was previously excluded.
[4] Subject to maximum deduction of 1.0 cent per Mcf from the price of residue gas derived from casinghead gas (from any formation other than the Spraberry) which may require treating.
[5] Contract provides for a rate of 10.0 cents per Mcf on Jan. 1, 1966. Applicant only proposes to collect the 9.0-cent rate.
[6] Service currently being rendered under co-owner's (Albert Gackle) filings in Docket No. G-10917—Albert Gackle (Operator), et al., FPC GRS No. 10. Gackle has filed a small producer application which cannot cover Sinclair's interest. Applicant proposes to establish its own filing to cover its share of the sale.
[7] Reflects 0.5 cent deduction due to the inability of the subject gas to flow into buyer's intermediate pressure gathering system.
[8] Covered under J. E. Connally's FPC GRS No. 1.
[9] Predecessor's current rate is 17.2295 cents per Mcf effective subject to refund in Docket No. RI60-104, however, Socony only proposes to collect 14.5 cents per Mcf, the rate established for this sale in Opinion No. 468.
[10] Sinclair Oil & Gas Co. assigned subject interest to Sunray DX Oil Co., who then assigned the interest to Southern Union.
[11] Due to partial depletion of gas reservoir, wells are unable to deliver gas into existing gathering facilities.
[12] Formerly Tennessee Gas Transmission Co.
[13] Rate in effect subject to refund in Docket No. RI65-196.

[F.R. Doc. 66-5048; Filed, May 10, 1966; 8:45 a.m.]

[Docket No. RI66-360]

ATLANTIC REFINING CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

MAY 4, 1966.

On April 4, 1966, The Atlantic Refining Co. (Atlantic) [1] tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser and producing area: Transwestern Pipeline Co. (Kermit Field, Winkler County, Tex.) (Permian Basin Area).
Rate schedule designation: Supplement No. 1 to Atlantic's FPC Gas Rate Schedule No. 232.

Effective date: May 5, 1966.[2]
Amount of annual increase: $5,384.
Effective rate: 16.0 cents per Mcf.[3]
Proposed rate: 20.5 cents per Mcf.[4]
Pressure base: 14.65 p.s.i.a.

Atlantic requests that its proposed rate increase be permitted to become effective as of September 1, 1965, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Atlantic's rate filing and such request is denied.

Atlantic, a producer-respondent in the Permian Basin Opinion No. 468, proposes a periodic rate increase from 16.0 cents to 20.5 cents per Mcf, at 14.65 p.s.i.a., amounting to $5,384 annually, for a sale of new residue gas derived from gas-well gas to Transwestern Pipeline Co. in the Permian Basin Area of Texas. The proposed increased rate exceeds the applicable area base rate of 16.5 cents per Mcf prescribed by Opinion No. 468.

The contract involved was executed on March 22, 1961, and thus covers a sale for "new" gas under Opinion No. 468. On March 21, 1966, Atlantic filed, in compliance with Opinion No. 468, a rate scheduled-quality statement for the subject sale. The quality statement shows that the residue gas does not meet the quality standards prescribed by Opinion Nos. 468 and 468–A, only insofar as sulphur and water content, with a related treatment cost of 0.524 cent. The quality statement further reflects credits of 0.25 cent for delivery pressure in excess of 500 p.s.i.g. and 0.83 cent per Mcf for B.t.u. content between 1,000 and 1,050, which are applied to offset the treating cost of 0.52 cent per Mcf. The B.t.u. content is shown to be 1085. By order issued March 23, 1966, in Area Rate Proceeding, Docket No. AR61–1 (Phillips Petroleum Co., Docket No. G–20405) the

[1] Address is: Post Office Box 2819, Dallas, Tex., 75221.
[2] The stated effective date is the first day after expiration of the statutory notice.
[3] Initial rate.
[4] Periodic rate increase.

Commission indicated it would not allow an upward adjustment for B.t.u. content between 1,000 and 1,050 or for delivery pressure in excess of 500 p.s.i.g. as an offset against a downward quality adjustment in determining the applicable area rate. That ruling is equally applicable here.

Examination has not been completed with respect to the propriety of other matters covered in the subject quality statement. In our future determination as to whether Atlantic's quality statement is otherwise acceptable, no consideration will be given to the credits proposed in the quality statement for delivery pressure and Btu content in determining the adjustment for treating costs.

Since Atlantic's proposed increased rate exceeds the applicable area base rate of 16.5 cents per Mcf prescribed by Opinion No. 468, it is suspended for five months from May 5, 1966, the date of expiration of the statutory notice, as herein ordered.

Except for the stay of the moratorium in Opinion No. 468, Atlantic's filing would be rejectable. If the moratorium is ultimately upheld upon judicial review, the filing will be rejected ab initio.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 1 to Atlantic's FPC Gas Rate Schedule No. 232 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Atlantic's FPC Gas Rate Schedule No. 232.

(B) Pending such hearing and decision thereon, Supplement No. 1 to Atlantic's FPC Gas Rate Schedule No. 232 is hereby suspended and the use thereof deferred until October 5, 1966, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 22, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-5097; Filed, May 10, 1966; 8:45 a.m.]

[Docket No. CP66-340]

CENTRAL ILLINOIS PUBLIC SERVICE CO. AND PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

MAY 4, 1966.

Take notice that on April 27, 1966, Central Illinois Public Service Co. (Applicant), Illinois Building, Springfield, Ill., filed in Docket No. CP66-340 an application pursuant to section 7(c) of the Natural Gas Act for an order of the Commission directing Panhandle Eastern Pipe Line Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in the villages of New Berlin and Loami, Sangamon County, Ill., and their environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the villages of New Berlin and Loami are located in the western part of Sangamon County, Ill., approximately 8 and 5 miles, respectively, north of the gas transmission main of Respondent.

Applicant proposes to construct, own, operate, and maintain approximately 8 miles of 4-inch gas transmission line extending from a proposed metering and regulating station of Respondent to be located approximately 8 miles south of New Berlin to a point near the western corporate limits of New Berlin and approximately 3½ miles of 2-inch gas transmission line extending from a point 3⅞₀ miles south of New Berlin on the 4-inch gas transmission line to a point near the west corporate limits of Loami. Applicant also proposes to construct, own, operate, and maintain town border stations at or near the west corporate limits of New Berlin and the west corporate limits of Loami and from said town border stations Applicant will construct gas distribution mains for the purpose of operating and maintaining gas distribution systems to serve said villages of new Berlin and Loami and their environs.

The total estimated volumes of natural gas necessary to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	52,983 [illegible]	75,513 720	84,874 811
Peak day (Mcf)			

The total estimated cost of Applicant's proposed transmission and distribution facilities is $279,330, which cost will be financed from internally generated funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 2, 1966.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-5098; Filed, May 10, 1966; 8:45 a.m.]

[Docket No. CP66-341]

KENTUCKY GAS TRANSMISSION CORP.

Notice of Application

MAY 4, 1966.

Take notice that on April 28, 1966, Kentucky Gas Transmission Corp. (Applicant), Post Office Box 1273, Charleston, W. Va., 25325, filed in Docket No. CP66-341 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of 8.6 miles of 12-inch natural gas transmission pipeline in Madison County, Ky., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the proposed pipeline will replace an 8.6-mile segment of an existing 8-inch transmission pipeline extending between the Kentucky River and a point in Estill County, Ky., a distance of approximately 25 miles. Applicant states that the proposal is a continuation of one part of a plan described in its joint application with United Fuel Gas Co., an affiliate, filed in Docket No. CP65-324 on April 9, 1965. The plan involves the modernization of Applicant's system serving utilities on the southwestern end of its operating territory.

Applicant states that the particular 8.6-mile segment should be replaced due to the growth in the natural gas market around the city of Lexington and in Fayette County, Ky., and the deteriorated condition of the existing 8-inch pipeline.

The estimated cost of construction of the proposed replacement segment is $363,500, which will be financed by the sale of notes and common stock to The Columbia Gas System, Inc., Applicant's parent company.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 2, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-5099; Filed, May 10, 1966; 8:45 a.m.]

[Docket No. CP66-282]

NATIONAL SULPHUR CO.

Notice of Application

MAY 4, 1966.

Take notice that on April 29, 1966, National Sulphur Co. (Applicant), 201 Wall Building, Midland, Tex., filed in Docket No. CP66-282 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale of natural gas to Texas Eastern Transmission Corp., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant's original application for a certificate of public convenience and necessity, filed on January 24, 1966, was submitted as an independent producer application seeking authorization for sale of natural gas to Texas Eastern and was designated Docket No. CI66-641 (31 F.R. 2906). By letter dated April 5, 1966, the Commission advised Applicant that, from the information in such application, it appeared that the proposal involved facilities and operations of a transmission, rather than gathering, nature and that such application had therefore been given a natural gas pipeline application designation as Docket No. CP66-282. In said letter, the Commission requested advice as to whether Applicant desired to prosecute the application as a filing under § 157.14 of the regulations or withdraw the application. On April 29, 1966, Applicant filed a supplement to its original application requesting that the supplement, together with the original aplication on file, be accepted as an abbreviated application under § 157.7 of the regulations under the Natural Gas Act.

Specifically, Applicant proposes to construct and operate 10.3 miles of 4-inch pipeline extending from the tailgate of its gas sweetening plant located in the Queen City (Smackover) Field, Cass County, Tex., in a southeasterly direction to a point on Texas Eastern's 24-inch transmission pipeline also located in Cass County, Tex., together with certain separation and metering equipment. Pursuant to contracts between Applicant and Texas Eastern and Applicant and Humble Oil & Refining Co. (Humble), dated November 1, 1965, and March 17, 1966, respectively, Applicant proposes to purchase quantities of natural gas from Humble and through the use of the aforementioned facilities to sell and deliver quantities of natural gas to Texas Eastern. The agreement between Applicant and Humble provides for the receipt by Applicant at its aforementioned gas sweetening plant of a minimum of 3 million cubic feet of sour gas per day during the first 4 years and 1½ million cubic feet of sour gas per day thereafter and the agreement between Applicant and Texas Eastern provides for a daily contract quantity of 1,000 Mcf of gas, to be sold at the rate of 13 cents per Mcf (14.65 p.s.i.a.) and delivered to Texas Eastern at a point on its 24-inch main transmission line in Cass County, Tex.

The total estimated cost of Applicant's proposed facilities is $148,600, which will be financed through a bank loan.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 2, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-5100; Filed, May 10, 1966; 8:45 a.m.]

[Docket No. CP66-338]

ST. JOSEPH LIGHT & POWER CO. AND MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

MAY 4, 1966.

Take notice that on April 27, 1966, St. Joseph Light & Power Co. (Applicant), 520 Francis Street, St. Joseph, Mo., 64502, filed in Docket No. CP66-338 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipe Line Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Forest City and Oregon, Mo., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Forest City and Oregon are located approximately 38 miles from Maryville, Mo., and approximately 11 miles from Respondent's transmission line. Applicant further states that the 1960 census shows the population of Forest City to be 435 and Oregon to be 887.

Applicant proposes to construct a new welded steel, coated, and wrapped distribution system to provide natural gas service to the residents and commercial establishments of Forest City and Oregon. Applicant states that service to the cities of Forest City and Oregon will require approximately 13.5 miles of lateral construction, extending southeast from a point of Respondent's transmission line west of Bigelow, to a proposed town border station to be located at the northwest city limits of Forest City, and from there, east to a proposed town border station located at the west city limits of Oregon. Applicant further states that Respondent has agreed to construct, pursuant to its 10-cent formula, 2.3 miles of the required lateral.

The total estimated volumes of natural gas necessary to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	50,000	64,000	68,700
Peak day (Mcf)	520	000	700

The total estimated cost of Applicant's proposed transmission and distribution facilities is $386,800, which cost will be financed from internally generated funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 2, 1966.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-5101; Filed, May 10, 1966; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License 968]

CARGOFAST PACIFIC, INC.

Revocation of License

Whereas, Cargofast Pacific, Inc., 396 Broadway, New York, N.Y., 10013, no longer wishes to operate as an independent ocean freight forwarder; and

Whereas, Cargofast Pacific, Inc., has returned Independent Ocean Freight Forwarder License No. 968 to the Commission; and

Whereas, by statement dated April 14, 1966, Cargofast Pacific, Inc., has requested the revocation of its Independent Ocean Freight Forwarder License No. 968:

Now therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1, section 6.03:

It is ordered, That the Independent Ocean Freight Forwarder License No. 968 of Cargofast Pacific, Inc., be and is hereby revoked, effective this date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

JAMES E. MAZURE,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 66-5131; Filed, May 10, 1966; 8:48 a.m.]

OFFICE OF EMERGENCY PLANNING

VOLUNTARY TANKER PLAN FOR THE CONTRIBUTION OF TANKER CAPACITY FOR NATIONAL DEFENSE REQUIREMENTS

Additions to Membership

Pursuant to section 708 of the Defense Production Act of 1950, as amended, there are published herewith additional companies which have accepted the request to participate in the voluntary plan entitled, "Voluntary Tanker Plan for the Contribution of Tanker Capacity for National Defense Requirements," as amended, March 20, 1958. The request and complete list of earlier acceptances were published in 24 F.R. 4119, May 21, 1959 and 28 F.R. 12681, November 28, 1963.

Continental Oil Co., 30 Rockefeller Plaza, New York, N.Y., 10020.
Hendy International Co., 612 South Flower Street, Los Angeles, Calif., 90017.
Maritime Overseas Oil Carriers, Inc., 511 Fifth Avenue, New York, N.Y., 10017.
Mount Washington Tanker Co., 655 Madison Avenue, New York, N.Y., 10021.
Pure Oil Co., Inc., 200 East Golf Road, Palatine, Ill., 60067.
Texaco Co., Inc., 135 East 42d Street, New York, N.Y., 10017.
Transwestern Associates, 1 Chase Manhattan Plaza, New York, N.Y., 10005.

(Sec. 708, 64 Stat. 818, as amended; 50 U.S.C. App. Supp. 2158; E.O. 10480, Aug. 14, 1953, 18 F.R. 4939; Reorganization Plan No. 1 of 1958, 23 F.R. 4991, as amended; E.O. 11051, Sept. 27, 1962, 27 F.R. 9683)

Dated: May 5, 1966.

FARRIS BRYANT,
Director,
Office of Emergency Planning.

[F.R. Doc. 66-5126; Filed, May 10, 1966; 8:47 a.m.]

VOLUNTARY TANKER PLAN FOR THE CONTRIBUTION OF TANKER CAPACITY FOR NATIONAL DEFENSE REQUIREMENTS

Deletions From Membership

Pursuant to section 708 of the Defense Production Act 1950, as amended, there are published herewith the following deletions from the list of companies which have accepted the request to participate in the voluntary plan entitled, "Voluntary Tanker Plan for the Contributions of Tanker Capacity for National Defense Requirements," as amended. The request and complete list of acceptances were published in 24 F.R. 4119, May 21, 1959 and 28 F.R. 12681, November 28, 1963.

DELETIONS

Bernuth, Lembcke Co., Inc., New York 17, N.Y.
Colonial Steamship Corp., New York 4, N.Y.
Eagle Carriers, Inc., New York 17, N.Y.
Hartol Petroleum Corp., New York 20, N.Y.
Hedge Haven Farms, Inc., Clinton, N.J.
Mayflower Steamship Corp., 24 State Street, New York 4, N.Y.
Metro Petroleum Shipping Co., New York 4, N.Y.
Moore-McCormack Lines, Inc., New York 4, N.Y.
Oceanic Petroleum Carriers, Inc., c/o Marine Carriers Corp., New York 4, N.Y.
Petrol Shipping Corp., New York 4, N.Y.
Red Hills Corp., c/o Southoil, Inc., Jacksonville, Fla.
Terminal Transport Corp., New York 17, N.Y.
United States Shipping Corp., New York 4, N.Y.

(Sec. 708, 64 Stat. 818, as amended; 50 U.S.C. App. Supp. 2158; E.O. 10480, Aug. 14, 1953, 18 F.R. 4939; Reorganization Plan No. 1 of 1958, 23 F.R. 4991, as amended; E.O. 11051, Sept. 27, 1962, 27 F.R. 9683)

Dated: May 5, 1966.

FARRIS BRYANT,
Director,
Office of Emergency Planning.

[F.R. Doc. 66-5127; Filed, May 10, 1966; 8:48 a.m.]

RENEGOTIATION BOARD

STATEMENT OF ORGANIZATION

Location of Western Regional Board

The Statement of Organization published in the issue of September 28, 1956 (F.R. Doc. 56-7859; 21 F.R. 7467), as amended in the issues of July 23, 1957 (F.R. Doc. 57-6008; 22 F.R. 5848), March 28, 1961 (F.R. Doc. 61-2702; 26 F.R. 2632), January 20, 1962 (F.R. Doc. 62-671; 27 F.R. 641), and January 17, 1963 (F.R. Doc. 63-497; 28 F.R. 468), is hereby further amended as follows:

Section 3(b) is amended by deleting subparagraph (2) under the heading *Location* and inserting in lieu thereof the following:

(2) Western Regional Renegotiation Board, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

Dated: May 6, 1966.

LAWRENCE E. HARTWIG,
Chairman.

[F.R. Doc. 66-5123; Filed May 10, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1899]

AMERICAN-AMICABLE LIFE INSURANCE CO.

Notice of Filing of Application for Order Exempting Transaction Between Affiliated Persons

MAY 5, 1966.

Notice is hereby given that American-Amicable Life Insurance Co. ("Applicant"), Alico Center, Waco, Tex., an Alabama corporation and successor by merger to American Life Insurance Co. (hereinafter "Applicant" may also refer to the predecessor company), has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act"). Applicant seeks an order of the Commission exempting from the provisions of section 17(a) the transfer of 76,500 shares of stock of United Services Life Insurance Co. ("United Services") by Applicant to Insurance Securities Trust Fund ("ISTF") in exchange for 85,770 shares of stock of Gulf Life Insurance Co. ("Gulf Life"). All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

At all times pertinent hereto, Applicant and ISTF each owned 5 percent or more of the stock of Gulf Life with the result that, under section 2(a)(3) of the Act, each was and is an affiliate of an affiliate of the other. Section 17 of the Act, as here pertinent, makes it unlawful for an affiliated person (Applicant) of an affiliated person (Gulf Life) of a registered investment company (ISTF), to sell to or buy from such investment company any security unless the Commission upon application grants an exemption from such prohibition, after finding that the terms of the transaction are reasonable and fair and do not involve overreaching and that the transaction is consistent with the policy of the registered investment company and the general purposes of the Act.

On February 3, 1964, Applicant agreed to exchange 51,000 shares of United Services which it held for 77,796 shares of stock of Gulf Life. For purposes of the exchange the shares of United Services and Gulf Life were valued at their then current market values of $90 and $59 per share respectively. Subsequent to the transaction both United Services and Gulf Life paid stock dividends which

makes the blocks of stock exchanged, as presently constituted, 76,500 shares of United Services and 85,770 shares of Gulf Life.

In order to resolve certain uncertainties caused by the transaction which may have been in violation of section 17(a) of the Act, including whether ISTF, the registered investment company, could elect to rescind the exchange relying upon section 47 of the Act, ISTF was afforded the opportunity on December 17, 1965, either to rescind the transaction or to deliver to Applicant a release from the date of the exchange through the date of an order of the Commission approving, prospectively from the date of the order, the exchange and retention of the stock. ISTF elected not to rescind. The release, which is conditioned upon the entry of an order by the Commission, is a waiver by Applicant and ISTF of any and all liabilities or claims for rescission in respect of the exchange in February 1964.

Applicant states that the parties wish to continue to own the blocks of stock which were acquired in the exchange transaction. It is asserted that the terms of the transaction were fair to the parties in February 1964, the values ascribed being the then current market price of the stocks, and continuation of the transaction would be fair. The proposed exchange is in the ratio of approximately 1.12 shares of Gulf Life common stock for each share of United Services common stock, and it is therefore based upon relative per share values of approximately 1.12 for the United Services common stock to 1.00 for the Gulf Life common stock. In the 30-day period immediately preceding the date of filing of the application on January 12, 1966, the ratios of the daily means of the reported bid and asked quotations for such stocks in the over-the-counter market ranged between 1.02 and 1.20, and averaged 1.10, for the United Services shares to 1.00 for the Gulf Life shares.

Applicant represents that, except for the common ownership of Gulf Life, neither Applicant nor their parent corporation, The Greatamerica Corp., has had any business dealings with ISTF nor are they affiliated with ISTF through any other relationship. The acquisition and continued retention of United Services stock is represented to have been and to be consistent with ISTF's investment policy of investing in the stocks of insurance companies.

Notice is further given that any interested person may, not later than May 20, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5106; Filed, May 10, 1966; 8:46 a.m.]

[File No. 70-4378]

COLUMBIA GAS SYSTEM, INC.

Notice of Proposed Issue and Sale of Short-Term Notes to Banks

MAY 5, 1966.

Notice is hereby given that the Columbia Gas System, Inc. ("Columbia"), 120 East 41st Street, New York, N.Y., 10017, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6(a) and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Columbia proposes to issue from time to time, prior to October 17, 1966, up to $80,000,000 face amount of its unsecured short-term notes to the banks named below. The notes will bear interest at an annual rate of 5½ percent, the current prime rate for commercial loans. The notes will mature as follows: $25,000,000 on February 28, 1967; $25,000,000 on March 31, 1967; and $30,000,000 on April 28, 1967, and will be prepayable, in whole or in part, without penalty, except that prepayments cannot be made with funds borrowed from banks at a lower interest rate. Columbia will use the proceeds from the sale of the notes to make open-account advances to certain of its subsidiary companies to enable them to purchase inventory gas for sale during the 1966-67 winter season. The making of such advances is the subject of a separate filing with this Commission (Holding Company Act Release No. 15432).

The maximum face amount of notes to be sold to each of the lending banks is as follows:

Bankers Trust Co., New York, N.Y.	$3,900,000
Brown Brothers, Harriman & Co., New York, N.Y.	750,000
Chemical Bank New York Trust Co., New York, N.Y.	10,140,000
City National Bank & Trust Co., Columbus, Ohio	1,000,000
First-City National Bank of Binghamton, N.Y.	120,000
First & Merchants National Bank of Richmond, Va.	410,000
First National Bank of Mansfield, Ohio	200,000
First Security National Bank & Trust Co., Lexington, Ky.	450,000
Glen National Bank, Watkins Glen, N.Y.	50,000
Huntington National Bank of Columbus, Ohio	1,600,000
Irving Trust Co., New York, N.Y.	3,900,000
Manufacturers Hanover Trust Co., New York, N.Y.	5,900,000
Mellon National Bank & Trust Co., Pittsburgh, Pa.	7,400,000
Morgan Guaranty Trust Co. of New York, N.Y.	27,580,000
Pittsburgh National Bank, Pittsburgh, Pa.	2,200,000
The Charleston National Bank, Charlestown, W. Va.	1,200,000
The Cleveland Trust Co., Cleveland, Ohio	1,300,000
The First Huntington National Bank, Huntington, W. Va.	550,000
The First National City Bank of of New York, N.Y.	5,900,000
The National Bank of Commerce, Charlestown, W. Va.	200,000
The National Bank of Toledo, Ohio	300,000
The National City Bank of Cleveland, Ohio	400,000
The Ohio Citizens Trust Co., Toledo, Ohio	300,000
The Ohio National Bank of Columbus, Ohio	2,100,000
The Richland Trust Co., Mansfield, Ohio	200,000
The Toledo Trust Co., Toledo, Ohio	1,200,000
The Union National Bank, Pittsburgh, Pa.	750,000
Total	80,000,000

The fees and expenses to be paid by Columbia in connection with the issue and sale of the notes are estimated at $400. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 23, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules

20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5107; Filed, May 10, 1966; 8:46 a.m.]

[24C-2728]

DUNFEE SAVINGS & LEASE

Order Regarding Temporary Suspension

MAY 5, 1966.

The Securities and Exchange Commission, by order dated February 17, 1966, pursuant to Regulation A under the Securities Act of 1933, temporarily suspended a Regulation A exemption from registration under the Securities Act with respect to a proposed public offering of securities by Thomas Dunfee, doing business as Dunfee Savings & Lease, 8113 Troost Avenue, Kansas City, Mo. Thereafter, Dunfee requested a hearing on the question whether the suspension should be vacated or made permanent, and the matter was scheduled for hearing on May 2, 1966.

In a letter dated April 22 and received on April 25, 1966, Dunfee requested that the hearing not be held (it was thereupon canceled); and he further requested withdrawal of his notification of proposed offering previously filed herein pursuant to Regulation A.

It is ordered, In accordance with Rule 255(e) of Regulation A, that the request for withdrawal is denied, and

It is further ordered, Pursuant to Rule 261(b) of Regulation A that the temporary suspension order is hereby made permanent.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5108; Filed, May 10, 1966; 8:46 a.m.]

[811-1005]

ENTERPRISE SECURITIES FUND, INC.

Notice of Application for Order Declaring Company Has Ceased To Be Investment Company

MAY 5, 1966.

Notice is hereby given that Enterprise Securities Fund, Inc. ("Applicant"), 4 Delcrest Court, St. Louis, Mo., a Missouri corporation and a registered open-end diversified management investment company, has filed an application pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that Applicant has ceased to be an investment company by reason of the exception afforded by section 3(c)(1) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations stated therein.

Applicant, which was organized on June 10, 1954, registered under section 8(a) of the Act by filing a Notification of Registration on December 5, 1960. Applicant states that its securities are owned beneficially by 53 persons, none of whom is a company. Applicant states further that it is not making and that it does not presently propose to make a public offering of its securities.

Section 3(c)(1) of the Act excepts from the definition of an investment company any issuer whose outstanding securities (other than short-term paper) are beneficially owned by not more than 100 persons and which is not making and does not presently propose to make a public offering of its securities.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than May 24, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5109; Filed, May 10, 1966; 8:46 a.m.]

[812-1948]

TELEVISION-ELECTRONICS FUND, INC., AND ATLANTIC RESEARCH CORP.

Notice of Filing of Application for Order Exempting Proposed Transactions

MAY 5, 1966.

Notice is hereby given that Television-Electronics Fund, Inc. ("Television"), 120 South La Salle Street, Chicago, Ill., 60604, a Delaware corporation and a registered open-end diversified investment company, and Atlantic Research Corp. ("Atlantic"), Shirley Highway and Edsall Road, Alexandria, Va., 22314, a Virginia corporation (hereinafter collectively called "applicants"), have filed a joint application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act"). Applicants request an order of the Commission exempting from the provisions of section 17(a) of the Act a transaction incident to a settlement of the case of Television-Electronics Fund, Inc. v. Atlantic Research Corp. et al., in the U.S. Court for the Eastern District of Virginia, Alexandria Division, Civil Action No. 2945. All interested persons are referred to the application for a statement of applicants' representations, which are summarized below:

On August 4, 1961, Television entered into a contract with Atlantic for the purchase of 115,000 shares of Atlantic common stock for $4,025,000. At that time Atlantic had outstanding approximately 1,924,211 shares of common stock, including the shares covered by the contract. A certificate for such shares, constituting approximately 5.98 percent of the then outstanding Atlantic stock, was duly delivered to Television.

On May 9, 1963, Television commenced Civil Action No. 2945 against Atlantic and others, seeking rescission of the contract or money damages. The complaint, as amended, alleged in substance that Television was induced to enter into the contract to purchase the 115,000 shares of Atlantic through misrepresentations of, and omissions to state, material facts on the part of the defendants, and that agreements for the registration of the shares under the Securities Act of 1933 were not performed. Television also contended that the contract was never consummated.

After filing the complaint, the defendants moved the court to strike the complaint for failure to state a cause of action. This motion was denied. Discovery proceedings followed and were conducted over a period of more than 2 years. The case was set for trial on July 8, 1966.

During the entire period that the litigation has been pending there have been negotiations for settlement from time to time between Television and Atlantic. Numerous offers and counteroffers have been made and rejected. The direct negotiations which ended in settlement commenced several months ago, and the offers and counteroffers made during that period were reviewed and discussed fully by the management and board of directors of each side. The board of directors of Television and Atlantic have formally approved the settlement.

In further support of their application, applicants assert that the settlement was arrived at after extended arm's-length negotiations conducted in good faith without undue influence by either party upon the other. The judge, at several pretrial conferences commencing as early as July 1964, informed the parties that he desired settlement discussions to be actively conducted and was kept fully informed of the status of these discussions.

On April 22, 1966, Television and Atlantic reached an agreement for the settlement of the suit which provided for the payment by Atlantic of $163,000 to cover the expenses incurred by Television for the conduct of the litigation, and for Atlantic to deliver an additional 37,500 shares of its common stock to Television. The settlement also provided for the release of all claims between Atlantic and Television and for Atlantic to undertake to register the additional shares under the Securities Act of 1933. Definitive terms of the settlement agreement as to the number of Atlantic shares to be transferred to Television in addition to those covered by the contract of August 1961 were agreed to on April 21, 1966. The closing price of Atlantic stock on the American Stock Exchange on April 21, 1966 was $14.50 per share. The closing price of Atlantic stock on the American Stock Exchange on April 29, 1966 was $14.75 per share. The agreement to settle the litigation was first made public on April 22, 1966. Pursuant to a stipulation entered into by the parties, the Court entered an order dismissing the case on April 22, 1966.

As stated above, Television claims that its contract to purchase 115,000 shares of Atlantic stock was never fully consummated due to Atlantic's default. However, such shares were delivered to Television under the contract and are still held by Television. Therefore Atlantic appears to be an affiliated person of Television under section 2(a)(3) of the Act because of Television's present ownership of more than 5 percent of Atlantic's outstanding common stock.

In effect, section 17(a) of the Act, as here pertinent, makes it unlawful for Atlantic as principal to sell any security or other property to Television in consummation of the settlement agreement unless the Commission, upon application under section 17(b) of the Act, grants an exemption from such prohibition. Under section 17(b) of the Act the Commission shall grant such application and issue an order of exemption if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned; if the proposed transaction is consistent with the policies of Television as recited in its registration statement and reports filed under the Act; and if the proposed transaction is consistent with the general purposes of the Act.

Notice is further given that any interested person may, not later than May 18, 1966, at 5:30 p.m., submit to the Commission in writing a request on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the addresses stated above. Proof of such service by affidavit (or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon such application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5110; Filed, May 10, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 179]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 6, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 16961 (Sub-No. 1 TA), filed May 3, 1966. Applicant: COLUMBIA TRANSPORTATION CO., 1000 Congress Street, Portland, Maine. Applicant's representative: Francis E. Barrett, 25 Bryant Avenue, East Milton (Boston), Mass., 02186. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, from Southboro, Mass., to Portland, Lewiston, and Bangor, Maine, with return of *empty containers, returned or rejected merchandise*, service to be performed in behalf of one shipper, Columbia Markets, Portland, Maine, under a continuing contract, for 150 days. Supporting shipper: Columbia Markets, 1100 Brighton Avenue, Portland, Maine. Send protests to: Donald G. Weiler, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 307, 76 Pearl Street, Portland, Maine, 04112.

No. MC 66562 (Sub-No. 2167 TA), filed May 3, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: John H. Engle, 2413 Broadway, Kansas City, Mo., 64108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, moving in express service*, (1) between Baton Rouge, La., and New Orleans, La., from Baton Rouge over Louisiana Highway 30 to Darrow, La., thence over Louisiana Highway 22 to Burnside, La., thence over Louisiana Highway 44 to junction with U.S. Highway 61, and thence over U.S. Highway 61 to New Orleans, and return over the same route, serving the intermediate points of Geismar, Burnside, Lutcher, Reserve, Good Hope, and Kenner, La.; (2) between Hammond, La., and McComb, Miss., from Hammond, over U.S. Highway 51 to McComb, and return over the same route, serving the intermediate points of Independence, Amite, Roseland, Tangipahoa, and Kentwood, La., and Osyka and Magnolia, Miss.; (3) between Jackson, Miss., and Meridian, Miss., from Jackson over U.S. Highway 80 to Meridian, and return over the same route, serving the intermediate points of Brandon, Pelahatchie, Morton, Forest, Lake, Newton, and Hickory, Miss.; (4) between Jackson, Miss., and Hattiesburg, Miss., from Jackson, over U.S. Highway 49 to Hattiesburg, and return over the same route, serving the intermediate points of Mendenhall, Magee, Mount Olive, Collins, and Seminary, Miss.

(5) Between Jackson, Miss., and Wesson, Miss., from Jackson, over U.S. Highway 51 to Wesson, and return over the same route, serving the intermediate point of Hazlehurst, Miss.; (6) between Indianola, Miss., and Itta Bena, Miss., from Indianola, over U.S. Highway 49W to Belzoni, Miss., thence over Mississippi Highway 7 to Itta Bena, and return over the same route, serving the intermediate points of Inverness and Belzoni, Miss.; (7) serving Moorehead, Miss., as an off-route point on applicant's existing authority between Winona and Indianola, Miss., MC 66562 Sub 1274; (8) between Indianola, Miss., and Tutwiler, Miss., from Indianola, over U.S. Highway 49W to Tutwiler, and return over the same route, serving the intermediate points of Drew, Parchman, and Ruleville, Miss.; (9) serving Ackerman, Miss., as an off-route point on applicant's existing au-

thority between Winona, Miss., and Aberdeen, Miss., MC 66562 Sub 2001 TA, via Mississippi Highway 15; (10) between Memphis, Tenn., and Lambert, Miss., from Memphis, over U.S. Highway 51 to Como, Miss., thence over Mississippi Highway 310 to Crenshaw, thence over Mississippi Highway 3 to Lambert, and return over Mississippi State Highway 3 to Marks, Miss., thence over Mississippi Highway 6 to Batesville, Miss., thence over U.S. Highway 51 to Memphis, Tenn., serving the intermediate points of Hernando, Senatobia, Como, Crenshaw, Sledge, Marks, Batesville, and Sardis, Miss.

(11) Serving Rosedale, Miss., as an off-route point on applicant's existing authority between Memphis, Tenn., and Greenville, Miss., MC 66562 Sub 2081 TA, via Mississippi Highway 8; (12) between Memphis, Tenn., and Millington, Tenn., from Memphis, over U.S. Highway 51 to Millington, Tenn., and return over the same route, serving all intermediate points; (13) between Jackson, Tenn., and Fulton, Ky., from Jackson, over U.S. Highway 45 to junction of U.S. Highway 45E and U.S. Highway 45W, thence over U.S. Highway 45E to Fulton, Ky., and return over U.S. Highway 45W to junction with U.S. Highway 51, thence over U.S. Highway 51 to intersection with Tennessee Highway 21, thence over Tennessee Highway 21 to intersection with Tennessee Highway 78, thence over Tennessee Highway 78 to Dyersburg, Tenn., thence over U.S. Highway 51 to Halls, Tenn., thence over U.S. Highway 51 to intersection with Tennessee Highway 21, thence over Tennessee Highway 21 to intersection with U.S. Highway 45W, thence over U.S. Highway 45W to Tennessee Highway 54, thence over Tennessee Highway 54 to Alamo, Tenn., thence over Tennessee Highway 20 to Jackson, serving the intermediate points of Milan, Greenfield, Martin, Ridgely, Dyersburg, Halls, Newbern, Trimble, Obion, Kenton, Rutherford, Dyer, Trenton, and Alamo, Tenn., and the off-route point of Tiptonville, Tenn.; (14) between Jackson, Tenn., and Selmer, Tenn., from Jackson, over U.S. Highway 45 to junction with Tennessee Highway 18, thence over Tennessee Highway 18 to Bolivar, Tenn., thence over U.S. Highway 64 to Selmer, Tenn., and return over U.S. Highway 45 to Jackson, Tenn., serving the intermediate points of Bolivar, and Henderson, Tenn.; (15) between Princeton, Ky., and Dawson Springs, Ky., from Princeton, over Kentucky Highway 91 to junction with U.S. Highway 641, thence over U.S. Highway 641 to Sturgis, Ky., thence over U.S. Highway 641 to junction with Kentucky Highway 109, thence over Kentucky Highway 109 to Dawson Springs, and return over the same route, serving the intermediate points of Marion, Sturgis, and Providence, Ky.

(16) Between Hopkinsville, Ky., and Cadiz, Ky., from Hopkinsville, over U.S. Highway 68 to Gracey, Ky., thence over U.S. Highway 68 (Kentucky Highway 80) to Cadiz, and return over the same route; (17) between Greensburg, Ky., and Bardstown, Ky., from Greensburg, over Kentucky Highway 61 to junction with U.S. Highway 31E, thence over U.S. Highway 31E to Bardstown, and return over the same route, serving the intermediate point of Hodgenville, Ky.; (18) between East St. Louis, Ill., and Sparta, Ill., from East St. Louis over U.S. Highway 460 to Illinois Highway 13, thence over Illinois Highway 13 to junction with Illinois Highway 4, thence over Illinois Highway 4 to Sparta, and return over the same route, serving the intermediate points of New Athens and Freeburg, Ill.; (19) between Champaign, Ill., and Tuscola, Ill., from Champaign, over U.S. Highway 45 to Tuscola, and return over the same route; (20) between Champaign, Ill., and Rantoul, Ill., from Champaign, over U.S. Highway 45 to Rantoul, and return over the same route; for 150 days. Restrictions: 1. The service to be performed by the applicant shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc. 2. Shipments transported by applicant shall be limited to those moving on through bills of lading or express receipts. Supporting shippers: The application is supported by statements from 127 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 66562 (Sub-No. 2168 TA), filed May 3, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: John H. Engel, 2413 Broadway, Kansas City, Mo., 64108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities moving in express service*, (1) between Omaha, Nebr., and Columbus, Nebr., serving the intermediate points of Elkhorn, Valley, Fremont, North Bend, Schuyler, and Richland, Nebr.: From Omaha, westerly on U.S. Highway 30A to intersection with Nebraska Highway 31; thence north over Nebraska Highway 31 to intersection with Nebraska Highway 64; thence west over Nebraska Highway 64 to junction with U.S. Highway 275; then over U.S. Highway 275 to intersection with U.S. Highway 30; thence west over U.S. Highway 30 to Columbus, and return over the same route; (2) between Omaha, Nebr., and Concordia, Kans., serving the intermediate points of Mead, Wahoo, Lincoln, Beatrice, Wymore, Fairbury, Hebron, De Witt, and Wilber, Nebr., and Belleville, Washington, and Marysville, Kans.: From Omaha, westerly over U.S. Highway 30A to junction with U.S. Highway 77; then over U.S. Highway 77 to Beatrice, Nebr.; then over U.S. Highway 136 to intersection with U.S. Highway 81; then south over U.S. Highway 81 to Concordia, then north on U.S. Highway 81 to intersection with U.S. Highway 36; then east over U.S. Highway 36 to Marysville, Kans.; then north on U.S. Highway 77 to Beatrice, Nebr.; then west over Nebraska Highway 4 to junction with Nebraska Highway 82; then north on Nebraska Highway 82 to junction with Nebraska Highway 33; then east on Nebraska Highway 33 to intersection with U.S. Highway 77; then north on U.S. Highway 77 to intersection with U.S. Interstate Highway 80; then over U.S. Interstate Highway 80 to Omaha, for 150 days. Restrictions: The service to be performed shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc. Shipments transported shall be limited to those moving on through bills of lading or express receipts. Supporting shippers: The application is supported by statements from 59 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 110420 (Sub-No. 524 TA), filed May 3, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Post Office Box 339, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juices*, in bulk, in stainless steel tank vehicles, from Chicago, Ill., to Muskogee, Okla., for 180 days. Supporting shipper: Wagner Industries, Inc., 1331 South 55th Court, Cicero, Ill., 60650. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 111103 (Sub-No. 17 TA), filed May 3, 1966. Applicant: PROTECTIVE MOTOR SERVICE COMPANY, INC., 725–729 South Broad Street, Philadelphia, Pa., 19147. Applicant's representative: Morris Cheston, Jr., Land Title Building, Philadelphia, Pa., 19110. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, reports and records, checks in the process of collection, payroll checks, coupons issued for the repayments of loans, bills or invoices issued by doctors and other professional practitioners and by commercial or industrial concerns; bank statements, ledger sheets, trial balance statements and related accounting statements used in bank operations; deposit and withdrawal slips, counter checks and related depositor statements used in the processing of demand and savings deposits; and other related and valuable papers used in the automated processing of bank and commercial and industrial accounting operations*, between Philadelphia, Pa., on the one hand, and, on the other, points in New Jersey, for 180 days. Supporting shippers: The Philadelphia National Bank, Philadelphia, Pa.; Girard Trust Bank, Philadelphia, Pa.; Fidelity-Philadelphia Trust Co., Broad & Walnut Streets, Philadelphia, Pa.; The First Pennsylvania Banking & Trust Co., Philadelphia, Pa. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 113271 (Sub-No. 25 TA), filed May 3, 1966. Applicant: CHEMICAL TRANSPORT, 1627 Third Street NW., Great Falls, Mont., 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Deflorinated phosphate rock*, in bulk, in hopper type vehicles, from Garrison, Mont., to the international boundary between the United States and Canada at the points of entry at or near Trelon and Plentywood, Mont., on traffic destined to Canada, for 180 days. Supporting shipper: Rocky Mountain Phosphates, Inc., Post Office Box 37, Garrison, Mont., 59731. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, U.S. Post Office Building, Billings, Mont., 59101.

No. MC 123934 (Sub-No. 15 TA), filed May 2, 1966. Applicant: KREVDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Michael J. Krevda (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers* from Dunkirk, Ind., to points in Chautauqua County, N.Y.; and *pallets, platforms and skids and damaged and returned glassware* on return, for 180 days. Supporting shipper: Armstrong Cork Co., Lancaster, Pa., 17604. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 124078 (Sub-No. 216 TA), filed May 3, 1966. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, from Chattanooga, Tenn., to Dalton, Cumming, Powder Springs, Chatsworth, and Atlanta, Ga., for 150 days. Supporting shipper: Swift & Co., 115 West Jackson Boulevard, Chicago 4, Ill. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 125080 (Sub-No. 1 TA), filed May 3, 1966. Applicant: TETON CRANE AND TRANSPORT, INC., 575 West 20th Street, Idaho Falls, Idaho, 83401. Applicant's representative: R. Rex Meikle, 575 West 20th Street, Idaho Falls, Idaho, 83401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prestressed concrete beams*, from Boise, Idaho, to Ontario and Huntington, Oreg., for 120 days. Supporting shipper: Ready-To-Pour Concrete Co., Post Office Box 1221, Idaho Falls, Idaho, 83401. Send protests to: C. W. Campbell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 203 Eastman Building, Boise, Idaho, 83702.

No. MC 127952 (Sub-No. 1 TA), filed May 2, 1966. Applicant: BLACKBURN TRUCK LINES, INC., 8735 Juniper Street, Los Angeles, Calif., 90002. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal cans and tops therefor, and fiberboard milk cartons*, from points in Los Angeles County, Calif., to Phoenix, Ariz., for 180 days. Supporting shippers: Continental Can Co., Inc., Russ Building, San Francisco, Calif., 94104; National Can Corp., 290 Division Street, San Francisco, Calif., 94103. Send protests to: John E. Nance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 128137 TA, filed May 2, 1966. Applicant: ROSALIND WEISS, doing business as R. WEISS, 567 Arlington Place, Cedarhurst, N.Y. Applicant's representative: Arthur Levine, 288 Old Country Road, Mineola, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Women's and children's garments*, hanging, and in cartons, from New York, N.Y., to Morris Plains and Lodi, N.J., from New York through the Lincoln Tunnel to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction U.S. Highway 202 to Morris Plains, return over U.S. Highway 202 to U.S. Highway 46, thence over U.S. Highway 46 to Lodi, thence over U.S. Highway 46 east to the New Jersey Turnpike, thence over the New Jersey Turnpike to the Lincoln Tunnel, for 180 days. Supporting shipper: Holly Stores, Inc., 550 West 59th Street, New York, N.Y., 10019. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 128141 TA, filed May 3, 1966. Applicant: TRI-STATE TRANSPORT, INC., Post Office Box 4109, Davenport, Iowa, 52808. Applicant's representative: Charles L. Burke, Jr. (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, from Davenport, Iowa, and points within 5 miles thereof, to points in Michigan, Indiana, Illinois, Wisconsin, Missouri, and Nebraska, for 150 days. Supporting shipper: Linwood Stone Products Co., Inc., Rural Route No. 2, Davenport, Iowa, 52804. Send protests to: Charles C. Biggers, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 235 U.S. Post Office Building, Davenport, Iowa, 52801.

No. MC 128142 TA, filed May 3, 1966. Applicant: VINCENT A. CONRAD, doing business as W. C. TRUCKING CO., 198 Main Street, Dubuque, Iowa, 52001. Applicant's representatives: Carl E. Munson Associates, Post Office Box 215, 934 University Avenue, Dubuque, Iowa, 52003. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials and supplies*, from Dubuque, Iowa, to points in Illinois and Wisconsin within a 50-mile radius of Dubuque, Iowa, for 180 days. Supporting shipper: Wicks Lumber & Building Supplies, Dubuque, Iowa. Send protests to: Charles C. Biggers, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 235 U.S. Post Office Building, Davenport, Iowa, 52801.

MOTOR CARRIERS OF PASSENGERS

No. MC 45626 (Sub-No. 58 TA), filed May 3, 1966. Applicant: VERMONT TRANSIT CO., INC., 135 St. Paul Street, Burlington, Vt., 05402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, in special operations, (1) between junction U.S. Highway 5 and Vermont Highway 25 south of Bradford, Vt., and Wentworth, N.H., serving all intermediate points and including the right of joinder at Warren, N.H., and Wentworth, N.H., with carrier's existing certificated routes: From junction U.S. Highway 5 and Vermont Highway 25 south of Bradford, over Vermont Highway 25 to the Vermont-New Hampshire State line, thence over New Hampshire Highway 25 to Piermont, N.H., thence over New Hampshire Highway 25C to Warren, N.H., thence over New Hampshire Highway 25 to Wentworth, N.H., and return over the same route; (2) between Fairlee, Vt., and Piermont, N.H., serving all intermediate points: From Fairlee, Vt., over the Connecticut River Bridge to Orford, N.H., thence over New Hampshire Highway 10 to Piermont, N.H., serving all intermediate points and including the right of joinder at Orford, N.H. with carrier's existing certificated routes; for 180 days. Supported by Lake Tarleton Club, Pike, N.H. (Walter Jacobs, Innkeeper). Send protesst to: Ross J. Seymour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 14 Parkhurst Street, Lebanon, N.H., 03766.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5116; Filed, May 10, 1966; 8:47 a.m.]

[Notice No. 394]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MAY 6, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 42487 (Deviation No. 61), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif.; filed April 27, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Interstate Highway 55 to junction Interstate Highway 80 near Joliet, Ill., thence over Interstate Highway 80 to junction Interstate Highway 80S near Big Springs, Nebr., thence over Interstate Highway 80S to Denver, Colo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Kansas City, Kans., over U.S. Highway 69 to junction U.S. Highway 36, thence over U.S. Highway 36 via Monroe City, Mo., to Indianapolis, Ind.; (2) from Kansas City, Kans., over U.S. Highway 40 to Kingdom City, Mo., thence over U.S. Highway 54 to junction U.S. Highway 36, thence over U.S. Highway 36 via Jacksonville, Ill., to Springfield, Ill., thence over U.S. Highway 66 via Bloomington, Chenoa, and Braidwood, Ill., to Chicago, Ill.; (3) from Wichita, Kans., over U.S. Highway 54 to Liberal, Kans.; (4) from Liberal, Kans., over U.S. Highway 83 to junction U.S. Highway 24, thence over U.S. Highway 24 to Colby, Kans.; (5) from Bucklin, Kans., over unnumbered highway to junction U.S. Highway 154, thence over U.S. Highway 154 to Dodge City, Kans., and thence over U.S. Highway 50 (formerly portion U.S. Highway 50S) to Garden City, Kans.; (6) from Denver, Colo., over U.S. Highway 40 via Agate, Colo., to Limon, Colo., thence over U.S. Highway 24 to junction U.S. Highway 83 (formerly portion U.S. Highway 24), and thence over U.S. Highway 83 via Halford, Kans., to Oakley, Kans.; and (7) from Kansas City, Kans., over the Kansas Turnpike to Wichita, Kans.; and return over the same routes.

No. MC 43421 (Deviation No. 12), DOHRN TRANSFER COMPANY, Post Office Box 1237, Rock Island, Ill., 61202, filed May 2, 1966. Carrier's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Fort Wayne, Ind., over Interstate Highway 69 to junction Indiana Highway 9, near Anderson, Ind., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Cincinnati, Ohio, over U.S. Highway 25 to Wapakoneta, Ohio, thence over U.S. Highway 33 to Fort Wayne, Ind., and thence over U.S. Highway 30 to junction U.S. Highway 41, and (2) from Indianapolis, Ind., over Indiana Highway 67 to junction Indiana Highway 9, thence over Indiana Highway 9 to Anderson, Ind., thence over Indiana Highway 32 to Muncie, Ind., thence over Indiana Highway 67 to the Indiana-Ohio State line, and thence over Ohio Highway 29 to St. Marys, Ohio, and return over the same routes.

No. MC 50544 (Deviation No. 3), THE TEXAS AND PACIFIC MOTOR TRANSPORT COMPANY, 210 North 13th Street, St. Louis, Mo., 63103, filed May 2, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between junction U.S. Highway 80 and Interstate Highway 20, at or near Mesquite, Tex., and junction Interstate Highway 20 and Texas Highway 149, at or near Longview, Tex., over Interstate Highway 20, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: Between Mesquite, Tex., and Longview, Tex., over U.S. Highway 80.

No. MC 112107 (Sub-No. 1) (Deviation No. 2) (Cancels deviation No. 1), NEW ENGLAND MOTOR FREIGHT, INC., 90 Grove Street, Paterson, N.J., filed May 2, 1966. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y., 10006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Paterson, N.J., over Interstate Highway 95, at or near Teaneck, N.J., thence over Interstate Highway 95 across the George Washington Bridge to junction Interstate Highway 91, at New Haven, Conn., thence over Interstate Highway 91 to junction U.S. Highway 6, at Hartford, Conn., and thence over U.S. Highway 6 to Providence, R.I., (2) from Paterson, N.J., over the route described in (1) above to New Haven, Conn., thence over Interstate Highway 95 to Providence, R.I., and (3) from Paterson, N.J., over the route described in (1) above to the New York-Connecticut State line, at the western terminus of the Connecticut Turnpike, thence over the Connecticut Turnpike to the eastern terminus of the Connecticut Turnpike at the Connecticut-Rhode Island State line, thence over U.S. Highway 6 to Providence, R.I., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Paterson, N.J., over New Jersey Highway 4 to junction U.S. Highway 1 (also from Paterson over New Jersey Highway 6 to junction U.S. Highway 1), thence over U.S. Highway 1 via New York, N.Y., to Providence, R.I., and (2) from New London, Conn., over Connecticut Highway 12 to Putnam, Conn., thence over U.S. Highway 44 to Providence, R.I., and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 107109 (Deviation No. 8) INDIANAPOLIS & SOUTHEASTERN TRAILWAYS, INC., 1318 North Capitol Avenue, Indianapolis, Ind., filed April 27, 1966. Carrier's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From junction U.S. Highway 25 and Interstate Highway 75 (approximately 2 miles south of Williamsburg, Ky.), over Interstate Highway 75 to junction Interstate Highway 75 and U.S. Highway 25 (approximately 1 mile south of Jellico, Tenn.), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers, and the same property, over a pertinent service route as follows: From junction U.S. Highway 25 and Interstate Highway 75 (approximately 2 miles south of Williamsburg, Ky.), over U.S. Highway 25 to junction U.S. Highway 25 and Interstate Highway 75 (approximately 1 mile south of Jellico, Tenn.), and return over the same route.

No. MC 109780 (Deviation No. 16), TRANSCONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas 2, Tex., filed April 27, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, over deviation routes as follows: From Checotah, Okla., over Interstate Highway 40 to interchange Interstate Highway 40 and U.S. Highway 64, located six (6) miles west of Fort Smith, Ark., with the following access routes, (1) from Warner, Okla., over access road and Oklahoma Highway 2, to interchange Interstate Highway 40, (2) from Sallisaw, Okla., over access road and U.S. Highway 59 to interchange Interstate Highway 40, and (3) from Sallisaw, Okla., over access road and U.S. Highway 64 to interchange Interstate Highway 40, and return over the same routes, for operating convenience only. The notice indicates that the carrier is authorized to transport passengers and the same property over pertinent service routes as follows: (1) From Oklahoma City, Okla., over U.S. Highway 62 to junction U.S. Highway 266 at or near Henryetta, Okla., thence over U.S. Highway 266 to junction unnumbered highway, thence over unnumbered highway to Wildcat, Okla., thence return over unnumbered highway to junction U.S. Highway 266, thence over U.S. Highway 266 to junction Oklahoma Highway 2, thence over Oklahoma Highway 2 to Warner, Okla., and (2) from Tulsa, Okla., over U.S. Highway 64, via Muskogee, Warner, and Gore, Okla., to Fort Smith, Ark., and return over the same routes.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-5117; Filed, May 10, 1966; 8:47 a.m.]

[Notice 916]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 6, 1966.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 112696 (Sub-No. 34), filed May 4, 1966. Applicant: HARTMANS, INCORPORATED, Post Office Box 898, Harrisonburg, Va. Applicant's representative: James E. Wilson, 1735 K Street N.W., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, frozen foods, food products, and chewing gum*, from points in Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Delaware, to points in Virginia, Alabama, Tennessee, Mississippi, and Louisiana.

HEARING: May 24, 1966, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 115840 (Sub-No. 24), filed April 25, 1966. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from Gadsden and Birmingham, Ala., to points in Texas.

HEARING: May 24, 1966, at the Hotel Thomas Jefferson, Second Avenue and 17th Street North, Birmingham, Ala., before Examiner Walter D. Matson.

No. MC 6031 (Sub-No. 38) (Republication), filed January 5, 1966, published FEDERAL REGISTER issue of January 27, 1966, and republished, this issue. Applicant: BARRY TRANSFER & STORAGE COMPANY, a corporation, 120 East National Avenue, Milwaukee, Wis., 53204. Applicant's representative: William C. Dineen, 710 North Plankinton Avenue, 412 Empire Building, Milwaukee, Wis., 53203. By application filed January 5, 1966, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of liquid carbon dioxide, from Milwaukee, Wis., to Menominee, Mich., and Sawyer Air Force Base, at or near Gwinn, Minn. An order of the Commission, Operating Rights Board No. 1, dated April 22, 1966, and served April 29, 1966, finds that operation, in interstate or foreign commerce, by applicant as a contract carrier by motor vehicle, over irregular routes, of *liquid carbon dioxide*, in bulk, in shipper-owned tank vehicles, from Milwaukee, Wis., to Menominee, Mich., and Sawyer Air Force Base at or near Gwinn, Mich., under a continuing contract with Pure Carbonic Co., a division of Air Reduction Co., Inc., of New York, N.Y., will be consistent with the public interest and the national transportation policy, that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder, and that an appropriate permit should be issued, subject to the condition that it shall be limited in point of time to a period expiring 5 years from the effective date thereof. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 116254 (Sub-No. 62) (Republication), filed November 4, 1965, published FEDERAL REGISTER issue of November 18, 1965, and republished, this issue. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill., 60650. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. By application filed November 4, 1965, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of dimethyl terephthalate and terephthalic acid, in bins of 4,000 pounds to 5,500 pounds capacity each, from the plant site of Amoco Chemicals Corp. located at or near Decatur, Ala., to points in Alabama, Georgia, Illinois, Indiana, Mississippi, North Carolina, Ohio, Kentucky, South Carolina, Tennessee, Virginia, and West Virginia, restricted to traffic which is loaded in bins or containers prior to placement on vehicles, which is destined to Kingsport, Tenn., and points in Virginia and West Virginia. An order of the Commission, Operating Rights Board No. 1, dated April 21, 1966, and served April 28, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier, by motor vehicle, over irregular routes, of *dimethyl terephthalate* and *terephthalic acid*, other than in bulk, from the plantsite of Amoco Chemicals Corp., at or near Decatur, Ala., to points in Georgia, Illinois, Indiana, Mississippi, North Carolina, Ohio, Kentucky, South Carolina, Tennessee, Virginia, and West Virginia, that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 126745 (Sub-No. 9) (Republication), filed August 26, 1965, published FEDERAL REGISTER issue of September 9, 1965, and republished, this issue. Applicant: SOUTHERN COURIERS, INC., 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Ewell H. Muse, Jr., Suite 415, Perry-Brooks Building, Austin, Tex., 78701. By application filed August 26, 1965, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of the commodities and between the points indicated in the findings below, except that applicant requests that the proposed service be limited to shippers other than banks and banking institutions. An order of the Commission, Operating Rights Board No. 1, dated April 22, 1966, and served April 29, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *business papers, records*, and *audit accounting media*, between Birmingham, Ala., on the one hand, and, on the other, points in Georgia, that notice of this finding should be published in the FEDERAL REGISTER. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of authority actually granted will be published in the FEDERAL REGISTER, and any proper party in interest may file an appropriate pleading within a period of 30 days from the date of such publication.

No. MC 127442 (Republication), filed July 16, 1965, published FEDERAL REGISTER issues of August 11, 1965, and December

29, 1965, respectively, and republished, this issue. Applicant: JOHN PIZER, doing business as JOHN PIZER TAXI, 224½ South Broad Street, Grove City, Pa. Applicant's representative: David W. Ketler, Grove City National Bank Building, Grove City, Pa. By application filed July 16, 1965, as amended, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of *parcels not exceeding 1,000 pounds in weight, such as may be transported by station wagon, including machinery parts, tools, and light manufactured items*, (1) between the Borough of Grove City and the Franklin Airport, Venango County, Pa., the Cleveland Hopkins Airport, Cuyahoga County, Ohio, and the Youngstown Airport, Trumbull County, Ohio, for shipment by airfreight, and (2) between the Cooper-Bessemer Corp. plant, Grove City, Pa., and Youngstown, Cleveland, and Akron, Ohio; under contract with the Cooper-Bessemer Corp., Grove City, Pa. An order of the Commission, Operating Rights Board No. 1, dated April 22, 1966, and served April 29, 1966, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of (1) *tools*, and *parts and equipment for engines and machinery*, from the plantsite of the Cooper-Bessemer Co., located at Grove City, Pa., to Akron, Cleveland, and Youngstown, Ohio, the Franklin Airport, located in Venango County, Pa., and the Youngstown Airport, located in Trumbull County, Ohio, and (2) *parts, materials, and supplies used in the manufacture of engines and machinery*, from the destination points to the origin points described in (1) above (subject to the limitation that shipments moving from or to airports will be restricted to those having a prior or subsequent movement by air), under a continuing contract with the Cooper-Bessemer Co., Grove City, Pa., will be consistent with the public interest and the national transportation policy, that the applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 127674 (Republication), filed October 22, 1965, published FEDERAL REGISTER issue of December 9, 1965, and republished, this issue. Applicant: OWEN MICKEY LITTLE, doing business as OWEN M. LITTLE, Zionville, N.C. By application filed October 22, 1965, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of cinder blocks, gravel, and crushed stone, (1) from points in Watauga County, N.C., to points in Johnson County, Tenn., and (2) from Dante, Va., to Boone, N.C. An order of the Commission, Operating Rights Board No. 1, dated April 22, 1966, and served April 29, 1966, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of *gravel and sand*, from Dante, Va., to Boone, N.C., under a continuing contract with Maymead Block Co., of Boone, N.C., will be consistent with the public interest and the national transportation policy, that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings herein, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit herein will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

NOTICE OF FILING OF PETITION

No. MC 6805 (Sub-No. 2) (Notice of filing of petition to amend authority granted), filed April 21, 1966. Petitioner: SIEBERT TRUCKING CO., a corporation, 416 45th Street, Union City, N.J. Petitioner's representative: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. By application filed March 26, 1965, applicant sought a certificate as a common carrier by motor vehicle, over irregular routes, to transport cement, from the storage facilities of Hercules Cement Co., division of American Cement Corp., Edgewater, N.J., to points in Connecticut, those in New Jersey on and north of New Jersey Highway 33 and those in Nassau, Suffolk, Westchester, Dutchess, Putnam, Orange, Rockland, Sullivan, and Ulster Counties, N.Y., and returned shipments on return. By order dated February 10, 1966, Division 1 affirmed the findings of Operating Rights Review Board No. 1, and the grant of authority became administratively final. Petitioner states that it was recently advised that because of circumstances beyond the control of shipper, the facilities for the handling of cement, which were required to be installed on the silos at the premises in Edgewater would not be installed. Therefore, arrangements were made for the construction of silos for use of the shipper at Weehawken, N.J. By the instant petition, petitioner requests that the certificate to be issued authorize transportation as follows: *Cement*, over irregular routes, from the storage facility of Hercules Cement Co., division of American Cement Corp., Weehawken, N.J., to points in Connecticut, those in New Jersey on and north of New Jersey Highway 33, and those in Nassau, Suffolk, Westchester, Dutchess, Putnam, Orange, Rockland, Sullivan, and Ulster Counties, N.Y. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition, within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 55896 (Sub-No. 25), filed April 25, 1966. Applicant: R. W. EXPRESS, INC., 4840 Wyoming, Dearborn, Mich., 48126. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Toledo, Ohio, and points in Ohio. NOTE: Application is directly related to MC-F-9369, published March 16, 1966. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 66512 (Sub-No. 4), filed April 26, 1966. Applicant: P & G MOTOR FREIGHT, INCORPORATED, 450 Burnham Street, South Windsor, Conn. Applicant's representatives: Clyde E. Herring, The Shoreham Building, 15th and H Streets NW., Washington, D.C., 20005, Louis Barsky, Suite 327, 40 Court Street, Boston, Mass., and Frank J. Weiner, 182 Forbes Building, Forbes Road, Braintree, Mass., 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment), between points in Massachusetts. NOTE: This application is directly related to MC-F-9410, published FEDERAL REGISTER issue of May 4, 1966.

No. MC 109533 (Sub-No. 31), filed April 15, 1966. Applicant: OVERNITE TRANSPORTATION COMPANY, a corporation, 1100 Commerce Road, Richmond, Va., 23209. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between junction U.S. Highway 1 (301) and Virginia Highway 145 and junction Virginia Highway 616 and U.S. Highway 1 (301); from junction U.S. Highway 1 (301) and Virginia Highway 145, over Virginia Highway 145 to junction Virginia Highway 10, thence over Virginia Highway 10 to junction Virginia Highway 616, thence over Virginia Highway 616 to junction U.S. Highway 1 (301), (2) between junction U.S. Highway 1 (301) and Virginia Highway 638 and Chesterfield Courthouse; from junction U.S. Highway 1 (301) and Virginia Highway 638, over Virginia Highway 638 to junction Virginia Highway 10, thence over Virginia Highway 10 to Chesterfield Courthouse, (3) between junction Virginia Highways 655 and 10, at Chesterfield Courthouse, and Pocahontas State Park; from junction Virginia Highway 655 and Virginia Highway 10, over Virginia Highway 655 to Pocahontas State Park, (4) between junction Virginia Highways 655 and 636 near Chesterfield Courthouse and junction Virginia Highways 669 and 602; from junction Virginia Highway 655 and Virginia Highway 636, over Virginia Highway 636 to junction Virginia Highway 602, thence over Virginia Highway 602 to junction Virginia Highway 669, (5) between junction Virginia Highways 636 and 626 and junction Virginia Highways 600 and 626; from junction Virginia Highway 636 and Virginia Highway 626, over Virginia Highway 626 to junction Virginia Highway 600.

(6) Between junction Virginia Highways 628 and 602 and junction Virginia Highways 628 and 36, near Ettrick; from junction Virginia Highway 628 and Virginia Highway 602, over Virginia Highway 628 to junction Virginia Highway 36 at or near Ettrick, (7) between junction Virginia Highways 669 and 626 and junction Virginia Highways 602 and 669; from junction Virginia Highway 669 and Virginia Highway 626, over Virginia Highway 669 to junction Virginia Highway 602, (8) between junction Virginia Highways 669 and 601 and junction Virginia Highways 601 and 36; from junction Virginia Highway 669 and Virginia Highway 601, over Virginia Highway 601 to junction Virginia Highway 36, (9) between junction Virginia Highways 600 and 36 and Petersburg, Va.; from junction Virginia Highway 600 and Virginia Highway 36, over Virginia Highway 600 to junction U.S. Highways 460 and 1, thence over U.S. Highways 460 and 1 to Petersburg, (10) between junction Virginia Highways 36 and 600 and Virginia Highways 626 and 625; from junction Virginia Highway 36 and Virginia Highway 600, over Virginia Highway 600 to junction Virginia Highway 626, thence over Virginia Highway 626 to junction Virginia Highway 625, (11) between junction Virginia Highways 625 and 10 and junction Branders Bridge Road and U.S. Highway 1 (301) in Colonial Heights; from junction Virginia Highway 625 and Virginia Highway 10, over Virginia Highway 625 to Branders Bridge Road, thence over Branders Bridge Road to junction U.S. Highway 1 (301) at or near Colonial Heights, (12) between junction Virginia Highways 145 and 144, near Centralia, and junction Virginia Highways 10 and 144, near Chester, Va.; from junction Virginia Highway 144 and Virginia Highway 145, near Centralia, over Virginia Highway 144 to junction Virginia Highway 10, near Chester.

(13) Between junction Virginia Highways 144 and 10 and junction Virginia Highway 144 and U.S. Highway 1 (301); from junction Virginia Highway 144 and Virginia Highway 10, near Chester, over Virginia Highway 144 to junction U.S. Highway 1 (301), (14) between junction Virginia Highways 616 and 10 and junction Virginia Highways 1132 and 620; from junction Virginia Highway 616 and Virginia Highway 10, over Virginia Highways 616 and 619 to junction Virginia Highways 620 and 1132, (15) between junction Virginia Highways 620 and 619 and junction Virginia Highways 619 and 617; from junction Virginia Highway 619 and Virginia Highway 620, over Virginia Highway 619 to junction Virginia Highway 617, (16) between junction Virginia Highways 616 and 615 and junction Virginia Highways 732 and 618; from junction Virginia Highway 616 and Virginia Highway 615, over Virginia Highways 616 and 732 to junction Virginia Highway 618, and return over the same routes, serving all intermediate points in connection with (1) through (16) above, and (17) from Meadowville, Va., southwardly, returning to the same point in a circuitous manner, over Virginia Highways 619, 617, 620, and 618, as they variously connect, serving all intermediate points. Restriction: This authority shall not authorize service at any point on Virginia Highway 10 east of U.S. Highway 1 (301) nor at Bermuda Hundred, provided that the granting of this authority is without restriction to service by Richmond-Petersburg Freight Line or by Wilson Trucking Corp., or the successors of either of them, at points now served by either corporation. NOTE: The application is directly related to Docket No. MC-F 9403, published April 27, 1966. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 128132, filed April 25, 1966. Applicant: GEORGE A. TAYLOR, INC., 4 Philmore Avenue, Post Office Box 188, Caledonia, N.Y. Applicant's representative: Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y., 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Gypsum products, plaster retarder, plaster accelerator, plasterboard joint system, tape, and wallboard*, except liquid commodities in bulk, in tank vehicles, from the plantsite of the Ruberoid Co., Wheatland (Monroe County), N.Y., to points in Ohio, those in Pennsylvania west of U.S. Highway 15, and those in Macomb, Monroe, Wayne, and Oakland Counties, Mich.; and *empty containers or other such incidental facilities* used in transporting the above-specified commodities, on return, (2) *mineral wool*, in mixed shipments with gypsum products, plaster retarder, plaster accelerator, plasterboard joint system, tape and wallboard, from the plantsite of the Ruberoid Co., Wheatland (Monroe County), N.Y., to points in Ohio, that part of Pennsylvania on and west of U.S. Highway 15, and points in Macomb, Monroe, Wayne, and Oakland Counties, Mich., with no transportation for compensation on return except as otherwise authorized, (3) *gypsum, gypsum products, plaster retarder, plaster accelerator, plasterboard joint system, tape, and wallboard, and mineral wool*, in mixed loads with the commodities specified herein, from the plantsite of the Ruberoid Co., Wheatland (Monroe County), N.Y., to New York, N.Y., points in Nassau and Suffolk Counties, N.Y., and Connecticut, Massachusetts, and Rhode Island, with no transportation for compensation on return except as otherwise authorized.

(4) *Gypsum products, plaster retarder, plaster accelerator, plasterboard joint system, tape, and wallboard*, from the plantsite of The Ruberoid Co., Wheatland (Monroe County), N.Y., to points in New Jersey and in that part of Pennsylvania on and east of U.S. Highway 15, with no transportation for compensation on return except as otherwise authorized. NOTE: Applicant states that authority sought herein is a conversion of Permit No. MC 117774 and Sub-Nos. 1, 2, and 4 to certificates of public convenience and necessity. Said permits all contained shipper keystones restricting operations to those performed under contract or contracts with The Ruberoid Co. To preserve parity therewith in this conversion applicant has proposed a plantsite restriction. Authority sought is to be tacked with authority being concurrently sought in another BMC 78 application to convert certificate of registration No. MC 45762 (Sub-No. 2), in which applicant is authorized to operate in the State of New York, to a certificate of public convenience and necessity. Application is directly related to MC-F-9408, to be published May 4, 1966.

If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y.

No. MC 128132 (Sub-No. 1), filed April 25, 1966. Applicant: GEORGE A. TAYLOR, INC., 4 Philmore Avenue, Post Office Box 188, Caledonia, N.Y. Applicant's representative: Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y., 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities which require special equipment, commodities in bulk, commodities of unusual value, and classes A and B explosives), (1) between Albion and Buffalo, N.Y., as follows: From Albion, N.Y., over New York Highway 279, to Waterport, thence over unnumbered county road to Lyndonville, N.Y., thence over New York Highway 63 to Medina, N.Y., thence over New York Highway 31 to Lockport, N.Y., thence over New York Highway 78 to junction New York Highway 263, thence over New York Highway 263 to Buffalo; and return over the following route: From Buffalo over New York Highway 263 to junction New York Highway 78, thence over New York Highway 78 to Lockport, N.Y., thence over New York Highway 78 to Olcott, N.Y., thence over New York Highway 18 to Sommerset, N.Y., thence over unnumbered county road to junction U.S. Highway 104, thence over U.S. Highway 104 to Hart-

land, N.Y., thence over unnumbered county road to Gasport, N.Y., thence over New York Highway 31 to Medina, N.Y., thence over New York Highway 63 to Lyndonville, N.Y., thence over unnumbered county road to Waterport, N.Y., thence over New York Highway 279 to junction New York Highway 98, thence over New York Highway 98 to Albion; serving all intermediate points and the off-route points of Ashwood, Eagle Harbor, Kendall, Millers, and West Kendall (Orleans County), N.Y.; (2) between Buffalo and Rochester, N.Y., over New York Highway 33, including service from Buffalo, Batavia, and Rochester, N.Y., to all intermediate points, and the off-route points of East Pembroke, Elba, South Byron, Byron, Clarendon, and Bergen, N.Y.

(3) Between Batavia and Rochester, N.Y., over New York Highway 33 and 33A; and (4) between Batavia and Rochester, N.Y.: From Batavia over New York Highway 5 to East Avon, N.Y., thence over U.S. Highway 15 to Rochester, and return over the same route, serving the intermediate points of Stafford, Le Roy, Caledonia, and Avon, N.Y., and the off-route point of Mumford, N.Y. NOTE: Applicant is authorized to conduct operations as a contract carrier in permit No. 117774 and subs thereunder; therefore, dual operations may be involved. Applicant states that the authority sought is basically a conversion of certificate of registration No. MC 45762 (Sub-No. 2), which is based upon a New York Public Service Commission certificate of public convenience and necessity, and each route is to be authorized to be tacked with each other route as is authorized by the New York Public Service Commission in Part 831, Title 16, of the Official Compilation of Codes, Rules and Regulations of the State of New York. Applicant states that such authority is further to be tacked with certificates being concurrently sought which are essentially a conversion of applicant's present Permits in MC 117774 and Subs-No. 1, 2, and 4, in which applicant is authorized to operate in the States of New York, Ohio, Pennsylvania, Michigan, Connecticut, Massachusetts, Rhode Island, and New Jersey. Application is directly related to MC-F-9408, to be published May 4, 1966. If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9413. Authority sought for control and merger by W. J. DIGBY, INC., 1960 31st Street, Post Office Box 5088, Terminal Annex, Denver, Colo., of the operating rights and property of FRESNO - ALBUQUERQUE TRUCK LINE, INC., doing business as CARDINAL EXPRESS LINES, 1661 Chapin Road, Montebello, Calif., and for acquisition by JAMES F. DIGBY, also of Denver, Colo., of control of such rights and property through the transaction. Applicants' attorney: Truman A. Stockton, Jr., the 1650 Grant Street Building, Denver, Colo., 80203. Operating rights sought to be controlled and merged: *Alcohol, alcoholic beverages,* and *wine-making materials, and supplies,* as a *common carrier,* over regular and irregular routes, from Fresno, Calif., and points within 25 miles of Fresno to Albuquerque, N. Mex., and to and from the intermediate points of Bakersfield, Calif., and Gallup, N. Mex.; *alcoholic beverages, glass containers, caps, cartons, and cooperage,* from Albuquerque, N. Mex., to Fresno, Calif., including points within 25 miles of Fresno, and to and from the intermediate points of Bakersfield, Calif., and Gallup, N. Mex.; *malt beverages,* over irregular routes, from Golden, Colo., to certain specified points in California. Restriction: The service authorized herein is subject to the following conditions: Carrier's operations shall be conducted separately from carrier's other business activities. Carrier shall maintain separate accounting systems for its private and for-hire operations. Carrier shall not at the same time and in the same vehicle transport property both as a private and as a for-hire carrier; *frozen fruits, frozen vegetables,* and *frozen fish,* in packages, when moving in the same vehicle with frozen fruits and frozen vegetables, from points in California, Oregon, and Washington, to Denver, Colo., from points in California, to Pueblo, Colo.; and *frozen vegetables,* and *frozen fish,* in packages, when moving in the same vehicle with frozen vegetables, from Los Angeles and Watsonville, Calif., to Salt Lake City, Utah. W. J. DIGBY, INC., is authorized to operate as a *common carrier* in Colorado, Arizona, California, New Mexico, Utah, Nevada, and Idaho. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9414. Authority sought for purchase by STOTT & DAVIS MOTOR EXPRESS, INC., 18 Garfield Street, Auburn, N.Y., of the operating rights and property of RUSSELL LADER and LEWIS LADER, a partnership, doing business as LADERS TRANSPORTATION CO., 18 West Elizabeth Street, Skaneateles, N.Y., and for acquisition by WILLIAM STOTT, Owasco Road, Auburn, N.Y., JACK N. DAVIS, West Lake Road, Auburn, N.Y., RICHARD H. DAVIS, John Smith Avenue, Auburn, N.Y., and LILLIAN D. ELLIS, Rockefeller Road, Auburn, N.Y., of control of such rights and property through the purchase. Applicants' attorneys: Norman M. Pinsky and Herbert M. Canter, both of 345 South Warren Street, Syracuse, N.Y., 13202, and George M. Michaels, Carr Building, 188 Genesee Street, Auburn, N.Y., 13022. Operating rights sought to be transferred: *General commodities,* excepting, among others, household goods and commodities in bulk, as a *common carrier,* over a regular route, between Syracuse, N.Y., and Skaneateles, N.Y., serving the intermediate points of Elbridge, Skaneateles Junction, Glenside, Skaneateles Falls, and Mottville, N.Y.; and under a certificate of registration in Docket No. MC-28711 Sub-No. 2, covering the transportation of property, as a common carrier, in intrastate commerce, within the State of New York. Vendee is authorized to operate under a certificate of registration, as a common carrier, in the State of New York. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9415. Authority sought for purchase by FRANK C. KLEIN & CO., INC., 3600 East 46th Avenue, Denver, Colo., 80216, of a portion of the operating rights of JIM CHELF, INC., 5226 Brighton Boulevard, Denver, Colo., 80216, and for acquisition by FRANK C. KLEIN and DAVID E. KLEIN, both of 3600 East 46th Avenue, Denver, Colo., of control of such rights through the purchase. Applicants' attorneys: Stockton, Lewis & Mitchell, 1650 Grant Street, Denver, Colo., 80203. Operating right sought to be transferred: *Petroleum products,* in bulk, as a *common carrier,* over irregular routes, from Sinclair (formerly Parco), Wyo., to Big Spring and Ogallala, Nebr., and certain specified points in Colorado, from Sinclair (formerly Parco), Wyo., to construction projects in Colorado not located within the limits of incorporated cities or towns; and *refined petroleum products,* from refining and distributing points in Kansas, to certain specified points in Colorado. Vendee is authorized to operate as a *common carrier* in Wyoming, Colorado, Kansas, Oklahoma, Texas, Nebraska, New Mexico, Montana, and Utah. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5118; Filed, May 10, 1966; 8:47 a.m.]

[Notice 918]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 6, 1966.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 114569 (Sub-No. 78), filed April 27, 1966. Applicant: SHAFFER TRUCKING, INC., Post Office Box 418, New Kingstown, Pa. Applicant's representative: James Hagar, Commerce Building, Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk, in tank vehicles), and *advertising materials, supplies, and premiums,* when moving in the same vehicle, from the facilities of American Home Products Corp., at La Porte, Ind., to points in Rhode Island, Connecticut, Massachusetts, Delaware, Virginia, Maryland, West Virginia, Ohio, Kentucky, Tennessee, North Carolina, New Jersey, New York, and Pennsylvania, and the District of Columbia.

HEARING: June 6, 1966, at the Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Theodore M. Tahan.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5119; Filed, May 10, 1966; 8:47 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MAY 6, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. M-3995, filed April 20, 1966. Applicant: BATESVILLE TRUCK LINE, INC., Lower Boswell Street, Batesville, Ark. Applicant's representative: M. F. Highsmith, Fourth and College Streets, Batesville, Ark. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities,* (1) between junction of Arkansas Highways 58 and 69, over Arkansas Highway 58, to Guion, Ark., (2) between Mount Pleasant, Ark., and Guion, Ark., over unmarked county road, (3) between Guion, Ark., and junction Arkansas Highway 14, over unmarked county road, (4) between junction of Arkansas Highways 5 and 9 over Arkansas Highway 5 to junction of Arkansas Highways 14 and 9 over Arkansas Highway 14 to junction of Arkansas Highways 14 and 27, serving all intermediate points on the above-described routes. NOTE: Foregoing sought authority to be tacked with present authority of applicant contained in Arkansas certificate No. M-448 and Interstate Certificate of Registration MC-97127 Sub 3. Also, by the instant application authority is sought to serve in both intrastate and interstate commerce.

HEARING: June 7, 1966, at 10 a.m., at the offices of the Arkansas Commerce Commission, Justice Building, Little Rock, Ark. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Arkansas Commerce Commission, Justice Building, Little Rock, Ark., 72201, and should not be directed to the Interstate Commerce Commission.

State Docket No. MT-6862, filed April 11, 1966. Applicant: FRANK L. BROWN, doing business as BROWN THE MOVER, 58 Herman Street, Buffalo, N.Y. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *Safes and machinery,* restricted to articles weighing under 2,000 pounds and requiring special equipment; *store, restaurant, hotel, and institutional fixtures and equipment* (other than new furniture); and *commercial refrigeration equipment,* from the City of Buffalo, N.Y., to points in Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming Counties, N.Y., and *returned, rejected, and traded-in merchandise of the same description,* in the reverse direction.

HEARING: Date and time of hearing to be hereafter fixed. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Public Service Commission, 55 Elk Street, Albany, N.Y., 12225, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5120; Filed, May 10, 1966; 8:47 a.m.]

[3d Rev. S.O. 562; Pfahler's ICC Order 200, Amdt. 2]

ALL RAILROADS

Rerouting of Traffic

Upon further consideration of Pfahler's ICC Order No. 200 and good cause appearing therefor:

It is ordered, That:

Pfahler's ICC Order No. 200 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., July 31, 1966, unless otherwise modified, changed or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., May 9, 1966, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 5, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-5113; Filed, May 10, 1966; 8:46 a.m.]

[Investigation and Suspension Docket No. M-20476]

CLASS RATES AND PER-SHIPMENT CHARGES, MIDDLEWEST, CENTRAL AND SOUTHWEST STATES

It appearing, that by order dated April 27, 1966, the Commission, Board of Suspension, instituted an investigation in

the above-entitled proceeding into and concerning the lawfulness of the rates, charges and regulations contained in the proposed tariff schedules and suspended their operation to and including November 30, 1966;

It further appearing, that upon consideration of the record in the above-entitled proceeding, this matter is one which should be referred to a hearing examiner for hearing;

It further appearing, that this matter is related to the proceeding in Docket No. 34667—Per-Shipment Charges and Minimum Charges, Middlewest, Central and Southwest States, and both proceedings should be heard on a common record;

It further appearing, that on January 4, 1966, the Commission entered an order which, among other things, referred No. 34667 to a hearing examiner for hearing and directed the special procedure to be followed by all parties;

And it further appearing, that by order dated April 25, 1966, the special procedure, as set forth in the Commission's order of January 4, 1966, was modified in certain respects, and that such special procedure should be followed in this proceeding;

And good cause appearing therefor:

It is ordered, That the above-entitled proceeding be, and it is hereby, referred to Hearing Examiner Robert C. Bamford for hearing on a common record with No. 34667—Per-Shipment Charges and Minimum Charges Middlewest, Central, and Southwest States, commencing on July 19, 1966, at 9:30 o'clock a.m. U.S. standard time, or (9:30 o'clock a.m. local daylight saving time, if that time is observed), at the Hotel President, 14th and Baltimore Streets, Kansas City, Mo., and for the recommendation of an appropriate order thereon, accompanied by the reasons therefor.

It is further ordered, That all persons named in the list of parties attached to the Commission's order in No. 34667 dated April 25, 1966, shall be considered parties to the instant proceeding.

It is further ordered, That any person, in addition to the parties named in the attached list above mentioned, desiring to become parties of record and to receive and/or serve copies of the evidence to be filed in accordance with the special procedure in the instant proceeding, shall notify the Commission, in writing, on or before May 27, 1966.

It is further ordered, That:

(1) On or before June 20, 1966, respondents and interveners in support thereof shall serve on the parties of record their direct evidence in the form of verified statements.

(2) On or before July 11, 1966, the protestants and interveners in support thereof shall serve on all parties of record their evidence in the form of verified statements.

(3) On or before July 6, 1966, the protestants are required to give notice of their intention to cross-examine specific witnesses.

(4) On or before July 19, 1966, the respondents are required to give notice of their intention to cross-examine specific witnesses.

(5) Evidence which fails to conform to the above-outlined procedure may be cause for its rejection from the record in this proceeding.

It is further ordered, That the provisions respecting submission of carrier-affiliate financial and operating relationships and transactions in the Commission's order of January 4, 1966, as amended by order dated March 29, 1966, be, and they are hereby, incorporated by reference and made a requirement in this proceeding as if fully set forth herein.

And it is further ordered, That a copy of this order be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

Dated at Washington, D.C., this 2d day of May, A.D. 1966.

By the Commission, Commissioner Brown.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5115; Filed, May 10, 1966; 8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 6, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40463—*Beet or cane sugar from Hereford, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-8853), for interested rail carriers. Rates on beet or cane sugar, dry, in bulk, in covered hopper cars, in carloads, from Hereford, Tex., to Chicago, Ill., and points grouped therewith, also Joliet, Ill.

Grounds for relief—Market competition.

Tariff—Supplement 53 to Southwestern Freight Bureau, agent, tariff ICC 4514.

FSA No. 40464—*Chlorine to Catawba, S.C.* Filed by O. W. South, Jr., agent (No. A4890), for interested rail carriers. Rates on chlorine, in tank carloads, from Calvert, Ky., to Catawba, S.C.

Grounds for relief—Market competition.

Tariff—Supplement 89 to Southern Freight Association, agent, tariff ICC S-484.

FSA No. 40465—*Class and commodity rates from and to East Danville, Va.* Filed by O. W. South, Jr., agent (No. A4889), for interested rail carriers. Rates on property moving on class and commodity rates, between East Danville, Va., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief—New station and grouping.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5114; Filed, May 10, 1966; 8:46 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR (Page)
PROCLAMATION:
3718 6567
3719 6607
3720 6679
3721 6817
3722 6855
EXECUTIVE ORDER:
11277 6609
11278 6681
11017 (Superseded by EO 11278) 6681
11069 (Superseded by EO 11278) 6681
11218 (Superseded by EO 11278) 6681
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 6857

5 CFR
213 6769, 6859, 6903
772 6569

7 CFR
7 6569
50 6570
68 6629
718 6859
722 6573, 6580, 6859
724 6819
729 6581
813 6819
815 6860
908 6825
909 6825
910 6826
959 6860
980 6629
1098 6581
1099 6861
1421 6904
1427 6861
1434 6582
1490 6862
PROPOSED RULES:
52 6871
58 6715
916 6871
965 6592
1032 6631
1050 6631
1065 6873
1126 6631

8 CFR
214 6611

12 CFR
1 6826, 6905
522 6905
524 6905

14 CFR
39 6582, 6685, 6790
71 6582, 6584, 6791, 6826, 6827, 6864
73 6893
97 6612, 6685, 6828, 6894
137 6685
151 6686
208 6620
223 6584
320 6585
378 6621
PROPOSED RULES:
71 6716, 6717, 6837, 6838, 6873, 6908
121 6592

15 CFR
30 6587
373 6707
374 6707
377 6707
379 6709
382 6707, 6709
384 6709, 6864
385 6709
399 6707, 6709, 6829, 6866

16 CFR
15 6866, 6906

17 CFR
200 6588
240 6705, 6706

19 CFR
1 6611
10 6769
PROPOSED RULES:
1 6871
20 6908

20 CFR
404 6611

21 CFR
121 6830
131 6705, 6906
146c 6830
191 6622
PROPOSED RULES:
51 6792

24 CFR
200 6866

26 CFR
1 6589
31 6589

28 CFR
0 6867

29 CFR
548 6769
800 6770

31 CFR
202 6590
316 6831
332 6686, 6831

32 CFR
300 6831
1472 6906

32A CFR (Page)
BDSA (Ch. VI):
BDSA Reg. 2 6590

33 CFR
203 6907
207 6590, 6622, 6867
208 6707

35 CFR
255 6831

38 CFR
2 6770
21 6771

39 CFR
PROPOSED RULES:
21 6715
24 6715

41 CFR
6-1 6622
6-2 6623
6-3 6623
6-5 6624
6-7 6624
6-11 6624
6-30 6624
6-60 6625
9-12 6907
22-60 6625
101-45 6831

43 CFR
PUBLIC LAND ORDERS:
3977 (amended by PLO 4000) 6868
3999 6907
4000 6868
PROPOSED RULES:
3130 6834
3160 6836

45 CFR
177 6591
801 6591

46 CFR
309 6891
PROPOSED RULES:
510 6792
512 6838
513 6838

47 CFR
0 6627, 6831
1 6831, 6868
73 6627, 6628, 6868
PROPOSED RULES:
2 6909
73 6637, 6638, 6792, 6838, 6874
87 6909

49 CFR
71-79 6591
95 6832

50 CFR
33 6629, 6832, 6869, 6893
60 6833

V
O
L

3

91

DETROIT ... MAY 13 1966 SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 92

Thursday, May 12, 1966 • Washington, D.C.

Pages 6941–7022

Agencies in this issue—

The President
Agricultural Stabilization and Conservation Service
Army Department
Civil Aeronautics Board
Civil Service Commission
Comptroller of the Currency
Consumer and Marketing Service
Federal Aviation Agency
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
General Services Administration
Internal Revenue Service
Interstate Commerce Commission
Justice Department
Land Management Bureau
Navy Department
Securities and Exchange Commission
Treasury Department

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

How To Find U.S. Statutes and U.S. Code Citations

[Revised Edition—1965]

This pamphlet contains typical legal references which require further citing. The official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been included. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

This revised edition contains illustrations of principal finding aids and reflects the changes made in the new master table of statutes set out in the 1964 edition of the United States Code.

Price: 10 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

[Published by the Committee on the Judiciary, House of Representatives]

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

EXECUTIVE ORDER

Establishing the President's Committee on Health Manpower and the National Advisory Commission on Health Manpower 6947

PROCLAMATION

Mother's Day, 1966 6945

EXECUTIVE AGENCIES

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

National agricultural conservation; 1966 6957
Peanuts of 1963 and subsequent crops; allotment and marketing quota regulations; miscellaneous amendments 6957

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

ARMY DEPARTMENT

Rules and Regulations

Civil defense identification for Federal employees, reservists and non-Federal support personnel; miscellaneous amendments 6962

Notices

Description of central and field agencies; statement of organization and functions 7005

CIVIL AERONAUTICS BOARD

Proposed Rule Making

Stock ownership of affiliates of air carriers; reports 6986

Notices

Standard Airways, Inc.; order to show cause 7016

CIVIL SERVICE COMMISSION

Rules and Regulations

Appeals to Commission; hearing procedure 6949
Excepted service:
Interior Department 6949
Small Business Administration 6949
Treasury Department 6949

COMPTROLLER OF THE CURRENCY

Rules and Regulations

Corporate practices and procedures of national banks 6949

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Grapefruit; import regulations 6959
Limitations of shipments:
Fresh peaches grown in Georgia 6958
Grapefruit grown in Florida 6958
Oranges grown in Florida 6958

Proposed Rule Making

Milk in the Inland Empire marketing area 6986

DEFENSE DEPARTMENT

See Army Department; Navy Department.

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directives; Fairchild Model F-27 Series airplanes 6959
Designations:
Control area 6959
Transition area 6960
VOR Federal airways; revocation, realignment and designation 6960

Proposed Rule Making

Control zones and transition areas:
Proposed alteration 6987
Proposed designation and alteration 6987
Parachute jumping; proposed requirements 6988

FEDERAL MARITIME COMMISSION

Notices

Alaska Steamship Co.; notice of investigation and suspension regarding general increase in rates in Peninsula and Bering Sea areas of Alaska, 1966; correction 7017

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Cities of Altenburg and Frohna, Mo., and Natural Gas Pipeline Company of America 7017
Consolidated Gas Supply Corp. 7017
Fox, Grady L., et al 7018
Manufacturers Light and Heat Co 7018
South Texas Natural Gas Gathering Co., and Trunkline Gas Co 7018

FEDERAL TRADE COMMISSION

Rules and Regulations

Lime industry; rescission of part 6960

FISH AND WILDLIFE SERVICE

Rules and Regulations

Sport fishing:
Deer Flat National Wildlife Refuge, Idaho 6964
National Bison Range, Montana 6964
Ravalli National Wildlife Refuge, Montana 6964

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Procurement sources and programs; similar items 6963

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau.

INTERNAL REVENUE SERVICE

Proposed Rule Making

Income tax; gain from dispositions of certain depreciable realty 6966

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Extension of credit to shippers; payment of tares and charges 6964

Notices

Fourth section application for relief 7002
Oilfield equipment, materials and supplies to and between the southwest 7004
Motor carrier:
Broker, water carrier and freight forwarder applications 6990
Temporary authority applications 7002
Transfer proceedings 7004

JUSTICE DEPARTMENT

Notices

Eastwood, Mary O.; designation as representative from Justice Department on Administrative Committee of the Federal Register 7014

LAND MANAGEMENT BUREAU

Proposed Rule Making

Designation of areas and sites 6984
Script; satisfaction 6985

Notices

Proposed land classification:
New Mexico 7014
Oregon 7015
Proposed withdrawal and reservation of lands:
Alaska 7014
Arizona 7014
Wyoming 7016
Utah; notice of classification 7015

(Continued on next page)

CONTENTS

NAVY DEPARTMENT

Rules and Regulations

Navigational light waivers; miscellaneous amendments 6962

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:

Cities Service International Capital Corp 7019
Elkton Co 7020
Great American Industries, Inc. 7020
Pinal County Development Association 7020
VTR, Inc 7021

TREASURY DEPARTMENT

See also Comptroller of the Currency; Internal Revenue Service.

Rules and Regulations

Table of charges at the mints and assay offices of the United States 6960

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

EXECUTIVE ORDER:
11279 6947

PROCLAMATION:
3723 6945

5 CFR

213 (3 documents) 6949
772 6949

7 CFR

701 6957
729 6957
905 (2 documents) 6958
918 6958
944 6959

PROPOSED RULES:
1133 6986

12 CFR

10 6949
11 6950
12 6952
13 6953
14 6954
15 6955
16 6955

14 CFR

39 6959
71 (3 documents) 6959, 6960

PROPOSED RULES:
71 (2 documents) 6987
105 6988
246 6986

16 CFR

59 6960

26 CFR

PROPOSED RULES:
1 6968

31 CFR

90 6960

32 CFR

706 6962
1810 6962

41 CFR

101-26 6963

43 CFR

PROPOSED RULES:
1727 6984
2221 6985

49 CFR

142 6964
188 6964

50 CFR

33 (3 documents) 6964

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3723

MOTHER'S DAY, 1966

By the President of the United States of America

A Proclamation

By love, by teaching, and by example, mothers have shaped the lives of men and the destinies of nations.

Through each succeeding generation American mothers have inspired their children to seek right action, to temper harsh judgment with mercy, to treasure all that is noble in human character.

Each time the courage of its sons is tested in battle, each time the compassion of its people is summoned by tragedy, want, or oppression, America has cause to thank God for the guiding spirit of motherhood.

On the second Sunday in May of each year, we celebrate that spirit and its gifts: mutual affection, steadfast devotion to family life, care and nourishment for the individual soul. On this day and throughout the year, we rejoice in the strength of character American mothers have instilled in generations of our people.

On this day, our minds acknowledge the great debt mankind owes to mothers. Our hearts declare its truth. We resolve anew to make our lives tributes and memorials to those who have proven the most potent and vital force for good in the world—the mothers of men.

On May 8, 1914, the Congress by joint resolution requested the President to issue a proclamation calling for the observance of Mother's Day.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby request that Sunday, May 8, 1966, be observed as Mother's Day; and I direct the appropriate officials of the Government to display the flag of the United States on all Government buildings on that day.

I call upon all Americans to make Mother's Day a truly memorable occasion by expressing both publicly and privately their love and reverence for their Mothers through participating in religious and other suitable observances in their honor and through loving acts of affection and esteem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixth day of May in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-5241; Filed, May 10, 1966; 3:33 p.m.]

Executive Order 11279

ESTABLISHING THE PRESIDENT'S COMMITTEE ON HEALTH MANPOWER AND THE NATIONAL ADVISORY COMMISSION ON HEALTH MANPOWER

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Establishment of Committee.* (a) There is hereby established the President's Committee on Health Manpower (hereinafter referred to as the "Committee").

(b) The Committee shall be composed of the Director of the Office of Science and Technology, who shall be the Chairman of the Committee; the Secretary of Defense; the Secretary of Health, Education, and Welfare; the Secretary of Labor; the Administrator of Veterans Affairs; the Director of the Office of Economic Opportunity; the Director of the Office of Emergency Planning; and the Director of the Selective Service System. Each member of the Committee may designate an alternate, who shall serve as a member of the Committee whenever the regular member is unable to attend any meeting of the Committee.

SEC. 2. *Duties of the Committee.* (a) The Committee shall:

(1) Appraise the current and prospective national requirements for, and availability of, manpower to meet the health needs of the civilian population and the armed forces;

(2) Evaluate existing and alternative policies, programs, and practices of public agencies and private institutions and organizations for increasing health manpower and assuring maximum effective use thereof; and

(3) Develop appropriate recommendations for action by Government or by private institutions, organizations, or individuals for improving the availability and utilization of health manpower.

(b) Such recommendations shall take into account the final report of the National Advisory Commission on Health Manpower established by Section 3 of this order, which report shall be transmitted to the President with the recommendations of the Committee.

SEC. 3. *Establishment of Commission.* (a) To assist the Committee in carrying out its functions under Section 2 of this order, there is hereby established the National Advisory Commission on Health Manpower (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of fifteen members appointed by the President, none of whom shall be officers or full-time employees of the Federal Government. The President shall designate the Chairman of the Commission from among its members.

(c) The Commission shall meet on call of the Chairman.

(d) Each member of the Commission may be compensated for each day such member is engaged upon work of the Commission, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 55a; 5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be designated by the President. Under the direction and supervision of the Chairman, the Executive Director shall direct and supervise staff assigned to assist the Commission in carrying out its responsibilities under this order.

SEC. 4. *Duties of the Commission.* (a) The Commission shall transmit to the Committee its independent analysis, evaluation, and recommendations with respect to all matters assigned to the Committee for study and recommendations.

(b) In carrying out its duties under subsection (a) above, the Commission shall:

(1) Make a comprehensive study and appraisal of the current situation and trends in the provisions of health care for the civilian population and the armed forces and their implications with respect to the current and prospective adequacy and utilization of manpower;

(2) Appraise the current policies, programs, and practices of public agencies and private institutions and organizations and other factors which have a bearing on the requirements for, and the availability of, health manpower and the effective allocation and utilization of such manpower; and

(3) Develop appropriate recommendations for action by Government or by private institutions, organizations, or individuals for improving the availability and utilization of health manpower.

(c) The Commission shall submit its final report and recommendations to the Committee no later than one year after the date of its first meeting, and shall make such interim reports as it deems will contribute to improving the availability and utilization of health manpower.

SEC. 5. *Federal departments and agencies.* (a) The Committee or the Commission is authorized to request from any Federal department or agency any information deemed necessary to carry out it functions under this order; and each department or agency is authorized, consistent with law and within the limits of available funds, to furnish such information to the Committee or the Commission.

(b) Each department or agency the head of which is named in Section 1(b) of this order shall, as may be necessary, furnish assistance to the Committee or the Commission in accordance with the provisions of Section 214 of the Act of May 3, 1945 (59 Stat. 134; 31 U.S.C. 691), or as otherwise permitted by law.

(c) The Office of Science and Technology is hereby designated as the agency which shall, on a reimbursable basis, provide administrative services for the Commission.

SEC. 6. *Termination of the Committee and the Commission.* The Committee and the Commission shall terminate ninety days after the final report of the Commission is submitted to the Committee.

LYNDON B. JOHNSON

THE WHITE HOUSE,
May 7, 1966.

[F.R. Doc. 66-5265; Filed, May 11, 1966; 10:22 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Treasury Department

Section 213.3305 is amended to show that the positions of Confidential Administrative Assistant to the Treasurer of the United States and Confidential Assistant to the Commissioner of Customs are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3305 is amended by revoking paragraph (b) in its entirety, and subparagraph (3) of paragraph (c).

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5200; Filed, May 11, 1966; 8:49 a.m.]

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3312 is amended to show that the following three positions are no longer excepted under Schedule C: Private Secretary to the Director, Geological Survey; Private Secretary to the Commissioner, Bureau of Reclamation; and Chief, Division of Insular Affairs, Office of Territories. Effective on publication in the FEDERAL REGISTER, § 213.3312 is amended by revoking paragraph (e) in its entirety, subparagraph (1) of paragraph (f), and subparagraph (3) of paragraph (1).

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5198; Filed, May 11, 1966; 8:49 a.m.]

PART 213—EXCEPTED SERVICE

Small Business Administration

Section 213.3332 is amended to show that one of the positions of Special and Confidential Assistants to the Administrator and the position of Director, Office of Public Information, are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (c) of § 213.3332 is amended and paragraph (y) of that section is revoked, as set out below.

§ 213.3332 Small Business Administration.

• • • • • •

(c) *One Special and Confidential Assistant to the Administrator.*

• • • • • •

(y) [Revoked]

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5199; Filed, May 11, 1966; 8:49 a.m.]

PART 772—APPEALS TO THE COMMISSION

Hearing Procedures

In F.R. Doc. 66-4791 appearing in the issue for Tuesday, May 3, 1966, at page 6569, the effective date of the amendment of paragraph (c) of § 772.305 should be June 2, 1966.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended, secs. 11, 14, 19, 58 Stat. 390, 391, as amended, sec. 1101, 63 Stat. 971, sec. 113, 68 Stat. 1108; 5 U.S.C. 631, 633, 860, 863, 868, 1072, 1072a; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218, E.O. 10988, 27 F.R. 551)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5201; Filed, May 11, 1966; 8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

MISCELLANEOUS AMENDMENTS TO CHAPTER

These amendments are issued under authority of R.S. 324, et seq., as amended; 12 U.S.C. 1 et seq., and the Securities Exchange Act of 1934 (15 U.S.C. 78) as amended. Since the amendments are for clarification and codification of existing regulations only, notice and public procedure are found to be unnecessary and not in the public interest. Accordingly, the amendments will become effective upon publication.

Parts 10, 11, 12, 13, 14, and 16 are revised, and new Part 15 (formerly § 12.1) is added, as follows:

PART 10—ANNUAL REPORT TO STOCKHOLDERS

Sec.
10.1 Scope and application.
10.2 No private right of action hereunder.
10.3 Information to be furnished stockholders.
10.4 Filing of report.

AUTHORITY: The provisions of this Part 10 issued under R.S. 324 et seq. as amended; 12 U.S.C. 1, et seq., secs. 12(g) and 13(a)(2), Securities Exchange Act of 1934, as amended.

§ 10.1 Scope and application.

(a) Every national bank having a class of equity security held of record by 750 or more persons (after May 1, 1967, 500 or more persons) shall mail a written report containing, as a minimum, the financial and other information called for by this part, to each of its stockholders in time to be received by them prior to the bank's annual meeting, but in no event later than 60 days after the close of the fiscal year.

(b) On and after May 1, 1965, compliance with the requirements of § 10.4 shall be deemed a registration under section 12(g) of the Securities and Exchange Act of 1934, as amended, of any class of equity securities heretofore issued by a national bank and held of record by 750 or more persons (after May 1, 1967, 500 or more persons).

(c) Notwithstanding the foregoing, any national bank prior to listing any class of its securities on a national securities exchange shall have filed a registration statement in accordance with the applicable provisions of Part 16 of this chapter, which has been declared effective by the Comptroller of the Currency.

[Instruction: This part applies to issues of equity securities presently outstanding that are now held or may in the future become held of record by 750 or more persons (after May 1, 1967, 500 or more persons). The registration requirements applicable to public offerings made hereafter are found in Part 16 of this chapter.]

§ 10.2 No private right of action hereunder.

The enforcement of Parts 10, 11, 15, and 16 of this chapter shall be a function solely of the Office of the Comptroller of the Currency and no provision of the regulation in these parts (Parts 10, 11, 15, and 16 of this chapter) is intended to confer any private right of action on any stockholder or other person against a national bank.

§ 10.3 Information to be furnished stockholders.

The annual report shall bear the written, printed or facsimile signature

of the Chairman of the Board, President or other executive officer of the bank and shall include, as a minimum, the following information:

(a) Comparative balance sheets as of the close of the last fiscal year and as of the close of the preceding fiscal year.

(b) Comparative statements disclosing net operating income after applicable federal income taxes, net operating income per share, and cash dividends paid per share for the fiscal year and preceding fiscal year.

(c) A comparative reconciliation of capital accounts which summarizes the changes in the capital accounts for the last fiscal year and the preceding fiscal year.

§ 10.4 Filing of report.

Two copies of the annual report shall be filed with the Comptroller of the Currency, Washington, D.C.; one copy with the appropriate Regional Administrator of National Banks; and one copy maintained at the office of the bank. Such reports will be available for public inspection upon request, at the principal office of the reporting bank and at the Office of the Comptroller of the Currency, Washington, D.C., during normal business hours.

PART 11—SOLICITATION OF PROXIES

Sec.
- 11.1 Scope and application.
- 11.2 Definitions.
- 11.3 Information to be furnished stockholders.
- 11.4 Material to be filed with Comptroller.
- 11.5 Special provisions applicable to election contests.
- 11.6 Special circumstances.

Schedule A.
Schedule B.
Schedule C.

AUTHORITY: The provisions of this Part 11 issued under R.S. 324 et seq., as amended; 12 U.S.C. 1 et seq., secs. 12(i), 14(a) and 14(c), Securities Exchange Act of 1934, as amended.

§ 11.1 Scope and application.

This part shall apply to every solicitation of a proxy with respect to stock of a national bank having a class of equity securities held of record by 750 or more persons (after May 1, 1967, 500 or more persons).

§ 11.2 Definitions.

(a) The term "principal officer" as used in this part means Chairman of the Board, Vice Chairman of the Board, President, Senior Vice President, Cashier, Chairman of the Executive Committee, and any other person who performs functions corresponding to those performed by the foregoing officers.

(b) (1) The terms "solicit" and "solicitation" include:

(i) Any request for a proxy whether or not accompanied by or included in a form of proxy;

(ii) Any request to execute or not to execute, or to revoke, a proxy; or

(iii) The furnishing of a form of proxy or other communication to security holders under circumstances reasonably calculated to result in the procurement, withholding, or revocation of a proxy.

(2) The terms do not include:

(i) Any solicitation by a person in respect of stock of which he is the beneficial owner;

(ii) The action of a broker or other person in respect to stock carried in his name or in the name of his nominee, in forwarding to the beneficial owner of such stock, soliciting material received from the bank, or impartially instructing such beneficial owner to forward a proxy to the person, if any, to whom the beneficial owner desires to give a proxy, or impartially requesting from the beneficial owner instructions as to the authority to be conferred by the proxy and stating that a proxy will be given if the instructions are received by a certain date.

(c) The term "person" as used in this part is not limited to natural persons, but also includes corporations, partnerships, pension funds, profit-sharing funds, and any other organized group of persons of whatever nature.

§ 11.3 Information to be furnished stockholders.

(a) No solicitation subject to this part shall be made by or on behalf of a national bank unless each person solicited is concurrently furnished or has previously been furnished with a written proxy statement containing the applicable information specified in Schedules A and B.

(b) The form of proxy shall afford the person solicited an opportunity to specify his choice between approval or disapproval of each matter or group of related matters referred to therein as intended to be acted upon. The proxy may provide that if the signer does not indicate a choice, the shares represented thereby will be voted in favor of the matters set forth therein.

(c) A proxy may confer discretionary authority with respect to matters which may come before the meeting other than those matters listed in the notice of meeting and proxy statement, provided that the persons on whose behalf the solicitation is made are not aware a reasonable time prior to the time the solicitation is made, that any such other matters are to be presented by or on behalf of the bank or its management for action at the meeting, and provided further that a specific statement to that effect shall be made in the proxy statement or in the form of proxy.

(d) No proxy shall confer authority (1) to vote for the election to any position for which a proposed nominee is not named in the proxy statement, or (2) to vote at any meeting other than the next meeting (or any adjournment thereof) to be held after the date on which the proxy statement and form of proxy are first sent or given to stockholders.

(e) Any person or group of persons, including directors or attorneys for the bank may be designated to act as proxy but not officers, clerks, tellers or bookkeepers of the bank.

§ 11.4 Material to be filed with Comptroller.

(a) Three preliminary copies of the proxy statement and form of proxy and any other soliciting material to be furnished to security holders concurrently therewith shall be filed with the Comptroller at least 10 days prior to the date definitive copies of such material are proposed to be sent or given to security holders, or such shorter period prior to that date as the Comptroller may authorize upon a showing of good cause therefor. Where preliminary copies of material are filed with the Comptroller pursuant to this rule, the distribution to security holders should be deferred until the comments of the Comptroller's staff have been received and complied with. Three copies of the final material shall be mailed to the Comptroller, concurrently with mailing to security holders.

(b) Three preliminary copies of any additional soliciting material, relating to the same meeting or subject matter, furnished to security holders subsequent to the proxy statement shall be filed with the Comptroller at least 2 days (exclusive of Saturdays, Sundays, or holidays) prior to the date copies of such material are first sent or given to security holders, or such shorter period prior to such date as the Comptroller may authorize upon a showing of good cause therefor.

§ 11.5 Special provisions applicable to election contests.

(a) Solicitation to which this section applies: This section applies to any solicitation subject to this part by any person for the purpose of opposing a solicitation subject to this part by any other person with respect to the election of directors at any annual or special meeting of security holders.

(b) For the purpose of this section, the term "participant" includes nominees for whose election proxies are solicited, and any other person, acting alone or in conjunction with one or more other persons, in organizing, directing or financing the solicitation, provided however that such term does not include (1) any person or organization retained or employed by a participant to solicit security holders, or any person who merely transmits proxy soliciting material or performs ministerial or clerical duties; (2) any person employed by a participant in the capacity of attorney, accountant, or advertising, public relations or financial adviser, and whose activities are limited to the performance of his duties in the course of such employment; (3) any person regularly employed as an officer or employee of the issuer or any of its subsidiaries who is not otherwise a participant; or (4) any officer or director of, or any person regularly employed by, any other participant, if such officer, director, or employee is not otherwise a participant.

(c) Filing of information required by Schedule C: (1) No solicitation subject to this section shall be made by any person other than the management of a national bank unless at least 5 business days prior thereto, or such shorter period as the Comptroller may authorize, there has been filed with the Comptroller by or on behalf of each participant in such solicitation, a statement in triplicate containing the information specified by Schedule C and a copy of any material proposed to be distributed to stockholders in furtherance of such solicitation. (See paragraph (d) of this section for description of material required to be furnished security holders by nonmanagement solicitors.) Simultaneously with the filing of such material with the Comptroller, one copy of all such material shall be sent by first class, registered or certified mail to the attention of the President or Senior Vice President of the bank at its main office. Where preliminary copies of material are filed with the Comptroller pursuant to this rule, distribution to stockholders should be deferred until the comments of the Comptroller's staff have been received and complied with.

(2) Within 5 business days after a solicitation subject to this section is made by the management of a national bank, or such longer period as the Comptroller may authorize, there shall be filed with the Comptroller by or on behalf of each management nominee for director a statement in triplicate containing the information specified by Schedule C.

(3) If, subsequent to the filing of the statements required by subparagraph (1) of this paragraph, additional persons become participants in a solicitation subject to subparagraph (1) of this paragraph, there shall be filed, with the Comptroller, by or on behalf of each such person a statement in triplicate containing the information specified by Schedule C, within three business days after such person becomes a participant, or such longer period as the Comptroller may authorize.

(4) If any material change occurs in the facts reported in any statement filed by or on behalf of any participant, an appropriate amendment to such statement shall be filed promptly with the Comptroller.

(5) Each statement and amendment thereto filed pursuant to this paragraph (c) shall be part of the public files of the Office of the Comptroller of the Currency. Simultaneously with the filing of such material with the Comptroller, one copy of all such material shall be sent by first class, registered or certified mail to the attention of the President or Senior Vice President of the bank at its main office.

(d) Furnishing to security holders of information required by Schedule C: No solicitation subject to this section shall be made by any person other than the management of a national bank unless each person solicited is furnished with a proxy statement containing the information required by Schedule C as to each participant in the solicitation, and also containing such information called for by Schedules A and B as is applicable to the agenda items for which the proxy is solicited, so far as such information is known or is available to the solicitor. Responsibility for the accuracy of information contained in nonmanagement solicitations shall be on the solicitors and not on the bank.

§ 11.6 Special circumstances.

In cases where special circumstances render compliance with one or more of the requirements of this part impracticable, the Comptroller may, in his discretion, modify or waive any such requirement, consistent with the public interest.

SCHEDULE A

Item 1. *Amount of outstanding stock and principal holders thereof.* (a) State the total number of shares of each class outstanding and the number of shares of each class entitled to vote.

(b) State the date as of which the list of stockholders entitled to vote at the meeting will be determined. If the right to vote is not limited to stockholders of record on that date, indicate the conditions under which other stockholders may be entitled to vote.

Item 2. *Nominees for directors.* (a) If action is to be taken with respect to the election of directors, the following information, to the extent practicable, shall be furnished with respect to each person nominated for election as a director; such person's name, age, present principal occupation or employment and the principal office, if any, with the bank presently held by him.

(b) If the Articles of Association permit the board of directors to increase the number of directors between stockholder's meetings and fill vacancies created thereby, state the number of vacancies which may be so filled.

Item 3. *Remuneration of management.* If directors are to be elected at the meeting in question, furnish the following information as to all direct remuneration paid by the bank during the last calendar year to the following persons for services in all capacities:

(a) The direct aggregate remuneration paid to all principal officers of the bank as a group, without naming them.

(b) The amount set aside or accrued during the last calendar year for all pension or retirement benefits to be paid under an existing plan in the event of retirement with respect to all principal officers as a group, without naming them, except where the amount so set aside or accrued is computed on an actuarial basis under any plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service.

SCHEDULE B

Item 4. *Bonus, profit sharing, and other remuneration plans.* If action is to be taken with respect to any bonus, profit sharing, or other remuneration plan, furnish the following information:

(a) A brief description of the material features of the plan, each class of persons who will participate therein, the approximate number of persons in each such class, and the basis of such participation.

(b) The amounts which would have been distributable under the plan during the last calendar year to (1) directors and principal officers as a group, and (2) to all other employees as a group, if the plan had been in effect.

(c) If the plan to be acted upon may be amended (other than by a vote of security holders) in a manner which would materially increase the cost thereof to the bank or would materially alter the allocation of the benefits as between the groups specified in paragraph (b), the nature of such amendments should be specified.

Item 5. *Pension and retirement plans.* If action is to be taken with respect to any pension or retirement plan, describe briefly the material features of the plan with an indication of the estimated cost of funding past services and the estimated annual payments with respect to current services.

Item 6. *Options, warrants, and rights.* If action is to be taken with respect to the granting or extension of any options, warrants, or rights (all referred to herein as "warrants") to purchase stock of the bank, other than warrants issued to all stockholders on a pro rata basis, furnish for such warrants the following information:

(a) The title and amount of stock called for or to be called for, the prices, expiration dates, and other material conditions upon which the warrants may be exercised and the market price of the stock called for or to be called for as of the latest practicable date.

(b) If known, state separately the amount of stock called for or to be called for by warrants received or to be received by the following persons, naming each such person: (1) Each director of the bank or each nominee for election as a director of the bank, and (2) each other person who will be entitled to acquire 5 percent or more of the stock called for or to be called for by such warrants.

(c) If known, state also the total amount of the stock called for or to be called for by such warrants, received or to be received by all directors and principal officers of the bank as a group, without naming them.

Item 7. *Authorization or issuance of securities.* (a) If action is to be taken with respect to the authorization or issuance of any security, furnish the title and amount of securities to be authorized or issued.

(b) If the securities are other than additional shares of common stock of a class outstanding, furnish a brief summary of the following, if applicable: dividend, voting liquidation, pre-emptive, and conversion rights, redemption and sinking fund provisions, interest rate and date of maturity.

[Instruction: This item requires only a brief summary. A complete legal description or a verbatim recitation of the provisions referred to is not required and should not be given.]

(c) If the securities to be authorized or issued are other than additional shares of common stock of a class outstanding, the Comptroller may require financial statements comparable to those contained in the annual report prescribed in Part 10 to be furnished.

Item 8. *Amendment of Articles of Association.* If action is to be taken with respect to any amendment of the Articles of Association, or other organizational instruments as to which information is not required above, state briefly the reasons for and general effect of such amendment and the vote needed for its approval.

Item 9. *Mergers, consolidations, acquisitions, and similar matters.* (a) If action is to be taken with respect to a merger, consolidation, acquisition, or similar matter, furnish in brief outline the following information:

(1) The rights of appraisal or similar rights of dissenters with respect to any matter to be acted upon, and indicate any statutory procedure required to be followed by dissenting security holders in order to perfect such rights.

(2) The material features of the plan or agreement.

(3) The names of the directors and principal officers of the constituent banks together with the number of shares of stock each owns beneficially in each of the banks as well as the number of shares each will receive as a result of the merger, acquisition, or consolidation.

(4) If any director or officer has entered into or has agreed to enter into an employment contract with the resulting bank, state the name of such officer or director together with a brief description of the contract.

(5) Furnish a table showing the adjusted book value per share of stock of each constituent bank for the last 3 years together with the pro forma book value per share of the resulting bank.

(6) If available, the range of bid and asked prices for the stock of each constituent bank during the previous year and the currently quoted bid and asked prices.

(7) The percentage of outstanding shares which must approve the transaction before it is consummated.

(b) For each bank involved in a merger, consolidation, or acquisition, the following financial statements should be furnished:

(1) A comparative balance sheet as of the close of the last 2 fiscal years.

(2) A comparative statement of operating income and expenses for each of the last 2 fiscal years, and as a continuation of each statement, a statement of earnings per share after related taxes and cash dividends paid per share.

(3) A pro forma combined balance sheet and income and expense statement for the last fiscal year giving effect to the necessary adjustments with respect to the resulting bank.

(c) In cases where the resulting bank will be a subsidiary of a bank holding company and shares of the holding company are to be issued to stockholders in lieu of shares in the resulting bank, the applicable financial information required by subparagraph (b) above, shall be furnished for the holding company.

(d) Where stockholders are to receive shares of a holding company, such shares shall be described in the manner required by § 16.4(1) and any material differences in the rights accorded holders of the holding company shares as opposed to the bank shares to be exchanged shall be set forth.

Item 10. *Other proposed action.* If action is to be taken with respect to any matter not specifically referred to above, describe briefly the substance of each such matter, and the vote needed for its approval.

SCHEDULE C

Item 1. Name, age and business address of each participant.

Item 2. His principal occupation or employment, the name, type of business and address of the corporation or other organization in which such employment is carried on.

Item 3. If he has been a participant in any other proxy contest within the past 10 years, indicate the principals involved, the subject matter of the contest, the outcome thereof, and his relationship to the principals.

Item 4. State the amount of stock of the bank or any of its affiliates owned beneficially, directly or indirectly, by him or members of his family residing with him.

Item 5. State the amount of such stock owned of record but not beneficially by him or members of his family residing with him.

Item 6. If any of the stock specified in Items 4 and 5 was acquired in the last 2 years, state the dates of acquisition and amounts acquired on each date.

Item 7. The extent of borrowings to purchase shares acquired within the preceding 2 years, and if funds were borrowed otherwise than pursuant to a margin account or bank loan in the regular course of business of a bank, the material provisions of such borrowings and the names of the lenders.

Item 8. Details of any contracts, arrangements or understandings relating to securities of the bank, to which a participant is a party, such as joint venture or option arrangements, puts or calls, guarantees against loss, or guarantees of profit or arrangements as to the division of losses or profits or with respect to the giving or withholding of proxies, and the name or names of the persons with whom such contracts, arrangements or understanding exist.

Item 9. If he has entered into any arrangement or understanding with any person regarding future employment or with respect to any future transaction to which the bank or any of its affiliates will or may be a party, describe such arrangement or understanding.

Item 10. State whether or not he will bear any part of the expense incurred in the solicitation. If so, indicate the amount thereof.

Item 11. Describe any conviction for a felony that occurred during the preceding ten years involving the unlawful possession, conversion or appropriation of money or other property, or the payment of taxes. A negative answer to this Item need not be included in any proxy soliciting material.

PART 12—OWNERSHIP REPORTS BY CERTAIN PERSONS

Sec.
12.1 Scope and application.
12.2 Definitions.
12.3 Filing of statements.
12.4 Exemption of certain transactions.
12.5 Persons temporarily exempt from filing statements.
12.6 Exemption from section 16(b) of the Securities Exchange Act of certain transactions by registered investment companies.
12.7 Exemption from section 16(b) of the Securities Exchange Act of certain transactions effected in connection with a distribution.
12.8 Exemption of certain securities from section 16(c) of the Securities Exchange Act.
12.9 Exemption from section 16(c) of the Securities Exchange Act of certain transactions effected in connection with a distribution.
12.10 Exemption from section 16(c) of the Securities Exchange Act of sales of securities to be acquired.
12.11 Arbitrage transactions under section 16 of the Securities Exchange Act.

AUTHORITY: The provisions of this Part 12 issued under R.S. 324 et seq., as amended; 12 U.S.C. 1 et seq., sec. 16, Securities Exchange Act of 1934, as amended.

§ 12.1 Scope and application.

(a) Every principal stockholder, director, or principal officer of a national bank having a class of equity securities held of record by 750 or more persons (after May 1, 1967, 500 or more persons), within 10 days after becoming such principal stockholder, director, or principal officer, shall file with the Comptroller of the Currency a statement of the amount of each class of the bank's securities of which he is directly or indirectly the beneficial owner.

(b) Initial statements by present principal stockholders, directors and principal officers shall be filed on or before October 1, 1964 for banks with 750 or more shareholders of record and on or before July 1, 1967 for banks with 500 or more shareholders of record.

(c) Each person specified in paragraph (a) of this section, within ten days after the close of any calendar month in which there has been a substantial change in his ownership, shall file with the Comptroller a statement indicating his ownership as of the close of the calendar month and any changes in his ownership as have occurred since the last such report.

(d) The Comptroller may, either conditionally or unconditionally, exempt transactions from the provisions of this section when necessary or appropriate in the public interest.

§ 12.2 Definitions.

(a) The term "principal officer" means Chairman of the Board, President, Chairman of the Executive Committee, Vice Chairman of the Board, Senior Vice President, Cashier, and any other person who performs functions corresponding to those performed by the foregoing officers.

(b) The term "principal stockholder" means any person who is directly or indirectly the beneficial owner of more than 10 percent of the outstanding amount of any class of equity securities issued by the bank.

(c) The term "substantial change" means the acquisition or disposition of 500 shares, or more than 5 percent of the outstanding equity securities of the bank whichever is less. If any transaction, when added to previously unreported transactions, could qualify as a "substantial change" as defined herein, all such transactions shall be considered a "substantial change" and be reported.

(d) The term "person" is not limited to natural persons, but also includes corporations, partnerships, pension funds, profit-sharing funds, and any other organized group of persons of whatever nature.

§ 12.3 Filing of statements.

Initial statements of beneficial ownership required by § 12.1 shall be filed on Form OR–1. Statements of changes in such beneficial ownership required by that section shall be filed on Form OR–2. All such statements shall be prepared and filed in accordance with the instructions of the applicable form. All filed statements shall be available for public inspection at their place of filing during normal business hours.

§ 12.4 Exemption of certain transactions.

(a) Any acquisition or disposition of options or shares of stock including stock acquired pursuant to such options, by a director or officer of the bank issuing such stock shall be exempt from the requirements of § 12.1 if the stock or option was acquired pursuant to a bonus, profit-sharing, retirement, thrift, savings or similar plan which has been approved by the holders of at least a majority of the outstanding common stock of the issuer, or employee stock option or stock purchase plan which has been approved by the holders of at least two-thirds of the outstanding common stock of the issuer and the Comptroller of the Currency.

(b) Any transaction which has been or shall be exempted by the Comptroller of the Currency from the requirements of § 12.1 shall, insofar as it is otherwise subject to the provisions of section 16(b) of the Securities Exchange Act of 1934, as amended, be likewise exempt from sections 16 (b) and (c) of said Act.

§ 12.5 Persons temporarily exempt from filing statements.

The following persons shall be exempt, for a period of 12 months following their appointment and qualification, from filing the ownership statements required by § 12.1:

(a) Executors or administrators of the estate of a decedent;

(b) Guardians or committees for an incompetent;

(c) Receivers, trustees in bankruptcy, conservators, liquidating agents, assignees for the benefit of creditors; and

(d) Other similar persons.

§ 12.6 Exemption from section 16(b) of the Securities Exchange Act of certain transactions by registered investment companies.

Any transaction of purchase and sale, or sale and purchase, of any equity security of a bank shall be exempt from the operation of section 16(b), as not comprehended within the purpose of that section, if the transaction is effected by an investment company registered under the Investment Company Act of 1940 and both the purchase and sale of such security have been exempted from the provisions of section 17(a) of the Investment Company Act of 1940 by an order of the Securities and Exchange Commission entered pursuant to section 17(b) of that act.

§ 12.7 Exemption from section 16(b) of the Securities Exchange Act of certain transactions effected in connection with a distribution.

(a) Any transaction of purchase and sale, or sale and purchase, of an equity security of a bank that is effected in connection with the distribution of a substantial block of such securities shall be exempt from the provisions of section 16(b) to the extent specified in this § 12.7, as not comprehended within the purpose of section 16(b), upon the following conditions:

(1) The person effecting the transaction is engaged in the business of distributing securities and is participating in good faith, in the ordinary course of such business, in the distribution of such block of securities;

(2) The security involved in the transactions is (i) a part of such block of securities and is acquired by the person effecting the transaction, with a view to the distribution thereof, from the bank or other person on whose behalf such securities are being distributed or from a person who is participating in good faith in the distribution of such block of securities, or (ii) a security purchased in good faith by or for the account of the person effecting the transaction for the purpose of stabilizing the market price of securities of the class being distributed or to cover an over-allotment or other short position created in connection with such distribution; and

(3) Other persons not within the purview of section 16(b) are participating in the distribution of such block of securities on terms at least as favorable as those on which such person is participating and to an extent at least equal to the aggregate participation of all persons exempted from the provisions of section 16(b) by this § 12.7. However, the performance of the functions of manager of a distributing group and the receipt of a bona fide payment for performing such functions shall not preclude an exemption that would otherwise be available under this paragraph.

(b) The exemption of a transaction pursuant to this § 12.7, with respect to the participation therein of one party thereto shall not render such transaction exempt with respect to participation of any other party therein unless such other party also meets the conditions of this § 12.7.

§ 12.8 Exemption of certain securities from section 16(c) of the Securities Exchange Act.

Any equity security of a bank shall be exempt from the operation of section 16(c) to the extent necessary to render lawful under such section the execution by a broker of an order for an account in which he had no direct or indirect interest.

§ 12.9 Exemption from section 16(c) of the Securities Exchange Act of certain transactions effected in connection with a distribution.

Any equity security of a bank shall be exempt from the operation of section 16(c) to the extent necessary to render lawful under such section any sale made by or on behalf of a dealer in connection with a distribution of a substantial block of the bank's securities, upon the following conditions:

(a) The sale is made with respect to an over-allotment in which the dealer is participating as a member of an underwriting group, or the dealer or a person acting on his behalf intends in good faith to offset such sale with a security to be acquired by or on behalf of the dealer as a participant in an underwriting, selling, or soliciting-dealer group of which the dealer is a member at the time of the sale, whether or not the security to be so acquired is subject to a prior offering to existing security holders or some other class of persons; and

(b) Other persons not within the purview of section 16(c) are participating in the distribution of such block of securities on terms at least as favorable as those on which such dealer is participating and to an extent at least equal to the aggregate participation of all persons exempted from the provisions of section 16(c) by this § 12.9. The performance of the functions of manager of a distributing group and the receipt of a bona fide payment for performing such functions shall not, however, preclude an exemption that would otherwise be available under this § 12.9.

§ 12.10 Exemption from section 16(c) of the Securities Exchange Act of sales of securities to be acquired.

(a) Whenever any person is entitled, as an incident to his ownership of an issued equity security of a bank and without the payment of consideration, to receive another security of the bank "when issued" or, "when distributed," the security to be acquired shall be exempt from the operation of section 16(c) if

(1) The sale is made subject to the same conditions as those attaching to the right of acquisition;

(2) Such person exercises reasonable diligence to deliver such security to the purchaser promptly after his right of acquisition matures; and

(3) Such person reports the sale on the appropriate form for reporting transactions by persons subject to section 16(a).

(b) This § 12.10 shall not be construed as exempting transactions involving both a sale of a security "when issued" or "when distributed" and a sale of the security by virtue of which the seller expects to receive the "when-issued" or "when-distributed" security, if the two transactions combined result in a sale of more units than the aggregate of those owned by the seller plus those to be received by him pursuant to his right of acquisition.

§ 12.11 Arbitrage transactions under section 16 of the Securities Exchange Act.

It shall be unlawful for any director or principal officer of a bank to effect any foreign or domestic arbitrage transaction in any equity security of the bank unless he shall include such transaction in the statements required by section 16(a) of the Securities Exchange Act and § 12.1 and shall account to such bank for the profits arising from such transaction, as provided in section 16(b). The provisions of section 16(c) shall not apply to such arbitrage transactions. The provisions of § 12.1 and of section 16 shall not apply to any bona fide foreign or domestic arbitrage transaction insofar as it is effected by any person other than such director or principal officer of the bank issuing such security.

PART 13—EMPLOYEE STOCK OPTION AND STOCK PURCHASE PLANS

Sec.
13.1 Scope and application.
13.2 Source of shares.
13.3 Terms and procedure.

AUTHORITY: The provisions of this Part 13 issued under R.S. 324 et seq., as amended; 12 U.S.C.

§ 13.1 Scope and application.

Any national bank may grant options to purchase, sell, or enter into agreements to sell, shares of its capital stock to its employees, whether or not such transactions qualify for special tax treatment under the Internal Revenue Code of 1954, as amended, and regulations promulgated thereunder, provided that the following conditions are met:

(a) Application for approval shall be made to the Comptroller of the Currency, Washington, D.C., 20220, in the form of a letter accompanied by the following information:

(1) Description of all material provisions of the plan.

(2) Proposed notice of shareholders' meeting, proxy and proxy statement.

(3) Number of shares of authorized but unissued stock to be allocated to the plan.

(4) Proposed amendments to articles of association creating authorized but unissued stock and eliminating preemptive rights as to the shares reserved under the plan;

(b) The plan is administered by a committee, none of whose members may participate in the plan;

(c) The number of shares allocable to any person under the plan is reasonable in relation to the purpose of the plan and the needs of the bank; and

(d) In the case of a stock option plan, the number of shares subject to the plan is not unreasonable in relation to the bank's capital structure and anticipated growth.

§ 13.2 Source of shares.

Shares issued to employees pursuant to this Part 13 may be authorized but unissued stock which has been authorized by stockholders in accordance with the procedures outlined in Part 14 of this chapter.

§ 13.3 Terms and procedures.

(a) Employee stock option and stock purchase plans or agreements may provide that options may be exercisable or that shares may be purchased on any business day. Stock certificates representing the shares purchased pursuant to the exercise of options may be validly issued to such purchasers upon receipt of the purchase price.

(b) The increase in capital represented by stock certificates issued pursuant to this section will not be applicable, however, for the purposes of permitted investment in banking premises, 12 U.S.C. 371d, permitted indebtedness, 12 U.S.C. 82, lending limits, 12 U.S.C. 84, branches, 12 U.S.C. 36 and other like purposes, until a notarized notice specifying the amount paid into the bank therefor, shall be executed by the president, vice president or cashier of the bank and filed with the Regional Administrator of National Banks, and until the Comptroller's Certificate has been obtained specifying the amount of such increase of capital stock, and his approval thereof, and that it has been duly paid in as part of the capital of such association.

PART 14—CHANGES IN CAPITAL STRUCTURE

Sec
- 14.1 Capital adequacy.
- 14.2 Authorized but unissued stock.
- 14.3 Stock dividends.
- 14.4 Preferred stock.
- 14.5 Capital debentures.
- 14.6 Other increases of capital.
- 14.7 Applications for approval.
- 14.8 Effectiveness of increase.

AUTHORITY: The provisions of this Part 14 issued under R.S. 324 et seq., as amended; 12 U.S.C. 1 et seq.

§ 14.1 Capital adequacy.

The Comptroller of the Currency will not hereafter rely on the ratios of capital to risk assets and to total deposits in assessing the adequacy of capital of national banking associations. These formulae, although of some value in assessing capital adequacy, do not take into account other factors of equal or greater importance. Henceforth, the capital position of the bank will be analyzed and appraised in relation to the character of its management and its asset and deposit position as a going institution under normal conditions, with due allowance for a reasonable margin of safety, and with due regard to the bank's capacity to furnish the broadest service to the public. These factors, which are necessarily imprecise, cannot be directly interpolated into any specific formula. The following factors will be considered by the Comptroller in assessing the adequacy of capital:

(a) The quality of management;

(b) The liquidity of assets;

(c) The history of earnings and of the retention thereof;

(d) The quality and character of ownership;

(e) The burden of meeting occupancy expenses;

(f) The potential volatility of deposit structure;

(g) The quality of operating procedures; and

(h) The bank's capacity to meet present and future financial needs of its trade area, considering the competition it faces.

§ 14.2 Authorized but unissued stock.

Any national banking association, with the approval of the Comptroller and by vote of stockholders owning two-thirds of the stock of the bank entitled to vote, may authorize an increase in the common stock of the bank in the category of authorized but unissued stock. Such authorized but unissued stock may be issued from time to time to employees of the bank pursuant to a stock option or stock purchase plan adopted in accordance with Part 13 of this chapter, or in exchange for convertible preferred stock or convertible capital debentures in accordance with the terms and provisions of such securities. Authorized but unissued stock may also be issued from time to time for such other purposes and considerations as may be approved by the board of directors of the bank, and by the Comptroller.

§ 14.3 Stock dividends.

(a) It is the policy of the Comptroller of the Currency not to discourage the retention of earnings by national banking associations in the form of stock dividends. Accordingly, stock dividends, whether on a recurring or nonrecurring basis, will not be subject to disapproval, except in rare or unusual circumstances.

(b) Subject to the provisions of 12 U.S.C. 57, any national banking association may increase its capital stock by the declaration of a stock dividend, with the approval of the Comptroller. For such approval, applications on Form 1904–C shall be filed with the appropriate Regional Administrator of National Banks. The Regional Administrator will communicate his written approval to the bank within 15 days after receipt of the application. Upon receipt of such approval, the bank may proceed to obtain the required approval of stockholders owning two-thirds of the stock of the bank entitled to vote if such approval has not been obtained previously. In cases where the Regional Administrator of National Banks disapproves the proposed stock dividend, he shall forward the application to the Office of the Comptroller in Washington for final disposition and shall advise the bank of such referral.

§ 14.4 Preferred stock.

It is the policy of the Comptroller of the Currency to permit the issuance of preferred stock by national banking associations in accordance with normal business considerations. Subject to the provisions of 12 U.S.C. 51a, 51b, and 51b–1, the bank may, by vote of stockholders owning a majority of the stock of the bank, issue convertible or nonconvertible preferred stock of one or more classes, with such other provisions and in such amount and with such par value as shall be approved by the Comptroller, and make such amendments to its Articles of Association as may be necessary for this purpose.

§ 14.5 Capital debentures.

(a) It is the policy of the Comptroller of the Currency to permit the issuance of convertible or nonconvertible capital debentures by national banking associations in accordance with normal business considerations.

(b) Subject to the provisions of 12 U.S.C. 82, the bank may, with the approval of stockholders owning two-thirds of the stock of the bank, entitled to vote, or without such approval if authorized by its Articles of Association, issue convertible or nonconvertible capital debentures in such amounts and under such terms and conditions as shall be approved by the Comptroller: *Provided, however,* That the principal amount of capital debentures outstanding at any time, when added to all other outstanding indebtedness of the bank, except those forms of indebtedness exempt from the provisions of 12 U.S.C. 82, shall not exceed an amount equal to 100 percent of the bank's unimpaired paid-in capital stock plus 50 percent of the amount of its unimpaired surplus fund.

§ 14.6 Other increases of capital.

(a) Applications by a national banking association on Form 1904–B for the Comptroller's preliminary approval of proposed sales of additional common capital stock, other than under an employee stock option or employee stock purchase plan which has previously been approved by the stockholders of the bank and by the Comptroller pursuant to Part 13 of this chapter, and other than pursuant to the preceding sections of this Part 14, shall be filed with the appropriate Regional Administrator of National Banks, whose approval shall be deemed to be the preliminary approval of the Comptroller. Upon such approval, the bank may proceed to obtain the approval of stockholders pursuant to the provisions of 12 U.S.C. 57, if such approval has not been obtained previously under the procedures set forth in § 14.2.

(b) The Regional Administrator will communicate his written approval to the bank within 30 days after his receipt of the application. In cases where the Regional Administrator disapproves the proposed increase of capital, he shall forward the application to the Office of the Comptroller in Washington for final disposition, and shall advise the bank of such referral.

§ 14.7 Applications for approval.

Applications by a national banking association for the Comptroller's preliminary approval of a change in capital structure shall be filed with the principal office of the Comptroller in Washington, except as provided in §§ 14.3 and 14.6.

§ 14.8 Effectiveness of increase.

Pursuant to the provisions of 12 U.S.C. 57, no increase in the capital of a national banking association shall be valid until the whole amount of such increase is paid in or in the case of an increase by way of a stock dividend until such stock dividend has been duly declared by the stockholder, and notice thereof, duly acknowledged before a notary public by the president, vice president or cashier of the bank has been transmitted to the Comptroller of the Currency and his certificate obtained specifying the amount of such increase in capital and his final approval thereof.

PART 15—REPORTS OF CHANGE IN CONTROLLING OWNERSHIP

Sec.
- 15.1 Scope and application.
- 15.2 Change in control—own bank.
- 15.3 Reports of loans secured by stock of other insured banks.

AUTHORITY: The provisions of this Part 15 issued under 12 U.S.C. 1817(j)(1) and R.S. 324 et seq., as amended; 12 U.S.C. 1 et seq.

§ 15.1 Scope and application.

(a) On and after October 1, 1964, each national bank shall promptly notify the Comptroller of the Currency whenever a change occurs in the ownership of its outstanding voting stock of sufficient magnitude to effect a change in control of the bank.

(b) Any loan or loans made by a national bank and secured or to be secured by 25 per centum or more of the outstanding voting stock of an insured bank shall be reported as specified in § 15.3.

§ 15.2 Change in control—own bank.

(a) It shall be the duty of the president or other chief executive officer of a national bank to submit a report to the Comptroller of the Currency whenever he believes that a change in controlling ownership of his bank has taken place. If there is any doubt concerning whether a particular change in ownership is sufficient to effect a change in control, such doubt shall be resolved in favor of submitting a report to the Comptroller. The report shall be in letter form and shall contain the following information to the extent that it is known to the person making the report: (1) The number of shares involved; (2) the identity of the sellers (or transferors); (3) the names of the purchasers (or transferees); (4) the names of the beneficial owners if the shares are registered in another name; (5) the purchase price; (6) the total number of shares owned by the sellers (or transferors), the purchasers (or transferees); and (7) beneficial owners both immediately prior to and after the transaction.

(b) The term "control" means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the bank.

§ 15.3 Report of loans secured by stock of other insured banks.

(a) Whenever a national bank makes a loan or loans, secured, or to be secured, by 25 per centum or more of the outstanding voting stock of an insured bank, the president or other chief executive officer of the lending bank shall promptly report such fact to the Board of Governors of the Federal Reserve System where the shares of a member bank are pledged or to the Federal Deposit Insurance Corporation where the shares of a nonmember insured bank are pledged. No report need be made in those cases where the borrower has been the owner of record of the stock for a period of 1 year or more, or the stock is that of a newly organized bank prior to its opening.

(b) The reports required under this section shall contain, to the extent that it is known by the person making the report, the same information called for in § 15.2.

PART 16—REGISTRATION STATEMENTS AND OFFERING CIRCULARS

Sec.
- 16.1 Authority and scope of application.
- 16.2 Registration of securities of existing national banks.
- 16.3 Content of registration statement.
- 16.4 Filing of registration statement and use of offering circular.
- 16.5 Advertisements.
- 16.6 Registration of securities of new national banks.
- 16.7 Content of registration statement.
- 16.8 Filing of registration statement and use of offering circular.
- 16.9 Advertisements.
- 16.10 Effective date of registration statement.
- 16.11 Sanctions.

AUTHORITY: The provisions of this Part 16 issued under R.S. 324 et seq., as amended; 12 U.S.C. 1 et seq.; sec. 12, Securities Exchange Act of 1934, as amended.

§ 16.1 Authority and scope of application.

(a) This part is issued under the general authority of the national banking laws, R.S. 324 et seq., as amended; 12 U.S.C. 1 et seq. and section 12, Securities Exchange Act of 1934, as amended, and contains all the rules applicable to national banks concerning the public offering of their securities.

(b) This part shall apply to any public offering of a security of an existing national bank, or a new national bank (one which has not yet received its charter), by, for, or on behalf of such bank unless specified herein to the contrary.

(c) This part shall not apply to an offering of a national bank's securities made pursuant to a stock option, bonus, deferred compensation, or similar plan, provided that such plan has been approved by the Comptroller of the Currency.

(d) This part shall not apply to an offering of a national bank's short term commercial paper if the Comptroller of the Currency determines in the public interest that the protection of this part is not required.

§ 16.2 Registration of securities of existing national banks.

No existing national bank shall publicly offer or sell any of its securities unless such securities shall have been made the subject of a registration statement filed in the Office of the Comptroller of the Currency (in the case of offers) and declared effective (in the case of sales), except that this section shall not apply in respect of a public offering where prior to such offering no class of the national bank's equity securities is held of record by more than 750 persons (after May 1, 1967, 500 or more persons) or the total public offering price of such offering is less than $1 million.

§ 16.3 Content of registration statement.

The registration statement and offering circular (which may be identical to the registration statement) filed pursuant to this part shall contain at a minimum the following information:

(a) *Issuer.* On the outside front cover page of the registration statement and offering circular: (1) The exact name and address of the issuing national bank; (2) that the issuance of these securities is subject to the approval of and the regulations of the Comptroller of the Currency of the United States; and (3) the date the registration statement or amendment is declared effective.

(b) *Distribution.* On the same page referred to in the preceding paragraph state: (1) The number of and dollar amount of securities being offered; (2) the per security and aggregate offering price and the per security and aggregate proceeds to be received by the national bank; (3) the proposed means of distribution; and (4) the expenses to be incurred in connection with the offering.

(c) *Use of proceeds.* A brief statement of the intended uses of the proceeds of the offering.

(d) *Business of the bank.* A brief statement as to the history and nature of the bank's present or proposed operations, including a description of its premises and facilities.

(e) *Financial statements.* The information called for in § 10.3 of this chapter, plus comparable information as of a date no more than 90 days prior to filing the registration statement.

(f) *Management.* (1) The full names and complete residence addresses of all

present or proposed directors and principal officers and their principal occupations during the past 10 years. (2) For such of the persons specified in the preceding paragraph who will receive in the current fiscal year or, who have received remuneration in the past fiscal year in excess of $25,000 per year from the national bank, the aggregate amount of remuneration received by all such persons. (3) A brief description of any present or contemplated bonus, retirement, pension, stock option or other similar plan or provisions and the class of persons covered. (4) Any present or proposed material interest or transaction between the bank and any director, or officer thereof, other than in the ordinary course of banking business. Describe any such interest or transaction that occurred within the preceding 3 years; if none, so state.

(g) *Principal security holders.* To the extent known: (1) The percentage of outstanding securities which will be held as a group, by directors and principal officers and the percentage of such securities which will be held by the public if all the securities offered are sold; and (2) the name, address and relationship to the national bank of any person who beneficially owns or will own 10 percent or more of the outstanding capital stock of the national bank.

(h) *Capitalization and long-term debt.* State in tabular form as of a date within 90 days of filing, the title of and amount in each category of capital and long-term debt account, the amount authorized or to be authorized, and the amount to be outstanding, assuming all the securities being registered are sold.

(i) *Description of registered securities.* (1) In the case of equity securities; briefly describe, if applicable, the dividend, voting, liquidation, preemptive, and conversion rights, redemptive and sinking fund provisions, and liability to further calls or assessment. (2) In the case of debt securities; briefly describe, if applicable, the provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund or retirement; the provisions with respect to the kind and priority of any lien securing the issue; the provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, creation or maintenance of reserves or the maintenance of properties; the provisions permitting or restricting the issuance of additional securities, withdrawal of cash deposited against such issuance, incurring of additional debt, release or substitution of assets securing the issue, modification of the terms of the security, and any other similar provisions.

(j) *Legal proceedings.* Any material pending or threatened legal proceedings to which the national bank is a party or of which any of its property is the subject.

§ 16.4 Filing of registration statement and use of offering circular.

(a) No person on behalf of or for an existing national bank shall offer to sell or solicit any offer to buy any security of a national bank being publicly offered by a national bank unless prior to, or at the time of such offer or solicitation, a copy of an offering circular which has been filed pursuant to this part is furnished to the potential purchaser by the person making the offer or solicitation.

(b) No securities of an existing national bank subject to this part shall be sold, or confirmation of sale relating thereto be delivered after sale, by, for, or on behalf of the bank unless at the time of sale or prior to such sale, the purchaser of such security has received an offering circular which forms part of a registration statement declared effective by the Comptroller of the Currency.

(c) The offering circular shall be used in accordance with this part until the completion of the distribution of the registered securities. If the distribution is not completed within 12 months from the effective date of the registration statement, an amended registration statement shall be filed and a revised offering circular shall be used in accordance with this part as for an original offering circular. In no event shall an offering circular be used which is false or misleading in light of the circumstances then existing. In cases of dispute, the final determination of whether any statement is false or misleading shall be made only by the Comptroller of the Currency after such investigation and proceedings as he shall deem necessary in the circumstances.

(d) Filings shall be made in quadruplicate and may be printed, lithographed, typewritten or prepared by similar process resulting in clearly legible permanent copies. One copy of all filings made pursuant to this part shall be manually subscribed by the national bank's Chief Executive Officer and Cashier.

§ 16.5 Advertisements.

Any written advertisement (or other written communication, if not accompanied by an offering circular) or any film, radio, or television broadcast, which refers to a present or proposed public offering of securities by an existing national bank may be published, distributed, or broadcast only after the filing of a registration statement covering such securities, and provided that it contains no more than the following information: (a) The name and address of the issuer of the security; (b) the title of the security, the dollar amount and number of securities being offered, and the per-unit offering price to the public; and (c) where a copy of the offering circular may be obtained.

§ 16.6 Registration of securities of new national banks.

No new national bank shall sell any of its securities unless such securities shall have been made the subject of a registration statement filed in the Office of the Comptroller of the Currency which has been declared effective by the Comptroller except that this section shall not apply in respect of a first public offering by a new national bank that will have a capitalization of less than $1,000,000 as a result of the offering.

§ 16.7 Content of registration statement.

The registration statement and offering circular (which may be identical to the registration statement) filed pursuant to this part shall contain at a minimum the following information:

(a) *Issuer.* On the outside front cover page of the registration statement and offering circular: (1) The proposed name and the address of the issuing national bank; (2) that the issuance of these securities is subject to the approval of and the regulations of the Comptroller of the Currency of the United States; (3) that the designated officers and directors are subject to change upon order of the Comptroller of the Currency and (4) the date the registration statement or amendment is declared effective.

(b) *Distribution.* On the same page referred to in the preceding paragraph state: (1) The number of and dollar amount of securities being offered; (2) the per security and aggregate offering price and the per security and aggregate proceeds to be received by the national bank; (3) the proposed means of distribution; and (4) the expenses to be incurred in connection with the offering.

(c) *Use of proceeds.* A brief statement of the intended uses of the proceeds of the offering.

(d) *Business of the bank.* A brief statement as to the nature of the bank's proposed operations, including a description of its premises and facilities.

(e) *Financial statements.* As of the date it is contemplated business will be commenced, a pro forma statement of capital and surplus and balance sheet.

(f) *Management.* (1) The full names and complete residence addresses of all organizers, present or proposed directors, and principal officers and their principal occupations during the past 10 years. (2) For such of the persons specified in the preceding sentence who will receive in the current fiscal year in excess of $25,000 per year from the national bank, the aggregate amount or remuneration received by all such persons. (3) A brief description of any present or contemplated bonus, retirement, pension, stock option, or other similar plan or provisions and the class of persons covered. (4) Any existing or proposed material interest or transaction between the bank and any organizer, director, or officer thereof, other than in the ordinary course of banking business.

(g) *Principal security holders.* To the extent known: (1) The percentage of outstanding securities which will be held as a group, by directors, principal officers, and organizers and the percentage of such securities which will be held by the public if all the securities offered are sold; and (2) the name, address, and relationship to the national bank of any person who beneficially owns or will own 10 percent or more of the outstanding capital stock of the national bank.

(h) *Description of registered securities.* In the case of equity securities; briefly describe, if applicable, the dividend, voting, liquidation, preemptive, and conversion rights, redemptive and sinking fund provisions, and liability to further calls or assessment.

(i) *Legal proceedings.* Any material pending or threatened legal proceedings to which the national bank is a party or of which any of its property is the subject.

§ 16.8 Filing of registration statement and use of offering circular.

(a) No securities of a new national bank subject to this part shall be sold by, for, or on behalf of any new national bank unless at the time of, or prior to such sale, the purchaser of such security has received an offering circular which forms part of a registration statement declared effective by the Comptroller of the Currency.

[Instruction: This section is not intended to prohibit the solicitation of tentative subscriptions without the use of an offering circular provided that no subscriber will be legally bound to pay the subscription price until after such subscriber has been furnished an effective offering circular.]

(b) The offering circular shall be used in accordance with this part until the completion of the distribution of the registered securities. If the distribution is not completed within 12 months from the effective date of the registration statement, an amended registration statement shall be filed and a revised offering circular shall be used in accordance with this part as for an original offering circular. In no event shall an offering circular be used which is false or misleading in light of the circumstances then existing. In cases of dispute, the final determination of whether any statement is false or misleading shall be made only by the Comptroller of the Currency after such investigation and proceedings as he shall deem necessary in the circumstances.

(c) Filings shall be made in quadruplicate and may be printed, lithographed, typewritten, or prepared by similar process resulting in clearly legible permanent copies.

§ 16.9 Advertisements.

(a) Any written advertisement (or other written communication, if not accompanied by an offering circular) or any film, radio or television broadcast, which refers to a present or proposed offering of securities, by a new national bank may be published, distributed or broadcast, provided that it contains no more than the following information: (1) The name and address of the issuer of the security; (2) the title of the security, the dollar amount and number of securities being offered, and the per-unit offering price to the public; and (3) where a copy of the offering circular may be obtained.

§ 16.10 Effective date of registration statement.

Registration statements of new and existing national banks shall become effective when so declared by the Comptroller of the Currency in his discretion upon written request therefor.

§ 16.11 Sanctions.

(a) The failure to comply with any requirement of this part may result in the withholding of the approval of the Comptroller of the Currency to issue the securities, the withholding of effectiveness of the registration statement, or the taking of such other action appropriate in the circumstances.

(b) The enforcement of this part shall be the function solely of the Comptroller of the Currency.

(c) No provision of this part is intended to confer any private right of action on any stockholder or other person against a national bank. Questions as to the applicability of this part or any interpretation thereunder shall be resolved by the Comptroller of the Currency.

Dated: May 6, 1966.

[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 66-5190; Filed, May 11, 1966; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAM

[ACP-1966, Supp. 31]

PART 701—NATIONAL AGRICULTURAL CONSERVATION

Subpart—1966

The regulations governing the 1966 National Agricultural Conservation Program, 30 F.R. 11371, as amended, are further amended as follows:

1. Section 701.30 is amended by adding at the end thereof the following new sentence: "A member of an Indian grazing association who is a member of the tribe which owns land leased to the grazing association shall be deemed to be an owner with respect to such land for the purposes of this section."

2. Section 701.41 is amended by adding at the end of paragraph (g) the following new sentence: "The term 'person' shall include a member of an Indian grazing association who is a member of the tribe which owns land leased to the grazing association and who participates in the operation of the land leased to the association."

(Sec. 4, 49 Stat. 164, secs. 7 to 17, 49 Stat. 1148, as amended; 16 U.S.C. 590d, 590g–590q)

Signed at Washington, D.C., on May 6, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-5194, Filed, May 11, 1966; 8:49 a.m.]

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 7]

PART 729—PEANUTS

Subpart—Allotment and Marketing Quota Regulations for Peanuts of the 1963 and Subsequent Crops

1. *Basis and purpose.* The amendment contained herein is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), to revise the Allotment and Marketing Quota Regulations for Peanuts of the 1963 and Subsequent Crops (27 F.R. 11920; 28 F.R. 11811; 29 F.R. 7801, 7983, 13027, 16185; 30 F.R. 2589, 11345). The amendment (1) changes the closing dates for Coryell County in the State of Texas for voluntarily releasing peanut acreage which will not be used on the farm to which allotted, and (2) changes the date by which a written request must be filed for reapportionment of peanut acreage released in Coryell County, Tex.

Since peanut producers in Coryell County, Tex., need to know as soon as possible whether additional peanut acreage will be available under the release and reapportionment provisions of the regulations in order to complete their plans for the 1966 peanut production, it is hereby determined that compliance with the 30-day effective date provisions of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, this docket shall become effective upon the date of filing with the Director, Office of the Federal Register.

2. Section 729.1435(a), as amended, is amended to establish the date of May 20 for Coryell County, Tex., as the closing date for voluntarily surrendering in writing to the county committee peanut acreage which will not be used on the farm to which allotted.

3. Section 729.1435(b), as amended, is amended to establish the date of May 20 for Coryell County, Tex., as the date by which a written request must be filed by the farm owner or operator at the office of the county committee for a farm to be eligible to receive a reapportionment of released peanut acreage.

(Secs. 358, 375, 55 Stat. 88, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1358, 1375)

Effective date. Upon filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 10, 1966.

ROLAND F. BALLOU,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5238; Filed, May 10, 1966; 2:45 p.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Orange Reg. 52, Amdt. 4]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905, 30 F.R. 13933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Temple and Murcott Honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of oranges, except Temple and Murcott Honey oranges, grown in Florida.

Order. In § 905.479 (Orange Regulation 52; 31 F.R. 5, 148, 2694, 3188, 5007) the provisions of paragraph (b)(3)(i) are amended to read as follows:

(i) Any oranges, except Temple and Murcott Honey oranges, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, May 11, 1966, to become effective at 12:01 a.m., e.s.t., May 13, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5279; Filed, May 11, 1966; 11:42 a.m.]

[Grapefruit Reg. 61, Amdt. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905, 30 F.R. 13933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of grapefruit grown in Florida.

Order. In § 905.481 (Grapefruit Regulation 61, 31 F.R. 5568) the provisions of paragraph (b)(3)(ii) are amended by deleting said subdivision (ii) and substituting in lieu thereof a new subdivision (ii) as set forth below:

(ii) Any seedless grapefruit, grown in the production area, which are smaller than $3^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; or

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, May 11, 1966, to become effective at 12:01 a.m., e.s.t., May 13, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5278; Filed, May 11, 1966; 11:42 a.m.]

[Peach Reg. 1]

PART 918—FRESH PEACHES GROWN IN GEORGIA

Limitation of Shipments

§ 918.307 Peach Regulation 1.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 918, as amended (7 CFR Part 918), regulating the handling of fresh peaches grown in the State of Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation of the Industry Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that this section will tend to effectuate the declared policy of the act with respect to shipments of fresh peaches grown in the State of Georgia.

(2) It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than May 12, 1966. The committee held an open meeting on May 5, 1966, after giving due notice thereof, to consider supply and market conditions for fresh peaches grown in Georgia, and the need for regulations; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, with respect to limitations prior to June 2, 1966, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such peaches. Shipments of the early varieties of the current crop of peaches are expected to begin on or before May 12, 1966, and this section should be applicable, insofar as practicable, to all shipments of such peaches in order to effectuate the declared policy of the act; and compliance with this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., e.s.t., May 12, 1966, and ending at 12:01 a.m., e.s.t., September 1, 1966, no handler shall ship (except peaches in bulk to destinations in the adjacent markets) any peaches which do not grade at least 85 percent U.S. No. 1 quality: *Provided,* That peaches with well healed hail marks, split pits, and not more than 1 percent decay may be shipped if they otherwise meet the requirements of this subparagraph.

(2) During the period beginning at 12:01 a.m., e.s.t., May 12, 1966, and ending at 12:01 a.m., e.s.t., June 2, 1966, no handler shall ship (except peaches in bulk to destinations in the adjacent markets) any peaches which are smaller than $1^{3}/_{4}$ inches in diameter, except that not more than 10 percent, by count, of such peaches in any bulk lot or any lot of packages, and not more than 15 percent, by count, of such peaches in any container in such lot, may be smaller than $1^{3}/_{4}$ inches in diameter.

(c) The inspection requirement contained in § 918.64 is hereby suspended with respect to peaches in bulk shipped to destinations in the adjacent markets during the period specified in paragraph (b)(1) of this section.

(d) The maturity regulations contained in § 918.400 of this part are hereby suspended with respect to shipments of peaches to destinations other than in the adjacent markets during the period specified in paragraph (b)(1) of this section.

(e) When used herein, the terms "handler," "adjacent markets," "peaches," "peaches in bulk," and "ship" shall have the same meaning as when used in the aforesaid amended marketing agreement and order, and the terms "U.S. No. 1" and "diameter" shall have the same meaning as when used in the revised U.S. Standards for Peaches (§§ 51.1210–51.1223 of this title).

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 10, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5254; Filed, May 11, 1966; 8:50 a.m.]

[Grapefruit Reg. 7, Amdt. 12]

PART 944—FRUITS; IMPORT REGULATIONS

Grapefruit

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), the provisions of paragraph (a) of Grapefruit Regulation 7 (§ 944.103, 29 F.R. 12762, 13603, 30 F.R. 257, 754, 4055, 5359, 6065, 6638, 11713, 14361, 31 F.R. 2728, 5569) are hereby amended as follows:

§ 944.103 Grapefruit regulation 7.

(a) On and after 12:01 a.m., e.s.t., May 13, 1966, the importation of any grapefruit into the United States is prohibited unless such grapefruit are inspected and meet the following applicable requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 2 Russet and be of a size not smaller than $3^{15}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; or

(2) Seedless grapefruit shall grade at least U.S. No. 2 Russet and be of a size not smaller than $3^{3}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit.

* * * * *

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 1001–1011) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions on imports of all grapefruit as the grade and size restrictions being made applicable to the shipment of all grapefruit grown in Florida under amended Grapefruit Regulation 61 (§ 905.481); (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this amendment relieves restrictions on the importation of grapefruit.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 11, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5283; Filed, May 11, 1966; 11:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7169; Amdt. 39-232]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Model F-27 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modification of the inverter ground circuit on Fairchild Model F-27 Series airplanes was published in 31 F.R. 3078.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One operator requested an increase in the compliance time from 150 to 350 hours' time in service. Other operators requested that local FAA maintenance inspectors be authorized to approve equivalent modifications. The Agency has determined that both changes may be incorporated into the AD without adversely affecting safety.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

FAIRCHILD. Applies to Model F-27 Series airplanes.

Compliance required within the next 350 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent failure of both inverters and resulting loss of essential load circuits due to a failure of a common ground, accomplish the following:

(a) For airplanes with inverter ground circuits conforming to Fairchild Drawing 27-740027 including EAI No. 1, or that have been modified in accordance with Fairchild Service Bulletin No. 34-4, dated November 5, 1959, modify the inverter ground circuit in accordance with the "Accomplishment Instructions" of Fairchild Service Bulletin 34-9, dated December 16, 1965, or later FAA-approved revision, or an FAA-approved equivalent.

(b) For airplanes with inverter ground circuits conforming to Fairchild Drawing 27-740027 not including EAI No. 1, and that have not been modified in accordance with Fairchild Service Bulletin No. 34-4, dated November 5, 1959, modify the inverter ground circuit in accordance with Fairchild Service Bulletins 34-4, dated November 5, 1959, and 34-9, dated December 16, 1965, or later FAA-approved revisions, or an FAA-approved equivalent.

(c) Upon request of the operator an FAA maintenance inspector, subject to the prior approval of the Chief, Aircraft Engineering and Manufacturing Branch, FAA Eastern Region may adjust the compliance time specified in this AD to permit compliance at an established inspection period of the operator, if the request contains substantiating data to justify the increase for that operator.

This amendment becomes effective June 11, 1966.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on May 6, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-5179; Filed, May 11, 1966; 8:47 a.m.]

[Airspace Docket No. 65-AL-27]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Area

On March 12, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4350) stating that the Federal Aviation Agency was considering the designation of an offshore control area adjacent to the southern Alaskan coast.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments; however, no comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective July 21, 1966, as hereinafter set forth.

Section 71.163 (31 F.R. 2050) is amended by adding the following:

CONTROL 1487

That airspace extending upward from 14,500 feet MSL, to FL 450, within the area bounded by a line beginning at latitude 59° 08'30" N., longitude 147°16'00" W., counterclockwise via the arc of a 172-mile radius centered on the Anchorage VOR to latitude 60°14'10" N., longitude 145°29'30" W., thence southeastward 3 nmi from and

parallel to the U.S. coastline to latitude 54°40'00'' N., longitude 132°58'00'' W., thence to latitude 54°14'00'' N., longitude 134°57'00'' W., thence to point of beginning. The airspace within Canada is excluded.

(Secs. 307(a) and 1110 of the Federal Aviation Act of 1958; 49 U.S.C. 1348 and 1510; and E.O. 10854; 24 F.R. 9565)

Issued in Washington, D.C., on May 6, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5180; Filed, May 11, 1966; 8:47 a.m.]

[Airspace Docket No. 65-SO-28]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation, Realignment and Designation of VOR Federal Airways

On February 8, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 2490) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would revoke, realign and designate VOR Federal airways in the vicinity of Huntsville, Ala.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

Subsequent to the publication of the notice of proposed rule making, it has been determined that the airway actions proposed east of the Muscle Shoals, Ala., VOR eliminates the requirement for a portion of the Muscle Shoals transition area. Accordingly, action is taken herein to revoke that portion extending from 1,200 feet above the surface east of Muscle Shoals, bounded on the north by V-54, on the east by V-57 and on the southwest by V-7E.

Since this action imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

1. Section 71.123 (31 F.R. 2009, 3230) is amended as follows:

a. In V-7 "including an E alternate via INT of Birmingham 358° and Muscle Shoals 133° radials" is deleted and "including an E alternate via INT of Birmingham 358° and Muscle Shoals 122° radials" is substituted therefor.

b. In V-54 "Huntsville, Ala.; Chattanooga, Tenn., including an N alternate via INT of Muscle Shoals 067° and Chattanooga 282° radials;" is deleted and "Huntsville, Ala., including an N alternate via INT of Muscle Shoals 067° and Hunstville 282° radials; Chattanooga, Tenn., including an N alternate and an S alternate via INT of Huntsville 097° and Chattanooga 229° radials" is substituted therefor.

c. In V-57 "via Decatur, Ala.;" is deleted and "via Decatur, Ala., including an E alternate via INT of Birmingham 013° and Decatur 130° radials;" is substituted therefor.

d. V-321 is added:

V-321 From Gadsden, Ala., via INT of Gadsden 333° and Huntsville, Ala., 149° radials; to Huntsville.

e. V-325 is added:

V-325 From Gadsden, Ala., to Muscle Shoals, Ala., including an N alternate via INT of Gadsden 318° and Decatur, Ala., 130° radials and Decatur.

2. In § 71.181 (31 F.R. 2149, 2651) is amended as follows:

a. In Muscle Shoals, Ala., all after "bounded on the west by V-7," is deleted and "on the east by V-57, on the south by V-54N." is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 6, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5181; Filed, May 11, 1966; 8:47 a.m.]

[Airspace Docket No. 65-WE-49]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On March 21, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5133) stating that the Federal Aviation Agency proposed to designate a transition area at Grand Canyon, Ariz.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth:

In § 71.181 (31 F.R. 2149) the following transition area is added:

GRAND CANYON, ARIZ. (GRAND CANYON NATIONAL PARK AIRPORT)

That airspace extending upward from 700 feet above the surface within a 3-mile radius of Grand Canyon National Park Airport (latitude 35°57'10'' N., longitude 112°-08'35'' W.), and within 2 miles each side of the Grand Canyon VOR 211° radial extending from the 3-mile radius area to 8 miles SW of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 36°00'00'' N., longitude 112°27'00'' W., to latitude 36°05'00'' N., longitude 112°00'-00'' W., to latitude 35°42'00'' N., longitude 112°00'00'' W., to latitude 35°42'00'' N., longitude 112°07'00'' W., to latitude 35°38'-00'' N., longitude 112°07'00'' W., to latitude 35°38'00'' N., longitude 112°27'00'' W., thence to point of beginning.

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on May 5, 1966.

JOSEPH H. TIPPETS,
Director.

[F.R. Doc. 66-5182; Filed, May 11, 1966; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 59—LIME INDUSTRY

Rescission of Part

On May 5, 1966, the Commission rescinded the trade practice rules for the Lime Industry appearing in Part 59 of this title.

Approved: May 5, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-5197; Filed, May 11, 1966; 8:49 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 90—TABLE OF CHARGES AT THE MINTS AND ASSAY OFFICES OF THE UNITED STATES [1]

The Bureau of the Mint finds that it is necessary, because of increased costs of labor and material, to revise its Table of Charges for various services performed by the Mint. The Bureau also finds, in accordance with 5 U.S.C. 1003a, that notice and public procedure thereon are impracticable and unnecessary because such revisions are required by statutes (R.S. 3524, as amended (31 U.S.C. 332); R.S. 3546 (31 U.S.C. 360)). R.S. 3524, as amended, requires the Director of the Mint, with the concurrence of the Secretary of the Treasury, to fix mint charges so as to equal but not exceed, in their judgment, the actual average cost to each mint and assay office of the material, labor, wastage, and use of machinery employed.

Accordingly, Part 90, Chapter I, Title 31 of the Code of Federal Regulations of the United States of America, is hereby revised, effective June 1, 1966, to read as follows:

Sec.
90.1 Melting charge.
90.2 Eligibility, withdrawal and rejection of deposits.

[1] Coinage mints are located at Philadelphia, Pa., and Denver, Colo. A U.S. Assay Office is located at New York, N.Y., and at San Francisco, Calif. No deposits are accepted at the office of the Director of the Mint in Washington, D.C.

Sec.
90.3 Parting and refining charge (rate per gross troy ounce or fraction).
90.4 Bar charges.
90.5 Assays of gold or silver bullion or jewelry free from platinum group metals.
90.6 Assays of plated and filled goods (over 800 base metal) and white gold free from platinum group metals.
90.7 Assays of ores.
90.8 Assaying and stamping charges.
90.9 General provision.

AUTHORITY: The provisions of this Part 90 issued under R.S. 3524, as amended, R.S. 3546; 31 U.S.C. 332, 360, unless otherwise noted.

§ 90.1 Melting charge.

(a) On each deposit of bullion a melting charge of $4.00 shall be imposed for the first 1,000 gross troy ounces or fraction thereof, and 40 cents additional for each 100 ounces or fraction thereof in excess of 1,000 ounces, computed on the after-melting weight: *Provided*, That no melting charge shall be imposed on deposits consisting of uncurrent U.S. coin or unmutilated stamped U.S. mint bars, or on silver bullion free from gold, of the fineness of 999 thousandths or over when a satisfactory assay can be obtained without melting.

(b) When the melting loss exceeds 15 percent, an additional charge of $2.30 for each deposit shall be imposed when the deposit weighs 100 gross troy ounces or less; on deposits weighing over 100 ounces the charge shall be $2.30 for the first 100 ounces and 75 cents for each 100 ounces or fraction in excess of 100 ounces. Such additional charge shall be computed on the before melting weight of the deposit.

(c) On each deposit containing white gold alloys, as determined by the assayer, an extra melting charge of $2.30 for each 100 gross troy ounces or fraction thereof shall be imposed. Such additional charge shall be computed on the before melting weight of the deposit.

(d) Deposits which fail to give concordant assays and those requiring an excessive amount of treatment, shall, at the discretion of the officer in charge of the Mint institution, be subject to an additional charge equal to the cost to the Government for additional fuel, labor, and materials used in melting and treatment, as well as in remelting and retreatment, if necessary, by the deposit melter. Impure deposits which fail to give concordant assays on dip samples from the second melting shall be rejected, subject to the provisions of § 90.2. The expenses incurred in treatment shall be collected. When such costs are assessed the charge set forth in paragraph (b) of this section shall not be made.

§ 90.2 Eligibility, withdrawal and rejection of deposits.

(a) A gold deposit must contain one troy ounce of fine gold, at least 100 parts of gold in 1,000, and not less than 200 parts of gold or gold and silver combined in 1,000. If the deposit fails to meet these requirements or if the report of the assayer indicates it to be unsuitable for mint operations, it shall not be purchased. Deposits are not accepted in Washington, D.C.

(b) Gold, contained in deposits of silver eligible for receipt at a Mint for return in bar form, may be purchased by the mints; such deposits, however, must contain not less than 600 parts of silver in 1,000 and not more than 99 parts of gold in 1,000.

(c) If otherwise permissible,[2] deposits may be withdrawn by depositors at any time before payment is tendered therefor, and thereafter at the option of the officer in charge of the mint or assay office, subject to payment in cash of such charges for melting, etc., as have been incurred up to the time of withdrawal.

(d) Rejected deposits are subject to payment in cash of such charges as have been incurred up to time of rejection and should be returned to the depositor unless the metal may not be received by the depositor.[2] If the depositor may not receive the metal, the deposit will be held for delivery at his request and for his account, and by authorization of the Director of the Mint, to a person authorized to receive such metal.

§ 90.3 Parting and refining charge (rate per gross troy ounce or fraction).

CLASS A—BULLION CONTAINING GOLD

Base content (thousandths)	Gold content (thousandths)		
	Up to 250	250¼ to 500	500¼ to 949¾
	Cents	*Cents*	*Cents*
Up to 50	4	6	12
Over 50 to 150	5	7	13
Over 150 to 250	7	10	16
Over 250 to 350	10	13	18
Over 350 to 450	13	16	21
Over 450 to 550	16	18	23
Over 550 to 650	18	21	.....
Over 650 to 750	21	23	.....
Over 750	23	.....	.....
Base content disregarded	(1)	(1)	6
Base content disregarded	(2)	(2)	.....

[1] Gold content 950 to 994¾.
[2] Gold content 995 and over.

CLASS B—SILVER BULLION FREE FROM GOLD

Silver Content:	*Charge (cents)*
600 thousandths or less	12
600½ to 850 thousandths	9
850½ to 998¾ thousandths	4

CLASS C—MISCELLANEOUS

Upon gold bullion from 899 to 917 thousandths fine, having but one precious metal present and having base content of good copper, including foreign coins and domestic mutilated or uncurrent coin, a refining charge will be imposed only when payment is to be made in fine bars, in which case a charge of 12 cents per gross ounce, or fraction, will be imposed. Domestic gold coins will be received only in accordance with the provisions of § 92.1 of this chapter.

No refining charge will be imposed on domestic mutilated or uncurrent silver coin received in accordance with Part 100 of this chapter.

[2] See § 90.9.

When bullion contains less than one-fourth thousandth of gold or less than 8 thousandths of silver, the gold or silver content respectively shall not be reported for the benefit of the depositor.

Gold coin containing 8 thousandths or over of silver acquires the status of bullion as regards charges and is subject to the appropriate charge for refining.

§ 90.4 Bar charges.

(a) *Charges on gold bars issued in exchange for gold bullion.*[2] (1) When payment in gold bars is requested without specification as to size, no bar charge will be imposed; except that when fine gold bullion of 995 or higher fineness is deposited in exchange for Government-stamped bars, a bar charge of 9 cents per $100 value of bars issued will be made; and with the further exception that when fineness of 999.9 is requested and available, a charge of 24 cents per $100 value of bars issued will be made.

(2) When special size bars are requested and are available, the bar charges will be:

Bar sizes (gross troy ounces):	*Rate per $100 value (cents)*
Large, over 50 ounces	9
Medium, 25 to 50 ounces	12
Small, below 25 but not less than 15 ounces	14
Special, below 15 but not less than 5 ounces	17

(b) *Charges on silver bars (999 or higher fineness) sold, or issued in exchange for silver bullion.*[2] No bar charges are imposed except when special size bars are requested and are available, in which case the bar charges will be:

Bar sizes:	*Rates per gross troy ounce (cents)*
Not less than 500 ounces	¾
Between 125 and 500 ounces	1
125 ounces or less	2½

No charge will be imposed on 1,000 ounce bars.

(c) *Charges on gold bars sold.*[2] (1) Gold bars may be sold only in lots of not less than 25 fine troy ounces and only when of a fineness of 899 thousandths or above.

(2) No bar charge will be imposed on any gold bars of a fineness below 999 thousandths when particular sizes or finenesses are not requested.

(3) The following bar charges will be made for bars of a fineness of 999 thousandths or above, for bars of particular fineness, and for bars of particular sizes, when any of such bars are requested and available:

Fineness (thousandths)	Bar sizes (gross troy ounces)	Rates per $100 value
		Cents
999 and above, but below 999.9, also below 999 when particular sizes or finenesses are requested.	Large, over 50 ounces	9
	Medium, 25 to 50 ounces	12
	Small, below 25 ounces but not less than 15 ounces	14
	Special, below 15 but not less than 5 ounces	17
999.9	Any size	24

§ 90.5 Assays of gold or silver bullion or jewelry free from platinum group metals.

	Charge
Gold	$8.00
Silver	8.00
Gold and silver (same sample)	14.00

An extra charge of $4.00 for each assay of gold or silver will be imposed when the sample contains any of the platinum group metals.

§ 90.6 Assays of plated and filled goods (over 800 base metal) and white gold free from platinum group metals.

	Charge
Gold	$9.00
Silver	9.00

An extra charge of $4.00 for each assay of gold or silver will be imposed when the sample contains any of the platinum group metals.

§ 90.7 Assays of ores.

Assays of ores will be made at the United States Mint at Denver, Colorado. The charge for each metal determined will be:

	Charge
Gold	$3.50
Silver	3.50
Gold and silver (same sample)	6.00
Lead	6.00
Zinc	6.00
Copper	5.00

§ 90.8 Assaying and stamping charges.[2]

On bullion deposited for the purpose of receiving the Government assay and stamp the melting and assay charges above specified shall be imposed.

§ 90.9 General provision.[3]

Nothing in this part shall be applied in a manner inconsistent with, or deemed to amend, modify, or repeal, any acts, orders, proclamations, regulations, or instructions, relating to gold or silver.

[SEAL] EVA ADAMS,
Director of the Mint.

Approved: May 5, 1966.

ROBERT A. WALLACE,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-5174; Filed, May 11, 1966; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

SUBCHAPTER B—NAVIGATION

PART 706—NAVIGATIONAL LIGHT WAIVERS

Miscellaneous Amendments

Sections 360 and 1052 of Title 33, United States Code, provide that the requirements of the Regulations for Preventing Collisions at Sea, 1960, the Inland Rules, the Great Lakes Rules and the Western River Rules as to number, position, range of visibility, or arc of visibility of the lights required to be displayed by vessels shall not apply to any vessel of the Navy when the Secretary of the Navy shall find or certify that, by reason of special construction, it is not possible for such vessel or class of vessels to comply with the statutory provisions as to navigation lights.

A recent study indicates that the military design characteristics of the Motor Gunboat (PGM) preclude the installation of the two 20-point white lights (Masthead and Range Lights) in conformance with currently existing waivers on such lights or with Rule 2(a) of the Regulations for Preventing Collisions at Sea (33 U.S.C. 1062(a)). This same study further indicates that the military design characteristics of the Motor Gunboat (PGM) also preclude the installation of the three towing lights required when the length of tow exceeds 600 feet and the installation of the three task lights in conformance with the currently existing waivers on such lights or with Rule 3(a) and 4(c) of the Regulations for Preventing Collisions at Sea (33 U.S.C. 1063(a) and 1064(c)).

I hereby certify that these Motor Gunboats (PGM) are naval vessels of special construction and, with respect to the position on such vessels of the two 20-point white lights, the towing lights, and the task lights, it is not possible to comply with the requirements of the statutes referred to in sections 360 and 1052, Title 33, United States Code.

I further find that it is feasible to locate these said navigation lights as follows:

(a) The forward 20-point white light shall be carried at a height of 16 feet or more above the hull.

(b) The ratio of the horizontal to the vertical distance between the two 20-point white lights shall be 1.0 or greater to 1; however, the horizontal distance between the forward and after 20-point white lights shall be 19 feet or greater.

(c) The vertical separation between the two lower of the three towing lights when length of tow exceeds 600 feet shall be 3 feet or greater. On radome equipped PGM's the three towing lights shall be carried in a vertical line, equally spaced and not less than 3 feet apart in lieu of the prescribed 6-feet separation.

(d) The vertical separation between the two lower of the three task lights shall be 3 feet or greater. On radome equipped PGM's, the three task lights shall be carried in a vertical line, equally spaced and not less than 3 feet apart in lieu of the prescribed 6-foot separation.

Further, I certify that such locations constitute compliance as closely with the applicable statutes as I hereby find to be feasible.

I do specify that this waiver amends the consolidated tabulation of lights set forth in Table 1 of section 706.2, Title 32, Code of Federal Regulations as published in the FEDERAL REGISTER of August 31, 1965 (30 F.R. 11172), as amended in the FEDERAL REGISTER of November 17, 1965 (30 F.R. 14373), by revising the "PGM (Motor Gunboat)" line to read as follows:

	1st col.	2d col.	3d col.	4th col.
PGM (Motor Gunboat)	8 or less.	None	1.0 or greater to 1.	19 or greater

I do direct that Note 11 of § 706.2, Title 32, Code of Federal Regulations as published in the FEDERAL REGISTER of August 31, 1965 (30 F.R. 11173), and amended in the FEDERAL REGISTER of November 17, 1965 (30 F.R. 14373), be revised to read as follows:

"11. On motor gunboats (PGM), guided missile destroyers known as the DDG-2 Class, and on destroyer-type vessels when engaged in towing vessels or objects exceeding 600 feet in length, the two lower of the three towing 20-point white lights will be separated from 3 feet to 15 feet vertically in lieu of the prescribed 6-foot separation. On radome equipped PGM's, the three towing lights shall be carried in a vertical line, equally spaced and not less than 3 feet apart in lieu of the prescribed 6-foot separation (based on International Rule 3(a)).

I do further direct that the Notes under § 706.2, Title 32, Code of Federal Regulations as published in the FEDERAL REGISTER of August 31, 1965 (30 F.R. 11172, 11173) as amended (30 F.R. 14373, 14707), be further amended by adding Note 13 to read as follows:

"13. On motor gunboats (PGM), the vertical separation between the two lower of the three task lights shall be 3 feet or greater. On radome equipped PGM's, the three task lights shall be carried in a vertical line, equally spaced and not less than 3 feet apart in lieu of the prescribed 6-foot separation (based on International Rule 4(c)).

I specify that the foregoing amendments shall become effective on the date of publication of this document in the FEDERAL REGISTER.

(Sec. 1, 50 Stat. 590, sec. 2, 77 Stat. 194, 33 U.S.C. 360, 1052)

Dated: May 3, 1966.

[SEAL] ROBERT H. B. BALDWIN,
Under Secretary of the Navy.

[F.R. Doc. 66-5178; Filed, May 11, 1966; 8:47 a.m.]

Chapter XVIII—Office of Civil Defense, Office of the Secretary of the Army

PART 1810—CIVIL DEFENSE IDENTIFICATION FOR FEDERAL EMPLOYEES, RESERVISTS AND NON-FEDERAL SUPPORT PERSONNEL

Miscellaneous Amendments

1. Section 1810.4 is revised to read as set forth below; changes include the deletion of "Housing and Home Finance Agency" from the list in paragraph (a), and the addition to the list of the names "Department of Housing and Urban Development," "General Accounting Office," and "Government Printing Office"; and in paragraph (b), the wording "Director of Civil Defense" is used in place of "Assistant Secretary of Defense (Civil Defense)."

§ 1810.4 Issuance authority.

(a) The departments, agencies and Federal officials listed below are authorized to issue the identification card described in this part:

Agency for International Development.
Department of Agriculture.
Atomic Energy Commission.
Bureau of the Budget.
Central Intelligence Agency.
Civil Aeronautics Board.
Civil Service Commission.
Council of Economic Advisors.
Department of Commerce.
Department of Defense.
Export-Import Bank.
Farm Credit Administration.
Federal Aviation Agency.
Federal Bureau of Investigation.
Federal Communications Commission.
Federal Deposit Insurance Corporation.
Federal Home Loan Bank Board.
Federal Power Commission.
Federal Reserve System Board of Governors.
General Accounting Office.
General Services Administration.
Government Printing Office.
Department of Health, Education and Welfare.
Department of Housing and Urban Development.
Department of the Interior.
Interstate Commerce Commission.
Department of Justice.
Department of Labor.
National Aeronautics and Space Administration.
Office of Emergency Planning.
National Science Foundation.
National Security Council.
Post Office Department.
Railroad Retirement Board.
Securities and Exchange Commission.
Selective Service System.
Small Business Administration.
Department of State.
Tennessee Valley Authority.
Department of the Treasury.
U.S. Information Agency.
Veterans Administration.
The Naval Aide to the President, for the White House Staff; The Clerk, United States Supreme Court; the Director, Administrative Office of the United States Courts for the Judicial Branch of the Federal Government; The Architect of the Capitol, for the Legislative Branch of the Federal Government.

(b) *Additions to the authorized list.* Departments, agencies or Federal officials not included in the list in paragraph (a) of this section may request the Director of Civil Defense to authorize use of the identification card prescribed by this regulation. Approval of such requests will be based on adequate justification of the need for such identification. The list in paragraph (a) of this section, of departments, agencies, and Federal officials authorized to include additionally authorized departments, agencies or Federal officials.

2. Paragraph (a) of § 1810.6 is amended by striking the wording "ASD-(CD)" where the same appears and inserting the wording "Director of Civil Defense" in place thereof. Changes are also made in paragraph (c). As so amended, § 1810.6 (a) and (c) reads as follows:

§ 1810.6 Procedure for procurement of Standard Form 138.

(a) Each department, agency and official listed in § 1810.4, and those later approved by the Director of Civil Defense for inclusion under the provisions of this part, will review the issuance criteria prescribed in § 1810.5 and determine the number of Federal employees, reservists and non-Federal support personnel requiring an emergency identification card.

* * * * * *

(c) Blank identification cards will be pre-numbered in sequence, beginning with "CD 1001." Issuance control will be maintained by the GSA Federal Supply Service. The cards will be stocked and issued as a regular item of supply by the Federal Supply Service, Region 3, Washington, D.C. Issues will be restricted to the departments, agencies and officials authorized in § 1810.4 to issue such cards. The Federal Supply Service will maintain records of such issues and, upon request, provide data on total cumulative issues to the Statistics and Reports Division, Office of the Comptroller, Office of Civil Defense, Office of the Secretary of the Army.

* * * * * *

3. Paragraphs (g) and (h) of § 1810.7 are amended to read as follows:

§ 1810.7 Responsibilities.

* * * * * *

(g) Maintaining records and reporting upon request to the Director of Civil Defense, Office of the Secretary of the Army, the following:

(1) The number of cards issued and outstanding to:

(i) Federal employees.

(ii) Reservists.

(iii) Non-Federal Support Personnel.

(2) Total number of cards recalled and in safe-keeping.

(3) Total number of cards destroyed.

(4) Cards available for issue.

(h) Regaining possession of and destroying all SF-138 cards from personnel whose employment the issuing agency has ceased.

4. The section heading of § 1810.8 is amended to read as follows:

§ 1810.8 Related functions of Director of Civil Defense.

* * * * * *

5. Section 1810.9 is amended by striking the word "and" where it appears between the words "military" and "Coast" in line 1 and inserting a comma in place thereof and by adding after the word "personnel" in line 2 the wording "and officers of the Commissioned Corps of the U.S. Public Health Service". As so amended, § 1810.9 reads as follows:

§ 1810.9 Exceptions from coverage.

Active and reserve military, Coast Guard personnel, and officers of the Commissioned Corps of the U.S. Public Health Service, in or out of uniform, under orders to report to an emergency duty post or installation, will not be provided the identification card prescribed by this part. Such personnel will rely on the identification provided by the appropriate military department.

§ 1810.10 [Deleted]

6. Section 1810.10, "Recissions", is deleted in its entirety as being no longer applicable.

(Secs. 201, 204, and 401 of the Federal Civil Defense Act of 1950, as amended, 64 Stat. 1245-1257, 50 U.S.C. App. 2251-2297; Reorganization Plan No. 1 of 1958, as amended, 72 Stat. 1799-1801, 23 F.R. 4991; Executive Order 10952 of July 20, 1961, as amended, 26 F.R. 6577; Delegation of Authority Regarding Civil Defense Functions and Establishment of the Office of Civil Defense, published April 10, 1964, 29 F.R. 5017)

Effective date. These amendments shall be effective upon publication in the FEDERAL REGISTER.

WILLIAM P. DURKEE,
Director of Civil Defense.

[F.R. Doc. 66-5150; Filed, May 11, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101-26—PROCUREMENT SOURCES AND PROGRAMS

Similar Items

Subpart 101-26.3 and Subpart 101-26.4 are revised to provide that requests to procure items similar to those available from stores stock or Federal Supply Schedule contracts are to be submitted directly to the Commissioner, Federal Supply Service. The Commissioner will be the approving authority if such waivers are granted. A comprehensive list of data required for effective and expedited analysis of these requests by GSA has been included.

Subpart 101-26.3 is amended as follows:

Subpart 101-26.3—Procurement From GSA Stores Stock

* * * * * *

§ 101-26.301-1 Similar items.

* * * * * *

(b) When an agency determines that items available from GSA stores stock will not serve the required functional end use requirements, requests to waive the requirement for using such GSA stock items shall be submitted to GSA for consideration.

(c) Requests for waivers, including those involving Federal Supply Schedule items (see § 101-26.401-3), shall be submitted to the Commissioner, Federal Supply Service, General Services Administration, Washington, D.C., 20405, and, if considered justified, will be approved by him. If disapproved, the requesting

[2] See § 90.8.

[3] Sections 54.44 and 54.53 of this chapter set forth the purchase and sale price of gold purchased and sold by the U.S. Mints and Assay Offices under Subparts F and G of the Gold Regulations (§§ 54.35-54.52 of this chapter). The one-fourth of 1 percent charge referred to therein shall be in addition to all other mint charges in connection with purchase or sale of gold by the United States.

office will be so notified. Such requests shall contain:

(1) Complete description of the item requested; descriptive literature such as cuts, illustrations, drawings, and brochures which show the characteristics or construction of the item or explain its operation should be furnished wherever possible in satisfaction of this requirement.

(2) Comparison of price and pertinent technical differences between the item requested and the GSA item.

(i) Inadequacies of the GSA item in performing required functions.

(ii) Advantages of the item requested, such as technical, economic, or other.

(3) Quantity required; if demand is recurrent (estimate annual usage), nonrecurrent, or unpredictable, so state.

(4) Other pertinent data when applicable.

* * * * *

Subpart 101–26.4 is amended as follows:

Subpart 101–26.4—Purchase of Items From Federal Supply Schedule Contracts

§ 101–26.401–3 Similar items.

(a) Agencies required to use Federal Supply Schedule contracts shall obtain needed items from this source in lieu of procuring similar items from other sources when the Federal Supply Schedule item will adequately serve the required functional purpose.

(b) When an agency determines that items available from Federal Supply Schedule contracts will not serve the required functional end use requirements, requests to waive the requirement for using such Federal Supply Schedule items shall be submitted to GSA in a similar manner to that set forth in § 101–26.301–1 for stores stock items.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date., This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: May 4, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66–5175; Filed, May 11, 1966; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Deer Flat National Wildlife Refuge, Idaho

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER:

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

IDAHO

DEER FLAT NATIONAL WILDLIFE REFUGE

Sport fishing on the Deer Flat National Wildlife Refuge, Idaho, is permitted on the area designated by signs as open to fishing. This open area, comprising 9,500 acres, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) Use of motorboats is prohibited from October 1, 1966, to January 31, 1967, on Lake Lowell.

(2) Motorboats to be operated on Lake Lowell during daylight hours only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to May 1, 1967.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 2, 1966.

[F.R. Doc. 66–5158; Filed, May 11, 1966; 8:45 a.m.]

PART 33—SPORT FISHING

National Bison Range, Mont.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MONTANA

NATIONAL BISON RANGE

Sport fishing on the National Bison Range, Mont., is permitted only on the area designated by signs as open to fishing. This open area, comprising approximately 100 acres, consists of lands along the Jocko River south of the Big Game Fence. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to May 1, 1967.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 3, 1966.

[F.R. Doc. 66–5159; Filed, May 11, 1966; 8:45 a.m.]

PART 33—SPORT FISHING

Ravalli National Wildlife Refuge, Mont.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MONTANA

RAVALLI NATIONAL WILDLIFE REFUGE

Sport fishing on the Ravalli National Wildlife Refuge, Mont., is permitted only on the area designated by signs as open to fishing. This open area consists only of refuge lands within and including the east bank of the Bitterroot River for a distance of approximately 2¾ miles. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to May 1, 1967.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 3, 1966.

[F.R. Doc. 66–5160; Filed, May 11, 1966; 8:46 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Ex Parte No. 73; Ex Parte No. MC–1]

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 142—EXTENSION OF CREDIT TO SHIPPERS

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

PART 188—EXTENSION OF CREDIT TO SHIPPERS

Payment of Rates and Charges of Motor Carriers

At a general session of the Interstate Commerce Commission, held at its Office in Washington, D.C., on the 8th day of April 1966.

It appearing, that on July 15, 1963, the Commission entered an order instituting an investigation in these proceedings to determine whether rules and regulations governing the extension of credit for railroads and motor common carriers prescribed pursuant to authority granted in sections 3(2) and 223 of the Interstate Commerce Act, and published in the Code of Federal Regulations, were serving their purpose;

And it further appearing, that the Commission, on the date hereof, has made and filed its report herein setting forth the basis for its conclusions and findings, which report and prior reports in 57 I.C.C. 591, 59 I.C.C. 456, 63 I.C.C. 375, 69 I.C.C. 351, 171 I.C.C. 268, 273 I.C.C. 681, 310 I.C.C. 391, 313 I.C.C. 97, and 2 M.C.C. 365, are hereby referred to and made a part hereof:

It is ordered, That the following sections of Part 142, be, and they are hereby, revised and modified as follows:

1. Amend § 142.1 to read as follows:

§ 142.1 Carrier may extend credit to shipper.

The carrier, upon taking precautions deemed by it to be sufficient to assure payment of the tariff charges within the credit periods specified in this part, may relinquish possession of freight in advance of the payment of the tariff charges thereon and may extend credit in the amount of such charges to those who undertake to pay such charges, such persons herein being called shippers, for a period of 48 hours computed as set forth in this part. In regard to traffic of nonprofit shippers' associations and shippers' agents, within the meaning of section 402(c) of part IV of the Interstate Commerce Act, the carriers shall require such organizations to furnish the names of the beneficial owners of the property in the bills of lading or at least have the bills of lading incorporate by reference a document containing the names of the beneficial owners.

2. Amend § 142.8 to read as follows:

§ 142.8 Presentation of freight bills.

Every carrier shall present freight bills for all transportation charges except those specifically excepted in this part to shippers prior to the first 12 o'clock midnight following forwarding of prepaid shipments or delivery of collect shipments except that when information sufficient to enable the carrier to compute the tariff charges is not then available to the carrier at the billing point, the freight bills shall be presented not later than the first 12 o'clock midnight following the day upon which sufficient information becomes available at the billing point of the carrier. A carrier shall not extend further credit to any shipper which fails to furnish sufficient information to allow the carrier to render a freight bill within a reasonable time after the shipment is tendered to the origin carrier. As used in this section the term "shipper" includes, but is not limited, to, freight forwarders as well as shippers' associations and shippers' agents within the meaning of section 402(c) of part IV of the Interstate Commerce Act.

(Sec. 12, 24 Stat. 383 as amended; 49 U.S.C. 12. Interpret or apply sec. 3, 24 Stat. 380, as amended: 49 U.S.C. 3)

3. *It is further ordered*, That § 188.1 of Part 188 be, and it is hereby, revised and modified as follows:

§ 188.1 Carrier may extend credit to shipper.

Upon taking precautions deemed by them to be sufficient to assure payment of the tariff charges within the credit period herein specified, common carriers by motor vehicle may relinquish possession of freight in advance of the payment of the tariff charges thereon and may extend credit in the amount of such charges to those who undertake to pay them, such persons herein being called shippers, for a period of 7 days excluding Saturdays, Sundays, and legal holidays. When the freight bill covering a shipment is presented to the shipper on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the shipper on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following the presentation of the freight bill. In regard to traffic of nonprofit shippers' associations and shippers' agents, within the meaning of section 402(c) of part IV of the Interstate Commerce Act, the carriers shall require such organizations to furnish the names of the beneficial owners of the property in the bills of lading or at least have the bills of lading incorporate by reference a document containing the names of the beneficial owners.

(49 Stat. 546, as amended; 49 U.S.C. 304. Interpret or apply 49 Stat. 565; 49 U.S.C. 323)

It is further ordered, That these amendments shall become effective July 21, 1966.

And it is further ordered, That notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing with the Director, Office of the Federal Register.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–5185; Filed, May 11, 1966; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Gain From Dispositions of Certain Depreciable Realty

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:LR, Washington, D.C., 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

In order to conform the Income Tax Regulations (26 CFR Part 1) to certain provisions of section 231 of the Revenue Act of 1964 (78 Stat. 100), relating to gain from dispositions of certain depreciable realty, such regulations are amended as follows:

PARAGRAPH 1. Paragraph (c)(3) (i) and (ii) of § 1.170–1 is amended to read as follows:

§ 1.170–1 Charitable, etc., contributions and gifts; allowance of deduction.

* * * * *

(c) *Contribution in property.* * * *

(3) *Reduction for depreciable property.* (i) With respect to a charitable contribution of section 1245 property (as defined in section 1245(a)(3)), or section 1250 property (as defined in section 1250(c)), section 170(e) requires that the amount of the charitable contribution taken into account under section 170 shall be reduced by the amount which would have been treated (but was not actually treated) as gain to which section 1245(a)(1) or 1250(a)(1) (relating to gain from dispositions of depreciable property) applies if the property contributed had been sold at its fair market value (determined at the time of such contribution).

(ii) Section 170(e) applies to charitable contributions of section 1245 property in taxable years beginning after December 31, 1962, except that in respect of section 1245 property which is an elevator or escalator section 170(e) applies to charitable contributions after December 31, 1963. Section 170(e) applies to charitable contributions of section 1250 property after December 31, 1963.

* * * * * *

PAR. 2. Section 1.301 is amended by revising subsections (b)(1)(B)(ii) and (d)(2)(B) of section 301 and the historical note to read as follows:

§ 1.301 Statutory provisions; distributions of property.

Sec. 301. *Distributions of property.* * * *

(b) *Amount distributed—(1) General rule.* * * *

(B) *Corporate distributees.* * * *

(ii) The adjusted basis (in the hands of the distributing corporation immediately before the distribution) of the other property received, increased in the amount of gain to the distributing corporation which is recognized under subsection (b) or (c) of section 311, under section 341(f), or under section 1245(a) or 1250(a).

* * * * * *

(d) *Basis—(1) Noncorporate distributees.* * * *

(2) *Corporate distributees.* * * *

(B) The adjusted basis (in the hands of the distributing corporation immediately before the distribution) of such property, increased in the amount of gain to the distributing corporation which is recognized under subsection (b) or (c) of section 311, under section 341(f), or under section 1245(a) or 1250(a).

* * * * * *

[Sec. 301 as amended by sec. 5 (a) and (b), Rev. Act 1962 (76 Stat. 977); sec. 13(f)(2), Rev. Act 1962 (76 Stat. 1035); sec. 231(b)(2), Rev. Act 1964 (78 Stat. 105); Act of Aug. 22, 1964 (Pub. Law 88–484, 78 Stat. 597)]

PAR. 3. Section 1.301–1 is amended by revising paragraph (d), paragraph (h)(2)(ii)(b), paragraph (j)(1), example (1) in paragraph (k), and paragraph (n)(2). These revised provisions read as follows:

§ 1.301–1 Rules applicable with respect to distributions of money and other property.

* * * * * *

(d) *Distributions of property to corporate shareholders.* If property (other than money and other than the obligations of the distributing corporation) is distributed in kind to a shareholder which is a corporation and the fair market value of such property is greater than the adjusted basis in the hands of the distributing corporation, only the adjusted basis of such property (determined immediately before the distribution and increased for any gain recognized to the distributing corporation under section 311 (b) and (c) and section 1245(a) or 1250(a)) shall be taken into account under section 301(c). Thus, in such a case, the amount of such a dividend in kind under section 301(c)(1) may not exceed such adjusted basis. Similarly, in such cases where the distribution is not out of earnings and profits, the amount of the reduction in basis of the shareholder's stock and the amount of any gain resulting from such distribution are determined by reference to the adjusted basis of the property distributed. If the property distributed is money, the amount of the distribution shall be the the amount of such money. If the property distributed consists of the obligations of the distributing corporation, or stock of the distributing corporation treated as property under section 305(b), or rights to acquire such stock treated as property under section 305(b), the amount of such distribution shall be an amount equal to the fair market value of such obligations, stock, or rights. For special rules as to distributions by a foreign corporation of property (other than money, the obligations of the distributing corporation, stock of the distributing corporation treated as property under section 305(b), or rights to acquire such stock treated as property under section 305(b)) after December 31, 1962, to a shareholder which is a corporation, see section 301(b)(1)(C) and paragraph (n) of this section.

* * * * * *

(h) *Basis.* * * *

(2) * * *

(ii) * * *

(b) The adjusted basis (in the hands of the distributing corporation immediately before the distribution) of such property increased in the amount of gain to the distributing corporation which is recognized under section 311(b) (relating to distributions of LIFO inventory), section 311(c) (relating to distributions of property subject to liabilities in excess of basis) or section 1245(a) or 1250(a) (relating to gain from dispositions of certain depreciable property);

* * * * * *

(j) *Transfers for less than fair market value.* * * *

(1) Where the fair market value of the property equals or exceeds its adjusted basis in the hands of the distributing corporation the amount of the distribution shall be the excess of the adjusted basis (increased by the amount of gain recognized under section 311 (b) or (c) or section 1245(a) or 1250(a) to the distributing corporation) over the amount paid for the property;

* * * * * *

(k) *Application of rule respecting transfers for less than fair market value.* * * *

Example (1). On January 1, 1955, A, an individual shareholder of corporation X, purchased property from that corporation for $20. The fair market value of such property was $100, and its basis in the hands of corporation X was $25. The amount of the distribution determined under section 301(b) is $80. If A were a corporation, the amount of the distribution would be $5 (assuming that sections 311 (b) and (c), 1245(a), and 1250(a) do not apply), the excess of the basis of the property in the hands of corporation X over the amount received therefor. The basis of such property to corporation A would be $25. If the basis of the property in the hands of corporation X were $10, the corporate shareholder, A, would not receive a distribution. The basis of such property to corporation A would be $20. Whether or not A is a corporation, the excess of the amount paid over the basis of the property in the hands of corporation X ($20 over $10) would be a taxable gain to corporation X.

* * * * * *

(n) *Distributions of certain property by foreign corporations to corporate shareholders.* * * *

(2) If any deduction is allowable to the recipient under section 245 with respect to a distribution of property described in subparagraph (1) of this paragraph and if the fair market value of the property exceeds its adjusted basis in the hands of the distributing corporation (increased by any gain to the distributing corporation recognized under section 311 (b) or (c), or under section 1245(a) or 1250(a)), then the amount taken into account under section 301(c) shall be determined under subparagraph (3) of this paragraph. In order to determine such amount—

(i) First, compute the portion, if any, of the adjusted basis of the property (increased by any gain to the distributing corporation recognized under section 311 (b) or (c), or under section 1245(a) or 1250(a)) which is out of earnings and profits of the taxable year (within the meaning of section 316(a)(2)).

(ii) Second, compute the portion, if any, of the adjusted basis of the property (increased by any gain to the distributing corporation recognized under section 311 (b) or (c), or under section 1245(a) or 1250(a)) which is out of earnings and profits accumulated during the portion of the uninterrupted period described in section 245(a) which ends at the beginning of the taxable year.

(iii) Third, compute the portion, if any, of the adjusted basis of the property (increased by any gain to the distributing corporation recognized under section 311 (b) or (c), or under section 1245(a) or 1250(a)) which is out of sources other than earnings and profits of the taxable year and earnings and profits accumulated during the uninterrupted period described in section 245(a).

(iv) Fourth, with respect to each of the portions computed under subdivisions (i), (ii), and (iii) of this subparagraph, determine the proportionate part of the fair market value of the property attributable to such portion. The proportionate part of the fair market value attributable to each portion shall be such fair market value multiplied by the ratio which such portion bears to the sum of all portions.

PAR. 4. Section 1.312 is amended by revising section 312(c)(3) and the historical note to read as follows:

§ 1.312 Statutory provisions; effect on earnings and profits.

Sec. 312. *Effect on earnings and profits.* * * *

(c) *Adjustments for liabilities, etc.* * * *

(3) Any gain to the corporation recognized under subsection (b) or (c) of section 311 or under section 1245(a) or 1250(a).

* * * * * *

[Sec. 312 as amended by sec. 13(f)(3), Rev. Act 1962 (76 Stat. 1035); sec. 231(b)(3), Rev. Act 1964 (78 Stat. 105)]

PAR. 5. Section 1.312–3 is amended to read as follows:

§ 1.312–3 Liabilities.

The amount of any reductions in earnings and profits described in section 312 (a) or (b) shall be (a) reduced by the amount of any liability to which the property distributed was subject and by the amount of any other liability of the corporation assumed by the shareholder in connection with such distribution, and (b) increased by the amount of gain recognized to the corporation under section 311 (b) or (c) or under section 1245(a) or 1250(a).

PAR. 6. Paragraph (c)(1) of § 1.453–9 is amended to read as follows:

§ 1.453–9 Gain or loss on disposition of installment obligations.

* * * * * *

(c) *Disposition from which no gain or loss is recognized.* (1)(i) Under section 453(d)(4)(A), no gain or loss shall be recognized to a distributing corporation with respect to the distribution of installment obligations if the distribution is made, pursuant to a plan for the complete liquidation of a subsidiary meeting the requirements of section 332, to a corporation in the hands of which no gain or loss is recognized with respect to such distribution. However, if the basis of the property of the liquidating corporation in the hands of the distributee is determined under section 334(b)(2), then the preceding sentence shall not apply to the extent that under section 453(d)(1) gain to the distributing corporation would be considered as gain to which section 1245(a)(1) or 1250(a)(1) (relating to gain from dispositions of depreciable property) applies, computed under the principles of paragraph (d) of § 1.1245–6 or paragraph (b)(6) of § 1.1250–1, whichever is applicable.

(ii) Under section 453(d)(4)(B), no gain or loss shall be recognized to a distributing corporation with respect to the distribution of installment obligations if the distribution is made, pursuant to a plan for the complete liquidation of a corporation which meets the requirements of section 337, under conditions whereby no gain or loss would have been recognized to the corporation had such installment obligations been sold or exchanged on the day of the distribution. The preceding sentence shall not apply to the extent that under section 453(d)(1) gain to the distributing corporation would be considered as gain to which section 1245(a)(1) or 1250(a)(1) applies, computed under the principles of paragraph (d) of § 1.1245–6 or paragraph (b)(6) of § 1.1250–1, whichever is applicable.

* * * * * *

PAR. 7. Section 1.751 is amended by revising section 751(c) and the historical note to read as follows:

§ 1.751 Statutory provisions; unrealized receivables and inventory items.

Sec. 751. *Unrealized receivables and inventory items.* * * *

(c) *Unrealized receivables.* For purposes of this subchapter, the term "unrealized receivables" includes, to the extent not previously includible in income under the method of accounting used by the partnership, any rights (contractual or otherwise) to payment for—

(1) Goods delivered, or to be delivered, to the extent the proceeds therefrom would be treated as amounts received from the sale or exchange of property other than a capital asset, or

(2) Services rendered, or to be rendered.

For purposes of this section and sections 731, 736, and 741, such term also includes section 1245 property (as defined in section 1245(a)(3)) and section 1250 property (as defined in section 1250(c)), but only to the extent of the amount which would be treated as gain to which section 1245(a) or 1250(a) would apply if (at the time of the transaction described in this section or section 731, 736, or 741, as the case may be) such property had been sold by the partnership at its fair market value.

* * * * * *

[Sec. 751 as amended by sec. 13(f)(1), Rev. Act 1962 (76 Stat. 1035); sec. 231(b)(6), Rev. Act 1964 (78 Stat. 105)]

PAR. 8. Paragraph (c) of § 1.751–1 is amended by revising subparagraphs (4), (5), and (6) to read as follows:

§ 1.751–1 Unrealized receivables and inventory items.

* * * * * *

(c) *Unrealized receivables.* * * *

(4)(i) With respect to any taxable year of a partnership beginning after December 31, 1962, the term "unrealized receivables," for purposes of this section and sections 731, 736, 741, and 751, also includes "potential section 1245 income." With respect to each item of partnership section 1245 property (as defined in sec. 1245(a)(3)), "potential section 1245 income" is the amount which would be treated as gain to which section 1245(a)(1) would apply if (at the time of the transaction described in section 731, 736, 741, or 751, as the case may be) the item of section 1245 property were sold by the partnership at its fair market value. See paragraph (e)(1) of § 1.1245–1. For example, if a partnership would recognize under section 1245(a)(1) gain of $600 upon a sale of one item of section 1245 property and gain of $300 upon a sale of its only other item of such prop-

erty, the potential section 1245 income of the partnership would be $900.

(ii) With respect to any taxable year of a partnership ending after December 31, 1963, the term "unrealized receivables," for purposes of this section and sections 731, 736, 741, and 751, also includes "potential section 1250 income." With respect to each item of partnership section 1250 property (as defined in section 1250(c)), "potential section 1250 income" is the amount which would be treated as gain to which section 1250(a)(1) would apply if (at the time of the transaction described in section 731, 736, 741, or 751, as the case may be) the item of section 1250 property were sold by the partnership at its fair market value. See paragraph (e)(1) of § 1.1250–1.

(iii) For purposes of determining potential section 1245 income or potential section 1250 income, any arm's-length agreement between the buyer and seller, or between the partnership and distributee partner, will generally establish the fair market value of section 1245 property or section 1250 property (as the case may be).

(5) For purposes of subtitle A of the Code, the basis of potential section 1245 income and of potential section 1250 income is zero.

(6)(i) If (at the time of the transaction referred to in subparagraph (4) of this paragraph) a partnership holds section 1245 (or 1250) property and if (*a*) a partner had a special basis adjustment under section 743(b) in respect of the property, or (*b*) the basis under section 732 of the property if distributed to the partner would reflect a special basis adjustment under section 732 (d), or (c) on the date a partner acquires his partnership interest by way of a sale or exchange (or upon death of another partner) the partnership owned the property and an election under section 754 was in effect with respect to the partnership, then the partner's share of the potential section 1245 (or 1250) income of the partnership in respect of the property shall be determined under subdivision (ii) of this subparagraph.

(ii) The partner's share of the potential section 1245 (or 1250) income of the partnership in respect of the property to which this subdivision applies shall be that amount of gain which the partner would recognize under paragraph (e)(3) of § 1.1245–1 (or paragraph (e) of § 1.1250–1) upon a sale of the property by the partnership, except that, for purposes of this subparagraph (*a*) the items which are allocated under (or in a manner consistent with the principles provided in) paragraph (e)(3)(ii) of § 1.1245–1 shall be allocated to the partner in the same manner as his share of partnership property is determined, and (*b*) the amount of a special basis adjustment under section 732(d) shall be treated as if it were the amount of a special basis adjustment under section 743 (b).

* * * * *

PAR. 9. Paragraph (c)(1) of § 1.1245–1 is amended to read as follows:

§ 1.1245–1 General rule for treatment of gain from dispositions of certain depreciable property.

* * * * *

(c) *Other dispositions.* (1) In the case of a disposition of section 1245 property other than by way of a sale, exchange, or involuntary conversion, the gain to which section 1245(a)(1) applies is the amount by which (i) the lower of the fair market value of the property on the date of disposition or the recomputed basis of the property, exceeds (ii) the adjusted basis of the property. If property is transferred by a corporation to a shareholder for an amount less than its fair market value in a sale or exchange, for purposes of applying section 1245 such transfer shall be treated as a disposition other than by way of a sale, exchange, or involuntary conversion.

* * * * *

PAR. 10. Paragraph (a) of § 1.1245–2 is amended by adding a new subparagraph (8). The new provision reads as follows:

§ 1.1245–2 Definition of recomputed basis.

(a) *General rule.* * * *

(8) *Exempt organizations.* In respect of property disposed of by an organization which is or was exempt from income taxes (within the meaning of section 501(b)), adjustments reflected in the adjusted basis (within the meaning of subparagraph (2) of this paragraph) shall include only depreciation or amortization allowed or allowable in computing unrelated business taxable income (as defined in section 513(a)), or (*b*) in computing taxable income of a person for a period such person was not exempt or, by reason of the application of section 502, 503, or 504, was denied its exemption.

* * * * *

PAR. 11. Paragraph (d) of § 1.1245–4 is amended by revising so much of subparagraph (4) as precedes subdivision (i) thereof, and by adding new subparagraph (7). These revised and added provisions read as follows:

§ 1.1245–4 Exceptions and limitations.

* * * * *

(d) *Limitation for like kind exchanges and involuntary conversions.* * * *

(4) *Application to disposition of section 1245 property and nonsection 1245 property in one transaction.* For purposes of this paragraph, if both section 1245 property and nonsection 1245 property are acquired as the result of one disposition in which both section 1245 property and nonsection 1245 property are disposed of, then except as provided in subparagraph (7) of this paragraph—

* * * * *

(7) *Coordination with section 1250.* For purposes of this paragraph, if section 1245 property and section 1250 property are disposed of in one transaction in which the property acquired includes section 1250 property, the allocation rules of paragraph (d)(6) of § 1.1250–3 shall apply.

* * * * *

PAR. 12. Paragraphs (b) and (e) of § 1.1245–6 are amended to read as follows:

§ 1.1245–6 Relation of section 1245 to other sections.

* * * * *

(b) *Nonrecognition sections overridden.* The nonrecognition provisions of subtitle A of the Code, which section 1245 overrides include, but are not limited to, sections 267(d), 311(a), 336, 337, 501(a), and 512(b)(5). See section 1245(b) for the extent to which section 1245(a)(1) overrides sections 332, 351, 361, 371(a), 374(a), 721, 731, 1031, 1033, 1071, and 1081 (b)(1) and (d)(1)(A). For limitation on amount of adjustments reflected in adjusted basis of property disposed of by an organization exempt from income taxes (within the meaning of section 501(b)), see paragraph (a)(8) of § 1.1245–2.

* * * * *

(e) *Exempt income.* The fact that section 1245 provides for recognition of gain as ordinary income does not change into taxable income any income which is exempt under section 115 (relating to income of states, etc.), 892 (relating to income of foreign governments), or 894 (relating to income exempt under treaties).

* * * * *

PAR. 13. There are inserted immediately after § 1.1249–1 the following new sections:

§ 1.1250 Statutory provisions; gain from dispositions of certain depreciable realty.

Sec. 1250. *Gain from dispositions of certain depreciable realty*—(a) *General rule*—(1) *Ordinary income.* Except as otherwise provided in this section, if section 1250 property is disposed of after December 31, 1963, the applicable percentage of the lower of—

(A) The additional depreciation (as defined in subsection (b)(1)) in respect of the property, or

(B) The excess of—

(i) The amount realized (in the case of a sale, exchange, or involuntary conversion), or the fair market value of such property (in the case of any other disposition), over

(ii) The adjusted basis of such property, shall be treated as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231. Such gain shall be recognized notwithstanding any other provision of this subtitle.

(2) *Applicable percentage.* For purposes of paragraph (1), the term "applicable percentage" means 100 percent minus 1 percentage point for each full month the property was held after the date on which the property was held 20 full months.

(b) *Additional depreciation defined.* For purposes of this section—(1) *In general.* The term "additional depreciation" means, in the case of any property, the depreciation adjustments in respect of such property; except that, in the case of property held more than one year, it means such adjustments only to the extent that they exceed the amount of the depreciation adjustments which would have resulted if such adjustments had been determined for each taxable year under the straight line method of adjustment. For purposes of the preceding sentence, if a useful life (or salvage value) was used in determining the amount allowed as a deduction for any taxable year, such life (or value) shall be used in determining the depreciation adjustments which would have resulted for such year under the straight line method.

(2) *Property held by lessee.* In the case of a lessee, in determining the depreciation adjustments which would have resulted in respect of any building erected (or other improvement made) on the leased property, or in respect of any cost of acquiring the lease, the lease period shall be treated as including all renewal periods. For purposes of the preceding sentence—

(A) The term "renewal period" means any period for which the lease may be renewed, extended, or continued pursuant to an option exercisable by the lessee, but

(B) The inclusion of renewal periods shall not extend the period taken into account by more than ⅔ of the period on the basis of which the depreciation adjustments were allowed.

(3) *Depreciation adjustments.* The term "depreciation adjustments" means, in respect of any property, all adjustments attributable to periods after December 31, 1963, reflected in the adjusted basis of such property on account of deductions (whether in respect of the same or other property) allowed or allowable to the taxpayer or to any other person for exhaustion, wear and tear, obsolescence, or amortization (other than amortization under sec. 168). For purposes of the preceding sentence, if the taxpayer can establish by adequate records or other sufficient evidence that the amount allowed as a deduction for any period was less than the amount allowable, the amount taken into account for such period shall be the amount allowed.

(c) *Section 1250 property.* For purposes of this section, the term "section 1250 property" means any real property (other than section 1245 property, as defined in section 1245(a)(3)) which is or has been property of a character subject to the allowance for depreciation provided in section 167.

(d) *Exceptions and limitations*—(1) *Gifts.* Subsection (a) shall not apply to a disposition by gift.

(2) *Transfers at death.* Except as provided in section 691 (relating to income in respect of a decedent), subsection (a) shall not apply to a transfer at death.

(3) *Certain tax-free transactions.* If the basis of property in the hands of a transferee is determined by reference to its basis in the hands of the transferor by reason of the application of section 332, 351, 361, 371(a), 374(a), 721, or 731, then the amount of gain taken into account by the transferor under subsection (a)(1) shall not exceed the amount of gain recognized to the transferor on the transfer of such property (determined without regard to this section). This paragraph shall not apply to a disposition to an organization (other than a cooperative described in section 521) which is exempt from the tax imposed by this chapter.

(4) *Like kind exchanges; involuntary conversions, etc.*—(A) *Recognition limit.* If property is disposed of and gain (determined without regard to this section) is not recognized in whole or in part under section 1031 or 1033, then the amount of gain taken into account by the transferor under subsection (a)(1) shall not exceed the greater of the following:

(i) The amount of gain recognized on the disposition (determined without regard to this section), increased as provided in subparagraph B, or

(ii) The amount determined under subparagraph C.

(B) *Increase for certain stock.* With respect to any transaction, the increase provided by this subparagraph is the amount equal to the fair market value of any stock purchased in a corporation which (but for this paragraph) would result in nonrecognition of gain under section 1033(a)(3)(A).

(C) *Adjustment where insufficient section 1250 property is acquired.* With respect to any transaction, the amount determined under this subparagraph shall be the excess of—

(i) The amount of gain which would (but for this paragraph) be taken into account under subsection (a)(1), over

(ii) The fair market value (or cost in the case of a transaction described in section 1033(a)(3)) of the section 1250 property acquired in the transaction.

(D) *Basis of property acquired.* In the case of property purchased by the taxpayer in a transaction described in section 1033(a)(3), in applying the last sentence of section 1033(c), such sentence shall be applied—

(i) First solely to section 1250 properties and to the amount of gain not taken into account under subsection (a)(1) by reason of this paragraph, and

(ii) Then to all purchased properties to which such sentence applies and to the remaining gain not recognized on the transaction as if the cost of the section 1250 properties were the basis of such properties computed under clause (i).

In the case of property acquired in any other transaction to which this paragraph applies, rules consistent with the preceding sentence shall be applied under regulations prescribed by the Secretary or his delegate.

(E) *Additional depreciation with respect to property disposed of.* In the case of any transaction described in section 1031 or 1033, the additional depreciation in respect of the section 1250 property acquired which is attributable to the section 1250 property disposed of shall be an amount equal to the amount of the gain which was not taken into account under subsection (a)(1) by reason of the application of this paragraph.

(5) *Section 1071 and 1081 transactions.* Under regulations prescribed by the Secretary or his delegate, rules consistent with paragraphs (3) and (4) of this subsection and with subsections (e) and (f) shall apply in the case of transactions described in section 1071 (relating to gain from sale or exchange to effectuate policies of FCC) or section 1081 (relating to exchanges in obedience to SEC orders).

(6) *Property distributed by a partnership to a partner*—(A) *In general.* For purposes of this section, the basis of section 1250 property distributed by a partnership to a partner shall be deemed to be determined by reference to the adjusted basis of such property to the partnership.

(B) *Additional depreciation.* In respect of any property described in subparagraph (A), the additional depreciation attributable to periods before the distribution by the partnership shall be—

(i) The amount of the gain to which subsection (a) would have applied if such property had been sold by the partnership immediately before the distribution at its fair market value at such time and the applicable percentage for the property had been 100 percent, reduced by

(ii) If section 751(b) applied to any part of such gain, the amount of such gain to which section 751(b) would have applied if the applicable percentage for the property had been 100 percent.

(7) *Disposition of principal residence.* Subsection (a) shall not apply to a disposition of—

(A) Property to the extent used by the taxpayer as his principal residence (within the meaning of section 1034, relating to sale or exchange of residence), and

(B) Property in respect of which the taxpayer meets the age and ownership requirements of section 121 (relating to gains from sale or exchange of residence of individual who has attained the age of 65) but only to the extent that he meets the use requirements of such section in respect of such property.

(e) *Holding period.* For purposes of determining the applicable percentage under this section, the provisions of section 1223 shall not apply, and the holding period of section 1250 property shall be determined under the following rules:

(1) *Beginning of holding period.* The holding period of section 1250 property shall be deemed to begin—

(A) In the case of property acquired by the taxpayer, on the day after the date of acquisition, or

(B) In the case of property constructed, reconstructed, or erected by the taxpayer, on the first day of the month during which the property is placed in service.

(2) *Property with transferred basis.* If the basis of property acquired in a transaction described in paragraph (1), (2), (3), or (5) of subsection (d) is determined by reference to its basis in the hands of the transferor, then the holding period of the property in the hands of the transferee shall include the holding period of the property in the hands of the transferor.

(3) *Principal residence.* If the basis of property acquired in a transaction described in paragraph (7) of subsection (d) is determined by reference to the basis in the hands of the taxpayer of other property, then the holding period of the property acquired shall include the holding period of such other property.

(f) *Special rules for property which is substantially improved*—(1) *Amount treated as ordinary income.* If, in the case of a disposition of section 1250 property, the property is treated as consisting of more than one element by reason of paragraph (3), then the amount taken into account under subsection (a)(1) in respect of such section 1250 property as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231 shall be the sum of the amounts determined under paragraph (2).

(2) *Ordinary income attributable to an element.* For purposes of paragraph (1), the amount taken into account for any element shall be the amount determined by multiplying—

(A) The amount which bears the same ratio to the lower of the amounts specified in subparagraph (A) or (B) of subsection (a)(1) for the section 1250 property as the additional depreciation for such element bears to the sum of the additional depreciation for all elements, by

(B) The applicable percentage for such element.

For purposes of this paragraph, determinations with respect to any element shall be made as if it were a separate property.

(3) *Property consisting of more than one element.* In applying this subsection in the case of any section 1250 property, there shall be treated as a separate element—

(A) Each separate improvement,

(B) If, before completion of section 1250 property, units thereof (as distinguished from improvements) were placed in service, each such unit of section 1250 property, and

(C) The remaining property which is not taken into account under subparagraphs (A) and (B).

(4) *Property which is substantially improved.* For purposes of this subsection—

(A) *In general.* The term "separate improvement" means each improvement added during the 36-month period ending on the last day of any taxable year to the capital account for the property, but only if the sum of the amounts added to such account during such period exceeds the greatest of—

(i) 25 percent of the adjusted basis of the property,

(ii) 10 percent of the adjusted basis of the property, determined without regard to the adjustments provided in paragraphs (2) and (3) of section 1016(a), or

(iii) $5,000.

For purposes of clauses (i) and (ii), the adjusted basis of the property shall be determined as of the beginning of the first day of such 36-month period, or of the holding period of the property (within the meaning of subsection (e)), whichever is the later.

(B) *Exception.* Improvements in any taxable year shall be taken into account for purposes of subparagraph (A) only if the sum of the amounts added to the capital account for the property for such taxable year exceeds the greater of—

(i) $2,000, or

(ii) One percent of the adjusted basis referred to in subparagraph (A)(ii), determined, however, as of the beginning of such taxable year.

For purposes of this section, if the amount added to the capital account for any separate improvement does not exceed the greater of clause (i) or (ii), such improvement shall be treated as placed in service on the first day, of a calendar month, which is closest to the middle of the taxable year.

(C) *Improvement.* The term "improvement" means, in the case of any section 1250 property, any addition to capital account for such property after the initial acquisition or after completion of the property.

(g) *Adjustments to basis.* The Secretary or his delegate shall prescribe such regulations as he may deem necessary to provide for adjustments to the basis of property to reflect gain recognized under subsection (a).

(h) *Application of section.* This section shall apply notwithstanding any other provisions of this subtitle.

* * * * *

[Sec. 1250 as added by sec. 231(a), Rev. Act 1964 (78 Stat. 100)]

§ 1.1250–1 Gain from dispositions of certain depreciable realty.

(a) *General*—(1) *Ordinary income.* In general, section 1250(a)(1) provides that, upon a disposition of an item of section 1250 property after December 31, 1963, the applicable percentage of the lower of—

(i) The additional depreciation (as defined in § 1.1250–2) in respect of the property, or

(ii) The excess of the amount realized on a sale, exchange, or involuntary conversion (or the fair market value of the property on any other disposition) over the adjusted basis of the property,

shall be treated as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231 (that is, shall be recognized as ordinary income). The amount of such gain shall be determined separately for each item (see subparagraph (2)(ii) of this paragraph) of section 1250 property. For relation of section 1250 to other provisions, see paragraph (b) of this section.

(2) *Meaning of terms.* (i) For purposes of section 1250, the term "disposition" shall have the same meaning as in paragraph (a)(3) of § 1.1245–1. "Section 1250 property" is, in general, depreciable real property other than section 1245 property. See paragraph (d) of this section. The term "applicable percentage" means 100 percent minus one percentage point for each full month the property was held after the date on which the property was held 20 full months. See paragraph (c) of this section. If, however, the property is considered to have two or more elements with separate holding periods (for example, because units thereof are placed in service on different dates, or improvements are made to the property), see the special rules of § 1.1250–5.

(ii) For purposes of applying section 1250, the facts and circumstances of each disposition shall be considered in determining what is the appropriate item of section 1250 property. In general, a building is an item of section 1250 property, but in an appropriate case more than one building may be treated as a single item. For manner of determining whether an expenditure shall be treated as an addition to the capital account of an item of section 1250 property or as a separate item of section 1250 property, see paragraph (c)(2)(iii) of § 1.1250–5.

(3) *Sale, exchange, or involuntary conversion.* (i) In the case of a disposition of section 1250 property by a sale, exchange, or involuntary conversion, the gain to which section 1250(a)(1) applies is the applicable percentage for the property multiplied by the lower of (*a*) the additional depreciation in respect of the property or (*b*) the excess (referred to as "gain realized") of the amount realized over the adjusted basis of the property.

(ii) The provisions of this subparagraph may be illustrated by the following example:

Example. Section 1250 property, which has an adjusted basis of $200,000, is sold for $290,000. At the time of the sale the additional depreciation in respect of the property is $130,000 and the applicable percentage is 60 percent. Since the gain realized ($90,000, that is, amount realized, $290,000, minus adjusted basis, $200,000) is lower than the additional depreciation ($130,000), the amount of gain recognized as ordinary income under section 1250(a)(1) is $54,000 (that is, 60 percent of $90,000). The remaining $36,000 ($90,000 minus $54,000) of the gain may be treated as gain from the sale or exchange of property described in section 1231.

(4) *Other dispositions.* (i) In the case of a disposition of section 1250 property other than by way of a sale, exchange, or involuntary conversion, the gain to which section 1250(a)(1) applies is the applicable percentage for the property multiplied by the lower of (*a*) the additional depreciation in respect of the property, or (*b*) the excess (referred to as "potential gain") of the fair market value of the property on the date of disposition over its adjusted basis. If property is transferred by a corporation to a shareholder for an amount less than its fair market value in a sale or exchange, for purposes of applying section 1250 such transfer shall be treated as a disposition other than by way of a sale, exchange, or involuntary conversion.

(ii) The provisions of this subparagraph may be illustrated by the following example:

Example. Assume the same facts as in the example in subparagraph (3)(ii) of this paragraph except that the property is distributed by a corporation to a stockholder in complete liquidation of the corporation and that at the time of the distribution the fair market value of the property is $370,000. Since the additional depreciation ($130,000) is lower than the potential gain of $170,000 (that is, fair market value, $370,000, minus adjusted basis, $200,000), the amount of gain recognized as ordinary income under section 1250(a)(1) is $78,000 (that is, 60 percent of $130,000) even though, in the absence of section 1250, section 311(a) would preclude recognition of gain to the corporation.

(5) *Instances of nonapplication.* (i) Section 1250(a)(1) does not apply to losses. Thus, section 1250(a)(1) does not apply if a loss is realized upon a sale, exchange, or involuntary conversion of property, all of which is considered section 1250 property, nor does the section apply to a disposition of such property other than by way of sale, exchange, or involuntary conversion if at the time of the disposition the fair market value of such property is not greater than its adjusted basis.

(ii) In general, in the case of section 1250 property with a holding period under section 1223 of more than 1 year, section 1250(a)(1) does not apply if for periods after December 31, 1963, there are no "depreciation adjustments in excess of straight line" (as computed under paragraph (b) of § 1.1250–2).

(iii) In a case in which section 1250 property (including each element thereof, if any) has a holding period under § 1.1250–4 (or paragraph (a)(2)(ii) of § 1.1250–5) of at least 10 years, section 1250(a)(1) does not apply. If within the 10-year period preceding the date the property is disposed of an element is added to the property by reason, for example, of an addition to capital account, see § 1.1250–5.

(6) *Allocation rule.* In the case of a sale, exchange, or involuntary conversion of section 1250 property and nonsection 1250 property in one transaction, the total amount realized upon the disposition shall be allocated between the section 1250 property and the other property in proportion to their respective fair market values. Such allocation shall be made in accordance with the principles set forth in paragraph (a)(5) of § 1.1245–1 (relating to allocation between section 1245 property and nonsection 1245 property).

(b) *Relation of section 1250 to other provisions*—(1) *General.* The provisions of section 1250 apply notwithstanding any other provision of subtitle A of the Code. See section 1250(h). Thus, unless an exception or limitation under section 1250(d) and § 1.1250–3 applies, gain under section 1250(a)(1) is recognized notwithstanding any contrary nonrecognition provision or income characterizing provision. For example, since section 1250 overrides section 1231 (relating to property used in the trade or business), the gain recognized under section 1250(a)(1) upon a disposition will be treated as ordinary income and only the remaining gain, if any, from the disposition may be considered as gain from the sale or exchange of a capital asset if section 1231 is applicable. See the example in paragraph (a)(3)(ii) of this section.

(2) *Nonrecognition sections overridden.* The nonrecognition provisions of subtitle A of the Code which section 1250 overrides include, but are not limited to, sections 267(d), 311(a), 336, 337, 501(a), and 512(b)(5). See section 1250(d) for the extent to which section 1250(a)(1) overrides sections 332, 351, 361, 371(a), 374(a), 721, 731, 1031, 1033, 1071, and 1081(b)(1) and (d)(1)(A). For amount of additional depreciation in respect of property disposed of by an organization exempt from income taxes (within the meaning of section 501(b)), see paragraph (d)(4)(iii) of § 1.1250–2.

(3) *Exempt income.* The fact that section 1250 provides for recognition of gain as ordinary income does not change into taxable income any income which is exempt under section 115 (relating to income of States, etc.), 892 (relating to income of foreign governments), or 894 (relating to income exempt under treaties).

(4) *Treatment of gain not recognized under section 1250.* Section 1250 does not prevent gain which is not recognized under section 1250 from being considered as gain under another provision of the Code, such as, for example, section 1239 (relating to gain from sale of depreciable property between certain related persons). Thus, for example, if section 1250 property which has an adjusted basis of $10,000 is sold for $17,500 in a transaction to which section 1239 applies, and if $5,000 of the gain would be recognized under section 1250(a)(1), then the remaining $2,500 of the gain would be treated as ordinary income under section 1239.

(5) *Normal retirement of asset in multiple asset account.* Section 1250(a)(1) does not require recognition of gain upon normal retirements of section 1250 property in a multiple asset account as long as the taxpayer's method of accounting, as described in paragraph (e)(2) of § 1.167(a)–8 (relating to accounting treatment of asset retirements), does not require recognition of such gain.

(6) *Installment method.* Gain from a disposition to which section 1250(a)(1) applies may be reported under the installment method if such method is otherwise available under section 453 of the Code. In such case, the income (other than interest) on each installment payment shall be deemed to consist of gain to which section 1250(a)(1) applies until all such gain has been reported, and the remaining portion (if any) of such income shall be deemed to consist of other gain. For treatment of amounts as interest on certain deferred payments, see section 483.

(c) *Applicable percentage*—(1) *Definition.* For purposes of this section and §§ 1.1250–2 through 1.1250–5, the term "applicable percentage" means—

(i) In case of property with a holding period of 20 full months or less, 100 percent;

(ii) In case of property with a holding period of more than 20 full months but less than 10 years, 100 percent minus 1 percentage point for each full month the property is held after the date on which the property is held 20 full months; and

(iii) In case of property with a holding period of at least 10 years, zero.

(2) *Holding period.* For purposes of subparagraph (1) of this paragraph, the holding period of property shall be determined under the rules of § 1.1250–4, and not under the rules of section 1223, notwithstanding that the property was acquired on or before December 31, 1963. In the case of a disposition of section 1250 property which consists of two or more elements (within the meaning of paragraph (b) of § 1.1250–5), the holding period for each element shall be determined under the rules of paragraph (a)(2)(ii) of § 1.1250–5.

(3) *Full month.* For purposes of this paragraph, the term "full month" (or "full months") means the period beginning on a date in 1 month and terminating on the date before the corresponding date in the next succeeding month (or in another succeeding month), or, if a particular succeeding month does not have such a corresponding date, terminating on the last day of such particular succeeding month.

(4) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). Property is purchased on January 17, 1962. Under paragraph (b)(1) of § 1.1250–4, its holding period begins on January 18, 1962, and thus at any time during the period beginning on October 17, 1963, and ending on November 16, 1963, the property is considered held 21 full months and has an applicable percentage of 99 percent. On and after January 17, 1972, the property has a holding period of at least 120 full months (10 years) and, therefore, the applicable percentage for the property is zero. Accordingly, no gain would be recognized under section 1250(a)(1) upon disposition of the property. If, however, the property consists of 2 or more elements, see the special rules of § 1.1250–5.

Example (2). Property is purchased on January 31, 1968. Under paragraph (b)(1) of § 1.1250–4 its holding period begins on February 1, 1968, and thus at any time during the period beginning on February 29, 1968, and ending on March 30, 1968, the property is considered held 1 full month. At any time during the period beginning on March 31, 1970, and ending on April 29, 1970, the property is considered held 26 full months. At any time during the period beginning on April 30, 1970, and ending on May 30, 1970, the property is considered held 27 full months.

(d) *Section 1250 property*—(1) *Definition.* The term "section 1250 property" means any real property (other than section 1245 property, as defined in § 1.1245–3) which is or has been property of a character subject to the allowance for depreciation provided in section 167. See section 1250(c).

(2) *Character of property.* For purposes of subparagraph (1) of this paragraph, the term "is or has been property of a character subject to the allowance for depreciation provided in section 167" shall have the same meaning as when used in paragraph (a)(1) and (3) of § 1.1245–3. Thus, if a father uses a house in his trade or business during a period after December 31, 1963, and then gives the house to his son as a gift for the son's personal use, the house is section 1250 property in the hands of the son. For exception to the application of section 1250(a)(1) upon disposition of a principal residence, see section 1250(d)(7).

(3) *Real property.* (i) For purposes of subparagraph (1) of this paragraph, the term "real property" means any property which is not personal property within the meaning of paragraph (b) of § 1.1245–3. The term section 1250 property includes three types of depreciable real property. The first type is intangible real property. For purposes of this paragraph, a leasehold of land or of section 1250 property is intangible real property, and accordingly such a leasehold is section 1250 property. However, a fee simple interest in land is not depreciable, and therefore is not section 1250 property. The second type is a building or its structural components within the meaning of paragraph (c) of § 1.1245–3. The third type is all other tangible real property except "property described in section 1245(a)(3)(B)" as defined in paragraph (c)(1) of § 1.1245–3 (relating to property used as an integral part of a specified activity or as a specified facility). An elevator or escalator (within the meaning of section 1245(a)(3)(C)) is not section 1250 property.

(ii) The provisions of this subparagraph may be illustrated by the following example:

Example. A owns and leases to B for a single lump-sum payment of $100,000 property consisting of land and a fully equipped factory building thereon. If 30 percent of the fair market value of such property is properly allocable to the land, 25 percent to section 1250 property (the building and its structural components), and 45 percent to section 1245 property (the equipment), then 55 percent of B's leasehold is section 1250 property.

(4) *Coordination with definition of section 1245 property.* Property may lose its character as section 1250 property and become section 1245 property. Thus, for example, if section 1250 property of the third type described in subparagraph (3)(i) of this paragraph is converted to use as an integral part of manufacturing, the property would lose its character as section 1250 property and would become section 1245 property. However, once property in the hands of a taxpayer is section 1245 property, it can never become section 1250 property in the hands of such taxpayer. See also paragraph (a)(4) and (5) of § 1.1245–2.

(e) *Treatment of partnerships and partners.* If a partnership disposes of section 1250 property, the amount of gain recognized under section 1250(a)(1) by the partnership and by a partner shall be determined in a manner consistent with the principles provided in paragraph (e) of § 1.1245–1. Thus, for example, a partner's distributive share of gain recognized by the partnership under section 1250(a)(1) shall be determined in the same manner as his distributive share of gain

recognized by the partnership under section 1245(a)(1) is determined, and, if required, additional depreciation in respect of section 1250 property shall be allocated to the partner in the same manner as the adjustments reflected in the adjusted basis of section 1245 property are allocated to the partner. For a further example, if on the date a partner acquires his partnership interest by way of a sale or exchange the partnership owns section 1250 property and an election under section 754 (relating to optional adjustment to basis of partnership property) is in effect with respect to the partnership, then such partner's additional depreciation in respect of such property on such date is deemed to be zero. For limitation on the amount of gain recognized under section 1250(a)(1) in respect of a partnership and for the amount of additional depreciation in respect of partnership property after certain transactions, see paragraph (f) of § 1.1250–3. For treatment of section 1250 property as an unrealized receivable, see section 751(c).

§ 1.1250–2 Additional depreciation defined.

(a) *In general*—(1) *Definition.* Except as otherwise provided in paragraph (e) of this section, the term "additional depreciation" means—

(i) In the case of property which at the time of dispositon has a holding period under section 1223 of not more than 1 year, the "depreciation adjustments" (as defined in paragraph (d) of this section) in respect of such property for periods after December 31, 1963, and

(ii) In the case of property which at the time of disposition has a holding period under section 1223 of more than 1 year, the depreciation adjustments in excess of straight line for periods after December 31, 1963, computed under paragraph (b) of this section.

(2) *Allocation to periods after December 31, 1963.* With respect to a taxable year beginning in 1963 and ending in 1964, the amount of depreciation adjustments or of depreciation adjustments in excess of straight line (as the case may be) shall be ascertained by applying the principles of paragraph (c)(3) of § 1.167(a)–8 (relating to determination of adjusted basis of retired asset), and the amount determined in such manner shall be allocated on a daily basis in order to determine the portion thereof which is attributable to a period after December 31, 1963.

(b) *Computation of depreciation adjustments in excess of straight line*—(1) *General rule.* Depreciation adjustments in excess of straight line shall be, in the case of any property, the excess of (i) the sum of the "depreciation adjustments" (as defined in paragraph (d) of this section) in respect of the property attributable to periods after December 31, 1963, over (ii) the sum such adjustments would have been for such periods if such adjustments had been determined for the entire period the property was held under the straight line method of depreciation (or, if applicable, under the lease-renewal-period provision in paragraph (c) of this section). Depreciation in excess of straight line may arise, for example, if the declining balance method, the sum of the years-digits method, or the units of production method is used, or for another example, if the cost of a leasehold improvement or of a leasehold is depreciated over a period which does not take into account certain renewal periods referred to in paragraph (c) of this section. For computations of depreciation adjustments in excess of straight line (or a deficit therein) both on an annual basis and on the basis of the entire period the property was held, see subparagraph (4) of this paragraph.

(2) *Useful life and salvage value.* For purposes of computing under subparagraph (1)(ii) of this paragraph the sum the depreciation adjustments would have been under the straight line method, if a useful life (or salvage value) was used in determining the amount allowed as a depreciation adjustment for any taxable year, such life (or value) shall be used in determining the amount such depreciation adjustment would have been for such taxable year under the straight line method. If, however, for any taxable year a method of depreciation was used as to which a useful life was not taken into account such as, for example, the units of production method, or as to which salvage value was not taken into account in determining the annual allowances, such as, for example, the declining balance method or the amortization of a leasehold improvement over the term of a lease, then, for the purpose of determining the amount such depreciation adjustment would have been under the straight line method for such taxable year—

(i) There shall be used the useful life (or salvage value) which would have been proper if depreciation had actually been determined under the straight line method throughout the period the property was held, and

(ii) Such useful life (or such salvage value) shall be determined by taking into account for each taxable year the same facts and circumstances as would have been taken into account if the taxpayer had used such method throughout the period the property was held.

(3) *Property held before January 1, 1964.* In the case of property held before January 1, 1964—

(i) For purposes of computing under subparagraph (1)(ii) of this paragraph the sum the depreciation adjustments would have been under the straight line method, the adjusted basis of the property on such date shall be the amount such adjusted basis would have been if depreciation deductions allowed or allowable before such date had been determined under the straight line method computed in accordance with subparagraph (2) of this paragraph, and

(ii) The depreciation adjustments in excess of straight line in respect of the property computed under this paragraph, but without regard to this subdivision, shall be reduced by the amount of depreciation adjustments less than straight line for periods before January 1, 1964, that is, by the excess (if any) of the sum the depreciation adjustments would have been for periods before January 1, 1964, under the straight line method, over the sum of the depreciation adjustments attributable to periods before such date.

(4) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). A calendar year taxpayer sells section 1250 property on February 1, 1968, which he purchased for $10,000 on January 1, 1963. For the period of 1963 through 1967 he computed depreciation deductions in respect of the property under the declining balance method using a rate of 200 percent of the straight line rate and a useful life of 10 years. Under such method salvage value is not taken into account in computing annual allowances. For purposes of applying subparagraph (2) of this paragraph, if the taxpayer had used the straight line method for such period, he would have used a salvage value of $1,000, and the depreciation under the straight line method would have been $900 each year, that is, one-tenth of $10,000 minus $1,000. As of January 1, 1968, the additional depreciation for the property is $1,123, as computed in the table below:

Year	Actual depreciation	Straight line	Additional depreciation (deficit)
1963	$2,000	$900	----------
1964	1,600	900	$700
1965	1,280	900	380
1966	1,024	900	124
1967	819	900	(81)
1968	0	0	0
Sum for periods after Dec. 31, 1963	4,723	3,600	1,123

Example (2). Assume the same facts as in example (1) except that the taxpayer sells the section 1250 property on February 15, 1970. Assume further that as of January 1, 1968, the taxpayer elects under section 167(e)(1) to change to the straight line method. On that date the adjusted basis of the property is $3,277 ($10,000 minus $6,723). He redetermines the remaining useful life of the property to be 8 years and its salvage value to be $77, and thus takes depreciation deductions for 1968 and 1969 of $400 (the amount allowable) for each such year, that is, one-eighth of $3,200 (that is, $3,277 minus $77). For purposes of applying subparagraph (2) of this paragraph, if he had used the straight line method throughout the period he held the property, the adjusted basis of the property on January 1, 1968, would have been $5,500 ($10,000 minus $4,500), and the depreciation which would have resulted under such method for 1968 and 1969 would have been $678 for each such year, that is, one-eighth of $5,423 ($5,500 minus $77). As of February 15, 1970, the additional depreciation for the property is $567, as computed in the table below:

Years	Depreciation	Straight line	Additional depreciation (deficit)
1964 through 1967	$4,723	$3,600	$1,123
1968	400	678	(278)
1969	400	678	(278)
1970	0	0	0
Sum for periods after Dec. 31, 1963	5,523	4,956	567

(c) *Property held by lessee*—(1) *Amount depreciation would have been.* For purposes of paragraph (b)(1)(ii) of this section, in case of a leasehold which is section 1250 property, in determining the amount the depreciation adjustments would have been under the straight line method in respect of any building or other improvement (which is section 1250 property) erected or made on the leased property, or in respect of any cost of acquiring the lease, the lease period shall be treated as including all renewal periods. See section 1250(b)(2). For determination of the extent to which a leasehold is section 1250 property, see paragraph (d)(3) of § 1.1250–1.

(2) *Renewal period.* (i) For purposes of this paragraph, the term "renewal period" means any period for which the lease may be renewed, extended, or continued pursuant to an option or options exercisable by the lessee (whether or not specifically provided for in the lease) except that the inclusion of one or more renewal periods shall not extend the period taken into account by more than two-thirds of the period on the basis of which the depreciation adjustments were allowed.

(ii) In respect of the cost of any building erected (or other improvement made) on the leased property by the lessee, or in respect of the portion of the cost of acquiring a leasehold which is attributable to an existing building (or other improvement) on the leasehold at the time the lessee acquires the leasehold, the inclusion of one or more renewal periods shall not extend the period taken into account to a period which exceeds the useful life remaining, at the time the leasehold is disposed of, of such building (or such other improvement). Determinations under this subdivision shall be made without regard to the proper period under section 167 or 178 for depreciating or amortizing a leasehold acquisition cost or improvement.

(iii) The provisions of this subparagraph may be illustrated by the following example:

Example. Assume that a leasehold improvement with a useful life of 30 years is properly amortized on the basis of a 10-year initial lease term. The lease is renewable for an additional 9 years. The period taken into account is 16⅔ years, that is, 10 years plus two-thirds of 10 years. If, however, the leasehold improvement were disposed of at the end of 12 years, and if its remaining useful life were only 3 years, then the period taken into account would be 15 years.

(d) *Depreciation adjustments*—(1) *General.* For purposes of this section, the term "depreciation adjustments" means, in respect of any property, all adjustments reflected in the adjusted basis of such property on account of deductions described in subparagraph (2) of this paragraph allowed or allowable (whether in respect of the same or other property) to the taxpayer or to any other person. For cases where the taxpayer can establish that the amount allowed for any period was less than the amount allowable, see subparagraph (4) of this paragraph. For determination of adjusted basis of property in a multiple asset account, see paragraph (c)(3) of § 1.167(a)–8. The term "depreciation adjustments" as used in this section does not have the same meaning as the term "adjustments reflected in the adjusted basis" as defined in paragraph (a)(2) of § 1.1245–2.

(2) *Deductions.* The deductions described in this subparagraph are allowances (and amounts treated as allowances) for depreciation or amortization (other than amortization of emergency facilities under sec. 168). Thus, for example, such deductions include a reasonable allowance for exhaustion, wear, and tear (including a reasonable allowance for obsolence) under section 167, the periodic deductions referred to in § 1.162–11 in respect of a specified sum paid for the acquisition of a leasehold and in respect of the cost to a lessee of improvements on property of which he is the lessee. However, such deductions do not include deductions for the periodic payment of rent.

(3) *Depreciation of other taxpayers or in respect of other property.* (i) The depreciation adjustments (reflected in the adjusted basis) referred to in subparagraph (1) of this paragraph (*a*) are not limited to adjustments with respect to the property disposed of, nor to those allowed or allowable to the taxpayer disposing of such property, and (*b*) except as provided in subparagraph (4) of this paragraph, are taken into account, whether allowed or allowable in respect of the same or other property and whether to the taxpayer or to any other person. For manner of determining the amount of additional depreciation after certain dispositions, see paragraph (e) of this section.

(ii) The provisions of this subparagraph may be illustrated by the following example:

Example. On January 1, 1966, a calendar year taxpayer purchases for $100,000 a building for use in his trade or business. He takes depreciation deductions of $20,000 (the amount allowable), of which $3,000 is additional depreciation, and transfers the building to his son as a gift on January 1, 1968. Since the exception for gifts in section 1250(d)(1) applies, the taxpayer does not recognise gain under section 1250(a)(1). In the son's adjusted basis of $80,000 for the building there is reflected $3,000 of additional depreciation. On January 1, 1969, after taking a depreciation deduction of $10,000 (the amount allowable), of which $1,000 is additional depreciation, the son sells the building. At the time of the sale the additional depreciation is $4,000 ($3,000 allowed the father plus $1,000 allowed the son).

(4) *Depreciation allowed or allowable.* (i) For purposes of subparagraph (1) of this paragraph, generally all deductions (described in subparagraph (2) of this paragraph) allowed or allowable shall be taken into account. See section 1016(a)(2) and the regulations thereunder for the meaning of "allowed" and "allowable." However, if a taxpayer can establish by adequate records or other sufficient evidence that the amount allowed for any period was less than the amount allowable for such period, the amount to be taken into account for such period shall be the amount allowed. The preceding sentence shall not apply for purposes of computing under paragraph (b)(1)(ii) of this section the amount such deductions would have been under the straight line method.

(ii) The provisions of subdivision (i) of this subparagraph may be illustrated by the following example:

Example. In the year 1969 it becomes necessary to determine the additional depreciation in respect of section 1250 property, the adjusted basis of which reflects a depreciation adjustment of $1,000 with respect to depreciation deductions allowable for the calendar year 1965 under the sum of the years-digits method. Under paragraph (b) of this section, the depreciation which would have resulted under the straight line method for 1965 is $800. If the taxpayer can establish by adequate records or other sufficient evidence that he did not take, and was not allowed, any deduction for depreciation in respect of the property in 1965, then, for purposes of computing the depreciation adjustments in excess of straight line in respect of the property, the amount to be taken into account for 1965 as allowed or allowable is zero, and the amount to be taken into account in computing deductions which would have resulted under the straight line method in 1965 is $800. Thus, in effect, there is a deficit in additional depreciation for 1965 of $800.

(5) *Retired or demolished property.* Depreciation adjustments referred to in subparagraph (1) of this paragraph generally do not include adjustments in respect of retired or demolished portions of an item of section 1250 property. If a retired or demolished portion is replaced in a disposition described in section 1250(d)(4)(A) (relating to like kind exchanges and involuntary conversions), see paragraph (d)(7) of § 1.1250–3.

(6) *Exempt organization.* In respect of property disposed of by an organization which is or was exempt from income taxes (within the meaning of section 501(b)), the depreciation adjustments (reflected in the adjusted basis) referred to in subparagraph (1) of this paragraph shall include only adjustments allowed or allowable (*a*) in computing unrelated business taxable income (as defined in section 513(a)), or (*b*) in computing taxable income of a person for a period such person was not exempt or, by reason of the application of section 502, 503, or 504, was denied its exemption.

(e) *Additional depreciation immediately after certain acquisitions*—(1) *Zero.* If on the date a person acquires property his basis for the property is determined solely (i) by reference to its cost (within the meaning of sec. 1012), (ii) by reason of the application of section 301(d) (relating to basis of property received in corporate distribution) or section 334(a) (relating to basis of property received in a liquidation in which gain or loss is recognized), or (iii) under the rules of section 334(b)(2) or (c) (relating to basis of property received in certain corporate liquidations), then on such date the additional depreciation for the property is zero.

(2) *Transactions referred to in section 1250(d).* In the case of property acquired in a disposition described in section 1250(d) (relating to exceptions and limitations to application of section 1250), additional depreciation shall be computed in accordance with the rules prescribed in § 1.1250–3.

(f) *Records to be kept and information to be filed*—(1) *Records to be kept.* In any case in which it is necessary to determine the additional depreciation of an item of section 1250 property, the taxpayer shall have available permanent records of all the facts necessary to determine with reasonable accuracy the amount of such additional depreciation, including the following—

(i) The date, and the manner in which, the property was acquired,

(ii) The taxpayer's basis on the date the property was acquired and the manner in which the basis was determined,

(iii) The amount and date of all adjustments to the basis of the property allowed or allowable to the taxpayer for depreciation adjustments referred to in paragraph (d)(1) of this section and the amount and date of any other adjustments by the taxpayer to the basis of the property, and

(iv) In the case of section 1250 property which has an adjusted basis reflecting depreciation adjustments referred to in paragraph (d)(1) of this section taken by the taxpayer with respect to other property, or by another taxpayer with respect to the same or other property, the information described in subdivisions (i), (ii), and (iii) of this subparagraph with respect to such other property or such other taxpayer.

(2) *Information to be filed.* If a taxpayer acquires in a transaction (other than a like kind exchange or involuntary conversion described in section 1250(d)(4)) section 1250 property which has a basis reflecting depreciation adjustments referred to in paragraph (d)(1) of this section allowed or allowable to another taxpayer, then the taxpayer shall file with its income tax return or information return for the taxable year in which the property is acquired a statement showing all information described in subparagraph (1) of this paragraph. See section 6012 (relating to persons required to make returns of income) and part III of subchapter A of chapter 61 of the Code (relating to information returns).

§ 1.1250–3 Exceptions and limitations.

(a) *Exception for gifts*—(1) *General rule.* Section 1250(d)(1) provides that no gain shall be recognized under section 1250(a)(1) upon a disposition by gift. For purposes of this paragraph, the term "gift" shall have the same meaning as in paragraph (a) of § 1.1245–4. For reduction in amount of charitable contribution in case of a gift of section 1250 property, see section 170(e) and paragraph (c)(3) of § 1.170–1.

(2) *Disposition in part a sale or exchange and in part a gift.* Where a disposition of property is in part a sale or exchange and in part a gift, the gain to which section 1250(a)(1) applies, as computed under paragraph (a)(3) of § 1.1250–1, is the applicable percentage of the lower of (i) the additional depreciation (as defined in § 1.1250–2 in respect of the property), or (ii) the gain realized.

(3) *Treatment of property in hands of transferee.* If property is disposed of in a transaction which is a gift—

(i) The additional depreciation for the property in the hands of the transferee immediately after the disposition shall be an amount equal to (*a*) the amount of the additional depreciation for the property in the hands of the transferor immediately before the disposition, minus (*b*) the amount of any gain (in case the disposition is in part a sale or exchange and in part a gift) taken into account under section 1250(a)(1) by the transferor upon the disposition,

(ii) For purposes of computing the applicable percentage, the holding period under section 1250(e)(2) of property received as a gift in the hands of the transferee includes the transferor's holding period,

(iii) In case of a disposition which is in part a sale or exchange and in part a gift, if the adjusted basis of the property in the hands of the transferee exceeds its adjusted basis immediately before the transfer, the excess is an addition to capital account under paragraph (c)(2)(ii) of § 1.1250–5 (relating to property with 2 or more elements), and

(iv) If the property disposed of consists of two or more elements within the meaning of paragraph (b) of § 1.1250–5, see paragraph (d)(1) of § 1.1250–5 for the amount of additional depreciation and holding period for each element in the hands of the transferee.

(4) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). (i) Smith transfers section 1250 property to his son for $45,000. In the hands of Smith the property had an adjusted basis of $40,000 and a fair market value of $70,000. Thus, the gain realized is $5,000 (amount realized, $45,000, minus adjusted basis, $40,000), and Smith has made a gift of $25,000 (fair market value, $70,000, minus amount realized, $45,000).

(ii) Smith's holding period for the property is 80 full months and, thus, the applicable percentage is 40 percent. The additional depreciation for the property is $10,000. Since the gain realized ($5,000) is lower than the additional depreciation ($10,000), Smith recognized as ordinary income under section 1250(a)(1) gain of $2,000 (that is, applicable percentage, 40 percent, multiplied by gain realized, $5,000) and the $3,000 remaining portion of the gain realized may be treated as gain from the sale of property described in section 1231.

(iii) On the date the son receives the property, the additional depreciation for the property in his hands is $8,000, that is, the additional depreciation for the property in the hands of the father immediately before the transfer ($10,000), minus the gain recognized under section 1250(a)(1) upon the transfer ($2,000); for purposes of computing applicable percentage his holding period is his father's holding period of 80 full months; and under § 1.1015–4 his unadjusted basis for the property is $45,000, that is, the amount he paid ($45,000) plus the excess (zero) of his father's adjusted basis over such amount.

(iv) The son sells the property for $80,000 10 full months after he received it from his father. Thus, his holding period is 90 full months (his father's holding period of 80 full months plus the 10 full months the son actually owned the property) and the applicable percentage is 30 percent. Assume that no depreciation was allowed or allowable to the son. Thus, the son's adjusted basis and additional depreciation for the property on the date of the sale is the same as on the date he received it. Accordingly, the gain realized is $35,000 (selling price of $80,000, minus adjusted basis of $45,000). Since the additional depreciation ($8,000) is lower than the gain realized ($35,000), the son recognizes as ordinary income under section 1250(a)(1) gain of $2,400, that is, applicable percentage (30 percent) multiplied by additional depreciation ($8,000).

Example (2). Assume the same facts as in example (1), except that the son sells the property 25 full months after he received it from his father. Thus, his holding period is 105 full months (his father's holding period of 80 full months plus the 25 full months the son actually owned the property) and the applicable percentage is 15 percent. Assume further that on the date of the sale the adjusted basis of the property is $39,000, and that for the period the son actually owned the property there is a deficit in additional depreciation of $5,000. Accordingly, the gain realized is $41,000 (selling price of $80,000, minus adjusted basis of $39,000), and the additional depreciation for the property is $3,000 (that is, the additional depreciation for the property in the hands of the son on the date he received it, as determined in example (1), $8,000, minus the amount of the deficit in additional depreciation for the period the son actually owned the property, $5,000). Since the additional depreciation ($3,000) is lower than the gain realized ($41,000), the son recognizes as ordinary income under section 1250(a)(1) gain of $450, that is, applicable percentage (15 percent), multiplied by additional depreciation ($3,000).

(b) *Exception for transfers at death*—(1) *General rule.* Section 1250(d)(2) provides that, except as provided in section 691 (relating to income in respect of a decedent), no gain shall be recognized under section 1250(a)(1) upon a transfer at death. For purposes of this paragraph, the term "transfer at death" shall have the same meaning as in paragraph (b) of § 1.1245–4.

(2) *Treatment of transferee.* (i) If as of the date a person acquires property from a decedent such person's basis is determined, by reason of the application of section 1014(a), solely by reference to the fair market value of the property on the date of the decedent's death or on the applicable date provided in section 2032 (relating to alternate valuation date), then (*a*) on such date the additional depreciation for the property is zero, and (*b*) for purposes of computing applicable percentage the holding period of the property under section 1250(e)(1)(A) is deemed to begin on the day after such date.

(ii) If property is acquired in a transfer at death to which section 1250(d)(2) applies, the amount of the additional depreciation for the property in the hands of the transferee immediately after the transfer shall be the amount (if any) of the additional depreciation in respect of the property allowed the transferee before the decedent's death, but only to the extent that the basis of the property (determined under section 1014(a)) is required to be reduced under the second sentence of section 1014(b)(9) (relating to adjustments to basis where property is acquired from a decedent prior to his death) by depreciation adjustments referred to in paragraph (d)(1) of § 1.1250–2 which give rise to such additional depreciation. For treatment of such property as having a special element with additional depreciation so computed, see paragraph (b)(5)(i) of § 1.1250–5 (relating to property with two or more elements). For purposes of determining applicable percentage, such special element shall have a holding period which includes the transferee's holding period for such property for the period before the decedent's death.

(3) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). On March 6, 1966, Smith dies owning an item of section 1250 property. On March 7, 1968, the executor distributes the property to Smith's son pursuant to a specific bequest of the property in Smith's will. Under section 1014(a)(2) and paragraph (a)(2) of § 1.1014–4, the unadjusted basis of the property in the hands of the son is its fair market value on March 6, 1966 (the date Smith died), and the son is considered to have acquired the property on such date. Under section 1250(e)(1)(A), the son's holding period for the property begins on March 7, 1966 (the day after the day he is considered to have acquired the property). Thus, on March 7, 1968 (the date the property was distributed to the son), the holding period for the property is 24 full months, and the applicable percentage is 96 percent. On such date, the additional depreciation for the property includes any additional depreciation in respect of the property for the period the property was possessed by the estate.

Example (2). H purchases section 1250 property in 1965 which he immediately conveys to himself and W, his wife, as tenants by the entirety. Under local law each spouse is entitled to one-half the income from the property. H and W file joint income tax returns for calendar years 1965, 1966, and 1967. Over the 3 years, depreciation allowed in respect of the property was $4,000 (the amount allowable), of which $500 is additional depreciation. One-half of these amounts are allocable to W. Thus, depreciation deductions of $2,000, of which $250 is additional depreciation, are allowable to W. On January 1, 1968, H dies and the entire value of the property at the date of death is included in H's gross estate. Since W's basis for the property (determined under section 1014(a)) is reduced (under the second sentence of section 1014(b)(9)) by the $2,000 depreciation deductions allowed W before H's death of which $250 is additional depreciation, the additional depreciation for the property in the hands of W immediately after H's death is $250.

(c) *Limitation for certain tax-free transactions*—(1) *General.* Section 1250(d)(3) provides that upon a transfer of property described in subparagraph (2) of this paragraph, the amount of gain taken into account by the transferor under section 1250(a)(1) shall not exceed the amount of gain recognized to the transferor on the transfer (determined without regard to section 1250). For purposes of this subparagraph, in case of a transfer of both section 1250 property and nonsection 1250 property in one transaction, the amount realized from the disposition of the section 1250 property shall be deemed to consist of that portion of the fair market value of each property acquired which bears the same ratio to the fair market value of such acquired property as the amount realized from the disposition of the section 1250 property bears to the total amount realized. The preceding sentence shall be applied solely for purposes of computing the portion of the total gain (determined without regard to section 1250) which shall be recognized as ordinary income under section 1250(a)(1). Section 1250(d)(3) does not apply to a disposition of property to an organization (other than a cooperative described in section 521) which is exempt from the tax imposed by chapter 1 of the Code.

(2) *Transfers covered.* The transfers described in this subparagraph are transfers of property in which the basis of the property in the hands of the transferee is determined by reference to its basis in the hands of the transferor by reason of the application of any of the following provisions:

(i) Section 332 (relating to distributions in complete liquidation of an 80 percent or more controlled subsidiary corporation). For application of section 1250(d)(3) to such a complete liquidation, the principles of paragraph (c)(3) of § 1.1245–4 shall apply.

(ii) Section 351 (relating to transfer to a corporation controlled by transferor).

(iii) Section 361 (relating to exchanges pursuant to certain corporate reorganizations).

(iv) Section 371(a) (relating to exchanges pursuant to certain receivership and bankruptcy proceedings).

(v) Section 374(a) (relating to exchanges pursuant to certain railroad reorganizations).

(vi) Section 721 (relating to transfers to a partnership in exchange for a partnership interest).

(vii) Section 731 (relating to distributions by a partnership to a partner). For special carryover basis rule, see section 1250(d)(6)(A) and paragraph (f)(1) of this section.

(3) *Treatment of property in hands of transferee.* In the case of a transfer described in subparagraph (2) (other than subdivision (vii) thereof) of this paragraph—

(i) The additional depreciation for the property in the hands of the transferee immediately after the disposition shall be an amount equal to (*a*) the amount of the additional depreciation for the property in the hands of the transferor immediately before the disposition, minus (*b*) the amount of any gain taken into account under section 1250(a)(1) by the transferor upon the disposition,

(ii) For purposes of computing applicable percentage, the holding period under section 1250(e)(2) of the property in the hands of the transferee includes the transferor's holding period,

(iii) If the adjusted basis of the property in the hands of the transferee exceeds its adjusted basis immediately before the transfer, the excess is an addition to capital account under paragraph (c)(2)(ii) of § 1.1250–5 (relating to property with 2 or more elements), and

(iv) If the property disposed of consists of two or more elements within the meaning of paragraph (b) of § 1.1250–5, see paragraph (d)(1) of § 1.1250–5 for the amount of additional depreciation and the holding period for each element in the hands of the transferee.

(4) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). (i) Green transfers section 1250 property to a corporation, which is not exempt from taxation, in exchange for cash of $11,000, and stock in the corporation worth $89,000, in a transaction qualifying under section 351. Thus, the amount realized is $100,000 ($11,000 plus $89,000). The property has an applicable percentage of 60 percent, an adjusted basis of $40,000, and additional depreciation of $20,000. The gain realized is $60,000, that is, amount realized ($100,000) minus adjusted basis ($40,000). Since the additional depreciation ($20,000) is lower than the gain realized ($60,000), the amount of gain which would be treated as ordinary income under section 1250(a)(1) would be $12,000 (60 percent of $20,000) if the limitation provided in section 1250(d)(3) did not apply. Since under section 351(b) gain in the amount of $11,000 would be recognized to the transferor without regard to section 1250, the limitation provided in section 1250(d)(3) limits the gain taken into account by the transferor under section 1250(a)(1) to $11,000.

(ii) The amount of additional depreciation for the property in the hands of the transferee immediately after the transfer is $9,000, that is, the amount of additional depreciation before the transfer (20,000) minus the gain recognized under section 1250(a)(1) upon the transfer ($11,000). (If the property is subsequently disposed of, and for the period after the initial transfer there is additional depreciation in respect of the property, then at the time of the subsequent disposition the additional depreciation will exceed $9,000. If, however, for the period after the initial transfer there was a deficit in additional depreciation, then at the time of the subsequent disposition the additional depreication would be less than $9,000.)

Example (2). (i) Assume the same facts as in example (1) except that the additional depreciation is $10,000. Since additional depreciation ($10,000) is lower than the gain realized ($60,000), the amount of gain which would be treated as ordinary income under section 1250(a)(1) would be $6,000 (60 percent of $10,000) if the limitation provided in section 1250(d)(3) did not apply. Since under section 351(b) gain in the amount of $11,000 would be recognized to the transferor without regard to section 1250, the limitation under section 1250(d)(3) does not prevent treatment of the entire $6,000 as ordinary income under section 1250(a)(1). The $5,000 remaining portion of the $11,000 gain realized may be treated as gain from the sale of property described in section 1231.

(ii) Immediately after the transfer, the amount of additional depreciation is $4,000, that is, the amount of additional depreciation before the transfer ($10,000) minus the gain recognized under section 1250(a)(1) upon the transfer ($6,000).

(d) *Limitation for like kind exchanges and involuntary conversions*—(1) *Limitation on gain.* (i) Under section 1250(d)(4)(A), if property is disposed of and gain (determined without regard to section 1250) is not recognized in whole or in part under section 1031 (relating to like kind exchanges) or section 1033 (relating to involuntary conversions),

then the amount of gain taken into account by the transferor under section 1250(a)(1) shall not exceed the greater of the two limitations set forth in subdivisions (ii) and (iii) of this subparagraph. Immediately after the transfer the basis of the acquired property shall be determined under subparagraph (2), (3), or (4) (whichever is applicable) of this paragraph, and its additional depreciation shall be computed under subparagraph (5) of this paragraph. The holding period of the acquired property for purposes of computing applicable percentage, which is determined under section 1250(e)(1), does not include the holding period of the property disposed of. In case of a disposition of section 1250 property and other property in one transaction, see subparagraph (6) of this paragraph. In case of a disposition described in section 1250(d)(4)(A) of a portion of this item of property, see subparagraph (7) of this paragraph.

(ii) For purposes of this subparagraph, the first limitation is the sum of—

(*a*) The amount of gain recognized on the disposition under section 1031 or 1033 (determined without regard to section 1250), plus

(*b*) An amount equal to the cost of any stock purchased in a corporation which (without regard to section 1250) would result in nonrecognition of gain under section 1033(a)(3)(A).

(iii) For purposes of this subparagraph, the second limitation is the excess (if any) of—

(*a*) The amount of gain which would (without regard to section 1250(d)(4)) be taken into account under section 1250(a)(1), over

(*b*) The fair market value (or cost in the case of a transaction described in section 1033(a)(3)) of the section 1250 property acquired in the transaction.

(iv) The provisions of this subparagraph may be illustrated by the following example:

Example. A taxpayer receives $96,000 of insurance proceeds upon the destruction of section 1250 property by fire. If section 1250(d)(4)(A) did not apply to the disposition, $16,000 of gain would be recognized under section 1250(a)(1). In acquisitions qualifying under section 1033(a)(3)(A), he uses $90,000 of the proceeds to purchase property similar or related in service or use to the property destroyed, of which $42,000 is for one item of section 1250 property and $48,000 is for one piece of land, and $5,000 of the proceeds to purchase stock in the acquisition of control of a corporation owning property similar or related in service or use to the property destroyed. The taxpayer properly elects under section 1033(a)(3)(A) and the regulations thereunder to limit recognition of gain (determined without regard to section 1250) to $1,000, that is, the excess of the amount realized from the conversion ($96,000) over the cost of the property acquired in acquisitions qualifying under section 1033(a)(3)(A) ($95,000, that is, $90,000 plus $5,000). The amount of gain recognized under section 1250(a)(1) is $6,000, determined in the following manner:

The first limitation:

(*a*) Amount of gain recognized under section 1033(a)(3), determined without regard to section 1250(a)(1)	$1,000
(*b*) Fair market value of stock in a corporation which qualifies under section 1033(a)(3)(A)	5,000
(*c*) Sum of (*a*) plus (*b*)	$6,000

The second limitation:

(*d*) Amount of gain which would be recognized under section 1250(a)(1) if section 1250(d)(4) did not apply	$16,000
(*e*) Cost of section 1250 property acquired in transaction	42,000
(*f*) Excess of (*d*) over (*e*)	0

Since the first limitation ($6,000) exceeds the second limitation (zero), the amount of gain recognized under section 1250(a)(1) is $6,000. The balance ($10,000) of the gain realized ($16,000) is not recognized.

(2) *Basis of property purchased upon involuntary conversion into money.* (i) If section 1250 property is purchased in a compulsory or involuntary conversion to which section 1033(a)(3) applies, and if by reason of the application of section 1250(d)(4)(A) all or part of the gain computed under section 1250(a)(1) is not taken into account, then the basis of the section 1250 property and other purchased property shall be determined under the rules prescribed in this subparagraph. See section 1250(d)(4)(D).

(ii) The total basis of all purchased property, the acquisition of which results in the nonrecognition of any part of the gain realized upon the transaction, shall be (*a*) its cost, reduced by (*b*) the portion of the total gain realized which was not recognized. Since under section 1250(d)(4)(A) the purchase of stock in a corporation does not result in such nonrecognition, the basis of purchased stock is its cost.

(iii) If purchased property consists of both section 1250 property and other property, the total basis computed under subdivision (ii) of this subparagraph shall be allocated between the section 1250 property (treated as a class) and the other property (treated as a class) in proportion to their respective costs, except that for purposes of this subdivision (but not subdivision (iv) of this subparagraph) the cost of the section 1250 property shall be deemed to be the excess of (*a*) its actual cost, over (*b*) the gain not taken into account under section 1250(a)(1) by reason of the application of section 1250(d)(4)(A).

(iv) If the property acquired consists of more than one item of section 1250 property (or of more than one item of other property), the total basis of the section 1250 property (or of the other property), as computed under subdivisions (ii) and (iii) of this subparagraph, shall be allocated to each item of section 1250 property (or other property) in proportion to their respective actual costs.

(v) The provisions of this subparagraph may be illustrated by the following examples:

Example (1). Assume the same facts as in the example in subparagraph (1)(iv) of this paragraph. Assume further that the portion of the gain realized which was not recognized under section 1033(a)(3) or 1250(a)(1) upon the transaction is $60,000, of which the gain computed under section 1250(a)(1) which is not taken into account by reason of the application of section 1250(d)(4)(A) is $10,000, that is, the excess of the gain which would have been recognized under section 1250(a)(1) if section 1250(d)(4)(A) did not apply ($16,000) over the gain recognized under section 1250(a)(1) ($6,000). In such example $95,000 of proceeds were used to purchase property in acquisitions qualifying under section 1033(a)(3)(A) of which $42,000 was for section 1250 property, $48,000 for land, and $5,000 for stock in a corporation. The basis of each acquired property is determined in the following manner:

(*a*) Under subdivision (ii) of this subparagraph, the total basis of the acquired properties (other than the stock) is $30,000, that is, their cost ($90,000, of which $42,000 is for section 1250 property and $48,000 is for land), reduced by the portion of the total gain realized which was not recognized ($60,000).

(*b*) Under subdivision (iii) of this subparagraph, such total basis is allocated between the section 1250 property and the land in proportion to their respective costs, and for this purpose the cost of the section 1250 property is considered to be $32,000, that is, its actual cost ($42,000) minus the gain not recognized under section 1250(a)(1) by reason of the application of section 1250(d)(4)(A) ($10,000). Thus, the basis of the section 1250 property is $12,000 ($^{32}/_{80}$ of $30,000), and the basis of the land is $18,000 ($^{48}/_{80}$ of $30,000).

(*c*) The basis of the purchased stock is its cost of $5,000. See last sentence of subdivision (ii) of this subparagraph.

Example (2). Assume the same facts as in example (1) except that the section 1250 property purchased for $42,000 consists of two items of such property ($10,500 for C, and $31,500 for D), and that the land purchased for $48,000 consists of two pieces of land ($12,000 for X, and $36,000 for Y). Under subdivision (iv) of this subparagraph, the total basis for each class of property is allocated between the individual properties of such class in proportion to their respective actual costs. Thus, the total basis of $12,000, as determined in example (1), for the section 1250 property is allocated as follows:

To C: $12,000×($10,500/$42,000)	$3,000
To D: $12,000×($31,500/$42,000)	9,000
Total	12,000

The total basis of $18,000, as determined in example (1), for the land is allocated as follows:

To X: $18,000×($12,000/$48,000)	$4,500
To Y: $18,000×($36,000/$48,000)	13,500
Total	18,000

(3) *Basis of property acquired upon involuntary conversion into similar property.* If property is involuntarily converted into property similar or related in service or use in a transaction to which section 1033(a)(1) applies, and if by reason of the application of section 1250(d)(4)(A) all or part of the gain computed under section 1250(a)(1) is not taken into account, then—

(i) The total basis of the acquired property shall be determined under the first sentence of section 1033(c), and

(ii) If more than one item of property is acquired, such total basis shall be allocated to the individual items of property acquired in accordance with the principles prescribed in subparagraph (2)(iii) and (iv) of this paragraph, except that an amount equivalent to the fair market value of each item of property on the date acquired shall be treated as its actual cost.

(4) *Basis of property acquired in like kind exchange.* If section 1250 property is transferred in an exchange described in section 1031 (a) or (b), and if by reason of the application of section 1250(d)(4)(A) all or part of the gain computed under section 1250(a)(1) is not taken into account, then—

(i) The total basis of the property (including non-section 1250 property) acquired of the type permitted to be received under section 1031 without recognition of gain or loss shall be determined under section 1031(d), and

(ii) If more than one item of property of such type was received, such total basis shall be allocated to the individual items of property of such type in accordance with the principles prescribed in subparagraph (2)(iii) and iv) of this paragraph, except that an amount equivalent to the fair market value of each such item of property on the date received shall be treated as its actual cost.

(5) *Additional depreciation for property acquired in like kind exchange or involuntary conversion.* (i) If property is disposed of in a transaction described in section 1031 or 1033, and if by reason of the application of section 1250(d)(4)(A) all or part of the gain computed under section 1250(a)(1) is not taken into account, then the additional depreciation for the acquired property immediately after the transaction (as computed under section 1250(d)(4)(E)) shall be an amount equal to the amount of gain computed under section 1250(a)(1) which was taken into account by reason of the application of section 1250(d)(4)(A).

(ii) In case more than one item of section 1250 property is acquired in the transaction, the additional depreciation computed under subdivision (i) of this subparagraph shall be allocated to each such item of section 1250 property in proportion to their respective adjusted bases.

(iii) The provisions of this subparagraph may be illustrated by the following examples:

Example (1). (*a*) On January 15, 1970, section 1250 property X is condemned and proceeds of $100,000 are received. On such date, X's adjusted basis is $25,000, the additional depreciation is $10,000, and the applicable percentage is 70 percent. Since the additional depreciation ($10,000) is less than the gain realized ($75,000, that is, $100,000 minus $25,000) the amount of gain computed under section 1250(a)(1) (without regard to section 1250(d)(4)(A)) is $7,000, that is, 70 percent of $10,000.

(*b*) On March 1, 1970, all the proceeds are used to purchase section 1250 property Y in a transaction qualifying under section 1033(a)(3)(A) for nonrecognition of gain. Accordingly, the gain not recognized by reason of the application of section 1033(a)(3)(A) is $75,000, of which $7,000 is gain computed under section 1250(a)(1) which is not taken into account by reason of the application of section 1250(d)(4)(A). See subparagraph (1) of this paragraph.

(*c*) Immediately after the transaction, Y's basis is $25,000, that is, its cost ($100,000) minus the total gain realized which was not recognized ($75,000), and the additional depreciation (as computed under section 1250(d)(4)(E)) is $7,000, that is, the amount of gain not taken into account under section 1250(a)(1) by reason of the application of section 1250(d)(4)(A).

(*d*) On December 15, 1970, before any depreciation deductions were allowed or allowable in respect of Y, Y is sold for $90,000. Under section 1250(e)(1), the holding period of Y is 9 months, and thus, under section 1250(a)(2), the applicable percentage is 100 percent. Since the additional depreciation ($7,000) is less than the gain realized ($65,000, that is, $90,000 minus $25,000), the amount of gain recognized under section 1250(a)(1) as ordinary income is $7,000, that is, 100 percent of $7,000.

Example (2). Assume the same facts as in example (1), except that 90 full months after section 1250 property Y was purchased it is sold for $35,000. Thus the applicable percentage is 30 percent. Assume further that at the time of such sale Y's adjusted basis is $5,000 and additional depreciation in respect of Y for periods after it was acquired is $2,500. Thus, the additional depreciation at the time of the sale is $9,500, that is, the sum of the additional depreciation in respect of Y attributable to X as computed under section 1250(d)(4)(E) in (*c*) of example (1) ($7,000), plus the additional depreciation attributable to periods after Y was acquired ($2,500). Since the additional depreciation ($9,500) is less than the gain realized ($30,000, that is, $35,000 minus $5,000), the gain recognized under section 1250(a)(1) as ordinary income is $2,850, that is, 30 percent of $9,500.

(6) *Single disposition of section 1250 property and property of different class.* (i) For purposes of this subparagraph—

(*a*) Section 1250 property, section 1245 property (as defined in section 1245(a)(3)), and other property shall each be treated as a separate class of property, and

(*b*) The term "qualifying property" means property which may be acquired without recognition of gain under the applicable provision of section 1031 or 1033 (applied without regard to section 1250 or 1245) upon the disposition of property.

(ii) If upon a sale of section 1250 property gain would be recognized under section 1250(a)(1), and if such section 1250 property together with property of a different class or classes are disposed of in one transaction in which gain is not recognized in whole or in part under section 1031 or 1033 (without regard to sections 1245 and 1250), then—

(*a*) The total amount realized shall be allocated between the different classes of property disposed of in proportion to their respective fair market values,

(*b*) The amount realized upon the disposition of property of a class shall be deemed to consist of so much of the fair market value of qualifying property of the same class acquired as is not in excess of the amount realized from the property of such class disposed of,

(*c*) The remaining portion (if any) of the amount realized upon the disposition of property of such class shall be deemed to consist of so much of the fair market value of any other property acquired as is not in excess of such remaining portion, and

(*d*) For purposes of applying (*c*) of this subdivision, the fair market value of acquired property shall be taken into account only once and in such manner as the taxpayer determines.

(iii) The amounts determined under this subparagraph in respect of property shall apply for all purposes of the Code.

(iv) The application of this subparagraph may be illustrated by the following example:

Example. (*a*) Green owns property consisting of land and a fully equipped factory building thereon. The property is condemned and proceeds of $100,000 are received. If the property were sold for $100,000, gain of $40,000 would be recognized of which $10,000 would be recognized as ordinary income under section 1250(a)(1). Proceeds of $95,000 are used to purchase property similar or related in service or use to the condemned property and under section 1033(a)(3)(A) (without regard to sections 1245 and 1250) recognition of gain is limited to $5,000. The fair market values by classes of the property disposed of, and of the property acquired, are summarized in the table below:

	Fair market value of property	
	Disposed of	Acquired
Sec. 1245 property	$35,000	$35,000
Sec. 1250 property	45,000	28,000
Land	20,000	12,000
Cash		5,000
	100,000	100,000

(*b*) The allocations under subdivision (ii) of this subparagraph are summarized in the table below:

Property disposed of	Property acquired			Cash remaining
	Sec. 1245 property	Sec. 1250 property	Land	
$35,000 of sec. 1245 property	$35,000			
$45,000 of sec. 1250 property	[1] 17,000	$28,000		
$20,000 of land	[1] 3,000		$12,000	[1] $5,000
Total	55,000	28,000	12,000	5,000

[1] Determined by taxpayer pursuant to subdivision (ii)(*d*) of this subparagraph.

(*c*) Upon the disposition of the section 1245 property, only section 1245 property is acquired, and thus gain (if any) would not be recognized under section 1245(a)(1). See section 1245(b)(4). Upon the disposition of the section 1250 property gain under section 1250(a)(1) would not be recognized by reason of the application of section 1250(d)(4)(A). See subparagraph (1) of this paragraph. If the gain realized on the disposition of the land is not less than $5,000, then under section 1033(a)(3)(A) the gain recognized would be $5,000, that is, an amount equal to the portion of the proceeds from the disposition of the land ($5,000) not invested in qualifying property.

(7) *Disposition of portion of property.* A disposition described in section 1250(d)(4)(A) of a portion of an item of property gives rise to an addition to capital account described in the last sentence of paragraph (c)(2)(i) of § 1.1250–5 (relating to property with 2 or more elements). If the addition to capital account is a separate improvement within the meaning of paragraph (e) of § 1.1250–5, and thus an element, then immediately after the addition is made the amount of additional depreciation for such separate improvement shall be

computed under subparagraph (5) of this paragraph by treating such portion and such addition as separate properties. If the addition is not a separate improvement, then immediately after the addition is made such property is considered under paragraph (b)(5)(ii) of § 1.1250–5 as having a special element with the same amount of additional depreciation so computed. For purposes of computing applicable percentage, the holding period of the separate improvement or special element (as the case may be), which is determined under section 1250(e)(1), does not include the holding period of the property disposed of.

(e) *Section 1071 and 1081 transactions*—(1) *General.* This paragraph prescribes regulations under section 1250(d)(5) which apply in the case of a disposition of section 1250 property in a transaction in which gain (determined without regard to section 1250) is not recognized in whole or in part by reason of the application of section 1071 (relating to gain from sale or exchange to effectuate policies of S.E.C.) or section 1081 (relating to gain from sale or exchange in obedience to order of S.E.C.).

(2) *Involuntary conversion treatment under section 1071.* If section 1250 property is disposed of and gain (determined without regard to section 1250) is not recognized in whole or in part solely by reason of an election under the first sentence of section 1071(a) to treat the transaction as an involuntary conversion, the consequences of the transaction shall be determined under the principles of paragraph (d) of this section.

(3) *Basis reduction under section 1071 or 1082(a)(2).* (i) If section 1250 property is disposed of and gain (determined without regard to section 1250) is not recognized in whole or in part by reason of a reduction in basis of property pursuant to an election under section 1071(a) or the application of section 1082(a)(2), then the amount of gain taken into account by the transferor under section 1250(a)(1) shall not exceed the sum of—

(*a*) The amount of gain recognized on such disposition (determined without regard to section 1250), plus

(*b*) In case involuntary conversion treatment was also elected under section 1071(a), an amount equal to the cost of any stock purchased in a corporation which (without regard to section 1250) would result in nonrecognition of gain under section 1033(a)(3), as modified by section 1071(a), plus

(*c*) The portion of the gain computed under section 1250(a)(1) (without regard to this paragraph) which is neither taken into account under (*a*) or (*b*) of this subdivision nor applied under subdivision (ii) of this subparagraph to reduce the basis of section 1250 property.

(ii) (*a*) The amount of gain computed under section 1250(a)(1) (without regard to this paragraph) which is not taken into account under subdivision (i) (*a*) or (*b*) of this subparagraph shall be applied to the amount by which the basis of the section 1250 property was reduced under section 1071(a) or 1082(a)(2), as the case may be, before other gain (which is not gain computed under section 1250(a)(1)) is so applied.

(*b*) If the basis of more than one item of section 1250 property was so reduced, the gain applied under (*a*) of this subdivision to all such section 1250 properties shall be applied to such items in proportion to the amounts of their respective basis reductions.

(*c*) Any gain not applied under (*a*) of this subdivision shall be applied to the amount by which the basis of the nonsection 1250 property was reduced.

(iii) If gain computed under section 1250 is applied under subdivision (ii) of this subparagraph to reduce the basis of section 1250 property, the amount so applied shall be treated as additional depreciation in respect of such section 1250 property. For treatment of such section 1250 property as having a special element with additional depreciation consisting of such amount, see paragraph (b)(5)(i) of § 1.1250–5. For purposes of computing applicable percentage, such special element shall have a holding period beginning on the day after the date as of which the property's basis was so reduced.

(4) *Section 1081(d)(1)(A) transaction.* No gain shall be recognized under section 1250(a)(1) upon an exchange of property as to which gain would not be recognized (without regard to section 1250) because of the application of section 1081(d)(1)(A) (relating to transfers within system group). For treatment of property in hands of transferee, the principles of paragraph (c)(3) of this section shall apply.

(f) *Property distributed by a partnership to a partner*—(1) *General.* For purposes of section 1250 (d)(3) and (e)(2), the basis of section 1250 property distributed by a partnership to a partner shall be deemed to be determined by reference to the adjusted basis of such property to the partnership. Thus, if section 731 applies to a distribution of section 1250 property by a partnership to a partner, then even though the partner's basis is not determined by reference to the partnership's basis (i) the amount of gain taken into account by the partnership under section 1250(a)(1) is limited by section 1250(d)(3) to the amount of gain recognized to the partnership upon the distribution (determined without regard to section 1250), and (ii) the holding period of the property in the hands of the partner shall, under section 1250(e)(2), include the holding period of the property in the application of section 1250(d)(3) to a disposition to an organization (other than a cooperative described in section 521) which is exempt from the tax imposed by chapter 1 of the Code, see paragraph (c)(1) of this section.

(2) *Treatment of property distributed by partnership.* (i) If section 1250 property is distributed by a partnership to a partner in a distribution in which no part of the partnership's "potential section 1250 income" in respect of the property was recognized as ordinary income to the partnership under paragraph (b)(2)(ii) of § 1.751–1, the additional depreciation for the property in the hands of the distributee attributable to periods before the distribution shall be an amount equal to the total potential section 1250 income of the partnership in respect of the property immediately before the distribution, recomputed as if the applicable percentage for the property has been 100 percent. Under paragraph (c)(4) of § 1.751–1, in effect, potential section 1250 income is the gain to which section 1250(a)(1) would have applied if the property had been sold by the partnership immediately before the distribution at its fair market value at such time.

(ii) If upon the distribution any potential section 1250 income in respect of the property was recognized to the partnership under paragraph (b)(2)(ii) of § 1.751–1, then after the distribution the additional depreciation shall be an amount equal to (*a*) the total potential section 1250 income in respect of the property, as recomputed in subdivision (i) of this subparagraph, minus (*b*) the amount of potential section 1250 income which would have been recognized to the partnership under paragraph (b)(2)(ii) of § 1.751–1 if the applicable percentage for the property had been 100 percent.

(iii) If the partner's basis for the property immediately after the transaction exceeds the partnership's adjusted basis for the property immediately before the transaction, the excess may be an addition to capital account under paragraph (c)(2)(ii) of § 1.1250–5 (relating to property with two or more elements).

(3) *Examples.* The provisions of subparagraphs (1) and (2) of this paragraph may be illustrated by the following examples:

Example (1). (i) A partnership distributes a building to Smith in complete liquidation of his partnership interest to which section 736(a) does not apply. On the date of the distribution, the partnership's holding period for the property is 40 full months and, accordingly, the applicable percentage is 80 percent. On such date, the partnership's additional depreciation for the building ($6,250) is lower than the excess ($40,000) of its fair market value ($140,000) over adjusted basis ($100,000). Thus, under paragraph (c)(4) of § 1.751–1, the partnership's potential section 1250 income in respect of the building is $5,000 (80 percent of $6,250). Assume that section 751(b) does not apply to the distribution. Accordingly, no gain would be recognized to the partnership under section 731(b) (without regard to the application of section 1250). Smith's basis for his partnership interest was $150,000, and under section 732(b) Smith's basis for the building is equal to his basis for his partnership interest. Thus, Smith's basis for the building is not determined by reference to the partnership's basis for the building. Nevertheless, under subparagraph (1) of this paragraph, no gain is recognized to the partnership under section 1250(a)(1) and Smith's holding period for the property includes the partnership's holding period.

(ii) Six full months after Smith receives the building in the distribution he sells it for $153,000. Assume that no depreciation was allowed or allowable to Smith for the building, and that the special rules under § 1.1250–5 for property with two or more elements do not apply. Since Smith's holding period for the building includes its holding period in the hands of the partnership, his holding period is 46 full months (40 full months for the partnership plus 6 full months for Smith) and the applicable percentage is 74 percent.

(iii) Since no potential section 1250 income was recognized to the partnership under paragraph (b)(2)(ii) of § 1.751–1, the additional depreciation for the building attributable to periods before the distribution is determined under the provisions of subparagraph (2)(i) of this paragraph. Under such provisions, the potential section 1250 income to the partnership, which was actually $5,000 (that is, 80 percent of $6,250), is recomputed as if the applicable percentage were 100 percent, and thus such additional depreciation is $6,250 (that is, 100 percent of $6,250). Since no depreciation was allowed or allowable for the building in Smith's hands, the additional depreciation for the building attributable to Smith's total holding period (46 full months) is $6,250. Since the gain realized ($3,000, that is, amount realized, $153,000, minus adjusted basis, $150,000), is lower than the additional depreciation ($6,250), the gain recognized to Smith under section 1250(a)(1) is $2,220 (that is, 74 percent of $3,000).

Example (2). Assume the facts as in example (1) except that as a result of the distribution the partnership recognizes under paragraph (b)(2)(ii) of § 1.751–1 potential section 1250 income of $1,000 (that is, 80 percent of $1,250). The additional depreciation attributable to periods before the distribution, as determined under the provisions of subparagraph (2)(ii) of this paragraph, is $5,000, that is, (*a*) the total potential section 1250 income in respect of the property, recomputed in example (1) as if the applicable percentage was 100 percent ($6,250), minus (*b*) the amount of potential section 1250 income which would have been recognized to the partnership under paragraph (b)(2)(ii) of § 1.751–1 if the applicable percentage for the property had been 100 percent ($1,250, that is, 100 percent of $1,250).

(4) *Treatment of partnership property after certain transactions.* If under paragraph (b)(3) of § 1.751–1 (relating to certain distributions of partnership property other than section 751 property treated as sales or exchanges) a partnership is treated as purchasing section 1250 property (or a portion thereof) from a distributee who relinquishes his interest in such property (or portion), then after the date of such purchase the following rules shall apply:

(i) If only a portion of the property is treated as purchased, there shall be excluded from the additional depreciation for the remaining portion any additional depreciation in respect of the purchased portion for periods before such purchase.

(ii) In respect of the purchased property (or portion), (*a*) as of the date of purchase the amount of additional depreciation shall be zero, and (*b*) for purposes of computing applicable percentage the holding period shall begin on the day after the date of such purchase.

(5) *Cross reference.* See paragraph (e) of § 1.1250–1 for the amount of additional depreciation for partnership property in respect of a partner who acquired his partnership interest in certain transactions when an election under section 754 (relating to optional adjustments to basis of partnership property) was in effect.

(g) *Disposition of principal residence*—(1) *In general.* (i) Section 1250(d)(7)(A) provides that section 1250(a)(1) shall not apply to a disposition of property by a taxpayer to the extent the property is used by the taxpayer as his principal residence (within the meaning of section 1034(a) and the regulations thereunder, relating to a sale or exchange of residence). Thus, for example, if a doctor sells a house, of which one portion was used as his principal residence within the meaning of section 1034(a) and the other portion was properly subject to the allowance for depreciation as properly used in his trade or business, then, by reason of the application of section 1250(d)(7)(A), section 1250(a)(1) does not apply in respect of the disposition of the portion used as his principal residence. The provisions of this subparagraph shall apply regardless of whether section 1034 applies. Thus, for example, if section 1034 did not apply to the sale because the doctor did not invest in a new principal residence within the period specified in section 1034, nevertheless section 1250(a)(1) would not apply to the disposition of the portion used as a principal residence.

(ii) Section 1250(d)(7)(B) provides that section 1250(a)(1) shall not apply to a disposition of section 1250 property by a taxpayer who, in respect of the property, satisfies the age and ownership requirements of section 121 (relating to exclusion from gross income of gain on sale or exchange of residence of individual who has attained age 65), but only to the extent the taxpayer satisfies the use requirements of section 121 in respect of such property. Thus, if a taxpayer has attained the age of 65 before the date on which he disposes of section 1250 property, and if during the 8-year period ending on the date of the disposition the property has been owned and used by the taxpayer solely as his principal residence for periods aggregating 5 years or more, then section 1250(a)(1) does not apply in respect of the disposition. This result would not be changed even if the taxpayer does not or cannot make the election provided for in section 121 and even if section 121 applies to only a portion of the gain because the adjusted sales price exceeds the $20,000 limitation in section 121(b)(1). If, however, only a portion of the property has been used as his principal residence for such periods aggregating 5 years or more, then, by reason of the application of section 1250(d)(7)(B), section 1250(a)(1) is inapplicable only to the portion so used. For special rules for determining whether the age, ownership, and use requirements of section 121 are treated as satisfied, and for the manner of applying such requirements, see section 121(d) and the regulations thereunder.

(2) *Concurrent operation of section 1250(d)(7) with other provisions.* Upon the disposition of a principal residence, gain computed under section 1250(a)(1) may not be recognized in whole or in part by reason of the application of both the provisions of section 1250(d)(7) and the provisions of one of the other exceptions or limitations enumerated in section 1250(d). Thus, for example, if an entire house is transferred as a gift, and if section 1250(d)(7) applies to only a portion of the house, then section 1250(d)(1) excepts the disposition of the entire house from the application of section 1250(a)(1).

(3) *Special rule.* If by reason of section 1250(d)(7) a disposition is partially excepted from the application of section 1250(a)(1), and if no other paragraph of section 1250(d) excepts the disposition entirely from such application, then the gain to which section 1250(a)(1) applies shall be an amount which bears the same ratio to (i) the gain computed under section 1250(a)(1) (without regard to section 1250(d)(7)), as (ii) the fair market value of the portion of the property to which the exception in section 1250(d)(7) does not apply, bears to (iii) the total fair market value of the property. Thus, for example, if under paragraph (a)(2) of this section gain of $300 would be recognized as ordinary income under section 1250(a)(1) (without regard to section 1250(d)(7)) upon a sale of section 1250 property which is in part a gift, and if the property has a fair market value of $25,000, of which $10,000 is properly allocable to a portion not used as a principal residence, then the amount of gain recognized as ordinary income under section 1250(a)(1) would be $120 ($^{10}/_{25}$ of $300).

(4) *Treatment of property in hands of transferee.* If property is disposed of in a transaction to which section 1250(d)(7) applies, and if its basis in the hands of the transferee is determined by reference to its basis in the hands of the transferor by reason of the application of section 1250(d)(1) (relating to gifts) or section 1250(d)(3) (relating to certain tax-free transactions), then the treatment of the property in the hands of the transferee shall be determined under paragraph (a)(3) or (c)(3) (whichever is applicable) of this section.

(5) *Treatment of property acquired in like kind exchange or involuntary conversion.* If property is disposed of in a transaction to which section 1250(d)(7) (relating to principal residence) and section 1250(d)(4) (relating to like kind exchanges and involuntary conversions) apply, then—

(i) The basis of the property acquired shall be determined under the applicable provisions of paragraph (d)(2), (3), or (4) of this section, applied as if all gain computed under section 1250(a)(1) (except any gain not recognized solely by reason of the application of section 1250(d)(7)) were not taken into account by reason of section 1250(d)(4)(A),

(ii) The additional depreciation for the property acquired shall be determined in the manner prescribed in paragraph (d)(5) of this section, so applied, and

(iii) For purposes of computing the applicable percentage, the holding period of the acquired property shall be determined under section 1250(e)(1).

(6) *Treatment of property acquired in section 1034 transaction.* If a principal residence is disposed of in a transaction to which section 1250(d)(7) applies, and if by reason of the application of section 1034 (relating to sale or exchange of resi-

dence) the basis of property acquired in the transaction is determined by reference to the basis in the hands of the taxpayer of the property disposed of, then—

(i) The additional depreciation for the acquired property immediately after the transaction shall be an amount equal to (*a*) the amount of the additional depreciation for the property disposed of, minus (*b*) the amount of any gain taken into account under section 1250(a)(1) by the transferor upon the disposition,

(ii) For purposes of computing the applicable percentage, the holding period of the acquired property includes the holding period of the disposed of property (see sec. 1250(e)(3)),

(iii) If the adjusted basis of the acquired property exceeds the adjusted basis immediately before the transfer of the property disposed of, the excess is an addition to capital account under paragraph (c)(2)(ii) of § 1.1250–5 (relating to property with more than one element, and

(iv) If the property disposed of consisted of two or more elements within the meaning of paragraph (b) of § 1.1250–5, see paragraph (d)(3) of § 1.1250–5 for the amount of additional depreciation and the holding period for each element in the hands of the transferee.

§ 1.1250–4 Holding period.

(a) *General.* In general, for purposes only of determining the applicable percentage (as defined in sec. 1250(a)(2)) of section 1250 property, the holding period of the property shall be determined under the rules of section 1250(e) and this section and not under the rules of section 1223. If the property is treated as consisting of two or more elements (within the meaning of paragraph (b)(1) of § 1.1250–5), see paragraph (a)(2)(ii) of § 1.1250–5 for application of this section to determination of holding period of each element. Section 1250(e) does not affect the determination of the amount of additional depreciation in respect of section 1250 property.

(b) *Beginning of holding period.* (1) For the purpose of determining the applicable percentage, in the case of property acquired by the taxpayer (other than by means of a transaction referred to in paragraph (c) or (d) of this section), the holding period of the property shall begin on the day after the date of its acquisition. See section 1250(e)(1)(A). Thus, for example, if a taxpayer purchases section 1250 property on January 1, 1965, the holding period of the property begins on January 2, 1965. If he sells the property on October 1, 1966, the holding period on the day of the sale is 21 full months, and, accordingly, the applicable percentage is 99 percent. This result would not be changed even if the property initially had been used solely as the taxpayer's residence for a portion of the 21-month period. If, however, the property were sold on September 30, 1966, the holding period would be only 20 full months.

(2) For the purpose of determining the applicable percentage in the case of property constructed, reconstructed, or erected by the taxpayer, the holding period of the property shall begin on the first day of the month during which the property is placed in service. See section 1250(e)(1)(B). Thus, for example, if a taxpayer constructs section 1250 property and places it in service on January 15, 1965, its holding period begins on January 1, 1965. If the taxpayer sells the property on December 31, 1966, its holding period on the day of sale is 24 full months, and, accordingly, the applicable percentage is 96 percent. For purposes of this subparagraph, property is placed in service on the date on which it is first used, whether in a trade or business, in the production of income, or in a personal activity. Thus, for example, a residence constructed by a taxpayer for his personal use is placed in service on the date it is occupied as a residence. For purposes of determining the date property is placed in service, it is immaterial when the period begins for depreciation with respect to the property under any depreciation practice under which depreciation begins in any month other than the month in which the property is placed in service. If one or more units of a single property are placed in service on different dates before the completion of the property, see paragraph (b)(3) of § 1.1250–5 (relating to treatment of each such unit as an element).

(c) *Property with transferred basis.* Under section 1250(e)(2), if the basis of property acquired in a transaction described in this subparagraph is determined by reference to its basis in the hands of the transferor, then the holding period of the property in the hands of the transferee shall include the holding period of the property in the hands of the transferor. The transactions described in this subparagraph are:

(1) A gift described in section 1250(d)(1),

(2) Certain transfers at death to the extent provided in paragraph (b)(2)(ii) of § 1.1250–3.

(3) Certain tax-free transactions to which section 1250(d)(3) applies. For application of section 1250(d)(3) and (e)(2) to a distribution by a partnership to a partner, see paragraph (f)(1) of § 1.1250–3.

(4) A transfer described in paragraph (e)(4) of § 1.1250–3 (relating to transaction under section 1081(d)(1)(A)).

(d) *Principal residence acquired in certain transactions.* The holding period of a principal residence acquired in a transaction to which section 1034 and paragraph (g)(6) of § 1.1250–3 apply includes the holding period of the principal residence disposed of in such transaction. See section 1250(e)(3). The holding period of a principal residence acquired does not include the period beginning on the day after the date of the disposition and ending on the date of the acquisition.

(e) *Application of transferred basis and principal residence rules.* The determination of holding period under this section shall be made without regard to whether a transaction occurred prior to the effective date of section 1250 and without regard to whether there was any gain upon the transaction. Thus, for example, under paragraph (c) of this section a donee's holding period for property includes his donor's holding period notwithstanding that the gift occurred on or before December 31, 1963, or that there was no additional depreciation in respect of the property at the time of the gift.

(f) *Cross reference.* If the adjusted basis of the property in the hands of the transferee immediately after a transaction to which paragraph (c) or (d) of this section applies exceeds its adjusted basis in the hands of the transferor immediately before the transaction, the excess is an addition to capital account under paragraph (c)(2)(ii) of § 1.1250–5 (relating to property with two or more elements).

§ 1.1250–5 Property with two or more elements.

(a) *Amount treated as ordinary income—(1) General.* If section 1250 property consisting of two or more elements (described in paragraph (b) of this section) is disposed of, the amount of gain taken into account under section 1250(a)(1) shall be the sum, determined in the following three steps, of the amount of gain for each element.

(2) *Step 1.* The first step is to make the following computations:

(i) In respect of the property as a whole, compute the additional depreciation (as defined in section 1250(b)), and the gain realized. For purposes of this paragraph, in the case of a transaction other than a sale, exchange or involuntary conversion, the gain realized shall be considered to be the excess of the fair market value of the property over its adjusted basis.

(ii) In respect of each element as if it were a separate property, compute the additional depreciation for the element, and the applicable percentage (as defined in section 1250(a)(2)) for the element. For additional depreciation in respect of an element of property acquired in certain transactions, see paragraph (d) of this section. For purposes of determining additional depreciation, the holding period of an element shall be determined under section 1223, applied by treating the element as a separate property. However, for the purpose of determining applicable percentage, the holding period for an element shall, except to the extent provided in paragraphs (b)(5), (d), and (e) of this section, be determined in accordance with the rules prescribed in § 1.1250–4.

(3) *Step 2.* The second step is to determine the amount of gain for each element in the following manner:

(i) If the amount of additional depreciation in respect of the property as a whole is equal to the sum of the additional depreciation in respect of each element having additional depreciation, and if such amount is not more than the gain realized, then the amount of gain to be taken into account for an element is the product of the additional depreciation for the element, multiplied by the applicable percentage for the element.

(ii) If subdivision (i) of this subparagraph does not apply, the amount of gain to be taken into account for an element is the product of—

(*a*) The additional depreciation for the element, multiplied by

(*b*) The applicable percentage for the element, and multiplied by

(*c*) A ratio, computed by dividing (*1*) the lower of the additional depreciation in respect of the property as a whole or the gain realized, by (*2*) the sum of the additional depreciation in respect of each element having additional depreciation.

(4) *Step 3.* The third step is to compute the sum of the amounts of gain for each element, as determined in step 2.

(5) *Examples.* The provisions of this subparagraph may be illustrated by the following examples:

Example (1). Gain of $35,000 is realized upon a sale of section 1250 property which consists of four elements (W, X, Y, and Z). Since on the date of the sale the amount of additional depreciation in respect of the property as a whole ($24,000) is equal to the sum of the additional depreciation in respect of each element having additional depreciation and is less than the gain realized, the additional depreciation for each element is determined under subparagraph (3)(i) of this paragraph. The amount of gain taken into account under section 1250(a)(1) is $7,500, as determined in the following table in accordance with the additional facts assumed.

Element	*Additional depreciation*	×	*Applicable percentage*	=	*Gain for element*
W	$12,000	×	0	=	$0
X	6,000	×	50	=	3,000
Y	0	×	63	=	0
Z	6,000	×	75	=	4,500
Totals	24,000				7,500

Example (2). Assume the same facts as in example (1), except that in respect of the property as a whole the additional depreciation is $20,000 because with respect to element Y additional depreciation allowed was $4,000 less than straight line. Accordingly, the sum of the additional depreciation for each element having additional depreciation is $24,000, that is, $4,000 greater than the additional depreciation in respect of the property as a whole. Thus, the additional depreciation for each element is determined under subparagraph (3)(ii) of this paragraph. The ratio refered to in subparagraph (3)(ii)(*c*) of this paragraph is 20/24, that is, the lower of additional depreciation in respect of the property as a whole ($20,000) or the gain realized ($35,000), divided by the sum of the additional depreciation in respect of each element having additional depreciation ($24,000). The amount of gain taken into account under section 1250(a)(1) is $6,250, as determined in the following table:

Element	*Additional depreciation*	×	*Applicable percentage*	×	*Ratio*	=	*Gain for element*
W	$12,000	×	0	×	20/24	=	$0
X	6,000	×	50	×	20/24	=	2,500
Y	0	×	63	×	20/24	=	0
Z	6,000	×	75	×	20/24	=	3,750
Totals	24,000						6,250

(b) *Element—(1) General.* For purposes of this section, in the case of section 1250 property, there shall be treated as separate elements the separate improvements, units, remaining property, and special elements which are respectively referred to in subparagraphs (2), (3), (4), and (5) of this paragraph.

(2) *Separate improvements.* There shall be treated as an element each "separate improvement" (as defined in paragraph (c)(1) of this section) to the property.

(3) *Units.* If before completion of section 1250 property one or more units thereof are placed in service, each such unit of the section 1250 property shall be treated as an element.

(4) *Remaining property.* The remaining property which is not taken into account under subparagraph (2) or (3) of this paragraph shall be treated as an element.

(5) *Special elements.* (i) If the basis of section 1250 property is reduced in the manner described in paragraph (b)(2)(ii) of § 1.1250–3 (relating to property acquired from a decedent prior to his death) or in paragraph (e)(3)(iii) of § 1.1250–3 (relating to basis reduction under section 1071 or 1082(a)(2)), then such property shall be considered as having a special element with additional depreciation equal to the amount of additional depreciation included in the depreciation adjustments (referred to in paragraph (d)(1) of § 1.1250–2) to which the basis reduction is attributable. For purposes of computing applicable percentage, the holding period of a special element under this subdivision shall be determined under paragraph (b)(2)(ii) or (e)(3)(iii) (whichever is applicable) of § 1.1250–3.

(ii) If a disposition described in section 1250(d)(4)(A) (relating to like kind exchanges and involuntary conversions) of a portion of an item of property gives rise to an addition to capital account (described in the last sentence of paragraph (c)(2)(i) of this section) which is not a separate improvement, then such property shall be considered as having a special element with additional depreciation and, for purposes of computing applicable percentage, a holding period determined under paragraph (d)(7) of § 1.1250–3.

(6) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). A taxpayer constructs an apartment house which he places in service in three stages. The total cost is $1,000,000, of which $350,000 is allocable to the first stage, $500,000 to the second stage, and $150,000 to the third stage. The first stage, which is placed in service on January 1, 1965, consists of 300 apartments and certain facilities, including a central heating system and a common lobby. The second stage, which is placed in service on July 15, 1965, consists of 550 apartments and certain facilities including the motor for a central air-conditioning system. The third stage, which is placed in service on January 10, 1966, consists of the residue of the apartment house. On December 31, 1968, the taxpayer disposes of the apartment house. On such date, the apartment house has three elements which are described in the table below:

Stage	Kind of element	Cost	Full months in holding period	Applicable percentage
1	Unit	$350,000	48	72
2	Unit	500,000	42	78
3	Remaining property	150,000	30	84

Example (2). Assume the same facts as in example (1) except that on January 1, 1969, two new floors, which were added after the apartment house was completed, are placed in service and that on July 1, 1972, the taxpayer disposes of the building. Assume further that the two new floors are one separate improvement (within the meaning of paragraph (c) of this section). On the date disposed of, the property consists of four elements, that is, the three elements described in example (1) and the separate improvement.

(c) *Separate improvement—(1) Definition.* For purposes of this section, with respect to any section 1250 property, the term "separate improvement" means an "addition to capital account" described in subparagraph (2) of this paragraph which qualifies as an "improvement" under the 1-year test prescribed in subparagraph (3) of this paragraph and which satisfies the 36-month test prescribed in subparagraph (4) of this paragraph.

(2) *Addition to capital account.* (i) In the case of any section 1250 property, an addition to capital account described in this subparagraph is any addition to capital account in respect of such property after its initial acquisition or completion by the taxpayer or by any person who held the property during a period included in the taxpayer's holding period (see § 1.1250–4) for the property. An addition to the capital account of section 1250 property may arise, for example, if there is an expenditure for section 1250 property which is an improvement, replacement, addition, or alteration to such property (regardless of whether the cost thereof is capitalized or charged against the depreciation reserve). In such a case, the "addition to capital account" is the gross addition, unreduced by amounts attributable to replaced property, to the net capital account and not the net addition to such account. Thus, if a roof has an adjusted basis of $20,000, and is replaced by constructing a new roof at a cost of $50,000, the gross addition of $50,000 is an addition to capital account. (The adjusted basis of the old roof is no longer included in the capital account for the property.) For purposes of this section, the status of an addition to capital account is not affected by whether or not it is treated as a separate property for purposes of determining depreciation adjustments. In case of an addition to the capital account of property arising after December 31, 1963, upon a disposition referred to in section 1250(d)(4) (relating to like kind exchanges and involuntary conversions) of a portion of an item of such property, the amount of such addition (and its basis for all purposes of the Code) shall be the basis thereof determined under paragraph (d)(2), (3), or (4) (whichever is applicable) of § 1.1250–3, applied by treating such portion and such addition as separate properties.

(ii) An addition to capital account may be attributable to an excess of the adjusted basis of section 1250 property in the hands of a transferee immediately after a transaction referred to in section 1250(e)(2) (relating to holding period of property with transferred basis) over its adjusted basis in the hands of the trans-

feror immediately before the transaction. Thus, for example, such excess may arise from a gift which is in part a sale or exchange (see paragraph (a)(2) of §1.1250–3), from an increase in basis due to gift tax paid (see section 1015(d)), from a transfer referred to in paragraph (c)(2) of § 1.1250–3 (relating to certain tax-free transactions) in which gain is partially recognized, or from a distribution by a partnership to a partner in which no gain is recognized by reason of the application of section 731. Similarly, an addition to capital account may be attributable to an excess of the adjusted basis of a principal residence acquired in a transaction referred to in section 1250(e)(3) over the adjusted basis of the principal residence disposed of, as well as to any increase in the adjusted basis of section 1250 property of a partnership by reason of an optional basis adjustment under section 734(b) or 743(b).

(iii) Whether or not an expenditure shall be treated as an addition to capital account described in this subparagraph, as distinguished from a separate item of property, may depend on how the property or properties are disposed of. Thus, for example, if a taxpayer, who owns a motel consisting of 10 buildings with common heating and plumbing systems, adds to the motel three new buildings which are connected to the common systems, and if the taxpayer sells the motel to one person in one transaction, then for purposes of this subparagraph the cost of the three new buildings shall be treated as an addition to the capital account of the motel and, if the 1-year and 36-month tests of subparagraphs (3) and (4) of this paragraph are satisfied, the motel consists of at least two elements. If, however, the 10-building group and the 3-building group were individually sold in separate transactions to two different people each of whom would operate his group as a separate business, the motel would consist of two items of property.

(3) *1-year test for improvement.* (i) An addition to capital account of section 1250 property for any taxable year (including a short taxable year and the entire taxable year in which the disposition occurs) shall be treated as an improvement only if the sum of all additions to the capital account of such property for such taxable year exceeds the greater of—

(*a*) $2,000, or

(*b*) One percent of the unadjusted basis of the property, determined as of the beginning (*1*) of such taxable year, or (2) of the holding period (within the meaning of § 1.1250–4) of the property, whichever is the later.

(ii) For purposes of this section, the term "unadjusted basis" means the adjusted basis of the property, determined without regard to the adjustments provided in section 1016(a) (2) and (3) (relating to adjustments for depreciation, amortization, and depletion). For purposes of this paragraph, as of any particular date the unadjusted basis of section 1250 property (*a*) includes the cost of any addition to capital account for the property which arises prior to such date (regardless of whether such addition qualified under this subparagraph as an improvement), and (*b*) does not include the cost of a component retired before such date.

(iii) In respect of a particular disposition of section 1250 property by a person—

(*a*) There shall not be taken into account under the 1-year test for improvements in this subparagraph any addition to capital account which arises by reason of (or after) such disposition or which arises before the beginning of the holding period under § 1.1250–4 of such person for the property, and

(*b*) Such test shall be made in respect of each taxable year of such person (and of any prior transferor) any day of which is included under § 1.1250–4 in such person's holding period for the property, except that (*1*) such test shall be made for a taxable year of such person only if such person actually owned the property on at least 1 day of such taxable year, and (2) such test shall be made for a taxable year of such prior transferor only if such prior transferor actually owned the property on at least 1 day of such taxable year.

(iv) The provisions of this subparagraph may be illustrated by the following examples:

Example (1). The unadjusted basis of section 1250 property as of the beginning of January 1, 1960, is $300,000. During the taxable year ending on December 31, 1960, the only additions to the capital account for the property are addition A on January 1, 1960, costing $1,000, and addition B on July 1, 1960, costing $600. Since the sum of the amounts added to capital account for such taxable year is less than $2,000, A and B are not treated as improvements. This result would not be changed if addition C, costing $600, were added on December 15, 1960, since although the sum of the additions ($1,000 plus $600 plus $600, or $2,200) exceeds $2,000, such sum is less than 1 percent of the unadjusted basis of the property as of the beginning of 1960 ($3,000, that is, 1 percent of $300,000). If however, C cost $1,500, then A, B, and C would each be considered an improvement since the sum of the amounts added to capital account ($3,100) would exceed $3,000.

Example (2). Green and his son both use the calendar year as the taxable year. On February 1, 1965, Green makes addition A to a piece of section 1250 property. On June 15, 1965, Green transfers such property to his son as a gift which is in part a sale (see paragraph (a) of § 1.1250–3). Addition B arises by reason of the transfer. On August 1, 1965, the son makes addition C to the property. For purposes of determining the amount of gain recognized under section 1250(a)(1) to Green upon the transfer, the determination of whether addition A is an improvement is made without taking into account additions B and C. For purposes of determining the amount of gain recognized under section 1250(a)(1) upon a subsequent disposition of the property by the son, additions B and C would be taken into account in the determination of whether A is an improvement, and A would be taken into account in the determination of whether B and C are improvements.

Example (3). Assume the same facts as in example (2). Assume further that on September 15, 1965, the son transfers the property to a corporation in exchange for cash and stock in the corporation in a transaction qualifying under section 351 (see paragraph (c) of § 1.1250–3), and that the corporation uses a fiscal year ending November 30. For purposes of determining the amount of gain recognized under section 1250(a)(1) upon a subsequent disposition by the corporation, the one-year test under subdivision (i) of this subparagraph is made for the entire taxable year of Green and of the son ending on December 31, 1965, and in respect of the corporation's taxable year ending November 30, 1965. Accordingly, if on December 7, 1965, addition D is made by the corporation, then, upon a subsequent disposition by the corporation, D is taken into account for purposes of the determination in respect of the entire taxable year of Green and of the son ending on December 31, 1965, and for the corporation's taxable year ending November 30, 1966, but not for purposes of the corporation's taxable year ending November 30, 1965. If D were made on January 3, 1966, D would still be taken into account for purposes of the determination in respect of the corporation's taxable year ending November 30, 1966. However, since neither Green nor his son actually owned the property on any day of the taxable year ending December 31, 1966, no determination is made in respect of such taxable year of Green or of the son.

(4) *36-month test for separate improvement.* (i) If, during the 36-month period ending on the last day of any taxable year (including a short taxable year and the entire taxable year in which the disposition occurs), the sum of the amounts treated under subparagraph (3) of this paragraph as improvements for such period exceeds the greatest of—

(*a*) 25 percent of the adjusted basis of the property,

(*b*) 10 percent of the unadjusted basis (determined under subparagraph (3)(ii) of this paragraph) of the property, or

(*c*) $5,000,

then each such improvement during such period shall be treated as a separate improvement, and thus as an element. For purposes of (*a*) and (*b*) of this subdivision, the adjusted basis (or unadjusted basis) of section 1250 property shall be determined as of the beginning of the 36-month period, or as of the beginning of the holding period of the property (within the meaning of § 1.1250–4), whichever is the later.

(ii) In respect of a particular disposition of section 1250 property by a person—

(*a*) There shall not be taken into account under the 36-month test for separate improvements in this subparagraph any amount treated under subparagraph (3) of this paragraph as an improvement which arises by reason of (or after) the disposition or which arises before the beginning of the holding period under § 1.1250–4 of such person for the property, and

(*b*) Such test shall be made in respect of each 36-month period ending on the last day of each taxable year of such person (and of any prior transferor) if at least one day of such period is included under § 1.1250–4 in such person's holding period for the property, except that (*1*) such test shall be made for a 36-month period ending on the last day of a taxable year of such person only if such person actually owned the property on at least one day of such period, and (2) such test shall be made for a 36-month period ending on the last day of a taxable year of such prior transferor only if such prior transferor actually owned the property on at least one day of such period.

(iii) For illustrations of the principles of subdivision (ii) of this subparagraph, see examples (2) and (3) in subparagraph (3)(iv) of this paragraph.

(5) *Examples.* The application of this paragraph may be illustrated by the following examples:

Example (1). (i) On December 31, 1967, X, a calendar year taxpayer, purchases an item of section 1250 property at a cost of $100,000. In the table below, the adjusted basis and unadjusted basis of the property are shown for the beginning of January 1 of each taxable year and it is assumed that each addition to capital was added on January 1 of the year shown.

Year	Adjusted basis	Unadjusted basis	1 percent of unadjusted basis	Addition	
1969	$94,000	$100,000	$1,000	A	$10,000
1970	97,030	110,000	1,100	B	4,000
1971	94,041	114,000	1,140	C	6,000
1972	92,799	120,000	1,200		
1973	86,158	120,000	1,200	D	18,000

(ii) Since each addition to capital account for the property exceeds the greater of $2,000 or one percent of unadjusted basis, determined as of the beginning of the taxable year in which made, each addition to capital account qualifies as an improvement under subparagraph (2) of this paragraph.

(iii) Since the beginning of the holding period of the property under § 1.1250–4 (January 1, 1968) is later than the beginning of the 36-month period ending on December 31, 1969, the determination as to whether there are any separate improvements on the property as of December 31, 1969, is made by examining the adjusted basis (or unadjusted basis) of the property as of the beginning of January 1, 1968. As of December 31, 1969, there were no separate improvements on the property since the only amount treated as an improvement for the period beginning on January 1, 1968, and ending on December 31, 1969, is addition A (costing $10,000), which is less than $25,000, that is, 25 percent of the adjusted basis ($100,000) of the property as of the beginning of January 1, 1968.

(iv) As of December 31, 1970, there were no separate improvements on the property since the sum of the amounts treated as improvements for the 36-month period ending on December 31, 1970, is $14,000 (that is, $10,000 for A, plus $4,000 for B), and this sum is less than $25,000, that is, 25 percent of the adjusted basis ($100,000) of the property as of the beginning of January 1, 1968.

(v) As of December 31, 1971, there were no separate improvements on the property since the sum of the amounts treated as improvements for the 36-month period ending on December 31, 1971, is $20,000 (that is, $10,000 for A, plus $4,000 for B, plus $6,000 for C), and this sum is less than 23,500, that is, 25 percent of the adjusted basis ($94,000) of the property as of the beginning of the first day of January 1, 1969.

(vi) As of December 31, 1972, there were no separate improvements on the property since the sum of the amounts treated as improvements for the 36-month period ending on December 31, 1972, is $10,000 (that is, $4,000 for B plus $6,000 for C), and this sum is less than $24,258, that is, 25 percent of the adjusted basis ($97,030) of the property as of the beginning of the first day of January 1, 1970.

(vii) As of December 31, 1973, C and D are separate improvements (notwithstanding that as of December 31, 1971 and 1972, C was not a separate improvement) since the sum of the amounts added for the 36-month period ending December 31, 1973, is $24,000 (that is, $6,000 for C plus $18,000 for D), and this sum exceeds the greatest of—

(*a*) $23,510, that is, 25 percent of the adjusted basis ($94,041) of the section 1250 property as of the beginning of the first day of January 1, 1961,

(*b*) $11,400, that is, 10 percent of the unadjusted basis ($114,000) of the property as of the beginning of such first day, or

(*c*) $5,000.

Example (2). Assume the same facts as in example (1). Assume further that after addition D was made, no other additions were made to the capital account of the property and that the taxpayer sells the property on January 15, 1981. Since under paragraph (a)(2)(ii) of this section the holding period for C is more than 120 full months, the applicable percentage for C is zero, and, since under paragraph (a)(2)(ii) of this section the holding period for D is 96 full months, the applicable percentage for D is 24 percent.

(d) *Additional depreciation and holding period of property acquired in certain transactions.*—(1) *Transferred basis.* If property consisting of two or more elements is disposed of, and if the holding period of the property in the hands of the transferee for purposes of computing applicable percentage includes the holding period of the transferor by reason of the application of paragraph (c) (other than subparagraph (2) thereof) of § 1.1250–4, then the additional depreciation for each element of the property in the hands of the transferee immediately after the transfer shall be computed in the manner set forth in this subparagraph. First, any element having a deficit in additional depreciation in the hands of the transferor immediately before such transfer shall be considered to have the same deficit in the hands of the transferee. Second, elements having additional depreciation in the hands of the transferor immediately before the transfer shall be considered to have additional depreciation in the hands of the transferee. The sum of the transferee's additional depreciation for all elements of the property having additional depreciation in the hands of the transferor shall be an amount equal to the additional depreciation in respect of the property as a whole immediately after the transfer increased by the sum of the deficits in additional depreciation for all elements having such deficits. In case there is more than one element having additional depreciation, the additional depreciation for any such element in the hands of the transferee shall be computed by multiplying (i) the amount computed under the preceding sentence by (ii) the additional depreciation for such element in the hands of the transferor divided by the sum of the additional depreciation for all such elements having additional depreciation in the hands of the transferor. For purposes of computing applicable percentage, the holding period for an element of such property in the hands of the transferee shall include the holding period of such element in the hands of the transferor.

(2) *Example.* The provisions of subparagraph (1) of this paragraph may be illustrated by the following example:

Example. Section 1250 property has additional depreciation of $16,000, of which $12,000 is additional depreciation for element X and $4,000 for element Y. The property is transferred to a corporation in exchange for cash of $6,000 and for stock in the corporation. Assume that recognition of gain under section 1250(a)(1) is limited to $6,000 (the amount of cash received) by reason of the application of section 351(b) (relating to transfer to corporation controlled by transferor) and section 1250(d)(3) (relating to limitation on application of section 1250 in certain tax-free transactions). Under paragraph (c)(3)(i) of § 1.1250–3, the additional depreciation for the property in the hands of the corporation immediately after the transfer is $10,000, that is, the additional depreciation for the property in the hands of the transferor immediately before the transfer ($16,000) minus the gain under section 1250(a)(1) recognized upon the transfer ($6,000). Under subparagraph (1) of this paragraph, in the hands of the corporation immediately after the transfer element X has additional depreciation of $7,500 (¾ of $10,000) and element Y has additional depreciation of $2,500 (¼ of $10,000). Under paragraph (c)(2)(ii) of this section there is an addition of $6,000 to the capital account for the property.

(3) *Principal residence.* If a principal residence consisting of two or more elements is disposed of, and if for purposes of computing applicable percentage the holding period of the principal residence acquired includes the holding period of the principal residence disposed of by reason of the application of paragraph (d) of § 1.1250–4, then the additional depreciation (or a deficit in additional depreciation) for an element of the principal residence acquired immediately after the transaction shall be determined in a manner consistent with the principles of subparagraph (1) of this paragraph. For purposes of computing applicable percentage, the holding period for an element of the principal residence acquired includes the holding period of such element of the principal residence disposed of, but not the period beginning on the day after the date of the disposition and ending on the date of the acquisition.

(e) *Holding period for small separate improvements.*—(1) *General.* This paragraph prescribes a special holding period solely for the purpose of computing the applicable percentage of a separate improvement (as defined in paragraph (c) of this section) which is treated as an element. See paragraph (a)(2)(ii) of this section for determination of holding period under section 1223 for purposes of computing additional depreciation. In respect of section 1250 property, if the amount of a separate improvement does not exceed the greater of—

(i) $2,000, or

(ii) One percent of the unadjusted basis (within the meaning of paragraph (c)(3)(ii) of this section) of such property, determined as of the beginning of the taxable year in which such separate improvement was made,

then such separate improvement shall be treated for purposes of computing ap-

plicable percentage as placed in service on the first day of a calendar month which is the closest such first day to the middle of the taxable year. See the last sentence of section 1250(f)(4)(B). If two such first days are equally close to the middle of the taxable year, the earliest of such days is the applicable day.

(2) *Example.* The application of this paragraph may be illustrated by the following example:

Example. (i) The unadjusted basis of section 1250 property as of the beginning of January 1, 1960, is $100,000. During the taxable year ending on December 31, 1960, the only additions to the capital account for the property are addition A on March 10, 1960, costing $1,200 and addition B on September 10, 1960, costing $1,400. Since the sum of the additions ($2,600) exceeds the greater of $2,000 and 1 percent of unadjusted basis ($1,000, that is, 1 percent of $100,000), each addition is an improvement under the 1-year-test of paragraph (c)(3) of this section. Assume that the 36-month test of paragraph (c)(4) of this section is satisfied and, therefore, each addition is a separate improvement treated as an element.

(ii) Since each element is less than $2,000, the provisions of this paragraph apply. Since there are 366 days in 1960, the middle of the year is at the end of 183 days, or July 1. Thus, that first day of a calendar month in 1960, which is the closest first day (of a calendar month) to the middle of the taxable year, is July 1, 1960. Accordingly, for purposes of computing applicable percentage, elements A and B are each treated as placed in service on July 1, 1960.

[F.R. Doc. 66-5191; Filed May 11, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Subpart 1727]

DESIGNATION OF AREAS AND SITES

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that it is proposed to add a new Subpart 1727, Designation of Areas and Sites, to Part 1720, Programs and Objectives, Subchapter A, Chapter II, Title 43, Code of Federal Regulations, as set forth below. This subpart defines the circumstances and procedures under which specific areas of public or other Federal land exclusively administered by the Secretary of the Interior through the Bureau of Land Management may be designated.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Land Management, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Part 1720 is amended to add a new Subpart 1727 to read as follows:

Subpart 1727—Designation of Areas and Sites

§ 1727.0–1 Purpose.

This subpart defines the circumstances and procedures under which specific areas of public and other Federal lands exclusively administered by the Secretary of the Interior through the Bureau of Land Management may be designated and identified.

§ 1727.0–2 Objective.

The objective is to provide guidelines for the designation and identification of such areas, and to specify the nature and effect of such designations.

§ 1727.0–3 Authority.

(a) Section 1(b)(1) of the Classification and Multiple Use Act of September 19, 1964 (78 Stat. 986, 43 U.S.C. 1411) provides that none of the public or other Federal lands exclusively administered by the Secretary of the Interior through the Bureau of Land Management shall be given a designation or classification unless such designation or classification is authorized by statute or defined in regulations promulgated by the Secretary of the Interior. Classifications are described in Part 2410 of this chapter.

(b) Section 2478 of the Revised Statutes, as amended (43 U.S.C. 1201), authorizes the Secretary of the Interior to enforce and carry into execution, by appropriate regulation, every part of the provisions of the public land laws not otherwise specially provided for.

§ 1727.0–5 Definitions.

(a) "Designation" refers to the official identification and naming of a general area or site on public land or other Federal land exclusively administered by the Secretary through the Bureau of Land Management.

§ 1727.1 Areas or sites that may be designated.

(a) No lands may be designated under the regulations in this subpart unless they are either (1) classified for retention for multiple use management under the regulations and criteria in Part 2410 of this chapter, or (2) withdrawn or reserved under the regulations in Subpart 2311 of this chapter or other appropriate authority, or (3) given special status by act of Congress such as the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands or lands acquired under the Bankhead-Jones Act and transferred to the Bureau of Land Management for administration.

(b) The following types of areas and sites may be designated under the regulations in this subpart:

(1) *Recreation lands.* A tract of land usually several thousand acres in size where recreation is or is expected to be a major use, and designation will assist the public by making the areas known to them. Some examples of areas which may be designated as recreation lands follow: Scenic areas of natural beauty such as waterfalls; habitat of interesting, rare or unusual plants or animals; gorges; natural lakes; geological areas of outstanding structural or historical features of the earth's development such as caves, glaciers and other phenomena; roadless areas in which the primitive environment is preserved, sometimes referred to as wilderness, wild, primitive, roadless or virgin areas. Recreation lands will contain one or more of the six classes adopted by the Bureau of Outdoor Recreation. These classes will be identified and described at the time an area is designated. These lands may be defined briefly as follows:

(i) Class I—*High-density recreation areas.* Areas intensively developed and managed for mass use.

(ii) Class II—*General outdoor recreation areas.* Areas subject to substantial development for a wide variety of specific recreation uses.

(iii) Class III—*Natural environment areas.* Varied and interesting land forms, lakes, streams, flora, and fauna within attractive natural settings suitable for recreation in a natural environment and usually in combination with other uses.

(iv) Class IV—*Outstanding natural areas.* Areas of outstanding scenic splendor, natural wonder, or scientific importance that merit special attention and care in management to insure their preservation in their natural condition. These usually are relatively undisturbed, representative of rare botanical, geological, or zoological characteristics of principal interest for scientific and research purposes.

(v) Class V—*Primitive areas.* Extensive natural, wild, and undeveloped areas and settings essentially removed from the effects of civilization. Essential characteristics are that the natural environment has not been disturbed by commercial utilization and that the areas are without mechanized transportation.

(vi) Class VI—*Historic and cultural sites.* Sites of major historical or cultural significance, either national, regional, or local. These are usually small tracts of lands containing significant evidence of American history, such as battlegrounds, mining camps, cemeteries, pioneer trails, and trading posts; or lands which contain significant evidence of prehistoric life such as pictographs, petroglyphs, burial grounds, prehistoric structures, middens, fossils, paleontological remains, and any other evidences of prehistoric life forms.

(2) *Recreation sites.* These are relatively small tracts of land which have value for concentrated and intensive recreation use that usually requires construction and maintenance of public facilities. Recreation sites will contain Class I, II, III, or VI recreation lands under the Bureau of Outdoor Recreation classification system described in subparagraph (1) of this paragraph.

(3) *Resource conservation areas.* These are relatively small areas of land which include a variety of resource management activities demonstrating multiple use and sustained yield conservation in action.

§ 1727.2 Standards for names.

(a) To the fullest extent possible, standards established by the Board on Geographic Names will be followed in naming special management areas.

(b) First preference will generally be given to a geographic feature within the site or area if the feature significantly affects the utilization of the natural resources of the area.

(c) No site or area will be named after a living person. An area may be named after a deceased person if that person made a personal contribution to the utilization or management of the natural resources in the area.

(d) For public identification purposes, names of sites and areas designated in accordance with the regulations in this subpart shall be brief and descriptive.

§ 1727.3 Standards for identification.

Lands designated in accordance with the regulations in this subpart may be—

(a) Posted by means of entrance and boundary signs sufficient to make the lands and the reason for posting known on the ground.

(b) Identified on maps or diagrams sufficient to make the existence and locations known to the general public.

§ 1727.4 Procedure for designating areas and sites.

The sites and areas defined under § 1727.1 may be designated, named, and posted by the authorized officer, after consultation and coordination with the authorized users and any other parties, organizations, and units of government which may have an interest in such action.

§ 1727.5 Effect of designations.

(a) Designation under this section will have no effect upon established use or management of the areas or sites involved.

(b) If changes in the status of the land or use arrangements are desired, such changes must be accomplished by—

(1) Segregation under the Classification and Multiple Use Act regulations in Part 2410 of this chapter;

(2) Withdrawal or reservation under regulations in Subpart 2311 of this chapter or other appropriate authority;

(3) Modification of existing use arrangements, to the extent authorized by existing authority and regulations, such as Subchapter D—Range Management (4000) of this chapter for livestock grazing.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 6, 1966.

[F.R. Doc. 66-5161; Filed, May 11, 1966; 8:46 a.m.]

[43 CFR Subpart 2221]

SATISFACTION OF SCRIP

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by Revised Statute 2478 (43 U.S.C. 1201), it is proposed to amend 43 CFR Subpart 2221 as set forth below. The purpose of the amendment is to implement the provisions of the Act of August 31, 1964 (78 Stat. 751) by providing procedures for the satisfaction of scrip.

Interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Land Management, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Sections 2221.01, 2221.02, 2221.05, 2221.06, 2221.07, and 2221.08 are added to the regulations to read as follows:

§ 2221.01 Purpose.

The purpose of the regulations in this subpart is to provide procedures for the orderly satisfaction and retirement of outstanding valid scrip, lieu selection, and similar rights, consistent with the public land laws governing such rights, including the Act of August 31, 1964 (78 Stat. 751). This Act provides that all claims and holdings recorded under the Act of August 5, 1955 (69 Stat. 534, 535) which are not satisfied by methods provided by the Act shall become null and void January 1, 1970, except for soldiers' additional homestead claims which shall become null and void on January 1, 1975.

§ 2221.02 Objectives.

The program of the Secretary of the Interior is to encourage the early satisfaction of all outstanding valid scrip consistent with the Act of August 31, 1964.

§ 2221.05 Definitions.

For the purposes of this subpart:

(a) "Claim" means all valid and unsatisfied claims and holdings recorded under the Act of August 5, 1955 (69 Stat. 534, 535).

(b) "Value" means fair market value, as determined by the Secretary or his delegate.

§ 2221.06 Validity.

No transaction for the satisfaction of a claim, whether by cash or conveyance of land, shall be consummated unless and until the authorized officer determines that the scrip is valid.

§ 2221.07 Classification.

(a) When lands are classified pursuant to section 3 of the Act of August 31, 1964, for satisfaction of scrip, the classification order will specify the type or types of claims which may be exchanged for the classified lands.

(b) Unless sooner terminated by the authorized officer, any classification, pursuant to section 3 of the Act of August 31, 1964, will terminate on December 31, 1969, except that classification of land for soldiers' additional homestead claims will terminate December 31, 1974.

(c) Land and interests in land may be classified for satisfaction of claims only if they are suitable for claim satisfaction under the terms of the authority establishing the claim and under the provisions of other applicable laws.

(d) Lands classified for the satisfaction of claims will be segregated from all appropriations, including locations under the mining laws, except as provided in the order of classification or in any modification or revision thereof.

(e) In satisfaction of applications filed on and after July 1, 1966, each claimant is entitled to receive land in tracts having a value per acre no less than the following:

(1) For soldiers' additional homestead, Isaac Crow and Merritt W. Blair claims, $250;

(2) For Valentine, Sioux Half Breed, Wyandotte, Porterfield, Gerard, McKee, and railroad lieu selection claims, $1,270;

(3) For forest lieu selection claims, $275.

(f) Hereafter, no tract of land will be classified as suitable for disposition in satisfaction for claims if the value per acre of the tract exceeds the following:

(1) For soldiers' additional homestead, Isaac Crow and Merritt W. Blair claims, $275;

(2) For Valentine, Sioux Half Breed, Wyandotte, Porterfield, Gerard, McKee, and railroad lieu selection claims, $1,400;

(3) For forest lieu selection claims, $300.

(g) Claimants may submit recommendations of areas to be classified for satisfaction of claims, specifying the type of claim for which the land should be classified. Recommendations should be sent to the State Director, Bureau of Land Management, of the State in which the recommended lands are located (see § 1821.2–1 of this chapter).

2. Section 2221.2 is revised in its entirety to read as follows:

§ 2221.2 Procedures to satisfy scrip.

§ 2221.2–1 Application.

(a) Every application to satisfy a claim must be made on a form approved by the Director, properly executed. Prior to July 1, 1966, every application other than for land in Alaska must be accompanied by a petition for classification on a form approved by the Director.

(b) On and after July 1, 1966, applications to satisfy claims by the conveyance of public lands will not be accepted, will not be considered as filed, and will be returned to the applicant unless the lands sought have previously been classified as suitable for satisfaction of claims.

(c) If all else is regular the application first received for a tract of land will be entitled to priority, whether delivery was by mail or otherwise. Where applications are received simultaneously, a drawing will be held to determine priority, except that where applications are received simultaneously through the mails, the one bearing the earliest postmark is entitled to priority.

(d) All applications filed pursuant to this section must be accompanied by an application service fee of $10, which will not be returnable.

§ 2221.2–2 Offers of land by Bureau of Land Management.

(a) After classification of land pursuant to section 3 of the Act of August 31,

1964, the authorized officer will, by certified mail, offer each claimant sufficient land to satisfy his claim, from among the lands classified as suitable for satisfaction of the type of claim he holds.

(b) Notice of acceptance of an offer must be submitted to the State Director, Bureau of Land Management, of the State within which the offered land is located, within 60 days of the date the offer was mailed.

§ 2221.2–3 Election to receive cash.

(a) Any time up to and including December 31, 1969, or in the case of soldiers' additional homestead claims, December 31, 1974, a claimant may elect, by written notice to the Director, Bureau of Land Management, to receive cash instead of land in satisfaction of his claim.

(b) Payments will be made at a rate equal to the value per acre of the lands offered under section 4 of the Act of August 31, 1964, for claims of the type being satisfied.

§ 2221.2–4 Notice; publication; proof.

Applicants for land in satisfaction of scrip will be required upon demand to publish once a week for four consecutive weeks in accordance with § 1824.4 of this chapter, at their expense, in a designated newspaper and in a designated form, a notice informing all interested persons of the opportunity to file in the appropriate office their objections to the use of such land in satisfaction of claims. A protestant must serve on the applicant a copy of the objections and furnish evidence of such service. Proof of publication must be filed in accordance with § 1824.9–3 of this chapter.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 6, 1966.

[F.R. Doc. 66–5166; Filed, May 11, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1133]

[Docket No. AO 275–A13]

MILK IN INLAND EMPIRE MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Ridpath Hotel, West 515 Sprague, Spokane, Wash., beginning at 10 a.m., local time, on May 17, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Inland Empire marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Spokane Milk Producers Association:

Proposal No. 1. Revise § 1133.12(c) to provide that the diversion limitations for the months of April, May, June, and July be set at 35 percent.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 2. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator James A. Burger, N. 811 Jefferson Street, Spokane, Wash., 99201, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, or may be there inspected.

Signed at Washington, D.C., on May 9, 1966.

CLARENCE H. GIRARD,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 66–5195; Filed, May 11, 1966; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 246]

[Economic Regs. Docket No. 17305]

REPORTS OF STOCK OWNERSHIP OF AFFILIATES OF AIR CARRIERS

Notice of Proposed Rule Making

MAY 9, 1966.

Notice is hereby given that the Civil Aeronautics Board has under consideration a proposed amendment of Part 246 (14 CFR Part 246), which will more precisely designate the persons of whom reports are required under the part.

The principal features of the proposed amendments are set forth in the Explanatory Statement below, and the text of the proposed amendments is also set forth below. This action is taken under authority of sections 204 and 407 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 766; 49 U.S.C. 1324, 1327.

Interested persons may participate in this rule making proceeding through submission of ten (10) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C., 20428. All relevant material in communications received on or before June 13, 1966, will be considered by the Board before taking final action on the proposed rule. Upon receipt by the Board, copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory Statement. Under sections 407(a) and 407(e) of the Federal Aviation Act of 1958, as amended, the Board, inter alia, is authorized to require reports of persons indirectly or directly controlling an air carrier and of affiliates. In accordance with this authority, the Board promulgated Part 246 of its economic regulations requiring such reports. Some difficulty has been experienced in administering the regulation because of the absence of clear guidelines as to the extent of the interest owned in an air carrier which could be deemed to constitute prima facie control of the carrier. In order to eliminate these difficulties, it is proposed to amend the part so that persons owning 10 percent or more of the stock of the air carrier shall be deemed to control such carrier in the absence of a showing that they do not in fact control the air carrier.

The part is also proposed to be amended to require the filing of additional information concerning the corporations and persons named in the report, other than the air carrier. As to the individuals, information is required concerning their principal occupation, and as to corporations, certain information concerning their business activities. This information is required to ascertain whether the controlling person is engaged in a phase of aeronautics or is otherwise subject to the Board's jurisdiction under section 408 of the Act.

Proposed rule. It is proposed to amend Part 246 of the economic regulations (14 CFR Part 246) as follows:

1. Amend § 246.1 by adding a sentence to the end thereof so that the section reads as follows:

§ 246.1 Definition.

For the purposes of this part a person shall be deemed to be an affiliate of an air carrier if it has direct or indirect control over such air carrier, or if it has the power to exercise control over such air carrier. A person who owns, directly or indirectly, 10 percent or more of the outstanding issued capital stock of an air carrier, in the absence of a proper showing to the Board that he does not control the air carrier despite his stock ownership, shall be deemed to control the carrier for purposes of this part.

2. Amend § 246.2 by changing the introductory paragraph and by adding a new paragraph (c) thereto so that the amended section will read as follows:

§ 246.2 Stock reports.

Except as provided in § 246.3, every affiliate of an air carrier shall submit on or before March 1 of each year:

* * * * *

(c) For each person or company named in the report, including the affiliate but excluding the air carrier:

(1) A description of the principal occupation of each individual.

(2) A description of the business activities of each company, including, with respect to any company performing common carrier services, the geographical area authorized to be served, and the nature of any licenses held by such company to perform such services.

[F.R. Doc. 66–5192; Filed, May 11, 1966; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66–CE–32]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace at Rhinelander, Wis.

The following controlled airspace is presently designated in the Rhinelander, Wis., terminal area:

(1) The Rhinelander, Wis., control zone is designated as that airspace within a 5-mile radius of Oneida County Airport, Rhinelander, Wis. (latitude 45°37'53'' N., longitude 89°27'40'' W.); and within 2 miles each side of the Rhinelander VOR 321° radial extending from the 5-mile radius zone to 8 miles NW of the VOR; and within 2 miles each side of the Rhinelander VOR 228° radial, extending from the 5-mile radius zone to 8 miles SW of the VOR; and within 2 miles each side of the 231° bearing from Oneida County Airport extending from the 5-mile radius zone to 8 miles SW of the airport. This control zone shall be effective during the times established by a Notice to Airmen and continuously published in the Airman's Information Manual.

(2) The Rhinelander, Wis., transition area is designated as that airspace extending upward from 700 feet above the surface within a 5-mile radius of Oneida County Airport, Rhinelander, Wis. (latitude 45°37'53'' N., longitude 89°27'40'' W.); and within 2 miles each side of the Rhinelander VOR 321° radial extending from the 5-mile radius area to 8 miles NW of the VOR; and within 2 miles each side of the 231° bearing from Oneida County Airport extending from the 5-mile radius area to 8 miles SW of the airport; and within 5 miles W and 8 miles E of the Rhinelander VOR 163° radial extending from the VOR to 17 miles S of the VOR; and within a 5-mile radius of Drott Airport, Tomahawk, Wis. (latitude 45°30'45'' N., longitude 89°33'35'' W.); and that airspace extending upward from 1,200 feet above the surface within a 12-mile radius of Rhinelander VOR.

The Rhinelander VOR has been converted to a VORTAC and the public instrument approach procedures for Oneida County Airport have been modified to take advantage of the DME capability at Rhinelander. In addition, the special instrument approach procedure, VOR No. 1, Amendment No. 1, is being canceled. As a result, and having completed a comprehensive review of airspace requirements at Rhinelander, Wis., the Federal Aviation Agency proposes to alter the control zone and transition area at Rhinelander, Wis., as follows:

(1) Redesignate the Rhinelander, Wis., control zone as the airspace within a 5-mile radius of Oneida County Airport, Rhinelander, Wis. (latitude 45°-37'56'' N., longitude 89°27'32'' W.); within 2 miles each side of the Rhinelander VOR 229° radial, extending from the 5-mile radius zone to 8 miles SW of the VOR; and within 2 miles each side of the Rhinelander VOR 322° radial, extending from the 5-mile radius zone to 8 miles NW of the VOR. This control zone shall be effective during the specific dates and/or times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

(2) Redesignate the Rhinelander, Wis. transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of Oneida County Airport, Rhinelander, Wis. (latitude 45°37'56'' N., longitude 89°27'32'' W.); within 2 miles each side of the Rhinelander VOR 229° radial, extending from the 5-mile radius area to 8 miles SW of the VOR; within 2 miles each side of the Rhinelander VOR 322° radial, extending from the 5-mile radius area to 8 miles NW of the VOR; within a 5-mile radius of Drott Airport, Tomahawk, Wis. (latitude 45°30'45'' N., longitude 89°-33'35'' W.); and within 2 miles each side of the Rhinelander VOR 211° radial, extending from the Drott Airport 5-mile radius area to the VOR; and that airspace extending upward from 1,200 feet above the surface within a 17-mile radius of Rhinelander VOR.

The altered proposed control zone would provide controlled airspace protection for aircraft executing the prescribed public instrument approach procedures at Oneida County Airport during descent below 1,000 feet above the surface and for departing aircraft during climb to 700 feet above the surface. Weather reporting service for this control zone will continue to be provided by North Central Airlines.

The altered proposed 700-foot floor transition area would provide controlled airspace protection for aircraft departing Drott Airport during climb from 700 to 1,200 feet above the surface. It would provide this same protection for aircraft departing Oneida County Airport when the control zone is not designated. The 700-foot floor transition area would provide controlled airspace protection for aircraft executing the prescribed instrument approach procedure for Drott Airport during descent from 1,500 to 700 feet above the surface. This same protection would be provided for aircraft at Oneida County Airport when the control zone is not designated.

The altered proposed 1,200-foot floor transition area would provide controlled airspace protection for the procedure turn, DME arc and missed approach areas of the prescribed instrument approach procedures at Oneida County and Drott Airports. It would also provide controlled airspace for the holding patterns at the Rhinelander VOR.

Since the actions proposed herein were developed to accommodate revised procedures, no procedural changes will be effected.

The floors of the airway segments which would be within the boundaries of the transition areas proposed herein would automatically coincide with the floors of the transition areas.

Specific details of this proposal and the procedures for which it was developed may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The Public Docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 2, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66–5188; Filed, May 11, 1966; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66–SO–29]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation and Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would designate a part-time control zone and

alter the transition area at Greenville, Miss.

The control zone would be designated as that airspace within a 5-mile radius of the Greenville Municipal Airport (latitude 33°29'05" N., longitude 90°59'06" W.); within 2 miles each side of the Greenville VOR 358° radial extending from the 5-mile radius zone to 8.5 miles north of the VOR, effective from 0700 to 2000 hours, local time, daily.

The transition area would be redesignated as that airspace extending upward from 700 feet above the surface within an 8-mile radius of the Greenville Municipal Airport (latitude 33°29'05" N., longitude 90°59'06" W.); within 2 miles each side of the Greenville VOR 358° radial, extending from the 8-mile radius area to 8 miles north of the VOR; and that airspace extending upward from 1,200 feet above the surface within 8 miles west and 5 miles east of the Greenville VOR 178° and 358° radials extending from 12 miles north to 4 miles south of the VOR.

The proposed control zone would provide controlled airspace for aircraft departing Greenville Municipal Airport during climb to 700 feet above the surface and for aircraft executing the prescribed instrument approach procedure during descent below 1,000 feet above the surface.

Required weather observation and reporting functions will be provided by appropriately certificated employees of Southern Airways, Inc. Radio capabilities exist which permit pilots to communicate with the Greenwood, Miss., Flight Service Station and with the Memphis ARTC Center. Telephone communications connecting the Memphis Center, Greenwood FSS, and the various offices at Greenville Municipal Airport are in existence.

The Greenville, Miss., transition area (31 F.R. 2149) is described, in part, as "• • • within 2 miles each side of the Greenville VOR 006° radial • • •" and "• • • within 8 miles west and 5 miles east of the Greenville VOR 006° and 186° radials • • •". Because the prescribed approach procedure is predicated on the 358° and 178° radials, it is necessary that the transition area be amended accordingly.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 18097, Memphis, Tenn., 38118. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

These amendments are proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on May 4, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-5184; Filed, May 11, 1966; 8:48 a.m.]

[14 CFR Part 105]

[Docket No. 6762; Notice 66-18]

REQUIREMENTS FOR PARACHUTE JUMPING

Notice of Proposed Rule Making

The Federal Aviation Agency is considering amending Part 105 of the Federal Aviation Regulations (1) to require authorization for all nonemergency parachute jumps in or into controlled airspace (instead of notification where presently required), (2) to require notification of these jumps in uncontrolled airspace, (3) to require a functioning two-way radio communications system in the jump aircraft appropriate to the ATC facilities to be used, within controlled airspace, and (4) to prohibit making a parachute jump within 8 hours after the consumption of any alcoholic beverage.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 10, 1966, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

On September 7, 1965, advance notice of proposed rule making and notice of public hearing (Notice 65-23) was issued inviting the views of all interested persons on certain requests for rule making presented by two associations, one representing air carriers and the other representing airline pilots. Those proposals principally would prohibit nonemergency parachute jumps within federally controlled airspace and in or into approved off-airways routes outside of controlled airspace and would require notification of jumps in or into uncontrolled airspace (other than approved off-airways routes) and two-way radio and contact with the ATC facilities used.

At the public hearing held on November 4, 1965, views were expressed both for and against those proposals. The arguments in their favor were that (1) nonemergency jumping activity under the existing regulations, now reaching great volume, that allows a parachutist to jump through holding patterns, departure and arrival routes, and other areas of high aircraft activities in the air traffic control system, with only broad general notification to the FAA, creates a potentially hazardous situation to airline and other air traffic; and (2) the only solution is to restrict this type of activity to airspace areas where no potential hazard can exist to aircraft, that is, away from controlled airspace and approved off-airways routes outside of controlled airspace. Reference was made to several recorded "near-miss" incidents involving parachutists and aircraft but without known injuries or fatalities. In addition, one of the proposals submitted generally that if a parachutist is to use controlled airspace he should do so under the same rules as other users who cannot be seen, and that ATC clearance should be required of the pilot of the jump aircraft to assure that altitudes below are clear of conflicting IFR traffic. This would be no undue burden, it was submitted, requiring only "two-way radio and contact with ATC, and FSS or even via Unicom and telephone."

It was argued against those proposals that no evidence has been developed to indicate a hazard results from parachuting activity, that is an important part of American aviation.

Other persons, who did not endorse the restrictive approach of those proposals, recognize that refinement of several provisions of Part 105 might be desirable.

The positions of all persons who filed comments in response to Notice 65-23 or appeared at the Public Hearing, and all other available data, have been evaluated, and rule making now is proposed as follows:

(1) *To require functioning two-way radio communications system in the jump aircraft appropriate to the ATC facilities to be used, within controlled airspace, unless otherwise authorized by ATC.* Under Part 105 presently, there is a gap in knowledge relating to the probability of a jump or series of jumps taking place when a pilot passes through a jumping location identified by notification procedures and dissemination of information thus obtained. Ability to supply useful, timely information depends on ability to communicate. It appears that within controlled airspace two-way communications between the jump aircraft and ATC facilities is necessary to provide this information, unless ATC determines that in a particular situation other communications prior to the flight are appropriate. In the latter case, ATC would apply proper time limits to any authorization given.

(2) *To require authorization for all nonemergency parachute jumps in or into controlled airspace, instead of notification where presently required under Part 105.* In view of the need to close the gap in knowledge and to allow the imposition of proper time limits, notification alone is not adequate in controlled airspace. Notification must be followed by ATC authorization, following determination by ATC that the information and arrangements for communications are satisfactory with respect to the time and place of contemplated jumps. These proposals therefore would require ATC authorization given upon request made at least 6 (but not more than 24) hours before the jumping activity is to begin. If a series of jumps is contemplated rather than a single jump, a single request and authorization would suffice. In this connection, the proposed amendments would provide that (in controlled airspace other than that covered by § 105.19) request for authorization would be submitted to the nearest FAA air traffic control facility or FAA flight service station instead of to the "FAA air route traffic control center having jurisdiction over the area or segment concerned," as now appears in § 105.21. This change would clarify that the request need not be made directly to the control center.

(3) *To require notification of parachute jumps in or into uncontrolled airspace.* Notice is not now required under Part 105 for parachute jumps in or into uncontrolled airspace. This airspace is traversed by a number of approved air carrier off-airways routes. Information about parachute jumping activities in these areas would contribute added safety factors to the joint use of the airspace by parachute jumpers and aircraft otherwise operated in air commerce. However, it is impractical to publish and chart approved off-airways routes, and there are other joint use airspace airways areas where the amount of traffic warrants the application of added safety factors reasonably obtained. These ends will be best served by requiring notice, to the nearest FAA air traffic control facility or flight service station, of the jumping activity at least 6 (but not more than 24) hours before the time it is to begin. As in the case of ATC authorizations, if a series of jumps is contemplated rather than a single jump, a single notification would suffice.

These proposals also would require notification of cancellation of any contemplated jumping activity for which authorization has been requested or notification given.

In connection with these changes, it also is proposed that additional information on the size of the jumping site or drop zone be required in the request for ATC authorization or in the notification.

It should be noted that the term "authorization" as used in the revised provisions, as well as in §§ 105.19 and 105.27, must not be confused with formal written applications submitted to Flight Standards District Offices for certificates of authorization required for jumps over or into congested areas.

On November 3, 1965, the Agency issued Notice 65-34, published in the FEDERAL REGISTER on November 10, 1965 (30 F.R. 14170), proposing the amendment of Part 91 to provide that no person may act as a crewmember of a civil aircraft within 8 hours after the consumption of any alcoholic beverage. Section 105.35 currently contains the same prohibitions concerning liquor and drugs with respect to a parachutist as § 91.11 contains with respect to a crewmember. These proposals would incorporate in Part 105 the 8-hour rule proposed by Notice 65-34, in order to retain conformity between the two parts in this area.

In consideration of the foregoing, it is proposed to amend Part 105 of the Federal Aviation Regulations as follows:

1. By inserting the following new section after § 105.13:

§ 105.14 Radio equipment requirements.

Unless otherwise authorized by ATC—

(a) No person may make a parachute jump, and no pilot in command of an aircraft may allow a parachute jump to be made from that aircraft, within controlled airspace, unless the aircraft is equipped with a functioning two-way radio communications system appropriate to the ATC facilities to be used.

(b) The pilot in command of an aircraft used in any jumping activity shall, during the entire activity, have a continuous watch maintained on the appropriate frequency of the aircraft's radio communications system.

(c) If any radio communications system failure occurs in an aircraft to be used for a jumping activity in controlled airspace, before receipt of an authorization required under § 105.19 or § 105.21, the person seeking authorization shall abandon the jumping activity.

2. By amending §§ 105.21, 105.23, and 105.25 to read as follows:

§ 105.21 Jumps in or into other controlled airspace.

(a) No person may make a parachute jump or series thereof, and no pilot in command of an aircraft may allow a parachute jump or series thereof to be made from that aircraft, in or into controlled airspace (other than a control zone in which there is a functioning control tower operated by the United States) without, or in violation of, an authorization given under this section.

(b) Each request for an authorization given under this section must be submitted to the nearest FAA air traffic control facility or FAA flight service station at least 6 hours, but not more than 24 hours, before the parachute jump or series thereof is to be made and must include the information prescribed in § 105.25(a).

§ 105.23 Jumps in or into uncontrolled airspace.

No person may make a parachute jump or series thereof, and no pilot in command of an aircraft may allow a parachute jump or series thereof to be made from that aircraft, in or into uncontrolled airspace unless the nearest FAA air traffic control facility or FAA flight service station was notified of that jump or series at least 6 hours, but not more than 24 hours, before the parachute jump or series thereof is to be made and the notice contained the information prescribed in § 105.25(a).

§ 105.25 Information required, and notice of cancellation of jump.

(a) Each person requesting an authorization under § 105.19 or § 105.21, and each person submitting a notice under § 105.23, must include the following information in that request or notice:

(1) The date and time jumping will begin.

(2) The location of the jump site or drop zone in relation to the nearest city or town, and airport, and the size of the jump site or drop zone expressed in nautical mile radius of the jump space around the target.

(3) The altitudes above the surface at which jumping will take place.

(4) The time and duration of the intended jumping.

(5) The name, address, and telephone number of the person requesting the authorization or giving notice.

(6) The identification of the aircraft to be used.

(7) The radio frequencies available in the aircraft.

(b) Each person requesting an authorization under § 105.19 or § 105.21, and each person submitting a notice under § 105.23, must promptly notify the FAA air traffic control facility or FAA flight service station from which it requested authorization or which it notified, if the proposed jumping activity is cancelled.

3. By amending § 105.35 to read as follows:

§ 105.35 Alcoholic beverages and drugs.

(a) No person may make a parachute jump while, and no pilot in command of an aircraft may allow a person to make a parachute jump from that aircraft if that person appears to be—

(1) Under the influence of alcohol; or

(2) Using any drug that affects his faculties in any way contrary to safety.

(b) No person may make a parachute jump within 8 hours after the consumption of any alcoholic beverage.

These amendments are proposed under the authority of sections 307, 313(a), and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, 1421).

Issued in Washington, D.C., on May 6, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5162; Filed, May 11, 1966; 8:46 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice 917]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

MAY 6, 1966.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 730 (Sub-No. 266), filed April 25, 1966. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Post Office Box 958, Oakland, Calif., 94604. Applicant's representative: Alfred G. Krebs (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between St. Louis, Mo., on the one hand, and, on the other, Barstow, Riverside, and San Bernardino, Calif.: (a) From St. Louis over U.S. Highway 66 and Interstate Highway 44 to Oklahoma City, Okla., and thence over U.S. Highway 66 and Interstate Highway 40 to Barstow; (b) from St. Louis over U.S. Highway 66 and Interstate Highway 44 to Oklahoma City, Okla., thence over U.S. Highway 66 and Interstate Highway 40 to junction U.S. Highway 89, thence over U.S. Highway 89 to junction Arizona Highway 71, thence over Arizona Highway 71 to junction U.S. Highways 60 and 70, thence over U.S. Highways 60 and 70 to Quartzsite, Ariz., thence over U.S. Highway 60 and Interstate Highway 10 to Beaumont, Calif., and thence over Interstate Highway 10 to San Bernardino; (c) from St. Louis, over the route specified in (b) above, to Beaumont, Calif., and thence over U.S. Highway 60 to Riverside; (2) between Hutchinson, Kans., on the one hand, and, on the other, Barstow, Riverside, and San Bernardino, Calif.: From Hutchinson over Kansas Highway 61 to junction U.S. Highway 54, thence over U.S. Highway 54 to junction U.S. Highway 66 (also junction Interstate Highway 40), and thence as specified in (1) above to Barstow, Riverside, and San Bernardino; and (3) between Pueblo, Colo., on the one hand, and, on the other, Barstow, Riverside, and San Bernardino, Calif.: From Pueblo over U.S. Highways 85, 87, and 160, and Interstate Highway 25 to junction U.S. Highway 66 (also junction Interstate Highway 40), and thence as specified in (1) above to Barstow, Riverside, and San Bernardino, and return over the same routes, serving no intermediate point, but serving Pratt, Kans., in (2) above for purpose of joinder only, as alternate routes for operating convenience only, in connection with carrier's authorized regular route operations. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 1222 (Sub-No. 27) (Amendment), filed April 6, 1966, published in FEDERAL REGISTER issue of April 28, 1966, amended April 29, 1966, and republished as amended this issue. Applicant: THE REINHARDT TRANSFER COMPANY, 1410 10th Street, Portsmouth, Ohio. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except commodities which by reason of their size or weight require the use of special equipment), from points in Putnam County, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, West Virginia, and Wisconsin, and, (2) *equipment, materials, and supplies used in the manufacture or processing of iron and steel and iron and steel articles*, from the destination points in (1) above to points in Putnam County, Ill. NOTE: The purpose of this republication is to broaden the authority sought, to show points in Putnam County in lieu of Hennepin, Ill. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 2202 (Sub-No. 290), filed April 21, 1966. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio, 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Koppers Co., Inc., located on Harmons Road, approximately 1 mile south of Friendship International Airport (near Baltimore, Md.), as an off-route point in connection with applicant's regular route operations between Greenville, S.C., and New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2202 (Sub-No. 292), filed April 25, 1966. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio, 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Wilmington, Del., and Pottstown, Pa., as follows: From Wilmington, over U.S. Highway 202 to junction U.S. Highway 322, thence over U.S. Highway 322 to junction Pennsylvania Highway 100, thence over Pennsylvania Highway 100 to Pottstown, and return over the same route, serving no intermediate points, but serving junction U.S. Highway 30 and Pennsylvania Highway 100 for the purpose of joinder, as an alternate route for operating convenience only, in connection with carrier's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2593 (Sub-No. 12), filed April 24, 1966. Applicant: BAUMANN BROS. TRANSPORTATION, INC., Post Office Box 1524, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint, paint materials, groceries, and grocery store supplies*, between points in Nebraska, and Sabetha and Smith Center, Kans. NOTE: Applicant states that no duplicating authority is sought herein. Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 8948 (Sub-No. 67), filed April 27, 1966. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Post Office Box 15274, Vernon Station, Los Angeles, Calif., 90058. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives (other than explosive, incendiary, gas, smoke, or tear producing ammunition), and except livestock, articles of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Memphis, Tenn., and Dallas, Tex., as follows: From Memphis, over U.S. Highway 70 to junction U.S. Highway 67, thence over U.S. Highway 67 to Dallas, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 13123 (Sub-No. 38), filed April 22, 1966. Applicant: WILSON FREIGHT COMPANY, a corporation, 3636 Follett Avenue, Cincinnati, Ohio, 45223. Applicant's representative: Milton H. Bortz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and brick*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 13134 (Sub-No. 11), filed April 22, 1966. Applicant: PENNSYLVANIA-OHIO EXPRESS, INC., Post Office Box 266, Oak Hill, Ohio. Applicant's representative: Paul F. Beery, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractories and refractory products*, between points in Audrain, Callaway, and Montgomery Counties, Mo., on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Ohio, Kentucky, Pennsylvania, West Virginia, and New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 13134 (Sub-No. 12), filed April 25, 1966. Applicant: PENNSYLVANIA-OHIO EXPRESS, INC., Post Office Box 256, Oak Hill, Ohio. Applicant's representative: James M. Burtch, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Florida, Georgia, Indiana, Iowa, Illinois, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Minnesota, Nebraska, North Dakota, New Mexico, Oklahoma, Ohio, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 20729 (Sub-No. 6), filed April 18, 1966. Applicant: FREDDIE AHRENSTORFF, doing business as AHRENSTORFF TRANSFER, Lake Park, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Garner, Iowa, and points within 5 miles thereof, to points in Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 29120 (Sub-No. 88), filed April 22, 1966. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Post Office Box 756, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between St. Paul, Minn., and Spencer, Iowa: From St. Paul, over Minnesota Highway 5 to junction U.S. Highway 65, thence over U.S. Highway 65 to junction U.S. Highway 16, thence over U.S. Highway 16 to junction U.S. Highway 69 near Albert Lea, Minn., thence over U.S. Highway 69 to junction U.S. Highway 18, near Garner, Iowa, thence over U.S. Highway 18 to Spencer, and return over the same route, serving no intermediate points, and serving junction U.S. Highway 16 and U.S. Highway 65 for joinder only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 30237 (Sub-No. 11), filed April 25, 1966. Applicant: YEATTS TRANSFER COMPANY, a corporation, Post Office Box 406, Altavista, Va. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va., 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Altavista and Rocky Mount, Va., to points in Virginia. NOTE: Applicant states that the above proposed operation is restricted to shipments having a prior or subsequent movement to or from a point outside the State of Virginia. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 30844 (Sub-No. 219), filed April 27, 1966. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, Waterloo, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper pads, tablets, and blank books*, not printed with or without pulp board covers, from Holyoke, Mass., to points in Illinois, Indiana, Iowa, Michigan, Ohio, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Waterloo, Iowa.

No. MC 33641 (Sub-No. 58) (Correction), filed March 27, 1966, published FEDERAL REGISTER, issue of April 21, 1966, and republished as corrected, this issue. Applicant: IML FREIGHT, INC., 2175 South 3270 West Street, Post Office Box 2277, Salt Lake City, Utah, 84110. Applicant's representative: Marshall G. Berol, 100 Bush Street, San Francisco, Calif., 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk (other than citrus fruits and agricultural commodities), commodities requiring special equipment (other than those requiring refrigeration or specialized handling or rigging because of size or weight), and the transportation of commodities in connection with which shipper requires carrier to furnish armed guards or armored equipment), between Los Angeles, Calif., and Kansas City, Mo.: (1) From Los Angeles, over Interstate Highway 10 (U.S. Highway 60) to junction U.S. Highways 60 and 70, thence over U.S. Highways 60 and 70 to junction Arizona Highway 71, thence over Arizona Highway 71 to junction U.S. Highway 89, thence over U.S. Highway 89 to junction U.S. Highway 89 Alternate, thence over U.S. Highway 89 Alternate to Flagstaff, Ariz., thence over Interstate Highway 40 (U.S. Highway 66) to junction U.S. High-

[1] Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

way 54 (near Tucumcari, N. Mex.), thence over U.S. Highway 54 to junction Kansas Highway 61, thence over Kansas Highway 61 to junction U.S. Highway 50, thence over U.S. Highway 50 to Kansas City; (2) from Los Angeles, over the route specified in (1) above to junction U.S. Highway 54 (near Tucumcari, N. Mex.), thence over U.S. Highway 54 to junction Interstate Highway 35, thence over Interstate Highway 35 to Kansas City; and (3) from Los Angeles, over the route specified in (1) above to junction U.S. Highway 54 (near Tucumcari, N. Mex.), thence over U.S. Highway 54 to junction Interstate Highway 35, thence over Interstate Highway 35 and Kansas Turnpike to junction Interstate Highway 70, thence over Interstate Highway 70 to Kansas City; and return over the same routes, serving no intermediate points, as alternate routes for operating convenience only, in connection with carrier's otherwise authorized operations. NOTE: The purpose of this republication is to show that applicant proposes to serve no intermediate points, inadvertently omitted from previous publication. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 41432 (Sub-No. 98), filed April 21, 1966. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 623 North Washington Avenue, Post Office Box 26040, Dallas, Tex., 75226. Applicant's representative: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Ammunition* (explosive, incendiary, or gas, smoke, or tear producing), *manufactured ingredients and component parts of ammunition*, and *general commodities* (except those of unusual value, classes A and B explosives (other than ammunition and manufactured ingredients and component parts of ammunition, as specified), household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the site of the Hussman Refrigerator Co. located at St. Charles Rock Road and Taussig Road, in St. Louis County, Mo., as an off-route point in connection with applicant's regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 44875 (Sub-No. 1), filed April 21, 1966. Applicant: KNIGHT'S EXPRESS & WAREHOUSE, INC., 7 Ninigret Avenue, Providence, R.I., 02907. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail department stores in retail delivery service*, from Pawtucket, Providence, and Warwick, R.I., to (1) points in Connecticut on and east of a line beginning at New Haven, Conn., thence north over U.S. Highway 5 to Hartford, Conn., thence north over U.S. Highway 91 to the Connecticut-Massachusetts State line, and (2) points in Massachusetts on, east, and south of a line beginning at the Connecticut-Massachusetts State line at U.S. Highway 91, thence north over U.S. Highway 91 to junction U.S. Highway 90, thence east over U.S. Highway 90 to junction U.S. Highway 20, thence over U.S. Highway 20 to and including Boston, Mass., and thence east to the Atlantic Ocean. NOTE: If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 51146 (Sub-No. 39), filed April 22, 1966. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. Applicant's representative: Charles Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and plywood products, plywood and plywood products combined with veneer and plastics, paneling, doors, and composition wood and composition wood products*, from Marshfield, Wis., to points in North Dakota and South Dakota, and *material, equipment and supplies* used in the manufacture and distribution of the commodities described herein, and *returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52709 (Sub-No. 284) filed April 22, 1966. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield equipment, materials and supplies), between Pueblo, Minnequa, and Denver, Colo., on the one hand, and, on the other, points in California, Nevada, Oregon, Washington, and Utah. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 52932 (Sub-No. 12), filed April 22, 1966. Applicant: NORTH PENN TRANSFER, INC., Box 230, Lansdale, Pa. Applicant's representative: John W. Frame, Post Office Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tile* (except refractory tile), from Lansdale, Pa., to points in Connecticut, Pennsylvania, Delaware (except points in New Castle County), New York (except points in the New York, N.Y., commercial zone, as defined by the Commission), Virginia (except points in Virginia within the Washington, D.C., commercial zone, as defined by the Commission), and Maryland (except points in the Baltimore, Md., commercial zone, as defined by the Commission); and *articles used in the manufacture of the commodity specified above*, from the destination points specified above to Lansdale, Pa. NOTE: Applicant states that it already holds the authority specified above but seeks to eliminate the gateway of Richland Township, Pa. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 58961 (Sub-No. 7), filed April 20, 1966. Applicant: NIGHTHAWK FREIGHT SERVICE, INC., 1800 South Canal Street, Chicago, Ill., 60616. Applicant's representative: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except livestock, dangerous explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsite of Hussmann Refrigerator Co., located at St. Charles Rock Road and Taussig Road, Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular route authority. NOTE: Applicant states that Hussmann Refrigerator Co. is in the process of relocating its plant and facilities from within the City of St. Louis, Mo., to the above plantsite and has requested carriers presently serving it in St. Louis, Mo., to request authority as above so as to be able to continue service at its new facility. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 59800 (Sub-No. 19), filed March 31, 1966. Applicant: THE WEICKER TRANSFER & STORAGE COMPANY, a corporation, 2900 Brighton Boulevard, Denver, Colo., 80217. Applicant's representative: Joseph F. Nigro, Denver Hilton Office Building, Room 400, 1515 Cleveland Place, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Cement and cement products*, in bags or in bulk, and flyash, between points in Denver (including the City of Denver), Adams, Arapahoe, Jefferson, Boulder, and Larimer Counties, Colo., on the one hand, and, on the other, points in Wyoming, Nebraska, Kansas, New Mexico, and Utah; and (B) *general commodities*, including household goods, as defined by the Commission, between points in Colorado. NOTE: Applicant holds a second proviso registration in MC 59800 (Sub-No. 16) to transport any and all commodities capable of being transported by motor vehicle throughout the State of Colorado. Applicant states that since it is seeking interstate authority in (A) above, it, if granted, would result in cancellation of the second proviso registration. It seeks to retain said authority under a regularly issued certificate, hence it has applied for (B) above. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 61506 (Sub-No. 27), filed April 25, 1966. Applicant: RUSSELL TRANSFER COMPANY, INC., Athens-Augusta Highway, Post Office Box 92, Washington, Ga. Applicant's representative: Theodore M. Forbes, Jr., Suite 825, The Citizens & Southern National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as defined in appendix XIII to ex parte No. 45, *Descriptions in Motor Carrier Certificates*, including naphthas, but excluding all other acids and chemicals as defined in appendix XV to ex parte 45; (1) from Charleston, S.C., to points in Alabama, Tennessee, and Kentucky; (2) from Doe Run and Louisville, Ky., on the one hand, and, on the other, Doraville, Ga. (near Atlanta, Ga.); and (3) from Doraville, Ga., to points in Alabama, Tennessee, and Kentucky; and *rejected shipments*, on return; under continuing contract or contracts with Hess Oil & Chemical Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 61506 (Sub-No. 28), filed April 25, 1966. Applicant: RUSSELL TRANSFER COMPANY, INC., Athens-Augusta Highway, Post Office Box 92, Washington, Ga. Applicant's representative: Theodore M. Forbes, Jr., Suite 825, The Citizens & Southern National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline, kerosene, jet fuels and fuel oil distillates*, in bulk, in tank vehicles only, from Sweetwater, S.C., to points in Georgia, and *rejected shipments*, on return, under continuing contract or contracts for the account of Gulf Oil Corp. only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 61506 (Sub-No. 29), filed April 25, 1966. Applicant: RUSSELL TRANSFER COMPANY, INC., Athens-Augusta Highway, Post Office Box 92, Washington, Ga. Applicant's representative: Theodore M. Forbes, Jr., Suite 825, The Citizens & Southern National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Jet fuel*, in bulk, in tank vehicles only, from Tuscaloosa, Ala., to Greenville, S.C., and *rejected shipments* on return, under continuing contract or contracts for the account of Gulf Oil Corp. only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 64932 (Sub-No. 412) (Amendment), filed April 11, 1966, published in FEDERAL REGISTER, issue of April 28, 1966, amended, and republished as amended, this issue. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d St., Chicago, Ill., 60643. Applicant's representative: Carl L. Steiner, 39 South La Salle St., Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, acids, and chemicals* (except cryogenic liquids), in bulk, in tank vehicles, from the plantsite of Apple River Chemical Co. at or near Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: The purpose of this republication is to add additional commodities. If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 66632 (Sub-No. 3), filed April 21, 1966. Applicant: VERMONT MOVING & STORAGE CORP., 2161 Pitkin Avenue, Brooklyn, N.Y., 11207. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between New York, N.Y., and points in Nassau, Suffolk, Putnam, Rockland, Dutchess, Orange, and Westchester Counties, N.Y.; those in New Jersey on and north of a line extending from Trenton through Asbury Park, N.J.; and those in Connecticut on and west of the Connecticut River, on the one hand, and, on the other, points in Delaware, Maryland, and Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 73688 (Sub-No. 12), filed April 25, 1966. Applicant: SOUTHERN TRUCKING CORPORATION, 546 Weakley Avenue, Memphis, Tenn. Applicant's representative: Dale Woodall, 150 East Court Avenue, Memphis, Tenn., 38101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, between Greenville, Miss., and points in Arkansas. NOTE: Applicant states it holds the authority between the points involved by using Memphis, Tenn., as a gateway. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Jackson, Miss.

No. MC 73688 (Sub-No. 13), filed April 25, 1966. Applicant: SOUTHERN TRUCKING CORPORATION, 546 Weakley Avenue, Memphis, Tenn. Applicant's representative: Dale Woodall, 150 East Court Avenue, Memphis, Tenn., 38101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated iron and steel buildings and accessories thereto*, knocked down, from Belzoni, Miss., to points in Mississippi, Tennessee, Georgia, Alabama, Florida, Kentucky, Louisiana, Arkansas, North Carolina, South Carolina, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Jackson, Miss.

No. MC 75320 (Sub-No. 130), filed April 25, 1966. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., Post Office Box 807, Springfield, Mo., 65801. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except livestock, those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Siloam Spring and Van Buren, Ark.; from Siloam Spring, Ark., over Arkansas Highway 68 to junction Arkansas Highway 59, thence over Arkansas Highway 59 to Van Buren, and return over the same route, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 75339 (Sub-No. 13), filed April 18, 1966. Applicant: MILLER MOTOR EXPRESS, INC., 1807 West Independence Boulevard, Charlotte, N.C. Applicant's representative: J. G. Dail, Jr., 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Newark, and Delaware City, Del., as off-route points in connection with applicant's regular-route operations between Norfolk, Va., and New York, N.Y., and between Baltimore, Md., and New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Wilmington, Del.

No. MC 83539 (Sub-No. 183), filed April 22, 1966. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's representative: W. T. Brunson, 419 Northwest sixth Street, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Electrical transformers* which, by reason of size or weight, require the use of special equipment, (2) *electrical transformers* which do not require the use of special equipment, when moving in the same vehicle at the same time with the commodities in (1) above, and (3) *transformer oil*, in drums, when transported in mixed loads with commodities in (1) and (2) above, from Canonsburg, Pa., to points in Arizona, California, Colorado, Idaho, Iowa, Kansas, Mississippi, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. NOTE: Applicant states it presently holds no authority that will tack with the authority sought herein. Applicant presently holds existing authority to transport "Commodities which by reason of size or weight require the use of special equipment", from the origin to all named destinations except Idaho. Applicant here seeks, at shipper's request, to obtain specific authority for the involved commodities in mixed loads to enable full utilization of equipment and permit greater flexibility in shipping combination loads with intermediate stops within the destination territory. Application here seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 85934 (Sub-No. 43), filed April 22, 1966. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming Avenue, Dearborn, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone*, from the plantsite of the United States Gypsum Company located within 1 mile of the corporate limits of Genoa, Ohio, to (1) points in Indiana, Kentucky, Michigan,

and West Virginia, and (2) points in Maryland west of and including the county of Frederick, points in New York west of and including the counties of Cayuga, Onondaga, Cortland, and Tioga, and points in Pennsylvania west of and including the counties of Bradford, Sullivan, Columbia, Northumberland, Dauphin, and York. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 102682 (Sub-No. 250), filed April 26, 1966. Applicant: HUGHES TRANSPORTATION, INC., Meeting Street Road, Charleston, S.C. Applicant's representative: Frank B. Hand, Jr., 921 17th Street NW., Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel bar joists and long spans*, (2) *steel nuts, bolts, washers, and plates* when transported with commodities in (1) as a part of the same shipment, from Congaree, S.C., to points in Louisiana, Oklahoma, Kansas, Missouri, Colorado, Nebraska, Iowa, Minnesota, Mississippi, Tennessee, Illinois, Wisconsin, Michigan, Indiana, Kentucky, Alabama, Ohio, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Pennsylvania, New Jersey, Rhode Island, Delaware, Connecticut, Massachusetts, New York, Vermont, New Hampshire, Maine, Arkansas, and the District of Columbia, and (3) *steel bars, rods, flats, and rounds*, from Charleston, S.C., to Congaree, S.C. NOTE: Applicant states service to be performed under a contract with Congaree Iron & Steel Co., Inc. of Congaree, S.C. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 103654 (Sub-No. 114), filed April 22, 1966. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, 1145 Homer Street, St. Paul 16, Minn. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, and fertilizer ingredients*, in bulk, in tank vehicles (except cryogenic liquids), from the plantsite of Apple River Chemical Co. located at or near Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 106603 (Sub-No. 84), filed April 25, 1966. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street, SW., Grand Rapids, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt mixtures and salt products with additives*, from Midland, Mich., to points in Illinois, Indiana, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 107403 (Sub-No. 677), filed April 27, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid starch*, in bulk, in tank vehicles, from Piqua, Ohio, to Niles, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 472), filed April 22, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid caustic soda and phosphoric acid*, in bulk, in tank vehicles, from Minneapolis and St. Paul, Minn., to points in Iowa, North Dakota, Minnesota, South Dakota, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 107496 (Sub-No. 473), filed April 25, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, fertilizer solutions*, in bulk, and *dry fertilizer and fertilizer ingredients, urea*, in bulk and in bags, from Helena, Ark., and points within 10 miles thereof, to points in Alabama, Arkansas, Illinois, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 107558 (Sub-No. 6), filed April 25, 1966. Applicant: ARROW TRANSPORTATION CO., INC., 288 Kinsley Avenue, Providence, R.I., 02903. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, fresh frozen (quick freeze), between Gloucester, Mass., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union Counties, N.J., New York, N.Y., and Westchester County, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 107680 (Sub-No. 12), filed April 21, 1966. Applicant: CRESCENT EXPRESS, INC., Route 1, Box A328, Statesville, N.C. Applicant's representative: H. Overton Kemp, Room 101, 327 North Tryon Street, Post Office Box 20202, Charlotte, N.C., 28202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and furniture parts*, between points in Alexander, Burke, Caldwell, Catawba, Lincoln, and Iredell Counties (except Statesville), N.C., and points in Georgia, South Carolina, and Virginia, and *refused, rejected, and damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 107839 (Sub-No. 105), filed April 21, 1966. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 4985 York Street, Denver, Colo. Applicant's representative: Edward T. Lyons, Jr., Suite 420 Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of the Tama Packing Co., located at or near Tama, Iowa, to points in Alabama, Arkansas, Colorado, Florida, Georgia, Idaho, Illinois, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 107983 (Sub-No. 7), filed April 21, 1966. Applicant: COLD-WAY EXPRESS, INC., Route 1, Morton, Ill., 61550. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill., 60641. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, including butter, powdered milk, condensed milk, ice cream mix, and oleomargarine*, (1) between Dubuque, Iowa, and Hannibal, Mo., on the one hand, and, on the other, Indianapolis, Ind., Louisville, Ky., Knoxville, Tenn., and points in Illinois (except points in the Chicago, Ill., commercial zone), and (2) between Louisville, Ky., on the one hand, and, on the other, Knoxville, Tenn., restricted to service for the accounts of Sugar Creek Foods Division of National Dairy Produce Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108207 (Sub-No. 189), filed April 21, 1966. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Post Office Box 5888, Dallas, Tex., 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confections, and toppings*, when transported in mechanically refrigerated trailers, from New Orleans, La., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Texas, and Wisconsin, and Memphis, Tenn., and its commercial zone. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 109448 (Sub-No. 10), filed April 25, 1966. Applicant: PARKER TRANSFER COMPANY, a corporation, Post Office Box 256, Elyria, Ohio. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio, 44115. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slate*, (1) from Sloatsburg, N.Y., to Amherst, Ohio, and (2) from Amherst, Ohio, to points in Connecticut, Delaware, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that this authority shall not be tacked with any other authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109501 (Sub-No. 7), filed April 22, 1966. Applicant: CALHOUN TRUCKING CORP., Kearny Industrial Park, Arlington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air conditioners, heating units*, temperature control units, washing *machines, dryers, stoves, and parts thereof*, from points in Edison Township, N.J., to points in Pennsylvania, on and east of U.S. 11, Delaware and Maryland, (2) *materials and supplies*, other than in bulk, such as used in the manufacture, production and distribution of the aforedescribed commodities, from the above described origin points to the above described destination points, and, (3) *rejected, returned and damaged shipments*, on return. NOTE: Applicant states that the proposed service is to be under contract with Fedders Corp. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 109612 (Sub-No. 10), filed April 25, 1966. Applicant: LEE MOTOR LINES, INC., Post Office Box 728, Indiana Highway 67 South, Muncie, Ind., 47305. Applicant's representative: Donald W. Smith, Suite 511 Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, caps, lids, covers, and stoppers, fiberboard boxes and partitions*, from the plantsite of Thatcher Glass Manufacturing Co., at Streator, Ill., to points in the Lower Peninsula of Michigan, Indiana, and Ohio, and Ashland, Maysville, Covington, Carrollton, Louisville, Owensboro, Henderson, and Paducah, Ky., and St. Louis, Mo., and *pallets, platforms, and skids*, on return. NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 115066 and subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110098 (Sub-No. 90), filed April 21, 1966. Applicant: ZERO REFRIGERATED LINES, a corporation, 815 Merida Street, Box 7249, Station A, San Antonio, Tex. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, articles distributed by meat packinghouses and such commodities as are used by meatpackers in the conduct of their business* when destined to and for use by meatpackers (except hides and commodities in bulk, in tank vehicles), from Guymon, Okla., to points in Arizona, Arkansas, California, Colorado, Idaho, Louisiana, Mississippi, Nevada, New Mexico, Oregon, Texas, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 110420 (Sub-No. 521), filed April 26, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chocolate, chocolate coatings, chocolate liquor, chocolate products, cocoa butter, confectioners' coatings and compound coatings*, in bulk, in tank vehicles, from Burlington, Wis., to points in Colorado, Connecticut, Florida, Massachusetts, Nebraska, New Jersey, New York, Pennsylvania, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110420 (Sub-No. 522), filed April 25, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Post Office Box 339, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hog mucosa or slime*, in bulk, in tank vehicles, from Waterloo, Iowa, to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110420 (Sub-No. 523), filed April 29, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Post Office Box 339, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juices*, in bulk, in stainless steel tank vehicles, from Chicago, Ill., to Muskogee, Okla. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 784), filed April 26, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa., 19335. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street, NW., Madison Building, Washington, D.C., 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank vehicles, from Midland, Mich., to points in Alabama, Florida, Georgia, Louisiana, North Carolina, South Carolina, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110686 (Sub-No. 29), filed April 18, 1966. Applicant: McCORMICK DRAY LINE, INC., Avis, Pa. Applicant's representative: David A. Sutherlund, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities of unusual value), between the plantsite of the Jones & Laughlin Steel Corp., located at or near Hennepin, Ill., and points in Alabama, Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110686 (Sub-No. 30), filed April 18, 1966. Applicant: McCORMICK DRAY LINE, INC., Avis, Pa. Applicant's representative: David A. Sutherlund, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furnaces, boilers, burners, radiators, air conditioners, and furnace, boiler, burner, and air conditioner parts, accessories, housings, and enclosures*, from the plantsite of E. S. Space Conditioning, Inc., located at or near Harrisonburg, Va., to Williamsport, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110988 (Sub-No. 204), filed April 18, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from Rock Rapids, Iowa, and points within ten (10) miles thereof, to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 110988 (Sub-No. 207), filed April 26, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis., 54957. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics and plastic materials*, in bulk, in tank or hopper-type vehicles, from the plantsite of Rexall Drug & Chemical Co., located approximately 4 miles southeast of Channahon, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111231 (Sub-No. 143), filed April 26, 1966. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark., 72764. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages*, carbonated or noncarbonated with or without Vitamin C added, from points in Muskogee County, Okla., to points in Alabama, Arizona, Arkansas, California, Florida, Georgia, Idaho, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, Oregon, Tennessee, Texas, Utah, and Washington, and *containers* used in the packaging of the commodities described above, on return. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111231 (Sub-No. 144), filed April 26, 1966. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark., 72764. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Arkansas on and north of U.S. Highway 64, beginning at the Arkansas-Oklahoma State line and extending to Beebe, Ark., and on and west of U.S. Highway 67, extending from Beebe, Ark., to the Missouri-Arkansas State line, to points in North Carolina, South Carolina, Maryland, and Delaware, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111812 (Sub-No. 345), filed April 22, 1966. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, food ingredients, food mixtures, table sauces, beverages, and advertising specialties, premiums, accessories, glassware, dishes, wrapping materials, and supplies*, when moving in conjunction with the aforementioned commodities, from points in Lafayette, Green, and Sawyer Counties, Wis., to points in Washington, Oregon, California, Idaho, Utah, Nevada, Arizona, Montana, Wyoming, Colorado, and New Mexico. NOTE: Applicant states no duplicating authority sought herein. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Chicago, Ill.

No. MC 111812 (Sub-No. 346), filed April 25, 1966. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representatives: William J. Walsh (same address as applicant) and Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Duluth, Minn., to points in Iowa, Nebraska, and South Dakota. NOTE: Applicant states that no duplicating authority is sought herein. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 112304 (Sub-No. 17) (Amendment), filed April 15, 1966, published FEDERAL REGISTER issue of May 5, 1966, amended April 29, 1966, and republished as amended this issue. Applicant: ACE DORN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, Ohio. Applicant's representative: James M. Burtch, 100 East Broad Street, Columbus, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Iowa, Illinois, Indiana, Kansas, Kentucky, Louisiana, Lower Peninsula of Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, Nevada, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: The purpose of this republication is to broaden the origin point. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112588 (Sub-No. 10), filed April 21, 1966. Applicant: RUSSELL TRUCKING LINE, INC., 1820 Milan Road, Sandusky, Ohio. Applicant's representative: Charles B. Myers, 611 Field Building, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone*, from the plantsite of the United States Gypsum Co. located within 1 mile of the corporate limits of Genoa, Ohio, to (1) points in Indiana, Kentucky, Michigan, and West Virginia, and (2) points in Maryland west of and including the county of Frederick, points in New York west of and including the counties of Cayuga, Onondaga, Cortland, and Tioga, and points in Pennsylvania west of and including the counties of Bradford, Sullivan, Columbia, Northumberland, Dauphin, and York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112893 (Sub-No. 36), filed April 26, 1966. Applicant: BULK TRANSPORT COMPANY, a corporation, 100 South Calumet, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer solutions, and fertilizer ingredients*, in bulk, in tank vehicles, from Calamine, Dane, Fall River, and Sun Prairie, Wis., to points in Illinois on and north of Illinois Highway 64. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113165 (Sub-No. 5), filed April 22, 1966. Applicant: PENINSULA TRUCK LINES, INC., 3414 Second Avenue South, Seattle, Wash. Applicant's representative: Carl A. Jonson, 400 Central Building, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, commodities in bulk, those requiring special equipment, and household goods as defined by the Commission), between airport in King County, Wash., on the one hand, and, on the other, points in Kitsap and Clallam Counties, Wash., restricted to shipments having a prior or subsequent movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 113325 (Sub-No. 95), filed April 25, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, and *dry commodities*, in bags, when moving at the same time and in the same vehicle with liquid chemicals, from points in the Chicago, Ill., commercial zone to points in Illinois, Indiana, Michigan, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113325 (Sub-No. 96), filed April 25, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastics, synthetics*, other than liquids, in bulk, from Delaware City, Del., to points in Alabama, Connecticut, Florida, Georgia, Kentucky, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113325 (Sub-No. 97), filed April 25, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street, NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, from the plantsite of Olin Mathieson Chemical Corp., located at or near Joliet, Ill., to points in Illinois, Indiana, Iowa, Kentucky Michigan, Missouri, Minnesota, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113514 (Sub-No. 97), filed April 20, 1966. Applicant: SMITH TRANSIT, INC., 3300 Republic National Bank Building, Dallas, Tex., 75201. Applicant's representative: William D. White, Jr., 2505 Republic National Bank

Tower, Dallas, Tex., 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, from points in Texas, to points in Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 113678 (Sub-No. 253), filed April 20, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in York County, Nebr., to points in Arizona, California, Colorado, Nevada, New Mexico, and Utah. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 113678 (Sub-No. 254), filed April 26, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* (except commodities in bulk, in tank vehicles), as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Bureau, Ill., to points in Arizona, California, Colorado, Connecticut, Delaware, Idaho, Maine, Maryland, Minnesota, Montana, Nebraska, Massachusetts, Nevada, New Hampshire, New York, North Dakota, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Virginia, New Jersey, Washington, and West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 113828 (Sub-No. 113), filed April 20, 1966. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington, D.C., 20014. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete additives and ingredients*, (1) from Cleveland, Ohio, to points in Maryland, Virginia, and the District of Columbia, and (2) from Baltimore, Md., to points in Virginia and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113974 (Sub-No. 18) (Amendment), filed April 13, 1966, published FEDERAL REGISTER issue of April 28, 1966, amended and republished, this issue. Applicant: PITTSBURGH & NEW ENGLAND TRUCKING CO., a corporation, 211 Washington Avenue, Dravosburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steelmill materials, supplies, and equipment, and building materials*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: The purpose of this republication is to broaden the territory sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114045 (Sub-No. 251), filed April 22, 1966. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products and materials, supplies and advertising matter*, when moving in conjunction therewith, from Lancaster, Ohio, to Buffalo, N.Y., Pittsburgh, Pa., St. Louis, Mo., and points in Illinois, Indiana, Kentucky, the Lower Peninsula of Michigan, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114194 (Sub-No. 133), filed April 21, 1966. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Starch*, in bulk, from Decatur, Ill., to points in North Carolina, South Carolina, Georgia, Alabama, and Mississippi, and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 114284 (Sub-No. 30), filed April 22, 1966. Applicant: FOX-SMYTHE TRANSPORTATION CO., a corporation, Post Office Box 82307, Stockyards Station, Oklahoma City, Okla. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, articles distributed by meat packinghouses, and such commodities as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers*, as described in sections A, B, C and D, appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from Guyman, Okla., to points in Arizona, California, Iowa, Nebraska, New Mexico, South Dakota, and Texas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114284 (Sub-No. 31), filed April 22, 1966. Applicant: FOX-SMYTHE TRANSPORTATION CO., INC., Post Office Box 82307, Stockyards Station, Oklahoma City, Okla. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Wichita, Kans., to points in Oklahoma, Texas, New Mexico, Arkansas, Arizona, California, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114323 (Sub-No. 3), filed April 21, 1966. Applicant: PAUL MARCKESANO AND SONS CO., INC., 54th Avenue and Fifth Street, Long Island City, N.Y. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement*, in bulk, from the storage site of Penn-Dixie Cement Corp., Jersey City, N.J., to points in Connecticut, and points in Rockland, Westchester, Nassau, and Suffolk Counties, N.Y., and *returned shipments*, on return. NOTE: Applicant states that no duplicating authority is requested. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 114364 (Sub-No. 117), filed April 27, 1966. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 672, Rocky Ford, Colo. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pickles*, in containers, from Denver, Colo., to points in Arizona, California, Kansas, Nevada, and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114457 (Sub-No. 54), filed April 26, 1966. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, from Mankato, Minn., to Carrollton, Macon, Marshall, Moberly, Sedalia, St. Joseph, and Milan, Mo., (2) *salt, spices, food coloring, food seasoning, and condiments*, from Carrollton, Macon, Marshall, Moberly, Sedalia, St. Joseph, and Milan, Mo., to Wells, Minn., (3) *frozen foods*, from Marshall, Mo., to Wells, Minn., and (4) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act, when moving in the same vehicle at the same time with salt, spices, food coloring, food seasoning, and condiments, and frozen foods, from Carrollton, Macon, Marshall, Moberly, Sedalia, St. Joseph, and Milan, Mo., to Wells, Minn. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114699 (Sub-No. 33), filed April 21, 1966. Applicant: TANK LINES, INCORPORATED, North Dabney Road, Post Office Box 6415, Richmond, Va., 2320. Applicant's representative: E. Stephen Heisley, 529 Transportation

Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal fats, animal oils, and vegetable oils, including products and blends of such commodities*, in bulk, in tank vehicles, from Chicago, Ill., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Mississippi, Nebraska, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (2) *vegetable oils*, in bulk, in tank vehicles, from points in Illinois, Iowa, Missouri, Tennessee, and Wisconsin, to Chicago, Ill., and *rejected shipments only*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115840 (Sub-No. 25), filed April 25, 1966. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, between points in Tennessee on and east of U.S. Highway 127, on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, North Carolina, Ohio, West Virginia, and South Carolina. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116273 (Sub-No. 63), filed April 20, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn flour*, in bulk, from Danville, Ill., to Elkhart, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116273 (Sub-No. 64), filed April 20, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill., 60650. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products*, in bulk, in tank or hopper type vehicles, from Danville, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116273 (Sub-No. 66), filed April 22, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perlite and vermiculite*, in bulk, from De Kalb and Chicago, Ill., to points in Minnesota, Iowa, Missouri, Wisconsin, Michigan, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 369), filed April 22, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Austin, Ind., to points in Iowa, Missouri, Kansas, Nebraska, and Minnesota. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117344 (Sub-No. 170), filed April 20, 1966. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Cincinnati 15, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Jackson County, Ind., to points in Illinois, Indiana, Kentucky, and Ohio, restricted against the transportation of liquid hydrogen to points in Illinois and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 118196 (Sub-No. 68), filed April 21, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods, food products, food ingredients, food mixtures, table sauces, and beverages*, and *advertising specialities, premiums, accessories, glassware, dishes, wrapping material, and supplies*, when moving in conjunction with the aforenamed commodities, from points in Lafayette, Green and Sawyer Counties, Wis., to points in Washington, Oregon, California, Idaho, Utah, Nebraska, Arizona, Montana, Wyoming, Colorado, and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 118196 (Sub-No. 69), filed April 21, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* (except frozen), from points in Oregon and Utah, to points in Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo.

No. MC 118831 (Sub-No. 47), filed April 18, 1966. Applicant: CENTRAL TRANSPORT, INCORPORATED, Uwharrie Road, Post Office Box 5044, High Point, N.C. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feldspar*, in bulk, in tank vehicles, from points in Cleveland, Mitchell, and Yancey Counties, N.C., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Louisiana, Mississippi, Missouri, New York, New Jersey, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, and Virginia. NOTE: Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119403 (Sub-No. 3), filed April 25, 1966. Applicant: CONTRACT STEEL CARRIERS, INC., 7500 West Chicago Avenue, Gary, Ind. Applicant's representative: Charles B. Myers, 611 Field Building, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from points in Putnam County, Ill., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, and Florida, and (2) *such commodities as are used or useful in the development, construction and operation of steel mills*, from the above destination States in (1) above to points in Putnam County, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119441 (Sub-No. 12), filed April 25, 1966. Applicant: BAKER HIWAY EXPRESS, INC., Stone Creek, Ohio. Applicant's representative: Richard H. Brandon, 810 Hartman Building, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, from Baltic and Wadsworth, Ohio, and points within 10 miles of each to points in Delaware, the District of Columbia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, New Jersey, New York, Pennsylvania, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 119573 (Sub-No. 8), filed April 25, 1966. Applicant: WATKINS TRUCKING, INC., 207 Trenton Avenue, Uhrichsville, Ohio. Applicant's representative: Richard H. Brandon, 810 Hartman Building, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic pipe and fittings for plastic pipe*, from the plantsite of the Evanite Plastic Co. near Carrolton, Ohio, to points in Vermont: and (2) *plastic pipe and fittings for plastic pipe* only when transported in mixed shipments with clay products, from Mill Township, Tuscarawas County, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, West Virginia, and Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 119767 (Sub-No. 165), filed April 26, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Post Office Box 339, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods, frozen pies, not baked, and frozen poultry*, from Carrollton, Macon, Marshall, Milan, and Moberly, Mo., to points in Kentucky and Tennessee (except Memphis). NOTE: If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 119864 (Sub-No. 26), filed April 26, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, materials, and supplies* used in the manufacture, sale and distribution thereof, between Toledo, Ohio, on the one hand, and, on the other, points in Indiana, Illinois, Kentucky, Michigan, New York, New Jersey, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119864 (Sub-No. 27), filed April 25, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and food preparations, cooking oils, shortening*, and *matches*, and *such materials, supplies, and equipment as are used in the manufacture, packing and shipping of the above*, between Toledo, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Ohio, Kentucky, New York, Wisconsin, Pennsylvania, and West Virginia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 120098 (Sub-No. 15), filed April 25, 1966. Applicant: UINTAH FREIGHTWAYS, a corporation, 348 West 1370 South, Salt Lake City, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk pneumatic tank, from points in Carbon County, Utah, to points in San Juan County, N. Mex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 123407 (Sub-No. 26) (Amendment), filed April 11, 1966, published in FEDERAL REGISTER issue of April 28, 1966, amended and republished this issue. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue, Minneapolis, Minn. Applicant's representative: Alan Foss, First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and steel mill materials, supplies and equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Michigan, Wisconsin, Illinois, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Georgia, and Florida. NOTE: The purpose of this republication is to more clearly set forth the proposed operation. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124069 (Sub-No. 7), filed April 25, 1966. Applicant: CONCRETE DELIVERY CO., INC., 7 North Steelawanna Avenue, Lackawanna, N.Y. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y., 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in seasonal operation between October first and May first, from ports of entry on the international boundary line between the United States and Canada at or near Alexandria Bay, N.Y., to South Lansing, Rochester, Rome, and Watertown, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 125040 (Sub-No. 2) (Amendment), filed March 7, 1966, published in FEDERAL REGISTER, issue of March 24, 1966, amended April 27, 1966, and republished as amended, this issue. Applicant: R. CONLEY, INC., Seneca Street, Elma, N.Y. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y., 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fruit juices*, in tank vehicles, from Naples, Newfane, and Westfield, N.Y., to Chicago, Ill., and (2) *wine*, in tank vehicles, from Fredonia, N.Y., to Chicago, Ill.; and *returned, refused, and rejected shipments*, on return. NOTE: The purpose of this republication is to more clearly set forth the proposed operation. Applicant is also authorized to conduct operations as a contract carrier in permit No. MC 110663 and subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 125248 (Sub-No. 1), filed April 27, 1966. Applicant: FRANCIS P. CMIEL AND MARIAN E. CMIEL, a partnership doing business as R & M CMIEL, Rural Delivery 1, Columbus, Pa. Applicant's representative: Frank G. McKnight, 108 South Center Street, Post Office Box 148, Corry, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Malt beverages*, (1) from Buffalo, N.Y., to Corry, Titusville, Erie, Farrell, and Clarion, Pa.; and (2) from Dunkirk, N.Y., to Corry and Titusville, Pa.; and (B) *soft drinks*, from Corry, Pa., to Falconer, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Erie, Pa.

No. MC 125777 (Sub-No. 91), filed April 18, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from Muskegon, Mich., to points in Illinois, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125777 (Sub-No. 92), filed April 25, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in dump vehicles, from Clinton and Davenport, Iowa, to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125777 (Sub-No. 93), filed April 25, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from Chicago, Ill., to points in Kansas and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125777 (Sub-No. 94), filed April 25, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in dump vehicles, from Cordova and Keithsburg, Ill., to points in Iowa, Wisconsin, Minnesota, Nebraska, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125899 (Sub-No. 2) (Correction), filed March 28, 1966, published FEDERAL REGISTER issue of April 21, 1966, and republished as corrected this issue. Applicant: JOHN McCABE, 1804 South 27th Avenue, Phoenix, Ariz. Applicant's representative: Pete H. Dawson, 4453 East Piccadilly Road, Phoenix, Ariz., 85018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Brick*, from ports of entry on the international boundary line between the United States and Mexico, located at San Luis and Nogales, Ariz., to points in Arizona, and (2) *lumber*, (a) from points in Arizona, to the ports of entry on the international boundary line between the United States and Mexico, located at San Luis and Nogales, Ariz., (b) from points in Oregon, California, and Arizona, to points in Hidalgo County, N. Mex., and (c) from points in McKinley County, N. Mex., to points in Arizona and California. NOTE: The purpose of this republication is to correct item (2)(c). If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 126305 (Sub-No. 8), filed April 25, 1966. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., Route 1, Clayton, Ala. Applicant's representative: Robert E. Tate, Suite 2025–2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from points in Henry and Houston Counties, Ala., to points in Florida, Georgia, and Mississippi. NOTE: Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 126311 (Sub-No. 3), filed April 25, 1966. Applicant: CHARLES L. PARKS, Ashland, Nebr. Applicant's representative: J. Max Harding, Box 2028, 605 South 14th Street, Lincoln, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer*, in bulk, in tank vehicles, from Council Bluffs, Iowa, and Lawrence Kans., to points in Butler, Cass, Colfax, Dodge, Douglas, Lancaster, Saunders, Seward, and Washington Counties, Nebr. NOTE: Applicant states all service to be limited to a transportation service to be performed under continuing contract with Farmers Union Coop. Oil Association, Wahoo, Nebr. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 126899 (Sub-No. 21), filed April 27, 1966. Applicant: USHER TRANSPORT, INC., 1415 South Third Street, Paducah, Ky. Applicant's representative: Louis J. Amato, 703–706 McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* in containers, from Louisville, Ky., and St. Louis, Mo., to Mount Vernon, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 126984 (Sub-No. 1), filed April 25, 1966. Applicant: H. F. L. TRANSPORT, INC., 2530 Columbus Avenue, Rear, Springfield, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brooms, mops, allied items and materials used in their manufacture*, (1) from Portland, Ind., to points in Kentucky, Texas, Tennessee, Mississippi, Alabama, Georgia, and Louisiana, and (2) from Springfield, Ohio, to points in Kentucky, Texas, Tennessee, Mississippi, Alabama, Georgia, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127042 (Sub-No. 15), filed April 25, 1966. Applicant: HAGEN, INC., 4120 Floyd Street, Sioux City, Iowa. Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts*, and *articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and liquid commodities in bulk, in tank vehicles), from Sioux City and Spencer, Iowa, and Sioux Falls, S. Dak., to points in Illinois on and north of U.S. Highway 136 (except Chicago, Ill.). NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 127093 (Sub-No. 3), filed April 22, 1966. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson, Iron Mountain, Mich. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boards, building, wall, and/or insulating, and parts, materials, and accessories* incidental thereto; (2) *manufactured and/or composition boards, and parts and accessories* incidental thereto; and (3) *roofing and/or insulating materials, and parts and accessories* incidental thereto; between the plantsite of the Celotex Corp. at L'Anse, Mich., and warehouses owned or leased by the Celotex Corp. in the Upper Peninsula of Michigan, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois (except Chicago and the commercial zone thereof), Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin, and the District of Columbia; and *materials and supplies* used in the manufacture of items specified in (1), (2), and (3) above, and *refused, rejected, or damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127506 (Sub-No. 1), filed April 25, 1966. Applicant: P. JUDGE & SONS, INC., 117 Metropolitan Avenue, Brooklyn, N.Y., 11211. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Business machines and parts, accessories and supplies therefor* (except articles which because of size, shape or weight, require the use of special equipment or special handling), (1) between New York, N.Y., Port Newark and Somerville, N.J., on the one hand, and, on the other, New York, N.Y., points in Orange, Rockland, Westchester, Nassau and Suffolk Counties, N.Y., and (2) between New York, N.Y., Port Newark, N.J., on the one hand, and, on the other Somerville, N.J., under a continuing contract with Inter Continental Trading Corp., Somerville, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 127541 (Sub-No. 1), filed April 21, 1966. Applicant: GARITH R. ANDERSON, 5747 Glenwood Avenue North, Golden Valley, Minn. Applicant's representative: W. J. Corrick, 102 Professional Center, 3811 West Broadway, Robbinsdale, Minn., 55422. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glazed concrete blocks*, in shipper owned trailers for the account of Zenith Glazed Products Co., from Osseo, Minn., to points in North Dakota, South Dakota, Iowa, Wisconsin, Nebraska, the Upper Peninsula of Michigan and Kansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 127769 (Sub-No. 3), filed April 22, 1966. Applicant: SAM L. PALMER, 415 West Seventh Street, Cheyenne, Wyo. Applicant's representative: Robert S. Stauffer, 1510 East 20th Street, Cheyenne, Wyo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Repossessed automobiles, trucks and trailers*, except those designed to be drawn by passenger automobiles, in driveaway service, between points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Cheyenne, Wyo.

No. MC 127823 (Sub-No. 1), filed April 22, 1966. Applicant: ROBERT KAUFMAN, 2 Fairlawn Drive, Worcester, Mass. Applicant's representative: Arthur A. Wentzell, Post Office Box 720, Worcester, Mass., 01601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed ingredients*, except commodities in bulk, for the account of Lockwood Nutrition Service, Inc., between points in New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 127868 (Sub-No. 1), filed April 13, 1966. Applicant: PETER STEENHUSEN, JR., doing business as STEENHUSEN HARDWARE, Irwin, Iowa. Applicant's representative: Jake S. More, Harlan, Iowa, 51537. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients* (except the transportation of feed and feed ingredients in bulk, in tank vehicles, for the account of Rucklos Calcium Carbonate Co.), from Weeping Water, Nebr., to Irwin, Iowa, and points in Audubon, Cass, Shelby, Pottawattamie, Guthrie, Crawford, Carroll, Adair, Dallas, Boone, Greene, Plymouth, Cherokee, Buena Vista, Pocahontas, Woodbury, Ida, Sac, and Calhoun Counties, Iowa, and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 127881 (Sub-No. 1), filed April 25, 1966. Applicant: VIC HAULING CO., a corporation, 2528 Charann Street, St. Charles, Mo. Applicant's representative: A. A. Marshall, 216–218 Buder Building, St. Louis, Mo., 63101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Haydite*, in bulk, from Fairview, Ill., to the plantsite of Kirchner Manufacturing Co. located in St. Louis County, Mo., and the plantsite of Mid-Con, Inc., located at Wentzville, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 127988 (Sub-No. 2), filed April 25, 1966. Applicant: LEON F. FIALA, doing business as FIALA FEED & GRAIN CO., Osceola, Nebr., 68651. Applicant's representative: C. A. Ross, 1004–1005 Trust Building, Lincoln 8, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed ingredients*, to be used in dry animal and poultry feeds, *dry animal and poultry minerals feed mixtures*, from Osceola, Nebr., to points in Iowa, Kansas, Minnesota, and South Dakota, and *rejected shipments* and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 128136, filed April 21, 1966. Applicant: CHARLES F. BRICKER, doing business as FARM & FOREST TRUCK SERVICE, 1648 North Lincoln Avenue, Salem, Ohio. Applicant's representative: Jay B. Zellar, 47 North Fourth Street, Zanesville, Ohio, 43701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dressed lumber*, from Drakes Branch, Va., to points in Ohio, Pennsylvania, and West Virginia. NOTE: Applicant states that it will transport exempt agricultural commodities (hay) on return. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

MOTOR CARRIERS OF PASSENGERS

No. MC 1934 (Sub-No. 23), filed April 21, 1966. Applicant: THE ARROW LINE, INC., 70 Florence Street, East Hartford, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, when moving in the same vehicle with passengers, in special round-trip operations, during the racing seasons of each year at the racetrack specified, beginning and ending at Hartford, Conn., and extending to the site of the Aqueduct Racetrack, New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 59238 (Sub-No. 60), filed April 25, 1966. Applicant: VIRGINIA STAGE LINES, INCORPORATED, 114 Fourth Street SE., Charlottesville, Va. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* and *express* and *newspapers*, in the same vehicle with passengers, between junction U.S. Highway 29 and Interstate Highway 66 and junction Interstate Highway 495 and Interstate Highway 66, over Interstate Highway 66, serving all intermediate points, and serving the junction Interstate Highway 495 and Interstate Highway 66 for purposes of joinder only. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61016 (Sub-No. 28), filed April 21, 1966. Applicant: PETER PAN BUS LINES, INC., 144 Bridge Street, Springfield, Mass. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, between Amherst and Greenfield, Mass.; from Amherst over Massachusetts Highway 116 to the Amherst-Sunderland line, thence over Massachusetts Highway 116 in Sunderland to the Sunderland-Deerfield line, thence over Massachusetts Highway 116 in Deerfield to junction Massachusetts Highway 5, and thence over Massachusetts Highway 5 to Greenfield, and return over the same route, serving all intermediate points. NOTE: Applicant states it does not propose to tack the proposed authority with any now held by it. If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.

No. MC 67340 (Sub-No. 5), filed April 22, 1966. Applicant: RESORT BUS LINES, INC., 31 Edgecomb Place, Yonkers, N.Y. Applicant's representative: Samuel B. Zinder, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express and newspapers*, between Millbrook, N.Y., and New York, N.Y., serving Fishkill, N.Y., and all intermediate points between (1) Fishkill, N.Y., and Millbrook, N.Y., from Millbrook, thence over New York Highway 82 (Highway 52), to junction U.S. Highway 9, thence over U.S. Highway 9 to junction Interstate Highway 84, thence over Interstate Highway 84 to the Thomas E. Dewey Thruway, thence over the Thomas E. Dewey Thruway to junction Garden State Parkway, thence over Garden State Parkway to junction Interstate Highway 80, thence over Interstate Highways 80 and 95 to George Washington Bridge, thence over the George Washington Bridge to New York, N.Y., and (2) between Hopewell Junction and the intersection of New York Highways 82 and 52, serving all intermediate points, including the plant of the International Business Machines, from Hopewell Junction over New York Highway 376 to junction at East Fishkill with New York Highway 52, thence over New York Highway 52 to junction with New York Highway 82. NOTE: Applicant states that the aforementioned authority will be used in connection with its existing regular route authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 109802 (Sub-No. 26), filed April 25, 1966. Applicant: LAKELAND BUS LINES, INC., East Blackwell Street, Dover, N.J. Applicant's representative: Bernard Flynn, Jr., York-Flynn Building, East Blackwell Street, Dover, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *newspapers* and *express*, in the same vehicle with passengers, between Sparta Township, N.J., and Port Jervis, N.Y.: From Sparta Township over New Jersey Highway 15 to junction U.S. Highway 206, thence over U.S. Highway 206 to Montague, N.J., thence over toll bridge and connecting roads to Milford, Pa., and thence over U.S. Highway 209 (U.S. Highway 6) to Port Jervis, and return over the same route, serving all intermediate points, and further for tacking purposes, with service to points on applicant's presently authorized regular-route, in MC 109802 and Subs 12 and 13, wherein it is authorized to operation in the States of New York and New Jersey. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dover, N.J.

No. MC 120083 (Sub-No. 6), filed April 25, 1966. Applicant: LINCOLN COACH LINES, 1008 Lincoln Highway West, Irwin, Pa. Applicant's representative: James W. Hagar, Commerce Building, Post Office Box 432, Harrisburg, Pa., 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, beginning and ending at points in Allegheny, Bedford, Butler, Crawford, Mercer, Somerset, Venango, and Westmoreland Counties, Pa., and extending to points in the United States, including Alaska, but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 93003 (Sub-No. 49), filed April 22, 1966. Applicant: CARROLL TRUCKING CO., 4901 U.S. Route 60, E. Huntington, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel*, and iron and steel articles as described in 61 M.C.C. 209 (except those commodities which because of size or weight require special equipment and those articles of iron and steel which are building materials), from Huntington, W. Va., to points in Kansas, Minnesota, Nebraska, South Dakota, and Wisconsin, and *refused and rejected shipments*, on return.

No. MC 125102 (Sub-No. 7), filed April 21, 1966. Applicant: LEONARD DeLUE, D. J. SEBERN, T. W. RINKER, E. L. DeLUE, and TED P. RINKER, a partnership, doing business as ARMORED MOTORS SERVICE, 970 Yuma Street, Denver, Colo. Applicant's representative: O. Russell Jones, 207 Bokum Building, 142 West Palace Avenue, Santa Fe, N. Mex., 87501. Authority sought to operate as a *contract carrier*,

by motor vehicle, over irregular routes, transporting: *Currency, coin, bonds and securities*, in armored cars, accompanied by armed guards, between El Paso, Tex., on the one hand, and, on the other, points in Santa Cruz and Greenlee Counties, Ariz. NOTE: Applicant states the proposed operation herein applied for is to be performed under a continuing contract, or contracts, with the Federal Reserve Bank of Dallas, Dallas, Tex.

No. MC 127973 (Correction), filed February 14, 1966, published FEDERAL REGISTER, issue of March 10, 1966, and republished as corrected, this issue. Applicant: GLENN D. ENGHUSEN, doing business as GLENN'S, Highway 93 North, Eureka, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products, and building materials*, between Eureka, Mont., and Spokane, Wash. NOTE: The purpose of this republication is to add applicant's trade name, inadvertently omitted from previous publication.

No. MC 128030 (Sub-No. 18), filed April 25, 1966. Applicant: THE STOUT TRUCKING CO., INC., Box 167 Rural Route No. 1, Urbana, Ill. Applicant's representative: W. L. Jordan, 201 Merchants Savings Building, Terre Haute, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Milwaukee, Wis., to Loda, Ill., and *empty malt beverage containers*, on return. NOTE: Common control may be involved.

No. MC 128030 (Sub-No. 19), filed April 26, 1966. Applicant: THE STOUT TRUCKING CO., INC., Box 167 Rural Route No. 1, Urbana, Ill. Applicant's representative: W. L. Jordan, 201 Merchants Savings Building, Terre Haute, Ind., 47801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bleachers, grandstands and portable grandstand seats and component parts thereof, and supplies* therefor, from Urbana, Ill., to points in California, Idaho, Oregon, and Washington. NOTE: Common control may be involved.

No. MC 128135, filed April 20, 1966. Applicant: KEN ROY SERVICE, INC., 91 Magnolia Avenue, Westbury, Nassau County, N.Y. Applicant's representative: Joseph Fennelly, Jr., 115 Broadway, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned fruits, vegetables and juices*, from Port Newark, (2) *toys*, seasonal for the Christmas holiday during July or August, from North Elizabeth, (3) *canned cranberry sauce and cranberry juice*, seasonal for Thanksgiving and Christmas, from Bordentown, and (4) *hawaiian punch*, seasonal during June through September, from Trenton, N.J.; to points in Queens, Nassau, and Suffolk Counties, N.Y., for King Kullen Grocery Co., Inc.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-5121; Filed, May 11, 1966; 8:45 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

MAY 9, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

AGGREGATE-OF-INTERMEDIATES

FSA No. 40466—*Commodities between points in Texas*. Filed by Texas-Louisiana Freight Bureau, agent (No. 569), for interested rail carriers. Rates on sulphuric acid, spent or sludge, in tank carloads, from El Paso, Tex., to Littlefield, Tex.

Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 50 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-5186; Filed, May 11, 1966; 8:48 a.m.]

[Notice 180]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 9, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 66562 (Sub-No. 2189 TA), filed May 4, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: Robert C. Boozer, 80 Broad Street NW., Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, moving in express service*, (1) between Henderson, N.C., and Boykins, Va., serving the intermediate and/or off-route points of Norlina, Macon, Littleton, Roanoke Rapids, Weldon, and Seaboard, N.C., from Henderson over U.S. Highway 158 to junction North Carolina Highway 195, thence over North Carolina Highway 195 to North Carolina-Virginia State line, thence over Virginia Highway 195 to Boykins, and return over the same route; (2) between Louisburg, N.C., and Roanoke Rapids, N.C., serving no intermediate points, from Louisburg over North Carolina Highway 561 to junction North Carolina Highway 48, thence over North Carolina Highway 48 to Roanoke Rapids, and return over the same route; (3) between Littleton, N.C., and junction North Carolina Highways 4 and 561 (only for joinder with Route 2 above), serving no intermediate points, from Littleton over North Carolina Highway 4 to junction North Carolina Highway 561, and return over the same route; (4) between Rocky Mount, N.C., and Hobgood, N.C., serving no intermediate points, from Rocky Mount over North Carolina Highway 97 to Hobgood, and return over the same route; (5) between Franklin, Va., and junction U.S. Highway 258 and North Carolina 97 (only for joinder with Route 4 above), serving the intermediate and/or off-route points of Woodland, Rich Square, and Scotland Neck, N.C., from Franklin over U.S. Highway 258 to junction U.S. Highway 258 and North Carolina Highway 97, and return over the same route.

(6) Between Rich Square, N.C., and Aulander, N.C., serving the intermediate point of Lewiston, N.C., from Rich Square over U.S. Highway 258 to junction North Carolina Highway 308, thence over North Carolina Highway 308 to Lewiston, thence over unnumbered highway to Connaritsa, N.C., thence over North Carolina Highway 305 to Aulander, and return over the same route; (7) between junction North Carolina Highways 35 and 305 (only for joinder with existing authority of applicant) and Boykins, Va., serving the intermediate and/or off-route points of Woodland and Conway, N.C., from junction North Carolina Highways 35 and 305, over North Carolina Highway 35 to North Carolina-Virginia State line, thence over Virginia Highway 35 to Boykins, and return over the same route; (8) between junction U.S. Highways 158 and 258 (only for joinder with Route 5 above) and Winton, N.C. (only for joinder with existing authority of applicant), serving no intermediate points, from junction U.S. Highways 158 and 258, over U.S. Highway 158 to Winton, and return over the same route; for 150 days. Restrictions: The service to be performed shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency. Shipments transported by applicant shall be limited to those moving on through bills of lading or express receipts. Supporting shippers: The application is supported by statements from 13 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 95008 (Sub-No. 6 TA), filed May 4, 1966. Applicant: DAVID FISHER, doing business as FISHER SERVICE TRUCKING, Rural Delivery No. 2, Post Office Box 456, 3 Maple Lane, Melody Lake, Monticello, N.Y. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shirts and pajamas*, from Waynesburg, Pa., to New Hyde Park, N.Y., restricted to delivery at the facilities of Donmoor, Inc., at New Hyde Park, N.Y., for 180 days. Supporting shipper: Donmoor-Isaacson, Inc., 34 West 33d Street, New York, N.Y., 10001. Send protests to: Charles F. Jacobs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 215-217 Post Office Building, Binghamton, N.Y., 13902.

No. MC 107002 (Sub-No. 306 TA), filed May 4, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., W. S. Highway 80 West, Post Office Box 1123, Jackson, Miss., 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid plastics*, in bulk, in tank vehicles, from Hattiesburg, Miss., to Bogalusa, La., for 180 days. Supporting shipper: Hercules Powder Co., Inc., Traffic Department, Wilmington, Del., 19899 (John A. Bull, assistant manager, truck division). Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 113855 (Sub-No. 132 TA), filed May 4, 1966. Applicant: INTERNATIONAL TRANSPORT, INC., W. S. Highway 52 South, Rochester, Minn., 55901. Applicant's representatives: Van Osdel, Foss & Johnson, 502 First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Loaders, conveyors, screens, grizzlies, bins, light towers, idlers, prefabricated concrete forms, steel scaffolding, and attachments, parts and accessories for the above-named commodities;* from Yankton, S. Dak., and points within 2 miles thereof, to points in the United States, except Hawaii, for 180 days. Supporting shippers: Morgen Manufacturing Co., 117 West Third, Yankton, S. Dak.; Kolberg Manufacturing Corp., Post Office Box 20, West 21st Street, Yankton, S. Dak. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 114969 (Sub-No. 24 TA), filed May 4, 1966. Applicant: PROPANE TRANSPORT, INC., 27 Water Street, Post Office Box 22, Milford, Ohio, 45150. Applicant's representative: James M. Roudebush (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant site of the Agrico Chemical Co., Division of Continental Oil Co., at or near Wilder, Ky., to points in Illinois, Indiana, Michigan (Lower Peninsula), and Ohio, for 150 days. Supporting shipper: James J. Kerr, Agrico Chemical Co., Division of Continental Oil Co., 1222 Riverside Boulevard, Memphis, Tenn., 38101. Send protests to: Emil P. Schwab, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio, 45202.

No. MC 123157 (Sub-No. 12 TA), filed May 4, 1966. Applicant: CEMENT TRANSPORTERS, INC. Rillito, Ariz. Applicant's representative: A. Michael Bernstein, 1327 Guaranty Bank Building, Phoenix, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Rillito and Clarkdale, Ariz., to the port of entry on the international boundary line between the United States and Mexico, at or near Douglas, Ariz., for 180 days. Supporting shippers: Phoenix Cement Co., Division of American Cement Corp., 3550 North Central, Phoenix, Ariz., 85012; Arizona Portland Cement Co., Osborn Plaza Building, 222 West Osborn Road, Phoenix, Ariz., 85013. Send protests to: Andrew V. Baylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 4006 Federal Building, Phoenix, Ariz., 85025.

No. MC 123383 (Sub-No. 18 TA), filed May 4, 1966. Applicant: BOYLE BROTHERS, INC., 256 River Road, Edgewater, N.J., 07020. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from the plantsite of Georgia-Pacific Corp., Bestwall Division, Wilmington, Del., to points in Virginia, Maryland, District of Columbia, Pennsylvania, New York, New Jersey, West Virginia, Connecticut, Massachusetts, and Rhode Island, *returned shipments* in opposite direction; *paper*, from plantsite of above-named shipper in Delair, N.J., to the above-named shipper's plantsite in Wilmington, Del., for 180 days. Supporting shipper: Georgia-Pacific Corp., Bestwall Gypsum Division, 2 Industrial Boulevard, Paoli, Pa., 19301. Send protests to: Joel Morrows, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J., 07102.

No. MC 124987 (Sub-No. 6 TA), filed May 4, 1966. Applicant: EARL L. BONSACK, 1129 Vine Street, La Crosse, Wis., 54601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from La Crosse and Sheboygan, Wis., to Albert Lea, Alexandria, Bemidji, Duluth, Eagle Lake, Sauk Centre, Two Harbors, and Virginia, Minn., for 180 days. Supporting shipper: G. Heileman Brewing Co., Inc., La Crosse, Wis., 54601. Send protests to: C. W. Buckner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis., 53703.

No. MC 127989 (Sub-No. 1 TA), filed May 4, 1966. Applicant: DOLPHIN TRANSPORT LTD., 1132 35th Street SE., Calgary, Alberta, Canada. Applicant's representative: Keith N. Walkam, 900 Lancaster Building, Calgary, Alberta, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building stone*, from Gardiner, Livingston, Neihart, and Great Falls, Mont., to the boundary line between the United States and Canada at the port of entry near Sweetgrass, Mont., for 180 days. Supporting shipper: Western Stone Products, Ninth Avenue and 23d Street SE., Calgary, Alberta, Canada. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, U.S. Post Office Building, Billings, Mont., 59101.

No. MC 128148 TA, filed May 4, 1966. Applicant: C. E. EVANS, doing business as C. E. TRANSPORT, Fifth and College Streets, Bowling Green, Ky., 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used cars*, from Indianapolis, Ind., to Bowling Green, Ky., for 180 days. Supporting shipper: Billy D. Miller, owner, Miller Used Cars, Fifth and College Streets, Bowling Green, Ky., 42101. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky., 40202.

No. MC 128154 TA, filed May 4, 1966. Applicant: DAVID M. PERRIN, Rural Route 1, Princeton, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from National Stockyards, East St. Louis, Ill., to points in Sullivan, Spencer, and Posey Counties, Ind., for 90 days. Supporting shipper: Agricultural Chemical Division of Swift & Co., Inc., East St. Louis, Ill. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Penn Street, Indianapolis, Ind., 46204.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-5187; Filed, May 11, 1966; 8:48 a.m.]

[Notice 1344]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 9, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68629. By order of May 6, 1966, the Transfer Board approved the transfer to Fulton Moving & Storage, Inc., Portland, Oreg., of the operating rights in certificate No. MC–19627, issued August 17, 1956, to James A. Larpenteur, doing business as Fulton Transfer & Storage, Portland, Oreg., authorizing the transportation, over irregular routes, of household goods and immigrant movables between Portland, Oreg., and points within 3 miles thereof, on the one hand, and, on the other, points in Washington and Oregon. Earle V. White, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201, attorney for applicants.

No. MC–FC–68637. By order of May 6, 1966, the Transfer Board approved the transfer to Otto Stritesky, Silver Lake, Minn., of the certificate of registration No. MC–121080 (Sub-No. 1), issued May 11, 1965, to Milo Stritesky and Otto Stritesky, Silver Lake, Minn., evidencing a right to engage in the transportation of: Freight, between specified points in Minnesota. A. R. Fowler, 2288 University Boulevard, St. Paul, Minn., 55114, representative for applicants.

No. MC–FC–68641. By order of May 6, 1966, the Transfer Board approved the transfer to Charles Hellrigel & Son, Moving & Storage Warehouses, Inc., Newark, N.J., of the certificate in No. MC–46060, issued November 15, 1965, to Charles M. O'Connor, doing business as Charles Hellrigel & Son, Newark, N.J., authorizing the transportation of: Household goods, between points and places in New Jersey, on the one hand, and, on the other, points in Pennsylvania, Connecticut, Rhode Island, Massachusetts, New York, and Maryland. Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N.J., attorney for applicants.

No. MC–FC–68658. By order of May 5, 1966, the Transfer Board approved the transfer to John M. Peterson, Sugar Grove, Pa., of certificates in Nos. MC–35086 and MC–35086 (Sub-No. 1), issued December 14, 1942, and May 25, 1949, respectively, to Carl E. Allen, Sugar Grove, Pa., authorizing the transportation, over irregular routes, of: Raw milk, from points and places in that part of Warren County, Pa., north of U.S. Highway 6, west of U.S. Highway 62, and east of Pennsylvania Highway 958, including points and places on the indicated portions of the highways specified, to Frewsburg, N.Y.; general commodities, excluding commodities in bulk, and other specified commodities, between Sugar Grove, Pa., on the one hand, and, on the other, points and places in that part of New York on and west of New York Highway 18; and food, grain, fertilizer, and livestock, between Sugar Grove, Pa., and points and places in Pennsylvania within 18 miles thereof, on the one hand, and, on the other, points and places in New York on and west of New York Highway 18. Kenneth T. Johnson, Johnson, Peterson, Tener & Anderson, Bank of Jamestown Building, Jamestown, N.Y., 14701, attorney for applicants.

No. MC–FC–68660. By order of May 5, 1966, the Transfer Board approved the transfer to Joseph P. Weiner and Dale E. Weiner, a partnership, doing business as Weiner Brothers Truck Line, Humboldt, Kans., of the operating rights of Frederick J. Johanning, doing business as Johanning Truck Line, Kincaid, Kans., in certificates Nos. MC–9104 and MC–9104 (Sub-No. 1), issued September 6, 1949, and August 17, 1959, respectively, authorizing the transportation, over regular routes, of livestock, between Kincaid, Kans., and Kansas City, Mo., and of feed, agricultural implements and parts, hardware, twine, building material, fencing material, furniture, petroleum products in containers, and livestock, from Kansas City to Kincaid, serving also Kansas City, Kans., and points within 15 miles of Kincaid; and, over irregular routes, emigrant movables, between Kincaid, Kans., and points within 15 miles thereof, on the one hand, and, on the other, points in Iowa, Missouri, and Nebraska, livestock, grain, and hay, from Blue Mound, Kans., and points within 15 miles thereof, to Kansas City, Kans., and Kansas City and North Kansas City, Mo., and general commodities, excluding household goods, commodities requiring special equipment, and other specified commodities, from Kansas City and North Kansas City, Mo., and Kansas City, Kans., to Blue Mound, Kans., and points within 15 miles thereof. James F. Grimes, Jr., Cosgrove, Webb, & Oman, First National Bank Building, Topeka, Kans., 66603, attorney for applicants.

No. MC–FC–68479. By order of May 6, 1966, the Transfer Board approved the transfer to Campbell Transportation, Inc., Caldwell, Idaho, of the certificates in Nos. MC–125887, MC–125887 (Sub-No. 1), and MC–125887 (Sub-No. 2), issued August 4, 1964, August 17, 1964, and November 9, 1965, respectively, to Dorsey Campbell, Caldwell, Idaho, authorizing the transportation of: Cotton seed, linseed, and safflower meals and cake, oyster shell, hay, stock salt, from points in a specified California territory to points in Harney and Malheur Counties, Oreg., and that part of Idaho on and south of U.S. Highway 12; stock salt, from Redmond, Utah, to points in Harney and Malheur Counties, Oreg., and points in Idaho, on and south of U.S. Highway 12; and inedible meat scraps, from points in Idaho, on and south of U.S. Highway 12, to points in California on and south of U.S. Highway 40, and California Highway 20. Dean E. Miller, 1801 Ellis Street, Caldwell, Idaho, 83605, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5188; Filed, May 11, 1966; 8:48 a.m.]

[No. MC–C–1891]

OILFIELD EQUIPMENT, MATERIALS AND SUPPLIES TO AND BETWEEN THE SOUTHWEST

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 8th day of April A.D. 1966.

Upon consideration of the record in the above-entitled proceeding, petition filed by Armco Steel Corp., on December 30, 1965, for reopening, rehearing, and reconsideration, or, in the alternative, modification or vacation of all outstanding orders; petition filed by Western Lines, Inc., on January 25, 1966, for permission to depart from the minimum rate orders in the above-entitled proceeding; petition filed by Lone Star Steel Co., on February 14, 1966, for partial exemption from, or modification of, or vacation of, or territorial expansion of the abovementioned minimum rate orders with respect to the pipe group; replies thereto filed January 14, 1966, by Shippers Oil Field Traffic Association and February 14, and March 7, 1966, by Oil Field Haulers Association, Inc.; and for good cause shown:

It is ordered, That this proceeding be, and it is hereby, reopened for the purpose of permitting interested parties to submit written representations concerning whether the outstanding minimum rate orders should be modified; if so, in what specific manner; and why.

It is further ordered, That anyone other than petitioners who desires to actively participate in this further proceeding shall notify the Secretary of the Commission to that effect within 30 days from the date of service of this order, after which the Secretary will prepare and serve a list of interested parties who desire to participate.

It is further ordered, That representations shall be filed with the Secretary of the Commission (verified, where facts are included, original and 14 copies) and served upon all persons shown on the aforesaid list of interested parties according to the following schedule: (a) All initial representations, whether in support of or in opposition to modification of the orders, within 70 days from the service date of this order; and (b) replies thereto within 30 days thereafter.

And it is further ordered, That a copy of this order be served on all parties; that a copy be deposited in the Office of the Secretary of the Commission; and that a copy be delivered to the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5189; Filed, May 11, 1966; 8:48 a.m.]

DEPARTMENT OF DEFENSE

Department of the Army

DESCRIPTION OF CENTRAL AND FIELD AGENCIES

Statement of Organization and Functions

Sections 2, 3, 4, and 5 of the Statement of Organization and Functions, Department of the Army, appearing at 28 F.R. 4029, April 24, 1963, and amended at 28 F.R. 4624, May 8, 1963, and at 29 F.R. 15960, December 1, 1964, are superseded by the following sections:

SEC. 2. *Headquarters, Department of the Army; Office of the Secretary of the Army—*(a) *Office of the Secretary of the Army.* The Office of the Secretary of the Army is composed of the Secretary, the Under Secretary, three Assistant Secretaries, the Director of Civil Defense, the General Counsel, the Administrative Assistant, the Chief of Legislative Liaison, the Chief of Public Information, and such staff as may be required.

(b) *Secretary of the Army.* (1) The powers and duties of the Secretary of the Army are set forth in section 3012 (b), (c), (d), (e), (f), and (g), title 10, United States Code, which states—

(b) The Secretary is responsible for and has the authority necessary to conduct all affairs of the Department of the Army, including—

(1) Functions necessary or appropriate for the training, operations, administration, logistical support and maintenance, welfare, preparedness, and effectiveness of the Army including research and development; and

(2) Such other activities as may be prescribed by the President or the Secretary of Defense as authorized by law.

He shall perform such other duties relating to Army affairs, and conduct the business of the Department in such manner, as the President or the Secretary of Defense may prescribe. The Secretary is responsible to the Secretary of Defense for the operation and efficiency of the Department. After first informing the Secretary of Defense, the Secretary may make such recommendations to Congress relating to the Department of Defense as he may consider appropriate.

(c) The Secretary may assign such of his duties as he considers appropriate to the Under Secretary of the Army and to the Assistant Secretaries of the Army. Officers of the Army shall, as directed by the Secretary, report on any matter to the Secretary, the Under Secretary, or an Assistant Secretary.

(d) The Secretary or, as he may prescribe, the Under Secretary or an Assistant Secretary shall supervise all matters relating to—

(1) The procurement activities of the Department of the Army; and

(2) Planning for the mobilization of materials and industrial organizations essential to the wartime needs of the Army.

(e) The Secretary, as he considers appropriate, may assign, detail, and prescribe the duties of members of the Army and civilian personnel of the Department of the Army.

(f) The Secretary may change the title of any other officer, or of any activity, of the Department of the Army.

(g) The Secretary may prescribe regulations to carry out his functions, powers, and duties under this title.

(2) The Secretary of the Army, pursuant to Executive Order 10952 of July 20, 1961 (26 F.R. 6577 as amended), has been assigned responsibility for the development and execution of the civil defense program assigned by the President to the Secretary of Defense.

(c) *Authority of the Under and Assistant Secretaries, the Director of Civil Defense, the General Counsel, and the Administrative Assistant.* Subject to the direction and control of the Secretary of the Army, the Under Secretary of the Army, the Assistant Secretaries of the Army, the Director of Civil Defense, the General Counsel, and the Administrative Assistant are authorized and directed to act for the Secretary of the Army within their respective fields of responsibility as set forth in DA General Orders and as further directed by the Secretary. This authority extends not only to actions within the DA, but also to relationships and transactions with the Congress and other governmental and nongovernmental organizations and individuals. These officials are responsible for the exercise of direction and supervision over matters pertaining to the formulation, execution, and review of policies, plans, and programs within their respective functional areas, including the establishment of objectives and appraisal of performance.

(d) *Under Secretary of the Army.* The Under Secretary of the Army is the deputy to the Secretary of the Army, and, as his principal civilian assistant, acts with full authority of the Secretary in the general management of the Department. In addition he is responsible for the following:

(1) Manpower and Reserve Forces, including—

(i) Manpower management.

(ii) National Guard, Reserve, and ROTC affairs.

(2) Military and Civilian Personnel Management, including—

(i) Personnel management.

(ii) Education and individual training.

(iii) Human factors research (in coordination with the Assistant Secretary of the Army (R&D)).

(iv) Employment policy and employee-management relations.

(v) Morale and welfare.

(vi) Civil rights and equal opportunity.

(3) International and Civil Affairs, including—

(i) Civil administration of the Ryukyu Islands.

(ii) Canal Zone Government and Panama Canal Company.

(iii) Military support of civil defense and of civil authorities in natural disaster relief, including serving as contact point between the Director of Civil Defense and the Army Staff.

(iv) Cold war activities, including special warfare, civic actions and counterinsurgency.

(v) Intelligence, counterintelligence, and communications security.

(vi) Sea Level Canal affairs.

(4) Personnel security and disciplinary matters, including custody of military prisoners.

(5) Operations research.

(e) *Assistant Secretary of the Army (Financial Management).* The Assistant Secretary of the Army (Financial Management) is responsible for the following:

(1) Budget and funding.

(2) Accounting matters, including disbursement and collection of funds.

(3) Contract financing and management engineering policy to include management-type contracts.

(4) Audit activities, claims, reports of survey, and matters pertaining to loss of funds.

(5) Automatic data processing equipment program and all aspects of ADP policy and administration.

(6) Progress and statistical reporting.

(7) Programing concepts and systems.

(8) Working capital funds, including stock funds and industrial funds.

(9) Management information systems.

(10) International balance of payments activities.

(f) *Assistant Secretary of the Army (Installations and Logistics).* The Assistant Secretary of the Army (Installations and Logistics) is responsible for the following:

(1) Logistics, including—

(i) Determination of materiel requirements.

(ii) Procurement and production.

(iii) Materiel management.

(iv) Logistic services.

(v) Military Assistance Program (exclusive of Financial Management).

(vi) Industrial mobilization.

(2) Installations, including—

(i) Installation planning and programing.

(ii) Facilities and real property management.

(iii) Construction.

(iv) Family Housing.

(g) *Assistant Secretary of the Army (Research and Development).* The Assistant Secretary of the Army (Research and Development) is responsible for the following:

(1) Research and Development, including—

(i) Basic and applied research.

(ii) Research, development, test and evaluation (RDTE) of weapons, weapons systems, and Army materiel.

(iii) RDTE budget and funding programs.

(iv) Acquisition and utilization of research and development facilities and equipment.

(v) RDTE procurement, including the application of procurement policy thereto.

(vi) Integration of technology with military requirements.

(vii) Army Scientific Advisory Panel matters.

(2) Mapping and Geodetic Programs.

(h) *Director of Civil Defense.* The Director of Civil Defense is responsible for the formulation, development, execution, and administration of the national civil defense program. This includes—

(i) Fallout Shelter Program.

(ii) Civilian chemical, biological, and radiological (CBR) warfare defense program.

(iii) Civil defense warning, alerting, and communications.

(iv) Emergency assistance to State and local governments in a postattack period.

(v) Protection and emergency operational capability of State and local governments.

(vi) Financial assistance and donation of Federal surplus property to the States for civil defense purposes.

(vii) Post-attack damage assessment.

(viii) Civil defense research and development.

(ix) Civil defense training, education, public information, and industrial participation.

(x) Advising the Secretary of the Army on policy and program aspects of military support of civil defense.

(j) *General Counsel.* The General Counsel is directly responsible to the Secretary of the Army. He serves as civilian legal advisor to the Secretary, the Under Secretary, and the Assistant Secretaries of the Army and provides professional guidance to the legal staff of the Director of Civil Defense. In addition, he acts as Special Assistant to the Secretary of the Army for Civil Functions and is assigned responsibility for the civil functions of the DA.

(j) *The Administrative Assistant.* The Administrative Assistant is directly responsible to the Secretary of the Army. He serves as an assistant to the Secretary on matters pertaining to the administration of the Office of the Secretary of the Army and the HQDA. Specifically, he is responsible for—

(1) Acting for the Secretary of the Army in an extensive variety of day-to-day matters, when consistent with known attitudes of the Secretary, oral delegations, or precedents of long standing. Conducts studies and analyses as directed.

(2) Acting for the Secretary of the Army on policy matters relating to administrative services by and for the HQDA and supervising control of general purpose space in the Washington, D.C., area, employment coordination for the Washington, D.C., commuting area, and the operations of the Defense Telephone Service-Washington and the Defense Supply Service-Washington.

(3) Administering, pursuant to the policy direction of the Under Secretary of the Army, the DA civilian personnel security program.

(4) Providing effective administration of the Office of the Secretary of the Army, including comprehensive management programs, administrative coordination of Secretarial level actions, personnel administration, and correspondence and records administration.

(5) Administering the DA Committee Management Program.

(k) *Chief of Legislative Liaison.* The Chief of Legislative Liaison is directly responsible to the Secretary of the Army and is responsive to the Chief of Staff for the formulation, coordination, and supervision of policies and programs concerning the Army's relations with the Congress. He is responsible for liaison between the Army and Members and committees of Congress, except with the appropriations committees in areas affecting budgets, appropriations, and related financial matters, and except for civil works, civil defense, and printing matters. Specifically, the Chief of Legislative Liaison is responsible for—

(1) Providing advice on the status of Congressional developments affecting the Army and on legislative aspects of Army policies, plans, and programs.

(2) Providing a central point for DA contact with Members and committees of the Congress.

(3) Providing prompt, coordinated, and factual information on Army policies and operations in response to inquiries received from Members and committees of the Congress.

(4) Coordinating, monitoring, and reporting on legislative and investigative actions of interest to the Army, and providing counsel to Army witnesses called to appear before legislative or investigative committees.

(l) *Chief of Public Information.* The Chief of Public Information is directly responsible to the Secretary of the Army and is responsive to the requirements of the Chief of Staff in public information matters. Specifically, he is responsible for—

(1) Formulating Army public information policies.

(2) Advising the Secretary of the Army, the Chief of Staff, and agencies of the DOD on public information matters relating to public understanding and support of the Army.

(3) Advising and assisting the Secretary of Defense, through the Assistant Secretary of Defense (Public Affairs) in the development and accomplishment of DOD information objectives, as requested.

(4) Coordination and supervision of the worldwide implementation of public information policies and programs of the DA.

(5) Supervision of the Army's public information security review program in the field.

(6) Serving as designated agent in the Office of the Secretary of the Army for implementation of section 18, Executive Order 10501, within the DA, to insure that no information is withheld which the people of the United States have a right to know. Processes requests from external agencies or individuals for access to or release of classified information in Army custody under this paragraph.

THE ARMY STAFF

(m) *Army Staff.* (1) The Army Staff is that portion of the staff of the Secretary of the Army at the seat of government, which is presided over by the Chief of Staff. It includes a general staff and special staff as defined hereinafter.

(2) The duties of the Army Staff are set forth in section 3032 (a) and (b), title 10, United States Code, as amended, which states—

(a) The Army Staff shall furnish professional assistance to the Secretary, the Under Secretary, and the Assistant Secretaries of the Army.

(b) Under the direction and control of the Secretary, the Army Staff shall—

(1) Prepare for such employment of the Army, and for such recruiting, organizing, supplying, equipping, training, serving, mobilizing, and demobilizing of the Army, as will assist in the execution of any power, duty, or function of the Secretary or the Chief of Staff;

(2) Investigate and report upon the efficiency of the Army and its preparation for military operations;

(3) Prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

(4) Act as agent of the Secretary and the Chief of Staff in coordinating the action of all organizations of the Department of the Army; and

(5) Perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary.

(3) The Army Staff is organized as a balanced functional and process oriented entity. Each of its members is charged with performing specifically identified functions which, together, embrace all elements of the mission of the Army. Each represents the Chief of Staff in his area of interest and is responsible through prescribed channels to the Chief of Staff and the Secretary of the Army. Each represents the Army on all matters under his staff cognizance, within the guidance of his designated superiors, to his counterparts in the Office, Secretary of Defense, other governmental agencies, the Congress, and the public. Collectively, the Army Staff acts as the agent of the Secretary and the Chief of Staff in supervising the plans, duties, and operations of all organizations of the Army. Individually, each of its members either directly or indirectly is concerned with all Army affairs. Interchange of information and integration of staff actions among members are essential to its effective functioning as a single coordinating unit. To facilitate information flow and coordination, and to reduce the span of control that otherwise would be required of the Chief of Staff and the Vice Chief of Staff, designated elements of the Special Staff are placed under the general staff supervision of designated agencies of the General Staff. However, General and Special Staff agencies are authorized direct communication and access to one another in their respective areas of interest.

(n) *Army General Staff.* (1) The Army General Staff consists of designated officers assigned to the Office of the Chief of Staff, offices of the Deputy Chiefs of Staff, Office of the Comptroller of the Army, Office of the Chief of Research and Development, Office of the Chief, Office of Reserve Components, offices of the Assistant Chiefs of Staff, the General Staff Committees on Army National Guard and Army Reserve Policy (to include resident members only), and such other offices as may be designated by the Secretary of the Army. These offices are termed Army General Staff agencies.

(2) Under the direction of the Chief of Staff, the Army General Staff renders professional advice and assistance to the Secretary, the Under Secretary, and the Assistant Secretaries of the Army, in developing and providing broad basic policies, plans, and programs for the guidance of the DA. The Army General Staff specifically assists the Secretary of the Army in the preparation and issuance of directives and programs to implement such plans and policies, and in the supervision of the execution and implementation of these directives and programs.

(o) *Office of the Chief of Staff.* The Office of the Chief of Staff is composed of the Chief of Staff, Vice Chief of Staff, Secretary of the General Staff, Special Assistant to the Chief of Staff for Special Warfare Activities, Special Assistant to the Chief of Staff for Army Information and Data Systems, Director of Special Studies, Director of Army Programs, Director of Coordination and Analysis, Deputy Secretaries of the General Staff, and such staff as may be required.

(p) *Chief of Staff.* The duties of the Chief of Staff are set forth in section 3034 (c) and (d), title 10, United States Code, as amended, as follows:

(c) Except as otherwise prescribed by law and subject to section 3012 (c) and (d) of this title, the Chief of Staff performs his duties under the direction of the Secretary of the Army, and is directly responsible to the Secretary for the efficiency of the Army, its preparedness for military operations, and plans therefor.

(d) The Chief of Staff shall—

(1) Preside over the Army Staff;

(2) Send the plans and recommendations of the Army Staff to the Secretary, and advise him with regard thereto;

(3) After approval of the plans or recommendations of the Army Staff by the Secretary, act as the agent of the Secretary in carrying them into effect;

(4) Exercise supervision over such of the members and organizations of the Army as the Secretary of the Army determines.[1] Such supervision shall be exercised in a manner consistent with the full operational command vested in unified or specified combatant commanders under section 124 of this title;

(5) Perform the duties described for him by sections 141 and 171[2] of this title and other provisions of law; and

(6) Perform such other military duties, not otherwise assigned by law, as are assigned to him by the President.

(q) *Vice Chief of Staff.* The Vice Chief of Staff is the principal assistant and advisor to the Chief of Staff. By delegation of the Chief of Staff, the Vice Chief of Staff has authority to perform any statutory or other duties which the Chief of Staff is required or authorized to perform with respect to the DA. In the performance of his duties, the Vice Chief of Staff is responsible for effective administration and management of the Army Staff and insures coordination of the Deputy Chiefs of Staff and the heads of Army Staff agencies reporting to the Chief of Staff.

(r) *Secretary of the General Staff.* The Secretary of the General Staff serves as executive assistant to the Chief of Staff and the Vice Chief of Staff. He assists the Vice Chief of Staff in the management and coordination of Army Staff activities. He serves as director of the Office of the Chief of Staff and coordinates all of its activities.

(s) *General Staff Committees on Army National Guard and Army Reserve Policy (section 3033, title 10, United States Code).* The General Staff Committees on Army National Guard and Army Reserve Policy are responsible for formulating and/or reviewing all policies affecting the Army National Guard and the Army Reserve; for submitting recommendations thereon to the Secretary of the Army, through the Chief of Staff; and for reviewing regulations designed to carry such policies into effect.

(t) *Special Assistant to the Chief of Staff for Special Warfare Activities.* The Special Assistant to the Chief of Staff for Special Warfare Activities serves as personal advisor to the Chief of Staff on all aspects of special warfare activities (insurgency and counterinsurgency, unconventional warfare, and psychological operations) in the Active Army and Reserve components, including all aspects of the Army's programs in these fields as well as the related programs of other services and governmental agencies. He makes recommendations as appropriate to the Chief of Staff to improve Active Army and Reserve components performance. This assignment of responsibilities is intended to supplement, not supersede, responsibilities for special warfare matters of the Deputy Chief of Staff for Military Operations and other Army Staff agency heads.

(u) *Special Assistant to the Chief of Staff for Army Information and Data Systems.* The Special Assistant for Army Information and Data Systems is the principal assistant to the Chief of Staff and Vice Chief of Staff on matters pertaining to Army information and data systems, and his office serves as the coordinating agency on the Army Staff for overall development of all such systems. This includes specific responsibility for development and implementation of plans, policies, and guidance for the Army's automatic data processing systems; supervision, coordination, and integration of the overall information and data system effort; and establishment, maintenance, and supervision of a standardized and automated information system for HQDA in coordination with the Army Staff. He exercises command authority over the U.S. Army Information and Data Systems Command (AIDSCOM). In this capacity, and as the authorized agent of the Vice Chief of Staff, he determines priorities and allocates resources within AIDSCOM, consulting with the Army Staff as appropriate.

(v) *Director of Special Studies.* The Director of Special Studies is the principal advisor in the Office of the Chief of Staff on matters pertaining to the Army special study program and the Army study system. He is chairman of the Army Study Advisory Committee. He personally monitors, reviews, and makes appropriate recommendations to the Vice Chief of Staff concerning matters of major importance affecting the Army special study program and the Army study system. He maintains current information on the status of major studies and on study facilities and resources. He acts as general liaison officer with the Office of the Secretary of Defense, Office of the Secretary of the Army, other military departments, and other principal Government agencies to learn of new study requirements and inform them of the scope and direction of current Army Staff actions and studies which bear on the requirements. When directed, he personally conducts special studies with support from the Secretary of the General Staff, as required.

(w) *Director of Army Programs.* The Director of Army Programs is the principal staff adviser to the Chief of Staff and the Vice Chief of Staff on all matters relating to Army programing and acts for them on programing and reprogramming matters not requiring their personal attention. He serves as Chairman of the Program Advisory Committee; serves as a nonvoting member of the Budget Advisory Committee; and provides Army Staff point of contact with the program offices of the Office of the Secretary of Defense, other military departments and agencies, and the Joint Staff.

(x) *Director of Coordination and Analysis.* The Director of Coordination and Analysis assists the Chief of Staff, the Vice Chief of Staff, and the Secretary of the General Staff in evaluating major military objectives, plans, programs, and systems by conducting or coordinating analysis thereof. In conducting these functions he is responsible for analytical review and conduct of independent analysis of military studies, plans, and programs involving major policies strategy, forces, organization, tactics, deployments, weapons, logistics, and command-control-communications including cost-effectiveness analysis or other operations research techniques where applicable; guidance and support to and coordination and liaison with military and civilian agencies in conducting systems analyses and operations research studies; preparation of congressional testimony and public statements of the Chief of Staff and the Vice Chief of Staff and assistance to the Army Staff in preparing visual aids; development and publication of the Chief of Staff's Weekly Summary to keep senior Army commanders or heads of Army Staff agencies informed; provision of data and backup for the Secretary of the Army and the Chief of Staff for appearances before committees of Congress; and support of the Deputy Secretary of the General Staff (Staff Action Control), as required, in developing guidance on complex staff actions and preparing or coordinating major staff actions and other actions as may be directed by the Secretary of the General Staff.

[1] The Chief of Staff is authorized by the Secretary of the Army to supervise the members and the organizations of the Army.

[2] These sections respectively show membership of the Chief of Staff on the Joint Chiefs of Staff and the Armed Forces Policy Council.

(y) *Deputy Secretary of the General Staff (Staff Services).* The Deputy Secretary of the General Staff (Staff Services) is the principal assistant to the Secretary of the General Staff for all matters of a managerial nature affecting the Office of the Chief of Staff and the Army Staff. He serves as the Liaison Officer of the Chief of Staff to the White House and is the formal point of contact between HQDA and the White House on all matters except legislative actions. He has direct supervision and control of Assistant Secretaries of the General Staff involved with informational and protocol functions of the Office of the Chief of Staff, and of the chiefs of the Staff Management Division, Staff Civilian Personnel Division, Staff Communications Division, Administrative Division, and Correspondence Branch.

(z) *Deputy Secretary of the General Staff (Staff Action Control).* The Deputy Secretary of the General Staff (Staff Action Control) is the principal assistant to the Secretary of the General Staff for the control of staff actions. He is charged with providing improved control over and responsiveness of staff actions by recommending guidance for their preparation and maintaining records of guidance and decisions concerning related major actions; arranging for the interim review of proposed responses, and for the interjection of appropriate guidance and alternatives from the Army Secretariat, Chief of Staff, and Vice Chief of Staff during the formative stages of major staff actions; performing for the Chief of Staff and Vice Chief of Staff the initial substantive review and analysis of staff actions in processing these papers for decision; and providing the principal point of contact for members of the Army Secretariat and, in appropriate instances, the Defense Secretariat and Joint Chiefs of Staff, in matters relating to Army Staff actions.

(aa) *Deputy Chief of Staff for Military Operations.* The Deputy Chief of Staff for Military Operations has Army General Staff responsibility for the establishment of requirements for and the utilization of Army forces. He exercises General Staff responsibility for the establishment of requirements for operational readiness of Army forces and for the review of unit readiness reports to monitor the capability of the Army to accomplish assigned missions. He serves as principal adviser to the Chief of Staff on Joint matters.

(1) He is the Army Operations Deputy for the Joint Chiefs of Staff.

(2) He has General Staff responsibility for—

(i) Development of strategic concepts, estimates, plans (including Army aspects of joint plans) and broad force requirements to support plans, including major United States and Allied Army units, and quantitative requirements for nuclear weapons.

(ii) Supervision of the Army Command and Control System and the operational readiness of Army forces.

(iii) Supervision and coordination of the execution of approved Army operational plans and Army participation in joint and combined operations, to include all troop movements in the continental United States (CONUS) and between CONUS and oversea areas.

(iv) Development of the Army position on National Security Council matters and on international politico-military matters.

(v) Overall roles and missions of the Army.

(vi) Establishment of overall operational priorities for worldwide distribution of personnel and materiel.

(vii) Army Staff functions pertaining to base rights, status of forces and similar area command matters.

(viii) Coordination of Army cold war activities.

(ix) Development of broad policies and plans for military assistance programs and Army Staff functions pertaining to the operational aspects of military assistance matters, including plans for and implementation of foreign military training programs.

(x) Civil defense activities and emergency military support to civil authorities in domestic emergencies.

(xi) Civil affairs plans, programs, and operations; and civil administration in certain foreign areas.

(xii) Determination of Army policies and plans pertaining to nuclear vulnerability analysis, damage assessment and protective construction criteria.

(xiii) Coordination of DA strategic studies and related war games and analyses to evaluate United States and Allied strategic force requirements.

(xiv) Data processing systems in support of all assigned functional areas of responsibility.

(xv) Overall coordination of—

(*a*) Functions of the Army related to special warfare which include counterinsurgency, unconventional warfare, and psychological operations.

(*b*) Functions of the Army related to electronic warfare.

(xvi) Development of policy, plans, objectives, and requirements relating to outer space.

(xvii) Program and budget functions within assigned areas of responsibility.

(3) [Reserved]

(4) He exercises general staff supervision over the Chief of Communications-Electronics and the Chief of Military History.

(bb) *Deputy Chief of Staff for Personnel.* The Deputy Chief of Staff for Personnel has Army General Staff responsibility for policies, plans, and programs for the procurement and management of DA military and civilian personnel of all components of the Army on active duty.

(1) He has General staff responsibility for—

(i) [Reserved]

(ii) Actions, in consonance with Army program decisions and budgetary limitations, to program planned military and civilian manpower strengths by function for budget estimates and program planning; allocation and control of civilian manpower authorizations to major commands and agencies; military manpower authorizations to major commands and agencies in accord with space allocations as determined by the Assistant Chief of Staff for Force Development; development of criteria for utilization of manpower; appraisal of utilization of manpower; the monitorship of manpower surveys primarily in the tables of distribution area (see AR 616–1); staffing guides and tables of distribution; and procurement and distribution of personnel. For tables of organization and equipment responsibilities, see AR 310–44.

(iii) Development and administration of a system of decentralized civilian personnel management throughout the DA, to include central policy, program and regulatory control and direction, and evaluation at all echelons.

(iv) Development and administration of a system of decentralized safety management throughout the DA, to include central policy, program control and direction, and program evaluation at all echelons.

(v) Matters pertaining to procurement, assignment, career development, utilization, promotion, welfare and morale activities, and separation of military personnel; special services policies; and the policies, plans, and programs for management of nonappropriated fund activities and nonappropriated welfare funds of the Army.

(vi) Budget formulation budget execution related to military personnel on active duty and to other designated activities.

(vii) Establishment of policies and procedures for callup of individuals of the Reserve components, and initiation of action to implement these policies and procedures when required.

(viii) Data processing systems in support of all assigned functional areas of responsibility.

(ix) Development, coordination, and publication of the Mobilization Troop Program of the Army and monitorship of the Mobilization Designation Program.

(x) Determination of Public Law 313 type civilian personnel position requirements, nominations, and salaries coordinating as appropriate with the Chief of Research and Development.

(xi) Military and civilian personnel requirements and administrative support planning in support of United States and Allied Army Forces included in Joint and Army operational plans.

(2) He exercises general staff supervision over—

(i) The Adjutant General.

(ii) The Surgeon General.

(iii) The Chief of Chaplains.

(iv) The Provost Marshal General.

(v) The Chief of Personnel Operations.

(3) The Office of the Director of the Women's Army Corps is assigned to the Office of the Chief of Staff and is attached for administrative purposes to the Office of the Deputy Chief of Staff for Personnel. The Director of the Women's Army Corps advises the Secretary of the Army and the Chief of Staff on matters relating to the Women's Army Corps.

(cc) *Deputy Chief of Staff for Logistics.* The Deputy Chief of Staff for Logistics has Army General Staff responsibility for the management of DA logistical activities.

(1) He has General Staff responsibility for—

(i) Development and supervision of the Army logistic organization and system, including policies, doctrine, and standards.

(ii) Logistic planning in support of United States and Allied Army Forces included in Joint and Army operational plans, including the logistic aspects of worldwide operational readiness of U.S. forces and materiel, and the logistic position on DA force structure and force objectives.

(iii) Materiel and supplies management, including plans, policies, and programs in matters of logistic requirements, production, supply, materiel maintenance, and materiel activities and services, including procurement programing and accomplishments.

(iv) Logistic plans, policies, and programs for military construction, family housing, real property management, and operation and maintenance of Army facilities. (Excludes policy and planning for construction and utilization of facilities for the Reserve components not on active duty.)

(v) Management and performance analysis of stock funds, industrial funds, and inventory accounting systems for logistic management purposes.

(vi) Development and supervision of Army logistic support of international logistic activities to include Military Sales, Grant Aid, and Cooperative Logistics Programs.

(vii) [Reserved]

(viii) Army interservice supply operations.

(ix) The Materiel, Construction, and Installations annexes, and the assigned logistic areas of programs/program elements of the DA Five-Year Force Structure and Financial Program, including corresponding logistic areas in mobilization program documents.

(x) Transportation and related transportation services required for the movement of personnel and freight/cargo for the Army and as assigned for the Navy, Air Force, and other governmental agencies, to include transportation engineering and DOD activities pertaining to Highways for National Defense; strategic mobility planning; plans, policies, and programs for land transportation, traffic management, movement control, operation of water terminals, rail, watercraft, and administrative use vehicle operations and utilization.

(xi) International coordination for the standardization of transportation policies and procedures.

(xii) Formulation, justification, and supervision of those portions of Army programs and budgets pertaining to the logistic area within the overall guidance and policy developed by the Director of Army Programs and the functional guidance and policy developed by the Comptroller of the Army.

(xiii) Data processing systems in support of all assigned functional areas of responsibility.

(2) On routine administrative and optional Military Assistance Program matters, except those of a financial management nature, the Deputy Chief of Staff for Logistics has direct access to the Assistant Secretary of Defense (International Security Affairs).

(3) He acts for the Chief of Staff as the Program Manager for the Army Cost Reduction Program.

(4) He exercises general staff supervision over—

(i) The Chief of Engineers.

(ii) The Chief of Support Services.

(5) He monitors the activities of the DOD agencies which provide logistic support of the Army.

(6) The responsibilities herein assigned do not extend to the civil functions of the Chief of Engineers and the Chief of Support Services.

(dd) *Comptroller of the Army.* (1) The Comptroller of the Army has General Staff responsibility for—

(i) Independent review and analysis of Army programs, and analysis of major Army commands.

(ii) Accounting, fiscal, audit, budgetary, progress and statistical reporting, reports control, cost analysis, and management analysis activities of the Army.

(iii) Legislative policies and programs pertaining to appropriation acts and liaison with appropriations committees of the Congress on matters affecting budgets, appropriations, and financial matters, including responding to appropriations committee investigations and inquiries directed toward such matters.

(iv) Management systems of the Army, which consist of review and analysis of existing, and development of new, Army-wide management systems not falling within the functional area of responsibility of any single staff agency; coordination and integration into the Army Management System of the Army Staff functional area management systems; provision of assistance to staff agencies in improving existing systems within their purview, and in development of new systems; study of systems problems crossing organizational or functional lines; and research and development of overall principles and concepts and guidance for development of management systems to assure an integrated management system for the Army.

(v) Data processing systems in support of all assigned functional areas of responsibility.

(vi) Overall management improvement and related policies and concepts, to include scope or coverage of improvement efforts and promotion of an improvement consciousness, environment, and capability for innovation throughout the Army.

(vii) Continuing and independent analysis of Army organization, functions, and procedures.

(2) He exercises general staff supervision over—

(i) The Chief of Finance.

(ii) The Chief, U.S. Army Audit Agency.

(3) The Comptroller of the Army is under the direction and supervision of, and is directly responsible to the Assistant Secretary of the Army (Financial Management), for financial management matters, by delegation of the Secretary of the Army, with concurrent responsibility to the Chief of Staff.

(4) Within his scope of responsibility, the Comptroller of the Army's relationship to the Chief of Staff and the Army Staff corresponds to that of a Deputy Chief of Staff.

(ee) *Chief of Research and Development.* The Chief of Research and Development, under the functional supervision of the Assistant Secretary of the Army (Research and Development), and responsible to the Chief of Staff, has Army General Staff responsibility for DA research and development activities.

(1) He has General Staff responsibility for—

(i) Planning, coordinating, and supervising all Army research, development, test, and evaluation including review and analysis, research and development objectives, policies, and funds essential to the discharge of this responsibility.

(ii) RDTE plans, projects, tasks, and priorities relating thereto.

(iii) Qualitative Materiel Requirements (QMR) and Small Development Requirements (SDR) for all Army materiel, and Military Characteristics (MC) for nuclear warheads.

(iv) Supervision of the American-British-Canadian Army Standardization Program (AR 1–70) and the U.S. Army-Canadian Development Sharing Program (AR 1–25), and for U.S. Army participation in research and development aspects of the ABC Air and Navy Standardization Programs, the Mutual Weapons Development Program, the NATO Multilateral Research, Development, and Production Program, the Defense Development Exchange Program, and all other international military research and development programs; and exchange of classified research and development information with foreign nations.

(v) Formulation, justification, and supervision of execution of those portions of Army programs and annual military budgets which pertain to RDTE, within the overall guidance and policies developed by the Director of Army Programs and the Comptroller of the Army.

(vi) Data processing systems in support of all assigned areas of responsibility.

(vii) DA Systems Staff Officer responsibility for NIKE X/NIKE ZEUS.

(2) He has responsibility for determining requirements, and the priorities therefor, for that intelligence needed to support research and development activities and for insuring that this intelligence is utilized in the research and development of weapons systems, materiel, and equipment for the U.S. Army.

(3) He is responsible for monitoring all activities of the Army and other Government agencies related to space, to include advising the Deputy Chief of

Staff for Military Operations in the development of policy, plans, objectives, and requirements related to space.

(4) Within his area of staff responsibility and within governing procurement policies and procedures of the DOD and DA, the Chief of Research and Development has the authority to procure supplies and services as necessary to effectuate the Army Research Program.

(5) Within his scope of responsibility, he has a relationship to the Chief of Staff and the Army Staff corresponding to that of a Deputy Chief of Staff.

(6) He directs the activities of the U.S. Army Research Office.

(ff) *Chief, Office of Reserve Components.* The Chief, Office of Reserve Components is directly responsible for Reserve affairs to the Chief of Staff (sec. 264(c), title 10, United States Code), and has Army General Staff responsibility for the development of the Reserve forces of the Army. He has the authority and the responsibility within the Army Staff for general staff supervision and coordination of the plans, policies, and programs of the Reserve components not on active duty and of the Reserve Officers' Training Corps.

(1) He has General Staff responsibility for—

(i) Development of plans and programs to produce the individuals and units of the Reserve components to fulfill requirements of mobilization plans and approved contingency actions.

(ii) Development and supervision of the Reserve Components Program and the Reserve Components Mobilization Program.

(iii) Plans, policies, and programs of the Reserve Officers' Training Corps.

(iv) Personnel and training policies, plans, and programs for individuals and units of the Reserve components not on active duty, in consonance with overall Army policy, and monitorship and position approval of that portion of the Mobilization Designation Program which pertains to general officers.

(v) Development of Reserve component needs for materiel and supplies, and development of policy pertaining to priorities, distribution and utilization of materiel and supplies within the Reserve components.

(vi) Policies, priorities, and planning pertaining to the requirements for and the construction and utilization of facilities for the Reserve components.

(vii) Operational readiness of the Reserve components.

(viii) Development of detailed plans and procedures for total or partial mobilization and demobilization of Reserve component units and individuals in conformity with Army mobilization plans or approved contingency actions to include selection of Reserve component units to be mobilized.

(2) He exercises general staff supervision of the Army Reserve component activities of the Chief, National Guard Bureau, and of the Chief, Army Reserve.

(3) Within his scope of responsibility, the Chief, Office of Reserve Components, has a relationship to the Chief of Staff and the Army Staff corresponding to that of a Deputy Chief of Staff.

(4) The Reserve components of the Army are the Army National Guard of the United States and the U.S. Army Reserve (sec. 261, title 10, United States Code).

(5) The provisions outlined above do not affect the functions of the Chief, National Guard Bureau (sec. 264(c) and 3015, title 10, United States Code), who has the authority to advise the Chief of Staff directly on matters pertaining to the Army National Guard.

(gg) *Assistant Chief of Staff for Force Development.* The Assistant Chief of Staff for Force Development has Army General Staff responsibility for the development of Army forces.

(1) He has General Staff responsibility for—

(i) Preparation of Active Army force development plans and detailed Army force structures; supervision of implementation of force development plans within approved broad United States and Allied Army force requirements; and establishment of readiness capabilities for specific units in coordination with the Deputy Chief of Staff for Military Operations and other Army General Staff agencies.

(ii) Overall mobilization and demobilization planning; development of Reserve component force structures; and coordination of the development of the Reserve Component Troop Basis.

(iii) Establishing the allocation of military personnel spaces to major commands, agencies, and other specified segments of the Active Army.

(iv) Distribution of spaces (military and civilian) to program elements of the DA Five-Year Force Structure and Financial Program.

(v) Supervision of development of training concepts, policies and programs for individuals and units of the Army, and coordination of the use of training facilities, including air space.

(vi) Formulation, justification, and supervision of those portions of Operation and Maintenance, Army, programs and budgets for operating forces and training activities of the Army within overall program guidance and policy developed by the Director of Army Programs and the functional guidance and policy developed by the Comptroller of the Army.

(vii) Development of qualitative materiel development objectives, determination of total feasibility of proposed materiel developments, and the establishment of operational priorities and requirements for the procurement of materiel.

(viii) Determination of operational priorities for development and procurement of nuclear weapons and provision of assistance as appropriate to the Army Staff in the development of atomic aspects of Army plans.

(ix) Combat developments and related policy in conjunction with research and development functions assigned to the Chief of Research and Development.

(x) Tables of organization and equipment and tables of allowances; and development of organizational and operational concepts, doctrine, and related matters, including troop tests.

(xi) Overall international military standardization programs within the DA.

(xii) Provision of all DOD language training.

(xiii) Overall coordination of the following activities:

(a) All Army CBR activities; and DOD responsibility for CBR functions when directed.

(b) All Army aviation activities and DA coordination of civil aviation affairs.

(c) All Army nuclear activities; and supervision of the Nuclear Weapon Systems Operational Surety Program, and of nuclear weapon systems safety within the policy, scope, and responsibilities of the Army Safety Program.

(d) Functions of the Army related to special use airspace.

(e) Strategic mobility exercises.

(xiv) Data processing systems in support of all assigned functional areas of responsibility.

(xv) DA Systems Staff Officer responsibilities for all items and systems not otherwise specifically assigned.

(2) Within his scope of responsibility, he has a relationship to the Chief of Staff and the Army Staff corresponding to that of a Deputy Chief of Staff.

(3) He exercises supervision and control of the following:

(i) The Superintendent, U.S. Military Academy.

(ii) The Commandant, U.S. Army War College.

(iii) The Commandant, U.S. Military Academy Preparatory School.

(hh) *Assistant Chief of Staff for Intelligence.* The Assistant Chief of Staff for Intelligence has Army General Staff responsibility for all matters pertaining to the intelligence and counterintelligence activities of the U.S. Army.

(1) He has General Staff responsibility for—

(i) Planning, coordinating, and fulfilling the Army intelligence and counterintelligence, requirements, and supervising Army intelligence and counterintelligence collection, production, and dissemination activities.

(ii) Army participation with National agencies in the planning, programing, and coordination of National internal security programs for the protection of the United States.

(iii) Communications intelligence, electronic intelligence, acoustic intelligence, communications security, and electronic security activities within the Army.

(iv) Measures for safeguarding defense information; Army-wide counterintelligence activities; and Army cryptologic functions.

(v) DA participation in the DOD industrial security program; HQDA security clearance program and civilian employee security program; investigative aspects of the military personnel security program; and censorship programs.

(vi) Intelligence doctrine and organizational and operational concepts; combat intelligence and meteorological activities; and strategic intelligence training and schooling activities.

(vii) Liaison with foreign military personnel in the United States; disclosure of defense information to foreign governments and international organizations; and visits by foreign nationals to Army installations and contractors.

(viii) Intelligence activities of Army Staff elements; technical intelligence activities and technical counterintelligence activities.

(ix) Programing and directing the Army Electronic Surveillance Countermeasures Program (Security).

(x) Program direction of the Army mapping and geodesy and military geographic intelligence programs, and coordination of these activities with Army components of unified and specified commands.

(xi) Program direction of the Army Foreign Intelligence Assistance, Foreign Area Specialist Training, and Latin American Exchange Programs and coordination of these activities with the unified and specified commands, and with DOD and National agencies.

(xii) Monitoring projects of intelligence interest in the research and development program.

(xiii) Program and budget functions relating to intelligence activities.

(xiv) Coordination of all Army surveillance and reconnaissance activities, to include providing the Army point of contact for such matters.

(xv) Data processing systems in support of all assigned functional areas of responsibility.

(2) He exercises supervision and control of the following:

(i) Specified elements of the U.S. Army Intelligence Reserve.

(ii) Specified field activities and U.S. Army field detachments.

(iii) The Intelligence Corps, U.S. Army.

(ii) *Special Staff.* (1) The Special Staff consists of the following, listed in the order of official anniversary dates:

(i) The offices of—

(a) The Adjutant General.
(b) Chief of Engineers.
(c) Chief of Finance.
(d) The Surgeon General.
(e) Chief of Chaplains.
(f) The Judge Advocate General.
(g) The Inspector General.
(h) Chief of Communications-Electronics.
(i) Chief, National Guard Bureau.
(j) Chief of Information.
(k) Chief of Military History.
(l) Chief, Army Reserve.
(m) The Provost Marshal General.
(n) Chief of Personnel Operations.

(ii) The Chief, U.S. Army Audit Agency.

(iii) The Office of the Chief of Support Services.

(2) The heads of Special Staff agencies provide advice and assistance to the Secretary of the Army, the Chief of Staff, other members of the Army Staff, and to all other elements of the DA on specialized matters specifically within their respective fields of responsibility. As staff officers of HQDA, they are responsible for the preparation of plans, estimates, and orders, review of technical doctrine, and the coordination of their technical, administrative, and operational plans and activities with other agencies of the Army Staff.

(3) The heads of certain Special Staff agencies exercise dual functions of staff and command. These two functions, although vested in a single individual, are separate and distinct in that each involves different responsibilities and duties; the exercise of one should not be confused with the exercise of the other.

(jj) *The Adjutant General.* The Adjutant General, under the general staff supervision of the Deputy Chief of Staff for Personnel, has Army Staff responsibility for the Army's administration and administrative services.

(1) He has staff responsibility for—

(i) Army personnel statistical and accounting system.

(ii) Army records management and office management programs.

(iii) Army publications system.

(iv) Operation of the Army-Air Force Postal Services Headquarters and the provision of Army-wide postal services.

(v) U.S. Army Special Services Program and special services activities.

(vi) Heraldic activities.

(vii) The Central United States Registry.

(viii) Army bands and the Army Element, School of Music.

(2) He develops, tests, and implements personnel and administrative data processing systems and procedures pertaining to adjutant general operations; and provides data services in support of personnel functional systems.

(3) He exercises administrative jurisdiction over nonunit Ready Reserve, Standby Reserve, and Retired Reserve personnel and provides for field-level administration in direct support of these individuals; and accomplishes the selection and ordering to active duty of individuals, except for selection of mobilization designees, in consonance with approved plans, policies, and programs pertaining to the Army Reserve. He is authorized to coordinate directly with the U.S. Continental Army Command in accomplishing these responsibilities.

(4) He provides maintenance and servicing of the personnel records for active duty and retired personnel and performs miscellaneous personnel administrative actions which are not directly related to the personnel management of these individuals.

(5) He provides guidance and policy direction to the Director, Armed Forces Courier Service (ARFCOS) in accomplishing the mission of the ARFCOS and operating the tri-Service ARFCOS headquarters. He operates the Army Courier Service in support of the ARFCOS mission.

(6) He commands personnel, organizations, and facilities, as assigned.

(kk) *Chief of Engineers.* (1) The Chief of Engineers, under the general staff supervision of the Deputy Chief of Staff for Logistics—

(i) Has Army Staff responsibility for—

(a) Providing general and specialized engineering services to include engineer military and strategic planning for the Army, and as assigned for the DOD and other governmental agencies.

(b) Monitoring all engineer matters and advising the Chief of Staff and the Secretary of the Army.

(c) Providing for the maintenance and repair of real property and operation of utilities plants and systems, and other repairs and utilities activities of Army installations as prescribed in AR 420–10.

(d) All Army family housing matters.

(ii) Plans, directs, and supervises engineering, construction, and real estate services for the Army and for the Air Force (including military engineering support), and other Government agencies as assigned.

(2) Under the direction and supervision of the Secretary of the Army, the Chief of Engineers has responsibility for—

(i) Construction, operation, and maintenance, and real estate necessary for the improvement of rivers, harbors, and waterways for navigation, flood control, and related purposes, including shore protection.

(ii) Administration of the laws for the protection and preservation of the navigable waters of the United States.

(iii) Provision of general and specialized construction and engineering services for the National Aeronautics and Space Administration, and for other governmental agencies as assigned.

(iv) Administration of the purchase and sale of utilities services as the DA Power Procurement Officer.

(3) Under the program direction of the Assistant Chief of Staff for Intelligence, the Chief of Engineers has responsibility for—

(i) Providing direct support to the Assistant Chief of Staff for Intelligence in the execution of functions pertaining to Army mapping and geodesy activities.

(ii) Providing technical supervision and coordination of worldwide Army mapping, geodesy, and military geographic intelligence activities.

(iii) Providing and directing assigned elements engaged in mapping, geodesy, military geographic intelligence, and related services, to include maintenance of the DOD master worldwide mapping and geodetic library and the DOD World Geodetic System.

(4) He commands personnel, organizations, and facilities, as assigned.

(ll) *Chief of Finance.* The Chief of Finance, under the general staff supervision of the Comptroller of the Army, has Army Staff responsibility for finance service.

(1) He has responsibility for providing such Armywide financial services as may be required.

(2) He commands personnel, organizations, and facilities, as assigned.

(mm) *The Surgeon General.* The Surgeon General, under the general staff supervision of the Deputy Chief of Staff for Personnel, has Army Staff responsibility for the management of health

services for the Army and, as directed, for other services, agencies, and organizations.

(1) He has staff responsibility for—

(i) Planning, directing, and supervising health services for the Army and, as directed, for other services, agencies, and organizations.

(ii) Establishing health standards applicable to personnel of the Army.

(iii) Program and budget functions relating to medical activities.

(iv) Technical review, evaluation, coordination, and direction of medical materiel programs.

(v) Technical review and evaluation of nonmedical materiel to determine possible existence of health hazards.

(2) He commands Army Medical Service personnel, organizations, and facilities, as assigned; and exercises technical staff supervision over all other medical facilities and units of the Army.

(3) He serves as chief of the Army Medical Service, and exercises career management authority over commissioned personnel of the Army Medical Service within policies established by the Deputy Chief of Staff for Personnel.

(4) He is responsible for medical professional training for the Army.

(5) He is responsible for medical research, development, and test and evaluation for the Army.

(6) On health and medical matters, including the utilization of Army Medical Service professional personnel, The Surgeon General has direct access to the Secretary of the Army and the Chief of Staff.

(nn) *Chief of Chaplains.* The Chief of Chaplains, under the general staff supervision of the Deputy Chief of Staff for Personnel, has Army Staff responsibility for religious, moral, and character guidance matters Army-wide.

(1) He has staff responsibility for—

(i) Spiritual and moral welfare of military and civilian personnel of the Army and their dependents; religious ministrations and religious education in the Army; pastoral care and counseling; character guidance instruction and orientation for military personnel; religious public information activities; and liaison with ecclesiastical agencies.

(ii) Establishment of denominational operational policies pertaining to Chaplain ministrations to military personnel.

(iii) Establishment of professional and educational qualifications for chaplains; determination of denominational quotas; procurement of qualified clergymen to serve as chaplains during peacetime and, as necessary, to meet mobilization requirements.

(iv) Determination of chapel construction requirements; design approval; and establishment of standards and requirements for, and distribution of, ecclesiastical supplies, and furniture and equipment for chapels and religious education facilities.

(2) He serves as chief of the Chaplains branch, and exercises career management authority over members of the Chaplains branch.

(3) He exercises operational control over personnel, organizations, and facilities, as assigned.

(oo) *The Judge Advocate General.* The Judge Advocate General is the statutory legal adviser of the Secretary of the Army and of all officers and agencies of the Army. He has staff responsibility for an Army-wide legal service, and makes recommendations concerning the establishment of, and exercises technical supervision over, all Army legal offices. He is responsible for the career management of the members of the Judge Advocate General's Corps. He is responsible for professional legal training for the Army. He administers the Army claims and legal assistance services, its system of military justice, is the custodian of general court-martial and real property records, and receives, revises, and records the proceedings of courts of inquiry and military commissions. He maintains liaison with the Department of Justice and other Federal and State agencies on matters connected with litigation and legal proceedings and exercises staff supervision over this activity within the Army. He commands field activities of his office and directs members of the Judge Advocate General's Corps in the performance of their duties.

(pp) *The Inspector General.* The Inspector General, as a confidential representative of the Secretary of the Army and the Chief of Staff, inquires into and reports upon matters affecting the performance of mission and the state of discipline, efficiency, and economy of the DA, and performs such additional duties as may be prescribed by the Secretary of the Army or the Chief of Staff, or as required by law.

(qq) *Chief of Communications-Electronics.* The Chief of Communications-Electronics, under the general staff supervision of the Deputy Chief of Staff for Military Operations, has Army Staff responsibility for assigned communications-electronics matters.

(1) He has staff responsibility for—

(i) Radio frequency spectrum and call sign management and utilization, and the Army electromagnetic compatibility program.

(ii) Army representation on the U.S. Military Communications-Electronics Board and, as designated, other joint, combined, national and international boards, committees and groups which consider communication-electronics matters with Army implications and interest.

(iii) Joint actions pertaining to communications-electronics.

(iv) Preparation or review of the communications-electronics annexes of Army and joint plans.

(v) Program and budget functions relating to communications-electronics, except those specifically assigned to other Army Staff agencies.

(2) He provides a focal point for staff advice and coordination for communications, including communications security pertaining thereto.

(3) He advises the Army Staff on the technical communications-electronics aspects of—

(i) Missile systems.

(ii) Audio-visual systems.

(iii) Aviation electronics.

(iv) Electronic warfare.

(v) Fire coordination.

(vi) Combat surveillance and target acquisition.

(vii) Meteorology.

(viii) ADPS.

(ix) Special warfare.

(4) Within his scope of responsibility, he exercises staff supervision of the U.S. Army Strategic Communications Command.

(rr) *Chief, National Guard Bureau.* The National Guard Bureau is a joint bureau of the Department of the Army and the Department of the Air Force headed by a chief who is the adviser to the Army Chief of Staff and the Air Force Chief of Staff on National Guard matters. The National Guard Bureau is the channel of communication between the departments concerned and the several States, Puerto Rico, and the District of Columbia on matters pertaining to the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States (sec. 3015, title 10, United States Code).

(1) AR 130–5/AFR 45–2 prescribes the organization and functions of the National Guard Bureau.

(2) The Chief, National Guard Bureau is directly responsible to the Army Chief of Staff for all matters pertaining to the development and maintenance of the Army National Guard and the Army National Guard of the United States. Operating within established departmental policies, he—

(i) Participates with other Army Staff agencies in the formulation and development of DA policies affecting the Army National Guard and the Army National Guard of the United States.

(ii) Advises all other elements of the Army Staff on Army National Guard matters.

(iii) Has staff responsibility for the Army National Guard segment of the Reserve Components Control Program in coordination with the Chief, Office of Reserve Components.

(ss) *Chief of Information.* The Chief of Information has Army Staff responsibility for all matters pertaining to public and command information and for DA information plans and programs in support of Army basic plans and programs. He is directly responsible to the Chief of Staff. He commands personnel, organizations, and facilities, as assigned.

(tt) *Chief of Military History.* The Chief of Military History, under the general staff supervision of the Deputy Chief of Staff for Military Operations, advises the Chief of Staff on historical matters; formulates and executes the Army Historical Program; coordinates and supervises all Army historical matters, including historical properties; prepares and publishes histories required by the Army; provides historical background and precedent for the development of military plans, policies, doctrine and techniques; and provides historical material and assistance to, and maintains liaison with, public and private agencies and individuals to stimulate interest and study in the field of military history.

(uu) *Chief, Army Reserve.* The Chief, Army Reserve, under the general staff supervision of the Chief, Office of Reserve Components, has Army Staff responsibility for all matters pertaining to the development and maintenance of the Army Reserve.

(1) He has staff responsibility for—

(i) Implementation and execution of approved plans, policies, and programs pertaining to the Army Reserve.

(ii) The Army Reserve segments of the Reserve Components Program and the Reserve Components Mobilization Program.

(2) He participates with other Army Staff agencies in the formulation and development of the DA policies affecting the Army Reserve.

(vv) *The Provost Marshal General.* The Provost Marshal General, under the general staff supervision of the Deputy Chief of Staff for Personnel, has Army Staff responsibility for the broad functions of protective services, preserving law and order, and of crime prevention applicable Army-wide.

(1) He has staff responsibility for—

(i) Provost marshal and military police activities.

(ii) Criminal investigations and crime prevention, to include accreditation of criminal investigators.

(iii) Preservation of order and law enforcement.

(iv) Motor vehicle accident investigation, traffic control, and traffic law enforcement.

(v) Apprehension of absentees.

(vi) Physical security.

(vii) Implementation of industrial defense activities.

(viii) The Army Correction Program, to include restoration, clemency, and parole for military prisoners.

(ix) Prisoners of war and civilian internees.

(2) He maintains liaison with Federal and State agencies in law enforcement and criminal matters affecting the DA.

(3) He commands personnel, organizations, and facilities, as assigned.

(ww) *Chief of Personnel Operations.* The Chief of Personnel Operations, under the general staff supervision of the Deputy Chief of Staff for Personnel, implements policies, executes programs, and supervises procedures applicable to the worldwide personnel management of Army military personnel.

(1) He has responsibility for—

(i) Assignment control and career management of all officers and warrant officers (except general officers, Chaplains, Army Medical Service, and Judge Advocate General Corps officers) with special emphasis on their effective Army-wide utilization.

(ii) Creating and maintaining a nucleus of highly qualified noncommissioned officers and enlisted specialists by personalized control of senior enlisted personnel and by personnel techniques such as assignment control and rotation.

(iii) Supervision of the administration of personnel management activities throughout the Army Reserve components and implementation of departmental policies applicable to administration of personnel matters within the Reserve components, except general officers.

(iv) Administering the Army-wide reenlistment program, taking final action on requests for waiver of disqualifications for induction and for reenlistment, both in service and out of service.

(v) Developing and recommending personnel standards, MOS, and systems and procedures for procurement, selection, classification, assignment, utilization and retention of military personnel and design and field testing of systems and procedures in support of the operation of the Military Personnel System.

(vi) Development of statistical summaries, trends, and factors for use throughout the U.S. Army Personnel System, in coordination with U.S. Army Data Support Command, TAGO.

(vii) Development of specific plans and programs for personnel management of the Army's military personnel as may be dictated by operational experience.

(2) He commands personnel, organizations, and facilities, as assigned.

(xx) *Chief of Support Services.* (1) The Chief of Support Services, under the general staff supervision of the Deputy Chief of Staff for Logistics, has Army Staff responsibility for the provision of certain support services for the Army.

(i) He has staff responsibility for—

(a) Army-wide logistic support services comprising commissary operations, food service, clothing sales stores and clothing issue points, laundry and drycleaning, fumigation and bath, self-service supply centers, and Army disposal of surplus and foreign excess personal property.

(b) Development, review, and coordination of quartermaster logistic services aspects in war, mobilization, and contingency plans.

(c) Care and disposition of remains and personal effects of deceased personnel of the Army, and as directed for the Navy and Air Force.

(ii) He commands personnel, organizations, and facilities, as assigned.

(2) Under the direction and supervision of the Secretary of the Army, the Chief of Support Services is responsible for the operation of the National Cemetery System and the procurement of Government headstones and markers.

(yy) *Chief, U.S. Army Audit Agency.* The Chief, U.S. Army Audit Agency, under the general staff supervision of the Comptroller of the Army, is responsible for providing advice and assistance to the Secretary of the Army, the Chief of Staff, other members of the Army Staff, and to all other elements of the DA with respect to Army-wide audit service.

SEC. 3. *Major Army Field Commands.*

(a) U.S. Continental Army Command.

(b) U.S. Army Materiel Command.

(c) U.S. Army Combat Developments Command.

(d) U.S. Army Strategic Communications Command.

(e) U.S. Army Security Agency.

(f) U.S. Army Intelligence Command.

(g) Military Traffic Management and Terminal Service.

(h) Army components of unified commands: The Army components of unified commands are major field commands of the DA, and consist of such subordinate commands, units, installation, and activities as may be assigned to them by HQDA. The establishment and mission of Army component commands are contained in directives of unified commanders and of HQDA. The establishment, mission, and organization of unified commands are set forth in directives of the DOD. The following Army field commands are Army components of the unified commands indicated:

Army component	*Unified Command*
U.S. Army Air Defense Command.	Continental Air Defense Command.
U.S. Army Forces, Strike Command.	U.S. Strike Command.
U.S. Army, Alaska	U.S. Alaskan Command.
U.S. Army Forces, Southern Command.	U.S. Southern Command.
U.S. Army, Europe	U.S. European Command.
U.S. Army, Pacific	U.S. Pacific Command.

SEC. 4. *Branches of the Army.* (a) *Branches.* The branches of the Army are classified as the basic branches and the special branches. The branches are set forth below, listed in the order of official anniversary dates.

(1) The basic branches are Infantry, Adjutant General's Corps, Corps of Engineers, Finance Corps, Quartermaster Corps, Artillery, Armor, Ordnance Corps, Signal Corps, Chemical Corps, Military Police Corps, Transportation Corps, and Army Intelligence and Security Branch.

(2) The special branches are each corps of the Army Medical Service, specifically, Medical Corps, Army Nurse Corps, Dental Corps, Veterinary Corps, Medical Service Corps, and Army Medical Specialists Corps, the Chaplains, and the Judge Advocate General's Corps.

(3) There is a Women's Army Corps whose members may be detailed to certain basic and special branches.

(b) *Arms and services.* The branches of the Army are grouped into arms and services. The arms are those branches whose primary mission is combat and combat support. The services are those branches whose primary mission is combat service support and/or administration to the Army as a whole. Certain branches have primary missions in both fields.

(1) The arms are Infantry, Corps of Engineers, Artillery, Armor, and Signal Corps.

(2) The services are Adjutant General's Corps, Corps of Engineers, Finance Corps, Quartermaster Corps, Army Medical Service, Chaplains, Judge Advocate General's Corps, Ordnance Corps, Signal Corps, Chemical Corps, Military Police Corps, Women's Army Corps, Transportation Corps, and Army Intelligence and Security Branch.

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66–5151; Filed, May 11, 1966; 8:45 a.m.]

DEPARTMENT OF JUSTICE

[Order No. 363–66]

MARY O. EASTWOOD

Designation as Representative From Department of Justice on Administrative Committee of Federal Register

By virtue of the authority vested in me by section 5 of the Federal Register Act, as amended (44 U.S.C. 306), I hereby designate Mary O. Eastwood, Office of Legal Counsel, as the representative from the Department of Justice on the Adminstrative Committee of the Federal Register in place of Charles F. Simms.

Order No. 257–62 of January 9, 1962, is hereby superseded.

Dated: May 9, 1966.

NICHOLAS DEB. KATZENBACH,
Attorney General.

[F.R. Doc. 66–5264; Filed, May 11, 1966; 9:54 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Fairbanks 035223]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 3, 1966.

The Bureau of Indian Affairs has filed an application, Fairbanks 035223 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws. The applicant desires the land for an addition to an existing school facility.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with this proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 555 Cordova Street, Anchorage, Alaska, 99501.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demands for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration of the Secretary of the Interior who will determine whether the lands will be withdrawn as requested by the applicant. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

KASIGLUK, ALASKA

Beginning at meander corner No. 4, U.S. Survey 4048; thence
S. 50°12'30" E., 1.63 chains to corner No. 3, U.S. Survey 4048;
S. 39°47'30" W., 0.93 chains to corner No. 2, U.S. Survey 4048;
N. 50°12'30" W., 1.63 chains to a point;
N. 39°47'30" E., 0.93 chains to the point of beginning.

The area described aggregates approximately 0.15 acres.

LYLE F. JONES,
Acting State Director.

[F.R. Doc. 66–5177; Filed, May 11, 1966; 8:47 a.m.]

[Arizona 035844]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The Corps of Engineers, Department of the Army, has filed an application, Serial Number Arizona 035844, under the Act of December 22, 1942 (58 Stat. 887), for the withdrawal and reservation of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, subject to valid existing claims.

The Department of the Army desires these lands for the construction and operation of the Alamo Dam and Reservoir on the Bill Williams River. These lands are needed on a permanent basis for the multipurpose project for flood control, conservation, and recreation. The project has been officially designated as the Alamo Reservoir-Bill Williams River, Ariz., Colorado River Basin.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal, may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 3022 Federal Building, Phoenix, Ariz., 85025.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 10 N., R. 12 W.,
Sec. 6, lots 4, 5, 12, 13, and 14.
T. 10 N., R. 13 W.,
Sec. 1, lots 1, 2, and 3, S½NE¼, SE¼NW¼, SW¼SW¼, E½SW¼, and N½SE¼;
Sec. 10, NE¼NE¼ and S½N½;
Sec. 11, NW¼NE¼, S½NE¼, and NW¼;
Sec. 12, NW¼.
T. 11 N., R. 12 W.,
Sec. 13, NE¼SE¼;
Sec. 14, N½SW¼ and NW¼SE¼;
Sec. 15, SE¼SW¼;
Sec. 20, S½SW¼;
Sec. 21, W½NE¼;
Sec. 23, E½NE¼;
Sec. 29, NW¼, N½SE¼, and SE¼SE¼;
Sec. 31, lot 4, SE¼SW¼, and S½SE¼;
Sec. 32, W½E½ and S½SW¼.

The areas described above aggregate approximately 2,374.76 acres in Yuma County.

T. 11 N., R. 13 W.,
Sec. 22, N½SW¼.
T. 12 N., R. 12 W.,
Sec. 17, W½SW¼;
Sec. 18, lots 2, 3, and 4, SW¼NE¼; SE¼NW¼, E½SW¼, and SE¼;
Sec. 19, lot 1 and NE¼NW¼.
T. 12 N., R. 13 W.,
Sec. 12, S½SW¼;
Sec. 13, NE¼, N½NW¼, SE¼NW¼, and N½SE¼.

The areas described above aggregate approximately 1,113.86 acres in Mohave County. There is an aggregate total of approximately 3,488.62 acres.

Dated: May 5, 1966.

FRED J. WEILER,
State Director.

[F.R. Doc. 66–5162; Filed, May 11, 1966; 8:46 a.m.]

[New Mexico 0552037]

NEW MEXICO

Notice of Proposed Classification

MAY 4, 1966.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the lands described below for disposal through private exchange under section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272) as amended by the Act of June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g).

These lands are parcels of scattered public domain within four separate ranch units. They are used for grazing and this is their highest and best use. The elimination of these scattered parcels of land will facilitate the land adjustment program of the Bureau of Land Management. The lands being offered in this exchange are located within the Sacramento Division of the Lincoln National Forest where their development for public year-round recreational use is in high demand. The proposed classification of these lands for private exchange will not preclude the issuance of rights-of-way pursuant to 43 CFR Subpart 2234 or from leasing under the mineral leasing laws. Information concerning the lands, including the record of public discussions, is available for inspection and study at Roswell, N. Mex. For a period of 60 days from the date of this publication, interested parties may submit comments to the district manager of the Roswell District Office, Bureau of Land Management, Post Office Box 1397, Roswell, N. Mex. 88201.

The lands affected by this proposal are located in Lea and Chavez Counties, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, N. MEX.

T. 10 S., R. 21 E.,
Sec. 23, N½SE¼.
T. 9 S., R. 22 E.,
Sec. 19, lots 1, 2, 3, and 4;
Sec. 29, N½ and N½S½;
Sec. 30, NE¼NE¼.
T. 10 S., R. 22 E.,
Sec. 10, SE¼SE¼;
Sec. 11, SW¼SE¼;
Sec. 14, NE¼NW¼ and SW¼;
Sec. 15, SW¼;
Sec. 17, SW¼NE¼ and W½SE¼;
Sec. 20, W½SW¼ and S½SE¼;
Sec. 21, NW¼NW¼, S½NW¼, and S½SW¼;
Sec. 22, SW¼NE¼, S½NW¼, N½SW¼, and SE¼SE¼;
Sec. 26, N½NE¼, SE¼NE¼, E½SW¼, and W½SE¼;
Sec. 27, N½ and S½S½;
Sec. 28, E½W½, W½E½;
Sec. 29, NE¼, NW¼NW¼, and S½.
T. 11 S., R. 22 E.,
Sec. 4, lots 2, 3, and 4, SW¼NE¼, S½NW¼, N½SW¼, and NW¼SE¼;
Sec. 5, lots 1, 2, and 3, S½NE¼, SE¼NW¼, N½SW¼, SE¼SW¼, and W½SE¼;
Sec. 6, lots 4, 5, and 6, SE¼NW¼, NE¼SW¼, and N½SE¼.
T. 25 S., R. 36 E.,
Sec. 26, W½SE½ and W½E½SE¼;
Sec. 27;
Sec. 28, SE¼;
Sec. 33, E½;
Secs. 34 and 35.
T. 26 S., R. 36 E.,
Sec. 1, N½, SW¼, and NW¼SE¼;
Secs. 3, 4, and 5;
Sec. 8, N½NE¼, SW¼NE¼, W½, NW¼SE¼, and S½SE¼;
Sec. 9, N½, and SW¼SW¼;
Sec. 10, N½ and NE¼SE¼;
Secs. 13, 24, and 25;
Sec. 36, lots 1, 2, 3, 4, and N½N½.
T. 23 S., R. 37 E.,
Sec. 10, W½SE¼ and SE¼SE¼.
T. 24 S., R. 37 E.,
Sec. 21, W½NW¼ and NW¼SW¼;
Sec. 26, SW¼SW¼.
T. 26 S., R. 37 E.,
Sec. 6, lots 2 and 3.

The areas described aggregate 13,444.52 acres.

MORRIS A. TRAGSTAD,
Acting State Director.

[F.R. Doc. 66–5164; Filed, May 11, 1966; 8:46 a.m.]

[Oregon 015062]

OREGON

Notice of Proposed Classification of Public Lands

1. Pursuant to the provisions of the act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the following described public lands in Malheur County, Oreg., for disposal through exchange under section 8 of the act of June 28, 1934 (48 Stat. 1272), as amended (43 U.S.C. 315g):

WILLAMETTE MERIDIAN, OREG.

T. 15 S., R. 44 E.,
Sec. 32, W½NW¼, SW¼, and W½SE¼.
T. 16 S., R. 43 E.,
Sec. 2, lots 1, 3, and 4, SE¼NE¼, SW¼NW¼, NW¼SW¼, S½SW¼, and SE¼;
Sec. 24, NE¼NE¼.
T. 16 S., R. 44 E.,
Sec. 1, lots 3 and 4, S½NW¼ and SW¼;
Sec. 2;
Sec. 3, lots 1, 2, 3, and 4, S½NE¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 4; lot 4, SW¼NW¼ and W½SW¼;
Sec. 6;
Sec. 10, E½, E½NW¼, and NE¼SW¼;
Sec. 11;
Sec. 12, W½;
Sec. 13, W½;
Sec. 14;
Sec. 15, NE¼NE¼;
Sec. 22, W½NW¼;
Sec. 23, E½NE¼;
Sec. 24;
Sec. 25, N½NE¼ and SE¼NE¼;
Sec. 26, S½SE¼.
T. 17 S., R. 44 E.,
Sec. 2, lots 3 and 4, S½NW¼;
Sec. 12, N½NE¼, NE¼NW¼, and SE¼SE¼.
T. 17 S., R. 45 E.,
Sec. 6, lots 3, 4, 5, 6, and 7, SE¼NW¼, E½SW¼, W½SE¼, and SE¼SE¼.

The areas described aggregate 7,286.87 acres.

2. Classification of the above-described lands by a classification order will segregate the lands from all forms of disposal under the public land laws, including the mining laws, except as to application under section 8 of the Taylor Grazing Act (38 Stat. 1272), as amended.

3. Publication of this proposed classification order will not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing disposal of their mineral and vegetative resources, other than under the mining laws.

4. For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Department of the Interior, 365 A Street West, Post Office Box 220, Vale, Oreg., 97918.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

After having considered comments received as a result of this publication and hearing if such is deemed necessary to be held, the undersigned officer will classify the above-described lands, which classification shall be published in the FEDERAL REGISTER.

MAXWELL T. LIEURANCE,
Acting State Director.

[F.R. Doc. 66–5165; Filed, May 11, 1966; 8:46 a.m.]

UTAH

Notice of Classification

MAY 5, 1966.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified under section 7 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315f), as amended, as proper for selection by and transfer to the State of Utah under provisions of sections 2275 and 2276 of the Revised Statutes (43 U.S.C. 851, 852), as amended. The selection is indemnity for an equal acreage of mineral land lost to the State by reservation or appropriation of what would have been school sections in place when surveyed. Title will pass subject to all valid existing rights.

The lands affected by this classification are the same as described in the notice of proposed classification published in the FEDERAL REGISTER, February 18, 1966. The lands are located on and near Asphalt Ridge, a few miles south and west of Vernal, Utah, in Uintah County and are described as follows:

SALT LAKE MERIDIAN, UTAH

T. 4 S., R. 20 E.,
Sec. 13, lots 3, 4, SW¼NW¼, W½SW¼;
Secs. 14, 15, 22, all;
Sec. 23, W½, N½NE¼, S½SE¼;
Sec. 24, N½NW¼, S½SW¼, W½E½, lots 2, 3, 4;
Sec. 25, W½, W½SE¼, lots 3, 4;
Secs. 26, 27, 34, 35, all.
T. 4 S., R. 21 E.,
Sec. 7, lots 1, 3, 4, NE¼NW¼, SE¼SW¼;
Sec. 19, lots 1, 2, 3, 4, E½SW¼, W½SE¼, W½SE¼SE¼;
Sec. 30, N½NE¼, SE¼NE¼, NE¼SE¼;
Sec. 31, lots 1, 2, 3, 4, E½W½.
T. 4 S., R. 22 E.,
Sec. 28, SW¼SW¼.
T. 5 S., R. 20 E.,
Sec. 1, all;
Sec. 3, lots 1, 2, S½NE¼, SE¼;
Secs. 11, 12, all.
T. 5 S., R. 21 E.,
Sec. 4, SW¼SE¼;
Sec. 5, lots 8, 9, 10, 11;
Secs. 6, 7, 8, all;
Sec. 10, SW¼SW¼;
Sec. 13, SW¼SW¼;
Sec. 14, NW¼NW¼, SE¼, lots 1, 2, 3, 4;
Sec. 15, E½NE¼, NW¼NE¼, NE¼NW¼;
Sec. 17, lots 1, 2, W½NE¼, NW¼;
Sec. 18, NE¼;
Sec. 21, NE¼;
Sec. 22, S½, S½NW¼, lots 3, 4;
Sec. 23, lots 1, 2, 3, 6, 7, 8, 9, 10, 11, SW¼NE¼, W½SE¼;
Sec. 24, W½W½, SE¼NW¼, E½SW¼, W½SE¼, SE¼SE¼;
Sec. 25, lots 1, 7, 8, 11;
Sec. 26, E½, SW¼;
Sec. 27, N½, N½S½, SE¼SE¼;
Sec. 35, all.
T. 5 S., R. 22 E.,
Sec. 3, SW¼NW¼, NE¼SW¼;
Sec. 20, NE¼NE¼, N½SE¼;
Sec. 21, E½, N½NW¼, SE¼SW¼;
Sec. 22, W½;
Sec. 25, E½SW¼;
Sec. 26, N½SW¼, NW¼SE¼, SW¼NW¼;
Sec. 27, N½SE¼, S½NE¼, NW¼NE¼, NW¼NW¼, SW¼SW¼, E½W½;
Sec. 28, SE¼SE¼, N½NE¼;
Sec. 30, lots 2, 3, 4, SE¼SW¼;
Sec. 31, lots 1, 2, 4, E½NW¼, NE¼;
Sec. 33, E½, SE¼NW¼, E½SW¼, W½W½;
Sec. 34, all;
Sec. 35, W½, W½E½, SE¼NE¼, E½SE¼.
T. 6 S., R. 22 E.,
Sec. 3, lots 1, 2, 3, 4, S½NE¼, SE¼NW¼, N½SE¼, S½S½;
Sec. 4, lots 1, 2, 3, 4, SW¼NE¼, S½NW¼, S½;
Secs. 5, 6, all;

Sec. 7, NW¼NE¼, N½NW¼, SW¼NW¼, NW¼SW¼, lot 3;
Sec. 9, N½, N½SE¼, SE¼SE¼, lots 1, 2, 5;
Sec. 10, all;
Sec. 11, W½, SW¼NE¼, NW¼SE¼;
Sec. 15, N½NE¼, NW¼NW¼.

Containing 23,451.84 acres.

For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C., 20240.

R. D. NIELSON,
State Director.

[F.R. Doc. 66-5167; Filed, May 11, 1966; 8:46 a.m.]

[Wyoming 032479]

WYOMING

Notice of Proposed Withdrawal and Reservation of Lands

MAY 5, 1966.

The Bureau of Mines, U.S. Department of the Interior, has filed an application, Serial No. Wyoming 0320479, for the withdrawal of lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, subject to valid existing rights.

The applicant desires the lands for the protection of an area to be devoted to oil shale retorting experiments over a period of several years.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 2120 Capitol Avenue, Cheyenne, Wyo., 82001.

The Department's regulations 43 CFR 2311.1-3(c) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicants, to eliminate lands needed for purposes more essential than the applicants, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 23 N., R. 107 W.,
Sec. 30.

The area described aggregates 640 acres, more or less.

AUBREY F. SMITH,
Acting State Director.

[F.R. Doc. 66-5168; Filed, May 11, 1966; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13890, etc.; Order E-23651]

STANDARD AIRWAYS, INC.

Supplemental Air Service Proceeding; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of May 1966.

Standard Airways, Inc., Docket 13890; supplemental air service proceeding, Docket 13795, et al.

1. In October 1962, Standard Airways, Inc. (Standard) was awarded an interim certificate to engage in supplemental air transportation pursuant to Public Law 87-528, pending disposition of its applications for certificates of public convenience and necessity under section 401(d)(3) of the Federal Aviation Act of 1958. On February 12, 1964, the Board, pursuant to section 401(n) of the Act, suspended Standard's interim certificate principally because the carrier was bankrupt. Order E-20468. The suspension proceeding was held in abeyance at Standard's request.

2. In July of 1965, however, Southern Pipeliners, Inc. (Pipeliners) which, among other things, owns and leases DC-7 aircraft and controlled Argonaut Airways, Inc., applied to acquire a controlling stock interest in Standard. A public hearing was held and the Board subsequently approved the above control relationship and found that Standard would be fit to continue operations "upon consummation of the acquisition" of control. This decision was predicated on the financial and other assistance to be supplied to Standard by Pipeliners and its president and controlling stockholder, Benjamin F. Preston, since, as shown in the record in that proceeding and in the Supplemental Air Service Proceeding, Docket 13795 et al., Standard, without Pipeliners, was nothing more than a recently discharged bankrupt with no finances or assets other than a few thousand dollars worth of office furniture. The Board noted that the suspension would be lifted upon an appropriate showing by the carrier that "all necessary steps have been completed for the consummation of the acquisition agreement." Order E-23129, January 18, 1966. Thereafter, Standard filed a verified statement with the Board indicating such steps had in fact been taken and the Board accordingly lifted the suspension. Order E-23222, February 11, 1966.

3. In its original decision in the Supplemental Air Service Proceeding, Order E-23350, March 11, 1966, the Board found that the record before the examiner afforded no basis for finding Standard fit.[1] The Board, however, ordered the record reopened for further hearing on Standard's qualifications. That action was predicated upon the apparent change in Standard's financial status which the applicant alleged had taken place as a result of the acquisition of Standard by Pipeliners.

4. Contrary to the carrier's representations to the Board that all steps looking toward the consummation of the acquisition agreement had been achieved, we are now informed by the principals involved, Messrs. Craft[2] and Preston, that no such acquisition has taken place. This leaves Standard without (1) the $100,000 working capital which was to be given to Standard by Pipeliners under the terms of the acquisition agreement, (2) the financial assistance of Pipeliners and Mr. Preston, or (3) any flight equipment.[3] Moreover, Standard's insurance certificate is limited by its terms to the specific aircraft which it operated under lease and which have now been repossessed by Pipeliners. The carrier is, therefore, apparently without aircraft and insurance as well. The Act specifically directs the Board to render ineffective the interim certificate of any carrier that fails to maintain a continuing requirement of fitness, willingness, and ability.

5. Since, according to the information reported to the Board, the Pipeliners financing agreement was not completed, the facts which were the predicate for reopening the record in Docket 13795 et al., no longer exist, and there does not appear to be any justification for further delaying decision on Standard's applications in that proceeding.

The Board, acting pursuant to the legal authority and jurisdiction vested in it by the Federal Aviation Act of 1958, and finding that its action is in the public interest and necessary in order to carry out the provisions of the Act and to perform its powers and duties thereunder:

It is ordered:

1. That Standard Airways, Inc., be and is hereby directed to show cause, within 5 days after service of this order, (1) why the Board, without further proceedings, should not issue an order either vacating Order E-23222, February 11, 1966, or immediately suspending the interim certificate issued to it pursuant to section 7 of Public Law 87-528 for failure to comply with section 401(n) of the Act and the terms, conditions, and limitations of its interim certificate, or (2) why such interim certificate should not be modified or revoked.

2. That Standard Airways, Inc., be and is hereby directed to show cause, within 15 days after the date of service of this order, why the Board, without further proceedings, should not issue an order (1) vacating Order E-23350, March 11, 1966, insofar as it ordered reopening of Docket 13795 et al., for further hearing on the qualifications for supplemental air transportation of Standard Airways, and (2) denying Standard's applications in Dockets 13816 and 13817 for supplemental certificates to engage in interstate, overseas, and foreign supplemental air transportation.

(3) That in the event Standard fails to file objections to this order, the Board will take such further action with respect to the matters raised by this order as it deems appropriate.

4. That a copy of this order shall be served upon Standard Airways, Inc., by certified mail at its last known address, and shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5193; Filed, May 11, 1966; 8:49 a.m.]

[1] The hearings in the Supplemental case were held in November and December 1964. At that time Standard had only recently been discharged from bankruptcy, it had no financial resources or equipment, and its interim certificate was suspended.

[2] Shields Craft is the president and majority stockholder of Standard.

[3] We have been informed that Pipeliners has repossessed the two DC-7B aircraft which Pipeliners had been leasing to Standard.

FEDERAL MARITIME COMMISSION

[Docket No. 66-22; 1st Supp. Order]

ALASKA STEAMSHIP CO.

Notice of Investigation and Suspension Regarding General Increase in Rates in Peninsula and Bering Sea Areas of Alaska, 1966; Correction

The original order in this proceeding served April 11, 1966, incorrectly stated that "2d Revised Page No. 53; Item 640 (Salt, Common)", Tariff FMC-F No. 127, was placed under investigation in this proceeding; whereas Item 640 in Tariff FMC-F No. 127 actually appears on 2d Revised Page No. 53-A.

Therefore, it is ordered, That paragraph No. 5, "FMC-F No. 127 (Southwest and Southcentral)" on the last page of the Appendix to the subject order be, and it is hereby changed in part to read: "2d Revised Page No. 53-A; Item 640 (Salt, Common)."

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-5196; Filed, May 11, 1966; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-342]

CITIES OF ALTENBURG AND FROHNA, MO., AND NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Application

MAY 5, 1966.

Take notice that on April 28, 1966, the Cities of Altenburg and Frohna, Mo. (Applicants), filed in Docket No. CP66-342 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Natural Gas Pipeline Co. of America (Respondent) to establish physical connection of its transmission facilities with the facilities to be constructed by Applicants and to sell and deliver to Applicants up to 172 Mcf and 183 Mcf of natural gas per day, respectively, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Altenburg proposes to construct, own and operate a municipal natural gas distribution system within its own borders, and Frohna will construct, own and operate a municipal distribution system and approximately 2 miles of 2-inch O.D. transmission pipeline extending north from Respondent's pipeline to Applicants, all in Perry County, Mo.

Applicants propose that Frohna will take delivery of the natural gas from Respondent at the delivery point on Respondent's system where it will be metered. The gas will be transported to Altenburg and then to Frohna. Altenburg will be charged for its gas at the cost to Frohna plus a transportation charge to be determined on the basis of an annual carrying charge in proportion to volumes of gas delivered to and used by each community.

The estimated natural gas requirements of Applicants to be delivered pursuant to Respondent's General Service Rate Schedule (G-1) are as follows:

	Mcf		
	First year	Second year	Third year
Altenburg:			
Peak day	115	138	172
Annual	10,200	12,100	15,200
Frohna:			
Peak day	149	[illegible]	183
Annual	22,230	23,160	29,650

The estimated costs of construction of the facilities to be constructed by Altenburg and Frohna are $58,000 and $84,000, respectively. Financing will be by means of Gas Revenue Bonds to be issued separately by Applicants.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 3, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5153; Filed, May 11, 1966; 8:45 a.m.]

[Docket No. CP66-343]

CONSOLIDATED GAS SUPPLY CORP.

Notice of Application

MAY 5, 1966.

Take notice that on April 28, 1966, Consolidated Gas Supply Corp. (Applicant), 445 West Main Street, Clarksburg, W. Va., 26301, filed in Docket No. CP66-343 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the replacement, construction, and operation of certain natural gas transmission facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, the pipelines Applicant proposes to replace consist of its Line No. 2 (26.8 miles of 10-inch pipeline) extending between the Sabinsville Compressor Station, Tioga County, Pa., and its junction with Line No. 10 in Potter County, Pa., and 9.3 miles of the easternmost portion of 12-inch Line No. 10, extending between the western terminus of Line No. 2 and Roulette Gate, Potter County, Pa.

The replacement pipeline proposed to be constructed and operated, looping Applicant's Line No. 280, will consist of (1) 26.2 miles of 26-inch pipeline extending between the Elk Run Gate, Tioga County, Pa., the present southern terminus of Line No. 50, and Finnefrock Compressor Station, Clinton County, Pa., and (2) 21.6 miles of 24-inch pipeline extending between Finnefrock Compressor Station and Driftwood Gate, Cameron County, Pa.

Applicant states that the above proposed replacement will increase the capacity of its transmission system upstream of its northern storage pool area and that the proposed facilities, to be constructed in 1966, are needed to meet the injection requirements of its northern storage pools beginning with the 1967 injection season. Applicant further states that the age, size, capacity, and condition of the pipelines to be replaced preclude their continued safe and useful operation.

The total estimated cost of Applicant's proposed facilities is $5,207,850, which cost will be financed by funds on hand and funds to be obtained from Applicant's parent corporation, Consolidated Natural Gas Co.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 3, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5154; Filed, May 11, 1966; 8:45 a.m.]

[Docket No. CP66-344]

MANUFACTURERS LIGHT AND HEAT CO.

Notice of Application

MAY 5, 1966.

Take notice that on April 29, 1966, The Manufacturers Light and Heat Co. (Applicant), 800 Union Trust Building, Pittsburgh, Pa., 15219, filed in Docket No. CP66-344 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon by sale to Blacksville Oil & Gas Co. (Blacksville), natural gas facilities consisting of approximately 2.8 miles of 4-inch transmission pipeline, situated in Wayne Township, Greene County, Pa., and in Clay District, Monongalia County, W. Va., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to abandon the following natural gas transmission facility: Approximately 2.8 miles of transmission pipeline No. 773, commencing at a point in Wayne Township, Greene County, Pa., and continuing in a southwesterly direction to the terminus of said line in Clay District, Monongalia, County, W. Va.

Applicant states that the subject pipeline was originally constructed for the purpose of transporting natural gas produced in Clay District, Monongalia County, W. Va., northward into Pennsylvania and that since 1954, this line has been used solely by Applicant for the purpose of supplying gas at retail to customers residing in the vicinity of said line. Applicant further states that since its distribution system in northern West Virginia is approximately 20 miles from Line No. 773, the continued rendition of retail gas service in this area is uneconomical and that all of Applicant's customers served by the subject line have consented to Applicant's discontinuance of service with the understanding that gas service will be supplied by Blacksville at no extra cost.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 3, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5155; Filed, May 11, 1966; 8:45 a.m.]

[Docket No. CP66-346]

SOUTH TEXAS NATURAL GAS GATHERING CO. AND TRUNKLINE GAS CO.

Notice of Application

MAY 5, 1966.

Take notice that on April 29, 1966, South Texas Natural Gas Gathering Co. (South Texas) Post Office Drawer 521, Corpus Christi, Tex., 78403, and Trunkline Gas Co. (Trunkline), Post Office Box 1642, Houston, Tex., 77001 (collectively referred to as Applicants), filed in Docket No. CP66-346 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas in volumes up to 15,000 Mcf per day, and for the construction and operation of measuring and appurtenant facilities necessary to effectuate the proposed exchange, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicants seek authority to construct and operate certain facilities to effectuate the exchange of natural gas between the two companies in accordance with an exchange agreement dated March 11, 1966. Under the terms of said agreement, Trunkline will deliver to South Texas quantities of gas up to 15,000 Mcf per day at a proposed meter station to be constructed, owned, operated, and maintained by Trunkline at a mutually agreeable point on Trunkline's 16-inch pipeline in the J. C. McGill, Jr., et al. Survey, A-704, Brooks County, Tex. The agreement between the parties further provides for the delivery by South Texas of equivalent quantities of gas to Trunkline at Trunkline's existing measuring facilities at the tailgate of the San Jacinto Gas Processing Corp's. Eagan Plant, Acadia Parish, La., and for the payment by Trunkline to South Texas of the sum of 3 cents per Mcf for each Mcf of exchange gas delivered by South Texas to Trunkline. Applicants state that such sum was arrived at by negotiation between the parties.

Applicants further propose, in addition to the meter station to be constructed by Trunkline at the Brooks County, Tex., delivery point, that South Texas construct approximately 1,500 feet of 6⅝-inch O.D. interconnecting pipeline and a 250-BHP field compressor to receive gas at such delivery point. Applicants state that no new facilities will be needed at the Acadia Parish, La., delivery point.

The application states that in accordance with the exchange agreement, South Texas may elect to receive delivery of gas at a mutually agreeable alternate point on Trunkline's pipeline system south of its Premont Compressor Station and may make delivery of gas to Trunkline at a mutually agreeable additional point or points on Trunkline's pipeline system in south Louisiana.

The total estimated cost of the facilities proposed to be constructed by South Texas is $60,000, and the total estimated cost of the facilities proposed to be constructed by Trunkline is $15,023. The application states that the cost of the proposed facilities will be financed by the respective companies from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 3, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5156; Filed, May 11, 1966; 8:45 a.m.]

[Docket No. RI66-361]

GRADY L. FOX, ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

MAY 4, 1966.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 15, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-361...	Grady L. Fox, et al., Amarillo Bldg., Amarillo, Tex.	1	1	Panhandle Eastern Pipe Line Co. (Hansford-Hugoton Field, Hansford County, Tex.) (R.R. District No. 10).	$1,080	4-7-66	[1] 5-8-66	[2] 5-9-66	13.0	[3] 14.0	

[1] The stated effective date is the 1st day after expiration of the statutory notice.
[2] The suspension period is limited to 1 day.
[3] Pressure base is 14.65 p.s.i.a.

Grady L. Fox, et al., (Fox) request waiver of the statutory notice to permit their rate increase to become effective as of September 28, 1965, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Fox's rate filing and such request is denied.

Fox's proposed rate increase exceeds the area price level for increased rates in Texas Railroad District No. 10 as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56), and is suspended as ordered herein. However, in view of the circumstances presented with respect to the filing of Fox's rate increase, we conclude that the suspension period should be limited to 1 day from May 8, 1966, the date of expiration of the statutory notice.

[F.R. Doc. 66-5157; Filed, May 11, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1946]

CITIES SERVICE INTERNATIONAL CAPITAL CORP.

Notice of Filing of Application for Order Exempting Company

MAY 6, 1966.

Notice is hereby given that Cities Service International Capital Corp. ("applicant"), 60 Wall Tower, New York, N.Y., 10005, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting it from all provisions of the Act and the rules and regulations thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below:

The applicant was organized by Cities Service Co. ("Cities Service") under the laws of the State of Delaware in March 1966. All of the common stock of applicant, consisting of 10 shares, $100 par value, has been purchased by Cities Service for $1,000. Prior to the issuance of the notes hereinafter referred to, Cities Service will make a capital contribution to applicant of additional cash, securities or other property so that the equity capital of applicant will not be less than $4,000,000 at that time. Any additional securities which applicant may issue, other than debt securities, shall be issued only to Cities Service or to one or more of its wholly owned subsidiaries. Cities Service or its wholly owned subsidiaries will not dispose of such securities, other than debt securities, except to applicant or to another wholly owned subsidiary of Cities Service.

Cities Service, a Delaware corporation, and its consolidated subsidiaries operate in the natural resources fields, primarily in the areas of energy and chemicals, including petroleum, natural gas transmission, carbon black, petrochemicals, copper, copper products, plant foods and printing inks.

A principal purpose for organizing the applicant is to continue the expansion and development of Cities Service's operations outside of the United States while at the same time providing assistance in improving the balance of payments position of the United States, in compliance with the voluntary cooperation program instituted by the President in February 1965.

Applicant intends to issue and sell an aggregate of $20,000,000 principal amount of its Guaranteed Notes due June 1, 1971 ("Notes"). Cities Service will guarantee the principal and interest payments on the Notes. Any additional debt securities of applicant which may be issued to or held by the public will be guaranteed by Cities Service in a manner substantially similar to the guarantee of the Notes.

It is intended that upon completion of the long-term investment of applicant's assets more than 80 percent of the assets of applicant will be invested in or loaned to foreign companies (including U.S. companies all or substantially all of whose business is carried on abroad) which are primarily engaged in a business other than investing, reinvesting, owning, holding, or trading in securities and which are, or upon the making of such investment will be (1) majority-owned subsidiaries of Cities Service, (2) companies under Cities Service's control, or (3) companies which are engaged in a business related to the business of Cities Service or its subsidiaries, in which Cities Service or the applicant owns an equity interest of 10 percent or more. Applicant will proceed as expeditiously as possible with the investment of its assets in such manner, will not acquire securities for the purpose of sale and will not trade in securities. Pending the development of final investment plans, and from time to time thereafter in connection with changes in long-term investments, applicant will make temporary investments in obligations (including time deposits) of foreign governments, foreign financial

institutions, other foreign persons, and foreign branches of U.S. financial institutions, payable in U.S. dollars or other currencies, in each case maturing in 1 year or less from the date of acquisition thereof.

The Notes are to be offered and sold under conditions which are intended to assure that the Notes will not be offered or sold in the United States, its territories, or possessions, or to nationals or residents of the United States, its territories, or possessions. The contracts relating to such offer and sale will contain various provisions intended to assure that the Notes will not be purchased by nationals or residents of the United States, its territories, or possessions. Any additional debt securities of applicant which may be sold to the public in the future will be sold under the same conditions.

Counsel has advised the applicant that U.S. persons will be required to report and pay interest equalization tax with respect to acquisitions of the Notes, except where a specific statutory exemption is available. Thus, by financing its foreign operations through the applicant rather than through sale of its own debt obligations, Cities Service will utilize an instrumentality the acquisition of whose debt obligations by U.S. persons would, generally, subject such persons to interest equalization tax, thereby tending to discourage them from acquiring such debt obligations from the foreign purchasers thereof or from persons to whom any of such purchasers might resell any thereof.

The Notes will not be registered under the Securities Act of 1933 or the Securities Exchange Act of 1934 and will not be listed on a stock exchange located in the United States. The applicant will use its best efforts to have the Notes listed on the Luxemburg Stock Exchange. The stock of Cities Service is listed on the New York Stock Exchange, the Midwest Stock Exchange, and the Boston Stock Exchange and is registered under the Securities Exchange Act of 1934.

Applicant submits that it is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act for the Commission to enter an order exempting applicant from each and every provision of the Act for the following reasons: (1) A principal purpose of the applicant is to provide a vehicle through which Cities Service may obtain funds in foreign countries for its foreign operations and for the foreign operations of its subsidiaries and affiliates while assisting in improving the balance-of-payments position of the United States; (2) the payment of the Notes, which is guaranteed by Cities Service, does not depend solely on the operations or investment policy of the applicant, because as a result of the guarantee, the Note holders may ultimately look to the business enterprise of Cities Service rather than solely to that of the applicant; (3) none of the securities of the applicant (other than debt securities) will be held by any person other than Cities Service or a wholly owned subsidiary of Cities Service; (4) applicant will not permit any debt securities to be issued to or held by the public unless they are fully guaranteed by Cities Service; (5) applicant will not deal or trade in securities; (6) applicant's Noteholders will have the benefit of the disclosure and reporting provisions of the Securities Exchange Act of 1934 and of the New York, Midwest, and Boston Stock Exchanges as to Cities Service; (7) the Notes will be offered only to foreign nationals under circumstances designed to prevent reoffering or resale to any U.S. national or resident.

Notice is further given that any interested person may, not later than May 19, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or of law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or, in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5169; Filed, May 11, 1966; 8:46 a.m.]

[File No. 14–1]

ELKTON CO.

Order Suspending Trading

MAY 6, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 1 cent par value, of the Elkton Co., otherwise than on a national securities exchange, is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 8, 1966, through May 17, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5170; Filed, May 11, 1966; 8:46 a.m.]

[File No. 1–3782]

GREAT AMERICAN INDUSTRIES, INC.

Order Suspending Trading

MAY 6, 1966.

The common stock, 10 cents par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, $10 par value, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 9, 1966, through May 18, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5171; Filed, May 11, 1966; 8:47 a.m.]

PINAL COUNTY DEVELOPMENT ASSOCIATION

Order Suspending Trading

MAY 6, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5⅞ percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended this order to be effective for the period May 9, 1966, through May 18, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5172; Filed, May 11, 1966; 8:47 a.m.]

[File No. 1–3393]

VTR, INC.

Order Suspending Trading

MAY 6, 1966.

The common stock, $1 par value, of VTR, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 7, 1966, through May 16, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5173; Filed, May 11, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3718 6567
3719 6607
3720 6679
3721 6817
3722 6855
3723 6945

EXECUTIVE ORDER:
11017 (Superseded by EO 11278) 6681
11069 (Superseded by EO 11278) 6681
11218 (Superseded by EO 11278) 6681
11277 6609
11278 6681
11279 6947

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 6857

5 CFR

213 6769, 6859, 6903, 6949
772 6569, 6949

7 CFR

7 6569
50 6570
68 6629
701 6957
718 6859
722 6573, 6580, 6859
724 6819
729 6581, 6957
813 6819
815 6860
905 6958
908 6825
909 6825
910 6826
918 6958
944 6959
959 6860
980 6629
1098 6581
1099 6861
1421 6904
1427 6861
1434 6582
1490 6862

PROPOSED RULES:
52 6871
58 6715
916 6871
965 6592
1032 6631
1050 6631
1065 6873
1126 6631
1133 6986

8 CFR

214 6611

12 CFR

1 6826, 6905
10 6949
11 6950
12 6952
13 6953
14 6954
15 6955
16 6955

12 CFR—Continued

522 6905
524 6905

14 CFR

39 6582, 6685, 6790, 6959
71 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960.
73 6893
97 6612, 6685, 6828, 6894
137 6685
151 6686
208 6620
223 6584
320 6585
378 6621

PROPOSED RULES:
71 6716, 6717, 6837, 6838, 6873, 6908, 6987
105 6988
121 6592
246 6986

15 CFR

30 6587
373 6707
374 6707
377 6707
379 6709
382 6707, 6709
384 6709, 6864
385 6709
399 6707, 6709, 6829, 6866

16 CFR

15 6866, 6906
59 6960

17 CFR

200 6588
240 6705, 6706

19 CFR

1 6611
10 6769

PROPOSED RULES:
1 6871
20 6908

20 CFR

404 6611

21 CFR

121 6830
131 6705, 6906
146c 6830
191 6622

PROPOSED RULES:
51 6792

24 CFR

200 6866

26 CFR

1 6589, 6966
31 6589

PROPOSED RULES:
1 6966

28 CFR

0 6867

29 CFR

548 6769
800 6770

31 CFR

90 6960
202 6590
316 6831
332 6686, 6831

32 CFR

300 6831
706 6962
1472 6906
1810 6962

32A CFR

BDSA (Ch. VI):
BDSA Reg. 2 6590

33 CFR

203 6907
207 6590, 6622, 6867
208 6707

35 CFR

255 6831

38 CFR

2 6770
21 6771

39 CFR

PROPOSED RULES:
21 6715
24 6715

41 CFR

6–1 6622
6–2 6623
6–3 6623
6–5 6624
6–7 6624
6–11 6624
6–30 6624
6–60 6625
9–12 6907
22–60 6625
101–26 6963
101–45 6831

43 CFR

PUBLIC LAND ORDERS:
3977 (amended by PLO 4000) 6868
3999 6907
4000 6868

PROPOSED RULES:
1727 6984
2221 6985
3130 6834
3160 6836

45 CFR

177 6591
801 6591

46 CFR

309 6891

PROPOSED RULES:
510 6792
512 6838
513 6838

47 CFR

0 6627, 6831
1 6831, 6868
73 6627, 6628, 6868

PROPOSED RULES:
2 6909
73 6637, 6638, 6792, 6838, 6874
87 6909

49 CFR

71–79 6591
95 6832
142 6964
188 6964

50 CFR

33 6629, 6832, 6869, 6893, 6964
60 6833

DETROIT PUBLIC LIBRARY MAY 16 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 93

Friday, May 13, 1966 • Washington, D.C.

Pages 7023–7101

Agencies in this issue—

The President
Agricultural Research Service
Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Business and Defense Services Administration
Civil Aeronautics Board
Commerce Department
Consumer and Marketing Service
Farm Credit Administration
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Foreign Assets Control Office
International Commerce Bureau
Interstate Commerce Commission
Labor Department
Land Management Bureau
National Park Service
Office of Special Representative for Trade Negotiations
Securities and Exchange Commission
Small Business Administration
Treasury Department

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Subscriptions Now Being Accepted

SLIP LAWS

89th Congress, 2d Session
1966

Separate prints of Public Laws, published immediately after enactment, with marginal annotations and legislative history references.

Subscription Price:

$12.00 per Session

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION

Eighty-Second Birthday of Harry S Truman 7027

EXECUTIVE AGENCIES

AGRICULTURAL RESEARCH SERVICE

Rules and Regulations

Hog cholera and other communicable swine diseases 7029

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Reconstitution of farms, allotments, and bases; miscellaneous amendments 7030

AGRICULTURE DEPARTMENT

See Agricultural Research Service; Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

ATOMIC ENERGY COMMISSION

Notices

Agreement between AEC and State of New Hampshire; discontinuance of certain AEC regulatory authority and responsibility within the State 7090
Atcor, Inc.; proposed issuance of byproduct, source, and special nuclear material license 7091
Canrad Precision Industries, Inc.; filing of petition 7091

BUSINESS AND DEFENSE SERVICES ADMINISTRATION

Rules and Regulations

Copper and copper-base alloys; set-aside percentages 7036

CIVIL AERONAUTICS BOARD

Notices

Flying Tiger Line, Inc.; proposed blocked-space tariff revisions 7092

COMMERCE DEPARTMENT

See also Business and Defense Services Administration; International Commerce Bureau.

Notices

Assistant Secretary of Commerce for Administration; delegation of authority relating to certifications 7089

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Oranges, Valencia, grown in Arizona and California; expenses and rate of assessment 7030

Proposed Rule Making

Milk and certain marketing areas:
Milwaukee; hearing 7061
Puget Sound; decision 7062
Rock River Valley; hearing 7061

Notices

Farmers Auction Co. et al.; deposting of stockyards 7089

FARM CREDIT ADMINISTRATION

Rules and Regulations

Banks for cooperatives; lending limits of district banks and farm supplies eligible as security for commodity loans 7029

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directive; Boeing Models 707 and 720 Series airplanes 7031
Federal airways; alteration; correction 7031
Restricted area; time for use; alteration 7032
Temporary restricted area; designation 7032
Transition area; alteration 7031
Transition area and control zone; designation and alteration 7031

Proposed Rule Making

Cargo and baggage compartment smoke detection equipment; technical standard order 7084
Jet routes; realignment 7085

FEDERAL COMMUNICATIONS COMMISSION

Proposed Rule Making

Aeronautical Advisory Service; correction 7086
Subscription Television Service; extension of time for submission of technical data 7086

Notices

Hearings, etc.:
Hennepin Broadcasting Associates, Inc., and WMIN, Inc. 7093
McAlister Broadcasting Corp. and KJJJ-TV 7093
Northwestern Indiana Broadcasting Corp. et al 7093
Sports Network, Inc., and American Telephone and Telegraph Co 7093
WDIX, Inc., and Radio Orangeburg, Inc 7093

FEDERAL MARITIME COMMISSION

Notices

Hanseatische Reederei Emil Offen & Co. and Vaasa Line OY; agreement filed for approval 7094

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Placid Oil Co. et al.; correction 7095
Sunset International Petroleum Corp 7094

FEDERAL TRADE COMMISSION

Rules and Regulations

Prohibited trade practices:
Broadway-Hale Stores, Inc. 7056
Feldman, Herman 7056
Libbey-Owens-Ford Glass Co. and General Motors Corp. 7057
Mangel Stores Corp. et al 7058
Merck & Co. et al 7059
Ovation Cosmetics, Inc., and J. Harry Ebbert 7059
Pappas, Gus, and Gus Pappas Furs 7057

FISH AND WILDLIFE SERVICE

Proposed Rule Making

Hunting at Montezuma National Wildlife Refuge 7061

FOREIGN ASSETS CONTROL OFFICE

Notices

Silk piece goods, tussah; importation from Korea; available certification 7087

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau; National Park Service.

INTERNATIONAL COMMERCE BUREAU

Rules and Regulations

Export control; miscellaneous amendments 7036

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief 7098
Motor carrier transfer proceedings 7099

LABOR DEPARTMENT

Notices

Wage Appeals Board; delegation of prevailing wage determination duties under Tennessee Valley Authority Act; revocation of amendment 7099

(Continued on next page)

LAND MANAGEMENT BUREAU

Notices

Nevada; filing of protraction diagrams 7087

NATIONAL PARK SERVICE

Notices

Fire Island National Seashore, William Floyd Estate, New York; filing of map 7089

OFFICE OF SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Rules and Regulations

Trade agreements and adjustment assistance; miscellaneous amendments 7032

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:

Michigan Wisconsin Pipe Line Co 7095

United States Steel Corp. (5 documents) 7096, 7097

SMALL BUSINESS ADMINISTRATION

Notices

Delegations of authority to conduct program activities:

Minneapolis 7098

New York 7097

Puerto Rico 7097

Syracuse 7097

Disaster area declarations:

Arkansas 7098

Louisiana 7098

Texas 7098

TREASURY DEPARTMENT

See also Foreign Assets Control Office.

Notices

Work shoes from Czechoslovakia; determination of sales at less than fair value 7087

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATION:

3724 7027

6 CFR

70 7029

7 CFR

719 7030

908 7030

PROPOSED RULES:

1038 7061

1039 7061

1125 7062

9 CFR

76 7029

14 CFR

39 7031

71 (3 documents) 7031

73 (2 documents) 7032

PROPOSED RULES:

37 7084

75 7085

15 CFR

369 7037

372 7038

373 7038

382 7038

399 7038

16 CFR

13 (7 documents) 7056–7059

32A CFR

BDSA (Ch. VI):

M–11A 7036

47 CFR

PROPOSED RULES:

2 7086

73 7086

87 7086

48 CFR

16 7032

17 7033

18 7034

19 7034

50 CFR

PROPOSED RULES:

32 7061

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3724

EIGHTY-SECOND BIRTHDAY OF HARRY S TRUMAN

By the President of the United States of America

A Proclamation

Harry S Truman, the thirty-third President of the United States, was born eighty-two years ago on the 8th day of May, 1884.

Throughout his life, Harry S Truman has devoted himself unceasingly to the cause of freedom, peace, and the betterment of his fellow man. His historic decisions during his service as President of the United States from 1945 through 1952, have made the world a better and safer place not only for his fellow citizens but for the entire human race.

Harry S Truman's deep concern for the well-being of each individual American will never be surpassed by any President. His wise and passionate pursuit of justice, opportunity, and security for every citizen set an example which every President of the United States will strive to emulate so long as the Nation and the Presidency shall endure. And it has won him a permanent place in the hearts of his countrymen.

Among the legacy Harry S Truman gave to history are included the United Nations Charter which, under his guidance, the United States became the first major power to ratify; the formulation and successful operation of the Truman Doctrine, which played a major role in preserving free institutions in Greece and Turkey; the Marshall Plan, which played a major role in rebuilding the war-depleted economies of Western Europe; and such outstanding legislative accomplishments for the welfare of the American people, as the National School Lunch Act, the National Mental Health Act, the Atomic Energy Act of 1946, the National Heart Act, the Minimum Wage and Hour Act amendments of October 26, 1949, the Act of September 23, 1950, providing Federal assistance for school construction in federally impacted areas, and the Federal Coal Mine Safety Act amendments of July 16, 1952.

His accomplishments have been recognized by friendly nations throughout the world. His contributions to peace have been especially honored by the creation of the Harry S Truman Center for the Advancement of Peace, to be located at the Holy City of Jerusalem.

The Senate of the United States, in which he served faithfully and well before ascending to the Presidency, has further recognized this Nation's indebtedness to Harry S Truman by calling upon the President of the United States to extend upon the occasion of his eighty-second birthday, May 8, 1966, the admiration and gratitude of all our people.

I am proud to honor this request and do hereby extend to the Honorable Harry S Truman this expression of our profound and lasting gratitude and appreciation for his long years of devoted service to his country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this ninth day of May in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-5304; Filed, May 12, 1966; 10:19 a.m.]

Rules and Regulations

Title 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

SUBCHAPTER F—BANKS FOR COOPERATIVES

PART 70—BANKS FOR COOPERATIVES GENERALLY

Subpart—Loan Policies

Subpart—Commodity Loans

LENDING LIMITS OF DISTRICT BANKS AND FARM SUPPLIES ELIGIBLE AS SECURITY FOR COMMODITY LOANS

Effective June 1, 1966, § 70.22 of Title 6 of the Code of Federal Regulations is amended to read as follows to reflect increases in the lending limits of the district banks for cooperatives:

§ 70.22 Lending limits of district banks.

Except with the written approval of the Director of Cooperative Bank Service, the lending limits of each district bank for cooperatives are hereby fixed so that loans to any one borrower outstanding at any time (exclusive of participations therein sold to others) may not exceed the following percentages of the net worth of the bank as of the close of the preceding fiscal year:

(a) Facility loans, 25 percent;

(b) Operating capital loans, 25 percent;

(c) Commodity loans (excluding loans secured by Commodity Credit Corporation documents), 45 percent;

(d) The sum of facility and operating capital loans, 25 percent;

(e) The sum of facility, operating capital, and commodity loans (excluding loans secured by Commodity Credit Corporation documents), 45 percent;

Provided, however, That a loan made within established limits, but which becomes excessive by virtue of a subsequent decrease in the net worth of the bank, may be retained and liquidated in an orderly manner.

§ 70.53 [Amended]

Section 70.53 of Title 6 of the Code of Federal Regulations is amended by adding "Tinplate" immediately under "Petroleum products" at the end thereof in order to include "Tinplate" among farm supplies approved by the Director of Cooperative Bank Service as security for commodity loans when marketable and in acceptable storage.

(Sec. 6, 47 Stat. 14, as amended, secs. 34, 38, 41, 48 Stat. 262, 264, as amended; 12 U.S.C. 665, 1134c, 1134j)

R. B. TOOTELL,
Governor,
Farm Credit Administration.

[F.R. Doc. 66-5221; Filed, May 12, 1966; 8:47 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Miscellaneous Amendments

On March 4, 1966, there was published in the FEDERAL REGISTER (31 F.R. 3401) a notice of proposed amendments to Part 76, Subchapter C, Chapter 1, Title 9, Code of Federal Regulations. After due consideration of all relevant material submitted in connection with such notice and pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126; 134–134h), said Part 76 is hereby amended in the following respects:

1. Section 76.1(f) is amended to read:

§ 76.1 Definitions.

* * * * * *

(f) *Virulent hog cholera virus.* The living agent capable of causing hog cholera found:

(1) In the clear serum, plasma, defibrinated blood, whole blood, or other tissue derived from pigs sick of hog cholera; or

(2) In any material used as a vehicle for perpetuating such living agent; or

(3) In living hog cholera virus vaccine commonly known as hog cholera vaccine, live virus modified, porcine origin.

2. The introductory language of § 76.4 is amended to read:

§ 76.4 Interstate movement of virulent hog cholera virus prohibited, except as provided.

Virulent hog cholera virus shall not be moved interstate except that:

* * * * * *

3. Section 76.5 is amended to read:

§ 76.5 Interstate movement of swine treated with virulent hog cholera virus prohibited, except as provided.

Swine treated with virulent hog cholera virus shall not be moved interstate except that:

(a) Swine treated with virulent hog cholera virus prior to April 1, 1966, and not known to be affected with hog cholera may be moved interstate if:

(1) Such swine are consigned for immediate slaughter; or

(2) Such swine have not been so treated within 21 days immediately prior to movement interstate, except that in the case of sows, treatment shall not have been within 150 days immediately prior to such movement; are accompanied by a permit from the appropriate official of the State of destination; are accompanied by a certificate issued by the Division; are moved directly to a farm of destination without contact with other swine during movement; and are moved interstate under such other conditions as may be imposed by the Director of the Division in order to prevent such swine from endangering other swine or impairing the hog cholera eradication program.

(b) Swine treated with virulent hog cholera virus for research and biologics production, and not known to be affected with hog cholera, may be moved interstate if such swine are moved directly to a point of destination designated by the Veterinary Biologics Division without contact with other swine during movement; are accompanied by a permit from the appropriate official of the State of destination; are moved under such other conditions as may be imposed by the Director of the Veterinary Biologics Division in order to prevent such swine from endangering other swine or impairing the hog cholera eradication program; and are accompanied by a certificate issued by the Veterinary Biologics Division specifying any such conditions imposed regarding the specific movement.

(Sec. 4, 23 Stat. 32, as amended, sec. 1, 32 Stat. 791, as amended, sec. 2, 32 Stat. 792, as amended, sec. 1, 75 Stat. 481, 76 Stat. 131; 21 U.S.C. 111, 112, 114g, 120, 125, 134c; 29 F.R. 16210, as amended, 30 F.R. 5799, as amended)

The foregoing amendments (1) include "hog cholera vaccine, live virus modified, porcine origin," within the definition of virulent hog cholera virus in 9 CFR 76.1(f) and thereby have the effect of prohibiting the interstate movement of such vaccine except as provided in 9 CFR 76.4; and (2) amend § 76.5 to provide that swine treated with virulent hog cholera virus cannot be moved interstate, except as provided in paragraphs (a) and (b) of said section.

The hog cholera eradication program has progressed to the point where the continued use of "hog cholera vaccine, live virus modified, porcine origin," may be a deterrent to the eradication of hog cholera. Experimental and field evidence indicates that the use of such vaccine virus can cause hog cholera in treated swine and can also cause hog cholera in swine that come in contact with such treated animals. Therefore, the use of said vaccine does not appear to provide the margin of safety desired in

vaccines used while the nationwide hog cholera eradication program is in effect.

The amendments impose certain restrictions under the regulations on the interstate movement of swine and "hog cholera vaccine, live virus modified, porcine origin." Such restrictions are deemed necessary to prevent the dissemination of hog cholera and to facilitate the hog cholera eradication program. These amendments should be made effective promptly in order to fully accomplish their purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. These amendments shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 10th day of May 1966.

R. J. ANDERSON,
Deputy Administrator, Agricultural Research Service.

[F.R. Doc. 66-5251; Filed, May 12, 1966; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 9]

PART 719—RECONSTITUTION OF FARMS, ALLOTMENTS, AND BASES

Miscellaneous Amendments

Basis and purpose. This amendment is issued pursuant to section 375(b) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1375(b)), section 124 of the Soil Bank Act (7 U.S.C. 1812), and the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590g–q). This amendment further implements section 379 of the Agricultural Adjustment Act of 1938, as enacted on November 3, 1965, by the Food and Agriculture Act of 1965 (79 Stat. 1211).

The amendment to the Regulations for Reconstitution of Farms, Allotments, and Bases includes the following:

(a) Amends § 719.7(b) to add a new sentence to permit the county committee to make a reconstitution effective for burley tobacco for 1966 in cases where the allotment is allocated as designated by the land owner even though such crop has been planted.

(b) Amends § 719.8 to add a new paragraph (k) to provide that a burley tobacco allotment may be divided in the manner designated by the land owner in cases where the ownership of a tract of land is transferred from the parent farm for nonagricultural uses.

Since farms are now being reconstituted and producers on such farms are making plans for producing 1966 crops, it is essential that this amendment be made effective as soon as possible. It is hereby found and determined that compliance with the notice, public procedure, and the 30-day effective date requirement of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing this document with the Director, Office of the Federal Register.

The Regulations for Reconstitution of Farms, Allotments, and Bases (29 F.R. 13370, as amended), are amended as follows:

1. Subparagraph (1) of paragraph (b) of § 719.7 of the regulations, as amended, is amended to read as follows:

§ 719.7 Reconstitution of farm allotments, history acreages, and farm bases.

* * * * *

(b) *Effective date of reconstitutions.* * * *

(1) *Allotment crops.* The reconstitution shall be effective for an allotment crop for the current program year if such reconstitution is completed before such crop is planted and for farms having both fall seeded and spring seeded allotment crops (including feed grain base crops) may be made effective for the current program year even though the fall seeded crop has been planted, if the county committee determines that no adverse effect to the program for the allotment crop involved will result from such reconstitution and the farm operator agrees by signing a request for the reconstitution. Notwithstanding the foregoing provisions of this subparagraph, any reconstitution under § 719.8 (k) for an allotment crop for the 1966 program year may be made effective for such crop for such program year even though such crop has been planted if (i) the county committee determines that the reconstitution was warranted at the time the crop was planted and (ii) the farm operator agrees to making the reconstitution effective for the 1966 program year.

* * * * *

2. Section 719.8 of the regulations is amended to add a new paragraph (k) at the end thereof to read as follows:

§ 719.8 Rules for determining farm bases, farm allotments, and history acreages where reconstitution is by division.

* * * * *

(k) *Allocation of burley tobacco allotments as designated by land owner.* Burley tobacco allotments may be designated in the same manner as other crop allotments in paragraph (j) of this section where the ownership of a tract of land is transferred for nonagricultural uses. This method may be used in any case where transfer of ownership of tracts of land for nonagricultural uses is acted upon by the county committee after January 31, 1966.

(Secs. 375, 379, 52 Stat. 66, as amended, 79 Stat. 1211, 7 U.S.C. 1375, 1379; sec. 124, 70 Stat. 198, 7 U.S.C. 1812; secs. 16(b), 74 Stat. 1030, 16(c), 75 Stat. 5, 16(d), 75 Stat. 302, 105(c), 75 Stat. 301, 16(h), 77 Stat. 45, 16 U.S.C. 590 p)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 10, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5252; Filed, May 12, 1966; 8:50 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Expenses and Rate of Assessment

On April 27, 1966, notice of rule making was published in the FEDERAL REGISTER (31 F.R. 6375) regarding proposed expenses and the related rate of assessment for the period beginning November 1, 1965, and ending October 31, 1966, pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Valencia Orange Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 908.205 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Valencia Orange Administrative Committee during the period November 1, 1965, through October 31, 1966, will amount to $203.287.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 908.41, is fixed at $0.013 per carton of Valencia oranges.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable oranges handled during the aforesaid period, and (2) such period began on November 1, 1965, and said rate of assessment will automatically apply to all such oranges beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 9, 1966.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5253; Filed, May 12, 1966; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7359; Amdt. 39-236]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707 and 720 Series Airplanes

The Agency has determined that an airworthiness directive is necessary with respect to the Boeing Model 707 and 720 Series airplanes to insure that the emergency exit lights will be illuminated when power is lost on the essential AC bus. In addition to an appropriate operating limitation which must be set forth on a placard or incorporated into the Airplane Flight Manual as an interim measure, the directive requires the installation of a new relay in the emergency exit light circuit or a rewiring on the circuit to existing contacts on the essential AC bus.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING. Applies to Model 707 and 720 Series airplanes listed in Boeing Service Bulletin 1789, Revision 1.

Compliance required as indicated, unless already accomplished.

(a) Within the next 125 hours' time in service after the effective date of this AD, incorporate the following operating limitation in either the Airplane Flight Manual or on a placard installed adjacent to the cabin dome light switch:

THE DOME LIGHT SWITCH MUST BE IN EITHER THE BLUE, LOW OR BRIGHT POSITION DURING TAKEOFF AND LANDING

(b) Within the next 1,200 hours' time in service after the effective date of this AD, install a new relay in the emergency exit light circuit or rewire the circuit to use existing contacts on the essential AC power failure relay, so that the emergency exit lights will function automatically when power is lost on the essential AC bus in accordance with Boeing Service Bulletin 1789, Revision 1, or later FAA-approved revision or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(c) The operating limitation imposed under paragraph (a) may be removed when the modification required in paragraph (b) has been accomplished.

This amendment becomes effective May 13, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 10, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-5242; Filed, May 12, 1966; 8:49 a.m.]

[Airspace Docket No. 65-EA-62]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways; Correction

On March 29, 1966, F.R. Doc. No. 66-3263 was published in the FEDERAL REGISTER (31 F.R. 5057) and amended Part 71 of the Federal Aviation Regulations by altering VOR Federal airways Nos. 72, 106, and 431. These actions are to become effective 0001 e.s.t., May 26, 1966.

Subsequent to the publication of the document, a flight check performed by the Federal Aviation Agency indicates the segment of V-431 between the Revere, Mass., intersection and Gardner, Mass., VOR should be aligned via the Gardner VOR 097° True radial in lieu of the 098° True radial. Accordingly, action is taken herein to correct this alignment.

Since this change is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the effective date of the final rule as initially adopted may be retained.

In consideration of the foregoing, effective immediately, F.R. Doc. No. 66-3263, item c. is altered to read:

c. In V-431 "From Keene, N.H.," is deleted and "From Boston, Mass., via INT Boston 015° and Gardner, Mass., 097° radials; to Gardner. From Keene, N.H.," is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 6, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5207; Filed, May 12, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SO-27]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Fort Rucker, Ala., transition area.

The Fort Rucker transition area (31 F.R. 2149) is described, in part, as "* * * extending from 22 miles N to 10 miles S of the INT of the Crestview VOR 013° and the Evergreen, Ala., VOR 114° radials * * *".

Because of the scheduled relocation of the Evergreen VOR and the coincident name change from Evergreen to Monroeville on May 26, 1966, it is necessary that the transition area description be amended accordingly.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may become effective without regard to the 30-day statutory period.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 26, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the Fort Rucker, Ala., transition area is amended as follows:

The portion designated "within 12 miles W and 8 miles E of the Crestview, Fla., VOR 013° radial extending from 22 miles N to 10 miles S of the INT of the Crestview VOR 013° and the Evergreen, Ala., VOR 114° radials" is deleted and "within 12 miles W and 8 miles E of the Crestview, Fla., VORTAC 013° radial extending from 21 miles N to 11 miles S of the INT of the Crestview VORTAC 013° and the Monroeville, Ala., VOR 110° radials" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 5, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-5208; Filed, May 12, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-86]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area and Alteration of Control Area

On March 12, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4351) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a transition area and alter Control 1173 in the vicinity of San Francisco, Calif.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective, 0001 e.s.t., July 21, 1966, as hereinafter set forth.

1. In § 71.163 (31 F.R. 2050) Control 1173 is amended to read:

CONTROL 1173

That airspace W of San Francisco, Calif., bounded by a line extending from latitude 37°40'00" N., longitude 125°23'30" W., to

latitude 37°50'00" N., longitude 124°24'30" W., to latitude 38°00'00" N., longitude 123°23'00" W., to latitude 38°03'25" N., longitude 123°11'45" W., thence via the W edge of V-199 and V-27 to latitude 37°09'20" N., longitude 122°34'50" W.; to latitude 36°15'00" N., longitude 124°26'00" W., to the point of beginning, excluding the portion below 2,500 feet MSL. The portion within W-513 is excluded between the hours of 0800 and 2000 P.s.t., Monday through Friday, and below 3,000 feet MSL within W-513 between the hours of 2000 and 0800 P.s.t., Monday through Friday.

2. In § 71.181 (31 F.R. 2149) the San Francisco, Calif., transition area is added as follows:

SAN FRANCISCO, CALIF.

That airspace extending upward from 700 feet above the surface bounded on the N by latitude 38°02'00" N., on the E by longitude 121°52'00" W., on the S by latitude 37°30'00" N., and on the W by a line extending from latitude 37°30'00" N., longitude 122°27'00" W., to latitude 37°34'00" N., longitude 122°31'00" W., to latitude 37°55'00" N., longitude 122°31'00" W., to latitude 38°02'00" N., longitude 122°40'00" W.; and that airspace extending upward from 1,200 feet above the surface bounded on the N by latitude 38°02'00" N., on the E by a line extending from latitude 38°02'00" N., longitude 121°37'00" W., to latitude 37°38'00" N., longitude 121°37'00" W., to latitude 37°38'00" N., longitude 121°50'00" W., to latitude 37°30'00" N., longitude 121°50'00" W., on the S by latitude 37°30'00" N., and on the W by V-27 and V-199.

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510), E.O. 10854 (24 F.R. 9565))

Issued in Washington, D.C., on May 9, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5244; Filed, May 12, 1966; 8:49 a.m.]

[Airspace Docket No. 65-WE-104]

PART 73—SPECIAL USE AIRSPACE

Designation of Temporary Time of Use for Restricted Area Altered

The purpose of this amendment is to alter F.R. Doc. No. 66-1430 (31 F.R. 2583) which designates a temporary restricted area R-6411 at Hanksville, Utah.

The time of use for R-6411 as published in Airspace Docket No. 65-WE-104 was from June 1, 1966, through June 30, 1966. However, subsequent to publication of the rule the Department of the Air Force has advised that a ten day extension to this period of activation would provide training for an additional military unit, resulting in a saving of approximately one million dollars in troop movement costs and shipments of heavy equipment.

Since the precise times when R-6411 would be needed each year, subsequent to the first-designated period, were indefinite and were not susceptible to determination at the time the rule designating the restricted area was published, it was determined to establish all subsequent firing periods by a rule published in the FEDERAL REGISTER. Additionally, the Federal Aviation Agency considers that a ten day extension to the June firing period would be in the public interest for the reasons cited above.

Since this amendment is made in accordance with the procedures set forth in the notice and previous rule, additional notice and public procedure hereon are unnecessary and the original date of effectiveness may be retained.

In consideration of the foregoing, Federal Register Document No. 66-1430 is amended, effective immediately, as hereinafter set forth.

In the time of designation delete "June 30, 1966," and substitute "July 10, 1966," therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 9, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5245; Filed, May 12, 1966; 8:49 a.m.]

[Airspace Docket No. 66-WE-9]

PART 73—SPECIAL USE AIRSPACE

Designation of Temporary Restricted Area

On March 15, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4415), stating that the Federal Aviation Agency was considering an amendment to Part 73 of the Federal Aviation Regulations which would establish a temporary restricted area near Blanding, Utah, for the period June 15, 1966, through August 1, 1966. Additionally, it was stated that all subsequent firing periods would be designated by a rule published in the FEDERAL REGISTER based on that notice.

On March 25, 1966, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4972) amending the proposal by changing the first period of activation to read from June 23, 1966, through August 15, 1966. This revision will permit the depiction of the Restricted Area on all possible charts.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 23, 1966, as hereinafter set forth.

In § 73.64 (31 F.R. 2336) the following is added:

R-6410 BLANDING, UTAH

Boundaries: Beginning at latitude 37°-33'00" N., longitude 109°33'00" W.; to latitude 37°21'00" N., longitude 109°21'00" W.; to latitude 37°17'00" N., longitude 109°29'-00" W.; to latitude 37°31'00" N., longitude 109°36'00" W.; to point of beginning.

Designated altitudes: Surface to unlimited.

Time of designation: Continuous, June 23, 1966, through August 15, 1966. All subsequent firing periods will be designated by a rule published in the FEDERAL REGISTER.

Controlling agency: Federal Aviation Agency, Denver ARTC Center.

Using agency: Commander, Air Force Missile Development Center, Holloman AFB, N. Mex.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 9, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5246; Filed, May 12, 1966; 8:49 a.m.]

Title 48—TRADE AGREEMENTS AND ADJUSTMENT ASSISTANCE PROGRAMS

Chapter I—Presidential Documents

SUBCHAPTER B—PROCLAMATIONS

ADDITIONS TO CHAPTER

Proclamations 3696, 3697, 3703, and 3712 are added to Subchapter B of Chapter I of Title 48 of the Code of Federal Regulations as new Parts 16, 17, 18, and 19, respectively, reading as follows:

PART 16—TERMINATION OF INCREASED DUTY ON IMPORTS OF CLINICAL THERMOMETERS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

PROCLAMATION No. 3696

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on April 21, 1951, entered into, and by Proclamation No. 2929 of June 2, 1951 (65 Stat. c12), proclaimed the Torquay Protocol to the General Agreement on Tariffs and Trade, including a concession applicable to certain types of clinical thermometers provided for in item 218(a) in Part I to Schedule XX of the Torquay Protocol (3 U.S.T. (pt. 1) 1144);

2. WHEREAS, pursuant to Section 7 of the Trade Agreements Extension Act of 1951, and in accordance with the provisions of Article XIX of the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A58; 8 U.S.T. (pt. 2) 1786), the President by Proclamation No. 3235 of April 21, 1958 (72 Stat. (pt. 2) c35), proclaimed that, effective after the close of business on May 21, 1958, and until the President otherwise proclaimed, the concession with respect to the types of clinical thermometers identified in the first recital of this proclamation should be withdrawn, thereby increasing the rate of duty with respect to such articles;

3. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded (1) the provisions of Proclamation No. 2929 insofar as that proclamation proclaimed the concession with respect to the types of clinical thermometers identified in the first recital of this proclamation (see item 711.35 of the Tariff Schedules of the United States), and (2) the provisions of Proclamation No. 3235 (see item 930.00 of the Appendix to the Tariff Schedules of the United States);

4. WHEREAS, following my request under Section 351(d)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981 (d)(2)), the United States Tariff Commission conducted an investigation, including a hearing, pursuant to Section 351(d)(5) of that Act (19 U.S.C. 1981 (d)(5)), and on May 27, 1965, submitted to me a report (30 F.R. 7306) advising me of its judgment as to the probable economic effect on the domestic industry concerned of the reduction or termination of the increased rate of duty effected by Proclamation No. 3235 (now reflected, with modifications, in item 930.00 of the Appendix to the Tariff Schedules of the United States);

5. WHEREAS, in relation to the possible reduction or termination of such increased rate of duty, I have received and taken into account the advice from the Tariff Commission, advice of the Secretary of Commerce and the Secretary of Labor in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c)(1)(A)), recommendations of the Special Representative for Trade Negotiations in accordance with Sections 3(b), 3(j), and 5(c) of Executive Order No. 11075 of January 15, 1963 (48 C.F.R. 1.3(b), 1.3(j), and 1.5(c)), and advice of other interested agencies of the Government; and

6. WHEREAS, in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962, I have determined that the termination, as herein proclaimed, of the increased rate of duty effected by Proclamation No. 3235 (now reflected, with modifications, in item 930.00 of the Appendix to the Tariff Schedules of the United States) is in the national interest:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 351(c)(1)(A) of the Trade Expansion Act of 1962, and in accordance with the provisions of Article XIX of the General Agreement on Tariffs and Trade, do proclaim that:

(1) Proclamation No. 3235 is terminated.

(2) Item 930.00 (reflecting, with modifications, Proclamation No. 3235 which effected the increased rate of duty) is deleted from the Appendix to the Tariff Schedules of the United States.

(3) The concession with respect to the types of clinical thermometers identified in the first recital of this proclamation shall be applied to such of those articles as are entered, or withdrawn from warehouse, for consumption on or after the date of this proclamation, in accordance with the provisions of item 711.35 of the Tariff Schedules of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventh day of January in the year of our Lord nineteen hundred and [SEAL] sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:
DEAN RUSK,
Secretary of State.

PART 17—REDUCTION OF INCREASED DUTIES ON IMPORTS OF STAINLESS-STEEL FLATWEAR

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

PROCLAMATION No. 3697

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on April 21, 1951, entered into, and by Proclamation No. 2929 of June 2, 1951 (65 Stat. c12), proclaimed the Torquay Protocol to the General Agreement on Tariffs and Trade, including supplementary concessions with respect to certain types of stainless-steel knives and forks provided for in item 355 in Part I of Schedule XX to the Torquay Protocol (3 U.S.T. (pt. 1) 1160); and, on May 23, 1956, entered into, and by Proclamation No. 3140 of June 13, 1956 (70 Stat. c33), proclaimed the Sixth Protocol of Supplementary Concessions to the General Agreement on Tariffs and Trade, including a supplementary concession with respect to certain types of stainless-steel spoons provided for in item 339 in Part I of Schedule XX to the Sixth Protocol of Supplementary Concessions (7 U.S.T. (pt. 2) 1362);

2. WHEREAS, pursuant to Section 7 of the Trade Agreements Extension Act of 1951, and in accordance with the provisions of Article XIX of the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A58; 8 U.S.T. (pt. 2) 1786), the President by Proclamation 3323 of October 20, 1959 (74 Stat. c15), modified, effective on and after November 1, 1959, and until the President otherwise proclaimed, the supplementary concessions with respect to the types of stainless-steel knives, forks, and spoons identified in the first recital of this proclamation by proclaiming increased rates of duty limited to entries after the entry of an aggregate quantity of 69 million single units of such articles in any 12-month period beginning November 1, resulting in an annual tariff quota at the concession rates of duty;

3. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded (1) the provisions of Proclamations Nos. 2929 and 3140 insofar as those proclamations proclaimed the supplementary concessions wtih respect to the types of stainless-steel knives, forks, and spoons identified in the first recital of this proclamation (see Subpart E of Part 3 of Schedule 6 of the Tariff Schedules of the United States, including items 650.09, 650.11, 650.39, 650.41, and 650.55), and (2) the provisions of Proclamation No. 3323 (see the Appendix to the Tariff Schedules of the United States, including items 927.50 through 927.54);

4. WHEREAS, following my request under Section 351(d)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981 (d)(2)), the United States Tariff Commission conducted an investigation, including a hearing, pursuant to Section 351(d)(5) of that Act (19 U.S.C. 1981 (d)(5)), and on April 14, 1965, submitted to me a report (30 F.R. 5655) advising me of its judgment as to the probable economic effect on the domestic industry concerned of the reduction or termination of the increased rates of duty described in the second recital of this proclamation and provided for in Proclamation No. 3323 (now reflected, with modifications, in the Appendix to the Tariff Schedules of the United States, including items 927.50 through 927.54);

5. WHEREAS, in relation to the possible reduction or termination of such increased rates of duty, I have received and taken into account the advice from the Tariff Commission, advice of the Secretary of Commerce and the Secretary of Labor in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c)(1)(A)), recommendations of the Special Representative for Trade Negotiations in accordance with Sections 3(b), 3(j), and 5(c) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(b), 1.3(j), and 1.5(c)), and advice of other interested agencies of the Government; and

6. WHEREAS, in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962, I have determined that the reduction, as herein proclaimed, of the increased rates of duty described in the second recital of this proclamation and provided for in Proclamation No. 3323 (now reflected, with modifications, in the Appendix to the Tariff Schedules of the United States, including items 927.50 through 927.54) is in the national interest:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 351(c)(1)(A) of the Trade Expansion Act of 1962, and in accordance with the provisions of Article XIX of the General Agreement on Tariffs and Trade, do proclaim that:

(1) Proclamation No. 3323 is terminated.

(2) Subpart A of Part 2 of the Appendix to the Tariff Schedules of the United States is amended as follows:

(A) The second article description preceding item 927.50 is amended to read as follows:

"For an aggregate quantity from countries subject to the rates set forth in rate of duty column numbered 1 not to exceed

(1) 84 million single units entered in the 12-month period beginning November 1, 1965, and (2) 84 million single units entered in the period beginning November 1, 1966, and ending at the close of October 11, 1967, unless the President proclaims otherwise pursuant to section 351 (c) (1) or (2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c) (1) or (2)):".

(B) Items 927.53 and 927.54 are deleted, and the following new items 927.60, 927.61, and 927.62 are substituted in lieu thereof:

927.60	Knives and forks: With handles not containing nickel and not containing over 10 percent by weight of manganese (item 650.09 and 650.39).	3¢ each+15% ad val.	3¢ each+15% ad val. but not less than 2¢ each +45% ad val.
927.61	With handles containing nickel or containing over 10 percent by weight of manganese (items 650.11 and 650.41).	3¢ each+20% ad val.	3¢ each+20% ad val. but not less than 2¢ each +45% ad val.
927.62	Spoons (item 650.55)	40% ad val.	No change."

(3) The actions proclaimed in paragraphs (1) and (2) above are effective with respect to articles entered, or withdrawn from warehouse, for consumption on or after November 1, 1965.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventh day of January in the year of our Lord nineteen hundred and [SEAL] sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:
DEAN RUSK,
Secretary of State.

PART 18—TERMINATION OF INCREASED DUTY ON IMPORTS OF SAFETY PINS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

PROCLAMATION No. 3703

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on October 30, 1947, entered into, and by Proclamation No. 2761A of December 16, 1947 (61 Stat. (pt. 2) 1103), and Proclamation No. 2782 of April 22, 1948 (62 Stat. (pt. 2) 1500), proclaimed, the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A11; hereinafter referred to as "the General Agreement"), including a concession with respect to certain types of safety pins provided for in item 350 in Part I to Schedule XX of the General Agreement (61 Stat. (pt. 5) A1205);

2. WHEREAS, pursuant to Section 7 of the Trade Agreements Extension Act of 1951, and in accordance with the provisions of Article XIX of the General Agreement (61 Stat. (pt. 5) A58; 8 U.S.T. (pt. 2) 1786), the President by Proclamation No. 3212 of November 29, 1957 (72 Stat. (pt. 2) c16), proclaimed, effective after the close of business on December 30, 1957, and until the President otherwise proclaimed, a modification of the concession with respect to the types of safety pins identified in the first recital of this proclamation to effect an increase in the rate of duty with respect to such safety pins;

3. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded (1) the provisions of Proclamation Nos. 2761A and 2782 insofar as those proclamations proclaimed the concession with respect to the types of safety pins identified in the first recital of this proclamation (see item 745.56 of the Tariff Schedules of the United States), and (2) the provisions of Proclamation No. 3212 (see item 943.10 of the Appendix to the Tariff Schedules of the United States);

4. WHEREAS, following my request under Section 351(d)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981 (d)(2)), the United States Tariff Commission conducted an investigation, including a hearing, pursuant to Section 351(d)(5) of that Act (19 U.S.C. 1981 (d)(5)), and on May 17, 1965, submitted to me a report (30 F.R. 6891) advising me of its judgment as to the probable economic effect on the domestic industry concerned of the reduction or termination of the increased rate of duty effected by Proclamation No. 3212 (now reflected, with modifications, in item 943.10 of the Appendix to the Tariff Schedules of the United States);

5. WHEREAS, in relation to the possible reduction or termination of such increased rate of duty, I have received and taken into account the advice from the Tariff Commission, advice of the Secretary of Commerce and the Secretary of Labor in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c)(1)(A)), recommendations of the Special Representative for Trade Negotiations in accordance with Sections 3(b), 3(j), and 5(c) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(b), 1.3(j), and 1.5(c)), and advice of other interested agencies of the Government; and

6. WHEREAS, in accordance with Section 351(c)(1)(A) of the Trade Expansion Act of 1962, I have determined that the termination, as herein proclaimed, of the increased rate of duty effected by Proclamation No. 3212 (now reflected, with modifications, in item 943.10 of the Appendix to the Tariff Schedules of the United States) is in the national interest:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 351 (c)(1)(A) of the Trade Expansion Act of 1962, and in accordance with the provisions of Article XIX of the General Agreement, do proclaim that:

(1) Proclamation No. 3212 is terminated.

(2) Item 943.10 (reflecting, with modifications, Proclamation No. 3212 which effected the increased rate of duty) is deleted from the Appendix to the Tariff Schedules of the United States.

(3) The concession with respect to the types of safety pins identified in the first recital of this proclamation shall be applied to such of those articles as are entered, or withdrawn from warehouse, for consumption on or after the date of this proclamation, in accordance with the provisions of item 745.56 of the Tariff Schedules of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-eighth day of January in the year of our Lord nineteen hundred [SEAL] and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:
DEAN RUSK,
Secretary of State.

PART 19—PROCLAMATION OF TRADE AGREEMENT WITH UNITED KINGDOM PROVIDING COMPENSATORY CONCESSIONS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

PROCLAMATION No. 3712

1. WHEREAS, pursuant to Section 350 of the Tariff Act of 1930, the President, on October 30, 1947, entered into, and by Proclamation No. 2761A of December 16, 1947 (61 Stat. (pt. 2) 1103), proclaimed, the General Agreement on Tariffs and Trade (hereinafter referred to as "the General Agreement"), including a schedule of United States concessions, designated as Schedule XX, annexed thereto (61 Stat. (pt. 5) A1157), which Agreement, schedule, and proclamation have been supplemented by subsequent agreements, schedules, and proclamations;

2. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded, Proclamation No. 2761A and proclamations supplementary thereto insofar as they relate to Schedule XX to the General Agreement;

3. WHEREAS, pursuant to Sections 221 and 224 of the Trade Expansion Act of 1962 (19 U.S.C. 1841 and 1844), the President, on October 21, 1963, published

and furnished to the Tariff Commission lists of articles which may be considered for modification or continuance of duties or other import restrictions, or continuance of duty-free or excise treatment, in the negotiation of trade agreements, including the trade agreement with the United Kingdom identified in the eighth recital of this proclamation, compensating other nations for modifications or withdrawals of United States trade agreement concessions (48 CFR Part 180), and the Tariff Commission, after holding public hearings, has advised the President with respect to each such article of its judgment as to the probable economic effect of such modifications;

4. WHEREAS, pursuant to Sections 223 and 224 of the Trade Expansion Act of 1962 (19 U.S.C. 1843 and 1844) and in accordance with Section 3(g) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(g)), the Special Representative for Trade Negotiations, appointed by the President pursuant to Section 241(a) of the Trade Expansion Act of 1962 (19 U.S.C. 1871(a)), on April 23, 1963, designated the Trade Information Committee to afford an opportunity, through public hearings and other means, for any interested person to present his views concerning any article on the lists identified in the third recital of this proclamation or any other matter relevant to the trade agreement negotiations, including the negotiation of the trade agreement with the United Kingdom identified in the eighth recital of this proclamation (48 CFR Part 202), and the Trade Information Committee has furnished the President with a summary of its hearings;

5. WHEREAS, pursuant to Section 222 of the Trade Expansion Act of 1962 (19 U.S.C. 1842), the President has received information and advice with respect to the trade agreement with the United Kingdom identified in the eighth recital of this proclamation, from the Departments of Agriculture, Commerce, Defense, Interior, Labor, State, and the Treasury, and from such other sources as the President has deemed appropriate, and, pursuant to Section 241(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1871(b)), the Special Representative for Trade Negotiations has received information and advice with respect to that agreement from representatives of industry, agriculture, and labor, and from such agencies as he has deemed appropriate;

6. WHEREAS, pursuant to Section 201(a)(1) of the Trade Expansion Act of 1962 (19 U.S.C. 1821(a)(1)), the Special Representative for Trade Negotiations has conducted negotiations on behalf of the President with the United Kingdom and other contracting parties to the General Agreement, in accordance with Article XXVIII of that Agreement (8 U.S.T. (pt. 2) 1790), with a view to the establishment of a new consolidated Schedule XX to that Agreement in terms of the Tariff Schedules of the United States;

7. WHEREAS, pursuant to Section 201(a) of the Trade Expansion Act of 1962, the President has determined that certain existing duties or other import restrictions of the United States or of foreign countries which are contracting parties to the General Agreement, were unduly burdening and restricting the foreign trade of the United States and that one or more of the purposes stated in Section 102 of the Trade Expansion Act of 1962 (19 U.S.C. 1801) would be promoted by entering into the trade agreement with the United Kingdom identified in the eighth recital of this proclamation;

8. WHEREAS, pursuant to Section 201(a)(1) of the Trade Expansion Act of 1962, I, through my duly empowered representative, have entered into a trade agreement with the United Kingdom entitled the "Interim Agreement Between the United States and the United Kingdom Relating to the Renegotiation of Schedule XX (United States) to the General Agreement on Tariffs and Trade" (a copy of which is Appendix B to this proclamation [1]), which embodies the results of the negotiations with the United Kingdom as part of the negotiations under Article XXVIII of the General Agreement for the establishment of a new consolidated Schedule XX thereto in terms of the Tariff Schedules of the United States;

9. WHEREAS the trade agreement with the United Kingdom identified in the eighth recital of this proclamation, which is an agreement supplementary to the General Agreement, contains in annex II a schedule of concessions, to take effect as provided therein, in compensation for the impairment, arising out of the entry into force of the Tariff Schedules of the United States, of the rights of the United Kingdom in concessions in Schedule XX to the General Agreement, and provides that such concessions shall be applied as if they were included in a Schedule XX to the General Agreement pending the formal effectiveness of a new consolidated Schedule XX;

10. WHEREAS, pursuant to Section 254 of the Trade Expansion Act of 1962 (19 U.S.C. 1884), I have determined that, in the case of those modifications of existing duties proclaimed in this proclamation which reflect decreases in duties exceeding the limitations specified in Section 201(b)(1) or 253 of the Trade Expansion Act of 1962 (19 U.S.C. 1821 (b)(1) or 1883), such decreases will simplify the computation of the amount of duty imposed with respect to the articles concerned; and

11. WHEREAS, pursuant to Section 201(a)(2) of the Trade Expansion Act of 1962, I determine that the modification or continuance of existing duties or other import restrictions, and the continuance of existing duty-free or excise treatment, hereinafter proclaimed, will be required or appropriate to carry out such trade agreement:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 201(a)(2) of the Trade Expansion Act of 1962, do proclaim that:

(1) Subject to the applicable provisions of the trade agreement with the United Kingdom identified in the eighth recital of this proclamation and of the General Agreement and other agreements supplementary thereto, the modification or continuance of existing duties or other import restrictions, and the continuance of existing duty-free or excise treatment, provided for in the schedule in annex II to such agreement with the United Kingdom shall be effective as provided therein, and, as a result thereof,

(2) The Tariff Schedules of the United States shall be modified, effective on and after May 1, 1966, as provided for in Appendix A to this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fifth day of April in the year of our Lord nineteen hundred and sixty-six, [SEAL] and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:
DEAN RUSK,
Secretary of State.

APPENDIX A

MODIFICATIONS OF THE TARIFF SCHEDULES OF THE UNITED STATES RESULTING FROM THE PROCLAMATION OF THE INTERIM AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM RELATING TO THE RENEGOTIATION OF SCHEDULE XX (UNITED STATES) TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The rate in column numbered 1 for each item of the Tariff Schedules of the United States which is identified in the following table shall be superseded, effective on each date shown in such table, by the respective rate set forth therein opposite the number of such item:

TSUS item	Rates of duty, effective with respect to articles entered, or withdrawn from warehouse, for consumption on and after May 1, —				
	1966	1967	1968	1969	1970
521.60	24% ad val.	23% ad val.	22% ad val.	21% ad val.	20% ad val.
531.37	40% ad val.	36% ad val.	31% ad val.	27% ad val.	22.5% ad val.
792.60	11% ad val.	11% ad val.	10% ad val.	9% ad val.	8% ad val.

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS,
JOHN B. REHM,
General Counsel.

[F.R. Doc. 66-5202; Filed, May 12, 1966; 8:45 a.m.]

[1] Filed as part of the original document.

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Order M–11A, Rev. Schedule A of May 13, 1966]

M–11A—COPPER AND COPPER-BASE ALLOYS

Schedule A—Set-Aside Percentages

This amendment of Schedule A to BDSA Order M–11A is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations.

This amendment further changes Revised Schedule A of February 11, 1966, to BDSA Order M–11A, as amended December 18, 1956, by increasing the set-aside percentage for copper-base alloy rod, bar, shapes, and wire from 9 percent to 11 percent. This amendment applies to authorized controlled material orders calling for delivery after June 30, 1966.

Schedule A to BDSA Order M–11A is hereby further amended to read as follows:

SCHEDULE A TO BDSA ORDER M–11A

Set-aside Percentages (See sec. 6(f) of BDSA Order M–11A).

Base period—Calendar Year 1964 (See sec. 2(o) of BDSA Order M–11A).

Product	Percentage for orders calling for delivery after June 30, 1966 [1]
Brass mill products:	
Unalloyed:	
Plate, sheet, strip and rolls	6
Rod, bar, shapes, and wire	6
Seamless tube and pipe	([2])
Alloyed:	
Plate, sheet, strip, and rolls	6
Rod, bar, shapes, and wire	11
Seamless tube and pipe	16
Military ammunition cups and discs	([2])
Copper wire mill products:	
Copper wire and cable:	
Bare and tinned	6
Weatherproof	6
Magnet wire	15
Insulated building wire	6
Paper and lead power cable	6
Paper and lead telephone cable	6
Asbestos cable	6
Portable and flexible cord and cable	6
Communications wire and cable	6
Shipboard cable	6
Automotive and aircraft wire and cable	6
Insulated power cable	6
Copper wire mill products—Continued	
Copper wire and cable—Continued	
Signal and control cable	6
Coaxial cable	6
Copper-clad steel wire containing over 20 percent copper by weight regardles of end use	6
Copper foundry products	3
Unalloyed copper powder mill products	([2])
Copper-base alloy powder mill products	([2])

[1] Schedule A revised as of Feb. 11, 1966, to BDSA Order M–11A, as amended Dec. 18, 1956, applies to orders calling for delivery prior to July 1, 1966.

[2] No reserve space provided. Producers of these products are nevertheless required to accept authorized controlled material orders for such products in accordance with the provisions of DMS Regulation No. 1 and this order. However, section 6(f) of Order M–11A does not apply to such authorized controlled material orders.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. 2154; sec. 1, P.L. 88–343, 78 Stat. 235)

This revised schedule shall take effect May 13, 1966.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
FORREST D. HOCKERSMITH,
Acting Administrator.

[F.R. Doc. 66–5284; Filed, May 12, 1966; 8:51 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10th Gen. Rev. of Export Regs., Amdt. 15]

MISCELLANEOUS AMENDMENTS

Parts 369, 372, 373, 382, and 399 of Title 15 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63, Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–1963 Comp.: E.O. 11038, 27 F.R. 7003, 3 CFR 1959–1963 Comp.)

Effective date: April 1, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

I. Revision of reporting requirement on foreign restrictive trade practices or boycotts.[1]

Purpose and effect: The reporting requirement described in § 369.2 of the Comprehensive Export Schedule which relates to requests for information or action in support of certain foreign restrictive trade practices or boycotts has been revised to provide a more convenient method of reporting these requests to the Office of Export Control.

Instead of submitting a report covering each transaction for which a request is received, the exporter may now elect to submit a report covering all transactions for which he received such requests during a calendar quarter from a single foreign person or firm. This revision affects only the time and method of reporting foreign restrictive trade practices to the Office of Export Control. It does not make any change in the substance of the information which must be reported. The quarterly report shall contain the same information now required for individually submitted reports and shall be submitted to the Office of Export Control as specified in the revised regulations not later than the 15th day of the first month following the calendar quarter covered by the report.

Effective date of action: April 1, 1966.

Accordingly, § 369.2 is amended to read as set forth below.

II. Postal ZIP codes required on addresses.

Purpose and effect: United States Government Postal regulations require the use of ZIP Codes on all outgoing official government mail. These Codes are required as an integral part of an address.

In order to conform to these regulations when mailing export licenses, and in general correspondence with exporters, the Office of Export Control must have the addressee's ZIP Code available. Therefore, applicants must show ZIP Codes in Items 6 and 7 of "Applications for Export License" (Form FC–419), on requests for status of pending applications, and on all other correspondence with this Office. By so doing, the exporter is helping the Office of Export Control avoid delay in serving him.

Effective date of action: April 1, 1966.

Accordingly, Items 6 and 7 of § 372.5(a)(4) are amended to read as set forth below.

III. Additional countries adhering to limited nuclear test ban treaty.

Purpose and effect: Section 373.7 of the Comprehensive Export Schedule sets forth the procedures to be followed when exporting commodities and technical data related to nuclear weapons, nuclear explosive devices, or nuclear testing. Certain provisions of these regulations do not apply to destinations subject to the jurisdiction of a country which is an adherent to the "Limited Nuclear Test Ban Treaty" (see list of countries adhering to this treaty in Part 373, Supplement No. 4 of the Comprehensive Export Schedule.

The following five countries, having deposited instruments of ratification with the U.S. Department of State on the dates listed below, are now added to the list:

Country	Date
Belgium	Mar. 1, 1966
Congo (Leopoldville)	Oct. 28, 1965
Morocco	Feb. 21, 1966
Panama	Feb. 24, 1966
Philippines	Nov. 15, 1965
Sudan	Mar. 4, 1966

Accordingly, Supplement No. 4 to Part 373 is amended to read as set forth below.

IV. *Amendment of denial and probation orders (supp. No. 1 to Part 382).*

The denial and probation orders, Supplement No. 1 to Part 382, are revised as set forth below.

V. *Amendment of the commodity control list.*

A. *Amendment of country controls for certain commodities.* Effective 12:01 a.m., April 1, 1966, the symbols "T" and/or "V" in the Commodity Control List column titled "Validated License Required for Country Groups Shown Below" are deleted for the commodities listed below. Therefore, a validated license is no longer required for exports of these commodities to Country Group T and/or V except as indicated in § 371.7 (d) with regard to shipments to Southern Rhodesia, and in the applicable footnotes below with regard to shipments to the Republic of South Africa and Indonesia.

B. *Other amendments.* The Commodity Control List is also amended as set forth below, effective April 1, 1966, unless otherwise specified and unless an exportation is being made to Southern Rhodesia (see § 371.7(d) regarding exports to Southern Rhodesia). Exporters are advised that only the items listed below opposite the specific Export Control Commodity Numbers are affected by these changes. The unnumbered captions serve only to identify the broad categories of commodities within which these items are to be found in Schedule B. (See saving clause in Part C below.)

Two different types of explanatory numerical references are used at the end of a commodity description:

(a) A numerical reference enclosed in parentheses to indicate the entry being amended. For example, where an amended entry is followed by (1), this indicates that the new entry amends the first entry presently on the Commodity Control List under the same Export Control Commodity Number; if the entry is followed by a (2), it amends the second entry on the Commodity Control List, etc.

(b) A footnote reference referring to the footnote below which explains the effect of the amendment.

C. *Saving clause.* Shipments of commodities removed from general license as a result of amendments set forth in Part B above which were on dock for lading, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a.m., April 8, 1966, may be exported under the previous general license provisions up to and including May 2, 1966. Any such shipment not laden aboard the exporting carrier on or before May 2, 1966, requires a validated license for export.

[1] The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

PART 369—REQUEST FOR INFORMATION OR ACTION IN SUPPORT OF CERTAIN FOREIGN RESTRICTIVE TRADE PRACTICES OR BOYCOTTS

§ 369.2 Reporting requirement.

(a) *Scope.* In order to implement the policy set forth in § 369.1 above, a reporting requirement is established. The provisions of this § 369.2 apply to any U.S. exporter who receives a request for any action, including the furnishing of information or the signing of agreements, which has the effect of furthering or supporting a restrictive trade practice or boycott fostered by any foreign country against any country not included in Country Group W, Y, or Z.[2] (See NOTE at end of § 369.2 for examples of restrictive trade practices or boycotts.)

(b) *Report required from U.S. exporter.* Any U.S. exporter who receives a request relating to a restrictive trade practice or boycott as described in paragraph (a) of this section, shall report the request to the U.S. Department of Commerce, Office of Export Control, Attention: 8540, Washington, D.C., 20230. The exporter's report may be submitted in accordance with the procedure set forth in either subparagraph (1) or (2) of this section.

(1) *Report covering single transaction.* (i) If the report covers only a single transaction it shall be submitted to the Office of Export Control within 15 business days from the date of its receipt. This report shall be made on Form IA–1014, U.S. Exporter's Report of Request Received for Information, Certification, or Other Action Indicating a Restrictive Trade Practice or Boycott Against a Foreign Country[3] (see supp. S–26 for facsimile of form). If the request is for information and is received in the form of a questionnaire, a copy of this questionnaire shall accompany the report. Copies of requests received in other forms need not be submitted with the report, but appropriate quotations from the request shall be included in the report.

(ii) Whenever an exporter receives more than one request for action with reference to the same export transaction, only the first request need be reported to the Office of Export Control.

(2) *Report covering multiple transactions.* Instead of submitting a report for each transaction regarding which a request is received, the exporter may submit a report covering all transactions regarding which requests are received from a single person or firm during a single calendar quarter. This report shall be made by letter and shall be submitted to the Office of Export Control no later than the 15th day of the first month following the calendar quarter covered by the report. The report shall include the information shown below. If the exporter has received requests from more than one foreign person or firm, a separate report shall be submitted for each person or firm. Each letter shall include the following information:

(i) Name and address of U.S. exporter submitting report;

(ii) Calendar quarter covered by report;

(iii) Name of country(ies) against which the request is directed;

(iv) Date(s) request(s) was (were) received;

(v) Name and address of requestor;

(vi) Number of transactions to which restrictions were applicable;

(vii) Type(s) of request(s) received. (If questionnaire, attach copy. If other than questionnaire, give the type of document or other form of request and the specific information or action requested.);

(viii) Quantity, description, and value of the commodities or technical data covered by the request(s). (The description of the commodities or technical data may conform to the description on the order or to usual commercial terminology and may, but need not be, in terms of the Commodity Control List or Schedule B.); and

(ix) Whether or not the U.S. exporter submitting the report intends to comply with the request(s). (Submission of the information required by this paragraph (ix) would be helpful to the U.S. Government but is not mandatory.)

NOTE: The above § 369.2 refers to "a request for any action * * * which has the effect of furthering or supporting a restrictive trade practice or boycott fostered by any foreign country against any country not included in Country Group W, Y, or Z. * * *" These requests may be received by U.S. exporters in the form of general questionnaires to be answered, specific statements or certifications to be supplied in particular transactions, or other types of requests for action. Shown below are some examples of types of requests which could indicate the furthering or supporting of restrictive trade practices or boycotts.

1. A request for information as to whether the U.S. exporter or any subsidiary or affiliate of the U.S. exporter has, or intends to have, any stockholders, owners, employees, or officers who are nationals of a boycotted country.

2. A request for information as to whether the U.S. exporter or any subsidiary or affiliate of the U.S. exporter has, or intends to have, any stockholders, owners, employees, or officers who are members of a religious organization or of a race, creed, or color generally associated with a boycotted country.

3. A request for information as to whether the U.S. exporter or any subsidiary or affiliate of the U.S. exporter has, or intends to have, any business relationship with a boycotted country or a national of a boycotted country. These business relationships include but are not limited to trade in commodities or technical know-how, licensing arrangements, advertising, or promotion of sale of goods originating in a boycotted country, or use of such goods as components in a manufacturing process.

4. A request for information as to whether the U.S. exporter or any subsidiary or affiliate of the U.S. exporter does any business, or intends to do any business, with any firm which has a business relationship with a boycotted country or a national of a boycotted country.

[2] Country Groups are listed in § 370.1(g).

[3] Blank copies of Form IA–1014 may be obtained from any U.S. Department of Commerce field office, or from the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230.

5. A request for information as to whether the U.S. exporter or any subsidiary or affiliate of the U.S. exporter has any investments, including branches, subsidiaries, affiliates, or holdings, or any commercial or legal representation in a boycotted country or in a business firm located in, or doing business in, a boycotted country.

6. A request for information as to whether the U.S. exporter or any subsidiary or affiliate of the U.S. exporter uses, or intends to use (a) shipping or transportation facilities owned, controlled, operated, or chartered by a boycotted country or a national of a boycotted country, or (b) a carrier which stops at a port in a boycotted country.

The above examples of types of requests which could indicate the furthering or supporting of restrictive trade practices or boycotts are merely illustrative, and are not intended in any sense to be the only examples of restrictive trade practices or boycotts.

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

§ 372.5 How to file an application for a validated license.

(a) *Form and manner of filing.* • • •

(4) *Preparation of Form FC–419.* • • •

Item 6. The name and address of the applicant must be entered. The Postal ZIP Code must be included as it is an integral part of the address. Failure to include ZIP Code on an application may result in delay in mailing of the export license.

Item 7. The name and address of the person, other than applicant, authorized by the applicant to receive the license, if issued, should be entered. The Postal ZIP Code must be included as it is an integral part of the address. Failure to include ZIP Code on an application may result in delay in mailing of the export license. The license will be transmitted only to the applicant or to the person designated on the license application as the person entitled to receive the license on behalf of the licensee. The license will not be transmitted direct to the Customs Office at the port of exit, except for an emergency clearance, as set forth in § 372.5(i) and in the Note following § 372.13 of the Comprehensive Export Schedule.

• • • • •

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

Supplement No. 4. *Countries Adhering to the Limited Nuclear Test Ban Treaty* is amended as follows:

For purposes of the Export Regulations a country will be treated as an adherent to the Limited Nuclear Test Ban Treaty if it has deposited with the U.S. Department of State in Washington, D.C., an instrument of ratification or accession to that Treaty (or an unrestricted notification that it considers itself bound by the ratification or accession of a predecessor government). The following countries are adherents to the Limited Nuclear Test Ban Treaty:

Afghanistan.
Australia.
Austria.
Belgium.
Bolivia.
Brazil.
Bulgaria.
Burma.
Canada.
Central African Republic.
Ceylon
Chad.
China (Republic of).
Congo (Leopoldville).
Cyprus.
Czechoslovakia.
Dahomey.
Denmark.
Dominican Republic.
Ecuador.
El Salvador.
Finland.
Gambia.
Gabon.
West Germany (Federal Republic of Germany).
Ghana.
Greece.
Guatemala.
Honduras.
Hungary.
Iceland.
India.
Indonesia.
Iran.
Iraq.
Ireland.
Israel.
Italy.
Ivory Coast.
Japan.
Jordan.
Kenya.
Korea (Republic of).
Kuwait.
Laos.
Lebanon.
Liberia.
Luxembourg.
Malagasy Republic.
Malawi.
Malaysia.
Malta.
Mauritania.
Mexico.
Morocco.
Nepal.
Netherlands (including Surinam and Netherlands Antilles).
New Zealand.
Nicaragua.
Niger.
Norway.
Peru.
Panama.
Philippines.
Poland.
Rumania.
Rwanda.
San Marino.
Senegal.
Sierra Leone.
South Africa (Republic of).
Spain.
Sudan.
Sweden.
Switzerland.
Syrian Arab Republic.
Thailand.
Togo.
Trinidad and Tobago.
Tunisia.
Turkey.
Uganda.
Union of Soviet Socialist Republics.
United Arab Republic.
United Kingdom.
United States.
Venezuela.
Western Samoa.
Yugoslavia.
Zambia.

PART 382—DENIAL OF EXPORT PRIVILEGES

Supplement No. 1 *Table of Denial and Probation Orders Currently in Effect* (§ 382.51(b)) is amended as follows:

Additions

Name and address	Effective date	Expiration dates	Export privileges affected	Federal Register citation
DeGraeve, L., Volhardingstraat 27, Antwerp, Belgium.			See Vanderveken, Louis.	
Tranzi-Werke Aktiengesellschaft, Scheydgasse 38–40, Vienna XXI, Austria.	3–4–66	9–4–66 (on probation from 9–5–66 to 3–4–68).[1]	General and validated licenses, all commodities, any destination, also exports to Canada.	31 F.R. 3426 3–4–66.
Van Eeckhoven, E., Volhardingstraat 27, Antwerp, Belgium.			See Vanderveken, Louis.	

[1] Although the named person or firm is entitled to all export privileges during this probation period, these privileg may be revoked upon a finding that the probation has been violated.

PART 399—COMMODITY CONTROL LIST AND RELATED MATTERS

Amendments to the Commodity Control List (§ 399.1) are as follows:

A. Amendment of Country Controls for Certain Commodities (V.A. supra):

Export control commodity No.	*Commodity description*
23120--	Alkyl polysulfide rubbers, excluding liquid polymers.
23120--	Silicone rubber, except fluorinated silicone rubber.
23120--	Copolymers of methyl vinyl-pyridine and butadiene.
27510--	Synthetic diamonds suitable only for industrial use.
27521--	Synthetic diamond powder.
27698--	Natural borates and other boron materials (including but not limited to colemanite, pandermite, kernite, priceite and ulexite).
28398--	Cobalt ores and concentrates.
28398--	Nickel ores and concentrates.
33210--	Gasoline blending agents as follows: Alkylates (aviation grade); isopentane; and neohexane.
33220--	Other jet fuels.
33250--	Other lubricating oils, synthetic, which contain as the principal ingredient; (a) Esters of dibasic saturated aliphatic acids combined with saturated aliphatic monohydric alcohols, where both of the two constituents contain six or more carbon atoms, or (b) esters of dibasic saturated aliphatic acids combined with polyglycols, where one or both of the two constituents contain six or more carbon atoms.
33250--	Other petroleum based aviation engine lubricating oil.
33250--	Other synthetic lubricating greases which contain as the principal ingredient: (a) Esters of dibasic saturated aliphatic acids combined with saturated aliphatic monohydric alcohols, where both of the two constituents contain six or more carbon atoms, or (b) esters of dibasic saturated aliphatic acids combined with polyglycols, where one or both of the two constituents contain six or more carbon atoms.
51202--	Diphenylamine.
51205--	Other esters of saturated monohydric alcohols with dibasic saturated aliphatic acids where both of the two constituents contain six or more carbon atoms.
51205--	Esters of dibasic saturated aliphatic acids combined with polygycols, where one or both of the two constituents contain six or more atoms.
51209--	Difluoroethane.
51209--	Tetrafluoromethane.
51209--	Barium styphnate.
51209--	Esters of dibasic saturated aliphatic acids combined with polyglycols, where one or both of the two constituents contain six or more carbon atoms.
51209--	Other esters of saturated monohydric alcohols with dibasic saturated aliphatic acids where both of the two constituents contain six or more carbon atoms.

Export control commodity No.	*Commodity description*
51338--	Other boric acids.
51350--	Cobalt oxide; and cobalt hydroxide.
51460--	Other fluoroborates; and borates refined.
51470--	Other boron compounds and mixtures.
51470--	Cobalt carbonate; cobalt oxalate; cobalt sulphide; and cobalt phosphide.
54199--	Cobalt dental alloys containing any of the following: (a) 50 percent or more cobalt, (b) 19 percent or more cobalt and 14 percent or more chromium and less than 1 percent carbon, or (c) 19 percent or more cobalt and 14 percent or more chromium and 3 percent or more molybdenum.
58110--	Polyester film as follows: (a) Tensilized film, with thickness greater than 0.001 inch (0.0254 mm.) up to and including 0.0015 inch (0.038 mm.); and (b) untensilized film with thickness greater than 0.0007 inch (0.018 mm.) up to and including 0.0015 inch (0.038 mm.).
58110--	Other silicone rubbers and compounds.
58110--	Diorgano siloxanes capable of being polymerized to rubbery products.
58132--	Celluiose acetate film suitable for dielectric use, 0.0015 inch (0.038 mm.) or less in thickness.
59920--	Weed killers, consisting primarily of boron compounds (for example, borates, borax).
59999--	Hydraulic fluids, synthetic, diester types.
59999--	Hydraulic fluids, petroleum based, having all of the following characteristics: (a) Kinematic viscosity of 4.6 centistokes or greater at 210° F.; (b) pour point of minus 30° F. (minus 34° C.) or lower; and (c) viscosity under (VI) of 130 or higher.
65545--	Silicone rubber insulating tape.
65584--	Silicone rubber packing.
67160--	Ferrocobalt.
67313--	Wire rods (including stainless), as follows: (a) Containing 6 percent or more cobalt, (b) AISI type 309-S-Cb-Ta, or (c) containing a total of 35 percent or more of alloying elements.
67323--	Alloy steel bars and rods, containing 6 percent or more cobalt.
67323--	Nickel-bearing steel bars and rods, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
67343--	Nickel-bearing steel structural shapes, not fabricated, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
67353--	Alloy steel angles, shapes, and sections, containing 6 percent or more cobalt.
67353--	Nickel-bearing steel angles, shapes and sections, hot-rolled, as follows; (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
67443--	Nickel-bearing steel plates and sheets, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
67443--	Other alloy steel electrical (silicon), as follows: (a) Sheets with a core loss of 0.45 watts per pound at 13,000 gausses and 50 cycles per second (0.62 watts per pound at 15,000 gausses and 50 cycles per second) or less regardless of thickness, or (b) strip with a thickness of 0.005 inch up to and including 0.008 inch (0.2 mm.), regardless of core loss characteristics or whether or not grain oriented.
67503--	Nickel-bearing stainless steel strip, and skelp, hot-rolled, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
67503--	Nickel-bearing stainless steel strip, and skelp, cold-rolled, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
67503--	Alloy steel electrical (silicon) as follows: (a) Strip with a core loss of 0.45 watts per pound at 13,000 gausses and 50 cycles per second (0.62 watts per pound at 15,000 gausses and 50 cycles per second) or less regardless of thickness, or (b) strip with a thickness of 0.005 inch up to and including 0.008 inch (0.2 mm.), regardless of core loss characteristics or whether or not grain oriented.
67504--	Other carbon steel, electrical (silicon) steel as follows: (a) Strip with a core loss of 0.45 watts per pound at 13,000 gausses and 50 cycles per second (0.62 watts per pound at 15,000 gausses and 50 cycles per second) or less regardless of thickness, or (b) strip with a thickness of 0.005 inch up to and including 0.008 inch (0.2 mm.), regardless of core loss characteristics or whether or not grain oriented.
67703--	Alloy steel wire, as follows: Glass to metal sealing alloys containing 6 percent or more cobalt.
67703--	Nickel-bearing steel wire, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
67920--	Nickel-bearing stainless steel castings as follows, except stainless steel grinding balls; (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
67930--	Nickel-bearing stainless steel forgings as follows, excluding grinding balls: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
68321--	Thermocouple nickel chrome wire up to and including 5.0 mm. in diameter, except nickel-chrome electric resistance wire.
68322--	Thermo bimetal, thermometal, and thermostatic metal, chief value nickel.
68950--	Cobalt metal waste and scrap.
68950--	Cobalt alloy metal waste and scrap, special types only.
68950--	Cobalt metal powders; and cobalt alloy metal powders, special types only.
68950--	Other cobalt metal, wrought or unwrought.
68950--	Other cobalt alloy metal, wrought or unwrought, special types only.
68950--	Thermo bimetal, thermometal, and thermostatic metal, n.e.c.
69110--	Nickel-bearing stainless steel roofing sheets, siding sheets, and perforated sheets, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements.
69524--	Other surface-broaching tools.
69524--	Parts, n.e.c., specially designed for other surface-broaching tools.
69887--	Welding rods and wires, iron and steel, as follows: (a) Containing 6 percent or more cobalt, (b) AISI type 309-S-Cb-Ta, or (c) containing a total of 35 percent or more of alloying elements.
69887--	Cobalt metal welding rods, wires, and electrodes (including brazing rods).
69887--	Cobalt alloy welding rods, wires, and electrodes (including brazing rods), containing any of the following: (a) 50 percent or more cobalt, (b) 19 percent or more cobalt and 14 percent or more chromium and less than 1 percent carbon, or (c) 19 percent or more cobalt and 14 percent or more chromium and 3 percent or more molybdenum.
69887--	Nickel alloy welding rods, wires, and electrodes (including brazing rods) containing 32 percent or more nickel, excluding those of nickel-copper alloys containing not more than 6 percent of other alloying elements.
69891--	Electrical steel punchings, as follows: (a) With a core loss of 0.45 watt per pound at 13,000 gausses and 50 cycles per second (0.62 watt per pound at 15,000 gausses and 50 cycles per second) or less regardless of thickness, or (b) with a thickness of 0.005 inch up to and including 0.008 inch (0.2 mm.) regardless of core loss characteristics or whether or not grain oriented.
69899--	Cobalt metal castings and forgings; and cobalt alloy castings and forgings containing any of the following: (a) 50 percent or more cobalt, (b) 19 percent or more cobalt and 14 percent or more chromium or less than 1 percent carbon, or (c) 19 percent or more cobalt and 14 percent or more chromium and 3 percent or more moiybdenum.
69899--	Nickel alloy castings and forgings containing 32 percent or more nickel, except nickel-copper alloys containing not more than 6 percent of other alloying elements.
71110--	Other water tube boilers, marine type, designed to operate at temperatures above 850 degrees F. and specially designed parts.
71120--	Boiler superheaters, feedwater heaters, and economizers, for other marine steam boilers designed to operate at temperatures above 850 degrees F., and specially designed parts and accessories.
71150--	Steam turbines designed for turbogenerators 200,000 kilowatts and over; and parts and accessories, n.e.c.
71130--	Other diesel engines, 1,500 brake horsepower and over, with rotary speeds of 700 r.p.m. and over.

Export control commodity No.	Commodity description
71150--	Parts and accessories specially designed for diesel engines 1,500 brake horsepower and over with rotary speeds of 700 r.p.m. and over.
71181--	Parts, n.e.c., specially fabricated for water turbines and water engines 200,000 kilowatts and over.
71510--	Right angle (T) lathes (in which the bed is at right angle to the spindle).
71510--	Spar millers.
71510--	Turbine blade profiling and duplicating milling machines.
71510--	Turbine blade milling machines, n.e.c.
71510--	Contour band sawing and band filing machines designed to permit operator to select rate of cutting speed and to vary such speed while in operation, and to maintain at all times the desired rate of speed with a variation of less than 2 percent.
71510--	Spin-forming machines with drive motors of 15 up to and including 25 horsepower capacity.
71510--	Other hydraulic or mechanical presses with rated capacities of 2,000 tons up to and including 5,000 tons.
71852--	Standard equipment designed for automatic exhaust sealing of standard entertainment type 7-pin miniature and 9-pin noval tubes.
71915--	Air conditioners, for aircraft; and specially designed parts.[1]
71919--	Machines and equipment specially designed for use at temperatures below minus 130° C. (minus 202° F.); and specially designed parts. circuits on aircraft.[1]
71919--	Heat exchangers, oil coolers and liquid coolers specially designed for aircraft; and parts.[1]
71921--	Other pumps designed to operate at temperatures below minus 200° F. (minus 130° C.).
71921--	Other centrifugal pumps designed to operate at speeds of 7,000 rpm or over and to produce pressures of 800 psi or over and having all flow-contact surfaces made of 10 percent or more chromium or nickel, either separately or combined.
71921--	Pumps specially designed for aircraft (fuel, fuel booster, hydraulic, water, etc.); and parts and attachments therefor.[1]
71922--	Vacuum pumps, air compressors, fans, and blowers specially designed for aircraft.[1]
71922--	Parts specially designed for aircraft vacuum pumps, air compressors, fans and blowers.[1]
71923--	Separators and collectors specially designed for use at temperatures below minus 130° C. (minus 202° F.); and specially designed parts.
71951--	Optical curve generators capable of producing aspherical curves without the use of mating surfaces.
71954--	Other surface-broaching tools.
71954--	Parts, accessories, and attachments specially designed for spinforming machines with drive motors 15 up to and including 25 horsepower.
71970--	Ball and roller bearings specially designed for service at temperatures below minus 130° C. (minus 202° F.); and specially designed parts.

[1] A validated license continues to be required for exports of this commodity to the Republic of South Africa and Indonesia.

Export control commodity No.	Commodity description
71970--	Other ball and cylindrical roller bearings having tolerances of BEC 5 or closer; and specially designed parts.
71970--	Other ball and roller bearings, aircraft type; and specially designed parts.[1]
71980--	Processing vessels specially designed for use at temperatures below minus 130° C. (minus 202° F.); and specially designed parts and accessories,n.e.c.
71980--	Standard equipment designed for automatic or semiautomatic gettering of standard entertainment-type 7-pin miniature and 9-pin noval tubes.
71992--	Other valves, cocks, or pressure regulators designed to operate at temperatures below minus 130° C. down to and including minus 170° C.; or incorporating 50 percent or more cobalt or molybdenum, either separately or combined; and specially designed parts.
72210--	Electric motors, D.C. and A.C., specially designed for aircraft.[1]
72210--	Other servo motors.
72210--	Electric power generating mobile units of 5,000 kilowatts or over.[2]
72210--	Generators and generator sets of 200,000 kilowatts or over.[2]
72210--	Parts and accessories specially designed for electric power generating mobile units of 5,000 kilowatts or over.[2]
72210--	Parts and accessories specially designed for generators and generator sets of 200,000 kilowatts or over.[2]
72210--	Other pulse transformers; and parts.
72220--	Other potentiometers using only switched elements; and parts, n.e.c.
72220--	Fuses, dimmer switches, lighting switches, power relays, and other electrical apparatus for making, breaking or protecting electrical
72310--	Ignition harness and cable sets, aircraft type.[1]
72491--	Terminal and intermediate repeater or amplifier equipment as follows: (a) Terminal and intermediate repeater or amplifier equipment designed to transmit, carry, or receive frequencies from higher than 16 kilocycles up to and including 150 kilocycles, and (b) terminal equipment specially designed for power lines and operating within the range of frequencies from 16 to 1,500 kilocycles; and specialized components, parts, and accessories, n.e.c.[2]
72492--	Telephone repeater equipment designed for frequencies from higher than 16 kilocycles up to and including 150 kilocycles; and specialized components, parts, and accessories, n.e.c.[2]
72499--	Communications equipment, n.e.c., containing carrier current terminal or amplifier equipment designed to deliver, carry, or receive frequencies from higher than 16 kilocycles up to and including 150 kilocycles, into or in a communications system and carrier terminal equipment specially designed for power lines operating at frequencies below 1,500 kilocycles; and specialized components, parts, and accessories, n.e.c.[2]

[2] A validated license continues to be required for exports of this commodity to Indonesia.

Export control commodity No.	Commodity description
72499--	Other amplifiers, except television transmitter amplifiers, designed to operate at frequencies from 300 up to and including 500 megacycles; and specially fabricated parts and accessories, n.e.c.[2]
72920--	Single coil tungsten filaments.
72930--	Color television picture tubes with three or more electron guns.
72930--	Germanium photo devices with a peak response less than 17,500 angstrom units (1.75 microns).
72941--	Electrical starting and ignition equipment, n.e.c., aircraft type, and specially designed parts.[1]
72952--	Instruments or devices capable of controlling the dimensions of a rolled product during its production, excluding X-ray equipment.
72991--	Electro-magnetic and permanent magnet chucks, clamps, vices and similar work holders, specially designed for metalworking machines and machine tools requiring a validated license to all countries, except Canada but not subject to the Import Certificate/Delivery Verification procedure.
72994--	Flashing, intermittent, and rotating lights for aircraft; and parts.[1]
72994--	Aircraft alarm, warning, and signaling instruments, n.e.c. (for example, fire detectors and indicators, engine failure indicators, wheel flap, cowl flap, control position indicators, etc.); and parts.[1]
72995--	Other tantalum electrolytic capacitors; and parts.
72995--	Ignition capacitors (condensers), and parts designed for aircraft.[1]
81230--	Lavatories, sinks, and other sanitary and plumbing fixtures, specially designed for aircraft; and parts.[1]
81242--	Landing lights and other lighting fixtures specially designed for aircraft.[1]
86172--	Aircraft oxygen systems, apparatus, equipment and components, n.e.c. and specially fabricated parts, n.e.c.[1]
86182--	Mechanical tachometers for aircraft engines.[1]
86182--	Stroboscopes containing one or more electronic components.
86191--	Other aircraft flight instruments; and specially designed parts and accessories, n.e.c.[1]
86196--	Aircraft instruments, n.e.c., thermometers, hydrometers, hygrometers, psychrometers, other than electrical or electronic types and other than flight or navigation instruments.[1]
86197--	Aircraft engine instruments for measuring, checking, or automatically controlling the flow, pressures, or other variables of liquids or gases, or for automatically controlling temperature.[1]
86190--	Other isolation and summing type amplifiers.
86199--	Other amplifiers designed to operate at frequencies from 300 megacycles up to and including 500 megacyles.
89300--	Silicone rubber manufactures, n.e.c.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code Listed (Country Group No.)	Validated License Required for Country Groups Shown	GLV Value Limits for Shipments to Country Groups			Special Provisions Link
				T	V	X	
TEXTILE FIBERS, NOT MANUFACTURED INTO YARN, THREAD, OR FABRICS, AND THEIR WASTE							
264 Jute, including jute cuttings and waste.[1, 2]	Lb.	TEXT 8	YZ	—	—	—	B
26500 Vegetable fibers and waste of sisal, henequen, manila or abaca.[1, 2]	Lb.	TEXT 8	YZ	—	—	—	B
26500 Other vegetable fibers and waste, except cotton and jute.[1, 2]	Lb.	TEXT 8	Z	—	—	—	B
26700 Used civilian clothing, other used textile articles, n.e.c., and new or used rags, wholly or in chief weight of man-made fibers, silk, or vegetable fibers, *except jute*; and used footwear of all materials. (2 and 3)[2, 3, 18]	Lb.	TEXT 8	Z	—	—	—	B
26700 Other used civilian clothing, used textile articles, n.e.c., and new or used rags. (2 and 3)[2, 3, 18]	Lb.	TEXT 8	YZ	—	—	—	B
CRUDE FERTILIZERS AND CRUDE MINERALS, EXCLUDING COAL PETROLEUM, AND PRECIOUS STONES							
27140 Potassium chloride. (1)[1, 2]	S.ton	AGSU 8	XYZ	—	—	100	B
273 Stone, slate, gypsum, sand, and gravel. (1)[1, 2]	.....	MINL 8	Z	—	—	—	B
27511 Crushing bort, except dust and powder.[2, 6, 8]	Carat	FINP 8	WXYZ	—	—	100	B
27515 Diamonds, industrial. [Report synthetic diamonds in Export Control Commodity No. 66700.][2, 6]	Carat	FINP 8	WXYZ	—	—	100	B
27624 Other magnesite, n.s.e., including crude and caustic calcined, lump or ground. (2 and 3)[2]	Lb.	MINL 8	Z	—	—	—	B
METALLIFEROUS ORES AND METAL SCRAP							
28330 Bauxite and concentrates of aluminum, excluding alumina. [Report alumina in Export Control Commodity No. 61385.] (1 and 2)[1]	L. ton	NONF 8	Z	—	—	—	B
28393 Molybdenum ores and concentrates. (2)[7] ...	Cnt. lb.	MINL 4	TVWXYZ	1,000	1,000	—	E-T

[1] These electronic control systems are presently listed as the first entry under Export Control Commodity No. 71184, and are now controlled under this entry.

[2] A validated license may also be required for other destinations, if this commodity contains technical data for certain uses. Effective April 8, 1966, a validated license is required for export of this commodity to Country Groups T and V, and a separate entry is established.

[3] Effective April 8, 1966, a validated license is required for export to Country Groups T, V, W, X, and Y; and to Country Groups T, V, W and X for export of these articles in this entry.

[4] Effective April 8, 1966, a validated license is required for export of copper and copper alloy welding electrodes to Country Groups T, V, W, X, and Y; and to Country Groups T, V, W, and X for export of copper and copper alloy welding and soldering rods and wire, including tubes and plates for welding and soldering.

[5] Validated License may be required for other destinations.

[6] Effective April 8, 1966, this entry is amended to include carbon or graphite electrical contacts, n.e.c., and a validated license is required for export of these other than carbon steel to Country Groups T, V, W, X, and Y; and to Country Groups T, V, W, and X for export of these articles in this entry.

[7] This entry is deleted. Rubber battery hose, lens, and parts are transferred from Export Control Commodity No. 62899 to Export Control Commodity No. 62898 as announced by the Bureau of the Census in Public Bulletin B-2, effective January 1, 1966.

[8] Vanitypacs and parts, formerly in Export Control Commodity No. 71821, are now included under Export Control Commodity No. 71821, are now included under this entry.

[9] This entry is deleted from the Commodity Control List under the authority of Export Control Commodity No. 71821, as revised by revisions announced by the Bureau of the Census in Public Bulletin B-2, effective January 1, 1966.

[10] This entry is corrected to conform to revisions announced by the Bureau of the Census in Public Bulletin B-2, effective January 1, 1966.

[11] Three entry is substituted for an entry presently on the Commodity Control List under this Export Control Commodity Number.

[12] A validated license is no longer required for export to Country Group X of cementing plates, papermill winders, and other articles in this entry. A validated license is required for export to this destination, if the GLV dollar-value limit is exceeded.

[13] Two entries are substituted for one entry presently on the Commodity Control List under this Export Control Commodity Number.

[14] A validated license is no longer required for export to Country Group X of cranes and parts, excavators and other heavy machines involving a change in temperature.

[15] Two entries are substituted for five entries presently on the Commodity Control List under this Export Control Commodity Number.

[16] A validated license is no longer required for export to Country Group X of machine tools, forging machines, and forging hammers, and rubber processing machines for processing synthetic and natural rubber latex. In accordance with provisions of Export Control Commodity No. 66700, a validated license for export to this destination of cooling towers, cooling pond sprinklers, and parts, is required.

[17] This entry is corrected to reflect a revision announced in Current Export Bulletin 912, which removed the requirement for a validated license for export of these commodities to Country Group X.

[18] A validated license is no longer required for export of wood-working machines and parts, accessories and attachments to Country Groups X and Y, and a separate entry is established.

[19] A validated license is no longer required for export of this commodity to Country Group X. The GLV dollar-value limit is increased for shipments to Country Group V.

[20] A validated license is no longer required for export of this commodity to Country Group X. The GLV dollar-value limit is increased from Export Control Commodity No. 71170 to 71181 as referred from Export Control Classification.

[21] Aircraft vehicle equipment and flight simulation and parts therefor are transferred from Export Control Commodity No. 89184 to 89999.

[22] Two entries are substituted for the entire presently on the Commodity Control List under this Export Control Commodity Number.

[23] Effective April 8, 1966, a validated license is required for export to Country Groups T, V, W, X, and Y; and to Country Groups T, V, W, and X for export of these articles in this entry.

[24] Effective April 15, 1966, an Import Certificate (or a Hong Kong Import License) will be required in connection with each application covering export of these reserve parts, and accessories therefor (Export Control Commodity No. 84196).

[25] Formerly included under Export Control Commodity No. 84196. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[26] A validated license is no longer required for destinations in Country Group Z, except to Cuba, if recorded to be required for exports to Cuba. A validated license continues to be required for exports to Cuba.

[27] A validated license is no longer required for export of this commodity to Country Group X.

[28] The GLV dollar-value limit is increased for shipments of semi-critical machine tools to Country Group V.

[29] Two entries are substituted for one entry presently on the Commodity Control List under this Export Control Commodity Number.

B. Other Revisions (V. B. supra):

[1] Formerly included in Export Control Commodity No. 72499, a number which is now obsolete.

[2] The entry is revised to conform with revisions announced by the Bureau of the Census in Public Bulletin B-2, dated January 1, 1966.

[3] Validated licenses are made no longer required for these articles prior to January 1, 1966, where no shipment to these destinations during that date.

[4] This entry is deleted from the Commodity Control List under the authority of Export Control Commodity No. 71821, as revised by revisions announced by the Bureau of the Census in Public Bulletin B-2, effective January 1, 1966.

[5] Potassium chloride is included in the present third entry under Export Control Commodity No. 84100.

[6] The unit quantity is revised for building and monumental stone.

[7] Formerly included in Export Control Commodity No. 87810, which is now obsolete.

[8] The commodity description is changed with no change in scope.

[9] Formerly included in Export Control Commodity No. 499, a number which is now obsolete.

[10] The Export Control Commodity Number is revised to conform to revisions announced by the Bureau of the Census in Public Bulletin B-2, dated January 1, 1966.

[11] The Schedule B Commodity Number is changed.

[12] Formerly included in Export Control Commodity No. 71182.

[13] Formerly included in Export Control Commodity No. 71810, which is now obsolete.

[14] The GLV Dollar-Value Limit is increased for shipments to Country Group V.

[15] Two entries are substituted for one entry presently on the Commodity Control List under this Export Control Commodity Number.

[16] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[17] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[18] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[19] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[20] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[21] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[22] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[23] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[24] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[25] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[26] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[27] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[28] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[29] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[30] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[31] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[32] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[33] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[34] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[35] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[36] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[37] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[38] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[39] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[40] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[41] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[42] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[43] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[44] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[45] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[46] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[47] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[48] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[49] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[50] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[51] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[52] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[53] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[54] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[55] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[56] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[57] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[58] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[59] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[60] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[61] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[62] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[63] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[64] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[65] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[66] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[67] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[68] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[69] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[70] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[71] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[72] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[73] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[74] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[75] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[76] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[77] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[78] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[79] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[80] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[81] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[82] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[83] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[84] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[85] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[86] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[87] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[88] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[89] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[90] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[91] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[92] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[93] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[94] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[95] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[96] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[97] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[98] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[99] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[100] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[101] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[102] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[103] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[104] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[105] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[106] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[107] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[108] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[109] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[110] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[111] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[112] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[113] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[114] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[115] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[116] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[117] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[118] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[119] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[120] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[121] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[122] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[123] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[124] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[125] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[126] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[127] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[128] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[129] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[130] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[131] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[132] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[133] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[134] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[135] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[136] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[137] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[138] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[139] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[140] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[141] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[142] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[143] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[144] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[145] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[146] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[147] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[148] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft vehicle equipment is transferred to 89184.

[149] Formerly included in Export Control Commodity No. 61691, which is now obsolete. Only the parts and accessories remain under that number. Aircraft v

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
FATTY ACIDS, WAXES, AND SPECIALLY TREATED FATS AND OILS, EXCLUDING PETROLEUM PRODUCTS							
43120 Fatty acids and refining by-products of vegetable origin, including industrial mixtures.[4]	Lb.	AGRI 8	YZ	—	—	—	B
ANIMAL AND VEGETABLE OILS AND FATS, N.E.C., FOR RELIEF OR CHARITY							
43150 Animal and vegetable oils and fats, n.e.c., donated for relief or charity by individuals or private agencies. (1)[4, 9]	Lb.	Export controls applicable to each commodity under this classification are those which apply to the commodity when exported commercially under its individual Export Control Commodity Number.					
CHEMICAL ELEMENTS AND COMPOUNDS							
51206 Other pesticides and synthetic agricultural chemicals, except formulations or preparations or pesticidal chemicals put up for retail sale. (2 and 3)[7, 10]	Lb.	AGSU 8	YZ	—	—	—	B
51510 Industrial gases, including rare gases, *except helium and mixtures thereof.* [Report net quantity in cubic feet of equivalent gas.] (1) [4]	M cu. ft.	SALT 8	XYZ	—	—	100	B
51325 Quicksilver or mercury.[9, 11]	Lb.	MINL 2	TVWXYZ	500	100	—	E-7
51366 Aluminum oxide catalysts useable in petroleum and chemical processing operations.[10]	Lb.	SALT 8	WXYZ	—	—	100	B
51366 Aloxite® scrap.[9, 9]	Lb.	MINL 8	Z	—	—	—	B
51366 Other artificial corundum (fused aluminum oxide). (1) [9]	Lb.	MINL 8	XYZ	—	—	100	B
51369 Other gallium oxides, hydroxides and peroxides. (4)[12, 16]	Lb.	SALT 2	TVWXYZ	500	25	—	E-13
51369 Germanium oxides, hydroxides and peroxides, 99.99 percent or better purity. (5)[16]	Lb.	SALT 2	TVWXYZ	500	500	—	E-13
51470 Monocrystalline gallium compounds, n.e.c. (Specify by chemical name.)[13]	Lb.	SALT 1	TVWXYZ	500	—	—	A E-13
51470 Other gallium compounds, n.e.c. (Specify by chemical name.) [Report oxides, hydroxides and peroxides in Export Control Commodity No. 51369][13]	Lb.	SALT 2	TVWXYZ	500	—	—	E-13
51470 Germanium compounds, 99.99 percent or better purity n.e.c. [Report oxides, hydroxides and peroxides in Export Control Commodity No. 51369] (23)[7]	Lb.	SALT 2	TVWXYZ	500	—	—	E-13
51500 Lithium 6 and 7, and their compounds.[9]	.....	SALT 1	TVWXYZ	500	25	—	A E-13
51500 Other stable isotopes; and compounds and mixtures of rare earth metals, n.e.c. (3) [9]	.....	SALT 8	XYZ	—	—	100	B
DYEING, TANNING, AND COLORING MATERIALS, NATURAL AND SYNTHETIC							
53332 Finishes, enamels and dispersions partially made of polytetrafluoroethylene or polytrifluorochloroethylene. (Specify by name (3)[9]	Gal.	RESN 4	TVWXYZ	500	500	—	E-3
53335 Pastes wholly made of fluorocarbon polymers or copolymers. (Specify by name.) (See § 399.2, Interpretation 22.)[4]	Lb.	RESN 1	TVWXYZ	500	25	—	A E-3
MEDICINAL AND PHARMACEUTICAL PRODUCTS							
54180 Medicinal and pharmaceutical products donated for relief or charity by individuals or private agencies.[9, 13]		Export controls applicable to each commodity under this classification are those which apply to the commodity when exported commercially under its individual Export Control Commodity Number.					
54191 Bandages and surgical dressings, not impregnated or coated with pharmaceutical products, put up for retail sale (1)[7]	.....	DRUG 8	YZ	—	—	—	B
54191 Bandages and surgical dressings, impregnated or coated with pharmaceutical products, whether or not put up for retail sale. (2)[7]	.....	DRUG 8	Z	—	—	—	B
EXPLOSIVES AND PYROTECHNIC PRODUCTS							
57112 Other explosives and blasting agents. (4)	Lb.	SALT 8	XYZ[9]	—	—	100	B
PLASTIC MATERIALS, REGENERATED CELLULOSE, AND ARTIFICIAL RESINS							
58110 Other ion exchange resins. [Report styrene ion exchange resins and other polymerization and copolymerization products in Export Control Commodity No. 58120.] (4 and 8)[7]	Lb.	RESN 8	WXYZ	—	—	100	B
58120 Plastic products, unfinished or semifinished, wholly made of fluorocarbon polymers or copolymers, including pastes, laminates, etc. (Specify by name.) (3, 9 and 14)[7]	Lb.	RESN 3	TVWXYZ	500	500	—	A E-3
58130 Laminates partially made of fluorocarbon polymers or copolymers, including molded, decorative, or laminated with other materials or metals. (Specify by name.) (10 and 11)[7]	Lb.	RESN 2	TVWXYZ	500	500	—	E-3
58120 Polypyromellitimide, and polybenzimidazole, unfinished or semifinished, including laminates. (5 and 8)[7]	Lb.	RESN 3	TVWXYZ	500	25	—	A E-3
58132 Other regenerated cellulose and chemical derivatives of cellulose. (2 and 5)[7]	Lb.	RESN 8	XYZ	—	—	100	B
58199 Materials designed and manufactured for use as absorbers of electromagnetic waves having frequencies greater than 200 megacycles per second. (1)[13]	Lb.	ELME 1	TVWXYZ	500	500	—	A

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
CHEMICAL MATERIALS AND PRODUCTS, N.E.C.							
59958 Casein hydrolysate; casein lactalbumin; lactalbumin; lactalbumin hydrolysate; lactorene (casein); and inedible soybean protein. (2)[4]	Lb.	AGRI 8	YZ	—	—	—	B
59958 Other albumins, caseins, glues and adhesives of fish, animal or vegetable origin, and albuminoidal substances, including edible and inedible gelatins. (3)[4]	Lb.	AGRI 8	Z	—	—	—	B
59958 Other glues and adhesives not of fish, animal or vegetable origin; peptones; and dextrins (for example, British gum). (1 and 6)[4]	Lb.	SALT 8	XYZ	—	—	100	B
59965 Wood tar; wood tar oils; and wood creosote. (1 and 2)[10]	Lb.	ORGN 8	YZ	—	—	—	B
59971 Mineral waxes, modified; vegetable waxes, modified; and lipstick waxes. (2, 3 and 4)[10]	Lb.	ORGN 8	Z	—	—	—	B
59973 Other animal black, except activated. (2)[7]	Lb.	AGRI 8	XYZ	—	—	100	B
59975 Anti-knock compounds; and additives for lubricating oils. (Specify by name.) (1 and 3)[7]	.....	PETR 8	WXYZ	—	—	100	B
59991 Dental impression compounds and modelling pastes in plates, sticks, and similar forms. (1 and 2)[10]	Lb.	MINL 8	Z	—	—	—	B
59992 Other activated natural mineral products. (3 and 4)[10]	Lb.	MINL 8	Z	—	—	—	B
59999 Nickel compound catalysts, and other catalysts useable in petroleum and chemical processing operations. (2, 3 and 4)[16]	Lb.	SALT 8	WXYZ	—	—	100	B
59999 Dental plasters and preparations.[16]	.....	SATE 8	Z	—	—	—	B
59999 Other chemical products or preparations, except alkylbenzene, dodecylbenzene, and other detergent alkylates, n.e.c. (14 and 15)[7]	.....	ORGN 8	XYZ	—	—	100	B
RUBBER MANUFACTURES, N.E.C.							
62101 Rubber sheet packing and other unvulcanized rubber plates, sheets, and strips wholly made of fluorocarbon polymers or copolymers, including those only surface-worked and/or cut into rectangular shapes. (Specify by name and type.) (1, 2 and 3)[2]	Lb.	RUBR 1	TVWXYZ	500	100	—	A
62101 Masterbatches, cis-rubber types, in plates, sheets, or strips, including those only surface-worked and/or cut into rectangular shapes. (4)[2]	Lb.	RUBR 8	WXYZ	—	—	100	B
62101 Other unvulcanized rubber plates, sheets, or strips, including those only surface-worked and/or cut into rectangular shapes. (5)[2]	Lb.	RUBR 8	XYZ	—	—	100	B
62102 Unvulcanized rubber, n.e.c. wholly made of fluorocarbon polymers or copolymers. (Specify by name.) (1)[7]	Lb.	RUBR 1	TVWXYZ	500	100	—	A
62102 Masterbatches, cis-rubber types, n.e.c.[16]	Lb.	RUBR 8	WXYZ	—	—	100	B
62102 Other rubber cements; and sponge rubber, chemically blown and foam. (2)[2]	Lb.	RUBR 8	YZ	—	—	—	B
62102 Other unvulcanized natural or synthetic rubber, n.e.c. (3)[2]	Lb.	RUBR 8	XYZ	—	—	100	B
62930 Atomizer bulbs; bath sprays; ice bags; medicine droppers (glass droppers with rubber sacs); nipple shields, nursers; nursing bottle nipples and teats; pacifiers; rubber sacs for medicine droppers; sponge bags; teething rings; and water bottles. (1)[17]	.....	RUBR 8	Z	—	—	—	B
62988 Materials designed and manufactured for use as absorbers of electromagnetic waves having frequencies greater than 200 megacycles per second. (5)[13]	Lb.	ELME 1	TVWXYZ	500	500	—	A
62988 Other sponge rubber, and foam rubber goods, and unhardened vulcanized rubber articles, n.e.c. (4 and 7)[7]	Lb.	RUBR 8	YZ	—	—	—	B
62989 Electrical battery boxes and jars, and parts. (Specify by name.) (1)[14]	Lb.	RUBR 8	XYZ	—	—	100	B
WOOD AND CORK MANUFACTURES, EXCLUDING FURNITURE							
63289 Bee hives; and hog troughs. (2)[16]	.....	AGRI 8	YZ	—	—	—	B
PAPER, PAPERBOARD, AND MANUFACTURES THEREOF							
64122 Other fine paper, groundwood paper, and book paper, coated, in rolls or sheets, for printing, writing, drawing, or photographic base. (2)[7]	Lb.	TEXT 8	Z	—	—	—	B
64130 Kraft paper, in rolls or sheets, uncoated, as follows: abrasive base stock; acidproof; ammunition; antiacid manila; base wad stock; buffing; cable base stock; cable filling, electrical; cartridge stock; coil winding; condenser tissue; dielectric papers; document manila, file folder; dynamite; electrical insulating; emery, base stock; expanding envelope stock; flat wallet stock; flint backing; frisket; garnet; gasket; graphite; guide stock; insulating, electrical; patch base stock; pattern stock; polishing; red foiling (cartridge paper); red patch base stock; sandpaper backing; shell stock; silk wrap stock; tissue; tympan; voice coil stock; wallet stock; washer stock. (1)[2]	Lb.	TEXT 8	XYZ	—	—	100	B
64130 Other kraft paper and paperboard, in rolls or sheets, uncoated, n.e.c. (2)[7]	Lb.	TEXT 8	Z	—	—	—	B
64140 Cigarette paper in bulk, rolls, or sheets. [Report cigarette paper cut to size in Export Control Commodity No. 64291.] (1)[2]	Lb.	TEXT 8	Z	—	—	—	B

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
64298 Pressure sensitive synthetic tape (including metallized) suitable for dielectric use (condenser tissue), 0.0015 inch (0.038 mm.) or less in thickness, *excluding (a) tensilized polyester film with thickness greater than 0.001 inch (0.0254 mm.); and (b) untensilized polyester film with thickness of 0.0007 inch (0.018 mm.) up to and including 0.001 inch (0.0254 mm.).* (3)[19]	Lb.	RESN 3	TVWXYZ	500	500	—	A E-3
64298 Pressure sensitive polyester tape suitable for dielectric use (condenser tissue) as follows: (a) tensilized film with thickness greater than 0.001 inch (0.0254 mm.) up to and including 0.0015 inch (0.038 mm.) and (b) untensilized film with thickness greater than 0.0007 inch (0.018 mm.) up to and including 0.0015 inch (0.038 mm.). (4)[19]	Lb.	RESN 4	TVWXYZ	500	500	—	E-3
64298 Cellophane tape, gummed. (6)[19].....	Lb.	TEXT 8	YZ	—	—	—	B
TEXTILE YARN FABRICS, MADE-UP ARTICLES AND RELATED PRODUCTS							
65213 Broadwoven fabrics, unbleached, wholly or in chief weight cotton, n.e.c. (1 and 2)[7]	Lb.	TEXT 8	YZ	—	—	—	B
65230 Other broad woven remnants less than 10 yards in length, and fabrics, n.e.c., wholly or in chief weight cotton. (2)[3]	Lb.	TEXT 8	YZ	—	—	—	B
65584 Textile fabrics and articles coated, covered or laminated with rubber, for use in machinery or plant. (3 and 4)[20]	Lb.	TEXT 8	XYZ	—	—	100	B
65662 Electric blankets, wholly or in chief weight cotton. (1)[21]	Lb.	TEXT 8	Z	—	—	—	B
65663 Blankets wholly or chief weight wool, *except electric.* (2)[7]	Lb.	TEXT 8	YZ	—	—	—	B
65692 Narrow woven fabrics coated or impregnated with fluorocarbon polymers or copolymers.[9, 23]	Lb.	RESN 4	TVWXYZ	500	500	—	E-3
65692 Automobile seat covers and seat belts; and belts for occupational use. (3, 4 and 5)[3, 23]	Lb.	TEXT 8	XYZ	—	—	100	B
65692 Other belts, corset laces and shoe laces with fitted ends, rubberized seat cloth covering, and gummed cloth guides or reinforcements, all textile materials; and other made-up articles wholly or in chief weight silk, man-made fibers or vegetable fibers, *except cotton or jute, and except coated or impregnated narrow fabrics.* (3, 4 and 5)[3, 23]	Lb.	TEXT 8	Z	—	—	—	B
65692 Other made-up textile articles, n.e.c. (3, 4 and 5).[3, 23]	Lb.	TEXT 8	YZ	—	—	—	B
NONMETALLIC MINERAL MANUFACTURES, N.E.C.							
66700 Quartz crystals, natural and synthetic, unworked or worked, not mounted, radio grade only. (1)[3]	Lb.	RARA 1	TVWXYZ	500	50	—	A
66700 Synthetic diamonds (including bort), suitable only for industrial use.[24]	.....	FINP 8	WXYZ	—	—	100	B
IRON AND STEEL							
67210 Puddled bars and pilings, blocks, lumps, and other primary forms of iron or steel, n.s.e. (1)[2, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67243 Blooms, billets, ingots, slabs, sheet bars and roughly forged pieces, alloy steel, special types Class 1. (1)[23]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-7
67243 Other blooms, billets, ingots, slabs, sheet bars, and roughly forged pieces, alloy steel, as follows: (a) containing 6 percent or more cobalt, (b) AISI type 309-S-Cb-Ta, or (c) containing a total of 35 percent or more of alloying elements. (2)[7, 23]	Lb.	STEE 4	TVWXYZ	500	100	—	E-7
67243 Other alloy steel (including stainless) billets, projectile and shell steel. (3)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67243 Other blooms, billets, ingots, slabs, sheet bars, and roughly forged pieces, alloy steel, special types Class 2. (4)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67243 Other blooms, billets, ingots, slabs, sheet bars, and roughly forged pieces, alloy steel. (5)[7, 23]	Lb.	STEE 8	XYZ	—	—	100	B
67244 Blooms, billets, slabs, and sheet bars, projectile and shell steel. (1)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67244 Carbon steel ingots. (2)[23].....	Lb.	STEE 8	Z	—	—	—	B
67244 Other carbon steel blooms, billets, slabs, sheet bars and roughly forged pieces. (3)[23]	Lb.	STEE 8	XYZ	—	—	100	B
67273 Alloy steel coils for rerolling, special types Class 1. (1)[23]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-8
67273 Other alloy steel coils for rerolling. (2 and 3)[23]	Lb.	STEE 8	WXYZ	—	—	100	B
67274 Carbon steel coils for rerolling. (1)[23].....	Lb.	STEE 8	WXYZ	—	—	100	B
67290 Blanks for tubes and pipes, alloy steel, special types Class 1. (1)[2, 23, 26]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-7
67290 Other nickel-bearing stainless steel blanks for tubes and pipes, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements. (1)[2, 23, 26]	Lb.	STEE 4	TVWXYZ	500	100	—	E-7
67290 Blanks for tubes and pipes, alloy steel, special types Class 2. (1)[2, 23, 26]	Lb.	STEE 8	WXYZ	—	—	100	B
67290 Other blanks for tubes and pipes of iron or steel. (1)[2, 23, 26]	Lb.	STEE 8	XYZ	—	—	100	B
67313 Wire rods, alloy steel, special types Class 1. (1)[7, 23]	Lb.	STEE 9	TVWXYZ	500	100	—	A E-8

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
67313 Wire rods, as follows: (a) containing 6 percent or more cobalt, (b) AISI type 309-S-Cb-Ta, or (c) containing a total of 35 percent or more of alloying elements. (2)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67313 Alloy steel wire rods, special types Class 2. (3)[23]	Lb.	STEE 8	WXYZ	—	—	100	B
67313 Other alloy steel wire rods. (4)[23].....	Lb.	STEE 8	XYZ	—	—	100	B
67314 Wire rods, carbon steel. (1)[23].....	Lb.	STEE 8	XYZ	—	—	100	B
67325 Alloy steel bars and rods, special types Class 1. (1)[23]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-8
67325 Alloy steel bars and rods, containing 6 percent or more cobalt. (2)[23]	Lb.	STEE 8	WXYZ	—	—	100	B
67325 Alloy steel bars and rods, projectile and shell steel, hot rolled. (3)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67325 Other alloy steel bars and rods, special types Class 2. (4)[23]	Lb.	STEE 8	WXYZ	—	—	100	B
67325 Nickel-bearing steel bars and rods, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements. (5)[23]	Lb.	STEE 8	WXYZ	—	—	100	B
67325 Other alloy steel bars and rods. (6)[23].....	Lb.	STEE 8	XYZ	—	—	100	B
67334 Bars and rods, projectile and shell steel, hot rolled carbon steel. (1)[23]	Lb.	STEE 8	WXYZ	—	—	100	B
67334 Other carbon steel bars and rods; and concrete reinforcing bars. (2)[23]	Lb.	STEE 8	Z	—	—	—	B
67343 Angles, shapes and sections having a maximum cross sectional dimension of 3 inches or more, alloy steel, special types Class 1. (1)[7, 23]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-8
67343 Other nickel-bearing steel angles, shapes and sections having a maximum cross sectional dimension of 3 inches or more, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements. (2)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67343 Alloy steel angles, shapes and sections, having a maximum cross sectional dimension of 3 inches or more, special types Class 2. (3)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67343 Other angles, shapes and sections, having a maximum cross sectional dimension of 3 inches or more of alloy steel. (4)[23]	Lb.	STEE 8	XYZ	—	—	100	B
67344 Carbon steel angles, shapes and sections having a maximum cross sectional dimension of 3 inches or more; and carbon steel sheet piling. (1)[23]	Lb.	STEE 8	Z	—	—	—	B
67353 Angles, shapes and sections having a maximum cross sectional dimension of less than 3 inches, alloy steel, special types Class 1. (1)[7, 23]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-8
67353 Other alloy steel angles, shapes, and sections having a maximum cross sectional dimension of less than 3 inches, containing 6 percent or more cobalt. (2)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67353 Nickel-bearing steel angles, shapes and sections having a maximum cross sectional dimension of less than 3 inches, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements. (3)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67353 Angles, shapes and sections, projectile and shell steel, alloy steel. (4)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67353 Alloy steel angles, shapes and sections having a maximum cross sectional dimension of less than 3 inches, special types Class 2. (5)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67353 Other angles, shapes, and sections, having a maximum cross sectional dimension of less than 3 inches, of alloy steel. (6)[23]	Lb.	STEE 8	XYZ	—	—	100	B
67354 Angles, shapes, and sections, projectile and shell steel, carbon steel, having a maximum cross sectional dimension of less than 3 inches. (1)[7, 23]	Lb.	STEE 8	WXYZ	—	—	100	B
67354 Other carbon steel angles, shapes, and sections, having a maximum cross sectional dimension of less than 3 inches. (2)[23]	Lb.	STEE 8	Z	—	—	—	B
67443 Alloy steel plates and sheets, special types, Class 1. (1)[23]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-8
67443 Alloy steel plates and sheets, suitable for making pipe having the following specifications: of a size greater than 19 inches o.d. *and* having a yield strength greater than 40,000 psi as determined by API (American Petroleum Institute) test. (2)[23]	Lb.	STEE 6	VWXYZ	—	100	—	E-8
67443 Electrical (silicon) steel sheet, grain oriented, with a thickness of 0.004 inch (0.1 mm.) or less, regardless of core loss characteristics. (Specify thickness in decimal parts of an inch or in millimeters.) (4)[23]	Lb.	STEE 3	TVWXYZ	500	100	—	E-8
67443 Other alloy steel plates and sheets. (3, 5 and 6)[23]	Lb.	STEE 8	WXYZ	—	—	100	B
67444 Carbon steel sheets and plates suitable for making pipe having the following specifications: of a size greater than 19 inches o.d. *and* having a yield strength greater than 40,000 psi as determined by API (American Petroleum Institute) test. (1)[23]	Lb.	STEE 6	VWXYZ	—	100	—	E-8
67444 Skelp, carbon steel or wrought iron.[16, 23]....	Lb.	STEE 8	XYZ	—	—	100	B
67444 Other iron or steel plates and sheets, including black plate. (2)[23]	Lb.	STEE 8	WXYZ	—	—	100	B
67470 Tin mill products. [Report terneplate in Export Control Commodity No. 67480.] (1)[2, 23]	Lb.	TNPL 8	WXYZ	—	—	100	B
67480 Steel sheets and plates suitable for making pipe having the following specifications: of a size greater than 19 inches o.d. *and* having a yield strength greater than 40,000 psi as determined by API (American Petroleum Institute) test. (1)[23]	Lb.	STEE 6	VWXYZ	—	100	—	E-8
67480 Alloy steel sheets and plates, coated, special types Class 1. (2)[23]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-8

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
67480 Other steel plates and sheets, coated. (8)[23]	Lb.	STEE 8	WXYZ	—	—	100	B
67503 Alloy steel hoop and strip, including skelp, special types Class 1. (1, 3, 8 and 11)[7, 25]	Lb.	STEE 8	TVWXYZ	500	100	—	A E-8
67503 Alloy steel hoop and strip, including skelp, suitable for making pipe having the following specifications: of a size greater than 19 inches o.d. *and* having a yield strength greater than 40,000 psi as determined by API (American Petroleum Institute) test. (2, 6 and 9)[7, 25]	Lb.	STEE 6	VWXYZ	—	100	—	E-8
67503 Nickel-bearing steel hoop and strip, including skelp, as follows: (a) AISI type 309-S-Cb-Ta, or (b) containing a total of 35 percent or more of alloying elements. (4 and 12)[7, 25]	Lb.	STEE 8	WXYZ	—	—	100	B
67503 Thermo bimetal, thermometal, and thermostatic metal, chief value steel. (7)[2, 25]	Lb.	STEE 6	VWXYZ	—	100	—	E-8
67503 Alloy steel, electrical (silicon) strip, grain oriented, with a thickness of 0.004 inch (0.1 mm.) or less, regardless of core loss characteristics. (Specify thickness in decimal parts of an inch or in millimeters.) (14)[25]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-8
67503 Other alloy steel skelp. (10)[2, 25]	Lb.	STEE 8	XYZ	—	—	100	B
67503 Other alloy steel hoop and strip. (5, 13, 15 and 16)[7, 25]	Lb.	STEE 8	WXYZ	—	—	100	B
67504 Carbon steel, electrical, (silicon) strip, grain oriented, with a thickness of 0.004 inch (0.1 mm.) or less, regardless of core loss characteristics. (Specify thickness in decimal parts of an inch or in millimeters.) (1)[25]	Lb.	STEE 3	TVWXYZ	500	100	—	A E-8
67504 Carbon steel hoop and strip, gilding metal clad. (3)[7, 25]	Lb.	STEE 5	TVWXYZ	500	100	—	A E-8
67504 Carbon steel hoop and strip, including skelp, suitable for making pipe having the following specifications: of a size greater than 19 inches o.d. *and* having a yield strength greater than 40,000 psi as determined by API (American Petroleum Institute) test. (4)[7, 25]	Lb.	STEE 6	VWXYZ	—	100	—	E-8
67504 Other carbon steel skelp.[2, 25]	Lb.	STEE 8	XYZ	—	—	100	B
67504 Pure iron (Svea) strip. (5)[25]	Lb.	STEE 8	Z	—	—	—	B
67504 Other carbon steel hoop and strip. (2 and 6)[25]	Lb.	STEE 8	WXYZ	—	—	100	B
67610 Standard tee rails, new. (1)[25]	Lb.	STEE 8	YZ	—	—	—	B
67610 Other iron or steel rails, new and used. (2)[25]	Lb.	STEE 8	Z	—	—	—	B
67620 Rail joints, rail tie plates, and other sleeper and railway track material of iron or steel. (1)[25]	Lb.	STEE 8	Z	—	—	—	B
67703 Other alloy steel wire, coated or uncoated. (5)[2]	Lb.	STEE 8	XYZ	—	—	100	B

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
NONFERROUS METALS							
68310 Unwrought alloys composed of 50 percent or more copper, and alloys of chief weight copper, irrespective of nickel content. (2)[26]	Lb.	NONF 10	TVWXYZ	100	100	—	
68321 Bars, rods, angles, shapes, sections, and wire of alloys composed of 50 percent or more copper, and alloys of chief weight copper, irrespective of nickel content. (3)[26]	Lb.	NONF 10	TVWXYZ	100	100	—	
68323 Plates, sheets, strips, powders, flakes, and foil of alloys composed of 50 percent or more copper, and alloys of chief weight copper, irrespective of nickel content. (6)[26]	Lb.	NONF 10	TVWXYZ	100	100	—	
68325 Tubes, pipes, blanks and fittings therefor, and hollow bars, of alloys composed of 50 percent or more copper, and alloys of chief weight copper, irrespective of nickel content. (2 and 3)[27]	Lb.	NONF 10	TVWXYZ	100	100	—	
68401 Aluminum alloy ingots and other unwrought forms, and wire, bars, rods, angles, shapes, and sections having (a) an average copper content of 1 percent or more irrespective of other elements, or (b) an average copper content of less than 1 percent *and* (i) a zinc content of 4 percent or more, (ii) a silicon content of 3.5 percent or more, or (iii) a magnesium content of 9.5 percent or more. (1 through 10)[2, 27]	Lb.	NONF 8	WXYZ	—	—	100	B
68401 Other aluminum or aluminum alloy bars, rods, angles, shapes and sections. (1 through 10)[2, 27]	Lb.	NONF 8	XYZ	—	—	100	B
68401 Other aluminum or aluminum alloy ingots and other unwrought forms, and bare wire. (1 through 10)[2, 27]	Lb.	NONF 8	YZ	—	—	—	B
68422 Aluminum alloy plates and sheets having (a) an average copper content of 1 percent or more irrespective of other elements, (b) an average copper content of less than 1 percent *and* (i) a zinc content of 4 percent or more, (ii) a silicon content of 3.5 percent or more, or (iii) a magnesium content of 9.5 percent or more. (1 and 2)[7, 24]	Lb.	NONF 8	WXYZ	—	—	100	B
68422 Other aluminum or aluminum alloy plates and sheets. (1 and 2)[7, 24]	Lb.	TEXT 8	YZ	—	—	—	B
68425 Other aluminum or aluminum alloy tubes, pipes, and tube blooms, having (a) an average copper content of 1 percent or more irrespective of other elements, (b) an average copper content of less than 1 percent and (i) a zinc content of 4 percent or more, (ii) a silicon content of 3.5 percent or more, or (iii) a magnesium content of 9.5 percent or more. (2)[7]	Lb.	NONF 8	WXYZ	—	—	100	B

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
68425 Aluminum or aluminum alloy welded irrigation tubing, cut to length and not further fabricated.[16]	Lb.	NONF 8	YZ	—	—	—	B
68425 Other aluminum or aluminum alloy tubes, pipes, and tube blooms. (3)[2]	Lb.	NONF 8	XYZ	—	—	100	B
68941 Alloy steel scrap containing 1 percent or more tungsten by weight. (See § 399.2, Interpretations 10 and 12). (2)[29]	Lb.	STEE 2	TVWXYZ	500	100	—	
68943 Other molybdenum or molybdenum alloy wire. (4)[2]	Lb.	MINL 8	XYZ	—	—	100	B
68943 Other molybdenum or molybdenum alloy, wrought, including foil. (5 and 7)[7]	Lb.	MINL 3	TVWXYZ	500	100	—	A E-8
68943 Other tantalum or tantalum alloy, wrought, including foil. (3 and 4)[7]	Lb.	MINL 1	TVWXYZ	500	100	—	A E-8
68950 Bismuth or bismuth alloys, wrought or unwrought, *except bullion*, and waste and scrap. (3 and 3)[7]	Lb.	MINL 8	XYZ	—	—	100	B
68950 Gallium metal powders; and gallium metal, alloys, *except electronic grades containing less than 1 percent gallium.* (14 and 15)[7]	Lb.	MINL 2	TVWXYZ	500	—	—	E-7
68950 Manganese and manganese alloys, wrought or unwrought, and waste and scrap, *except electrolytic manganese metal.* (19)[2]	Lb.	MINL 8	Z	—	—	—	B
68950 Polycrystalline silicon of a purity of 99.99 percent or more and monocrystalline silicon[16]	Lb.	MINL 1	TVWXYZ	500	—	—	A E-7
68950 Polycrystalline silicon of a purity of 99.9 percent up to but not including 99.99 percent.[16]	Lb.	MINL 2	TVWXYZ	500	500	—	E-7
68950 Titanium or titanium alloys, unwrought, n.s.e., and waste and scrap. (23)[7]	Lb.	MINL 1	TVWXYZ	500	100	—	A
68950 Titanium or titanium alloy mill shapes, and wrought, n.s.e. (25)[7]	Lb.	MINL 1	TVWXYZ	500	100	—	A E-8
68950 Other base metals and alloys, and waste and scrap. (4, 84 and 86)[21]	Lb.	MINL 8	YZ	—	—	—	B
MANUFACTURES OF METAL, N.E.C.							
69110 Other iron or steel sheet metal construction material, except central heating or cooling ducts; and iron and steel bridges and parts. (2, 3 and 4)[2]	Lb.	STEE 8	WXYZ	—	—	100	B
69110 Finished structural parts and structures, iron or steel, as follows: fabricated steel plate, including stacks and weldments; architectural and ornamental work; anchors and fittings for reinforcing refractory walls; bulkhead (water gates); gangways; sluice gates; guardrails; platforms; portholes not specially designed for military watercraft; prayer rails; loading ramps (non-mechanical); scaffolding equipment; and turnstiles, not electric or coin-operated. (6 and 7)[10]	.....	FINP 8	YZ	—	—	—	B
69110 Other finished structures and structural parts, n.s.e. (8, 9 and 10)[10]	.....	FINP 8	Z	—	—	—	B

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
69211 Liquefied gas containers, iron or steel, jacketed only; (a) 250 to 500 gallon capacity, designed for liquid fluorine, or (b) 500 gallon capacity or over, designed for liquid nitrogen, oxygen, hydrogen, ozone, helium, argon, or fluorine, *except 2-shell or 3-shell containers rated for an average evaporation loss of over 5 percent per 24-hour period.* (1)[25]	No.	FINP 1	TVWXYZ	500	100	—	A E-8
69211 Other liquefied gas containers, iron or steel, jacketed only: (a) designed to maintain temperatures below minus 130° C. (minus 202° F.), or (b) 500 gallon capacity or over. (2)[25]	No.	FINP 4	TVWXYZ	500	500	—	E-8
69211 Septic tanks, iron or steel. (3)[25]	No.	FINP 8	YZ	—	—	—	B
69211 Other steel storage tanks, lined. (4)[25]	No.	STEE 8	WXYZ	—	—	100	B
69212 Liquefied gas containers, copper, jacketed only: (a) 250 to 500 gallon capacity, designed for liquid fluorine, or (b) 500 gallon capacity or over, designed for liquid nitrogen, oxygen, hydrogen, ozone, helium, argon, or fluorine, *except 2-shell or 3-shell containers rated for an average evaporation loss of over 5 percent per 24-hour period.* (1)[25]	No.	FINP 1	TVWXYZ	500	100	—	A E-8
69212 Other liquefied gas containers, copper, jacketed only: (a) designed to maintain temperatures below minus 130° C. (minus 202° F.), or (b) 500 gallon capacity or over. (2)[25]	No.	FINP 4	TVWXYZ	500	500	—	E-8
69212 Septic tanks of copper, lined or unlined. (3)[25]	No.	FINP 8	XYZ	—	—	100	B
69212 Gas storage containers, copper. (4)[25]	No.	NONF 8	WXYZ	—	—	100	B
69213 Liquefied gas containers, aluminum, jacketed only: (a) 250 to 500 gallon capacity, designed for liquid fluorine, or (b) 500 gallon capacity or over, designed for liquid nitrogen, oxygen, hydrogen, ozone, helium, argon or fluorine, *except 2-shell or 3-shell containers rated for an average evaporation loss of over 5 percent per 24-hour period.* (1)[25]	No.	FINP 1	TVWXYZ	500	100	—	A E-8
69213 Other liquefied gas containers, aluminum, jacketed only; (a) designed to maintain temperatures below minus 130° C. (minus 202° F.), or (b) 500 gallon capacity or over. (2)[25]	No.	FINP 4	TVWXYZ	500	500	—	E-8
69213 Septic tanks, lined or unlined, of aluminum. (3)[25]	No.	FINP 8	YZ	—	—	—	B
69221 Liquefied gas containers, iron or steel, jacketed only: (a) 250 to 500 gallon capacity, designed for liquid fluorine, or (b) 500 gallon capacity or over, designed for liquid nitrogen, oxygen, hydrogen, ozone, helium, argon, or fluorine, *except 2-shell or 3-shell containers rated for an average evaporation loss of over 5 percent per 24-hour period.* (1)[25]	No.	FINP 1	TVWXYZ	500	100	—	A E-8

Department of Commerce Export Control Commodity Number and Commodity Description	Use	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below			GLV $ Value Limits for Shipment to Country Groups			Special Provisions List
						T	V	X	
6932 Other computer-aided design (CAD) systems, and parts, n.e.s. (15 and 16)[17]	CONS 8	XYZ	—	—	—	—	—	100	B
6973 Domestic, including commercial and hospital, utensils and hollow ware of iron or steel, including vitreous-enameled or copper-clad. (1)[18]	Lb.	FINP 8	Z	—	—	—	—	—	B
6979 Figures, flower racks, and mirrors, of iron or ferrous metals, (1, 2 and 3)[18]	.....	FINP 8	XYZ	—	—	—	100	B
6979 Figures, flower racks, and mirrors, of iron or steel; trays and photograph or picture frames of all metals, n.e.c. (1, 2 and 3)[18]	.....	FINP 8	YZ	—	—	—	—	B
6979 Other indoor ornaments of base metals, n.e.c. (Report picture frames, mirrors and indoor ornaments of precious metals in Export Control Commodity No. 7971.) (1, 2 and 3)[18]	.....	FINP 8	Z	—	—	—	—	B
6982 Flexible tubing and piping, nonferrous metal, (3)[7]	Lb.	FINP 8	XYZ	—	—	—	100	B
6987 Other welding and soldering rods and wire, including tubes and plates for welding or soldering, n.e.s. (3, 16 and 16)[7]	Lb.	STEE 8	XYZ	—	—	—	100	B
6987 Copper or copper alloy welding and soldering rods and wire, including tubes and plates for welding or soldering and soldering. (14 and 16)[18]	Lb.	NONF 10	TVWXYZ	100	100	—	—		
6991 Liquefied gas containers, iron or steel, welded and designed for maintain temperatures below minus 180° C. (minus 302° F.)[8]	No.	FINP 4	TVWXYZ	500	500	—	—	E–8	
6992 Liquefied gas containers, copper or copper alloy, jacketed only, designed to maintain temperatures below minus 130° C. (minus 202° F.).[7] (1)[7]	.....	FINP 4	TVWXYZ	200	100	—	—	Z–8	
6992 Other gas shipping containers, copper or copper alloy, [Report containers, copper or copper alloy, with a capacity of 80 gallons or more in Export Control Commodity No. 6921.][18]	.....	FINP 8	WXYZ	—	—	—	100	B	
6992 Articles of copper or copper alloy, *the following only:* animal cages; bird cages; bottle carriers; bell rings; can top spouts; ear muff frames; guy wire clamps, *except copper alloy;* handcarts; hose couplings, *except copper alloy;* radiator filling cans; mouse traps and rat traps, *except copper alloy;* tote boxes; waste paper baskets; watersprinkling; and wire rope clamps, *except copper alloy.* (8 and 6)[18, 19]	.....	FINP 8	Z	—	—	—	—	B	
6993 Other liquefied gas containers, iron or steel, jacketed only; (a) designed to maintain temperatures below minus 130° C. (minus 202° F.), (b) designed for maintain temperatures below minus 180° C. (minus 302° F.), or (c) 600 gallon capacity or over. (2)[18]	No.	FINP 4	TVWXYZ	500	500	—	—	E–8	
6993 Other liquefied gas containers, iron or steel, jacketed only: (a) 250 to 600 gallon capacity; (b) 600 gallon capacity or over. (2)[18]	No.	FINP 1	TVWXYZ	600	100	—	—	A E–8	
6993 Other liquefied gas containers, iron or steel; (a) 250 to 600 gallon capacity; (b) 600 gallon capacity or over. (2)[18]	No.	STEE 8	WXYZ	—	—	—	100	B	
6994 Other liquefied gas containers, iron or steel, jacketed only: (a) 250 to 600 gallon capacity, designed for liquid fluorine, or (b) 600 gallon capacity or over, designed for liquid nitrogen, hydrogen, argon, or fluorine, except helium. (1)[18]	No.	FINP 1	TVWXYZ	600	100	—	—	A E–8	
6994 Other liquefied gas containers, iron or steel, jacketed only: (a) 250 to 600 gallon capacity, designed for liquid nitrogen, hydrogen, ozone, helium, argon, or fluorine, except *3-shell containers rated for an average evaporation loss of over 5 percent per 24-hour period.* (3)[18]	No.	FINP 4	TVWXYZ	600	600	—	—	E–8	
6995 Other liquefied gas containers, aluminum, jacketed only: (a) designed to maintain temperature below minus 180° C. (minus 202° F.), or (b) 600 gallon capacity or over. (4)[18]	No.	NONF 8	WXYZ	—	—	—	100	B	
6995 Other gas shipping containers, aluminum, filled or unfilled. (5)[18]	.....	FINP 8	XYZ	—	—	—	100	B	
6996 Other shipping containers, aluminum, including barrels, boxes, chests and collapsible tubes. (3, 6 and 7)[18]	.....	FINP 8	Z	—	—	—	—	B	
6991 Liquefied gas cylinders, filled or unfilled, iron or steel, jacketed only; (a) 250 to 600 gallon capacity, designed for liquid fluorine, or (b) 600 gallon capacity or over, designed for liquid nitrogen, oxygen, hydrogen, ozone, helium, argon, or fluorine, *except 3-shell or 3-shell containers rated for an average evaporation loss of over 5 percent per 24-hour period.* (1)[18]	No.	FINP 4	TVWXYZ	500	500	—	—	E–8	
6991 Other liquefied gas cylinder, filled or unfilled, iron or steel, jacketed only: (a) designed to maintain temperatures below minus 180° C. (minus 202° F.), or (b) 600 gallon capacity or over. (2)[18]	No.	STEE 8	WXYZ	—	—	—	100	B	
6992 Other liquefied gas cylinders, filled or unfilled, iron or steel, jacketed only; (a) designed to maintain temperatures below minus 180° C. (minus 302° F.), (b) 250 to 600 gallon capacity, (c) 600 gallon capacity or over. (2)[18]	No.	FINP 1	TVWXYZ	600	100	—	—	A E–8	
6992 Other liquefied gas cylinders, filled or unfilled, iron or steel, jacketed only: (a) 250 to 600 gallon capacity, (b) 600 gallon capacity or over. (2)[18]	No.	FINP 4	TVWXYZ	500	500	—	—	E–8	
6992 Other gas shipping containers, copper or copper alloy, [Report containers, copper or copper alloy, with a capacity of 80 gallons or more in Export Control Commodity No. 6921.][18]	.....	FINP 8	WXYZ	—	—	—	100	B	
6992 Articles of copper or copper alloy, *the following only:* animal cages; bird cages; bottle carriers; bell rings; can top spouts; ear muff frames; guy wire clamps, *except copper alloy;* handcarts; hose couplings, *except copper alloy;* radiator filling cans; mouse traps and rat traps, *except copper alloy;* tote boxes; waste paper baskets; watersprinkling; and wire rope clamps, *except copper alloy.* (8 and 6)[18, 19]	.....	FINP 8	Z	—	—	—	—	B	

Department of Commerce Export Control Commodity Number and Commodity Description	Use	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below			GLV $ Value Limits for Shipment to Country Groups			Special Provisions List
						T	V	X	
6932 Other compressed gas cylinders of aluminum. (3)[18]	No.	FINP 8	WXYZ	—	—	—	100	B	
6999 Other gas shipping containers which are instruments of international trade, filled or unfilled.[18]	.....	FINP 8	WXYZ	—	—	—	100	B	
6911 Wire cable, rope, strand, and cord, stainless steel, suitable for aircraft. (1)[7]	Lb.	STEE 8	WXYZ	—	—	—	100	B	
6912 Other wire cable, rope, plaited bands, slings and similar articles, of copper or copper alloy. (2)[18]	Lb.	NONF 10	TVWXYZ	100	100	—	—		
6931 Fence gates, wire cloth, and other woven wire products, iron or steel. (2)[8]	Sq. ft.	STEE 8	YZ	—	—	—	—	B	
6933 Aluminum wire fencing, fence gates, and wire cloth. (1 and 2)[8]	Sq. ft.	NONF 8	Z	—	—	—	—	B	
6933 Other woven wire products, aluminum. (1 and 2)[8]	Sq. ft.	FINP 8	XYZ	—	—	—	100	B	
6910 Hand tools mainly used in agriculture or forestry, and parts, n.e.s., as follows: cant hooks; digging bars; digging spuds; lumbermen' tongs; mattocks; picks; pike poles; and wheel-type cultivators; and wheel-type scoops. (1)[7]	.....	FINP 8	YZ	—	—	—	—	B	
6910 Other hand tools of a kind mainly used in agriculture or forestry, and parts, n.e.s. (2)[8]	.....	FINP 8	Z	—	—	—	—	B	
6921 Saw blades, woodworking. (1)[7]	No.	FINP 8	XYZ	—	—	—	100	B	
6921 Other hand-operated saws, hand saw frames and blades, and parts, n.e.s. (4)[7]	.....	FINP 8	YZ	—	—	—	—	B	
6922 Metal-cutting shears and tinman's snips, not power-operated; wrenches; pliers, pincers and other similar hand tools, and parts, n.e.s.; and files, rasps, and file accessories, *except file blanks.* (3)[7]	.....	FINP 8	YZ	—	—	—	—	B	
6923 Diamond dressers, and parts, n.e.c. (1)[7]	.....	FINP 8	WXYZ	—	—	—	100	B	
6923 Hand tools and parts, n.e.c., as follows: other tools incorporating industrial diamonds; diestocks; pipe threading tools; tapping tools; tap guides, magnetic; tiling blocks, nonferrous metal; and shoe lasts. (2)[7]	.....	FINP 8	XYZ	—	—	—	100	B	
6923 Cooking and kitchen tools and parts; and edge tools and parts, *except chisel blanks, chisels, Go-Devils®, metal scrapers, nut splitters, and wedges.* (3)[7]	.....	FINP 8	Z	—	—	—	—	B	
6923 Other hand tools and parts, n.e.c. (4)[7, 8]	.....	FINP 8	YZ	—	—	—	—	B	
6923 Remington industrial guns, and parts, n.e.c.[8, 22]	No.	CONS 8	XYZ	—	—	—	100	B	
6924 Rotary rock drill bits, including coring bits, having cones or sections which rotate freely and independently of the rotation of the body of the bit. (11)[22]	No.	CONS 2	VWXYZ	—	1,000	—		E–12	
6924 Parts, n.e.c., specially designed for rotary rock drill bits, including coring bits, having cones or sections which rotate freely and independently of the rotation of the body of the bit. (13)[22]	.....	CONS 2	VWXYZ	—	1,000	—		E–12	

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
hooks; shackles; socket clevises; suit cases; tote boxes; turnbuckles; venetian blinds, *except venetian screening*; waste paper baskets; weatherstripping; and wire inserts, helically coiled. (42, 48, 51, 52, 53, 54, 55 and 56)[37, 38, 39, 48]	.....	FINP 8	XYZ	—	—	100	B
69899 Other articles of nonferrous metals, n.e.c. (42, 48, 51, 52, 53, 54, 55 and 56)[16, 37]							
MACHINERY, OTHER THAN ELECTRIC							
71110 Boiler tubes, carbon steel. (3)[42]	.....	CONS 8	Z	—	—	—	B
71120 Condenser tubes, carbon steel. (5)[42]	.....	CONS 8	Z	—	—	—	B
71250 Wheel tractors, under 125 power takeoff horsepower; and garden tractors, including motor tillers. (2)[2]	No.	AGSU 8	YZ	—	—	—	B
71250 Other nonmilitary tractors. (Specify as nonmilitary and horsepower.) (5 and 8)[7]	No.	CONS 8	XYZ	—	—	100	B
71410 Videotypers.®[16]	No.	FINP 8	XYZ	—	—	100	B
71410 Multitype typewriters; and automatic typing devices with punched tape mechanisms (for example, Justowriters®). (2)[44]	No.	FINP 8	YZ	—	—	—	B
71492 Parts and accessories for the following machines: multitype typewriters; automatic typing devices with punched tape mechanisms (for example, Justowriters),® listing-adding machines; and photo composing machines (for example, Cox-headliners,® Headliners,® and Typros®). (5)[44]	.....	FINP 8	YZ	—	—	—	B
71510 Metalcutting machine tools and other machine tools for working metals, specially designed for the manufacture of arms, munitions, and implements of war. (Specify type of machine.) (38 and 42)[42]	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Gear making and/or finishing machines, as follows: (a) gear grinding machines, generating type, of 36 inches work diameter or more, or (b) machines capable of the production of gears of a module finer than 0.5 mm. (diametral pitch finer than 48). (See § 399.2, Interpretation 3.) (6 through 10, and 44)[21]	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Machines specially designed for making gas turbine blades, including but not limited to the following: blade belt grinding machines, blade edge radiusing machines, blade aerofoil milling and/or grinding machines, blade fillet radiusing and/or platform forming machines, blade root milling machines, blade blank preforming machines, blade rolling machines, blade aerofoil shaping machines, blade root grinding machines, and blade aerofoil scribing machines. (13 and 34)[7]	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Machines specially designed for the manufacture of jet engines, as follows: (a) jet engine compressor case boring machines, (b) jet engine compressor or turbine disc turning machines, and (c) jet engine rotor grinders. (12, 25 and 26)[7]	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Lathes specially designed for the manufacture of artillery, including, but not limited to, gun barrel trepanning lathes, gun-boring lathes, and gun jump screw lathes. (20, 21, 22 and 23)[37]	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Machines specially designed for (a) the working or forming of aircraft sheet, plate or extrusion, or (b) the milling of aircraft skin. (29 and 43)[7]	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Spin-forming machines with drive motors of 50 horsepower or over. (45 through 49)[7, 46, 49]	No.	TOOL 1	TVWXYZ	500	500	—	A
71510 Spin-forming machines with drive motors of over 25 horsepower up to but not including 50 horsepower. (45 through 49)[7, 46, 49]	No.	TOOL 2	TVWXYZ	500	500	—	A
71510 Bonding machines for applying fins on tubing[10, 16]	No.	TOOL 8	XYZ	—	—	100	B
71510 Axle straighteners.[16]	No.	TRAN 8	XYZ	—	—	100	B
71510 Other metal-cutting machine tools and other machine tools for working metals, (41 and 59)[7]	No.	TOOL 8	WXYZ	—	—	100	B
71521 Ingot molds for heavy steel ingots. (4)[23]	Lb.	TOOL 8	Z	—	—	—	B
71715 Dryset vacuum systems,® and parts and attachments (5)[45]	.....	GIEQ 8	XYZ	—	—	100	B
71715 Textile cutting machines, and parts and attachments, n.e.c.[45]	.....	GIEQ 8	YZ	—	—	—	B
71715 Other commerical and household laundry and drycleaning machines, and parts and attachments, n.e.c. (7)[7]	.....	FINP 8	Z	—	—	—	B
71812 Paper cutters, office type. (1)[3, 47]	.....	FINP 8	Z	—	—	—	B
71812 Film slitters; and parts, n.e.c. (1)[3, 47]	.....	GIEQ 8	XYZ	—	—	100	B
71812 Other papercutting machines, and machines, n.e.c., for the manufacture of articles of paper pulp, paper or paperboard; and parts and attachments, n.e.c. (1)[47, 48]	.....	GIEQ 8	YZ	—	—	—	B
71822 Fonts; handsaws; Linotype® matrices; and multitype typewriters (for example, Varitypers®); and parts and accessories therefor. (2)[44]	.....	FINP 8	YZ	—	—	—	B
71842 Parts, accessories, and attachments specially designed for construction equipment built to military specifications; and attachments specially designed for military type integral tractor-shovel loaders. (Specify as military.) (Report integral tractor-shovel loaders in Export Control Commodity No. 71931.) (4)[49]	.....	CONS 1	TVWXYZ	500	—	—	A
71842 Attachments specially designed for nonmilitary type integral tractor-shovel loaders of 135 horsepower and over. [Report integral tractor-shovel loaders in Export Control Commodity No. 71931.][16, 49]	.....	CONS 2	VWXYZ	—	1,000	—	E-11

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
71851 Briquetting presses, and other brick, tile, household ceramic, and concrete products manufacturing machines, n.e.c.; and parts, n.e.c. (4 and 5)[7]	.....	CONS 8	Z	—	—	—	B
71852 Other glass working machinery, n.e.c.; and machines for assembling electric filament and discharge lamps; and parts, n.e.c. (4)[2]	.....	GIEQ 8	XYZ	—	—	100	B
71916 Non-electric industrial furnaces or heaters of the following types: (a) cylindrical having a suspended deflecting cone, (b) radiant wall employing multiple independently controlled ceramic cup burners, or (c) metal heat treating; and specially designed parts and attachments. (2 and 3)[7]	.....	CONS 8	WXYZ	—	—	100	B
71914 Other non-electric furnaces, ovens and kilns; and parts and attachments. (5 and 6)[10]	.....	CONS 8	XYZ	—	—	100	B
71915 Walk-in coolers; and air conditioners for non-military automobiles, trucks, buses, and trailers; and parts. (5 and 7)[7]	.....	GIEQ 8	YZ	—	—	—	B
71915 Ice-making machines; soda fountain and beer dispensing equipment; commercial type refrigerators and freezers, *except walk-in coolers, blood, bone, and tissue bank freezers, and equipment capable of maintaining temperatures below minus 150° C.*; and unit coolers and product coolers, with fans, for refrigeration; and parts therefor, *except compressors and condensing units (compressor with condenser)*. (6)[7]	.....	GIEQ 8	Z	—	—	—	B
71915 Other airconditioning and refrigerating equipment; and parts, n.e.c., including parts for self-contained air-conditioning machines. (4, 8, and 9)[7]	.....	GIEQ 8	XYZ	—	—	100	B
71919 Cane and maple sirup evaporators; crop dryers; forage dehydrators; and tobacco curers; and parts (6)[2, 50]	.....	AGSU 8	YZ	—	—	—	B
71919 Sugar mill machines for processing by means of a change in temperature (for example, driers, evaporators, sugar extraction calorizators, and carbonation vats); and parts. (6)[50, 51]	.....	GIEQ 8	YZ	—	—	—	B
71919 Cooling towers and cooling pond units; and vegetable oil machines, pulp and paper mill machines, rubber processing machines, and tobacco processing machines for processing by means of a change in temperature; and parts, n.e.c. (5, 10, 20, 21 and 23)[52, 53]	.....	GIEQ 8	YZ	—	—	—	B
71919 Other machines and equipment, other than domestic, for processing materials by means of a change in temperature; and parts, n.e.c. (5, 10, 20, 21, and 23)[53]	.....	GIEQ 8	XYZ	—	—	100	B
71919 Asphalt heating kettles; and bituminous heaters; and parts, n.e.c. (22)[2]	.....	CONS 8	Z	—	—	—	B
71922 Other vacuum pumps, and parts and attachments, n.e.c. (8 and 13)[7]	.....	GIEQ 8	XYZ	—	—	100	B
71922 Compressors, refrigeration and air-conditioning type; and parts, n.e.c. (23 and 24)[10]	.....	GIEQ 8	XYZ	—	—	100	B
71923 Extractors, centrifugal, coin-operated, designed for commercial laundries; and parts, n.e.c. (10)[2]	.....	FINP 8	Z	—	—	—	B
71923 Extractors, centrifugal, not coin-operated, designed for commercial laundries; and parts, n.e.c. (11)[2]	.....	GIEQ 8	Z	—	—	—	B
71923 Other centrifuges, and other filtering and purifying machines for liquids, air and gases; and parts, n.e.c. (18 and 14)[10]	.....	GIEQ 8	XYZ	—	—	100	B
71931 Parts, n.e.c., specially designed for military type integral tractor-shovel loaders. (Specify as military.) [Report attachments in Export Control Commodity No. 71842.] (4)[7]	.....	CONS 3	TVWXYZ	500	—	—	A
71931 Parts, n.e.c., *except cabs and cab guards (canopy tops)*, specially designed for nonmilitary type integral tractor-shovel loaders of 135 horsepower and over. (Specify as nonmilitary, whether wheel or tracklaying type, and horsepower.) [Report attachments in Export Control Commodity No. 71842.] (6)[7]	.....	CONS 2	VWXYZ	—	1,000	—	E-11
71931 Overhead hoists, pandant type; casket lowering devices; and fishing boat winches; and parts and attachments. (9)[2, 10]	.....	CONS 8	Z	—	—	—	B
71931 Automobile lifts; and jacks for automotive vehicles or aircraft; and parts, n.e.c. (10)[2]	.....	TRAN 8	XYZ	—	—	100	B
71931 Other hand-operated, mechanical and hydraulic jacks; and parts. (12)[24]	.....	FINP 8	YZ	—	—	—	B
71931 Other lifting, loading, and conveying machines and equipment; and parts and attachments, n.e.c. (3, 5, and 15)[7]	.....	CONS 8	XYZ	—	—	100	B
71932 Other industrial trucks, tractors and portable elevators of a kind used for moving goods in plants, railway stations and similar installations; and parts, accessories and attachments, n.e.c. (2, 5 and 7)[7]	.....	CONS 8	XYZ	—	—	100	B
71952 Wood preparation equipment for the paper industry. (2)[56]	.....	GIEQ 8	YZ	—	—	—	B
71952 Sawmill machines and equipment, and other woodworking machines, including machines for working cork. (1)[55]	.....	GIEQ 8	Z	—	—	—	B
71953 Pneumatic nailers; and pneumatic stapler guns; and parts and attachments, n.e.c.[56]	.....	FINP 8	YZ	—	—	—	B
71953 Hydraulic vibrators; lubricating equipment, force feed, pneumatic; hand-held chain saws, powered, and other power-operated nonelectric woodworking hand tools; and parts and attachments. (3)[2]	.....	GIEQ 8	Z	—	—	—	B

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
71953 Other power-operated nonelectric hand tools; and parts and attachments. (4)[7]	.....	CONS 8	XYZ	—	—	100	B
71954 Broaching tools specially designed for the production of arms, munitions and implements of war. (3)[10]	.....	TOOL 1	TVWXYZ	500	—	—	A
71954 Broaching tools specially designed for production of jet engine blades and engine discs. (4)[10]	.....	TOOL 2	TVWXYZ	500	500	—	
71954 Other surface-broaching tools. (5)[10]	.....	TOOL 8	WXYZ	—	—	100	B
71954 Parts, accessories, and attachments specially designed for bomb nose and tail forging machines. (8)[21]	.....	TOOL 1	TVWXYZ	500	—	—	A
71954 Parts, accessories, and attachments specially designed for artillery molding and casting machines, *excluding centrifugal casting machines for casting 6 feet long and over with wall thickness of 2 inches and over.* (10)[22]	.....	TOOL 1	TVWXYZ	500	—	—	A
71954 Hollow deep hole drills. (13)[10]	.....	TOOL 2	TVWXYZ	500	500	—	
71954 Parts, accessories, and attachments specially designed for flame cutting machines with tracer heads designed for or equipped with electronic closed loop control systems designed solely for positioning operations. (14)[23]	.....	TOOL 2	TVWXYZ	500	500	—	
71954 Parts, accessories and attachments for bonding machines for applying fins on tubing.[10, 16]	.....	TOOL 8	XYZ	—	—	100	B
71954 Parts and accessories for axle straighteners.[16]	.....	TRAN 8	XYZ	—	—	100	B
71954 Parts, accessories and attachments for wood preparation equipment for the paper industry.[26]	.....	GIEQ 8	YZ	—	—	—	B
71954 Parts, accessories and attachments for sawmill machines and equipment; and other woodworking machines, including machines for working cork. (22, 23 and 24)[27, 34]	.....	GIEQ 8	Z	—	—	—	B
71954 Parts, accessories and attachments for other machines for working asbestos-cement, ceramics, concrete, quartz crystals, masonry, stone (including artificial, precious and semiprecious stones), and similar mineral materials. (22, 23, 24)[7, 23]	.....	CONS 8	XYZ	—	—	100	B
71954 Parts, accessories and attachments for other machines for working bone, ebonite, hard plastics, and other hard carving materials. (22, 23, 24)[7, 23]	.....	GIEQ 8	XYZ	—	—	100	B
71961 Calendering machines and similar rolling machines n.e.c., and parts, n.e.c., as follows: (a) for paper-industries machines, and (b) for rubber-working machines. (2)[16]	.....	GIEQ 8	YZ	—	—	—	B
71963 Other parts and accessories, n.e.c., for scales. (4 and 6)[7]	.....	FINP 8	Z	—	—	—	B
71964 Sprayers and dusters, agricultural and pesticidal, power and hand operated, *except lawn sprinklers;* and parts, n.e.c., *except nozzles.* (3 and 5)[7, 28]	.....	AGSU 8	YZ	—	—	—	B
71964 Hand-operated spray guns, and parts, n.e.c. (3 and 5)[7, 28]	.....	FINP 8	YZ	—	—	—	B
71964 Spray nozzles other than industrial, of metal, *except copper base alloy;* spray nozzles of rubber; sand blast nozzles of high alumina ceramics; and lawn sprinklers. (7 and 9)[10]	.....	FINP 8	Z	—	—	—	B
71980 Presses, continuous mixers, and other equipment, n.e.c., for the production of military explosives or solid propellants (specify by name); and specially designed parts and accessories, n.e.c. (16, 27 and 32)[7]	.....	GIEQ 1	TVWXYZ	500	100	—	A
71991 Molds for concrete blocks. (3)[47, 57]	No.	CONS 8	Z	—	—	—	B
71991 Tire molds. (3)[47, 56]	No.	GIEQ 8	YZ	—	—	—	B
71991 Other molds. (3)[47]	No.	GIEQ 8	XYZ	—	—	100	B
ELECTRICAL MACHINERY, APPARATUS, AND APPLIANCES							
72210 Other electric motors, 12,500 horsepower and over; and parts and accessories, n.e.c. (Specify horsepower, A.C. or D.C.) (7 and 13)[7]	.....	ELME 8	WXYZ	—	—	100	B
72210 Electrical power equipment specially designed for aircraft (for example, generators, regulators, rectifiers, converters, inverters, magnetic amplifiers, transformers, etc.) (specify by name); and specially designed parts and accessories, n.e.c. (14 and 15)[7]	.....	TRAN 2	TVWXYZ	500	500	—	E-2
72210 Fluorescent ballasts. (34)[56]	No.	FINP 8	YZ	—	—	—	B
72210 Other motors, generators, generating sets, rotating converters, transformers, limiting reactors, regulators, and nonrotating rectifiers; and parts and accessories, n.e.c. (25, 32 and 33)[7]	.....	ELME 8	XYZ	—	—	100	B
72220 Switchgear, circuit breakers, disconnect switches, fuses, power distribution cutouts, and other switchgear; and lightning arrestors and choke coils; and parts, n.e.c. (1 and 18)[7]	.....	ELME 8	Z	—	—	—	B
72220 Motor controls specially designed for other electric motors of 12,500 horsepower or over; and parts and accessories n.e.c. (12)[7]	.....	ELME 8	WXYZ	—	—	100	B
72310 Appliance cord sets and other flexible cord sets (with fittings attached). (13)[7]	Lb.	ELME 8	Z	—	—	—	B
72330 Spacer insulators of clay; and electrical insulators and fittings of asbestos or rubber. (3 and 4)[10]	Lb.	FINP 8	YZ	—	—	—	B

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
72320 Electrical insulators and fittings of glass, mica, steatite, porcelain, ceramic materials, n.e.c.; and electrical conduit fittings, n.e.c., including electrical conduit tubing and joints, base metal, lined with insulating material. (5, 6, and 7)[10]	Lb.	FINP 8	Z	—	—	—	B
72499 Radio-telephone carrier (multiplex) terminal or amplifier equipment designed to deliver, carry, or receive frequencies higher than 150 kilocycles into or in a communications system, *except carrier terminal equipment specially designed for power lines operating at frequencies below 1,500 kilocycles* (specify by name and model number); and specialized components, parts, and accessories, n.e.c. (specify by name). (5)[7]	.....	RARA 1	TVWXYZ	500	100	—	A
72499 Other radio-telephone carrier (multiplex) terminal or amplifier equipment designed to deliver, carry, or receive frequencies higher than 16 kilocycles up to and including 150 kilocycles, into or in a communications system and carrier terminal equipment specially designed for power lines operating at frequencies below 1,500 kilocycles (specify by name and model number); and specialized components, parts, and accessories, n.e.c. (specify by name). (6)[7]	.....	RARA 8	WXYZ and Indonesia	—	—	100	B
72499 Single and multi-channel radio-telegraph terminal transmitting and receiving equipment, *except the following equipment when such equipment is not designed for or capable of operation at a rate (for either the channel or any sub-channel in a multi-channel system) in bauds (bits per second) numerically greater than 80 percent of the channel (or sub-channel) band width in cycles per second: (i) equipment with a band width per channel of not more than 240 cycles and with a rated speed of not more than 100 bauds (or 134 words per minute) per channel designed to CCITT standards, (ii) equipment used with telemetering, tele-command, and telesignalling equipment designed for industrial purposes in which the operational aggregate speed of the telegraph equipment is less than 1,200 bauds (bits per second), or (iii) time division multiplex systems up to 6 channels with a maximum aggregate speed of 300 bauds and/or 72 words per minute per channel, and not containing an automatic error detection and correction system using a multiple check* (specify by name and model number); and specialized components, parts, and accessories, n.e.c. (Specify by name.)[16]	.....	RARA 1	TVWXYZ	500	100	—	A
72499 Other multi-channel radio-telegraph terminal transmitting and receiving equipment; and other radio-telegraph equipment suitable for use at speeds greater than 200 words per minute or 150 bauds (specify by name and model number); and specialized components, parts, and accessories, n.e.c.[16]	.....	RARA 2	TVWXYZ	500	100	—	
72499 Other flexible wave-guides and components designed for frequencies up to and including 12,500 megacycles (specify by name and type number). (28)[7]	.....	RARA 2	TVWXYZ	500	500	—	
72499 Electronic equipment, n.e.c., and electronic components, n.e.c., specially designed for operation at ambient temperatures below minus 130°C. (minus 202°F.) (specify by name and model number); and specially designed accessories, subassemblies, parts or components (specify by name). (11 and 30)[7]	.....	RARA 1	TVWXYZ	500	250	—	A
72505 Electric steam cabinets for turkish baths; deodorizers; face and hand dryers; and RA-Grid heater plates®; and parts. (2)[7, 50]	.....	FINP 8	XYZ	—	—	100	B
72505 Other electro-thermic appliances; and electric household type domestic cooking appliances; and parts. (2)[7, 50]	.....	FINP 8	Z	—	—	—	B
72630 Other X-ray apparatus, medical and industrial; medical and dental gamma ray equipment; and medical and dental apparatus based on the use of radiations from radio-active substances; and parts, n.e.c. (9)[7]	.....	SATE 8	XYZ	—	—	100	B
72952 Electrical quantity measuring and indicating instruments specially designed for aircraft (for example, current and voltage meters, phase meters, frequency meters, etc.) (22)[35]	No.	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
72953 Aircraft instruments for measuring, indicating or controlling nonelectrical quantities by electrical or electronic means (for example, transducers, generators, indicators, regulators or controllers for pressure, level, vacuum, flow, temperature, rotative speed, vibration, etc.) (23)[7, 35]	No.	TRAN 2	TVWXYZ	1,000	1,000	—	E-2
72952 Gyro stabilizers, *except for aircraft control or for stabilizing an entire surface vessel.*[16]	No.	SATE 1	TVWXYZ	500	100	—	A
72952 Electronic closed loop feed back control systems for metalworking machine tools, designed solely for positioning operations. (See §399.2, Interpretation 7.)[16]	No.	TOOL 2	TVWXYZ	500	100	—	
72952 Other electronic closed loop feed back control systems for metalworking machine tools, in which a continuous feedback of information from the actual operation results in continuous correction of control commands. (See §399.2, Interpretation 7.)[16]	No.	TOOL 1	TVWXYZ	500	100	—	A

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups			Special Provisions Link
				T	V	X	
73932 Environmental-chambers capable of simultaneously providing all of the following conditions over the whole range of altitudes from sea level to 75,000 feet or above: temperature, pressure, radiation, or humidity.[16,18]	No.	GIEQ 1	TVWXYZ	200	—	—	A
73970 Accelerators, as follows: (a) betatrons; synchrotrons, cyclotrons, synchrocyclotrons, and linear accelerators, (b) neutron generators employing the electrostatic acceleration of ions, (c) electron accelerators capable of imparting energies in excess of 500,000 electron volts, and (d) other electronuclear machines capable of imparting energies in excess of 1,000,000 electron volts to a nuclear particle or ion. (3)[7]	No.	SATE 2	TVWXYZ	600	—	—	
73990 Other parts specially designed for betatrons, synchrotrons, cyclotrons, synchrocyclotrons, neutron generators employing the electrostatic acceleration of ions, electron accelerators capable of imparting energies in excess of 1,000,000 electron volts to a nuclear particle or ion. (3)[7]	.....	SATE 2	TVWXYZ	200	200	—	
73999 Other electrical apparatus, n.e.c., and parts, n.e.c. (5 and 10)[5]	.....	ELME 3	XYZ	—	—	100	B
TRANSPORT EQUIPMENT							
73163 Road-rail and similar containers, as follows: (a) Jacketed containers of 250 to 500 gallon capacity, designed for the handling of liquid fluorine; or (b) jacketed containers of 500 gallon capacity or over, designed for liquid nitrogen, oxygen, hydrogen, ozone, helium, argon, or fluorine, *except 3-shell or 3-shell containers rated for an average evaporation loss of 6 percent per 24-hour period.*[10,18]	No.	TRAN 1	TVWXYZ	500	500	—	A
73163 Other jacketed or cryogenic containers, n.e.c., for the shipment of liquefied gases at very low temperatures, and parts, n.e.c.	No.	TRAN 2	TVWXYZ	500	500	—	
73163 Other liquefied gas jacketed containers of 500 gallon capacity or over, road-rail and similar types.[18]	No.	TRAN 3	TVWXYZ	500	500	—	A
73163 Other road-rail and similar containers suitable for transport by rail, road, or ship[18]	No.	TRAN 8	XYZ	—	—	100	B
73170 Axles and wheels for locomotives and railway cars. (3)[18]	Lb.	STEE 8	Z	—	—	—	B
73500 Other commercial trailers, and parts. (10)[18]	.....	TRAN 8	XYZ	—	—	100	B
73500 Other trailers and vehicles, n.e.c., and parts, n.e.c. (1, 6 and 10)[18]	.....	PINP 8	Z	—	—	—	B
73593 Iron or steel buoys; and iron or steel pontoons for pipe lines. (2 and 5)[7]	.....	PINP 8	YZ	—	—	—	B
73593 Other floating structures, n.e.c. (3, 4 and 6)[7]	.....	PINP 8	XYZ	—	—	100	B
73600 Parts and accessories specifically ordered and invoiced as original equipment previously shipped.[18]	.....	TEXT 8	Z	—	—	—	B
FURNITURE							
82103 Mattresses, mattress supports, and similar stuffed furnishings, n.e.c., cotton. (3, 3 and 4)[7]	.....	TEXT 8	YZ	—	—	—	B
82103 Other mattresses, mattress supports, and similar stuffed furnishings, n.e.c. (2, 3 and 4)[7]	.....	TEXT 8	Z	—	—	—	B
82106 Furniture specially designed for aircraft; and parts, n.e.c. (1, 2 and 3)[21]	.....	PINP 8	XYZ	—	—	100	B
82106 Plastic furniture, and plastic parts, n.e.c. (1, 2 and 3)[21]	.....	TRAN 8	XYZ	—	—	100	B
82106 Other furniture and parts, n.e.c. (1, 2 and 3)[21]	.....	PINP 8	YZ	—	—	—	B
TRAVEL GOODS, HANDBAGS, AND OTHER PERSONAL GOODS							
82160 Other travel goods, handbags, and other personal goods. (1 and 2)[7]	.....	TEXT 8	Z	—	—	—	B
CLOTHING							
82169 Non-apparel articles, knit or crocheted, not elastic or rubberized, wholly or in chief weight silk, man-made fiber, or vegetable fiber, *except* cotton or jute. (1, 2 and 3)[7]	Lb.	TEXT 8	Z	—	—	—	B
82169 Other non-apparel articles, knit or crocheted, not elastic or rubberized. (1, 2 and 3)[7]	Lb.	TEXT 8	YZ	—	—	—	B
PROFESSIONAL, SCIENTIFIC, AND CONTROLLING INSTRUMENTS; PHOTOGRAPHIC AND OPTICAL GOODS; WATCHES, AND CLOCKS							
86118 Lenses for high-speed cameras and streak cameras which are subject to the Import Certificate/Delivery Verification procedure under Export Control Commodity Nos. 86140 and 86150. (1)[21,22]	No.	PINP 5	TVWXYZ	600	—	—	A
86118 Mounted prisms specially designed for high-speed cameras and streak cameras which are subject to the Import Certificate/Delivery Verification procedure under Export Control Commodity Nos. 86140 and 86150. (6)[22]	No.	PINP 5	TVWXYZ	600	25	—	A
86139 Power-controlled searchlights designed for military use; and specially designed parts and accessories. (Specify by name.) (1 and 2)[7,22]	.....	ELME 1	TVWXYZ	600	—	—	A
86139 Other searchlights and spotlights; and parts and accessories, n.e.c. (1 and 2)[7,22]	.....	ELME 3	XYZ	—	—	100	B
86150 High speed motion picture cameras having any of the following characteristics: (a) using film widths 35 mm. or narrower and capable of recording at rates in excess of 3,000 frames per second when using a steady light flow as the lighting source and 10,000 frames per second when using flash equipment connected to the unrolling system as the lighting source, (b) using film widths greater than 35 mm. and capable of recording in excess of 64 frames per second, or (c) capable of recording in excess of 250,000 frames per second.[21,22]	No.	PINP 3	TVWXYZ	500	—	—	A
86150 Other high speed motion picture cameras capable of recording at rates in excess of 2,000 frames per second; and specially designed parts and accessories, n.e.c.[22]	.....	PINP 3	WXYZ	—	—	100	B
86150 Parts and accessories, n.e.c, specially designed for high-speed motion picture cameras under Export Control Commodity No. 86150 which are subject to the Import Certificate/Delivery Verification procedure.	.....	PINP 3	TVWXYZ	600	25	—	A
86172 Whirlpool baths; mine safety appliances; and psychological, educational, or physical aptitude testing apparatus. (2)[5,6]	.....	SATE 8	XYZ	—	—	100	B
86191 Range finders specially designed for cameras under Export Control Commodity Nos. 86140 and 86150 which are subject to the Import Certificate/Delivery Verification procedure. (16)[22,23]	No.	FINP 5	TVWXYZ	600	25	—	A
86197 Cryogenic equipment designed for maintaining an ambient temperature below minus 180°C (minus 320°F.) and (i) designed for use in marine applications, or (ii) *qualified* for mobile ground use. (1)[7]	.....	SATE 1	TVWXYZ	600	100	—	A
86197 Environmental chambers capable of simulating any of the following conditions over the whole range of altitudes from sea level to 75,000 feet or above; temperature, pressure, radiation, or humidity.[16]	.....	GIEQ 1	TVWXYZ	600	—	—	A
86601 Other line recording machines. (2 and 2)[18]	No.	PINP 8	XYZ	—	—	100	B
MISCELLANEOUS MANUFACTURED ARTICLES, N.E.C.							
89130 Commercial phonograph records, recorded. [Reports Broken records and other records for scrap in Export Control Commodity No. 68120.] (5)[10, 21, 22]	.....	PINP 8	CUBA	—	—	—	B
89130 Other phonograph records; and phonograph record blanks. (5)[10, 22]	.....	PINP 8	Z	—	—	—	B
89500 Manufactured plastic products, *except* articles wholly or *partially made of polypromolitic*, polybenzimidazole, polyfluoroolefins, polystyrene, or polytrifluorochloroethylene; or items wholly made of other fluorocarbon polymers or copolymers, the following only: arm bands; balaclava Knitwear; boxes, empty; casein plastic slides; cellophane tape, gummed; frames, *except display frames*; handles; jog trays; knobs; mailing cases; nursing bottles; shower curtains; stoppers for basins and bathtubs; suspenders; toilet seats; vials; and waterproof outergarments, including raincoats. (18 and 16)[5, 22]	.....	PINP 8	YZ	—	—	—	B

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups			Special Provisions Link
				T	V	X	
86150 Other high speed motion picture cameras capable of recording at rates in excess of 2,000 frames per second; and specially designed parts and accessories, n.e.c.[22]	.....	PINP 8	WXYZ	—	—	100	B
86150 Parts and accessories, n.e.c, specially designed for high-speed motion picture cameras under Export Control Commodity No. 86150 which are subject to the Import Certificate/Delivery Verification procedure.	.....	PINP 5	TVWXYZ	600	25	—	A
86172 Whirlpool baths; mine safety appliances; and psychological, educational, or physical aptitude testing apparatus. (2)[5, 6]	.....	SATE 8	XYZ	—	—	100	B
86191 Range finders specially designed for cameras under Export Control Commodity Nos. 86140 and 86150 which are subject to the Import Certificate/Delivery Verification procedure. (16)[22, 23]	No.	FINP 5	TVWXYZ	600	25	—	A
86197 Cryogenic equipment designed for maintaining an ambient temperature below minus 180°C (minus 320°F.) and (i) designed for use in marine applications, or (ii) *qualified* for mobile ground use. (1)[7]	.....	SATE 1	TVWXYZ	600	100	—	A
86197 Environmental chambers capable of simulating any of the following conditions over the whole range of altitudes from sea level to 75,000 feet or above; temperature, pressure, radiation, or humidity.[16]	.....	GIEQ 1	TVWXYZ	600	—	—	A
86601 Other line recording machines. (2 and 2)[18]	No.	FINP 8	XYZ	—	—	100	B
MISCELLANEOUS MANUFACTURED ARTICLES, N.E.C.							
89130 Commercial phonograph records, recorded. [Reports Broken records and other records for scrap in Export Control Commodity No. 68120.] (5)[10, 21, 22]	.....	FINP 8	CUBA	—	—	—	B
89130 Other phonograph records; and phonograph record blanks. (5)[10, 22]	.....	FINP 8	Z	—	—	—	B
89500 Manufactured plastic products, *except* articles wholly or *partially made of polypromolitic*, polybenzimidazole, polyfluoroolefins, polystyrene, or polytrifluorochloroethylene; or items wholly made of other fluorocarbon polymers or copolymers, the following only: arm bands; balaclava Knitwear; boxes, empty; casein plastic slides; cellophane tape, gummed; frames, *except display frames*; handles; jog trays; knobs; mailing cases; nursing bottles; shower curtains; stoppers for basins and bathtubs; suspenders; toilet seats; vials; and waterproof outergarments, including raincoats. (18 and 16)[5, 22]	.....	FINP 8	YZ	—	—	—	B

Export controls applicable to each commodity reported under this classification are those which apply to the commodity when exported under its individual Export Control Commodity Numbers.

Department of Commerce Export Control Commodity Number and Commodity Description	Unit	Processing Code and Related Commodity Group No.	Validated License Required for Country Groups Shown Below	GLV $ Value Limits for Shipment to Country Groups T	V	X	Special Provisions List
39300 Manufactured plastic products, *except articles wholly or partially made of polypyromellitimide, polybenzimidazole, polytetrafluoroethylene, polytrifluorochloroethylene, or items wholly made of other fluorocarbon polymers or copolymers*, the following only: aprons, baby pants, bibs, and other indoor type wearing apparel; ash trays; belts (apparel); bottle and container closures; calendar pad holders; celluloid file signals; cigar ribbons; clipboards; containers for household use (soap dishes, etc.); desk calendars; desk sets, except pen sets; dinnerware, tableware, and kitchenware used in preparation, serving, and storing of food and drink; display equipment (forms, display boxes, stands, frames); disposable knives, forks and spoons; draperies (not firm, woven); flexible film specialty bags; fly swatters; garment bags (not requiring cutting or further manufacture for use); ink pots; ink stands; lamp shades; manicure sets; mats; paperweights; sausage casings; sequins; sponges, synthetic; table cloths (cut to size); tackle boxes; pressure sensitive or gummed plastic tape not covered in another entry under Export Control Commodity No. 89300; and venetian blinds, including separate slats and tapes. (13 and 14)[2, 23]	.....	FINP 8	Z	—	—	—	B
39929 Prepared knots and tufts, cotton or wool, for broom or brush making. (1 and 2)[2, 10, 23]	Doz.	FINP 8	YZ	—	—	—	B
39929 Other prepared knots and tufts for broom or brush making; and mops, dusters, squeegees, brooms, tooth brushes, and other brushes, including paint rollers, wire brushes, and brushes for machines, other than dental, medical, surgical, and veterinary appliances. (1 and 2)[2, 10, 23]	Doz.	FINP 8	Z	—	—	—	B
39933 Combustible preparations and products, n.e.c. (includes liquid fuel for mechanical lighters in containers not forming part of the lighter and not exceeding 300 cc capacity). [Report liquid fuels in containers exceeding 300 cc capacity under the commodity number applicable to the fuel.] (1)[2]	.....	ORGN 8	Z	—	—	—	B
39957 Tailors' dummies. (1)[2]	.....	FINP 8	Z	—	—	—	B
39957 Animated displays for window dressing. (1)[2]	.....	FINP 8	XYZ	—	—	100	B
39992 Prepared feathers and down and articles thereof, except millinery, bedding, comforters and pillows. (1)[2]	.....	AGRI 8	Z	—	—	—	B
39995 Wigs, false beards, and other articles, n.e.c., of wool-like specialty hair. (1)[2, 50]	.....	TEXT 8	YZ	—	—	—	B
39995 Wigs, false beards, switches and other articles of other animal hair or human hair. (1)[2, 50]	.....	TEXT 8	Z	—	—	—	B
39999 Other nonmilitary aircraft ground handling equipment, ground installed arresting systems, flight simulators, ground flying trainers and other related equipment, n.e.c.; and parts and accessories, n.e.c. (3)[50]	.....	TRAN 8	XYZ	—	—	100	B

[F.R. Doc. 66-5065; Filed, May 12, 1966; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1057]

PART 13—PROHIBITED TRADE PRACTICES

Broadway-Hale Stores, Inc.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock or assets.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18) [Cease and desist order, Broadway-Hale Stores, Inc., Los Angeles, Calif., Docket C-1057, Apr. 14, 1966]

Consent order requiring a California chain department store, the 16th largest in the Nation, to cease and desist from acquiring without permission of the Federal Trade Commission any department or GMAF (General Merchandise, Apparel, Furniture) store for a period of 5 years, unless the Commission, through an industrywide proceeding, issues rules or guidelines covering such acquisitions.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered*, That for five (5) years from the effective date of this order, respondent, Broadway-Hale Stores, Inc., shall cease and desist from acquiring, directly or indirectly, without first notifying the Federal Trade Commission and obtaining its consent, any department store or other GMAF store, or any interest in capital stock or other share capital, or any assets constituting a substantial part of all of the assets, of any concern engaged in the department store or other GMAF store business, other than The Emporium Capwell Co.

II. *It is further ordered*, That section 1 of this order shall terminate if the Federal Trade Commission, through trade regulation rules or other like nonadjudicative industrywide proceedings, issues rules or guidelines covering the subject matter of this order.

III. *It is further ordered*, That, in the event the Federal Trade Commission, in any adjudicative or consent order proceeding involving a market extension acquisition of one or more department or other GMAF stores by a company which owns or operates one or more department stores, issues any order which imposes limitations on future such market extension acquisitions less restrictive than the comparable provisions of this order, then the Federal Trade Commission shall, on application of respondent, pursuant to Rule 3.28 of the Commission's rules of practice, reopen this proceeding in order to make whatever revisions, if any, are necessary and appropriate to bring the restrictions imposed on respondent herein into conformity with those imposed by such order.

IV. *It is further ordered*, That, within sixty (60) days after the effective date of this order, and every ninety (90) days thereafter, Broadway-Hale submit in writing to the Federal Trade Commission a report setting forth in detail the manner and form in which it is complying and intends to comply with the provisions of this order.

Issued: April 14, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5212; Filed, May 12, 1966; 8:45 a.m.]

[Docket No. C-1059]

PART 13—PROHIBITED TRADE PRACTICES

Herman Feldman

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Herman Feldman, New York, N.Y., Docket C-1059, April 26, 1966]

Consent order requiring a New York City manufacturing furrier to cease misbranding and deceptively invoicing his fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Herman Feldman, an individual trading as Herman Feldman, or under any other trade name, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation, or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Failing to set forth on labels the item number or mark assigned to each such fur product.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

3. Setting forth the term "blended" or any term of like import as part of the information required under section 5(b)(1) of the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe the pointing, bleaching, dyeing, tip-dyeing or otherwise artificial coloring of furs contained in fur products.

4. Failing to set forth on invoices the item number or mark assigned to each such fur product.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: April 26, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5213; Filed, May 12, 1966; 8:46 a.m.]

[Docket No. C-1058]

PART 13—PROHIBITED TRADE PRACTICES

Gus Pappas and Gus Pappas Furs

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185-30 Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* 13.1845-30 Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Gus Pappas Furs, Chicago, Ill., Docket C-1058, April 26, 1966]

Consent order requiring a Chicago, Ill., manufacturer, wholesaler and retailer of fur products to cease misbranding and falsely invoicing his furs.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Gus Pappas, an individual trading under his own name, or as Gus Pappas Furs, or under any other trade name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation, or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce", "fur", and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Falsely or deceptively labeling or otherwise identifying any such fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

2. Representing, directly or by implication, on labels that the fur contained in any fur product is natural when the fur contained therein is pointed, bleached, dyed, tip-dyed, or otherwise artifically colored.

3. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

4. Failing to set forth the term "Dyed Broadtail-processed Lamb" on labels in the manner required where an election is made to use that term in lieu of the term "Dyed Lamb".

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Setting forth on the invoices pertaining to fur products the name or names of any animal or animals other than the name of the animal producing the fur contained in the fur product as specified in the Fur Products Name Guide, and as prescribed by the rules and regulations.

3. Failing to set forth on invoices the item number or mark assigned to fur products.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: April 26, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5214; Filed, May 12, 1966; 8:46 a.m.]

[Docket No. 7643]

PART 13—PROHIBITED TRADE PRACTICES

Libbey-Owens-Ford Glass Co. and General Motors Corp.

Subpart—Advertising falsely or misleadingly: § 13.20 *Comparative data or merits:* 13.20-20 Competitors' products; § 13.25 *Competitors and their products:* 13.25-20 Competitors' products; § 13.175 *Quality of product or service.* Subpart—Disparaging competitors and their products—Competitors' products: § 13.1015 *Quality.* Subpart—Using deceptive techniques in advertising: § 13.2275 *Using deceptive techniques in advertising:* 13.2275-70 Television depictions.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Modified order, Libbey-Owens-Ford Glass Co. et al., Toledo, Ohio, Docket 7643, Apr. 7, 1966]

Order modifying a cease and desist order of the Commission dated September 20, 1963, in accordance with an order of the Court of Appeals, Sixth Circuit, dated December 16, 1965, by deleting the phrase "or otherwise misrepresenting the grade or quality of glass used in any window" from the Commission's original order, 28 F.R. 11452.

The modified order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That Libbey-Owens-Ford Glass Co., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of its automotive glass products in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) The automobile safety plate glass used in the side windows of General Motors Corp. automobiles is of the same grade and quality as that used in windshields of such automobiles.

(b) The automobile safety sheet glass used in automobiles other than General Motors Corp. automobiles is of the same grade and quality as the sheet glass used in home windows.

2. Using in advertising any picture, demonstration, experiment or comparison, either alone or accompanied by oral or written statements, to prove the qual-

ity or merits of any such products, or the superiority of any such products over competing products, when such picture, demonstration, experiment or comparison is not in fact genuine or accurate and does not constitute actual proof of the claim because of the undisclosed use and substitution of a mock-up or prop instead of the product, article, or substance represented to be used therein.

3. Disparaging the quality or properties of any competing product or products through the use of false or misleading pictures, depictions, demonstrations, or comparisons, either alone or accompanied by oral or written statements.

4. Misrepresenting in any manner the quality or merits of any such products, or the superiority of any such products over competing products.

It is further ordered, That General Motors Corp., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of its automotive glass products, sold either as part of an automobile or separately, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) The automobile safety plate glass used in the side windows of its automobiles is of the same grade and quality as that used in windshields of such automobiles.

(b) The automobile safety sheet glass used in automobiles other than General Motors Corp. automobiles is of the same grade and quality as the sheet glass used in home windows.

2. Using in advertising any picture, demonstration, experiment or comparison, either alone or accompanied by oral or written statements, to prove the quality or merits of any such products, or the superiority of any such products over competing products, when such picture, demonstration, experiment, or comparison is not in fact genuine or accurate and does not constitute actual proof of the claim because of the undisclosed use and substitution of a mock-up or prop instead of the product, article, or substance represented to be used therein.

3. Disparaging the quality or properties of any competing product or products through the use of false or misleading pictures, depictions, demonstrations, or comparisons, either alone or accompanied by oral or written statements.

4. Misrepresenting in any manner the quality or merits of any such products, or the superiority of any such products over competing products.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist set forth herein.

Issued: April 7, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5215; Filed, May 12, 1966; 8:46 a.m.]

[Docket No. C-1055]

PART 13—PROHIBITED TRADE PRACTICES

Mangel Stores Corp., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods:* 13.30–75 Textile Fiber Products Identification Act; § 13.73 *Formal regulatory and statutory requirements:* 13.73–90 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–80 Textile Fiber Products Identification Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–80 Textile Fiber Products Identification Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Mangel Stores Corp. et al., New York, N.Y., Docket C-1055 April 6, 1966]

In the Matter of Mangel Stores Corp., a corporation, trading as Mangel's, Salle Ann and Shopper's Fair

Consent order requiring a New York City operator of a chain of retail stores engaged in selling a medium line of wearing apparel, to cease misbranding and falsely advertising its textile fiber products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Mangel Stores Corp., a corporation, trading as Mangel's, Salle Ann and Shopper's Fair, or under any other name, and its officers, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product, which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products by representing, either directly or by implication, through the use of such term as "Linen" or any other terms, that any fibers are present in a textile fiber product when such is not the case.

2. Failing to affix labels to such textile fiber products showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

3. Using abbreviations in setting forth the information required to be disclosed under the Textile Fiber Products Identification Act.

B. Falsely and deceptively advertising textile fiber products by:

1. Making any representations, directly or by implication, as to the fiber contents of any textile fiber product in any written advertisement which is used to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of such textile fiber product, unless the same information required to be shown on the stamp, tag, label, or other means of identification under section 4(b) (1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Using a fiber trademark in advertisements without a full disclosure of the required content information in at least one instance in the said advertisement.

3. Using a fiber trademark in advertising textile fiber products containing more than one fiber without such fiber trademark appearing in the required fiber content information in immediate proximity and conjunction with the generic name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

4. Using a fiber trademark in advertising textile fiber products containing only one fiber without such fiber trademark appearing at least once in the advertisement, in immediate proximity and conjunction with the generic name of the fiber in plainly legible and conspicuous type.

It is further ordered, That the respondent herein, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: April 6, 1966.

By the Commission.

JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5216; Filed, May 12, 1966; 8:46 a.m.]

[Docket No. 8635 c.]

PART 13—PROHIBITED TRADE PRACTICES

Merck & Co., Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.170 *Qualities or properties of product or service:* 13.170–52 medicinal, therapeutic, healthful, etc.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Merck & Co., Inc., et al., Rahway, N.J., Docket 8635, Apr. 8, 1966]

In the matter of Merck & Co., Inc., a Corporation, Trading as Quinton Co., and Doherty, Clifford, Steers & Shenfield, Inc., a Corporation

Order requiring a New Jersey drug manufacturer and its advertising agency to cease falsely representing in its television commercials or other media that its "Sucrets" or "Children's Sucrets" have any therapeutic effect upon throat infections in excess of temporary relief of minor pain.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That the initial decision be modified by striking finding No. 21 and substituting therefor the following:

21. Through the use of said advertisements, respondents have represented, directly and by implication, that "Sucrets" and "Children's Sucrets," by virtue of their hexylresorcinol content, will unqualifiedly reach, kill, or render ineffectual, germs, including streptococci and staphylococci in the throat tissues, that are contributing to an existing throat infection, and that said products are effective in relieving severe sore throat pain.

It is further ordered, That the initial decision be modified by striking findings numbered 29 through 42 and substituting therefor the following:

29. Although "Sucrets" and "Children's Sucrets" will, by virtue of their hexylresorcinol content, kill germs, including staphylococci and streptococci, on contact therewith, they will not normally reach, kill, or render ineffectual, germs, including streptococci and staphylococci in the throat tissues, that are contributing to an existing throat infection.

30. Streptococcal and straphylococcal infections of the throat may be precursors of infections of the heart, kidney, blood, bones, and other structures, and the failure to institute promptly adequate treatment of streptococcal and staphylococcal throat infections may seriously imperil health. A special hazard of inadequate treatment of streptococcal sore throat is the subsequent development in certain persons, particularly children, of acute rheumatic fever or acute nephritis.

31. "Sucrets" and "Children's Sucrets" have no beneficial effect on severe pain of sore throat, nor will they provide relief of the pain of sore throat in excess of temporary relief of minor pain.

32. The aforesaid advertisements were and are misleading in material respects and constituted, and now constitute, "false advertisements" as that term is defined in the Federal Trade Commission Act.

It is further ordered, That the initial decision be modified by striking therefrom that part of the section entitled "Conclusions" beginning on page 18 with the words "On the other hand" and ending on page 20 with the words "the following order shall issue" and substituting therefore the following:

The dissemination by the respondents of the false advertising, as aforesaid, constituted, and now constitutes, unfair and deceptive acts and practices in commerce, in violation of sections 5 and 12 of the Federal Trade Commission Act.

It is further ordered, That the initial decision be modified by striking the order on pages 20 and 21 and substituting therefor the following:

It is ordered, That respondent Merck & Co., Inc., a corporation trading as Quinton Co. or under any other name, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of throat lozenges or any similar preparation, do forthwith cease and desist from, directly or indirectly:

1. Disseminating, or causing to be disseminated, by means of the U.S. mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents directly or by implication that "Sucrets" or "Children's Sucrets", or any other preparation of similar chemical composition or properties, by virtue of their hexylresorcinol content, or otherwise:

(a) Will reach, kill or have any effect upon germs contributing to an existing throat infection, or otherwise that they are effective in the treatment of throat infection.

(b) Will provide relief of the pain of sore throat in excess of temporary relief of minor pain.

2. Disseminating, or causing to be disseminated, by the U.S. mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which misrepresents directly or by implication the efficacy or therapeutic value of any throat lozenge or similar preparation: *Provided, however*, That it shall be a defense hereunder that respondent neither knew nor had reason to know of the falsity or deceptive capacity of such advertisement.

3. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of any such preparation, in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited by paragraphs 1 and 2 hereof.

It is further ordered, That respondent Doherty, Clifford, Steers & Shenfield, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of throat lozenges or any similar preparation, do forthwith cease and desist from, directly or indirectly:

1. Disseminating, or causing to be disseminated, by means of the U.S. mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents directly or by implication that "Sucrets" or "Children's Sucrets", or any other preparation of similar chemical composition or properties, by virtue of their hexylresorcinol content, or otherwise:

(a) Will reach, kill or have any effect upon germs contributing to an existing throat infection, or otherwise that they are effective in the treatment of throat infection.

(b) Will provide relief of the pain of sore throat in excess of temporary relief of minor pain.

2. Disseminating, or causing to be disseminated, by the U.S. mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which misrepresents directly or by implication the efficacy or therapeutic value of any throat lozenge or similar preparation.

3. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of any such preparation, in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited by paragraphs 1 and 2 hereof.

It is further ordered, That the hearing examiner's initial decision, as modified by this order and the accompanying opinion, be, and it hereby is, adopted as the decision of the Commission.

It is further ordered, That the respondents shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist set forth herein.

Issued: April 8, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5217; Filed, May 12, 1966; 8:46 a.m.]

[Docket No. C-1056]

PART 13—PROHIBITED TRADE PRACTICES

Ovation Cosmetics, Inc., and J. Harry Ebbert

Subpart—Maintaining resale prices: § 13.1130 *Contracts and agreements;*

§ 13.1155 *Price schedules and announcements.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Ovation Cosmetics, Inc., et al., Woodland Hills, Calif., Docket C–1056, Apr. 8, 1966]

Consent order requiring a California marketer of cosmetics and toiletries, to cease entering into agreements with its wholesalers, jobbers, and retailers to fix and maintain the resale prices of its products, and using other unfair practices.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Ovation Cosmetics, Inc., a corporation, its officers, agents, representatives, employees, successors and assigns, and respondent J. Harry Ebbert, individually and as an officer of Ovation Cosmetics, Inc., his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of goods or commodities in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Entering into, maintaining, or enforcing any contract, agreement, understanding, marketing system, or course of conduct with any dealer or distributor of such goods or commodities to do or perform or attempting to do or perform any of the following acts, practices, or things:

(a) Fix, establish, or maintain the prices, discounts, rebates, or other terms or conditions of sale relating to pricing upon which such goods or commodities may be resold;

(b) Require or coerce any person or firm to enter into a contract, agreement, understanding, marketing system, or course of conduct which fixes, establishes, or maintains the prices, discounts, rebates, or other terms or conditions of sale relating to pricing upon which such goods or commodities may be resold.

2. Engaging, either as part of any contracts, agreements, understandings, or courses of conduct with any distributor or dealer of any such goods or commodities, or individually and unilaterally, in the practice of:

(a) Publishing or distributing, directly or indirectly, any resale price, product price list, order form, report form, or promotional material which employs resale prices for such goods or commodities without stating clearly and visibly in conjunction therewith that said price or prices are only "suggested" or "recommended";

(b) Publishing or distributing, directly or indirectly, any sales manual or instructional material which employs sample resale prices for such goods or commodities for purpose of demonstration without stating clearly and visibly in conjunction therewith that said price, rate of discount, rate of rebate, or other terms or conditions of sale relating to pricing upon which such goods or commodities may be resold are not binding upon the distributor or dealer:

(c) Entering into, maintaining, enforcing, or threatening to enforce any contracts, agreements, rights, or privileges pursuant to or claimed by virtue of the Miller-Tydings Act, as amended, the McGuire Act, or any other similar legislation, for a period of three (3) years from the date of this order.

Provided, however, That nothing contained in this order shall be interpreted as prohibiting respondents from, directly or indirectly, refusing to sell to or enforcing or asserting their lawful contract or other rights against any wholesale distributor, jobber, retailer, or any other person or company for any legitimate reason unrelated to pricing.

It is further ordered, That respondent Ovation Cosmetics, Inc., within sixty (60) days from the date of service upon it of this order, shall mail a copy of the order to each person or firm respondent has reason to believe may be engaged in the resale of any "Ovation Cosmetics" product.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: April 8, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–5218; Filed, May 12, 1966; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 32]

MONTEZUMA NATIONAL WILDLIFE REFUGE, N.Y.

Hunting

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222, 16 U.S.C. 715), and the Migratory Bird Hunting Stamp Act of 1934, as amended (48 Stat. 451; 16 U.S.C. 718d), it is proposed to amend 50 CFR 32.11 and 32.21 by the addition of Montezuma National Wildlife Refuge, N.Y., to the list of areas open to the hunting of migratory game birds and upland game, as legislatively permitted.

It has been determined that the regulated hunting of migratory game birds and upland game may be permitted as designated on Montezuma National Wildlife Refuge without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 32.11 is amended by the addition of the following area as one where hunting of migratory game birds is authorized:

§ 32.11 List of open areas; migratory game birds.

* * * * *

NEW YORK

Montezuma National Wildlife Refuge.

2. Section 32.21 is amended by the addition of the following area as one where hunting of upland game is authorized:

§ 32.21 List of open areas; upland game.

* * * * *

NEW YORK

Montezuma National Wildlife Refuge.

ABRAM V. TUNISON, *Acting Director.*

MAY 6, 1966.

[F.R. Doc. 66–5219; Filed, May 12, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1038]

[Docket No. AO 194–A12]

MILK IN ROCK RIVER VALLEY MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Elks Club, 210 West Jefferson Street, Rockford, Ill., beginning at 10 a.m., l.t., on May 19, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Rock River Valley marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Pure Milk Association and Mid-West Dairymen's Company:

Proposal No. 1. In § 1038.44(d), delete the words "not more than 150 miles, by the shortest highway distance as determined by the market administrator, from the nearer of the City Halls of Janesville, Wis., and Sterling, Ill.".

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 2. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator A. W. Colebank, 72 West Adams Street, Room 814, Chicago, Ill., 60603, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, or may be there inspected.

Signed at Washington, D.C., on May 11, 1966.

CLARENCE H. GIRARD, *Deputy Administrator, Regulatory Programs.*

[F.R. Doc. 66–5289; Filed, May 12, 1966; 8:51 a.m.]

[7 CFR Part 1039]

[Docket No. AO 212–A18]

MILK IN MILWAUKEE MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at The Milwaukee Inn, 916 East State Street, Milwaukee, Wis., beginning at 10 a.m., l.t., on May 17, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Milwaukee, Wis., marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Pure Milk Association:

Proposal No. 1. Delete all of § 1039.44(c) and in § 1039.44(d) delete the words "and is within the State of Wisconsin or not more than 150 miles, by the shortest highway distance as determined by the market administrator, from the City Hall of Milwaukee, Wis."

Proposal No. 2. In computing uniform prices pursuant to §§ 1039.61 and 1039.62, provide that any handler's plants which were regulated by Order No. 39 prior to May 1, 1966, shall be considered as a separate handler system and a separate uniform price shall be computed for such handler.

Proposal No. 3. Revise the second proviso in § 1039.18 as follows: *"And provided further,* That for May and June 1966 all producer milk received at a pool plant which first became subject to regulation by this order in such period shall be base milk."

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 4. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 4920 West Burleigh Street, Milwaukee, Wis., 53210, or from the Hearing Clerk, Room 112–A, Admin-

istration Building, U.S. Department of Agriculture, Washington, D.C., 20250 or may be there inspected.

Signed at Washington, D.C., on May 11, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66-5290; Filed, May 12, 1966; 8:51 a.m.]

[7 CFR Part 1125]

[Docket No. AO-226-A11]

MILK IN PUGET SOUND, WASH., MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Seattle, Wash., on April 19-28, 1965, pursuant to notice thereof issued on March 15, 1965 (30 F.R. 3603).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on December 2, 1965 (30 F.R. 15152; F.R. Doc. 65-13098), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (30 F.R. 15152; F.R. Doc. 65-13098) are hereby approved and adopted and are set forth in full herein subject to the following modifications:

1. Under the subheading "2. *The regulation of producer-handlers.*", a new paragraph is added immediately following the seventh paragraph.

2. Under the subheading "5. *Definitions relating to plants.*", the fifth through the eighth paragraphs are deleted and five new paragraphs are substituted therefor.

3. Under the subheading "6. *Definitions of 'Handler', 'Producer', and 'Route disposition'.*", a new paragraph is added at the end of part (a).

The material issues on the record of the hearing relate to:

(1) Expansion of the marketing area;
(2) The regulation of producer-handlers;
(3) The price for Class II milk;
(4) Computation of butterfat differentials;
(5) Definitions relating to plants;
(6) Definitions of "Handler", "Producer", and "Route disposition";
(7) Division of the shrinkage allowance between handlers;
(8) Changes in the classification provisions;
(9) Accounting for nonfluid milk products used for reconstitution and fortification of fluid milk products;
(10) Suspension or modification of the base-excess plan; and
(11) Miscellaneous changes.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Expansion of the marketing area.* The boundaries of the Puget Sound Marketing area should be extended to include most of the remaining unregulated areas in the counties now partly included in the marketing area. The Washington counties of San Juan and Island also should be added to the area. The Olympic Peninsula counties of Kitsap, Mason, Clallam, and Jefferson should remain unregulated.

A handler proposed that the presently defined marketing area be enlarged to include the counties of Island and San Juan and the remaining portions of most of the counties now only partly included in the marketing area. Proponent contended that if the proposal were adopted much of the record-keeping done by handlers to segregate their fluid milk sales outside the defined marketing area from their in-area sales could be eliminated.

The proposal should be adopted in most respects. The presently unregulated territory within the counties of Whatcom, Skagit, Snohomish, King, Grays Harbor, and Lewis (except the town of Vader) should be included in the marketing area. Also, the presently unregulated southeastern part of Pierce County and the unregulated territory in Pacific County north of township 11 N, excluding Long Island and the North Beach Peninsula, should be added to the area. The marketing area should include also the relatively small counties of San Juan and Island which are comprised of several islands located west of Whatcom, Skagit, and Snohomish Counties.

Handlers are required when reporting their total fluid milk sales to the market administrator to indicate the separate quantities of such sales which are made inside and outside the defined marketing area. The sales areas of several handlers in the market extend into unregulated territory. They, therefore, must keep such records as will enable them to report their sales on a segregated basis. The maintenance of adequate records is often difficult, particularly when only parts of retail routes are involved. Expanding the marketing area in the manner described would simplify their record-keeping and reporting of route disposition.

Enlargement of the marketing area to this limited extent would not extend the practical scope of regulation. Virtually all of the fluid milk sold within this proposed territory is distributed by handlers or producer-handlers now regulated under the Puget Sound order. In November 1964 such sales amounted to about 974,000 pounds, or 2 percent of the total Class I utilization by all such persons. It is not likely that handlers principally associated with other markets would extend their routes into the proposed area. Much of it is mountainous and sparsely populated. The periphery of the enlarged area would consist primarily of mountain ranges, the Canadian border and large expanses of water. Unregulated fluid milk sales are now made in the proposed area only by small producer-handler operations located at Lopez and Friday Harbor in San Juan County and at Eatonville in Pierce County.

The order now divides the marketing area into several districts for the purpose of pricing producer milk in accordance with its location value. These districts should be redefined to include all of the proposed enlarged marketing area. The districts are now described in terms of specific counties to the extent of their regulated portions. The additional territory in each county to be added to the marketing area should be included in the same district as the presently regulated portion of the respective county. Island County should be included within District 4 where plants are now subject to a location adjustment of 15 cents per hundredweight of Class I milk. San Juan County should be within a new District 5. The location adjustment of 40 cents which is presently applicable in San Juan County should be continued for that area.

Three regulated handlers proposed that Kitsap, Mason, Clallam, and Jefferson Counties be included in the marketing area. These counties are located on the Olympic Peninsula of Washington where such handlers have route distribution of fluid milk products. Proponents claimed that operators of unregulated distributing plants located on the peninsula are able to compete advantageously for fluid milk sales in that area because they are able to procure milk supplies at less than order prices. Proponents also contended that producers under the order carry the burden of reserve supplies associated with the Class I sales on the peninsula and, therefore, should share in the returns from such sales. Operators of three of the unregulated plants expressed opposition to the proposals affecting their respective sales areas.

In considering the expansion of the marketing area, witnesses generally attempted to distinguish between the marketing conditions applicable to Kitsap and Mason Counties and those applicable to Clallam and Jefferson Counties. The market characteristics of these two pairs of counties are very similar, however. Also, these same characteristics were shown to be basically the same for

the two peninsulas of Pierce County which are adjacent to Kitsap County. The following findings and conclusions are generally applicable to all four counties and those parts of Pierce County proposed herein to be excluded from the marketing area.

Unregulated handlers distribute approximately 70 percent of the fluid milk sold in each of the two pairs of counties. The major part of the unregulated sales in Kitsap and Mason Counties, as well as in the Pierce County peninsulas, is made by a cooperative association from its distributing plant at Bremerton in Kitsap County. Other such sales in those counties are by a handler at Port Orchard in Kitsap County and a producer-handler at Bremerton. Virtually all of the unregulated fluid milk sold in Clallam and Jefferson Counties is distributed by another cooperative association from its plant at Port Angeles in Clallam County. A producer-handler also is located in Clallam County. The two cooperative associations have fluid milk sales only in the counties just indicated.

There are no regulated distributing plants located in the four counties. The regulated milk which is distributed there is packaged primarily at pool plants in Seattle. Most of the packaged products are transported to the Olympic Peninsula by ferry and toll bridges across Puget Sound and are distributed either directly to wholesale and retail outlets or through distribution points to such outlets.

The competitive problems which proponents claimed they were experiencing on the peninsula were attributed to the marketing practices of the two cooperative associations which operate the unregulated plants at Bremerton and Port Angeles. Neither association, however, has the procurement cost advantage on their milk supplies relative to order prices which proponents alleged. One association's payments to its members per hundredweight of milk averaged 36 cents in 1963 and 33 cents in 1964 over the applicable Class I prices.
The other association's payments to its Grade A producers over the applicable Class I prices averaged about 37 cents per hundredweight in 1964. In each case such payments include the yearend distribution of the association's earnings. These payments were for all Grade A milk received from members regardless of whether the milk was used in Class I or Class II products. Class I utilization of Grade A milk at the associations' plants was described as averaging 79 percent in one case and 90 percent in the other. Both associations purchase their supplemental milk supplies from regulated sources in the market. They pay the same price (the order Class I price plus a premium) for this milk as do regulated proprietary handlers who purchase milk for Class I purposes. On the basis of these circumstances it is concluded that these two associations are not obtaining their Grade A milk supplies at less than order prices.

The four Olympic Peninsula counties are a significant market for milk regulated by the order. In addition to the packaged milk distributed there by regulated handlers, considerable bulk milk is purchased for supplemental purposes by the two major unregulated handlers on the peninsula. In 1964, 19 percent of the fluid milk sold from the Bremerton plant was obtained from regulated sources. Three percent of the fluid sales from the Port Angeles plant in that year represented milk priced under the order.

Producers whose milk is pooled under the order thus would be expected to have a definite interest in the marketing conditions on the Olympic Peninsula. There is no indication, however, that such producers in general consider that there is a need for regulating this area for the purpose of improving their marketing situation. In fact, a number of such producers located on the peninsula, who are members of one of the major cooperative associations in the market, expressed in their briefs specific opposition to the proposals. They indicated that any benefit to them resulting from the regulation of these counties would be negligible. Strong opposition to the extension of regulation to their area was expressed by the farmers whose milk is disposed of through the two unregulated plants at Bremerton and Port Angeles. From the standpoint of all milk producers involved, there thus appears to be no compelling reason to include these counties in the marketing area.

Competitive problems in obtaining or maintaining wholesale and retail outlets can be caused by various factors outside the scope of the regulatory program. The ability of an unregulated handler to offer to consumers lower prices, more attractive price discounts, and various services which a regulated handler believes he cannot meet is not necessarily attributable to the former's unregulated status. As previously indicated, most of the regulated milk distributed on the Olympic Peninsula is packaged at Seattle pool plants. Such milk must be moved to the peninsula either by ferry or toll bridges or by a circuitous land route through Olympia. Thus, regulated handlers selling packaged milk on the peninsula obviously incur distribution costs not experienced by their unregulated competitors.

Certainly a major factor in the Puget Sound market is the premiums over order prices which regulated proprietary handlers pay cooperative associations and nonmember producers for their milk supplies. In 1963 and 1964, for instance, such premiums averaged 35 and 42 cents, respectively, per hundredweight. This undoubtedly affects a handler's position in the market relative to handlers who may not be paying comparable prices. This is not a circumstance which the order regulation is designed to change.

There is no indication that the inclusion in the marketing area of Kitsap, Mason, Clallam, and Jefferson Counties and certain northwestern areas of Pierce County is necessary to establish or maintain orderly marketing conditions. Accordingly, the proposals are denied.

Expansion of the marketing area as proposed herein will reduce the amount of producer milk sold outside the marketing area. However, out-of-area sales will still exist. Presently, all producer milk disposed of not only within the marketing area but outside such area is fully regulated and priced under the order. It is necessary that this arrangement be continued under the Puget Sound order. Otherwise, the effect of the order would be nullified and the orderly marketing process would be jeopardized.

If only his in-area sales were subject to classification, pricing and pooling, a regulated handler with Class I sales both inside and outside the marketing area could assign any value he chose to his outside sales. He thereby could reduce his average cost of all of his Class I milk below that of other regulated handlers having all, or substantially all, of their Class I sales within the marketing area. In short, unless all milk of such a handler is fully regulated under the order, he in effect would not be subject to effective price regulation. The absence of effective classification, pricing and pooling of such milk would disrupt orderly marketing conditions within the regulated marketing area and would lead to a complete breakdown of the order. If a pool handler were free to value a portion of his milk at any price he chooses, it would be impossible to enforce uniform prices to all fully regulated handlers or a uniform basis of payments to the producers who supply the market. It is essential, therefore, that the order price all the producer milk received at a pool plant regardless of the point of disposition.

Limited quantities of Class I milk may be sold within the regulated marketing area from plants not under any Federal order. There is, of course, no way to treat such unregulated milk uniformly with regulated milk other than to regulate it fully. Nevertheless, it has been concluded that the application of "partial" regulation to plants having less association than required for market pooling would not jeopardize marketing conditions within the regulated marketing area. Official notice is taken of the June 19, 1964, decision (29 F.R. 9214) supporting amendments to several orders, including the Puget Sound order.

The operator of this partially regulated plant is afforded the option of: (1) Paying an amount equal to the difference between the Class I price and the weighted average price for all milk with respect to all Class I sales made in the marketing area, (2) purchasing at the Class I price under any Federal order sufficient Class I milk to cover his limited disposition within the marketing area, or (3) paying his dairy farmers an amount not less than the value of all their milk computed on the basis of the classification and pricing provisions of the order (the latter representing an amount equal to the order obligation for milk which is imposed on fully regulated handlers).

While all fluid milk sales of the partially regulated plant are not necessarily

priced on the same basis as fully regulated milk, the provisions described are, however, adequate under most circumstances to prevent sales of milk not fully regulated (pooled) from adversely affecting operation of the order and the fully regulated milk.

2. *The regulation of producer-handlers.* Producer-handlers should continue to be exempt from the pooling and pricing provisions of the order. Also, certain restrictions now applicable to a person's designation as a producer-handler should be removed.

The order provides essentially that a person who is a dairy farmer and who processes in his plant and distributes in the marketing area milk of his own production may be defined as a producer-handler and may be accorded exemption from all payment obligations normally applicable to handlers fully regulated under the order. A producer-handler must meet certain requirements to acquire and maintain such status, principal of which are limitation on the sources from which he may receive milk, necessary ownership and control of production, processing and distribution facilities, and limitation on the acquisition and disposition of production resources and facilities.

The three major cooperative associations in the market proposed that various degrees of regulation, depending upon their size, should be applied to producer-handlers. Under their proposal a producer-handler whose daily Class I sales averaged 4,000 pounds or more would be fully regulated. If his daily Class I sales ranged between 2,000 pounds and 3,999 pounds, only partial regulation would apply. In this case, the degree of exemption of his own production from pooling and pricing would diminish as Class I sales neared the upper limit. A producer-handler having Class I sales of less than 2,000 pounds daily would be exempt from regulation, providing that any purchases of supplemental milk were made from pool sources. He would be required to submit reports if he had at least 110 pounds of Class I sales daily in the marketing area.

A proprietary handler proposed that producer-handlers whose average daily Class I sales exceed 2,000 pounds be subject to full regulation. Two other proposals by proprietary handlers, as set forth in the hearing notice, would fully regulate all producer-handlers, in the one case, and, in the other, would regulate producer-handlers with a large volume of sales in any one day. At the hearing proponents abandoned the latter proposals and supported the proposal made by the cooperative associations.

The need for regulating producer-handlers in this market has been considered at a public hearing on previous occasions. At those times it was not found necessary to pool and price the milk of such persons to achieve the purposes of the statute authorizing Federal orders. It should be made clear at this point, however, that the Secretary is empowered by the Act to impose through an order regulation of producer-handlers in their capacity as handlers, if justified by prevailing marketing conditions. Producer-handlers claimed at the hearing that the statutory authority for such regulation does not exist and that on this basis all proposals pertaining to the regulation of producer-handlers should be dismissed at the outset. They contended that producer-handlers cannot be fully regulated as handlers inasmuch as they do not purchase milk from, and pay prices to, producers. Producer-handlers also claimed that in the Puget Sound market they cannot be subjected to full regulation inasmuch as they sell milk and milk products solely within the State of Washington and, thus, not in interstate commerce.

Neither claim is valid. The authority to regulate a handler with respect to milk of his own production under the terms of the Agricultural Marketing Agreement Act has been upheld in the courts in several cases arising under different milk orders.

The authority to regulate all handlers in a market in which it is found that the handling of milk or its products is in the current of interstate or foreign commerce, or directly burdens, obstructs or affects interstate or foreign commerce in milk or its products, has also been established in the courts. There is no reason to believe that these decisions would not be equally applicable to the regulation of producer-handlers in the Puget Sound market.

In their exceptions, producer-handlers cited the failure of the recommended decision to give recognition to the "Food and Agriculture Act of 1965" insofar as it relates to the status of producer-handlers under the Federal order program. This legislation, which amended the Agricultural Marketing Agreement Act of 1937, was passed by Congress and made effective subsequent to the time this hearing was held. The part of the Food and Agriculture Act of 1965 which specifically relates to producer-handlers is set forth in section 104 under Title I. It reads as follows: "The legal status of producer handlers of milk under the provisions of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, shall be the same subsequent to the adoption of the amendments made by this title as it was prior thereto." In light of this, it must be held that the statutory authority to regulate producer-handlers, as upheld in the courts, is continued.

Forty-three producer-handlers now distribute milk of their own production in the Puget Sound marketing area. In 1964 they produced 46.1 million pounds of milk, of which 37.8 million pounds, or 82 percent, were disposed of as Class I milk in the marketing area. These sales represented 7.1 percent of the total in-area fluid milk sales. For March 1965, the most recent month for which data were available at the hearing, this percentage was 7.8.

Of the 43 producer-handlers, 23 had Class I disposition in December 1964 of less than 1,000 pounds daily. Their sales represented 9 percent of the total fluid sales of all producer-handlers that month. Of the remaining producer-handlers, four were in the 1,000- to 2,000-pound daily sales range and sold 5 percent of this total, eight were in the 2,000- to 4,000-pound category and sold 18 percent, and eight had daily volumes over 4,000 pounds and sold 68 percent of the producer-handler milk in the market.

The number of producer-handlers and the volume of their Class I sales have increased in recent years. In 1960, the first full year following the incorporation of the present producer-handler provisions in the order, there were 22 producer-handlers, of which 8 sold 2,000 pounds or more of Class I milk daily. The most rapid increase in numbers occurred in 1963 when there were 26 in January and 40 in December. Total producer-handler sales in the marketing area rose from 20.6 million pounds in 1960 (4.0 percent of total in-area sales) to 37.8 million pounds in 1964, an increase of 83 percent. By comparison fluid in-area sales of regulated handlers increased about 1.3 percent.

Proponents of regulating producer-handlers argued that the increase in producer-handler numbers and their sales has resulted because the exemption from pooling their own production provides producer-handlers with a competitive advantage as compared with milk of producers which is priced to handlers regulated under the order. Proponents maintained that the larger producer-handlers who have the preponderance of the total producer-handler sales therefore should be treated the same as other producers in their capacity as producers, and as fully regulated handlers in their capacity as handlers. This would be accomplished by requiring equalization with the pool on their own production, i.e., charging them class prices for their milk used and crediting them with producer prices.

The incentive which a producer has for becoming a producer-handler is the additional return which he may receive by marketing his production through his own processing and distribution facilities rather than through a regulated handler. The blend price (or base and excess prices) of the market represents the return that he as a producer may expect for his milk under the order. To the extent which he can sell a higher proportion of his production as Class I milk than the market average utilization of all producer milk in Class I, he as a producer-handler would have available the price differential between the utilization value of his own production and the order blend price which he could retain to enhance his returns as a producer or, as a handler, could use as a price incentive to maintain or increase fluid sales. This opportunity for a greater Class I utilization of his own production is evident by the fact that the average Class I utilization of producer milk by regulated handlers in 1964 was 45 percent, while producer-handlers' total Class I utilization of their own production (including both in-area and out-of-area sales) was 87 percent.

A realistic estimate under these circumstances of the competitive advantage

on Class I sales which proponents claimed producer-handlers enjoy may be made by comparing the Class I and producer base prices under the order. The base price is the producer price in this market which closely reflects the Class I utilization of producer milk. In 1964 producers received this price for 89 percent of their milk, with the remainder of their milk being priced at the excess (Class II) price. Producer-handlers sold approximately the same percentage of their milk as Class I, and realized a Class II return on the remainder. Thus, by comparing the Class I price to the price for base milk, a meaningful estimate can be made of the competitive advantage it is alleged producer-handlers enjoy with respect to the proportion of their production sold as Class I milk. In 1964 the order Class I price averaged $4.82 and the order base price averaged $3.99, a difference of 83 cents per hundredweight.

These order prices, however, do not represent the real measure of the effective Class I-blend price differential prevailing in the market. Under purchase and sale arrangements between cooperative associations and handlers, premium Class I prices prevail in the market. The difference in 1964 between the premium Class I price and the base price paid to members of the largest cooperative association averaged about $1.02. Similar premium prices have been in effect for many years with the average annual Class I premium varying between 37 and 48 cents per hundredweight since 1960.

An important factor in determining this difference between the Class I and base prices is, of course, the percentage of producer milk used in Class I. This percentage has been dropping steadily in the Puget Sound market, from 74 percent in 1952 to 51 percent in 1960 to the present 45 percent. Producer receipts have more than doubled since 1952, while Class I sales have increased about 26 percent. The extent to which premium prices over order prices have contributed to this increase in producer receipts cannot be appraised with accuracy, but premium prices must be recognized as a contributing factor.

Marketing margins are an additional factor affecting the marketing situation under which producer-handlers compete for sales. While Class I prices both under the order and on a premium basis were about the same in 1960 and 1964, the reported retail price to consumers was higher in 1964 than in 1960 by several cents per quart.

Proponents argue that exempting producer-handlers from pooling creates the potential whereby producer-handlers may ultimately have all Class I sales and producers and fully regulated handlers have only Class II utilization. They point out that as producer-handler sales increase the difference between the Class I and blend prices to producers increases and that producer-handlers thereby increase their competitive advantage. Nevertheless, sales of producer-handlers have not increased generally throughout the Federal order system, but on the average have declined despite the fact that the exemption from pooling applies in all such orders. The cooperative associations' proposals would have reduced the Class I-base price difference under the order by only about 2 cents per hundredweight. The proposals would affect only 16 of the 43 producer-handlers operating in the market and thus would leave essentially the same incentive as at present for new producer-handlers and for expansion to the 2,000-pound daily limit proposed.

While during recent years the Class I sales of producer-handlers have increased and producer-handlers with substantial production have become a more significant competitive factor in the market, it cannot be concluded, as proponents claim, that these increases are a result of the regulatory program. Producer-handler sales have not increased generally under Federal milk order programs. During this period of increasing producer-handler sales in this market factors outside the order (negotiated prices above order price levels and increased marketing margins) have contributed to widening the difference between the returns available when milk is marketed to regulated handlers by producers and those available when the producer acts as a producer-handler and sells his milk to consumers. It cannot be concluded that increased producer-handler sales in the Puget Sound market are a problem which the order has created. Neither can it be concluded that at this time regulation of producer-handlers as proposed is required to protect the regulatory scheme of the order.

A number of requirements which a producer-handler must meet in order to be designated as such are now incorporated in the order. Such provisions have the purpose of making a producer-handler rely almost entirely on his own production for his supply of milk. They also assure that a producer-handler bears the full financial responsibilities and risks associated with his entire milk operation. Producer-handlers considered these requirements as very stringent but indicated that they could continue to operate under them if they were allowed to remain free of full regulation. Cooperative associations, in conjunction with their proposal to apply various degrees of regulation to producer-handlers, proposed the elimination of these requirements. In view of their perhaps undue complexity, evaluation of the continued need for all facets of these requirements in light of their practical effect upon the maintenance of orderly marketing should be made.

It is concluded that the requirement that a person who has lost his designation as a producer-handler wait a year to regain such status should be removed. A minor failure to meet all requirements for producer-handler status can result in a person losing such status. The regulatory effect may often be disproportionate to the relative significance of the requirement which was not met. Under present circumstances this provision probably contributes only to a minor degree in this market to the maintenance of orderly marketing. Since they must rely on their own production, producer-handlers must establish adequate production facilities to assure a sufficient milk supply for their own operation. Because of this there is likely to be little reason for producer-handlers to shift in and out of the pool for the purpose of obtaining additional milk supplies. Removal of this requirement would provide a more reasonable application of regulation to producer-handlers.

The order should continue to provide that a producer-handler lose his status as such beginning with the month following that in which he violates the requirements for producer-handler status. Redesignation as a producer-handler should be preceded by the performance of such requirements for 1 month.

In connection with this change, certain additional provisions should be removed from the order inasmuch as they no longer would have any practical effect. The order now limits the times when a producer-handler may dispose of or acquire, without losing his status as a producer-handler, a dairy herd, cattle barn or milking parlor which has been used, or is subsequently used, by another person for producing milk which is delivered as producer milk to another handler. A producer-handler loses his status if he so transfers such resources and facilities during any of the months of March through July. Similarly, if a producer-handler so acquires such resources and facilities during any of the months of August through February, he loses producer-handler status. A related provision stipulates that a producer-handler may not again use these same resources and facilities if they were previously used by him during any of the preceding 12 months and subsequently used during that time by another person for the production of producer milk. The attached order reflects the deletion of these provisions.

An additional provision which allows a producer-handler to purchase an unlimited quantity of milk from pool plants during a single span of 45 consecutive days in any 12-month period should be deleted. Its purpose is to allow producer-handlers to obtain milk from sources other than their own production during emergency conditions. The provision was placed in the order in conjunction with other changes in the producer-handler provisions which would require that a producer-handler could not regain designation as such for 12 months once his designation was cancelled. The provision was considered at that time as a reasonable adjunct to the 12-month waiting period provision.

The removal of this latter 12-month provision would reduce considerably any adverse regulatory impact on a producer-handler who might find it necessary to purchase milk from pool sources during some emergency situation and thus lose his producer-handler status. As indicated, redesignation as a producer-handler would need to be preceded by meet-

ing the producer-handler performance requirements for only 1 month. Thus, the importance of the provision allowing unlimited purchases of pool milk for 45 days becomes considerably less in view of the other changes in the producer-handler provisions adopted herein.

The extent to which this provision has been used in emergencies was not indicated. A producer-handler witness testified, though, that producer-handlers as a group have purchased only very minor quantities of milk from regulated handlers. The continuance of this provision in conjunction with the removal of the 12-month waiting period for redesignation as a producer-handler would provide such person an opportunity to obtain unlimited quantities of milk from pool sources during much of the time he maintains producer-handler status. Removal of this provision would not affect the provision which allows producer-handlers to purchase from pool plants up to 100 pounds on a daily average of packaged fluid milk products, other than whole milk.

3. *The price for Class II Milk.* The Class II price should be the average price per hundredweight for manufacturing grade milk f.o.b. plants in Minnesota and Wisconsin, as reported by the U.S. Department of Agriculture, adjusted to a 3.5-percent butterfat test. Such class price should not exceed a price based on the market values of butter and nonfat dry milk.

The price under the order for Class II milk presently is based on a butter-powder formula which uses an average of prices at Chicago for butter (plus 3 cents per pound) and nonfat dry milk and a "make allowance" of 80 cents per hundredweight.

A producer organization proposed that the Class II price should at least equal the Minnesota-Wisconsin manufacturing price as reported by the Department. This was suggested as a means of increasing returns to producers. Use of this price in 1964 would have increased the actual Class II price level by 19 cents per hundredweight. An average price increase of 24.5 cents would have prevailed during the first 8 months of 1965. (For purposes of price comparisons made herein for the months of April through August 1965, official notice is taken of the Puget Sound market administrator's official price announcements which set forth class prices and related pricing factors for these months.)

The three major cooperative associations in the market opposed the use of the Minnesota-Wisconsin price series and contended that the Class II price should continue to be based on a butter-powder formula. They proposed a modification of the present formula which would increase the current Class II price level by 9 cents per hundredweight. The present price computation would be changed under their proposal by deleting the addition of 3 cents to the Chicago butter price and reducing the "make allowance" to 57 cents per hundredweight. The associations stated that the Class II price should continue to be based on the market values of butter and powder as these are the products into which a large part of the market's reserve milk supplies are converted. They argued that their proposal, in conjunction with the 10-cent bulk tank premium on producer milk which is being paid by all handlers, would result in the same level of returns to producers for Class II milk as would exist if the Minnesota-Wisconsin price series were adopted and the bulk tank premium were not paid.

Milk disposed of in manufactured (Class II) uses must be priced under the order at a level which will result in the orderly marketing of such milk. Within this concept, the price level should be that which will provide the highest possible returns to all producers in the market. At the same time the Class II price should reflect appropriately the competitive price structure for those milk products which are manufactured by Puget Sound handlers. In recent years less than one-half of the producer milk in this market has been needed for fluid purposes. Because of the substantial quantities of surplus milk, an appropriate Class II price level is of particular significance to both producers and handlers.

A Class II price based on the Minnesota-Wisconsin manufacturing milk price series, not to exceed a limit related to butter and nonfat dry milk values, should adequately meet these pricing objectives. The desirability of using a competitive pay price is based on the premise that in the highly competitive dairy industry average prices which are paid in areas where there is substantial competition for manufacturing milk provide as good a measure of its value as can be obtained. The Minnesota-Wisconsin price series is representative of prices paid to farmers for about one-half of the manufacturing grade milk sold in the United States. In Minnesota about 84 percent of the milk sold off farms is of manufacturing grade and in Wisconsin, about 58 percent. (Official notice is taken of the "Supplement for 1963–64 to Dairy Statistics through 1960", Statistical Bulletin No. 303, Economic Research Service, U.S.D.A., June 1965.) There are many plants in these States which are competing for such milk supplies. This price series reflects a price level determined by competitive conditions which are affected by demand in all of the major uses of manufactured dairy products. Further, it reflects the supply and demand of manufactured dairy products within a highly coordinated marketing system which is national in scale. Milk products which are manufactured by Puget Sound handlers compete within this system.

The Minnesota-Wisconsin price series is presently used under the order as the basic formula for establishing the price for Class I milk. Official notice is taken of the decision issued by the Assistant Secretary on November 14, 1962 (27 F.R. 11349), concerning the adoption of this price series as the basic formula price for the Puget Sound order. This decision describes the manner in which the price series is obtained.

Cooperative associations in the Puget Sound market assume the responsibility of disposing of milk not needed by other handlers for fluid and Class II uses. The associations handle a large proportion of the Class II milk in the market, most of which is manufactured at their plants into butter and powder. In 1964, about 42 percent of the market's surplus milk went into these uses.

Because of the nature of their manufacturing operations, these associations expressed much concern about the relationship of the Minnesota-Wisconsin prices and the purchase prices for butter and powder. The associations contended that the Minnesota-Wisconsin price series is not sufficiently sensitive to changes in the market value of individual manufactured products, particularly butter. The divergence between the Minnesota-Wisconsin prices and the combined butter and powder product prices which has prevailed in December 1964 and the first several months of 1965 was cited as an example.

In 1962 nearly one-half of the total production of butter and nonfat dry milk in the United States occurred in the States of Minnesota and Wisconsin. More specifically, the two States accounted for 44 percent of the total butter and 49 percent of the total nonfat dry milk that was manufactured that year. (Official notice is taken of "Agricultural Statistics 1964," published by the U.S. Department of Agriculture.) In view of the volumes of these products involved, it is reasonable to expect that the available returns from these products would be closely reflected at most times in the pay prices of the manufacturing plants in these States.

Recognition should be given, nevertheless, to the possibility that a particular segment of the manufactured milk industry may be unduly influenced occasionally by certain supply-demand conditions not affecting the remainder of the industry. Such conditions may not be reflected sufficiently in the Minnesota-Wisconsin price series. Because of the importance of butter and powder manufacturing in this market, it is desirable that the Puget Sound Class II price not exceed a price level based on a butter-powder formula. Using a butter-powder price as a ceiling will insure that the Class II price will continue to reflect the product values of butter and powder in the event of an undue divergence in the relationship between such values and the Minnesota-Wisconsin prices. If the Class II price is too high relative to the value of the residual uses for surplus milk, the associations cannot handle such milk except at a financial loss. In this circumstance, members of the associations would be penalized relative to nonmember producers on the market.

A "ceiling" limit based on butter and powder values is used in a number of Federal order markets in connection with the use of the Minnesota-Wisconsin price for pricing milk in manufacturing uses comparable to the Puget Sound Class II uses. This price limit in such markets is equivalent to a butter-powder formula price using the product yields and prices

suggested by the associations, with a "make allowance" of 48 cents. This formula would provide an upper limit to the Class II price which would be appropriate for conditions prevailing in the Puget Sound market, and should be adopted for that purpose.

Under the pricing scheme proposed herein, the Puget Sound Class II price would have averaged $3.144 per hundredweight, or 17.6 cents over the actual average price of $2.968, for the recent 5-year period of 1960 through 1964. Annually, the spread between proposed and actual average prices would not have varied from this difference by more than 3 cents. A similar average difference of 18 cents would have prevailed also for the first 8 months in 1965.

Over the 1960–64 period, the limiting effect of the proposed butter-powder formula on the Class II price would have been minimal. The Minnesota-Wisconsin price series averaged $3.158 in contrast to the proposed effective Class II price of $3.144 during this period, or a difference of 1.4 cents. The relationship of the Minnesota-Wisconsin prices and the combined market values of butter and powder thus has been relatively stable over an extended period of time. In light of this it is concluded that the Minnesota-Wisconsin price series would be a satisfactory basis on which to establish the Class II price for this market. The use of the proposed butter-powder formula as a price ceiling will, however, provide a proper pricing basis during those infrequent periods when significant differences between the Minnesota-Wisconsin prices and butter-powder product values prevail.

4. *Computation of butterfat differentials.* (a) The manner of computing the Class I and Class II butterfat differentials to handlers should be simplified. Such differentials are provided in the order for adjusting the class prices for each one-tenth of 1 percent that the butterfat content of the milk being prieed differs from 3.5 percent. Presently, the differentials are computed by adding 3 cents to the average daily wholesale price per pound for butter at Chicago, multiplying by 0.120 for Class I milk and by 0.115 for Class II milk, and rounding the result to the nearest tenth of a cent.

Such differentials should be computed by multiplying the Chicago butter price by 0.125 for Class I milk and by 0.120 for Class II milk, as proposed by producers. Elimination of the addition of 3 cents and adjustment of the factors of 0.120 and 0.115 to 0.125 and 0.120, respectively, would simplify the computation of the butterfat differentials without significantly affecting their present levels.

(b) A single producer butterfat differential should be applicable to all milk received from producers. The differential should be the average of the Class I and Class II butterfat differentials to handlers weighted by the amounts of butterfat in producer milk in each class of use. When making payments to producers, prices for both base milk and excess milk would be adjusted for the butterfat content of the producer's total deliveries by this differential.

The order now provides that the uniform price for base milk be adjusted for butterfat content by a differential which reflects the weighted average of butterfat in base milk which is assigned to each class. This differential applies on an annual basis to about 89 percent of the producer milk pooled under the order. The uniform price for excess milk is adjusted by the Class II butterfat differential to handlers.

The use of a single producer butterfat differential, which was proposed by producers, would simplify the computation of producer payrolls. There would be no appreciable change in returns to producers and no change in costs to handlers.

5. *Definitions relating to plants*—(a) *"Plant."* The "plant" definition should be revised to provide that a "reload point" not be considered as a plant if all the milk handled at such point during the month is moved to a single plant in the same pricing district.

A reload point is used primarily as a location at which milk is transferred from one farm pickup tank truck to another or to an over-the-road tank truck for further movement from farms to plants where it is processed. Under the present provisions a reload point is considered as a plant if it has appropriate health approval and is pooled as a "country plant" when shipments of milk from it to distributing plants qualifies it as such.

A proprietary handler operating two reload points in the same district as its distributing plant requested such a change in the order. The handler moves milk handled at each reload point to this distributing plant. When all of the milk received at a reload point is so moved, the handler desires that the reload point not be considered as a plant.

Revision of the plant definition in this manner would eliminate certain records which must be kept when the reload point is treated as a pool plant and would simplify the monthly reporting of receipts and utilization. Prices to producers would not be affected inasmuch as the point of receipt of their milk would still be in the same price zone.

The buildings, premises and storage facilities of a distribution point at which packaged fluid milk products are stored en route in the course of disposition should not be considered as a part of a plant. However, for classification purposes the disposition of such products may be considered under certain conditions as taking place at the time they leave the distribution point rather than when they leave the plant where packaged as is now the case.

A handler desired that such a distribution point be considered as part of the distributing plant at which the milk is processed and packaged. It was contemplated under this arrangement that for reporting purposes fluid milk products moved through a distribution point would be considered to have been disposed of when the products left the distribution point. Proponent claimed that the records of disposition it keeps for internal accounting would then more nearly conform with the records which it would have to keep for reporting and auditing purposes under the order.

As the order is now administered, disposition takes place at the time the products leave the plant where packaged. Under the handler's proposal, however, milk which had left the processing plant, but which had not been disposed of from the plant's distribution point, would be considered as part of the plant's inventory. Inasmuch as fluid milk inventories are classified as Class I milk under the Puget Sound order, classification of packaged products would be the same under either accounting procedure.

In the recommended decision it was indicated that the use under the order of only one accounting procedure for establishing the time when disposition takes place was generally desirable. It was concluded that the present accounting practice should be continued and that the order provisions should be clarified in this respect. Other than proponent, handlers apparently find the current accounting procedures satisfactory. Specific opposition to the mandatory use of proponent's proposed accounting method was expressed by a handler which has several distribution points.

After further consideration of the record in light of exceptions received, it is concluded that the accounting method used in this circumstance should be optional with the handler. However, certain conditions should be met if a handler wishes to have final disposition occur at the time the packaged milk leaves the distribution point. The distribution point should be located west of the Cascade Mountain Range. Also, fluid milk products should not be received during the month at the distribution point from more than one plant. In addition, the handlers should notify the market administrator of his intent to report regularly on the basis of disposition from such distribution point. Such conditions would facilitate the administration of these provisions.

(b) *"Pool plant."* A new "pool plant" definition with modified pooling requirements should be substituted for the present definitions of "fluid milk plant" and "country plant." As set forth in the attached order, plants now described as fluid milk plants would be defined as "pool distributing plants" and plants described as country plants would be defined as "pool supply plants." Such terms are commonly used in Federal orders and aptly describe the plants being defined.

Under the present Puget Sound order plants located in the marketing area need only be approved by appropriate health authorities for receiving milk qualified for consumption as fluid milk in the marketing area (Grade A milk) in order for their receipts to be included in the marketwide pool. Those plants which dispose of any fluid milk products on routes are "fluid milk plants" and other such plants are "country plants." Also included as country plants are plants located outside the marketing area which either ship milk to fluid milk plants or dispose of on routes in the

marketing area specified percentages of their receipts of Grade A milk from dairy farmers. One plant at Sequim in Clallam County is specifically designated as a country plant exempt from such performance standards. The performance standards required of out-of-area distributing plants are the same as for supply plants.

Sharing in the proceeds of the Class I utilization of a market-wide pool should be determined by the extent to which plants serve the fluid needs of the market. The marketing performance standards used for this determination at any time should be equal for all plants performing the same functions. Any plant, wherever located, should be eligible to become a pool plant if it meets such standards.

The present Puget Sound order provisions do not conform to these standards. They have worked reasonably well, though, for two reasons. The principal area of production for the market is within the marketing area, and there have been few outside milk supplies seeking entry to the Puget Sound market.

The specific amendments proposed in the notice of hearing were of a minor nature. They would incorporate into the "fluid milk plant" definition an exemption from regulation for plants with minor route disposition in the marketing area and would designate an additional "country plant" at Ellensburg, Wash., to be exempt from performance standards. The record shows the desirability of more uniform standards but does not provide the data upon which appropriate provisions may be based in all instances.

A pool distributing plant should be a plant from which distribution of fluid milk products in the marketing area averages more than 110 pounds daily and is 10 percent or more of the receipts of Grade A milk at the plant. A plant which distributes at least 10 percent of its receipts in the marketing area may reasonably be considered to be associated with the market to a degree that justifies its being fully regulated. Practically all distributing plants now operating in the market dispose of a much higher proportion of their receipts in the marketing area. Performance standards for distributing plants customarily require in addition that a substantial portion of receipts be disposed of on routes, either in or out of the area, in order that the plants that may qualify as distributing plants may be distinguished from those that qualify as supply plants. The record, however, does not provide sufficient basis for establishing either this qualification or uniform performance standards for all supply plants.

The order presently provides exemption from regulation for producer-handlers and nonpool plants selling not more than 3,400 pounds of fluid milk products per month in the marketing area. A uniform level of exemption from all regulation should apply to pool plants as well as to nonpool plants and producer-handlers. One hundred and ten pounds, approximately 50 quarts, daily is an appropriate standard for this purpose and is incorporated in the provisions for all three types of operations.

The record does not provide sufficient information upon which uniform performance standards for all supply plants may be established at this time. For this reason the present provisions are generally continued. The exemption from performance standards for designated plants located outside the marketing area should be discontinued, however. The Sequim plant is merely a receiving facility and substantially all of its receipts are shipped to fluid milk plants. It has met the specified performance standards at all times. While the Ellensburg plant has manufacturing facilities, it has continuously met the shipping requirements for pooling since becoming associated with the market in 1954.

6. *Definitions of "Handler," "Producer," and "Route disposition"*.—(a) "Handler." The handler definition should be changed to include a cooperative association with respect to bulk tank milk of its member producers which is received from the farm for delivery to a pool plant of another handler in a tank truck owned and operated by, or under contract to, the association.

Changes in the methods of handling milk make desirable responsive changes in the order provisions to allow a cooperative association to act in this capacity. For many years milk was picked up at farms in cans or, more recently, in relatively small tank trucks. In those production areas somewhat distant from distributing plants, the milk was collected at supply plants and then hauled in large transport trucks to distributing plants. Today, virtually all member milk is picked up at the farm in large tank trucks and much of it is delivered to distributing plants in these same trucks. Receipt of the milk at a supply plant is often no longer a necessary step in the movement of milk from the farm to a distributing plant.

Under the present order provisions, milk moved directly from the farm to a distributing plant is considered as producer milk of the plant operator. The operator is then the accountable handler for the milk. Cooperative associations, in marketing their members' milk, arrange for the milk to be moved from members' farms to the plants where needed. The order does not allow an association to be the accountable handler for milk of its members which is moved from farms directly to a distributing plant, however. Because of this it has become common practice for a cooperative association to have its pickup trucks stop, when en route from farms to distributing plants, at its supply plant where a token withdrawal of milk from the trucks is made. By establishing the supply plant as the original point of receipt, the milk is then considered as producer milk of the association. Settlement for the milk is made on the basis of an interplant transfer. The major cooperative associations in the market requested a change in the handler definition which would make such a practice unnecessary.

The change in the handler definition proposed herein would allow cooperative associations to move member milk directly from the farm to the plants where needed and still retain handler status with respect to the milk. Unnecessary hauling costs now incurred by the associations to establish receipt at their plant could be eliminated. Associations would have more flexibility in setting up routing arrangements which may need to vary from day to day as milk is moved to handlers' plants in the quantities and at the times requested by such handlers.

The association should be required to notify the market administrator and the operator of the pool plant to which the milk is delivered, in writing prior to the first day of the month in which any such deliveries occur, that it elects to be the handler for such milk. In this capacity the cooperative association should report such milk as a receipt of producer milk at the location of the pool plant to which the milk is delivered and should be the responsible handler for making payments to the producers involved. The milk should be classified according to the use or disposition by the operator of the pool plant and should be assigned to the plant operator's utilization as though the milk were producer milk of the operator. The value of the milk at class prices should be included in the plant operator's net pool obligation. The plant operator should be required to pay the association for the milk at not less than the "weighted average price for all milk," as adjusted by the butterfat and location differentials to producers. The plant operator also should be responsible for paying the administrative assessment applicable to such milk. In the event some of the milk for which the cooperative association is the handler is not delivered to a pool plant, the milk not delivered should be producer milk of the association in all respects.

This proposed method of accounting and paying for such milk by the handlers involved differs somewhat from the method contemplated by the proponent cooperative associations. Under their proposal, the bulk tank milk of member producers moved directly from the farm to another handler's plant would be considered as a diversion of milk to such plant from the association's plant where the milk is normally received when not needed for bottling purposes. Accountability and payment for the milk under the order then would be in accordance with the rules applicable to interplant transfers of milk. Also, under their proposal the milk would be considered for pricing purposes to have been received by the association at the location of the plant which it operates if the plant to which the milk is physically delivered is subject to the same or lesser location adjustment as the association's plant. If a greater location adjustment is applicable, receipt would be at the plant to which the milk was delivered.

Permitting a cooperative association to be the handler for direct-delivered bulk tank milk should not be restricted to an association that operates a plant. This requirement would not offer any advantages to an association which could not be realized under the order provisions proposed herein. Being such a handler would be optional with the association and it could choose, of course, that method of operation which best accommodates its needs. As indicated, the handler operating the plant to which the milk is delivered would be required to settle for such milk with the producer-settlement fund at the class prices and with the association involved at the weighted average price. This has the merit that any adjustments in the handler's pool obligation which are found necessary on the basis of audit may be made directly with the handler.

In their exceptions, the proponent cooperative associations stated that if their specific proposal on this issue was not adopted they preferred no change in the present order provisions relating to cooperative associations as handlers. The use of the provisions adopted herein would be entirely optional on the part of cooperative associations. These provisions are appropriate in the circumstances where associations may wish to market member milk in this manner. The provisions are therefore retained in the proposed amended order so as to be available for use by cooperative associations.

(b) *"Producer."* The producer definition should be modified to exclude any dairy farmer whose milk is diverted from a plant regulated under another order to a pool plant if the milk retains status as producer milk under such other order. Also, any dairy farmer who disposes of on a route or to consumers at the farm a daily average of more than 110 pounds of fluid milk products should not be allowed producer status under the order.

This proposal, which was made by cooperative associations in the Puget Sound market, would allow surplus milk from other federally regulated markets to be delivered directly from the farm to Puget Sound pool plants for disposal without such milk being pooled under the Puget Sound order. Producer associations in the Inland Empire market were described as occasionally having milk in excess of that which could be handled at facilities in that market. Pool plants in the Puget Sound market which have manufacturing facilities are available as an outlet for such milk. Under the present provisions, however, such milk, if moved directly from the farm to a Puget Sound pool plant, becomes pool milk under the Puget Sound order. The proponent associations which operate manufacturing plants will not accept such milk at their plants unless the milk has been received first at a plant pooled under the Inland Empire order. This has necessitated extra hauling, particularly in the case of producers in that market located in the Columbia Basin whose milk must be hauled east to a pool plant at Spokane and then west beyond the Columbia Basin area to the Puget Sound market. The movement of milk is then considered as an interorder transfer and the milk is not pooled under the Puget Sound order. Adoption of the proposal would facilitate the economical movement and orderly disposition of the surplus milk without diluting returns to the Puget Sound producers from Class I sales in the market.

The proposed change should be limited only to milk which is classified and priced under other Federal orders. As proposed by the proponent associations, dairy farmers whose milk is diverted from unregulated distributing plants to Puget Sound pool plants for manufacturing also would be excluded from being producers. Such persons and their milk are often difficult to identify, however, in contrast to producers and producer milk as defined by an order. The movement of surplus milk from the Yakima, Washington, area, which was singled out by proponents in conjunction with this proposal, to Puget Sound pool plants on an interplant basis was described as not involving any extra hauling. No modification of the order to accommodate such milk thus appears necessary.

The exclusion from producer status of a dairy farmer selling more than 110 pounds daily of fluid milk products would affect primarily those dairy farmers who process and distribute their milk outside the marketing area through their own plant but who do not qualify as producer-handlers under the order. Presently, such persons may ship milk which is surplus to their operations to a pool plant and gain producer status. Such milk does not represent a dependable supply of milk for the fluid requirements of the Puget Sound market nor is it intended as such by the shipper. The regulated market is used merely as an outlet for milk which he produces in excess of his own Class I requirements. In this circumstance it is not appropriate that such a person share in the returns from the Class I sales of the regulated market. Similar treatment is now applicable to persons who qualify as producer-handlers under the order.

(c) *"Route disposition."* A new definition of "route disposition" should be added. As set forth in the attached order, route disposition would mean any delivery, including delivery at a plant, plant store or eating place and delivery by a vendor or through a distribution point, of fluid milk products. A delivery of such products to a milk plant or in bulk to a commercial food processing establishment, however, would be excluded. Also, delivery to a military or other ocean transport vessel leaving the marketing area of fluid milk products which originated at a plant located outside the marketing area and were not received or processed at any pool plant would not be considered route disposition. This definition would not change in any way the present concept of what constitutes disposition on routes. It would merely simplify and clarify the remaining provisions of the order.

7. *Division of the shrinkage allowance between handlers.* The maximum allowance for shrinkage classified as Class II should be divided between receiving and processing handlers.

Producer groups proposed that the handler who first receives milk from producers should be allowed Class II shrinkage on the milk of up to 0.5 percent of the receipts. The handler who processes the milk should be allowed up to 1.5 percent Class II shrinkage on such milk. The total Class II shrinkage allowed under the proposal would be equal to that which is now allowed under the order. Presently, only the handler who first receives the milk may claim any Class II shrinkage.

Division of the shrinkage allowance in this manner would be in accord with the normal expectation that greater shrinkage occurs in processing milk than in receiving milk. This arrangement would be especially appropriate in this market since milk is often received at supply plants and then moved to distributing plants for processing. The shrinkage proposal was made in conjunction with the producer proposal, which is adopted herein, that a cooperative association be permitted to be the handler on direct-delivered bulk tank milk of its member producers. Division of the shrinkage allowance is a necessary adjunct to the practical use of this option by a cooperative association.

Under this provision as set forth in the attached order, the present two percent Class II shrinkage allowance would be retained for a plant operator who receives his milk supply directly from producers and processes it and disposes of no milk to other plants. In those circumstances where producer milk is received at a plant, or is received by a cooperative association in its capacity as a handler for bulk tank milk of its members, and is then transferred to another pool handler for processing, the total allowable shrinkage would be split. The handler receiving the milk from producers would be allowed Class II shrinkage of up to 0.5 percent while the processing handler would be allowed Class II shrinkage of up to 1.5 percent. Any handler diverting milk to a nonpool plant also would be allowed up to 0.5 percent shrinkage on such milk. These shrinkage limits are in line with normal experience in many federally regulated markets.

The order should provide that when a handler receives milk from a cooperative association which is the handler for bulk tank milk of its members, the entire two percent allowance accrues to the handler if he elects to purchase the milk from the association on the basis of farm weights and individual producer tests. In this case the association would have no need for a shrinkage allowance on such milk. A handler making such election should notify the market administrator to that effect. Similarly, if the operator of the nonpool plant to which milk is diverted purchases the milk on the basis of farm weights and individual producer tests, no shrinkage allowance should apply for the diverting handler.

8. *Changes in the classification provisions.* On the basis of proposals by certain proprietary handlers and cooperative associations, certain changes in

the classification of milk should be made.

Cream which is transferred under certain conditions to a nonpool plant located outside the marketing area and the counties of Kitsap, Mason, Clallam, Jefferson, and Pierce should be classified as Class II milk rather than as Class I milk. Such classification should be allowed only if the nonpool plant neither distributes fluid milk products on routes nor disposes of them to other nonpool plants. Also, the market administrator must be permitted to audit the records of the nonpool plant.

A proprietary handler requested such classification for cream which it wants to ship from its pool manufacturing plant to either of its manufacturing plants at Gustine, Calif., and Johnstown, Colo. The cream becomes available through the standardization of milk for its evaporated milk operation at the pool plant. The distant plants named have only manufacturing operations.

Cream disposed of outside the market in this manner should be classified as Class II milk. Returns to producers would not be affected in any manner. Proponent, on the other hand, would have greater latitude in utilizing its available facilities. A substantial decrease in the number of available butter churning facilities in the market further supports this action.

Any milk or milk products sterilized and packaged in hermetically sealed glass containers should be classified as Class II milk. This classification is now applicable to milk so packaged in metal containers. A proprietary handler which regularly ships milk and milk products to Alaska requested this modification. The handler contemplates moving through its pool plant a sterilized, hermetically sealed cream product packaged in glass containers. The product is packaged in California and would be consolidated at the handler's plant with other milk products for shipment to Alaska. There is no need to differentiate between sterile products packaged in metal containers and such products in glass containers. The classification provisions should be changed accordingly.

A further change regarding the classification of milk sterilized and packaged in hermetically sealed containers which was proposed by producer groups should not be adopted. Under their suggested classification provisions, as set forth in the hearing notice, such milk, except evaporated milk, would be classified as Class I rather than Class II unless disposed of outside the marketing area. No justification for this change was given at the hearing and the change should not be made.

The producer proposal that fluid milk products which are dumped be classified as Class II milk should be adopted. Under normal circumstances handlers experience some spoilage of fluid milk products for which there is no commercial value. This occurs particularly with route returns of packaged products. Occasionally, milk which is being processed into cottage cheese will not "set" and must be dumped. Accordingly, such milk should not be valued under the order at the Class I price. The order should provide that the handler give such prior notice and opportunity for verification as may be required by the market administrator before such dumping occurs.

The classification provisions should be modified to provide that fluid milk products be classified as Class II milk if disposed of in bulk to any type of commercial food processing establishment for use in food products which are processed for general distribution to the public for consumption off the premises. Such an establishment would exclude any facility, such as various types of catering kitchens and kitchens of restaurant chains, at which the principal function is the preparation of food or meals for use within a limited period of time. The order now limits such establishments to bakeries, soup companies and candy manufacturing establishments.

This change would allow a Class II classification on sour cream disposed of in bulk to manufacturers of salad dressings. A witness for the principal producer group indicated that this classification change is desirable since such manufacturers represent an important outlet for producer milk. He indicated that sour cream cannot compete for these outlets when priced at the higher class value. Such disposition of sour cream is similar to disposition of fluid milk products for bakery, soup and candy uses and should be treated similarly.

9. *Accounting for nonfluid milk products used for reconstitution and fortification of fluid milk products.* The order should be clarified as to the manner in which handlers should account for nonfat milk solids used for fortifying fluid milk products. The order presently does not set forth clearly the accounting procedure to be used. Producers proposed that the market administrator's instructions to handlers concerning this matter be incorporated in the order.

Any fluid milk products fortified with added nonfat milk solids should be Class I milk in an amount equal only to the weight of an equal volume of a like unmodified product of the same butterfat content. The reportable quantity of nonfluid milk products used for fortification should be a weight equal to the increase in volume of the fluid milk products caused by the addition of the fortifying product. This quantity of nonfluid milk products should be reported as a receipt of other source milk.

This manner of accounting for nonfat milk solids is now being used to implement the classification and pricing of producer milk under the order. Setting forth in the order the specific accounting procedures for fortified products would facilitate the administration of the order.

The order also should be modified with respect to accounting for nonfluid milk products used in reconstituting fluid milk products. The order now provides that when skim milk or milk drinks are reconstituted the volume of the nonfluid milk products used shall be equivalent to the skim milk used to produce the nonfluid milk products. This accounting procedure should be used in the case of all reconstituted fluid milk products. The fluid milk equivalent of the nonfat milk solids used for reconstitution would be considered as other source milk.

Nonfluid milk products are ordinarily derived from unpriced milk or milk which has been priced as surplus milk under a Federal order. An economic incentive exists for handlers to substitute reconstituted fluid milk products for fluid milk products processed from current receipts of producer milk. Since such substitution would displace an equivalent amount of producer milk in Class I, the application of fluid equivalent pricing to all types of reconstituted fluid milk products is appropriate.

10. *Suspension or modification of the base-excess plan.*

(a) The base-excess plan used for distributing returns to producers should be continued.

A relatively small number of producers affiliated with a national farm organization proposed that the base-excess plan now provided for in the order be suspended for a trial period of 2 years beginning January 1, 1966. During this period a substitute base plan would be used which, in essence, would relate producers' bases to Class I utilization in the market. The producers contended that the present base-excess plan no longer is serving a useful purpose. They claimed that the plan induces the production of additional unneeded milk as producers attempt to establish larger bases.

Aside from the issue of whether the present base-excess plan is appropriate, consideration of the substitute base plan suggested by producers is not warranted. The order provisions which would be needed to implement such a plan were not developed sufficiently at the hearing to allow adequate appraisal of it. Furthermore, most of the Puget Sound producers were not aware that a base plan of this nature was to be considered at this proceeding inasmuch as the plan was not set forth in the notice of hearing. All producers in the market should have full opportunity to develop the necessary provisions of any base plan which might be adopted.

The purpose of the base-excess plan in the Puget Sound order has been to encourage a more even seasonal pattern of milk production. The normal pattern usually results in a greater supply of milk in the spring and early summer months. The base-excess plan has been in effect since the beginning of the order in 1951. Data for the market indicate a leveling of the seasonal variation in production since that time. In 1952 the average daily delivery per producer in the month of greatest production was 53 percent more than in the month of least production. For 1958 and 1964 comparable figures are 36 percent and 23 percent, respectively. It must be assumed that the base-excess plan has been a major factor in the changing production pattern for this market.

It cannot be determined that there is any direct relationship between this base-excess plan and the substantial

amount of surplus milk in this market. Changes in technology and feeding and breeding practices cannot be overlooked as contributing significantly to the more than twofold increase since 1952 in the average daily delivery per producer. Withdrawing the base-excess plan on the basis that it contributes to excess production cannot be justified sufficiently to warrant such action.

The base-excess plan is a means of distributing to producers the total returns for their milk pooled under the order. Handlers' costs are not affected by the plan. Considerable weight, therefore, should be given to the desire of producers in the market as to whether they want such a plan. A large segment of such producers expressed opposition to the proposal to suspend the plan. They contended that the plan has been effective in leveling the seasonal variation of production.

In view of these considerations, the proposal is denied.

(b) No change should be made in certain parts of the provisions relating to the base-excess plan as suggested by cooperative associations. Producers proposed that any milk produced by a producer but which is not delivered to a plant because of circumstances generally beyond his control should be included in his total volume of milk used in computing his base. Also, they proposed that the order specify that a base may be computed for a producer-handler who discontinues operations as such or fails to meet the requirement for handler status.

Since the hearing was held, the Agricultural Marketing Agreement Act has been amended. Certain of the changes to the statute relate to the specific provisions which authorize base-excess plans such as is in the Puget Sound order. At the time producers were proposing certain changes in the base-excess plan, they were not aware, of course, of the forthcoming changes in the Act. Since the evidence offered in support of these proposals for relatively minor changes in the base-excess plan was given without knowledge of the statutory change in procedures, it is concluded that a decision on these proposals should not be made on the basis of this record.

11. *Miscellaneous changes.*

(a) Reports of receipts and utilization which handlers must submit to the market administrator each month should be required to be submitted in the detail and on forms prescribed by the market administrator. This requirement, which has been set forth in the order since its inception, was omitted when the order was amended effective August 1, 1964. Reinstatement of the requirement will assure uniformity in reporting procedures and facilitate the classification and pricing of milk.

(b) A proposal was made by cooperative associations which would restate in conformance with other proposals the order language relating to location adjustments on Class II milk. During consideration of this proposal at the hearing, a proprietary handler proposed that the amount of adjustment be changed. Presently, a plus 25-cent location adjustment is applicable at pool plants located in District 1 or in the counties of Kitsap, Mason, or Pierce on milk which is utilized in certain Class II products, principal of which are ice cream and cottage cheese. It was proposed that this location adjustment be reduced to 15 cents per hundredweight.

The evidence is inconclusive as to whether a location adjustment other than that presently used would be appropriate under existing marketing conditions. Questions raised in the record concerning this issue, such as (1) the availability of milk for Class II use at District 1 plants at a lesser location adjustment, (2) the quantities of milk which must be shipped from supply plants to District 1 distributing plants for "premium" Class II uses, and (3) current transportation costs, suggest that a more thorough review be given the matter than occurred at the hearing. Accordingly, this change is not adopted.

(c) The market administrator should be required to report to a cooperative association, at the latter's request, the pro rata share of a handler's Class II utilization subject to a location adjustment which is assignable to milk of member producers caused to be delivered by the association directly from farms to the handler's plant. Such milk should include any bulk tank milk for which a cooperative association is the handler. Under present provisions a cooperative association may obtain similar information with respect to a handler's utilization of such milk in each class but without a detailed breakdown of the Class II uses.

As indicated above, milk used in certain Class II products at certain pool plants is subject to a plus 25-cent per hundredweight location adjustment. Knowing how much of its milk is used in these particular Class II products may assist the association in allocating available supplies of milk to handlers to the best advantage of the association. Confidentiality of the handler's operations would not be jeopardized under this arrangement.

(d) The order should provide that in the absence of specific tests the butterfat content of skim milk which a handler receives, uses or disposes of shall be 0.06 percent. Currently, if no butterfat test has been made the test of the skim milk is assumed to be zero. No practical method of separation removes all of the butterfat from milk, however. Thus, if the butterfat test of the skim milk which remains is considered as zero, a problem of accounting for all butterfat received may result. When large quantities of skim milk are involved, a handler may experience excessive shrinkage or some overage of butterfat. The application of an assumed butterfat test would tend to mitigate the problem. A test of 0.06 percent appears appropriate for this purpose.

(e) The order now provides that reporting of receipts and utilization and classification and assignment of milk shall be done on the basis of each plant which a handler operates. However, if a handler operates more than one pool plant and receives bulk fluid milk products from an unregulated supply plant or an other order plant which are to be assigned pro rata to his utilization, such assignment is based on the overall utilization of milk of all the pool plants of the handler. This arrangement may necessitate "borrowing" utilization from one plant for assignment purposes in another of the handler's plants.

This procedure is simplified in the attached order. It is provided that after classification of milk at each of the handler's pool plants is made, the utilization in each class at all of the plants shall be combined before assigning receipts of milk to the handler's utilization. If the handler has not received any other source milk which is subject to a pro rata assignment, assignment of receipts would be done on an individual plant basis.

(f) The entire order should be rewritten. The adoption of various proposals necessitates, of course, certain changes in the specific provisions involved. In addition, changes in other provisions are required to make the entire order conform with the amendments proposed herein. In view of the extensive changes, this occasion is an appropriate time for redrafting the entire order for the purpose of providing greater clarity in all provisions.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Puget Sound, Wash., Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Puget Sound, Wash., Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Referendum order; determination of representative period; and designation of referendum agent. It is hereby directed that a referendum be conducted to determine whether the issuance of the attached order regulating the handling of milk in the Puget Sound, Wash., marketing area, is approved or favored by the producers, as defined under the terms of the order as amended and as hereby proposed to be amended, and who, during the representative period were engaged in the production of milk for sale within the aforesaid marketing area.

The month of January 1966 is hereby determined to be the representative period for the conduct of such referendum.

Nicholas L. Keyock is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders (30 F.R. 15412), such referendum to be completed on or before the 30th day from the date this decision is issued.

Signed at Washington, D.C., on May 10, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] amending the order regulating the handling of milk in the Puget Sound, Wash., marketing area

Sec.

DEFINITIONS

1125.1 Act.
1125.2 Secretary.
1125.3 Department.
1125.4 Person.
1125.5 Cooperative association.
1125.6 Puget Sound, Wash., marketing area.
1125.8 Pool plant.
1125.9 Nonpool plant.
1125.10 Handler.
1125.11 Producer.
1125.12 Producer milk.
1125.13 Other source milk.
1125.14 Producer-handler.
1125.15 Fluid milk product.
1125.16 Route disposition.
1125.17 Base.
1125.18 Base milk and excess milk.
1125.19 Chicago butter price.

MARKET ADMINISTRATOR

1125.20 Designation.
1125.21 Powers.
1125.22 Duties.

REPORTS, RECORDS, AND FACILITIES

1125.30 Monthly reports of receipts and utilization.
1125.31 Payroll reports.
1125.32 Other reports.
1125.33 Records and facilities.
1125.34 Retention of records.
1125.35 Handler report to producers.

CLASSIFICATION

1125.40 Skim milk and butterfat to be classified.
1125.41 Classes of utilization.
1125.42 Shrinkage.
1125.43 Responsibility of handlers and reclassification of milk.
1125.44 Interplant movements.
1125.45 Computation of skim milk and butterfat in each class.
1125.46 Allocation of skim milk and butterfat classified.

MINIMUM PRICES

1125.50 Basic formula price.
1125.51 Class prices.
1125.52 Butterfat differentials to handlers.
1125.53 Location adjustments on Class I milk.
1125.54 Location adjustments on Class II milk.
1125.55 Use of equivalent prices.

DETERMINATION OF BASE

1125.60 Computation of producer bases.
1125.61 Base rules.

APPLICABILITY OF PROVISIONS

1125.65 Producer-handlers.
1125.66 Plants subject to other Federal orders.
1125.67 Obligations of handler operating a partially regulated distributing plant.

DETERMINATION OF UNIFORM PRICES

1125.70 Computation of the net pool obligation of each pool handler.
1125.71 Computation of weighted average price for all milk.
1125.72 Computation of uniform prices for base milk and excess milk.

PAYMENTS

1125.80 Time and method of payment to producers and to cooperative associations.
1125.81 Location adjustments to producers and on nonpool milk.
1125.82 Producer butterfat differential.
1125.83 Producer-settlement fund.
1125.84 Payments to the producer-settlement fund.
1125.85 Payments out of the producer-settlement fund.
1125.86 Adjustments of accounts.
1125.87 Marketing services.
1125.88 Expense of administration.
1125.89 Termination of obligations.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

1125.90 Effective time.
1125.91 Suspension or termination.
1125.92 Continuing obligations.
1125.93 Liquidation.

MISCELLANEOUS PROVISIONS

1125.100 Agents.
1125.101 Separability of provisions.

AUTHORITY: The provisions of this Part 1125 issued under secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

§ 1125.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Puget Sound, Wash., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held;

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 4 cents per hundredweight, or such amount not to exceed 4 cents per hundredweight as the Secretary may prescribe, with respect to (a) producer milk (including such handler's own production), (b) other source milk allocated to Class I pursuant to § 1125.46 (a) (3) and (6) and the corresponding steps of § 1125.46 (b) and (c) packaged Class I milk disposed of on routes within the marketing area from a partially regulated distributing plant which exceeds Class I milk received during the month at such plant from pool plants and other order plants.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Puget Sound, Wash., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on December 2, 1965, and published in the FEDERAL REGISTER on December 8, 1965 (30 F.R. 15152; F.R. Doc. 65–13098) shall be and are the terms and provisions of this order, and are set forth in full herein, subject to the following modifications.

Changes are made in §§ 1125.7(b), 1125.15, 1125.16(b), 1125.22(f), 1125.41 (b) (3), 1125.45 (a) and (c), 1125.46(a) (6) and (7), 1125.51(a), 1125.61 (b) and (d), and 1125.66(a).

DEFINITIONS

§ 1125.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 et seq.).

§ 1125.2 Secretary.

"Secretary" means the Secretary of Agriculture, or other officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

§ 1125.3 Department.

"Department" means the U.S. Department of Agriculture or such other Federal agency authorized to perform the price reporting functions specified in this part.

§ 1125.4 Person.

"Person" means any individual, partnership, corporation, association, or any other business unit.

§ 1125.5 Cooperative association.

"Cooperative association" means any cooperative marketing association of producers, duly organized as such under the laws of any State, which includes members who are producers as defined in § 1125.11 and which the Secretary determines, after application by the association:

(a) To be qualified under the standards set forth in the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";

(b) To have its entire organization and all of its activities under the control of its members; and

(c) To be currently engaged in making collective sale of or marketing milk or its products for its members.

§ 1125.6 Puget Sound, Wash., marketing area.

"Puget Sound, Wash., marketing area" (hereinafter called the "marketing area") means all territory geographically within the places listed below, including all territory wholly or partly therein occupied by government (municipal, State or Federal) reservations, facilities, installations or institutions:

WASHINGTON COUNTIES

Grays Harbor.
Island.
King.
Lewis (except the town of Vader).
Pacific (all territory north of township 11 N except Long Island and the North Beach Peninsula).
Pierce (except Fox, McNeil, and Anderson Islands and the peninsulas adjacent to Kitsap County).
San Juan.
Skagit.
Snohomish.
Thurston.
Whatcom.

"District 1" shall include that portion of the marketing area in Grays Harbor, King, Pierce, Snohomish, and Thurston Counties. "District 2" shall include Whatcom County. "District 3" shall include that portion of the marketing area in Lewis and Pacific Counties. "District 4" shall include Skagit and Island Counties. "District 5" shall include San Juan County.

§ 1125.7 Plant.

"Plant" means the land, buildings, surroundings, facilities and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment, which is maintained and operated primarily for the receiving, handling and/or processing of milk and milk products.

(a) The buildings, premises and facilities, including facilities for washing tanks, of a reload point used primarily as a location at which milk is transferred from one farm pickup tank truck to another or to an over-the-road tank truck, and approved for such use by an appropriate health authority, shall constitute a plant, unless all milk handled through such reload point during the month is moved to a single plant in the same district. Any reload point on the premises of a plant engaging in other operations shall constitute a part of the operations of such plant.

(b) The buildings, premises and storage facilities of a distribution point at which are stored en route in the course of disposition fluid milk products that have been processed and packaged in consumer-type packages at a distributing plant shall not constitute a plant. Operations of such a distribution point located on the premises of a nonpool plant or a supply plant shall not constitute a part of the operations of such plant. Fluid milk products moved through a distribution point shall be classified on the basis of disposition from the distributing plant at which processed and packaged, unless the following conditions are met, in which case such products may be classified on the basis of disposition from such distribution point:

(1) Such distribution point is located west of the Cascade Mountain Range;

(2) Fluid milk products are not received during the month at such distribution point from more than one plant; and

(3) The handler operating such distributing plant notifies the market administrator of his intent to report regularly on the basis of disposition from such distribution point.

§ 1125.8 Pool plant.

"Pool plant" means any plant, other than an other order plant or the plant of a producer-handler, approved by a health authority having jurisdiction in the marketing area for receiving, processing or packaging of milk qualified for distribution as Grade A milk, which meets the conditions of paragraph (a) or (b) of this section:

(a) Any such plant, hereinafter referred to as a "pool distributing plant", from which during the month route disposition of fluid milk products in the marketing area averages more than 110 pounds daily and is also 10 percent or more of receipts of Grade A milk at such plant; or

(b) Any other such plant (including any reload point constituting a plant), hereinafter referred to as a "pool supply plant", at which milk so qualified is received from dairy farmers or a cooperative association pursuant to § 1125.10(f), and which is:

(1) Located in the marketing area; or

(2) Located outside the marketing area, and from which is moved in fluid form as milk to a pool distributing plant at least the following applicable percentage of both the skim milk and butterfat in Grade A milk received from dairy farmers:

(i) During the months of October through December, 50 percent of such receipts during the month; or

(ii) During the months of January through September, 20 percent of such receipts during the month, except that any plant which shipped more than 50 percent of such receipts during the entire period of October through December immediately preceding shall be a pool plant for each of the months of January through September.

(3) Any plant which otherwise meets the requirements of this paragraph may withdraw from pool supply plant status for any month in the January–September period if the operator of the plant files with the market administrator,

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

prior to the first day of such month, a written request for such withdrawal.

§ 1125.9 Nonpool plant.

"Nonpool plant" means any plant other than a pool plant. The following categories of nonpool plants are further defined as follows:

(a) "Other order plant" means a plant that is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act.

(b) "Producer-handler plant" means a plant operated by a producer-handler as defined in any order (including this part) issued pursuant to the Act.

(c) "Partially regulated distributing plant" means a nonpool plant that is neither an other order plant nor a producer-handler plant, from which during the month an average of more than 110 pounds daily of fluid milk products is disposed of on routes in the marketing area.

(d) "Unregulated supply plant" means a nonpool plant that is neither an other order plant nor a producer-handler plant, from which fluid milk products qualified for distribution as Grade A milk are moved to a pool plant during the month.

§ 1125.10 Handler.

"Handler" means any person in his capacity as:

(a) The operator of one or more pool plants;

(b) The operator of a partially regulated distributing plant;

(c) The operator of an other order plant from which fluid milk products are disposed of on a route in the marketing area;

(d) A producer-handler;

(e) Any cooperative association with respect to milk of its member producers caused to be diverted for the account of such cooperative association from a pool plant of another handler to a nonpool plant; or

(f) Any cooperative association with respect to milk of its member producers which is received from the farm for delivery to the pool plant of another handler in a tank truck owned and operated by, or under contract to, such cooperative association, if the cooperative association notified the market administrator and the operator of the pool plant to whom the milk is delivered, in writing prior to the first day of the month in which the milk is delivered, that it elects to be the handler for such milk. For purposes of location adjustments to producers such milk is considered to have been received from producers by the cooperative association at the location of the pool plant to which it is delivered.

§ 1125.11 Producer.

"Producer" means any person engaged in the production of milk of dairy cows:

(a) Who produces such milk in compliance with the Grade A inspection requirements of a duly constituted health authority;

(b) Whose milk during the month is received at a pool plant or is diverted from a pool plant to a nonpool plant pursuant to § 1125.12, unless such milk is received at a pool plant by diversion from an other order plant and retains status as producer milk under the order by which such plant is regulated;

(c) Who is not a producer-handler as defined in any order (including this part) issued pursuant to the Act; and

(d) Who during the month has not disposed of on a route or to consumers at the farm an average of more than 110 pounds daily of fluid milk products.

§ 1125.12 Producer milk.

"Producer milk" or "milk received from producers" means skim milk and butterfat in milk produced by producers which is received for the account of a handler as follows:

(a) With respect to receipts at a pool plant, producer milk shall include:

(1) Milk received at such plant directly from producers;

(2) Milk diverted from such pool plant to a nonpool plant for the account of the operator of the pool plant, subject to the condition set forth in paragraph (c) of this section; and

(3) Milk received at such pool plant from a cooperative association in its capacity as a handler pursuant to § 1125.10(f), for all purposes other than those specified in paragraph (b)(2)(i) of this section;

(b) With respect to milk for which a cooperative association is a handler in a capacity other than as the operator of a pool plant, producer milk shall include:

(1) Milk diverted from the pool plant of another handler to a nonpool plant for the account of the cooperative association, subject to the condition set forth in paragraph (c) of this section; and

(2) Milk for which the cooperative association is a handler pursuant to § 1125.10(f) to the following extent:

(i) For purposes of reporting pursuant to §§ 1125.30(c) and 1125.31(a) and making payments to producers pursuant to § 1125.80(a); and

(ii) For all purposes, with respect to any such milk which is not delivered to the pool plant of another handler; and

(c) For purposes of location adjustments pursuant to §§ 1125.53, 1125.54 and 1125.81, milk diverted to a nonpool plant shall be priced at the location of the plant to which diverted.

§ 1125.13 Other source milk.

"Other source milk" means all skim milk and butterfat contained in:

(a) Receipts during the month of fluid milk products from any source (including all receipts in fluid form from a producer-handler or the plant of a producer-handler as defined under this or any other Federal order) except:

(1) Producer milk; and

(2) Receipts from other pool plants; and

(b) Nonfluid and residual products (including those processed at the plant) which are reprocessed in connection with, or converted to, a fluid milk product during the month. The skim milk component of such products shall be as follows:

(1) A weight equal to the weight of the volume increase caused by nonfat milk solids in dry milk solids or condensed milk or skim milk products used for the fortification of, or as an additive to, fluid milk products; and

(2) The weight of a volume equivalent to the skim milk used to produce such product, with respect to other such products or uses.

§ 1125.14 Producer-handler.

"Producer-handler" means a person who is engaged in the production of milk and also operates a plant from which during the month an average of more than 110 pounds daily of fluid milk products is disposed of on a route(s) within the marketing area and who has been so designated by the market administrator upon his determination that all of the requirements of this section have been met, and that none of the conditions therein for cancellation of such designation exists. All designations shall remain in effect until cancelled pursuant to paragraph (c) of this section. The Department of Institutions, State of Washington, shall be a producer-handler exempt from the provisions of this section and §§ 1125.30 and 1125.32 with respect to milk of its own production and receipts from pool plants processed or received for consumption in State institutions and with respect to movements of milk to or from a pool plant.

(a) *Requirements for designation.* (1) The producer-handler has and exercises (in his capacity as a handler) complete and exclusive control over the operation and management of a plant at which he handles and processes milk received from his milk production resources and facilities (designated as such pursuant to paragraph (b)(1) of this section), the operation and management of which are under the complete and exclusive control of the producer-handler (in his capacity as a dairy farmer).

(2) The producer-handler neither receives at his designated milk production resources and facilities nor receives, handles, processes or distributes at or through any of his milk handling, processing or distributing resources and facilities (designated as such pursuant to paragraph (b)(2) of this section) fluid milk products derived from any source other than (i) his designated milk production resources and facilities, (ii) pool plants within the limitation specified in paragraph (c)(2) of this section, or (iii) nonfat milk solids which are used to fortify fluid milk products.

(3) The producer-handler is neither directly or indirectly associated with the business control or management of, nor has a financial interest in, another handler's operation; nor is any other handler so associated with the producer-handler's operation.

(4) Designation of any person as a producer-handler following a cancellation of his prior designation shall be preceded by performance in accordance with subparagraphs (1), (2), and (3) of this paragraph for a period of 1 month.

(b) *Resources and facilities.* Designation of a person as a producer-handler shall include the determination and designation of the milk production, handling, processing and distributing resources and facilities, all of which shall be deemed to constitute an integrated operation, as follows:

(1) As milk production resources and facilities: All resources and facilities (milking herd(s), buildings housing such herd(s), and the land on which such buildings are located) used for the production of milk:

(i) Which are directly, indirectly or partially owned, operated or controlled by the producer-handler;

(ii) In which the producer-handler in any way has an interest including any contractual arrangement; and

(iii) Which are directly, indirectly or partially owned, operated or controlled by any partner or stockholder of the producer-handler: *Provided*, That for purposes of this subparagraph any such milk production resources and facilities which the producer-handler proves to the satisfaction of the market administrator do not constitute an actual or potential source of milk supply for the producer-handler's operation as such shall not be considered a part of his milk production resources and facilities; and

(2) As milk handling, processing and distributing resources and facilities: All resources and facilities (including store outlets) used for handling, processing and distributing within the marketing area any fluid milk product:

(i) Which are directly, indirectly or partially owned, operated or controlled by the producer-handler; or

(ii) In which the producer-handler in any way has an interest, including any contractual arrangement, or with respect to which the producer-handler directly or indirectly exercises any degree of management or control.

(c) *Cancellation.* The designation as a producer-handler shall be cancelled under any of the conditions set forth in subparagraphs (1) and (2) of this paragraph, or upon determination by the market administrator that any of the requirements of subparagraphs (1), (2), and (3) of paragraph (a) of this section are not continuing to be met, such cancellation to be effective on the first day of the month following the month in which the requirements were not met, or the conditions for cancellation occurred.

(1) Milk from the designated milk production resources and facilities of the producer-handler is delivered in the name of another person as producer milk to another handler.

(2) The producer-handler handles fluid milk products derived from sources other than the designated milk production facilities and resources, with the exception of purchases from pool plants in the form of packaged fluid milk products, other than whole milk, which do not exceed a daily average during the month of 100 pounds.

(d) *Public announcement.* The market administrator shall publicly announce the name, plant location and farm location(s) of persons designated as producer-handlers, of those whose designations have been cancelled, and the effective dates of producer-handler status or loss of producer-handler status for each. Such announcements shall be controlling with respect to the accounting at plants of other handlers for milk received from any producer-handler.

(e) *Burden of establishing and maintaining producer-handler status.* The burden rests upon the handler who is designated as a producer-handler to establish through records required pursuant to § 1125.33 that the requirements set forth in paragraph (a) of this section have been and are continuing to be met, and that the conditions set forth in paragraph (c) of this section for cancellation of designation do not exist.

§ 1125.15 Fluid milk product.

"Fluid milk product" means the following, in fluid or frozen form:

(a) Milk, skim milk, skim milk drinks, buttermilk, flavored milk, and flavored milk drinks (including such products reconstituted or fortified with additional nonfat milk solids);

(b) Concentrated milk, skim milk, flavored milk, and flavored milk drinks; and

(c) Cream (sweet or sour) and any mixtures of cream and milk or skim milk (exclusive of ice cream and frozen dessert mixes, cocoa mixes, aerated cream products, and eggnog).

Fluid milk products shall not include those products commonly known as evaporated milk, condensed milk, and skim milk (plain or sweetened), yogurt, starter, or any milk or milk products sterilized and packaged in hermetically sealed metal or glass containers.

§ 1125.16 Route disposition.

"Route disposition" means any delivery of fluid milk products (including delivery at a plant, plant store, or eating place and delivery by a vendor or through a distribution point) except:

(a) A delivery to a plant;

(b) A delivery in bulk to a commercial food processing establishment pursuant to § 1125.41(b)(3); or

(c) A delivery to a military or other ocean transport vessel leaving the marketing area of fluid milk products which originated at a plant located outside the marketing area and were not received or processed at any pool plant.

§ 1125.17 Base.

"Base" means a quantity of milk, expressed in pounds per day or per month, computed pursuant to § 1125.60 (a) and (b), respectively.

§ 1125.18 Base milk and excess milk.

(a) "Base milk" means milk delivered by a producer during the month which is not in excess of:

(1) His daily base computed pursuant to § 1125.60(a) multiplied by the number of days of delivery in such month; or

(2) His monthly base computed pursuant to § 1125.60(b); *Provided*, That with respect to any producer with "every-other-day" delivery of milk the days of nondelivery shall be considered as days of delivery for the purposes of this section and of § 1125.60(a).

(b) "Excess milk" means milk delivered by a producer in excess of base milk.

§ 1125.19 Chicago butter price.

"Chicago butter price" means the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at Chicago as reported for the month by the Department. If no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

MARKET ADMINISTRATOR

§ 1125.20 Designation.

The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be designated by, and shall be subject to removal at the discretion of, the Secretary.

§ 1125.21 Powers.

The market administrator shall have the following powers with respect to this part:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 1125.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by § 1125.88 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses (except those incurred under § 1125.87) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this part, and upon request by the Secretary surrender the same to such other person as the Secretary may designate;

(f) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(g) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk or butterfat for such handler depends;

(h) Publicly announce, at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the day upon which he is required to perform such acts, has not:

(1) Made reports pursuant to §§ 1125.30 through 1125.32; or

(2) Made one or more of the payments pursuant to §§ 1125.80 through 1125.88;

(i) On or before the 13th day after the end of each month, report to each cooperative association (or its duly designated agent) which so requests the class utilization (and within Class II, the utilization specified in § 1125.54(c)) of milk of its member producers which is received by each handler directly from farms or from the cooperative association pursuant to § 1125.10(f). For the purposes of this report, such milk shall be prorated to each class (and within Class II, to the utilization specified in § 1125.54(c)) in the proportion that the total receipts of milk from producers and from cooperative associations pursuant to § 1125.10(f) of such handler were used in each class;

(j) Notify handlers as follows:

(1) On or before the 13th day after the end of each month, each handler whose net pool obligation is computed pursuant to § 1125.70 of:

(i) The amounts and values of his producer milk in each class and the totals of such amounts and values;

(ii) The amount of any charge made pursuant to § 1125.70 (b), (c), (d), or (e);

(iii) The uniform prices for base milk and excess milk;

(iv) The amounts specified in § 1125.84 (b) (1), (2), and (3);

(v) The amount due such handler from the producer-settlement fund or the amount to be paid by such handler to the producer-settlement fund, as the case may be; and

(vi) The totals of the amounts required to be paid by such handler pursuant to §§ 1125.87 and 1125.88; and

(2) On or before the 22d day after the end of each month, each handler whose obligation is computed pursuant to § 1125.67, of any amount computed pursuant to § 1125.67(a) on the basis of information reported by such handler, the amount computed pursuant to § 1125.67 (b), and the amount due pursuant to § 1125.88 from such handler;

(k) Publicly announce by posting in a conspicuous place in his office and by such other means as he deems appropriate the prices determined for each month as follows:

(1) On or before the 5th day of each month the minimum price for Class I milk pursuant to § 1125.51(a) and the Class I butterfat differential pursuant to § 1125.52(a), both for the current month, and the minimum price for Class II milk pursuant to § 1125.51(b) and the Class II butterfat differential pursuant to § 1125.52(b), both for the preceding month; and

(2) On or before the 13th day of each month, the weighted average and uniform prices computed pursuant to §§ 1125.71 and 1125.72 and the butterfat differential computed pursuant to § 1125.82, each applicable to milk received during the preceding month;

(l) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information;

(m) Whenever required for the purpose of allocating receipts from other order plants pursuant to § 1125.46(a)(7) and the corresponding step of § 1125.46 (b), estimate and publicly announce the utilization (to the nearest whole percentage), in each class, during the month, of skim milk and butterfat, respectively, in producer milk of all handlers. Such estimate shall be based upon the most current available data and shall be final for such purpose;

(n) Report to the market administrator of the other order, as soon as possible after the report of receipts and utilization for the month is received from a handler who has received fluid milk products from an other order plant, the classification to which such receipts are allocated pursuant to § 1125.46 pursuant to such report, and thereafter any change in such allocation required to correct errors disclosed in verification of such report; and

(o) Furnish to each handler operating a pool plant who has shipped fluid milk products to an other order plant, the classification to which the skim milk and butterfat in such fluid milk products were allocated by the market administrator of the other order on the basis of the report of the receiving handler; and, as necessary, any changes in such classification arising in the verification of such report.

Reports, Records and Facilities

§ 1125.30 Monthly reports of receipts and utilization.

On or before the 8th day of each month each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, the following information for the preceding month:

(a) Each handler operating a pool plant(s) shall report separately for each pool plant:

(1) The quantities of skim milk and butterfat contained in:

(i) Milk received directly from producers, showing separately any milk of own-farm production;

(ii) Milk received from a cooperative association pursuant to § 1125.10(f);

(iii) Fluid milk products received from other pool plants; and

(iv) Other source milk;

(2) The utilization of all skim milk and butterfat required to be reported, including the quantities contained in fluid milk products on hand at the beginning and end of the month;

(3) The aggregate quantities of base milk and excess milk received; and

(4) Such other information with respect to such receipts and utilization as the market administrator may prescribe.

(b) Each producer-handler shall report:

(1) The quantities of skim milk and butterfat contained in:

(i) Milk of own-farm production;

(ii) Receipts of fluid milk products from pool plants, showing separately receipts in packaged form and in bulk; and

(iii) Other source milk, showing separately any receipts from another dairy farmer; and

(2) As specified in paragraph (a) (2) and (4) of this section.

(c) Each cooperative association shall report with respect to milk for which it is the handler pursuant to either § 1125.10(e) or (f):

(1) The quantities of skim milk and butterfat received from producers;

(2) The utilization of skim milk and butterfat for which it is the handler pursuant to § 1125.10(e);

(3) The quantities of skim milk and butterfat delivered to each pool plant pursuant to § 1125.10(f); and

(4) As specified in paragraph (a) (3) and (4) of this section.

(d) Each handler who operates a partially regulated distributing plant shall report as specified in paragraph (a) (1), (2), and (4) of this section except that receipts from dairy farmers in Grade A milk shall be reported in lieu of those in producer milk. Such report shall include a separate statement showing the respective amounts of skim milk and butterfat disposed of on routes in the marketing area as Class I milk.

(e) Each handler who operates an other order plant with disposition of fluid milk products on routes in the marketing area shall report the quantities of skim milk and butterfat in such disposition.

§ 1125.31 Payroll reports.

On or before the 20th day of each month, handlers shall report to the market administrator as follows:

(a) Each handler with respect to each of his pool plants and each cooperative association which is a handler pursuant to § 1125.10 (e) or (f) shall submit his producer payroll for deliveries (other than his own-farm production) in the preceding month which shall show:

(1) The total pounds of base milk and the total pounds of excess milk received from each producer, the pounds of butterfat contained in such milk, and the number of days on which milk was delivered by such producer in such month;

(2) The amount of payment to each producer and cooperative association; and

(3) The nature and amount of any deductions or charges involved in such payments; and

(b) Each handler operating a partially regulated distributing plant who wishes computations pursuant to § 1125.67(a) to be considered in the computation of his obligation pursuant to § 1125.67 shall submit his payroll for deliveries of Grade A milk by dairy farmers which shall show:

(1) The total pounds of milk and the butterfat content thereof received from each dairy farmer;

(2) The amount of payment to each dairy farmer (or to a cooperative association on behalf of such dairy farmer); and

(3) The nature and amount of any deductions or charges involved in such payments.

§ 1125.32 Other reports.

At such time and in such manner as the market administrator may prescribe, each handler shall report to the market administrator such information in addition to that required under § 1125.30 as may be requested by the market administrator with respect to milk and milk products handled by him.

§ 1125.33 Records and facilities.

Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or to establish the correct data with respect to the information required to be reported pursuant to §§ 1125.14, 1125.30, 1125.31, and 1125.32 and payments required to be made pursuant to §§ 1125.80 through 1125.88.

§ 1125.34 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of 3 years to begin at the end of the month to which such books and records pertain: *Provided*, That if, within such 3-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c(15)(A) of the Act or a court action specified in such notice, that handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

§ 1125.35 Handler report to producers.

(a) In making payments to producers pursuant to § 1125.80, each handler, on or before the 19th day of each month, shall furnish each producer with a supporting statement in such form that it may be retained by the producer, which shall show for the preceding month:

(1) The identification of the handler and the producer;

(2) The total pounds of milk delivered by the producer and the average butterfat test thereof, the pounds of base and excess milk, and the pounds per shipment if such information is not furnished to the producer each day of delivery;

(3) The minimum rate(s) at which payment to the producer is required under the provisions of § 1125.80;

(4) The rate per hundredweight and amount of any premiums or payments above the minimum prices provided by the order;

(5) The amount or rate per hundredweight of each deduction claimed by the handler, together with a description of the respective deductions; and

(6) The net amount of payment to the producer.

(b) In making payment to a cooperative association in aggregate pursuant to § 1125.80(b) each handler upon request shall furnish to the cooperative association, with respect to each producer for whom such payment is made, any or all of the above information specified in paragraph (a) of this section.

Classification

§ 1125.40 Skim milk and butterfat to be classified.

All skim milk and butterfat received within the month by a handler which is required to be reported pursuant to § 1125.30 shall be classified by the market administrator pursuant to the provisions of §§ 1125.41 through 1125.46.

§ 1125.41 Classes of utilization.

Subject to the conditions set forth in §§ 1125.42, 1125.43, and 1125.44, the classes of utilization shall be as follows:

(a) *Class I milk.* Class I milk shall be all skim milk and butterfat:

(1) Disposed of in the form of a fluid milk product, subject to the following limitations and exceptions:

(i) Any products fortified with added nonfat milk solids shall be Class I in an amount equal only to the weight of an equal volume of a like unmodified product of the same butterfat content;

(ii) Fluid milk products in concentrated form shall be Class I in an amount equal to the skim milk and butterfat used to produce the quantity of such products disposed of; and

(iii) Products classified as Class II pursuant to paragraph (b) (3), (4), or (5) of this section are excepted;

(2) Contained in monthly inventory variation of fluid milk products; and

(3) Not specifically accounted for as Class II utilization.

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat:

(1) Used to produce evaporated milk in hermetically sealed containers, butter, nonfat dry milk solids, powdered whole milk, casein and cheese (other than cottage, "baker's," "pot," cream or neufchatel), including that contained in residual products resulting from the manufacture of butter and cheese;

(2) Used to produce products other than fluid milk products or those specified in subparagraph (1) of this paragraph;

(3) In fluid milk products disposed of in bulk to a commercial food processing establishment for use in food products which are processed for general distribution to the public for consumption off the premises;

(4) In fluid milk products disposed of for livestock feed;

(5) In fluid milk products dumped after such prior notice and opportunity for verification as may be required by the market administrator;

(6) In shrinkage at each pool plant as computed pursuant to § 1125.42(b)(1) but not to exceed the following amount:

(i) Two percent of receipts in producer milk pursuant to § 1125.12(a) (1) and (2); plus

(ii) One and one-half percent of receipts of fluid milk products in bulk from other pool plants; plus

(iii) One and one-half percent of receipts from a cooperative association in its capacity as a handler pursuant to § 1125.10(f), except that if the handler operating the pool plant files notice with the market administrator that he is purchasing such milk on the basis of farm weights and individual producer tests, the applicable percentage shall be 2 percent; plus

(iv) One and one-half percent of receipts of fluid milk products in bulk from an other order plant, exclusive of the quantity for which Class II utilization was requested by the operator of such plant and the handler; plus

(v) One and one-half percent of receipts of fluid milk products in bulk from unregulated supply plants, exclusive of the quantity for which Class II utilization was requested by the handler; less

(vi) One and one-half percent of fluid milk products disposed of in bulk to other plants, except, in the case of milk diverted to a nonpool plant, if the operator of the plant to which the milk is diverted purchases such milk on the basis of farm weights and individual producer tests, the applicable percentage shall be 2 percent;

(7) In shrinkage at each pool plant as computed pursuant to § 1125.42(b)(2); and

(8) In shrinkage resulting from milk for which a cooperative association is the handler pursuant to § 1125.10 (e) or (f) not being delivered to pool plants and nonpool plants, but not in excess of one-half percent of such receipts, exclusive of those for which farm weights and individual producer tests are used as the basis of receipt at the plant to which delivered.

§ 1125.42 Shrinkage.

The market administrator shall allocate shrinkage over a handler's receipts at each pool plant as follows:

(a) Compute the total shrinkage of skim milk and butterfat, respectively (after reducing the quantity transferred to any nonpool plant located on the same premises by a pro rata share of shrinkage in such nonpool plant based on the proportion that such transfers are of its total receipts); and

(b) Prorate the resulting amounts between:

(1) A quantity equal to 50 times the maximum that may be computed pursuant to § 1125.41(b)(6); and

(2) Skim milk and butterfat in other source milk in the form of bulk fluid milk products, exclusive of that specified in § 1125.41(b)(6) (iv) and (v).

§ 1125.43 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be Class I milk unless the handler who first received such skim milk or butterfat proves that such skim milk and butterfat should be classified as Class II milk.

(b) The burden shall rest upon each handler to establish the sources of milk and milk products required to be reported by him pursuant to § 1125.30.

(c) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 1125.44 Interplant movements.

Skim milk and butterfat moved by transfer, and by diversion under paragraph (c) of this section, as fluid milk products from a pool plant shall be assigned (separately) to each class in the following manner:

(a) To a pool distributing plant: As Class I milk to the extent Class I milk is available at the transferee plant after computations pursuant to § 1125.46(a)(7) and the corresponding step of § 1125.46(b), subject to the following provisions:

(1) In the event the quantity transferred exceeds the total of receipts from producers and other pool plants at the transferor plant, such excess shall be assigned last to the Class I milk available at the transferee plant;

(2) If more than one transferor plant is involved, the available Class I milk shall first be assigned to pool plants located in District 1 and the counties of Pierce, Kitsap, and Mason, and then in sequence to the plants at which the least location adjustment applies;

(3) If Class I milk is not available in amounts equal to the sum of the quantities to be assigned pursuant to subparagraph (2) of this paragraph to plants having the same location adjustments, the transferee handler may designate to which of such plants the available Class I milk shall be assigned;

(4) If receipts of skim milk or butterfat from a pool plant located in District 1 or in the counties of Kitsap, Mason, or Pierce are assigned to Class II milk at the transferee plant, they shall be allocated, as designated by the transferee handler, to the uses stated in § 1125.54(a) only to the extent that the quantity so assigned exceeds other Class II uses remaining at the transferee plant after computations pursuant to § 1125.46(a)(7) and the corresponding step of § 1125.46(b);

(5) Notwithstanding the prior provisions of this paragraph, any such skim milk and butterfat transferred in bulk from a pool plant to a pool distributing plant in which facilities are maintained and used to receive milk or milk products required by applicable health authority regulations to be kept physically separate from Grade A milk shall be classified in accordance with the provisions of paragraph (b) of this section; and

(6) If the transferor plant received during the month other source milk to be allocated pursuant to § 1125.46(a) (6) and (7) and the corresponding steps of § 1125.46(b), the skim milk and butterfat so transferred up to the total of such receipts shall not be classified as Class I milk to a greater extent than would be applicable to a like quantity of such other source milk received at the transferee plant.

(b) To a pool supply plant as Class II milk, subject to the following conditions:

(1) The skim milk or butterfat so assigned to Class II milk shall be limited to the amount thereof remaining in Class II milk in the transferee plant after computations pursuant to § 1125.46(a)(7) and the corresponding step of § 1125.46(b) for such plant, and any additional amounts of such skim milk or butterfat shall be assigned to Class I milk and credited to transfers from transferor plants in the sequence at which the least location adjustment applies;

(2) If more than one transferor plant is involved, the available Class II milk shall first be assigned to transferor plants located outside District 1 and Kitsap, Mason, and Pierce Counties;

(3) If Class II milk is not available in amounts equal to the sum of the quantities to be assigned pursuant to subparagraph (2) of this paragraph, the transferee handler may designate the plant(s) to which the available Class II milk shall be assigned; and

(4) If receipts of skim milk or butterfat from a pool plant located in District 1 or in the counties of Kitsap, Mason, or Pierce are assigned to Class II milk at the transferee plant, they shall be allocated, as designated by the transferee handler, to the uses stated in § 1125.54(a) only to the extent that the quantity so assigned exceeds other Class II uses remaining at the transferee plant after computations pursuant to § 1125.46(a)(7) and the corresponding step of § 1125.46(b).

(c) To a nonpool plant:

(1) Except as provided for in subparagraphs (3) and (4) of this paragraph, as Class I milk, if transferred or diverted to a nonpool plant located outside the marketing area, except that cream transferred to a nonpool plant so located shall be classified as Class II if such nonpool plant neither distributes fluid milk products on routes nor disposes of them to other nonpool plants, and the market administrator is permitted to audit the records of such nonpool plant for purposes of verification;

(2) As Class I milk, if transferred or diverted to a producer-handler as defined in any order (including this part) issued pursuant to the Act, or to the plant of such a producer-handler;

(3) As Class II milk, if transferred or diverted to a nonpool plant located in the marketing area or within any of the counties of Kitsap, Mason, Clallam, Jefferson, and Pierce in the State of Washington, from which fluid milk products are not distributed on routes, subject to the following conditions:

(i) The transfer shall be classified as Class I milk unless the market administrator is permitted to audit the records of the nonpool plant for purposes of verification;

(ii) If such nonpool plant disposes of fluid milk products to any other nonpool plant distributing fluid milk products on routes, the transfer or diversion shall be classified as Class I milk up to the quantity of such disposition to the second nonpool plant; and

(iii) Milk classified as Class II shall be assigned to uses specified in § 1125.54(a) to the extent that such uses are available at such nonpool plant; and

(4) As follows, if transferred to an other order plant in excess of receipts from such plant in the same category as described in subdivision (i), (ii), or (iii) of this subparagraph:

(i) If transferred in packaged form, classification shall be in the classes to which allocated as a fluid milk product under the other order;

(ii) If transferred in bulk form, classification shall be in the classes to which allocated as a fluid milk product under the other order (including allocation under the conditions set forth in subdivision (iii) of this subparagraph);

(iii) If the operators of both the transferor and transferee plants so request in the reports of receipts and utilization filed with their respective market administrators, transfers in bulk form shall be classified as Class II to the extent of the Class II utilization (or comparable utilization under such other order) available for such assignment pursuant to the allocation provisions of the transferee order;

(iv) If information concerning the classification to which allocated under the other order is not available to the market administrator for purposes of establishing classification pursuant to this subparagraph, classification shall be as Class I, subject to adjustment when such information is available;

(v) For purposes of this subparagraph, if the transferee order provides for more than two classes of utilization, milk allocated to a class consisting primarily of fluid milk products shall be classified as Class I, and milk allocated to other classes shall be classified as Class II; and

(vi) If the form in which any fluid milk product is transferred to an other order plant is not defined as a fluid milk product under such other order, classification shall be in accordance with the provisions of § 1125.41.

§ 1125.45 Computation of skim milk and butterfat in each class.

For each month the market administrator shall correct for mathematical and other obvious errors the reports of receipts and utilization submitted pursuant to § 1125.30 (a) and (c) and compute the total pounds of skim milk and butterfat in each class. For the purposes of such computation, 0.06 percent shall be used as the butterfat content of skim milk where no specific tests are available. Such computations shall be as follows:

(a) If any other source milk not subject to allocation at such plant pursuant to § 1125.46(a) (2) through (4) was received at any pool plant of a handler, there will be computed for such handler the total pounds of skim milk and butterfat, respectively, in each class at all of his pool plants combined, exclusive of any classification based upon movements between such plants, and allocation pursuant to § 1125.46 and computation of obligation pursuant to § 1125.70 shall be based upon the combined utilization so computed. For purposes of assigning location adjustments pursuant to §§ 1125.53 and 1125.54 with respect to milk moved between such plants, the skim milk and butterfat subtracted from each class pursuant to § 1125.46(a) (2), (3), (4), (6), and (7) and the corresponding steps of § 1125.46 (b) will be assigned so far as possible to utilization (exclusive of such interplant movements) reported at the plant at which it was received, and thereafter in sequence to plants at which location adjustment for such class is the same or most nearly similar, and the applicable location adjustments will be determined on the basis of the classification resulting from the application of § 1125.44 (a) and (b) to the remaining utilization reported;

(b) If no fluid milk products to be allocated pursuant to § 1125.46(a) (6) or (7) were received at any pool plant of a handler, the total pounds of skim milk and butterfat, respectively, in each class will be computed for each pool plant of such handler, and allocation pursuant to § 1125.46 and computation of obligation pursuant to § 1125.70 shall be made separately for each pool plant of the handler; and

(c) There will be computed for each cooperative association reporting pursuant to § 1125.30(c) the pounds in each class of skim milk and butterfat, respectively, in producer milk pursuant to § 1125.12(b) (1) and (2)(ii). The amounts so determined shall be those used for computation pursuant to § 1125.46(c).

§ 1125.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1125.45, the market administrator shall determine the classification of producer milk for each handler at all his pool plants (or at each pool plant, when § 1125.45(b) applies) as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk classified as Class II pursuant to § 1125.41(b)(6);

(2) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in fluid milk products received in packaged form from other order plants as follows:

(i) From Class II milk, the lesser of the pounds remaining or 2 percent of such receipts; and

(ii) From Class I milk, the remainder of such receipts;

(3) Subtract in the order specified below, from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in each of the following:

(i) Other source milk in a form other than that of a fluid milk product;

(ii) Receipts of fluid milk products not qualified for disposition to consumers in fluid form, or which are from unidentified sources; and

(iii) Receipts of fluid milk products from a producer-handler, as defined under this or any other Federal order;

(iv) Subtract, if the total pounds of skim milk in all classes pursuant to § 1125.45 exceed the total pounds of skim milk reported pursuant to § 1125.30(a)(1), from the remaining pounds of skim milk in each class, in series beginning with Class II, the amount determined by prorating such excess between the pounds of skim milk subtracted pursuant to subdivisions (i) through (iii) of this subparagraph and the remaining receipts;

(4) Subtract, in the order specified below, from the pounds of skim milk remaining in Class II, but not in excess of such quantity:

(i) Receipts of fluid milk products from unregulated supply plants for which the handler requests Class II utilization;

(ii) Remaining receipts of fluid milk products from unregulated supply plants which are in excess of the pounds of skim milk determined by multiplying the pounds of skim milk remaining in Class I milk by 1.25 and subtracting the sum of the pounds of skim milk in receipts of producer milk, receipts from pool plants of other handlers (and of the same handler, when § 1125.45(b) applies), and receipts in bulk from other order plants; and

(iii) Receipts of fluid milk products in bulk from an other order plant in excess of similar transfers to such plant, if Class II utilization was requested by the operator of such plant and the handler;

(5) Add to the remaining pounds of skim milk in Class II milk the pounds subtracted pursuant to subparagraph (1) of this paragraph;

(6) Subtract from the pounds of skim milk remaining in each class, pro rata to such quantities, the pounds of skim milk in receipts of fluid milk products from unregulated supply plants which were not subtracted pursuant to subparagraph (4) (i) and (ii) of this paragraph;

(7) Subtract from the pounds of skim milk remaining in each class, in the following order, the pounds of skim milk in receipts of fluid milk products in bulk from an other order plant(s), in excess in each case of similar transfers to the same plant, which were not subtracted pursuant to subparagraph (4) (iii) of this paragraph:

(i) In series beginning with Class II, the pounds determined by multiplying the pounds of such receipts by the larger of the percentage of estimated Class II utilization of skim milk announced for the month by the market administrator pursuant to § 1125.22(m) or the percentage that Class II utilization remaining is of the total remaining utilization of skim milk of the handler; and

(ii) From Class I, the remaining pounds of such receipts;

(8) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received in fluid milk products from pool plants of other handlers (and of the same handler, when § 1125.45(b) applies) according to the classification assigned pursuant to § 1125.44;

(9) If the pounds of skim milk remaining in both classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class in series beginning with Class II. Any amount so subtracted shall be known as "overage";

(b) Butterfat shall be allocated in accordance with the procedure outlined for skim milk in paragraph (a) of this section; and

(c) Combine the amounts of skim milk and butterfat determined pursuant to paragraphs (a) and (b) of this section and § 1125.45(c) into one total for each class and determine the weighted average butterfat content of producer milk in each class.

MINIMUM PRICES

§ 1125.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

§ 1125.51 Class prices.

Subject to the provisions of §§ 1125.52 through 1125.54, the minimum class prices per hundredweight of milk for the month shall be as follows:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.65: *Provided*, That the price for Class I milk for the months of April through June, inclusive, of any year except 1966 shall not be higher than the price computed pursuant to the above provisions of this paragraph for the month of March immediately preceding, and the price for Class I milk for any October through January period, inclusive, shall not be lower than the price computed pursuant to the provisions of this paragraph for the month of September immediately preceding: *And provided further*, That the Class I prices for the period from the effective date of this amended order through June 1966 shall not be less than the Class I price for April 1966.

(b) *Class II milk.* The price for Class II milk shall be the basic formula price for the month, but not to exceed the price computed as follows:

(1) Multiply the Chicago butter price by 4.2;

(2) Multiply by 8.2 the weighted average of carlot prices per pound for nonfat dry milk solids, spray process, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department; and

(3) From the sum of the results arrived at under subparagraphs (1) and (2) of this paragraph subtract 48 cents, and round to the nearest cent.

§ 1125.52 Butterfat differentials to handlers.

If the average butterfat content of Class I milk or Class II milk, computed pursuant to § 1125.46, differs from 3.5 percent, there shall be added to, or subtracted from, the applicable class price (§ 1125.51) for each one-tenth of 1 percent that the average butterfat content of such class is respectively above, or below, 3.5 percent, a butterfat differential computed as follows, rounded to the nearest one-tenth cent:

(a) *Class I milk.* Multiply the Chicago butter price for the preceding month by 0.125; and

(b) *Class II milk.* Multiply the Chicago butter price for the current month by 0.120.

§ 1125.53 Location adjustments on Class I milk.

The price of Class I milk at each plant shall be, regardless of point of disposition within or outside the marketing area, the Class I price pursuant to § 1125.51 less a location differential for such plant shown in the table below:

Plant location:	*Class I price differential (cents per hundredweight)*
District 1 or Kitsap, Mason or Pierce Counties	0
District 4	15
Districts 2, 3 and Kittitas County	20
District 5 and other locations outside the marketing area	40

§ 1125.54 Location adjustments on Class II milk.

In computing each handler's value of milk there shall be added with respect to each pool plant located in District 1 or in the counties of Kitsap, Mason or Pierce an amount of money computed as follows:

(a) Compute the sum (in pounds) of:

(1) The total utilization at such plant (including any disposition of skim milk and butterfat from such plant for similar uses at nonpool plants) of skim milk and butterfat, respectively, in the products or uses listed in §1125.41(b) (2) and (3); and

(2) The total quantity of skim milk and butterfat transferred to other pool plants and allocated to the uses specified in subparagraph (1) of this paragraph (as provided in § 1125.44 (a)(4) and (b)(4));

(b) Subtract from the amounts of skim milk and butterfat, respectively, resulting from paragraph (a) of this section, to the extent of such amounts, the amounts of skim milk and butterfat received at such plant from pool plants not located in District 1 or in the counties of Kitsap, Mason or Pierce, and assigned to Class II milk pursuant to § 1125.44; and

(c) Multiply by 25 cents per hundredweight the lesser of the following quantities:

(1) The sum of the net amounts of skim milk and butterfat resulting from paragraph (b) of this section; or

(2) The total amount of Class II milk pursuant to § 1125.46(c).

§ 1125.55 Use of equivalent prices.

If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

DETERMINATION OF BASE

§ 1125.60 Computation of producer bases.

Subject to the rules set forth in § 1125.61, the market administrator shall determine bases for producers in the manner provided in paragraphs (a) and (b) of this section:

(a) The daily base of each producer whose milk was received by a handler(s) on not less than one hundred twenty (120) days during the months of August through December, inclusive, shall be an amount computed by dividing such producer's total pounds of milk delivered in such 5-month period by the number of days from the date of his first delivery to the end of such 5-month period. The base so computed, which shall be recomputed each year, shall become effective on the first day of February next following and shall remain in effect through the month of January of the next succeeding year: *Provided*, That for any dairy farmer for whom information concerning deliveries during the base-earning period is available to the market administrator and who becomes a producer as a result of (1) the plant to which his milk was delivered during the base-earning period subsequently being qualified as a pool plant, or (2) cancellation of a producer-handler's designation as such, a daily base shall be computed pursuant to this paragraph.

(b) Any producer who is not eligible to receive a base computed pursuant to paragraph (a) of this section, shall have a monthly base computed by multiplying his deliveries to a handler(s) during the month by the appropriate monthly percentage in the following table:

January	70	July	55
February	70	August	60
March	65	September	60
April	55	October	65
May	45	November	70
June	50	December	70

§ 1125.61 Base rules.

The following rules shall be observed in the determination of bases:

(a) A base may be transferred upon written notice to the market administrator on or before the last day of the month of transfer, but under the following circumstances only: If a producer who earned a base pursuant to § 1125.60 (a) sells, leases or otherwise conveys his herd to another producer, the latter may receive the transferor's base, pursuant to the conveyance, and utilize such base for the remainder of the period for which such base is effective pursuant to § 1125.60(a), subject to the following conditions:

(1) Such base shall apply to deliveries of milk by the transferee producer from the same farm only;

(2) If such conveyance takes place subsequent to August 1 of any year, all milk delivered to a handler(s) between August 1 and the last day of the base-earning period as specified in § 1125.60 (a), inclusive, from the same farm (whether by the transferor or transferee producer) shall be utilized in computing the base of the transferee producer pursuant to § 1125.60(a);

(3) It is established to the satisfaction of the market administrator that the conveyance of the herd was bona fide and not for the purpose of evading any provision of this order; and

(4) Notwithstanding subparagraphs (1) and (2) of this paragraph, but in compliance with subparagraph (3) of this paragraph:

(i) A base, whether earned pursuant to § 1125.60(a) or received by transfer, may be transferred to a member of a baseholder's immediate family; and

(ii) In the case of a baseholder's death, a base earned pursuant to § 1125.60(a) by the baseholder or by a member of his immediate family may be further transferred to an outside party: *Provided*, That for purposes of this subparagraph a transfer to an estate shall not be considered as a transfer to an outside party.

(b) A producer who ceases deliveries to a pool plant for more than 45 days shall lose his base if computed pursuant to § 1125.60(a) and if he resumes deliveries to such a plant he shall be paid on a base determined pursuant to § 1125.60(b) until he can establish a new base in the manner provided in § 1125.60 (a).

(c) By notifying the market administrator in writing on or before the 15th day of any month, a producer holding a base established pursuant to § 1125.60(a) may relinquish such base by cancellation. Such producer's base shall be computed in the manner provided by § 1125.60(b) and shall be effective from the first day of the month in which notice is received by the market administrator until the close of the period, pursuant to § 1125.60(a), for which such base was computed.

(d) As soon as bases computed by the market administrator are allotted, notice of the amount of each producer's base shall be given by the market administrator to the handler receiving such producer's milk and the cooperative association of which the producer is a member. Each handler, following receipt of such notice, shall promptly post in a conspicuous place at each of his plants a list or lists showing the base of each producer whose milk is received at such plant.

(e) If a producer operates more than one farm he shall establish a separate base with respect to producer milk delivered from each such farm.

(f) Only producers as defined in § 1125.11 may establish or earn a base pursuant to the provisions of § 1125.60, and only one base shall be allotted with respect to milk produced by one or more persons where the land, buildings and equipment used are jointly owned or operated.

APPLICABILITY OF PROVISIONS

§ 1125.65 Producer-handlers.

Sections 1125.40 through 1125.46, 1125.50 through 1125.55, 1125.60, 1125.61, 1125.70 through 1125.72, and 1125.80 through 1125.89 shall not apply to a producer-handler.

§ 1125.66 Plants subject to other Federal orders.

Except for §§ 1125.30(e) and 1125.32 through 1125.34, the provisions of this part shall not apply to a handler with respect to the operation of plants described as follows:

(a) A distributing plant from which a lesser volume of fluid milk products is disposed of as route disposition in the Puget Sound marketing area than as route disposition in the marketing area of another marketing agreement or order issued pursuant to the Act and which is fully subject to the classification and pricing provisions of such other agreement or order; and

(b) Any supply plant for any portion of the period of January through September, inclusive, that producer milk at such plant is subject to the classification and pricing provisions of another order issued pursuant to the Act.

§ 1125.67 Obligations of handler operating a partially regulated distributing plant.

Each handler who operates a partially regulated distributing plant shall pay to the market administrator for the producer-settlement fund on or before the 25th day after the end of the month either of the amounts (at the handler's election) calculated pursuant to paragraph (a) or (b) of this section. If the handler fails to report pursuant to §§ 1125.30(d) and 1125.31(b) the information necessary to compute the amount specified in paragraph (a) of this section, he shall pay the amount computed pursuant to paragraph (b) of this section:

(a) An amount computed as follows:

(1) (i) The obligation that would have been computed pursuant to § 1125.70 at such plant shall be determined as though such plant were a pool plant. For purposes of such computation, receipts at such nonpool plant from a pool plant or an other order plant shall be assigned to the utilization at which classified at the pool plant or other order plant and transfers from such nonpool plant to a pool plant or an other order plant shall be classified as Class II milk if allocated to such class at the pool plant or other order plant and be valued at the weighted average price of the respective order if so allocated to Class I milk. There shall be included in the obligation so computed a charge in the amount specified in § 1125.70(e) and a credit in the amount specified in § 1125.84(b)(3) with respect to receipts from an unregulated supply plant, unless an obligation with respect to such plant is computed as specified in subdivision (ii) of this subparagraph.

(ii) If the operator of the partially regulated distributing plant so requests, and provides with his reports pursuant to §§ 1125.30(d) and 1125.31(b) similar reports with respect to the operations of any other nonpool plant which serves as a supply plant for such partially regulated distributing plant by shipments to such plant during the month equivalent to the requirements of § 1125.8(b)(2), with agreement of the operator of such plant that the market administrator may examine the books and records of such plant for purposes of verification of such reports, there will be added the amount of the obligation computed at such nonpool supply plant in the same manner and subject to the same conditions as for the partially regulated distributing plant.

(2) From this obligation there will be deducted the sum of (i) the gross payments made by such handler for Grade A milk received during the month from dairy farmers at such plant and like payments made by the operator of a supply plant(s) included in the computations pursuant to subparagraph (1) of this paragraph, and (ii) any payments to the producer-settlement fund of another order under which such plant is also a partially regulated distributing plant.

(b) An amount computed as follows:

(1) Determine the respective amounts of skim milk and butterfat disposed of as Class I milk on routes within the marketing area;

(2) Deduct the respective amounts of skim milk and butterfat received as Class I milk at the partially regulated distributing plant from pool plants and other order plants except that deducted under a similar provision of another order issued pursuant to the Act;

(3) Combine the amounts of skim milk and butterfat remaining into one total and determine the weighted average butterfat content; and

(4) From the value of such milk at the Class I price applicable at the location of the nonpool plant, subtract its value at the weighted average price applicable at such location (not to be less than the Class II price).

DETERMINATION OF UNIFORM PRICES

§ 1125.70 Computation of the net pool obligation of each pool handler.

The net pool obligation of each pool handler (for each pool plant, when § 1125.45(b) applies) during each month shall be a sum of money computed by the market administrator as follows:

(a) Multiply the quantity of producer milk in each class, as computed pursuant to § 1125.46(c), by the applicable class prices (adjusted pursuant to §§ 1125.52, 1125.53 and 1125.54) and add together the resulting amounts;

(b) Add the amount obtained from multiplying the pounds of overage deducted from each class pursuant to § 1125.46(a)(9) and the corresponding step of § 1125.46(b), by the applicable class prices. In case overage occurs in a nonpool plant located on the same premises as a pool plant, such overage shall be prorated between the quantity transferred from the pool plant and other source milk in such nonpool plant, and an amount equal to the value of overage allocated to the transferred quantity at the applicable class price shall also be added;

(c) Add or subtract, as the case may be, the amount necessary to correct errors as disclosed by the verification of reports of such handler of his receipts and utilization of skim milk and butterfat in previous months for which payment has not been made;

(d) Add an amount equal to the difference between the value at the Class I price applicable at the pool plant and the value at the Class II price, with respect to skim milk and butterfat in other source milk subtracted from Class I pursuant to § 1125.46(a)(3) and the corresponding step of § 1125.46(b); and

(e) Add an amount equal to the value at the Class I price, adjusted for location of the nearest nonpool plant(s) from which an equivalent volume was received, with respect to skim milk and butterfat subtracted from Class I pursuant to § 1125.46(a)(6) and the corresponding step of § 1125.46(b).

§ 1125.71 Computation of weighted average price for all milk.

For each month the market administrator shall compute the weighted average price for all milk of 3.5 percent butterfat content as follows:

(a) Combine into one total the values computed pursuant to § 1125.70 for all handlers who made the reports prescribed in § 1125.30 and who made the payments pursuant to § 1125.84 for the preceding month;

(b) Add the aggregate of the values of the location adjustments on base milk allowable pursuant to § 1125.81(a)(1) and on nonpool milk pursuant to § 1125.81(c);

(c) Deduct the aggregate of the values of the location adjustments on excess milk computed pursuant to § 1125.81(a)(2);

(d) Add an amount representing not less than one-half the unobligated cash balance in the producer-settlement fund;

(e) Subtract, if the average butterfat content of the milk specified in paragraph (f) of this section is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent, an amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to § 1125.82 and multiplying the resulting figure by the total hundredweight of such milk;

(f) Divide the resulting amount by the sum of the following for all handlers included in such computations:

(1) The total hundredweight of producer milk; and

(2) The total hundredweight for which a value is computed pursuant to § 1125.70(e); and

(g) Subtract not less than 4 cents but less than 5 cents from the price computed pursuant to paragraph (f) of this section. The result shall be known as the "weighted average price for all milk".

§ 1125.72 Computation of uniform prices for base milk and excess milk.

For each month the market administrator shall compute the uniform prices per hundredweight for base milk and excess milk of 3.5 percent butterfat content received from producers as follows:

(a) From the net amount computed pursuant to § 1125.71(a) through (e) subtract the following:

(1) The amount computed by multiplying the hundredweight of milk specified in § 1125.71(f)(2) by the weighted average price for all milk; and

(2) The amount computed by multiplying the hundredweight of excess milk by the Class II price for 3.5 percent milk, rounded to the nearest one-tenth cent: *Provided*, That if such result is greater than an amount computed by multiplying the hundredweight of base milk by the Class I price (for 3.5 percent milk) plus four cents, such amount in excess thereof shall be subtracted from the result obtained prior to this proviso;

(b) Divide the net amount obtained in paragraph (a) of this section by the total hundredweight of base milk and subtract not less than 4 cents but less than 5 cents. This result shall be known as the uniform price per hundredweight of base milk of 3.5 percent butterfat content; and

(c) Divide the amount obtained in paragraph (a)(2) of this section plus any amount subtracted pursuant to the proviso of paragraph (a)(2) of this section by the hundredweight of excess milk, and subtract any fractional part of 1 cent. This result shall be known as the uniform price per hundredweight of excess milk of 3.5 percent butterfat content.

PAYMENTS

§ 1125.80 Time and method of payment to producers and to cooperative associations.

(a) On or before the 19th day after the end of each month, each handler shall make payment to each producer for milk received from such producer during such month:

(1) At not less than the uniform price for base milk for the quantity of base milk received, adjusted by the butterfat differential computed pursuant to § 1125.82 and by any location adjustment applicable under § 1125.81; and

(2) At not less than the uniform price for excess milk for the quantity of excess milk received, adjusted by the butterfat differential computed pursuant to § 1125.82 and by any location adjustment applicable under § 1125.81: *Provided*, If by such date such handler has not received full payment for such month pursuant to § 1125.85, he shall not be deemed to be in violation of this paragraph if he reduces uniformly for all producers his payments per hundredweight pursuant to this paragraph by a total amount not in excess of the reduction in payment from the market administrator; however, the handler shall make such balance of payment uniformly to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payments is received from the market administrator.

(b) The payments required in paragraph (a) of this section shall be made, upon request, to a cooperative association qualified under § 1125.5, or to its duly authorized agent, with respect to milk received from each producer who has given such association authorization by contract or by other written instrument to collect the proceeds from the sale of his milk, and any payment made pursuant to this paragraph shall be made on or before the 17th day after the end of such month.

(c) On or before the 17th day after the end of each month, each handler shall pay to each cooperative association which operates a pool plant for skim milk and butterfat received from such cooperative association during such month an amount of money computed by multiplying the total pounds of such skim milk and butterfat in each class (pursuant to § 1125.44(a) or (b)) by the class price, taking into account any location adjustment, as provided by §§ 1125.53 and 1125.54, applicable at the pool plant of the cooperative association.

(d) On or before the 17th day after the end of each month, each handler who receives milk for which a cooperative association is the handler pursuant to § 1125.10(f) shall pay such cooperative association for such milk at not less than the weighted average price for all milk, adjusted by the differentials specified in §§ 1125.81(b) and 1125.82.

(e) None of the provisions of this section shall be construed to restrict any cooperative association qualified under section 8c(5)(F) of the Act from making payment for milk to its producers in accordance with such provision of the Act.

§ 1125.81 Location adjustments to producers and on nonpool milk.

(a) In making payments to producers pursuant to § 1125.80(a), subject to the application of § 1125.12(c), the following adjustments for location are applicable:

(1) Deduction may be made per hundredweight of base milk received from producers at respective plant locations at the same per hundredweight rates as specified for Class I milk in the table set forth in § 1125.53; and

(2) Twenty-five cents per hundredweight shall be added to the uniform price for excess milk received from producers at plants located in District 1 or in the counties of Kitsap, Mason, or Pierce.

(b) In making payments to a cooperative association pursuant to § 1125.80(d) deductions may be made at the rates specified in § 1125.53 for the location of the plant at which the milk was received from the cooperative association.

(c) For purposes of computations pursuant to §§ 1125.84 and 1125.85 the weighted average price for all milk shall be adjusted at the rates set forth in § 1125.53 applicable at the location of the nonpool plant from which the milk was received.

§ 1125.82 Producer butterfat differential.

In making payments pursuant to § 1125.80(a) for base milk and for excess milk and pursuant to § 1125.80(d) there shall be added to, or subtracted from, the respective uniform prices thereof or weighted average price, for each one-tenth of 1 percent that the average butterfat content of such milk is above or below 3.5 percent, a butterfat differential computed by the market administrator by multiplying the butterfat differential for Class I milk by the percentage of the butterfat contained in producer milk that is allocated to Class I, and by multiplying the remaining percentage of butterfat in producer milk by the butterfat differential for Class II milk, adding together the resulting amounts, and rounding to the nearest tenth of a cent.

§ 1125.83 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to §§ 1125.67 and 1125.84 and out of which he shall make all payments to handlers pursuant to § 1125.85.

§ 1125.84 Payments to the producer-settlement fund.

On or before the 15th day after the end of the month during which the milk was received, each handler shall pay to the market administrator the amount, if any, by which the total amount specified in paragraph (a) of this section exceeds the total amount specified in paragraph (b) of this section:

(a) The sum of:

(1) The net pool obligations computed pursuant to § 1125.70 for such handler; and

(2) For a cooperative association handler, the amount due from other handlers pursuant to § 1125.80(d);

(b) The sum of:

(1) The value of milk received by such handler from producers at the applicable uniform prices specified in § 1125.80(a);

(2) The amount to be paid to cooperative associations pursuant to § 1125.80(d); and

(3) The value at the weighted average price for all milk applicable at the location of the plant(s) from which received (not to be less than the value at the Class II price) adjusted for butterfat content by the producer butterfat differential, with respect to other source milk for which a value is computed pursuant to § 1125.70(e).

§ 1125.85 Payments out of the producer-settlement fund.

On or before the 17th day after the end of each month during which the milk was received, the market administrator shall pay to each handler the amount, if any, by which the amount computed pursuant to § 1125.84(b) exceeds the amount computed pursuant to § 1125.84(a), and less any unpaid obligations of such handler to the market administrator pursuant to §§ 1125.84, 1125.86, 1125.87, and 1125.88: *Provided*, That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

§ 1125.86 Adjustments of accounts.

Whenever verification by the market administrator of reports or payments of any handler discloses errors resulting in money due:

(a) The market administrator from such handler,

(b) Such handler from the market administrator, or

(c) Any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth in the provisions under which such error occurred following the 5th day after such notice.

§ 1125.87 Marketing services.

(a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers (other than with respect to milk of such handler's own production) pursuant to § 1125.80(a), shall make a deduction of 5 cents per hundredweight of milk, or such amount not exceeding 5 cents per hundredweight as the Secretary may prescribe, with respect to the following:

(1) All milk received from producers at a plant not operated by a cooperative association;

(2) All milk received at a plant operated by a cooperative association from producers who are not members of such association; and

(3) All milk received at a plant operated by a cooperative association(s) from producers who are members thereof but for whom any of the services set forth below in this paragraph is not being performed by such association(s), as determined by the market administrator. Such deduction shall be paid by the handler to the market administrator on or before the 15th day after the end of the month. Such moneys shall be expended by the market administrator for the verification of weights, sampling and testing of milk received from producers and in providing for market information to producers; such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of each producer:

(1) Who is a member of, or who has given written authorization for the rendering of marketing service and the taking of deduction therefor to, a cooperative association,

(2) Whose milk is received at a plant not operated by such association, and

(3) For whom the market administrator determines that such association is performing the services described in paragraph (a) of this section, each handler shall deduct, in lieu of the deduction specified under paragraph (a) of this section, from the payments made pursuant to § 1125.80(a) the amount per hundredweight on milk authorized by such producer and shall pay over, on or before the 15th day after the end of the month, such deduction to the association entitled to receive it under this paragraph.

§ 1125.88 Expense of administration.

As his pro rata share of the expense of administration of the order, each handler shall pay to the market administrator on or before the 15th day after the end of the month 4 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to (a) producer milk (including such handler's own production), (b) other source milk allocated to Class I pursuant to § 1125.46(a) (3) and (6) and the corresponding steps of § 1125.46(b), and (c) packaged Class I milk disposed of on routes within the marketing area from a partially regulated distributing plant which exceeds Class I milk received during the month at such plant from pool plants and other order plants.

§ 1125.89 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such 2-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last-known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this order to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said 2-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this order shall terminate 2 years after the end of the month during which the milk involved in the claims was received if an underpayment is claimed, or 2 years after the end of the month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c(15)(A) of the Act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

§ 1125.90 Effective time.

The provisions of this part or any amendment to this part shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 1125.91.

§ 1125.91 Suspension or termination.

The Secretary may suspend or terminate this part or any provision of this part whenever he finds this part or any provision of this part obstructs or does not tend to effectuate the declared policy of the Act. This part shall terminate in any event whenever the provisions of the Act authorizing it cease to be in effect.

§ 1125.92 Continuing obligations.

If, upon the suspension or termination of any or all provisions of this part, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 1125.93 Liquidation.

Upon the suspension or termination of the provisions of this part, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall if so directed by the Secretary liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all

assets, books and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expense of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 1125.100 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

§ 1125.101 Separability of provisions.

If any provision of this part, or its application to any person or circumstances, is held invalid, the application of such provision and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

[F.R. Doc. 66-5255; Filed, May 12, 1966; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 37]

[Docket No. 7356; Notice No. 66-19]

CARGO AND BAGGAGE COMPARTMENT SMOKE DETECTION EQUIPMENT

Proposed Technical Standard Order

The Federal Aviation Agency is considering amending § 37.111 of the Federal Aviation Regulations to revise the technical standard order (TSO-C1a) for smoke detectors. This amendment would change the title to indicate more clearly the TSO scope and purpose and would eliminate reference to industry specifications. Substantively, the proposal contains standards reflecting new type smoke detector instruments and reducing sensitivity standards of some existing type instruments.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 12, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

In order to update the industry specification referenced in the present TSO-C1a, the performance standards applicable to smoke detector instruments would be set forth in a new Federal Aviation Standard applicable to cargo and baggage compartment detectors.

Under the present TSO-C1a, there are two classes of smoke detectors: i.e. carbon monoxide (CO) detectors and photoelectric detectors. This amendment would provide for a third type of smoke detector which operates on the principle of visual detection of the presence of smoke by directly viewing air samples. With respect to the smoke detectors of the types covered by the current TSO, the proposed amendment relaxes the response time requirement and reduces the sensitivity settings. For all types of detectors there is added an explosion protection design requirement. Other changes would modify the temperature, altitude, and vibration ranges through which the instruments must properly function, in order to make these environmental conditions more representative of the ranges encountered by modern aircraft. In this regard, the proposal differentiates the vibration resistance required for devices to be used on piston engine and turbine engine-powered aircraft.

The detailed test procedures of the current TSO would be replaced by an objective standard under which the manufacturer would conduct tests as necessary to demonstrate proper design and instrument reliability while performing its intended function.

In consideration of the foregoing, it is proposed to amend § 37.111 of the Federal Aviation Regulations to read as follows:

§ 37.111 Cargo and baggage compartment smoke detection instrument—TSO-C1b.

(a) *Applicability.* This technical standard order prescribes the minimum performance standards that cargo and baggage compartment smoke detection instruments must meet in order to be identified with the applicable TSO marking. New models of equipment that are to be so identified, and that are manufactured on or after the effective date of this section, must meet the requirements of the "Federal Aviation Standard, Cargo and Baggage Compartment Smoke Detection Instruments" set forth at the end of this section.

(b) *Marking.* In addition to the markings specified in § 37.7, the equipment must be marked to indicate the following:

(1) Eligibility for installation in either piston or turbine-powered aircraft, or both.

(2) Operational ratings (electrical, vacuum, etc.).

(c) *Data requirements.* The technical data to be submitted in accordance with § 37.5(a)(2) is as follows:

(1) Seven copies of the manufacturer's operating instructions, equipment limitations, and installation procedures; and

(2) One copy of the manufacturer's test report.

(d) *Previously approved equipment.* Smoke detector models approved prior to the effective date of this section may continue to be manufactured under the provisions of their original approval.

FEDERAL AVIATION STANDARD CARGO AND BAGGAGE COMPARTMENT SMOKE DETECTION INSTRUMENTS

1. *Purpose.* This document provides minimum performance standards and test procedures for cargo and baggage compartment smoke detector instruments which are to be approved under this TSO.

2. *Classification.* Smoke detection instruments are classified by method of detection as follows:

Type I—Measurement of carbon monoxide gas (CO detectors).
Type II—Measurement of light transmissibility in air (photoelectric devices).
Type III—Visual detection of the presence of smoke by directly viewing air samples (visual devices).

3. *Minimum performance standards.* Except where otherwise indicated, the minimum performance standards of this section are applicable to Types I, II, and III instruments.

3.1 *Type characteristics.* The instruments must perform as follows:

Type I: By testing air for carbon monoxide content, the instrument must be capable of actuating an alarm (or control) circuit at all concentrations of CO that are 0.025 percent and greater by volume. At concentrations over 0.015 but less than 0.025 percent the instrument may actuate the circuit but at concentrations 0.015 percent and less it must not actuate the circuit.

Type II: By testing air for smoke content of all colors or particle sizes, the instrument must be capable of actuating an alarm (or control) circuit to indicate the presence of smoke particles at all concentrations at which the light transmission percentage is 60 percent or less. At light transmission percentages over 60 but less than 90, the instrument may actuate the circuit but at percentages 90 and over, it must not actuate the circuit. Light transmission percentage is defined as the light falling on a photoelectric cell through a 1-foot distance occupied by smoke particles in air, expressed as a percentage of the light trasmitted through 1 foot of clear air. The light intensity is to be so adjusted that the cell output with a 50 percent transmission screen is 50 percent of the output of the unobscured cell.

Type III: By testing air for the presence of smoke of all colors or particle sizes, the instrument must provide a visual display to clearly indicate all smoke concentrations in which the light transmission percentage is 60 percent or less. The instrument may, but is not required to, indicate smoke concentrations for which the light transmission percentage is over 60. Light transmission percentage is as defined for Type II instruments.

3.2 *Materials.* Smoke detection instruments must be constructed of materials of a quality that experience or tests or both have demonstrated to be suitable and dependable for use in aircraft application.

3.3 *False alarm signals.* Type I and Type II instruments conforming to the requirements of this standard must not actuate the alarm (or control) circuit as a result of dust and haze normally present in the cargo compartment, nor of the dust that normally accumulates within the instrument. The design must be such that the instrument will not produce a false alarm (or control) signal as a result of abnormal attitudes, ambient light conditions, variations in voltage between 0 and 125 percent of the rated value, nor of accelerations encountered during takeoff, flight, and landing.

3.4 *Functional test provisions.* Type I and Type II instrument design must incorporate a means for testing the functioning of the system in flight.

3.5 *Response time.* Type I and Type II instruments must be designed to actuate an alarm (or control) circuit and Type III instruments to show visually the presence of smoke, within a maximum time period of 1 minute after an air sample, applicable to the type of instrument, is introduced at a sampling station.

3.6 *Air sampling cycle.* An instrument designed to sample the air from more than one sampling station on a cycling basis must cycle at a rate sufficient to sample all stations within a total time of 1 minute. When an alarm signal is given, the signal must indicate the location in which the smoke or gas is being detected and must continue to do so until the condition is eliminated. The instrument must begin cycling in a normal manner within 30 seconds after the alarm signal is cleared.

3.7 *Environmental ranges.* The design of any instrument conforming to this standard must insure that it is capable of functioning without being adversely affected following prolonged exposure to the ranges of environmental conditions as stated under section 4.

3.8 *Power variation.* Each instrument type must be designed to insure proper functioning with the following variations of power parameters (where applicable) from rated values: d.c. voltage, ±15 percent; a.c. voltage, ±10 percent; frequency, ±5 percent.

3.9 *Explosion protection.* Where the instrument is intended to be installed in areas of the airplane where flammable fluids or vapors might be liberated by leakage or failure in fluid systems, design precautions must be made to safeguard against the ignition of such fluids or vapors due to operation of the instrument.

3.10 *Humidity.* Each instrument type must be designed to function properly and not be adversely affected following exposure to any relative humidity in the range from 0 to 95 percent at a temperature of approximately 70° C.

3.11 *Fire hazard.* Each instrument type must be designed to safeguard against hazards to the aircraft in the event of malfunction or failure. The maximum operating temperature of any instrument-component surface that comes in contact with air samples must not exceed 200° C.

4. *Environmental conditions.*

4.1 *Temperature.* Each instrument type must be designed to function properly over the range of ambient temperatures shown in Column A below and not be adversely affected by exposure to the range of temperature shown in Column B below:

Instrument location	A	B
Heated areas (temperature controlled).	−30° to 50° C.	−65° to 70° C.
Unheated areas (temperature uncontrolled).	−55° to 70° C.	−65° to 70° C.

4.2 *Altitude.* Each instrument type must be designed to function properly from sea level up to the altitudes listed below. The instrument must not be adversely affected when subjected to an ambient pressure of 50 inches of mercury absolute.

Instrument location	Altitude (feet)
Pressurized areas	15,000
Nonpressurized areas	45,000

4.3 *Vibration.* Each instrument type must be designed to function properly and not be adversely affected when subjected to vibrations of the following characteristics:

	Frequency cycles per second	Maximum double amplitude in inches	Maximum acceleration
Piston engine powered:			
Wings or empennage	5–500	0.036	10g
Fuselage	5–500	.036	5g
Panel or rack (vibration isolated)	5–50	.020	1.5g
Turbine engine powered:			
Fuselage			
Forward of spar area	5–500	.036	5g
Center of spar area	5–1000	.036	4g
Aft of spar area	5–500	.036	7g
	500–1000		5g
Vibration isolated rack	5–1000	.030	1g
Instrument panel	5–30	.020	
	30–1000		.25g

5. *Qualification tests.* As evidence of compliance with this standard, the applicant must perform evaluation tests on prototype instruments to demonstrate proper design, reliability in performance of its intended functions, and conformity with the performance standards of section 3. Tests and test procedures employed for this purpose must reasonably demonstrate the absence of any adverse effect on the instrument's performance due to the following factors: power variations, pressure and altitude changes, humidity changes, high and low temperature conditions, airplane vibrations and prolonged operational usage.

6. *Individual performance.* Each instrument manufactured in accordance with this standard must be capable of meeting all the performance standards under section 3. Each instrument must be tested so that when an air sample applicable to the type of instrument per section 3.1 is introduced into the instrument under standard atmospheric conditions, the alarm (or control) circuit is actuated (for Type I and II instruments), or the visual display occurs (for Type III instruments), in one minute or less.

This amendment is proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421).

Issued in Washington, D.C., on May 9, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5248; Filed, May 12, 1966; 8:49 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 66-WA-5]

JET ROUTES

Proposed Realignment

The Federal Aviation Agency (FAA) is considering amendments to Part 75 of the Federal Aviation Regulations which would realign Jet Routes Nos. 560 and 563.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in the notice may be changed in the light of comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments.

Jet Route No. 560 is presently designated from Plattsburgh, N.Y., VORTAC via the Plattsburgh VORTAC 037° T radial (toward Montmorency, Quebec, Canada, radio beacon) to the United States/Canadian border. This jet route adjoins Canadian High Level Airway No. 560 and Jet Route No. 560 which are designated from Montmorency radio beacon to the United States/Canadian border. The Canadian Department of Transport (DOT) plans to realign their portion of this high level airway/jet route via Quebec, Quebec, Canada, VOR and has requested that the FAA take corresponding action so that the jet routes/airway will adjoin at the border.

Jet Route No. 563 is presently designated from Plattsburgh VORTAC via Plattsburgh to Sherbrooke, Quebec, Canada, VOR direct radial to the United States/Canadian border. The Canadian DOT has requested the FAA to redesignate this jet route from Albany, N.Y., VORTAC via INT of the Albany, N.Y., TAC 008° T (021° M) and the Sher-

brooke VOR 217° T (234° M) radials to Sherbrooke VOR.

Redesignation of J–560 and J–563 as proposed herein would facilitate air navigation and the provision of air traffic service for transborder flights.

These amendments are proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 9, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–5249; Filed, May 12, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 87]

[Docket No. 16621]

AERONAUTICAL ADVISORY SERVICE

Notice of Proposed Rule Making; Correction

In the matter of amendment of Parts 2 and 87 to change the rules governing the aeronautical advisory service.

In the notice of proposed rule making in the above-entitled matter, FCC 66–401, adopted May 4, 1966, the Docket No. is corrected to read "16621."

Released: May 10, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–5257; Filed, May 12, 1966; 8:50 a.m.]

[47 CFR Part 73]

[Docket No. 11279]

SUBSCRIPTION TELEVISION SERVICES

Order Extending Time for Submission of Technical Data

1. In a further notice of proposed rule making and notice of inquiry adopted March 21, 1966 (3 FCC 2d 1), in this proceeding parties were requested (par. 39) to submit within 60 days from the date of adoption detailed specifications of their present or proposed systems for over-the-air subscription television or to update submissions previously made. The purpose of this requirement is to permit the Commission, if it ultimately makes a decision that nation-wide subscription television on a permanent basis should be authorized, to proceed expeditiously.

2. On April 22, 1966, International Telemeter Corp. filed a request for extension of time to June 22, 1966, in which to submit detailed specifications for its subscription television system. As reason for its request it states that the time is essential for it to prepare a meaningful presentation based on its experimental over-the-air operations in Los Angeles and on its subscription television operations in Etobicoke, Canada.

3. On May 2, 1966, Zenith Radio Corp. and Teco, Inc., filed a joint statement requesting that if an extension to June 22 is granted, it should cover all parties desiring to submit technical data so that the filing date will be uniform.

4. Since it is important for the Commission to have thorough and meaningful information on this subject to arrive at ultimate decisions in the public interest, it appears that the requests should be granted.

5. In view of the foregoing: *It is ordered*, This 9th day of May 1966, That the "Request for Extension of Time in Which To Submit Detailed Specifications To Update Technical Information Heretofore Submitted by International Telemeter Corp.," and the request made in the "Statement of Zenith Radio Corp. and Teco, Inc., Concerning International Telemeter Corp.'s Request for Extension of Time in Which To File Technical Information" are granted, and the date for submitting technical information as mentioned in paragraph 1 above is extended to and including June 22, 1966.

6. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's Rules.

Released: May 9, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–5258; Filed, May 12, 1966; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

IMPORTATION OF CERTAIN MERCHANDISE DIRECTLY FROM REPUBLIC OF KOREA

Available Certifications by Government of Republic of Korea

Notice is hereby given that certificates of origin issued by the Ministry of Commerce and Industry of the Republic of Korea under procedures agreed upon between that Government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Korea of the following additional commodity:

Silk piece goods, tussah.

[SEAL] MARGARET W. SCHWARTZ,
Director, Office of Foreign Assets Control.

[F.R. Doc. 66–5288; Filed, May 12, 1966; 8:51 a.m.]

Office of the Secretary

[Antidumping—ATS 643.3–m]

WORK SHOES FROM CZECHOSLOVAKIA

Determination of Sales at Less Than Fair Value

MAY 6, 1966.

On January 29, 1966, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that shoes, leather, men's and boys', imported from Czechoslovakia are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until February 28, 1966, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

After consideration of all comments received, I hereby determine that workshoes, leather, men's and boys', imported from Czechoslovakia are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended.

Statement of new or additional reasons. In response to the "Notice of Tentative Determination" pursuasive evidence and argument was presented which convinced the Department that no determination should be made that there are not, and are not likely to be, sales at less than fair value of workshoes, leather, men's and boys', from Czechoslovakia.

The evidence presented indicated that estimates relied on in the tentative determination for differences in material, quality, and construction were not in accordance with the true differentials between the compared work shoes. Further inquiry was conducted which revealed that the allowances made for these factors should be revised. Adjustments made to reflect this new information disclosed that constructed value of the work shoe was higher than the purchase price.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 66–5236; Filed, May 12, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

Notice of Filing of Protraction Diagrams

MAY 5, 1966.

Notice is hereby given that effective at and after 10 a.m., June 13, 1966, the following protraction diagrams are officially filed of record in the Nevada Land Office. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the land for all authorized purposes. Until this date and time the diagrams have been placed in open files and are available to the public for information only.

NEVADA PROTRACTION DIAGRAMS—NOS. 183 THROUGH 307

MOUNT DIABLO MERIDIAN

No. 183

T. 12 N., R. 68 E.
T. 13 N., R. 69 E.

T. 13 N., R. 68 E.

No. 184

T. 9 N., R. 62 E.
T. 11 N., R. 62 E.

T. 10 N., R. 62 E.

No. 185

T. 15 N., R. 59 E.
T. 15 N., R. 60 E.

T. 15 N., R. 61 E.

No. 186

T. 19 N., R. 65 E.
T. 19 N., R. 66 E.

T. 20 N., R. 65 E.
T. 20½ N., R. 65 E.

No. 187

T. 17 N., R. 65 E.
T. 18 N., R. 65 E.

T. 17 N., R. 66 E.
T. 18 N., R. 66 E.

T. 16 N., R. 65 E.
T. 14 N., R. 66 E.

No. 188

T. 15 N., R. 66 E.
T. 16 N., R. 66 E.

T. 6 S., R. 60 E.
T. 5 S., R. 61 E.
T. 6 S., R. 61 E.

No. 189

T. 5 S., R. 62 E.
T. 6 S., R. 62 E.

T. 7 S., R. 60 E.
T. 8 S., R. 60 E.
T. 8 S., R. 61 E.

No. 190

T. 7 S., R. 62 E.
T. 8 S., R. 62 E.

T. 5 S., R. 63 E.
T. 6 S., R. 63 E.

No. 191

T. 7 S., R. 63 E.
T. 8 S., R. 63 E.

T. 13 N., R. 48 E.

No. 192

T. 13½ N., R. 49 E.

T. 14 N., R. 48 E.
T. 15 N., R. 48 E.
T. 14 N., R. 48½ E.

No. 193

T. 15 N., R. 48½ E.
T. 14 N., R. 49 E.
T. 15 N., R. 49 E.

T. 12 N., R. 47 E.
T. 11 N., R. 48 E.

No. 194

T. 12 N., R. 48 E.

T. 19 N., R. 68 E.
T. 20 N., R. 68 E.

No. 195

T. 20½ N., R. 68 E.

T. 7 N., R. 65 E.
T. 8 N., R. 65 E.
T. 8 N., R. 66 E.

No. 196

T. 7 N., R. 67 E.
T. 8 N., R. 67 E.

T. 9 N., R. 64 E.
T. 10 N., R. 64 E.
T. 9 N., R. 65 E.

No. 197

T. 10 N., R. 65 E.
T. 9 N., R. 66 E.
T. 10 N., R. 66 E.

T. 6 N., R. 65 E.

No. 198

T. 6 S., R. 67 E.

No. 199

T. 5 S., R. 67 E.

T. 7 S., R. 64 E.
T. 8 S., R. 64 E.
T. 7 S., R. 65 E.

No. 200

T. 8 S., R. 65 E.
T. 8 S., R. 66 E.

T. 5 S., R. 64 E.
T. 6 S., R. 64 E.
T. 5 S., R. 65 E.

No. 201

T. 6 S., R. 65 E.
T. 5 S., R. 66 E.

T. 15 N., R. 52 E.

No. 202

T. 16 N., R. 52 E.

T. 19 N., R. 54 E.
T. 19 N., R. 55 E.

No. 203

T. 20 N., R. 55 E.

T. 19 N., R. 51 E.
T. 20 N., R. 51 E.

No. 204

T. 19 N., R. 52 E.
T. 20 N., R. 52 E.

T. 24 N., R. 40 E.

No. 205

T. 25 N., R. 40 E.

T. 16 N., R. 50 E.

No. 206

T. 17 N., R. 50 E.

No. 207

T. 20 N., R. 50 E.

No. 208

No. 209

T. 33 N., R. 34 E. T. 33 N., R. 34½ E.

No. 210

T. 32 N., R. 34½ E.

No. 211

T. 9 N., R. 39 E. T. 9 N., R. 40 E.
T. 10 N., R. 39 E. T. 10 N., R. 40 E.

No. 212

T. 8 N., R. 41 E. T. 8 N., R. 42 E.

No. 213

T. 9 N., R. 41 E. T. 9 N., R. 42 E.
T. 10 N., R. 41 E. T. 10 N., R. 42 E.
T. 10½ N., R. 41 E.

No. 214

T. 5 N., R. 42 E. T. 6 N., R. 42 E.

No. 215

T. 4 N., R. 42 E.

No. 216

T. 24 N., R. 46 E. T. 24 N., R. 47 E.
T. 23 N., R. 47 E.

No. 217

T. 21 N., R. 45 E. T. 22 N., R. 46 E.
T. 22 N., R. 45 E. T. 22 N., R. 47 E.
T. 21 N., R. 46 E.

No. 218

T. 19 N., R. 42 E. T. 19 N., R. 43 E.
T. 20 N., R. 42 E. T. 20 N., R. 43 E.

No. 219

T. 16 N., R. 42 E. T. 16 N., R. 43 E.
T. 17 N., R. 42 E. T. 16 N., R. 44 E.

No. 220

T. 17 N., R. 40 E. T. 18 N., R. 41 E.
T. 17 N., R. 41 E.

No. 221

T. 16 N., R. 39 E. T. 16 N., R. 41 E.
T. 16 N., R. 40 E.

No. 222

T. 9 N., R. 43 E. T. 9 N., R. 44½ E.
T. 9 N., R. 44 E. T. 10 N., R. 44 E.

No. 223

T. 13 N., R. 44 E. T. 13 N., R. 45 E.
T. 12 N., R. 44½ E. T. 13½ N., R. 45 E.
T. 13 N., R. 44½ E. T. 12 N., R. 46 E.
T. 12 N., R. 45 E. T. 13 N., R. 46 E.

No. 224

T. 10 N., R. 44½ E. T. 11 N., R. 45 E.
T. 11 N., R. 44½ E. T. 10 N., R. 46 E.
T. 10 N., R. 45 E.

No. 225

T. 14 N., R. 45 E. T. 14 N., R. 46 E.
T. 14 N., R. 45½ E. T. 15 N., R. 46 E.
T. 15 N., R. 45 E. T. 14 N., R. 47 E.
T. 15 N., R. 45½ E. T. 15 N., R. 47 E.

No. 226

T. 11 S., R. 69 E. T. 12 S., R. 70 E.
T. 12 S., R. 69 E. T. 11 S., R. 71 E.
T. 11 S., R. 70 E. T. 12 S., R. 71 E.

No. 227

T. 6 S., R. 71 E. T. 8 S., R. 71 E.
T. 7 S., R. 71 E.

No. 228

T. 7 S., R. 68 E. T. 8 S., R. 69 E.
T. 8 S., R. 68 E. T. 7 S., R. 70 E.
T. 7 S., R. 69 E. T. 8 S., R. 70 E.

No. 229

T. 5 S., R. 68 E. T. 6 S., R. 69 E.
T. 6 S., R. 68 E. T. 6 S., R. 70 E.

No. 230

T. 11 N., R. 41 E. T. 11 N., R. 42 E.
T. 12 N., R. 41 E. T. 12 N., R. 42 E.

No. 231

T. 13 N., R. 41 E. T. 13 N., R. 43 E.
T. 13 N., R. 42 E. T. 14 N., R. 43 E.
T. 14 N., R. 42 E.

No. 232

T. 15 N., R. 42 E. T. 14 N., R. 44 E.
T. 15 N., R. 43 E.

No. 233

T. 8 N., R. 49 E. T. 8 N., R. 51 E.
T. 8 N., R. 50 E.

No. 234

T. 7 N., R. 49 E. T. 6 N., R. 50 E.
T. 6 N., R. 49½ E. T. 7 N., R. 50 E.

No. 235

T. 9 N., R. 47 E. T. 9 N., R. 48 E.
T. 10 N., R. 47 E. T. 10 N., R. 48 E.
T. 9 N., R. 47½ E. T. 9 N., R. 49 E.
T. 10 N., R. 47½ E. T. 10 N., R. 49 E.

No. 236

T. 7 N., R. 46½ E. T. 7 N., R. 47½ E.
T. 7 N., R. 47 E. T. 6½ N., R. 48 E.
T. 6½ N., R. 47½ E. T. 7 N., R. 48 E.

No. 237

T. 9 N., R. 49½ E. T. 10 N., R. 50 E.
T. 10 N., R. 49½ E. T. 9 N., R. 51 E.
T. 9 N., R. 50 E.

No. 238

T. 4 S., R. 57 E. T. 4 S., R. 58 E.

No. 239

T. 4 S., R. 65 E. T. 3 S., R. 66 E.

No. 240

T. 1 S., R. 66 E. T. 2 S., R. 66 E.

No. 241

T. 1 S., R. 36 E. T. 1 S., R. 37 E.

No. 242

T. 4 S., R. 37 E. T. 5 S., R. 37 E.

No. 243

T. 3 S., R. 35 E.

No. 244

T. 2 S., R. 37 E.
T. 3 S., R. 37 E.

No. 245

T. 2 S., R. 33 E.

No. 246

No. 247

T. 43 N., R. 50 E.

No. 248

T. 2 S., R. 71 E.

No. 249

No. 250

T. 7 S., R. 40 E.
T. 8 S., R. 40 E.

No. 251

T. 10 S., R. 41 E.
T. 10 S., R. 42 E.

No. 252

No. 253

T. 25 N., R. 63 E.

No. 254

T. 14 N., R. 39 E. T. 15 N., R. 40 E.
T. 14 N., R. 40 E. T. 15 N., R. 41 E.

No. 255

T. 12 N., R. 39 E. T. 12 N., R. 40 E.
T. 13 N., R. 39 E. T. 13 N., R. 40 E.

No. 256

T. 11 N., R. 40 E.

No. 257

T. 9 N., R. 36 E. T. 10 N., R. 37 E.
T. 10 N., R. 36 E. T. 9 N., R. 37½ E.
T. 9 N., R. 37 E. T. 10 N., R. 37½ E.

No. 258

T. 6 N., R. 36 E. T. 6 N., R. 37½ E.
T. 6 N., R. 37 E.

No. 259

T. 8 N., R. 36 E. T. 7 N., R. 37½ E.
T. 7 N., R. 37 E. T. 8 N., R. 37½ E.
T. 8 N., R. 37 E.

No. 260

T. 39 N., R. 24 E. T. 39 N., R. 25 E.
T. 40 N., R. 24 E. T. 40 N., R. 25 E.

No. 261

T. 37 N., R. 23½ E. T. 38 N., R. 24 E.
T. 37 N., R. 24 E. T. 38 N., R. 25 E.
T. 37 N., R. 26 E. T. 38 N., R. 26 E.

No. 262

T. 36 N., R. 23½ E. T. 36 N., R. 25 E.
T. 36 N., R. 24 E.

No. 263

T. 38½ N., R. 27 E. T. 40 N., R. 28 E.
T. 39 N., R. 27 E. T. 40½ N., R. 28 E.
T. 40 N., R. 27 E. T. 39 N., R. 29 E.
T. 39 N., R. 28 E. T. 40 N., R. 29 E.
T. 39½ N., R. 28 E. T. 40½ N., R. 29 E.

No. 264

T. 36 N., R. 27 E. T. 36 N., R. 29 E.
T. 36 N., R. 28 E.

No. 265

T. 37 N., R. 27 E. T. 38 N., R. 28 E.
T. 38 N., R. 27 E. T. 37 N., R. 29 E.
T. 37 N., R. 28 E. T. 38 N., R. 29 E.

No. 266

T. 18 N., R. 63 E. T. 19 N., R. 63 E.

No. 267

T. 14 N., R. 24 E.

No. 268

T. 26 N., R. 19 E.

No. 269

T. 22 N., R. 34 E. T. 24 N., R. 34 E.

No. 270

T. 6 N., R. 32 E.

No. 271

T. 18 N., R. 38 E. T. 18 N., R. 39 E.

No. 272

T. 16 N., R. 22 E. T. 16 N., R. 23 E.

No. 273

T. 3 N., R. 32 E.

No. 274

T. 1 S., R. 57 E. T. 1 N., R. 57 E.
T. 1 N., R. 56 E.

No. 275

T. 10 N., R. 28 E. T. 10 N., R. 29 E.
T. 11 N., R. 28 E.

No. 276

T. 12 N., R. 28 E.

No. 277

T. 12 N., R. 27 E. T. 14 N., R. 27 E.
T. 13 N., R. 27 E.

No. 278

T. 10½ N., R. 30 E. T. 10½ N., R. 31 E.
T. 10 N., R. 31 E.

No. 279

T. 8 N., R. 23 E. T. 7 N., R. 26 E.
T. 7 N., R. 24 E. T. 8 N., R. 26 E.
T. 8 N., R. 24 E.

No. 280

T. 9 N., R. 24 E. T. 9 N., R. 26 E.
T. 10 N., R. 24 E. T. 10 N., R. 27 E.
T. 9 N., R. 25 E.

No. 281

T. 23 N., R. 18 E. T. 23 N., R. 20 E.

No. 282

T. 27 N., R. 35 E. T. 26 N., R. 36 E.
T. 27 N., R. 36 E.

No. 283

T. 26 N., R. 35 E. T. 26 N., R. 37 E.
T. 26 N., R. 36 E.

No. 284

T. 27 N., R. 38 E. T. 27 N., R. 39 E.

No. 285

T. 29 N., R. 37 E. T. 29 N., R. 38 E.
T. 30 N., R. 37 E. T. 30 N., R. 39 E.

No. 286

T. 27 N., R. 42 E. T. 28 N., R. 43 E.
T. 28 N., R. 42 E. T. 28 N., R. 44 E.
T. 27 N., R. 43 E.

No. 287

T. 29 N., R. 41 E. T. 30 N., R. 42 E.
T. 29 N., R. 42 E.

No. 288

T. 26 N., R. 41 E. T. 26 N., R. 42 E.

No. 289

T. 43 N., R. 20 E. T. 44 N., R. 20 E.

No. 290

T. 44 N., R. 44 E T. 45 N., R. 44 E.

No. 291

T. 46 N., R. 44 E. T. 47 N., R. 44 E.

No. 292

T. 32 N., R. 17 E. T. 32½ N., R. 18 E.
T. 32½ N., R. 17 E. T. 32 N., R. 19 E.
T. 31 N., R. 18 E. T. 32 N., R. 20 E.
T. 32 N., R. 18 E.

No. 293

T. 33 N., R. 18 E.

No. 294

T. 33½ N., R. 18 E. T. 34 N., R. 18½ E.
T. 34 N., R. 18 E. T. 35 N., R. 19 E.

No. 295

T. 40 N., R. 20 E. T. 40½ N., R. 22 E.
T. 40 N., R. 22 E.

No. 296

T. 31 N., R. 21 E. T. 31½ N., R. 22 E.
T. 32 N., R. 21 E. T. 31 N., R. 22½ E.
T. 31 N., R. 22 E. T. 31 N., R. 23 E.
T. 32 N., R. 22 E.

No. 297

T. 29 N., R. 23 E. T. 29 N., R. 24 E.
T. 30 N., R. 23 E. T. 30 N., R. 24 E.
T. 30½ N., R. 23 E. T. 29 N., R. 25 E.
T. 30 N., R. 23½ E. T. 30 N., R. 25 E.
T. 30½ N., R. 23½ E.

No. 298

T. 29 N., R. 19 E. T. 29 N., R. 20 E.
T. 30 N., R. 19 E. T. 30 N., R. 20 E.

No. 299

T. 31 N., R. 20 E.

No. 300

T. 45 N., R. 25 E. T. 44 N., R. 26 E.
T. 45½ N., R. 25 E. T. 45 N., R. 26 E.

No. 301

T. 31 N., R. 24 E. T. 32 N., R. 24 E.

No. 302

T. 46 N., R. 23½ E. T. 47 N., R. 24 E.
T. 47 N., R. 23½ E. T. 46 N., R. 25 E.
T. 46 N., R. 24 E. T. 47 N., R. 25 E.

No. 303

T. 46 N., R. 26 E. T. 47 N., R. 27 E.
T. 47 N., R. 26 E. T. 47 N., R. 28 E.
T. 46 N., R. 27 E.

No. 304

T. 45 N., R. 52 E.

No. 305

T. 20 N., R. 61 E. T. 20 N., R. 63 E.
T. 20 N., R. 62 E.

No. 306

T. 21 N., R. 63 E. T. 21 N., R. 64 E.
T. 22 N., R. 63 E.

No. 307

T. 31 N., R. 33 E. T. 31 N., R. 33½ E.
T. 31½ N., R. 33 E.

Copies of these diagrams are for sale at one dollar ($1.00) each by the Nevada Land Office, Bureau of Land Management, Post Office Box No. 1551, Reno, Nev.

ROBERT T. WEBB,
Acting Land Office Manager.

[F.R. Doc. 66-5163; Filed, May 12, 1966; 8:45 a.m.]

National Park Service

FIRE ISLAND NATIONAL SEASHORE, WILLIAM FLOYD ESTATE, NEW YORK

Notice of Filing of Map

Notice is hereby given that, in accordance with the requirements of section 1 of the Act of October 9, 1965 (79 Stat. 967), the boundary map identified as "Map of the Fire Island National Seashore, Including the William Floyd Estate," numbered OGP-0003, and dated May 1965, has been filed with the Office of the Federal Register. Such map is also on file and available for inspection in the Office of the Director, National Park Service, Washington, D.C.

Dated: May 5, 1966.

A. CLARK STRATTON,
Acting Director,
National Park Service.

[F.R. Doc. 66-5220; Filed, May 12, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

FARMERS AUCTION CO., ET AL.

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, orginally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore no longer subject to the provisions of the Act.

Name, location of stockyard, and date of posting

Farmers Auction Company, Marianna, Ark., Feb. 23, 1959.
Fresno County Farm Bureau Sales Yard, Fresno, Calif., Oct. 6, 1959.
Cherokee Livestock Sales Company, Cherokee, Iowa, Feb. 26, 1941.
Hartsville Livestock Company, Hartsville, Tenn., May 11, 1959.
Janesville Sale Barn, Inc., Janesville, Wis., May 27, 1959.

Notice or other public procedure has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impracticable and contrary to the public interest. There is no legal warrant or justification for not depositing promptly a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C., this 6th day of May 1966.

CHARLES G. CLEVELAND,
Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 66-5256; Filed, May 12, 1966; 8:50 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

ASSISTANT SECRETARY OF COMMERCE FOR ADMINISTRATION

Delegation of Authority Relating to Certifications

1. Pursuant to this authority delegated to the Assistant Secretary of Commerce for Administration by Department Order 166, the following officials of the Environmental Science Services Administration are hereby authorized to sign as certifying officers certifications as to the official nature of copies of correspondence and records from the files, publications and other documents of the Department and to affix the seal of the Department of Commerce to such certifications or documents for all purposes, including the purposes authorized by 28 U.S.C. 1733(b).

Director, Executive and Technical Services Staff, Coast and Geodetic Survey.
Director, Environmental Data Service.
Director, National Weather Records Center, Environmental Data Service.

Director, Executive and Technical Services Staff, Weather Bureau.

2. Delegations of authority to officials of the Weather Bureau and Coast and Geodetic Survey, dated November 16, 1966 (30 F.R. 14692 of November 25, 1965), are hereby revoked.

3. This delegation of authority shall be effective as of the date hereof.

Dated: May 6, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-5206; Filed, May 12, 1966; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

AGREEMENT BETWEEN ATOMIC ENERGY COMMISSION AND STATE OF NEW HAMPSHIRE

Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State

Notice is hereby given that the Chairman of the Atomic Energy Commission and the Governor and Executive Council of the State of New Hampshire have signed the Agreement below for discontinuance of certain Commission regulatory authority. The Agreement is published in accordance with the requirements of Public Law 86-373 (sec. 274 of the Atomic Energy Act of 1954, as amended). The exemptions from the licensing requirements of Chapters 6, 7, and 8 of the Atomic Energy Act are contained in Part 150 of the Commission's regulations (10 CFR Part 150) in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; April 3, 1965, 30 F.R. 4352 and September 22, 1965, 30 F.R. 12069.

Dated at Washington, D.C., this 6th day of May 1966.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF NEW HAMPSHIRE FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor and Council of the State of New Hampshire is authorized under Chapter 229, New Hampshire Laws of 1963, to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of New Hampshire certified on January 13, 1966, that the State of New Hampshire (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on April 18, 1966, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

ART. II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ART. III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ART. V. The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection, and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ART. VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on May 16, 1966, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at Washington, D.C., in triplicate, this 18th day of April 1966.

For the United States Atomic Energy Commission.

[SEAL] GLENN T. SEABORG,
Chairman.

Done at Concord, State of New Hampshire, in triplicate, this 29th day of April 1966.

For the State of New Hampshire.

JOHN W. KING,
Governor.
WILLIAM A. STYLES,
AUSTIN F. QUINNEY,
EMILE SIMARD,
ROBERT L. MALLAT, Jr.,
JAMES H. HAYES,
Executive Council.

[F.R. Doc. 66-5204; Filed, May 12, 1966; 8:45 a.m.]

[Docket No. PRM-30-23]

CANRAD PRECISION INDUSTRIES, INC.

Notice of Filing of Petition for Rule Making

Please take notice that Canrad Precision Industries, Inc., 630 Fifth Avenue, New York, N.Y., by letter dated April 21, 1966, has filed with the Commission a petition for rule making to amend the Commission's regulation, "Rules of General Applicability to Licensing of Byproduct Material," 10 CFR 30.

The amendment proposed by the petitioner would amend Part 30 so as to exempt from the licensing requirements of Section 81 of the Atomic Energy Act of 1954, as amended, and of Part 30, luminous-level-vials, each vial containing a maximum of 300 millicuries of tritium gas.

The petitioner states that its tritium-activated-level-vial-system is of two types:

(1) *Internal double sealed system.* A glass enclosed tritium light source is sealed inside a level vial.

(2) *External single or double sealed system.* A glass enclosed tritium light source is sealed with an appropriate adhesive on the outside of a level vial.

A copy of the petition for rule making is available for public inspection in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

Dated at Washington, D.C., this 6th day of May, 1966.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 66-5205; Filed, May 12, 1966; 8:45 a.m.]

[Docket No. 27-43]

ATCOR, INC.

Notice of Proposed Issuance of Byproduct, Source, and Special Nuclear Material License

Please take notice that the Atomic Energy Commission is considering the issuance of a license, set forth below, which would authorize Atcor, Inc., 360 Bradhurst Avenue, Hawthorne, N.Y., to receive packaged waste byproduct, source, and special nuclear material at customers' facilities and to transport such packages in any State of the United States except in Agreement States as defined in § 150.3(b), 10 CFR Part 150.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's regulations (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this proceeding see: (1) The application and amendments thereto and (2) the related memorandum prepared by the Division of Materials Licensing, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

A copy of Item 2 above may be obtained at the Commission's Public Document Room, or upon request to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director of Materials Licensing.

Dated at Bethesda, Md., May 9, 1966.

For the Atomic Energy Commission.

J. A. McBRIDE,
Director,
Division of Materials Licensing.

[License No. 31-11640-1]

The Atomic Energy Commission having found that:

A. The licensee's equipment and procedures are adequate to protect health and minimize danger to life or property.

B. The licensee is qualified by training and experience to use the material for the purpose requested in accordance with the regulations in Title 10, Code of Federal Regulations, and in such manner as to protect health and minimize danger to life or property.

C. The application dated February 9, 1966, and amendments thereto dated March 7, 1966, and April 5, 1966, comply with the requirements of the Atomic Energy Act of 1954, as amended, and is for a purpose authorized by that Act.

D. Issuance of the license will not be inimical to the common defense and security or to the health and safety of the public.

Byproduct, Source, and Special Nuclear Material License No. 31-11640-1 is hereby issued to read as follows:

Pursuant to the Atomic Energy Act of 1954, as amended, 10 CFR 30, "Rules of General Applicability to Licensing of Byproduct Material," 10 CFR 40, "Licensing of Source Material," 10 CFR 70, "Special Nuclear Material," and reliance upon the statements and representations contained in the application dated February 9, 1966, and amendments thereto dated March 7, 1966, and April 5, 1966, a license is hereby issued to Atcor, Inc., 360 Bradhurst Avenue, Hawthorne, N.Y., to receive and possess packages containing waste byproduct, source, and special nuclear material at customers' facilities in any State of the United States except in "Agreement States" as defined in section 150.3(b), 10 CFR 150, and to possess and transport packages containing waste byproduct, source, and special nuclear material in any State of the United States except in "Agreement States."

This license shall be deemed to contain the conditions specified in section 183 of the Atomic Energy Act of 1954, as amended, and is subject to the provisions of 10 CFR 20, "Standards for Protection Against Radiation," all other applicable rules, regulations, orders of the Atomic Energy Commission now or hereafter in effect, and to the following conditions:

1. The licensee shall not possess at any one time more than:

A. 1,000 curies of byproduct material other than Hydrogen 3 and Carbon 14.

B. 5,000 curies each of Hydrogen 3 and Carbon 14.

C. 50,000 pounds of source material.

D. 350 grams of Uranium 235 or 200 grams of Uranium 233 or 200 grams of Plutonium provided that the sum of the ratios of the quantity of each special nuclear material to the quantities specified above does not exceed unity. Unity shall be determined by the following formula:

$$\frac{\text{grams contained } U^{235}}{350}+\frac{\text{grams contained in } U^{233}}{200}+\frac{\text{grams contained Pu}}{200}\leq 1$$

2. Byproduct, source, and special nuclear material shall be received, handled, and transported by employees designated by the licensee's Radiological Safety Committee.

3. The licensee shall receive byproduct, source, and special nuclear material in containers which meet the requirements for transportation as specified in Condition 4. of this license. The containers shall not be opened by the licensee.

4. The transportation of AEC licensed material shall be subject to the applicable regulations of the Interstate Commerce Commission, U.S. Coast Guard, and other agencies of the United States having appropriate jurisdiction, and where such regulations are not applicable shall be in accordance with the following requirements except as specifically provided by the Atomic Energy Commission:

A. *Outside Shipping Containers.*

(1) The containers shall meet any one of the following specifications described in Appendix A attached hereto:

a. 15A, 15B, 12B, 6A, 6B, 6C, 17C, 17H, 19A, or 19B for the containment of radioactivity in amounts not in excess of 2.7 curies; except polonium, 2 curies; or

b. Specification 55 for containment of solid cobalt 60, cesium 137, iridium 192, or gold 198 in amounts not in excess of 300 curies.

(2) There shall be no radioactive contamination on any exterior surface of the container in excess of 500 d/m/100 sq. cm. alpha and 0.1 mrep/hr beta-gamma radiation.

(3) The smallest dimension of the container shall not be less than 4 inches.

(4) The radiation level at any accessible surface of the container shall not exceed 200 mrem/hr.

(5) At one meter from any point on the radioactive source the radiation level shall not exceed 10 mrem/hr.

(6) Containers which contain radioactive material emitting only alpha and/or beta radiation shall contain sufficient shielding to prevent the escape of primary corpuscular radiation to the exterior surface and to reduce the secondary radiation at the surface of the container so that it does not exceed 10 mrem/24 hours at any time during transportation.

B. *Inside Containers.*

(1) Solid and gaseous radioactive materials shall be packed in suitable inside containers designed to prevent rupture and leakage under conditions incident to transportation.

(2) Liquid radioactive materials must be packed in sealed glass, earthenware, or other suitable containers. The container must be surrounded on all sides by an absorbent material sufficient to absorb the entire liquid contents and be of such nature that its efficiency will not be impaired by chemical reactions with the contents. Where shielding is required the absorbent material must be placed within the shield. If the inside container meets the Specification 2R in Appendix A the absorbent material is not required.

(3) Materials containing radioisotopes of plutonium, americium, polonium, or curium or the isotope strontium 90, in quantities in excess of 100 microcuries, must be packed in containers which meet Specification 2R in Appendix A.

C. Shielding.

Inside containers must be completely surrounded with sufficient shielding to meet the requirements of subparagraphs A(4), A(5), and A(6) of this condition. The shield must be so designed that it will not open or break under normal conditions incident to transportation.

D. Labeling.

Each outside container label required under section 20.203(f) of 10 CFR 20 shall bear the following information:

(1) Total activity in millicuries, or in the case of source and special nuclear material, the total weight;

(2) Principal radioisotope;

(3) Radiation level at the surface of the container and at 1 meter from the source; and

(4) The name and address of the licensee.

E. Each vehicle in which licensed material is transported shall be marked or placarded on each side and the rear with lettering at least 3 inches high as follows: "DANGEROUS—RADIOACTIVE MATERIAL."

F. Accidents.

In the event of an accident involving any vehicle transporting licensed material, immediate steps shall be taken to prevent radiation exposure of persons and to control contamination.

G. Exemptions.

Specific approval must be obtained from the Atomic Energy Commission for modification of, or exemption from, the requirements of the license condition. Requests for such approval should be directed to the Chief, Isotopes Branch, Division of Materials Licensing, Atomic Energy Commission, and should contain sufficient information to support such a request.

5. The licensee shall not store byproduct, source, and special nuclear material in any of the States in which the licensee is authorized to receive, possess, and transport such material under the terms of this license.

6. Except as specifically provided otherwise by this license, the licensee shall receive, possess, and transport byproduct, source, and special nuclear material in accordance with the procedures and limitations contained in the application dated February 9, 1966, and amendments thereto dated March 7, 1966, and April 5, 1966.

This license shall be effective on the date issued and shall expire two (2) years from the last day of the month in which this license is issued.

Date of issuance:

For the Atomic Energy Commission.

_____,
Director,
Division of Materials Licensing.

[F.R. Doc. 66-5243; Filed, May 12, 1966; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15419 etc.; Order No. E-23653]

FLYING TIGER LINE, INC.

Proposed Blocked-Space Tariff Revisions

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C., on the 9th day of May 1966; blocked-space tariff revisions proposed by The Flying Tiger Line, Inc., Dockets 15419, 17235, 17236, 17241, 17252.

By tariff revisions[1] bearing the posting date of April 4, 1966, and marked to become effective May 19, 1966, The Flying Tiger Line, Inc. (Flying Tiger), proposes several changes in its effective blocked-space tariff. The significant revision, and that to which the complaints are directed, proposes to cancel the requirement that shippers in effect specify the days of the week on which space is contracted, and establish in place thereof blocked-space agreements which would permit the shipper to specify the number of shipments to be tendered during the course of each week without reference to any particular day of the week. Trans World Airlines, Inc. (Trans World), has filed a similar tariff,[2] also marked to become effective May 19, 1966.

Complaints requesting investigation and suspension of Flying Tiger's tariff have been filed by American Airlines, Inc. (American), Trans World Airlines, Inc. (Trans World), and United Air Lines, Inc. (United). In addition, United requests that the tariff be rejected because of Flying Tiger's absence of justification in the tariff transmittal and failure to comply with § 221.165 of the Board's economic regulations.

The complaints assert, essentially, that (1) the proposed service is not blocked-space within the meaning of § 399.37 of the Board's Policy Statements, because no space could be reserved for blocked-space traffic either on a regular recurring basis or otherwise since the shipper would not be required to tender the traffic at any particular time; (2) the proposal would destroy the principal economic justification for reduced blocked-space rates since the carrier would not be able to plan its traffic requirements with any degree of precision; (3) the proposal is in substance a form of aggregate rate tariff, since eligibility for the reduced blocked-space rate would be based on the total amount of traffic guaranteed over a 7-day period; and (4) the proposal would result in substantial additional diversion from the combination carriers. In addition, Trans World asserts that if the Board permits these "contract rates" to become effective, all carriers must be allowed to compete on an equal basis. Accordingly, that carrier has filed a tariff similar to Flying Tiger's proposal.

In its answer to the complaints, Flying Tiger states that (1) its proposal satisfies the definition of blocked-space in § 399.37 because the shipper would be required to reserve and pay for a specified amount of lift weekly, for a period of at least 90 days, which is on a regularly recurring basis; (2) while the instant proposal may not be as advantageous to the carrier as a more rigid contract, the effective tariff is not sufficiently flexible for shippers, and the ability to plan the overall volume of lift on a route for even a 7-day period is helpful to Flying Tiger and reduces costs; and (3) the proposal is not an unlawful "aggregate rate" because (a) the blocked-space rates must be paid whether the shipment, or its full volume, is made or not, (b) blocked-space shipments must be on a regularly recurring basis for a period of at least 90 days, (c) blocked-space rates are those applicable at the weight break agreed upon even though more traffic is tendered whereas aggregate rates would take the weight break rate applying to the aggregate shipment; and (d) the blocked-space agreement shifts a risk from the carrier to the shipper and, in return for undertaking the risk, the shipper obtains a special rate.

Flying Tiger has filed a complaint requesting rejection of Trans World's similar tariff on the grounds that § 399.37(c) of the Board's Policy Statements (14 CFR Part 399), prohibits combination carriers from providing blocked-space service.

The Board has determined to permit Flying Tiger's revisions to become effective, and to reject Trans World's tariff. We do not consider that this modification destroys the basic blocked-space concept, since the shipper would commit himself to tender shipments on a regularly recurring basis for at least 90 days. However, the relaxation of the tender requirement to permit the shipper to make shipments at any time during the course of a 7-day period, may affect the economic bases of these rates. The effective tariff is now under investigation in Docket 15419, and by the terms of Order E-21759, February 4, 1965, the instant revisions are automatically placed under investigation in that docket. The proposal will not be suspended pending investigation in order to give Flying Tiger opportunity to gain experience under its proposed revisions.

The Board has concluded to reject TWA's "contract rate" tariff as a blocked-space proposal not in accordance with the published Blocked-Space Policy (§ 399.37 of the Board's Policy Statements) or the provisions of section 403 of the Federal Aviation Act of 1958. Under that regulation, the combination passenger-cargo carriers are not permitted to offer blocked-space service. Pursuant to that regulation and the foregoing statutory provision, the Board has consistently rejected blocked-space tariffs proposed by combination carriers.[3]

[1] To The Flying Tiger Line, Inc., Official Blocked-Space Airfreight Tariff No. 1, C.A.B. No. 170.

[2] Trans World Airlines, Inc., Official Contract Rate Airfreight Tariff No. 1, C.A.B. No. 163.

[3] See e.g., Orders E-21170, E-21575, and E-21820.

Consistent with that conclusion, Trans World's proposal will be rejected.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 102, 204(a), 403, and 1002 thereof,

It is ordered, That:

1. Trans World Airlines, Inc., C.A.B. No. 163 is hereby rejected.

2. The complaints of American Airlines, Inc., in Docket 17235, Trans World Airlines, Inc., in Docket 17236, United Air Lines, Inc., in Docket 17241, and The Flying Tiger Line, Inc., in Docket 17252, are dismissed, except to the extent granted herein.

3. A copy of this order shall be served upon all parties in Docket 15419 and filed with Trans World Airlines, Inc., C.A.B. No. 163.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[4]

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5250; Filed, May 12, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16487, 16488; FCC 66M-655]

HENNEPIN BROADCASTING ASSOCIATES, INC., AND WMIN, INC.

Order Regarding Procedural Dates

In re applications of Hennepin Broadcasting Associates, Inc., St. Paul, Minn., Docket No. 16487, File No. BPH-4369; WMIN, Inc., St. Paul, Minn., Docket No. 16488, File No. BPH-4869; for construction permits.

The Hearing Examiner having under consideration a petition filed May 5, 1966, by WMIN, Inc., requesting an extension of procedural dates, including the prehearing conference now scheduled to be held on May 9, 1966, pending action upon a joint request filed before the Review Board on May 4, 1966, for approval of agreement for withdrawal of application of Hennepin Broadcasting Associates, Inc., grant of the WMIN, Inc., application and termination of the instant proceeding; and

It appearing that counsel for Hennepin Broadcasting Associates, Inc., and Chief, Broadcast Bureau have no objection to the immediate favorable consideration of the petition, and good cause for granting the same having been shown;

It is ordered, This the 6th day of May 1966, that the petition for extension of procedural dates is granted, and the further prehearing conference now scheduled for May 9, 1966, and all other procedural dates are continued to a date to be specified after the Review Board has acted upon the above joint request.

Released: May 9, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5259; Filed, May 12, 1966; 8:50 a.m.]

[4] Dissenting statement of Member Gilliland filed as part of original document.

[Docket Nos. 16489, 16490; FCC 66M-660]

McALISTER BROADCASTING CORP. AND KJJJ-TV

Order Continuing Prehearing Conference

In re applications of McAlister Broadcasting Corp., Lubbock, Tex., Docket No. 16489, File No. BPCT-3426; John B. Walton, Jr., doing business as KJJJ-TV, Lubbock, Tex., Docket No. 16490, File No. BPCT-3527; for construction permit for new television broadcast station Channel 28.

Upon oral request of counsel representing John B. Walton, Jr., doing business as KJJJ-TV; with the consent of all the other parties to this proceeding; and good cause having been shown therefor:

It is ordered, This 9th day of May 1966, that the further prehearing conference presently scheduled for May 10, 1966, be, and the same is, hereby continued to June 7, 1966.

Released: May 10, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5260; Filed, May 12, 1966; 8:50 a.m.]

[Docket Nos. 16625-16628; FCC 66M-662]

NORTHWESTERN INDIANA BROADCASTING CORP. ET AL.

Order Scheduling Hearing

In re applications of Northwestern Indiana Broadcasting Corp., Valparaiso, Ind., Docket No. 16625, File No. BPH-4110; William H. Wardle, Robert A. Jones, and F. Patrick Nugent, doing business as Valparaiso Broadcasting Co., Valparaiso, Ind., Docket No. 16626, File No. BPH-4147; Porter County Broadcasting Corp., Valparaiso, Ind., Docket No. 16627, File No. BPH-4972; Northwestern Indiana Radio Co., Inc., Valparaiso, Ind., Docket No. 16628, File No. BPH-5045; for construction permits.

It is ordered, This 9th day of May 1966, that H. Gifford Irion shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 13, 1966, at 10 a.m.; and that a prehearing conference shall be held on June 6, 1966, commencing at 9 a.m.: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: May 10, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5261; Filed, May 12, 1966; 8:50 a.m.]

[Docket Nos. 16623, 16624; FCC 66M-661]

WDIX, INC., AND RADIO ORANGEBURG, INC.

Order Scheduling Hearing

In re applications of WDIX, Inc., Orangeburg, S.C., Docket No. 16623, File No. BPH-4554; Radio Orangeburg, Inc., Orangeburg, S.C., Docket No. 16624, File No. BPH-4642; for construction permits.

It is ordered, This 9th day of May 1966, that Elizabeth C. Smith shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 14, 1966, at 10 a.m.; and that a prehearing conference shall be convened on June 7, 1966, commencing at 9 a.m.: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: May 10, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5262; Filed, May 12, 1966; 8:50 a.m.]

[Docket No. 16043; FCC 66M-663]

SPORTS NETWORK, INC., AND AMERICAN TELEPHONE & TELEGRAPH CO.

Order Scheduling Hearing

Sports Network, Inc., New York, N.Y., Complainant, vs. American Telephone & Telegraph Co., New York, N.Y., Defendant, Docket No. 16043.

It is ordered, This 9th day of May 1966, that Herbert Sharfman shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 12, 1966, at 10 a.m.; and that a prehearing conference shall be held on June 16, 1966, commencing at 10 a.m.: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: May 10, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5263; Filed, May 12, 1966; 8:51 a.m.]

FEDERAL MARITIME COMMISSION

HANSEATISCHE REEDEREI EMIL OFFEN & CO. AND VAASA LINE OY

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of Agreement Filed for Approval by: Mr. John P. Meade, Graham James & Rolph, 1725 De Sales Street NW., Washington, D.C., 20036.

Agreement 8178–3 between Hanseatische Reederei Emil Offen & Co., and Vaasa Line Oy, the carriers comprising the Hanseatic-Vaasa Line Joint Service operating in the inbound and outbound trades between Pacific coast and Hawaiian and European ports modifies the basic agreement to (1) eliminate from the scope of their joint operations the outbound trade from Pacific coast and Hawaiian ports to Europe; (2) to eliminate Hawaii from the scope of their joint operations in the inbound trade; (3) to provide that in the trade from Europe to the Pacific coast, the parties will endeavor to schedule their vessels for their mutual benefit and the best interests of the trade served; (4) to eliminate the requirement that the common Owner's representative of the joint service be located in the United States; and (5) to amend other provisions of the agreement to reflect the foregoing changes in the scope of the joint service's operations.

Dated: May 10, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66–5237; Filed, May 12, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI66–368]

SUNSET INTERNATIONAL PETROLEUM CORP.

Order Accepting Rate Increase Filings, Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund

MAY 6, 1966.

Sunset International Petroleum Corp. (Sunset) [2] has tendered for filing proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66–368...	Sunset International Petroleum Corp., 8920 Wilshire Blvd., Beverly Hills, Calif., 90211.	21	1	El Paso Natural Gas Co. (Huerfano Unit No. 106, San Juan County, N. Mex.) (San Juan Basin Area).	$1,000	4–8–66	[3] 5–9–66 [3] 5–9–66	[3] 5–10–66 (Accepted)	[7] 13.0 [8] 11.0	[4] [6] [7] 14.0 [4] [8] 12.0	
	do	24	20	El Paso Natural Gas Co. (San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	82,000	4–8–66	[3] 5–9–66	[3] 5–10–66	[7] 13.0	[4] [6] 14.0	
	do	27	7	El Paso Natural Gas Co. (Maddox No. 1 Unit, San Juan County, N. Mex.).	2,260	4–8–66	[3] 5–9–66	[3] 5–10–66	[7] 13.0	[4] [6] 14.0	
	do	28	[10] 3	El Paso Natural Gas Co. (Huerfano Unit-Pictured Cliffs Formation, San Juan County, N. Mex.) (San Juan Basin Area).	120	4–7–66	[3] 5–8–66	(Accepted)	11.0	[4] 12.0	

[1] The stated effective date is the effective date requested by Respondent.
[2] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[6] Pressure base is 15.025 p.s.i.a.
[7] Includes 1.0 cent per Mcf added to reflect minimum guarantee for liquids.
[8] High pressure gas.
[9] Low pressure gas. By letter agreement dated Feb. 9, 1961 (Supplement No. 1), buyer and seller agreed that the price for low pressure gas delivered into buyer's 250-pound gathering system would be reduced by 1.0 cent per Mcf and the 1.0 cent per Mcf minimum guarantee for liquids would not apply to such gas.
[3] The stated effective date is the 1st day after expiration of the statutory notice.
[10] Includes letter from buyer dated Feb. 16, 1966, and copy of Respondent's check to buyer dated Mar. 1, 1966, evidencing compliance to ordering paragraph (J) of Commission's order issued Aug. 24, 1964, in Docket No. G–3894, et al. Such order issued a permanent certificate to Sunac Petroleum Corp., Respondent's predecessor, in Docket No. CI64–1423 and required refunds for amounts collected in excess of 10.0 cents from June 10, 1959, to May 28, 1964, before any rate increase could be filed.

Sunset requests a retroactive effective date of March 1, 1966, the date of refund payment for the proposed increased rate contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 28. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for the increased rate contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 28 and such request is denied.

The proposed increased rates contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 21 are for high pressure and low pressure gas. The rate of 12.0 cents per Mcf for low pressure gas is below the 13.0 cents per Mcf San Juan Basin area ceiling and is therefor accepted for filing and permitted to become effective on May 9, 1966, the proposed effective date. The increased rate of 14.0 cents per Mcf for high pressure gas contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 21 exceeds the area ceiling by 1.0 cents per Mcf minimum guarantee for liquids. Sunset has advised that it is not willing to waive such minimum guarantee. We believe, in this situation, Sunset's proposed 14.0 cents per Mcf increased rate for high pressure gas contained in the aforementioned supplement should be suspended for 1 day from May 9, 1966, the proposed effective date.

The proposed rate increases contained in Supplement Nos. 20 and 7 to Sunset's FPC Gas Rate Schedule Nos. 24 and 27, respectively, do not include as part of the proposed rates the contractually provided 1.0 cents per Mcf minimum guarantee for liquids. The addition of this minimum guarantee of 1.0 cent to the base rate results in a rate in excess of the 13.0 cents per Mcf area ceiling for increased rates in the San Juan Basin Area. Sunset has advised that it is not willing to waive such minimum guarantee for liquids. Under the circumstances, Sunset's proposed rate increases contained in these two supplements should be suspended for 1 day from May 9, 1966, the proposed effective date.

Sunset's proposed increased rate contained in Supplement No. 3 to its FPC Gas Rate Schedule No. 28 involves a sale which was succeeded to by Sunset's predecessor, Sunac Petroleum Corp. (Sunac). At the time Sunac filed for a certificate authorizing the continuation of such sales, it was learned that such sale had been rendered without certificate authorization. The order issuing a certificate to Sunset's predecessor, Sunac, under Docket No. CI64–1423, required Sunac to refund to the purchaser, El Paso Natural Gas Co. (El Paso) all unauthorized amounts collected in excess of the 10.0 cents initial rate from June 10, 1959, the date the sale commenced, to May 28, 1964, the date Sunac filed for certificate authorization. The order issuing certificate further provided that after the refund obligation had been satisfied, Sunac could file for any contractually due increased rate above the 11.0 cents per Mcf rate authorized in the certificate order. Such refund obligation has been met to the extent that a check for $730.42 has been mailed to El Paso. Since the required refunds have been made in compliance with the Commission's aforementioned order, and the proposed increased rate is below the 13.0 cents per Mcf area ceiling, we conclude that Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 28 should be accepted for filing and permitted to become effective on May 8, 1966, the date of expiration of the statutory notice.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown that the 12.0 cents per Mcf rate for low pressure gas contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 21 should be accepted for filing and permitted to become effective on May 9, 1966, the proposed effective date.

(2) Good cause has been shown that the 12.0 cents per Mcf rate contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 28 should be accepted for filing and permitted to become effective on May 8, 1966, the date of expiration of the statutory notice.

(3) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed changes, and that Supplement No. 20 and 7 to Sunset's FPC Gas Rate Schedule Nos. 24 and 27, respectively, and the 14.0 cents per Mcf rate for high pressure gas contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 21 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) The 12.0 cents per Mcf for low pressure gas contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 21 is accepted for filing and permitted to become effective on May 9, 1966, the proposed effective date.

(B) The 12.0 cents per Mcf rate contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 28 is accepted for filing and permitted to become effective on May 8, 1966, the date of expiration of the statutory notice.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement Nos. 20 and 7 to Sunset's FPC Gas Rate Schedule Nos. 24 and 27, respectively, and the 14.0 cents per Mcf rate for high pressure gas contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 21.

(D) Pending a hearing and decision thereon, Supplement Nos. 20 and 7 to Sunset's FPC Gas Rate Schedule Nos. 24 and 27, respectively, and the 14.0 cents per Mcf rate for high pressure gas contained in Supplement No. 3 to Sunset's FPC Gas Rate Schedule No. 21, are hereby suspended and the use thereof deferred until May 10, 1966, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Sunset (referred to in paragraph C above) shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order, Sunset shall execute and file under Docket No. RI66–368, with the Secretary of the Commission, its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser, El Paso Natural Gas Co. Unless Sunset is advised to the contrary within 15 days from the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(E) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(F) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 22, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–5211; Filed, May 12, 1966; 8:45 a.m.]

[2] Address is: 8920 Wilshire Blvd., Beverly Hills, Calif., 90211.

[Docket No. G–13183, etc.]

PLACID OIL CO., ET AL.

Order Denying Motions; Correction

APRIL 27, 1966.

Placid Oil Co., Docket No. G–13183, et al.; Superior Oil Co., The, Docket No. G–16380, G–16388; Callery Properties, Inc., Docket No. G–17340, G–17341; United Gas Pipe Line Co., Docket No. RP65–15; Transcontinental Gas Pipe Line Corp., Docket No. RP65–31; Consolidated Gas Supply Corp., Docket No. RP66–23.

In the order denying motions for escrow of refunds to stop interest, requiring reports of intended disposition and requiring retention of refunds, issued April 6, 1966, and published in the FEDERAL REGISTER April 13, 1966 (F.R. Doc. 66–3933, 31 F.R. 5719), insert the following after "United" in the third sentence of ordering paragraph (C): "and any amount attributable to jurisdictional sales by Transco or United".

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–5210; Filed, May 12, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–4382]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Proposed Issue and Sale of Notes to Banks

MAY 9, 1966.

Notice is hereby given that Michigan Wisconsin Pipe Line Co. ("Michigan Wisconsin"), One Woodward Avenue, Detroit, Mich., 48226, a gas transmission subsidiary company of American Natural Gas Co., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Michigan Wisconsin proposes to issue and sell to the banks named below, from time to time commencing in June 1966, its unsecured promissory notes in an aggregate principal amount not to exceed $60 million. The proceeds of the notes will be used to pay, in part, the costs of Michigan Wisconsin's 1966 construction program estimated at $90 million. The maximum amount of notes to be sold to each bank is as follows:

First National City Bank, New York, N.Y.	$20,000,000
National Bank of Detroit, Mich.	16,000,000
Manufacturers Hanover Trust Co., New York, N.Y.	10,000,000
The Detroit Bank & Trust Co., Detroit, Mich.	5,000,000
Manufacturers National Bank of Detroit, Mich.	5,000,000
First Wisconsin National Bank of Milwaukee, Wis.	3,000,000
Marine National Exchange Bank, Milwaukee, Wis.	1,000,000
Total	60,000,000

All notes will mature September 30, 1967, and may be prepaid at any time without penalty. Each note will bear interest at the prime rate (currently 5½ percent per annum) in effect at First National City Bank, New York, N.Y., on

its issue date, subject to adjustment, however, to the prime rate in effect at the beginning of each 90-day period subsequent to the date on which the first note is issued.

Michigan Wisconsin will apply the net proceeds from any permanent debt financing effected prior to the maturity of the notes in reduction of, or in total payment of, the notes, and the aggregate principal amount of the notes authorized under this filing will be reduced by the amount of the net proceeds of the permanent debt financing.

Fees and expenses incident to the proposed transactions are estimated at $1,000, including legal fees of $500. The filing states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 3, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5223; Filed, May 12, 1966; 8:47 a.m.]

[File No. 7-2551]

UNITED STATES STEEL CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 9, 1966.

In the matter of application of the Boston Stock Exchange for unlisted trading privileges in a certain security, Securities Exchange Act of 1934.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

United States Steel Corp., File 7-2551.

Upon receipt of a request, on or before May 25, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5224; Filed, May 12, 1966; 8:47 a.m.]

[File No. 7-2552]

UNITED STATES STEEL CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 9, 1966.

In the matter of application of the Cincinnati Stock Exchange for unlisted trading privileges in a certain security, Securities Exchange Act of 1934.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

United States Steel Corp., File 7-2552.

Upon receipt of a request, on or before May 25, 1966, from any interested person the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5225; Filed, May 12, 1966; 8:47 a.m.]

[File No. 7-2553]

UNITED STATES STEEL CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 9, 1966.

In the matter of application of the Detroit Stock Exchange for unlisted trading privileges in a certain security, Securities Exchange Act of 1934.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

United States Steel Corp., File 7-2553.

Upon receipt of a request, on or before May 25, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5226; Filed, May 12, 1966; 8:47 a.m.]

[File No. 7-2554]

UNITED STATES STEEL CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 9, 1966.

In the matter of application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in a certain security, Securities Exchange Act of 1934.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

United States Steel Corp., File 7-2554.

Upon receipt of a request, on or before May 25, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5227; Filed, May 12, 1966; 8:47 a.m.]

[File No. 7-2555]

UNITED STATES STEEL CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 9, 1966.

In the matter of application of the Pittsburgh Stock Exchange for unlisted trading privileges in a certain security, Securities Exchange Act of 1934.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

United States Steel Corp., File 7-2555.

Upon receipt of a request, on or before May 25, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5228; Filed, May 12, 1966; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30, New York Region; Rev. 1, Amdt. 1]

NEW YORK REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30-1 New York, 30 F.R. 2885 as amended, 30 F.R. 9078, 13030, 13418, and 31 F.R. 3274; Delegation of Authority 30, F.R. 12137 is hereby amended to add the following authority to Item I.G.:

I. • • •

G. *To Loan Specialist GS-9 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 25, 1966.

RAYMOND B. CURRAN,
Acting Regional Director,
New York Regional Office.

[F.R. Doc. 66-5229; Filed, May 12, 1966; 8:48 a.m.]

[Delegation of Authority 30, Puerto Rico Region; Rev. 1, Amdt. 1]

PUERTO RICO REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30, Puerto Rico, 30 F.R. 2885 as amended, 30 F.R. 9078, 13030, 13418, and 31 F.R. 3274; Delegation of Authority 30, F.R. 12139 is hereby amended to add the following authority to Item I.G.:

I. • • •

G. *To Loan Specialist GS-9 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 25, 1966.

ANTONIO YORDAN,
Regional Director,
Puerto Rico Regional Office.

[F.R. Doc. 66-5230; Filed, May 12, 1966; 8:48 a.m.]

[Delegation of Authority 30, Syracuse Region; Rev. 1, Amdt. 1]

SYRACUSE REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30, Syracuse, 30 F.R. 2885 as amended, 30 F.R. 9078, 13030, 13418, and 31 F.R. 3274; Delegation of Authority 30, F.R. 12138 is hereby amended to add the following authority to Item I.G.:

I. • • •

G. *To Loan Specialists GS-9 and above assigned to all financial assistance divisions programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 25, 1966.

J. WILSON HARRISON,
Regional Director,
Syracuse Regional Office.

[F.R. Doc. 66-5231; Filed, May 12, 1966; 8:48 a.m.]

[Delegation of Authority 30, Minneapolis, Minn., Region; Rev. 1, Amdt. 1]

MINNEAPOLIS REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30 F.R. 3252, as amended by 30 F.R. 13556 and 30 F.R. 14062; Delegation of Authority 30 F.R. 4734, as amended by 31 F.R. 3274 is hereby amended to add the following authority as Item I.G.:

I. • • •

G. *To Loan Specialists GS–9 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 26, 1966.

HARRY A. SIEBEN,
Regional Director,
Minneapolis, Minn.

[F.R. Doc. 66–5235; Filed, May 12, 1966; 8:48 a.m.]

[Declaration of Disaster Area 574]

ARKANSAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Ouachita County in the State of Arkansas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from floods and accompanying conditions occurring on or about May 1, 1966.

OFFICE

Small Business Administration Regional Office, 600 West Capital Avenue, Little Rock, Ark., 72201.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1966.

Dated: May 3, 1966.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66–5232; Filed, May 12, 1966; 8:48 a.m.]

[Declaration of Disaster Area 575]

LOUISIANA

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Caddo Parish in the State of Louisiana;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid Parish and areas adjacent thereto, suffered damage or destruction resulting from a flood and accompanying conditions occurring on or about May 1, 1966.

OFFICE

Small Business Administration Regional Office, 600 West Capital Avenue, Little Rock, Ark., 72201.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1966.

Dated: May 3, 1966.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66–5232; Filed, May 12, 1966; 8:48 a.m.]

[Declaration of Disaster Area 573]

TEXAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1966, because of the effects of certain disasters, damage resulted to residences and business property located in the State of Texas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid State, suffered damage or destruction resulting from floods and accompanying conditions occurring on or about April 24, 1966.

OFFICES

Small Business Administration Regional Office, 411 North Akard Street, Dallas, Tex., 75201.

Small Business Administration Regional Office, 101 East Austin Street, Marshall, Tex., 75671.

2. Temporary offices will be established in additional cities or areas in the State as a need is indicated, addresses to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1966.

Dated: May 2, 1966.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66–5234; Filed, May 12, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 10, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40467—*TOFC Rates—Points in Connecticut to Beaumont, Tex.* Filed by Southwestern Freight Bureau, agent (No. B–8849), for interested rail carriers. Rates on aluminum, brass, bronze, and copper articles, also electric cable and wire, in trailerloads, from specified points in Connecticut, to Beaumont, Tex.

Grounds for relief — Motor-water-motor competition.

Tariff—Supplement 13 to Southwestern Freight Bureau, agent, tariff ICC 4669.

FSA No. 40468—*Soda ash to St. Louis, Mo., District Points.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2840), for interested rail carriers. Rates on soda ash, in bulk, in covered hopper cars, in carloads, from specified points in Michigan, New York, and Ohio, also Saltville, Va., to Alton, East St. Louis, Federal, Hartford, Roxana, and Wood River, Ill., also St. Louis, Mo.

Grounds for relief—Market competition.

Tariffs—Supplement 17 to Akron, Canton & Youngstown Railroad tariff ICC 480, and other schedules named in the application.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–5239; Filed, May 12, 1966; 8:48 a.m.]

[Notice 1345]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 10, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68627. By order of May 6, 1966, the Transfer Board approved the transfer to Meek Trucking Co., a Corporation, Knights Landing, Calif., of the operating rights in the certificate in No. MC–123523 (Sub-No. 2), and the certificate of registration in No. MC–123523 (Sub-No. 4), issued October 17, 1961, and September 24, 1964, respectively, to William H. Meek, Jr., doing business as McDermott Trucking, Knights Landing, Calif., the certificate authorizing transportation, in interstate or foreign commerce, of animal and poultry feeds, in bulk, from Robbins, Calif., and points within 10 miles thereof, to Sacramento, Stockton, Oakland, Alameda, and San Francisco, Calif.; and the certificate of registration evidencing a right to engage in transportation in interstate or foreign commerce solely in the State of California, corresponding to certificate of public convenience and necessity granted in decision No. 62131, dated June 13, 1961, as amended by decision No. 64092, dated August 7, 1962, by the Public Utilities Commission of the State of California. Bertram S. Silver, 140 Montgomery Street, San Francisco, Calif., 94104, attorney for applicants.

No. MC–FC–68628. By order of May 6, 1966, the Transfer Board approved the transfer to Mary Kirkpatrick, doing business as Kirkpatrick Trucking, Harvard, Ill., of the operating rights in permit No. MC–126389, issued July 28, 1965, and certificates Nos. MC–106594, issued July 28, 1965, and MC–106594 (Sub-No. 2), issued July 14, 1955, to Seth Kirkpatrick, doing business as Kirkpatrick Trucking, Harvard, Ill., the permit authorizing transportation, over irregular routes, of mineral wool and certain related items from Walworth, Wis., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Missouri and nonedible starch, in bags, from Decatur, Ill., to Walworth, Wis., and the certificates authorizing transportation, over irregular routes, of livestock from named points in Walworth County, Wis., to Chicago, Ill., barn lime from Chicago, Ill., to named points in Walworth County, Wis., and petroleum products, in bulk, in tank vehicles, from Chicago, Ill., to specified counties in Wisconsin. Dual operations were authorized. Charles B. Myers, 611 Field Building, Chicago, Ill., 60603, attorney for applicants.

No. MC–FC–68672. By order of May 6, 1966, the Transfer Board approved the transfer to H. Michael Reilly, doing business as Lorraine Horse Trans., Rockland, Mass., of the operating rights of Carver Vans, Elkridge, Md., in certificate No. MC–64071, issued January 13, 1943, authorizing the transportation, over irregular routes, of livestock, other than ordinary livestock, and, in connection therewith, personal effects of attendants, supplies, and equipment, including mascots, used in the care and/or exhibition of such animals, over irregular routes, between points in Maryland, Rhode Island, New York, Massachusetts, New Hampshire, Virginia, West Virginia, Delaware, Pennsylvania, New Jersey, Connecticut, Ohio, and the District of Columbia. Eli J. Golden, 702 Court Square, Baltimore, Md., attorney for transferor. Mary E. Kelley, 10 Tremont Street, Boston 8, Mass., attorney for transferee.

No. MC–FC–68676. By order of May 6, 1966, the Transfer Board approved the transfer to John D. Bohr, Inc., Annville, Pa., of the operating rights in certificates Nos. MC–115379, MC–115379 (Sub-No. 2), MC–115379 (Sub-No. 3), MC–115379 (Sub-No. 5), MC–115379 (Sub-No. 6), MC–115379 (Sub-No. 7), MC–115379 (Sub-No. 9), MC–115379 (Sub-No. 10), MC–115379 (Sub-No. 11), MC–115379 (Sub-No. 14), MC–115379 (Sub-No. 16), and MC–115379 (Sub-No. 24), issued October 9, 1956, September 26, 1958, February 13, 1959, July 18, 1961, November 8, 1961, April 25, 1963, August 13, 1963, February 24, 1964, May 6, 1964, July 21, 1965, June 30, 1965, and April 25, 1966, respectively, to John D. Bohr, Jr., Annville, Pa., authorizing the transportation of: Various commodities, i.e., limestone, sand, phosphate, fish meal, shells, and fish scrap, between points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia. Christian V. Graf, 407 North Front Street, Harrisburg, Pa., attorney for applicants.

No. MC–FC–68684. By order of May 6, 1966, the Transfer Board approved the transfer to Newman Bros. Trucking Co., a Corporation, Fort Worth, Tex., of the operating rights of Oscar Fuchshuber, doing business as Fuchshuber Trucking, Fort Worth, Tex., in certificate of registration No. MC–120761 (Sub-No. 1), issued April 20, 1964, authorizing the transportation, between all points in Texas, except that where both origin and destination are places within the corporate limits of a city, town, or village on the certificated route of a fixed route motor common carrier, or are places at which a railroad, or railroads performs pickup and delivery service, applicants are restricted to transport only those articles specifically limited as to height, width, length, weight, or other physical characteristics, of pipe, when moving as oilfield equipment, oilfield equipment, other than pipe, when it is to be used in the construction of pipe lines of any and every other character or use, ditching machinery, and various other types of machinery and equipment, the specified restrictions varying with the commodities indicated. Beal Dean, 203 Fort Worth Club Building, Fort Worth, Tex., 76102, attorney for Applicants.

No. MC–FC–68688. By order of May 6, 1966, the Transfer Board approved the transfer to Irvington Trucking, Inc., Irvington, N.J., of the operating rights in certificate No. MC–113305, issued May 15, 1952, to Barney's Express, Inc., Irvington, N.J., authorizing the transportation of: General commodities, with exceptions, over irregular routes between points in Essex County, N.J., on the one hand, and, on the other, points in the New York, N.Y., commercial zone, and incandescent lamps and bulbs, from East Newark, N.J., to points in the New York, N.Y., commercial zone. James J. Farrell, 201 Montague Place, South Orange, N.J., 07079, representative for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–5240; Filed, May 12, 1966; 8:49 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[Secretary's Order 32–63; Amdt.]

WAGE APPEALS BOARD

Delegation of Prevailing Wage Determination Duties Under the Tennessee Valley Authority Act; Amendment Revoked

1. *Authority.* This order is issued pursuant to R.S. 161 (5 U.S.C. 22) and Reorganization Plan No. 6 of 1950 (5 U.S.C. 611 note).

2. *Revocation.* The amendment of Secretary's Order No. 32–63 published in 31 F.R. 5649 is hereby revoked.

Signed at Washington, D.C., this 4th day of May 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66–5222; Filed, May 12, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3718 — 6567
3719 — 6607
3720 — 6679
3721 — 6817
3722 — 6855
3723 — 6945
3724 — 7027

EXECUTIVE ORDER:
11017 (Superseded by EO 11278) — 6681
11069 (Superseded by EO 11278) — 6681
11218 (Superseded by EO 11278) — 6681
11277 — 6609
11278 — 6681
11279 — 6947

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 — 6857

5 CFR

213 — 6769, 6859, 6903, 6949
772 — 6569, 6949

6 CFR

70 — 7029

7 CFR

7 — 6569
50 — 6570
68 — 6629
701 — 6957
718 — 6859
719 — 7030
722 — 6573, 6580, 6859
724 — 6819
729 — 6581, 6957
813 — 6819
815 — 6860
905 — 6958
908 — 6825, 7030
909 — 6825
910 — 6826
918 — 6958
944 — 6959
959 — 6860
980 — 6629
1098 — 6581
1099 — 6861
1421 — 6904
1427 — 6861
1434 — 6582
1490 — 6862

PROPOSED RULES:
52 — 6871
58 — 6715
916 — 6871
965 — 6592
1032 — 6631
1038 — 7061
1039 — 7061
1050 — 6631
1065 — 6873
1125 — 7062
1126 — 6631
1133 — 6986

8 CFR

Page

214 — 6611

9 CFR

76 — 7029

12 CFR

1 — 6826, 6905
10 — 6949
11 — 6950
12 — 6952
13 — 6953
14 — 6954
15 — 6955
16 — 6955
522 — 6905
524 — 6905

14 CFR

39 — 6582, 6685, 6790, 6959, 7031
71 — 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031.
73 — 6893, 7032
97 — 6612, 6685, 6828, 6894
137 — 6685
151 — 6686
208 — 6620
223 — 6584
320 — 6585
378 — 6621

PROPOSED RULES:
37 — 7084
71 — 6716, 6717, 6837, 6838, 6873, 6908, 6987
75 — 7085
105 — 6988
121 — 6592
246 — 6986

15 CFR

30 — 6587
369 — 7037
372 — 7038
373 — 6707, 7038
374 — 6707
377 — 6707
379 — 6709
382 — 6707, 6709, 7038
384 — 6709, 6864
385 — 6709
399 — 6707, 6709, 6829, 6866, 7038

16 CFR

13 — 7056–7059
15 — 6866, 6906
59 — 6960

17 CFR

200 — 6588
240 — 6705, 6706

19 CFR

1 — 6611
10 — 6769

PROPOSED RULES:
1 — 6871
20 — 6908

20 CFR

404 — 6611

21 CFR

Page

121 — 6830
131 — 6705, 6906
146c — 6830
191 — 6622

PROPOSED RULES:
51 — 6792

24 CFR

200 — 6866

26 CFR

1 — 6589, 6966
31 — 6589

PROPOSED RULES:
1 — 6966

28 CFR

0 — 6867

29 CFR

548 — 6769
800 — 6770

31 CFR

90 — 6960
202 — 6590
316 — 6831
332 — 6686, 6831

32 CFR

300 — 6831
706 — 6962
1472 — 6906
1810 — 6962

32A CFR

BDSA (Ch. VI):
BDSA Reg. 2 — 6590
M–11A — 7036

33 CFR

203 — 6907
207 — 6590, 6622, 6867
208 — 6707

35 CFR

255 — 6831

38 CFR

2 — 6770
21 — 6771

39 CFR

PROPOSED RULES:
21 — 6715
24 — 6715

41 CFR

6–1 — 6622
6–2 — 6623
6–3 — 6623
6–5 — 6624
6–7 — 6624
6–11 — 6624
6–30 — 6624
6–60 — 6625
9–12 — 6907
22–60 — 6625
101–26 — 6963
101–45 — 6831

43 CFR

Page

PUBLIC LAND ORDERS:
3977 (amended by PLO 4000) — 6868
3999 — 6907
4000 — 6868

PROPOSED RULES:
1727 — 6984
2221 — 6985
3130 — 6834
3160 — 6836

45 CFR

177 — 6591
801 — 6591

46 CFR

309 — 6891

PROPOSED RULES:
510 — 6792
512 — 6838
513 — 6838

47 CFR

0 — 6627, 6831
1 — 6831, 6868
73 — 6627, 6628, 6868

PROPOSED RULES:
2 — 6909, 7086
73 — 6637, 6638, 6792, 6838, 6874, 7086
87 — 6909, 7086

48 CFR

16 — 7032
17 — 7033
18 — 7034
19 — 7034

49 CFR

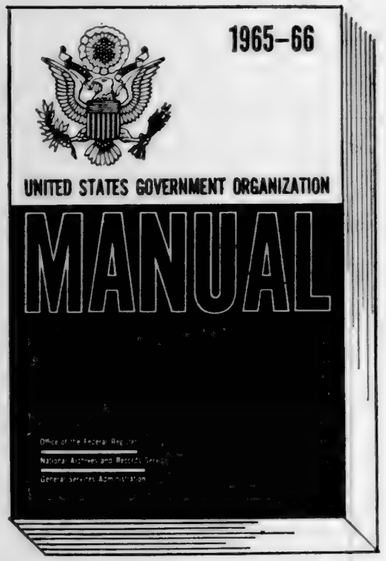
71–79 — 6591
95 — 6832
142 — 6964
188 — 6964

50 CFR

33 — 6629, 6832, 6869, 6893, 6964
60 — 6833

PROPOSED RULES:
32 — 7061

U.S. GOVERNMENT ORGANIZATION MANUAL
1965–66 EDITION



KNOW YOUR GOVERNMENT

The United States Government Organization Manual is the official guide to the functions of the Federal Government

Presents authoritative information about Government agencies.

Describes the creation and authority, organization, and functions of the agencies in the legislative, judicial, and executive branches.

This handbook is an indispensable reference tool for teachers, librarians, scholars, lawyers, and businessmen who need current official information about the U.S. Government.

$1.75 per copy. Paperbound, with charts

Order from
Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402.

DETROIT PUBLIC LIBRARY MAY 16 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 94

Saturday, May 14, 1966 • Washington, D.C.

Pages 7103–7161

Agencies in this issue—

The President
Agriculture Department
Civil Service Commission
Commerce Department
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Education Office
Federal Aviation Agency
Federal Maritime Commission
Federal Power Commission
Federal Water Polution Control Administration
Fish and Wildlife Service
Health, Education, and Welfare Department
Interagency Textile Administrative Committee
International Commerce Bureau
Interstate Commerce Commission
Maritime Administration
Public Health Service
Social Security Administration
Treasury Department
Wage and Hour Division

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

5-Year Compilations of Presidential Documents

Supplements to Title 3 of the Code of Federal Regulations

The Supplements to Title 3 of the Code of Federal Regulations contain the full text of proclamations, Executive orders, reorganization plans, trade agreement letters, and certain administrative orders issued by the President and published in the Federal Register during the period June 2, 1938–December 31, 1963. Tabular finding aids and subject indexes are included. The individual volumes are priced as follows:

1938–1943 Compilation—$3.00
1943–1948 Compilation—$7.00
1949–1953 Compilation—$7.00
1954–1958 Compilation—$4.00
1959–1963 Compilation—$6.00

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION
United Nations Day, 1966 7107

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT
See also Consumer and Marketing Service.

Notices
Nebraska; designation and extension of areas for emergency loans 7150

CIVIL SERVICE COMMISSION
Notices
Estate tax examiners in California; notice of adjustment of minimum rates and rate ranges 7152

COMMERCE DEPARTMENT
See also International Commerce Bureau; Maritime Administration.

Notices
Lawrence, George E.; statement of changes in financial interests 7151

COMMODITY CREDIT CORPORATION
Rules and Regulations
Cotton; payment on cotton in inventory on July 31, 1966 7110

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Grapefruit grown in Arizona and certain parts of California; shipment limitations 7109
Handling limitations:
Lemons grown in California and Arizona 7110
Valencia oranges grown in Arizona and designated part of California 7109
Milk in Paducah, Ky., marketing area; order suspending certain provisions 7110

Proposed Rule Making
Milk in certain marketing areas:
Minneapolis-St. Paul, Minn 7129
Paducah, Ky 7129

CUSTOMS BUREAU
Notices
Customs Field Office, Region II, N.Y.; delegation of authority 7150

EDUCATION OFFICE
Rules and Regulations
Financial assistance for acquisition of equipment to improve undergraduate instruction in institutions of higher education; submission and processing of applications 7128

FEDERAL AVIATION AGENCY
Rules and Regulations
Airworthiness directives:
Bendix Model 756 Starters on Lycoming engines 7111
Boeing Model 707 and 720 Series airplanes 7111
de Havilland Model DHC-2 Series airplanes 7111
IFR altitudes; miscellaneous changes 7112
Restricted area; revocation 7112
Transition area; alteration 7112

Proposed Rule Making
Airworthiness directives; British Aircraft Corp. (BAC) Model 1-11 Series airplanes 7148
Transition area; proposed alteration 7149

FEDERAL MARITIME COMMISSION
Notices
Revocation of license:
Bermuda Forwarders 7152
Star Foreign Freight Forwarding, Inc 7152

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Ashland Oil & Refining Co., et al 7157
Bogle Farms, Inc., et al 7158
Manufacturers Light and Heat Co 7158
Mountain Fuel Supply Co 7159
South Texas Natural Gas Gathering Co 7159

FEDERAL WATER POLLUTION CONTROL ADMINISTRATION
Rules and Regulations
Adoption, amendment, and transfer of regulations regarding water pollution control 7114

FISH AND WILDLIFE SERVICE
Notices
Ann-B, Inc., notice of hearing; correction 7150

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See also Education Office; Public Health Service; Social Security Administration.

Rules and Regulations
Transfer of regulations regarding water pollution control; cross reference 7128

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE
Notices
Cotton textiles and cotton textile products produced or manufactured in Yugoslavia; levels of restraint 7152

INTERIOR DEPARTMENT
See Federal Water Pollution Control Administration; Fish and Wildlife Service.

INTERNATIONAL COMMERCE BUREAU
Notices
Diatron-Oschanitzky K.G.; order denying export privileges for an indefinite period 7150

INTERSTATE COMMERCE COMMISSION
Notices
Motor carrier:
Temporary authority applications 7154
Transfer proceedings 7156

LABOR DEPARTMENT
See Wage and Hour Division.

MARITIME ADMINISTRATION
Proposed Rule Making
Construction-differential subsidy contracts; cancellation of proposed revision of policy 7131

PUBLIC HEALTH SERVICE
Rules and Regulations
Transfer of regulations regarding water pollution control; cross reference 7128

SOCIAL SECURITY ADMINISTRATION
Proposed Rule Making
Health insurance program for aged; conditions for participation:
Extended care facilities 7131
Home health agencies 7143

TREASURY DEPARTMENT
See also Customs Bureau.

Notices
Customs field offices; reorganization; correction 7150

WAGE AND HOUR DIVISION
Notices
Certificates authorizing employment of learners at special minimum rates 7153

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATION:
3725 7107

7 CFR

908 7109
909 7109
910 7110
1099 7110
1427 7110

PROPOSED RULES:
1068 7129
1099 7129

14 CFR

39 (3 documents) 7111
71 7112
73 7112
95 7112

PROPOSED RULES:
39 7148
71 7149

18 CFR

601 7114
606 7127

20 CFR

PROPOSED RULES:
405 (2 documents) 7131, 7143

42 CFR

55 7128
81 7128

45 CFR

90 7128
171 7128

46 CFR

PROPOSED RULES:
290 7131

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3725

UNITED NATIONS DAY, 1966

By the President of the United States

A Proclamation

1966 marks the twenty-first anniversary of the signing of the United Nations Charter.

Since 1945 successive administrations have re-affirmed this nation's commitment to the purposes of the United Nations.

For more than two decades the United States has worked to help the UN improve its peacekeeping capacity, expand its programs of economic development, and promote social justice and human rights.

The UN has been effective in containing local disputes which, if unchecked, could have led to general war. It has assisted scores of nations in meeting the challenges of the technological revolution. Above all, the UN has proved to be a place where constructive dialogues between rich and poor nations can lead to better understanding in today's world, and the promise of a fuller life for future generations.

Because we know that institutions, like men, must remain ever ready to cope with recurring crises, we will continue to do our share in keeping the UN's operations relevant to its problems, realistic in approach, and responsible in action.

Effective public support for the United Nations depends upon a sober appraisal of its accomplishments, and upon a sympathetic understanding of the problems, as well as the potential, of the world organization.

The General Assembly of the United Nations has resolved that October twenty-fourth, the date of the coming into force of the United Nations Charter in 1945, should be dedicated each year to making known the purposes, principles, and accomplishments of the United Nations:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim Monday, October 24, 1966, as United Nations Day, and urge the citizens of this Nation to observe that day by means of community programs which will contribute to a realistic understanding of the aims, problems, and achievements of the United Nations and its associated organizations.

I also call upon officials of the Federal and State Governments and upon local officials to encourage citizen groups and agencies of communication—press, radio, television, and motion pictures—to engage in special and appropriate observance of United Nations Day this year in cooperation with the United Nations Association of the United States of America and other interested organizations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 11th day of May in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-5362; Filed, May 13, 1966; 10:34 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 161]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.461 Valencia Orange Regulation 161.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 12, 1966.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., May 15, 1966, and ending at 12:01 a.m., P.s.t., May 22, 1966, are hereby fixed as follows:

(i) District 1: 750,000 cartons;

(ii) District 2: 269,334 cartons;

(iii) District 3: 150,000 cartons.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 13, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5376; Filed, May 13, 1966; 11:21 a.m.]

[Grapefruit Reg. 32, Amdt. 1]

PART 909—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF., AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 909, as amended (7 CFR Part 909), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, Calif.; and in that part of Riverside County, Calif., situated south and east of White Water, Calif., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of grapefruit.

Order. In § 909.332 (Grapefruit Regulation 32, 31 F.R. 6825) the provisions of paragraph (b) (3) and (4) are amended by deleting said subparagraphs (3) and (4) and substituting in lieu thereof the following:

§ 909.332 Grapefruit Regulation 32.

* * * * * *

(b) *Order.* * * *

(3) Subject to the requirements of subparagraph (2) (i) of this paragraph, any handler may, but only as the initial handler thereof, handle grapefruit smaller than 3 9/16 inches in diameter diameter directly to a destination in Zone 4, Zone 3, or Zone 2; and if the grapefruit is so handled directly to Zone 2 the grapefruit does not measure less than 3 9/16 inches in diameter: *Provided,* That a tolerance of 5 percent, by count, of grapefruit smaller than 3 9/16 inches in diameter shall be permitted, which tolerance shall be applied in accordance with the aforesaid provisions for the application of tolerances and, in determining the percentage of grapefruit in any lot which are smaller than 3 9/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are 3 11/16 inches in diameter and smaller.

(4) As used herein "handler," "variety," "grapefruit," "handle," "Zone 2," "Zone 3," and "Zone 4" shall have the same meaning as when used in said amended marketing agreement and order; terms relating to grade shall have the same meaning as when used in the aforesaid revised U.S. Standards for Grapefruit; and "diameter" shall mean the greatest dimension measured at right angles to a line from the stem to blossom end of the fruit.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, May 12, 1966, to become effective at 12:01 a.m., P.s.t., May 15, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5325; Filed, May 13, 1966; 8:48 a.m.]

[Lemon Reg. 214]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.514 Lemon Regulation 214.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 10, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., May 15, 1966, and ending at 12:01 a.m., P.s.t., May 22, 1966, are hereby fixed as follows:

(i) District 1: 4,650 cartons;
(ii) District 2: 255,750 cartons;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 12, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5360; Filed, May 13, 1966; 8:48 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk) Department of Agriculture

[Milk Order No. 99]

PART 1099—MILK IN THE PADUCAH, KY., MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Paducah, Ky., marketing area (7 CFR Part 1099), it is hereby found and determined that:

a. The following provisions of the order at this time and under the circumstances now existing will not tend to effectuate the declared policy of the Act:

In § 1099.51(a), all of the text except:

§ 1099.51 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk for the month shall be the basic formula price for the preceding month plus $1.45: *Provided,* That 10 cents shall be added to the price for Class I milk at pool plants located within that portion of the marketing area in the State of Missouri; and

* * * * *

b. Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) At a public hearing held on April 26, 1966, at Paducah, Ky., proposals were made to increase the Class I price for the Paducah market. The producer association requested that emergency action be taken to increase the Class I price to be effective May 1, or as soon as possible. In a recommended decision issued concurrently with this suspension order, it is concluded that the urgency of conditions requires immediate price adjustment through a suspension action until the order can be amended.

(4) This suspension order is necessary to insure an adequate supply of pure and wholesome milk for the Paducah, Ky., maketing area. The Class I price should be increased immediately to reflect current marketing conditions. The effect of this suspension will be to increase the price 18 cents per hundredweight over the price otherwise provided from the effective date through June 30.

(5) This suspension order should be made effective at the earliest possible date even though it will not be at the beginning of the monthly accounting period. There will be little difference in returns to producers whether the Class I prices are prorated over the month's utilization based on the number of days each price was effective or whether two accounting periods in the same month are established. Each handler should be given the option of either filing two reports for the month or having the two Class I prices prorated according to the number of days within the month for which the different price levels were effective. The option chosen by the handler should be indicated at the time of filing his reports of receipts and utilization.

Therefore, good cause exists for making this order effective upon date of issuance.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the period from the date of issuance of this suspension order through June 30, 1966.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date. Upon date of issuance.

Signed at Washington, D.C., on May 11, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66–5280; Filed, May 13, 1966; 8:46 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Announcement PS–CN–2, Amdt. 7]

PART 1427—COTTON

Subpart—1964–66 Cotton Equalization Program—Payment-in-Kind Regulations

COTTON REJECTED TO CCC

Paragraph (a) of § 1427.1976 of the 1964–66 Cotton Equalization Program—Payment-In-Kind Regulations (Announcement PS–CN–2) dated July 1, 1964 (29 F.R. 8465), as amended, is further amended in order to provide that payments will not be made on certain cotton rejected to CCC, to read as follows:

§ 1427.1976 Payment on cotton in inventory on July 31, 1966.

* * * * *

(a) If a cotton handler has eligible cotton in his inventory as of midnight, July 31, 1966, on which evidence of domestic consumption or exportation has not been and will not be furnished, he shall be entitled to a payment on the gross weight of such cotton (including cotton held to meet his inventory requirement) at the payment rate in effect under this subpart on such date, except as provided in paragraphs (b) and (c) of this section: *Provided, however,* That, notwithstanding any other provision of this subpart, if any cotton acquired by the cotton handler under CCC's Announcement NO–C–26 is rejected by the handler to CCC pursuant to such announcement and CCC reacquires title to such cotton after July 31, 1966, such cotton shall not be considered as eligible cotton for the purposes of this section, and if the handler has received or subsequently receives a payment on such cotton under this section, such payment shall be refunded to CCC by the handler.

* * * * *

(Secs. 4, 5, 62 Stat. 1070, as amended, sec. 101, 78 Stat. 173, sec. 203, 70 Stat. 188, sec. 401, 79 Stat. 1187; 15 U.S.C. 714b, 714c, 7 U.S.C. 1348, 7 U.S.C. 1853)

Effective date. This amendment shall become effective upon filing with the Office of the Federal Register.

Signed at Washington, D.C., on May 12, 1966.

H. D. GODFREY,
Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 66–5357; Filed, May 12, 1966; 4:29 p.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 6736; Amdt. 39–233]

PART 39—AIRWORTHINESS DIRECTIVES

Bendix Model 756 Starters on Lycoming Engines

Amendment 39–119 (30 F.R. 10982), AD 65–21–1, requires the incorporation of a holdback spring assembly in certain Bendix Model 756 starters installed on Lycoming engines. Subsequent to the issuance of Amendment 39–119, the Agency has determined that the AD need not apply to starters used on helicopters and to those starter models listed in the applicability statement of the AD that are not installed on Lycoming engines. Therefore, the AD is being amended to delete the model numbers installed on helicopters and the model numbers not installed on Lycoming engines.

Since this amendment relieves a restriction, and imposes no additional burden on any person, notice and public procedure hereon are unnecesary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–119 (30 F.R. 10982), AD 65–21–1, is amended by amending the applicability statement to read as follows:

Applies to Model Numbers 756–10C, –54C, –56C, –56E, –62C, –62D, –64C, and –64D starters installed on Lycoming engines only.

This amendment becomes effective May 14, 1966.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on May 10, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–5266; Filed, May 13, 1966; 8:45 a.m.]

[Docket No. 6108; Amdt. 39–234]

PART 39—AIRWORTHINESS DIRECTIVES

de Havilland Model DHC–2 Series Airplanes

Amendment 39–156 (30 F.R. 14151), AD 65–25–2, requires repetitive inspection of certain wing lift strut assemblies and replacement as necessary, and establishes fatigue life retirement times for all wing lift strut assemblies on de Havilland Model DHC–2 Series airplanes. Subsequent to the issuance of Amendment 39–156, the Agency has determined that certain of these fatigue life retirement times may be increased. Therefore, the AD is being amended to provide these increased retirement times for certain strut assemblies.

Since this amendment relieves a restriction, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–156 (30 F.R. 14151), AD 65–25–2, is amended as follows:

1. Paragraph (f) is amended to read:

(f) Replace wing strut assemblies, C2W–469A/C2W–470A, C2W–473A/C2W–474A, C2W–545A/C2W–546A, and C2W–685A/C2W–686A, with less than 2,500 hours' time in service on the effective date of this AD on airplanes used in those special-purpose operations designated in paragraph (o) before the accumulation of 2,600 hours' time in service and thereafter at intervals not to exceed 2,600 hours' time in service since the last replacement.

2. Paragraph (g) is amended to read:

(g) Replace wing strut assemblies, C2W–469A/C2W–470A, C2W–473A/C2W–474A, C2W–545A/C2W–546A, and C2W–685A/C2W–686A, with 2,500 or more hours' time in service on the effective date of this AD on airplanes used in those special-purpose operations designated in paragraph (o) within the next 100 hours' time in service and thereafter at intervals not to exceed 2,600 hours' time in service since the last replacement.

3. Paragraph (j) is amended to read:

(j) Replace wing strut assemblies, C2W–1103A/C2W–1104A, with less than 5,100 hours' time in service on the effective date of this AD on airplanes used in those special-purpose operations designated in paragraph (o) before the accumulation of 5,200 hours' time in service and thereafter at intervals not to exceed 5,200 hours' time in service since the last replacement.

4. Paragraph (k) is amended to read:

(k) Replace wing strut assemblies, C2W–1103A/C2W–1104A, with 5,100 or more hours' time in service on the effective date of this AD on airplanes used in those special-purpose operations designated in paragraph (o) within the next 100 hours' time in service and thereafter at intervals not to exceed 5,200 hours' time in service since the last replacement.

This amendment becomes effective May 14, 1966.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on May 10, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–5267; Filed, May 13, 1966; 8:45 a.m.]

[Docket No. 7358; Amdt. 39–235]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707 and 720 Series Airplanes

Amendment 111 (25 F.R. 1987), AD 60–6–1, as amended by Amendment 226 (25 F.R. 10972), requires inspection and replacement as necessary of the nose gear outer cylinder on Boeing Model 707 Series airplanes. Subsequent to the issuance of Amendment 226, the Agency has determined that certain Model 720 Series airplanes are equipped with the same nose gear outer cylinder as Model 707 Series airplanes, and are therefore subject to the same cracks. Therefore, the AD is being further amended to apply to Boeing Model 707 and 720 Series airplanes equipped with nose gear outer cylinder, Boeing P/N 5–83025–3005.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489),

§ 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 111 (25 F.R. 1987), AD 60-6-1, as amended by Amendment 226, is further amended by amending the applicability statement to read as follows:

Applies to Model 707 and 720 Series airplanes equipped with nose gear outer cylinder, Boeing P/N 5-83025-3005.

This amendment becomes effective May 14, 1966.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on May 10, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5268; Filed, May 13, 1966; 8:45 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-SW-42]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On April 15, 1966, F.R. Doc. 66-4052 was published in the FEDERAL REGISTER (31 F.R. 5825) which altered the Fayetteville, Ark., transition area.

The Fayetteville transition area is described, in part, as that airspace within 5 miles each side of the Drake VOR 186° radial extending from the Fayetteville Municipal-Drake Field 8-mile radius area to 17 miles south of the airport. It has been determined that this part should be redescribed as extending to the required distance south from the Drake VOR, rather than from the airport, to facilitate charting. Accordingly, this action is taken herein.

Since this amendment is clarifying in nature and will impose no additional burden on any person, notice and public procedures hereon are unnecessary, and the effective date of the rule may be retained as initially adopted.

In consideration of the foregoing, the description of the Fayetteville, Ark., transition area in F.R. Doc. No. 66-4052 is amended, effective immediately, as follows: "within 5 miles each side of the Drake VOR 186° radial extending from the 8-mile radius area to 19 miles south of the VOR" is substituted for "within 5 miles each side of the Drake VOR 186° radial extending from the 8-mile radius area to 17 miles south of the airport."

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on May 6, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.D. Doc. 66-5269; Filed, May 13, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SW-20]

PART 73—SPECIAL USE AIRSPACE

Revocation of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to revoke Restricted Area R-5108, White Sands, N. Mex.

Since this amendment will restore airspace to the public use, notice and public procedure are unnecessary and for this reason the amendment may be made effective without regard to the 30-day period preceding effectiveness.

Records indicate that there was no significant use of R-5108 for the period from October 1, 1964, to September 30, 1965. The Department of the Air Force concurs in the revocation of R-5108.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 73.51 (31 F.R. 2323), R-5108 White Sands, N. Mex., is revoked.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 9, 1966.

WILLIAM E. MORGAN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 66-5270; Filed, May 13, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7357; Amdt. 95-141]

PART 95—IFR ALTITUDES

Miscellaneous Changes

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of the Federal Aviation Regulations is amended, effective June 23, 1966, as follows:

1. By amending Subpart C as follows:

From, to, and MEA

Section 95.1001 *Direct routes—United States* is amended to delete:

Tallahassee, Fla., VOR; Tyndall, Fla., VOR; 1,900.

Section 95.1001 *Direct routes—United States* is amended by adding:

King Salmon, Alaska, LFR (Control 1400); Gar INT, Alaska; 2,000.
King Salmon, Alaska, LFR (Control 1401); Herring INT, Alaska; 2,000.
King Salmon, Alaska, LFR (Control 1484); Crab INT, Alaska; 2,000.
Fontana INT, Calif.; *George AFB, Calif., VOR via VCV 156° rad; 8,000. *5,500—MCA George AFB VOR, southeastbound.
George AFB, Calif., VOR via VCV 345° rad; Helendale INT, Calif.; 6,000.

Section 95.1001 *Direct routes—United States* is amended to read in part:

Bessemer INT, Ala.; Brookwood, Ala., VOR; *2,500. *2,100—MOCA.
Toltec INT, Ariz.; Int., PHX 147/TUS 285; *7,000. *6,500—MOCA.

Section 95.6003 *VOR Federal airway 3* is amended to read in part:

Vero Beach, Fla., VOR; Smyrna INT, Fla.; *2,000. *1,600—MOCA.
Smyrna INT, Fla.; Daytona Beach, Fla., VOR; *2,000. *1,300—MOCA.

Section 95.6004 *VOR Federal airway 4* is amended to read in part:

Breese INT, Ill.; Centralia, Ill., VOR; *2,100. *1,900—MOCA.

Section 95.6009 *VOR Federal airway 9* is amended to delete:

Green Bay, Wis., VOR; Iron Mountain, Mich., VOR; *3,000. *2,800—MOCA.
Iron Mountain, Mich., VOR; Houghton, Mich., VOR; *3,200. *3,100—MOCA.
Iron Mountain, Mich., VOR via E alter.; Marquette, Mich., VOR via E alter.; *3,300. *3,200—MOCA.
Marquette, Mich., VOR via E alter.; Houghton, Mich., VOR via E alter.; *3,300. *3,100—MOCA.

Section 95.6011 *VOR Federal airway 11* is amended to read in part:

Fisherville INT, Tenn., via E alter.; Anderson INT, Tenn., via E alter.; *2,200. *1,900—MOCA.

Section 95.6014 *VOR Federal airway 14* is amended to read in part:

St. Louis, Mo., VOR; Prairie INT, Ill.; *2,200. *2,000—BOCA.

Section 95.6010 *VOR Federal airway 16* is amended to read in part:

Fisherville INT, Tenn.; Anderson INT, Tenn.; *2,200. *1,900—MOCA.

Section 95.6020 *VOR Federal airway 20* is amended to read in part:

Mobile, Ala., VOR via N alter.; Int, 028° M rad, Mobile VOR and 246° M rad, Monroeville VOR via N alter.; *2,000. *1,700—MOCA.
Int, 028° M rad, Mobile VOR and 246° M rad, Monroeville VOR via N alter.; Monroeville, Ala., VOR via N alter.; *2,100. *1,700—MOCA.

Section 95.6027 *VOR Federal airway 27* is amended to read in part:

Astoria, Oreg., VOR via W alter.; Hoquiam, Wash., VOR via W alter.; 3,700.
Hoquiam, Wash., VOR via W alter.; Carr INT, Wash.; via W alter.; 3,200.

Section 95.6033 *VOR Federal airway 33* is amended to delete:

Deep Creek INT, Va.; Harcum, Va., VOR; 2,100.

Section 95.6033 *VOR Federal airway 33* is amended by adding:

Cofield, N.C., VOR; Harcum, Va., VOR; 2,000.

Section 95.6035 *VOR Federal airway 35* is amended to read in part:

St. Petersburg, Fla., VOR via E alter.; Bayport INT, Fla., via E alter.; *2,000. *1,300—MOCA.
Int, W crs, I-MFA and 147° M rad, Miami VOR via W alter.; *Vega INT, Fla., via W alter.; **1,500. *3,100—MRA. **1,300—MOCA.

Section 95.6044 *VOR Federal airway 44* is amended to read in part:

Maryland Hts, Mo., VOR; Mounds INT, Ill.; 2,600.
Mounds INT, Ill.; Centralia, Ill., VOR; *2,600. *1,900—MOCA.

Section 95.6051 *VOR Federal airway 51* is amended to read in part:

Vero Beach, Fla., VOR; Smyrna INT, Fla.; *2,000. *1,600—MOCA.
Smyrna INT, Fla.; Daytona Beach, Fla., VOR; *2,000. *1,300—MOCA.

Section 95.6054 *VOR Federal airway 54* is amended to read in part:

Maud INT, Ala., via S alter.; Muscle Shoals, Ala., VOR via S alter.; *2,600. *2,500—MOCA.

Section 95.6068 *VOR Federal airway 68* is amended to read in part:

Tanker INT, Tex.; San Angelo, Tex., VOR; *3,700. *3,600—MOCA.

Section 95.6078 *VOR Federal airway 78* is amended to read in part:

White Bear INT, Minn.; Boyceville INT, Wis.; *3,000. *2,500—MOCA.
Boyceville INT, Wis.; Eau Claire, Wis., VOR; *3,000. *2,800—MOCA.

Section 95.6081 *VOR Federal airway 81* is amended to read in part:

Amarillo, Tex. VOR; Exell INT, Tex.; *5,700. *5,300—MOCA.
Exell INT, Tex.; Dalhart, Tex., VOR; *5,700. *5,400—MOCA.

Section 95.6095 *VOR Federal airway 95* is amended to read in part:

*Phoenix, Ariz., VOR; Bartlett DME Fix, Ariz.; northbound; 10,000. Southbound; 6,000. *4,700—MCA Phoenix VOR, Northbound.
Bartlett DME Fix, Ariz.; *Tonto INT, Ariz.; northbound; 10,000. Southbound; 8,500. *11,000—MRA.

Section 95.6097 *VOR Federal airway 97* is amended to read in part:

Lakeland, Fla., VOR via E alter.; Bayport INT, Fla., via E alter.; *1,800. *1,500—MOCA.

Section 95.6098 *VOR Federal airway 98* is amended to delete:

Litchfield, Mich., VOR; Hudson INT, Mich.; *3,000. *2,400—MOCA.

Section 95.6098 *VOR Federal airway 98* is amended to read in part:

Massena, N.Y., VOR; United States-Canadian border; *2,000. *1,400—MOCA.

Section 95.6109 *VOR Federal airway 109* is amended to read in part:

Byron INT, Calif.; Altamont INT, Calif.; westbound; *4,500. Eastbound; 3,500. *3,500—MOCA.

Section 95.6120 *VOR Federal airway 120* is amended to read in part:

Sioux Falls, S. Dak., VOR; Bigelow INT, Iowa; *3,400. *2,800—MOCA.
Bigelow INT, Iowa; Spirit Lake INT, Iowa; *6,000. *2,600—MOCA.

Section 95.6132 *VOR Federal airway 132* is amended to read in part:

Orion INT, Kans.; *Ransom INT, Kans.; **10,000. *10,000—MRA. **4,000—MOCA.
Ransom INT, Kans.; Great Bend INT, Kans.; *10,000. *3,500—MOCA.

Section 95.6133 *VOR Federal airway 133* is amended to read in part:

Sugar Grove INT, Va.; *Keystone INT, W. Va.; 7,200. *7,200—MRA.

Section 95.6140 *VOR Federal airway 140* is amended to read in part:

Whitesburg, Ky., VOR; *Keystone INT, W. Va.; 4,800. *7,200—MRA.
Keystone INT, W. Va.; Bluefield, W. Va., VOR; 4,800.

Section 95.6141 *VOR Federal airway 141* is amended to read in part:

Ipswich INT, Mass.; Manchester, N.H., VOR; *2,500. *1,700—MOCA.
Concord, N.H., VOR via E alter.; Laconia INT, N.H., via E alter.; *4,000. *3,500—MOCA.
Laconia INT, N.H., via E alter.; Lebanon, N.H., VOR via E alter.; *6,000. *5,200—MOCA.

Section 95.6152 *VOR Federal airway 152* is amended to read in part:

Orlando, Fla., VOR via S alter.; Oak Hill INT, Fla., via S alter.; *2,000. *1,300—MOCA.
Oak Hill INT, Fla., via S alter.; Smyrna INT, Fla., via S alter.; *2,000. *1,600—MOCA.
Smyrna INT, Fla., via S alter.; Daytona Beach, Fla., VOR via S alter.; *2,000. *1,300—MOCA.

Section 95.6155 *VOR Federal airway 155* is amended to read in part:

Gordonsville, Va., VOR; *Linden, Va., VOR; 5,000. *4,500—MCA Linden VOR, southbound.

Section 95.6174 *VOR Federal airway 174* is amended to read in part:

Moorefield INT, W. Va.; Linden, Va., VOR; 5,000.

Section 95.6190 *VOR Federal airway 190* is amended to read in part:

Dalhart, Tex., VOR; Gage, Okla., VOR; *6,500. *5,400—MOCA.

Section 95.6203 *VOR Federal airway 203* is amended to read in part:

Albany, N.Y., VOR; Warren INT, N.Y.; 3,700.

Section 95.6210 *VOR Federal airway 210* is amended to read in part:

St. Louis, Mo., VOR; Prairie INT, Ill.; *2,200. *2,000—MOCA.

Section 95.6223 *VOR Federal airway 223* is amended to read in part:

Herndon, Va., VOR; Hampton INT, Va.; 3,000.
Hampton INT, Va.; Harrisburg, Pa., VOR; 3,100.

Section 95.6234 *VOR Federal airway 234* is amended to read in part:

Meade INT, Kans.; Byers INT, Kans.; *8,000. *3,800—MOCA.
Byers INT, Kans.; Hutchinson, Kans., VOR; *4,300. *3,200—MOCA.

Section 95.6244 *VOR Federal airway 244* is amended to read in part:

Altamont INT, Calif.; Byron INT, Calif.; westbound; *4,500. Eastbound; 3,500. *3,500—MOCA.
*Modoc INT, Kans.; **Ransom INT, Kans.; ***10,000. *7,000—MRA. **10,000—MRA. ***4,300—MOCA.

Section 95.6260 *VOR Federal airway 260* is amended to delete:

Hopewell, Va., VOR; Driver INT, Va.; 2,000.
Driver INT, Va.; Int, 140° M rad, Hopewell VOR and 233° M rad, Norfolk VOR; 2,100.

Section 95.6260 *VOR Federal airway 260* is amended by adding:

Hopewell, Va., VOR; Norfolk, Va., VOR; 2,000.

Section 95.6265 *VOR Federal airway 265* is amended to read in part:

Westminster, Md., VOR; Hampton INT, Va.; 3,000.
Hampton INT, Va.; Harrisburg, Pa., VOR; 3,100.

Section 95.6272 *VOR Federal airway 272* is amended to read in part:

Dalhart, Tex., VOR; Borger, Tex., VOR; *5,700. *5,400—MOCA.

Section 95.6286 *VOR Federal airway 286* is amended to read in part:

Linden, Va., VOR; Casanova, Va., VOR; 5,000.

Section 95.6308 *VOR Federal airway 308* is amended to read in part:

Moorefield INT, W. Va.; Rileyville INT, Va.; *8,000. *5,300—MOCA.
Rileyville INT, Va.; Casanova, Va., VOR; 5,000.

Section 95.6430 *VOR Federal airway 430* is amended to delete:

Ironwood, Mich., VOR; Iron Mountain, Mich., VOR; *3,600. *3,000—MOCA.
Iron Mountain, Mich., VOR; Escanaba, Mich., VOR; *3,000. *2,800—MOCA.

Section 95.6431 *VOR Federal airway 431* is amended to read in part:

Keene, N.H., VOR; Brattleboro INT, Vt.; 4,400.
Brattleboro INT, Vt.; Glens Falls, N.Y., VOR; 5,900.

Section 95.6441 *VOR Federal airway 441* is amended to read in part:

St. Petersburg, Fla., VOR; Bayport INT, Fla.; *2,000. *1,300—MOCA.

Section 95.6456 *VOR Federal airway 456* is amended to read in part:

*Big Mountain, Alaska, LF/RBN; **Copper INT, Alaska; northeastbound; ***11,500. Southwestbound; 6,000. *10,000—MCA Big Mountain LF/RBN, northeastbound. **12,000—MCA Copper INT, northeastbound. ***6,000—MOCA.
Copper INT, Alaska; *Harriet INT, Alaska; 13,000. *11,000—MCA Harriet INT, southwestbound.

Section 95.6465 *VOR Federal airway 465* is amended to read in part:

Lund INT, Idaho; Elkhorn INT, Idaho; *16,000. *12,000—MOCA.
Elkhorn INT, Idaho; Jackson, Wyo., VOR; 12,900.

Section 95.6490 *VOR Federal airway 490* is amended to read in part:

Brattleboro INT, Vt.; Sullivan INT, N.H.; *6,000. *5,000—MOCA.
Sullivan INT, N.H.; Manchester, N.H., VOR; 5,000.
Manchester, N.H., VOR; Ipswich INT, Mass.; *2,500. *1,700—MOCA.

Section 95.6496 *VOR Federal airway 496* is amended to read in part:

Mayfield INT, N.Y.; Warren INT, N.Y.; 4,500.

Section 95.7002 *Jet route No. 2* is amended to read in part:

From, to, MEA, and MAA

Fort Stockton, Tex., VORTAC; *Allison INT, Tex.; 18,000; 45,000. *21,000—MRA.
Allison INT, Tex.; Int, 301° M rad, San Antonio VORTAC and 269° M rad, Austin VORTAC; ‡20,000; 45,000. ‡MEA is established with a gap in navigation signal coverage.
Int, 301° M rad, San Antonio VORTAC and 269° M rad, Austin VORTAC; San Antonio, Tex., VORTAC; 18,000; 45,000.

Section 95.7015 *Jet route No. 15* is amended to read in part:

Austin, Tex., VORTAC, Int, 301° M rad, San Antonio VORTAC and 269° M rad, Austin, VORTAC; 18,000; 45,000.
Int, 301° M rad, San Antonio VORTAC and 269° M rad, Austin VORTAC; *Allison INT, Tex.; ‡20,000; 45,000. *21,000—MRA. ‡MEA is established with a gap in navigation signal coverage.

Section 95.7064 *Jet route No. 64* is amended to read in part:

Fort Wayne, Ind., VORTAC; Ellwood City, Pa., VORTAC; 18,000; 45,000.

Section 95.7086 *Jet route No. 86* is amended to read in part:

Fort Stockton, Tex., VORTAC; *Allison INT, Tex.; 18,000; 45,000. *21,000—MRA.
Allison INT, Tex.; Int, 301° M rad, San Antonio VORTAC and 269° M rad, Austin VORTAC; ‡20,000; 45,000. ‡MEA is established with a gap in navigation signal coverage.
Int, 301° M rad, San Antonio VORTAC and 269° M rad, Austin VORTAC; Austin, Tex., VORTAC; 18,000; 45,000.

Section 95.7134 *Jet route No. 134* is amended to read in part:

Winslow, Ariz., VORTAC; Gallup, N. Mex., VOR; 18,000; 45,000.
Gallup, N. Mex., VOR; Cimarron, N. Mex., VORTAC; ‡20,000; 45,000. ‡MEA is established with a gap in navigation signal coverage.

Section 95.7531 *Jet Route No. 531* is amended by adding:

United States-Canadian border; Sault Ste. Marie, Mich., VORTAC; 18,000; 45,000.

2. By amending Subpart D as follows:

Section 95.8003 *VOR Federal airway changeover points:*

Airway segment: From; to—Changeover point: Distance; from

V–20 is amended to delete:
Mobile, Ala., VOR; Monroeville, Ala., VOR; 31; Mobile.
V–307 is amended to read in part:
Biorka Island, Alaska, VOR; Sisters Island, Alaska, VOR; 41; Biorka Island.
V–465 is amended to delete:
Malad City, Idaho, VOR; Dunoir, Wyo., VOR; 80; Malad City.
V–465 is amended to read in part:
Malad City, Idaho, VOR; Jackson, Wyo., VOR; 53; Jackson.
J–64 is amended to delete:
Fort Wayne, Ind., VORTAC; Ellwood City, Pa., VORTAC; 60; Fort Wayne.

(Secs. 307 and 1110 of the Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on May 9, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66–5247; Filed, May 13, 1966; 8:45 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter V—Federal Water Pollution Control Administration, Department of the Interior

ADOPTION, AMENDMENT, AND TRANSFER OF REGULATIONS

Reorganization Plan No. 2 of 1966 (31 F.R. 6857) transferred all functions of the Secretary of Health, Education, and Welfare and of the Department of Health, Education, and Welfare under the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.), to the Secretary of the Interior.

The functions transferred under the plan were heretofore implemented by regulations of the Department of Health, Education, and Welfare in 42 CFR Part 55, 42 CFR Part 81, and 45 CFR Part 90. Such regulations are hereby adopted by the Secretary of the Interior and shall remain in effect for the time being except as to the following changes and amendments.

42 CFR Part 55, Subpart A. 1. Paragraphs (a), (b), and (c) of § 55.1 are revised to read as follows:

(a) "Federal Act" means the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.).

(b) "Federal Water Pollution Control Administration" means the Federal Water Pollution Control Administration in the Department of the Interior.

(c) "Commissioner" means the Commissioner of the Federal Water Pollution Control Administration.

2. References throughout the text to "section 5 of the Federal Act" are changed to "section 7 of the Federal Act".

3. References throughout the text to the "Surgeon General" are changed to the "Commissioner".

42 CFR Part 55, Subpart B. 1. Paragraphs (a), (b), and (c) of § 55.21 are revised to read as follows:

(a) "Federal Act" means the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.).

(b) "Federal Water Pollution Control Administration" means the Federal Water Pollution Control Administration in the Department of the Interior.

(c) "Commissioner" means the Commissioner of the Federal Water Pollution Control Administration.

2. References throughout the text to the "Surgeon General" are changed to the "Commissioner".

42 CFR Part 81. 1. Paragraphs (c), (e), and (f) of § 81.2 are revised to read as follows:

(c) "Department" means the Department of the Interior.

(e) "Secretary" means the Secretary of the Interior.

(f) "Commissioner" means the Commissioner of the Federal Water Pollution Control Administration in the Department of the Interior.

2. References throughout the text to the "Surgeon General" are changed to the "Commissioner".

45 CFR Part 90, Subtitle A. 1. References throughout the text to the "Department of Health, Education, and Welfare" are changed to the "Department of the Interior" and references to the "Secretary of Health, Education, and Welfare" are changed to the "Secretary of the Interior".

2. The reference to "(Part 80 of this subtitle)" is changed to "(Part 17 of Title 43 of the Code of Federal Regulations)".

3. The reference to "Parts 6 and 8, as amended, of this subtitle" is changed to "Part 6 of Title 43 of the Code of Federal Regulations".

The regulations in 42 CFR Parts 55 and 81 and 45 CFR Part 90 are transferred to Title 18—Conservation of Power and Water Resources, under a new Chapter V—Federal Water Pollution Control Administration. Parts numbered 601 (Subparts A and B), 606, and 601 (Subparts C, D, and E), respectively, are assigned, and, as amended and transferred, read as set forth below. Additions and amendments to and revisions thereof will be made to the regulations under the new title and part designations.

STEWART L. UDALL,
Secretary of the Interior.

MAY 9, 1966.

PART 601—GRANTS FOR WATER POLLUTION CONTROL

Subpart A—Grants for Water Pollution Control Programs

Sec.
601.1 Definitions.
601.2 Basis of allotments to States and interstate water pollution control agencies.
601.3 Allotments; estimates; time of making and duration.
601.4 Plans; content; mode of submittal; time of submittal.
601.5 Amount of Federal grant funds payable.
601.6 Payments to States and interstate agencies.
601.7 Audit.
601.8 Change in status of State water pollution control agency or interstate agency; disposal of balances.

Subpart B—Grants for Construction of Treatment Works

601.21 Definitions.
601.22 Allotments to States.
601.23 Availability of allotments.
601.24 Applications for grants.
601.25 Grant limitations.
601.26 Assurances from applicant.

Sec.
601.27 Determining the desirability of projects.
601.28 Criteria for considering propriety of Federal aid.
601.29 Payments.
601.30 Expenditure of funds.
601.31 Labor Standards—Administration.
601.32 Labor Standards—Contract Provisions.
601.33 Labor Standards—Suspension of Payments.

Subpart C—Grants for Demonstration Projects for the Control of Discharges From Stormwater or Combined Sewer Systems

601.61 Definitions.
601.62 Applications for grants.
601.63 Grant limitations.
601.64 Grant conditions.
601.65 Assurances from applicants.
601.66 Determining the desirability of projects.
601.67 Payments.
601.68 Final settlement.

Subpart D—Grants for Research, Training, and Demonstration Projects

APPLICABILITY AND DEFINITIONS

601.70 Applicability.
601.71 Definitions.

ELIGIBILITY, AWARD AND TERMINATION

601.75 Nature and purpose of research, training and demonstration grants.
601.76 Eligibility for grants.
601.77 Application for grants.
601.78 Evaluation and disposition of applications.
601.79 Grant awards.
601.80 Termination.

GRANT CONDITIONS—OBLIGATIONS OF GRANTEE

601.81 Use of funds; changes.
601.82 Project Directors.
601.83 Inventions and discoveries.
601.84 Records, reports, inspections.
601.85 Discrimination prohibited.
601.86 Other conditions.

EXPENDITURES BY GRANTEE

601.90 Allocation of costs.
601.91 Direct costs in general.
601.92 Indirect costs.
601.93 Particular direct costs.

GRANTEE ACCOUNTABILITY

601.95 Date of final accounting.
601.96 Accounting for grant award payments.
601.97 Accounting for equipment, materials or supplies.
601.98 Interest.
601.99 Project net income.
601.100 Final settlement.

Subpart E—Awards for Research Fellowships

601.110 Applicability.
601.111 Purpose of fellowships.
601.112 Establishment.
601.113 Services.
601.114 Qualifications.
601.115 Applications for fellowships.
601.116 Review of applications for fellowships.
601.117 Awards.
601.118 Benefits.
601.119 Tuition and other allowances: accountability.
601.120 Publications.
601.121 Term: renewal.
601.122 Information concerning criminal record, moral character or loyalty.
601.123 Moral character or loyalty; reference to Special Review Committee; review and recommendation.
601.124 Termination or discontinuance of award on grounds relating to moral character or loyalty.
601.125 Termination on grounds other than those relating to conviction, moral character or loyalty.

AUTHORITY: The provisions of this Part 601 issued under sec. 10, 70 Stat. 506, as amended; 33 U.S.C. 466i, and under sec. 4, 70 Stat. 499, as amended; 33 U.S.C. 466c.

Subpart A—Grants for Water Pollution Control Programs

§ 601.1 Definitions.

All terms used in this subpart which are defined in the Federal Water Pollution Control Act and are not defined in this section shall have the meaning given to them in such act. As used in this subpart, the following terms shall have the meaning indicated herein below:

(a) "Federal Act" means the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.).

(b) "Federal Water Pollution Control Administration" means the Federal Water Pollution Control Administration in the Department of the Interior.

(c) "Commissioner" means the Commissioner of the Federal Water Pollution Control Administration.

(d) "State water pollution control agency" means the State health authority, except that in the case of any State in which there is a single State agency, other than the State health authority, charged with the responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency.

(e) "Interstate agency" means an agency of two or more States established by or pursuant to an agreement or compact approved by the Congress, or any other agency of two or more States, having substantial powers or duties pertaining to the control of pollution of waters.

(f) "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

(g) "Fiscal year" means a twelve-month period beginning on July 1.

(h) "Population" means, with respect to any State, the most recent official estimates of the Department of Commerce available on January 1 preceding the fiscal year for which funds are appropriated pursuant to section 7 of the Federal Act.

(i) "Population density" means the population of the State divided by the area of the State in square miles, except that each of the thirteen States having the greatest population density shall be deemed to have a population density equal to the State having the least population density of such thirteen States.

(j) "Per capita income" means, with respect to any State, the average of the per capita income of such State for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce; except that, in the absence of such satisfactory data, the per capita income of Alaska shall be deemed to equal the average per capita income of all the States in the continental United States and the per capita incomes of (1) Puerto Rico and (2) the Virgin Islands shall be deemed to equal the per capita income of the State having the lowest per capita income of the continental United States.

§ 601.2 Basis of allotments to States and interstate water pollution control agencies.

(a) The funds appropriated pursuant to section 7 of the Federal Act for any fiscal year for expenditures for grants to States to assist them in meeting the cost of establishing and maintaining adequate measures for the prevention and control of water pollution shall be allotted among the several States on the basis of $12,000 for each State, in recognition of the fact that a water pollution control problem exists in every State caused by the discharge of untreated or inadequately treated sewage or other wastes into the waters of such State, and the balance on the basis of the following factors:

(1) ⅔ in the ratio that the product of the population of each State and the reciprocal of its per capita income bears to the sum of the corresponding products for all States.

(2) ⅙ on the basis of the ratio of the population density of a State to the population density of all the States.

(3) ⅙ on the basis of the ratio of the number of industrial establishments discharging industrial wastes in each State to the number of such establishments in all the States. The number of such establishments shall be determined on the basis of the latest available data provided by the Department of Commerce.

(b) The funds appropriated pursuant to section 7 of the Federal Act for any fiscal year for expenditures for grants to interstate agencies to assist them in meeting the cost of establishing and maintaining adequate measures for the prevention and control of water pollution shall be allotted among the several interstate agencies on the basis of the following factors:

(1) ⅔ in the ratio that the product of the population of the area served by the interstate agency and the reciprocal of the average per capita income of the interstate agency for the three most recent consecutive years bears to the sum of the corresponding products for all the interstate agencies. For this purpose, per capita income of an interstate agency shall mean the total gross income of all the States comprising such interstate agency divided by the total population of all the States comprising such interstate agency.

(2) ⅙ on the basis of the ratio of the average of the population densities of the States comprising each interstate agency area to the sums of the average of the population densities of each interstate agency area.

(3) ⅙ on the basis of the ratio of the number of industrial establishments discharging industrial wastes in the States comprising the interstate agency to the

number of such establishments in all the interstate agency areas. The number of such establishments shall be determined on the basis of the latest available data provided by the Department of Commerce.

§ 601.3 Allotments; estimates; time of making and duration.

(a) Prior to the beginning of each fiscal year the Commissioner shall prepare and make available to States and interstate agencies an estimated schedule of the amounts which it is expected will be allotted to each during the fiscal year from estimated appropriations.

(b) Allotments to States and interstate agencies for the first six months shall be made prior to the beginning of the fiscal year or as soon thereafter as practicable and shall equal not less than 60 per centum nor more than 70 per centum of the total sum determined to be available for allotment during the fiscal year.

(c) At the end of the second quarter, or as soon thereafter as practicable, the amounts of allotments for the first six-month period which have not been certified for payment to the respective States and interstate agencies pursuant to § 601.5 shall become available for reallotment among the States and interstate agencies in the same manner as monies which have not previously been allotted.

(d) Allotments to States and interstate agencies for the remaining six months shall be made prior to the beginning of the third quarter or as soon thereafter as practicable, and shall equal the total sum remaining unpaid and unallotted from the amount available for allotment during the fiscal year.

(e) The respective State water pollution control agencies and interstate agencies shall be notified of the amounts of allotments and reallotments and of the period for which they are made.

§ 601.4 Plans; content; mode of submittal; time of submittal.

(a) For each fiscal year each State and interstate agency making application for grants under section 7 of the Federal Act shall submit a plan to the Commissioner in accordance with procedures and on forms prescribed by the Commissioner. Such plan shall:

(1) Designate the State water pollution control agency or interstate agency responsible for the administration or supervision of administration of the plan;

(2) Contain a statement that such agency will make such reports in such form and containing such information as the Commissioner or his designee may from time to time reasonably require to carry out his functions under this Act;

(3) Set forth the policies and methods to be followed in carrying out the plan and its administration, describe the organization and proposals for conducting and extending or improving the State or interstate water pollution control and prevention program and any proposals for training personnel in water pollution control work. State plans shall contain criteria for determining whether the construction of proposed treatment works is in conformity with the plan and shall set forth the financial criteria and water pollution control need criteria used by the State water pollution control agency in determining the relative priority of construction projects as provided in section 6(b)(4) of the Act.

(4) Provide such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of the plan. Such methods will include a description of the procedures which the State will use in determining on the basis of objective criteria the expenditures attributable to water pollution control activities conducted in carrying out the approved plan.

(b) A plan shall be submitted by each State or interstate agency making application for grants under section 7 of the Federal Act prior to the period to which it relates: *Provided*, That exceptions to this provision may be made by the Commissioner or his designee in the case of plans submitted for the fiscal year 1957 and when necessary to meet emergencies.

§ 601.5 Amount of Federal grant funds payable.

(a) From the allotment available therefor for each fiscal year, each State and each interstate agency for which a plan has been approved by the Commissioner, shall be entitled to receive an amount equal to its Federal share of the cost of carrying out its approved plan, including the cost of training personnel for State and local water pollution control work and administering the plan.

(b) For any State the Federal share shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States (excluding Alaska), except that the Federal share shall in no case be more than 66⅔ per centum or less than 33⅓ per centum, and the Federal share for Hawaii and Alaska shall be 50 per centum, and for Puerto Rico and the Virgin Islands shall be 66⅔ per centum.

(c) For any interstate agency the "Federal share" shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the average per capita income of the States comprising such interstate agencies bears to the per capita income of the continental United States (excluding Alaska), except that the Federal share in no case shall be more than 66⅔ per centum or less than 33⅓ per centum and shall be promulgated on the basis of the same data used for determining the "Federal share" for any State.

§ 601.6 Payments to States and interstate agencies.

(a) Payments from allotments to States and interstate agencies shall be certified to the Secretary of the Treasury only after a plan has been approved. Payments from such allotments shall not exceed the allotment to a State or interstate agency or the total Federal share of the estimated expenditures necessary for carrying out the plan, whichever is less.

(b) Subject to the foregoing limitations, payments to States and interstate agencies shall be made as follows:

(1) Payments shall be made periodically and shall be based upon an application for funds showing the estimated requirements for the period covered by the application for funds. Such payments shall be decreased or increased by the amount that prior payments exceed or are less than the Federal share of the total expenditures for the program.

(2) Payments shall not be certified unless an application for payments and all plans, reports, and documents required by this part have been received.

(3) Supplemental payment in any payment period may be certified upon submission of an application therefor accompanied by satisfactory justification.

§ 601.7 Audit.

Audit of the expenditures for the activities described in the plans may be made after prior consultation with the States or interstate agencies. Records, documents and information available to the State water pollution control agencies and interstate agencies pertinent to the audit shall be accessible for purposes of the audit.

§ 601.8 Change in status of State water pollution control agency or interstate agency; disposal of balances.

In the event that a State water pollution control agency shall cease to qualify as such, the unobligated balance of any amounts paid to the State shall be transferred to such other agency of the State which qualifies and is designated in the approved State plan as the State water pollution control agency, and if an interstate agency ceases to qualify as such the unobligated balance of any amount paid to such interstate agency shall be transferred as determined by the Commissioner to the successor, if any, of such interstate agency or shall be returned to the Treasury of the United States.

Subpart B—Grants for Construction of Treatment Works

§ 601.21 Definitions.

All terms used in this subpart which are defined in the Federal Water Pollution Control Act and are not defined in this section shall have the meaning given to them in such Act. As used in this subpart, the following terms shall have the meaning indicated below:

(a) "Federal Act" means the Federal Water Pollution Control Act, as amended, (33 U.S.C. 466 et seq.).

(b) "Federal Water Pollution Control Administration" means the Federal Water Pollution Control Administration in the Department of the Interior

(c) "Commissioner" means the Commissioner of the Federal Water Pollution Control Administration.

(d) "State water pollution control agency" means the State health authority, except that in the case of any State in which there is a single State agency other than the State health authority, charged with the responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency.

(e) "Interstate agency" means an agency of two or more States established by or pursuant to an agreement or compact approved by the Congress, or any agency of two or more States, having substantial powers or duties pertaining to the control of pollution of waters.

(f) "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

(g) "Fiscal year" means a twelve-month period beginning on July 1.

(h) "Population" means the official population figures of the latest decennial census for which figures are available as certified by the Secretary of Commerce.

(i) "Per capita income" means the average of the per capita income of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce; except that, in the absence of such satisfactory data, the per capita incomes of (1) Puerto Rico, (2) the Virgin Islands, and (3) Guam shall be deemed to equal the per capita income of the State having the lowest per capita income in the continental United States.

(j) "Municipality" means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

(k) "Intermunicipal agency" means an agency of two or more municipalities having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

(l) "Treatment works" means the various devices used in the treatment of sewage or industrial wastes of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof.

(m) "Applicant" means any State, municipality, intermunicipal or interstate agency which files an application for a grant of Federal funds under Section 6 of the Federal Act.

§ 601.22 Allotments to States.

(a) The funds appropriated for any fiscal year for expenditures for grants for construction of treatment works shall be allotted as soon as practicable as follows:

(1) 50 per centum of such sums in the ratio that the population of each State bears to the population of all the States, and

(2) 50 per centum of such sums in the ratio that the quotient obtained by dividing the per capita income of the United States by the per capita income of each State bears to the sums of such quotients for all the States.

(b) Except as provided in § 601.25(a)(8), sums allotted to a State under paragraph (a) of this section which are not obligated within six months following the end of the fiscal year for which allotted because of a lack of projects which have been approved as provided in § 601.25(a)(3) and certified as entitled to priority as provided in § 601.25(a)(6) shall be reallotted in accordance with paragraph (c) of this section to States having projects approved by the State agency which have not been certified for priority only because of lack of funds.

(c) Reallotment of unobligated funds under paragraph (b) of this section will be made on the basis of the ratio which the current year's allotment of each State which is to receive funds bears to the current year's allotments of all such States: *Provided*, That no such reallotment for any State shall be in excess of amounts necessary to satisfy requests for grants contained in applications on hand in the State agency which, except for lack of funds, are eligible for immediate certification as provided in § 601.25(a)(6).

§ 601.23 Availability of allotments.

The allotment of a State, including reallotments, shall be available, in accordance with the provisions of this subpart, for payments to meet the cost of construction of treatment works in such State for which Federal grants have been approved by the Commissioner.

§ 601.24 Applications for grants.

Applications for grants for the construction of treatment works shall be submitted on such forms and in such manner as the Commissioner may prescribe.

§ 601.25 Grant limitations.

(a) Grants under this subpart shall be subject to the following limitations:

(1) No grant shall be made for any work for which a contract was let prior to July 31, 1956.

(2) To be eligible for a grant, a project must result in an operable treatment works, or part thereof, which treats or stabilizes sewage or industrial wastes of a liquid nature in order to abate, control or prevent water pollution. In addition, where a project or a portion thereof provides for the treatment or stabilization of sewage or industrial wastes of a liquid nature, such treatment or stabilization shall consist of at least primary treatment, or its equivalent, resulting in the substantially complete removal of settleable solids.

(3) No grant shall be made for any project unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Commissioner and unless such project is included in a comprehensive program developed pursuant to the Federal Act.

(4) Except as provided in subparagraph (8) of this paragraph, no grant shall be made for any project in an amount exceeding 30 per centum of the estimated reasonable cost of the project as determined by the Commissioner, or in an amount exceeding $600,000, whichever is smaller: *Provided*, That the grantee agrees to pay the remaining cost: *Provided further*, That in the case of a project which will serve more than one municipality, the Commissioner shall allocate to each municipality to be served by such project its share of the estimated reasonable cost of such project on the basis of its estimated relative utilization of the facilities to be constructed, and shall then apply the foregoing limitations to each such share as if it were a separate project to determine the maximum amount of grant entitlement for each such share, and the total of all amounts so determined or $2,400,000, whichever is the smaller, shall be the maximum amount of the grant which may be made on account of such project.

(5) No grant shall be made until the Applicant has made provision satisfactory to the Commissioner for assuring proper and efficient operation and maintenance of the treatment works after completion of the construction thereof.

(6) No grant shall be made unless such project is in conformity with the State water pollution control plan submitted pursuant to the provisions of section 7 of the Federal Act and has been certified by the State water pollution control agency as entitled to priority over other eligible projects on the basis of financial as well as water pollution control needs: Except that in the case of an additional grant as provided in subparagraph (8) of this paragraph, no additional State certification of priority shall be required for the project receiving such additional grant.

(7) No grant shall be made for any project in any State in an amount exceeding $250,000 until a grant has been made for each project in such State for which an application was filed with the appropriate State water pollution control agency prior to July 20, 1962, and which the Commissioner determines met the requirements of the Act and regulations in effect prior to July 20, 1961, except that they had not been certified by the State agency as entitled to priority for a grant solely because of lack of funds: *Provided*, That in the case of a project serving more than one municipality, the limitation of this section shall apply only to the individual share of each participating municipality as determined under subparagraph (4) of this paragraph.

(8) Whenever a State has funds subject to reallotment under § 601.22(b), prior to such reallotment additional grants may be made for any projects in that State where the Commissioner finds that the need for the projects is due in part to any Federal institution or Federal construction activity which have added to the Applicants' requirements for sewage treatment works. Such additional grants shall be limited to additional identifiable costs of construction attributable to such Federal institution or Federal construction activity. Applicants for additional grants must support their claims that the need for their projects is due in part to any Fed-

eral institution or Federal construction activity by showing that at least five percent of the population contributing wastes to the project are, as of the date of filing the application for the additional grant, in one or more of the following categories: (i) Federal personnel and their families residing on or at a Federal institution as hereinafter defined, as well as occupants, patients, and inmates of such institutions; (ii) Federal personnel and their families working on or at but residing at other than a Federal institution as hereinafter defined; (iii) non-Federal personnel and their families working on Federal construction projects involving a Federal institution as hereinafter defined. Necessary supporting information submitted by Applicants shall be used as the basis for computing a project's additional grant entitlement as follows: For category (i), 100 percent of the product of the per capita cost of the project and the number represented in this category; for either category (ii) or (iii), 50 percent of the product of the per capita cost of the project and the number represented by such category: *Provided*, That in any case the additional grant entitlement with respect to any category shall be reduced by the amount of any Federal contribution by any other Federal agency toward the capital cost of the approved project made on behalf of such category. The total of the sums of the above calculations shall be the maximum entitlement of an individual project for an additional grant. If the total of all entitlements for additional grants exceed the funds available to a State for such grants, the available funds will be pro-rated over all eligible applicants for such grants in the State. In any instance where a grantee community claims its need for a project is due in part to any Federal institution or Federal construction activity but because of exceptional circumstances is not measureable by the criteria set out above, a request for special consideration may be made to the Commissioner. Notwithstanding the provisions of this section, the Commissioner may waive the percentage requirements set out above in the case of an application for an additional grant whenever, in his judgment, exceptional circumstances exist or existed which make such action necessary to avoid inequity and avoid defeating the purposes of this section. In any event, no additional grant may be made in an amount which, together with the amount of the basic grant, will exceed the total eligible project cost. As used in this section, the term "Federal institution" shall mean any Federal institution, reservation, installation, base, project, or other similar Federal establishment used by the Federal Government primarily for the performance of functions other than the provision of services to the area in which such establishment is situated; and the term "Federal construction activity" shall mean the construction of any "Federal institution" as herein defined.

(b) At least 50 per centum of the funds appropriated for such grants for each fiscal year shall be used for grants for the construction of treatment works serving municipalities of 125,000 population or under. In the case of projects serving more than one municipality, the share of each municipality so served shall be considered as a separate grant for the purpose of this paragraph.

§ 601.26 Assurances from applicant.

No grant shall be made until the Commissioner has received assurances from the Applicant:

(a) That actual construction work will be performed by the lump sum (fixed price) or unit price contract method, that adequate methods of obtaining competitive bidding will be employed prior to awarding the construction contract, and that the award of the contract will be made to the responsible bidder submitting the lowest acceptable bid;

(b) That the project will not be advertised or placed on the market for bidding until the final plans and specifications have been approved by the Commissioner and the appropriate State agency, and the Applicant has been so notified;

(c) That the construction contract will require the contractor to furnish performance and payment bonds, the amount of which shall each be in an amount not less than fifty per centum (50 percent) of the contract price, and to maintain during the life of the contract adequate fire and extended coverage, workmen's compensation, public liability and property damage insurance;

(d) That any change or changes in the contract which make any major alteration in the work required by the plans and specifications, or which raise the cost of the project above the latest estimate approved by the Commissioner will be submitted to the Commissioner for prior approval;

(e) That the construction of the project, including the letting of contracts in connection therewith, shall conform to the applicable requirements of State, Territorial and local laws and ordinances;

(f) That the construction contract will provide that the representatives of the Federal Water Pollution Control Administration and the State will have access to the work wherever it is in preparation or progress and that the Contractor will provide proper facilities for such access and inspection;

(g) That the Applicant will provide and maintain competent and adequate engineering supervision and inspection at the project to insure that the construction conforms with the approved plans and specifications;

(h) That adequate accounting and fiscal records shall be maintained to reflect the receipt and expenditure of funds for the purpose of this project, and all funds, however provided for the payment of the cost of the project, shall be credited promptly upon receipt thereof, in a separate construction account or accounts and these funds shall be expended only for costs of the project;

(i) That the declarations, assurances, representations, and statements made by the Applicant in the application, and all documents, amendments and communications filed with the Federal Water Pollution Control Administration by the Applicant in support of its request for a grant, will be fulfilled;

(j) That the Applicant will submit to the Commissioner such documents and information as he may require;

(k) That construction contracts in excess of $2,000 will prescribe the minimum rates of pay for laborers and mechanics engaged in the construction of the project as determined by the Secretary of Labor in accordance with the Act of March 3, 1931, as amended, known as the Davis-Bacon Act (40 U.S.C. 276a through 276a–5); that construction contracts in excess of $2,000 shall contain the stipulations and provisions contained in § 601.32; and that all construction contracts, regardless of amount, will require the Contractor to comply with the Regulations of the Secretary of Labor made pursuant to the Anti-Kickback Act of June 13, 1934 (40 U.S.C. 276c), and any amendments or modifications thereto, to cause appropriate provisions to be inserted in subcontracts to insure compliance therewith by all subcontractors subject thereto, and to be responsible for the submission of statements required of subcontractors thereunder, except as the Secretary of Labor may specifically provide for reasonable limitation, variations, tolerances, and exemptions from the requirements thereof:

(l) That the Applicant will demonstrate to the satisfaction of Commissioner his ability to pay the remaining cost of the project;

(m) That the Applicant will demonstrate to the satisfaction of the Commissioner that he has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, as the Commissioner finds sufficient to assure undisturbed use and possession for the purposes of construction and operation for the estimated life of the project; and in the case of projects serving more than one municipality, that the participating communities have such interests or rights as the Commissioner finds sufficient to assure their undisturbed utilization of the project for the estimated life of the project.

(n) The Applicant agrees to construct the project or cause it to be constructed to final completion in accordance with the application and plans and specifications approved by the Commissioner: *Provided*, That none of these Assurances except paragraphs (a) through (d) required under this section may be waived by the Commissioner. Paragraphs (a) through (d) of this section may be waived in whole or in part (and subject to such conditions as he deems necessary) if the Commissioner finds that the purpose of such Assurance is fulfilled.

§ 601.27 Determining the desirability of projects.

In determining the desirability of projects for treatment works and of approving Federal financial aid in connection therewith, the Commissioner shall give consideration to the following:

(a) The relation of the estimated cost of the project, including operation and maintenance, to the public interest and to the necessity for the project;

(b) The propriety of Federal aid in construction of the project;

(c) The public benefits to be derived by the construction of the project;

(d) The related projects requiring completion before full benefit can be derived from the project for which the application is made and the degree to which the completion of the related projects in the near future is reasonably assured;

(e) The feasibility of utilizing available facilities; and

(f) The probability that the project will be constructed and put into operation within a reasonable time.

§ 601.28 Criteria for considering propriety of Federal aid.

The propriety of Federal aid pursuant to section 6(c) of the Act will be determined by the Commissioner on the basis of one or more of the following criteria:

(a) *Interstate, navigable, coastal, and Great Lakes waters.* Whether the project is required to control pollution of interstate or navigable waters, coastal waters or waters of the Great Lakes (including tributaries of such waters contributing materially to the pollution of such waters), and such pollution is inimical to public water supplies, propagation of fish and aquatic life and wildlife, recreational purposes, or agricultural, industrial, or other legitimate water uses.

(b) *International treaty obligations.* Whether the project is required to control pollution in meeting international treaty obligations or agreements.

(c) *Federal impact.* Whether the project involves a pollution problem substantially and adversely affected by (1) Federal installations contributing to the total municipal waste loadings; (2) a water use requirement involving national defense; (3) a Federal water resource development; or (4) an influx of population to carry out Federal activities.

(d) *Public health necessity.* Whether the project involves treatment works required to abate a serious public health hazard.

(e) *Financial burden.* Whether the municipality can demonstrate that the construction of needed sewage treatment works involves an extraordinary and excessive financial burden in relation to its economic resources.

§ 601.29 Payments.

(a) Installment payments of the grant shall be made at the request of the Applicant, shall be based on the cost of the work performed, materials and equipment furnished, and services rendered in connection with an approved project, and may be made as follows:

(1) A first installment when not less than 25 percent of the construction of the project is completed;

(2) A second installment when not less than 50 percent of the construction of the project is completed;

(3) A third installment when not less than 75 percent of the construction of the project is completed; and

(4) A fourth installment when the project is completed and final inspection by a representative of the Department is made.

(b) Upon written request and a showing of necessity by the Applicant, the Commissioner may adopt a different schedule of payments.

(c) The total grant payments for any project shall not exceed the amount of the approved grant or 30 per centum of the actual reasonable cost thereof as determined by the Commissioner at completion of construction of the treatment works, whichever is the smaller, except that this limitation shall not apply to additional grants made for projects, as provided in § 601.25(a)(8).

(d) Where the Applicant fails to comply substantially with the requirements of the Federal Act or the regulations in this subpart or with the assurances contained in § 601.26, the Commissioner may, upon giving reasonable notice and opportunity for hearing to the Applicant, withhold, in whole or in part, further payments to the Applicant pending action based on such hearing or until there is no longer any failure to comply.

§ 601.30 Expenditure of funds.

Amounts paid to an Applicant shall be expended solely for the carrying out of the purposes for which the grant was approved.

§ 601.31 Labor standards—Administration.

(a) In accordance with § 601.26(k), the Applicant shall include or cause to be included in contracts for the construction of the project for which a grant has been made under the Act the stipulations required by § 601.32. No payment of funds shall be approved by the Commissioner after the beginning of construction unless there is on file with the Applicant a certification by the Contractor that he and his subcontractors have complied or that there is an honest dispute with respect to the required provisions.

(b) (1) Whenever any Contractor or subcontractor is found by the Commissioner to be in aggravated or willful violation of the prevailing wage provisions of the Federal Act, such Contractor or subcontractor or any firm, corporation, partnership, or association in which such Contractor or subcontractor has a substantial interest shall be ineligible for a period not to exceed three years (from the date of publication by the Comptroller General of the United States of the name or names of said Contractor or subcontractor on the Consolidated List of Debarred Bidders he issues) to receive any contracts subject to any of the statutes administered by the Department of the Interior.

(2) The Commissioner shall furnish to the Comptroller General of the United States, for distribution to all Departments of the Government, the names of the persons or firms who have been found to have disregarded their obligations to employees in a willful or aggravated manner.

(c) The Commissioner shall make or cause to be made such examination of the certified payrolls and statements as may be necessary to assure compliance with the labor standards stipulations required by the regulations contained in this part. In connection with such examination particular attention will be given to the correctness of classifications and disproportionate employment of laborers, helpers or apprentices. Such payrolls and statements shall be preserved by the Applicant for a period of three years from the date of completion of the contract and shall be produced at the request of the Commissioner at any time during the three-year period.

(d) An addition to the examination of payrolls and statements required by paragraph (c) of this section, the Commissioner shall cause investigations to be made as may be necessary to assure compliance with the labor standards stipulations required by the regulations contained in this part. Projects where the contract is of short duration (six months or less) shall be investigated before the work is accepted if feasible. In the case of contracts which extend over a long period of time the investigation shall be made with such frequency as may be necessary to assure compliance. Such investigations may include interviews with employees and examinations of employment records to determine the correctness of classifications and disproportionate employment of laborers, helpers, or apprentices. Complaints of alleged violations shall be given priority and statements, written or oral, made by an employee shall be treated as confidential and shall not be disclosed to his employer without the consent of the employee.

§ 601.32 Labor standards—Contract provisions.

The following stipulations are prescribed for inclusion in construction contracts in accordance with §§ 601.31 and 601.26(k):

(a) The schedule contained in the Wage Determination Decision of the Secretary of Labor which is made part of these specifications furnishes the minimum hourly rates of wages required to be paid to the various laborers and mechanics employed directly upon the site of the work embraced by this specification, these rates having been determined by the Secretary of Labor to be the prevailing local wage rates for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work as determined in accordance with Public Law 403 of the Seventy-fourth Congress, approved August 30, 1935, as amended. The wage rates contained in this Decision are straight hourly wage rates. In some areas management and labor or-

ganizations in the construction industry have collectively bargained for health and welfare fund contributions. Such contributions are not included in wage rates determined by the Secretary of Labor for construction projects unless so specified in the determination.

(b) No classifications of laborers or mechanics may be employed except those designated in the schedule above mentioned. In the event that wage rates are desired for classifications not requested, or classifications requested but not furnished, application or reapplication for such classifications and rates shall be made to the Commissioner for transmission to the Secretary of Labor.

(c) While the wage rates shown are the minimum rates required by these specifications to be paid during the life of the contract, this is not a representation that labor can be obtained at these rates. It is the responsibility of bidders to inform themselves as to local labor conditions and prospective changes or adjustments of wage rates. No increase in the contract price shall be allowed or authorized on account of the payment of wage rates in excess of those listed herein.

(d) All mechanics and laborers employed or working upon the site of the work will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by the Anti-Kickback Regulations (29 CFR Part 3)), the full amounts due at time of payment computed at wage rates not less than those contained in the Wage Determination Decision of the Secretary of Labor, regardless of any contractual relationship which may be alleged to exist between the Contractor or subcontractor and such laborers and mechanics; and the Wage Determination Decision shall be posted by the Contractor at the site of the work in a prominent place where it can be easily seen by the workers.

(e) The Owner, or his representative, may withhold or cause to be withheld from the Contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics employed by the Contractor or any subcontractor on the work the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic employed or working on the site of the work all or part of the wages required by the contract, the Owner or his representative, may, after written notice to the Contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

(f) (1) Payroll records will be maintained during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records will contain the name and address of each such employee, his correct classification, rate of pay, daily and weekly number of hours worked, deductions made and actual wages paid. The Contractor will make his employment records available for inspection by authorized representatives of the Commissioner, and will permit such representatives to interview employees during working hours on the job.

(2) The Contractor will in addition submit weekly a certified copy of all payrolls to the Owner, or his representative. Such copies shall be retained, in accordance with instructions, by the Owner for a period of three years from the date of completion of the contract, and shall be available for inspection by authorized representatives of the Commissioner. The certification will affirm that the payrolls are correct and complete, that the wage rates contained therein are not less than those determined by the Secretary of Labor and the classifications set forth for each laborer or mechanic conform with the work he performed.

(g) Apprentices will be permitted to work only under a bona fide apprenticeship program registered with a State Apprenticeship Council which is recognized by the Federal Committee on Apprenticeship, U.S. Department of Labor; or if no such recognized Council exists in a State, under a program registered with the Bureau of Apprenticeship, U.S. Department of Labor.

(h) The Contractor will comply with the regulations of the Secretary of Labor made pursuant to the Anti-Kickback Act of June 13, 1934, 48 Stat. 948; 62 Stat. 740, 63 Stat. 108; 18 U.S.C. 874, 40 U.S.C. 276 b, c, and any amendments or modifications thereof, will cause appropriate provisions to be inserted in subcontracts to insure compliance therewith by all subcontractors subject thereto, and will be responsible for the submission of statements required of subcontractors thereunder, except as the Secretary of Labor may specifically provide for reasonable limitations, variations, tolerances and exemptions from the requirements thereof. In lieu of mailing statements required by 29 CFR 3.3 and 3.4 (Anti-Kickback Regulations) to the Federal Agency furnishing financial aid on this project, the Contractor shall submit all such statements promptly, as specified, to the Owner or to a representative designated by the Owner. The Owner, or his representative, shall check the completeness of such statements and their compliance with forms prescribed in the Anti-Kickback Regulations. Such statements shall be preserved for a period of three years from the date of completion of the contract and shall be available for inspection by authorized representatives of the Commissioner of the Federal Water Pollution Control Administration and the Secretary of Labor.

(i) The Contractor will insert in each of his subcontracts the provisions set forth in paragraphs (b), (d), (e), (f), (g), (h), and (j) of this section, and such other stipulations as the Commissioner may by appropriate instructions require.

(j) A breach of paragraphs (b) and (d) through (i) of this section may be grounds for termination of the contract. If the Contractor fails to correct any such breach to the satisfaction of the Commissioner within ten days after the Owner's demand for such correction, then the Owner may, by written notice to the Contractor, terminate his right to proceed with the work or such part of the work as to which there has been a breach of the aforesaid stipulations and prosecute the work to completion by contract or otherwise, and the Contractor and his Sureties shall be liable to the Owner for any excess cost occasioned the Owner thereby.

§ 601.33 Labor standards—Suspension of payments.

In the event the Commissioner has reason to believe there is a failure or refusal of the Contractor or any subcontractor to comply with the labor standards stipulations required by the regulations in this subpart the Commissioner may, after reasonable notice and opportunity for hearing to the Applicant, withhold payments to the Applicant pending action based on such hearing, until such time as the violations are discontinued or until sufficient funds are withheld to compensate the employees for the wages to which they were entitled.

Subpart C—Grants for Demonstration Projects for the Control of Discharges From Stormwater or Combined Sewer Systems

§ 601.61 Definitions.

All terms used in this subpart which are defined in the Federal Water Pollution Control Act and are not defined in this section shall have the meaning given them in such Act. As used in this subpart, the following terms shall have the meaning indicated herein below:

(a) "Federal Act" means the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.).

(b) "Administration" means the Federal Water Pollution Control Administration in the Department of the Interior.

(c) "Commissioner" means the Commissioner of the Federal Water Pollution Control Administration.

(d) "State water pollution control agency" means the State health authority except that, in the case of any State in which there is a single State agency other than the State health authority charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency.

(e) "Interstate agency" means an agency of two or more States established by or pursuant to an agreement or compact approved by the Congress, or any agency of two or more States, having substantial powers or duties pertaining to the control of pollution of waters.

(f) "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

(g) "Fiscal year" means a twelve month period beginning on July 1.

(h) "Municipality" means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

(i) "Intermunicipal agency" means an agency of two or more municipalities having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

(j) "Treatment works" means the various devices used in the treatment of sewage or industrial wastes of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping power, and other equipment and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof.

(k) "Construction" includes preliminary planning to determine the economic and engineering feasibility of treatment works, the engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action necessary to the construction of treatment works; and the erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works, and the inspection and supervision of the construction of treatment works.

(l) "Applicant" means any State, municipality, intermunicipal or interstate agency which files an application for a grant of Federal funds under section 6 of the Federal Act.

§ 601.62 Applications for grants.

Applications for grants for projects which will demonstrate new or improved methods of controlling the discharge of untreated or inadequately treated sewage or other waste from sewers which carry stormwater or both stormwater and sewage or other wastes shall be submitted on such forms and in such manner as the Commissioner may prescribe.

§ 601.63 Grant limitations.

Grants under this subpart shall be subject to the following limitations:

(a) No grant shall be made for any work for which a contract was let prior to October 31, 1965.

(b) No grant shall be made for any project unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Commissioner.

(c) No grant shall be made for any project in an amount exceeding 50 percent of the estimated reasonable cost thereof as determined by the Commissioner, or in an amount exceeding $1 million, whichever is smaller: *Provided*, That the grantee agrees to pay the remaining cost.

(d) No grant shall be made for any project unless the Commissioner determines that such project will serve as a useful demonstration of a new or improved method of controlling the discharge into any water of untreated or inadequately treated sewage or other waste from sewers which carry stormwater or both stormwater and sewage or other wastes.

(e) No grant for a project shall be made until the applicant has made provision satisfactory to the Commissioner for the preparation of and submission to the Commissioner of a final report of the engineering effectiveness and economic feasibility of the method demonstrated by the project containing sufficient engineering detail to permit an evaluation of the applicability of the demonstrated method to similar problems elsewhere.

§ 601.64 Grant conditions.

(a) In addition to any other requirements imposed by or pursuant to this subpart, each grant awarded pursuant to this subpart shall be subject to the following conditions:

(1) Any grant award pursuant to this subpart shall be subject to the regulations of the Department of the Interior as set forth in Part 6 of Title 43 of the Code of Federal Regulations, relating to inventions and patents. Such regulations shall apply to any activity for which grant funds are in fact used whether within the scope of the project as approved, or otherwise. Appropriate measures shall be taken by the grantee and by the Commissioner to assure that no contracts, assignments or other arrangements inconsistent with the grant obligation are continued or entered into and that all personnel involved in the supported activity are aware of and comply with such obligation. Laboratory notes, related technical data and information pertaining to inventions or discoveries shall be maintained for such periods, and filed with or otherwise made available to the Commissioner or those he may designate at such times and in such manner as he may determine necessary to carry out such Department regulations.

(2) Any grant awarded under this subpart shall be subject to the requirements of Executive Order 11246, September 24, 1965 (30 F.R. 12319), and with applicable rules, regulations, and procedures prescribed pursuant thereto.

(b) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; P.L. 88-352) which provides that no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (sec. f601), and to the implementing regulation issued by the Secretary of the Interior with the approval of the President (Part 17 of Title 43 of the Code of Federal Regulations).

§ 601.65 Assurances from applicant.

(a) No grant involving construction of facilities shall be made until the Commissioner has received assurances from the applicant:

(1) That actual construction work will be performed by the lump sum (fixed price) or unit price contract method, that adequate methods of obtaining competitive bidding will be employed prior to awarding the construction contract, and that the award of the contract will be made to the responsible bidder submitting the lowest acceptable bid;

(2) That the project will not be advertised or placed on the market for bidding until the final plans and specifications have been approved by the Commissioner and the appropriate State agency, and the applicant has been so notified;

(3) That the construction contract will require the contractor to furnish performance and payment bonds, the amount of which shall each be in an amount not less than fifty per centum (50 percent) of the contract price, and to maintain during the life of the contract adequate fire and extended coverage, workmen's compensation, public liability and property damage insurance;

(4) That any change or changes in the contract which make any major alteration in the work required by the plans and specifications, or which raise the cost of the project above the latest estimate approved by the Commissioner will be submitted to the Commissioner for prior approval;

(5) That the construction of the project, including the letting of contracts in connection therewith, shall conform to the applicable requirements of State and local laws and ordinances;

(6) That the construction contract will provide that the representatives of the Administration and the State will have access to the work wherever it is in preparation or progress and that the contractor will provide proper facilities for such access and inspection;

(7) That the applicant will permit the Administration or its authorized agents to have access to the project and the records pertaining to its operation at any reasonable time following the completion of construction for the purpose of making additional studies;

(8) That the applicant will provide and maintain competent and adequate engineering supervision and inspection at the project to insure that the construction conforms with the approved plans and specifications;

(9) That adequate accounting and fiscal records will be maintained which fully disclose the amount, receipt, and disposition of the grant assistance provided, the total cost of the project in connection with which the grant has been offered, the amount and identification of that portion of the cost of the project supplied from other sources, and such other records as the Commissioner may prescribe to facilitate an effective audit;

(10) That all funds granted pursuant to this subpart shall be expended solely for carrying out the approved project;

(11) That the Commissioner and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the grantee, and the applicant shall submit to the Commissioner or the Comptroller such documents and information as they may require in connection with the project;

(12) That the declarations, assurances, representations, and statements

made by the applicant in the application and all documents, amendments and communications filed with the Administration by the applicant in support of its request for a grant, will be fulfilled;

(13) That the applicant will demonstrate to the satisfaction of the Commissioner its ability to pay the remaining cost of the project;

(14) That the applicant will demonstrate to the satisfaction of the Commissioner that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, as the Commissioner finds sufficient to assure undisturbed use and possession for the purposes of construction and operation for the estimated life of the project;

(15) That all construction contracts, regardless of amount, will require the contractor to comply with the regulations of the Secretary of Labor made pursuant to the Anti-Kickback Act of June 13, 1934 (40 U.S.C. 276c), and any amendments or modifications thereto, to cause appropriate provisions to be inserted in subcontracts to insure compliance therewith by all subcontractors subject thereto, and to be responsible for the submission of statements required of sucontractors thereunder, except as the Secretary of Labor may specifically provide for reasonable limitation, variations, tolerances, and exemptions from the requirements thereof;

(16) That the applicant has made provisions satisfactory to the Commissioner for assuring proper and efficient operation and maintenance of the works after the completion of the construction thereof;

(17) That the applicant agrees to construct the project or cause it to be constructed to final completion in accordance with the application and plans and specifications approved by the Commissioner: *Provided*, That assurances (1) through (3) required under this section may be waived by the Commissioner, in whole or in part (and subject to such conditions as he deems necessary) if the Commissioner finds that the purpose of such assurance is fulfilled or an alternate procedure is desirable.

(b) Prior to making a grant for any project not involving construction, the Commissioner shall require such assurances from the applicant as the Commissioner deems necessary to carry out the purposes of the Act.

§ 601.66 Determining the desirability of projects.

In determining the desirability of projects and of approving Federal financial aid in connection therewith, the Commissioner shall give consideration to the following:

(a) The relation of the estimated cost of the project to the public interest and to the necessity for the project;

(b) The propriety of Federal aid to the project;

(c) The public benefits to be derived by the project;

(d) The related projects requiring completion before full benefit can be derived from the project for which the application is made and the degree to which the completion of the related projects in the near future is reasonably assured;

(e) The feasibility of utilizing available facilities, and

(f) The probability that the project will demonstrate a new or improved method of control of the discharge of untreated or inadequately treated waste from sewers which carry stormwater or both stormwater and sewage or other waste within a reasonable time.

§ 601.67 Payments.

(a) Installment payments of the grant shall be made at the request of the applicant, shall be based on the cost of the work performed, materials and equipment furnished, and services rendered in connection with an approved project, and may be made as follows:

(1) A first installment when not less than 25 percent of the project is completed;

(2) A second installment when not less than 50 percent of the project is completed;

(3) A third installment when not less than 75 percent of the project is completed; and,

(4) A fourth installment when the project is completed, final inspection by a representative of the Administration is made, and an engineering report of the applicant concerning the details of the method demonstrated and the results thereof is submitted to and accepted by the Commissioner.

(b) Upon written request and a showing of necessity by the applicant, the Commissioner may adopt a different schedule of payments.

(c) The total grant payments for any project shall not exceed the amount of the approved grant, 50 percent of the actual reasonable cost thereof as determined by the Commissioner at completion of the project or $1 million, whichever is the smallest.

(d) Where the applicant fails to comply substantially with the requirements of the Federal Act or with the requirements, conditions, limitations, provisions, or assurances of the regulations, or with other Federal laws or regulations applicable to the project, the Commissioner may, upon giving reasonable notice and opportunity for hearing to the applicant, withhold, in whole or in part, further payments to the applicant pending action based upon such hearings or until there is no longer any failure to comply.

§ 601.68 Final settlement.

If an examination or audit discloses that an overpayment has been to the grantee, the total of such overpayment shall constitute a debt owed by the grantee to the United States and if not paid to the United States shall be recovered from the grantee or its successors by set-off or other action as provided by law.

Subpart D—Grants for Research, Training, and Demonstration Projects

APPLICABILITY AND DEFINITIONS

§ 601.70 Applicability.

The regulations of this subpart apply to Federal Water Pollution Control Administration grants for the support of research, training, and demonstration projects as authorized in section 5 of the Federal Water Pollution Control Act as amended (33 U.S.C. 466 et seq.).

§ 601.71 Definitions.

As used in this subpart:

(a) "Commissioner" means the Commissioner of the Federal Water Pollution Control Administration and any other officer or employee of the Administration to whom he delegates the authority involved, except that as used in §§ 601.76 (a)(3), and 601.80(b) the term shall mean only the Commissioner and Acting Commissioner.

(b) "Project Period" means the period of time, not exceeding the applicable maximum project period specified in paragraph (c) of this section which the Commissioner finds is reasonably required to initiate and conduct a project meriting support by means of one or more project grants within the scope of § 601.75. The period may include the time required for initial staffing and acquisition of facilities and for the preparation and publication of the results of the project. The approval and support of a project for the maximum period shall not preclude support of such a project beyond such a period if such support of the continued project is requested, evaluated, and approved on the same basis as a new or initial application in accordance with §§ 601.77 and 601.78.

(c) "Maximum project period" for the several grant programs is as follows: (1) Research Grants not to exceed 7 years; (2) Training Grants not to exceed 5 years; (3) Demonstration Grants not to exceed 3 years.

ELIGIBILITY, AWARD AND TERMINATION

§ 601.75 Nature and purpose of research, training, and demonstration grants.

Grants for research, training, and demonstration projects are awards by the Commissioner of funds to an institution, organization or other person, hereinafter called the "grantee" to meet in whole or in part the costs of conducting for the benefit of water pollution control an identified activity or program, hereinafter termed the "project," that (a) with respect to a research project is intended and designed to establish, discover, develop, elucidate, or confirm information; or (b) with respect to a training project, is intended to afford training of specialists in scientific, engineering, and social science disciplines; (c) with respect to a demonstration project, is intended to demonstrate the applicability and utility of research findings.

§ 601.76 Eligibility for grants.

(a) *Persons eligible.* Except where otherwise prohibited by law, any individual, corporation, public or private institution or agency, or other legally accountable person found by the Commissioner to be authorized and qualified by scientific or other relevant competence to carry out a proposed project in accordance with the regulations of this subpart shall be eligible for a grant award except:

(1) Federal agencies or institutions not specifically authorized by law to receive such a grant.

(2) Any corporation, institution, agency or other such person, other than an individual, that is organized or operated for profit; and

(3) Any individual corporation, institution, agency or other such person who, having previously received a grant award from the Federal Water Pollution Control Administration has failed willfully and materially in the judgment of the Commissioner to comply with accounting or other requirements applicable to such prior award, such disqualification to continue until terminated in the public interest by the Commissioner.

(b) *Projects eligible.* Any project found by the Commissioner to be a research, training, or demonstration project within the meaning of § 601.75 shall be eligible for a grant award. Eligible projects may consist of laboratory, field, statistical, basic, applied or other types of investigations, studies or experiments, or combinations thereof, and may either be limited to one, or a particular aspect of a problem or subject, or may consist of two or more related problems or subjects for concurrent or consecutive research, training, and demonstration projects, and involve multiple disciplines, facilities, and resources.

§ 601.77 Application for grants.

Any person eligible for a grant award under § 601.76 may file application therefor with the Commissioner on such forms as he may prescribe. Such application shall set forth adequately the nature, duration, purpose and plan of the project, the total facilities and resources that will be available, a justification of the amount of grant funds requested, and such other pertinent information as the Commissioner may require. The application shall be executed by an individual authorized to act for the institution or other applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of any award, including the regulations of this subpart.

§ 601.78 Evaluation and disposition of applications.

(a) *Evaluation.* All applications filed in accordance with § 601.77 shall be evaluated by the Commissioner through such officers and employees of the Administration and such experts or consultants engaged for this purpose as he determines are specially qualified in the areas of research, training or demonstration involved. The evaluation shall take into account among other pertinent factors the scientific merit and significance of the project, the competency of the proposed staff in relation to the type of project involved, the feasibility of the project, the likelihood of its producing meaningful results, the proposed project period, and the adequacy of the applicant's resources available for the project and the amount of grant funds necessary for completion.

(b) *Disposition.* On the basis of the evaluation of an application pursuant to paragraph (a) of this section, the Commissioner shall (1) approve, (2) defer because of either lack of funds or need for further evaluation, or (3) disapprove support of the proposed project in whole or in part. With respect to approved projects, the Commissioner shall determine the project period during which the project may be supported. Any deferral or disapproval of an application shall not preclude its reconsideration or a reapplication.

§ 601.79 Grant awards.

(a) *General.* Within the limits of funds available for such purpose, the Commissioner shall award a grant to those applicants whose approved projects will in his judgment, best promote the purposes of § 601.75. The date specified by the Commissioner as the beginning of the project period shall be no later than 9 months following the date of any initial or new award statement unless the Commissioner finds that because of the nature of a project or the grantee's particular circumstances, earlier assurance of grant support is required to initiate the project. All grant awards shall be in writing, shall set forth the amount of funds granted and shall constitute for such amounts the encumbrance of Federal funds available for such purpose on the date of the award.

(b) *Determination of award amount.* The amount of any award shall be determined by the Commissioner on the basis of his estimate of the sum necessary for all or a designated portion of direct project costs (as set forth in §§ 601.91 and 601.93) for either the project period or for such lesser period as he may designate in making the award, plus an additional amount, if any, for overhead or indirect costs (as set forth in § 601.92). Neither the approval of any project nor a grant award shall commit or obligate the United States in any way to make any additional, supplemental, continuation or other awards with respect to any approved project or portion thereof.

(c) *Multiple, concurrent, initial awards.* Whenever a project involves a number of different but related problems, activities or disciplines, or whenever support for a project could be more effectively administered by separate handling of separate aspects of the project, the Commissioner may evaluate and approve two or more concurrent applications each dealing with one or more specified aspects of the project, and he may make two or more concurrent grant awards with respect to such a project.

(d) *Supplemental and continuation awards.* The Commissioner may from time to time within the project period make additional grant awards with respect to any approved project continued without change except as provided in § 601.81 (b) and (c) where he finds, on the basis of such progress, and accounting reports as he may require, either that (1) the amount of any prior award was less than the amount necessary to carry out the approved project within the period used for estimating the amount of such prior award (a supplemental grant), or (2) the progress made within the period with respect to which any prior awards were made justifies support for an additional, specified portion, or the remainder of the project period (a continuation grant). The amount of any supplemental or continuation grant shall be determined as provided in paragraph (b) of this section.

(e) *Payments.* The Commissioner shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement for expenses to be incurred or incurred in the project period, to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project. All such payments shall be recorded by the grantee in accounting records separate from all other fund accounts, including funds derived from other grant awards. Amounts paid shall be available for expenditure by the grantee in accordance with the regulations of this part throughout the project period subject to such limitations as the Commissioner may prescribe.

§ 601.80 Termination.

(a) *Discontinuance by agreement.* Whenever in the judgment of the Commissioner and the grantee continuation of an approved project would produce results of no value in furthering the purposes of § 601.75 grant support shall be terminated.

(b) *Termination by Commissioner.* Any grant award may be revoked or terminated by the Commissioner in whole or in part at any time within the project period whenever he finds that in his judgment the grantee has failed in a material respect to comply with regulations of this part. The grantee shall be promptly notified of such finding in writing and given the reasons therefor.

(c) *Termination by the grantee.* A grantee may at any time terminate or cancel its conduct of an approved project by notifying the Commissioner in writing setting forth the reasons for such termination.

(d) *Accounting.* Upon any termination, the grantee shall render an accounting pursuant to §§ 601.95 through 601.100: *Provided, however*, That to the extent the termination is due in the judgment of the Commissioner to no fault of the grantee, credit shall be allowed for the amount required to settle at minimum cost any noncancelable obligations properly incurred by the

grantee prior to receipt of notice of termination.

GRANT CONDITIONS—OBLIGATIONS OF GRANTEE

§ 601.81 Use of funds; changes.

(a) *Use of funds.* Any funds granted pursuant to § 601.79 shall be expended by the grantee solely for carrying out the approved project in accordance with the regulations of this part. The grantee may not in whole or in part delegate or transfer this responsibility for the use of such funds to any other person.

(b) *Changes in project.* The permissible changes by the project director in the approved project shall be limited to changes in methodology, approach or other aspects of the project that would expedite achievement of the project's objectives, including changes that grow out of the approved project and serve the best scientific and administrative strategy. Whenever the grantee and the project director are uncertain as to whether a change complies with these provisions, the question shall be referred to the Commissioner for a final determination.

(c) *Changes in project period.* The project period determined pursuant to § 601.78(b) may be extended by the Commissioner, with or without additional grant support, for an additional period not exceeding 1 year where he determines that such extension is required to assure adequate completion of the approved project and the total period as extended does not exceed the applicable maximum project period.

§ 601.82 Project directors.

All grant awards shall be subject to the condition that the project director designated in the application as responsible for the conduct of the approved project shall continue responsible for the duration of the project period. Whenever any such project director shall become unavailable for any reason to discharge this responsibility, the grant shall be terminated and an accounting rendered as provided in § 601.80 unless the grantee replaces such project director with another person found by the Commissioner to be qualified to direct and conduct the approved project.

§ 601.83 Inventions or discoveries.

Any grant award pursuant to § 601.79 is subject to the regulations of the Department of the Interior as set forth in Part 6 of Title 43 of the Code of Federal Regulations. Such regulations shall apply to any activity for which grant funds are in fact used whether within the scope of the project as approved or otherwise. Appropriate measures shall be taken by the grantee and by the Commissioner to assure that no contracts, assignments or other arrangements inconsistent with the grant obligation are continued or entered into and that all personnel involved in the supported activity are aware of and comply with such obligation. Laboratory notes, related technical data and information pertaining to inventions or discoveries shall be maintained for such periods, and filed with or otherwise made available to the Commissioner or those he may designate at such times and in such manner, as he may determine necessary to carry out such Department regulations.

§ 601.84 Records, reports, inspections.

(a) *Records and reports.* Each grant award pursuant to § 601.79 shall be subject to the condition that the grantee shall maintain such progress and fiscal records, and file with the Commissioner such progress and fiscal reports relating to the conduct and results of the approved project and the use of grant funds as the Commissioner may prescribe. No such records shall be destroyed or otherwise disposed of within 3 years after termination of the project period unless a shorter or longer period of time is, respectively, permitted or required in writing by the Commissioner as to all, or particular types of records.

(b) *Inspections and audit.* Any application for a grant award filed pursuant to § 601.77 shall constitute the consent of the applicant to inspections at reasonable times by persons designated by the Commissioner of the facilities, equipment and other resources of the applicant and to interviews with principal staff members to the extent such resources and personnel will be, or are involved in the project. In addition, the acceptance of any grant award under § 601.79 shall constitute the consent of the grantee to inspections and fiscal audit by such persons of the supported activity and of progress and fiscal records relating to the approved project.

§ 601.85 Discrimination prohibited.

Attention is invited to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; P.L. 88–352) which provides that no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (sec. 601), and to the implementing regulation issued by the Secretary of the Interior with the approval of the President (Part 17 of Title 43 of the Code of Federal Regulations).

§ 601.86 Other conditions.

The Commissioner may with respect to any grant award or class of awards impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of the Administration, or the conservation of grant funds.

EXPENDITURES BY GRANTEE

§ 601.90 Allocation of costs.

Except as may otherwise be provided by or pursuant to the regulations of this subpart, the allocation of expenditures by a grantee as between direct and indirect costs shall be in accordance with generally accepted and established accounting practices and in accordance with the same policies and methods that the grantee applies to all its research, training, or demonstration projects and related activities whether self-sponsored or supported by contracts or grants.

§ 601.91 Direct costs in general.

Funds granted for the direct costs of an approved project may be expended by the grantee for personal services, rental of space, materials and supplies, and other cost items as provided in the regulations of this subpart only to the extent such services, materials, supplies or other items are required to carry out the approved project. The Commissioner may issue rules, instructions, interpretations or limitations supplementing the regulations of this part and prescribing the extent to which particular types of expenditures, including those set forth in § 601.93 may be charged as direct costs to grant funds.

§ 601.92 Indirect costs.

(a) *Purpose and nature.* The amount awarded for indirect costs is provided for the purpose of meeting the approved project's share of the general administrative and other overhead expenses of the grantee. Indirect costs are those which, because of their incurrence for common or joint objectives, are not readily identified with individual projects. Expenditures representing an institution's auxiliary services or supportive activities to research, training or demonstration, such as personnel management, accounting or purchasing, and the cost of the usual utilities or the normal maintenance and protection of the grantee's facilities, shall not be charged as direct costs, unless because of special circumstances such a charge is specifically approved by the Commissioner in advance of expenditure.

(b) *Determination of amount of award for indirect costs.* Subject to such maximum amounts or percentages as may be prescribed by law and to accountability as provided in § 601.96 the amount of any award for the indirect costs of any project shall be calculated by the Commissioner either (1) on the basis of his estimate of the actual indirect costs reasonably related to the approved project, or (2) on the basis of a percentage of all, or a portion of, the estimated direct costs of the approved project when there are reasonable assurances that the use of such percentage will not exceed the approximate actual indirect costs.

§ 601.93 Particular direct costs.

(a) *Personal services.* The costs of personal services are payable from grant funds substantially in proportion to the time or effort the individual devotes to carrying out the approved project. In such proportion, such costs may include all direct costs incident to such services, such as salary during vacations and retirement and workman's compensation charges, in accordance with the requirements applicable by law to the grantee and where in accordance with the policies and accounting practices consistently applied by the grantee to all its activities.

(b) *Equipment and materials.* The cost of acquiring materials or fixed or movable equipment not available to the grantee for the approved project but required for its execution may be charged to grant funds as a direct cost. Such acquisition may be by lease or other arrangement for use during the project period or by outright purchase subject to accounting as provided in § 601.97. Such costs may include those incurred for delivery, installation and maintenance services.

(c) *Travel costs.* Costs of travel of individuals engaged in carrying out the approved project may be payable as direct costs where such travel is required by the nature of the project, such as field surveys or studies or transportation of personnel participating in a project conducted at a field station or other place. Not chargeable as direct costs are expenses for staff attendance at scientific meetings or conferences not related in the judgment of the Commissioner in advancing the approved project. To the extent the grantee has not established rules or policies which it uniformly applies regardless of source of funds in determining the amounts and types of reimbursable travel expenses, the Standardized Government Travel Regulations shall be applied in determining the amount of grant funds chargeable for travel expenses.

(d) *Alteration and renovations.* The costs of altering or renovating buildings or other structures in which the approved project is to be, or is being, conducted may be charged as direct costs to the extent such alteration or renovation is essential to the accomplishment of the specific objective of such project. Such costs may not include enlarging or adding to such structures or the erection of new structures. Grant funds used in whole or in part to defray the costs of any contract for alterations or renovations shall be subject to the requirements of Executive Order 11246, September 24, 1965 (30 F.R. 12319), relating to nondiscrimination provisions in federally assisted construction contracts, and with applicable rules, regulations, and procedures prescribed pursuant thereto.

(e) *Publication costs.* Costs required to assure effective publication or other distribution of the research results of any approved project may be charged as direct costs. Where such costs relate to charges imposed by scientific journals, they may be payable from grant funds only where they are imposed without discrimination relating to the source of support, and if assessed to secure early or accelerated publication date, only where the Commissioner determines in advance that such acceleration is of significant value to water pollution control.

GRANTEE ACCOUNTABILITY

§ 601.95 Date of final accounting.

In addition to such other accounting as the Commissioner may require, a grantee shall render, with respect to each approved project, a full account, as provided herein, as of a termination date which shall be either (a) the end of the project period as determined pursuant to § 601.78(b) or its extension as provided in § 601.81(c), or (b) the date of any termination of grant support as provided in § 601.80 whichever first occurs.

§ 601.96 Accounting for grant award payments.

With respect to each approved project, the grantee shall account for the sum total of all amounts paid under § 601.79 (c) by presenting or otherwise making available vouchers or any other evidence satisfactory to the Commissioner of expenditures for direct and indirect costs meeting the requirements of §§ 601.90 through 601.93: *Provided, however,* That where in accordance with § 601.92(b) the amount awarded for indirect costs was based on a percentage of estimated direct costs, the amount allowed for indirect costs shall be that percentage of actual direct costs, or approved portion thereof, unless the Commissioner has reason to believe that such application of the percentage would result in an allowance in excess of actual indirect costs.

§ 601.97 Accounting for equipment, materials or supplies.

Expenditures of grant funds for movable or fixed equipment, materials or supplies, termed in this subpart "materials" may be charged to grant funds as direct costs only to the extent such materials are required for the conduct of the approved project during the project period. Any materials on hand on the date of termination (excluding expendable supplies within such limitations as the Commissioner may prescribe) shall be accounted for, or accountability waived, by one or a combination of the following methods:

(a) *Waiver of equipment accountability.* Under research grants where the grantee is an organization within the terms of the Act of September 6, 1958 (72 Stat. 1793; Public Law 85–934), the obligation to account for the value of any fixed or movable equipment purchased with funds under a research grant may be waived by the Commissioner as provided by such Act.

(b) *Retention for other water pollution control grant projects.* If the grantee is other than an individual, the materials may be used, without adjustment of accounts, in other projects within the scope of § 601.75, and no other accounting for such materials shall be required: *Provided, however,* (1) That during such period of use no charge for depreciation, amortization or for other use of the materials shall be made against any existing or future Federal grant or contract, and (2) if within the period of their useful life the materials are transferred by sale or otherwise for use outside the scope of § 601.75, the fair market value at the time of transfer shall be payable to the United States.

(c) *Sale or other disposition; crediting of proceeds or value.* The materials may be sold by the grantee and the net proceeds of sale credited to the grant account for project use, or they may be used or disposed of in any manner by the grantee by crediting to the grant account their fair market value on the termination date. To the extent materials purchased from grant funds have been used for credit or "trade-in" on the purchase of new materials, the accounting obligation shall apply to the same extent to such new materials.

(d) *Transfer to the United States.* To the extent the Commissioner so requires or approves, title to such materials will be transferred to the United States for such authorized use or disposition as he may direct.

§ 601.98 Interest.

Any interest earned through any deposit or investment by the grantee of the funds paid pursuant to § 601.79(e) shall be paid to the United States as such interest is received by the grantee.

§ 601.99 Project net income.

Except as may otherwise be provided pursuant to regulations of the Department of the Interior with respect to income from patentable inventions or discoveries, the Commissioner may impose on any grant award or class of grant awards conditions that will assure return to the United States of its equitable share of any net income derived by the grantee from the activity supported by grant.

§ 601.100 Final settlement.

There shall be payable to the United States as final settlement with respect to each approved project the total sum of (a) any amount not accounted for pursuant to § 601.96, (b) any credits for materials on hand as provided in § 601.97, and (c) any credits for earned interest and for net income of the project pursuant to §§ 601.98 and 601.99. Such total sum shall constitute a debt owed by the grantee to the United States and shall be recovered from the grantee or its successors or assignees by setoff or other action as provided by law.

Subpart—Awards for Research Fellowships

§ 601.110 Applicability.

The regulations of this subpart apply to Federal Water Pollution Control Administration awards for the support of research fellowships under section 5 of the Federal Water Pollution Control Act, as amended.

§ 601.111 Purpose of fellowships.

Fellowships in the Federal Water Pollution Control Administration are for the purpose of encouraging and promoting the specialized training of individuals in research related to the causes, prevention and control of water pollution.

§ 601.112 Establishment.

All fellowships in the Federal Water Pollution Control Administration shall be established by the Commissioner. In establishing a fellowship or series of fellowships, the Commissioner shall in writing prescribe the conditions, in addition to those provided in the regulations in this subpart, under which the fellowships shall be awarded and held.

§ 601.113 Services.

Individuals awarded fellowships will not be required to render services to the Federal Water Pollution Control Administration.

§ 601.114 Qualifications.

Scholastic and other qualifications shall be prescribed by the Commissioner for each fellowship, or series of fellowships. Each individual selected for appointment to a fellowship shall:

(a) Possess the qualifications prescribed therefor.

(b) Be free from any disease or disability that would interfere with his carrying out the purposes of the fellowship.

(c) Present satisfactory evidence of general suitability including professional and personal fitness.

§ 601.115 Applications for fellowships.

Candidates for fellowships shall make application therefor on forms prescribed by the Commissioner for such purpose. In addition to the information supplied by a candidate in his application, such additional information may be required as may be necessary to determine his qualifications and fitness.

§ 601.116 Review of applications for fellowships.

The Commissioner shall appoint one or more fellowship panels to examine the qualifications of applicants for fellowships. A fellowship panel shall report to the Commissioner each candidate who it finds meets required qualifications, and shall include in such report its recommendations concerning his appointment.

§ 601.117 Awards.

Awards of fellowships shall be made by the Commissioner.

§ 601.118 Benefits.

Individuals awarded fellowships shall be entitled to:

(a) A stipend and dependency allowance as fixed by the Commissioner for the fellowship.

(b) Vacation and other leave as follows: Individuals awarded fellowships may take vacations in accordance with the custom of the institution at which they are working, but not in excess of 1 month per year. If they are located at a laboratory or other facility of the Federal Government, vacations may be taken as authorized by the Federal Water Pollution Control Administration. Stipends will not be increased or be paid beyond the term of a fellowship, on account of vacation an individual might be entitled to but does not take.

(c) Travel expenses: Any individual awarded a fellowship may, when authorized in advance by the Federal Water Pollution Control Administration, be granted separate allowances for transportation and subsistence expenses, not exceeding such amounts as may be prescribed by the Commissioner on account of (1) travel to the place at which he is to be located during the term of the fellowship, and (2) travel to return him at the end of the fellowship term to his home or other place he left to carry out the fellowship, provided such return travel is to or from a place outside the continental United States. Allowances will not be granted for transportation expenses of dependents or for shipping charges for personal effects or household goods.

(d) Payments-stipends, dependency allowances, travel expenses: Payments for stipends, dependency allowances and travel expenses specified in paragraph (c) (1) and (2) of this section may be made directly to the fellow or to the sponsoring institution for payment to the fellow.

(e) Condition to payments: No payments shall be made to or for a citizen or a noncitizen national of the United States receiving a fellowship unless such citizen or noncitizen national has taken, subscribed to, and filed with the Federal Water Pollution Control Administration a written oath or affirmation in the following form: "I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic."

(f) Noncitizen national; definition: A noncitizen national of the United States is a person, who, though not a citizen of the United States, owes permanent allegiance to the United States.

§ 601.119 Tuition and other allowances: accountability.

(a) *Authorization.* The Commissioner may authorize allowances for payment of expenses, in whole or in part, of tuition, fees, equipment, supplies, attendance at meetings required to carry out the purposes of the fellowship, or other expenses of the research or training activities of the fellow.

(b) *Payment—Tuition and fees.* Allowances for tuition and fees may be paid to the fellow or sponsoring institution.

(c) *Payment—Other expenses; standard or maximum allowances.* Allowances for equipment, supplies, attendance at meetings, and other expenses shall, except as provided otherwise in these regulations, be paid to the sponsoring institution. The Commissioner may establish a standard allowance, or a maximum allowance for payment to the sponsoring institution for such expenses.

(d) *Accountability.* Allowances paid directly to a fellow for tuition fees and other expenses shall be subject to such requirements relating to accountability as may be specified by the Commissioner.

§ 601.120 Publications.

All publications resulting from work carried on under a Federal Water Pollution Control Administration fellowship are to carry appropriate acknowledgment thereof. The holder of the fellowship shall furnish two copies of each such publication to the Federal Water Pollution Control Administration.

§ 601.121 Term: renewal.

Appointments to fellowships may be made for varying periods, such as for a school year, but shall not exceed 2 years. Upon recommendation of a fellowship panel, the Commissioner may extend such appointments on a year-to-year basis or for a specific period of time provided for in a fellowship program established by the Commissioner in accordance with § 601.112.

§ 601.122 Information concerning criminal record, moral character or loyalty.

Information in the records or possession of the Federal Water Pollution Control Administration concerning the criminal record, moral character, or loyalty of any fellow shall not be made available to any fellowship panel involved in recommending appointment of fellows, or to any other person or persons other than those for whom access to such information and records is required in the exercise of their duties and responsibilities.

§ 601.123 Moral character or loyalty; reference to Special Review Committee; review and recommendation.

(a) *Reference to Special Review Committee.* Whenever (1) the Commissioner has substantial evidence that a fellow has been convicted of a crime involving moral turpitude, or of conduct involving moral turpitude on the part of a fellow, unless it is established in either such case that the fellow is, nevertheless, now a person of good moral character, or (2) the Commissioner has substantial evidence that the statement filed pursuant to § 601.118(e) was not made in good faith, the Commissioner shall refer such evidence to a Special Review Committee established as prescribed in paragraph (b) of this section.

(b) *Special Review Committee; composition.* The Special Review Committee shall be composed of a representative of the Commissioner of the Federal Water Pollution Control Administration designated by the Commissioner as chairman but nonvoting member, the Chief of the Research and Training Grant Program, or his delegate, the Chief of the Training Grant Activity, or his delegate, and three additional members appointed by the Commissioner.

(c) *Information; supplementation.* The Committee may supplement the information referred to it by such correspondence, personal interviews, or other informal methods as it deems necessary in order to make the recommendation provided for in paragraph (d) of this section.

(d) *Review and recommendation.* The Committee shall review the pertinent information, determine whether there is substantial evidence that the statement filed pursuant to § 601.118(e) was not made in good faith, or that the fellow is not a person of good moral character, and shall advise the Commissioner in writing of its determination and as to the termination or discontinuance of the award, stating its reasons therefor.

§ 601.124 Termination or discontinuance of award on grounds relating to moral character or loyalty.

If, after review of the recommendation of the Special Review Committee, the Commissioner believes that the award should be terminated or should not be

continued, he shall notify the fellow and sponsoring institution in writing that unless a request for a hearing is made by the fellow within 20 days after the fellow's receipt of such notice, his fellowship will be terminated or his application for continuance of the award denied. A copy of the regulations under this subpart shall be enclosed with the notice. The notice to the fellow shall set forth, as specifically as security permits, the grounds for the questions pertaining to moral character or loyalty.

§ 601.125 Termination on grounds other than those relating to conviction, moral character or loyalty.

The Commissioner or his delegate may terminate a fellowship at any time upon the request of the fellow, and shall terminate any fellowship prior to the date it would otherwise expire upon a determination by a fellowship panel, if approved by the Commissioner, either that the fellow's performance is unsatisfactory or that he is unfit or unable to carry out the purpose of the fellowship. The fellow and the sponsoring institution shall be notified in writing of such termination.

PART 606—PUBLIC HEARINGS UNDER THE FEDERAL WATER POLLUTION CONTROL ACT

Sec.
606.1 Applicability.
606.2 Definitions.
606.3 Initiation of proceedings for public hearing; appointment of Board.
606.4 Organization and general procedures of the Board.
606.5 Notice of hearing.
606.6 Service.
606.7 Publication of notice.
606.8 Parties.
606.9 Presentation of evidence by the Commissioner.
606.10 Hearing procedure.
606.11 Records of proceedings.
606.12 Oral argument.
606.13 Final findings and recommendations.

AUTHORITY: The provisions of this Part 606 issued under sec. 10, 70 Stat. 506; 33 U.S.C. 466i. Interpret or apply sec. 8, 70 Stat. 505; 33 U.S.C. 466g.

§ 606.1 Applicability.

The provisions of this part apply to proceedings under section 8(e) of the Federal Water Pollution Control Act (70 Stat. 504; 33 U.S.C. 466g(e)).

§ 606.2 Definitions.

As used in this part:

(a) "Act" means the Federal Water Pollution Control Act, 70 Stat. 498, 33 U.S.C. 466.

(b) "Board" means the board appointed by the Secretary pursuant to section 8(e) of the act (33 U.S.C. 466g (e)).

(c) "Department" means the Department of the Interior.

(d) "Pollution" means any pollution declared to be subject to abatement by section 8(a) of the act (33 U.S.C. 466g (a)).

(e) "Secretary" means the Secretary of the Interior.

(f) "Commissioner" means the Commissioner of the Federal Water Pollution Control Administration in the Department of the Interior.

(g) The definitions of terms contained in sections 8 and 11 of the act (33 U.S.C. 466g, 466j) shall be applicable to such terms as used in this part unless the context otherwise requires.

§ 606.3 Initiation of proceedings for public hearings; appointment of Board.

(a) In any case where the Secretary finds that the conditions precedent to the calling of a public hearing under the act exist, he will call such a hearing, and may either fix the time and place thereof, or authorize the Commissioner to do so.

(b) Prior to the hearing, the Secretary will appoint a hearing board of five or more persons, as provided in the act, and will designate one of the members as chairman. A majority of the Board shall be persons other than officers or employees of the Department. The Secretary may revoke appointment to the Board in the event of disability of a member, and may fill any vacancy in the membership of the Board, or in the office of chairman.

§ 606.4 Organization and general procedures of the Board.

(a) The chairman shall convene the Board for hearing sessions and for such other meetings as may be necessary.

(b) The chairman shall preside at all hearing sessions and meetings of the Board. In case of the absence or incapacity of the chairman, the Board may elect from its members an acting chairman to preside and perform the duties of the chairman.

(c) The hearing shall be conducted in an informal but orderly manner in accordance with this part. A quorum of the Board for the purpose of the hearing shall consist of not less than five members. Questions of procedure during a hearing shall be determined by the chairman. Rulings of the chairman may be appealed to the Board.

(d) The Board shall have the power to rule upon offers of proof and the admissibility of evidence, to receive relevant evidence, to examine witnesses, to regulate the course of the hearing, to change the time and place of the hearing or any of its sessions upon reasonable notice to the parties, and to hold conferences for the settlement or simplification of issues.

(e) The Commissioner shall provide for the Board such clerical and technical assistance as may be necessary.

(f) The Board shall designate an executive secretary, from personnel provided by the Commissioner, who shall maintain and have custody of all official records and other documents pertaining to the functions of the Board, and shall perform such other duties related to its functions as the Board may prescribe.

(g) The Board may authorize the chairman and the executive secretary on its behalf to execute, issue or serve such notices, reports, communications, and other documents relating to the functions of the Board as it may deem proper.

§ 606.5 Notice of hearing.

(a) The Commissioner shall issue and serve notice of hearing as herein provided and, if the time and place of the hearing have not been fixed by the Secretary, shall fix such time and place.

(b) The notice of hearing shall identify the person or persons discharging any matter causing or contributing to the pollution, and briefly describe the nature of the discharge or discharges and the interstate waters affected thereby. The notice shall include the names of the persons constituting the Board before whom the hearing will be held upon a day and at a time and place specified not earlier than three (3) weeks after the service of the notice.

(c) Notice of hearing shall be served on the following:

(1) Each person named in the notice as discharging any matter causing or contributing to pollution; and the water pollution control agency or interstate agency to whom formal notification of such pollution has previously been given in accordance with the Act.

(2) The water pollution control agency or the interstate agency of the State or States, other than that in which the discharge originates, claiming to be adversely affected by such pollution.

§ 606.6 Service.

Notice of hearing, findings, conclusions and recommendations of the Board, and any other documents relating to the functions of the Board, may be served by mailing a copy thereof addressed to each person or agency to be served at their respective residences, offices or place of business as ascertained by the Commissioner or the Board, as the case may be.

§ 606.7 Publication of notice.

Notice of the public hearing shall be published in the FEDERAL REGISTER at least three (3) weeks prior to the hearing.

§ 606.8 Parties.

(a) The parties to a hearing shall include the persons and agencies specified in § 606.5(c).

(b) The Commissioner shall have all the rights of a party to the hearing.

(c) Upon application and good cause shown, the Board may permit any interested person or agency to appear before it and be admitted as a party to such extent and upon such terms as the Board shall determine proper.

(d) Any party may appear in person or by counsel.

(e) The failure of any party to file an appearance or appear at the hearing in response to the notice of hearing shall not delay the hearing and the Board may proceed, hear and receive evidence and take other appropriate action affecting such party.

§ 606.9 Presentation of evidence by the Commissioner.

The Commissioner shall arrange for the presentation of evidence concerning the pollution, the person or persons discharging any matter causing or contrib-

uting to the pollution and remedial measures, if any, recommended by him.

§ 606.10 Hearing procedure.

(a) Each witness shall, before testifying, be sworn or make affirmation.

(b) When necessary, in order to prevent undue prolongation of the hearing, the Board may limit the number of times any witness may testify, the repetitious examination or cross-examination of witnesses or the amount of corroborative or cumulative testimony.

(c) The Board shall exclude irrelevant, immaterial or unduly repetitious evidence.

(d) Every party shall have the right to present evidence and cross-examine witnesses.

§ 606.11 Record of proceedings.

(a) Testimony given and other proceedings had at a hearing shall be reported verbatim. A transcript of such report shall be a part of the record and the sole official transcript of the proceedings.

(b) All written statements, charts, tabulations and similar data offered in evidence at the hearing shall, upon a showing satisfactory to the Board of their authenticity, relevancy and materiality, be received in evidence and shall constitute a part of the record.

(c) Where the testimony of a witness refers to a statute, or a report or document, the Board shall, after satisfying itself of the identification of such statute, report or document, determine whether the same shall be produced at the hearing and physically be made a part of the record or shall be incorporated in the record by reference.

(d) The Board may take official notice of statutes of the United States or of any State and of duly promulgated regulations of any Federal agency.

(e) The Board may take official notice of a material fact not appearing in the evidence in the record, but any party, prior to the conclusion of the hearing, shall be afforded an opportunity to show the contrary.

§ 606.12 Oral argument.

Oral argument may be permitted in the discretion of the Board, and shall be reported as part of the record unless otherwise ordered by the Board.

§ 606.13 Final findings and recommendations.

(a) The Board shall make its final findings, conclusions and recommendations, if any, based on the evidence presented at the hearing, and submit the same to the Secretary.

(b) Upon submission of such findings, conclusions and recommendations, the Board shall be terminated and all records pertaining to its functions transferred to the custody of the Commissioner.

(c) A copy of the findings, conclusions, and recommendations, if any, of the Board shall be served on all parties to the hearing by the Secretary.

[F.R. Doc. 66-5298; Filed, May 13, 1966; 8:47 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

PART 55—GRANTS FOR WATER POLLUTION CONTROL

PART 81—PUBLIC HEARINGS UNDER THE FEDERAL WATER POLLUTION CONTROL ACT

Transfer of Regulations

CROSS-REFERENCE: For adoption and amendment of the regulations in 42 CFR Parts 55 and 81 by the Secretary of the Interior pursuant to Reorganization Plan No. 2 of 1966, and their transfer to Title 18 of the Code of Federal Regulations (codified as 18 CFR Parts 601 (Subparts A and B) and 606, respectively), see Title 18, Chapter V (F.R. Doc. 66-5298), supra.

Title 45—PUBLIC WELFARE

Subtitle A—Department of Health, Education, and Welfare, General Administration

PART 90—GRANTS FOR WATER POLLUTION CONTROL

Transfer of Regulations

CROSS-REFERENCE: For adoption and amendment of the regulations in 45 CFR Part 90 by the Secretary of the Interior pursuant to Reorganization Plan No. 2 of 1966, and their transfer to Title 18 of the Code of Federal Regulations (codified as 18 CFR Part 601) (Subparts C, D and E), see Title 18 Chapter V (F.R. Doc. 66-5298), supra.

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 171—FINANCIAL ASSISTANCE FOR ACQUISITION OF EQUIPMENT TO IMPROVE UNDERGRADUATE INSTRUCTION IN INSTITUTIONS OF HIGHER EDUCATION

Submission and Processing of Applications

The following amendments are hereby made to Part 171, 45 CFR (31 F.R. 4795, Mar. 22, 1966), issued pursuant to Part A, Title VI of the Higher Education Act of 1965, Public Law 89-329:

1. Section 171.4(a), dealing with closing dates for filing of applications, is amended to change the latest permissible fiscal year 1966 State commission closing date from April 30 to May 31, and to permit two State commission closing dates in fiscal year 1966.

2. Section 171.4(f), dealing with deadlines for forwarding of recommended applications to the Commissioner, is amended to change the fiscal year 1966 deadline from May 31 to June 10.

As so amended, § 171.4 (a) and (f) reads as follows:

§ 171.4 Submission and processing of applications.

(a) *Closing dates for filing of applications.* Closing dates by which applications may be filed with and accepted by the State commission shall be established in the State plan. For each category of applications (i.e., laboratory and other special equipment and materials and directly associated minor remodeling; or television equipment and materials for closed-circuit direct instruction and directly associated minor remodeling) the State plan shall provide not more than two closing dates for any Federal fiscal year. The closing dates for fiscal year 1966 shall be not later than May 31, and closing dates for subsequent fiscal years shall in all cases be between October 1 and February 15. * * *

* * * * *

(f) *Recommendation by State commissions.* Promptly upon completing its consideration of applications as of each closing date, and no later than June 10 of the Federal fiscal year 1966 and March 31 of subsequent fiscal years, each State commission will forward to the Commissioner: * * *

* * * * *

(Secs. 601-609, 801-803; 79 Stat. 1261-1268, 1269-1270; 20 U.S.C. 1121-1129, 1141-1143)

Dated: April 27, 1966.

[SEAL] HAROLD HOWE II,
Commissioner of Education.

Approved: May 8, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-5301; Filed, May 13, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1068]

[Docket No. AO 178-A17]

MILK IN MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Sheraton-Ritz Hotel, 315 Nicollet Avenue, Minneapolis, Minn., beginning at 10 a.m., l.t., on May 18, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Minneapolis-St. Paul, Minn., marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Twin City Milk Producers Association:

Proposal No. 1. Amend § 1068.71, *Computation of uniform price*, so as to retain in producers' settlement fund, 3 cents per hundredweight of producer receipts for each of the months of January, February, March, April, May, and June of each calendar year and to pay out of the producers' settlement fund, one-third of the total amount retained during each of the months of September, October, and November. Make any further adjustments necessary as a result of any changes in the seasonal differentials brought about through Proposal No. 2.

Proposal No. 2. Amend § 1068.53 by reviewing and adjusting the seasonal differentials.

Proposed by Farmers Cooperative Creamery Company:

Proposal No. 3. Amend Order No. 68 to provide a new classification and price for milk used to produce cottage cheese.

Proposal No. 4. Amend §§ 1068.55, 1068.82 and other appropriate sections so as to reduce the location differentials to producers and handlers from the present 2 cents per zone to 1 cent per zone for the zones 15 miles to and through the 70-mile zone.

Proposal No. 5. Amend Order No. 68 by amending § 1068.9(b) and other appropriate sections to lower the pool plant requirement from 50 percent of the plant's total receipts to 40 percent of the plant's total receipts, and such other amendments to said subsection as the evidence introduced justifies, including evidence on all of the provisos of said subsection.

Proposed by Land O'Lakes Creameries, Inc.:

Proposal No. 6. In § 1068.9 paragraph (b) change the figure "50" to figure "40".

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 7. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Sanford A. Balgaard, 7703 Normandale Road, Room 100, Minneapolis, Minn., 55435, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, or may be there inspected.

Signed at Washington, D.C., on May 11, 1966.

CLARENCE H. GIRARD,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 66-5299; Filed, May 13, 1966; 8:47 a.m.]

[7 CFR Part 1099]

[Docket Nos. AO-183-A13, AO-183-A15]

MILK IN PADUCAH, KY., MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Paducah, Ky., marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, by the 5th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearings on the records of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, were conducted at Paducah, Ky., on November 17-18, 1965, pursuant to notice thereof issued on October 21, 1965 (30 F.R. 13581), and on April 26, 1966, pursuant to notice thereof issued on April 18, 1966 (31 F.R. 6120).

Class I prices under the Paducah order were a subject of both hearings. On the record of the earlier hearing the issue of Class I prices was decided for the period of February through June 1966 but not for subsequent periods. The most recent hearing was called to consider a new proposal for Class I prices for periods beginning with May 1966 and any economic and emergency marketing conditions relating to the proposed amendments.

Another issue on the record of the November hearing, location adjustments for handlers, remains to be decided, but is reserved for another decision on that record. Other issues on the record of the November hearing were dealt with in decisions issued January 21, 1966 (31 F.R. 1152) and April 25, 1966 (31 F.R. 6500).

The remaining material issues on the records of the hearings relate to:

1. Class I prices for May 1966 and subsequent months (including the issue listed as No. 2(b), Class I prices after June 1966, in the final decision issued April 25, 1966).

2. Whether there is need for emergency action with respect to said Class I prices; and

3. Location adjustments for handlers (listed as Issue No. 5 in the April 25, 1966, decision).

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

The Class I price per hundredweight at pool plants in the Kentucky portion of the marketing area should be the Class I price pursuant to Order No. 62 for the St. Louis, Mo., marketing area plus 15 cents.

Price proposals. At the hearing held on April 26, the Paducah Graded Milk Producers Association asked that the Class I price per hundredweight at Paducah each month be the St. Louis order Class I price plus 15 cents. This is a modification of their proposal as it appeared in the notice of hearing which would have based the Class I price on the Suburban St. Louis order price. Under the association's proposal, the price 15 cents over the St. Louis price would apply

in the Kentucky portion of the marketing area, and (as now provided in the order) a price 10 cents higher than at Paducah would apply at pool plants in the Missouri part of the marketing area. The association, which represents virtually all producers on the Paducah market, asserted that such price is necessary to maintain an adequate supply of milk for the market.

Since this proposal contemplates a fixed relationship to the St. Louis Class I price each month, it would modify the seasonal pricing in Paducah to be the same as the seasonal pricing in the St. Louis market. This proposal was requested in place of producers' proposal in the November hearing which would have preserved the present seasonal changes and added 10 cents per hundredweight each month.

One Paducah handler who testified at the April 26, 1966, hearing supported the price increase proposed by the producers' association. The handler asserted that the proper alignment of the Paducah Class I price would be with markets to the north. There was no objection at the April hearing to the producer proposal, although certain handlers in the Memphis market asked that the Class I prices preferably be based on a relationship to the Memphis Class I price. Their modification of producers' proposal would have resulted in a higher price level. Witnesses for Mid-South Milk Producers Association and Central Arkansas Milk Producers Association also testified in favor of the producers' proposal.

Production and Class I sales. The Paducah milk market has relatively high Class I utilization, averaging 88.4 percent of producer milk in Class I during 1965. Monthly milk production averaged about 9.7 million pounds and monthly Class I disposition of producer milk about 8.6 million pounds.

During the past 2 years, average Class I disposition has increased more than producer milk receipts. Class I use of producer milk in 1965 increased 17.1 percent over the quantity in 1964, while production increased 13.3 percent. For the first 3 months of 1966, Class I producer milk was 6.1 percent more than in the same months of 1965, and producer receipts increased 1.6 percent.

As a result of the greater increase in sales than production, milk supplies in recent months have been barely sufficient to meet Class I requirements. Class I utilization of producer milk exceeded 90 percent in 6 of the 8 months ending with March 1966, and averaged 93.3 percent in the last 3 months.

Although most fluid disposition of Paducah handlers is producer milk, it was necessary in the early part of 1966 to secure supplemental supplies of about 550,000 pounds of other source milk for Class I during the January–March period.

Relationships to other markets. The utilization of association member milk is influenced by conditions in nearby markets. The Paducah Graded Milk Producers Association shifts members among several milk markets including Paducah, Suburban St. Louis and Central Arkansas markets, according to the availability and needs for fluid milk. Accordingly, the number of producers on the Paducah market may vary substantially from month to month. Also, a substantial volume of milk from Kentucky dairy farmers who are members of the Paducah Graded Milk Producers Association moves regularly to an Illinois plant regulated under the Suburban St. Louis order.

Milk production for the market is also directly affected by the Memphis Federal order market. In December 1965 about 65 percent of the 427 Paducah producers were located in the seven Kentucky counties of Ballard, Calloway, Carlisle, Fulton, Graves, Hickman and Marshall, in which there were also 107 Memphis producers.[1] Also, in six counties in Tennessee there are 41 Paducah producers and 215 Memphis producers. There is also some overlap of production areas with the Nashville, Tenn., market in Kentucky and with the St. Louis and Suburban St. Louis markets in Missouri.

The representative of the Paducah producers association complained that the price relationship with the Memphis market is currently causing severe concern among membership in the overlapping production areas. This condition he asserted has become more pronounced since the Memphis procurement activity in recent years has moved to Northern Tennessee and into Kentucky. The Paducah market lost about 450,000 pounds of milk per month to Memphis beginning in September 1965. Some of the larger volume milk producers are now expressing intentions of changing markets unless the Paducah price is increased.

Although the hauling charges for moving milk to Memphis from the Kentucky procurement areas is about 45 cents per hundredweight compared to about 20 cents to Paducah, the net returns to Memphis producers may be greater. After allowing for the difference in hauling, the weighted average Memphis price returns exceeded the Paducah blend returns by 20 to 47 cents per hundredweight each month in 1965 and the first 3 months of 1966.

The association did not request, however, that the Paducah price be adjusted so that returns would in every case equal returns to Memphis producers in the same area. The request for price adjustment was limited in relation to price levels in the St. Louis and Suburban St. Louis Federal order markets. Such limitation of price adjustment was considered necessary in view of the proximity of Suburban St. Louis regulated plants and because two Paducah handlers have extensive sales areas in Missouri which adjoin areas served by St. Louis handlers. Also, member milk has a substantial outlet in the Suburban St. Louis market.

Over the long term, therefore, Class I price levels in the St. Louis and Suburban St. Louis markets, where larger supplies of milk exist, may be expected to have a practical limiting effect on the price level in the Paducah market. It is for these reasons that the proposed modification of producers' Class I price proposal made by Memphis regulated handlers is denied.

The Paducah Class I price formula, as now constituted, is 14 cents higher than the St. Louis Class I formula before application of the St. Louis supply-demand adjustment. The annual average of Class I differentials added to the basic formula under the Paducah order is $1.30, compared to $1.40 for St. Louis. The latter, however, is reduced by a factor of 24 cents (formerly the Chicago supply-demand adjustment, now an equivalent price factor), so that the effective average St. Louis differential is $1.16.

In 1964 the Paducah Class I price averaged 11 cents over the St. Louis price and 13 cents over in 1965. More recently, however, the Paducah order Class I price for the April 10–30 period was $4.95 compared to $5.02 for St. Louis. The St. Louis order supply-demand adjustment of plus 16 cents offset the other factors in the price formula which, without the adjustment, would result in a price 9 cents lower than Paducah.

Under the association's proposal to maintain a 15-cent difference between the two markets, the St. Louis supply-demand adjustment would have the same effect on the Paducah Class I price as on the St. Louis price. The association preferred such reflection of the St. Louis supply-demand adjustment to one based on Paducah utilization, because of the smallness of the Paducah market.

It is concluded that reflection of the St. Louis supply-demand adjustment in the manner proposed would be an appropriate factor in a Paducah Class I price. The supply-demand adjustment reflects changes in supply-demand conditions over a broad area in close proximity with the Paducah marketing area. The St. Louis supply-demand adjustment is also a factor in the Suburban St. Louis Class I price. The St. Louis supply-demand adjustment thus provides a signficant measure of conditions which may limit the level of the Paducah Class I price. For the relatively small Paducah market the supplies and distribution activities of St. Louis and Suburban St. Louis handlers represent a potential which should be recognized in the price level. Further, the 15-cent differential closely approximates the difference in the annual averages of the Class I differentials in the two markets over the basic formula price. Such price would apply in the Kentucky portion of the marketing area and the differential as now provided in the order would apply a price 10 cents higher at pool plants in the Missouri counties of the area. This amendment would include the effect of the April 10 amendment which added 22 cents to the St. Louis Class I price through June 1966.

2. *Emergency action.* The conditions in the market are such that supplies in recent months have been barely adequate for Class I milk requirements and there is the threat of loss of producers to other markets. Much concern was expressed at the April hearing as to possible loss of milk supplies because of higher blend prices available to Paducah producers in nearby markets. Therefore, market conditions require that immediate remedial action be taken. This remedial action is provided on a temporary basis by a suspension order issued concurrently with this recommended decision, to provide immediate adjustment of the Class I price until the order can be amended.

The suspension action will provide an immediate increase of 18 cents per hundredweight in the Class I price level for the remainder of the month of May and June. This approximates the adjustment which would likely result from adoption of the proposed amendment described herein.

In these circumstances it is not necessary that a recommended decision be omitted. Further, inasmuch as the proposed amendment would provide a long-term modification of the Class I price formula, it is desirable that a recommended decision be issued with opportunity for exceptions.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Paducah, Ky., marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

In § 1099.51, paragraph (a) is revised to read as follows:

§ 1099.51 Class prices.

* * * * *

(a) *Class I milk price.* The price per hundredweight of Class I milk for the month shall be the Class I price pursuant to Part 1062 of this chapter (St. Louis, Mo.) plus 15 cents: *Provided,* That 10 cents shall be added to the price for Class I milk at pool plants located within that portion of the marketing area in the State of Missouri; and

* * * * *

Signed at Washington, D.C., on May 11, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66-5281; Filed, May 13, 1966; 8:46 a.m.]

[1] Official notice is taken of the January 1966 issue of the Memphis Milk Review, Memphis, Tenn., Milk Marketing Area.

DEPARTMENT OF COMMERCE

Maritime Administration

[46 CFR Part 290]

CONSTRUCTION-DIFFERENTIAL SUBSIDY CONTRACTS

Cancellation of Proposed Revision of Policy

In F.R. Doc. 64-5612 appearing in the FEDERAL REGISTER issue of June 6, 1964 (29 F.R. 7392), notice was given that the Maritime Subsidy Board was considering revising "ARTICLE —. Sale or Transfer of the Vessels by the Owner" now contained in each construction-differential subsidy contract. Interested persons were permitted to submit written views or comments.

On October 18, 1965, a petition was filed by the Committee of American Steamship Lines requesting the Secretary of Commerce to review the Board's action of October 6, 1965; on November 1, 1965, the Secretary of Commerce granted the petition.

Under authority given by the Secretary of Commerce to the Under Secretary of Commerce for Transportation (30 F.R. 14534, Nov. 20, 1965), the Under Secretary of Commerce for Transportation did review the Board's action and ordered it set aside.

The notice appearing as aforesaid is hereby canceled.

By order of the Maritime Administrator, Maritime Subsidy Board.

Dated: May 12, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-5339; Filed, May 13, 1966; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 405]

[Regulation No. 5]

HEALTH INSURANCE PROGRAM FOR AGED

Conditions of Participation; Extended Care Facilities

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations (§ 405.1101 et seq.) relate to conditions of participation which extended care facilities are required to meet for purposes of participating as providers of services in the health insurance program for the aged. These conditions of participation are intended to provide assurance that participating extended care facilities are safe and that they have facilities and organization necessary for the provision of adequate care. An extended care facility which meets the statutory requirements of the law and is determined to be in substantial compliance with the prescribed conditions may, if it so desires, agree to become a participating extended care facility.

Prior to the final adoption of the proposed regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C., 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed Federal Health Insurance for the Aged regulations are to be issued under the authority contained in sections 1102, 1861(j), 1864, and 1871, 49 Stat. 647, as amended, 79 Stat. 314, 79 Stat. 316, 79 Stat. 326; 42 U.S.C. 1302, 1395 et seq.

Dated: April 15, 1966.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: May 10, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

Chapter III, Title 20, is amended by adding thereto Subpart K of Part 405 to read as follows:

Subpart K—Conditions of Participation; Extended Care Facilities

§ 405.1101 General.

(a) In order to participate as an extended care facility in the health insurance program for the aged, an institution must be an "extended care facility" within the meaning of section 1861 (j) of the Social Security Act. This section of the law states a number of specific requirements which must be met by participating extended care facilities and authorizes the Secretary of Health, Education, and Welfare to prescribe other requirements considered necessary in the interest of health and safety of beneficiaries.

SEC. 1861. For purposes of this title—

* * * * *

(j) The term "extended care facility" means (except for purposes of subsection (a)(2)) an institution (or a distinct part of an institution) which has in effect a transfer agreement (meeting the requirements of subsection (1)) with one or more hospitals having agreements in effect under section 1866 and which—

(1) Is primarily engaged in providing to inpatients (A) skilled nursing care and related services for patients who require medical or nursing care, or (B) rehabilitation services for the rehabilitation of injured, disabled, or sick persons;

(2) Has policies, which are developed with the advice of (and with provision of review of such policies from time to time by) a group of professional personnel, including one or more physicians and one or more registered professional nurses, to govern the skilled nursing care and related medical or other services it provides;

(3) Has a physician, a registered professional nurse, or a medical staff responsible for the execution of such policies;

(4) (A) Has a requirement that the health care of every patient must be under the supervision of a physician, and (B) provides for having a physician available to furnish necessary medical care in case of emergency;

(5) Maintains clinical records on all patients;

(6) Provides 24-hour nursing service which is sufficient to meet nursing needs in accordance with the policies developed as provided in paragraph (2), and has at least one registered professional nurse employed full time;

(7) Provides appropriate methods and procedures for the dispensing and administering of drugs and biologicals;

(8) Has in effect a utilization review plan which meets the requirements of subsection (k);

(9) In the case of an institution in any State in which State or applicable local law provides for the licensing of institutions of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State or locality responsible for licensing institutions of this nature, as meeting the standards established for such licensing; and

(10) Meets such other conditions relating to the health and safety of individuals who are furnished services in such institution or relating to the physical facilities thereof as the Secretary may find necessary (subject to the second sentence of section 1863);

except that such term shall not (other than for purposes of subsection (a)(2)) include any institution which is primarily for the care and treatment of mental diseases or tuberculosis. For purposes of subsection (a)(2), such term includes any institution which meets the requirements of paragraph (1) of this subsection. The term "extended care facility" also includes an institution described in paragraph (1) of subsection (y), to the extent and subject to the limitations provided in such subsection.

(b) The requirements included in the statute and the additional health and safety requirements prescribed by the Secretary are set forth in the Conditions of Participation for Extended Care Facilities. An institution which meets all of the specific statutory requirements and which is found to be in substantial compliance with the additional conditions prescribed by the Secretary may, if it so desires, agree to become a participating extended care facility.

(c) The Secretary may, at the request of a State, approve higher health and safety requirements for that State. Also, where a State or political subdivision imposes higher requirements on institutions as a condition for the purchase of services under a State plan approved under Title I, XVI, or XIX of the Social Security Act, the Secretary is required to impose like requirements as a condition to the payment for services in such institutions in that State or subdivision.

§ 405.1102 Conditions of participation; general.

For an institution to be eligible for participation in the program, it must meet the statutory requirements of section 1861(j) and there must be a finding of substantial compliance on the part of the institution with all the other conditions. These conditions which are set forth in §§ 405.1120 through 405.1137 are requirements related to the quality of care and the adequacy of the services and facilities which the institution provides. It will not be unusual for extended care facilities to differ in the manner in which these conditions will be met. Variations in the type and size of the institutions and the nature and scope of services offered will be reflected in differences in the details of organization, staffing, and facilities. However, the test is whether there is substantial compliance with the prescribed conditions of participation.

§ 405.1103 Standards; general.

As a basis for a determination as to whether or not there is substantial compliance with the prescribed conditions in the case of any particular extended care facility, a series of standards, almost all interpreted by explanatory factors, are listed under each condition. These standards represent a broad range and variety of activities which such facilities may undertake or be pursuing in order to carry out the functions embodied in the conditions. Reference to these standards will enable the State agency surveying a facility to document the activities of the institution, to establish the nature and extent of its deficiencies, if any, with respect to any particular function, and to assess the facility's need for improvement in relation to the prescribed conditions. In substance, the application of the standards, together with the explanatory factors, will indicate the extent and degree to which an extended care facility is complying with each condition.

§ 405.1104 Certification by State agency.

(a) The Health Insurance for the Aged Act provides that the services of State agencies, operating under agreements with the Secretary, will be used by the Secretary in determining whether institutions meet the conditions of participation. Pursuant to these agreements, State agencies will certify to the Secretary, extended care facilities which, are found to be in substantial compliance with the conditions. Such certifications shall include findings as to whether each of the conditions is substantially met. The Seceretary, on the basis of such certification from the State agency, will determine whether or not an institution is an extended care facility eligible to participate in the health insurance program as a provider of services.

(b) The decisions of the State agency represent recommendations to the Secretary. Notice of determination of eligibility or noneligibility made by the Secretary on the basis of a State agency decision will be sent to the institution concerned by the Social Security Administration after such review and professional consultation with the Public Health Service as may be required. If it is determined that the institution does not comply with the conditions of participation, the institution has a right to appeal from such determination and request a hearing. For procedures relating to hearings and judicial review, see Subpart O of this Part 405.

§ 405.1105 Principles for the evaluation of extended care facilities to determine whether they meet the conditions of participation.

Extended care facilities will be considered in substantial compliance with the conditions of participation upon acceptance by the Secretary of findings, adequately documented and certified to by the State agency, showing that:

(a) The facility meets the specific statutory requirements of section 1861(j) and is found to be operating in accordance with all conditions of participation with no significant deficiencies, or

(b) The facility meets the specific statutory requirements of section 1861(j) but is found to have deficiencies with respect to one or more conditions of participation which:

(1) It is making reasonable plans and efforts to correct, and

(2) Notwithstanding the deficiencies, is rendering adequate care and is without hazard to the health and safety of individuals being served, taking into account special procedures or precautionary measures which have been or are being instituted.

§ 405.1106 Time limitations on certifications of substantial compliance.

(a) All initial certifications by the State agency to the effect that an extended care facility is in substantial compliance with the conditions of participation will be for a period of 1 year, beginning with January 1, 1967, or if later, with the date on which the facility is first found to be in substantial compliance with the conditions. State agencies may visit or resurvey institutions where necessary to ascertain continued compliance or to accommodate to periodic or cyclical survey programs. A State finding and certification to the Secretary that an institution is no longer in compliance may occur within a 1-year or subsequent period of certification and will thereby terminate the State certification as to compliance.

(b) If an extended care facility is certified by the State agency as in substantial compliance under the provisions of § 405.1105(b), the following information will be incorporated into the finding and into the notice of eligibility to the facility:

(1) A statement of the deficiencies which were found, and

(2) A description of progress which has been made and further action which is being taken to remove the deficiencies, and

(3) A scheduled time for a resurvey of the institution to be conducted not later than the ninth month (or earlier, depending on the nature of the deficiencies) of the period of certification.

§ 405.1107 Denial of certification.

(a) The State agency will certify that an institution is not in compliance with the conditions of participation or, where a determination of eligibility has been made, that an institution is no longer in compliance where:

(1) The institution is not in compliance with one or more of the statutory requirements of section 1861(j), or

(2) The institution has deficiencies of such character as to seriously limit the capacity of the institution to render adequate care or to place health and safety of individuals in jeopardy, and consultation to the institution has demonstrated that there is no early prospect of such significant improvement as to establish substantial compliance as of a later beginning date, or

(3) After a previous period or part thereof for which the institution was certified under circumstances outlined in § 405.1105(b), there is a lack of progress toward a removal of deficiencies which the State agency finds are adverse to the health and safety of individuals being served.

(b) If, on the basis of a State agency certification, it is determined by the Secretary that the institution does not substantially meet, or no longer substantially meets, the conditions of participation, an agreement for participation may not be accepted for filing, or if filed, may be terminated after reasonable notice and opportunity for a hearing.

§ 405.1108 Criteria for determining substantial compliance.

Findings made by a State agency as to whether an extended care facility is in substantial compliance with the conditions of participation require a thorough evaluation of the degree to which operation of a facility demonstrates adequate performance of the functions which are embodied in the conditions. The State evaluation will take into consideration:

(a) The degree to which each standard, as well as the total set of standards relating to a condition of participation, is met;

(b) When there is a deficiency in meeting a standard, whether the deficiency is one concerning the statutory requirements which must be met by all extended care facilities (sec. 1861(j));

(c) Whether the deficiency creates a hazard to health and safety; and

(d) Whether the facility is making reasonable plans and efforts to correct the deficiency within a reasonable period.

§ 405.1109 Documentation of findings.

The findings of the State agency with respect to each of the conditions of participation should be adequately documented. Where the State agency certification to the Secretary is that an institution is not in compliance with the conditions of participation, such documentation should include a report of all consultation which has been undertaken in an effort to assist the institution to comply with the conditions, a report of the institution's responses with respect to the consultation, and the State agency's assessment of the prospects for such improvements as to enable the institution to achieve substantial compliance with the conditions.

§ 405.1110 Authorization for special certification in areas where necessary to providing access to extended care services.

(a) Where, by reason of factors such as isolated location, or the absence of sufficient facilities in an area, the denial of eligibility of an institution to participate would seriously limit the access of beneficiaries to participating extended care facilities, an institution may, upon recommendation by the State agency, be approved by the Secretary as a provider of services. Such approvals will be granted only where there are no deficiencies of such character and seriousness as to place health and safety of individuals in jeopardy. An institution receiving this special approval shall furnish information showing the extent to which it is making the best use of its resources to improve its quality of care. Resurveys of such institutions will be made at least semiannually.

(b) Each case will have to be decided on its individual merits; and while the degree and extent of compliance will vary, the institution must, as a minimum, meet all of the statutory conditions in section 1861(j)(1)–(9), in addition to meeting such other requirements as the Secretary finds necessary under section 1861(j)(10).

§ 405.1120 Condition of participation—compliance with State and local laws.

The extended care facility is in conformity with all applicable Federal, State, and local laws, regulations and similar requirements.

(a) *Standard; licensing of institution.* In any State in which State or applicable local law provides for the licensing of extended care facilities, the institution (1) is licensed pursuant to such law, or (2) is approved by the agency of the State or locality responsible for licensing such institutions, as meeting the standards established for such licensing.

(b) *Standard; licensing of staff.* Staff of the extended care facility is currently licensed or registered in accordance with applicable laws.

(c) *Standard; conformity with laws.* The extended care facility is in conformity with laws relating to fire and safety, communicable and reportable diseases, and other relevant matters.

§ 405.1121 Condition of participation—administrative management.

The extended care facility has an effective governing body legally responsible for the conduct of the facility, which designates an administrator and establishes administrative policies. However, if the extended care facility does not have an organized governing body, the persons legally responsible for the conduct of the extended care facility carry out or have carried out the functions herein pertaining to the governing body.

(a) *Standard; governing body.* There is a governing body which assumes full legal responsibility for the overall conduct of the facility. The factors explaining the standard are as follows:

(1) The ownership of the facility is fully disclosed to the State agency. In the case of corporations, the corporate officers are made known.

(2) The governing body is responsible for compliance with the applicable laws and regulations of legally authorized agencies.

(b) *Standard; full-time administrator.* The governing body appoints a full-time administrator who is qualified by training and experience and delegates to him the internal operation of the facility in accordance with established policies. The factors explaining the standard are as follows:

(1) The administrator is at least 21 years old, capable of making mature judgments, and has no physical or mental disabilities or personality disturbances which interfere with carrying out his responsibilities.

(2) It is desirable for the administrator to have a minimum of a high school education, to have completed courses in administration or management and to have had at least 1 year of work experience including some administrative experience in an extended care facility or related health program.

(3) The administrator's responsibilities for procurement and direction of competent personnel are clearly defined.

(4) An individual competent and authorized to act in the absence of the administrator is designated.

(5) The administrator may be a member of the governing body.

(c) *Standard; personnel policies.* There are written personnel policies, practices, and procedures that adequately support sound patient care. The factors explaining the standard are as follows:

(1) Current employee records are maintained and include a résumé of each employee's training and experience.

(2) Files contain evidence of adequate health supervision such as results of preemployment and periodic physical examination, including chest X-rays, and records of all illnesses and accidents occurring on duty.

(3) Work assignments are consistent with qualifications.

(d) *Standards; notification of changes in patient status.* There are appropriate written policies and procedures relating to notification of responsible persons in the event of significant change in patient status, patient charges, billings, and other related administrative matters. The factors explaining the standard are as follows:

(1) Patients are not transferred or discharged without prior notification of next of kin or sponsor.

(2) Information describing the care and services provided by the facility is accurate and not misleading.

§ 405.1122 Condition of participation—patient care policies.

There are policies to govern the skilled nursing care and related medical or other services provided, which are developed with the advice of professional personnel, including one or more physicians and one or more registered professional nurses.

(a) *Standard; policies regarding nursing and medical care.* (1) The extended care facility has written policies which are developed with the advice of (and with provision for review of such policy from time to time by) a group of professional personnel, including at least one or more physicians and one or more registered professional nurses, to govern the skilled nursing care and related medical or other services it provides. Policies reflect awareness of and provision for meeting the total needs of patients. These are reviewed at least annually and cover at least the following:

(i) Admission, transfer, and discharge policies including categories of patients accepted and not accepted by extended care facility.

(ii) Physician services.

(iii) Nursing services.

(iv) Dietary services.

(v) Restorative services.

(vi) Pharmaceutical services.

(vii) Diagnostic services.

(viii) Care of patients in an emergency, during a communicable disease episode, and when critically ill or mentally disturbed.

(ix) Dental services.

(x) Social services.

(xi) Patient activities.

(xii) Clinical records.

(xiii) Transfer agreement.

(xiv) Utilization review.

(2) The factors explaining the standard are as follows:

(i) It is desirable that the group of professional personnel responsible for patient care policies includes health personnel such as social workers, dietitians, pharmacists, speech, physical and occupational therapists, and mental health personnel. Pharmacy policies and procedures are preferably developed with the advice of a subgroup of physicians and pharmacists, serving as a pharmacy and therapeutics committee.

(ii) Some members of this group are neither owners nor employees of the facility.

(iii) The group meets at regularly scheduled intervals and minutes of each meeting are recorded.

(iv) The group may serve one or more facilities.

(b) *Standard; responsibilities; execution of patient care policies.* The extended care facility has a physician, a registered professional nurse, or a medical staff responsible for the execution of patient care policies established by the professional group referred to in Standard A. The factors explaining the standard are as follows:

(1) If the organized medical staff is responsible, an individual physician is designated to maintain compliance with overall patient care policies.

(2) If a registered professional nurse is responsible, the facility makes available an advisory physician from whom she receives medical guidance.

§ 405.1123 Condition of participation—physician services.

The extended care facility admits patients in need of skilled nursing care only upon the recommendation of a physician; their health care continues under the supervision of a physician; and the facility has a physician available to furnish necessary medical care in case of emergency.

(a) *Standard; medical findings and physicians' orders.* There is made available to the facility, prior to or at the time of admission, patient information which includes current medical findings, diagnoses, rehabilitation potential, a summary of the course of treatment followed in the hospital, and orders from a physician for the immediate care of the patient. The factors explaining the standard are as follows:

(1) If the above information is not available in the facility upon admission of the patient, it is obtained by the facility within 48 hours after admission.

(2) If medical orders for the immediate care of a patient are unobtainable at the time of admission, the physician with responsibility for emergency care gives temporary orders.

(3) A current hospital discharge summary containing the above information is acceptable.

(b) *Standard; supervision by physician.* The facility has a requirement that the health care of every patient is under the supervision of a physician who, based on an evaluation of the patient's immediate and long-term needs, prescribes a planned regimen of medical care which covers indicated medications, treatments, restorative services, diet, special procedures recommended for the health and safety of the patient, activities, plans for continuing care and discharge. The factors explaining the standard are as follows:

(1) The medical evaluation of the patient is based on a physical examination done within 48 hours of admission unless such examination was performed within 5 days prior to admission.

(2) The charge nurse and other appropriate personnel involved in the care of the patient assists in planning his total program of care.

(3) The patient's total program of care is reviewed and revised at intervals appropriate to his needs. Attention is given to special needs of patients such as foot, sight, speech, and hearing problems.

(4) Orders concerning medications and treatments are in effect for the specified number of days indicated by the physician but in no case exceed a period of 30 days unless reordered in writing by the physician.

(5) Telephone orders are accepted only when necessary and only by licensed nurses. Telephone orders are written into the appropriate clinical record by the nurse receiving them and are countersigned by the physician within 48 hours.

(6) Patients are seen by a physician at least once every 30 days. There is evidence in the clinical record of the physician's visits to the patient at appropriate intervals.

(7) There is evidence in the clinical record that the physician has made arrangements for the medical care of the patient in the physician's absence.

(8) To the extent feasible, each patient or his sponsor designates a personal physician.

(c) *Standard; availability of physicians for emergency care.* The extended care facility provides for having one or more physicians available to furnish necessary medical care in case of emergency if the physician responsible for the care of the patient is not immediately available. A schedule listing the names and telephone numbers of these physicians and the specific days each is on call is posted in each nursing station. There are established procedures to be followed in an emergency, which cover immediate care of the patient, persons to be notified, and reports to be prepared.

§ 405.1124 Condition of participation—nursing services.

The extended care facility provides 24-hour nursing service which is sufficient to meet the nursing needs of all patients. There is at least one registered professional nurse employed full time and responsible for the total nursing service. There is a registered professional nurse or licensed practical nurse who is a graduate of a State approved school of practical nursing in charge of nursing activities during each tour of duty,

(a) *Standard; full-time nurse.* There is at least one registered professional nurse employed full time. If there is only one registered professional nurse, she serves as director of the nursing service, works full time during the day, and devotes full time to the nursing service of the facility. If the director of nursing has administrative responsibility for the facility, she has a professional nurse assistant so that there is the equivalent of a full-time director of nursing service. The director of nursing service is trained or experienced in areas such as nursing service administration, rehabilitation nursing, psychiatric or geriatric nursing.

(b) *Standard; director of nursing service.* The director of the nursing service is responsible for:

(1) Developing and/or maintaining nursing service objectives, standards of nursing practice, nursing procedure manuals, and written job descriptions for each level of nursing personnel;

(2) Recommending to the administrator the number and levels of nursing personnel to be employed, participating in their recruitment and selection, and recommending termination of employment when necessary;

(3) Assigning and supervising all levels of nursing personnel;

(4) Participating in planning and budgeting for nursing care;

(5) Participating in the development and implementation of patient care policies and bringing patient care problems requiring changes in policy to the attention of the professional policy advisory groups;

(6) Coordinating nursing services with other patient care services such as physician, physical therapy, occupational therapy, and dietary;

(7) Planning and conducting orientation programs for new nursing personnel, and continuing inservice education for all nursing personnel;

(8) Participating in the selection of prospective patients in terms of nursing services they need and nursing competencies available;

(9) Assuring that a nursing care plan is established for each patient and that his plan is reviewed and modified as necessary.

(c) *Standard; supervising nurse.* Nursing care is provided by or under the supervision of a full-time registered professional nurse currently licensed to practice in the State. The factors explaining the standard are as follows:

(1) The supervising nurse is trained or experienced in areas such as nursing administration and supervision, rehabilitation nursing, psychiatric or geriatric nursing.

(2) The supervising nurse makes daily rounds to all nursing units performing such functions as visiting each patient, reviewing clinical records, medication cards, patient care plans and staff assignments, and to the greatest degree possible accompanying physicians when visiting patients.

(d) *Standard; charge nurse.* There is at least one registered professional nurse or qualified licensed practical nurse who is a graduate of a State-approved school of practical nursing on duty at all times and in charge of the nursing activities during each tour of duty. The factors explaining the standard are as follows:

(1) It is desirable that the nurse in charge of each tour of duty be trained or experienced in areas such as nursing administration and supervision, rehabilitation nursing, psychiatric or geriatric nursing.

(2) The charge nurse has the ability to recognize significant changes in the condition of patients and to take necessary action.

(3) The charge nurse is responsible for the total nursing care of patients during her tour of duty.

(e) *Standard; 24-hour nursing service.* There is 24-hour nursing service with a sufficient number of nursing personnel on duty at all times to meet the total needs of patients. The factors explaining the standard are as follows:

(1) Nursing personnel include registered professional nurses, licensed practical nurses, aides and orderlies.

(2) The amount of nursing time available for patient care is exclusive of nonnursing duties.

(3) Sufficient nursing time is available to assure that each patient:

(i) Receives treatments, medications and diet as prescribed;

(ii) Receives proper care to prevent decubiti and is kept comfortable, clean, and well-groomed;

(iii) Is protected from accident and injury by the adoption of indicated safety measures;

(iv) Is treated with kindness and respect.

(4) Licensed practical nurses, nurses' aides, and orderlies are assigned duties consistent with their training and experience.

(f) *Standard; restorative nursing care.* There is an active program of restorative nursing care directed toward assisting each patient to achieve and maintain his highest level of self care and independence. The factors explaining the standard are as follows:

(1) Restorative nursing care initiated in the hospital is continued immediately upon admission to the extended care facility.

(2) Nursing personnel are taught restorative nursing measures and practice them in their daily care of patients. These measures include:

(i) Maintaining good body alignment and proper positioning of bedfast patients;

(ii) Encouraging and assisting bedfast patients to change positions at least every 2 hours day and night to stimulate circulation, and prevent decubiti and deformities;

(iii) Making every effort to keep patients active and out of bed for reasonable periods of time, except when contraindicated by physicians' orders, and encouraging patients to achieve independence in activities of daily living by teaching self care, transfer and ambulation activities;

(iv) Assisting patients to adjust to their disabilities, to use their prosthetic devices, and to redirect their interests if necessary;

(v) Assisting patients to carry out prescribed physical therapy exercises between visits of the physical therapist.

(3) Consultation and instruction in restorative nursing available from State or local agencies are utilized.

(g) *Standard; dietary supervision.* Nursing personnel are aware of the dietary needs and food and fluid intake of patients. The factors explaining the standard are as follows:

(1) Nursing personnel observe that patients are served diets as prescribed.

(2) Patients needing help in eating are assisted promptly upon receipt of meals.

(3) Adaptive self-help devices are provided to contribute to the patient's independence in eating.

(4) Food and fluid intake of patients is observed and deviations from normal are reported to the charge nurse. Persistent unresolved problems are reported to the physician.

(h) *Standard; nursing care plan.* There is a written nursing care plan for each patient based on the nature of illness, treatment prescribed, long- and short-term goals and other pertinent information. The factors explaining the standard are as follows:

(1) The nursing care plan is a personalized, daily plan for individual patients. It indicates what nursing care is needed, how it can best be accomplished for each patient, how the patient likes things done, what methods and approaches are most successful, and what modifications are necessary to insure best results.

(2) Nursing care plans are available for use by all nursing personnel.

(3) Nursing care plans are reviewed and revised as needed.

(4) Relevant nursing information from the nursing care plan is included with other medical information when patients are transferred.

(i) *Standard; inservice educational program.* There is a continuing inservice educational program in effect for all nursing personnel in addition to a thorough job orientation for new personnel. Skill training for nonprofessional nursing personnel begins during the orientation period. The factors explaining the standard are as follows:

(1) Planned inservice programs are conducted at regular intervals for all nursing personnel.

(2) All patient care personnel are instructed and supervised in the care of emotionally disturbed and confused patients, and are helped to understand the social aspects of patient care.

(3) All patient care personnel are helped to understand the social aspects of patient care.

(4) Skill training includes demonstration, practice, and supervision of simple nursing procedures applicable in the individual facility. It also includes simple restorative nursing procedures.

(5) Orientation of new personnel includes a review of the procedures to be followed in emergencies.

(6) Opportunities are provided for nursing personnel to attend training courses in restorative nursing and other educational programs related to the care of long-term patients.

§ 405.1125 Condition of participation—dietary services.

The dietary service is directed by a qualified individual and meets the daily dietary needs of patients. An extended care facility which has a contract with an outside food management company may be found to meet this condition of participation provided the company has a dietitian who serves, as required by the scope and complexity of the service, on a full-time, part-time or consultant basis to the extended care facility, and provided the company maintains standards as listed herein and provides for continuing liaison with the medical and nursing staff of the extended care facility for recommendations on dietetic policies affecting patient care.

(a) *Standard; dietary supervision.* A person designated by the administrator is responsible for the total food service of the facility. If this person is not a professional dietitian, regularly scheduled consultation from a professional dietitian or other person with suitable training is obtained. The factors explaining the standard are as follows:

(1) A professional dietitian meets the American Dietetic Association's qualification standards.

(2) Other persons with suitable training are graduates of baccalaureate degree programs with major studies in food and nutrition.

(3) The person in charge of the dietary service participates in regular conferences with the administrator and other supervisors of patient services.

(4) This person makes recommendations concerning the quantity, quality and variety of food purchased.

(5) This person is responsible for the orientation, training and supervision of food service employees, and participates in their selection and in the formulation of pertinent personnel policies.

(6) Consultation obtained from self-employed dietitians or dietitians employed in voluntary or official agencies is acceptable if provided on a frequent and regularly scheduled basis.

(b) *Standard; adequacy of diet staff.* A sufficient number of food service personnel are employed and their working hours are scheduled to meet the dietary needs of the patients. The factors explaining the standard are as follows:

(1) There are food service employees on duty over a period of 12 or more hours.

(2) Food service employees are trained to perform assigned duties and participate in selected in-service education programs.

(3) In the event food service employees are assigned duties outside the dietary department, these duties do not interfere with the sanitation, safety, or time required for dietary work assignments.

(4) Work assignments and duty schedules are posted.

(c) *Standard; hygiene of diet staff.* Food service personnel are in good health and practice hygienic food handling techniques. The factors explaining the standard are as follows:

(1) Food service personnel wear clean washable garments, hairnets, or clean caps, and keep their hands and fingernails clean at all times.

(2) Routine health examinations at least meet local, State, or Federal codes for food service personnel. Where food handlers' permits are required, they are current.

(3) Personnel having symptoms of communicable diseases or open infected wounds are not permitted to work.

(d) *Standard; adequacy of diet.* The food and nutritional needs of patients are met in accordance with physicians' orders, and, to the extent medically possible, meet the dietary allowances of the Food and Nutrition Board of the National Research Council adjusted for age, sex and activity. A daily food guide for adults may be based on the following allowances:

(1) Milk: Two or more cups.

(2) Meat group: Two or more servings of beef, veal, pork, lamb, poultry, fish, eggs. Occasionally dry beans, nuts, or dry peas may be served as alternates.

(3) Vegetable and fruit group: Four or more servings of a citrus fruit or other fruit and vegetable important for Vitamin C; a dark green or deep yellow vegetable for Vitamin A, at least every other day; other vegetables and fruits including potatoes.

(4) Bread and cereal group: Four or more servings of whole grain, enriched or restored.

(5) Other foods to round out meals and snacks, to satisfy individual appetites and provide additional calories.

(e) *Standard; therapeutic diets.* Therapeutic diets are prepared and served as prescribed by the attending physician. The factors explaining the standard are as follows:

(1) Therapeutic diet orders are planned, prepared, and served with supervision or consultation from a qualified dietitian.

(2) A current diet manual recommended by the State licensure agency is readily available to food service personnel and supervisors of nursing service.

(3) Persons responsible for therapeutic diets have sufficient knowledge of good values to make appropriate substitutions when necessary.

(f) *Standard; quantity of food.* At least three meals or their equivalent are served daily, at regular times, with not more than a 14-hour span between a substantial evening meal and breakfast. Between-meal or bedtime snacks of nourishing quality are offered. If the "four or five meal a day" plan is in effect, meals and snacks provide nutritional value equivalent to the daily food guide previously described.

(g) *Standard; planning of menus.* Menus are planned in advance and food sufficient to meet the nutrition needs of patients is prepared as planned for each meal. When changes in the menu are necessary, substitutions provide equal nutritive value. The factors explaining the standard are as follows:

(1) Menus are written at least 1 week in advance. The current week's menu is in one or more accessible places in the dietary department for easy use by workers purchasing, preparing, and serving foods.

(2) Menus provide a sufficient variety of foods served in adequate amounts at each meal. Menus are different for the same days of each week and are adjusted for seasonal changes.

(3) Records of menus as served are filed and maintained for 30 days.

(4) Supplies of staple foods for a minimum of a 1-week period and of perishable foods for a minimum of a 2-day period are maintained on the premises.

(5) Records of food purchased for preparation are on file.

(h) *Standard; preparation of food.* Foods are prepared by methods that conserve nutritive value, flavor, and appearance, and are attractively served at the proper temperatures and in a form to meet individual needs. The factors explaining the standard are as follows:

(1) A file of tested recipes, adjusted to appropriate yield, is maintained.

(2) Food is cut, chopped or ground to meet individual needs.

(3) If a patient refuses foods served, substitutes are offered.

(4) Effective equipment is provided and procedures established to maintain food at proper temperature during serving.

(5) Table service is provided for all who can and will eat at a table including wheelchair patients.

(6) Trays provided bedfast patients rest on firm supports such as overbed tables. Sturdy tray stands of proper height are provided patients able to be out of bed.

(i) *Standard; maintenance of sanitary conditions.* Sanitary conditions are maintained in the storage, preparation and distribution of food. The factors explaining the standard are as follows:

(1) Effective procedures for cleaning all equipment and work areas are followed consistently.

(2) Dishwashing procedures and techniques are well developed, understood and carried out in compliance with the State and local health codes.

(3) Written reports of inspections by State or local health authorities are on file at the facility with notation made of action taken by the facility to comply with any recommendations.

(4) Waste which is not disposed of by mechanical means is kept in leakproof nonabsorbent containers with close-fitting covers and is disposed of daily in a manner that will prevent transmission of disease, a nuisance, a breeding place for flies, or a feeding place for rodents. Containers are thoroughly cleaned inside and out each time emptied.

(5) Dry or staple food items are stored off the floor in a ventilated room not subject to sewage or waste water backflow, or contamination by condensation, leakage, rodents, or vermin.

(6) Handwashing facilities including hot and cold water, soap, and individual towels, preferably paper towels, are provided in kitchen areas.

§ 405.1126 Condition of participation—restorative services.

Restorative services are provided under medical direction.

(a) *Standard; medical direction.* Restorative services, including modalities to be used, frequency, and anticipated goals, are prescribed by the physician and carried out under medical direction.

(b) *Standard; maintenance of patient's functions.* At a minimum, restorative nursing care designed to maintain function or improve the patient's ability to carry out the activities of daily living is provided by the extended care facility. (See § 405.1124(f).)

(c) *Standard; therapy services.* When an extended care facility provides restorative services beyond restorative nursing care, whether directly or through cooperative arrangements with appropriate agencies such as hospitals, rehabilitation centers, State or local health departments, or independently practicing therapists, these services are given or supervised by qualified therapists. The factors explaining the standard are as follows:

(1) Physical therapy includes such services as:

(i) Assisting the physician in evaluating patients by applying diagnostic and prognostic muscle, nerve, joint, and functional ability tests;

(ii) Treating patients to relieve pain, develop, or restore function, and maintain maximum performance, using physical means such as exercise, massage, heat, water, light, and electricity.

(2) A physical therapist is a graduate of a program in physical therapy approved by the Council on Education of the American Medical Association in collaboration with the American Physical Therapy Association or its equivalent and, when applicable, is licensed or registered by the State.

(3) Speech therapy includes such services as:

(i) Assisting the physician in evaluating patients to determine the type of speech or language disorder and the appropriate corrective therapy;

(ii) Providing rehabilitative services for speech and language disorders.

(4) A speech therapist is certified by the American Speech and Hearing Association, or has completed the academic requirements and is in the process of accumulating the necessary supervised work experience required for certification.

(5) Occupational therapy includes duties such as:

(i) Assisting the physician in evaluating the patient's level of function by applying diagnostic and prognostic tests;

(ii) Guiding the patient in his use of therapeutic creative and self-care activities for improving function.

(6) An occupational therapist is registered by the American Occupational Therapy Association or is a graduate of a program approved by the Council on Medical Education of the American Medical Association in collaboration with the American Occupational Therapy Association and is in the process of accumulating supervised clinical experience required for registration.

(7) Other personnel providing restorative services are specially trained and work under professional supervision in accordance with accepted professional practices. For example, an occupational therapy assistant has successfully completed a training course approved by the American Occupational Therapy Association, is certified by that body as a certified occupational therapy assistant, and receives supervision from a qualified occupational therapist.

(8) Qualified therapists collaborate with the facility's medical and nursing staff in developing the patient's total plan of care.

(9) Therapists participate in the facility's in-service education program.

(d) *Standard; ambulation and therapeutic equipment.* Commonly used ambulation and therapeutic equipment necessary for the services offered is available for use in the facility. The factors explaining the standard are as follows:

(1) Recommended ambulation equipment includes such items as parallel bars, hand rails, wheelchairs, walkers, walkerettes, crutches and canes.

(2) The therapists advise the administrator concerning the purchase, rental, storage, and maintenance of equipment and supplies.

§ 405.1127 Condition of participation—pharmaceutical services.

Whether drugs are generally procured from a community pharmacy or stocked by the facility, the extended care facility has methods and procedures for its pharmaceutical services that are in accord with accepted professional practices.

(a) *Standard; procedures for administration of pharmaceutical services.* The extended care facility provides appropriate methods and procedures for the obtaining, dispensing and administering of drugs and biologicals, developed with the advice of a staff pharmacist, a consultant pharmacist, or a pharmaceutical advisory committee which includes one or more licensed pharmacists. The factors explaining the standard are as follows:

(1) If the extended care facility has a pharmacy department, a licensed pharmacist is employed to administer the pharmacy department.

(2) If the facility does not have a pharmacy department, it has provision for promptly and conveniently obtaining required drugs and biologicals from community pharmacies.

(3) If the facility has only a drug room where bulk drugs are stored:

(i) The consultant pharmacist is responsible for the control of all bulk drugs and maintains records of their receipt and disposition.

(ii) The consultant pharmacist dispenses drugs from the drug room, properly labels them and makes them available to appropriate licensed nursing personnel. Wherever possible, the pharmacist in dispensing drugs works from the prescriber's original order or a direct copy.

(iii) Provision is made for emergency withdrawal of medications from the drug room.

(4) An emergency medication kit approved by the facility's group of professional personnel is kept readily available.

(b) *Standard; conformance with physicians' orders.* All medications administered to patients are ordered in writing by the patient's physician. Oral orders are given only to a licensed nurse, immediately reduced to writing, signed by the nurse and countersigned by the physician within 48 hours. Medications not specifically limited as to time or number of doses, when ordered, are automatically stopped in accordance with written policy approved by the physician or physicians responsible for advising the facility on its medical administrative policies. The factors explaining the standard are as follows:

(1) The charge nurse and the prescribing physician together review monthly each patient's medications.

(2) The patient's attending physician is notified of stop order policies and contacted promptly for renewal of such orders so that continuity of the patient's therapeutic regimen is not interrupted.

(3) Medications are released to patients on discharge only on the written authorization of the physician.

(c) *Standard; administration of medications.* All medications are administered by licensed medical or nursing personnel in accordance with the Medical and Nurse Practice Acts of each State. Each dose administered is properly recorded in the clinical record. The factors explaining the standard are as follows:

(1) The nursing station has readily available items necessary for the proper administration of medication.

(2) In administering medications, medication cards or other State approved systems are used and checked against the physician's orders.

(3) Medications prescribed for one patient are not administered to any other patient.

(4) Self-administration of medications by patients is not permitted except for emergency drugs on special order of the patient's physician or in a predischarge program under the supervision of a licensed nurse.

(5) Medication errors and drug reactions are immediately reported to the patient's physician and an entry thereof made in the patient's clinical record as well as on an incident report.

(6) Up-to-date medication reference texts and sources of information are provided, such as ASHP Hospital Formulary and Physicians Desk Reference.

(d) *Standard; labeling and storing medications.* Patients' medications are properly labeled and stored in a locked cabinet at the nurses' station. The factors explaining the standard are as follows:

(1) The label of each patient's individual medication container clearly indicates the patient's full name, physician's name, prescription number, name and strength of drug, date of issue, expiration date of all time-dated drugs, and name and address, and telephone number of pharmacy issuing the drug. It is advisable that the manufacturer's name and the lot or control number of the medication also appear on the label.

(2) Medication containers having soiled, damaged, incomplete, illegible, or makeshaft labels are returned to the issuing pharmacist or pharmacy for relabeling or disposal. Containers having no labels are destroyed in accordance with State and Federal laws.

(3) The medications of each patient are kept and stored in their originally received containers and transferring between containers is forbidden.

(4) Separately locked, securely fastened boxes (or drawers) within the medicine cabinet are provided for storage of narcotics, barbiturates, amphetamines and other dangerous drugs.

(5) Cabinets are well lighted and of sufficient size to permit storage without crowding.

(6) Medications requiring refrigeration are kept in a separate, locked box within a refrigerator at or near the nursing station.

(7) Poisons and medications for external use only are kept in a locked cabinet and separate from other medications.

(8) Medications no longer in use are disposed of or destroyed in accordance with Federal and State laws and regulations.

(9) Medications having an expiration date are removed from usage and properly disposed of after such date.

(e) *Standard; control of narcotics, etc.* The extended care facility complies with all Federal and State laws relating to the procurement, storage, dispensing, administration and disposal of narcotics, hypnotics, amphetamines, certain psychosomatic medications, and other legend drugs. A narcotic record is maintained which lists on separate sheets for each type and strength of narcotic the following information: date, time administered, name of patient, dose, physician's name, signature of person administering dose, and balance.

§ 405.1128 Condition of participation—diagnostic services.

The extended care facility has an arrangement for obtaining required clinical laboratory, X-ray and other diagnostic services.

(a) Standard; provisions for diagnostic services: The extended care facility has provision for promptly and conveniently obtaining required clinical laboratory, X-ray and other diagnostic services from a physician's office, an eligible hospital's laboratory or an independent laboratory eligible to provide these services in the health insurance program. If the facility provides its own diagnostic services, these meet the conditions established for certification of hospitals.

(b) The factors explaining the standard are as follows:

(1) All diagnostic services are provided only on the request of a physician.

(2) The physician is notified promptly of the test results.

(3) Arrangements are made for the transportation of patients, if necessary to and from the source of service.

(4) Simple tests, such as those customarily done by nursing personnel for diabetic patients, may be done in the facility.

(5) All reports are included in the clinical record.

§ 405.1129 Condition of participation—dental services.

The extended care facility assists patients to obtain regular and emergency dental care. However, the services of dentists to individual patients are not included as a benefit in the basic hospital insurance program, and only certain oral surgery is included in the supplemental medical insurance program.

(a) Standard; provision for dental care: Patients are assisted to obtain regular and emergency dental care.

(b) The factors explaining the standard are as follows:

(1) An advisory dentist provides consultation, participates in in-service education, recommends policies concerning oral hygiene, and is available in case of emergency.

(2) The extended care facility, when necessary, arranges for the patient to be transported to the dentist's office.

(3) Nursing personnel assist the patient to carry out the dentist's recommendations.

§ 405.1130 Condition of participation—social services.

Services are provided to meet the medically related social needs of patients.

(a) *Standard; provision for medically related social needs.* The medically related social needs of the patient are identified, and services provided to meet them, in admission of the patient, during his treatment and care in the facility, and in planning for his discharge. The factors explaining the standard are as follows:

(1) As a part of the process of evaluating a patient's need for services in an extended care facility and whether the facility can offer appropriate care, emotional and social factors are considered in relation to medical and nursing requirements.

(2) As soon as possible after admission, there is evaluation, based on medical, nursing, and social factors, of the probable duration of the patient's need for care and a plan is formulated and recorded for providing such care.

(3) Where there are indications that financial help will be needed arrangements are made promptly for referral to an appropriate agency.

(4) Social and emotional factors related to the patient's illness, to his response to treatment, and to his adjustment to care in the facility are recognized and appropriate action is taken when necessary to obtain casework services to assist in resolving problems in these areas.

(5) Knowledge of the patient's home situation, financial resources, community resources available to assist him, and pertinent information related to his medical and nursing requirements are used in making decisions regarding his discharge from the facility.

(b) *Standard; staff members responsible for social services.* There is a designated member of the staff of the facility who will take responsibility, when medically related social problems are recognized, for action necessary to solve them. The factors explaining the standard are as follows:

(1) There is a full-time or part-time social worker employed by the facility, or there is a person on the staff who is suited by training and/or experience in related fields to find community resources to deal with the social problems.

(2) The staff member responsible for this area of service has information promptly available on health and welfare resources in the community.

(3) If the facility does not have a qualified social worker on its staff, there is an effective arrangement with a public or private agency, which may include the local welfare department, to provide social service consultation.

(4) A qualified social worker is a graduate of a school of social work accredited by the Council on Social Work Education.

(c) *Standard; social services training of staff.* There is provision for orientation and in-service training of staff directed toward understanding emotional problems and social needs of sick and infirm aged persons, and recognition of social problems of patients and the means of taking appropriate action in relation to them. Either a qualified social worker on the staff, or one from outside the facility, participates in training programs, case conferences, and arrangements for staff orientation to community services and patient needs.

(d) *Standard; confidentiality of social data.* Pertinent social data, and information about personal and family problems related to the patient's illness and care, are made available only to the attending physician, appropriate members of the nursing staff, and other key personnel who are directly involved in the patient's care, or to recognized health or welfare agencies. There are appropriate policies and procedures for assuring the confidentiality of such information. The factors explaining the standard are as follows:

(1) The staff member responsible for social services participates in clinical staff conferences and/or confers with the attending physician prior to admission of the patient, at intervals during the patient's stay in the facility, and prior to discharge of the patient, and there is evidence in the record of such conferences.

(2) The staff member and nurses responsible for the patient's care confer frequently and there is evidence of effective working relationships between them.

(3) Records of pertinent social information, and of action taken to meet social needs, are maintained for each patient; signed social service summaries are entered promptly in the patient's clinical record for the benefit of all staff involved in the care of the patient.

§ 405.1131 Condition of participation—patient activities.

Activities suited to the needs and interests of patients are provided as an important adjunct to the active treatment program and to encourage restoration to self-care and resumption of normal activities.

(a) Standard; Provision for patient activity: Provision is made for purposeful activities which are suited to the needs and interests of patients.

(b) The factors explaining the standard are as follows:

(1) An individual is designated as being in charge of patient activities. This individual has experience and/or training in directing group activity, or has available consultation from a qualified recreational therapist or group activity leader.

(2) The activity leader uses, to the fullest possible extent, community, social and recreational opportunities.

(3) Patients are encouraged, but not forced, to participate in such activities. Suitable activities are provided for patients unable to leave their room.

(4) Patients who are able and who wish to do so are assisted to attend religious services.

(5) Patient's requests to see their clergymen are honored and space is provided for privacy during visits.

(6) Visiting hours are flexible and posted to permit and encourage visiting by friends and relatives.

(7) The facility makes available a variety of supplies and equipment adequate to satisfy the individual interests of patients. Examples of such supplies and equipment are: Books and magazines, daily newspapers, games, stationery, radio and television, and the like.

§ 405.1132 Condition of participation—clinical records.

A clinical record is maintained for each patient admitted, in accordance with accepted professional principles.

(a) *Standard; maintenance of clinical record.* The extended care facility maintains a separate clinical record for each patient admitted with all entries kept current, dated, and signed. The record includes:

(1) Identification and summary sheet(s) including patient's name, social security number, marital status, age, sex, home address, and religion; names, addresses, and telephone numbers of referral agency (including hospital from which admitted), personal physician, dentist, and next of kin or other responsible person; admitting diagnosis; final diagnosis, condition on discharge, and disposition, and any other information needed to meet State requirements;

(2) Initial medical evaluation including medical history, physical examination, diagnosis, and estimation of restoration potential;

(3) Authentication of hospital diagnoses, in the form of a hospital summary discharge sheet, or a report from the physician who attended the patient in the hospital, or a transfer form used under a transfer agreement;

(4) Physician's orders, including all medications, treatments, diet, restorative and special medical procedures required for the safety and well-being of the patient;

(5) Physician's progress notes describing significant changes in the patient's condition, written at the time of each visit;

(6) Nurse's notes containing observations made by the nursing personnel;

(7) Medication and treatment record including all medications, treatments, and special procedures performed for the safety and well-being of the patient;

(8) Laboratory and X-ray reports;

(9) Consultation reports;

(10) Dental reports;

(11) Social service notes;

(12) Patient care referral reports.

(b) *Standard; retention of records.* All clinical records of discharged patients are completed promptly and are filed and retained in accordance with State law or for 5 years in the absence of a State statute. The factors explaining the standard are as follows:

(1) The extended care facility has policies providing for the retention and safekeeping of patients' clinical records by the governing body for the required period of time in the event that the extended care facility discontinues operation.

(2) If the patient is transferred to another health care facility, a copy of the patient's clinical record or an abstract thereof accompanies the patient.

(c) *Standard; confidentiality of records.* All information contained in the clinical records is treated as confidential and is disclosed only to authorized persons.

(d) *Standard; staff responsibility for records.* If the extended care facility does not have a full- or part-time medical record librarian, an employee of the facility is assigned the responsibility for assuring that records are maintained, completed and preserved. The designated individual is trained by, and receives, regular consultation from a person skilled in record maintenance and preservation.

§ 405.1133 Condition of participation—transfer agreement.

The extended care facility has in effect a transfer agreement (meeting the requirements of section 1861(1) of the Social Security Act) with one or more hospitals which have entered into agreements with the Secretary to participate in the program. (See paragraph (e) of this section where facility attempted to enter into a transfer agreement.)

(a) *Standard; patient transfer.* The transfer agreement provides reasonable assurance that transfer of patients will be effected between the hospital and the extended care facility whenever such transfer is medically appropriate as determined by the attending physician. The factors explaining the standard are as follows:

(1) The agreement is with a hospital close enough to the facility to make the transfer of patients feasible.

(2) The transfer agreement facilitates continuity of patient care and expedites appropriate care for the patient.

(3) The agreement may be made on a one-to-one basis or on a community wide basis. The latter arrangement could provide for a master agreement to be signed by each hospital and extended care facility.

(4) When the transfer agreement is on a community wide basis it reflects the mutual planning and agreement of hospitals, extended care facilities and other related agencies.

(5) The institutions provide to each other information about their resources sufficient to determine whether the care needed by a patient is available.

(6) Where the transfer agreement specifies restrictions with respect to the types of services available in the hospital or the facility and/or the types of patients or health conditions that will not be accepted by the hospital or the facility, or includes any other criteria relating to the transfer of patients (such as priorities for persons on waiting lists), such restrictions or criteria are the same as those applied by the hospital or facility to all other potential inpatients of the hospital or facility.

(7) When a transfer agreement has been in effect over a period of time, a sufficient number of patient transfers between the two institutions have occurred to indicate that the transfer agreement is effective.

(b) *Standard; interchanges of information.* The transfer agreement provides reasonable assurance that there will be interchange of medical and other information necessary or useful in the care and treatment of individuals transferred between the institutions, or in determining whether such individuals can be adequately cared for otherwise than in either of such institutions. The factors explaining the standard are as follows:

(1) The agreement establishes responsibility for the prompt exchange of patient information to enable each institution to determine whether it can adequately care for the patient and to assure continuity of patient care.

(2) Medical information transferred includes current medical findings, diagnosis, rehabilitation potential, a brief summary of the course of treatment followed in the hospital or extended care facility, nursing and dietary information useful in the care of the patient, ambulation status, and pertinent administrative and social information.

(3) The agreement provides for the transfer of personal effects, particularly money and valuables, and for the transfer of information related to these items.

(c) *Standard; execution of agreement.* The transfer agreement is in writing and is signed by individuals authorized to execute such an agreement on behalf of the institutions, or, in case the two institutions are under common control, there is a written policy or order signed by the person or body which controls them. The factors explaining the standard are as follows:

(1) When the hospital and extended care facility are not under common control, the terms of the transfer agreement are established jointly by both institutions.

(2) Each institution participating in the agreement maintains a copy of the agreement.

(d) *Standard; specification of responsibilities.* The transfer agreement specifies the responsibilities each institution assumes in the transfer of patients and information between the hospital and the extended care facility. The agreement establishes responsibility for notifying the other institution promptly of the impending transfer of a patient; arranging for appropriate and safe transportation; and arranging for the care of patients during transfer.

(e) *Standard; presumed agreement where necessary for provision of services.* An extended care facility which does not have a transfer agreement in effect but which is found by the State agency conducting the survey (or, in the case of a State in which there is no such agency, by the Secretary) to have attempted in good faith to enter into a transfer agree-

ment with a hospital sufficiently close to the facility to make feasible the transfer between them of patients and medical and other information, shall be considered to have such an agreement in effect if and for so long as it is also found that to do so is in the public interest and essential to assuring extended care services for patients in the community eligible for benefits. The factors explaining the standard are as follows:

(1) If there is only one hospital in the community, the extended care facility has attempted in good faith to enter into a transfer agreement with that hospital.

(2) If there are several hospitals in the community, the extended care facility has exhausted all reasonable possibilities of entering into a transfer agreement with these hospitals.

(3) The extended care facility has copies of letters, records of conferences, and other evidence to support its claim that it has attempted in good faith to enter into a transfer agreement.

(4) The State agency has found that hospitals in the community have, in fact, refused to enter into a transfer agreement with the extended care facility in question.

(5) The State agency has taken into consideration the availability of extended care facilities in the community and the expected need of such services for eligible beneficiaries under the law.

§ 405.1134 Condition of participation—physical environment.

The extended care facility is constructed, equipped, and maintained to insure the safety of patients and provides a functional, sanitary, and comfortable environment. The following standards are guidelines to help State agencies to evaluate existing structures which do not meet Hill-Burton standards. They are to be applied to existing construction with discretion and in light of community need for service.

(a) *Standard; safety of patients.* The extended care facility is constructed, equipped, and maintained to insure the safety of patients. It is structurally sound and satisfies the following conditions:

(1) The facility complies with all applicable State and local codes governing construction.

(2) Fire resistance and flamespread ratings of construction, materials, and finishes comply with current State and local fire protection codes and ordinances.

(3) Sprinklers are installed in all areas considered to have special fire hazards including but not limited to boilerrooms, trash rooms, and nonfire resistant areas or buildings. In an extended care facility of two or more stories fire alarm systems providing complete coverage of the building are installed and inspected regularly. Fire extinguishers are conveniently located on each floor and in special hazard areas such as boiler rooms, kitchens, laundries, and storage rooms. Fire regulations are prominently posted and carefully observed.

(4) Doorways, passageways, and stairwells are wide enough for easy evacuation of patients and are kept free from obstruction at all times. Corridors are equipped with firmly secured handrails on each side. Stairwells, elevators, and all vertical shafts with openings have fire doors kept normally in closed position. Exit facilities comply with State and local codes and regulations.

(5) Unless the facility is of fire resistive construction, blind and nonambulatory or physically handicapped persons are not housed above the street level floor.

(6) Reports of periodic inspections of the structure by the fire control authority having jurisdiction in the area are on file in the facility.

(7) The building is maintained in good repair and kept free of hazards such as those created by any damaged or defective parts of the building.

(8) No occupancies or activities undesirable to the health and safety of patients are located in the building or buildings of the extended care facility.

(b) *Standard; favorable environment for patients.* The extended care facility is equipped and maintained to provide a functional, sanitary and comfortable environment. Its electrical and mechanical systems (including water supply and sewage disposal) are designed, constructed and maintained in accordance with recognized safety standards and comply with applicable State and local codes and regulations. The factors explaining the standard are as follows:

(1) Lighting levels in all areas of the facility are adequate and void of high brightness, glare, and reflecting surfaces that produce discomfort. Lighting levels are in accordance with recommendations of the Illuminating Engineering Society. The use of candles, kerosene oil lanterns, and other open flame methods of illumination is prohibited.

(2) An emergency electrical service, which may be battery operated if effective for 4 or more hours, covers lights at nursing stations, telephone switchboard, night lights, exit and corridor lights, boiler room, and the fire alarm system.

(3) The heating and air-conditioning systems are capable of maintaining adequate temperatures and providing freedom from drafts.

(4) An adequate supply of hot water for patient use is available at all times. Temperature of hot water at plumbing fixtures used by patients is automatically regulated by control valves and does not exceed 110° F. (110 degrees Fahrenheit).

(5) The facility is well-ventilated through the use of windows, mechanical ventilation, or a combination of both. Rooms and areas which do not have outside windows and which are used by patients or personnel are provided with functioning mechanical ventilation to change the air on a basis commensurate with the type of occupancy.

(6) All inside bathrooms and toilet rooms have forced ventilation to the outside.

(7) Laundry facilities (when applicable) are located in areas separate from patient units and are provided with the necessary washing, drying, and ironing equipment.

(c) *Standard; elevators.* Elevators are installed in the facility if patient bedrooms are located on floors above the street level. The factors explaining the standard are as follows:

(1) Installation of elevators and dumbwaiters complies with all applicable codes.

(2) Elevators are of sufficient size to accommodate a wheeled stretcher.

(d) *Standard; nursing unit.* Each nursing unit has at least the following basic service areas: Nurses' station, medicine storage and preparation area, space for storage of linen, equipment and supplies, and a utility room. The factors explaining the standard are as follows:

(1) A nurses' call system registers calls at the nurses' station from each patient bed, patient toilet room, and each bathtub or shower.

(2) Equipment necessary for charting and recordkeeping is provided.

(3) The medication preparation area is well-illuminated and is provided with hot and cold running water.

(4) The utility room is located, designed and equipped to provide areas for the separate handling of clean and soiled linen, equipment and supplies.

(5) Toilet and handwashing facilities are provided.

(e) *Standard; patient's bedrooms and toilet facilities.* Patients' bedrooms are designed and equipped for adequate nursing care and the comfort and privacy of patients. Each bedroom has or is conveniently located near adequate toilet and bathing facilities. Each bedroom has direct access to a corridor and outside exposure with the floor at or above grade level. The factors explaining the standard are as follows:

(1) Ordinarily rooms have no more than four beds with not less than 3 feet between beds.

(2) In addition to basic patient care equipment each patient unit has a nurses' call signal, an individual reading light, bedside cabinet, comfortable chair, and storage space for clothing and other possessions. In multiple bedrooms, each bed has flameproof cubicle curtains or their equivalent.

(3) It is desirable that each patient room have a lavatory with both hot and cold running water, unless provided in adjacent toilet or bathroom facilities.

(4) On floors where wheelchair patients are located, there is at least one toilet room large enough to accommodate wheelchairs.

(5) Each bathtub or shower is in a separate room or compartment which is large enough to accommodate wheelchair and attendant.

(6) At least one water closet, enclosed in a separate room or stall, is provided for each eight beds.

(7) Substantially secured grab bars are installed in all water closet and bathing fixture compartments.

(8) Doors to patient bedrooms are never locked.

(f) *Standard; facilities for isolation.* Provision is made for isolating infectious patients in well-ventilated single bedrooms having separate toilet and bathing facilities. Such facilities are also available to provide for the special care of patients who develop acute illnesses while in the facility and patients in terminal phases of illness.

(g) *Standard; examination rooms.* A special room (or rooms) is provided for examinations, treatments, and other therapeutic procedures. The factors explaining the standard are as follows:

(1) This room is of sufficient size and is equipped with a treatment table, lavatory or sink with other than hand controls, instrument sterilizer, instrument table, and necessary instruments and supplies.

(2) If the facility provides physical therapy, areas are of sufficient size to accommodate necessary equipment and facilitate the movement of disabled patients. Lavatories and toilets designed for the use of wheelchair patients are provided in such areas.

(h) *Standard; dayroom and dining area.* The extended care facility provides one or more attractively furnished multipurpose areas of adequate size for patient dining, diversional and social activities. The factors explaining the standard are as follows:

(1) At least one dayroom or lounge, centrally located, is provided to accommodate the diversional and social activities of the patients. In addition, several smaller dayrooms, convenient to patient bedrooms, are desirable.

(2) Dining areas are large enough to accommodate all patients able to eat out of their rooms. These areas are well-lighted and well-ventilated.

(3) If a multipurpose room is used for dining and diversional and social activities, there is sufficient space to accommodate all activities and prevent their interference with each other.

(i) *Standard; kitchen or dietary area.* The extended care facility has a kitchen or dietary area adequate to meet food service needs and arranged and equipped for the refrigeration, storage, preparation, and serving of food as well as for dish and utensil cleaning and refuse storage and removal. Dietary areas comply with the local health or food handling codes. Food preparation space is arranged for the separation of functions and is located to permit efficient service to patients and is not used for nondietary functions.

§ 405.1135 Condition of participation—housekeeping services.

The extended care facility provides the housekeeping and maintenance services necessary to maintain a sanitary and comfortable environment.

(a) *Standard; housekeeping services.* The facility provides sufficient housekeeping and maintenance personnel to maintain the interior and exterior of the facility in a safe, clean, orderly, and attractive manner. Nursing personnel are not assigned housekeeping duties. The factors explaining the standard are as follows:

(1) Housekeeping personnel, using accepted practices and procedures, keep the facility free from offensive odors, accumulations of dirt, rubbish, dust, and safety hazards.

(2) Floors are cleaned regularly. Polishes on floors provide a nonslip finish; throw or scatter rugs are not used except for nonslip entrance mats.

(3) Walls and ceilings are maintained free from cracks and falling plaster, and are cleaned and painted regularly.

(4) Deodorizers are not used to cover up odors caused by unsanitary conditions or poor housekeeping practices.

(5) Storage areas, attics, and cellars are kept safe and free from accumulations of extraneous materials such as refuse, discarded furniture, and old newspapers. Combustibles such as cleaning rags and compounds are kept in closed metal containers.

(6) The grounds are kept free from refuse and litter. Areas around buildings, sidewalks, gardens, and patios are kept clear of dense undergrowth.

(b) *Standard; pest control.* The facility is maintained free from insects and rodents. The factors explaining the standard are as follows:

(1) A pest control program is in operation in the facility. Pest control services are provided by maintenance personnel of the facility or by contract with a pest control company. Care is taken to use the least toxic and least flammable effective insecticides and rodenticides. These compounds are stored in nonpatient areas and in nonfood preparation and storage areas. Poisons are under lock.

(2) Windows and doors are appropriately screened during the insect breeding season.

(3) Harborages and entrances for insects and rodents are eliminated.

(4) Garbage and trash are stored in areas separate from those used for the preparation and storage of food and are removed from the premises in conformity with State and local practices. Containers are cleaned regularly.

(c) *Standard; linen.* The facility has available at all times a quantity of linen essential for the proper care and comfort of patients. Linens are handled, stored, and processed so as to control the spread of infection. The factors explaining the standard are as follows:

(1) The linen supply is at least three times the usual occupancy.

(2) Clean linen and clothing are stored in clear, dry, dust-free areas easily accessible to the nurses' station.

(3) Soiled linen is stored in separate well-ventilated areas, and is not permitted to accumulate in the facility. Soiled linen and clothing are stored separately in suitable bags or containers.

(4) Soiled linen is not sorted, laundered, rinsed, or stored in bathrooms, patient rooms, kitchens or food storage areas.

§ 405.1136 Condition of participation—disaster plan.

The extended care facility has a written procedure to be followed in case of fire or other disaster.

(a) Standard; disaster plan: The facility has a written procedure to be followed in case of fire, explosion or other emergency. It specifies persons to be notified, locations of alarm signals and fire extinguishers, evacuation routes, procedures for evacuating helpless patients, frequency of fire drills, and assignment of specific tasks and responsibilities to the personnel of each shift.

(b) The factors explaining the standard are as follows:

(1) The plan is developed with the assistance of qualified fire and safety experts.

(2) All personnel are trained to perform assigned tasks.

(3) Simulated drills testing the effectiveness of the plan are conducted on each shift at least three times a year.

(4) The plan is posted throughout the facility.

§ 405.1137 Condition of participation—utilization review plan.

(a) *General.* (1) The discussion of the utilization review provisions in the congressional committee reports clearly indicate that the intent of Congress was to provide a flexible framework within which extended care facilities, in cooperation with physicians, hospitals, State health departments, and other community organizations, could develop the most appropriate and effective utilization review procedures for such facilities. The conditions, standards, and factors relating to utilization review in extended care facilities have, therefore, been designed so as to assure that there will be sufficient latitude for extended care facilities to develop and implement a variety of patterns of utilization review. Since it is recognized that utilization review in extended care facilities is a relatively unexplored area, and that extended care facilities vary widely with respect to their size, organization, and location, many different types of utilization review plans will fulfill the requirements of the law and the regulations.

(2) Extended care facilities wishing to establish their eligibility to participate will be required to submit a written description of their utilization review plan and a certification that it is in effect or that it will be in effect on January 1, 1967. Ordinarily, this will constitute sufficient evidence to support a finding that the utilization review plan of the extended care facility is or is not in conformity with the statutory requirements. Intermediaries and State agencies will be relied on heavily to participate with the medical profession and the administrative staff of extended care facilities in long-run measures to assure that utilization review operates effectively.

(3) The review plan of an extended care facility should have as its overall objectives the maintenance of high quality patient care, more effective utilization of extended care services (through the mechanism of an educational approach involving study of patterns of care), and the encouragement of appropriate utilization. It is contemplated that a review of the medical necessity of admissions and duration of stays, for

example, would take into account alternative use and availability of other facilities and services.

(4) The review of professional services furnished might include study of such conditions as overuse or underuse of services, proper use of consultation, and whether the required nursing and related care is initiated and carried out promptly. Review of lengths of stay might consider not only medical necessity, but whether assistance is available to the physician in arranging for discharge planning, and the availability of other facilities and services which will assure continuity of care.

(5) Costs incurred in connection with the implementation of the utilization review plan are includable in reasonable costs and are reimbursable to the extent that such costs relate to health insurance program beneficiaries.

(b) *Condition.* The extended care facility has in effect a plan for utilization review which applies at least to the services furnished by the facility to individuals entitled to benefits under the law. An acceptable utilization review plan provides for: (1) The review on a sample or other basis, of admissions, duration of stays, and professional services furnished; and (2) review of each case of continuous extended duration.

(c) *Standard; responsibility for plan.* The operation of the utilization review plan is a responsibility of the medical profession. The plan for reviewing utilization in the facility is developed with the advice of the facility's group of professional personnel referred to in § 405.1122 and has the approval of the facility's medical staff, if any, and the facility's governing body.

(d) *Standard; statement of plan.* The extended care facility has a currently applicable, written description of its utilization review plan. Such description includes:

(1) The organization and composition of the committee(s) which will be responsible for the utilization review functions;

(2) Frequency of meetings;

(3) The type of records to be kept;

(4) The method to be used in selecting cases on a sample or other basis;

(5) The definition of what constitutes the period or periods of extended duration;

(6) The relationship of the utilization review plan to claims administration by a third party;

(7) Arrangements for committee reports and their dissemination;

(8) Responsibilities of the facility's administrative staff in support of utilization review.

(e) *Standard; conduct of review.* (1) The utilization review function is conducted by one or a combination of the following (except that with respect to facilities lacking an organized medical staff, review is conducted only as in subdivision (ii) or (iii) of this subparagraph):

(i) By a staff committee of the facility, which is composed of two or more physicians, with or without the inclusion of other professional personnel; or

(ii) By a committee(s) or group(s) outside the facility composed as in subdivision (i) of this subparagraph which is established by the local medical society and some or all of the hospitals and extended care facilities in the locality; or

(iii) Where a committee(s) or group(s) as described in subdivision (i) or (ii) of this subparagraph has not been established to carry out all the utilization review functions prescribed by the Act, by a committee(s) or group(s) composed as in subdivision (i) of this subparagraph, and sponsored and organized in such manner as approved by the Secretary.

(2) The factors explaining the standard are as follows:

(i) The medical care appraisal and educational aspects of review on a sample or other basis, and the review of long-stay cases need not be done by the same committee or group.

(ii) In a facility with an organized medical staff, all of the review functions may be carried out in the facility by a committee of the whole or a medical care appraisal committee.

(iii) The committee(s) include at least one member who does not have a direct financial interest in the institution.

(iv) Under subparagraph (1)(iii) of this paragraph, any sponsorship of a utilization committee or group is ordinarily acceptable if it is composed as in subparagraph (1)(i) of this paragraph.

(f) *Standard; basis for review.* (1) Reviews are made, on a sample or other basis, of admissions, duration of stays, and professional services (including drugs and biologicals) furnished, with respect to the medical necessity of the services, and for the purpose of promoting the most efficient use of available health facilities and services. Such reviews emphasize identification and analysis of patterns of patient care in order to maintain consistent high quality. The review is accomplished by considering the data obtained by any one or any combination of the following:

(i) By use of services and facilities of external organizations which compile statistics, design profiles, and produce other comparative data; or

(ii) By cooperative endeavor with the fiscal intermediary or State agency; or

(iii) By studies of medical records of patients of the institution.

(2) The factors explaining the standard are as follows:

(i) Some review functions are carried out on a continuing basis.

(ii) Reviews include a sample of physician recertifications of medical necessity for extended care facility services, as made for purposes of the Health Insurance for the Aged Program.

(g) *Standard; extended stay cases.* (1) Reviews are made of each beneficiary case of continuous extended duration. The extended care facility's utilization review plan specifies the number of continuous days of stay in the extended care facility following which a review is made to determine whether further inpatient extended care services are medically necessary. The plan may specify a different number of days for different classes of cases.

(2) Reviews for such purpose are made no later than the seventh day following the last day of the period of extended duration specified in the plan. No physician has review responsibility for any case of continuous extended duration in which he was professionally involved.

(3) If physician members of the committee decide, after opportunity for consultation is given the attending physician by the committee, and considering the availability and appropriateness of other facilities and services, that further inpatient stay is not medically necessary, there is to be prompt notification (within 48 hours) in writing to the facility, the physician responsible for the patient's care, and the patient or his representative. Because there are significant divergences in opinion among individual physicians with respect to evaluation of medical necessity for posthospital extended care services, the judgment of the attending physician in an extended stay case is given great weight, and is not rejected except under unusual circumstances.

(h) *Standard; maintenance of records of review.* Records are kept of the activities of the committee; and reports are regularly made by the committee to the executive committee of the medical staff (if any) or to the facilities, institutions, and organizations sponsoring the utilization review plan, and relevant information and recommendations are reported through usual channels to the entire medical staff and the governing body of the facility, and the sponsor of the plan. The factors explaining the standard are as follows:

(1) The extended care facility administration studies and acts upon Administrative recommendations made by the utilization review committee.

(2) A summary of the number and types of cases reviewed, and the findings, are part of the records of the committee and the participating facilities and institutions.

(3) Minutes of each committee meeting are maintained.

(4) Committee action in extended stay cases is recorded, with cases identified only by case number when possible.

(i) *Standard; staff cooperation with review committee.* The committee(s) having responsibility for utilization review functions have the support and assistance of the facility's administrative staff in assembling information, facilitating chart reviews, conducting studies, exploring ways to improve procedures, maintaining committee records, and promoting the most efficient use of available health services and facilities. The factors explaining the standard are as follows:

(1) With respect to each of these activities, an individual or department is designated as being responsible for the particular service.

(2) In order to encourage the most efficient use of available health services and facilities, assistance to the physician in timely planning for care following extended facility care is initiated as promptly as possible, either by the facility's staff, or by arrangement with other agencies. For this purpose, the facility makes available to the attending physician current information on resources available for continued noninstitutional or custodial care of patients and arranges for prompt transfer of appropriate medical and nursing information in order to assure continuity of care upon discharge of a patient.

[F.R. Doc. 66-5302; Filed, May 13, 1966; 8:47 a.m.]

[20 CFR Part 405]

[Regulations No. 5]

HEALTH INSURANCE PROGRAM FOR AGED

Conditions of Participation; Home Health Agencies

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations (§ 405.1201 et seq.) relate to conditions of participation which home health agencies are required to meet for the purpose of qualifying as providers of services in the health insurance program for the aged. For a home health agency to be eligible for participation in the program, it must meet the specific statutory requirements of section 1861(o) of the Social Security Act as well as the additional conditions established in the interest of health and safety which are essential to the maintenance of quality of care and the adequacy of the services which the agency provides.

Prior to the final adoption of the proposed regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C., 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed Federal Health Insurance for the Aged regulations are to be issued under the authority contained in section 1102, 1861(o), 1864, and 1871, 49 Stat. 647, as amended, 79 Stat. 314—79 Stat. 316, 79 Stat. 326; 42 U.S.C. 1302, 1395 et seq.

Dated: April 7, 1966.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: May 10, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

Chapter III, Title 20, is amended by adding a Subpart L of new Part 405 to read as follows:

Subpart L—Conditions of Participation; Home Health Agencies

§ 405.1201 General.

(a) In order to participate as a home health agency in the health insurance program for the aged, an institution must be a "home health agency" within the meaning of section 1861(o) of the Social Security Act. This section of the law states a number of specific requirements which must be met by participating home health agencies and authorizes the Secretary of Health, Education, and Welfare to prescribe other requirements considered necessary in the interest of health and safety of beneficiaries.

SEC. 1861(o). For purposes of this title—

* * * * *

(o) The term "home health agency" means a public agency or private organization, or a subdivision of such an agency or organization, which—

(1) Is primarily engaged in providing skilled nursing services and other therapeutic services;

(2) Has policies, established by a group of professional personnel (associated with the agency or organization), including one or more physicians and one or more registered professional nurses, to govern the services (referred to in paragraph (1)) which it provides, and provides for supervision of such services by a physician or registered professional nurse;

(3) Maintains clinical records on all patients;

(4) In the case of an agency or organization in any State in which State or applicable local law provides for the licensing of agencies or organizations of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State or locality responsible for licensing agencies or organizations of this nature, as meeting the standards established for such licensing; and

(5) Meets such other conditions of participation as the Secretary may find necessary in the interest of the health and safety of individuals who are furnished services by such agency or organization.

(b) The requirements included in the statute and the additional health and safety requirements prescribed by the Secretary are set forth in the Conditions of Participation for Home Health Agencies. A home health agency which meets all of the specific statutory requirements and which is found to be in substantial compliance with the additional conditions prescribed by the Secretary may, if it so desires, agree to become a participating home health agency.

(c) The Secretary may, at the request of a State, approve higher health and safety requirements for that State. Also, where a State or political subdivision imposes higher requirements on home health agencies as a condition for the purchase of services under a State plan approved under title I, XVI, or XIX of the Social Security Act, the Secretary is required to impose like requirements as a condition to the payment for services by such home health agencies in that State or subdivision.

§ 405.1202 Conditions of participation; general.

For an agency to be eligible for participation in the program, it must meet the statutory requirements of section 1861(o) and there must be a finding of substantial compliance on the part of the agency with all the other conditions. These conditions which are set forth in §§ 405.1220 through 405.1243 are requirements related to the quality of care and adequacy of the services which the agency provides. It will not be unusual for home health agencies to differ in the manner in which these conditions will be met. Variations in the type and size of agencies and the nature and scope of services offered will be reflected in differences in the details of organization and staffing. However, the test is whether there is substantial compliance with each of the conditions.

§ 405.1203 Standards; general.

As a basis for a determination as to whether or not there is substantial compliance with the prescribed conditions in the case of any particular home health agency, explanations are given under each condition. These explanations provide an indication of the various ways in which such agencies may carry out the functions embodied in the conditions. Reference to these explanations will enable the State agency surveying a home health agency to document the activities of the agency, to establish the nature and extent of its deficiencies, if any, with respect to any particular function, and to assess the agency's need for improvement in relation to the prescribed conditions. In substance, the explanations will help the State agency determine the extent and degree to which a home health agency is complying with each condition.

§ 405.1204 Certification by State agency.

(a) The Health Insurance for the Aged Act provides that the services of State agencies, operating under agreements with the Secretary, will be used by the Secretary in determining whether institutions meet the conditions of participation. Pursuant to these agreements, State agencies will certify to the Secretary home health agencies which are found to be in substantial compliance with the conditions. Such certifications shall include findings as to whether each of the conditions is substantially met. The Secretary, on the basis of such certification from the State agency, will determine whether or not an entity is a home health agency eligible to participate in the health insurance program as a provider of services.

(b) The decisions of the State agency represent recommendations to the Secretary. Notice of determination of eligibility or noneligibility made by the Secretary on the basis of a State agency decision will be sent to the home health agency by the Social Security Administration after such review and professional consultation with the Public Health Service as may be required. If it is determined that the home health agency does not comply with the condi-

tions of participation, the home health agency has a right to appeal from such determination and request a hearing. (For procedures relating to hearings and judicial review, see Subpart O of this Part 405.)

§ 405.1205 Principles for the evaluation of home health agencies to determine whether they meet the conditions of participation.

Home health agencies will be considered in substantial compliance with the conditions of participation upon acceptance by the Secretary of findings, adequately documented and certified to by the State agency, showing that:

(a) The home health agency meets the specific statutory requirements of section 1861(o) and is found to be operating in accordance with all conditions of participation with no significant deficiencies, or

(b) The home health agency meets the specific statutory requirements of section 1861(o) but is found to have deficiencies with respect to one or more conditions of participation which:

(1) It is making reasonable plans and efforts to correct, and

(2) Notwithstanding the deficiencies, is rendering adequate care and without hazard to the health and safety of individuals being served, taking into account special procedures or precautionary measures which have been or are being instituted.

§ 405.1206 Time limitations on certifications of substantial compliance.

(a) All initial certifications by the State agency to the effect that a home health agency is in substantial compliance with the conditions of participation will be for a period of 2 years, beginning with July 1, 1966, or, if later, with the date on which the home health agency is first found to be in substantial compliance with the conditions. State agencies may visit or resurvey home health agencies where necessary to ascertain continued compliance or to accommodate to periodic or cyclical survey programs. A State finding and certification to the Secretary that an agency is no longer in compliance may occur within a 2-year or subsequent period of certification and will thereby terminate the State's certification as to compliance.

(b) If a home health agency is certified by the State agency as in substantial compliance under the provisions of § 405.1205(b), the following information will be incorporated into the finding and into the notice of eligibility to the home health agency:

(1) A statement of the deficiencies which were found; and

(2) A description of progress which has been made and further action which is being taken to remove the deficiencies; and

(3) A scheduled time for a resurvey of the home health agency to be conducted not later than the 18th month (or earlier, depending on the nature of the deficiencies) of the period of certification.

§ 405.1207 Denial of certification.

The State agency will certify that a home health agency is not in compliance with the conditions of participation, or, where a determination of eligibility has been made, that it is no longer in compliance where:

(a) The home health agency is not in compliance with one or more of the statutory requirements of section 1861(o); or

(b) The home health agency has deficiencies of such character as to seriously limit its capacity to render adequate care or to place health and safety of individuals in jeopardy, and consultation to the home health agency has demonstrated that there is no early prospect of such significant improvement as to establish substantial compliance as of a later beginning date; or

(c) After a previous period or part thereof for which the home health agency was certified under circumstances outlined in § 405.1205(b), there is a lack of progress toward a removal of deficiencies which the State agency finds are adverse to the health and safety of individuals being served.

(d) If, on the basis of a State agency certification, it is determined by the Secretary that the home health agency no longer substantially meets the conditions of participation, the agreement under which the home health agency participates in the program may be terminated after reasonable notice and opportunity for a hearing.

§ 405.1208 Documentation of findings.

The findings of the State agency with respect to each of the conditions of participation should be adequately documented. Where the State agency certification to the Secretary is that a home health agency is not in compliance with the conditions of participation, such documentation should include a report of all consultation which has been undertaken in an effort to assist the home health agency to comply with the conditions, a report of the home health agency's responses with respect to the consultation, and the State agency's assessment of the prospects for such improvements as to enable the home health agency to achieve substantial compliance with the conditions.

§ 405.1209 Authorization for special certification in areas where necessary to provide access to home health services.

(a) Where, by reason of isolated location, the denial of eligibility of a home health agency to participate would seriously limit the access of beneficiaries to the services of participating home health agencies, a home health agency may, upon recommendation by the State agency, be approved by the Secretary as a provider of services. Such approvals will be granted only where there are no deficiencies of such character and seriousness as to place health and safety of individuals in jeopardy. A home health agency receiving this special approval shall furnish information showing the extent to which it is making the best use of its resources to improve its quality of care. Resurveys of such agencies will be made at least annually.

(b) Each case will have to be decided on its individual merits; and while the degree and extent of compliance will vary, the home health agency must, as a minimum, meet all of the statutory conditions of section 1861(o) (1)–(4), in addition to meeting such other requirements as the Secretary finds necessary under section 1861(o)(5).

§ 405.1220 Condition of participation—primary functions.

(a) *Condition.* The primary functions of the home health agency include the provision of skilled nursing services and other therapeutic services on a visiting basis in a place of residence used as the individual's home. (See §§ 405.1228–405.1237 relating to skilled nursing services and other therapeutic services.) For purposes of posthospital home health benefits under Part A of Title XVIII of the Social Security Act, the term "home health agency" does not include any agency or organization which is primarily for the care and treatment of mental diseases.

(b) *Provision of services.* The agency's bylaws, or the equivalent thereof, state explicitly that the home health agency provides skilled nursing and other therapeutic services directly, or, in the case of a public or voluntary nonprofit health agency, if it provides directly only skilled nursing services or only other therapeutic services that it furnishes through arrangements with other public or voluntary nonprofit agencies the services which it does not provide directly. (See §§ 405.1238–405.1239 relating to arrangements for services.) A charter, an official statement of objectives, or the agency's governing policies are the equivalent of bylaws.

(c) *Subdivision operating as home health agency.* When a subdivision of an agency (e.g., the home care department of a hospital or the nursing division of a health department) applies for participation, the subdivision rather than the parent organization meets the conditions of participation as a home health agency and maintains records in such a way that subdivision activities and expenditures attributable to services provided under the health insurance program are identifiable. The parent organization may determine who signs the agreement and other official documents; and receive and disburse funds.

§ 405.1221 Condition of participation—skilled nursing and one other therapeutic service.

In addition to skilled nursing services, the agency provides at least one of the following other therapeutic services: I.e., physical, speech, or occupational therapy, medical social services, or home health aide services.

§ 405.1222 Condition of participation—agency supervision.

(a) *Condition.* The home health agency designates a physician or registered professional nurse to supervise the agency's performance in providing home health services in accordance with the orders of the physician responsible for the care of the patient and under a plan of treatment established by such physician. (See § 405.1241 for conditions of participation relating to "plan of treatment.")

(b) *Where a nurse is designated.* It is preferable that an agency which designates a registered professional nurse appoint a public health nurse.

§ 405.1223 Condition of participation—advisory group of professional personnel.

(a) *Condition.* Policies covering skilled nursing and other therapeutic services, and the professional health aspects of other policies are established with the approval of and subject to regular review by a group of professional personnel which includes a licensed physician and a registered professional nurse.

(b) *Composition of group.* (1) This group might be, for example: (i) An advisory committee to the agency's executive council or board of directors; (ii) a subcommittee of such council or board; or (iii) other similar arrangement.

(2) Some member or members of the professional group are persons not employed by the agency.

(3) It is preferable that the registered nurse member be a public health nurse.

(4) It is desirable for the group to include lay persons knowledgeable in health affairs and also to have a wide range of professional representatives such as medical social worker; nutritionist; speech, physical, and occupational therapists.

§ 405.1224 Condition of participation—service to homebound patients on part-time or intermittent basis.

(a) *Condition.* The agency is organized, staffed and equipped to provide service to homebound patients on a part-time or intermittent basis.

(b) *Definition of homebound patient.* A "homebound" patient is one who is essentially confined to his place of residence for health reasons, although he may be ambulatory and may be able to leave his place of residence with or without the aid of another person.

(c) *Definition of part-time or intermittent.* Most patients will require service a few hours a day, several times a week. Some may require longer service on one day than on other days and such adjustments are to be encouraged. Occasionally, service for a full day may need to be provided for a short period of time when, because of unusual circumstances, neither the alternative of part-time care nor hospitalization is feasible.

§ 405.1225 Condition of participation—personnel policies.

(a) *Condition.* The agency has written policies concerning qualifications, responsibilities, and conditions of employment for each type of personnel (including licensure where this is required by State law).

(b) *Content of personnel policies.* The policies are written and available to staff as well as to the group of professional personnel and cover:

(1) Wage scales, hours of work, vacation, and sick leave.

(2) A plan for preemployment and periodic medical examination, tuberculin test and/or chest X-ray, serology, and other appropriate tests.

(3) A plan for orientation of all health personnel to the policies and objectives of the agency.

(4) Periodic evaluation of employee performance.

(5) Job descriptions for each category of health personnel which are specific and include the type of activity each may carry out.

§ 405.1226 Condition of participation—evaluation.

(a) *Condition.* The agency has procedures which provide for systematic evaluation of its program at least once every 2 years.

(b) *Method of program evaluation.* (1) There are measures to determine whether the policies established with the approval of the group of professional personnel are followed in providing services. These should include a review of patient records on a sample basis in order to determine that services are being used appropriately and the extent to which the needs of the patients the agency serves are being met both quantitatively and qualitatively.

(2) There is a mechanism for reviewing the overall management aspects of its service to assure economy and efficiency of operation.

(3) Agency staff and/or its professional group may conduct the evaluation itself. Alternatively, the agency may seek the advice of persons or organizations outside the agency.

§ 405.1227 Condition of participation—licensure.

(a) *Condition.* The home health agency, in a community where State or applicable local law provides for the licensing of agencies of this nature, is licensed pursuant to such law, or approved by the State or local licensing agency as meeting the standards for licensure.

(b) *General.* The home health agency may be a public agency or a private nonprofit or proprietary organization.

(c) *Private nonprofit organization.* To qualify as a home health agency, a private nonprofit organization presents proof of its exemption from Federal income tax pursuant to section 501 of the Internal Revenue Code of 1954.

(d) *Proprietary organization.* To qualify as a home health agency, a proprietary organization which is not a private organization exempt from Federal income taxation under section 501 of the Internal Revenue Code of 1954 (or a subdivision of such organization) is licensed as a home health agency pursuant to State law, and meets all other conditions of participation. If no State law exists for the licensure of such an agency, it cannot be certified for participation in the health insurance program.

§ 405.1228 Condition of participation—skilled nursing service.

(a) *Condition.* Skilled nursing service is provided by or under the supervision of registered professional nurse(s) currently licensed by the State.

(b) *Professional nursing services—duties.* Professional nursing services are services given in accordance with a physician's orders which require the competencies of a registered professional nurse, preferably a qualified public health nurse. Skilled nursing includes such duties as the following:

(1) Evaluates and regularly reevaluates the nursing needs of the patient;

(2) Develops and implements the nursing care plan for the patient;

(3) Provides nursing services, treatments, and diagnostic and preventive procedures requiring substantial specialized skill;

(4) Initiates preventive and rehabilitative nursing procedures as appropriate for the patient's care and safety;

(5) Observes signs and symptoms and reports to the physician reactions to treatments, including drugs, and changes in the patient's physical or emotional condition;

(6) Teaches, supervises, and counsels the patient and family members regarding the nursing care needs and other related problems of the patient at home;

(7) Supervises and trains other nursing service personnel.

(c) *Registered professional nurse—qualifications.* A registered professional nurse is currently licensed by the State as a registered professional nurse and preferably has 1 year of experience as a professional nurse.

(d) *Public health nurse—qualifications.* A public health nurse is licensed to practice professional nursing in the State and has completed a baccalaureate degree program approved by the National League for Nursing for public health nursing preparation or postbaccalaureate study which includes content approved by the National League for Nursing for public health nursing preparation.

(e) *Practical nursing—duties.* Practical nursing services are given by a licensed practical nurse or licensed vocational nurse working under the supervision of a registered professional nurse. Practical nursing includes such duties as the following:

(1) Observes, records, and reports to supervisor on the general physical and mental conditions of the patient;

(2) Administers prescribed medications and simple treatments as permitted by State or local regulations;

(3) Assists the physician and/or registered professional nurse in performing specialized procedures;

(4) Prepares equipment for treatments, including sterilization and observation of aseptic techniques;

(5) Assists the patient with activities of daily living and encourages appropriate self-care.

(f) *Practical nurse—qualifications.* A practical nurse or vocational nurse is licensed by the State and preferably has at least 1 year of nursing experience under the supervision of a registered professional nurse.

§ 405.1229 Condition of participation—physical therapy.

(a) *Condition.* When an agency provides or arranges for physical therapy, service is given in accordance with a physician's orders by or under the supervision of a qualified physical therapist.

(b) *Physical therapy—duties.* Physical therapy includes such duties as the following:

(1) Assists the physician in evaluating patients by applying diagnostic and prognostic muscle, nerve, joint, and functional ability tests;

(2) Treats patients to relieve pain, develop or restore function, and maintain maximum performance, using physical means, such as exercise, massage, heat, water, light, and electricity, for example:

(i) Directs and aids patients in active and passive exercises, muscle reeducation, and gait and functional training, activities of daily living including transfer activities and prosthetic training;

(ii) Makes use of equipment such as ultraviolet and infrared lamps, low voltage generators, diathermy, and ultrasonic machines;

(iii) Gives whirlpool and contrast baths, and applies moist packs.

(3) Arranges for the provision on an outpatient basis of services described in subparagraph (2) (ii) and (iii) of this paragraph which cannot be given in the patient's home;

(4) Observes, records, and reports to the physician the patient's reaction to treatment and any changes in the patient's condition;

(5) Instructs patients in care and use of wheelchairs, braces, crutches, canes, and prosthetic and orthotic devices;

(6) Instructs other health team personnel including, when appropriate, home health aides, and family members in certain phases of physical therapy with which they may work with the patient;

(7) Instructs family on patient's total physical therapy program.

(c) *Physical therapist—qualifications.* A physical therapist is a graduate of a program in physical therapy approved by the Council on Education of the American Medical Association in Collaboration with the American Physical Therapy Association, or its equivalent, and when applicable, is licensed or registered by the State.

§ 405.1230 Condition of participation—speech therapy.

(a) *Condition.* When an agency provides or arranges for speech therapy, service in speech pathology or audiology is given in accordance with a physician's order and by or under the supervision of a qualified speech therapist.

(b) *Speech therapy—duties.* Speech therapy includes such duties as the following:

(1) Assists the physician in evaluation of the patient to determine the type of speech or language disorder and the appropriate corrective therapy;

(2) Provides rehabilitative services for speech and language disorders;

(3) Records and reports to the physician the patient's reaction to treatment and any changes in the patient's condition;

(4) Instructs other health team personnel and family members in methods of assisting the patient to improve and correct speech disabilities.

(c) *Speech therapist—qualifications.* A speech therapist is certified by the American Speech and Hearing Association, or has completed the academic requirements and is in the process of accumulating the necessary supervised work experience required for certification.

§ 405.1231 Condition of participation—occupational therapy.

(a) *Condition.* When an agency provides or arranges for occupational therapy, services are given in accordance with a physician's orders and by or under the supervision of a qualified occupational therapist.

(b) *Occupational therapy—duties.* Occupational therapy includes such duties as the following:

(1) Assists the physician in evaluating the patient's level of function by applying diagnostic and prognostic procedures;

(2) Guides the patient in his use of therapeutic creative and self-care activities for the purpose of improving function;

(3) Observes, records, and reports to the physician the patient's reaction to treatment and any changes in the patient's condition;

(4) Instructs other health team personnel including, when appropriate, home health aides and family members in certain phases of occupational therapy in which they may work with the patient.

(c) *Occupational therapist—qualifications.* An occupational therapist is registered by the American Occupational Therapy Association or is a graduate of a program in occupational therapy approved by the Council on Medical Education of the American Medical Association in collaboration with the American Occupational Therapy Association and engaged in the required supervised clinical experience period prerequisite to registration by the American Occupational Therapy Association.

(d) *Occupational therapy assistant—qualifications.* An occupational therapy assistant has successfully completed a training course approved by the American Occupational Therapy Association and is certified by that body as a certified occupational therapy assistant.

§ 405.1232 Condition of participation—aides to physical, speech, and occupational therapists.

When the services of aides or other personnel providing supplementary services are utilized in providing home health services, they are trained and supervised by appropriate professional personnel.

§ 405.1233 Condition of participation—medical social services.

(a) *Condition.* When an agency provides or arranges for medical social services, they are given under direction of a physician by or under the supervision of a qualified medical social worker.

(b) *Medical social services—duties.* Medical social services include such duties as the following:

(1) Assists the physician and other members of the health team in understanding the significant social and emotional factors related to patient's health problems;

(2) Assesses the social and emotional factors in order to estimate the patient's capacity and potential to cope with problems of daily living;

(3) Helps the patient and his family to understand, accept, and follow medical recommendations and provides services planned to restore the patient to optimum social and health adjustment within his capacity;

(4) Assists patients and their families with personal and environmental difficulties which predispose toward illness or interfere with obtaining maximum benefits from medical care;

(5) Utilizes resources, such as family and community agencies, to assist patient to resume life in the community or to learn to live within his disability.

(c) *Medical social worker—qualifications.* A medical social worker is a graduate of a school of social work accredited by the Council on Social Work Education and had had social work experience in a hospital, outpatient clinic, medical rehabilitation or medical care program.

(d) *Social work assistant—qualifications.* A social work assistant has a baccalaureate degree and the agency provides on-the-job training in medical social service tasks and assignments.

§ 405.1234 Condition of participation—home health aide services.

(a) *Condition.* When an agency provides or arranges for home health aide services, the aides are assigned because the patient needs personal care. The services are given under a physician's orders and are supervised by a registered professional nurse. When appropriate, supervision may be given by a physical, speech, or occupational therapist.

(b) *Personal care for patient.* The title used for this class of personnel varies among agencies but the duties the aides perform are essentially personal care for the patient:

(1) Helping patient with bath, care of mouth, skin, and hair;

(2) Helping patient to bathroom or in using bed pan;

(3) Helping patient in and out of bed, assisting with ambulation.

(4) Helping patient with prescribed exercises which the patient and home health aide have been taught by appropriate professional personnel.

(5) Assisting with medications, ordinarily self-administered, that have been specifically ordered by a physician;

(6) Performing such incidental household services as are essential to the patient's health care at home and necessary to prevent or postpone institutionalization.

§ 405.1235 Condition of participation—selection of home health aides.

(a) *Condition.* The selection of each potential home health aide takes into account ability to read and write, to understand and carry out directions or instructions, and to record messages and keep simple records.

(b) *Recruitment policies and procedures.* Because home health aides may often be recruited from persons who have had little formal education and no health training, agencies need to establish and maintain specific policies concerning their selection. In addition to the capacities expressed in the condition, recruitment policies and procedures should take into account:

(1) Emotional and mental maturity, and

(2) Interest in and sympathetic attitude toward caring for the sick at home.

§ 405.1236 Condition of participation—training of home health aides.

(a) *Condition.* The home health agency determines that home health aides receive or have received a basic training program for home health aides.

(b) *Faculty for basic training.* Training in personal care services is given by a registered professional nurse (preferably a public health nurse). Physicians, nutritionists, physical therapists, medical social workers, and other health personnel are involved in appropriate aspects of the training program.

(c) *Basic training—content.* The following topics suggest the appropriate content for the basic training:

(1) The role of the home health aide as a member of the health services team.

(2) Instruction and supervised practice in personal care services of the sick at home, including personal hygiene and activities of daily living.

(3) Principles of good nutrition and nutritional problems of the sick and elderly.

(4) Preparation of meals including special diets.

(5) Information on the process of aging and behavior of the aged.

(6) Information on the emotional problems accompanying illness.

(7) Principles and practices of maintaining a clean, healthy, and safe environment.

(8) What to report to the supervisor.

(9) Recordkeeping (when applicable).

(d) *Training—orientation.* Orientation of all home health aides to the agency's program should include:

(1) Policies and objectives of the agency.

(2) Information concerning the duties of a home health aide.

(3) The functions of other health personnel employed by the agency and how they relate to each other in caring for the patient.

(4) Information about other community agencies.

(5) Ethics and confidentiality.

(e) *Training on-the-job.* In addition to basic training and orientation, the home health aide should receive on-the-job instruction in carrying out procedures, and continuing in-service training.

§ 405.1237 Condition of participation—supervision of home health aides.

(a) Condition: The decision to assign a home health aide to a particular case is made in accordance with the plan of treatment. (See § 405.1241 for conditions of participation relating to plan of treatment.) In each case a registered professional nurse decides which personal care services a particular home health aide should give. The home health aide is not permitted to decide by herself what personal care services she will give.

(b) Assignment of home health aides: In deciding whether to provide home health aide service and which aide to assign, account will be taken of:

(1) Successful completion of basic training.

(2) Patient's needs.

(3) The abilities of specific aides.

(4) The amount of supervision available.

(5) What the family can do for the patient.

(c) Supervision of home health aide: The professional nurse supervisor should provide direct supervision as necessary and can be readily available at other times by telephone. The supervisor should be constantly evaluating the home health aide in terms of the aide's ability to carry out assigned duties, to relate well to the homebound patient, and to work effectively as a member of a team of health workers.

(d) When the home health aide carries out, with the patient, simple procedures as an extension of physical, speech, or occupational therapy, supervision is also provided by the appropriate professional therapist.

§ 405.1238 Condition of participation—services arranged for with another approved provider.

(a) Condition: When a home health agency makes arrangements for the provision of home health services which it does not provide directly with another agency which is approved as a provider of services, there is a written statement regarding the services to be provided and the financial arrangements.

(b) Illustrative examples of arrangements are:

(1) The home care department of a hospital arranges for the provision of nursing services by a visiting nurse association, the nursing division of a health department, or a combination agency.

(2) Three hospitals join together to organize a single home health program to serve ex-patients of all the hospitals and other patients in the community who do not need hospital care but are ill and homebound. Each hospital is an approved provider of hospital care. One of the hospitals agrees to serve as the core agency and to seek certification as a home health agency. The core agency appoints a physician or registered professional nurse to supervise agency operations. The other two hospitals each appoint a coordinator; e.g., a physician, nurse, or social worker. Physical, speech, and occupational therapy are provided by a combination of the part-time services of such personnel in each hospital. Nursing services are arranged for with the visiting nurses' association.

(3) (i) In some communities, a public or nonprofit voluntary health agency administers a community-wide program which involves several or many hospitals, the Visiting Nurse Association and/or the health department. The primary functions of this type of home health agency are (*a*) the continuing evaluation of patient needs, (*b*) assigning patients with fairly uncomplicated needs directly to the Visiting Nurse Association or the health department nursing service, and (*c*) arranging for and coordinating the services of the several hospitals and nursing organizations in providing a comprehensive array of services to patients with complicated needs.

(ii) The agency usually employs a full-time nurse administrator, a part-time physician coordinator and medical social workers. The medical social workers provide direct services to patients. The physician coordinator maintains liaison with the physician responsible for the patient's care.

(iii) In these communities there could be certified as home health agencies (*a*) some or all of the hospitals involved; (*b*) the central coordinating agency; (*c*) the Visiting Nurse Association; and (*d*) the health department nursing service.

§ 405.1239 Condition of participation—services arranged for with a nonparticipating provider.

(a) *Condition.* When a home health agency arranges for services with an agency that is not an approved provider of services, a contract is written.

(b) *Contract provisions.* The contract includes all of the following points:

(1) Designates the services which are being arranged for.

(2) Specifies the period of time the contract is to be in effect (if for a specified time) and how frequently it is to be reviewed. Preferably, the contract should be reviewed and renewed yearly.

(3) Describes how the contracted personnel are to be supervised.

(4) States that home health services provided to the patient are in accordance with a plan established by the patient's physician in conjunction with home health agency staff and, when appropriate, others involved in the patient's care. Services provided are to be within the scope and limitations set forth in the plan and may not be altered in type, scope, or duration by the secondary agency.

(5) Assures that personnel and services contracted for meet the same requirements as those specified for home health agency personnel and services, including personnel qualifications, functions, supervision, orientation, and in-service training.

(6) Specifies the method of determining charges and reimbursement by the home health agency for specific services contracted for. The contracting agency does not bill the patient or the Health Insurance Program.

(c) *Kinds of arrangements.* Kinds of arrangements with a nonparticipating agency:

(1) A participating home health agency arranges for home health aides from a family service association and/or an independent homemaker service which is not eligible as a home health agency.

(2) A participating home health agency arranges for other therapeutic services to be provided in the patient's place of residence from a health agency which is not eligible as a provider of service.

§ 405.1240 Condition of participation—acceptance of patients.

(a) Condition: The home health agency has written policies to be followed in making decisions of the desirability and practicality of accepting patients for care. Such decisions are based on medical, nursing and social information provided by the physician responsible for the patient's care, institutional personnel and staff of the home health agency.

(b) Considerations relevant to the acceptance of patients include:

(1) Adequacy and suitability of agency personnel and resources to provide the services required by the patient.

(2) Attitudes of patient and his family toward his care at home.

(3) Comparative benefit to the patient's health of care at home as distinguished from care in a hospital or extended care facility.

(4) Reasonable expectation that patient's medical, nursing, and social needs can be met adequately in his residence, including a plan to meet medical emergencies.

(5) Adequate physical facilities in the patient's residence for his proper care.

(6) Availability of family or substitute family member able and willing to participate in patient's care.

(c) The following illustrates this condition: Although the provision of skilled nursing services is a basic condition of participation to qualify a home health agency as a provider of service, not all persons accepted for home health services will require skilled nursing. Some may require skilled nursing only on an intermittent basis while requiring physical or speech therapy fairly regularly. Also, as a patient's condition changes and a home health aide has been taught to provide him with personal care services, the aide's service supervised by a nurse may for a time be the principal visiting service.

§ 405.1241 Condition of participation—establishment and review of plan of treatment.

(a) *Condition.* A home health agency has established policies and procedures for assuring that services and items to be provided are specified under a plan of treatment established and regularly reviewed by the physician who is responsible for the care of the patient.

(b) *Certification.* For the purpose of the home health agency receiving payment, the physician certifies, when establishing the plan of treatment, that the patient is essentially homebound and requires the services specified in the plan of treatment. The physician recertifies at least once every two months that these factors are still applicable. Under the hospital insurance benefits plan only, he also indicates that the services have been or will be provided to treat conditions reasonably related to those for which the beneficiary received services while in a hospital or extended care facility.

(c) *Plan of treatment.* (1) The original plan of treatment is signed by the physician who is responsible for the care of the patient and incorporated in the record maintained by the agency for the patient.

(2) The total plan is reviewed by the attending physician, in consultation with agency professional personnel at such intervals as the severity of the patient's illness requires, but in any instance, at least once every 2 months. The professional registered nurse, physical, occupational, and speech therapists are expected to bring to the attention of the physician changes in the patient's condition which indicate the need for altering the treatment plan or for terminating services.

§ 405.1242 Condition of participation—physician's original orders and changes in orders.

Original orders of a physician and all changes in orders for the administration of dangerous drugs and narcotics are signed by the physician and incorporated in the patient record maintained by the agency. All other changes in orders are either signed by the physician or by a registered professional nurse in the agency if such changes are received verbally by her.

§ 405.1243 Condition of participation—clinical records.

(a) *Condition.* The home health agency maintains for each patient a clinical record which covers the services the agency provides directly and those provided through arrangements with another agency; and which contains pertinent past and current medical, nursing, social, and other therapeutic information, including the plan of treatment.

(b) *The patient record.* The kinds of information which the patient record should contain are:

(1) *Admission data.* (i) Identifying data: Name, address, date of birth, sex, agency case number if it uses one, and social security number, and next of kin.

(ii) Whether the home health services benefit is (*a*) post hospital, (*b*) post extended care facility or (*c*) neither; and names of institutions and dates of discharge for (*a*) and (*b*) of this subdivision.

(iii) Date of admission for service.

(iv) Referring physician.

(2) *Clinical notes.* Clinical data includes:

(i) Diagnoses: All conditions which the patient has and which are relevant to the plan of treatment.

(ii) Nursing services: Level needed and frequency of visits (in agreement with the agency nursing staff); special care (dressing changes, catheter changes, etc.); observations, including specific observations to be brought to the immediate attention of the physician.

(iii) Drugs: Type, dose, and frequency of each drug; caution concerning special side effects, drug allergies; nonprescription remedies which are contraindicated, e.g., aspirin with dicoumarol therapy.

(iv) Diet: Regular or restricted.

(v) Activity: Degree allowed, e.g., bedrest with bathroom privileges.

(vi) Rehabilitation plan: Activities of daily living, etc.

(vii) Occupational, speech, and psysical therapy: Specific instructions for each service needed.

(viii) Medical social services.

(ix) Home health aide services.

(x) Medical supplies: Special dressings needed, oxygen, etc.

(xi) Medical appliances: Special devices needed, e.g., crutches, oxygen tent, etc.

(3) *Discharge notes.* When home health services are terminated, the record should show the date and reason for termination (patient not in need of services, patient expired, transferred to home for aged, etc.).

[F.R. Doc. 66-5303; Filed, May 13, 1966; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7360]

AIRWORTHINESS DIRECTIVES

British Aircraft Corporation (BAC) Model 1–11 Series Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to British Aircraft Corp. (BAC) Model 1–11 Series airplanes. Fatigue tests on the rudder power flying control unit have revealed the necessity of imposing a service life limit on the ram rod eye and assemblies of the control unit and requiring modification of the rudder jack on the subject airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before June 13, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to BAC Model 1–11 Series airplanes.

Compliance required as indicated.

To prevent fatigue damage to the rudder control system components, accomplish the following:

(a) Within the next 3,000 hours' time in service after the effective date of this AD, unless already accomplished, rework rudder jacks to provide a shorter stroke in accordance with British Aircraft Corp. (BAC) One-Eleven Alert Service Bulletin 27–A–PM 1715 or later ARB-approved issue, or an equivalent approved by the Chief, Aircraft Certification Staff, FAA Europe, Africa, Middle East Region.

(b) Within the next 100 hours' time in service after the effective date of this AD or before the accumulation of 3,000 hours' time in service, whichever occurs later, and thereafter at intervals not to exceed 3,000 hours' time in service from the last replacement, replace ram rod eye end assemblies, P/Ns P.183.45.65 and P.183.45.339, of the rudder power flying control unit on Series 200 airplanes only.

(c) Within the next 100 hours' time in service after the effective date of this AD or before the accumulation of 5,000 hours' time in service, whichever occurs later, and thereafter at intervals not to exceed 5,000 hours' time in service from the last replacement, replace ram rod eye and assemblies, P/N P.183.45.363, of the rudder power flying control unit that have been operated with premodification PM1715 (Mark 1) rudder jacks installed.

(d) Within the next 100 hours' time in service after the effective date of this AD or before the accumulation of 15,000 hours' time in service, whichever occurs later, and thereafter at intervals not to exceed 15,000 hours' time in service from the last replacement, replace ram rod eye end assemblies, P/N P.183.45.363, of the rudder power flying control unit that are installed with post-modification PM1715 (Mark 2) rudder jacks.

Issued in Washington, D.C., on May 10, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5271; Filed, May 13, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66–CE–29]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Traverse City, Mich., terminal area.

The following controlled airspace is presently designated in the Traverse City, Mich., terminal area:

The Traverse City, Mich., transition area is designated as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Traverse City Municipal Airport (latitude 44°44′35″ N., longitude 85°34′50″ W.), within 5 miles southwest and 8 miles northeast of the Traverse City VOR 158° radial, extending from the 8-mile radius area to 14 miles south of the VOR, and within 5 miles southwest and 8 miles northeast of the 137° bearing from the Traverse City RBN, extending from the 8-mile radius area to 14 miles southeast of the RBN.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace requirements in the Traverse City, Mich., terminal area, proposes the following airspace action:

Redesignate the Traverse City, Mich., transition area as that airspace extending upward from 700 feet above the surface within a 15-mile radius of the Traverse City VOR.

The proposed alteration of the Traverse City, Mich., transition area, in conjunction with the existing control zone, will provide controlled airspace for aircraft executing prescribed instrument procedures to or from the Traverse City Municipal Airport and provide more effective service to aircraft in the Traverse City area.

The floors of the airways that traverse the transition area proposed herein will automatically coincide with the floors of the transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 3, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-5272; Filed, May 13, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 66-100; Customs Delegation Order 23]

CUSTOMS FIELD OFFICERS, REGION II, NEW YORK

Delegation of Authority

MAY 10, 1966.

By virtue of authority vested in me by Treasury Department Order No. 165, Revised (T.D. 53654, 19 F.R. 7241), all functions, rights, privileges, powers, and duties delegated to district directors of customs and to regional commissioners of customs by Customs Delegation Order No. 22 (T.D. 56470, 30 F.R. 11180), are hereby delegated also to the assistant regional commissioners for Customs Region II, New York, effective on the date that the creation of the office of regional commissioner for that region becomes effective under Treasury Department Order No. 165-17 (T.D. 56464, 30 F.R. 10913). Each of these assistant regional commissioners will ordinarily perform under this authority only functions which arise out of, relate to, or concern the activities or functions of, or the laws administered by or relating to, the offices or other organizational units over which he has supervision.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-5287; Filed, May 13, 1966; 8:46 a.m.]

Office of the Secretary

[T.D. 66-103]

[Treasury Department Order No. 165-17, Amdt. 2]

CUSTOMS FIELD SERVICE

Reorganization; Correction

MAY 12, 1966.

Amendment 2 (T.D. 66-89, 31 F.R. 6456) of Treasury Department Order No. 165-17 (T.D. 56464, 30 F.R. 10913) is hereby corrected, effective May 1, 1966, by changing "(5) the abolition of District No. 21 (Sabine), District No. 22 (Galveston), and District No. 23 (Laredo)," to read as follows: "(5) The abolition of District No. 21 (Sabine), District No. 22 (Galveston), District No. 23 (Laredo), District No. 24 (El Paso), District No. 50 (New Mexico), and District No. 47 (Colorado)."

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-5348; Filed, May 13, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. Sub-S-6]

ANN-B, INC.

Notice of Hearing; Correction

F.R. Doc. 66-4405, published at page 6205 in the issue dated Friday, April 22, 1966, is corrected by changing all references to "Ann B., Inc." to read "Ann-B, Inc.", and by changing "May 31, 1965," to read "May 31, 1966," in the second paragraph.

H. E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

MAY 11, 1966.

[F.R. Doc. 66-5295; Filed, May 13, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

NEBRASKA

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Nebraska a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

NEBRASKA

Arthur.

It has also been determined that in the hereinafter-named counties in the State of Nebraska the above-mentioned natural disaster has caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Nebraska	Original designation	Present extension
Chase	29 F.R. 11934	29 F.R. 11934
Dawson	30 F.R. 8071	30 F.R. 8071
Garden	29 F.R. 11934	30 F.R. 7616
Gosper	30 F.R. 8071	30 F.R. 8071
Keith	29 F.R. 11934	30 F.R. 7616
Perkins	29 F.R. 11934	30 F.R. 7616

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 11th day of May 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-5300; Filed, May 13, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 26 (65) 12]

DIATRON-OSCHANITZKY K.G.

Order Denying Export Privileges for an Indefinite Period

In the matter of Diatron-Oschanitzky K.G., also known as Diatron K.G., Wirtstrasse 3, 8 Munich 9, Federal Republic of Germany, respondent; File No. 26 (65) 12.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above-named respondent all export privileges for an indefinite period because the said respondent failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested, without good cause being shown. This application was made pursuant to § 382.15 of the Export Regulations (Title 15, Ch. III, Subch. B, Code of Federal Regulations).

In accordance with the usual practice, the application for an indefinite denial order was referred to the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commissioner and the evidence in support of the application have been considered.

The evidence presented shows that the respondent, Diatron-Oschanitzky K.G., also known as Diatron K.G., is a dealer in electrical and electronic equipment and has a place of business in Munich, West Germany; that the firm is a limited partnership and that Dr. Wilhelm Oschanitzky is one of the partners and the individual primarily responsible for conducting the business affairs of the firm; that the firm admittedly purchased and received certain electronic items from a supplier in the United States and other electronic items of U.S.-origin from a supplier in West Germany; and that some of the items so received by the firm are of a strategic nature. The aforesaid Investigations Division is conducting an investigation into the disposition by said respondent of said commodities. It is impracticable to subpoena the respondent, and relevant and material interrogatories and request to furnish certain specific documents relating to its disposition of said commodities were served on it pursuant to § 382.15 of the Export Regulations. Said respondent has failed to furnish answers to said interrogatories or to furnish the documents requested, as required by said section.

As reason for failure to answer the interrogatories the respondent claims that to do so would violate business principles. Some months ago we had occasion to consider a similar reason for failing to answer interrogatories and at that time we gave the authority and purpose of our submitting interrogatories and our views as to why we would not consider as good cause for failing to answer the reason now assigned by respondent. In that case we said:

> In the Export Control Act, the Congress of the United States has declared that it is the policy of this country to use export controls to the extent necessary to further the foreign policy of the United States and to aid in fulfilling its international obligations, and to exercise the necessary vigilance over exports from the standpoint of their significance to the national security of the United States. To the extent necessary or appropriate to the enforcement of the Act, Congress has authorized the Department of Commerce to make investigations, obtain information and records, and to take sworn testimony of any person.
>
> Where a party resides in the United States he may be required by subpoena to give evidence and furnish records. A resident of a foreign country is not amenable to a U.S. subpoena. Where information is sought from a foreign resident regarding his handling of, or other connection with U.S. goods, information with respect thereto is solicited by written interrogatories. The party interrogated is informed * * * that under the law information given in interrogatories will not be divulged except for law enforcement purposes. Refusal of a party to give responsive answers to interrogatories can destroy one of the most effective methods of determining whether an important purpose of the Export Control Act is being accomplished, i.e., preventing U.S.-origin commodities from reaching unauthorized persons or destinations.
>
> In permitting the exportation of commodities from the United States this government has authority to impose restrictions as to their destination and it does so. Parties who handle U.S. commodities are informed of the destination restrictions on invoices, and on shipping and other export documents. Our regulations require that such parties adhere to the restrictions. The regulations also require that such parties, when requested, give information as to their handling of such commodities. We feel that these are reasonable requirements for an individual to meet in order to maintain the privilege of dealing in U.S. goods.
>
> A party may choose, because of personal reasons or because of a private undertaking, to refuse to answer interrogatories. We do not question his right to make this choice. However, in so doing he must accept the consequences of his refusal to answer. The consequences in this case are denial of privileges of dealing in exportations from the United States.

I find that the respondent has not showed good cause for failure to answer the interrogatories and to furnish the documents requested. I further find that an order denying export privileges to said respondent for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended.

Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondent, its successors, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to its agents, employees, and partners, including Dr. Oschanitzky. Such denial of export privileges shall also extend to any person, firm, corporation, or business organization with which the respondent now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall remain in effect until the respondent provides responsive answers, written information and documents in response to the interrogatories heretofore served upon it or gives adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondent or any related party, or whereby the respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondent.

VII. In accordance with the provisions of § 382.15 of the Export Regulations, the respondent may move at any time to vacate or modify this indefinite denial order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C., 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

This order shall become effective May 16, 1966.

Dated: May 9, 1966.

RAUER H. MEYER,
Director,
Office of Export Control.

[F.R. Doc. 66-5292; Filed, May 13, 1966; 8:46 a.m.]

Office of the Secretary

GEORGE E. LAWRENCE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past 6 months:

A. Deletions: None.
B. Additions: None.

This statement is made as of April 30, 1966.

GEORGE E. LAWRENCE.

APRIL 30, 1966.

[F.R. Doc. 66-5282; Filed, May 13, 1966; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 1074]

BERMUDA FORWARDERS

Revocation of License

Whereas, by letter dated May 5, 1966, Manuel C. Gomez doing business as Bermuda Forwarders, Post Office Box 396, Fair Lawn, N.J., has requested the cancellation of his Independent Ocean Freight Forwarder License No. 1074;

Now, therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1, § 6.03.

It is ordered, That the Independent Ocean Freight Forwarder License No. 1074 of Manuel C. Gomez doing business as Bermuda Forwarders be and is hereby revoked at licensee's request, effective this date.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1074 be returned to the Commission for cancellation.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

JAMES E. MAZURE,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 66-5285; Filed, May 13, 1966; 8:45 a.m.]

[Independent Ocean Freight Forwarder License No. 1014]

STAR FOREIGN FREIGHT FORWARDING, INC.

Revocation of License

Whereas, Star Foreign Freight Forwarding, Inc., 132 Front Street, New York, N.Y., 10005, has returned Independent Ocean Freight Forwarder License No. 1014 to the Commission; and

Whereas, by letter dated May 2, 1966, Arnold Weber, President and sole stockholder of Star Foreign Freight Forwarding, Inc., has requested the cancellation of Independent Ocean Freight Forwarder License No. 1014,

Now, therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1, Section 6.03.

It is ordered, That the Independent Ocean Freight Forwarder License No. 1014 of Star Foreign Freight Forwarding, Inc., be and is hereby revoked, effective this date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

JAMES E. MAZURE,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 66-5286; Filed, May 13, 1966; 8:46 a.m.]

CIVIL SERVICE COMMISSION

ESTATE TAX EXAMINERS IN CALIFORNIA

Notice of Adjustment of Minimum Rates and Rate Ranges

1. Under authority of section 504 of the Federal Salary Reform Act of 1962, as amended, and Executive Order 11073, the Civil Service Commission has increased the minimum salary rates and rate ranges for positions of Estate Tax Examiners, GS-920, grades 5 through 9, in the State of California. The new rate ranges are as follows:

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS-5	$6,036	$6,207	$6,378	$6,549	$6,720	$6,891	$7,062	$7,233	$7,404	$7,575
GS-6	6,470	6,662	6,854	7,046	7,238	7,430	6,622	7,814	8,006	8,198
GS-7	6,890	7,097	7,304	7,511	7,718	7,925	8,132	8,339	8,546	8,753
GS-8	7,097	7,325	7,553	7,781	8,009	8,237	8,465	8,693	8,921	9,149
GS-9	7,733	7,987	8,241	8,495	8,749	9,003	9,257	9,511	9,765	10,019

2. Geographic coverage: State of California.

3. The effective date will be the first day of the first pay period which commences on or after May 12, 1966.

4. All new employees in the specified occupational levels will be hired at the new minimum rates.

5. As of the effective date, a pay adjustment will be processed to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the rates of the regular range, shall receive compensation at the corresponding numbered rate authorized by this notice on or after such date.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5291; Filed, May 13, 1966; 8:46 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN YUGOSLAVIA

Levels of Restraint

MAY 11, 1966.

On April 13, 1966, in furtherance of the bilateral cotton textile agreement with Yugoslavia of October 5, 1964, as amended, the United States agreed, as an exceptional measure and on a one-time basis, to increase the limit applicable to the importation of category 34 goods for the 12-month period ending December 31, 1966, from 59,274 to 156,048 pieces. The Government of Yugoslavia agreed to reduce the level of restraint for category 31 for that same 12-month period from 3,017,241 to 1,293,103 pieces.

There is published below a directive of May 10, 1966, from the Chairman, President's Cabinet Textile Advisory Committee to the Commissioner of Customs amending and supplementing a previous directive of December 30, 1965, concerning cotton textiles produced or manufactured in Yugoslavia, to implement the reduction in category 31. No directive is required to implement the action covering imports in category 34.

Interested parties should contact the appropriate Customs Officers as soon as possible concerning the admissibility of their goods.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

MAY 10, 1966.

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C., 20220.

DEAR MR. COMMISSIONER: This directive supplements and amends the directive of December 30, 1965, as amended, from the Chairman of the President's Cabinet Textile Advisory Committee, which directed you to prohibit the entry into the United States for consumption of certain cotton textiles and cotton textile products produced or manufactured in Yugoslavia, including those in category 31 in excess of a designated level for the 12-month period beginning on January 1, 1966.

Effective as soon as possible, the 12-month level of restraint designated for category 31 in the December 30 directive is reduced from 3,017,241 pieces to 1,293,103 pieces.

A detailed description of category 31 in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on October 1, 1963 (28 F.R. 10551) and amendments thereto on March 24, 1964 (29 F.R. 3679).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico

The actions taken with respect to the Government of Yugoslavia and with respect to imports of cotton textile products from Yugoslavia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of section 4 of the Administrative Procedure Act. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce, and Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 66-5294; Filed, May 13, 1966; 8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.200 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Apparel Manufacturing Co. of Jackson, Inc., Scotts Hill, Tenn.; effective 4-10-66 to 4-9-67 (ladies' dresses).

Aynor Manufacturing Co., Inc., Box 87, Aynor, S.C.; effective 4-23-66 to 4-22-67 (ladies' and children's capris and jamaicas).

Blackwelder Manufacturing Co., Inc., Yadkinville Rd., Mocksville, N.C.; effective 4-21-66 to 4-20-67 (men's and boys' shirts).

Blue Gem Manufacturing Co., No. 3, Stoneville, N.C.; effective 4-7-66 to 4-6-67 (men's and boys' dungarees).

Dee-Mure Brassiere Co., Inc., Post Office Box 338, Hamlin, W. Va.; effective 4-22-66 to 4-21-67 (women's brassieres).

Dickson Manufacturing Co., Plant No. 2, Dickson, Tenn.; effective 4-21-66 to 4-20-67 (work jackets).

Ecru Manufacturing Co., Ecru, Miss.; effective 5-1-66 to 4-30-67 (men's work shirts and boys' sport shirts).

Empire Manufacturing Co., Winder, Ga.; effective 4-8-66 to 4-7-67 (men's and boys' single pants).

E & W of Heber Springs, Inc., Heber Springs, Ark.; effective 4-23-66 to 4-22-67 (boys' shirts).

E & W of Ilmo, Inc., Ilmo, Mo.; effective 4-30-66 to 4-29-67 (men's and boys' dungarees and overalls).

Georgetown Dress Corp., Route 17 South, Georgetown, S.C., effective 4-17-66 to 4-16-67 (children's sportwear).

Granite Dress Corp., 40 County Street, Fall River, Mass.; effective 4-7-66 to 4-6-67 (ladies' and misses' dresses).

Grifton Clothing Co., Post Office Box 636, Highway 118E, Grifton, N.C.; effective 4-24-66 to 4-23-67 (men's, boys', girls' outerwear jackets).

Gulf Sewing Industries, Inc., Main Street, Citronelle, Ala.; effective 4-25-66 to 4-24-67 (men's uniform pants).

J. H. Manufacturing Co., Inc., Skyview Drive, Centerville, Tenn.; effective 4-22-66 to 4-21-67 (men's and boys' pants).

Kellwood Co., Monticello Division, Monticello, Miss.; effective 4-24-66 to 4-23-67 (men's work trousers).

Kellwood Co., Calhoun Division, Oxford, Miss.; effective 4-18-66 to 4-17-67 (boys' pants and shorts).

Lerner Slone Clothing Corp., Forrest City, Ark.; effective 4-11-66 to 4-10-67 (men's dress slacks).

Linn Manufacturing Co., Linn, Mo.; effective 5-1-66 to 4-30-67 (men's trousers).

Madill Manufacturing Co., Inc., Madill, Okla.; effective 4-7-66 to 4-6-67 (men's slacks).

McEwen Manufacturing Co., McEwen, Tenn.; effective 4-22-66 to 4-21-67 (overalls, playsuits and dungarees).

Morganstern Pants Co., 404 Willis Street, Fredericksburg, Va.; effective 4-25-66 to 4-24-67 (men's trousers).

Perry Mfg. Co., Post Office Box 1027, Mount Airy, N.C.; effective 4-14-66 to 4-13-67 (ladies', misses blouses, shorts and slacks).

Prepshirt Manufacturing Corp., Greenville, N.C.; effective 4-15-66 to 4-14-67 (boys' shirts).

Princess Peggy, Inc., Vandalia Division, Vandalia, Ill.; effective 4-20-66 to 4-19-67. Learners may not be employed at special minimum wage rates in the manufacture of skirts (ladies' dresses).

Publix Manufacturing Corp., Gallitzin, Pa.; effective 4-25-66 to 4-24-67 (men's shirts and ladies' blouses).

J. H. Rutter-Rex Manufacturing Co., Inc., Franklinton, La.; effective 4-22-66 to 4-21-67 (men's and boys' work pants).

Saf-T-Bak, Inc., 1715 11th Avenue, Altoona, Pa.; effective 4-16-66 to 4-15-67 (men's hunting and fishing clothes).

Sandye Shirt Corp., Portland, Tenn.; effective 4-20-66 to 4-19-67 (men's shirts and ladies' and girls' blouses).

Salant & Salant, Inc., South First Street, Union City, Tenn.; effective 4-16-66 to 4-15-67 (men's work shirts).

Shutzer Manufacturing Co., Inc., 250 Canal Street, Lawrence, Mass.; effective 4-8-66 to 4-7-67 (men's, boys' and women's outerwear jackets).

The Solomon Co., Leeds, Ala.; effective 4-21-66 to 4-20-67 (men's and boys' trousers, men's shorts).

Spartans Industries, Inc., Smithville, Tenn.; effective 4-26-66 to 4-25-67 (men's and boys' sport shirts).

Springfield Garment Manufacturing Co., 627-35 North Campbell, Springfield, Mo.; effective 4-18-66 to 4-17-67 (men's slacks).

Toccoa Garment Co., Inc., Big A Road, Toccoa, Ga.; effective 4-6-66 to 4-5-67 (ladies' blouses).

Tompkinsville Garment Co., Tompkinsville, Ky.; effective 4-25-66 to 4-24-67 (slacks and dungarees).

Trousdale Manufacturing Co., Jones Street, Hartsville, Tenn.; effective 5-4-66 to 5-3-67 (ladies' blouses and dresses).

Wentworth Manufacturing Co., Sopkin Avenue, Florence, S.C.; effective 5-1-66 to 4-30-67 (ladies' frocks).

Winden Manufacturing Co., Winona, Miss.; effective 4-7-66 to 4-6-67 (men's sport shirts).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Brilliant Garment Co., Brilliant, Ala.; effective 4-21-66 to 4-20-67; 10 learners (work pants).

Brooks Contracting Co. of Clarksville, Inc., 112 East Main Street, Clarksville, Tex.; effective 4-8-66 to 4-7-67; 5 learners (ladies' uniforms).

Jimmy Richard Co., Hawkinsville, Ga.; effective 4-8-66 to 4-7-67; 10 learners (men's and boys' outerwear jackets).

Justice Manufacturing Co., Inc., Highway 591 North, Spring Hope, N.C.; effective 4-13-66 to 4-12-67; 10 learners (children's dresses).

Leading Lady Foundations, Inc., 3748 East 91st Street, Cleveland, Ohio; effective 4-25-66 to 10-24-66; 5 learners (maternity and nursing brassieres).

Mode O'Day Co., 59 South First West, Logan, Utah; effective 4-24-66 to 4-23-67; 10 learners (women's and children's dresses).

Spring Hope Garment Co., Inc., Webb's Mill Road, Spring Hope, N.C.; effective 4-8-66 to 4-7-67; 10 learners (children's dresses).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Big River Manufacturing Co., Route 86, Kittanning, Pa.; effective 4-18-66 to 10-17-66; 20 learners (boys' shirts).

Collinwood Manufacturing Co., Collinwood, Tenn.; effective 4-19-66 to 10-18-66; 25 learners (women's uniforms).

E & W of Heber Springs, Inc., Heber Springs, Ark.; effective 4-23-66 to 10-22-66; 30 learners (boys' shirts).

Gulf Sewing Industries, Inc., of Mississippi, Neely, Miss.; effective 4-9-66 to 10-8-66; 15 learners (women's pants).

Jacket King, Inc., 202 Garrison Avenue, Fort Smith, Ark.; effective 4-20-66 to 10-19-66; 20 learners (children's outerwear jackets).

Justice Manufacturing Co., Inc., Highway 581 North, Spring Hope, N.C.; effective 4-13-66 to 10-12-66; 15 learners (children's dresses).

Saf-T-Bak, Inc., 1715 11th Avenue, 5200 Sixth Avenue, Altoona, Pa.; effective 4-25-66 to 10-24-66; 85 learners (men's and boys' hunting clothes).

Sevier Industries, Sevierville, Tenn.; effective 4-21-66 to 10-20-66; 40 learners (men's and boys' work pants).

Henry I. Siegel Co., Inc., Eloy, Ariz.; effective 4-11-66 to 10-10-66; 60 learners (men's and boys' pants).

Levi Strauss & Co., 806 West 29th Street, San Angelo, Tex.; effective 4-20-66 to 10-19-66; 60 learners (men's slacks).

Levi Strauss & Co., 4807 South Washington, Amarillo, Tex.; effective 4-12-66 to 10-11-66; 75 learners (men's and boys' jeans and outerwear jackets).

Tuskegee Mills, Tuskegee, Ala.; effective 4-20-66 to 10-19-66; 25 learners (children's pants and blouses).

Newton Glove, Inc., North Ashe Avenue, Newton, N.C.; effective 4–21–66 to 4–20–67; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Elder Hosiery Mills, Inc., 230 Hawkins Street, Burlington, N.C.; effective 4–21–66 to 4–20–67; 5 learners for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Casa Grande Mills, division of the Parsons & Baker Co., North Pinal Avenue, Casa Grande, Ariz.; effective 4–18–66 to 10–17–66; 10 learners for plant expansion purposes (infants' knit underwear).

Louisburg Sportswear Co., Louisburg, N.C.; effective 4–28–66 to 4–27–67; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' knitted sport and T-shirts and underwear).

J. E. Morgan Knitting Mills, Inc., 205 Center Street, Tamaqua, Pa.; effective 5–1–66 to 4–30–67; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' underwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Debbie Brassiere Co., Inc., Road No. 1, Km. 34.2, Post Office Box 905, Caguas, P.R.; effective 3–23–66 to 9–22–66; 50 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres).

El Finale, Inc., Apartado 992, Caguas, P.R.; effective 3–28–66 to 3–27–67; 13 learners for normal labor turnover purposes in the occupations of: (1) machine stitching, for a learning period of 480 hours at the rates of 80 cents an hour for the first 240 hours and 92 cents an hour for the remaining 240 hours; and (2) die and clicker machine operating, each for a learning period of 160 hours at the rate of 80 cents an hour (fabric and leather gloves).

Formflex Caribe, Inc., Calle La Brisa No. 9, Sabana Llana, Rio Piedras, P.R.; effective 3–28–66 to 9–27–66; 50 learners for plant expansion purposes in the occupation of sewing machine operating, for a period of 320 hours at the rate of 92 cents an hour (brassieres).

Her Majesty de Isabela, Road No. 112, Apartado 540, Isabela, P.R.; effective 2–23–66 to 8–22–66; 40 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (girls' underwear).

Nina Manufacturing Corp., Carretera Estatal No. 31, Km. 4.1, Apartado 537, Naguabo, P.R.; effective 3–28–66 to 9–27–66; 134 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (children's slips).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 6th day of May 1966.

ROBERT G. GRONEWALD,
Chief Authorized Representative of the Administrator.

[F.R. Doc. 66–5277, Filed, May 13, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 181]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 11, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

No. MC 45057 (Sub-No. 16 TA), filed May 6, 1966. Applicant: McLEOD TRUCKING, INC., 1289 East Fifth Street, Reno, Nev., 89502. Applicant's representative: Lawrence A. Williams, McLeod Trucking, Inc., Reno, Nev., 89502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barite*, in sacks, from Battle Mountain, Nev., to points in Lincoln and Clatsop Counties, Oreg., for 150 days. Supporting shipper: Mojave Mud & Chemical Co., 12827 East Imperial Highway, Santa Fe Springs, Calif., 90670. Send protests to: Daniel Augustine, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 11 West Telegraph Street, Carson City, Nev., 89701.

No. MC 78786 (Sub-No. 261 TA), filed May 5, 1966. Applicant: PACIFIC MOTOR TRUCKING COMPANY, 9 Main Street, San Francisco, Calif., 94105. Applicant's representative: R. K. Booth (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, commodities requiring special equipment, class A and class B explosives, and household goods as defined by the Commission), (a) between Arcata, Calif., and Santa Ana, Calif., over U.S. Highway 101, (b) between Sacramento, Calif., and Calexico, Calif., over U.S. Highway 99, serving all intermediate points; and all off-route points in the California counties of Alameda, Amador, Butte, Calavera, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Marin, Mendocino, Merced, Monterey, Napa, Nevada, Orange, Placer, Riverside, Sacramento, San Benito, San Bernardino, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Tulare, Ventura, Yolo, and Yuba, which are stations on the rail lines of Southern Pacific Co. and its wholly owned rail subsidiaries, Northwestern Pacific Railroad Co., Petaluma & Santa Rosa Railroad Co., Visalia Electric Railroad Co., San Diego & Arizona Eastern Railroad, and Holton Interurban Railroad, for 150 days. Supporting shippers: The application is supported by statements from 133 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: William R. Murdoch, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif., 94102.

No. MC 94350 (Sub-No. 169 TA), filed May 2, 1966. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Transit Homes Building, Post Office Box 1628, Greenville, S.C., 29602. Applicant's representative: Henry P. Willimon, Post Office Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobile, in initial movements, from Reedsburg, Wis., to points in the United States including Alaska, but excluding Hawaii, for 180 days. Supporting shipper: House of Harmony, Inc., 301 South Main Street, Adams, Wis. Send protests to: Arthur B. Abercrombie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 509 Federal Building, 901 Sumter Street, Columbia, S.C., 29201.

No. MC 107107 (Sub-No. 365 TA), filed May 6, 1966. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 45th Street, Post Office Box 458, Allapattah Station, Miami, Fla., 33142. Applicant's representative: Ford W. Sewell, (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blood plasma*, human, frozen, from Philadelphia, Pa., to Dallas, Tex., for 180 days. Supporting shipper: Cutter Laboratories, Fourth and Parker Streets, Berkeley 10, Calif. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1621, 51 Southwest First Avenue, Miami, Fla., 33130.

No. MC 107403 (Sub-No. 678 TA), filed May 5, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa., 19050. Applicant's representative: C. W. Zook (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Selkirk, N.Y., to Auburn and Brewer, Maine, for 150 days. Supporting shipper: Pyrofax Gas Corp., 921 Main Street at McKinney, Post Office Box 2521, Houston, Tex., 77001. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 112893 (Sub-No. 37 TA), filed May 5, 1966. Applicant: BULK TRANSPORT COMPANY, 100 South Calumet Street, Post Office Box 339, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer solutions*, in bulk, in tank vehicles, from Fall River, Wis., to points in Illinois north of Illinois Highway 64, for 180 days. Supporting shipper: Cornland Fertilizers, Inc., 126 North Bristol Street, Sun Prairie, Wis., 53590. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 119880 (Sub-No. 19 TA), filed May 5, 1966. Applicant: DRUM TRANSPORT, INC., Box 2056, Caterpillar Trail, East Peoria, Ill. Applicant's representative: B. N. Drum (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tequila*, in bulk, in tank vehicles, from the port of entry on the United States-Mexico boundary, located at or near Laredo, Tex., to Schenley, Pa., for 150 days. Supporting shipper: G. Carder, general traffic manager, Schenley Distillers, Inc., 26 East Sixth Street, Cincinnati 2, Ohio. Send protests to: Raymond E. Mauk, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 119917 (Sub-No. 17 TA), filed May 5, 1966. Applicant: DUDLEY TRUCKING COMPANY, INC., 717 Memorial Drive SE., Atlanta, Ga., 30316. Applicant's representative: F. K. Dudley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, (1) between Bluefield, W. Va., Elizabethtown, Tenn., London, Ky., and Greensboro, N.C., and (2) from Bluefield, W. Va., Elizabethtown, Tenn., London, Ky., and Greensboro, N.C., to Atlanta, Ga., Jacksonville, Fla., Columbia and Greenville, S.C., Lynchburg and Roanoke, Va., and points in Alabama, for 180 days. Supporting shipper: Griffin Management Corp., 4407 Oakland Avenue, Post Office Box 7067, Greensboro, N.C., 27407. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308.

No. MC 123934 (Sub-No. 16 TA), filed May 5, 1966. Applicant: KREVDA BROS. EXPRESS INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, 1 gallon or less in capacity, from the plantsites and warehouses of Owens-Illinois at Clarion, Pa., to Owensboro, Frankfort, and Louisville, Ky., and Chicago, Ill., restricted service to be performed under a continuing contract with Owens-Illinois, Inc., for 180 days. Supporting shipper: Owens-Illinois, Inc., Toledo, Ohio. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 128016 (Sub-No. 1 TA), filed May 6, 1966. Applicant: BRUCE G. BESH, doing business as G. BESH TRUCKING, Rural Route 3, Cedar Falls, Iowa, 50613. Applicant's representative: Grant J. Merritt, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Used auto parts*, from Waterloo, Iowa, to Oklahoma City, Okla., Hutchinson, Kans., Dallas, Tex., and New York, N.Y., for 120 days. Supporting shipper: Empire Engines, Inc., 600 Transit Street, Waterloo, Iowa, 50701. Send protests to: Charles C. Biggers, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 238 Post Office Building, Davenport, Iowa, 52801.

No. MC 128092 (Sub-No. 1 TA), filed May 5, 1966. Applicant: THE ROGERS CONSTRUCTION CORP., Marston Road, Gardiner, Maine. Applicant's representative: Frederick T. McGonagle, 85 Exchange Street, Portland, Maine. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed rock and crushed stone*, from Portsmouth, N.H., to Wells Beach, Maine, for 150 days. Supporting shipper: Turner & Breivogel, Inc., 780 Jefferson Boulevard, Falmouth, Mass. Send protests to: Donald G. Weiler, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 307, 76 Pearl Street, Portland, Maine, 04112.

MOTOR CARRIERS OF PASSENGERS

No. MC 123748 (Sub-No. 19 TA), filed May 5, 1966. Applicant: CONNECTICUT LIMOUSINE SERVICE, INC., 1060 State Street, New Haven, Conn. Applicant's representative: Palmer S. McGee, Jr., 1 Constitution Plaza, Hartford, Conn., 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers*, (1) (a) between New Haven, Conn., and La Guardia Field Airport, New York, N.Y., and New York International Airport, Idlewild, N.Y., serving the intermediate points of Fairfield and Stratford, Conn., with service at Fairfield and Stratford limited to the transportation of passengers and their baggage to and from La Guardia Field Airport and New York International Airport: From New Haven over city streets and access roads to Interstate Highway 95 (Connecticut Turnpike), thence over Interstate Highway 95 to Exit No. 32 and Stratford, Conn., thence over Stratford city streets to Interstate Highway 95, Entrance No. 32, thence over Interstate Highway 95 to Fairfield, Conn., thence over Fairfield city streets to Interstate Highway 95, thence over Interstate Highway 95 to the Connecticut-New York State line, thence over the New England Thruway to New York, N.Y., and thence over city streets, highways, and other passageways to La Guardia Field Airport, New York, N.Y., and New York International Airport, Idlewild, N.Y., and return over the same routes.

(b) Between Waterbury, Conn., and La Guardia Field Airport, New York, N.Y., and New York International Airport, Idlewild, N.Y., serving the intermediate points of Derby, Stratford, and Bridgeport, Conn., with service at Derby, Stratford, and Bridgeport, limited to the transportation of passengers and their baggage to and from La Guardia Field Airport and New York International Airport: From Waterbury over city streets to Connecticut Highway 8, thence over Connecticut Highway 8 to Bridgeport, Conn., thence over Bridgeport city streets to Stratford, Conn., thence over Stratford city streets to Interstate Highway 95, thence over Interstate Highway 95 to Fairfield, Conn., thence over Fairfield city streets to Interstate Highway 95, thence over Interstate Highway 95 to the Connecticut-New York State line, thence over the New England Thruway to New York, N.Y., and thence over city streets, highways, and other passageways to La Guardia Field Airport, New York, N.Y., and return over the same routes, and (c) between Shelton, Conn., and Stratford, Conn., as an alternate route for operating convenience only, in connection with the route described immediately above, serv-

ing no intermediate points and service at Shelton, Conn., limited to joinder purposes only with carrier's otherwise authorized regular route limousine service: From Shelton over Connecticut Highway 110 to junction Interstate Highway 95 at Stratford, and return over the same route.

Certificate of Public Convenience and Necessity dated June 12, 1963, MC–123748: (2) between Stamford, Conn., and New York International Airport (Idlewild) and La Guardia Airport, New York, N.Y., serving no intermediate points: From Stamford over city streets to Interstate Highway 95, thence over Interstate Highway 95 to New York, N.Y., thence over New York city streets to New York International Airport (Idlewild) and La Guardia Airport, and return over the same route. *Certificate of Public Convenience and Necessity dated March 30, 1964, MC–123748, Sub 9;* (3) (a) between New Haven, Conn., and Newark Airport, Newark, N.J., serving the intermediate points of Stratford, Bridgeport, Fairfield, Norwalk, Darien, and Stamford, Conn.: From New Haven over city streets and Interstate Highway 95 to Stratford, Conn., thence over city streets and Interstate Highway 95 to Bridgeport, Conn., thence over city streets and Interstate Highway 95 to Fairfield, Conn., thence over city streets and Interstate Highway 95 to Norwalk, Conn., thence over city streets and Interstate Highway 95 to Darien, Conn., thence over city streets and Interstate Highway 95 to Stamford, Conn., thence over city streets and Interstate Highway 95 to the Connecticut-New York State line, thence over Interstate Highway 95 to the New York City line, thence over New York City streets, boulevards, expressways, and avenues, to the Cross-Bronx Expressway, thence over the Cross-Bronx Expressway to the George Washington Bridge, thence over U.S. Highway 46 to the New Jersey Turnpike, thence over the New Jersey Turnpike to the Newark Airport Interchange, and thence to the Newark Airport, and return over the same routes.

Restriction: Service at Stratford, Bridgeport, Fairfield, Norwalk, Darien, and Stamford, Conn., limited to the transportation of passengers and their baggage to and from Newark Airport. (b) Between Bridgeport, Conn., and the Kennedy International Airport and La Guardia Airport at New York, N.Y., serving no intermediate points: From Bridgeport over city streets to Interstate Highway 95, thence over Interstate Highway 95 to the New York City line, thence over New York City streets, boulevards, expressways, and avenues, and Whitestone Bridge, Throgs Neck Bridge, or Triborough Bridge to La Guardia Airport and Kennedy International Airport at New York City, and return over the same routes. *Certificate of Public Convenience and Necessity dated December 4, 1964, MC–123748, Sub 13;* (4) between Hamden and North Haven, Conn., on the one hand, and, on the other, New Haven, Conn.: the authority granted herein is construed as an extension of and may be tacked to and combined with carrier's existing authorities in Nos. MC–123748 and MC–123748 Sub 9 for the purpose of rendering service to and from the Kennedy International Airport and La Guardia Airport at New York, N.Y. *Temporary Authority Order dated December 11, 1964, MC–123748, Sub 16 TA;* (5) between Danbury, Conn., and La Guardia Airport, New York, N.Y., and John F. Kennedy International Airport, Idlewild, N.Y., serving the intermediate points of Ridgefield, Wilton, and Norwalk, Conn.: From Danbury over U.S. Highway 7 to junction Connecticut Highway 35, thence over Connecticut Highway 35 to Ridgefield, Conn., thence over Connecticut Highway 33 to Wilton, Conn., thence over U.S. Highway 7 to Norwalk, Conn., thence over Interstate Highway 95 to the corporate limits of New York, N.Y., thence over city streets and highways to La Guardia Airport and John F. Kennedy International Airport, and return over the same route. *Certificate of Public Convenience and Necessity dated February 1, 1965, MC 124732, Sub 5 (Sher-Will Corp. doing business as Fairfield County Airport Service, operated by applicant pursuant to ICC Order MC–F–8973);* for 150 days. Supported by: The application is supported by statements from approximately 225 individual passengers, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or at the Hartford, Conn., field office named below. Send protests to: David J. Kiernan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 324 U.S. Post Office Building, Hartford, Conn., 06101.

No. MC 127564 (Sub-No. 5 TA), filed May 6, 1966. Applicant: TANNER MOTOR TOURS OF NEVADA, LTD., 1406 South Commerce Street, Las Vegas, Nev., 89102. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in special operations, (1) between Las Vegas, Nev., and Hoover Dam, Nevada-Arizona, and Lake Mead, Nev., from Las Vegas over U.S. Highways 93 and 466 to Hoover Dam, Nevada-Arizona, and thence over unnumbered highway to Lake Mead, Nev., (2) between Las Vegas, Nev., and the Grand Canyon, Ariz., from Las Vegas, to Kingman, Ariz., over U.S. Highway 93, thence to Williams, Ariz., over U.S. Highway 66, thence to the Grand Canyon over Arizona Highway 64, and return over the same route; for 180 days. Supported by: Ken O'Connell, Las Vegas Chamber of Commerce, Las Vegas, Nev.; Frank E. Scott, Las Vegas Chamber of Commerce, Las Vegas, Nev.; J. Dee Goodman, The Riviera Hotel, Las Vegas, Nev.; Herb McDonald, Sahara-Nevada Corp., Las Vegas, Nev.; Tony Di Carlo, The Fabulous Flamingo, Las Vegas, Nev. Send protests to: Daniel Augustine, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 11 West Telegraph Street, Carson City, Nev., 89701.

No. MC 127597 (Sub-No. 5 TA), filed May 6, 1966. Applicant: TRANSPORTATION UNLIMITED, INC., 5441 Paradise Road, Las Vegas, Nev., 89109. Applicant's representative: Bertram Silver, 140 Montgomery Street, San Francisco, Calif., 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, in sightseeing or pleasure tours, between Las Vegas, Nev., and points within 5 miles thereof, on the one hand, and Grand Canyon National Park, Ariz., on the other hand, for 180 days. Supported by: Richard R. Snell, The Fabulous Flamingo Hotel, Las Vegas, Nev.; Rudolf Wolf, The Dunes Hotel, Las Vegas, Nev.; Michael Burns, The Riviera Hotel, Las Vegas, Nev.; Red Viens, The Sands Hotel, Las Vegas, Nev.; Joseph Simon, 952 42d Street, New York, N.Y.; Delores Micalizzi, 21 Branch Street, Waterbury, N.Y.; Joan Dillan, 1848 La Briso, Las Vegas, Nev.; Frieda Baum, 927 Euclid Avenue, Miami Beach, Fla.; Dr. Jack M. Rogaly, 108 Brackenroad, Wentworth, Natal, South Africa; Ken O'Connell, Las Vegas Chamber of Commerce, Las Vegas, Nev. Send protests to: Daniel Augustine, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 11 West Telegraph Street, Carson City, Nev., 89701.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5296; Filed, May 13, 1966; 8:47 a.m.]

[Notice 1346]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 11, 1966.

Synopses of orders entered pursuant to Section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68679. By order of May 6, 1966, the Transfer Board approved the transfer to Brown Bros. Bulk Transport, Inc., Curwensville, Pa., of certificate No. MC–119689 (Sub-No. 7), issued January 13, 1965, to Brown Brothers Express, Inc., Curwensville, Pa., authorizing the transportation, over irregular routes, of: Coal, from points in Clearfield County, Pa., to points in Delaware, Maryland, New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties), and New York (except points in Kings, Queens, Nassau, and Suffolk Counties). John A. Vuono, Delisi, Wick & Vuono, 1515 Park Building, Pittsburgh, Pa., 15222, attorney for applicants.

No. MC–FC–68681. By order of May 6, 1966, the Transfer Board approved the transfer to James E. Bartram, doing business as Bartram Truck Line, Berwick, Kans., of the operating rights of Ulysses G. Bartram and James E. Bartram, a partnership, doing business as Bartram & Bartram, Berwick, Kans., in certificate No. MC–90151, issued October 27, 1949, authorizing the transportation, over irregular routes, of coal, feed, lumber, galvanized roofing, brick, cement, farm implements, and farm machinery and parts, livestock, and grain, from, to, and between specified points in Missouri, Kansas, and Nebraska, varying with the commodities transported. John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603, attorney for applicants.

No. MC–FC–68690. By order of May 6, 1966, the Transfer Board approved the transfer to Dart Trucking Co., Inc., Canfield, Ohio, of certificate of registration No. MC–121420 (Sub-No. 1), issued July 15, 1965, to James R. Soda, doing business as Dart Trucking, Canfield, Ohio, corresponding to the grant of intrastate authority to transferor in certificate of public convenience and necessity No. 7057–I, issued March 29, 1962, by the Public Utilities Commission of Ohio. Paul F. Beery, George, Greek, King & McMahon, 100 East Broad Street, Columbus, Ohio, attorney for applicants.

No. MC–FC–68691. By order of May 6, 1966, the Transfer Board approved the transfer to Glen Floyd, Beattie, Kans., of certificate No. MC–35107, issued November 15, 1940, to Albert J. Hoffman, doing business as Al Hoffman Transfer, Home, Kans., authorizing the transportation of: General commodities, except those of unusual value, and except high explosives, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, over regular routes, between Home, Kans., and St. Joseph, Mo., and between Home, Kans., and Kansas City, Mo. Arthur L. Claussen, 303 New England Building, Topeka, Kans., 66603, attorney for applicants.

No. MC–F–68711. By order of May 6, 1966, the Transfer Board approved the transfer to Arkomo Coach Lines, Inc., Tulsa, Okla., of certificates Nos. MC–115216, MC–115216 (Sub-No. 2), and MC–115216 (Sub-No. 3), issued July 23, 1958, July 18, 1962, and February 5, 1965, respectively, to Joel N. Akers, doing business as Arkomo Coach Lines, Tulsa, Okla., authorizing the transportation of: Passengers and their baggage, and express and newspapers in the same vehicle with passengers, between Tulsa, Okla., and junction U.S. Highway 66 and Oklahoma Highway 33, between Pryor, Okla., and Chouteau, Okla., and between Springfield, Mo., and the Missouri-Arkansas State line, serving all intermediate points. C. Zimmerman, 503 Schweiter Building, Wichita, Kans., 67202, attorney for applicants.

No. MC–FC–68713. By order of May 6, 1966, the Transfer Board approved the transfer to Lloyd McVey, doing business as McVey Trucking, Oakwood, Ill., of certificate No. MC–116198 (Sub-No. 4), issued October 16, 1964, to Donald W. Winland, doing business as Winland Trucking, Georgetown, Ill., authorizing the transportation of feed, in bulk and in bags, from Danville, Ill., to points in Indiana, with no transportation for compensation on return except as otherwise authorized. Clyde Meacum, 41 North Vermilion Street, Danville, Ill., 61832, attorney for applicants.

No. MC–FC–68714. By order of May 10, 1966, the Transfer Board approved the transfer to Lange Motor Express, Inc., Woodstock, Ill., of the operating rights in certificate of registration in No. MC–97578 (Sub-No. 1), issued May 20, 1964, to Robert L. Lange, doing business as Lange Motor Express, Woodstock, Ill., corresponding to the grant of intrastate authority to transferor in certificate of public convenience and necessity No. 2749MC, dated November 4, 1954, issued by the Illinois Commerce Commission. Theodore N. Schnell, Jr., 16 North Spring Street, Elgin, Ill., 60120, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5297; Filed, May 13, 1966; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI66–362, etc.]

ASHLAND OIL & REFINING CO., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

MAY 6, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 22, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-362	Ashland Oil & Refining Co., Post Office Box 1503, Houston, Tex.	163	1	Oklahoma Natural Gas Gathering Corp.[2] (Ringwood Area, Major County, Okla.) (Oklahoma "Other" Area).	$250	4- 8-66	[3] 5- 9-66	10- 9-66	11.0	[4] [6] 12.0	
RI66-363	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif., 90017.	16	15	Natural Gas Pipeline Co. of America (Camrick Area, Southeast Gas Pool, Beaver County, Okla.) (Panhandle Area).	80	4-11-66	[5] 5-12-66	10-12-66	[7] 17.8	[4] [8] [7] 18.0	RI65-604
	do	23	15	Natural Gas Pipeline Co. of America (Camrick Southeast Gas Pool, Boyd Area, Beaver County, Okla.) (Panhandle Area).	340	4-11-66	[5] 5-12-66	10-12-66	[7] 17.4	[4] [8] [7] 17.6	RI65-604.
RI66-364	Palm Petroleum Corp. (Operator), et al., Post Office Drawer 2507, Corpus Christi, Tex., 78403.	2	5	Kansas Nebraska Natural Gas Co., Inc. (Camrick Field, Texas County, Okla.) (Panhandle Area).	412	4-14-66	[5] 5-15-66	10-15-66	[7] 16.6	[4] [7] [8] 17.0	RI61-52.
RI66-365	do	5	2	Panhandle Eastern Pipe Line Co. (Camrick Field, Texas County, Okla.) (Panhandle Area).	270	4-14-66	[5] 5-15-66	10-15-66	16.8	[4] [6] 17.0	RI66-191.
RI66-366	Apache Corp., 823 South Detroit, Tulsa, Okla., 74120.	12	7	Michigan-Wisconsin Pipe Line Co. (Mocane (Morrow) Field, Beaver and Harper Counties, Okla.) (Panhandle Area).	3,000 750 4,350 1,695 1,288 3,000	4-13-66	[5] 5-14-66	10-14 66	[9] 18.39 [10] 17.84 [11] 18.23 [12] 17.90 [13] 17.98 [14] [15] [16] 18.44	[4] [6] [9] 20.89 [4] [8] [10] 20.34 [4] [6] [11] 20.73 [4] [8] [12] 20.40 [4] [6] [13] 20.48 [4] [6] [14] 20.94	
RI66-367	The Superior Oil Co., Post Office Box 1521, Houston, Tex., 77001. Attn.: Mr. H. W. Varner.	78	5	Transcontinental Gas Pipe Line Corp. (Block 71 and Block 76 Fields, Offshore of Vermilion Parish, La.).	441,919	4-14-66	[5] 5-15-66	10-15-66	[10] 18.5	[4] [17] 21.5	
	do	89	9	United Gas Pipe Line Co. (Bayou Penchant, Four Isle Dome and Palmetto Bayou Fields, Terrebonne Parish, La.).	1,481,259	4-14-66	[5] 5-15-66	10-15-66	[10] [21] 20.0	[4] [17] [20] 23.55	

[2] Oklahoma Natural Gas Gathering Corp. classified as a pipeline company in its Certificate (CI61-1408) for resale of gas to Cities Service Gas Co. at an initial rate of 17.5 cents per Mcf which is effective rate at this time. Buyer has filed its related increase to 18.5 cents per Mcf which is suspended in Docket No. RP66-19 until June 1, 1966. National Fuels Corp. jointly purchases gas for liquids only.
[3] The stated effective date is the effective date proposed by Respondent.
[4] Periodic rate increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] The stated effective date is the 1st day after expiration of the required statutory notice.
[7] Subject to a downward B.t.u. adjustment.
[8] Renegotiated rate increase.
[9] J. E. Alexander Unit (present B.t.u. content of gas is 1,139 B.t.u.'s per cubic foot).
[10] Malone Unit (present B.t.u. content of gas is 1,084 B.t.u.'s per cubic foot).
[11] McCall Unit (present B.t.u. content of gas is 1,123 B.t.u.'s per cubic foot).
[12] LaMunyon Unit, Well No. 1-C (present B.t.u. content of gas is 1,090 B.t.u.'s per cubic foot).
[13] LaMunyon Unit, Well No. 1-T (present B.t.u. content of gas is 1,096 B.t.u.'s per cubic foot).
[14] Woodson Unit (present B.t.u. of gas is 1,144 B.t.u.'s per cubic foot).
[15] Rates shown include base rate of 17.0 cents plus B.t.u. adjustment before increase and 19.5 cents plus B.t.u. adjustment after increase.
[16] Rates subject to upward and downward B.t.u. adjustment.
[17] Pressure base is 15.025 p.s.i.a.
[18] "Fractured" rate increase. Contractually entitled to a rate of 23.4 cents per Mcf, but Opinion No. 398 imposed a moratorium on filing increases above 23.55 cents pending AR61-2, or July 1, 1967, whichever is earlier.
[19] Rate pursuant to Commission orders in Opinion No. 398.
[20] "Fractured" rate increase. Contractually entitled to a rate of 25.8 cents per Mcf, but Opinion No. 398 imposed a moratorium on filing increases above 23.55 cents pending AR61-2, or July 1, 1967, whichever is earlier.
[21] Includes 1.5 cents per Mcf tax reimbursement.

Union Oil Co. of California requests effective dates of May 10, 1966, and May 8, 1966, for Supplement No. 15 to its FPC Gas Rate Schedule Nos. 16 and 23, respectively. Palm Petroleum Corp. (Operator), et al., and Palm Petroleum Corp. request an effective date of May 1, 1966, for their proposed rate increases. Apache Corp. requests a retroactive effective date of October 1, 1964, for its rate filing, and the Superior Oil Co. (Superior) requests that its proposed rate increases be permitted to become effective on May 13, 1966. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

Superior requests that should the Commission suspend its rate filings that the suspension periods be limited to 1 day. Good cause has not been shown for granting Superior's request for limiting to 1 day the suspension periods with respect to its rate filings and such request is denied.

All of the producers' proposed increased rates and charges exceed the applicable price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 66-5209; Filed, May 13, 1966; 8:45 a.m.]

[Docket No. CS66-4 etc.]

BOGLE FARMS, INC., ET AL.

Findings and Order After Statutory Hearing

MAY 5, 1966.

Bogle Farms, Inc., et al., Docket No. CS66-4, et al.; Morris R. Antwell (Operator) et al., Docket No. CS66-27.

In the findings and order after statutory hearing issuing small producer certificates of public convenience and necessity, terminating proceedings, dismissing applications, and canceling FPC gas rate schedules, issued April 8, 1966, and published in the FEDERAL REGISTER, April 16, 1966 (F.R. Doc. 66-4075, 31 FR-5194), in chart add "(Operator), et al." after Docket No. CS66-27, Morris R. Antwell.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5273; Filed, May 13, 1966; 8:45 a.m.]

[Docket No. CP66-347]

MANUFACTURERS LIGHT & HEAT CO.

Notice of Application

MAY 9, 1966.

Take notice that on April 29, 1966, the Manufacturers Light & Heat Co. (Applicant), 800 Union Trust Building, Pittsburgh, Pa., 15219, filed in Docket No. CP66-347 an application pursuant to section 7(b) and 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities in Chester, Montgomery, Lancaster, and Bucks Counties, Pa., and Preston County, W. Va., and for permission and approval to abandon certain other facilities in Lancaster County, Pa., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate approximately 21.7 miles of 20-inch transmission pipeline looping its 14-inch Line No. 1278 from a point in East Vincent Township, Chester County, Pa., extending in a northerly direction to another point in Milford Township, Bucks County, Pa.; 51.5 miles of 20-inch transmission pipeline, extending from a point in East Donegal Township, Lancaster County, Pa., in an easterly direction to a point in West Vincent Township, Chester County, Pa.; 1.0 mile of 4-inch lateral pipeline located in Penn Township, Lancaster County, Pa.; 2.8 miles of 6-inch lateral pipeline located in Warwick Township, Lancaster County, Pa.; 1.5 miles of 6-inch lateral pipeline located in Earl Township, Lancaster County, Pa.; and a 3,240-horsepower compressor station located in Grant District, Preston County, W. Va. Applicant requests permission and approval to abandon 23.2 miles of its multiple Lines No. 138 in Lancaster County, Pa.

Applicant states that the proposed construction will provide it with the facilities necessary to serve its 1966-67 winter maximum day requirements, provide much needed flexibility for operating its Eastern System, and will replace deteriorating facilities that are incompatible with the primary facilities of the Eastern System. Applicant further states that its Eastern System consists of the market area served by its pipelines extending from its Waynesburg Gate Nest eastward across southern Pennsylvania to its Line No. 1278 in Chester County, Pa., and continuing northward thereafter through eastern Pennsylvania to the New York State Line.

The total estimated cost of Applicant's proposed facilities is $8,735,000, which will be financed through the issuance and sale of promissory notes or common stock to Applicant's parent company, The Columbia Gas System, Inc.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 6, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5274; Filed, May 13, 1966; 8:45 a.m.]

[Docket No. CP66-348]

MOUNTAIN FUEL SUPPLY CO.

Notice of Application

MAY 9, 1966.

Take notice that on May 2, 1966, Mountain Fuel Supply Co. (Applicant), 180 East First South Street, Salt Lake City, Utah, 84111, filed in Docket No. CP66-348 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of the metering facilities necessary to receive gas on a short term basis from Colorado Interstate Gas Co. (Colorado) at Applicant's gas regulating station at Green River, Wyo., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the facilities proposed to be constructed and operated, consisting of a regulator, valves, pipe, fittings, and a orifice meter, are only a minor addition to its existing facilities. Applicant further states that the additional short term gas supply will give it greater operating flexibility, increase its reserve life index, and provide added reliability to its service in the event of interruption of its other sources of supply.

Pursuant to a letter agreement between Applicant and Colorado, Applicant will purchase a minimum of 1 million Mcf of gas per year from Colorado's gas supply which is temporarily in excess of its system requirements. Applicant states that the aforementioned facilities are necessary to implement said agreement. On March 21, 1966, Colorado filed in Docket No. CP66-296 its application for the certificate authorization necessary to implement its part of the proposed sale.

The application states that Applicant will transport the short term gas supply through presently certificated transmission facilities to its existing market area, and does not contemplate service to any new market area as a result of this application.

The total estimated cost of Applicant's proposed facilities is $6,100, which will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 6, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5275; Filed, May 13, 1966; 8:45 a.m.]

[Docket No. CP66-345]

SOUTH TEXAS NATURAL GAS GATHERING CO.

Notice of Application

MAY 9, 1966.

Take notice that on April 29, 1966, South Texas Natural Gas Gathering Co. (Applicant), Post Office Drawer 521, Corpus Christi, Tex., filed in Docket No. CP66-345 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act as implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct, during the fiscal year, July 1, 1966, to June 30, 1967, and to operate various facilities, subject to the jurisdiction of the Commission, necessary to connect Applicant's system with the facilities of an independent producer or other similar seller authorized by the Commission to make a sale to Applicant for resale in interstate commerce.

The application states that the facilities for which authorization is requested will not provide for any increased sales volumes under jurisdictional rate schedules.

The total estimated cost of Applicant's proposed construction is not to exceed $1 million with no single project expenditure to exceed $250,000, and will be financed with cash on hand and from cash generated from normal operations and internal sources.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 6, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5276; Filed, May 13, 1966; 8:46 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3718 6567
3719 6607
3720 6679
3721 6817
3722 6855
3723 6945
3724 7027
3725 7107

EXECUTIVE ORDER:
11017 (Superseded by EO 11278) 6681
11069 (Superseded by EO 11278) 6681
11218 (Superseded by EO 11278) 6681
11277 6609
11278 6681
11279 6947

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 6857

5 CFR

213 6769, 6859, 6903, 6949
772 6569, 6949

6 CFR

70 7029

7 CFR

7 6569
50 6570
68 6629
701 6957
718 6859
719 7030
722 6573, 6580, 6859
724 6819
729 6581, 6957
813 6819
815 6860
905 6958
908 6825, 7030, 7109
909 6825, 7109
910 6826, 7110
918 6958
944 6959
959 6860
980 6629
1098 6581
1099 6861, 7110
1421 6904
1427 6861, 7110
1434 6582
1490 6862

PROPOSED RULES:
52 6871
58 6715
916 6871
965 6592
1032 6631
1038 7061
1039 7061
1050 6631
1065 6873
1068 7129
1099 7129
1125 7062
1126 6631
1133 6986

8 CFR

Page

214 6611

9 CFR

76 7029

12 CFR

1 6826, 6905
10 6949
11 6950
12 6952
13 6953
14 6954
15 6955
16 6955
522 6905
524 6905

14 CFR

39 6582, 6685, 6790, 6959, 7031, 7111
71 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112.
73 6893, 7032, 7112
95 7112
97 6612, 6685, 6828, 6894
137 6685
151 6686
208 6620
223 6584
320 6585
378 6621

PROPOSED RULES:
37 7084
39 7148
71 6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149.
75 7085
105 6988
121 6592
246 6986

15 CFR

30 6587
369 7037
372 7038
373 6707, 7038
374 6707
377 6707
379 6709
382 6707, 6709, 7038
384 6709, 6864
385 6709
399 6707, 6709, 6829, 6866, 7038

16 CFR

13 7056–7059
15 6866, 6906
59 6960

17 CFR

200 6588
240 6705, 6706

18 CFR

601 7114
606 7127

19 CFR

1 6611
10 6769

PROPOSED RULES:
1 6871
20 6908

20 CFR

Page

404 6611

PROPOSED RULES:
405 7131, 7143

21 CFR

121 6830
131 6705, 6906
146c 6830
191 6622

PROPOSED RULES:
51 6792

24 CFR

200 6866

26 CFR

1 6589, 6966
31 6589

PROPOSED RULES:
1 6966

28 CFR

0 6867

29 CFR

548 6769
800 6770

31 CFR

90 6960
202 6590
316 6831
332 6686, 6831

32 CFR

300 6831
706 6962
1472 6906
1810 6962

32A CFR

BDSA (Ch. VI):
BDSA Reg. 2 6590
M–11A 7036

33 CFR

203 6907
207 6590, 6622, 6867
208 6707

35 CFR

255 6831

38 CFR

2 6770
21 6771

39 CFR

PROPOSED RULES:
21 6715
24 6715

41 CFR

6–1 6622
6–2 6623
6–3 6623
6–5 6624
6–7 6624
6–11 6624
6–30 6624
6–60 6625
9–12 6907
22–60 6625
101–26 6963
101–45 6831

42 CFR

Page

55 7128
81 7128

43 CFR

PUBLIC LAND ORDERS:
3977 (amended by PLO 4000) 6868
3999 6907
4000 6868

PROPOSED RULES:
1727 6984
2221 6985
3130 6834
3160 6836

45 CFR

90 7128
171 7128
177 6591
801 6591

46 CFR

309 6891

PROPOSED RULES:
290 7131
510 6792
512 6838
513 6838

47 CFR

0 6627, 6831
1 6831, 6868
73 6627, 6628, 6868

PROPOSED RULES:
2 6909, 7086
73 6637, 6638, 6792, 6838, 6874, 7086
87 6909, 7086

48 CFR

16 7032
17 7033
18 7034
19 7034

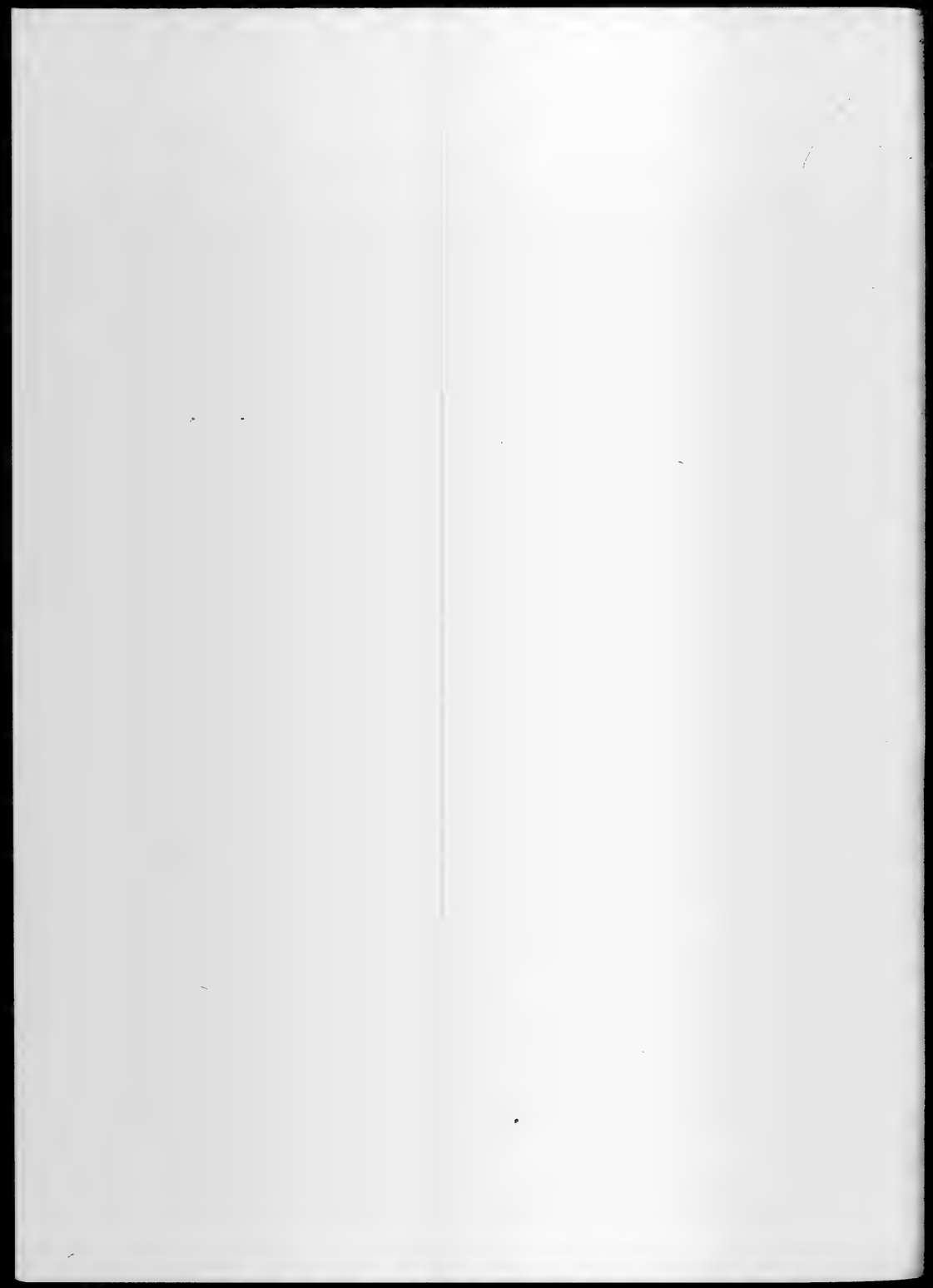
49 CFR

71–79 6591
95 6832
142 6964
188 6964

50 CFR

33 6629, 6832, 6869, 6893, 6964
60 6833

PROPOSED RULES:
32 7061



DETROIT PUBLIC LIBRARY MAY 19 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 95

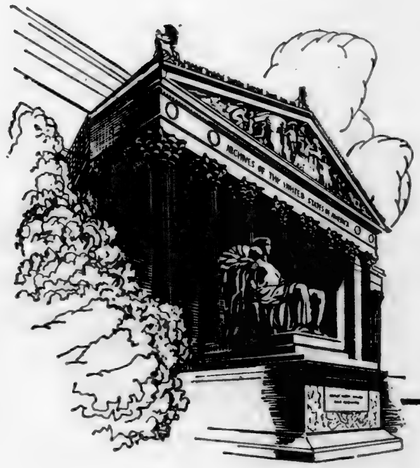
Tuesday, May 17, 1966 • Washington, D.C.

Pages 7163–7109

Agencies in this issue—

The President
Agricultural Stabilization and Conservation Service
Army Department
Atomic Energy Commission
Civil Service Commission
Consumer and Marketing Service
Emergency Planning Office
Engineers Corps
Federal Aviation Agency
Federal Maritime Commission
Federal Reserve System
Food and Drug Administration
Immigration and Naturalization Service
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
Navy Department
Reclamation Bureau
Securities and Exchange Commission
Small Business Administration
Veterans Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Now Available

LIST OF CFR SECTIONS AFFECTED

1949–1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

Price $6.75

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER
Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

EXECUTIVE ORDER
President's Committee on Mental Retardation; establishment ... 7167

EXECUTIVE AGENCIES

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations
National agricultural conservation, 1966; correction ... 7169

Notices
Sugarcane in Florida and Louisiana; wages, prices, and designation of presiding officers for hearing ... 7192

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

ARMY DEPARTMENT

See also Engineers Corps.

Rules and Regulations
Civil defense identification for Federal employees, reservists, and non-Federal support personnel; correction ... 7175

ATOMIC ENERGY COMMISSION

Notices
Regents of University of California; proposed issuance of facility license ... 7196

CIVIL SERVICE COMMISSION

Rules and Regulations
Excepted service; Emergency Planning Office ... 7169

COMMERCE DEPARTMENT

See Maritime Administration.

CONSUMER AND MARKETING SERVICE

Rules and Regulations
Plums and prunes, fresh; standards for grades; correction ... 7169

Proposed Rule Making
Green olives, U.S. standards for grades; extension of time for comments ... 7185

DEFENSE DEPARTMENT

See Army Department; Engineers Corps; Navy Department.

EMERGENCY PLANNING OFFICE

Notices
Minnesota; major disaster notice; amendment ... 7197

ENGINEERS CORPS

Rules and Regulations
Bridges; Bronx River, N.Y. ... 7175

FEDERAL AVIATION AGENCY

Rules and Regulations
Airworthiness directives:
Beech aircraft, certain models ... 7170
Boeing Models 707 and 720 Series airplanes ... 7170
Lear Jet Models 23 and 24 airplanes ... 7170
Control zone; alteration ... 7171
Federal airways; alterations (2 documents) ... 7171, 7172

Proposed Rule Making
Federal airway; alteration ... 7187

FEDERAL MARITIME COMMISSION

Rules and Regulations
Employee responsibilities and conduct ... 7180

Notices
Transatlantic Shipping Corp. et al.; agreement filed for approval ... 7197
U.S. Great Lakes and St. Lawrence River Ports/West Africa Agreement; petition filed for approval ... 7197

FEDERAL RESERVE SYSTEM

Rules and Regulations
Brokers and dealers; applicability of margin requirements to joint account between two creditors ... 7169

FOOD AND DRUG ADMINISTRATION

Rules and Regulations
Color additives; confirmation of effective dates:
Grape skin extract ... 7172
Prophylite ... 7172
Drugs:
Antibiotic, for use in milk-producing animals; labeling requirements ... 7173
Depressant and stimulant; action on objections ... 7174
Food additives; olefin polymers ... 7173
Pesticide chemicals in or on raw agricultural commodities; tolerance for residues ... 7172

Proposed Rule Making
Medicated premixes; manufacturing practices and controls ... 7185

Notices
Food additives; filing of petitions:
American Cyanamid Co ... 7192
Drew Chemical Corp ... 7193
Hess & Clark ... 7192
Merck Sharp & Dohme Research Laboratories ... 7193
S. B. Penick & Co ... 7192

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

IMMIGRATION AND NATURALIZATION SERVICE

Rules and Regulations
Nonimmigrant classes; special requirements; correction ... 7170

INTERIOR DEPARTMENT

See Land Management Bureau; Reclamation Bureau.

INTERNAL REVENUE SERVICE

Rules and Regulations
Certain employment taxes; deposit ... 7183

INTERSTATE COMMERCE COMMISSION

Notices
Fourth section applications for relief ... 7207
Motor carrier:
Temporary authority applications ... 7205
Transfer proceedings ... 7206

JUSTICE DEPARTMENT

See Immigration and Naturalization Service.

LAND MANAGEMENT BUREAU

Notices
Idaho; filing of protraction diagram ... 7191
Oregon; Chiefs, Branch of Administrative Services, and Procurement Section, Portland Service Center; redelegation of authority ... 7191

MARITIME ADMINISTRATION

Notices
Free world and Polish flag vessels arriving in Cuba since Jan. 1, 1963 ... 7193

NAVY DEPARTMENT

Notices
Organization and functions; reorganization of the Navy Department ... 7188

RECLAMATION BUREAU

Notices
Utah; transfer of administrative jurisdiction of lands:
Ashley National Forest and Flaming Gorge Reservoir of Colorado River Storage Project ... 7191
Cache National Forest and Causey Reservoir of Weber Basin Project ... 7191

(*Continued on next page*)

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
Channing Securities, Inc. 7197
Continental Vending Machine Corp. 7198
Gulf Power Co. 7199

SMALL BUSINESS ADMINISTRATION

Notices

Delegations of authority to conduct program activities in regional offices:
Albuquerque 7200
Dallas 7202
Houston 7202
Little Rock 7199
Lubbock 7203
Marshall 7204
New Orleans 7201
Oklahoma City 7200
San Antonio 7204

TREASURY DEPARTMENT

See Internal Revenue Service.

VETERANS ADMINISTRATION

Rules and Regulations

Public contracts and property management; contract clauses and labor standards; miscellaneous amendments 7178
Servicemen's Group Life Insurance 7175

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR
EXECUTIVE ORDER:
11280 7167

5 CFR
213 7169

7 CFR
51 7169
701 7169
PROPOSED RULES:
52 7185

8 CFR
214 7170

12 CFR
220 7169

14 CFR
39 (3 documents) 7170
71 (3 documents) 7171, 7172
PROPOSED RULES:
71 7187

21 CFR
8 (2 documents) 7172
120 7172
121 7173
148 7173
166 7174
PROPOSED RULES:
133 7185

26 CFR
31 7183

32 CFR
1810 7175

33 CFR
203 7175

38 CFR
9 7175

41 CFR
8–7 7178
8–12 7179

46 CFR
500 7180

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11280

ESTABLISHING THE PRESIDENT'S COMMITTEE ON MENTAL RETARDATION

WHEREAS the Maternal and Child Health and Mental Retardation Planning Amendments of 1963 and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 273; 282) have established a firm statutory basis for combating mental retardation; and

WHEREAS the mental retardation activities of Federal, State, and local government agencies and foundations and other private organizations are expanding rapidly and require careful review in order that maximum benefits may be achieved; and

WHEREAS there is a continuing need to mobilize the support of the general public and of specialized professional groups for mental retardation activities; and

WHEREAS re-evaluation of existing programs to determine their adequacy and consideration of proposals for new mental retardation activities is necessary:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Committee established.* There is hereby established the President's Committee on Mental Retardation (hereinafter referred to as the Committee).

SEC. 2. *Composition of Committee.* The Committee shall be composed of the following members:

(1) The Secretary of Health, Education, and Welfare, who shall be the Chairman of the Committee.

(2) The Secretary of Labor.

(3) The Director of the Office of Economic Opportunity.

(4) Not more than twenty-one other members who shall be appointed by the President from public or private life and may include specialists in medicine and other healing arts, human development, special education and employment problems, and members of foundations and other private organizations active in the mental retardation field. Except as the President may from time to time otherwise direct, appointees under this paragraph shall have terms as follows: (A) Of the members first appointed hereunder, the terms of seven shall expire on the first anniversary of the date of this Order, the terms of seven shall expire on the second anniversary, and the terms of seven shall expire on the third anniversary. (B) The term of each succeeding appointment shall expire on the third anniversary of the expiration of the predecessor term, except that an appointment made to fill a vacancy occurring before the expiration of a term shall be made for the balance of the unexpired term.

SEC. 3. *Functions of the Committee.* (a) The Committee shall provide such advice and assistance in the area of mental retardation as the President may from time to time request, including assistance with respect to:

(1) evaluation of the adequacy of the national effort to combat mental retardation;

(2) coordination of activities of Federal agencies in the mental retardation field;

(3) provision of adequate liaison between such Federal activities and related activities of State and local governments, foundations, and other private organizations; and

(4) development of such information, designed for dissemination to the general public, as will tend to reduce the incidence of mental retardation and ameliorate its effects.

(b) The Committee shall mobilize support for mental retardation activities by meeting with, and providing information for, appropriate professional organizations and groups broadly representative of the general public.

(c) The Committee shall make such reports or recommendations to the President concerning mental retardation as he may require or the Committee may deem appropriate. Such reports shall be made at least once annually.

SEC. 4. *Cooperation with the Committee.* All who may be in a position to do so are requested to furnish the Committee information pertinent to its work and otherwise to facilitate the work of the Committee.

SEC. 5. *Administrative arrangements.* (a) As may be necessary, each Federal agency which is represented on the Committee shall furnish assistance to the Committee in accordance with the provisions of Section 214 of the Act of May 3, 1945 (59 Stat. 134; 31 U.S.C. 691), or as otherwise permitted by law. The Committee may have an Executive Director who shall be designated and compensated in consonance with law. The Department of Health, Education, and Welfare is hereby designated as the agency which principally shall provide the Committee with necessary administrative services and facilities.

(b) Each member of the Committee, except any member who then receives other compensation from the United States, shall receive compensation for each day he or she is engaged upon the work of the Committee, as authorized by law (5 U.S.C. 55a), and shall also be entitled to receive travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

SEC. 6. *Construction.* Nothing in this Order shall be construed as subjecting any Federal agency, or any function vested by law in, or assigned pursuant to law to, any Federal agency, to the authority of the Committee or as abrogating or restricting any such function in any manner.

LYNDON B. JOHNSON

THE WHITE HOUSE,
May 11, 1966.

[F.R. Doc. 66–5456; Filed, May 16, 1966; 11:04 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Office of Emergency Planning

Section 213.3326 is amended to show that the title of the position of Director, Information and Press Relations Division, has been changed to Director of Information and is now in the Office of the Director; and that the positions of Information Specialist, Office of the Director, and Director, Federal-State and International Relations Division, are no longer except under Schedule C. Effective on publication in the FEDERAL REGISTER § 213.3326 is amended by revoking subparagraph (5) and adding subparagraph (6) to paragraph (a) and revoking subparagraphs (2) and (3) of Paragraph (f) as set out below.

§ 213.3326 Office of Emergency Planning.

(a) *Office of the Director* • • •
(5) [Revoked]
(6) Director of Information.

• • • • • •

(f) *Office of Liaison and Public Affairs.* • • •
(2) [Revoked]
(3) [Revoked]

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5356; Filed, May 16, 1966; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

Fresh Plums and Prunes; Diameter; Correction

In Federal Register Document 66–4465 appearing in the issue of Saturday, April 23, 1966 (31 F.R. 6240), line 2 of § 51.1537 in column 1 of page 6243 is corrected by the insertion of the words "to a line" between the words "angles" and "from".

Dated: May 11, 1966.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

[F.R. Doc. 66–5359; Filed, May 16, 1966; 8:50 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAM

[ACP–1966, Supp. 3]

PART 701—NATIONAL AGRICULTURAL CONSERVATION

Subpart—1966

Correction

In F.R. Doc. 66–5194, appearing at page 6957 of the issue for Thursday, May 12, 1966, the matter in the bracket heading should read as set forth above.

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. T]

PART 220—CREDIT BY BROKERS, DEALERS, AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

Joint Account Between Two Creditors

§ 220.121 Applicability of margin requirements to joint account between two creditors.

(a) The Board has recently been asked whether extensions of credit in a joint account between two brokerage firms, a member of a national securities exchange ("Firm X") and a member of the National Association of Securities Dealers ("Firm Y") are subject to the margin requirements of this part (Regulation T). It is understood that similar joint accounts are not uncommon, and it appears that the margin requirements of the regulation are not consistently applied to extensions of credit in the accounts.

(b) When the account in question was opened, Firm Y deposited $5,000 with Firm X and has made no further deposit in the account, except for the monthly settlement described below. Both firms have the privilege of buying and selling specified securities in the account, but it appears that Firm X initiates most of the transactions therein. Trading volume may run from half a million to a million dollars a month. Firm X carries the "official" ledger of the account and sends Firm Y a monthly statement with a complete record of all transactions effected during the month. Settlement is then made in accordance with the agreement between the two firms, which provides that profits and losses shall be shared equally on a fifty-fifty basis. However, all transactions are confirmed and reconfirmed between the two on a daily basis.

(c) Section 220.3(a) provides that

> All financial relations between a creditor and a customer, whether recorded in one record or in more than one record, shall be included in and be deemed to be part of the customer's general account with the creditor, • • •.

and § 220.2(c) defines the term "customer" to include

> • • • any person, or any group of persons acting jointly, • • • to or for whom a creditor is extending or maintaining any credit • • •.

In the course of a normal month's operations, both Firm X and Firm Y are at one time or another extending credit to the joint account, since both make purchases for the account that are not "settled" until the month's end. Consequently, the account would be a "customer" within the above definition.

(d) Section 220.6(b) provides, with respect to the account of a joint adventure in which a creditor participates, that

> • • • the adjusted debit balance of the account shall include, in addition to the items specified in § 220.3(d), any amount by which the creditor's contribution to the joint adventure exceeds the contribution which he would have made if he had contributed merely in proportion to his right to share in the profits of the joint adventure.

In addition, the final paragraph of § 220.2(c) states that the definition of "customer"

> • • • includes any joint adventure in which a creditor participates and which would be considered a customer of the creditor if the creditor were not a participant.

(e) The above provisions clearly evince the Board's intent that the regulation shall cover trading accounts in which a creditor participates. If additional confirmation were needed, it is supplied by the fact that the Board found it needful specifically to exempt from ordinary margin requirements credit extended to certain joint accounts in which a creditor participates. These include the account in which transactions of odd-lot dealers may be financed under § 220.4(f)(4), and the specialist's account under § 220.4(g). Accordingly, the Board concluded that the joint account between Firm X and Firm Y is a "customer" within the meaning of the

regulation, and that extensions of credit in the account are subject to margin requirements.

(15 U.S.C. 78w)

Dated at Washington, D.C., this 10th day of May 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-5314; Filed, May 16, 1966; 8:45 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 214—NONIMMIGRANT CLASSES

Special Requirements for Admission, Extension, and Maintenance of Status

Correction

In F.R. Doc. 66-4831 appearing in the issue for Wednesday, May 4, 1966, at page 6611, the first sentence within quotation marks in amendatory paragraph 1 (§ 214.2(h)(2)(ii)) should read "If there is attached to the petition a notice from the Secretary of Labor or his designated representative that certification cannot be made, the petitioner shall be permitted to present countervailing evidence that qualified persons in the United States are not available and that the employment policies of the Department of Labor have been observed."

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7355; Amdt. 39-237]

PART 39—AIRWORTHINESS DIRECTIVES

Lear Jet Models 23 and 24 Airplanes

Pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), an airworthiness directive was adopted on May 10, 1966, and made effective immediately as to all known U.S. operators of Lear Jet Models 23 and 24 airplanes. The directive requires modification of the pressure cnortol static air system before further flight.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impractical and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Lear Jet Models 23 and 24 airplanes by individual telegrams dated May 10, 1966. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

LEAR JET. Applies to Models 23 and 24 airplanes.

Compliance required before further flight, unless already accomplished, except that the airplane may be flown to a base where the repair can be performed, provided the following restrictions are contained on a placard in clear view of the pilot:

(a) No passengers may be carried.

(b) Monitor the cabin pressure indicator for proper pressurization control. If automatic and/or manual control of the cabin pressure is not properly effective:

(1) Turn air bleed off to shutoff bleed air.

(2) Reduce power to reduce bleed air pressure as necessary.

(3) Don oxygen masks.

(4) Expedite descent to a safe altitude.

Modify the pressure control static air system in accordance with Lear Service Kit SK23/24-230 or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Central Region.

This amendment shall become effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective immediately by telegram dated May 10, 1966.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1428))

Issued in Washington, D.C., on May 10, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5307; Filed, May 16, 1966; 8:45 a.m.]

[Docket No. 6130; Amdt. 39-238]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707 and 720 Series Airplanes

Amendment 568 (28 F.R. 5153), AD 63-11-1, as amended by Amendment 792 (29 F.R. 11590), requires repetitive inspection of the main landing gear truck beam on Boeing Model 707 and 720 Series airplanes. Subsequent to the issuance of Amendment 792, the Agency has determined that the cleansing of the truck beams before inspection may be accomplished by the application of any of the cleansing agents listed in subparagraph (a)(2) of the AD or an emulsion cleaner tested in accordance with Boeing Document D6-17487, dated August 24, 1965, or later revision. Therefore, the AD is being further amended by adding to the list of acceptable cleaners an emulsion cleaner tested in accordance with that document.

Since this amendment provides an alternative means of compliance, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 568 (28 F.R. 5153), AD 63-11-1, as amended by Amendment 792 (29 F.R. 11590), is further amended as follows:

1. Subdivision (a)(2)(iv) is amended to read as follows:

(iv) Kelite Formula 29, full strength;

2. Subdivision (a)(2)(v) is amended to read as follows:

(v) An emulsion cleaner listed in Chapter 13 of Boeing Overhaul Manual; and

3. The following new subdivision is added following subdivision (a)(2)(v):

(vi) An emulsion cleaner tested in accordance with Boeing Document D6-17487, dated August 24, 1965, or later revision.

This amendment becomes effective May 17, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 10, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5308; Filed, May 16, 1966; 8:45 a.m.]

[Docket No. 7362; Amdt. 39-239]

PART 39—AIRWORTHINESS DIRECTIVES

Certain Models of Beech Airplanes

There have been cracks in the elliptical front spar lower cap on Beech Model 18 airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require repetitive magnetic particle inspection for cracks and repair or replacement as necessary on the subject airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BEECH. Applies to Model C18S, AT-11, C-45, C-45A, UC-45B, UC-45F, AT-7, AT-7A, AT-7B, AT-7C, JRB-1, JRB-2, JRB-3, JRB-4, SNB-1, SNB-2, SNB-2C, D18S, D18C, C45G, TC-45G, C45-H, TC-45H, TC-45J (SNB-5), JRB-6, E18S, E18S-9700, G18S, and H18 airplanes, and to airplanes originally designated one of these models and subsequently redesignated on a supplemental type certificate.

Compliance required as indicated.

(a) For airplanes with less than 1,500 hours' time in service on the effective date of this AD, comply with paragraph (c) before the accumulation of 1,550 hours' time in service unless already accomplished within the last 450 hours' time in service, and thereafter at intervals not to exceed 500 hours' time in service from the last inspection.

(b) For airplanes with 1,500 or more hours' time in service on the effective date of this AD, comply with paragraph (c) within the next 50 hours' time in service after the effective date of this AD unless already accomplished within the last 450 hours' time in service, and thereafter at intervals not to exceed 500 hours' time in service from the last inspection.

(c) Inspect the elliptical front spar lower cap for cracks in the area just inboard of the outboard panel attach point using magnetic particle inspection procedures as defined in Beech Service Bulletin No. 66-10, or an FAA-approved equivalent. If cracks are found, replace the part or repair it in accordance with the manufacturer's instructions or FAA-approved equivalent before further flight.

NOTE: During the inspection specified in paragraph (c), particular attention should be directed to the two upper and two lower inboard tips of the 184216 inboard wing hinge fitting. It is requested that any cracks found as the result of the inspections required by this AD be reported on FAA Form 1226, describing crack length and location, to the Chief, Engineering and Manufacturing Branch, FAA Central Region, 4825 Troost Avenue, Kansas City, Mo.

This amendment becomes effective May 17, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 10, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5309; Filed, May 16, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-139]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On February 5, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 2436) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of Federal airway segments in the Indianapolis, Ind., Air Route Traffic Control Center area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. Due consideration was given to all comments received. The Air Transport Association of America in commenting on the notice did not object to the actions proposed therein. However, they did object to associated actions which in some cases would raise minimum en route altitudes with a resultant loss of cardinal altitudes. No other comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 2473, 4839, 5055, 5056, 5057, 5287) is amended as follows:

1. In V-4 "INT of Evansville 080° and Louisville, Ky., 269° radials; Louisville, including an N alternate from Evansville to Louisville;" is deleted and "12 AGL INT Evansville 080° and Louisville, Ky., 269° radials; 12 AGL Louisville, including a 12 AGL N alternate;" is substituted therefor.

2. In V-6 all between "12 AGL South Bend, Ind.;" and "Cleveland, Ohio;" is deleted and "12 AGL INT South Bend 092° and Waterville, Ohio, 288° radials; 12 AGL Waterville;" is substituted therefor.

3. In V-7 "Evansville, Ind.;" is deleted and "12 AGL Evansville, Ind.;" is substituted therefor.

4. In V-8 "Findlay, Ohio;" is deleted and "12 AGL Findlay, Ohio;" is substituted therefor.

5. In V-11 all between "Paducah 179° radials;" and "12 AGL Scotland, Ind.;" is deleted and "12 AGL INT Paducah 039° and Evansville, Ind., 227° radials; 12 AGL Evansville;" is substituted therefor.

6. In V-12 "Richmond, Ind.; Dayton, Ohio;" is deleted and "12 AGL Richmond, Ind.; 12 AGL Dayton, Ohio;" is substituted therefor.

7. In V-30 "Waterville, Ohio;" is deleted and "12 AGL Waterville, Ohio;" is substituted therefor.

8. In V-38 "Findlay, Ohio;" is deleted and "12 AGL Findlay, Ohio;" is substituted therefor.

9. In V-44 "Nabb, Ind.; Falmouth, Ky.;" is deleted and "12 AGL Nabb, Ind.; 12 AGL Falmouth, Ky.;" is substituted therefor.

10. In V-47 all before "12 AGL Findlay, Ohio," is deleted and "From Evansville, Ind., 12 AGL INT Evansville 065° and Nabb, Ind., 252° radials; 12 AGL Nabb; 12 AGL Cincinnati, Ohio; 12 AGL Rosewood, Ohio, including a 12 AGL W alternate from Cincinnati to INT Dayton, Ohio, Municipal Airport ILS localizer SW course and Rosewood 202° radial, via INT Cincinnati 006° and Dayton Municipal Airport ILS localizer SW course;" is substituted therefor.

11. V-49 is amended to read as follows:

V-49 From Bowling Green, Ky., 12 AGL Mystic, Ky.; 12 AGL Nabb, Ind.

12. In V-51 "Nabb, Ind.; Shelbyville, Ind.;" is deleted and "12 AGL Nabb, Ind.; 12 AGL Shelbyville, Ind.;" is substituted therefor.

13. In V-53 all between "Louisville, Ky.;" and "12 AGL Westpoint, Ind.;" is deleted and "12 AGL INT Louisville 333° and Indianapolis, Ind., 170° radials; 12 AGL Indianapolis;" is substituted therefor.

14. In V-90 all before "Windsor;" is deleted and "From Litchfield, Mich., 12 AGL via INT Litchfield 081° and Windsor, Ont., Canada, 265° radials; 12 AGL" is substituted therefor.

15. In V-92 "Waterville, Ohio;" is deleted and "12 AGL Waterville, Ohio;" is substituted therefor.

16. In V-96 "to Waterville, Ohio." is deleted and "12 AGL Waterville, Ohio." is substituted therefor.

17. In V-97 "Shelbyville, Ind.;" is deleted and "12 AGL Shelbyville, Ind.;" is substituted therefor.

18. In V-126 "Waterville, Ohio;" is deleted and "12 AGL Waterville, Ohio;" is substituted therefor.

19. In V-128 all between "Indianapolis, Ind.;" and "York, Ky.," is deleted and "12 AGL INT Indianapolis 137° and Cincinnati, Ohio, 290° radials; 12 AGL Cincinnati;" is substituted therefor.

20. In V-144 "Findlay, Ohio;" is deleted and "12 AGL Findlay, Ohio;" is substituted therefor.

21. In V-171 all before "Lewis, Ind.;" is deleted and "From Louisville, Ky., 12 AGL Scotland, Ind.;" is substituted therefor.

22. In V-214 all before "From Columbus, Ohio," is deleted and "From Richmond, Ind., 12 AGL INT Richmond 090° and Rosewood, Ohio, 202° radials." is substituted therefor.

23. In V-243 "to Scotland, Ind." is deleted and "12 AGL Scotland, Ind." is substituted therefor.

24. In V-275 all before "12 AGL INT Dayton 011°" is deleted and "From Cincinnati, Ohio, 12 AGL INT Cincinnati 006° and Dayton, Ohio, 207° radials; 12 AGL Dayton, including a 12 AGL W alternate from Cincinnati to Dayton via INT Cincinnati 336° and Richmond, Ind., 190° radials, and Richmond;" is substituted therefor.

25. In V-422 all after "12 AGL Wolflake, Ind.;" is deleted and "12 AGL INT Wolflake 096° and Findlay, Ohio, 289° radials; 12 AGL Findlay." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 10, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 66-5310; Filed, May 16, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SW-27]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the El Paso, Tex., control zone which refers to Biggs AFB. This action is necessary since the name of Biggs Air Force Base (AFB) has been changed to Biggs Army Air Field (AAF). Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedures hereon are unnecessary and the effective date and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as herein set forth.

In § 71.171 (31 F.R. 2087) the El Paso, Tex., control zone is amended to read:

EL PASO, TEX.

That airspace bounded by a line beginning at latitude 31°45'15" N., longitude 106°26'30" W., thence clockwise along the arc of a 5-mile radius circle centered at the El Paso International Airport (latitude 31°48'35" N., longitude 106°22'55" W.) to latitude 31°52'10" N., longitude 106°26'00" W.; to latitude 31°56'20" N., longitude 106°26'00" W.; thence clockwise along the arc of a 7-mile radius circle centered at the Biggs AAF (latitude 31°50'55" N., longitude 106°22'45" W.); to latitude 31°47'30" N., longitude 106°16'45" W.; thence clockwise along the arc of a 6-mile radius circle centered at the El Paso International Airport; to latitude 31°43'15" N., longitude 106°22'20" W.; thence via the United States/Mexican Border to point of beginning.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Fort Worth, Tex., on May 9, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 66-5350; Filed, May 16, 1966; 8:50 a.m.]

[Airspace Docket No. 66-WE-18]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to extend VOR Federal airway No. 107 from Oakland, Calif., via Point Reyes, Calif., to the Bodega, Calif., Intersection and to revoke the segment of VOR Federal airway No. 137 which is presently designated between these points.

The extension of V-107 from Oakland to the Bodega Intersection to replace V-137 segment will simplify airway numbering and would facilitate flight planning, thereby reducing a burden on the public. The Administrator has, therefore, determined that in the efficient utilization of airspace, notice and public procedure on these amendments are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009) is amended as follows:

1. In V-107 "to Oakland, Calif." is deleted and "Oakland, Calif.; Point Reyes, Calif.; to INT of Point Reyes 306° and Ukiah, Calif., 172° radials." is substituted therefor.

2. In V-137 all after "to San Luis Obispo, Calif." is deleted.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 11, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5351; Filed, May 16, 1966; 8:50 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart D—Listing of Color Additives for Food Use Exempt From Certification

GRAPE SKIN EXTRACT (ENOCIANINA); CONFIRMATION OF EFFECTIVE DATE

In the matter of listing grape skin extract (enocianina) as a safe color additive for use in foods and exempting it from certification:

1. One comment was received in response to an order in the above-identified matter published in the FEDERAL REGISTER of March 22, 1966 (31 F.R. 4784). The Vie-Del Co., Post Office Box 2896, Fresno, Calif., 93745, proposed that the regulation promulgated by that order include color additives obtained from grapes by other processes, that the name of the additive be changed to encompass the products made by these other processes, and that the limit for lead be changed.

The Commissioner of Food and Drugs has concluded that reasonable grounds for objection have not been presented. The subject regulation was issued pursuant to a petition and accurately describes the product that was the subject of the petition. No representation has been made that the color additive is not the product obtained by the procedure described in the regulation. No data have been submitted indicating that the level of lead set forth in the specifications is incorrect. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)(2), (d)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that the regulation promulgated by the subject order will become effective May 21, 1966.

2. Effective May 21, 1966, § 8.501 *Provisional lists of color additives* is amended by deleting from paragraph (e) the item "Grape skin extract".

(Sec. 706 (b), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)(2), (d))

Dated: May 9, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5315; Filed, May 16, 1966; 8:46 a.m.]

PART 8—COLOR ADDITIVES

Subpart F—Listing of Color Additives for Drug Use Exempt From Certification

PROPHYLLITE; CONFIRMATION OF EFFECTIVE DATE

In the matter of listing prophyllite as a safe color additive for use in or on drugs for external use and exempting it from certification:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)(2), (d)), and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of March 29, 1966 (31 F.R. 5070). Accordingly, the regulation promulgated by that order will become effective May 28, 1966.

(Sec. 706 (b), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)(2), (d))

Dated: May 6, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5316; Filed, May 16, 1966; 8:46 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

2,3,5,6-Tetrachloronitrobenzene; Tolerance for Residues

A petition (PP 1F0265) was filed with the Food and Drug Administration by Sterwin Chemicals, Inc., 90 Park Avenue, New York, N.Y., 10016, proposing the establishment of a tolerance for residues of the plant regulator 2,3,5,6-tetrachloronitrobenzene in or on potatoes at 25 parts per million from postharvest application.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(2), 68 Stat. 512; 21 U.S.C. 346a (d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.120; 31 F.R. 3008), Part 120 is amended to establish the above-described tolerance, as follows:

1. Section 120.3(e)(4) is amended by alphabetically inserting in the list of pesticides a new item, as follows:

§ 120.3 Tolerances for related pesticide chemicals.

* * * * * *

(e) * * *

(4) * * *

2,3,5,6-Tetrachloronitrobenzene.

* * * * * *

2. The following new section is added to Subpart C:

§ 120.203 2,3,5,6-Tetrachloronitrobenzene; tolerances for residues.

A tolerance of 25 parts per million is established for residues of the plant regulator 2,3,5,6-tetrachloronitrobenzene in or on potatoes from postharvest application.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346 (d)(2))

Dated: May 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5340; Filed, May 16, 1966; 8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

OLEFIN POLYMERS

The Commissioner of Food and Drugs, having evaluated the data in petitions (FAP 5B1602, 5B1603) filed by Sun Oil Co., 1608 Walnut Street, Philadelphia, Pa., 19103, and other relevant material, has concluded that § 121.2501 of the food additive regulations should be amended to provide for additional uses of noncrystalline polypropylene in articles for food-contact use.

The Commissioner has also evaluated a comment received suggesting that the analytical method for melting-point determination described under § 121.2501 (d)(2) be revised to refer to the comparable ASTM Method D 2117-62T, and has concluded that the suggested change should be adopted as set forth below.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.2501 is amended:

1. By changing the table in paragraph (c) by revising the heading to the third column, by changing the third-column entry for item 1.1, and by adding a new item 1.3; and

2. By revising paragraph (d)(2).

The affected portions read as follows:

§ 121.2501 Olefin polymers.

* * * * * *

(c) Specifications:

Olefin polymers	Density	Melting point (MP) or softening point (SP)	Maximum extractable fraction (expressed as percent by weight of polymer) in *n*-hexene at specified temperatures	Maximum soluble fraction (expressed as percent by weight of polymer) in xylene at specified temperatures
1.1 * * *	* * *	MP: 160°–180° C...	* * *	* * *
1.2 * * *	* * *			
1.3 Polypropylene, noncrystalline, for use only: To plasticize polypropylene described by item 1.1 of this table, provided that such plasticized polymers meet the maximum extractable fraction and maximum soluble fraction specifications prescribed for such basic polypropylene, and further provided that such plasticized polypropylene contacts food only of the types identified in § 121.2526(c), table 1, under types I, II, IV–B, VI–B, VII–B, and VIII; and for use at levels not to exceed 60 percent by weight of any mixture employed as a food-contact coating provided such coatings contact food only of the types identified in § 121.2526(c), table 1, under types I, II, IV–B, VI–B, VII–B, and VIII.	0.80–0.88	SP: 115°–138° C...		
* * *	* * *	* * *	* * *	* * *

(d) * * *

(2) *Melting point or softening point*—(i) *Melting point.* The melting point shall be determined by ASTM Method D 2117-62T.

(ii) *Softening point.* The softening point shall be determined by ASTM Method E 28-58T.

* * * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1))

Dated: May 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5341; Filed, May 16, 1966; 8:49 a.m.]

SUBCHAPTER C—DRUGS

PART 148—ANTIBIOTIC DRUGS; PACKAGING AND LABELING REQUIREMENTS

Labeling Requirements, Antibiotic-Containing Drugs for Use in Milk-Producing Animals; Further Extension of Effective Date

An order was published in the FEDERAL REGISTER of May 26, 1965 (30 F.R. 7041), amending § 148.5 *Antibiotic and antibiotic-containing drugs intended for use in milk-producing animals; labeling* to require that the milk-rejection time in the label warning statement be expressed in terms of the number of milkings as well as in terms of hours. The order was to become effective August 24, 1965; however, the effective date was advanced to May 1, 1966, by an order published in the FEDERAL REGISTER of November 13, 1965 (30 F.R. 14255), to prevent significant economic loss by the industry through destruction of label stocks not necessary in the interest of the public health.

A request has been received for a further advancement of effective date of the subject order for the same reason described above. The Commissioner of Food and Drugs has concluded that granting the advancement will not adversely affect the public health. Therefore, the effective date of the subject order is hereby advanced to August 1, 1966.

This order is effective on its date of signature.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: May 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5342; Filed, May 16, 1966; 8:49 a.m.]

PART 166—DEPRESSANT AND STIMULANT DRUGS; DEFINITIONS, PROCEDURAL AND INTERPRETATIVE REGULATIONS

Notice of Action on Objections; Announcement of Public Hearings; Order Partially Staying Effective Date of Listing of Drugs Subject to Control; Confirmation of Effective Date

In the matter of listing certain drugs as subject to control and requiring initial inventories for newly controlled drugs:

An order was published in the FEDERAL REGISTER of March 19, 1966 (31 F.R. 4679), which amended Part 166 by adding to § 166.3 a new paragraph (c) designating chlordiazepoxide and its salts, diazepam, and meprobamate, along with a number of other drugs, as drugs subject to control in view of their potential for abuse because of their depressant effect on the central nervous system, and designating, among others, LSD-25 (LSD, *d*-lysergic acid diethylamide) as a drug subject to control because of its hallucinogenic effect on the central nervous system. The order also revised § 166.16 (a) to require an initial inventory of drugs brought under control after February 1, 1966.

a. Wallace Laboratories, a division of Carter Wallace, Inc., Cranbury, N.J., filed an objection to the listing of meprobamate, which it markets as Miltown, and requested a public hearing.

b. Hoffmann-La Roche, Inc., Nutley, N.J., filed an objection to the listing of chlordiazepoxide and its salts, which it markets as Librium, and diazepam, which it markets as Valium, and requested a public hearing.

c. Mr. John Welke, 1130 Haight Street, San Francisco, Calif., filed an objection to the listing of LSD-25 (*d*-lysergic acid diethylamide) and requested a public hearing.

d. Seven Pharmaceutical Associations and one State Board of Pharmacy filed objections with respect to the initial drug inventory requirements.

The objections to the designation of chlordiazepoxide and its salts, diazepam, and meprobamate as drugs which, because of their depressant effect on the central nervous system, have a potential for abuse warranting their control under the Drug Abuse Control Amendments of 1965 state reasonable grounds for a hearing. The issues are:

1. Whether there is evidence that individuals are taking the drug or drugs containing such substances in amounts sufficient to create a hazard to their health or to the safety of other individuals or of the community;

2. Whether there is evidence of significant diversion of the drug or drugs containing such substances from legitimate drug channels;

3. Whether there is evidence that individuals are taking the drug or drugs containing such substances on their own initiative rather than on the basis of medical advice from a practitioner licensed by law to administer such drugs in the course of his professional practice; and

4. Whether, if chlordiazepoxide has been the subject of abuse, diazepam, a newer drug, is so related to it as to make it likely that the drug will have the same potentiality for abuse.

The Commissioner of Food and Drugs has not accepted for filing the statement of objection to the listing of LSD-25 (LSD, *d*-lysergic acid diethylamide). The objection is concerned with the authority of Congress to include hallucinogenic drugs with a potential for abuse under the control provisions of the Drug Abuse Control Amendments of 1965. This does not present issues of fact that can be resolved at a hearing on the issue of whether LSD-25 is a hallucinogenic drug with a potential for abuse.

Other objections are concerned with (1) whether there is evidence of actual "danger to public safety" in use of these drugs and (2) with the question of defining who is an appropriate "research investigator" for hallucinogenic drugs. These objections do not present reasonable grounds for a hearing.

The Commissioner also has not accepted for filing eight statements of objection submitted by the American Pharmaceutical Association and five of its affiliates, the American College of Apothecaries, and the North Carolina Board of Pharmacy with reference to the drug inventory requirements on the ground that these objections are concerned with the Commissioner's authority under the act to promulgate the inventory requirement regulations. This is a question of law and cannot be resolved by the taking of evidence at a public hearing.

Accordingly, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371) and delegated by him to the Commissioner (21 CFR 2.120; 31 F.R. 3008), the specified foregoing statements of objection are not accepted for filing in view of their failure to comply with the provisions of § 2.67 of Part 2 (21 CFR 2.67; 31 F.R. 3003) in that the objectors have failed to support their objections with reasonable grounds.

I. Now, therefore, pursuant to the authority vested in the Secretary by the Federal Food, Drug, and Cosmetic Act (secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371) and delegated by him to the Commissioner (21 CFR 2.120; 31 F.R. 3008), notice is hereby given that a public hearing will be held for the purpose of receiving evidence relevant and material to the issues set forth above with respect to meprobamate.

The hearing will begin at 10 a.m., e.d.t., on June 27, 1966, in Room 5131, Health, Education, and Welfare Building, 330 Independence Avenue SW., Washington, D.C., and will continue thereafter at such times and places as directed by the hearing examiner. The hearing will be conducted in accordance with the published rules of practice.

A prehearing conference for the simplification of the issues, exchange of documentary evidence, the scheduling of witnesses, and such other matters as may aid in the disposition of the proceeding will be held in the same room, beginning at 10 a.m. on June 21, 1966.

II. Notice is also given pursuant to the authority above-cited, that a public hearing will be held for the purpose of receiving evidence relevant and material to the issues set forth above with respect to chlordiazepoxide and its salts and diazepam.

The hearing will begin at 10 a.m., e.d.t., on July 25, 1966, in Room 5131, Health, Education, and Welfare Building, 330 Independence Avenue SW., Washington, D.C., and will continue thereafter at such times and places as directed by the hearing examiner. The hearing will be conducted in accordance with the published rules of practice.

A prehearing conference for the simplification of the issues, exchange of documentary evidence, the scheduling of witnesses, and such other matters as may aid in the disposition of the proceeding will be held in the same room, beginning at 10 a.m. on July 18, 1966.

All interested persons are invited to attend, and any interested person desiring to appear at the hearings or prehearing conferences should file with the hearing examiner a written notice of appearance, as specified in § 2.60 and § 2.64 (21 CFR 2.60, 2.64; 31 F.R. 3004), setting forth his name, address, and interest. If any interested person desires to be heard through a representative, such person or representative should file with the hearing examiner a written notice of appearance setting forth the name, address, and employment of such person. These written notices of appearance should be filed on or before June 15, 1966, in the proceedings involving meprobamate. In the proceedings involving chlordiazepoxide and its salts and diazepam, such notices of appearance should be filed on or before July 13, 1966.

Any interested person intending to introduce documentary evidence at either hearing shall bring five copies thereof to the prehearing conference.

Mr. William E. Brennan, Room 6411, Federal Building No. 8, 200 C Street SW., Washington, D.C., 20204, a hearing examiner duly appointed pursuant to section 11 of the Administrative Procedure Act, is hereby designated as the presiding officer for the proceedings announced herein.

III. It is ordered that so much of the order of March 19, 1966, as applies to any drug because it contains any amount of chlordiazepoxide or its salts, or diazepam, or meprobamate is stayed pending resolution of the issues at the hearings.

IV. Notice is also given that the regulations promulgated by the order of March 19, 1966, will become effective May 18, 1966, except for those portions the effective date of which is stayed as specified above.

(Secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371)

Dated: May 12, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5389; Filed, May 16, 1966; 8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XVIII—Office of Civil Defense, Office of the Secretary of the Army

PART 1810—CIVIL DEFENSE IDENTIFICATION FOR FEDERAL EMPLOYEES, RESERVISTS AND NON-FEDERAL SUPPORT PERSONNEL

Miscellaneous Amendments

Correction

In F.R. Doc. 66-5150 appearing in the issue for Thursday, May 12, 1966, at page 6962, the last sentence in § 1810.4(b) should read as follows: "The list in paragraph (a) of this section, of departments, agencies, and Federal officials authorized to issue these cards, will be amended to include additionally authorized departments, agencies, or Federal officials."

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Bronx River, N.Y.

Pursuant to the provisions of section 5 of the River and Harbor Act approved August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.156 is hereby revised, changing the caption to include the Bruckner Expressway Bridge across Bronx River, N.Y., and making other minor changes, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.156 **Westchester Creek and Bronx River, N.Y.; City of New York Bridges at Bruckner Expressway.**

(a) The owner of or agency controlling the bridges shall provide the appliances and personnel necessary for the safe, prompt, and efficient operation of the draws for the passage of vessels.

(b) Vessels owned, controlled, or employed by the U.S. Government, State government, or by municipal departments shall be passed without delay through the draws of the bridges at any time, day or night, after giving a signal of four distinct blasts of a horn, whistle, or megaphone.

(c) All other vessels unable to pass under the closed bridges shall be passed through the draws of the bridges at any time, day or night, after giving a signal of three distinct blasts of a horn, whistle or megaphone, repeated at intervals when necessary until answered from the bridges, except between 7 a.m. and 9 a.m. and between 4 p.m. and 6 p.m., Mondays through Fridays, inclusive.

(d) Upon receiving the signal from the vessel, the operators of the bridges, in case the draws can be opened immediately shall reply by three blasts of a horn, whistle, or megaphone. In case of accident to the machinery or other contingency necessitating delay in opening of the draws, the signal from the vessel shall be answered by the operators of the bridges by two blasts of a horn, whistle, or megaphone.

(e) Pedestrians and vehicles shall not be stopped on the bridges for the purpose of delaying their opening, nor shall watercraft or vessels be so manipulated as to hinder or delay the operation of the drawspans, but all passage over, through, or under the bridges shall be prompt, to prevent delay to either land or water traffic.

(f) Clearance gages of a type to be approved by the District Engineer, U.S. Army Engineer District, shall be provided and kept in good legible condition. Unless otherwise specified, such clearance gages shall consist of two board gages painted white with black figures not less than 9 inches high, which shall indicate the headroom clearances under the closed spans at all stages of the tide. These gages shall be so placed that they will be plainly visible to the operator of a vessel approaching the bridges either upstream, or downstream, and shall be illuminated at night and during periods of decreased visibility caused by fog, rain, or snow.

(g) The bridges shall not be required to open for craft carrying appurtenances unessential to navigation which extend above the normal superstructure nor for those vessels regularly and habitually navigating the waterways which may be or are equipped with hinged or removable stacks, masts and flagpoles which can be lowered to pass under the closed draws of the bridges. Upon request, the District Engineer, U.S. Army Engineer District, will cause inspection to be made of the superstructure and appurtenances of any craft habitually frequenting these waterways with a view to adjusting any differences of opinion in this regard between the vessel owner and the bridge owner.

[Regs., Apr. 28, 1966, 1507-32 (Bronx River, N.Y.)—ENGOW-ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-5305; Filed, May 16, 1966; 8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 9—SERVICEMEN'S GROUP LIFE INSURANCE

In Title 38, a new Part 9 is added to read as follows:

Sec.
9.1 Definitions.
9.2 Effective date.
9.4 Coverage and amounts.
9.6 Waiver or reduction of coverage.
9.8 Restoration of coverage.
9.10 Deductions from pay.
9.12 Payment for extra hazards.
9.14 Group life insurance fund.
9.16 Beneficiaries and options.
9.18 Payment of proceeds.
9.20 Assignments.
9.22 Administrative decisions.
9.24 Termination of coverage.
9.26 Conversion privilege.
9.28 Criteria for reinsurers and converters.
9.30 Reinsurance formula.
9.32 Actions on the policy.
9.34 Forfeiture.

AUTHORITY: The provisions of this Part 9 issued under 72 Stat. 1114, 79 Stat. 880; 38 U.S.C. 210, subchapter III, Chapter 19.

§ 9.1 Definitions.

(a) "Member" means a person, regular or reservist, on active duty in a uniformed service in a commissioned, warrant, or enlisted rank or grade. A member separated or released from active duty while insured under the group policy will be deemed to be included within the term "member" until his insurance terminates pursuant to the provisions of § 9.24.

(b) "Active duty" means full-time duty as a member of a uniformed service under a call or order to duty that does not specify a period of 30 days or less.

(1) Active duty for training is included.

(2) Inactive duty training is not included.

(c) "Uniformed services" means any of the following: Army, Navy, Air Force, Marine Corps, Coast Guard, and the Commissioned Corps of the Public Health Service, and of the Environmental Science Services Administration of the United States of America.

(d) "Policy" means Group Policy No. G-32000, effective September 29, 1965, purchased pursuant to subchapter III of chapter 19, Title 38, United States Code, from the insurer, which was executed and attested on December 30, 1965.

(e) "Insurer" means the commercial life insurance company or companies selected under 38 U.S.C. 766 to provide insurance coverage specified in the policy.

(f) "Office" means the Office of Servicemen's Group Life Insurance located at 212 Washington Street, Newark, N.J., 07102, which is the administrative office established pursuant to 38 U.S.C. 766(b) by the insurer.

(g) "Reinsurer" means any life insurance company, meeting established criteria as set forth in § 9.28 which re-

insures a portion of the total amount of insurance covered by the policy and issues individual life insurance policies in accordance with § 9.26.

(h) "Converter" means any life insurance company, meeting criteria set forth in § 9.28 which issues individual life insurance policies in accordance with § 9.26.

(i) "Coverage" means Servicemen's Group Life Insurance payable upon death occurring while the member is insured under the policy.

(j) "Termination of active duty" means discharge, release from or separation from active duty.

(k) "Waive" or "waiver" means an election in writing signed by a member and received by the uniformed service not to be insured under the policy.

(l) "Break in service"—a break in service exists:

(1) When a member terminates active duty in one service and enters on active duty in another uniformed service, regardless of the length of time intervening.

(2) When a member reenters active duty in the same uniformed service and one calendar day or more has elapsed following termination of the prior period of active duty.

§ 9.2 Effective date.

(a) The effective date of coverage for each member then on active duty is September 29, 1965. The date is controlled by the local standard time of the member's then physical location.

(b) The effective date of coverage for each member entering on active duty after September 29, 1965, is the first day of such active duty unless the member has elected in writing not to be covered.

§ 9.4 Coverage and amounts.

(a) Coverage under the policy automatically insures the member against death in the amount of $10,000, unless the member waives in writing the right to be insured or elects to be insured in the amount of $5,000, as provided for in § 9.6(a).

(b) If a member is insured for $10,000 or $5,000 at the time of termination of a period of active duty, he continues to be insured for that amount through the 120-day period following termination without further deductions from pay.

(c) Reentrance on active duty begins a new period of automatic coverage (without regard to whether there was a break in service) unless on or before the date of reentrance the member waives his right to automatic coverage or elects to be covered for only $5,000 for that period of service. Such coverage replaces coverage in the same or lesser amount in effect on the day before reentrance on active duty. In no event will there be group coverage for more than $10,000.

(d) If a member converts his group coverage to an individual policy, in any amount, which is effective prior to termination of the period of active duty in which such coverage was acquired he is no longer covered under the policy during that period of active duty.

(e) If a member converts his group coverage to an individual policy which is effective within 120 days following termination of active duty and dies within this period, the amount of proceeds payable will be the amount of group coverage provided the individual policy is surrendered for a return of premiums and without further claim. When there is no such surrender, any amount of group coverage in excess of the amount of the individual policy will be payable.

(f) Arrest or confinement of a member by military authorities does not terminate coverage.

§ 9.6 Waiver or reduction of coverage.

(a) A member may waive his right to group coverage or elect to reduce the amount of insurance from $10,000 to $5,000 by filing a written notice with his uniformed service. Coverage in effect before the waiver or reduction will terminate at midnight of the last day of the month such notice is received by his uniformed service.

(b) Where a waiver or reduction is filed, it is effective for the current period of active duty and 120 days following termination. If the member reenters active duty (in the same or another uniformed service), the waiver or reduction will not apply to the subsequent period of active duty.

§ 9.8 Restoration of coverage.

(a) Coverage is automatically restored without evidence of good health when a member reenters on active duty (in the same or another uniformed service) even when there is no break in service.

(b) Subject to approval by the insurer, coverage is restored in the amount applied for ($5,000 or $10,000) effective the date of receipt of application with evidence of good health by the uniformed service.

(1) For a member who previously waived the right to be covered or to be covered for only $5,000,

(2) For a member whose coverage was terminated because of being AWOL for more than 31 days,

(3) For a member who forfeited the right to be covered for one of the offenses listed in § 9.34 but who was restored to active duty under conditions which, in effect, result in a remission of sentence.

§ 9.10 Deductions from pay.

(a) For each month a member is on active duty and insured under the policy, his uniformed service will deduct from his pay and remit to the Veterans Administration $2.00 for $10,000 or $1.00 for $5,000 coverage to pay the monthly premium required as his share of the cost attributable to insuring such member. This amount may be increased or decreased from time to time as deemed necessary in accordance with experience.

(b) If the required amount is not deducted from the insured's pay while he is on active duty, or otherwise paid, the indebtedness will be deducted from the proceeds of any Servicemen's Group Life Insurance which may become payable. No refund will be made of any amount properly deducted from the member's pay.

(c) If an insured member reenters on active duty, deductions will be made effective from the date of reentrance unless there has already been a deduction for that month during a prior period of active duty.

(d) The method of deduction, including recovery in case of failure to deduct in appropriate cases, will be in accordance with the procedures of the uniformed service concerned.

§ 9.12 Payment for extra hazards.

For each month in which a member on active duty is covered under the policy, there will be contributed from the appropriation made for his pay an amount necessary to cover the cost of insurance which is traceable to the extra hazard of active duty in the uniformed services. This will be based on the estimated excess mortality suffered by insured members above that incurred by the male civilian population of the United States of the same median age as provided in 38 U.S.C. 769(b). Secretaries of the Departments concerned will be informed of the percentage contribution due monthly as well as adjustments based on actual experience.

§ 9.14 Group life insurance fund.

(a) All amounts deducted from the pay of insured members or otherwise paid and all contributions to cover extra hazard costs made from appropriations of the Departments of Defense, Treasury, Commerce, and Health, Education, and Welfare, together with any income derived from dividends or premium rate or extra hazard cost adjustment received from the insurer will be credited directly to a revolving fund in the Treasury of the United States, known as the Servicemen's Group Life Insurance Fund. All premium payments and extra hazard cost contributions on the policy and the administrative cost to the Veterans Administration will be paid directly from such fund.

(b) Administrative cost properly allocable to Servicemen's Group Life Insurance will be determined from time to time and the amount representing such cost will be transferred from the Servicemen's Group Life Insurance Fund to the appropriation "General Operating Expenses, Veterans Administration."

§ 9.16 Beneficiaries and options.

(a) A member may designate any person, firm, corporation, or legal entity (including the estate of the member), individually or as trustee, as beneficiary.

(b) A beneficiary designation will remain in effect until properly changed by the member or automatically canceled. Termination of service and reentrance on active duty will not automatically cancel the designation unless there was a break in service.

(c) Any designation or change of beneficiary will take effect only if it is in writing, signed by the insured, and received, prior to the death of the member, by his uniformed service; or, if executed during the 120 days following termination of active duty, by the Office of Servicemen's Group Life Insurance.

(d) A change of beneficiary may be made at any time and without the knowledge or consent of the previous beneficiary.

(e) No change or cancellation of beneficiary in a last will or testament, or in any other document not received by the appropriate uniformed service while the member is on active duty or in the Office of Servicemen's Group Life Insurance during the 120 days following termination of active duty, will have any force or effect.

(f) A designation of beneficiary is automatically canceled

(1) When coverage ceases;

(2) When the member reenters upon active duty after a break in service.

(g) In the unusual case in which a member reenters on active duty after a break in service while covered during the 120-day period following termination of active duty and waives coverage or elects coverage in the amount of $5,000 an existing designation of beneficiary is not canceled with respect to any amount of insurance not replaced under § 9.4(c).

(h) The insurance proceeds will be paid to the person or persons surviving the insured member in the following order of precedence:

(1) To the beneficiary or beneficiaries designated;

(2) If there be no such beneficiary, to the widow or widower;

(3) If none of the above, to the child or children and descendants of the deceased children by representation;

(4) If none of the above, to the parents or the survivor of them;

(5) If none of the above, to the executor or administrator of the estate of the insured; or

(6) If none of the above, to other next of kin in accordance with the laws of the State wherein the insured member was domiciled at date of death.

(i) The insured member may elect in writing that settlement of the insurance proceeds be made either in a lump sum or in 36 equal monthly installments. If no election is made or the member elects that payment be made in a lump sum, the beneficiary may elect at the time of the member's death either mode of settlement. An election to be effective must be received by the appropriate uniformed service while the member is on active duty or in the Office of Servicemen's Group Life Insurance during the 120 days following termination of active duty and before the member's death.

§ 9.18 Payment of proceeds.

(a) Group life insurance benefits will be paid upon the filing of a valid claim with the Office of Servicemen's Group Life Insurance, accompanied by proof of death and the claimant's right to payment.

(b) If a person, otherwise entitled to payment of the insurance proceeds, does not make claim therefor within 1 year following the death of the insured, or if payment to such person within such period is prohibited by Federal law or regulation, payment may be made in the order of precedence as set forth in § 9.16(h), as if the person had predeceased the insured. Payment to such person is a bar to recovery by another person.

(c) If, within 2 years after the death of the member, no claim has been made by any person entitled and neither the Veterans Administration nor the Office of Servicemen's Group Life Insurance has received any notice that such a claim will be made, payment may be made to any claimant that may be equitably entitled thereto as determined by the Veterans Administration; and such payment will be a bar to recovery by another person.

(d) If, within 4 years after the death of the member, no payment has been made, and no claim by any person entitled is pending, the amount payable will escheat to the credit of the Servicemen's Group Life Insurance Fund.

(e) If, at the death of the insured member there survive more than one designated beneficiary, the shares of which had not been specified by the member, such beneficiaries will share equally. All rights and interests of any designated beneficiary are automatically terminated when he predeceases the member; and what would otherwise have been the share of the deceased beneficiary will, in the absence of a contrary specification by the member in his written designation, be distributed equally among the surviving beneficiaries, or paid in whole to the last such survivor. If there is no surviving designated beneficiary, proceeds will be paid in order of precedence set forth in § 9.16(h).

(f) If proceeds are to be paid in installments, the first installment will be payable as of the date of death. The amount of each installment will be computed so as to include interest on the unpaid balance at the effective rate of 4¼ percent per annum. This rate may be changed at the beginning of any policy year.

(g) If, following the death of an insured member who has designated both principal and contingent beneficiaries and elected to have payment made in 36 equal monthly installments, the principal beneficiary dies before all 36 installments have been paid, the remaining installments will be paid as they fall due to the contingent beneficiary. At the death of such a contingent beneficiary, and in other instances of a beneficiary's death, where there is no contingent beneficiary, the value of any unpaid installments, discounted to the date of his death at the same rate used for inclusion of interest in the computation of installments, will be paid, without further accrual of interest, in one sum to the estate of the beneficiary or contingent beneficiary last receiving payment.

(h) In instances where payment in installments is made at the election of the beneficiary, upon his request, the value of such installments as remain unpaid will be discounted to the date of payment at the same rate used for inclusion of interest in the computation of installments and paid to him in one sum.

§ 9.20 Assignments.

Servicemen's Group Life Insurance and benefits thereunder are not assignable.

§ 9.22 Administrative decisions.

(a) Determinations of the Veterans Administration are conclusive under the policy with respect to the following:

(1) The status of any person being within the term "member" and whether or not he is covered at any point of time under the policy.

(2) The fact and date of a member's termination of active duty.

(3) The fact and dates with respect to a member absent without leave.

(4) The operation of the forfeiture provision provided in 38 U.S.C. 773 and § 9.34 with respect to any member.

(b) Questions for determination involving paragraph (a) of this section as well as those involving coverage of groups and classes of members and other questions are properly referrable to the Director, Insurance Service.

§ 9.24 Termination of coverage.

(a) A member who is absent without leave for a period of more than 31 days is not covered from the first day of such absence. If a member was absent without leave on September 29, 1965, and the absence was for a period of more than 31 days, he must comply with restoration procedures under § 9.8 to obtain coverage.

(b) If a member converts group coverage to an individual policy which is effective prior to the 121st day following termination of active duty, all group coverage terminates the day before the effective date of the converted policy. (See § 9.4(e) for exception where conversion and death occur within the 120 days following termination of active duty.)

(c) Coverage automatically terminates:

(1) The end of the 120th day following termination of active duty.

(2) Immediately prior to:

(i) The date a member's right to coverage is forfeited under 38 U.S.C. 773 (§ 9.34).

(ii) The date of termination of the group policy.

§ 9.26 Conversion privilege.

(a) An insured member has the right to convert the group coverage to an individual policy of life insurance without disability or other supplementary benefits with one of the eligible commercial life insurance companies. Upon written request, a list of such companies may be obtained from the Office of Servicemen's Group Life Insurance. In order to effect conversion the member must make written application to the company selected by him and pay the required premium for the plan of insurance selected before the 121st day following termination of active duty. Such conversion will be made without a medical examination.

(b) The individual policy will be effective (1) if the member is then on active duty, on the first day of the month following the month in which he made application for it; or (2) if he is not on active duty, on any date he requests, but in no event later than the 121st day after his termination of active duty.

(c) The individual policy to which a member converts must be on a plan currently written by the company selected by the member, except term insurance, in an amount which does not exceed the amount of the member's group coverage at time application for conversion is made, and which does not provide for the payment of any sum less than the face value of the individual policy or for the payment of an additional amount of premiums if the member engages in the military service of the United States. The premium for such individual policy shall be the premium, as determined by the company issuing the policy, applicable to the class of risk (other than health conditions) to which the member belongs and to the form and amount of the individual policy at the member's attained age at date of issue.

(d) Term insurance as excluded by this section is any policy which does not provide for cash values. Otherwise, reinsurers or converters who are group insurers may follow their usual group conversion practices in processing conversions. Other reinsurers or converters should refer questions as to the acceptability of any plan to the insurer for resolution on a consistent basis.

(e) Term riders providing level or decreasing insurance for which an additional premium is charged may be attached to an eligible basic conversion policy, but the rider will be excluded from the conversion pool agreement under the policy. Such a rider may in no way affect basic conversion privileges.

(f) The insurer will establish a conversion pool in cooperation with the reinsurers and converters in accordance with the terms of the policy. Its purpose will be to provide for the determination and maintenance of appropriate charges arising from excess mortality under individual conversion policies issued in accordance with this section and provide for the appropriate distribution of the risk of loss due to such excess mortality among the reinsurers and converters.

§ 9.28 Criteria for reinsurers and converters.

The following criteria will control eligibility for reinsuring and converting companies:

(a) The company must be a legal reserve life insurance company as classified by the insurance supervisory authorities of the State of domicile. Qualified fraternal organizations are included.

(b) The company must have been in the life insurance business for a continuous period of 5 years prior to October 1, 1965, or the December 31 preceding any redeterminations of the allocations. In the event of a merger, the 5-year requirement may be satisfied by either the surviving company or by one of the absorbed companies.

(c) The company must be licensed to engage in life insurance in at least one State of the United States or the District of Columbia.

(d) The company shall not be one certified by the Department of Defense as being under suspension for cause for purpose of allotment or on-base solicitation privileges.

(e) Each reinsuring and converting company must agree to issue conversion policies to any qualified applicant regardless of race, creed, color or national origin, under terms and conditions established by the primary insurer.

§ 9.30 Reinsurance formula.

The allocation of insurance to the insurer and each reinsuring company will be based upon the sum of paragraphs (a) and (b) of this section:

(a) One-third of the exact (or a reasonable estimate of) the volume of the company's life insurance in force, at some time between June 30, 1965, and November 15, 1965, on active-duty personnel of the U.S. Armed Forces, paid for by service allotments. The volume of insurance on active-duty personnel written through the medium of Service Membership Associations on an allotment basis is to be included.

(b) An amount of the remaining balance of the total life insurance in force under the policy in proportion to the company's total life insurance in force in the United States on December 31, 1964, where:

The first $100 million in force is counted in full,
The second $100 million in force is counted at 75 percent,
The third $100 million in force is counted at 50 percent,
The fourth $100 million in force is counted at 25 percent,
And any amount above $400 million in force, is counted at 5 percent.

(c) The allocation will be redetermined at the beginning of each policy year for the primary insurer and the companies then reinsuring, with the portion as set forth in paragraph (b) of this section based upon the corresponding in force (excluding the Servicemen's Group Life Insurance in force) as of the preceding December 31.

(d) Any life insurance company, which is not initially participating in reinsurance or conversions, but satisfies the criteria set forth in § 9.28, may subsequently apply to the primary insurer to reinsure and convert, or to convert only. The participation of such company will be effective as of the beginning of the policy year following the date on which application is approved by the insurer.

§ 9.32 Actions on the policy.

Servicemen's Group Life Insurance will be payable in accordance with the group policy purchased by the Veterans Administration. The Director, Insurance Service, will furnish the name and address of the insuring company upon written request of a member of the uniformed services or his beneficiary. Actions at law or in equity to recover on the policy, in which there is not alleged any breach of any obligation undertaken by the United States, should be brought against the insurer.

§ 9.34 Forfeiture.

(a) Any person guilty of mutiny, treason, spying, or desertion, or who, because of conscientious objections, refuses to perform service in the Armed Forces of the United States or refuses to wear the uniform of such force, shall forfeit all rights to Servicemen's Group Life Insurance.

(b) No insurance shall be payable for death inflicted as a lawful punishment for crime or for military or naval offense, except when inflicted by an enemy of the United States.

These VA regulations are effective the date of approval.

Approved: May 12, 1966.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 66-5346; Filed, May 16, 1966; 8:49 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 8—Veterans Administration

MISCELLANEOUS AMENDMENTS

The following amendments are made in Chapter 8:

PART 8–7—CONTRACT CLAUSES

1. In Part 8–7, § 8–7.650–3(a), note 1 is amended to read as follows:

§ 8–7.650–3 Work to be executed by contractor's forces.

(a) • • •

[1] The Contracting Officer shall insert one of the following: Thirty percent for boiler replacements and piping, new or replacement elevators, emergency generators and wiring, water tanks and towers; 20 percent for water tanks where piping alterations are required and for new buildings with reinforced concrete frames; all other types of construction, 15 percent.

2. In § 8–7.650–16, title and paragraphs (a), (b), and (c) are amended to read as follows:

§ 8–7.650–16 Supplementary labor standards.

(a) *Davis-Bacon Act.* (40 U.S.C. 276a–a(7)) No increase in the contract price will be allowed or authorized because of payment of wage rates in excess of those listed.

(b) *Apprentices.* The evidence required by Clause 3, Standard Form 19A, will be furnished by the contractor at the time the apprentice's name first appears on his or his subcontractor's payroll. Evidence may consist of:

(1) A true or photostatic copy of registered or approved apprenticeship agreement, or

(2) A true or photostatic copy of apprenticeship certificate, showing approval of apprenticeship by appropriate registration agency, or

(3) A list of apprentices approved by appropriate registration agency showing name and trade of each apprentice and date of registration, or

(4) A written statement from a member of joint apprenticeship committee, not a party to project contract, certifying the named apprentices are employed under supervision of the joint apprenticeship committee, and are registered with the designated State or Federal apprenticeship agency.

(5) The contractor shall also furnish evidence of the apprentices' period of apprenticeship. Working ratio of apprentices to journeymen for a particular trade shall not exceed ratio permitted by controlling apprenticeship agreement. Contractor shall furnish Government's Resident Engineer a copy of such agreement establishing apprenticeship ratio.

(c) *Payrolls and basic records.* The contractor shall submit copies of payrolls required by Clause 4(b) of Standard Form 19–A to the Contracting Officer through the Resident Engineer or Engineer Officer, when acting in that capacity, within seven (7) days after the close of the weekly payroll period. Said payroll shall show:

(1) The name of the contractor or subcontractor;

(2) The employee's full name, address, and social security number. (The employee's address need only be shown on the first payroll unless there is a subsequent change of address);

(3) The employee's classification;

(4) Hourly wage rate and where applicable overtime hourly rate;

(5) The daily and weekly hours worked in such classification, including actual overtime hours worked (not adjusted);

(6) The itemized deductions made; and

(7) The net wages paid.

• • • • • •

PART 8–12—LABOR

3. A new Subpart 8–12.4 is added to read as follows:

Subpart 8–12.4—Labor Standards in Construction Contracts

Sec.
8–12.404–2 Wage determinations.
8–12.404–6 Payrolls and statements.
8–12.404–7 Investigations.
8–12.404–9 Suspension and deductions of contract payments.
8–12.404–13 Review of recommendations for an appropriate adjustment in liquidated damages under the Contract Work-Hours Standards Act.

AUTHORITY: The provisions of this Subpart 8–12.4 issued under sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210 (c), 72 Stat. 1114, 38 U.S.C. 210(c).

Subpart 8–12.4—Labor Standards in Construction Contracts

§ 8–12.404–2 Wage determinations.

(a) Contracting Officers will to the greatest extent practicable, establish the opening date for bids subject to a wage determination, on a date that will permit award of the contract prior to the expiration date of the determination. If it is known in advance of the solicitation that an award cannot be made prior to the expiration of the current determination, the solicitation shall include a statement that wage rates are not included; however, each prospective bidder will be furnished an addendum to the invitation which will contain the wage rates that are applicable to the resultant contract. This addendum should be furnished each bidder not less than 14 calendar days prior to the bid opening date. If necessary, the addendum shall establish a new bid opening date. Where solicitation has been made and it becomes evident prior to bid opening that the wage rates will expire before an award can be made, each prospective bidder will be furnished an addendum to the invitation setting forth the new wage rates and establishing a new opening date. This addendum should also be furnished each bidder not less than 14 calendar days prior to the new bid opening date.

(b) The authority of the Administrator to make the findings and recommendations to the Solicitor of Labor set forth in 29 CFR 5.4(a), is delegated, without power of redelegation, to the Assistant Administrator for Construction for those construction contracts to be awarded by the Construction Contracting Officer. This authority is also delegated, without power of redelegation, to the Chief Medical Director for those construction contracts to be awarded at the station level.

(c) When, because of unavoidable circumstances, a wage determination expires after opening of bids, but prior to the award of the contract, and it is believed to be in the best interest of the Veterans Administration and the public to extend the expiration date, a request to do so will be submitted by the Contracting Officer to the appropriate official named in paragraph (b) of this section. The request will be in sufficient detail to enable the reviewing official to determine whether or not a request for an extension should be submitted to the Solicitor of Labor. In the event of a negative finding, or on receipt of a refusal by the Solicitor of Labor, the Contracting Officer will be advised and all bids will be rejected.

(d) The Director, Supply Management Service, will in each instance, be furnished an information copy of each of the following documents:

(1) The request by the Contracting Officer.

(2) The findings of the appropriate official.

(3) The submission to the Solicitor of Labor (when made).

(4) The reply from the Solicitor of Labor.

(5) Information furnished to the Contracting Officer.

§ 8–12.404–6 Payrolls and statements.

(a) The examination required by FPR 1–12.404–6 will be made by the Resident Engineer or the Engineer Officer as appropriate. This official shall assure himself that each pay period is accounted for and that each weekly payroll contains the information set forth in § 8–7.650–16(c).

(b) The reviewing official shall also examine such other records as may be necessary to establish that:

(1) Minimum wage rates are conformable to those established by the contract specifications;

(2) Employees are not subjected to unauthorized deductions, rebates, or kickbacks of any nature;

(3) Employees are paid overtime wages as due them; and

(4) There is no disproportionate employment of laborers, helpers, apprentices and mechanics.

(c) The Resident Engineer or Engineer Officer shall, with each payroll submission, certify to the Contracting Officer that he has conducted the examination required by FPR 1–12.404–6 and that all information contained therein is correct.

(d) In the event the payroll required to be submitted within the time specified by the contract is not received, the Resident Engineer or Engineer Officer shall submit a negative report to the Contracting Officer. The Contracting Officer shall take immediate action to secure its submission.

§ 8–12.404–7 Investigations.

(a) Except for those special investigations referred to in FPR 1–12.404–7, which will be handled in accordance with § 8–12.404–7(c), the Contracting Officer shall cause to be conducted such periodic reviews as he may consider necessary to assure contract compliance. These reviews shall be conducted by the Contracting Officer, Resident Engineer, or Engineer Officer when acting in that capacity, or their designees. In conducting these reviews, informal interviews will be conducted with a sufficient number of employees of both the prime and subcontractors to:

(1) Secure information necessary to verify the accuracy of payrolls and payroll records data; and

(2) Secure information leading to a determination that the worker is performing work within his specific classification.

(b) When the review reveals violations, which in the opinion of the contracting officer are nonwilful, he shall request the contractor to take immediate corrective action (including restitution of any underpayments) and the submission of corrected or supplemental payrolls.

(c) When a routine review, conducted by a representative of the Contracting Officer, indicates that there is a need for a more thorough investigation, the Contracting Officer shall request that a special investigation be conducted. He will submit his request, together with the material, which he believes justifies the investigation, through channels to the Assistant Administrator for Management and Evaluation, for appropriate action. The Contracting Officer, having submitted such a request, shall inform the contractor that in accordance with the terms and conditions of his contract, funds are being withheld from payments due him to cover possible labor

compliance violations and that he (the contractor) will be informed as the facts are developed.

§ 8–12.404–9 Suspension and deductions of contract payments.

(a) When funds have been ordered suspended by the Contracting Officer for any reason other than a question relating to the application and interpretation of the provisions contained in Subtitle A of Title 29 of the Code of Federal Regulations and of the labor standards provisions of any of the statutes listed in Section 5.1 of the said Title 29, Code of Federal Regulations, the contractor may, under the disputes clause of his contract, appeal such decision to the Veterans Administration Contract Appeals Board.

(b) When funds have been suspended for any reason and the contractor does not make restitution within a reasonable time, or refuses to take such action, or the decision of the Veterans Administration Contract Appeals Board, or the Department of Labor are adverse to the contractor, the Contracting Officer shall advise the Fiscal Officer to dispose of the funds withheld in accordance with 4 GAO 4500.

§ 8–12.404–13 Review of recommendations for an appropriate adjustment in liquidated damages under the Contract Work-Hours Standards Act.

The authority of the Administrator to make the determinations set forth in FPR 1–12.404–13, is delegated, without power of redelegation, to the Director, Supply Management Service. When the amount involved is in excess of $100, the Director, Supply Management Service, will submit his recommendation and that of the Contracting Officer to the Department of Labor for that Department's determination. The Contracting Officer will be advised of the final action to be taken and the contract file will be documented to show this action.

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c))

These regulations are effective 45 days after publication in the FEDERAL REGISTER, but may be observed earlier.

Approved: May 10, 1966.

By direction of the Administrator.

A. H. MONK,
Associate Deputy Administrator.

[F.R. Doc. 66–5347; Filed, May 16, 1966; 8:49 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER A—GENERAL PROVISIONS

[Commission Order 53 (Amended)]

PART 500—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Pursuant to and in conformity with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 500 is added to Title 46 of the Code of Federal Regulations, reading as follows:

Subpart A—General Provisions

Sec.
500.735–1 Purpose.
500.735–2 Definitions.
500.735–3 Interpretation and advisory service.
500.735–4 Reviewing statements and reporting conflicts of interest.
500.735–5 Disciplinary and other remedial action.

Subpart B—General Standards of Conduct

500.735–11 Gifts, entertainment, and favors.
500.735–12 Outside employment.
500.735–13 Financial interests.
500.735–14 Use of Government property.
500.735–15 Misuse of information.
500.735–16 Indebtedness.
500.735–17 Gambling, betting, and lotteries.
500.735–18 General conduct prejudicial to the Government.
500.735.19 Miscellaneous statutory provisions.

Subpart C—Special Government Employees Standards of Conduct

500.735–21 Special Government employees; use of Government employment.
500.735–22 Special Government employees; use of inside information.
500.735–23 Special Government employees; coercion.

Subpart D—Statements of Employment and Financial Interests

500.735–31 Statements of employment and financial interests.
500.735–32 Employees required to submit statements.
500.735–33 Employees not required to submit statements.
500.735–34 Time and place for submission of employees' statements.
500.735–35 Supplementary statements.
500.735–36 Interests of employees' relatives.
500.735–37 Information not known by employees.
500.735–38 Information prohibited.
500.735–39 Confidentiality of employees' statements.
500.735–40 Effect of employees' statements on other requirements.
500.735–41 Special Government employees.

AUTHORITY: The provisions of this Part 500 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—General Provisions

§ 500.735–1 Purpose.

The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by Government employees and special Government employees is essential to assure the proper performance of the Government business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of Government employees through informed judgment is indispensable to the maintenance of these standards. Reorganization Plan No. 7 of 1961, which established the Federal Maritime Commission, provided that officials or employees of the Commission are prohibited from employment with, or to have any pecuniary interest in, or hold any official relationship with, carriers by water, shipbuilder contractors, or other persons, firms, associations or corporations with whom the Commission may have business relations. The following sections of this part are in accordance with the requirements of the Civil Service Commission's Regulations (5 CFR Part 735) under Executive Order 11222, dated May 8, 1965.

§ 500.735–2 Definitions.

(a) "Commission" means the Federal Maritime Commission unless otherwise designated.

(b) "Employee" means officer or employee of the Commission including a special Government employee as defined in 18 U.S.C. 202.[1]

(c) "Executive Order" means Executive Order 11222 of May 8, 1965.

(d) "Person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

§ 500.735–3 Interpretation and advisory service.

(a) The Chairman of the Commission shall designate an employee with the appropriate legal experience and in whom he has complete personal confidence to be the Counsellor for the Commission on matters in connection with the regulations in this part. The Counsellor shall also serve as the Commission's designee to the Civil Service Commission on matters covered by the regulations in this part. The responsibility for coordination of the Commission's counseling service provided under paragraph (b) of this section and for assuring that counseling and interpretations on questions of conflicts of interest and other matters covered by the regulations in this part are available to deputy counsellors designated under paragraph (b) of this section shall be the responsibility of the Commission Counsellor.

(b) There shall also be designated one or more deputy counsellors for the Commission's employees. Deputy counsellors under the general guidance of the Counsellor shall give authoritative advice and guidance to each employee and special Government employee who seeks advice and guidance on questions of conflicts of interest and other matters governed by the regulations in this part.

(c) Employees shall be notified of the availability of counseling services and of how and where these services are available. This notification shall be made within 90 days after approval of the regulations in this part by the Civil Service Commission and periodically thereafter. In the case of a new employee appointed after this notification, notification shall be made at the time of his entrance on duty.

[1] 18 U.S.C. 202 defines a "special Government employee" as including an officer or employee of any independent agency of the United States who is retained, designated, appointed, or employed to perform, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days, temporary duties either on a full-time or intermittent basis.

§ 500.735–4 Reviewing statements and reporting conflicts of interest.

(a) There is hereby established a system for the review of statements of employment and financial interest submitted under § 500.735–31. This system of review is designed to disclose conflicts of interest or apparent conflicts of interest on the part of employees.

(b) The Counsellor or Deputy Counsellor shall review each such statement. Whenever it appears to the Counsellor that a statement contains evidence of a conflict of interest he shall notify the person signing that statement and shall discuss with him the information which gives rise to the apparent or real conflict and offer him an opportunity to explain the conflict or appearance of conflict. If the conflict or appearance of conflict is not resolved after this discussion the information concerning the conflict or appearance of conflict shall be reported to the Chairman of the Commission by the Counsellor.

§ 500.735–5 Disciplinary and other remedial action.

(a) A violation of the regulations in this part by an employee may be cause for an appropriate disciplinary action.

(b) After consideration of the explanation of the employee as provided in § 500.735–4 and the Chairman decides that remedial action is required, he shall take immediate action to end the conflicts or appearance of conflicts of interest. Remedial action may include, but is not limited to:

(1) Changes in assigned duties;

(2) Divestment by the employee or special Government employee of his conflicting interest;

(3) Disciplinary action; or

(4) Disqualification for a particular assignment.

Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, executive orders, and regulations.

Subpart B—General Standards of Conduct

§ 500.735–11 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:

(1) Has, or is seeking to obtain, contractual or other business or financial relations with the Commission;

(2) Conducts operations or activities that are regulated by the Commission; or

(3) Has interests that may be substantially affected by the performance or nonperformance of his official duty.

(b) Exceptions to paragraph (a) of this section are as follows:

(1) This section shall not be construed to proscribe conduct involving obvious family or personal relationships (such as those between the parents, children, or spouse of the employee and the employee) when the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors;

(2) Under this section Commission employees are permitted to accept food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour where an employee may properly be in attendance;

(3) Under this section employees are permitted to accept loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans; and

(4) Under this section employees shall be permitted to accept unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of nominal intrinsic value.

(5) Under this section, Commission employees may participate in keel layings, christenings, and ship launchings and accept meals, accommodations, and entertainment related thereto when the invitation to such an event is addressed to the Commission and the Chairman of the Commission approves the acceptance of the invitation.

(c) An employee shall avoid any action, whether or not specifically prohibited by the regulations in this part, which might result in, or create the appearance of:

(1) Using public office for private gain;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality;

(5) Making a Government decision outside official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

(d) An employee shall not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make a donation as a gift to an employee in a superior official position. However, this paragraph does not prohibit the use of completely voluntary contributions of employees to establish funds for the limited purpose of providing token remembrances in situations such as death, retirement, illness, marriage, or birth.

(e) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 114–115a.

§ 500.735–12 Outside employment.

(a) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of the duties and responsibilities of his Government employment. Incompatible activities include but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interest; or

(2) Outside employment which tends to impair his mental or physical capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) An employee shall not receive any salary or anything of monetary value from a private source as compensation for his services to the Government (18 U.S.C. 209). This paragraph does not apply to special Government employees.

(c) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, the Executive Order, or the regulations in this part. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the Chairman gives written authorization for the use of nonpublic information on the basis that the use is in the public interest. In addition, an employee who is a Presidential appointee covered by section 401(a) of the Executive Order shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the Commission, or which draws substantially on official data or ideas which have not become part of the body of public information.

(d) An employee shall not engage in outside employment under a State or local government, except in certain circumstances authorized by Part 734 of the Civil Service Commission Regulations (5 CFR Part 743) and explained in the Federal Personnel Manual, Part 734.

(e) This section does not preclude an employee from:

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with the regulations in this part for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment or other personal benefits.

(2) Participation in the activities of National or State political parties not proscribed by law.

(3) Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

§ 500.735–13 Financial interests.

(a) An employee shall not:

(1) Have a direct or indirect financial interest that conflicts substantially, or

appears to conflict substantially, with his Government duties and responsibilities; or

(2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his Government employment.

(b) This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as it is not prohibited by law, the Executive Order, Civil Service regulations, or the regulations in this part.

§ 500.735–14 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property, including equipment, supplies, and other property entrusted or issued to him.

§ 500.735–15 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in § 500.735–12(c) directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public.

§ 500.735–16 Indebtedness.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which the Commission determines does not, under the circumstances, reflect adversely on the Government as his employer. In the event of dispute between an employee and an alleged creditor, this section does not require the Commission to determine the validity or amount of the disputed debt.

§ 500.735–17 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or leased property or while on duty for the Government, in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket. However, this section does not preclude activities:

(a) Necessitated by an employee's law enforcement duties; or

(b) Under section 3 of Executive Order 10927 and similar Commission approved activities.

§ 500.735–18 General conduct prejudicial to the Government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

§ 500.735–19 Miscellaneous statutory provisions.

Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of this Commission and of the Government. The attention of Commission employees, is directed to the outside employment restriction in 46 U.S.C. 1111(b) and the following statutory provisions relating to ethical and other conduct.

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. 312, the "Code of Ethics for Government Service."

(b) Chapter 11 of title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (2) the disclosure of confidential information (18 U.S.C. 1905).

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(h) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78c).

(i) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(p) The prohibition against proscribed political activities—the Hatch Act (5 U.S.C. 1181), and 18 U.S.C. 602, 603, 607, and 608.

Subpart C—Special Government Employees Standards of Conduct

§ 500.735–21 Special Government employees; use of Government employment.

A special Government employee shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

§ 500.735–22 Special Government employees; use of inside information.

A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purpose of this section, "inside information" means information obtained under Government authority which has not become part of the body of the public information.

§ 500.735–23 Special Government employees; coercion.

A special Government employee shall not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

Subpart D—Statements of Employment and Financial Interests

§ 500.735–31 Statements of employment and financial interests.

Statements of employment and financial interests are required to be submitted by employees in grades or positions as listed in § 500.735–32.

§ 500.735–32 Employees required to submit statements.

Except as provided in § 500.735–33, the Chairman of the Commission shall require statements of employment and financial interests from the following employees:

(a) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended.

(b) Employees in grade GS–15 or above of the General Schedule established by the Classification Act of 1949, as amended, or in comparable or higher positions not subject to that Act.

(c) Employees in hearing examiner positions.

(d) Employees in positions specifically identified in paragraph (f) of this section which are included by reason of meeting the following criteria:

(1) Positions the basic duties and responsibilities of which require the incumbent to exercise judgment in making or recommending a Government decision or in taking or recommending a Government action in regard to:

(i) Contracting or procurement;

(ii) Administering or monitoring grants or subsidies;

(iii) The functions of the Commission listed in Part I of Reorganization Plan No. 7 of 1961; or

(iv) Other activities where the decision or action has an economic impact on the interests of any non-Federal enterprise.

(2) Positions which the Chairman of the Commission determines require the incumbent to report employment and financial interests in order to carry out the purposes of law, the Executive order, and the regulations in this part.

(e) Employees in positions that meet the criteria set out in paragraph (d) of this section may be excluded from the reporting requirement and not listed in paragraph (f) of this section when the Chairman determines that the duties of a position are at such a level of responsibility that the submission of a statement by the incumbent is not necessary because of the degree of supervision and review over the incumbent and the remote and inconsequential effect on the integrity of the Government.

(f) Employees in the following positions shall submit the required statements:

Personnel Director.
Chief, Division of Office Services.
Chief, Division of Carrier Agreements.
Chief, Division of Tariffs and Informal Complaints.
Assistant Director, Office of Transport Economics.
Chief, Division of Domestic Offshore Carriers.
Chief, Division of Terminals.
Chief, Division of Freight Forwarders.
Chief Investigator, Atlantic Coast Office.
Chief Investigator, Gulf Coast Office.
Chief Investigator, Pacific Coast Office.
Supervisory Auditor, Bureau of Financial Analysis.
Auditor, Atlantic Coast Office.
Auditor, Pacific Coast Office.
Auditor, Seattle.

(g) Additions to, deletions from, and other amendments of the list of positions in paragraph (f) of this section may be made under the criteria in paragraph (d) of this section and are effective upon approval by the Chairman of the Commission and actual notification to the incumbents. Amendments to the list in paragraph (f) of this section shall be submitted annually for publication in the FEDERAL REGISTER.

§ 500.735–33 Employees not required to submit statements.

A statement of employment and financial interests is not required by the regulations in this part from the Chairman or the Commissioners. These employees are subject to separate reporting requirements under section 401 of the Executive order. An Assistant to a Commissioner is not required to submit a statement unless directed to do so by the Commissioner.

§ 500.735–34 Time and place for submission of employees' statements.

An employee required to submit a statement of employment and financial interests under the regulations in this part shall submit that statement to the Counselor designated under § 500.735–3 (a) not later than:

(a) Ninety days after the effective date of this part if employed on or before that effective date; or

(b) Thirty days after his entrance on duty, but not earlier than 90 days after the effective date, if appointed after that effective date.

§ 500.735–35 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31. If there are no changes or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 each year.

§ 500.735–36 Interests of employees' relatives.

The interest of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations who are residents of the employee's household.

§ 500.735–37 Information not known by employees.

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

§ 500.735–38 Information prohibited.

The regulations in this part do not require an employee to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

§ 500.735–39 Confidentiality of employees' statements.

The Commission shall hold each statement of employment and financial interests, and each supplementary statement, in confidence. The Commission may not disclose information from a statement except as the Civil Service Commission or the Chairman of this Commission may determine for good cause shown.

§ 500.735–40 Effect of employees' statement on other requirements.

The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

§ 500.735–41 Special Government employees.

All special Government employees, regardless of grade, shall be subject to the reporting requirements of this part and in addition such statements shall be submitted not later than the time of employment, and shall be kept current throughout the special employee's employment with the Commission, by submission of supplementary statements not later than 15 days after any change. These requirements may be waived or modified to the extent consistent with § 735.412 of the Civil Service Commission's regulations (5 CFR 735.412).

This Part 500 was approved by the Civil Service Commission on March 7, 1966.

Effective date. This Part 500 is effective upon publication in the FEDERAL REGISTER.

Dated: May 12, 1966.

JOHN HARLLEE,
Rear Admiral,
U.S. Navy (Retired), Chairman.

[F.R. Doc. 66–5311; Filed, May 16, 1966; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

[T.D. 6884]

SUBCHAPTER C—EMPLOYMENT TAXES

PART 31—EMPLOYMENT TAXES; APPLICABLE ON AND AFTER JANUARY 1, 1955

Deposit of Certain Employment Taxes

On April 29, 1966, notice of proposed rule making with respect to the amendment of § 31.6302(c)–1 of the Employment Tax Regulations (26 CFR Part 31) to provide revised rules for the deposit of certain employment taxes was published in the FEDERAL REGISTER (31 F.R. 6515). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted, subject to the changes set forth below:

Paragraph (a)(1)(ii) of § 31.6302(c)–1, as set forth in the notice of proposed rule making, is changed.

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: May 16, 1966.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

Paragraph (a) of § 31.6302(c)–1 is amended by revising subparagraphs (1) and (3) to read as follows:

§ 31.6302(c)–1 Use of Government depositaries in connection with taxes under Federal Insurance Contributions Act and income tax withheld.

(a) *Requirement*—(1) *In general.* (i) Except as provided in paragraph (b) of this section and subdivision (ii) of this subparagraph, if during any calendar month other than the last month of a calendar quarter, the aggregate amount of taxes (as defined in subdivision (iii) of this subparagraph) exceeds $100 in the case of an employer, such employer shall deposit such aggregate amount within 15 days after the close of such calendar month with a Federal Reserve bank. Notwithstanding the provisions of this subdivision, amounts required to be deposited for May 1966 may be deposited after June 15, 1966, but not later than June 20, 1966, if such amounts are combined with an amount required to be deposited under subdivision (ii) of this subparagraph for the first semimonthly period in June 1966.

(ii) This subdivision shall apply to taxes with respect to wages paid by an employer during June 1966 or during a calendar quarter thereafter if the aggregate of the taxes with respect to wages paid during any calendar month in the preceding calendar quarter exceeded $4,000 in the case of such employer. An employer shall deposit taxes to which this subdivision applies in a Federal Reserve bank within 3 banking days after the close of the semimonthly period during which the wages to which such taxes relate are paid. For purposes of this subdivision, "semimonthly period" means the first 15 days of a calendar month or the portion of a calendar month following the 15th of such month. An employer will be considered to have complied with the requirements of this subdivision for a semimonthly period if—

(*a*) (*1*) His deposit for such semimonthly period is not less than 90 percent of the aggregate amount of the taxes for such period and (2) if such period occurs in a month other than the last month in a calendar quarter, he deposits any underpayment for such month within 3 banking days after the 15th day of the following month; or

(*b*) (*1*) His deposit for each semimonthly period in the month is not less than 45 percent of the aggregate amount of the taxes for the month, and (2) if such month is other than the last month in a calendar quarter, he deposits any underpayment for such month within 3 banking days after the 15th day of the following month. This subdivision (*b*) shall not apply to any employer who normally pays in the first semimonthly period in each month more than 75 percent of the total wages paid during the month.

(iii) As used in this subparagraph, the term "taxes" means—

(*a*) The employee tax withheld under section 3102,

(*b*) The employer tax under section 3111, and

(*c*) The income tax withheld under section 3402,

exclusive of taxes with respect to wages for agricultural labor or for domestic service in a private home of the employer.

* * * * *

(3) *Depositary receipts.* Any deposit required to be made by an employer under subparagraph (1) of this paragraph shall be made separately from any deposit required to be made by him under subparagraph (2) of this paragraph. An employer required to make deposits under subparagraph (1) or subparagraph (2) may make one, or more than one, remittance of the amount required by such subparagraph to be deposited for a calendar month or a semimonthly period, as the case may be. However, a deposit for a period in one calendar quarter shall be made separately from any deposit for a period in another calendar quarter. Each remittance shall be accompanied by a Federal Depositary Receipt (Form 450) which shall be prepared in accordance with the instructions applicable thereto. The employer shall forward such remittance, together with such depositary receipt, to a Federal Reserve bank or, at his election, to a commercial bank authorized in accordance with Treasury Department Circular No. 848 to accept remittances of the taxes for transmission to a Federal Reserve bank. After the Federal Reserve bank has validated the depositary receipt, such depositary receipt will be returned to the employer. Every employer making deposits pursuant to this section shall attach to his return for the period with respect to which such deposits are made, in part or in full payment of the taxes shown thereon, depositary receipts so validated, and shall pay to the district director the balance, if any, of the taxes due for such period. An amount of tax which is not required to be deposited may nevertheless be deposited if the employer so desires. If such a voluntary deposit is made, the employer shall make it in ample time to enable the Federal Reserve bank to return the validated receipt to the employer so that it can be attached to and filed with the employer's return.

* * * * *

(Sec. 7805, Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

[F.R. Doc. 66-5464; Filed, May 16, 1966; 1:47 p.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 52]

GREEN OLIVES

Proposed Standards for Grades; Extension of Time

A proposal to revise the U.S. Standards for Grades of Green Olives was published in the FEDERAL REGISTER of September 14, 1965 (30 F.R. 11723). By notices in the FEDERAL REGISTER of January 8, 1966 (31 F.R. 270) and March 29, 1966 (31 F.R. 5074), the originally published time for receiving written data, views, and arguments was extended first to April 1, 1966, and then to May 2, 1966.

Formal requests from the Government of Spain and from domestic producers and packagers of green olives indicate a need for still more time in which to submit meaningful comments. In the consideration of such interest, notice is hereby given that the time for receiving written data, views, and arguments in connection with the proposed revision to the U.S. Standards for Grades of Green Olives has been further extended to July 1, 1966.

All persons who wish to submit written data, views, or arguments within the additional time for consideration in connection with the proposal should file the same—in duplicate—with the Hearing Clerk, Room 112–A, U.S. Department of Agriculture, Washington, D.C., 20250, on or before July 1, 1966. Comments received will be available for public inspection (Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624).

Dated: May 11, 1966.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

[F.R. Doc. 66-5326; Filed, May 16, 1966; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 133]

MEDICATED PREMIXES

Manufacturing Practices and Controls

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 501(a)(2)(B), 701(a), 52 Stat. 1050 as amended 76 Stat. 780, 781; 52 Stat. 1055; 21 U.S.C. 351(a)(2)(B), 371(a)) and under the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), the Commissioner of Food and Drugs proposes the promulgation of the following regulations to establish criteria for current good manufacturing practice in the manufacture, processing, packing, and holding of medicated premixes for use in the manufacture of medicated feeds, to effect compliance with section 501(a)(2)(B) of the act.

Any interested person may, within 60 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

1. It is proposed that § 133.1(c) be revised to read as follows:

§ 133.1 Definitions.

* * * * *

(c) As used in this Part 133:

(1) The term "medicated feed" means any "complete feed," "feed additive supplement," "feed additive concentrate," as defined in § 121.200 of this chapter, which feed contains one or more drugs as defined in section 201(g) of the act. Medicated feeds are subject to §§ 133.100–110, inclusive.

(2) The term "medicated premix" means a substance that meets the definition in § 121.200 of this chapter for a "feed additive premix," except that it contains one or more drugs as defined in section 201(g) of the act and is intended for manufacturing use in the production of a medicated feed. Medicated premixes are subject to §§ 133.200–210, inclusive.

2. It is proposed that Part 133 be amended by adding thereto the following new sections under the center heading indicated:

MEDICATED PREMIXES; MANUFACTURING PRACTICE

Sec.
133.200 Current good manufacturing practice.
133.201 Buildings.
133.202 Equipment.
133.203 Personnel.
133.204 Components.
133.205 Master-formula and batch-production records.
133.206 Production and control procedures.
133.207 Packaging and labeling.
133.208 Laboratory controls.
133.209 Distribution records.
133.210 Complaint files.

MEDICATED PREMIXES; MANUFACTURING PRACTICE

§ 133.200 Current good manufacturing practice.

The criteria in §§ 133.201–133.210, inclusive, shall apply in determining whether the methods used in, or the facilities and controls used for, the manufacture, processing, packing, or holding of a medicated premix conform to or are operated or administered in conformity with current good manufacturing practice to assure that a medicated premix meets the requirements of the act as to safety, and has the identity and strength, and meets the quality and purity characteristics which it purports or is represented to possess, as required by section 501(a)(2)(B) of the act. The regulations in this Part 133 permit the use of precision, automatic, mechanical, or electronic equipment in the production of a medicated premix when adequate inspection and checking procedures or other quality control procedures are used to assure proper performance.

§ 133.201 Buildings.

Buildings in which medicated premixes are manufactured, processed, packaged, labeled, or held shall be maintained in a clear and orderly manner and shall be of suitable size, construction and location in relation to surroundings to facilitate maintenance and operation for their intended purpose. The building shall:

(a) Provide adequate space for the orderly placement of equipment and materials used in any of the following operations for which they are employed to minimize risk of mixups between different medicated premixes, their components, packaging, or labeling:

(1) The receipt, sampling, control, and storage of components.

(2) Manufacturing and processing operations performed on the medicated premix.

(3) Packaging and labeling operations.

(4) Storage of containers, packaging materials, labeling, and finished products.

(5) Control laboratory operations.

(b) Provide adequate lighting and ventilation, and when necessary for the intended production or control purposes, adequate screening, dust and temperature controls, to prevent contamination of medicated premixes, and to avoid other conditions unfavorable to the safety, identity, strength, quality, and purity of the raw materials and medicated premixes before, during, and after production.

(c) Provide for adequate washing, cleaning, toilet, and locker facilities.

Work areas and equipment used for the production of medicated premixes or for the storage of the components of medicated premixes shall not be used for the production, mixing, or storage of finished or unfinished insecticides, fungicides, rodenticides or other pesticides or their components unless such materials are recognized or approved drugs intended for use in animals.

§ 133.202 Equipment.

Equipment used for the manufacture, processing, packaging, bulk shipment, labeling, holding, or control of medicated premixes or their components shall be maintained in a clean and orderly manner and shall be of suitable design, size, construction, and location to facilitate maintenance and operation for its intended purpose. The equipment shall:

(a) Be so constructed that any surfaces that come into contact with medicated premixes are suitable, in that they are not reactive, additive, or absorptive to an extent that significantly affects the identity, strength, quality, or purity of the medicated premix or its components.

(b) Be so constructed that any substance required for the operation of the equipment, such as lubricants, coolants, etc., may be employed without hazard of becoming an unsafe additive to the medicated premix.

(c) Be constructed to facilitate adjustment, cleaning, and maintenance, and to assure uniformity of production and reliability of control procedures and to assure the exclusion from medicated premixes of unsafe contamination, including cross-contamination from manufacturing operations.

(d) Be suitably grounded electrically to prevent lack of uniform mixing due to electrically charged particles.

(e) Be of suitable size and accuracy for use in any intended measuring, mixing, or weighing operations.

§ 133.203 Personnel.

The key personnel and any consultants involved in the manufacture and control of the medicated premix shall have a background of appropriate education or appropriate experience or combination thereof for assuming responsibility to assure that the medicated premix has the proper labeling and the safety, identity, strength, quality, and purity that it purports to possess.

§ 133.204 Components.

(a) Drug components, including undiluted drugs and any intermediate mixes containing drugs used in the manufacture and processing of medicated premixes, shall be received, examined, tested, stored, handled, and otherwise controlled in a manner to maintain the integrity and identification of such articles. Appropriate receipt and inventory records shall be maintained for 2 years, and such records shall show the origin of any drug components, the batches in which they were used, and the results of any testing of them.

(b) Nondrug components shall be stored and otherwise handled in a manner to avoid contamination, including cross-contamination from manufacturing operations.

§ 133.205 Master-formula and batch-production records.

(a) For each medicated premix, master-formula records shall be prepared, endorsed, and dated by a competent and responsible individual and shall be independently checked, reconciled, endorsed, and dated by a second competent and responsible individual. The record shall include:

(1) The name of the medicated premix and a specimen copy of its label.

(2) The weight or measure of each ingredient, adequately identified, to be used in manufacturing a stated weight of the medicated premix.

(3) A complete batch formula for each batch size to be produced from the master-formula record, including a complete list of ingredients designated by names or codes sufficiently specific to indicate any special quality characteristic; an accurate statement of the weight or measure of each ingredient, except that reasonable variations may be permitted in the amount of ingredients necessary in the preparation of the medicated premix, provided that the variations are stated in the master formula; an appropriate statement concerning any calculated excess of an ingredient; and a statement of the theoretical yield.

(4) Manufacturing instructions for each medicated premix produced on a batch or continuous operation basis, including mixing steps and mixing times that have been determined to yield an adequately mixed medicated premix; and in the case of medicated premixes produced by continuous production run, any additional manufacturing directions including, when indicated, the settings of equipment that have been determined to yield an adequately mixed medicated premix of the specified formula.

(5) Control instructions, procedures, specifications, special notations, and precautions to be followed.

(b) A separate batch-production and control record shall be prepared for each batch of medicated premix produced and shall be retained for at least 2 years after distribution by the manufacturer has been completed. The batch-production and control record shall include:

(1) Product identification, date of production, and endorsement by a competent and responsible individual.

(2) Records of each step in the manufacturing, packaging, labeling, and controlling of the batch, including dates, specific identification of drug components used, weights or measures of all components, laboratory-control results, and the endorsements of the individual actively performing or the individual actively supervising or checking each step in the operation.

(3) A batch number that permits determination of all laboratory-control procedures and results on the batch and all lot or control numbers appearing on the labels of the medicated premix.

§ 133.206 Production and control procedures.

Production and control procedures shall include all reasonable precautions, including the following, to assure that the medicated premixes produced have the identity, strength, quality, and purity they purport to possess:

(a) Each critical step in the process, such as the selection, weighing, and measuring of components; the addition of drug components during the process; weighing and measuring during various stages of the processing; and the determination of the finished yield, shall be performed by one or more competent, responsible individuals. If such steps in the processing are controlled by precision, automatic, mechanical, or electronic equipment, their proper performance shall be adequately checked by one or more competent, responsible individuals.

(b) All containers to be used for undiluted drugs, drug components, intermediate mixtures thereof, and medicated premixes shall be received, adequately identified, and properly stored and handled in a manner adequate to prevent mixups and contamination.

(c) Equipment, including dust-control and other equipment, such as that used for holding and returning recovered or flush-out materials back into production, shall be maintained and operated in a manner to prevent contamination of the medicated premixes and to insure the integrity of the finished product.

(d) Competent and responsible personnel shall check actual against theoretical yield of a batch of medicated premix, and, in the event of any significant discrepancies, key personnel shall prevent distribution of the batch in question and other associated batches of medicated premixes that may have been involved in a mixup with it.

(e) Adequate procedures for cleaning of those parts of storage, mixing, conveying, and other equipment coming in contact with the drug component of the medicated premix shall be used to prevent contamination of medicated premixes.

(f) If there is sequential production of batches of a medicated premix containing the same drug component (or components) at the same or lower levels, there shall be sufficient safeguards to avoid any buildup above the specified levels of the drug components in any of the batches of the medicated premix.

(g) Production and control procedures shall include provision for discontinuing distribution of any medicated premix found by the assay procedures, or other controls performed, to fail to conform to appropriate specifications. Distribution of subsequent production shall not begin until it has been determined that proper control procedures have been established.

§ 133.207 Packaging and labeling.

(a) Packaging and labeling operations shall be adequately controlled:

(1) To assure that only those medicated premixes that have met the specifications established in the master-formula records shall be distributed.

(2) To prevent mixups during the packaging and labeling operations.

(3) To assure that correct labeling is employed for each medicated premix.

(4) To identify medicated premixes with lot or control numbers that permit determination of the history of the manufacture and control of the batch of medicated premix.

(b) Packaging and labeling operations shall provide:

(1) For storage of labeling in a manner to avoid mixups.

(2) For careful checking of labeling for identity and conformity to the labeling specified in the batch-production records.

(3) For adequate control of the quantities of labeling issued for use with the medicated premix.

(c) Medicated premixes shall be distributed in suitable containers to insure the safety, identity, strength, and quality of the finished product.

§ 133.208 Laboratory controls.

Laboratory controls shall include the establishment of adequate specifications and test procedures to assure that the drug components and the medicated premixes conform to appropriate standards of identity, strength, quality, and purity. Laboratory controls shall include:

(a) The establishment of master records containing appropriate specifications and a description of the test procedures used to check them for each kind of drug component used in the manufacture of medicated premixes. This may consist of the manufacturer's or supplier's statement of specifications and certified analyses.

(b) The establishment of specifications for medicated premixes and a description of necessary laboratory test procedures to check such specifications.

(c) Assay of a representative sample of each batch of medicated premix for its drug component or components: *Provided*, That in the case of a medicated premix diluted from a medicated premix so assayed, the assay of such diluted medicated premix shall be done on representative samples taken from not less than 10 batches of each 100 batches of such diluted medicated premix.

(d) A determination which establishes that the drug components remain uniformly dispersed and stable in the medicated premix under ordinary conditions of shipment, storage, and use. Suitable expiration dates shall appear on the labels of the premixes when needed to assure that the articles meet the appropriate standards of identity, strength, quality, and purity at the time of use.

(e) Adequate provision to check the reliability, accuracy, and precision of any laboratory test procedure used. The official Methods of Analysis of the Association of Official Analytical Chemists, methods described in an official compendium, and any method submitted as a part of a food additive petition or new-drug application that has been accepted by the Food and Drug Administration shall be regarded as meeting this provision.

(f) Provision for the maintenance of the results of any assays, including dates and endorsement of analysts. Such records shall be retained in the possession of the manufacturer and shall be maintained for a period of at least 2 years after distribution by the manufacturer of the medicated premix has been completed.

§ 133.209 Distribution records.

Complete records shall be maintained for each shipment of medicated premixes in a manner that will facilitate the recall, diversion, or destruction of the medicated premix, if necessary. Such records shall be retained for at least 2 years after the date of the shipment by the manufacturer and shall include the name and address of the consignee, the date and quantity shipped, and the manufacturing dates, control numbers, or marks identifying the medicated premix shipped.

§ 133.210 Complaint files.

Records shall be maintained for a period of 2 years of all written or verbal complaints for each medicated premix. Complaints shall be evaluated by competent and responsible personnel and, where indicated, appropriate action shall be taken. The record shall indicate the evaluation and the action.

Dated: May 10, 1966.

WINTON B. RANKIN,
Acting Deputy Commissioner, of Food and Drugs.

[F.R. Doc. 66-5343; Filed, May 16, 1966; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-WE-120]

FEDERAL AIRWAY

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a standard south alternate to V-448 from Portland, Oreg., to Yakima, Wash. The south alternate although approximately four miles longer than the main segment, would reduce the minimum en route altitude by approximately 4,500 feet.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 11, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5352; Filed, May 16, 1966; 8:50 a.m.]

Notices

DEPARTMENT OF DEFENSE

Department of the Navy

STATEMENT OF ORGANIZATION AND FUNCTIONS

Reorganization of the Department of the Navy

1. *Reorganization Order of the Secretary of Defense.* The following Department of Defense Reorganization Order, reorganizing the Department of the Navy, was issued by the Secretary of Defense on March 9, 1966:

DEPARTMENT OF DEFENSE REORGANIZATION ORDER

REORGANIZATION OF THE DEPARTMENT OF THE NAVY

By virtue of the authority vested in me by section 125 of Title 10 of the United States Code, and as Secretary of Defense, it is hereby ordered as follows:

SECTION 1. *Abolition of Office of Naval Material and transfer of functions.* The Office of Naval Material and the Offices of Chief of Naval Material and Vice Chief of Naval Material named in sections 5111 and 5112, Title 10, United States Code, are hereby abolished and their functions, including those functions described in sections 5111 and 5082(a)(2), Title 10, United States Code, are transferred to the Secretary of the Navy.

SEC. 2. *Abolition of certain bureaus and transfer of functions.* The following bureaus, named in Chapter 513 of Title 10, United States Code, and the offices of the chiefs, deputy chiefs, and other officials of such bureaus are hereby abolished and all their functions are transferred to the Secretary of the Navy:

(a) Bureau of Naval Weapons;
(b) Bureau of Ships;
(c) Bureau of Supplies and Accounts; and
(d) Bureau of Yards and Docks.

SEC. 3. *Performance of transferred functions.* Subject to the provisions of sections 5012 and 5013, Title 10, United States Code, the Secretary of the Navy may from time to time make such provisions as he shall deem appropriate authorizing the performance by any other officer, or by any office, agency, or employee, of the Department of the Navy of any function transferred to the Secretary by the provisions of this order, or assigning any such function to any other officer, or to any office, agency, or employee, of the Department of the Navy.

SEC. 4. *Transitional provisions.* In order to assist in the orderly transfer of functions and to promote continuity of operations, the Secretary of the Navy may, if he considers it necessary, delay beyond the effective date of this order the abolition of any office or the transfer of any function.

SEC. 5. *Effective date.* The provisions of this order shall take effect on the date determined under section 125, Title 10, United States Code, or the first day of May 1966, whichever is later.

ROBERT S. MCNAMARA.

The above reorganization order took effect on May 1, 1966.

By direction of the Secretary of the Navy.

Dated: May 11, 1966.

[SEAL] WILFRED HEARN,
Rear Admiral, U.S. Navy, Judge Advocate General of the Navy.

2. General Order 5 of the Secretary of the Navy (effecting amendment to Organization Statement, Department of the Navy). Effective May 1, 1966, the Organization Statement of the Department of the Navy (16 F.R. 12573), as amended, is further amended to conform with General Order 5 of the Secretary of the Navy, dated April 29, 1966, and set forth below. The General Order is being distributed to Navy and Marine Corps commands in due course. The General Order supersedes, to the extent of any inconsistencies, the previously published Organization Statement, as amended, including General Order 5 of October 20, 1964 (29 F.R. 14891).

By direction of the Secretary of the Navy.

Dated: May 11, 1966.

[SEAL] WILFRED HEARN,
Rear Admiral, U.S. Navy, Judge Advocate General of the Navy.

[General Order 5]

ASSIGNMENT AND DISTRIBUTION OF AUTHORITY AND RESPONSIBILITY FOR THE ADMINISTRATION OF THE DEPARTMENT OF THE NAVY

PURPOSE AND SCOPE

1. This General Order prescribes policies and principles which shall hereafter govern the organization and administration of the Department of the Navy, and assigns basic responsibilities for its continued administration under the Secretary of the Navy.

COMPOSITION OF THE DEPARTMENT OF THE NAVY

2. a. By statute the Department of the Navy is separately organized under the Secretary of the Navy. It operates under the authority, direction, and control of the Secretary of Defense. It is composed of the executive part of the Department of the Navy; the Headquarters, U.S. Marine Corps; the entire operating forces, including naval aviation, of the U.S. Navy and of the U.S. Marine Corps, and the reserve components of those operating forces; and all shore (field) activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Secretary of the Navy. It includes the U.S. Coast Guard when it is operating as a service in the Navy. (United States Code, Title 10, sec. 5011.)

b. The term "Navy Department" refers to the central executive offices and bureaus of the Department of the Navy located at the seat of the Government. The Navy Department includes the offices of all members of the executive administration of the Department of the Navy; these organizationally comprise the Office of the Secretary of the Navy, the Office of the Chief of Naval Operations, and the headquarters organizations of the U.S. Marine Corps, the Naval Material Command, the Bureau of Naval Personnel, the Bureau of Medicine and Surgery, the Office of the Comptroller of the Navy, the Office of the Judge Advocate General, the Office of Naval Research, the offices of Staff Assistants to the Secretary, and the U.S. Coast Guard when it is operating as a service in the Navy.

OBJECTIVES

3. The fundamental objectives of the Department of Defense, are (a) to organize, train, equip, prepare, and maintain the readiness of Navy and Marine Corps forces for the performance of military missions as directed by the President or the Secretary of Defense, and (b) to support Navy and Marine Corps forces, including the support of such forces and the forces of other military departments, as directed by the Secretary of Defense, which are assigned to unified or specified commands. Support, as here used, includes administrative, personnel, material and fiscal support, and technological support through research and development.

EXECUTIVE ADMINISTRATION OF THE DEPARTMENT OF THE NAVY

4. The Secretary of the Navy is the head of the Department of the Navy. Under the direction, authority, and control of the Secretary of Defense, he is responsible for the policies and control of the Department of the Navy, including its organization, administration, operation, and efficiency.

5. The Civilian Executive Assistants to the Secretary are the Under Secretary of the Navy, the Assistant Secretaries of the Navy, The Special Assistant to the Secretary of the Navy, and the Deputy Under Secretary for Manpower. It is the policy of the Secretary of the Navy to assign Department-wide responsibilities for areas which are essential to the efficient administration of the Department of the Navy to and among his Civilian Executive Assistants. Such areas will include, but are not limited to, manpower, material, facilities, research and development, and financial management. Each Civilian Executive Assistant will have such authority over his assigned area as is delegated to him by the Secretary of the Navy. One of the Civilian Executive Assistants will serve as Comptroller of the Navy; under him, the Deputy Comptroller of the Navy will, in addition to his other duties, serve as an adviser and assistant to the Chief of Naval Operations and the Commandant of the Marine Corps with respect to financial and budgetary matters.

6. The Chief of Naval Operations is the senior military officer of the Department of the Navy and takes precedence above all other officers of the naval service, except an officer of the naval service who is serving as Chairman of the Joint Chiefs of Staff (United States Code, Title 10, sec. 5081(b)). He is the principal naval adviser to the President and the Secretary of the Navy on the conduct of war, and the principal naval adviser and naval executive to the Secretary on the conduct of the activities of the Department of the Navy. The Chief of Naval Operations is the Navy member of the Joint Chiefs of Staff, and is responsible for keeping the Secretary of the Navy fully informed on matters considered or acted upon by the Joint Chiefs of Staff; in this capacity, he is responsible under the President and the Secretary of Defense for duties external to the Department of the Navy as prescribed by law.

a. Internal to the administration of the Department of the Navy, the Chief of Naval Operations, under the Secretary of the Navy, shall command the Operating Forces of the Navy, which shall include the several fleets, seagoing forces, sea frontier forces, district forces, Fleet Marine Forces and other assigned Marine Corps forces, the Military Sea Transportation Service, and such Navy shore (field) activities and commands as are assigned by the Secretary of the Navy; the Naval Material Command; the Bureau of Naval Personnel and assigned shore (field) activities; and the Bureau of Medicine and Surgery and assigned shore (field) activities. He shall be responsible to the Secretary of the Navy for the utilization of resources by and the operating efficiency of all activities under his command.

b. With respect to the Operating Forces of the Navy, these general responsibilities include the following specific responsibilities:

(1) To organize, train, prepare, and maintain the readiness of Navy forces, for assignment to unified or specified combatant commands for the performance of military missions as directed by the President or the Secretary of Defense. This includes the responsibility to make or initiate, as appropriate, any special provisions that may be required within the Department of the Navy for the administration of naval forces which are assigned to such combatant commands. Inherently, this responsibility includes determination of the training required to prepare Navy personnel, including reserve personnel, for combat. Naval forces, when assigned, are under the full operational command of the commander of the unified or specified combatant command to which they are assigned.

(2) To plan for and determine the material support needs of the Operating Forces of the Navy (less Fleet Marine Forces and other assigned Marine Corps forces) including equipment, weapons or weapons systems, materials, supplies, facilities, maintenance, and supporting services. This responsibility includes the determination of the military performance requirements of and priorities for things to be developed or procured, and the determination of the order in which ships, aircraft, surface craft, weapons or weapons systems, and facilities are to be acquired, constructed, maintained, altered, repaired, and overhauled.

(3) To plan for and determine the present and future needs, both quantitative and qualitative, for personnel, including reserve personnel, of the U.S. Navy. This includes responsibility for leadership in maintaining a high degree of competence among Navy officer and enlisted personnel in necessary fields of specialization through education, training, and equal opportunities for personal advancement; and for leadership in maintaining the morale and motivation of Navy personnel and the prestige of a Navy career.

(4) To plan for and determine the needs for the care of the health of the personnel of the Navy and their dependents.

(5) The Naval Reserve shall be organized, administered, trained, and supplied under the direction of the Chief of Naval Operations.

c. In addition, the Chief of Naval Operations, under the Secretary of the Navy, shall, except for those areas wherein such responsibility rests with the Commandant of the Marine Corps, exercise overall authority throughout the Department of the Navy in matters essential to naval military administration, such as security, intelligence, discipline, communications, and matters related to the customs and traditions of the naval service.

7. The Commandant of the Marine Corps is the senior officer of the U.S. Marine Corps. While matters which directly concern the Marine Corps are under consideration by the Joint Chiefs of Staff, and with respect to such matters, the Commandant has coequal status with the members of the Joint Chiefs of Staff. He is responsible for keeping the Secretary of the Navy fully informed on these matters. In this capacity, he is responsible under the President and the Secretary of Defense for duties external to the Department of the Navy as prescribed by law.

a. Internal to the administration of the Department of the Navy, the Commandant of the Marine Corps, under the Secretary of the Navy, shall command the U.S. Marine Corps, which shall include Headquarters, U.S. Marine Corps, the Operating Forces of the Marine Corps, Marine Corps Supporting Establishments, and the Marine Corps Reserve. He advises the Secretary of the Navy on matters pertaining to the Marine Corps. He is directly responsible to the Secretary of the Navy for the administration, discipline, internal organization, training, requirements, efficiency, and readiness of the Marine Corps; for the operation of its material support system; and for the total performance of the Marine Corps. He is also responsible to the Secretary of the Navy for the utilization of resources by and the operating efficiency of all activities under his command. When performing these functions, the Commandant of the Marine Corps is not a part of the command structure of the Chief of Naval Operations. However, there must be a close cooperative relationship between the Chief of Naval Operations, as the senior military officer of the Department of the Navy, and the Commandant of the Marine Corps, as the one having command responsibility over the Marine Corps. The Commandant of the Marine Corps is directly responsible to the Chief of Naval Operations for the organization, training, and readiness of those elements of the Operating Forces of the Marine Corps assigned to the Operating Forces of the Navy. Such Marine Corps forces, when so assigned, are subject to the command exercised by the Chief of Naval Operations over the Operating Forces of the Navy.

b. These general responsibilities include the following specific responsibilities:

(1) To plan for and determine the support needs of the Marine Corps for equipment, weapons or weapons systems, materials, supplies, facilities, maintenance, and supporting services. This responsibility includes the determination of Marine Corps characteristics of equipment and material to be procured or developed, and the training required to prepare Marine Corps personnel for combat. It also includes the operation of the Marine Corps Material Support System.

(2) To budget for the Marine Corps, except as may be otherwise directed by the Secretary of the Navy.

(3) To develop, in coordination with other Military Services, the doctrines, tactics, and equipment employed by landing forces in amphibious operations.

(4) To plan for and determine the present and future needs, both quantitative and qualitative, for personnel, including reserve personnel, of the U.S. Marine Corps. This includes responsibility for leadership in maintaining a high degree of competence among Marine Corps officer and enlisted personnel in necessary fields of specialization through education, training, and equal opportunities for personal advancement; and for leadership in maintaining the morale and motivation of Marine Corps personnel and the prestige of a Marine Corps career.

(5) To plan for and determine the needs for the care of the health of the personnel of the Marine Corps and their dependents.

8. The Chief of Naval Material, under the chief of Naval Operations, shall command the Naval Material Command, and shall have the following specific responsibilities:

a. To meet material support needs of the Operating Forces of the Navy for equipment, weapons or weapons systems, materials, supplies, facilities, maintenance, and supporting services, including the development, acquisition, construc-

tion, maintenance, alteration, repair, and overhaul of ships, aircraft, surface craft, weapons or weapons systems, materials, and facilities; all consistent with approved programs. Inherently, this includes the responsibility to plan for and develop the resource capabilities and readiness of the Naval Material Command to meet the needs of the Operating Forces of the Navy as determined by the Chief of Naval Operations. It also includes the responsibility to provide the Chief of Naval Operations with timely and adequate technical and economic data concerning the feasibility of meeting needs, including new capabilities to meet needs.

b. To be responsive directly to the Commandant of the Marine Corps in meeting those particular material support needs of the U.S. Marine Corps which are required to be provided by the Naval Material Command.

c. To plan for the utilization of resources in the performance of the work of meeting those material support needs of the Operating Forces of the Navy and of the Marine Corps which are provided by the Naval Material Command; and to distribute, direct, and supervise the performance of such work. Such work includes the development, procurement, acquisition, contracting, production, supply, maintenance, alteration, repair, overhaul, and disposal of naval material; it includes responsibilities for the development and operation of the Navy Supply System; and, it includes the acquisition, design, construction, maintenance, and disposal of naval facilities, including real estate and all improvements thereon and the operation of public utilities, except that this does not include the maintenance of Marine Corps facilities or the operation of their public utilities.

d. To provide the Chief of Naval Operations, and the Commandant of the Marine Corps, as appropriate, with timely advice concerning training and technical requirements essential for the operation and maintenance by naval personnel of new equipment under development; and, as appropriate, to provide the Operating Forces of the Navy with timely guidance on the operation, repair, and maintenance of all equipment and weapons or weapons systems.

e. The Chief of Naval Material shall be responsive to the heads of other organizations in meeting their material support needs which are provided by the Naval Material Command.

9. The Chief of Naval Personnel, under the Chief of Naval Operations, shall command the Bureau of Naval Personnel and assigned shore (field) activities. The Chief of the Bureau of Medicine and Surgery, under the Chief of Naval Operations, shall command the Bureau of Medicine and Surgery and assigned shore (field) activities. In addition, each shall have the following specific responsibilities:

a. To meet those particular needs of the Operating Forces of the Navy which fall within their area of responsibility. Inherently this includes the responsibility to provide the Chief of Naval Operations with timely technical and economic data concerning the feasibility of meeting needs, including new capabilities to meet needs, so that he may better determine the work to be done in satisfaction of such needs.

b. To be responsive directly to the Commandant of the Marine Corps in meeting those particular needs of the U.S. Marine Corps which are required to be provided by their organizations.

c. To plan for the utilization of resources in the performance of the work of meeting those needs of the Operating Forces of the Navy and of the Marine Corps which are provided by their organizations; to distribute, direct, and supervise the performance of such work.

The functions of the Bureau of Naval Personnel and the Bureau of Medicine and Surgery will be as provided by law or as assigned by separate directive.

10. The Chief of Naval Research, under the Secretary of the Navy, shall command the Office of Naval Research and assigned shore (field) activities. The Judge Advocate General, under the Secretary of the Navy, shall command the Office of the Judge Advocate General and assigned shore (field) activities. The Deputy Comptroller of the Navy, under the Comptroller of the Navy, shall command the Office of the Comptroller of the Navy and assigned shore (field) activities. Each of them shall be responsible to the Secretary of the Navy or to one of his Civilian Executive Assistants for the utilization of resources by and the operating efficiency of all activities under their respective command. The functions of the Office of Naval Research, the Office of the Judge Advocate General, and the Office of the Comptroller of the Navy will be as provided by law or as assigned by separate directive of the Secretary of the Navy.

11. The Staff Assistants to the Secretary are the Administrative Officer, Navy Department; the General Counsel; the Chief of Industrial Relations; the Chief of Information; the Chief of Legislative Affairs; the Director, Office of Management Information; the Director, Office of Naval Petroleum and Oil Shale Reserves; the Director, Office of Program Appraisal; and the heads of such other officers and boards as may be established by law or by the Secretary of the Navy for the purpose of assisting the Secretary or one or more of his Civilian Executive Assistants in the administration of the Department of the Navy. Each of the foregoing shall supervise all functions and activities internal to his office and assigned shore (field) activities if any. Each shall be responsible to the Secretary of the Navy or to one of his Civilian Executive Assistants for the utilization of resources by and the operating efficiency of all activities under their respective supervision. The duties of the individual Staff Assistants and their respective offices will be as provided by law or as assigned by separate directive of the Secretary of the Navy.

OPERATING RELATIONSHIPS

12. Interchange of information and integration of actions among the members of the executive administration are essential to the effective functioning of the Department of the Navy. Accordingly, they are authorized direct communication and access to the Secretary of the Navy and to one another in their respective areas of responsibility, subject to keeping their respective superiors appropriately informed.

13. Formal operating relationships with respect to the efforts of determining needs and providing support between the Commandant of the Marine Corps and his organization and the Chief of Naval Material and his organization shall be governed by the following principles.

a. The Commandant of the Marine Corps will express to the Chief of Naval Material those Marine Corps material needs which are to be provided by the Naval Material Command. With respect to the development of material items, the Commandant of the Marine Corps will specify the military performance required to meet Marine Corps needs.

b. The Chief of Naval Material will advise the Commandant of the Marine Corps as to the economic and technological feasibility of meeting such needs and will keep the Commandant informed of new capabilities to meet needs of the Marine Corps which may or may not have been previously expressed. With respect to the development of material items, the Chief of Naval Material will determine the technical effort to satisfy the specified requirement.

c. The Commandant of the Marine Corps will select the work to be done to satisfy the needs of the Marine Corps based upon feasibility data and current estimates of the worth of a particular need in relation to other desirable needs, including, where necessary, the curtailment or cancellation of work already in progress in favor of work which offers greater promise or work of greater military worth.

d. The Chief of Naval Material will exercise appropriate supervision over accomplishment of the work selected, and will insure that resources available to him are efficiently utilized in meeting Marine Corps needs.

e. Work being accomplished will be reviewed concurrently by the Commandant of the Marine Corps from the viewpoint of readiness and military worth, and by the Chief of Naval Material from the viewpoint of progress and the efficient utilization of resources available to him.

AUTHORITY OVER ORGANIZATIONAL MATTERS

14. Subject to the approval of the Secretary of the Navy or guidance hereafter furnished by him, the members of the executive administration specified by paragraphs 4 through 11 above are individually authorized to organize, assign, and reassign responsibilities within their respective areas of the organization of the Department of the Navy, including the establishment and disestablishment of such component organizations as may be necessary, provided that: (a) The authority to disestablish does not extend to any organizational component of the Department established by law, and (b) the Secretary of the Navy retains unto himself the authority to establish and disestablish shore (field) activities, which will be done in accordance with procedures prescribed by him.

EFFECTIVE DATE

15. This General Order is effective May 1, 1966. It supersedes General Order No. 5 dated October 20, 1964. The members of the executive administration of the Department of the Navy, in accordance with their responsibilities assigned herein, shall take appropriate action to promulgate or modify those regulations, orders, instructions, and directives necessary to assure effective implementation of this order on its effective date.

[F.R. Doc. 66-5349; Filed, May 16, 1966; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

IDAHO

Notice of Filing of Protraction Diagram

MAY 9, 1966.

Notice is hereby given that effective at and after 10 a.m., on June 13, 1966, the following protraction diagram is officially filed of record in the Idaho Land Office, Room 327, Federal Building, Boise, Idaho, 83701. In accordance with Title 43, Code of Federal Regulations, this protraction will become the basic record for describing the land for all authorized uses. Until this date and time the diagram has been placed in open file and is available to the public for information only.

IDAHO PROTRACTION DIAGRAM—NO. 72

BOISE MERIDIAN

Approved April 21, 1966

Ts. 13 and 14 N., Rs. 16, 17, and 18 E.

Copies of this diagram are for sale at one dollar ($1.00) each by the Cadastral Engineering Office, Bureau of Land Management, Post Office Box 2237, Boise, Idaho, 83701.

ORVAL G. HADLEY,
Manager, Land Office, Boise, Idaho.

[F.R. Doc. 66-5320; Filed, Mar. 16, 1966; 8:47 a.m.]

CHIEFS, BRANCH OF ADMINISTRATIVE SERVICES, AND PROCUREMENT SECTION, PORTLAND SERVICE CENTER, OREGON

Redelegation of Authority Regarding Contracts and Leases

SECTION 1. *Authority.* Pursuant to the authority contained in Bureau of Land Management Order No. 698 and all amendments thereto, the Chief, Branch of Administrative Services and the Chief, Procurement Section, Portland Service Center, Portland, Oreg., are hereby redelegated the authority contained in section 1 of said order.

The above redelegation is effective May 1, 1966, and may not be redelegated.

EDWARD G. BYGLAND,
Director, Portland Service Center.

MAY 10, 1966.

[F.R. Doc. 66-5321; Filed, May 16, 1966; 8:47 a.m.]

Bureau of Reclamation

ASHLEY NATIONAL FOREST, UTAH

Order of Transfer of Administrative Jurisdiction of Land

By virtue of the authority vested in the Secretary of the Interior by section 7(c) of the Act of July 9, 1965 (79 Stat. 213) and his delegation of authority to the Commissioner of Reclamation dated February 25, 1966, published March 4, 1966 (31 F.R. 3426), jurisdiction over the following described lands, which lie within the exterior boundaries of the Ashley National Forest, Utah, and which were acquired by the Bureau of Reclamation in the development of the Flaming Gorge Reservoir, Colorado River Storage Project, is hereby transferred to the Secretary of Agriculture for recreational and other National Forest System purposes:

In the Sheep Creek drainage, beginning at Corner No. 1 of Homestead entry survey No. 54 from which the South quarter corner of Section 34, T. 3 N., R. 20 E., SLB&M bears N 37°16' E 124.85 chains, thence S 65°37' W 61.03 chains, then S 00°45' W 4.97 chains, thence S 65°59' W 60.06 chains, thence S 88°48' W 20.05 chains, thence N 89°27' W 20.08 chains, thence S 00°18' E 20 chains, thence S 89°26' E 20.06 chains, thence S 80°11' E 20.03 chains, thence N 65°36' E 59.92 chains, thence N 00°45' E 5.12 chains, thence N 65°45' E 59.37 chains, thence N 87°51' E 23.05 chains, thence N 00°05' W 10.11 chains, thence S 89°59' W 21.13 chains, thence N 00°05' E 10.16 chains to the point of beginning, containing 330.19 acres.

In the Dutch John Townsite area, the NE¼SE¼, N½NW¼SE¼, N½SW¼, SW¼SW¼, and W½SE¼SW¼ sec. 2, T. 2 N., R. 22 E., SLB&M, containing 200 acres, more or less.

The two areas thus comprise a total of some 530.19 acres.

Pursuant to said section 7(c) of the aforesaid Act of July 9, 1965, the above lands shall become National Forest lands, provided, that all lands and waters within the Flaming Gorge Reservoir area needed or used for the operation of the project or for other Reclamation purposes shall continue to be administered by the Commissioner of Reclamation to the extent he determines to be necessary for such operation.

This order shall be effective upon publication in the FEDERAL REGISTER.

Dated: May 10, 1966.

FLOYD E. DOMINY,
Commissioner,
Bureau of Reclamation.

[F.R. Doc. 66-5322; Filed, May 16, 1966; 8:47 a.m.]

CACHE NATIONAL FOREST, UTAH

Order of Transfer of Administrative Jurisdiction of Land

By virtue of the authority vested in the Secretary of the Interior by section 7(c) of the Act of July 9, 1965 (79 Stat. 213) and his delegation of authority to the Commissioner of Reclamation dated February 25, 1966, published March 4, 1966 (31 F.R. 3426), jurisdiction over the following described lands, which lie within the exterior boundaries of the Cache National Forest, Utah, and which were acquired by the Bureau of Reclamation in the development of the Causey Reservoir, Weber Basin Project, is hereby transferred to the Secretary of Agriculture for recreational and other National Forest System purposes:

Beginning at a point 1,320 feet west of northeast corner of sec. 3, T. 6 N., R. 3 E., SLB&M, thence 660 feet east, 660 feet south, thence 330 feet east, thence 660 feet south, thence 330 feet east, thence 660 feet south, thence 660 feet east, thence 1,980 feet north, thence 330 feet west to a point which is 330 feet east from the southwest corner of sec. 35, T. 7 N., R. 3 E., thence north 990 feet, thence east 2,970 feet, thence south 330 feet, thence east 330 feet, thence south 330 feet, thence east 330 feet, thence south 330 feet to a point on the township line 1,320 feet west of northeast corner of sec. 2, T. 6 N., R. 3 E., thence south 660 feet, thence east 330 feet, thence south 660 feet, thence east 330 feet, thence south 330 feet, thence east 990 feet, thence north 660 feet, thence west 330 feet, thence north 990 feet to said northeast corner of sec. 2, T. 6 N., R. 3 E., which is also the southeast corner of sec. 35, T. 7 N., R. 3 E., thence north 330 feet, thence east 330 feet, thence north 330 feet, thence east 660 feet, thence north 330 feet, thence east 330 feet, thence north 660 feet, thence west 990 feet, thence south 330 feet, thence west 990 feet, thence north 330 feet, thence west 1,320 feet, thence north 330 feet, thence west 990 feet, thence north 330 feet, thence west 1,980 feet, thence north 330 feet, thence west 330 feet, thence north 1,650 feet, thence east 330 feet, thence north 990 feet, thence east 330 feet, thence north 990 feet, thence east 330 feet, thence north 330 feet, thence east 330 feet, thence north 330 feet, thence east 330 feet, thence north 610 feet, thence west 1,320 feet, thence south 660 feet, thence west 330 feet, thence south 330 feet, thence west 330 feet, thence south 330 feet, thence west 330 feet, thence south 990 feet, thence west 660 feet, thence south 2,310 feet, thence west 660 feet, thence south 330 feet, thence west 660 feet, thence south 447.3 feet, thence west 330 feet, thence south 212.7 feet, thence east 330 feet, thence south 36 feet, thence east 105 feet, thence S. 54°21' E. 504.6 feet, thence east 375 feet, thence S. 45°00' E. 141.4 feet, thence south 230 feet, thence east 330 feet, thence south 1,320 feet to the point of beginning, containing 556.82 acres.

Included within the above described area is an easement of 10.36 acres acquired through memorandum of understanding from the Forest Service for reclamation purposes. This tract is described with exceptions noted as follows: Beginning at a point 2,310 feet north and 700 feet east from the southwest corner of sec. 26, T. 7 N., R. 3 E., thence south 610 feet, thence east 950 feet, thence north 610 feet, thence west 950 feet to the point of beginning, and excepting therefrom two tracts as follows: Tract No. 1. Beginning at a point

from which the southwest corner of said sec. 26, T. 7 N., R. 3 E., lies S. 26°51' W. 2,498.2 feet, thence N. 15°59' W. 84.4 feet, thence east 303.6 feet, thence S. 23°33' W. 136.8 feet, thence N. 78°54' W. 230 feet to the point of beginning containing 0.64 acre.

Tract No. 2. Beginning at a point which is east 1,000 feet and N. 00°02' W. 2,116 feet from the southwest corner of sec. 26, T. 7 N., R. 3 E., thence east 240 feet, thence S. 31°30' W. 485 feet, thence west 240 feet, thence N. 31°30' E. 485 feet to the point of beginning, containing 2.3 acres and leaving, therefore, 10.36 acres, more or less, in the easement area.

Pursuant to said section 7(c) of the aforesaid Act of July 9, 1965, the above lands shall become National Forest lands, provided, that all lands and waters within the Causey Reservoir area needed or used for the operation of the project or for other Reclamation purposes shall continue to be administered by the Commissioner of Reclamation to the extent he determines to be necessary for such operation.

This order shall be effective upon publication in the FEDERAL REGISTER.

Dated: May 10, 1966.

FLOYD E. DOMINY,
Commissioner,
Bureau of Reclamation.

[F.R. Doc. 66-5323; Filed, May 16, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

SUGARCANE IN FLORIDA AND LOUISIANA

Notice of Hearings on Wages and Prices and Designation of Presiding Officers

Pursuant to the authority contained in sections 301(c)(1) and 301(c)(2) of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U.S.C. 1131), and in accordance with the rules of practice and procedure applicable to wage and price proceedings (7 CFR 802.1 et. seq.), notice is hereby given that public hearings will be held as follows:

At Belle Glade, Fla., on June 17, 1966, in the Holiday Inn, beginning at 9:30 a.m.;

At Houma, La., on June 22, 1966, in the Municipal Auditorium, 880 Verret Street, beginning at 9:30 a.m.

The purpose of these hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1) pursuant to the provisions of section 301(c)(1) of the act, whether the wage rates established for Florida sugarcane fieldworkers in the wage determination which became effective December 1, 1965 (30 F.R. 13764), and for Louisiana sugarcane fieldworkers in the wage determination which became effective November 1, 1965 (30 F.R. 13430), continue to be fair and reasonable under existing circumstances, or whether such determination(s) should be amended; and (2) pursuant to the provisions of section 301(c)(2) of the act, fair and reasonable prices for the 1966 crops of sugarcane in Florida and Louisiana, under either purchase or toll agreements, by producers who process sugarcane grown by other producers and who apply for payment under the act..

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

In the interest of obtaining the best possible information, all interested persons are requested to appear at the hearings to express their views and present appropriate data in regard to wages and prices.

While testimony on all pertinent points is desired, it is especially requested that witnesses be prepared to offer information and recommendations on the following matters regarding fair wages for fieldworkers and prices for sugarcane:

I. Florida:

(a) *Wages.* The need for other worker classifications such as workers employed in mechanical harvesting operations.

(b) *Prices.* The determination for each producer of the quantity of trash delivered with sugarcane.

II. Louisiana:

(a) *Wages.* Changes in worker classifications and wage rate differentials.

(b) *Prices.* Periods to be used to determine the season's average prices of raw sugar and blackstrap molasses.

The hearings, after being called to order at the times and places mentioned herein, may be continued from day to day within the discretion of the presiding officers and may be adjourned to a later day or to a different place without notice other than the announcement thereof at the hearings by the presiding officers.

T. O. Murphy, A. A. Greenwood, D. E. McGarry, W. S. Stevenson, and C. F. Denny, are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearings.

Signed at Washington, D.C., on May 12, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5324; Filed, May 16, 1966; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMERICAN CYANAMID CO.

Notice of Filing of Petition for Food Additive Diethylcarbamazine

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6A2022) has been filed by American Cyanamid Co., Post Office Box 400, Princeton, N.J., 08540, proposing an amendment to § 121.214 *Diethylcarbamazine* to provide for the safe use of diethylcarbamazine in dog food for the prevention of heartworms (filariasis).

Dated: May 6, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5317; Filed, May 16, 1966; 8:46 a.m.]

HESS & CLARK

Notice of Filing of Petition for Food Additives Furazolidone, Chlortetracycline, Penicillin, Sulfamethazine

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by Hess & Clark, Division of Richardson-Merrell, Inc., Seventh and Orange Streets, Ashland, Ohio, 44805, proposing the issuance of a regulation to provide for the safe use of a medicated swine feed containing furazolidone, chlortetracycline, penicillin, and sulfamethazine as an aid for (1) reducing the incidence of cervical abscesses, (2) preventing and treating bacterial swine enteritis (salmonellosis or necrotic enteritis caused by Salmonella choleraesuis and vibrionic dysentery), (3) preventing these diseases during times of stress, (4) promoting growth and feed efficiency, and (5) maintaining weight gains in the presence of atrophic rhinitis.

Dated: May 6, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5318; Filed, May 16, 1966; 8:46 a.m.]

S. B. PENICK & CO.

Notice of Filing of Petition for Food Additive Bacitracin Methylene Disalicylate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by S. B. Penick & Co., 100 Church Street, New York, N.Y., 10007, proposing the issuance of a regulation to provide for the safe use of bacitracin methylene disalicylate in mink feed for increasing rate of gain, improving feed efficiency, increasing size and weight of pelt, and preventing and treating bacterial diarrhea.

Dated: May 9, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5319; Filed, May 16, 1966; 8:46 a.m.]

DREW CHEMICAL CORP.

Notice of Filing of Petition for Food Additives Polyglycerol Esters of Fatty Acids

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6A2022) has been filed by Drew Chemical Corp., 416 Division Street, Boonton, N.J., 07005, proposing an amendment to § 121.1120 *Polyglycerol esters of fatty acids* to provide for the safe use of certain polyglycerol esters of fatty acids as emulsifiers in food. The esters, up to and including the decaglycerol esters, are prepared from edible coconut oil and fatty acids derived therefrom meeting the requirements of § 121.1070(b).

Dated: May 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5344; Filed, May 16, 1966; 8:49 a.m.]

MERCK SHARP & DOHME RESEARCH LABORATORIES

Notice of Withdrawal of Petition for Food Additive Thiabendazole

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J., 07065, has withdrawn its petition (FAP 6D1824), published in the FEDERAL REGISTER of September 28, 1965 (30 F.R. 12364), proposing the issuance of a regulation to provide for the safe use of thiabendazole as an intraruminal injection for the treatment of gastrointestinal parasites in cattle.

The withdrawal of this petition is without prejudice to a future filing.

Dated: May 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5345; Filed, Mar. 16, 1966; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Report No. 71]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through May 2, 1966, exclusive of those vessels that called at Cuba on United States Government-approved noncommercial voyages and those listed in section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

FLAG OF REGISTRY

Name of Ship	Gross tonnage
Total, all flags (252 ships)	1,779,765
British (72 ships)	540,684
**Agate (trips to Cuba under ex-name, Dairen—British).	
**Amalia (now Maltese).	
**Amason River (now River—sold to Dutch breakers)	7,234
Antarctica	8,785
Arctic Ocean	8,791
Ardenode	7,036
Ardgem	6,981
**Ardmore (now Kali Elpis—British)	4,664
Ardpatrick	7,054
Ardrowan	7,300
Ardsirod	7,025
Ardtara	5,795
**Arlington Court (now Southgate—British).	
Athelcrown (tanker)	11,149
Atheleduke (tanker)	9,089
Athelknight (tanker)	9,087
Athelmere (tanker)	7,524
Athelmonarch (tanker)	11,182
**Athelsultan (tanker—broken up)	9,149
Avisfaith	7,868
Baxtergate	8,813
Cheung Chau	8,566
**Chipbee (sold for scrap)	7,271
**Cosmo Trader (trips to Cuba under ex-name, Ivy Fair—British).	
**Dairen (now Agate—British)	4,939
**East Breeze (now Phoenician Dawn—British)	8,708
Eastfortune	8,789
Elcos	7,134
Formentor	8,424
Fortune enterprise	7,284
**Free Enterprise (now Cypriot).	
**Free merchant (now Cypriot).	
**Garthdale (now Jeb Lee—British)	7,542
**Grosvenor Mariner	7,026
Hazelmoor	7,907
Helka	2,111
Hemisphere	8,718
Ho Fung	7,121
Inchstaffa	5,255
•Inchstuart	7,043
**Ivy Fair (now Cosmo Trader—British flag—broken up)	7,201
**Jeb Lee (trip to Cuba under ex-name, Garthdale—British).	
Jollity	8,660
**Kali Elpis (trips to Cuba under ex-name, Ardmore—British).	
Kinross	5,388
La Hortensia	9,486
Linkmoor	8,236
Magister	2,339
Nancy Dee	6,597
Nebula	8,924
**Newdene (now Free Navigator—Cypriot).	
**Newforest (now Cypriot).	
Newgate	6,743
Newglade	7,368
**Newgrove (now Cypriot).	
Newheath	7,643
Newhill	7,855
Newlane	7,043
**Newmeadow (now Cypriot).	
Newmoat	7,151
Newmoor	7,168
Nils Amelon	6,281
Oceantramp	6,185
Oceantravel	10,477
Peony	9,037
**Phoenician Dawn (trips to Cuba under ex-name, East Breeze—British).	
**Redbrook (now E. Evangelia—Greek)	7,388
Ruthy Ann	7,361
**St. Antonio (now Maltese).	
Sandsend	7,236
Santa Granda	7,229
Sea Amber	10,421
Sea Coral	10,421
Sea Empress	9,841
Seasage	4,330
Shienfoon	7,127
**Shun Fung (wrecked)	7,148
**Soclyve (now Maltese).	
**Southgate (previous trips to Cuba under ex-name, Arlington Court—British)	9,662
Stanwear	8,108
**Suva Breeze (Now San Ernesto—Panamanian)	4,970
**Swift River (now Kallithea—Cypriot).	
**Timios Stavros (now Maltese flag—previous trips to Cuba—Greek).	
Venice	8,611
Vercharmian	7,265
Vergmont	7,381
Yungfutary	5,388
Yunglutaton	5,414
Zela M.	7,237

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

•Added to Report No. 70, appearing in the FEDERAL REGISTER issue of April 21, 1966.

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
Lebanese (57 ships)	382,344
Agia Sophia	3,106
Aiolos II	7,256
Ais Giannis	6,997
**Akamas (now Cypriot).	
Al Amin	7,186
Alaska	6,989
Anthas	7,044
Antonis	6,259
**Ares (constructive total loss)	4,557
Areti	7,176
Aristefs	6,995
Astir	5,324
Athamas	4,729
**Carnation (sold Spanish breakers)	4,884
Claire	5,411
Chris	6,032
Dimos	7,187
**E. Myrtidiotissa (trips to Cuba under ex-name, Kalliopi D. Lemos—Lebanese).	
**Free Trader (now Cypriot).	
Georgios M. II	5,028
Giannis	5,270
Giorgos Tsakiroglou	7,240
Granikos	7,282
Ilena	5,925
Ioannis Asplotis	7,297
**Kalliopi D. Lemos (now E. Myrtidiotissa—Lebanese)	5,103
Katerina	9,357
Leftric	7,176
Malou	7,145
Mantric	7,255
Maria Despina	7,254
Maria Renee	7,203
Marichristina	7,124
**Marymark (sold German ship breakers)	4,383
Mersinidi	6,782
Mousse	9,307
Nictric	7,296
Noelle	7,251
Noemi	7,070
Olga	7,199
Panagos	7,133
Parmarina	6,721
**Razani (broken up)	7,253
Reneka	7,250
Rio	7,194
St. Anthony	5,349
St. Nicolas	7,165
San George	7,267
**San John (now Ledra—Cypriot).	
San Spyridon	7,260
**Sheik Boutros (trips to Cuba under ex-name, Cavtat—Yugoslav).	
Stevo	7,066
Taxiarhis	7,349
Tertric	7,045
Theodoros Lemos	7,198
Tony	7,176
Toula	4,561
Troyan	7,243
Vassiliki	7,192
Vastric	6,453
Vergolivada	6,339
Yanxilas	10,051
Greek (36 ships)	268,450
Agios Therapon	5,617
Akastos	7,331
Alice	7,189
**Ambassade (sold Hongkong ship breakers)	8,600
Americana	7,104
Anacreon	7,359

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
Greek—Continued	
**Anatoli (now Sunrise—Cypriot).	
**Andromachi (previous trips to Cuba under ex-name, Penelope—Greek)	6,712
**Antonia (now Amfithea—Cypriot).	9,744
Apollon	7,216
Athanassios K	7,084
Barbarino	7,249
Calliopi Michalos	8,418
**Embassy (broken up)	
**E. Evangelia (trips to Cuba under ex-name, Redbrook—British).	
Eftychia	10,865
**Flora M. (now Liberian)	7,244
**Gloria (now Helen—Greek).	
**Helen (previous trips to Cuba under ex-name, Gloria—Greek)	7,128
Irena	7,232
Istroe II	7,275
Kapetan Kostis	5,032
Kyra Hariklia	6,888
**Maria Theresa (now Ingrid Anne—South African)	7,245
Marigo	7,147
**Maroudio (now Thalie—Panamanian)	7,369
**Mastro-Stelios II (now Wendy H.—South African)	7,282
**Nicolaos F. (previous trip to Cuba under ex-name, Nicolaos Frangistas—Greek)	7,199
**Nicolaos Frangistas (now Nicolaos F.—Greek).	
*Nikolis M	7,176
**Pamit (now Bambero—Liberia)	3,929
Pantanassa	7,131
Paxoi	7,144
**Penelope (now Andromachi—Greek).	
**Presvia (broken up)	10,820
Redestos	5,911
Roula Maria (tanker)	10,608
**Seirios (broken up)	7,239
Sophia	7,080
**Stylianos N. Vlassopulos (now Antonia II—Cypriot)	7,303
**Timios Stavros (formerly British now Maltese).	
Tina	7,362
Western Trader	9,268
Polish (18 ships)	136,680
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin	9,148
Chorzow	7,237
*Energetyk	10,843
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
Huta Zgoda	6,840
Hutnik	10,897
Kopalnia Bobrek	7,221
Kopalnia Czeladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Piast	3,184
Transportowiec	10,880
Cypriot (18 ships)	120,249
Acme	7,159
Adelphos Petrakis	7,170
**Akamas (previous trips to Cuba—Lebanese)	7,285
Lebanese)	7,285
Alexandros	7,245

*Added to Report No. 70, appearing in the FEDERAL REGISTER issue of April 21, 1966.

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
Cypriot—Continued	
**Amfiali	7,110
**Amfithea (previous trip to Cuba under ex-name, Antonia—Greek)	5,171
**Antonia II (trip to Cuba under ex-name, Stylianos N. Vlassopulos—Greek).	
Artemida	7,247
El Toro	5,949
**Free Enterprise (previous trips to Cuba—British)	6,807
**Free Merchant (previous trips to Cuba—British)	5,237
**Free Navigator (previous trips to Cuba under ex-name, Newdene—British)	7,181
**Free Trader (previous trips to Cuba—Lebanese)	7,067
**Kallithea (previous trips to Cuba under ex-name, Swift River—British)	7,251
**Ledra (previous trips to Cuba under ex-name, San John—Lebanese)	5,172
**Newforest (previous trips to Cuba—British)	7,185
**Newgrove (previous trips to Cuba—British and Haitian)	7,172
**Newmeadow (previous trips to Cuba—British)	5,654
**Sunrise (previous trips to Cuba under ex-name, Anatoli—Greek)	7,187
Italian (14 ships)	111,681
Aobille	6,950
Agostino Bertani	8,380
**Andrea Costa (tanker—broken up)	10,440
Aspromonte	7,154
Caprera	7,189
**Geremia (previous trips to Cuba under ex-name, Mariasusanna—Italian)	2,479
Giuseppe Giulietti (tanker)	17,519
**Graziella Zeta (trips to Cuba under ex-name, Montiron—Italian).	
**Montiron (Now Graziella Zeta—Italian)	1,595
Montiron	1,595
Nazareno	7,173
Nino Bixio	8,427
San Francesco	9,284
San Nicola (tanker)	12,461
Santa Lucia	9,278
**Somalia (now Chenchang—Nationalist Chinese)	3,352
Yugoslav (9 ships)	60,800
Bar	7,233
**Cavtat (now Sheik Boutros—Lebanese)	7,266
Cetinje	7,200
Dugi Otok	6,997
Kolasin	7,217
Mojkovac	7,125
Plod	3,657
Promina	6,960
**Trebinjica (wrecked)	7,145
French (7 ships)	26,817
Arsinoe (tanker—sunk)	10,426
Circe	2,874
Enee	1,232
Poulaya	3,739
Mungo	4,820
Nelee	2,874
**Neve (now Drameoumar—Guinean)	852

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
Moroccan (5 ships)	35,828
Atlas	10,392
Banora	3,082
Marrakech	8,214
Mauritanie	10,392
Toubkal	8,748
Maltese (5 ships)	33,788
**Amalia (previous trips to Cuba—British)	7,304
Ispahan	7,156
**St. Antonio (previous trip to Cuba—British)	6,704
**Soclyve (previous trips to Cuba—British)	7,291
**Timios Stavros (previous trips to Cuba—British and Greek)	5,333
Finnish (4 ships)	32,919
Augusta Paulin	7,096
**Hermia (trip to Cuba under ex-name, Amfred—Swedish).	
Margrethe Paulin	7,251
Ragni Paulin	6,823
Sword (tanker)	11,749
Netherlands (2 ships)	999
Meike	500
Tempo	499
Norwegian (2 ships)	11,894
Ole Bratt	7,144
**Tine (now Jezreel—Panamanian flag—wrecked)	4,750
Swedish (2 ships)	9,318
**Amfred (now Hermia—Finnish)	2,828
**Dagmar (now Bali Mariner—Panamanian)	6,490
Monaco (1 ship)	7,314
Saint Lys	7,314

Guinean:
- **Drameoumar (trip to Cuba under ex-name, Neve—French).

Haitian:
- **Newgrove (now Cypriot).

Liberian:
- **Bambero (trips to Cuba under ex-name, Pamit—Greek).
- **Flora M. (trips to Cuba—Greek).

Nationalist Chinese:
- **Chenchang (trip to Cuba under ex-name, Somalia—Italian).

Panamanian:
- **Bali Mariner (trips to Cuba under ex-name, Dagmar—Swedish).
- **Jezreel (trip to Cuba under ex-name, Tine—Norwegian—wrecked).
- **San Ernesto (trips to Cuba under ex-name, Suva Breese—British).
- **Thalie (trip to Cuba under ex-name, Maroudio—Greek).

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
South African:	
**Wendy H. (trip to Cuba under ex-name, Mastro-Stelios II—Greek).	
**Ingrid Anne (trip to Cuba under ex-name, Maria Theresa—Greek).	

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the United States Government to discourage such trade; and

(b) That no other vessels under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c) and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY

a. Since last report: None.
b. Previous reports:

	Number of ships
Flag of registry (total)	91
British	39
Danish	1
Finnish	2
French	1
German (West)	1
Greek	25
Israeli	1
Italian	5
Japanese	1
Kuwaiti	1
Lebanese	3
Norwegian	4
Spanish	6
Swedish	1

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through May 2, 1966.

Flag of registry	Number of trips							
	1963	1964	1965	1966				Total
				Jan.	Feb.	Mar.	Apr.	
British	133	180	126	[illegible]	12	[illegible]	1	455
Lebanese	64	91	58	3	[illegible]	4	2	225
Greek	99	27	23	[illegible]	1	2	1	158
Italian	16	20	24	2				62
Yugoslav	12	11	15		2		2	42
Cypriot		1	17	1	[illegible]	[illegible]	1	29
French	8	[illegible]	[illegible]					26
Spanish	8	17						25
Norwegian	14	10						24
Moroccan	[illegible]	13	1					23
Finnish	1	4	[illegible]		1	2		13
Maltese		2	[illegible]	1				9
Netherlands		4	2					6
Swedish	3	3						6
Kuwaiti		2	1					3
Israeli			2					2
Danish	1							1
German (West)	1							1
Haitian			1					1
Japanese	1							1
Monaco					1			1
Subtotal	370	[illegible]	290	16	27	17	7	1,121
Polish	18	16	12		2	1	1	[illegible]
Grand total	388	410	302	16	[illegible]	[illegible]	[illegible]	1,171

NOTE: Trip totals in this section exceed ship totals in sections 1 and 2 because some of the ships made more than one trip to Cuba. Monthly totals subject to revision as additional data become available.

By order of the Deputy Maritime Administrator.

Dated: May 4, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-5358; Filed, May 16, 1966; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-224]

REGENTS OF UNIVERSITY OF CALIFORNIA

Notice of Proposed Issuance of Facility License

Please take notice that the Atomic Energy Commission ("the Commission") is considering the issuance to The Regents of The University of California of a facility license substantially in the form annexed which would authorize the operation of a TRIGA Mark III type nuclear reactor on the Berkeley campus of The University of California, Berkeley, Calif.

Upon issuance of the license, The Regents of The University of California will be required to execute an indemnity agreement as required by section 170 of the Atomic Energy Act of 1954, as amended, and 10 CFR Part 140; in addition, prior to issuance of the license, the facility will be inspected by representatives of the Commission to determine whether it has been constructed in accordance with the provisions of Construction Permit No. CPRR-83.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this facility license may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued.

For further details with respect to this proposed license, see (1) the application and amendments thereto, and (2) a related Safety Evaluation prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, all of which are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the Safety Evaluation may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 13th day of May 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

PROPOSED LICENSE

The Atomic Energy Commission (hereinafter referred to as "the Commission") having found that:

a. The application for license complies with the requirements of the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act"), and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

b. The reactor has been constructed in conformity with construction permit No. CPRR-83 and will operate in conformity with the application and in conformity with the Act and the rules and regulations of the Commission;

c. There is reasonable assurance that the reactor can be operated at the designated location without endangering the health and safety of the public;

d. The Regents of The University of California in Berkeley, Calif., is technically and financially qualified to engage in the proposed activities in accordance with the Commission's regulations, and to assume financial responsibility for Commission charges for special nuclear material;

e. The possession and operation of the reactor, and the receipt, possession and use of the special nuclear material, in the manner proposed in the application, will not be inimical to the common defense and security or to the health and safety of the public;

f. The University of California is a nonprofit educational institution and will use the reactor for the conduct of educational activities. The University of California is therefore exempt from the financial protection requirement of subsection 170a of the Act, and will execute an indemnity agreement as required by section 170 of the Act and 10 CFR 140.

Facility License No. R-_____, effective as of the date of issuance, is issued as follows:

1. This license applies to the University of California, Berkeley, TRIGA Mark III type nuclear reactor (hereinafter, "the reactor"), owned by The Regents of The University of California (hereinafter, "the licensee") and located at Berkeley, Calif., and is described in the licensee's application for license dated May 27, 1964, and amendments thereto dated August 7, 1964, August 20, 1964, August 25, 1964, September 23, 1964, October 2, 1964, October 5, 1964, October 29, 1965, February 2, 1966, March 17, 1966, March 31, 1966, and April 25, 1966 (herein referred to as "the application").

2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses The Regents of The University of California in Berkeley, Calif.:

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities" to possess, use, and operate the reactor in accordance with the procedures and limitations described in the application;

B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material" to receive, possess, and use up to 7.4 kilograms of contained uranium-235 in connection with operation of the reactor; and

C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material", to receive and possess a 10 curie sealed polonium 210-beryllium neutron source and up to a 5 curie sealed antimony 124-beryllium neutron source, either or both of which may be used for reactor start-up; and to possess, but not to separate such byproduct material as may be produced by operation of the reactor.

3. This license shall be deemed to contain and be subject to the conditions specified in Part 20, section 30.34 of Part 30, sections 50.54 and 50.59 of Part 50 and section 70.32 of Part 70, and is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. *Maximum Power Level.*

The licensee may operate the reactor at steady state power levels up to a maximum of 1000 kilowatts (thermal).

B. *Technical Specifications.*

The Technical Specifications contained in Appendix A[1] hereto are hereby incorporated in this license. Except as otherwise permitted by the Act and the rules, regulations and orders of the Commission, the licensee shall operate the reactor in accordance with the Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in section 50.59 of 10 CFR Part 50.

C. *Records.*

In addition to those otherwise required under this license and applicable regulations, the licensee shall keep the following records:

(1) Reactor operating records, including power levels and periods of operation at each power level.

(2) Records showing radioactivity released or discharged into the air or water beyond the effective control of the licensee as measured at or prior to the point of such release or discharge.

(3) Records of emergency shutdowns and inadvertent scrams, including reasons for emergency shutdowns.

(4) Records of maintenance operations involving substitution or replacement of reactor equipment or components.

(5) Records of experiments installed including description, reactivity worths, locations, exposure time, total irradiation and any unusual events involved in their performance and in their handling.

(6) Records of tests and measurements performed pursuant to the Technical Specifications.

D. *Reports.*

In addition to reports otherwise required under this license and applicable regulations:

(1) The licensee shall inform the Commission of any incident or condition relating to the operation of the reactor which prevented or could have prevented a nuclear system from performing its safety function as described in the Technical Specifications. For each such occurrence, the University of California, Berkeley, shall promptly notify by telephone or telegraph, the Director of the appropriate Atomic Energy Commission Regional Compliance Office listed in Appendix D of 10 CFR 20 and shall submit within ten (10) days a report in writing to the Director, Division of Reactor Licensing (hereinafter, Director, DRL) with a copy to the Regional Compliance Office.

(2) The licensee shall report to the Director, DRL, in writing within thirty (30) days of its observed occurrence any substanatial variance disclosed by operation of the reactor from performance specifications contained in the Hazards Summary Report or the Technical Specifications.

(3) The licensee shall report to the Director, DRL, in writing within thirty (30) days of its occurrence any significant changes in transient or accident analysis as described in the Hazards Summary Report.

4. This license shall expire at midnight, February 3, 1975.

Date of Issuance:

For the Atomic Energy Commission.

Director,
Division of Reactor Licensing.

[F.R. Doc. 66-5449; Filed, May 16, 1966; 11:31 a.m.]

[1] This item was not filed with the Office of the Federal Register but is available for inspection in the public document room of the Atomic Energy Commission.

FEDERAL MARITIME COMMISSION

TRANSATLANTIC SHIPPING CORP., ET AL.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement field for approval by:

Mr. Sanford C. Miller, Haight, Gardner, Poor & Havens, 80 Broad Street, New York, N.Y., 10004.

Agreement 8277-3 between Transatlantic Shipping Corp., Transoceanic Navigation Corp., and Arcadia Steamship Corp., the carriers comprising the Greek Line joint service modifies the basic agreement to delegate to General Steam Navigation Co., Ltd., of Greece full authority to (1) fix passenger fares, freight rates, charges and practices of the parties and to specify sailings in the service; and (2) establish those passenger fares, rates, charges and practices in the trades or traffic within the scope of this agreement which are not prescribed by any conference or any other agreement to which the service is a party.

Dated: May 12, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-5312; Filed, May 16, 1966; 8:45 a.m.]

U.S. GREAT LAKES AND ST. LAWRENCE RIVER PORTS/WEST AFRICA AGREEMENT

Notice of Petition Filed for Approval

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the proposed contract form and of the petition at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed contract form and the petition including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the proposed contract form and of the petition (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of application to institute a dual rate system filed by:

Mr. John K. Cunningham, Secretary, United States Great Lakes and St. Lawrence River Ports/West Africa Agreement, 80 Broad Street, New York, N.Y., 10004.

Notice is hereby given that the United States Great Lakes and St. Lawrence River Ports/West Africa Agreement, a conference of ocean carriers, has filed with the Commission, pursuant to section 14(b) of the Shipping Act, 1916, a proposed exclusive patronage (dual rate) contract and an application for permission to institute a dual rate system in its eastbound trade from United States Great Lakes ports and St. Lawrence River Ports west of Montreal to West African ports in the range south of the southerly border of Rio de Oro, Spanish Sahara and north of the northerly border of Southwest Africa, including the Atlantic islands of the Azores, Madeira, Canary, and Cape Verdes, also the islands of Fernando Po, Principe, and Sao Tome in the Gulf of Guinea.

The application provides that the freight rates to be charged to nonsignatory merchants shall be higher than the rates charged to signatory merchants by an amount which is equal to approximately fifteen (15) percent of the contract rates. Contract and noncontract rates will apply to all commodities transported in this trade.

Dated: May 12, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-5313; Filed, May 16, 1966; 8:45 a.m.]

OFFICE OF EMERGENCY PLANNING

MINNESOTA

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Minnesota, dated March 22, 1966, is hereby amended to include the following counties among those determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of March 22, 1966:

Beltrami. Itasca.
Benton.

Dated: May 10, 1966.

FARRIS BRYANT,
Director,
Office of Emergency Planning.

[F. R. Doc. 66-5306; Filed, May 16, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1918]

CHANNING SECURITIES, INC.

Notice of Filing of Application for Order Exempting Proposed Transactions

MAY 11, 1966.

Notice is hereby given that Channing Securities, Inc. ("Applicant"), 85 Broad Street, New York, N.Y., 10004, a registered open-end diversified investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act"). The Applicant requests an order of the Commission exempting from the provisions of sections 22(d) and 26(a)(3) of the Act transactions incident to the proposed termination of a registered unit investment trust known as "Channing Investment Funds, Inc., Personal Investment Plan (General Industries Shares)" ("Channing Fund Plan"). All interested persons are referred to the application for a statement of Applicant's representations, which are summarized below:

Applicant was incorporated in 1946 and was known as "Managed Funds, Inc." until March 31, 1964. From April 1, 1964, until March 31, 1965, it was known as "Channing Investment Funds, Inc." It has been known as "Channing Securities, Inc." since April 1, 1965. Applicant issues two classes of securities, Channing Special Fund shares and Channing Common Stock Fund shares (formerly known as "General Industrial Shares").

Channing Fund Plan registered as a unit investment trust in June 1954, and Applicant has acted as its depositor since inception. Channing Fund Plan's underlying securities are Channing Common Stock Fund shares. Channing Fund Plan issued and sold periodic payment plan certificates from 1954 to 1960, but has sold none since 1960.

Plan units were sold in multiples of $1,200, with a maximum of 119 payments, consisting of an initial minimum payment of $20 and 118 monthly payments of a minimum of $10 or multiples thereof. Planholders could also purchase optional group creditor life insurance. Planholders were charged a sales commission of 8.98 percent of the total amount of each plan; or $107.80 per $1,200 unit. $65 of the first $130 paid on each unit was deducted and paid to the principal underwriters, Mutual Fund Distributors, Inc., and Slayton & Co.,

both of whom are now defunct. The remainder of the total sales commission, i.e., $42.80 per plan unit, was to be paid at the rate of 4 percent per payment over the remaining 107 payments. Since some time in 1960 there has been no underwriter entitled to receive sales commissions (as of March 15, 1966, such unallocated commissions amounted to $5,857). When all payments were made, the plan automatically matured. At that time, the plan certificate was to be surrendered and, in exchange, a certificate for the total number of underlying Channing Common Stock Fund shares was to be issued. If any planholder failed to make 12 payments the plan was deemed an inactive plan and the custodian has the right to terminate such plan. For the 13th to the 112th payment of each plan, a custodian service charge of $0.30 was deducted.

Mercantile Trust Co., N.A., a national banking corporation ("Custodian") has been acting as custodian for Channing Fund Plan since June 1954, pursuant to an agreement with Applicant signed in April 1954. On November 10, 1965, the Custodian notified the then inactive planholders that it had elected to terminate their plans and informed them that they could either receive certificates for their shares or have their shares placed in a voluntary open-account plan for the accumulation of Channing Common Stock Fund shares. The Custodian stated that if no election was made it would send each planholder a certificate for the underlying shares.

On November 30, 1965, out of a total of 185 inactive plans, 11 planholders elected to have their shares placed in open account plans and share certificates were issued for the other 174 accounts. Of the latter group, share certificates for 50 accounts were returned to the Custodian by the United States Post Office as undeliverable.

As of March 15, 1966, the status of plan accounts was as follows:

	Number of pans	Total shares credited	Dollar value
Uninsured active	44	42,610	$98,855
Insured active	7	12,141	28,167
Total active	51	54,751	127,022
Inactive (shareholders unlocatable)	45	3,368	7,813
Total	96	58,119	134,835

The Custodian has informed the Applicant that it desires to terminate the Channing Fund Plan trust as soon as possible since it claims that it is uneconomical for it to continue performing custodian services for such a small number of plans.

The Applicant proposes:

(1) To allow the holders of active plans to purchase Channing Common Stock Fund shares with no sales charge, up to the amount originally contracted for, since termination of Channing Fund Plan without giving some compensating privilege would cause the planholders to lose their present right to invest the remaining payments at a sales charge of 4 percent. (Applicant's usual sales charge is 8.5 percent with decreases for quantity purchases under certain circumstances.) The right of each planholder to purchase shares without a sales charge would terminate 5 years from the date of any Commission order granting the requested exemptions, or at such time as such planholder has invested the amount originally contracted for, whichever is sooner.

(2) To continue insurance coverage for the insured plan accounts without any charge to the planholders, for a maximum of 5 years from the date of any Commission order approving the application. Any prepaid insurance premiums as of the date of such order would be used to buy additional shares of Channing Common Stock Fund for the accounts of the planholders.

(3) In return for the unallocated underwriting commissions (amounting to $5,857 as of March 15, 1966), in addition to making sales to planholders without a sales charge as set forth in paragraph (1) above, Applicant will administer the open account plans, pay the insurance premiums (estimated to be a maximum of $1,000), attempt to locate missing inactive planholders, and bear the costs of, or supply all legal and other services required to effectuate the proposal.

(4) After distributing all shares of Channing Common Stock Fund to the planholders, or arranging for the creation of open account plans the Custodian will turn over all shares remaining in its custody to Channing Securities, Inc., to hold for the benefit of the inactive planholders. Applicant will make every reasonable effort to locate such planholders and, after the running of the relevant statutory periods, will turn over such shares and cash attributable thereto to the proper state authorities under the applicable state unclaimed property laws.

(5) If an order granting the requested exemption is issued allowing termination of Channing Fund Plan, Applicant will apply to the Commission for an order pursuant to section 8(f) of the Act declaring that Channing Fund Plan has ceased to be an investment company.

Unless an exemptive order is granted, sections 22(d) and 26(a)(3) of the Act would make unlawful Applicant's proposals (1) and (4). Section 22(d) prohibits the sale of shares by the Applicant at other than the current offering price stated in its prospectus. Therefore, sales by Applicant to the remaining active planholders at net asset value without a sales charge would violate section 22(d). Section 26(a)(3) provides that a custodian shall not resign until (a) the trust has been completely liquidated and the proceeds of the liquidation distributed to the security holders of the trust or (b) a successor custodian, having certain qualifications set forth in section 26(a)(1) of the Act has been designated and has accepted the custodianship. These conditions cannot be met because some planholders appear to be unlocatable and therefore, cannot accept a distribution, and because Channing Securities, Inc., cannot qualify as a custodian under section 26(a)(1).

Under section 6(c) of the Act the Commission shall grant an exemptive order if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than May 30, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5327; Filed, May 16, 1966; 8:47 a.m.]

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

MAY 11, 1966.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976 being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 12, 1966, through May 21, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5328; Filed, May 16, 1966; 8:47 a.m.]

[File No. 70-4383]

GULF POWER CO.

Notice of Filing Regarding Proposed Issue and Sale of Bonds and Shares of Preferred Stock

MAY 10, 1966.

Notice is hereby given that Gulf Power Co. ("Gulf"), 75 North Pace Boulevard, Pensacola, Fla., 32501, an electric public-utility subsidiary company of The Southern Co., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Gulf proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, $15,000,000 principal amount of First Mortgage Bonds, ____ Percent Series due June 1, 1996. The interest rate (which will be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest (which will be not less than 99 percent nor more than 102¾ percent of the principal amount thereof), will be determined by the competitive bidding. The bonds will be issued under a mortgage and deed of trust dated as of September 1, 1941, between Gulf and The Chase Manhattan Bank (National Association), successor to The Chase National Bank of the City of New York, and The Citizens & Peoples National Bank of Pensacola, as Trustees, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated June 1, 1966.

Gulf also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, 50,000 shares of its authorized but unissued ____ percent Preferred Stock par value $100 per share. The dividend rate (which will be a multiple of 0.04 percent) and the price to be paid to Gulf (which will be not less than $100 nor more than $102.75 per share) will be determined by the competitive bidding.

The net proceeds received from the issue and sale of the bonds and preferred stock will be used by Gulf (1) to finance, in part, its 1966 construction program estimated at $23,209,000, (2) to pay outstanding short-term bank notes, and (3) for other corporate purposes. Gulf estimates that it will not be necessary to sell any additional securities in 1966.

The Florida Public Service Commission has jurisdiction over the proposed issue and sale of the bonds and preferred stock by Gulf, and a copy of that commission's order authorizing the same will be filed by amendment in this proceeding. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses to be incurred in connection with the transactions will be supplied by amendment.

Notice is further given that any interested person may, not later than June 6, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5329; Filed, May 16, 1966; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30, Little Rock, Ark. (Rev. 1)]

LITTLE ROCK REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 17185, Delegation of Authority No. 30 F.R. 5875, as amended 30 F.R. 11079, is hereby revised to read as follows:

The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all financial assistance cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications decisions for financial assistance purposes only.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for financial assistance in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (size determinations for financial assistance only).

2. Item I.B. (eligibility determinations for financial assistance only).

3. To disburse approved loans.

4. To approve business and disaster loans not exceeding $350,000 (SBA share).

5. To decline business and disaster loans of any amount.

6. To enter into business loan and disaster loan participation agreement with banks.

7. To execute loan authorizations for Washington approved loans and for loans approved in the area office and under delegated authority, said execution to read as follows:

By _____ (Name), *Administrator,*
(Name)
Title of person signing.
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *To Loan Specialists GS–11 and above assigned to all Financial Assistance Division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200.00 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

II. The above authority cannot be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: May 2, 1966.

C. W. FERGUSON,
Regional Director, Little Rock Regional Office, Southwestern Area, Small Business Administration.

[F.R. Doc. 66–5330; Filed, May 16, 1966; 8:48 a.m.]

[Delegation of Authority 30, Albuquerque, N. Mex. (Rev. 1)]

ALBUQUERQUE REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 17185, Delegation of Authority No. 30 F.R. 5880, as amended, 30 F.R. 11080, is hereby revised to read as follows:

The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all financial assistance cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications decisions for financial assistance purposes only.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for financial assistance in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (size determinations for financial assistance only).

2. Item I.B. (eligibility determinations for financial assistance only).

3. To disburse approved loans.

4. To approve business and disaster loans not exceeding $350,000 (SBA share).

5. To decline business and disaster loans of any amount.

6. To enter into business loan and disaster loan participation agreement with banks.

7. To execute loan authorizations for Washington approved loans and for loans approved in the area office and under delegated authority, said execution to read as follows:

(*Name*), *Administrator,*
By ----------
(Name)
Title of person signing.
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *To Loan Specialists GS–11 and above assigned to all Financial Assistance Division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200.00 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

II. The above authority cannot be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: May 2, 1966.

DICK A. VALDEZ,
Regional Director, Albuquerque Regional Office, Southwestern Area, Small Business Administration.

[F.R. Doc. 66–5331; Filed, May 16, 1966; 8:48 a.m.]

[Delegation of Authority 30, Oklahoma City, Okla. (Rev. 1)]

OKLAHOMA CITY REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 17185, Delegation of Authority No. 30 F.R. 5882, as amended, 30 F.R. 11408, is hereby revised to read as follows:

The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all financial assistance cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications decisions for financial assistance purposes only.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for financial assistance in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (size determinations for financial assistance only).

2. Item I.B. (eligibility determinations for financial assistance only).

3. To disburse approved loans.

4. To approve business and disaster loans not exceeding $350,000 (SBA share).

5. To decline business and disaster loans of any amount.

6. To enter into business loan and disaster loan participation agreement with banks.

7. To execute loan authorizations for Washington approved loans and for loans approved in the area office and under delegated authority, said execution to read as follows:

(*Name*), *Administrator,*
By ----------
(Name)
Title of person signing.
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *To Loan Specialist GS–11 and above assigned to all Financial Assistance Division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200.00 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

II. The above authority cannot be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: May 2, 1966.

E. BRUCE CAFKY,
Regional Director, Oklahoma City Regional Office, Southwestern Area, Small Business Administration.

[F.R. Doc. 66–5332; Filed, May 16, 1966; 8:48 a.m.]

[Delegation of Authority 30, New Orleans, La. (Rev. 1)]

NEW ORLEANS REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 17185, Delegation of Authority No. 30 F.R. 5879, as amended, 30 F.R. 11408, is hereby revised to read as follows:

The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all financial assistance cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications decisions for financial assistance purposes only.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for financial assistance in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (size determinations for financial assistance only).

2. Item I.B. (eligibility determinations for financial assistance only).

3. To disburse approved loans.

4. To approve business and disaster loans not exceeding $350,000 (SBA share).

5. To decline business and disaster loans of any amount.

6. To enter into business loan and disaster loan participation agreement with banks.

7. To execute loan authorizations for Washington approved loans and for loans approved in the area office and under delegated authority, said execution to read as follows:

(*Name*), *Administrator,*
By ----------
(Name)
Title of person signing.
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim

in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *To Loan Specialists GS–11 and above assigned to all Financial Assistance Division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200.00 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

II. The above authority cannot be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective Date: May 2, 1966.

EVERETT J. MOLONY,
Regional Director, New Orleans Regional Office, Southwestern Area, Small Business Administration.

[F.R. Doc. 66–5333; Filed, May 16, 1966; 8:48 a.m.]

[Delegation of Authority 30, Dallas, Tex. (Rev. 1)]

DALLAS REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 17185, Delegation of Authority No. 30 F.R. 5777, as amended, 30 F.R. 11407, is hereby revised to read as follows:

The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all financial assistance cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications decisions for financial assistance purposes only.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for financial assistance in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (size determinations for financial assistance only).
2. Item I.B. (eligibility determinations for financial assistance only).
3. To disburse approved loans.
4. To approve business and disaster loans not exceeding $350,000 (SBA share).
5. To decline business and disaster loans of any amount.
6. To enter into business loan and disaster loan participation agreement with banks.
7. To execute loan authorizations for Washington approved loans and for loans approved in the area office and under delegated authority, said execution to read as follows:

(Name), *Administrator,*
By ----------
(Name)
Title of person signing.
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.
9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.
11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.
12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *To Loan Specialists GS–11 and above assigned to all Financial Assistance Division programs in all Offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200.00 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

II. The above authority cannot be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: May 2, 1966.

E. E. BEARDEN,
Regional Director, Dallas Regional Office, Southwestern Area, Small Business Administration.

[F.R. Doc. 66–5334; Filed, May 16, 1966; 8:48 a.m.]

[Delegation of Authority 30, Houston, Tex. (Rev. 1)]

HOUSTON REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 17185, Delegation of Authority No. 31 F.R. 589 is hereby revised to read as follows:

The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all financial assistance cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications decisions for financial assistance purposes only.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for financial assistance in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (size determinations for financial assistance only).
2. Item I.B. (eligibility determinations for financial assistance only).
3. To disburse approved loans.
4. To approve business and disaster loans not exceeding $350,000 (SBA share).
5. To decline business and disaster loans of any amount.
6. To enter into business loan and disaster loan participation agreement with banks.
7. To execute loan authorizations for Washington approved loans and for loans approved in the area office and under delegated authority, said execution to read as follows:

(Name), *Administrator,*
By ----------
(Name)
Title of person signing.
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.
9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.
11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.
12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *To Loan Specialists GS–11 and above assigned to all Financial Assistance Division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200.00 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

II. The above authority cannot be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: May 2, 1966.

DONALD D. GROSE,
Regional Director, Houston Regional Office, Southwestern Area, Small Business Administration, Houston, Tex.

[F.R. Doc. 66–5335; Filed, May 16, 1966; 8:48 a.m.]

[Delegation of Authority 30, Lubbock, Tex. (Rev. 1)]

LUBBOCK REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 17185, Delegation of Authority No. 30 F.R. 5884, as amended, 30 F.R. 11080, is hereby revised to read as follows:

The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all financial assistance cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications decisions for financial assistance purposes only.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for financial assistance in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (size determinations for financial assistance only).
2. Item I.B. (eligibility determinations for financial assistance only).
3. To disburse approved loans.
4. To approve business and disaster loans not exceeding $350,000 (SBA share).
5. To decline business and disaster loans of any amount.
6. To enter into business loan and disaster loan participation agreement with banks.
7. To execute loan authorizations for Washington approved loans and for loans approved in the area office and under delegated authority, said execution to read as follows:

(Name), *Administrator,*
By ----------
(Name)
Title of person signing.
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.
9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.
11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.
12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *To Loan Specialists GS–11 and above assigned to all Financial Assistance Division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200.00 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

II. The above authority cannot be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: May 2, 1966.

JACK TEDDLIE,
Regional Director, Lubbock Regional Office, Southwestern Area, Small Business Administration.

[F.R. Doc. 66–5336; Filed, May 16, 1966; 8:48 a.m.]

[Delegation of Authority 30, Marshall, Tex. (Rev. 1)]

MARSHALL REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 17185, Delegation of Authority Nos. 30, 31 F.R. 3273 is hereby revised to read as follows:

The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all financial assistance cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications decisions for financial assistance purposes only.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for financial assistance in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (size determinations for financial assistance only).
2. Item I.B. (eligibility determinations for financial assistance only).
3. To disburse approved loans.
4. To approve business and disaster loans not exceeding $350,000 (SBA share).
5. To decline business and disaster loans of any amount.
6. To enter into business loan and disaster loan participation agreement with banks.
7. To execute loan authorizations for Washington approved loans and for loans approved in the area office and under delegated authority, said execution to read as follows:

(Name), Administrator,
By ----------
(Name)
Title of person signing.
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.
9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.
11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.
12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *To Loan Specialists GS–11 and above assigned to all Financial Assistance Division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200.00 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

II. The above authority cannot be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: May 2, 1966.

HARRY MARTIN,
Regional Director, Marshall Regional Office, Southwestern Area, Small Business Administration.

[F.R. Doc. 66–5337; Filed, May 16, 17966; 8:48 a.m.]

[Delegation of Authority 30, San Antonio, Tex. (Rev. 1)]

SAN ANTONIO REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 17185, Delegation of Authority No. 30 F.R. 6201, as amended, 30 F.R. 11078, is hereby revised to read as follows:

The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all financial assistance cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications decisions for financial assistance purposes only.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine eligibility of applicants for financial assistance in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (size determinations for financial assistance only).
2. Item I.B. (eligibility determinations for financial assistance only).
3. To disburse approved loans.
4. To approve business and disaster loans not exceeding $350,000 (SBA share).
5. To decline business and disaster loans of any amount.
6. To enter into business loan and disaster loan participation agreement with banks.
7. To execute loan authorizations for Washington approved loans and for loans approved in the area office and under delegated authority, said execution to read as follows:

(Name), Administrator,
By ----------
(Name)
Title of person signing.
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.
9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.
11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.
12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *To Loan Specialists GS–11 and above assigned to all Financial Assistance Division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200.00 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

II. The above authority cannot be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: May 2, 1966.

W. E. WOODMAN,
Regional Director, San Antonio Regional Office, Southwestern Area, Small Business Administration.

[F.R. Doc. 66–5338; Filed, May 16, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 182]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 12, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the Federal Register publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 5697 (Sub-No. 5 TA), filed May 6, 1966. Applicant: KENNETH HOLMSTROM, Varna, Ill. Applicant's representative: Robert T. Lawley, 308 Reisch Building, Springfield, Ill., 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, from Hopedale, Ill., to Fort Madison and Keokuk, Iowa, for account of Hiram Walker & Sons, Inc., for 180 days. Supporting shipper: Paul B. Musgrove, industrial relations counsel, Hiram Walker & Sons, Inc., Box 1196, Peoria, Ill., 61601. Send protests to: Raymond E. Mauk, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 219 South Dearborn Street, Room 1086, Chicago, Ill., 60604.

No. MC 64112 (Sub-No. 31 TA), filed May 10, 1966. Applicant: NORTHEASTERN TRUCKING COMPANY, 2508 Starita Road, Post Office Box 1493, Charlotte, N.C., 28201. Applicant's representative: W. Delbert Turner, Sr., Post Office Box 3661, Charlotte, N.C., 28203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper*, from Plymouth, N.C., to Concord, N.H., for 180 days. Supporting shipper: Weyerhaeuser Co., Paper Division, Post Office Box 601, Fitchburg, Mass., 01421. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 72545 (Sub-No. 5 TA), filed May 9, 1966. Applicant: FRANK P. MANNER, doing business as MANNER TRUCKING SERVICE, Post Office Box 632, Orland, Calif., 95963. Applicant's representative: Pete H. Dawson, 4453 Piccadilly Road, Phoenix, Ariz., 85018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fire-Trol—(a fire retardant)*, from Orland, Calif., to points in Montana, for 180 days. Supporting shipper: Arizona Agrochemical Corp., Post Office Box 2191, Phoenix, Ariz., 85001. Send protests to: H. O. Gaston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif., 94102.

No. MC 78711 (Sub-No. 6 TA), filed May 9, 1966. Applicant: ROBERT SCHREIBER, doing business as SCHREIBER TRUCKING, Hebron, Ind. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, sand, gravel, and slag*, in bulk, in dump vehicles, (1) from Thornton, Ill., and Gary, Ind., to points in Michigan west of Michigan Highway 127 and south of Michigan Highway 89 and U.S. Highway 94; and (2) from Thornton, Ill., to points in Indiana west of Indiana High-

way 15 and north of Indiana Highway 26, for 180 days. Supporting shipper: Rieth-Riley Construction Co., Inc., Post Office Box 56, Battle Creek, Mich. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 107107 (Sub-No. 366 TA), filed May 9, 1966. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 45th Street, Post Office Box 458, Allapattah Station, Miami, Fla., 33142. Applicant's representative: Ford W. Sewell (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery, and related advertising and promotional material* when moving with candy and confectionery, in vehicles equipped with mechanical refrigeration, from Fort Worth, Tex., to points in Florida, for 180 days. Supporting shipper: King Candy Co., Post Office Box 2080, Forth Worth, Tex., 76101. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1621, 51 Southwest First Avenue, Miami, Fla., 33130.

No. MC 112372 (Sub-No. 9 TA), filed May 9, 1966. Applicant: CLARENCE G. JEWELL, Post Office Box 703, Leesburg, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in section A, appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Purcellville, Va., to Union Bridge, Md., for 150 days. Supporting shipper: Yingling Brothers, Inc., Union Bridge, Md., Attention: Luther M. Yingling. Send protests to: Robert D. Caldwell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1220, 12th and Constitution NW., Washington, D.C., 20423.

No. MC 119530 (Sub-No. 7 TA), filed May 5, 1966. Applicant: CLARENCE M. MAY AND SCOTT PEARSON, a partnership doing business as MAY TRUCKING CO., Post Office Box 398, Payette, Idaho, 83661. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial fertilizer*, from Nyssa and Ontario, Oreg., to points in Elmore, Ada, Payette, Washington, Owyhee, Gem, and Canyon Counties, Idaho, for 180 days. Supporting shipper: Pacific Fruit & Produce Co., Post Office Box 3687, Seattle, Wash. Send protests to: C. W. Campbell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 203 Eastman Building, Boise, Idaho, 83702.

No. MC 124328 (Sub-No. 23 TA), filed May 9, 1966. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago, Ill., 60616. Applicant's representative: J. R. Leidgen (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Currency, coin, negotiable, and nonnegotiable documents*, between points in St. Joseph County, Ind., and Niles, Mich., and points within 8 miles of Niles, for 180 days. Supporting shipper: First National Bank of Southwestern Michigan, 210 East Main Street, Niles, Mich., 49120. Send protests to: Raymond E. Mauk, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 128030 (Sub-No. 20 TA), filed May 9, 1966. Applicant: THE STOUT TRUCKING CO., INC., Box 167, Rural Route 1, Urbana, Ill. Applicant's representative: W. L. Jordan, 201–2 Merchants Savings Building, 7 South Sixth Street, Terre Haute, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Milwaukee, Wis., to Effingham, Ill., and *containers*, empty malt beverages, on return, for 180 days. Supporting shipper: Jul Fischer, Distributor, 1713 South Booker Street, Effingham, Ill. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 219 South Dearborn Street, Room 1086, Chicago, Ill., 60604.

No. MC 128170 TA, filed May 9, 1966. Applicant: ALBEE TRUCKING COMPANY, INCORPORATED, Wolfeboro, N.H. Applicant's representative: Everett S. Albee (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick* from Exeter and Gonic, N.H., to points in Massachusetts, Rhode Island, and Connecticut, for 180 days. Supporting shipper: The Kane-Gonic Brick Corp., Gonic, N.H.; ENO Brick Corp., Exeter, N.H. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 14 Parkhurst Street, Lebanon, N.H., 03766.

No. MC 128171 TA, filed May 9, 1966. Applicant: IMPERIAL TRANSPORT, INC., 1211 South Sixth Street, Stillwater, Minn., 55082. Applicant's representative: Robert E. Swanson (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toilet articles, perfume, beauty preparations, hair dryers, and such articles* as are manufactured or distributed by RAYETTE-FABERGE, INC., and *such materials, equipment, and supplies used in the manufacture and distribution* of the products of RAYETTE-FABERGE, INC. (except commodities in bulk), between St. Paul, Minn., and points in the United States, for 180 days. Supporting shipper: Rayette Inc., 261 East Fifth Street, St. Paul 1, Minn. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 128172 TA, filed May 9, 1966. Applicant: CLEM ROBINSON, Greenwood, Ark. Applicant's representative: Thomas Harper, Post Office Box 43, Fort Smith, Ark., 72902. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hot mix asphaltic concrete and hot mix asphaltic base course materials*, from Fort Smith, Ark., to points in Sequoyah and Le Flore Counties, Okla., for 180 days. Supporting shipper: Arkhola Sand & Gravel Co., Fort Smith, Ark. Send protests to: District Supervisor Partney, Bureau of Operations and Compliance, Interstate Commerce Commission, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5354; Filed, May 16, 1966, 8:50 a.m.]

[Notice 1347]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 12, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68377. By order of May 10, 1966, the Transfer Board approved the transfer to EE-Jay Motor Transports, Inc., a Delaware corporation, East St. Louis, Ill., of certificates in Nos. MC–119422, MC–119422 (Sub-No. 4), MC–119422 (Sub-No. 5), MC–119422 (Sub-No. 8), MC–119422 (Sub-No. 11), MC–119422 (Sub-No. 12), MC–119422 (Sub-No. 16), MC–119422 (Sub-No. 17), MC–119422 (Sub-No. 19), MC–119422 (Sub-No. 20), MC–119422 (Sub-No. 21), MC–119422 (Sub-No. 24), MC–119422 (Sub-No. 26), and MC–119422 (Sub-No. 28), thereunder, issued March 17, 1960, June 14, 1960, June 14, 1960, July 19, 1962, March 22, 1963, February 20, 1963, November 9, 1964, November 5, 1963, April 27, 1965, June 15, 1965, April 2, 1965, April 4, 1966, November 2, 1965, and September 23, 1965, respectively, to EE-Jay Motor Transports, Inc., an Illinois corporation, East St. Louis, Ill., authorizing the transportation of: A large number of specified commodities generally moved in bulk, from, to, or between specified points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, Nebraska, and Tennessee. Michael A. Katz, 406 Missouri Avenue, East St. Louis, Ill., 62201, attorney for applicants.

No. MC–FC–68527. By order of May 10, 1966, the Transfer Board approved the transfer to National Molasses Co., a corporation, Willow Groove, Pa., of certificate in No. MC–87207 (Sub-No. 6), issued August 25, 1961, to Harry McKenzie Trucking Co., a corporation, Selma, Calif., authorizing the transportation of: Animal and poultry feeds in bulk, between points in California. Marvin Handler, 405 Montgomery Street, San Francisco, Calif., 94104, attorney for transferor. R. Y. Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif., 90017, attorney for transferee.

No. MC–FC–68574. By order of May 10, 1966, the Transfer Board approved the transfer to New Dorp Transfer & Storage Corp., a corporation, Staten Island, N.Y., of the certificate in No. MC–15398, issued December 18, 1940, to George Koerner and William Koerner, a partnership, doing business as Koerner Bros., Staten Island, N.Y., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk and other specified commodities, between points on Staten Island, N.Y., on the one hand, and, on the other, Perth Amboy, N.J., and points in Hudson, Union, Essex, and Bergen Counties, N.J., those in Middlesex County, N.J., north of the Raritan River, and those in Passaic County south of a line beginning at Bloomingdale, N.J., and extending east through Pompton Lakes, N.J., to the Passaic-Bergen County line; and household goods, between points in Staten Island, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia. Irving Abrams, 1776 Broadway, New York, N.Y., 10019, attorney for applicants.

No. MC–FC–68611. By order of May 10, 1966, the Transfer Board approved the transfer to Bloomington Transit Lines, Inc., 316 West Sixth Street, Bloomington, Ind., 47401, of the certificate in No. MC–113239, issued January 22, 1953, to Charles Pelizzari, doing business as Mitchell-Bedford Bus Line, 521 South Seventh Street, Mitchell, Ind., 47446, authorizing the transportation of: Passengers and their baggage, in round-trip charter service, beginning and ending at points in Lawrence, Martin, and Orange Counties, Ind., and extending to points throughout the United States.

No. MC–FC–68648. By order of May 10, 1966, the Transfer Board approved the transfer to James Messina, Jr., Islip Terrace, N.Y., of the operating rights of Cal Mancuso, Theodore Mancuso, and Frank Calascibetta, a partnership, doing business as Amity-Trucking Co., Post Office Box 221, Jersey City, N.J., in certificate No. MC–11280, issued January 6, 1956, authorizing the transportation, over irregular routes, of cement, in bags, and cement, in bulk, in tank vehicles, from Brooklyn, N.Y., to points in Nassau and Suffolk Counties, N.Y. Morton E. Kiel, 140 Cedar Street, New York, N.Y., 10006, representative for applicants.

No. MC–FC–68689. By order of May 10, 1966, the Transfer Board approved the transfer to Joseph A. Cafaro Co., Inc., 264 40th Street, Brooklyn, N.Y., 11232, of certificate No. MC–40968, issued February 28, 1941, to Joseph A. Cafaro, 264 40th Street, Brooklyn, N.Y., 11232, authorizing the transportation of: Store fixtures and show cases, over irregular routes, between New York, N.Y., on the one hand, and, on the other, Philadelphia, Pa., and points and places in Connecticut and New Jersey.

No. MC–FC–68693. By order of May 10, 1966, the Transfer Board approved the transfer to Ralph Moyle, Inc., Mattawan, Mich., of certificate in No. MC–125519 (Sub-No. 1), issued October 5, 1965, to John J. Prpich, doing business as Lawton Valley Lines, Lawton, Mich., authorizing the transportation of: Butter, eggs, fruits, and vegetables, from Decatur, Mich., to Chicago, Ill., serving all intermediate and off-route points within 25 miles of Decatur, restricted to pickup only, over a specified route; and feeds, fertilizer, and creamery supplies, from Chicago, Ill., to Decatur, Mich., serving all intermediate and off-route points within 25 miles of Decatur, restricted to delivery only, over a specified route. William B. Elmer, Mihelich, Elmer, Dank & Kendall, 22644 Gratiot Avenue, East Detroit, Mich., attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5355; Filed, May 16, 1966; 8:50 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 12, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40469—*Clay to points in official territory.* Filed by O. W. South, Jr., agent (No. A4891), for interested rail carriers. Rates on clay, kaolin or pyrophyllite, in carloads, from specified points in Alabama and Mississippi, to points in Indiana, Michigan, New York, Ohio, Pennsylvania, and West Virginia.

Grounds for relief—Market competition.

Tariff—Supplement 213 to Southern Freight Association, agent, tariff ICC S–40.

FSA No. 40470—*Joint motor-rail rates—Central and Southern.* Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 105), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in central states territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 37 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF–ICC 309.

FSA No. 40471—*Joint motor-rail rates—Central and Southern.* Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 106), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in central states territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 37 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF–ICC 309.

FSA No. 40472—*Sand and gravel to Southern Territory.* Filed by Illinois Freight Association, agent (No. 310), for interested rail carriers. Rates on sand and gravel, in carloads, from points in Illinois and Wisconsin, to points in southern territory.

Grounds for relief—Carrier competition.

Tariffs—Supplements 161, 42, and 4 to Illinois Freight Association, agent, tariffs ICC 979, 1044, and 1094, respectively.

FSA No. 40473—*Bituminous fine coal to points in Iowa.* Filed by Southwestern Freight Bureau, agent (No. B–8850), for interested rail carriers. Rates on bituminous fine coal, in carloads, from mine origins in Arkansas, Kansas, Missouri, and Oklahoma, to Des Moines, West Des Moines, and Highland Park, Iowa.

Grounds for relief—Market competition.

Tariff—Supplement 142 to Southwestern Freight Bureau, agent, tariff ICC 4270.

FSA No. 40474—*Perlite rock from Grants, N. Mex.* Filed by Trans-Continental Freight Bureau, agent (No. 429), for interested rail carriers. Rates on perlite rock, crude, not further processed than broken, crushed or ground, in carloads, from Grants, N. Mex., to specified points in official (not including Illinois) territory.

Grounds for relief—Market competition.

Tariff—Supplement 8 to Trans-Continental Freight Bureau, agent, tariff ICC 1738.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5353; Filed, May 16, 1966; 8:50 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3718 6567
3719 6607
3720 6679
3721 6817
3722 6855
3723 6945
3724 7027
3725 7107

EXECUTIVE ORDER:
11017 (Superseded by EO 11278) 6681
11069 (Superseded by EO 11278) 6681
11218 (Superseded by EO 11278) 6681
11277 6609
11278 6681
11279 6947
11280 7167

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 6857

5 CFR

213 6769, 6859, 6903, 6949, 7169
772 6569, 6949

6 CFR

70 7029

7 CFR

7 6569
50 6570
51 7169
51 6629
68 6957, 7169
701 6859
718 7030
719 6573, 6580, 6859
722 6819
724 6581, 6957
729 6819
813 6860.
815 6958
905 6825, 7030, 7109
908 6825, 7109
909 6826, 7110
910 6958
918 6959
944 6860
959 6629
980 6581
1098 6861, 7110
1099 6904
1421 6861, 7110
1427 6582
1434 6862
1490

PROPOSED RULES:
52 6871, 7185
58 6715
916 6871
965 6592
1032 6631
1038 7061
1039 7061
1050 6631
1065 6873
1068 7129
1099 7129

7 CFR—Continued

Page

PROPOSED RULES—Continued
1125 7062
1126 6631
1133 6986

8 CFR

214 6611, 7170

9 CFR

76 7029

12 CFR

1 6826, 6905
10 6949
11 6950
12 6952
13 6953
14 6954
15 6955
16 6955
220 7169
522 6905
524 6905

14 CFR

39 6582, 6685, 6790, 6959, 7031, 7111, 7170
71 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172.
73 6893, 7032, 7112
95 7112
97 6612, 6685, 6828, 6894
137 6685
151 6686
208 6620
223 6584
320 6585
378 6621

PROPOSED RULES:
37 7084
39 7148
71 6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187.
75 7085
105 6988
121 6592
246 6986

15 CFR

30 6587
369 7037
372 7038
373 6707, 7038
374 6707
377 6707
379 6709
382 6707, 6709, 7038
384 6709, 6864
385 6709
399 6707, 6709, 6829, 6866, 7038

16 CFR

13 7056–7059
15 6866, 6906
59 6960

17 CFR

200 6588
240 6705, 6706

18 CFR

Page

601 7114
606 7127

19 CFR

1 6611
10 6769

PROPOSED RULES:
1 6871
20 6908

20 CFR

404 6611

PROPOSED RULES:
405 7131, 7143

21 CFR

8 7172
120 7172
121 6830, 7173
131 6705, 6906
146c 6830
148 7173
166 7174
191 6622

PROPOSED RULES:
51 6792
133 7185

24 CFR

200 6866

26 CFR

1 6589, 6966
31 6589, 7183

PROPOSED RULES:
1 6966

28 CFR

0 6867

29 CFR

548 6769
800 6770

31 CFR

90 6960
202 6590
316 6831
332 6686, 6831

32 CFR

300 6831
706 6962
1472 6906
1810 6962, 7175

32A CFR

BDSA (Ch. VI):
BDSA Reg. 2 6590
M–11A 7036

33 CFR

203 6907, 7175
207 6590, 6622, 6867
208 6707

35 CFR

255 6831

38 CFR

2 6770
9 7175
21 6771

39 CFR

Page

PROPOSED RULES:
21 6715
24 6715

41 CFR

6–1 6622
6–2 6623
6–3 6623
6–5 6624
6–7 6624
6–11 6624
6–30 6624
6–60 6625
8–7 7178
8–12 7179
9–12 6907
22–60 6625
101–26 6963
101–45 6831

42 CFR

55 7128
81 7128

43 CFR

Page

PUBLIC LAND ORDERS:
3977 (amended by PLO 4000) 6868
3999 6907
4000 6868

PROPOSED RULES:
1727 6984
2221 6985
3130 6834
3160 6836

45 CFR

90 7128
171 7128
177 6591
801 6591

46 CFR

309 6891
500 7180

PROPOSED RULES:
290 7131
510 6792
512 6838
513 6838

47 CFR

Page

0 6627, 6831
1 6831, 6868
73 6627, 6628, 6868

PROPOSED RULES:
2 6909, 7086
73 6637, 6638, 6792, 6838, 6874, 7086
87 6909, 7086

48 CFR

16 7032
17 7033
18 7034
19 7034

49 CFR

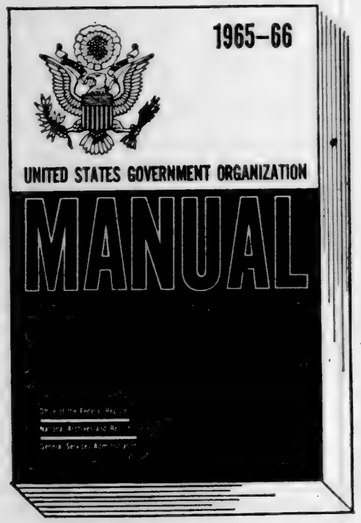
71–79 6591
95 6832
142 6964
188 6964

50 CFR

33 6629, 6832, 6869, 6893, 6964
60 6833

PROPOSED RULES:
32 7061

U.S. GOVERNMENT ORGANIZATION MANUAL
1965–66 EDITION



KNOW YOUR GOVERNMENT

The United States Government Organization Manual is the official guide to the functions of the Federal Government

Presents authoritative information about Government agencies.

Describes the creation and authority, organization, and functions of the agencies in the legislative, judicial, and executive branches.

This handbook is an indispensable reference tool for teachers, librarians, scholars, lawyers, and businessmen who need current official information about the U.S. Government.

$1.75 per copy. Paperbound, with charts

Order from
Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402.

VOL 31 95

DETROIT PUBLIC LIBRARY MAY 20 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 96

Wednesday, May 18, 1966 • Washington, D.C.

Pages 7211–7274

Agencies in this issue—

The President
Agriculture Department
Civil Aeronautics Board
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Defense Department
Delaware River Basin Commission
Federal Aviation Agency
Federal Communications Commission
Federal Contract Compliance Office
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
General Services Administration
Immigration and Naturalization Service
Indian Affairs Bureau
Interagency Textile Administrative Committee
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Park Service
Securities and Exchange Commission
Tariff Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Latest Edition

Guide to Record Retention Requirements

[Revised as of January 1, 1966]

This useful reference tool is designed to keep industry and the general public informed concerning published requirements in laws and regulations relating to records-retention. It contains over 900 digests detailing the retention periods for the many types of records required to be kept under Federal laws and rules.

The "Guide" tells the user (1) what records must be kept, (2) who must keep them, and (3) how long they must be kept. Each digest also includes a reference to the full text of the basic law or regulation governing such retention.

The booklet's index, numbering over 2,000 items, lists for ready reference the categories of persons, companies, and products affected by Federal record-retention requirements.

Price: 40 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

EXECUTIVE ORDER

Transferring jurisdiction over certain blocked assets from the Attorney General to the Secretary of the Treasury 7215

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT

See also Commodity Credit Corporation; Consumer and Marketing Service.

Notices

Yadkinville, N.C.; notice of public hearing regarding application for proposed new market 7256

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
Compania de Aviacion "Faucett", S.A 7256
Eastern-Mackey merger case 7256
Hawaiian Airlines, Inc., and Skyway Air Cargo, Inc 7257

COMMERCE DEPARTMENT

See Maritime Administration.

COMMODITY CREDIT CORPORATION

Rules and Regulations

Dry edible bean loan and purchase program, 1966 and subsequent crops; correction 7243

Notices

Sales of certain commodities; May 1966 sales list 7252

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Plums grown in California; shipment limitations (3 documents) 7241, 7242
Tomatoes grown in Lower Rio Grande Valley in Texas; approval of expenses and rate of assessment 7243

CUSTOMS BUREAU

Notices

Cases made of material containing ground, shredded, or pulverized leather; restriction and prohibition on imports 7249

DEFENSE DEPARTMENT

Rules and Regulations

Personal commercial affairs 7228

DELAWARE RIVER BASIN COMMISSION

Notices

Comprehensive plan; notice of public hearing 7257

FEDERAL AVIATION AGENCY

Rules and Regulations

Restricted areas; alteration and designation 7217
Standard instrument approach procedures; miscellaneous amendments 7218
Transition area; designation 7217

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Certain frequencies; allocation 7235
FM broadcast stations, Jackson, Ohio, et al.; table of assignments 7238

Proposed Rule Making

Television broadcast station, Eureka, Calif.; table of assignments 7246
UHF assignments and addition of third channel to Topeka, Kans 7246

Notices

Hearings, etc.:
Able Paging Service 7258
American Telephone and Telegraph Co., et al 7257
Central Broadcasting Corp., and Second Thursday Corp 7258
Haddox Enterprises, Inc., and WCJU, Inc 7259
Jupiter Associates, Inc., et al 7257
Overmeyer, D. H. Communications Co., and Maxwell Electronics Corp 7258
WTCN Television, Inc. (WTCN-TV) et al 7257

FEDERAL CONTRACT COMPLIANCE OFFICE

Notices

Equal employment opportunity; preaward procedure to insure compliance by Government contractors; correction 7266

FEDERAL MARITIME COMMISSION

Proposed Rule Making

Practices of independent ocean freight forwarders, ocean freight brokers, and oceangoing common carriers; participation by hearing counsel 7248

Notices

Conference agreement; modification 7259
United States Gulf/Japan Cotton Pool; agreement filed for approval 7259

FEDERAL POWER COMMISSION

Rules and Regulations

Statements and reports; system flow diagrams 7226

Notices

Hearings, etc.:
Consumers Power Co 7263
Gardner Gas Fuel and Light Co., and Gardner Pipeline, Inc 7260
Kansas-Nebraska Natural Gas Co., Inc 7261
Moses, Lucy G., et al 7262
United Natural Gas Co., and Iroquois Gas Corp 7260
United Gas Pipe Line Co., and Southern Natural Gas Co 7261
Village of Bluford, Ill., and Trunkline Gas Co 7263

FEDERAL RESERVE SYSTEM

Rules and Regulations

Membership of State banking institutions in Federal Reserve System; acquisition of stock 7224

FEDERAL TRADE COMMISSION

Rules and Regulations

Administrative opinions and rulings:
Common sales agency 7225
Merchandising by means of a chance or gaming device 7225

FISH AND WILDLIFE SERVICE

Rules and Regulations

Sport fishing:
Idaho 7225
Montana (2 documents) 7225, 7226

Proposed Rule Making

Frozen headless dressed whiting; standards for grades 7244

Notices

Krigbaum, Gilbert Lee; notice of loan application 7252

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Color additives; tagetes extract; confirmation of effective date 7227
Drugs; zinc bacitracin 7228
Food additives:
Cellophane 7228
Sodium *n*-alkylbenzenesulfonate 7227
Food standards; procedure for establishment 7227

Proposed Rule Making

Boiler water additives; proposal to require labeling 7245
Depressant and stimulant drugs; proposed listing of lysergic acid and lysergic acid amide as drugs subject to control 7245

Notices

Petitions filed regarding food additives:
Atomic Energy Commission 7256
Elanco Products Co 7256

(Continued on next page)

CONTENTS

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Motor vehicle requisitioning and delivery schedule ---- 7234
Public buildings and grounds; management ---- 7234

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

IMMIGRATION AND NATURALIZATION SERVICE

Rules and Regulations

Petition to classify alien as immediate relative of United States citizen or as preference immigrant ---- 7217

INDIAN AFFAIRS BUREAU

Notices

Specifically designated employees; redelegation of authority regarding credit matters and Indian irrigation projects ---- 7250

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

Notices

Certain cotton and cotton textile products; restraint levels ---- 7263

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau; National Park Service.

INTERNAL REVENUE SERVICE

Notices

District Directors et al.; delegations of authority regarding inspection of certain returns (3 documents) ---- 7249, 7250

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section application for relief ---- 7266
Motor carrier:
Alternate route deviation notices ---- 7266
Applications and certain other proceedings (2 documents) ---- 7268, 7271
Intrastate applications ---- 7272
Transfer proceedings ---- 7272

JUSTICE DEPARTMENT

See Immigration and Naturalization Service.

LABOR DEPARTMENT

See Federal Contract Compliance Office.

LAND MANAGEMENT BUREAU

Notices

Utah; proposed withdrawal and reservation of lands (3 documents) ---- 7250, 7251

MARITIME ADMINISTRATION

Notices

Old Colony Trust Co.; notice of approval as trustee ---- 7256

NATIONAL PARK SERVICE

Notices

Certain designated officials; delegation of authority ---- 7251

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
Fidelity Fund, Inc ---- 7264
General American Transportation Corp ---- 7264
Investors Financial Trust Fund ---- 7265
Jamestown Telephone Corp., et al ---- 7265
United Security Life Insurance Co ---- 7266

TARIFF COMMISSION

Notices

Leather workshoes from Czechoslovakia; notice of investigation ---- 7266

TREASURY DEPARTMENT

See Customs Bureau; Internal Revenue Service.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

EXECUTIVE ORDER:
8389 (see EO 11281) ---- 7215
9989 (superseded by EO 11281) ---- 7215
10348 (superseded by EO 11281) ---- 7215
10644 (amended by EO 11281) ---- 7215
11281 ---- 7215

7 CFR

917 (3 documents) ---- 7241, 7242
965 ---- 7243
1421 ---- 7243

8 CFR

204 ---- 7217

12 CFR

208 ---- 7224

14 CFR

71 ---- 7217
73 ---- 7217
97 ---- 7218

16 CFR

15 (2 documents) ---- 7225

18 CFR

260 ---- 7226

21 CFR

8 ---- 7227
10 ---- 7227
121 (2 documents) ---- 7227, 7228
146e ---- 7228

PROPOSED RULES:
121 ---- 7245
166 ---- 7245

32 CFR

43 ---- 7228

41 CFR

101–19 ---- 7234
101–26 ---- 7234

46 CFR

PROPOSED RULES:
510 ---- 7248

47 CFR

2 ---- 7235
73 ---- 7238
91 ---- 7235
95 ---- 7235

PROPOSED RULES:
73 (2 documents) ---- 7246

50 CFR

33 (3 documents) ---- 7225, 7226

PROPOSED RULES:
271 ---- 7244

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11281

TRANSFERRING JURISDICTION OVER CERTAIN BLOCKED ASSETS FROM THE ATTORNEY GENERAL TO THE SECRETARY OF THE TREASURY

WHEREAS before October 1, 1948, the Secretary of the Treasury administered the blocking controls and other restrictions over property and interests of certain foreign countries or their nationals that had been imposed, under the authority of section 5(b) of the Trading with the Enemy Act, as amended (50 U.S.C. App. 5(b)), by means of and under Executive Order No. 8389 of April 10, 1940, as amended; and

WHEREAS by Executive Order No. 9989 of August 20, 1948, jurisdiction over the property and interests which remained blocked or restricted under Executive Order No. 8389 on September 30, 1948, was transferred, effective October 1, 1948, to the Attorney General to aid him in carrying out his functions as successor to the Alien Property Custodian, including, among others, the function of vesting property pursuant to the provisions of the Trading with the Enemy Act, as amended; and

WHEREAS by Executive Order No. 10644 of November 7, 1955, the Attorney General was designated to carry out the functions of the President under Title II of the International Claims Settlement Act of 1949 (as added by the Act of August 9, 1955, Public Law 285, 84th Congress, 69 Stat. 562), including certain vesting and blocking functions required by section 202 of that Act (22 U.S.C. 1631a), and the Attorney General, as designee of the President, exercises controls under Executive Order No. 8389 with respect to the net proceeds of certain property that are carried, pursuant to section 202, in blocked accounts with the Treasury; and

WHEREAS the functions of vesting property under the Trading with the Enemy Act and under section 202 of the International Claims Settlement Act of 1949 have been terminated; and

WHEREAS the blocking controls now exercised by the Attorney General under Executive Order No. 8389 are limited in application to property of Hungary or its nationals acquired on or before January 1, 1945; property of Czechoslovakia, Estonia, Latvia, Lithuania or nationals of those countries acquired on or before December 7, 1945; property of East Germany or its nationals acquired on or before December 31, 1946, and certain securities scheduled in General Rulings No. 5 and No. 5B, as amended (8 CFR 511.205 and 511.205b); and

WHEREAS the Office of Alien Property, through which the Attorney General carries out or has carried out the various responsibilities described above, will be abolished on or before June 30, 1966, and the Attorney General thereafter will not be in a position to administer blocking controls under Executive Order No. 8389 efficiently; and

WHEREAS in the interest of efficiency it is desirable to return to the Secretary of the Treasury jurisdiction over the property and interests remaining subject to such blocking controls:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and the laws of the United States, including the Trading with the Enemy Act, as amended, Title II of the International Claims Settlement Act of 1949 and section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The authority granted to the Attorney General by Executive Order No. 9989 with respect to property and interests blocked or otherwise subject to restriction under Executive Order No. 8389 is hereby terminated and Executive Order No. 9989 is hereby superseded.

SEC. 2. The Secretary of the Treasury shall hereafter be responsible for the administration of the controls exercisable under Executive Order No. 8389, and he is authorized and directed to take such action as he may deem necessary with respect to any property or interest that remains blocked or restricted under Executive Order No. 8389 on the effective date of this order. In the performance of the functions and duties hereby reassigned to him, the Secretary of the Treasury may act personally or through any officer, person, agency or instrumentality designated by him.

SEC. 3. All orders, regulations, rulings, instructions or licenses issued prior to the effective date of this order by the Attorney General or the Secretary of the Treasury with respect to any of the property or interests referred to in Section 2 shall continue in full force and effect except as hereafter amended, modified or revoked by the Secretary of the Treasury.

SEC. 4. No person affected by any order, regulation, ruling, instruction, license or other action issued or taken by either the Attorney General or the Secretary of the Treasury in the administration of Executive Order No. 8389 may challenge the validity thereof or otherwise excuse any action, or failure to act, on the ground that it was within the jurisdiction of the Secretary of the Treasury rather than the Attorney General or *vice versa*.

SEC. 5. Section 1 of Executive Order No. 10644 of November 7, 1955, is hereby amended to read as follows:

"SECTION 1. (a) With the exception of the functions referred to in subsection (b) of this section, the Attorney General, and, as designated by the Attorney General for this purpose, any Assistant Attorney General are hereby designated and empowered to perform the functions conferred by Title II of the International Claims Settlement Act of 1949 upon the President, and the functions conferred by that title upon any designee of the President.

"(b) The Secretary of the Treasury, and any officer, person, agency or instrumentality designated by the Secretary of the Treasury for this purpose, are hereby designated and empowered to perform the functions conferred upon the President by section 202 of Title II with respect to the release of blocked property and of the net proceeds of property that are carried in blocked accounts with the Treasury."

SEC. 6. Executive Order No. 8389, this order and all delegations, designations, regulations, rulings, instructions and licenses issued or to be issued under Executive Order No. 8389 or this order are hereby continued in force according to their terms for the duration of the period of the national emergency proclaimed by Proclamation No. 2914 of December 16, 1950. Executive Order No. 10348 of April 26, 1952 is hereby superseded.

SEC. 7. Nothing in this order shall be deemed to revoke or limit any powers heretofore conferred on the Secretary of the Treasury by or under any statute or Executive order, or to revoke or limit any powers heretofore conferred upon the Attorney General by or under any statute or Executive order other than Executive Order No. 9989 or No. 10644.

SEC. 8. This order shall become effective at midnight, May 15, 1966.

LYNDON B. JOHNSON

THE WHITE HOUSE,
May 13, 1966.

[F.R. Doc. 66-5462; Filed May 16, 1966; 1:29 p.m.]

Rules and Regulations

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 204—PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A U.S. CITIZEN OR AS A PREFERENCE IMMIGRANT

The following amendment to Chapter I of Title 8 of the Code of Federal Regulations is hereby prescribed:

The last sentence of paragraph (a) *Relative* of § 204.1 *Petition* is deleted and the following sentences inserted in lieu thereof: "Without the approval of a separate petition in his behalf, an alien spouse or a child defined in section 101 (b)(1) (A), (B), (C), (D), or (E) of the Act, may be accorded the same preference classification under section 203(a) as his spouse or parent whom he is accompanying or following to join, if the immediate issuance of a visa or conditional entry is not otherwise available under the provisions of section 203(a) (1) through (8) of the Act. However, the alien spouse or child of an alien parent who has been classified as an immediate relative is not within the purview of section 203(a)(9) of the Act and may not be accorded derivative immediate relative status. No alien may be classified as an immediate relative unless he himself is entitled to such status and is the beneficiary of an approved visa petition according him such classification."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rule prescribed by the order is interpretative in nature.

Dated: May 13, 1966.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 66-5424; Filed, May 17, 1966; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 66-SO-7]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On March 31, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5203) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Darlington, S.C., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the following transition area is added:

DARLINGTON, S.C.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Darlington County Airport (latitude 34°26'50" N., longitude 79°53'23" W.).

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 10, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-5367; Filed, May 17, 1966; 8:46 a.m.]

[Airspace Docket No. 66-SW-14]

PART 73—SPECIAL USE AIRSPACE

Alteration and Designation of Restricted Areas

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to lower the ceiling of Restricted Areas R-5601A and R-5601B from 65,000 feet MSL to 23,000 feet MSL and to designate a new Restricted Area R-5601C with the same geographic dimensions as R-5601A and R-5601B from 23,000 feet MSL to 65,000 feet MSL at Fort Sill, Okla.

The U.S. Army has concurred in the Federal Aviation Agency's request that Restricted Areas R-5601A and R-5601B be altered to reflect the actual use of the areas. While the Army has a continuing requirement for the lower altitudes within R-5601A and R-5601B, its requirement for the upper altitudes is intermittent. As a result, the upper portion of the areas can be redesignated as joint use thereby making possible the release of such airspace to the public when it is not being used. Accordingly, action is taken herein to alter R-5601A and R-5601B by lowering their upper limits and to designate a new Restricted Area R-5601C which will contain that airspace previously included in R-5601A and R-5601B above 23,000 feet MSL.

Since this amendment is less restrictive to the public, notice and public procedure are not considered necessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

1. In § 73.56 (31 F.R. 2332), R-5601A and R-5601B, Fort Sill, Okla., under designated altitude, delete "Surface to 65,000 feet MSL" and substitute therefor "Surface to 23,000 feet MSL."

2. In § 73.56 (31 F.R. 2332), the following is added:

R-5601C, FORT SILL, OKLA.

Boundaries. Beginning at latitude 34°-38'15" N., longitude 98°17'00" W.; to latitude 34°38'15" N., longitude 98°45'20" W.; to latitude 34°41'59" N., longitude 98°45'-20" W.; to latitude 34°41'58" N., longitude 98°39'43" W.; to latitude 34°43'30" N., longitude 98°35'39" W.; to latitude 34°43'30" N., longitude 98°21'20" W.; to latitude 34°43'-45" N., longitude 98°21'00" W.; to latitude 34°46'06" N., longitude 98°21'00" W.; to latitude 34°46'06" N., longitude 98°17'00" W.; to point of beginning.

Designated altitude. 23,000 feet MSL to 65,000 feet MSL.

Time of designation. Continuous.

Controlling Agency, Federal Aviation Agency, Fort Worth ARTC Center.

Using Agency. Commanding General, Fort Sill, Okla.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 11, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5368; Filed, May 17, 1966; 8:46 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7235; Amdt. 474]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
All directions	Hood RBn	Direct	MEA	T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-33	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn W side of crs, 164° Outbnd, 344° Inbnd, 2500′ within 7 miles. Beyond 7 miles not authorized.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 344°—3.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.4 miles after passing HLR RBn or over Hood FM turn right, climb to 2500′ and proceed to Hood RBn, thence maintain 2500′ on the 164° bearing within 7 miles. Beyond 7 miles not authorized.
NOTE: Authorized for military use only except by prior arrangement.
MSA within 25 miles of facility: 000°–090°—2600′; 090°–180°—2500′; 180°–270°—2800′; 270°–360°—2800′.

City, Fort Hood; State, Tex.; Airport name, Fort Hood AAF; Elev., 923′; Fac. Class., MHW; Ident., HLR; Procedure No. 1, Amdt. 2; Eff. date, 23 Apr. 66; Sup. Amdt. No. 1; Dated, 29 July 61

				T-dn	300–1	300–1	200–½
				C-d	600–1½	600–1½	600–1½
				C-n	600–2	600–2	600–2
				S-dn-15°	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 332° Outbnd, 152° Inbnd, 3000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 152°—2.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 miles after passing GRK RBn, climb to 3000′ on 152° bearing within 15 miles.
NOTE: Authorized for military use only except by prior arrangement.
* Reduction in landing visibility below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—2200′; 090°–180°—2400′; 180°–270°—2700′; 270°–360°—2700′.

City, Fort Hood; State, Tex.; Airport name, Robert Gray AAF; Elev., 1015′; Fac. Class., HW; Ident., GRK; Procedure No. 1, Amdt. 2; Eff. date, 23 Apr. 66; Sup. Amdt. No. 1; Dated, 10 July 65

Guam VOR	UA RBn	Direct	2500	T-dn	400–1	400–1	400–1
				C-dn	500–1	500–1	500–1½
				S-dn-6R	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar authorized.
Descent in holding pattern N side of crs, 245° Outbnd, 065° Inbnd to 2500′ within 10 miles. Beyond 10 miles not authorized.
Left descending turn in holding pattern.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport 065°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing UA RBn, climb to 2000′ on the 065° bearing and contact Guam approach control.
AIR CARRIER NOTE: Sliding scale not authorized.
NOTE: This procedure applies to civil aircraft only and prior approval required from commander, Andersen AFB.
MSA within 25 miles of facility: 000°–360°—2400′.

City, Guam, Mariana Islands; Airport name, Andersen AFB; Elev., 606′; Fac. Class., HW; Ident., UA; Procedure No. 1, Amdt. 1; Eff. date, 23 Apr. 66; Sup. Amdt. No. Orig.; Dated, 29 Aug. 64

ADF STANDARD INSTRUMENT APPROACH PROCEDURES—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Sweetwater Int	LOM	Direct	3000	T-dn	300–1	300–1	200–½
Howard Int	LOM	Direct	4000	C-d	500–1	500–1	500–1½
Knoxville RBn	LOM	Direct	2500	C-n	500–1½	500–1½	500–1½
Loudon Int	LOM	Direct	2500	S-dn-4L	400–1	400–1	400–1
TYS VORTAC	LOM	Direct	2500	A-dn	800–2	800–2	800–2
Tallassee Int	LOM	Direct	2500				

Radar available.
Procedure turn W side of crs, 225° Outbnd, 045° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2500′.
Crs and distance, facility to airport, 045°—5.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LOM, climb on heading, 045° until intercepting 070° bearing from TS RBn. Continue climb to 3000′ on 070° bearing from TS RBn within 20 miles or, when directed by ATC, turn left, climb to 3000′ on 350° bearing from TS RBn within 20 miles, or climb to 3000′ on R 070°, TYS VORTAC within 20 miles.
Other change: Deletes transition from Rasar Int.
MSA within 25 miles of facility: 000°–090°—4100′; 090°–180°—6600′; 180°–270°—6300′; 270°–360°—4400′.

City, Knoxville; State, Tenn.; Airport name, McGhee-Tyson; Elev., 989′; Fac. Class., LOM; Ident., TY; Procedure No. 1, Amdt. 22; Eff. date, 23 Apr. 66; Sup. Amdt. No. 21; Dated, 4 Jan. 64

Upper Sandusky Int	MNN RBn	Direct	2500	T-dn	300–1	300–1	NA
Meeker Int	MNN RBn	Direct	2500	C-dn	500–1	500–1	NA
Kirkpatrick Int	MNN RBn	Direct	2500	S-dn-12	500–1	500–1	NA
				A-dn	NA	NA	NA

Procedure turn SW side of crs, 330° Outbnd, 150° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MNN RBn, turn left, climb to 2500′ on crs, 330° within 10 miles. Return to MNN RBn, hold NW, 1-minute right turns, 150° Inbnd.
CAUTION: Tower, 1465′—4 miles W of airport.
MSA within 25 miles of facility: 000°–360°—2800′.

City, Marion; State, Ohio; Airport name, Marion Municipal; Elev., 991′; Fac. Class., MHW; Ident., MNN; Procedure No. 1, Amdt. Orig.; Eff. date, 23 Apr. 66

Moline VOR	LOM	Direct	2300	T-dn	300–1	300–1	200–½
Muscatine Int	Stockton Int	Direct	2300	C-dn	600–1	600–1	600–1½
CVA VOR	LOM	Direct	2600	S-dn-9	600–1	600–1	600–1
Stockton Int	LOM (final)	Direct	1900	A-dn	800–2	800–2	800–2
Buffalo Int	LOM	Direct	2300				
CID VOR	Muscatine Int	Via CID VOR, R 124°.	2500				
IOW VOR	Muscatine Int	Via IOW VOR, R 094°.	2300				

Radar available.
Procedure turn S side of W crs, 267° Outbnd, 087° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 087°—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing ML LOM, climb to 2100′ on crs of 087° within 20 miles or, when directed by ATC, make right-climbing turn to 2300′ and proceed to MLI VOR.
*When weather is below 1500–3, aircraft departing Runway 4: Turn right and climb to 1500′ on E heading before turning N. Aircraft departing Runway 9 and 31: Climb on runway heading to 1500′ before turning N, due to 1067′ tower, 3 miles NE and 1640′ tower, 6 miles NNE.
MSA within 25 miles of facility: 000°–090°—2700′; 090°–180°—2900′; 180°–270°—2100′; 270°–360°—2100′.

City, Moline; State, Ill.; Airport name, Quad-City; Elev., 590′; Fac. Class., LOM; Ident., ML; Procedure No. 1, Amdt. 13; Eff. date, 23 Apr. 66; Sup. Amdt. No. 12; Dated, 22 Jan. 66

Oakwood Int	RAC RBn	Direct	2100	T-dn	300–1	300–1	200–½
MK LOM	RAC RBn	Direct	2100	C-dn	700–1	700–1	700–1½
Pike Int	RAC RBn	Direct	2100	A-dn	NA	NA	NA
Racine Int	RAC RBn	Direct	2100	Following minimums apply after passing Marian Int:			
				C-dn*	500–1	500–1	500–1½

Radar available.
Procedure turn N side of crs, 028° Outbnd, 208° Inbnd, 2100′ within 10 miles.
Minimum altitude over Marian Int on final approach crs, 1369′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of RAC RBn, make left-climbing turn to 2100′ on 028° bearing from RAC Rbn within 10 miles.
*Authorized only for aircraft with dual ADF receivers operating simultaneously or Marian Int identified by radar.
MSA within 25 miles of facility: 000°–270°—2000′; 270°–360°—2800′.

City, Racine; State, Wis.; Airport name, Horlick-Racine; Elev., 669′; Fac. Class., MH; Ident., RAC; Procedure No. 2, Amdt. 3; Eff. date, 23 Apr. 66; Sup. Amdt. No. 2; Dated 26 Feb. 66

TVC VOR	TVC RBn	Direct	2100	T-dn*	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 139° Outbnd, 319° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′.
Crs and distance, facility to airport, 319°—2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2 miles after passing RBn, make climbing right turn to 2100′ and return to TVC RBn.
CAUTION: *Several antennas from 1132′ to 1546′ between 3 to 4.5 miles W and NW of airport. Plan departure to avoid this area.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—2900′; 180°–270°—3300′; 270°–360°—2600′.

City, Traverse City; State, Mich.; Airport name, Traverse City Municipal; Elev., 623′; Fac. Class., SABH; Ident., TVC; Procedure No. 1, Amdt. 2; Eff. date, 23 Apr. 66; Sup. Amdt. No. 1; Dated, 9 May 64

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Gross DME Int	BTR VORTAC (final)	Direct	1600	T–dn	300–1	300–1	200–½
				C–d	800–1	800–1	800–1½
				C–n	800–2	800–2	800–2
				S–dn–4°	800–1	800–1	800–1
				A–dn	800–2	800–2	800–2

Procedure turn S side of crs, 245° Outbnd, 065° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′.
Crs and distance, facility to airport, 065°—7.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.6 miles after passing BTR VOR, turn left and climb to 1900′ on R 041° within 20 miles or, when directed by ATC, turn right, climb to 2000′ on R 081°.
*Reduction in landing visibility not authorized.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—2800′; 180°–270°—1300′; 270°–360°—1500′.

City, Baton Rouge; State, La.; Airport name, Ryan; Elev., 70′; Fac. Class., BVORTAC; Ident., BTR; Procedure No. 1, Amdt. 7; Eff. date, 23 Apr. 66; Sup. Amdt. No. 6; Dated, 25 Dec. 65

GL LFR	GAL VORTAC	Direct	2500	T–dn	300–1	300–1	200–½
20-mile DME, R 066°	10-mile DME, R 066°	Direct	2200	C–dn	500–1	500–1	500–1½
10-mile DME, R 066°	3-mile DME, R 066°	Direct	1400	S–dn–25°*	400–1	400–1	400–1
3-mile DME, R 066° (final)	GAL VORTAC	Direct	*800	A–dn	800–2	800–2	800–2

Procedure turn not required with DME.
Procedure turn S side of crs, 066° Outbnd, 246° Inbnd, 2000′ within 10 miles.
Minimum altitude over 10-mile DME Fix, 2200′, over 3-mile DME, 1400′; over facility on final approach crs, 800′*/if DME not available, 1400′.
Crs and distance, facility to airport, 246°—3.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.3 miles after passing GAL VORTAC, climb straight ahead to 2500′ on R 246° within 15 miles.
NOTE: When authorized by ATC, DME may be used within 20 miles at 5000′ in all directions to position aircraft for a straight-in with the elimination of a procedure turn.
**400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
MSA within 25 miles of facility: 000°–090°—4300′; 090°–270°—5000′; 270°–360°—2000′.

City, Galena; State, Alaska; Airport name, Galena FAA; Elev., 152′; Fac. Class., H–BVORTAC; Ident., GAL; Procedure No. 1, Amdt. 4; Eff. date, 23 Apr. 66; Sup. Amdt. No. 3; Dated, 12 Mar. 66

				T–dn*	300–1	300–1	300–1
				C–dn	900–1	900–1	900–1½
				A–dn**	NA	NA	NA

Procedure turn S side crs, 297° Outbnd, 117° Inbnd, 1500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 117°—10.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing TBD VOR, climb to 1500′, turn right and return to the TBD VOR.
NOTE: Air carrier use not authorized.
Other changes: Deletes note concerning runway lights and note regarding reduction in landing visibility not authorized.
*Aircraft must remain VFR until clearance received from ATC.
**No weather service available.
MSA within 25 miles of facility: 000°–090°—1400′; 090°–180°—1500′; 180°–270°—1500′; 270°–360°—1500′.

City, Houma; State, La.; Airport name, Houma Municipal; Elev., 11′; Fac. Class., BVORTAC; Ident., TBD; Procedure No. 1, Amdt. 3; Eff. date, 23 Apr. 66; Sup. Amdt. No. 2; Dated, 25 Dec. 65

TVC Rlln	TVC VOR	Direct	2100	T–dn**	300–1	300–1	200–½
				C–dn	800–1	800–1	800–1½
				A–dn	800–2	800–2	800–2
				VOR/ADF minimums; VOR and ADF receivers required: #			
				C–dn#	400–1	500–1	800–1½

Radar available.
Procedure turn E side of crs, 160° Outbnd, 340° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1800′; over Hill Int, 1423′.
Crs and distance, facility to airport, 340°—4.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing TVC VOR, make climbing right turn to 2100′ and return to VOR.
CAUTION: **Several antennas from 1132′ to 1546′ between 3 to 4.5 miles W and NW of airport. Plan departure to avoid this area.
Other changes: Hill Int crs and distance deleted.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—2900′; 180°–270°—3600′; 270°–360°—2600′.

City, Traverse City; State, Mich.; Airport name, Traverse City Municipal; Elev., 623′; Fac. Class., BVOR; Ident., TVC; Procedure No. 1, Amdt. 5; Eff. date, 23 Apr. 66; Sup. Amdt. No. 4; Dated, 9 May 66

3. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
GL LFR	GAL VORTAC	Direct	2500	T–dn	300–1	300–1	200–½
20-mile DME, R 246°	12-mile DME, R 246°	Direct	2000	C–dn	500–1	500–1	500–1½
12-mile DME, R 246°	8-mile DME, R 246°	Direct	1000	S–dn–7°*	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn not required with DME.
Procedure turn S side of crs, 246° Outbnd, 066° Inbnd, 2000′ within 10 miles, beyond 5-mile DME Fix.
Minimum altitude over 12-mile DME Fix, 2000′; over 8-mile DME Fix, 1000′; over 5-mile DME Fix on final approach crs, 552′.
Crs and distance, 5-mile DME Fix to airport, 066°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums at 5-mile DME Fix, climb straight ahead to GAL VORTAC, continue to 2500′ on R 066° within 10 miles.
NOTE: When authorized by ATC, DME may be used within 20 miles at 5000′ in all directions to position aircraft for a straight-in approach with the elimination of a procedure turn.
**400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—4300′; 090°–270°—5000′; 270°–360°—2000′.

City, Galena; State, Alaska; Airport name, Galena FAA; Elev., 152′; Fac. Class., H–BVORTAC; Ident., GAL; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 23 Apr. 66; Sup. Amdt. No. Orig.; Dated, 12 Mar. 66

R 196°, DCA VOR clockwise, R 332°, DCA VOR.		Via 10 NM ARC	2500	T–dn	300–1	300–1	200–½
				C–dn#	700–1	700–1	700–2
R 030°, DCA VOR counterclockwise, R 332°, DCA VOR.		Via 10 NM ARC	2500	S–dn–18°*	700–1	700–1	700–2
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn not authorized. Final approach crs, 152° Inbnd from 10-mile DME Fix.
Minimum altitude over 10-mile DME Fix, 2500′; 7-mile DME Fix, 2000′; 5-mile DME Fix, 1400′; 3-mile DME Fix, 800′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of DCA VOR climb to 1000′ on crs of 152°, make right turn and proceed to Washington RBn at 1500′ climbing to 1800′ in holding pattern, 181° Outbnd, 001° Inbnd, 1-minute left turns.
CAUTION: Washington Monument, 596′—1.6 miles N of airport.
*Reduction not authorized.
#All turbojet aircraft, 700–2.
MSA within 25 miles of facility: 270°–090°—2500′; 090°–270°—1700′.

City, Washington; State, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., L–VORTAC; Ident., DCA; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 23 Apr. 66

4. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Akron VOR	LOM	Direct	2800	T–dn	300–1	300–1	200–½
Briggs VOR	LOM (final)	Direct	2500	C–dn	400–1	500–1	500–1½
Int Briggs VOR, R 322° and 090° bearing to LOM.	LOM	Direct	2800	S–dn–1°*	200–½	200–½	200–1
				A–dn	600–2	600–2	600–2
Int Briggs VOR, R 282° and 061° bearing to LOM.	LOM	Direct	2800				
Int Briggs VOR, R 048° and 270° bearing to LOM.	LOM	Direct	2800				

Radar available.
Procedure turn E side S crs, 186° Outbnd, 006° Inbnd, 2500′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2500′.
Altitude of glide slope and distance to approach end of runway at OM, 2415′—3.7 miles; at MM, 1450′—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing LOM, climb to 3000′ on N crs of ILS to Derby Int. Hold N, 1-minute left turns, 186° Inbnd.
*400–¾ required with glide slope inoperative. 400–½ authorized with operative ALS, except for 4 engine turbojet aircraft.

City, Akron; State, Ohio; Airport name, Akron-Canton; Elev., 1228′; Fac. Class., ILS; Ident., I–CAK; Procedure No. ILS–1, Amdt. 17; Eff. date, 23 Apr. 66; Sup. Amdt. No. 16; Dated, 29 Jan. 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Appleton VOR	E crs ILS (final)	Direct	2700	T–dn** C–dn S–dn–28L*/% A–dn	300–1 500–1 200–½ 600–2	300–1 500–1 200–½ 600–2	200–½ 500–1½ 200–½ 600–2

Radar available.
Procedure turn N side E crs, 096° Outbnd, 276° Inbnd, 2700′ within 10 miles, not authorized beyond 10 miles.
Minimum altitude at glide slope interception Inbnd, 2700′.
Altitude of glide slope and distance to approach end of runway at OM, 2634′—5.4 miles; at MM, 1093′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing LOM, climb to 2500′ and proceed to CB LOM. Hold W, 1-minute right turns, 096° Inbnd.
*When glide slope not utilized, 500–¾ will apply.
%RVR 2400′. Descent below 1016′ not authorized unless approach lights are visible.
**RVR 2400′ authorized 28L.

City, Columbus; State, Ohio; Airport name, Port Columbus International; Elev., 816′; Fac. Class., ILS; Ident., I-CMH; Procedure No. ILS–28L, Amdt. 13; Eff. date, 23 Apr. 66; Sup. Amdt. No. 12; Dated, 30 Oct. 65

Transition From—	To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Cordova VOR	Green River Int	Direct	2300	T–dn#	300–1	300–1	200–½
Moline VOR	Green River Int	Direct	2300	C–dn	600–1	600–1	600–1½
Cable Int	Green River Int	Direct	2800	S–dn–27°	500–1	500–1	500–1
Polo VOR	Donna Int	Via PLL VOR, R 207°.	2900	A–dn	800–2	800–2	800–2
Donna Int	Green River Int (final)	Direct	2300				

Radar available.
Procedure turn N side of crs, 087° Outbnd, 267° Inbnd, 2300′ within 10 miles of Green River Int.
Minimum altitude over Green River Int on final approach crs, 2300′.
Crs and distance, Green River Int to airport, 267°—5.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing Green River Int, make left turn climbing to 2300′ and proceed to MLI VOR, or when directed by ATC, climb to 1900′ on MLI localizer W crs and proceed to ML LOM.
*500–¾ authorized except for 4-engine turbojets with operative HIRL's.
#When weather is below 1500–3, aircraft departing Runway 4: Turn right and climb to 1500′ on E heading before turning N. Aircraft departing Runways 9 and 31: Climb on runway heading to 1500′ before turning N due to 1067′ tower, 3 miles NE and 1649′ tower, 6 miles NNE.

City, Moline; State, Ill.; Airport name, Quad-City; Elev., 590′; Fac. Class., ILS; Ident., I-MLI; Procedure No. ILS–27 (back crs), Amdt. 9; Eff. date, 23 Apr. 66; Sup. Amdt. No. 8; Dated, 22 Jan. 66

Transition From—	To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Grand Beach Int	Prairie VHF/DME Int	Via OXI, R 345° and W crs, ILS.	2400	T–dn C–dn S–dn–9°	300–1 500–1 500–1	300–1 500–1 500–1	200–½ 500–1½ 500–1
Prairie VHF/DME Int	Gordon VHF/DME (final)	Direct	2400	A–dn	800–2	800–2	800–2
SBN VOR	Gordon VHF/DME Int	Direct	2400				
SB LOM	Gordon VHF/DME Int	Direct	2400				
Stillwell Int	Prairie VHF/DME Int	Direct	2400				

Procedure turn N side of crs, 269° Outbnd, 089° Inbnd, 2400 within 10 miles of Gordon VHF/DME Int.
Minimum altitude over Gordon VHF/DME Int on final approach crs, 2400′.
Crs and distance, Gordon VHF/DME Int to Runway 9, 089°—5.14 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.14 miles after passing Gordon VHF/DME Int, climb to 2200′ and proceed direct to SB LOM or, as directed by ATC make left turn, climb to 2000′ and proceed direct to SBN VOR. (3) When authorized by ATC, DME may be used to position aircraft on final approach crs at 2400′ via 15-mile DME Arc, 180° clockwise to 360° from SBN VOR with the elimination of the procedure turn. (4) DME distance for Prairie and Gordon VHF/DME Int are predicated on zero reference point abeam SBN ILS (Channel 30) glide slope. Distance should not be used to determine aircraft position over runway threshold.
NOTES: (1) No glide slope. No approach lights. (2) Simultaneous reception of ILS and VOR or DME required to execute this approach.
*500–¾ authorized with operative HIRL except for 4-engine turbojets.

City, South Bend; State, Ind.; Airport name, St. Joseph County; Elev., 785′; Fac. Class., ILS; Ident., I-SBN, Procedure No. ILS–9 (back crs) Amdt. 3; Eff. date, 23 Apr. 66; Sup. Amdt. No. 2; Dated, 10 Oct. 64

Transition From—	To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Long Lake Int	Elkhart VHF/DME Int	Via GSH, R 018° and E crs, ILS.	2400	T–dn C–dn	300–1 *400–1	300–1 500–1	200–½ 500–1½
North Liberty Int	LOM	Direct	2900	S–dn–27°	200–½	200–½	200–½
South Bend VOR	LOM	Direct	2400	A–dn	600–2	600–2	600–2
Bristol Int	Elkhart VHF/DME Int	Via E crs, ILS	2400				
Goshen RBn	Elkhart VHF/DME Int	Via 325° bearing from GSH RBn.	2400				
Elkhart VHF/DME Int	LOM (final)	Direct	2000				
Goshen VOR	Norman VHF/DME Int	Via R 345°, GSH VOR.	2400				
Norman VHF/DME Int	LOM (final)	Direct	2000				

Procedure turn N side of final approach crs, 089° Outbnd, 269° Inbnd, 2200′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2000′.
Altitude of glide slope and distance to approach end of runway at OM, 1900′—3.8 miles; DME distance, 3.9 miles; at MM, 975′—0.6 mile; DME distance, 0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing OM, make climbing right turn to 2000′ and proceed direct to the SBN VOR or make climbing right turn to 2200′ and proceed direct to SB LOM.
CAUTION: 1918′ tower, 5.6 miles S of LOM.
NOTES: (1) When authorized by ATC, DME may be used to position aircraft on final approach crs at 2200′ via 14-mile DME Arc, 075° clockwise to 138° from SBN VOR with the elimination of the procedure turn. (2) DME distances are predicated on zero reference point abeam SBN ILS (Channel 30) glide slope. DME should not be used to determine aircraft position over MM, runway threshold or runway touchdown point.
*500–¾ required when glide slope inoperative. 500–½ authorized with operative ALS except for 4-engine turbojets.

City, South Bend; State, Ind.; Airport name, St. Joseph County; Elev., 785′; Fac. Class., ILS; Ident., I-SBN; Procedure No. ILS–27, Amdt. 19; Eff. date, 23 Apr. 66; Sup. Amdt. No. 18; Dated, 14 Nov. 64

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
PBI VOR	LOM	Direct	1600	T–dn	300–1	300–1	200–½
Morgan Int	LOM	Direct	1600	C–dn	*400–1	500–1	500–1½
Monet Int	LOM	Direct	1600	S–dn–9°	300–¾	300–¾	300–¾
Andrews Int	LOM	Direct	2000	A–dn	600–2	600–2	600–2
Shawnee Int (final)#	LOM	Direct	1600				
Willy Int	LOM	Direct	1600				
Pompano Int	LOM	Direct	2000				

Procedure turn N side of crs, 273° Outbnd, 093° Inbnd, 1600′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1600′.
Altitude of glide slope and distance to approach end of runway at OM, 1560′—5.7 miles; at MM, 217′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing LOM, climb to 1600′ on E crs of ILS LOC/R within 20 miles of LOM.
*500–¾ required when glide slope not utilized.
#Shawnee Int may be used in lieu of procedure turn when authorized by Palm Beach approach control.

City, West Palm Beach; State, Fla.; Airport name, Palm Beach International; Elev., 19′; Fac. Class., ILS; Ident., I-PBI; Procedure No. ILS–9, Amdt. 6; Eff. date, 23 Apr. 66; Sup. Amdt. No. 5; Dated, 6 Jan. 66

5. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition From—	To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
035°	265°	Within: 25 miles	1500	Surveillance approach			
265°	035°	0–10 miles	1500	T–dn**	300–1	300–1	200–½
265°	035°	10–25 miles	1600	C–dn	400–1	500–1	500–1½
				S–dn–158°	400–1	400–1	400–1
				S–dn–33°	400–1	400–1	400–1
				S–dn–21⅛	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2
				Precision approach			
				S–dn 158#	200–½	200–½	200–½
				S–dn–3	400–1	400–1	400–1
				S–dn–33	400–¾	400–¾	400–¾
				A–dn	600–2	600–2	600–2

Radar control will provide 1000′ vertical separation within a 3-mile radius of radio towers, 849′ and 1049′ located 9 and 11.5 miles SE of Charleston AFB/Municipal Airport. All bearings and distances are from radar site on Charleston AFB/Municipal Airport with sector azimuths progressing clockwise.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 15: Climb to 2000′ on R 149° within 15 miles of CHS VOR. Runway 3: Climb to 2000′ on R 033° within 15 miles of CHS VOR. Runway 33: Climb to 2000′ on R 322° within 15 miles of CHS VOR. Runway 21: Climb to 2000′ on R 200° within 15 miles of CHS VOR.
NOTE: VASI: Runways 15, 21, 33.
#RVR 2400′. Descent below 245′ not authorized unless approach lights visible.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
#400–½ (RVR 2400′) authorized, except for 4-engine turbojet aircraft, with operative ALS.
**RVR 2400′ authorized Runway 15.

City, Charleston; State, S.C.; Airport name, Charleston AFB/Municipal; Elev., 45′; Fac. Class., and Ident., Charleston Radar; Procedure No. 1, Amdt. 3; Eff. date, 23 Apr. 66; Sup. Amdt. No. 2; Dated, 28 Aug. 65

RADAR STANDARD INSTRUMENT APPROACH PROCEDURES—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
000°.....	360°.....	Within: 25 miles..	9000	Precision approach			
				T-dn#*.....	300–1	300–1	200–½
				C-dn.....	700–1	700–1	700–1½
				S-dn-10R##	200–½	200–½	200–½
				A-dn.....	700–2	700–2	700–2
				Surveillance approach			
				T-dn*.....	300–1	300–1	200–½
				C-dn.....	800–1	800–1	800–1½
				S-dn-28R/10R$**	700–1	700–1	700–1
				S-dn-20**	800–1	800–1	800–1
				A-dn.....	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, All Runways: Climb to 3000' direct to PDX VOR or, when directed by ATC, Runway 10R: Climb to 3200' direct to IA LOM; Runway 28R: Climb to 3200' direct to Sauvies Island RBn.

AIR CARRIER NOTE: Sliding scale for landing not authorized.

CAUTION: 964' terrain, 1.8 miles SE airport.

*200–½ authorized for Runways 10R–L and 28R–L only. 700–2 required for Runways 2 and 20.

$Minimum altitude over 3-mile Radar Fix Inbnd on final to Runway 10R, 900'.

#RVR 2400' authorized Runway 10R.

##RVR 2400'. Descent below 226' not authorized unless approach lights are visible.

**Visibility reduction not authorized.

City, Portland; State, Oreg.; Airport name, Portland International; Elev., 26'; Fac. Class., and Ident., Portland Radar, Procedure No. 1, Amdt. 11; Eff. date, 23 Apr. 66; Sup. Amdt. No. 10; Dated, 27 May 65

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on March 17, 1966.

GORDON A. WILLIAMS, JR.,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–5461; Filed, May 17, 1966; 9:00 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. H]

PART 208—MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM

Acquisition of Stock

§ 208.118 Member bank acquisition of stock of another bank.

(a) The Board of Governors has recently considered, in several cases, whether a member bank may lawfully acquire stock of another bank. In some instances, a direct acquisition was involved; in another, the stock was to be purchased by a wholly owned subsidiary of the member bank. In one instance, the bank stock was to be purchased for cash; in others, the consideration was to consist of newly issued shares of stock of the acquiring bank. All of the cases involved acquisition of a majority of the stock of the "subsidiary" bank.

(b) The Board reaffirmed its position, originally taken shortly after enactment of the Banking Act of 1933 (1933 Federal Reserve Bulletin 449), that such acquisitions by member banks are not legally permissible. Section 5136 of the U.S. Revised Statutes (12 U.S.C. 24) forbids a national bank to purchase "for its own account * * * any shares of stock of any corporation." That prohibition is also applicable to State member banks, under section 9 of the Federal Reserve Act (12 U.S.C. 335). Legislative history and judicial interpretations in this field support the view that Congress did not intend to permit national banks or State member banks to acquire, for their own account, the stock of other banks, either directly or through intermediary corporations. The statutory prohibition applies to any voluntary acquisition of the stock of another bank, whether the consideration given for the stock consists of cash, other bank assets, or shares of stock of the acquiring bank.

(c) The Board concluded that such acquisitions would also violate the provisions of section 5155 of the Revised Statutes and section 9 of the Federal Reserve Act (12 U.S.C. 36 and 321) that prohibit the establishment of branches by member banks except under prescribed conditions. Those provisions of law were intended to permit national banks and State member banks to operate additional banking offices only with the prior approval of the Comptroller of the Currency or the Board of Governors, respectively. When one bank owns all or a majority of the stock of another, the offices and resources of the latter are a part of the banking organization owned by, and subject to the control of, the parent bank, despite the existence of separate corporate entities. Consequently, if such acquisitions of stock were permissible, member banks could conduct banking operations through additional offices without obtaining supervisory approval, which would undermine an important regulatory purpose of the Federal statutes relating to multiple-office banking.

(d) This incompatibility with the Federal banking statutes is particularly apparent when the offices of the "subsidiary" bank are situated in places where the acquiring bank may not lawfully establish and maintain direct branches, under applicable State and Federal laws. If a bank in those circumstances could acquire an existing bank or establish a new one, it could effectively circumvent public policy and accomplish indirectly what it could not accomplish directly—namely, ownership and control of banking offices in places (even in another State) where it is forbidden by law to conduct banking operations.

(12 U.S.C. 248(i). Interprets 12 U.S.C. 24, 36, 321, 335)

Dated at Washington, D.C., this 9th day of May 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66–5382; Filed, May 17, 1966; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Merchandising by Means of a Chance or Gaming Device

§ 15.45 Merchandising by means of a chance or gaming device.

(a) The Commission was recently requested to furnish an advisory opinion with respect to a proposal to distribute prizes to users of trading stamp books. Under this proposal, distributors of trading stamps would receive from the stamp company not only the trading stamps that are to be pasted in the books but the books as well. The books would bear a seal which when broken after the book is completely filled and presented to the store manager would reveal a prize ranging from $1.50 to $100. Books carrying prizes larger than $1.50 would represent approximately 10 percent of the total books distributed. The stamp user would also have the option of not breaking the seal and receiving $2 in cash or $2.15 in merchandise.

(b) It was contended that of the three essential elements of a lottery, namely, consideration, chance and prize, the first would be missing since merchants would distribute the stamps not only to their customers in proportion to purchases made, as is normal for trading stamp operations, but also to anyone who would register in the merchant's store whether a purchase was made or not. Extensive advertising would inform the general public that they may receive 80 stamps per week by just registering with the merchants without the necessity of making a purchase.

(c) The Commission advised that it did not need to decide the question of whether or not consideration would exist, so that the proposal could be held to constitute a technical lottery, for it was still of the view that the plan would involve an illegal effort to sell or dispose of merchandise by means of a chance or gaming device. In the Commission's view, lotteries are not the only method by which the public gambling instinct may be aroused, for other methods are comprehended within the general concept of merchandising by gambling. This proposal appeared to fall into that category, for even though each participant would always receive something of value if he persisted long enough to fill the book with stamps, the amount of his return would vary greatly with his willingness to "take a chance." Consequently, the Commission declined to give its approval to the proposed plan.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: May 17, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–5397; Filed, May 17, 1966; 8:48 a.m.]

Common Sales Agency

§ 15.46 Common sales agency.

(a) The Commission has advised a manufacturers' agent that its proposed plan to be the sales agent for a number of producers of the same product involves grave risk of illegality because one of its stated objectives is market stabilization.

(b) "The mere use of a common sales agency will not, in and of itself, result in a violation of law," the FTC's advisory opinion stated. However, it continued, in view of the requesting party's statement that one of the plan's purposes is to stabilize the market, "it is reasonable to conclude that the use of a common marketing agency by a number of different producers of the same product would inevitably lead to a violation of the Federal Trade Commission Act as well as the Sherman Act. This is especially true when the common agent would be quoting a common price for all the producers he represents."

(c) The Commission pointed out it is common experience that any arrangement aimed at stabilizing the market, "even if not initially so designed, has within it the seeds of price fixing, allocation of markets, or restriction of production, all of which are classic antitrust violations."

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: May 17, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–5398; Filed, May 17, 1966; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Kootenai National Wildlife Service, Idaho

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulation; sport fishing; for individual wildlife refuge areas.

IDAHO

KOOTENAI NATIONAL WILDLIFE REFUGE

Sport fishing on the Kootenai National Wildlife Refuge, Idaho, is permitted only on the area designated by signs as open to fishing. This open area, comprising 8 miles of streams, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The sport fishing season on the refuge shall be as follows:

(a) The entire refuge shall be closed to all fishing during the migratory waterfowl hunting season.

(b) All pond areas within the refuge shall be closed to fishing the entire year.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to May 1, 1967.

PAUL T. QUICK,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 3, 1966.

[F.R. Doc. 66–5383; Filed, May 17, 1966; 8:47 a.m.]

PART 33—SPORT FISHING

Ninepipe National Wildlife Refuge, Mont.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MONTANA

NINEPIPE NATIONAL WILDLIFE REFUGE

Sport fishing on the Ninepipe National Wildlife Refuge, Mont., is permitted only on the area designated by signs as open to fishing. This open area, comprising 2,062 acres, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

Area No. 1. North shore from north end of main dike to the south end of the Allentown bridge, and that portion of the refuge lying east of Highway 93, open all year, except closed September 6, 1966, to the end of the migratory waterfowl hunting season.

Area No. 2. South shore from south end of main dike to south end of the Allentown bridge open from July 15, 1966, through February 28, 1967, except closed from September 6, 1966, to the end of the migratory waterfowl hunting season.

Area No. 3. The area of the main dike open all year, except closed during the migratory waterfowl hunting season.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to May 1, 1967.

PAUL T. QUICK,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 3, 1966.

[F.R. Doc. 66–5384; Filed, May 17, 1966; 8:47 a.m.]

PART 33—SPORT FISHING

Pablo National Wildlife Refuge, Montana

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulation; sport fishing; for individual wildlife refuge areas.

MONTANA

PABLO NATIONAL WILDLIFE REFUGE

Sport fishing on the Pablo National Wildlife Refuge, Mont., is permitted only on the area designated by signs as open to fishing. This open area, comprising 1,900 acres, is delineated on maps available at the refuge headquarters, National Bison Range, Moiese, Mont., 59824, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

Open season: The east side of the inlet canal and the north and east shorelines from the inlet canal to the south end of the main dike are open from July 15, 1966, through February 28, 1967, except during the migratory waterfowl hunting season.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to May 1, 1967.

PAUL T. QUICK,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 3, 1966.

[F.R. Doc. 66-5385; Filed, May 17, 1966; 8:47 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-257; Order No. 303-A]

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

System Flow Diagrams

MAY 10, 1966.

By order herein issued October 14, 1965 (34 FPC ____, 30 F.R. 13359), we granted reconsideration of Order No. 303, issued August 19, 1965 (34 FPC ____, 30 F.R. 11101) in which we amended our regulations by prescribing a system flow diagram to be filed by certain large natural gas pipeline companies subject to the provisions of the Natural Gas Act. In the October order we also extended the filing date for the initial submission of the diagram to "a date to be fixed hereafter."

We have given further careful consideration to the points raised in the application for reconsideration and, in the light of the arguments advanced, have revised several of the subparagraphs included in paragraph (b) of § 260.8 as it was prescribed in Order No. 303. We recognize that the submission of the detailed information to be required is, to some extent, duplicative and that its preparation imposes a significant burden upon the companies required to report. We are still of the opinion, earlier expressed in our original order herein, that the information is necessary for regulatory purposes and that the public interest in this regard more than compensates for the added burden. Furthermore, the modifications of the original proposal which were incorporated in Order No. 303, together with those additional changes we are now adopting, make the burden as light as possible and yet at the same time supply information consistent with our minimum needs.

One reason for granting reconsideration of our original order was to provide the time necessary to complete the steps being taken in compliance with the Federal Reports Act of 1942 (5 U.S.C. 139c). Those steps have now been completed and the Bureau of the Budget has approved the collection of the information in the form here being prescribed. Items 12, 13, and 14 of that information (§ 260.8(b), (12), (13), and (14)) are subject to reapproval after 1 year.

Two other matters should be noted. First, Order No. 303 and our order granting reconsideration both contemplated that the initial report would cover the calendar year 1964. In view of the fact that reports will be required annually, our purposes will be served by having the initial report cover calendar year 1965 and, though succeeding reports will be due by June 1 of each year, we are providing that the initial report be filed by June 30, rather than June 1, 1966.

Finally, we recognize that the impact of the reporting burden will be heavier on some companies than on others due, mainly, to the diverse nature of system operations. The Bureau of the Budget, therefore, has asked us to remind the respondents of the provisions of § 1.7(b) of our Rules of Practice and Procedure (18 CFR 1.7(b)), pursuant to which we will entertain a petition to amend or waive rules. This rule provides the means whereby companies with unusual circumstances may apply for relief in connection with any of the detailed requirements of the report upon an adequate showing of a need for the relief requested. Such a petition is now pending before us and is being granted by separate order.

Upon further consideration of the matter, the Commission finds:

(1) Section 260.8(b) of the regulations under the Natural Gas Act prescribed by Order No. 303 issued August 19, 1965, herein should be revised for the reasons set forth above and in the manner hereinafter provided.

(2) For convenience, it is appropriate that paragraph (a) of § 260.8 and those subparagraphs of paragraph (b) which are not revised hereby be published together with the revised portions referred to above and, therefore, that the ordering paragraphs (A) and (B) of Order No. 303 be revised and adopted as hereinafter provided.

(3) From the circumstances referred to in the recitals set forth above, it is unnecessary in the public interest that further notice be had prior to the adoption of the revised regulations, and good cause exists for making it effective forthwith.

The Commission, acting pursuant to the authority heretofore set forth in Order No. 303, orders:

(A) Ordering paragraphs (A) and (B) of Order No. 303, issued herein on August, 19, 1965 (34 FPC ____; 30 F.R. 13359), are deleted and the following is inserted in lieu thereof.

(A) Part 260, Statements and Reports, Subchapter G, Chapter I, Title 18 of the Code of Federal Regulations, is amended by adding a new § 260.8 to read as follows:

§ 260.8 System flow diagrams.

(a) Each Class A natural gas pipeline company, having a system delivery capacity in excess of 100,000 Mcf per day (measured at 14.73 p.s.i.a. and 60° F.), shall file with the Commission by June 1 of each year twelve (12) copies of a diagram or diagrams reflecting operating conditions on its main transmission system during the previous twelve months ended December 31. For purposes of system peak deliveries, the heating season overlapping the year's end shall be used. Facilities shall be those installed and in operation on December 31 of the reporting year. All volumes shall be reported on a uniform stated pressure and temperature base.

(b) The diagram or diagrams shall include the following items of information:

(1) Nominal diameter (inches) of each pipeline.

(2) Miles of pipeline (to nearest 0.1 mile) between points of intake, delivery, river crossings, storage fields, crossovers, compressor stations and connections with other pipeline companies.

(3) Direction of flow in the pipelines. If direction of flow can be reversed at compressor stations, so indicate.

(4) Maximum permissible operating pressure for each pipeline at discharge side of each compressor station, or other critical point, determined by the provisions set forth in the American Standards Association's publication B 31.8 "Gas Transmission and Distribution Piping System" or by the company's own standard (whichever governs the company's operation), provided that the company supplies an explanation of the standard used. Where company standards governs, so designate by appropriate symbol or legend.

(5) Total horsepower of compressor engines installed at each compressor station.

(6) Designed suction pressure for each compressor station, p.s.i.g.

(7) Designed discharge pressure for each station, p.s.i.g.

(8) Maximum volume, Mcf per day that can be compressed at each compressor station under conditions of suction and discharge set forth in subparagraphs (6) and (7) of this paragraph. If direction of flow affects these factors provide the information for each direction of flow.

(9) The fuel requirement at each compressor station under conditions described in subparagraph (8) of this paragraph.

(10) Pressure in the pipeline at points of emergency interconnection with other pipeline companies which can normally be expected to exist, and the volume which could be delivered or received at such emergency interconnection points at such pressures. Give the name of the interconnecting company.

(11) For each storage field, connected to the system and operated by the respondent pipeline company, the maximum dependable daily and seasonal withdrawal volumes available under normal conditions of operation.

(12) The average and maximum (coincidental and noncoincidental) daily volumes delivered at each takeoff point during the reporting year. Where deliveries to a single customer are made at two or more points and conjunctive billing is used to determine charges, the volumes delivered shall be reported on the conjunctive basis. Small deliveries (less than 100 Mcf per day) which have little or no effect upon the operation of the pipeline may be grouped in an appropriate manner; i.e., between compressor stations or the last mainline compressor station and the end of the pipeline. If an estimate is used for a delivery, so indicate.

(13) The average daily volume received at each intake point to the transmission pipeline system.

(14) The volume received into the transmission pipeline system at each intake point on the day of maximum coincidental delivery.

(15) The information required by subparagraphs (12), (13) and (14), of this paragraph may be furnished in tabular form, or by reference to FPC Form No. 2, providing, that the information is suitably keyed to the diagram(s) by appropriate identifying symbol or number.

(Secs. 4, 5, 7, 16, 52 Stat. 823, 824, 825, 830; 15 U.S.C. 717c, 717d, 717f, 717o)

(B) This amendment shall be effective initially for the reporting year 1965 except that the last day for filing the flow diagrams depicting 1965 operations is postponed to June 30, 1966.

(B) In all other respects the provisions of Order No. 303 remain in full force and effect.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5381; Filed, May 17, 1966; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart D—Listing of Color Additives for Food Use Exempt From Certification

TAGETES EXTRACT; CONFIRMATION OF EFFECTIVE DATE

In the matter of listing tagetes extract as a safe color additive for use in chicken feed and exempting it from certification:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b)(1), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b)(1), (c)(2), (d)), and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of March 29, 1966 (31 F.R. 5069). Accordingly, the regulation promulgated by that order will become effective May 28, 1966.

(Sec. 706 (b)(1), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b)(1), (c)(2), (d))

Dated: May 11, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5410; Filed, May 17, 1966; 8:49 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 10—DEFINITIONS AND STANDARDS FOR FOOD

Procedure for Establishing Food Standards Under the Federal Food, Drug, and Cosmetic Act

To clarify the procedural food standard regulations with respect to a petitioner withdrawing his petition without prejudice, Part 10 is amended as set forth below.

Accordingly, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended; 21 U.S.C. 341, 371) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), § 10.2 is amended by adding a new paragraph (d), as follows:

§ 10.2 Procedure for establishing food standards under the Federal Food, Drug, and Cosmetic Act.

* * * * *

(d) At any time prior to the issuance of an order acting on his proposal under section 701(e)(1) of the act, the petitioner may withdraw his petition without prejudice to a future filing. Notice of withdrawal of the petition and termination of the rulemaking proceeding will be published in the FEDERAL REGISTER.

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since the amendment only involves procedural regulations.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended; 21 U.S.C. 341, 371)

Dated: May 11, 1966.

WINTON B. RANKIN,
Acting Deputy Commissioner of Food and Drugs.

[F.R. Doc. 66-5411; Filed, May 17, 1966; 8:50 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

SODIUM *n*-ALKYLBENZENESULFONATE

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6L1875) filed by Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo., 63166, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of sodium *n*-alkylbenzenesulfonate in washing fruits and vegetables and as an emulsifier and/or surface-active agent in the production of articles or components of articles used in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Part 121 is amended as follows:

1. Section 121.1091(a)(2) is amended by adding alphabetically a new item to the list of substances, as follows:

§ 121.1091 Chemicals used in washing fruits and vegetables.

* * * * *

(a) * * *

(2) * * *

Substances	*Limitations*
* * *	* * *
Sodium *n*-alkylbenzenesulfonate (alkyl group predominantly C_{12} and C_{13} and not less than 95 percent C_{10} to C_{16}).	Not to exceed 0.2 percent in wash water. May be used in washing or to assist in the lye peeling of fruits and vegetables.
* * *	* * *

* * * * *

2. Section 121.2541(c) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2541 Emulsifiers and/or surface-active agents.

* * * * *

(c) List of substances:

* * * * *

Sodium *n*-alkylbenzenesulfonate (alkyl group predominantly C_{12} and C_{14} and not less than 95 percent C_{12} and C_{18}), for use only as a component of nonfood articles complying with §§ 121.2507, 121.2514, 121.2524, 121.2526, 121.2534, 121.2535, 121.2559, 121.2562, 121.2569, 121.2571, and 121.2591.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 11, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5415; Filed, May 17, 1966; 8:50 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

CELLOPHANE

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 5B1761) filed by E. I. du Pont de Nemours & Co., 1007 Market Street, Wilmington, Del., 19898, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of *n*-octyl alcohol as a defoaming agent in the manufacture of cellophane base sheet intended for use in food packaging. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.2507(c) is amended by inserting alphabetically in the list of substances a new item, as follows:

§ 121.2507 Cellophane.

* * * * *

(c) List of substances:

	Limitations (residue and limits of addition expressed as percent by weight of finished packaging cellophane)
* * *	* * *
n-Octyl alcohol	For use only as a defoaming agent in the manufacture of cellophane base sheet.
* * *	* * *

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5413; Filed, May 17, 1966; 8:50 a.m.]

SUBCHAPTER C—DRUGS

PART 146e—CERTIFICATION OF BACITRACIN AND BACITRACIN-CONTAINING DRUGS

Zinc Bacitracin; Change in Expiration Date

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), the antibiotic drug regulations are amended to change the maximum expiration date for zinc bacitracin from 24 months to up to 60 months within certain conditions. Accordingly, § 146e.418 (c)(3) is amended to read as follows:

§ 146e.418 Zinc bacitracin.

* * * * *

(c) * * *

(3) The statement "Expiration date _____", the blank being filled in with the date which is 24 months after the month during which the batch was certified, except that the blank may be filled in with the date that is 30 months, 36 months, 42 months, 48 months, 54 months, or 60 months after the month during which the batch was certified if the person who requests certification has submitted to the Commissioner results of tests and assays showing that after having been stored for such period of time such drug as prepared by him complies with the standards prescribed therefor by paragraph (a) of this section.

* * * * *

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since the changes are such that they cannot be applied to any specific product unless and until the manufacturer thereof has supplied adequate data regarding that article.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: May 11, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5416; Filed, May 17, 1966; 8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

PART 43—PERSONAL COMMERCIAL AFFAIRS

The Deputy Secretary of Defense approved the following revision to Part 43, Title 32, on May 2, 1966.

Sec.
43.1 Purpose.
43.2 Applicability and scope.
43.3 Commercial activities conducted on Military Installations.
43.4 Supervision of on-base commercial activities.
43.5 Denial and revocation of on-base solicitation.
43.6 Educational programs and advertising policies.
43.7 Exercise of "off-limits" authority.
43.8 Indebtedness of military personnel.
43.9 Standards of fairness and full disclosure by lenders and sellers.
43.10 Processing debt complaints.
43.11 Responsibilities.
43.12 Effective date.
43.13 Implementation.
Attachment A.
Attachment B.

AUTHORITY: The provisions of this Part 43 issued under sec. 161, R.S., 5 U.S.C. 22.

§ 43.1 Purpose.

The purpose of this part is to revise Part 43, Title 32, and in furtherance of the President's Message of March 21, 1966, "Consumer Interests" (H.R. Doc. No. 413, 89th Cong.), to prescribe general Department of Defense policy regarding the solicitation and sale of goods, services, and commodities on military installations by dealers, tradesmen, and their agents, to safeguard and promote the welfare and interests of military personnel as consumers, and to set forth the conditions under which DoD may extend assistance in the collection of debts, wherever incurred, from members of the armed forces.

§ 43.2 Applicability and scope.

(a) This part is applicable to all components of the Department of Defense, to those desiring the privilege of conducting commercial transactions with military personnel on military installations (including controlled housing areas), and to those who seek assistance in the processing of debt complaints against military personnel, particularly those in which consumer credit has been extended.

(b) For additional provisions governing on-base solicitation for certain specialized types of commercial enterprises see the following DoD directives:

(1) Life insurance companies and their agents—DoD Directive 1344.1, "Solicitation of Life Insurance on Military Installations," March 3, 1964 (Part 276 of this chapter).

(2) Automobile insurance companies and their agents—DoD Directive 1344.6, "Motor Vehicle Liability Insurance," April 15, 1964 (Part 278 of this chapter).

(3) Credit unions—DoD Directive 1000.9, "Credit Unions Serving DoD Personnel," August 27, 1965 (Part 230 of this chapter), and DoD Directive 1000.10, "Credit Unions Serving DoD Personnel on Overseas U.S. Military Installations," March 3, 1966.

(4) Commercial facilities authorized by the Army, Navy, Air Force, or Marine Corps Exchanges—DoD Directive 1330.9, "Armed Services Exchange Regulations," January 6, 1956.

As used herein, credit unions refer to those authorized by Part 230 of this chapter, and DoD Directive 1000.10, "Credit Unions Serving DoD Personnel on Overseas U.S. Military Installations," March 3, 1966.

(c) The provisions of this part relating to processing of debt complaints involving consumer credit transactions do not apply to companies furnishing utility services, milk, laundry, and related delivery services in which credit is extended solely to facilitate the service, as distinguished from inducing the purchase of the product of service. For additional exceptions see § 43.10(e).

§ 43.3 Commercial activities conducted on military installations.

(a) The solicitation and transaction of commercial business on military installations with members of the armed forces may be permitted at the discretion of the military commander, provided such solicitations and transactions conform to applicable regulations and do not otherwise interfere with essential military activities. No person has authority to enter upon and transact commercial business as a matter of right.

(b) Because of his broad responsibilities to maintain discipline, protect property, and safeguard the health, morale, and welfare of his personnel, the installation commander may impose reasonable restrictions on the character and conduct of commercial activities. Of special concern is the need to assure that members of the armed forces are not subject to fraudulent, usurious, or unethical business practices, and that reasonable and consistent standards are applied to each company and its agents in conducting commercial transactions on the installation. The word "company" as used herein, includes any commercial organization, company, group, or other type of legal entity.

(c) Those seeking to transact personal commercial transactions on military installations in the United States, its territories and the Commonwealth of Puerto Rico will be required, upon demand, to present to the installation commander or his designee documentary evidence that the company and its agents meet the licensing requirements of the state in which the installation is located, and that they also meet any other applicable regulatory requirements imposed by civil authorities (Federal, State, county, or municipality). For ease of administration, the installation commander may issue temporary permits to agents who meet these requirements and who frequently conduct commercial activities on the military installations. Permanent installation passes will not be issued for this purpose.

(d) Those seeking to transact personal commercial transactions in foreign countries will be required to observe the applicable laws of the Host Country and upon demand to present documentary evidence to the installation commander or his designee that the company and its agents meet the licensing requirements of the Host Country. If the company and its agents also conduct business in the United States, they must also present upon demand, documentary evidence that they meet the licensing requirements of the State in which they conduct their principal business.

(e) Armed Services Exchange facilities will be approved as authorized by DoD Directive 1330.9, "Armed Services Exchange Regulations," January 6, 1956. No other exclusive franchise or concession will be awarded for on-base solicitation and sale of goods, services, and commodities to military personnel without the approval of the Assistant Secretary of Defense (Manpower). All existing exclusive franchises or concessions of this nature will be referred to the ASD(M) for review. This limitation will not apply to service and supply contracts related to base operations.

§ 43.4 Supervision of on-base commercial activities.

(a) The solicitation of military personnel and their dependents will be conducted on an individual basis, preferably by appointment, in such locations, and at such hours as the military commander may designate.

(b) A conspicuous notice of installation regulations will be posted in such form and such place as to give notice thereof to all those conducting on-base commercial activities. In so far as practicable as determined by the military commander, those conducting on-base commercial activities will be presented with a copy of the applicable installation regulations and advised that disregard of the regulations will result in the withdrawal of solicitation privileges.

(c) The following solicitation practices are prohibited:

(1) Solicitation of recruits, trainees, "mass" or "captive" audiences, and transient personnel.

(2) Solicitation in areas utilized for processing or housing transient personnel; solicitation in barracks occupied as quarters; or the making of appointments with or soliciting military persons in an "on-duty" status.

(3) The use of official identification cards by retired or reserve members of the armed forces to gain access to military installations for the purpose of soliciting.

(4) Procuring, or attempting to procure, or supplying roster listings of DoD personnel for solicitation purposes.

(5) The offering of unfair, improper, and deceptive inducements to purchase or deal.

(6) Practices involving rebates to facilitate transactions or to eliminate competition. (Credit union interest refunds to borrowers are not considered a prohibited rebate.)

(7) The use of any manipulative, deceptive, or fraudulent device, scheme or artifice, including misleading advertising and sales literature.

(8) Any oral or written representations which suggests or give rise to the appearance that the DoD sponsors or endorses the company, its agents, or the goods, services, and commodities it sells.

§ 43.5 Denial and revocation of on-base solicitation.

(a) In furtherance of a commander's responsibilities, he shall deny or revoke permission to a company and its agents to conduct commercial activities on the military base if such action would further the best interests of the command. The grounds for taking this action shall include, but not be limited to, the following:

(1) Failure to meet the licensing and other regulatory requirements prescribed by § 43.3 (c) or (d).

(2) Commission of any of the solicitation practices prohibited by § 43.4(c).

(3) Substantiated adverse complaints or reports regarding the quality of the goods, services, or commodities solicited, the manner in which they are offered for sale, and the method and terms of financing.

(4) Personal misconduct by a company's agents or representatives while on the military installation.

(5) The possession of or any attempts to obtain allotment forms.

(b) The decision as to whether the denial or revocation action shall be limited to the agent, or whether it shall also be extended to the company he represents, shall be dependent upon the circumstances of the particular case, including among others, the nature of the violations, their frequency, the extent to which other agents of the company have engaged in such practices, and any other matters tending to show the company's culpability.

(c) Upon denying or revoking solicitation privileges the agent and the company he represents will be promptly notified of the reasons, orally or in writing. If the grounds for the action bear significantly on the eligibility of the agent and the company to hold a State license or to meet other regulatory requirements, the appropriate authorities will be notified. If the grounds for the action are such that the denial or revocation action should be extended to additional military installations, the installation commander will make his recommendations to the military department concerned after affording the company the opportunity to show cause why it should not be so extended. If so approved, and when appropriate, the order may be extended to the other military departments by the Assistant Secretary of Defense (Manpower), following consultation with the military departments concerned.

§ 43.6 Educational programs and advertising policies.

(a) The military departments shall maintain information and education programs for the purpose of providing members of the armed forces with information pertaining to the conduct of their personal commercial affairs (consumer credit and financing, insurance, government benefits, savings, and budgeting). The services of commercial agents, including loan or finance companies and their associations may not be used for this purpose. The services of representatives of credit unions, including associations of credit unions, may be used for this purpose provided their programs are entirely educational in nature. Educational materials prepared by outside organizations expert in this field may be adapted or used provided such material is entirely educational in nature and does not contain or refer to any particular commercial product, service, or company. In addition, such experts in the field of personal commercial affairs may provide expert advice to those conducting such educational programs, but may not take parts in orientation lectures or individual counseling.

(b) The local military commander will also make qualified personnel and facilities available for individual counseling on loans and consumer credit transactions in order to encourage thrift and financial responsibility and promote a better understanding of the wise use of credit. Legal assistance programs will continue to encourage individual military members to seek advice from the judge advocate or their own lawyer before making substantial loan or credit commitments. The counseling service and the orientation lectures should include information regarding the need for a full disclosure of the terms of the agreement, how finance and interest rates are quoted and computed, the standards of fairness which should be observed, and the DoD forms available for this purpose. See § 43.9 and Attachment A to this part.

(c) The DoD expects that commercial enterprises soliciting military personnel through advertisements appearing in unofficial military publications will voluntarily observe, or will be requested by the publisher to observe, the highest business ethics in describing goods, services, and commodities and the terms of sale (including guarantees, warranties, etc.). If credit terms are offered in such advertisements, a clear statement of the total cash price as well as the total cost of credit, including all charges, should be shown clearly in the company's advertisements. If time payments are shown, the number of payments, the amount of each, and the time period should also be shown in order that the reader can easily compute the dollar cost of the loan.

§ 43.7 Exercise of "off-limits" authority.

(a) In appropriate cases a military commander may use the services of the Armed Forces Disciplinary Control Board to investigate reports that cash or consumer credit transactions offered military personnel by a business establishment are usurious, fraudulent, misleading, or deceptive. Should it be determined that the commercial establishment engages in such practices, that it has not taken corrective action upon being duly notified, and that the health, morale, and welfare of military personnel would be served thereby, the Armed Forces Disciplinary Control Board may recommend that the offending business establishment be declared "off-limits" to all military personnel. The procedures for making these determinations are set out in Joint Regulations, "Armed Forces Disciplinary Control Boards" (AR 15–3, DSAR 5725.1, BUPERSINST 1620.4, AFR 125–11, MCO 1620.1, COMDTINST 1620.1) March 12, 1965.

(b) A Secretary of a Military Department or the Secretary of Defense, upon receiving information that a company conducting cash or consumer credit transactions with members of the Armed Forces on a nation-wide or international basis is engaged in widespread usurious, fraudulent, or deceptive practices, may direct appropriate Armed Forces Disciplinary Control Boards in all geographical areas in which these practices have occurred to investigate the charges and take appropriate action.

§ 43.8 Indebtedness of military personnel.

(a) A member of the Armed Forces is expected to pay his just financial obligations in a proper and timely manner. A "just financial obligation" means one acknowledged by the military member in which there is no reasonable dispute as to the facts or the law, or one reduced to judgment which conforms to the Soldiers' and Sailors' Civil Relief Act (50 U.S. Code, App. 501, et seq.), if applicable. "In a proper and timely manner" means a manner which the military department concerned determines does not, under the circumstances, reflect discredit on the military service.

(b) However, the military departments are without legal authority to require a member to pay a private debt, or to divert any part of his pay for the satisfaction thereof even though the indebtedness may have been reduced to judgment by a civil court. The enforcement of the private obligations of a military member is a matter for civil authorities.

(c) Those desiring to contact a military member about his indebtedness may obtain the member's address by writing to the locator service of the military department concerned and enclosing $1.50 as a fee for the service.

§ 43.9 Standards of fairness and full disclosure by lenders and sellers.

(a) The Department recognizes that a great majority of those engaged in making loans and extending credit to military personnel deal fairly and justly. Attachment A to this part describes the principal standards (Part I) which are considered to characterize fair and just dealing with servicemen; and itemizes the information (Part II) which the serviceman needs to know in order to be fully informed on the terms of the contract. Adherence to these standards and disclosure of this information in advance places both parties squarely on notice of their respective obligations, discourages improvident loans, and reduces cases of default.

(b) Those who sell or loan to military personnel are expected to subscribe to the standards of fairness and to make full disclosure before the loan or credit agreement or contract is executed. Because banks and credit unions operating on military installations owe a special responsibility to deal fairly with those assigned to or employed on the installation, they must conform to the requirements of Attachment A to this part before executing the loan or credit agreement or contract.

(c) The itemized information required in Part II of Attachment A to this part may be presented to the serviceman in the form most convenient to the seller or lender, as long as all of the information is disclosed and a copy is provided to the borrower.

§ 43.10 Processing debt complaints.

(a) With the growth of borrowing opportunities and consumer credit, the military departments have been called upon, with increasing frequency, to provide assistance in the processing of debt complaints growing out of such transactions. While many of these requests involve loan and credit transactions which are fair and reasonable, others involve transactions in which the full cost of credit has not been stated simply and clearly in advance. Further, some of these transactions levy exorbitant charges and other unreasonable obligations against the military debtor. Under such circumstances, the Department will not use its facilities and personnel in processing such debt complaints through military channels. For the purpose of this part, lenders also include all financial institutions (such as centralized charge systems) which, although not a party to the original transaction, seek assistance in the collection of debts.

(b) In all loan and credit transactions subject to this part, the military department concerned will refer letters charging military members with indebtedness through military channels to the debtor only under the conditions set forth in subparagraph (1) or (2) of this paragraph.

(1) Lenders and creditors completing Attachment A to this part before executing the loan or credit contract must submit a copy of Part II (Full Disclosure) and Part III (Certificate of Compliance) to the commanding officer of the military member concerned or, if unknown, to his military department for forwarding to the military member concerned.

(2) Those not executing Attachment A to this part before consummating the loan or credit contract (or who are unable to produce a copy thereof signed by both parties) must submit an executed copy of Part II (Full Disclosure) and Part III (Certificate of Compliance). Requests for assistance which fail to meet these requirements and which are not modified after the sender has been so notified, will not be acted upon.

(c) Those claims in which there is questionable compliance with these requirements, or in which the cost of the loan or credit, including all finance charges, although stated, appear excessive or exorbitant, will be referred to the officer responsible for such consideration and disposition as may be appropriate. Before deciding on a proper course of action, the appropriate officer will give the creditor an opportunity to demonstrate (1) that the finance charges conform to the law of the State governing the contract and (2) the extent to which the finance charges and rates conform to the prevailing rates and charges for similar consumer credit transactions.

(d) Additionally, the fact that a particular claim is exempt from the requirements of Full Disclosure and Standards of Fairness under paragraph (e) of this section (e.g., an open-end or revolving charge account), does not foreclose the right by the debtor to question service charges and other finance charges and to negotiate a fair and reasonable settlement.

(e) The following types of debt complaints are not subject to the processing requirements of paragraph (b) of this section; claims by accommodation endorsers, comakers or lenders against the party primarily liable on obligations not intended to benefit the accommodating party through payment of interest or otherwise; contracts for the purchase, sale or rental of real estate; claims in which the total unpaid amount does not exceed $50; claims for support of dependents; claims based on a revolving or open-end credit account if the account shows the periodic rate and its annual rate equivalent and the balance to which it is applied to compute the charge; or purchase money liens on real property (this does not include other liens on real property and related obligations such as those which represent obligations for improvement or repair).

§ 43.11 Responsibilities.

The Assistant Secretary of Defense (Manpower) shall be responsible for the administration of the provisions of this part and assure its effective implementation throughout the DoD.

§ 43.12 Effective date.

(a) This part shall be published in the FEDERAL REGISTER and shall become effective July 1, 1966. Part 43, Title 32, is hereby superseded as of that date and reissued as provided herein.

(b) As an exception, any debt complaints received prior to August 1 which conform to the "collection procedures" and attachments of Part 43, Title 32, will be processed. After that date, lenders or creditors seeking assistance must comply with the terms of this part.

§ 43.13 Implementation.

Within thirty (30) days of the date of issuance the Secretaries of the military departments shall submit to the Assistant Secretary of Defense (Manpower) two copies of their implementing regulations.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

ATTACHMENT A

PART I—STANDARDS OF FAIRNESS

1. No finance charge contracted for, made, or received under any contract shall be in excess of the charge which could be made for such contract under the law of the place in which the contract is signed by the serviceman. In the event a contract is signed with a U.S. company in a foreign country the lowest interest rate of the State or States in which the company is chartered or does business shall apply.

2. No contract or loan agreement shall provide for an attorney's fee in the event of default unless suit is filed in which event the fee provided in the contract shall not exceed 10 percent of the obligation found due. No attorney fees shall be authorized if he is a salaried employee of the holder.

3. In loan transactions, defenses which the debtor may have against the original lender or its agent shall be good against any subsequent holder of the obligation. In credit transactions, defenses against the seller or its agent shall be good against any subsequent holder of the obligation provided that the holder had actual knowledge of the defense or under conditions where reasonable inquiry would have apprised him of this fact.

4. The debtor shall have the right to remove any security for the obligation beyond State or national boundaries if he or his family moves beyond such boundaries under military orders and notifies the creditor in advance of the removal, of the new address where the security will be located. Removal of the security shall not accelerate payment of the obligation.

5. No late charge shall be made in excess of 5 percent of the late payment, or $5., which ever is the lesser amount. Only one late charge may be made for any tardy installment.

6. The obligation may be paid in full at any time or through accelerated payments of any amount. There shall be no penalty for prepayment and in the event of prepayment that portion of the finance charges which have inured to the benefit of the seller or creditor shall be prorated on the basis of the charges which would have been ratably payable had finance charges been calculated and payable as equal periodic payments over the terms of the contract and only the prorated amount to the date of prepayment shall be due. As an alternative the "Rule of 78" may be applied, in which case its operation shall be explained in the contract.

7. No charge shall be made for an insurance premium or for finance charges for such premium unless satisfactory evidence of a policy, or insurance certificate where State insurance laws or regulations permit such certificates to be issued in lieu of a policy, reflecting such coverage has been delivered to the debtor within 30 days after the specified date of delivery of the item purchase or the signing of a cash loan agreement.

8. If the loan or contract agreement provides for payments in installments, each payment, other than the down payment, shall be in equal or substantially equal amounts, and installments shall be successive and of equal or substantially equal duration.

9. If the security for the debt is repossessed and sold in order to satisfy or reduce the debt, the repossession and resale will meet the following conditions: (a) The defaulting purchaser will be given advance written notice of the intention to repossess; (b) following repossession, the defaulting purchaser will be served a complete statement of his obligations and adequate advance notice of the sale; (c) he will be permitted to redeem the item by payment of the amount due before the sale, or in lieu thereof submit a bid at the sale; (d) there will be a solicitation for a minimum of three sealed bids unless sold at auction; (e) the party holding the security, and all agents thereof, are ineligible to bid; (f) the defaulting purchaser will be charged only those charges which are reasonably necessary for storage, reconditioning and resale and (g) he shall be provided a written detailed statement of his obligations, if any, following the resale and promptly refunded any credit balance due him, if any.

10. The contract may be terminated at any time before delivery of the goods or services without charge to the purchaser. However, if goods made to the special order of the purchaser result in preproduction costs, or require preparation for delivery, such additional costs will be listed in the order form or contract. No termination charge will be made in excess of this amount. Contracts for delivery at future intervals may be terminated as to the undelivered portion, and the purchaser shall be chargeable only for that proportion of the total cost which the goods or services delivered bear to the total goods and services called for by the contract.

PART II—FULL DISCLOSURE

A copy of this form or its equivalent should be provided to the serviceman in advance of executing the contract, and must be submitted with requests for debt processing assistance.

A. *Identification*

Date:.....

1. Purpose of loan or purchase:	2. Security for loan:
3. Borrower's name and address:	4. Creditor's name and address:
5. Name and address of creditor (if known) to whom the obligation is or will be payable, if other than above.	6. Has creditor any financial ties with, or right of recourse against seller in event of default? Yes ☐ No ☐

B. *Contract terms*

1. Quoted cash price of goods or services, or total amount of cash advanced	$
2. Ancillary charges from which seller or lender receives no benefit, and which would be paid if this were a cash purchase: Taxes; auto license fees; filing or recording fees paid or payable to a public official, etc.:	
a.	
b.	
c.	
Total ancillary charges	$
3. Total cash delivered price, or total amount of credit extended (1+2)	$
4. Less down payment or trade-in allowance	($)
5. Unpaid cash balance to be financed (3−4)	$
6. Finance charges which benefit the seller or creditor, or entities in which either has an interest. These are charges which would not be made if this were a cash purchase:	
a. Official fees for filing or recording credit instrument	
b. Charges for investigating credit worthiness of borrower	
c. Insurance premiums (life, disability, accident, health, other)	
d. All other charges for extending credit	
Total finance charges	$
7. Total amount to be repaid, in accordance with terms of agreement (5+6)	$
8. To be repaid in ____ monthly installments, of $____ each, with the first payment to be made on ____ (date)	XXXXXXX XXXXXXX
9. The finance charges expressed in approximate annual percentage rate (see reverse side and Attachment B). All lenders and all sellers who regularly engage in credit sales must complete this item	%

NOTE: Explain on reverse side if amount is to be repaid in other than level monthly payments.

C. *Calculation of approximate annual percentage rate**

1. Total finance charges (B.6)..... $.....
2. Total amount to be financed (B.5)..... $.....
3. Finance charges per $100 financed (divide 1 above by 2 above and multiply the result by $100)... $.....
4. Number of monthly payments (B.8)..... .....
5. Determine annual percentage rate by using either:

a. DoD annual rate table (Attachment B). This table will give an approximate annual percentage rate based on the actuarial method. These approximate rates will differ from precise calculations by no more than ¼ percent at the left end of the table and not more than 1½ percent at the right end of the table. Read down the left column of the table to the number of monthly payments (4 above). Read across to find between which pair of columns the finance charge per hundred (3 above) falls. Read up and find the approximate annual percentage rate at the head of the pair of columns (percent)..... .....

or

b. A more precise actuarial calculation based on standard annuity tables (percent)..... .....

*For purposes of this calculation, it is necessary to determine the number of equal monthly payments which would be required during the period of the contract, regardless of the actual repayment terms specified.

Repayment terms if other than level monthly payments:

.....

.....

.....

PART III—CERTIFICATE OF COMPLIANCE

(If Attachment A is executed before the obligation is incurred)

I certify that (1) the Standards of Fairness (Part I) have been applied to the loan or credit obligation to which this form refers, (2) a full disclosure of the terms of the obligation has been made by execution of Part II or its equivalent, and (3) that a copy of this disclosure was furnished to the borrower (or debtor), whose signature is also indicated below, before the obligation was incurred.

(Signature of borrower) .....

(Signature of creditor) .....

(Date)

(If Attachment A is not executed before the obligation was incurred)

I certify that (1) the Standards of Fairness (Part I) have been applied to the loan or credit obligation to which this form refers and that the unpaid balance owing has been adjusted in accordance therewith as reflected in an executed copy of Part II, or (2) that the Standards of Fairness were applied at the time the loan was made and no adjustment is required in the transaction as indicated by the executed copy of Part II.

(Name of borrower) .....

(Signature of creditor) .....

(Date)

ATTACHMENT B

TABLE FOR COMPUTING APPROXIMATE ANNUAL PERCENTAGE RATE FOR LEVEL MONTHLY PAYMENT PLANS

Example:
Finance charge = $36; Total amount to be financed = $250; Number of monthly payments = 24.
Solution:
Step 1—Divide the finance charge by the total amount to be financed and multiply by $100. This gives the finance charge per $100 of amount to be financed. That is, $36 ÷ $250 × $100 = $15.20.
Step 2—Follow down the left hand column of the table to the line for 24 months. Follow across this line until you find the two numbers between which the finance charge of $15.20 falls. In this example $15.20 falls between $14.66 and $15.80. Reading up between the two columns of figures you will see that the annual percentage rate is 14 percent. For the purpose of this directive the annual percentage rate is the rate appearing at the head of the two columns between which the finance charge per $100 of total amount to be financed falls. (If the finance charge per hundred falls exactly on a tabular value, the lower percentage rate may be used.)

Number of level monthly payments	Approximate annual rate																						
	6%	6½%	6¾%	7%	7½%	8%	9%	10%	11%	12%	13%	14%	15%	16%	18%	20%	22%	24%	26%	28%	30%	33%	36%
	(Finance charge per $100 of balance to be financed)																						
1	$0.40	$0.44	$0.48	$0.52	$0.56	$0.60	$0.65	$0.71	$0.79	$0.88	$0.96	$1.04	$1.12	$1.21	$1.29	$1.42	$1.58	$1.75	$1.92	$2.08	$2.25	$2.42	$2.62	$2.88	$3.12
2	.50	.66	.72	.78	.84	.91	.97	1.06	1.19	1.31	1.44	1.57	1.69	1.82	1.94	2.13	2.38	2.63	2.88	3.14	3.39	3.64	3.95	4.33	4.71
3	.79	.88	.96	1.04	1.13	1.21	1.29	1.42	1.59	1.76	1.92	2.09	2.26	2.43	2.59	2.85	3.18	3.52	3.86	4.20	4.53	4.87	5.30	5.80	6.31
4	.99	1.10	1.20	1.31	1.41	1.51	1.62	1.78	1.99	2.20	2.41	2.62	2.83	3.04	3.25	3.57	3.99	4.41	4.84	5.26	5.68	6.11	6.65	7.29	7.93
5	1.19	1.32	1.44	1.57	1.69	1.82	1.95	2.13	2.39	2.64	2.89	3.15	3.40	3.65	3.91	4.29	4.80	5.31	5.82	6.34	6.85	7.37	8.01	8.79	9.57
6	1.39	1.54	1.68	1.83	1.98	2.13	2.27	2.49	2.79	3.08	3.38	3.68	3.97	4.27	4.57	5.02	5.61	6.21	6.81	7.42	8.02	8.63	9.39	10.30	11.22
7	1.59	1.76	1.93	2.09	2.26	2.43	2.60	2.85	3.19	3.53	3.87	4.21	4.55	4.89	5.23	5.75	6.43	7.12	7.81	8.51	9.20	9.90	10.77	11.83	12.88
8	1.79	1.98	2.17	2.36	2.55	2.74	2.93	3.21	3.60	3.98	4.36	4.74	5.13	5.51	5.90	6.48	7.26	8.03	8.82	9.60	10.39	11.18	12.17	13.36	14.57
9	1.99	2.20	2.41	2.62	2.83	3.05	3.26	3.57	4.00	4.43	4.85	5.28	5.71	6.14	6.57	7.22	8.06	8.95	9.83	10.70	11.58	12.47	13.58	14.92	16.27
10	2.19	2.42	2.65	2.89	3.12	3.35	3.59	3.94	4.41	4.88	5.35	5.82	6.29	6.77	7.24	7.96	8.91	9.88	10.84	11.81	12.79	13.77	15.00	16.48	17.98
11	2.39	2.64	2.90	3.15	3.41	3.66	3.92	4.30	4.81	5.33	5.84	6.36	6.88	7.40	7.92	8.70	9.75	10.80	11.86	12.93	14.00	15.08	16.43	18.06	19.71
12	2.59	2.87	3.14	3.42	3.69	3.97	4.25	4.66	5.22	5.78	6.34	6.90	7.46	8.03	8.59	9.45	10.59	11.74	12.89	14.04	15.22	16.40	17.87	19.65	21.46
13	2.79	3.09	3.39	3.68	3.98	4.28	4.58	5.03	5.63	6.23	6.84	7.44	8.05	8.66	9.27	10.20	11.43	12.67	13.93	15.18	16.45	17.72	19.33	21.26	23.23
14	2.99	3.31	3.63	3.95	4.27	4.59	4.91	5.39	6.04	6.69	7.34	7.99	8.64	9.30	9.96	10.95	12.28	13.62	14.97	16.32	17.69	19.06	20.79	22.88	25.01
15	3.20	3.54	3.88	4.22	4.56	4.90	5.24	5.76	6.45	7.14	7.84	8.53	9.23	9.94	10.64	11.71	13.13	14.57	16.01	17.47	18.93	20.41	22.27	24.52	26.79
16	3.40	3.76	4.12	4.48	4.85	5.21	5.58	6.13	6.86	7.60	8.34	9.08	9.83	10.58	11.33	12.46	13.99	15.52	17.06	18.62	20.19	21.76	23.75	26.16	28.60
17	3.60	3.98	4.37	4.75	5.14	5.52	5.91	6.49	7.27	8.06	8.84	9.63	10.43	11.22	12.02	13.23	14.85	16.48	18.12	19.78	21.45	23.13	25.26	27.82	30.42
18	3.80	4.21	4.61	5.02	5.43	5.84	6.25	6.86	7.69	8.52	9.35	10.19	11.03	11.87	12.72	13.99	15.71	17.44	19.19	20.95	22.72	24.51	26.76	29.50	32.26
19	4.01	4.43	4.86	5.29	5.72	6.15	6.58	7.23	8.10	8.98	9.86	10.74	11.63	12.52	13.41	14.76	16.58	18.41	20.26	22.12	24.00	25.89	28.28	31.18	34.12
20	4.21	4.66	5.11	5.56	6.01	6.46	6.92	7.60	8.52	9.44	10.37	11.30	12.23	13.17	14.11	15.54	17.45	19.38	21.33	23.30	25.28	27.29	29.81	32.88	35.99
21	4.41	4.88	5.35	5.83	6.30	6.78	7.26	7.97	8.94	9.90	10.88	11.85	12.84	13.82	14.82	16.31	18.33	20.36	22.41	24.49	26.58	28.69	31.36	34.60	37.88
22	4.62	5.11	5.60	6.10	6.60	7.09	7.59	8.35	9.36	10.37	11.39	12.41	13.44	14.48	15.52	17.09	19.21	21.34	23.50	25.68	27.88	30.10	32.91	36.32	39.78
23	4.82	5.33	5.85	6.37	6.89	7.41	7.93	8.72	9.77	10.84	11.90	12.97	14.06	15.14	16.23	17.88	20.09	22.33	24.60	26.88	29.19	31.53	34.48	38.06	41.70
24	5.02	5.56	6.10	6.64	7.18	7.73	8.27	9.09	10.19	11.30	12.42	13.54	14.66	15.80	16.94	18.66	20.98	23.32	25.70	28.09	30.51	32.96	36.05	39.81	43.63
25	5.23	5.79	6.35	6.91	7.48	8.04	8.61	9.47	10.62	11.77	12.93	14.10	15.28	16.46	17.65	19.45	21.87	24.32	26.80	29.31	31.84	34.40	37.64	41.58	45.58
26	5.43	6.01	6.60	7.18	7.77	8.36	8.95	9.84	11.04	12.24	13.45	14.67	15.89	17.13	18.37	20.24	22.77	25.33	27.91	30.53	33.18	35.85	39.23	43.36	47.54
27	5.64	6.24	6.85	7.46	8.07	8.68	9.29	10.22	11.46	12.71	13.97	15.24	16.51	17.80	19.09	21.04	23.67	26.34	29.30	31.76	34.52	37.31	40.84	45.15	49.52
28	5.84	6.47	7.10	7.73	8.36	9.00	9.64	10.60	11.89	13.18	14.49	15.81	17.13	18.47	19.81	21.84	24.58	27.35	30.15	33.00	35.87	38.78	42.46	46.95	51.51
29	6.05	6.70	7.35	8.00	8.66	9.32	9.98	10.97	12.31	13.66	15.01	16.38	17.75	19.14	20.53	22.64	25.49	28.37	31.28	34.24	37.23	40.26	44.09	48.77	53.52
30	6.25	6.92	7.60	8.28	8.96	9.64	10.32	11.35	12.74	14.13	15.54	16.95	18.38	19.81	21.26	23.45	26.40	29.39	32.42	35.49	38.60	41.75	45.73	50.60	55.54
31	6.46	7.15	7.85	8.55	9.25	9.96	10.67	11.73	13.17	14.61	16.06	17.53	19.00	20.49	21.99	24.26	27.32	30.42	33.56	36.75	39.97	43.24	47.36	52.44	57.53
32	6.66	7.38	8.10	8.82	9.55	10.28	11.01	12.11	13.59	15.09	16.59	18.11	19.63	21.17	22.72	25.07	28.24	31.45	34.71	38.01	41.36	44.75	49.05	54.29	59.60
33	6.87	7.61	8.35	9.10	9.85	10.60	11.36	12.49	14.02	15.57	17.12	18.69	20.26	21.85	23.46	25.88	29.16	32.49	35.86	39.28	42.75	46.26	50.72	56.16	61.78
34	7.06	7.84	8.61	9.37	10.15	10.92	11.70	12.88	14.45	16.05	17.65	19.27	20.90	22.54	24.19	26.70	30.09	33.53	37.02	40.56	44.15	47.79	52.40	58.04	63.78
35	7.28	8.07	8.861	9.65	10.45	11.25	12.05	13.26	14.89	16.53	18.18	19.85	21.53	23.23	24.94	27.52	31.02	34.58	38.18	41.84	45.56	49.32	54.09	59.93	65.87
36	7.49	8.30	9.11	9.93	10.76	11.57	12.40	13.64	15.32	17.01	18.71	20.43	22.17	23.92	25.68	28.35	31.96	35.63	39.35	43.14	46.97	50.86	55.80	61.83	67.98
37	7.70	8.53	9.37	10.20	11.05	11.89	12.74	14.03	15.75	17.49	19.25	21.02	22.81	24.61	26.42	29.18	32.90	36.69	40.53	44.43	48.39	52.41	57.51	63.75	70.11
38	7.91	8.76	9.62	10.48	11.35	12.22	13.09	14.41	16.19	17.98	19.78	21.61	23.45	25.30	27.17	30.01	33.85	37.75	41.71	45.74	49.82	53.97	59.24	65.68	72.25
39	8.11	8.99	9.87	10.76	11.65	12.54	13.44	14.80	16.62	18.46	20.32	22.20	24.09	26.00	27.92	30.85	34.80	38.82	42.90	47.05	51.26	55.54	60.97	67.62	74.40
40	8.32	9.22	10.13	11.04	11.96	12.87	13.79	15.19	17.06	18.95	20.86	22.79	24.73	26.70	28.68	31.68	35.75	39.89	44.09	48.37	52.71	57.12	62.72	69.57	76.56
41	8.53	9.45	10.38	11.32	12.25	13.20	14.14	15.57	17.50	19.44	21.40	23.38	25.38	27.40	29.44	32.52	36.71	40.96	45.29	49.69	54.16	58.70	64.47	71.53	78.74
42	8.74	9.69	10.64	11.60	12.56	13.52	14.50	15.96	17.94	19.93	21.94	23.98	26.03	28.10	30.19	33.37	37.67	42.05	46.50	51.03	55.63	60.30	66.24	73.51	80.94
43	8.95	9.92	10.89	11.87	12.86	13.85	14.85	16.35	18.38	20.42	22.49	24.57	26.68	28.81	30.96	34.22	38.63	43.13	47.71	52.36	57.09	61.90	68.01	75.50	83.14
44	9.16	10.15	11.15	12.15	13.16	14.18	15.20	16.74	18.82	20.91	23.06	25.17	27.33	29.52	31.72	35.07	39.60	44.22	48.93	53.71	58.57	63.51	69.80	77.50	85.36
45	9.37	10.38	11.41	12.44	13.47	14.51	15.55	17.13	19.26	21.41	23.58	25.77	27.99	30.23	32.49	35.92	40.58	45.32	50.15	55.06	60.06	65.13	71.60	79.51	87.60
46	9.58	10.62	11.66	12.72	13.77	14.84	15.91	17.53	19.70	21.90	24.13	26.37	28.65	30.94	33.26	36.78	41.55	46.42	51.38	56.42	61.55	66.76	73.40	81.53	89.85
47	9.79	10.85	11.92	13.00	14.08	15.17	16.26	17.92	20.15	22.40	24.68	26.98	29.31	31.66	34.03	37.64	42.54	47.53	52.61	57.78	63.05	68.40	75.22	83.57	92.11
48	10.00	11.09	12.18	13.28	14.39	15.50	16.62	18.31	20.59	22.90	25.23	27.58	29.97	32.37	34.81	38.50	43.52	48.64	53.85	59.15	64.56	70.06	77.04	85.61	94.38
49	10.21	11.32	12.44	13.56	14.69	15.83	16.98	18.71	21.04	23.39	25.78	28.19	30.63	33.09	35.59	39.37	44.51	49.75	55.09	60.53	66.07	71.70	78.88	87.67	96.67
50	10.42	11.55	12.70	13.84	15.00	16.16	17.33	19.10	21.48	23.89	26.33	28.80	31.29	33.82	36.37	40.24	45.50	50.87	56.34	61.92	67.59	73.37	80.72	89.74	98.96
51	10.63	11.79	12.96	14.13	15.31	16.50	17.69	19.50	21.93	24.40	26.89	29.41	31.96	34.54	37.15	41.11	46.50	51.99	57.60	63.31	69.12	75.04	82.58	91.82	101.28
52	10.84	12.02	13.21	14.41	15.62	16.83	18.05	19.89	22.38	24.90	27.45	30.02	32.63	35.27	37.94	41.99	47.50	53.12	58.86	64.70	70.66	76.72	84.44	93.91	103.60
53	11.05	12.26	13.47	14.69	15.92	17.16	18.41	20.29	22.83	25.40	28.00	30.64	33.30	36.00	38.72	42.87	48.50	54.26	60.12	66.11	72.20	78.41	86.31	96.01	105.94
54	11.26	12.49	13.73	14.98	16.23	17.50	18.77	20.69	23.28	25.91	28.56	31.25	33.98	36.73	39.52	43.75	49.51	55.39	61.40	67.52	73.75	80.10	88.19	98.13	108.29
55	11.48	12.73	13.99	15.26	16.54	17.83	19.13	21.09	23.73	26.41	29.13	31.87	34.65	37.46	40.31	44.64	50.52	56.54	62.67	68.93	75.31	81.81	90.09	100.25	110.65
56	11.69	12.97	14.25	15.55	16.85	18.17	19.49	21.49	24.19	26.92	29.69	32.49	35.33	38.20	41.11	45.53	51.54	57.66	63.98	70.36	76.88	83.52	91.99	102.38	113.02
57	11.90	13.20	14.52	15.84	17.17	18.50	19.85	21.89	24.64	27.43	30.25	33.11	36.01	38.94	41.91	46.42	52.56	58.84	65.26	71.78	78.45	85.24	93.90	104.53	115.41
58	12.11	13.44	14.78	16.12	17.48	18.84	20.21	22.29	25.10	27.94	30.82	33.74	36.69	39.68	42.71	47.32	53.58	59.99	66.54	73.22	80.03	86.97	95.82	106.68	117.81
59	12.33	13.68	15.04	16.41	17.79	19.18	20.58	22.70	25.55	28.45	31.39	34.36	37.37	40.42	43.51	48.21	54.61	61.15	67.84	74.66	81.62	88.71	97.75	108.85	120.22
60	12.54	13.92	15.30	16.70	18.10	19.52	20.94	23.10	26.01	28.96	31.96	34.99	38.06	41.17	44.32	49.12	55.64	62.32	69.14	76.11	83.21	90.45	99.68	111.03	122.64

NOTE: The values in this table have been computed by the actuarial or annuity method which conforms to the U.S. Rule.

[F.R. Doc. 66-5293; Filed, May 17, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER D—PUBLIC BUILDINGS AND SPACE

PART 101–19—MANAGEMENT OF BUILDINGS AND GROUNDS

Subpart 101–19.3—Conduct on Federal Property

PUBLIC BUILDINGS AND GROUNDS

1. Section 101–19.300 is amended to include minor editorial changes. As revised, the section reads as follows:

§ 101–19.300 General.

These rules and regulations apply to all Federal property under the charge and control of the General Services Administration and to all persons entering in or on such property. Unless otherwise stated herein, Federal property under the charge and control of the General Services Administration is referred to as "property," and "public space" means the General Services Administration controlled entrances, lobbies, foyers, corridors, and auditoriums when used for public meetings. It is the responsibility of the occupant agencies to require observance of these rules and regulations by their employees.

2. Section 101–19.301 is revised to provide for the closing of buildings to the public when it is in the public interest to do so and in the event of emergencies. As revised, the section reads as follows:

§ 101–19.301 Recording presence.

Except as otherwise ordered, property shall be closed to the public after normal working hours. Properties shall also be closed to the public in emergency situations and at such other times as may be necessary for the orderly conduct of the Government's business. Admission to properties during periods when such properties are closed to the public will be limited to authorized individuals who may be required to sign the register and/or display identification documents when requested by the guard, watchman, or other authorized individuals.

(40 U.S.C. 318; sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: May 11, 1966.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

[F.R. Doc. 66–5395; Filed, May 17, 1966; 8:48 a.m.]

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101–26—PROCUREMENT SOURCES AND PROGRAMS

Motor Vehicle Requisitioning and Delivery Schedule

Subpart 101–26 is revised to reflect modifications in the GSA motor vehicle procurement program. These modifications remove the weight limitation on trucks, increase the payload limit on trailers, and delete motorcycles and motor scooters; establish a new schedule for the submission of requirements for volume procurements; and revise the delivery schedule for vehicles procured under monthly and volume consolidated purchases.

The table of contents of Part 101–26 is amended by revising the caption of § 101–26.4902–1781 to read as follows:

Sec.
101–26.4902–1781 GSA Form 1781, Motor Vehicle Requisition—Delivery Order—Invoice.

AUTHORITY: The provisions of this Part 101–26 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

Subpart 101–26.5—GSA Procurement Programs

Sections 101–26.501–1, 101–26.501–2, 101–26.501–3, 101–26.501–4, and 101–26.501–5 are revised to read as follows:

§ 101–26.501–1 Applicability.

(a) All executive agencies, except the Department of Defense, shall submit to GSA for procurement their requirements for new passenger and freight carrying motor vehicles to be purchased in the United States. Specifically included are sedans, station wagons, carryalls, ambulances, buses, trucks, and trailers of not less than 5,000 pounds and not more than 50,000 pounds payload.

* * * * *

§ 101–26.501–2 Consolidated purchases program.

(a) *General.* Continuing study by GSA reveals that the lowest prices can be obtained when (1) vehicle types which will provide adequate service for the intended use are standardized, (2) agency requirements for these vehicle types are consolidated, insofar as possible, and (3) volume procurements are made twice a year for sedans and station wagons and three times a year for light trucks.

* * * * *

(c) *Consolidation of agency requirements.* (1) In addition to the economies achieved as a result of vehicle standardization, experience has shown that prices offered to the Government on sedans and station wagons are lowest during the latter part of the calendar year when delivery is to be provided during the early part of the next calendar year. To achieve maximum benefit from this situation, GSA will make a volume procurement of sedans and station wagons set forth in Federal Standard No. 122 based on purchase authorities submitted as early as practicable after July 1 but not later than October 15. Similarly, a volume procurement of light trucks covered by Federal Standard No. 122 will be made on the basis of purchase authorities received as early as practicable after the beginning of the fiscal year but not later than August 15. To obtain greatest possible savings, approximately 75 percent of an agency's total annual requirements for these vehicle types should be included in these procurements.

(2) A second volume procurement of trucks covered under Federal Standard No. 122 will be made based on requirements submitted after August 15 but no later than December 31.

(3) Additional annual volume procurements will be made to cover, insofar as practicable, the balance of agency total requirements for passenger vehicles and trucks under Federal Standard No. 122 not included in earlier volume procurements. These procurements will be based on purchase authorities submitted as early as practicable but not later than March 15 for passenger vehicles and April 15 for trucks.

(4) Agency requirements for those categories of vehicles covered by Federal Standard No. 122 which cannot be submitted in accordance with § 101–26.501–2 (c) (1), (2), and (3) due to operating needs, budgetary considerations, or other factors will be received and consolidated on a monthly basis in accordance with § 101–26.501–4(b).

(5) Agency requirements for sedans, station wagons, and light trucks not covered by Federal Standard No. 122 will be consolidated on a monthly basis in consonance with § 101–26.501–4(b). Purchase authorities for vehicles in this category shall be accompanied by a waiver from the standard approved by the Commissioner, Federal Supply Service, or by a justification supporting each deviation from the standard and the reasons why the standard vehicle types will not provide adequate service for the intended use. Where possible, requirements for all vehicle types listed in § 101–26.501–4(b) (i), (ii), (iii), and (iv) should be submitted as early as practicable in the fiscal year by the 20th or last day of the month as appropriate.

§ 101–26.501–3 Submission of purchase authorities.

(a) Purchase authorities shall be submitted to the General Services Administration, Federal Supply Service, Office of Procurement, Procurement Operations Division, Washington, D.C., 20406, and must contain consignment and shipping instructions and names and addresses of persons to receive purchase documents if different from consignees.

* * * * *

(c) GSA Form 1781, Motor Vehicle Requisition—Delivery Order—Invoice (illustrated at § 101–26.4902–1781) has been specifically designed for agency use to expedite ordering of vehicles covered by Federal Standard No. 122. The form also is used by GSA as a purchase order and an interagency invoice and by the consignee as a receiving report.

(1) * * *

(2) Agencies are requested to use the GSA Form 1781, Motor Vehicle Requisition—Delivery Order—Invoice, as a "single-line-item requisition" for standard-type vehicles. Submission of GSA Form 1781, properly completed, will satisfy the requirements regarding submission of purchase authorities as set forth in § 101–26.501–3(a). If it is not feasible to accomplish the GSA Form 1781 as a purchase authority, agencies may prepare the form as an attachment codesheet, identifying each line item on their purchase authorities. Whether accomplished as a purchase authority, or attachment thereto, the GSA Form 1781 permits agencies to eliminate lengthy vehicle descriptions. Instructions for preparation of GSA Form 1781 are printed on the reverse of the form.

* * * * *

§ 101–26.501–4 Procurement time schedules.

(a) *Volume consolidated purchases.* Purchase authorities covering vehicle types included in Federal Standard No. 122 received within the time frames specified in § 101–26.501–2(c) will be consolidated for volume procurement on the dates shown in the time schedule below in this § 101–26.501–4(a) unless a statement justifying the need for earlier delivery is included. Purchase authorities containing such statement of justification will be handled on a monthly basis in accordance with paragraph (b) or (c) of this § 101–26.501–4, depending on the urgency contained in the justification.

TIME SCHEDULE

Vehicle category	Volume consolidation dates	
	Passenger vehicles	Trucks
Sedans; station wagons; and trucks of types covered by Federal Standard No. 122.	Oct. 15 Mar. 15	Aug. 15 Dec. 31 Apr. 15

(b) *Monthly consolidated purchase.* (1) Requirements for vehicles not included in volume procurements must be received by GSA for consolidation by the dates indicated in the schedule set forth below in this § 101–26.501–4(b)(1). Requirements received after these dates will be carried over to the following month's purchase. In the interest of timely and orderly preparation of invitations for bids, ordering agencies are urged to submit each requirement as soon as finalized rather than hold for submission with later requirements. Such requisitions need not specify a delivery date since delivery will be in accordance with delivery schedule shown in § 101–26.501–5. Requests for special handling of other than strictly emergency requirements shall not be ... mitted.

TIME SCHEDULE

Vehicle category	Monthly consolidation date
(i) Sedans; station wagons; and trucks of types covered by Federal Standard No. 122.	10th of each month.
(ii) Passenger carrying vehicles; light trucks of types not covered by Federal Standard No. 122; and ambulances.	20th of each month.
(iii) Buses; trucks (other than light trucks in category (ii) above), and trailers of not less than 5,000 lbs. and not more than 50,000 lbs.	Last day of each month.
(iv) All other categories and types of vehicles.	Last day of each month except June.

* * * * *

§ 101–26.501–5 Delivery of vehicles.

(a) *Monthly consolidated purchases.* (1) Bid opening dates normally will be from 30 to 40 days after the dates shown in § 101–26.501–4. Delivery will normally range from approximately 120 to 180 days after the bid opening date depending on the type of vehicle.

* * * * *

(b) *Volume consolidated purchases.* (1) Bids will be opened at a date to permit awards to be made for delivery of vehicles on the following schedule based on the types and cutoff dates established in § 101–26.501–4:

Cutoff date	*Delivery*
Passenger vehicles:	
Oct. 15	February, March, and April.
Mar. 15	July and August.
Trucks:	
Aug. 15	December, January, and February.
Dec. 31	April, May, and June.
Apr. 15	July and August.

* * * * *

Subpart 101–26.49—Illustrations of Forms

Subpart 101–26.49 is revised to provide in § 101–26.4902 information concerning the availability of GSA forms and to reflect in § 101–26.4902–1781 a modification to GSA Form 1781 as follows:

§ 101–26.4902 GSA forms.

(a) The GSA forms are illustrated in this § 101–26.4902 to show their text, format, and arrangement and to provide a ready source of reference. The subsection numbers in this section correspond with the GSA form numbers.

(b) GSA forms illustrated in this § 101–26.4902 may be obtained by Federal agencies from General Services Administration Region 3, Office of Regional Manpower and Administration, OFA, Printing and Publications Division—3 BRD, Washington, D.C., 20407, unless otherwise provided in the section prescribing the forms.

NOTE: The form in § 101–26.4902–1781 is filed as part of the original document. The August 1964 and prior editions of this form are obsolete.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: May 11, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66–5496; Filed, May 17, 1966; 8:48 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 16122; FCC 66–421]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 91—INDUSTRIAL RADIO SERVICES

PART 95—CITIZENS RADIO SERVICE

Miscellaneous Amendments

1. The Commission adopted a notice of proposed rule making in the above-entitled matter on July 21, 1965, which was published in the FEDERAL REGISTER on July 29, 1965 (30 F.R. 9493). Interested parties were invited to file comments on or before October 1, 1965, and reply comments on or before October 15, 1965. The time for filing reply comments was subsequently extended to November 15, 1965. The order extending the reply comments was published in the FEDERAL REGISTER on October 21, 1965 (30 F.R. 13382). These dates have all expired.

2. The Notice proposed to make the frequencies 72.08 Mc/s, 72.24 Mc/s, 72.40 Mc/s, 72.96 Mc/s, and 75.64 Mc/s available to stations in the Citizens Radio Service for model aircraft control on a shared basis with operational fixed stations in the various land mobile radio services and mobile stations in the Manufacturers Radio Service.

3. Formal comments were submitted by the following:

Academy of Model Aeronautics (AMA).
Aerospace Flight Test Radio Coordinating Council (AFTRCC).
Central Committee on Communication Facilities of the American Petroleum Institute (hereinafter referred to as the Central Committee).
Association of Maximum Service Telecasters, Inc. (AMST).
ZHF Electronics.
National Committee for Utilities Radio (NCUR).
Motorola, Inc. (Motorola).

Approximately 33 informal comments in the form of single page letters were submitted by aircraft modeler clubs which endorsed the Commission's proposal. Motorola and NCUR were the only entities outrightly opposing the rule making. The Academy of Model Aeronautics, the petitioners in this proceeding, submitted the only reply comment. All

these have been considered by the Commission in arriving at the conclusions set forth below.

4. AFTRCC filed comments which did not oppose the Commission's Notice, but requested that the rule making be expanded to allow use to be made of the frequencies involved for the control of steerable parachutes in a fashion which would further the development of techniques for controlling parachutes which are normally dropped from a height of 2,000 to 3,000 feet with attached cargo. The program is presently conducted in the 27 Mc/s band, but is experiencing a significant amount of interference. The Commission does not underestimate the importance of the developmental program being conducted by AFTRCC, nor the indicated interference relief sought. However, the feasibility of utilizing the subject frequencies, in the manner proposed by AFTRCC, is beyond the scope of this proceeding and will not be considered herein.

5. The Central Committee recognized the interference difficulties which have disrupted model aircraft radio control on currently available frequencies, but suggested that use of the specified 72–76 Mc/s channels might be avoided by an appropriate frequency exchange between Class C and D Citizens Radio Service allocations. If this were not possible, perhaps stricter enforcement of the rules governing the Class D and Part 15 one hundred milliwatt operation might correct the situation. However, the committee indicated that if the exchange of frequencies and/or enforcement suggestion do not offer a practical solution to the interference difficulties faced by the modelers, they do not raise any opposition to the use of the five frequencies selected provided the stringent terms specified in the Commission's proposal are followed. The Commission appreciates the cooperative attitude shown by the Central Committee and desires to point out that the potential disruption of service which might be caused to Class C and D Citizens Radio Service operations, plus the economic burden that would be imposed, present sufficient reasons for determining that an exchange of frequencies between the Class C and Class D licensees is not feasible. More importantly, as requested by AMA and as pointed out in the Notice, "the particular frequencies were selected to provide from 120–160 kc/s separation between assignable frequencies and at least one with a separation of one megacycle or more to permit simultaneous operation of more than one aircraft at meets." The limited frequency separation in the Class D Citizens band would not satisfactorily support simultaneous control functions on more than one frequency in any given area. In regard to stricter enforcement policies, experience has shown that the answer to maximum and efficient spectrum utilization does not rest solely in tighter enforcement, but also in the public's willingness to comply voluntarily with the permissible communication requirements.

6. AMST adopted a neutral attitude toward the proposal stating, in effect, that inasmuch as the Commission's notice provided for adequate protection to television, including, if necessary, a complete cessation of operations if interference to television is caused, the association has no objection to the use of frequencies in the 72–76 Mc/s band for the control of model airplanes.

7. In a letter filed by ZHF Electronics, it was alleged that the Commission is proposing to make available additional radio channels to people who are not eligible to use them. In support of its position, ZHF Electronics argues that by the amendments adopted effective April 26, 1965, in the proceedings in Docket No. 14843 (30 F.R. 2706), and especially § 95.83 *Prohibited uses*, the Commission prohibited the operation of a citizens radio station as a "hobby." ZHF's question has been decided by the Commission on many occasions. The Commission has always distinguished between the operation of a citizens radio station as a hobby in and of itself, which is prohibited, and the operation of the citizens radio station as a communications tool in the furtherance of some other hobby, which is permitted (see paragraph (5) of the Commission's Memorandum Opinion and Order (FCC 60–515) in Docket No. 12987). Here the primary object is the flying of model aircraft and the use of citizens radio stations for this purpose is clearly permissible. Such use is the same as communications for other hobbies such as hunting, fishing or boating.

8. Motorola protested the Commission's proposal to make available the frequencies 72.08 Mc/s, 72.24 Mc/s, and 72.40 Mc/s, respectively, for model aircraft control stations in the Citizens Radio Service on a shared basis with operational fixed stations in the various land mobile radio services and mobile stations in the Manufacturers Radio Service, arguing that sharing of these frequencies poses dangerous interference possibilities. Additional objection is taken on the grounds that the assignment of any frequency in the 72–76 Mc/s band to uses such as that proposed does not appear to be in the public interest, when alternative uses of the frequencies would afford greater safety and economic benefit to the general public.

9. NCUR contends that the proposed rule making would, "contribute to the further degradation of the valuable 72–76 Mc/s band by what is, at best, a low-priority hobby use of the radio spectrum". NCUR further stated that, "* * * fixed relay and control stations in the Power Radio Service operating in the 72–76 Mc/s band utilize very sensitive receivers; many of these stations are located on hilltops and could possibly be 'triggered' by signals received from a low power transmitter operating on one watt of power as proposed by the modelers." It is also believed by NCUR that aircraft transmitters employing many tones could cause havoc to established control/repeater systems, even if these systems were equipped with a selective tone feature.

10. Although Motorola and NCUR indicate the possible occurrence of harmful interference and disruption of service to stations in the Manufacturers and Power Radio Services, respectively, from modelers' operations, their comments do not contain any specific showing or data to document the alleged interference problems or disruption of service. Under the technical and operational conditions set forth in the notice, under which the proposed five frequencies would be made available for radio control of model aircraft, it is believed that there will not be any substantial interference to stations in the Manufacturers and Power Radio Services. Moreover, the modelers have expressed a willingness to take any precautions necessary to avoid possible interference areas, since, if interference exists, it may be experienced by the modelers as well, resulting in a possible crash of an expensive in-flight model aircraft. The Academy, due to its concern of possible interference to certain critical uses of the proposed frequencies in manufacturing operations, met with NAM and voluntarily agreed to accept an additional non-interference condition to the use of the subject frequencies for remote control of industrial equipment. Such a safeguard offered by the Academy should serve to allay Motorola's fears of potential interference to stations operating in the Manufacturers Radio Service.

11. In considering the specific point raised by NCUR * * * that the operational technique (tone and/or on-off keying of the unmodulated carrier) employed by the modelers for controlling the in-flight aircraft would disrupt established repeater/control systems * * *, the Commission feels as does the Academy, that a coded receiver of reasonable quality should easily reject a signal resulting from either a few hundred-cycle modulated tone, or from the on-off keying of an unmodulated one-watt input transmitter. Such are the two modes of operation usually employed by the modelers' control transmitters. Considering the magnitude of the difference in the amount of transmitter input power, one watt for the modelers' transmitters as contrasted to 500 watts normally permitted for fixed users on these subject frequencies, it is not likely that a modeler's control signal, while it might trigger an uncoded Power Radio Service receiver, would cause intolerable interference. In any event, this rule making is premised to a great extent on the fact that the very nature and locations of fixed operations and that of the modelers are such as to render their mutual use of the subject frequencies compatible. Because of the propagation characteristics of frequencies in the 72–76 Mc/s band and the minimum input signal level (approximately 31 d.b.u.) needed to override the noise level of receivers designed to operate in this band, a transmitter with a power limitation of one watt input would cause harmful interference to fixed operations at a sight range distance of 10 miles, as proposed by NCUR, only in those cases where the fixed station is located at a height of 500 feet above average terrain. However, the modeler for the most part, flies his aircraft in locations removed from buildings, tall structures and mountainous terrain. Aside from this, the modeler normally operates at ground level while controlling his model airplane, therefore, his transmitter signal attenuates rapidly with distance over the ground. For these reasons plus the fact that currently very light use of the five frequencies proposed is being made by licensees in the Power Radio Service, the Commission does not feel that use of the frequencies by the modelers would seriously degrade existing Power Radio Service operations.

12. For the foregoing reasons and for the further reason that the Academy has voluntarily consented to: (a) Publish in their monthly journal the location of manufacturing plant areas to be avoided by modelers and, (b) publish warnings to model flyers about areas containing NCUR transmitters, if such information is furnished the Academy by the latter organization, the Commission believes that the shared use of the frequencies 72.08 Mc/s, 72.24 Mc/s, 72.40 Mc/s, 72.96 Mc/s, 75.64 Mc/s by the modelers and Manufacturers and Power Radio Services licensees is compatible and that the adoption of the proposals set forth in the Notice would promote greater and more efficient utilization of the subject frequencies.

13. It should be noted that the receiver used in the radio control of model aircraft, when conducted in the 72–76 Mc/s band, is subject to receiver radiation requirements of Part 15 of the Commission's rules.

14. Therefore, pursuant to authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended, *It is ordered*, That effective June 20, 1966, Parts 2, 91, and 95 of the Commission's rules are amended in the manner set forth below. *It is further ordered*, That the proceedings in Docket No. 16122 are hereby terminated.

Adopted: May 11, 1966.

Released: May 12, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

I. Part 2 is amended as follows:

In §2.106, a new footnote (NG56), is added in Column 7 for the frequency bands 72–73 and 75.4–76 Mc/s; and a new footnote NG56 is added to the table to read as follows:

§ 2.106 Table of frequency allocations.

* * * * *

NG56 The frequencies 72.08, 72.24, 72.40, 72.96, and 75.64 Mc/s may be authorized for low-powered (1 watt input) mobile operations in the Citizens Radio Service subject to the condition that interference will not be caused to remote control of industrial equipment operating on the same or adjacent frequencies and to the reception of television stations operating on Channels 4 or 5. TV interference shall be considered to occur whenever reception of regularly used television signals is impaired or destroyed, regardless of the strength of the television signals or the distance to the television station.

* * * * *

II. Part 91 is amended as follows:

In § 91.730, paragraph (a) is amended to add the limitation number 13 in the third column opposite the frequencies 72.08, 72.24, and 72.40 Mc/s, and new paragraph (b)(13) is added, to read as follows:

§ 91.730 Frequencies available.

* * * * *

(b) * * *

(13) This frequency is shared with Class C stations in the Citizens Radio Service which are used solely for the radio control of model aircraft.

III. Part 95 is amended as follows:

1. In § 95.3(b) the definition for Class C station is amended to read as follows:

§ 95.3 Definitions.

* * * * *

(b) * * *

Class C Station. A station in the Citizens Radio Service licensed to be operated on an authorized frequency in the 26.96–27.23 Mc/s band, or on the frequency 27.255 Mc/s, for the control of remote objects or devices by radio, or for the remote actuation of devices which are used solely as a means of attracting attention, or on an authorized frequency in the 72–76 Mc/s band for the control of model aircraft only.

2. Section 95.5(d) is added to read as follows:

§ 95.5 Policy governing the assignment of frequencies.

* * * * *

(d) Simultaneous operation on more than one frequency in the 72–76 Mc/s band by a transmitter or transmitters of a single licensee is prohibited whenever such operation will cause harmful interference to the operation of other licensees in this service.

3. Section 95.35(c) is amended to read as follows:

§ 95.35 Changes in authorized stations.

* * * * *

(c) Proposed changes which will not depart from any of the terms of the outstanding authorization for the station involved may be made without prior Commission approval. Included in such changes is the substitution of various makes or transmitting equipment at any station, provided that the particular equipment to be installed is included in the Commission's "Radio Equipment List, Part C" and is listed as acceptable for use under this part or, in the case of a Class C or Class D station using crystal control on authorized frequencies in the 26.96–27.26 Mc/s band, the substitute equipment is crystal controlled; and further provided the substitute equipment employs the same type of emission and does not exceed the frequency tolerance and power limitation prescribed for the particular class of station involved.

4. Section 95.37(d) is added to read as follows:

§ 95.37 Limitations on antenna structures.

* * * * *

(d) Class C stations operated on frequencies in the 72–76 Mc/s band shall employ a transmitting antenna which complies with all of the following:

(1) The gain of the antenna shall not exceed that of a half-wave dipole;

(2) The antenna shall be immediately attached to, and an integral part of, the transmitter; and

(3) Only vertical polarization shall be used.

5. Section 95.41(c) is amended to read as follows:

§ 95.41 Frequencies available.

* * * * *

(c) Class C mobile stations may employ only amplitude tone modulation or on-off keying of the unmodulated carrier, on a shared basis with other stations in the Citizens Radio Service on the frequencies and under the conditions specified in the following tables:

(1) For the control of remote objects or devices by radio, or for the remote actuation of devices which are used solely as a means of attracting attention and subject to no protection from interference due to the operation of industrial, scientific, or medical devices within the 26.96–27.28 Mc/s band, the following frequencies are available:

Mc/s	*Mc/s*	*Mc/s*
26.995	27.095	27.195
27.045	27.145	[1] 27.255

[1] The frequency 27.255 Mc/s also is shared with stations in other services.

(2) Solely for the radio control of model aircraft and subject to the conditions (i) that interference will not be caused to the remote control of industrial equipment operating on the same or adjacent frequencies and to the reception of television transmissions on Channels 4 or 5 and (ii) that no protection will be afforded from interference due to the operation of fixed and mobile stations in other services assigned to the same or adjacent frequencies in the band, the following frequencies are available.

Mc/s	*Mc/s*	*Mc/s*
72.08	72.40	75.64
72.24	72.96	

* * * * *

6. In § 95.43, footnote 1 to the table is amended to read as follows:

§ 95.43 Station power.

* * * * *

[1] On 27.255 Mc/s the average power permitted for Class C stations shall not exceed 30 watts input and 24 watts output. On frequencies in the 72–76 Mc/s band the average power for Class C stations shall not exceed 1 watt input and 0.75 watt output.

* * * * *

[1] Commissioner Cox absent and Commissioners Loevinger and Wadsworth dissenting.

7. In § 95.45, footnote 1 to the table is amended to read as follows:

§ 95.45 Frequency tolerance.

* * * * *

[1] Class C stations operating on authorized frequencies between 26.99 and 27.66 Mc/s with 3 watts or less power input which are used solely for the control of remote objects or devices by radio (other than devices used solely as a means of attracting attention) are permitted a frequency tolerance of 0.01 percent.

8. Section 95.55 is amended to read as follows:

§ 95.55 Acceptability of transmitters for licensing.

(a) Except as provided in § 95.69, transmitters authorized for operation at Class B stations, and noncrystal controlled transmitters authorized for operation at Class C and Class D stations in the band 26.96–27.26 Mc/s under this part shall be type approved by the Commission.

(b) Transmitters authorized for operation under this part at Class A stations, and at Class C stations in the band 72–76 Mc/s, shall be type accepted by the Commission.

(c) Type approved and type accepted transmitters for use under this part are included in the Commission's Radio Equipment List, Part C. Copies of this list are available for public reference at the Commission's Washington, D.C., offices and field offices.

9. Section 95.57(a) is amended to read as follows:

§ 95.57 Type acceptance of equipment.

(a) Any manufacturer of a transmitter to be built for use in this service, except Class B station equipment and noncrystal controlled Class C and Class D equipment for operation in the band 26.96–27.26 Mc/s, may request type acceptance for such equipment by following the type acceptance procedure set forth in Subpart F of Part 2 of this chapter.

* * * * *

10. In § 95.69 paragraph (b) is amended and paragraph (c) is added, to read as follows:

§ 95.69 Acceptance of composite equipment.

* * * * *

(b) In the case of crystal controlled Class C or Class D equipment to be operated on an authorized frequency in the band 26.96–27.26 Mc/s, supplemental technical information is not required to accompany the standard application form: *Provided, however,* That it is clearly indicated that the equipment employs crystal control: *And provided further,* That the Commission may require the applicant to certify that the frequency stability of the crystal-controlled transmitter is within the tolerance specified elsewhere in this part.

(c) In the case of nontype accepted Class C equipment to be operated on an authorized frequency in the band 72–76 Mc/s, the information and measurement data required under Subpart F of Part 2 of this chapter for type acceptance, shall, if not on file with the Commission, accompany the application for station license.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 308, 48 Stat. 1082, as amended; 47 U.S.C. 308)

[F.R. Doc. 66-5435; Filed, May 17, 1966; 8:52 a.m.]

[Docket No. 15543, RM-544; FCC 66-424]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments FM Broadcast Stations (Jackson, Lima, Kenton, and Bellefontaine, Ohio)

BACKGROUND OF THIS PROCEEDING

1. On July 7, 1964, the Commission released a notice of proposed rule making in this proceeding (FCC 64–615; 29 F.R. 9460, July 10, 1964), which invited comments on the following proposal to amend the Table of Assignments for FM Broadcast Stations:

City	Present assignment	Proposed assignment
Jackson, Ohio	249A	261A
Kenton, Ohio	252A	237A
Bellefontaine, Ohio		252A
Lima, Ohio	249A, 271	271, 285A

2. Except for the new Bellefontaine assignment—proposed on our own motion to provide what appeared to be a needed first assignment for that community—the above changes were proposed in response to a petition by Peoples Broadcasting Corp. (WRFD), licensee of Station WRFD–FM, Columbus-Worthington, Ohio. This station operates on Channel 250, and the changes were requested to eliminate adjacent-channel assignments in Ohio which, it was claimed, would interfere with reception of WRFD–FM at various places in the State and thus impair the potential operation of the Ohio Defense Emergency FM Network, of which WRFD–FM was then the key station and would in emergency transmit information to other Ohio FM stations for rebroadcast. Specifically, it was claimed:

(a) a station on Channel 249A at Jackson would cause disruptive interference to reception of WRFD–FM at Portsmouth, some 95 miles south of WRFD–FM and 30 miles from Jackson, thus destroying the emergency material transmitted by WRFD–FM for use by Station WPAY–FM, Portsmouth, in rebroadcast under the state plan;

(b) a station on Channel 249A at Lima would similarly prevent direct off-air pickup of WRFD–FM by WIMA–FM, Lima (however, while WIMA–FM was then part of the Emergency Network plan, the primary plan called for it to receive information not directly from WRFD–FM but from the FM station at Marion). Lima is some 70 miles northwest of WRFD–FM.

(c) Station WKTN–FM, operating at Kenton on Channel 252A, could cause objectionable second-adjacent channel interference to reception of WRFD–FM at Lima (some 25 miles west of Kenton) or at Marion (some 25 miles east of Kenton). Under the plan at that time, Station WMRN–FM, Marion, was to receive emergency information from WRFD–FM. Kenton is about 45 miles northwest, and Marion about 30 miles north, of WRFD–FM.

3. Operating with facilities of 185 kw E.R.P. and antenna height of 570 feet A.A.T., WRFD–FM is a "super-maximum" station, i.e., one using facilities greater than those which it would be authorized under present rules if it were a new station. In our 1962 decision in the overall FM allocation proceeding (Docket 14185), we decided not to order such stations to reduce their facilities to the maximum now permitted; but we also stated that they would be protected against new assignments only to the extent normally afforded by the rules to stations of their class—for a Class B station such as WRFD–FM, out to a distance of 40 miles against co-channel and first-adjacent-channel interference, with stations on second and third adjacent channels to be assigned no less than that distance away.[1] As we pointed out in the notice herein, WRFD is seeking substantially greater protection—at points 70 and 95 miles away against first-adjacent-channel interference, and against a second-adjacent-channel station 45 miles away. The notice (pars. 9 and 10) set forth certain reservations and questions concerning the proposals. We stated our reluctance to change channel assignments, in an area where possible assignments are as scarce as they are in Ohio, if there would be a net loss in assignment possibilities; and we stated that, if the deletions requested by WRFD were made, we would nonetheless deem ourselves free in the future to make such use of the channels deleted as the public interest may warrant, if need for making assignments at near-minimum separations appears to exist. We specifically invited comments as to the actual impairing effect of the "interference" claimed by WRFD (considering the distances mentioned above and the possibility that Emergency Network stations might use special equipment to receive WRFD–FM), and as to what extent the channels deleted, or the replacement channels, would become unavailable for other desirable uses in the area if the proposal were adopted.

THE JACKSON AND LIMA CHANGES

4. WRFD was the only party filing comments concerning the Jackson and Lima proposals, and its statement was very brief. As to these changes, it stated simply that it believed its petition had established that they would be in the public interest and that it was still of this view because of the Emergency Network considerations mentioned above; and that as a matter of business judgment it could not justify the substantial costs

[1] Second Report, Memorandum Opinion and Order in Docket 14185, FCC 62-1243, 27 F.R. 12193, Dec. 8, 1962.

involved in the sort of engineering study envisaged by the notice. We also note that since the petition was filed there has been a considerable change in the Ohio Emergency Broadcast System plan. The State plan submitted in April 1965, approved by the Commission in October 1965, consists of three phases: Phase 1, the plan which would presently be in effect in time of emergency; Phase 2, a plan which might come into future effect after further studies, construction, etc., have been completed; and Phase 3, a possible plan for the more distant future. WRFD–FM does not participate at all in Phase 1. In Phase 2, it transmits to the northern part of Ohio, not including Portsmouth; its transmission chain goes in a counterclockwise direction to various northwestern and northern Ohio points and returns to Columbus via Marion, so that it would receive emergency information from the Marion station rather than sending to it. Phase 3 is the same in these respects. No Lima station participates in these phases.

5. Thus, there is no reason to make the changes requested by WRFD in order to protect emergency network operations. Therefore—and in view of the failure of WRFD or any other party to deal with the questions raised in the notice, particularly as to possible loss of assignment possibilities—it does not appear that the changes requested by WRFD at Jackson and Lima would be in the public interest. The proposals set forth in the notice for these communities are not adopted.

KENTON AND BELLEFONTAINE

6. Aside from the arguments urged by WRFD (which by themselves would not warrant a change, for reasons just mentioned) the substitution of channels at Kenton was proposed in the notice because it appeared the only means of providing a needed first assignment at Bellefontaine. In extensive comments and replies this proposal was supported by Hi-Point Broadcasting Co. (Hi-Point), licensee of WOHP (AM, daytime-only) at Bellefontaine, and opposed by Ohio Radio, Inc. (Ohio Radio), licensee of FM Station WKTN–FM, Kenton Channel 252A.

7. Bellefontaine, population 11,424, is the county seat and largest community in Logan County (population 34,803).[2] Hi-Point's daytime-only AM Station WOHP is the only broadcast facility in the county, and there are no FM assignments. Channel 228A was assigned to Bellefontaine in 1963 when the FM Table of Assignments was adopted; Hi-Point filed an application therefor on August 30, 1963. Later it was discovered that, at any location, a station at Bellefontaine on Channel 228A would have to be short-spaced to one or more existing stations, and the channel was deleted in a Memorandum Opinion and Order in Docket 14185 (FCC 63–976, 28 F.R. 11690, November 1, 1963). Hi-Point petitioned for reconsideration of that action; we are today denying this petition because of the short spacing involved (see FCC 66–425). In support of the proposal Hi-Point asserts the great need of Bellefontaine and surrounding area for a full-time local transmission facility, which can be provided only in this way. Hi-Point contemplates using FM Channel 252A at its AM site, at which it would meet all mileage separations.

8. Ohio Radio opposes the change in channels, which would put its present Channel 252A in Bellefontaine and cause WKTN–FM to move to Channel 237A. Referring to independent FM difficulties generally (small set circulation and lack of advertiser interest) and to its relatively small billings (said to be less than $3,000 per month), it mentions its status as a pioneer in Ohio FM development (three stations and another under common control, none with AM affiliates) and states that the forced shift in channels would mean degradation of the program service of WKTN–FM (numerous programs of local interest are described) and most likely the demise of the station. Ohio Radio refers to certain special circumstances involved here: With Kenton and Bellefontaine only some 20 miles apart and Kenton and its county having no other station, Hi-Point actively competes with WKTN–FM for Kenton business, and giving it an FM station also (no other party has shown an interest in a Bellefontaine FM channel) would mean a tremendous and undue competitive advantage. This, it is said, would be particularly true since the new FM station would have WKTN's old dial position and at least part of its audience, and it is doubtful if WKTN could recover from this even with an intensive effort to reattract and reeducate its listeners. It is asserted that if Hi-Point takes over the WKTN frequency the latter would lose prestige among its businessmen advertisers, and even a slight loss of income can be expected to bring disastrous results. It is urged that the result of this shift might well mean two stations in Bellefontaine, one AM and one FM, and none in Kenton, a result contrary to section 307(b) of the Communications Act.[3] In reply to these contentions, Hi-Point asserts that they are incomplete, conjectural and speculative; that a broadcast license is not a guarantee of revenue or profit or a monopoly position; that WOHP now gets only about $40 per week (about $2,100 per year) in Kenton revenue; and that if the effects would be as alleged WKTN's programing must not be so valuable to listeners and its position must indeed be tenuous.

9. Another main line of argument advanced by Ohio Radio is the asserted effect on another of its stations, WLKR–FM, Norwalk, Ohio. This station, on Channel 237A, would be co-channel with the new Kenton assignment at just minimum spacings (64.6 miles which is rounded out to 65 miles). It is alleged that interference from the new assignment would result to WLKR–FM, not within its 1 mv/m contour but in an area it now serves, particularly the town of Willard, some 13.5 miles from the WLKR–FM transmitter site (WLKR–FM does some programming for and from this community, and submitted letters of appreciation from Willard listeners). It is asserted that WLKR–FM draws approximately $1,500 a month in revenue from Willard, which would be largely lost under the proposed channel change, with resulting grievous injury to WLKR–FM in addition to that to WKTN–FM. Admittedly, this is not "interference" against which a station would be protected, either under earlier FM assignment rules (based on protection of the 1 mv/m contour) or under present rules, based on minimum mileage separations which would be met here. However, Ohio Radio claims it should be taken into account.

10. Related to this is the matter of a possible increase in the facilities of WLKR–FM, which now operates with 1.4 kw E.R.P. and 125 feet effective antenna height, considerably less than the maximum for Class A facilities. Ohio Radio opposed the proposed change because the new Kenton 237A assignment would prevent WKLR–FM's moving its site southwest in the direction of Kenton and thus being able to increase facilities. Since the comments herein were filed, the rules concerning increases and site moves by short-spaced stations (here, WLKR–FM and an adjacent-channel Cleveland station to the east) have been liberalized. The present situation is as follows: at its present site and operating nondirectionally, WLKR–FM can increase its facilities, though not to the Class A maximum because of an overlap situation with the commonly owned Port Clinton station some 25 miles to the northwest (see section 73.240 of the rules). It can increase its E.R.P. to 3 kilowatts with its present antenna height without causing such overlap, and by doing so it would put a signal over Willard sufficiently strong to remove the "interference" situation described in the comments.[4] By moving the site to the east or southeast, or by operating directionally so as to suppress

[2] All population figures herein are from the 1960 U.S. Census.

[3] Like Bellefontaine, Kenton (population 8,747) is the county seat and largest community in its county (population 29,633); and WKTN–FM and its FM channel are the only station and the only FM assignment in the county.

[4] In the FM allocation proceeding (Docket 14185) it was decided to retain the previously existing interference ratios as the basis for mileage separations only. For cochannel signals, the ratio is 10 to 1, desired to undesired. (See First Report and Order in Docket 14185, FCC 62–866, 33 FCC 309, 23 R.R. 1801, pars. 15–18.) This ratio appears in the rule presently governing the assignment of FM stations on the educational channels (§ 1.573). It was the standard used by Ohio Radio's engineer in describing the Willard situation. Operating at its present site with its present antenna height and 3 kw E.R.P., WLKR–FM would put a signal of around 400 uv/m (52 d.b.u.) over Willard. This is more than ten times the signal strength which would be received there from the Kenton station (35 uv/m with present facilities, 38 uv/m with maximum Class A facilities).

radiation toward Port Clinton, it could increase to maximum Class A facilities.

11. *Other arguments advanced by the parties.* Ohio Radio states that the proposed Bellefontaine Channel 252A assignment would adversely affect reception of WRFD-FM Hi-Point replies that this would be true only in a very small area around the transmitter of the Bellefontaine station. Under the circumstances here, this is not a matter of consequence.[5] Ohio Radio asserts that if they operate with maximum Class B facilities 4 FM stations in other cities (Lima, Piqua, Springfield, all roughly 30 miles from Bellefontaine) would provide FM service to Bellefontaine. Hi-Point replies that they do not in fact so operate, and, being short-spaced to other stations, cannot increase facilities. Whether or not they could increase under the new, more liberal rules, only one of the four stations now provides a 1 mv/m signal to Bellefontaine, and of course none provides a truly local service.

12. *Costs of Changing the WKTN-FM Channel:* In the notice herein (par. 11) we pointed out that, while the Kenton channel change may well be in the public interest, it would also likely redound to the benefit of one or more private parties and equity might well require that they reimburse WKTN-FM for the costs of the change. Ohio Radio, opposing the shift, asserts that if it is made it should receive reimbursement of some $7,525, representing $4,525 in engineering costs ($2,400 for a new antenna, $625 for crystals and recalibration, $500 for professional engineering services, and $1,000 for outside frequency reports and measurements, shipping costs and engineering personnel overtime) and $3,000 in other costs such as new stationery and promotion, overtime, etc.—plus business losses in unspecified amount. It urges that the benefiting parties (chiefly Hi-Point) be required to make firm commitments in this regard. Hi-Point states its "willingness to participate" in the costs involved in the shift. WRFD asserts in its brief statement that parties other than it should bear the costs, presumably meaning Hi-Point.

CONCLUSIONS

13. On consideration of the record, we conclude that the change in channel proposed at Kenton—substitution of 237A for 252A—should be made, and Channel 252A should be assigned at Bellefontaine. This rearrangement will provide a first FM assignment, and a first full-time broadcast outlet, for Bellefontaine (a larger community than Kenton) and its county. At the same time Kenton will retain an FM assignment. This result obviously is in furtherance of the mandate of section 307(b) of the Communications Act and in the public interest. We mentioned in the notice our reluctance to disturb existing services; but here this consideration is clearly outweighed by the public interest in the new assignment.

14. In reaching this decision, we have carefully considered the arguments in opposition urged by Ohio Radio. With respect to the arguments concerning economic injury to WKTN-FM at Kenton, economic injury as such is of course no ground for refusing to take actions which are otherwise in the public interest. Nelson Bros. Bond & Mortgage Co. v. FRC, 289 U.S. 266 (1932); FCC v. Sanders Brothers Radio Station, 309 U.S. 470, 9 R.R. 2008 (1940). It is only when the economic injury to the licensee affects the public interest that it becomes a relevant factor. There has been no showing here of sufficient likelihood of substantial public injury to warrant refusal to make an FM assignment which in other respects is clearly in the public interest. We appreciate the economic problems which independent FM stations often face (although in the case of WKTN-FM the economic situation may be in part due to its position as a relatively new station, commencing operation in June 1963).[6] We take note of Ohio Radio's position as a multiple independent FM licensee in rather small markets, as well as of the particular circumstances here which have been called to our attention. But we do not find in any of these matters, or the combination of them, reason not to make the needed first Bellefontaine assignment. It is urged that the channel shift will most likely mean the demise of KWTN-FM; we see no reason why this should occur, and, if it should, it appears reasonably likely that some other party will seek to use the Kenton assignment, so that Kenton will continue to have a station. As to program degradation, we see no reason why this should necessarily occur to a substantial degree, and if it should occur in some measure this would be outweighed by the fact that the Bellefontaine area will have local nighttime service available for the first time. To reach a contrary result for these reasons would be to preserve for WKTN-FM a monopoly in FM broadcasting in the two-county area containing Kenton and Bellefontaine—a situation we should always be reluctant to maintain and certainly should not act to maintain on the basis of the showings made here.

15. We have taken into account the particular circumstances of this case, including the fact that the channel removed from Kenton will be used fairly close by, by a station which may compete with WKTN-FM for audience and advertising revenue in the area. It must be borne in mind that competition to WKTN-FM might come from a Bellefontaine station on any channel (for example, it might have been decided to restore the assignment of Channel 228A there instead of adding 252A). In order to minimize possible disruption of listening and loss of audience, we are making the channel shift effective only at the expiration of WKTN's current license, October 1, 1967, thus giving over a year for the station to prepare its audience and itself for the change (unless it desires to change sooner). As to the fact that the Bellefontaine AM broadcaster may become the FM licensee (thereby forcing WKTN-FM to compete to some extent with an AN-FM combination), this is of course not necessarily true, since other parties may seek and be granted the new assignment.[7] But even assuming that this is the final outcome, we do not conceive that this consideration is of any consequence in view of the benefit from a first Bellefontaine assignment. It is not one of the Commission's objectives to protect stations from competition.

16. As to the asserted impact on Ohio Radio's Norwalk station WLKR-FM, as mentioned above this—"interference" against which the station is not protected—can be dealt with if the station increases facilities, which it is free to do under the new rules for increases by short-spaced stations. Even if this were not the case, as long as the only obstacle to such an increase is overlap with a commonly owned station—a situation the licensee has himself brought into being—we would not be justified in letting such a private consideration serve as reason for not making an assignment which is clearly in the public interest. The other objections to the assignment urged by Ohio Radio are of no consequence for reasons already stated.

17. We believe that equitable considerations, as well as the limitations of WKTN's economic situation, require that Ohio Radio should be reimbursed for the reasonable costs of the channel change, and that such reimbursement should come from the party benefiting from

[5] Hi-Point asserts that WRFD-FM puts a signal of slightly more than 1 mv/m over Bellefontaine. On this basis, using the one-to-ten desired to undesired signal ratio set forth in the passages mentioned in footnote 4 for second-adjacent-channel interference, interference to WRFD-FM would occur only where the Bellefontaine signal is at least 10 mv/m. With maximum Class A facilities, this would be over a distance of about 4.6 miles around the Bellefontaine transmitter. As mentioned above (par. 3) this is not "interference" against which stations are protected, since Bellefontaine is about 42 miles, and the WOHP transmitter site about 41 miles, from WRFD-FM. As a practical matter, in area there is little difference in the effect on WRFD-FM from a Channel 252A assignment at either Kenton or Bellefontaine, and the effect if anything is less from the Bellefontaine assignment, since Kenton is slightly farther from WRFD-FM (45 miles) and that station's signal is somewhat weaker at the greater distance. As to effect on reception of WRFD-FM at Lima (mentioned by Ohio Radio), it is unlikely that a Bellefontaine station on Channel 252A would be any closer to Lima than WKTN-FM at Kenton is now.

[6] In the memorandum opinion and order concerning application of the AM-FM "nonduplication" rule (§ 73.242) we noted that in recent years an increasing number of independent FM stations have been showing a profit, as well as other indications of the increasing development of the medium. See 2 FCC 2d 833, adopted Mar. 9, 1966.

[7] Channel assignment actions are, as they must be, made on consideration of the fairest, most equitable and most effective assignment of broadcast facilities, rather than the identity of a particular potential applicant.

the change; i.e., whoever becomes the Bellefontaine permittee. From the material submitted it cannot be determined what the costs should be; Ohio Radio's itemized expense figure of $7,525 is considerably higher than the sums, up to $2,800, which we have recently approved in similar situations. We leave the matter of determining the appropriate costs to the interested parties, subject to Commission approval in case of dispute.

It is appropriate to set forth two general guidelines: (1) costs appropriate for reimbursement are not necessarily limited to strictly engineering costs since as a practical matter other expenses may be involved; (2) WKTN-FM is not entitled to reimbursement for "business losses." These are speculative and conjectural at best, and, moreover, the holding of a license is not a guarantee of revenues or profits, and the holder is not entitled to reimbursement for loss thereof if the public interest requires a change in his facilities.

18. Although WOHP is the only party which has expressed an interest in using Channel 252A at Bellefontaine, other applicants are, of course, free to file for use of the channel. Pursuant to the provisions of § 73.202(a) of the rules, such applications may be tendered and accepted for filing prior to the effective date of the assignment of Channel 252A to Bellefontaine. By the same token, WOHP may amend its application for a construction permit on Channel 228A to specify operation on Channel 252A before the effective date of the assignment (if such an amendment is not tendered by July 1, 1966, the pending application of WOHP will be returned). If amended and thereafter found to be acceptable for filing, that application and any others for the use of Channel 252A at Bellefontaine which are accepted for filing will be processed in accordance with the provisions of the Act and of the rules. However, no license or operating authority will be granted until the effective date of the assignment of the channel to Bellefontaine as described below. The party becoming the Bellefontaine permittee will be expected to reimburse WKTN for the reasonable costs of the channel shift; we expect that both parties involved will act in good faith in this connection.

19. Since the change is in the public interest, the licensee of WKTN-FM shall file its October 1, 1967, renewal application specifying operation on Channel 237A rather than 252A. Transcontinent Television Corp. v. FCC, 113 U.S. App. D.C. 384, 308 F. 2d 339 (1962). The station may continue to operate on Channel 252A until October 1, 1967, or until such earlier time as, upon its request, the Commission authorizes interim operation under special operating authority on Channel 237A, following which it shall submit (within 30 days) the measurement data normally required of an applicant for an FM broadcast station license. On and after the date on which such interim operation is authorized to commence, the Commission will view the request of WKTN-FM as a relinquishment of Channel 252A and a waiver of any rights it may possess with regard to that channel. Channel 252A will be assigned to Bellefontaine on October 1, 1967, or such earlier date as the Commission authorizes interim operation on Channel 237A to WKTN-FM as mentioned above.

20. Authority for the adoption of the amendments herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

21. In view of the foregoing: *It is ordered*, That effective October 1, 1967, the FM Table of Assignments, § 73.202 of the rules and regulations of the Commission, is amended, insofar as the communities named are concerned, to read as follows:

City	*Channel No.*
Bellefontaine, Ohio	[1] 252A
Kenton, Ohio	[1] 237A

[1] Effective 3 a.m., e.s.t., Oct. 1, 1967 (concurrently with expiration of the outstanding license for Station WKTN-FM on Channel 252A at Kenton, Ohio), or such earlier date as Station WKTN-FM may, upon its request, cease operation on Channel 252A at Kenton, Ohio.

* * * * *

22. *It is further ordered*, That this proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: May 11, 1966.

Released: May 13, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[8]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5436; Filed, May 17, 1966; 8:52 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Plum Reg. 1]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Limitation of Shipments

§ 917.372 Plum Regulation 1.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums as hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. This section prescribes packing requirements applicable to the handling of plums; such requirements are the same as those recommended by the Plum Commodity Committee at its meeting on May 12, 1966; such meeting was held after due notice thereof and interested persons were afforded an opportunity to submit information and views at this meeting; handlers of plums have been notified of the committee recommendations; the provisions of this section, including its effective time, are identical with the aforesaid recommendations; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; compliance with this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) After the effective time of this section, no handler shall ship any package or container of any variety of plums except in accordance with the following terms and conditions:

(i) Such plums, when in closed packages or containers, shall conform to the requirements of standard pack;

(ii) The diameters of the smallest and largest plums in an individual package or container shall not vary more than one-fourth (¼) inch: *Provided*, That a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement; and

(iii) Each package or container of plums shall bear in plain sight and in plain letters, on one outside end, (*a*) the name of the variety, if known, or when the variety is not known, the words "unknown variety," and (*b*) the size description of the plums which shall conform to the following, as applicable:

(*1*) When packed in four-basket crates, the size shall be indicated in accordance with the arrangement of the plums in the top layer of the baskets, such as 5 x 5, 4 x 5, 3 x 4 x 5, etc.

(*2*) When packed in face and fill packs in cartons or lug boxes, the size shall be indicated in accordance with the number of rows in the face, such as 6-row, 8-row, etc.

[8] Commissioner Cox absent.

(3) When packed or filled in other packages or containers, the size shall be indicated in accordance with the number of plums in the package or container or by the equivalent four-basket crate size, such as 5 x 5 size, 4 x 5 size, 3 x 4 x 5 size, etc.

(2) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§ 51.1520–1538 of this title; 31 F.R. 6240); "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(c) This section shall become effective at 12:01 a.m., P.s.t., May 19, 1966.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 17, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5112; Filed, May 17, 1966; 11:26 a.m.]

[Plum Reg. 2]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Grades

§ 917.373 Plum Regulation 2.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting, the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 12, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 19, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any lot of packages or containers of any variety of plums unless such plums grade at least U.S. No. 1.

(2) When used herein, "U.S. No. 1" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520–1538 of this title; 31 F.R. 6240), and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 17, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5513; Filed, May 17, 1966; 11:26 a.m.]

[Plum Reg. 3]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Sizes

§ 917.374 Plum Regulation 3 (Beauty).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 12, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 19, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship from any shipping point during any day any package or container of Beauty plums, except to the extent otherwise permitted under this paragraph, unless such plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 5 standard pack.

(2) During each day of the aforesaid period, any handler may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than the size prescribed in subparagraph (1) of this paragraph if said quantity does not exceed fifty (50) percent of the number of the same type of packages or containers of such plums shipped by such handler which meet the size requirements of said subparagraph (1) of this paragraph: *Provided*, That all such smaller plums are of a size that, when packed in a standard basket, they will pack at least a 5 x 5 standard pack.

(3) If any handler, during any day of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than the size prescribed in subparagraph (1) of this paragraph, the quantity of such undershipment may be shipped by such handler only from such shipping point.

(4) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520–1538 of this title; 31 F.R. 6240); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 17, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5514; Filed, May 17, 1966; 11:26 a.m.]

PART 965—TOMATOES GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Approval of Expenses and Rate of Assessment

Notice of rule making regarding proposed expenses and rate of assessment, to be effective under Marketing Order No. 965 (7 CFR Part 965) regulating the handling of tomatoes grown in the Counties of Cameron, Hidalgo, Starr, and Willacy in Texas (Lower Rio Grande Valley) was published in the FEDERAL REGISTER May 3, 1966 (31 F.R. 6592). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons an opportunity to submit data, views, or arguments pertaining thereto not later than 7 days following publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, which proposals were adopted and submitted for approval by the Texas Valley Tomato Committee, established pursuant to said marketing order, it is hereby found and determined that:

§ 965.208 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Texas Valley Tomato Committee, established pursuant to Marketing Order No. 965, for its maintenance and functioning, and for such other purposes as the Secretary determines to be appropriate, during the fiscal period ending July 31, 1966, will amount to $7,000.

(b) The rate of assessment to be paid by each handler pursuant to Marketing Order No. 965 shall be one cent ($0.01) per 40-pound crate of tomatoes, or the equivalent quantity thereof in other containers, handled by him as the first handler thereof during said fiscal period.

(c) The terms used in this section shall have the same meaning as when used in Marketing Order No. 965 (7 CFR Part 965).

It is hereby found that good cause exists for not postponing the effective time of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) the relevant provisions of this part require that rates of assessment fixed for a particular fiscal period shall be applicable to all assessable tomatoes from the beginning of such period, and (2) the current fiscal period began on August 1, 1965, and the rate of assessment herein fixed will automatically apply to all assessable tomatoes beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 12, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5377; Filed, May 17, 1966; 8:46 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regulations, 1966 and Subsequent Crops Dry Edible Bean Supplement]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops Dry Edible Bean Loan and Purchase Program

AVAILABILITY; CORRECTION

Federal Register Document 66–5203, published at page 6904 in the issue dated Wednesday, May 11, 1966, is corrected by changing "obtain" to read "request" in the second line of § 1421.2461.

Signed at Washington, D.C., on May 12, 1966.

Effective upon publication in the FEDERAL REGISTER.

ROBERT A. HANSON,
Deputy Director, Farmer Programs Division, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66–5378; Filed, May 17, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 271]

FROZEN HEADLESS DRESSED WHITING

U.S. Standards for Grades

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 6(a) of the Fish and Wildlife Act of August 8, 1956 (16 U.S.C. 742e), it is proposed to amend Title 50 Code of Federal Regulations by the addition of a new Part 271. The purpose of this amendment is to issue standards for grades of frozen headless dressed whiting in accordance with the authority contained in Title II of the Agricultural Marketing Act of August 14, 1946, as amended (7 U.S.C. 1621–1627).

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Commercial Fisheries, U.S. Fish and Wildlife Service, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

DONALD L. MCKERNAN,
Director.

MAY 12, 1966.

PART 271—U.S. STANDARDS FOR GRADES OF FROZEN HEADLESS DRESSED WHITING [1]

Sec.
271.1 Description of the product.
271.2 Grades of frozen headless dressed whiting.
271.11 Determination of the grade.
271.21 Definitions and methods of analysis.
271.25 Tolerances for certification of officially drawn samples.

AUTHORITY: The provisions of this Part 271 are issued under sec. 6, 70 Stat. 1122; 16 U.S.C. § 742e; and secs. 203 and 205, 60 Stat. 1087, 1090, as amended; 7 U.S.C. 1622, 1624.

§ 271.1 Description of the product.

The product described in this part consists of clean, wholesome whiting (silver hake) *merluccius bilinearis, merluccius albidus;* completely and cleanly headed and adequately eviscerated. The fish are packaged and frozen in accordance with good commercial practice and are maintained at temperatures necessary for the preservation of the product.

[1] Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

§ 271.2 Grades of frozen headless dressed whiting.

(a) "U.S. Grade A" is the quality of frozen headless dressed whiting that (1) possess a good flavor and odor and that (2) for those factors that are rated in accordance with the scoring system outlined in this part, have a total score of 85 to 100 points.

(b) "U.S. Grade B" is the quality of frozen headless dressed whiting that (1) possess at least reasonably good flavor and odor and that (2) rate a total score of not less than 70 points for those factors of quality that are rated in accordance with the scoring system outlined in this part.

(c) "Substandard" or "Utility" is the quality of frozen headless dressed whiting that meet the requirements of § 271–1 but that otherwise fail to meet the requirements of "U.S. Grade B."

§ 271.11 Determination of the grade.

In a plan under Continuous USDI Inspection the grade is determined by examining the product for factors 1–10 in the thawed state and factor 11 in the cooked state. For lot inspection, examination of the product for factors 1, 2, and 3 is carried out in the frozen state and 4–10 in the thawed state. Factor 11 is examined in the cooked state.

(a) *Factors rated by score points.* Points are deducted for variations in the quality of each factor in accordance with the schedule in Table 1. The total of points deducted is subtracted from 100 to obtain the score. The maximum score is 100; the minimum score is 0.

(b) *Factors not rated by score points.* The factor of "flavor and odor" is evaluated organoleptically by smelling and tasting after the product has been cooked in accordance with § 278.21.

(1) Good flavor and odor (essential requirements for a U.S. Grade A product) means that the cooked product has the typical flavor and odor of the species and is free from rancidity, bitterness, staleness, and off-flavors and off-odors of any kind.

(2) Reasonably good flavor and odor (minimum requirements of a U.S. Grade B product) means that the cooked product is lacking in good flavor and odor, but is free from objectionable off-flavors and off-odors of any kind.

TABLE 1.—SCHEDULE OF POINT DEDUCTIONS PER SAMPLE

FROZEN STATE (LOT INSPECTION ONLY)

	Factors scored	Method of determining score	Deduct
1	Arrangement of product [1]	Small degree: 10 percent of fish twisted or bellies and backs not facing the same direction. Large degree: More than 10 percent of fish twisted, void present or some fish cross packed.	2 5
2	Condition of packaging (overall assessment).	Poor: Packaging material has been soaked, softened or deteriorated.	2
3	Dehydration	Small degree: Slight dehydration of the exposed surfaces. Large degree: Deep dehydration of the exposed surfaces.	2 5

THAWED STATE

4	Minimum size: Fish 2 oz. or over are of acceptable size.	Number of fish less than 2 oz. per lb.: Over 0—not over 0.5 Over 0.5—not over 1.0 Over 1.0—not over 2.0 Over 2.0	5 10 20 30
5	Uniformity: Weight ratio of fish remaining. The 10 percent largest fish divided by the 10 percent smallest fish.[1]	Weight ratio 10 percent smallest and 10 percent largest: Over 2.0—not over 2.4 Over 2.4—not over 2.8 Over 2.8—not over 3.2 Over 3.2—not over 3.6 Over 3.6	2 5 10 20 30
6	Heading [1]	Small degree: 10 percent of fish carelessly cut Moderate degree: Over 10 percent of fish carelessly cut	5 15
7	Evisceration (overall assessment).	Small degree: Slight evidence of viscera Moderate degree: Moderate amounts of spawn, viscera, etc. Large degree: Large amounts of viscera, spawn, etc.	2 10 30
8	Scaling [1]	Small degree: 10 percent of fish not well scaled Large degree: Over 10 percent of fish not well scaled	2 5
9	Color of the exposed surfaces (overall assessment).	Small degree: Minor darkening, dulling Large degree: Objectionably dark, brown, dull	2 5
10	Bruises and split or broken skin.	Presence of bruises and/or broken or split skin per pound: Over 0—not over 0.5 Over 0.5—not over 1.0 Over 1.0—not over 1.5 Over 1.5—not over 2.0 Over 2.0	1 2 4 7 10

TABLE 1.—SCHEDULE OF POINT DEDUCTIONS PER SAMPLE—Continued

FROZEN STATE (LOT INSPECTION ONLY)

COOKED STATE

	Factors scored	Method of determining score	Deduct
11	Texture: (overall assessment)	Small degree: Moderately dry, tough, mushy, rubbery, watery, stringy. Large degree: Excessively dry, tough, mushy, rubbery, watery, stringy.	8 15

[1] 10 percent of fish refers to 10 percent by count rounded to nearest whole fish.

§ 271.21 Definitions and methods of analysis.

(a) *Selection of the sample unit.* The sample unit consists of the primary container and its entire contents. The whiting are examined according to Table 1. Definitions of factors for point deductions are as follows:

(b) *Examination of sample, frozen state.* When this product is examined under Continuous USDI Inspection, the samples are examined for factors 1, 2, and 3 in Table 1 in the thawed state. When the product is lot inspected, the samples are examined for factors 1, 2, and 3 in Table 1 in the frozen state.

(1) *"Arrangement of product"* refers to the packing of the product in a symmetrical manner, bellies or backs all facing in the same direction, fish neatly dovetailed.

(2) *"Condition of the packaging material"* refers to the condition of the cardboard or other packaging material of the primary container. If the fish is allowed to stand after packing and prior to freezing, moisture from the fish will soak into the packaging material and cause deterioration of that material.

(3) *"Dehydration"* refers to the presence of dehydrated (water-removed) tissue on the exposed surfaces of the whiting. Slight dehydration is surface dehydration which is not color-masking. Deep dehydration is color-masking and cannot be removed by scraping with a fingernail.

(c) *Examination of sample, thawed state.* Thawed state means the state of the product after being thawed. Thawing the sample is best accomplished by enclosing the sample in a film type bag and immersing in an agitated water bath held at 68° F., ±2° F. Allow the product to remain immersed until thawed. Alternatively when the facilities are lacking for water thawing, the sample may be thawed by slacking it out at a temperature between 30° to 40° F. on an aluminum tray from 2 hours for a 1½-pound sample to 8 hours for a 10-pound sample.

(1) *"Minimum size"* refers to the size of the individual fish in the sample. Fish 2 ounces or over are considered acceptable. Smaller fish cannot be cooked uniformly with acceptable size fish. Separate the fish of unacceptable size, divide their number by the weight of the sample in pounds, and apply to Table 1. Example—four fish of unacceptable size in a 5-pound package is $\frac{4}{5} = 0.8$, a 10 point deduction.

(2) *"Uniformity."* From the fish remaining, select by count 10 percent (minimum of one fish) of the largest and 10 percent (minimum of one fish) of the smallest and divide the largest weight by the smallest weight to get a weight ratio.

(3) *"Heading"* refers to the condition of the fish after they have been headed. The fish should be cleanly headed behind the gills and pectoral fins. No gills, gill bones, or pectoral fins should remain after the fish have been headed.

(4) *"Evisceration"* refers to the cleaning of the belly cavities of the fish. All spawn, viscera, and belly strings should be removed.

(5) *"Scaling"* refers to the satisfactory removal of scales from the fish.

(6) *"Color of the cut surfaces"* refers to the color of the cut surfaces of the fish after heading and other processing.

(7) *"Bruises and broken or split skin"* refers to bruises over one-half square inch in area and splits or breaks in the skin more than one-half inch in length which are not part of the processing.

(d) *Examination of sample, cooked state.* Cooked state means the state of the sample after being cooked. Cooking the sample is best accomplished by inserting the sample into a film type bag and submerging it into boiling water for from 18–20 minutes. A minimum of three fish per sample unit shall be cooked.

(1) *"Texture defects"* refers to the absence of normal textural properties of the cooked fish flesh, which are tenderness, firmness, and moistness without excess water. Texture defects are dryness, softness, toughness, and rubberyness.

(e) *General definitions.*

(1) *Small* (overall assessment) refers to a condition that is noticeable but is only slightly objectionable.

(2) *Moderate* (overall assessment) refers to a condition that is distinctly noticeable but is not seriously objectionable.

(3) *Large* (overall assessment) refers to a condition which is both distinctly noticeable and seriously objectionable.

§ 271.25 Tolerances for certification of officially drawn samples.

The sample rate and grades of specific lots shall be certified in accordance with Part 260 of this chapter (Regulations Governing Processed Fishery Products).

[F.R. Doc. 5386; Filed, May 17, 1966; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

BOILER WATER ADDITIVES

Labeling

The Food and Drug Administration has received information that compliance with § 121.1088, the food additive regulation providing for the safe use of certain boiler water additives in preparation of steam that contacts food, is difficult since the regulation lacks specific labeling requirements. To facilitate compliance with the subject regulation, the Commissioner of Food and Drugs proposes that it be amended as set forth below.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), it is proposed that § 121.1088 be amended by adding thereto a new paragraph, as follows:

§ 121.1088 Boiler water additives.

* * * * * *

(e) To assure safe use of the additive, the label and labeling of the additive container shall bear, in addition to the other information required by the act, the following:

(1) The name of the additive or a statement of its composition.

(2) Adequate directions for use to assure compliance with all the provisions of this section.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

(Sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d))

Dated: May 11, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5417; Filed, May 17, 1966; 8:50 a.m.]

[21 CFR Part 166]

DEPRESSANT AND STIMULANT DRUGS

Listing of Lysergic Acid and Lysergic Acid Amide as Drugs Subject to Control

An investigation by the Food and Drug Administration reveals that lysergic acid and lysergic acid amide:

1. Are the starting materials for the preparation of LSD, a potent hallucinogenic drug, in methods of preparation that are being circulated to persons who are encouraged to undertake clandestine preparation of LSD.

2. Have been involved in significant diversions from legitimate drug channels and have been used in the preparation of LSD for sale and distribution in illegal channels.

3. Although not satisfactorily evidenced to be hallucinogenic, do have a depressant effect on the central nervous system and, upon conversion to LSD, exert a powerful hallucinogenic effect.

Based on the results of the investigation and in order to carry out the purposes of the Drug Abuse Control Amendments of 1965, the Commissioner of Food and Drugs proposes that lysergic acid and lysergic acid amide be listed as depressant or stimulant drugs within the meaning of section 201(v) of the Federal Food, Drug, and Cosmetic Act.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 210(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371), and under the authority delegated by the Secretary of Health, Education, and Welfare to the Commissioner (21 CFR 2.120; 31 F.R. 3008), it is proposed that § 166.3 *Listing of drugs defined in section 201(v) of the act* be amended by adding "lysergic acid" and "lysergic acid amide" to the list of drugs in paragraph (c)(1).

All interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, within 30 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum of brief in support thereof.

Dated: May 12, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5418; Filed, May 17, 1966; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16638; FCC 66-427]

CHANGE THE PRESENT UHF ASSIGNMENTS AND ADDITION OF THIRD CHANNEL TO TOPEKA, KANSAS

Notice of Proposed Rule Making

1. In the present Table of Assignments for television channels, Channels 29 and 58 are assigned to Topeka, Kans., as unreserved channels. Two applicants, Kansas State Network, Inc. (BPCT-3537), and Highwood Service, Inc. (BPCT-3561), are competing for Channel 29 and a single applicant, Topeka Television, Inc. (BPCT-3662), has filed for Channel 58. The proposed transmitter sites specified by the three applicants are in a northwesterly direction from Topeka at distances of from 5 to 8 miles from the main post office.

2. Although Topeka is in an area where available additional assignments are considered to be scarce, availabilities increase rapidly to the west and northwest of Topeka and are classed as "adequate" at the sites proposed by the three applicants. An additional assignment could be made to Topeka for use at the proposed sites without seriously affecting remaining available assignments that may be needed elsewhere. With the computer program used to create the overall assignment plan, it has been found that Channels 27, 43, and 49 may be assigned to Topeka for use at any of the proposed sites and that this combination of three channels is more efficient in terms of impact on available assignments, than any other three-channel combination that would include the presently assigned Channels 29 and 58.

3. The Commission does not consider it to be desirable or necessary to hold a hearing solely for the purpose of selecting one of two qualified applicants competing for a single channel in an area where additional assignments may be made without seriously affecting remaining available assignments for places where they may be needed. The technical characteristics of the three channels should be virtually identical.

4. Accordingly, pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the Table of Assignments in § 73.606(b) of the Commission's rules, insofar as the city listed below is concerned, to read as follows:

City	*Channels*
Topeka, Kans.	*11, 13+, 27, 43, 49

5. Pursuant to applicable procedures set out in section 1.415 of the Commission's rules and regulations interested parties may file comments on or before June 20, 1966, and reply comments on or before June 30, 1966. All submissions by parties to this proceeding, or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

6. In accordance with the provisions of section 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: May 11, 1966.

Released: May 13, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5438; Filed, May 17, 1966; 8:52 a.m.]

[1] Commissioner Cox absent.

[47 CFR Part 73]

[Docket No. 16183, RM-776; FCC 66-426]

TELEVISION BROADCAST STATIONS, EUREKA, CALIF.

Table of Assignments

1. The Commission has before it for consideration its notice of proposed rule making released September 10, 1965 (FCC 65-778), in response to a petition of Redwood Empire Educational Television, Inc. (REET),[1] which was filed on April 28, 1965, and requested the reservation of Channel 13 at Eureka, Calif., for noncommercial educational use. Comments in support of petitioner's request and the proposal herein have been filed by the National Association of Educational Broadcasters (NAEB) and the Television Advisory Committee of the State of California (TAC); comments opposing the proposal were filed by American Broadcasting Co. (ABC) and T & R Broadcasters, Inc. (T & R).[2]

2. Eureka, with a population of 28,137, is the county seat of Humboldt County (104,892),[3] and is located on the northern California coast 229 miles north of San Francisco in a sparsely populated and rather isolated area. The Eureka-Arcata area is presently served by television stations KIEM-TV and KVIQ-TV, Channels 3 and 6 respectively. According to petitioner, a reasonably powered television station would reach well beyond the borders of Humboldt County to include portions of Del Norte County on the north, Mendocino County on the south, and Trinity County on the east, and by conservative estimate 45,000 present television families as well as 30,000 elementary and secondary students and several thousand college students could be served by an educational television facility at Eureka.

3. Petitioner points out that the Eureka-Arcata region could be joined to the California statewide educational network by a microwave link with the presently existing hookup between San Francisco (Channel *9), Sacramento (Channel *6) and Redding (Channel *9), and that Humboldt State College at Arcata, with a curriculum leading to degrees in liberal arts and sciences as well as applied professional and vocational fields including teaching, has an unusually well-equipped television studio which is comparable or superior to many small commercial stations.

4. In its supporting comments, the NAEB observes that Humboldt County as the population center of this general area and also the site of Humboldt State College, needs and deserves its first educational television outlet. NAEB states that Channel 13 is eminently suited for providing a wide-area local educational service in this mountainous service area and observes that it has proposed this channel for Eureka for educational use in its Table of Television Channels. The Television Advisory Committee[4] in its comments supporting the proposal says that the State's ETV service is presently being provided to approximately 1,325,000 California students located in some 47 of the State's 58 counties, which are being served by seven operating ETV stations, several commercial stations under contract with school districts for limited broadcast instructional television (ITV) service, and via the increasing number of closed circuit television (CCTV) facilities owned and operated by the public schools of the State; and that Eureka should have a channel reserved so that it can be included in the statewide ETV system.

5. In opposition to the proposal to reserve the channel, T & R points out that Station KVIQ-TV is affiliated with both NBC and ABC networks and KIEM-TV is an affiliate of CBS, carrying a portion of the ABC program service on a "per program basis"; and it is the position of both T & R and ABC that Eureka should have a third commercial television outlet so as to have an unlimited selection and the essential competition of the three basic network program services. T & R also points out that an educational outlet would, under petitioner's projected plans, be used basically for in-school instruction and teacher training purposes and that the specific needs cited by petitioner can be fulfilled through the use of the Commission's new Instructional Fixed Service. T & R also states that the two commercial stations at Eureka, in addition to carrying the regularly scheduled network educational programs, have regularly carried adult educational courses and documentaries and other types of educational programs.[5]

6. In reply comments T & R suggests that "* * * it is significant that no representations or projected plans are set forth (by REET) as to when an educational television facility would be sought in the Eureka area" and that conversely a grant of T & R's application for Channel 13 would provide for the establishment of a station expeditiously and for the rendition of an important television service. However, see paragraph 9, below, regarding the Channel 13 application recently tendered by REET. T & R also observes that three of the REET Board of Directors also are identified in and are officers and directors and have proprietary ownership of the voting stock in California-Oregon Radio Co., which is the licensee of Station KIEM-TV (Channel 3) in Eureka and suggests that "while these interallied factors reflect citizens in the Eureka area who are interested in fostering educational television interests, the fact remains that certain influential parties in Redwood Empire are also clearly associated in the licensee of this Channel 3 station in Eureka, which would be an existing competing television facility in the community." ABC in its reply comments observes that there is an applicant ready and willing to commence service over Channel 13; on the other hand, contra the assertions in the NAEB comments, Redwood Empire has not shown that it is ready and willing to activate the channel (see par. 9 below).

7. Petitioner in its reply comments states that since the notice herein was released, REET has moved actively toward the operation of an educational station, and in support of this assertion cites planning and cooperation with the Television Advisory Committee, acquisition of a 5,000 watt transmitter (usable only for VHF—Channels 7 through 13), arrangements for a complete program schedule—daytime and evening, preparation for filing of construction permit for commencement of early operation, and investigation and study of potential sources of financing.

8. TAC in its reply comments outlines steps it has taken in this matter, including the filing of a petition to delay the effective date of the Commission's Fourth Report and Order in Docket 14229 on the basis that there was no provision therein for a reserved channel for Eureka-Arcata. It asserts the importance of the Eureka-Arcata channel to the proposed statewide ETV service for California.[6] TAC questions T & R's understanding as to the broadcaster's responsibility and functions as to the educational and cultural needs of the community and points out that it would be a great disadvantage to education to be forced to develop other than a VHF channel, particularly in view of the fact that REET has already acquired access to a VHF transmitter suitable for conversion to Channel 13.

9. We note one recent development. On April 18, 1966, REET tendered an application for a noncommercial educational station on Channel 13. This application proposes to use the KIEM-TV antenna tower. The proposed program schedule would extend from about 9 a.m. until 10 p.m. 5 days a week, all but 2½ hours being rebroadcast of the material presented over KIXE-TV, Redding Channel 9.

CONCLUSION

10. In this rule making proceeding, strong arguments for and against reservation of Channel 13 at Eureka have been presented, by parties seeking to use it for commercial and for educational use, respectively, with supporting comments on both sides by other parties. The commercial demand has also been expressed in application form for some time; the educational demand has now been demonstrated to the extent that an application for noncommercial educational use of the channel has been tendered. We also note that other channels could be assigned in this general area, both VHF and UHF, including Channel 15 or another UHF channel at Eureka itself, and VHF Channel 11 in an area a few miles south of Eureka on the coast, including the community of Fortuna (it could not be used at the site proposed by either applicant and meet required minimum mileage separations). Thus, while Channel 13 may have certain advantages for either commercial or educational use over other possible assignments,[7] it is by no means the only channel available by which significant demands for service in the area may be met.

11. Under the circumstances here, we believe it the preferable course not to reserve the channel for educational use, which would preclude consideration of its possible use for commercial television. As we have pointed out elsewhere (see Fifth Report and Order in Docket 14229, 2 FCC, 2d 527, par. 39), channels not reserved for education are not reserved for commercial use either but are available for all qualified applicants, commercial or noncommercial educational. Numerous ETV stations have commenced operation on unreserved channels. In a similar situation involving Channel 12 at Wilmington, Del., we decided not to reserve the channel for educational use when there were two commercial applications pending, leaving the matter for decision in a hearing. See in re Amendment of § 3.606, Table of Assignments, Television Broadcast Stations (Wilmington, Delaware, and Atlantic City, N.J.), 18 R.R. 1653 (1959). We conclude that a similar approach is appropriate here. We do not, of course, have present views as to what the outcome of a comparative hearing would be, if the educational application is accepted for filing and both it and the commercial application are prosecuted through the hearing.[8] It may also develop that one of the interested parties will wish to explore the possible other assignments in the area mentioned above. Bearing in mind the advantages which would accrue to the

[1] Petitioner states that it is a corporation organized on Dec. 11, 1962, under the General Non-Profit Corporation Law of the State of California, empowered by its Articles of Incorporation to construct, operate, use and maintain noncommercial, educational television broadcasting facilities in order to stimulate and advance education by television on a nonprofit basis.

[2] T & R tendered an application for a construction permit for the channel on Oct. 12, 1965 (BPCT 3646). REET filed a petition to deny this application on Nov. 30, 1965. Both documents are presently pending.

[3] 1960 U.S. Census.

[4] TAC is the authorized State of California agency responsible for ETV development in the State.

[5] Summarizing the license renewal applications as to programing, T & R states that Stations KVIQ-TV and KIEM-TV devoted 2.5 percent and 7.2 percent, respectively, of their broadcast time to educational type programs during the FOC composite week.

[6] Because REET's petition for reservation of Channel 13 was on file prior to the release of our Fourth Report and Order in Docket 14229 on June 6, 1965, we left the question of an education allocation for Eureka for resolution in this proceeding. Thus, T & R's comment that the Commission in its Fourth Report and Order "determined that VHF Channel 13 should not be reserved for educational purposes" is incorrect and misleading.

[7] Use of Channel 11 would involve greater restrictions on site location than Channel 13 in relation to the applicants' present proposals. Use of Channel 15 or another UHF channel would not entail such restrictions but would involve whatever disadvantages presently inhere in UHF operation compared to VHF (which might more seriously affect a commercial station, competing with two VHF stations in a small market, than an educational operation) and might mean more expense to the educational group, which now has a VHF transmitter.

[8] In the Wilmington case, the educational application prevailed in the Initial Decision in the comparative hearing, and was later granted without opposition.

Eureka area through provision of a third competitive commercial and third network service, we do not believe it appropriate, by an allocations action, to foreclose consideration of providing such service.

12. In view of the foregoing: *It is ordered*, That, the proposal set forth in the notice of proposed rule making herein, that Channel 13 at Eureka, Calif., be reserved for noncommercial educational use, is not adopted; and this proceeding is terminated.

Adopted: May 11, 1966.

Released: May 13, 1966.

FEDERAL COMMUNICATIONS COMMISSION,*

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5437; Filed, May 17, 1966; 8:52 a.m.]

* Commissioner Cox absent, Commissioner Wadsworth dissenting.

FEDERAL MARITIME COMMISSION

[46 CFR Part 510]

[Docket No. 66-31]

PRACTICES OF INDEPENDENT OCEAN FREIGHT FORWARDERS, OCEAN FREIGHT BROKERS, AND OCEAN-GOING COMMON CARRIERS

Notice of Participation by Hearing Counsel

On May 6, 1966, the Federal Maritime Commission published in the FEDERAL REGISTER (31 F.R. 6792) notice of proposed rule making in Docket No. 66-31 for the purpose of considering written views and arguments filed with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, by the close of business June 6, 1966, concerning the proposed amendments to paragraphs (a) of § 510.22; (a), (f), (j) of § 510.23; and (a) and (f) of § 510.24, Title 46 CFR.

Notice is hereby given that the Federal Maritime Commission, Bureau of Compliance, Office of Hearing Counsel shall participate in this proceeding and shall file Reply to Comments on or before June 22, 1966, by serving an original and 15 copies on the Federal Maritime Commission and one copy on each party who filed written comments. Answers to Hearing Counsel's replies shall be submitted to the Federal Maritime Commission on or before June 30, 1966.

Prior to the promulgation of final rules in this proceeding the Commission will consider hearing oral argument with respect to specific rules. Notice will be issued later of the rules on which the Commission will hear argument and the time and place of said oral argument.

By order of the Federal Maritime Commission.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 66-5439; Filed, May 17, 1966; 8:52 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

ARTICLES PROHIBITED IMPORTATION

Cases Made of Material Containing Ground, Shredded, or Pulverized Leather

There is published below Bureau of Customs Circular RES-36-RM, May 9, 1966, relating to the importation of manicure set cases, sewing kit cases, and similar cases made of material containing ground, shredded, or pulverized leather.

Dated: May 11, 1966.

[SEAL] LESTER D. JOHNSON, *Commissioner of Customs.*

TREASURY DEPARTMENT

BUREAU OF CUSTOMS

[Circular: RES-36-RM]

WASHINGTON, *May 9, 1966.*

To: Regional Commissioners,
District Directors,
Collectors of Customs,
Appraisers of Merchandise.

Subject: Restrictions and Prohibitions; Imported cases made of material containing ground, shredded, or pulverized leather.

References: Section 43, Trademark Act of 1946 (15 U.S.C. 1125); section 11.13, Customs Regulations; Federal Trade Commission Trade Practice Rules for the Luggage and Related Products Industry, promulgated June 30, 1962 (16 CFR Part 154).

1. *Purpose.* To advise customs officers and others concerned that material made of ground, shredded, or pulverized leather cannot be labeled as "Leather."

2. *Background.* Rule 2(h) of the Federal Trade Commission Trade Practice Rules cited above prohibits any representation that a material in an industry product is leather if such material contains ground, shredded, or pulverized leather and thus is not wholly the hide of an animal. The Federal Trade Commission has determined that to represent such material as leather is deceptive and constitutes a violation of the laws administered by it. This is not construed as preventing an accurate representation as to the ground, pulverized, or shredded leather content of the material. The rules apply to domestic manufacturers and distributors as well as importers.

The Federal Trade Commission has advised that some domestic marketers are offering for sale imported manicure set cases, sewing kit cases, and possibly other similar items made of the aforementioned material which are labeled as being made of leather. The practice, which is said to be extensive, has been so far limited to items manufactured in Austria and West Germany. The Commission has requested the cooperation of this Bureau in the prevention of the importation of these deceptively labeled items.

3. *Action.* The labeling of cases made of material containing ground, shredded, or pulverized leather to show the articles as made only of leather and without additional marking accurately representing the content of the material shall be deemed a false representation within the meaning of section 43 of the Trademark Act of 1946 and section 11.13 of the Customs Regulations. Any imported manicure set cases, sewing kit cases, or similar articles made of such material which are so labeled shall be detained and the procedure prescribed in section 11.13 of the Customs Regulations shall be followed.

This circular shall not affect the classification of the subject articles for tariff purposes.

4. *Effective date.* This circular shall apply to entries for consumption or withdrawals from warehouse or consumption made on or after June 1, 1966.

LESTER D. JOHNSON, *Commissioner of Customs.*

[F.R. Doc. 66-5399; Filed, May 17, 1966; 8:48 a.m.]

Internal Revenue Service

[Order 86 (Rev. 2)]

DISTRICT DIRECTORS ET AL.

Delegation of Authority To Permit Inspection of Certain Returns by Certain Applicants

Pursuant to authority vested in the Commissioner of Internal Revenue, authority is hereby delegated to District Directors, Service Center Directors, and the Director of International Operations, to permit inspection of returns in their custody, inspection of which may be authorized by the Commissioner of Internal Revenue pursuant to 26 CFR 601.702(d), to the same persons and subject to the same conditions as prescribed for such persons in 26 CFR 301.6103(a)-1(c).

The authority delegated herein is limited to returns as filed by or on behalf of the taxpayer, including any schedules, lists and other written statements which have been filed with the Internal Revenue Service by or on behalf of the taxpayer or which have previously been furnished by the Service to the taxpayer.

Whenever it is determined that a return or related document as defined above is available for disclosure in a particular case, a copy or certified copy may be furnished the party requesting the same.

The authority delegated herein may be redelegated, but not lower than to Division Chiefs except that the Director of International Operations may redelegate to the Director's Representative in Puerto Rico.

This order supersedes Delegation Order No. 86 (Rev. 1), issued February 12, 1965.

Issued: May 13, 1966.

Effective date: May 13, 1966.

[SEAL] SHELDON S. COHEN, *Commissioner.*

[F.R. Doc. 66-5400; Filed, May 17, 1966; 8:48 a.m.]

[Order 83 (Rev. 2)]

DISTRICT DIRECTORS ET AL.

Delegation of Authority To Permit Inspection of Certain Returns and Related Documents

Pursuant to authority vested in the Commissioner of Internal Revenue by 26 CFR 301.6103(a)-1, District Directors, the Director of International Operations, Service Center Directors, and the Director of the Collection Division, are authorized:

1. To permit inspection of returns in their custody by any applicant eligible therefor in accordance with paragraph (c) of § 301.6103(a)-1, including any applicant with respect to whom inspection is made discretionary with the Secretary or the Commissioner or the delegate of either, provided such applicant meets the requirements embodied by such paragraph. The authority delegated in this paragraph of this order is limited to returns as filed by or on behalf of the taxpayer, including any schedules, lists and other written statements which have been filed with the Internal Revenue Service by or on behalf of the taxpayer or which have previously been furnished by the Service to the taxpayer.

2. To permit inspection of returns in their custody by United States attorneys and attorneys of the Department of Justice in accordance with paragraph (g) of § 301.6103(a)-1, and to furnish returns, or copies thereof, to such attorneys in accordance with paragraph (h) of such section. The authority delegated in this paragraph of this order is limited to returns as filed by or on behalf of the taxpayer, including any schedules, lists and other written statements which have been filed with the Internal Revenue Service by or on behalf of the taxpayer or which have previously been furnished by the Service to the taxpayer, except that other records or reports containing information included or required by statute to be included in the return may be furnished (a) when the return or copy thereof is requested for official use in the prosecution of claims and demands by, and offenses against, the United States, or the defense of claims and demands against the United States or officers and employees thereof, in cases arising under the internal revenue laws or related statutes which were referred by the Department of the Treasury to the Department of Justice for such prosecution or defense, or (b) in cases not so referred, when so authorized by the Assistant Commissioner (Compliance).

3. The authority delegated in paragraph 1 may be redelegated, but not lower than to Division Chiefs except that the Director of International Operations may redelegate to the Director's Representative in Puerto Rico. The authority

delegated in paragraph 2 may not be redelegated.

4. This order supersedes Delegation Order No. 83 (Rev. 1), issued February 12, 1965.

Issued: May 13, 1966.

Effective date: May 13, 1966.

[SEAL] SHELDON S. COHEN,
Commissioner.

[F.R. Doc. 66-5401; Filed, May 17, 1966; 8:49 a.m.]

[Order 15 (Rev. 1)]

DISTRICT DIRECTORS ET AL.

Delegation of Authority Regarding Inspection of Certain Returns by Department of Health, Education, and Welfare

Pursuant to the authority contained in 26 CFR 301.6103(a)-100, District Directors, Service Center Directors, and the Director of International Operations, are hereby authorized upon request, in accordance with prescribed procedures, to make available for inspection by any duly authorized officer or employee of the Department of Health, Education, and Welfare any individual income tax return made in respect of a tax imposed under chapter 1 or chapter 2 of the Internal Revenue Code, as may be needed in its administration of the provisions of Title II of the Social Security Act, as amended. Such authorization includes the furnishing of a copy of the return or any data on such return.

The authority delegated herein may be redelegated, but not lower than to Division Chiefs except that the Director of International Operations may redelegate to the Director's Representative in Puerto Rico.

This order supersedes Delegation Order No. 15, issued January 11, 1956.

Issued: May 13, 1966.

Effective date: May 13, 1966.

[SEAL] SHELDON S. COHEN,
Commissioner.

[F.R. Doc. 66-5402; Filed, May 17, 1966; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Billings Area Office Redelegation Order 1, Amdt. 19]

CERTAIN EMPLOYEES

Redelegation of Authority With Respect to Credit Matters and to Indian Irrigation Projects

Part 3, Authority of Specifically Designated Employees, of Order 1, as amended, is further amended by the addition of the new unit heading "Functions Relating to Credit Matters," and section 3.132 thereunder; and the new unit heading "Functions Relating to Indian Irrigation Projects," and section 3.205 thereunder. As so amended, Part 3 reads as follows:

PART 3—AUTHORITY OF SPECIFICALLY DESIGNATED EMPLOYEES FUNCTIONS RELATING TO LANDS AND MINERALS

SEC. 3.16. * * *

FUNCTIONS RELATING TO CREDIT MATTERS

SEC. 3.132. *Approval of mortgages and deeds of trust.* The Superintendent, Wind River Agency, may approve mortgages and deeds of trust pursuant to 25 CFR 121.61 given as security for loans to finance productive enterprises operated by borrowers; to provide housing facilities for borrowers; and for the purchase or construction of other improvements to be utilized by borrowers when the loans are made under a loan guaranty agreement of the Shoshone Tribe approved by the Commissioner or his authorized representative.

FUNCTIONS RELATING TO INDIAN IRRIGATION PROJECTS

SEC. 3.205. *Concessions on reservoir sites and other lands in Indian irrigation projects; leases for agriculture, business, or grazing purposes.* The Superintendent of Flathead Indian Agency with the written concurrence of the Flathead Irrigation Project Engineer is authorized to grant concessions on reservoir sites, reserves for canals or flowage areas, and other lands which have been withdrawn or otherwise acquired in connection with the Flathead Irrigation Project, and to permit or lease such lands for agricultural, business, or grazing purposes pursuant to 25 CFR Part 203.

NED O. THOMPSON,
Acting Area Director.

MAY 4, 1966.

Approved May 11, 1966.

FRED H. MASSEY,
Acting Commissioner.

[F.R. Doc. 66-5392; Filed, May 17, 1966; 8:48 a.m.]

Bureau of Land Management

[Utah 069117]

UTAH

Notice of Proposed Withdrawal and Reservation of Lands

MAY 6, 1966.

The Bureau of Reclamation, Department of the Interior, has filed a request to amend their withdrawal application U-069117 by adding the lands described below. The lands are to be withdrawn from all forms of appropriation including the mining laws but not the mineral leasing laws.

The applicant desires the land for the implementation and construction of the Dixie Reclamation Project, Utah, approved by the Act of September 2, 1964 (78 Stat. 848).

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objection in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 11505, Salt Lake City, Utah, 84111.

As required by the Department's regulations (43 CFR 2311.1-3(c)), the authorized officer of the Bureau of Land Management has made a joint investigation of the area with representatives of the Bureau of Reclamation as to existing and potential demands for the lands and their resources. They determined the minimum area essential to meet the project needs, and to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's; they eliminated lands not needed for the project and agreed on the concurrent management of the lands and their resources.

The authorized officer has prepared a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are in Washington County, and are:

SALT LAKE MERIDIAN, UTAH

T. 43 S., R. 13 W.,
Sec. 7, NE¼;
Sec. 8, NE¼NE¼, W½NE¼, NW¼.
T. 42 S., R. 14 W.,
Sec. 15, lots 1, 3, 4, 5, N½SW¼.
T. 40 S., R. 17 W.,
Sec. 33, lots 2, 3.

The areas described aggregate 711.31 acres.

R. D. NIELSON,
State Director.

[F.R. Doc. 66-5388; Filed, May 17, 1966; 8:47 a.m.]

[Utah 0149443]

UTAH

Notice of Proposed Withdrawal and Reservation of Lands

MAY 6, 1966.

The U.S. Department of Agriculture, Forest Service, has filed application for the withdrawal of the lands described below, from all forms of appropriation except the General Mining and mineral leasing laws.

The applicant desires the land to extend the boundaries of the Fishlake National Forest, Utah, to include eight isolated parcels of public domain land suitable for National Forest purposes.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 11505, Salt Lake City, Utah, 84111.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

T. 21 S., R. 4 W.,
Sec. 1, SW¼, N½SE¼;
Sec. 12, NW¼, E½SW¼.
T. 20 S., R. 3 W.,
Sec. 31, lots 3, 4, S½NE¼, SE¼NW¼, E½SW¼, SE¼.
T. 19 S., R. 2 W.,
Sec. 9, E½SW¼;
Sec. 21, SW¼SE¼;
Sec. 28, W½NE¼.
T. 19 S., R. 4 W.,
Sec. 4, lots 1, 2, 5, 6, 7, 8, 9, 10.
T. 18 S., R. 4 W.,
Sec. 33, Unsurveyed E½NE¼, SE¼.
T. 17 S., R. 5 W.,
Sec. 13, W½.
T. 17 S., R. 3 W.,
Sec. 11, E½;
Sec. 12, W½SW¼;
Sec. 13, W½;
Sec. 14, E½.
T. 15 S., R. 3 W.,
Sec. 22, SE¼SE¼;
Sec. 26, NE¼, E½NW¼, NW¼NW¼;
Sec. 27, NE¼NE¼.

The areas described aggregate 3,413.78 acres.

R. D. NIELSON,
State Director.

[F.R. Doc. 66-5390; Filed, May 17, 1966; 8:48 a.m.]

[Utah 0149172]

UTAH

Notice of Proposed Withdrawal and Reservation of Lands

MAY 6, 1966.

U.S. Department of Agriculture, Forest Service, has filed application for the withdrawal of the lands described below from all forms of appropriation except the general mining laws and mineral leasing laws.

The applicant desires the land for extending the boundaries to include suitable lands not now part of the Wasatch National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 11505, Salt Lake City, Utah, 84111.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

T. 1 S., R. 1 E.,
Sec. 2, lots 1, 2, 3, 4, 5, 6, S½NE¼, SE¼NW¼, E½SW¼, SE¼;
Sec. 3, NE¼NE¼ (Unsurveyed).
T. 1 S., R. 2 E.,
Sec. 1;
Sec. 12, SE¼NW¼, S½.
T. 1 S., R. 3 E.,
Secs. 5, and 7;
Sec. 8, S½SW¼, SW¼SE¼;
Sec. 17.
T. 1 N., R. 1 E.,
Sec. 9, S½S½;
Sec. 10, SW¼;
Secs. 11 and 13;
Sec. 14, N½, N½SW¼;
Secs. 15 and 16;
Sec. 17, S½NE¼, S½;
Sec. 18, lots 3, 4, E½SW¼, SE¼;
Sec. 19;
Sec. 20, N½, N½S½, S½SW¼;
Sec. 21;
Sec. 22, S½SW¼, SW¼SE¼;
Sec. 23;
Sec. 24, N½SW¼;
Sec. 25;
Sec. 26, NW¼;
Sec. 27;
Sec. 28, NE¼NE¼, S½NE¼, NW¼NW¼;
Sec. 34, All except lots 8, 9 and 10 (Partly Unsurveyed);
Sec. 35 (Partly Unsurveyed);
Sec. 36.
T. 1 N., R. 2 E.,
Secs. 1, 2 and 3;
Sec. 4, S½NE¼, SW¼SW¼, SE¼;
Sec. 5;
Sec. 7, lots 1, 2, 3, 4, E½, E½W½;
Secs. 9, 11 and 13;
Sec. 14, SW¼;
Secs. 15, 16, 17 and 19;
Sec. 20, SE¼SE¼;
Sec. 21;
Sec. 22, E½E½, NE¼NW¼;
Sec. 23;
Sec. 24, W½;
Secs. 25 and 29;
Sec. 31, lots 1, 2, 3, 4, NE¼, E½W½, N½SE¼, SW¼SE¼;
Sec. 36.
T. 1 N., R. 3 E.,
Sec. 7;
Sec. 17, W½;
Sec. 19;
Sec. 29, lots 3, 4, SW¼;
Sec. 31;
Sec. 32, W½.
T. 1 N., R. 1 W.,
Sec. 13, SE¼;
Sec. 24, NE¼, E½NW¼.
T. 2 N., R. 1 E.,
Sec. 17, NW¼SW¼SE¼, E½SW¼SE¼.
T. 2 N., R. 2 E.,
Sec. 29, lots 1 to 8, incl.;
Sec. 33, lots 1 to 8, incl.;
Sec. 34, lots 1 to 8, incl.;
Secs. 35 and 36.
T. 3 N., R. 1 E.,
Sec. 7, lots 3 and 4, E½SW¼;
Sec. 18, NW¼NE¼, NE¼NW¼.
T. 3 N., R. 1 W.,
Sec. 1, lots 7 and 10;
T. 4 N., R. 1 W.,
Sec. 36, E½E½NW¼.

The areas described, including both public and nonpublic lands, aggregate 31,807.43 acres, more or less.

The following lands are presently under a military withdrawal. The military uses will have priority over National Forest uses until the military withdrawal is canceled:

SALT LAKE MERIDIAN, UTAH

T. 1 S., R. 1 E.,
Sec. 3, NE¼NE¼ (Unsurveyed);
T. 1 N., R. 1 E.,
Sec. 34, All the surveyed and unsurveyed parts of sec. except lots 2, 3, 4, 8, 9, 10 NW¼NE¼ and N½NW¼.

R. D. NIELSON,
State Director.

[F.R. Doc. 66-5391; Filed, May 17, 1966; 8:48 a.m.]

National Park Service

[Order 2]

BIGHORN CANYON RECREATION AREA

Certain Designated Officials; Delegation of Authority Regarding Execution of Contracts and Purchase Orders for Supplies, Equipment, or Services

SECTION 1. *Administrative Assistant.* The Administrative Assistant may execute and approve contracts not in excess of $10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 2. *Supervisory Park Ranger (South District Park Ranger).* The Supervisory Park Ranger (South District

Park Ranger) may execute and approve contracts not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

(National Park Service Order No. 34 (31 F.R. 4255); 39 Stat. 535; 16 U.S.C., sec. 2; Midwest Region Order No. 3 (21 F.R. 1494))

Dated: March 30, 1966.

JOSEPH C. RUMBURG, Jr.,
Superintendent,
Bighorn Canyon Recreation Area.

[F.R. Doc. 66-5387; Filed, May 17, 1966; 8:47 a.m.]

Fish and Wildlife Service

[Docket No. S-357]

GILBERT LEE KRIGBAUM

Notice of Loan Application

Gilbert Lee Krigbaum, Westport, Wash., has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 48-foot registered length wood vessel to engage in the fishery for salmon, albacore and crabs.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

DONALD L. MCKERNAN,
Director,
Bureau of Commercial Fisheries.

MAY 13, 1966.

[F.R. Doc. 66-5425; Filed, May 17, 1966; 8:51 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

May 1966 CCC Monthly Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The prices at which Commodity Credit Corporation commodity holdings are available for sale during May 1966 are as announced by the U.S. Department of Agriculture. The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, rye, rice, grain sorghum, peanuts, flax, and linseed oil.

Cheddar cheese, butter, and nonfat dry milk are withdrawn from sale because supplies are temporarily exhausted. If supplies become available during the month, they will be offered for domestic and export sale as indicated under the Dairy Products section of the list.

There are no changes in the list from April.

Corn, oats, barley or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

In the following listing of commodities and sales prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality and availabile quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-3 Revision II) for May 1966 are 5 percent for U.S. bank obligations and 6 percent for foreign bank obligations, without regard to credit periods involved up to a maximum of 36 months. Commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks, are available for export sale under the CCC Export Credit Sales Program as provided under specific commodity listings. Commodities from private stocks now eligible for financing under the CCC Export Credit Sales Program include wheat, wheat flour, bulgur, corn, cornmeal, grain sorghum, upland and extra long staple cotton, tobacco, milled and brown rice, cottonseed oil, soybean oil, and dairy products.

Information on commodities available under Title IV, P.L. 480, private trade agreements, and current information on interest rates and other phases of the program may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250.

The following commodities are currently available for barter: Cotton (upland and extra long staple), tobacco, wheat, corn, and grain sorghum. (In addition, free market stocks of cottonseed and soybean oils are eligible for barter programing.) This list is subject to change from time to time.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C., 20250, with respect to all commodities or—for specified commodities—with the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offerer to meet contract obligations of the type contemplated in the announcement. If a prospective offerer is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offerer will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to U.S. Government agencies, with only minor exceptions, will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or reexportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Viet Nam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule Section 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

SALES PRICE OR METHOD OF SALE

WHEAT, BULK

Unrestricted use.

A. *Storable.* All classes of wheat in CCC inventory are available for sale at market price but not below 108 percent of the 1965 support price for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

B. *Nonstorable.* At not less than market price, as determined by CCC.

C. *Markup and examples (dollars per bushel—in store).*

Markup in-store received by—		Examples—Agricultural Act of 1949; stat. minimum
Truck	Rail or barge	
$0.18½	$0.15¼	Minneapolis—No. 1 DNS ($1.58) 108 percent +$0.15¼; $1.86¼. Portland—No. 1 SW ($1.44) 108 percent +$0.15¼; $1.71¼. Kansas City—No. 1 HW ($1.43) 108 percent +$0.15¼; $1.70¼. Chicago—No. 1 RW ($1.49) 108 percent +$0.15¼; $1.76¼.

D. *Availability information.* For information on the disposition of nonstorable wheat, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales will be made pursuant to the following announcements:

A. Announcement GR-345 (revised Aug. 25, 1964), as amended for export under the wheat export payment-in-kind program. When Hard Winter wheat is delivered on the west coast by CCC to cover sales under GR-345, evidence of export must show exportation from west coast ports. Hard Red Winter wheat exports through Pacific northwest ports will not be eligible for Title I, P.L. 480 sales. HRW wheat exports through California ports are eligible for Title I, P.L. 480 sales.

B. Announcement GR-346 (revised Sept. 8, 1964), as amended for export as flour.

C. Announcement GR-261 (Revision 2, Jan. 9, 1961), as amended and supplemented for export as wheat and under Announcement GR-262 (Revision 2, Jan. 9, 1961, as amended) for export as flour for application under arrangements for barter and approved CCC credit sales only at prices determined daily. HW wheat will not be sold through west coast ports under Announcements GR-261 or GR-262.

D. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

CORN, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of corn as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The price at which corn shall be valued for such dispositions shall be the market price as determined by CCC, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable corn as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price support rate[3] (published loan rate plus 20 cents per bushel) for the class, grade, and quality of the corn, plus the markup shown in C of this unrestricted use section.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store[1] basis No. 2 Yellow Corn 14 percent M.T. 2 percent F.M.).*

Markup in-store received by—	Examples
Truck	
$0.14¾	Feed grain program domestic PIK certificate minimums: McLean County, Ill. ($1.06+$0.03 +$0.14¾); $1.23¾. Agricultural Act of 1949 stat. minimums: McLean County, Ill. ($1.06+$0.20 +$0.03); 105 percent +$0.14¾; $1.50¾.

D. *Availability information.* For information on CCC corn sales and payments-in-kind from binsites, contact ASCS State or county offices. For information on the disposition of corn from other locations, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS Grain Offices shown at the end of this sales list.

Export.

Sales for barter and credit are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for corn. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR-212 (Rev. 2, Jan. 9, 1961), for application to approved CCC barter and credit sales.

C. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS Grain Offices.

GRAIN SORGHUM (BULK)

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of grain sorghum as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, as determined by CCC, but not less than the payment-in-kind formula price for such redemption. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable grain sorghum as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price-support rate[3] (published loan rate plus 35 cents per cwt.) for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per hundredweight in-store[1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.31½	$0.25¾	Feed grain program domestic PIK certificate minimums: Hale County, Tex. ($1.63+$0.31½); $1.94½. Kansas City, Mo. (ex-rail) ($1.93+$0.25¾); $2.18¾. Agricultural Act of 1949; stat. minimums: Hale County, Tex. ($1.63+$0.35); 105 percent +$0.31½; $2.39½. Kansas City, Mo. (ex-rail) ($1.93+$0.35); 105 percent and $0.25¾; $2.65¼.

D. *Availability information.* For information on CCC grain sorghum sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of grain sorghum from other locations, contact the Kansas City, Evanston, Portland, or Minneapolis ASCS grain offices shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price support rate plus the markup referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcements:

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to arrangements for barter, approved CCC credit and other designated sales.

C. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

BARLEY, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of barley as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which barley shall be valued for such dispositions shall be market price, as determined by CCC, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the barley, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable barley as CCC may designate as general sales will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price-support rate[2] (published loan rate plus 16 cents per bushel) for the class, grade, and quality of the barley, plus the markup shown in C of this unrestricted use section, applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store[1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.17¾	$0.15¾	Feed grain program domestic PIK certificate minimums: Cass County, N. Dak. ($0.76+$0.17¾); $0.93¾. Minneapolis, Minn. (ex-rail) ($0.99+$0.15¾); $1.14¾. Agricultural Act of 1949; statutory minimums: CassCounty, N. Dak. ($0.76+$0.16); 105 percent +$0.17¾; $1.14¾. Minneapolis, Minn. (ex-rail) ($0.99+$0.16); 105 percent +$0.15¾; $1.36¾.

D. *Availability information.* For information on CCC barley sales from bin sites, contact ASCS State or county offices. For information on the disposition of barley from other locations, contact the Kansas City, Evanston, Minneapolis, or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for barley. Sales will be made pursuant to the following announcements except that barley will not be sold for applications to Title I, or Title IV, P.L. 480 purchase authorizations or for barter.

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit sales.

C. *Available.* Kansas City, Evanston, and Minneapolis ASCS grain offices.

OATS, BULK

Unrestricted use.

A. Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1965 price-support rate[2] for the class, grade, and quality of the oats plus the markup shown in B below.

B. *Markups and examples (dollars per bushel in-store[1] basis No. 2 XHWO).*

Markup in-store received by—	Examples—Agricultural Act of 1949; Stat. minimum
Truck	
$0.16¼	Redwood County, Minn. ($0.56+$0.03 quality differential); 105 percent +$0.16¼; $0.78¼.

C. *Nonstorable.* At not less than the market price as determined by CCC.

D. *Availability information.* Sales at bin sites are made through the ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcements except that oats will not be sold for applications to Title I, or Title IV, P.L. 480 purchase authorizations or for barter.

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for applications to approved CCC credit and other designated sales.

C. *Available.* Kansas City, Evanston, Minneapolis, and Portland ASCS grain offices.

RYE, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent[2] of the applicable 1965 price-support rate for the class, grade, and quality of the grain plus the markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store[1] No. 2 or better).*

Markup in-store received by—		Examples—Agricultural Act of 1949; Stat. minimum
Truck	Rail or barge	
$0.18½	$0.15¼	Rollete County, N. Dak. ($0.91); 105 percent +$0.18½; $1.14¼. Minneapolis, Minn. (ex-rail) ($1.24); 105 percent +$0.15¼; $1.40¾.

C. *Nonstorable.* At not less than market price as determined by CCC.

D. *Availability information.* Sales at bin sites are made through ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcements except that rye will not be sold for applications to Title I, or Title IV, P.L. 480 purchase authorizations or for barter.

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit and other designated sales.

C. *Available.* Evanston, Kansas City, Portland, and Minneapolis ASCS grain offices.

RICE, ROUGH

Unrestricted use.

Market price but not less than 1965 loan rate plus 5 percent plus 41 cents per hundredweight, basis in store.

Export.

As milled or brown under Announcement GR–369, Revision III, rice export program—payment-in-kind, and under GR–379, Revision I, for approved credit sales.

Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

COTTON, UPLAND

Unrestricted use.

A. Competitive bid under the terms and conditions of Announcement NO–C–16, as amended (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price support programs will be sold at the highest price offered but in no event at less than the higher of (a) 105 percent of the current loan rate for such cotton, plus reasonable carrying charges, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO–C–26 (Disposition of Upland Cotton—for Exchange of PIK Certificates or Rights in the Certificate Pool for Upland Cotton), as amended. Upland cotton may be acquired at its domestic market price which shall be the highest price offered but not less than the minimum price determined by CCC.

C. Competitive offers under the terms and conditions of Announcement NO–C–31 (Disposition of Upland Cotton—In Redemption of Payment-In-Kind Certificates or Rights in Certificate Pools, In Redemption of Export Commodity Certificates, Against the "Shortfall", and Under Barter Transactions). No cotton will be delivered prior to August 1, 1966. Cotton may be acquired at its current market price for delivery after August 1, 1966, which shall be the highest price offered but not less than the minimum determined by CCC, and in no event at less than the loan rate for such cotton at time of delivery.

Export.

A. *CCC sales for export.* Competitive bid under the terms and conditions of Announcements CN–EX–25 (Cotton Export Program—Sales—1964–66 Marketing Years) and NO–C–29 (Sale of Upland Cotton—Cotton Export Program—1964–66 Marketing Years), as amended.

B. *CCC credit sales and barter.* Competitive bid under the terms and conditions of Announcement CN–EX–23 (Purchase of Upland Cotton for Export under the Export Credit Sales Program), Announcement CN–EX–24 (Acquisition of Upland Cotton for Export under the Barter Program), and Announcement NO–C–28 (Sale of Upland Cotton CCC Credit and Barter Programs—1964–66 Marketing Years), as amended.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

A. Competitive bid under the terms and conditions of Announcements NO–C–6 (revised July 22, 1960), as amended, and NO–C–10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.

Export.

A. *CCC sales for export.*

Competitive bid under the terms and conditions of Announcements CN–EX–20 (Foreign-Grown Extra Long Staple Cotton Export Program) and NO–C–23 (Sale of Foreign-Grown Extra Long Staple Cotton).

Competitive bid under the terms and conditions of Announcements CN–EX–22 (Extra Long Staple Cotton Export Program) and NO–C–27 (Sale of Extra Long Staple Cotton), as amended.

B. *CCC credit sales and barter.*

Competitive bid under the terms and conditions of Announcement CN–EX–26 (Purchase of Extra Long Staple Cotton for Export under the Export Credit Sales Program), Announcement CN–EX–27 (Acquisition of Extra Long Staple Cotton for Export under the Barter Program), and Announcement NO–C–27 (Sale of Extra Long Staple Cotton), as amended.

Availability information. Sale of cotton will be made by the New Orleans ASCS Commodity Office and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from that office.

PEANUTS, FARMERS' STOCK OR SHELLED

A. *Domestic crushing or export.*

1. Farmers' stock peanuts may be purchased for crushing into oil or for export of U.S. No. 1 or better shelled peanuts. Any of the peanuts grading less than U.S. No. 1 must be crushed domestically.

2. Shelled peanuts of less than U.S. No. 1 grades may be purchased for foreign or domestic crushing.

3. U.S. Medium—Virginia Type for export.

4. Terms and conditions of sales appear in CCC Peanut Announcement 1 (revised) January 4, 1962, Amendments 1 through 4, Supplement 1 and in the lot list and Appendix 1 thereto.

B. When stocks of any of the above categories are available in their area of responsibility, weekly lot lists are issued by the following:

GFA Peanut Association, Camilla, Ga.
Peanut Growers Cooperative Marketing Association, Franklin, Va.
Southwestern Peanut Growers' Association, Gorman, Tex.

All sales are made on the basis of competitive bids each Wednesday, by the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C., to which all bids are submitted.

FLAXSEED, BULK

Unrestricted use.

A. *Storable.* Market price but not less than the applicable 1965 support price for the class, grade, and quality of flaxseed plus 14½ cents per bushel, and plus the respective markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store[1]).*

Markup per bushel received by—		Examples of minimum prices (ex-rail or barge)		
Truck	Rail or barge	Terminal	Class and grade	Price
Cents $0.20	*Cents* $0.15½	Minneapolis	No. 1	$3.45

C. *Nonstorable.* At not less than market price as determined by CCC.

D. *Available.* Through the Minneapolis Grain Merchandising ASCS Office.

Export.

A. Announcement PS–GR–4, Revision 1, dispositions of flaxseed, as designated by CCC, will be in redemption of export commodity certificates at the domestic market price as determined by CCC.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit sales. Such sales will be at the domestic market price as determined by CCC less the applicable export payment allowance. The flaxseed to be exported shall be No. 2 grade, or better.

C. *Available.* Through the Minneapolis Grain Merchandising ASCS Office.

LINSEED OIL, RAW (BULK)

Export.

Under Announcement PS–GR–4, Revision 1, dispositions of raw linseed oil, as designated by CCC, will be in redemption of export commodity certificates at the domestic market price as determined by CCC.

Available. Through the Minneapolis ASCS Commodity Office.

DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK

Unrestricted use.

Announced prices, under MP–14: Spray process, U.S. Extra Grade, 18.60 cents per pound.

Export.

Competitive bid, under MP–10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter and approved CCC credit.

Any nonfat dry milk offered but not sold under the invitation to bid issued pursuant to MP–10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

BUTTER

Unrestricted use.

Announced prices, under MP–14; 65 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 64.25 cents per pound—Washington, Oregon, and California. All other States 64 cents per pound.

Export.

Competitive bid under Announcement MP–10, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter and CCC credit.

Any butter offered but not sold under the invitation to bid issued pursuant to MP–10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

CHEDDAR CHEESE (STANDARD MOISTURE BASIS)

Unrestricted use.

Announced prices, under MP–14: 44.5 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 43.5 cents per pound.

Export.

Competitive bid under Announcement MP–10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under MP–10. Sales under this announcement may be made for application to CCC credit.

Any cheese offered but not sold under the invitation to bid issued pursuant to MP–10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

FOOTNOTES

[1] The formula price delivery basis for bin site sales will be f.o.b.

[2] To compute, multiply applicable support price by 1.05 round product up to nearest whole cent and add amount shown in the appropriate table and any applicable freight and handling charges.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Kansas City ASCS Commodity Office, 8930 Ward Parkway (P.O. Box 205), Kansas City, Mo., 64141. Telephone: Emerson 1-0860.

Alabama, Alaska, Arkansas, Colorado, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming.

Branch Office—Evanston ASCS Branch Office, 2201 Howard Street, Evanston, Ill., 60202. Telephone: Long distance—University 9-0600 (Evanston Exchange). Local—Rogers Park 1-5000 (Chicago, Ill.).

Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn., 55415. Telephone: 334-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg., 97205. Telephone: 226-3361.

Idaho, Nevada, Oregon, Utah, and Washington (Domestic & Export Sales), Arizona and California (Export Sales only).

Branch Office—Berkeley ASCS Branch Office, 2020 Milvia Street, Berkeley, Calif., 94704. Telephone: Thornwall 1-5121.

Arizona and California (Domestic Sales only).

PROCESSED COMMODITIES OFFICE—(ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn., 55435. Telephone: 334-3200.

COTTON OFFICES—(ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La., 70112. Telephone: 527-7766.

GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reidinger, 80 Lafayette Street, New York, N.Y., 10013. Telephones: 264-8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif., 94111. Telephone: 556-6185.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, and 307, 76 Stat. 614-617; 7 U.S.C. 1441 (note))

Signed at Washington, D.C., on May 12, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-5426; Filed, May 17, 1966; 8:51 a.m.]

Office of the Secretary

TOBACCO INSPECTION AND PRICE SUPPORT SERVICES

Notice of Public Hearing Regarding Application for Proposed New Market at Yadkinville, N.C.

Notice is hereby given of a public hearing to be held upon the application of J. A. Miller, Sr., of Route 2, Yadkinville, N.C., for tobacco inspection and price support services for a proposed new market at Yadkinville, N.C.

The hearing will be held in the courtroom of the Yadkin County Courthouse at Yadkinville, N.C., beginning at 9 a.m., e.s.t., on May 26, 1966.

The aforesaid public hearing will be conducted and evidence received pursuant to the concurrent and identical policy statements and regulations governing the extension of tobacco inspection and price support services to new markets and to additional sales on designated markets (7 CFR Part 29, Subpart A).

Done at Washington, D.C., this 13th day of May 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-5427; Filed, May 17, 1966; 8:51 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

OLD COLONY TRUST CO.

Notice of Approval of Applicant as Trustee

Notice is hereby given that Old Colony Trust Co. has been approved as a trustee pursuant to Public Law 89-346 and 46 CFR 221.21-221.30.

Dated: May 13, 1966.

M. I. GOODMAN,
Chief, Office of Ship Operations.

[F.R. Doc. 66-5463; Filed, May 17, 1966; 9:00 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ATOMIC ENERGY COMMISSION

Notice of Filing of Petition for Food Additive Gamma Radiation

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6M2024) has been filed by the U.S. Atomic Energy Commission, Washington, D.C., 20545, proposing the issuance of a regulation to provide for the safe use of gamma radiation from cobalt 60 or cesium 137 sources in the irradiation of fresh strawberries by an absorbed dose of 100 to 250 kilorads for the control of microbial spoilage.

Dated: May 11, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-5419; Filed, May 17, 1966; 8:50 a.m.]

ELANCO PRODUCTS CO.

Notice of Withdrawal of Petition for Food Additives Tylosin, Sulfamethazine, and Streptomycin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Elanco Products Co., a Division of Eli Lilly & Co., Indianapolis, Ind., 46206, has withdrawn its petition (FAP 5C1605), published in the FEDERAL REGISTER of April 27, 1965 (30 F.R. 5863), proposing an amendment to § 121.217 *Tylosin* to provide for the safe use of a combination drug containing tylosin, sulfamethazine, and streptomycin in swine feed for the treatment of certain specified conditions of swine.

The withdrawal of this petition is without prejudice to a future filing.

Dated: May 11, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-5420; Filed, May 17, 1966; 8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 16187]

COMPANIA DE AVIACION "FAUCETT," S.A.

Notice of Prehearing Conference

Application for a renewal of foreign air carrier permit to engage in foreign air transportation with respect to persons, property and mail between a point or points in Peru, the intermediate point Panama City, Panama, and the terminal point Miami, Fla.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on May 31, 1966, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Leslie G. Donahue.

Dated at Washington, D.C., May 13, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-5421; Filed, May 17, 1966; 8:51 a.m.]

[Docket 16367]

EASTERN-MACKEY MERGER CASE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be held on June 8, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., May 13, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-5422; Filed, May 17, 1966; 8:51 a.m.]

[Docket 16765]

HAWAIIAN AIRLINES, INC., AND SKYWAY AIR CARGO, INC.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing on the above-entitled complaint is assigned to be held on June 1, 1966, at 10 a.m., e.d.s.t., in Room 213, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Barron Fredricks.

Dated at Washington, D.C., May 13, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-5423; Filed, May 17, 1966; 8:51 a.m.]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on May 25, 1966. The hearing will take place in Room 1600 of the Municipal Services Building in Philadelphia, Pa., beginning at 2 p.m. The hearing will be on a proposal to amend the Comprehensive Plan so as to include the following projects:

1. *Pottsville Sewer Authority.* A primary sewage treatment plant to serve the western section of the city of Pottsville, Schuylkill County, Pa. Treated effluent averaging 500,000 gallons per day will discharge to the West Branch of the Schuylkill River.

2. *Haddon Township.* A new well to augment public water supply sources in Haddon Township, Camden County, N.J. Withdrawal from the new well would be limited to an average of 1 million gallons per day during any month.

3. *Delaware State Hospital.* Two new wells to develop a supply of potable water for Delaware State Hospital, Farnhurst, New Castle County, Del. Each well is expected to yield about 300 gallons per minute.

4. *Willingboro Municipal Utilities Authority.* An increase in the withdrawal from an existing well in the Township of Willingboro, Burlington County, N.J. Present withdrawal of 4.8 million gallons per day will be increased to 6 million gallons per day.

Documents relating to the above projects may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission.

W. BRINTON WHITALL,
Secretary.

MAY 12, 1966.

[F.R. Doc. 66-5369; Filed, May 17, 1966; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14755-14757; FCC 66M-686]

JUPITER ASSOCIATES, INC., ET AL.

Order Scheduling Further Hearing Conference

In re applications of Jupiter Associates, Inc., Matawan, N.J., Docket No. 14755, File No. BP-14178; William S. Halpern and Louis N. Seltzer doing business as Somerset County Broadcasting Co., Somerville, N.J., Docket No. 14756, File No. BP-14234; Radio Elizabeth, Inc., Elizabeth, N.J., Docket No. 14757, File No. BP-14812; for construction permits.

Upon the Hearing Examiner's own motion, it is ordered, this 13th day of May 1966, that there will be a further hearing conference in this proceeding on May 20, 1966, 10 a.m., in the Commission's offices, Washington, D.C.

Released: May 13, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5428; Filed, May 17, 1966; 8:51 a.m.]

[Docket Nos. 15841-15843; FCC 66M-680]

WTCN TELEVISION, INC. (WTCN-TV), ET AL.

Order Continuing Hearing

In re applications of WTCN Television, Inc. (WTCN-TV), Minneapolis, Minn., Docket No. 15841, File No. BPCT-2850; Midwest Radio-Television, Inc. (WCCO-TV), Minneapolis, Minn., Docket No. 15842, File No. BPCT-3292; United Television, Inc. (KMSP-TV), Minneapolis, Minn., Docket No. 15843, File No. BPCT-3293; for construction permits.

The Hearing Examiner having under consideration motion filed May 11, 1966, on behalf of WTCN Television, Inc. (WTCN-TV), Midwest Radio-Television, Inc. (WCCO-TV), United Television, Inc. (KMSP-TV), and Twin City Area Educational Television Corp. (KTCA-TV and KTCI-TV), requesting further continuance of the evidentiary hearing and an exchange date;

It appearing, that movants plead that there is presently pending a petition before the FAA to reconsider and modify its order of April 19, 1963, pertaining to the "air hazard" issue also involved herein. Favorable action on that pleading by the Administrator of the FAA may obviate the need for further litigation in this proceeding;

It further appearing, that good cause exists why said motion should be granted and there is no opposition thereto;

Accordingly, it is ordered, This 13th day of May 1966, that the motion is granted and the time for exchange of the Twin City Area Educational Television Corp. exhibits is extended from May 23 to and including June 7, 1966: *And it is further ordered,* That the hearing now scheduled for May 26, be and the same is hereby rescheduled for June 20, 1966, 10 a.m., in the Commission's offices, Washington, D.C.

Released: May 13, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5429; Filed, May 17, 1966; 8:52 a.m.]

[Docket No. 16258; FCC 66M-671]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Order Extending Time for Notification

In the matter of American Telephone & Telegraph Co., and the Associated Bell System Cos., Docket No. 16258; charges for interstate and foreign communications service.

The Telephone Committee having under consideration its orders released Februrary 11, 1966 (FCC 66M-234), April 11, 1966 (FCC 66M-507), and April 28, 1966 (FCC 66M-596), insofar as they relate to the date by which Intervenors and the Commission staff are required to give notification of the names and subject matters of the witnesses to be presented by them in connection with Phase 1 of this proceeding; and having also under consideration a letter from counsel for the Bell System Respondents, dated May 2, 1966, and the "Supplemental Notice of Proposed Testimony of Bell System Respondents" transmitted therewith, from which it appears that significant testimony of Respondents will not be distributed until, or about, May 31, 1966; and

It further appearing that more efficient progress may be made in the disposition of this matter if Intervenors and Commission staff have a reasonable opportunity to study all of Respondents' testimony before giving notification of the identity and subject matters of their witnesses;

Accordingly, it is ordered, This 11th day of May 1966, that the time for notification by Intervenors and the Commission staff of the names and subject matters of their witnesses in connection with

Phase 1 of this proceeeding is extended from June 1, 1966, to July 1, 1966.

Released: May 11, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5430; Filed, May 17, 1966; 8:52 a.m.]

[Docket Nos. 16368, 16369; FCC 66M-674]

CENTRAL BROADCASTING CORP., AND SECOND THURSDAY CORP.

Order Continuing Hearing

In re applications of Central Broadcasting Corp., Madison, Tenn., Docket No. 16368, File No. BPH-3773; Second Thursday Corp., Nashville, Tenn., Docket No. 16369, File No. BPH-3778; for construction permits.

The Hearing Examiner having under consideration the motion for extension of procedural dates filed herein on May 10, 1966 by Central Broadcasting Corp.;

It appearing, that all parties have consented to immediate consideration and grant of the said motion and that good cause for a grant thereof is shown;

It is ordered, This 11th day of May 1966 that the said motion is granted and the date for exchange of exhibits to be offered in the direct presentations is continued from May 12, 1966, to May 19, 1966; and the date for commencement of hearing is continued from May 23, 1966, to May 31, 1966, commencing at 10 a.m. in the offices of the Commission at Washington, D.C.

Released: May 12, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5431; Filed, May 17, 1966; 8:52 a.m.]

[Docket Nos. 16388, 16389; FCC 66M-676]

D. H. OVERMYER COMMUNICATIONS CO., AND MAXWELL ELECTRONICS CORP.

Order Continuing Hearing

In re applications of D. H. Overmyer Communications Co., Dallas, Tex., Docket No. 16388, File No. BPCT-3463; Maxwell Electronics Corp., Dallas, Tex., Docket No. 16389, File No. BPCT-3489; for construction permits.

The Hearing Examiner having under consideration petition filed May 6, 1966, on behalf of D. H. Overmyer Communications Co. requesting changes in certain procedural dates heretofore established;

It appearing, that good cause exists why said request should be granted with one slight variation and there is no objection thereto;

Accordingly, it is ordered, This 12th day of May 1966, that the petition is granted in part and denied in part, and the exchange of exhibits by all parties shall be accomplished on or before June 16, 1966; formal or informal requests for additional information from other counsel shall be made by all counsel on or before June 23, 1966;

It is further ordered, That the prehearing conference now scheduled for June 6, 1966, be and the same is hereby rescheduled for July 6, 1966, 10 a.m., in the Commission's offices, Washington, D.C.; *And it is further ordered*, That the hearing now scheduled for June 13, 1966, be and the same is hereby rescheduled for July 25, 1966, 10 a.m., in the Commission's offices, Washington, D.C.

Released: May 12, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5432; Filed, May 17, 1966; 8:52 a.m.]

[Docket No. 16508; FCC 66R-187]

ABLE PAGING SERVICE

Memorandum Opinion and Order Enlarging Issues

In re application of Columbia Telephone Answering Service, Inc., doing business as Able Paging Service, Columbia, S.C., Docket No. 16508, File No. 2587-C2-P-65; for a construction permit to establish new facilities in the Domestic Public Land Mobile Radio Service at Columbia, S.C.

1. The Review Board has before it a motion to enlarge issues filed jointly on April 11, 1966, by Communications Technical Sales, Inc. (CTSI), and L. Marion Evans, doing business as Telephone Answering Service (TAS), respondents in the proceeding herein.[1] The petitioners request an addition of issues to determine whether Palmetto Building is available to the applicant, Columbia Telephone Answering Service, Inc., doing business as Able Paging Service (Columbia), as the site of its proposed base station and whether the applicant has demonstrated the necessary accuracy, completeness of information, and candor required by Rule 1.65 in failing to apply for permission to use the proposed base station site, and, if not, whether it possesses the requisite character qualifications to be a licensee of the Commission. The petitioners contend that an inquiry on March 24, 1966, of the owner of Palmetto Building revealed that the applicant has never applied for permission to use the building as its base station site; that, because of an agreement with TAS, the owner of the Palmetto Building will not permit the applicant to use the building on which the TAS base station is located; and that, thus, the applicant will not be able to construct its facilities as proposed in its application. These contentions are supported by an affidavit of the Secretary-Treasurer of Palmetto Building, Inc.

2. Columbia in opposition states that the petitioners' motion is filed late, and that, although the application had been on file since late 1964 and the hearing issues were published in the FEDERAL REGISTER on February 12, 1966, petitioners made no inquiry until March 24, 1966. Columbia contends that it had reasonable assurance of availability of the Palmetto Building site when it originally filed its application; and in support of this contention it submitted affidavits of several persons (none of whom is an owner or agent of the Palmetto Building) to the effect that Columbia had received oral assurance of the availability of the Palmetto Building as its transmitter site.

3. The affidavits on which the petitioner and the applicant rely raise a question of fact which can be resolved only upon the basis of evidence adduced at a hearing; accordingly issues will be added to determine the facts and circumstances on the basis of which the applicant represented that it had assurances of the availability of the Palmetto Building as its transmitter site, and whether the facts adduced as to such representation reflect adversely upon the applicant's qualifications to be a licensee of the Commission.[2] It also appears that the applicant does not now have a site for its base station, and hence a site availability issue will also be added.

Accordingly, it is ordered, This 12th day of May 1966, that the motion to enlarge issues, filed April 11, 1966, by Communications Technical Sales, Inc., and L. Marion Evans, doing business as Telephone Answering Service is denied; and

It is further ordered, That, on the Board's own motion, the issues in this proceeding are enlarged by the addition of the following issues:

To determine whether the applicant has a transmitting antenna site available for its proposed base station.

To determine the facts and circumstances surrounding applicant's representation that it had available to it an antenna site on the Palmetto Building, and whether such facts and circumstances adversely reflect upon its qualifications.[3]

Released: May 13, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5433; Filed, May 17, 1966; 8:52 a.m.]

[1] Also before the Review Board is an opposition to motion to enlarge issues, filed by Columbia Telephone Answering Service, Inc., doing business as Able Paging Service on Apr. 18, 1966.

[2] The petition was not filed within 15 days after publication of the hearing issues in the FEDERAL REGISTER, and good cause for the delay of several weeks was not shown. The Board will, therefore, deny the petition on grounds of untimeliness. Because of the important public interest question presented, the Board will, however, consider on its own motion the matters raised by the pleadings.

[3] Should the facts developed at the hearing disclose that the applicant had a reasonable expectation of obtaining a site on the Palmetto Building, but that the site became unavailable to the applicant as a result of any conduct on the part of the respondent, such facts will be associated with the respondent's file for consideration at the time of renewal of its license.

[Docket Nos. 16636, 16637; FCC 66-422]

HADDOX ENTERPRISES, AND WCJU, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications Haddox Enterprises, Inc., Columbia, Miss., requests: 96.7 mc, No. 244; 3 kw; 100 feet, Docket No. 16636, File No. BPH-4532; WCJU, Inc., Columbia, Miss., requests: 96.7 mc, No. 244; 3 kw; 57 feet, Docket No. 16637, File No. BPH-5083; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C. on the 11th day of May 1966;

1. The Commission has before it for consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would cause mutually destructive interference.

2. Data submitted by the applicants indicate that there would be a significant difference in the size of the populations which would receive service from the proposals. Consequently, for the purposes of comparison, the areas and populations within the respective 1 mv/m contours together with the availability of other FM services of at least 1 mv/m in such areas will be considered under the standard comparative issue for the purposes of determining whether a comparative preference should accrue to either of the applicants.

3. WCJU, Inc., has stated that it is relying in part on a $15,000 bank loan to provide the funds required to construct and operate the proposed station. If WCJU, Inc., is credited with this loan, it would have sufficient funds to finance construction and operation of the station for a period of 1 year. The availability of this loan, however, has not been demonstrated. According to the June 28, 1965 bank letter, the commitment to provide the loan was to remain in effect for 120 days. Since this period has expired, an issue will be specified to determine whether these funds continue to be available to finance construction and operation of the station.

4. Except as indicated by the issues set forth below, each of the applicants is qualified to construct and operate as proposed.

5. Accordingly, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below:

6. *It is ordered*, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether the $15,000 specified in the WCJU, Inc., application is available in the form of a loan commitment or otherwise, and as a result whether WCJU, Inc., is financially qualified to construct and operate the station for a period of 1 year.

2. To determine, in the event issue one is answered in the affirmative, which of the proposals would better serve the public interest.

3. To determine in light of the evidence adduced pursuant to the foregoing issues, which of the applications for construction permit should be granted.

7. *It is further ordered*, That to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.221 (c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

8. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible, and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: May 13, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5434; Filed, May 17, 1966; 8:52 a.m.]

FEDERAL MARITIME COMMISSION

UNITED STATES GULF/JAPAN COTTON POOL

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of Agreement filed for approval by:

Mr. R. J. Flynn, Chairman, United States Gulf/Japan Cotton Pool, 11 Broadway, New York, N.Y., 10004.

Agreement 8682-4 among the member lines of the United States Gulf/Japan Cotton Pool modifies the basic pool agreement by deleting the fixed $20 per ton figure allotted overcarrying carriers as "adjustment charges" and providing that such "adjustment charges" shall, in the future, be raised or lowered as may be determined by the unanimous vote of the member lines.

By order of the Federal Maritime Commission.

Dated: May 12, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-5440; Filed, May 17, 1966; 8:52 a.m.]

[Docket No. 66-32]

CONFERENCE AGREEMENT

Modification

Whereas, on October 6, 1965, the Commission issued an order approving Agreement 5700-8 under section 15 of the Shipping Act, 1916, on condition that language changes be made in certain provisions thereof as specified in the order granting conditional approval; and

Whereas, prior to the expiration of the time allotted for acceptance of the terms of conditional approval, one of the member lines advised that certain language (particularly the voting provision) was unacceptable and that it would not agree to the required modifications; and

Whereas, the conference is now foreclosed from accepting the terms of conditional approval since such acceptance may be made only upon the unanimous consent of all the member lines; and

Whereas, the conference does not now have in effect acceptable self-policing and membership provisions within the purview of the Commission's General Order 7, 46 CFR Part 528 and General Order 9, 46 CFR Part 523; and

Whereas, examination fails to show the noncontroversial provisions of Agreement No. 5700-8 to be unjustly discriminatory, or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, detrimental to the foreign commerce of the United States, contrary to the public interest or violative of the Shipping Act, 1916;

Now, therefore, by virtue of the authority vested in the Commission,

It is ordered, That, with the exception of the items listed below, which are hereinafter being made the subject of an investigation and hearing, Agreement No. 5700-8 be and the same is hereby approved; the excepted items being as follows:

1. Expansion of the conference trade area to U.S. Great Lakes ports and establishing the U.S.A. Great Lakes ports rate committee, as envisioned in the

[1] Commissioner Cox absent.

preamble and subsection IV of Article 14.

2. The voting provision as contained in Article 5.

It is further ordered, That, pursuant to section 15 and 22 of the Shipping Act, 1916, the Commission, upon its own motion enter upon an investigation and hearing for the taking of evidence to determine:

1. Whether, if the Commission approves the proposal to expand the scope of the conference to include two separate, distinct and normally competitive trade areas without insuring the reservation of autonomous authority to set rates and conditions of carriage to the lines serving the respective areas, it would not operate in violation of section 16, First, of the act by giving undue or unreasonable preference or advantage to any particular person, locality, or description of traffic in any respect, whatsoever, or subject any particular person, locality, or description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever, or would in any other manner be detrimental to the commerce of the United States, contrary to the public interest or otherwise violative of any other provision of the Shipping Act;

2. Whether the conditions peculiar to the trade area served are such that the terms of the basic agreement should be modified only with the unanimous consent of all the member lines;

3. Whether the self-policing provision—Article 10(h) should not be modified by adding the following language so that the rights and duties of the member lines shall be fully and completely set forth therein:

However, it shall not be a breach of this agreement for any line to refer any matter arbitrated to the Federal Maritime Commission for a decision as to whether or not the matter arbitrated constitutes a modification of this agreement.

It is further ordered, That the carriers listed in Appendix A hereto be party respondents in this proceeding; and

It is further ordered, That this proceeding be assigned for public hearing before an examiner of the Commission's office of Hearing Examiners and that the hearing be held at a date and place to be determined and announced by the presiding examiner; and

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon respondents; and

It is further ordered, That any person, other than respondents, who desires to become a party to this proceeding and participate therein, shall file a motion to intervene with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before May 31, 1966, with copy to parties;

And it is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission.

THOMAS LISI,
Secretary.

APPENDIX A

New York Freight Bureau, Hong Kong, Mr. D. Parker, Chairman/Secretary, P & O Building, 17th Floor, 77 Des Voeux Road Central, Hong Kong, B.C.C.
American President Lines, Ltd., 29 Broadway, New York, N.Y., 10006.
Barber-Wilhelmsen Line, Joint Service, c/o Barber Steamship Line, Inc., 17 Battery Place, New York, N.Y., 10004.
Blue Sea Line, c/o Funch, Edye & Co., 25 Broadway, New York, N.Y., 10004.
Central Gulf Steamship Corp., 1 Whitehall Street, New York, N.Y., 10004.
Japan Line, Ltd., c/o A. L. Burbank & Co., Ltd., 120 Wall Street, New York, N.Y., 10005.
Kawasaki Kisen Kaisha, Ltd., c/o Kerr Steamship Co., 51 Broad Street, New York, N.Y., 10004.
Lykes Bros. Steamship Co., Inc., 17 Battery Place, New York, N.Y., 10004.
Marchessini Lines, c/o P. D. Marchessini & Co., Inc., 26 Broadway, New York, N.Y., 10004.
Maritime Co. of the Philippines, Inc., c/o Furness, Withy & Co., Ltd., 34 Whitehall Street, New York, N.Y., 10004.
Mitsui O.S.K. Lines, Ltd., 17 Battery Place, New York, N.Y., 10004.
Moller-Maersk Lines, A.P., c/o Moller Steamship Co., Inc., 67 Broad Street, New York, N.Y., 10004.
Nedlloyd Lines, Inc., 25 Broadway, New York, N.Y., 10004.
Nippon Yusen Kaisha, Ltd., 25 Broadway, New York, N.Y., 10004.
States Marine Lines, Joint Service, c/o States Marine—Isthmian Agency, Inc., 90 Broad Street, New York, N.Y., 10004.
United Philippine Lines, Inc., c/o Stockard Shipping Co., Inc., 17 Battery Place, New York, N.Y., 10004.
United States Lines Co. (American Pioneer Line), 1 Broadway, New York, N.Y., 10004.
Yamashita-Shinnihon Steamship Co., Ltd., c/o Texas Transport & Terminal Co., Inc., 52 Broadway, New York, N.Y., 10004.

[F.R. Doc. 66-5441; Filed, May 17, 1966; 8:53 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-245]

GARDNER GAS FUEL & LIGHT CO. AND GARDNER PIPELINE, INC.

Notice of Amended Application

MAY 11, 1966.

Take notice that on May 4, 1966, Gardner Gas Fuel & Light Co. (Gardner) and Gardner Pipeline, Inc. (Pipeline), 60 Park Place, Newark, N.J., 07102 (collectively referred to as Applicants), filed in Docket No. CP66-245 an amendment to the application filed in said docket on February 2, 1966 (31 F.R. 2873), pursuant to sections 7(a) and 7(c) of the Natural Gas Act, withdrawing the 7(a) portion of said application and amending the 7(c) portion thereof by requesting authorization for the connection of Pipeline's facilities with those of Fitchburg Gas & Electric Light Co. (Fitchburg) in lieu of the original request for authorization to connect its facilities with those of Tennessee Gas Transmission Co. (Tennessee) and for authorization to construct a pipeline from the Fitchburg-Westminster, Mass., town line to Gardner, Mass., for the transportation of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

By the instant application, Pipeline proposes to construct a lateral pipeline extending approximately 8 miles from Gardner, Mass., to a point at or near the Fitchburg-Westminster town line, where it will connect with the facilities of Fitchburg. Pipeline also proposes to construct a regulating station at the Gardner connection.

The application states that after Applicants filed their original application in the instant docket, Fitchburg offered to sell Gardner its natural gas requirements. The application further states that the length of the gas line from Gardner's point of taking to the point of delivery to Pipeline will be shortened from 16½ miles to 8 miles thereby reducing the cost of gas to Gardner and enabling Gardner to operate more economically.

The total estimated peak day requirements of Gardner are stated to be:

1966	1967	1968	1969	1970
500 Mcf...	850 Mcf..	950 Mcf..	1100 Mcf..	1300 Mcf.

The total estimated cost of Applicants' proposed construction is $285,000, which will be financed from current funds and a first mortgage.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 9, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5370; Filed, May 17, 1966; 8:46 a.m.]

[Docket No. CP66-349]

UNITED NATURAL GAS CO., AND IROQUOIS GAS CORP.

Notice of Application

MAY 11, 1966.

Take notice that on May 2, 1966, United Natural Gas Co. (United), 308 Seneca Street, Oil City, Pa., 16301, and Iroquois Gas Corp. (Iroquois), 10 Lafayette Square, Buffalo, N.Y., 14203 (collectively referred to as Applicants), filed in Docket No. CP66-349 an application for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, United proposes to construct and operate 8 miles of 24-inch transmission pipeline extending from a point in Potter County, Pa., near United's Ellisburg compressor station to the Pennsylvania State line. Simultaneously, Iroquois proposes to construct and operate 75 miles of 24-inch transmission pipeline extending from the terminus of United's proposed construction at the Pennsylvania State line to a point in Erie County, N.Y., near the city of Buffalo.

Applicants state that the increased capacity to be provided by the new pipeline is required for the substantial increases in the Iroquois distribution market in the State of New York, particularly the Buffalo-Niagara Falls distribution area.

The total estimated cost of Applicants' proposed construction is $8,172,000, which cost will be financed in part out of available company funds and in part from funds to be obtained by issuing to their parent corporation, National Fuel Gas Co., notes or stock, or both, at face or par value.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 8, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5371; Filed, May 17, 1966; 8:46 a.m.]

[Docket No. CP66-351]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

Notice of Application

MAY 11, 1966.

Take notice that on May 2, 1966, Kansas-Nebraska Natural Gas Co., Inc. (Applicant), 300 North St. Joseph Avenue, Hastings, Nebr., 68901, filed in Docket No. CP66-351 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction of approximately 11.0 miles of 6-inch pipeline between Newman Grove and Norfolk, Nebr., to parallel an existing 6-inch pipeline, and for permission and approval for the removal of approximately 25.5 miles of 6-inch and 8-inch pipeline between Mitchell and Northport, Nebr., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has approximately 11.0 miles of 6-inch, old, reconditioned pipeline, installed in 1951 in its line between Newman Grove and Norfolk, Nebr., and that in view of the age of this pipeline it believes it necessary to operate this section at a lower pressure than it has been operated in the past. Applicant further states that the most economical means to replace the capacity that will be lost by lower operating pressure is to parallel this 11.0 miles of 6-inch pipeline with a new 6-inch pipeline.

The application states that due to the poor condition of the aforementioned 6-inch and 8-inch pipeline extending between Mitchell and Northport, Nebr., Applicant has found it necessary to reduce the operating pressure of said pipeline to 100 p.s.i.g. and to use it only to serve the rural customers connected to it. The application further states that since there are no rural customers being served on much of the line (approximately 25.5 miles) it is no longer needed and Applicant believes it is more economical to permanently abandon and to salvage the pipeline. Applicant states that the removal and abandonment of the 25.5 miles of pipeline will not affect service to any of its existing customers and will eliminate the maintenance and leakage presently experienced thereon.

The total estimated cost of Applicant's proposed construction is $115,000, which will be financed from current working capital.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 8, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5372; Filed, May 17, 1966; 8:46 a.m.]

[Docket No. CP66-352]

UNITED GAS PIPE LINE CO., AND SOUTHERN NATURAL GAS CO.

Notice of Application

MAY 11, 1966.

Take notice that on May 3, 1966, United Gas Pipe Line Co. (United), Post Office Box 1407, Shreveport, La., 71102, and Southern Natural Gas Co. (Southern), Post Office Box 2563, Birmingham, Ala., 35202 (collectively referred to as Applicants), filed in Docket No. CP66-352 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the replacing and rearranging of existing metering facilities at the existing point of interconnection in West Carroll Parish, La., and the use of another existing point of interconnection near Kosciusko, Attala County, Miss., in order to implement the exchange of gas between the parties, as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicants propose to replace and rearrange existing metering facilities at United's intersection with Southern's 22-inch gas pipeline in sec. 23, T. 20 N., R. 10 E., West Carroll Parish, La. The existing facilities were installed prior to the passage of the Natural Gas Act. Applicants state that United will own, operate and maintain any and all facilities necessary to effect the exchange of natural gas, provided, that Southern will own any tap and flange connections that may be existing on Southern's facilities at the point of delivery in West Carroll Parish, La.

Applicants also seek authorization for the exchange of equivalent volumes of gas pursuant to an agreement dated March 10, 1966, which provides for said exchange at two points of interconnection between their systems in West Carroll Parish, La., and near Kosciusko, Attala County, Miss. Applicants state that service by United to its Delhi-Oak Grove-Lake Providence, La., area can be protected without disruption to Southern's operations by the delivery of gas by Southern to United at one point of interconnection and the return of corresponding amounts of gas by United to Southern at the other point of interconnection.

The total estimated cost of Applicants' proposed construction is $2,980, which will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 9, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5373; Filed, May 17, 1966; 8:46 a.m.]

[Docket Nos. CS66-6—CS66-9]

LUCY G. MOSES ET AL.

Findings and Order After Statutory Hearing

MAY 11, 1966.

Lucy G. Moses, Docket No. CS66-6; Henry and Lucy Moses Foundation Trust, Docket No. CS66-7; Bankers Trust Co. as Trustee of William L. Hernstadt 1950 Trust, Docket No. CS66-8; Estate of William L. Hernstadt, deceased, Docket No. CS66-9.

Each Applicant herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a small producer certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the Appendix hereto and in the applications.

Applicants have heretofore been authorized to sell natural gas from the Permian Basin area; and, therefore, the small producer certificates issued to them shall be effective on the date of this order. Applicants' presently effective certificates for sales from the Permian Basin area proposed to be continued under small producer certificates will be terminated and the related FPC gas rate schedules will be canceled.

Applicants have heretofore filed increases in rate which were suspended in Docket Nos. RI62-116, RI62-117, RI62-118, and RI62-124 and have not been made effective. Said suspension proceedings, which are consolidated with the proceeding on the Order To Show Cause issued August 5, 1965, in Docket No. AR61-1, et al., will be severed from said proceeding and terminated.

After due notice no notices of intervention have been received. A petition for leave to intervene was filed on February 3, 1966, by Hunt Oil Co. and was denied by order issued March 4, 1966. An order denying rehearing of said order was issued on April 26, 1966. No further petitions for leave to intervene have been received.

At a hearing held on May 5, 1966, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications, submitted in support of the authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications herein and in the Appendix hereto, will be made in interstate commerce subject to the jurisdiction of the Commission, and such sales by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(4) Applicants are independent producers of natural gas who are not affiliated with natural gas pipeline companies and whose total jurisdictional sales on a nationwide basis, together with sales of affiliated producers, were not in excess of 10,000,000 Mcf at 14.65 p.s.i.a. during the preceding calendar year.

(5) The sales of natural gas by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity, and small producer certificates of public convenience and necessity therefor should be issued as hereinafter ordered and conditioned.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued to Applicants for sales of natural gas from the Permian Basin, which sales will be continued under the small producer certificates issued hereinafter, should be terminated, and the related FPC gas rate schedules should be canceled.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the proceedings pending in Docket Nos. RI62-116, RI62-117, RI62-118, and RI62-124 should be severed from the proceeding on the Order To Show Cause issued August 5, 1965, in Docket No. AR61-1, et al., and terminated.

The Commission orders:

(A) Small producer certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing the sale for resale and delivery of natural gas in interstate commerce by Applicants from the Permian Basin area of Texas and New Mexico, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the Appendix hereto and in the applications in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission, and particularly,

(a) The subject certificates shall be applicable only to all previous and all future "small producer sales," as defined in § 157.40(a)(3) of the regulations under the Natural Gas Act, from the Permian Basin area,

(b) Sales shall not be at rates in excess of those set forth in § 157.40(b)(1) of the regulations under the Natural Gas Act, and

(c) Applicants shall file annual statements pursuant to § 154.104 of the regulations under the Natural Gas Act.

(C) The certificates granted in paragraph (A) above shall remain in effect for small producer sales until the Commission on its own motion or on application terminates said certificates because Applicants no longer qualify as small producers or fail to comply with the requirements of the Natural Gas Act, the regulations thereunder, or the terms of the certificates. Upon such termination Applicants will be required to file separate certificate applications and individual rate schedules for future sales. To the extent compliance with the terms and conditions of this order is observed, the small producer certificates will still be effective as to those sales already included thereunder.

(D) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 7 of the Natural Gas Act or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts, particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales subject to said certificates.

(E) The small producer certificates issued herein shall be effective on the date of this order.

(F) The certificates heretofore issued to Applicants for sales proposed to be continued under small producer certificates are terminated and the related FPC gas rate schedules are cancelled.

(G) The proceedings pending in Docket Nos. RI62-116, RI62-117, RI62-118, and RI62-124 are severed from the proceeding on the Order to Show Cause issued August 5, 1965, in Docket No. AR61-1, et al., and terminated.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX

Docket No. and filing date	Applicant	Canceled FPC gas rate schedule	Terminated certificate docket No.
CS66-6 9-17-65	Lucy G. Moses	[1] 1 [2] 2	G-20378 G-20378
CS66-7 9-17-65	Henry & Lucy Moses Foundation Trust.	[3] 1 [3] 2	G-20370 G-20370
CS66-8 9-21-65	Bankers Trust Co., Trustee.	[4] 1 [4] 2	G-20369 G-20369
CS66-9 9-24-65	Estate of William L. Hernstadt, deceased.	[5] 1 [5] 2	G-20373 G-20373

[1] Increase in rate is suspended in Docket No. RI62-117 and is not effective.
[2] Rate schedules are designated as H. L. Moses FPC Gas Rate Schedule Nos. 1 and 2.
[3] Increase in rate is suspended in Docket No. RI62-116 and is not effective.
[4] Increase in rate is suspended in Docket No. RI62-124 and is not effective.
[5] Rate schedules are designated as William L. Hernstadt FPC Gas Rate Schedule Nos. 1 and 2.
[6] Increase in rate is suspended in Docket No. RI62-118 and is not effective.

[F.R. Doc. 66-5374; Filed, May 17, 1966; 8:46 a.m.]

[Docket No. CP66-350]

VILLAGE OF BLUFORD, ILL., AND TRUNKLINE GAS CO.

Notice of Application

MAY 10, 1966.

Take notice that on May 2, 1966, the Village of Bluford, Jefferson County, Ill. (Applicant), filed in Docket No. CP66-350 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Trunkline Gas Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to interconnect a lateral pipeline with Respondent's pipeline near the point where said pipeline crosses Illinois State Highway No. 15 and from this point of connection to construct a 3-inch high pressure lateral extending westward along said highway a distance of approximately 5½ miles to the town border station to be located at the east side of Applicant. Applicant also proposes to construct a complete distribution system to serve all prospective customers in Applicant and vicinity, including the adjoining unincorporated area known as Markham City, and along the proposed transmission line, including the Village of Keenes.

The total estimated volumes of natural gas necessary to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	34,709	44,275	53,969
Peak day (Mcf)	399	538	678

The total estimated cost of Applicant's proposed transmission and distribution facilities is $290,000, which will be financed through the issuance of gas revenue bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 8, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5379; Filed, May 17, 1966; 8:47 a.m.]

[Docket No. E-7289]

CONSUMERS POWER CO.

Notice of Application

MAY 10, 1966.

Take notice that on May 5, 1966, Consumers Power Co. (Applicant), filed an application with the Federal Power Commission pursuant to section 204 of the Federal Power Act seeking authority to issue and sell at competitive bidding First Mortgage Bonds in the aggregate principal amount of $65 million. Applicant is incorporated under the laws of the State of Maine and is qualified to do business in Michigan with its principal place of business office at Jackson, Mich., and is engaged in the generation, purchase, distribution and sale of electricity in 1,522 communities and townships including rural areas, and in the purchase, distribution and sale of natural gas in 658 communities and townships all in the State of Michigan.

The New Bonds which Applicant proposes to issue on or about July 20, 1966 will mature on July 1, 1996 and will not have any voting privileges. The New Bonds will constitute an additional series of First Mortgage Bonds to be issued under the Applicant's indenture dated as of September 1, 1945, and to be supplemented by all indentures supplemental thereto, including a 13th supplemental to be dated as of July 1, 1966. The company proposes to sell the New Bonds at competitive bidding in accordance with the applicable requirements of the Commission's Regulations under the Federal Power Act. The interest rate of the Bonds will be determined by the successful bidder in the bids submitted by such bidder upon competitive bidding.

According to the Applicant the net proceeds from the sale of the New Bonds will be used first to discharge short-term bank loans to be incurred prior to the sale of the New Bonds to secure funds for construction purposes (which at Apr. 30, 1966, amounted to $14 million) and second to provide a portion of the funds required for the construction or acquisition of permanent improvements, extensions and additions to the Applicant's property. The plans call for the expenditure of approximately $141.7 million in 1966 for the construction or acquisition of property additions. The 1966 expenditure includes an estimated $31.5 million on generating stations, including an estimated $29 million on the second unit of 385 mw rated capacity of the James H. Campbell plant, located 10 miles north of Holland, Mich.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 8, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5380; Filed, May 17, 1966; 8:47 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS

Announcement of ITAC Actions and Restraint Levels

MAY 13, 1966.

The purpose of this notice is to announce certain actions taken by the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangements Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962. This information is also published in Department of Commerce Press Release G 66-89, dated May 9, 1966, and supplements that contained in earlier Department of Commerce press releases, the most recent of which was G 66-39, dated February 8, 1966.

1. *Bilateral agreements.* On April 22, 1966, notes were exchanged amending the bilateral cotton textile agreement with the Republic of China. (See Department of State Release No. 97 of April 26, 1966.)

2. *Completed Article 3 restraint actions.* Discussions have been completed with the governments of the following countries in regard to restraints previously requested in various categories. Final figures have been set for these restraints in the quantities indicated and

for the 12-month period beginning on the effective date:

Country	Effective date	Category	Quantity
Singapore	Apr. 1, 1966	31 (shop towels only).	13,850,000 pieces.
		43	33,000 dozen.
		45	20,000 dozen.
		46	30,000 dozen.
		50	79,000 dozen.
		51	46,000 dozen.
		60	100,000 dozen.
Pakistan	Dec. 23, 1965	26 (duck only).	2,200,000 s yds.

On the basis of exceptional circumstances in the case of Pakistan, an additional 5,500,000 square yards of duck in Category 26 can be shipped from Pakistan during the period from December 23, 1965, to June 30, 1966.

3. *Other actions.* (1) Bilateral consultations on trade in cotton textiles have been continuing with the Republic of Korea, Hong Kong, and other countries.

(2) On April 13, 1966, the United States agreed, on an exceptional one-time basis, to permit Yugoslavia to ship 156,248 sheets in Category 34 during the current agreement year on the basis of a compensating adjustment in Category 31.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

[F.R. Doc. 66-5442; Filed, May 17, 1966; 8:53 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1945]

FIDELITY FUND, INC.

Notice of Filing of Application

MAY 12, 1966.

Notice is hereby given that Fidelity Fund, Inc. ("Applicant"), 35 Congress Street, Boston, Mass., a Massachusetts corporation which is registered under the Investment Company Act of 1940 ("Act") as an open-end diversified investment company, has filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares to Pan American Securities Corp. ("Pan American") in exchange for substantially all of the assets of Pan American. All interested persons are referred to the application as filed with the Commission for a statement of the representations therein which are summarized below.

Section 22(d) of the Act, provides in pertinent part that no registered open-end investment company shall sell any redeemable security issued by it to any person except at a current public offering price described in its prospectus. Applicant's prospectus indicates that its shares are offered to the public at a price which includes a sales charge in addition to the net asset value which Applicant receives from the underwriter through whom such offering is made. However, since the shares of Applicant will be exchanged at their net asset value for Pan American's assets on the basis of the net value of Pan American's assets after an adjustment has been made therein to compensate for the differences in the capital appreciation included in the valuation of Applicant's assets and Pan American's assets respectively, an exemption is requested.

Pan American, a New York corporation, is a personal holding company with three shareholders. Pursuant to an agreement between Applicant and Pan American, substantially all the assets of Pan American will be transferred to Applicant in exchange for stock of Applicant which will thereafter be distributed to shareholders of Pan American in complete liquidation. Neither Pan American nor its shareholders have any present intention of redeeming shares of Applicant following the aforementioned exchange.

The application and the exhibits annexed thereto indicate that the amount of stock of Applicant to be delivered to Pan American will be determined by dividing the net asset value per share of Applicant into the value of the net assets of Pan American, as adjusted. The adjustment, which is to be made in the manner stated in the application, is to compensate Applicant for potential Federal income taxes which would become payable upon the realization of the appreciation in the value of the securities of Pan American to the extent that any such appreciation may proportionately exceed the appreciation in the value of the securities of Applicant.

As of December 31, 1965, the net assets of Applicant amounted to $636,453,829 of which $209,136,124 represented unrealized gain and the net assets of Pan American amounted to $1,205,505 of which $577,376 represented unrealized gain. Applicant presently intends to sell, subsequent to acquisition, approximately 5 percent of the assets of Pan American to be acquired. Such assets as of December 31, 1965, amounted to $59,200 of which $30,981 represented unrealized gain. Applicant's per share asset value as of December 31, 1965, was equal to $20.34 and if the exchange had been consummated that day, 58,821 shares would have been delivered to Pan American as a result of the adjustment in the valuation of Pan American's net assets.

Notice is further given that any interested person may, not later than June 2, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant, at the address set forth above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application may be issued by the Commission upon the basis of the information stated in the application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5363; Filed, May 17, 1966; 8:45 a.m.]

[22-3450, 22-4121]

GENERAL AMERICAN TRANSPORTATION CORP.

Notice of Application and Opportunity for Hearing

MAY 11, 1966.

Notice is hereby given that General American Transportation Corp. ("Company") has filed an application pursuant to clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 (hereinafter referred to as the Act) for a finding by the Commission that the trusteeship of the Manufacturers Hanover Trust Co. (Manufacturers Trust) under the indentures with respect to seven existing series of equipment trust certificates of the Company, namely Series 41, 44, 47, 49, 53, and 56, which were not qualified under the Act, and Series 60, which was qualified under the Act, and the trusteeship of Manufacturers Trust under a new indenture which is proposed to be qualified under the Act is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Manufacturers Trust from acting as trustee under the existing seven trusteeships and under the indenture to be qualified.

Section 310(b) of the Act, which is included in section 9.07 of the proposed indenture, provides in part that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interests (as defined in that section), it shall within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions stated therein that a trustee under a qualified indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities of the same issuer are outstanding.

The present application would permit Manufacturers Trust to serve as trustee under the seven existing indentures referred to above and as trustee under the new indenture to be qualified if the Company shall have sustained the burden of proving, by this application to the Commission and after opportunity for hearing thereon that the trusteeship of Manufacturers Trust under the presently outstanding indentures and under the proposed new indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Manufacturers Trust from acting as trustee under said indentures.

The Company alleges that:

(1) The Company proposes to issue and sell approximately $40,000,000 aggregate principal amount of Equipment Trust Certificates due December 1, 1986 (Series 63), to be issued under a new indenture to be executed by the Company with Manufacturers Trust as trustee.

(2) The Company proposes to issue and sell the new equipment trust certificates to the public. Accordingly, it will file a registration statement under the Securities Act of 1933, including an indenture to be qualified under the Trust Indenture Act of 1939.

(3) Manufacturers Trust, the proposed trustee under the indenture to be qualified is presently the trustee under indentures with respect to seven existing series of equipment trust certificates of the Company. The trust certificates comprising such series (except Series 60) were privately placed with institutional investors and therefore were not registered under the Securities Act of 1933, and the indentures with respect thereto were not qualified under the Trust Indenture Act of 1939. The trust certificates comprising Series 60 were publicly issued and were so registered and the Series 60 indenture was so qualified. $53,296,000 in aggregate principal amount of such certificates were outstanding on May 1, 1966, under the present Manufacturers Trust trusteeships.

(4) Differences between the terms of the existing identures with respect to which Manufacturers Trust is trustee and the new indenture will not give rise to a conflict of interest in the trustee as to make it necessary in the public interest or for the protection of investors to disqualify Manufacturers Trust from acting as trustee under the new indenture.

(5) An event of default by the Company under the existing indentures of which Manufacturers Trust is trustee, will also be an event of default under the proposed new indenture. The Series 60 indenture contains a comparable provision, the other six indentures do not.

(6) Each series of the Company's existing trust certificates is secured by a separate lot of identified railroad cars. In the event that the trustee should have occasion to proceed under any such indenture against the cars securing such indenture, this would not affect the security or the use of any security under any of the other indentures, so that existence of the other indentures would in any way inhibit or discourage the trustee's actions.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission at 500 North Capitol Street, Washington, D.C.

Notice is further given that an order granting the application may be issued by the Commission at any time on or after May 31, 1966, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939. Any interested person may, not later than May 27, 1966, at 5:30 p.m., e.d.s.t., in writing, submit to the Commission, his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C., 20549, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact and law raised by the application which he desires to controvert.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5364; Filed, May 17, 1966; 8:45 a.m.]

[811-1282]

INVESTORS FINANCIAL TRUST FUND

Notice of Application

MAY 12, 1966.

Notice is hereby given that Investors Financial Trust Fund ("applicant"), 1125 Republic National Bank Building, Dallas, Tex., 75201, a common law trust organized under the laws of Texas and an open-end, diversified investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below:

Applicant represents that it has issued no securities, has no assets and has no present intention of offering its securities to the public. Applicant further states that it has not, nor does it intend to engage in the business of investing, reinvesting or trading in securities.

Section 8(f) of the Act provides in pertinent part, that when the Commission, on application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than May 31, 1966 at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5365; Filed, May 17, 1966; 8:45 a.m.]

[01-5-01-7]

JAMESTOWN TELEPHONE CORP. ET AL.

Order Postponing Hearing

MAY 12, 1966.

In the matter of Jamestown Telephone Corp., 01-5; Meadville Telephone Co., 01-6; Home Telephone Co. of Ridgway, 01-7.

A hearing is now scheduled for May 16, 1966, upon applications filed by Jamestown Telephone Corp., Meadville Telephone Co., and Home Telephone Co. of Ridgway for exemption from the registration provisions of section 12(g) of the Securities Exchange Act of 1934.

It appearing that current discussions between the parties may result in a stipulation which, among other things, would avoid the necessity of a hearing herein,

It is ordered, That, in order to provide additional time for these discussions to be brought to a conclusion, the hearing is hereby postponed to May 31, 1966.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5366; Filed, May 17, 1966; 8:45 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

MAY 12, 1966.

It appearing to the Securities and Exchange Commission, Birmingham, Ala., that the summary suspension of trading in the common stock, $1 par value, of United Security Life Insurance Company otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 13, 1966, through May 22, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5394; Filed, May 17, 1966; 8:48 a.m.]

TARIFF COMMISSION

[AA1921-48]

LEATHER WORKSHOES FROM CZECHOSLOVAKIA

Notice of Investigation

Having received advice from the Treasury Department on May 11, 1966, that workshoes, leather, men's and boys', from Czechoslovakia are being, or are likely to be, sold in the United States at less than fair value, the U.S. Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

No hearing in connection with this investigation has been ordered. If a hearing is ordered, due notice of the time and place thereof will be given. In this connection, interested parties are referred to § 208.4 of the Commission's rules of practice and procedure (19 CFR 208.4) which provides that interested parties may, within 15 days after the date of publication of this notice in the FEDERAL REGISTER, request that a public hearing be held, stating reasons for the request.

Interested parties are also referred to § 208.5 of the Commission's rules regarding the submission of written statements of pertinent information. Written statements must be filed not later than June 15, 1966.

Issued: May 12, 1966.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 66-5361; Filed, May 17, 1966; 8:45 a.m.]

DEPARTMENT OF LABOR

Office of Federal Contract Compliance

EQUAL EMPLOYMENT OPPORTUNITY

Preaward Procedure To Insure Compliance by Government Contractors; Correction

Paragraph 3c(2) of the above captioned notice published in the FEDERAL REGISTER May 10, 1966 (31 F.R. 6882), erroneously used the identification, "2k(3)," where it should have used the identification "2e(3)." The paragraph is corrected to read as follows:

(2) Such employers are within the definition of "employer" of section 2e(3) of the instructions to the compliance report Standard Form 100 (EEO-1).

Signed at Washington, D.C., this 10th day of May 1966.

EDWARD C. SYLVESTER, JR., *Director.*

[F.R. Doc. 66-5393; Filed, May 17, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

MAY 13, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40475—*Joint motor-rail rates—Central and Southern.* Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 107), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in Central States territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 39 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF-I.C.C. 309.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5403; Filed, May 17, 1966; 8:49 a.m.]

[Notice 395]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MAY 13, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 3560 (Deviation No. 10), GENERAL EXPRESSWAYS, INC., 1205 South Platte River Drive, Denver, Colo., 80223, filed May 6, 1966. Applicant's representative: Ken Wolford, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highways 6 and 127 approximately 2 miles south of Bryan, Ohio, over U.S. Highway 6 to junction U.S. Highway 20, at or near Fremont, Ohio, thence over U.S. Highway 20 to Cleveland, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Fort Wayne, Ind., over Indiana Highway 37 to the Indiana-Ohio State line, thence over Ohio Highway 2 via Hicksville, Ohio, to junction U.S. Highway 127 (formerly portion Ohio Highway 2), at or near Bryan, Ohio, thence over U.S. Highway 127 to junction unnumbered highway (formerly portion Ohio Highway 2), near Pulaski, Ohio, thence over unnumbered highway to junction Ohio Highway 2, at or near Stryker, Ohio, thence over Ohio Highway 2 to Toledo, Ohio, (2) from Fort Wayne, Ind., to Hicksville, Ohio, as specified in (1) above, thence over Ohio Highway 18 to junction U.S. Highway 127, thence over U.S. Highway 127 to West Unity, Ohio, thence over unnumbered highway to Alvordton, Ohio, thence over U.S. Highway 20 to junction Ohio Highway 120, thence over Ohio Highway 120 to Toledo, Ohio, and (3) from Chicago, Ill., over U.S. Highway 20 to junction Ohio Highway 120, thence over Ohio Highway 120 to Toledo, Ohio, thence over Ohio Highway 2 to Lorain, Ohio, thence over Ohio Highway 57 to junction Ohio Highway 254, thence over Ohio Highway 254 to Cleveland, Ohio, thence over U.S. Highway 20 to junction U.S. Highway 62, thence over U.S. Highway 62 to Buffalo, N.Y., thence over New York Highway 384 to Niagara Falls, N.Y., and return over the same routes.

No. MC 8968 (Deviation No. 2), HARRY B. WILSON, doing business as WILSON'S MOTOR TRANSIT, 2500 South Main Street, Post Office Box 408, Middletown, Ohio, 45042, filed May 5, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Cincinnati, Ohio over Interstate Highway 74 to junction Interstate Highway 465, thence over Interstate Highway 465 to junction Interstate Highway 65, thence over Interstate Highway 65 to junction U.S. Highway 52, thence over U.S. Highway 52 to junction U.S. Highway 41, thence over U.S. Highway 41 to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Cincinnati, Ohio, over U.S. Highway 127 to Eaton, Ohio, thence over U.S. Highway 35 to junction U.S. Highway 30, thence over U.S. Highway 30 to Valparaiso, Ind., thence over Indiana Highway 130 to junction Indiana Highway 51, thence over Indiana Highway 51 to junction U.S. Highway 6, and thence over U.S. Highway 6 to Chicago, Ill., and return over the same route.

No. MC 72300 (Deviation No. 5), LEE AMERICAN FREIGHT SYSTEM, INC., 418 Oliver Street, St. Louis, Mo., 63102, filed May 9, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: From Memphis, Tenn., over U.S. Highway 79 to junction U.S. Highway 641, thence over U.S. Highway 641 to junction U.S. Highway 41, thence over U.S. Highway 41 to junction Indiana Highway 57, thence over Indiana Highway 57 to junction Indiana Highway 67, thence over Indiana Highway 67 to junction Interstate Highway 465, thence over Interstate Highway 465 to junction Indiana Highway 100, thence over Indiana Highway 100 to junction U.S. Highway 31, and thence over U.S. Highway 31 to South Bend, Ind., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Memphis, Tenn., over U.S. Highway 61 to junction Missouri Highway 74, thence over Missouri Highway 74 to the Missouri-Illinois State line, thence over Illinois Highway 146 to junction Illinois Highway 3, thence over Illinois Highway 3 to junction Illinois Highway 159, thence over Illinois Highway 159 to junction Illinois Highway 13, thence over Illinois Highway 13 to East St. Louis, Ill., (2) from East St. Louis, Ill., over U.S. Highway 66 (Interstate Highway 55 and Alternate U.S. Highway 66) to Joliet, Ill., and (3) from Joliet, Ill., over U.S. Highway 6 to junction Indiana Highway 2, thence over Indiana Highway 2 to South Bend, Ind., and return over the same routes.

No. MC 110325 (Deviation No. 16), TRANSCON LINES, 1206 South Maple Avenue, Los Angeles, Calif., 90015, Mailing address: Post Office Box 54005, Terminal Annex, Los Angeles, Calif., 90054, filed May 4, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Sayre, Okla., and Oklahoma City, Okla., over Oklahoma Highway 152, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: between Amarillo, Tex., and Oklahoma City, Okla., over U.S. Highway 66.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 310), GREYHOUND LINES, INC., Western Division, Market and Fremont Streets, San Francisco, Calif., 94106, filed May 6, 1966. Applicant's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif., 94105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From junction Business Route U.S. Highway 97 and Interstate Highway 82 (North Yakima Junction, Wash.), over Interstate Highway 82 to Yakima, Wash., (2) from Yakima, Wash., over Interstate Highway 82 to junction U.S. Highway 410 (Union Gap Junction, Wash.), (3) from Yakima, Wash., over Interstate Highway 82 to Union Gap, Wash., and (4) from junction Business Route U.S. Highway 97 and Interstate Highway 82 (North Yakima Junction, Wash.), over Interstate Highway 82 to junction U.S. Highway 410 (Union Gap Junction, Wash.), and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: (1) From Seattle, Wash., over Washington Highway 5 via Kent to Auburn, Wash., thence over U.S. Highway 410 to Yakima, Wash., (2) from Ellensburg, Wash., over U.S. Highway 97 to Yakima, Wash., and (3) from Yakima, Wash., over U.S. Highway 410 to Pasco, Wash., and return over the same routes.

No. MC 1515 (Deviation No. 311) (Cancels Deviations Nos. 153, 158, 159, 162, and 219), GREYHOUND LINES, INC., Central Division, 210 East Ninth Street, Fort Worth, Tex., 76102, filed May 9, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, over deviation routes as follows: From St. Louis, Mo., over Interstate Highway 44 to Joplin, Mo. (also from junction Interstate Highway 44 and Business Route Interstate Highway 44 approximately 5 miles east of Joplin, Mo., over Business Route Interstate Highway 44 to Joplin, Mo.), and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: From St. Louis, Mo., over Missouri Highway 100 to junction U.S. Highway 66 at or near Gray Summit, Mo. (also from St. Louis over City U.S. Highway 66 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Missouri Highway 100 at or near Gray Summit), thence over U.S. Highway 66 to junction unnumbered highway at or near Bourbon, Mo., thence over unnumbered highway via Bourbon, Cuba, and Fanning, Mo., to junction U.S. Highway 66, thence over U.S. Highway 66 to junction U.S. Highway 63, thence over U.S. Highway 63 to Rolla, Mo., thence over unnumbered highway to junction U.S. Highway 66, thence over U.S. Highway 66 to junction unnumbered highway near Waynesville, Mo., thence over unnumbered highway via Waynesville, Mo., to junction U.S. Highway 66, thence over U.S. Highway 66 to Buckhorn, Mo.

Thence over Missouri Highway 17 to junction County Highway AB, thence over County Highway AB to junction U.S. Highway 66 at or near Hazelgreen, Mo., thence over U.S. Highway 66 to junction unnumbered highway near Lebanon, Mo., thence over unnumbered highway via Lebanon, Mo., to junction U.S. Highway 66, thence over U.S. Highway 66 to junction relocated U.S. Highway 66 near Conway, Mo., thence over relocated U.S. Highway 66 to junction Missouri Highway 125 and old U.S. Highway 66 southwest of Strafford, Mo. (also from junction old U.S. Highway 66 and relocated U.S. Highway 66 near Conway, Mo., over unnumbered highway, formerly U.S. Highway 66, to Conway, thence over County Highway CC to Marshfield, Mo., thence over unnumbered highway to junction relocated U.S. Highway 66, thence over relocated U.S. Highway 66 to junction Missouri Highway 125), thence over Missouri Highway 125 to Strafford, Mo., thence over Missouri Highway 125 to junction relocated U.S. Highway 66, thence over relocated U.S. Highway 66 to Springfield, Mo., thence over Missouri Highway 266 (formerly portion U.S. Highway 66) to junction U.S. Highway 66 west of Halltown, Mo., thence over U.S. Highway 66 via Baxter Springs, Kans., and Commerce and Sapulpa, Okla., to junction unnumbered highway near Edmond, Okla., and return over the same routes.

No. MC 13028 (Deviation No. 9), THE SHORT LINE, INC., Post Office Box 1116 Annex Station, Providence, R.I., 02901, filed May 5, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, over a deviation route as follows: From junction Interstate Highway 195 and exit road to U.S. Highway 6, at Swansea, Mass., over Interstate Highway 195 to junction Interstate Highway 195 and U.S. Highway 6, at North Westport, Mass., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Providence, R.I., over U.S. Highway 6 to junction unnumbered highway (formerly U.S. Highway 6), thence over unnumbered highway to Seekonk, Mass., thence over Alternate

Massachusetts Highway 114 (formerly U.S. Highway 6) to junction U.S. Highway 6, thence over U.S. Highway 6 via Fall River, New Bedford and Wareham Mass., to junction unnumbered highway (formerly U.S. Highway 6), and return over the same route.

No. MC 59238 (Deviation No. 5), VIRGINIA STAGE LINES, INCORPORATED, Fourth and Water Streets, Charlottesville, Va., filed May 5, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From Roanoke, Va., over Interstate Highway 581 to junction Interstate Highway 81, thence over Interstate Highway 81 to Dixie Caverns, Va., and (2) from Christiansburg, Va., over Interstate Highway 81 to junction Virginia Highway 100, thence over Virginia Highway 100 to Pearisburg, Va., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From Roanoke, Va., over combined U.S. Highways 460 and 11 to Christiansburg, Va., thence over U.S. Highway 460 to Pearisburg, Va., and return over the same route.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5404; Filed, May 17, 1966; 8:49 a.m.]

[Notice 919]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 13, 1966.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here notice will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 107515 (Sub-No. 547), filed April 28, 1966. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, 3901 Jonesboro Road SE., Atlanta, Ga., 30310. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, dessert topping, in cans (aerated or non-aerated), boxes or fruit tins, coffee whitener, in cartons, plastic bottles, for use in tea, coffee, cereals, and cooking and in dry form*, when shipped in small quantities not to exceed 10 percent of the truckload, *bakery goods, such as eclairs, chocolate rolls*, in boxes, not to exceed 10 percent of the truckload, from Buffalo, N.Y., to Princeton, Charleston, Clarksburg, Huntington, and Parkersburg, W. Va.; Roanoke, Lynchburg, Salem, and Bristol, Va.; and points in North Carolina, South Carolina, Kentucky, Georgia, Tennessee, Alabama, Florida, Louisiana, Mississippi, and Arkansas.

HEARING: June 30, 1966, at the Post Office Building, Ellicott and Swan Streets, Buffalo, N.Y., before Examiner Samuel Horwich.

No. MC 115841 (Sub-No. 287) (Republication), filed April 18, 1966, published in FEDERAL REGISTER May 5, 1966, and republished this issue. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, from Springdale, Ark., to points in Kansas, Missouri, Kentucky, and Alton, Cairo, Carbondale, Centralia, East St. Louis, Eldorado, Granite City, Marion, Mount Vernon, Murphysboro, Staunton, Litchfield, Quincy, and Scott Air Force Base, Ill., and (2) *foodstuffs and baby supplies*, from Fort Smith, Ark., to points in Kansas, Missouri, Kentucky, and Alton, Cairo, Carbondale, Centralia, East St. Louis, Eldorado, Granite City, Marion, Mount Vernon, Murphysboro, Staunton, Litchfield, Quincy, and Scott Air Force Base, Ill. NOTE: The purpose of this republication is to show the hearing information.

HEARING: June 9, 1966, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Examiner Frederick G. Smithson.

MC 118292 (Sub-No. 14), filed May 6, 1966. Applicant: BALLENTINE PRODUCE, INC., Alma, Ark. Applicant's representative: Lester M. Bridgeman, 1027 Woodward Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and baby supplies*, from Fort Smith, Ark., to points in Kansas, Missouri, and Kentucky, and to Alton, Cairo, Carbondale, Centralia, East St. Louis, Eldorado, Granite City, Marion, Mount Vernon, Murphysboro, Staunton, Litchfield, Quincy, and Scott Air Force Base, Ill. NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit No. MC 118434; therefore, dual operations may be involved.

HEARING: June 9, 1966, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Examiner Frederick G. Smithson.

No. MC 124078 (Sub-No. 218), filed May 3, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from Flexi-Flo rail-motor interchange terminal facilities on the lines of the New York Central Railroad Co. in Ohio, exclusive of team track or other public facilities, to (1) points in Ohio; (2) points in Erie, Crawford, Mercer, Warren, Forest, Clarion, Armstrong, Butler, Venango, Lawrence, Beaver, Allegheny, Washington, Greene, Westmoreland, and Fayette Counties, Pa.; (3) points in Marshall, Ohio, Brooke, Hancock, Mason, Jackson, Wood, Pleasants, Tyler, Wetzel, Wirt, Clay, Mingo, Ritchie, Putnam, Cabell, Wayne, Lincoln, Kanawha, Boone, Roane, Calhoun, Gilmer, Doddridge, and Logan Counties, W. Va.; (4) points in Pike, Floyd, Martin, Magoffin, Johnson, Lawrence, Boyd, Greenup, Grant, Carter, Elliott, Morgan, Wolfe, Lewis, Rowan, Menifee, Powell, Gallatin, Woodford, Jefferson, Trimble, Anderson, Shelby, Carroll, Mason, Robertson, Fleming, Bath, Clark, Montgomery, Bourbon, Nicholas, Owen, Spencer, Oldham, Bracken, Fayette, Scott, Harrison, Pendleton, Campbell, Kenton, Boone, Franklin, Bullitt, and Henry Counties, Ky.; and (5) points in Monroe, Lenawee, Hillsdale, Branch, Calhoun, Jackson, Washtenaw, Wayne, Macomb, Oakland, Livingston, Ingham, and Eaton Counties, Mich.; restricted to shipments having a prior movement by rail.

HEARING: June 6, 1966, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 124078 (Sub-No. 220), filed May 3, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from Flexi-Flo rail-motor interchange terminal facilities on the lines of the New York Central Railroad Co. in Ohio, exclusive of team track or other public facilities, to (1) points in Ohio; (2) points in Erie, Crawford, Mercer, Warren, Forest, Clarion, Armstrong, Butler, Venango, Lawrence, Beaver, Allegheny, Washington, Greene, Westmoreland, and Fayette Counties, Pa.; (3) points in Marshall, Ohio, Brooke, Hancock, Mason, Jackson, Wood, Pleasants, Tyler, Wetzel, Wirt, Clay, Mingo, Ritchie, Putnam, Cabell, Wayne, Lincoln, Kanawha, Boone, Roane, Calhoun, Gilmer, Doddridge, and Logan Counties, W. Va.; (4) points in Pike, Floyd, Martin, Magoffin, Johnson, Lawrence, Boyd, Greenup, Grant, Carter, Elliott, Morgan, Wolfe, Lewis, Rowan, Menifee, Powell, Gallatin, Woodford, Jefferson, Trimble, Anderson, Shelby, Carroll, Mason, Robertson, Fleming, Bath, Clark, Montgomery, Bourbon, Nicholas, Owen, Spencer, Oldham, Bracken, Fayette, Scott, Harrison, Pendleton, Campbell, Kenton, Boone, Franklin, Bullitt, and Henry Counties, Ky.; and (5) points in Monroe, Lenawee, Hillsdale, Branch, Calhoun, Jackson, Washtenaw, Wayne, Macomb, Oakland, Livingston, Ingham, and Eaton Counties, Mich.; restricted to shipments having a prior movement by rail.

HEARING: June 6, 1966, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 124078 (Sub-No. 220), filed May 3, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement*, in bulk, from Flexi-Flo rail-motor interchange terminal facilities on the lines of the New York Central Railroad Co. located in New Jersey, exclusive of team tracks or other public facilities, to points in New Jersey; points in Suffolk, Nassau, Westchester, Rockland, Putnam, Dutchess, Orange, Sullivan, Greene, Columbia, and Ulster Counties, N.Y.; points in Fairfield, New Haven, Litchfield, Hartford, and Middlesex Counties, Conn., and New York, N.Y.; restricted to shipments having a prior movement by rail.

HEARING: June 6, 1966, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 107583 (Sub-No. 26) (Republication), filed June 17, 1964, published FEDERAL REGISTER issue of July 1, 1964, and July 22, 1964, respectively, and republished this issue. Applicant: SALEM TRANSPORTATION CO., INC., doing business as ATLANTIC CITY TRIPS, 113 West 42d Street, Suite 1004, New York, N.Y., 10036. Applicant's representative: George H. Rosen, 291 Broadway, New York, N.Y., 10036. By application filed June 17, 1964, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of passengers and their baggage and effects, in special operations, in door-to-door service, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof and not including children under 10 years of age who do not occupy a seat or seats, between Ventnor, Margate, Longport Boro, cities of Absecon, Pleasantville, Northfield, Linwood, and Somers Point, N.J., on the one hand, and, on the other, Atlantic City, N.J.

A report of the Commission, Operating Rights Review Board No. 3, decided April 20, 1966, and served May 4, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *passengers, and their baggage*, in the same vehicle with passengers, in special operations, in nonscheduled, door-to-door service, limited to the transportation of not more than 11 passengers in any one vehicle (not including the driver thereof, and not including children under 10 years of age who do not occupy a seat or seats), between Ventnor, Margate, Longport Borough, Absecon, Pleasantville, Northfield, Linwood, and Somers Point, N.J., on the one hand, and, on the other, New York, N.Y., and Philadelphia, Pa., that applicant is fit, willing, and able to properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; and that a certificate authorizing such operation should be issued, after the lapse of 30 days from the date of republication in the FEDERAL REGISTER. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by lack of proper notice of the authority described in the findings in this report, a notice of the authority actually granted herein will be published in the FEDERAL REGISTER, and any proper party in interest may file an appropriate pleading within a period of 30 days from the date of such publication.

No. MC 115668 (Sub-No. 9) (Republication), filed November 18, 1965, published FEDERAL REGISTER issue of December 9, 1965, and republished, this issue. Applicant: WYLLIS B. HERRICK, doing business as W. B. HERRICK, Rural Route No. 2, Kendallville, Ind. Applicant's representative: William L. Carney, 105 East Jennings, South Bend, Ind. By application filed November 18, 1965, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of cookies and cakes, from the plantsite of Continental Baking Co. at or near River Forest, Ill., to North Judson and Rensselaer, Ind., and stale returned or rejected shipments and empty containers from North Judson and Rensselaer, Ind., to the Continental Baking Co., River Forest, Ill. By order of Operating Rights Board No. 1 entered herein on February 17, 1966, applicant was granted authority to transport the considered commodities from and to the points indicated above, but that an amendment which would have substituted South Haven, Ind., as a destination point in lieu of North Judson, Ind., was not called to the Board's attention. By petition (which includes a supplementary statement from the supporting shipper), dated March 31, 1966, applicant and the shipper request that the order entered herein be modified to authorize the transportation of cakes and cookies to South Haven, Ind., in lieu of the original destination point of North Judson, Ind.

A supplemental order of the Commission, Operating Rights Board No. 1, dated April 8, 1966, and served April 27, 1966, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of *cookies and cakes*, from the plantsite of Continental Baking Co. at or near River Forest, Ill., to South Haven and Rensselaer, Ind., under a continuing contract with Continental Baking Co., of Rye, N.Y., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 115841 (Sub-No. 237) (Republication), filed April 22, 1965, published FEDERAL REGISTER issue of May 19, 1965, and republished, this issue. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. In the above-entitled proceeding the examiner recommended the issuance to applicant of a certificate authorizing the transportation, over irregular routes, of frozen foods from Cleveland, Ohio, to points in Florida, restricted to the transportation of traffic in consolidated lots moving on a single bill of lading, the components of which are destined to points in more than one State. A decision and order of the Commission, Operating Rights Review Board No. 2, dated April 27, 1966, and served May 3, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, of *frozen foods*, from Cleveland, Ohio, to points in Florida. Because it is possible that parties who have relied upon the notice of the application as published may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this decision and order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 127364 (Republication), filed June 21, 1965, published FEDERAL REGISTER issue of July 21, 1965, and republished, this issue. Applicant: PARAMUS TAXI CO., INC., S-30, Route No. 17, Paramus, N.J. Applicant's representative: Anthony Anzalone, 215 Union Street, Hackensack, N.J. By application filed June 21, 1965, applicant seeks a permit authorizing operation, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of computer data, with or without passengers carrying computer data, from Paramus to New York, N.Y., and points in Nassau, Suffolk, Westchester, and Dutchess Counties, N.Y., and Fairfield County, Conn., and returned processed materials on return, under a continuing contract or contracts with I.T.T. Data Processing, of Paramus. The application was referred to Examiner Samuel Horwich for hearing and the recommendation of an appropriate order thereon. Hearing was held on December 10, 1965, at Newark, N.J. A report and order of the Commission, served April 8, 1966, which became effective May 9, 1966, finds that applicant is fit, willing, and able properly to perform the service of a contract carrier by motor vehicle and to conform to the provisions of the Interstate Commerce Act and with the lawful requirements, rules, and regulations of the Commission thereunder, and that operation by applicant in interstate or foreign commerce, as a contract carrier by motor vehicle, under a continuing contract or contracts with I.T.T. Data Processing, of Paramus, N.J., of (a) *computer data* and (b) *passengers*, in the same vehicle with computer data, between Paramus, N.J., on the one hand, and, on the other, New York, N.Y., and points in Nassau, Suffolk, Westchester, and Dutchess Counties, N.Y., and Fairfield County, Conn., will be consistent with the public interest and the national transportation policy. The examiner further finds that prior to the issuance of an appropriate permit herein, a proper notice of the complete scope of the authority granted herein should be published in the FEDERAL REGISTER in order to allow a 30-day period during which any interested party affected by the broadened scope of such grant, with respect to the notice of the application as previously filed, may file an appropriate pleading.

NOTICE OF FILING OF PETITION

No. MC 48956 (Sub-No. 2) (Notice of filing of petition for modification of per-

mit), filed April 28, 1966. Petitioner: JAMES FLEMING TRUCKING, INC., Suffield, Conn. Petitioner's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Petitioner states it holds authority from this Commission in No. MC 48956 (Sub-No. 2), dated December 6, 1965, authorizing it to conduct operations, over irregular routes, in the transportation of: Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses (except commodities in bulk), from Winslow, Portland, Pine Point, and Farmington, Maine, Hinsdale and Manchester, N.H., Georgetown, Milford, Milton, and Bridgeville, Del., Baltimore, Md., points in New York (except Port Chester, Port Ivory, Fort Edward, and Albany), that part of Maryland south of the Chesapeake and Delaware Canal and east of the Chesapeake Bay, and that part of Virginia east of the Chesapeake Bay, to Suffield, Conn., with no transportation for compensation on return, except as otherwise authorized, limited to a transportation service to be performed, under a continuing contract, or contracts, with Springfield Sugar & Products Co., of Suffield, Conn. By the instant petition, petitioner requests permission so as to add to the authority to perform the presently authorized service the transportation of frozen foods, from Salisbury, Md., to Suffield, Conn., under a continuing contract or contracts with Campbell Soup Co. Any interested person desiring to participate, may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 109397 (Sub-No. 141), filed April 27, 1966. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's representative: Max G. Morgan, 443-54 American Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General freight*, within a 50-mile radius of 464 West 24th Place, Chicago, Ill., to or from any point outside of such authorized area of operation for a shipper or shippers within such area, (2) *general commodities moving on Government bills of lading*, between points in Illinois, and (3) *classes A, B, and C explosives and dangerous articles*, between points in Illinois. NOTE: This application is directly related to Docket No. MC-F 9411 published May 4, 1966. If a hearing is deemed necessary, applicant requires it be held at Washington, D.C.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

MOTOR CARRIERS OF PROPERTY

No. MC-F-9410 (Correction). (P & G MOTOR FREIGHT, INC.—Purchase—COMMERCIAL TRANSPORT, INC.), published in the May 4, 1966, issue of the FEDERAL REGISTER, on page 6650. Erroneously, the addresses of Frank J. Weiner and Louis Barsky, were shown in the prior REGISTER as 556 Granite Street and 400 Court Street, respectively, and which should have been shown as 536 Granite Street and 40 Court Street, respectively.

No. MC-F-9416. Authority sought for control by RUSSELL R. GORE, doing business as THE SPRINGDALE CORPORATION, 1425 Bedford Street, Stamford, Conn., of THE SPRINGDALE CORPORATION, 1425 Bedford Street, Stamford, Conn. Applicants' attorney: John E. Fay, 79 Lafayette Street, Hartford, Conn. Operating rights sought to be controlled: *Sheet copper and brass*, as a *common carrier*, over irregular routes, from Springdale, Conn., to Troy and Green Island, N.Y.; and *scrap copper and brass* and *empty containers* used in transporting sheet copper and brass, from Green Island, N.Y., to Springdale, Conn. RUSSELL R. GORE, doing business as THE SPRINGDALE CORPORATION holds no authority from this Commission. However, he is affiliated with THE GORE FREIGHT LINE, INCORPORATED, 641 Connecticut Avenue, South Norwalk, Conn., which is authorized to operate as a *common carrier* in Connecticut, Massachusetts, New Jersey, Pennsylvania, Rhode Island, and New York. Application has not been filed for temporary authority under section 210a(b). NOTE: Attached hereto is a motion to dismiss application for want of jurisdiction.

No. MC-F-9417. Authority sought for control and merger by TRI-STATE MOTOR TRANSIT CO., Post Office Box 113, Joplin, Mo., of the operating rights and property of DeTAR DISTRIBUTING COMPANY, INC., 233 Southwest 21st Street, Post Office Box 94784, Oklahoma City, Okla. Applicants' attorney and representative: Albert Thomson, Floor 3, Union National Bank Building, Kansas City 6, Mo., and Morris Bradford, 1910 First National Bank Building, Tulsa, Okla., 74103. Operating rights sought to be controlled and merged: *Classes A and B explosives*, except nitroglycerin, as a *common carrier*, over irregular routes, between Joplin, Mo., and points within 15 miles of Joplin, and Columbus and Turck, Kans., on the one hand, and, on the other, Oklahoma City, Okla., and points within 10 miles of Oklahoma City, from Oklahoma City, Okla., and points within 10 miles of Oklahoma City, to points in Arkansas, Kansas, Oklahoma, and Texas, from Atlas, Mo., to Alexandria, La., Dallas and Houston, Tex., and points in Oklahoma, from Alexandria, La., to certain specified points in Texas; *blasting powders and supplies* and *classes A and B explosives*, between points in Oklahoma (except from Oklahoma City, Okla., and points within 10 miles of Oklahoma City, to points in Oklahoma); and *explosives*, except nitroglycerin, between Joplin, Mo., and points in Missouri within 15 miles of Joplin, Mo., on the one hand, and, on the other, points in New Mexico, between points in Kansas, Louisiana, Mississippi, and New Mexico. Restriction: The authority granted herein is subject to the condition that no single portion of the authority contained in this certificate shall be tacked or joined, directly or indirectly, with any other authority contained in this certificate for the purpose of performing any through service. TRI-STATE MOTOR TRANSIT CO. is authorized to operate as a *common carrier* in all States in the United States (except Hawaii) and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: If a hearing is deemed necessary, Applicants request Washington, D.C.

No. MC-F-9418. Authority sought for purchase by FOX-SMYTHE TRANSPORTATION CO., Post Office Box 82307, Stockyards Station, Oklahoma City, Okla., of the operating rights and property of GEORGE B. DUNN, 602 West Randolph, Enid, Okla., and for acquisition by CARL P. SMYTHE and GUY FOX, both also of Oklahoma, City, Okla., of control of such rights and property through the purchase. Applicants' attorney: John E. Jandera, 641 Harrison Street, Topeka, Kans. Operating rights sought to be transferred: *Condensed milk, buttermilk, empty barrels*, and *cream*, as a *common carrier*, over regular routes, between Wichita, Kans., and Oklahoma City, Okla.; *empty containers, butter*, and *cream*, from Oklahoma City, Okla., to Wichita, Kans., serving the intermediate point of Enid, Okla., without restriction; and certain specified intermediate points, restricted to northbound traffic only; *condensed milk* and *condensed buttermilk*, in containers, and *empty containers*, from Wichita, Kans., to Dallas, Tex., serving certain specified intermediate points, restricted to delivery; *cream*, in containers, from Terral, Okla., to Wichita, Kans., serving all intermediate points south of El Reno, Okla., and the off-route points of Anadarko and Lawton, Okla., restricted to pick-up; *empty cream containers, empty butter tubs, condensed milk*, in containers, and *dairy equipment and supplies*, over irregular routes, from Wichita, Kans., to certain specified points in Kansas and Oklahoma; *sour cream* in containers, *butter* in tubs, *milk bottles* in crates, and *dairy equipment and supplies*, from points in Kansas and Oklahoma territory as immediately above, to Wichita, Kans.; *glassware*, including fruit jars, fruit jar tops, jelly glasses, caps and lids, from Sand Springs, Okla., to Wichita, Kans., and points within 150 miles thereof; *condensed milk*, from Wichita, Kans., to Shreveport, La., and Little Rock, Ark.; *empty containers for condensed milk*, from Little Rock, Ark., to Shreveport, La., to Wichita, Kans.; *condensed milk*, in barrels, from Ottawa, Kans., to Enid, Tulsa, and Oklahoma City, Okla., Dallas and Fort Worth, Tex., Shreveport, La., and Little Rock, Ark.

Restriction: The separate grants of authority described above shall not be tacked or joined, directly or indirectly, for the purpose of performing any through service; *commercial fertilizer*, in bulk and in bags, from Dallas, Tex., to points in Oklahoma (with exceptions); *glass bottles and glass fruit jars* not exceeding 1 gallon capacity, *packing glasses and tumblers*, and *jar closures* for glass bottles and glass fruit jars, all in boxes, barrels, crates, carriers, or cartons, from Sapulpa, Okla., to certain specified points in North Dakota and South Dakota, from Sand Springs, Okla., to points in North Dakota and South Dakota; *returned shipments* of the commodities specified next above, from points in North Dakota and South Dakota, to Sapulpa and Sand Springs, Okla.; and *glassware*, and *closures* for glass containers, from Sapulpa, Okla., to points in North Dakota (with exceptions), and points in South Dakota (with exceptions). Vendee is authorized to operate as a *common carrier* in Oklahoma, Texas, New Mexico, Colorado, Utah, Kansas, Nevada, Arizona, Missouri, Arkansas, Nebraska, South Dakota, and Iowa. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9419. Authority sought for purchase by THE E. J. KELLEY CO., INC., Railroad Square, Torrington, Conn., of the operating rights and property of MID-HUDSON EXPRESS, INC., Vineyard Avenue, Highland, N.Y. Applicants' attorney: John R. Sims, Jr., 1750 Pennsylvania Avenue NW., Washington, D.C., 20006. Operating rights sought to be transferred: *General commodities*, as a *common carrier*, over irregular routes, between Kingston, N.Y., on the one hand, and, on the other, points in Ulster, Dutchess, and Orange Counties, N.Y.; and under a certificate of registration, in Docket No. MC-90421 (Sub-No. 3) covering the transportation of general commodities, as a common carrier in intrastate commerce, within the State of New York. Vendee is authorized to operate as a *common carrier* in Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Vermont, New Hampshire, and Rhode Island. Application has not been filed for temporary authority under section 210a(b). NOTE: Docket No. MC-2830 (Sub-No. 6) is a matter directly related.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5405; Filed, May 17, 1966; 8:49 a.m.]

[Notice 921]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 13, 1966.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the Special Rules of Procedure for Hearing outlined below:

SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 69281 (Sub-No. 38), filed May 2, 1966. Applicant: THE DAVIDSON TRANSFER & STORAGE CO., a corporation, 6201 Pulaski Highway, Baltimore, Md. Applicant's representative: Clifford E. Sanders, 321 East Center Street, Post Office Box G, Kingsport, Tenn., 37662. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsite of the P. H. Gladfelter Paper Co. at Spring Grove, Pa., as an off-route point in connection with applicant's regular-route authority over Maryland Highway 30, Pennsylvania Highways 94 and 194, and U.S. Highway 30 between Reisterstown, Md., and York, Pa.

HEARING: June 21, 1966, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James A. McKiel.

No. MC 95540 (Sub-No. 674), filed May 9, 1966. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway, Director of Operating Rights, Watkins Motor Lines, Inc., Albany Highway, Thomasville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Adams County, Nebr., to points in Tennessee (except Memphis and points in the Memphis commercial zone as defined by the Commission), North Carolina, South Carolina, Georgia, Alabama, and Florida. NOTE: Common control may be involved.

HEARING: June 13, 1966, at the Sheraton-Fontenelle Hotel, 1806 Douglas Street, Omaha, Nebr., before Examiner Robert H. Murphy.

No. MC 114284 (Sub-No. 32), filed May 10, 1966. Applicant: FOX-SMYTHE TRANSPORTATION CO., a corporation, Post Office Box 82307, Stockyards Station, Oklahoma City, Okla. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Morgan and Logan Counties, Colo., to points in Utah, Nevada, Arkansas, Kansas, Nebraska, South Dakota, North Dakota, Oklahoma, Texas, New Mexico, Iowa, Arizona, and California.

HEARING: June 20, 1966, at the New Courthouse and Federal Building, 1961 Stout Street, Denver, Colo., before Examiner Harry M. Shooman.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5407; Filed, May 17, 1966; 8:49 a.m.]

[Notice 1348]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 13, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68697. By order of May 12, 1966, the Transfer Board approved the transfer to Franklin Bus Service, Inc., Franklin, Va., of certificate in No. MC-123126 (Sub-No. 1), issued May 15, 1963, to Gurnie Lee Blunt, doing business as Blunt's Bus Line, Franklin, Va., authorizing the transportation of: Passengers and their baggage, in charter operations, beginning and ending at points in Nansemond, Sussex, Isle of Wight, and Southampton Counties, Va., and extending to New York, N.Y., Washington, D.C., and points in Maryland and North Carolina. Henry E. Ketner, 1028 State Planters Bank Building, Richmond, Va., representative for applicants.

No. MC-FC-68700. By order of May 10, 1966, the Transfer Board approved the transfer to Floyd David Bullock, Sr., doing business as Floyd Bullock, Hattiesburg, Miss., of the operating rights in permit No. MC-123919, issued January 24, 1966, to James Lamar Stewart, doing business as Stewart Trucking Co., Canton, Miss., authorizing the transportation, over irregular routes, of farm supplies from Birmingham and Mobile, Ala., and New Orleans, La., to points in a specified area in Mississippi, with certain restrictions. Donald B. Morrison, Box 961, Jackson, Miss., attorney for transferee.

No. MC-FC-68701. By order of May 10, 1966, the Transfer Board approved the transfer to Kenneth E. Vaughn, doing business as Vaughn's Transfer, Monmouth, Ill., of the operating rights in certificate No. MC-68610, issued December 2, 1952, to Amanda J. Vaughn, doing business as Vaughn's Transfer, Monmouth, Ill., authorizing the transportation, over irregular routes, of petroleum products and gasoline filling station supplies and equipment between Waterloo, Iowa, and Monmouth, Ill., and household goods between points in Illinois and Iowa. William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50316, representative for applicants.

No. MC-FC-68717. By order of May 10, 1966, the Transfer Board approved the transfer to DeWall Trucking Service, Inc., Rockford, Ill., of the operating rights of Urban DeWall, doing business as, DeWall Trucking Service, Rockford, Ill., in certificate No. MC-119362 and No. MC-119362 (Sub-No. 1), issued by the Commission October 10, 1962, and March 29, 1965, respectively, authorizing the transportation of: Corrugated pulpboard boxes, knocked-down, and shipping containers, knocked-down, including necessary partitions and separaters used therein from Rockford, Ill., to specified points in Wisconsin and Iowa. John W. Hallock, 807 Talcott Building, Rockford, Ill., 61101, attorney for applicants.

No. MC-FC-68721. By order of May 12, 1966, the Transfer Board approved the transfer to Commercial Hotshot Service, Inc., Natchez, Miss., from James H. Swiney, Jr., doing business as Commercial Hotshot Service, Vidalia, La., of the operating rights in certificate No. MC-123752 (Sub-No. 1), issued July 25, 1962, to Samuel P. Tiffee, doing business as Tiffee's Light Oil Field Hauling, Natchez, Miss., and acquired by James H. Swiney, Jr., doing business as Commercial Hotshot Service, pursuant to No. MC-FC-67426, consummated March 17, 1965, authorizing the transportation, over irregular routes, of: Machinery, equipment, materials and supplies used in replacing, servicing, and repair of machinery and equipment used in, or in connection with the discovery, development and production of natural gas and petroleum and their products and byproducts, restricted to shipments weighing 1,500 pounds or less each, between points in Adams County, Miss., on the one hand, and, on the other, points in Alabama, Arkansas, and Louisiana. Lucien C. Gwin, Post Office Box 1061, Natchez, Miss., 39120, attorney for applicants.

No. MC-FC-68724. By order of May 10, 1966, the Transfer Board approved the transfer to Ivan I. Pratt, doing business as Pratt Motor Freight, Milbank, S. Dak., of certificate No. MC-82082, issued November 21, 1963, to Matth Kanthak and LeRoy Kanthak, a partnership, doing business as Kanthak Trucking, Nassau, Minn., authorizing the transportation of: Feed, livestock, agricultural commodities, household goods as defined by the Commission, lumber, emigrant movables, twine, and farm machinery and parts thereof, over irregular routes between Nassau, Minn., and points in Minnesota within 35 miles thereof, on the one hand, and, on the other, points in Roberts, Grant, Deuel, and Codington Counties, S. Dak., and between points in South Dakota within 35 miles of Nassau, Minn., on the one hand, and, on the other, Minneapolis, St. Paul, South St. Paul, and Newport, Minn. A. R. Fowler, 2288 University Avenue, St. Paul, Minn., 55114, representative for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5408; Filed, May 17, 1966; 8:49 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MAY 13, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. M-4007, filed April 27, 1966. Applicant: ALVIN G. HASEN, doing business as HASEN TRUCK LINE, Booneville, Ark. Applicant's representative: Thomas Harper, Kelley Building, Post Office Box 43, Fort Smith, Ark. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, all as defined by the Interstate Commerce Commission), between Booneville, Ark., and Danville, Ark., over Arkansas Highway 10, serving all intermediate points.

HEARING: June 8, 1966, at 10 a.m., at the Justice Building, Little Rock, Ark.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Arkansas Commerce Commission, Justice Building, Little Rock, Ark., 72201, and should not be directed to the Interstate Commerce Commission.

State Docket No. H-4932, filed April 26, 1966. Applicant: RAYMOND F. HUGHES, doing business as HUGHES FREIGHT LINE, 105 South 13th Street, Centerville, Iowa. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Box 279, Ottumwa, Iowa, 52501. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities*, between Ottumwa, Iowa, and Lineville, Iowa, over U.S. Highway 63 to junction Iowa Highway 2, thence over Iowa Highway 2, to junction U.S. Highway 65, thence over U.S. Highway 65 to Lineville, Iowa, serving all intermediate points and the off-route points of Allerton, Clio, Drakesville, Floris, Harvard, Numa, Paris (Bunch), Rathburn, Seymour, Udell, and Unionville, Iowa.

HEARING: July 19, 1966, 10 o'clock a.m., c.d.s.t., at the office of the Iowa State Commission, State Capitol, Des Moines, Iowa, 50319.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Iowa State Commission, State Capitol, Des Moines, Iowa, 50319 and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5409; Filed May 17, 1966; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

	Page
PROCLAMATION:	
3718	6567
3719	6607
3720	6679
3721	6817
3722	6855
3723	6945
3724	7027
3725	7107
EXECUTIVE ORDER:	
8389 (see EO 11281)	7215
9989 (superseded by EO 11281)	7215
10348 (superseded by EO 11281)	7215
10644 (amended by EO 11281)	7215
11017 (Superseded by EO 11278)	6681
11069 (Superseded by EO 11278)	6681
11218 (Superseded by EO 11278)	6681
11277	6609
11278	6681
11279	6947
11280	7167
11281	7215
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:	
Reorganization Plan No. 2 of 1966	6857

5 CFR

	Page
213	6769, 6859, 6903, 6949, 7169
772	6569, 6949

6 CFR

	Page
70	7029

7 CFR

	Page
7	6569
50	6570
51	7169
68	6629
701	6957, 7169
718	6859
719	7030
722	6573, 6580, 6859
724	6819
729	6581, 6957
813	6819
815	6860
905	6958
908	6825, 7030, 7109
909	6825, 7109
910	6826, 7110
917	7241, 7242
918	6958
944	6959
959	6860
965	7243
980	6629
1098	6581
1099	6861, 7110
1421	6904, 7243
1427	6861, 7110
1434	6582
1490	6862
PROPOSED RULES:	
52	6871, 7185
58	6715
916	6871
965	6592
1032	6631
1038	7061
1039	7061
1050	6631
1065	6873
1068	7129
1099	7129
1125	7062
1126	6631
1133	6986

8 CFR

	Page
204	7217
214	6611, 7170

9 CFR

	Page
76	7029

12 CFR

	Page
1	6826, 6905
10	6949
11	6950
12	6952
13	6953
14	6954
15	6955
16	6955
208	7224
220	7169
522	6905
524	6905

14 CFR

	Page
39	6582, 6685, 6790, 6959, 7031, 7111, 7170
71	6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172, 7217
73	6893, 7032, 7112, 7217
95	7112
97	6612, 6685, 6828, 6894, 7218
137	6685
151	6686
208	6620
223	6584
320	6585
378	6621
PROPOSED RULES:	
37	7084
39	7148
71	6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187.
75	7085
105	6908
121	6592
246	6986

15 CFR

	Page
30	6587
369	7037
372	7038
373	6707, 7038
374	6707
377	6707
379	6709
382	6707, 6709, 7038
384	6709, 6864
385	6709
399	6707, 6709, 6829, 6866, 7038

16 CFR

	Page
13	7056-7059
15	6866, 6906, 7225
59	6960

17 CFR Page

200 6588
240 6705, 6706

18 CFR

260 7226
601 7114
606 7127

19 CFR

1 6611
10 6769

PROPOSED RULES:

1 6871
20 6908

20 CFR

404 6611

PROPOSED RULES:

405 7131, 7143

21 CFR

8 7172, 7227
10 7227
120 7172
121 6830, 7173, 7227, 7228
131 6705, 6906
146c 6830
146e 7228
148 7173
166 7174
191 6622

PROPOSED RULES:

51 6792
121 7245
133 7185
166 7245

24 CFR

200 6866

26 CFR

1 6589, 6966
31 6589, 7183

PROPOSED RULES:

1 6966

28 CFR

0 6867

29 CFR

548 6769
800 6770

31 CFR

90 6960
202 6590

31 CFR—Continued Page

316 6831
332 6686, 6831

32 CFR

43 7228
300 6831
706 6962
1472 6906
1810 6962, 7175

32A CFR

BDSA (Ch. VI):
BDSA Reg. 2 6590
M–11A 7036

33 CFR

203 6907, 7175
207 6590, 6622, 6867
208 6707

35 CFR

255 6831

38 CFR

2 6770
9 7175
21 6771

39 CFR

PROPOSED RULES:

21 6715
24 6715

41 CFR

6–1 6622
6–2 6623
6–3 6623
6–5 6624
6–7 6624
6–11 6624
6–30 6624
6–60 6625
8–7 7178
8–12 7179
9–12 6907
22–60 6625
101–19 7234
101–26 6963, 7234
101–45 6831

42 CFR

55 7128
81 7128

43 CFR Page

PUBLIC LAND ORDERS:
3977 (amended by PLO 4000) 6868
3999 6907
4000 6868

PROPOSED RULES:

1727 6984
2221 6985
3130 6834
3160 6836

45 CFR

90 7128
171 7128
177 6591
801 6591

46 CFR

309 6891
500 7180

PROPOSED RULES:

290 7131
510 6792, 7248
512 6838
513 6838

47 CFR

0 6627, 6831
1 6831, 6868
2 7235
73 6627, 6628, 6868, 7238
91 7235
95 7235

PROPOSED RULES:

2 6909, 7086
73 6637, 6638, 6792, 6838, 6874, 7086, 7246
87 6909, 7086

48 CFR

16 7032
17 7033
18 7034
19 7034

49 CFR

71–79 6591
95 6832
142 6964
188 6964

50 CFR

33 6629, 6832, 6869, 6893, 6964, 7225, 7226
60 6833

PROPOSED RULES:

32 7061
271 7244

SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY MAY 2 3 196

FEDERAL REGISTER

VOLUME 31 • NUMBER 97

Thursday, May 19, 1966 • Washington, D.C.

Pages 7275–7327

Agencies in this issue—

Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Commerce Department
Consumer and Marketing Service
Education Office
Engineers Corps
Federal Aviation Agency
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Indian Affairs Bureau
Interior Department
Interstate Commerce Commission
Land Management Bureau
Patent Office
Securities and Exchange Commission
Wage and Hour Division

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 14—Aeronautics and Space (Parts 1–39)
(Revised)
$1.50

Title 18—Conservation of Power and Water Resources
(Pocket Supplement)
$0.75

Title 21—Food and Drugs (Parts 1–129) (Revised)
$2.00

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963–3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURE DEPARTMENT
See Consumer and Marketing Service.

ARMY DEPARTMENT
See Engineers Corps.

ATOMIC ENERGY COMMISSION
Notices
U.S. Army Materials Research Agency; proposed issuance of facility license amendment 7300

CIVIL AERONAUTICS BOARD
Notices
Liability limitations of Warsaw Convention and Hague Protocol; order approving agreement 7302
Trans Caribbean Airways, Inc.; investigation and suspension 7301

CIVIL SERVICE COMMISSION
Rules and Regulations
Annual and sick leave; refund for unearned leave 7279

COMMERCE DEPARTMENT
See also Patent Office.
Notices
Bureau of the Census; organization 7300

CONSUMER AND MARKETING SERVICE
Proposed Rule Making
Fruit grown in Florida; handling:
Grapefruit 7286
Oranges 7287
Notices
Western Stockman's Market et al.; changes in names of posted stockyards 7293

DEFENSE DEPARTMENT
See Engineers Corps.

EDUCATION OFFICE
Notices
Federal financial assistance in construction of noncommercial educational television broadcast facilities; applications accepted for filing 7293

ENGINEERS CORPS
Rules and Regulations
Anchorages and bridges; Atlantic Ocean, Fla., and Urbanna Creek, Va 7284

FEDERAL AVIATION AGENCY
Rules and Regulations
Airworthiness directive; Vertol Model 107–II helicopters 7279
Federal airways; alteration 7279
Jet advisory areas; alteration 7280

FEDERAL MARITIME COMMISSION
Notices
LaSalle International Freight Forwarding Corp. et al.; licenses and applications 7294
Wilhelmsen Line and Swedish American Line; agreement filed for approval 7293

FEDERAL POWER COMMISSION
Proposed Rule Making
Reporting of major electric power outages by all entities engaged in generation and transmission; extension of time for comments 7287
Notices
Hearings, etc.:
Central Illinois Public Service Co. and Panhandle Eastern Pipe Line Co.; correction 7298
Duke Power Co 7297
Great Western Drilling Co 7299
Northern Natural Gas Co 7297
Pan American Petroleum Corp. et al 7295
Portales Valley Gas Association and Transwestern Pipeline Co 7298
Susquehanna Power Co. and Philadelphia Electric Power Co 7296
Tennessee Gas Pipeline Co 7298
Transcontinental Gas Pipe Line Corp 7297
Transwestern Pipeline Co 7298

FEDERAL TRADE COMMISSION
Rules and Regulations
Administrative opinions and rulings:
Legality of licensee and sublicensee selling to competing jobber 7281
Use of leather terms in description of nonleather gloves 7281

FISH AND WILDLIFE SERVICE
Rules and Regulations
Sport fishing at wildlife refuges in Montana:
Medicine Lake 7285
Red Rock Lakes 7285
Proposed Rule Making
Refuge revenue sharing with counties 7286

FOOD AND DRUG ADMINISTRATION
Rules and Regulations
Food additives:
Amprolium, dienestrol diacetate 7281
Reserpine 7282

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Education Office; Food and Drug Administration.

INDIAN AFFAIRS BUREAU
Rules and Regulations
Operation and maintenance charges, Flathead Indian Irrigation Project, Montana; miscellaneous amendments (2 documents) 7283

INTERIOR DEPARTMENT
See also Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau.
Notices
Gregg, Donald B.; appointment and statement of financial interest 7292

INTERSTATE COMMERCE COMMISSION
Proposed Rule Making
Operations of brokers of passenger transportation 7287
Passenger transportation in special operations 7288
Notices
Fourth section applications for relief 7325
Motor carrier:
Broker, water carrier, and freight forwarder applications 7302
Property 7324
Temporary authority applications 7322
Transfer proceedings 7324

LABOR DEPARTMENT
See Wage and Hour Division.

LAND MANAGEMENT BUREAU
Notices
Idaho; filing of protraction diagram 7292
Oregon; proposed classification of public lands 7292

PATENT OFFICE
Rules and Regulations
Patents and trademarks; miscellaneous amendments 7284

SECURITIES AND EXCHANGE COMMISSION
Proposed Rule Making
Fees for brokers and dealers not members of national securities association 7289

(Continued on next page)

WAGE AND HOUR DIVISION

Notices

Certificates authorizing employment of full-time students working outside school hours in retail or service establishments at special minimum rates 7299

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

630 7279

7 CFR

PROPOSED RULES:

905 (2 documents) 7286, 7287

14 CFR

39 7279
71 7279
75 7280

16 CFR

15 (2 documents) 7281

17 CFR

PROPOSED RULES:

240 7289
249 7289

18 CFR

PROPOSED RULES:

141 7287

21 CFR

121 (2 documents) 7281, 7282

25 CFR

221 (2 documents) 7283

33 CFR

202 7284
203 7284

37 CFR

1 7284
2 7284

49 CFR

PROPOSED RULES:

178 (2 documents) 7287, 7288

50 CFR

33 (2 documents) 7285

PROPOSED RULES:

34 7286

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 630—ABSENCE AND LEAVE

Subpart B—Definitions and General Provisions for Annual and Sick Leave

REFUND FOR UNEARNED LEAVE

Section 630.209 is amended to make clear that an employee whose separation is due to disability is not required to refund for advanced leave. Effective on publication in the FEDERAL REGISTER, paragraph (b) of § 630.209 is amended as set out below.

§ 630.209 Refund for unearned leave.

* * * * *

(b) This section does not apply when an employee:

(1) Dies;

(2) Retires for disability; or

(3) Resigns or is separated because of disability which prevents him from returning to duty or continuing in the service, and which is the basis of the separation as determined by his agency on medical evidence acceptable to it.

(Sec. 206, 65 Stat. 681; 5 U.S.C. 2065)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5483; Filed, May 18, 1966; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7116; Amdt. 39-240]

PART 39—AIRWORTHINESS DIRECTIVES

Vertol Model 107-II Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring installation of a different test switch in order to isolate the test circuitry of each engine fire detector system on Vertol Model 107-II helicopters was published in 31 F.R. 715.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One manufacturer, stating its unfamiliarity with the proposed new test switch, submitted an alternate proposal that would utilize a different switch and wiring circuit, which the commentator claimed would prevent false alarm indications by shunting electrical leakage or moisture path signals to the ground. This alternative would reduce the number of false warnings by deactivating the warning system in the event of ground in the test circuit. However, the Agency believes such a system would present no safety advantage unless a positive indication of system deactivation ("trouble light") were included inasmuch as the Vertol 107-II circuit breakers are not in full view of the crew.

In connection with the foregoing comment, the notice of proposed rule making made provision for equivalent modification. Thus, any scheme that deactivated the warning circuits but included a warning light would not be denied approval for the sole reason that it did not conform with the modification described in the directive.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

VERTOL. Applies to Model 107-II helicopters.

Compliance required within the next 130 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent further simultaneous engine false fire warnings caused by electrical wiring system malfunction:

(a) Accomplish the following or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region—

(1) Isolate each fire detector system test circuit by replacing wafer test switch, P/N1-1917-1N5, with switch, P/N1-1919-2N5; and

(2) Revise the wiring arrangement in accordance with Vertol Service Bulletins Nos. 107-219 and 107-219A dated September 20, and October 22, 1965, respectively, or later FAA-approved revisions.

(b) After modification in accordance with paragraph (a), functionally test the engine fire detection system as described in Vertol 107-2 Maintenance Manual, Chapter 16.

This amendment becomes effective June 18, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 13, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-5443; Filed, May 18, 1966; 8:45 a.m.]

[Airspace Docket No. 65-EA-91]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On February 3, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 1312) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of airway segments in the New York Air Route Traffic Control Center area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Due consideration was given to all comments received. The Air Transport Association of America concurred with the actions proposed in the notice provided that where cardinal altitudes could be preserved the minimum en route altitudes be established at no more than 1,500 feet above the surface. The action proposed in the notice would have no effect on presently established minimum en route altitudes. No other comments were received.

The segment of V-226 from Stillwater, N.J., to Budd Lake INT considered in the notice was included in Airspace Docket No. 65-EA-51 for continuity in the airway description.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 2473, 3231, 5057) is amended as follows:

1. In V-1 all between "Salisbury;" and "The airspace within R-4006" is deleted and "12 AGL Waterloo, Del.; 12 AGL INT Waterloo 023° and Atlantic City, N.J., 238° radials; 12 AGL Atlantic City; 12 AGL Barnegat, N.J.; 12 AGL INT Barnegat 043° and Kennedy, N.Y., 159° radials." is substituted therefor.

2. In V-3 all between "West Chester;" and "INT of Hartford 044°" is deleted and "12 AGL Solberg, N.J.; 12 AGL Carmel, N.Y.; 12 AGL Hartford, Conn.;" is substituted therefor.

3. In V-6 all after "Allentown;" is deleted and "12 AGL Solberg, N.J.; 12 AGL INT Solberg 094° and Kennedy, N.Y., 258° radials. The airspace within R-4803 is excluded." is substituted therefor.

4. In V-16 all between "to Kenton, Del.;" and "Norwich, Conn.;" is deleted and "12 AGL Millville, N.J.; 12 AGL Coyle, N.J.; 12 AGL INT Coyle 078° and Barnegat, N.J., 043° radials; 12 AGL INT Kennedy, N.Y., 159° and Riverhead, N.Y., 218° radials; 12 AGL Riverhead;" is substituted therefor.

5. In V-29 all before "12 AGL Pottstown, Pa.;" is deleted and "From Snow Hill, Md., 12 AGL Salisbury, Md.; 12 AGL INT Salisbury 340° and Kenton, Del., 217° radials; 12 AGL Kenton; 12 AGL New Castle, Del.; 12 AGL West Chester, Pa.;" is substituted therefor.

6. In V-30 "to Colts Neck, N.J." is deleted and "12 AGL Colts Neck, N.J." is substituted therefor.

7. In V-34 all after "12 AGL Hancock, N.Y.;" is deleted and "12 AGL Carmel, N.Y.; 12 AGL Riverhead, N.Y. The air-

space within Canada and R–5207 is excluded." is substituted therefor.

8. In V–39 all between "12 AGL Huguenot, N.Y.;" and "Westfield, Mass.;" is deleted and "12 AGL INT Huguenot 032° and Poughkeepsie, N.Y., 259° radials; 12 AGL Poughkeepsie;" is substituted therefor.

9. In V–44 all between "Kenton;" and "The airspace below 2,000 feet MSL" is deleted and "12 AGL INT Kenton 086° and Atlantic City, N.J., 238° radials; 12 AGL Atlantic City; 12 AGL Barnegat, N.J.; 12 AGL INT Barnegat 043° and Riverhead, N.Y., 218° radials; 12 AGL Riverhead;" is substituted therefor.

10. V–46 is amended to read as follows:

V–46 From Deer Park, N.Y., 12 AGL INT Deer Park 095° and Hampton, N.Y., 223° radials (Beach INT) including a 12 AGL N alternate from Deer Park to Beach INT via Riverhead, N.Y., 12 AGL Hampton; 12 AGL INT Hampton 083° and Nantucket, Mass., 255° radials; 12 AGL Nantucket. The airspace below 2,000 feet MSL outside the United States is excluded.

11. In V–58 all after "12 AGL Wilkes-Barre, Pa.;" is deleted and "12 AGL Poughkeepsie, N.Y.; 12 AGL Hartford, Conn.; 12 AGL INT Hartford 130° and Providence, R.I., 212° radials." is substituted therefor.

12. In V–91 all before "INT Poughkeepsie 342°" is deleted and "From Riverhead, N.Y., 12 AGL Poughkeepsie, N.Y.;" is substituted therefor.

13. In V–106 all between "12 AGL Wilkes-Barre, Pa.;" and "Westfield, Mass.;" is deleted and "12 AGL INT Huguenot 032° and Poughkeepsie, N.Y.;" is substituted therefor.

14. In V–116 all after "12 AGL Sparta, N.J.;" is deleted and "12 AGL INT Sparta 108° and La Guardia, N.Y., 338° radials; 12 AGL La Guardia. The airspace within Canada is excluded." is substituted therefor.

15. In V–123 all between "Woodstown;" and "INT of Carmel 031°" is deleted and "12 AGL INT Woodstown 043° and Robbinsville, N.J., 239° radials; 12 AGL Robbinsville; 12 AGL INT Robbinsville 052° and La Guardia, N.Y., 208° radials; 12 AGL La Guardia; 12 AGL INT La Guardia 034° and Carmel, N.Y., 188° radials; 12 AGL Carmel;" is substituted therefor.

16. In V–126 all after "12 AGL Huguenot, N.Y.;" is deleted and "12 AGL INT Huguenot 102° and Carmel, N.Y., 274° radials; 12 AGL Carmel; 12 AGL INT Carmel 093° and Norwich, Conn., 227° radials." is substituted therefor.

17. In V–139 all before "INT of Hampton 059°" is deleted and "From Cape Charles, Va., via Snow Hill, Md.; 12 AGL Sea Isle, N.J.; 12 AGL INT Sea Isle 049° and Hampton, N.Y., 223° radials; 12 AGL Hampton;" is substituted therefor.

18. In V–157 all between "New Castle;" and "The airspace within R–4001," is deleted and "12 AGL Robbinsville, N.J.; 12 AGL Colts Neck, N.J." is substituted therefor.

19. In V–167 all before "INT of Hartford 076°" is deleted and "From Coyle, N.J.; 12 AGL INT Coyle 050° and Kennedy, N.Y., 178° radials; 12 AGL Kennedy; 12 AGL Hartford, Conn.;" is substituted therefor.

20. In V–213 all after "Patuxent River, Md.;" is deleted and "12 AGL Kenton, Del.; 12 AGL Woodstown, N.J.; 12 AGL INT Woodstown 043° and Robbinsville, N.J., 239° radials; 12 AGL Robbinsville; 12 AGL Kennedy, N.Y. The airspace within R–4005, R–4006, and R–4007 is excluded." is substituted therefor.

21. In V–232 all after "12 AGL Tannersville, Pa.;" is deleted and "12 AGL INT Tannersville 114° and Solberg, N.J., 051° radials." is substituted therefor.

22. V–238 is amended to read as follows:

V–238 From Philipsburg, Pa., 12 AGL Harrisburg, Pa.; 12 AGL INT Harrisburg 132° and West Chester, Pa., 274° radials; 12 AGL West Chester; 12 AGL INT West Chester 120° radial and Philadelphia, Pa., International Airport ILS localizer 256° course; 12 AGL Woodstown, N.J.; 12 AGL Millville, N.J.; 12 AGL Atlantic City, N.J. The airspace within R–5802 is excluded.

23. V–239 is amended to read as follows:

V–239 From Sea Isle, N.J., 12 AGL Woodstown, N.J.; 12 AGL New Castle, Del.

24. In V–268 all after "Kenton" is deleted and "; 12 AGL INT Kenton 086° and Sea Isle, N.J., 049° radials. The airspace within R–4001 is excluded." is substituted.

25. V–271 is amended to read as follows:

V–271 From Kenton, Del., 12 AGL Woodstown, N.J.; 12 AGL INT Philadelphia, Pa., International Airport ILS localizer 256° course and West Chester, Pa., 120° radial; 12 AGL West Chester.

26. In V–276 all after "12 AGL Yardley, Pa.;" is deleted and "12 AGL Robbinsville, N.J.; 12 AGL INT Hampton, N.Y., 223° and Kennedy, N.Y., 159° radials. The airspace below 2,000 feet MSL outside the United States is excluded." is substituted therefor.

27. In V–292 all before "Putnam, Conn.;" is deleted and "From INT Sparta, N.J., 194° and Stillwater, N.J., 110° radials; 12 AGL Sparta; 12 AGL INT Sparta 082° and Carmel, N.Y., 232° radials; 12 AGL Carmel; 12 AGL Hartford, Conn." is substituted therefor.

28. In V–308 all before "INT Hampton 059°" is deleted and "Nottingham, Md., 12 AGL Kenton, Del.; 12 AGL INT Kenton 086° and Sea Isle, N.J., 049° radials; 12 AGL INT Sea Isle, 049° and Hampton, N.Y., 223° radials; 12 AGL Hampton." is substituted therefor.

29. V–312 is amended to read as follows:

V–312 From Coyle, N.J., 12 AGL INT Hampton, N.Y., 223° and Kennedy, N.Y., 159° radials. The airspace below 2,000 feet MSL outside the United States is excluded.

30. In V–433 all after "New Castle;" is deleted and "12 AGL Yardley, Pa.; 12 AGL INT Yardley 059° and La Guardia, N.Y., 231° radials; 12 AGL La Guardia; 12 AGL INT La Guardia 059° and Carmel, N.Y., 127° radials; 12 AGL Bridgeport, Conn.; 12 AGL INT Bridgeport 005° and Hartford, Conn., 280°." is substituted therefor.

31. V–445 is amended to read as follows:

V–445 From La Guardia, N.Y., 12 AGL INT La Guardia 034° and Hartford, Conn., 245° radials.

32. V–467 is amended to read as follows:

V–467 From La Guardia, N.Y., 12 AGL Madison, Conn.

33. In V–474 all after "St. Thomas, Pa.;" is deleted and "12 AGL INT St. Thomas 088° and West Chester, Pa., 274° radials; 12 AGL West Chester; 12 AGL INT West Chester 095° and Woodstown, N.J., 043° radials." is substituted therefor.

34. In V–475 all before "to Putnam, Conn.," is deleted and "From Deer Park, N.Y., 12 AGL Madison, Conn.;" is substituted therefor.

35. In V–487 all before "Cambridge, N.Y.;" is deleted and "From INT La Guardia, N.Y., 034° and Carmel, N.Y., 188° radials; 12 AGL Carmel; 12 AGL Poughkeepsie, N.Y.;" is substituted therefor.

36. In V–489 all before "Albany, N.Y.;" is deleted and "From INT Sparta, N.J., 194° and Stillwater, N.J., 110° radials; 12 AGL Sparta; 12 AGL Kingston, N.Y.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 12, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–5444; Filed, May 18, 1966; 8:45 a.m.]

[Airspace Docket No. 66–SW–11]

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Advisory Areas

The purpose of this amendment is to alter the vertical limits of the nonradar jet advisory areas established with the segments of Jet Routes Nos. 25 and 29 from the United States/Mexican border for a distance of 42 miles to the positive control area boundary north of Brownsville, Tex.

The nonradar jet advisory areas presently established for these jet route segments under consideration include the altitudes from flight level 270 through flight level 310, inclusive and from flight level 370 through flight level 390, inclusive. The majority of the air traffic which utilize these routes operate to or from Mexico City at flight levels 330 or 350, and consequently, require numerous altitude changes to conform to the nonradar jet advisory area altitudes presently established for these routes. The principal users of this airspace at this altitude are scheduled air carriers and military aircraft. The air carriers have requested this action, and the military users have stated that they have no objection to the change. Accordingly, action is taken herein to alter the nonradar jet advisory areas associated with Jet Routes Nos. 25 and 29 to include the altitudes at flight level 270 through flight level 410, inclusive.

Since this amendment will confer a measure of safety and convenience to a principle user of this airspace without a significant burden being imposed upon the public, it has been determined that notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 75.200 (31 F.R. 2361) is amended as follows:

a. In Jet Route No. 25 Jet Advisory Area ", from FL 270 to FL 410, inclusive." is added at the end of text.

b. In Jet Route No. 29 Jet Advisory Area ", from FL 270 to FL 410, inclusive." is added at the end of text.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 12, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–5445; Filed, May 18, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Use of Leather Terms in Description of Nonleather Gloves

§ 15.47 Leather terms may not be used for nonleather gloves even if true composition is disclosed—manner and place of disclosing foreign origin.

(a) The Federal Trade Commission has made public its advice to a marketer of gloves that it would be improper to use a leather-connoting description for gloves which in fact contain no leather, even though qualifying language is used to describe their true composition.

(b) Noting that the gloves are to be imported from Japan and the requesting party intends to disclose their origin on the paper bands and box labels, the Commission further advised that to avoid possible deception, disclosure of the Japanese origin must also be made on each pair of gloves by marking or stamping on a label or tag affixed thereto. This disclosure must be readily visible upon casual inspection of the gloves and of such permanence as to remain on them until consummation of sale to the ultimate purchaser.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: May 18, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–5457; Filed, May 18, 1966; 8:46 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Legality of Licensee and Sublicensee Selling to Competing Jobbers

§ 15.48 Legality of licensee and sublicensee selling to competing jobbers.

(a) An exclusive licensee of a patented article has requested advice from the Federal Trade Commission concerning the legality of his sales and those of a manufacturing sublicensee to competing jobbers.

(b) The licensee proposed to sublicense a manufacturer to produce the article and sell it to its own jobbers. At the same time, the licensee, on his own account, would sell the same article under a different name to his own jobbers. The sublicensee manufacturer would ship direct to customers of the licensee, some of which may be in competition with its own jobbers, and bill the licensee at an agreed price.

(c) The Commission advised that in general, the Robinson-Patman Act "does not apply unless there is a discrimination attributable to the same seller in dealing with different purchasers."

(d) Consequently, it said, if the manufacturer, a separate business entity, has and exercises sole and independent control over the prices at which it sells and the licensee has and exercises sole and independent control over the prices at which he sells, "questions cannot well arise under section 2(a) of the Robinson-Patman Act."

(e) However, the Commission pointed out that on the basis of the facts available it is unable to say that the plan "would not violate any of the trade regulation laws. For example, we do not know what, if any, price agreements are contemplated between * * * [the licensee] and the manufacturer or the nature thereof or whether such agreements may hereafter come into being."

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: May 18, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–5458; Filed, May 18, 1966; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

AMPROLIUM, DIENESTROL DIACETATE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 5D1771) filed by Schering Corp., Bloomfield, N.J., 07003, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of amprolium and dienestrol diacetate in combination in medicated chicken feeds. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Part 121 is amended in the following respects:

1. Section 121.210(c) is amended by adding to table 1 new items 2.5 and 2.6, as follows:

§ 121.210 Amprolium.

* * * * * *

(c) * * *

TABLE 1—AMPROLIUM IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per tons	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
2.5 Amprolium...	113.5–227 (0.0125%–0.025%)	Dienestrol diacetate.	20.9 (0.0023%)	For broiler chickens; withdraw 48 hours before slaughter; start treatment at 5 or 6 weeks of age; treat 4 to 6 weeks.	Prevention of coccidiosis; promotion of fat distribution for tenderness and bloom.
2.6 Amprolium...	113.5–227 (0.0125%–0.025%)	Dienestrol diacetate.	63.6 (0.007%)	For broiler chickens; withdraw 48 hours before slaughter; start treatment at 3 weeks of age; treat for 3 weeks.	Do.
* * *	* * *	* * *	* * *	* * *	* * *

2. Section 121.266(c) is amended by revising the table to read as follows:

§ 121.266 Dienestrol diacetate.

* * * * * * * * *

(c) * * *

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1.1 Dienestrol diacetate.	20.9 (0.0023%)			For broiler chickens; withdraw 48 hours before slaughter; start treatment at 5 or 6 weeks of age; treat 4 to 6 weeks.	Promotion of fat distribution for tenderness and bloom.
1.2 Dienestrol diacetate.	20.9 (0.0023%)	Amprolium	113.5–227 (0.0125%–0.025%)	do	Prevention of coccidiosis; promotion of fat distribution for tenderness and bloom.
2.1 Dienestrol diacetate.	63.6 (0.007%)			For broiler chickens; withdraw 48 hours before slaughter; start treatment at 3 weeks of age; treat for 3 weeks.	Promotion of fat distribution for tenderness and bloom.
2.2 Dienestrol diacetate.	63.6 (0.007%)	Amprolium	113.5–227 (0.0125%–0.025%)	do	Prevention of coccidiosis; promotion of fat distribution for tenderness and bloom.
3.1 Dienestrol diacetate.	20.9 (0.0023%)			For rooster chickens; withdraw 48 hours before slaughter; start treatment 5 or 6 weeks of age; treat 6 to 10 weeks.	Promotion of fat distribution for tenderness and bloom.
4.1 Dienestrol diacetate.	31.8 (0.0035%)			For rooster chickens; withdraw 48 hours before slaughter; start treatment at 8 or 9 weeks of age; treat 5 to 7 weeks.	Do.
5.1 Dienestrol diacetate.	63.6 (0.007%)			For turkey broilers; withdraw 48 hours before slaughter; start treatment at 8 to 10 weeks of age; treat for 3 weeks.	Do.

* * * * * * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1))

Dated: May 11, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5412; Filed, May 18, 1966; 8:45 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

RESERPINE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 5D1800) filed by CIBA Pharmaceutical Co., Summit, N.J., 07901, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of reserpine in feed for replacement chickens. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.205(c) is amended by changing table 1 in the following respects:

1. Item 1 is amended under the "Limitations" column by adding "and replacement chickens".

2. Subitems (a), (b), and (c) of item 1 are amended under the "Limitations" column by deleting "For broilers;".

As amended, the affected portions read as follows:

§ 121.205 Reserpine.

* * * * * * * * *

(c) * * *

TABLE 1—RESERPINE WITH OR WITHOUT ANTIBIOTICS IN COMPLETE CHICKEN FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1. Reserpine	* * *	* * *	* * *	For broilers and replacement chickens	* * *
(a) Reserpine	* * *	* * *	* * *	As bacitracin or zinc bacitracin	* * *
(b) Reserpine	* * *	* * *	* * *	As chlortetracycline hydrochloride	* * *
(c) Reserpine	* * *	* * *	* * *	§ 121.208(d), table 1, items 1, 2, 6, 11; as chlortetracycline hydrochloride.	* * *

* * * * * * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1))

Dated: May 11, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5414; Filed, May 18, 1966; 8:45 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Flathead Indian Irrigation Project, Montana

On pages 5766 and 5767 of the FEDERAL REGISTER of April 14, 1966, there was published a notice of intention to amend §§ 221.16 and 221.17 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project, Montana, that are not subject to the jurisdiction of the several irrigation districts. The purpose of the amendments is to establish the assessment rate for nondistrict lands of the Flathead Indian Irrigation Project for 1966 and thereafter until further notice.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments. No comments, suggestions, or objections have been received, and the proposed amendments are hereby adopted without change as set forth below.

Section 221.16 is amended to read as follows:

§ 221.16 Charges, Jocko Division.

(a) An annual minimum charge of $3.09 per acre, for the season of 1966 and thereafter until further notice, shall be made against all assessable irrigable land in the Jocko Division that is not included in an Irrigation District organization, regardless of whether water is used.

(b) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to 1½ acre-feet per acre for the entire assessable area of the farm unit, allotment, or tract. Additional water, if available, will be delivered at the rate of two dollars and six cents ($2.06) per acre-foot or fraction thereof.

Section 221.17 is amended to read as follows:

§ 221.17 Charges, Mission Valley and Camas Divisions.

(a) (1) An annual minimum charge of $3.27 per acre, for the season of 1966 and thereafter until further notice, shall be made against all assessable irrigable land in the Mission Valley Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to 1½ acre-feet per acre for the entire assessable area of the farm unit, allotment, or tract. Additional water if available, will be delivered at the rate of two dollars and eighteen cents ($2.18) per acre-foot or fraction thereof.

(b) (1) An annual minimum charge of $4.07 per acre, for the season of 1966 and thereafter until further notice, shall be made against all assessable irrigable land in the Camas Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to 1½ acre-feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of two dollars and seventy-one cents ($2.71) per acre-foot or fraction thereof.

JAMES F. CANAN,
Area Director.

[F.R. Doc. 66-5479; Filed, May 18, 1966; 8:47 a.m.]

PART 221—OPERATION AND MAINTENANCE CHARGES

Flathead Indian Irrigation Project, Montana

On page 5766 of the FEDERAL REGISTER of April 14, 1966, there was published a notice of intention to amend §§ 221.24, 221.26, and 221.28 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project, Mont., that are subject to the jurisdiction of the several irrigation districts. The purpose of the amendments is to establish the lump sum assessment against the Flathead, Mission, and Jocko Valley Districts within the Flathead Indian Irrigation Project for the 1967 season.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments. No comments, suggestions, or objections have been received, and the proposed amendments are hereby adopted without change as set forth below.

Sections 221.24, 221.26, and 221.28 are amended to read as follows:

§ 221.24 Charges.

Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Mont., on May 12, 1928, as supplemented and amended by later contracts dated February 27, 1929; March 28, 1934; August 26, 1936; and April 5, 1950, there is hereby fixed for the season of 1967 an assessment of $283,834.49 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Flathead Irrigation District. This assessment involves an area of approximately 80,476.79 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.26 Charges.

Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Mont., on March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as supplemented and amended by later contracts dated June 2, 1934, June 6, 1936, and May 16, 1951, there is hereby fixed, for the season of 1967 an assessment of $49,704.05 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Mission Irrigation District. This assessment involves an area of approximately 14,726.76 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.28 Charges.

Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Indian Irrigation Project, Mont., on November 13, 1934, approved by the Secretary of the Interior on February 26, 1935, as supplemented and amended by

later contracts dated August 26, 1936, and April 18, 1950, there is hereby fixed for the season of 1967 an assessment of $22,080.60 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Jocko Valley Irrigation District. This assessment involves an area of approximately 6,822.17 acres, which does not include any land: held in trust for Indians and covers all proper general charges and project overhead.

JAMES F. CANAN,
Area Director.

[F.R. Doc. 66-5480; Filed, May 18, 1966; 8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

PART 203—BRIDGE REGULATIONS

Atlantic Ocean, Fla., and Urbanna Creek, Va.

1. Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U.S.C. 471), § 202.182 is hereby prescribed governing the use, navigation and administration of anchorage areas in the Atlantic Ocean near Mayport, Fla., effective 30 days after publication in the FEDERAL REGISTER, as folflows:

§ 202.182 Atlantic Ocean off Fort George Inlet, near Mayport, Fla.

(a) *The Anchorage areas*—(1) *Anchorages for aircraft carriers and other deep draft vessels.* Four circular areas each with a radius of 600 yards and with their centers located at: "A"—latitude 30°25'35", longitude 81°21'23"; "B"—latitude 30°26'13", longitude 81°21'13"; "C"—latitude 30°26'19", longitude 81°-20'27"; "D"—latitude 30°26'55", longitude 81°20'47".

(2) *Anchorages for destroyers and other ships of similar size.* Six circular areas each with a radius of 300 yards and with their centers located at: "1"—latitude 30°24'38", longitude 81°21'57"; "2"—latitude 30°24'57", longitude 81°-21'58"; "3"—latitude 30°24'56", longitude 81°21'38", "4"—latitude 30°25'13", longitude 81°22'05"; "5"—latitude 30°-25'13", longitude 81°21'43"; "6"—latitude 30°25'07", longitude 81°21'24".

(3) *Explosives anchorage.* The circular area "A" described in paragraph (a)(1) of this section is also designated as an explosives anchorage for use during periods when ammunition must be handled outside the limits of the U.S. Naval Station, Mayport, Fla.

(b) *The regulations for all designated areas.* (1) Usage of these areas by naval vessels shall predominate only when necessary for military requirements; at such times other vessels shall remain clear of the areas.

(2) Prudent assignment of the anchorage areas shall be made by the Commanding Officer, U.S. Naval Station, Mayport, Fla.

(c) *Additional regulations for Explosives Anchorage Area "A".* (1) When occupied by a vessel handling explosives, no other vessel may enter the area unless authorized by the enforcing agency.

(2) Only one vessel handling explosives may anchor in the area at one time. A patrol craft shall be utilized to assure that other vessels remain clear when explosives are exposed or being transferred to and from the anchorage.

(3) No more than 500,000 pounds net high explosives or equivalent may be exposed in the area at any one time.

(d) The regulations in this section shall be enforced by the Commanding Officer, U.S. Naval Station, Mayport, Fla., or other agencies that he may designate.

[Regs., May 3, 1966, 1502-32 (Atlantic Ocean Fla.)-ENGCW-ON] (Sec. 7, 38 Stat. 1053; 33 U.S.C. 471)

2. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.245 is hereby amended with respect to paragraph (f) by revoking subparagraph (21), effective on publication in the FEDERAL REGISTER, since the drawbridge has been replaced by a fixed bridge, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

* * * * * *

(f) Waterways discharging into Chesapeake Bay. * * *

(21) Urbanna Creek, Va. [Revoked].

* * * * * *

[Regs., May 3, 1966, 1507-32 (Urbanna Creek, Va.)-ENGCW-ON] (Sec. 5, 28 Stat. 362, 33 U.S.C. 499)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-5446; Filed, May 18, 1966; 8:45 a.m.]

Title 37—PATENTS, TRADEMARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE IN PATENT CASES

PART 2—RULES OF PRACTICE IN TRADEMARK CASES

Miscellaneous Amendments

There follow amended rules of patent and trademark practice. These changes are either minor, corrective, or provide for practices which are less demanding than presently required. Notice and public hearings are therefore deemed unnecessary and these changes become effective on the date of publication in the FEDERAL REGISTER.

Pursuant to authority provided by the Act of March 26, 1964 (78 Stat. 171), the Commissioner of Patents prescribes that certain documents required by the Atomic Energy Act and the National Aeronautics and Space Act of 1958 to be filed in the Patent Office by inventors concerning the making or conception of inventions in these respective fields may be filed in the form of a declaration in lieu of the presently required statement under oath.

The Patent Office is advised by the Atomic Energy Commission and the National Aeronautics and Space Administration that, in accordance with the respective laws for these agencies, material false statements made in this connection may, in addition to the penalties described in the Act of March 26, 1964, jeopardize the right of the inventor or assignee to title of any ensuing patent and subject the inventor to other penalties provided by the respective laws of these agencies.

The amendments to Part 1, Rules of Practice in Patent Cases follow:

Section 1.21 is amended by deleting the charge of "0.25" in paragraph (t) thereof and substituting in lieu thereof the charge of "0.50"; and by deleting paragraph (u) thereof.

§ 1.21 Patent and miscellaneous fees and charges.

* * * * * *

(t) For special service to expedite furnishing items or services ahead of regular order:

On orders for copies of U.S. patents and trademark registrations, in addition to the charge for the copies, for each copy ordered $0.50

On all other orders or requests for which special service facilities are available, in addition to the regular charge, a special service charge equal to the amount of regular charge; minimum special service charge per order or request..... 1.00

* * * * * *

Section 1.68(b) is amended by deleting the word "and", changing the period to a comma and adding to the section the phrase: "and when filing a statement concerning the making or conception of the invention as required by 42 U.S.C. 2182, or by 42 U.S.C. 2457(c).", so that the section reads:

§ 1.68 Declaration in lieu of application oath.

* * * * * *

(b) A written declaration by the applicant satisfying the foregoing conditions, may also be used in lieu of an oath when presenting a claim for matter not originally claimed (§ 1.67), when applying for a reissue patent (§§ 1.71 and 1.172), when applying for a patent for a design (§§ 1.151 and 1.153), and when filing a statement concerning the making or conception of the invention as required by 42 U.S.C. 2182, or by 42 U.S.C. 2457(c).

Section 1.257(b) is amended by substituting reference to § "1.231" for § "1.232" and for § "1.233" therein so that the section reads:

§ 1.257 Burden of proof.

* * * * * *

(b) The termination of the interference by dissolution under §§ 1.231 or 1.237, without an award of priority, or by an award of priority based solely upon ancillary matters, shall not disturb this presumption, and a party under these circumstances enjoying the status of a senior party with respect to any subject matter of his application shall not be deprived of any claim to such subject matter solely on the ground that such claim was not added to the interference by amendment under § 1.231.

The amendment to Part 2, Rules of Practice in Trademark Cases follows:

Section 2.185, paragraph (a), subparagraph (2), is amended by deleting the word "sworn" and inserting in lieu thereof the word "signed" so that the section reads:

§ 2.185 Requirements for assignments.

(a) * * *

(2) It is in the English language or, if not in the English language, accompanied by a signed translation;

* * * * * *

(Sec. 1, 66 Stat. 793, 35 U.S.C. 6; sec. 1, 78 Stat. 171, 35 U.S.C. 25; sec. 3, 79 Stat. 260, 15 U.S.C. 113; sec. 41, 60 Stat. 427, 15 U.S.C. 1123; sec. 25, 78 Stat. 171, 35 U.S.C. 25)

EDWARD J. BRENNER,
Commissioner of Patents.

Approved: May 9, 1966.

J. HERBERT HOLLOMON,
Assistant Secretary for Science and Technology.

[F.R. Doc. 66-5448; Filed, May 18, 1966; 8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Red Rock Lakes National Wildlife Refuge, Mont.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MONTANA

RED ROCK LAKES NATIONAL WILDLIFE REFUGE

Sport fishing on the Red Rock Lakes National Wildlife Refuge, Mont., is permitted only on the area designated by signs as open to fishing. This open area, comprising approximately 125 acres, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The sport fishing season on the refuge shall be as follows:

Open to fishing June 12 through November 30, 1966—Culver Pond (Widow's Pool), MacDonald Pond, and Picnic Creek Impoundment.

Closed entire year: Shambow Pond, Upper Red Rock Lake, Lower Red Rock Lake, Swan Lake, Red Rock River between Upper and Lower Red Rock Lakes, and all waters within 100 yards of the above listed areas.

Those waters on the refuge not designated above are open to fishing June 26 through November 30, 1966.

(2) Boats without motors may be used for fishing.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to May 1, 1967.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 3, 1966.

[F.R. Doc. 66-5450; Filed, May 18, 1966; 8:45 a.m.]

PART 33—SPORT FISHING

Medicine Lake National Wildlife Refuge, Mont.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MONTANA

MEDICINE LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Medicine Lake National Wildlife Refuge, Mont., is permitted only on the area designated by signs as open to fishing. This open area, comprising 750 acres, is delineated on maps available at the refuge headquarters, Medicine Lake, Mont., 59247, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The sport fishing season on the refuge extends from July 1, through September 15, 1966, and from November 15, 1966, through March 31, 1967.

(2) Boats with or without motors may be used for fishing.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to May 1, 1967.

PAUL T. QUICK,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 10, 1966.

[F.R. Doc. 66-5481; Filed, May 18, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 34]

REFUGE REVENUE SHARING WITH COUNTIES

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Act of August 30, 1964 (78 Stat. 701, 16 U.S.C. 715s), it is proposed to amend 50 CFR by adding Part 34 as set forth below. The purpose of this amendment is to prescribe the procedures for sharing with certain counties the revenues derived from the management and administration of areas of the National Wildlife Refuge System.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule-making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240 within 60 days of the date of publication of this notice in the FEDERAL REGISTER.

§ 34.1 Purpose.

The purpose of the regulations contained in this part is to prescribe the procedures for sharing with certain counties the revenues derived from the management and administration of areas of the National Wildlife Refuge System.

§ 34.2 Authority.

(a) The Act of August 30, 1964 (78 Stat. 701, 16 U.S.C. 715s) amended section 401 of the Act of June 15, 1935 (45 Stat. 378, 383), by providing new formulas for sharing with certain counties the revenues derived from areas of the National Wildlife Refuge System that are solely or primarily administered by the Fish and Wildlife Service of the Department of the Interior. Payments to the counties under the Act must be used for the benefit of public schools and roads.

(b) Pursuant to Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d), and the regulations issued pursuant thereto, which are contained in 43 CFR Part 17, counties must file an assurance with the Department, comply with the terms of the assurances, and comply with regulations contained in 43 CFR Part 17 in order to continue to receive this Federal financial assurance.

§ 34.3 Areas of the System.

In order for any county to share in the revenues, there must be located within the county, areas of land and/or water administered by the Secretary of the Interior as wildlife refuges, wildlife ranges, game ranges, wildlife management areas, or waterfowl production areas, and these areas must be solely or primarily administered by the Fish and Wildlife Service.

§ 34.4 Distribution of revenues.

The Act provides that the Secretary of the Interior, at the end of each fiscal year, shall pay out of the net revenues deposited into the National Wildlife Refuge Fund for such fiscal year:

(a) To each county in which reserved public lands in areas of the System are situated, an amount equal to 25 per centum of the net receipts collected by the Secretary from such reserved public lands in that particular area of the System: *Provided*, That when any such area is situated in more than one county the distributive share to each county from the aforesaid receipts shall be proportional to its acreage of such public lands therein; and

(b) To each county in which areas in the System are situated that have been acquired in fee by the United States, either (1) three-fourths of one per centum of the cost of the areas, exclusive of any improvements to such areas made subsequent to Federal acquisition, such cost to be adjusted to represent current values as determined by the Secretary for the first full fiscal year after enactment of this Act and as redetermined by him at 5-year intervals thereafter, or (2) 25 per centum of the net receipts collected by the Secretary from such acquired lands in that particular area of the System within such counties, whichever is greater.

§ 34.5 Adjustment of land costs.

(a) Section 401(c)(2) of the Act (16 U.S.C. 715s(c)(2)), provides for the adjustment of costs of acquired lands to represent current values with readjustments at 5-year intervals. The costs of all tracts acquired in each year for each county will be adjusted every 5 years to reflect increases or decreases in land costs. The cost of the land is adjusted according to Tables of Index Numbers of Average Values of Farm Real Estate compiled by the Economic Research Service of the U.S. Department of Agriculture as published in its semiannual "Farm Real Estate Market Development." All land costs will be adjusted as of June 30, 1966, and at each 5-year interval thereafter.

(b) The "cost" of lands before adjustment is the purchase price; condemnation award; or the appraised value of areas acquired by gift, donation or exchange as of the date of acquisition.

§ 34.6 Administrative determinations.

(a) When an area consists of both acquired lands and reserved public lands, standard accounting techniques will be used to allocate net revenues to each type of land. All areas which are part of the System as of June 30 will be included in calculating the revenues due to each county for the fiscal year ending that date.

(b) The Secretary will determine in accordance with section 401(b) (16 U.S.C. 715s(b)) those expenses which may be paid from the Fund and deducted from revenues in establishing the net receipts for an area.

§ 34.7 Adjustment of payment.

The payments to the counties for any fiscal year shall not exceed the net receipts in the National Wildlife Refuge Fund for that fiscal year, and in case the net receipts for a particular fiscal year are insufficient to pay the full amounts due, the payment to each county will be reduced proportionately.

CLARENCE F. PAUTZKE,
Deputy Assistant Secretary of the Interior.

MAY 13, 1966.

[F.R. Doc. 66-5451; Filed, May 18, 1966; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 905]

GRAPEFRUIT GROWN IN FLORIDA

Notice of Proposed Rule Making

Consideration is being given to the following proposals of the Growers Administrative Committee, established under the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof, with respect to the grade and size limitations to be made applicable to all said citrus fruits handled between the production area and any point outside thereof in the continental United States, Canada, or Mexico.

The proposals are as follows:

(1) During the period beginning at 12:01 a.m., e.s.t., August 1, 1966, and ending at 12:01 a.m., e.s.t., September 12, 1966, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(ii) Any seedless grapefruit, grown in the production area, which are smaller than $3^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; or

(iii) Any seeded grapefruit, grown in the production area, which are smaller than $3^{15}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the close of business of the tenth day after publication thereof in the FEDERAL REGISTER. All such communications will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: May 16, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5495; Filed, May 18, 1966; 8:49 a.m.]

[7 CFR Part 905]

ORANGES GROWN IN FLORIDA

Notice of Proposed Rule Making

Consideration is being given to the following proposals of the Growers Administrative Committee, established under the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruits, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof, with respect to the grade and size limitations to be made applicable to all said citrus fruits handled between the production area and any point outside thereof in the continental United States, Canada, or Mexico.

The proposals are as follows:

(1) During the period beginning at 12:01 a.m., e.s.t, August 1, 1966, and ending at 12:01 a.m., e.s.t, September 12, 1966, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(ii) Any oranges, except Temple and Murcott Honey oranges, grown in the production area, which are of a size smaller than $2^{1}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos: *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2^{1}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2^{1}0/_{16}$ inches in diameter or smaller;

(iii) Any Temple oranges, grown in the production area, which are of a size smaller than $2^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the aforesaid United States Standards for Florida Oranges and Tangelos; or

(iv) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than $2^{4}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Murcott Honey oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the aforesaid United States Standards for Florida Oranges and Tangelos and Tangelos.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the close of business of the 10th day after publication thereof in the FEDERAL REGISTER. All such communications will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: May 16, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5496; Filed, May 18, 1966; 8:49 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Part 141]

[Docket No. R-302]

REPORTING OF MAJOR ELECTRIC POWER OUTAGES BY ALL ENTITIES ENGAGED IN GENERATION AND TRANSMISSION

Notice of Extension of Time

MAY 13, 1966.

Upon consideration of the requests filed in the subject proceeding for an extension of time within which to file data, views, and comments in writing concerning the proposal set forth in the notice of proposed rule making issued in the above-designated matter on April 14, 1966;

Notice is hereby given that the time is extended from May 17, 1966, to and including June 17, 1966, within which interested persons may file data, views, and comments in writing concerning the proposal set forth in the notice of proposed rule making issued April 14, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5474; Filed, May 18, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 178]

[Ex Parte No. MC-29 (Sub-No. 2)]

OPERATIONS OF BROKERS OF PASSENGER TRANSPORTATION

Special Procedure and Service List

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 10th day of May, A.D. 1966.

It appearing, that on January 17, 1966, the Commission instituted the above-entitled rulemaking proceeding and subsequently published notice thereof in the FEDERAL REGISTER (31 F.R. 2663, Feb. 11, 1966) and provided a procedure for interested persons to give notice of their intention to participate;

And it further appearing, that the persons whose names and addresses appear in the service list attached to this order have expressed their intention to participate in this proceeding, either as individuals or in a representative capacity, and to file statements of fact and argument concerning their respective positions:

It is ordered, That:

This proceeding shall be handled, to the extent practicable, without oral hearing, by the filing of verified statements and replies.

Twenty-five copies of all such statements and replies, and of any other pleading, shall be filed with the Secretary, Interstate Commerce Commission, Washington, D.C., 20423, and one copy of each such statement and reply shall be served on each interested party named in the service list accompanying this order.

In lieu of verification under oath, the statements and replies may be made subject to the following declaration: "I solemnly declare that I have examined the foregoing statement (or reply) and that, to the best of my knowledge and belief, the representations contained therein are true."

In order to save time and expense, parties who have interests in common should file joint statements.

Any party to this proceeding who is also a party to the rulemaking proceeding in Ex Parte No. MC-29 (Sub-No. 1),

Passenger Transportation in Special Operations, instituted January 17, 1966, may, if desired, file identical statements or replies in both proceedings. In this case, the Commission will consider in each respective proceeding, only that portion of the particular statement or reply which is pertinent thereto.

Initial verified statements must be filed with the Commission on or before August 1, 1966.

Replies must be filed with the Commission on or before October 3, 1966.

And it is further ordered, That a copy of this order be served upon all the parties hereto, that copies be mailed to the Governors of every State and to the Public Utilities Commission or board, or similar regulatory bodies, in each State having jurisdiction over transportation by motor vehicle; that copies be posted in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection; and that a copy be delivered to the Director, Office of the Federal Register for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

SERVICE LIST

EX PARTE NO. MC–29 (SUB-NO. 2)

Operations of Brokers of Passenger Transportation

Allied Bus Corp., Stanley Fisher, President, 1560 Broadway, New York, N.Y., 10036.
American Automobile Association, Charles G. Collins, General Counsel, 1712 G Street NW., Washington, D.C., 20006.
George B. Beckham Tours, Inc., 515 Washington Street, Canton, Mass., 02021.
Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102 (Inter-City Tours, Inc.).
Brownell Tours, Brownell Building, Birmingham, Ala.
Drew L. Carraway, 618 Perpetual Building, Washington, D.C., 20004 (National Bus Traffic Association).
Frank Daniels, 11 Beacon Street, Boston, Mass., 02108 (Michaud Bus Lines, Inc.).
Harold J. Drescher, 29 Broadway, New York, N.Y., 10006 (Carey Transportation, Inc.).
William C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, Wis., 53203 (Travel & Tour Service, Inc.; Wery Travel Service, Inc.).
Eastern Railroads—Law Committee, F. X. Masterson, Secretary, 1 Park Avenue, New York, N.Y., 10016.
S. S. Eisen, 140 Cedar Street, New York, N.Y., 10006 (Hudson Bus Transportation Co., Inc.; Resort Bus Lines, Inc.; Rockland Coaches, Inc.; Trans-Bridge Lines, Inc.; Westchester Tours, Inc.).
Richard Fryling, 180 Boyden Avenue, Maplewood, N.J., 07103 (Public Service Coordinated Transport).
James H. Glavin, III, 54 Broad Street, Post Office Box 40, Waterford, N.Y., 12188 (High Adventure Tours, Inc.).
Robert E. Goldstein, 24 West 40th Street, New York, N.Y., 10018 (Manhattan Transit Co.; Lincoln Transit Co., Inc.; Mohawk Coach Lines, Inc.; Campus Travel, Inc.; Consolidated Terminal and Travel Bureau, Inc.; Keri Tours, Inc.).
Greyhound Lines, Inc., Robert J. Bernard, Vice President, Commerce, 140 South Dearborn Street, Chicago, Ill., 60603.
Robert H. Griswold, Commerce Building, Post Office Box 432, Harrisburg, Pa., 17108 (Ridgeway Tours).
Marvin Handler, 405 Montgomery Street, San Francisco, Calif., 94104.
Neal Holland, State Street Bank Building, 225 Franklin Street, Boston, Mass., 02110 (Eastern Massachusetts Street Railway Co.; Union Street Railway Co.).
S. Harrison Kahn, 1511 K Street NW., Washington, D.C., 20005 (Paragon Travel Agency, Inc.; Talmage Tours, Inc.; Forlow Travel Bureau, Inc.; Mary Lee Travel Agency; Pleasure-Craft Tours; Maloney & O'Connor Travel Bureau).
H. W. Kane, Post Office Box 167, Ravenna, Ohio, 44266 (Bixler Tours, Inc.).
Kissinger Travel Agency, 604 Penn Avenue, West Reading, Pa., 19602.
Dorothy M. Knoll Travel Agency, 9725 Frankstown Road, Pittsburgh, Pa., 15235.
Lake Shore Motor Coach Lines, Inc., 602 East Fifth South, Post Office Box 2809, Salt Lake City, Utah, 84110.
L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington, D.C., 20036 (Vermont Transit Co., Inc.).
Palmer S. McGee, Jr., 1 Constitution Plaza, Hartford, Conn., 06103 (Connecticut Limousine Service, Inc.).
Earl N. Merwin, 85 East Gay Street, Columbus, Ohio, 43215.
New Jersey Board of Public Utility Commissioners, William Gural, Deputy Attorney General, 101 Commerce Street, Newark, N.J., 07102.
Stephan J. Mydanick, 565 Fifth Avenue, New York, N.Y., 10017 (A–1 Coach Tours, Inc.).
James F. X. O'Brien, 17 Academy Street, Newark, N.J., 07102 (Hudson Transit Lines, Inc.).
William A. Roberts, Julian P. Freret, 1740 N Street NW., Washington, D.C., 20036 (Gray Line New York Tours Corp.; Gray Line Sight-Seeing Companies Associated, Inc.; M. K. & O. Highway Tours, Inc.; Walters Transit Corp.).
Rosary Pilgrimages, 2115 West Wisconsin Avenue, Milwaukee, Wis., 53233.
William L. Russell, Jr., 73 Broad Street, Red Bank, N.J., 07701 (Boro Busses Co.).
Louis H. Shereff, 292 Madison Avenue, New York, N.Y., 10017 (Nationwide Tours, Inc.).
Bertram S. Silver, 140 Montgomery Street, San Francisco, Calif., 94104 (Gray Line Scenic Tours, Inc.).
Pauline E. Snodgrass, 811 Elm Street, Martins Ferry, Ohio, 43935.
Tauck Tours, Inc., 475 Fifth Avenue, New York, N.Y., 10017.
Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017 (Olympia Ski Tours, Inc.; Skibee, Inc.; Sportiva Tours, Inc.).
John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222.
Wayne Travel Service, 1031 Jenkins Arcade, Pittsburgh, Pa., 15222.
Welt Tours & Travel Service, Clifton Heights Post Office, Aldan, Pa., 19018.
Association of Western Railways, James W. Nisbet, General Solicitor, 280 Union Station Building, 517 West Adams Street, Chicago, Ill., 60606.
Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102 (McMullen Tours; Parker Tours, Inc.; National Tour Brokers Association).
James E. Wilson, 1735 K Street NW., Washington, D.C., 20006 (National Trailways Bus System; Trailways Travel Bureau Corp.).

[F.R. Doc. 66–5490; Filed, May 18, 1966; 8:48 a.m.]

[49 CFR Part 178]

[Ex Parte No. MC–29 (Sub-No. 1)]

PASSENGER TRANSPORTATION IN SPECIAL OPERATIONS

Special Procedure and Service List

At a general session of the Interstate Commerce Commission held at its office in Washington, D.C., on the 10th day of May A.D. 1966.

It appearing, that on January 17, 1966, the Commission instituted the above-entitled rulemaking proceeding and subsequently published notice thereof in the FEDERAL REGISTER (31 F.R. 2662, Feb. 11, 1966) and provided a procedure for interested persons to give notice of their intention to participate;

And it further appearing, that the persons whose names and addresses appear in the service list attached to this order have expressed their intention to participate in this proceeding, either as individuals or in a representative capacity, and to file statements of fact and argument concerning their respective positions:

It is ordered, That:

This proceeding shall be handled, to the extent practicable, without oral hearing, by the filing of verified statements and replies.

Twenty-five copies of all such statements and replies, and of any other pleading, shall be filed with the Secretary, Interstate Commerce Commission, Washington, D.C., 20423, and one copy of each such statement and reply shall be served on each interested party named in the service list accompanying this order.

In lieu of verification under oath, the statements and replies may be made subject to the following declaration: "I solemnly declare that I have examined the foregoing statement (or reply) and that, to the best of my knowledge and belief, the representations contained therein are true."

In order to save time and expense, parties who have interests in common should file joint statements.

Any party to this proceeding who is also a party to the rulemaking proceeding in Ex Parte No. MC–29 (Sub-No. 2), Operations of Brokers of Passenger Transportation, instituted January 17, 1966, may, if desired, file identical statements or replies in both proceedings. In this case, the Commission will consider, in each respective proceeding, only that portion of the particular statement or reply which is pertinent thereto.

Initial verified statements must be filed with the Commission on or before August 1, 1966.

Replies must be filed with the Commission on or before October 3, 1966.

And it is further ordered, That a copy of this order be served upon all the parties hereto, that copies be mailed to the Governors of every State and to the Public Utilities Commission or Board, or similar regulatory bodies, in each State having jurisdiction over transportation by motor vehicles; that copies be posted in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection; and that a copy be delivered to the Director, Office of the Federal Register for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

SERVICE LIST

EX PARTE NO. MC–29 (SUB-NO. 1)

Passenger Transportation in Special Operations

Anzac Transportation Co., Post Office Box 99, Gallup, N. Mex., 87301.
Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis., 53703 (Badger Coaches, Inc.; Badger Bus Lines, Inc.).
Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102 (Inter-City Transportation Co., Inc.).
Drew L. Carraway, 618 Perpetual Building, Washington, D.C., 20004 (National Bus Traffic Ass'n).
Clearwater Stage Lines, Inc., 202 North Street, Grangeville, Idaho, 83530.
The Company of Voyageurs, 711 Valley Road, Mahwah, N.J., 07430.
Robert J. Corber, 1250 Connecticut Avenue NW., Washington, D.C., 20036 (National Association of Motor Bus Owners).
Harold J. Drescher, 29 Broadway, New York, N.Y., 10006 (Carey Transportation, Inc.).
Eastern Railroads-Law Committee, F. X. Masterson, Secretary, 1 Park Avenue, New York, N.Y., 10016.
S. S. Eisen, 140 Cedar Street, New York, N.Y., 10006 (Hudson Bus Transportation Co., Inc.; Resort Bus Lines, Inc.; Rockland Coaches, Inc.; Trans-Bridge Lines, Inc.; Westchester Tours, Inc.).
Richard Fryling, 180 Boyden Avenue, Maplewood, N.J., 07103 (Public Service Coordinates Transport).
James H. Gilroy, Jr., 187 Genesee Street, Utica, N.Y., 13501 (Central New York Coach Lines, Inc.).
James H. Glavin III, Post Office Box 40, Waterford, N.Y., 12188 (Mountain View Coach Lines, Inc.).
Robert E. Goldstein, 24 West 40th Street, New York, N.Y., 10018 (Manhattan Transit Co.; Lincoln Transit Co., Inc.; Mohawk Coach Lines, Inc.; Campus Travel, Inc.; Consolidated Terminal & Travel Bureau Inc.; Keri Tours, Inc.).
Greyhound Lines, Inc., Robert J. Bernard, Vice President, Commerce, 140 South Dearborn Street, Chicago, Ill., 60603.
Marvin Handler, 405 Montgomery Street, San Francisco, Calif., 94104.
Neal Holland, State Street Bank Building, 225 Franklin Street, Boston, Mass., 02110 (Eastern Massachusetts Street Railway Co.; Union Street Railway Co.).
Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C., 20005 (Baltimore-Solomons Bus Lines, Inc.).
S. Harrison Kahn, 1511 K Street NW., Washington, D.C., 20005 (The Gray Lines, Inc.; Canada Coach Lines, Ltd.; Monumental Motor Tours, Inc.; McGinn Bus Co.; Niagara Scenic Bus Lines, Inc.; Yellow Limousine Service, Inc.; Maloney & O'Connor Transportation Co., Inc.).
Stanley H. Kamerow, 1025 Vermont Avenue NW., Washington, D.C. (W.M.A. Transit Co.).
John V. H. Klein, 1 West Main Street, Smithtown, N.Y., 11787 (Schenck Tours, Inc.).
Laurel Line Transportation Co., Inc., 1213–15 Jackson Street, Scranton, Pa., 18504.
William J. Little, Fidelity Building, Baltimore, Md., 21201 (J. Carlton Mandrell).
L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington, D.C., 20036 (Vermont Transit Co., Inc.).
Marshall G. Matheny, 306 North Mercer Street, New Castle, Pa., 16101.
Palmer S. McGee, Jr., 1 Constitution Plaza, Hartford, Conn., 06103 (Connecticut Limousine Service, Inc.).
Earl N. Merwin, 85 East Gay Street, Columbus, Ohio, 43215.
New Jersey Board of Public Utility Commissioners, William Gural, Deputy Attorney General, 101 Commerce Street, Newark, N.J., 07102.
James F. X. O'Brien, 17 Academy Street, Newark, N.J., 07102 (Hudson Transit Lines, Inc.).
Price Bus Co., Inc., 1213–15 Jackson Street, Scranton, Pa., 18504.
William A. Roberts, Julian P. Freret, 1740 N Street NW., Washington, D.C., 20036 (Grey Line New York Tours Corp.; Gray Line Sight-Seeing Companies Associated, Inc.; M.K. & O. Highway Tours, Inc.; Walters Transit Corp.).
George H. Rosen, Monticello, N.Y., 12701 (Salem Transportation Co., Inc.).
William L. Russell, Jr., 73 Broad Street, Red Bank, N.J., 07701 (Boro Busses Co.).
Harry L. Ryan, Jr., 815 15th Street NW., Washington, D.C., 20005 (Diamond Tours, Inc.).
S & S Bus Service, Inc., Box 6, Rural Delivery 1, Rensselaer, N.Y., 12144.
Louis H. Shereff, 292 Madison Avenue, New York, N.Y., 10017 (Nationwide Tours, Inc.).
Smoky Mountain Tours Co., Post Office Box 1652, Asheville, N.C., 28802.
Leonard Sugerman, 400 South Main Street, Phoenixville, Pa., 19460 (Werner Bus Lines).
Tauck Tours, Inc., 475 Fifth Avenue, New York, N.Y., 10017.
Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017 (Utica-Rome Bus Co., Inc.).
John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222.
Welt Tours & Travel Service, Clifton Heights Post Office, Aldan, Pa., 19018.
Association of Western Railways, James W. Nisbet, General Solicitor, 280 Union Station Building, 517 West Adams Street, Chicago, Ill., 60606.
Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102 (McMullen Tours; Parker Tours, Inc.; National Tour Brokers Association).
James E. Wilson, 1735 K Street NW., Washington, D.C., 20006 (National Trailways Bus System; Trailways Travel Bureau Corp.).

[F.R. Doc. 66–5491; Filed, May 18, 1966; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 240, 249]

[Release No. 34–7889]

FEES FOR BROKERS AND DEALERS NOT MEMBERS OF NATIONAL SECURITIES ASSOCIATION

Revised Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a revised proposal to adopt Rule 15b8–2 (17 CFR 240.15b8–2) and related Forms SECO–4 and SECO–5 (17 CFR 249.504 and 249.505). On March 16, 1966, in Securities Exchange Act Release No. 7838 and in the FEDERAL REGISTER of March 19, 1966, 31 F.R. 4739, the Commission published its previous proposal to adopt Rule 15b8–2 (17 CFR 240.15b8–2). The Commission has considered the comments and suggestions submitted on the previous proposal and, in light of the changes made therein, has decided to publish this revised proposal for comment.

The Securities Acts Amendments of 1964, Public Law 88–467, added new sections 15(b)(8), 15(b)(9), and 15(b)(10) to the Securities Exchange Act of 1934, directing the Commission to provide regulation of nonmember broker-dealers comparable to that of a self-regulatory association [1] and authorized the Commission to levy reasonable fees and charges.

Proposed Rule 15b8–2 (17 CFR 240.15b 8–2) would establish fees for brokers and dealers who are registered with the Commission and are not members of a registered national securities association as of the effective date of the rule. The proposed rule would also require a fee of all brokers and dealers who, although members of a registered national securities association on the effective date of the rule, were, at some time during fiscal 1966, both registered with the Commission and not members of such an association. The proposed rule would also require that the fees be paid, and Form SECO–4 (17 CFR 249.504) (the assessment form) be filed, on or before July 31, 1966.[2]

The fees imposed by proposed Rule 15b8–2 (17 CFR 240.15b8–2) would comprise the following factors: (1) a base fee of $150 for each nonmember broker or dealer; (2) $7 for each associated person engaged directly or indirectly in securities activities for or on behalf of the broker or dealer at any time during the fiscal year; and (3) $30 for each office [3] of the broker or dealer open at any time during the fiscal year.

The proposed rule provides that in no case shall any broker or dealer have to pay more than $15,000 by virtue of fac-

[1] At present the National Association of Securities Dealers, Inc. ("NASD") is the only such association.

[2] Fees for fiscal 1967 and subsequent years will be established by later rules. However, Rule 15b8–2 (17 CFR 240.15b8–2) provides for a continuing basic registration fee of $150 for new broker-dealers who do not join the NASD. The rule also requires a permanent fee of $25 for each new Form SECO–2 (17 CFR 249.502) filed after July 15, 1966, for each associated person joining the firm.

[3] The term "office" is defined in the rule to mean every place or establishment owned or controlled by a broker or dealer in or from which the broker or dealer engages in the securities business. A broker or dealer shall be deemed to own or control an office if he pays a substantial portion of the costs thereof, including rent and taxes. The term is not intended to mean the dwelling of an associated person if a broker or dealer does not bear a substantial portion of the cost or expenses of such dwelling. It is intended, however, to include the dwelling of a sole proprietor if he conducts securities business therefrom.

tors (1) and (2)—the base fee plus the $7 head tax indicated above. The fee of $30 for each office may not be included in the computation of the $15,000 maximum.

Brokers and dealers registered with the Commission (and not members of a registered national securities association) on the effective date of the proposed rule who had been so registered for less than 6 months will be required to pay half the fee.[4] Similarly, broker-dealers who were both registered with the Commission and not members of such an association for a period of at least 45 days (but less than 6 months) during fiscal 1966 will pay only half the fee. Broker-dealers who for more than 6 months were both registered with the Commission and not members of such an association will pay the entire fee.

Proposed Rule 15b8–2 (17 CFR 240.15b 8–2) would also require that brokers and dealers registering with the Commission after the effective date of the rule who do not become members of a registered national securities association within 45 days after the effective date of their registration pay a fee of $150. The same $150 fee is required of firms whose membership in a registered national securities association is terminated after the effective date of the rule and which continue to be registered with the Commission for a period of 45 days after such termination of membership.[5] Form SECO–5 (17 CFR 249.505), the initial assessment form, must be filed when this fee is paid.

Proposed Rule 15b8–2 (17 CFR 240.-15b8–2) imposes an additional fee of $100 upon brokers or dealers who fail to pay any of the other fees as and when required by the rule. This additional fee is to defray the extra administrative costs incurred by the Commission as a result of such failure to comply with the rule.

All the items discussed above were contained in the previous proposal.

This revised proposal differs in three respects, and the changes reflect comments made on the earlier proposal:

1. The revised proposal establishes a fee of $25 for each Form SECO–2 (17 CFR 249.502) filed pursuant to Rule 15b8–1 (17 CFR 240.15b8–1) by the broker or dealer after July 15, 1966. This fee must be paid concurrently with the filing of each Form SECO–2 (17 CFR 249.502).

2. Under paragraph (h) of the revised proposal, members of a national securities exchange, although still exempt from the basic fee provisions of the proposed rule [paragraphs (a), (b), (c), (d), or (f)] if they (1) carry no customer accounts and (2) derive less than $1,000 annual income from over-the-counter transactions, would have to file Form SECO–4 (17 CFR 249.504) or SECO–5 (17 CFR 249.505) and pay the initial nonmember broker-dealer fee if appropriate.

3. Paragraph (l) has been added to the proposed rule to prohibit a broker-dealer who fails to comply with the rule from effecting any over-the-counter securities transactions.

The text of the proposed section would be substantially as follows:

§ 240.15b–2 Fees for registered brokers and dealers who are not members of a registered national securities association.

(a) Every broker or dealer registered with the Commission and not a member of a registered national securities association on July 15, 1966 (the effective date of this section) shall, on or before July 31, 1966, file Form SECO–4 (§ 249.504 of this chapter) and pay to the Commission a fee for the fiscal year beginning July 1, 1965, and ending June 30, 1966. The total amount of such fee shall be the sum of the following: (1) A base fee of $150; plus (2) $7 for each associated person engaged, directly or indirectly, in securities activities for or on behalf of the broker or dealer at any time between July 1, 1965, and June 30, 1966; plus (3) $30 for each office of the broker or dealer which has been open for business at any time between July 1, 1965, and June 30, 1966.

(b) Every broker or dealer registered with the Commission and a member of a registered national securities association on July 15, 1966 (the effective date of this section) who, for at least 45 days during the period from July 1, 1965, to June 30, 1966, was both registered with the Commission and not a member of such an association shall, on or before July 31, 1966, file Form SECO–4 (§ 249.504 of this chapter) and pay to the Commission the fee provided for in paragraph (a) of this section.

(c) Every broker or dealer subject to paragraph (a) or (b) of this section who during the period from July 1, 1965, to June 30, 1966, was registered with the Commission for less than 6 months or who was a member of a registered national securities association for more than 6 months shall pay only half the fee provided for in paragraph (a) of this section.

(d) In no case shall the amount due by any broker or dealer under subparagraphs (1) and (2) of paragraph (a) of this section exceed $15,000.

(e) (1) Every broker or dealer who becomes registered as a broker or dealer with the Commission after July 15, 1966 (the effective date of this section) and who does not become a member of a registered national securities association within 45 days after the effective date of such registration, shall within such 45-day period, file Form SECO–5 (§ 249.505 of this chapter) and pay to the Commission a fee of $150.

(2) Every registered broker or dealer whose membership in a registered national securities association is terminated for any reason after July 15, 1966 (the effective date of this section) and who continues to be registered with the Commission for 45 days after such termination of membership shall, within such 45-day period, file Form SECO–5 (§ 249.505 of this chapter) and pay to the Commission a fee of $150.

(f) Every broker or dealer who is registered with the Commission and not a member of a registered national securities association shall pay to the Commission a fee of $25 for each Form SECO–2 (§ 249.502 of this chapter) filed after July 15, 1966 by such broker or dealer pursuant to Rule 15b8–1 (§ 240.15b8–1 of this chapter).

(g) Every broker or dealer who fails to pay fees as and when required by this section shall pay an additional fee of $100 to defray administrative costs incurred by the Commission as a result of such failure.

(h) Any broker or dealer who is a member of a national securities exchange shall not be required to pay the fees required by paragraphs (a), (b), (c), (d), or (f) of this section if (1) he carries no accounts of customers, and (2) his annual gross income derived from purchases and sales of securities otherwise than on a national securities exchange is in an amount no greater than $1,000. Each such broker or dealer shall nevertheless file Form SECO–4 (§ 249.504 of this chapter) or Form SECO–5 (§ 249.505 of this chapter) as required by this section.

(i) No broker or dealer subject to this section shall effect any transaction in, or induce the purchase or sale of, any security otherwise than on a national securities exchange unless he has complied with the applicable provisions of this section.

(j) For the purposes of this section:

(1) the term "associated person" shall mean any partner, officer, director, or branch manager of a broker or dealer (or any person occupying a similar status or performing similar functions), or any natural person directly or indirectly controlling or controlled by such broker or dealer, and shall include any employee of such broker or dealer (other than employees whose functions are clerical or ministerial), and any broker or dealer conducting business as a sole proprietor.

(2) the term "office" shall mean every place or establishment which is owned or controlled by a broker or dealer in or from which the broker or dealer engages in the securities business.

(Secs. 15(b)(8), 15(b)(9), 15(b)(10), and 23(a); 78 Stat. 572–3, 48 Stat. 901, as amended, 15 U.S.C. 78o, 78w)

In connection with proposed Rule 15b8–2 (17 CFR § 240.15b8–2), it is proposed that Subpart F of Part 249 of Chapter II of Title 17 of the Code of Federal Regulations be amended by adding § 249.504 and § 249.505, as follows:

§ 249.504 Form SECO–4, 1966 assessment and information form for registered brokers and dealers not members of a registered national securities association.

(Copies of the form will be filed upon adoption of this section. Additional copies will be available at the Commission's headquarters office in Washington, D.C., and its regional offices.)

[4] The fee for such a firm would be: (1) $75 plus (2) $3.50 for each associated person engaged in securities activities, and (3) $15 for each office. Factors (1) and (2) are still subject to a $15,000 maximum, and the $15 office fee is not.

[5] Termination of membership in a registered national securities association automatically subjects a registered broker-dealer to Sections 15(b)(8), 15(b)(9), and 15(b)(10) of the Act and all rules and regulations thereunder.

sion's headquarters office in Washington, D.C., and its regional offices.)

§ 249.505 Form SECO–5, Initial assessment and information form for registered brokers and dealers not members of a registered national securities association.

(Copies of this form will be filed upon adoption of this section. Additional copies will be available at the Commission's headquarters office in Washington, D.C., and its regional offices.)

(Secs. 15(b)(8), 15(b)(9), 15(b)(10), and 23(a); 78 Stat. 572–3, 48 Stat. 901, as amended, 15 U.S.C. 78o, 78w)

All interested persons are invited to submit their views and comments on the above proposal, in writing, to the Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C., 20549 on or before May 31, 1966. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

MAY 16, 1966.

[F.R. Doc. 66–5455; Filed, May 18, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

IDAHO

Notice of Filing of Idaho Protraction Diagrams

MAY 12, 1966.

Notice is hereby given that effective at and after 10 a.m., on June 16, 1966, the following protraction diagrams are officially filed of record in the Idaho Land Office, Room 327, Federal Building, Boise, Idaho, 83701. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the lands for all authorized uses. Until this date and time the diagrams have been placed in open files and are available to the public for information only.

IDAHO PROTRACTION DIAGRAMS NOS. 7, 9, 81, 82, 83

BOISE MERIDIAN

Approved Apr. 14, 1966

No. 7

T. 40 N., Rs. 8 and 9 E.
T. 41 N., R. 8 E.

No. 9

Ts. 38 and 39 N., R. 8 E.

No. 81

T. 10 N., Rs 14, 15, and 16 E.
T. 11 N., R. 15 E.

No. 82

T. 9 N., Rs. 11, 12, and 13 E.
T. 10 N., Rs. 11 and 12 E.

No. 83

T. 11 N., Rs. 9, 10, and 11 E.

Copies of this diagram are for sale at one dollar ($1.00) each by the Cadastral Engineering Office, Bureau of Land Management, Post Office Box 2237, Boise, Idaho, 83701.

ORVAL G. HADLEY,
Manager, Land Office, Boise, Idaho.

[F.R. Doc. 66-5452; Filed, May 18, 1966; 8:45 a.m.]

[Oregon 015973]

OREGON

Notice of Proposed Classification of Public Lands

1. Pursuant to the provisions of the act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the following described public lands in Malheur County, Oreg., for disposal through exchange under section 8 of the act of June 28, 1934 (48 Stat. 1272), as amended (43 U.S.C. 315g):

WILLAMETTE MERIDIAN, OREG.

T. 32 S., R. 40 E.,
Sec. 31, lots 1, 2, 3, and 4, W½NE¼ and E½NW¼;
Sec. 32;
Sec. 34.
T. 33 S., R. 39 E.,
Sec. 24, W½;
Sec. 26;
Sec. 34.
T. 33 S., R. 40 E.,
Sec. 2;
Sec. 4, W½ and SE¼SE¼;
Sec. 6;
Sec. 8;
Sec. 10;
Sec. 14;
Sec. 18;
Sec. 20, NE¼ and S½;
Sec. 22;
Sec. 24, NW¼NW¼, S½NW¼, SW¼, and W½SE¼;
Sec. 25;
Sec. 26;
Sec. 27, SE¼SE¼;
Sec. 28;
Sec. 30;
Sec. 32;
Sec. 34;
Sec. 35.
T. 33 S., R. 40½ E.,
Sec. 30, lots 1, 2, 3, and 4;
Sec. 31, lots 1, 2, 3, and 4.
T. 33 S., R. 41 E.,
Sec. 30, lots 1, 2, 3, and 4, SE¼NW¼, E½SW¼, W½SE¼, and SE¼SE¼;
Sec. 31.
T. 33½ S., R. 40 E.,
Sec. 32;
Sec. 34;
Sec. 35.
T. 34 S., R. 39 E.,
Sec. 1, SE¼.
T. 34 S., R. 40 E.,
Secs. 1 to 4, inclusive;
Sec. 5, S½;
Sec. 6.
T. 34 S., R. 41 E.,
Sec. 6, N½ and SW¼.

The areas described aggregate 20,011.09 acres.

2. Classification of the above-described lands by a classification order will segregate the lands from all forms of disposal under the public land laws, including the mining laws, except as to application under section 8 of the Taylor Grazing Act (38 Stat. 1272), as amended.

3. Publication of this proposed classification order will not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing disposal of their mineral and vegetative resources, other than under the mining laws.

4. For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Department of the Interior, 365 A Street West, Post Office Box 220, Vale, Oreg., 97918.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

After having considered comments received as a result of this publication and hearing if such is deemed necessary to be held, the undersigned officer will classify the above-described lands, which classification shall be published in the FEDERAL REGISTER.

MAXWELL T. LIEURANCE,
Acting State Director.

[F.R. Doc. 66-5482; Filed, May 18, 1966; 8:47 a.m.]

Office of the Secretary

DONALD B. GREGG

Appointment and Statement of Financial Interests

APRIL 13, 1966.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Donald B. Gregg.

Name of employing agency: Department of the Interior, Office of Assistant Secretary for Water and Power Development.

The title of the appointee's position: Deputy Director, Defense Electric Power Area 14.

The name of the appointee's private employer or employers: The Montana Power Co.

The statement of "financial interests" for the above appointee is enclosed.

STEWART L. UDALL,
Secretary of the Interior.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on May 5, 1966, as Deputy Director, Area 14, Defense Electric Power Administration, an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

The Montana Power Co.

(3) Names of any partnerships in which I am associated or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

DONALD B. GREGG.

MAY 5, 1966.

[F.R. Doc. 66-5453; Filed, May 18, 1966; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

WESTERN STOCKMAN'S MARKET ET AL.

Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

Original name of stockyard, location, and date of posting	*Current name of stockyard and date of change in name*
CALIFORNIA	
Cattle Center, Inc., Famoso, Jan. 20, 1964	Western Stockman's Market, Jan. 1, 1966.
GEORGIA	
Georgia Livestock Terminal Market, Inc. Macon, Jan. 18, 1938	Georgia Livestock Market, Inc., June 1, 1965.
Pelham Livestock Company, Pelham, May 13, 1959.	Mitchell County Livestock Company, Oct. 6, 1965.
IDAHO	
Bonners Ferry Livestock, Inc., Bonners Ferry, Oct. 13, 1959.	Bonners Ferry—Coeur d'Alene Livestock, Inc., May 15, 1965.
ILLINOIS	
Galesburg Livestock Sales Co., Galesburg, July 27, 1960.	Galesburg Livestock Sales, Inc., Jan. 11, 1966.
Stoutenborough Auction, Springfield, Nov. 18, 1959.	Stoutenborough Sale Pavilion, Feb. 1, 1966.
INDIANA	
Shipshewana Auction Company, Shipshewana, Apr. 21, 1959.	Shipshewana Livestock Auction, Inc., Jan. 1, 1966.
IOWA	
Hi Dollar Sales, Inc., Sigourney, May 1, 1957	Keoco Auction Co., Mar. 30, 1966.
MISSISSIPPI	
Hattiesburg Livestock Yard, Inc., Hattiesburg, Jan. 6, 1959.	Hattiesburg Livestock Yards, Inc., Feb. 24, 1966.
MISSOURI	
Adair County Sales Barn, Kirksville, May 28, 1959	Kirksville Community Sale—North Barn, Jan. 1, 1966.
NEBRASKA	
Sheridan Livestock Commission Co., Stockyards, Rushville, Jan. 11, 1950.	Sheridan Livestock Commission Co., Feb. 15, 1966.
OKLAHOMA	
Jay Sale Barn, Jay, May 1, 1959	Jay Livestock Auction, Feb. 5, 1966.
Temple Auction Sale, Temple, April 7, 1959	Temple Livestock Auction Sale, Incorporated, Feb. 10, 1966.
SOUTH CAROLINA	
Herndon Stockyards, Inc., Leesville, Jan. 28, 1960	Farmers Livestock Market, Inc., Jan. 1, 1966.
TEXAS	
Corsicana Livestock Company, Inc., Corsicana, Jan. 11, 1957.	Corsicana Livestock Commission Company, Apr. 1, 1966.
Tate Brothers Livestock Auction Company, Lamesa, Jan. 15, 1957.	Tate Livestock Auction Company, Sept. 1, 1965.
Longview Livestock Auction, Inc., Longview, Jan. 10, 1957.	Longview Livestock Commission Company, Jan. 1, 1966.
Tri-County Auction Company, Sweetwater, Nov. 28, 1956.	Sweetwater Auction Company, Jan. 19, 1966.

Done at Washington, D.C., this 16th day of May 1966.

CHARLES G. CLEVELAND,
Chief, Registrations, Bonds and Reports Branch, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 66-5497; Filed, May 18, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

FEDERAL FINANCIAL ASSISTANCE IN CONSTRUCTION OF NONCOMMERCIAL EDUCATIONAL TELEVISION BROADCAST FACILITIES

Applications Accepted for Filing

Notice is hereby given that effective with this publication the following described applications, for Federal financial assistance in the construction of noncommercial educational television broadcast facilities are accepted for filing in accordance with 45 CFR 60.7:

Connecticut Educational Television Corp., 266 Pearl Street, Hartford, Conn., File No. 136, to activate Channel 53 in Norwich, Conn.

University of New Hampshire, Durham, N.H., File No. 137, for the establishment of a new noncommercial educational television station, Channel 49 in Littleton, N.H.

University of New Hampshire, Durham, N.H., File No. 138, for the establishment of a new noncommercial educational television station, Channel 40 in Berlin, N.H.

University of New Hampshire, Durham, N.H., File No. 139, for the establishment of a new noncommercial educational television station, Channel 52 in Keene, N.H.

Utah State University of Agriculture and Applied Science, Logan, Utah, File No. 140, to expand the operation of noncommercial educational television station on Channel 12, Logan, Utah.

Clover Park School District No. 400, Lakewood Center, Wash., File No. 141, to improve the facilities of noncommercial educational television station, KPEC–TV, Channel 56, Tacoma, Wash.

Any interested person may, pursuant to 45 CFR 60.8, within 30 calendar days from the date of this application, file comments regarding the above application with the Chief, Educational Television Facilities Branch, U.S. Office of Education, Washington, D.C., 20202.

(76 Stat. 64; 47 U.S.C. 390)

RAYMOND J. STANLEY,
Chief, Educational Television Facilities Branch, U.S. Office of Education.

[F.R. Doc. 66-5492; Filed, May 18, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

WILHELMSEN LINE AND SWEDISH AMERICAN LINE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. W. C. Menge, Traffic Manager, Strachen Shipping Co., Ship Agents & Stevedores, 1600 American Bank Building, New Orleans, La., 70130.

Agreement 8685-2, between Wilhelmsen Line Joint Service and Swedish American Line, parties to a cooperative working arrangement operating in the trade between Scandinavian, Baltic, United Kingdom, Continental and Mexican East Coast ports and U.S. Gulf and South Atlantic ports, modifies the preamble to the basic agreement to include Eire.

Dated: May 16, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5484; Filed, May 18, 1966; 8:47 a.m.]

LASALLE INTERNATIONAL FREIGHT FORWARDING CORP. ET AL.

Independent Ocean Freight Forwarder Licenses and Applications Therefor; Notice of Revisions

Notice is hereby given of the cancellation of the following independent ocean freight forwarder licenses.

LaSalle International Freight Forwarding Corp., 147 West 42d Street, New York, N.Y.; License No. 962, canceled April 18, 1966.

Crescent Forwarding Service (James G. Marti, d.b.a.), 527 Canal Street, New Orleans, La., 70130; License No. 313, canceled April 28, 1966.

F. V. Valdes & Co., Inc., 607 Market Street, San Francisco, Calif.; License No. 746, canceled April 28, 1966.

Notice is hereby given of changes in the following applications for independent ocean freight forwarder licenses filed pursuant to section 44, Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

GRANDFATHER APPLICANT

M. J. Ovalle Co. (J. Ovalle, d.b.a.), Post Office Box 7154, Metairie, La., 70002; Application No. 914, dismissed April 20, 1966.

NEW APPLICANT

Narovi Shipping Corp., Post Office Box 1254, Miami, Fla., 33101; Application withdrawn April 4, 1966.

Notice is hereby given that the following persons have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders, pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., 20573. Protests received within 60 days from the date of publication of this notice in the FEDERAL REGISTER will be considered.

Joseph W. Engel, 901 Julia Street, Elizabeth, N.J.; Joseph W. Engel, owner.

Aero Special Delivery & Messenger (Carl K. Sparks d.b.a.), 242 Steuart Street, San Francisco, Calif.; Carl K. Sparks, owner.

Donald R. Winter, 721 Juniper Street, Atlanta, Ga.; Donald R. Winter, owner.

Louis V. De Malio, 80 Wall Street, New York, N.Y.; Louis V. De Malio, owner.

Intercontinental Forwarders, Inc., 25 West Flagler Street, Miami, Fla.; Octavio A. Descalzo, president and director; Mabel T. LaScelle, secretary-treasurer and director; Carlos M. Calvet, vice president and director.

Notice is hereby given of changes in the following independent ocean freight forwarder licenses and applications therefor.

CHANGE OF NAME

Mira-Mar Shipping Co. (Joe Goynias, d.b.a.) to Unimar Shipping Co., Inc., 17 West Ninth Street, Brooklyn, N.Y.; Applicant.

Stevens Shipping Co. to Stevens Shipping & Terminal Co., 26 East Bay Street, Post Office Box 1068, Savannah, Ga.; License No. 801.

D. H. McClary to McClary, Swift & Co., Inc., 509A Maritime Building, Seattle, Wash.; License No. 632.

ADDRESS CHANGES

Ambrosia Co., 52 Broadway, New York, N.Y., 10004; License No. 426.

Jay International, Inc., 1700 Walnut Street, Suite 415, Philadelphia, Pa., 19103; License No. 956.

Erskine Freight Forwarding Co., 80 Broad Street, New York, N.Y., 10004; License No. 382.

Express Forwarding & Storage Co., Inc., 17 Battery Place, Suite 1400, New York, N.Y., 10004; License No. 912.

A. R. Savage & Son (Branch), Foot of East Beaver Street, Post Office Box 4189, Jacksonville, Fla.; License No. 692.

Francesco Parisi, Inc., 17 Battery Place, New York, N.Y., 10004; License No. 770.

J. B. Wood Shipping Co., Inc., 80 Broad Street, New York, N.Y., 10004; License No. 81.

Crystal Shipping Co., 11 Broadway, New York, N.Y., 10004; License No. 1005.

Seair Forwarding Co., Inc., 11 Broadway, New York, N.Y., 10004; License No. 422.

F. C. Gerlach & Co., Inc., 42 Broadway, Room 1535, New York, N.Y., 10004; License No. 205.

Transcarloading Corp. (Branch), 75 Beach Street, New York, N.Y., 10013; License No. 1025.

Progressive Forwarding, Inc., 15 William Street, New York, N.Y., 10005; License No. 459.

United Shipping Corp., 11 Broadway, New York, N.Y., 10004; License No. 387.

L. A. Ferm Co., Inc., 44 Whitehall Street, Suite 1133, New York, N.Y., 10004; License No. 388.

The Lee-Hermann Co., 32 Broadway, New York, N.Y., 10004; License No. 544.

Spartan Overseas Shipping Corp., 16 Beaver Street, New York, N.Y., 10004; License No. 657.

International Traffic & Trade Specialists, 11 Broadway, Room 417, New York, N.Y., 10004; License No. 1080.

International Traffic & Trade Specialists (Branch), 85 Hillside Avenue, New Rochelle, N.Y.; License No. 1080.

The A. W. Fenton Co., Inc., 75 Public Square, Cleveland, Ohio, 44113; License No. 777.

McClary, Swift & Co., Inc., (Branch), 24 California Street, Room 614, San Francisco, Calif., 94111; License No. 632.

Trans Global Freight, Inc. (Marine Division), 44 Whitehall Street, Suite 1002, New York, N.Y., License No. 1058.

CHANGE OF OFFICERS

Copeland Shipping, Inc., Farmers & Rockaway Boulevards, Jamaica, N.Y., 11434; License No. 92. Gerow F. Miles, president; Sidney Kreps, vice president; Martin W. Loughitano, treasurer; William Daly, secretary.

C. H. Powell Co., Inc., 141 Milk Street, Boston, Mass., 02109; License No. 176. Lillian Powell, president and treasurer; John S. Powell, vice president and clerk; Alfred E. Powell, vice president; Paul A. Powell, vice president and assistant secretary; Peter Powell, vice president; Joseph P. Lisa, secretary.

Charleston Overseas Forwarders, Inc., 406 Peoples Building, Post Office Box 860, Charleston, S.C.; License No. 751. Kay Hargrove, secretary-treasurer.

Premier Shipping Co., Inc., 26 Beaver Street, New York, N.Y., 10004; License No. 842. Walter Van Hoesen, president; Mae E. McGettrick, vice president; Enoch Van Hoesen, secretary-treasurer.

Unimar Shipping Co., Inc., 17 West Ninth Street, Brooklyn, N.Y.; Applicant. Joe Goynias, president and director; Esther Goynias, vice president, treasurer, and director; Morris Franco, secretary and director.

J. B. Wood Shipping Co., Inc., 80 Broad Street, New York, N.Y.; License No. 81. Andrew P. Aquino, vice president.

Marine Agency of Tampa, Inc., Post Office Box 2189, Tampa, Fla., 33601; License No. 995. Angel Ygual, president; L. Venita Smith, secretary-treasurer.

Samuel Shapiro & Co., Inc., 11-13 Gay Street, Baltimore, Md., 21202; License No. 17. Samuel Shapiro, chairman of board and chief executive officer.

Transcarloading Corp., 75 Beach Street, New York, N.Y., 10013; License No. 1025. R. E. Gonzalez, regional manager.

Trans-Global Freight, Inc. (Marine Division), 44 Whitehall Street, New York, N.Y.; License No. 1058. Eugene T. Gillen, manager.

GRANDFATHER APPLICANTS LICENSED
April 1966

John E. Kinzie (J. E. Kinzie, d.b.a.), 1114 Belthair, Post Office Box 1586, Brownsville, Tex.; License No. 413, issued April 4, 1966.

NEW APPLICANTS LICENSED

Worlex Corp., 444 North Lake Shore Drive, Chicago, Ill., 60611; License No. 1114, issued April 20, 1966.

Monmouth Shipping Corp., 73 Huntington Street, Brooklyn, N.Y., 11231; License No. 1115, issued April 21, 1966.

Hanebrink Co., Inc., Koeller Struss Co., 812 Olive Street, St. Louis, Mo., 63101; License No. 1116, issued April 27, 1966.

Dated: May 16, 1966.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5485; Filed, May 18, 1966; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-6832, etc.]

PAN AMERICAN PETROLEUM CORP. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MAY 11, 1966.

Pan American Petroleum Corp. and other Applicants listed herein.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 2, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-6832 D 5-2-66	Pan American Petroleum Corp., Post office Box 591, Tulsa, Okla., 74102.	Texas Eastern Transmission Corp., Minoak and South Karon Fields, Bee and Live Oak Counties, Tex.	(1)	.....
G-11861 C 5-3-66	Socony Mobil Oil Co., Inc., Post Office Box 2444, Houston, Tex., 77001.	Cities Service Gas Co., Hardtner Field, Barber County, Kans.	12.0	14.65
CI62-1184 (CI63-20) C 5-4-66 [2]	Sinclair Oil & Gas Co. (Operator), et al., Post Office Box 521, Tulsa, Okla., 74102.	Arkansas Louisiana Gas Co., Alfred Parker Unit, Latimer County, Okla.	15.0	14.65
CI65-199 C 5-2-66	Texaco Inc., Post Office Box 52332, Houston, Tex., 77052.	El Paso Natural Gas Co., Basin Dakota Formation, San Juan County, N. Mex.	13.0	15.025
CI65-199 C 5-2-66	....do.....	El Paso Natural Gas Co., Basin Dakota Formation, La Plata County, Colo.	13.0	15.025
CI65-828 C 11-8-65	Ashland Oil & Refining Co., c/o J. Paul Fly, attorney, Post Office Box 1503, Houston, Tex., 77001.	Panhandle Eastern Pipe Line Co., Acreage in Woods County, Okla.	[3] 15.0	14.65
CI65-828 D 12-13-65	....do.....	....do.....	Assigned	.....
CI65-1199 C 5-2-66	Continental Oil Co., Post Office Box 2197, Houston, Tex., 77001.	Montana-Dakota Utilities Co., Alkali Creek Field, Fremont County, Wyo.	15.384	15.025
CI66-522 C 5-2-66	Ventura Oil Co., Post Office Box 643, Weston, W.Va., 26452.	Equitable Gas Co., Buchannon and Meade Districts, Upshur County, W. Va.	[illegible]	15.325
CI66-966 F 4-7-66	Lee Pearson (successor to Francis L. Harvey and Pan American Petroleum Corp.) c/o Burr & Cooley, attorneys, 152 Petroleum Center Bldg., Farmington, N. Mex., 87401.	El Paso Natural Gas Co., Aztec Fruitland Field, San Juan County, N. Mex.	10.0	15.025
CI66-1038 A 4-26-66	Phillips Petroleum Co., Bartlesville, Okla., 74003	Tennessee Gas Pipeline Co., a division of Tenneco Inc.,[4] Sullivan City Field, Starr and Hidalgo Counties, Tex.	17.0	14.65
CI66-1039 A 4-28-66	Clarence Kenyon, 1600 East Fannin St., Marshall, Tex., 75670.	Southern Natural Gas Co., Monroe Gas Field, Ouachita and Morehouse Parishes, La.	15.0	15.025
CI66-1040 A 4-27-66	Ohio-West Virginia Oil & Gas Co., 8222 Perry Highway, Pittsburgh, Pa., 15237	Penova Interests, Grant District, Ritchie County, W. Va.	19.0	15.025
CI66-1041 A 4-28-66	Dominion Oil & Gas Co., 407 West Missouri St., Midland, Tex., 79701.	Carnegie Natural Gas Co., Freemans Creek District, Lewis County, W. Va.	[illegible]	15.325
CI66-1042 A 4-28-66	Phillips Petroleum Co., Bartlesville, Okla., 74003.	Valley Gas Transmission, Inc., Chatham Field, Jackson Parish, La.	15.0	14.65
CI66-1043 A 4-28-66	Don Earney, Box 57, Wheeler, Tex., 79096	El Paso Natural Gas Co., acreage in Wheeler County, Tex.	13.0	14.65
CI66-1044 (G-13633) F 4-28-66	Crystal Oil & Land Co. (successor to Union Producing Co.), 600 Beck Bldg., Shreveport, La., 71101.	United Gas Pipe Line Co., Lisbon Field, Claiborne Parish, La.	[4] 12.5252	15.025
CI66-1045 A 4-29-66	Dale M. Robinson (Operator), et al., 705 Fourth National Bank Bldg., Wichita, Kans., 67202.	Northern Natural Gas Co., McClanahan East Mississippi Pool, Edwards County, Kans.	16.0	14.65
CI66-1046 A 4-29-66	A.I.K. Ltd. No. 2, c/o Charles J. McPherson, attorney, 702 Vaughn Bldg., Amarillo, Tex., 79101.	Panhandle Eastern Pipe Line Co., Mocane Chester Field, Beaver County, Okla.	[5] 17.8	14.65
CI66-1048 A 5-2-66	Franks Petroleum Inc., 1007 Petroleum Tower, Shreveport, La., 71101.	Arkansas Louisiana Gas Co., Ada Field, Bienville Parish, La.	[7] 13.45	15.025
CI6-1049 A 64-29-66	Arkla Exploration Co., Post Office Box 1734, Shreveport, La., 71102.	Arkansas Louisiana Gas Co., Monroe Field, Union Parish, La.	[8] 16.3333	15.025
CI66-1051 A 5-2-66	Bowers Drilling Co., Inc., 1434 Wichita Plaza, Wichita, Kans., 67202.	Cities Service Gas Co., Little Bear Creek, Barber County, Kans.	14.0	14.65
CI66-1052 A 5-2-66	Creslenn Oil Co., 1111 Mercantile Dallas Bldg., Dallas, Tex., 75202.	Northern Natural Gas Co., Panhandle Area, Ellis County, Okla.	[9] 17.85	14.65
CI66-1053 A 5-2-66	Magness Petroleum Co., 914 First National Bldg., Oklahoma City, Okla., 73102.	Northern Natural Gas Co., acreage in Harper County, Okla.	17.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66-1054 ..... (CI61-535) F 5-2-66	H. B. Lively, et al. (successor to Harold R. Billingsley, Trustee, et al.), San Jacinto Bldg., Houston, Tex., 77002.	Tennessee Gas Pipeline Co., a division of Tenneco Inc.,[4] Columbus Field, Colorado County, Tex.	14.0	14.65
CI66-1055 ..... A 5-2-66	Edwin L. Cox (Operator), et al., 38th Floor, First National Bank Bldg., Dallas, Tex., 75202.	United Gas Pipe Line Co., South Bancroft Field, Beauregard Parish, La.	15.0	15.025
CI66-1056 ..... (G-10422)[10] A & E 5-2-66	Natural Gas & Oil Corp. (successor to Mississippi River Corporation,) 1316 Richards Bldg., New Orleans, La., 70112.	Texas Eastern Transmission Corp., Bethany-Longstreet Field, De Soto Parish, La.	15.8007	15.029
CI66-1057 ..... (G-10466)[10] A & E 5-2-66	do	Tennessee Gas Pipeline Co., a division of Tenneco Inc.,[4] Larose Field, Lafourche Parish, La.	[11] 23.09167	15.025
CI66-1058 ..... (G-10467)[10] A & E 5-2-66	do	Tennessee Gas Pipeline Co., a division of Tenneco Inc.,[4] Little Lake Field, Jefferson Parish, La.	[11] 23.09167	15.025
CI66-1059 ..... (G-10830)[10] A & E 5-2-66	do	Southern Natural Gas Co., King's Ridge, East Golden Meadow, Lafourche Parish, La.	19.75	15.025
CI66-1060 ..... (G-15039)[10] A & E 5-2-66	do	Southern Natural Gas Co., Coquille Bay Field, Plaquemines Parish, La.	[12 13] 20.75 [14] 15.0	15.025
CI66-1061 ..... (G-15202)[10] A & E 5-2-66	do	Panhandle Eastern Pipe Line Co., Lerado Field, Reno County, Kans.	13.0	14.65
CI66-1062 ..... (G-18214)[10] A & E 5-2-66	do	Cities Service Gas Co., Cherryvale Field, Grant County, Okla.	[13] 11.25	14.65
CI66-1063 ..... (G-17413)[10] A & E 5-2-66	do	Consolidated Gas Supply Corp., Block 4 Field, Offshore Cameron Parish, La.	20.625	15.025
CI66-1064 ..... (G-7376)[10] A & E 5-2-66	do	Tennessee Gas Pipeline Co., a division of Tenneco Inc.,[4] Placedo Field, Victoria County, Tex.	15.0	14.65
CI66-1065 ..... (G-7376)[10] A & E 5-2-66	do	United Gas Pipe Line Co., Elysian Fields, Harrison County, Tex.	10.9876	14.65
CI66-1066 ..... (CI61-62)[10] A & E 5-2-66	do	Consolidated Gas Supply Corp., Simon Pass Field, St. Martin Parish, La.	21.75	15.025
CI66-1067 ..... (CI61-233)[10] A & E 5-2-66	do	Panhandle Eastern Pipe Line Co., Will Pool Field, Edwards County, Kans.	15.0	14.65
CI66-1068 ..... (CI61-141)[10] A & E 5-2-66	do	Texas Gas Transmission Corp., Pass Wilson—Bay Round Fields, Terrebonne Parish, La.	20.625	15.025
CI-661069 ..... (CI61-141)[10] A & E 5-2-66	do	Texas Gas Transmission Corp., Bayou Piquant Field, Terrebonne Parish, La.	20.625	15.025
CI66-1070 ..... (CI64-133)[10] A & E 5-2-66	do	Texas Gas Transmission Corp., Lake Palourde Field, St. Mary and St. Martin Parishes, La.	20.625	15.025
CI66-1071 ..... A 5-2-66	Jackson Pipe Line Construction Co., Post Office Box 520, Clendennin, W. Va., 25045.	Carnegie Natural Gas Co., Center District, Gilmer County, W. Va.	20.0	15.325
CI66-1073 ..... A 5-4-66	Glenn, Inc., Post Office Box 427, Charleston, W. Va., 25301.	Equitable Gas Co., acreage in Lewis County, W. Va.	25.0	15.325
CI66-1074 ..... A 5-4-66	The Vector Corp., 425 Wilson Bldg., Corpus Christi, Tex., 78401.	Valley Gas Transmission, Inc., North Buena Suerte Field, Duval County, Tex.	14.0	14.65
CI66-1075 ..... A 5-4-66	W. C. McBride, Inc., c/o James F. McCarthy, Esq., 25 North Brentwood Blvd., Clayton, Mo., 63105.	Mountain Fuel Supply Co., Nitchie Gulch Area, Sweetwater County, Wyo.	15.0	15.025
CI66-1076 ..... B 5-4-66	A. F. Morris, agent, 1012 FHN Bank Bldg., Huntington, W. Va., 25701.	United Fuel Gas Co., Union District, Lincoln County, W. Va.	Depleted	
CI66-1077 ..... A 5-4-66	John C. Ozley, et al., 800-A Enterprise Bldg., Tulsa, Okla., 74103.	Arkansas Louisiana Gas Co., South Quinton, Fish Creek and Pine Hollow Fields, Pittsburg County; Milton Spiro Field, Le Flore County; and Wilburton Field, Latimer County, Okla.	15.0	14.65
CI66-1078 ..... B 5-5-66	Graham-Michaelis Drilling Co. (Operator), et al., 211 North Broadway, Wichita, Kans., 67202.	Panhandle Eastern Pipe Line Co., acreage in Meade County, Kans.	Depleted	
CI66-1079 ..... A 5-5-66	Alma Oringderff Schaefler, Post Office Box 926, Perryton, Tex., 79070.	Northern Natural Gas Co., Camrick Gas Area, Beaver County, Okla.	17.0	14.65
CI66-1080 ..... A 5-5-66	Tenneco Oil Co., Post Office Box 2511, Houston, Tex., 77001.	Texas Gas Transmission Corp., Shiloh Field, Union Parish, La.	18.25	15.025

[1] Deletes expired leases.
[2] Adds acreage acquired from Humble Oil & Refining Co.—Docket No. CI63-20.
[3] Plus B.t.u. adjustment.
[4] Formerly Tennessee Gas Transmission Co.
[5] Includes 1.5 cents per Mcf tax reimbursement.
[6] Includes B.t.u. adjustment.
[7] Subject to deduction for compression should Purchaser compress gas.
[8] Includes 1.3333 cents per Mcf tax reimbursement.
[9] Includes 0.85 cent upward B.t.u. adjustment.
[10] Docket under which Predecessor was previously authorized.
[11] Rate in effect subject to refund in Docket No. G-20239.
[12] Gas well gas.
[13] Rate in effect subject to refund in Docket No. G-17715.
[14] Casinghead gas.
[15] 12.0 cents per Mcf less ¾ cent for dehydration.

[F.R. Doc. 66-5375; Filed, May 18, 1966; 8:45 a.m.]

[Project No. 405]

SUSQUEHANNA POWER CO. AND PHILADELPHIA ELECTRIC POWER CO.

Notice of Application for Amendment of License for Constructed Project

MAY 12, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by The Susquehanna Power Co. and Philadelphia Electric Power Co., joint licensees for constructed Project No. 405, known as the Conowingo Project, located on the Susquehanna River, in Harford and Cecil Counties, Md., and York, Lancaster, Chester, and Montgomery Counties, Pa., for amendment of the license for the project.

The application for amendment seeks Commission approval of the following described proposed recreational facilities for the Conowingo Project: (1) Conowingo Dam Tailrace Area (a) a two-story hexagonally shaped picnic shelter with public rest rooms, infra-red heating units, and picnic tables adjacent; (b) an asphaltic concrete parking lot for 124 cars; (c) a fish cleaning shelter; (d) painting, fencing and landscaping of the two substations and the storage building presently in this area; (e) paving, lighting, and widening from 10 to 20 feet of the existing road from the tailrace to Shures Landing; (f) a 120-car asphaltic concrete parking lot located adjacent to the Shures Landing road; (g) landscaping of the Shures Landing area and installation of picnic sites where possible; and (h) paving and lighting of a parking area for 20 cars at Shures Landing. (2) Conowingo Creek Area (a) a concrete-plank boat launching ramp extending 100 feet into the creek; (b) a timber bulkhead extending 235 feet along the bank of Conowingo Creek, to serve as docking facilities; (c) parking for 28 cars and 14 boat trailers; and (d) landscaping and lighting of the area. (3) Fishermen's Tailrace Warning System (a) two 13- by 36-foot lighted warning signs, about 300 feet downstream from the powerhouse; (b) five 12- by 29-foot illuminated signs on Rowland Island; and (c) three warning lights on the downstream face of the powerhouse.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 5, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5465; Filed, May 18, 1966; 8:46 a.m.]

[Project No. 2503]

DUKE POWER CO.

Order Fixing Hearing

MAY 12, 1966.

On January 4, 1965, the Duke Power Co. (Applicant) filed an application with the Federal Power Commission seeking a license authorizing the construction, operation, and maintenance of the proposed Keowee-Toxaway hydroelectric project, FPC Project No. 2503 to be located on the Keowee, Little, Whitewater, Toxaway, Thompson, and Horsepasture Rivers, all tributaries of the Savannah River. The project would impound the waters of these rivers in Oconee and Pickens Counties, S.C., and in Transylvania County, N.C.

Several rural electric cooperatives have intervened in opposition to the Applicants proposal, and the South Carolina Public Service Commission has filed a notice of intervention in support of the application for license. In addition to legal questions the interveners in opposition to the application have raised various unresolved factual issues as to the conformity of the proposed project to the standards of the Federal Power Act particularly section 10(a) thereof. These issues appear to require determination on the basis of a formal record.

The Commission finds:

It is appropriate and in the public interest in carrying out the provisions of the Federal Power Act that a public hearing be held in this proceeding.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly sections 4(e), 10(a), and 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held on July 12, 1966, at 10 a.m. in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., respecting the matters involved and the issues presented in this proceeding.

(B) The following procedure is prescribed for this proceeding:

1. The Applicant shall file by June 6, 1966, an original and 10 copies of all testimony, including qualifications of the witnesses, and exhibits to be presented in Applicant's direct case.

2. All other parties, including the Commission staff, shall file by June 24, 1966, an original and 10 copies of all direct testimony and exhibits including qualifications of witnesses.

3. All motions to strike shall be filed by July 1, 1966, with replies to such motions to be filed by July 8, 1966.

4. All of the testimony, except exhibits, shall be in question and answer form.

5. No exhibits, except those of which official notice may properly be taken, shall contain narrative material other than brief explanatory headings and footnotes.

6. Any party submitting more than one exhibit shall enclose a cover sheet listing the title of each exhibit in the sequence they are to be marked for identification.

7. The Presiding Examiner will specify the order of cross-examination and time to be permitted for preparation of rebuttal evidence.

(C) The Commission's rules of practice and procedure shall apply in this proceeding except to the extent that they are modified or supplemented herein.

(D) Applicant is directed to forthwith send to the interveners copies of all pleadings, letters, exhibits, or other correspondence furnished to the Commission in connection with this application. Copies of other material relative to this proceeding in the public files of the Commission will be made available to interveners.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5466; Filed, May 18, 1966; 8:46 a.m.]

[Docket No. CP64-255 (Phase II)]

NORTHERN NATURAL GAS CO.

Notice of Petition to Amend

MAY 12, 1966.

Take notice that on May 6, 1966, Northern Natural Gas Co. (Petitioner), 2223 Dodge Street, Omaha, Nebr., 68102, filed in Docket No. CP64-255 (Phase II) a petition to amend the order of the Commission issued in said docket on June 2, 1965 (Opinion 463), requesting authorization for a new site for its lateral line to the proposed Marquette, Michigan Town Border Station No. 2 (Marquette TBS No. 2), the construction and operation of additional facilities and for the deletion of the condition set forth in the subject order in ordering paragraph (B) (ii), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the aforementioned order issued on June 2, 1965, Petitioner was authorized to construct and operate, inter alia, 0.5 mile of 4-inch lateral pipeline to the proposed Marquette TBS No. 2 at an estimated cost of $7,900. Petitioner states that it has agreed with Michigan Gas and Electric Co. (MG & E), the distributor in Marquette upon a new and more suitable site for the location of the Marquette TBS No. 2. Petitioner further states that as a result of the proposed new TBS site and an increase in estimated requirements for MG & E, it now proposes to construct 2.2 miles of 6-inch pipeline in lieu of the presently authorized 0.5 mile of 4-inch lateral pipeline.

The order of the Commission issued in the instant docket requires that Petitioner submit to the Commission a contract covering the sale of natural gas by Lake Superior District Power Co. (Lake Superior) to the municipal powerplant at Bessemer, Mich. (Bessemer). Petitioner states that this condition was included in the order because contemplated sales under the powerplant contract contributed more than 15 percent of projected branchline revenues and that this general rule was applied on the basis that such industrial contracts would have a strong bearing on the feasibility of the project. Petitioner further states that the third year incremental revenues attributable to the Bessemer branchline exceed the incremental cost of service by $31,794, even without the attachment of the powerplant. Petitioner contends, therefore, that the project is feasible without the attachment of the powerplant, that service to Bessemer is required by the public convenience and necessity and that the above-described condition of the Commission's order be deleted therefrom.

The total estimated cost of Petitioner's proposed 2.2 miles of 6-inch pipeline is $44,420.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 9, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5467; Filed, May 18, 1966; 8:46 a.m.]

[Docket No. CP65-181 (Phase II)]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Change of Dates

MAY 13, 1966.

On May 9, 1966, the Department of Health, Education, and Welfare (Department) filed a motion to extend the time for the service and filing of evidence in this proceeding as provided in our order of April 29, 1966, in Columbia Gulf Transmission Co., et al., Docket No. CP65-102, et al. That order provided for the filing and service of testimony on or before May 16, 1966. The Department requests that that date be extended to July 1, 1966, and contends that additional time is needed to enable it to prepare and file evidence which would be helpful to the Commission in this proceeding. It states that extensive research and study of pertinent materials is necessary in order that it can properly and concisely present its case. Because of these and other matters raised in the motion for extension of time, it appears appropriate to extend the time for filing and service of evidence in this proceeding to July 1, 1966, as requested by the Department.

The date for the filing and service upon all parties of direct evidence in this proceeding is extended to July 1, 1966. The hearing in this proceeding, previously scheduled to commence May 23, 1966, is postponed to commence July 12, 1966, at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

By direction of the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5468; Filed, May 18, 1966; 8:46 a.m.]

[Docket No. CP66-340]

CENTRAL ILLINOIS PUBLIC SERVICE CO. AND PANHANDLE EASTERN PIPE LINE CO.

Notice of Application; Correction

MAY 11, 1966.

In the Notice of Application issued May 4, 1966 and published in the FEDERAL REGISTER May 11, 1966 (F.R. Doc. 66-5098, 31 F.R. 6924), change "7(c)" to read "7(a)" in the first paragraph of the notice.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5469; Filed, May 18, 1966; 8:46 a.m.]

[Docket No. CP66-353]

TENNESSEE GAS PIPELINE CO.

Notice of Application

MAY 12, 1966.

Take notice that on May 5, 1966, Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Applicant), Post Office Box 2511, Houston, Tex., filed in Docket No. CP66-353 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act as implemented by § 157.7 (b) of the regulations under the Act for a certificate of public convenience and necessity authorizing the construction during the calendar year 1966 and the operation of field facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from independent producers or similar sellers thereof, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of the instant application is to augment its ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally coextensive with said system.

The total cost of the proposed facilities will not exceed a maximum of $2,500,000, and no single project will exceed a cost of $500,000. The application states that the proposed facilities will be financed from general funds or revolving credit.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 9, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5470; Filed, May 18, 1966; 8:46 a.m.]

[Docket No. CP66-354]

PORTALES VALLEY GAS ASSOCIATION AND TRANSWESTERN PIPELINE CO.

Notice of Application

MAY 13, 1966.

Take notice that on May 5, 1966, Portales Valley Gas Association (Applicant), Floyd, N. Mex., filed in Docket No. CP66-354 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Transwestern Pipeline Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in parts of Roosevelt and Curry Counties in easternmost New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that no incorporated communities are encompassed within the area proposed to be served. Applicant further states that Respondent's main transmission line traverses the southeastern portion of Applicant's area and that no lateral transmission pipeline will be required.

Applicant proposes to construct, own and operate distribution lines to irrigation wells and to farm residences in the area proposed to be served. Applicant states that natural gas will be delivered to the irrigation wells during the summer months for irrigation pump fuel, and to certain farm residences.

The total estimated volume of natural gas involved to meet Applicant's annual requirements in the third year of proposed operations in 204,430 Mcf. Applicant states that the proposed project is designated primarily for irrigation well use during the summer months and that the maximum days will occur during that period, it being estimated that in the third year of operations 1,779 Mcf of gas per day will be required. Applicant further states that for the winter period, when the irrigation well engines will not be in use, it is estimated that 195 Mcf per day will be required in the third year of operations.

The total estimated cost of Applicant's proposed distribution system is $300,000, which will be financed through the issuance of Natural Gas Revenue Bonds to be issued by Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 9, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5471; Filed, May 18, 1966; 8:47 a.m.]

[Docket No. CP66-355]

TRANSWESTERN PIPELINE CO.

Notice of Application

MAY 13, 1966.

Take notice that on May 6, 1966, Transwestern Pipeline Co. (Applicant), Post Office Box 1502, Houston, Tex., 77001, filed in Docket No. CP66-355 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities in order to effectuate the delivery of natural gas to Socony Mobil Oil Co., Inc. (Mobile), pursuant to an agreement between the parties, for authorization to transport volumes of gas to the products recovery plant of Mobile and for authorization to provide enough gas for shrinkage and fuel for such plant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct on its 8-inch Waha lateral a block valve, a side gate assembly and control system, together with related facilities, in the SW¼ of sec. 19, PSL Block C-3, Reeves County, Tex., and to relocate a meter setting from the tailgate of the Mobil plant in the NE¼ of sec. 5, PSL Block C-3, Pecos County, Tex., to a delivery point in the SE¼ of sec. 17, PSL Block C-3 Reeves County, Tex. Applicant further proposes to transport and deliver gas, including fuel and shrinkage volumes, to the Mobil plant as required for the processing of gas and its redelivery into Applicant's system, including both gas covered by the agreement between the parties and all similar or supplemental agreements covering the processing of gas of other producers selling to Applicant in the Waha field, Reeves and Pecos Counties, Tex.

Applicant states that it is now purchasing approximately 3 MMcf to 4 MMcf of gas per day from the Mobil plant and estimates that deliveries from such plant will increase to 11 MMcf or 12 MMcf per day upon installation of the facilities for which authorization is sought by the instant application.

The total estimated cost of Applicant's proposed facilities is $10,910. Applicant states that Mobil has agreed to reimburse it for such cost as well as for the cost of gas used and lost in processing operations.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 9, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5472; Filed, May 18, 1966; 8:47 a.m.]

[Docket No. CS66-124, etc.]

GREAT WESTERN DRILLING CO., ET AL.

Notice of Applications for "Small Producer" Certificates [1]

MAY 12, 1966.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 6, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket Nos.	Date filed	Name of applicant
CS66-124	4-25-66	Great Western Drilling Co., Post Office Box 1659, Midland, Tex., 79701.
CS66-125	5- 2-66	Landmark Oil, Inc., 111 Kerr Avenue Bldg., Oklahoma City, Okla., 73102.
CS66-126	5- 3-66	Ross R. Bickel, Trustee, 1365 First National Bank Bldg., Dallas, Tex., 75221.
CS66-127	5- 5-66	Southwestern Natural Gas, Inc., 1109 National Bank of Commerce Bldg., San Antonio, Tex., 78205.
CS66-128	5- 9-66	The Fluor Corp., Ltd., 615 Midland Tower Bldg., Midland, Tex., 79701.

[F.R. Doc. 66-5473; Filed, May 18, 1966; 8:47 a.m.]

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 579 (28 F.R. 11524), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the statutory minimum of $1.25 an hour.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below $1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is less, in occupations of the same general classes in which the establishment employed full-time students at wages below $1.00 an hour in the base period.

Blair Food Town, food store; Route No. 5, Canton, Ga.; 3-22-66 to 2-28-67.

Carlisle-Allen Co., department stores; 87 West Main Street, Geneva, Ohio (4-8-66 to 4-7-67); 60 South Park Place, Painesville, Ohio (4-8-66 to 4-7-67).

Central Park Super Market, food store; 5728 Avenue O, Central Park, Birmingham, Ala.; 3-23-66 to 3-22-67.

Crest Stores Co., variety store; 1620 South Boulevard, Charlotte, N.C.; 3-10-66 to 3-9-67.

DeMar's, Inc., apparel store; 6101 West Cermak Road, Cicero, Ill.; 3-1-66 to 2-28-67.

Easter Super Valu, food stores; Colfax, Iowa (3-4-66 to 10-31-66); Norwalk, Iowa (3-4-66 to 10-31-66).

W. T. Grant Co., variety stores; No. 522, Webster, Mass. (3-31-66 to 3-20-67); No. 629, Ashland, Ohio (4-14-66 to 4-13-67); No. 373, Cleveland, Ohio (4-26-66 to 4-25-67).

Jitney Jungle, food store; 206 North Second Street, Bay St. Louis, Miss.; 3-17-66 to 3-16-67.

L & G Hardware Co., hardware store; 149 East 14 Mile Road, Clawson, Mich.; 4-18-66 to 4-17-67.

Morey's Clothes Shop, apparel store; 620 Fourth Street, Sioux City, Iowa; 2-2-66 to 2-1-67.

G. C. Murphy Co., variety stores; No. 53, Johnsonburg, Pa. (4-14-66 to 4-13-67); No. 210, Oakmont, Pa. (4-14-66 to 4-13-67).

Neisner Brothers, Inc., variety store; No. 112, Detroit, Mich.; 4-12-66 to 4-11-67.

O. K. Fairbanks Corp., food stores; 84 Marlboro Street, Keene, N.H. (3-14-66 to 3-13-67); 480 West Street, Keene, N.H. (3-14-66 to 4-13-67).

Orlik's, Inc., apparel store; 6156 Glennay Avenue, Cincinnati, Ohio; 4-6-66 to 4-5-67.

Piggly Wiggly, Inc., food stores; 201 Kirkland Street, Abbeville, Ala. (3-2-66 to 3-1-67); 501 Claxton Street, Elba, Ala. (3-2-66 to 3-1-67); 138 South Randolph Street, Eufaula, Ala. (3-2-66 to 3-1-67); 806 North Water Street, Geneva, Ala. (3-2-66 to 3-1-67); Greenville, Ala. (3-2-66 to 3-1-67); 314 Forrest Avenue, Luverne, Ala. (3-2-66 to 3-1-67); 109 East Avenue, Ozark, Ala. (3-2-66 to 3-1-67); 129-31 East Main Street, Samson, Ala. (3-2-66 to 3-1-67); 212 South 3 Notch Street, Troy, Ala. (3-2-66 to 3-1-67).

Postville Farmers Cooperative Society, food store; 147 North Lawler Street, Postville, Iowa; 1-24-66 to 1-23-67.

Raymond's Clothes Shop, apparel store; 614 Fourth Street, Sioux City, Iowa; 2-2-66 to 2-1-67.

Rudyard Cooperative Co., food store; Rudyard, Mich.; 3-29-66 to 3-28-67.

Square Market, Inc., food store; 1330 H. W. E., Galion, Ohio; 4-1-66 to 3-31-67.

Sterling Stores Co., Inc., variety store; 121-123 North Moose, Morrilton, Ark.; 4-18-66 to 4-17-67.

Suttons Food City, food store; 1935 North Topeka Avenue, North Topeka, Kans.; 2-28-66 to 2-27-67.

T.G. & Y. Stores Co., variety stores; No. 150, Kansas City, Mo. (3-1-66 to 2-28-67); No. 2, Norman, Okla. (3-24-66 to 3-23-67).

Wingert's I G A, food store; Fulton Street, Mayville, Mich.; 4-12-66 to 4-11-67.

Wood's 5 & 10¢ Stores, Inc., variety store; Laurinburg, N.C.; 4-1-66 to 3-31-67.

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates of not less than 85 percent of the minimum applicable under section 6 of the act in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of em-

ployment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

Carlisle-Allen Co., department store; 6000 Youngstown-Warren Road, Niles, Ohio; stock clerk, sales clerk, mailers, gift wrappers; between 0.9 percent and 3.3 percent; 4–8–66 to 4–7–67.

Consumers Market, Inc., food store; 2400 East Bennett, Springfield, Mo.; bag boys; between 7.0 percent and 10 percent; 5–9–66 to 5–8–67.

J. S. Dillon & Sons Stores Co., Inc., food stores for the occupations of cashiers, clerks, carry-out, wrappers, maintenance: No. 48, Hutchinson, Kans. (10 percent for each month, 4–18–66 to 4–17–67); No. 74, Hutchinson, Kans. (10 percent for each month, 12–2–65 to 12–1–66).

W. T. Grant Co., Inc., variety store; 200 Cloverleaf Plaza Shopping Center, Concord, N.C.; sales clerk; between 3.6 percent and 10 percent; 3–8–66 to 3–7–67.

H. E. Butt Grocery Co., Inc., food store; No. 98, Brenham, Tex.; package boy, bottle boy, sack boy; 10 percent for each month; 4–9–66 to 4–8–67.

S. S. Kresge Co., Inc., variety store; No. 4103, Nashville, Tenn.; sales clerks, checkers; between 2.1 percent and 10 percent; 3–8–66 to 3–7–67.

Wm. A. Lewis Clothing Co., apparel store; 8037–41 Cicero Avenue, Chicago, Ill.; receptionist, check writer, wrapper, stock clerk; between 7.8 percent and 10 percent; 3–10–66 to 3–9–67.

Mazel Gaynes, Inc., department store; 861 Williston Road, South Burlington, Vt.; sales clerk, bagger; between 1.4 percent and 1.5 percent; 4–28–66 to 6–29–66.

McCrory-McLellan-Green Stores, Inc., variety stores for the occupations of sales clerk, stock clerk, office clerical: No. 389, Baltimore, Md. (10 percent for each month, 4–14–66 to 4–13–67); No. 352, Toms River, N.J. (10 percent for each month, 3–31–66 to 3–30–67).

G. C. Murphy Co., variety stores for the occupations of sales clerk, office clerical, stock clerk, janitorial: No. 306, Huntsville, Ala. (between 9.0 percent and 10 percent, 4–15–66 to 4–14–67); No. 82, Atlanta, Ga. (between 4.7 percent and 10 percent, 4–2–66 to 4–1–67); No. 308, Culpeper, Va. (between 9.2 percent and 10 percent, 4–15–66 to 4–14–67).

Neisner Brothers, Inc., variety stores for the occupations of sales clerk, stock clerk, office clerical: No. 47, North Miami Beach, Fla. (between 8.1 percent and 10 percent, 4–1–66 to 3–31–67); No. 44, Miramar, Fla. (between 9.8 percent and 10 percent, 4–28–66 to 4–27–67).

Piggly Wiggly, Inc., food stores for the occupations of bag boys and carry-out boys, except as otherwise indicated: 830 South Oates Street, Dothan, Ala. (bag boys, between 9.5 percent and 10 percent), 3–2–66 to 3–1–67); 2–6 Cooper Street, Evergreen, Ala. (between 9.5 percent and 10 percent, 3–2–66 to 3–1–67); 304 Main Street, Headland, Ala. (bag boys, between 9.6 percent and 9.8 percent, 3–2–66 to 3–1–67); 226 North Waukesha Street, Bonifay, Fla. (between 9.2 percent and 9.9 percent, 3–2–66 to 2–28–67; Cotton Street, Graceville, Fla. (between 9.1 percent and 9.9 percent, 3–2–66 to 2–28–67); West Lafayette Street, Marianna, Fla. (between 9.1 percent and 9.6 percent, 3–2–66 to 2–28–67); Brent Lane and Palafox Avenue, Pensacola, Fla. (between 9.4 percent and 9.9 percent, 3–2–66 to 2–28–67); 209 West College, Colquitt, Ga. (between 9.2 percent and 9.8 percent, 3–2–66 to 2–28–67).

Quality Super Markets, Inc., food store; 3300 West Broadway, Mount Vernon, Ill.; sacker, stock clerk; between 9.5 percent and 9.9 percent; 3–1–66 to 2–15–67.

T. G. & Y. Stores Co., Inc., variety stores for the occupations of office clerical, sales clerk, stock clerk, except as otherwise indicated: No. 241, Mobile, Ala. (sales clerk, stock clerk, 10 percent for each month, 3–21–66 to 3–20–67); No. 133, Olathe, Kans. (10 percent for each month, 4–2–66 to 4–1–67); No. 325, Overland Park, Kans. (10 percent for each month, 4–2–66 to 4–1–67); No. 454, Hannibal, Mo. (10 percent for each month, 4–2–66 to 4–1–67); No. 86, Nicoma Park, Okla. (10 percent for each month, 4–25–66 to 4–24–67); No. 423, Oklahoma City, Okla. (10 percent for each month, 3–8–66 to 3–7–67).

Wingert's I G A, food store; 54 North Howard Street, Croswell, Mich.; carry-out, stock clerk; 10 percent for each month; 4–12–66 to 4–11–67.

Younker Brothers, Inc., department store; Fairway Shopping Center, Burlington, Iowa; stock clerk, office clerk, sales clerk, messenger, wrapper, marker, delivery clerk, cleaning, porter work; between 8.9 percent and 10 percent; 4–1–66 to 3–31–67.

The following certificates were issued to establishments under paragraph (k) of § 519.6 of 29 CFR Part 519. These certificates supplement certificates issued pursuant to other paragraphs of that section, but do not authorize the employment of full-time students at rates below the applicable statutory minimum in additional occupations. The certificates contain limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees. The additional allowances apply to the specified months and vary from month to month between the minimum and maximum figures indicated.

Adams Drug Co., Inc., drug store; 1200 North Main Street, Providence, R.I.; between 3.5 percent and 10 percent for the months of March through February; 3–1–66 to 2–17–67.

Seifert's, Inc., apparel stores: 105–107 East Main, Ottumwa, Iowa (5 percent for the months of April through March, 4–21–66 to 4–20–67); 128 North Washington Street, Green Bay, Wis. (5 percent for the months of April through March, 4–21–66 to 4–20–67); 311–313 Third Street, Wausau, Wis. (5 percent for the months of April through March, 4–21–66 to 4–20–67).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 13th day of May 1966.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 66–5454; Filed, May 18, 1966; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 85–B, Amdt. 1]

BUREAU OF THE CENSUS

Organization

The following material amends the material appearing at 31 F.R. 2631–2632 of February 10, 1966.

Department Order 85–B, dated January 25, 1966, is hereby amended as follows:

SEC. 2. *Organization.* Subparagraph .03b is amended to read:

b. Assistant Director for Operations:

Systems Division.
Processing Division.
Jeffersonville Census Operations Office.
Geography Division.

Effective date: April 22, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66–5447; Filed, May 18, 1966; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50–47]

U.S. ARMY MATERIALS RESEARCH AGENCY

Notice of Proposed Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission ("the Commission") is considering the issuance of Amendment No. 6, set forth below, to Facility License No. R–65 which authorizes the U.S. Army Materials Research Agency ("the licensee") to operate the pool-type nuclear reactor ("the reactor") located at Watertown Arsenal, Watertown, Mass.

The proposed amendment would authorize the licensee to increase the steady state operating power level of the reactor from the presently authorized 1 megawatt thermal to a maximum of 2 megawatts thermal. The proposed amendment was requested by the licensee in an application dated March 4, 1966. The Commission would issue the amendment upon making the findings set forth in the proposed amendment.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this amendment may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued. If no request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue the license amendment fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER.

For further details with respect to this proposed amendment, see (1) the application and (2) a related safety evaluation prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the safety evaluation may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 17th day of May 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[License No. R–65; Amdt. No. 6]

The Atomic Energy Commission having found that:

a. The application for license amendment dated March 4, 1966, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

b. There is reasonable assurance that (i) the activities authorized by the license, as amended, can be conducted at the designated location without endangering the health and safety of the public, and (ii) such activities will be conducted in compliance with the rules and regulations of the Commission;

c. The licensee is technically and financially qualified to engage in the activities authorized by this license, as amended, in accordance with the rules and regulations of the Commission;

d. The licensee is a Federal Agency and is not required to furnish proof of financial protection as would otherwise be required by subsection 170a of the Atomic Energy Act of 1954, as amended; and

e. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public.

Facility License No. R–65, as amended, which authorizes the U.S. Army Materials Research Agency to operate the pool-type nuclear reactor located at Watertown Arsenal, Watertown, Mass., is hereby further amended as follows:

"The licensee is authorized to operate the reactor at steady state power levels up to a maximum of two (2) megawatts thermal in accordance with the conditions and limitations contained in the application for license amendment dated March 4, 1966."

This license amendment is effective as of the date of issuance.

Date of issuance:

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66–5531; Filed, May 18, 1966; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 17324, 17261; Order No. E–23669]

TRANS CARIBBEAN AIRWAYS, INC.

Proposed Individual Senior Citizen Excursion Tariff Revisions; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 12th day of May 1966.

By tariff revision[1] marked to become effective May 14, 1966, Trans Caribbean Airways, Inc. (Trans Caribbean), has proposed a revision to its Senior Citizen Group Fare Tariff. The Board permitted Trans Caribbean's Senior Citizen Group Fare Tariff to become effective pending investigation, which was instituted by Order E–23370, March 15, 1966. The revision now proposed would delete the 10 member group requirement and make these fares available on an individual basis to women over 62 and men over 65 years of age.

A complaint against the proposed tariff was filed by Eastern Air Lines, Inc. (Eastern).[2] In support of its request for investigation and suspension, Eastern asserts that the tariff proposal is unjustly discriminatory, unduly preferential, and prejudicial, and unjust and unreasonable.[3]

In support of its complaint, Eastern alleges the absence of economic justification and the inherent discriminatory aspects of special fares for older persons. In addition, Eastern raises the question as to whether the unsuccessful $82.00 Senior Citizen group fare should be permitted to be transformed into an $82.00 individual excursion fare, thereby substantially undercutting the $121.50 round-trip individual jet thrift class fare by nearly $40.00. Eastern contends this fare proposal is unreasonable since it does not satisfy either (1) the cost-fare test, because it asserts that Trans Caribbean realizes no significant savings in transporting this class of traffic versus regular fare traffic, or (2) the profit impact test, because it states the fare will not improve the net revenues of the carrier.

Upon consideration of all relevant factors the Board has concluded that the removal of the group restriction in the proposed revision of Trans Caribbean's Senior Citizen tariff raises such substantial questions of discrimination and reasonableness that it should be investigated and its operation suspended pending hearing. While we questioned the lawfulness of Trans Caribbean's Senior Citizen Group Fare tariff and ordered it investigated,[4] the proposed removal of the group restriction presents such significantly greater problems that we do not believe that these fares should be permitted to become effective even on an experimental basis. In addition to the discriminatory aspects of this proposal, these individual excursion fares would undercut the regular $121.50 round-trip thrift class fare by $39.50 in a market where fares are already among the lowest in the industry. The removal of the group restriction, of course, would make these fares available to a larger segment of the traveling public and enhance their potential for diverting traffic and diluting revenues. Under these circumstances we find that the fares as proposed may be unjustly discriminatory, unduly preferential, unduly prejudicial, unjust, unreasonable, and otherwise unlawful and should be investigated and suspended pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 404, and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions on 4th and 5th Revised Pages 5–M and 12th Revised Page 7–A of Trans Caribbean Airways, Inc.'s CAB No. 26 (Trans Caribbean Airways, Inc., series), and rules, regulations, or practices affecting such fares and provisions, are or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful to determine and prescribe the lawful fares and provisions, and rules, regulations, and practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions on 4th and 5th Revised Pages 5–M and 12th Revised Page 7–A of Trans Caribbean Airways, Inc.'s CAB No. 26 (Trans Caribbean Airways, Inc., series) are suspended and their use deferred to and including August 11, 1966, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. Except as granted herein the complaint of Eastern Air Lines, Inc., in Docket 17261 is dismissed;

4. The proceeding ordered herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

5. Copies of this order be filed with the aforementioned tariff and be served upon Trans Caribbean Airways, Inc., and Eastern Air Lines, Inc., which are hereby made parties to the proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[5]

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66–5493; Filed, Mar. 18, 1966; 8:48 a.m.]

[1] To Trans Caribbean Airways, Inc.'s CAB No. 26.

[2] Docket 17261 filed Apr. 25, 1966.

[3] On May 3, 1966, Trans Caribbean filed an answer to Eastern's complaint.

[4] Order E–23370, Mar. 15, 1966.

[5] Statement of concurrence and dissent by Member Minetti filed as part of original document.

[Docket No. 17325; Order No. E-23680]

LIABILITY LIMITATIONS OF WARSAW CONVENTION AND HAGUE PROTOCOL

Order Approving Agreement

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of May, 1966.

The Convention for the Unification of Certain Rules Relating to International Transportation by Air, generally known as the Warsaw Convention, creates a uniform body of law with respect to the rights and responsibilities of passengers, shippers, and air carriers in international air transportation. The United States became a party to the Convention in 1934, and eventually over 90 countries likewise became parties to the Convention.[1] On November 15, 1965, the U.S. Government gave notice of denunciation of the Convention, emphasizing that such action was solely because of the Convention's low limits of liability for personal injury or death to passengers. Pursuant to Article 39 of the Convention this notice would become effective upon 6 months' notice, in this case, May 15, 1966. Subsequently, the International Air Transport Association (IATA) made efforts to effect an arrangement among air carriers, foreign air carriers, and other carriers (including carriers not members of IATA) providing the major portions of international air carriage to and from the United States to increase the limitations of liability now applicable to claims for personal injury and death under the Convention and the Protocol. The purpose of such action is to provide a basis upon which the United States could withdraw its notice of denunciation.

The arrangement proposed has been embodied in an agreement (Agreement CAB 18900) between various air carriers, foreign air carriers, and other carriers which has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 and Part 261 of the Board's economic regulations and assigned the above-designated CAB number.

By this agreement, the parties thereto bind themselves to include in their tariffs, effective May 16, 1966, a special contract in accordance with Article 22(1) of the Convention or the Protocol providing for a limit of liability for each passenger for death, wounding, or other bodily injury of $75,000 inclusive of legal fees, and, in case of a claim brought in a State where provision is made for separate award of legal fees and costs, a limit of $58,000 exclusive of legal fees and costs. These limitations shall be applicable to international transportation by the carrier as defined in the Convention or Protocol which includes a point in the United States as a point of origin, point of destination, or agreed stopping place. The parties further agree to provide in their tariffs that the Carrier shall not, with respect to any claim arising out of the death, wounding, or other bodily injury of a passenger, avail itself of any defense under Article 20(1) of the Convention or the Convention as amended by the Protocol. The tariff provisions would stipulate, however, that nothing therein shall be deemed to affect the rights and liabilities of the Carrier with regard to any claim brought by, on behalf of, or in respect of any person who has willfully caused damage which results in death, wounding, or other bodily injury of a passenger.

The carriers by the agreement further stipulate that they will, at time of delivery of the tickets, furnish to each passenger governed by the Convention or the Protocol and by the special contract described above, a notice in 10 point type advising international passengers of the limitations of liability established by the Convention or the Protocol, or the higher liability agreed to by the special contracts pursuant to the Convention or Protocol as described above. The agreement is to become effective upon approval by this Board, and any carrier may become a party to it by signing a counterpart thereof and depositing it with the Board. Withdrawal from the agreement may be effected by giving 12 months' written notice to the Board and the other Carrier parties thereto.

As indicated, the decision of the U.S. Government to serve notice to denounce the Convention was predicated upon the low liability limits therein for personal injury and death. The Government announced, however, that it would be prepared to withdraw the Notice of Denunciation if, prior to its effective date, there is a reasonable prospect for international agreement on limits of liability for international transportation in the area of $100,000 per passenger or on uniform rules without any limit of liability, and if pending such international agreement there is a provisional arrangement among the principal international air carriers providing for liability up to $75,000 per passenger.

Steps have been taken by the signing carriers to have tariffs become effective May 16, 1966, upon approval of this agreement, which will increase by special contract their liability for personal injury or death as described herein. The signatory carriers provide by far the greater portion of international transportation to, from, and within the United States. The agreement will result in a salutory increase in the protection given to passengers from the increased liability amounts and the waiver of defenses under Article 20(1) of the Convention or Protocol. The U.S. Government has concluded that such arrangements warrant withdrawal of the Notice of Denunciation of the Warsaw Convention. Implementation of the agreement will permit continued adherence to the Convention with the benefits to be derived therefrom, but without the imposition of the low liability limits therein contained upon most international travel involving travel to or from the United States. The stipulation that no tariff provision shall be deemed to affect the rights and liabilities of the carrier with regard to any claim brought by, on behalf of, or in respect of any person who has willfully caused damage which results in death, wounding or other bodily injury of a passenger operates to diminish any incentive for sabotage.

Upon consideration of the agreement, and of matters relating thereto of which the Board takes notice, the Board does not find that the agreement is adverse to the public interest or in violation of the Act and it will be approved.

Accordingly, pursuant to the provisions of the Federal Aviation Act of 1958, and particularly sections 102, 204(a), and 412 thereof:

It is ordered, That: 1. Agreement CAB 18900 is approved.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-5494; Filed, May 18, 1966; 8:49 a.m.]

[1] The Convention was amended by the Protocol signed at Hague in 1955 which has never been ratified by the United States. The Convention (subject to certain provisions) limits carriers' liability for death or injury to passengers in international transportation to 125,000 gold francs, or approximately $8,300. The Protocol, subject to certain provisions, provides for liability limitations of approximately $16,600.

INTERSTATE COMMERCE COMMISSION

[Notice No. 920]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

MAY 13, 1966.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

[1] Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 879 (Sub-No. 12), filed May 2, 1966. Applicant: SERVICE LINES, INC., 225 Lynch Street, St. Louis, Mo. Applicant's representative: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, livestock, commodities of unusual value, those injurious or contaminating to other lading, automobiles, commodities requiring refrigeration, hay and straw, green hides, high explosives, and fresh milk and cream), serving the plantsite of Hussmann Refrigerator Co., located at St. Charles Rock Road and Taussig Road, Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular route authority. NOTE: Applicant states that Hussmann Refrigerator Co., is in the process of relocating its plant and facilities from within the city of St. Louis, Mo., to the above plantsite, and has requested carriers presently serving it in St. Louis, Mo., to request authority as above so as to be able to continue service at its new facility. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 906 (Sub-No. 81), filed May 2, 1966. Applicant: CONSOLIDATED FORWARDING CO., INC., 1300 North 10th Street, St. Louis, Mo., 63106. Applicant's representative: Charles E. Dempsey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and damaged and rejected shipments*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, Wisconsin, and Wyoming. NOTE: Applicant states that it will transport exempt commodities. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 2202 (Sub-No. 291), filed April 21, 1966. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Akron, Ohio, 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Columbus, Miss., and points within 25 miles thereof, and Tuscaloosa, Ala.; from Columbus over U.S. Highway 82 to junction U.S. Highway 11 at or near Tuscaloosa, and return over the same route, serving Tuscaloosa for joinder purposes only and serving those intermediate and off-route points within 25 miles of Columbus, Miss., including Columbus, and (2) between Columbus, Miss., and Memphis, Tenn.; from Columbus over U.S. Highway 45 to junction U.S. Highway 78, thence over U.S. Highway 78 to Memphis, Tenn., and return over the same route, serving those intermediate and off-route points within 25 miles of Columbus, Miss. including Columbus. NOTE: Applicant states the intent and purpose of the applicant is to tack the sought route at Birmingham, Ala., and Memphis, Tenn., with other authority now held by applicant in order to provide service between points sought in this application, on the one hand, and, on the other, points presently served by the applicant in the States of Alabama, Georgia, South Carolina, North Carolina, Tennessee, Kentucky, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Ohio, Indiana, Illinois, Michigan, Wisconsin, Kansas, Missouri, Oklahoma, Texas, and the District of Columbia. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 2304 (Sub-No. 29), filed April 25, 1966. Applicant: THE KAPLAN TRUCKING COMPANY, a corporation, 2900 Chester Avenue, Cleveland, Ohio. Applicant's representative: James M. Burtch, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Kansas, Maryland, Massachusetts, Michigan, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, South Dakota, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 2392 (Sub-No. 49), filed April 28, 1966. Applicant: WHEELER TRANSPORT SERVICE, INC., Post Office Box 432, Genoa, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions, including but not limited to anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of the Phillips Petroleum Co., Liquid Fertilizer plant near Audubon, Iowa, to points in Kansas, Minnesota, Missouri, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 2900 (Sub-No. 140), filed April 28, 1966. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. Applicant's representative: Robert W. Gerson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, and those injurious to or contaminating to other lading), serving the plantsite of Magna American Corp. at Raymond, Miss. (located approximately 14 miles southwest of Jackson, Miss., on Mississippi Highways Nos. 467 and 18), as an off-route point in connection with applicant's presently authorized regular route operations to and from Jackson, Miss. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 3854 (Sub-No. 7) (Amendment), filed April 6, 1966, published in FEDERAL REGISTER issue of April 28, 1966, amended and republished, this issue. Applicant: BURTON LINES, INC., Box 11036, East Durham Station, Durham, N.C., 27703. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and shale products and pipe, conduit, wall copings, fittings, and firebrick*, from Greensboro and Gulf, N.C., to points in New York, except points in the New York, N.Y. commercial zone, as defined by the Commission. NOTE: The purpose of this republication is to add the origin point of Gulf, N.C. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 9268 (Sub-No. 10), filed May 4, 1966. Applicant: ALBERT FILLMORE, doing business as FILLMORE TRANSPORTATION, Dudley Town Road, Bloomfield, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and meat products*, in refrigerated vehicles, between Hartford, Conn., on the one hand, and, on the other, Springfield, Mass., and points within 10 miles thereof. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 25798 (Sub-No. 139), filed May 2, 1966. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla., 33823. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Foodstuffs*, from the plantsite of American Home Foods at or near La Porte, Ind., to points in Alabama, Florida, Georgia, Illinois, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 25798 (Sub-No. 140), filed May 2, 1966. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla., 33823. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Guymon, Okla., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 26771 (Sub-No. 17) (Amendment), filed January 13, 1966, published in FEDERAL REGISTER, issue of January 27, 1966, and republished as amended this issue. Applicant: NESTOR BROS., INC., 6 Loder Avenue, Endicott, N.Y. Applicant's representative: Thomas J. Runfola, 631 Niagara Street, Buffalo, N.Y., 14201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Broome and Dutchess Counties, N.Y., on the one hand, and, on the other, points in Alabama, Georgia, North Carolina, and South Carolina; restricted against the movement of traffic between points in Alabama, Georgia, North Carolina, and South Carolina, on the one hand, and, on the other, New York, N.Y., and its commercial zone. NOTE: Applicant states that it intends to tack the above proposed authority with its authority in certificate No. MC 26771 and subs thereunder, in which applicant is authorized to operate in the States of New York, New Jersey, and Pennsylvania. The purpose of this republication is to alter the scope of the application as heretofore published. If a hearing is deemed necessary, applicant requests it be held at Binghamton, N.Y.

No. MC 27817 (Sub-No. 66), filed May 2, 1966. Applicant: H. C. GABLER, INC., Rural Delivery No. 3, Chambersburg, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, including granite*, (a) from points in Adams County, Pa., to points in Alabama, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia, and (b) from Clearbrook, Va., to Limekiln, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 29745 (Sub-No. 4) (Amendment), filed April 1, 1966, published in FEDERAL REGISTER issue of April 28, 1966, amended May 3, 1966, and republished as amended this issue. Applicant: BODGE LINES, INC., 313 West McCarty Street, Indianapolis, Ind. Applicant's representative: R. W. Burgess, 8514 Midland Avenue, St. Louis, Mo., 63114. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the plantsite of the Hussman Refrigerator Co. located at St. Charles Rock Road and Taussig Avenue, Bridgeton, Mo., as an off-route point in connection with applicant's regular-route operations. NOTE: The purpose of this republication is to correct the address of the applicant. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 29886 (Sub-No. 223), filed May 4, 1966. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind., 46621. Applicant's representative: Charles M. Pieroni (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and equipment and supplies* used or useful in the production and distribution of such articles, between the plantsite of Jones & Laughlin Steel Corp., Putnam County, Ill., on the one hand, and, on the other, points in Iowa, Missouri, Wisconsin, Illinois, Michigan, Ohio, New York, Pennsylvania, New Jersey, Connecticut, Nebraska, Minnesota, and Kansas. NOTE: Applicant states that no duplicating authority is sought. Applicant states that it proposes to tack with existing authority, in which it is authorized to serve points in the United States. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 29886 (Sub-No. 224), filed May 4, 1966. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's representative: Charles Pieroni, 4000 West Sample Street, South Bend, Ind., 46621. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities, the transportation of which because of size or weight require the use of special equipment, and related machinery parts, and related contractors' materials and supplies when their transportation is incidental to the transportation by carrier of commodities which by reason of size or weight require the use of special equipment*, between points in Wisconsin, on the one hand, and, on the other, points in Connecticut, Indiana, Ohio, New Jersey, New York, and Pennsylvania. NOTE: Applicant states it proposes to tack with existing authority. No duplicating authority sought. Applicant is authorized to perform this service under its MC 29886, Sub 189 but must perform service by operating through the State of Michigan. By this application applicant seeks authority to operate direct. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or at any other point convenient to the Commission.

No. MC 36832 (Sub-No. 19), filed April 29, 1966. Applicant: AMERICAN TRANSIT LINES, INCORPORATED, 221 North La Salle Street, Chicago, Ill., 60601. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, liquid commodities in bulk, and those requiring special equipment, between the plant site of Hussmann Refrigerator Co. located at Taussig Road and St. Charles Rock Road, St. Louis County, Mo., on the one hand, and, on the other, Portage, Ind., Crystal Lake and Terra Cotta, Ill., points in the Chicago, Ill., commercial zone, as defined by the Commission, and points in Wayne, Macomb, Oakland, and Washtenaw Counties, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 41255 (Sub-No. 52), filed April 27, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oils and greases* in containers, from Emlenton and Farmers Valley, Pa., to points in Maryland, North Carolina, South Carolina, and Virginia, and *refused, rejected or damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 41255 (Sub-No. 53), filed April 27, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard*, from Louisburg, N.C., and points within 5 miles thereof, to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Tennessee, Vermont, West Virginia, South Carolina, Virginia, and the District of Columbia, and *refused, rejected and damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 41255 (Sub-No. 54), filed April 28, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement and mortar mixes, including cement and mortar mixed with gravel, sand or other aggregates; rock or stone, crushed, ground or natural; sand; cold mixed asphalt; liquid asphalt sealer (Gilsonite asphalt and solvents 100° F. flash point); vinyl concrete patcher (cement and sand mixed with vinyl adhesives); lime; masonry coating (cement mixed with sand and other ingredients); tile grout (cement mixed with marble dust and other ingredients); hydraulic cement (cement mixed with sand and other ingredients); acrylic paints; adhesives; and advertising matter;* (1) from the plantsite of W. R. Bonsal Co., Atlanta, Ga., to points in Alabama and Tennessee, and (2) from the plantsite of W. R. Bonsal Co., Lilesville, N.C., to points in Georgia, South Carolina, and Virginia, and *refused, rejected, and damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 41255 (Sub-No. 55), filed April 28, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, and refused, rejected and/or damaged shipments*, (1) between points in Marion County, S.C., and points in Virginia, Maryland, Delaware, Connecticut, Rhode Island, Massachusetts, Texas, Oklahoma, Arkansas, and the District of Columbia, and (2) between points in Florence County, S.C., and points in New Jersey, Pennsylvania, Delaware, Texas, Oklahoma, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 41255 (Sub-No. 56), filed April 28, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C., 27292. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Venetian blinds, subassemblies, component parts, accessories, and materials* used in the manufacture and assembly of venetian blinds, from Montoursville, Pa., to Dallas and Houston, Tex.; New Orleans, La.; and Birmingham, Ala., and *refused, rejected, and damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 41255 (Sub-No. 57), filed April 29, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum, petroleum products, vehicle body sealer, and sound deadening compound*, in packages or containers, from Buffalo, N.Y., to points in North Carolina, South Carolina, Georgia, Florida, Tennessee, Mississippi, Louisiana, and Texas, and *refused, rejected, and damaged* shipments, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 41255 (Sub-No. 58), filed May 2, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed and feed ingredients and supplements thereto* (except in bulk, in tank vehicles), from Woburn, Lawrence, and Boston, Mass., to points in Mississippi, Alabama, Georgia, North Carolina, South Carolina, Virginia, Tennessee, Kentucky, West Virginia, Arkansas, Louisiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 41404 (Sub-No. 70), filed May 2, 1966. Applicant: ARGO-COLLIER TRUCK LINES CORPORATION, Post Office Box 151, Fulton Highway, Martin, Tenn., 38237. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of the Tama Packing Co., located at or near Tama, Iowa, to points in Alabama, Georgia, Kentucky, Louisiana, Mississippi, and Tennessee. NOTE: Applicant states that shipments of the above described commodities are restricted against the transportation of such commodities in bulk or liquid form in tank vehicles, and hides, skins, and pelts. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 42487 (Sub-No. 649), filed April 22, 1966. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's representative: Marshall G. Berol, 100 Bush Street, San Francisco, Calif., 94104. Applicant, in No. MC 42487 and Sub Nos. 14, 22, 23, 30, 45, 50, 54, 107, 138, 148, 151, 152, 163, 172, 175, 176, 178, 188, 207, 216, 227, 249, 260, 269, 286, 288, 299, 315, 318, 323, 334, 336 (also embraces Subs 347 and 351), 355, 357, 366, 367, 368, 374, 375, 387, 388, 393, 394, 418, 420, 421, 422, 426, 431, 440, 464, 465, 471, 478, 483, 493, 494, 500, 510, 521, 524, 541, 569, 573, 578, 579, 581, 590, 593, 595, 596, 597, 601, 616 and 618, and in MC 52746 and Sub Nos. 52 and 54 presently holds authority from this Commission to transport "general commodities, except those of unusual value" and various other exceptions applicable in the various certificates. By this application, applicant seeks authority to delete the exception of "those (commodities) of unusual value" which presently exists, and to add the following exception to those certificates which presently have the "commodities of unusual value" exception: "General commodities, except * * * (exceptions presently applicable for each certificate except the one concerning commodities of unusual value) and the transportation of commodities in connection with which shipper requires carrier to furnish armed guards or armored equipment." Applicant presently conducts operations by virtue of the above-numbered certificates in the States of Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: Common control may be involved. Applicant states that it intends to tack the authority sought in this application to its presently held authority, and also intends to interline with other carriers. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 44592 (Sub-No. 24), filed April 28, 1966. Applicant: MIDDLE ATLANTIC TRANSPORTATION CO., INC., 976 West Main Street, New Britain, Conn. Applicant's representative: William Biederman, 280 Broadway, New York, N.Y., 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General Commodities* (except articles of unusual value, dangerous explosives, commodities in bulk, and household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467) (1) between Worcester, Mass., and Providence, R.I.; from Worcester over Massachusetts Highway 146 to the Massachusetts-Rhode Island State line, and thence over Rhode Island Highway 146 to Providence, and return over the same route, (2) between junction Rhode Island Highways 146 and 146A and Woonsocket, R.I., over Rhode Island Highway 146A, (3) between junction Rhode Island Highways 146 and 15 and Pawtucket, R.I.; over Rhode Island Highway 15, (4) between New Haven, Conn., and Providence, R.I.; from New Haven over Interstate Highway 95 to junction Rhode Island Highways 95 and 3, thence over Rhode Island Highway 3 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction Rhode Island Highway 2, thence over Rhode Island Highway 2 to junction Interstate Highway 95, and thence over Interstate Highway 95 to Providence, and return over the same route, (5) between New Haven, Conn., and Providence, R.I.; from New Haven over Interstate Highway 95 to junction Connecticut Turnpike (Connecticut Highway 52) near East Lyme, Conn., thence over Connecticut Turnpike to junction U.S. Highway 6 near South Killingly, Conn., and thence over U.S. Highway 6 to Providence, and return over the same route, (6) between Providence and Pawtucket, R.I., over U.S. Highway 1, (7) between Providence and Woonsocket, R.I.; from Providence over Rhode Island Highway 146 to junction Rhode Island Highway 146A, and thence over Rhode Island Highway 146A to Woonsocket, and return over the same route, and (8) between Hartford, Conn., and Providence, R.I.; from Hartford over Connecticut Highway 2 to junction Connecticut Turnpike (Connecticut Highway 52) near Norwich, Conn., thence over Connecticut Turnpike to junction U.S. Highway 6 near South Killingly, Conn., and thence over U.S. Highway 6 to Providence, and return over the same route, serving no inter-

mediate points in (1) through (8) above. NOTE: Applicant states it is presently authorized to operate between the termini of the routes proposed herein. It is the purpose of this application to eliminate the requirement that applicant utilize Boston, Mass., as a gateway to serve Providence, Pawtucket, and Woonsocket, R.I. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 51146 (Sub-No. 40), filed April 29, 1966. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 51146 (Sub-No. 41), filed May 2, 1966. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper containers and inserts and liners* used in connection therewith, from Chicago, Ill., to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52110 (Sub-No. 98), filed April 28, 1966. Applicant: BRADY MOTOR-FRATE, INC., 1223 Sixth Avenue, Des Moines, Iowa. Applicant's representative: Homer E. Bradshaw, Fifth Floor, Central National Building, Des Moines, Iowa, 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Greenville and Detroit, Mich., to points in Illinois, Iowa, Minnesota, Missouri, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 52458 (Sub-No. 207), filed April 24, 1966. Applicant: T. I. McCORMACK TRUCKING COMPANY, INC., Route 9, Woodbridge, N.J. Applicant's representative: Frank B. Hand, Jr., 921 17th Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Latex* in bulk, from Cheswold and Dover, Del., and points within 10 miles, to points in Alabama, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52917 (Sub-No. 55), filed April 27, 1966. Applicant: CHESAPEAKE MOTOR LINES, INC., 340 West North Avenue, Baltimore, Md., 21217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meats and processed foods*, in vehicles equipped with mechanical refrigeration, from Washington, D.C., to points in Allegany, Washington, Frederick, Carroll, Howard, Montgomery, Anne Arundel, Prince Georges, Charles, Calvert and St. Marys Counties, Md.; Morgan and Berkeley Counties, W. Va.; and Frederick, Clarke, Loudoun, Fauquier, Fairfax, Prince William, Stafford, King George, and Westmoreland Counties, Va., and *refused and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 58813 (Sub-No. 78), filed April 27, 1966. Applicant: SELMAN'S EXPRESS, INC., 460 West 35th Street, New York, N.Y. Applicant's representative: Solomon Granett, 1740 Broadway, New York, N.Y., 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wearing apparel on hangers only*, from Cedar Bluff, Ala., Cartersville, Piney Grove, and Broxton, Ga., and Athens, Tenn., to points in the New York, N.Y., commercial zone, and *materials and supplies used in the manufacture of wearing apparel*, from points in the New York, N.Y., commercial zone, to Cedar Bluff, Ala., Cartersville, Piney Grove, and Broxton, Ga., and Athens, Tenn., (2) *wearing apparel on hangers only*, from Wilson and Goldsboro, N.C., to Jacksonville, Fla. NOTE: Applicant states that all duplication of authority will be eliminated. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 59367 (Sub-No. 41), filed April 28, 1966. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa, 50501. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in York County, Nebr., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 59367 (Sub-No. 42), filed April 28, 1966. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa, 50501. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Spencer, Iowa, to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 59367 (Sub-No. 43), filed April 28, 1966. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa, 50501. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Harlan and Oakland, Iowa, to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 59367 (Sub-No. 72), filed May 2, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors and except those which because of size or weight require the use of special equipment), from New Orleans, La., and Houston, Tex., to points in Arkansas, Oklahoma, Colorado, Kansas, Missouri, Illinois, Iowa, Nebraska, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 61231 (Sub-No. 20), filed April 28, 1966. Applicant: ALKIRE TRUCK LINES, INC., Livestock Exchange Building, Kansas City, Mo., 64102. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Harlan and Oakland, Iowa, to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 61592 (Sub-No. 72), filed May 2, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors and except those which because of size or weight require the use of special equipment), from New Orleans, La., and Houston, Tex., to points in Arkansas, Oklahoma, Colorado, Kansas, Missouri, Illinois, Iowa, Nebraska, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 62176 (Sub-No. 3), filed April 25, 1966. Applicant: FOURIER TRUCK SERVICE, INC., Post Office Box 1, Molalla, Oreg. Applicant's representative: William B. Adams, Pacific Building, Portland, Oreg., 97204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk and those requiring the use of special equipment), between Estacada, Oreg., and junction U.S. Highway 26 and unnamed road located approximately 10 miles east of junction U.S.

Highway 26 and Oregon Highway 35; from Estacada, over Oregon Highway 224 to its terminus, thence over unnamed road to junction U.S. Highway 26, and return over the same route, serving all intermediate points and all off-route points within 10 miles of authorized routes. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 64112 (Sub-No. 30), filed May 2, 1966. Applicant: NORTHEASTERN TRUCKING COMPANY, a corporation, 2508 Starita Road, Post Office Box 1493, Charlotte, N.C., 28201. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, and feed ingredients and supplements thereto* (except in bulk, in tank vehicles), from Woburn, Lawrence, and Boston, Mass., to points in Georgia, North Carolina, South Carolina, Virginia, Tennessee, Kentucky, Ohio, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 64600 (Sub-No. 29), filed April 29, 1966. Applicant: WILSON TRUCKING CORPORATION, Box 340, Broad Street, Waynesboro, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk), serving Claremont, Va., as an off-route point in connection with applicant's presently authorized regular route authority between Richmond, Va., and Norfolk, Va., extending over U.S. Highway 1 from Richmond, Va., to junction Virginia Highway 10, thence over Virginia Highway 10 to junction U.S. Highway 58, thence over U.S. Highway 58 to Norfolk, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 64600 (Sub-No. 30), filed April 29, 1966. Applicant: WILSON TRUCKING CORPORATION, Box 340, Broad Street, Waynesboro, Va. Applicant's representative: Francis W. McInerny, 602 Solar Building, 1000 16th Street, NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk), between Lexington and Richmond, Va., from Lexington, over U.S. Highway 60 to Richmond and return over the same route, serving the intermediate points of Amherst, Buckingham and, Mount Rush, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 69833 (Sub-No. 83), filed April 28, 1966. Applicant: ASSOCIATED TRUCK LINES, INC., 15 Andre Street, SE., Grand Rapids 7, Mich. Applicant's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), between Prudenville, Mich., and Alger, Mich.; from Prudenville over Michigan Highway 55 to junction Michigan Highway 76, thence over Michigan Highway 76 to Alger, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 70083 (Sub-No. 11) filed April 26, 1966. Applicant: DRAKE MOTOR LINES, INC., York Street and Aramingo Avenue, Philadelphia, Pa. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y., 10038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by retail department stores*, between the site of the Cherry Hill Industrial Park, N.J., on the one hand, and, on the other, points in the Camden, N.J., commercial zone, restricted against shipments originating at or destined to the Cherry Hill Industrial Park, N.J. NOTE: Appellant states the grant of this authority will enable it to utilize the Cherry Hill Terminal for operations under the authority which it presently has and there will be no adverse affect upon existing carriers. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 75320 (Sub-No. 131), filed April 29, 1966. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., Post Office Box 807, Springfield, Mo., 65801. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except livestock, dangerous explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Pelham, Ala., as an off-route point in connection with applicant's present regular route authority between Birmingham, Ala., and Columbus, Miss. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 76436 (Sub-No. 30), filed April 29, 1966. Applicant: SKAGGS TRANSFER, INC., Box 102, Bowling Green, Ky. Applicant's representative: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, articles of unusual value, commodities in bulk, commodities injurious or contaminating to other lading, and commodities which require special equipment), (1) between Hopkinsville, Ky., and land between the Lakes Recreational Area, Ky., from Hopkinsville over U.S. Highway 68 to land between the Lakes Recreational Area, Ky., and return over the same route, serving all intermediate points; (2) between the site of the Princeton Co. plant at, or near, Princeton and Cadiz, Ky., from the site of the Princeton Co. at, or near, Princeton over Kentucky Highway 128 to junction Kentucky Highway 91, thence over Kentucky Highway 91 to Princeton, thence over U.S. Highway 62 to Eddyville, Ky., thence over Kentucky Highway 93 to junction Kentucky Highway 139, thence over Kentucky Highway 139 to Cadiz and return over same route, serving all intermediate points; (3) between Princeton, Ky., and junction Kentucky Highway 139 and Kentucky Highway 93, from Princeton over Kentucky Highway 139 to junction Kentucky Highway 93 and return over the same route, serving all intermediate points; (4) between the site of the Princeton Co. plant at, or near, Princeton, Ky., and junction Kentucky Highway 126 with junction Kentucky Highway 139, from the site of the Princeton Co. plant at, or near, Princeton over Kentucky Highway 128 to junction Kentucky Highway 126, thence over Kentucky Highway 126 to junction Kentucky Highway 139 and return over the same route, serving all intermediate points; and (5) serving Madisonville, Ky., as an off-route point in connection with carrier's authorized regular route operation at Hopkinsville, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 78228 (Sub-No. 12) (Amendment), filed April 18, 1966, published in FEDERAL REGISTER issue of May 5, 1966, amended, and republished as amended this issue. Applicant: THE J. MILLER COMPANY, a corporation, 147 Nichol Avenue, McKees Rocks, Pa. Applicant's representative: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives and household goods as defined by the Commission), between points in Putnam County, Ill. on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: The purpose of this republication is to broaden the authority sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 83539 (Sub-No. 182), filed April 22, 1966. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel (Highway) guard rails*, from Los Angeles, Calif., to points in Colorado and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 85934 (Sub-No. 44), filed April 25, 1966. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming Avenue, Dearborn, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt mixtures and salt products* with additives, from Midland, Mich., to points in Illinois, Indiana, Ohio, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 87566 (Sub-No. 5), filed April 28, 1966. Applicant: SCHMIDT TRUCK SERVICE, INC., Box 243, Highway 66, Litchfield, Ill., 62056. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum sash, doors, windows, siding, awnings, canopies, extrusions, hardware, materials, and supplies used in the installation of the preceding items*, and *scrap*, from Litchfield, Ill., to points in Kentucky, Iowa, Minnesota, Wisconsin, Missouri, Indiana, Ohio, and Arkansas, and rejected shipments, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 92983 (Sub-No. 514), filed April 22, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Missouri to points in Arkansas, Illinois, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 515), filed April 28, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from points in Michigan, to points in Illinois, Kansas, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 93393 (Sub-No. 9), filed April 29, 1966. Applicant: EDWIN H. NELSON AND ALFRED S. NELSON, doing business as NIGHTWAY TRANSPORTATION CO., 4106 South Emerald Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* (except hides and commodities in bulk, in tank vehicles, as described in 61 M.C.C. 209), from the plantsite of George A. Hormel, at or near Bureau, Ill., to points in Indiana, Ohio, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 93393 (Sub-No. 10), filed April 29, 1966. Applicant: EDWIN H. NELSON and ALFRED S. NELSON, doing business as NIGHTWAY TRANSPORTATION CO., 4106 South Emerald Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* as described by the Commission in 61 M.C.C. 209, from Chicago, Ill., to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 95008 (Sub-No. 7), filed April 29, 1966. Applicant: DAVID FISHER, doing business as FISHER SERVICE TRUCKING, Rural Delivery 2, Post Office Box 456, Monticello, N.Y. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shirts and pajamas*, from Waynesburg, Pa., to New Hyde Park, N.Y., restricted to deliveries at the facilities of Donmoor Inc., at New Hyde Park, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 95490 (Sub-No. 23), filed May, 3, 1966. Applicant: UNION CARTAGE COMPANY, a corporation, 9A Southwest Cutoff, Worcester, Mass. Applicant's representative: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 2005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* and *advertising material in conjunction therewith*, from Natick, Mass., to Baltimore, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 95540 (Sub-No. 673), filed May 2, 1966. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting, rugs, and tufted textile products*, from points in Georgia, and points in Bradley, Hamilton, McMinn, Marion, Meigs, Monroe, Polk, and Sequatchie Counties, Tenn., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Atlanta, Ga.

No. MC 95876 (Sub-No. 51), filed May 2, 1966. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, and fiberboard*, from points in Washington, Oregon, Idaho, Montana, and California to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas and points in the United States east of said named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Seattle, Wash.

No. MC 100666 (Sub-No. 82), filed April 29, 1966. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7295, Shreveport, La., 71107. Applicant's representative: Wilburn L. Williamson, 443–54 American Building, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and siding products, including materials and supplies* incidental to the application thereof, from Camden, Ark., to points in Mississippi. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 102616 (Sub-No. 797), filed May 2, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Latex*, in bulk, in tank vehicles from Cheswold, Del., to Linden, Newark, and Secaucus, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 102616 (Sub-No. 798), filed May 4, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid asphalt*, in bulk, in tank vehicles, from Baltimore, Md., to Lackawanna, N.Y., and points in Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103880 (Sub-No. 367), filed April 27, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio, 44306. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Midland, Mich., to points in Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 103880 (Sub-No. 368), filed April 29, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Post Office Box 7211, Akron, Ohio, 44306. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrocarbon propellant*, in bulk, in tank vehicles, from Kankakee, Ill., to East Butler, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103880 (Sub-No. 369), filed April 29, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer and fertilizer ingredients*, in bulk, in tank vehicles (except cryogenic liquids), from Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 105375 (Sub-No. 25), filed April 29, 1966. Applicant: DAHLEN TRANSPORT OF IOWA, INC., 875 North Prior Avenue, St. Paul, Minn., 55104. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, and fertilizer ingredients, mixed fertilizer ingredients and nitrogen solutions* in bulk, in tank vehicles, from Brandon, Iowa, and 5 miles thereof, to points in Wisconsin and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 106233 (Sub-No. 13), filed May 4, 1966. Applicant: HART TRUCK LINE, INC., Dexter, Mo. Applicant's representative: G. F. Gunn, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, between Poplar Bluff, Mo., and junction U.S. Highway 67 and Madison County Highway A; from Poplar Bluff over U.S. Highway 67 to junction Madison County Highway A and return over the same route, serving junction U.S. Highway 67 and Madison County Highway A for joinder purposes only, and serving the intermediate and off-route points of Silva, Greenville, and Williamsville, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 107002 (Sub-No. 303), filed April 27, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products and chemicals*, in bulk, in tank or hopper type vehicles, from points in Orange, Jefferson, and Harris Counties, Tex., to points in Louisiana and Mississippi. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 107002 (Sub-No. 304), filed April 28, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss. Applicant's representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., 20006.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, having a prior or subsequent movement by water, and *empty shipper or water carrier owned trailers* used in the service specified above, (1) between Houston, Tex., on the one hand, and, on the other, points in Texas and Louisiana, and (2) between New Orleans, La., on the one hand, and, on the other, points in Louisiana, Texas, and Mississippi, restricted to traffic having a prior or subsequent movement by water through the ports of Houston, Tex., and New Orleans, La. NOTE: Applicant states it does not propose to tack or join the above authority for the purpose of performing a through movement. The service proposed herein will be one wherein applicant will furnish a tractor or power unit and the trailer will be furnished by either the shipper or water carrier. Applicant presently holds some of the authority sought herein but it seeks no duplicating operating authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 107002 (Sub-No. 305), filed April 29, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium thiocyanate liquor*, from Le Moyne, Ala., to points in Ohio, Iowa, Illinois, Indiana, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Atlanta, Ga., or Birmingham, Ala.

No. MC 107012 (Sub-No. 65), filed May 2, 1966. Applicant: NORTH-AMERICAN VAN LINES, INC., Post Office Box 988, Fort Wayne, Ind. Applicant's representative: Martin A. Weissert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpet, carpet remnants, and carpeting*, tufted or woolen, from Chattanooga, Tenn., to Minneapolis, Minn. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107403 (Sub-No. 679), filed May 4, 1966. Applicant: MATLACK, INC, 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, in bulk, in tank vehicles, from Kenton, Ohio, to points in Alabama, Georgia, Illinois, Indiana, Iowa, Michigan, Nebraska, North Carolina, Oregon, Pennsylvania, Tennessee, Washington, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 474), filed April 29, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: Martin A. Weissert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portland pozzolan*, in bulk, and in bags, from Kansas City, Kans., to points in Missouri, Nebraska, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans.

No. MC 107496 (Sub-No. 475), filed April 29, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz, Box 855, Des Moines, Iowa, 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, from Marshall, Janesville, Arlington, and Dundas, Wis., to points in Illinois. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 107496 (Sub-No. 476), filed April 29, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry sugar*, in bulk, from points in St. Bernard, St. James, Orlean, Plaquemines, Jefferson, Lafourche, Terrebonne, St. Charles, St. John Baptist, Ascension, Livingston, Tangipahoa, Washington, St. Tammany, and Assumption Parishes, La., to Memphis, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 107496 (Sub-No. 477), filed April 29, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz, Box 855, Des Moines, Iowa, 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals*, in bulk, from points in Adams, Arapahoe, Boulder, Denver, Douglas, and Jefferson Counties, Colo., and (2) *coal tar products*, in bulk, from Pueblo, Colo.; to points in Arizona, Arkansas, California, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, Utah, and Wyoming. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 107496 (Sub-No. 478), filed April 29, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz, Box 855, Des Moines, Iowa, 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, from Kankakee, Ill., to Cuba City, Marshfield, Wisconsin Rapids, and Brandon, Wis. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis. No. MC 107871 (Sub-No. 49), filed April 28, 1966. Applicant: BONDED FREIGHTWAYS, INC., 441 Kirkpatrick Street

West, Post Office Box 1012, Syracuse, N.Y. Applicant's representative: Herbert M. Canter, Mezzanine, Warren Parking Center, 345 South Warren Street, Syracuse, N.Y., 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, from the town of Dover (Dutchess County), N.Y., to points in Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 108006 (Sub-No. 14), filed May 2, 1966. Applicant: MAISLIN BROS. TRANSPORT LIMITED, 7401 Newman Boulevard, La Salle, Quebec, Canada. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Albany, N.Y., and Champlain, N.Y., over Interstate Highway 87; (2) between junction U.S. Highway 9 and New York Highway 9B, near Chazy, N.Y., and the international boundary line between the United States and Canada, at or near Champlain, N.Y., over U.S. Highway 9; and (3) between Rouses Point, N.Y., and the international boundary line between the United States and Canada, at or near Champlain, N.Y., over U.S. Highway 11; and return over the same routes, serving no intermediate points, as alternate routes for operating convenience only, in connection with applicant's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 108006 (Sub-No. 15), filed May 2, 1966. Applicant: MAISLIN BROS. TRANSPORT LIMITED, 7401 Newman Boulevard, La Salle, Province of Quebec, Canada. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Buffalo, N.Y., and Lewiston, N.Y.; from Buffalo over U.S. 190 to Lewiston, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular route operations and solely for the purpose of employing the international bridge between Lewiston, N.Y., and Queenston, Ontario, Canada, as an alternate means of transporting traffic originating at, or destined to, points in Canada. NOTE: Applicant states it is presently authorized to transport this traffic via internation bridge between Buffalo, N.Y., and Fort Erie, Ontario, Canada, a gateway which is frequently congested. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 108119 (Sub-No. 11), filed May 2, 1966. Applicant: E. L. MURPHY TRUCKING CO., 2330 West County Road C, St. Paul 13, Minn. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, and fiberboard*, from points in Washington, Oregon, Idaho, Montana, and California to points in North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Seattle, Wash.

No. MC 108207 (Sub-No. 190), filed April 25, 1966. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Dallas, Tex., 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese and cured meat*, from Hutchinson, Kans., to Bellevue, Fremont, Lincoln, Nebraska City, Omaha, and Wahoo, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans.

No. MC 108207 (Sub-No. 191), filed April 25, 1966. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Post Office Box 5888, Dallas, Tex., 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese spreads and cheese dips*, from Fort Worth, Tex., to points in Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 108449 (Sub-No. 218) (Amendment), filed December 10, 1965, published in FEDERAL REGISTER issue of December 29, 1965, amended May 3, 1966, and republished as amended this issue. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn., 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis., 57303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products, liquid chemicals, fertilizer, and fertilizer ingredients*, in bulk, from Wood River, Ill., and points within 5 miles thereof to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, Nebraska, Ohio, Oklahoma, Pennsylvania, Tennessee, and Wisconsin. NOTE: The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109124 (Sub-No. 12), filed April 22, 1966. Applicant: SENTLE TRUCKING CORPORATION, 210 Alexis Road, Toledo, Ohio. Applicant's representative: James M. Burtch, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (excluding Hawaii and Alaska). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109478 (Sub-No. 94), filed May 2, 1966. Applicant: WORSTER MOTOR LINES, INC., East Main Road, Rural Delivery No. 1, North East, Pa. Applicant's representative: William W. Knox, 23 West 10th Street, Erie, Pa., 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegrr, vinegar stock and apple juice*, in bulk, in tank vehicles, from points in Michigan to points in New York, Pennsylvania, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC 10497 (Sub-No. 17) (Amendment), filed February 14, 1966, published in FEDERAL REGISTER, issue of March 10, 1966, amended May 10, 1966, and republished as amended, this issue. Applicant: A. F. COMER TRANSPORT SERVICE, INC., Post Office Box 2933, West Durham Station, Durham, N.C. Applicant's representative: Louis Reznek, 5009 Keokuk Street, Washington, D.C., 20016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from Cheraw, S.C., to points in North Carolina, and (2) from Apex and Millers, N.C., to points in Virginia. NOTE: The purpose of this republication is to add the origin point of Millers, N.C. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 109533 (Sub-No. 30) (Correction), filed February 11, 1966, published FEDERAL REGISTER issue of March 24, 1966, corrected and republished, this issue. Applicant: OVERNITE TRANSPORTATION COMPANY, a corporation, 1100 Commerce Road, Post Office Box 1216, Richmond, Va., 23224. Applicant's representative: C. H. Swanson (same address as applicant). The above-entitled application was published in the FEDERAL REGISTER issue of March 24, 1966. Route No. 22 should read as follows: Between Atlanta, Ga., and Fort Stewart, Ga.; from Atlanta over U.S. Highway 23 to Macon, Ga., thence over U.S. Highway 80 to East Dublin, Ga., thence over Georgia Highway 29 to junction U.S. Highway 280, thence over U.S. Highway 280 to Reidsville, Ga., thence over Georgia Highway 23 to Glennville, Ga., and thence over Georgia Highway 144 to Fort Stewart, and return over the same route, serving no intermediate points. Restricted to the transportation of property for the U.S. Government only. NOTE: The purpose of this republication is to correctly describe the proposed route above in lieu of Route No. 22, as previously published. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 109612 (Sub-No. 11), filed April 28, 1966. Applicant: LEE MOTOR LINES, INC., Post Office Box 728, Muncie, Ind., 47305. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass containers, stoppers, caps, lids, labels, and knocked-down paper cartons* in straight or mixed truckloads of 15,000 pounds or more, from Muncie, Ind., to points in that part of Illinois south of U.S. Highway 50; and *glass containers, stoppers, caps, lids, labels, and knocked-down paper cartons*, from Muncie, Ind., to points in that part of Illinois on and north of U.S. Highway 50, and *rejected shipments*, on return; (2) *glass containers* of 1 gallon or less capacity, and *caps, lids, labels, and cartons*, from the plantsites and warehouses of Anchor Hocking Glass Corp. at Winchester and Richmond, Ind., to points in Illinois, St. Louis, Mo., and Milwaukee, Wis., and *returned shipments, empty pallets* and *skids*, on return; (3) *glass containers, caps, lids, enclosures, and materials and supplies* used in their manufacture (except such materials and supplies in bulk), between Chicago, Joliet, and Mundelein, Ill., on the one hand, and, on the other, points in Indiana, except Terre Haute, Ind.; and, between Muncie, Ind., on the one hand, and, on the other, points in Illinois. Restricted to traffic originating at or destined to a plantsite or warehouses of the Ball Bros. Co., (4) *glass containers*, from the plantsite of Anchor Hocking Glass Corp. at Winchester, Ind., to points in Kentucky, Michigan, and Ohio; (5) *glass containers*, 1 gallon or less in capacity, from the plantsite of Anchor Hocking Glass Corp. at Winchester, Ind., to Oconomowoc and Racine, Wis., and *returned shipments*, on return; and (6) *glass containers*, from the plantsite of Ball Bros. Co. at Mundelein, Ill., to points in Ohio and the Lower Peninsula of Michigan, those points in Wisconsin on and south of U.S. Highway 18, and to Watertown and Clyman, Wis.; Ashland, Maysville, Covington, Carrollton, Louisville, Owensboro, Henderson, and Paducah, Ky., and to Hannibal, St. Louis, Crystal City, Cape Girardeau, and Caruthersville, Mo., with service at said Kentucky and Missouri points restricted against service at those areas of the respective commercial zones of the named points that are not within the same States as the authorized service point. NOTE: Applicant presently holds, or has applied for, contract carrier authority under MC 115066, and subs thereunder, covering the commodities and territory sought herein. The contract carrier authority will be surrendered in the event this application is granted. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 109821 (Sub-No. 21), filed April 29, 1966. Applicant: H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsboro, Pa. Applicant's representative: Robert De Kroyft, Woolworth Building, 233 Broadway, New York, N.Y., 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tin or sheet steel cans; plate, tin*, terne or black, plain, lacquered, or painted, in boxes or crates or on skids, and *articles and accessories* used or useful in the manufacture, packaging, sale, and distribution thereof, between Lyons and Auburn, N.Y., on the one hand, and, on the other, Wellsboro, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 110193 (Sub-No. 146), filed April 28, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos, Post Office Box 2628, South Bend, Ind., 46613. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, potatoes and potato products* when moving in mixed loads with frozen foods, from Detroit, Mich., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Maryland, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 110988 (Sub-No. 208), filed April 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, from St. Louis, Mo., and points in St. Louis County, Mo., to points in Illinois, Missouri, Indiana, Iowa, Kentucky, Arkansas, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110988 (Sub-No. 209), filed April 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from Louisville, Ky., to points in Alabama, Georgia, Illinois, Indiana, Kentucky, Missouri, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 110988 (Sub-No. 210), filed April 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar, syrup and blends thereof*, in bulk, in tank vehicles, (1) from Detroit, Mich., to points in Ohio, and (2) from Toledo, Ohio, to points in Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Detroit, Mich.

No. MC 110988 (Sub-No. 211), filed April 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar and coal tar products*, in bulk, (1) from Jeffersonville, Ind., to points in Illinois and Indiana, and (2) from Terre Haute, Ind., to Jeffersonville, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 110988 (Sub-No. 212), filed April 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, from points in Marion County, Mo., to points in Illinois, Indiana, Iowa, Missouri, and Kansas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 110988 (Sub-No. 213), filed April 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar and blends, and mixtures and products thereof*, from Louisville, Ky., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Tennessee, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 111231 (Sub-No. 145), filed April 27, 1966. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Arkansas on and north of U.S. Highway 64 beginning at the Arkansas-Oklahoma State line to Beebe, Ark., and on and west of U.S. Highway 67 from Beebe, Ark., to the Missouri-Arkansas State line, to points in Minnesota, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111594 (Sub-No. 29), filed April 27, 1966. Applicant: CENTRAL WISCONSIN MOTOR TRANSPORT COMPANY, a corporation, 610 High Street, Post Office Box 200, Wisconsin Rapids, Wis. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the plantsite of Hussmann Refrigerator

Co., located at Taussig Road and St. Charles Rock Road, St. Louis County, Mo., on the one hand, and, on the other, points in Minnesota, Wisconsin, Illinois, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 111687 (Sub-No. 31), filed May 2, 1966. Applicant: BENJAMIN H. RUEGSEGGER, Route No. 1, Kawkawlin, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Minneapolis and St. Paul, Minn., to Saginaw, Bay City, and Flint, Mich., and *empty malt beverage containers*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 111785 (Sub-No. 23), filed April 22, 1966. Applicant: BURNS MOTOR FREIGHT, INC., R.F.D. 1, U.S. Route 219, North Marlinton, W. Va. Applicant's representative: Donald E. Cross, Munsey Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden posts and rails* for rustic fences, from Bartow, W. Va., to points in North Carolina, Delaware, Connecticut, Rhode Island, Indiana, and Massachusetts. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112188 (Sub-No. 10) (Amendment), filed February 24, 1966, published FEDERAL REGISTER issue of March 18, 1966, amended May 4, 1966, and republished as amended this issue. Applicant: GEORGE McBREEN CO., INC., 1841 Northwest 22d Avenue, Portland, Oreg. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland 10, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paperback books*, in mixed loads with time-dated magazines (presently authorized) from Portland, Oreg., to Baker, Coos Bay, Corvallis, Roseburg, Eugene, La Grande, Medford, Salem, The Dalles, Klamath Falls, and Bend, Oreg. NOTE: The purpose of this republication is to redescribe the commodity description. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 112372 (Sub-No. 10), filed May 4, 1966. Applicant: CLARENCE G. JEWELL, Post Office Box 703, Leesburg, Va. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va., 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in section A, appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Purcellville, Va., to Westminster and Union Bridge, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112553 (Sub-No. 2), filed May 2, 1966. Applicant: VAN'S TRANSPORTATION, INC., 2803 Cincinnati Dayton Road, Middletown, Ohio. Applicant's representative: Paul F. Beery, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, between the plantsite of Armco Steel Corp. at Summit, Ky., on the one hand, and, on the other, points in Kentucky, West Virginia, Virginia, Pennsylvania, Ohio, Indiana, Tennessee, Michigan, Illinois, New York, New Jersey, Maryland, Wisconsin, Missouri, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112893 (Sub-No. 35) (Correction), filed April 4, 1966, published FEDERAL REGISTER, issue of April 28, 1966, and republished as corrected, this issue. Applicant: BULK TRANSPORT COMPANY, a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis., 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from Davenport, Iowa, and points within 5 miles thereof, to points in Illinois, Iowa, Minnesota, Missouri, and Wisconsin. NOTE: The purpose of this republication is to show applicant's correct name as above, in lieu of BUICK TRANSPORT COMPANY which was in error. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113255 (Sub-No. 49), filed May 2, 1966. Applicant: MILK TRANSPORT, INC., Post Office Box 2698, New Brighton, Minn. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar, vinegar stock, and apple juice*, in bulk, in tank vehicles, from points in Michigan, to points in Alabama, Arkansas, Colorado, Delaware, Georgia, Iowa, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Missouri, Nebraska, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113267 (Sub-No. 168), filed April 29, 1966. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill., 62232. Applicant's representative: R. H. Burroughs, 115 East Main Street, Collinsville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Juices, beverage preparations, drinks, and fruits* (other than citrus fruits and citrus juices not frozen), from points in Florida on and south of Florida Highway 40, to points in Tennessee, Kentucky, Georgia, Mississippi, Alabama, North Carolina, South Carolina, Louisiana, Arkansas, Indiana, Illinois, Missouri, Kansas, Nebraska, Iowa, Michigan, Wisconsin, Minnesota, North Dakota, and South Dakota. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 113267 (Sub-No. 169), filed April 29, 1966. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill., 62232. Applicant's representative: R. H. Burroughs, 115 East Main Street, Collinsville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products*, in packages, from Wrens, Ga., to points in Alabama, Arkansas, Florida, Illinois, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, Tennessee, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 113325 (Sub-No. 94), (Amendment), filed April 14, 1966, published in FEDERAL REGISTER issue of May 5, 1966, amended April 29, 1966, and republished as amended this issue. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid adhesives*, in bulk, in tank vehicles, from Kansas City, Kans., to points in Nebraska, Missouri, and Illinois. The purpose of this republication is to define the point of origin. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 113325 (Sub-No. 98), filed April 28, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsite of Hussmann Refrigeration Co., located at St. Charles Rock Road and Taussig Avenue, Bridgeton, Mo., as an off-route point in connection with applicant's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113362 (Sub-No. 100) (Clarification), filed December 20, 1965, published FEDERAL REGISTER, issue January 13, 1966, and republished issue of April 21, 1966, and republished as clarified this issue. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Austin, Minn., to Washington, D.C., and its commercial zone, limited to traffic originating at the plantsite and storage facilities of George A. Hormel & Co. at Austin, Minn. NOTE: The purpose of this republication is to clarify the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 113666 (Sub-No. 24) (Amendment), filed March 31, 1966, published FEDERAL REGISTER issue of April 21, 1966, amended May 3, 1966, and republished, as amended, this issue. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, Pa. Applicant's representative: James W. Hagar, Commerce Building, Post Office Box 432, Harrisburg, Pa., 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Refractories, vitrified clay products, hot topping compound, foundry facing, and foundry core compound*, from points in Missouri, Ohio, and Pennsylvania to ports of entry on or adjacent to the international boundary line between the United States and Canada located in New York and Michigan, (2) *clay products, earthenware, and stoneware*, from Ironspot, Ohio, to ports of entry located on the international boundary line between the United States and Canada at Buffalo and Niagara Falls, N.Y., and Port Huron and Detroit, Mich., (3) *clay products*, from South Rockwood, Mich., to the port of entry located on the international boundary line between the United States and Canada at Detroit, Mich., (4) *clay*, from points in Weakley County, Tenn., to ports of entry on the international boundary line between the United States and Canada located at Buffalo and Niagara Falls, N.Y., and Port Huron and Detroit, Mich., and (5) *refractories*, from Bolivar, Pa., to points in Delaware, Indiana, Illinois, Maryland, Michigan, New Jersey, New York, Ohio, and West Virginia. NOTE: The purpose of this republication is to add the origin state of Missouri in (1) above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 113908 (Sub-No. 189), filed April 28, 1966. Applicant: ERICKSON TRANSPORT CORPORATION, Post Office Box 3180, 706 West Tampa, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fruit juices*, in bulk, in tank vehicles (a) from Hammondsport, N.Y., to Paw Paw Mich., Chicago, Ill., and Geneva, Ohio, fane, N.Y., to Chicago, Ill., and (c) from (b) from Naples, West Falls, and New-Geneva, Ohio, to Paw Paw, Mich., (2) *fruit juice concentrate*, in bulk, in tank vehicles, (a) from Paw Paw, Mich., to Lewiston, Batavia, and Canandaigua, N.Y., and Orrville, Ohio, and (b) from Marlboro, N.Y., to Orrville, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 114004 (Sub-No. 62), filed May 4, 1966. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings* in sections when transported on wheeled undercarriages, equipped with hitchball connections in initial movements, in truckaway service, from points in Arkansas, to points in the United States (excluding Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 114045 (Sub-No. 249), filed April 22, 1966. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, from Union City, Tenn., to points in Texas, Oklahoma, Louisiana, and Kansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114045 (Sub-No. 250), filed April 22, 1966. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods and bakery goods ingredients* (other than frozen), from Seelyville, Ind., to points in Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114211 (Sub-No. 97), filed May 3, 1966. Applicant: WARREN TRANSPORT, INC., 213 Witry Street, Post Office Box 420, Waterloo, Black Hawk County, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, pipe fittings, and accessories*, from Savage, Minn., to points in Illinois, Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming, and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 114364 (Sub-No. 118), filed April 29, 1966. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 672, Rocky Ford, Colo. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and tomatoes and tomato products* in bottles, from points in Box Elder, Davis, and Weber Counties, Utah, to Kansas City, Mo., Enid, Okla., and points in Kansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 114364 (Sub-No. 119), filed May 2, 1966. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 672, 16th and Elm Streets, Rocky Ford, Colo. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Advertising matter*, and *such commodities* as are ordinarily used or distributed by wholesale or retail suppliers, marketers, or distributors of petroleum products, moving in the same vehicle at the same time with petroleum products, in containers, (1) from Enid, Okla., to points in Arizona, Colorado, Idaho, Montana, New Mexico, Utah, Wyoming, and those in Nebraska on and west of U.S. Highway 281; and (2) from Ponca City, Okla., to points in Arizona, Nevada, and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 114364 (Sub-No. 120), filed May 2, 1966. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 672, 16th and Elm Streets, Rocky Ford, Colo. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass insulation*, from Cleburne, Tex., and points within 5 miles thereof, to points in Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114699 (Sub-No. 34), filed April 21, 1966. Applicant: TANK LINES, INCORPORATED, Post Office Box 6415, North Dabney Road, Richmond, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, (1) from Petersburg and Richmond, Va., to points in Delaware, Maryland, North Carolina, West Virginia, Virginia, and the District of Columbia, and (2) from points in Delaware, Maryland, North Carolina, West Virginia, Virginia, and the District of Columbia, to Petersburg and Richmond, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115311 (Sub-No. 56), filed May 2, 1966. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 589, Americus, Ga. Applicant's representative: Robert E. Born, Suite 1600, First Federal Building, Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, from Columbia, S.C., to points in Baldwin County, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 115826 (Sub-No. 134), filed April 29, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products,*

meat byproducts, dairy products, and articles distributed by meat packinghouses, as described in sections A, B, C, and D of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the plantsite of Geo. A. Hormel & Co., located at or near Bureau, Ill., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to traffic originating at the plantsite of Geo. A. Hormel & Co., at or near Bureau, Ill. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115826 (Sub-No. 135), filed May 2, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, and *canned goods*, from points in Delta County, Colo., to points in Arizona, California, Nevada, and New Mexico. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115841 (Sub-No. 288), filed April 25, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum products; materials, equipment, and supplies* used in, or in connection with the manufacture, production, processing, or distribution of aluminum and aluminum products, between Scottsboro, Ala., and points within 10 miles thereof, on the one hand, and, on the other, points in Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 115841 (Sub-No. 289), filed May 5, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, from New York, N.Y., and its commercial zone, to Springfield, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 115841 (Sub-No. 290), filed May 5, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pineapples and coconuts*, when moving in mixed loads with bananas (presently authorized), from New Orleans, La., to Nashville, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 116045 (Sub-No. 25), filed May 2, 1966. Applicant: NEUMAN TRANSIT CO., INC., Post Office Box 38, Rawlins, Wyo. Applicant's representative: John P. Thompson, 450 Capitol Life Building, Denver, Colo., 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitro-carbonitrate*, other than in bulk, from Rawlins, Wyo., to points in Nevada and Montana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 116273 (Sub-No. 65), filed April 22, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn grits*, in bulk, from Danville, Ill., to Cincinnati, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116325 (Sub-No. 44), filed April 28, 1966. Applicant: JENNINGS BOND, doing business as BOND ENTERPRISES, Post Office Box 8, Lutesville, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles, steel mill products and equipment and supplies, used or useful in production and distribution of such commodities*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Nebraska, Kansas, Oklahoma, Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, Arkansas, Missouri, Iowa, Michigan, Indiana, Ohio, Wisconsin, Kentucky, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116325 (Sub-No. 45), filed April 28, 1966. Applicant: JENNINGS BOND, doing business as BOND ENTERPRISES, Post Office Box 8, Lutesville, Mo., 63762. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles, steel mill products and equipment and supplies*, used or useful in production and distribution of such commodities, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arizona, Utah, New Mexico, Colorado, Idaho, Wyoming, North Dakota, South Dakota, Minnesota, and Montana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116390 (Sub-No. 4), filed May 2, 1966. Applicant: LYNN C. GEORGE, 158 Hermosa Street, Pagosa Springs, Colo. Applicant's representative: R. Franklin McKelvey, Burns National Bank Building, Post Office Box 1160, Durango, Colo., 81302. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the off-route points of El Vado Dam and Herron Dam, N. Mex., in connection with applicant's regular-route operations between Pagosa Springs, Colo., and Dulce, N. Mex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Durango, Colo.

No. MC 116686 (Sub-No. 2), filed May 2, 1966. Applicant: G. S. FURNITURE SERVICES, INC., 2154 Newbridge Road, Bellmore, N.Y. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Bellmore, N.Y., to points in Bergen, Essex, Hudson, Union, Morris, Passaic, Monmouth, Middlesex, and Somerset Counties, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 116763 (Sub-No. 84), filed April 26, 1966. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay*, from Attapulgus, Ga., to points in Louisiana and Mississippi; and (2) *building materials and supplies*, from points in Iowa, Missouri, and Wisconsin, to points in Florida, and that part of Georgia on and south of U.S. Highway 80. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Columbus, Ohio.

No. MC 116763 (Sub-No. 85), filed April 28, 1966. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feed, and food and supplements therefore*, from points in Pennsylvania, to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Mississippi, New Hampshire, North Carolina, Ohio, South Carolina, Tennessee, and Wisconsin, and (2) *canned fruit and canned fruit juices, including beverages and drinks*, from points in Florida, except Lake Wales, Lakeland, and Winter Haven, to St. Paul and Minneapolis, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Tampa, Fla.

No. MC 117119 (Sub-No. 370), filed April 22, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities requiring refrigeration*, between points in Kansas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117344 (Sub-No. 171), filed April 29, 1966. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Post Office Box 15010, Cincinnati, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Starch*, in bulk, in tank vehicles, from Piqua, Ohio, to Niles, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117344 (Sub-No. 172), filed April 29, 1966. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Cincinnati 15, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Cincinnati, Ohio, to Decatur, Ala. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117416 (Sub-No. 20), filed April 26, 1966. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW., Knoxville, Tenn., 37921. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned, bottled, and processed foodstuffs*, except those requiring refrigeration, from points in Georgia (except Atlanta), to points in Illinois, Indiana, Kentucky, Michigan, Ohio, Tennessee, West Virginia, and St. Louis, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 118288 (Sub-No. 9), filed March 8, 1966. Applicant: STEPHEN F. FROST, 14750 Boyle Avenue, Fontana, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), (1) between Tonapah, Nev., and Elko, Nev., as follows: From Tonapah, over U.S. Highway 6 to junction Nevada Highway 8A, thence over Nevada Highway 8A to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Nevada Highway 51, thence over Nevada Highway 51 to junction U.S. Highway 40, thence over U.S. Highway 40 to Elko, and return over the same route, serving all intermediate points, and off-route points in Nevada within 20 miles of the above-described highways, for interstate shipments only; and (2) between Los Angeles Basin Territory, Calif., and Tonapah, Nev., as follows: From Los Angeles Basin Territory, over U.S. Highway 99 to junction California Highway 14, thence over California Highway 14 to Bishop, Calif. (also from Los Angeles Basin Territory, over U.S. Highway 395 to Bishop, Calif.), thence over U.S. Highway 6 to Tonapah, and return over the same route, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Elko, Nev.

No. MC 118806 (Sub-No. 3), filed April 28, 1966. Applicant: ARNOLD BROS. TRANSPORT LTD., 1101 Dawson Road, Winnipeg 6, Manitoba, Canada. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber, plywood and building board, and treated poles and posts* and (2) *agricultural machinery and implements, and tractor and combine cabs*, from the ports of entry on the international boundary of the United States and Canada at Sweetgrass, Mont., and points in Minnesota and North Dakota, to points in Montana, North Dakota, South Dakota, Minnesota, Wisconsin, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 118831 (Sub-No. 48), filed May 2, 1966. Applicant: CENTRAL TRANSPORT, INCORPORATED, Post Office Box 5044, Uwharrie Road, High Point, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities*, in bulk, between points in North Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 118831 (Sub-No. 49), filed May 3, 1966. Applicant: CENTRAL TRANSPORT, INCORPORATED, Post Office Box 5044, Uwharrie Road, High Point, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid commodities*, in bulk, in tank vehicles, between points in North Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 119493 (Sub-No. 23), filed May 2, 1966. Applicant: MONKEM COMPANY, INC., West 20th Street Road, Post Office Box 1196, Joplin, Mo., 64802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal cans, and their accessories, and prefabricated containers*, complete or in sections, *and their accessories*, from points in Greene, Jasper, and Newton Counties, Mo., to points in Alabama, Illinois, Indiana, Louisiana, Mississippi, and Texas; and (2) *supplies* used in the manufacture of commodities in (1) above, from points in Alabama to points in Greene, Jasper, and Newton Counties, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Tulsa, Okla.

No. MC 119567 (Sub-No. 5), filed May 2, 1966. Applicant: F. H. McCLURE and R. V. ESTELL, doing business as EMPIRE TRANSPORT, 2007 Overland Road, Boise, Idaho. Applicant's representative: Kenneth G. Bergquist, 1110 Bank of Idaho Building, Boise, Idaho, 83702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in sacks, from Boise, Idaho, to Lime, Oreg. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 119602 (Sub-No. 4), filed May 4, 1966. Applicant: ALLEN A. BORDELON, 500 North Tulane, Albuquerque, N. Mex. Applicant's representative: Herbert M. Boyle, 946 Metropolitan Building, Denver, Colo., 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Waste paper* (scrap IBM cards), from points in New Mexico, to Denver, Colo., and *newspapers*, on return, for Friedman & Son Paper Co., Denver, Colo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 119749 (Sub-No. 11), filed April 27, 1966. Applicant: RIPON TRUCKING CO., a corporation, Oshkosh Street, Ripon, Wis. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis., 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cookies* from Ripon, Wis., to points in Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 119839 (Sub-No. 2), filed April 29, 1966. Applicant: DARREL M. BAKER AND LEE SHELL, a partnership, doing business as SHELL FEED & SUPPLY CO., Lutesville, Mo., 63762. Applicant's representative: Joseph R. Nacy, 117 West High Street, Post Office Box 352, Jefferson City, Mo., 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, wooden pallets, pallet parts, pallet materials, blocking, crating, and wooden boxes*, from points in Bollinger County, Mo., and points in that part of Wayne County, Mo., east of U.S. Highway 67, to points in Missouri, Illinois, Wisconsin, Indiana, Michigan, Ohio, Tennessee, Kentucky, Arkansas, Nebraska, Kansas, Texas, Oklahoma, and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119990 (Sub-No. 4), filed April 22, 1966. Applicant: MERCHANTS DELIVERY CO., a corporation, 1212 East 19th Street, Kansas City, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between points in Kansas, Missouri, Oklahoma, and Nebraska, in that area bounded by a line beginning at Beatrice, Nebr., thence southerly along U.S. Highway 77 to the Kansas-Oklahoma State line, thence along the Kansas-Oklahoma State line to its junction with U.S. Highway 169, thence along U.S. Highway 169 to its junction with U.S. Highway 60, thence along U.S. Highway 60 to the Oklahoma-Missouri State line, thence along the Oklahoma-Missouri State line to its junction with the Arkansas State line, thence along the Missouri-Arkansas State line to its junc-

tion with U.S. Highway 63, thence along U.S. Highway 63 to its junction with the Iowa-Missouri State line, thence along the Iowa-Missouri State line to its junction with the Nebraska State line, thence along the Missouri-Nebraska State line to its junction with U.S. Highway 136, thence along U.S. Highway 136 to Beatrice, Nebr., the point of beginning, and points on or within 8 miles of the above-specified highways and State lines. RESTRICTION: No service shall be rendered in the transportation of any package or article weighing more than 100 pounds. No delivery service shall be provided under the authority granted herein to the premises of persons who or which have entered into an existing contract with Merchants Contract Deliveries, Inc., and are served by it pursuant to permits issued by this Commission. NOTE: Applicant states it proposes to interline shipments with other carriers. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 120543 (Sub-No. 46), filed May 3, 1966. Applicant: FLORIDA REFRIGERATED SERVICE, INC., U.S. Highway 301 North, Post Office Box 1297, Dade City, Fla. Applicant's representative: Nancy Pyeatt and Lester M. Bridgeman, 1027 Woodward Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, from ports of entry on the international boundary line between the United States and Canada, located in Minnesota, Wisconsin, Michigan, and New York, to points in North Carolina, South Carolina, Georgia, and Virginia; restricted to traffic originating in Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123048 (Sub-No. 92), filed May 2, 1966. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, from Memphis, Tenn., to points in the United States (except Alaska and Hawaii), and (2) *materials, equipment, and supplies used in the manufacture and distribution of the commodities named in (1) above, and rejected shipments*, from points in the United States (except Alaska and Hawaii), to Memphis, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 123048 (Sub-No. 93), filed May 2, 1966. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel*, from points in Putnam County, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123323 (Sub-No. 3), filed May 4, 1966. Applicant: ALASKA TRANSFER, INC., 412 Willoughby Avenue, Juneau, Alaska, 99801. Applicant's representative: N. C. Banfield, Post Office Box 1121, Juneau, Alaska, 99801. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk and those requiring special equipment), between points in Alaska south and east of the international boundary line between the United States and Canada north of Haines, Alaska, and Anchorage and Fairbanks, Alaska; over Alaska Highways 2, 1, and 4, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Juneau, Alaska.

No. MC 123383 (Sub-No. 19), filed April 28, 1966. Applicant: BOYLE BROTHERS, INC., 256 River Road, Edgewater, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials*, from the plantsite of Georgia-Pacific Corp., Bestwall Division in Wilmington, Del., to points in Virginia, Maryland, the District of Columbia, Pennsylvania, New York, New Jersey, West Virginia, Connecticut, Massachusetts, and Rhode Island, and *returned shipments*, on return, and (2) *paper*, from the plantsite of the above-named shipper in Delair, N.J., to the above-named shipper's plantsite in Wilmington, Del. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123934 (Sub-No. 17), filed May 2, 1966. Applicant: KREVDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and materials and supplies used in the manufacture of glass containers*, between Clarion, Pa., and points in Kentucky, Indiana (except Gas City, Ind.), and Illinois, restricted to service to be performed under a continuing contract, or contracts, with Owens-Illinois, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124053 (Sub-No. 8), filed April 28, 1966. Applicant: POSNIK, INC., 12300 Visger Road, Detroit, Mich., 48217. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar products*, in bulk, in tank vehicles (1) from Toledo, Ohio, to points in Michigan, and, (2) from Detroit, Mich., to points in Ohio. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124078 (Sub-No. 217), filed April 28, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cement*, from the plantsites of Southern Cement Co., division of Martin Marietta Corp. at Roberta and Birmingham, Ala., to points in Florida, Georgia, Louisiana, Mississippi, and Tennessee, (2) *cement and lime*, from the plantsite of Southern Cement Co., division of Martin Marietta Corp. at Atlanta, Ga., to points in Alabama, Georgia, North Carolina, and South Carolina, (3) *cement*, from the plantsite of Universal Atlas Cement, division of United States Steel Corp. at Leeds, Ala., to points in Alabama, Georgia, North Carolina, South Carolina, Mississippi, Louisiana, and Tennessee, (4) *cement*, from the plantsite of Universal Atlas Cement, division of United States Steel Corp. at Chamblee, Ga., to points in South Carolina, and (5) *cement*, from the plantsite of National Cement Co., division of Woodward Iron Co. at Ragland, Ala., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 124078 (Sub-No. 219), filed April 29, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, and fertilizer ingredients* (except cryogenic liquids), in bulk, in tank vehicles, from the plantsite of Apple River Chemical Co. at or near Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124423 (Sub-No. 3), filed May 2, 1966. Applicant: JET MESSENGER SERVICE, INC., Metuchen, N.J. Applicant's representative: Samuel B. Zinder, 140 Cedar Street, New York, N.Y., 10005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Equipment, parts, materials, supplies, and machinery* used in the manufacture of automobiles and trucks, between Newark Airport and Linden Airport, N.J., Philadelphia International Airport, Pa., La Guardia Airport, John F. Kennedy International Airport, and Westchester County Airport, N.Y., on the one hand, and, on the other, the plantsite of Ford Motor Co., at or near Metuchen, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 124669 (Sub-No. 19), filed April 29, 1966. Applicant: TRANSPORT, INC., OF SOUTH DAKOTA, 1012 West 41st Street, Sioux Falls, S. Dak. Applicant's representative: Ronald B. Pitsenbarger, Post Office Box 396, Moorhead, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial chemicals, feed urea, fertilizer, and feed ingredients, including but not limited to anhydrous ammonia*, in bulk, from points in Woodbury County, Iowa, including the Port Neal industrial district located south of Sioux City, Iowa, to points in Colorado, Illinois, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 124722 (Sub-No. 4), filed May 4, 1966. Applicant: E'PORT WAREHOUSE & TRANSFER CO., a corporation, 821 East Linden Avenue, Linden, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meats, fresh meat products, fresh meats byproducts, and fresh dairy products*, in mechanically refrigerated equipment, and *bakery products and supplies*, from New York, N.Y., points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y., Fairfield, New Haven, and Hartford Counties, Conn., to the warehouses or other facilities of Food Fair Stores, Inc., at Linden, Pennsville, N.J., and Philadelphia, Pa. Restriction: The proposed operations will be limited to a service to be performed under a continuing contract with Food Fair Stores, Inc. NOTE: Applicant states it now holds a permit for substantially the same service outbound from Linden, N.J., under contract with the same shipper. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 124774 (Sub-No. 38), filed April 28, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Logan and Morgan Counties, Colo., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: Applicant states it proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 124901 (Sub-No. 1), filed April 22, 1966. Applicant: W. L. PUFFINBURGER and O. E. PUFFINBURGER, a partnership, doing business as PUFFINBURGER BROTHERS, Green Spring, W. Va. Applicant's representative: William H. Ansel, Jr., Romney, W. Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Creosote treated wood products, including crossties, lumber, guardrail posts, and fenceposts*, from Green Spring, Hampshire County, W. Va., to Cumberland and Baltimore, Md.; and Allentown, Beaver, Bedford, Bellefonte, Bloomsburg, Brookville, Butler, Carlisle, Clarion, Clearfield, Coudersport, Danville, Doylestown, Easton, Ebensburg, Emporium, Erie, Franklin, Gettysburg, Greensburg, DuBois, Harrisburg, Hollidaysburg, Honesdale, Huntingdon, Indiana, Jim Thorpe, Kittanning, Lancaster, Laporte, Lebanon, Lewisburg, Lock Haven, McConnellsburg, McKeesport, Meadville, Media, Mercer, Middleburg, Mifflintown, Milford, Montrose, New Castle, Norristown, Philadelphia, Pittsburgh, Pottsville, Reading, Ridgway, Scranton, Smethport, Somerset, Stroudsburg, Sunbury, Tionesta, Towanda, Tunkhannock, Uniontown, Warren, Washington, Waynesburg, Wellsboro, West Chester, Wilkes-Barre, Williamsport, York, Chambersburg, and Lewistown, Pa. NOTE: Applicant states that it will be hauling to Pennsylvania State Highway Commission depots at or near each of the said county seats. If a hearing is deemed necessary, applicant requests it be held at Romney, W. Va.

No. MC 125708 (Sub-No. 50), filed May 2, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, paving, roofing mtaerials, and pipe*, from Waukegan, Ill., to points in Indiana, on and south of Route 40. NOTE: Applicant is also authorized to conduct operation as a contract carrier in permit No. MC 116434 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125708 (Sub-No. 51), filed May 2, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, paving, roofing materials, and pipe*, from Waukegan, Ill., to points in Iowa, Kansas, Minnesota, and Nebraska. NOTE: Applicant holds contract carrier authority under MC 116434 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125708 (Sub-No. 52), filed May 2, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, paving, roofing material, and pipe*, from Waukegan, Ill., to Memphis, Tenn. NOTE: Applicant holds contract carrier authority under MC 116434 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125708 (Sub-No. 53), filed May 4, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, paving, and roofing materials*, from Chicago Heights, Ill., to points in Indiana, Iowa, Kentucky, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125708 (Sub-No. 55), filed May 4, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill., 62087. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, between East Alton, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Indiana (except South Bend and Evansville), Kentucky (except Louisville), Louisiana, New Jersey, Ohio, Tennessee, Virginia, and Kansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125777 (Sub-No. 95), filed April 25, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Abrasive refuse*, in dump vehicles, from points in Pennsylvania, Ohio, Kentucky, Indiana, Illinois, Iowa, Wisconsin, Minnesota, Michigan, and New York to Chelsea, Jackson, and Hillsdale, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125777 (Sub-No. 96), filed April 25, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in dump vehicles, from Dubuque, Iowa, to points in Wisconsin and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 125777 (Sub-No. 97), filed April 29, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Trans-

fer Road, Hammond, Ind. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in dump vehicles, from Cordova and Keithsburg, Ill., to points in Iowa, Wisconsin, Minnesota, Nebraska, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125996 (Sub-No. 6), filed April 22, 1966. Applicant: JENSEN TRUCKING CO., INC., 807 Washington Street, Gothenburg, Nebr. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bird, fish, poultry, and animal feed ingredients, and bird, fish, poultry, and animal feed*, from points in Iowa, Minnesota, Missouri, Nebraska, and Wisconsin to points in Arizona, California, Montana, Nevada, New Mexico, Utah, and Wyoming. NOTE: Applicant states it seeks no duplicate authority and presently holds said authority over Idaho gateways, and purpose of said application is for gateway elimination. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 126736 (Sub-No. 47), filed April 28, 1966. Applicant: PETROLEUM CARRIER CORPORATION OF FLORIDA, 369 Margaret Street, Jacksonville, Fla. Applicant's representative: Martin Sack, Jr., Atlantic National Bank Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, from Cordele, Ga., to points in Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 127356 (Sub-No. 1), filed April 28, 1966. Applicant: VINCENT PELLETIER, Post Office Box 1508, Coaticook, Quebec, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the ports of entry on the international boundary line between the United States and Canada located at or near Jackman and Coburn Gore, Maine, Pittsburg, N.H., Beecher Falls, Norton, Derby Line and Highgate Springs, Vt., Champlain, Rooseveltown, and Ogdensburg, N.Y., to points in Maine, New Hampshire, Massachusetts, Vermont, Connecticut, Rhode Island, New York, and New Jersey. NOTE: Applicant operates as a contract carrier in MC 125854, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 127587 (Sub-No. 1), filed May 2, 1966. Applicant: MEXICANA REEFER SERVICES, LTD., 3945 Myrtle Street, Burnaby, British Columbia, Canada. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash., 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *Fruits, berries, and vegetables*, fresh and frozen, *frozen foods and food products, including juices, pies, dinners, and french fried potatoes*, and *fish*, fresh and frozen, when transported in the same vehicle at the same time with nonexempt commodities, in mechanically refrigerated vehicles, for the accounts of Noren Industries, Ltd., Macdonalds Consolidated, Ltd., Royal City Foods, Ltd., Blackwell Brokerage Co., Ltd., and Fraser Valley Frosted Foods, Ltd., from points in California, Oregon, and Washington, to ports of entry on the international boundary line between the United States and Canada located at or near Blaine and Sumas, Wash., restricted to traffic destined to points in British Columbia and Alberta Provinces, Canada, and (B) *shakes and shingles*, from points in Washington and Oregon, to points in California, for the account of Whonnock Lumber Co., Ltd. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 127725 (Sub-No. 1), filed April 29, 1966. Applicant: GEORGE T. VAIL and GARY J. SANDLAND, a partnership doing business as VAIL & SANDLAND DISTRIBUTORS, 4112 South 288th Place, Auburn, Wash., 98002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods, including but not limited to cupcakes, pies, cookies, and rolls*, from Seattle, Wash., to the port of entry on the international boundary line between the United States and Canada located at or near Sumas, Wash., and *bread*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 127749 (Sub-No. 1), filed April 28, 1966. Applicant: METRO MOTOR FREIGHT, INC., 3821 Northwest 58th Terrace, Oklahoma City, Okla. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, Post Office Box 75124, 2400 Northwest 23d Street, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between Oklahoma City and Tulsa, Okla., over U.S. Highway 66 (also over Turner Turnpike: Interstate Highway 44); (2) between Oklahoma City and Texola, Okla., over Interstate Highway 40 and U.S. Highway 66, serving the off-route point of Carter, Okla.; (3) between Tulsa, Okla., and Boise City, Okla., as follows: From Tulsa, over Oklahoma Highway 51 to Canton, Okla., thence over Oklahoma Highway 51 to junction U.S. Highway 270, thence over U.S. Highway 270 to Seiling, Okla., thence over U.S. Highway 281 to Waynoka, Okla., thence over U.S. Highway 281 to junction U.S. Highway 64, thence over U.S. Highway 64 to Guymon, Okla., thence over Oklahoma Highway 3 to Boise City; (4) between Oklahoma City, Okla., and Boise City, Okla., over Oklahoma Highway 3, serving the off-route point of Beaver, Okla.; (5) between Okeene, Okla., and Alva, Okla., as follows: From Okeene, over Oklahoma Highway 8 to junction U.S. Highway 64, thence over U.S. Highway 64 to Alva; (6) between Sayre, Okla., and Shattuck, Okla., as follows: From Sayre, over U.S. Highway 283 to junction Oklahoma Highway 51, thence over Oklahoma Highway 51 to junction U.S. Highway 283, thence over U.S. Highway 283 to Shattuck; (7) between Clinton, Okla., and Seiling, Okla., over U.S. Highway 183; and (8) between Bridgeport, Okla., and Okeene, Okla., over Oklahoma Highway 8; and return over the same routes, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 127758 (Sub-No. 2), filed April 29, 1966. Applicant: G. & J. PISTACCHIO TRUCKING, INC., 3261 North Marks Avenue, Fresno, Calif., 93705. Applicant's representative: William H. Kessler, 638 Divisadero Street, Fresno, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel sheets, bars, billets, nails, wire, netting, pipe, and related iron or steel articles*, from San Francisco, Oakland, Alameda, and Stockton, Calif., to Fresno, Calif.; for the account of Reliance Steel & Aluminum Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fresno, Calif.

No. MC 127798 (Sub-No. 2), filed May 3, 1966. Applicant: UNIVERSAL VANPAC, INC., Building 200 D, Mohawk Street, Port Newark, N.J., 07114. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between (1) points in New Jersey in and north of Burlington and Ocean Counties, N.J.; (2) points in Bronx, Kings, Queens, New York, Richmond, Nassau, Suffolk, Westchester, Rockland, Putnam, and Orange Counties, N.Y., and (3) points in Fairfield, New Haven and Litchfield Counties, Conn.; restricted to shipments, in containers, having a prior or subsequent movement beyond said 70-mile radius. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 127988 (Sub-No. 3), filed May 2, 1966. Applicant: LEON F. FIALA, doing business as FIALA FEED & GRAIN CO., Osceola, Nebr., 68651. Applicant's representative: C. A. Ross, 714 South 45th, Lincoln, Nebr., 68510. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Belt and bucket elevators, belt conveyors, distributors, work platforms, spouts, ladders, and component parts for bulk material handling equipment*, from York, Nebr., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Ohio, Oklahoma, and Texas, and *exempt commodities*, and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 128144, filed April 25, 1966. Applicant: ELECTRONICS EXPRESS, INC., 208 South La Salle Street, Chicago, Ill. Applicant's representative: Jack H. Blanshan, 402 West Main Street, Marshalltown, Iowa, 50158. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Micro relay systems and component parts thereof*, from the plant-site and warehouse facilities of the Andrew Corp., located at or near Orland Park, Ill., to points in the United States, except Alaska and Hawaii, and *refused, rejected, or damaged micro relay systems and component parts thereof*, on return. NOTE: The applicant states the operations proposed in this application are to be under a contract with the Andrew Corp. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 128146, filed April 27, 1966. Applicant: TED W. BETLEY, Amberg, Wis. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis., 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonnegotiable instruments and papers, business and accounting records and papers, and audit, accounting and data processing media of all kinds* as are used in the conduct of the business and operations of banks and banking institutions (except coins, currency, bullion, and negotiable securities), between Green Bay, Wis., on the one hand, and, on the other, points in Alger, Baraga, Delta, Dickinson, Houghton, Iron, Keweenaw, Marquette, Menominee, and Schoolcraft Counties, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 128150, filed April 28, 1966. Applicant: JOHN J. WASDEN AND MYRON COOK, a partnership, doing business as C W & M DISTRIBUTING CO., 255 Second Street, Idaho Falls, Idaho. Applicant's representative: Kenneth G. Bergquist, 1110 Bank of Idaho Building, Boise, Idaho, 83702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products, and plywood*, from points in Lake County, Mont., to points in Idaho south of the southern boundary of Idaho County. NOTE: Applicant states it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 128151, filed April 28, 1966. Applicant: SHAMROCK TRUCKING CORPORATION, 266 Magnolia Avenue, Hillsdale, N.J. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foam laminated cloth*, from East Rutherford, N.J., to points in North Carolina, South Carolina, West Virginia, Virginia, District of Columbia, Maryland, Delaware, New York, Pennsylvania, Massachusetts, Rhode Island, and Connecticut, and *commodities used in the manufacture of foam laminated cloth* (except in bulk) from the above destinations to East Rutherford, N.J., restricted to service under contract with Laminac Inc., East Rutherford, N.J. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128152, filed April 28, 1966. Applicant: TERMINAL ICE CO., INC., American and Cambria Streets, Philadelphia, Pa., 19133. Applicant's representative: Walter B. Gibbons, 1242–43–44 Fidelity-Philadelphia Trust Building, 123 South Broad Street, Philadelphia, Pa., 19109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice and icing for refrigerated cars* and *ice, containers and other such incidental facilities or other items of the contractor*, between points in Pennsylvania, New Jersey, Delaware, and Maryland. NOTE: Applicant states the proposed operation will be under contract with American Ice Co., a division of American Consumer Industries, Inc., and such other contractors as may from time to time be obtained. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 128153, filed April 28, 1966. Applicant: VICTORY VAN CORPORATION, 950 South Pickett Street, Alexandria, Va., 22304. Applicant's representative: Carlyle C. Ring, Jr., Ring Building, Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission (including unaccompanied baggage), having a prior or subsequent movement in interstate or foreign commerce, between Washington, D.C., Alexandria, Va., and points in Arlington, Fairfax, Prince William, and Loudoun Counties, Va., and Anne Arundel, Howard, Prince Georges, Charles, and Montgomery Counties, Md., on the one hand, and, on the other, New York, N.Y., Philadelphia, Pa., and Baltimore, Md., and points in the commercial zones of New York, N.Y., Philadelphia, Pa., and Baltimore, Md. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washingon, D.C.

No. MC 128156, filed April 29, 1966. Applicant: EASTERN NEBRASKA TRUCKING CO., a corporation, Post Office Box 158, Weeping Water, Nebr. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, crushed, ground or riprap; and *sand and gravel*, in bulk, in dump or hopper type vehicles, from points in Pawnee, Richardson, Nemaha, Johnson, Otoe, Cass, Sarpy, Douglas, and Washington Counties, Nebr., to points in Kansas and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 128157, filed April 28, 1966. Applicant: MUTONE TRUCKING CORPORATION, 30 Railroad Avenue, Roslyn Heights, N.Y., Applicant's representative: James P. McKenna, Bankers Trust Building, 333 North Broadway, Jericho, N.Y., 11753. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Doors* (wood and composition), from Roslyn Heights, N.Y., to points in New York, New Jersey, Connecticut, and Allentown and Philadelphia, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128158, filed April 29, 1966. Applicant: DON SMOOT, doing business as DON SMOOT TRUCKING, 501 South Calumet Street, Marion, Ill., 62959. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Factory materials, supplies and equipment in connection with the manufacture of shoes*, and *finished shoes*, between Chicago Ill., and Cape Girardeau, Mo.; from Chicago over U.S. Highway 45 and Interstate Highway 57 to Effingham, Ill., thence over Interstate Highway 57 and Illinois Highway 37 to junction Interstate Highway 57 and Illinois Highway 146, thence over Illinois Highway 146 to Cape Girardeau, Mo., and return over the same route, serving the intermediate point of Anna, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 128159, filed April 29, 1966. Applicant: McLAIN TRANSPORTATION, INC., 139 Bunn Road, Hillsdale, Mich. Applicant's representative: Haskell L. Nichols, 401 Dwight Building, Jackson, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sausage*, from Hillsdale, Mich., to points in Indiana, Illinois, and Ohio, (2) *spices*, from Xenia, Ohio, to Hillsdale, Mich., (3) *empty lard cans*, from Cincinnati, Ohio, to Hillsdale, Mich., and (4) *sausage and meat products, such as, lard, etc.* from Hillsdale, Mich., to points in Michigan, Pennsylvania, Ohio, Indiana, and Illinois; and *meat and meat products, and lard cans and spices*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 128160, filed April 29, 1966. Applicant: MAC HEGLER, FRANK HEGLER, and JAMES TARLTON, a partnership, doing business as HEGLER MOTOR MART, 312 Catawba Street, Lancaster, S.C., 29720. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobiles and trucks*, loaded and unloaded, between points in Georgia, South Carolina, North Carolina, Virginia, Delaware, New York, New Jersey, Pennsylvania, Maryland, the District of Columbia, Tennessee, Florida, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 128165, filed May 2, 1966. Applicant: C. J. BRIGGS & HAZEL RAE BRIGGS, a partnership, doing business as BRIGGS TRUCKING CO., Post Office Box 308, Carlton, Oreg. Applicant's representative: Earl V. White, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

FEDERAL REGISTER, VOL. 31, NO. 97—THURSDAY, MAY 19, 1966

Lumber, from Carlton and Yamhill, Oreg., to points in Multnomah County, Oreg., and Clark County, Wash. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 128168, filed May 2, 1966. Applicant: DANIEL D. MASTO, doing business as ELM CARTAGE CO., 38 Prospect Place extension, East Haven, Conn. Applicant's representative: John E. Fay, 79 Lafayette Street, Hartford, Conn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Games, toys (iron, steel, plastic, wooden), fabrics for the manufacture of doll clothing, doll clothing, materials used in the manufacture of games and toys and shipping containers for games and toys* in truck load lots for the account of the A. C. Gilbert Co. of New Haven, Conn., between New Haven, Conn., on the one hand, and, on the other, Shrewsbury, Chelsea, Lynn, Woburn, Northampton, Somerville, Pittsfield, Dorchester, New Bedford, Cambridge, Fall River, Springfield, West Springfield, East Springfield, Leominster, Florence, Framingham, Clinton, Boston, and Worcester, Mass.; Poughkeepsie, New York City and five boroughs including piers, J. F. Kennedy Airport, Mamaroneck, Patchogue, Jamaica, Hollis, Mineola, North Bellmore, Copake, N.Y., and ports of entry on the international boundary line between the United States and Canada located in the State of New York; Nashua and Manchester, N.H.; South Plainfield, Burlington, Harrison, Elizabeth, Keyport, Eatontown, Laurelton, Freehold, Somerville, Sayreville, Newark, Port Newark, Newark Airport, Clifton, Hillside, Patterson, and Hoboken, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

MOTOR CARRIERS OF PASSENGERS

No. MC 1002 (Sub-No. 21), filed May 2, 1966. Applicant: ASBURY PARK-NEW YORK TRANSIT CORPORATION, 401 Lake Avenue, Asbury Park, N.J. Applicant's representative: Edward W. Currie, 123 Main Street, Matawan, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle, in round-trip special operations, beginning and ending at Point Pleasant, Spring Lake, Belmar, Asbury Park, Long Branch, Eatontown, Oceanport, Red Bank, Middletown, Keyport, and Matawan Township, N.J., and extending to ports of entry on the international boundary line between the United States and Canada located in New York and Vermont, and restricted to service for the duration of the 1967 Exposition at Montreal, Canada, and such additional period or periods of extensions of it. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 1515 (Sub-No. 103), filed May 5, 1966. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago, Ill., 60603. Applicant's representative: Robert J. Bernard (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, (1) between Racine, Wis., and junction Wisconsin Highway 20 and U.S. Highway 41; from Racine over Wisconsin Highway 20 to junction U.S. Highway 41, (2) between Kenosha, Wis., and junction Wisconsin Highway 50 and U.S. Highway 41; from Kenosha over Wisconsin Highway 50 to junction U.S. Highway 41, and (3) between junction U.S. Highway 14 and Illinois Highway 53 and junction Illinois Highway 53 and Interstate Highway 90; from junction U.S. Highway 14 and Illinois Highway 53 over Illinois Highway 53 to junction Interstate Highway 90 south of Arlington Heights, Ill., and return over the same routes, serving no intermediate points in (1), (2), and (3) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 15317 (Sub-No. 5), filed April 8, 1966. Applicant: CROWN TRANSIT LINES, INC., 326 North Sixth Street, Springfield, Ill. Applicant's representative: Harold M. Olsen, 712 South Second, Springfield, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, limited to roundtrip, sightseeing, or pleasure tours designed for leisurely travel, beginning and ending at points on applicant's authorized regular route authority between Springfield and Rushville, Ill., Terre Haute, Ind., Taylorville, Ill., junction U.S. Highway 36 and Illinois Highway 32; between Rushville and Good Hope, Ill.; Decatur, Ill., and Terre Haute, Ind.; Davenport, Iowa, and Monmouth, Ill.; Sullivan and La Place, Ill.; Windsor and Mattoon, Ill.; Good Hope, Ill., and Davenport, Iowa; Springfield and Freeport, Ill.; junction Illinois Highways 47 and 10 and Champaign, Ill.; Decatur, Ill., and junction Illinois Highways 47 and 10; Decatur, Ill., and junction Illinois Highways 105 and 47; Springfield, Ill., and junction Illinois Highways 97 and 8; and Peoria, Ill., and Davenport, Iowa, as more specifically set forth in applicant's certificate No. MC 15317, to points in the United States including Alaska and Hawaii, and points on the international boundary line between the United States and Canada. NOTE: Applicant is authorized to operate as a broker in MC 12959. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 109802 (Sub-No. 25) (Amendment), filed January 14, 1966, published FEDERAL REGISTER February 10, 1966, amended April 27, 1966, and republished as amended this issue. Applicant: LAKELAND BUS LINES, INC., East Blackwell Street, Dover, N.J. Applicant's representative: Bernard P. Flynn, Jr., York-Flynn Building, East Blackwell Street, Dover, N.J., 07801. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, (1) between Netcong, N.J., and Allentown, Pa.; from the junction of Main Street, and U.S. Highway 46 in Netcong, N.J., over U.S. Highway 46 to junction New Jersey Highway 24 at Hackettstown, N.J., thence over New Jersey Highway 24 to junction U.S. Highway 22 at Lopatcong, N.J., thence over U.S. Highway 22 to junction Pennsylvania Highway 512 at Hanover Township, Pa., thence over Pennsylvania Highway 512 to Bethlehem, Pa., thence over local streets and highways to Allentown, Pa., and return over the same route, and (2) between Hanover Township and Allentown, Pa.; from junction U.S. Highway 22 and Pennsylvania Highway 512 located in Hanover Township, over U.S. Highway 22 to junction Pennsylvania Highway 145 at Whitehall Township, thence over Pennsylvania Highway 145 to Allentown, Pa., and return over the same route; serving all intermediate points in (1) and (2) above. NOTE: Applicant states it intends to tack this authority with presently authorized authority from New York to points in New Jersey and Pennsylvania as far as the western termini of Allentown, Pa., including those in this extension application in New Jersey and Pennsylvania, as well as the municipalities of Allentown, Bethlehem, and Easton, Pa., to points in New Jersey applied for herein and over the certificated routes specified in both New Jersey and New York, N.Y. The purpose of this republication is to show that applicant intends to tack this authority with presently authorized authority. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 115581 (Sub-No. 1), filed May 3, 1966. Applicant: AIRFIELD SERVICE COMPANY, INC., 193 Turnpike Road, Windsor Locks, Conn., 06096. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* when moving in the same vehicle with passengers, between points in Massachusetts on U.S. Highway 5 between Greenfield and Northampton, Mass., including Greenfield and Northampton, Mass., and points in Massachusetts on Massachusetts Highway 9 between Amherst and Northampton, Mass., including Amherst and Northampton, Mass., on the one hand, and, on the other, Bradley Field at Windsor Locks, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 127733 (Sub-No. 1), filed May 3, 1966. Applicant: FITCHBURG AND LEOMINSTER, STREET RAILWAY COMPANY, a corporation, R1427 Water Street, Fitchburg, Mass., 01420. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip special operations, beginning and ending at Fitchburg, Leominster, Lunenburg, Harvard, Ayer, Shirley, Townsend, Pepperell, Groton, and Ashby, Mass., and Greenville and New Ipswich, N.H., and extending to ports of entry on the international boundary line, between the United States and Canada, located in New York and Vermont, restricted to trips to the Canadian Centennial Exposition at Montreal, Canada, during the period in 1967 when the exposition takes place. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Fitchburg or Boston, Mass.

No. MC 127738 (Sub-No. 2), filed March 2, 1966. Applicant: ELVIN J. KENDA, doing business as GALLATIN CANYON LINES, 717 North Tracy Street, Bozeman, Mont. Applicant's representative: Hugh Sweeney, Billings State Bank Building, Billings, Mont., 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers*, in the same vehicle, with passengers, between Bozeman and West Yellowstone, Mont., over U.S. Highway 191, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Bozeman, Mont.

No. MC 128145, filed April 25, 1966. Applicant: LAKE DRIVE TRANSIT, INCORPORATED, 2718 Pacific Avenue, Tacoma, Wash., 98402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express*, in the same vehicle with passengers, between Tacoma, Wash., and U.S. Veteran's Hospital, American Lake, Wash.: (1) From Tacoma terminal at Eighth Street and Pacific Avenue, south on Pacific Avenue, thence southwest via South Tacoma Way, west on Steilacoom Boulevard, southwest via Gravelly Lake Drive, and west on Veteran's Drive to terminal at U.S. Veteran's Hospital, (2) from Tacoma terminal at Eighth and Pacific Avenue, south on Pacific Avenue, thence southwest via South Tacoma Way, west on Steilacoom Boulevard, thence south on Bridgeport Way, southwest via Motor Avenue, west on Mount Tacoma Drive, south on Waverly Street, thence southwest on De Koven Drive, east on Alfaretta Avenue, south on Gravelly Lake Drive, thence south via Nyanza Road, west on Gravelly Lake Drive, and west on Veterans Drive to terminal at U.S. Veteran's Hospital, and (3) from Tacoma terminal at Eighth Street and Pacific Avenue, south on Pacific Avenue, thence southwest via South Tacoma Way, west on Steilacoom Boulevard, south on Old Pacific Highway, west on Lake Steilacoom Avenue, southwest on Kline Street, west of Yew Street, thence north on Hudson Street, west on 101st Street, northwest on Bridgeport Way, southwest on Motor Avenue, west on Mount Tacoma Drive, thence via Interlaaken Drive Southwest, west on 112th Street, southwest on Lake City Boulevard, thence east on Washington Boulevard, south on Interlaaken Drive Southwest, and west on Veterans Drive to terminal at U.S. Veteran's Hospital, and return over the same routes, serving intermediate points of South Tacoma, Lakewood Center, Villa-Plaza, American Lake North, and Lakeview Village, in (1), (2), and (3) above. NOTE: Applicant states account no left turn from South Tacoma Way into Pacific Avenue, all inbound trips are made via C Street from South Tacoma Way to 25th Street, thence via 25th Street East to Pacific Avenue. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 128166, filed May 2, 1966. Applicant: L. P. WARREN, doing business as WARREN BUS LINES, 803 Whitehall, Jackson, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and mail* in the same vehicle with passengers, between Jackson, Tenn., and Dyersburg, Tenn., as follows: From Jackson, over Tennessee Highway 20 to junction U.S. Highway 79, thence over U.S. Highway 79 to Bells, Tenn., thence over Tennessee Highway 88 to Maury City, Tenn., thence over unnumbered highway to junction Tennessee Highway 20, thence over Tennessee Highway 20 to Dyersburg, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 128167, filed May 2, 1966. Applicant: HUGHES BROS. BUS CO., INC., Marlboro, Mass. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, beginning and ending at Marlboro, Hudson, and Southboro, Mass., and extending to points in Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Maryland, and Delaware, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

APPLICATION FOR BROKERAGE LICENSE

No. MC 12994, filed April 22, 1966. Applicant: TRAVELER'S, INCORPORATED, doing business as SPORTS SPECIAL, 208 East Wisconsin Avenue, Suite 312, Milwaukee, Wis., 53202. For a license (BMC 5) to engage in operations as a *broker* at Milwaukee, Wis., in arranging for the transportation, in interstate or foreign commerce, of *passengers and their baggage*, as individuals and groups, in special operations, beginning and ending at Milwaukee, Wis., and extending to points in Wisconsin and Illinois. NOTE: Applicant states that the proposed operation will consist solely of transportation of passengers to and from sports events.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 42487 (Sub-No. 650), filed May 2, 1966. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between junction Wisconsin Highways 47 and 29 at or near Bonduel, Wis., and junction Wisconsin Highway 47 and U.S. Highway 41, approximately 2 miles north of Appleton, Wis., over Wisconsin Highway 47, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular-route operations. NOTE: Common control may be involved.

No. MC 61755 (Sub-No. 20), filed April 29, 1966. Applicant: NORTHERN HAULERS CORPORATION, South Fourth Street, Fulton, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), from points in St. Lawrence County, N.Y., to New York, N.Y., and the following points in Nassau County, N.Y.: Towns of Hempstead and North Hempstead, including the city of Long Beach (but restricted against joinder, interline transfer or export), as follows: Routes to be used would be those presently in use by applicant in general commodities authority it holds from points in Jefferson and Lewis Counties, N.Y., in MC 61755, especially those through New Jersey to applicant's terminal, located at Carlstadt, N.J., thence by use of bridges and tunnels to New York City and named points in Nassau County, N.Y.

No. MC 115331 (Sub-No. 192), filed April 28, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, Suite 913, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk (except in dump vehicles), from St. Louis, Mo., to points in Illinois.

No. MC 124078 (Sub-No. 211), filed April 21, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in shipper owned tank vehicles, from Delphos, Ohio, to points in Indiana, Michigan, and West Virginia.

No. MC 126244 (Sub-No. 2), filed April 28, 1966. Applicant: ADAMS CARTAGE CO., INC., 357 Oak Street, Macon, Ga. Applicant's representative: T. Baldwin Martin, 700 Home Federal Building, Macon, Ga., 31201. Authority sought to operate as a *contract carrier*, by motor

vehicle, over irregular routes, transporting: *Boards, building, wall or insulating, and materials and supplies* used in the installation thereof, and, when moving in the same vehicle, *plastic panels and lighting fixtures, including furring, moldings, fasteners, and/or adhesives* necessary for installation, from Macon, Ga., to points in Alabama and Tennessee.

No. MC 126313 (Sub-No. 1), filed May 4, 1966. Applicant: BEAUCE TRANSPORT, LTD., a corporation, 125 10th Street, Beauceville-Est., Beauce County, Quebec, Canada. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass., 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, hardwood squares, wood shingles, fenceposts, pickets, and panels*, from ports of entry on the international boundary line between the United States and Canada, at or near Jackman and Coburn Gore, Maine; Norton, Derby Line, Troy, Richfield, and Highgate Springs, Vt.; and Rouses Point, N.Y., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, and New Jersey. NOTE: Applicant states that it already holds authority to serve all points in Maine in certificate No. MC-126313. Applicant states that this application would provide for additional ports of entry to points in Maine, in addition to seeking authority to points in the remaining States.

No. MC 128149, filed April 22, 1966. Applicant: ELROY WULFENSTEIN, doing business as WULFENSTEIN BODY BUILDERS, 595 South Main Street, St. George, Utah. Applicant's representative: Harry D. Pugsley, Suite 600, El Paso Natural Gas Building, 315 East Second South, Salt Lake City, Utah, 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, or repossessed vehicles*, in a towaway service, between points in Washington, Iron, Garfield, Kane, and Beaver Counties, Utah, on the one hand, and, on the other, points in White Pine, Lincoln, and Clark Counties, Nev., and Mohave, Coconino, Maricopa, and Yavapai Counties, Ariz.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 104), filed May 9, 1966. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago 3, Ill. Applicant's representative: Robert J. Bernard (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, between junction old U.S. Highway 31W (now renumbered Kentucky Highway 835) and new U.S. Highway 31W, approximately 55 yards south of the southern approach to Salt River Bridge, just north of West Point, Ky., and junction old U.S. Highway 31W (now renumbered Kentucky Highway 835) and new U.S. Highway 31W, approximately 2 miles south of Salt River Bridge and slightly beyond the corporate limits of West Point, Ky., over new U.S. Highway 31W, serving all intermediate points. NOTE: Common control may be involved.

No. MC 116248 (Sub-No. 5), filed April 29, 1966. Applicant: G. W. CONNER, doing business as CONNER BUSLINES, 1410 Big Bend Road, Poplar Bluff, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between Wickliffe, Ky., and Paducah, Ky., over U.S. Highway 60, and return over the same route, serving all intermediate points.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5406; Filed, May 18, 1966; 8:45 a.m.]

[Notice 183]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 16, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 30887 (Sub-No. 144 TA), filed May 11, 1966. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Box 55, Reisterstown, Md., 21136. Applicant's representative: W. Wilson Corroum (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Natural latex*, in bulk, in tank vehicles, from Baltimore, Md., to Simpsonville, S.C., for 150 days. Supporting shipper: The Goodyear Tire & Rubber Co., Akron, Ohio, 44316. Send protests to: William L. Hughes, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 312 Appraisers' Stores Building, Baltimore, Md., 21202.

No. MC 48213 (Sub-No. 28 TA), filed May 11, 1966. Applicant: C. E. LIZZA, INC., 1006 Ligonier Street, Post Office Box 447, Latrobe, Pa., 15650. Applicant's representative: Richard Smith, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Smokeless (black) powder*, from railroad sidings of Baltimore & Ohio RR. Co., in Point Pleasant, W. Va., to Rouses Point, N.Y., with the right to stop for the purpose of storage in transit at the magazines of American Cyanamid Co. located in Mason County, W. Va., 6 miles north of Point Pleasant, W. Va.; the above described operations are to be limited to a transportation service to be performed under continuing contract or contracts with the American Cyanamid Co. of Wayne, N.J., for 150 days. Supporting shipper: American Cyanamid Co., Wayne, N.J., 07470. Send protests to: Frank L. Calvary, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa., 15222.

No. MC 110012 (Sub-No. 16 TA), filed May 12, 1966. Applicant: G. B. C., INC., Post Office Box 68, Morristown, Tenn., 37813. Applicant's representative: James W. Wrape, Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) Particle board, from points in Bell County, Ky., to points in Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Delaware, Pennsylvania, Maryland, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Maine, New Hampshire, Vermont, and the District of Columbia, with no transportation for compensation on return except as otherwise authorized; (B) *Glue*, when tendered into a premounted sealed or collapsible container, from High Point, Charlotte, Fayetteville, and Greensboro, N.C.; Lansdale, Pa.; West Memphis, Ark.; Alexandria, La.; Demopolis, Ala.; Bainbridge, N.Y.; Houston, Tex.; and Sheboygan, Wis., to points in Bell County, Ky., with no transportation for compensation on return except as otherwise authorized, for 180 days. Supporting shipper: Tenn-Flake Corp., Morristown, Tenn. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn., 37203.

No. MC 112223 (Sub-No. 77 TA), filed May 11, 1966. Applicant: QUICKIE TRANSPORT COMPANY, 501 11th Avenue South, Minneapolis, Minn., 55415. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn., 55415. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stabilized animal fat*, in bulk, from points in Dakota County, Minn., to Arcadia, Wis., for 180 days. Supporting shipper: Van Hoven Co., Inc., Post Office Box 67, South St. Paul, Minn., 55076. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 119934 (Sub-No. 115 TA), filed May 12, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind., 46040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Colored ink*, in bulk, in compartmented tank vehicles; from Buffalo, N.Y., to Sylacauga, Ala., for 180 days. Supporting shipper: Chemical Process & Supply Co., 302 Grote Street, Buffalo, N.Y., 14207. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 123821 (Sub-No. 4 TA), filed May 11, 1966. Applicant: LESTER R. SUMMERS, INC., Rural Delivery No. 1, Post Office Box 239, Ephrata, Pa., 17522. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone and sand*, from White Haven, Pa., to Washington, D.C., for 150 days. Supporting shipper: Howat Concrete Co., South Capitol at S Street, Washington, D.C., 20024. Send protests to: Robert W. Ritenour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 218 Central Industrial Building, 100 North Cameron Street, Harrisburg, Pa., 17101.

No. MC 125899 (Sub-No. 3 TA), filed May 11, 1966. Applicant: JOHN McCABE, 1804 South 27th Avenue, Phoenix, Ariz., 85003. Applicant's representative: Pete H. Dawson, 4453 East Piccadilly, Phoenix, Ariz., 85018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) from Cutter, Ariz. (approximately 10 miles east of Globe, Ariz.), to points in San Bernardino, Ventura, San Diego, and Los Angeles Counties, Calif., (2) from Snowflake, Ariz., to points in San Diego County and points in the Los Angeles commercial zone, and the Los Angeles Harbor commercial zone, as defined by the Commission, for 180 days. Supporting shipper: Western Pine Sales, Inc., Post Office Box 2657, Globe, Ariz. Send protests to: Andrew V. Baylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 4006 Federal Building, Phoenix, Ariz., 85025.

No. MC 126079 (Sub-No. 2 TA), filed May 12, 1966. Applicant: STOUT CORPORATION, 2240 North Provo Canyon Road, Post Office Box 186, Provo, Utah, 84601. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah, 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fabricated sections of steel storage tanks and field equipment used in the erection thereof:* From Provo, Utah, to points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Washington, and Wyoming, with no transportation for compensation on return except as otherwise authorized, (2) *tools, equipment, and surplus materials and supplies* used in the erection of steel storage tanks: Between points in Arizona, California, Clorado, Idaho, New Mexico, Nevada, Montana, Oregon, Utah, Washington, and Wyoming, for 180 days. Supporting shipper: General American Transportation Corp., Orem Plant, Post Office Box 697, Provo, Utah, 84601. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah, 84111.

No. MC 127891 (Sub-No. 2 TA), filed May 12, 1966. Applicant: MARSHALL C. SHUTT, doing business as GIRARD ELEVATOR CO., Girard, Ill., 62640. Applicant's representative: Harvey B. Stephens, 714 First National Bank Building, Springfield, Ill., 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer materials and ingredients*, in bulk, from Springfield, Ill., to points in Iowa, for 150 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo., 63166. Send protests to: Harold Jolliff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 476, 325 West Adams Street, Springfield, Ill., 62704.

No. MC 128118 (Sub-No. 1 TA), filed May 11, 1966. Applicant: WILLIAM J. TRUE, Bridgton, Maine, 04009. Applicant's representative: David R. Hastings, Fryeburg, Maine, 04037. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, from Milford, N.H., to Cumberland Mills (Westbrook), Maine, for 150 days. Supporting shipper: Lorden Lumber Co., Inc., Milford, N.H. Send protests to: Donald G. Weiler, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 307, 76 Pearl Street, Portland, Maine, 04112.

No. MC 128174 TA, filed May 11, 1966. Applicant: DALE L. DIXON, 5125 Country Club Way, Route 2, Corvallis, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Lumber and plywood* from Philomath and Corvallis, Oreg., to Portland Docks, Portland, Oreg., and Vancouver, Wash., for 180 days. Supporting shipper: Clemens Forest Products, Inc., Post Office Box 668, Philomath, Oreg. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Oreg., 97204.

No. MC 128176 TA, filed May 11, 1966. Applicant: JOHN GELSIMINO AND MICHAEL GELSIMINO, a partnership, doing business as EEMCO MACHINERY HAULERS, 2307 Wager Road, Rural Delivery 9, Erie, Pa., 16509. Applicant's representative: George S. Maxwell, Suite 948, Leader Building, Cleveland, Ohio, 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Calenders, mixers, mixing mills, presses, slitters*, used in the manufacture of rubber and/or plastic products and the *machine tools*, including but not limited to *lathes, milling machines, drill presses, shapers, grinders* used in the manufacture of the products of the shipper when purchased at the liquidation of competitors or other manufacturers, *sheet steel, castings, and gears* used in the manufacture of the shipper's products, from Erie, Pa., to points in the States of Pennsylvania, Maine, Vermont, New Hampshire, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, Oklahoma, Missouri, Tennessee, Kentucky, Indiana, Illinois, Wisconsin, Michigan, Ohio, and points between the above-mentioned States, for 180 days. Supporting shipper: Erie Engine & Manufacturing Co., 953 East 12th Street, Erie, Pa., 16503. Send protests to: Gasper Piovarchy, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa., 15222.

No. MC 128179 TA, filed May 12, 1966. Applicant: ROBERT G. KRUSE, doing business as BOB KRUSE TRUCKING, 18504 Northeast 28th Street, Vancouver, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt paving hot mix*, from Portland, Oreg., to points in Clark County, Wash., for 150 days. Supporting shipper: K. F. Jacobson & Co., Inc., 1208 North River Street, Portland, Oreg. Send protests to: S. F. Martin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 128180 TA, filed May 12, 1966. Applicant: WILLIAM E. WALSH, JR., doing business as BILL WALSH TRUCKING, 2131 Northeast 132d Avenue, Portland, Oreg. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oreg. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, shavings, and hog fuel*, from points in Multnomah, Clackamas, Yamhill, Tillamook and Polk Counties, Oreg., to Longview, Wash., for the account of Longview Fibre Co., for 180 days. Supporting shippers: Longview Fibre Co., Longview, Wash.; Reedway Manufacturing Co., 10446 Southeast Harold Street, Portland, Oreg.; Northwest Veneer, Inc., Post Office Box 265, Grand Ronde, Oreg.; G. W. Morton, Route 3, Box 192, McMinnville, Oreg.; S & C Lumber Co., Star Route 2, Box 8, Grand Ronde, Oreg.; R. T. Boggs Lumber Co., Beaver, Oreg. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission,

450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Oreg., 97204.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5486; Filed, May 18, 1966; 8:48 a.m.]

[Notice 922]

MOTOR CARRIERS OF PROPERTY

Applications

MAY 16, 1966.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act, and certain other proceedings with respect thereto. (49 CFR 1.240)

MOTOR CARRIERS OF PROPERTY

No. MC-F-9421. Authority sought for purchase by GRAVES TRUCK LINE, INC., 739 North 10th Street, Salina, Kans., of a portion of the operating rights of DENVER-LIMON-BURLINGTON TRANSFER COMPANY, 3650 Chestnut Place, Denver, Colo., 80216, and for acquisition by WILLIAM H. GRAVES, JOHN A. GRAVES, both of 739 North 10th Street, Salina, Kans., LOWELL P. GRAVES, 92 Shawnee Avenue, Kansas City, Kans., and DWIGHT L. GRAVES, 3402 West Harry, Wichita, Kans., of control of such rights through the purchase. Applicants' attorney: John E. Jandera, 641 Harrison Street, Topeka, Kans. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Eads, Colo., and the Colorado-Kansas State line, between Eads, Colo., and Sugar City, Colo., between the Kansas-Colorado State line, near Cokan, Kans., and Tribune, Kans., serving all intermediate points; between Sugar City, Colo., and Pueblo, Colo., serving all intermediate points. Restriction: The service authorized immediately above is restricted against the transportation of traffic moving solely by carrier between (1) Pueblo, Colo., and the Pueblo Ordnance Depot, (2) Pueblo and North Avondale, Colo., and (3) Pueblo and Boone, Colo.; between Oakley and Liberal, Kans., serving Oakley as point of joinder only, between Garden City and Coolidge, Kans., between Saint Francis and Goodland, Kans., serving Goodland as a point of joinder only, between Sharon Springs and Syracuse, Kans., serving Sharon Springs as a point of joinder only, between Lakin and junction Kansas Highway 190 with U.S. Highway 83, south of Sublette, Kans., serving all intermediate points on the above described routes, subject to the restrictions described below, and to the off-route points of Satanta and Sublette, Kans., and those within that area in Kansas bounded by the Kansas-Colorado State line on the west, U.S. Highway 40 on the north, U.S. Highway 83 on the east, and U.S. Highway 50 on the south.

Restriction: Service in the above-described operation is not authorized between Garden City, and Scott City, Kans., or between Garden City, Holcomb, Deerfield, Lakin, Kendall, Mayline, Syracuse, Medway, Coolidge, Sublette, Hickok, Ulysses, Satanta, and Ryus, Kans., or between Liberal, Satanta, Sublette, Ryus, Hickok, and Ulysses, Kans.; between Ulysses, Kans., and Liberal, Kans., serving all intermediate points except Hooker, Okla., and serving the off-route point of Johnson, Kans. Restriction: The service authorized herein is subject to the following conditions: Service at Guymon, Okla., is restricted against the transportation of traffic originating at, destined to, or interchanged at Denver, Colo., service between Ulysses, Johnson, and Hugoton, Kans., is restricted against the transportation of traffic originating at or interchanged at said points, service at Ulysses, Johnson, and Hugoton, Kans., is restricted against the transportation of traffic originating at, or destined to, or interchanged at Scott City, Garden City, intermediate points on U.S. Highway 83 between Scott City and Garden City, Holcomb, Deerfield, Lakin, Kendall, Mayline, Syracuse, Medway, Coolidge, Sublette, Hickok, Satanta, and Ryus, Kans. Vendee is authorized to operate as a *common carrier* in Kansas, Missouri, Colorado, Nebraska, Wyoming, Iowa, Oklahoma, Texas, North Dakota, South Dakota, New Mexico, Arkansas, and Louisiana. Application has been filed for temporary authority under section 210a(b).

By the Commission

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5487; Filed, May 18, 1966; 8:48 a.m.]

[Notice 1349]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 16, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68666. By order of May 12, 1966, the Transfer Board approved the transfer to Charles Offenburger, Canton, Ohio, of permits in Nos. MC-70556 and MC-70556 (Sub-No. 3), issued August 20, 1952, and March 25, 1953, respectively, to Newton Express, Inc., Canton, Ohio, authorizing the transportation of: Paper products, from Canton, Ohio, to Chester, W. Va.; corrugated paper sheets, from Monroe, Mich., to Canton, Ohio; scrap paper, from Canton, Ohio to Monroe, Mich.; corrugated paper products, from Canton, Ohio, to specified counties in Ohio, Pennsylvania, and West Virginia, but not including Chester, W. Va., and Summerville, Pa.; and Pallets used in transporting corrugated paper products, from Summerville, Pa., to Canton, Ohio. Richard H. Brandon, 79 East State Street, Columbus, Ohio, attorney for applicants.

No. MC-FC-68706. By order of May 12, 1966, the Transfer Board approved the transfer to Leslie H. Moland, doing business as Cedarburg Truck Lines, Menomonee, Wis., of the operating rights in certificate No. MC-80433, issued November 12, 1963, to H. T. Moland and Leslie Moland, a partnership, doing business as Cedarburg Truck Line, Cedarburg, Wis., authorizing the transportation, over regular routes, of general commodities, except household goods, commodities in bulk, and other specified commodities, between Cedarburg, Wis., and Milwaukee, Wis. Claude J. Jasper, 111 South Fairchild Street, Madison, Wis., 53703, attorney for applicants.

No. MC-FC-68707. By order of May 12, 1966, the Transfer Board approved the transfer to Lionel G. Clark, Clay Center, Kans., of the operating rights in certificate No. MC-5098, issued July 17, 1953, to Ralph Mabie, Green, Kans., authorizing the transportation, over regular routes, of livestock, from Morganville to Kansas City, and of livestock, feed, paint, glass, sheet metal, windows and doors, tires, antifreeze, and oil and grease in barrels and cases, from Kansas City to Morganville, Kans. Ivan D. Kloppenberg, Post Office Box 56, Clay Center, Kans., 67432, representative for applicants.

No. MC-FC-68715. By order of May 12, 1966, the Transfer Board approved the transfer to Delmar Guisewite, doing business as Mt. Carmel Transfer Co., Mt. Carmel, Ill., of certificate No. MC-65152, issued July 29, 1944, to Delmar Guisewite, Clint Guisewite, and Glenn Schuler, a partnership, doing business as Mt. Carmel Transfer Co., Mt. Carmel, Ill., authorizing the transportation of household goods over irregular routes, between points and places in Wabash County, Ill., on the one hand, and, on the other, points and places in Indiana, Ohio, Missouri, Kentucky, and those in the Lower Peninsula of Michigan. George M. Schafer, 526 Market, Mount Carmel, Ill., 62863, attorney for applicants.

No. MC-FC-68750. By order of May 12, 1966, the Transfer Board approved the transfer to C. A. Shetrom, Inc., Huntingdon, Pa., of the operating rights in permit No. MC-114612 (Sub-No. 1), issued April 6, 1956, and certificates Nos. MC-118893, MC-118893 (Sub-No. 2), and MC-118893 (Sub-No. 10), issued July 21, 1959, October 2, 1964, and April 12, 1966, respectively, to C. A. Shetrom, Huntingdon, Pa., the permit authorizing transportation over irregular routes of firebrick, fire clay, ground silica rock, and fire clay products, from points in Porter Township (Huntingdon County), Pa., to points in Ohio, New Jersey, and Erie County, N.Y., and the certificates authorizing transportation of, among other things, refractory products, over irregular routes, from Clearfield, Pa., and points within 25 miles thereof, to points in Delaware, Maryland, Ohio, Pennsylvania, Virginia, West Virginia, the District of Columbia, points in New York (excluding points in the New York, N.Y., commercial zone), and points in specified New Jersey counties. Dual operations were authorized. John M. Musselman, 400 North Third Street, Post Office Box 46, Harrisburg, Pa., attorney for applicants.

No. MC-FC-68778. By order of May 13, 1966, the Transfer Board approved the transfer to Boehmer Transportation Corp., a corporation, Machias, N.Y., of the operating rights in certificate No. MC-125091, issued April 3, 1964, to Victor F. Diodato, Inc., North Collins, N.Y., authorizing the transportation of: Such bulk commodities as are transported in dump trucks, between points in Pennsylvania and Olean, N.Y., and points within 50 miles thereof. Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y., 14701, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5488; Filed, May 18, 1966; 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 16, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40476—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 147), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in southwestern territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 1 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1403.

FSA No. 40477—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 148), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in southwestern territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 1 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1403.

FSA No. 40478—*Superphosphate to Olathe, Kans.* Filed by O. W. South, Jr., agent (No. A4892), for interested rail carriers. Rates on superphosphate, in bulk, in carloads, subject to minimum of 500,000 pounds per shipment, from points in Florida, to Olathe, Kans.

Grounds for relief—Rail-barge-rail competition.

Tariff—Supplement 49 to Southern Freight Association, agent, tariff ICC S-415.

FSA No. 40479—*Chlorine to Catawba, S.C.* Filed by O. W. South, Jr., agent (No. A4893), for interested rail carriers. Rates on chlorine, in tank carloads, from Saltville, Va., to Catawba, S.C.

Grounds for relief—Market competition.

Tariff—Supplement 51 to Southern Freight Association, agent, tariff ICC S-517.

FSA No. 40480—*Liquid caustic soda to Catawba, S.C.* Filed by O. W. South, Jr., agent (No. A4894), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, from Saltville, Va., to Catawba, S.C.

Grounds for relief—Market competition.

Tariff—Supplement 51 to Southern Freight Association, agent, tariff ICC S-517.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5489; Filed, May 18, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3718 6567
3719 6607
3720 6679
3721 6817
3722 6855
3723 6945
3724 7027
3725 7107

EXECUTIVE ORDER:
8389 (see EO 11281) 7215
9989 (superseded by EO 11281) 7215
10348 (superseded by EO 11281) 7215
10644 (amended by EO 11281) 7215
11917 (superseded by EO 11278) 6681
11069 (superseded by EO 11278) 6681
11218 (superseded by EO 11278) 6681
11277 6609
11278 6681
11279 6947
11280 7167
11281 7215

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 6857

5 CFR

213 6769, 6859, 6903, 6949, 7169
630 7279
772 6569, 6949

6 CFR

70 7029

7 CFR

7 6569
50 6570
51 7169
68 6629
701 6957, 7169
718 6859
719 7030
722 6573, 6580, 6859
724 6819
729 6581, 6957
813 6819
815 6860
905 6958
908 6825, 7030, 7109
909 6825, 7109
910 6826, 7110
917 7241, 7242
918 6958
944 6959
959 6860
965 7243
980 6629
1098 6581
1099 6861, 7110
1421 6904, 7243
1427 6861, 7110
1434 6582
1490 6862

7 CFR—Continued

Page

PROPOSED RULES:
52 6871, 7185
58 6715
905 7286, 7287
916 6871
965 6592
1032 6631
1038 7061
1039 7061
1050 6631
1065 6873
1068 7129
1099 7129
1125 7062
1126 6631
1133 6986

8 CFR

204 7217
214 6611, 7170

9 CFR

76 7029

12 CFR

1 6826, 6905
10 6949
11 6950
12 6952
13 6953
14 6954
15 6955
16 6955
208 7224
220 7169
522 6905
524 6905

14 CFR

39 6582, 6685, 6790, 6959, 7031, 7111, 7170, 7279.
71 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172, 7217, 7279.
73 6893, 7032, 7112, 7217
75 7280
95 7112
97 6612, 6685, 6828, 6894, 7218
137 6685
151 6686
208 6620
223 6584
320 6585
378 6621

PROPOSED RULES:
37 7084
39 7148
71 6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187.
75 7085
105 6988
121 6592
246 6985

15 CFR

30 6587
369 7037
372 7038
373 6707, 7038

15 CFR—Continued

Page

374 6707
377 6707
379 6709
382 6707, 6709, 7038
384 6709, 6864
385 6709
399 6707, 6709, 6829, 6866, 7038

16 CFR

13 7056–7059
15 6866, 6906, 7225, 7281
59 6960

17 CFR

200 6588
240 6705, 6706

PROPOSED RULES:
240 7289
249 7289

18 CFR

260 7226
601 7114
606 7127

PROPOSED RULES:
141 7287

19 CFR

1 6611
10 6769

PROPOSED RULES:
1 6871
20 6908

20 CFR

404 6611

PROPOSED RULES:
405 7131, 7143

21 CFR

8 7172, 7227
10 7227
120 7172
121 6830, 7173, 7227, 7228, 7281, 7282
131 6705, 6906
146c 6830
146e 7228
148 7173
166 7174
191 6622

PROPOSED RULES:
51 6792
121 7245
133 7185
166 7245

24 CFR

200 6866

25 CFR

221 7283

26 CFR

1 6589, 6966
31 6589, 7183

PROPOSED RULES:
1 6966

28 CFR

0 6867

29 CFR

548 6769
800 6770

31 CFR

Page

90 6960
202 6590
316 6831
332 6686, 6831

32 CFR

43 7228
300 6831
706 6962
1472 6906
1810 6962, 7175

32A CFR

BDSA (Ch. VI):
BDSA Reg. 2 6590
M–11A 7036

33 CFR

202 7284
203 6907, 7175, 7284
207 6590, 6622, 6867
208 6707

35 CFR

255 6831

37 CFR

1 7284
2 7284

38 CFR

2 6770
9 7175
21 6771

39 CFR

PROPOSED RULES:
21 6715
24 6715

41 CFR

Page

6–1 6622
6–2 6623
6–3 6623
6–5 6624
6–7 6624
6–11 6624
6–30 6624
6–60 6625
8–7 7178
8–12 7179
9–12 6907
22–60 6625
101–19 7234
101–26 6963, 7234
101–45 6831

42 CFR

55 7128
81 7128

43 CFR

PUBLIC LAND ORDERS:
3977 (amended by PLO 4000) 6868
3999 6907
4000 6868

PROPOSED RULES:
1727 6984
2221 6985
3130 6834
3160 6836

45 CFR

90 7128
171 7128
177 6591
801 6591

46 CFR

309 6891
500 7180

46 CFR—Continued

Page

PROPOSED RULES:
290 7131
510 6792, 7248
512 6838
513 6838

47 CFR

0 6627, 6831
1 6831, 6868
2 7235
73 6627, 6628, 6868, 7238
91 7235
95 7235

PROPOSED RULES:
2 6909, 7086
73 6637, 6638, 6792, 6838, 6874, 7086, 7246
87 6909, 7086

48 CFR

16 7032
17 7033
18 7034
19 7034

49 CFR

71–79 6591
95 6832
142 6964
188 6964

PROPOSED RULES:
178 7287, 7288

50 CFR

33 6629, 6832, 6869, 6893, 6964, 7225, 7226, 7285.
60 6833

PROPOSED RULES:
32 7061
34 7286
271 7244

98

DETROIT PUBLIC LIBRARY MAY 25 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 98

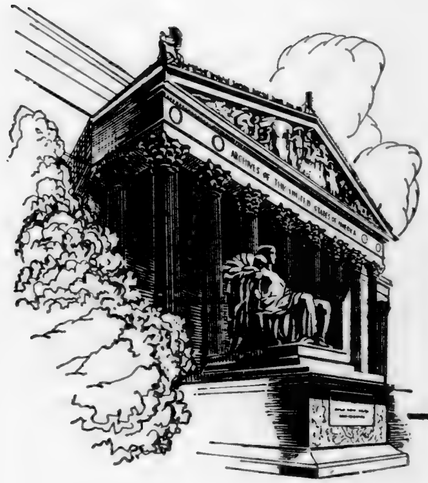
Friday, May 20, 1966 • Washington, D.C.

Pages 7329–7369

Agencies in this issue—

Agriculture Department
Alien Property Office
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Engineers Corps
Federal Aviation Agency
Federal Home Loan Bank Board
Federal Power Commission
Federal Trade Commission
Food and Drug Administration
Foreign Assets Control Office
Housing and Urban Development Department
Indian Affairs Bureau
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Park Service
Saint Lawrence Seaway Development Corporation
Securities and Exchange Commission
Veterans Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

3

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 7—Agriculture (Parts 945–980) (Revised)
$0.70

Title 32A—National Defense, Appendix (Revised)
$1.00

Title 46—Shipping (Parts 150–199) (Revised)
$1.25

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURE DEPARTMENT
See also Consumer and Marketing Service.
Notices
Colorado; designation of areas for emergency loans ... 7357

ALIEN PROPERTY OFFICE
Rules and Regulations
Blocked assets; cross reference ... 7348

ARMY DEPARTMENT
See Engineers Corps.

CIVIL AERONAUTICS BOARD
Notices
Accident at Ardmore, Okla.; notice of hearing ... 7360

CIVIL SERVICE COMMISSION
Rules and Regulations
Entire executive civil service; excepted service ... 7351

COMMERCE DEPARTMENT
See Maritime Administration.

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Plums grown in California; regulation by sizes (2 documents) ... 7348

DEFENSE DEPARTMENT
See Engineers Corps.

ENGINEERS CORPS
Rules and Regulations
St. Marks River, Fla.; bridge regulations ... 7350

FEDERAL AVIATION AGENCY
Rules and Regulations
Airworthiness directives; Piper Model PA-30 airplanes ... 7351
Alterations:
Federal airways (2 documents) ... 7351, 7352
Transition areas (2 documents) ... 7352
Proposed Rule Making
Airworthiness directives:
General Dynamics Model 340 airplanes ... 7354
Vickers Viscount Model 744 and 745D series airplanes ... 7354

FEDERAL HOME LOAN BANK BOARD
Proposed Rule Making
Federal Home Loan Bank System; holdings of cash and obligations of the United States by members ... 7354
Federal Savings and Loan Insurance Corporation:
Cash ... 7356
Required amounts and maintenance of Federal insurance reserve ... 7356
Federal Savings and Loan System:
Cash and Government obligations ... 7355
Distribution of earnings at variable rates ... 7355
Notices
Policy statements:
Advances by Federal home loan banks ... 7360
Advances to meet withdrawals ... 7361
Continued inclusion of time deposits as cash ... 7362
Federal Home Loan Bank credit for California and Nevada member institutions ... 7361
General policy on advances ... 7362
Use of five percent six months savings account certificates ... 7361

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Sorrells, Ray D., et al ... 7364
Tenneco Oil Co., et al. (3 documents) ... 7362, 7364, 7365

FEDERAL TRADE COMMISSION
Rules and Regulations
Administrative opinions and rulings:
Cooperative advertising plan with no ceiling on suppliers' payments ... 7349
Furnishing and servicing projection equipment in grocery outlets ... 7349

FOOD AND DRUG ADMINISTRATION
Proposed Rule Making
Medicated premixes; manufacturing practices and controls; correction ... 7354

FOREIGN ASSETS CONTROL OFFICE
Rules and Regulations
Foreign funds control regulations ... 7333
Notices
Importation of certain merchandise; available certifications:
Republic of Indonesia ... 7357
Taiwan ... 7357

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT
Notices
Acting Regional Director of Administration, Region I (New York); designation ... 7357
Delegations or redelegations of authority:
Assistant Secretary for Metropolitan Development and Deputy Assistant Secretary for Metropolitan Development ... 7358
Deputy Director, Office of Transportation ... 7360
Director, Urban Transportation Administration and Deputy Director, Urban Transportation Administration ... 7360
Regional Administrators and Deputy Regional Administrators ... 7359
Regional Director of Community Facilities, Region VII (San Juan, Puerto Rico) (2 documents) ... 7358

INDIAN AFFAIRS BUREAU
Proposed Rule Making
Leasing and permitting ... 7353

INTERIOR DEPARTMENT
See Indian Affairs Bureau; Land Management Bureau; National Park Service.

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section applications for relief ... 7367
Motor carrier; transfer proceedings ... 7367

JUSTICE DEPARTMENT
See Alien Property Office.

LAND MANAGEMENT BUREAU
Rules and Regulations
Public land orders:
Colorado (2 documents) ... 7350, 7351
Nevada ... 7350

MARITIME ADMINISTRATION
Notices
American Export Isbrandtsen Lines, Inc.; application for approval of cruises ... 7357

(Continued on next page)

CONTENTS

NATIONAL PARK SERVICE

Notices

Supervisory Historian et al., Fort Laramie National Historic Site; delegation of authority 7357

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Proposed Rule Making

Tolls schedule; change in date of hearing 7356

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:

Pennsylvania Electric Co 7366

VTR, Inc 7366

TREASURY DEPARTMENT

See Foreign Assets Control Office.

VETERANS ADMINISTRATION

Rules and Regulations

Contract clauses and labor; miscellaneous amendments 7350

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

EXECUTIVE ORDER:

July 2, 1910 (revoked in part by PLO 4003) 7351

5 CFR

213 7351

7 CFR

917 (2 documents) 7348

8 CFR

511 7348

12 CFR

PROPOSED RULES:

523 7354

545 (2 documents) 7355

561 7356

563 7356

14 CFR

39 7351

71 (4 documents) 7351, 7352

PROPOSED RULES:

39 (2 documents) 7354

16 CFR

15 (2 documents) 7349

21 CFR

PROPOSED RULES:

133 7354

25 CFR

PROPOSED RULES:

131 7353

31 CFR

520 7333

33 CFR

203 7350

PROPOSED RULES:

402 7356

41 CFR

8–7 7350

8–12 7350

43 CFR

PUBLIC LAND ORDERS:

4001 7350

4002 7350

4003 7351

Rules and Regulations

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 520—FOREIGN FUNDS CONTROL REGULATIONS

The Foreign Funds Control Regulations which follow were first issued on April 10, 1940, under the authority of section 5(b) of the Trading With the Enemy Act and Executive Order 8389 of April 10, 1940, as amended. They were originally administered by the Secretary of the Treasury. Responsibility for their administration was transferred after World War II, effective October 1, 1948, to the Attorney General (Office of Alien Property) Department of Justice, by Executive Order 9989 of August 20, 1948 (13 F.R. 4891; 3 CFR, 1948 Supp.) and retransferred in connection with the abolition of that office on June 30, 1966, to the Secretary of the Treasury (Office of Foreign Assets Control) by Executive Order 11281 of May 13, 1966. The retransfer did not represent any change in licensing policies under the Foreign Funds Control Regulations. All matters relating to the World War II vesting program remain in the Department of Justice. The Foreign Funds Control Regulations, which were codified while administered by the Office of Alien Property under 8 CFR, Part 511, are now codified in Part 520 of this title.

As a result of general licenses in the Regulations (cf. §§ 520.94 and 520.101) issued during and after World War II, there are no countries or nationals currently blocked under Executive Order 8389 or the Foreign Funds Control Regulations. The controls are now limited in application to property of the following countries or their nationals acquired by such countries or their nationals on or before the dates listed for each country.

Hungary	Jan. 1, 1945.
Czechoslovakia	Dec. 7, 1945.
Estonia	Do.
Latvia	Do.
Lithuania	Do.
Germany (except the Federal Republic of Germany, the city of Berlin (Western Sectors) or the Saar).	Dec. 31, 1946.

The Foreign Funds blocking controls also continue to apply to the scheduled securities listed in §§ 520.205 and 520.205b hereof.

(Attention is directed to the Foreign Assets Control Regulations (31 CFR Part 500) and the Cuban Assets Control Regulations (31 CFR Part 515) which do currently block certain countries and their nationals.)

Revocations and Amendments. In this republication of the Foreign Funds Control Regulations, all sections of Title 8 CFR, Part 511 are superseded by the corresponding section numbers of Title 31 CFR, Part 520.

Due to their having become obsolete or because of the retransfer of the responsibility for their administration from the Attorney General (Office of Alien Property, Department of Justice) to the Secretary of the Treasury (Office of Foreign Assets Control), the following sections of the Foreign Funds Control Regulations formerly codified in 8 CFR, Part 511 and now in 31 CFR, Part 520 are hereby revoked, amended or added:

I. *Sections revoked.*

Sec.	
511.02	Licenses.
511.13	General License No. 13.
511.13a	General License No. 13A.
511.28	General License No. 28.
511.29	General License No. 29.
511.37	General License No. 37.
511.42	General License No. 42.
511.44	General License No. 44.
511.51	General License No. 51.
511.72a	General License No. 72A.
511.85	General License No. 85.
511.89	General License No. 89.
511.99	General License No. 99.
511.100	General License No. 100.
511.201	General Ruling No. 1.
511.202	General Ruling No. 2.
511.208	General Ruling No. 8.
511.211	General Ruling No. 11.
511.211a	General Ruling No. 11A.
511.213	General Ruling No. 13.
511.218	General Ruling No. 18.
511.302	Public Circular No. 2.
511.303	Public Circular No. 3.
511.308	Public Circular No. 8.
511.308a	Public Circular No. 8A.
511.310	Public Circular No. 10.
511.314	Public Circular No. 14.
511.315	Public Circular No. 15.
511.318	Public Circular No. 18.
511.318a	Public Circular No. 18A.
511.320	Public Circular No. 20.
511.325	Public Circular No. 25.
511.326	Public Circular No. 26.
511.329	Public Circular No. 29.
511.332	Public Circular No. 32.
511.333	Public Circular No. 33.
511.336	Public Circular No. 36.
511.401	General License No. H–1.
511.510	Public Circular No. H–10.

II. *Certain paragraphs and subparagraphs revoked.*

Sec.	
511.2	General License No. 2, paragraph (b).
511.4	General License No. 4, paragraphs (b) and (c).
511.11	General License No. 11, paragraph (c).
511.30a	General License No. 30A, paragraph (g).
511.33	General License No. 33, paragraphs (d) and (e).
511.74	General License No. 74, paragraphs (b) and (c).
511.86	General License No. 86, paragraphs (a)(2) and (b).
511.94	General License No. 94, paragraphs (c), (d), and (f).
511.101	General License No. 101, paragraph (d).
511.102	General License No. 102, paragraph (d).
511.204	General Ruling No. 4, paragraphs 5 and 6.
511.321	Public Circular No. 21, paragraph (b)(2).
511.331	Public Circular No. 31, paragraph (e).

III. *Section amended.* (1) All sections which contain an internal reference to a section or sections of the Foreign Funds Control Regulations as formerly codified in 8 CFR, Part 511 are amended by the substitution wherever such section number or numbers appear of Part 520 of this title for Part 511 of title 8 before the corresponding section number (e.g., §§ 520.205 for 511.205).

(2) With the exception of §§ 520.1, 520.101, 520.102 and 520.204, all sections which contain references to "foreign country (or countries) designated in Executive Order 8389, as amended" are amended by the substitution of the words "country (or countries) listed in § 520.101(a)(1)" for such references. Except as noted above, all sections which contain references to "blocked country" are amended by the substitution of the words "country listed in § 520.101(a)(1)" for such references.

(3) Section 511.1 (now § 520.1) is amended to delete the reference to blocked countries and nationals and substitute foreign countries and nationals.

(4) Section 511.30 (now § 520.30) is amended to insert the words "of an infant or incompetent" after "estate" and before "administered in the United States" in the first paragraph.

(5) Section 511.33(b) (now § 520.33(b)) is amended to delete the restrictions on the method of effecting remittances.

(6) Section 511.74, paragraph (a) (now § 520.74(a)) is amended to remove all restrictions under the order on the property of U.S. citizens.

(7) Section 511.86 paragraph (a)(3) (now § 520.86(a)(3)) is amended to permit the transactions licensed thereunder to be effected in any situation not involving a payment from a blocked account.

(8) Section 511.94 paragraph (b) (now § 520.94(b)) is amended by the deletion of the proviso clause at the end thereof.

(9) Section 511.98 paragraph (a)(5)(ii) (now § 520.98(a)(5)(ii)) is amended by the substitution of the words therein "Foreign Assets Control" for "Alien Property."

(10) Section 511.101 paragraph (a) (now § 520.101(a)) is amended by the deletion of the introductory phrase "Notwithstanding Section 511.211 (a) (General Ruling No. 11A)."

(11) Section 511.102 paragraph (a) (now § 520.102(a)) is amended by the deletion of the introductory phrase "Notwithstanding Section 511.211(a) (General Ruling No. 11A)."

(12) Section 511.203 (now § 520.203) is amended by the deletion of the final sentence thereof.

(13) Section 511.204 paragraph (a) (8), (now § 520.204(a)(8)) is amended by the deletion in the second sentence thereof of the words "free dollar accounts of the type referred to in § 511.32, or." Paragraph (a)(16) (now § 520.204(a)(16)) is amended by deleting the last four words and substituting therefor the words "Executive Order 8389, as amended, and these Regulations."

(14)(i) Section 511.205 paragraphs (a), (e3 and e5), and (f) (now § 520.205 (a), (e3 and e5), and (f)) are amended by the deletion of the words "Alien Property, Department of Justice" wherever they appear and the substitution therefor of the words "Foreign Assets Control, Treasury Department."

(ii) Section 511.205b paragraphs (a), (e3 and e5), and (f) (now § 520.205b(a), (e3 and e5), and (f)) are amended by the deletion of the words "Alien Property, Department of Justice" wherever they appear and the substitution therefor of the words "Foreign Assets Control, Treasury Department."

(15) Section 511.207 (now § 520.207) is amended by the deletion of the words "currency and".

(16) Section 511.212a paragraph (a) (3) (now § 520.212a(a)(3)) is amended by the substitution of the words "Office of Foreign Assets Control, Treasury Department, Washington, D.C." for the words "appropriate Federal Reserve Bank" and by the deletion of the words "on Form TFR–12A."

(17) Section 511.216 paragraph (b) (1)(ii) (now § 520.216(b)(1)(ii)) is amended by the deletion of the final paragraph. Paragraph (b)(2) is amended by the deletion in the first sentence of the words in parentheses "(except an agent or representative of the Office of the Alien Property Custodian)"; by the deletion of the final three sentences and by the substitution of the words "Office of Foreign Assets Control, Treasury Department, Washington, D.C." for the words "Federal Reserve Bank of the district in which the box is located."

(18) Section 511.220 paragraphs (a) and (b) (now § 520.220 (a) and (b)) are amended by the deletion of the reference therein to General License 1A.

(19) Section 511.321 paragraph (b) (now § 520.321(b)) is amended by the deletion of the references to General License No. 1A in the caption.

(20) Section 511.331 paragraph (a) (now § 520.331(a)) is amended by the deletion of the final two sentences; paragraph (f) (now § 520.331(f)) is amended by the deletion of the introductory clause and by the words "German or Japanese" before the final word "property."

IV. *Section 511.03 (now § 520.701) is transferred to Subpart G.*

V. *Sections added.* 1. Sections 520.601 and 520.602: The records and reports requirements contained in Executive Order 8389, as amended, Section 4 (A) and (B) are added as §§ 520.601 and 520.602.

2. Sections 520.801 to 520.807 (Subpart H—Procedures) are added to publish Foreign Assets Control policies and procedures pursuant to section 3 of the Administrative Procedure Act.

As amended and recodified, the Foreign Funds Control Regulations shall read as follows:

Subpart A—Regulations

Sec.
520.01 Definitions.
520.04 Relation of Part 520 to other laws and regulations.

Subpart B—General Licenses

520.1 General License No. 1.
520.2 General License No. 2.
520.4 General License No. 4.
520.5 General License No. 5.
520.11 General License No. 11.
520.25 General License No. 25.
520.26 General License No. 26.
520.27 General License No. 27.
520.30 General License No. 30.
520.30a General License No. 30A.
520.33 General License No. 33.
520.74 General License No. 74.
520.86 General License No. 86.
520.87 General License No. 87.
520.94 General License No. 94, as amended.
520.98 General License No. 98.
520.101 General License No. 101.
520.102 General License No. 102.

Subpart C—General Rulings

520.203 General Ruling No. 3.
520.204 General Ruling No. 4.
520.205 General Ruling No. 5.
520.205b General Ruling No. 5B.
520.207 General Ruling No. 7.
520.212 General Ruling No. 12.
520.212a General Ruling No. 12A.
520.216 General Ruling No. 16.
520.220 General Ruling No. 20.

Subpart D—Public Circulars

520.321 Public Circular No. 21.
520.331 Public Circular No. 31.
520.335 Public Circular No. 35.
520.340 Public Circular No. 40.

Subpart F—Reports and Records

520.601 Records.
520.602 Reports to be furnished on demand.

Subpart G—Penalties

520.701 Penalties.

Subpart H—Procedures

520.801 Licensing.
520.802 Unblocking.
520.803 Decision.
520.804 Records and Reporting.
520.805 Amendment, modification or revocation.
520.806 Rule making.
520.807 Delegation by the Secretary of the Treasury.

AUTHORITY: The provisions of this part 520 issued under § 5, 40 Stat. 415, as amended, 50 U.S.C. App. 5; E.O. 8389, Apr. 10, 1940, 5 F.R. 1400, as amended by E.O. 8785, June 14, 1941, 6 F.R. 2897, E.O. 8832, July 26, 1941, 6 F.R. 3715, E.O. 8963, Dec. 9, 1941, 6 F.R. 6348, E.O. 8998, Dec. 26, 1941, 6 F.R. 6785, E.O. 9193, July 6, 1942, 7 F.R. 5205; 3 CFR, 1943 Cum. Supp.; E.O. 10348, Apr. 26, 1952, 17 F.R. 3769, 3 CFR, 1952 Supp., p. 75; E.O. 11281, May 13, 1966.

Subpart A—Regulations

§ 520.01 Definitions.

(a) The term "order" shall refer to Executive Order 8389 of April 10, 1940 (3 CFR, 1943 Cum. Supp.), as amended.

(b) The term "regulations" shall refer to the regulations in this part.

(c) The terms "property" and "property interest" or "property interests" shall include, but not by way of limitation, money, checks, drafts, bullion, bank deposits, savings accounts, any debts, indebtedness or obligations, financial securities commonly dealt in by bankers, brokers, and investment houses, notes, debentures, stocks, bonds, coupons, bankers' acceptances, mortgages, pledges, liens or other rights in the nature of security, warehouse receipts, bills of lading, trust receipts, bills of sale, any other evidences of title, ownership or indebtedness, goods, wares, merchandise, chattels, stocks on hand, ships, goods on ships, real estate mortgages, vendors' sales agreements, land contracts, real estate and any interest therein, leaseholds, ground rents, options, negotiable instruments, trade acceptances, royalties, book accounts, accounts payable, judgments, patents, trademarks, copyrights, contracts or licenses affecting or involving patents, trademarks or copyrights, insurance policies, safe deposit boxes and their contents, annuities, pooling agreements, contracts of any nature whatsoever, et cetera.

(d) Safe deposit boxes shall be deemed to be in the "custody" not only of all persons having access thereto but also of the lessors of such boxes whether or not such lessors have access to such boxes. The foregoing shall not in any way be regarded as a limitation upon the meaning of the term "custody."

(e) For the meaning of other terms reference should be made to the definitions contained in the order. In interpreting rulings, licenses, instructions, etc., issued pursuant to the order and regulations, particular attention is directed to the provisions of General Ruling No. 4 (§ 520.204), as from time to time hereafter amended.

§ 520.04 Relation of this Part 520 to other laws and regulations.

(a) This Part 520 is independent of Parts 500, 505, and 515 of this chapter. The prohibitions contained in Part 520 are in addition to the prohibitions contained in Parts 500, 505, and 515.

(b) The regulations in Part 520 and any rulings, licenses or instructions issued hereunder shall not be deemed to authorize any transaction prohibited by reason of regulations in any other part or pursuant to any other order, proclamation, or regulation, other than Executive Order 8389, as amended.

(c) No license or authorization contained in or issued pursuant to regulations in any other part shall be deemed to authorize any transaction prohibited by Executive Order 8389, as amended, nor shall any license or authorization issued pursuant to any other provision of law be deemed to authorize any transaction so prohibited.

Subpart B—General Licenses

§ 520.1 General License No. 1.

A general license is hereby granted authorizing any payment or transfer of credit from a blocked account to a blocked account in a domestic bank providing the following terms and conditions are complied with:

(a) Such payment or transfer shall not be made:

(1) From any blocked account in a domestic bank; or

(2) From any other blocked account if such payment or transfer represents, directly or indirectly, a transfer of interest from a foreign country or national thereof to any other country or person.

(b) This general license shall not be deemed to authorize:

(1) Any payment or transfer to any blocked account held in a name other than that of the foreign country or national thereof who is the ultimate beneficiary of such payment or transfer; or

(2) Any foreign exchange transaction including, but not by way of limitation, any transfer of credit, or payment of an obligation, expressed in terms of the currency of any foreign country.

This general license should not be employed to make any payment or transfer of credit comprising an integral part of a transaction which cannot be effected without the subsequent issuance of a further license.

CROSS REFERENCES: For additional material relating to § 520.1, see § 520.321. For general ruling with respect to payments or transfers between blocked accounts, see § 520.220.

§ 520.2 General License No. 2.

(a) A general license is hereby granted:

(1) Authorizing any banking institution within the United States to debit any blocked account with such banking institution (or with another office within the United States of such banking institution) in payment or reimbursement for normal service charges owed to such banking institution by the owner of such blocked account;

(2) Authorizing any banking institution within the United States to make book entries against any foreign currency account maintained by it with a banking institution in any foreign country for the purpose of responding to debits to such account for normal service charges in connection therewith.

(b) [Reserved]

(c) As used in this general license, the term "normal service charges" shall include charges in payment or reimbursement for interest due; cable, telegraph, or telephone charges; postage costs; custody fees; small adjustment charges to correct bookkeeping errors; and, but not by way of limitation, minimum balance charges, account carrying charges, notary and protest fees, and charges for reference books, photostats, credit reports, transcripts of statements, registered mail insurance, stationery and supplies, checkbooks, and other similar items.

§ 520.4 General License No. 4.

(a) A general license is hereby granted authorizing the bona fide sale of securities excepted from § 520.101 on a national securities exchange by banking institutions within the United States and the making and receipt of payments, transfers of credit, and transfers of such securities which are necessary incidents of any such sale; *Provided*, That:

(1) The proceeds of the sale are credited to a blocked account in the name of the national for whose account the sale was made and in the banking institution within the United States which held the securities for such national; and

(2) This general license shall not be deemed to authorize the sale of any security excepted from § 520.101 registered or inscribed in the name of any of the foreign countries listed in § 520.101(a)(1) or any national thereof, irrespective of the fact that at any time (whether prior to, on, or subsequent to April 10, 1940) the registered or inscribed owner thereof may have, or appears to have, assigned, transferred or otherwise disposed of the security.

(b) [Reserved]

(c) [Reserved]

(d) Securities issued or guaranteed by the Government of the United States or any state, territory, district, county, municipality or other political subdivision thereof (including agencies and instrumentalities of the foregoing) need not be sold on a national securities exchange: *Provided*, That such securities are sold at market value and pursuant to all other terms and conditions prescribed in this general license.

§ 520.5 General License No. 5.

A general license is hereby granted authorizing the payment from any blocked account to the United States or any agency or instrumentality thereof or to any state, territory, district, county, municipality or political subdivision in the United States, of customs duties, taxes, and fees payable thereto, by the owner of such blocked account.

§ 520.11 General License No. 11.

(a) *Certain payments for living expenses from certain blocked accounts authorized.* A general license is hereby granted authorizing payments and transfers of credit in the United States from blocked accounts in domestic banking institutions held in the name of an individual within the United States to or upon the order of such individual: *Provided*, That:

(1) Such payments and transfers of credit are made for the living, traveling, and similar personal expenses in the United States of such individual or his family; and

(2) The total of all such payments and transfers of credit made under this general license from the accounts of such individual does not exceed $250 in any one calendar month.

(b) *Duty of banking institutions acting under this license.* Banking institutions effecting any such payment or transfer of credit shall satisfy themselves that the terms of this license are complied with.

(c) [Reserved]

§ 520.25 General License No. 25.

A general license is hereby granted exempting all transactions from the provisions of section 2A(1) of the order.

§ 520.26 General License No. 26.

A general license is hereby granted under section 2A(2) of Executive Order 8389, of April 10, 1940, as amended, authorizing the acquisition by, or transfer to, any person within the United States of any interest in any American Depositary Receipt or American Share physically situated within the United States representing any security or evidence thereof not physically situated within the United States which Receipt or Share was admitted to dealings on a national securities exchange on and prior to July 25, 1940: *Provided, however*, That this general license shall not be deemed to authorize the issuance of American Depositary Receipts or American Shares against the deposit after July 25, 1940 of any security or evidence thereof not physically situated within the United States: *And Provided*, That this general license shall not be deemed to authorize any transaction prohibited by reason of any provision (or ruling or regulation thereunder) of such order other than section 2A(2).

§ 520.27 General License No. 27.

A general license is hereby granted authorizing:

(a) The payment to, and receipt by, a banking institution within the United States of funds or other property representing dividends or interest on securities held by such banking institution in a blocked account: *Provided*, That the funds or other property are credited to or deposited in a blocked account in the name of the national for whose account the securities were held, and in the banking institution within the United States which held such securities; and

(b) The payment to, and receipt by, a banking institution within the United States of funds payable in respect of securities (including coupons) excepted from § 520.101 presented by such banking institution to the proper paying agents within the United States for redemption or collection for the account and pursuant to the authorization of nationals of any country listed in § 520.101(a)(1): *Provided*, That:

(1) The proceeds of the redemption or collection are credited to a blocked account in the name of the national for whose account the redemption or collection was made and in the banking institution within the United States which held the securities for such national; and

(2) This general license shall not be deemed to authorize the presentment for redemption of any security excepted from § 520.101 registered or inscribed in the name of any country listed in § 520.101(a)(1), or any national thereof, irrespective of the fact that at any time (whether prior to, on, or subsequent to

April 10, 1940), the registered or inscribed owner thereof may have, or appears to have, assigned, transferred or otherwise disposed of the security; and

(c) The performance of such other acts, and the effecting of such other transactions, as may be necessarily incident to any of the foregoing.

This general license shall not be deemed to authorize any payment, transfer or withdrawal from a blocked account in which the issuer of, or other obligor with respect to, a security has an interest if such issuer or obligor is a country listed in § 520.101(a)(1) or national thereof.

§ 520.30 General License No. 30.

A general license is hereby granted authorizing any bank or trust company incorporated under the laws of the United States or of any state, territory or district of the United States, or any private bank subject to supervision and examination under the banking laws of any state of the United States, acting as trustee of any trust administered in the United States or as legal representative of any estate of an infant or incompetent administered in the United States, in which trust or estate one or more persons who are nationals of one of the foreign countries listed in § 520.101(a)(1) have an interest, beneficial or otherwise, or are cotrustees or corepresentatives, to engage in the following transactions:

(a) Payments of distributive shares of principal or income to all persons legally entitled thereto who are not nationals of any of the foreign countries listed in § 520.101(a)(1); and

(b) Other transactions arising in the administration of such trust or estate which might be engaged in if no national of any of the foreign countries listed in § 520.101(a)(1) were a beneficiary, cotrustee or corepresentative of such trust or estate: *Provided, however,* That this section shall not be deemed to authorize such trustee or legal representative to engage in any transaction at the request, or upon the instructions, of any beneficiary, cotrustee or corepresentative of such trust or estate or other person who is a national of any of the foreign countries listed in § 520.101(a)(1).

§ 520.30a General License No. 30A.

(a) A general license is hereby granted authorizing all transactions incident to the administration of the assets situated within the United States of any blocked estate in which any one of the following conditions is present:

(1) The estate is blocked solely by reason of an interest therein of a person other than the decedent; or

(2) [Reserved]

(3) The gross value of the assets within the United States does not exceed $5,000:

Provided, however, That any property paid or distributed to a national of a country listed in § 520.101(a)(1) pursuant to this general license shall be subject to all the provisions of the order: *And provided further,* That any payment or distribution of any funds, securities or other choses in action to a national of a country listed in § 520.101(a)(1) shall be made by deposit in a blocked account in a domestic bank or with a public officer, agency, or instrumentality designated by a court having jurisdiction of the estate (i) in the name of the national who is the ultimate beneficiary thereof; (ii) in the name of a person who is not a national of a country listed in § 520.101(a)(1) in trust for the national who is the ultimate beneficiary; or (iii) under any other designation which clearly shows the interest therein of such national.

(b) This general license also authorizes all transactions incident to the following limited acts of administration of the assets situated within the United States of any other blocked estate:

(1) The appointment and qualification of a personal representative;

(2) The collection and preservation of such assets by such personal representative and the payment of all costs, fees and charges in connection therewith; and

(3) The payment by such personal representative of funeral expenses and expenses of the last illness.

(c) This general license shall not be deemed to authorize:

(1) Any national of a country listed in § 520.101(a)(1) to act as personal representative or corepresentative of any estate;

(2) Any national of a country listed in § 520.101(a)(1) to represent, directly or indirectly, any person who has an interest in an estate;

(3) Any transaction, directly or indirectly, at the request or upon the instructions of any national of a country listed in § 520.101(a)(1); or

(4) Any transaction which could not be effected if no national of a country listed in § 520.101(a)(1) had any interest in such estate.

(d) As used in this general license, the term "blocked estate" shall mean any decedent's estate in which a national of a country listed in § 520.101(a)(1) has an interest. A person shall be deemed to have an interest in a decedent's estate if he (1) was the decedent; (2) is a personal representative; or (3) is a creditor, heir, legatee, devisee, distributee, or beneficiary.

(e) This general license authorizes all transactions incident to the collection, conservation, administration, liquidation, and distribution of any blocked estate engaged in since the effective date of the order, provided such transactions comply with the terms and conditions of this general license.

(f) Any transfer or other dealing in any property authorized under this general license shall not be deemed to limit or restrict the exercise of any power or authority under section 5(b) of the Trading With the Enemy Act, as amended.

(g) [Reserved]

§ 520.33 General License No. 33.

(a) *Certain remittances to U.S. citizens in foreign countries authorized.* A general license is hereby granted authorizing remittances by any person through any domestic bank to any individual who is a citizen of the United States within any foreign country and any domestic bank is authorized to effect such remittances, provided the following terms and conditions are complied with:

(1) Such remittances do not exceed $1,000 in any one calendar month to any payee and his household and are made only for the necessary living and traveling expenses of the payee and his household, except that an additional sum not exceeding $1,000 may be remitted once to such payee if such sum will be used for the purpose of enabling the payee or his household to return to the United States;

(2) Such remittances are not made from a blocked account other than from an account in a banking institution within the United States in the name of, or in which the beneficial interest is held by, the payee or members of his household.

(b) *Methods of effecting remittances.* Remittances authorized in this section may be effected in free dollars.

(c) *Duty of persons and domestic banks acting under this section.* All persons making such remittances and all domestic banks effecting such remittances shall satisfy themselves that the foregoing terms and conditions are complied with.

(d) [Reserved]

(e) [Reserved]

§ 520.74 General License No. 74.

(a) *Certain U.S. citizens licensed as generally licensed nationals.* A general license is hereby granted licensing as a generally licensed national any citizen of the United States who is within any foreign country and who is a national of a country listed in § 520.101(a)(1).

(b) [Reserved]

(c) [Reserved]

§ 520.86 General License No. 86.

(a) A general license is hereby granted authorizing the following transactions:

(1) The payment of premiums and interest on policy loans with respect to any blocked life insurance policy;

(2) [Reserved]

(3) The issuance, servicing or transfer of any blocked life insurance policy in which the only blocked interest is that of a beneficiary:

Provided, however, That this paragraph does not authorize (i) any payment from any blocked account except a blocked account of the insured or beneficiary, or (ii) any payment by the insurer to a national of a country listed in § 520.101(a)(1) unless payment is made by deposit in a blocked account in a domestic bank in the name of the national who is the ultimate beneficiary thereof.

(b) [Reserved]

(c) This general license further authorizes the application, in accordance with the provisions of the policy or the established practice of the insurer, of the dividends, cash surrender value, or loan value, of any blocked life insurance policy for the purpose of:

(1) Paying premiums;

(2) Paying policy loans and interest thereon;

(3) Establishing paid-up insurance; or

(4) Accumulating such dividends or values to the credit of the policy on the books of the insurer.

(d) As used in this general license:

(1) The term "blocked life insurance policy" shall mean any life insurance policy or annuity contract, or contract supplementary thereto, in which there is a blocked interest.

(2) Any interest of a national of a country listed in § 520.101(a)(1) shall be deemed to be a "blocked interest."

(3) The term "servicing" shall mean the following transactions with respect to any blocked life insurance policy:

(i) The payment of premiums, the payment of loan interest, and the repayment of policy loans;

(ii) The effecting by a life insurance company or other insurer of loans to an insured;

(iii) The effecting on behalf of an insured of surrenders, conversions, modifications, and reinstatements; and

(iv) The exercise or election by an insured of nonforfeiture options, optional modes of settlement, optional disposition of dividends, and other policy options and privileges not involving payment by the insurer.

(4) The term "transfer" shall mean the change of beneficiary, or the assignment or pledge of the interest of an insured in any blocked life insurance policy subsequent to the issuance thereof.

(e) This section shall not be deemed to authorize any transaction with respect to any blocked life insurance policy issued by a life insurance company or other insurer which is a national of a country listed in § 520.101(a)(1) or which is not doing business or effecting insurance in the United States.

§ 520.87 General License No. 87.

A general license is hereby granted exempting all transactions from the provisions of section 2A(2) of the order, except transactions with respect to foreign scheduled securities as defined in § 520.205 (General Ruling No. 5) and domestic scheduled securities as defined in § 520.205b (General Ruling No. 5B).

NOTE: For interpretation of § 520.87, see § 520.335.

§ 520.94 General License No. 94, as amended.

(a) *Blocked countries generally licensed subject to certain conditions.* A general license is hereby granted licensing all blocked countries and nationals thereof to be regarded as if such countries were not foreign countries designated in the order: *Provided,* That

(1) Any property in which on the effective date hereof any of the following had an interest: (i) Any blocked country (including countries licensed hereby) or person therein; or (ii) any other partnership, association, corporation, or other organization, which was a national of a blocked country (including countries licensed hereby) by reason of the interest of any such country or person therein; or

(2) Any income from such property accruing on or after the dates specified in paragraph (e) of this section, shall continue to be regarded as property in which a blocked country or national thereof has an interest and no payment, transfer, or withdrawal or other dealing with respect to such property shall be effected under, or be deemed to be authorized by this paragraph.

(b) *Transactions under other licenses authorized without regard to certain restrictions.* With respect to property subject to the proviso of paragraph (a) of this section, any transaction which is authorized under any license (other than §§ 520.1, 520.4, 520.27, and 520.30a, General Licenses Nos. 1, 4, 27, and 30A, or any other license to the extent that it merely authorizes transfers between blocked accounts of the same person or changes in the form of property held in a blocked account) may be effected without regard to any terms of such license relating to the method of effecting such transaction.

(c) [Reserved]

(d) [Reserved]

(e) *Effective date.* The effective date of this section shall be December 7, 1945, except that it shall be October 5, 1945, as to France, November 20, 1945, as to Belgium, November 30, 1946, as to Switzerland and Liechtenstein, December 31, 1946, as to Germany and Japan, and March 28, 1947, as to Sweden.

(f) [Reserved]

§ 520.93 General License No. 98.

(a) *Certain transactions with respect to coupons appertaining to foreign or domestic scheduled securities authorized.* Notwithstanding the provisions of § 520.205 (General Ruling No. 5) and § 520.205b (General Ruling No. 5B), the following transactions with respect to any coupon which is a foreign scheduled security or a domestic scheduled security, as defined in said sections (any such coupon is hereinafter referred to as a "scheduled coupon" for the purposes of this section) are licensed subject to subparagraph (5) (i) and (ii) of this paragraph if effected within the United States:

(1) Delivery by any person in the United States of any scheduled coupon for collection to any person who in the ordinary course of his business forwards for payment coupons appertaining to securities;

(2) Receipt from any person in the United States for collection and forwarding for collection of any scheduled coupon by any person who in the ordinary course of his business forwards for payment coupons appertaining to securities;

(3) Presentation of any scheduled coupon to the issuer or its paying agent for payment thereof;

(4) Payment of any scheduled coupon by the issuer or its paying agent upon condition that within 30 days after presentation for payment the issuer or its paying agent shall return the coupon to the person who presented it for payment; and

(5) Transfer of cash or credit for a scheduled coupon to any party to any transaction licensed by this section; *Provided,* That:

(i) No transaction referred to in subparagraphs (1), (2), (3), (4), and (5) of this paragraph is licensed except upon the condition that the party delivering, forwarding, or presenting any such scheduled coupon, upon return to him of such coupon, reimburse the person returning it to him in the amount paid or credited to him by that person.

(ii) No transaction licensed by this section shall operate to transfer title to or to discharge the obligation evidenced by any scheduled coupon unless authorized by a license from the Director, Office of Foreign Assets Control, expressly referring to General Ruling No. 5 or General Ruling No. 5B.

(b) *Reports and notices required.* The provisions of §§ 520.205(e)(5) and 520.205b(e)(5) apply to any person making a return of any scheduled coupon.

§ 520.101 General License No. 101.

(a) A general license is hereby granted licensing all property now blocked under the order to be regarded as property in which no blocked country or national thereof has, or has had, any interest: *Provided, however,* That the license granted by this paragraph shall not apply to any property blocked by reason of the interest on or since the effective date of the order of any of the following:

(1) Hungary, Czechoslovakia, Estonia, Latvia, Lithuania, and Germany (except for any interest of Germany now owned by the Federal Republic of Germany, the City of Berlin (Western Sectors) or the Saar);

(2) Any individual, partnership, association, corporation or other organization which on January 1, 1945, was in Hungary;

(3) Any individual, partnership, association, corporation or other organization which on December 7, 1945, was in Czechoslovakia, Estonia, Latvia, or Lithuania;

(4) Any individual, partnership, association, corporation or other organization which on December 31, 1946, was in any of the areas of Germany under control or administration of the Union of Soviet Socialist Republics; or

(5) Any other partnership, association, corporation or other organization which was a national of any country designated in subparagraph (1) of this paragraph by reason of the interest therein of any such country or by reason of the interest therein of any individual, partnership, association, corporation or other organization specified in subparagraph (2), (3), or (4) of this paragraph.

(b) Nothing in this section shall be deemed to apply to any property subject to §§ 520.205 and 520.205b (General Ruling Nos. 5 and 5B), relating to foreign and domestic scheduled securities.

(c) Nothing in this section shall be deemed to apply (1) to any property or interest title to which is vested in the Attorney General, or as to which an outstanding supervisory order has been issued by the Attorney General or the Alien Property Custodian or the Office of Alien Property Custodian, or (2) to any business enterprise or its property as to

which the Attorney General or the Alien Property Custodian or the Office of Alien Property Custodian has issued an outstanding supervisory order, or which has been vested or assets of or interests in which have been vested.

(d) [Reserved]

§ 520.102 General License No. 102.

(a) A general license is hereby granted licensing any property in any account where the total value of the property in the account on June 1, 1953, was not more than $100 to be regarded as property in which no blocked country or national thereof has, or has had, any interest.

(b) Nothing in this section shall be deemed to apply to any property subject to §§ 520.205 and 520.205b (General Ruling Nos. 5 and 5B), relating to foreign and domestic scheduled securities.

(c) Nothing in this section shall be deemed to apply (1) to any property or interest that has been vested, or as to which an outstanding supervisory order has been issued, by the Attorney General or the Alien Property Custodian or the Office of Alien Property Custodian or (2) to any business enterprise and/or its property as to which the Attorney General or the Alien Property Custodian or the Office of Alien Property Custodian has issued an outstanding supervisory order, or which has been vested, or assets of or interests in which have been vested.

(d) [Reserved]

Subpart C—General Rulings

§ 520.203 General Ruling No. 3.

The attention of banks, brokers, transfer agents, registrars and all other persons and banking institutions in the United States is invited to the fact that the Treasury Department construes Executive Order 8389, April 10, 1940, as amended, and the regulations issued pursuant thereto as prohibiting the acquisition, transfer, disposition, transportation, importation, exportation, or withdrawal of, or the endorsement or guarantee of signatures on, or otherwise dealing in, or with respect to, any security (or evidence thereof) registered or inscribed in the name of any country designated in Executive Order 8389, April 10, 1940, as amended, or any national thereof, and not licensed under § 520.101 except pursuant to a specific license, irrespective of the fact that at any time (either prior to, on, or subsequent to April 10, 1940) the registered or inscribed owner thereof may have, or appear to have, assigned, transferred or otherwise disposed of any such security.

§ 520.204 General Ruling No. 4.

(a) Except as specifically provided in this section or otherwise, all definitions appearing in Executive Order 8389 of April 10, 1940, as amended, and the regulations issued thereunder, shall apply to the terms employed in all rulings, licenses, instructions, etc., and, in addition, the following definitions and rules of interpretation are prescribed:

(1) The term "order" shall mean Executive Order 8389, as amended.

(2) The term "license" shall mean a license issued under the order.

(3) The term "interest" when used with respect to property shall mean an interest of any nature whatsoever, direct or indirect.

(4) The term "blocked country" shall mean any foreign country designated in the order.

(5) [Reserved]

(6) [Reserved]

(7) Any person licensed as a "generally licensed national" shall, while so licensed, be regarded as a person within the United States who is not a national of any blocked country: *Provided, however,* That the licensing of any person as a "generally licensed national" shall not be deemed to suspend in any way the requirements of the order and regulations relating to reports, and the production of books, documents, records, etc. (see section 4 of the order).

(8) The term "blocked account" shall mean an account in which any blocked country or national thereof has an interest, with respect to which account payments, transfers or withdrawals or other dealings may not be made or effected except pursuant to a license authorizing such action. The term "blocked account" shall not be deemed to include the accounts of generally licensed nationals.

(9) The term "banking institution" shall have the meaning prescribed in section 5F of the order.

(10) The term "domestic bank" shall mean any branch or office within the United States of any of the following which is not a national of any blocked country: any bank or trust company incorporated under the banking laws of the United States or of any State, territory, or district of the United States, or any private bank or banker subject to supervision and examination under the banking laws of the United States or of any State, territory or district of the United States. The Treasury Department may also authorize any other banking institution to be treated as a "domestic bank" for the purpose of this definition or for the purpose of any license, ruling, or instruction.

(11) The term "national securities exchange" shall mean an exchange registered as a national securities exchange under section 6 of the Securities Exchange Act of 1934 (48 Stat. 885; 15 U.S.C. 78f).

(12) Reference to any general license or general ruling which has been amended shall be deemed to refer to such license or ruling as amended.

(13) Any person who by virtue of any definition in the order is a national of more than one blocked country shall be deemed to be a national of each of such blocked countries.

(14) In any case in which a person is a national of two or more blocked countries, a license with respect to nationals of one of such blocked countries shall not be deemed to include such person unless a license of equal or greater scope is outstanding with respect to nationals of each other blocked country of which such person is a national.

(15) The Secretary of the Treasury reserves the right to exclude from the operation of any license or from the privileges therein conferred or to restrict the applicability thereof with respect to particular persons, transactions or property or classes thereof. Such action shall be binding upon all persons receiving actual notice thereof, or constructive notice if in any case notice is filed pursuant to the provisions of the Federal Register Act (49 Stat. 500, as amended by 50 Stat. 304, 44 U.S.C. 301 et seq.).

(16) No license shall be deemed to authorize any transaction prohibited by reason of the provisions of any law, proclamation, order or regulation, other than Executive Order 8389, as amended, and these regulations.

(17) Any amendment, modification, or revocation of any order, regulation, ruling, instruction, or license issued by or under the direction of the Secretary of the Treasury pursuant to sections 3(a) or 5(b) of the Trading With the Enemy Act, as amended, shall not be deemed to affect any act done or omitted to be done, or any suit or proceeding had or commenced in any civil or criminal case, prior to such amendment, modification, or revocation, and all penalties, forfeitures, and liabilities under any such order, regulation, ruling, instruction, or license shall continue and may be enforced as if such amendment, modification, or revocation had not been made.

(18) No license or other authorization issued by or under the direction of the Secretary of the Treasury pursuant to the order or sections 3(a) or 5(b) of the Trading With the Enemy Act, as amended, shall be deemed to authorize or validate any transaction effected prior to the issuance thereof, unless such license or other authorization specifically so provides.

§ 520.205 General Ruling No. 5.

(a) *Prohibitions with respect to foreign scheduled securities.* Except as authorized by license or other authorization specifically referring to this section from the Director, Office of Foreign Assets Control, Treasury Department, or as required or authorized by paragraph (e) of this section, any transfer of, dealing in, or other transaction by a person within the United States or a person subject to the jurisdiction of the United States with respect to a foreign scheduled security or any obligation, interest, or claim of which such security is evidence, is prohibited.

(b) *Definition.* As used in this section, the term "foreign scheduled securities" shall include all securities wherever located which appear on the list in paragraph (g) of this section, entitled "Foreign Scheduled Securities," including coupons appertaining thereto.

(c) *Notice.* The provisions of this section shall apply whether the parties to any act with respect to foreign scheduled securities prohibited by this section, or persons subject to the requirements with respect to foreign scheduled securities imposed by this section, do or do not have actual notice or knowledge

that such securities are foreign scheduled securities.

(d) *Effect of a prohibited transaction.* Any transaction in violation of the prohibitions contained in paragraph (a) of this section shall be null and void.

(e) *Duty of persons bringing, receiving, or holding foreign scheduled securities.* (1) Foreign scheduled securities brought from a foreign country to the United States by any person shall be forwarded by such person within five (5) days after his arrival in the United States to the Federal Reserve Bank of New York together with a statement in triplicate setting forth the following:

(i) His name and address;

(ii) A complete description of the securities;

(iii) The name and address of the person from whom he received the securities and the date of receipt; and

(iv) The circumstances under which the securities were received.

(2) Foreign scheduled securities mailed or otherwise sent from a foreign country to any person within the United States shall be forwarded by such person within five (5) days after receipt thereof to the Federal Reserve Bank of New York together with the above-specified statement in triplicate.

(3) Foreign scheduled securities held on January 20, 1951, by any person within the United States (whether for himself or for any other person) shall within 30 days thereafter be forwarded by such person to the Federal Reserve Bank of New York together with the above-specified statement in triplicate. Any such person who on January 20, 1951, held foreign scheduled securities as security for an obligation owing to him shall not be required to forward the securities to the Federal Reserve Bank of New York, but shall be required to file the above-specified statement in triplicate with the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220, together with a statement of the circumstances under which the securities are being held.

(4) Foreign scheduled securities received by any person within the United States (whether for himself or for any other person) shall be forwarded by such person within five (5) days after receipt thereof to the Federal Reserve Bank of New York together with the above-specified statement in triplicate.

(5) Any person required by the provisions of subparagraph (3) or (4) of this paragraph to forward securities to the Federal Reserve Bank of New York may, instead, return such securities to the person from whom he received them, if the latter is within the United States. The person initiating such return shall file a report with the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220, giving the name and address of the person to whom he makes such return and he shall advise such person that they are foreign scheduled securities which should be deposited with the Federal Reserve Bank of New York pursuant to this ruling unless they are returned with a similar notice to the person in the United States from whom they were received. The last person in the United States to whom such securities are returned under this subparagraph shall forward them to the Federal Reserve Bank of New York, together with the above-specified statement in triplicate with respect to his original receipt of the securities. In case securities are returned under the rules of a securities exchange, an association of securities dealers, or a similar organization, the last member of an exchange or similar organization or dealer to whom such securities are returned under such procedure, if he is not the last person to whom such securities are returned hereunder, shall file with the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220, the above-specified statement in triplicate with respect to his original receipt of the securities together with the date on which he returned such securities to the person from whom he received them.

(6) Foreign scheduled securities held by any person not within the United States may be deposited with the Federal Reserve Bank of New York together with the statement specified in subparagraph (1) of this paragraph on or before July 31, 1951.

(7) Acts or transactions required or authorized by the provisions of this paragraph are licensed to the extent, and only to the extent, of permitting compliance therewith.

(f) *Disposition of securities delivered to Federal Reserve Bank of New York.* The Federal Reserve Bank of New York shall act only as fiscal agent of the United States under this section, and shall receive and hold securities delivered to it pursuant to this section as such fiscal agent, subject to the further order of the Director, Office of Foreign Assets Control. Applications for release of securities so held may be filed with the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220.

(g) *Appendix.*

FOREIGN SCHEDULED SECURITIES

BONDS

Antwerp, City of—External Sinking Fund Gold 5% Loan of 1928—Due 1958:
$1,000—2298, 2300.

Argentine, Republic of—Sinking Fund 4% Conversion Loan Due February 15, 1972:
$1,000—11443, 12568, 16957, 19003, 21613, 21614, 24179, 24724, 25347, 25348, 25352, 25353, 25355, 28578, 31200, 31201, 31202, 33563, 34332, 34704, 35382, 39176, 40100, 40101, 40102, 40103, 34704, 40146, 49054, 49702, 54547, 54548, 55213, 40104, 40146, 49054, 49702, 54547, 54548, 55213, 55931, 55933, 58783, 59842, 59975, 60755, 60756, 60757, 60758, 60806, 60807, 60808, 62925, 62926, 64446, 68258, 68259, 68260, 68261, 68262.
$500—1946.

Argentine, Republic of—6% Bonds 1923/57:
$1,000—9988.

Australia, Commonwealth of—4½% Bonds 1928 Due 1956:
$1,000—3426, 3428, 9814, 9908, 9909, 9910, 15343, 20862, 27202, 31011, 44858.

Australia, Commonwealth of—5% Bonds 1925 due 1955:
$1,000—6932, 6933, 19046, 19047, 19048, 19049, 19050, 19051, 22879, 40093.

Belgium, Kingdom of—30 Year External Sinking Fund 6% Gold Loan of 1925 Due 1955:
$1,000—7493.

Bolivia, Republic of—External Secured Sinking Fund Gold Bonds 7% of 1928 Due 1969:
$1,000—1089, 8171, 10531, 13799, 13824, 16290, 17449, 18070, 21228.

Bolivia, Republic of—8% Bonds, 1922-47
$1,000—1083, M13981, 14941.

Brazil, United States of—5% Funding Bonds Due 1951:
$1,000—9745.
$100—20663, 20864, 20665, 20667, 20674, 33915, 33941, 33942, 33949, 34898, 34899, 34900, 35181, 35182, 35498, 35499, 35500, 35501, 41538, 41678, 42804, 42805, 42835, 42868, 42869, 48337, 57746, 57747, 60446, 60464, 62521, 66824, 70275, 70276, 70281, 71485, 71486.

Brazil, United States of—External Sinking Fund Gold 6½% Loan of 1926 Due October 1, 1957:
$1,000—59, 301, 2318, 4097, 7795, 9990, 12239, 13199, 13327, 13973, 14223, 14543, 17000, 17454, 18237, 18238, 18564, 19582, 19586, 19592, 19620, 19632, 19633, 19798, 19824, 19825, 19903, 19915, 19975, 20085, 20120, 20138, 20159, 20164, 20170, 20256, 20270, 20416, 20438, 20504, 20531, 20563, 20573, 20578, 20586, 20603, 20632, 20633, 20716, 20733, 20745, 20758, 20853, 20914, 20928, 20938, 21007, 21008, 21030, 21036, 21081, 21082, 21155, 21259, 21361, 21367, 21408, 21428, 21432, 21443, 21773, 21779, 21780, 21863, 21883, 21948, 21961, 21998, 22074, 22136, 22189, 22192, 22216, 22346, 22370, 22407, 22425, 22433, 22434, 22435, 22469, 22470, 22471 22486, 22514, 22515, 22591, 22650, 22679, 22684, 22880, 22897, 22928, 22998, 23072, 23219, 23222, 23317, 23349, 23378, 23389, 23440, 23447, 23489, 23490, 23524, 23591, 23628, 23712, 23855, 24259, 24968, 25361, 25485, 25674, 25767, 25857, 26358, 26462, 26650, 26832, 27588, 27637, 27648, 27776, 27788, 28711, 28767, 28855, 29213, 29838, 31500, 31886, 33105, 33789, 34363, 34440, 34687, 35661, 36007, 36086, 36181, 36573, 36802, 37382, 38916, 39175, 40318, 40884, 41034, 41691, 46344, 47676, 48342, 48664, 48665, 48896, 49395, 49415, 50114, 51915, 52758, 53831, 53997, 54239, 54240, 54372, 54608, 55468, 56019.
$500—520, 545, 546, 700, 769, 804, 887, 943, 1082, 1165, 5805.

Brazil, United States of—6¼% Bonds Issued 1927 Due 1957:
$1,000—24641.

Brisbane, City of—External Sinking Fund Gold 5% Loan of 1928 Due 1958:
$1,000—4072, 5334.

Buenos Aires, Province of—3% Bonds 1936/84:
$100—758, 1260, 1350, 1891, 1957, 1958, 2127, 4099, 4100, 5641.

Buenos Aires, Province of—4⅛%-4¾% External Readjust. Sinking Fund Due 3/1/77
$1,000—355, 356, 395, 396, 4219, 4889, 7191, 8335, 10851, 11263, 11273, 11284, 11285, 11286, 11287, 11330, 13766, 14043, 14320, 14322, 14323, 14359, 14402, 14456, 14555, 16209, 16210, 16214, 16973, 17005, 17012, 17034, 17035, 17036, 17053, 17061, 17062, 17063, 17064, 17081, 17095, 17130, 17426, 17434, 17488, 17502, 17505, 18676, 19409, 19414, 21648, 21649, 22952, 22968, 22984, 22985, 22986, 22987, 22999, 23302, 23716, 24253, 24581, 24651, 24780, 25392, 25731, 31338, 31488, 31766, 31917, 32103, 32391, 32775, 32776, 32777, 32778, 32779, 32780, 32979, 34637, 34638.
$500—1042, 1043, 1047, 1048, 1049, 1058, 1059, 1076, 1446, 1448, 1454, 1472, 1636, 1697, 1698, 1791, 1794, 1932, 1938, 2734, 2735, 2736, 2738, 2739, 3564.

Caja De Prestamos Para Obras De Irrijacion Y Fomente De La Agriculture S. A.—4½% 35 Year Gold Bonds Due 1943:
$1,000—5446, 5574, 5984, 6859, 8189, 9061, 9082, 9386, 9473, 9692, 10520, 12622.
$100—3315, 8119.

Canada, Dominion of—3% Bonds 1938 Due 1968:
$1,000—34446.

Canada, Dominion of—5% Bonds 1922 Due 1952:
$1,000—17199.
Canadian National Railway Co.—Guaranteed Gold 5% Bonds Issued July 1929 Due 1969:
$1,000—25208, 46536.
Canadian National Railway Co.—Guaranteed Gold, 5% Bonds Issued October 1929 Due 1969:
$1,000—9886, 11257, 18717.
Canadian Pacific Railway Company Perpetual 4% Consolidated Debenture Stock:
$1,000—1162, 1643, 2244, 2893, 4521, 4653, 5205, 6818, 6993, 7042, 8583, 9515, 10016, 10428, 11934, 14039, 15902, 16285, 16313, 16447, 16470, 17148, 17779, 18053, 18482, 18769, 18885, 19661, 19665, 19666, 19667, 19984, 20101, 20349, 21227, 21707, 21708, 22407, 22788, 24517, 29180, 29909, 30187, 30442, 31628, 31920, 32285, 33534, 33932, 34111, 34146, 35465, 36832, 36955, 36956, 37817, 39852, 42832, 44210, 44262, 44263, 44264, 44572, 45459, 45834, 76073, 76074, 76075, 76076, 76077, 80802, 81513, 84283, 86126, 86263, 86825.
$500—364, 1888, 1889, 4133, 4134.
Canadian Pacific Railway Company—4½% Gold Bonds 20 Year Guaranteed, 1926/46:
$1,000—222, 300, 306, 2278, 3169, 3194, 3558, 3747, 5375, 6853, 8358, 9340, 9550, 9551, 10182, 10902, 11120, 11503, 11516, 16074, 16282, 16286, 16304, 17868.
$500—147, 148, 1883, 1889, 1895, 2518, 2519, 3231, 3232.
Canadian Pacific Railway Company—4½% 30 Year Guaranteed Gold Bonds Due July 1, 1960:
$1,000—206, 370, 371, 387.
$500—86, 87, 88, 108, 109, 110, 111, 137, 158, 167, 169, 172, 257, 258, 259, 260, 261, 262, 263, 264.
Carlsbad, City of—8% External Loan Bonds 1924 Due 1954:
$1,000—300, 301, 302, 303, 595, 597, 598, 1050, 1051, 1052
Cauca Valley, Department of (Columbia)—7% 1948:
$1,000—1149.
Chile, Republic of, External Sinking Fund Gold 6% Loan of 1926 Due 1960:
$1,000—1493, 2111, 2141, 2171, 2237, 2380, 2457, 2475, 2482, 2483, 2505, 2506, 2512, 2516, 2535, 2723, 2724, 2795, 2806, 2844, 2854, 2914, 2919, 2934, 2981, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3198, 3256, 3301, 3358, 3379, 3390, 3451, 3452, 3489, 3575, 3653, 3875, 3931, 3940, 4880, 7137, 8957, 9733, 9783, 11219, 13764, 14000, 14418, 15053, 15527, 15988, 17222, 17974, 18599, 18882, 19204, 20547, 23046, 24418, 24907, 28843, 30398, 30976, 31084, 31499, 31586, 32229, 32736 33379, 34785, 35473, 35594, 35658, 36121, 36944, 38663, 38710, 40248, 40263, 40344.
$500—236, 241, 242, 476, 507, 535, 536, 543, 548, 572, 580, 594, 600, 602, 636, 748, 749, 750, 751, 771, 772, 1605
Chile, Republic of, External Sinking Fund Gold Loan 6% of 1927 Due 1961:
$1,000—126, 133, 171, 206, 291, 353, 363, 564, 602, 619, 629, 715, 717, 719, 740, 807, 871, 872, 877, 1007, 1008, 1198, 1223, 1246, 1316, 2006, 2415, 3392, 5242, 5283, 6095, 6769, 7334, 9227, 9228, 9391, 9682, 12812, 13810, 17229, 19029, 19357, 19595, 20436, 21023, 21619, 22010, 22598, 22933, 23216, 23340, 23503, 23554, 24380, 24467, 24933, 25579.
$500—39, 181, 182, 240, 242, 281, 282.
Chile, Republic of, External Railway Ref. Sinking Fund—6% Gold Loan of 1928 Due Jan. 1, 1961:
$1,000—1264, 1273, 1288, 1359, 1382, 1393, 1394, 1409, 1445, 1451, 1491, 1569, 1609, 1612, 1618, 1626, 1638, 1643, 1687, 1698, 1711, 1738, 1924, 1925, 1932, 1934, 3110, 4111, 4967, 15048, 15254, 15343, 15343, 21363, 26403, 26441, 30840, 34642, 37801, 38063, 39004, 39005, 39036, 39700, 40718, 44191.
$500—268, 288, 474, 657, 658, 2115, 2294.
Chile, Republic of, External Sinking Fund Gold—6% of 1929, Due 1962:
$1,000—39, 59, 60, 144, 210, 223, 224, 247, 248, 3237, 7208, 7342, 8759.
$500—316, 317, 555, 556, 573, 586, 592, 593, 594, 630.
Chile, Republic of, External Sinking Fund Gold—6% of 1930 Due 1963:
$1,000—32, 186, 202, 231, 288, 289, 290, 291, 292, 293, 294, 347, 350, 351, 385, 5681, 14425, 16065, 16428, 18264, 21244.
$500—D 97, D 98.
Chile, Republic of—7% Bonds, 1922/42:
$1,000—1139, 6734, 10040, 10461, 14099.
Chilean Consolidated Municipal Loan External Sinking Fund Gold 7% Series A, 1929/60:
$1,000—27, 34, 35, 36, 37, 133, 162, 314, 421, 422, 431, 432, 433, 434, 435, 464, 465, 535, 608, 609, 710, 735, 769, 802, 1507, 1508, 4575, 6629, 6630, 7094, 8487, 10556, 10557, 11395, 11396.
$500—21, 95, 137, 138, 139, 154, 168, 180, 209, 216, 281, 286, 287, 288, 289, 290, 291, 342, 343, 344.
Chinese Republic—5% Bonds 1925/48:
$50—781737, 781738, 781747, 781753, 781756, 781777, 781780, 781781, 781788, 781799.
Colombia, Republic of—4% Bonds 1934/46:
$30—E 18308, F 47740.
Colombia, Republic of—External Sinking Fund Gold 6% Loan of 1927 Due January 1, 1961:
$1,000—479, 698, 926, 13649, 16001, 16493.
$500—159, 425.
Cuba, Republic of—External Gold 4½% Loan of 1909 Due August 1949:
$1,000—2312, 9804, 9805, 10239, 10283.
Cuba, Republic of—External Sinking Fund 4½% of 1937 Due 1977:
$1,000—79691, 79886, 79891, 80755.
$100—6597, 6602.
Denmark, Kingdom of—External Gold 4½% Loan of 1928 Due 1962:
$1,000—459, 710, 2182, 2939, 4573, 5101, 14620, 17538, 25691, 26514, 26515, 35976, 37012, 38205, 38811, 39701, 42515, 44317, 48930, 50724, 52276, 52744, 54646, 54817, 54822, 54823.
Denmark, Kingdom of—External Gold 5½% Loan of 1925 Due 1955:
$1,000—5591, 5829, 27520.
$500—1440.
Denmark, Kingdom of—External Gold 6% Loan of 1921 Due 1942:
$1,000—26032.
Dominican Republic Customs Administration—20 Year 5½% Gold Loan of 1922–6 Due 1961:
$1,000—197, 266, 276, 400, 426, 757, 900, 1072, 1442, 1992, 2672, 2793, 2795, 2896, 2946, 3667, 4130, 4544, 4577, 5552, 5667, 5760, 5789, 6376, 7176, 7322, 8507, 8544, 8757, 9777, 9915.
Dominican Republic Customs Administration, Sinking Fund Gold 5½% Loan of 1926–1928 Due 1969 First Series:
$1,000—928, 2864, 3004, 4871, 4872, 4873, 4874.
Dominican Republic—Sinking Fund Gold 5½% Loan of 1926–1928—Due 1969:
$1,000—07, 101, 114, 2468, 2479, 2527, 2633, 3363.
$500—101, 109, 114, 115.
Frankfort on Main, City of—7% Bonds, 1925–1945:
$1,000—3576.
German Atlantic Cable Company—7% Bonds 1925–1945:
$1,000—35, 36, 45, 46, 48, 49, 68, 69, 86, 101, 127, 145, 156, 160, 161, 162, 164, 181, 182, 184, 193, 215, 274, 300, 319, 335, 351, 413, 420, 425, 438, 479, 485, 592, 593, 665, 697, 736, 779, 802, 826, 868, 910, 1004, 1051, 1052, 1115, 1181, 1183, 1186, 1188, 1266, 1741, 1876, 1879, 1881, 1972, 2101, 2147, 2227, 2340, 2343, 2366, 2414, 2463, 2521, 2522, 2662, 2705, 2707, 2729, 2737, 2742, 2751, 2752, 2763, 2861, 2950, 2957, 2977, 2984, 2987, 3159, 3249, 3263, 3347, 3394, 3432, 3484, 3507, 3568, 3576, 3583, 3585, 3586, 3591, 3603, 3612, 3620, 3636, 3640, 3690, 3751, 3791.
$500—7, 16, 83, 180, 296.
Germany, Government of—7% 1924 Due 1949:
$1,000—55040, 55043, 66023, 66024, 66025, 66026, 66027, 66028, 66030, 66031, 66032, 66033, 66034, 66035, 66036, 66038, 66039, 66040, 66041, 66043, 66044, 66045, 66047, 66048, 66049, 66050, 98105.
Haiti, Republic of—6% 1922–1952:
$1,000—4988, 8031.
Hellenic Republic Water .Works—Gold Bonds 4% 1985:
Face value not stated—673, 3066, 5871, 6890.
Japan, Empire of—6½% Sinking Fund Gold Bonds of 1924 Due 1954:
$1,000—63833.
Mexican Funding Notes (coupon 1 and 2):
$4.00—3487, 3488.
$8.00—18646, 19968, 20658.
$9.00—6296, 6297, 6298, 65684.
$20.00—35567, 35568, 35569, 35570, 35571.
$70.08—35567, 35568, 35569, 35570, 35571.
Milan, City of—External Sinking Fund Gold 6½% Loan of 1927 Due 1952:
$500—278, 586.
$100—585, 1007, 1186, 1187.
Mortgage Bank of Chile—Guaranteed Sinking Fund 6% Bonds 1928—Maturity 1961:
$1,000—1548, 1549.
Mortgage Bank of Chile—Guaranteed Sinking Fund Gold Loan 6½% Bonds 1925–1957:
$1,000—4544, 5091.
National Economic Bank of Warsaw, 7% or 4½% 1928 Due 1966:
$1,000—222, 223, 224, 225, 226.
National Railways of Mexico—4½% Prior Lien Sinking Fund Gold Due 1957:
$1,000—34468.
New South Wales, State of—External Sinking Fund Gold 5% Loan of 1927 Due 2–1–57:
$1,000—2308, 7618, 10723, 16152, 16833, 17249, 17250 17377, 17499, 17502, 17528, 17552, 17553, 17574, 17634, 17635, 19516, 21991, 23587, 23629.
$500—226, 522, 523, 527, 528, 529.
New South Wales, State of—External Sinking Fund Gold 5% Loan of 1927 Due April 1, 1958:
$1,000—3340, 5362, 5713, 5951, 18942, 21338.
Norges Kommunal Bank, S. F. Gold—5% 1930 Due 1970:
$1,000—1584.
North German Lloyd—Sinking Fund 4% Bonds 1933–1947:
$1,000—6655.
Norway, Kingdom of—6% Bonds 1923 Due 1943:
$1,000—18507.
Nova Scotia, 4½%, 1927–1952:
$1,000—3691.
Panama, Republic of—External Secured Sinking Fund Gold 5% Loan Series A Due 1963:
$1,000—93, 249, 577, 578, 3070, 8660, 9822, 10774.
$500—69.
Peru, Republic of (National Loan)—External Sinking Fund Gold 6% First Series Due 1960:
$1,000—1380, 2188, 2189, 2563, 2621, 2623, 2893, 3864, 4400, 4414, 4416, 4422, 4471, 4490, 4575, 4576, 4577, 4609, 4610, 4611, 4613, 4614, 4619, 4633, 4689, 4702, 4729, 4731, 4753, 4790, 4791, 4859, 4882, 4887, 4898, 4904, 4905, 4910, 4919, 4945, 4985, 4989, 5054, 5055, 5059, 5060, 5065, 5108, 5133, 5134, 5182, 5226, 5253, 5258, 5259, 5260, 5261, 5262, 5263, 5264, 5265, 5266, 5281, 5304, 5305, 5306, 5344, 5380, 5377, 5379, 5386, 5427, 5428, 5436, 5453, 5495, 5507, 5528, 5558, 5589, 5604, 5773, 5823, 6210, 6325, 6326, 6941, 7082, 9656, 10164, 10420, 11359, 11404, 11770, 11995, 12083, 12446, 12921, 14325, 14328, 14510, 15191, 15228, 15243, 15490, 15604, 15921, 16876, 16377, 17909, 18542, 18844, 18919, 19259, 19362, 19763, 20606, 20606, 20744, 21337, 21760, 22227, 23621, 24902, 24927, 27485, 28587, 28924, 29190, 29352, 29388, 29393, 30229, 31360, 31954, 32190, 32191, 32192, 32193, 38246, 34183, 35714, 36918, 37186, 39832, 40328, 40756, 42487, 42637, 42731, 44495, 45129, 45461, 45790.

$500—452, 459, 481, 482, 483, 510, 521, 531, 559, 582, 583, 584, 585, 596, 650, 651, 828, 835, 858, 863, 877, 878, 879, 882, 883, 889, 900, 905, 906, 907, 926, 941, 970, 971, 986, 997.
Peru, Republic of (National Loan)—External Sinking Fund Gold 6% Second Series Due 1961:
$1000—11, 14, 58, 69, 70, 77, 87, 88, 137, 142, 148, 158, 159, 217, 218, 228, 239, 293, 294, 313, 314, 315, 435, 436, 459, 501, 502, 516, 540, 570, 571, 582, 598, 600, 610, 611, 647, 648, 656, 662, 670, 702, 720, 733, 753, 769, 779, 839, 858, 863, 870, 883, 886, 887, 947, 1029, 1062, 1066, 1079, 1080, 1081, 1141, 1148, 1149, 1150, 1151, 1156, 1162, 1163, 1231, 1251, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1483, 1584, 1993, 3563, 4640, 4656, 4657, 4658, 4659, 5286, 6145, 6422, 8007, 8008, 8010, 8473, 9467, 9691, 9746, 10417, 13383, 14871, 15754, 16711, 16712, 16976, 17157, 17158, 20355, 21762.
$500—15, 68, 79, 85, 86, 87, 88, 125, 177, 181, 193, 252, 285, 290, 293, 338, 368, 398, 1717.
Peru, Republic of—Secured Sinking Fund Gold 7% (Tobacco) Loan Series of 1927 Due 1959:
$1,000—88, 128, 197, 894, 1725, 1837, 2192, 2212, 2216, 2218, 2219, 2221, 2268, 2269, 2287, 2290, 2344, 2365, 2366, 2372, 2383, 2384, 2407, 2409, 2416, 2440, 2497, 2507, 2508, 2536, 2586, 2620, 2621, 2625, 2656, 2699, 2750, 2889, 2891, 2899, 2942, 2943, 2952, 2965, 2969, 3004, 3026, 3049, 3052, 3055, 3056, 3057, 3058, 3059, 3083, 3089, 3104, 3111, 3112, 3132, 3152, 3730, 3944, 9513, 9630, 9633, 9813, 9846, 9847, 9865, 9948, 9969, 11038, 11332, 11606, 12359, 12720, 12830, 13061, 13150, 13449, 13756, 14136, 14432.
$500—305, 322, 326, 346, 374, 396, 399, 402, 474, 481, 506, 509, 535, 563, 576, 579, 587, 705.
Poland, Republic of, 4½% External Sinking Fund Bonds (Formerly 7% Extended From 1947) Due 1968:
$1,000—1672, 1673, 1674.
Queensland, State of (Australia)—25 Year Sinking Fund External Gold 6%, Due February 15, 1947:
$1,000—3847.
$500—1025, 1027.
Rio de Janeiro, State of—External Secured Sinking Fund Gold 6½% of 1929 Due 1959:
$1,000—5212, 5675.
Rio Grande Do Sul (Brazil)—6% Bonds 1928–1968:
$1,000—7227.
Ruhr, Gas Corporation—6½% Bonds 1928–1953:
$1,000—1846A, 7688.
Saarbruecken, City of—6% Bonds 1927 Due 1953:
$1,000—2807, 2808, 2809.
Sao Paulo, State of—7% Due 1956:
$1,000—4673.
Sao Paulo, State of—25 Year External 8% Gold Loan of 1925 Due 1950:
$1,000—68, 501, 564, 580, 764, 769, 796, 927, 930, 931, 932, 933, 934, 958, 959, 960, 961, 968, 969, 1047, 1048, 1049, 1091, 1109, 1123, 1171, 1172, 1226, 1273, 2377, 3182, 3372, 3427, 3675, 5517, 6211, 7836, 8295, 9112, 9113, 9808, 10456, 11170, 12181, 12274, 12275, 13034.
$500—9, 10, 51, 57, 636, 1507, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1621, 1622, 1623, 1624, 1625, 1626, 1751, 1752, 1753, 1754, 1808, 1809, 1890.
Uruguay, Republic of—External Readjustment 3¾, 4, 4½% Due 1979:
$1,000—26128, 26129, 26135, 26137, 26138, 26139, 26140, 26141, 26142, 31374, 31375, 31376, 31377, 31378, 31379, 35638, 35639, 35679, 35680, 35714, 35715, 35729, 35732, 35738, 35793, 35794, 35877, 35878, 35962, 35977, 36001, 36002, 36003, 36044, 36077, 36078, 36086, 36096, 36360, 36362, 36363, 36435, 36436, 36437, 36440, 36457, 36458, 36459, 36460, 36461, 36836, 37312, 37313, 37314, 37322, 37323, 37327, 37329, 37330, 37344, 37345, 37349, 37350, 37351, 37352, 37378, 37400, 38607, 38608, 39654, 39656, 39657, 39659, 39660.
$500—2147, 2182, 2183, 2217, 2218, 2229, 2230, 2248, 2249, 2360, 2361, 2362, 2512, 2518, 2519.
Vera Cruz & Pacific Railroad Company—4½% Guaranteed 1st Mortgage Gold Bonds Due 1934:
$1,000—1306, 1766, 4946, 6322.
Vienna, City of (Wiener Stadtanleihe)—Gold Issue 6% 1927–1952:
$1,000—12022, 12653, 12953.
$500—1252.
Westphalia United Electric Power Corporation (Vereingte Elektrizitaetswerke Westfalen A.G.) First Sinking Fund Gold—6% Series A, Due 1953:
$1,000—7129, 10720, 14341.
Yugoslavia, Kingdom of, Funding 5%, First Series Issued, 1932 Due 1956:
$500—1245.
$100—10938, 10939, 10945, 10946, 12912, 16660, 16661, 16662, 16674.

NOTE: For interpretation of § 520.205, see § 520.340 (Public Circular No. 40).

§ 520.205b General Ruling No. 5B.

(a) *Prohibitions with respect to domestic scheduled securities.* Except as authorized by license or other authorization specifically referring to this section from the Director, Office of Foreign Assets Control, Treasury Department, or as required or authorized by paragraph (e) of this section, any transfer of, dealing in, or other transaction with respect to, a domestic scheduled security or any obligation, interest, or claim of which such security is evidence, is prohibited.

(b) *Definition.* As used in this section, the term "domestic scheduled securities" shall include all securities wherever located which appear on the list in paragraph (g) of this section, entitled "Domestic Scheduled Securities," including coupons appertaining thereto.

(c) *Notice.* The provisions of this section shall apply whether the parties to any act with respect to domestic scheduled securities prohibited by this section, or persons subject to the requirements with respect to domestic scheduled securities imposed by this section, do or do not have actual notice or knowledge that such securities are domestic scheduled securities.

(d) *Effect of a prohibited transaction.* Any transaction in violation of the prohibitions contained in paragraph (a) of this section shall be null and void.

(e) *Duty of persons bringing, receiving, or holding domestic scheduled securities.* (1) Domestic scheduled securities brought from a foreign country to the United States by any person shall be forwarded by such person within five (5) days after his arrival in the United States to the Federal Reserve Bank of New York together with a statement in triplicate setting forth the following:

(i) His name and address;

(ii) A complete description of the securities;

(iii) The name and address of the person from whom he received the securities and the date of receipt; and

(iv) The circumstances under which the securities were received.

(2) Domestic scheduled securities mailed or otherwise sent from a foreign country to any person within the United States shall be forwarded by such person within five (5) days after receipt thereof to the Federal Reserve Bank of New York together with the above-specified statement in triplicate.

(3) Domestic scheduled securities held on January 20, 1951, by any person within the United States (whether for himself or for any such person) shall within 30 days thereafter be forwarded by such person to the Federal Reserve Bank of New York together with the above-specified statement in triplicate. Any such person who on January 20, 1951, held domestic scheduled securities as security for an obligation owing to him shall not be required to forward the securities to the Federal Reserve Bank of New York, but shall be required to file the above-specified statement in triplicate with the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220, together with a statement of the circumstances under which the securities are being held.

(4) Domestic scheduled securities received by any person within the United States (whether for himself or for any other person) shall be forwarded by such person within five (5) days after receipt thereof to the Federal Reserve Bank of New York together with the above-specified statement in triplicate.

(5) Any person required by the provisions of subparagraph (3) or (4) of this paragraph to forward securities to the Federal Reserve Bank of New York may, instead, return such securities to the person from whom he received them, if the latter is within the United States. The person initiating such return shall file a report with the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220, giving the name and address of the person to whom he makes such return and he shall advise such person that they are domestic scheduled securities which should be deposited with the Federal Reserve Bank of New York pursuant to this ruling unless they are returned with a similar notice to the person in the United States from whom they were received. The last person in the United States to whom such securities are returned under this subparagraph shall forward them to the Federal Reserve Bank of New York, together with the above-specified statement in triplicate with respect to his original receipt of the securities. In case securities are returned under the rules of a securities exchange, an association of securities dealers, or a similar organization, the last member of an exchange or similar organization or dealer to whom such securities are returned under such procedure, if he is not the last person to whom such securities are returned hereunder, shall file with the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220, the above-specified statement in triplicate with respect to his original receipt of the securities together with the date on which he returned such securities to the person from whom he received them.

(6) Domestic scheduled securities held by any person not within the United States shall be deposited with the Federal Reserve Bank of New York together

with the statement specified in subparagraph (1) of this paragraph on or before July 31, 1951.

(7) Acts or transactions required or authorized by the provisions of this paragraph are licensed to the extent, and only to the extent, of permitting compliance therewith.

(f) *Disposition of securities delivered to Federal Reserve Bank of New York.* The Federal Reserve Bank of New York shall act only as fiscal agent of the United States under this section, and shall receive and hold securities delivered to it pursuant to this section as such fiscal agent, subject to the further order of the Director, Office of Foreign Assets Control. Applications for release of securities so held may be filed with the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220.

(g) *Appendix.*

DOMESTIC SCHEDULED SECURITIES

BONDS

American Foreign Power Company, Inc., Debenture Gold 5% Due 2030:
$1,000—46003, 46048, 46049, 46512.
$500—855.

American I. G. Chemical Corporation 5½% Bonds 1929/49:
$1,000—10189.

American Smelting & Refining Company 5% 1st Mortgage 30-Y Bonds:
$1,000—67.

Associated Gas & Electric Corporation Sinking Fund Income Debenture 4½% Due 1978:
$1,000—402, 425, 621, 959, 990, 1042, 1187, 1188, 1316, 1473, 2118, 2413, 2482, 2844, 3057, 3059, 3603, 3691, 3692, 3748, 3796, 3893, 3904, 3905, 3947, 3993, 4069, 4074, 4138, 4139, 4184, 4185, 4332, 4356, 4357, 4365, 4374, 4379, 4380, 4381, 4383, 4383, 4384, 4385, 4862, 5316, 5317, 5333, 5777, 5778, 6196, 6197, 6653, 6659, 6822, 6825, 6856, 7119, 7141.

Associated Gas & Electric Corporation Sinking Fund Income Debenture 5½% Due 1977:
$1,000—3272, 4273, 4286, 7293, 7545, 9491, 9904, 10264, 14186, 14455, 14974, 15005, 15324, 18034, 18490, 18544, 23333, 24073, 25055, 25420, 25495, 26348, 26588, 27510, 29238, 30039, 32684, 33483, 34283, 34284, 34290, 34585, 36045.

Atchison Topeka and Santa Fe Railway Company (The)—Convertible Gold 4% of 1905 Due 1955:
$1,000—799, 32495, 36310, 36311, 48082.

Atchison Topeka and Santa Fe Railway Company (The)—Convertible Gold 4% Due 1960:
$1,000—38234.

Atchison, Topeka and Santa Fe Railway Company (The)—General Gold 4% Due 1995:
$1,000—918, 1297, 1865, 2531, 2917, 3432, 3952, 5466, 5721, 6728, 7445, 10016, 11368, 12577, 13612, 17965, 18507, 23191, 25016, 26636, 32365, 34564, 35210, 36019, 38088, 38151, 42413, 49523, 53302, 56750, 59190, 67164, 67508, 70098, 70552, 72477, 72931, 73024, 73255, 74733, 77966, 78273, 79437, 79906, 80845, 84327, 89953, 89954, 91051, 93671, 96519, 99516, 117110, 117700, 123141, 123787, 125036, 125520.
$500—2314, 5257, 5465, 5729, 6654, 8272, 10252, 15734, 35513, 37540, 38622, 41072, 41074, 42239, 42391.

Baltimore and Ohio Railroad Company (The)—4% Bonds, 50-Y, Due 1948:
$1,000—50081, 50082, 50083.

Baltimore and Ohio Railroad Company (The)—4½% Bonds, 1930-60:
$1,000—3113.

Baltimore and Ohio Railroad Company (The)—5% Bonds, 1926/2000:
$1,000—25263.

Bethlehem Steel Corporation 3½% Bonds 1937/52:
$1,000—28454, 28455, 36724, 43967.

Bethlehem Steel Corporation 4¼% Bonds 1935/60 Series D:
$1,000—DM7290, DM20122.

Central Pacific Railway Company—First Refunding Gold 4% Due 1949:
$1,000—801, 1917, 3785, 4187, 5437, 5479, 7255, 7624, 9246, 9253, 9993, 10808, 13341, 13469, 13521, 14186, 14685, 14973, 16049, 19147, 19672, 24078, 26382, 30102, 31351, 31814, 33061, 33278, 34274, 43317, 60258, 77471, 77739, 80487, 85166, 89119, 89129.
$500—2293, 7310, 8159, 8326, 12174.
$100—758, 1260, 1350, 1891, 1957, 1958, 2127.

Chesapeake & Ohio Railway Co. (The) 3½% Bonds 1936/96:
$1,000—28604.

Chesapeake & Ohio Railway Co. (The) General Gold 4½% Due 1992:
$1,000—46884.

Chicago & Erie Railroad Co.—First Gold 5% Due 1982:
$1,000—2162, 6495, 9064.

Chicago, Milwaukee, St. Paul & Pacific Railroad Co.—50 Year Mortgage 5% Series A, Due 1975:
$1,000—2501, 3073, 3314, 3966, 4183, 4296, 4883, 6717, 6718, 6719, 11166, 14027, 15291, 15293, 15294, 15631, 15673, 16000, 16495, 16712, 17409, 17579, 20217, 20499, 21994, 22091, 22112, 24111, 24560, 26067, 27499, 29880, 32257, 33834, 34458, 35384, 35792, 35793, 36877, 37458, 38396, 38736, 38749, 38941, 38945, 39019, 39032, 39179, 39180, 39205, 39298, 39316, 39374, 39386, 39411, 39933, 40888, 41765, 43562, 46680, 48938, 49953, 49956, 50459, 53410, 55463, 55464, 55510, 55533, 56437, 56500, 57517, 59356, 61246, 63114, 63115, 63982, 64409, 65265, 65266, 66284, 66920, 67355, 68026, 68027, 68363, 68364, 68585, 70021, 71607, 74394, 75967, 76562, 77500, 78982, 79674, 80235, 82701, 83024, 83515, 84086, 84087, 84088, 84089, 84090, 84091, 84092, 84093, 84094, 85433, 85775, 86421, 86427, 87037, 88565, 89290, 89741, 89779, 89782, 89818, 90308, 90581, 90968, 92950, 93163, 103394, 124560.
$500—1615, 1854, 3692.
$100—22525, 22526, 39295, 39296.

Chicago, Milwaukee, St. Paul & Pacific Railroad Co.—Convertible Adjustment Series A 5%, 2000:
$1,000—4, 11, 683, 1172, 1343, 2012, 2116, 2117, 2747, 2871, 2902, 2903, 2904, 3093, 3330, 4177, 5168, 5193, 5937, 6044, 6045, 6479, 6482, 7631, 7822, 8303, 8309, 8493, 8694, 8696, 8970, 9004, 9006, 9179, 9195, 9573, 10598, 11436, 11615, 12071, 12649, 13885, 14014, 15068, 15765, 16334, 16529, 16568, 16888, 17022, 17606, 17893, 18109, 18191, 18192, 18200, 18230, 18244, 18269, 18326, 18337, 18344, 18462, 18478, 18535, 18537, 18690, 18730, 18955, 19481, 20029, 20121, 20244, 20269, 20318, 20329, 20375, 20376, 20522, 20653, 20815, 20836, 20938, 21216, 21229, 21242, 21245, 21637, 21672, 21840, 21916, 22288, 22377, 22380, 22406, 22434, 22561, 22825, 22994, 23034, 23772, 23846, 24025, 24414, 24415, 24554, 24754, 25180, 25332, 25911, 25916, 26112, 26130, 26177, 26196, 26199, 26806, 26817, 27098, 27235, 27496, 27600, 27778, 28074, 28161, 28186, 28501, 28689, 28797, 28948, 29008, 29067, 29093, 29614, 29749, 29847, 29869, 29929, 30074, 30094, 30160, 30255, 30705, 30725, 31393, 31632, 31947, 32178, 32222, 37394, 37423, 37494, 39565, 39581, 39619, 39936, 40109, 40343, 40394, 40395, 40396, 40397, 40505, 41516, 41712, 41713, 41922, 41924, 42090, 42093, 42206, 42324, 42371, 42476, 42623, 42831, 43289, 43391, 43524, 43740, 44451, 44633, 44664, 44784, 45045, 45046, 45103, 45139, 45171, 45248, 45289, 45816, 45824, 45825, 45860, 45954, 46066, 46350, 46518, 46637, 47146, 47278, 47324, 47360, 47507, 47604, 47701, 47704, 48090, 48580, 48586, 48843, 48884, 48957, 49088, 49435, 49462, 49566, 49583, 49650, 49674, 49708, 49750, 49768, 50548, 50651, 50984, 51157, 51177, 51796, 51842, 51944, 52162, 52591, 53005, 53414, 53543, 53670, 53686, 54110, 54250, 54282, 54456, 54461, 54649, 54674, 54688, 55008, 55016, 55133, 55376, 55648, 55803, 55968, 56431, 56492, 56533, 56554, 56680, 57580, 58155, 58427, 58630, 58798, 58800, 60052, 60724, 61091, 62158, 62335, 62525, 62549, 62918, 63259, 63362, 63570, 63571, 63935, 64060, 64071, 64072, 64197, 64661, 65369, 65550, 65662, 65674, 65742, 65746, 65824, 66036, 66474, 66492, 66771, 66935, 66973, 67032, 67038, 67120, 67578, 67726, 67843, 67892, 67931, 68457, 68614, 68999, 69049, 69213, 69369, 70338, 70498, 70599, 70713, 70775, 70871, 71021, 71074, 71100, 71712, 71779, 71812, 72189, 72281, 72316, 72408, 72834, 72978, 73332 73628, 73998, 74682, 74693, 74960, 74993, 75188, 75738, 76739, 76409, 77128, 77195, 78462, 78465, 78466, 78467, 78753, 78891, 78945, 79057, 79149, 79170, 79211, 79233, 79484, 79722, 79812, 79939, 80438, 80559, 80813, 81185, 81341, 81367, 81508, 81514, 81577, 81751, 81767, 81768, 81955, 82061, 82086, 82087, 82379, 82398, 82521, 83776, 84169, 84883, 85600, 86128, 86170, 86317, 88402, 88935, 90412, 91574, 93042, 93685, 93872, 94241, 94247, 94250, 94251, 94252, 94253, 94254, 94255, 94256, 94257, 94258, 94259, 94268, 94544, 94617, 95012, 95423, 96104, 96240, 96284, 96457, 96515, 96524, 96645, 96718, 97891, 98558, 100041, 100117, 100135, 100289, 100643, 102092, 102279, 102902, 103059, 103269, 103510, 103518, 103519, 104425, 104479, 104512, 104756, 105623, 105759, 105932, 106218, 106839, 109243, 109317, 109472, 109786, 110079, 110717, 111137, 111221, 111222, 112870, 113085, 113233, 113619, 113700, 113705, 114206, 114589, 114687, 114737, 114857, 115296, 115387, 116473, 116825, 116826, 117300, 117829, 118056, 118237, 118508, 118605, 118721, 119790, 119932, 120085, 120250, 120260, 120522, 120542, 120909, 120953, 121145, 121169, 121479, 122247, 122843, 122965, 122991, 123874, 124012, 124188, 124526, 124644, 124785, 125504, 125806, 125962, 126334, 126335, 126353, 126393, 126412, 126527, 126880, 127276, 127683, 127850, 128214, 128237, 128468, 128689, 128773, 128782, 129244, 129245, 129246, 129456, 129499, 129655, 129673, 129921, 130488, 130807, 131407, 132887, 133564, 133567, 133780, 133822, 133994, 134248, 134534, 134721, 135763, 136731, 136772, 137254, 137734, 139444, 139479, 139770, 139902, 139931, 140688, 141115 141177, 141476, 141639, 141701, 141750, 141787, 141874, 142225, 142300, 142336, 142338, 142375, 144013, 144413, 144419, 144550, 144715, 144809, 145256, 145297, 145648, 145915, 145942, 145943, 146066, 146101, 146110, 146370, 146697, 147106, 147113, 147644, 147763, 148024, 148943, 149390, 149313, 149314, 149315, 149454, 149959, 150851, 150932, 151138, 152035, 152049, 152071, 152081, 152465, 153559, 153828, 154091, 154092, 154093, 155792, 156342, 156343, 156620, 156924, 157881, 158646, 159022, 159061, 159062, 159291, 159406, 160372, 161138, 161165, 161641, 162505, 163734, 164255, 164256, 164278, 164694, 164806, 165254, 165419, 165435, 165645, 165689, 165923, 166600, 166815, 167093, 167547, 167885, 168023, 168372, 168413, 168763, 169015, 169026, 169568, 169691, 169969, 170020, 170021, 170403, 170629, 170888, 170962, 170963, 170969, 171256, 171257, 171258, 171259, 171260, 171403, 171500, 171693, 171741, 171791, 172055, 172259, 172261, 172390, 172711, 173144, 173148, 180377, 180521, 180595, 180854, 180990, 181324, 181794, 181899, 182086, 182245, 182418, 182507.
$500—234, 293, 476, 710, 1113, 1387, 3698, 4319, 4462, 4799, 5388, 5687, 5918, 6117, 6495, 7414, 7685, 7700, 7778, 7779, 7852, 8603, 9010, 9130.

Chicago, Rock Island & Pacific Railway Company—First and Refunding Mortgage 4% 1934:
$1,000—3584, 26093, 36938.

Chicago, Rock Island & Pacific Railway Company—4% Bonds 1927/52:
$1,000—14765.

Chicago, Rock Island & Pacific Railway Co. Convertible Gold 4½% 1930/60:
$1,000—1698, 1699, 1700, 21488.

Cities Service Company—Convertible 5% Gold Debenture, 1950:
$1,000—9960, 15450, 23489, 23638, 23691, 28666, 47264, 56406, 74444, 76525, 89930, 101172, 106178.

Cities Service Company—5% Gold Debentures, 1958:

$1,000—617, 1063, 1185, 1426, 1967, 3740, 4018, 4244, 5561, 6104, 6302, 6303, 7726, 7768, 8494, 8722, 8723, 8791, 9840, 10192, 10351, 11158, 11824, 12442, 12583, 13776, 14807, 14879, 15309, 15763, 16067, 16068, 16069, 16070, 16228, 18514, 19011, 19120, 19455, 19883, 20595, 21421, 21470, 21538, 22028, 24505, 24569, 24965, 26548, 26549, 26550, 26790, 27035, 27237, 27522, 30600, 30681, 30817, 34431, 34629, 35654, 38594, 38652, 38860, 39179, 40007, 40457, 42401, 42402, 42462, 44763, 45613, 46472, 46830, 48399, 48524, 48784.
$500—107, 181.

Cities Service Company—5% Gold Debenture, 1963:
$1,000—12570.

Cities Service Company—Refunding 5% Gold Debenture, 1966:
$1,000—1005, 1724, 2564, 2565, 2927, 3219, 4026, 4184, 4906, 7228, 7229, 7787, 8112, 8976, 9012, 9864, 10366, 10820, 11011, 11074, 11847, 11963, 13085, 13433, 16523, 16526, 16832, 17498, 17699, 17866, 17921, 17999, 18029, 18031, 18393, 18772, 18959, 19067, 20283.
$500—781, 1662, 2302, 3247.

Cities Service Company 5% Gold Debenture, 1969:
$1,000—306, 460, 556, 603, 653, 943, 1158, 1461, 6035, 7809, 9682, 10958, 11397, 11465, 11527, 12734, 12766, 14123, 14306, 15205, 16158, 16495, 16645, 16977, 17846, 17995, 20328, 21329, 21338, 22426, 22505, 22663, 22688, 24085, 24086, 24087, 24088, 24089, 24249, 25028, 25298, 25304, 25551, 26464, 27049, 29658, 29969, 30930, 31304, 32236, 34932, 35713, 36172, 37550, 38584, 38886, 39012, 39775, 39777, 39830, 40653, 40654, 41522, 41597, 41651, 41666, 41697, 41847, 41848, 41849, 41877, 41897, 41902, 41977, 42469, 42671, 42743, 42767, 42880, 42881, 43012, 43105, 43384, 44533, 44687, 45314, 45665, 45750, 45862, 46986, 47089, 47307, 47616, 47842, 48114, 48148, 48222, 48285, 48966, 49031, 49068, 49934.

Cities Service Power and Light Company—Debenture 5½%, Due 1949:
$1,000—1777, 4834.

Cities Service Power and Light Company—Debenture 5½%, Due 1952:
$1,000—6,317, 9745, 17671, 17994, 18572, 18589, 26348, 43135, 44536.

Cuba Company (The)—3% (Formerly 6% Bonds 1905 Due 1955):
$1,000—2592, 3484, 3782, 3884.

Cuba Railroad Company (The)—First Gold 5% Due 1952:
$1,000—506, 977, 1363, 1439, 1570, 1716, 2123, 2419, 2731, 2782, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 3363, 3385, 3567, 3894, 4395, 5378, 5483, 6099, 6251, 6282, 6634, 6636, 6849, 6993, 7119, 7859, 7893, 7914, 7915, 8308, 8417, 8953, 9694, 9737, 10050, 10085, 10359 10538, 10666, 10898, 10934, 11379, 11525, 11847, 11865, 12068, 12265, 12374, 12445, 12650, 12683, 13056, 13100, 13545, 13629, 13830, 13946, 14369.

Cuba Railroad Company—Improvement and Equipment Gold 5% Due 1960:
$1,000—38, 1348.

Dallas and Waco Railway Company—First Gold 5% Due 1940:
$1,000—564.

Delaware & Hudson Company—4% Bonds 1908 Due 1943:
$1,000—587, 8856, 11067, 11068, 15436, 25345.

Denver & Rio Grande Railroad Company—First Consolidated Gold 4% Due 1936:
$1,000—13202, 17275, 24150, 26544.
$500—208, 214.

Denver and Rio Grande Railroad Company—First Consolidated Gold 4½% Due 1936:
$1,000—36927.

Denver & Rio Grande Western Railroad General Gold 5% Due 1955:
$1,000—19514, 19538, 19621, 19622, 22219, 23096, 23097, 26045, 26091, 26092, 26093, 26094, 26095, 26096.
$500—465, 466, 467, 468, 469, 470, 1255, 1302, 1364, 1375, 1559, 1676, 2099.
$100—556, 557, 558, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2703, 2906, 2907, 2988, 2989, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3125, 3126, 3127, 3128, 3240, 3291, 3292, 3293, 3294, 3304, 3344, 3345, 3376, 4886, 4887, 4888, 5171, 5172, 5705, 5971, 5972, 6014, 6015.

Des Moines & Fort Dodge Railroad—First Gold 4% 1925—Due 1935:
$1,000—1810, 1811, 3020.

Des Moines & Fort Dodge Railroad—4% Bonds (Certificates of Deposit):
$1,000—T.M. 1829-774, T.M. 1831-776, T.M. 1887-1997, T.M.1888-1998.

Florida Central & Peninsular Railroad Company—First Consolidated Gold 5% Due 1943:
$1,000—2109.

Grand Trunk Western Railway Company—First Gold 4% Due 1950:
$500—428, 860, 862.

Havana Electric Railway Company—5% Consolidated Mortgage Gold Bonds Due 1952:
$1,000—8669, 8711, 9151, 9152.

Hudson & Manhattan R.R. Co.—Adjustment Income Gold Bonds 5% 1913/57:
$1,000—20034.

Illinois Central Railroad Company—Collateral Trust Gold 4% Due 1952:
$1,000—1238, 1696, 1792, 2930, 4768, 5933, 6038, 7041, 7438, 7948, 7949, 9265, 12660, 12661, 12833.
$500—15995, 15996.

Illinois Central Railroad Company—Mortgage & Collateral, Gold 4% Due 1953:
$1,000—578, 980, 2555, 3030, 3423, 3946, 4230, 4781, 5524, 9283, 9759, 11355, 12474, 12572, 15710, 16891, 19660, 19962, 19968, 20194.
$500—22807, 22808, 25117, 27417, 27996.

International Hydro-Electric System—Convertible Debenture Gold 6% Due 1944:
$1,000—1644, 1806, 5596, 5702, 5720, 7458, 8009, 8151, 8409, 9934, 11542, 20537, 21002, 21033, 21038, 21094, 21111, 21842, 22120, 22794, 22857, 23897, 24014, 24421, 24481, 24523, 24778, 25145, 26798, 26939, 27249, 27803, 28270, 28392, 28524, 28529, 29861.

International Mercantile Marine Co., Ltd.—First and Collateral Trust Gold 6% Due 1941:
$1,000—337, 339, 340, 521, 522, 524, 526, 1374, 1432, 1570, 2171, 3410, 4258, 4265, 4308, 4489, 4579, 4601, 4602, 4603, 4604, 7869, 13289, 14031, 19606, 21311, 21392, 26918, 26930, 27669, 28306, 29973, 30263, 36098, 36129, 36130.
$500—258, 469, 512, 563, 700, 745, 752, 1000, 1211, 1244, 1577, 1974, 1977, 2177, 2380, 2655, 2899, 3051, 3092, 3344, 3423, 3584, 3585, 3586, 3649, 3650, 3815, 3934, 4100, 4418, 4879, 7778.

International Power Securities Corporation—Secured Gold 6½%, Series C Due 1955:
$1,000—179, 1734, 1740, 1741, 1746, 1788, 1848, 1873, 1879, 1902, 1947, 1951, 3896, 7361, 9176.

International Railways of Central America, First Gold 5% Sterling Issue, Due 1972:
£20—A1071, 4514, 5995, 6954, 6955, 8988.

International Telephone & Telegraph Corporation—4½% Due 1952:
$1,000—19320, 31983.

International Telephone & Telegraph Corporation—Debenture Gold 5% Bonds 1930 Due 1955:
$1,000—22427.

Kansas City Fort Scott & Memphis Railway Co.—Refunding (Now First) Gold 4% Due 1936:
$1,000—1864, 7594.

Kansas City Southern Railway—3% 1st Mortgage Gold Due 1950:
$1,000—80, 359, 476, 646, 1092, 2028, 2097, 2378, 2423, 3139, 3407, 4810, 5652, 5900, 5956, 6446, 7084, 7469, 10525, 10723, 10744, 10784, 11244, 11497, 11765, 11933, 13502, 14404, 14546, 14964, 15261, 15582, 15762, 17275, 18156, 18331, 19951, 22334, 22335, 22419, 22839, 22973, 23223, 23772, 26265, 27033, 27288, 28813.

Kansas City Southern Railway Co.—Refunding & Improvements Mortgage Bond 5% Due 1950:
$1,000—361, 1647, 2830, 3165, 3298, 3407, 7866, 7951, 8425, 8437, 8439, 8689, 9230, 9387, 9960, 10467, 10781, 12710, 14713, 17058, 17338.

Kansas City Terminal Railway Co.—First Gold 4% Due 1960:
$1,000—24901, 33450, 34560, 34561.

Long Island Railroad Co.—4% Refunding, Due 1949:
$500—682.

Louisville & Jeffersonville Bridge and Railroad Co.—First Gold 4% Due 1945:
$1,000—970, 1785, 1814, 1983, 2429, 3193.

Louisville & Nashville Railroad Co.—3¾% Refunding 1921/2003:
$1,000—16071, 16072, 17073.

Louisville & Nashville Railroad Co.: Mobile and Montgomery Ry. First Gold 4½% Due 1945:
$1,000—804, 1280.

Louisville & Nashville R.R. Co., Southeast & St. Louis Division—Second (Now First) 3% Due 1980:
$1,000—2, 787, 1046, 1569, 1744, 2134, 2136.

Minneapolis, St. Paul & Sault Ste. Marie Railway Company 4% Bonds 1888/1938:
$1,000—2387, 23147, 25314, 36781.

Missouri-Kansas-Texas Railroad Company—Prior Lien Gold 4% Series B Due 1962:
$1,000—9014.
$500—1308, 1313, 1411.
$250—487, 841.

Missouri-Kansas-Texas Railway Company First Gold 4% Due 1990:
$1,000—628, 2708, 3106, 3419, 5125, 6200, 7392, 9923, 10250, 11532, 11597, 12595, 15804, 17118, 17427, 19374, 20042, 20135, 21037, 21097, 21168, 24598, 25429, 26763, 27583, 27750, 28315, 28724, 29197, 29255, 29267, 29314, 29588, 31726, 32539, 32749, 32789, 32892, 33194.
$500—37340, 38471, 41005, 43344.

Missouri-Kansas-Texas Railroad Company—Prior Lien 5% Series A Due 1962:
$1,000—29248, 29485, 30865, 30866, 30867, 31199.
$500—2205, 2261, 2562, 2573.
$250—139, 1131, 1779.

Missouri-Kansas-Texas Railroad Company—Cumulative Adjusted Mortgage Gold 5% Series A Due 1967:
$1,000—46839, 47607.
$500—2887, 3655, 3854, 3855, 4393, 4395, 4404.
$100—6052.

Missouri Pacific Railroad Company 4% General Mortgage Gold Bonds Due 1975:
$1,000—1378, 1398, 1439, 1760, 2259, 2691, 2806, 3518, 4285, 4665, 4839, 5622, 5988, 6225, 6809, 7042, 7045, 7052, 8344, 8431, 8447, 8972, 9208, 9247, 9250, 9465, 9949, 10485, 10581, 10710, 10822, 11067, 11158, 11189, 11363, 11475, 11732, 11785, 11956, 12053, 12247, 12248, 12331, 12371, 12448, 12698, 12743, 12749, 12919, 13138, 13834, 14093, 14357, 14439, 14767, 15112, 15500, 15747, 16367, 17148,17295, 17346, 17797, 17901, 18054, 19136, 19315, 19574, 19753, 20292, 20427, 20439, 20471, 20950, 21680, 22335, 22428, 23084, 23308, 23385, 23387, 23390, 23436, 23542, 23771, 24597, 24908, 24909, 24910, 25069, 25152, 25229, 25339, 25350, 25555, 25738, 26180, 26205, 26372, 26441, 27505, 27506, 27911, 28112, 28453, 28494, 29050, 29243, 29353, 29471, 29695, 29788, 29889, 29934, 30246, 30506, 30678, 31268, 31541, 31578, 31666, 31711, 31778, 31799, 31842, 32290, 32548, 32740, 33161, 33274, 33281, 33349, 33736, 33783, 33909, 33974, 34370, 34497, 34699, 34709, 35100, 35373, 35374, 36142, 36234, 36342, 36889, 37177, 37929, 38002, 38226, 38428, 38654, 40166, 40213, 40414, 40423, 40425, 40570, 41411, 41609, 42073, 42075, 42371, 42841, 43123, 44067, 44476, 45600, 45834, 46316, 46482, 46598.
$500—437, 710, 1287, 1501, 1640, 1667, 1754, 3008, 3009, 3042, 3075, 3076, 3114, 3115, 3239, 3240, 3242, 3481, 3538, 3697, 3727, 3991, 4158, 4566, 4601.

Missouri Pacific Railroad Company—First & Refunding Gold 5% Series G Due 1978:
$1,000—4181, 8478.

Missouri Pacific Railroad Company—5½% Bonds 1929/49:
$1,000—27905.

New York Central and Hudson R.R.—Gold 3½% Due 1997:
$1,000—5507, 30216, 56526.
New York Central Railroad Company (The)—4½% Bonds 1913 Due 2013 Series A:
$1,000—58717, 58718, 58719.
New York, City of (Rapid Transit S.F.)—4½% 1915/65:
$1,000—6704, 6714, 20735.
New York Lackawanna & West. Ry.—4% Series A 1922 Due 1973:
$1,000—A5926.
New York, Pennsylvania & Ohio Railroad—4¼% Bonds 1880 Due 1950:
$1,000—5355.
$500—2294, 4935.
New York Telephone Company—4½% Bonds 1909 Due 1939:
$1,000—26656, 47512.
Norfolk & Western Railway Company—First Consolidated Gold 4% Due 1996:
$1,000—5686, 6947, 16393, 16728, 16730, 16790, 17023, 17649, 17661, 17991, 18639, 19006, 19200, 19557, 19605, 19661, 20033, 20034, 20035, 20036, 20056, 21213, 21419, 22280, 22283, 22381, 22384, 22984, 25557, 26125, 27160, 27512, 27737, 27868, 27877, 27928, 28637, 29077, 29410, 29454, 29562, 29838, 31057, 31131, 31643, 31646, 34037 34546.
$500—3396, 3674, 3889, 3951, 3952, 4280, 4393, 4542, 4543, 4557, 4577, 4588, 4747, 4748, 4760, 4775, 5106, 6549, 6673, 7049, 7113, 7213, 7543, 7562, 7563, 8135, 8287, 9351.
Northern Pacific Railway Company—Prior Lien Gold 4% Due 1997:
$1,000—5468, 9870, 61059, 89945.
Oregon-Washington Railroad and Navigation Company First and Refunding Mortgage Gold 4% Due 1961:
$1,000—466, 51508.
Pacific Gas and Electric Co.—First & Refunding Mortgage, Series G, 4% Due December 1, 1964:
$1,000—M93376.
Panhandle Eastern Pipeline Co.—First Mortgage & First Lien, 4% Bonds 1937/52:
$1,000—A. AM. 6704, A. AM. 6705, A. AM. 6706, A. AM. 6707.
Pennsylvania Railroad Company—40 years Gold Debenture 4½% Due April 1, 1970:
$1,000—43444.
Philippine Railway Company—First Sinking Fund Gold 4% Due 1937:
$1,000—79, 102, 203, 227, 308, 343, 544, 1263, 1368, 1549, 1595, 1719, 1963, 2103, 2379, 2423, 2479, 3186, 3208, 3330, 3461, 3677, 3732, 3882, 3909, 4307, 4334, 4397, 4681, 4706, 4858, 5047, 5078, 5285, 5832, 5890, 6086, 6313, 6405, 6497, 6543, 7243, 7334, 7470, 7478, 7480, 7705, 7836, 8036, 8399, 8422, 8438, 8456.
Republic Steel Corporation—4½% Bonds, Series B, 1936/61:
$1,000—BM14807, BM14808, BM14809, BM14810, BM14811.
St. Louis-San Francisco Railway Company—4% Mortgage Bonds, Prior Lien, Series A:
$1,000—13887, 77838, 86441.
$500—3504
St. Louis-San Francisco Railway Co.—5% Prior Lien Series B:
$1,000—4775.
St. Louis Southwestern Railway Co.—4% First Loan 1890, Due 1989:
$1,000—861, 1124, 16270.
San Antonio & Aransas Pass Railway Company—4% First Mortgage Bonds 1893/1943:
$1,000—2835, 8312, 8314.
Seaboard Airline Railway—Ref. Gold 4% 1909/59:
$1,000—14002, 14003, 14009, 14240, 16419.
Seaboard Air Line Railway—Adjustable Mortgage Gold 5% 1909/49:
$1,000—19356.
Southern California Edison Company, Ltd.—First and Refunding 3¾% Bonds, 1935/60:
$1,000—4942, 4943, 4944, 41619, 41620.

Southern Pacific Co.—4% Collateral Trust Gold Bonds Issued 1899, Due 1949:
$1,000—565, 695, 1546, 1639, 3017, 3133, 3134, 3184, 4073, 4160, 5741, 5742, 5993, 9283, 11219, 12090, 13587, 13763, 13864, 14899, 15488, 15507, 16240, 16473, 19309, 21673, 21931, 23092.
$500—107, 136, 1907, 2100, 2412, 2601, 3767, 3920, 4614, 4654, 4655, 5120, 6601, 6605, 6718, 7940, 8777, 9825.
Southern Pacific Company—4½%, 40-Year Gold Bonds, Due 1969:
$1,000—13245, 13438, 15408, 29800, 30487, 31676, 32488, 37397, 43691, 52369, 52897, 55559, 58873, 60757, 63129, 63676.
Southern Pacific Company—Gold 4½% Due 1981:
$1,000—12245, 12286, 12552, 28506, 37841, 45804.
Southern Pacific Company San Francisco Terminal, 4% First Mortgage Bonds 1910 due 1950:
$1,000—2524, 2554, 2942, 3154, 6016, 6522, 6523, 6524, 8706, 9196, 9254, 9334, 9855, 9856, 10382, 11226, 12440, 12621, 12666, 13181, 13390, 13422, 14212, 14231, 14726, 14730, 15134, 15198, 15285, 15370, 15371, 15372.
$500—31, 32, 33, 34, 35, 68, 910, 1161, 3057, 5060, 5795, 5953, 7355, 7666, 8388, 8390, 8623, 8659, 10476, 11887, 11888, 11916, 12064, 12067, 12070, 12073, 12242, 12243, 13592, 13934, 13935, 13969, 14295, 14296, 15170, 16089, 16090.
$100—3368, 11958, 11959.
Southern Pacific Railroad Company—First Refunding Mortgage 4% Bonds Due 1955:
$1,000—83, 886, 2061, 2362, 3266, 4356, 4769, 4875, 7682, 13947, 14488, 15213, 16697, 17846, 19981, 26649, 27549, 28115, 28518, 30288, 32886, 35777, 35779, 36078, 42795, 45578, 50162, 50323, 50569, 53889, 55520, 58068, 57125, 57839, 73092, 73431, 75751, 81008, 82091, 87751, 89862, 89865, 90830, 91743, 91745, 95273, 95696, 105640, 105649, 111808, 117031, 128040, 129416.
$500—655, 951, 3151, 4311, 4313, 4314, 4693, 5495, 6804.
Southern Railway Company—4% Development and General Mortgage Bonds Due 1956:
$1,000—604, 1177, 4570, 5603, 5642, 5895, 6524, 6598, 6882, 6883, 12584, 12679, 15952, 16331, 16457, 17481, 20246, 20652, 23141, 23276, 24606, 26352, 27459, 30664, 30793, 32512, 32889, 35049, 36326, 37530, 37995, 38295, 40108, 42719, 42759, 42904, 44020, 46205, 49111, 49723, 49798, 51101, 51201, 52673, 55193, 55648, 58867.
Southern Railway Company—5% First Mortgage & Collateral Trust Bonds Due 1994:
$1,000—14809, 55929.
Standard Power & Light Corporation 6% Bonds 1927 Due 1957:
$1,000—1063, 4324, 4687.
Studebaker Corporation (The)—Convertible Debenture 6%, 1945:
$100—3635, 3636, 3838, 3839, 3840, 3841, 3947, 3956, 3959, 3960.
Studebaker Corporation (The)—Convertible Debenture, Scrip Certificates:
$22.50—483.
$3.33—278.
Union Pacific Railroad Company—3½% Bonds 1936/71:
$1,000—12030, 12031, 18146, 21125.
Union Pacific Railroad Company—First Gold, 4% of 1947:
$1,000—809, 6600, 7936, 10950, 14246, 16179, 20719, 21778, 23432, 23784, 26126, 31111, 33945, 36061, 37039, 38242, 39912, 41137, 43459, 44782, 45953, 48889, 49831, 50486, 51089, 53217, 53816, 55232, 55952, 56455, 58409, 59177, 60210, 60599, 61144, 61660, 62257, 63662, 67179, 73164, 77691, 78364, 78372, 78374, 78930, 79156, 79779, 81026, 85060, 85983, 86057, 87370, 89306.
$500—314, 572, 573, 1827, 3436, 3855, 4443, 4834, 5175, 5971, 6360, 7614, 7801, 9224, 10101, 10165, 10172, 10666, 13274, 13366, 13555, 14426, 16830, 17192.
Union Pacific Railroad Company, First Lien and Refunding Gold 4% 1908 Due 2008:
$1,000—53300.

Western Pacific Railroad Company—5% First Mortgage Bonds Due 1946:
$1,000—19037, 19038.
Winston-Salem Southbound Railway Company—4% First Mortgage Gold Bonds Due 1960:
$1,000—1853, 1854.

STOCKS

Corporate Trust Shares Series AA (Modified) Distributive Type:
100 share certificate—8563.
Corporate Trust Shares Accumulative Series (Modified):
10 share certificate—17300.
North American Trust Shares 1953 Issue:
50 share certificates—24736, 24737, 24738, 24739, 24742, 24743, 24744, 24745, 24746, 24747, 24748, 24981, 24982, 26990, 26991.
North American Trust Shares 1955 Cumulation Type:
100 share certificates—3670, 8689.
50 share certificates—2914, 3149.
10 share certificate—43934.
North American Trust Shares 1956 Disbution Type:
100 share certificates—DD7222, DD7361, DD11072, DD11374, DD11386, DD15575, DD21354, DD28463, DD32157, DD32716, DD33208, DD36746, DD38441, DD38442, DD56843.
50 share certificates—CC3555, CC3556, CC10838, CC10839.
25 share certificates—BB2909, BB3026, BB3027.
10 share certificates—AA13584, AA13585, AA13586, AA15968, AA15969, AA39045, AA55458.

§ 520.207 General Ruling No. 7.

The provisions of §§ 520.205 and 520.205(b) (General Rulings Nos. 5 and 5B, as amended), are extended to securities or evidences thereof coming from the Panama Canal Zone into any other part of the United States.

§ 520.212 General Ruling No. 12.

(a) Unless licensed or otherwise authorized by the Secretary of the Treasury, (1) any transfer after the effective date of the order is null and void to the extent that it is (or was) a transfer of any property in a blocked account at the time of such transfer; and (2) no transfer after the effective date of the order shall be the basis for the assertion or recognition of any right, remedy, power, or privilege with respect to, or interest in, any property while in a blocked account (irrespective of whether such property was in a blocked account at the time of such transfer.)

(b) Unless licensed or otherwise authorized by the Secretary of the Treasury, no transfer before the effective date of the order shall be the basis for the assertion or recognition of any right, remedy, power, or privilege with respect to, or interest in any property while in a blocked account unless the person with whom such blocked account is held or maintained had written notice of the transfer or by any written evidence had recognized such transfer prior to the effective date of the order.

(c) Unless otherwise provided, an appropriate license or other authorization issued by the Secretary of the Treasury before, during, or after a transfer shall validate such transfer or render it enforceable to the same extent as it would be valid or enforceable but for the provisions of section 5(b) of the Trading

With the Enemy Act, as amended, and orders, regulations, instructions, and rulings issued thereunder.

(d) Any transfer affected by the order and/or this section and involved in, or arising out of, any action or proceeding in any court within the United States shall, so far as affected by the order and/or this section, be valid and enforceable for the purpose of determining for the parties to the action or proceeding the rights and liabilities therein litigated: *Provided, however,* That no attachment, judgment, decree, lien, execution, garnishment, or other judicial process shall confer or create a greater right, power, or privilege with respect to, or interest in, any property in a blocked account than the owner of such property could create or confer by voluntary act prior to the issuance of an appropriate license.

(e) For the purpose of this general ruling:

(1) The term "transfer" shall mean any actual or purported act or transaction, whether or not evidenced by writing, and whether or not done or performed within the United States, the purpose, intent, or effect of which is to create, surrender, release, transfer, or alter, directly or indirectly, any right, remedy, power, privilege, or interest with respect to any property and without limitation upon the foregoing shall include the making, execution, or delivery of any assignment, power, conveyance, check, declaration, deed, deed of trust, power of attorney, power of appointment, bill of sale, mortgage, receipt, agreement, contract, certificate, gift, sale, affidavit, or statement; the appointment of any agent, trustee, or other fiduciary; the creation or transfer of any lien; the issuance, docketing, filing, or the levy of or under any judgment, decree, attachment, execution, or other judicial or administrative process or order, or the service of any garnishment; the acquisition of any interest of any nature whatsoever by reason of a judgment or decree of any foreign country; the fulfillment of any condition, or the exercise of any power of appointment, power of attorney, or other power: *Provided, however,* That the term "transfer" shall not be deemed to include transfers by operation of law.

(2) The term "property" includes gold, silver, bullion, currency, coin, credit, securities (as that term is defined in section 2(1) of the Securities Act of 1933, as amended), bills of exchange, notes, drafts, acceptances, checks, letters of credit, book credits, debts, claims, contracts, negotiable documents of title, mortgages, liens, annuities, insurance policies, options and futures in commodities, and evidence of any of the foregoing. The term "property" shall not, except to the extent indicated, be deemed to include chattels or real property.

(3) The term "blocked account" shall refer to a blocked account (including safe deposit box) of a party to the transfer and shall have the meaning prescribed in § 520.204 (General Ruling No. 4) except that it shall not be deemed to include an account not treated as a blocked account by the person with whom such account is held or maintained.

(4) The term "effective date of the order" shall have the meaning prescribed in § 520.204 except that "the effective date of the order" as applied to any person whose name appears on The Proclaimed List of Certain Blocked Nationals shall be the date upon which the name of such person first appeared on such list.

(5) The term "transfer by operation of law" shall be deemed only to mean any transfer of any dower, curtesy, community property, or other interest of any nature whatsoever: *Provided,* That such transfer arises solely as a consequence of the existence or change of marital status; any transfer to any person by intestate succession; any transfer to any person as administrator, executor, or other fiduciary by reason of any testamentary disposition; any transfer to any person as administrator, executor, or fiduciary by reason of judicial appointment or approval in connection with any testamentary disposition or intestate succession; and any transfer pursuant to (i) Netherlands Royal Decree of May 24, 1940, and (ii) Norwegian Provisional Decree of April 22, 1940, concerning the monetary system, etc.

(f) Nothing contained in this section shall be deemed to affect in any way criminal liability for violation of the order, or the regulations, rulings, circulars, or instructions issued thereunder, or in connection therewith, or to otherwise modify any provision thereof.

NOTE: For interpretation of General Ruling No. 12 see § 520.331 (Public Circular No. 31).

§ 520.212a General Ruling No. 12A.

(a) Reference is made to transfers of property in a blocked account which are null and void, or unenforceable, by virtue of the provision of § 520.212 (General Ruling No. 12). Such transfers shall not be deemed to be null and void, or unenforceable, under § 520.212 as to the person with whom such blocked account was held or maintained (and as to such person only) in cases in which such person is able to establish each of the following:

(1) Such transfer did not represent a willful violation of the order by the person with whom such blocked account was held or maintained;

(2) The person with whom such blocked account was held or maintained did not have reasonable cause to know or suspect, in view of all the facts and circumstances known or available to such person, that such transfer was not licensed or authorized by the Secretary of the Treasury, or if a license did purport to cover the transfer, that such license had been obtained by misrepresentation or the withholding of material facts or was otherwise fraudulently obtained; and

(3) Promptly upon discovery that such transfer was in violation of the order, or was not licensed or authorized by the Secretary of the Treasury, or if a license did purport to cover the transfer, that such license had been obtained by misrepresentation or the withholding of material facts or was otherwise fraudulently obtained, the person with whom such blocked account was held or maintained filed with the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220 a report in triplicate setting forth in full the information called for therein: *Provided, however,* That such report should not be regarded as evidence of compliance with subparagraphs (1) and (2) of this paragraph.

(b) Except as otherwise provided by regulations, rulings, licenses, or instructions expressly referring to this general ruling, no license will be required to validate the authority of any person to act or purport to act in a transaction directly or indirectly for the benefit or on behalf of any country listed in § 520.101(a) (1) or any national thereof: *Provided,* That the transaction in which such person acts or purports to act is licensed or authorized by the Secretary of the Treasury or is not prohibited pursuant to action 5(b) of the Trading With the Enemy Act, as amended.

(c) As used in this section, the term "blocked account" shall have the same meaning as that prescribed in § 520.212.

§ 520.216 General Ruling No. 16.

Regulations relating to safe deposit boxes leased to nationals of countries listed in § 520.101(a)(1) or containing property in which nationals of such countries have an interest.

(a) *Access to certain safe deposit boxes prohibited.* Except as authorized in this section or as specifically licensed or authorized by the Secretary of the Treasury, no person shall be granted access to any safe deposit box within the United States leased to any country listed in § 520.101(a)(1) or national thereof or containing any property in which any country listed in § 520.101(a)(1) or national thereof has any interest or which there is reasonable cause to believe contains property in which any country listed in § 520.101(a)(1) or national thereof has an interest.

(b) *Access authorized under certain conditions.* (1) Access to any safe deposit box leased to a country listed in § 520.101(a)(1) or national thereof or containing property in which any country listed in § 520.101(a)(1) or national thereof has an interest, and the deposit therein or removal therefrom of any property is hereby authorized: *Provided,* That both of the following conditions are complied with:

(i) Access shall be permitted only in the presence of an authorized representative of the lessor of such box:

(ii) In the event that any property in which any country listed in § 520.101(a)(1) or national thereof has any interest is to be removed from such box, access shall be permitted only in the presence of an authorized representative of a banking institution within the United States, which may be the lessor of such box, which shall receive such property into its custody immediately upon removal from such box and which shall

hold the same in a blocked account under an appropriate designation indicating the interests therein of countries listed in § 520.101(a)(1) or nationals thereof.

(2) The lessee or other person granted access to any safe deposit box under this general ruling shall furnish to the lessor a certificate in triplicate that he has filed or will promptly file a report on Form TFR–300 with respect to such box, if leased to a national of a foreign country, and with respect to all property contained in the box to which access is had in which any foreign country or national thereof has an interest. The lessor shall deliver two copies of such certificate to the Office of Foreign Assets Control, Treasury Department, Washington, D.C., 20220. The certificate is required only on the first access to the box and need not be furnished if a certificate has been filed pursuant to General License No. 12 prior to the revocation thereof.

§ 520.220 General Ruling No. 20.

(a) *Certain payments not authorized.* General License No. 1 (§ 520.1) (and any other license to the extent that it merely authorizes payments or transfers between blocked accounts of the same person) does not authorize any payment or transfer of property from an account regarded as blocked under § 520.101 (General License No. 101), except to an account which is also regarded as blocked under that section.

(b) *Responsibility for giving notice.* Persons effecting any payment or transfer of property held in a blocked account pursuant to General License No. 1 (or any other license to the extent that it merely authorizes payments or transfers between blocked accounts of the same person) are required to notify the recipient that the property transferred must be placed in a blocked account.

Subpart D—Public Circulars

§ 520.321 Public Circular No. 21.

(a) *Status of subaccounts.* Each subaccount of a blocked account is deemed to be a separate blocked account.

(b) *Certain transactions not authorized by General Licenses 1, 4, 27.* (Sections 520.1, 520.4, 520.27) (1) On and after January 16, 1943, §§ 520.1, 520.4, and 520.27 (General Licenses Nos. 1, 4, and 27) shall not be deemed to authorize the crediting of the proceeds of the sale of securities held in a blocked account or a subaccount thereof, or the income derived from such securities, to a blocked account or subaccount under any name or designation which differs from the name or designation of the specific blocked account or subaccount in which such securities were held:

(2) [Reserved]

(c) *Certain transactions not authorized by specific licenses.* On and after January 16, 1943, no specific license shall be deemed to authorize (1) the crediting of the proceeds of the sale of securities held in a blocked account or subaccount thereof, (2) the crediting of the income derived from such securities or (3) the transfer of such securities, to a blocked account or subaccount under any name or designation which differs from the name or designation of the specific blocked account or subaccount in which such securities were held, unless such specific license by its terms expressly authorizes such crediting or transfer.

§ 520.331 Public Circular No. 31.

(a) Reference is made to § 520.212 (General Ruling No. 12) relating to unlicensed transfers of blocked property.

(b) Under § 520.212(a) (General Ruling No. 12A), interests in blocked property cannot be acquired, transferred, or created by unlicensed "transfers." Nor may an unlicensed transfer be the basis for the assertion or recognition of any right, remedy, power, or privilege with respect to, or interest in, any blocked property.

(c) An attachment is a "transfer." See § 520.212(e) (General Ruling No. 12) where the term "transfer" is defined as including "the issuance, docketing, filing, or other levy of or under any judgment, decree, attachment, execution, or other judicial or administrative process or order, or the service of any garnishment." An unlicensed attachment, therefore, cannot operate to transfer or create any interest in blocked property. Nor can it serve as a basis for the assertion or recognition of any right, remedy, power, or privilege with respect to, or interest in, any blocked property.

(d) Section 520.212(d) (General Ruling No. 12) does not constitute a license authorizing the seizure or creation of any interest in blocked property by attachment proceedings or other legal process. This paragraph merely is a formal statement of the position which the Treasury Department has always taken with respect to litigation affecting blocked property—that it does not desire to interfere with such litigation so long as it is clearly understood that the judicial process cannot, without a license or other authorization from the Secretary of the Treasury, operate to transfer or create any interest in blocked property. Thus the proviso of § 520.212(d) specifies that "no attachment, judgment, decree, lien, execution, garnishment, or other judicial process shall confer or create a greater right, power, or privilege with respect to, or interest in, any property in a blocked account than the owner of such property could create or confer by voluntary act prior to the issuance of an appropriate license." In issuing § 520.212(d) the Treasury Department did not undertake to decide for the courts whether they should exercise jurisdiction. It simply prescribed that jurisdiction could be exercised only on the basis that if a Treasury license was not issued, the judicial process could not operate to transfer or create any interest in blocked property, nor could it be the basis for the assertion or recognition of any other right, remedy, power, or privilege with respect to the property.

(e) [Reserved]

(f) It will be the general policy of the Treasury Department not to grant any license authorizing the creation or acquisition through legal process of any interest in blocked property.

§ 520.335 Public Circular No. 35.

(a) *Reference.* Reference is made to § 520.87 (General License No. 87), exempting certain transactions from section 2A(2) of the order, to § 520.101 (General License No. 101), unblocking certain property, to § 520.205 (General Ruling No. 5) relating to the importation of securities, and to § 520.212 (General Ruling No. 12) relating to unlicensed transfers of property in a blocked account.

(b) *Registered securities.* Securities issued by any person subject to the jurisdiction of the United States which were registered in the name of a national of a country listed in § 520.101(a)(1) on or prior to the effective date of § 520.94 (General License No. 94) for such country are subject to the proviso of § 520.94 (a) and constitute property in a blocked account unless transfer of registry has been appropriately authorized under the order.

(c) *Property of blocked foreign corporations and other organizations.* Property in the United States which is blocked by reason of the interest of any partnership, association, corporation, or other organization, organized under the laws of any foreign country, which is a national of a country listed in § 520.101(a)(1) because of the stock or other interest therein of a country listed in § 520.101(a)(1) or nationals thereof, shall continue to be regarded as property in a blocked account, notwithstanding the transfer of such stock or other interest to any other country or a national thereof.

(d) *Consequences of certain documents.* With respect to paragraphs (b) and (c) of this section, attention is directed to the fact that neither § 520.87 (General License No. 87), exempting certain transactions from section 2A(2) of the order, nor § 520.205 (General Ruling No. 5 of July 25, 1947), removing the restrictions on the importation of securities not specified in the list attached to such ruling, authorizes any transfer of property in a blocked account. Regarding paragraphs (b) and (c) of this section, attention is also expressly directed to the provisions of § 520.212 (General Ruling No. 12) concerning the effect of unlicensed transfers of property in a blocked account.

§ 520.340 Public Circular No. 40: Effect of prohibitions with respect to domestic and foreign scheduled securities.

(a) Reference is made to §§ 520.205 and 520.205b (General Licenses Nos. 5 and 5B) with respect to which an inquiry has been received as to whether a contract which calls for delivery of a security of a particular issue without reference to any particular certificate number is null and void if a domestic or foreign scheduled security (as defined in the aforementioned sections) is delivered pursuant to it. It was pointed out that ordinarily if delivery is made of a security which is defective another security of the same issue is required to be substituted. The question is directed to whether §§ 520.205 and 520.205b alter any of the obligations arising out of such a contract.

(b) Unless such a contract creates an obligation to deliver a domestic or foreign scheduled security, a contract for the sale and purchase of securities is not rendered null and void by §§ 520.205 and 520.205b by reason of the delivery of a domestic or foreign scheduled security in purported compliance with the contract. Sections 520.205 and 520.205b do not in any way invalidate any rights of the parties to such a contract to enforce its terms, such as requiring delivery of another security of the same issue. Such a contract does not, however, transfer title to or create any interest in or claim to a domestic or foreign scheduled security.

Subpart F—Reports and Records

§ 520.601 Records.

Every person engaging in any transaction subject to the provisions of this part shall keep a full and accurate record of each such transaction engaged in by him, regardless of whether such transaction is effected pursuant to license or otherwise, and such record shall be available for examination for at least two years after the date of such transaction.

§ 520.602 Reports to be furnished on demand.

Every person is required to furnish under oath, in the form of reports or otherwise, from time to time and at any time as may be required by the Secretary of the Treasury or any person acting under his direction or authorization complete information relative to any transaction subject to the provisions of this part or relative to any property in which any foreign country or any national thereof has any interest of any nature whatsoever, direct or indirect. The Secretary of the Treasury or any person acting under his direction may require that such reports include the production of any books of account, contracts, letters or other papers, connected with any such transaction or property, in the custody or control of the persons required to make such reports. Reports with respect to transactions may be required either before or after such transactions are completed. The Secretary of the Treasury may, through any person or agency, investigate any such transaction or property or any violation of the provisions of this part regardless of whether any report has been required or filed in connection therewith.

Subpart G—Penalties

§ 520.701 Penalties.

(a) Attention is directed to section 5(b) of the Trading With the Enemy Act, as amended, which provides in part:

> Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule, or regulation issued thereunder; shall, upon conviction, be fined not more than $10,000 or, if a natural person, may be imprisoned for not more than 10 years, or both; and any officer, director, or agent of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment, or both. As used in this subdivision the term "person" means an individual, partnership, association, or corporation.

This section of the Trading With the Enemy Act, as amended, is applicable to violations of any provision of this chapter and to violations of the provisions of any license, ruling, regulation, order, direction or instruction issued by or pursuant to the direction or authorization of the Secretary of the Treasury pursuant to this chapter or otherwise under section 5(b) of the Trading With the Enemy Act, as amended.

(b) Attention is also directed to 18 U.S.C. 1001 which provides:

> Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

Subpart H—Procedures

§ 520.801 Licensing.

(a) *General licenses.* General licenses have been issued authorizing under appropriate terms and conditions many types of transactions which are subject to the prohibitions contained in the order. All such licenses are set forth in Subpart B of this part. It is the policy of the Office of Foreign Assets Control not to grant applications for specific licenses authorizing transactions to which the provisions of an outstanding general license are applicable. Persons availing themselves of certain general licenses are required to file reports and statements in accordance with the instructions specified in the licenses.

(b) *Specific licenses—(1) General course of procedure.* Transactions subject to the prohibitions contained in the order which are not authorized by general license may be effected only under specific license. The specific licensing activities of the Office of Foreign Assets Control are performed by the central organization and the Federal Reserve Bank of New York. When an unusual problem is presented, the proposed action is cleared with the Director of Foreign Assets Control or such person as he may designate.

(2) *Applications for specific licenses.* Applications for specific licenses to engage in any transaction prohibited by or pursuant to this part are to be filed in duplicate on Form TFAC–23 with the Federal Reserve Bank of New York. Any person having an interest in a transaction or proposed transaction may file an application for a license authorizing the effecting of such transaction, and there is no requirement that any other person having an interest in such transaction shall or should join in making or filing such application.

(3) *Information to be supplied.* Applicants must supply all information specified by the respective forms and instructions. Such documents as may be relevant shall be attached to each application as a part of such application except that documents previously filed with the Office of Foreign Assets Control or the Office of Alien Property, Department of Justice, may, where appropriate, be incorporated by reference. Applicants may be required to furnish such further information as is deemed necessary to a proper determination by the Office of Foreign Assets Control. If an applicant or other party in interest desires to present additional information or discuss or argue the application, he may do so at any time before or after decision. Arrangements for oral presentation should be made with the Office of Foreign Assets Control.

(4) *Effect of denial.* The denial of a license does not preclude the reopening of an application or the filing of a further application. The applicant or any other party in interest may at any time request explanation of the reasons for a denial by correspondence or personal interview.

(5) *Reports under specific licenses.* As a condition upon the issuance of any license, the licensee may be required to file reports with respect to the transaction covered by the license, in such form and at such times and places as may be prescribed in the license or otherwise.

(6) *Issuance of license.* Licenses will be issued by the Office of Foreign Assets Control acting on behalf of the Secretary of the Treasury or by the Federal Reserve Bank of New York, acting in accordance with such regulations, rulings and instructions as the Secretary of the Treasury or the Office of Foreign Assets Control may from time to time prescribe, in such cases or classes of cases as the Secretary of the Treasury or the Office of Foreign Assets Control may determine, or licenses may be issued by the Secretary of the Treasury acting directly or through any person, agency, or instrumentality designated by him.

§ 520.802 Unblocking.

(a) Any interested person desiring the unblocking of accounts or other property on the ground that the property is not subject to the proviso of § 520.101 may file such an application. Such application shall be filed in the manner provided in § 520.801(b) and shall contain full information in support of the administrative action requested.

(b) The applicant is entitled to be heard on the application. If the applicant desires a hearing, arrangements should be made with the Office of Foreign Assets Control.

§ 520.803 Decision.

The Office of Foreign Assets Control or the Federal Reserve Bank of New York will advise each applicant of the decision respecting applications filed by him. The decision of the Office of Foreign Assets Control acting on behalf of the Secretary of the Treasury with respect to an application shall be final.

§ 520.804 Records and reporting.

Records are required to be kept by every person engaging in any transaction subject to the provisions of this part, as provided in § 520.601.

§ 520.805 Amendment, modification or revocation.

The provisions of this part and any rulings, licenses, authorizations, instructions, orders, or forms issued thereunder may be amended, modified, or revoked at any time.

§ 520.806 Rule making.

(a) All rules and other public documents are issued by the Secretary of the Treasury upon recommendation of the Director of Foreign Assets Control or by the Director of the Office of Foreign Assets Control. Except to the extent that there is involved any military, naval, or foreign affairs function of the United States or any matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts and except when interpretative rules, general statements of policy, or rules of agency organization, practice, or procedure are involved or when notice and public procedure are impracticable, unnecessary or contrary to the public interest, interested persons will be afforded an opportunity to participate in rule making through submission of written data, views, or argument, with oral presentation in the discretion of the Director. In general, rule making by the Office of Foreign Assets Control involves foreign affairs functions of the United States. Wherever possible, however, it is the practice to hold informal consultations with interested groups or persons before the issuance of any rule or other public document.

(b) Any interested person may petition the Director of Foreign Assets Control in writing for the issuance, amendment or repeal of any rule.

§ 520.807 Delegation by the Secretary of the Treasury.

Any action which the Secretary of the Treasury is authorized to take pursuant to the Trading With the Enemy Act may be taken by the Director, Foreign Assets Control, or by any other person to whom the Secretary of the Treasury has delegated authority so to act.

MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 66-5572; Filed, May 19, 1966; 8:48 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property, Department of Justice

PART 511—BLOCKED ASSETS

CROSS REFERENCE: For supersedure and republication of regulations in this part, see F.R. Doc. 66-7572 *infra;* Title 31, Part 520.

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Plum Reg. 4]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Sizes

§ 917.375 Plum Regulation 4. (Burmosa and Formosa).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 917, as amended; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held, shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 12, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 22, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Burmosa or Formosa plums unless such plums are of a size that, when packed in a standard basket, they will pack at least a 3x 4 x 5 standard pack.

(2) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520-1538 of this title; 31 F.R. 6240); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 17, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5515; Filed, May 19, 1966; 8:45 a.m.]

[Plum Reg. 5]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Sizes

§ 917.376 Plum Regulation 5. (Santa Rosa).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 917, as amended; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 12, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 28, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship from any shipping point during any day any package or container of Santa Rosa plums, except to the extent otherwise permitted under this paragraph, unless such plums are of a size that, when packed in a standard basket, they will pack at least a 3 x 4 x 5 standard pack.

(2) During each day of the aforesaid period, any handler may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than the size prescribed in subparagraph (1) of this paragraph if said quantity does not exceed sixty-six and two-thirds (66⅔) percent of the number of the same type of packages or containers of such plums shipped by such handler which meet the size requirements of said subparagraph (1) of this paragraph: *Provided,* That all such smaller plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 5 standard pack.

(3) If any handler, during any day of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than the size prescribed in subparagraph (1) of this paragraph, the quantity of such undershipment may be shipped by such handler only from such shipping point.

(4) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520-1538 of this title; 31 F.R. 6240); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 17, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5516; Filed, May 19, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Cooperative Advertising Plan With No Ceiling on Suppliers' Payments

§ 15.49 Cooperative advertising plan with no ceiling on suppliers' payments.

(a) A retail merchant has been advised by the Federal Trade Commission that its proposed standard cooperative advertising agreement with its suppliers is not objectionable.

(b) The contemplated agreement states that the supplier (1) agrees to pay a fixed percentage of the requesting retailer's cost of advertising and (2) is offering proportionally equal allowances to the retailer's competitors.

(c) The Commission noted that the plan provides for promotional payments without limitation as to amount and that it is more customary for suppliers to limit their obligation by a percentage of a dealer's purchases.

(d) "However this might be," the advisory opinion said, "the Commission has concluded that no objection will be raised if suppliers decide to eliminate * * * [this] limitation and undertake to pay a stated percentage of all the advertising conducted by their dealers. This presupposes, of course, that the suppliers will make the same offer available to all competing customers and that the offer is functionally usable by all competing customers."

(e) The plan, the advisory opinion added, "does contain features which might conceivably be used to greater advantage by larger retailers. But these prospects appear so remote, the Commission is not inclined to object unless and until future experience should produce presently unexpected evidence that some customers actually received favored treatment. Objection then would be taken only after proper and adequate notice that the plan had not developed as anticipated."

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: May 19, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-5459; Filed, May 19, 1966; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Furnishing and Servicing Projection Equipment in Grocery Outlets

§ 15.50 Furnishing and servicing projection equipment in grocery outlets.

(a) A marketer of projection equipment has been advised by the Federal Trade Commission that his proposed plan to lease equipment and furnish associated services to suppliers of grocery products for advertising purposes in grocery outlets would not subject him to a charge of violation of law.

(b) Suppliers would lease space from grocery store operator-customers they select. The marketer would prepare advertising of the supplier's product and install and maintain the equipment in the selected stores. He would take no part in the selection of retail stores and would not act as agent or intermediary for the suppliers in making the necessary contracts or agreements for the placement of leased projection equipment in the stores.

(c) The Commission advised the marketer that his leasing of the projection equipment plus the preparation of advertising material and performance of installation and maintenance services would not subject him "to a charge of violation of sections 2 (d) or (e) of the Robinson-Patman Amendment to the Clayton Act, which sections are set forth in the Commission's Guides for Advertising Allowances."

(d) However, the Commission said that it "should be clearly understood * * * that participation in this plan by suppliers may involve a violation of Law on their part unless the payments made and the services or facilities furnished, are made available to all compet-

ing purchasers in a nondiscriminatory manner."

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: May 19, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–5460; Filed, May 19, 1966; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

St. Marks River, Fla.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.245 is hereby amended with respect to paragraph (i) by adding a new subparagraph (6–a) governing the operation of the Florida State Road Department bridge across St. Marks River at Newport, Fla., effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including the Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

* * * * *

(i) *Waters discharging into Gulf of Mexico east of Mississippi River.*

* * * * *

(6–a) St. Marks River, Fla.; Florida State Road Department bridge over St. Marks River on U.S. Highway 98 at Newport. At least 48 hours' advance notice to be given to State Road Department Maintenance Office, Tallahassee, Fla.

* * * * *

[Regs., April 29, 1966, 1507–32 (St. Marks River, Fla.)–ENGCW–ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

LAWRENCE H. WALKER, JR.,
Brigadier General, U.S. Army,
The Acting Adjutant General.

[F.R. Doc. 66–5498; Filed, May 19, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 8—Veterans Administration

PART 8–7—CONTRACT CLAUSES

PART 8–12—LABOR

Miscellaneous Amendments

The following amendments are made in Chapter 8:

1. In Part 8–7, § 8–7.150–20 is added to read as follows:

§ 8–7.150–20 Supply contracts for $1 million or more.

The following clause shall be inserted in each invitation for bid or request for proposal which will result in a contract causing an expenditure of $1 million or more:

The bidder (offeror) is hereby notified that if the bid (proposal) he submits is in an amount of $1 million or more, each such bidder and each of his known first tier subcontractors will be subject to a review, prior to award to insure that each such bidder and each first tier subcontractor, is in compliance with the provisions of Executive Order 11246 (30 F.R. 12319). If such a review has been conducted within 6 months prior to the date on which this contract will be awarded, such a review will suffice.

2. In Part 8–12, §§ 8–12.853 and 8–12.854 are added to read as follows:

§ 8–12.853 Preaward survey.

(a) Upon receipt of a bid (offer) for supplies in an amount of $1 million or more, the Contracting Officer will immediately furnish the Veterans Administration Contract Compliance Officer the following information:

(i) The apparent low bidder or offeror's name and address.

(ii) Name of the official signing the bid or proposal.

(iii) Dollar amount of bid.

(iv) Known first tier subcontractor(s) name(s) and address(es).

(v) Date on which bidder or offeror's bid or proposal will expire.

(b) The Contract Compliance Officer will, from information available to him, advise the Contracting Officer that:

(i) The prospective contractor and his known first tier subcontractor's Equal Employment Opportunity Programs have been reviewed within 6 months of the expected date of award, therefore no preaward survey need be conducted; and

(ii) Information available to the Contracts Compliance Officer indicates that the prospective contractor and his known first tier subcontractors are able to comply with the provisions of the Equal Employment clause; or

(iii) No compliance review of the prospective contractor or his known first tier subcontractors having been made within 6 months of the expected date of award, action to accomplish such a review has been initiated. This review will be completed prior to the expected date of award and the Contracting Officer advised as to whether the award should or should not be made.

§ 8–12.854 Notification to Department of Labor.

The Veterans Administration Contracts Compliance Officer shall forward to the Office of Federal Contracts Compliance, Department of Labor, a written notification on each preaward survey that is conducted. This notification shall be submitted within 30 days after completion of the survey.

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c))

These regulations are effective May 1, 1966.

Approved: May 13, 1966.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD, *Deputy Administrator.*

[F.R. Doc. 66–5519; Filed, May 19, 1966; 8:46 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4001]

[Colorado 0127157]

COLORADO

Withdrawal for Bostwick Park Project

By virtue of the authority contained in the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

Subject to valid existing rights, the following described lands in the Uncompahgre National Forest are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for the Bostwick Park Project.

NEW MEXICO PRINCIPAL MERIDIAN

T. 46 N., R. 6 W.,
Sec. 21, SW¼NE¼NW¼ and SW¼NW¼SE¼;
Sec. 28, W½W½NE¼NE¼ and E½NW¼NE¼.

The areas described aggregate approximately 50 acres in Gunnison County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 16, 1966.

[F.R. Doc. 66–5506; Filed, May 19, 1966; 8:46 a.m.]

[Public Land Order 4002]

[Nevada 047424]

NEVADA

Partial Revocation of Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, it is ordered as follows:

1. The departmental order of June 9, 1919, establishing Stock Driveway Withdrawal No. 84 (Nevada No. 24), is hereby revoked so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 29 N., R. 55 E.,
Secs. 2 and 11.
T. 30 N., R. 55 E.,
Secs. 23, 26 and 35.

The areas described aggregate 3,202.18 acres in Elko County.

2. Subject to valid existing rights and the provisions of existing withdrawals and procedures, the lands shall at 10 a.m. on June 21, 1966, become subject to operation of the public land laws generally. All valid applications received at or prior to 10 a.m. on June 21, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws subject to the regulations in 43 CFR 3400.3.

Inquiries should be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nev.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 16, 1966.

[F.R. Doc. 66–5507; Filed, May 19, 1966; 8:46 a.m.]

[Public Land Order 4003]

[Colorado 0127407]

COLORADO

Powersite Restoration No. 654; Partial Revocation of Powersite Reserve No. 81

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and determination DA–464–Colorado of the Federal Power Commission, issued January 17, 1966, it is ordered as follows:

The Executive Order of July 2, 1910, creating Powersite Reserve No. 81, is hereby revoked so far as it affects the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 3 S., R. 74 W.,
Sec. 33, lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and NW¼SW¼.

The areas described aggregate 299.60 acres which have been patented subject to provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended. The effect of this order is to relieve the lands of the restriction in the patent.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 16, 1966.

[F.R. Doc. 66–5508; Filed, May 19, 1966; 8:46 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

Section 213.3102 is amended to show that under certain conditions appointments, under the special Schedule A authority approved in furtherance of the President's Youth Opportunity Back-to-School Drive, may be made for up to 20 hours a week during the summer. Effective on publication in the FEDERAL REGISTER, paragraph (w) of § 213.3102 is amended as set out below.

§ 213.3102 Entire Executive Civil Service.

* * * * *

(w) Part-time or intermittent positions the duties of which involve laboring or other work of a routine nature when filled by students appointed in furtherance of the President's Youth Opportunity Back-to-School Drive and when the following conditions are met:

(1) Appointees are enrolled in or accepted for enrollment in a resident secondary school or institution of higher learning, accredited by a recognized accrediting body;

(2) Employment does not exceed 16 hours (20 hours during the period from May 1, 1966, through September 30, 1966) in any calendar week;

(3) While employed, appointees continue to maintain an acceptable school standing. Students appointed prior to May 21, 1966, need not attend school during the summer;

(4) Appointees need the earnings from the employment to continue in school; and

(5) Salaries are fixed by the agency head at a level commensurate with the duties assigned and the expected level of performance. Appointments under this authority may not extend beyond 1 year: *Provided*, That such appointments may be extended for additional periods of not to exceed 1 year each if the conditions for initial appointment are still met. An agency head may not appoint under this authority the son or daughter of a civilian employee of that agency or the son or daughter of a member of its uniformed service. A person may not be appointed under this authority unless he has reached his 16th but not his 22d birthday.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5593; Filed, May 19, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7331; Amdt. 39–241]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Model PA–30 Airplanes

Amendment 39–229 (31 F.R. 6582), AD 66–12–2, lowers the never exceed airspeed limit until modification of the stabilator system on Piper Model PA–30 airplanes. Subsequent to the issuance of Amendment 39–229, the Agency has determined, after analysis of additional test data, that the operating limitation imposed by AD 66–12–2 until modification of the stabilator system on all PA–30 airplanes need only apply to certain serial numbered airplanes. Therefore, the applicability statement of the AD is being amended to apply to certain serial numbered Piper Model PA–30 airplanes only.

Since this amendment relieves a restriction, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–229 (31 F.R. 6582), AD 66–12–2, is amended by amending the applicability statement to read as follows:

PIPER. Applies to Model PA–30 airplanes, serial numbers 30–853, and 30–902 and higher.

This amendment becomes effective May 20, 1966.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on May 18, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66–5598; Filed, May 19, 1966; 9:22 a.m.]

[Airspace Docket No. 66–EA–24]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the segment of V–162 between Harrisburg, Pa., and East Texas, Pa., by deleting the airspace within Restricted Area R–5802 from the airway.

R–5802 is a joint-use restricted area controlled by the New York ARTC Center. This restricted area overlaps V–162 by a fraction of a mile. This condition requires the New York ARTCC to coordinate with the using agency of the restricted area prior to clearing aircraft along this airway segment. Implementation of this amendment will facilitate the functions of the New York ARTCC and the using agency of the restricted area by removing the requirement for coordination.

Since this amendment is minor in nature and not of great public interest, the Administrator has determined that notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to aero-

nautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009) is amended as follows: In V–162 "East Texas 225° radials." is deleted and "East Texas 225° radials. The airspace within R–5802 is excluded." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 13, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–5499; Filed, May 19, 1966; 8:45 a.m.]

[Airspace Docket No. 66–AL–7]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On March 29, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5077) stating that the Federal Aviation Agency proposed to alter the transition area at Homer, Alaska. Interested persons were afforded an opportunity to participate in the rule making through submission of comments. No adverse comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2200), the Homer, Alaska, transition area is amended to read as follows:

HOMER, ALASKA

That airspace extending upward from 1,200 feet above the surface, within 8 miles S and 5 miles N of the 265° and 085° bearings from the Homer RR, extending from 13 miles W to 7 miles E of the RR; and within 8 miles NW and 5 miles SE of the Homer VOR 224° and 044° radials, extending from 13 miles SW to 7 miles NE of the VOR.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Anchorage, Alaska, on May 13, 1966.

GEORGE M. GARY,
Director, Alaskan Region.

[F.R. Doc. 66–5501; Filed, May 19, 1966; 8:45 a.m.]

[Airspace Docket No. 66–AL–6]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On March 29, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5077) stating that the Federal Aviation Agency proposed to alter the transition area at Five Finger, Alaska. Interested persons were afforded and opportunity to participate in the rule making through submission of comments. No adverse comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2187), the Five Finger, Alaska, transition area is amended to read as follows:

FIVE FINGER, ALASKA

That airspace extending upward from 700 feet above the surface within a 4-mile radius of the Five Finger RBn, and within 2 miles each side of the 349° and 189° bearings from the Five Finger RBn, extending from the RBn to 8 miles N and 8 miles S of the RBn; and that airspace extending upward from 1,200 feet above the surface within 8 miles E and 5 miles W of the 189° and 009° bearings, extending from 7 miles N to 13 miles S of the RBn, and within 8 miles W and 5 miles E of the 349° and 169° bearings, extending from 13 miles N to 7 miles S of the RBn.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Anchorage, Alaska, on May 13, 1966.

GEORGE M. GARY,
Director, Alaskan Region.

[F.R. Doc. 66–5501; Filed, May 19, 1966; 8:45 a.m.]

[Airspace Docket No. 66–WA–11]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways; Correction

On April 29, 1966, F.R. Doc. Nos. 66–4688 and 66–4689 were published in the FEDERAL REGISTER (31 F.R. 6484 and 6487, respectively). These documents amended Part 71 of the Federal Aviation Regulations and contained detailed descriptions of Federal airways. Subsequent to publication of the documents, minor errors were discovered in the descriptions of several airways. Action is taken herein to correct these errors.

Since these amendments are editorial in nature and impose no undue burden on any person, notice and public procedure hereon are unnecessary and they may be made effective immediately.

In consideration of the foregoing, effective immediately, F.R. Doc. Nos. 66–4688 and 66–4689 are amended as follows:

1. F.R. Doc. No. 66–4688 (31 F.R. 6484), Items 10 and 41 are amended as follows:

a. Item 10, V–20:

In V–20 "Monroeville," is deleted and "INT of Mobile 048° and Monroeville, Ala., 231° radials;" is substituted therefor.

b. Item 41, V–190:

In V–190 "to Evansville, Ind." is deleted and "Marion, Ill.; to Evansville, Ind." is substituted therefor.

2. F.R. Doc. No. 66–4689 (31 F.R. 6487), Items 11 and 22 are amended as follows:

a. Item 11, V–36:

In V–36 "excluding the airspace between the main and this E alternate; 12 AGL Elmira, N.Y.;" is deleted and "excluding the airspace between the main and this S alternate; 12 AGL Elmira, N.Y.;" is substituted therefor.

b. Item 22, V–119:

In V–119 "Fitzgerald, Pa.;" is deleted and "Clarion, Pa.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 13, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–5502; Filed, May 19, 1966; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 131]

LEASING AND PERMITTING

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Revised Statutes, sections 161 (5 U.S.C. 22), and 463 and 465 (25 U.S.C. 2 and 9), and pursuant to other authorizing acts, it is proposed to amend §§ 131.5 and 131.12(c), Title 25 of the Code of Federal Regulations, concerning, respectively, suspension of direct rental payment provisions in leases and the encumbrance by lessees of their leasehold interests in land held in trust by the United States for the benefit of Indians or land owned by Indians subject to restrictions against alienation without the approval of the Secretary of the Interior.

The amendment of § 131.5 will make the mandatory provision regarding suspension of direct rental payments by the Secretary applicable in the future to leases of tribal land. The provision now applies only to individually owned land, and the Secretary, as trustee, should have the same authority as to tribal land.

The purpose of the amendment of § 131.12(c) is to remove the limitation under which the leasehold interest may be encumbered only when money is borrowed for the development and improvement of the leased premises. This limitation has been found to be too inflexible as it prevents lessees from borrowing funds on the security of the leasehold for many purposes considered generally acceptable by commercial practice, such as withdrawal of equity and refinancing in the event of sale.

While this revision will allow lessees to encumber their leasehold interest for any legitimate purpose, language has been added limiting those situations where the lessor's right to rent can be subordinated to payments on the encumbrance after a default on the encumbrance. It is only in these cases that the borrowing of funds can be said to have a directly beneficial effect from the lessor's standpoint and can thus justify his subordination of rent.

The situations where subordination of rent may be permitted are as follows:

(1) Where the funds, the repayment of which the encumbrance is to secure, are borrowed and actually expended for the development and improvement of the leased premises;

(2) Where the lessee has financed the development and improvement of the leased premises with funds obtained through interim or short-term loans and wishes to obtain long-term financing to discharge those loans; and

(3) Where the lessee has financed the development and improvement of the leased premises by the use of his own funds and wishes to recoup a portion of those funds through long-term financing. In order for situations (2) and (3) to qualify for subordination of rental income the long-term financing must be obtained within a maximum period of 3 years after the completion of the particular development or improvement for which the funds were spent.

The amendment also specifies that additions and betterments to the leased premises are considered to be development or improvement, but repairs and maintenance are not so considered. Normal financing fees and costs, when acceptable to the Secretary can be considered to have been actually spent for the development of the leased property.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule-making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Indian Affairs, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

The proposed changes in existing §§ 131.5 and 131.12(c) are enumerated as follows:

§ 131.5 [Amended]

1. Section 131.5(h) is amended by changing the word "provisions" to "provision"; by deleting the numerical designation "(1)"; and by revoking § 131.5 (h)(2).

2. A new § 131.5(i) is added, to read as follows:

(i) Leases granted or approved under this part on individually owned or tribal lands which provide for payment of rental direct to the owner or his representative shall contain the following provision:

While the leased premises are in trust or restricted status, the Secretary may in his discretion suspend the direct rental payment provisions of this lease in which event the rentals shall be paid to the official of the Bureau of Indian Affairs having jurisdiction over the leased premises.

3. Section 131.12(c) is amended, to read as follows:

§ 131.12 Subleases and assignments.

* * * * *

(c) With the consent of the Secretary, the lease may contain provisions authorizing the lessee to encumber his leasehold interest in the premises. The encumbrance instrument must be approved by the Secretary. If a sale or foreclosure under the approved encumbrance occurs and the encumbrancer is the purchaser, he may assign the leasehold without the approval of the Secretary or the consent of the other parties to the lease: *Provided, however,* That the assignee accepts and agrees in writing to be bound by all the terms and conditions of the lease. If the purchaser is a party other than the encumbrancer, approval by the Secretary of any assignment will be required, and such purchaser will be bound by the terms of the lease and will assume in writing all the obligations thereunder. The lease may contain no provision pursuant to which the rental income of the lessor will be subordinated to the payments on the encumbrance in the event there is a default under the encumbrance, except in the following situations: (1) Where the encumbrance is given to secure the repayment of funds borrowed and actually expended for the development and improvement of the leased premises; or (2) where the encumbrance is given to secure the repayment of funds used to discharge interim loans which were actually expended for the development and improvement of the leased premises; or (3) where the encumbrance is given to secure the repayment of funds used to return to the lessee a portion of lessee's funds actually and directly expended for the development and improvement of the leased premises; provided that in subparagraphs (2) and (3) of this paragraph, in order to qualify for such subordination of rental income, the encumbrance must be created within a maximum period of 3 years after the particular development and improvement of the leased premises for which an interim loan was obtained or lessee's funds expended is completed. The term "development and improvement" as used in this section shall include additions and betterments to the leased premises or any improvements thereon, but shall not include repair or maintenance of such premises or improvements. Fees, costs, and expenses customarily incident to the making and processing of loans which are actually incurred in obtaining financing in subparagraphs (1), (2), and (3) of this paragraph, and which are approved by the Secretary, shall be deemed to have been actually expended for the development and improvement of the leased premises within the meaning of this section.

* * * * *

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 16, 1966.

[F.R. Doc. 66–5505; Filed, May 19, 1966; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 133]

MEDICATED PREMIXES

Manufacturing Practices and Controls

Correction

In F.R. Doc. 66-5343, appearing at page 7185 of the issue for Tuesday, May 17, 1966, the phrase reading "in a clear and orderly manner" in the introductory text of § 133.201 should read "in a clean and orderly manner".

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7376]

AIRWORTHINESS DIRECTIVES

General Dynamics Model 340 Airplanes

Amendment 519 (27 F.R. 12473), AD 62-27-6, as amended by Amendments 537 (28 F.R. 1584) and 564 (28 F.R. 4612), require modification of the rear service door latch mechanism and the incorporation of a door placard and a revision of the Airplane Flight Manual to include appropriate inspections and emergency procedures pending the modification. However, since the issuance of the foregoing directives, there have been further occurrences of inadvertent in-flight openings of the rear service door. Therefore, the Agency considers it necessary to require further modifications of the rear service doors. In this connection, it is proposed to require the installation of a forward hinge similar to the "CV-440 type" hinge within the next 4,000 hours' time in service.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before June 20, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to further amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 519 (27 F.R. 12473), AD 62-27-6, as amended by Amendments 537 (28 F.R. 1584) and 564 (28 F.R. 4612) as follows:

1. By amending the applicability statement to read:

GENERAL DYNAMICS. Applies to Model 340 airplanes that have not been modified to incorporate the provisions of Convair Service Bulletin 340-174A or equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region.

2. By amending paragraphs (c) and (d) by striking out the words "Engineering and Manufacturing Branch" and inserting the words "Aircraft Engineering Division" in place thereof.

3. By adding a new paragraph after paragraph (d) to read:

(e) Within the next 4,000 hours' time in service after the effective date of this amendment, install a rear service door forward hinge in accordance with Convair Service Bulletin 340-174A dated February 1, 1957, or an equivalent modification approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Issued in Washington, D.C., on May 16, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5503; Filed, May 19, 1966; 8:45 a.m.]

[14 CFR Part 39]

[Docket No. 7377]

AIRWORTHINESS DIRECTIVES

Vickers Viscount Model 744 and 745D Series Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Viscount Model 744 and 745D Series airplanes. There have been failures of the inverters located in the fuselage baggage compartment, creating a possible fire hazard. Since this condition is likely to exist or develop in other airplanes of the same design, the proposed AD would require installation of replacement access panels and cowls for the inverters.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before June 20, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

VICKERS. Applies to Viscount Model 744 and 745D Series airplanes.

Within the next 1,000 hours' time in service after the effective date of this AD, unless already accomplished, install replacement access panels and cowls for the inverters in accordance with British Aircraft Corporation Ltd. Modification Bulletin No. D.3157 or later ARB-approved issue or an equivalent approved by the Chief, Aircraft Certification Staff, Europe, Africa, Middle East Region.

Issued in Washington, D.C., on May 16, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5504; Filed, May 19, 1966; 8:45 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 523]

[No. 19,899]

FEDERAL HOME LOAN BANK SYSTEM

Holdings of Cash and Obligations of United States by Members

MAY 16, 1966.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508), it is hereby proposed that § 523.12 of the regulations for the Federal Home Loan Bank System be amended by an amendment the substance of which is as follows:

Amend § 523.12 of the regulations for the Federal Home Loan Bank System to read as follows:

§ 523.12 Holdings of cash and obligations of the United States by members.

No member insurance company shall make or purchase any loan, other than loans on the company's insurance policies, at any time when the aggregate of its cash and obligations of the United States is not at least equal to 7 percent of its policy reserve required by State law, and no other member shall make or purchase any loan, other than advances on the sole security of its withdrawable accounts, at any time when its cash and obligations of the United States are not at least equal to 7 percent of the obligation of the member on withdrawable accounts: *Provided*, That, until November 1, 1966, the foregoing figure of 7 percent may be reduced, but not below 6 percent, by the maximum amount of net cash withdrawals to that date in the period beginning June 27, 1966. For the purposes of this section:

(a) A loan shall be deemed to have been made as of the date of the note or bond evidencing the same, and a loan shall be deemed to have been purchased as of the date of payment therefor;

(b) The term "cash" means cash on hand, unpledged deposits in a Federal Home Loan Bank or State bank performing similar reserve functions, and unpledged demand deposits in domestic banks, not under the control or in the possession of appropriate supervisory authority.

(c) The term "obligations of the United States" shall mean all unpledged evidences of indebtedness issued by the United States and all unpledged evidences of indebtedness issued by any agency or instrumentality of the United States which are by statute fully guaranteed as to principal and interest by the United States.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than June 9, 1966, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-5532; Filed, May 19, 1966; 8:48 a.m.]

[12 CFR Part 545]

[No. 19,896]

FEDERAL SAVINGS AND LOAN SYSTEM

Distribution of Earnings at Variable Rates

MAY 16, 1966.

Resolved, that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that § 545.3-1 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545.3-1) be amended as follows:

Amend subparagraph (2) of paragraph (b) and paragraph (g) of § 545.3-1, aforesaid, to read as follows:

§ 545.3-1 Distribution of earnings at variable rates.

* * * * *

(b) *Eligibility requirements.* * * *

(2) *Accounts evidenced by separate certificates.* A savings account which is evidenced by a separate certificate as provided in paragraph (c) of this section, issued and dated on or after the date of such resolution, may receive earnings on the amount of such certificate at a rate higher than the regular rate, but not in excess of—

(i) 4¾ percent per annum if such account is maintained at not less than $1,000 for a continuous period of not less than 6 months commencing on the date of such certificate; and

(ii) 5 percent per annum if such account is maintained at not less than $1,000 for a continuous period of not less than 6 months, commencing on the date of such certificate, and, unless otherwise approved by the Board, in a Federal association which, as of December 31, 1965, distributed earnings on its savings accounts at a per annum rate of 4¾ percent or more.

No such certificate shall be issued pursuant to this subparagraph (2) for any amount that is not an integral multiple of $1,000. If such savings account is evidenced by more than one separate certificate, the provisions of this subparagraph (2) shall be as fully applicable to each such certificate as if each such certificate evidenced a separate savings account.

* * * * *

(g) *Exception.* No Federal association may make or provide for any distribution of earnings pursuant to this section at any time unless its regular rate is 5 percent per annum or less.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than June 9, 1966, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-5533; Filed, May 19, 1966; 8:48 a.m.]

[12 CFR Part 545]

[No. 19,900]

FEDERAL SAVINGS AND LOAN SYSTEM

Cash and Government Obligations

MAY 16, 1966.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that § 545.8-2 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.8-2) be amended to read as follows:

§ 545.8-2 Cash and Government obligations.

A Federal association shall not make or purchase any loan, other than advances on the sole security of its savings accounts, at any time when its cash and obligations of the United States are not at least equal to 7 percent of the association's capital: *Provided*, That, until November 1, 1966, the foregoing figure of 7 percent may be reduced, but not below 6 percent, by the maximum amount of net cash withdrawals to that date in the period beginning June 27, 1966. For the purposes of this section:

(a) A loan shall be deemed to have been made as of the date of the note or bond evidencing the same, and a loan shall be deemed to have been purchased as of the date of payment therefor;

(b) The term "cash" means cash on hand, unpledged deposits in a Federal Home Loan Bank or State bank performing similar reserve functions, and unpledged demand deposits in domestic banks, not under the control or in the possession of appropriate supervisory authority.

(c) The term "obligations of the United States" means all unpledged evidences of indebtedness issued by the United States and all unpledged evidences of indebtedness issued by any agency or instrumentality of the United States which are by statute fully guaranteed as to principal and interest by the United States.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than June 3, 1966, to be entitled to be considered, but any received later may be considered in

the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-5534; Filed, May 19, 1966; 8:48 a.m.]

[12 CFR Part 561]

[No. FSLIC-2,569]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Definition of Cash

MAY 16, 1966.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 567.1 of the rules and regulations for Insurance of Accounts (12 CFR 567.1), it is hereby proposed that § 561.18 of the rules and regulations for Insurance of Accounts (12 CFR 561.18) be amended to read as follows:

§ 561.18 Cash.

The term "cash" means cash on hand, unpledged deposits in a Federal Home Loan Bank or State bank performing similar reserve functions, and unpledged demand deposits in domestic banks, not under the control or in the possession of appropriate supervisory authority.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended: 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than June 9, 1966, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-5535; Filed, May 19, 1966; 8:48 a.m.]

[12 CFR Part 563]

[No. FSLIC-2,568]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Required Amounts and Maintenance of Federal Insurance Reserve

MAY 16, 1966.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 567.1 of the rules and regulations for Insurance of Accounts (12 CFR 567.1), it is hereby proposed that § 563.13 of the rules and regulations for Insurance of Accounts (12 CFR 563.13) be amended by amendments the substance of which is as follows:

1. Amend paragraph (a) of § 563.13 of the rules and regulations for Insurance of Accounts by revoking subparagraph (3).

2. Amend subparagraph (1) of paragraph (b) of § 563.13 of the rules and regulations for Insurance of Accounts to read as follows:

(b) *Semiannual credits.* (1) An insured institution shall not be required to make any credit to its Federal insurance reserve account under this paragraph at any time when its adjusted net worth is at least 10 percent of its specified assets at the close of the semiannual period.

3. Amend paragraph (b) of § 563.13 of the rules and regulations for Insurance of Accounts by revoking subparagraph (5).

4. Amend paragraph (b) of § 563.13 of the rules and regulations for Insurance of Accounts by adding, immediately after subparagraph (4), a new subparagraph, subparagraph (5), to read as follows:

(5) During the three semiannual periods commencing on and after July 1, 1966, the 10 percent of net income semiannual credit requirement of subparagraphs (2) and (3) of this paragraph shall be 5 percent of net income.

5. Amend paragraph (c) of § 563.13 of the rules and regulations for Insurance of Accounts to read as follows:

(c) *Limitations on payment of dividends or interest.* Any insured institution which has failed to meet the requirements of this section shall not declare, pay or advertise dividends or interest for the semiannual period subsequent to the immediately succeeding semiannual period, in excess of the amount approved by the Corporation, unless, in such immediately succeeding semiannual period, the institution has credited to its Federal insurance reserve account an amount equal to the total deficiency in required credits under paragraph (b) of this section plus the required credits thereunder for such period, and is in conformity with paragraph (a) of this section requirements at the end of such period.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than June 9, 1966, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-5536; Filed, May 19, 1966; 8:48 a.m.]

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

[33 CFR Part 402]

SAINT LAWRENCE SEAWAY TARIFF OF TOLLS

Notice Regarding Change of Date for Public Hearing on Proposed Revision

In the Corporation's notice of public hearing on proposed changes in the Schedule of vessel and cargo tolls of the Saint Lawrence Seaway Tariff of Tolls (33 CFR Part 402, § 402.6) published in the FEDERAL REGISTER on April 19, 1966 (31 F.R. 5973, 5974);[1] the date for the commencement of the hearing, as designated in paragraph I of the notice is hereby changed from June 1, 1966, to June 8, 1966, at the same time and place.

As additional information to prospective witnesses at the hearing, the Stanford Research Institute report "Economic Analysis of the St. Lawrence Seaway Cargo Movements and Forecasts of Future Cargo Tonnage", No. P.B. 169965, may be obtained at $6.00 per copy from:

Clearing House,
Code 410.14,
U.S. Department of Commerce,
Springfield, Va., 22151.

The report is the result of joint effort of the Saint Lawrence Seaway Development Corporation, the Under Secretary of Commerce for Transportation, and the Director of Transportation Research. It represents a study by an independent contractor and the views are not necessarily those of the U.S. Government.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION,
[SEAL] JOSEPH H. MCCANN, *Administrator.*

MAY 13, 1966.

[F.R. Doc. 66-5573; Filed, May 19, 1966; 8:48 a.m.]

[1] Correction Note: The second line of printing, omitted in the text of the FEDERAL REGISTER Notice on April 19 (31 F.R. 5973) is: "Section 12(a) of Public Law 358, 83d Con-".

Notices

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

IMPORTATION OF RAW HUMAN HAIR DIRECTLY FROM REPUBLIC OF INDONESIA

Available Certifications by Government of Republic of Indonesia

Notice is hereby given that certificates of origin issued by the Ministry of Trade of the Republic of Indonesia under procedures agreed upon between that Government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Indonesia of the following commodity:

Hair, human, raw.

[SEAL] MARGARET W. SCHWARTZ, *Director, Office of Foreign Assets Control.*

[F.R. Doc. 66-5570; Filed, May 19, 1966; 8:48 a.m.]

IMPORTATION OF WINE AND OTHER CHINESE-TYPE ALCOHOLIC BEVERAGES DIRECTLY FROM TAIWAN (FORMOSA)

Available Certification by Government of Republic of China

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Republic of China under procedures agreed upon between that Government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan (Formosa) of the following additional commodities:

Wines, and other alcoholic beverages, Chinese-type (Initially, "millet wine, Kaoliang and Wu-Ka-Be" and "rice wine, Shashsing" from October 20, 1953).

[SEAL] MARGARET W. SCHWARTZ, *Director, Office of Foreign Assets Control.*

[F.R. Doc. 66-5571; Filed, May 19, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

National Park Service

[Order 2]

SUPERVISORY HISTORIAN ET AL., FORT LARAMIE NATIONAL HISTORIC SITE

Delegation of Authority Regarding Purchasing

SECTION 1. *Supervisory Historian and Administrative Assistant.* The Supervisory Historian and Administrative Assistant may issue purchase orders not in excess of $500 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 2. *Foreman II (Maintenance).* The Foreman II (Maintenance) may issue purchase orders not in excess of $200 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 3. *Revocation.* This Order supersedes Order No. 1, Fort Laramie National Historic Site, issued April 1, 1963.

(National Park Service Order 34 (31 F.R. 4255); 39 Stat. 535; 16 U.S.C., sec. 2; Midwest Region Order 4 (31 F.R. 5769))

Dated: April 8, 1966.

CHARLES C. SHARP, *Superintendent, Fort Laramie National Historic Site.*

[F.R. Doc. 66-5509; Filed, May 19, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

COLORADO

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Colorado natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

COLORADO

Mesa. Garfield.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 16th day of May 1966.

ORVILLE L. FREEMAN, *Secretary.*

[F.R. Doc. 66-5517; Filed, May 19, 1966; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

AMERICAN EXPORT ISBRANDTSEN LINES, INC.

Application for Approval of Cruises

Notice is hereby given that American Export Isbrandtsen Lines, Inc., acting pursuant to Public Law 87-45, has applied to the Maritime Administration for approval of the following cruises:

Vessel	Sails New York	Returns New York	Itinerary
88 *Constitution*	Oct. 29, 1966	Nov. 11, 1966	San Juan, La Guaira, Curacao, Cristobal, Kingston.
Do	Dec. 6, 1966	Dec. 21, 1966	Port Everglades, San Juan, St. Thomas, Guadaloupe, Martinique, Barbados, Kingston, Haiti, Port Everglades.
Do	Dec. 22, 1966	Jan. 3, 1967	Curacao, Trinidad, Barbados, Martinique, San Juan, St. Thomas.
88 *Independence*	Nov. 23, 1966	Dec. 1, 1966	San Juan, St. Thomas.
88 *Atlantic*	Dec. 22, 1966	Jan. 3, 1967	St. Thomas, Martinique, Barbados, Antigua, San Juan.

With the exception of the November 23, 1966, cruise of the SS *Independence*, the above cruises are not additions to the 1966 schedule, but are modifications in itinerary and/or duration of cruises previously approved by the Maritime Subsidy Board.

Any person, firm or corporation having an interest, within the meaning of Public Law 87-45, in the foregoing who desires to offer data, views, and arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C., 20235, by the close of business on May 31, 1966. In the event an opportunity to present oral argument is also desired, specific reason for such request should also be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

Dated: May 16, 1966.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr., *Secretary.*

[F.R. Doc. 66-5518; Filed, May 19, 1966; 8:46 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

ACTING REGIONAL DIRECTOR OF ADMINISTRATION, REGION I (NEW YORK)

Designation

The officers appointed to the following listed positions in Region I (New

York) are hereby designated to serve as Acting Regional Director of Administration, Region I, during the absence of the Regional Director of Administration, with all the powers, functions, and duties delegated or assigned to the Regional Director of Administration, provided that no officer is authorized to serve as Acting Regional Director unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Chief, Budget and Management Branch.
2. Personnel Officer.
3. Chief, General Services Branch.
4. Chief, Accounting Branch.

This designation supersedes the designation effective February 23, 1965 (30 F.R. 2740, March 3, 1965).

(Housing and Home Finance Administrator's delegation effective May 4, 1962 (27 F.R. 4319, May 4, 1962); Department Interim Order II (31 F.R. 815–816, Jan. 21, 1966))

Effective as of the 27th day of April 1966.

LESTER EISNER, Jr.,
Regional Administrator, Region I.

[F.R. Doc. 66–5521; Filed, May 19, 1966; 8:47 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION VII (SAN JUAN, P.R.)

Redelegation of Authority With Respect to Advances for Public Works Planning (First and Second Programs)

The Regional Director of Community Facilities, Region VII (San Juan, P.R.), Department of Housing and Urban Development, in connection with the liquidation of the first and second programs of advances for public works planning (under Title V of War Mobilization and Reconversion Act of 1944, as amended, 50 U.S.C. App. 1671 note, and Act of October 13, 1949, entitled "An Act to provide for the advance planning of non-Federal public works," as amended, 40 U.S.C. 451; and pursuant to sec. 702(h) of the Housing Act of 1954, as amended, which subsec. (h) was added by sec. 602 of the Housing Act of 1964, 40 U.S.C. 462(h) (herein called the "Act")) is hereby authorized within the region:

1. To amend or modify agreements with public agencies for planning advances.

2. To make determinations concerning the liability of a public agency for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2), (62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965); Dept. Interim Order II (31 F.R. 815–816, Jan. 21, 1966))

Effective as of the 20th day of May 1966.

JOSE E. FERRES SILVA,
Regional Administrator,
Region VII (San Juan, P.R.).

[F.R. Doc. 66–5522; Filed, May 19, 1966; 8:47 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION VII (SAN JUAN, P.R.)

Redelegation of Authority With Respect to Advances for Public Works Planning (Third Program)

The Regional Director of Community Facilities, Region VII (San Juan, P.R.), Department of Housing and Urban Development, with respect to the third program of advances for public works planning under section 702 of the Housing Act of 1954, as amended (particularly by sec. 6 of the Public Works Acceleration Act and sec. 602 of the Housing Act of 1964), 40 U.S.C. 462 (herein called the "Act"), is hereby authorized within the region:

1. To execute agreements with public agencies and Indian tribes involving advances to aid in planning proposed public works.

2. To make determinations concerning the liability of a public agency or Indian tribe for repayment of an advance, including:

a. To determine the proportionate amount of an advance repayable pursuant to section 702(h)(1) of the Act, 40 U.S.C. 462(h)(1), if the public agency or Indian tribe undertakes to construct only a portion of the public work planned.

b. To terminate all or a portion of the liability for repayment of an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

c. To terminate an agreement for an advance pursuant to section 702(h)(2) of the Act, 40 U.S.C. 462(h)(2).

d. To determine the amount of the advance which the public agency or Indian tribe is relieved of liability to repay pursuant to section 702(g) of the Act, 40 U.S.C. 462(g), if construction of the planned public works project or a portion thereof is initiated as a result of a grant under the Public Works Acceleration Act.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective Jan. 15, 1965 (30 F.R. 3565, Mar. 17, 1965); Dept. Interim Order II (31 F.R. 815–816, Jan. 21, 1966))

Effective as of the 20th day of May 1966.

JOSE E. FERRES SILVA,
Regional Administrator,
Region VII (San Juan, P.R.).

[F.R. Doc. 66–5523; Filed, May 19, 1966; 8:47 a.m.]

ASSISTANT SECRETARY FOR METROPOLITAN DEVELOPMENT AND DEPUTY ASSISTANT SECRETARY FOR METROPOLITAN DEVELOPMENT

Delegations of Authority

SECTION A. *Authority delegated with respect to specific programs.* The Assistant Secretary for Metropolitan Development and the Deputy Assistant Secretary for Metropolitan Development each is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to the programs and matters listed below except as specified under this section A and as additionally excepted under section B:

1. Urban Planning Assistance Program under section 701 of the Housing Act of 1954, as amended (40 U.S.C. 461), except the authority to undertake studies, research, and demonstration projects under section 701(b).

2. Program of Advances for Public Works Planning (including 1st and 2d programs) under:

a. Section 702 of the Housing Act of 1954, as amended (40 U.S.C. 462), except the authority to conduct surveys under section 702(f).

b. Title V of the War Mobilization and Reconversion Act of 1944, P.L. 458, 78th Cong., as amended (50 U.S.C. App. 1671 note), and the Act of October 13, 1949, P.L. 352, 81st Cong., as amended (40 U.S.C. 451), subject to section 1112 of the Housing and Urban Development Act of 1965 (40 U.S.C. 462 note).

3. Urban Mass Transportation Programs under:

a. Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601–1611).

b. Section 202 of the Housing Amendments of 1955, as amended (42 U.S.C. 1492), and section 103(b) of the Housing Act of 1949, as amended (42 U.S.C. 1453(b)).

4. Basic Water and Sewer Facilities Grant Program under section 702 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3102).

5. Advance Acquisition of Land Program under section 704 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3104).

6. Open-Space Land and Urban Beautification Programs under Title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500–1500e), except the authority to:

a. Approve the conversion of open-space land to other uses under section 704 (42 U.S.C. 1500c).

b. Provide technical assistance and undertake studies and publish information under section 708 (42 U.S.C. 1500d).

7. Public Facility Loans Program under Title II of the Housing Amendments of 1955, as amended (42 U.S.C. 1491–1497), except the authority to establish technical advisory services under section 207 (42 U.S.C. 1497).

8. Public Facilities Liquidating Programs, including those with respect to:

a. Section 5 of the Alaska Public Works Act, as amended (48 U.S.C. 486), and delegation from Secretary of Interior effective April 17, 1964 (29 F.R. 5516, April 24, 1964).

b. Defense community facilities under Title III of the Defense Housing and Community Facilities and Services Act of 1951, as amended (42 U.S.C. 1592–1592n).

c. Prefabricated housing loans under Reorganization Plan No. 23 of 1950 (5 U.S.C. 133z–15 note), including section 102–102c of the Housing Act of 1948, as amended (12 U.S.C. 1701g–1701g–3); section 104 of the Defense Housing and Community Facilities and Services Act of 1951, as amended (42 U.S.C. 1591c); and section 401 of the Independent Offices Appropriation Act of 1952 (12 U.S.C. 1701g–4).

d. War public works under Title II of the Lanham Act, as amended (42 U.S.C. 1531–1534).

e. Public Agency Loans (RFC) under section 108 of the Reconstruction Finance Corporation Liquidation Act, as amended (40 U.S.C. 459), and Reorganization Plan No. 1 of 1957 (5 U.S.C. 133z–15 note), including section 7 of the Reconstruction Finance Corporation Act, as amended (15 U.S.C. 606).

f. Alaska Housing Act, as amended (48 U.S.C. 484–484c).

g. Section 202(e) of the Housing Amendments of 1955, as amended by section 5(b) of the Public Works Acceleration Act (42 U.S.C. 1492(e)).

h. Sections 7 and 8 of the Area Redevelopment Act (42 U.S.C. 2506 and 2507) and delegation from Secretary of Commerce dated July 20, 1961 (26 F.R. 7974, Aug. 25, 1961).

9. College Housing Program under Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749–1749c).

10. Program of Housing for the Elderly or Handicapped under section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q).

11. Compensation of condemnees under Title IV of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071) to the extent applicable to matters delegated hereunder.

SEC. B. *Additional authority excepted.* There is further excepted from the authority delegated under section A the power to:

1. Establish interest rates.

2. Issue notes or other obligations for purchase by the Secretary of the Treasury.

3. Exercise the powers under section 402 of the Housing Act of 1950, as amended (12 U.S.C. 1749a) (including the authority to sue and be sued) except the authority to issue rules and regulations.

SEC. C. *Additional authority delegated.* The Assistant Secretary for Metropolitan Development and the Deputy Assistant Secretary for Metropolitan Development each is further authorized to:

1. Issue such rules and regulations as may be necessary to carry out the power delegated herein.

2. Redelegate to each Regional Administrator any of the authority delegated herein, and authorize redelegation by the Regional Administrator.

(79 Stat. 670, 5 U.S.C. 624d(d))

Effective date. This delegation of authority shall be effective as of May 18, 1966.

ROBERT C. WEAVER,
Secretary, Housing and
Urban Development.

[F.R. Doc. 66–5524; Filed, May 19, 1966; 8:47 a.m.]

REGIONAL ADMINISTRATORS AND DEPUTY REGIONAL ADMINISTRATORS

Redelegations of Authority

SECTION A. *Authority redelegated with respect to specific programs.* Each Regional Administrator and each Deputy Regional Administrator of the Department of Housing and Urban Development is hereby authorized, within his jurisdiction, to exercise the power and authority of the Secretary of Housing and Urban Development with respect to the programs and matters listed below except as specified under this section A and as additionally excepted under section B:

1. Urban Planning Assistance Program under section 701 of the Housing Act of 1954, as amended (40 U.S.C. 461), except the authority to:

a. Undertake studies, research, and demonstration projects under section 701(b).

b. Determine the acceptability of a planning agency under section 701(a)(1) and (2).

c. Make a three-fourths grant under section 701(b) for an area described in section 701(a)(7).

d. Determine that an organization is representative of the political jurisdictions within a metropolitan area or urban region under section 701(g).

2. Program of Advances for Public Works Planning (including 1st and 2d programs) under:

a. Section 702 of the Housing Act of 1954, as amended (40 U.S.C. 462), except the authority to conduct surveys under section 702(f).

b. Title V of the War Mobilization and Reconversion Act of 1944, P.L. 458, 78th Cong., as amended (50 U.S.C. App. 1671 note), and the Act of October 13, 1949, P.L. 352, 81st Cong., as amended (40 U.S.C. 451), subject to section 1112 of the Housing and Urban Development Act of 1965 (40 U.S.C. 462 note).

3. Basic Water and Sewer Facilities Grant Program under section 702 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3102) except the authority to make a grant of more than 50 percent under section 702(b).

4. Advance Acquisition of Land Program under section 704 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3104) except the authority to determine not to require an applicant to agree to repay under section 704(d).

5. Open-Space Land and Urban Beautification Programs under Title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500–1500e), except the authority to:

a. Approve the conversion of open-space land to other uses under section 704 (42 U.S.C. 1500c).

b. Provide technical assistance and undertake studies and publish information under section 708 (42 U.S.C. 1500d).

c. Determine further terms and conditions under section 702(d) (42 U.S.C. 1500a(d)).

d. Make a grant of more than 50 percent under section 706 (42 U.S.C. 1500c–2.)

6. Public Facility Loans Program under Title II of the Housing Amendments of 1955, as amended (42 U.S.C. 1491–1497), except the authority to:

a. Establish technical advisory services under section 207 (42 U.S.C. 1497).

b. Make loans for mass transportation facilities and equipment under section 202(a)(2) (42 U.S.C. 1492(a)(2)).

7. Public Facilities Liquidating Programs, including those with respect to:

a. Section 5 of the Alaska Public Works Act, as amended (48 U.S.C. 486), and delegation from Secretary of Interior effective April 17, 1964 (29 F.R. 5516, Apr. 24, 1964), except that this authority is redelegated only to the Regional Administrator and the Deputy Regional Administrator, Region VI (San Francisco).

b. Defense community facilities under Title III of the Defense Housing and Community Facilities and Services Act of 1951, as amended (42 U.S.C. 1592–1592n).

c. Prefabricated housing loans under Reorganization Plan No. 23 of 1950 (5 U.S.C. 133z–15 note), including section 102–102c of the Housing Act of 1948, as amended (12 U.S.C. 1701g–1701g–3); section 104 of the Defense Housing and Community Facilities and Services Act of 1951, as amended (42 U.S.C. 1591c); and section 401 of the Independent Offices Appropriation Act of 1952 (12 U.S.C. 1701g–4).

d. War public works under Title II of the Lanham Act, as amended (42 U.S.C. 1531–1534).

e. Section 202(e) of the Housing Amendments of 1955, as amended by section 5(b) of the Public Works Acceleration Act (42 U.S.C. 1492(e)).

f. Sections 7 and 8 of the Area Redevelopment Act (42 U.S.C. 2506 and 2507) and delegation from Secretary of Commerce dated July 20, 1961 (26 F.R. 7974, Aug. 25, 1961).

8. College Housing Program under Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749–1749c).

9. Program of Housing for the Elderly or Handicapped under section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q), to the following extent:

a. To execute loan agreements and regulatory agreements and amendments or modifications of loan agreements and regulatory agreements.

b. To authorize an increase of not to exceed 10 percent in the amount of the loan and to authorize such amendment of the loan agreement as is necessary to

effectuate the authorized increase in the amount of the loan.

c. To execute amendments or modifications of notes, mortgages, and other collateral security instruments.

10. Compensation of condemnees under Title IV of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071) to the extent applicable to matters redelegated hereunder.

SEC. B. *Additional authority excepted.* There is further excepted from the authority redelegated under section A the power to:

1. Establish interest rates.

2. Issue notes or other obligations for purchase by the Secretary of the Treasury.

3. Exercise the powers under section 402 of the Housing Act of 1950, as amended (12 U.S.C. 1749a) (including the authority to sue and be sued).

SEC. C. *Additional authority redelegated.* Each Regional Administrator and each Deputy Regional Administrator is further authorized to:

1. Redelegate to one or more employees under his jurisdiction the authority redelegated herein except the authority to authorize loans, grants, and advances and to amend or modify the terms thereof.

2. In the case of the Regional Administrator, Region VI (San Francisco), redelegate to the Director for Northwest Operations, Region VI, at Seattle, Wash., any of the authority redelegated herein.

(Secretary's delegation effective May 18, 1966, 31 F.R. 7359, May 20, 1966)

Effective date. This redelegation of authority shall be effective as of May 18, 1966.

CHARLES M. HAAR,
Assistant Secretary for Metropolitan Development.

[F.R. Doc. 66-5525; Filed, May 19, 1966; 8:47 a.m.]

DIRECTOR AND DEPUTY DIRECTOR, URBAN TRANSPORTATION ADMINISTRATION

Redelegations of Authority

SECTION A. The Director, Urban Transportation Administration, and the Deputy Director, Urban Transportation Administration, each is hereby authorized to exercise the power and authority under:

1. Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601-1611) (including the authority to execute contracts for mass transportation research, development, and demonstration projects under section 6(a) (49 U.S.C. 1605(a)); and

2. Section 202 of the Housing Amendments of 1955, as amended (42 U.S.C. 1492), and section 103(b) of the Housing Act of 1949, as amended (42 U.S.C. 1453 (b)); except the authority to:

a. Authorize loans and grants.

b. Establish interest rates.

c. Approve the undertaking of mass transportation research, development, and demonstration projects under section 6(a) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1605(a)).

d. Determine that there exists adequate comprehensive and transportation planning pursuant to sections 3(c), 4(a), and 5 of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1602(c), 1603(a), and 1604).

e. Make determinations concerning provision for participation and compensation of private companies under section 3(c) (2) and (3) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1602(c) (2) and (3)).

SEC. B. The Director, Urban Transportation Administration, and the Deputy Director, Urban Transportation Administration, each is further authorized to redelegate to one or more employees under his jurisdiction the authority redelegated herein.

(Secretary's delegation effective May 18, 1966, 31 F.R. 7359, May 20, 1966)

Effective date. This redelegation of authority shall be effective as of May 18, 1966.

CHARLES M. HAAR,
Assistant Secretary for Metropolitan Development.

[F.R. Doc. 66-5526; Filed, May 19, 1966; 8:47 a.m.]

DEPUTY DIRECTOR, OFFICE OF TRANSPORTATION

Redelegation of Authority

The officer appointed to the position of Deputy Director, Office of Transportation, is hereby authorized to exercise the authority redelegated to the Director, Urban Transportation Administration, under redelegation by the Assistant Secretary for Metropolitan Development effective May 18, 1966.

David J. Speck, Attorney-Adviser, Office of General Counsel, is hereby authorized in the absence of the Deputy Director, Office of Transportation, to exercise the authority herein redelegated.

(Redelegation by Assistant Secretary for Metropolitan Development effective May 18, 1966, 31 F.R. ----, May 20, 1966)

Effective date. This redelegation of authority shall be effective as of May 18, 1966.

CHARLES M. HAAR,
Assistant Secretary for Metropolitan Development.

[F.R. Doc. 66-5527; Filed, May 19, 1966; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-392]

AIRCRAFT ACCIDENT AT ARDMORE, OKLA.

Notice of Hearing Regarding Investigation

In the matter of investigation of accident involving aircraft of U.S. registry N183H, which occurred at Ardmore, Okla., on April 22, 1966; Docket No. SA-392.

Notice is hereby given that an accident investigation hearing in the above matter will be held commencing at 1:30 p.m. (local time), on Wednesday, May 25, 1966, in the Base Meeting Hall, Ardmore Municipal Airport, Ardmore, Okla.

Dated this 16th day of May 1966.

[SEAL] CLAUDE M. SCHONBERGER,
Hearing Officer.

[F.R. Doc. 66-5520; Filed, May 19, 1966; 8:46 a.m.]

FEDERAL HOME LOAN BANK BOARD

[No. 19,895]

ADVANCES BY FEDERAL HOME LOAN BANKS

Supplemental Statement of Policy

MAY 16, 1966.

Resolved, that the Federal Home Loan Bank Board, upon consideration by it of the advisability of publishing a statement supplementing its statements of policy with respect to advances by the Federal Home Loan Banks adopted on August 6, 1965, and duly published in the FEDERAL REGISTER on August 13 and August 14, 1965 (30 F.R. 10124 and 10168), hereby directs the Secretary to the Board to transmit the following statement approved by the Board to the Office of the Federal Register for publication.

SUPPLEMENTAL STATEMENT OF POLICY ON ADVANCES

The conditions prevailing in the economy and the savings and credit markets dictate policy responses by both the Federal Home Loan Bank System and all its member institutions. The objectives of the System remain unchanged, and the capacity of the System to achieve those objectives remain unquestioned. Nevertheless, the achievement of the objectives requires changes in procedure as economic conditions change.

In the light of the current situation, the attention of the Federal Home Loan Banks and the attention of the members of the Banks is directed to the following major policy items:

1. Current policies governing withdrawal advances remain unchanged, that is, withdrawal advances shall be made on a 30-day basis and shall be renewable, on a 30-day basis.

2. Member institutions should carefully regulate and control their outstanding commitments, including undisbursed loan proceeds, to levels not exceeding the total of the previous calendar 4 months loan repayments plus or minus their realized savings gains or losses for the same past 4 months. Moreover, if the judgment of the board of directors of an individual member institution indicates a probable reduction in the coming period of loan repayments, or a reduction in savings inflow, such judgments should promptly be reflected in a working down of such outstanding commitments. For all future commitments executed from this date forward management cannot expect the advance window to be ever open if management itself has failed to gear its commitment level to its actual cash flows. The extension of expansion credit is not appropriate merely because a member is below the 17½ percent ceiling.

3. Expansion advances are not to be used as permanent additions to capital. Repayments should be obtained as feasible, particularly from continuous borrowers and those with high ratios of advances to savings. Such advances are to be utilized only for seasonal needs and to cover commitment requirements that have been maintained at realistic levels but where unexpected, adverse, reduced cash flows have developed. In addition, each Bank shall consider a member's cash flows and cash needs in granting advances or roll-overs of existing notes or amortization payments. Expansion advances or renewals should not be made unless the member is managing his cash flows so as to meet existing commitments. In no event, shall credit be extended in conflict with outstanding limitations based on scheduled items, or other restrictions.

4. All loan officers of all regional banks are expected to examine each advance application in prudent detail. Previously established lines of credit certainly do not preclude such examination, nor acceptance, rejection or modification of the proposed loan application. This is especially true of expansion advances. Particular attention shall be given to the precise purposes of the proposed advance and the type of properties and transactions for which the funds are sought. Generally, such advances should not be employed to finance highly speculative ventures which would contribute to excesses in the housing inventory; to finance commercial, industrial or other residential property; or to refinance existing mortgages on all types of property in substantial volume.

The Board will institute a reporting procedure to test the conformance of expansion advances to the foregoing principles.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-5537; Filed, May 19, 1966; 8:48 a.m.]

[No. 19,897]

USE OF 5 PERCENT 6-MONTH SAVINGS ACCOUNT CERTIFICATES

Statement of Policy

MAY 16, 1966.

Resolved that the Federal Home Loan Bank Board, upon consideration by it of the advisability of stating and publishing a statement of policy by the Board concerning the circumstances under which Federal savings and loan associations and other members of the Federal Home Loan Bank System may issue 6-month savings account certificates bearing a rate of 5 percent per annum without being restricted from obtaining Federal Home Loan Bank advances, hereby directs the Secretary to the Board to transmit the following statement approved by the Board to the Office of the Federal Register for publication.

STATEMENT OF POLICY ON THE USE OF 5 PERCENT 6-MONTH SAVINGS ACCOUNT CERTIFICATES

The Federal Home Loan Bank Board has proposed[1] the use by Federal associations of a 6-month certificate, in the minimum amount of $1,000 at a rate of 5 percent per annum, under certain conditions. State-chartered members of the Bank System may likewise adopt the use of such a certificate, where approved for Federal associations, without being subject to restrictions on credit from their Federal Home Loan Bank.

The Bank Presidents have the responsibility for recommending to the Board those areas in which it might be appropriate to approve the use of the certificate. In this connection, there are listed below the criteria to be considered for making a recommendation to the Board.

1. Number of banks in metropolitan area, county, or other relevant political subdivision. Where one or more branches of a bank headquartered outside the area are in operation, count the branch or branches of each such bank as 1 unit and obtain estimate of deposits held in area.

2. Total deposits of banks in (1) above.

3. Number of banks, and percentage of total deposits held, offering certificates at 5 percent or more in amounts of less than $10,000.

4. Rate of return on savings of associations in affected area for 1965. Give net earnings, Line X, Exhibit II December semiannual report, to average savings for 1965 (December 1964, June 1965, December 1965, added and divided by 3).

5. Enclose any advertising material that helps contribute to an adequate record in support of 3.

6. Net savings flow both for the first quarter and for April 1965 and 1966 for associations in the area.

7. Appropriate comments including a statement as to the extent to which net savings flow to associations has been adversely affected by bank practices.

Consideration should be given, under item 7 above, to the number of banks and the ratio of total deposits which they hold in making recommendations. The certificate should be recommended only where the number of banks and the ratio of deposits held is sufficient to affect competition with associations.

Seven copies of each recommendation should be submitted to the Office of Federal Home Loan Bank Operations.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-5538; Filed, May 19, 1966; 8:48 a.m.]

[1] See F.R. Doc. 66-5533, in Proposed Rule Making section, *supra*.

[No. 19,898]

FEDERAL HOME LOAN BANK CREDIT FOR CALIFORNIA AND NEVADA MEMBER INSTITUTIONS

Statement of Policy

MAY 16, 1966.

Resolved, that the Federal Home Loan Bank Board, upon consideration by it of the advisability of stating and publishing a statement of policy by the Board concerning the circumstances under which Federal savings and loan associations and other members of the Federal Home Loan Bank System located in the States of California and Nevada may pay dividends or interest at a rate of 5 percent per annum on regular accounts without being restricted from obtaining Federal Home Loan Bank advances, hereby directs the Secretary to the Board to transmit the following statement approved by the Board to the Office of the Federal Register for publication.

POLICY STATEMENT ON FEDERAL HOME LOAN BANK CREDIT FOR MEMBER INSTITUTIONS LOCATED IN CALIFORNIA AND NEVADA

The Federal Home Loan Bank Board has reviewed present conditions in the market in which savings and loan associations operate, their recent earnings, and their prospective yield on home mortgages. The Board has determined that associations in California and Nevada will not be restricted from obtaining advances merely because of payment of dividends or interest at an annual rate of 5 percent on regular savings from July 1, 1966 in a manner conforming to the following conditions:

(1) Dividends or interest will not be compounded more frequently than quarterly;

(2) Dividends or interest are computed from the first of the month on funds which are received by the association's determination date or from date of receipt if the association has no grace or determination date; and

(3) The funds are on hand at the close of the dividend or interest period.

This policy, however, does not apply to institutions which are presently restricted from obtaining advances under Federal Home Loan Bank Board Resolution No. 19,333, dated August 6, 1965, and published in the FEDERAL REGISTER on August 13, 1965 (30 F.R. 10124), as modified.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-5539; Filed, May 19, 1966; 8:48 a.m.]

[No. 19,901]

ADVANCES TO MEET NET WITHDRAWALS

Statement of Policy

MAY 16, 1966.

Resolved, that the Federal Home Loan Bank Board, upon the basis of considera-

tion by it of the advisability of stating and publishing its policy concerning the procedure to be followed by the Federal Home Loan Banks in making certain advances to Federal savings and loan associations and other members of the Federal Home Loan Bank System, hereby adopts the following proposed statement of its policy and directs the Secretary to the Board to transmit the statement to the Office of the Federal Register for publication.

STATEMENT OF POLICY CONCERNING ADVANCES TO MEET NET WITHDRAWALS

Proposed amendments to §§ 523.12[1] and 545.8–2[2] of the regulations for the Federal Home Loan Bank System and the rules and regulations for the Federal Savings and Loan System, respectively, would permit Members of the Bank System and Federal associations, respectively, to make or purchase loans until November 1, 1966, at a time when the institution's cash and obligations of the United States were reduced below 7 percent, but not below 6 percent, of the institution's obligation on withdrawable accounts. Such reduction may be as great as but no greater than net cash withdrawals at their maximum point in the period beginning June 27.

The Federal Home Loan Bank Board has determined that a uniform procedure is necessary among the Federal Home Loan Banks with respect to making advances to Member institutions to meet net withdrawals and, therefore, directs each Federal Home Loan Bank not to make any advances after June 27, 1966, to meet net withdrawals of less than 1 percent of the obligation of any Member on withdrawable accounts, as of June 27, 1966, sustained by the Member institution. Each Federal Home Loan Bank is directed to make withdrawal advances only to the extent necessary to meet net withdrawals in excess of the 1 percent absorbed by the institution. On November 1, 1966, a Bank may make any advances necessary to restore a Member's liquidity to the regulatory requirement of 7 percent then operative, less net savings increase (in excess of dividends credited) for the period from June 27 to November 1.

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed policy should be adopted as proposed; (2) whether said proposed policy should be modified and adopted as modified; (3) whether said proposed policy should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than June 9, 1966, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–5540; Filed, May 19, 1966; 8:48 a.m.]

[1] See F.R. Doc. 66–5532, in Proposed Rule Making section, *supra*.
[2] See F.R. Doc. 66–5533, in Proposed Rule Making section, *supra*.

[No. 19,902]

CONTINUED INCLUSION OF TIME DEPOSITS AS CASH

Statement of Policy

MAY 16, 1966.

Resolved, that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of stating and publishing its policy concerning the continued inclusion of time deposits as cash in view of proposed amendments to the regulations for the Federal Home Loan Bank System, the rules and regulations for the Federal Savings and Loan System and the rules and regulations for Insurance of Accounts, hereby adopts the following statement of its policy and directs the Secretary to the Board to transmit the statement to the Office of the Federal Register for publication.

STATEMENT OF POLICY

Under proposed § 523.12(b)[1] of the regulations for the Federal Home Loan Bank System, § 545.8–2(b)[2] of the rules and regulations for the Federal Savings and Loan System and § 561.18[3] of the rules and regulations for Insurance of Accounts, "cash" would be defined as cash on hand, unpledged deposits in a Federal Home Loan Bank or a State bank performing similar reserve functions, and unpledged demand deposits in banks not in the possession of appropriate supervisory authorities.

Members of the Federal Home Loan Bank System, Federal savings and loan associations and State-chartered savings and loan associations insured by the Federal Savings and Loan Insurance Corporation have, under rulings of the Board which would be rescinded, been permitted to count time deposits open account and time certificates of deposit as cash, within specified limits.

In the circumstances, the Board has determined as a matter of policy, if the proposed regulations are adopted, to allow time deposits open account and time certificates of deposits made or renewed prior to May 20, 1966, to be counted as cash until July 1, 1967, or their expiration date (or first alternative maturity hereafter), whichever is earlier.

[1] See F.R. Doc. 66–5532, in Proposed Rule Making section, *supra*.
[2] See F.R. Doc. 66–5533, in Proposed Rule Making section, *supra*.
[3] See F.R. Doc. 66–5535, in Proposed Rule Making section, *supra*.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–5541; Filed, May 19, 1966; 8:48 a.m.]

[No. 19,903]

GENERAL POLICY ON ADVANCES

Supplemental Statement

MAY 16, 1966.

Resolved, that the Federal Home Loan Bank Board, upon consideration by it of the advisability of publishing a statement clarifying and supplementing its general policy on advances to members of the Federal Home Loan Bank System adopted on August 6, 1965, and duly published in the FEDERAL REGISTER on August 14, 1965 (30 F.R. 10168), hereby directs the Secretary to the Board to transmit the following statement approved by the Board to the Office of the Federal Register for publication.

SUPPLEMENTAL STATEMENT TO GENERAL POLICY ON ADVANCES

The General Policy on Advances statement contained in Federal Home Loan Bank Board Resolution 19334, dated August 6, 1965, provides in part: "Advances should not be extended to meet those foreseeable needs of a member which can reasonably be met from a member's own resources."

Foreseeable needs are considered as including the payment of real estate taxes on the security underlying mortgage loans and the return of Christmas Club or other short term savings. The availability of funds for meeting such obligations when due can reasonably be anticipated by a member in scheduling its cash flows.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–5542; Filed, May 19, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI66–369, etc.]

TENNECO OIL CO., ET AL.

Order Accepting Contract Agreements, Providing for Hearings on and Suspension of Proposed Changes in Rates[1]

MAY 12, 1966.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

[1] Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66–369	Tenneco Oil Co. (Operator), et al., Post Office Box 2511, Houston, Tex., 77001.	44	2	Northern Natural Gas Co. (East Hugoton Field, Finney County, Kans.).	$517	4–14–66	[2] 5–15–66	10–15–66	[3] 12.0	[3] [4] 13.0	
	do	64	1	Cities Service Gas Co. (Eureka Field, Grant County, Okla.) (Oklahoma "Other" Area).	1,850	4–14–66	[2] 5–15–66	10–15–66	[3] 12.0	[4] [5] 14.0	
	do	66	1	Lone Star Gas Co. (Doyle Field, Stephens County, Okla.) (Oklahoma "Other" Area).	715	4–14–66	[2] 5–15–66	10–15–66	[7] 14.0	[6] [7] 15.0	
	do	67	1	do	1,499	4–14–66	[2] 5–15–66	10–15–66	[7] 14.0	[6] [7] 15.0	
	do	33	[8] 2	Cities Service Gas Co. (Northwest Sharron Field, Barber County, Kans.).	9,497	4–22–66 4–14–66	[2] 5–15–66 [2] 5–15–66	Accepted 10–15–66	[3] 12.0	[4] [5] 14.0	
RI66–370	Tenneco Oil Co.	34	[8] 2	Cities Service Gas Co. (Hardtner Field, Barber County, Kans.).	321	4–22–66 4–14–66	[2] 5–15–66 [2] 5–15–66	Accepted 10–15–66	[3] 12.0	[4] [5] 14.0	
	do	58	[10] 1	Colorado Interstate Gas Co. (Keyes Field, Cimarron County, Okla.) (Panhandle Area).	337	4–22–66 4–14–66	[2] 5–15–66 [2] 5–15–66	Accepted 10–15–66	[11] 15.0	[4] [11] 17.0	
	do	182	[8] 2	Cities Service Gas Co. (Medicine Lodge N. Pool, Barber County, Kans.).	497	4–22–66 4–14–66	[2] 5–15–66 [2] 5–15–66	Accepted 10–15–66	[3] 12.0	[4] [5] 14.0	
RI66–371	Ashland Oil & Refining Co., Post Office Box 1503, Houston, Tex., 77001.	137	[12] 7	Michigan Wisconsin Pipe Line Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	6,250	4–15–66	[13] 5–16–66	10–16–66	[14] [15] 18.0	[5] [14] 20.5	
RI66–372	The Superior Oil Co. (Operator), et al., Post Office Box 1521, Houston, Tex., 77001.	64	3	Natural Gas Pipeline Co. of America (McFarland Unit, Light Field, Beaver County, Okla.) (Panhandle Area).	196	4–18–66	[2] 5–19–66	10–19–66	[11] 16.0	[4] [11] 17.0	RI61–218.
RI66–373	The Superior Oil Co.	66	2	Natural Gas Pipeline Co. of America (Quinduno Field, Roberts County, Tex.) (R.R. District No. 10).	6,100	4–21–66	[13] 7–18–66	12–18–66	[3] 13.0	[4] [5] 14.0	RI62–27.
RI66–374	McWood Corp. (Operator), et al., Post Office Box 330, Abilene, Tex., 79604.	1	3	Tennessee Gas Pipeline Co., a Division of Tenneco Inc. (Laguna Madre Field, Kenedy County, Tex.) (R.R. District No. 4).	307	4–20–66	[13] 6– 1–66	11– 1–66	15.5	[4] 16.5	

[1] The stated effective date is the first day after expiration on the stautory notice.
[2] Periodic rate increase.
[3] Pressure base is 14.65 p.s.i.a.
[4] Subject to a downward B.t.u. adjustment.
[5] Two-step periodic rate increase.
[6] Subject to a deduction by buyer of 1.0 cent per Mcf if gas is delivered at less than 500 p.s.i.g.
[7] Agreement dated Oct. 30, 1964, completes notice of change filing and provides for increased rate.
[8] Renegotiated rate increase.
[9] Agreement dated Sept. 19, 1963, completes notice of change filing and provides or increased rate.
[10] Subject to upward and downward B.t.u. adjustment.
[11] Applicable to acreage added by Supplement Nos. 1, 2, and 3 (Rate of 20.5 cents per Mcf for initial dedicated acreage is effective subject to refund in Docket No. RI65–365).
[12] The stated effective date is the effective date requested by Respondent.
[13] Subject to upward B.t.u. adjustment (Rate includes 1.0 cent upward B.t.u. adjustment).
[14] Permanently certificated rate for acreage added by Supplement Nos. 1 and 2 pursuant to Opinion No. 464 (B.t.u. case). Filing states that upward B.t.u. adjustment has not been collected.

Tenneco Oil Co. (Operator), et al. (Tenneco), request that Supplement No. 2 to their FPC Gas Rate Schedule No. 44 be permitted to become effective as of October 1, 1965; that Supplement No. 1 to their FPC Gas Rate Schedule Nos. 64, 66, and 67, respectively, and Supplement No. 3 to their FPC Gas Rate Schedule No. 33 be permitted to become effective as of September 1, 1965. Tenneco Oil Co. (also referred to herein as Tenneco) requests that Supplement Nos. 3 and 2 to its FPC Gas Rate Schedule Nos. 34 and 58, respectively, be permitted to become effective as of September 1, 1965, and an effective date of October 1, 1965, for Supplement No. 3 to its FPC Gas Rate Schedule No. 182. The Superior Oil Co. (Operator), et al., requests an effective date of May 15, 1966, for Supplement No. 3 to its FPC Gas Rate Schedule No. 64. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

Ashland Oil & Refining Co. (Ashland) requests that should the Commission suspend its rate filing that the suspension period be shortened to 1 day. Good cause has not been shown for granting Ashland's request for limiting to 1 day the suspension period with respect to its rate filing and such request is denied.

On April 22, 1966, Tenneco tendered for filing contract agreements dated September 19, 1963, and October 30, 1964, respectively, with respect to their FPC Gas Rate Schedule Nos. 33, 34, 58, and 182, which provide for their proposed rate increases. Such agreements have been designated as Supplement No. 1 to Tenneco's FPC Gas Rate Schedule No. 58, and Supplement No. 2 to Tenneco's FPC Gas Rate Schedule Nos. 33, 34, and 182, respectively. We believe that it would be in the public interest to accept for filing Tenneco's aforementioned contract agreements to become effective on May 15, 1966, the date of expiration of the statutory notice, but not the proposed rates contained therein which are suspended as hereinafter ordered.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61–1, as amended (18 CFR 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing Tenneco's proposed contract agreements dated September 19, 1963, and October 30, 1964, designated as Supplement No. 1 to Tenneco's FPC Gas Rate Schedule No. 58, and Supplement No. 2 to Tenneco's FPC Gas Rate Schedule Nos. 33, 34, and 182, respectively, and for permitting such supplements to become effective on May 15, 1966, the date of expiration of the statutory notice.

(2) Except for the supplements set forth in paragraph (1) above, it is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Tenneco's contract agreements dated September 19, 1963, and October 30, 1964, designated as Supplement No. 1 to Tenneco's FPC Gas Rate Schedule No. 58, and Supplement No. 2 to Tenneco's FPC Gas Rate Schedule Nos. 33, 34, and 182, respectively, are accepted

for filing and permitted to become effective on May 15, 1966.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements (except those supplements set forth in paragraph (A) above).

(C) Pending hearings and decisions thereon, the above-designated supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 1, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-5475; Filed, May 19, 1966; 8:45 a.m.]

[Docket No. RI66-375]

RAY D. SORRELLS, ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

MAY 12, 1966.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 1, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-375	Ray D. Sorrells (Operator), et al., 313 Wood St., Gilmer, Tex., 75644.	1	1	Almos Gas Gathering Co.,[1] (Linke Field, Bee County, Tex.) (R.R. District No. 2).	$1,283	4-18-66	[3] 5-19-66	[2] 5-20-66	11.0	[4] [5] 12.0	

[1] Almos Gas Gathering Co. resells the gas to United Gas Pipe Line Co. at a rate of 13.4196 cents per Mcf under its FPC Gas Rate Schedule No. 1.
[2] The stated effective date is the 1st day after expiration of the statutory notice.
[3] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[5] Pressure base is 14.65 p.s.i.a.

Ray D. Sorrells (Operator), et al. (Sorrells) request that their proposed rate increase be permitted to become effective as of August 1, 1964, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Sorrells' rate filing and such request is denied.

Sorrells proposes a periodic rate increase from 11.0 cents to 12.0 cents per Mcf for gas sold to Almos Gas Gathering Co. (Almos). Almos gathers and resells the gas, together with gas which it purchases from other producers in the area to United Gas Pipe Line Co. pursuant to Almos' FPC Gas Rate Schedule No. 1 at a rate of 13.4196 cents per Mcf. A periodic increase to 14.25 cents plus tax reimbursement will be contractually due under Almos' rate schedule on June 1, 1967, a suspendable rate under current Commission policy as exceeding the area increased rate ceiling. Since the 14.0 cents per Mcf increased rate ceiling in Texas Railroad District No. 2 anonunced in the Commission's Statement of General Policy No. 61-1, as amended, is applicable to the resale rate of Almos, we conclude that Sorrells' proposed increased rate should be suspended for 1 day from May 19, 1966, the date of expiration of the statutory notice.

[F.R. Doc. 66-5476; Filed, May 19, 1966; 8:45 a.m.]

[Docket No. RI66-377, etc.]

TENNECO OIL CO., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

MAY 13, 1966.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 1, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-377	Tenneco Oil Co. (Operator), et al., Post Office Box 2511, Houston, Tex., 77001, Attn: Joseph Tamasy, Esq.	45	3	El Paso Natural Gas Co. (Totah Gallup, West Huerfano and West Kutz Dakota Fields, San Juan County, N. Mex.) (San Juan Basin Area).	$22,728	4-14-66	[1] 5-15-66	[1] 5-16-66	[2] 13.2534	[3] [6] 14.2729	RI65-202.
RI66-378	Tenneco Oil Co	51	3	El Paso Natural Gas Co. (Blanco Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	12	4-14-66	[1] 5-15-66	[1] 5-16-66	[2] 13.2534	[3] [6] 14.2729	RI65-203.

[1] The stated effective date is the 1st day after expiration of the statutory notice.
[2] The suspension period is limited to 1 day.
[3] Periodic rate increase.
[4] Pressure base is 15.025 p.s.i.a.
[5] Includes 1.0 cent per Mcf minimum guarantee for liquids.
[6] Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax.

Tenneco Oil Co. (Operator), et al., and Tenneco Oil Co. (both referred to herein as Tenneco), request a retroactive effective date of October 1, 1965, for their proposed rate increases. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Tenneco's rate filings and such requests are denied.

Tenneco's proposed rate supplements reflect partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax which was increased from 2.0 percent to 2.55 percent on April 1, 1963. The buyer, El Paso Natural Gas Co. (El Paso), in accordance with its policy of protesting all tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, filed a protest on April 28, 1966, with respect to these rate increases. El Paso questions the right of Tenneco under the tax reimbursement clauses of its contracts to file rate increases reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increased rate in excess of 0.55 percent. In view of the contractual problem presented, we shall provide that the hearing herein shall concern itself with the contractual basis for the rate filings as well as the statutory lawfulness of the proposed increased rates.

Tenneco's proposed rate increases include the contractually provided 1.0 cent per Mcf minimum guarantee for liquids and exceed the 13.0 cents per Mcf area ceiling for increased rates in the San Juan Basin Area of New Mexico as set forth in the Commission's Statement of General Policy No. 61-1, as amended, by the 1.0 cent per Mcf minimum guarantee for liquids and tax reimbursement and are suspended for 1 day from May 15, 1966, the date of expiration of the statutory notice, as ordered herein.

[F.R. Doc. 66-5477; Filed, May 19, 1966; 8:45 a.m.]

[Docket No. RI66-379, etc.]

TENNECO OIL CO., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

MAY 13, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 1, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-379...	Tenneco Oil Co. (Operator), et al., Post Office Box 2511, Houston, Tex., 77001, Attn: Joseph Tamasy, Esq.	69	3	El Paso Natural Gas Co., (West Huerfano Field, San Juan County, N. Mex.) (San Juan Basin Area).	$50	4-14-66	[2] 5-15-66	10-15-66	[3] 13.2534	[3] [4] [5] 14.2729	RI65-202.
RI66-380...	Tenneco Oil Co	117	2	Kansas-Nebraska Natural Gas Co., Inc., (Various Fields, Logan County, Colo.).	355	4-14-66	[2] 5-15-66	10-15-66	12.8262	[3] [4] 14.6585	
	Tenneco Oil Co	48	3	Kansas-Nebraska Natural Gas Co., Inc., (Armstrong Field, Logan County, Colo.).	113	4-14-66	[2] 5-15-66	10-15-66	12.8262	[3] [4] 13.7424	

[1] The stated effective date is the first day after expiration of the statutory notice.
[2] Periodic rate increase.
[3] Pressure base is 15.025 p.s.i.a.
[4] Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax.

Tenneco Oil Co. (Operator), et al. (Tenneco) request a retroactive effective date of September 1, 1965, for its proposed rate increase. Tenneco Oil Co. (also referred to herein as Tenneco) requests retroactive effective dates of September 1, 1965, and October 1, 1966, for Supplement Nos. 3 and 2 to its FPC Gas Rate Schedule Nos. 48 and 117, respectively. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Tenneco's rate filings and such requests are denied.

Supplement No. 3 to Tenneco Oil Co. (Operator), et al.'s FPC Gas Rate Schedule No. 69 reflects partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax which was increased from 2.0 percent to 2.55 percent on April 1, 1963. The buyer, El Paso Natural Gas Co. (El Paso), in accordance with its policy of protesting all tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, filed a protest on April 28, 1966, with respect to this rate increase. El Paso questions the right of Tenneco under the tax reimbursement clause of its contract to file rate increases reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increased rate in excess of 0.55 percent. In view of the contractual problem presented, we shall provide that the hearing herein shall concern itself with the contractual basis for the filing of Supplement No. 3 to Tenneco's FPC Gas Rate Schedule No. 69 as well as the statutory lawfulness of the proposed increased rate and charge contained in said supplement.

Tenneco's proposed increased rates and charges exceed the applicable area price level for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 66-5478; Filed, May 19, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4377]

PENNSYLVANIA ELECTRIC CO.

Notice of Proposed Charter Change and Related Transactions

MAY 13, 1966.

Notice is hereby given that Pennsylvania Electric Co. ("Penelec"), 1001 Broad Street, Johnstown, Pa., an electric utility subsidiary company of General Public Utilities Corp., a registered holding company, has filed a declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Penelec proposes to acquire the right under its charter to generate electricity by means of water power. For this purpose Penelec organized Kinzua Water Power Co. ("Kinzua"), a Pennsylvania corporation, whose charter includes such right. Penelec proposes to acquire all of Kinzua's capital stock (5 shares) for $500 and promptly thereafter to merge with Kinzua and thus succeed to its charter and water power franchise rights. Penelec then will be in a position to participate with a nonassociated company in the construction and operation of a 325,000 kilowatt pumped storage hydroelectric generating station to be located in Warren County, Pa.

The fees and expenses of Penelec to be incurred in connection with the proposed transactions are estimated not to exceed $6,900, including $6,500 as counsel fees. The Pennsylvania Public Utility Commission has approved the sale of the Kinzua capital stock, franchises and properties and their acquisition by Penelec. The filing states that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 31, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5510; Filed, May 19, 1966; 8:46 a.m.]

[File No. 1-3393]

VTR, INC.

Order Suspending Trading

MAY 16, 1966.

The common stock, $1 par value, of VTR, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 17, 1966, through May 26, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5511; Filed, May 19, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1350]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 17, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68504. By order of May 12, 1966, the Transfer Board approved the transfer to Clyde Baird, doing business as Enumclaw Transfer & Storage Co., 1217 Griffin Avenue, Enumclaw, Wash., 98022, of certificate in No. MC-26422, issued February 26, 1948, to Hobart H. Jaquith, doing business as Jaquith Transfer Co., Enumclaw, Wash., authorizing the transportation of: Household goods, between Enumclaw, Wash., and points within 10 miles thereof, on the one hand, and, on the other, points in Idaho and Oregon, those in King and Pierce Counties, Wash., and ports of entry in Washington at the boundary of the United States and Canada. National Bank of Washington, Post Office Box 1631, Tacoma, Wash., 98401, representative for transferor.

No. MC-FC-68726. By order of May 12, 1966, the Transfer Board approved the transfer to Fremont Contract Carriers, Inc., Fremont, Nebr., of permit Nos. MC-124925 (Sub-No. 3), and MC-124925 (Sub-No. 4), both issued February 24, 1966, to Donald F. Schepmann, Lincoln, Nebr., authorizing the irregular route transportation of: Cribs, silos, grain dryers, bins, and tanks, and accessories therefor, from the plantsite of Nebraska Crib & Silo Co., Inc., at Fremont, Nebr., to points in Georgia, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin; dump bodies, truck bodies, utility bodies, van bodies, camper bodies, truck bumpers, truck hoists, truck racks, semitrailers, and hydraulic fifth wheels, from the plantsite of Omaha Standard, Inc., at Council Bluffs, Iowa, to points in 22 specified States, and various other commodities between other points. Donald E. Leonard and J. Max Harding, 605 South 14th Street, Box 2028, Lincoln, Nebr., attorneys for applicants.

No. MC-FC-68738. By order of May 12, 1966, the Transfer Board approved the transfer to State Film Delivery, Inc., Fort Lee, N.J., of certificate in No. MC-126794 (Sub-No. 2), issued January 4, 1966, to Louis Lane, doing business as State Film Delivery, New York, N.Y., authorizing the transportation of: Motion picture films, accessories, supplies, and advertising matter used in connection with the operation and maintenance of theaters and places of motion-picture exhibition when moving to or from such theaters or places of exhibition, between Fort Lee, N.J., on the one hand, and, on the other, points in Albany, Columbia, Delaware, Dutchess, Greene, Orange, Putnam, Sullivan, Ulster, and Westchester Counties, N.Y. Edward M. Alfano, 2 West 45th Street, New York, N.Y., attorney for applicants.

No. MC-FC-68740. By order of May 13, 1966, the Transfer Board approved the transfer to Richard Krahenbuhl, Barron, Wis., of a portion of the operating rights in certificate in No. MC-88563, issued March 14, 1942, to Walter Strasser, Turtle Lake, Wis., authorizing the transportation of: General commodities, except those of unusual value, and except dangerous explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, from South St. Paul, St. Paul, Newport, Minneapolis, and Stillwater, Minn., to points and places in the towns of Clinton and Barron, Barron County, Wis. A. R. Fowler, 2288 University Avenue, St. Paul, Minn., representative for applicants.

No. MC-FC-68741. By order of May 12, 1966, the Transfer Board approved the transfer to James Durward Adams, doing business as Bellingham-Sumas Stages, Bellingham, Wash., of certificate in No. MC-85401 (Sub-No. 1), issued June 21, 1965, to Robert W. Mallory, doing business as Bellingham-Sumas Stages, Bellingham, Wash., authorizing the transportation of: Passengers and their baggage, and newspapers, express, and mail in the same vehicle with passengers, between Bellingham, Wash., and Sumas, Wash., serving all intermediate points, over specified routes; and Passengers and their baggage, in round trip charter operations, in foreign commerce only, beginning and ending at ports of entry in Whatcom County, Wash., on the United States-Canada boundary line and extending to points in Washington. John T. Slater, 216 Bellingham National Bank Building, Bellingham, Wash., attorney for transferor.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5529; Filed, May 19, 1966; 8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 17, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40481—*Crushed stone to Arnold, Ill.* Filed by Norfolk & Western Railway Co. (No. 48), for and on behalf of itself. Rates on crushed stone, in carloads, from Huntington, Mo., to Arnold, Ill.

Grounds for relief—Motortruck competition.

Tariff—Supplement 28 to Norfolk & Western Railway Co. tariff ICC 8046.

FSA No. 40482—*Motor vehicles to Little Ferry, N.J.* Filed by O. W. South, Jr., agent (No. A4895), for interested rail carriers. Rates on motor vehicles, freight or passenger, loaded on bi-level and tri-level cars, from Atlanta, Hapeville and Roseland, Ga., to Little Ferry, N.J.

Grounds for relief—Market competition and modified shortline distance formula.

Tariff—Supplement 30 to Southern Freight Association, agent, tariff ICC S-558.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5530; Filed, May 19, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
- 3718 — 6567
- 3719 — 6607
- 3720 — 6679
- 3721 — 6817
- 3722 — 6855
- 3723 — 6945
- 3724 — 7027
- 3725 — 7107

EXECUTIVE ORDER:
- July 2, 1910 (revoked in part by PLO 4003) — 7351
- 8389 (see EO 11281) — 7215
- 9989 (superseded by EO 11281) — 7215
- 10348 (superseded by EO 11281) — 7215
- 10644 (amended by EO 11281) — 7215
- 11917 (superseded by EO 11278) — 6681
- 11069 (superseded by EO 11278) — 6681
- 11218 (superseded by EO 11278) — 6681
- 11277 — 6609
- 11278 — 6681
- 11279 — 6947
- 11280 — 7167
- 11281 — 7215

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
- Reorganization Plan No. 2 of 1966 — 6857

5 CFR

- 213 — 6769, 6859, 6903, 6949, 7169, 7351
- 630 — 7279
- 772 — 6569, 6949

6 CFR

- 70 — 7029

7 CFR

- 7 — 6569
- 50 — 6570
- 51 — 7169
- 68 — 6629
- 701 — 6957, 7169
- 718 — 6859
- 719 — 7030
- 722 — 6573, 6580, 6859
- 724 — 6819
- 729 — 6581, 6957
- 813 — 6819
- 815 — 6860
- 905 — 6958
- 908 — 6825, 7030, 7109
- 909 — 6825, 7109
- 910 — 6826, 7110
- 917 — 7241, 7242, 7348
- 918 — 6958
- 944 — 6959
- 959 — 6860
- 965 — 7243
- 980 — 6629
- 1098 — 6581
- 1099 — 6861, 7110
- 1421 — 6904, 7243
- 1427 — 6861, 7110
- 1434 — 6582
- 1490 — 6862

7 CFR—Continued

Page

PROPOSED RULES:
- 52 — 6871, 7185
- 58 — 6715
- 905 — 7286, 7287
- 916 — 6871
- 965 — 6592
- 1032 — 6631
- 1038 — 7061
- 1039 — 7061
- 1050 — 6631
- 1065 — 6873
- 1068 — 7129
- 1099 — 7129
- 1125 — 7062
- 1126 — 6631
- 1133 — 6986

8 CFR

- 204 — 7217
- 214 — 6611, 7170
- 511 — 7348

9 CFR

- 76 — 7029

12 CFR

- 1 — 6826, 6905
- 10 — 6949
- 11 — 6950
- 12 — 6952
- 13 — 6953
- 14 — 6954
- 15 — 6955
- 16 — 6955
- 208 — 7224
- 220 — 7169
- 522 — 6905
- 524 — 6905

PROPOSED RULES:
- 523 — 7354
- 545 — 7355
- 561 — 7356
- 563 — 7356

14 CFR

- 39 — 6582, 6685, 6790, 6959, 7031, 7111, 7170, 7279, 7351.
- 71 — 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172, 7217, 7279, 7351, 7352.
- 73 — 6893, 7032, 7112, 7217
- 75 — 7280
- 95 — 7112
- 97 — 6612, 6685, 6828, 6894, 7218
- 137 — 6685
- 151 — 6686
- 208 — 6620
- 223 — 6584
- 320 — 6585
- 378 — 6621

PROPOSED RULES:
- 37 — 7084
- 39 — 7148, 7354
- 71 — 6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187.
- 75 — 7085
- 105 — 6988
- 121 — 6592
- 246 — 6986

15 CFR

Page

- 30 — 6587
- 369 — 7037
- 372 — 7038
- 373 — 6707, 7038
- 374 — 6707
- 377 — 6707
- 379 — 6709
- 382 — 6707, 6709, 7038
- 384 — 6709, 6864
- 385 — 6709
- 399 — 6707, 6709, 6829, 6866, 7038

16 CFR

- 13 — 7056–7059
- 15 — 6866, 6906, 7225, 7281, 7349
- 59 — 6960

17 CFR

- 200 — 6588
- 240 — 6705, 6706

PROPOSED RULES:
- 240 — 7289
- 249 — 7289

18 CFR

- 260 — 7226
- 601 — 7114
- 606 — 7127

PROPOSED RULES:
- 141 — 7287

19 CFR

- 1 — 6611
- 10 — 6769

PROPOSED RULES:
- 1 — 6871
- 20 — 6908

20 CFR

- 404 — 6611

PROPOSED RULES:
- 405 — 7131, 7143

21 CFR

- 8 — 7172, 7227
- 10 — 7227
- 120 — 7172
- 121 — 6830, 7173, 7227, 7228, 7281, 7282
- 131 — 6705, 6906
- 146c — 6830
- 146e — 7228
- 148 — 7173
- 166 — 7174
- 191 — 6622

PROPOSED RULES:
- 51 — 6792
- 121 — 7245
- 133 — 7185, 7354
- 166 — 7245

24 CFR

- 200 — 6866

25 CFR

- 221 — 7283

PROPOSED RULES:
- 131 — 7353

26 CFR

- 1 — 6589, 6966
- 31 — 6589, 7183

PROPOSED RULES:
- 1 — 6966

28 CFR

Page

- 0 — 6867

29 CFR

- 548 — 6769
- 800 — 6770

31 CFR

- 90 — 6960
- 202 — 6590
- 316 — 6831
- 332 — 6686, 6831
- 520 — 7333

32 CFR

- 43 — 7228
- 300 — 6831
- 706 — 6962
- 1472 — 6906
- 1810 — 6962, 7175

32A CFR

BDSA (Ch. VI):
- BDSA Reg. 2 — 6590
- M–11A — 7036

33 CFR

- 202 — 7284
- 203 — 6907, 7175, 7284, 7350
- 207 — 6590, 6622, 6867
- 208 — 6707

PROPOSED RULES:
- 402 — 7356

35 CFR

- 255 — 6831

37 CFR

- 1 — 7284
- 2 — 7284

38 CFR

- 2 — 6770
- 9 — 7175
- 21 — 6771

39 CFR

Page

PROPOSED RULES:
- 21 — 6715
- 24 — 6715

41 CFR

- 6–1 — 6622
- 6–2 — 6623
- 6–3 — 6623
- 6–5 — 6624
- 6–7 — 6624
- 6–11 — 6624
- 6–30 — 6624
- 6–60 — 6625
- 8–7 — 7178, 7350
- 8–12 — 7179, 7350
- 9–12 — 6907
- 22–60 — 6625
- 101–19 — 7234
- 101–26 — 6963, 7234
- 101–45 — 6831

42 CFR

- 55 — 7128
- 81 — 7128

43 CFR

PUBLIC LAND ORDERS:
- 3977 (amended by PLO 4000) — 6868
- 3999 — 6907
- 4000 — 6868
- 4001 — 7350
- 4002 — 7350
- 4003 — 7351

PROPOSED RULES:
- 1727 — 6984
- 2221 — 6985
- 3130 — 6834
- 3160 — 6836

45 CFR

- 90 — 7128
- 171 — 7128
- 177 — 6591
- 801 — 6591

46 CFR

Page

- 309 — 6891
- 500 — 7180

PROPOSED RULES:
- 290 — 7131
- 510 — 6792, 7248
- 512 — 6838
- 513 — 6838

47 CFR

- 0 — 6627, 6831
- 1 — 6831, 6868
- 2 — 7235
- 73 — 6627, 6628, 6868, 7238
- 91 — 7235
- 95 — 7235

PROPOSED RULES:
- 2 — 6909, 7086
- 73 — 6637, 6638, 6792, 6838, 6874, 7086, 7246
- 87 — 6909, 7086

48 CFR

- 16 — 7032
- 17 — 7033
- 18 — 7034
- 19 — 7034

49 CFR

- 71–79 — 6591
- 95 — 6832
- 142 — 6964
- 188 — 6964

PROPOSED RULES:
- 178 — 7287, 7288

50 CFR

- 33 — 6629, 6832, 6869, 6893, 6964, 7225, 7226, 7285.
- 60 — 6833

PROPOSED RULES:
- 32 — 7061
- 34 — 7286
- 271 — 7244

V
C
L

3

9

& ECONOMICS

ROOM

DETROIT PUBLIC LIBRARY MAY 24 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 99

Saturday, May 21, 1966 • Washington, D.C.

Pages 7371–7449

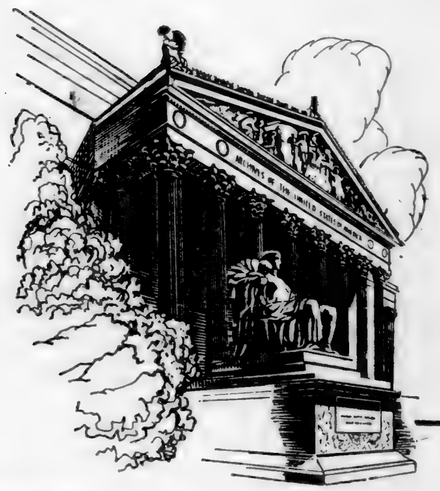
PART I

(Part II begins on page 7429)

Agencies in this issue—

Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Food and Drug Administration
General Services Administration
International Commerce Bureau
Interstate Commerce Commission
Labor Standards Bureau
Patent Office
Post Office Department
Public Health Service
Securities and Exchange Commission
Small Business Administration
Tariff Commission
Treasury Department
Wage and Hour Division

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

99

PART 1

3 9

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 7—Agriculture (Part 1200–End) (Revised)
$2.00

Title 26—Internal Revenue Part 1 (§ 1.6001–End)
to Part 19 (Revised)
$0.65

Title 26—Internal Revenue (Parts 40–169) (Revised)
$1.75

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER

Area Code 202 Phone 963–3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Appeals; basis, purpose, and applicability ... 7393
Determination of acreage and compliance; crop disposition dates ... 7393

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.

ATOMIC ENERGY COMMISSION

Notices

General Dynamics Corp.; issuance of construction permit ... 7413

CIVIL SERVICE COMMISSION

Rules and Regulations

Absence and leave; reduction in leave credits ... 7380
Excepted service:
Housing and Home Finance Agency ... 7379
President's Council on Equal Opportunity ... 7380

COMMERCE DEPARTMENT

See International Commerce Bureau; Patent Office.

COMMODITY CREDIT CORPORATION

Rules and Regulations

Rice export program; submission of offers, and export payment rates ... 7396

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Avocados grown in South Florida; shipments limitation ... 7394
Fruit grown in Arizona and California; handling limitations:
Lemons ... 7394
Oranges, Valencia ... 7394

Proposed Rule Making

Hops of domestic production; recommended decision ... 7397

FEDERAL AVIATION AGENCY

Rules and Regulations

Standard instrument approach procedures; miscellaneous amendments ... 7385

FEDERAL COMMUNICATIONS COMMISSION

Notices

Hearings, etc.:
Haddox Enterprises, Inc., and WCJU, Inc ... 7415
ITT World Communications, Inc ... 7413
Jobbins, Charles W., et al ... 7414
Lebanon Valley Radio et al ... 7414
Muskegon Television System and Booth Communications Co ... 7415
Sam Rosenberg Auto Sales ... 7414
Twin-State Radio, Inc., and Richland Broadcasting Co ... 7414
WMGS, Inc. (WMGS) and Ohio Radio, Inc ... 7414

FEDERAL MARITIME COMMISSION

Rules and Regulations

Shippers' requests and complaints; reporting requirements ... 7392

Notices

Petitions filed for approval:
D. B. Turkish Cargo Lines ... 7415
R.C.D. Shipping Services ... 7415
Trans-Atlantic Passenger Steamship Conference; agreement filed for approval ... 7415

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Central Maine Power Co ... 7416
El Paso Natural Gas Co ... 7416
Great Northern Paper Co ... 7417
Michigan Wisconsin Pipe Line Co ... 7417
Texas Eastern Transmission Corp ... 7417

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Margarine, liquid; effective date of identity standard ... 7375
Pesticide chemicals in or on raw agricultural commodities; exemption from requirement of tolerance ... 7376

Proposed Rule Making

Bread; identity standard ... 7412

Notices

Swift & Co.; filing of petition for food additive ... 7413

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Procurement by formal advertising; postponement of bid openings ... 7391

Notices

Establishment and maintenance of inventories of ADP resources ... 7418

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration; Public Health Service.

INTERNATIONAL COMMERCE BUREAU

Rules and Regulations

Commodity control list; general notes ... 7380

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Commercial zones; Cincinnati, Ohio ... 7392

Notices

Fourth section applications for relief ... 7424
Motor carrier temporary authority applications (2 documents) ... 7422, 7425
Multiple pickup and discount rules, Middle Atlantic and New England States; hearing and procedure ... 7424

LABOR DEPARTMENT

See Labor Standards Bureau; Wage and Hour Division.

LABOR STANDARDS BUREAU

Rules and Regulations

Safety and health regulations for longshoring ... 7430

PATENT OFFICE

Rules and Regulations

Express abandonment of patent application ... 7391

POST OFFICE DEPARTMENT

Rules and Regulations

Mail addressed to military post offices overseas; miscellaneous amendments ... 7391

(Continued on next page)

PUBLIC HEALTH SERVICE

Rules and Regulations

Grants:
- Scholarship grants 7378
- To improve quality of schools .. 7376

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
- Elkton Co. 7419
- Pennzoil Co. and United Gas Corp. 7419

SMALL BUSINESS ADMINISTRATION

Rules and Regulations

- Size standards; definition of small business for purpose of bidding for janitorial and custodial services and base maintenance contracts 7375
- Standards of conduct; preferential treatment to or discrimination against private interests ... 7375

Notices

- Delegations of authority to conduct program activities:
  - Denver 7421
  - Helena 7420
  - Omaha 7420
  - Wichita 7420
- Michigan and Ohio; disaster area declaration 7420

TARIFF COMMISSION

Notices

- Leather work shoes from Czechoslovakia; hearing 7421

TREASURY DEPARTMENT

Notices

- Vinyl asbestos floor tile from Canada; determination of sales at not less than fair value 7413

WAGE AND HOUR DIVISION

Notices

- Certificates authorizing employment of learners at special minimum rates 7421

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR
- 213 (2 documents) 7379, 7380
- 630 7380

7 CFR
- 718 7393
- 780 7393
- 908 7394
- 910 7394
- 915 7394
- 1481 7396

PROPOSED RULES:
- 991 7397

13 CFR
- 105 7375
- 121 7375

14 CFR
- 97 7385

15 CFR
- 399 7380

21 CFR
- 45 7375
- 120 7376

PROPOSED RULES:
- 17 7412

29 CFR
- 1504 7430

37 CFR
- 1 7391

39 CFR
- 17 7391

41 CFR
- 5–2 7391

42 CFR
- 57 (2 documents) 7376, 7378

46 CFR
- 527 7392

49 CFR
- 170 7392

Rules and Regulations

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 1 (Rev. 1)]

PART 105—STANDARDS OF CONDUCT

Preferential Treatment to or Discrimination Against Private Interests

Part 105 of Chapter I of Title 13 of the Code of Federal Regulations is amended by revising § 105.735–3–4 to read as follows:

§ 105.735–3–4 Preferential treatment to or discrimination against private interests.

No employee or special Government employee in the conduct of official business shall afford preferential treatment to or discriminate against any person, firm, corporation, or other entity.

Dated: May 13, 1966.

This Amendment 1 was approved by the Civil Service Commission on April 14, 1966.

Effective date. This amendment shall become effective upon publication in the FEDERAL REGISTER.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66–5553; Filed, May 20, 1966; 8:46 a.m.]

[Rev. 5, Amdt. 9]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of a Small Business for Purpose of Bidding on Government Procurements for Janitorial and Custodial Services and Base Maintenance (Housekeeping) Contracts

On March 28, 1966, the Small Business Administration held a public hearing on the definition of a small business for the purpose of bidding on Government contracts for janitorial and custodial services and to determine whether SBA should promulgate a specific size standard for the purpose of bidding on Government procurements for base maintenance (housekeeping) contracts.

Interested persons were given an opportunity to present their comments, arguments and recommendations thereon to the Office of Economic Analysis.

Under the present size regulation, a concern is small for bidding on Government procurements for janitorial and custodial services if it, including its affiliates, has average annual receipts of $1 million or less for the preceding three fiscal years. There is no specific definition of a small business concern for the purpose of bidding on base maintenance contracts, which may include but are not limited to such fields of activities as janitorial and custodial services, protective guard services, commissary services, refuse collection services, safety engineering services, grounds maintenance and landscaping services, construction, manufacturing, transportation, etc.

After consideration of all relevant matters, the Small Business Size Standards Regulation (Revision 5), (30 F.R. 2247), as amended (30 F.R. 4252, 6778, 15323, 8825, 12640, 9055, 15323, 31 F.R. 4340) is hereby further amended by:

1. Adding new paragraph § 121.3–2 (d–1) as follows:

§ 121.3–2 Definition of terms used in this part.

* * * * *

(d–1) "Base maintenance" means furnishing at an installation within the several States, Commonwealth of Puerto Rico, Virgin Islands, or the District of Columbia three or more of the following services: Janitorial and custodial services, protective guard services, commissary services, fire prevention services, refuse collection services, safety engineering services, messenger services, grounds maintenance and landscaping services, and air-conditioning and refrigeration maintenance: *Provided, however,* That whenever the contracting officer determines prior to the issuance of bids that the estimated value of one of the foregoing services constitutes more than 50 percent of the estimated value of the entire contract, the contract shall not be classified as base maintenance but in the industry in which such service is classified.

2. Adding a sentence at the end of the first unnumbered paragraph of § 121.3–8 as follows:

§ 121.3–8 Definition of Small Business for Government Procurement.

* * * * *

* * * If no standard for an industry, field of operation, or activity; e.g. animal specialities, fin fish, anthracite mining, management-logistics support (outside of the several States, Commonwealth of Puerto Rico, Virgin Islands or the District of Columbia) has been set forth in this section, a concern bidding on a Government contract is a small business if, including its affiliates, it is independently owned and operated, is not dominant in the field of operation in which it is bidding on Government contracts, and has 500 employees or less.

3. Adding subparagraphs (3) and (4) to § 121.3–8(e) as follows:

§ 121.3–8 Definition of Small Business for Government Procurement.

* * * * *

(e) *Services.* * * *

(3) Any concern bidding on a contract for janitorial and custodial services is classified as small if its average annual sales or receipts for its preceding three fiscal years do not exceed $3 million.

(4) Any concern bidding on a contract for base maintenance is classified as small if its average annual sales or receipts for its preceding three fiscal years do not exceed $5 million.

Because of the pendency of Government procurements for the fiscal year beginning July 1, 1966, which would be affected by these changes, this amendment shall become effective on publication in the FEDERAL REGISTER.

Dated: May 14, 1966.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66–5554; Filed, May 20, 1966; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 45—OLEOMARGARINE, MARGARINE

Liquid Margarine; Confirmation of Effective Date of Order Establishing Identity Standard

In the matter of establishing a standard of identity for liquid margarine:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371), and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of April 6, 1966 (31 F.R. 5434). Accordingly, the regulation promulgated by that order became effective May 7, 1966.

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: May 13, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–5561; Filed, May 20, 1966; 8:46 a.m.]

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Viable Spores of Micro-Organism *Bacillus Thuringiensis* Berliner; Exemption From Requirement of Tolerance

A petition (PP 6F0471) was filed with the Food and Drug Administration by Markel and Hill, Munsey Building, Washington, D.C., 20004, on behalf of Bioferm Division, International Minerals and Chemical Corp., Wasco, Calif., 93280, proposing the establishment of an exemption from the requirement of a tolerance for residues of the insecticide containing viable spores of the micro-organism *Bacillus thuringiensis* Berliner in or on collards, grapes, kale, mustard greens, strawberries, sweet corn, and turnip greens.

The Secretary of Agriculture has certified that this insecticide is useful for the purposes for which exemption from the requirement of a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material, the Commissioner of Food and Drugs has concluded that a tolerance is not necessary to protect the public health and an exemption should be issued. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner (21 CFR 2.120; 31 F.R. 3008), § 120.1011(b) is revised to read as follows:

§ 120.1011 Viable spores of the micro-organism *Bacillus thuringiensis* Berliner; exemption from the requirement of a tolerance.

* * * * *

(b) Exemption from the requirement of a tolerance is established for residues of the microbial insecticide *Bacillus thuringiensis* Berliner, as specified in paragraph (a) of this section, in or on the following raw agricultural commodities: Alfalfa, apples, artichokes, bananas, beans, broccoli, cabbage, cauliflower, celery, collards, cottonseed, grapes, kale, lettuce, melons, mustard greens, potatoes, spinach, strawberries, sweet corn, tomatoes, turnip greens.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: May 13, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5562; Filed, May 20, 1966; 8:46 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER D—GRANTS

PART 57—GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES (INCLUDING MENTAL RETARDATION RESEARCH FACILITIES), TEACHING FACILITIES, STUDENT LOANS, EDUCATIONAL IMPROVEMENT AND SCHOLARSHIPS

Subpart F—Grants To Improve Quality of Schools of Medicine, Dentistry, Osteopathy, Optometry and Podiatry

Notice of proposed rule making, public rule making procedures and postponement of effective date have been omitted in the issuance of the following Subpart F—Grants to Improve Quality of Schools of Medicine, Dentistry, Osteopathy, Optometry, and Podiatry, which relates solely to grants. This addition shall become effective on the date of publication in the FEDERAL REGISTER.

1. The heading of Part 57 is amended to read as set forth above.

2. New Subpart F is added as follows:

Sec.
57.501 Definitions.
57.502 Eligibility.
57.503 Application.
57.504 Assurances required.
57.505 Determination of number of students enrolled.
57.506 Grant awards.
57.507 Amount of grants.
57.508 Expenditure of grant funds.
57.509 Nondiscrimination.
57.510 Payments.
57.511 Records, reports, inspection.
57.512 Termination of grants.

AUTHORITY: The provisions of this Subpart F issued under sec. 215(b) of the Public Health Service Act as amended, 58 Stat. 690; 42 U.S.C. 216(b). Interpret or apply secs. 770–774 of the Public Health Service Act as amended, 79 Stat. 1052–1065; 42 U.S.C. 295f–295f–4.

§ 57.501 Definitions.

As used in this subpart:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Surgeon General" means the Surgeon General of the Public Health Service or any other officer or employee of the Public Health Service to whom the Surgeon General has delegated authority to act in his behalf to carry out the purposes of Part E of Title VII of the Act.

(c) "Full-time student" means a student who is enrolled in and pursuing a course of study leading to a degree of Doctor of Medicine, Doctor of Dental Surgery or equivalent degree, Doctor of Osteopathy, Doctor of Optometry or equivalent degree, or Doctor of Podiatry or equivalent degree and who is enrolled for sufficient number of credit hours or their equivalent to complete the requirements for such degree within the number of semesters or other academic terms usually required therefor by the school in which he is enrolled.

(d) "School" means a public or nonprofit school of medicine, dentistry, osteopathy, optometry, or podiatry which provides training leading respectively to a degree of Doctor of Medicine, Doctor of Dental Surgery or equivalent degree, Doctor of Osteopathy, Doctor of Optometry or equivalent degree, or Doctor of Podiatry or equivalent degree and which is accredited as provided in section 773(b)(2) of the Public Health Service Act.

(e) "Council" means the National Advisory Council on Medical, Dental, Optometric and Podiatric Education (established by section 774 of the Act).

(f) "Budget year" means the 12-month period from July 1 to June 30 specified in the grant award document.

(g) "Construction" includes (1) the construction of new buildings (including related costs such as architects' fees, acquisition of land, and off-site improvements), (2) the expansion, remodeling, alteration and repair of existing buildings except where the cost with respect to any single project is less than $50,000, and (3) the initial equipping of such buildings.

§ 57.502 Eligibility.

(a) *Basic improvement grants.* To be eligible for a basic improvement grant under the Act, the applicant shall:

(1) Meet the applicable requirements of section 773(b) of the Act;

(2) File an application as required by § 57.503; and

(3) Be located in a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

(b) *Special improvement grants.* To be eligible for a special improvement grant under the Act, the applicant must have filed an application for a basic improvement grant which has been approved by the Surgeon General.

§ 57.503 Application.

Each school of medicine, dentistry, osteopathy, optometry, or podiatry desiring an improvement grant under the Act shall submit an application in such form and at such time as the Surgeon General may require. Such application shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of any award, including the regulations of this subpart.

(a) *Basic improvement grants.* An application for a basic improvement grant shall include a description of the manner and method by which all funds granted will be utilized by the applicant to improve the quality of the applicant's educational programs.

(b) *Special improvement grants.* An application for a special improvement grant shall include a plan setting forth specifically the nature and methods by which both basic and special improvement grant funds will be used to maintain or contribute to accreditation or specialized functions which are served by the applicant.

§ 57.504 Assurances required.

In addition to any other requirements imposed by law, each improvement grant shall be subject to the condition that the applicant will furnish and comply with the following assurances and requirements. The Surgeon General may in individual cases require additional assurances where he finds that such additions are necessary to carry out the purposes of the Act.

(a) With respect to the assurance required by section 773(d)(2) of the Act, relating to the continued expenditure of non-Federal funds, the determination of the amount of non-Federal funds expended during the budget year and the 3 fiscal years immediately preceding the budget year shall exclude cost of construction as defined in § 57.501(g).

(b) With respect to the assurance required by section 771(b) of the Act relating to increased enrollment, the school shall, except as otherwise provided in this paragraph, furnish such reasonable assurances as the Surgeon General may require that for the first school year beginning after the budget year and each school year thereafter during which a grant is made the first-year enrollment of full-time students in such school will exceed the highest first-year enrollment for any of the 5 school years during the period July 1, 1960, through July 1, 1965, by at least 2½ per centum of such highest first-year enrollment, or by five students, whichever is greater. Where the applicant has given an assurance under section 721(c)(2)(D) with respect to a construction grant application, this increase shall be in addition to the increase of 5 per centum or five students required thereunder. Where any school desires that the Surgeon General shall waive, in whole or in part (in accordance with the last sentence of section 771(b) of the Act), the assurance of increased enrollment, it shall so indicate in its application and shall in its application state the reasons why the required increase in first-year enrollment of full-time students in such school cannot, because of limitations of physical facilities available to the school for training, be accomplished without lowering the quality of training for such students.

§ 57.505 Determination of number of students enrolled.

(a) For purposes of computing the amount of the basic improvement grant to which a school is entitled, the number of full-time students enrolled in such school shall be the number of full-time students which the Surgeon General, on the basis of information relating to the school's past and anticipated enrollment, estimates will be the number of first-year, second-year, third-year and fourth-year full-time students enrolled in the school on October 15 of the budget year.

(b) The classification of a full-time student as a first-year, second-year, third-year or fourth-year student shall be in accordance with the policies of the particular school, except that any student who is required to repeat one or more first-year courses after having been enrolled as a full-time student during a previous school year shall not be considered a first-year student.

(c) For purposes of the assurance required by section 771(b) of the Act and § 57.504(b), the number of full-time first-year students enrolled in a school for any of the five school years during the period July 1, 1960, through July 1, 1965, and for any school year after the first budget year shall be the number of such students enrolled in such school on October 15 of such year.

§ 57.506 Grant awards.

(a) *Basic improvement grants.* After consultation with the Council, the Surgeon General shall award a basic improvement grant to each applicant whose application is found by the Surgeon General to meet the requirements of the Act and of the regulations in this subpart.

(b) *Special improvement grants.* The Surgeon General may award a special improvement grant to any applicant where such grant is recommended by the Council, and where the Surgeon General determines that such grant will be utilized by the applicant in accordance with the purposes specified in section 772(b) of the Act. In making special improvement grants, the Surgeon General shall give consideration to the following factors:

(1) The relative financial need of the applicant for such grant.

(2) The relative effectiveness of the applicant's proposal in contributing toward or maintaining accreditation or specialized functions which the school serves.

(3) The extent to which the applicant's proposal contributes to an equitable geographical distribution of schools offering high quality training for physicians, dentists, osteopaths, optometrists and podiatrists.

§ 57.507 Amount of grants.

(a) *Basic improvement grants.* The amount of each basic improvement grant shall be an amount computed in accordance with section 771(a) of the Act. Where the amount of funds available for any fiscal year is less than the total of the amounts computed, the grant awarded to each participating school shall be reduced proportionately.

(b) *Special improvement grants.* Within the limits of available funds and the restrictions specified in section 771(c) of the Act with respect to the maximum amount of the grant, the amount of each special improvement grant shall be that which the Surgeon General deems to be reasonably necessary to carry out the applicant's approved special improvement plan.

§ 57.508 Expenditure of grant funds.

(a) Basic improvement grants: Basic improvement grant funds may be obligated by the school at any time before the end of the 12-month period following the budget year, for any purpose which will improve the quality of the educational program of the school, but may not be expended for the purposes listed in paragraph (c) of this section. Any funds not so obligated must be refunded to the Public Health Service.

(b) Special improvement grants: Special improvement grant funds may be expended only to carry out the purposes of the special improvement plan set forth in the school's application as recommended by the Council and approved by the Surgeon General. Any unobligated special improvement funds remaining in the grant account at the close of a budget year will be carried forward and will be available for obligation during subsequent budget years. The amount of the subsequent award will take into consideration the amount remaining in the grant account. At the end of the last budget year any unobligated special improvement funds remaining in the grant account must be refunded to the Public Health Service.

(c) Basic or special improvement grant funds may not be expended for the following purposes:

(1) Construction (as defined in § 57.501(g)), provided, however, that the Surgeon General may in particular cases approve the expenditure of improvement grant funds for remodeling, alteration, and repair of existing buildings in excess of $50,000 where he finds that such expenditure is necessary in order to improve the quality of the educational program of the school;

(2) Research;

(3) Research training;

(4) Student assistance;

(5) Patient care; or

(6) Operation of teaching hospitals.

§ 57.509 Nondiscrimination.

(a) Attention is called to the requirements of Title VI of the Civil Rights

Act of 1964 (78 Stat. 252; P.L. 88-352) which provides that no person in the United States shall, on the ground of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (section 601). A regulation implementing such Title VI, which is applicable to grants made under this part, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80).

(b) Each grant for expansion, remodeling, alteration or repairs shall be subject to the condition that the grantee shall comply with the requirements of Executive Order 11246 (Sept. 24, 1965), and with the applicable rules, regulations and procedures prescribed pursuant thereto.

§ 57.510 Payments.

The Surgeon General shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement.

§ 57.511 Records, reports, inspection.

(a) *Records and reports.* Each grant award pursuant to this subpart shall be subject to the condition that the grantee shall maintain such progress and fiscal records, and file with the Surgeon General such progress and fiscal reports relating to the use of grant funds as the Surgeon General may find necessary to carry out the purposes of the Act and regulations.

(b) *Inspection and audit.* Any application for a grant award under this subpart shall constitute the consent of the applicant to inspections at reasonable times by persons designated by the Surgeon General of the facilities, equipment and other resources with the principant and to interviews with the principal staff members to the extent that such resources and personnel will be, or are, involved in the project. In addition, the acceptance of any grant award under this subpart shall constitute the consent of the grantee to inspections and fiscal audit by such persons of the supported activity and of progress and fiscal records relating to the use of grant funds.

§ 57.512 Termination of grants.

Whenever the Surgeon General finds that a grantee has failed to comply with the Act or the regulations of this subpart he may, on reasonable notice to the grantee, withhold further payments.

Dated: April 26, 1966.

[SEAL] WILLIAM H. STEWART,
Surgeon General.

Approved: May 12, 1966.

WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 66-5565; Filed, May 20, 1966; 8:47 a.m.]

PART 57—GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES (INCLUDING MENTAL RETARDATION RESEARCH FACILITIES), TEACHING FACILITIES, STUDENT LOANS, EDUCATIONAL IMPROVEMENT AND SCHOLARSHIPS

Subpart G—Scholarship Grants to Schools of Medicine, Osteopathy, Dentistry, Optometry, Podiatry, or Pharmacy

Notice of proposed rule making, public rule making procedures, and postponement of effective date have been omitted in the issuance of the following Subpart G—Scholarship Grants to Schools of Medicine, Osteopathy, Dentistry, Optometry, Podiatry, or Pharmacy, which relates solely to grants. This addition shall become effective on the date of publication in the FEDERAL REGISTER.

A new Subpart G is added as follows:

Sec.
57.601 Definitions.
57.602 Eligibility of schools.
57.603 Application by school.
57.604 Grant award; determination of number of students.
57.605 Obligation of grant funds.
57.606 Eligibility and selection of scholarship recipients.
57.607 Scholarship award.
57.608 Payment of scholarships.
57.609 Termination of scholarships.
57.610 Records, reports, inspections.
57.611 Termination of grants.
57.612 Nondiscrimination.

AUTHORITY: The provisions of this Subpart G issued under sec. 215(b) of the Public Health Service Act as amended, 58 Stat. 690, 42 U.S.C. 216(b). Interpret or apply sec. 780 of the Public Health Service Act as amended, 79 Stat. 1055, 42 U.S.C. 295g.

§ 57.601 Definitions.

As used in this subpart:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Surgeon General" means the Surgeon General of the Public Health Service or any other officer or employee of the Public Health Service to whom the Surgeon General has delegated authority to act in his behalf to carry out the purposes of Part F of Title VII of the Act.

(c) "School" means a public or nonprofit school of medicine, dentistry, osteopathy, optometry, podiatry, or pharmacy which provides training leading respectively to a degree of Doctor of Medicine, Doctor of Dental Surgery or equivalent degree, Doctor of Osteopathy, Doctor of Optometry or equivalent degree, Doctor of Podiatry or equivalent degree, or Bachelor of Science in Pharmacy or Doctor of Pharmacy, and which is accredited as provided in section 721(b)(1)(B) or section 733(b)(2) of the Public Health Service Act.

(d) "Scholarship" or "scholarship award" means that amount of money awarded to a student by a school as authorized by section 780(c).

(e) "Scholarship grant" means a grant to a school for making scholarship awards as authorized by section 780(a).

(f) "Full-time student" means a student who is enrolled in and pursuing a course of study leading to the degree of Doctor of Medicine, Doctor of Dental Surgery or equivalent degree, Doctor of Osteopathy, Doctor of Optometry or equivalent degree, Doctor of Podiatry or equivalent degree, or Bachelor of Science in Pharmacy or Doctor of Pharmacy, and who is enrolled for a sufficient number of credit hours or their equivalent to complete the requirements for such degree within the number of semesters or other academic terms usually required therefor by the school in which he is enrolled.

(g) "Good standing" means the eligibility of a student to continue in attendance at the school where he is enrolled in accordance with the school's standards and practices.

(h) "National of the United States" means (1) a citizen of the United States or (2) a person who though not a citizen of the United States owes permanent allegiance to the United States (8 U.S.C. 1101(a)(22).

§ 57.602 Eligibility of schools.

To be eligible for a scholarship grant under this subpart, the applicant school shall:

(a) Meet the applicable requirements of section 780(a) of the Act;

(b) Submit an application as required by § 57.603; and

(c) Be located in a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

§ 57.603 Application by school.

Each school desiring a scholarship grant under the Act shall submit an application in such form and at such time as the Surgeon General may require. The application shall be executed by an individual authorized to act for the applicant school and to assume on behalf of the applicant school the obligations imposed by the terms and conditions of any scholarship grant, including the regulations of this subpart.

§ 57.604 Grant award; determination of number of students.

(a) The Surgeon General shall award annually to each eligible school applying therefor a scholarship grant in an amount computed according to section 780(b) of the Act. When the amount of funds available for any fiscal year is less than the total of the amounts so computed, the grant awarded to each participating school shall be reduced proportionately.

(b) For purposes of computing the amount of the scholarship grant to be awarded to any school:

(1) For a grant made during the fiscal year ending June 30, 1966, the number of full-time, first-year students of such school shall be the number which the Surgeon General, on the basis of information relating to the school's past and anticipated enrollment, estimates will be the number of full-time, first-year students enrolled in such school on October 15, 1966.

(2) For a grant made during the fiscal year ending June 30, 1967, the number of full-time, first-year, and second-year students of such school shall be the number which the Surgeon General, on the basis of information relating to the school's past and anticipated enrollment, estimates will be the number of full-time, first- and second-year students enrolled in such school on October 15, 1967.

(3) For a grant made during the fiscal year ending June 30, 1968, the number of full-time, first-year, second-year, and third-year students shall be the number which the Surgeon General, on the basis of information relating to the school's past and anticipated enrollment, estimates will be the number of full-time, first-, second-, and third-year students enrolled in such school on October 15, 1968.

(4) For a grant made during the fiscal year ending June 30, 1969, the number of full-time students of such school shall be the number which the Surgeon General, on the basis of information relating to the school's past and anticipated enrollment, estimates will be the number of full-time, first-, second-, third-, and fourth-year students enrolled in such school on October 15, 1969.

(c) The classification of a full-time student as a first-year, second-year, third-year, or fourth-year student shall be in accordance with the policies of the particular school receiving the scholarship grant, except that in the case of schools of pharmacy first-year, second-year, and third-year students shall be those full-time students enrolled in the second from the last, next to the last, and the last year of professional education, respectively: *Provided*, That any student who is required to repeat one or more first-year courses after having been enrolled as a full-time student during a previous school year shall not be considered a first-year student.

§ 57.605 Obligation of grant funds.

Scholarship grant funds shall be obligated by the grantee school solely for awarding scholarships to students during the period specified in the grant award document. Any funds not required to discharge such obligations must be returned to the Public Health Service.

§ 57.606 Eligibility and selection of scholarship recipients.

(a) *Eligibility.* Scholarships may be awarded only to students who are:

(1) Nationals of the United States or are in a State for other than temporary purposes and who intend to become permanent residents of the United States;

(2) Enrolled and in good standing, or have been accepted for enrollment, in the school as full-time students; and

(3) From families whose income is such that the student, without such financial assistance, would be unable to pursue a full-time course of study at the school. The determination that a student is from a low-income family and that the student would be unable to pursue a full-time course of study at the school without such financial assistance is to be made by the school, in accordance with the Act and the provisions of paragraph (b) of this section.

(b) *Selection of scholarship recipients and determination of need.* It shall be the responsibility of the grantee school to select qualified candidates and to make reasonable determinations of need. In determining whether a student would be unable to pursue a course of study at the school without a scholarship award, the school shall take into consideration:

(1) The income, assets, and resources of the student and his spouse;

(2) The income, assets, and resources of the student's family;

(3) Loans under the Health Professions Student Loan Program (Part C of Title VII of the Act) or, in the case of schools which do not participate in that program, loans under the National Defense Loan Program (20 U.S.C. sec. 421-429);

(4) Other scholarships and private grants administered by the school; and

(5) The cost of tuition, fees, books, equipment, and living expenses reasonably necessary for the student's full-time attendance at the institution.

§ 57.607 Scholarship award.

The amount of the scholarship award to any student shall not exceed the amount of such student's financial need, as determined by the school in accordance with § 57.606(b), and shall in no case exceed $2500 for any 12-month period.

§ 57.608 Payment of scholarships.

Scholarships shall be paid to students in such installments as are deemed appropriate by the school, except that no scholarship recipient may receive more during any given installment period (e.g., semester, term, quarter, or academic year) than he needs for such period.

§ 57.609 Termination of scholarships.

A scholarship award shall be terminated if:

(a) The student ceases to be a full-time student in good standing; or

(b) The school subsequently determines that the student misrepresented his financial need.

§ 57.610 Records, reports, inspections.

(a) *Records and reports.* Each scholarship grant shall be subject to the condition that the grantee school shall maintain such records, and file with the Surgeon General such reports relating to the use of scholarship grant funds by the grantee school as the Surgeon General may find necessary to carry out the purposes of the Act and regulations.

(b) *Inspection and audit.* Any application for a scholarship grant shall constitute the consent of the applicant school to inspection and fiscal audit by persons designated by the Surgeon General of the fiscal and other records of the applicant school which relate to the grant. Records, documents, and information available to the school pertinent to the audit shall be retained by the school until completion of the fiscal audit and the resolution of all questions arising therefrom.

§ 57.611 Termination of grants.

Whenever the Surgeon General finds that a grantee school has failed to comply with the Act, or the regulations of this part, he may, on reasonable notice to the grantee school, withheld further payments.

§ 57.612 Nondiscrimination.

(a) No eligible applicant shall be denied a scholarship award on the ground of sex or creed.

(b) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; P.L. 88-352) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (sec. 601). A regulation implementing such Title VI, which is applicable to grants made under this part, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80).

Dated: April 26, 1966.

[SEAL] WILLIAM H. STEWART,
Surgeon General.

Approved: May 12, 1966.

WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 66-5566; Filed, May 20, 1966; 8:47 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Housing and Home Finance Agency

Section 213.3244 is revoked to reflect the fact that the 10 positions of Zone Intergroup Relations Advisers are no longer excepted under Schedule B. Effective on publication in the FEDERAL REGISTER, § 213.3244 is revoked in its entirety.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5594; Filed, May 20, 1966; 8:49 a.m.]

FEDERAL REGISTER, VOL. 31, NO. 99—SATURDAY, MAY 21, 1966

PART 213—EXCEPTED SERVICE

President's Council on Equal Opportunity

Section 213.3375 is revoked to reflect the fact that the President's Council on Equal Opportunity has ceased to exist, and that the positions of Executive Secretary and Assistant Executive Secretary are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3375 is revoked in its entirety.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5595; Filed, May 20, 1966; 8:49 a.m.]

PART 630—ABSENCE AND LEAVE

Reduction in Leave Credits

Section 630.208 is amended to require that when an employee has more than one period of employment in a leave year, all hours of nonpay status in periods during which the employee earned annual leave shall be totaled for the purpose of reducing leave credits. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 630.208 is amended as set out below.

§ 630.208 Reduction in leave credits.

(a) When the number of hours in a nonpay status in a full-time employee's leave year equals the number of basepay hours in a pay period, the agency shall reduce his credits for leave by an amount equal to the amount of leave the employee earns during the pay period. When the employee's number of hours of nonpay status does not require a reduction of leave credits, the agency shall drop those hours at the end of the employee's leave year. For the purpose of determining the reduction of leave credits under this paragraph when an employee has one or more breaks in service during a leave year, the agency shall include all hours in a nonpay status (other than nonpay status during a fractional pay period when no leave accrues) for each period of service during the leave year in which annual leave accrued.

(Sec. 206, 65 Stat. 681; 5 U.S.C. 2065)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5679; Filed, May 20, 1966; 8:49 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10th Gen. Rev. of C.C.L. 5]

PART 399—COMMODITY CONTROL LIST AND RELATED MATTERS

General Notes to Commodity Control List

Part 399 of Title 15 of the Code of Federal Regulations is amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959–1963 Comp.)

Effective date. May 18, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

General notes to § 399.1 *Commodity Control List* are as follows:

As previously announced, the Department of Commerce held public hearings on export controls over cattle hides, calf and kip skins, and bovine leathers. These hearings were held in Washington, April 18, 19, and 25. As a result of the hearings the Secretary of Commerce announced the decision which appears in section 13.

During the hearings, industry representatives recommended that the controls be modified to alleviate certain business difficulties and hardships arising from the imposition of quantitative licensing limitations on March 11. Each recommendation was considered on its merits from the standpoint of its impact on the basic objectives of the controls.

The accepted recommendations revise the export regulations previously published in Current Export Bulletins No. 929, 930, and 931 (dated Mar. 7, 11, and 18 respectively) (see 31 F.R. 3498, Mar. 8, 1966; 31 F.R. 6829, May 7, 1966; and 31 F.R. 6864, May 10, 1966), and are described below under the following categories:

Section No.	Title
1	Increases in Annual Export Quotas.
2	Types of Export Licensing Procedures.
3	Commodities Removed From Quantitative Licensing Quota.
4	Export Commitments Entered Into on or Before March 7, 1966.
5	New Quotas for Licensing Under Past Participation in Exports Licensing Method.
6	Country Quotas Abolished.
7	New Statements of Past Participation in Exports Required for "Cattle Hides, Except Whole".
8	New Statements of Past Participation in Exports Not Required for Other Quotas.
9	Application Submission Dates Under Past Participation in Exports Licensing Method.
10	Completion of License Applications.
11	Amendment of Export Licenses.
12	Restriction on Use of Time Limit, Periodic Requirements, and Project Licenses.
13	Decision.

SECTION 1—INCREASES IN ANNUAL EXPORT QUOTAS

The calendar year 1966 export quotas, previously announced in Current Export Bulletin No. 930 dated March 11, 1966 (see 31 F.R. 6829, May 7, 1966), are increased as follows:

(a) Cattle hides, whole (Export Control Commodity No. 21110)—increased from 9,920,000 hides to 11,220,000 hides.

(b) Cattle hide croupons, crops, dossets, sides, butts, and butt bends (Export Control Commodity No. 21110)—increased from 810,000 pieces to 1,000,000 pieces.[1]

(c) Calf skins and kip skins (Export Control Commodity No. 21120)—increased from 2,140,000 skins to 2,375,000 skins.

(d) Cattle hide and kip side upper leather, grain, except patent and metalized; and cattle hide and kip side leather, n.e.c. (Export Control Commodity No. 61150)—increased from 10,800,000 square feet to 12,500,000 square feet.

(e) Cattle hide and kip side sole, belting, and welting leather, grain; cattle hide and kip side rought, russet, and crust leather; and whole splits, side splits, and bend splits (Export Control Commodity No. 61150)—increased from 1,700,000 pounds to 2,340,000 pounds.[2]

(f) Calf and whole kip upper leather, except patent and metalized; and calf and whole kip leather, n.e.c., except patent and metalized (Export Control Commodity No. 61150)—increased from 1,000,000 square feet to 2,060,000 square feet.

SECTION 2—TYPES OF EXPORT LICENSING PROCEDURES

This revision establishes three procedures for licensing exports of cattle hides, calf and kip skins, and bovine leathers, as follows:

(1) Licensing of commodities removed from licensing quota but retained under validated license requirement (see sec. 3 below).

(2) Licensing of commodities not removed from licensing quota but involving a purchase and export commitment entered into on or before March 7, 1966 (see sec. 4 below).

(3) Licensing of commodities not removed from licensing quota and not involving a commitment entered into on or before March 7, 1966 (see sec. 5 below).

SECTION 3—COMMODITIES REMOVED FROM QUANTITATIVE LICENSING QUOTA

Previously, all types of pieces included under the quota classification of "cattle hides, except whole" were subject to a quantitative licensing quota. This quota classification has been revised to remove cattle hide bellies, splits, shanks, heads, shoulders, and tails from the quantitative licensing quota. Therefore, only croupons, crops, dossets, sides, butts, and butt bends remain subject to the quantitative licensing quota. Likewise, the following types of tanned or partially tanned leathers are removed from the quantitative licensing quotas: Offal leather and splits except whole, side and bend splits.

As a result, license applications covering the types of hides and leather removed from the quantitative licensing quota are no longer subject to the past participation in exports licensing method. Such license applications may be submitted at any time and are not restricted to exporters who have exported the commodity during a previous base period.

Exporters are reminded that all provisions previously published in Current Export Bulletin No. 930 continue in effect except as modified by this Current Export Bulletin No. 934. In particular, attention is directed to the following provision which continues in effect:

An application for a license to export cattle hides, calf and kip skins, or bovine leathers will be considered for licensing without a charge against the export quota, provided that the commodities: (a) Were not produced or manufactured in the United States, (b) were imported into the United States under a warehouse entry and stored in a bonded warehouse, and (c) were not and will not be entered under a U.S. Customs Consumption Entry.

Such an application shall be accompanied by the following signed certification:

"I(We) certify that the commodities described on this application for export license: (1) Were not produced or manufactured in the United States; (2) were imported into the United States under a warehouse entry and stored in a bonded warehouse; and (3) were not and will not be entered under a U.S. Customs Consumption Entry."

[1] Other types of cattle hide pieces such as bellies, splits, shanks, heads, tails, and shoulders are no longer subject to a quantitative licensing quota (see sec. 3 below).

[2] Tanned and partially tanned offal leather and splits except whole, side, and bend splits, are no longer subject to a quantitative licensing quota (see sec. 3 below).

SECTION 4—EXPORT COMMITMENTS ENTERED INTO ON OR BEFORE MARCH 7, 1966

The following quantities will be set aside out of the 1966 export quotas for the purpose of permitting U.S. exporters to honor purchase and export commitments made on or before March 7, 1966, for export no later than December 31, 1966:

(a) Cattle hides, whole (Export Control Commodity No. 21110)—1,000,000 hides.

(b) Cattle hide croupons, crops, dossets, sides, butts, and butt bends (Export Control Commodity No. 21110)—190,000 pieces.[1]

(c) Calf skins and kip skins (Export Control Commodity No. 21120)—235,000 skins.

(d) Cattle hide and kip side upper leather, grain, except patent and metalized; and cattle hide and kip side leather, n.e.c. (Export Control Commodity No. 61150)—1,500,000 square feet.

(e) Cattle hide and kip side sole, belting, and welting leather, grain; cattle hide and kip side, rough, russet, and whole splits, side splits, and end splits (Export Control Commodity No. 61150)—200,000 lbs.[2]

(f) Calf and whole kip upper leather, except patent and metalized (Export Control Commodity No. 61150)—200,000 square feet.

An exporter who (1) on or before March 7, 1966, had made a commitment with respect to the above commodities to purchase for export, and to export no later than December 31, 1966; and (2) has not exported, nor received a license to export, the commodities covered by the commitment, may apply for a validated license to make this shipment. The Office of Export Control will consider approving such an application without any charge to the exporter's entitlement under the past participation in exports licensing quota.

In order to be considered, the license application must bear a postmark dated no later than June 30, 1966, or must be personally delivered to the Office of Export Control no later than June 30, 1966.

Each such application shall include the following signed certification in item number 13 of the application or on an attachment thereto:

"I(We) certify that: (1) On or before March 7, 1966, I(we) made a commitment (a) to purchase for export the commodities and quantities described on this application, and (b) to export the commodities and quantities described on this application to the named ultimate consignee no later than December 31, 1966; and (2) as of the date of this certification, I(we) have not shipped, nor do we hold a validated export license to ship, the commodities covered by this commitment."

Generally, an ultimate consignee and purchaser statement (Form FC–842 or FC–843) must accompany an application for a license to export these commodities to any destination in a Country Group other than Country Group T. This requirement is rescinded with regard to applications submitted under the provisions set forth in this section 4.

In any instance in which an exporter has an application pending in the Office of Export Control which involves an export commitment entered into on or before March 7, 1966, he may request the Office of Export Control to consider the application under the provisions of this section 4. Such a request shall be submitted no later than June 30, 1966, by letter, including a sufficient identification of the application, such as the exporter's identification number appearing on the application, and including the exporter's certification set forth above.

SECTION 5—NEW QUOTAS FOR LICENSING UNDER PAST PARTICIPATION IN EXPORTS LICENSING METHOD

The quantitative quotas indicated below are established for licensing under the past participation in exports licensing method for the months of May, June, July, and August 1966. Quantities to be established for licensing during the months of September, October, November, and December 1966 will be announced later.

Licensing quotas for May–August licensing period

(a) Cattle hides, whole (Export Control Commodity No. 21110) (hides)	3,288,800
(b) Cattle hide croupons, crops, dossets, sides, butts, and butt bends (Export Control Commodity No. 21110)	(2)
(c) Calf skins and kip skins (Export Control Commodity No. 21120)[1] (skins)	530,700
(d) Cattle hide and kip side upper leather, grain, except patent and metalized; and cattle hide and kip side leather, n.e.c. (Export Control Commodity No. 61150) (square feet)	3,773,300
(e) Cattle hide and kip side sole, belting, and welting leather, grain; cattle hide and kip side rough, russet, and crust leather; and whole splits, side splits, and bend splits (Export Control Commodity No. 61150) (pounds)	935,000
(f) Calf and whole kip upper leather, n.e.c. except patent and metalized (Export Control Commodity No. 61150) (square feet)	808,400

[1] At least 25 percent of the quota for calf skins and kip skins will be used for licensing calf and kip skins weighing up to and including 5 pounds.

[2] This quota will be announced after receipt of the information required by sec. 7.

The method of dividing these newly established licensing quotas among exporters and the newly established submission dates for license applications are described in sections 7, 8, and 9 below.

SECTION 6—COUNTRY QUOTAS ABOLISHED

The licensing quotas established for licensing under the past participation in exports licensing method (see sec. 5 above) will not be divided into country quotas. Therefore, exporters will not be limited to specified countries in submitting applications for export licenses. The Office of Export Control does, however, reserve the right to reject applications for licenses to any country where a disproportionate share of the quota is being requested for export to that country.

SECTION 7—NEW STATEMENTS OF PAST PARTICIPATION REQUIRED FOR "CATTLE HIDES, EXCEPT WHOLE"

As indicated in section 3 above, cattle hide bellies, shoulders, splits, shanks, heads, and tails have been removed from the past participation in exports licensing method. Since the Statements of Past Participation in Exports previously submitted by exporters included the types of cattle hide pieces removed from this licensing method, the Statements cannot be used to assure a fair distribution of the quota among exporters. Therefore, new Statements of Past Participation in Exports, covering only cattle hide croupons, crops, dossets, sides, butts, and butt bends are necessary.

Each exporter who has exported cattle hide croupons, crops, dossets, sides, butts, or butt bends during the base period of calendar years 1964 and 1965, and who wishes to claim a share of the quota, is required to submit a Statement of Past Participation in Exports for these commodities. This statement shall be submitted, in duplicate, to the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230, and shall bear a postmark, or be submitted in person, no later than May 25, 1966. After evaluating the Statements of Past Participation received from exporters, the Office of Export Control will inform each exporter of his share of the export quota. Shares in the export quota will be allotted in accordance with the percentage relationship of each exporter's shipments to the total exports from the United States during the base period of January 1, 1964 through December 31, 1965.

The Statement of Past Participation in Exports shall include the following information:

(a) *Quantities exported in 1964 and 1965.* The exporter shall show separately for calendar years 1964 and for 1965, the total quantity of cattle hide croupons, crops, dossets, sides, butts, and butt bends he exported, except that such exports shall not include the following types of shipments:

(1) Exports to dependencies and other possessions of the United States;

(2) Intransit shipments exported under the provisions of General License GIT;

(3) Exports to Canada; and

(4) Exports of foreign-origin hides which were not imported into the United States under a Consumption Entry.

(b) *Quantities exported under General License G–DEST in 1966.* The exporter shall show separately the quantity he exported under General License G–DEST from January 1, 1966, through April 7, 1966 (including those shipments exported pursuant to the Saving Clause Exception set forth in Current Export Bulletin No. 929), see 31 F.R. 3498, March 8, 1966, in accordance with the limitations and conditions set forth in paragraph (a) above.

SECTION 8—NEW STATEMENTS OF PAST PARTICIPATION NOT REQUIRED FOR OTHER QUOTAS

Exporters are not required to submit new Statements of Past Participation in Exports except as set forth in section 7 above. The statements previously submitted to the Office

of Export Control for all other quotas will be used to determine each exporter's share of the licensing quotas. As soon as these quantities are computed, each exporter who qualifies as a historical exporter will be informed of his share of the licensing quotas established for the 4-month period ending August 31, 1966. Prior to September 1, 1966, each exporter will also be informed of his share of the licensing quota to be established for the 4-month period ending December 31, 1966.

SECTION 9—APPLICATION SUBMISSION DATES UNDER PAST PARTICIPATION IN EXPORTS LICENSING METHOD

It should be noted that under the past participation in exports licensing method, the bulk of an export licensing quota is reserved for exporters who participated in exports during the specified base period. A small portion of the quota is also reserved for exporters who did not participate in exports during the specified base period. Therefore, separate application submission dates have been established for "historical" and "non-historical" exporters during the 4-month period ending August 31, 1966.

An exporter who qualifies as a "historical exporter" under the past participation in exports licensing method may submit his applications as soon as he receives his notice of entitlement but not later than August 15, 1966. However, if a "historical exporter" finds it necessary to obtain an export license prior to the receipt of his notice of entitlement, the exporter may submit his application for license immediately and explain the circumstances requiring expedited licensing action. If the application is approved, the quantity will be charged against the exporter's share of the export quota.

An exporter who does not qualify as a "historical exporter" and who has not previously submitted his application shall submit his application immediately but not later than May 31, 1966.

SECTION 10—COMPLETION OF LICENSE APPLICATION

Applications for licenses to export cattle hides, calf and kip skins, and bovine leather shall be completed in accordance with the instructions shown on the reverse side of the application form, except for the following modifications:

1. If the application covers cattle hides, the applicant shall specify on the application whether the hides are "whole hides" or "pieces of whole hides" and, if pieces, the type of pieces, e.g., croupons, splits, butts, shanks, etc.

2. If the application covers calf skins or kip skins weighing 5 pounds or less, the applicant shall so specify on the application. In any instance in which the weight limitation is not set forth on the application, the Office of Export Control will assume that the skins proposed for export weigh in excess of 5 pounds each.

SECTION 11—AMENDMENT OF EXPORT LICENSE

Field offices will not take any action on requests to amend or otherwise extend the validity period of any validated license covering the export of cattle hides, calf and kip skins, or bovine leathers. These requests must be submitted to the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230.

SECTION 12—RESTRICTION ON USE OF TIME LIMIT, PERIODIC REQUIREMENTS, AND PROJECT LICENSES

Applications for Time Limit, Periodic Requirements, or Project Licenses will not be considered in connection with the export licensing of cattle hides, calf and kip skins, and bovine leathers.

Accordingly, the Export Regulations are amended as set forth above. Replacement pages for the Comprehensive Export Schedule incorporating these changes will be included in a forthcoming Current Export Bulletin.

SECTION 13—DECISION OF THE SECRETARY OF COMMERCE IN THE MATTER OF CONTROLS ON THE EXPORTS OF CATTLE HIDES, CALF AND KIP SKINS, AND BOVINE LEATHER

Introduction. The Department of Commerce announced on March 7, 1966, that an export license would thereafter be required for shipments of cattle hides and certain related materials to any foreign destination, other than Canada. On March 11, the Department supplemented this control by announcing that licenses would be restricted to specific quantities designed to maintain the total volume of exports during calendar year 1966, including anticipated exports to Canada of 0.8 million hides, at the export level for 1964 of 11.5 million cattle hides. Accordingly the license-quotas announced for calendar year 1966 amounted to 10.7 million hides, consisting of a quota of 9.9 million whole hides and 0.8 million hide pieces.

The Department concluded at that time that, in the absence of controls over exports, the estimated domestic supply of cattle hides in 1966 would fall short of the domestic demand by 2.7 million hides; that this shortage due to abnormal foreign demand was causing and would continue to cause a sharp increase in domestic prices of cattle hides; and that this would have an inflationary impact on such an important consumer item as shoes. These factors led the Department to conclude—with the concurrence of other interested Government agencies—that prompt action under the Export Control Act was required to protect the domestic economy.

On March 22, reasons for controlling the export of cattle hides were explained by the Under Secretary of Commerce during hearings held before the Subcommittee on Livestock and Feed Grains of the House Committee on Agriculture.

On April 4, in response to numerous requests from interested parties, a public hearing was scheduled to obtain the views of all interested parties on the question of whether the controls imposed on March 7 should be rescinded. This public hearing was held at the Department of Commerce on April 18, 19, and 25, and there was a full opportunity for all concerned to present their views orally as well as to file written statements for the record.

The question now before me is whether the controls announced March 7, should be rescinded. In considering this question, careful attention has been given to the views expressed at the recent public hearing as well as the views expressed during the House Subcommittee hearing of March 22.

I. The case brought out at the recent hearing for placing the export controls on cattle hides may be summarized as follows:

The level of exports of cattle hides, which had been fairly stable during the period 1957 through 1963, increased greatly from about 8 million hides in 1963 to 11.5 million in 1964 and to 13.3 million hides in 1965. The effect of this upsurge in foreign demand resulted in a shortage of cattle hides in 1965, which shortage was reflected by drastic increases in hide prices.

Estimates of cattle hide supply for 1966 consisted of domestic production of 34.8 million hides and imports of 0.3 million hides. Against this supply, the estimated demand for 1966 consisted of 14 million hides to be exported and of domestic tanner requirements for 23.8 million hides. (Cattle hide leather imports were not taken into account in estimating either our domestic needs or our domestic supply because these leathers are predominantly of a quality which generally precludes their use as an adequate substitute for domestically produced cattle hide leather.)

Domestic inventory reserves of cattle hides had been reduced to minimum operating balances to offset shortages in recent years; therefore the 2.7 million hide shortage anticipated would have had to be subtracted from the domestic needs of our economy unless controls on exports were established. As an alternative, competitive bidding between domestic and foreign users for an adequate share of this short supply would have sent hide prices spiralling ever higher.

The inflationary impact of such a shortage had even more serious potential consequences in view of the impact of hide prices on the prices of leather shoes, one of the basic items in the Consumer Price Index.

The shoe industry uses approximately 90 percent of all domestically produced cattle hide leather, and an increase in hide prices such as the market experienced during the last year could be reflected in higher prices for shoes.

The principal points raised at the hearing by those opposing the imposition of export controls were as follows:

The estimates relied on by the Department in forecasting a shortage of cattle hides were inaccurate. Domestic supply was underestimated; and demand, both domestic and foreign, was overestimated. Specifically, opponents of the controls contended that Argentina's hide exports are beginning to return to past levels so that these will once again meet a portion of the foreign demand filled by U.S. exports in 1965; that Department of Commerce statistics have underestimated domestic cattle slaughter in 1966 which will be higher than for 1965; that the Department of Commerce considered only commercial cattle slaughter estimates in estimating domestic hide production, and failed to take into account hides obtained from farm slaughter and other sources; that the Department disregarded increasing U.S. imports of cattle hide leather which would have offset any shortage due to exports of cattle hides; and that the Department overestimated domestic demand for cattle hides by including therein the domestic demand for "kip skins," which are hides of young heifers producing lighter leathers not competitive with cattle hides.

Opponents of the controls also questioned the Department's basis for finding a shortage when domestic production greatly exceeds domestic demand, with first choice going to U.S. tanners. The allegation that recent increases in cattle hide prices were having an inflationary impact was claimed to be unfounded since prices were well below the ceiling price established by OPS in 1951. In any event, it was stated that the sharp increases during the first 2 months of 1966 were due to speculation in anticipation of the imposition of controls. Opponents of the controls pointed out that there had been no correlation between hide prices and shoe prices over the years. In their view this was confirmed by the shoe industry's announcement of substantial price increases following a drop in cattle hide prices resulting from the imposition of controls.

According to the opponents of controls, the controls on cattle hides benefit only the shoe manufacturers and are clearly to the detriment of the cattle growers, the renderers, the meat packers, and the hide exporters. They argue that these controls may also be to the detriment of the consumer if the loss resulting from the decrease in prices of cattle hides is passed on to the consumer in the form of increased meat prices.

It is also argued that the export controls on hides have rolled back the export expansion drive urged by the Department of Commerce, and that this will have an adverse impact on our balance of payments and on our future trade promotion with importing nations and will generally impair the promotion of free trade policies under the Kennedy Round of tariff negotiations.

In addition to the arguments opposing the Department's controls on economic grounds, the opponents of controls maintained that these controls were imposed in violation of law or in an arbitrary manner.

It was alleged that there was no meaningful consultation by the Department of Commerce with other Government agencies or with industry prior to the control; that section 3(c) of the Export Control Act was violated since these controls were imposed without a prior determination of shortage by the Secretary of Agriculture; that the controls were really a disguised and unauthorized price control measure; that several statutes declare it to be the policy of Congress to achieve parity prices for farmers; that the application of controls to prior commitments in many instances will require exporters to carry out purchase commitments made prior to imposition of controls despite the fact that the export sales for which such purchase orders had been placed are now foreclosed by the controls; that this situation is aggravated by the fact that the accumulating hides are not being absorbed by the domestic market, so that further financial losses are being incurred by storage fees and hide spoilage.

As further instances of arbitrary action, it was alleged that the export level of 11.5 million hides in 1964 included only exports of whole hides and "croupons" and did not include exports of smaller hide pieces such as "bellies," "shoulders," and "splits," whereas the 1966 export level of 11.5 million hides includes such smaller pieces in the hide category; that there are certain categories of hides for which there has been very little domestic demand, if any, which hides, either because of their weight, quality, or geographic location, have traditionally been exported so that it is unfair to include these in the export control quotas; and that the imposition of controls represents an unfair or arbitrary reversal of prior encouragement by the Government to develop export markets for hides.

II. In evaluating the above arguments for and against the continuation of the controls, it is desirable to deal first with the claimed legal defects, both as to substance and procedure.

As for the charge of inadequate interagency consultation, the statute, of course, requires no particular form for such consultation. In fact, there was meaningful consultation between the interested agencies prior to imposition of the controls. As stated in testimony before the House Subcommittee on Livestock and Feed Grains on March 22, the Department's decision to impose export controls on cattle hides was concurred in by other interested Government agencies. Also, as stated for the record at the opening of the Department's public hearing, the interagency consultation required under the Export Control Act did occur, and the Department did act with the concurrence of other interested agencies, including the Department of Agriculture.

Further, although there is understandably no statutory requirement for consultations with private groups prior to imposition of controls, some consultations did in fact occur. Government should, of course, consult with private interested parties to the fullest extent feasible prior to decision making. But obviously, a public hearing of the type just held by the Department cannot usually be scheduled prior to imposing export controls on any short supply item because of the type of commodity speculation such a hearing in advance would inevitably engender.

The charge that the requirements of section 3(c) (with respect to surplus determinations by the Secretary of Agriculture on agricultural commodities) were violated is based on a misunderstanding of what the law provides. Section 3(c) in effect prohibits the Secretary of Commerce from imposing export controls on an agricultural commodity when the Secretary of Agriculture determines that this commodity is in surplus. In the absence of such a determination, the imposition of export controls is not prohibited.

The argument that this action is an unauthorized price control measure is without merit. The Export Control Act states that it is the policy of the United States to use export controls to the extent necessary "to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand." The statutory reference to reducing the "inflationary impact" of an excessive drain due to exports contemplates that the measures to "protect the domestic economy" will have an impact on prices. The decision of March 7 to impose export controls on cattle hides was based on the conviction that all the economic grounds for controls which are contained in the above quoted provision were met in the hide situation.

A point has been made about the relationship of the Export Control Act to the various statutory declarations of national policy supporting parity for farm prices. Such declarations state general policy objectives which are not intended to preclude the exercise of the authority under the Export Control Act in specific situations. If Congress had intended otherwise, it would have so provided under section 3(c) of the Export Control Act which limits the imposition of controls on agricultural commodities.

Some charges were made that the retroactive application of the controls to exports committed prior to March 7 was arbitrary and resulted in hardship. A charge of arbitrariness was also made with respect to the inclusion under the controls of certain categories of hides which for several reasons are predominantly marketable only abroad or for which the customs classifications and statistics are inadequate.

In view of the facts available at the time of the March 7 decision, and the economic considerations requiring prompt action, I do not believe the measures taken at that time with respect to prior commitments and the allocation of quotas among the various categories of hides were arbitrary. Prompt action was imperative because of the economic factors analyzed below; and it was reasonable to base such action on the best statistics available to the Government through such official channels as the Customs Bureau, the Census Bureau, and offices of the Departments of Commerce and Agriculture regularly concerned with cattle hides and industries associated with this product. On the other hand, the recent hearings have provided us with factual data that now permits more specific judgments to be made concerning special factors causing business difficulties.

Several opponents of controls have stressed the fact that the Departments of Commerce and Agriculture for several years have urged and assisted hide producers and exporters to develop export markets. In their view, it is now unfair or arbitrary for the Government to reverse this policy and reduce the size of the newly developed market. The March 7 decision assuredly does not alter our overall policy of encouraging export expansion. However, in the case of cattle hides, there was a need to protect our domestic economy from inflation resulting from export of a commodity in short supply. The fact that this action is necessary for the short run does not by any means eliminate our continuing long run objective to increase exports on all fronts.

The key issues of judgment in this case are whether there is a shortage, whether there is an abnormal foreign demand, and whether there is an inflationary impact on the domestic economy. On the first two issues the Department has been challenged on its supply-demand statistics; and on the third issue the Department has been challenged on its statistics regarding the relationship of cattle hide prices to shoe prices.

The Departmental hearings on cattle hides produced no new significant evidence challenging our estimate of the 1966 shortage without controls. Nor do the latest estimates from Government sources alter our findings. Thus there are no significant changes in the Department of Commerce cattle hide figures for 1966 slaughter, imports, exports and consumption. On May 10, the Department of Agriculture confirmed a 1966 slaughter estimate of approximately one percent above 34,800,000 (including commercial slaughter, farm slaughter and renderers' hides despite allegations to the contrary in the hearing record).

The 1966 export estimates of 14 million hides without controls would have to stand unless there were a significant drop in foreign demand for U.S. hides. No such drop is presently evident. Our domestic consumption estimate of 23,800,000 cattle hide wettings (no kip skins are included) remains unchanged (at about a 6-percent increase over 1965 cattle hide wettings of 22,500,000) and is supported by the 5.4-percent reported increase of tanners' wettings of cattle hides in the first sixteen weeks of 1966 over the comparable period in 1965. We continue to expect substantial further increases in domestic cattle hide wettings, especially in view of orders for shoes by the military services placed since the public hearing.

The increase in exports of U.S. cattle hides is not due solely to Argentina's temporary drop in exports but also to a worldwide increasing demand for shoes as living standards improve abroad. The latest Soviet 5-year economic plan calls for production of 150 million additional pairs of leather footwear by 1970, which will result in Russian purchases of several million additional cattle hides in world markets over the next 4 years (our minimum estimate is 6 million hides).

The contention that Argentine hide exports will recover significantly in 1966, say by 1.5 to 2 million hides, thereby regaining a share of the world market temporarily held by U.S. exports, is unsound. Qualified observers do not believe that Argentine hide exports will increase by more than 1,000,000 in 1966 over 1965. The U.S. Foreign Agricultural Service anticipates that Argentine slaughter may be 1 million higher in 1966 than in 1965. But uncertainties regarding the export licensing and pricing actions of the Argentine Meat Board appear to inhibit slaughter and exports.

Domestic inventories of cattle hides were reduced in 1965 to the minimum required for domestic cattle hide leather production, so that U.S. consumers of cattle hides in 1966 cannot rely on inventory reserves as an additional source of supply. U.S. imports of cattle hides are negligible. U.S. imports of cattle hide leather, while sharply increasing, do not alter to any significant degree the supply-demand balance between cattle hides, leather, and shoes.

Cattle hide leather imports were not included in the supply and demand figures for cattle hides because so little of these imports are substitutes for domestic cattle hide leather. A small percentage of U.S. imports of cattle hide leather is of a grade suitable for use in shoe production, and an even smaller percentage is suitable for other uses in competition with domestic cattle hide leather. The bulk of these imports has satis-

fied domestic needs for leathers for which domestic cattle hide leather is not used. U.S. imports of cattle hide leather in 1965 showed an increase of approximately 660,000 in cattle hide equivalent over 1964 imports. Of this amount, approximately 100,000 hides could have been added to the domestic supply in 1965 but this does not alter significantly the estimated 1965 shortage of U.S. cattle hides. Based on increased cattle hide leather imports in the first quarter of 1966, the projected 1966 shortage of 2,700,000 hides could be reduced by possibly as much as 200,000 hides as a result of these imports. While the effect of a rise in leather imports and the possible increases in Argentine exports in 1966 could reduce in some degree the estimated shortage in 1966, this potential reduction of the shortage appears to be more than offset by indicated further increases in demand for hides in Europe in 1966 and by current increases in U.S. military footwear demand. Accordingly, we find no basis for any significant change as to the facts of the 1966 shortage.

Turning to the inflationary effect of hide prices on the domestic economy, we must consider the following factors:

Cattle hide leather is the main raw material for leather shoes and about 90 percent of all domestic cattle hide leather is consumed in producing shoes.

Over the past decade, shoe prices in the aggregate have risen in response to hide price changes after a certain time lag. There have been far less variations in shoe prices, however, partly because of the importance of other cost components in shoe production, and partly because of the substitution of other materials for cattle hide leather in shoes whenever cattle hide prices rose significantly. Using 12-month price averages to adjust for monthly fluctuations, we find that a 10 percent change in hide prices usually results in a 1 percent change in the overall wholesale prices of shoes.

Shoe prices are also strongly affected by rising unit labor costs because productivity in the shoe industry has not risen as rapidly as wage rates. As a consequence, there has been an average annual increase in wholesale shoe prices of almost 2.5 percent over the past decade, apart from the effect of hide prices on shoe prices. When these two effects are put together, they explain most of the changes in annual average wholesale prices of shoes.

A 1965 study by the Department of Agriculture shows the relationship between hide costs and shoe prices for the year 1962. That study shows that hide cost represented almost 7 percent of the retail price of a pair of $10 shoes. This confirms that hide cost is equal to approximately 12 percent of the wholesale (factory) price of $5.50 for the same pair of shoes.

Adjusting this data for a lower overall average shoe price, a lower overall average leather content for all shoes, and the increasing cost of leather substitutes in shoes as leather prices increase, the above relationship is consistent with the Department of Commerce analysis which shows that increases in hide prices have resulted in increases in the wholesale shoe price index equal to 10 percent of the hide price changes. In other words, a hundred percent increase in hide prices has resulted in an average 10 percent increase in wholesale or factory shoe prices.

Further, the record for the past decade shows a direct full percentage pass-through of increases in the wholesale shoe price index to the retail shoe price index. Thus percentage price changes at the wholesale level triggered by raw material or other cost increases may be expected to be fully passed through at the retail level with the normal retail mark-up without reference to the dollar ratio of specific production costs to retail prices.

Footwear is a basic component in the Consumer Price Index, and an increase in retail shoe prices is reflected in that price index.

III. A review of the principal arguments for and against the controls establishes that the heart of the controversy between opponents and proponents of export controls on cattle hides does not rest on the facts alone but on the conclusions to be drawn from the facts regarding their future economic consequences. The statutory objective "to protect the domestic economy" is by its very nature one that looks to the future of the economy, using the best statistics available for estimating that future.

Depending on the segment of the industry or section of the nation represented in the hearings, there appears to have been a very clear difference in judgment as to the economic impact on the domestic economy of the recent increases in the price of cattle hides.

After full review of the record, it is concluded that the export controls continue to be necessary for the following reasons:

Statistics through March 1966 show a substantial shortage of cattle hides.

These statistics also show abnormal foreign demand for cattle hides.

The interrelation of hide prices with prices for leather shoes is sufficient, taking into account the importance of shoes as a consumer item, to conclude that this shortage has an inflationary impact on the domestic economy.

IV. During the course of the hearings, the Department was repeatedly requested to modify the controls to alleviate business difficulties and hardships arising from special circumstances under the quotas as announced on March 11.

It is recognized that because of the necessary urgency with which the controls were imposed, all the difficulties that the trade would experience in making the transition to the quota system could not be anticipated. For example, the historical licensing method announced by the Department (and which has generally worked well in the past on other commodities subject to export control) has created difficulties in this case because of special circumstances in the trading patterns in cattle hides during recent months. These difficulties should be alleviated insofar as feasible without impairing the basic economic objectives of the controls.

The Department also must recognize that changes in the reporting categories introduced by the Bureau of the Census on January 1, 1965, resulted in the noncomparability of some of the 1964 and 1965 export statistics. This is true of the cattle hide pieces quota and the leather quotas. The cattle hides pieces category in 1964 did not include bellies, splits, shanks, heads, shoulders, and tails but the newly defined category in 1965 did include these pieces. A further difficulty here was that the trade misunderstood the reporting unit and some exporters defined "piece" to include a varying number of pieces all tied into one bundle.

In light of the above points, it is concluded that some changes in the previously announced quotas are justified. We should like to emphasize that, in our judgment, there is no occasion for further increases in the wholesale prices of shoes in view of the shoe price increases announced in March and April. The following changes in the controls of March 7 and March 11 are hereby adopted, to be effective as published in the Current Export Bulletin No. 934:

1. The licensed-export quotas announced on March 11 are increased:

(a) Cattle hides, whole (Export Control Commodity No. 21110). This quota is increased from 9,920,000 hides to 11,220,000; and from this a quantity not to exceed 1 million hides shall be applied to the licensing of the remaining prior commitments entered into by exporters on or before March 7, 1966.

(b) Cattle hides, except whole (Export Control Commodity No. 21110). This quota is increased from 810,000 pieces to 1 million pieces and from this a quantity not to exceed 190,000 pieces shall be applied to the licensing of the remaining prior commitments entered into by exporters on or before March 7, 1966.

(c) Calf skins and kip skins (Export Control Commodity No. 21120). This quota is increased from 2,140,000 skins to 2,375,000 skins, and from this a quantity not to exceed 235,000 skins shall be applied to the licensing of the remaining prior commitments entered into by exporters on or before March 7, 1966.

(d) Cattle hide and kip side upper leather, grain, except patent and metalized; and cattle hide and kip side leather, n.e.c. (Export Control Commodity No. 61150). This quota is increased from 10,800,000 square feet to 12,500,000 square feet and from this a quantity not to exceed 1,500,000 square feet shall be applied to the licensing of the remaining prior commitments entered into by exporters on or before March 7, 1966.

(e) Cattle hide and kip side sole, belting and welting leather, grain and offal; cattle hide and kip side rough, russet and crust leather; splits (Export Control Commodity No. 61150). This quota is increased from 1,700,000 pounds to 2,340,000 pounds, and from this quantity not to exceed 200,000 pounds shall be applied to the licensing of the remaining prior commitments entered into by exporters on or before March 7, 1966.

(f) Calf and whole kip upper leather, except patent and metalized (Export Control Commodity No. 61150). This quota is increased from 1,900,000 square feet to 2,060,000 square feet and from this a quantity not to exceed 200,000 square feet shall be applied to the licensing of the remaining prior commitments entered into by exporters on or before March 7, 1966.

2. The following types of cattle hide pieces: Bellies, splits, shanks, heads and shoulders, and tails are excluded from numerical quotas but retained under validated licensing. This will leave subject to the quota limitations only croupons, butts, butt bends, crops, dossets, and sides.

3. The following types of tanned or partially tanned leather are removed from the numerical quota in 1(e) above, but retained under validated license:

(a) Splits except whole splits, side splits, and bend splits;

(b) Offal.

4. Country quotas for cattle hides, both whole and pieces, are abolished.

5. Licenses issued before May 1, 1966, and those to be issued from the quantities authorized for prior commitments in 1, shall not be charged to exporters' individual quotas. Instead, all shipments made in 1966 under General License, and all licenses issued before May 1, 1966, and all licenses to be issued covering prior commitments shall be subtracted from the revised annual quotas, and the remainder divided equally into two licensing periods, the first to run until August 31, 1966, and the second from September 1 to December 31, 1966. Individual exporter quotas shall be recomputed in line with the above procedures and exporters notified.

JOHN T. CONNOR,
Secretary of Commerce.

MAY 18, 1966.

[F.R. Doc. 66-5576; Filed, May 20, 1966; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7248; Amdt. 475]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
FAR VOR	FAR RBn	Direct	2500	T-dn	300–1	300–1	200–½
FA LOM	FAR RBn	Direct	2500	C-dn	500–1	500–1	500–1½
				S-dn-17	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn W side of crs, 351° Outbnd, 171° Inbnd, 2500′ within 10 miles of FAR RBn.
Minimum altitude over facility on final approach crs, 2200′.
Crs and distance, facility to airport, 171°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing FAR RBn, climb to 2300′ on 171° bearing from FAR RBn within 15 miles of FAR RBn.
MSA within 25 miles of the facility: 000°–090°—2400′; 090°–180°—2700′; 180°–270°—3200′; 270°–360°—3600′.

City, Fargo; State, N. Dak.; Airport name, Hector Field; Elev., 900′; Fac. Class., H–SAB; Ident., FAR; Procedure No. 2, Amdt. 2; Eff. date, 30 Apr. 66; Sup. Amdt. No. 1; Dated, 2 Apr. 66

MYS VOR	Fort Knox RBn	Direct	2600	T-dn	300–1	300–1	200–½
Nadine Int	Fort Knox RBn	Direct	2600	C-dn	600–1	600–1	600–1½
				S-dn-17	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 353° Outbnd, 173° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 173°—2.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 miles after passing FTK RBn, make a climbing right turn to 2600′, crs, 266° to MYS VOR, hold NE 1-minute right turns, 212° Inbnd.
NOTE: Authorized for military use only except by prior arrangement.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–270°—2300′; 270°–360°—1800′.

City, Fort Knox; State, Ky.; Airport name, Godman AAF; Elev., 753′; Fac. Class., MH; Ident., FTK; Procedure No. 1, Amdt. 3; Eff. date, 30 Apr. 66; Sup. Amdt. No. 2; Dated, 15 Sept. 65

Valley Int	LYS RBn	Direct	4000	T-dn	300–1	300–1	200–½
Wellsville VOR	LYS RBn	Direct	4000	C-dn	500–1	500–1	500–1½
				S-dn-22	500–1	500–1	500–1
				A-dn*	NA	NA	NA

Procedure turn E side of crs, 041° Outbnd, 221° Inbnd, 3700′ within 10 miles.
Minimum altitude over facility on final approach crs, 2900′.
Crs and distance, facility to airport, 221°—2.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 miles after passing Olean RBn, make immediate left-climbing turn to 3700′, return to Olean RBn, hold NE left turns, 1-minute, 221° Inbnd.
NOTE: This procedure authorized only during hours of operation from 7 a.m. to 10 p.m. l.t.
Facility owned and operated by city of Olean.
*Alternate minimums of 800–2 authorized for those who have previous arrangement for weather service at airport.
MSA within 25 miles of facility: 000°–360°—3800′.

City, Olean; State, N.Y.; Airport name, Olean Municipal; Elev., 2137′; Fac. Class., MHW; Ident., LYS; Procedure No. 1, Amdt. 5; Eff. date, 30 Apr. 66; Sup. Amdt. No. 4; Dated, 10 July 65

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300–1	300–1	200–½
				C-d	400–1	500–1	500–1½
				C-n	400–1½	500–1½	500–1½
				S-d-17	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn W side of crs, 359° Outbnd, 179° Inbnd, 4300′ within 10 miles.
Minimum altitude over facility on final approach crs, 3600′.
Crs and distance, facility to airport, 179°—3.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing DIK VOR, make left-climbing turn to 4300′ on R 359° within 10 miles, then return to VOR and hold N, 179° Inbnd with right-hand turns.
CAUTION: Runways 17/35 unlighted.
NOTES: (1) When authorized by ATC, DIK DME may be used to position aircraft for straight-in approach at 4300′ between R 245° clockwise to R 079° via 6-mile DME Arc with the elimination of procedure turn. (2) Final approach from holding pattern at VOR not authorized. Procedure turn required.
MSA within 25 miles of facility: 000°–090°—4100′; 090°–180°—4200′; 180°–270°—4600′; 270°–360°—3900′.

City, Dickinson; State, N. Dak.; Airport name, Dickinson Municipal; Elev., 2589′; Fac. Class., BVORTAC; Ident., DIK; Procedure No. 1, Amdt. 8; Eff. date, 28 Apr. 66; Sup. Amdt. No. 7; Dated, 19 Aug. 65

				T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				A-dn	800–2	800–2	800–2
				If Shelly 3-mile DME Fix received minimums become:			
				S-dn–36°	400–1	400–1	400–1

Radar available.
Procedure turn S side of crs, 154° Outbnd, 334° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1200′ (900′ if Shelly 3-mile DME Fix is received).
Crs and distance, facility to airport, 334°—1.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.9 miles after passing DHN VORTAC turn right, climb to 2000′ on R 019° of DHN VORTAC within 20 miles.
NOTES: (1) Procedure turn S side of R 154° due to obstruction. (2) When authorized by ATC, DME may be used from R 140° clockwise to R 060° within 20 miles at 2000′ to position aircraft for straight-in approach with elimination of a procedure turn. (3) *Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—2000′; 090°–180°—2600′; 180–270°—1700′; 270°–360°—1800′.

City, Dothan; State, Ala.; Airport name, Dothan; Elev., 395′; Fac. Class., BVORTAC; Ident., DHN; Procedure No. 1, Amdt. 4; Eff. date, 30 Apr. 66; Sup. Amdt. No. 3; Dated, 9 Oct. 65

				T-dn%*	300–1	300–1	200–½
				C-d	600–1	600–1	600–1½
				C-n	600–2	600–2	600–2
				S-d-29	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 146° Outbnd, 326° Inbnd, 7300′ within 10 miles. Nonstandard due to terrain.
Final approach from holding pattern at VOR not authorized. Procedure turn required.
Minimum altitude over facility on final approach crs, 5300′.
Crs and distance, facility to airport, 314°—6.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.4 miles after passing VOR, make left-climbing turn to VOR, continue climb on R 146° within 10 miles in order to cross VOR on 326° Inbnd at 7300′, hold in 1-minute pattern SE of VOR, 326° Inbnd with left turns.
CAUTION: Runways 7–25 and 11–29 unlighted.
*Takeoff all runways: Aircraft departing SW on V–536 climb directly to VOR, continue climb on R 146° within 10 miles to cross VOR on Inbnd heading of 326° at 7300′ or above. Continue climb to 9000′ in 1-minute left turn holding pattern SE of VOR on R 146° Inbnd heading 326° before departing VOR on crs. Aircraft departing SW on V–536 cross VOR at 5000′ or above. Aircraft departing S on V–231, climb directly to VOR, then continue climb directly on crs to assigned altitude.
MSA within 25 miles of facility: 000°–090°—10,300′; 090°–180°—8700′; 180°–270°—7800′; 270°–360°—7800′.

City, Kalispell; State, Mont.; Airport name, Flathead County; Elev., 2972′; Fac. Class., BVOR; Ident., FCA; Procedure No. 1, Amdt. 1; Eff. date, 30 Apr. 66; Sup. Amdt. No. Orig.; Dated, 3 Feb. 66

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bowie Int	BAL VOR	Direct	2000	T-dn	300–1	300–1	200–½
Bodkin Int	5-mile Radar Fix (final)	Direct	1900	C-dn	600–1	600–1	600–1½
5-mile Radar Fix	BAL VOR (final)	Direct	546	S-dn–28°	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 096° Outbnd, 276° Inbnd, 1900′ within 10 miles of BAL VOR.
Minimum altitude over 5-mile Radar Fix on final approach crs, 746′.
Crs and distance, breakoff point to approach end of runway, 284°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing BAL VOR, climb to 2000′ proceed direct to BA LOM, hold W, 102° Inbnd, 1-minute right turns.
CAUTION: Procedure turn not authorized when restricted area R–4001 in use.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intesity runway lights. MSA within 25 miles of facility: 000°–090°—2600′; 090°–360°—2100′.

City, Baltimore; State, Md.; Airport name, Friendship International; Elev., 146′; Fac. Class., BVORTAC; Ident., BAL; Procedure No. TerVOR–28, Amdt. 9; Eff. date, 30 Apr. 66; Sup. Amdt. No. 8; Dated, 13 Nov. 65

				T-dn%*	300–1	300–1	200–½
				Minimums when control zone effective:*			
				C-d	500–1	500–1	500–1¼
				C-n	500–2	500–2	500–2
				S-dn–31	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2
				Minimums when control zone not effective:			
				C-d	800–1	800–1	800–1¼
				C-n	800–2	800–2	800–2
				S-dn–31	800–1	800–1	800–1
				A-dn	NA	NA	NA

Procedure turn E side of crs, 125° Outbnd, 305° Inbnd, 3100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1661′.#
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of FRM VOR, climb to 3100′ on R 312° within 10 miles. Return to VOR and hold SE on R 125°.
NOTE: Obtain Mason City altimeter setting when control zone not effective.
CAUTION: Runways 3/21 unlighted.
%Takeoffs Runways 13/31: Westbound aircraft maintain takeoff heading until reaching 2200′. Takeoffs Runway 21: Weather of 500–2 required for westbound aircraft. Restrictions due to 1653′ tower, 2.2 miles W.
*These minimums authorized at all times for air carriers with weather reporting service.
#1961′ when control zone not effective.
MSA within 25 miles of facility: 000°–090°—2400′; 090°–270°—2800′; 270°–360°—3200′.

City, Fairmont; State, Minn.; Airport name, Fairmont Municipal; Elev., 1161′; Fac. Class., T–BVOR; Indent., FRM; Procedure No. TerVOR–31, Amdt. Orig.; Eff. date, 28 Apr. 66

MYS VOR	FTK VOR	Direct	2600	T-dn	300–1	300–1	200–½
Nadine Int	FTK VOR	Direct	2600	C-dn	600–1	600–1	600–1½
				S-dn–15	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 325° Outbnd, 145° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 1400′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished after passing FTK VOR, make a climbing right turn to 2600′, crs, 266° to MYS VOR. Hold NE, 1-minute right turns, 212° Inbnd.
NOTE: Authorized for military use only except by prior arrangement.
CAUTION: 854′ concrete plant, ½ mile N approach end of Runway 15; 1009′ radar antenna, 1.1 miles WSW of airport.
MSA within 25 miles of facility: 000°–270°—2300′; 270°–360°—1900′.

City, Fort Knox; State, Ky.; Airport name, Godman AAF; Elev., 753′; Fac. Class., T–VOR; Indent., FTK; Procedure No. TerVOR–15, Amdt. 3; Eff. date, 30 Apr. 66; Sup. Amdt. No. 2; Dated, 18 Sept. 65

MYS VOR	FTK VOR	Direct	2600	T-dn	300–1	300–1	200–½
Nadine Int	FTK VOR	Direct	2600	C-dn	600–1	600–1	600–1½
				S-dn–17	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2
				If FTK RBn received following minimums apply:			
				S-dn–17	400–1	400–1	400–1

Radar available.
Procedure turn W side of crs, 004° Outbnd, 184° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 1300′.
Facility on airport, crs and distance, FTK RBn to VOR, 184°—3.1 miles.
If visual contact not established upon descent to authorized landing mimimums or if landing not accomplished after passing FTK VOR, make a climbing right turn to 2600′, crs, 266° to MYS VOR. Hold NE, 1-minute right turns 212° Inbnd.
CAUTION: Concrete plant, 854′—½ mile N approach end of Runway 15.
NOTE: Authorized for military use only except by prior arrangement.
MSA within 25 miles of facility: 000°–270°—2300′; 270°–360°—1900′.

City, Fort Knox; State, Ky.; Airport name, Godman AAF; Elev., 753′; Fac. Class., T–VOR; Ident., FTK; Procedure No. Ter VOR–17, Amdt. 3; Eff. date, 30 Apr. 66; Sup. Amdt. No. 2; Dated, 18 Sept. 65

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-d	300–1	300–1	200–½
				C-d	500–1	500–1	500–1½
				A-d	NA	NA	NA

Radar available.
Procedure turn W side of crs, 354° Outbnd, 174° Inbnd, 1600′ within 10 miles.
Minimum altitude over CHS VOR on final approach crs, 1600′; over 9-mile DME Fix, 800′.
Crs and distance, facility to airport, 174°—11.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 11.5-mile DME Fix, climb straight ahead to 13-mile DME Fix, turn right and proceed to 13-mile DME Fix, CHS VOR R 211°, via 13-mile arc, continuing climb to 3000′.
NOTES: (1) When authorized by ATC, DME may be used within 10 miles at 2000′ to position aircraft for a straight-in approach with the elimination of the procedure turn.
(2) Aircraft will not takeoff under IFR conditions without prior ATC approval. IFR flight plans must be closed with ATC upon reaching contact at authorized minimums.
MSA within 25 miles of facility: 000°–090°—1300′; 090°–180°—2100′; 180°–270°—1800′; 270°–360°—1400′.

City, Charleston, State, S.C.; Airport name, John's Island; Elev., 16′; Fac. Class., BVORTAC; Ident., CHS; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 28 Apr. 66

				T-dn	800–1	800–1	800–1
				C-dn	1000–2	1000–2	1000–2
				A-dn	NA	NA	NA

Radar available.
Procedure turn N. side of crs, 045° Outbnd, 225° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′; over 14-mile DME Fix, 2000′.
Crs and distance, facility to airport, 225°—19.0 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 19-mile DME Fix, turn right, climbing to 2000′ and return to VNA VOR via R 225°.
NOTE: (1) When authorized by ATC, DME may be used within 10 miles at 2000′ to position aircraft for a straight-in approach with the elimination of the procedure turn.
(2) Aircraft will not takeoff under IFR conditions without prior ATC approval. IFR flight plans must be closed with ATC upon reaching contact at authorized minimums.
MSA within 25 miles of facility: 000°–360°—1800′.

City, Cordele; State, Ga.; Airport name, Cordele; Elev., 308′; Fac. Class., BVORTAC; Ident., VNA; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 28 April 66

				T-d	900–1	900–1	900–1
				C-d	1000–2	1000–2	1000–2
				A-d	NA	NA	NA

Procedure turn N side of crs, 079° Outbnd, 259° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs 2000′; over 13-mile DME Fix, 2000′.
Crs and distance, facility to airport, 259°—18.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 18.5-mile DME Fix, turn left, climbing to 2000′ and return to AMG VOR, direct.
NOTES: (1) When authorized by ATC, DME may be used within 10 miles at 2000′ to position aircraft for a straight-in approach with the elimination of the procedure turn.
(2) Aircraft will not takeoff under IFR conditions without prior ATC approval. IFR flight plans must be closed with ATC upon reaching contact at authorized minimums.
MSA within 25 miles of facility: 000°–090°—1500′; 090°–180°—1800′; 180°–270°—2300′; 270°–360°—1600′.

City, Douglas; State, Ga.; Airport name, Douglas Municipal; Elev., 255′; Fac. Class., BVORTAC; Ident., AMG; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 28 Apr. 66

KG LFR	AKN VORTAC	Direct	1000	T-dn	300–1	300–1	200–½
				T-dn–29*	300–1	300–1	300–1
				C-dn*	500–1	500–1	500–1
				S-dn–29#	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 111° Outbnd, 291° Inbnd, 2000′ within 10 miles beyond 8-mile DME Fix. Nonstandard.
Minimum altitude over 10-mile DME Fix, 1300′; 8-mile DME Fix, 800′ on final approach crs.
Crs and distance, 8-mile DME Fix to airport, 291°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 5-mile DME Fix, climb straight ahead to AKN VORTAC. Continue climb to 1700′ on R 291° within 10 miles.
NOTE: When authorized by ATC, DME may be used to position aircraft for final approach at 2000′ on all radials within 15 miles with elimination of procedure turn.
*Radio towers, 262′—½ mile W of airport.
#400–¾ authorized with operative HIRL except 4-engine turbojet aircraft.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2000′; 180°–270°—1500′; 270°–360°—1500′.

City, King Salmon; State, Alaska; Airport name, King Salmon FAA; Elev., 67′; Fac. Class., H-BVORTAC; Ident., AKN; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 30 Apr. 66; Sup. Amdt. No. Orig.; Dated, 26 Mar. 66

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
10-mile DME Fix, R 059°	PDX VOR	Direct	4000	T-dn*%	300–1	300–1	200–½
10-mile DME Fix, R 329°	PDX VOR (final)	Direct	3000	C-d	900–1	900–1	900–1½
10-mile DME Fix, R 074°	PDX VOR	Direct	4000	C-n	900–2	900–2	900–2
Groves Int	PDX VOR	Direct	1800	A-dn	1000–2	1000–2	1000–2

Radar available.
Procedure turn W side of crs, 329° Outbnd, 149° Inbnd, 4000′ within 10 miles.
Minimum altitude over facility on final approach crs, 3000′.
Crs and distance, facility to airport, 159°—9.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.2 miles after passing PDX VOR, turn left and return direct to PDX VOR, climbing to 4000′.
CAUTION: 664′ terrain, 1.8 miles SE of airport.
NOTE: When authorized by ATC, DME may be used between R 160° clockwise to R 329° within 15 miles at 4000′ to position aircraft for straight-in approach with elimination of the procedure turn.
*200–½ authorized on 10R&L/28R&L. 700–2 required on Runways 2 and 20.
%Takeoffs all runways: Proceed direct to PDX VORTAC, climb on R 329° PDX VORTAC within 10 miles to cross PDX VORTAC at or above, northeastbound V-448, 5500′; eastbound V-112, 2900′.
MSA within 25 miles of facility: 090°–180°—5100′; 180°–270°—3100′; 270°–090°—5800′.

City, Portland; State, Oreg.; Airport name, Portland International; Elev., 26′; Fac. Class., H-BVORTAC; Ident., PDX; Procedure No. VOR/DME No. 1, Amdt. 5; Eff. date, 30 Apr. 66; Sup. Amdt. No. 4; Dated, 7 Aug. 65

R 196° DCA VOR clockwise, R 332° DCA VOR.		Via 10 NM Arc	2500	T-dn	300–1	300–1	200–½
R 022° DCA VOR counterclockwise, R 332° DCA VOR.		Via 10 NM Arc	2500	C-dn#	700–1	700–1	700–2
				S-dn–18*	700–1	700–1	700–2
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn not authorized. Final approach crs, 152° Inbnd, from 10-mile DME Fix.
Minimum altitude over 10-mile DME Fix, 2500′; 7-mile DME Fix, 2000′; 5-mile DME Fix, 1400′; 3-mile DME Fix, 800′, over facility, 715′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of DCA VOR, climb to 1000′ on crs of 152°, make right turn and proceed to Washington RBn at 1500′, climbing to 1800′ in holding pattern, 181° Outbnd, 001° Inbnd, 1-minute left turns.
CAUTION: Washington Monument, 596′, 1.6 miles N of airport.
*Reduction not authorized.
#All turbojet aircraft, 700–2.
MSA within 25 miles of facility: 270°–090°—2500′; 090°–270°—1700′.

City, Washington, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., L-VORTAC; Ident., DCA; Procedure No. VOR/DME No. 1, Amdt.1; Eff. date, 30 Apr. 66; Sup. Amdt. No. Orig.; Dated, 23 Apr. 66

Potomac Int	DCA VORTAC	Direct	2000	T-dn	300–1	300–1	200–½
Herndon VORTAC	DCA VORTAC	Direct	1900	C-dn	700–1	700–1	700–1½
Nottingham VORTAC	DCA VORTAC	Direct	2000	S-dn–18	700–1	700–1	700–1
R 196° DCA VOR clockwise, R 320°	DCA VOR, 10-mile Arc		2500	A-dn	700–2	800–2	800–2
R 022° DCA VOR counterclockwise, R 320°	DCA VOR, 10-mile Arc		2500				

Radar available.
Procedure turn S side of crs, 320° Outbnd, 140° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 7-mile DME Fix, 2000′; over 5-mile DME Fix, 1400′; over 3-mile DME Fix, 800′ over facility, 715′.
Breakoff point to runway, 1.1-mile DME Fix, 0.6 mile 130°.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing DCA VORTAC, climb to 1000′ on crs, 140°, make right turn and proceed to Washington RBn at 1500′, climbing to 1800′ in holding pattern, 181° Outbnd, 001° Inbnd, 1-minute left turns.
CAUTION: Washington Monument, 596′—1.6 miles N of airport. Antenna, 400′—2.8 miles NW of airport.
MSA within 25 miles of facility: 270°–090°—2500′; 090°–270°—1700′.

City, Washington, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., LBVORTAC; Ident., DCA; Procedure No. VOR/DME No. 2, Amdt. Orig.; Eff. date, 30 Apr. 66

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Grand Island Int	GB LOM	Direct	2400	T-dn	300–1	300–1	200–½
Buffalo VOR	GB LOM	Direct	2400	C-dn	400–1	500–1	500–1½
Crystal Beach Int	GB LOM (final)	Via BUF VOR R 250° and ILS–5 front crs.	2300	S-dn–5*	300–¾	300–¾	300–¾
			2400	A-dn	600–2	600–2	600–2
Wolcottsville Int	GB LOM	Via BU LOM					

Radar available.
Procedure turn S side of SW crs, 232° Outbnd, 052° Inbnd, 2400′ within 10 miles of LOM.
Minimum altitude at glide slope intercept Inbnd 2300′.
Altitude of glide slope and distance to approach end of runway at OM, 2270′—4.6 miles; at MM, 933′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles of OM, make left-climbing turn to 2400′; intercept and proceed Outbnd on Buffalo VOR R 302° to Grand Island Int. Hold NW, 1-minute right turns, 122° Inbnd or when directed by ATC, climb to 2000′ on 052° crs, proceed to BU LOM. Hold NE, BU LOM 1-minute right turns, 232° Inbnd.
Other change: 400–½ authorized for ALS, deleted.
*400–¾ required when glide slope not utilized.

City, Buffalo; State, N.Y.; Airport name, Greater Buffalo International; Elev., 722′; Fac. Class., ILS; Ident., I-GBI; Procedure No. ILS–5, Amdt. 1; Eff. date, 30 Apr. 66; Sup. Amdt. No. Orig.; Dated, 13 Nov. 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Moline VOR	LOM	Direct	2300	T-dn♯	300–1	300–1	200–½
Stockton Int	LOM (final)	Direct	1900	C-dn	600–1	600–1	600–1½
Cordova VOR	LOM	Direct	2600	S-dn-9°	200–½	200–½	200–½
Buffalo Int	LOM	Direct	2300	A-dn	600–2	600–2	600–2
Muscatine Int	Stockton Int	Direct	2300				
CID VOR	Muscatine Int	Via CID VOR, R 124°.	2500				
IOW VOR	Muscatine Int	Via IOW VOR, R 094°.	2300				

Radar available.
Procedure turn S side W crs, 247° Outbnd, 067° Inbnd, 1900′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1900′.
Altitude of glide slope and distance to approach end of runway at OM, 1825′—4.5 miles; at MM, 774′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, climb to 2100′ on crs of 067° within 20 miles or, when directed by ATC, make right-climbing turn to 2300′ and proceed to MLI VOR.
Other changes: Deletes transitions from Cordova VOR and Green River Int.
*600–1 required with glide slope inoperative; 600–½ authorized except for 4-engine turbojets with operative ALS.
♯When weather is below 1500–3, aircraft departing Runway 4—turn right and climb to 1500′ on E heading before turning N. Aircraft departing Runways 9 and 31—climb on runway heading to 1500′ before turning N, due to 1067′ tower, 3 miles NE and 1649′ tower, 6 miles NNE.

City, Moline; State, Ill.; Airport name, Quad-City; Elev., 590′; Fac. Class., ILS; Ident., I-MLI; Procedure No. ILS–9, Amdt. 13; Eff. date, 30 Apr. 66; Sup. Amdt. No. 12; Dated, 22 Jan. 66

PDX VOR	Levee Int	Direct	3200	T-dn*%	300–1	300–1	200–½
UBG VOR	Levee Int	Direct	3200	C-dn♯	700–1	700–1	700–1½
Pearson Int	Levee Int	Direct	3200	S-dn-101♯	600–1	600–1	600–1
Buxton Int	Levee Int (final)	Direct	2900	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn S side of crs, 278° Outbnd, 098° Inbnd, 3200′ within 10 miles of Levee Int.
Minimum altitude over Levee Int on final approach crs, 2900′; over Portal Int, 1000′.
Crs and distance, Levee Int to airport, 098°—9.8 miles; Portal Int to airport, 098°—4.4 miles.
No glide slope, (back crs).
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing Portal Int, climb direct to IA LOM, continue climb to 3700′ in a 1-minute left turn, holding pattern E of IA LOM or, when directed by ATC, turn left, climb to 4000′ direct to PDX VOR.
NOTE: Dual VHF receivers required for this approach.
*200–½ authorized Runways 10R/L and 28R/L only. 700–2 required on Runways 2 and 20.
%Takeoffs all runways: Proceed direct to PDX VORTAC, climb on R 329° PDX VORTAC within 10 miles to cross PDX VORTAC at or above, northeastbound V–448, 5500′; eastbound V–112, 2900′.
♯CAUTION: 664′ terrain, 1.8 miles SE of airport.
$Sliding scale not authorized for landing.
¢600–¾ authorized, except for 4-engine turbojet aircraft with operative high-intensity runway lights.

City, Portland; State, Oreg.; Airport name, Portland International; Elev., 26′; Fac. Class., ILS; Ident., I-IAP; Procedure No. ILS–10L (back crs), Amdt. 3; Eff. date, 30 Apr. 66; Sup. Amdt. No. 2; Dated, 27 May 65

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on March 24, 1966.

JAMES S. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–5642; Filed, May 20, 1966; 8:49 a.m.]

Title 37—PATENTS, TRADEMARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE IN PATENT CASES

Express Abandonment of Patent Application

The following amended § 1.138 is adopted to take effect upon publication in the FEDERAL REGISTER.

The purpose of the amendment is to make possible the elimination of the delay and difficulty incident to obtaining specific written authorization to abandon the application from the inventor and assignee, if any. Such delay frequently results in inconvenience and sometimes in the loss of material rights.

The text of the proposed amendment was published in the FEDERAL REGISTER of March 31, 1966 (31 F.R. 5202). A hearing was held on April 26, 1966, and all persons, who desired to, were invited to attend and to submit their views, objections, recommendations, or suggestions which were considered in connection with the adoption of the amendment. The rule is being adopted as published with a further amendment to the sentence proposed to be added to the rule. The clause "Except as provided in § 1.262" is added to the sentence as previously published so that the sentence reads: "Except as provided in § 1.262 an application may also be expressly abandoned by filing a written declaration of abandonment signed by the attorney or agent of record."

The full text of the amended rule is as follows:

§ 1.138 **Express abandonment.**

An application may be expressly abandoned by filing in the Patent Office a written declaration of abandonment signed by the applicant himself and the assignee of record, if any, and identifying the application. Except as provided in § 1.262 an application may also be expressly abandoned by filing a written declaration of abandonment signed by the attorney or agent of record.

(Sec. 1, 66 Stat. 793, 35 U.S.C. 6)

EDWARD J. BRENNER,
Commissioner of Patents.

Approved: May 10, 1966.

J. HERBERT HOLLOMON,
Assistant Secretary for Science and Technology.

[F.R. Doc. 66–5550; Filed, May 20, 1966; 8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 17—MAIL ADDRESSED TO MILITARY POST OFFICES OVERSEAS

Miscellaneous Amendments

The regulations of the Post Office Department are amended and revised as follows:

I. In § 17.1 *Mailing preparation*, paragraphs (a), (b), (c), (d), (d)(1) and (d)(2) are redesignated paragraphs (b), (c), (d), (e), (e)(1), and (e)(2) respectively, and a new paragraph (a) is inserted in lieu thereof. The purpose of these amendments is to make reference to sections explaining in detail how postage is computed on parcels for overseas military post offices. As so added, new paragraph (a) now reads:

§ 17.1 **Mailing preparation.**

(a) *Postage.* See § 25.2(b)(1) of this chapter for parcels sent by surface mail and § 26.2(c)(4) of this chapter for parcels sent by air.

* * * * *

NOTE: The corresponding Postal Manual section is 127.11.

II. In § 17.2 *Conditions prescribed by the Defense Department applicable to mail addressed to certain military post offices overseas*, make the following changes:

A. In paragraph (a) *Military post offices*, make the following changes:

1. Amend the data opposite the following numbers to read:

Military post office No.	*See footnotes*
09019	B–C–I[1]
09120	B*–C
09125	B*–C
09127	B*–C
09168	B–C–I[1 2]
09170	B*–C
09193	B*–C
09194	B*–C
09199	B*–C–J
09202	B*–C–J
09212	B*–C
09218	B*–C
09221	B*–C–I[1 2]
09238	B*–C
09240	B–C–I[1]
09241	B*–C
09293	B–C–I[1]
09378	B*–C
09405	B*–C
09527	A–N
09607	B*–C
09616	B–F–I
09659	B*–C
09667	B
09671	I
09672	B–F–I
09674	B–D–F–I
09678	B–I
09683	A–B–F–I
09689	B–C–I[1]
09694	B–I
09697	B–F–I
09755	B*–C
09794	B–C–I[1]
96274	K
96277	K
96298	K
96311	K
96528	K

2. Delete the following post office numbers and their accompanying data:

Military post office No.	*See footnotes*
09085	A
09670	B–C–D

3. Insert in proper numerical order the following post office numbers and their accompanying data:

Military post office No.	*See footnotes*
09146	B–C–D
09149	B–C–D
96225	A
96289	A
96294	A
96362	A
96363	A

4. Footnote A following the tabular material is amended to read:

A. No mail of any class may contain securities or currency. Precious metals in their raw, unmanufactured state are also prohibited. Official shipments are exempt from these restrictions.

5. A new footnote N is added to read:

N. No personal registered mail accepted.

NOTE: The corresponding Postal Manual section is 127.21.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505, 705, 706, 712)

TIMOTHY J. MAY,
General Counsel.

MAY 18, 1966.

[F.R. Doc. 66–5574; Filed, May 20, 1966; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 5—General Services Administration

PART 5–2—PROCUREMENT BY FORMAL ADVERTISING

Subpart 5–2.2—Solicitation of Bids

POSTPONEMENT OF BID OPENINGS

This amendment authorizes the postponement of bid openings without prior notice to prospective bidders when emergencies or unanticipated events make the use of normal bid postponement procedures impracticable.

Section 5–2.202–50 is amended as follows:

§ 5–2.202–50 **Postponement of bid openings.**

(a) Whenever such action is determined by the contracting officer to be in the best interest of the Government, bid openings may be postponed by issuance and distribution to all prospective bidders of an amendment (see § 1–2.207 of this title) to the invitation for bids. Notices of postponement shall be issued by mail or telegraph as early as possible and prior to the time specified for the opening of bids. However, when emergencies or unanticipated events of the type referred to in paragraph (c) of this § 5–2.202–50 occur, and the use of normal bid postponement procedures is impracticable, bid openings may be post-

poned without prior notice to prospective bidders. The new time and date set for the opening of bids shall be as soon thereafter as practicable. Where circumstances will permit, prior notice of the new time and date set for the opening of bids shall be given to all prospective bidders originally solicited.

* * * * *

(c) Bid openings may be postponed, if determined by the contracting officer to be in the best interest of the Government, when an emergency interrupts the normal governmental processes so as to make the conduct of bid openings as scheduled impracticable, or when the contracting officer has reason to believe that the bids of an important segment of bidders have been delayed in the mails for causes beyond their control, and without fault or negligence of the bidders concerned, such as, but not limited to, flood, fire, accident, heavy snow, or strikes.

(d) Under the circumstances described in paragraph (c) of this § 5–2.202–50, bids and modifications received before the new time and date set for the opening of bids shall be considered for award. Bids and modifications received thereafter shall be handled in accordance with the provisions of §§ 1–2.303 and 1–2.305 of this title regarding late bids and modifications.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. These regulations are effective on publication in the FEDERAL REGISTER.

Dated: May 16, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66–5548; Filed, May 20, 1966; 8:45 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 14; Amdt. 3]

PART 527—SHIPPERS' REQUESTS AND COMPLAINTS

Reporting Requirements

Pursuant to sections 15, 21, and 43 of the Shipping Act, 1916 (46 U.S.C. 814, 820, and 841(a)), the Federal Maritime Commission hereby amends its General Order 14, 46 CFR Part 527.

The purpose of this amendment is to eliminate the requirement for filing of yearly reports by ratemaking groups, which presently results from compliance with the provisions of § 527.3 of General Order 14. Section 527.3 presently requires ratemaking groups, in January of each year, to file a report showing any changes made during the year in their shippers' request and complaint procedures. Section 527.6 requires these same ratemaking groups to publish shipper request and complaint information in their tariffs which they must file with the Commission. The tariff information is published in the form of instructions as to where and by what method shippers may file their requests and complaints, together with a sample of the rate request form, if one is used, or, in lieu thereof, a statement as to what supporting information is considered necessary for processing the request or complaint.

In view of the requirement that such information be reported in the tariffs, any change in such information required from shippers would result in a modification of the tariff and would, in accordance with section 18(b) of the Shipping Act, 1916, have to be filed with this Commission.

The elimination of the above-described filing requirement can best be achieved by deleting the annual reporting requirement contained in the last sentence of § 527.3, and by adding a sentence at the end of § 527.6 to further elucidate the tariff filing requirements in this respect.

Since § 527.3 will relieve restrictions and § 527.6 merely clarifies an existing condition the Commission is of the opinion that notice and public procedure and delayed effective date are unnecessary for the promulgation of this order. Therefore Part 527 of Title 46 CFR is hereby amended as follows:

1. Section 527.3 is amended by deleting the last sentence thereof reading: "In January of each year thereafter, each of the above shall file a report covering all changes made in these procedures during the past year, and, in the event the procedures have continued unchanged, the report shall so state."

2. Section 527.6 is amended by adding at the end thereof the following sentence: "All changes made in such instructions shall be published in said tariffs, supplements thereto, or reissues thereof, in accordance with the tariff filing requirements of section 18(b) of the Shipping Act, 1916."

Effective date. These amendments shall become effective on the date of their publication in the FEDERAL REGISTER.

By the Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66–5577; Filed, May 20, 1966; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[Ex Parte No. MC–30]

PART 170—COMMERCIAL ZONES

Cincinnati, Ohio, Commercial Zone

Order. At a session of the Interstate Commerce Commission, division 1, held at its office in Washington, D.C., on the 4th day of May A.D. 1966.

It appearing, that on March 5, 1964, the Commission, division 1, acting as an appellate division, entered its order, 94 M.C.C. 766, establishing the limits of the zone adjacent to and commercially a part of Cincinnati, Ohio, within the meaning of section 203(b)(8) of the Interstate Commerce Act (49 U.S.C. 303(b)(8)), within which zone transportation by motor vehicle, in interstate or foreign commerce, is partially and conditionally exempt from regulation;

It further appearing, that the limits thus established include as a boundary a portion of U.S. Highway 25 lying in Butler County, Ohio, and extending between Allen Road and the Butler-Hamilton County, Ohio, boundary;

It further appearing, that by petition filed April 7, 1966, the Greater Cincinnati Chamber of Commerce confirms that a recent relocation of U.S. Highway 25 renders this description inaccurate, for the reason that the highway intended to constitute the boundary is now properly known as Cincinnati-Dayton Road;

And it further appearing, that notice and public procedure thereon to render the above description accurate and unambiguous are impracticable and unnecessary, for the reason that the substitution of "Cincinnati-Dayton Road" in lieu of "U.S. Highway 25" will not alter in any respect the boundary as formerly established in this proceeding; and good cause appearing therefor:

It is ordered, That said proceeding be, and it is hereby, reopened for further consideration.

It is further ordered, That § 170.7 as prescribed in the order entered in this proceeding on March 5, 1964 (49 CFR 170.7), be, and it is hereby, vacated and set aside, and the following revision is hereby substituted in lieu thereof:

§ 170.7 Cincinnati, Ohio.

The zone adjacent to, and commercially a part of, Cincinnati, Ohio, within which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, is partially exempt from regulation under section 203(b)(8) of the Interstate Commerce Act is hereby defined to include the following:

Addyston, Ohio.	Mariemont, Ohio.
Cheviot, Ohio.	North Bend, Ohio
Cincinnati, Ohio.	Norwood, Ohio.
Cleves, Ohio.	St. Bernard, Ohio.
Elmwood Place, Ohio.	Covington, Ky.
Fairfax, Ohio.	Newport, Ky.

That part of Ohio bounded by a line commencing at the intersection of the Colerain-Springfield Township line and corporate limits of Cincinnati, Ohio, and extending along said township line in a northerly direction to its intersection with the Butler-Hamilton County line, thence in an easterly direction along said county line to its intersection with Ohio Highway 4, thence in a northerly direction along Ohio Highway 4 to its intersection with Mulhauser Road, thence in an easterly direction along said road to the terminus thereof west of the tracks of the Pennsylvania Railroad, thence continuing in an easterly direction in a straight line to Allen Road, thence along the latter to the junction thereof with Cincinnati-Dayton Road, thence in a southerly direction along Cincinnati-Dayton Road to the Butler-Hamilton County line, thence along the said county line and the Warren-Hamilton County line in an easterly direction to the Symmes-Sycamore Township line, thence in a southerly direction along the Symmes-Sycamore Township line to its intersection with the Columbia Township line, thence in a westerly direction along the Sycamore-Columbia Township line to Madeira Township, thence in a clockwise direction around the boundary of Madeira Township to the Sycamore-Columbia Township line, thence in a westerly direction along said township line to Silverton Township, thence in a southerly direction along the Silverton-Columbia Township line to the Cincinnati corporate limits, thence in a southerly direction along said corporate limits to junction with Red Bank Road, thence in a southerly direction over Red Bank Road to the Cincinnati corporate limits.

That part of Kenton County, Ky., lying on and north of a line commencing at the intersection of the Kenton-Boone County line and Dixie Highway (U.S. Highways 25 and 42), and extending over said highway to the corporate limits of Covington, Ky., including communities on the described line.

That part of Campbell County, Ky., lying on and north of a line commencing at the south corporate limits of Newport, Ky., and extending along Licking Pike (Kentucky Highway 9) to junction with Johns Hill Road, thence along Johns Hill Road to junction with Alexandria Pike (U.S. Highway 27), thence northward along Alexandria Pike to junction with River Road (Kentucky Highway 445), thence over the latter to the Ohio River, including communities on the described line.

That part of Boone County, Ky., bounded by a line beginning at the Boone-Kenton County line west of Erlanger, Ky., and extending in a northwesterly direction along Donaldson Highway to the Greater Cincinnati Airport, thence clockwise around the outer perimeter of said airport to the northern tip thereof, thence in a northeasterly direction along Kentucky Highway 1334 to junction with Kentucky Highway 20, and thence along the latter to the Boone-Kenton County line.

That part of Boone and Kenton Counties, Ky., bounded by a line commencing at the intersection of the Boone-Kenton County line with the southern corporate limits of Elsmere, Ky., and extending in a southerly direction along said county line approximately 0.9 mile to the northern boundary of the Northern Kentucky Industrial Foundation, thence in a westerly direction along said boundary to its intersection with the southern corporate limits of Florence, Ky., thence in a westerly direction along said corporate limits to their intersection with U.S. Highway 42, thence in a southwesterly direction along said highway to its intersection with Interstate Highway 75, thence in a southerly direction along Interstate Highway 75 to a point 2 miles south of the Florence, Ky., corporate limits, thence in a straight line in a northeasterly direction to Richardson Road, thence in an easterly direction over Richardson Road to junction with Kentucky State Route 1303 (Turkeyfoot Road), thence in a northerly direction over Kentucky State Route 1303 to the southern boundary of Edgewood, Kenton County, Ky.

(49 Stat. 546, as amended; 49 U.S.C. 304. Interprets or applies 49 Stat. 543, as amended, 544, as amended; 49 U.S.C. 302, 303)

It is further ordered, That this order shall become effective June 20, 1966, and shall continue in effect until the further order of the Commission.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Division 1.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–5589; Filed, May 20, 1966; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 5]

PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

Crop Disposition Dates

(1) *Basis and purpose.* This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301 et seq.), the Agricultural Act of 1948, as amended (7 U.S.C. 1441 et seq.), the Food and Agriculture Act of 1962 (Public Law 87–703, approved September 27, 1962, and Public Law 87–801, approved October 11, 1962), the Feed Grain Act of 1963 (Public Law 88–26, approved May 20, 1963), the Agricultural Act of 1964 (Public Law 88–297, approved April 11, 1964), and the Food and Agriculture Act of 1965 (Public Law 89–321, approved November 3, 1965), for the purpose of: (1) Amending the disposition dates for corn and grain sorghums in certain counties; (2) establishing disposition dates for corn and grain sorghums in certain counties. These dates are based on State committee recommendations. Since the amendments herein contain only disposition dates for corn and grain sorghums, they relate to loans, grants, and benefits. They are therefore exempted from the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) relating to notice, public procedure thereon, and effective date.

(2) Section 718.16 of the regulations for Determination of Acreage and Compliance (31 F.R. 5812) is amended by revising the disposition dates for corn and grain sorghums for the States of California and Louisiana to read as follows:

CALIFORNIA

* * * * *

(2) *Corn.* (i) *May 1.* Imperial (early seeded) and Riverside (early seeded).

(ii) *August 1.* San Diego.

(iii) *August 15.* Fresno, Kern, Kings, Madera, Merced, San Bernardino, San Joaquin, Santa Barbara, Stanislaus, and Tulare.

(iv) *September 1.* Butte, Colusa, Glenn, Imperial (late seeded), Lake, Mendocino, Orange, Placer, Riverside (late seeded), Sacramento, San Benito, Santa Clara, Shasta, Solano, Sonoma, Sutter, Tehama, Yolo, and Yuba.

(v) *September 15.* Amador, Contra Costa, El Dorado, Los Angeles, Monterey, Napa, and San Luis Obispo.

(3) *Grain Sorghums.* (i) *May 1.* Imperial (early seeded) and Riverside (early seeded).

(ii) *July 1.* San Bernardino.

(iii) *August 1.* San Diego.

(iv) *August 15.* Fresno, Kern, Kings, Madera, Merced, San Joaquin, Santa Barbara, Stanislaus, Tulare, and Ventura.

(v) *September 1.* Butte, Colusa, Glenn, Imperial (late seeded), Lake, Mendocino, Orange, Placer, Riverside (late seeded), Sacramento, San Benito, Santa Clara, Shasta, Solano, Sutter, Tehama, Yolo, and Yuba.

(vi) *September 15.* Alameda, Amador, El Dorado, Contra Costa, Los Angeles, Monterey, Napa, and San Luis Obispo.

(vii) *October 1.* Sonoma.

* * * * *

LOUISIANA

* * * * *

(2) *Corn, Cotton, Grain Sorghum, and Rice. August 1.* All parishes.

(3) (Revoked.)

* * * * *

Effective date. Since corn and grain sorghums for harvest in 1966 are being planted, or plans for planting are now being made, and farmers need to know the disposition dates herein, it is imperative that this amendment become effective as soon as possible; accordingly, this amendment shall become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 17, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66–5567; Filed, May 20, 1966; 8:47 a.m.]

SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 1]

PART 780—APPEAL REGULATIONS

Basis, Purpose, and Applicability

Section 780.1 of the appeal regulations, 7 CFR Part 780, is amended as follows: Paragraphs (d), (k), (l), and (m) are amended, and paragraphs (n) and (o) are added.

The amended and added portions of § 780.1 read as follows:

§ 780.1 Basis, purpose, and applicability.

* * * * *

(d) Allotment Programs for cotton (Part 722 of this chapter), tobacco (Part 724 of this chapter), wheat (Part 728 of this chapter), peanuts (Part 729 of this chapter), and rice (Part 730 of this chapter), except when marketing quotas are in effect for the commodity and the matter being appealed is a factor bearing upon a marketing quota being determined for the farm in which case review under Part 711 of this chapter shall be applicable.

* * * * *

(k) Wheat Diversion Program (Part 728 of this chapter).

(l) Farm Wheat Marketing Certificate Program (Part 728 of this chapter).

(m) 1964 and 1965 Cotton Domestic Allotment Program (Part 1427 of this title).

(n) 1966 Upland Cotton Program (Part 722 of this chapter).

(o) Regional Agricultural Conservation Programs (Part 755 of this chapter).

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 17, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5568; Filed, May 20, 1966; 8:47 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 162]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.462 Valencia Orange Regulation 162.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 19, 1966.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., May 22, 1966, and ending at 12:01 a.m., P.s.t., May 29, 1966, are hereby fixed as follows:

(i) District 1: 750,000 cartons;

(ii) District 2: 334,053 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 20, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5703; Filed, May 20, 1966; 11:22 a.m.]

[Lemon Reg. 215]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.515 Lemon Regulation 215.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 17, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., May 22, 1966, and ending at 12:01 a.m., P.s.t., May 29, 1966, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 279,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "Carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 19, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5634; Filed, May 20, 1966; 8:49 a.m.]

[Avocado Reg. 8]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Limitation of Shipments

§ 915.308 Avocado Regulation 8.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than May 23, 1966. This section establishes grade and maturity requirements designed to prevent the shipment of avocados which are immature or otherwise of poor quality; it is necessary that such requirements be made effective at the time and for the periods specified herein in order to effectuate the declared policy of the act; and compliance with this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., e.s.t., May 23, 1966, and ending at 12:01 a.m., e.s.t., April 30, 1967, no handler shall handle any avocados unless such avocados grade at least U.S. No. 3 grade;

(2) After the effective time of this section, except as otherwise provided in subparagraphs (9) and (10) of this paragraph, no avocados of the varieties listed in Column 1 of the following Table I shall be handled prior to 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 2 of such table, except that avocados of the Arue variety which weighs at least 17 ounces may be handled prior to the date so listed, and thereafter each such variety shall be handled only in conformance with subparagraphs (3), (4), (5), and (6) hereof.

TABLE I

Variety (1)	Date (2)	Minimum weight or diameter (3)	Date (4)	Minimum weight or diameter (5)	Date (6)	Minimum weight or diameter (7)	Date (8)
Arue	5–23–66	17 oz.	7– 4–66	14 oz. 33/16 in.	7–25–66		
Fuchs	6–20–66	14 oz. 31/16 in.	7– 4–66	12 oz. 39/16 in.	7–25–66	10 oz. 215/16 in.	8– 8–66
K-5	7–11–66	14 oz. 33/16 in.	7–25–66	12 oz. 31/16 in.	8– 8–66		
Dr. DuFuis No. 2	7–18–66	10 oz. 33/16 in.	7–25–66				
Hurlee	7–11–66	13 oz. 39/16 in.	7–18–66	10 oz. 215/16 in.	7–25–66		
Pollock	7–18–66	16 oz. 37/16 in.	8– 1–66				
Simmonds	7–18–66	14 oz. 35/16 in.	8– 1–66				
Nadir	7–18–66	10 oz. 215/16 in.	8–15–66	7 oz.	8–22–66		
Katherine	7–18–66	12 oz.	8– 8–66				
Trapp	8–15–66	12 oz. 31/16 in.	9– 9–66				
Waldin	8–15–66	16 oz. 39/16 in.	8–29–66	14 oz. 37/16 in.	9– 9–66	10 oz. 31/16 in.	9–26–66
Peterson	8–15–66	10 oz. 33/16 in.	8–29–66	8 oz. 215/16 in.	9– 9–66		
Pinelli	8–29–66	16 oz. 319/16 in.	9– 5–66				
Tonnage	8–29–66	14 oz. 35/16 in.	9– 5–66	12 oz. 39/16 in.	9– 9–66	10 oz. 215/16 in.	9–19–66
Booth 8	9–12–66	16 oz. 39/16 in.	9–26–66	15 oz. 37/16 in.	10–10–66	13 oz. 35/16 in.	10–17–66
Fairchild	9–12–66	16 oz. 315/16 in.	9–19–66	14 oz. 37/16 in.	10– 3–66	12 oz. 33/16 in.	10–17–66
Nirody	9–19–66	18 oz. 315/16 in.	10– 3–66	15 oz. 311/16 in.	10–17–66	12 oz. 39/16 in.	10–31–66
Black Prince	10– 3–66	16 oz. 39/16 in.	10–24–66				
Blair	10– 3–66	14 oz. 39/16 in.	10–24–66				
Collinson	10– 3–66	16 oz. 319/16 in.	10–31–66				
Monroe	10– 3–66	26 oz. 43/16 in.	10–17–66	24 oz. 41/16 in.	11–21–66		
Rue	10– 3–66	30 oz. 45/16 in.	10–10–66	24 oz. 315/16 in.	10–24–66	18 oz. 39/16 in.	11– 7–66
Booth 5	10–10–66	16 oz. 39/16 in.	10–31–66				
Hickson	10–10–66	15 oz. 35/16 in.	10–24–66	12 oz. 31/16 in.	10–31–66		
Simpson	10–10–66	16 oz. 39/16 in.	10–31–66				
Vaca	10–10–66	16 oz. 39/16 in.	10–31–66				
Sherman	10–10–66	16 oz.	10–24–66	14 oz.	11– 7–66	10 oz.	11–28–66
Marcus	10–10–66	32 oz.	11–21–66				
Booth 10	10–17–66	16 oz. 39/16 in.	11–14–66				
Booth 7	10–17–66	16 oz. 39/16 in.	10–31–66	14 oz. 39/16 in.	11–14–66		
Avon	10–17–66	15 oz. 39/16 in.	11– 7–66				
Booth 11	10–17–66	16 oz. 39/16 in.	11– 7–66				
Leona	10–17–66	14 oz. 39/16 in.	10–31–66				
Winslowson	10–17–66	18 oz. 31/16 in.	11– 7–66				
Nelson	10–17–66	14 oz. 39/16 in.	10–31–66	12 oz. 39/16 in.	11–14–66	10 oz. 39/16 in.	12– 5–66
Catalina	10–24–66	18 oz.	11–14–66				
Hall	10–24–66	20 oz. 39/16 in.	11– 7–66				
Lula	10–24–66	18 oz. 31/16 in.	11– 7–66	14 oz. 39/16 in.	11–21–66		
Choquette	10–24–66	24 oz. 41/16 in.	11–21–66				
Herman	10–24–66	16 oz. 39/16 in.	11– 7–66	14 oz. 39/16 in.	11–21–66		
Chica	10–24–66	15 oz.	11– 7–66	13 oz.	11–21–66	10 oz. 39/16 in.	12–12–66
Murphy	10–24–66	16 oz.	11– 7–66	14 oz.	11–21–66	11 oz.	12–12–66
Ajax (B7-B)	10–31–66	18 oz. 31/16 in.	11–21–66				
Booth 1	10–31–66	16 oz. 39/16 in.	11–21–66				
Booth 3	10–31–66	16 oz. 319/16 in.	11–21–66				
Taylor	10–31–66	14 oz. 39/16 in.	11–21–66				
Dunedin	11–14–66	16 oz. 319/16 in.	11–28–66	14 oz. 39/16 in.	12–12–66	10 oz. 39/16 in.	1– 2–67
Byars	11–21–66	16 oz. 31/16 in.	12–12–66				
Linda	11–21–66	18 oz. 39/16 in.	12–12–66				
Nabal	11–21–66	14 oz. 39/16 in.	12–12–66				
Wagner	12–12–66	12 oz. 39/16 in.	1– 2–67				
Schmidt	1–23–67						
Itzamna	2–20–67						

(3) During the period from 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 2 of Table I and 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 4 of such table, no handler shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective variety in Column 3 of such table or is of at least the diameter specified for such variety in said Column 3;

(4) During the period from 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 4 of Table I and 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 6 of such table, no handler shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective variety in Column 5 of such table or is of at least the diameter specified for such variety in said Column 5;

(5) During the period from 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 6 of Table I and 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 8 of such table, no handler shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective variety in Column 7 of such table or is of at least the diameter specified for such variety in said Column 7;

(6) During the period beginning at 12:01 a.m., e.s.t., October 17, 1966, and ending at 12:01 a.m., e.s.t., November 7, 1966, no handler shall handle any avocados of the Booth 5 variety unless the individual fruit in each lot of such avocados weighs at least 10 ounces or is at least 3 1/16 inches in diameter, and during the period beginning at 12:01 a.m., e.s.t., November 7, 1966, and ending at 12:01 a.m., e.s.t., November 14, 1966, no handler shall handle any avocados of the Booth 8 variety unless the individual fruit in each lot of such avocados weighs at least 8 ounces or is at least 2 13/16 inches in diameter;

(7) Except as otherwise provided in subparagraphs (9) and (10) of this paragraph, varieties of the West Indian type of avocados not listed in Table I shall not be handled except in accordance with the following terms and conditions:

(i) Such avocados shall not be handled prior to 12:01 a.m., e.s.t., July 4, 1966.

(ii) During the period beginning at 12:01 a.m., e.s.t., July 4, 1966, and ending at 12:01 a.m., e.s.t., July 11, 1966, the individual fruit in each lot of such avocados shall weigh at least 16 ounces.

(iii) During the period beginning at 12:01 a.m., e.s.t., July 11, 1966, and ending at 12:01 a.m., e.s.t., August 1, 1966, the individual fruit in each lot of such avocados shall weigh at least 14 ounces.

(iv) During the period beginning at 12:01 a.m., e.s.t., August 1, 1966, and ending at 12:01 a.m., e.s.t., September 19, 1966, the individual fruit in each lot of such avocados shall weigh at least 10 ounces.

(8) Except as otherwise provided in subparagraphs (9) and (10) of this para-

graph, varieties of avocados not covered by subparagraphs (2) through (7) hereof shall not be handled except in accordance with the following terms and conditions:

(i) Such avocados shall not be handled prior to 12:01 a.m., e.s.t., September 19, 1966.

(ii) During the period beginning at 12:01 a.m., e.s.t., September 19, 1966, and ending at 12:01 a.m., e.s.t., October 17, 1966, the individual fruit in each lot of such avocados shall weigh at least 15 ounces.

(iii) During the period beginning at 12:01 a.m., e.s.t., October 17, 1966, and ending at 12:01 a.m., e.s.t., December 19, 1966, the individual fruit in each lot of such avocados shall weigh at least 13 ounces.

(9) Notwithstanding the provisions of subparagraphs (2) through (8) hereof regarding the minimum weight or diameter for individual fruit, up to 10 percent, by count, of the individual fruit contained in each lot may weigh less than the minimum specified weight and be less than the minimum specified diameter: *Provided*, That such avocados weigh not more than 2 ounces less than the applicable specified weight for the particular variety as prescribed in Columns 3, 5, or 7 of Table I or in subparagraphs (6), (7), and (8). Such tolerances shall be on a lot basis, but not to exceed double such tolerances shall be permitted for an individual container in a lot.

(10) The provisions of subparagraphs (2) through (9) of this paragraph shall not apply to any variety, except the Linda variety, of avocados which, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color for that fruit when mature.

(c) Terms used in the amended marketing agreement and order, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; the term "diameter" shall mean the greatest dimension measured at right angles to a line from the stem to the blossom end of the fruit; and the term "U.S. No. 2" shall have the same meaning as set forth in the U.S. Standards for Florida Avocados (7 CFR 51.3050–51.3069).

(d) The provisions of this regulation shall become effective at 12:01 a.m., e.s.t., May 23, 1966.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 19, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5678; Filed, May 20, 1966; 8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Payment-In-Kind (GR–369); Rev. III, Amdt. 1]

PART 1481—RICE

Subpart—Rice Export Program

SUBMISSION OF OFFERS, AND EXPORT PAYMENT RATES

The regulations issued by the Commodity Credit Corporation governing the Rice Export Payment-in-Kind Program (GR–369) (30 F.R. 778) are, with regard to any offer to export submitted by an exporter on and after date of publication of this Amendment 1, amended as follows:

The closing paragraph of § 1481.106 *Submission of offers*, is amended to read:

§ 1481.106 Submission of offers.

* * * * *

An exporter may submit more than one offer for consideration on any stated date. CCC reserves the right to accept or reject any or all offers and to waive any informality in connection with any offer. An offer will be considered in its entirety only, and any offer containing terms or conditions other than those authorized in this subpart will not be considered.

Paragraph (a) of § 1481.113 *Export payment rates*, is amended to read:

§ 1481.113 Export payment rates.

(a) CCC will issue rate schedules prior to the effective date of such schedules listing the rates expressed in dollars and cents per hundredweight applicable to various classes and kinds of rice exported in accordance with this program. All rate schedules will be numbered, dated, and identified with this program, and will be effective for a period which shall be the longer of (1) the period specified in the rate schedule, or (2) a period which ends on the calendar day preceding the effective date of the next rate schedule issued.

* * * * *

Effective date: On date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 18, 1966.

C. R. ESKILDSEN,
Acting Vice President, Commodity Credit Corporation, Administrator, Foreign Agricultural Service.

[F.R. Doc. 66–5596; Filed, May 20, 1966; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 991]

[Docket No. AO–357]

HOPS OF DOMESTIC PRODUCTION

Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed Marketing Agreement and Order

Pursuant to the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk, U.S. Department of Agriculture, of this recommended decision of the Department, with respect to a proposed marketing agreement and order (hereinafter referred to collectively as the "order") regulating the handling of domestically produced hops. Any order that may result from this proceeding will be effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 et seq.), hereinafter referred to as the "act."

Interested persons may file written exceptions to this recommended decision with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250. To be considered, exceptions must be filed not later than June 3, 1966. They should be filed in quadruplicate. All such communications will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The public hearing on the record of which the order is based was held in Yakima, Wash., March 1, through March 8, 1966, pursuant to a notice of hearing which was published in the FEDERAL REGISTER on February 8, 1966 (31 F.R. 2479). The notice contained a proposed marketing agreement and order prepared and submitted by a group of hop growers from the States of Washington, Oregon, Idaho, and California, known as the "Four State Hop Study Committee."

Material issues. The material issues presented on the record of the hearing are as follows:

(1) The existence of the right to exercise Federal jurisdiction;

(2) The need for the proposed regulatory program to effectuate the declared policy of the act;

(3) The specific terms and provisions of the order, including:

(a) Definitions of the commodity, the area, the persons to be regulated, and those other terms set forth in the notice of hearing which are applicable to the provisions of the proposed program;

(b) The establishment, maintenance, powers, and duties of a Hop Administrative Committee, which shall be the administrative agency for the program;

(c) The establishment, maintenance, powers, and duties of a Hop Advisory Board which shall be advisory to the committee;

(d) Procedures applicable to the committee and the Board;

(e) Authority for marketing research and development projects and the method of financing them;

(f) Authority for quality control and provisions for hop inspection and identification;

(g) Exemption of hops harvested prior to effective date of the program;

(h) Annual marketing policy procedures and a method for limiting the quantity of hops to be handled to normal market requirements;

(i) Allotment of the quantity to be handled among the producers thereof;

(j) Reserve pooling of hops in excess of normal market requirements;

(k) Transfer of producer allotment bases;

(l) The authority for the committee to incur expenses and for the Secretary to levy assessments on handlers;

(m) Establishment of reporting and related record keeping requirements; and

(n) Additional terms and conditions as set forth in the notice of hearing as §§ 991.70 through 991.83.

Findings and conclusions. The findings and conclusions on the aforementioned material issues, all of which are based on the evidence adduced at the hearing and the record thereof, are as follows:

The proposed program should regulate the handling of hops by restricting the volume of hops which may be freely handled by handlers. It should provide a method for allotting the quantity of hops from any crop among handlers based on amounts sold by producers during a representative period determined by the Secretary to the end that the total quantity to be handled from such crop will be apportioned equitably among producers. This is for the purpose of carrying out the declared policy of the act by establishing and maintaining orderly marketing conditions and increasing returns to producers of hops as provided therein.

(1) Hops are baled by growers and sold to dealers for shipment throughout the world. No significant differentiation occurs in producer sales or processing as between hops for use within the State of production as compared with hops for use in other parts of the United States or the world. If a program regulating only interstate commerce in hops were to be made effective, the market for hops in some States of production would be greatly overburdened with the unregulated supplies, and this would result in differing and lower prices in such States. The evidence of record is that all movement of hops in marketing channels is inextricably intermingled and in direct competition, and hence, it is concluded that the handling of hops within the respective States of production directly burdens, obstructs, and affects interstate and foreign commerce to such an extent as to make necessary the regulation of intrastate commerce in hops as well as the interstate and foreign commerce.

(2) Prices received by growers of hops averaged 45.8 cents on the 1965 crop of 56.1 million pounds, or about 70 percent of the February 1966 parity of 65.7 cents per pound. Recent acreage and production trends indicate a buildup in inventories, and such are normally accompanied by lower grower returns in later years. Hop stocks on September 1, 1966, are expected to be between 26.8 and 27.5 million pounds or an increase of between 4.7 and 5.4 million pounds when compared to the last year level of 22.1 million pounds. Hop production in the States of Washington, Oregon, Idaho, and California during the years 1961–1965 has ranged from a low of 35.5 million pounds in 1961 to 56.1 million pounds in 1965. Harvested acreage has increased from a post World War II low of 22,900 acres in 1961 to 32,700 acres in 1965.

Current production exceeds utilization and has caused an increase in inventory. As previously discussed, such an increase is generally accompanied by lower prices to growers in ensuing years. Downward adjustments in inventory can be expected in the future either as a result of economic pressures, acreage reduction, or as a result of production guides which would be reflected by operation of the proposed order.

The demand for hops, both in the United States and abroad is inelastic. This is reflected by wide fluctuations in the spot market prices of hops in response to relatively small supply changes in world production. In the United States, use of future contracts has somewhat stabilized prices but not supplies, and a substantial price response to changes in supply is still evident in the spot market. While growers endeavor to protect their investments through use of long-term contracts, it must be noted that the contracts do not contain provisions for increased costs of production nor for any general inflation. Instead, the contract prices recognize trends in inventory and spot market prices. It is the combination of both the spot and contract prices that determines the average price received by growers.

Hence, a falling price for hops results in a reduced average grower price.

A potentially important factor in the future demand for hops is the increasing use of hop extract. An equivalent amount of hops in the form of extract makes considerably more beer than when hops are used in the traditional manner. The quantity of hops used in the production of extract in the United States has risen from 281,000 pounds in 1960 to 1,975,000 pounds in 1964. However, due to their high brewing value and price differential from foreign hops, U.S. hops are expected to have a high demand for use in extract.

U.S. production of beer which held at close to 90 million barrels per year from 1946 to 1958, has taken an upward trend and has increased from 94.4 million barrels in 1960 to 106.7 million barrels in 1964. For the same period, the quantity of hops used as hops and the hop equivalent of extract has ranged from 29.8 million pounds in 1960 to 32.3 million pounds in 1964. The "hopping rate," which is the quantity of hops or hop equivalent of extract used per barrel of beer, has had a long time decline and decreased from 0.316 pound per barrel in 1960 to 0.303 pound per barrel in 1964. U.S. exports of hops have increased from 17.4 million pounds in 1960 to 22.5 million pounds in 1964. Imports of hops have ranged from 5.4 million pounds in 1960 to 6.5 million pounds in 1964. Foreign hops are priced considerably higher than domestic hops. However, certain brewers have been willing to pay the higher prices because of special characteristics of the imported hops.

Concern was expressed at the hearing that the order would constitute acreage control. However, the effect of the program will be to institute poundage allotments, and the program will not deal with production or acreage controls per se. The act specifically provides for limiting the quantity which handlers may handle on the basis of that which producers have sold in a representative period. This authorization is the basis of the order and provision is made to cause hops in excess of the quantity that may be handled in a crop year, to be pooled and disposed of by the committee.

It was also contended that the order would deny entry into hop growing to any new producer, would restrict expansion of acreage, would create a monetary value for an allotment base, and would restrict plantings on new varieties needed. However, the evidence of record is that consideration has been given to these matters; and the program has been designed to give the fullest possible flexibility to producers consistent with program objectives. It was stated further that, should the order become effective, European acreage would expand, foreign imports into the U.S. would increase, U.S. exports would decrease as U.S. hops would lose their price advantage and, without the order, the entire U.S. current production can be sold. However, the record shows that any likely price increase under the proposed regulatory program would have little effect on U.S. exports and that the sale of present production at existing price levels is not economically feasible.

It was also contended, that the world-wide supply of hops is in balance with demand and that as a result of future contracts, stability and orderly marketing prevail in the U.S. hop industry. However, there is evidence that the existing methods of sale permit wide fluctuations in production and in spot market prices and declines in contract prices to producers to cost of production levels or below. Producers of hops have substantial investments in their trellis systems, drying kilns and picking machines which can be used only for the production and processing of hops. Hence, removal of hop lands and the shifting to other crops could cause substantial economic losses to producers. The order could, through providing the equivalent of production guides, tend to tailor the supply of hops consistent with trade demand, discourage excessive stock build-up, and stabilize returns to producers, and thereby tend to effectuate the declared policy of the act.

(3) (a) "Secretary" should be defined to include the Secretary of Agriculture of the United States, and in recognition of the fact that it is physically impossible for him to perform personally all of the functions and duties imposed upon him by law, any other officer or employee of the U.S. Department of Agriculture who is or who may hereafter be authorized to act in his stead.

"Act" should be defined within the order to provide a ready and correct legal citation for the statutory authority pursuant to which the order is to be operative and to make it unnecessary to refer to the citation whenever the word "act" is used.

"Person" should be defined as it is in the act to ensure that when it is used in the order it has the same meaning.

"Hops" should be defined as the green or dried pistillate cones of the vine Humulus lupulus or Humulus americanus grown in the production area and should include any residues from the preparation of hops for market, whether or not in the form of whole hops or portions of hops or lupulin, which can be used for a purpose for which hops are used. The cones are the portion of the hop plant sold commercially and the definition should cover all hops grown in the production area for sale. It is necessary to include residues, such as lupulin, because they compete with hops for use in the production of malt beverages and extract.

"Salable hops" should be defined as those hops released for handling (including commercial acquisition or use) by the allotment percentage pursuant to § 991.37 and which constitute the annual allotments of producers. This definition is also needed to describe the hops which dealers and brewers may freely acquire and use.

"Production area" should be defined to mean all States with commercial hop production, i.e., Washington, Oregon, Idaho, and California. If other States become commercial producers, they should, if necessary for successful program operation, by amendment of the order, become part of the production area and subject to program regulation thereunder. In such case, producers therein could obtain allotment bases pursuant to § 991.38 of the order, or, if impracticable, an allotment base should be issued so as to achieve a like method of allotment. For purpose of representation on the administrative committee, hereinafter discussed, the production area under the order should be divided into four districts:

District 1—State of Washington.
District 2—State of Oregon.
District 3—State of Idaho.
District 4—State of California.

The term "Producer" should be deemed to be synonymous with "grower" and should be defined to mean any person engaged in a proprietary capacity in the commercial production of hops. Such producers should be described as cooperative producers—those who are members of, and market their hops through, a cooperative hop marketing association—and independent producers—those who are not members of a cooperative marketing association. This distinction is needed in connection with the Hop Administrative Committee hereinafter discussed. A producer should be the person who produces the hops and has a proprietary interest therein and, hence, the one engaged in a proprietary capacity in production. In sharecropping arrangements, each person receiving a share of the crop would be a producer. A cash renter of hop acreage who produces hops therein and has the full right of disposition of the crop, would be the producer.

"Handler" should be defined as any person who handles hops. For regulatory, assessment and reporting purposes, certain obligations are placed on handlers and such persons should be defined.

"Handle" should be defined to mean to prepare hops for market, acquire hops, use hops commercially of own production, or sell, transport, or ship (except as a common or contract carrier of hops owned by another) or otherwise place hops into the current of commerce within the production area or from the area to points outside thereof, except that the preparation for market of salable hops by producers, not dealers or brewers, or the sale, transportation or shipment of such hops by a producer to a handler of record shall not be construed as handling. This definition is to so define "handle" as to assure that all hops grown in the production area are subject to control under the proposed order. Failure to include all such hops would impair the ability of the order to effectuate the purpose of the act.

Hops are normally dried and baled on the ranch by the producer. In doing so, he performs the preparation for market—handling function—as well as the production function. Preparation for market of salable hops (i.e. hops other than reserve hops or substandard hops) or the sale, transportation or shipment of salable hops to a handler of record should not be considered handling as

such hops would be acquired by handlers who would dispose of them into normal channels of distribution. Some brewers grow hops and their acquisition and use should be considered handling to avoid their escaping regulation. Such brewers should be regarded as acting in three separate capacities, first as producers, second as handlers, and third as consumers and in their handling capacity should be subject to the regulatory provisions of the order. Sale, transportation or shipment of hops from the point of production should be included to cover those further acts of handlers which directly place hops into the current of commerce. However, the movement of hops by a producer to storage, or custom drying and baling, within the area of production need not be construed as handling as such acts would not be placing the hops into the current of commerce. Hops produced and prepared by the producer-brewer for its own use, and hops produced and prepared for market by a producer-dealer, should each be considered as acquired (i.e. handled) for regulatory and administrative purposes, at the time they are prepared for such use or prepared for market (i.e. dried and baled). Since both such producers perform handling activities with respect to hops, they should similarly be covered by the order to avoid their escaping regulation. The transportation or shipment of hops is not intended to apply to persons acting for handlers such as common or contract carriers since such persons perform a service, for a fee, and have no control over the acquisition or disposition of the commodity.

"Marketing year" should be defined to mean the period August 1 through July 31, inclusive, as this covers the period when new crop hops become available and are largely shipped, and it establishes an operation period for the levying of assessments and hence a fiscal year.

"Part" should be defined to mean the order regulating the handling of hops and all rules, regulations and supplementary orders issued thereunder. The order itself should constitute a subpart of such part. This use of such terms is in conformity with the practices of the Office of the Federal Register.

(b) The program should be administered by a Hop Administrative Committee. The committee should consist of 13 grower members and their respective alternates. Representation on the committee should be distributed among the States in the production area on the basis of their past records of production, the number of growers in each district and recognition of the principal producing areas. This basis of representation would provide equitable representation on the committee and would also provide the separate geographical districts with reasonable representation. This should be accomplished by giving District 1, with somewhat over half of the total production and approximately two-thirds of all hop producers, 7 positions (positions 1 through 7) on the committee. Each of the remaining districts due to similar production levels, should have 2 positions each (positions 8 through 13) on the committee. In District 1, approximately one-third of the 245 producers belong to one cooperative marketing association. A few other growers have also entered into various cooperative arrangements and, to the extent that such growers engage in cooperative marketing of hops, they, too, are categorized as cooperative producers. To provide cooperative producers with representation, roughly commensurate with their numbers and to ensure that they do not gain an undue number of members on the committee, by virtue of their voting capacity, they should be allocated positions 1 and 2 of the 7 District 1 positions on the committee. Hence, for purposes of nominating committee members, cooperative producer members should vote only for the two cooperative member positions and not for any of the five independent producer positions on the committee.

Due to the large size of District 1, said District should be divided into three subdistricts to permit nomination and selection of the independent producer members. The three subdistricts, as contained and described in § 991.15, are appropriate divisions of District 1 in that the three subdistricts follow natural boundaries and contain approximately 58, 52, and 55 producers, respectively. In recognition of such factors, each subdistrict should be assured one member each (positions 3, 4, and 5) on the committee and the producers in such subdistricts should be afforded opportunity to nominate persons for such positions. The remaining two positions (positions 6 and 7) should be "at-large" positions with the nominees chosen from among, and by, all independent producers in District 1. This would be a practical method for choosing 5 producer nominees from the three subdistricts. If the number of producers in any of the subdistricts should change so as to render the subdistricts unrepresentative, in terms of numbers of producers, the committee should be authorized to recommend to the Secretary realignment of the subdistricts into appropriate subdistricts; and to realign such subdistricts with the approval of the Secretary.

In other districts of the production area, cooperatives are not comprised of a significant portion of the total number of growers in those districts. Hence, all producers in such a district should participate in the nomination of the persons to represent the district.

To ensure that members of the committee have a direct interest in hop production, each member and alternate of the committee should at the time of his selection, and during his term of office, be a producer or an officer or employee of a producer in the district or subdistrict from which selected. At the hearing, considerable attention was devoted to the question of whether cooperatives would be represented on the committee in their capacity as a grower or as a handler. The cooperative positions on the committee should be for grower members of the cooperatives. Full time employees of cooperatives should not be eligible for committee membership even though they may also be growers of hops as their primary interest would likely be that of handlers. To ensure true representation by persons serving on the committee, eligibility on the committee should be limited to hop producers in the district or subdistrict which they represent, and if a committee member or alternate ceases to qualify as a producer at any time during his term of office, his position should be automatically vacated. No one individual should occupy more than one position on the committee simultaneously. In the case of growers or grower-dealers participating in more than one separate producing entity, each such entity would be considered a producer for purposes of voting at nomination meetings, and any officer or employee should be eligible for a position on the committee. This would provide each person as herein defined, who is a producer, an opportunity to serve on the committee.

Provisions should be included for growers in each district or subdistrict to nominate persons for each committee member and alternate position to represent them on the committee. Since the terms of office hereinafter provided will begin on January 1, nominations should be certified and submitted by the committee, to the Secretary not later than December 1 in order for the Secretary to complete his selection in time to coincide, to the extent practicable, with the beginning of the term of office. If, for any reason, the committee does not submit nominees to the Secretary by December 1, he should have the authority to select other qualified persons for the positions without nomination. This would be a safeguard to permit selection by the Secretary in instances where committee action is not completed. In submitting its nominees to the Secretary, the committee should provide such related information as it deems appropriate or as the Secretary may request. For purposes of obtaining the initial nominations (no committee being in existence), the Secretary should perform the functions of the committee.

Election procedures should be provided to give growers a method of selecting nominees for member and alternate member positions on the committee. The most practical method is for nominations to be submitted to the Secretary as a result of nomination meetings held by producers in each district or subdistrict. On the other hand, cooperative associations should submit their candidates for each position directly to the committee for certification to the Secretary, hence there is no need for the committee to convene cooperative marketing association nomination meetings. The committee should hold and give reasonable publicity to nomination meetings and should be permitted to use the principal grower organizations in each district or subdistrict to convene such nomination meetings. The principal grower organization is not intended to mean the Hop Commissions now operating, nor cooperative marketing associations, but

rather the dominant grower trade or service association in each of the districts or subdistricts. Each nominee member position and each alternate member position should be voted on separately, and the person receiving the highest number of votes for a particular position should be the nominee. The committee should supervise the conduct of nomination meetings and advise the Secretary of the election results. Eligibility to vote should be the same as eligibility to serve on the committee and no producer should have more than one vote for one position on the committee. Since producers' interest under the order would be generally similar in all districts, or subdistricts, each producer should choose the district or subdistrict in which he wants to participate in election of committee nominees if he produces hops in more than one district or subdistrict and he should be limited to voting in that district or subdistrict only. Changing conditions may make it desirable to change the nominating procedures. Therefore, provisions should be included for the Secretary, based on a committee recommendation, to modify such procedures if the need arises.

At an assembled meeting of the committee, all votes should be cast in person and a quorum of ten members should be required for the transaction of business and nine concurring votes should be required as a basis for committee decisions. If neither the member nor alternate for a particular committee position can attend a meeting, another alternate from the same district if not acting in lieu of the member to whom he is an alternate, should be permitted to serve in the place of the absent member and alternate. This is to provide, to the extent practicable, for full representation of each district. The voting requirement of nine affirmative votes is desirable so that representatives of more than one district must concur in all committee actions.

In order to facilitate the transaction of routine business by the committee without entailing the expense of attendance at assembled meetings, provisions should be made for the committee to vote by mail, telephone, telegraph, or other means of communication upon due notice to all members and alternates acting as members and upon the proposition being explained accurately, fully, and reasonably identical to all of them. It is possible that a member and his alternate may not be available at the time the vote is solicited. However, committee management should make every effort to contact all of the voters. If any such proposition is sufficiently controversial to cause a dissenting vote or if ten concurring votes cannot be obtained, the proposition should be presented at an assembled meeting. In obtaining a vote by one of these methods, a time limit should be announced to members and alternates acting as members to return their votes. Since this method of voting should be used largely for noncontroversial questions, a time limit is desirable to expedite the committee's business.

The enabling act provides in section 8c(7)(C) for the selection by the Secretary of an agency and defining its powers and duties which include only specified powers. These powers should be included in the order and thus would serve to notify the committee and other interested persons as to the extent of the powers of the committee.

In administering a program such as is herein set forth, the administrative committee would have many duties. To assist the committee in carrying out its responsibilities, it is desirable that its important duties be set forth in the order.

In order to carry out its business in an orderly manner, the committee should select from among its members such officers as it deems necessary and it should also adopt such bylaws or rules of procedure for the conduct of its operations as it deems necessary. It is intended that the committee should serve as a "board of directors" under a chairman, and that most of the operational functions of the committee be carried out by employees. It should, therefore, be one of the duties of the committee to appoint such employees as it deems necessary and to determine their compensation, and the duties to be performed by each.

The committee should have the power to collect assessments on handlers for administrative expenses and, with the approval of the Secretary, require various reports. With this responsibility, the committee should also have the obligation to the hop industry and the Secretary to keep adequate minutes, books and records to reflect program operations, prepare regular financial statements for the information of the Secretary and for producers and handlers, and have its books audited by a certified public accountant at least once each year. Audits may be desirable in connection with changes of management or for other reasons and should be made whenever the committee deems necessary or when requested by the Secretary. Two copies of all audit reports should be made available to the Secretary and, with confidential information deleted, a copy should be available to producers and handlers at the committee office.

It should be a duty of the committee to act as intermediary between the Secretary and producers and handlers. Since the committee is the administrative agency under the order, it would be in a position to handle most problems connected with program administration; and producers or handlers should not need to go to the Secretary on questions that can be handled by the committee. However, this is not intended to preclude any person going directly to the Secretary should he so desire.

To meet its marketing policy responsibilities and its reserve pool management responsibilities, it will be necessary for the committee to have data on crop and marketing conditions on which to make its decisions. It should, therefore, be a duty of the committee to investigate and assemble such information.

In its operation, the committee would necessarily be a primary source of information on the hop industry, and it should provide the Secretary, on request or as it deems desirable, any available information.

Because of the importance of committee actions to both the producers and the handlers, all meetings of the committee to consider regulatory actions should be made known to them. All handlers should be given individual notice of such meetings and notice should be made available to producers through press releases or other methods considered appropriate by the committee. Producers and handlers should be advised of regulatory actions taken.

Since the Secretary has responsibility for the order, he should be given the same notice of committee and subcommittee meetings as is given the members. Notice of committee meetings should also be regularly mailed to any person who requests such notification.

One of the primary duties of the committee should relate to compliance. In this connection, the committee should make every effort to keep producers and handlers informed of their responsibilities under the program and should assist those involved in areas of compliance to conform their activities with program requirements. Committee employees authorized access to confidential information should make regular periodic audits of handlers' operations to the extent necessary to enable the committee to ascertain compliance with the program's requirements.

(c) At the hearing considerable attention was directed to how the Hop Administrative Committee should be constituted and the role of handlers in administering the proposed marketing order program. The record shows that the program could be operated with some handlers (i.e., hop dealers) on the committee or with a grower committee assisted by an advisory board of such handlers. Also, that grower-dealers and grower-brewers should be permitted to be members of the committee in their capacity as growers. Thus, some hop dealers may have employees, concerned with production or working with producers, who are committee members. Since a major portion of the committee responsibilities will be concerned with producer allotments, it is not deemed essential that persons, in their capacity as dealers or brewers, be members of the committee. However, where matters of trade demand and marketing policy are concerned, the committee should have the advice of dealers and extractors, the persons concerned with buying, selling, or otherwise handling hops or hop products. Hence, there should be established a Hop Marketing Advisory Board made up of five members and their alternates—a board of adequate size and representation of handlers.

The Board should include representatives of the important segments of the hop distribution business. It should, therefore, include three positions (positions one through three), one position for each of the three largest hop handlers (as they handle the major portion of each crop), one position (position four) for all other hop handlers except hop extractors, and one position (position five) for hop extractors. An extractor should mean a person primarily engaged in extracting from hops their commercially important components and sell such extract. The committee should obtain a nominee for each position on the board from the persons to be represented by that position and certify such nominees to the Secretary by December 1 of even numbered years for consideration and selection. Each member or alternate should be a handler, or an officer or employee of a handler, in the position or group represented. Each of the respective handlers entitled to one member and alternate member should select and submit to the committee the nominees for such positions. For each of the remaining positions where several handlers are represented by the same member, the respective handlers should be selected at meetings or by mail ballot. Each such eligible handler should have one vote for each position and the person with the highest number of votes should be the nominee. Thus, the selection of nominees from among handlers for these two positions will conform to the nomination of producer representatives.

Duties of the board should include selection of officers and establishment of such bylaws as it deems necessary, and providing information and advice to the committee on marketing policy and other matters considered pertinent by it or requested by the committee. The board should accept any information pertinent to marketing policy it may receive from handlers (including any brewer or consumer of hops) and consider it in making recommendations to the committee. Since operation of the order would affect handlers, the committee should make extensive use of the board and both groups should be free to convene separately or jointly as circumstances warrant.

(d) Provisions should be included for selection by the Secretary of qualified persons for each position on the committee and the board. Selection should normally be from nominees submitted by the committee, but in the event nominees are not submitted or those submitted are not deemed qualified or acceptable by the Secretary, provisions should be included for the Secretary to select committee and board members from among other eligible persons. In order to verify their willingness to serve, persons selected should qualify by filing a written acceptance with the Secretary prior to assuming the duties of their respective positions.

To maintain continuity of experience gained under the order, membership on the committee should extend for 2-year terms with the terms of those occupying odd numbered positions ending on December 31 of odd numbered years and those holding even numbered positions ending on December 31 of even numbered years. Due to the nature and size of board membership, handler composition thereof would not be likely to change very often and continuity would not appear to be a problem. Therefore, there is no need to stagger the terms of board members and they should serve for 2-year terms ending on December 31 of even numbered years. However, to avoid initial short terms of office of committee and board memberships, in the event the order should be approved and become operative during the current year, the terms of the initial even numbered positions on the committee and of all positions on the board should extend to December 31, 1968. The December 31 expiration date will permit the new committee membership to organize, consider, and adopt the marketing policy prior to March 1. Also, in the interest of continuity, the committee and board members should serve for the term for which they are selected and until their respective successors are selected and have qualified.

Provisions should be included for alternate members to act in place of committee or board members when the member is absent from a meeting or unable to participate in a vote on a matter for which a meeting is convened. Alternates may also be needed to act in places of members whose positions have been vacated for such reasons as death, resignation, removal or disqualification.

Vacancies occasioned by death, removal, resignation, or disqualification of committee and board members can be expected from time to time. Provisions should be made, in such cases, for the committee to certify to the Secretary a successor for the unexpired term depending upon the remaining length of the term and other aspects of the situation at the time. Vacancies should not be required to be filled, but should be filled at the discretion of the Secretary. In this connection, where a vacancy occurs near the end of the term when little or no further business by the committee or board is contemplated, filling such a vacancy would appear to serve no useful purpose.

Evidence was presented at the hearing that committee and board members, as well as alternates, should be willing to serve without compensation. However, since they will incur certain expenses in connection with their committee and board duties, provisions should be included in the order for payment by the committee of necessary expenses incurred by committee and board members, and alternates, in performance of their authorized duties.

(e) Provisions should be included for the committee to engage in marketing research and development projects designed to assist, improve, or promote the marketing, distribution and consumption of hops. Such projects should be financed through regular assessment funds, except that if they involve reserve hops, the cost should be allocated as an expense to the reserve pool. While the hearing record shows a strong interest in hop production research, projects are presently limited by the act to the area of marketing research and cannot include research on hop culture. No commitments or expenditures for any appropriate project should be made until the project is approved by the Secretary. This safeguard is important to ensure that projects will be within the scope of the authorized area of activity and will not duplicate other projects being undertaken by members of the industry or other agencies.

Hop dealers have done a great deal of effective promotional work in foreign markets and the U.S. Brewer's Association has done considerable work on hop quality. The State universities and hop commissions of the various States also have engaged in various marketing research projects. Marketing research and development projects undertaken by the committee could be done in cooperation with such persons and should not involve duplication.

While the committee may not engage in cultural research, it should facilitate projects that may contribute to more efficient production and thereby improve returns to producers. For instance, to permit the handling of hops that were grown for experimental purposes, provision should be included in the order for the committee, with the approval of the Secretary, to adopt rules and regulations whereby such hops are granted exemption from part or all of the regulations pursuant to the proposed order.

(f) Provisions should be included in the order for the Secretary, based on the committee's recommendation or other information, to establish minimum quality standards for hops. Some poor quality hops are likely to be produced and, under conditions of limited supply, they would tend to be sold in normal markets; however, sales of such hops could be to the detriment of the long run demand for hops grown in the production area. The committee should, therefore, have authority to recommend such standards for hops setting forth a maximum tolerance for leaf and stem content and such other quality factors as may be found necessary to protect the demand for hops in the domestic and foreign markets. Therefore, upon the basis of such recommendation or information, the Secretary should establish such minimum quality standards as would tend to effectuate the objectives of the program and the declared policy of the act. In the event such standards are made effective, hops not meeting such standards should be designated "substandard hops" and should not be acquired or used by any handler. Except for disposition within a producer's own farming operations, substandard hops should be prohibited from being disposed of to persons other than the committee or its designees. This will permit only the committee to divert such hops away from normal trade channels, and thereby assure achievement of program objectives. Net returns from the disposition of such hops should be distributed to equity holders as their interest appear.

It is now normal industry practice to have all hops inspected and certified by the Federal-State inspection services for leaf and stem content. These quality factors are generally used as a basis for determining the value of the hops and the price paid to the producer. Also, a significant part of the crop is in-

spected by buyers for other factors of quality, including laboratory tests for brewing value. Both the opponents of a marketing order and those advocating it agreed that quality maintenance was essential to growth of the market for hops.

Emphasis which different brewers, both in the United States and in foreign countries, place on certain quality factors varies considerably. However, any industry, whether or not operating under a marketing order may contact the applicable commodity division of the Consumer and Marketing Service, U.S. Department of Agriculture, for assistance in developing U.S. Standards for voluntary use. If such U.S. Standards are issued, they could prove useful as a basis of reference in recommending and establishing minimum quality standards under the order. It was proposed at the hearing that any proposed quality regulations should be submitted to a producer referendum for approval. However, producers, through their representatives on the committee, are assured adequate protection of the producer's interest, hence a referendum is not necessary. Since the committee would have access to knowledgeable people in the industry and could obtain the assistance of USDA Standardization Personnel, it should be able to conclude on adequate quality standards. Hence, a separate quality control board as was proposed by a brewer representative, to establish quality standards and administer all aspects of their operation, is not essential nor can the cost of another agency be justified. However, the committee may need the technical advice of brewers and dealers and they should be consulted whenever the technical aspects of quality are under consideration by the committee.

The order should require such inspection and identification of all hops as is essential for sound administration of the program, determination of compliance and relative values of salable and reserve pool hops. The committee will need inspection to obtain data on the quality of producer deliveries as a guide to industrywide production capability in complying with minimum quality standards that may be made effective. Should minimum standards be prescribed under the order, inspection and certification would be the means of determining whether or not the hops conform with such standards. The inspection agencies should be the Federal-State inspection services (those presently performing hop inspection and with inspectors licensed by the U.S. Department of Agriculture); and the cost of inspection should be borne by the applicant. The committee should use the inspection services, whose inspectors will be on the premises and have inspected the hops, to assist with any identification requirements under the order. For compliance purposes, no hop identification should be altered or removed by any handler while hops are under his control, except when incidental to disposition of such hops.

Most hops are delivered to dealers by November 1. In keeping with this normal practice and in order to facilitate delivery of reserve hops to the committee, the inspection and identification for all hops should be completed prior to November 15 or such other practicable date as may be established for those hops that are to be delivered to the reserve pool. This is necessary to avoid compliance problems, to minimize the cost of program administration and to permit the committee to plan the most advantageous disposition of reserve hops.

(g) The order should not cover hops harvested and baled prior to its effective date. The evidence of record is that no regulation should be applied to hops of the 1965 or earlier crops nor to any 1966 crop hops that have been harvested and baled prior to the effective date of the order. However, so that hops held by producers may be exempt from regulations, they should be released upon application made by the producer, to the committee, within 30 days after the establishment of the committee. Such release action should be performed by the committee at no expense to the producer, and upon release, any handler should be able to handle such hops free of regulation. Also, hops held by handlers on the effective date of the order should be exempt from its provisions but such hops need not be specifically released as they are already past the basic point of regulation, the point of acquisition by the handler.

(h) Producers begin to incur production cost shortly after March 1, and it is desirable to provide them with definite marketing guides as to the quantity of hops that may be salable so they can adjust their cultural and production plans accordingly. Since the marketing policy meeting is of importance to all segments of the hop industry, except as otherwise provided by the Secretary, but no later than March 1, or such earlier date as the committee, with the approval of the Secretary may establish, the committee and the board should meet jointly and the committee adopt its marketing policy for the ensuing marketing year.

It was testified that if the committee were to meet later than March 1 for the purpose of adopting marketing policy, producers would be placed in a position of attempting to "second guess" what action would be subsequently taken by the committee. Such uncertainty could disrupt cultural and production plans and restrict the benefits of the program.

In making its estimates, the committee should consider the prospective carryin of producers, handlers, and brewers, the desirable carryout, prospective imports, and other factors affecting market conditions. If these considerations indicate a need for limiting the quantity of hops marketed, the committee should recommend to the Secretary a salable quantity and allotment percentage, hereinafter discussed, for the ensuing marketing year. Also, the committee should consider all information and recommendations of the board in reaching marketing policy decisions.

The committee should meet again prior to August 1 of each year to review its marketing policy and, if conditions warrant, recommend to the Secretary an appropriate increase in the salable quantity and allotment percentage for the ensuing crop. Any increase should be to assure availability of adequate supplies in view of changes in market conditions that may have taken place. A decrease would not be practical in view of the time needed for rule making on the allotment percentage and to change producer allotments.

This is a "safeguard" provision and is included for that purpose as there is little likelihood, based on the data in evidence, that an August 1 change will be made.

Notice of marketing policy recommendations for a marketing year and any later changes shall be submitted promptly to the Secretary and also to all producers and handlers. This is necessary so all interested persons will be made aware of the marketing policy and can plan accordingly.

If for any reason the Secretary finds on the basis of the committee's recommendation or other information that limiting the quantity of hops that may be freely marketed from a given crop would tend to effectuate the declared policy of the act, he should determine the total salable quantity of hops that may be acquired by handlers to meet normal market requirements and establish an annual allotment percentage for the purpose of releasing such total salable quantity. If market requirements warrant release of supplies in excess of the total producer allotment base, an annual allotment percentage of over 100 percent should be established. The Secretary's action should normally be based on the committee's recommendation, but should also take into consideration other information. Other information might include such items as changes in crop or market conditions, the estimated season average price for hops and legal limitations, if any, that may be applicable. The salable quantity should be apportioned among producers on the basis of their individual allotment bases as discussed hereinafter. The order should provide that, in years when regulations are in effect, handlers are prohibited from handling other than salable hops so as to assure the handling of hops not in excess of the salable quantity. The prohibition should not apply to handling in the form of preparation of hops for market or of delivery of hops to the committee for pooling as the subsequent handling of such hops is subject to control under the order.

Due to the general practice of forward contracting by all segments of the hop industry, most of the 1966 crop of hops is already contracted to dealers and large parts of the 1967 crop are also committed. So that the order will cause a minimum of interference with existing contract commitments, the allotment percentage applicable to the 1966 and 1967 crops should not be established at less than 93 percent. Not less than 85 percent should be the allotment percentage in subsequent years so that dealers, exporters, and brewers, both domestic and foreign, will be assured an

adequate supply of hops to meet such contracts for future delivery. Since any volume regulation established after August 15, 1966, would not apply to the early deliveries in California, and hence, not the entire 1966 crop, no volume regulation should be established on or after that date for the 1966–67 marketing year, should the order be approved and become effective.

(i) Operation of the order should provide for apportioning among hop producers the total quantity of hops that may be purchased from them. To equitably apportion this quantity of hops, reliance should be based on past sales histories of the producers. This is appropriate for producers with mature hop yards; and producers with new acreage should have allotment bases consistent with that established for old acreage. The former method should rely on the most recent 4 years. The evidence of record is that the base for a producer with established and harvested acreage should be either the highest average amount per acre sold from any three of his 1962, 1963, 1964, and 1965 harvested acreages multiplied by his 1965 acreage on which a bona fide effort was made to produce and harvest hops, or 95 percent of the highest average amount per acre sold from either his 1962, 1963, 1964, or 1965 harvested acreage multiplied by his 1965 acreage on which a bona fide effort was made to produce and harvest hops. In 1961, total hop acreage harvested was reported at 22,900 acres as compared with 29,300 to 32,700 acres in the years 1962 through 1965. Hence, the latter 4 years are deemed to be a representative period for a producer allotment program. In view of the increase in acreage to 32,700 acres in 1965, the average per acre sales of the highest 3 years should be applied to the current 1965 acreage to equitably apportion, among the producers, the future quantities that may be purchased by handlers. The use of the average is to moderate the influence of the unusually bountiful year for any producer while providing each with a base reflecting his best years. The same principle is carried forward to permitting each producer 95 percent of his best year. Based on average yields for the four States, most producers had their bumper crop in 1965 and 95 percent of this is about equal to the previous 3-year average. The evidence of record is that 95 percent should be used.

It is the custom in some districts that hops planted in 1966 will be harvested in 1966 and in other districts harvested in 1967. Such acreage of hops if of the same variety should be multiplied by the average sales per acre in the producer's allotment base, in 1966 and 1967 respectively, and the poundages added to such base. This simplifies the subsequent granting of annual allotments. For purposes of allotment base determination, hops produced by brewers who use them in brewing should be treated as hops sold by producers.

If a producer does not have any applicable sales history, his allotment base should be determined so as to reflect allotments granted other producers. This approach for computation would be applicable in situations such as a new producer of hops, a current grower of hops who has shifted to a different variety of hops having substantially different yield characteristics, or to a producer who planted and harvested hops in 1965 in a district where first year harvesting is not a normal practice. For these situations, the allotment base for such acreage should be established at an amount equal to the average amount per acre for the like variety in the allotment base of other producers in the state or locality, whichever is applicable, in which the acreage is located. Such a system of arriving at an allotment base is considered equitable for overall operations of the order and should be used.

Granting of allotments on new acreage should be limited to firm commitments entered into and effective by February 8, 1966, the date the notice of hearing was published in the FEDERAL REGISTER and, to prove the intention to grow hops, be planted to hops no later than 1966. It is a normal practice for hops from both existing and planned acreage to be sold on future contracts one or more years beyond actual production. Under such contracts, producers incur various costs as well as obligations to deliver specified quantities of hops. It is also normal for handlers when entering into such contracts with producers to contract for delivery to brewers. With respect to new acreage where no hops were produced in 1965, it would be inequitable to both producers and handlers to deny allotment bases to producers who had made such firm contract commitments prior to the official notice. The industry had notice as early as November 18, 1965, the time of the producer meeting at which a decision was made to proceed with a potential marketing order. It was accepted by a majority of people attending the meeting that if such order was to contain poundage allotments for growers based upon existing production or commitments, a cutoff date had to be set for the purpose of computing allotments for commitments for new and additional acreage and to preclude the possibility of inflated allotment bases. Also, since hop production requires extensive preparation prior to actual harvesting, indications of commitments should include the actual planting of hops, completing construction of trellis, or such other indications of commitment as the committee, with the approval of the Secretary, concludes as clearly showing commitment.

The order should provide for the committee to establish each producer's allotment base, consistent with the allotment base provision and based on reports of handlers, producer certifications or other information, and to assign such base to each producer. The right of a producer receiving an allotment base, or his legal successor in interest, to retain all or a part of such allotment base should be dependent on a bona fide effort to produce the annual allotment. Failure to so do should result in such allotment base, being reduced by an amount equivalent to the unproduced portion of the annual allotment. To be construed as a bona fide effort, the producer should show the quantity of land involved, the year in which hops were planted, the quantity under trellis and such other indications which would conclusively indicate an effort to produce his annual allotment. Once a salable quantity is determined, every effort should be made by producers to fill the quantity. However, during the initial years of the program, trade demand and carryover may be such that to encourage producers to produce their full allotments would be to increase unnecessarily the quantity of hops which could be marketed. Hence, such requirement should be waived for the 1966 and 1967 crops for producers who apply for a waiver to the committee and who receive acknowledgement of such. Under the waiver, a producer with an allotment base established pursuant to § 991.38(a)(1) need not attempt to grow all his 1966 or 1967 annual allotment in order to maintain his allotment base. Future waiving of this requirement should be permitted to be established by the committee, if needed, with the approval of the Secretary, through rules and regulations.

The committee should consider the need for new allotment bases each year, both for new growers and existing growers. Some reasons for such action would be to satisfy demand for new or special varieties or to take care of an increased trade demand. It is possible that future demands for hops could exceed 100 percent of the total producers' allotment bases or whenever the committee determines that the maintenance of orderly marketing conditions will permit, the committee should be authorized, with the approval of the Secretary, to issue additional bases to either existing producers or new producers. However, the issuance of such bases should be pursuant to rules and regulations setting forth the conditions for issuance of such bases, and have the approval of the Secretary.

To permit sound administration of the program, it is necessary for each producer to annually advise the committee of the location(s) where he intends to produce his annual allotment, that he recognizes his obligation to report his production to the committee as well as other information. This should be facilitated by each producer filing an application data form with the committee confirming his recognition of obligations incidental to various provisions of the order, prior to the issuance to him of his annual allotment. The committee should then qualify and issue each producer his appropriate annual allotment. However, where the committee is notified by the producer that he intends to leave his acreage lie fallow or otherwise reduce his harvest, it should reduce the annual allotment consistent with the producer's action.

Producers have entered into various long-term contracts obligating them to deliver hops in future years, some of these running through the calendar year 1972. It was proposed that these contracts to exempt from quantity limitations under the regulatory program be-

ing considered if they were so worded as to constitute a legal obligation, to deliver a specific quantity of hops from specified acreage, and the contract was entered into and effective by February 8, 1966. Also, if the contract required, delivery of hops produced prior to 1971, such delivery of hops of his own production should be permitted, through 1970, to fulfill such contract terms. However, the delivery was not to exceed 100 percent of the allotment base of the producer. Objections were made, not to the principle of granting the exemption, but rather to the restrictions proposed which would preclude some long-term contracts from being eligible for the exemption. The producers were held to be subject to suit by dealers or brewers demanding full delivery on contracts whether or not permitted by the order. This was proposed to be corrected by permitting a producer with any written contract, with a handler or a brewer, to deliver hops if the contract were valid and enforceable in the absence of the order. The total number of these contracts is not known, nor the poundage of hops thereunder, but the evidence is that volume of hops under contract decreases sharply beyond 1968. Producers would continue to have their annual allotment determined by the application of the allotment percentage to the individual producer's allotment base. This percentage would be determined, without regard to the long-term contracts by dividing the total salable quantity by the total producer allotment base. Since substantial interference with contract obligations is not essential to achievement of the objectives of the order and to recognize that producers with long-term contracts at generally fixed prices, will not share in the possible increase in returns on salable hops sold by producers without such contracts, a provision to grant the exemption for all contracts on a specific quantity from specified acreage, and at a specified price, which would be valid in the absence of an order, is deemed appropriate and consistent with providing equity of treatment to the producers who may be affected by the order. In addition, such exemption should be applicable only to deliveries of hops produced prior to 1971 in fulfillment of contracts. However, the delivery limitation of 100 percent of the producer's allotment base should be included in the order to preclude deliveries in excess of the producer's production level (as determined by his allotment base) and to restrict the delivery of indefinite volumes as "overages" when permitted by the contract.

Provisions should be included in the order for a producer, who despite a bona fide effort produces less than his annual allotment of hops, to obtain hops at time of harvest from another producer who has grown supplies in excess of his allotment. The order should not permit a grower to intentionally not produce all or part of his annual allotment and still be qualified to acquire hops from another producer, that would otherwise be reserve hops, as this could permit a windfall to the nonproducer and thereby create a situation objectionable to producers generally. However, once a salable quantity has been established for a crop, due effort should be made to place that quantity on the market. In situations such as under production, the most expeditious way of doing so would be to provide for free transfers of hops from producers with an excess to producers with deficits in production. Whether a producer has made a reasonable effort to produce his annual allotment should depend on such things as whether he has sufficient hops under trellis to produce his allotment considering his previous yields, when the hops were planted, and whether he has followed normal commercial practices in growing and harvesting the hops. By time of harvest, the committee members and the manager should have knowledge of where deficits are likely to occur. Also, annual allotments would have been made and each producer informed as to the poundage of his salable hops. The transfers should occur prior to the time excess hops become reserve hops so as to freely permit the fulfillment of annual allotments. However, the committee should obtain the names of persons involved, the quantity, and such other information as it may need to administer the eligibility requirements of this provision. Experience may indicate the desirability of changing the foregoing requirements with respect to filling deficits and they should, therefore, be subject to modification by the committee, with the approval of the Secretary.

A producer producing less than his annual allotment, due to failure to make a bona fide effort, should not qualify to fill his deficiency with hops from another producer nor should a producer who did make the effort to produce but failed to exercise his option to fill all of his allotment by the date excess hops become reserve hops. This is necessary to cause valid transactions to be completed prior to such date and to limit the use of allotments to those producers making a bona fide effort to produce the hops and who exercise the option. Administration of this provision should be covered by rules and regulations to be prescribed by the committee with the approval of the Secretary.

The committee should set up means to act as a clearing house of information so that it may assist producers and handlers in locating and identifying any excess hops and in obtaining, insofar as practical, the total release of salable hops.

(j) Provisions should be made in the order whereby hops may be placed by producers into a reserve pool managed by the committee and available to it, for disposition as circumstances may warrant, to maintain and expand the demand for hops, and to meet trade requirements not satisfied by salable hops. Despite the guides to production created by the order, fluctuating yields and other factors can result in some hops being produced in excess of the salable quantity each year. Moreover, to preclude the possibility of excess hops entering normal channels of trade, all hops which have been prepared for market and are in excess of a producer's annual allotment should become reserve hops subject to committee control on November 1 or such other appropriate date as the committee, with the approval of the Secretary, may prescribe. Harvesting and baling operations are completed before this date. Contracts with dealers generally require delivery by the producer to the dealer by November 1 and hence hops held by producers, on and after that date would, in many cases, be reserve hops only. Hence, November 1 is a suitable date by which hops in excess of salable will be known and can be placed in the reserve pool. Delivery, storage, and disposition decisions by the committee, with respect to reserve pool, may differ from year to year and the committee should, therefore, be authorized to establish different dates if necessary. Only reserve hops delivered to the committee or its designees should be included in the reserve pool. Producer-handlers not wishing to deliver reserve hops to the pool should have the option, upon reporting the quantity, quality, and variety of hops to the committee, of disposing of such hops at the direction of the committee in nonnormal outlets. If a producer-handler decides to so dispose of any of his reserve hops that have already been inspected and identified, such disposition and the removal of identification should, for purposes of control, be done at the direction of the committee.

To assure fair and equitable pooling of reserve hops, the committee should establish a closing date for pooling and should pool reserve hops in a manner so as to accurately account for their receipt, storage, and disposition. The terms and conditions of receipt should be made known, by the committee, prior to the date such excess hops become reserve hops, so that pooling can begin promptly. To assure an equitable settlement of pool accounts, the committee should establish categories of reserve hops that are deemed necessary to reflect market differentials, i.e., categories in terms of quality and varieties and a schedule of relative values for the pooled reserve hops; and hops of different years' production should be in separate pools. So as to effectively administer the functions of the reserve pool, the committee should designate one of its employees as a reserve pool manager. Administration of the reserve pool should be in accordance with administrative rules and regulations prescribed by the committee, with the approval of the Secretary.

Since hops deteriorate with age, the committee should endeavor to dispose of reserve hops as soon as practicable following the date established in § 991.39 for delivery of reserve hops to the committee or its designees. Reserve hops should be released for the purpose of filling deficits in domestic and export trade requirements. However, consideration should be given to the current supply and demand conditions at the time such disposition is being considered, including the need and capability of producers first disposing of salable

hops. Hops in the reserve pool should be disposed of: (1) For use in normal market outlets to meet domestic and export trade requirements not satisfied by salable hops; (2) by release by the committee for use in marketing development projects; and (3) by disposal in nonnormal outlets to the extent that there is clearly no need to hold them in the pool until termination of the pool or (4) by permitting producers to exchange salable hops for reserve hops.

To enable it to dispose of pooled reserve hops in the best interest of the industry and to meet both domestic and export trade demand not satisfied by salable hops, the committee should be authorized to sell hops to handlers from the reserve pool. All offers to sell pooled reserve hops, extension of offer periods and withdrawals of offers prior to the expiration of such periods should be subject to the approval of the Secretary. In making an offer, the committee should look to the board for information as to supplies and usage, both domestic and foreign. To provide for orderly disposition of reserve pool hops, the committee should submit to the Secretary for his approval, rules or regulations, governing offers to handlers.

It is possible that pooled reserve hops which would otherwise be diverted should be made available for use by the committee, directly or through handlers, for marketing development projects, with the approval of the Secretary. Within such a project, pooled reserve hops could be provided to handlers at price levels which would enable handlers to penetrate difficult markets and so increase the demand for hops.

It should be provided that before the disposition of any pool in nonnormal outlets, producers be given an opportunity to exchange salable hops they hold for hops from the reserve pool. Such exchanges would be for the purpose of removing damaged or unsuitable hops from delivery as salable and should be subject to such terms and conditions as the committee, with the approval of the Secretary, establishes. Such exchanges should not be made until such time as is apparent that sales and dispositions from the pool into normal outlets or approved purposes have been completed.

To minimize pooling expenses, the committee should be authorized, with the approval of the Secretary, to divert as soon as practicable after delivery of reserve hops to the pool such quantities of reserve hops to mulch, fertilizer or other nonnormal outlets as the committee determines to be in excess of foreseeable needs for reserve hops. Such excess hops, including hops of low quality, should not be held to accrue unnecessary storage and administrative expenses. Moreover, hops remaining at the end of a pooling period should be disposed of to permit liquidation of the pool and avoid a buildup of holdings of reserve hops.

Proceeds from the disposition of reserve hops in each year's pool, after deduction of committee expenses of pooling, including expenses incurred by the committee in receiving, handling, holding or disposing of hops in such pool, should, except as otherwise prescribed, be distributed on a pro rata basis to all equity holders, or their successors in interest, taking into consideration the relative values of the hops and the quantity in the pool referable to the equity holders. To protect the pool income of those producing close to their annual allotment from those producing greatly in excess of their allotment, distribution of net proceeds should be so made that payment with respect to a quantity of hops not in excess of 10 percent of an individual producer's annual allotment is first made, in terms of the relative values thereof. In the case of a cooperative marketing association, committee expenses may be minimized by paying such pool proceeds to the association for inclusion in its returns to individual producer members and such should be done. The committee should make advance partial payments to equity holders or their successors in interest, whenever sufficient monies are received from sales or other dispositions of reserve hops, in excess of estimated total pool expenses. Operation of such pool will entail a certain amount of expenses for which the committee must be reimbursed. Since the committee is prohibited by the act from using administrative assessments to finance pooling costs of commodities held, the only source of funds to cover such expenses are those derived from disposition of hops in the pool or from advance payments from the participants in the pool. To pay expenses which exceed pool receipts, the committee should have a method of obtaining funds to cover such expenses. Therefore, provisions should be included in the order for the committee to require advances by equity holders to cover anticipated expenses. Persons not wishing to participate in the pool and to make such advances are provided, under the order, the option of disposing of their hops, under the supervision of the committee, in nonnormal outlets. The committee should provide a full accounting to the Secretary and to each equity holder, or his successor in interest, of reserve pool transactions. Such report should be made on or before December 1 or such other date as the committee, with the approval of the Secretary, may prescribe.

(k) According to the record, the order should not police or exercise jurisdiction over the transfer of hop production, by a producer with an allotment base, from one location to another. Moreover, local law and courts should protect persons concerned with any such transfer. A producer should be permitted to transfer from the location(s) where he grows hops to other land which he owns or leases, whether to shift to a different variety, utilize more efficient land or for other reasons. The committee should keep abreast of all changes of location of hop production by such means as are provided in § 991.38(c).

Transfers of allotment bases, in whole or in part, to other producers should be permitted to provide for continued use of allotment bases in such instances as a producer discontinuing the production of hops. Such transfers of allotment bases should be made only upon the person relinquishing the base and the applicant for the allotment base notifying the committee in writing and the transferee submitting evidence of capability to produce and harvest the applicable annual allotment in the first marketing year. However, he should be eligible, along with other producers, for any waiver of the production requirement pursuant to § 991.38(a)(2) of the order. In this manner, full freedom of transfers under the order would be permitted with respect to any purchase of hop acreage occurring subsequent to the 1965 hop harvest but prior to the effective date of the order, such purchase should be recognized as a transfer of such portion of the allotment base applicable to the acreage purchased and in production in 1965.

(l) Operation of the order would involve certain administrative and other expenses. Therefore, the committee should be authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred under the act. In order for these determinations to be made, the committee should submit a budget for each marketing year to the Secretary along with sufficient explanation of the budgeted items to enable the Secretary to make his determinations. The committee should also recommend an appropriate rate of assessment to obtain the necessary funds on the basis of the estimated salable quantity of the hops to be handled in such year.

The act requires that such expenses be borne by the handlers who are regulated under the program. Each handler should be required to pay to the committee, on demand, his pro rata share of the authorized expenses for each marketing year. Such pro rata share should be the rate of assessment fixed by the Secretary times the number pounds of salable hops which each handler handles. Assessments should be levied on only salable hops each year, as reserve hops should not be assessed as they would either go to the reserve pool or be disposed in nonnormal outlets. To avoid duplication of assessments on hops, assessments should be levied on the handler acquiring hops of his own production or from the original producer. If funds to operate the program are not available due to an unanticipated reduction in the salable amount, provisions should be included for the Secretary to increase the assessment rate to cover authorized expenses. To cause equitable sharing of expenses, irrespective of the proportion of his needs a handler has acquired, increased rates should apply to all hops handled during that particular marketing year. There may be years when a short crop or excessively high prices make operation of the regulatory provisions of the program unwarranted, but certain administrative costs would continue and provisions should be made in the order for payment of such expenses as may be necessary to maintain continuity of the committee and administrative functions.

An operating reserve fund, not to exceed approximately one marketing year's operational expenses should be authorized to provide funds for operation during the early months of the marketing year prior to the availability of assessment income from that year's crop and to provide an optional source of funds in marketing years when the assessable quantity is insufficient. When it approaches the maximum authorized amount, or such lower limit as the committee, with the approval of the Secretary, may establish, subsequent assessment rates should be reduced to draw the reserve fund down to the desired level or, where circumstances dictate, the excess assessment money should be refunded to handlers on a pro rata basis, by returning sums which each paid in excess of his share of actual expenses and of the year's addition, if any, to the operating reserve. Only by permitting a refund of excess assessment money can the committee set a target sum in the operating reserve and definitely not exceed it at the end of a season.

Provision should be made, consistent with the concept of pro rata sharing of expenses, for disposition of any unexpended funds on termination of the program to be in such manner as the Secretary may direct, but to the extent practical, on a pro rata basis to the persons from whom collected.

(m) The committee would be expected to meet no later than March 1 to adopt and recommend its marketing policy and should meet prior to August 1 to review such marketing policy. In considering its marketing policy, the committee will need various statistical information, an important item in arriving at the salable quantity and computation of annual allotments being the quantity of hops held by handlers. Each handler should, therefore, be required to provide the committee with such information as it may request on hops held by him on January 1 and June 1 of each year. Under unusual marketing conditions, the committee may want to consider its marketing policy at other times and provisions should be included for the committee to get such inventory information on other dates if it becomes necessary.

For purposes of marketing policy consideration and as a basis for collection of administrative assessments, the committee should have regular reports from handlers on their receipts and acquisitions of hops from producers. Provisions should be included in the order for each handler to report to the committee on December 31 and such dates as the committee may designate, identifying marks, variety, weight, place of production and other necessary information for each lot of hops received. In addition, handlers should file with the committee, upon request, information on the weight and variety of hops acquired from each producer to assist the committee in establishing producer allotment bases.

In addition to these basic reports, the committee should be authorized, with the aproval of the Secretary, to obtain other reports from handlers when necessary to enable it to exercise its powers and perform its duties.

For compliance purposes and to provide opportunity to investigate and audit, records relating to the handling of hops and necessary to substantiate the required reports should be maintained and held by all handlers for at least 2 years after the end of the marketing year to which they apply. Also, provision should be made to permit conduct of audits by the Secretary or committee management of each handler's pertinent records and examination of the hops he receives and has on hand. Such audits would be necessary and should be made to resolve questions of program compliance. All such investigations should be carried out during normal business hours and should be limited to matters relating to administration of the order and regulations issued thereunder.

To protect each handler against disclosure of confidential information regarding his business to his competitors or to unauthorized persons, the order should provide that all reports and records furnished or submitted by handlers to, or obtained by, employees of the committee which contain data or information constituting a trade secret or disclosing the trade position, financial condition or business operations of the particular handler from whom received, should be treated as confidential and should at all times be kept in the custody and under the control of one or more employees of the committee who shall disclose the information to no person other than the Secretary. Committee and Department employees are precluded from disclosing such information by Department regulations and the act. Information on individual handler operations is not needed for marketing policy considerations by members of the committee and the information that is needed should be prepared by committee employees in consolidated form in such a way as not to reveal the position of individual handlers. Since the Secretary's responsibility includes disposition of individual cases of alleged violations of the order, it is necessary that he have access to confidential information relating to individual handlers.

(n) Except for § 991.78(b), the provisions of §§ 991.70 through 991.80, as hereinafter set forth are common to marketing agreements and orders now operating. The provisions of §§ 991.81 through 991.83 as hereinafter set forth are applicable only to the marketing agreement and are also generally common to the marketing agreements now operating. These provisions of the marketing agreement and order set forth certain rights, obligations, privileges or procedures which are necessary and appropriate for effective operation of the program. The provisions are incidental to and not inconsistent with section 8c (6) and (7) of the act and are necessary to effectuate the other provisions of the order, and to effectuate the declared policy of the act. Testimony at the hearing supports the inclusion of each of these provisions in the order.

Provisions should be included in § 991.78(b) requiring the Secretary to terminate the provisions of the order at the end of any marketing year whenever he finds that such termination is favored by a majority of the producers who, during a representative period determined by the Secretary (for purposes of this program, the preceding marketing year), produced for market more than 50 percent of the hops so produced. Such determination should be made on the basis of a referendum conducted by the Secretary to determine whether the requisite number of producers favor termination of the program. So that due notice is given and producers and handlers may prepare for possible termination, any referendum should be held during the first 15 days of October of a marketing year and if termination is favored it should be announced as soon as practicable, but not later than November 15, and be made effective as of the end of such marketing year.

Rulings on proposed findings and conclusions. The Presiding Officer announced at the hearing that interested persons could, not later than April 14, 1966, file with the Hearing Clerk proposed findings and conclusions, and written arguments or briefs, based on evidence received at the hearing. Briefs were filed by The United States Brewers Association, Inc., S. S. Steiner, Inc., John I. Haas, Inc., L. Oppenheimer & Company, Inc., Keller Hops Co., Inc., J. Sonnenschein Hop Co., Inc., John Barth, Inc., Hans Hinrichs Co., Inc., Martin Weilheimer, Inc., F. Bing, Inc., The Free Enterprise Hop Committee (a group of hop growers), George H. Gannon, doing business as Yakima Chief Ranch, and the proponent hop growers.

Each point included in the briefs was carefully considered, along with the evidence in the record, in making the findings and reaching the conclusions hereinbefore set forth. To the extent that any suggested findings or conclusions contained in any of the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the basis of the facts found and stated in connection with this recommended decision.

General findings. Upon the basis of the evidence introduced at such hearing, and the record thereof, it is found that:

(1) The marketing agreement and order, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said marketing agreement and order regulate the handling of hops grown in the production area in the same manner as, and are applicable only to persons in the respective classes of commercial or industrial activity specified in, a proposed marketing agreement and order upon which a hearing has been held;

(3) The said marketing agreement and order are limited in their application to the smallest regional production area which is practicable, consistent with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of hops grown in the production area which make necessary different terms and provisions applicable to different parts of such area, and

(5) All handling of hops grown in the production area, as defined in said marketing agreement and order, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

Recommended marketing agreement and order. The following marketing agreement and order (the sections identified with asterisks (***) apply only to the proposed marketing agreement) are recommended as the detailed means by which the foregoing conclusions may be carried out:

DEFINITIONS

§ 991.1 Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any other officer or employee of the U.S. Department of Agriculture who is, or who may be, authorized to perform the duties of the Secretary of Agriculture of the United States.

§ 991.2 Act.

"Act" means Public Act No. 10, 73d Congress, as amended and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 48 Stat. 31, as amended).

§ 991.3 Person.

"Person" means an individual, partnership, corporation, association, or any other business unit.

§ 991.4 Hops.

"Hops" means the green or dried pistillate cones of the vine Humulus lupulus or Humulus americanus grown in the production area and includes residues from the preparation of hops for market, whether or not such residues are in the form of whole hops, portions of hops or lupulin, which can be used for a purpose for which hops are used.

§ 991.5 Salable hops.

"Salable hops" means those hops released for handling, including commercial acquisition or use by the allotment percentage pursuant to § 991.37 and which constitute the annual allotments of producers.

§ 991.6 Production area.

"Production area" means all States with commercial production of hops and shall be divided into the following districts:

(a) District 1—Washington.
(b) District 2—Oregon.
(c) District 3—Idaho.
(d) District 4—California.

§ 991.7 Producer.

"Producer" is synonymous with "grower" and means any person engaged in a proprietary capacity in the commercial production of hops, including "cooperative" producers who are members of a cooperative hop marketing association and "independent" producers who are not.

§ 991.8 Handler.

"Handler" means any person who handles hops.

§ 991.9 Handle.

"Handle" means to prepare hops for market, acquire hops, use hops commercially of own production, or sell, transport or ship (except as a common or contract carrier of hops owned by another) or otherwise place hops into the current of commerce within the production area or from the area to points outside thereof, except that the preparation for market of salable hops by producers not dealers or brewers, or the sale, transportation or shipment of such hops by a producer to a handler of record, shall not be construed as handling.

§ 991.10 Marketing year.

"Marketing year" means the 12 months from August 1 to the following July 31, inclusive.

§ 991.11 Part and subpart.

"Part" means the order regulating the handling of hops grown in the production area and all rules, regulations and supplemental orders issued thereunder, and the aforesaid order shall be a "subpart" of such part.

HOP ADMINISTRATIVE COMMITTEE

§ 991.15 Establishment and membership.

A Hop Administrative Committee (hereinafter referred to as "committee") consisting of 13 members, each of whom shall have an alternate, is hereby established to administer the terms and provisions of this part. Positions 1 and 2 shall be for cooperative producers in District 1. Positions 3 through 7 shall be for independent producers in District 1, and shall be as follows: Positions 3 through 5 each representing one of three subdistricts of District 1; positions 6 and 7 representing independent producers-at-large in District 1. Positions 8 and 9 shall be for District 2 producers, 10 and 11 for District 3 producers, and 12 and 13 for District 4 producers. The subdistricts in District 1 shall be as follows: Subdistrict 1 shall be all that portion of the State of Washington lying north of the south line of Township 12 N. Subdistrict 2 shall be all that portion of the State of Washington lying south of the south line of Township 12 N, and west of the east line of Range 20 E. Subdistrict 3 shall be the rest of the State of Washington. The committee, with the approval of the Secretary, may change subdistrict boundaries to reflect significant changes in numbers of producers.

§ 991.16 Eligibility.

Each member and alternate of the committee shall be at the time of his selection and during his term of office, a producer, or an officer or employee of a producer, in the district or subdistrict for which selected and shall not be a full-time employee of a cooperative hop marketing association.

§ 991.17 Nominations.

(a) *General.* Producers in each district or subdistrict shall nominate persons for each committee member and each alternate position prescribed in § 991.15. Nominations shall be certified by the committee and submitted to the Secretary by December 1 of each year, together with information deemed by the committee to be pertinent or requested by the Secretary. If nominations for any position are not submitted in the specified manner by such date, the Secretary may select the representative for that position without nomination. For the purpose of obtaining the initial nominations, the Secretary shall perform the functions of the committee.

(b) *Committee members.* Nominations, other than for position 1 and 2, shall be submitted to the Secretary on the basis of nomination meetings held by producers in each district or subdistrict. The committee shall hold and shall give reasonable publicity to nomination meetings and may use the principal grower organizations in each district or subdistrict to convene meetings of producers; and the nominees for positions 1 and 2 shall be submitted directly to the committee for certification to the Secretary by the cooperative associations. The eligible person receiving the highest number of votes for a member or alternate position shall be the nominee for that position. Only producers eligible to serve on the committee from the district or subdistrict in which the nominations are being conducted shall be eligible to vote, and each producer shall have one vote for each position to be filled. No producer shall participate in the election of nominees in more than one district. In case he is a producer in more than one district or subdistrict, he shall select in which of such district or subdistrict he will vote and notify the committee as to his choice. If the Secretary concludes, on the basis of a recommendation of the committee, that this procedure is unsatisfactory, or should be changed for any reason, he may change this procedure through formulation and issuance of superseding regulations.

§ 991.18 Procedure.

At an assembled meeting, all votes shall be cast in person and 10 members of the committee shall constitute a quorum. Decisions of the committee shall require the concurring vote of at least nine members. If both a committee member and his alternate are unable to attend a committee meeting, any other alternate from the same district, if not acting, may act in the place of the absent member and alternate. The committee may vote by mail, telephone, telegraph, or other means of communications: *Provided*, That each proposition is explained accurately, fully and reasonably identical to each member. All votes shall be confirmed in writing. A reasonable time limit may be set by the committee for receipt of written confirma-

tion. Ten concurring votes and no dissenting vote shall be required for approval of a committee action by such method.

§ 991.19 Powers.

The committee shall have the following powers:

(a) To administer this subpart in accordance with its terms and provisions;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of this part;

(d) To recommend to the Secretary amendments to this subpart.

§ 991.20 Duties.

The committee shall have, among others, the following duties:

(a) To select from among its membership such officers and adopt such rules or bylaws for the conduct of its operations as it deems necessary;

(b) To appoint such employees as it may deem necessary, and to determine the compensation and to define the duties of each employee;

(c) To keep minutes, books, and records which will reflect all of the acts and transactions of the committee and which shall be subject to examination by the Secretary;

(d) To prepare periodic statements of the financial operations of the committee and to make copies of each such statement available to producers and handlers for examination at the office of the committee;

(e) To cause the books of the committee to be audited by a certified public accountant at least once each marketing year and at such other times as the committee may deem necessary, or as the Secretary may request, to submit two copies of each such audit report to the Secretary, and to make available a copy which does not contain confidential data for inspection at the offices of the committee by producers and handlers;

(f) To act as intermediary between the Secretary and any producer or handler;

(g) To investigate and assemble data on the growing, handling and marketing conditions with respect to hops;

(h) To submit to the Secretary such available information as he may request or the committee may deem desirable and pertinent;

(i) To notify producers and handlers of all meetings of the committee to consider recommendations for regulations and of all regulatory actions taken affecting producers and handlers;

(j) To give the Secretary the same notice of meetings of the committee and its subcommittees as is given to its members; and

(k) To investigate compliance and use means available to prevent violations of the provisions of this part.

HOP MARKETING ADVISORY BOARD

§ 991.22 Establishment and membership.

A Hop Marketing Advisory Board (hereinafter referred to as "board") consisting of 5 members, each of whom shall have an alternate, is hereby established to advise and assist the committee. Positions 1, 2, and 3 shall be one position each for each of the 3 handlers who handled the largest quantity of hops during the preceding marketing year. Position 4 shall be for all other handlers, other than extractors. Position 5 shall be for extractors of hops. Each member or alternate shall be a handler, or an officer or employee of a handler, in the position or group represented. For the purposes of this section, an extractor means a person primarily engaged in extracting from hops their commercially important components and selling such extract.

§ 991.23 Nomination.

Nominations for the respective positions shall be made by the handler or handlers involved and shall be submitted to the committee for certification and transmission to the Secretary, by December 1 of even numbered years, together with information deemed to be pertinent or requested by the Secretary. For member and alternate representation for positions 4 and 5, the nominees shall be selected at a meeting or by mail ballot, each eligible handler shall have one vote for each position and the person receiving the highest number of votes shall be the nominee.

§ 991.24 Duties.

The duties of the board shall consist of selecting officers from its members, establishing such bylaws as it deems necessary for performing its functions, making recommendations with respect to marketing policies, and the consideration of such other matters as it may deem advisable or the committee may request. It shall accept from any brewer or consumer of hops such information pertinent to marketing policy as may be offered and consider the same in making recommendations to the committee.

COMMITTEE AND BOARD

§ 991.25 Selection and term of office.

(a) *Selection.* Committee and board members shall be selected by the Secretary from nominees submitted by the committee or from among other eligible persons. Each person so selected shall qualify by filing a written acceptance with the Secretary prior to assuming the duties of the position.

(b) *Term of office.* The term of office of committee members shall be for a period of 2 calendar years except that the term of office of committee members holding odd numbered positions shall end on December 31 of odd numbered years, and committee members holding even numbered positions as set forth in § 991.15, shall end on December 31 of even numbered years. The terms of office of board members shall be 2 calendar years ending on December 31 of even numbered years. However, the initial term of office of each even number position on the committee and of each position on the board shall end on December 31, 1968. Committee and board members shall serve for the term of office for which they are selected and have qualified and until their respective successors are selected and have qualified.

§ 991.26 Alternate members.

An alternate for a member shall act in the place of such member (a) in his absence, or (b) in the event of his death, removal, resignation, or disqualification, until a successor for his unexpired term has been selected and has qualified.

§ 991.27 Vacancy.

Any vacancy occasioned by the death, removal, resignation, or disqualification of any committee or board member shall be recognized by the committee certifying to the Secretary a successor for the unexpired term, unless selection is deemed unnecessary by the Secretary.

§ 991.28 Expenses.

Members and alternates of the committee, and of the board, shall serve without compensation but shall receive such allowances for necessary expenses incurred in connection with their duties as may be approved by the committee.

RESEARCH

§ 991.30 Marketing research and development projects.

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of hops. The expense of such projects shall be paid from funds collected pursuant to § 991.56, but the expenses of any projects involving reserve hops shall be allocated, as appropriate, in whole or in part, to funds obtained from the disposition of reserve hops. The handling of hops grown or used for research purposes may be exempted from regulation pursuant to such rules and regulations as the committee, with the approval of the Secretary, may adopt.

QUALITY REGULATION, INSPECTION, AND IDENTIFICATION

§ 991.31 Quality regulation.

Upon recommendation of the committee, the Secretary shall establish such minimum quality standards for hops in terms of their leaf and stem content and other quality factors as will tend to effectuate the objectives of this part and the declared policy of the act; and no handler shall acquire or use hops which fail to meet such standards. Hops failing to meet such standards shall be considered "substandard" hops and, except for disposition within his own farming operations, shall not be disposed of to persons other than the committee or its designees.

§ 991.32 Inspection and identification.

No handler shall handle, nor the committee receive for reserve pooling, hops which have not been inspected and certified for leaf and stem content and identified as prescribed by the committee. When minimum quality standards are established pursuant to § 991.31, only hops inspected and certified as meeting such requirements shall be eligible to be salable or reserve hops. Inspection and certification shall be by a Federal-State inspection service and the cost borne by the applicant. Inspection and identification shall be completed prior to November 15 or other date established pursuant to § 991.39. Such identification shall not be altered or removed by any handler while in his control except when incidental to their disposition.

§ 991.33 Hops baled prior to effective date of this subpart.

Any producer holding hops baled prior to the effective date of this subpart is entitled, upon application made by the producer to the committee within 30 days after its establishment, to have such hops exempted from regulation under this part. Upon the committee determining the eligible poundage, it shall issue a release permitting any handler to handle such hops. Hops held by handlers on the effective date of this subpart but acquired prior thereto are also exempt from regulation under this part.

VOLUME LIMITATIONS

§ 991.36 Marketing policy.

Except as otherwise provided by the Secretary, but no later than March 1, or such earlier date as the committee, with the approval of the Secretary, may establish, the committee and the board shall hold such joint meetings as will enable the committee to adopt a marketing policy for the ensuing marketing year. The committee shall consider the recommendations of the board, the quantity of hops that should be made available for marketing to meet market requirements and to establish orderly marketing conditions, the prospective carryin of producers, handlers, and brewers, the desirable carryout, the prospective imports, and other factors affecting marketing conditions. If these considerations indicate a need for limiting the quantity of hops marketed, the committee shall recommend to the Secretary, a salable quantity and allotment percentage for the ensuing marketing year. Prior to August 1 of each year, the committee shall review its marketing policy and, if conditions warrant, recommend to the Secretary an appropriate increase in the salable quantity and allotment percentage for the ensuing crop as may be warranted. Notice of the marketing policy recommendations for a marketing year and any later changes shall be submitted promptly to the Secretary and all producers and handlers.

§ 991.37 Establishment.

(a) *Action by the Secretary.* If for any marketing year the Secretary finds, on the basis of the committee's recommendation or other information, that limiting the quantity of hops that may be freely marketed from any crop would tend to effectuate the declared policy of the act, he shall determine the salable quantity for such crop which handlers may handle. The salable quantity shall be prorated among producers by applying an allotment percentage to each producer's allotment base. The allotment percentage shall be established by the Secretary and shall be equal to the salable quantity divided by the total of all producer allotment bases established pursuant to § 991.38. No handler may handle hops other than salable hops, except that a producer-handler may prepare hops for market.

(b) *Limitations on allotment percentage.* The respective allotment percentages applicable to the 1966 and 1967 crops shall be not less than 93 percent each. However, unless such is established prior to August 15, 1966, there shall be no allotment percentage applicable to the 1966 crop. No allotment percentage applicable to the 1968 and subsequent crops shall be less than 85 percent.

§ 991.38 Allotment of salable quantity.

(a) *Allotment bases.* (1) The allotment base for each producer shall be the higher of: (i) The highest average amount per acre sold from any 3 of his 1962, 1963, 1964, or 1965 harvested acreage multiplied by the 1965 acreage on which a bona fide effort was made to produce and harvest hops, or (ii) 95 percent of the highest average amount per acre sold from either his 1962, 1963, 1964, or 1965 harvested acreage multiplied by the 1965 acreage on which a bona fide effort was made to produce and harvest hops. Where a producer's hop acreage is expanding and where a bona fide effort was made to produce and harvest more hops, his allotment base shall include the volume, beginning with the 1966 or 1967 marketing year, whichever is the normal first year of harvest in the district of production, obtained by multiplying the new harvested acreage of the producer planted to the same variety, by his allotment base average sales per acre. If a producer has no applicable sales history, for such reasons as (iii) all his 1965 acreage was unharvested or (iv) part of his acreage was unharvested and planted to a variety with yields per acre substantially different from his harvested acreage, or (v) all of his acreage was planted and harvested in 1965, or part of his acreage was planted to a new variety and harvested in 1965, in a district where first year harvesting is not the normal practice, his allotment base for such acreage, beginning with the first year of harvest, shall be the acreage multiplied by the average amount per acre sold for the like variety in the allotment bases of other producers in the state or locality, whichever is applicable, in which such acreage is located. However, such new harvested acreage must have been planted to hops no later than 1966 and been committed to the production of hops by February 8, 1966, by either entering into a bona fide contract calling for delivery of a specified quantity of hops at a specific price from such new acreage, by completing plantings of hops, by completing construction of trellis or by meeting such other indications of commitment as the committee, with the approval of the Secretary, may prescribe.

(2) In accordance with subparagraph (1) of this paragraph, and based on reports of handlers, producer certification and other information, the committee shall establish each producer's allotment base, and shall assign such allotment base to such producer. The right of each producer receiving an allotment base, or his legal successor in interest, to retain all or part of an allotment base shall be dependent on his continuing to make a bona fide effort to produce the annual allotment referable thereto and failing in any year to do so, such allotment base shall be reduced by an amount equivalent to such unproduced proportion: *Provided*, That the committee, with the approval of the Secretary, may waive such requirement and such requirement is waived for the 1966 and 1967 crops for those producers applying to the committee and receiving acknowledgment of such.

(b) *Additional allotment bases.* Each marketing season the committee shall consider the need for granting, and if appropriate, grant, with the approval of the Secretary, additional allotment bases, to either a new producer or an existing producer, for such purposes as satisfying the demand for one or more varieties or adjusting the total of all allotment bases to the trade demand. Administration of this provision shall be in accordance with such rules and regulations as the committee may prescribe, with the approval of the Secretary.

(c) *Issuance of annual allotments to producers.* As early as possible in each year, and subsequent to the committee's marketing policy meeting, the committee shall furnish each producer a form on which he may qualify for his annual allotment. Such form shall contain space for the producer to show changes in the locations, if any, where he intends to produce his annual allotment, and an agreement by the producer to report his production to the committee, and such other information as is necessary to carry out the provisions of this part. The committee, using such form, shall qualify and issue to each producer his appropriate annual allotment which shall be the allotment percentage times his effective allotment base: *Provided*, That where a producer chooses not to grow and harvest hops from all or part of his acreage, and he notifies the committee thereof prior to allotment issuance, it shall reduce the annual allotment consistent with such producer's action: *And provided further*, That a producer who, except for this part, is legally obligated to deliver at a specific price, a specific quantity of hops, from specified acreage of his own production, pursuant to the terms of any written contract entered into prior to, and effective by February 8, 1966, and calling for delivery of hops produced prior to 1971, shall be permitted through 1970 to deliver hops of his own production to fulfill such contract terms, but the total so delivered by the producer during any marketing year shall not exceed 100 percent of his then effective allotment base.

(d) *Filling deficiencies in salable quantity.* (1) A producer who produced less than his annual allotment under conditions where he had sufficient hops under

trellis to produce his allotment, taking into consideration his previous average yields and who according to normal commercial practice, made a bona fide effort to grow and harvest such hops may, prior to the date excess hops become reserve hops pursuant to § 991.39, fill any deficit in his annual allotment by acquiring hops from another producer that are in excess of such other producer's annual allotment. The committee shall be furnished a full report by such producers of the transaction, including the names of both parties, the quantity and such other information as will enable the committee to administer this provision. These requirements with respect to filling deficits may be modified by the committee with the approval of the Secretary.

(2) Any such producer who did not exercise his option to fill the deficit in his allotment prior to the date excess hops become reserve hops pursuant to § 991.39 or who fails to meet all of the requirements of subparagraph (1) of this paragraph shall be ineligible to acquire any such excess hops. Administration of this provision shall be in accordance with such rules and regulations as the committee may prescribe with the approval of the Secretary.

(e) *Information.* As a service to growers and handlers, the committee shall act as a clearing house of information on producers with deficits in production and the availability of hops in excess of salable. Such information shall be available at the committee office to any producer or handler upon request.

POOLING

§ 991.39 Reserve hops.

Hops baled, packaged, processed, or otherwise prepared for market that are in excess of an effective individual producer annual allotment or the total of such allotments to members of a cooperative marketing association and are held by any producer-handler or association on November 1, or such other date as the committee may prescribe, shall be reserve hops. No handler shall handle reserve hops; and no producer-handler or association shall deliver reserve hops to other than the committee or its designees. Only reserve hops so delivered to the committee or its designees shall be included in the reserve pool and the terms and conditions of delivery shall be made known, by the committee, prior to the date such excess hops become reserve hops. Any producer-handler not delivering his reserve hops by the closing date for pooling shall report the quantity, quality and variety held and may dispose of such hops only at the direction of the committee and only in nonnormal outlets.

§ 991.40 Reserve pool requirements.

(a) *General.* The committee shall pool reserve hops in a manner to accurately account for their receipt, storage and disposition. The committee shall establish categories in terms of quality and varieties and a schedule of relative values for settlement of pool accounts. Reserve hops from each crop shall be pooled separately. The committee shall designate a committee employee as reserve pool manager. Administration of the provisions in this section shall be in accordance with such rules and regulations as the committee may prescribe with the approval of the Secretary.

(b) *Disposition.* The committee shall endeavor to dispose of pooled reserve hops as soon as practicable following the date established in § 991.39 for delivery of reserve hops to the committee, or its designees, for the purpose of filling domestic and export trade requirements, taking into consideration the current supply and demand conditions at the time such disposition of reserve hops is being considered. Pooled reserve hops may be disposed of as follows:

(1) *Normal market outlets.* The committee shall offer pooled reserve hops for purchase by handlers for use in normal market outlets when necessary to meet domestic and export trade demand requirements not satisfied by salable hops. Offers to sell such hops to handlers, extension of offer periods, and withdrawal of offers before an offer period has expired, shall be subject to the disapproval of the Secretary. The committee may establish, with the approval of the Secretary, rules and regulations governing offers to handlers.

(2) *Marketing development.* Pooled reserve hops may be used by the committee in marketing development projects approved by the Secretary and such projects may be conducted by the committee directly or through handlers.

(3) *Nonnormal outlets, exchanges and closing of pools.* The committee shall, at any time, with the approval of the Secretary dispose of pooled reserve hops determined to be in excess of foreseeable needs in mulch, fertilizer or other nonnormal outlets. Prior to such disposition, the committee shall offer such reserve hops in exchange for salable hops held by producers which are damaged or otherwise unsuitable. After the completion of the exchange period, all remaining hops in such pool shall be disposed of in mulch, fertilizer or other nonnormal outlets. All such exchanges and dispositions in nonnormal outlets shall be subject to such terms and conditions as the committee, with the approval of the Secretary, may establish. A pool shall be considered closed when all receipts of hops have been disposed of.

(c) *Distribution of pool proceeds.* The proceeds from the disposition of reserve hops from each pool after deduction of any expense incurred by the committee in receiving, handling, holding, or disposing of hops in such pool, shall be distributed on a pro rata basis to the respective equity holders or their successors in interest on the basis of the quality, variety and the number of pounds credited to each account in the pool, with priority to those hops in the first division of ten percent in excess of the individual producer's annual allotment, except that distribution of the proceeds to members of cooperative hop marketing associations shall be made to such association. The committee may make payments to equity holders, or their successors in interest whenever sufficient monies are received from the sale or other disposition of pooled reserve hops in excess of estimated total pool expenses. A full accounting to each equity holder, or successor in interest, in each reserve pool shall be made by the committee annually on or before December 1 or such other date as the committee, with the approval of the Secretary, may prescribe. The committee may, with the approval of the Secretary, require advances by equity holders of anticipated expenses at the time hops are pooled.

§ 991.41 Substandard hops.

The committee may establish pools to assist in the disposition of substandard hops and the net proceeds from such disposition shall be distributed to the equity holders on the basis of the number of pounds credited to their account.

TRANSFERS

§ 991.45 Transfer of locations.

Nothing contained in this subpart shall prevent a producer from transferring from the location(s) where he produces his annual allotment to other land which he owns or leases. The committee shall, by such means as are provided in § 991.38(c), obtain information as to the location(s) where each producer intends to produce each annual allotment.

§ 991.46 Transfer to another producer.

A producer may transfer all or part of an allotment base from himself to another producer. Such a transfer shall be recognized, and annual allotments granted thereunder, upon the transferor and transferee so notifying the committee in writing and the transferee submitting evidence of capability to produce and harvest the annual allotment referable thereto in the first marketing year unless waiver is granted pursuant to § 991.38(a)(2). For any purchase of hop acreage occuring subsequent to the 1965 harvest, but prior to the effective date of this subpart, such purchase shall be recognized as a transfer of such portion of the allotment base as is applicable to the acreage purchased and in production in 1965.

EXPENSES AND ASSESSMENTS

§ 991.55 Expenses.

The committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by it during each marketing year for such purposes as the Secretary may, pursuant to the provisions of this subpart, determine to be appropriate and for the maintenance and functioning of the committee. The committee shall submit to the Secretary a budget for each marketing year, including an explanation of the items appearing therein, and a recommendation as to the rate of assessment for such year.

§ 991.56 Assessments.

(a) *Requirements for payment.* Each handler shall pay to the committee upon demand, his pro rata share of the expenses authorized by the Secretary for each marketing year. Each handler's pro rata share shall be the rate of assessment per pound fixed by the Secretary times the quantity of salable hops which he handles as the first handler thereof. At any time during or after a marketing year, the Secretary may increase the rate of assessment as necessary to cover authorized expenses. The payment of expenses for the maintenance and functioning of the committee may be required during periods when no regulations are in effect.

(b) *Excess funds.* At the end of a marketing year, funds in excess of the year's expenses shall be placed in an operating reserve not to exceed approximately one marketing year's operational expenses or such lower limits as the committee, with the approval of the Secretary, may establish. Funds in such reserve shall be available for use by the committee for expenses authorized pursuant to § 991.55. Funds in excess of those placed in the operating reserve shall be refunded to handlers. Each handler's share of such excess shall be the amount of assessments he paid in excess of his pro rata share of the actual expenses of the committee and the addition, if any, to the operating reserve.

(c) *Accounting of funds upon termination of order.* Any money collected as assessments pursuant to this subpart and remaining unexpended in the possession of the committee after termination of this part shall be distributed in such manner as the Secretary may direct: *Provided*, That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

REPORTS AND RECORDS

§ 991.60 Reports.

(a) *Inventory.* Each handler shall file with the committee a certified report showing such information as the committee may specify with respect to any hops which were held by him on January 1 and June 1 and such other dates as the committee may designate.

(b) *Receipts.* Each handler shall, upon request of the committee, file with the committee a certified report showing for each lot of hops received, the identifying marks, variety, weight, place of production, and the producer's name and address on December 31, and such other dates as the committee may designate.

(c) *Other reports.* Upon the request of the committee, with the approval of the Secretary, each handler shall furnish to the committee such other information as may be necessary to enable it to exercise its powers and perform its duties under this part.

§ 991.61 Records.

Each handler shall maintain such records pertaining to all hops handled as will substantiate the required reports. All such records shall be maintained for not less than 2 years after the termination of the marketing year to which such records relate.

§ 991.62 Verification of reports and records.

For the purpose of assuring compliance with record keeping requirements and verifying reports filed by producers and handlers, the Secretary and the committee through its duly authorized employees, shall have access to any premises where applicable records are maintained, where hops are received or held, and at any time during reasonable business hours shall be permitted to inspect such handler premises, and any and all records of such handlers with respect to matters within the purview of this part.

§ 991.63 Confidential information.

All reports and records furnished or submitted by handlers to, or obtained by the employees of, the committee which contain data or information constituting a trade secret or disclosing the trade position, financial condition, or business operations of the particular handler from whom received, shall be treated as confidential and the reports and all information obtained from records shall at all times be kept in the custody and under the control of one or more employees of the committee who shall disclose such information to no person other than the Secretary.

MISCELLANEOUS PROVISIONS

§ 991.70 Compliance.

No person shall handle hops except in conformity with the provisions of this part.

§ 991.71 Rights of the Secretary.

Members of the committee and of the board, and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every decision, determination, and other act of the committee shall be subject to the continuing right of disapproval by the Secretary at any time. Upon such disapproval, the disapproved action of the committee shall be deemed null and void, except as to acts done in reliance thereon or in accordance therewith prior to such disapproval by the Secretary.

§ 991.72 Derogation.

Nothing contained in this part is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 991.73 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States, or name any agency or division in the U.S. Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this part.

§ 991.74 Personal liability.

No member or alternate member of the committee and no employee or agent of the committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, employee, or agent, except for acts of dishonesty, willful misconduct, or gross negligence.

§ 991.75 Duration of immunities.

The benefits, privileges, and immunities conferred upon any person by virtue of this part shall cease upon its termination, except with respect to acts done under and during the existence of this part.

§ 991.76 Separability.

If any provision of this part is declared invalid or the applicability thereof to any person, circumstance or thing is held invalid, the validity of the remainder of this part of the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 991.77 Effective time.

The provisions of this subpart, and of any amendment thereto, shall become effective at such time as the Secretary may declare above his signature and shall continue in force until terminated in one of the ways specified in § 991.78.

§ 991.78 Termination.

(a) *Failure to effectuate.* The Secretary shall terminate or suspend the operation of any or all of the provisions of this part whenever he finds that such provisions obstruct or do not tend to effectuate the declared policy of the act.

(b) *Referendum.* The Secretary shall terminate the provisions of this subpart at the end of any marketing year whenever he finds that such termination is favored by a majority of the producers who during the preceding marketing year produced for market more than 50 percent of the volume of hops so produced: *Provided*, That any referendum pursuant to an order issued by the Secretary to determine whether or not producers favor termination of this subpart shall be held during the first 15 days of October, but such termination shall be effective only if announced on or before November 15 of the then current marketing year.

(c) *Termination of act.* The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 991.79 Proceedings after termination.

Upon the termination of the provisions of this part, the committee shall, for the purpose of liquidating the affairs of the committee, continue as trustees of all the funds and property then in its possession, or under its control, including claims for any funds unpaid or property not delivered at the time of such termination. The said trustees shall (a) continue in such capacity until discharged by the Secretary; (b) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such persons as the Secretary may direct; and (c) upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims

vested in the committee or the trustees pursuant thereto. Any person to whom funds, property, or claims have been transferred or delivered, pursuant to this section, shall be subject to the same obligation imposed upon the committee and upon the trustees.

§ 991.80 Effect of termination or amendment.

Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant to this subpart, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provisions of this subpart or any regulation issued hereunder, or (b) release or extinguish any violation of this subpart or any regulation issued hereunder, or (c) affect or impair any rights or remedies of the Secretary or any other person with respect to any such violation.

§ 991.81 Counterparts.

This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original. * * *

§ 991.82 Additional parties.

After the effective date thereof, any handler may become a party to this agreement if a counterpart is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges and immunities conferred by this agreement shall then be effective as to such new contracting party. * * *

§ 991.83 Order with marketing agreement.

Each signatory handler hereby requests the Secretary to issue, pursuant to the Act, an order providing for regulating the handling of hops in the same manner as is provided for in this agreement. * * *

Dated: May 18, 1966.

S. R. SMITH,
Administrator.

[F.R. Doc. 66-5597; Filed, May 20, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 17]

BREAD

Proposal To Amend Standard by Listing Tallowyl-β-Lactic Acid as Optional Ingredient

Notice is given that a petition has been filed by Swift & Co., Packers and Exchange Avenues, Chicago, Ill., 60609, proposing amendment of the standard of identity for bread (21 CFR 17.1) by listing tallowyl-β-lactic acid (TBLA) as an optional ingredient in bread in an amount not to exceed 0.6 percent by weight of flour used. Grounds set forth in the petition to support the proposed amendment are that the use of tallowyl-β-lactic acid will aid in producing bread which is more tender and which retains its tenderness for a longer period of time.

The petitioner has also filed a petition, pursuant to section 409 of the act, for the issuance of a food additive regulation to provide for the safe use of tallowyl-β-lactic acid in yeast-leavened bakery products.

Accordingly, it is proposed that § 17.1 (a) (1) be revised to read as follows:

§ 17.1 Bread, white bread, and rolls, white rolls, or buns, white buns; identity; label statement of optional ingredients.

(a) * * *

(1) Shortening, in which or in conjunction with which may be used:

(i) Lecithin, hydroxylated lecithin complying with the provisions of § 121.-1027 of this chapter, mono- and diglycerides of fat-forming fatty acids, diacetyl tartaric acid esters of mono- and diglycerides of fat-forming fatty acids, or a combination of two or more of these. The total weight of mono- and diglycerides used, including diacetyl tartaric acid esters of mono- and diglycerides of fat-forming fatty acids, does not exceed 20 percent by weight of the combination of such a preparation and the shortening, and the total amount of monoglyceride in such mixture does not exceed 8 percent by weight of the combination; but if purified or concentrated monoglyceride is used, the amount of such preparation does not exceed 10 percent by weight of the combination of such preparation and shortening; or

(ii) Tallowyl-β-lactic acid complying with the provisions of § 121._____ (not promulgated at this time) of this chapter, including the quantitative limit of not more than 0.6 percent by weight of the flour used.

For the purposes of this section, the optional ingredients lecithin and hydroxylated lecithin referred to in subdivision (i) of this paragraph may include related phosphatides derived from the corn oil or soybean oil from which such ingredients were obtained.

Because of the cross-references, adoption of the proposed amendment to the standard for bread (§ 17.1) would have the effect of making tallowyl-β-lactic acid a permitted ingredient of enriched bread, milk bread, raisin bread, and whole wheat bread (§§ 17.2–17.5).

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: May 13, 1966.

J. K. KIRK,
Assistant Commissioner, for Operations.

[F.R. Doc. 66-5563; Filed, May 20, 1966; 8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Antidumping—AC 643.3–W]

VINYL ASBESTOS FLOOR TILE FROM CANADA

Determination of Sales at Not Less Than Fair Value

MAY 12, 1966.

On January 7, 1966, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that vinyl asbestos floor tile imported from Canada, manufactured by Building Products of Canada, Ltd., Montreal, Canada, is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until February 7, 1966, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

After consideration of all comments received, I hereby determine that vinyl asbestos floor tile from Canada, manufactured by Building Products of Canada, Ltd., Montreal, Canada, is not being, nor likely to be, sold at less than fair value within the meaning of section 201 (a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of new or additional reasons. In response to the January 7, 1966, "Notice of Tentative Determination," Building Products of Canada, Ltd., furnished clarification of previously submitted information which resulted in a considerable reduction of the margin of price discrimination previously found. In addition, assurances were given that an immediate upward revision of the price to the U.S. customers would be instituted, and that there would be no resumption of sales for exportation to the United States which could be construed to be at less than fair value within the meaning of the Antidumping Act.

The complainant was informed of the new price comparisons and of the assurances. In view of the action taken by Building Products of Canada, Ltd., the complaint was withdrawn.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-5569; Filed, May 20, 1966; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

SWIFT & CO.

Notice of Filing of Petition for Food Additive Tallowyl-β-Lactic Acid

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 6A1881) has been filed by Swift & Co., Packers and Exchange Avenues, Chicago, Ill., 60609, proposing the issuance of a regulation to provide for the safe use of tallowyl-β-lactic acid as an emulsifier in bread at a level not in excess of 0.6 percent by weight of flour used.

Dated: May 13, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5564; Filed, May 20, 1966; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-240]

GENERAL DYNAMICS CORP.

Notice of Issuance of Construction Permit

Please take notice that no request for a hearing or petition to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued, effective as of the date of issuance, Construction Permit No. CPCX-26 to General Dynamics Corp. authorizing the construction of a critical experiments facility designated as the Modified HTGR Critical Facility on the Corporation's laboratory site at Torrey Pines Mesa, Calif.

The construction permit was issued as set forth in the notice of proposed issuance published in the FEDERAL REGISTER April 28, 1966, 31 F.R. 6459.

Dated at Bethesda, Md., this 14th day of May 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66-5543; Filed, May 20, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

ITT WORLD COMMUNICATIONS, INC.

Memorandum Opinion and Order

In the matter of the request that petitions to suspend its tariff F.C.C. No. 54 be required to be filed prior to the time provided for in the Commission's rules of practice and procedure.

1. On April 14, 1966, ITT World Communications, Inc. (ITT), filed a new tariff, F.C.C. No. 54, titled Customer Data Retransmission Service, to enter into effect on October 1, 1966. Such tariff would establish a new service under which data sent by customers over one leased circuit could be switched to another leased circuit of such customers through the use of a computer on ITT premises. This service would enable a leased-circuit user to unite offices located in foreign countries and in the United States through a private communications network composed of leased circuits connected to the computer.

2. In its letter of transmittal accompanying such tariff filing, ITT states that both it and a prospective customer must immediately make sizable expenditures to prepare for service on October 1, 1966, and that such customer does not want to undertake such expenditures unless it has reasonable assurance by May 24, 1966, that the proposed service will be available on such service date. ITT, therefore, requested, in its letter of transmittal, that the usual procedure applicable to petitions for suspension of tariff schedules, set out at 47 CFR § 1.773, be modified to require that any petitions to suspend the subject tariff be filed not later than May 24, 1966. Thereafter, ITT informally advised the Commission's staff that it would be possible to proceed toward establishment of service on October 1 even if the cutoff time for the filing of petitions to suspend the subject tariff were to be set at a date somewhat later than May 24.

3. Section 1.773(b) of the Commission's rules, revised effective May 13, 1966 (31 F.R. 6868), provides that a petition for suspension shall be filed with the Commission and served upon the publishing carrier and the Chief, Common Carrier Bureau, at least 14 days prior to the effective date of the tariff schedule. In the usual case of a tariff filed upon 30 days' notice, a protestant therefore has 16 days in which to prepare and file a petition for suspension. It is noted that on June 7, 1966, the public will have had 44 days' notice of the subject tariff filing. In view of this, the alleged need of both ITT and its prospective customer

to have early notice of petitions to suspend the subject tariff and the possible benefit to the public from the new service, we believe that it would be conducive to the proper dispatch of business and the ends of justice to require the filing of petitions to suspend ITT's tariff by June 7, 1966.

Accordingly, pursuant to section 4(j) of the Communications Act (47 U.S.C. 154(j)): *It is ordered*, This 18th day of May 1966, that, notwithstanding the filing period provided at 47 CFR § 1.773 (b), petitions for suspension of ITT World Communications, Inc.'s Tariff F.C.C. No. 54, issued on April 14, 1966, to become effective on October 1, 1966, shall be filed with the Commission and served on the publishing carrier and the Chief, Common Carrier Bureau, not later than June 7, 1966; *Provided, however*, That nothing herein shall be deemed to affect the Commission's authority to suspend such tariff on its own motion at any time prior to its becoming effective.

It is furthered ordered, That this memorandum opinion and order shall be published in the FEDERAL REGISTER.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5581; Filed, May 20, 1966; 8:48 a.m.]

[Docket No. 15835 etc.; FCC 66M-692]

LEBANON VALLEY RADIO ET AL.

Order Continuing Hearing

In re applications of Arthur K. Greiner, Glenn W. Winter, William W. Rakow, and Robert M. Lesher, doing business as Lebanon Valley Radio, Lebanon, Pa., Docket No. 15835, File No. BP-16098; John E. Hewitt, Thomas A. Ehrgood, Clifford A. Minnich, and Fitzgerald C. Smith, doing business as Cedar Broadcasters, Lebanon, Pa., Docket No. 15836, File No. BP-16103; Catonsville Broadcasting Co., Catonsville, Md., Docket No. 15838, File No. BP-16105; Radio Catonsville, Inc., Catonsville, Md., Docket No. 15839, File No. BP-16106; Commercial Radio Institute, Inc., Catonsville, Md., Docket No. 15840, File No. BP-16107; for construction permits.

The uncertainties attendant upon a number of unsettled problems including the pending agreement of settlement among the Catonsville applicants prompts the putting off of the resumption of hearing now scheduled for May 16. *Accordingly, it is ordered*, This 13th day of May 1966, that the hearing in this proceeding will not resume on May 16 as now scheduled and a new date for hearing will be fixed at an appropriate time.

Released: May 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5582; Filed, May 20, 1966; 8:48 a.m.]

[Docket No. 15752 etc.; FCC 66M-698]

CHARLES W. JOBBINS ET AL.

Order Continuing Hearing

In re applications of Charles W. Jobbins, Costa Mesa-Newport Beach, Calif., Docket No. 15752, File No. BP-16157; Goodson-Todman Broadcasting, Inc., Pasadena, Calif., Docket No. 15754, File No. BP-16159; Orange Radio, Inc., Fullerton, Calif., Docket No. 15755, File No. BP-16160; Pacific Fine Music, Inc., Whittier, Calif., Docket No. 15756, File No. BP-16161; The Bible Institute of Los Angeles, Inc., Pasadena, Calif., Docket No. 15757, File No. BP-16162; C. D. Funk and George A. Baron, a partnership, doing business as Topanga Malibu Broadcasting Co., Topanga, Calif., Docket No. 15758, File No. BP-16164; California Regional Broadcasting Corp., Pasadena, Calif., Docket No. 15759, File No. BP-16165; Storer Broadcasting Co. (KGBS), Pasadena, Calif., Docket No. 15760, File No. BP-16166; Robert S. Morton, Arthur Hanisch, Macdonald Carey, Ben F. Smith, Donald C. McBain, Robert Breckner, Louis R. Vincenti, Robert C. Mardian, James B. Boyle, Robert M. Vaillancourt, and Edwin Earl, doing business as Crown City Broadcasting Co., Pasadena, Calif., Docket No. 15762, File No. BP-16168; Pasadena Community Station, Inc., Pasadena, Calif., Docket No. 15763, File No. BP-16170; Voice in Pasadena, Inc., Pasadena, Calif., Docket No. 15764, File No. BP-16172; Western Broadcasting Corp., Pasadena, Calif., Docket No. 15765, File No. BP-16173; Pasadena Broadcasting Co., Pasadena, Calif., Docket No. 15766, File No. BP-16174; for construction permits.

The Hearing Examiner having under consideration the motion for extension of procedural dates filed in the above-entitled proceeding on May 11, 1966, by Pasadena Community Station, Inc.;

It appearing, that all parties have consented to immediate consideration and grant of the said motion and that good cause for a grant thereof is shown;

It is ordered, This 13th day of May 1966 that the said motion is granted; the date for exchange of exhibits is extended from June 6, 1966, to June 30, 1966, and the date for resumption of hearing is continued from June 27, 1966, to July 18, 1966.

Released: May 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5583; Filed, May 20, 1966; 8:48 a.m.]

[Docket Nos. 16290, 16291; FCC 66M-700]

WMGS, INC. (WMGS), AND OHIO RADIO, INC.

Order Scheduling Hearing Conference

In re applications of WMGS, Inc. (WMGS), Bowling Green, Ohio, Docket No. 16290, File No. BR-3097, for renewal of license, Ohio Radio, Inc., Bowling Green, Ohio, Docket No. 16291, File No. BP-16423, for construction permit.

Upon the Hearing Examiner's own motion: *It is ordered*, This 16th day of May 1966, that there will be a further hearing conference in this proceeding on May 26, 1966, 10 a.m., in the Commission's offices, Washington, D.C.

Released: May 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5584; Filed, May 20, 1966; 8:48 a.m.]

[Docket Nos. 16421, 16422; FCC 66M-691]

TWIN-STATE RADIO, INC., AND RICHLAND BROADCASTING CO.

Order Continuing Hearing

In re applications of Twin-State Radio, Inc., Natchez, Miss., Docket No. 16421, File No. BP-16455; A. S. Johnson, trading as Richland Broadcasting Co., Delhi, La., Docket No. 16422, File No. BP-16720; for construction permits.

Upon oral motion of counsel for Richland Broadcasting Co., and with the consent of all other parties hereto, and a waiver of the 4 day rule; *It is ordered*, This 13th day of May 1966, that the hearing presently scheduled for May 16, 1966, be, and the same is, hereby continued to June 16, 1966.

Released: May 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5585; Filed, May 20, 1966; 8:48 a.m.]

[Docket No. 16600; FCC 66M-699]

SAM ROSENBERG AUTO SALES

Order Scheduling Hearing

In the matter of Sam Rosenberg, doing business as Sam Rosenberg Auto Sales, Ridgefield, N.J., and Fairview, N.J., order to show cause why the licenses for Radio Stations KBI-8988, WB2RKV, and KEV-688 in the Citizens, Amateur and Business Radio Services, respectively, should not be revoked.

It is ordered, This 16th day of May 1966, that Chester F. Naumowicz, Jr., shall serve as Presiding Officer in the above-entitled proceeding; and that the hearing therein shall be convened in the offices of the Commission, Washington, D.C., on June 20, 1966.

Released: May 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5586; Filed, May 20, 1966; 8:48 a.m.]

MUSKEGON TELEVISION SYSTEM AND BOOTH COMMUNICATIONS CO.

[Docket No. 16635; FCC 66M-697]

Order Scheduling Hearing

In the matter of cease and desist order to be directed against Muskegon Television System and Booth Communications Co., owners and operators of a community antenna television system at Muskegon, Mich.

It is ordered, This 13th day of May 1966, that Walther W. Guenther shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on June 16, 1966, at 10 a.m.; and that a prehearing conference shall be held on June 6, 1966, commencing at 10 a.m.: *And it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: May 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5587; Filed, May 20, 1966; 8:49 a.m.]

[Docket Nos. 16636, 16637; FCC 66M-693]

HADDOX ENTERPRISES, INC., AND WCJU, INC.

Order Scheduling Hearing

In re applications of Haddox Enterprises, Inc., Columbia, Miss., Docket No. 16636, File No. BPH-4532; WCJU, Inc., Columbia, Miss., Docket No. 16637, File No. BPH-5083; for construction permits.

It is ordered, This 13th day of May 1966, that Isadore A. Honig shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 12, 1966, at 10 a.m.; and that a prehearing conference shall be held on June 17, 1966, commencing at 9 a.m.; *And it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: May 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5588; Filed, May 20, 1966; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

D. B. TURKISH CARGO LINES

Notice of Petition Filed for Approval

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the current contract form and of the petition, reflecting the changes proposed to be made in the language of said contract, at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed changes and the petition, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the petition (as indicated hereinafter), and the comments should indicate that this has been done.

D. B. Turkish Cargo Lines, dual-rate contract; notice of application to modify a dual-rate contract filed by:

Mr. M. E. Tumay, D. B. Turkish Cargo Lines, 11 Broadway, New York, N.Y., 10004.

Notice is hereby given that D. B. Turkish Cargo Lines (D. B. Deniz Nakliyati T.A.S.) has filed with the Commission, pursuant to section 14(b) of the Shipping Act, 1916, an application for permission to amend their approved Exclusive Patronage (dual rate) contract to delete the Turkish ports of Izmir, Mersin, Istanbul, and Iskenderun from their presently approved contract applying from U.S. Atlantic and Gulf ports to Turkish ports. The deleted ports are within the scope of the R.C.D. Shipping Services joint service Agreement 9490, approved by the Commission on condition that D. B. Turkish Cargo Lines, a party thereto, after proper notice, discontinue their dual-rate service to said Turkish ports. The signator merchants were notified by letter dated May 16, 1966, with the effective date to be concurrent with the approval of R.C.D. Shipping Services' request for permission to institute an exclusive patronage contract system from U.S. Atlantic and Gulf ports to said Turkish ports, but not sooner than August 15, 1966.

Dated: May 18, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5578; Filed, May 20, 1966; 8:48 a.m.]

R.C.D. SHIPPING SERVICES

Notice of a Petition Filed for Approval

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the proposed contract form and of the petition at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed contract form and the petition including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the proposed contract form and of the petition (as indicated hereinafer), and the comments should indicate that this has been done.

Notice of application to institute a dual-rate system filed by:

Mr. M. E. Tumay, D. B. Turkish Cargo Lines, Agents, R.C.D. Shipping Services, 11 Broadway, New York, N.Y., 10004.

Notice is hereby given that the member lines of the conditionally approved "R.C.D. Shipping Services" joint service Agreement 9490 have filed with the Commission, pursuant to section 14(b) of the Shipping Act, 1916, an exclusive patronage (dual rate) contract and an application for permission to institute such system in the trade from U.S. Atlantic and Gulf ports to the Turkish ports of Izmir, Mersin, Istanbul, and Iskenderun. D. B. Turkish Cargo Lines, a party to the R.C.D. Shipping Services joint service, has applied to the Commission to delete the above specified Turkish ports trade from their approved dual-rate contract, concurrently with the approval of the R.D.C. Shipping Services' dual-rate system, but no sooner than August 15, 1966, 90 days after notice to contract merchants of the proposed change in contract systems, pursuant to section 18(b) of said Act.

Dated: May 18, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5579; Filed, May 20, 1966; 8:48 a.m.]

TRANS-ATLANTIC PASSENGER STEAMSHIP CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement

should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. D. I. Knowles, Chairman-Secretary, Trans-Atlantic Passenger Steamship Conference, 17 Battery Place, New York, N.Y., 10004.

Agreement 120–84, between the member lines of the Trans-Atlantic Passenger Steamship Conference, amends the basic agreement to define regular service and modifies the sections entitled "Eligibility" and "Associate Membership" to conform to the requirements of General Order 9 (46 CFR Part 523).

Dated: May 18, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66–5580; Filed, May 20, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. E–7290]

CENTRAL MAINE POWER CO.

Notice of Application

MAY 16, 1966.

Take notice that on May 9, 1966, Central Maine Power Co. (Central Maine), filed an application with the Federal Power Commission pursuant to section 203 of the Federal Power Act seeking an order authorizing it to acquire all of the assets of Maine Consolidated Power Co. (Maine Consolidated) and its wholly owned subsidiary, Phillips Electric Light & Power Co. (Phillips).

Central Maine is an electric utility organized under the laws of the State of Maine with its principal place of business office at Augusta, Maine, and serves an area of over 9,000 square miles in the central and southern parts of the State of Maine.

Maine Consolidated and Phillips are incorporated under the laws of the State of Maine with their principal place of business office at Farmington, Maine, and operate an electric utility system serving approximately 7,000 customers in portions of Somerset and Franklin Counties. Neither Maine Consolidated nor Phillips have any generating facilities. The territory they serve is located next to, or within, the northern and western parts of the Central Maine system. Currently Maine Consolidated purchases all of its requirements and those of Phillips from Central Maine under a contract filed with the Federal Power Commission. According to the application their rates in general are higher than those now charged by Central Maine.

According to the application Central Maine proposes to exchange that number of shares of its common stock which when multiplied by the closing price of that stock on the New York Stock Exchange on the closing date equals or most nearly equals the total value of $1,525,000 for all of the issued and outstanding capital stock of Maine Consolidated; namely, 680 shares of common stock and 500 shares of preferred stock. Central Maine represents that the integration of the relatively small electric utility systems of Maine Consolidated and Phillips into the larger integrated system of Central Maine will result in assuring a plentiful supply of electric energy in the territories now served by Maine Consolidated and Phillips. Central Maine states that upon acquisition of Maine Consolidated, the general accounting will be carried on at Central Maine's general office in Augusta, and the billing will be handled on Central Maine's new computer. It is expected that system engineering and quantity purchasing will cut down the cost of the territory's operation.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 20, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66–5544; Filed, May 20, 1966; 8:45 a.m.]

[Docket No. CP66–357]

EL PASO NATURAL GAS CO.

Notice of Application

MAY 16, 1966.

Take notice that on May 9, 1966, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP66–357 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale and delivery of natural gas to Cascade Natural Gas Corp. (Cascade), an existing resale customer of Applicant, for transportation to and resale and general distribution in the community of Prineville, Oregon, and environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that in order to implement the sales and deliveries of natural gas proposed by the instant application it proposes to utilize a supply of natural gas purchased from Westcoast Transmission Co., Ltd., at a point on the International Boundary near Kingsgate, British Columbia, Canada, such gas to be transported for the account of Applicant by Pacific Gas Transmission Co. (PGT). The proposed project contemplates that PGT will construct, at Applicant's cost, own and operate the measuring and regulating facilities necessary for the delivery of natural gas to Applicant, such facilities to be located adjacent to PGT's existing 36-inch O.D. pipeline located in Jefferson County, Oreg.

Specifically, Applicant proposes to construct and operate approximately 4.3 miles of 6⅝-inch O.D. lateral transmission pipeline beginning at a point of connection with PGT's existing 36-inch O.D. pipeline located in the SE¼ of sec. 27, T. 13 S., R. 14 E., Jefferson County, Oreg., and terminating at a point of connection with Cascade's proposed 6⅝-inch O.D. pipeline located in the SE¼ of sec. 5, T. 14 S., R. 15 E., Crook County, Oreg.

Applicant states that the proposed project contemplates the construction and operation by Cascade of approximately 8.2 miles of 6⅝-inch O.D. transmission pipeline extending from the point of connection with Applicant's proposed facilities to the immediate vicinity of the community of Prineville, Oreg., and the related distribution facilities to serve Prineville and environs.

The application states that deliveries of natural gas by Applicant to Cascade will be at the terminus of the pipeline segment constructed by Applicant and that these deliveries, in the third year, are estimated to be 497 Mcf on a peak day and 55,820 Mcf annually, increasing to 87,404 Mcf annually in the fifth year. The application further states that such deliveries are proposed to be initiated by Applicant in accordance with and at rates contained in Applicant's Rate Schedule DI–3, FPC Gas Tariff, Original Volume No. 3.

The total estimated project cost, including the facilities proposed to be constructed by Applicant and the facilities to be constructed by PGT, for which Applicant will reimburse PGT, is $134,830, which will be financed by Applicant out of currently available working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 10, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66–5545; Filed, May 20, 1966; 8:45 a.m.]

[Project No. 2572]

GREAT NORTHERN PAPER CO.

Notice of Application for License for Constructed Project

MAY 16, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Great Northern Paper Co. (correspondence to: Robert Hellendale, Vice President and Secretary, Great Northern Paper Co., 522 Fifth Avenue, New York, N.Y., 10036), for a license for constructed Project No. 2572, known as the Ripogenus project, located on West Branch of Penobscot River, in the region above and in the town of Millinocket, in Piscataquis and Penobscot Counties, Maine.

The existing project consists of: (1) A concrete gravity dam 73 feet high and 695 feet long including (a) 480 feet of ogee spillway with crest at elevation 929.6 feet topped by 24 bays of stop-log gates 12 feet high, (b) a tunnel intake section 37 feet long, (c) a sluice gate section 178 feet long containing six gates; (2) a reservoir at elevation 941.6 feet about 30 miles long with a surface area of about 27,520 acres and usable storage of about 688,000 acre-feet in Chesuncook, Ripogenus, and Caribou Lakes and Moose Pond; (3) a concrete log sluice, under construction, about 4,300 feet long to the river below the powerhouse; (4) a 16-foot tunnel about 4,100 feet long to a 44-foot diameter surge tank and penstocks; (5) three 10-foot penstocks; (6) a 130 x 45-foot brick powerhouse with two generating units each rated at 12,150 kw totaling 24,300 kw, and with provision for a third unit rated at 13,230 kw to be installed in 1967; (7) an outside substation, adjacent to powerhouse, with two 6.6, 115 kv transformers; (8) a 30-mile 115-kv transmission line to the Millinocket substation (the latter substation is not included in the application); and (9) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 5, 1966. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66–5546; Filed, May 20, 1966; 8:45 a.m.]

[Docket No. CP66–356]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

MAY 16, 1966.

Take notice that on May 9, 1966, Michigan Wisconsin Pipe Line Co. (Applicant), 1 Woodward Avenue, Detroit, Mich., 48226, filed in Docket No. CP66–356 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act as implemented by § 157.7(b) of the regulations under the Act for a certificate of public convenience and necessity authorizing the construction during the 12-month period commencing July 13, 1966, and the operation of gas purchase facilities to enable Applicant to take into its certificated main pipeline system natural gas which may be purchased from independent producers thereof, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of the instant application is to augment its ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally coextensive with said system. Applicant further states that the authority requested will be used only to construct facilities necessary to receive natural gas into its system, including main line taps, and that the instant application will not form the basis for service to any new markets or new customers.

The total cost of the proposed facilities will not exceed $3,000,000 and no single project will exceed a cost of $500,000. The application states that the proposed facilities will be financed with cash generated from operations, and it will not be necessary to undertake any new financing for this purpose.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 10, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66–5547; Filed, May 20, 1966; 8:45 a.m.]

[Docket No. CP66–167]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Amendment of Application

MAY 19, 1966.

Take notice that on May 3, 1966, Texas Eastern Transmission Corp. (Applicant), Post Office Box 2521, Houston, Tex., 77001, filed in Docket No. CP66–167 an amendment to its application filed on November 29, 1965 (30 F.R. 15336), pursuant to section 7(c) of the Natural Gas Act, to extend the period of the sale of 6,000 Mcf per day of winter service gas to The Manufacturers Light & Heat Co. (Manufacturers), from the 1-year period sought by the original application herein to a primary term of 20 years commencing on the date temporary service was authorized, all as more fully set forth in the application, as amended, which is on file with the Commission and open to public inspection.

Applicant filed an application for a certificate of public convenience and necessity on September 17, 1965 (30 F.R. 12426), in Docket No. CP66–77 seeking, inter alia, authorization to sell up to 6,000 Mcf of winter service gas to The United Gas Improvement Co (UGI) for its upstate divisions at six existing metering and regulating stations owned by Applicant which connect with the facilities of UGI. This application was opposed by Manufacturers. Applicant states that thereafter the parties reached an interim settlement for the 1965–66 winter heating season under which it was agreed that Applicant would sell the aforesaid quantities of winter service gas to Manufacturers at the same delivery points and Manufacturers, in turn, would make available to UGI, under Manufacturers Winter Service Rate Schedule, the quantities of winter service gas which UGI required.

By its original application in the instant docket, Applicant sought authorization to make such sales to Manufacturers during the 1965–66 winter heating season and received temporary authorization therefor by Commission letter dated December 16, 1965.

Applicant states that the parties have now agreed to extend the aforementioned interim settlement for a primary term of 20 years commencing on the date service was authorized under the temporary certificate issued December 16, 1965. Accordingly, Applicant seeks the amendment of its original application in the instant docket requesting authorization to sell not less than a maximum daily quantity of 6,000 Mcf of winter service gas to Manufacturers at the aforesaid six metering and regulating stations owned by Applicant for a primary term of 20 years commencing on the date interim service was authorized by the temporary certificate issued in the instant docket on December 16, 1965. Applicant states

that Manufacturers, in turn, will make available to UGI the quantities of winter service gas which UGI requires pursuant to Commission authorization received by Manufacturers in Docket No. CP65-149 on November 17, 1965.

Applicant states that concurrently herewith it is filing a conditional withdrawal of its application in Docket No. CP66-77 insofar as authorization is sought to make the aforementioned winter service sales to UGI, conditioned upon the issuance of authorization for Applicant to make such winter service sales to Manufacturers in accordance with this amended application.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 6, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5643; Filed, May 20, 1966; 8:49 a.m.]

GENERAL SERVICES ADMINISTRATION

[FPMR Temporary Reg. No. A-3]

ESTABLISHMENT AND MAINTENANCE OF INVENTORIES OF ADP RESOURCES

To: Heads of Federal agencies.

1. *Purpose.* This temporary regulation implements Phases B and C of the inventory reporting required by Federal Property Management Regulations (FPMR) 101-6.306(c)(1), and modifies the information reporting requirements of FPMR 101-6.3 and 101-6.49.

2. *Background.* a. The Government-wide Automatic Data Processing Sharing Exchange Program was initiated in November 1964. ADP Sharing Exchanges were established in 12 major metropolitan areas, and Phase A of the inventory phasing was implemented in these areas in January 1965. A pilot operation, successfully implementing Phases B and C in GSA Region 5 (Illinois, Kentucky, Wisconsin, Michigan, Indiana, and Ohio) in April 1965, evidences the necessity to extend the Phases B and C inventory reporting requirements to include all ADP resources in the United States.

b. Federal agencies reported $18 million of reimbursable ADP resource sharing during fiscal year 1965. An additional several million dollars of nonreimbursable ADP resource sharing is estimated for the same period.

3. *References.* a. FPMR 101-6.3 and 101-6.49.

b. Bureau of the Budget (BOB) Circular No. A-55, November 15, 1963, as revised by BOB Transmittal Memorandum No. 2, March 9, 1966.

4. *Information reporting*—a. *GSA Form 2068A, Quarterly Report of ADP Service Provided to Another Agency or Obtained from a Commercial Source.* Although the reporting of ADP resource sharing accomplished is generally to be provided in this report, Federal agencies are authorized to substitute other formats, e.g., machine produced, which will provide the information required by this report. However, quarterly negative reports will be required. GSA Form 2068A, or substituted format, should be initiated by each ADP installation, including installations with punched card accounting machines (PCAM) only, and will include both reimbursable and nonreimbursable ADP resource sharing.

b. *GSA Form 2068B, Computer Facilities on Hand.* The submission of this report is not required in the implementation of Phases B and C if the basic computer inventory data was reported in the BOB inventory of computer facilities required by reference 3b, above. GSA will utilize this inventory pending the implementation of the BOB prescribed Management Information System (MIS).

c. *GSA Form 2068C, Punched Card Facilities.* (1) Since the inventory of computer facilities reported to BOB in accordance with reference 3b, above, does not include the inventory of punched card facilities, the submission of this report by all ADP installations (Phases B and C) in Federal agencies will be accomplished on a one-time basis, pending implementation of the BOB prescribed MIS. The target dates for completion of this reporting requirement are:

(a) Phase C—August 1, 1966; and

(b) Phase B—December 31, 1966.

(2) Reference 3a, above, authorizes agency liaison officers to determine whether to supply resource availability data from central agency headquarters records or from field establishment level. The attachment to this temporary regulation lists the GSA Interregional ADPS Coordinator and the Regional Interagency ADPS Coordinators. If an agency liaison officer elects to supply resource availability data on a centralized basis, these reports will be submitted to the Interregional ADPS Coordinator, GSA Central Office. Otherwise, these reports will be submitted direct to the Regional Interagency ADPS Coordinator of the GSA region involved. The attachment comprises the geographical areas of responsibility of each region.

d. *Policies, directives, and procedures.* Reference 3a, above, prescribes that each Federal agency is responsible for establishing policies, directives, and procedures to encourage maximum participation in the Government-wide ADP Sharing Exchange Program. Copies of these policies, directives, and procedures implemented as of the close of fiscal year 1966, will be furnished to the General Services Administration, Attention: Director, Data Processing Coordination Staff (BD), Washington, D.C., 20405, not later than August 1, 1966.

5. *Effect on other issuances.* This temporary regulation modifies reference 3a, above, as follows:

a. Implements Phases B and C of the inventory reporting requirement to include establishment of target dates.

b. Authorizes Federal agencies to use other formats to report ADP resource sharing in lieu of GSA Form 2068A.

c. Requires quarterly negative reports of ADP resource sharing.

d. Modifies requirement for reporting of computer facilities on hand (GSA Form 2068B).

e. Requires copies of implementing policies, directives, and procedures of Federal agencies.

6. *Availability of forms.* Reference 3a, above, indicates sources of supply of the GSA forms listed in subparagraphs 4 a and c, above.

7. *Effective date.* This temporary regulation is effective May 18, 1966.

8. *Expiration date.* This temporary regulation expires on November 18, 1966, unless sooner revised or superseded. Prior to this expiration date, this temporary regulation shall be codified in the permanent regulations of GSA appearing in Title 41, CFR, Public Contracts and Property Management.

Dated: May 18, 1966.

J. E. MOODY,
Acting Administrator of General Services.

ATTACHMENT

INTERREGIONAL ADPS COORDINATOR

GSA Central Office: T. Fred Noble, Interregional ADPS Coordinator, Data Processing Coordination Staff, General Services Administration, 18th and F Streets NW., Washington, D.C., 20405, IDS Code 183-4964, Area Code 202, 343-4964.

REGIONAL INTERAGENCY ADPS COORDINATORS

GSA Region/Coordinator—Area of Responsibility

Region 1, Boston: Joseph P. Mahoney, Regional Interagency ADPS Coordinator, General Services Administration, Post Office and Courthouse Building, Boston, Mass., 02109, Area Code 617, 223-2997; Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

Region 2, New York: William B. Klinger, Regional Interagency ADPS Coordinator, General Services Administration, 30 Church Street, New York, N.Y., 10007, Area Code 212, 264-8349; Delaware, New Jersey, New York, Pennsylvania.

Region 3, Washington: (Inventory reporting to be submitted to above GSA Central Office); District of Columbia, Maryland, Virginia, West Virginia.

Region 4, Atlanta: Edward D. Dancy, Jr., Acting, Regional Interagency ADPS Coordinator, General Services Administration, 1776 Peachtree Street NW., Atlanta, Ga., 30309, Area Code 404, 526-5603; Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee.

Region 5, Chicago: Anton G. Myse, Regional Interagency ADPS Coordinator, General Services Administration, U.S. Courthouse and Federal Building, 219 South Dearborn Street, Chicago, Ill., 60604, Area Code 312, 828-5406; Illinois, Indiana, Kentucky, Michigan, Ohio, Wisconsin.

Region 6, Kansas City, Mo.: Thomas M. O'Donnell, Regional Interagency ADPS Coordinator, General Services Administration, Federal Building, 1500 East Bannister Road, Kansas City, Mo., 64131, Area Code 816, 361-7540; Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota.

Region 7, Dallas:[1] Ralph Hoffman, Regional Interagency ADPS Coordinator, General Services Administration, 1114 Commerce Street, Dallas, Tex., 75202, Area Code 214, 749-2951; Arkansas, Louisiana, Oklahoma, Texas.

Region 8, Denver: William S. Oen, Regional Interagency ADPS Coordinator, General Services Administration, Building 41, Denver Federal Center, Denver, Colo., 80225, Area Code 303, 233-8758; Arizona, Colorado, New Mexico, Utah, Wyoming.

Region 9, San Francisco: Julius O. Engmann, Regional Interagency ADPS Coordinator, General Services Administration, 49 Fourth Street, San Francisco, Calif., 94103, Area Code 415, 556-7877; Nevada, California, Hawaii.

Region 10, Auburn: Donald Ross, Regional Interagency ADPS Coordinator, General Services Administration, Regional Headquarters Building, Auburn, Wash., 98002, Area Code 206, 833-5281; Alaska, Idaho, Montana, Oregon, Washington.

[F.R. Doc. 66-5647; Filed, May 20, 1966; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 14-1]

ELKTON CO.

Order Suspending Trading

MAY 17, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 1 cent par value, of The Elkton Co. otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 18, 1966, through May 27, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5551; Filed, May 20, 1966; 8:45 a.m.]

[1] The following change of address is effective July 15, 1966: General Services Administration, 819 Taylor Street, Fort Worth, Tex., 76102.

[File Nos. 54-239, 70-4385]

PENNZOIL CO. AND UNITED GAS CORP.

Notice of Filing of Plan and of Related Declaration

MAY 16, 1966.

Notice is hereby given that Pennzoil Co. ("Pennzoil"), 900 Southwest Tower, Houston, Tex., 77002, a registered holding company, and its gas utility subsidiary company, United Gas Corp. ("United"), 1525 Fairfield Avenue, Shreveport, La., 71102, have jointly filed with this Commission a plan, consisting of Part I and Part II, pursuant to section 11(e) of the Public Utility Holding Company Act of 1935 ("Act"), and a declaration, and amendments thereto, pursuant to section 12(d) of the Act. Part I of the plan and the companion declaration propose the sale by United of its retail gas distribution systems, franchises and related properties ("Distribution Division") to successful bidders. All interested persons are referred to said plan and said amended declaration, which are summarized below, for a complete statement of the proposed transactions.

Pennzoil, a Pennsylvania corporation, is primarily engaged, directly or through subsidiary companies, in the production, transportation and refining of crude oil and the marketing of motor fuels and lubricants and related products. Pennzoil owns 5,427,598 shares, or 42.18 percent of the 12,868,982 outstanding shares of common stock of United. Pennzoil registered as a holding company under the Act on December 21, 1965, upon its acquisition of United common stock pursuant to a tender offer to the United shareholders.

United, a Delaware corporation, is engaged in the retail distribution of natural gas in 197 communities in Texas, 105 in Louisiana, 84 in Mississippi and 6 in Florida. The Distribution Division includes 11,071 miles of underground mains, 6,671 miles of service lines, meters, service regulators, regulating installations, transportation equipment, lands, and structures including service and warehouse buildings, and related properties. United has one gas transmission subsidiary company from which the Distribution Division purchases approximately 96 percent of its gas requirements. United has five other nonutility companies variously engaged in the production, transportation and sale of natural gas, crude oil and other liquid hydrocarbons, in the mining and processing of sulphur, copper and other minerals, and in the manufacture of electrical, electronic and related products.

At December 31, 1965, United's gross consolidated assets, less related reserves, amounted to $842,344,000 of which $106,029,000 represents the net book value of its Distribution Division. For the year ended the same date the gross consolidated revenues of United amounted to $446,994,000 of which $59,171,000 represented revenues (together with a minor amount of net other income) of the Distribution Division.

United has publicly announced the proposed sale of its Distribution Division, and invitation for bids were advertised during April 1966, in various newspapers of national and local circulation. Bids are required to be submitted by July 15, 1966, or such later date as United may subsequently designate. The proceeds of the sale will be applied to the reduction of United's First Mortgage and Collateral Trust Bonds in accordance with the terms of its Mortgage and Deed of Trust, dated as of October 1, 1944, and supplements thereto. As at April 1, 1966, United had outstanding $219,631,000 of such bonds.

If a satisfactory bid is received and accepted, United proposes to file an amendment regarding the price for the Distribution Division. No order with respect thereto will issue pursuant to the applicable provisions of the Act except upon appropriate further notice.

Part II of the Plan proposes the consolidation of Pennzoil and United into a single corporation ("Consolidated Company"), and thereby the separate existence of Pennzoil and United will be terminated. The capital stock of the Consolidated Company will consist of common stock and $4 dividend preference common stock, both having a par value of $2.50 per share. Under Part II of the Plan each outstanding share of common stock of Pennzoil will be converted into one (1) share of common stock of the Consolidated Company. Each outstanding share of common stock of United, other than shares owned by Pennzoil, will be converted into one-half (½) of a share of $4 dividend preference common stock of the Consolidated Company, or, at the option of a United stockholder, two-thirds (⅔) of a share of the common stock of the Consolidated Company. The 5,427,598 shares of United owned by Pennzoil will be surrendered for cancellation to the Consolidated Company, and shares of common or preference common stocks will not be issued therefor.

Further details of the proposed consolidation are set forth in Part II of the Plan which is on file with the Commission. Copies of the Plan will be mailed to stockholders of Pennzoil and United. At a later date stockholders of Pennzoil and United will receive a notice of the hearing on the proposed consolidation and such stockholders will be afforded an opportunity to be heard with respect thereto.

It is stated that Pennzoil and United, through subsidiary companies, are engaged in various nonutility enterprises which are unrelated to United's retail gas utility business (as defined in the

Act), and that the sale of the Distribution Division is necessary or appropriate to ensure compliance with the provisions of section 11(b)(1) of the Act by Pennzoil and United. It is further stated that the reduction of United's long-term debt by use of the proceeds of the sale will serve to simplify the corporate structure of the holding-company system, of which Pennzoil and United are a part, under the provisions of section 11(b)(2) of the Act.

Notice is further given that any interested person may, not later than June 15, 1966, request in writing that a hearing be held on all aspects of the sale of the Distribution Division as proposed in Part I of the plan and companion declaration, other than the results of the bidding therefor which are to be filed herein by amendment. Public notice will be given of the filing of such amendment and opportunity afforded for interested persons to be heard in relation thereto. In any request for a hearing as to Part I and the companion declaration, any interested person shall state the nature of his interest, the reasons for such request, and the issue of fact or law which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, Part I of the plan and the companion declaration, as filed or as it may be amended, may be approved and permitted to become effective, subject to a reservation of jurisdiction with respect to the purchase price as aforesaid, in the manner provided in Rule 23 of the general rules and regulations promulgated under the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5552; Filed, May 20, 1966; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 576]

MICHIGAN AND OHIO

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Monroe County in the State of Michigan and all Counties bordering on Lake Erie in the State of Ohio;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid Counties and areas adjacent thereto, suffered damage or destruction resulting from storms, floods and accompanying conditions occurring on or about April 27, 1966.

OFFICES

Small Business Administration Regional Office, 1249 Washington Boulevard, Detroit, Mich., 48226.
Small Business Administration Regional Office, 1370 Ontario Street, Cleveland, Ohio, 44113.
Small Business Administration Branch Office, 234 Summit Street, Toledo, Ohio, 43602.
(Applicants located in Monroe County, Mich., may file at either the Toledo or Detroit offices.)

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1966.

Dated: May 11, 1966.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66-5555; Filed, May 20, 1966; 8:46 a.m.]

[Delegation of Authority 30, Omaha, Nebr.; Rev. 1, Amdt. 1]

OMAHA REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30 F.R. 2741, as amended 30 F.R. 8080, 30 F.R. 8426 and 30 F.R. 13419; Delegation of Authority 30 F.R. 5774 as revised by 30 F.R. 11983 is hereby amended to add the following authority to Item I.G.:

I. • • •

G. *To Loan Specialists GS-9 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 11, 1966.

NORMAN A. OTTO,
Regional Director,
Omaha Regional Office.

[F.R. Doc. 66-5556; Filed, May 20, 1966; 8:46 a.m.]

[Delegation of Authority 30, Wichita Region; Rev. 1, Amdt. 1]

WICHITA REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30, F.R. 2741; 30 F.R. 8080; and 30 F.R. 8426: Delegation of Authority 30, F.R. 11985; is hereby amended to add the following authority to Item I.G.:

I. • • •

G. *To Loan Specialists GS-9 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 18, 1966.

JOHN E. KIRCHNER,
Regional Director,
Wichita Regional Office.

[F.R. Doc. 66-5557; Filed, May 20, 1966; 8:46 a.m.]

[Delegation of Authority 30, Helena Region; Rev. 1, Amdt. 1]

HELENA REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30, F.R. 2741; 30 F.R. 8080; and 30 F.R. 8426: Delegation of Authority 30, F.R. 9968, as revised by 11739; is hereby amended to add the following authority to Item I.G.:

I. • • •

G. *To Loan Specialists GS-9 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 28, 1966.

R. B. ZACHARY,
Regional Director,
Helena Regional Office.

[F.R. Doc. 66-5558; Filed, May 20, 1966; 8:46 a.m.]

[Delegation of Authority 30, Denver Region; Amdt. 1]

DENVER REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority to the Regional Director by Delegation of Authority 30, F.R. 2741, as amended; 30 F.R. 8030, 8426, 13419, and 11938: Delegation of Authority 30, F.R. 11889 is hereby amended to add the following authority to Item I.G.:

I. • • •

G. *To Loan Specialists GS-9 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial payment dates.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. March 17, 1966.

LACY L. WILKINSON,
Regional Director,
Denver Regional Office.

[F.R. Doc. 66-5559; Filed, May 20, 1966; 8:46 a.m.]

TARIFF COMMISSION

[AA1921-48]

LEATHER WORK SHOES FROM CZECHOSLOVAKIA

Notice of Hearing

Notice is hereby given that the U.S. Tariff Commission, on May 17, 1966, ordered a public hearing to be held in connection with the investigation instituted under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), with respect to work shoes, leather, men's, and boys', imported from Czechoslovakia. Notice of the institution of this investigation was published in the FEDERAL REGISTER on May 18, 1966 (31 F.R. 7266).

The hearing will be held in the Hearing Room, Tariff Commission Building, 8th and E Streets NW., Washington, D.C., at 10 a.m., e.d.s.t., on June 21, 1966. Interested parties desiring to appear and to be heard should notify the Secretary of the Commission, in writing, at least 3 days in advance of the date set for the hearing.

Issued May 18, 1966.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 66-5575; Filed, May 20, 1966; 8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Bamberg Manufacturing Co., Inc., Bamberg, S.C.; effective 5-3-66 to 5-2-67 (men's and boys' slacks).

Bee & Gee Pants Manufacturing Co., Inc., 416-418 Main Street, Dickson City, Pa.; effective 5-4-66 to 5-3-67 (men's and boys' trousers).

Brundidge Shirt Corp., Brundidge, Ala.; effective 5-16-66 to 5-15-67 (men's dress and sport shirts).

Brunswick Manufacturing Co., 1601 Second Street, Brunswick, Ga.; effective 5-6-66 to 5-5-67 (ladies' and children's outerwear jackets).

Chester Sportswear Co., Bypass 72, Chester, S.C.; effective 4-26-66 to 4-25-67 (men's shirts).

Covington Industries, Inc., Opp, Ala.; effective 5-4-66 to 5-3-67 (men's coveralls).

Cowden-Springfield Co., Springfield, Ky.; effective 5-1-66 to 4-30-67 (men's and boys' work pants and dungarees).

Elder Manufacturing Co., Carl Junction, Mo.; effective 5-5-66 to 5-4-67 (shirts and pajamas).

Gwen Fashions, Inc., McAlisterville, Pa.; effective 5-6-66 to 5-5-67 (dresses).

Formflex of Arizona, 1120 West Watkins Road, Phoenix, Ariz.; effective 4-26-66 to 4-25-67 (girdles).

Harris-Hogan Corp., 70 Hazle Street, Wilkes-Barre, Pa.; effective 4-30-66 to 4-29-67 (children's dresses and sportswear).

Hardeman Garment Corp., Box 226, Bolivar, Tenn.; effective 5-9-66 to 5-8-67 (men's and boys' trousers).

Imperial Reading Corp., La Follette, Tenn.; effective 5-7-66 to 5-6-67 (men's dress shirts).

Keyser Garment Co., Keyser, W. Va.; effective 5-5-66 to 5-4-67 (women's dresses).

Lyons Manufacturing Co., Inc., Lyons, Ga.; effective 5-18-66 to 5-17-67 (men's and boys' shirts).

Midland Manufacturing Inc., Railroad Street, Olive Hill, Ky.; effective 4-27-66 to 4-26-67 (men's and boys' dungarees).

Pittston Apparel Co., West Enterprise and Market Streets, Glen Lyon, Pa.; effective 5-7-66 to 5-6-67 (brassieres and girdles).

Putnam Manufacturing Co., Post Office Box 718, Cookeville, Tenn.; effective 5-16-66 to 5-15-67 (men's work pants).

Renovo Shirt Co., Inc., Mena, Ark.; effective 4-28-66 to 4-27-67 (men's shirts and ladies' and girls' blouses).

Sherman Manufacturing Co., 1200 South Main Street, Darlington, S.C.; effective 5-4-66 to 5-3-67 (ladies' dresses).

Washington Garment Co., 2020 Main Street Extension, Washington, Pa.; effective 4-27-66 to 4-26-67 (ladies' pants and shorts).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Aalfs Manufacturing Co., Spencer, Iowa; effective 5-18-66 to 5-17-67; 10 learners (ladies' and girls' jeans).

Connie Fashions, Inc., 10 North West Street, Shenandoah, Pa.; effective 5-19-66 to 5-18-67; 10 learners (women's dresses).

Eastern Shore Sportswear Corp., 705 Race Street, Cambridge, Md.; effective 4-27-66 to 4-26-67; 10 learners (children's skirts and outerwear jackets).

Eileen Hope, Inc., 122 Juniper Street, Harrisburg, Pa.; effective 5-4-66 to 5-3-67; 10 learners (women's dresses).

Holiday American, Inc., 101 Schuylkill Avenue, Tamaqua, Pa.; effective 4-29-66 to 4-28-67; 5 learners (girls' dresses).

Jacket King, Inc., NAD Area Building 17, Camden, Ark.; effective 5-2-66 to 5-1-67; 10 learners (men's and boys' outerwear jackets).

Monroe Garment Co., Post Office Box 335, Monroe, N.C.; effective 5–14–66 to 5–13–67; 5 learners (men's work shirts).

Southern Maid Garment, Inc., Winnsboro, S.C.; effective 5–5–66 to 5–4–67; 10 learners (children's dresses).

Wallace Sewing Co., Inc., 850 South Wilmington, Wallace, N.C.; effective 5–2–66 to 5–1–67; 10 learners (children's outerwear garments).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Eudora Garment Corp., Eudora, Ark.; effective 5–2–66 to 11–1–66; 30 learners (washable service apparel).

E-Town Sportswear Corp., Elizabethtown, Ky.; effective 4–30–66 to 10–29–66; 50 learners (men's slacks).

The Farmville Corp., Farmville, N.C.; effective 5–4–66 to 11–3–66; 30 learners (women's jeans, slacks, and shorts).

Fortex Manufacturing Co., Inc., Fort Deposit, Ala., Greenville, Ala.; effective 5–5–66 to 11–4–66; 30 learners (pajamas).

Henry I. Siegel Co., Inc., Tiptonville, Tenn.; effective 5–7–66 to 9–17–66; 20 learners. Learners may not be employed at special minimum wages in the manufacture of sport coats of suit type construction and pants which are matched with coats (men's and boys' outerwear coats and pants).

Tom and Huck Togs, Inc., Beaverton, Ala.; effective 4–30–66 to 10–29–66; 30 learners (men's and boys' dress and sport pants).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

Good Luck Glove Co., Main Street, Rosiclare, Ill.; effective 5–9–66 to 11–8–66; 40 learners for plant expansion purposes (work gloves).

Indianapolis Glove Co., Inc., Glenwood, Ark.; effective 5–11–66 to 5–10–67; 10 learners for normal labor turnover purposes (work gloves).

Wells Lamont Corp., Philadelphia, Miss.; effective 5–7–66 to 5–6–67; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Becton, Dickinson & Co., S.E. (P.R.), Apartado "S," Juncos, P.R.; effective 4–12–66 to 5–31–66; 30 learners for plant expansion purposes in the basic hand and/or machine production operations in the manufacture of thermometers and thermometer tubes, for a learning period of 480 hours at the rates of $1.10 an hour for the first 240 hours and $1.20 an hour for the remaining 240 hours (thermometers).

Caribbean Novelty Co., Inc., Post Office Box 203, Vieques, P.R.; effective 4–4–66 to 4–3–67; 10 learners for normal labor turnover purposes in the occupation of bowtier, for a learning period of 160 hours at the rate of 77 cents an hour (ribbon bows).

Caribe Sports Co., Inc., Apartado 226, San German, P.R.; effective 4–27–66 to 6–30–66; 13 learners for normal labor turnover purposes in the occupations of: (1) sewing machine operating, hand lacing, each for a learning period of 320 hours at the rates of 68 cents an hour for the first 160 hours and 78 cents an hour for the remaining 160 hours; and (2) die and clicker machine operating, leather stamping, eyeletting, shell layoff, turning machine operating, final glove layoff, leather regrading, final inspecting; each for a learning period of 160 hours at the rate of 68 cents an hour (baseball, boxing and striking bag gloves and golf club head covers).

Granada Mills, Inc., Apartado 881, Caguas, P.R. effective 4–25–66 to 9–1–66; 25 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (ladies' and children's underwear).

Van Heusen of P.R. Camaceyes Road No. 5, Km. 1, Post Office Box 245, Aguadilla, P.R.; effective 4–11–66 to 10–10–66; 70 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (dress shirts).

Mohawk International, Inc., Calle Comercio No. 66, Apartado 501, Aguadilla, P.R., effective 4–25–66 to 6–30–66; 10 learners for plant expansion purposes in the occupations of: (1) Stitching machine operating, for a learning period of 320 hours at the rates of 68 cents an hour for the first 160 hours and 78 cents an hour for the remaining 160 hours; and (2) die and clicker machine operating, final inspecting, each for a learning period of 160 hours at the rate of 68 cents an hour (sport gloves).

Saint Lawrence Garment Co., Inc., Apartado 596, San Lorenzo, P.R.; effective 5–2–66 to 5–1–67; 11 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (ladies' and children's panties).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 13th day of May 1966.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 66-5549; Filed, May 20, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 185]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 18, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 11207 (Sub-No. 246 TA), filed May 16, 1966. Applicant: DEATON, INC., 3409 10th Avenue North, Post Office Box 1271, Birmingham, Ala. Applicant's representative: J. Carl Preston (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum products, and building materials* (except liquid commodities in bulk), from the plantsite of National Gypsum Co. at Westwego, La., to points in Alabama and Mississippi and points in Florida on and west of U.S. Highway 319, for 120 days. Supporting shipper: National Gypsum Co., Gold Bond Building, Buffalo, N.Y., 14202. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala., 35205.

No. MC 11207 (Sub-No. 247 TA), filed May 16, 1966. Applicant: DEATON, INC., 3409 10th Avenue North, Post Office Box 1271, Birmingham, Ala. Applicant's representative: J. Carl Preston (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic conduit and plastic pipe, cement conduit and cement pipe containing asbestos fibre and couplings, rings, and accessories for installation thereof*, from Green Cove Springs, Fla., to points in Virginia, for 120 days. Supporting shipper: Johns-Manville Corp., Manville, N.J. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala., 35205.

No. MC 99213 (Sub-No. 8 TA), filed May 13, 1966. Applicant: VIRGINIA FREIGHT LINES, School Street, Kilmarnock, Va. Applicant's representative: J. R. Pittman (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural limestone*, in bulk (except in tank, hopper and dump type vehicles), from

points in Baltimore County, Md., to points in Caroline, Essex, Gloucester, Lancaster, Mathews, Northumberland, Richmond, and Westmoreland Counties, Va., for 180 days. Supporting shipper: Kilmarnock Feed Supply, Kilmarnock, Va. Send protests to: Robert W. Waldron, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 10–502 Federal Building, Richmond, Va., 23240.

No. MC 111401 (Sub-No. 198 TA), filed May 16, 1966. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla., 73701. Applicant's representative: Alvin J. Meiklejohn, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, (1) from Bishop and Corpus Christi, Tex., to points in California, Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, and Tennessee, (2) from Freeport, Tex., to points in California, Connecticut, Illinois, Indiana, Iowa, Massachusetts, Maryland, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, and Washington, (3) from North Seadrift and Texas City, Tex., to points in California, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Missouri, Montana, Nebraska, North Carolina, North Dakota, Ohio, Pennsylvania, South Carolina, Tennessee, Utah, West Virginia, Wisconsin, and Wyoming, for 180 days. Supporting shippers: Celanese Chemical Co., Box 2768, Corpus Christi, Tex., 78403, A. DeRouen, traffic manager; the Dow Chemical Co., Freeport, Tex., 77541 H. W. Westerman, traffic manager; Union Carbide Corp., 270 Park Avenue, New York, N.Y., 10017, W. E. Morgan, group manager. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla., 73102.

No. MC 113271 (Sub-No. 26 TA), filed May 16, 1966. Applicant: CHEMICAL TRANSPORT, 1627 Third Street NW., Great Falls, Mont., 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, in bulk, in hopper type vehicles, from Baker, Oreg., and points within 5 miles thereof, to points in Montana, for 180 days. Supporting shippers: Chemical Lime Co., Post Office Box 711, Baker, Oreg., 97814; Waldorf-Horner Paper Products Co., Missoula, Mont., 59801. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, U.S. Post Office Building, Billings, Mont., 59101.

No. MC 115349 (Sub-No. 8 TA), filed May 16, 1966. Applicant: SOUTHERN TIER GARMENT CARRIERS, INC., 7 Sherwood Boulevard, Owego, N.Y. Applicant's representative: Donald C. Carmien, 300 Press Building, Binghamton, N.Y., 13902. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, on hangers, from points in Tioga and Bradford Counties, Pa., to New York City, N.Y., and points in Hudson County, N.J., and *materials and supplies used in the manufacture of wearing apparel*, uncrated, from New York, N.Y., and points in Hudson County, N.J., to points in Tioga and Bradford Counties, Pa., for 150 days. Supporting shipper: Athens Dress Co., Athens, Pa.; Elkland Dress Co., Elkland, Pa. Send protests to Charles F. Jacobs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 215–217 Post Office Building, Binghamton, N.Y., 13902.

No. MC 117076 (Sub-No. 2 TA), filed May 16, 1966. Applicant: GRIESER TRUCKING CO., a corporation, Route No. 1, Box 151A, Archbold, Ohio, 43502. Applicant's representatives: A. Charles Tell, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215 and Owen Rice, 301½ North Defiance Street, Archbold, Ohio, 43502. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tubular steel scaffolding and accessories*, new and used, and uncrated, and *boarding ramps and stands*, uncrated, new and used, between Archbold, Ohio, on the one hand, and, on the other, points in the United States including the District of Columbia, but excluding Alaska and Hawaii, and from one jobsite to another jobsite, between points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Bil-jax, Inc., Archbold, Ohio, 43502. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio, 43604.

No. MC 119795 (Sub-No. 2 TA), filed May 13, 1966. Applicant: LEONHARDT TRUCKING, INC., 214 South Boston Street, Post Office Box 426, Galion, Ohio. Applicant's representative: Singer and Hardman, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Burial vaults*, from Wapakoneta, Ohio, to points in Arkansas, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, Colorado, New Mexico, and District of Columbia, for 180 days. Supporting shippers: Galion Metallic Vault Co., Division of Harsco Corp., Wapakoneta, Ohio; Perfection Burial Vault Co., Division of Harsco Corp., Wapakoneta, Ohio. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio, 43604.

No. MC 124062 (Sub-No. 5 TA), filed May 16, 1966. Applicant: FRICK TRANSPORT, INC., Wawaka, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from Wawaka, Ind., to points in Ohio and the Lower Peninsula of Michigan, for 180 days. Supporting shipper: Allied Chemical Corp., 40 Rector Street, New York, N.Y., 10006. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 125717 (Sub-No. 6 TA), filed May 16, 1966. Applicant: NORMAN JOSEPH CHOPLIN, doing business as JOE CHOPLIN, 1301 North Spring, Independence, Mo., 64050. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo, 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy replacement products*, from Kansas City, Mo., to Fort Smith, Little Rock, and Texarkana, Ark., and Shreveport, La.; and *pulpboard boxes* other than corrugated, knocked down flat, from Garland, Tex., to Kansas City, Mo., for 180 days. Supporting shipper: Presto Food Products, Inc., 1602 Forest, Kansas City, Mo., 64108. Send protests to: B. J. Schreier, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 128024 (Sub-No. 1 TA), filed May 16, 1966. Applicant: BUILDING TRANSPORTATION COMPANY, 422 Maple Street, Richardson, Tex. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex., 75201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings*, between points in Texas, Arkansas, Oklahoma, Louisiana, and Mississippi, under a continuing contract with Morgan Portable Building Co., for 150 days. Supporting shipper: Morgan Portable Building Co., 9000 Harry Hines Boulevard, Dallas, Tex., 75235. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Dallas, Tex., 75202.

No. MC 128151 (Sub-No. 1 TA), filed May 16, 1966. Applicant: SHAMROCK TRUCKING CORPORATION, 266 Magnolia Avenue, Hillsdale, N.J., 07642. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Laminated cloth*, from East Rutherford, N.J., to points in North Carolina, South Carolina, West

Virginia, District of Columbia, Maryland, Delaware, New York, Pennsylvania, Massachusetts, Rhode Island, and Connecticut, and *returned foam laminated cloth and commodities used in the manufacture of foam laminated cloth* (except in bulk, in tank vehicles), on return, for 180 days. Supporting shipper: Laminac, a division of Bangor Punta Operations, Inc., 415 Route 20, East Rutherford, N.J., 07073. Send protests to: Joel Morrows, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J., 07102.

No. MC 128189 TA, filed May 13, 1966. Applicant: HAROLD BRUNER, 2700 East 175th Street, Lansing, Ill. Applicant's representative: Samuel Ruff, 2109 Broadway, East Chicago, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tanks, tank car parts and assemblies*, between Edge Moor, Del., on the one hand, and, on the other, Philadelphia, Pa., for 150 days. Supporting shipper: Union Tank Car Co., Tank Car Division, 4809 Tod Avenue, East Chicago, Ind. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Room 1086, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

MOTOR CARRIERS OF PASSENGERS

No. MC 128099 (Sub-No. 1 TA), filed May 16, 1966. Applicant: ALAMO BUS LINES, INC., 2350 Fourth Avenue, Yuma, Ariz., 85364. Applicant's representative: Glenn W. Tuttle (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express in the same vehicle with passengers*, between Yuma, Ariz., and Parker, Ariz., from Yuma over U.S. Highway 95 to junction with U.S. Highways 60–70 and Interstate 10 at Quartzite, thence over 60–70 and Interstate 10 to Blythe, Ariz., return to unnumbered Arizona Highway at Ehrenburg, thence north over unnumbered Arizona Highway to Parker, and return over the same route, serving all intermediate points, for 180 days. Supporting shippers: Blythe Chamber of Commerce, Drawer 66, Blythe, Calif., 92225; Growers Service & Equipment Co., 2223 Pacific Avenue (2E), Yuma, Ariz., 85364; Braden Machinery Co. of Calif., Post Office Box 95, Blythe, Calif., 92225; New York Life Insurance Co., 1047 Fourth Avenue, Yuma, Ariz., 85364; Sun Valley Bus Lines, Inc., 600 East Jefferson, Phoenix, Ariz., 85004. Send protests to: Andrew V. Baylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 4006 Federal Building, Phoenix, Ariz., 85025.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5590; Filed, May 20, 1966; 8:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 18, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40483—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 149), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariffs—Supplements 8 and 1 to Southern Motor Carriers Rate Conference, agent, tariffs MF-ICC 1392 and 1403, respectively.

FSA No. 40484—*Grain to Louisiana and Texas Gulf Ports.* Filed by the Kansas City Southern Railway Co. (No. 2), for itself and on behalf of Louisiana and Arkansas Railway Co. Rates on wheat, corn, oats, rye, barley, and grain sorghums, in carloads, subject to minimum of 75 or more covered hopper cars per shipment from Kansas City, Mo.-Kans., to Baton Rouge and New Orleans, La., also Beaumont and Port Arthur, Tex.

Grounds for relief—Barge and market competition, and port equalization.

Tariff—Supplement 3 to Kansas City Southern Railway Co. tariff ICC 5428.

FSA No. 40485—*Tin or terne plate to Fairfield and Greens, Ala.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2841), for interested rail carriers. Rates on tin or terne plate and tin mill black plate, in carloads, from specified points in Maryland, Ohio, Pennsylvania, and West Virginia, to Fairfield and Greens, Ala.

Grounds for relief—Market competition.

Tariff—Supplement 51 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-428.

FSA No. 40486—*Grain to Louisiana Gulf Ports.* Filed by Missouri Pacific Railroad Co. (No. 1136), for itself and on behalf of the Texas & Pacific Railway Co. Rates on wheat, corn, oats, rye, barley, and grain sorghums, in carloads, subject to minimum shipment of 75 carloads, from Atchison and Wolcott, Kans., Kansas City, Mo.-Kans., St. Joseph and St. Louis, Mo., and East St. Louis, Ill., also Omaha, South Omaha, and Nebraska City, Nebr., to Baton Rouge, New Orleans, and Port Allen, La. (for export).

Grounds for relief—Barge competition.

Tariffs—Supplements 12 and 6 to Missouri Pacific Railroad Co. tariffs ICC 309 and 364, respectively.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5591; Filed, May 20, 1966; 8:49 a.m.]

[Investigation and Suspension Docket Nos. M-20375, M-20390]

MULTIPLE PICKUP AND DISCOUNT RULES, MIDDLE ATLANTIC AND NEW ENGLAND STATES

Assignment for Hearing and Directing Special Procedure

Investigation and Suspension Docket No. M-20375, Multiple Pickup and Discount Rules, Middle Atlantic and New England States, and Investigation and Suspension Docket No. M-20390, Multiple Pickup Discount Rules, New England and points in New Jersey and New York.

It appearing, that by orders dated March 11 and March 18, 1966, in I. & S. Docket No. M-20375 and I. & S. Docket No. M-20390, respectively, the Commission entered upon an investigation of the lawfulness of the provisions, rules and regulations contained in certain tariff schedules designated in said orders and suspended their operation;

And it further appearing, that upon consideration of the record in these proceedings and having determined that they are of such a nature as to require the adoption of special procedure; that they should be heard on a common record; that they should be referred to a hearing examiner; and for good cause appearing therefor:

It is ordered, That:

(a) These proceedings be, and they are hereby, referred to Hearing Examiner Kenneth J. McAuliffe for hearing and for administrative handling;

(b) The respondents and any interested party in support thereof shall file with the Commission on or before June 27, 1966, their prepared testimony, in writing, together with any cost studies to be offered with a statement where the underlying work papers to such cost studies will be available for inspection by parties to the proceedings, and at the same time serve a copy of such prepared testimony upon all parties to the proceedings;

(c) Persons desiring to receive copies of respondent's material and become parties to the proceedings should notify the Commission, in writing, with a copy to the hearing examiner on or before June 8, 1966;

(d) On or before June 20, 1966, the hearing examiner will prepare and cause to be served a service list containing the names of all persons who have indicated their desire to become parties and participate in the proceedings prior to June 8, 1966;

(e) Parties desiring to cross-examine witnesses who have submitted prepared testimony shall give notice to that effect, in writing, to the affiant and his counsel, if any, on or before July 11, 1966, a copy of such notice to be filed simultaneously with the Commission, together with a request for any underlying data that the witness will be expected to have available for immediate reference;

(f) A hearing will be held commencing on July 19, 1966, at 9:30 o'clock a.m., U.S. standard time (or 9:30 o'clock a.m., l.d.t., if that time is observed), at the Federal Trade Commission, 30 Church Street, New York, N.Y., for the purpose of cross-examining respondents' witnesses so requested, and at the conclusion of said hearing, the hearing examiner will arrange the procedure to be followed for the filing of further prepared testimony, exhibits or studies and the holding of a further hearing;

(g) An original with the affidavit and signature in ink, together with two copies of all prepared testimony, shall be filed with the Commission;

(h) Evidence presented which fails to conform to the above-outlined procedure will be grounds for its rejection from the record in these proceedings.

It is further ordered, That a copy of this order be served upon all respondents and protestants to these proceedings, and that a copy be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all parties.

And it is further ordered, That, to avoid future unnecessary service upon those respondents who, although participating carriers in the tariff schedules which are the subject of investigation herein, are not actively interested in the outcome of such investigation, subsequent service on respondents herein of notices and orders of the Commission will be limited to those respondents who:

(1) Have been identified by name in the order or orders of investigation herein,

(2) Specifically make written request to the Secretary of the Commission to be included on the service list, or

(3) Have appeared at a hearing.

Dated at Washington, D.C., this 16th day of May A.D. 1966.

By the Commission, Commissioner Walrath.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5592; Filed, May 20, 1966; 8:49 a.m.]

[Notice 184]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 17, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No.-MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 67866 (Sub-No. 20 TA), filed May 13, 1966. Applicant: FILM TRANSIT, INC., 311 South Second Street, Post Office Box 444, Memphis, Tenn., 38103. Applicant's representative: James W. Wrape, Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and livestock), between Memphis, Tenn., on the one hand, and, on the other, points in Mississippi on and north of U.S. Highway 82, and Moorhead, Itta Bena, and State College, Miss.; restricted, however, to shipments of 100 pounds or less and further restricted to perform no service for the transpotration of any package or article weighing in excess of 70 pounds per package or article, nor in excess of 100 pounds per day from one consignor at one location to one consignee at one location, for 180 days. Supporting shippers: The application is supported by statements from approximately 100 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: W. W. Garland, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 390 Federal Office Building, 167 North Main Street, Memphis, Tenn., 38103.

No. MC 112553 (Sub-No. 3 TA), filed May 13, 1966. Applicant: VAN'S TRANSPORTATION, INC., 2803 Cincinnati Dayton Road, Middletown, Ohio. Applicant's representative: Charles E. Van Horn (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated metal pipe and parts and accessories*, from the plantsite of Armco Steel Corp. at Summit, Boyd County Ky., to points in Indiana, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, for 180 days. Supporting shipper: Charles W. Hall, Armco Steel Corp., 703 Curtis Street, Middletown, Ohio, 45042. Send protests to: Emil P. Schwab, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio, 45202.

No. MC 128159 (Sub-No. 1 TA), filed May 13, 1966. Applicant: McLAIN TRANSPORTATION, INC., a corporation, 139 Bunn Road, Hillsdale, Mich., 49242. Applicant's representative: Senator Haskell L. Nichols, 401 Dwight Building, Jackson, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sausage, and meat products*, with refrigerated equipment, from Hillsdale, Mich. to points in Michigan, Ohio, Indiana, Illinois, and Pennsylvania, for 180 days. Supporting shipper: Bob Evans Farms, Post Office Box 4143 Station G, Columbus, Ohio, 43207. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich., 48933.

No. MC 128182 TA, filed May 12, 1966. Applicant: DAIRY DISPATCH CORP., 100 Hudson Street, New York, N.Y. Applicant's representative: William D. Traub, 10 East 40 Street, New York, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Butter*, in mechanically-refrigerated vehicles, under contract with Hotel Bar Foods, Inc., from New York, N.Y., to Elizabeth, N.J., for 150 days. Supporting shipper: Hotel Bar Food, Inc., 16 Jay Street, New York, N.Y. Send protests to: Paul W. Assenza, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 128183 TA, filed May 13, 1966. Applicant: GUNSBERG BROTHERS TRUCKING CO., 2001 Brewster Street, Detroit, Mich., 48221. Applicant's representative: Earl M. Remer, 1828 First National Building, Detroit, Mich., 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerated processed or cured meats*, both frozen and unfrozen, from Detroit, Mich., to Buffalo, Jamestown, Rochester, Elmira, Ithaca, Syracuse, Utica, Norwich, Albany, Troy, Kingston, Poughkeepsie, New York City, and Brooklyn, N.Y., Bradford, Philadelphia, Stroudsburg, Chambersburg, and Pittsburgh, Pa., Pittsfield and Boston, Mass., Hartford, Conn., Baltimore, Md., and Washington, D.C., for 180 days. Supporting shipper: Gunsberg Bros. Packing Co., 2001 Brewster Street, Detroit, Mich., 48207. Send protests to: Gerald J. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1110 Broderick Tower, 10 Witherell, Detroit, Mich., 48226.

MOTOR CARRIERS OF PASSENGERS

No. MC 128175 TA, filed May 11, 1966. Applicant: H. R. WHALEY, doing business as SERVICE CAB COMPANY, Air Port Road, Gatlinburg, Tenn., 37738. Applicant's representative: Robert F. Worthington, Jr., Valley Fidelity Bank Building, Knoxville, Tenn., 37902. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* re-

stricted to traffic originating and terminating at Gatlinburg, Tenn., on round trip sightseeing or pleasure tours, over routes, indicated below, and return to Gatlinburg, Tenn., extending from May 1, 1966, to October 30, 1966, as follows: *Route 1 (Cherokee Tour)*, Highway No. 441 to top of mountain; Park Service road to Clingman's Dome; then return to Highway No. 441; proceeding to Cherokee, N.C., and return to Gatlinburg, Tenn., *Route 2 (Cades Cove Tour)*, Highways No. 441 and No. 73 to Park Service road; proceeding to Cades Cove; and return to Gatlinburg, Tenn., *Route 3 (Fontana Tour)*, Highways No. 441 and No. 73 to Maryville, Tenn.; Highways No. 129 and No. 28 to Fontana; Highways No. 28 and No. 19 to Cherokee, N.C.; Highway No. 441 and Park Service road to Clingman's Dome; and return to Gatlinburg, Tenn., *Route 4 (Asheville, N.C., Tour)*, Highway No. 73E to Highway No. 32 to Newport, Tenn.; Highways No. 25 and No. 70 to Asheville, N.C.; Highway No. 19 to Cherokee, N.C.; Highway No. 441 and Park Service road to Clingman's Dome; and return to Gatlinburg, Tenn., *Route 5 (Hillbilly Loop Tour)*, Highway No. 73E to Highway No. 32; Highway No. 284 to Dellwood; Highway No. 19 to Cherokee; Highway No. 441 and Park Service road to Clingman's Dome and return to Gatlinburg, *Route 6 (Waterfalls Tour)*, Highway No. 441 to Cherokee and Franklin, N.C.; Highway No. 64 to Highlands and Cashiers, N.C.; Highway No. 107 to Sylvia, N.C.; Highway No. 19A to Blue Ridge Parkway and Highway No. 441 to Gatlinburg, Tenn., for 180 days. Supported by: The application is accompanied by a statement signed by some 100 individuals, which statement may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn., 37203.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5528; Filed, May 19, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

	Page
PROCLAMATION:	
3718	6567
3719	6607
3720	6679
3721	6817
3722	6855
3723	6945
3724	7027
3725	7107
EXECUTIVE ORDER:	
July 2, 1910 (revoked in part by PLO 4003)	7351
8389 (see EO 11281)	7215
9989 (superseded by EO 11281)	7215
10348 (superseded by EO 11281)	7215
10644 (amended by EO 11281)	7215
11917 (superseded by EO 11278)	6681
11069 (superseded by EO 11278)	6681
11218 (superseded by EO 11278)	6681
11277	6609
11278	6681
11279	6947
11280	7167
11281	7215
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:	
Reorganization Plan No. 2 of 1966	6857

5 CFR

	Page
630	7279, 7380
213	6769, 6859, 6903, 6949, 7169, 7351, 7379, 7380.
772	6569, 6949

6 CFR

	Page
70	7029

7 CFR

	Page
7	6569
50	6570
51	7169
68	6629
701	6957, 7169
718	6859, 7393
719	7030
722	6573, 6580, 6859
724	6819
729	6581, 6957
780	7393
813	6819
815	6860
905	6958
908	6825, 7030, 7109, 7394
909	6825, 7109
910	6826, 7110, 7394
915	7394
917	7241, 7242, 7348
918	6958
944	6959
959	6860
965	7243
980	6629
1098	6581
1099	6861, 7110
1421	6904, 7243
1427	6861, 7110
1434	6582
1481	7396
1490	6862
PROPOSED RULES:	
52	6871, 7185
58	6715
905	7286, 7287
916	6871
965	6592
991	7397
1032	6631
1038	7061
1039	7061
1050	6631
1065	6873
1068	7129
1099	7129
1125	7062
1126	6631
1133	6986

8 CFR

	Page
204	7217
214	6611, 7170
511	7348

9 CFR

	Page
76	7029

12 CFR

	Page
1	6826, 6905
10	6949
11	6950
12	6952
13	6953
14	6954
15	6955
16	6955
208	7224
220	7169
522	6905
524	6905
PROPOSED RULES:	
523	7354
545	7355
561	7356
563	7356

13 CFR

	Page
105	7375
121	7375

14 CFR

	Page
39	6582, 6685, 6790, 6959, 7031, 7111, 7170, 7279, 7351.
71	6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172, 7217, 7279, 7351, 7352.
73	6893, 7032, 7112, 7217
75	7280
95	7112
97	6612, 6685, 6828, 6894, 7218, 7385
137	6685
151	6686
208	6620
223	6584
320	6585
378	6621

14 CFR—Continued

	Page
PROPOSED RULES:	
37	7084
39	7148, 7354
71	6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187.
75	7085
105	6988
121	6592
246	6986

15 CFR

	Page
30	6587
369	7037
372	7038
373	6707, 7038
374	6707
377	6707
379	6709
382	6707, 6709, 7038
384	6709, 6864
385	6709
399	6707, 6709, 6829, 6866, 7038, 7380

16 CFR

	Page
13	7056–7059
15	6866, 6906, 7225, 7281, 7349
59	6960

17 CFR

	Page
200	6588
240	6705, 6706
PROPOSED RULES:	
240	7289
249	7289

18 CFR

	Page
260	7226
601	7114
606	7127
PROPOSED RULES:	
141	7287

19 CFR

	Page
1	6611
10	6769
45	
PROPOSED RULES:	
1	6871
20	6908

20 CFR

	Page
404	6611
PROPOSED RULES:	
405	7131, 7143

21 CFR

	Page
8	7172, 7227
10	7227
45	7375
120	7172, 7376
121	6830, 7173, 7227, 7228, 7281, 7282
131	6705, 6906
146c	6830
146e	7228
148	7173
166	7174
191	6622
PROPOSED RULES:	
17	7412
51	6792
121	7245
133	7185, 7354
166	7245

24 CFR

	Page
200	6866

25 CFR

	Page
221	7283
PROPOSED RULES:	
131	7353

26 CFR

	Page
1	6589, 6966
31	6589, 7183
PROPOSED RULES:	
1	6966

28 CFR

	Page
0	6867

29 CFR

	Page
548	6769
800	6770
1504	7430

31 CFR

	Page
90	6960
202	6590
316	6831
332	6686, 6831
520	7333

32 CFR

	Page
43	7228
300	6831
706	6962
1472	6906
1810	6962, 7175

32A CFR

	Page
BDSA (Ch. VI):	
BDSA Reg. 2	6590
M–11A	7036

33 CFR

	Page
202	7284
203	6907, 7175, 7284, 7350
207	6590, 6622, 6867
208	6707
PROPOSED RULES:	
402	7356

35 CFR

	Page
255	6831

37 CFR

	Page
1	7284, 7391
2	7284

38 CFR

	Page
2	6770
9	7175
21	6771

39 CFR

	Page
17	7391
PROPOSED RULES:	
21	6715
24	6715

41 CFR

	Page
5–2	7391
6–1	6622
6–2	6623
6–3	6623
6–5	6624
6–7	6624
6–11	6624
6–30	6624
6–60	6625
8–7	7178, 7350
8–12	7179, 7350
9–12	6907

41 CFR—Continued

	Page
22–60	6625
101–19	7234
101–26	6963, 7234
101–45	6831

42 CFR

	Page
55	7128
57	7376, 7378
81	7128

43 CFR

	Page
PUBLIC LAND ORDERS:	
3977 (amended by PLO 4000)	6868
3999	6907
4000	6868
4001	7350
4002	7350
4003	7351
PROPOSED RULES:	
1727	6984
2221	6985
3130	6834
3160	6836

45 CFR

	Page
90	7128
171	7128
177	6591
801	6591

46 CFR

	Page
309	6891
500	7180
527	7392
PROPOSED RULES:	
290	7131
510	6792, 7248
512	6838
513	6838

47 CFR

	Page
0	6627, 6831
1	6831, 6868
2	7235
73	6627, 6628, 6868, 7238
91	7235
95	7235
PROPOSED RULES:	
2	6909, 7086
73	6637, 6638, 6792, 6838, 6874, 7086, 7246
87	6909, 7086

48 CFR

	Page
16	7032
17	7033
18	7034
19	7034

49 CFR

	Page
71–79	6591
95	6832
142	6964
170	7392
188	6964
PROPOSED RULES:	
178	7287, 7288

50 CFR

	Page
33	6629, 6832, 6869, 6893, 6964, 7225, 7226, 7285.
60	6833
PROPOSED RULES:	
32	7061
34	7286
271	7244

V
O
L
3
9

99

PART 2

FEDERAL REGISTER

VOLUME 31 • NUMBER 99

Saturday, May 21, 1966 • Washington, D.C.

PART II

Department of Labor
Bureau of Labor Standards



Safety and Health Regulations for Longshoring

Title 29—LABOR

Chapter XIII—Bureau of Labor Standards, Department of Labor

PART 1504—SAFETY AND HEALTH REGULATIONS FOR LONGSHORING

On June 11, 1965, a proposal to amend the safety and health regulations for longshoring under section 41 of the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 941) was published in the FEDERAL REGISTER (30 F.R. 7608). Interested persons were provided opportunities to submit data, views, and argument both orally and in writing in regard to the proposals. After consideration of all relevant matter presented, I have decided to and do hereby revise 29 CFR Part 1504 effective June 20, 1966, to read as set forth below.

Signed at Washington, D.C., this 17th day of May 1966.

W. WILLARD WIRTZ,
Secretary.

PART 1504—SAFETY AND HEALTH REGULATIONS FOR LONGSHORING

Subpart A—General Provisions

Sec.
1504.1 Purpose and authority.
1504.2 Scope and responsibility.
1504.3 Definitions.
1504.4 Penalty.
1504.5 Variation from the regulations of this part.
1504.6 Reference specifications, standards, and codes.
1504.7 Notification of accidents resulting in fatalities or serious injuries.
1504.8 Amendment of this part.

Subpart B—Gangways and Gear Certification

1504.11 Gangways.
1504.12 Gear certification.

Subpart C—Means of Access

1504.21 Gangways and other means of access.
1504.22 Jacob's ladders.
1504.23 Access to barges and river towboats.
1504.24 Bridge plates and ramps.
1504.25 Ladders.

Subpart D—Working Surfaces

1504.31 Hatch coverings.
1504.32 Stowed cargo and temporary landing platforms.
1504.33 Deck loads.
1504.34 Skeleton decks.
1504.35 Open hatches.
1504.36 Weather deck rails.
1504.37 Sides of barges.
1504.38 Freshly oiled decks.

Subpart E—Opening and Closing Hatches

1504.41 Coaming clearances.
1504.42 Beam and pontoon bridles.
1504.43 Handling beams and covers.

Subpart F—Ship's Cargo Handling Gear

1504.51 General requirements.
1504.52 Specific requirements.
1504.53 Cargo winches.
1504.54 Rigging gear.
1504.55 Cranes.

Subpart G—Cargo Handling Gear and Equipment Other Than Ship's Gear

1504.61 General.
1504.62 Fiber rope and fiber rope slings.
1504.63 Wire rope and wire rope slings.
1504.64 Chains and chain slings.
1504.65 Shackles.
1504.66 Hooks other than hand hooks.
1504.67 Pallets.
1504.68 Chutes, gravity conveyors and rollers.
1504.69 Powered conveyors.
1504.70 Portable stowing winches.
1504.71 Rain tents.
1504.72 Tools.
1504.73 Mechanically-powered vehicles used aboard vessels.
1504.74 Mobile crawler or truck cranes temporarily placed aboard vessels for longshoring operations.
1504.75 Notifying ship's officers before using certain equipment.
1504.76 Grounding.

Subpart H—Handling Cargo

1504.81 Slinging.
1504.82 Building drafts.
1504.83 Stowed cargo, tiering and breaking down.
1504.84 Bulling cargo.
1504.85 Containerized cargo.

Subpart I—General Working Conditions

1504.91 Housekeeping.
1504.92 Illumination.
1504.93 Ventilation and atmospheric conditions.
1504.94 Sanitation and drinking water.
1504.95 Longshoring operations in the vicinity of repair and maintenance work.
1504.96 First aid and life saving equipment.
1504.97 Qualifications of machinery operators.
1504.98 Grain fitting.

Subpart J—Personal Protective Equipment

1504.101 Eye protection.
1504.102 Respiratory protection.
1504.103 Protective clothing.
1504.104 Foot protection.
1504.105 Head protection.
1504.106 Protection against drowning.

Appendix I—Cargo Gear Register and Certificates

AUTHORITY: The provisions of this Part 1504 and Appendix I, issued under R.S. 161, 44 Stat. 1444, as amended, 72 Stat. 835; 5 U.S.C. 22, 33 U.S.C. 941.

Subpart A—General Provisions

§ 1504.1 Purpose and authority.

(a) The Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424; 33 U.S.C. 901 et seq.) provides compensation for injuries suffered by employees when they are working for private employers within the Federal maritime jurisdiction on the navigable waters of the United States, including dry docks. Public Law 85–742, 72 Stat. 835, approved August 23, 1958, which amends section 41 of the Longshoremen's and Harbor Workers' Compensation Act, as amended (44 Stat. 1444; 33 U.S.C. 941) requires, among other things, that every employer of the aforementioned employees "shall install, furnish, maintain, and use such devices and safeguards with particular reference to equipment used by and working conditions established by such employers as the Secretary may determine by regulation or order to be reasonably necessary to protect the life, health, and safety of such employees, and to render safe such employment and places of employment, and to prevent injury to his employees." It is the purpose of the regulations of this part to carry out the intent of Public Law 85–742.

(b) Pursuant to Public Law 85–742 the regulations of this part do not make determinations with respect to matters under the control of the United States Coast Guard within the scope of Title 52 of the Revised Statutes and Acts supplementary or amendatory thereto (46 U.S.C. 1–1388, passim), including, but not restricted to, the master, ship's officers, crew members, design, construction, and maintenance of the vessel, its gear and equipment; to matters within the regulatory authority of the United States Coast Guard to safeguard vessels, harbors, ports, and waterfront facilities under the provisions of the Espionage Act of June 15, 1917, as amended (40 Stat. 220; 50 U.S.C. 191 et seq.; 22 U.S.C. 401 et seq.) or to matters within the regulatory authority of the United States Coast Guard with respect to lights, warning devices, safety equipment and other matters relating to the promotion of safety of lives and property under section 4(e) of the Outer Continental Shelf Lands Act of August 7, 1953 (67 Stat. 462; 43 U.S.C. 1333).

§ 1504.2 Scope and responsibility.

(a) The responsibility for compliance with the regulations of this part is placed upon "employers" as defined in § 1504.3 (c) of this part.

(b) It is not the intent of the regulations of this part to place additional responsibilities or duties on owners, operators, agents or masters of vessels unless such persons are acting as employers, nor is it the intent of these regulations to relieve such owners, operators, agents or masters of vessels from responsibilities or duties now placed upon them by law, regulation or custom.

§ 1504.3 Definitions.

(a) The term "shall" indicates provisions which are mandatory.

(b) The term "Secretary" means the Secretary of Labor.

(c) The term "employer" means an employer any of whose employees are employed, in whole or in part, in longshoring operations or related employments, as defined herein within the Federal maritime jurisdiction on the navigable waters of the United States.

(d) The term "employee" means any longshoreman, or other person engaged in longshoring operations or related employments, within the Federal maritime jurisdiction on the navigable waters of the United States, other than the master, ship's officers, crew of the vessel, or any person engaged by the master to load or unload any vessel under 18 net tons.

(e) The term "vessel" includes every description of watercraft or other artificial contrivance used or capable of being used as a means of transportation on water, including special purpose floating structures not primarily designed for or used as a means of transportation on water.

(f) The term "public vessel" means a vessel owned and operated by a government and not regularly employed in merchant service.

(g) For the purposes of §§ 1504.11, 1504.23, 1504.35, 1504.37, 1504.43(f)(2), and 1504.106, the term "barge" means an unpowered, flat bottom, shallow draft vessel including river barges, scows, carfloats, and lighters. For the purposes of these sections the term does not include ship shaped or deep draft barges.

(h) For purposes of §§ 1504.11 and 1504.23, the term "river towboat" means a shallow draft, low freeboard, self propelled vessel designed to tow river barges by pushing ahead. For purposes of these sections the term does not include other towing vessels.

(i) The term "longshoring operations" means the loading, unloading, moving, or handling of cargo, ship's stores, gear, etc., into, in, on, or out of any vessel on the navigable waters of the United States.

(j) The term "related employments" means any employments performed as an incident to or in conjunction with longshoring operations including, but not restricted to, securing cargo, rigging, and employment as a porter, checker, or watchman.

(k) The term "gangway" means any ramp-like or stair-like means of access provided to enable personnel to board or leave a vessel, including accommodation ladders, gangplanks and brows.

(l) The term "bulling" means the horizontal dragging of cargo across a surface with none of the weight of the cargo supported by the fall.

(m) For the purpose of § 1504.12 the term "ship's cargo handling gear" includes that gear which is a permanent part of the vessel's equipment and which is used for the handling of cargo other than bulk liquids, but does not include gear which is used only for handling or holding hoses, handling ship's stores or handling the gangway, or boom conveyor belt systems for the self-unloading of bulk cargo vessels.

(n) For purposes of the regulations in this part the terms "beam" or "strongback" mean a portable transverse or longitudinal beam which is placed across a hatchway and acts as a bearer to support the hatch covers.

(o) For the purposes of §§ 1504.23(b)(2) and 1504.106(b) the term "Mississippi River System" includes the Mississippi River from the head of navigation to its mouth, and navigable tributaries including the Illinois Waterway, Missouri River, Ohio River, Tennessee River, Allegheny River, Cumberland River, Green River, Kanawha River, Monongahela River, and such others to which barge operations extend.

(p) For the purpose of § 1504.106(b) the term "Gulf Intracoastal Waterway" means the system of that name extending from St. Marks, Florida to Brownsville and Harlingen, Texas, and including the Pearl River, Tombigbee River, Apalachicola River, Flint River, and such other navigable tributaries to which barge operations extend.

(q) The term "small trimming hatch" means a small hatch or opening, pierced in the tween deck or other intermediate deck of a vessel and intended for the trimming of dry bulk cargoes. It does not refer to the large hatchways through which cargo is normally handled.

§ 1504.4 Penalty.

As provided in Public Law 85–742, any employer who, willfully, violates or fails or refuses to comply with the provisions of the regulations of this part, and any employer or other person who willfully interferes with, hinders, or delays the Secretary or his authorized representative in carrying out his duties under subsection (c) of section 41 of the Act by refusing to admit the Secretary or his authorized representative to any place, or to permit the inspection or examination of any employment or place of employment, or who willfully hinders or delays the Secretary or his authorized representative in the performance of his duties in the enforcement of the regulations of this part, shall be guilty of an offense, and, upon conviction thereof, shall be punished for each offense by a fine of not less than $100 nor more than $3,000; and in any case where such employer is a corporation, the officer who willfully permits any such violation to occur shall be guilty of an offense, and, upon conviction thereof, shall be punished also for each offense by a fine of not less than $100 nor more than $3,000. The liability under this provision of Public Law 85–742 shall not affect any other liability of the employer under the Longshoremen's and Harbor Workers' Compensation Act.

§ 1504.5 Variation from the regulations of this part.

As provided in Public Law 85–742, in case of practical difficulties or unnecessary hardships, the Secretary in his discretion may grant variations from the regulations of this part or particular provisions thereof, and permit the use of other or different devices if he finds that the purpose of the regulation will be observed by the variation and the safety of employees will be equally secured thereby. Any person affected by such regulations or his agent, may request the Secretary to grant such variation, stating in writing the grounds on which his request is based. Any authorization by the Secretary of a variation shall be in writing, shall describe the conditions under which the variation shall be permitted, and shall be published as provided in section 3 of the Administrative Procedure Act (ch. 324, 60 Stat. 237), as amended. A properly indexed record of all variations shall be kept in the Office of the Secretary and be open to public inspection.

§ 1504.6 Reference specifications, standards, and codes.

Specifications, standards, and codes of agencies of the United States Government, to the extent specified in the text, form a part of the regulations of this part. In addition, under the authority vested in the Secretary under the Act, the specifications, standards, and codes of organizations which are not agencies of the United States Government, in effect on the date of the promulgation of the regulations of this part, as listed below, to the extent specified in the text, form a part of these regulations:

Convention Concerning the Protection Against Accidents to Workers Loading or Unloading Ships, International Labor Organization, Convention No. 32 (Revised, 1932). Subpart B, § 1504.12(a).

Underwriters' Laboratories, Incorporated, 207 East Ohio Street, Chicago, Illinois. Subpart G, § 1504.69(d) and Subpart I, § 1504.92(b)(3).

American Standard Safety Code for Head, Eye, and Respiratory Protection, Z2.1–1959. American Standards Association, Incorporated, 70 East 45th Street, New York 17, N.Y. Subpart J, §§ 1504.101(a), 1504.105(a).

§ 1504.7 Notification of accidents resulting in fatalities or serious injuries.

Within 48 hours after the occurrence of an accident causing the death of an employee or resulting in an employee's admission to a hospital as a bed patient, the employer shall file a copy of Bureau of Employees' Compensation Form US—202 (approved by Budget Bureau No. 44–R 887.2) with the Field Safety Consultant of the Bureau of Labor Standards serving the area where the accident occurred (in addition to such filing as is required by 20 CFR 31.3) unless prior thereto and as soon after the accident as feasible the employer has given oral or written notice of the accident to the person in charge of such office in sufficient detail to permit the accident to be identified readily.

§ 1504.8 Amendment of this part.

The Secretary may at any time upon his own motion or upon written petition of any interested person setting forth reasonable grounds therefor, and after opportunity has been given to interested persons to present their views, amend or revoke any of the provisions of this part.

Subpart B—Gangways and Gear Certification

§ 1504.11 Gangways.[1]

The employer shall not permit employees to board or leave any vessel, except a barge or river towboat, until the following requirements have been met:

(a) Whenever practicable, a gangway of not less than 20 inches walking surface, of adequate strength, maintained in safe repair and safely secured shall be used. If a gangway is not practicable, a substantial straight ladder, extending at least 36 inches above the upper landing surface, and adequately secured against shifting or slipping shall be pro-

[1] See also § 1504.21.

vided. When conditions are such that neither a gangway nor straight ladder can be used, a Jacob's ladder meeting the requirements of § 1504.22 may be used.

(b) Each side of such gangway, and the turntable, if used, shall have a railing with a minimum height of 33 inches measured perpendicularly from rail to walking surfaces at the stanchion, with a mid-rail. Rails shall be of wood, pipe, chain, wire or rope and shall be kept taut at all times. Portable stanchions supporting railings shall be so supported or secured as to prevent accidental dislodgment.

(c) Gangways on vessels inspected and certificated by the U.S. Coast Guard are deemed to meet the foregoing requirements, except in cases where the vessels' regular gangway is not being used.

§ 1504.12 Gear certification.[2]

(a) The employer shall not use the vessel's cargo handling gear until he has ascertained that the vessel has a current and valid cargo gear register and certificates which in form and content are in substantial accordance with the recommendations of the International Labor Office, as set forth in Appendix I of this part, and as provided by International Labor Organization Convention No. 32, and which indicates that the cargo gear has been tested, examined and heat treated by or under the supervision of persons or organizations defined as competent to make register entries and issue certificates pursuant to paragraphs (c) and (d) of this section.

(b) Public vessels and vessels holding a valid Certificate of Inspection issued by the U.S. Coast Guard are deemed to meet the requirements of paragraph (a) of this section.

(c) With respect to United States vessels not holding a valid Certificate of Inspection issued by the United States Coast Guard, persons or organizations competent to make entries in the registers and issue the certificates required by paragraph (a) of this section shall be only those persons currently accredited by the Bureau of Labor Standards, United States Department of Labor, as provided in Part 1505 of this chapter.

(d) With respect to vessels under foreign registry, persons or organizations competent to make entries in the registers and issue the certificates required by paragraph (a) of this section shall be: (1) those acceptable as such to any foreign nation, (2) those acceptable to the Commandant of the United States Coast Guard, or (3) those currently accredited by the Bureau of Labor Standards, United States Department of Labor, as provided in Part 1505 of this chapter.

Subpart C—Means of Access

§ 1504.21 Gangways and other means of access.

(a) The gangway shall be kept properly trimmed at all times.

(b) When a fixed tread accommodation ladder is used, and the angle is low enough to require employees to walk on the edge of the treads, cleated duckboards shall be laid over and secured to the ladder.

(c) When the lower end of a gangway overhangs the water between the ship and the dock in such a manner that there is danger of employees falling between the ship and the dock, a net or other suitable protection shall be rigged at the foot of the gangway in such a manner as to prevent employees from falling from the end of the gangway.

(d) If the foot of the gangway is more than one foot away from the edge of the apron, the space between them shall be bridged by a firm walkway equipped with railings with a minimum height of approximately 33 inches with mid-rails on both sides.

(e) Supporting bridles shall be kept clear so as to permit unobstructed passage for employees using the gangway.

(f) When the upper end of the means of access rests on or is flush with the top of the bulwark, substantial steps, properly secured and equipped with at least one substantial hand rail approximately 33 inches in height shall be provided between the top of the bulwark and the deck.

(g) Obstructions shall not be laid on or across the gangway.

(h) The means of access shall be adequately illuminated for its full length.

(i) Unless the construction of the vessel makes it impossible, the means of access shall be so located that drafts of cargo do not pass over it. In any event loads shall not be passed over the means of access while employees are on it.

§ 1504.22 Jacob's ladders.

(a) Jacob's ladders shall be of the double rung or flat tread type. They shall be well maintained and properly secured.

(b) A Jacob's ladder shall either hang without slack from its lashings or be pulled up entirely.

§ 1504.23 Access to barges and river towboats.

(a) Ramps for access of vehicles to or between barges shall be of adequate strength, provided with side boards, well maintained, and properly secured.

(b) Unless employees can step safely to or from the wharf, float, barge, or river towboat, either a ramp meeting the requirements of paragraph (a) of this section or a safe walkway meeting the requirements of § 1504.21(d) shall be provided. When a walkway is impracticable, a substantial straight ladder, extending at least 36 inches above the upper landing surface and adequately secured against shifting or slipping shall be provided. When conditions are such that neither a walkway nor a straight ladder can be used, a Jacob's ladder meeting the requirements of § 1504.22 may be used: *Provided, however,* That when these requirements cannot reasonably be met, by reason of local conditions, in respect to barges operating on the Mississippi River System, other safe means of access shall be provided.

(c) When a barge, raft or log boom is being worked alongside a larger vessel, a Jacob's ladder meeting the requirements of § 1504.22 shall be provided for each gang working alongside unless other safe means of access are provided.

(d) When longshoring operations are in progress on barges, the barges shall be securely made fast to the vessel, wharf, or dolphins.

§ 1504.24 Bridge plates and ramps.

(a) Bridge or car plates used afloat shall be of adequate strength, equipped with side boards along the space bridged, well maintained, and secured against movement.

(b) Ramps for access of vehicles to or between vessels shall be of adequate strength, provided with side boards, well maintained and properly secured.

§ 1504.25 Ladders.

(a) There shall be at least one safe and accessible ladder for each gang working in a hatch. However, no more than two such ladders are required in any hatch. An adequate means of gaining a handhold shall be provided at or near the head of each vertical fixed ladder in cases where any coaming or other structural features are such that they cannot serve this purpose.

(b) When any fixed ladder is visibly unsafe, the employer shall prohibit its use by employees.

(c) Straight ladders of adequate strength and suitably secured against shifting or slipping shall be provided as necessary when fixed hold ladders do not meet the requirements of paragraph (a) of this section, except that when conditions are such that a straight ladder cannot be used, Jacob's ladders meeting the requirements of § 1504.22 may be used.

(d) When four inches of clearance does not exist in back of ladder rungs, the ladder shall be deemed "unsafe" for the purpose of this section.

(e) When necessary to obtain access to or from a stowed deckload, ladders or steps of adequate strength, and secured against shifting or slipping, shall be provided: *Provided, however,* That adequate steps formed by the cargo itself will be acceptable when the nature of the cargo and the type of stowage permits. This paragraph does not apply to the circumstances covered by § 1504.54(f).

(f) Portable straight ladders used by employees for any purpose not otherwise specifically covered by this part shall be of adequate strength and lashed, blocked, or otherwise secured against shifting or slipping.

Subpart D—Working Surfaces

§ 1504.31 Hatch coverings.

(a) No cargo shall be loaded or unloaded by a fall or sling at any intermediate deck unless either the hatch at

[2] See also § 1504.51.

that deck is safely covered or a secure landing platform of a width not less than that of one section of hatch coverings has been placed across the hatch.

(b) Cargo shall not be landed on or handled over a covered hatch or tween deck unless all beams are in place under the hatch covers.

(c) Missing, broken, split, or poorly fitting hatch covers that would jeopardize the safety of employees shall be reported at once to the officers in charge of the vessel. Pending replacement or repairs by the vessel, work shall not be performed in the section containing the unsafe covers or in adjacent sections unless the flooring is made safe.

(d) When the hatch covers and beams are not of uniform size, they shall be placed only in the hatch, deck, and section in which they fit properly.

(e) Small trimming hatches located in intermediate decks shall be adequately covered or guarded while work is proceeding in the hatch in which they are located, unless they are actually in use.

§ 1504.32 Stowed cargo and temporary landing platforms.

(a) Temporary tables on which loads are to be landed shall be of sufficient size and strength to permit the employees thereon to work in safety.

(b) When an edge of a hatch section or of stowed cargo more than 8 feet high is so exposed that it presents a danger of persons falling, the edge shall be guarded by a line, safety net or railing.

(c) When two gangs are working in the same hatch on different levels, a safety net shall be rigged and securely fastened so as to prevent men or cargo from falling.

§ 1504.33 Deck loads.

(a) Employees shall not be permitted to pass fore and aft over or around deck loads unless there is a safe passage.

(b) Signalmen shall not be permitted to walk over deck loads from rail to coaming unless there is a safe passage.

§ 1504.34 Skeleton decks.

No cargo shall be worked on a skeleton deck, mechano deck or other superstructure unless temporary flooring is provided, when necessary, to make a safe working surface.

§ 1504.35 Open hatches.

Open weather deck hatches around which longshoremen must work which are not protected to a height of 24 inches by coamings, shall be guarded by taut lines at a height of 36 to 42 inches above the deck except on the side on which cargo is being worked. Any portable stanchions or uprights used shall be so supported or secured as to prevent accidental dislodgement; *Provided, however,* That the requirements of this section shall not be deemed to apply to barges or to Great Lakes type bulk carriers.

§ 1504.36 Weather deck rails.

Removable weather deck railings shall be kept in place except when cargo operations require them to be removed, in which case they shall be replaced as soon as such cargo operations are completed.

§ 1504.37 Sides of barges.

Employees shall not be permitted to walk along the sides of covered lighters or of barges with coamings more than 5 feet high unless there is a 3-foot clear walkway or a grab rail or taut handline is provided.

§ 1504.38 Freshly oiled decks.

If decks are wet with fresh paint or oil, the employer shall not permit employees to engage in longshoring operations until necessary walking and working areas have been made safe by the use of suitable non-skid materials.

Subpart E—Opening and Closing Hatches

§ 1504.41 Coaming clearances.

(a) *Weather deck.* If a deck load of lumber or other smooth sided deck cargo over 5 feet high is stowed within 3 feet of the hatch coaming and employees handling beams and hatch covers are not protected by at least a 24 inch height of the coaming, a taut handline shall be provided along the side of the deckload for their protection. The requirements of § 1504.35(a) are not intended to apply in this situation.

(b) *Intermediate deck.* (1) Before intermediate deck hatch covers and beams are removed or replaced by employees, there shall be a 3-foot working space between the stowed cargo and the coaming at both sides and at one end of the hatches with athwartship beams, and at both ends of those hatches with fore and aft beams, except that a reasonable tolerance will be permitted in circumstances where adherence to a 3-foot working space would create undue hardship.

(2) The 3-foot clearance required by subparagraph (1) of this paragraph is not required on the covered portion of a partially opened hatch, nor is it required when lower decks have been filled to beam height with cargo of such a nature as to provide a safe surface upon which employees may work.

(3) For purposes of subparagraph (1) of this paragraph, banana or other fitted gratings which are in good condition shall be considered a part of the decking when properly placed within the 3-foot area.

(c) *Trunk hatches and other permanent or semi-permanent structures and spare parts.* When bulkheads, lockers, reefer compartments or large spare parts are within 3 feet of the coaming, grab rails or taut handlines shall be provided for the protection of employees handling beams and hatch covers.

(d) The provisions of this section regarding coaming clearances do not apply to hatches which are opened by hydraulic or other mechanical means, but in all cases in which the 3 foot clearance does not exist, means shall be taken to prevent stowed cargo which is likely to shift from falling into the hold.

§ 1504.42 Beam and pontoon bridles.

Beam and pontoon bridles shall not be used unless they meet the following requirements:

(a) Bridles shall be long enough to easily reach the holes, rings, or other lifting attachments on the beams and pontoons. The bridles shall be of adequate strength and properly maintained, including covering or blunting of protruding ends in wire rope splices.

(b) Bridles for lifting hatch beams shall be equipped with toggles, shackles, or hooks or other devices of such design that they cannot become accidently dislodged from the beams with which they are used. Hooks other than those herein described may be used only when they are hooked into the standing part of the bridle. Toggles, when used, shall be at least one inch longer than twice the longest diameter of the holes into which they are placed.

(c) Bridles used for lifting pontoons and plugs shall have the number of legs required by the design of the pontoon or plug, and all legs shall be used. Where any use of a bridle requires fewer than the number of legs provided, idle legs shall be hung on the hook or ring, or otherwise prevented from swinging free.

(d) At least two legs of all strongback and pontoon bridles shall be equipped with a substantial fiber rope lanyard at least 8 feet long and in good condition. The bridle end of the lanyard may be of chain or wire.

§ 1504.43 Handling beams and covers.

Only paragraphs (f)(2), (h), and (i) of this section apply to folding, sliding, or hinged metal hatch covers or to those hatch covers handled by cranes carried for that purpose.

(a)(1) When hatch covers or pontoons are stowed on the weather deck abreast of hatches they shall be arranged in stable piles not closer than 3 feet from the hatch coaming and, when on the working side of the deck, not higher than the coaming, unless they are spread one high between coaming and rail with no space between them and with not less than a 24 inch height of hatch coaming maintained.

(2) When, in the case of pontoons, the requirements of subparagraph (1) of this paragraph cannot be met due to the narrowness of the available deck area, pontoons may be stowed more than one high against the coaming, provided that not less than a 24-inch height of hatch coaming is maintained on the working side of the vessel. If pontoons must be stowed closer than 3 feet to and higher than the coaming on the idle side, they shall be secured against movement.

(3) When some, but not all, conventional small weather deck hatch boards or similar covers on seagoing vessels are removed from the beams in a section of

a partially opened hatch during cargo handling, cleaning or other operations, those removed shall not be stowed on those left in place within that section.

(b) Beams shall be laid on their sides, or stood on edge close together and lashed: *Provided, however,* That this paragraph shall not apply in cases where beams are of such design that (1) the width of the flange is 50 percent or more of the height of the web and (2) that when a beam is stood upright the flange rests flat on the deck.

(c) Strongbacks, hatch covers and pontoons shall be so placed as not to interfere with a safe walkway from rail to hatch coaming or fore and aft, and so secured that they cannot be tipped over or dragged into hatches or overboard by drafts or gear. Dunnage or other suitable material shall be used under and between tiers of strongbacks and pontoons.

(d) Hatch covers unshipped in an intermediate deck shall be placed at least 3 feet from the coaming or they shall be removed to another deck. Strongbacks unshipped in an intermediate deck shall not be placed closer than 6 inches to the coaming, and if placed closer than 3 feet, they shall be so secured that they cannot be tipped or dragged into a lower compartment. If this is not possible they shall be removed to another deck.

(e) Any beam or pontoon left in place adjacent to a section through which cargo, dunnage, equipment, or any other material is being worked, shall be lashed, locked, or otherwise secured so that it cannot be displaced by accident. All portable, manually handled hatch covers, including those bound together to make a larger cover, shall be removed from any working section.

(f) The roller hatch beam at the edge of the open section of the hatch shall be lashed or pinned back so that it cannot be moved toward the open section.

(2) Rolling, sectional or telescopic hatch covers of barges which open in a fore and aft direction shall be secured against unintentional movement while in the open position.

(g) When a hatch is to be covered, hatch covers or night tents shall be used. Any partial hatch covering, such as alternate hatch covers or strips of dunnage, shall not be covered by a tarpaulin.

(h) Hinged or folding hatch covers normally stowed in an approximately vertical position shall be positively secured when in the upright position.

(i) Hatches shall not be opened or closed while employees are in the square of the hatch below.

Subpart F—Ship's Cargo Handling Gear

§ 1504.51 General requirements.[1]

(a) Neither the safe working load as specified in the cargo gear certification papers, nor any safe working load marked on the booms, shall be exceeded. Any limitations imposed by the certificating authority shall be adhered to.

(b) Any component of cargo handling gear, including tent gantlines and other associated rigging, which is visibly unsafe shall not be used until made safe.

§ 1504.52 Specific requirements.

Gear which does not comply with the following requirements shall not be used:

(a) *Preventers.* (1) When preventers are used they shall be of sufficient strength for the intended purpose and secured to the head of the boom independent of working guys except when, in the case of cast fittings, the strength of the fitting exceeds the total strength of all lines secured to it. Any tails, fittings, or other means of making the preventers fast on deck shall provide strength equal to that of the preventer itself.

(b) *Stoppers.* (1) When used, chain topping lift stoppers shall be in good condition, equipped with manila tails, and of a length to allow not fewer than three half-hitches in the chain.

(2) When used, chain stoppers shall be shackled or otherwise secured in such a manner that their links are not bent by being passed around fittings. The point of attachment shall be of sufficient strength and so located that the stoppers are reasonably in line with the normal topping lift lead at the time the stopper is applied.

(3) When used, patent stoppers of the clamp type shall be suited to the size of the rope used. Clamps shall be in good condition and free of paint and dirt which would prevent their being drawn tight.

(c) *Falls.* (1) The end of the winch fall shall be secured to the drum by clamps, U-bolts, shackles, or some other equally strong method. Fiber rope fastenings shall not be used.

(2) Winch falls shall not be used with fewer than three turns on the winch drum.

(3) Eyes in the ends of wire rope cargo falls shall not be formed by knots and, in single part falls, shall not be formed by wire rope clips.

(4) When the design of the winch permits, the fall shall be so wound on the drum that the control mechanism moves in the same direction as the load.

(d) *Heel blocks.* (1) When employees are required to work in the bight formed by the heel block, a preventer of at least $\frac{3}{4}$-inch diameter wire rope, rove reasonably snug and adequately secured, shall be rigged, or equally effective means shall be taken to hold the block and fall in the event that the heel block attachments should fail. Where physical limitations prohibit the fitting of a wire rope preventer of the required size or of other equally effective means, the maximum possible protection shall be provided.

(2) If the heel block is not so rigged as to prevent its falling when not under strain, it shall be secured to prevent alternate raising and dropping of the block: *Provided, however,* That this requirement shall not apply when the heel block is so located as to be at least 10 feet above the deck when at its lowest point.

(e) *Coaming rollers.* When used, portable coaming rollers, whether provided by the ship or by the employer, shall be secured by wire preventers in addition to the regular coaming clamps.

(f) *Cargo hooks.* Cargo hooks shall be as close to the junction of the falls as the assembly permits, but in no case farther than two feet from it, except that this provision shall not apply when the construction of the vessel and the operation in progress are such that fall angles in excess of 120 degrees do not normally occur. Overhaul chains shall not be shortened by bolting or knotting.

§ 1504.53 Cargo winches.

(a) *General.* (1) When moving parts of winches or other deck machinery present a hazard, they shall be guarded.

(2) Winches shall not be used if control levers operate with excessive friction or excessive play.

(3) Double gear winches or other winches equipped with a clutch shall not be used unless a positive means of locking the gear shift is provided.

(4) When changing gears on a two gear winch, there shall be no load other than the fall and cargo hook assembly on the winch.

(5) Any defect or malfunction of winches shall be reported immediately to the officer in charge of the vessel.

(6) Temporary seats and shelters for winch drivers which create a hazard to the winchmen or other employees shall not be used.

(7) Except for short handles on wheel type controls, winch drivers shall not be permitted to use winch control extension levers unless they are provided by either the ship or the employer. Such levers shall be of adequate strength and securely fastened with metal connections at the fulcrum and at the permanent control lever.

(b) *Steam winches.* (1) Means shall be taken to prevent escaping steam from obscuring any part of the decks or other work places or from otherwise hindering or injuring any employee.

(2) Access shall be maintained to the steam valve between each winch and the deck steam line. If this valve is not operative with normal hand pressure, the winch shall not be used.

(3) Extension control levers which tend to fall of their own weight shall be counterbalanced.

(4) When winches are left unattended, control levers shall be secured in the neutral position.

(c) *Electrical winches.* (1) When the electro-magnetic or other service brake is unable to hold the load, the winch shall not be used.

(2) Winches shall not be used when one or more control points, either hoisting or lowering, is not operating properly. Employees shall not be permitted to tamper with or adjust electric control circuits.

[1] See also § 1504.12.

(3) When winches are left unattended, control levers shall be placed in the neutral position and, whenever possible, the power shall be shut off or control levers locked at the winch or the operating controls.

§ 1504.54 Rigging gear.

(a) When alternate positions for securing guys are provided, the guys shall be so placed as to produce a minimum stress without permitting the boom to jackknife.

(b) The head of the midship boom shall be spotted no farther outboard of the coaming than is necessary for control of the load.

(c) *Preventers.* When preventers are used, the following shall apply:

(1) Preventers shall be properly secured to suitable fittings, other than those to which the guys are secured, and shall be as nearly parallel to the guys as available fittings permit.

(2) Unless the cleat is also a chock and the hauling part is led through the chock opening, the leads of preventers to cleats shall be such that the direction of the line pull of the preventer is as nearly as possible parallel to the plane of the surface on which the cleat is mounted.

(3) Guys and associated preventers shall be adjusted so as to share the load as nearly equally as practicable where cargo operations are being conducted by burtoning; *Provided, however,* That where guys are designed and intended for trimming purposes only and the preventer is intended to perform the function of the guy, the guy shall be left slack.

(d) Cargo falls under load shall not be permitted to chafe on any standing or other running rigging: *Provided, however,* That this shall not be construed to mean hatch coamings or other similar structural parts of the vessel.

(e) (1) Where a bull wire is taken to a gypsy head for the purpose of lowering or topping a boom, the bull wire shall be secured to the gypsy head by shackle or other equally strong method. Securing by fiber rope fastening will not be considered adequate.

(2) When, in lowering or topping a boom, it is not possible to secure the bull wire to the gypsy head, or when the topping lift itself is taken to the gypsy head, sufficient turns, in no case less than five (5), shall be used.

(f) When deck loads extend above the rail and there is less than 8 inches horizontal clearance between the edge of the deck load and the inside of the bulwark or rail, employees shall not be permitted to go overside unless adequate precautions are taken to prevent them from falling.

§ 1504.55 Cranes.

Unless permanently guarded, the accessible areas within the swing radius of the outermost part of the body of a revolving crane shall be temporarily guarded by ropes or other suitable means during cargo operations, so as to prevent an employee being in a position to be caught between the body of the crane and fixed parts of the vessel or of the crane itself.

Subpart G—Cargo Handling Gear and Equipment Other Than Ship's Gear

§ 1504.61 General.

(a) All gear and equipment provided by the employer shall be inspected by the employer or his authorized representative before each use and, when necessary, at intervals during its use, to ensure that it is safe. Any gear which is found upon such inspection to be visibly unsafe shall not be used until it is made safe.

(b) All special stevedoring gear provided by the employer, the strength of which depends upon components other than commonly used stock items such as shackles, ropes or chains, shall be tested as a unit in the following manner before initially being put into use:

(1) Gear intended to handle lifts up to and including 20 short tons (40,000 lbs.) shall be tested to 25 percent in excess of its safe working load.

(2) Gear intended to handle lifts over 20 short tons (40,000 lbs.) but not exceeding 50 short tons (100,000 lbs.) shall be tested to 5 short tons (10,000 lbs.) in excess of its safe working load.

(3) Gear intended to handle lifts over 50 short tons (100,000 lbs.) shall be tested to 10 percent in excess of its safe working load.

(4) The employer shall maintain a record of the dates and results of the tests with each unit of gear concerned clearly identifiable. The records shall be available for examination by representatives of the Bureau of Labor Standards.

(c) The safe working load of gear as specified in §§ 1504.62 through 1504.66 shall not be exceeded.

(d) The weight shall be plainly marked on any article of stevedoring gear hoisted by ship's gear and weighing in excess of 2,000 lbs.

§ 1504.62 Fiber rope and fiber rope slings.

(a) Table G-1 shall be used to determine the safe working load of various sizes of manila rope and rope slings at various angles, except that higher safe working loads are permissible when recommended by the manufacturer for specific, identifiable products, provided that a safety factor of not less than five (5) is maintained.

(b) Where synthetic fiber ropes are substituted for manila ropes of less than three (3) inches circumference, the substitute shall be of equal size. Where synthetic fiber ropes are substituted for manila ropes of three (3) inches circumference or more, the size of the synthetic rope is to be determined from the formula:

$$C=\sqrt{0.6C_s^2+0.4C_m^2}.$$

Where C = the required circumference of the synthetic rope in inches.

C_s = the circumference to the nearest one-quarter inch of a synthetic rope having a breaking strength not less than the breaking strength of the size manila rope that would be required by paragraph (a) of this section.

C_m = the circumference of manila rope in inches which would be required by paragraph (a) of this section.

TABLE G-1
MANILA ROPE
(In pounds or tons of 2000 pounds)

Circumference	Diameter in Inches	Single Leg	60°	45°	30°
3/4	1/4	120 lbs.	204 lbs.	170 lbs.	120 lbs.
1	5/16	200	346	282	200
1-1/8	3/8	270	467	380	270
1-1/4	7/16	350	605	493	350
1-3/8	15/32	450	775	635	450
1-1/2	1/2	530	915	798	530
1-3/4	9/16	690	1190	973	690
2	5/8	880	1520	1240	880
2-1/4	3/4	1080	1870	1520	1080
2-1/2	13/16	1300	2250	1830	1300
2-3/4	7/8	1540	2660	2170	1540
3	1	1800	3120	2540	1800
3-1/4	1-1/16	1.0 Tons	1.7 Tons	1.4 Tons	1.0 Tons
3-1/2	1-1/8	1.2	2.1	1.7	1.2
3-3/4	1-1/4	1.35	2.3	1.9	1.35
4	1-5/16	1.5	2.6	2.1	1.5
4-1/2	1-1/2	1.8	3.1	2.5	1.8
5	1-5/8	2.25	3.9	3.2	2.25
5-1/2	1-3/4	2.6	4.5	3.7	2.6
6	2	3.1	5.4	4.4	3.1
6-1/2	2-1/8	3.6	6.2	5.1	3.6

In making such a substitution it should be ascertained that the inherent characteristics of the synthetic fiber are suitable for the intended service of the rope.

§ 1504.63 Wire rope and wire rope slings.

(a) Tables G–2 through G–5 shall be used to determine the safe working loads of various sizes and classifications of improved plow steel wire rope and wire rope slings with various types of terminals. For sizes, classifications and grades not included in these tables the safe working load recommended by the manufacturer for specific, identifiable products shall be followed, provided that a safety factor of not less than five (5) is maintained.

TABLE G–2

RATED CAPACITIES FOR IMPROVED PLOW STEEL, INDEPENDENT WIRE ROPE CORE, WIRE ROPE AND WIRE ROPE SLINGS

(In tons of 2000 pounds)

Rope Dia. Inches	SINGLE LEG					
	Vertical			Choker		
	A	B	C	A	B	C
6x19 CLASSIFICATION						
1/4"	.59	.56	.53	.44	.42	.40
3/8"	1.3	1.2	1.1	.98	.93	.86
1/2"	2.3	2.2	2.0	1.7	1.6	1.5
5/8"	3.6	3.4	3.0	2.7	2.5	2.2
3/4"	5.1	4.9	4.2	3.8	3.6	3.1
7/8"	6.9	6.6	5.5	5.2	4.9	4.1
1"	9.0	8.5	7.2	6.7	6.4	5.4
1-1/8"	11.	10.	9.0	8.5	7.8	6.8
6x37 CLASSIFICATION						
1-1/4"	13.	12.	10.	9.9	9.2	7.9
1-3/8"	16.	15.	13.	12.	11.	9.6
1-1/2"	19.	17.	15.	14.	13.	11.
1-3/4"	26.	24.	20.	19.	18.	15.
2"	33.	30.	26.	25.	23.	20.
2-1/4"	41.	38.	33.	31.	29.	25.

(A) - Socket or Swaged Terminal attachment.
(B) - Mechanical Sleeve attachment.
(C) - Hand Tucked Splice attachment.

TABLE G–3.

RATED CAPACITIES FOR IMPROVED PLOW STEEL, INDEPENDENT WIRE ROPE CORE, WIRE ROPE SLINGS

(In tons of 2000 pounds)

Rope Dia. Inches	TWO - LEG BRIDLE OR BASKET HITCH											
	Vertical			60°			45°			30°		
	A	B	C	A	B	C	A	B	C	A	B	C
6x19 CLASSIFICATION												
1/4"	1.2	1.1	1.0	1.0	.97	.92	.83	.79	.75	.59	.56	.53
3/8"	2.6	2.5	2.3	2.3	2.1	2.0	1.8	1.8	1.6	1.3	1.2	1.1
1/2"	4.6	4.4	3.9	4.0	3.8	3.4	3.2	3.1	2.8	2.3	2.2	2.0
5/8"	7.2	6.8	6.0	6.2	5.9	5.3	5.1	4.8	4.2	3.6	3.4	3.0
3/4"	10.	9.7	8.4	8.9	8.4	7.3	7.2	6.9	5.9	5.1	4.9	4.2
7/8"	14.	13.	11.	12.	11.	9.6	9.8	9.3	7.8	6.9	6.6	5.5
1"	18.	17.	14.	15.	15.	12.	13.	12.	10.	9.0	8.5	7.2
1-1/8"	23.	21.	18.	19.	18.	16.	16.	15.	13.	11.	10.	9.0
6x37 CLASSIFICATION												
1-1/4"	26.	24.	21.	23.	21.	18.	19.	17.	15.	13.	12.	10.
1-3/8"	32.	29.	25.	28.	25.	22.	22.	21.	18.	16.	15.	13.
1-1/2"	38.	35.	30.	33.	30.	26.	27.	25.	21.	19.	17.	15.
1-3/4"	51.	47.	41.	44.	41.	35.	36.	33.	29.	26.	24.	20.
2"	66.	61.	53.	57.	53.	46.	47.	43.	37.	33.	30.	26.
2-1/4"	83.	76.	66.	72.	66.	57.	58.	54.	47.	41.	38.	33.

(A) - Socket or Swaged Terminal Attachment.
(B) - Mechanical Sleeve Attachment.
(C) - Hand Tucked Splice Attachment.

TABLE G–4

RATED CAPACITIES FOR IMPROVED PLOW STEEL, FIBER CORE, WIRE ROPE AND WIRE ROPE SLINGS

(In tons of 2000 pounds)

Rope Dia. Inches	SINGLE LEG					
	Vertical			Choker		
	A	B	C	A	B	C
6x19 CLASSIFICATION						
1/4	.55	.51	.49	.41	.38	.37
3/8	1.2	1.1	1.1	.91	.85	.80
1/2	2.1	2.0	1.8	1.6	1.5	1.4
5/8	3.3	3.1	2.8	2.5	2.3	2.1
3/4	4.8	4.4	3.9	3.6	3.3	2.9
7/8	6.4	5.9	5.1	4.8	4.5	3.9
1	8.4	7.7	6.7	6.3	5.8	5.0
1-1/8	10.	9.5	8.4	7.9	7.1	6.3
6x37 CLASSIFICATION						
1-1/4	12.	11.	9.8	9.2	8.3	7.4
1-3/8	15.	13.	12.	11.	10.	8.9
1-1/2	17.	16.	14.	13.	12.	10.
1-3/4	24.	21.	19.	18.	16.	14.
2	31.	28.	25.	23.	21.	18.

(A) - Socket or Swaged Terminal attachment.
(B) - Mechanical Sleeve attachment.
(C) - Hand Tucked Splice attachment.

TABLE G–5

RATED CAPACITIES FOR IMPROVED PLOW STEEL, FIBER CORE, WIRE ROPE SLINGS

(In tons of 2000 pounds)

Rope Dia. Inches	TWO - LEG BRIDLE OR BASKET HITCH											
	Vertical			60°			45°			30°		
	A	B	C	A	B	C	A	B	C	A	B	C
6x19 CLASSIFICATION												
1/4	1.1	1.0	.99	.85	.88	.85	.77	.72	.70	.55	.51	.49
3/8	2.4	2.2	2.1	2.1	1.9	1.8	1.7	1.6	1.5	1.2	1.1	1.1
1/2	4.3	3.9	3.7	3.7	3.4	3.2	3.0	2.8	2.6	2.1	2.0	1.8
5/8	6.7	6.2	5.6	5.8	5.3	4.8	4.7	4.4	4.0	3.3	3.1	2.8
3/4	9.5	8.8	7.8	8.3	7.6	6.8	6.7	6.2	5.5	4.8	4.4	3.9
7/8	13.	12.	10.	11.	10.	8.9	9.1	8.4	7.3	6.4	5.9	5.1
1	17.	15.	13.	14.	13.	11.	12.	11.	9.4	8.4	7.7	6.7
1-1/8	21.	19.	17.	18.	16.	14.	15.	13.	12.	10.	9.5	8.4
6x37 CLASSIFICATION												
1-1/4	25.	22.	20.	21.	19.	17.	17.	16.	14.	12.	11.	9.8
1-3/8	30.	27.	24.	26.	23.	20.	21.	19.	17.	15.	13.	12.
1-1/2	35.	32.	28.	30.	27.	24.	25.	22.	20.	17.	16.	14.
1-3/4	48.	43.	38.	41.	37.	33.	34.	30.	27.	24.	21.	19.
2	62.	55.	49.	53.	48.	43.	43.	39.	35.	31.	28.	25.

(A) - Socket or Swaged Terminal attachment.
(B) - Mechanical Sleeve attachment.
(C) - Hand Tucked Splice attachment.

(b) Protruding ends of strands in splices on slings and bridles shall be covered or blunted.

(c) Where "U" bolt wire rope clips are used to form eyes, Table G–6 shall be used to determine the number and spacing of clips. The "U" bolt shall be applied so that the "U" section is in contact with the dead end of the rope.

(d) Wire rope shall not be secured by knots, except on haul back lines on scrapers.

TABLE G–6—NUMBER AND SPACING OF U-BOLT WIRE ROPE CLIPS

Improved plow steel, rope diameter inches	Number of clips		Minimum spacing (inches)
	Drop forged	Other material	
¼	3	4	3
⅜	3	4	3½
½	4	5	4½
⅝	4	5	5¼
¾	4	6	6
1	4	6	6
1⅛	5	6	6¾
1¼	5	7	7½
1⅜	6	7	8¼
1½	6	8	9

§ 1504.64 Chains and chain slings.

(a) Tables G–7 and G–8 shall be used to determine the maximum safe working loads of various sizes of wrought iron and alloy steel chains and chain slings, except that higher safe working loads are permissible when recommended by the manufacturer for specific, identifiable products. Proof coil steel chain, also known as common or hardware chain, or other chain not recommended for slinging or hoisting by the manufacturer, shall not be used for hoisting purposes.

(b) All sling chains, including end fastenings, shall be given a visual inspection before being used on the job. A thorough inspection of all chains in use shall be made every 3 months. Each chain shall bear an indication of the month in which it was thoroughly inspected. The thorough inspection shall include inspection for wear, defective welds, deformation and increase in length or stretch.

TABLE G–7
WROUGHT IRON CHAIN
(In pounds or tons of 2000 pounds)

Nominal Size Chain Stock Inch.	Single Leg 	60° 	45° 	30° 
* 1/4	1060	1835	1500	1060
* 5/16	1655	2865	2340	1655
3/8	2385	2.1	3370	2385
* 7/16	3250	2.8	2.3	3250
1/2	2.1	3.7	3.0	2.1
* 9/16	2.7	4.6	3.8	2.7
5/8	3.3	5.7	4.7	3.3
3/4	4.8	8.3	6.7	4.8
7/8	6.5	11.2	9.2	6.5
1	8.5	14.7	12.0	8.5
1-1/8	10.0	17.3	14.2	10.0
1-1/4	12.4	21.4	17.5	12.4
1-3/8	15.0	25.9	21.1	15.0
1-1/2	17.8	30.8	25.2	17.8
1-5/8	20.9	36.2	29.5	20.9
1-3/4	24.2	42.0	34.3	24.2
1-7/8	27.6	47.9	39.1	27.6
2	31.6	54.8	44.8	31.6

* These sizes of wrought iron chain are no longer manufactured in the United States.

TABLE G–8
ALLOY STEEL CHAIN
(In tons of 2000 pounds)

Nominal Size Chain Stock Inch.	Single Leg 	60° 	45° 	30° 
1/4	1.62	2.82	2.27	1.62
3/8	3.30	5.70	4.65	3.30
1/2	5.62	9.75	7.90	5.62
5/8	8.25	14.25	11.65	8.25
3/4	11.5	19.9	16.2	11.5
7/8	14.3	24.9	20.3	14.3
1	19.3	33.5	27.3	19.8
1-1/8	22.2	38.5	31.5	22.2
1-1/4	28.7	49.7	40.5	28.7
1-3/8	33.5	58.0	47.0	33.5
1-1/2	39.7	68.5	56.0	39.7
1-5/8	42.5	73.5	59.5	42.5
1-3/4	47.0	81.5	62.0	47.0

(c) Interlink wear, not accompanied by stretch in excess of five (5) percent, shall be noted and the chain removed from service when maximum allowable wear at any point of link, as indicated in Table G–9, has been reached.

TABLE G–9
MAXIMUM ALLOWABLE WEAR AT ANY POINT OF LINK

Chain size in inches	Maximum allowable wear in fraction of inches
¼ (9/32)	9/64
5/16	5/64
3/8	7/64
7/16	9/64
1/2	5/32
5/8	11/64
3/4	3/16
7/8	7/32
1	1/4
1 1/8	9/32
1 1/4	5/16
1 3/8	11/32
1 1/2	3/8

(d) Chain slings shall be removed from service when, due to stretch, the increase in length of a measured section exceeds five (5) percent; when a link is bent, twisted or otherwise damaged; or when raised scarfs or defective welds appear.

(e) All repairs to chains shall be made under qualified supervision. Links or portions of the chain found to be defective, as described in paragraph (d) of this section, shall be replaced by links having proper dimensions and made of material similar to that of the chain. Before repaired chains are returned to service, they shall be proof tested to the proof test load recommended by the manufacturer.

(f) Wrought iron chains in constant use shall be annealed or normalized at intervals not exceeding six months when recommended by the manufacturer. The chain manufacturer shall be consulted for recommended procedures for annealing or normalizing. Alloy chains shall not be annealed.

(g) A load shall not be lifted with a chain having a kink or knot in it. A chain shall not be shortened by bolting, wiring or knotting.

§ 1504.65 Shackles.

(a) Table G–10 shall be used to determine the safe working loads of various sizes of shackles, except that higher safe working loads are permissible when recommended by the manufacturer for specific, identifiable products, provided that a safety factor of not less than five (5) is maintained.

TABLE G–10
SAFE WORKING LOADS FOR SHACKLES
[In tons of 2000 pounds]

Material size (inches)	Pin diameter (inches)	Safe working load
¼	⅜	1.4
⅜	½	2.2
½	⅝	3.2
⅝	1	4.3
1	1⅛	5.6
1⅛	1¼	6.7
1¼	1⅜	8.2
1⅜	1½	10.0
1½	1⅝	11.9
1⅝	2	16.2
2	2¼	21.2

(b) Screw pin shackles provided by the employer and used aloft, except in cargo hook assemblies, shall have their pins moused.

§ 1504.66 Hooks other than hand hooks.

(a) The manufacturer's recommendations shall be followed in determining the safe working loads of the various sizes and types of specific and identifiable hooks. All hooks for which no applicable manufacturer's recommendations are available shall be tested to twice the intended safe working load before they are initially put into use. The employer shall maintain a record of the dates and results of such tests.

(b) Loads shall be applied to the throat of the hook since loading the point overstresses and bends or springs the hook.

(c) Hooks shall be inspected periodically to see that they have not been bent by overloading. Bent or sprung hooks shall not be used.

(d) Teeth of case hooks shall be kept in good condition.

(e) Jaws of patent clamp type plate hooks shall be kept in safe condition so that they will grip plates securely.

§ 1504.67 Pallets.

(a) Pallets shall be of such material and construction and so maintained as to safely support and carry loads being handled on them. Fastenings of reusable pallets shall be bolts and nuts, drive screws (helically threaded nails), annular threaded nails or fastenings of equivalent strength.

(b) Wing or lip type pallets hoisted by means of bar bridles shall have an overhanging wing or lip at least 3 inches long.

(c) Loaded pallets which on visual examination do not meet the requirements of this section, shall be placed on pallets meeting the requirements before being hoisted into or out of the vessel.

(d) Bridles used to handle flush end or box type pallets shall be of such a design as to prevent them from becoming disengaged from the pallet under load.

§ 1504.68 Chutes, gravity conveyors and rollers.

(a) Chutes used in the manual handling of cargo shall be of adequate length and strength for the use to which they are put and shall be kept free of splinters and sharp edges.

(b) Chutes shall be equipped with sideboards of sufficient height to prevent cargo from falling off.

(c) Chutes and gravity roller sections shall be firmly placed or secured to prevent displacement.

(d) Gravity rollers shall be of sufficient strength for the weight of material which is placed upon them. Rollers shall be locked in position to prevent them from falling or jumping out of the frame.

(e) Frames shall be kept free of burrs and sharp edges.

(f) When necessary for safe operation, provision shall be made for braking objects at the delivery end of the roller or chute.

§ 1504.69 Powered conveyors.

(a) Readily accessible stop controls shall be provided for use in an emergency.

(b) Electric motors and controls on grain trimmers shall be of the explosion-proof type approved by the Underwriters' Laboratories, Incorporated, for use in hazardous locations, Class II, Group G.

(c) All conveyor and trimmer drives which create a hazard shall be adequately guarded.

(d) Each grain trimmer shall have a control box located on the weather deck in close proximity to the spout feeding the trimmer.

(e) Power cables between the deck control box and the grain trimmer shall be used only in continuous lengths without splice or tap between connections.

§ 1504.70 Portable stowing winches.

(a) Portable stowing winches shall be used only with the knowledge and consent of the officer in charge of the vessel.

(b) Portable stowing winches used in connection with operations shall at all times be properly secured to prevent shifting.

(c) When internal combustion powered stowing winches are located below the weather deck or in other enclosed spaces, the exhaust shall be led topside to open air and away from the hatch opening.

§ 1504.71 Rain tents.

When using rain tents, lanyards shall be secured to padeyes or other fixed structures of the vessel which are strong enough or to objects which are heavy enough to withstand the breaking stress of all lanyards attached.

§ 1504.72 Tools.

(a) *General.* Employers shall not issue or permit the use of visibly unsafe tools.

(b) *Portable electric tools.* (1) Portable electric tools which are held in the hand shall be equipped with switches of a type which must be manually held in a closed position.

(2) All portable, power-driven circular saws shall be equipped with guards above and below the base plate or shoe. The upper guard shall cover the saw to the depth of the teeth, except for the minimum arc required to permit the base to be tilted for bevel cuts. The lower guard shall cover the saw to the depth of the teeth, except for the minimum arc required to allow proper retraction and contact with the work. When the tool is withdrawn from the work, the lower guard shall automatically and instantly return to the covering position.

§ 1504.73 Mechanically-powered vehicles used aboard vessels.

(a) All automotive equipment shall be maintained in good working order and safety devices shall not be removed or made inoperative, except as otherwise provided.

(b) Overhead guards for fork lift trucks:

(1) Fork lift trucks shall be equipped with operator's overhead guards of such design and construction as to protect the operator from boxes, cartons, packages, bagged material or other similar individual items of cargo which may fall from the load being handled or from stowage.

(2) The guard shall be of such construction that it does not interfere with good visibility, but openings in the top of the guard must not exceed six inches in one of the two dimensions, width or length. Larger openings may be permitted provided no opening is larger than the smallest unit of cargo that is likely to fall on the guard.

(3) The guard shall be large enough to extend over the operator in all normal circumstances of truck operation, including forward tilt.

(4) In fork lift trucks equipped with a single tilt cylinder, provision shall be made so that failure of this cylinder or associated parts will not cause the overhead guard to injure the operator.

(5) The overhead guard may be removed only at times when the construction of the truck is such that the presence of such a guard would prevent the truck from entering working spaces, and if the operator cannot be injured by low overhead obstructions.

(c) Guards for bulk cargo-moving vehicles:

(1) Every crawler type, rider operated, bulk cargo-moving vehicle shall be equipped with an operator's guard of such design and construction as to protect the operator, when seated, against injury from contact with a projecting overhead.

(2) Guards and their attachment points shall be so designed as to be able to withstand, without excessive deflection, a load applied horizontally at the operator's shoulder level equal to the drawbar pull of the machine.

(3) Guards shall not be required when the vehicle is used in situations in which the possibility of the seated operator coming in contact with projecting overheads does not exist.

(d) End platform guards:

(1) Every truck operated from an end platform or pedal position shall be equipped with an operator's platform guard of such design that it permits rapid and unobstructed egress.

(2) Guards shall be so designed as to be able to withstand, without excessive deflection, a load equal to the weight of the loaded machine.

(e) Forks, fork extensions or other attachments shall be suitably secured to prevent unintentional disengagement.

(f) Weights and loads:

(1) The vehicle weight, with and without removable counterweights, shall be clearly posted on all mechanically-powered vehicles which are lifted aboard vessels.

(2) The rated capacity of every fork lift truck, with and without removable counterweights, shall be posted on the vehicle in such a manner as to be readily visible to the operator.

(3) Loads in excess of the rated capacity shall not be lifted or carried by lift trucks.

(4) If loads are lifted by two or more trucks working in unison, the total weight shall not exceed the combined safe lifting capacity of all the trucks.

(g) (1) Steering knobs, when furnished on vehicles where the driver is not in a sitting position, shall be of a mushroom type unless the steering mechanism is of a type that prevents road reactions from causing the steering handwheel to spin. The steering knob shall be mounted within the periphery of the wheel.

(2) Steering knobs or similar ancillary devices shall not be used on the steering wheels of trucks in which the driver is in a sitting position.

(h) No load on a fork lift truck or industrial crane truck shall be suspended or swung over any employee.

(i) When mechanically-powered vehicles are used, adequate provisions shall be made to ensure that the working surface can support the vehicle and load, and that hatch covers, truck plates, or other temporary surfaces cannot be dislodged by movement of the vehicle.

(j) When mechanically-powered vehicles are left unattended, the controls shall be neutralized, power shut off, brakes set, and the forks, blade, or scoop shall be placed in the lowered position.

(k) When lift trucks or other mechanically powered vehicles are being operated on open deck type barges, the edges of the barges shall be suitably guarded by railings, sideboards, timbers or other means sufficient to prevent vehicles from rolling overboard. When operated on covered lighters where door openings other than those being used are left open, adequate means shall be taken as necessary to prevent vehicles from rolling overboard through such openings.

§ 1504.74 Mobile crawler or truck cranes temporarily placed aboard vessels for longshoring operations.

(a) Mobile crawler or truck cranes used by the employer shall meet the following requirements:

(1) The crane weight shall be posted on all cranes which are hoisted aboard vessels.

(2) The maximum manufacturer's rated safe working loads for the various working radii of the boom and the maximum and minimum radii at which the boom may be safely used with and without outriggers shall be conspicuously posted near the controls and shall be visible to the operator. A radius indicator shall be provided.

(b) The posted safe working loads of mobile crawler or truck cranes under the conditions of use shall not be exceeded.

(c) Accessible areas within the swing radius of the outermost part of the body of a revolving crane shall be temporarily guarded by ropes or other suitable means during cargo operations, so as to prevent an employee being in a position to be caught between the body of the crane and fixed parts of the vessel or of the crane itself.

§ 1504.75 Notifying ship's officers before using certain equipment.

(a) The employer shall notify the officer in charge of the vessel before bringing aboard ship internal combustion or electric powered tools, equipment or vehicles.

(b) The employer shall also notify the officer in charge of the vessel before using the ship's electric power for the operation of any of his electric tools or equipment.

§ 1504.76 Grounding.

(a) Any portable equipment or tools powered by electric motors and used by employees, shall be grounded either through a third wire in the cable containing the circuit conductors or through a separate wire which is grounded at the source of the current.

(b) Grounding circuits, other than by means of the structure of the vessel on which the equipment is being used, shall be checked to ensure that the circuit between the ground and the grounded power conductor has resistance low enough to permit sufficient current to flow to cause the fuse or circuit breaker to interrupt the current.

Subpart H—Handling Cargo [4]

§ 1504.81 Slinging.

(a) Drafts shall be safely slung before being hoisted. Loose dunnage or debris hanging or protruding from loads shall be removed.

(b) Cargo handling bridles, such as pallet bridles, which are to remain attached to the hoisting gear while hoisting successive drafts, shall be attached by shackles, or other positive means shall be taken to prevent them from becoming accidentally disengaged from the cargo hook.

(c) Drafts of lumber, pipe, dunnage and other pieces, the top layer of which is not bound by the sling, shall be slung in such a manner as to prevent sliders. Double slings shall be used on unstrapped dunnage, except when, due to the size of hatch or deep tank openings, it is impractical to use them.

(d) Case hooks shall not be used for handling cases into or out of the vessel, unless the cases are specifically designed to be handled by this means.

(e) Bales of cotton, wool, cork, wood pulp, gunny bags or other similar articles shall not be hoisted into or out of the vessel by their straps unless the straps are of sufficient strength to support the weight of the bale and two hooks, each in a separate strap, are used.

(f) Loads requiring continuous manual guidance while in motion shall be provided with tag lines.

§ 1504.82 Building drafts.

(a) Drafts shall be so built or such means shall be taken as to prevent cargo from falling from the draft.

(b) Hand loaded buckets or tubs used in handling bulk cargo shall not be loaded above their rims.

§ 1504.83 Stowed cargo, tiering and breaking down.

(a) When necessary, cargo shall be secured or blocked to prevent its shifting or falling.

(b) In breaking down, precautions shall be taken, when necessary, to prevent the remaining cargo from falling.

(c) Employees trimming bulk cargo shall be checked in and out by the foreman. Before securing any reefer compartment, a check shall be made to ensure that no employee remains inside. Frequent checks shall be made to ensure the safety of any employee working alone in a tank or cargo compartment.

§ 1504.84 Bulling cargo.

(a) Bulling cargo shall be done with the bull line led directly from the heel block, except that bulling may be done from the head of the boom when the nature of the cargo and the surface over which it is dragged are such as to avoid stalling the load, or when the winch actually does not have sufficient strength, with the purchase used, to overload the boom.

(b) Snatch blocks shall be used to provide a fair lead for the bull line so as to avoid unnecessary dragging of the bull line against coamings and obstructions.

(c) Falls led from cargo booms of vessels shall not be used to move scows, lighters or railroad cars.

(d) Snatch blocks shall not be used with the point of the hook resting on the flange of a beam, but shall be hung from padeyes, straps or beam clamps. Snatch blocks or straps shall not be made fast to batten cleats or other insecure fittings.

(e) Beam or frame clamps shall be so secured to the beam as to minimize the possibility of their slipping, falling or being pulled from the beam.

§ 1504.85 Containerized cargo.

(a) The gross maximum allowable weight shall be permanently marked on every van and reusable cargo container. The gross maximum allowable weight shall be considered the weight of the van or container at the time of hoisting by the vessel's gear, except when the actual gross weight is plainly marked or otherwise indicated on the van or container or when the van or container is empty.

(b) The provisions of paragraph (a) of this section are not intended to require vans or containers to be weighed to ascertain the actual gross weight when other means of obtaining this information is available.

(c) Actual gross weight markings or indications shall be identified on the van or container by date, voyage number, or other suitable means. Those referring to prior shipments shall be removed or obliterated to avoid confusion.

(d) For the purpose of this section, the terms "van" or "container" mean only completely enclosed reusable units intended to carry more than one smaller unit, or which may be used to carry bulk commodities. They do not mean cylinders, drums, crates, cases, cartons, packages, sacks, unitized loads, or any other of the usual forms of packaging.

Subpart I—General Working Conditions

§ 1504.91 Housekeeping.

(a) Weather deck walking and working areas shall be kept reasonably clear of lines, bridles, dunnage and all other loose tripping or stumbling hazards.

(b) Gear or equipment, when not in use, shall be removed from the immediate work areas, or shall be so placed as not to present a hazard.

(c) Slippery conditions shall be eliminated as they occur.

(d) Loose paper, dunnage and debris shall be collected as the work progresses and be kept clear of the immediate work area.

(e) Dunnage shall not be placed on deck where it interferes with the free movement of the drafts.

(f) Dunnage racked against sweat battens shall not be used when the levels of such racks are above the safe reach of employees.

(g) Dunnage, hatch beams, tarpaulins or gear not in use shall be stowed no closer than 3 feet to the port and starboard sides of the weather deck hatch coaming, except that a reasonable tolerance shall be permitted where strict adherence is rendered impracticable due to the circumstances.

(h) *Nails.* (1) Nails which are protruding from shoring or fencing in the immediate work areas shall be bent over or otherwise rendered harmless.

(2) Dunnage, lumber, or shoring material in which there are visibly protruding nails shall be removed from the immediate work area, or, if left in that area, the nails shall be bent over or otherwise rendered harmless.

(i) Employees shall not be exposed to ice which may fall from aloft under conditions where the accumulation of such ice and the circumstances at the time are such as to constitute a hazard.

§ 1504.92 Illumination.

(a) All walking and working areas shall be adequately illuminated.

(b) Portable lights shall meet the following requirements:

(1) Portable lights shall be equipped with substantial reflectors and guards to prevent flammable and other material from coming in contact with the bulb, except that guards are not required where the construction of the reflector is such that the bulb is deeply recessed.

(2) Portable lights shall be equipped with heavy duty electric cords and may be suspended by such cords only when the means of attachment of the cord to

[4] 46 CFR Parts 146–147 contains regulations of the U.S. Coast Guard pertaining to the handling of explosives and other dangerous cargo.

the light is such as to prevent the light from being suspended by the electrical connections. All connections and insulation shall be maintained in safe condition.

(3) Lighting wires and fixtures for portable lights shall be so arranged as to be free from contact with drafts, running gear, or other moving equipment.

(4) Portable lights shall be so arranged that they do not shine in the eyes of winchdrivers or hatchtenders.

(5) Portable cargo lights furnished by the employer for use aboard vessels and purchased after September 1, 1966, shall be listed as approved by the U.S. Coast Guard or shall bear the Underwriters Laboratories, Incorporated, Marine Label.

(c) Employees shall not be permitted to enter dark holds, compartments, decks or other places without a flashlight or other suitable portable light. The use of matches or open flame lights is prohibited.

§ 1504.93 Ventilation and atmospheric conditions.

(a) Ventilation requirements with respect to carbon monoxide:

(1) When internal combustion engines exhaust into the hold or intermediate deck, the employer shall see that tests of the carbon monoxide content of the atmosphere are made as frequently as conditions require to ensure that dangerous concentrations do not develop. Employees shall be removed from the compartment involved when the carbon monoxide concentration exceeds 100 parts per million (.01%). When neither natural ventilation nor the vessel's ventilating system is adequate to keep the carbon monoxide concentration below this allowable limit, the employer shall use blowers sufficient in size and number and so arranged as to accomplish this before work is resumed.

(2) A record of the date, time, location and results of the tests required by subparagraph (1) of this paragraph shall be maintained for at least 30 days after the work is completed. The record shall be available for examination by representatives of the Bureau of Labor Standards.

(3) The intakes of portable blowers and any exposed belt drives shall be adequately guarded by screens.

(4) The frames of portable blowers shall be grounded at the source of the current either through a third wire in the cable containing the circuit conductors or through a separate wire. When the vessel is the source of the current the ground shall be made to the structure of the vessel.

(5) The employer shall not permit the use of shore electrical circuits unless they have been checked to ensure that the circuit between the ground and the grounded power conductor has resistance low enough to permit sufficient current to flow to cause the fuse or circuit breaker to interrupt the current. When the vessel is the source of the current, it is required only that a check be made to ensure good electrical contact between the ground wire and the vessel's structure.

(b) (1) Before commencing to load grain which has been fumigated, the employer shall ascertain from the elevator operator that the cargo is free from hazardous concentrations of fumigants.

(2) Before commencing to load cargo other than grain, which has been fumigated at the loading port, the employer shall ascertain that said cargo is free from hazardous concentrations of fumigants.

(c) Before employees are permitted to enter or work in stowage spaces or tanks in which explosive, poisonous, noxious or gaseous cargoes have been carried or are stowed, or in which dry ice has been used as a refrigerant, or which have been fumigated, or in which there is a possibility of oxygen deficiency, the employer shall ascertain from the officer in charge of the vessel the conditions of the work place with respect to atmospheric contaminants.

(d) When it is ascertained from the officer in charge of the vessel that the atmosphere in which employees would be working is immediately dangerous to life, or if the atmosphere becomes immediately dangerous to life during cargo handling operations, no employee shall be permitted to enter or remain in the work place until the atmospheric condition has been made safe. Atmospheres immediately dangerous to life are those which contain less than 16.5 percent oxygen, or which by reason of the high toxicity of the contaminant, as in fumigation, or the high concentration of contaminants, as with carbon dioxide, would endanger the life of a person breathing them for even a short period of time.

(e) When it is ascertained from the officer in charge of the vessel that the atmosphere in which employees would be working contains gaseous contaminants not immediately dangerous to life, or if the atmosphere becomes so contaminated during cargo handling operations, no employee shall be permitted to enter or remain in the work place until the atmosphere is made safe, or the employees are protected by suitable respiratory protective equipment in accordance with the requirements of § 1504.102 (a) and (b). Gaseous contaminants not immediately dangerous to life are gases present in concentrations that could be breathed for a short period without endangering the life of a person breathing them, but which might produce discomfort and possible injury after a prolonged single exposure or repeated short exposures.

(f) When employees are exposed to heavy concentrations of dusts, as in loading bulk grain, they shall be protected by suitable respiratory protective equipment in accordance with the requirements of § 1504.102 (a) and (c).

§ 1504.94 Sanitation and drinking water.

(a) Longshoring operations shall not be carried on in the immediate vicinity of uncovered garbage or in the way of overboard discharges from sanitary lines unprotected by a baffle or splash boards.

(b) Clean drinking water in clean, covered containers shall be provided. Individual sanitary drinking cups or some other equally sanitary device shall be conveniently available.

§ 1504.95 Longshoring operations in the vicinity of repair and maintenance work.

(a) Longshoring operations shall not be carried on when chipping or scaling of decks, bulkheads or sides of vessels creates excessive noise which interferes with communication of warnings or instructions.

(b) Longshoring operations shall not be carried on in the hold or on deck beneath men working in the rigging overhead when such overhead work creates a hazard of falling objects.

(c) Longshoring operations shall not be carried on where employees are exposed to injurious light rays, hot metal, or sparks, any of which result from welding or cutting.

(d) Longshoring operations shall not be carried on where employees are exposed to unsafe concentrations of dust or vapors from sand blasting or spray painting.

§ 1504.96 First aid and life saving equipment.

(a) Unless a first aid room and a qualified attendant are close at hand and prepared to render first aid to employees on behalf of the employer, the employer shall furnish a first aid kit for each vessel on which work is being performed, except that when work is being performed on more than one small vessel at one pier only one kit is required. The kit shall be kept close to the vessel, and at least one employee close at hand shall be qualified to administer first aid.

(b) The first aid kit shall consist of a weatherproof container with individual sealed packages for each type of item. The contents of such kit shall include a sufficient quantity of at least the following types of items:

Gauze roller bandages, 1 inch and 2 inch.
Gauze compress bandages, 4 inch.
Adhesive bandages, 1 inch.
Triangular bandage, 40 inch.
Ammonia inhalants and ampules.
Antiseptic applicators or swabs.
Burn dressing.
Eye dressing.
Wire or thin board splints.
Forceps and tourniquet.

(c) The contents of the first aid kit shall be checked before being sent out on each job to ensure that all expended items have been replaced.

(d) There shall be available for each vessel being worked one Stokes basket stretcher, or its equivalent, permanently equipped with bridles for attaching to the hoisting gear, except that there need be no more than two stretchers on each

pier. Stretchers shall be kept close to the vessels. This regulation does not apply where the ambulance services carry such stretchers.

(e) The employer shall ensure that there is in the vicinity of each vessel being worked at least one U.S. Coast Guard approved 30-inch lifering with not less than 90 feet of line attached and at least one portable or permanent ladder which will reach from the top of the apron to the surface of the water. If the above equipment is not available at the pier, the employer shall furnish it during the time that he is working the vessel. When working a barge, scow, raft, lighter, log boom, or carfloat alongside a ship, a U.S. Coast Guard approved 30-inch lifering, with not less than 90 feet of line, shall be provided either on the floating unit itself or aboard the ship in the immediate vicinity of each floating unit being worked.

(f) When employees are working on log booms or cribs, lifelines shall be furnished and hung overside to the water's edge.

§ 1504.97 Qualifications of machinery operators.

(a) Only those employees who understand the signs, notices, and operating instructions and are familiar with the signal code in use shall be permitted to operate a crane, winch or other power-operated hoisting apparatus, or any power-operated vehicle.

(b) No employee known to have defective uncorrected eyesight or hearing, or to be suffering from heart disease, epilepsy, or similar ailments which may suddenly incapacitate him shall be permitted to operate a crane, winch or other power-operated hoisting apparatus or a power-operated vehicle.

(c) No minor under 18-years of age shall be employed in occupations involving the operation of any power-operated hoisting apparatus or assisting in such operations by performing work such as hooking on or landing drafts, rigging gear, etc.

§ 1504.98 Grain fitting.

(a) Where employees are engaged in work on longitudinal bulkheads or shifting boards (other than longitudinal bulkheads of feeders) at a distance of eight (8) feet or more above any ceiling, tank top or deck, the following shall apply:

(1) If working off portable straight ladders the provisions of § 1504.25(f) of this Part shall apply;

(2) If working off staging, any lumber used in the construction thereof shall be sound, straight grained, free from cross grain, shakes, and large, loose or dead knots. It shall also be free from dry rot, large checks, worm holes or other defects which impair its strength. Platform planking used as a work surface shall not be less than 2 x 10 lumber and the width of the platform shall not be less than 18 inches.

(3) If working from other elevated positions, employees shall be protected from falling by safety belt and lifeline or other equivalent protection.

(b) (1) When grain fitting operations are in progress in the square of an intermediate deck, the hatch covering at that deck shall be such as to cover the hatch except for the minimum open spaces necessary to perform the work.

(2) When coverings used to provide a temporary work surface are other than the vessels' hatch covers placed in their normal positions, they shall be of adequate strength and so placed or secured that they cannot be accidentally dislodged.

(c) When the erection of grain fittings requires employees to work on surfaces immediately adjacent to or between open deep tanks, either the deep tank covers shall be put in place, the opening covered by a net, or the opening guarded by a line, railing or net rigged as a railing, or by other suitable means.

(d) When removing hatch coverings from the interiors of feeders at the completion of their construction, or when removing or replacing hatch coverings in the interiors of feeders for any purpose at other times, employees engaged in this work shall be protected from falling by the use of adequate individual lifelines, properly tended, or by nets or other means suitable for the purpose. Except for the minimum open spaces necessary, hatch coverings shall not be removed within feeders under construction until such construction is completed.

(e) When repair or other work is carried out in the interior of an existing feeder and circumstances do not allow the covering of the hatch at that deck, employees shall be protected from falling by the use of adequate individual lifelines, properly secured and if necessary tended, or by nets or other means suitable for the purpose.

(f) Such other sections of this Part as are applicable to grain fitting operations shall be adhered to.

Subpart J—Personal Protective Equipment

§ 1504.101 Eye protection.

(a) When, because of the nature of the cargo being handled, an eye hazard from flying particles or heavy dust exists, employees shall be protected by eye protection equipment meeting the specifications prescribed by the American Standard Safety Code for Head, Eye and Respiratory Protection, Z-2.1.

(b) Eye protection equipment shall be maintained in good condition.

(c) Eye protection equipment which has previously been used shall be cleaned and disinfected before it is issued by the employer to another employee.

(d) Employees who wear corrective spectacles while engaged in eye hazardous work shall be protected by eye protection equipment of a type which can be worn over personal spectacles, except that glasses with prescription ground safety lenses may be worn in lieu of cover goggles when such glasses provide suitable protection against the hazard involved.

§ 1504.102 Respiratory protection.

(a) *General.* (1) Except as provided in subparagraph (c) (3) of this section, respiratory protective equipment required by this Part shall carry U.S. Bureau of Mines approval for the use intended. In cases where the U.S. Bureau of Mines does not issue approval against the particular hazard, equipment shall be acceptable to the Bureau of Labor Standards. Respiratory protective equipment shall be used only for the purpose intended and no modification of the equipment shall be made.

(2) Respiratory protective equipment shall be inspected regularly and maintained in good condition. Gas mask canisters and chemical cartridges shall be replaced as necessary so as to provide complete protection. Mechanical filters shall be cleaned or replaced as necessary so as to avoid undue resistance to breathing.

(3) Respiratory protective equipment which has been previously used shall be cleaned and disinfected before it is issued by the employer to another employee.

(4) Employees required to use respiratory protective equipment shall be instructed in its use.

(b) *Protection against gaseous contaminants not immediately dangerous to life.* (1) In concentrations of ammonia of less than 3 percent, or of other gases less than 2 percent, by volume, a canister type gas mask equipped with the proper type of canister shall be used. Different canisters are approved for use against the following gases and groups of gases: acid gases, hydrocyanic acid gas, chlorine gas, organic vapors, ammonia gas, carbon monoxide or combinations of the above.

(2) In low concentrations (less than 0.1 percent by volume, but above the Threshold Limit Value of the gas), a chemical cartridge respirator equipped with the type of cartridge approved for use against the particular gases or groups of gases listed in subparagraph (1) of this paragraph shall be used.

(c) *Protection against dusts.* (1) For protection against pneumoconiosis producing dusts, a respirator equipped with the type of filter approved for such purpose shall be used.

(2) For protection against toxic dusts, a respirator equipped with the type of filter approved for such purpose shall be used.

(3) For protection against nuisance dusts, a respirator equipped with the type of filter required in subparagraph (1) of this paragraph or a suitable dust mask shall be used.

§ 1504.103 Protective clothing.

(a) When employees are handling cargo which, due to ruptured, leaking or inadequate containers, may cause burns, skin irritation or be otherwise injurious to health, they shall be protected by suitable protective clothing.

(b) Protective clothing which has been previously worn shall be cleaned

and disinfected before it is issued by the employer to another employee.

§ 1504.104 Foot protection.

The employer shall arrange through means, such as vendors or local stores, or otherwise, to make safety shoes readily available to all employees, and shall encourage their use.

§ 1504.105 Head protection.

(a) When employees are handling cargoes of loose scrap metal, bulk ores which contain ore in a chunky form, or bulk commodities of a similar nature, they shall be protected by protective hats meeting the specifications contained in the American Standard Safety Code for Head, Eye, and Respiratory Protection, Z–2.1.

(b) Protective hats which have been previously worn shall be cleaned and disinfected before they are issued by the employer to another employee.

§ 1504.106 Protection against drowning.

(a) Employees working on log booms shall be protected by U.S. Coast Guard approved buoyant vests or U.S. Coast Guard approved work vests.

(b) Except when engaged in loading or discharging ocean going vessels, employees walking or working on the decks of barges on the Mississippi River System and the Gulf Intracoastal Waterway shall be protected by U.S. Coast Guard approved buoyant vests or U.S. Coast Guard approved work vests.

(c) Buoyant vests and work vests shall be maintained in good condition and shall be considered unserviceable when damaged so as to affect their buoyant properties or capability of being properly fastened.

Appendix I

CARGO GEAR REGISTER AND CERTIFICATES

The cargo gear register, designated Form I by the ILO, is a booklet containing instructions and forms on which the following information is recorded:

Part I. Annual Inspection and Quadrennial Thorough Examination of Derricks and Permanent Attachments (including Bridle Chains) to the Derricks, Masts and Decks.

Part II. Annual Thorough Examination of Cranes, Winches, Hoists, and Accessory gear other than Derricks and Permanent Attachments Thereto.

Part III. Annual Thorough Examination of Gear which is Exempt from Heat Treatment.

Part IV. Heat Treatment of Chains, Rings, Hooks, Shackles and Swivels which Require such Treatment.

The following are the sample forms of certificates recommended by the ILO.

Test Certificate No. ------ Form No. 2

CERTIFICATE OF TEST AND EXAMINATION OF WINCHES, DERRICKS AND THEIR ACCESSORY GEAR, BEFORE BEING TAKEN INTO USE

(Form prescribed by ----------)

Name of ship on which machinery is fitted ----------

(1) Situation and description of machinery and gear, with distinguishing number or mark (if any)	(2) Angle to the horizontal of derrick boom while the load was applied (degrees)	(3) Proof load applied (tons)	(4) Safe working load at the angle shown in column 2 (tons)

(5) Name and address of public service, association, company or firm making the test and examination ----------

(6) Position of signatory in public service, association, company, or firm ----------

I certify that on the ------ day of ----------, 19--, the above machinery, together with its accessory gear, was tested by a competent person in the manner set forth on the reverse side of this certificate; that a careful examination of the said machinery and gear by a competent person after the test showed that it had withstood the proof load without injury or permanent deformation; and that the safe working load of the said machinery and gear is as shown in column 4.

(Signature) ----------

(Date) ----------

NOTE: "Competent person" means a person acceptable as such to the competent authority in the country of issue of the certificate.

[Reverse of Form 2]

INSTRUCTIONS

Every winch with the whole of the gear accessory thereto (including derricks, gooseknecks, eye plates, eye bolts, or other attachments) shall be tested with a proof load which shall exceed the safe working load as follows:

Safe working load	*Proof load*
Up to 20 tons	25 percent in excess.
20–50 tons	5 tons in excess.
Over 50 tons	10 percent in excess.

The proof load shall be lifted with the ship's normal tackle with the derrick at an angle which should not be more than 15 degrees to the horizontal, or, when this is impracticable, at the lowest practicable angle. The angle at which the test was made should be stated in the certificate of test. After the proof load has been lifted, it should be swung as far as possible in both directions.

As a general rule, all tests should be carried out in this way by dead load, and no exception should be allowed in the case of gear on new ships. In the case of replacements or renewals, however, spring or hydraulic balances may be used where dead loads are not available. Where a spring or hydraulic balance is used it shall be accurate, and the test should not be regarded as satisfactory unless the indicator remains constant for a period of at least five minutes.

After being tested as aforesaid, all lifting machinery, with the whole of the gear accessory thereto shall be examined to see whether any part has been injured or permanently deformed by the test.

The safe working load shown in column 4 is applicable only to a swinging derrick. When using fixed derricks, such as "union purchase" rigs, the safe working load should as a general rule be reduced; in any case, it should be determined with due regard to the actual conditions of use.

In the case of heavy derricks, care should be taken that the appropriate shrouds and stays are rigged.

NOTE: The expression "ton" means a ton of 1,000 kg or 2,200 lb.

Test Certificate No. ------ Form No. 3

CERTIFICATE OF TEST AND EXAMINATION OF CRANES OR HOISTS, AND THEIR ACCESSORY GEAR BEFORE BEING TAKEN INTO USE

(Form prescribed by ----------)

Name of ship on which machinery is fitted ----------

(1) Situation and description of crane or hoist, with distinguishing number or mark (if any)	(2) For jib cranes radius at which the proof load was applied	(3) Proof load applied (tons)	(4) Safe working load (for jib cranes at radius shown in column 2) (tons)

(5) Name and address of public service, association, company or firm making the test and examination ----------

(6) Position of signatory in public service, association, company or firm ----------

I certify that on the ------ day of ---------- 19--, the above machinery, together with its accessory gear, was tested by a competent person in the manner set forth on the reverse side of this certificate; that a careful examination of the said machinery and gear by a competent person after the test showed that it had withstood the proof load without injury or permanent deformation; and that the safe working load of the said machinery and gear is as shown in column 4.

(Signature) ----------

Date ----------

NOTE: "Competent person" means a person acceptable as such to the competent authority in the country of issue of the certificate.

[Reverse of Form 3]

INSTRUCTIONS

Every crane and other hoisting machine, with its accessory gear, shall be tested with a proof load which shall exceed the safe working load as follows:

Safe working load	*Proof load*
Up to 20 tons	25 percent in excess.
20–50 tons	5 tons in excess.
Over 50 tons	10 percent in excess.

The proof load shall be lifted and swung as far as possible in both directions. If the jib of the crane has a variable radius, it should be tested with a proof load, as defined above, at the maximum and minimum radii of the jib. With hydraulic cranes where, owing to the limitation of pressure, it is impossible to lift a load 25 percent in excess of the safe working load, it will be sufficient to lift the greatest possible load.

After being tested, each crane or hoist, with the whole of the gear accessory thereto, shall be examined to see whether any part has been injured or permanently deformed by the test.

NOTE: The expression "ton" means a ton of 1,000 kg or 2,200 lb.

Test Certificate No. ------ Form No. 4

CERTIFICATE OF TEST AND EXAMINATION OF CHAINS, RINGS, HOOKS, SHACKLES, SWIVELS AND PULLEY BLOCKS

(Form prescribed by ----------)

(1) Distinguishing number or mark (if any)	(2) Description of gear*	(3) Number tested	(4) Date of test	(5) Proof load applied (tons)	(6) Safe working load (tons)

*The dimensions of the gear, the type of material of which it is made and, where applicable, the heat treatment received in manufacture should be stated (unless Form No. 6 is used for the purpose).

(7) Name and address of makers or suppliers ----------

(8) Name and address of public service, association, company or firm making the test and examination ----------

(9) Position of signatory in public service, association, company or firm ----------

I certify that on the ------ day of ---------- 19--, the above gear was tested and examined by a competent person in the manner set forth on the reverse side of this certificate; that the examination showed that the said gear withstood the proof load without injury or deformation; and that the safe working load of the said gear is as shown in Column 6.

(Signature) ----------

(Date) ----------

NOTE: "Competent person" means a person acceptable as such to the competent authority in the country of issue of the certificate.

[Reverse of Form 4]

INSTRUCTIONS

Chains, rings, shackles and other loose gear (whether accessory to a machine or not) shall be tested with a proof load equal to that shown against the article in the following table:

Article of gear	*Proof load*
Chain, ring, hook, shackle or swivel ----------	100 percent in excess of the safe working load.
Pulley blocks:	
Single-sheave block ----------	300 percent in excess of the safe working load.
Multiple-sheave block with safe working load up to and including 20 tons.	100 percent in excess of the safe working load.
Multiple-sheave block with safe working load over 20 tons up to and including 40 tons.	20 tons in excess of the safe working load.
Multiple-sheave block with safe working load over 40 tons.	50 percent in excess of the safe working load.
Pitched chains used with hand-operated pulley blocks and rings, hooks, shackles or swivels permanently attached thereto.	50 percent in excess of the safe working load.
Hand-operated pulley blocks used with pitched chains and rings, hooks, shackles or swivels permanently attached thereto.	50 percent in excess of the safe working load.

After being tested, all the gear shall be examined, the sheaves and the pins of the pulley blocks being removed for the purpose, to see whether any part has been damaged or permanently deformed by the test.

NOTE: The expression "ton" means a ton of 1,000 Kg or 2,200 lb.

Test Certificate No. ------ Form No. 5

CERTIFICATE OF EXAMINATION AND TEST OF WIRE ROPE BEFORE BEING TAKEN INTO USE

(Form prescribed by ----------)

Name and address of maker or supplier of rope ----------

Circumference/diameter* of rope ----------

Number of strands ----------

Number of wires per strand ----------

Lay ----------

Quality of wire ----------

Date of test of sample of rope ----------

Load at which sample broke ----------

Safe working load, subject to any stated qualifying conditions such as minimum pulley diameter, direct tensile load, etc ----------

Name and address of public service, association, company or firm making the examination and test ----------

Position of signatory in public service, association, company or firm making the examination and test ----------

I certify that the above particulars are correct, and that the examination and test were carried out by a competent person.

(Signature) ----------

(Date) ----------

NOTE: "Competent person" means a person acceptable as such to the competent authority in the country of issue of the certificate.

* Delete what does not apply.

[Reverse of Form No. 5]

INSTRUCTIONS

Wire rope shall be tested by sample, a piece being tested to destruction, and the safe working load of running ropes shall not exceed one-fifth of the breaking load of the sample tested.

Certificate No. ------ Form No. 6

CERTIFICATE OF HEAT TREATMENT OF CHAINS, RINGS, HOOKS, SHACKLES AND SWIVELS WHICH REQUIRE SUCH TREATMENT

(Form prescribed by ----------)

(1) Distinguishing number or mark	(2) Description of gear*	(3) Number of certificate of test and examination	(4) Number heat treated	(5) Date of heat treatment	(6) Nature of heat treatment given	(7) Defects found at inspection after heat treatment

* The dimensions of the gear, the type of material of which it is made, and the heat treatment received in manufacture should be stated.

(8) Name and address of public service, association, company or firm carrying out the heat treatment and inspection ----------

(9) Position of signatory in public service, association, company or firm ----------

I certify that on the date shown in Column 5, the gear referred to in Columns 1 to 4 was heat-treated (indicated in Column 6) under my supervision; that after being so heat-treated every article was carefully inspected, and that no defects affecting its safe working condition were found other than those indicated in Column 7.

(Signature) ----------

(Date) ----------

NOTES: "Competent person" means a person acceptable as such to the competent authority in the country of issue of the certificate.

For requirements as to heat treatment, see reverse side.

[Reverse of Form No. 6]

INSTRUCTIONS

ANNEALING

Chains (other than bridle chains attached to derricks or masts), rings, hooks, shackles and swivels made of wrought iron, used in hoisting or lowering, shall be annealed at the following intervals:

	If used on lifting machinery driven by power	If used solely on lifting machinery worked by hand
Half-inch (12.5 mm) and smaller chains, rings, hooks, shackles and swivels in general use.	6 months.	12 months.
All other chains, rings, hooks, shackles and swivels in general use	12 months	2 years.

OTHER HEAT TREATMENT

Chains, rings, hooks, shackles and swivels made of material other than wrought iron shall be heat treated in accordance with procedures approved by the competent authority.

Certificate No. ------ Form No. 7

CERTIFICATE OF ANNUAL THOROUGH EXAMINATION OF GEAR WHICH DOES NOT REQUIRE TO BE PERIODICALLY HEAT TREATED

(Form prescribed by ----------)

(1) Distinguishing number or mark	(2) Description of gear*	(3) Number of certificate of test and examination	(4) Remarks

*The dimensions of the gear, the type of material of which it is made, and the heat treatment received in manufacture should be stated.

(5) Name and address of public service, association, company or firm making the test and examination ----------

(6) Position of signatory in public service, association, company or firm ----------

I certify that on the ------ day of ---------- 19--, the above gear was thoroughly examined by a competent person, and that no defects affecting its safe working condition were found other than those indicated in Column 4.

(Signature) ----------

(Date) ----------

NOTES: This certificate is optional. The above particulars may be entered in Part III of the Register (Form No. 1).

"Competent person" means a person acceptable as such to the competent authority in the country of issue of the certificate.

For list of gear not required to be heat-treated and definition of "thorough examination", see reverse side.

[Reverse of Form No. 7]

INSTRUCTIONS

Gear not required to be heat treated, but required to be thoroughly examined by a competent person once at least in every twelve months:

Plate-link chains.
Pitched chains.
Rings, hooks, shackles and swivels permanently attached to pitched chains, pulley blocks or weighing machines.
Hooks and swivels having ball bearings or other case-hardened parts.
Bordeaux connections.

Other gear exempted by the competent authority, as follows:

NOTE: "Thorough examination" means a visual examination, supplemented if necessary by other means such as a hammer test, carried out as carefully as conditions permit in order to arrive at a reliable conclusion as to the safety of the parts examined; if necessary for the purpose, parts of the machines or gear must be dismantled.

[F.R. Doc. 66-5560; Filed, May 20, 1966; 8:46 a.m.]

V
0
L
3
9

DETROIT PUBLIC LIBRARY MAY 27 1966

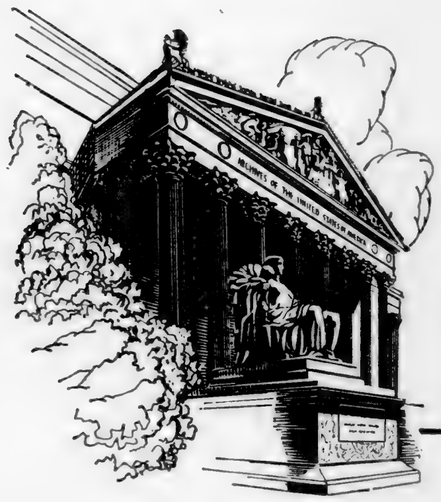
SOCIOLOGY & ECON

FEDERAL REGISTER

VOLUME 31 • NUMBER 100

Tuesday, May 24, 1966 • Washington, D.C.

Pages 7451–7501



Agencies in this issue—

Agricultural Research Service
Agricultural Stabilization and Conservation Service
Air Force Department
Civil Aeronautics Board
Commodity Credit Corporation
Consumer and Marketing Service
Education Office
Federal Aviation Agency
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Foreign Assets Control Office
Interior Department
Interstate Commerce Commission
Land Management Bureau
Mines Bureau
Securities and Exchange Commission
Small Business Administration
Tariff Commission
Treasury Department

Detailed list of Contents appears inside.

THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 7—Agriculture (Parts 981–999) (Revised)
$0.60

Title 8—Aliens and Nationality (Revised)
$0.70

Title 46—Shipping (Parts 1–145) (Revised)
$2.75

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL RESEARCH SERVICE
Proposed Rule Making
Federal plant pest regulations; soil from parts of Canada exempted from certain restrictions 7479

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE
Rules and Regulations
Cotton, upland; referenda results correction; sale or lease transfers 7472
Rice; determination of county normal yields for 1966 crop 7472

AGRICULTURE DEPARTMENT
See Agricultural Research Service; Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.

AIR FORCE DEPARTMENT
Rules and Regulations
Air Force Junior Officers' Training Corps 7459

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.:
Air Express Charge Investigation 7486
Panagra Acquisition Case 7486

COMMODITY CREDIT CORPORATION
Rules and Regulations
Dry edible beans; 1966 loan and purchase agreement program 7477

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Fresh pears, plums, and peaches grown in California; miscellaneous amendments 7476
Lemons grown in California and Arizona; handling limitations 7473
Milk in Paducah, Ky., marketing area; order amending order 7477
Nectarines grown in California:
Exemption from inspection 7474
Shipment limitations (3 documents) 7474, 7475
Proposed Rule Making
Limes grown in Florida; expenses and rate of assessment 7482
Milk in northwestern Ohio marketing area 7483
Nectarines grown in California; handling 7482
Oranges and grapefruit grown in lower Rio Grande Valley in Texas; recommended decision 7480

DEFENSE DEPARTMENT
See Air Force Department.

EDUCATION OFFICE
Rules and Regulations
National defense student loan program 7463

FEDERAL AVIATION AGENCY
Rules and Regulations
Air traffic control tower operators; certification 7455
Alterations:
Control zone 7456
Transition areas (2 documents) 7456
Control area extension; revocation 7456
Proposed Rule Making
Airworthiness directives; Pratt & Whitney Model JT3C–7 and JT3C–12 turbojet engines 7483

FEDERAL COMMUNICATIONS COMMISSION
Rules and Regulations
Certain FM broadcast stations; table of assignments 7469
Radio frequency devices; measurement procedures 7469
Notices
Standard broadcast applications ready and available for processing 7487
Hearings, etc.:
Alleged violations 7486
WMGS, Inc 7487

FEDERAL HOME LOAN BANK BOARD
Proposed Rule Making
Federal Home Loan Bank System:
Holdings of U.S. cash and obligations by members 7483
Limitations on advances 7483
Federal Savings and Loan Insurance Corporation; loans to one borrower 7484

FEDERAL MARITIME COMMISSION
Notices
Agreements:
Alltransport Shipping Co., Inc., et al 7488
New York Terminal Conference 7487
City of Oakland 7490

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Glamorgan Pipe & Foundry Co. 7492
Humble Oil & Refining Co., et al 7490
Montana-Dakota Utilities Co. 7492
Panhandle Eastern Pipe Line Co 7492
Rochester Gas and Electric Corp 7492
Tenneco Oil Co 7491
Tennessee Gas Pipeline Co 7492

FISH AND WILDLIFE SERVICE
Proposed Rule Making
Migratory birds; hunting (2 documents) 7479

FOREIGN ASSETS CONTROL OFFICE
Notices
Statement of organization; amendment 7485

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Education Office.

INTERIOR DEPARTMENT
See also Fish and Wildlife Service; Land Management Bureau; Mines Bureau.
Notices
Statements of changes in financial interests:
Davis, Angus William 7485
Fehr, Franklin Stuart 7485
Persons, Marvin Francis 7486
Porter, William C., Jr 7486
Wilkins, George Lester 7486
Witts, Seth N 7486

INTERSTATE COMMERCE COMMISSION
Rules and Regulations
Car service; distribution of boxcars (2 documents) 7468, 7469
Notices
Certain railroads; boxcar distribution (10 documents) 7496–7499
Fourth section application for relief 7499
Motor carrier transfer proceedings 7495

LAND MANAGEMENT BUREAU
Rules and Regulations
PUBLIC LAND ORDERS:
Alaska (2 documents) 7462
California 7463
Idaho 7462
New Mexico 7463

MINES BUREAU
Rules and Regulations
Grants for solid waste disposal projects 7456

SECURITIES AND EXCHANGE COMMISSION
Proposed Rule Making
Fees for brokers and dealers not members of national securities associations; correction 7484
Notices
Hearings, etc.:
Great American Industries, Inc. 7494
Pennzoil Co 7493
Pinal County Development Association 7494
Research Investing Corp 7493
Zayre Corp., and Slick Corp 7494

(Continued on next page)

SMALL BUSINESS ADMINISTRATION

Notices

Illinois; declaration of disaster area 7494

Regional offices in Rockey Mountain area; delegation of authority to conduct program activities 7495

TARIFF COMMISSION

Notices

Titanium dioxide from Japan; determination of no injury or likelihood thereof 7495

TREASURY DEPARTMENT

See also Foreign Assets Control Office.

Notices

Steel jacks from Canada; determination of sales at less than fair value 7485

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

722 7472
730 7372
910 7473
916 (4 documents) 7474, 7475
917 7476
1099 7477
1421 7477

PROPOSED RULES:

330 7479
906 7480
911 7482
916 7482
1041 7483

12 CFR

PROPOSED RULES:

523 7483
525 7483
563 7484

14 CFR

65 7455
71 (4 documents) 7456

PROPOSED RULES:

39 7483

17 CFR

PROPOSED RULES:

240 7484

30 CFR

51 7456

32 CFR

872 7459

43 CFR

PUBLIC LAND ORDERS:

5 (revoked in part by PLO 4005) 7462
4004 7462
4005 7462
4006 7462
4007 7463
4008 7463

45 CFR

144 7463

47 CFR

15 7469
73 7469

49 CFR

95 (2 documents) 7468, 7469

50 CFR

PROPOSED RULES:

10 (2 documents) 7479

Rules and Regulations

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 1566; Amdt. 65-7]

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

Air Traffic Control Tower Operators

The purpose of this amendment is to revise the knowledge requirements for applicants for control tower operator certificates; to require each person engaged as an air traffic control operator in connection with civil aircraft to hold a control tower operator certificate and an appropriate rating; and to revise references to publications to conform to current titles.

The Agency published a notice of proposed rule making in the FEDERAL REGISTER on January 26, 1963 (28 F.R. 727), circulated as Draft Release No. 63-2 which proposed a new rating system in place of the present junior and senior ratings for control tower operator certificates; a revision of the knowledge requirements for applicants in accordance with current practices, and a requirement that each person engaged as an air traffic control tower operator in connection with civil aircraft must hold a control tower operator certificate and an appropriate rating.

Comments received in response to the notice indicated a general endorsement of the proposal. Delay in incorporation of the proposed amendment and implementation of the revised rating system has been the result of its relationship with another project involving the reissuance of airman certificates.

Implementation of the proposed rating system would require, among other things that all junior and senior control tower operator ratings be exchanged for new rating and new airman certificates. This exchange would represent a sizable administrative and economic undertaking. In the interest of economy and efficiency it was determined that the two projects could best be accomplished concurrently. As it now appears that additional time will be necessary for the development and implementation of the reissuance system, it has been determined that the part of the proposal relating to the revised rating system for air traffic control tower operators will not be put in effect at this time. Any future action to establish this system will be preceded by an appropriate notice of proposed rule making.

The additional knowledge requirements for a control tower operator certificate imposed by this amendment involve communications operating procedures and flight assistance services. As stated in the notice the Agency has for several years required its employees who are applicants for control tower operator certificates to be tested in these areas, therefore this revision is in conformance with the current practice. One aviation association recommended that these requirements be expanded to include a basic knowledge of aerodynamics. A second made a similar recommendation, suggesting an additional requirement on aircraft flight characteristics and speeds. The Agency has not observed a lack of knowledge of these subjects on the part of tower controllers. These personnel receive substantial on-the-job training in acquiring the necessary ratings to control air traffic. By this process the new controller learns aircraft performance through observation and practical experience. While this experience contributes little to an academic knowledge of aerodynamics, it does provide the controller with knowledge of those characteristics of aircraft performance that are pertinent to his job at a particular location. Accordingly, in the absence of evidence as to a present need, neither of these recommendations is adopted at this time.

One of the military services noted that the knowledge requirements of Part 65 do not conform to the military training program. While the military training program requires the trainees to satisfactorily complete the FAA certification examination, this examination does not cover all the areas in which the military controller is instructed and, conversely, completion of the examination requires a detailed knowledge of certain subjects in excess of those required by the trainee in performing his control duties in the military environment. The knowledge requirements specified in Part 65 have been determined by the Agency to be the minimum requirements for the certification of a control tower operator exercising control of civil aircraft in air commerce. A determination has been made that it would not be desirable to establish two sets of standards.

Since publication of the notice, the "Airman's Guide" and the "Flight Information Manual" referenced in § 65.39 have been replaced by the "Airman's Information Manual." Therefore, references to these publications have been corrected. Additionally, references to old Part 60 of the Civil Air Regulations in § 65.41 (b) and (c) have been replaced by specific reference to Part 91 of the Federal Aviation Regulations. Since these alterations are editorial in nature, notice and public procedure hereon are unnecessary and they may become effective concurrently with the alterations published in the notice.

In consideration of the foregoing, Subpart B of Part 65 of the Federal Aviation Regulations is amended, effective June 23, 1966, as hereinafter set forth.

1. The following new section is added:

§ 65.30 Certificate and rating required.

No person may act as an air traffic control tower operator in connection with any civil aircraft in air commerce unless he holds an air traffic control tower operator certificate and an appropriate rating issued to him under this subpart.

2. Section 65.33 is amended to read as follows:

§ 65.33 Knowledge requirements.

Each applicant for a certificate must pass a written test on the following:

(a) The flight rules in Part 91 of this chapter.

(b) Airport traffic control procedures, and this subpart.

(c) En route traffic control procedures.

(d) Communications operating procedures.

(e) Flight assistance service.

(f) Air navigation and aids to air navigation.

(g) Aviation weather.

3. Subparagraphs (3) and (4) of § 65.39(a) are amended to read as follows:

§ 65.39 Skill requirements: senior rating.

(a) • • •

(3) Using the "Airman's Information Manual".

(4) [Reserved]

• • • • • •

4. Section 65.41 (b) and (c) are amended to read as follows:

§ 65.41 Performance of duties.

• • • • • •

(b) Whenever weather conditions are at least equal to the minimums prescribed for VFR flight in § 91.105 of this chapter, an operator with either a senior or junior rating may control traffic at the airport concerned. However, if the character or volume of the air traffic, the type and equipment of aircraft using the airport, or the airport facilities, require that an operator with a junior rating be supervised, an operator with a senior rating shall supervise the controlling of all air traffic at the airport.

(c) Whenever weather conditions are below the minimums prescribed for VFR flight in § 91.105 of this chapter, an operator with a senior rating shall supervise the controlling of all air traffic at the airport concerned. However, he may not issue an air traffic clearance for flight without advance authority from

the appropriate air route traffic control center.

* * * * *

(Secs. 313(a), 601, and 602 of the Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, 1422)

Issued in Washington, D.C., on May 17, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-5600; Filed, May 23, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-7]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On pages 5077 and 5078 of the FEDERAL REGISTER for March 29, 1966, the Federal Aviation Agency published proposed regulations which would alter the Wrightstown, N.J., 700-foot floor transition area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., July 21, 1966, except as follows:

1. In the text, delete the words, "Amend § 71.171", and substitute therefor the words, "Amend § 71.181".

(Sec. 307(a) of the Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on May 9, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Wrightstown, N.J., 700-foot floor transition area by inserting before the words, "excluding the portion within the New York, N.Y.," the words, "and within a 4-mile radius of the center, 40°13'05" N., 74°05'30" W., of the Asbury Park-Neptune Airport, Neptune, N.J."

[F.R. Doc. 66-5601; Filed, May 23, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-11]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

On page 5078 of the FEDERAL REGISTER for March 29, 1966, the Federal Aviation Agency published proposed regulations which would alter the Fort Belvoir, Va., control zone.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., July 21, 1966.

(Sec. 307(a) of the Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on May 9, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Fort Belvoir, Va., control zone and insert in lieu thereof the following:

Within a 3-mile radius of the center, 38°42'55" N., 77°10'50" W., of the Davison AAF, Fort Belvoir, Va.; within 2 miles each side of the centerline of Runway 32 extended from the 3-mile radius zone to 5 miles northwest of the end of the runway; within 2 miles each side of the centerline of Runway 14 extended from the 3-mile radius zone to 5 miles southeast of the end of the runway.

[F.R. Doc. 66-5602; Filed, May 23, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-29]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation of Control Area Extension

The Federal Aviation Agency is amending § 71.165 of Part 71 of the Federal Aviation Regulations so as to revoke the Dover, Del., control area extension (31 F.R. 2057).

There is no further requirement for the Dover, Del., control area extension since the CAE airspace is now contained within the Atlantic City, N.J., and Dover, Del., transition areas.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary, and the amendment may be made effective upon publication.

In view of the foregoing, the amendment is hereby adopted effective upon publication in the FEDERAL REGISTER as follows:

1. Amend § 71.165 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Dover, Del., control area extension in its entirety.

(Sec. 307(a) of the Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on May 9, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-5603; Filed, May 23, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-37]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Areas

The Federal Aviation Agency is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Elmira (31 F.R. 2183) and Utica (31 F.R. 2265), N.Y., 1,200-foot floor transition areas.

Due to a charting discrepancy, it has been noted that a hiatus exists as to a common point between the Elmira and Utica, N.Y., 1,200-foot floor transition areas. Therefore, it will be necessary to correct the longitude coordinate contained in the Elmira and Utica, N.Y., transition areas.

Since these amendments are minor in nature, notice and public procedure hereon are unnecessary and the amendments may be made effective upon publication.

In view of the foregoing, the amendments are hereby adopted effective upon publication in the FEDERAL REGISTER as follows:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Elmira, N.Y., 1,200-foot floor transition area the coordinate, "77°22'30" W" and insert in lieu thereof the coordinate, "77°23'45" W".

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Utica, N.Y., 1,200-foot floor transition area the coordinate, "77°22'30" W" and insert in lieu thereof the coordinate, "77°23'45" W".

(Sec. 307(a) of the Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on May 10, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-5604; Filed, May 23, 1966; 8:45 a.m.]

Title 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

SUBCHAPTER M—RULES AND REGULATIONS PURSUANT TO SOLID WASTE DISPOSAL ACT OF 1965

PART 51—GRANTS FOR SOLID WASTE DISPOSAL PROJECTS

Notice of proposed rule making, public rule making procedures and postponement of effective date have been omitted in the issuance of this Part 51 since it relates solely to grants for solid waste disposal projects.

Effective date. These regulations shall become effective on the date of publication in the FEDERAL REGISTER.

FRANK C. MEMMOTT,
Acting Director, Bureau of Mines.

MAY 12, 1966.

Subpart A—General

Sec.
51.1 Purpose.
51.2 Bureau of Mines' responsibility.
51.3 Definition of terms.
51.4 Purpose of making, and entities eligible to receive grants.

Subpart B—Applications for Grants

51.5 Manner of submission.

Subpart C—Approval of Applications and Limitations

51.6 Return of defective submissions.
51.7 Requirements for approval.
51.8 Limitations.

Subpart D—Fiscal and Accounting

51.9 Procedure for obtaining payments.
51.10 Cost computation principles.
51.11 Title to property.
51.12 Accounting records.

Subpart E—Progress and Accomplishment Reports

51.13 Project completion or termination reports.
51.14 Annual reports.
51.15 Special reports.
51.16 Acknowledgment of Federal Government participation.

Subpart F—Consultation and Coordination

51.17 Cooperation.
51.18 Advice, assistance, and coordination.

Subpart G—Audits and Inspections

51.19 Introduction.
51.20 Audits.
51.21 Inspections.

AUTHORITY: The provisions of Part 51 issued under sec. 204 and sec. 206 of Title II of P.L. 89-272, 79 Stat. 998-999, 42 U.S.C. 3253, 3255.

Subpart A—General

§ 51.1 Purpose.

The regulations in this part are issued pursuant to the Solid Waste Disposal Act of 1965 (P.L. 89-272), which authorizes appropriations to, and confers authority upon, the Secretary of the Interior in order to (a) initiate and accelerate a national research and development program for new and improved methods of proper and economic solid waste disposal, including studies directed toward the conservation of natural resources by reducing the amount of waste and unsalvageable materials and by recovery and utilization of potential resources in solid wastes; and (b) provide technical and financial assistance to State and local governments and interstate agencies in the planning, development, and conduct of solid waste disposal programs.

§ 51.2 Bureau of Mines' responsibility.

The Secretary of the Interior has delegated to the Director, Bureau of Mines, authority to take the actions and make the determinations that, under the Act are the responsibility of the Secretary. The Director has redelegated this authority to the Assistant Director—Minerals Research for general direction of this program.

§ 51.3 Definition of terms.

As used in this subchapter, the terms:

(a) "Act" means the Solid Waste Disposal Act (P.L. 89-272, 79 Stat. 997).

(b) "Secretary" means the Secretary of the Interior.

(c) "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(d) "Director" means the Director, Bureau of Mines.

(e) "Interstate agency" means an agency of two or more municipalities in different States, or an agency established by two or more States, with authority to provide for the disposal of solid wastes and serving two or more municipalities located in different States.

(f) "Solid Waste" means refuse, and other discarded solid waste materials resulting from the extraction, processing, or utilization of minerals or fossil fuels.

(g) "Solid waste disposal" means the collection, storage, treatment, utilization, processing, or final disposal of solid waste.

(h) "Fiscal year" means a 12-month period ending on June 30.

(i) "Bureau" means the Bureau of Mines.

(j) "Applicant" means any public (whether Federal, State, interstate, or local) authority, agency, and institution, private agency and institution, and individual who files application for a grant of Federal funds under section 204 of the Act.

(k) "Construction" means (1) the erection or building of new structures and acquisition of lands or interest therein, or the acquisition, replacement, expansion, remodeling, alteration, modernization, or extension of existing structures, and (2) the acquisition and installation of initial equipment, of or required in connection with new or newly acquired structures or the expanded, remodeled, altered, modernized or extended part of existing structures (including trucks and other motor vehicles, and tractors, cranes, and other machinery) necessary for the proper utilization and operation of the facility after completion of the project, the engineering, architectural, legal, fiscal, and economic investigations and studies, and any surveys, designs, plans, working drawings, specifications, and other action necessary for the carrying out of the project, and (3) the inspection and supervision of the process of carrying out the project to completion.

§ 51.4 Purpose of making, and entities eligible to receive grants.

(a) Research, demonstration, training, and other activities: Grants may be made pursuant to section 204 of the Act, for the conduct of, and to promote the coordination of research, investigation, experiments, training, demonstrations, surveys, and studies relating to the operation and financing of solid waste disposal programs, the development and application of new and improved methods of solid waste disposal (including devices and facilities therefor), and the reduction of the amount of such waste and unsalvageable waste materials.

(b) State and interstate planning: Grants, not to exceed 50 percent of the cost, may be made pursuant to section 206 of the Act to State and interstate agencies for making surveys of solid waste disposal practices and problems within the jurisdictional areas of such States or agencies and for developing solid waste disposal plans for such areas.

(c) Subject to the availability of appropriated funds, grants may be made to any public (whether Federal, State, interstate or local) authority, agency, institution, private agency or institution or individual qualified to perform the work contemplated in sections 204 and 206 of the Act.

Subpart B—Applications for Grants

§ 51.5 Manner of submission.

(a) An application should be submitted in an original and five copies to the Director, Bureau of Mines, Department of the Interior, Washington, D.C., 20240. A separate application must be submitted for each project.

(b) If the applicant is an individual, the application should include a statement in reasonable detail of his education, experience, accomplishments, and special qualifications for conducting the project for which application is being made.

(c) If the applicant is an organization, the application should include a statement as to its nature, officers, principal business, experience, and special qualifications for conducting the project for which application is being made.

(d) If the applicant is a State or interstate agency submitting a proposal pursuant to section 206 of the Act, the application must (1) designate or establish a single State agency (which may be an interdepartmental agency) or, in the case of an interstate agency, such interstate agency, as the sole agency for carrying out the purposes of section 206 of the Act; (2) indicate the manner in which provision will be made to assure full consideration of all aspects of planning essential to statewide planning (or in the case of an interstate agency jurisdiction-wide planning) for proper and effective solid waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land-use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs; (3) set forth the plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of section 206 of the Act.

(e) Information required with application: Applications shall be in the form of proposals to undertake specific solid waste disposal projects. Such proposals shall set forth for each project:

(1) The nature and scope of the project to be undertaken.

(2) The period during which it shall be pursued.

(3) The name and qualifications of the person who will direct the project.

(4) The number and general qualifications of the personnel who will work on the project, with the name, education, experience, and accomplishments of the principal scientist who will be assigned to it.

(5) The location or locations at which the project will be pursued.

(6) The importance of the project in relation to the Nation, State, or local area concerned.

(7) The relation of the project to other known research projects theretofore pursued or currently being pursued by the applicant and by others.

(8) The extent to which the project will provide opportunity for the training of scientists.

(9) A financial plan setting forth cash requirements, subdivided between grant and non-Federal funds:

(i) For each quarter of the first fiscal year, and

(ii) For each subsequent fiscal year during the proposed life of the project.

(10) The financial plan will include:

(i) The amount requested for direct expenses, by category of direct expense.

(ii) The amount requested for indirect expenses related to the requested direct expenses.

(iii) The total grant request.

(iv) The additional amount which the grantee proposes as its contribution from non-Federal sources.

(11) The facilities that will be devoted to the project.

(12) The salient points of the plan that will be followed in pursuing the project, including a financial plan in which expenditures are related to activity and rate of effort to be expended.

(13) The intended method of publishing the results of the project on a timely basis.

(14) The basis for a determination that the project could not be undertaken without the grant for which application is made.

(15) Assurance that, if the grant is made, the required funds from non-Federal sources will be forthcoming.

(16) Information as to whether the project or part of the project has been or will be submitted to organizations other than the Bureau for the purpose of obtaining a grant.

Subpart C—Approval of Applications and Limitations

§ 51.6 Return of defective submissions.

Upon receipt of an application for a grant pursuant to the Act, the Director shall determine whether the submission conforms to the requirements of § 51.5. Nonconforming submissions will be returned with statements of the reasons for their return.

§ 51.7 Requirements for approval.

The Director may approve proposals submitted under this Part 51 after determining:

(a) The applicant is a bona fide organization or individual that has qualifications necessary to perform the work.

(b) The proposal was properly signed by the applicant or its duly authorized agent.

(c) The solid waste disposal problems to be undertaken are related to the mission of the Department of the Interior.

(d) Such research is desirable and covers aspects of solid waste disposal not otherwise being studied.

(e) A reasonable relationship exists between the cost to the Government and the probable results to be achieved.

(f) The applicant has expressed a willingness to enter into a research project agreement acceptable to the Director.

§ 51.8 Limitations.

(a) No grant shall be made to pay more than two-thirds of the cost of construction of any facility under the Act.

(b) All grants for construction under the Act shall be subject to the provisions of the Davis-Bacon Act, as amended (40 U.S.C. 276a to 276a–5) relating to the rates of wages paid to laborers and mechanics in connection with such construction. Wage rate determinations made by the Secretary of Labor pursuant to the Davis-Bacon Act will be provided to grantees, when applicable, by the Bureau.

(c) Any grant made under section 204 of the Act shall contain provisions effective to insure that all information, uses, processes, patents, and other developments resulting from any activity undertaken pursuant to such grant will be made readily available on fair and equitable terms to industries utilizing methods of solid waste disposal and industries engaging in furnishing devices, facilities, equipment, and supplies to be used in connection with solid waste disposal. In carrying out this provision, the Bureau will make use of and adhere to the Statement of Government Patent Policy promulgated by the President's memorandum of October 10, 1963.

(d) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; P.L. 88–352) which provides that no person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (section 601) and to the implementing regulation issued by the Secretary of the Interior with the approval of the President (43 CFR Part 17).

(e) Any grant for a project which involves a federally assisted construction contract, as defined in Executive Order 11246, September 24, 1965 (30 F.R. 12319), shall be subject to the condition that the grantee shall comply with the requirements of said Executive order and with applicable rules, regulations, and procedures prescribed pursuant thereto.

(f) No grant shall be made under section 206 of the Act unless there is a satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954 (40 U.S.C. 461).

Subpart D—Fiscal and Accounting

§ 51.9 Procedure for obtaining payments.

(a) After the grant agreement has been formally signed, payments of grant funds to the grantee will be made on public vouchers prepared, signed, and submitted by the grantee in three copies to the Director. Such vouchers will provide for amounts to be paid to the grantee as funds are required for expenditures under an approved financial plan.

(b) In the case of matching grants, the grantee will also submit evidence that a proper relationship is being maintained between expenditures of grant and non-Federal funds.

(c) When applicable, payments will be made under Letter of Credit procedures prescribed by Treasury Circular No. 1075.

§ 51.10 Cost computation principles.

(a) The cost computation principles prescribed in this section shall be utilized in the cost accounting required with respect to grants under the Act to provide evidence that the recipient has discharged the obligation it assumed, when accepting these funds, to expend them solely for costs necessary for the accomplishment of the work for which they were received. These principles will also be applied in accounting for costs financed with non-Federal funds where those costs pertain to programs financed in part by grants under the Act.

(b) Basic cost formulas: Costs will be computed:

(1) By educational institutions, in accordance with Bureau of the Budget Circular A–21, as revised.

(2) By all entities other than educational institutions, in accordance with the Federal Procurement Regulations (second edition) (41 CFR 1–15.2).

§ 51.11 Title to property.

(a) Title to property purchased with funds from non-Federal sources used to match grants under section 206 of the Act shall be vested in the grantee.

(b) Title to property purchased with grant funds made available under section 204 or section 206 of the Act shall vest in the Government unless the grantee is a nonprofit institution of higher education or a nonprofit organization whose primary purpose is the conduct of scientific research and the Director determines that vesting title in such grantee would further the objectives of the Act.

§ 51.12 Accounting records.

(a) Individuals and organizations that receive funds under the Act, shall be responsible for maintaining books of account that clearly, accurately, and currently reflect the financial transactions involving grants financed under the Act and also transactions financed with matching funds from sources other than the Federal Government. In addition, they shall maintain files of all papers necessary to explain and prove the validity of the transactions recorded.

(b) Such records, with all supporting and related documents shall, at all reasonable times, be made available, upon request, for inspection and audit by representatives of the Secretary and of the Comptroller General of the United States.

(c) Records relating to each grant shall be retained and made available until the expiration of 3 years after the grantee's last disbursement of such funds.

(d) The books and records maintained shall include a record of all property:

(1) Received from the Federal Government.

(2) Charged as a cost of activities financed with funds provided by the Act.

(3) Included in costs paid with non-Federal funds to match grant funds.

(e) An accountability record shall be maintained for all items of property that have an expected useful service life of more than 1 year and have an acquisition cost of $100 or more.

(f) Grantees shall include the following provision in any contract for services, equipment, or supplies they make that requires payments exceeding $2,500 from funds furnished under the Act or non-Federal funds used to match such Federal funds:

> Representatives of the Secretary of the Interior or of the Comptroller General of the United States shall, until the expiration of 3 years after final payment under this contract, have access to and the right to examine any directly pertinent books, documents, papers, and records relating to this contract.

For the purposes of this requirement, contracts for public utility services at rates established for uniform applicability to the general public are excluded.

Subpart E—Progress and Accomplishment Reports

§ 51.13 Project completion or termination reports.

(a) Recipients of funds under the provisions of sections 204 and 206 of the Act are encouraged to publish as technical literature, the findings, results, and conclusions relating to separately identifiable projects undertaken pursuant to the Act. Five copies of such documents shall be furnished to the Director, together with supplementary information suitable for project documentation purposes.

(b) If a publication such as is described in paragraph (a) of this section has not been prepared with respect to a specific research project, recipients of funds under the provisions of sections 204 and 206 of the Act shall, in conjunction with the completion or termination of the project, prepare a report which sets forth the findings, results, conclusions relating to such project. Five copies of the report shall be furnished to the Director, together with supplementary information suitable for project documentation purposes.

§ 51.14 Annual reports.

(a) On or before September 1 of each year, each recipient of funds under the Act shall make a report relating to its activity for the year ending June 30, and submit such report to the Director, in five copies. If there were more than one grant in effect with the entity during the year covering more than one specific research project, the annual report shall be made up of separate sections, one for each such project, which provide:

(1) A description of research accomplished and the findings, results, and conclusions relating thereto.

(2) Supplementary information suitable for project documentation purposes.

(3) A listing of project-related publications or reports issued and papers presented (with copies of such publications being attached to each copy of the annual report).

(4) Statements of project work remaining to be accomplished.

(5) The nature and extent of activities conducted in cooperation with organizations.

(6) A detailed statement of the amounts received during the year under the grant and disbursements thereof, on schedules prescribed by the Director.

(b) If the recipient has submitted to the Director a project completion or termination report in accordance with the provisions of § 51.13, the recipient may make, in lieu of providing the information requested in subparagraphs (1), (2), and (3) of paragraph (a) of this section, an appropriate reference to such project completion or termination report.

§ 51.15 Special reports.

All organizations and individuals receiving funds under grants made pursuant to the Act shall submit such reasonable special or interim reports as may from time to time be specifically requested by the Director.

§ 51.16 Acknowledgment of Federal Government participation.

Appropriate acknowledgment shall be given by grantees to the Department of the Interior's participation in financing research carried out under provisions of the Act. Such acknowledgment shall be included in publications, news releases, and other information media developed to publicize, describe, or report upon research activities and accomplishments carried out in whole or in part with funds received under provisions of the Act.

Subpart F—Consultation and Coordination

§ 51.17 Cooperation.

The Director shall encourage and assist in the establishment and maintenance of cooperation by and between grantees and between them and other research organizations, the United States Department of the Interior, and other Federal establishments.

§ 51.18 Advice, assistance, and coordination.

The Director shall furnish such advice and assistance as will best promote the purposes of the Act, and coordinate projects initiated under the Act.

Subpart G—Audits and Inspections

§ 51.19 Introduction.

Representatives of the Secretary and of the Comptroller General of the United States may conduct on-site audits and inspections of grantees which have received Federal funds pursuant to the Act.

§ 51.20 Audits.

Audits conducted at the direction or on behalf of the Secretary will extend to a determination and appropriate finding of fact concerning compliance with the provisions of the Act, the regularity and accuracy of financial transactions and recording, adequacy of property accountability and internal control, and reliability of financial reporting. As a part of such audits, examinations will be made on a selective basis to determine that matching funds have been received and properly expended by recipients of matching-fund grants under the Act and that grantees maintain a proper relationship between costs paid with funds provided under the Act. Professional audit techniques will be applied, and accepted principles of business administration will be the governing criteria.

§ 51.21 Inspections.

In relation to the substantive scientific research operations of grantees the Director may, with such personnel as he considers qualified and with such procedures as he determines to be suitable, perform inspections of activities authorized and financed pursuant to the Act. Such inspections will cover acceptability of progress, consistency with approved plans, and other factors the Director deems important to enable him to discharge his responsibilities for achievements consistent with purposes of the Act.

[F.R. Doc. 66–5619; Filed, May 23, 1966; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER H—AIR FORCE RESERVE OFFICERS' TRAINING CORPS

PART 872—AIR FORCE JUNIOR RESERVE OFFICERS' TRAINING CORPS

Subchapter H of Chapter VII, Title 32, is amended by adding a new Part 872, reading as follows:

Sec.
872.1 Purpose.
872.2 Definitions.
872.3 Policy on AFJROTC.
872.4 AFJROTC mission.
872.5 AFJROTC objectives.
872.6 Scope of program.
872.7 AFJROTC organization.
872.8 Requirements for establishment.
872.9 Procedures for establishment.
872.10 Conditions for retaining units.
872.11 Disestablishment of units.
872.12 Membership requirements.
872.13 Disenrollment of students.
872.14 Admission of special students.
872.15 Transfer of students.
872.16 Curriculum requirements.
872.17 Requirements for instructors.
872.18 Employment status.
872.19 Instructor duties.
872.20 Certificate of completion.
872.21 Credit for training.
872.22 Government property and equipment.
872.23 Bonds/insurance.
872.24 Uniforms for AFJROTC members.
872.25 Shipping and other costs.

AUTHORITY: The provisions of this Part 872 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012, except as otherwise noted.

SOURCE: AFR 45–30, Jan. 1, 1966.

§ 872.1 Purpose.

This part prescribes policies and procedures for the organization, administration and operation of the Air Force

Junior Reserve Officers' Training Corps (AFJROTC).

§ 872.2 Definitions.

In this part, the following terms apply:

(a) *Junior ROTC.* All ROTC programs conducted at the secondary level of education under 10 U.S.C. 2031, are considered to be Junior ROTC.

(b) *Air Force Junior ROTC (AFPROTC) program.* The official designation of the course of instruction offered by secondary level schools with the approval of the Air Force.

(c) *Air Force Junior ROTC unit.* The organized group of AFJROTC students and instructors at one secondary school.

(d) *Multiple unit.* A group of units organized and sponsored by one school system where the AFJROTC program is conducted concurrently in two or more schools.

(e) *Aerospace Education Instructor (AEI).* The senior retired Air Force commissioned officer employed by the secondary school to supervise the AFJROTC program at the host school.

(f) *Assistant Aerospace Education Instructor.* Any retired Air Force officer and noncommissioned officer employed by the secondary school to assist the Aerospace Education Instructor.

(g) *Member of AFJROTC.* A student who meets the eligibility requirements and is enrolled in AFJROTC by the Aerospace Education Instructor.

(h) *Special AFJROTC student.* A student who does not meet the eligibility requirements for membership but is permitted to receive AFJROTC instruction.

(i) *Air Force Junior ROTC graduate.* A student who has successfully completed the AFJROTC program prescribed by law and regulations and has been awarded a certificate of completion and a high school diploma.

(j) *Aerospace Education (AE).* The official designation of the AFJROTC program of instruction; an integral academic course of study prescribed by the Air Force and conducted by the secondary school.

(k) *School year.* The annual period of academic instruction at any given secondary school.

(l) *Leadership Laboratory.* A program that provides the AFJROTC cadet leadership training in a supervised environment involving an organized cadet corps.

§ 872.3 Policy on AFJROTC.

The Department of the Air Force will conduct an AFJROTC program that will provide meaningful military training of benefit to the student and the Department of the Air Force. The program will be conducted at a minimum of expense to the Federal Government.

§ 872.4 AFJROTC mission.

The AFJROTC mission is to acquaint secondary school students with the aerospace age, to develop informed citizens, strengthen character, promote an understanding of the role of the citizen soldier in a democratic society, and motivate students for careers in the United States Air Force.

§ 872.5 AFJROTC objectives.

AFJROTC students should develop:

(a) Habits of orderliness and precision, and respect for constituted authority.

(b) Patriotism.

(c) A high degree of personal honor, self-reliance and leadership.

(d) Knowledge of fundamental aerospace doctrine.

(e) Basic military skills.

(f) A knowledge of and appreciation for the traditions of the Air Force.

(g) An interest in the United States Air Force as a career.

§ 872.6 Scope of program.

The maximum number of AFJROTC units will be prescribed by the Secretary of Defense. Programs will be established at requesting secondary schools on a fair and equitable geographical basis. No unit will be established or maintained by the Air Force in a school which hosts either an Army or Navy Junior ROTC unit.

§ 872.7 AFJROTC organization.

(a) AFJROTC units: Units of the AFJROTC are classified, as indicated in this paragraph, according to the type of school at which such units are established.

(1) Military Institutes or Military Schools (MI). Schools at the secondary level that:

(i) Require a 4-year course of aerospace education.

(ii) Organize their students as a Corps of Cadets under constantly maintained discipline.

(iii) Require all members of the Corps to be in uniform for all school activities.

(iv) Have as their objective the development of students' character by means of military training and the regulation of their conduct according to the principles of military discipline, and, in general, to meet military standards similar to those maintained at the service academies.

(2) High Schools (HS): Public or private secondary schools that are not operated on an essentially military basis. A 3-year course of aerospace education is conducted at these schools, and enrollment in the AFJROTC program is elective.

(b) The AFJROTC is organized as a subordinate activity of Air University with a central cadre manned by active duty personnel. AFJROTC units are manned by retired Air Force personnel hired by these schools. Retired personnel so employed are in no way considered a part of the Air Force manpower ceiling established by OSD.

§ 872.8 Requirements for establishment.

A unit is established or disestablished only by direction of the Secretary of the Air Force. A school that desires to establish an AFJROTC unit must be fully accredited by the appropriate State or regional accreditation agency and make proper application for establishment of a unit to the Air University. The school must enter into a contractual agreement with the Commander, AU:

(a) To provide a program of instruction prescribed by the Air Force of either a 4-year course of required aerospace education at military schools or a 3-year elective course at high schools.

(b) To maintain an ROTC membership of not less than 100 physically fit male students who are at least 14 years of age and citizens of the United States.

(c) To employ retired officers and enlisted men whose qualifications are approved by the Commander, AU, to administer the aerospace education course. Retired personnel so employed shall receive their retired pay and an additional amount equal to the difference between their retired pay and the active duty pay and allowances—excluding hazardous duty pay and proficiency pay—which they would receive if ordered to active duty.

(d) To act as the employing agency and pay the full additional amount referred to in the preceding paragraph to the individual employed. Reimbursement of one-half the additional amount will be made to the school by the Air Force.

(e) To appoint a military property custodian who will be authorized to requisition, receive, stock, and account for Government property issued to the school.

(f) To conform to regulations relating to issue, care, use, safeguarding, turn-in, and accounting for Government property issued to the school.

(g) To comply with regulations pertaining to furnishing a bond to cover the value of all Government property issued to the school.

(h) Not to discriminate against students or instructors on the basis of race, color, or national origin.

(i) To provide adequate facilities for classroom instruction, storage of uniforms and equipment which may be furnished in support of the unit, and adequate drill areas at or in the immediate vicinity of the institution.

(j) To provide the required courses of instruction and maintain the standards prescribed by the Air Force.

(k) To require all members of AFJ ROTC to participate in a physical education program conducted by the school.

§ 872.9 Procedures for establishment.

The officials of a secondary school may apply for an AFJROTC unit by writing to the Commander, AU, Maxwell AFB, Ala. An application and agreement form will be forwarded to the requesting school. If the completed application indicates that the institution satisfies the selection criteria, the school will be visited by AU personnel before a contract is executed. Upon approval by Hq USAF, AU will announce the schools selected for establishment.

§ 872.10 Conditions for retaining units.

Each school must continuously meet the requirements for establishment of an AFJROTC unit. Units which do not maintain the required standards will be considered for probation or disestablishment. Each unit will be inspected to determine if the provisions of § 872.8 are being maintained. If the inspection reveals that a unit has failed to maintain the required standards, AU will promptly contact the school authorities concerning corrective action. If the conditions requiring corrective action are not resolved within the remainder of the school year, the unit will be placed on a 1-year probationary status at the beginning of the next academic year. The unit will be disestablished at the end of the probationary year provided the reason for the probationary status has not been resolved. Units that are placed on a probationary status will be inspected by AU during the course of the probationary year. A report of the inspection with appropriate recommendations to terminate the unit's probationary status or disestablish the unit will be forwarded to Hq USAF (AFPTRE).

§ 872.11 Disestablishment of units.

(a) *Notification.* If the authorities of a school desire to disestablish the AFJROTC unit they will notify the Commander, AU, in writing. Withdrawal of a unit for reasons other than request of the school officials will be made only for cases such as:

(1) Failure to maintain requirements for a unit.

(2) Failure of a school to remedy the deficiency which resulted in the unit being placed on probation.

(3) When disestablishment serves the best interest of the USAF.

(b) *Method of disestablishment.* Upon notification of disestablishment, the unit will be phased out and the equipment removed in an orderly manner. No new enrollments will be accepted and the total phase out will be accomplished within a maximum of 2 years after completion of the probationary year.

§ 872.12 Membership requirements.

To be eligible for membership and continuance in an AFJROTC program, each student must:

(a) Be enrolled in and attending a regular course of instruction at the school.

(b) Be a male citizen of the United States.

(c) Be at least 14 years of age.

(d) Be of good moral character as determined by the AEI and the school principal.

(e) Be physically fit to participate in AFJROTC training. A student is considered physically fit if he is qualified for and participates in the physical education program of the school.

(f) Successfully complete such survey and screening tests as may be prescribed.

(g) Be selected by the AEI with the approval of the principal or his representative.

§ 872.13 Disenrollment of students.

Normally, students will be disenrolled from AFJROTC training as determined by the AEI and the school principal. A student may be disenrolled for any of the following reasons:

(a) Failure to maintain acceptable retention standards.

(b) Inaptitude, indifference to training, disciplinary reasons, or reasons involving undesirable character traits.

(c) Failure to remain enrolled in the school.

(d) Individual requests for release.

§ 872.14 Admission of special students.

When desired by the school principal, students who are not eligible for membership may be authorized to pursue the AFJROTC course of instruction, provided the student load remains within the capability of the AFJROTC instructors and there is no loss in effectiveness of military instruction and training.

(a) The school must pay the entire salaries of any additional instructors that may be needed to instruct special students.

(b) Special students will not be issued uniforms and will not be reported on institutional records as members of the AFJROTC program.

(c) If the applicant is a citizen of a foreign country recognized by the United States, the national interest of which is compatible with the United States, he must obtain a letter from a representative of his government stating that there is no objection to the student receiving AFJROTC instruction. The AEI will retain the original of the letter in the student's personnel records and forward a copy of the letter to AU. If the AEI is in doubt about relations between the United States and another country, he will forward a request for review through channels for decision.

§ 872.15 Transfer of students.

Transfer of students from Army, Navy, and other AFJROTC units is authorized with full credit for training received.

§ 872.16 Curriculum requirements.

The program of instruction for AFJROTC will be of not less than 3 academic years duration. The curriculum will include a minimum of 96 hours per year of aerospace education including leadership laboratory. A 4-year course of required aerospace education will be conducted at all military schools.

§ 872.17 Requirements for instructors.

Retired Air Force officers and noncommissioned officer instructors whose qualifications and subsequent performance of duty meet the standards prescribed by the Commander, AU, will be authorized as follows:

(a) Single and multiple units in high schools and military schools will be authorized one retired officer instructor per 500 AFJROTC members or major fraction thereof and one retired enlisted instructor per 100 AFJROTC members or major fraction thereof. However, any school qualifying for an AFJROTC unit will be authorized a minimum of one officer unless it is part of a multiple unit organization. Multiple units will be organized so that the above mentioned instructor/student manning ratio is not exceeded based on total AFJROTC membership within the school system. Multiple unit organization and management will be established wherever possible to minimize the number of instructors required and reduce the cost to both the schools and the Air Force.

(b) Determination of the number of instructor personnel authorized in each unit will be made annually by AU based on the average number of member students.

(c) The school will forward to AU for approval the names of the instructor personnel selected.

(d) Retired personnel will wear the Air Force uniform as prescribed by AFM 35–10 (Service and Dress Uniforms for Air Force Personnel) while conducting the AFJROTC program and at such other times as considered appropriate.

(e) AU may conduct orientation programs and workshops for instructors.

§ 872.18 Employment status.

AFJROTC instructors are employees of the school and are responsible to school authorities for conduct of the program. They must meet Air Force requirements and maintain standards acceptable to the Department of the Air Force. There is no restriction on institutions hiring additional retired instructor personnel at no expense to the Government.

§ 872.19 Instructor duties.

Retired Air Force personnel employed under the provisions of this part will be primarily responsible for conducting the AFJROTC program. The performance of any duties desired by the institution in addition to those connected with instruction, operation and administration of the AFJROTC program must be contracted separately between the school and the individual AFJROTC instructor at no cost to the Department of the Air Force. This does not prevent AFJROTC instructors from serving on routine committees or performing other extracurricular duties normally performed by other faculty members. When an individual employed as an AFJROTC instructor enters into a contract with the institution to provide services which are not part of AFJROTC instruction, these services must be performed outside the scope and the hours prescribed for the AFJROTC duties. The institution is responsible for advising AU of any change of employment status of AFJROTC instructors employed at that institution.

§ 872.20 Certificate of completion.

A Certificate of Completion of AFJROTC will be presented to each student who successfully completes all of a prescribed AFJROTC program.

§ 872.21 Credit for training.

(a) A Professor of Aerospace Studies (PAS) may waive the first year of the General Military Course (GMC) of Senior AFROTC for a student who possesses a Certificate of Completion of AFJROTC from a high school. A PAS may waive the GMC or a portion of it for a graduate of a military school.

(b) AFM 39–9 (Reenlistment in the Regular Air Force) authorizes a nonprior service AFJROTC graduate to enlist in the Regular Air Force in the grade of A3C (E2). AFR 45–47 (Enlistment and Reenlistment in the Air Force Re-

serve) authorizes a non-prior service AFJROTC graduate to enlist in the Air Force Reserve in the grade of A3C (E2).

§ 872.22 Government property and equipment.

Government property and equipment authorized for AFJROTC training will be issued to a military property custodian appointed by each school. The head of the school will notify AU of the name of the individual designated as military property custodian. Retired personnel may be appointed to this duty.

§ 872.23 Bonds/insurance.

Each school will be required to furnish a bond and/or insurance to cover loss and damage of Government property issued to the school (reference AFR 67-144 (Bonding Educational Institutions Participating in the AFJROTC Program)). AU is responsible for determining the amount of the bond and the execution thereof.

§ 872.24 Uniforms for AFJROTC members.

Members will be furnished the appropriate number and type of issue-in-kind uniforms unless the school is a military institute and requires a distinctive uniform. AU will prescribe the manner of wear of the uniform and insignia authorized for member students. No commutation in place of issue-in-kind uniforms is authorized for the AFJROTC program.

§ 872.25 Shipping and other costs.

Charges for shipment of Government property to and from the institution, including packaging and handling, will be paid by the Department of the Air Force. All other costs incident to maintenance and local storage and safeguarding of the property will be paid by the institution.

By order of the Secretary of the Air Force.

FREDERICK A. RYKER,
Lieutenant Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 66-5590; Filed, May 23, 1966; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4004]

[Idaho 016922]

IDAHO

Revocation of Reclamation Withdrawal (Minidoka Project)

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The departmental orders of November 17, 1902, and March 18, 1908, withdrawing lands for reclamation purposes are hereby revoked so far as they affect the following described lands:

BOISE MERIDIAN

T. 8 S., R. 21 E.,
Sec. 22, S½NE¼, SE¼NW¼;
Sec. 23, SE¼NE¼;
Sec. 27, W½NW¼, SW¼;
Sec. 34, W½NW¼.
T. 8 S., R. 23 E.,
Sec. 31, Tract F.
T. 8 S., R. 24 E.,
Sec. 1, Tract E;
Sec. 25, Tract A.
T. 8 S., R. 25 E.,
Sec. 2, N½NE¼SW¼ and that portion of the north 660 feet of lot 5 lying north and west of the northwest right-of-way line of the Oregon Shortline Railroad.

The areas described aggregate approximately 635 acres in Minidoka and Jerome Counties. Some of the lands are withdrawn in Projects No. 786 and No. 1971 for power transmission line purposes, to which the Federal Power Commission's General Determination of April 17, 1922, is applicable.

2. Until 10 a.m. on November 16, 1966, the State of Idaho shall have a preferred right of application to select the lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on November 16, 1966 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to Manager, Land Office, Bureau of Land Management, Boise, Idaho.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 17, 1966.

[F.R. Doc. 66-5614; Filed, May 23, 1966; 8:46 a.m.]

[Public Land Order 4005]

[Anchorage 064494]

ALASKA

Partial Revocation of Public Land Order No. 5

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 5 of June 26, 1942, withdrawing public lands for use of the War Department, now Department of the Army, for military purposes, is hereby revoked so far as it affects the following described land:

SEWARD MERIDIAN

T. 13 N., R. 3 W.,
Sec. 34, N½NE¼NE¼.

Containing approximately 20 acres.

2. Until 10 a.m. on August 16, 1966, the State of Alaska shall have a preferred right to select the land as provided by the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the land shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 16, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The land will be open to location under the U.S. mining laws at 10 a.m. on August 16, 1966. It has been open to applications and offers under the mineral leasing laws.

Inquiries concerning the land should be addressed to the Manager, Anchorage District and Land Office, Bureau of Land Management, Anchorage, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 17, 1966.

[F.R. Doc. 66-5615; Filed, May 23, 1966; 8:46 a.m.]

[Public Land Order 4006]

[Fairbanks 028073]

ALASKA

Partial Revocation of the Departmental Order of February 23, 1942

By virtue of the authority vested in the Secretary of the Interior by the act of May 31, 1938 (52 Stat. 593; 48 U.S.C. 353a), it is ordered as follows:

The departmental order of February 23, 1942, withdrawing lands for school and medical purposes, is hereby revoked so far as it affects the following described land:

GALENA

That portion of tract 2 described as: Beginning at a point from which corner No. 3 of U.S. Survey 2023 bears N. 8°00' E., 75 feet, thence S. 82°00' E., 370 feet, thence N. 8°00' E. 75 feet, thence S. 82°00' E., 470 feet, thence S. 8°00' W., 410 feet to the Yukon River, thence southwesterly along the right bank of the Yukon River at meander high water 900 feet, more or less, to corner No. 4 of U.S. Survey 2023, thence N. 8°00' E., 611 feet to the point of beginning.

Containing 9.9 acres.

The land is withdrawn by Public Land Order No. 2133 of June 23, 1960, for townsite purposes.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 17, 1966.

[F.R. Doc. 66-5616; Filed, May 23, 1966; 8:46 a.m.]

[Public Land Order 4007]

[Sacramento 079555]

CALIFORNIA

Withdrawal in National Forest for 5-Mile Job Corps Camp Site

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the U.S. mining laws (Ch. 2, 30 U.S.C.), but not from leasing under the mineral leasing laws, for a Job Corps camp site:

MOUNT DIABLO MERIDIAN

STANISLAUS NATIONAL FOREST

Five-Mile Camp

T. 2 N., R. 15 E.,
Sec. 2, SW¼.

The area described aggregates 160 acres.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 17, 1966.

[F.R. Doc. 66-5617; Filed, May 23, 1966; 8:46 a.m.]

[Public Land Order 4008]

[New Mexico 0559219]

NEW MEXICO

Addition to Cibola National Forest

By virtue of the authority contained in the Act of July 9, 1962 (76 Stat. 140; 43 U.S.C. 315g-1), it is ordered as follows:

Subject to existing valid rights, the following described lands, acquired by the United States in exchange made pursuant to section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended, are hereby added to and made a part of the Cibola National Forest and shall hereafter be subject to all laws and regulations applicable to such national forest:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 2 N., R. 8 W.,
Sec. 7, lots 1, 2, 3, 4, E½W½ and E½;
Sec. 19, lots 1, 2, E½NW¼ and NE¼.

T. 2 N., R. 9 W.,
Sec. 13.

T. 9 N., R. 12 W.,
Sec. 5, lots 1, 2, 3, 4, S½ and S½N½ less a tract lying N. 87°39'15" E., 6452.54 feet from northwest corner of sec. 6; thence S. 35°31'30" E., 1875.05 feet to point of beginning; thence E. 208.7 feet; thence S. 208.7 feet; thence W. 208.7 feet; and thence N. 208.7 feet to point of beginning;
Sec. 6, lots 1, 2, 3, 4, 5, 6, 7, S½NE¼, SE¼NW¼, E½SW¼ and SE¼.
T. 2 S., R. 5 W.,
Sec. 21, SW¼SW¼.

The areas described aggregate 2,908.94 acres in Catron, Socorro and Valencia Counties, N. Mex.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 17, 1966.

[F.R. Doc. 66-5618; Filed, May 23, 1966; 8:46 a.m.]

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 144—NATIONAL DEFENSE STUDENT LOAN PROGRAM

Part 144 of Title 45 of the Code of Federal Regulations is hereby revised to read as follows:

Federal financial assistance made available pursuant to the regulations set forth below is subject to the regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare and approved by the President to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (Public Law 88-352).

Sec.
144.1 Policy and purposes of the National Defense Student Loan Fund Program.
144.2 Definitions.
144.3 Allotment and reallotment of Federal capital contributions to States.
144.4 Institutional applications.
144.5 Federal institutional loan agreements.
144.6 Allocation and payment of Federal capital contributions and Federal institutional loans.
144.7 Eligibility and selection of loan recipients.
144.8 Advancement and repayment of loans.
144.9 Oath or affirmation.
144.10 Provisions for loan cancellations.
144.11 Fiscal.
144.12 Compliance by institutions.
144.13 Preceding provisions not exhaustive of jurisdiction of the Commissioner.

AUTHORITY: The provisions of this Part 144 issued under secs. 201 to 209, 72 Stat. 1583-87, as amended, 20 U.S.C. 421-429.

§ 144.1 Policy and purposes of the National Defense Student Loan Fund Program.

The National Defense Education Act of 1958, Public Law 85-864 (amended), affirmed the need to identify and educate more of the Nation's talented young men and women, and to develop programs through which the fullest development of their mental resources and technical skills may be realized. Title II of the Act initiates the National Defense Student Loan Program, under which National Defense Student Loan Funds will be established at participating institutions of higher education throughout the United States for the purpose of making long-term, low-interest loans to qualified students who are in need of such financial assistance in order to pursue at least a half-time course of study at such institutions. The Program includes provisions designed to encourage additional education on the part of students with a superior academic background. The Program also includes provisions designed to attract an additional number of superior students to the teaching profession for service at the elementary and secondary school levels and at institutions of higher education.

§ 144.2 Definitions.

(a) *The Act.* "The Act" means the National Defense Education Act of 1958, Public Law 85-864, 20 U.S.C. Chapter 17 as amended.

(b) *State.* The term "State" for purposes of this part, means a State, Puerto Rico, the District of Columbia, the Canal Zone, Guam, American Samoa, or the Virgin Islands.

(c) *Institution of higher education.* "Institution of higher education" or "institution" means an educational institution in any State which meets the requirements set forth in section 103(b) of the Act. The term "educational institution" limits the scope of this definition to establishments at which teaching is conducted and which have an identity of their own. The separate identity of such establishments is generally reflected by their being incorporated or chartered for such purposes in their own right, or by their receiving a separate listing in Part III of the Office of Education "Education Directory".

(d) *Public.* The term "public" as applied to any school or institution includes a school or institution of any agency of the United States, except that no such school or institution shall be eligible to receive any grant, loan or other payment under this Act.

(e) *Nonprofit.* The term "nonprofit," as applied to a school or institution, means a school or institution owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(f) *Commissioner.* The term "Commissioner" means the Commissioner of Education.

(g) *State educational agency.* The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the governor or by State law.

(h) *Local educational agency.* The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(l) *Bachelor's degree.* "Bachelor's degree" means a degree which requires completion by the recipient of a total of not less than the equivalent of 4 years of academic study at the college (including graduate and professional school) level.

(j) *Institutional application to participate in the National Defense Student Loan Program.* An "institutional application to participate in the National Defense Student Loan Program" consists of

(1) A proposed agreement between the Commissioner and the institution pursuant to section 204 of the Act for payment of Federal capital contributions into a National Defense Student Loan Fund at such institution;

(2) An application in such form as the Commissioner may require, for a Federal capital contribution pursuant to section 203 of the Act; and

(3) If the institution's capital contribution is to be financed in whole or in part through a Federal institutional loan, an application in such form as the Commissioner may require, for a Federal institutional loan.

(k) *National Defense Student Loan Fund.* "National Defense Student Loan Fund" or "Fund" means the fund established pursuant to section 204 of the Act at an institution with which the Commissioner has executed an agreement, such fund being composed of Federal capital contributions, institutional capital contributions, repayments of capital and interest, charges collected pursuant to § 144.8(h), and any other earnings of the fund.

(l) *Federal capital contribution.* "Federal capital contribution" means the capital portion contributed by the Commissioner to a National Defense Loan Fund pursuant to section 203 of the Act.

(m) *Federal institutional loan.* "Federal institutional loan" means a loan made by the Federal Government pursuant to section 207 of the Act to an institution, the proceeds of which are to be deposited by such institution in its National Defense Student Loan Fund.

(n) *Institutional capital contribution.* "Institutional capital contribution" means the money deposited into a National Defense Student Loan Fund by the institution in an amount not less than one-ninth of the Federal capital contributions thereto.

(o) *National of the United States.* "National of the United States" means (1) a citizen of the United States or (2) a person who though not a citizen of the United States owes permanent allegiance to the United States (8 U.S.C.A 1101(a)(22)).

(p) *Full-time student.* "Full-time student" means a student who is carrying a full-time academic workload in terms of course work or other required activities as determined by the institution.

(q) *Full-time attendance.* "Full-time attendance" means compliance by a full-time student with the policies and regulations regarding attendance in effect at the institution in which he is enrolled.

(r) *Half-time student.* "Half-time student," or "student enrolled on at least a half-time basis," means a student who is carrying at least one-half of the normal full-time academic workload as determined by the institution where he is enrolled.

(s) *Professional or graduate student.* "Professional or graduate student" means, in general, a student who is enrolled in an academic program of instruction above the college level which is provided at an institution of higher education. The term includes (1) that portion of any program involving a period of study beyond 4 years of study at the college level, or (2) any portion of a program leading to (i) a degree beyond the bachelor's or first professional degree, or (ii) a first professional degree, when at least 3 years of study at the college level are required for entrance into a program leading to such degree.

(t) *Satisfactory standing, good standing.* The terms "satisfactory standing" and "good standing" mean the eligibility of a student to continue in attendance at the institution where he is enrolled as a student in accordance with the institution's standards and practices.

(u) *Full-time teacher.* "Full-time teacher" for the purpose of section 205(b)(3) of the Act means:

(1) In the case of an elementary or secondary school teacher, an individual professionally employed on a full-time basis, and regularly engaged in carrying out the instructional programs of an elementary or secondary school. While the term generally includes classroom teachers and their supervisors, it may also include other personnel such as school librarians and guidance counselors meeting the above requirements; and

(2) In the case of a teacher in an institution of higher education, an individual professionally employed by such institution and who is regarded by the institution for purposes of salary, tenure, academic rank, or similar purposes as being engaged on a full-time basis in activities primarily concerned with rendering direct and personal services either in the instructional program or in a capacity directly related to the improvement of the students' educational development at such institution.

(v) *Elementary school.* "Elementary school" means a school which provides elementary education, as determined under State law or, if such school is not in any State, as determined by the Commissioner.

(w) *Secondary school.* "Secondary school" means a school which provides secondary education, as determined under State law or, if such school is not in any State, as determined by the Commissioner, except that it does not include any education provided beyond grade 12.

(x) *Academic year or its equivalent.* "Academic year or its equivalent" means:

(1) In general, the number of credit hours which a student must acquire during any one school year in order to secure the degree or certificate toward which he is working in the number of semesters or terms normally taken therefor at the institution where he is pursuing a course of study; and

(2) For purposes of section 205(b)(3) of the Act, means any two complete semesters, two complete trimesters or, three complete quarters falling within a school year of approximately 12 months duration.

(y) *Fiscal year.* "Fiscal year" means the Federal fiscal year commencing on the 1st day of July and ending on the 30th day of June.

(z) *Permanently and totally disabled.* "Permanently and totally disabled" means the inability to engage in any substantial gainful activity because of a medically determinable impairment, which impairment is expected to continue for a long and indefinite period of time, or to result in death, such disability to be determined on the basis of the report of a physician on such forms as the Commissioner may prescribe.

(aa) *Routine expenses.* "Routine expenses," for purposes of section 204(3)(C) of the Act, means the normal or typical expenses incurred by the lending institution in its exercise of the general and normal administration of the National Defense Student Loan Program. This includes activities such as those involving receiving and processing applications for loans, approving of loans, accounting for and reporting Fund transactions, and normal collection efforts.

(bb) *Other collection costs.* "Other collection costs," for purposes of section 204(3)(D) of the Act, means such extra identifiable costs of collection that are in excess of the routine expenses incurred in the collection of student loan notes, but does not include costs of employing individual contractors or agents to handle collection duties that reasonably may be expected to be performed by the lending institution's own personnel.

§ 144.3 Allotment and reallotment of Federal capital contributions to States.

(a) *Allotment.* From sums appropriated for Federal capital contributions for any fiscal year ending prior to July 1, 1968, the Commissioner shall allot to each State an amount which bears the same ratio to the amount so appropriated pursuant to section 201 of the Act, as the number of persons enrolled on a full-time basis in institutions in each of such States bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all of the States. For the purposes of this paragraph, the number of persons enrolled on a full-time basis in institutions of higher education shall be determined by the Commissioner for the most recent year for which satisfactory data are available to him.

(b) *Reallotment.* In the event that the allotment for Federal capital contributions made to a State under paragraph (a) of this section exceeds the total Federal capital contributions made to the institutions within such State, for a given fiscal year, the unused portion of such allotment may be reallotted from time to time, on such date or dates as the Commissioner may fix, to other States in proportion to the original allotments to such States for such fiscal year, except that such reallotments shall be made only (1) to the States in which allotments are insufficient to meet the requests for Federal capital contributions which have been reviewed and approved by the Commissioner in accordance with § 144.4(a)(3), and (2) to the extent necessary to meet such requests in any such State.

§ 144.4 Institutional applications.

(a) *Applications for Federal capital contributions.* (1) Applications for Federal capital contributions shall be filed by institutions in such form and manner as may be prescribed by the Commissioner.

(2) The Commissioner shall from time to time issue a notice setting a date by which an institution must file the application in order to be eligible to receive a Federal capital contribution for the period stated in such notice.

(3) The amount requested in each application for a Federal Capital contribution shall be reviewed and approved by the Commissioner for the purposes of section 203(a) of the Act in the light of the demands which may reasonably be expected to be made upon the Fund during the period covered by the application after taking into consideration the balance in the Fund. When necessary to this end the Commissioner may require the submittal of additional data.

(b) *Application for Federal institutional loan.* (1) Each application for a Federal institutional loan shall include a statement of supporting data on which there shall be provided such information as the Commissioner may require (including information relative to the terms and conditions under which such funds are available from non-Federal sources) in order to make the necessary determinations under section 207(a) of the Act.

(2) The amount requested in each application for a Federal institutional loan shall be reviewed and approved by the Commissioner in the light of the requirements of section 207(a) of the Act and the amount of the Federal capital contribution that has been reviewed and approved in accordance with paragraph (a)(3) of this section.

(c) *Agreement for Federal capital contributions.* (1) The institutional application to participate in the National Defense Student Loan Program shall also include a proposed agreement, signed by an authorized representative of the applicant institution, which shall be submitted for consideration and concurrence by the Commissioner.

(2) No application for a Federal capital contribution or for a Federal institutional loan shall be approved unless there is in effect an agreement between the Commissioner and the applicant institution for Federal capital contributions pursuant to section 204 of the Act.

(3) The agreement shall provide for the following items: (i) Establishment of a Student Loan Fund by the institution; (ii) deposit in the Fund of (*a*) the Federal capital contributions, (*b*) the institutional capital contributions, equal to not less than one-ninth of the Federal contributions, (*c*) collections of principal and interest on student loans made from the Fund, (*d*) charges collected pursuant to section 205(c) of the Act, and (*e*) other earnings of the Fund; (iii) that the Fund be used only for (*a*) loans to students in accordance with the agreement, (*b*) capital distributions as provided in section 206 of the Act, (*c*) routine expenses incurred by the institution in administering the Fund, not exceeding the lesser of either one-half of the routine expenses as estimated for that year by the Commissioner or one per centum of the aggregate of the outstanding loans made from the fund as of the close of that year, and (*d*) costs of litigation, and other collection costs agreed to by the Commissioner arising in connection with the collection of a loan, the interest thereon or a charge assessed with respect to the loan pursuant to section 205(c) of the Act; (iv) that in the selection of students to receive loans from such student loan fund special consideration shall be given to students with a superior academic background; and (v) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part and as are agreed to by the Commissioner and the institution.

§ 144.5 Federal institutional loan agreements.

Federal institutional loans shall be made subject to the terms of a note which shall be executed by an official who is duly authorized to execute such notes on behalf of the borrowing institution. Such loans shall be used only for institutional capital contributions to the borrower's National Defense Student Loan Fund. Each such note shall include such terms with respect to the payment of interest and repayment of capital as are not inconsistent with section 207(a) of the Act and shall include such other terms which the Commissioner finds necessary to protect the financial interest of the United States and to promote the purposes of the Act.

§ 144.6 Allocation and payment of Federal capital contributions and Federal institutional loans.

(a) *Allocation of Federal capital contributions to institutions.* (1) Federal capital contributions will be offered to institutions within a State in relation to the amount of the requests for Federal capital contributions that have been reviewed and approved in accordance with § 144.4(a)(3). In the event that the total of such requested amounts in all the applications for the Federal capital contributions from a State exceeds that State's current allotment therefor, the amount of the Federal capital contribution that can be made available to any applicant institution from that allotment shall bear the same ratio to such requested amount as the amount of the State's allotment bears to the total of such requesed amounts within the State.

(2) In the event that an institution which has applied for a Federal institutional loan is unable to secure the necessary amount of loan funds from the Commissioner or otherwise to secure such funds as may be required in order to make the necessary institutional capital contribution, the amount of the Federal capital contribution which could have been offered to such institution pursuant to subparagraph (1) of this paragraph shall be reduced to an amount equal to not more than nine times the amount of such institutional capital contribution as the institution is able to make to the Fund.

(3) If an institution fails to accept all of the Federal capital contributions that have been offered to it, the amount represented by such unaccepted offer shall be restored as part of the State's allotment.

(4) When funds that have been restored as a part of a State's allotment are sufficient to increase significantly the amount of the Federal capital contribution that can be made available to other institutions within the State, they shall be offered to such institutions whose requests for Federal capital contributions were reduced pursuant to subparagraphs (1) and (2) of this paragraph.

(b) *Allocation of Federal institutional loans.* (1) Federal institutional loans shall be made by the Commissioner upon the basis of his review of the data that are provided to him in the application for a Federal institutional loan.

(2) In the event that the funds available for the purpose of making Federal institutional loans are insufficient to satisfy the requests to which institutions would otherwise be entitled in accordance with § 144.4(b)(2), the Commissioner shall allocate such available funds among all of such requests therefor in the same ratio as the amount of each such request bears to the sums of the amounts of all such requests.

(3) If an institution fails to accept all of the funds that would otherwise be loaned to it, the Commissioner shall reallocate such unaccepted funds to other institutions if the amount of such funds is sufficient to increase significantly the size of the loans to such other institutions.

(c) *Payments of Federal capital contributions and institutional loans.* Payment of the Federal capital contributions and institutional loans shall be made in such amounts and at such times as the Commissioner shall designate.

§ 144.7 Eligibility and selection of loan recipients.

(a) *Eligibility—in general.* Loans shall be made only to a student who (1) is a national of the United States or is in the United States for other than a temporary purpose and intends to become a permanent resident thereof; (2) is in need of the amount of the loan to pursue a course of study on at least a half-time basis as a graduate, professional, or undergraduate student at the institution; (3) is capable, in the opinion of the institution, of maintaining good standing in such course of study; and (4) has been

accepted for enrollment as at least a half-time student at such institution or, in the case of a student already attending such institution, is in good standing and is enrolled on at least a half-time basis at such institution.

(b) *Determination of need.* In determining a student's need for a loan from the Fund, the institution shall where appropriate take into consideration (1) the income, assets, and resources of the applicant, (2) the income, assets, and resources of the applicant's family, and (3) the cost reasonably necessary for the student's attendance at the institution, including any special needs and obligations which directly affect the student's financial ability to attend such institution. All determination of need shall be made in accordance with the policies and procedures established by the institution and made a part of the agreement for Federal capital contributions.

(c) *Limitations governing maximum amount of loans.* In accordance with section 205(a) of the Act (1) the loans advanced from any Fund or Funds to a student for any "academic year or its equivalent" (as defined in § 144.2(x)) may not exceed a total of $2,500 in the case of a professional or graduate student, $1,000 in the case of all other students; and (2) the total of all such loans to a student (regardless of the nature of his enrollment when received) may not exceed $10,000 in the case of a graduate or professional student and $5,000 in the case of all other students. This statutory limit on the amount of loans which may be made in any "academic year or its equivalent" will be complied with if either (3) not more than $2,500 is advanced to a professional or graduate student or $1,000 to any other student during any 12-month school period (normally beginning in September) or (4) the total of the sums advanced to a student during any such period does not exceed an amount which bears the same ratio to the number of credit hours for which the student borrower is registered during such period as $1,000 (or $2,500, in the case of a graduate or professional student) multiplied by the sum of the academic years or their equivalent leading to the degree or certificate bears to the total sum of credit hours required to earn such a degree.

(d) *Selection—in general.* Loans from the Fund shall be made reasonably available (to the extent permitted by the Fund and subject to the provisions of section 204(4) of the Act) to all eligible applicants. In the event applications exceed available funds, the order of selection shall be made on the basis of objective criteria established by the institution and made a part of the agreement for Federal capital contributions.

(e) *Selection—Nondiscrimination.* No eligible applicant shall be denied a student loan from the Fund on account of sex, race, creed, color, or national origin.

(f) *Selection—special considerations.* In the selection of students to receive loans from the Fund, special consideration shall be given to students with superior academic backgrounds.

(g) *Records of approval or disapproval.* The records of the institution shall indicate the basis of approval or disapproval (including any special consideration given) of all or any part of each student application for a loan.

§ 144.8 Advancement and repayment of loans.

(a) *Evidence of indebtedness; note.* All loans shall be evidenced by a promissory note executed by a student borrower which shall be in a form meeting the requirements of section 205(b) of the Act. The Commissioner shall from time to time make available a promissory note form which meets the statutory requirements. Except for a provision reflecting an institution's election to require security or endorsement in cases permitted under paragraph (b) of this section, any substantive deviation from the provisions of the most current promissory note form made available by the Commissioner must be approved by the Commissioner prior to the making of any loans to be evidenced thereby. A copy of every executed note shall be supplied to the student maker thereof.

(b) *Security.* Neither security nor endorsement may be required except that, if the borrower is a minor and if under the State law the note executed by him would not create a binding obligation, the institution is permitted to require security or endorsement.

(c) *Repayment.* The note evidencing the loan shall provide for repayment of the principal amount, together with interest thereon, in equal installments (or, if the borrower so requests, in graduated periodic installments determined in accordance with such schedules as may be approved by the Commissioner) payable quarterly, bimonthly, or monthly (at the option of the institution) over a period beginning 9 months after the date on which the borrower ceases to carry, at an institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner, at least one-half the normal full-time academic workload as determined by the institution in which he is enrolled, and ending 10 years and 9 months after such date. Selection of a repayment plan shall be made prior to the date on which the student ceases to be enrolled on at least a half-time basis at the lending institution.

(d) *Accelerated repayment.* Any student borrower may, at his option, and without penalty, repay all or any part of the principal and accrued interest at any time.

(e) *Minimum rate of repayment.* The institution may provide if the scheduled adopted pursuant to paragraph (c) of this paragraph provides for repayments at a rate of less than $15 per month, and if the total of repayments required of the student on all loans made pursuant to this part does not exceed the rate of $15 per month, that during the repayment period of the loan, payments of principle and interest by the borrower with respect to all the outstanding loans made to him from loan funds established pursuant to this part shall be at a rate equal to not less than $15 per month.

(f) *Deferment of repayment.* Interest shall not accrue on any such loan, and installments need not be paid during any period (1) during which the borrower is carrying, at an institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner, at least one-half the normal full-time academic workload as determined by the institution, (2) not in excess of 3 years, during which the borrower is a member of the Armed Forces of the United States, and (3) not in excess of 3 years during which the borrower is in service either as a volunteer under the Peace Corps Act, or a volunteer (VISTA) under section 603 of the Economic Opportunity Act of 1964; except that this provision does not apply to any loan outstanding on the effective dates of the Peace Corps Act or the Economic Opportunity Act of 1964 unless with the consent of the then obligee institution. Any such period shall not be included in determining the 10-year period in which the repayment must be completed. The institution may also provide that installments need not be paid during any period or periods, aggregating not in excess of 3 years, during which the borrower is in less than half-time attendance at an institution of higher education taking courses which are creditable toward a degree, and may also provide that any such period shall not be included in determining the 10-year period during which the repayment must be completed, but interest shall continue to accrue during any such period.

(g) *Revision of repayment schedule.* In the event that a student who has borrowed from the Fund is unable, due to extraordinary circumstances, to comply with his obligations in regard thereto, he may make application to the institution to whose Fund he is indebted for revision of his schedule of repayment. Such application shall be reviewed by the institution for determination as to appropriate action to be taken and, where the action taken by the institution involves an extension beyond the 10-year period pursuant to section 205(b)(2)(C) of the Act, such action shall be reported to the Commissioner.

(h) *Late payment charges.* An institution may assess a charge with respect to a loan from the loan fund established by the institution pursuant to this part for failure of the borrower to pay all or any part of an installment when it is due, and in the case of a borrower who is entitled to deferment benefits under section 205(b)(2) of the Act, or cancellation benefits under section 205(b)(3) of the Act, for any failure to file timely and satisfactory evidence of such charge may not exceed—

(1) In the case of a loan which is repayable in monthly installments, $1 for the first month or part of a month by which such installment or evidence is late and $2 for each such month or part of a month thereafter; and

(2) In the case of a loan which has a bimonthly or quarterly repayment interval, $3 and $6 respectively, for each interval or part thereof by which such installment or evidence is late.

The institution may determine the time of assessment and collection of any such charges, except that no such charge may be added to the principal amount of the loan prior to the first day after the day on which such installment or evidence was due, and if not added to the principal amount of the loan, no such charge shall become payable prior to the due date of the next installment after receipt by the borrower of written notice thereof.

(i) *Teacher cancellation.* (1) For service as a full-time teacher in a public or other nonprofit elementary or secondary school in a State, in an institution of higher education, or in the elementary or secondary school overseas of the Armed Forces of the United States, except for any academic year for which a borrower is entitled to cancellation pursuant to subparagraph (2) of this paragraph, there shall be canceled, at the rate of 10 per centum of the total amount of his loan plus interest thereon for each complete academic year or its equivalent (as defined in § 144.2) of such service, an amount not to exceed 50 per centum of the total amount of his loan plus interest thereon.

(2) Commencing with the school year 1966–67, for service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency eligible in that year for assistance pursuant to title II of P.L. 874, 81st Congress, as amended, and which for the purpose of this section and for that year has been determined by the Commissioner to be a school with a high concentration of students from low-income families (as determined in accordance with § 116.4 of this chapter—Financial Assistance to Local Educational Agencies for the Education of Children of Low-Income Families), a borrower may cancel his loan at the rate of 15 per centum of the total amount of his loan plus interest thereon for each complete academic year or its equivalent (as defined in § 144.2) of such service. The Commissioner's determination shall be based upon a ranking of such schools with a high concentration of students from low-income families, submitted by the State educational agency for the State in which the school is located, but in no event shall include more than 25 per centum of the total of the public and other nonprofit elementary and secondary schools of that State. Schools in eligible school districts shall be ranked on the basis of objective standards and methods approved by the Commissioner which take into account the numbers and percentages of students from low-income families in attendance in such schools. With respect to each school year, the Commissioner shall make available to each State educational agency a list of schools which have been determined to be those with a high concentration of students from low-income families.

(3) Nothing in this section authorizes the refunding of any payment.

§ 144.9 Oath or affirmation.

In conformity with section 1001(f) of the Act, no loan shall be made or funds advanced to any individual unless during the school year in which the loan or advance is made such individual has taken and subscribed to an oath or affirmation in the following form:

I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic.

§ 144.10 Provisions for loan cancellations.

(a) *Full-time teaching.* The determination as to whether or not a student-borrower is entitled to have any portion of his loan canceled for service as a full-time teacher in a public or other nonprofit elementary or secondary school within a State, in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States in accordance with section 205(b)(3) of the Act, shall be made by the institution to whose Fund such loan is payable upon receipt and evaluation of an application for cancellation from such student.

(b) *Permanent and total disability.* Determinations (based on medical evidence supplied by the borrower) as to whether or not a student is entitled to a cancellation of indebtedness in accordance with section 205(b)(6) of the Act on the basis of permanent and total disability shall be made by the institution to whose Fund the borrower is indebted, subject to approval of the Commissioner.

(c) *Death.* The determination as to whether or not a student is entitled to a cancellation of indebtedness in accordance with section 205(b)(6) of the Act because of the death of the borrower shall be made by the institution to whose Fund the borrower is indebted on the basis of a certificate of death or such other official proof as is conclusive under State law.

§ 144.11 Fiscal.

(a) *In general.* The Fund shall be deposited and carried in a special account of the institution, and shall be used only for the purposes designated in § 144.4(c)(3). The Federal capital contribution shall be deposited promptly into the Fund with the full and proper amount of the institution's capital contribution. There shall be in the Fund at all times monies representing the institutional capital contribution equal to at least one-ninth of the amount of the balance of the Federal capital contributions in such Fund.

(b) *Payment of loans.* (1) Loans from the Fund shall be made to student-borrowers from the Fund in such installments as are deemed appropriate by the institution, except that no borrower may receive more, during a given semester, term or quarter, than he needs for such period.

(2) No monies shall be advanced to any student-borrower from the Fund unless at the time of such advancement he is at least a half-time student.

(3) Upon failure of a student-borrower to maintain satisfactory standing, the institution shall withhold any or all further installments of his loan as may be appropriate.

(c) *Collection of loans.* Each institution at which a Fund is established shall accept responsibility for and use due diligence in effecting collection of all amounts due and payable to the Fund in connection with loan transactions of the Fund. The institution shall use such collection practices as are generally accepted among institutions of higher education and which are at least as extensive and forceful as those used in the collection of other student loan accounts due the institution. In the exercise of due diligence, the institution shall:

(1) Conduct, whenever possible, an exit interview with each borrower prior to separation and provide the borrower with a copy of his repayment schedule (which shall specify the dates and amounts of installments as they become due),

(2) Maintain contact with borrower after separation in order to facilitate billing at the time the first installment falls due,

(3) Establish and maintain regular billing and followup procedures during the period in which any outstanding balance remains unpaid, and

(4) Establish such further collection procedures as the institution may consider appropriate to effect prompt and regular repayments.

(d) *Records and reporting.* (1) Each institution shall maintain, on a current basis, adequate records which reflect all transactions with respect to the Fund, and shall establish and maintain such general ledger control accounts and related subsidiary accounts as are prescribed by the Commissioner. Such records shall:

(i) Meet at least the minimum standards prescribed by the Commissioner as set forth in the most recent official National Defense Student Loan Program Manual of Policies and Procedures and other official guidelines that may be issued from time to time,

(ii) Be maintained in such a manner as to separately identify all Fund transactions from all other institutional funds and actvities,

(iii) Reflect the separate deposit into the Fund of Federal capital contributions and institutional capital contributions,

(iv) In instances where the institution exercises the option to assess charges for late payments of installments due or for late filing of required certificates of cancellation and/or deferment in accordance with § 144.8(h), reflect the payment of such charges through separate journal entries or in a separate ledger account,

(v) Reflect each transaction so as to afford ready identification of each borrower's account and status thereof, and

(vi) Contain full and proper documentation to support each cancellation entry for reason of death, permanent and total disability, or teaching service.

If a fiscal agent is utilized by the institution, its function must be limited solely to the performance of ministerial acts. The responsibilities of the institution to make determinations relative to the making and collection of loans cannot be delegated.

(2) Institutions shall submit such reports and information as the Commissioner may reasonably require in connection with the administration of the Act and shall comply with such provisions as he may find necessary to insure the correctness and verification of such reports. Annual reports of Fund status and transactions shall be forwarded to the Commissioner by each institution within thirty days of the close of each fiscal year.

(3) Institutions shall retain pertinent records of Fund activites, including oaths subscribed to pursuant to § 144.9, until such time as agreed upon with the Commissioner that there is no further need for retention.

(e) *Internal controls.* (1) The Fund shall be administered in each institution in such a manner as to provide for an adequate system of internal controls. Wherever practical, approval of loans, collection of loans, disbursement of loan funds, and recordkeeping shall be divided so as to prevent the handling of all aspects of the loan program by a single individual.

(2) Promissory notes arising out of student loan transactions must be adequately safeguarded and maintained in good order in a secure location which is preferably fireproof and can be locked when not in use. Only authorized personnel shall have access to these notes.

§ 144.12 Compliance by institutions.

If, at any time, after notice and opportunity for hearing, the Commissioner determines (a) that the requirements for an institution's participation in the student loan program are no longer met, or (b) that any monies in the Fund or to be deposited therein have been expended for purposes for which the Fund is legally unavailable and such diversions have not been restored, or (c) it is determined by the Commissioner that the institution has not exercised due diligence in the administration and management of the Fund, no further Federal capital contributions shall be made to such Fund and no further expenditures shall be permitted to be made from such Fund until there is no longer any failure of such compliance.

§ 144.13 Preceding provisions not exhaustive of jurisdiction of the Commissioner.

No provision of this part now or hereafter promulgated shall be deemed exhaustive of the jurisdiction of the Commissioner under the Act. The provisions of this part may be modified or further regulations may be issued hereafter as circumstances may warrant.

Dated: April 20, 1966.

[SEAL] HAROLD HOWE II,
U.S. Commissioner of Education.

Approved: May 18, 1966.

JOHN W. GARDNER,
Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-5653; Filed, May 23, 1966; 8:49 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. No. 985]

PART 95—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 19th day of May A.D. 1966.

It appearing that there is presently a shortage of boxcars to meet current requirements on the railroads named in paragraph (a) herein; that forthcoming grain harvests will further greatly deplete an inadequate supply of boxcars; that prompt and uninterrupted movement of grains from farms to terminals is essential to prevent spoilage and consequent great economic loss; that continued movement of grains from terminals to markets and to ports is essential for the national economy and to enable the nation to meet its foreign aid commitments; that these railroads must also continue to furnish boxcars to shippers of other commodities in order to prevent the closing of industries and unemployment of their personnel; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of boxcars owned by these railroads are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 95.985 Service Order No. 985.

(a) *Distribution of boxcars; application.* (1) This order shall apply to boxcars owned by the railroads listed below:

Atchison, Topeka & Santa Fe Railway Co., The;
Chicago, Burlington & Quincy Railroad Co.;
Chicago, Rock Island & Pacific Railroad Co.;
Colorado & Southern Railway Co., The;
Fort Worth & Denver Railway Co.;
Missouri-Illinois Railroad Co.;
Missouri-Kansas-Texas Railroad Co.;
Missouri Pacific Railroad Co.;
St. Louis-San Francisco Railway Co.;
Texas & Pacific Railway Co., The.

(2) The term "boxcars" as used in this order means plain unequipped boxcars of fifty feet, six inches or less inside length.

(3) The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(b) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Withdraw all boxcars described in paragraph (a) of this section from distribution and return to owners empty except as otherwise provided in subparagraphs (2), (3), (4), and (5) of this paragraph.

(2) Boxcars defined in paragraph (a) of this section available empty at a station other than a junction with the owner may be loaded to stations on or via the owner, or to any station which is also a junction with the owner for unloading on any line serving such station.

(3) Boxcars defined in paragraph (a) of this section available empty at a junction with the owner must be delivered to the owner at that junction, either loaded or empty.

(4) Boxcars defined in paragraph (a) of this section may not be back-hauled, or held empty more than 24 hours awaiting placement for loading for the purpose of obtaining a load as authorized in subparagraphs (2) and (3) of this paragraph.

(5) A carrier named in paragraph (a) of this section will handle boxcars of other carriers named in that section under the provisions of subparagraphs (1), (2), (3), and (4) of this paragraph and of paragraph (c) of this section.

(c) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any boxcar defined in paragraph (a) of this section for movement contrary to the provisions of paragraph (b) of this section.

(d) *Effective date.* This order shall become effective at 12:01 a.m., May 25, 1966.

(e) *Expiration date.* This order shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-5656; Filed, May 23, 1966; 8:49 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 66-437]

PART 15—RADIO FREQUENCY DEVICES

Measurement Procedure

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 18th day of May 1966;

1. Section 15.75 of Part 15 of the Commission's rules cites only one standard procedure for receiver radiation measurement as an acceptable method for certification of receivers: IEEE Standard 187. One of the requirements of this method is that the measurements be made at a distance of 100 feet from the receiver, over an open field clear of reflecting objects.

2. Another standard procedure for measurement of receiver radiation which has been developed and recommended for use is contained in International Electrotechnical Commission (IEC) Publication 106 (1959) and Supplement 106A (1962). The distance between receiver and measuring equipment specified in this standard is 3 meters or approximately 10 feet.

3. The Commission has information on correlation tests and studies made on these two measurement procedures by the Japan Machinery & Metals Inspection Institute at Tokyo, Japan, by the Istituto Elettrotecnico Galileo Ferraris at Turin, Italy, and by the FCC Laboratory at Laurel, Md., which show reasonably close agreement. These tests show that a correlation factor of about 20 db exists between these two measurement procedures. Hence a factor of −20 db would be required to be applied to measured values obtained by the IEC procedure at 10 feet to convert to an indicated value at 100 feet for comparison with the receiver radiation limits in § 15.63 of Part 15.

4. The IEC standard appears to be an acceptable procedure for measurement of receiver radiation and the Commission believes that the rules should be amended to include this procedure as acceptable in receiver certification. Indeed, preference for the IEC procedure may evolve because it requires a much smaller testing area than that required by the IEEE procedure: 10-foot separation between receiver and measuring equipment in the IEC method versus a 100-foot separation in the IEEE method.

5. Since the amendment adopted herein imposes no new requirements but rather provides an additional measurement procedure for receiver certification, compliance with the notice, procedural, and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary.

6. The amendment adopted herein is issued pursuant to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

7. *Accordingly, it is ordered,* That, effective May 27, 1966, Part 15 is amended as set forth below.

Released: May 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

Part 15 is amended by the addition of new subparagraph (4) to paragraph (b) of § 15.75.

§ 15.75 Measurement procedure.

* * * * * * *

(b) * * *.

(4) International Electrotechnical Commission Publication No. 106 (1959) and Supplement 106A (1962) for measurement of conducted and radiated interference from broadcast receivers. (For frequencies above 25 Mc/s a conversion factor of 0.1 (−20 db) shall be applied to the measured values for comparison with the limits in § 15.63.)

NOTE: This publication and supplement may be purchased from the American Standards Association, 10 East 40th Street, New York, N.Y., 10016.

* * * * * * *

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 (Stat. 1082, as amended; 47 U.S.C. 303)

[F.R. Doc. 66-5670; Filed, May 23, 1966; 8:51 a.m.]

[Docket No. 16535; FCC 66-446]

PART 73—RADIO BROADCAST SERVICES

Certain FM Broadcast Stations

In the matter of amendment of § 73.202, Table of Assignments, FM Broadcast Stations (Camarillo, Calif., Tappahannock, Va., Silsbee, Tex., Boonville, Ind., Slidell and New Orleans, La., Corning, Paragould, and Wynne, Ark., Jacksonville and Tyler, Tex., Aurora and Bolivar, Mo., Memphis, Tex., Ottumwa, Iowa, Trenton, Mo., Peoria, Ill., and Nacogdoches, Tex.); Docket No. 16535, RM-902, RM-905, RM-913, RM-908, RM-916, RM-915, RM-914, RM-919, RM-900, RM-920.

1. The Commission has before it for consideration its notice of proposed rule making, released on March 17, 1966 (FCC 66-262), and published in the FEDERAL REGISTER on March 23, 1966 (31 F.R. 4845), proposing a number of changes in the FM Table of Assignments. A number of comments were filed and have been considered in making the following determinations. Except as otherwise noted, all of the proposals were unopposed.

2. RM-902, Camarillo, Calif. (William R. Everett). RM-913, Tappahannock, Va. (Rappahannock Broadcasting Corp., Inc.). RM-916, Silsbee, Tex. (J. P. White). RM-914, Boonville, Ind. (Boonville Broadcasting Co.).

In these four cases, interested parties have sought the assignment of a first

[1] Commissioner Wadsworth absent.

Class A channel in a community, without requiring any other changes in the Table. The communities are of substantial size and have either a daytime-only AM station or no AM station. We are of the view that the assignment of a first Class A FM channel to each of these communities will serve the public interest. We are therefore assigning Channel 240A to Camarillo, Calif., 288A to Tappahannock, Va., 269A to Silsbee, Tex., and 296A to Boonville, Ind.

3. RM-900. Slidell, Louisiana: In a petition filed on January 3, 1966, Bill Garrett Broadcasting Co., licensee of radio Station WBGS, Slidell, La., requested rule making looking toward the removal of Channel 287 from New Orleans and its assignment to Slidell, La., as follows:

City	Channel No.	
	Present	Proposed
Slidell, La.		287
New Orleans, La.	222, 227, 239, 246, 253, 258, 266, 270, 287	222, 227, 239, 246, 253, 258, 266, 270.

4. New Orleans has a population of 627,525 persons. It has 11 AM stations, 8 of which are unlimited time operations. Under the guidelines used in setting up the FM Table of Assignments this city was entitled to from 6 to 10 FM assignments and was assigned 9 Class C channels. Five of these are in operation or authorized (one at La Place under the "25-mile rule") and three have not been applied for. Slidell (about 28 miles northeast of New Orleans) is a community of 6,356 persons and the parish (St. Tammany) in which it is located has a population of 38,643. It has a day-time-only AM station (WBGS) licensed to petitioner, but no FM assignment. Petitioner urges that Slidell needs and deserves an FM assignment in view of the rapid population and industrial growth of the area. It submits that the population has grown from 6,356 in 1960 to 12,298 as of June 30, 1965 and that the area is the center of operations by NASA and the Mississippi Test Operations, employing in the order of 12,800 people. None of the Class A channels can be assigned to Slidell in conformance with the rules.

5. While, in general, Slidell is the type of community in which a Class A assignment is appropriate, we are of the view that the proposed assignment of Class C Channel 287 to Slidell by its deletion from New Orleans, would serve the public interest in this case. We are compelled to this conclusion by the rapid growth and increased economic potential of the community, the unavailability of a Class A assignment, and the lack of local radio service during the early morning and evening hours. On balance, we believe that the reduction of New Orleans to 8 Class C assignments and the assignment of a first Class C channel to Slidell would represent a fair and equitable distribution of available facilities.

6. RM-905. Wynne, Ark.: On January 20, 1966, East Arkansas Broadcasters, Inc., licensee of Station KWYN(AM), Wynne, Ark., filed a petition requesting the assignment of a first FM channel to Wynne, by making two additional necessary changes in the Table as follows:

City	Channel No.	
	Present	Proposed
Corning, Ark.	285A	228A
Paragould, Ark.	224A	285A
Wynne, Ark.		224A

7. Wynne, a community of 4,922, is the largest community and county seat of Cross County, which has a population of 19,551. The only AM station in Wynne is KWYN, a Class IV station. Petitioner urges that Wynne is the trading center for a number of smaller communities within the area, that there is a need for and sufficient support for an FM station, and that the assignment would permit greater coverage in the early morning and nighttime hours than is possible with the existing AM station.

8. We are of the view that Wynne merits the assignment of a first Class A FM assignment, especially since it can be accomplished without depriving any other community of such an assignment. We are therefore assigning Channel 224A to Wynne and making the other two required changes in assignments, for which no applications have been filed.

9. RM-908. Jacksonville, Tex.: In a petition filed on January 24, 1966, Wells, Waller and Ballard, Inc., licensee of Station KEBE (AM), Jacksonville, Tex., requested the switching of Channels 257A and 293 between Tyler and Jacksonville, Tex., as follows:

City	Channel No.	
	Present	Proposed
Jacksonville, Tex.	257A	293
Tyler, Tex.	226, 288, 293	226, 257A, 288

10. Tyler, the central city of its Standard Metropolitan Statistical Area, has a population of 51,230, and the metropolitan area has a population of 86,350. Of its three Class C assignments, two are in operation and the remaining one, Channel 293 has not been applied for. It has four AM stations, two of which are unlimited time operations. Jacksonville, about 28 miles south of Tyler, has a population of 9,590 persons and the county in which it is located has a population of 33,120. In addition to the Class A FM assignment, which is unoccupied, it has a Class IV AM station, licensed to petitioner. Petitioner urges that it is anxious to construct an FM station which will cover a much greater area and population than is possible with the Class A assignment. It estimates that 687,735 persons will be within the proposed 50 uv/m contour assuming an ERP of 50 kilowatts and an antenna height of 500 feet above average terrain. Finally, petitioner states that it will file for such a station as soon as the proposed amendments are adopted.

11. Upon consideration of all the facts in this case we are of the view that the shifting of a Class C assignment from Tyler, where it is unoccupied and which would still retain two other Class C assignments, and its assignment to Jacksonville, would be a fair and equitable distribution of available facilities and would serve the public interest. The assignment will also result in a third FM service to the area at an early date. While we have been reluctant to mix Class A and C assignments in the same city, it appears to be warranted under the circumstances here present. Accordingly, we are assigning Channel 293 to Jacksonville and substituting Channel 257A for 293 at Tyler.

12. RM-915. Bolivar, Mo.: In a petition filed on February 7, 1966, Robert F. Neathery and L. C. McKenney, trading as Shepherd of the Hills Broadcasting Co., licensee of Station KBLR (AM), Bolivar, Mo., requested the assignment of Class C Channel 263 by substituting Channel 228A for 261A at Aurora, Mo., as follows:

City	Channel No.	
	Present	Proposed
Bolivar, Mo.		263
Aurora, Mo.	261A	228A

13. Bolivar is a community of 3,512 persons and is located about 27 miles north of Springfield in Polk County, which has a population of 13,753. It has a daytime-only AM station, licensed to petitioner, but no FM assignment. Petitioner urges that a Class C assignment would provide a greater first aural service than would a Class A assignment. Assuming a facility of 50 kw power and 500 feet antenna height, it is estimated that an area of 2,165 square miles would be provided with its first FM service within a 1 mv/m contour and that an area of 2,020 square miles now without any AM service would likewise be provided with an FM signal of 1 mv/m.

14. In our notice we denied the request for rule making to assign a Class C channel to Bolivar and instead invited comments on the assignment of a Class A channel (288A or 292A) to the community. We did this because we believe that Bolivar is too small (3,512 persons) to warrant a departure from our general policy of assigning Class B or C channels to the large cities and metropolitan areas and Class A channels to the small communities, and that a large part, if not all, of the claimed "white area" will be covered by the Class C assignments at Springfield (only 27 miles distant) and other assignments in the general area. It was pointed out that there is on file an application for the Class C assignment at Lebanon, about 40 miles from Bolivar.[1]

15. Petitioner objects to the assignment of a Class A rather than a Class C channel on several grounds. First it urges that its AM station, KBLR, serves a number of small communities about 24 miles to the north of Bolivar and that a 1 mv/m contour cannot be placed over these communities with the facilities to which a Class A assignment is limited. Second, it argues that high powered stations are not able and do not attempt to meet the needs of local areas such as those mentioned. And finally, it states that the AM station has an "influence over wide areas of Missouri". We have carefully considered the comments filed in this case and reviewed the initial decision made in the Notice to assign a Class A channel to Bolivar rather than a Class C channel as requested by petitioner. We are still of the view that Bolivar is not the type of community which merits a departure of our general policy in this regard. It is not the center of a large rural area and is not located far removed from population centers. The petitioner does not refute the contention that no "white areas" will be served by the proposed Class C station and that there are a number of Class C assignments in the general area around Bolivar. The further arguments advanced by petitioner do not have sufficient weight to overturn this decision. Petitioner does not show that it cannot serve the communities mentioned to the north of Bolivar, although it would be with a signal strength less than 1 mv/m. As for the argument that the high powered stations in the larger cities do not serve the local areas, the Commission has in previous decisions pointed out that the entire listening public within the service area of a station is entitled to service from that station, and that a station has the obligation to serve the needs of all persons residing within the entire service area. See Petersburg Television Corp., Docket No. 10737 et al., 10 R.R. 567. In view of the foregoing, we reaffirm our decision not to assign a Class C channel to Bolivar and instead will assign Channel 292A to that community.

[1] A second application for this assignment has since been filed.

16. RM-919. Memphis, Tex.: On February 11, 1966, Jerry Hooser, Dick Fowler, and Frank I. Guess, doing business as MWC Broadcasting Co., permittee of a new AM station in Memphis, Tex., filed a request for Class C Channel 279 at Memphis, Tex., presently without any FM assignment. Memphis has a population of 3,332. It is the largest community and the county seat of Hall County, which has a population of 7,322. The new AM station in the community will be a day-time-only operation. The nearest city of substantial size is Pampa, at a distance of about 60 miles and the nearest metropolitan area is Amarillo, about 80 miles distant.

17. While we have assigned Class A channels to the smaller communities and Class B and C channels to the larger cities and metropolitan areas, we have made exceptions to this policy in those cases where the small community was the center of a large rural area and was far removed from large centers of population. In view of the rural area around Memphis and its isolation from centers of population, we believe that this community merits a departure from our overall policy in this respect. Accordingly, we are assigning Channel 279 to Memphis, Tex.

18. RM-920. Ottumwa, Iowa: This petition, filed on February 16, 1966, requested a first Class C assignment in Ottumwa, Iowa, and was filed by KBIZ, Inc., licensee of Station KBIZ(AM), Ottumwa, Iowa. The proposed assignment in Ottumwa would require a change in an unoccupied assignment in Trenton, Mo., as follows:

City	Channel No.	
	Present	Proposed
Ottumwa, Iowa	249A, 257A	223, 249A, [1] 257A
Trenton, Mo.	224A	221A

[1] Petitioner lists Channel 285A in Ottumwa but this assignment was deleted and Channel 249A was substituted for it in Docket No. 16186.

19. Ottumwa, the largest community in and the county seat of Wappalo County, has a population of 33,871. Wappalo County has a population of 46,126. No applications have been filed for the Class A assignments in Ottumwa but two AM stations, one a Class IV and the other a daytime-only station, operate in the city. Petitioner concedes that the assignment of Channel 223 cannot be utilized in the city of Ottumwa in view of the resulting short-spacings which would result to an adjacent channel assignment on Channel 222 at Oelwein, Iowa, and to a co-channel station, WMBD-FM, at Peoria, Ill. KBIZ submits, however, that there is an area near Lancaster, Mo., in which all the separation rules can be met and from which the required signal may be placed over the city of Ottumwa. Lancaster is about 35 miles south of Ottumwa and so maximum power and an antenna height of over 1,000 feet will be required to provide Ottumwa with the required signal strength. With respect to the shortage to Peoria, KBIZ points out that WMBD-FM holds a construction permit, BMPH-8593, to change frequency to Channel 227 and this change would eliminate the remaining short-spacing. Petitioner urges that it is anxious to operate a wide-coverage FM station from the TV site of KVTO near Lancaster, Mo., in order to obtain the advantage of the substantial antenna height of that station; that it would provide the required signal over Ottumwa with a power of 100 kilowatts at the available antenna height; and that neither of the Class A channels would be feasible at the proposed site.

20. In our notice we pointed out that a community the size of Ottumwa and so located with respect to metropolitan centers may merit the assignment of a Class C channel. Since Channel 223 would involve a short-spacing with WMBD-FM on the same channel at Peoria, Ill., and since WMBD-FM held a construction permit for a change of frequency to Channel 227 and its present assignment was also short-spaced (about 97 miles to a co-channel station instead of the required 150 miles), we also proposed to substitute Channel 289 for 223 at Peoria. On April 4, 1966, WMBD-FM commenced program tests on Channel 227. In addition, since we did not believe Ottumwa merited three assignments we proposed to assign the requested Class C and one other Class A assignment (Channel 249A or 257A). The proposal was summarized as follows:

City	Channel No.	
	Present	Proposed
Ottumwa, Iowa	249A, 257A	223, 249A or 257A
Trenton, Mo.	224A	221A
Peoria, Ill.	223, 227, 296	227, 289, 296

21. Upon review of all the evidence before us we believe that the assignment of Channel 223 and one Class A channel to Ottumwa would serve the public interest. Use of Channel 223 at a site meeting all the spacing requirements and all the other rules will provide the potential for wide-area coverage and the first FM service to that city. Likewise, we are of the view that the substitution of Channel 289 for 223 at Peoria will serve the public interest since it will remove a bad short-spacing and permit at least two FM stations to better serve the public. It will retain three Class B assignments in this large city of over 100,000 population, without depriving any other community of an assignment.

22. Nacogdoches and Jacksonville, Tex.: In addition to the above-proposed changes, the Commission proposed to make two changes to remove a short-spaced assignment at Nacogdoches as follows:

City	Channel No.	
	Present	Proposed
Nacogdoches, Tex.	221A, 252A	221A, 257A
Jacksonville, Tex.	257A	272A

We stated further that in the event we assigned Channel 293 to Jacksonville, we would not assign Channel 272A to that community. As stated above, we are assigning Channel 293 to Jacksonville and need not consider the 272A proposal. With respect to the Nacogdoches substitution, Texas Broadcasting Co., Inc., applicant for Channel 252A at Nacogdoches, supports the proposal to substitute Channel 257A for 252A. J. C. Stallings, also an applicant for Channel 252A at Nacogdoches, supports this proposal also, but only if the Commission refuses to adopt a counterproposal to assign Channel 277 to Nacogdoches by deleting that assignment from Lufkin, Tex., and assigning 252A in its place. This is the same proposal as was advanced by this party in RM-830 and considered in Docket 16212. A request for reconsideration of the denial of this request in Docket 16212 is pending before the Commission. In view of the pendancy of the Stallings petition for reconsideration and the availability of Channel 257A, in the event the assignment of Channel 277 is not made to Nacogdoches, we are not making any changes in the assignments to this community at this time.

23. Authority for the adoption of the amendments contained herein is contained in sections 4(1), 303, and 307(b) of the Communications Act of 1934, as amended.

24. In accordance with the determinations made above: *It is ordered*, That effective June 27, 1966, § 73.202 of the Commission's rules, the FM Table of Assignments, is amended with respect to the communities named as follows:

a. Add the following entries:

City	Channel No.
Wynne, Ark.	224A
Camarillo, Calif.	240A
Boonville, Ind.	296A
Slidell, La.	287
Bolivar, Mo.	292A
Memphis, Tex.	279
Silsbee, Tex.	269A
Tappahannock, Va.	288A

b. Amend the following entries to read:

City	Channel No.
Corning, Ark.	228A
Paragould, Ark.	285A
Peoria, Ill.	227, 289, 295
Ottumwa, Iowa	223, 249A
New Orleans, La.	222, 227, 239, 246, 253, 258, 266, 270
Trenton, Mo.	221A
Jacksonville, Tex.	293
Tyler, Tex.	226, 257A, 268

25. *It is further ordered*, That this proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: May 18, 1966.

Released: May 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5671; Filed, May 23, 1966; 8:51 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1966 Crop of Upland Cotton; Acreage Allotments and Marketing Quotas

REFERENDA RESULTS CORRECTION; SALE OR LEASE TRANSFERS

This amendment to § 722.277 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.), to add Union County, S.C. to the table listing the counties from which transfers by sale or lease to other counties within the same State to take effect during 1966, 1967, and 1968, may be approved as a result of the referenda held on November 23, 1965. Consequently, no referenda will be held in Union County, S.C., during 1966 under § 722.461(c) (31 F.R. 6580).

Since the only purpose of this amendment is to correct the referenda results in § 722.277 (30 F.R. 15647, 31 F.R. 2776) it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is unnecessary. Accordingly, this amendment shall be effective upon filing this document with the Director, Office of the Federal Register.

Section 72.277(b) is amended by adding Union County to the list of counties in South Carolina.

(Sec. 344a, 79 Stat. 1197; 7 U.S.C. 1344b)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 18, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5635; Filed, May 23, 1966; 8:48 a.m.]

PART 730—RICE

Subpart—1966-67 Marketing Year

DETERMINATION OF COUNTY NORMAL YIELDS FOR 1966 CROP

The regulations contained in § 730.1708 are issued pursuant to and in conformity with the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended. Section 301(b)(13), subparagraphs (D) and (F), of the Act provide definitions for county normal yields as follows:

(D) "Normal yield" for any county, in the case of rice * * *, shall be the average yield per acre of rice * * *, for the county during the 5 calendar years immediately preceding the year for which such normal yield is determined * * *, adjusted for abnormal weather conditions and for trends in yields. If for any such year data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations issued by the Secretary, taking into consideration the yields obtained in surrounding counties during such year and the yield in years for which data are available, shall be used as the actual yield for such year.

* * * * * * *

(F) In applying subparagraphs (D) and (E), if on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause, the yield for any year of such 5-year period is less than 75 per centum of the average, 75 per centum of such average shall be substituted therefor in calculating the normal yield per acre. If, on account of abnormally favorable weather conditions, the yield for any year of such 5-year period is in excess of 125 per centum of the average, 125 per centum of such average shall be substituted therefor in calculating the normal yield per acre.

Prior to the issuance of the regulations for determining county normal yields for 1966 and the determination of county normal yields thereunder, public notice (30 F.R. 12684) was given in accordance with the provisions of the Administrative Procedure Act (5 U.S.C. 1003). No data, views, or recommendations pertaining thereto were submitted pursuant to such notice. Since farmers will be harvesting rice in areas prior to the date that county normal yields would ordinarily become effective (30 days after publication in the FEDERAL REGISTER), it is hereby found that the proclamations and determinations herein shall become effective upon the date of the filing of this document with the Director, Office of the Federal Register.

Section 730.1708 is issued to provide the regulations for determining county normal yields and to proclaim the yields for the 1966 crop of rice determined thereunder.

§ 730.1708 County normal yields for 1966 crop rice.

(a) *Regulations.* County normal yields for 1966 crop rice shall be determined by computing the average yield per harvested acre of rice for each county producing rice during the years 1961 through 1965, adjusted for abnormal weather conditions and other uncontrollable natural causes and for trends in yields. Where data for any year are not available, or there was no actual yield, an appraised yield for such year shall be determined on the basis of the yields obtained in surrounding counties during such year and the yield in years for which data are available. Adjustments for abnormal weather conditions and other uncontrollable natural causes shall be as follows: For any annual yield, including an appraised yield, which is less than 75 per centum of the 5-year (1961–65) average yield, 75 per centum of such average shall be substituted therefor; and for any annual yield, including an appraised yield, which is in excess of 125 per centum of the 5-year (1961–65) average yield, 125 per centum of such average shall be substituted therefor. The adjustment for trends in yields shall be made by adopting as the county normal yield the simple average of (1) the 1961–65 average yield per harvested acre of rice for the county, adjusted for abnormal weather conditions and other uncontrollable natural causes as provided in the preceding sentence, and (2) the 1964–65 average yield per harvested acre of rice for the county, similarly adjusted, except that no trend adjustment shall be made unless the 2-year adjusted average is higher than the 5-year adjusted average. Notwithstanding the adjustments as indicated above, no county normal yield shall be less than the unadjusted 5-year (1961–65) average yield.

(b) *Statistical data.* Section 301(c) of the Agricultural Adjustment Act of 1938, as amended, provides that "The latest available statistics of the Federal Government shall be used by the Secretary in making the determinations required to be made by the Secretary under this act." In accordance therewith, the annual yields of rice for counties in the States of Arkansas, California, Louisiana, Mississippi, Missouri, and Texas used in the determination of county normal yields in this section shall be the latest official yields determined by the Statistical Reporting Service of the Department, on the basis of its estimate of harvested acres and production of rice in applicable counties of those States during each of the years 1961 through 1965, except that if such a yield for any year is not available an appraised yield shall be used for such year. In the minor rice-producing States of Florida, Illinois, North Carolina, Oklahoma, South Carolina, and Tennessee where no official estimates of rice yields were available, the annual rice yields for the years 1961 through 1965 used in determining the county normal yields in this section for the applicable counties in these States shall be those obtained by special surveys covering all farms producing rice in any of the calendar years 1961 through 1965.

(c) *Proclamation of county normal yields.* County normal yields for 1966 crop rice, determined in accordance with paragraphs (a) and (b) of this section, are as follows:

ARKANSAS

County	Normal yield per harvested acre (pounds)	County	Normal yield per harvested acre (pounds)
Arkansas	4,322	Jefferson	4,041
Ashley	3,792	Lafayette	3,286
Chicot	4,082	Lawrence	4,164
Clark	3,444	Lee	3,828
Clay	4,126	Lincoln	4,046
Conway	4,148	Little River	3,716
Craighead	4,440	Lonoke	4,214
Crittenden	4,031	Miller	3,221
Cross	4,218	Mississippi	4,082
Dallas	3,250	Monroe	4,114
Desha	3,977	Perry	3,214
Drew	3,738	Phillips	3,725
Faulkner	3,697	Poinsett	4,436
Grant	3,085	Prairie	4,320
Greene	4,181	Pulaski	3,584
Hot Spring	3,708	Randolph	3,922
Independence	4,058	St. Francis	3,876
Jackson	4,152	White	3,909
		Woodruff	3,990
		State	4,174

CALIFORNIA

County	Normal yield per harvested acre (pounds)	County	Normal yield per harvested acre (pounds)
Butte	5,046	Placer	3,952
Colusa	4,908	Riverside	4,130
Fresno	3,950	Sacramento	4,931
Glenn	5,003	San Joaquin	4,757
Imperial	4,040	Stanislaus	4,367
Kern	4,062	Sutter	4,999
Kings	2,352	Tulare	3,936
Madera	4,192	Yolo	4,870
Merced	4,301	Yuba	4,705
		State	4,869

FLORIDA

Collier	1,182	Palm Beach	944
Hendry	2,104	State	1,185
Lee	1,182		

ILLINOIS

Adams	3,000

LOUISIANA

Parish	Normal yield per harvested acre (pounds)	Parish	Normal yield per harvested acre (pounds)
Acadia	3,347	Morehouse	3,748
Allen	3,314	Ouachita	3,267
Ascension	3,126	Pointe Coupee	3,590
Assumption	2,940	Rapides	3,712
Avoyelles	3,564	Richland	2,614
Beauregard	2,798	St. Charles	2,320
Bossier	3,000	St. James	3,049
Calcasieu	2,946	St. John the Baptist	3,165
Cameron	3,448	St. Landry	3,600
Concordia	3,640	St. Martin	3,041
East Carroll	3,736	St. Mary	2,910
Evangeline	3,570	St. Tammany	2,090
Franklin	2,632	Tensas	3,555
Grant	3,300	Terrebonne	2,800
Iberia	3,099	Vermilion	3,402
Iberville	3,846	West Baton Rouge	3,535
Jefferson Davis	3,502	West Carroll	3,630
Lafayette	3,300		
Lafourche	1,920	State	3,362
Madison	3,602		

MISSISSIPPI

County	Normal yield per harvested acre (pounds)	County	Normal yield per harvested acre (pounds)
Bolivar	3,728	Quitman	3,296
Coahoma	3,483	Sharkey	3,658
De Soto	3,458	Sunflower	3,646
Hancock	2,500	Tallahatchie	3,430
Humphreys	3,584	Tate	3,678
Issaquena	2,980	Tunica	3,468
Leflore	3,428	Washington	3,748
Panola	3,478		
		State	3,642

MISSOURI

Butler	4,386	Pemiscot	4,016
Lewis	2,795	Ripley	4,074
Lincoln	2,895	St. Charles	3,796
Marion	3,746	Scott	3,836
Mississippi	3,090	Stoddard	4,226
New Madrid	4,104		
		State	4,141

NORTH CAROLINA

Brunswick	1,221
Hyde	1,778
State	1,643

OKLAHOMA

McCurtain	3,659

SOUTH CAROLINA

Berkeley	2,330	Jasper	1,819
Charleston	1,812	Kershaw	1,287
Colleton	1,267		
Georgetown	1,000	State	1,725
Horry	1,500		

TENNESSEE

Dyer	4,192	Lauderdale	3,646
Fayette	2,290	State	4,069

TEXAS

County	Normal yield per harvested acre (pounds)	County	Normal yield per harvested acre (pounds)
Austin	4,481	Lavaca	4,358
Bowie	4,174	Liberty	3,746
Brazoria	3,835	Matagorda	4,692
Calhoun	4,294	Newton	3,448
Chambers	3,900	Orange	3,225
Colorado	4,485	Polk	2,760
Fort Bend	4,331	Travis	4,350
Galveston	3,876	Victoria	4,528
Hardin	3,745	Walker	2,660
Harris	4,310	Waller	4,506
Jackson	4,568	Washington	3,150
Jasper	3,259	Wharton	4,622
Jefferson	3,518	State	4,160

(Secs. 301, 375, 52 Stat. 38, as amended by 70 Stat. 212, 52 Stat. 66, as amended; 7 U.S.C. 1301, 1375)

Effective date. Upon filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 18, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5636; Filed, May 23, 1966; 8:48 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 214, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become ef-

fective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 910.514 (Lemon Regulation 214, 31 F.R. 7110) are hereby amended to read as follows:

§ 910.514 Lemon Regulation 214.

* * * * *

(b) *Order.* (1) * * *

(ii) District 2: 302,250 cartons.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 19, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5637; Filed, May 23, 1966; 8:48 a.m.]

PART 916—NECTARINES GROWN IN CALIFORNIA

Subpart—Rules and Regulations

EXEMPTION FROM INSPECTION

Notice is hereby given of the approval of an amendment, hereinafter set forth, of the rules and regulations (Subpart—Rules and Regulations; 7 CFR 916.102 et seq.) currently in effect pursuant to the marketing agreement and Order No. 916 (7 CFR Part 916), regulating the handling of nectarines grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The amendment, which was recommended by the Nectarine Administrative Committee, established pursuant to the said marketing agreement and order provides a less burdensome inspection waiver procedure than that currently in effect, pursuant to § 916.55 of the marketing agreement and order, to expedite approval of the handling of nectarines without inspection when the Federal-State Inspection Service advises the handler requesting inspection that it is impractical to provide inspection at the time and place designated by the handler. The amendment also liberalizes the provisions of the minimum quantities exemption which allows handling of small quantities of uninspected nectarines without waiver of inspection. As amended, the provision will permit a handler to handle 50 pounds of such nectarines during any day to an individual or the occupants of one vehicle without limit as to the total quantity that may be so handled during a day. Currently such provisions limit such daily total quantity of any handler to 100 pounds.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.); and good cause exists for making the provisions thereof effective at the time hereinafter set forth, in that the time intervening between the date when information upon which this amendment is based became available and the time such amendment must become effective in order to effectuate the declared purposes of the act is insufficient; this amendment does not require any special preparation for compliance therewith which cannot be completed by the effective time thereof; and this amendment relieves restrictions on the handling of nectarines.

The provisions of § 916.110 *Exemption from inspection* are revised to read as follows:

§ 916.110 Exemption from inspection.

(a) *Waivers.* A handler may handle nectarines without inspection and certification, as prescribed under § 916.55, if all the following conditions are met:

(1) The handler requests the Federal-State Inspection Service to provide inspection during its regular working hours at least 2 hours in advance of the time when inspection is needed. The request need not be in writing but it shall be confirmed immediately in writing on a waiver form to be supplied by the inspection service;

(2) The Federal-State Inspection Service advises the handler that it is not practicable to provide inspection at the time and place designated by the handler. This advice may be verbal but it shall be confirmed in writing by the Federal-State Inspection Service by execution of the waiver form on which the handler submitted his written request. A confirmed copy thereof shall be forwarded by the inspection service to the office of the Nectarine Administrative Committee.

(3) The Federal-State Inspection Service furnishes the handler with the number of the waiver which shall cover the nectarines on which inspection is requested;

(4) When instructed to do so, the handler plainly and conspicuously marks one end of each container with the letter "W" and the waiver number supplied by the Federal-State Inspection Service. The letter W and the number shall not be less than one-half inch in height.

(b) *Minimum quantities.* A handler may handle, exempt from the inspection and certification requirements prescribed under § 916.55 and the requirements of paragraph (a) of this section, nectarines totaling not more than 50 pounds, net weight, in any day to any person or to the occupants of one vehicle.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 19, 1966, to become effective upon publication in the FEDERAL REGISTER.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5680; Filed, May 23, 1966; 8:52 a.m.]

[Nectarine Reg. 1]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 916.324 Nectarine Regulation 1.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 916 (7 CFR Part 916) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines, as hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof; adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 18, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 25, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall handle any package or container of any variety of nectarines unless such nectarines grade at least U.S. No. 1.

(2) When used herein, "U.S. No. 1" shall have the same meaning as set forth in the U.S. Standards for Grades of Nectarines (§§ 51.3145–51.3160 of this title; 31 F.R. 6243), and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 23, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5786; Filed, May 23, 1966; 11:40 a.m.]

[Nectarine Reg. 2]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 916.325 Nectarine Regulation 2.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 916 (7 CFR Part 916) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof; adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 18, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 25, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall handle any package or container of Grand River, June Grand, Red June, or June Belle nectarines unless:

(i) Such nectarines, when packed in a standard basket, are of a size not smaller than a size that will pack a 3 x 4 x 5 standard pack;

(ii) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 112 nectarines in the respective lug box; or

(iii) Such nectarines, when packed in any container other than the containers specified in subdivisions (i) and (ii) of this subparagraph, measure not less than one and fourteen-sixteenth ($1\frac{14}{16}$) inches in diameter: *Provided*, That not to exceed 10 percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Nectarines (§§ 51.3145–51.3160 of this title; 31 F.R. 6243); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box" and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California; and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 23, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5787; Filed, May 23, 1966; 11:40 a.m.]

[Nectarine Reg. 4]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 916.326 Nectarine Regulation 4.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 916 (7 CFR Part 916) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof; adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 18, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 25, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall handle any package or container of Sunrise or Sunbright nectarines unless:

(i) Such nectarines, when packed in a standard basket ,are of a size not smaller than a size that will pack a 4 x 4 standard pack;

(ii) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 108 nectarines in the respective lug box; or

(iii) Such nectarines, when packed in any container other than the containers specified in subdivisions (i) and (ii) of this subparagraph, measure not less than two (2) inches in diameter: *Provided,* That not to exceed 10 percent, by count, of the nectarines in any such container may fall to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Nectarines (§§ 51.3145–51.3160 of this title; 31 F.R. 6243); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box" and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California; and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 23, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5788; Filed, May 23, 1966; 11:40 a.m.]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Miscellaneous Amendments

Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Control Committee, established under the said marketing agreement and order, it is hereby found that the following amendment to the currently effective rules and regulations (7 CFR 917.100 et seq.; Subpart—Rules and Regulations) is in accordance with the provisions of the said marketing agreement and order, as amended, and such amendment is hereby approved.

The amendment deletes from said rules and regulations several sections rendered obsolete by the amendment of the marketing agreement and order which became effective December 20, 1965, and revises others to reflect the current address of the Control Committee and to conform with the amended provisions of the marketing agreement and order. The amendment also provides a less cumbersome waiver of inspection procedure than that currently in effect to facilitate approval of the handling of uninspected fruit, as provided pursuant to § 917.45, when the Federal-State Inspection Service advises the handler that it is not practical to provide inspection at the designated time and place, and prescribes a minimum quantities exemption for plums. Since intrastate movement of plums is now regulated such exemption is necessary particularly to permit the handling of small quantities free of inspection and waiver of inspection, as inspection and individual waiver of such quantities is impractical. In addition, the amendment adds a new provision which requires that containers not loaded directly into railway cars or exempted in accord with the foregoing, shall be lot stamped with a Federal-State Inspection Service lot stamp number showing that the fruit has been inspected as required. Such provision is a necessary aid to compliance, and recognizes the increased truck movement of the covered fruits. Finally, the amendment revises the reporting requirement for pears in refrigerated storage to require a report of all such pears upon request rather than a report of pears in storage in excess of 5 days as a complete inventory has been found to be more meaningful for program operations.

It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.), and good cause exists for making the provisions effective at the time hereinafter set forth, in that the time intervening between the date when information became available and the time such amendment must become effective in order to effectuate the declared purposes of the act is insufficient; shipments of plums are expected to begin on or about the effective time hereof; to be of maximum benefit during the 1966–67 season, it is necessary that the provisions of this amendment apply insofar as possible to all such shipments; and this amendment does not require any special preparation for compliance therewith which cannot be completed by such effective time.

1. Section 917.100 is revised to read:

§ 917.100 **Order.**

"Order" means Marketing Order No. 917, as amended (this Part 917), regulating the handling of fresh pears, plums, and peaches grown in the State of California.

§§ 917.102, 917.116–917.118, 917.120, 917.138, 917.150–917.158, 917.215 **[Deleted]**

2. Sections 917.102, 917.116 through 917.118, 917.120, 917.138, 917.150 through 917.158, and 917.215 are deleted.

3. Section 917.110 is revised to read:

§ 917.110 **Communications.**

Unless otherwise prescribed in this subpart, or in the marketing agreement and order, or required by the Control Committee or a particular commodity committee, all reports, applications, submittals, requests, and communications in connection with the marketing agreement and order shall be addressed as follows:

Control Committee, California Tree Fruit Agreement, 701 Fulton Avenue, Sacramento, Calif., 95825.

§ 917.141 **[Amended]**

4. In § 917.141(a) the words "Bartlett" and "Elberta" are deleted and the section reference therein is changed from § 917.42(b) to § 917.44(b).

5. Section 917.143 is revised to read:

§ 917.143 **Exemption from inspection.**

(a) *Waivers.* A handler may handle fruit without inspection and certification, as prescribed under § 917.45, if all the following conditions are met:

(1) The handler requests the Federal-State Inspection Service to provide inspection during its regular working hours at least two hours in advance of the time when inspection is needed. The request need not be in writing but it shall be confirmed immediately in writing on a waiver form supplied by the inspection service;

(2) The Federal-State Inspection Service advises the handler that it is not practicable to provide inspection at the time and place designated by the handler. Such advice may be verbal but it shall be confirmed in writing by the Federal-State Inspection Service by execution of the waiver form on which the handler submitted his written request. A confirmed copy thereof shall be forwarded by the inspection service to the office of the Control Committee;

(3) The Federal-State Inspection Service furnishes the handler with the number of the waiver which shall cover the fruit on which inspection is requested;

(4) When so instructed, the handler plainly and conspicuously marks one end of each container with the letter W and the waiver number supplied by the Federal-State Inspection Service. The letter W and the number so marked shall be not less than one-half inch in height.

(b) *Minimum quantities.* A handler may handle, exempt from the inspection and certification requirements prescribed under § 917.45 and the requirements of paragraph (a) of this section, a quantity of plums totaling not more than 50 pounds, net weight, during any day to any person or to the occupants of one vehicle.

6. A new § 917.150 is added reading as follows:

§ 917.150 **Lot stamping.**

Except when loaded directly into railway cars or exempted under § 917.143, containers of fruit shall be plainly stamped, prior to shipment, with a Federal-State Inspection Service lot stamp number, assigned by such Service, showing that such fruit has been inspected in accordance with § 917.45.

§ 917.176 **[Amended]**

7. In § 917.176 the word "Bartlett" is deleted wherever it appears, and the words "for a period in excess of 5 days" appearing at the end of paragraph (b)(2) of such section are deleted.

§ 917.178 **[Amended]**

8. In § 917.178 the word "Elberta" is deleted wherever it appears.

§ 917.179 **[Amended]**

9. In § 917.179 the words "Bartlett" and "Elberta" are deleted.

(Secs. 1–19, 48 Stat. 31 as amended; 7 U.S.C. 601–674)

Dated, May 19, 1966, to become effective upon publication in the FEDERAL REGISTER.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5681; Filed, May 23, 1966; 8:52 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 99]

PART 1099—MILK IN PADUCAH, KY., MARKETING AREA

Order Amending Order; Correction

The following correction is made in F.R. Doc. 66-4758, filed April 29, 1966, and published on April 30, 1966 (31 F.R. 6536): The reference in the proviso of § 1099.80(a)(2) to "§ 1099.85" should read "§ 1099.83".

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Signed at Washington, D.C., on May 19, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66-5682; Filed, May 23, 1966; 8:52 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs., 1966 Crop Dry Edible Bean Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 Crop Dry Edible Bean Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941) and the 1966 and Subsequent Crops Dry Edible Bean Supplement (31 F.R. 6904), which contain regulations of a general nature with respect to price support operations, are further supplemented for 1966 crop dry edible beans as follows:

Sec.
1421.2475 Purpose.
1421.2476 Availability.
1421.2477 Maturity of loans.
1421.2478 Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2475 **Purpose.**

This supplement contains additional program provisions which together with the provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) and any amendments thereto or revisions thereof, and the 1966 and Subsequent Crop Dry Edible Bean Supplement and any amendments thereto, apply to loans and purchases for 1966 crop dry edible beans.

§ 1421.2476 **Availability.**

A producer desiring a price support loan must request a loan on his eligible beans on or before March 31, 1967, in Michigan and New York, and May 31, 1967, in all other States. To obtain price support through a sale to CCC, a producer must give the appropriate ASCS county office notice of his intent to sell his eligible beans to CCC on or before the loan maturity date specified in § 1421.2477.

§ 1421.2477 **Maturity of Loans.**

Unless demand is made earlier, loans on dry edible beans will mature on April 30, 1967, in Michigan and New York, and June 30, 1967, in all other States.

§ 1421.2478 **Support rates.**

The support rate for beans placed under a loan other than a loan on beans stored commingled in an approved warehouse shall be the applicable basic support rate specified in paragraph (a) of this section for the county in which the beans were produced, adjusted as provided in paragraph (d) of this section. The support rate for loans on beans stored commingled in approved warehouse storage and for settlement of all loans and purchases shall be the applicable basic support rate specified in paragraph (a) of this section for the county in which the beans were produced, adjusted in accordance with the provisions of this section, and, in the case of settlements, adjusted for such other discounts as may be established by CCC as applicable to the class, grade, and quality of beans acquired by CCC. Except in the case of large lima beans, if the beans have been moved by truck to approved storage in a higher support rate county, or if the warehouseman guarantees delivery by truck to approved storage or on track in a higher support rate county, the support rate shall be determined on the basis of the basic support rate specified in paragraph (a) of this section for the county in which the beans are stored or to which delivery is guaranteed, rather than the county in which the beans were produced. Settlement shall be made in accordance with the provisions of § 1421.72.

(a) *Basic county support rates.* The basic county support rates per 100 pounds net weight for beans of all classes grading U.S. No. 1 are as follows:

Class and area	Rate per 100 pounds U.S. No. 1 in jute bags
Pinto:	
Area I—All counties in New Mexico except McKinley, Rio Arriba, San Juan, Taos, and Valencia	$6.57
Area II—All counties in Kansas, Nebraska, Oklahoma, and Texas. In Colorado, the counties of Adams, Arapahoe, Baca, Bent, Boulder, Cheyenne, Clear Creek, Crowley, Denver, Douglas, Elbert, El Paso, Fremont, Gilpin, Huerfano, Jefferson, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Morgan, Otero, Phillips, Prowers, Pueblo, Sedgwick, Teller, Washington, Weld, and Yuma. In Wyoming, the counties of Goshen, Laramie, and Platte	6.47
Area III—In New Mexico, the counties of McKinley, and Valencia	6.37
Area IV—All counties in Arizona, California, South Dakota, and Utah. In Wyoming all counties except Goshen, Laramie, and Platte. In Colorado, all counties not in Area II. In New Mexico, the counties of Rio Arriba, San Juan, and Taos	6.27
Area V—All counties in Washington	5.97
Area VI—All counties in other States	6.07
Great Northern:	
Area I—All counties in Minnesota, Nebraska, and North Dakota. In Colorado, all counties east of 106 degrees longitude. In Wyoming, the counties of Goshen, Laramie, and Platte	7.21
Area II—All counties in South Dakota. All counties in Wyoming except Goshen, Laramie, and Platte	7.01
Area III—All counties in Montana. In Idaho, the counties of Ada, Bannock, Bear Lake, Bingham, Boise, Canyon, Caribou, Cassia, Elmore, Franklin, Gem, Gooding, Jerome, Lincoln, Minidoka, Oneida, Owyhee, Payette, Power, and Twin Falls. In Oregon, Malheur County	6.81
Area IV—All counties in other States	6.71
Pea and Medium White:	
Area I—All counties in Michigan, New York, Maine, Minnesota, and Wisconsin	6.65
Area II—All counties in other States	6.15
Small White and Flat Small White	7.52
Dark Red Kidney	8.26
Light Red Kidney	8.70
Western Red Kidney	8.70
Pink	7.32
Small Red:	
Area I—All counties in Idaho and Colorado	7.47
Area II—All counties in Washington	7.37
Area III—All counties in other States	7.42

Class and area	Rate per 100 pounds U.S. No. 1 in jute bags
Large Lima:	
Area I—In California, counties of Monterey, Orange, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, and San Diego	10.39
Area II—All other counties in California	10.24
Baby Lima	5.59

(b) *Premium.*

	Cents per 100 pounds
Grade U.S. CHP (Pea beans)	25
Grade U.S. CHP (all other beans)	10
Grade U.S. Extra No. 1	10

(c) *Discount.*

	Cents per 100 pounds
Grade U.S. No. 2	25
Paper package	09

(d) *Deduction for processing charges.* In the case of beans which have not been processed (i.e., commercially cleaned), the rate shall be reduced by the following amounts (except for beans stored commingled in an approved warehouse):

	Dollars per 100 pounds from U.S. No. 1 rate
All States except Michigan and New York	1.00
Michigan, Pea beans only	1.00
Michigan, other classes	1.50
New York	2.00

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 18, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-5638; Filed, May 23, 1966; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 10]

MIGRATORY BIRDS

Hunting

Notice is hereby given that pursuant to the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 704), it is proposed to amend Part 10, Title 50, Code of Federal Regulations. Based on the results of migratory game bird studies now in progress and having due consideration for any views or data submitted by interested parties these amendments will specify open seasons, certain closed seasons, shooting hours, and bag and possession limits for the hunting of migratory game birds during the 1966–67 season.

Amendments specifying open seasons, bag and possession limits, and shooting hours for doves, pigeons, rails (except coot), woodcock, Wilson's snipe, waterfowl and coots in Alaska, teal in States of the Mississippi and Central Flyways, and certain sea ducks in coastal waters of certain Northeastern States will be proposed for final adoption not later than August 1, 1966, to become effective on or before September 1, 1966. Amendments specifying open seasons, bag and possession limits, and shooting hours for waterfowl, coots, cranes, and any other migratory game birds not previously adopted will be proposed for final adoption not later than September 1, 1966, to become effective on or before October 1, 1966.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

JOHN S. GOTTSCHALK,
Director, Bureau of
Sport Fisheries and Wildlife.

MAY 19, 1966.

[F.R. Doc. 66-5612; Filed, May 23, 1966; 8:46 a.m.]

[50 CFR Part 10]

MIGRATORY BIRDS

Hunting Seasons for Puerto Rico and Virgin Islands

Notice is hereby given that pursuant to the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 704), it is proposed to amend Part 10, Title 50, Code of Federal Regulations in the following particulars:

§ 10.52 Migratory game bird hunting seasons for Puerto Rico and the Virgin Islands.

Subject to the applicable provisions of the preceding sections of this part, the open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed as follows:

(a) *Puerto Rico.*

	Doves (all species) (singly or in the aggregate)	Pigeons (all species) (singly or in the aggregate)
Daily bag limit	15	[1] 8
Possession limit	15	[1] 8
Open season dates	July 2 to Sept. 18, 1966.	July 2 to Sept. 18, 1966.
Shooting hours	One-half hour before sunrise until sunset.	

[1] On Mona Island the daily bag and possession limit on pigeons is 15, singly or in the aggregate of all species.

(b) *Virgin Islands.*

	Doves (all species) (singly or in the aggregate)	Pigeons [1] (red-neck only)
Daily bag limit	10	5
Possession limit	10	10
Open season dates	July 15 to Sept. 1, 1966.	July 15 to Sept. 1, 1966.
Shooting hours	One-half hour before sunrise until sunset.	

[1] Closed season on all species of pigeons except those known locally as red-neck pigeons.

Interested persons may submit written comments, suggestions or objections within 30 days from the date of this publication to the Director, Bureau of Sport Fisheries and Wildlife, Interior Building, Washington, D.C., 20240.

JOHN S. GOTTSCHALK,
Director, Bureau of
Sport Fisheries and Wildlife.

MAY 18, 1966.

[F.R. Doc. 66-5613; Filed, May 23, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[7 CFR Part 330]

FEDERAL PLANT PEST REGULATIONS

Soil From Parts of Canada Exempted From Certain Restrictions

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that the Director of the Plant Quarantine Division, Agricultural Research Service, pursuant to section 106 of the Federal Plant Pest Act of May 23, 1957 (7 U.S.C. 150ee; 71 Stat. 33), is considering amending § 330.300a of the Federal Plant Pest Regulations (7 CFR 330.300a), to read as follows:

§ 330.300a Administrative instructions exempting soil from parts of Canada from certain restrictions.

Soil of Canadian origin except soil from British Columbia and Newfoundland may be moved into or through the United States from Canada free from the permit requirements of § 330.300 and the release requirements of § 330.105 but subject to inspection under § 330.105 and disposal under § 330.106 if the inspection discloses any plant pest new to or not theretofore widely prevalent or distributed within and throughout the United States. Such soil is also subject to all applicable requirements under Part 319 of this chapter.[1]

Section 330.300a now provides that soil from any part of Canada may move into or through the United States free from certain permit and release requirements, but subject to inspection and to disposal if dangerous plant pests are found therein. Infestations of the golden nematode, which seriously damages potatoes and tomatoes, have been found to exist in the Canadian provinces of British Columbia and Newfoundland. Accordingly, it is proposed that § 330.300a be amended to exclude British Columbia and Newfoundland as areas in Canada from which soil may be moved free from the above-mentioned restrictions. Were this amendment adopted, soil for certain designated purposes could still be imported into the United States from British Columbia and Newfoundland under permit and adequate safeguards to prevent the dissemination of plant pests.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Director of the Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Hyattsville, Md., 20782, within 30 days after the date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Hyattsville, Md., this 19th day of May 1966.

[SEAL] F. A. JOHNSTON,
Director, Plant Quarantine Division.

[F.R. Doc. 66-5639; Filed, May 23, 1966; 8:48 a.m.]

[1] Sod from Canada is regulated by § 319.37-5 of this chapter.

Consumer and Marketing Service

[7 CFR Part 906]

[Docket No. AO-320-A1]

ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed Amendment of Marketing Agreement and Order

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to the proposed amendment of the marketing agreement and Order No. 906 (7 CFR Part 906), hereinafter referred to collectively as the "order," regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, to be effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the "act."

Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the close of business of the 10th day after publication thereof in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate. All such communications will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The public hearing, on the record of which the proposed amendment to the order is formulated, was initiated by the Consumer and Marketing Service as a result of proposals submitted by the Texas Valley Citrus Committee, the administrative agency established pursuant to the order. In accordance with the applicable rules of practice and procedure, a notice that such public hearing would be held on March 3, 1966, in the Hidalgo County Courthouse, Edinburg, Tex., was published in the FEDERAL REGISTER (31 F.R. 2552) on February 9, 1966.

Material issues. The material issues presented on the record of the hearing were concerned with amending the order to:

(1) Permit producer members and alternates who change marketing affiliations during their term of office to continue to serve during the remainder of their terms;

(2) Authorize any producer or handler alternate member as being eligible to serve at committee meetings in place of any member of the same classification (producer or handler) when neither the member nor his alternate can attend;

(3) Revise the provisions of the order with respect to research and development projects to authorize paid advertising of Texas oranges and grapefruit; and

(4) Make conforming changes.

Findings and conclusions. The following findings and conclusions on the material issues are based upon evidence adduced at the hearing and the record thereof:

(1) The order should be amended as hereinafter set forth to permit each producer member or producer alternate member who changes his marketing affiliation during his term of office to continue to serve in such capacity during the remainder of such member or alternate member's term. Presently, the order provides for a committee of nine producer and six handler members. It further provides that two of the producer members shall market their fruit through cooperative marketing organizations and seven of the producer members shall be independent producers. Thus, a producer member who changes his marketing affiliation during his term of office would no longer be eligible to serve on the committee in his appointed capacity. Record evidence shows that in the past producer members of the committee often have changed their marketing affiliations during their terms of office. In some instances, both the member and his alternate have changed their marketing affiliations at about the same time. The resulting ineligibility of such persons to continue to serve on the committee has made it impossible, at times, to maintain the balance between producer and handler representation prescribed in the order. With a 3-year term of office there is a considerably greater likelihood that both the member and alternate member may change their marketing affiliations than if the term of office were for only 1 year. Such shifting of marketing affiliations also could cause problems with respect to committee operations by making it more difficult to obtain a quorum. To prevent, to the greatest extent possible, the possibility of not having a quorum at a committee meeting, and handlers from having a greater voice in the affairs of the committee than is provided in the order, producer members and producer alternate members who change their marketing affiliation should be permitted to serve in the appointed capacity for the remainder of the term of office. It is anticipated that the change in marketing affiliation will not affect the predominant producer interest of growers. It is concluded that the order should be amended to permit producer members and producer alternate members who change marketing affiliations to continue to serve on the committee during the remainder of such term.

(2) When the order was promulgated, the proponents apparently foresaw no problem with respect to either the member or his alternate being unable to attend committee meetings. This has not proven to be the case as there have been meetings of the committee at which neither the member nor his alternate could be present. During such situations, there have been times when (a) the committee could not conduct any business because a quorum was not present, and (b) it would have been better to have had more than the required minimum number of members present to offer suggestions on the matters being considered. It would be desirable to include provisions in the order which would assure, to the extent practicable, having the full 15 votes available for all actions of the committee. This could be accomplished by authorizing the committee members present to designate an alternate member to serve in a member's place when neither the member nor his alternate can be present. The record shows that the committee should choose an alternate from the same district as the absent member if it can do so. Also, independent producer alternate members should serve in the place and stead of independent producer members whenever it is practical to do so. The paramount basis for designation of producer alternate members to serve on the committee should be to assure a quorum or to assure full committee participation on all matters. His marketing affiliation should receive consideration only to the extent that alternate members with the same marketing affiliations should be selected to serve as long as there is a choice. Marketing affiliations should not prevent the designation of an alternate member to serve in order to secure a quorum or bring the committee to full strength. It would not be desirable to authorize the committee to designate an alternate handler member to serve for an absent producer member, nor an alternate producer member to serve for an absent handler member, as such authority might be used to advance the interest of one group over the other. Therefore, the order should be amended, as hereinafter set forth, to authorize the committee to designate alternate member to serve in the place and stead of absent member.

(3) The provisions of the order which authorizes the Texas Valley Citrus Committee to establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of fruit should be amended as hereinafter set forth to include authority for any form of such projects including paid advertising.

Texas was a major producer of citrus fruits prior to 1951, with crops of about 28 million boxes, when a freeze reduced production to practically nothing. Production was being reestablished, and had reached about 8 million boxes in 1962, but another freeze damaged the trees and curtailed production. During this period of short crops, Texas oranges and grapefruit have been absent from many markets and a new generation has grown up which is not familiar with the Texas fruit and its excellent eating quality. The current crops of Texas oranges and grapefruit total about 5 million boxes and production is expected to increase rapidly during the next few years.

Texas oranges and grapefruit are marketed in a highly competitive situation. They must compete for consumers with citrus fruits produced in Florida and California, as well as with synthetic products which have entered the market in volume in recent years with extensive national advertising.

Texas citrus fruits are presently advertised through TexaSweet Citrus Advertising, Inc., a nonprofit corporation. The advertising under this program has been beneficial. However, it has necessarily been limited in recent years because of the short crops and restricted market area. Also, there are areas of weakness. The program is a voluntary one and handlers can participate or not participate as they choose. Assessment has been levied against participating handlers on the basis of the volume of fruit each handled. While participation has been high for a voluntary program, there has been sufficient fluctuations from year to year (92 percent in 1964–65 to 88 percent in 1965–66) to present serious operational problems. Also, the threat of handlers withdrawing their support in order to influence the corporation's activities has limited the effectiveness of the program. Hence, an expanded and more effective advertising program is needed so that the industry may strengthen the competitive position of Texas oranges and grapefruit, expand markets, and enhance returns to growers.

The authority under the order for the establishment of promotional programs for Texas oranges and grapefruit should be broad and flexible. Campaigns to facilitate the reentry of Texas citrus fruits into markets where such fruits formerly were sold in volume would necessarily involve techniques designed to obtain such objective. Stimulation of demand and expansion of sales in areas where such fruits are already being used in volume, and where the objective would be to obtain a quick response, may need to employ different techniques. Thus the committee should have the authority to decide, subject to the approval of the Secretary, the particular types of advertising and publicity projects that should be employed, singly or in combination, to attain its objectives. Such projects should include such promotional techniques as publicity, education, merchandising, dealer service work, and newspaper, radio, television, and magazine advertising as may be necessary considering the circumstances existing during the particular season or anticipated in future seasons.

It was testified at the hearing that it may be desirable to utilize the personnel of TexaSweet Citrus Advertising, Inc., and its identifying mark "TEXASWEET," in the promotional projects established under the order, if it is possible to do so. Such personnel are experienced in the field of advertising and with Texas citrus fruits. "TEXASWEET" has been extensively used to advertise Texas citrus fruits. One of the problems in product advertising is identification of the product with the advertising material presented. It would be a distinct advantage if the order advertising could utilize a well-known and established mark rather than having to start with a new identifying mark or to otherwise build a favorable image for Texas oranges and grapefruit. It was indicated by members of the Board of Directors of TexaSweet Citrus Advertising, Inc., that the Board would be willing to enter into an arrangement with the Administrative Committee to carry out such promotional programs as it may adopt and to assure the committee the exclusive use of "TEXASWEET" so long as an advertising program is maintained under the order. The committee should not be restricted to such course of action, however. It should be free to consult with, and utilize, any persons or agencies that are experienced in the marketing of Texas citrus fruits, or who have specialized knowledge and experience in promotional and advertising programs, so that it may conduct its advertising program in the most advantageous manner possible. The committee should, of course, supervise the performance of any person or agency it may so utilize to assure that the work performed is in accord with the plan of the committee.

Under the present advertising program of TexaSweet Citrus Advertising, Inc., the use of "TEXASWEET" has been limited to certain qualities of citrus fruits. This is in conformity with good advertising and merchandising practices. Demand and repeat sales can be built only if the product identifiable with the advertising is of sufficiently good quality to provide consumer satisfaction. Consequently, so that funds used under the order for promoting Texas oranges and grapefruit may be expended in the most effective manner, authority should be provided in the order for the committee to recommend, and the Secretary to establish, controls on the use by handlers of any identifying mark that may be adopted, including "TEXASWEET" should arrangements be made to use it. Such identifying mark should be available for use by all handlers but, as indicated, only in conformance with such terms and conditions as the committee, with the approval of the Secretary, may prescribe.

The funds to cover the costs of any promotional program, including advertising, should be obtained by levying assessments on shipments of oranges and grapefruit in the same manner that such are levied to finance the administrative and other expenses of the committee. Likewise, the anticipated expenses of advertising and promotion should be included in the budget of expenses submitted to the Secretary for his approval. Such expenses should include costs which may be incurred in the planning and development of the promotional program, including the costs of any consulting services necessary. While the program should be submitted to the Secretary for his approval in the form of a project, it is recognized that considerable study and planning are involved in the development of such a project, hence the incurring of expenses in connection with such development should be authorized on the basis of budgetary approval prior to the time such project is submitted.

The inclusion of authority to engage in advertising should not lessen the need for other forms of research projects designed to assist, improve, or promote the marketing, distribution, or consumption of fruit. Rather, the inclusion of advertising could open up areas where research would be needed. For example, the committee may want to institute a research project to evaluate the effects of advertising and the order should contain such authority. As the costs of any effective advertising program for Texas oranges and grapefruit obviously would exceed 25 percent of the committee's total expenses, this limitation on expenditures for marketing research and development projects should be deleted from the order provisions.

(4) The order should be amended as hereinafter set forth to bring the language of § 906.35(b) into conformity with the intended use of the reserve funds, should the advertising provisions become a part of the order. As the order is presently written, there are only four authorized uses for which reserve funds may be expended. As previously stated, the conduct of an effective advertising program requires planning well in advance of launching the program. In reconciling some of these necessary expenses, it appears that it may not be readily ascertained into which, if any, of the listed categories an item of advertising expense would fall. Thus, some question may arise as to whether such funds from the reserve could be used to defray such expense. To not use reserve funds might necessitate a different system of accounting or a separate accounting for reserve funds. Record evidence supports one budget, one reserve, and one accounting. Therefore, the order should be amended, as hereinafter set forth, to authorize the use of reserve funds for any expenses authorized pursuant to the order and for expenses of liquidation in case of termination of the order.

Rulings on proposed findings and conclusions. March 10, 1966, was set by the presiding officer at the hearing as the latest date by which briefs would have to be filed by interested parties with respect to facts presented in evidence at the hearing and the conclusions which should be drawn therefrom. Within the prescribed time, a brief was filed jointly by Frank Gross, Manager, Texas Valley Citrus Committee, Jay Bogue, Manager, Texas Citrus Mutual, Sid L. Hardin, Attorney, TexaSweet Citrus Advertising, Inc., and Sid L. Hardin, Attorney, TexaSweet Citrus, Inc. Each point in the brief was carefully considered, along with the evidence in the record, in making the findings and reaching the conclusions herein set forth. To the extent that any suggested findings or conclusions contained in the brief is inconsistent with the findings and conclusions contained herein, they are denied on the basis of the facts found and stated in connection with this decision.

General findings. (1) The marketing agreement and order as hereby proposed to be amended, and all the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The marketing agreement and order as hereby proposed to be amended

regulate the handling of oranges and grapefruit grown in the production area in the same manner as, and are applicable only to persons in the respective classes of commercial or industrial activity specified in, the marketing agreement and order upon which a hearing has been held;

(3) The marketing agreement and order, as hereby proposed to be amended, are limited in application to the smallest regional production area which is practicable consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of oranges and grapefruit grown in the production area which make necessary different terms applicable to different parts of such area; and

(5) All handling of oranges and grapefruit grown in the production area, as defined in the marketing agreement and order, as hereby proposed to be amended, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

Recommended amendment of the marketing agreement and order. The following amendment of the marketing agreement and order is recommended as the detailed means by which the aforesaid conclusions may be carried out:

§ 906.19 [Amended]

1. Paragraph (b) of § 906.19 is amended by adding a sentence at the end thereof as follows: "Should a producer member or alternate member change his marketing affiliation during his term of office, he may continue to serve in such capacity during the remainder of such term."

2. The provisions of § 906.27 are amended to read as follows:

§ 906.27 Alternate members.

An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate, during such member's absence or when designated to do so by the member for whom he is an alternate. In the event both a member and his alternate are unable to attend a committee meeting, the committee members present may designate another alternate of the same classification (handler or producer, and to the exent practical, independent, or co-op) to serve in such member's place and stead. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor of such member is selected and has qualified.

3. Paragraph (a)(2) of § 906.35 is amended to read as follows:

§ 906.35 Accounting.

(a) • • •

(2) The committee, with the approval of the Secretary may carry over such excess into subsequent fiscal periods as a reserve: *Provided*, That funds already in the reserve do not equal approximately 1 fiscal period's expenses. Such reserve funds may be used for any expenses authorized pursuant to § 906.32 and for necessary expenses of liquidation in the event of termination of this part. Upon such termination, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate. To the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

• • • • •

4. The provisions of § 906.37 are amended to read as follows:

§ 906.37 Research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects, including paid advertising, designed to assist, improve, or promote the marketing, distribution, and consumption of fruit. Any such project for the promotion and advertising of fruit may utilize an identifying mark which shall be made available for use by all handlers in accordance with such terms and conditions as the committee, with the approval of the Secretary, may prescribe. The expenses of such projects shall be paid from funds collected pursuant to § 906.34.

Dated: May 18, 1966.

S. R. SMITH,
Administrator.

[F. R. Doc. 66-5640; Filed, May 23, 1966; 8:48 a.m.]

[7 CFR Part 911]

LIMES GROWN IN FLORIDA

Approval of Expenses and Fixing of Rate of Assessment for 1966-67 Fiscal Year

Consideration is being given to the following proposals submitted by the Florida Lime Administrative Committee, established under the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof: (1) That expenses that are reasonable and likely to be incurred by the Florida Lime Administrative Committee, during the period from April 1, 1966, through March 31, 1967, will amount to $9,676; and (2) that there be fixed, at $0.025 per bushel of limes, the rate of assessment payable by each handler in accordance with § 911.41 of the aforesaid marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: May 19, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5683; Filed, May 23, 1966; 8:52 a.m.]

[7 CFR Part 916]

NECTARINES GROWN IN CALIFORNIA

Approval of Expenses and Fixing of Rate of Assessment for 1966-67 Fiscal Period and Carryover of Unexpended Funds

Consideration is being given to the following proposals submitted by the Nectarine Administrative Committee, established under the marketing agreement and Order No. 916 (7 CFR Part 916), regulating the handling of nectarines grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof: (1) That expenses that are reasonable and likely to be incurred by the Nectarine Administrative Committee, during the period from March 1, 1966, through February 28, 1967, will amount to $183,581; (2) that the rate of assessment for such period, payable by each handler in accordance with § 916.41 be fixed at $0.03 per standard lug box, or equivalent quantity of nectarines in other containers or in bulk; and (3) that unexpended assessment funds in excess of expenses incurred during the fiscal period ending February 28, 1967, be carried over as a reserve in accordance with § 916.42 of the said marketing agreement and order.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order, and "standard lug box" shall mean the No. 26 standard lug box set forth in section 828.4 of the Agricultural Code of California.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: May 19, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5684; Filed, May 23, 1966; 8:52 a.m.]

[7 CFR Part 1041]

[Docket No. AO-72-A28]

MILK IN NORTHWESTERN OHIO MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Holiday Inn, Route 120 at Ohio Turnpike Exit 5, Stony Ridge, Ohio, beginning at 9:30 a.m. l.t., on June 1, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Northwestern Ohio marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order. The proposed amendments relate to the current Class I price provisions of the order which expire on June 30, 1966.

Proposals to amend various other provisions of the order have been received, and an invitation has been extended to interested parties to submit additional proposals. All such additional proposals received on or before May 27, 1966, will be considered at a later hearing to be announced. However, since the Class I price provision expires June 30, 1966, it is necessary to give earlier consideration to the proposals listed below.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Northwestern Cooperative Sales Association, Inc.:

Proposal No. 1. Review the Class I prices in § 1041.51 to set the appropriate level after June 30, 1966.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 2. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be obtained from the Market Administrator, Fred W. Issler, 312 Davis Building, 151 Michigan Street, Toledo, Ohio, 43624, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250 or may be there inspected.

Signed at Washington, D.C., on May 18, 1966.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 66-5641; Filed, May 23, 1966; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7384]

AIRWORTHINESS DIRECTIVES

Pratt & Whitney Model JT3C-7 and JT3C-12 Turbojet Engines

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Pratt & Whitney Model JT3C-7 and JT3C-12 turbojet engines. There have been instances of axial cracking in the first, fifth, and sixth stage compressor rotor spacer assemblies. Moreover, engine testing has indicated a significant reduction in the stress levels of new compressor rotor spacer assemblies developed by the manufacturer. Therefore, it is proposed to require that old design compressor rotor spacer assemblies be replaced with these new assemblies.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before June 23, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

PRATT & WHITNEY. Applies to Model JT3C-7 and JT3C-12 turbojet engines.

Within the next 6,000 hours' time in service after the effective date of this AD or at the next compressor disassembly, whichever occurs first, unless already accomplished, replace the first, fifth and sixth stage compressor rotor disc spacer assemblies, P/N's 359410, 359414, and 359415, with spacer assemblies, P/N's 460559, 460604, and 460606, respectively.

(Pratt & Whitney Aircraft Turbojet Engine Service Bulletin No. 689, Revision No. 3, dated November 16, 1964, pertains to this subject.

Issued in Washington, D.C., on May 18, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-5605; Filed, May 23, 1966; 8:45 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 523]

[No. 19,906]

FEDERAL HOME LOAN BANK SYSTEM

Holdings of U.S. Cash and Obligations by Members; Withdrawal of Proposed Rule

MAY 18, 1966.

Whereas, by Resolution No. 19,391, dated September 8, 1965, and duly published in the FEDERAL REGISTER on September 18, 1965 (30 F.R. 11973), this Board resolved, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) to propose that § 523.12 of the Regulations for the Federal Home Loan Bank System be amended by an amendment the substance of which was set out in said publication, and

Whereas, careful consideration has been given to such proposed amendment;

It is hereby resolved, that this Board hereby determines not to adopt the amendment proposed by said Resolution No. 19,391.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-5650; Filed, May 23, 1966; 8:49 a.m.]

[12 CFR Part 525]

[No. 19,907]

FEDERAL HOME LOAN BANK SYSTEM

Limitations on Advances; Withdrawal of Proposed Rule

MAY 18, 1966.

Whereas, by Resolution No. 19,392, dated September 8, 1965, and duly published in the FEDERAL REGISTER on September 18, 1965 (30 F.R. 11973), this Board resolved, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) to propose that § 525.1 of the Regulations for the Federal Home Loan Bank System be amended by an amendment the substance of which was set out in said publication, and

Whereas, careful consideration has been given to such proposed amendment;

It is hereby resolved, that this Board hereby determines not to adopt the amendment proposed by said Resolution No. 19,392.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-5651; Filed, May 23, 1966; 8:49 a.m.]

[12 CFR Part 563]

[No. FSLIC-2,571]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Loans to One Borrower; Withdrawal of Proposed Rule

MAY 18, 1966.

Whereas, by Resolution No. FSLIC-2,184, dated June 29, 1965, and duly published in the FEDERAL REGISTER on July 3, 1965 (30 F.R. 8543), this Board resolved, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 567.1 of the Rules and Regulations for Insurance of Accounts (12 CFR 567.1), to propose that § 563.9-3 of the Rules and Regulations for Insurance of Accounts (12 CFR 563.9-3) be amended by an amendment the substance of which was set out in said publication, and

Whereas, careful consideration has been given to such proposed amendment;

It is hereby resolved, that this Board hereby determines not to adopt the amendment proposed by said Resolution No. FSLIC-2,184.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-5652; Filed, May 23, 1966; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 34-7889]

FEES FOR BROKERS AND DEALERS NOT MEMBERS OF NATIONAL SECURITIES ASSOCIATION

Revised Notice of Proposed Rule Making

Correction

In F.R. 66-5455 appearing in the issue for Thursday, May 19, 1966, at page 7289 the section number for the proposed section to Part 240 should read "§ 240.-15b8-2" instead of "§ 240.15b-2".

Notices

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

STATEMENT OF ORGANIZATION

Miscellaneous Amendments

The Statement of Organization for the Office of Foreign Assets Control filed on March 16, 1964, pursuant to the Administrative Procedure Act is being amended to reflect the transfer to it from the Office of Alien Property, Department of Justice, of jurisdiction with respect to property remaining frozen under World War II blocking controls and with respect to certain scheduled securities. As amended the Statement reads:

STATEMENT OF ORGANIZATION

OFFICE OF FOREIGN ASSETS CONTROL

The Office of Foreign Assets Control is established under Treasury Department Order No. 128 of December 14, 1950, as amended on October 15, 1962. The Office of Foreign Assets Control is headed by a Director who reports to the Assistant Secretary for International Affairs through the Assistant to the Secretary (National Security Affairs).

The Office administers controls over the assets in the United States of, and financial transactions by, China (except Formosa), North Korea, North Vietnam, Cuba, and their nationals for the purpose of preventing transactions which would be inimical to the interests of the United States. Controls are also administered over the assets remaining blocked under World War II controls of Czechoslovakia, Hungary, East Germany, Estonia, Latvia, Lithuania, and their nationals, and also with respect to certain scheduled securities. The controls are administered through a system of licenses, rulings and other documents (see 31 CFR Chapter V) pursuant to powers of the President under section 5(b) of the Trading With the Enemy Act, as amended, and any proclamations, orders, regulations or rulings that have been or may be issued thereunder. The Office of Foreign Assets Control is represented in the field by the Federal Reserve Bank of New York.

The Director of the Office of Foreign Assets Control has been delegated by the Secretary of the Treasury power to exercise and perform all authority, duties and functions which the Secretary is authorized or required to exercise or perform under sections 3 and 5(b) of the Trading With the Enemy Act, as amended, and any proclamations, orders, regulations, or rulings that have been or may be issued thereunder.

Authority to take final licensing action on certain applications for specific licenses authorizing certain types of transactions prohibited by the regulations is delegated to the Federal Reserve Bank of New York, subject to policies and procedures prescribed by the Office of Foreign Assets Control.

The public may in general secure any information or make submittals, requests or petitions with respect to any Office of Foreign Assets Control matters by communicating through correspondence or telephone or by coming in person or sending a representative, either to the central office in Washington or to the Federal Reserve Bank of New York.

Correspondence with the central office should be directed to "Foreign Assets Control, U.S. Treasury Department, Washington, D.C., 20220." Personal inquiries to the central office should be made to the Main Treasury Building, Washington, D.C., 20220. All correspondence or inquiries to the Federal Reserve Bank of New York should be addressed as follows: Foreign Assets Control Division, Federal Reserve Bank of New York, 33 Liberty Street, New York, N.Y., 10045.

[SEAL] MARGARET W. SCHWARTZ, *Director, Office of Foreign Assets Control.*

[F.R. Doc. 66-5648; Filed, May 23, 1966; 8:49 a.m.]

Office of the Secretary

[Antidumping—AC 643.3-b]

STEEL JACKS FROM CANADA

Determination of Sales at Less Than Fair Value

MAY 17, 1966.

On January 5, 1966, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that steel jacks imported from Canada, manufactured by J. C. Hallman Manufacturing Co., Ltd., Waterloo, Ontario, Canada, are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The merchandise under consideration consists of heavy-duty steel jacks, from 36 inches to 64 inches high. They are hand-operated mechanisms for lifting cars, trucks, tractors, etc.

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until February 4, 1966, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

After consideration of all comments received, I hereby determine that for the reasons stated in the tentative determination steel jacks imported from Canada, manufactured by J. C. Hallman Manufacturing Co., Ltd., Kitchener (formerly Waterloo), Ontario, Canada, are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] TRUE DAVIS, *Assistant Secretary of the Treasury.*

[F.R. Doc. 66-5649; Filed, May 23, 1966; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

WILLIAM ANGUS DAVIS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of May 6, 1966.

Dated: May 6, 1966.

WILLIAM ANGUS DAVIS.

[F.R. Doc. 66-5620; Filed, May 23, 1966; 8:46 a.m.]

FRANKLIN STUART FEHR

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of May 5, 1966.

Dated: May 5, 1966.

F. STUART FEHR.

[F.R. Doc. 66-5621; Filed, May 23, 1966; 8:46 a.m.]

MARVIN FRANCIS PERSONS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of May 4, 1966.

Dated: May 4, 1966.

MARVIN F. PERSONS.

[F.R. Doc. 66-5622; Filed, May 23, 1966; 8:46 a.m.]

WILLIAM C. PORTER, JR.

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) Montana Power Co.; Black Hills Power & Light Co.; Public Service Co. of Colorado; Pacific Power & Light Co.
(3) No change.
(4) No change.

This statement is made as of May 5, 1966.

Dated: May 5, 1966.

W. C. PORTER, Jr.

[F.R. Doc. 66-5623; Filed, May 23, 1966; 8:47 a.m.]

GEORGE LESTER WILKINS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of May 9, 1966.

Dated: May 9, 1966.

GEO. L. WILKINS.

[F.R. Doc. 66-5624; Filed, May 23, 1966; 8:47 a.m.]

SETH N. WITTS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) (a) Deletions: None.
(b) Additions: Chemetron Corp.; Deluxe Check Printers; Harley Davidson Motor Co.; North American Van Lines.
(3) No change.
(4) No change.

This statement is made as of May 16, 1966.

Dated: May 16, 1966.

SETH N. WITTS.

[F.R. Doc. 66-5625; Filed, May 23, 1966; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17037]

AIR EXPRESS CHARGE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled proceeding is assigned to be held on June 3, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Milton H. Shapiro.

Dated at Washington, D.C., May 18, 1966.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 66-5654; Filed, May 23, 1966; 8:49 a.m.]

[Docket 16764 etc.]

PANAGRA ACQUISITION CASE

Notice of Hearing

Notice is hereby given, pursuant to provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on June 6, 1966, at 10 a.m., e.d.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., May 17, 1966.

[SEAL] THOMAS L. WRENN, *Associate Chief Examiner.*

[F.R. Doc. 66-5655; Filed, May 23, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16648; FCC 66-439]

ALLEGED VIOLATIONS

Supplemental Order Regarding Inquiry

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 18th day of May 1966;

By its order dated November 25, 1964 (FCC 64-1101, 29 F.R. 16220), the Commission instituted an inquiry to determine whether broadcast licensees, their employees or others have violated or are violating sections 317 and 508 of the Communications Act of 1934, as amended, and the rules thereunder, and to determine the policies and practices of broadcast licensees, their employees and others with respect to "payola," "plugola," and other hidden radio and television advertising practices.

1. *Now, therefore, it is ordered,* Pursuant to section 5(d)(1) of the Communications Act, that for the purposes of this inquiry the Chief Hearing Examiner of the Commission (or a Hearing Examiner designated by him) is hereby designated to preside at portions of our inquiry to be held in such places as are deemed necessary for the further conduct of the inquiry, and is authorized and empowered where necessary to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require by subpoena the productions of books, papers, correspondence, memoranda, and other records deemed relevant to the inquiry, and to perform other duties in connection therewith as authorized by law. He is specifically authorized to require witnesses to testify and produce evidence under authority of, and in the manner provided for in, section 409(1) of the Communications Act, when requested to do so by Commission counsel.

2. *It is further ordered,* That the subpoena powers delegated to the Chief Hearing Examiner by this order shall be exercised in accordance with §§ 1.331-1.340 of the Commission's rules and regulations. Motions to quash or limit the subpoena should be directed to the Chief Hearing Examiner (or a Hearing Examiner designated by him) in accordance with § 1.334 of the rules and regulations. As specified in the original Order of Inquiry, applications for review of the Chief Hearing Examiner's rulings on such motions may be filed with the Commission within ten (10) days after the issuance by the Chief Hearing Examiner of such rulings.

3. *It is further ordered,* That the provisions of § 1.27 of the Commission's rules and regulations shall apply and govern with respect to the production by witnesses of oral and documentary evidence under subpoena issued hereunder.

4. *It is further ordered,* That as stated in the Commission's original order of November 25, 1964, instituting this inquiry, the inquiry shall be a nonpublic proceeding unless and until the Commission shall order public sessions, where and to the extent that it shall determine that the public interest will be served thereby.

5. *It is further ordered,* That upon conclusion of the inquiry ordered herein, the Chief Hearing Examiner shall certify the record to the Commission for appropriate action.

Released: May 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5672; Filed, May 23, 1966; 8:51 a.m.]

[FCC 66-444]

STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

MAY 19, 1966.

Notice is hereby given that on June 30, 1966, the following application will be considered as ready and available for processing:

KBRV, Soda Springs, Idaho.
James C. Wallentine.
Has: 540kc, 500w, Day.
Req: 790kc, 5kw, Day.

Pursuant to §§ 1.227(b)(1) and 1.591(b) of the Commission's rules, an application in order to be considered with this application or with any other application on file by the close of business on June 29, 1966, which involves a conflict necessitating a hearing with this application, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on June 29, 1966; (b) the earlier effective cutoff date which this application or any other conflicting application may have by virtue of conflicts necessitating a hearing with the applications appearing on previous lists.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: May 18, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5673; Filed, May 23, 1966; 8:51 a.m.]

[1] Commissioner Wadsworth absent.

[Docket Nos. 16290, 16291; FCC 66M-706]

WMGS, INC., AND OHIO RADIO, INC.

Order Continuing Hearing Conference

In re applications of WMGS, INC. (WMGS), Bowling Green, Ohio, Docket No. 16290, File No. BR-3097; for renewal of license, and Ohio Radio, Inc., Bowling Green, Ohio, Docket No. 16291, File No. BP-16423; for construction permit.

The Hearing Examiner having under consideration verbal request of this date by counsel for WMGS, Inc. (WMGS), that the hearing conference now scheduled for May 26 be continued to June 27, 1966;

It appearing, that good cause exists why said request should be granted and there is no opposition thereto;

Accordingly, it is ordered, This 18th day of May 1966, that the request is granted and the hearing conference now scheduled for May 26 be and the same is hereby continued to June 27, 1966, 10 a.m., in the Commission's Offices, Washington, D.C.

Released: May 18, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5674; Filed, May 23, 1966; 8:51 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 66-33; Agreement 8005-4]

NEW YORK TERMINAL CONFERENCE

Order of Investigation and Hearing Regarding Modification of Agreement

On February 12, 1964, the members of the New York Terminal Conference filed Agreement No. 8005-4 for approval by the Commission pursuant to section 15 of the Shipping Act, 1916. The New York Terminal Conference consists of various marine terminal operators and common carriers by water, engaged in loading and unloading waterborne freight onto or from vehicles at marine terminals and furnishing other marine terminal facilities and services in the Port of Greater New York and vicinity. The Conference operates pursuant to Agreement No. 8005, as amended, which authorizes its members jointly to establish and maintain rates, rules and regulations applicable to truck loading and unloading at piers in New York Harbor and vicinity and to fix free time and demurrage rates and practices in trades not otherwise covered by an approved section 15 carrier agreement.

Agreement No. 8005-4 modifies the basic agreement by providing for the following:

1. Clarification of the Conference's rate-making authority for loading and unloading lighters;

2. Rate-making authority covering free time and demurrage on export cargo;

3. A change in language with respect to free time and demurrage on import cargo;

4. Rate-making authority for sorting import cargo; and

5. Preservation of the right of any member to charge rates different than those in the conference tariffs (except the truck loading and unloading tariff).

Protests against approval of certain provisions of the agreement have been filed with the Commission by the New York Committee of Inward Far East Lines[1] and the Port of New York Authority. These protests as well as other circumstances mentioned below raise questions of violations of sections 15, 16, and 17 of the Shipping Act, 1916.

The subject matter involved in the first modification was considered by the Commission in Docket No. 1153—Truck and Lighter Loading and Unloading Practices at New York Harbor, decision served May 16, 1966.

The second modification would permit the conference to establish free time and demurrage rates and regulations on export cargo at New York Harbor. At present certain outbound cargoes are allowed to remain on the piers for extended periods of time prior to export shipment without charge. This is generally known as the "hold-on-dock" practice. Information before the Commission indicates that such a practice may be unjustly discriminatory and conducive to pier congestion. The proposed modification is apparently designed to alleviate this situation. Approval of this modification, however, has been protested by the New York Committee of Inward Far East Lines and the Port of New York Authority. The former protestant contends that the control of free time and demurrage practices by the Conference may give rise to unfair competitive practices. The latter protestant contends that the demurrage concept does not properly apply to export cargo.

The third modification would authorize the Terminal Conference to publish free time and demurrage rates on inbound cargo except at waterfront terminals included in free-time tariffs issued by carrier conferences on file with the Commission. This modification was protested by the New York Committee of Inward Far East Lines on grounds that the publication of a terminal tariff which is not based upon trade area would cause unnecessary confusion with carrier tariffs which presently provide for free time and demurrage on inbound cargo based upon trade area.

The fourth modification would give the Conference authority to institute a charge for a sorting service for which the members of the Conference do not presently assess a specific charge, which

[1] The Committee is a group of carriers serving various inbound trades from the Orient naming free time and demurrage on inbound cargo at New York Harbor operating under authority of FMC Agreement No. 8015.

service is provided for the convenience of consignees or their agents. Such authority would apparently enable the terminal operators to estimate their costs and apply a charge against the person receiving the benefit of the service which presently they are unable to do. However, the New York Committee of Inward Far East Lines has protested approval of this modification on grounds that such a charge should be controlled or regulated by carriers and not terminal operators.

The fifth modification would permit any member of the New York Terminal Conference to charge rates other than those in the applicable Conference tariff, except with respect to truck loading and unloading. No protests were directed at this modification. However, there is some question as to whether it is proper for a Conference member to charge other than Conference rates unless the member issues a tariff of its own or the Conference tariff indicates what rate the member is charging. The present modification does not require a member to publish a tariff if it deviates from Conference rates nor does it require that the Conference tariff denote deviant rates of members.

Section 15 of the Shipping Act, 1916, requires that we disapprove, cancel, or modify the above modifications after notice and hearing, if we find them to be unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports or between exporters from the United States and their foreign competitors, or to operate to the detriment of the commerce of the United States, or to be contrary to the public interest, or to be in violation of the Shipping Act.

Section 16 First of the Act makes it unlawful for any common carrier by water, or other person subject to the Act, either alone or in conjunction with any other particular person, locality, or description of traffic in any respect whatsoever, or to subject any particular person, locality, or description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Section 17 of the Act requires that every common carrier by water in our foreign commerce and every other person subject to the Act shall establish, observe, and enforce just and reasonable regulations and practices relating to or connected with the receiving, handling, storing, or delivering of property and authorizes the Commission to determine, prescribe, and order enforced a just and reasonable regulation and practice where circumstances so warrant.

The protests and other considerations discussed above raised questions as to the approvability of the proposed modifications in view of the recited provisions of sections 15, 16 First, and 17. Upon consideration of this situation, the Commission is of the opinion that an investigation should be undertaken to determine whether Agreement 8005–4 may be violative of sections 15, 16 First, or 17 of the Shipping Act as more fully set forth hereinafter.

Therefore, it is ordered, Pursuant to sections 15, 16 First, 17, and 22 of the Shipping Act, 1916, that the Commission, upon its own motion, enter upon an investigation to determine:

1. Whether any or all the modifications proposed in Agreement 8005–4 except the first relating to loading and unloading lighters should be disapproved or modified for failure to comport with the standards enunciated in section 15;

2. Whether the second, third, or fourth proposed modifications relating to free time and demurrage on export and import cargo and sorting of inbound cargo would if implemented subject any particular person, locality, or description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever, in violation of section 16 First;

3. Whether the second, third, or fourth modifications would if implemented establish unjust and unreasonable regulations and practices relating to or connected with the receiving, handling, storing, or delivery of property, contrary to section 17; and

4. Whether the fifth proposed modification relating to independent rate-fixing without tariff publication by the Terminal Conference or the individual member concerned of rates so fixed if implemented would establish unjust and unreasonable regulations and practices relating to or connected with the receiving, handling, storing, or delivery of property, contrary to section 17;

It is further ordered, That the New York Terminal Conference Agreement No. 8005 and its members shown in Appendix A set forth below, be named as respondents in this proceeding, and that the New York Committee of Inward Far East Lines, FMC Agreement No. 6015 and its members, and the Port of New York Authority be designated as "petitioners" in accordance with the Commission's Rule 3(a), 46 CFR 502.41;

It is further ordered, That this proceeding be assigned for public hearing before an examiner of the Commission's Office of Hearing Examiners and that the hearing be held at a date and place to be determined and announced by the presiding examiner;

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon all parties herein named; and

It is further ordered, That any person, other than the parties designated above who desires to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, in accordance with the Commission's Rule 5(1), 46 CFR 502.72, with copy to respondents.

And it is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Special Assistant to the Secretary.

APPENDIX A

New York Terminal Conference, Joseph A. Byrne, Counsel, 17 Battery Place, New York, N.Y., 10004.
American Export Isbrandtsen Lines Inc., 26 Broadway, New York, N.Y., 10004.
American Stevedores, Inc., 67 Broad Street, New York, N.Y., 10004.
Bay Ridge Operating Co., Inc., 34 Whitehall Street, New York, N.Y., 10004.
Compania Sud-Americana De Vapores (Chilean Line), 29 Broadway, New York, N.Y., 10006.
Grace Line, Inc., 3 Hanover Square, New York, N.Y., 10004.
International Terminal Operating Co., Inc., 2 Broadway, New York, N.Y., 10004.
Maher Stevedoring Co., Inc., 80 Broad Street, New York, N.Y., 10004.
Marra Bros., Inc., 725 Court Street, Brooklyn, N.Y., 10004.
Maude/James Inc., 185 Montague, Brooklyn, N.Y., 10004.
Morace Stevedoring Corp., 17 State Street, New York, N.Y., 10004.
John W. McGrath Corp., 39 Broadway, New York, N.Y., 10004.
Nacirema Operating Co., Inc., 21 West Street, New York, N.Y., 10006.
Northeast Marine Terminal Co., Inc., 17 Battery Place, New York, N.Y., 10004.
Norwegian America Line, 24 State Street, New York, N.Y., 10004.
Pioneer Terminal Corp., 17 Battery Place, New York, N.Y., 10004.
Pittston Stevedoring Corp., 17 Battery Place, New York, N.Y., 10004.
Reliable Marine Service Co., Inc., 11 Atlantic Basin, Brooklyn, N.Y., 11224.
United Port Service Co., The, 26 Beaver Street, New York, N.Y., 10004.
Universal Terminal & Stevedoring Corp., 24 State Street, New York, N.Y., 10004.

[F.R. Doc. 66–5675; Filed, May 23, 1966; 8:51 a.m.]

ALLTRANSPORT, INC., ET AL.

Notice of Agreements Filed for Approval and Agreement Subject to Cancellation

Notice is hereby given that the following freight forwarder cooperative working agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other. Forwarding and service fees are to be agreed upon on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

Alltransport, Inc., Chicago, Ill., and Foreign Forwarding of Milwaukee, Milwaukee, Wis. — FF–2973
Advance Shipping Co., Inc., New York, N.Y., and General Foreign Freight Forwarders, Norfolk, Va. — FF–2974
A. V. Berner & Co., Inc., New York, N.Y., and George W. Wise, Jr., Savannah, Ga. — FF–2975
Trans World Shipping Corp., New York, N.Y., and Fillette, Green & Co. of Tampa, Tampa, Fla. — FF–2976
R. F. Downing & Co., Inc., New York, N.Y., and Gallagher & Ascher Co., Chicago, Ill. — FF–2977
Samuel Shapiro & Co., Inc., Baltimore, Md., and Alro Forwarding Co., Ltd., New York, N.Y. — FF–2978
J. S. Lipinski & Co., Toledo, Ohio, and L. Grodwohl & Son, New York, N.Y. — FF–2980
Samuel Shapiro & Co., Inc., Baltimore, Md., and Interamerican Forwarding Corp., Los Angeles, Calif. — FF–2981
Loretz & Co., Los Angeles, Calif. (Branches), and Traffic Dynamics, Inc., McKees, Pa. — FF–2982
Fred P. Gaskell Co., Inc., Norfolk, Va., and Tomas Shipping Co., Inc., New York, N.Y. — FF–2983
Bemo Shipping Co., New York, N.Y., and Gladish & Associates, Seattle, Wash. — FF–2984
Seaway Forwarding Co., Cleveland, Ohio, and Nordisk Transport, Inc., New York, N.Y. — FF–2985
Coastal Forwarders, Charleston, S.C., and Judson Sheldon International Corp., New York, N.Y. — FF–2986
J. K. Ebberwein, Savannah, Ga., and Judson Sheldon International Corp., New York, N.Y. — FF–2987
Wilson's American Co., Inc., New York, N.Y., and Judson Sheldon International Corp., New York, N.Y. — FF–2988
Seaway Forwarding Co., Cleveland, Ohio, and F. X. Coughlin Co., Detroit, Mich. — FF–2989
Natural, Nydegger Transport Corp., New York, N.Y., and the J. D. Richardson Co., Detroit, Mich. — FF–2991
Block Overseas Shipping Co., New York, N.Y., and M. G. Otero Co., Los Angeles, Calif. — FF–2992
J. S. Lipinski & Co., Toledo, Ohio, and Francesco Parisi International Transports (U.S.A.) New York, N.Y. — FF–2993
Nordstrom Freighting Corp., New York, N.Y., and H. S. Thielen, Inc., Lake Charles, La. — FF–2994
N.E.W.S. Shipping Co., New York, N.Y., and F. X. Coughlin Co., Detroit, Mich. — FF–2995
Nordstrom Freighting Corp., New York, N.Y., and Ray C. Fischer Co., Inc., Milwaukee, Wis. — FF–2996
Chas. Kurz Co., Philadelphia, Pa., and Rex & Reynolds Co., Inc., New York, N.Y. — FF–2997
Chas. Kurz Co., Philadelphia Pa., and Transandina (N.Y.) Forwarding Corp., New York, N.Y. — FF–2998
Seaway Forwarding Co., Cleveland, Ohio, and Fred P. Gaskell Co., Inc., New York, N.Y. (Branches) — FF–2999
Advance Shipping Co., Inc., New York, N.Y., and Henry A. Wess, Inc., Cincinnati, Ohio. — FF–3001
Almac Shipping Co., Inc., New York, N.Y., and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La. — FF–3002
Cobal International, Inc., New York, N.Y., and Henry E. Sullivan, Jr., Jacksonville, Fla. — FF–3003

Agreement No. FF–2964 between Penson Forwarding Corp., New York, N.Y. (Branches), and Seaway Forwarding Co., Cleveland, Ohio, is a cooperative working agreement whereunder the fee for forwarding services rendered by either party shall be agreed upon by the parties upon the basis of the services performed on each shipment. Compensation received from ocean carriers shall be divided by the parties in the following manner: 50 percent to Seaway Forwarding Co. and 50 percent to Penson Forwarding Corp. Any domestic/overseas ocean freight traffic which has been originated by PFC will be handled by Seaway in the name of PFC. At the option of Seaway it may use the name of PFC, New York or PFC, Chicago. Seaway will cause the names of Penson & Co. and PFC to be shown on the doors of the city and airport offices of Seaway. Seaway will also cause the names of Penson & Co. and PFC to be registered with the postal authorities and cable and telegraph companies, and will register the cable address "CLEPENSON", Cleveland. Seaway will arrange for a separate telephone number for PFC if it is the practice of the switchboard operators of Seaway to answer incoming calls in the name of Seaway. Walter W. Zachman is designated as the General Manager of PFC in connection with the Ohio operations.

Agreement No. FF–2979 between Sunshine Forwarders, Inc., Jacksonville, Fla., and Almac Shipping Co., Inc., New York, N.Y., is a cooperative working arrangement whereunder forwarding and service fees are to be as follows:

Bermuda & Nassau: $2.50

All other countries:

To pass completed export declarations	$1.25
To pass completed bills of lading	1.25
To prepare or complete and pass export declarations	2.50
To prepare or complete and pass bills of lading	2.50
Preparation of Consul documents	5.00
Consular documents (at cost)	
Telephone calls, teletypes or telegrams (at cost)	

Ocean freight brokerage is to be divided equally on a 50/50 basis between both parties. This division of brokerage will be restricted to those shipments handled on behalf of each other.

Agreement No. FF–2990 between Export Enterprises, Inc., Phila., Pa., and Behring-South Ports Shipping, Inc., Houston, Tex., is a cooperative working arrangement whereunder the basic fee for passing shipper's export declaration will be $5.00 each. Other forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services rendered or to be performed. Ocean freight compensation is to be shared as agreed.

Agreement No. FF–3000 between Doranco, Inc., Long Beach, Calif., and Universal Transport Corp., New York, N.Y., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. It is understood that the ocean freight brokerage shall be retained by the party arranging booking agreement with the carrier.

Agreement No. FF–3004 between Peter A. Bernacki, Inc., Phila., Pa. (Branch), and M. G. Maher & Co., Inc., Houston, Tex., is a cooperative working arrangement whereunder forwarding and service fees will be $7.50+50 percent of the brokerage on each shipment. Party (b) M. G. Maher & Co., Inc. has agreed to prepare all export documentation necessary to expedite the movement of the shipments. Party (a) Peter A. Bernacki, Inc., will furnish Party (b) with the necessary information to prepare the export documentation.

Agreement No. FF–2844–1, between Penson Forwarding Corp., New York, N.Y., and Wm. R. Rowe Co., San Francisco, Calif., modifies approved Agreement FF–2844 between the parties which covers an agreement whereby any domestic/overseas ocean freight traffic which has been originated by PFC will be handled by Rowe in the name of PFC. At the option of Rowe it may use the name of PFC, New York or PFC, Chicago. Rowe will cause the name of Penson & Co. and PFC to be shown on the doors of the city and airport offices of Rowe. Rowe will also cause the names of Penson & Co. and PFC to be registered with the postal authorities and cable and telegraph companies, and will register the cable address "SANPENSON", San Francisco. Rowe will arrange for a separate telephone number for PFC if is the practice of the switchboard operators of Rowe to answer incoming calls in the name of Rowe. William R. Rowe is designated as the General Manager of PFC in connection with the San Francisco operations.

Agreement No. FF–3005 between Penson Forwarding Corp., New York, N.Y. (Branches), and M. E. Dey & Co., Inc., Milwaukee, Wis., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage will be retained by the originating forwarder.

Agreement No. FF–3006 between Acco Foreign Shipping, Inc., Miami, Fla., and Manaco International Forwarders, Newark, N.J., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage to be collected in full by initiating forwarder. This brokerage will be restricted to those shipments handled on behalf of each other.

NOTICE OF AGREEMENT SUBJECT TO CANCELLATION

Notice is hereby given that the following independent ocean freight forwarder cooperative working agreement approved by the Commission pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814) is scheduled for cancellation inasmuch as in accordance with the terms therein the parties to the agreement have requested in writing that the agreement be terminated.

J. D. Smith Inter-Ocean, Inc., New York, N.Y., and John S. James, Savannah, Ga. ---------- FF-785

Dated: May 19, 1966.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5676; Filed, May 23, 1966; 8:52 a.m.]

CITY OF OAKLAND AND MATSON NAVIGATION CO.

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609, or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreements filed for approval by:

J. Kerwin Rooney, Port Attorney, Port of Oakland, 66 Jack London Square, Oakland, Calif., 94607.

Agreement No. T-1953, between the City of Oakland (City) and Matson Navigation Co. (Matson), is a 20-year lease of certain terminal property and berthing area in the Port of Oakland, Calif., at a fixed rental of $26,000 per month. Matson will use the premises for docking and mooring its vessels and interchange of passengers, cargo, and uses incidental thereto. The parties agree to make improvements and changes on the property in accordance with the terms of the agreement. It further provides that should any legal proceedings prevent Matson from using the premises under the lease, Matson shall have the right of use under a nonexclusive preferential assignment at tariff rates. Matson has an option to lease additional property (designated Areas A, B-1, and B-2) within a 10-year period. As compensation for the right of such option Matson will pay the City $939 per month. If the option is exercised, rental will be set according to terms outlined in the agreement. Matson may cancel the lease on 6 months notice, however, should it do so it agrees to reimburse the City for the cost of improvements under the terms of the agreement.

Agreement No. T-1953-A, between the City of Oakland (City) and Matson Navigation Co. (Matson) is a 20-year lease of property adjoining the area covered by Agreement No. T-1953, between the same parties, at a fixed rental of $3,333.33 per month. Matson will use the premises for the handling, storage, delivery, and transportation of cargo and passengers. Should any legal proceedings prevent Matson from using the premises, Matson shall have the right of use under a nonexclusive preferential assignment at tariff rates. Matson may cancel the lease on terms similar to those which provide for cancellation of Agreement No. T-1953.

Dated: May 19, 1966.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5677; Filed, May 23, 1966; 8:52 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI66-376]

HUMBLE OIL & REFINING CO., ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

MAY 18, 1966.

On April 18, 1966, Humble Oil & Refining Co. (Operator), et al., (Humble)[1] tendered for filing a proposed change in their presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated April 13, 1966.
Purchaser and producing area: Texas Eastern Transmission Corp. (West George West Field, Live Oak County, Tex.) (R.R. District No. 2).
Rate schedule designation: Supplement No. 9 to Humble's FPC Gas Rate Schedule No. 390.
Effective date: May 19, 1966.[2]
Amount of annual increase: $450.
Effective rate: 13.8733 cents per Mcf.[3]
Proposed rate: 14.3733 cents per Mcf.[4]
Pressure base: 14.65 p.s.i.a.

Humble request that should the Commission suspend their rate filing that the suspension period be shortened to 1 day, or in the alternative, the earliest date allowed by the Commission. Good cause has not been shown for granting Humble's request for limiting to 1 day the suspension period with respect to their rate filing and such request is denied.

Humble's proposed rate increase of 0.5 cent per Mcf, from 13.8733 cents to 14.3733 cents per Mcf, is for gas sold under their FPC Gas Rate Schedule No. 390 to Texas Eastern Transmission Corporation in Texas Railroad District No. 2. The proposed increase, which was contractually due February 5, 1963, is from a settlement rate accepted by letter order dated April 13, 1960. The subject rate schedule provides for delivery of nondehydrated gas at the outlet of the producer's facilities at or near each producing well or wells.

The gas purchased by Texas Eastern in this area (Wilcox Trend) is transported by Texas Eastern to the Goliad Plant, operated by Socony Mobil Oil Co., where it is then processed for the extraction of liquid components, dehydrated and redelivered to Texas Eastern at the outlet of such plant. Texas Eastern maintains a standard contract differential of 0.5 cent for dehydrated gas delivered at a central point in the Wilcox Trend area. The actual costs incurred by Texas Eastern for dehydration and central point delivery of the subject gas is not ascertainable at this time but the Commission has applied the standard 0.5-cent differential for these costs in determining whether to suspend proposed rates in this area. The addition of this 0.5-cent differential to the instant proposed rate, since Texas Eastern must gather and dehydrate the subject gas, would cause such rate to exceed the area increased ceiling level of 14.6 cents per Mcf established by the Commission for pipeline quality gas. Pipeline quality gas in this area is understood to apply to sales of dehydrated gas delivered at a central point in the field. Under the circumstances, Humble's proposed increased rate is suspended as hereinafter ordered because the sales related thereto are considered to be for nonpipeline quality gas within the meaning of the Commission's Statement of General Policy No. 61-1, as amended, because of the cost incurred by buyer for dehydrating and gathering.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 9 to Humble's FPC Gas Rate Schedule No. 390 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 9 to Humble's FPC Gas Rate Schedule No. 390.

(B) Pending such hearing and decision thereon, Supplement No. 9 to Humble's FPC Gas Rate Schedule No. 390 is hereby suspended and the use thereof deferred until October 19, 1966, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 1, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5610; Filed, May 23, 1966; 8:45 a.m.]

[Docket No. RI66-381]

TENNECO OIL CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

MAY 18, 1966.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 6, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-381	Tenneco Oil Co., Post Office Box 2511, Houston, Tex., 77001, Attn: Mr. John E. Watson.	46	[1] 5	El Paso Natural Gas Co. (Roberts and Sonora Fields, Sutton County, Tex.) (R.R. District No. 7-c) (Permian Basin Area).	$1,002	4-18-66	[2] 5-19-66	[3] 5-20-66	11.5	[4] [5] [6] 14.4	

[1] Respondent has filed rate schedule-quality statement stating that the gas requires treating cost of 0.10 cent per Mcf for removal of H_2O and 0.55 cent per Mcf for low pressure gas.
[2] The stated effective date is the first day after expiration of the statutory notice.
[3] The suspension period is limited to 1 day.
[4] Renegotiated rate increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] "Fractured" rate increase. Respondent is contractually entitled to 18.0 cents per Mcf as of Aug. 1, 1964, as provided by amendatory agreement dated Dec. 22, 1965.
[7] Includes downward price adjustment of 0.10 cent per Mcf for removal of H_2O and 0.55 cent per Mcf for low pressure gas and upward price adjustment of 0.55 cent per Mcf for 1,040 B.t.u. gas.

APPENDIX A

Tenneco Oil Co. (Tenneco) proposes a "fractured" rate increase, from 11.5 cents to 14.4 cents per Mcf, amounting to $1,002 annually, for a sale of "old" gas-well as to El Paso Natural Gas Co. in the Permian Basin Area of Texas. The proposed increased rate is based on an amendatory agreement which contains a renegotiated periodic price escalation clause which provides for a rate of 18.0 cents per Mcf, effective as of August 1, 1964. Tenneco proposes to limit the increased rate so as not to exceed the applicable area ceiling prescribed in Opinion No. 468, as amended.

Tenneco's proposed increase involves a sale of "old" gas-well gas which does not meet the quality standards prescribed in Opinion No. 468, as amended. Tenneco has filed a rate schedule-quality statement which shows that the cost of treating the gas to pipeline standards is 0.10 cent per Mcf for removal of H_2O and 0.55 cent per Mcf for low pressure gas (290 psig) and that the gas contains 1040 Btu's. Tenneco proposes a rate of 14.4 cents per Mcf for this sale which is composed of a base area rate of 14.5 cents less treating cost of 0.65 cent, plus upward Btu adjustment of 0.55 cent for the Btu's above 1000. The 0.55 cent Btu adjustment is used to offset a part of the total treating cost of 0.65 cent per Mcf. On this basis, Tenneco shows the applicable area rate to be 14.4 cents per Mcf. This crediting technique has been rejected by the Commission in considering the propriety of deductions for non-pipeline quality gas for quality statements filed pursuant to orders of Opinion Nos. 468 and 468-A. By order issued March 23, 1966, in Area Rate Proceeding, Docket No. AR61-1 (Phillips Petroleum Company, Docket No. G-20405), the Commission indicated it would not allow an upward adjustment for Btu content between 1000 and 1050 as an offset against a downward quality adjustment in determining the applicable area rate. That ruling is equally applicable here.

Examination has not been completed with respect to the propriety of other matters covered in the subject quality statement. In our future determination as to whether Tenneco's quality statement is otherwise acceptable, no consideration will be given to the proposed credit for Btu content.

In view of the possibility that Tenneco's proposed rate may be in excess of the applicable area rate ceiling determined in Permian, it is appropriate to suspend such rate for one day as ordered herein.

[1] Address is: Post Office Box 2180, Houston, Tex., 77001. Attention: Mr. John J. Carter.
[2] The stated effective date is the effective date requested by Respondent.
[3] Settlement rate accepted by Commission's letter order issued Apr. 13, 1960.
[4] Equivalent to 14.8733 cents per Mcf when a standard differential of 0.5 cent maintained by Texas Eastern for delivery of dehydrated gas at a central point is taken into consideration.

Except for the stay of moratorium in Opinion No. 468, Tenneco's filing would be rejectable. If the moratorium is ultimately upheld upon judicial review, the filing will be rejected ab initio.

[F.R. Doc. 66-5611; Filed, May 23, 1966; 8:46 a.m.]

[Docket No. E-7202]

MONTANA-DAKOTA UTILITIES CO.

Notice of Application

MAY 18, 1966.

Take notice that on May 12, 1966, Montana-Dakota Utilities Co. (Applicant), a corporation organized under the laws of the State of Delaware and doing business in the States of Minnesota, Montana, North Dakota, South Dakota, and Wyoming filed an application with the Federal Power Commission pursuant to section 204 of the Federal Power Act seeking an order authorizing the issuance of $10 million Promissory Notes due not more than 1 year after the dates of their respective issue.

Applicant proposes to issue these notes only if market conditions are such that satisfactory bids are not received for the $10 million of First Mortgage Sinking Fund Bonds due June 1, 1986, with respect to which an application is pending in Docket No. E-7281.

The notes will in such case be issued for the same purposes for which the bonds are planned to be issued; namely, the payment of $4 million of short-term notes issued in 1965 and for payment of part of the cost of the Applicant's 1966 construction program. This program calls for the expenditure of $11.7 million of which $7.9 million is budgeted for electric facilities, $3.3 million for gas and $500,000 for common utility properties.

The maximum of $10 million of Promissory Notes will be payable to the First National City Bank, New York, dated as of the dates of their respective issue which will be not later than December 31, 1966, due not more than 1 year after the dates of their respective issue and not later than December 31, 1967, each bearing interest at the prime commercial rate at the date it is issued and will be unsecured.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 1, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5606; Filed, May 23, 1966; 8:45 a.m.]

[Docket No. G-1723]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Petition To Amend

MAY 17, 1966.

Take notice that on April 22, 1966, Panhandle Eastern Pipe Line Co. (Petitioner), Post Office Box 1348, Kansas City, Mo., 64141, filed in Docket No. G-1723 a petition to amend the certificate of public convenience and necessity issued in said docket on July 14, 1952, requesting that the designation of its direct industrial customer under said authorization be changed from "Clay City Products Co." to "Colonial Brick Corp.", all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the order issued in the aforementioned Docket No. G-1723 the Commission authorized Petitioner to construct certain facilities and to transport gas in interstate commerce for the purpose of making direct industrial sales to Clay City Products Co.'s brick plants in Montezuma, Ind., and in Mecca, Ind. (11 FPC 661). The instant petition concerns deliveries to the Montezuma plant which has now changed ownership from Clay City Products Co. to Colonial Brick Corp.

Petitioner states that it has been advised that Colonial Brick Corp. purchased the Montezuma plant of Clay City Products Co. and that Colonial intends to continue to manufacture brick through the use of Panhandle's natural gas as fuel. Petitioner further states that it has entered into an Industrial Gas Contract as of May 1, 1966, providing for the continuation of deliveries to this plant in volumes not to exceed 1,000 Mcf per day, at a price of 43 cents per Mcf and that both the volume and the price are slightly lower than those formerly applicable to Clay City Products Co.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 13, 1966.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5607; Filed, May 23, 1966; 8:45 a.m.]

[Project No. 2358]

GLAMORGAN PIPE & FOUNDRY CO.

Notice of Application for Surrender of License for Constructed Project

MAY 18, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Glamorgan Pipe & Foundry Co. (correspondence to: W. Wilbur Winfree, President, Glamorgan Pipe & Foundry Co., Adams Street, Post Office Box 740, Lynchburg, Va.) for surrender of license for constructed Project No. 2358, located along the James River in Lynchburg, Va.

The powerplant contains one turbine of 250 horsepower capacity connected to a 150 kilowatt generator.

According to the application, filed April 22, 1966, the plant has not been operated for a number of months and the licensee is in the process of dismantling it.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 5, 1966. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5644; Filed, May 23, 1966; 8:48 a.m.]

[Project No. 2584]

ROCHESTER GAS AND ELECTRIC CORP.

Notice of Application for License for Constructed Project

MAY 19, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Rochester Gas & Electric Corp. (correspondence to: Francis E. Drake, Jr., Executive Vice President, Rochester Gas & Electric Corp., 89 East Avenue, Rochester, N.Y., 14604) for a license for constructed Project No. 2584, known as Station No. 26, located on the Genessee River, in the city of Rochester, Monroe County, N.Y.

The existing project consists of: (1) A reinforced concrete intake structure located upstream from the New York State Barge Canal's Court Street Dam; (2) a reservoir (nonproject, part of the Barge Canal facilities) at elevation 513 feet; (3) a concrete penstock about 262 feet long; (4) a tailrace about 690 feet long and 40 feet wide; (5) a 232-foot baffle wall from the powerhouse to Court Street Bridge; (6) a powerhouse containing a single 4,200 hp vertical turbine and a 3,000 kw generator; (7) a 4,150-volt underground cable, approximately 1,800 feet long from the generator to a circuit breaker at Station 6; and (8) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 7, 1966. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5645; Filed, May 23, 1966; 8:48 a.m.]

[Docket Nos. G-165 etc.]

TENNESSEE GAS PIPELINE CO.

Notice of Petitions To Amend Orders and Pending Applications

May 19, 1966.

Take notice that on April 18, 1966, Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Petitioner), Post Office Box 2511, Houston, Tex., 77001, filed a petition to amend the existing orders issued by the Commission in Docket Nos. G-165, et al., at various times from 1941 through 1966. On the same day, Petitioner filed a petition to amend applications filed by it in matters now pending before the Commission in Docket Nos. CP60-57, et al., such applications having been filed at various times from 1960 to 1966. Petitioner requests that the applications, certificates of public convenience and necessity, and any other proceeding, file or record before the Commission relating to Tennessee Gas Transmission Co. reflect the substitution of the name Tennessee Gas Pipeline Co., a division of Tenneco, Inc., for the name Tennessee Gas Transmission Co., all as more fully set forth in the petitions to amend which are on file with the Commission and open to public inspection.

Petitioner states that on April 11, 1966, pursuant to a resolution of its board of directors, Tennessee Gas Transmission Co. filed with the Secretary of State of the State of Delaware (the State of incorporation of Tennessee Gas Transmission Co.) an amendment to its corporate charter, changing the name of the corporation from Tennessee Gas Transmission Co. to Tenneco, Inc. Petitioner further states that no other corporate changes have been made and Tenneco, Inc., is not a new corporation, nor is it a successor or assign.

The petitions to amend recite that Petitioner is the same corporate entity for all purposes and in all respects as Tennessee Gas Transmission Co., except for the corporate name. There has been no change in assets, liabilities or capitalization of the corporation. Under the new name, Petitioner states that Tenneco, Inc., will continue without cessation or interruption the identical operations and corporate activities formerly conducted by Tennessee Gas Transmission Co. The natural gas transmission business will be operated by Petitioner, a division of Tenneco, Inc.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 13, 1966.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5646; Filed, May 23, 1966; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4381]

PENNZOIL CO.

Notice of Proposed Issuance of Common Stock Pursuant to Terms of Outstanding Convertible Debentures

MAY 17, 1966.

Notice is hereby given that Pennzoil Co. ("Pennzoil"), 900 Southwest Tower, Houston, Tex., 77002, a registered holding company, has filed a declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, and 12 of the Act and Rule 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Pennzoil proposes to issue and sell, from time to time, up to 428,571 shares of its authorized but unissued common stock, par value $2.50 per share, upon conversion of its 4½ Percent Convertible Subordinated Debentures due 1985 ("Debentures") which are outstanding in the principal amount of $30,000,000. The Debentures were issued prior to Pennzoil's registration under the Act as a holding company pursuant to an Indenture dated as of December 1, 1965, between Pennzoil and Mellon National Bank & Trust Co. of Pittsburgh, Pa., as Trustee ("Trusteee").

The Debentures, by their terms, are convertible, at the option of the holder, up to and including December 1, 1985, or in the event the Debentures are called for redemption, until the close of business on the 15th day prior to the redemption date, into the common stock of Pennzoil at the conversion price of $70.00 principal amount of the Debentures for each share of common stock. The Debentures are redeemable in whole or in part at the option of Pennzoil after December 1, 1970.

On January 28, 1966, Pennzoil had outstanding 4,009,088 shares of common stock, exclusive of shares held in its treasury. It also had outstanding the following securities which it had issued prior to its registration under the Act: (i) 5 Percent Convertible Debentures, $646,000 principal amount of series due 1972, which are convertible into 11,305 shares of the common stock at a price of $57.1428 per share, and $875,000 principal amount of series due 1975, which are convertible into 28,566 shares of the common stock at a price of $30.00 per share, and (ii) options to purchase 131,903 shares of the common stock exercisable at prices ranging from $23.4375 per share to $44.50 per share. The issuance of common stock upon conversion of the 5 Percent Convertible Debentures and the exercise of the outstanding options was authorized by order of the Commission dated March 30, 1966 (Holding Company Act Release No. 15436.

The declaration states that the competitive bidding requirements of Rule 50 are not appropriate to the proposed issue and sale and Pennzoil requests an exemption from said rule.

The fees and expenses to be paid in connection with the issue and sale of common stock upon conversion of the Debentures are estimated to total $3,072. No State commission and no Federal commission, other than this Commission, has jurisdiction over said transactions.

Notice is further given that any interested person may, not later than June 7, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5626; Filed, May 23, 1966; 8:47 a.m.]

[812-1949]

RESEARCH INVESTING CORP.

Notice of Filing of Application

MAY 17, 1966.

Notice is hereby given that Research Investing Corp. ("applicant"), 163 Engle Street, Englewood, N.J., a New Jersey corporation which is registered under the Investment Company Act of 1940 ("Act") as an open-end, nondiversified, management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of applicant's shares, without sales charge, for substantially all of the cash and securities of Oxford Associates, Inc., Norsam Associates, Inc. and Leroy Associates, Inc. (collectively referred to herein as "Companies"). As here pertinent, section 22 (d) of the Act would prohibit the issuance of applicant's shares at a price which does not include a sales charge. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Each of the Companies is a personal holding company whose outstanding stock is owned by two individuals. As at March 31, 1966, the net assets of applicant and Companies (combined) amounted to $55,918,587 and $238,439, respectively.

Under agreements between applicant and each of the Companies, substantially all of the combined assets of Companies will be transferred to applicant in ex-

change for stock of applicant which in turn will be distributed to Companies' stockholders who will hold for investment.

The amount of stock of applicant to be delivered to Companies in accordance with the terms of the agreement will be determined on the basis of the value of the combined assets of the Companies to be transferred to applicant and the net asset value per share of applicant, respectively, as of the close of business on the business day next preceding the closing date for the exchange. Such amount of stock shall be computed by dividing applicant's per share net asset value into the aggregate value of each company's assets, which aggregate value will first be reduced by an adjustment for potential Federal income taxes payable upon the realization of the appreciation in the value of the securities of the Companies to the extent that any such appreciation may proportionately exceed the appreciation of the securities of applicant on the date of closing. As at March 31, 1966, the appreciation as a percentage of the net asset value of applicant and the Companies (combined) approximated 14.5 percent and 4.6 percent, respectively, and if the exchange had been consummated on that date no adjustment would have been required.

Notice is further given that any interested person may, not later than June 2, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5627; Filed, May 23, 1966; 8:47 a.m.]

[File Nos. 7-2565, 7-2566]

ZAYRE CORP., AND SLICK CORP.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 17, 1966.

In the matter of applications of the Philadelphia-Baltimore-Washington Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

Zayre Corp.---------- File 7-2565
Slick Corp.---------- File 7-2566

Upon receipt of a request, on or before June 2, 1966, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5628; Filed, May 23, 1966; 8:47 a.m.]

[File No. 1-3782]

GREAT AMERICAN INDUSTRIES, INC.

Order Suspending Trading

MAY 18, 1966.

The common stock, 10 cents par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, $10 par value, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 19, 1966, through May 28, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5629; Filed, May 23, 1966; 8:47 a.m.]

PINAL COUNTY DEVELOPMENT ASSOCIATION

Order Suspending Trading

MAY 18, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5% percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended this order to be effective for the period May 19, 1966, through May 28, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5630; Filed, May 23, 1966; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 577]

ILLINOIS

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Cook County in the State of Illinois;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from a flood and accompanying conditions occurring on or about May 11, 1966.

OFFICE

Small Business Administration Regional Office, 219 South Dearborn Street, Chicago, Ill., 60604.

2. Temporary offices will be established in Northlake and Markham, addresses to be announced locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to November 30, 1966.

Dated: May 13, 1966.

ROSS D. DAVIS, *Executive Administrator.*

[F.R. Doc. 66-5631; Filed, May 23, 1966; 8:47 a.m.]

[Delegation of Authority 30; Rocky Mountain Area, Amdt. 5]

REGIONAL OFFICES OF ROCKY MOUNTAIN AREA

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Revision 10), 30 F.R. 972, as amended, 30 F.R. 2742, 11984, 12434, and 31 F.R. 6761; Delegation of Authority 30 F.R. 2741, as amended, 30 F.R. 8080, 8426, 13419, and 14061, is further amended by the addition of Item I.A.14. to read as follows:

I. * * *

A. *Financial assistance.* * * *

14. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the original disaster declaration, or extension thereof, has expired.

* * * * *

Effective date. May 11, 1966.

GEORGE E. SAUNDERS, *Area Administrator, Rocky Mountain Area.*

[F.R. Doc. 66-5632; Filed, May 23, 1966; 8:47 a.m.]

TARIFF COMMISSION

[AA1921-47]

TITANIUM DIOXIDE FROM JAPAN

Determination of No Injury or Likelihood Thereof

MAY 18, 1966.

On February 24, 1966, the Tariff Commission was advised by the Acting Assistant Secretary of the Treasury that titanium dioxide, pigment grade, rutile type, from Japan, exported by Sakai Trading Co., Ltd., Osaka, Japan, The Kouyoh Trading Co., Ltd., Osaka, Japan, and Marubeni-Iida Co., Ltd., Osaka, Japan, is being, or is likely to be, sold in the United States at less than fair value as that term is used in the Antidumping Act. Accordingly, the Commission, on February 24, 1966, instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended, to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Public notices of the institution of the investigation and of a public hearing to be held in connection therewith were published in the FEDERAL REGISTER (31 F.R. 3319, 4486). The hearing was held on April 18, 1966.

In arriving at a determination in this case, due consideration was given by the Commission to all written submissions from interested parties, all testimony adduced at the hearing, and all information obtained by the Commission's staff.

On the basis of the investigation, the Commission has unanimously determined that an industry in the United States is not being, and is not likely to be, injured, or prevented from being established, by reason of the importation of titanium dioxide, pigment grade, rutile type, from Japan, exported by Sakai Trading Co., Ltd., Osaka, Japan, the Kouyoh Trading Co., Ltd., Osaka, Japan, and Marubeni-Iida Co., Ltd., Osaka, Japan, sold at less than fair value, within the meaning of the Antidumping Act, 1921, as amended.

Statement of reasons. Titanium dioxide (TiO_2), an inert, solid, metal oxide, is the major white pigment in use today in the manufacture of a variety of products. It is produced in two basic types—anatase and rutile—which differ in the crystalline structure of the molecules. Both types are marketed in several grades. The various grades are produced by adding small quantities of such compounds as aluminum oxide, silica, or zinc oxide to improve color retention, chalking resistance, dispersibility, and other properties. Although there is some interchangeability between grades and types of TiO_2, each type and grade is generally designed for a particular purpose.

In the United States about 60 percent of all TiO_2 is used in the manufacture of paint and related products and about 15 percent is used in paper. Other uses include the manufacture of floor coverings (e.g., linoleum and similar products), rubber products, coated fabrics, printing inks, and plastics. Anatase TiO_2 is used mainly in paper and rutile is used mainly in paint. The subject imports consist of TiO_2, pigment grade, rutile type, from three firms in Japan and references hereinafter to TiO_2 shall mean TiO_2, pigment grade, rutile type.

The domestic industry producing TiO_2 is a rapidly growing industry with an expanding national market. Several new plants have been established in recent years. The plants which constitute the domestic industry generally offer their TiO_2 at uniform delivered prices[1] throughout the national market. The delivered price of domestic first-class TiO_2 of all pigment grades has continued without change for a number of years at 27 cents per pound.

The imported TiO_2 which was purchased at less than fair value in this case was found to be of a poorer grade than virtually all domestic TiO_2 and most foreign TiO_2. It cannot reasonably command the prices charged for first-class TiO_2 of either domestic or foreign origin. Indeed, some importers have experienced, and are experiencing, difficulty in disposing of some of their inventories of such TiO_2. The 1964 and 1965 quantities of the subject imports of TiO_2 amounted in each case to a small fraction of 1 percent of the current annual consumption of rutile in the United States. Imports of the subject TiO_2 have ceased.

Any injury that may have been suffered to date, and any injury that is likely to be suffered in the foreseeable future, by the domestic industry by reason of the subject imports of Japanese TiO_2 is, or would be, at the most, de minimis.

The Commission's determination and the above statement of reasons in support thereof are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended.

By the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 66-5633; Filed, May 23, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1351]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 19, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in

[1] The term "delivered price," used in conjunction with domestic sales of TiO_2, means f.o.b. shipping point with freight allowance to destination. Shipping losses are at the risk of the buyer.

that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68592. By order of May 17, 1966, the Transfer Board approved the transfer to Dale Trucking, Inc., Wilson, Kans., of certificate in No. MC–106314, issued September 2, 1958, to Leon M. Johnson, Ellsworth, Kans., authorizing the transportation of: Building materials and agricultural implements and parts, from Kansas, City, Mo., to Ellsworth, Kans., and points within 15 miles of Ellsworth; Beer, from St. Joseph, Mo., to Ellsworth, Kans.; Empty beer containers, from Ellsworth, Kans., to St. Joseph, Mo.; Eggs, from Ellsworth, Kans., to Kansas City and St. Joseph, Mo.; Empty egg cases, from Kansas City and St. Joseph, Mo., to Ellsworth, Kans.; Feed, from North Kansas City, Mo., to Ellsworth, Kans.; Livestock, between Ellsworth, Kans., and points and places within 15 miles thereof, on the one hand, and, on the other, Kansas City, Kans., and Kansas City and St. Joseph, Mo.; Salt, from Hutchinson, Kans., to points within a specified area of northwestern Arkansas; Empty salt bags which have been used in outbound transportation of salt, from points in the Arkansas destination territory to Hutchinson, Kans. Leland M. Spurgeon, Hiatt & Spurgeon, 308 Casson Building, Sixth and Topeka Boulevard, Topeka, Kans., attorney for applicants.

No. MC–FC–68671. By order of May 17, 1966, the Transfer Board approved the transfer to E. Roscoe Willey, Inc., 915 Race Street, Cambridge, Md., of the operating rights of E. Roscoe Willey, Cambridge, Md., in certificates Nos. MC–44913 and MC–44913 (Sub-No. 6), issued July 25, 1962, and February 1, 1965, respectively, authorizing the transportation, over irregular routes, of canned goods, from Newark, Del., and points in Dorchester, Caroline, and Talbot Counties, Md., to points in New York north of New York Highway 7, as restricted, and of feather meal, in bags, from the plantsites of the Eastern Shore Rendering Co., and the Esrenco Truck Co., at or near Linkwood, Md., to Baltimore, Md.

No. MC–FC–68696. By order of May 17, 1966, the Transfer Board approved the transfer to Zip, Inc., Salt Lake City, Utah, of certificate in No. MC–59743 (Sub-No. 2), issued March 19, 1959, to Levi Riley Reed, Levi Reed, Jr., and Derl Reed, a partnership, doing business as L. R. Reed & Sons Truck Line, Manila, Utah, authorizing the transportation of: General commodities, except those of unusual value, classes A and B explosives, those commodities requiring the use of special equipment, and road oil, asphalt, fuel oil, and chemicals, in bulk, in tank vehicles, between Linwood, Utah, and Rock Springs, Wyo., serving the intermediate point of Green River, Wyo.; and points within 15 miles of specified highways, and points in Daggett County, Utah, as off-route points; between Linwood, Utah, and Salt Lake City, Utah, serving the intermediate point of Ogden, Utah; and points in Daggett County, Utah, as off-route points; between Green River, Wyo., and Urie, Wyo., serving no intermediate points, and serving the termini for the purpose of joinder only with the restriction that the authority granted immediately above is restricted against service between Salt Lake City and Ogden, Utah, on the one hand, and, on the other, Green River and Rock Springs, Wyo. Lawrence A. Marty, Post Office Box 231, Green River, Wyo., attorney for applicants.

No. MC–FC–68703. By order of May 17, 1966, the Transfer Board approved the transfer to Ivan Weaver and Gerald R. Harmon, a partnership, doing business as Acme Van & Storage Co., Terre Haute, Ind., of the operating rights in certificate No. MC–35436, issued September 30, 1957, to Leo F. Brown, doing business as McCrocklin Moving & Storage Co., Terre Haute, Ind., authorizing the transportation, over irregular routes, of household goods between Terre Haute, Ind., and points within 15 miles thereof, on the one hand, and, on the other, points in Illinois, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin. Joseph P. Smith, Jr., 1811 Broadway, Mattoon, Ill., attorney for applicants.

No. MC–FC–68718. By order of May 17, 1966, the Transfer Board approved the transfer to Howard H. McDowell, doing business as Lucky Seven Transfer & Storage, 226 North Cortez Street, Prescott, Ariz., of the operating rights in the certificate of registration in No. MC–120830 (Sub-No. 1), issued by the Commission October 27, 1965, to R. V. Howard and William D. Lyman, a partnership, doing business as Lucky Seven Transfer, 226 North Cortez Street, Prescott, Ariz., authorizing transportation of freight, baggage, and express over the public highways known as those in Prescott, Ariz., and vicinity, corresponding to certificates of convenience and necessity Nos. 6302 and 3206, dated January 17, 1961, issued by the Arizona Corporation Commission, subject to Arizona General Order No. MV–12.

No. MC–FC–68742. By order of May 17, 1966, the Transfer Board approved the transfer to Arnold R. Kemp, 3257 North 16th Street, Philadelphia, Pa., of the operating rights in certificate No. MC–93818, issued January 31, 1950, to Irwin Glickman, 5157 D Street, Philadelphia, Pa., authorizing transportation, over irregular routes, of candy and confections between New York and Brooklyn, N.Y., on the one hand, and, on the other, Philadelphia, Pa., and from New York and Brooklyn, N.Y., to Camden, N.J.; confectioneries from Philadelphia, Pa., and New York, N.Y., to New Brunswick, Newark, Jersey City, Trenton, Union City, Bayonne, Hoboken, and Elizabeth, N.J.; and damaged and rejected confectioneries from the above-specified destination points to Philadelphia, Pa., and New York, N.Y.

No. MC–FC–68774. By order of May 17, 1966, the Transfer Board approved the transfer to Evans Trucking Co., a corporation, Pittsburgh, Pa., of certificate in No. MC–52464, issued May 6, 1965, to Richards Transport, Inc., Pittsburgh, Pa., authorizing the transportation of: Iron and steel articles, machinery, electrical equipment, iron castings, empty reels used in transporting wire, household goods, copper-covered iron and steel articles, and sand from, to, or between specified points in Ohio, Pennsylvania, West Virginia, Maryland, and New York. Arthur J. Diskin, 302 Frick Building, Pittsburgh, Pa., 15219, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–5659; Filed, May 23, 1966; 8:50 a.m.]

[Revised Pfahler's Car Distribution Direction No. 1–A Under Service Order No. 981]

LOUISVILLE & NASHVILLE RAILROAD CO., AND CHICAGO, BURLINGTON & QUINCY RAILROAD CO.

Boxcar Distribution

Upon further consideration of Pfahler's Car Distribution Direction No. 1 (Louisville & Nashville Railroad Co.; Chicago, Burlington & Quincy Railroad Co.) and good cause appearing therefor:

It is ordered, That:

(a) Pfahler's Car Distribution Direction No. 1 be, and it is hereby, vacated and set aside.

(b) Effective date: This direction shall become effective at 11:59 p.m., May 24, 1966.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66–5660; Filed, May 23, 1966; 8:50 a.m.]

[Pfahler's Car Distribution Direction No. 2–A Under Service Order No. 981]

SEABOARD AIR LINE RAILROAD CO., ET AL.

Boxcar Distribution

Upon further consideration of Pfahler's Car Distribution Direction No. 2 (Seaboard Air Line Railroad Co.; Southern Railway Co.; Chicago, Burlington & Quincy Railroad Co.) and good cause appearing therefor:

It is ordered, That:

(a) Pfahler's Car Distribution Direction No. 2 be, and it is hereby, vacated and set aside.

(b) Effective date: This direction shall become effective at 11:59 p.m., May 24, 1966.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66–5661; Filed, May 23, 1966; 8:50 a.m.]

[Revised Pfahler's Car Distribution Direction No. 3 Under Service Order No. 981]

ERIE-LACKAWANNA RAILROAD CO., AND CHICAGO & EASTERN ILLINOIS RAILROAD CO.

Boxcar Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Erie-Lackawanna Railroad Co. shall deliver to the Chicago & Eastern Illinois Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than forty-four feet, eight inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Orders Nos. 983 and 985.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 25, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66–5662; Filed, May 23, 1966; 8:50 a.m.]

[Revised Pfahler's Car Distribution Direction No. 4, Under Service Order No. 981]

BALTIMORE & OHIO RAILROAD CO., AND CHICAGO & NORTH WESTERN RAILWAY CO.

Boxcar Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Baltimore & Ohio Railroad Co. shall deliver to the Chicago & North Western Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Orders Nos. 983 and 985.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 25, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66–5663; Filed, May 23, 1966; 8:50 a.m.]

[Revised Pfahler's Car Distribution Direction No. 5 Under Service Order No. 981]

READING CO., ET AL.

Boxcar Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Reading Co. shall deliver to the Western Maryland Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Orders No. 983 and 985.

(b) The Western Maryland Railway Co. shall deliver to the Baltimore & Ohio Railroad Co. a weekly total of 175 cars of the type described in paragraph (a).

(c) The Baltimore & Ohio Railroad Co. shall deliver to the Chicago & North Western Railway Co. a weekly total of 175 cars of the type described in paragraph (a).

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(d) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(e) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 25, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-5664; Filed, May 23, 1966; 8:50 a.m.]

[Revised Pfahler's Car Distribution Direction No. 6 Under Service Order No. 981]

ATLANTIC COAST LINE RAILROAD CO., ET AL

Boxcar Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Atlantic Coast Line Railroad Co. shall deliver to the Gulf, Mobile & Ohio Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Orders Nos. 983 and 985.

(b) The Gulf, Mobile & Ohio Railroad Co., shall deliver to the Union Pacific Railroad Co. a weekly total of 175 cars of the type described in paragraph (a).

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(c) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(d) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 25, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-5665; Filed, May 23, 1966; 8:50 a.m.]

[Revised Pfahler's Car Distribution Direction No. 8, Under Service Order No. 981]

PENNSYLVANIA RAILROAD CO., AND SOO LINE RAILROAD CO.

Boxcar Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Pennsylvania Railroad Co. shall deliver to the Soo Line Railroad Co. a weekly total of 350 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Orders Nos. 983 and 985.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 25, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-5666; Filed, May 23, 1966; 8:51 a.m.]

[Pfahler's Car Distribution Direction No. 9-A, Under Service Order No. 981]

KANSAS CITY SOUTHERN RAILWAY CO., AND ATCHISON, TOPEKA & SANTA FE RAILWAY CO.

Boxcar Distribution

Upon further consideration of Pfahler's Car Distribution Direction No. 9 (the Kansas City Southern Railway Co.; the Atchison, Topeka & Santa Fe Railway Co.) and good cause appearing therefor:

It is ordered, That:

(a) Pfahler's Car Distribution Direction No. 9 be, and it is hereby, vacated and set aside.

(b) Effective date: This direction shall become effective at 11:59 p.m., May 24, 1966.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-5667; Filed, May 23, 1966; 8:51 a.m.]

[Pfahler's Car Distribution Direction No. 7-A, Under Service Order No. 981]

MISSOURI-KANSAS-TEXAS RAILROAD CO., AND UNION PACIFIC RAILROAD CO.

Boxcar Distribution

Upon further consideration of Pfahler's Car Distribution Direction No. 7 (Missouri-Kansas-Texas Railroad Co.; Union Pacific Railroad Co.) and good cause appearing therefor:

It is ordered, That:

(a) Pfahler's Car Distribution Direction No. 7 be, and it is hereby, vacated and set aside.

(b) Effective date: This direction shall become effective at 11:59 p.m., May 24, 1966.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-5668; Filed, May 23, 1966; 8:51 a.m.]

[Revised Pfahler's Car Distribution Direction No. 10 Under Service Order No. 981]

KANSAS CITY SOUTHERN RAILWAY CO., AND UNION PACIFIC RAILROAD CO.

Boxcar Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Kansas City Southern Railway Company shall deliver to the Union Pacific Railroad Company a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Orders Nos. 983 and 985.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 25, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 19, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-5669; Filed, May 23, 1966; 8:51 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

MAY 19, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40487—*Tin or terne plate to Fairfield and Greens, Ala.* Filed by Illinois Freight Association, agent (No. 306), for interested rail carriers. Rates on tin or terne plate, in carloads, from Chicago and South Chicago, Ill., Gary, East Chicago, and Indiana Harbor, Ind., to Fairfield and Greens, Ala.

Grounds for relief—Market competition.

Tariff—Supplement 16 to Illinois Freight Association, agent, tariff ICC 1085.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-5658; Filed, May 23, 1966; 8:50 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
- 3718 — 6567
- 3719 — 6607
- 3720 — 6679
- 3721 — 6817
- 3722 — 6855
- 3723 — 6945
- 3724 — 7027
- 3725 — 7107

EXECUTIVE ORDER:
- July 2, 1910 (revoked in part by PLO 4003) — 7351
- 8389 (see EO 11281) — 7215
- 9989 (superseded by EO 11281) — 7215
- 10348 (superseded by EO 11281) — 7215
- 10644 (amended by EO 11281) — 7215
- 11917 (superseded by EO 11278) — 6681
- 11069 (superseded by EO 11278) — 6681
- 11218 (superseded by EO 11278) — 6681
- 11277 — 6609
- 11278 — 6681
- 11279 — 6947
- 11280 — 7167
- 11281 — 7215

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
- Reorganization Plan No. 2 of 1966 — 6857

5 CFR

- 630 — 7279, 7380
- 213 — 6769, 6859, 6903, 6949, 7169, 7351, 7379, 7380.
- 772 — 6569, 6949

6 CFR

- 70 — 7029

7 CFR

- 7 — 6569
- 50 — 6570
- 51 — 7169
- 68 — 6629
- 701 — 6957, 7169
- 718 — 6859, 7393
- 719 — 7030
- 722 — 6573, 6580, 6859, 7472
- 724 — 6819
- 729 — 6581, 6957
- 730 — 7472
- 780 — 7393
- 813 — 6819
- 815 — 6860
- 905 — 6958
- 908 — 6825, 7030, 7109, 7394
- 909 — 6825, 7109
- 910 — 6826, 7110, 7394, 7473
- 915 — 7394
- 916 — 7474, 7475
- 917 — 7241, 7242, 7348, 7476
- 918 — 6958
- 944 — 6959

7 CFR—Continued

Page

- 959 — 6860
- 965 — 7243
- 980 — 6629
- 1098 — 6581
- 1099 — 6861, 7110, 7477
- 1421 — 6904, 7243, 7477
- 1427 — 6861, 7110
- 1434 — 6582
- 1481 — 7396
- 1490 — 6862

PROPOSED RULES:
- 52 — 6871, 7185
- 58 — 6715
- 330 — 7479
- 905 — 7286, 7287
- 906 — 7480
- 911 — 7482
- 916 — 6871, 7482
- 965 — 6592
- 991 — 7397
- 1032 — 6631
- 1038 — 7061
- 1039 — 7061
- 1041 — 7483
- 1050 — 6631
- 1065 — 6873
- 1068 — 7129
- 1099 — 7129
- 1125 — 7062
- 1126 — 6631
- 1133 — 6986

8 CFR

- 204 — 7217
- 214 — 6611, 7170
- 511 — 7348

9 CFR

- 76 — 7029

12 CFR

- 1 — 6826, 6905
- 10 — 6949
- 11 — 6950
- 12 — 6952
- 13 — 6953
- 14 — 6954
- 15 — 6955
- 16 — 6955
- 208 — 7224
- 220 — 7169
- 522 — 6905
- 524 — 6905

PROPOSED RULES:
- 523 — 7354, 7483
- 525 — 7483
- 545 — 7355
- 561 — 7356
- 563 — 7356, 7484

13 CFR

- 105 — 7375
- 121 — 7375

14 CFR

- 39 — 6582, 6685, 6790, 6959, 7031, 7111, 7170, 7279, 7351.
- 65 — 7455

14 CFR—Continued

Page

- 71 — 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172, 7217, 7279, 7351, 7352, 7456.
- 73 — 6893, 7032, 7112, 7217
- 75 — 7280
- 95 — 7112
- 97 — 6612, 6685, 6828, 6894, 7218, 7385
- 137 — 6685
- 151 — 6686
- 208 — 6620
- 223 — 6584
- 320 — 6585
- 378 — 6621

PROPOSED RULES:
- 37 — 7084
- 39 — 7148, 7354, 7483
- 71 — 6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187.
- 75 — 7085
- 105 — 6988
- 121 — 6592
- 246 — 6986

15 CFR

- 30 — 6587
- 369 — 7037
- 372 — 7038
- 373 — 6707, 7038
- 374 — 6707
- 377 — 6707
- 379 — 6709
- 382 — 6707, 6709, 7038
- 384 — 6709, 6864
- 385 — 6709
- 399 — 6707, 6709, 6829, 6866, 7038, 7380

16 CFR

- 13 — 7056–7059
- 15 — 6866, 6906, 7225, 7281, 7349
- 59 — 6960

17 CFR

- 200 — 6588
- 240 — 6705, 6706

PROPOSED RULES:
- 240 — 7289, 7484
- 249 — 7289

18 CFR

- 260 — 7226
- 601 — 7114
- 606 — 7127

PROPOSED RULES:
- 141 — 7287

19 CFR

- 1 — 6611
- 10 — 6769

PROPOSED RULES:
- 1 — 6871
- 20 — 6908

20 CFR

- 404 — 6611

PROPOSED RULES:
- 405 — 7131, 7143

21 CFR

Page

- 8 — 7172, 7227
- 10 — 7227
- 45 — 7375
- 120 — 7172, 7376
- 121 — 6830, 7173, 7227, 7228, 7281, 7282
- 131 — 6705, 6906
- 146c — 6830
- 146e — 7228
- 148 — 7173
- 166 — 7174
- 191 — 6622

PROPOSED RULES:
- 17 — 7412
- 51 — 6792
- 121 — 7245
- 133 — 7185, 7354
- 166 — 7245

24 CFR

- 200 — 6866

25 CFR

- 221 — 7283

PROPOSED RULES:
- 131 — 7353

26 CFR

- 1 — 6589, 6966
- 31 — 6589, 7183

PROPOSED RULES:
- 1 — 6966

28 CFR

- 0 — 6867

29 CFR

- 548 — 6769
- 800 — 6770
- 1504 — 7430

30 CFR

- 51 — 7456

31 CFR

- 90 — 6960
- 202 — 6590
- 316 — 6831
- 332 — 6686, 6831
- 520 — 7333

32 CFR

- 43 — 7228
- 300 — 6831
- 706 — 6962
- 872 — 7459
- 1472 — 6906
- 1810 — 6962, 7175

32A CFR

- BDSA (Ch. VI):
- BDSA Reg. 2 — 6590
- M–11A — 7036

33 CFR

Page

- 202 — 7284
- 203 — 6907, 7175, 7284, 7350
- 207 — 6590, 6622, 6867
- 208 — 6707

PROPOSED RULES:
- 402 — 7356

35 CFR

- 255 — 6831

37 CFR

- 1 — 7284, 7391
- 2 — 7284

38 CFR

- 2 — 6770
- 9 — 7175
- 21 — 6771

39 CFR

- 17 — 7391

PROPOSED RULES:
- 21 — 6715
- 24 — 6715

41 CFR

- 5–2 — 7391
- 6–1 — 6622
- 6–2 — 6623
- 6–3 — 6623
- 6–5 — 6624
- 6–7 — 6624
- 6–11 — 6624
- 6–30 — 6624
- 6–60 — 6625
- 8–7 — 7178, 7350
- 8–12 — 7179, 7350
- 9–12 — 6907
- 22–60 — 6625
- 101–19 — 7234
- 101–26 — 6963, 7234
- 101–45 — 6831

42 CFR

- 55 — 7128
- 57 — 7376, 7378
- 81 — 7128

43 CFR

PUBLIC LAND ORDERS:
- 5 (revoked in part by PLO 4005) — 7462
- 3977 (amended by PLO 4000) — 6868
- 3999 — 6907
- 4000 — 6868
- 4001 — 7350
- 4002 — 7350
- 4003 — 7351
- 4004 — 7462
- 4005 — 7462
- 4006 — 7462
- 4007 — 7463
- 4008 — 7463

43 CFR—Continued

Page

PROPOSED RULES:
- 1727 — 6984
- 2221 — 6985
- 3130 — 6834
- 3160 — 6836

45 CFR

- 90 — 7128
- 144 — 7463
- 171 — 7128
- 177 — 6591
- 801 — 6591

46 CFR

- 309 — 6891
- 500 — 7180
- 527 — 7392

PROPOSED RULES:
- 290 — 7131
- 510 — 6792, 7248
- 512 — 6838
- 513 — 6838

47 CFR

- 0 — 6627, 6831
- 1 — 6831, 6868
- 2 — 7235
- 15 — 7469
- 73 — 6627, 6628, 6868, 7238, 7469
- 91 — 7235
- 95 — 7235

PROPOSED RULES:
- 2 — 6909, 7086
- 73 — 6637, 6638, 6792, 6838, 6874, 7086, 7246
- 87 — 6909, 7086

48 CFR

- 16 — 7032
- 17 — 7033
- 18 — 7034
- 19 — 7034

49 CFR

- 71–79 — 6591
- 95 — 6832, 7468, 7469
- 142 — 6964
- 170 — 7392
- 188 — 6964

PROPOSED RULES:
- 178 — 7287, 7288

50 CFR

- 33 — 6629, 6832, 6869, 6893, 6964, 7225, 7226, 7285.
- 60 — 6833

PROPOSED RULES:
- 10 — 7479
- 32 — 7061
- 34 — 7286
- 271 — 7244

DETROIT PUBLIC LIBRARY MAY 27 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 101

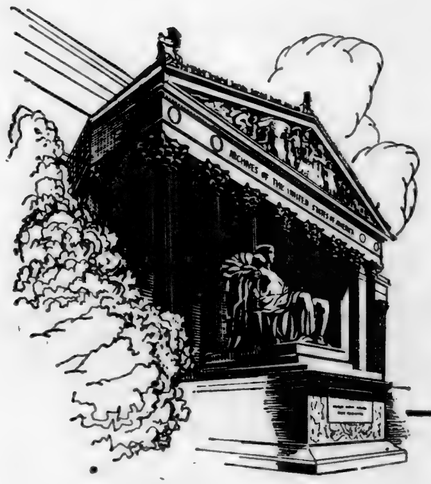
Wednesday, May 25, 1966 • Washington, D.C.

Pages 7503–7546

Agencies in this issue—

Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Coast Guard
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Federal Aviation Agency
Federal Communications Commission
Federal Home Loan Bank Board
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Interagency Textile Administrative Committee
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
Post Office Department
Securities and Exchange Commission
Small Business Administration
Tariff Commission
Treasury Department

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

How To Find U.S. Statutes and U.S. Code Citations

[Revised Edition—1965]

This pamphlet contains typical legal references which require further citing. The official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been included. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

This revised edition contains illustrations of principal finding aids and reflects the changes made in the new master table of statutes set out in the 1964 edition of the United States Code.

Price: 10 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

[Published by the Committee on the Judiciary, House of Representatives]

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE
Rules and Regulations
National agricultural conservation, 1964; maximum Federal cost-share limitation ... 7513

AGRICULTURE DEPARTMENT
See Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.

ATOMIC ENERGY COMMISSION
Notices
Connecticut Light and Power Co. et al.; issuance of provisional construction permit ... 7534

CIVIL AERONAUTICS BOARD
Rules and Regulations
Increase in value of trade agreements for named certificated helicopter carriers ... 7508
Notices
Air Taxi Co.; establishment of service mail rates ... 7532
Montreal-Tampa/Miami case; postponement of hearing ... 7532

COAST GUARD
Notices
International Cargo Gear Bureau, Inc.; acceptance of certificates and/or registers ... 7529

COMMERCE DEPARTMENT
See International Commerce Bureau; Maritime Administration.

COMMODITY CREDIT CORPORATION
Rules and Regulations
Sales of agricultural commodities under CCC export credit sales program; general statement ... 7515

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Avocados; import restriction ... 7514
Oranges, Valencia, grown in Arizona and California; handling limitation ... 7513
Proposed Rule Making
Milk in certain marketing areas:
Massachusetts-Rhode Island and Connecticut; hearing ... 7520
Nashville, Tenn.; recommended decision ... 7524
Notices
Sioux City Stock Yards; petition for modification of rate order ... 7531

CUSTOMS BUREAU
Rules and Regulations
Vessels in foreign and domestic trades; special tonnage tax and light money, Nigeria ... 7512
Notices
Fishery products from U.S.S.R.; withholding of appraisement notice ... 7529

FEDERAL AVIATION AGENCY
Rules and Regulations
Control zone and transition area; alteration ... 7507
Federal airways and reporting points; alteration ... 7507
Proposed Rule Making
Control zones and transition areas; alterations (2 documents) ... 7527, 7528
Transition areas; alterations (2 documents) ... 7527, 7528

FEDERAL COMMUNICATIONS COMMISSION
Notices
KWHK Broadcasting Co., Inc. (KWHK) et al.; hearing, etc ... 7533
Standard broadcast applications ready and available for processing ... 7533

FEDERAL HOME LOAN BANK BOARD
Rules and Regulations
Federal Savings and Loan System; operations; loan payments ... 7508

FEDERAL POWER COMMISSION
Notices
Acoma Oil Corp. et al.; hearing, etc ... 7530

FEDERAL TRADE COMMISSION
Rules and Regulations
Prohibited trade practices:
Liquidation Corporation of America et al ... 7511
Stein's Fur Shop, Inc., and Barney Golding ... 7511

FISH AND WILDLIFE SERVICE
Proposed Rule Making
Eastern Pacific tuna fisheries ... 7516

FOOD AND DRUG ADMINISTRATION
Rules and Regulations
Food additives; emulsifiers and/or surface-active agents; correction ... 7512

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration.

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE
Notices
Cotton produced or manufactured in Republic of China; entry and withdrawal from warehouse ... 7533

INTERIOR DEPARTMENT
See Fish and Wildlife Service; Land Management Bureau.

INTERNATIONAL COMMERCE BUREAU
Rules and Regulations
Enforcement provisions, and denial of export privileges; miscellaneous amendments ... 7509

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section applications for relief ... 7538
Motor carrier:
Alternate route deviation notices ... 7540
Applications and certain other proceedings (2 documents) ... 7541, 7543
Intrastate applications ... 7537
Temporary authority applications ... 7538
Transfer proceedings ... 7544

LAND MANAGEMENT BUREAU
Rules and Regulations
Public land orders:
Alaska; partial revocation of previous order ... 7512
California:
Partial revocation of reclamation withdrawals ... 7513
Withdrawals for national forest administrative site ... 7513
Utah; exclusion of land from national forest ... 7512
Washington; revocation of withdrawal for national forest administrative site ... 7513
Notices
Idaho; filing of protraction diagram ... 7532
Oregon; revocation of small tract classification ... 7532

MARITIME ADMINISTRATION
Notices
Irving Trust Co.; approval of applicant as trustee ... 7534

POST OFFICE DEPARTMENT
Notices
Mail for Singapore ... 7529

(*Continued on next page*)

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
American Biltrite Rubber Co., Inc., et al. 7535
Consolidated Natural Gas Co., et al. 7535
Georgia Power Co. 7536
Oxford Cumulative Trust Fund. 7536
Pennsylvania Electric Co. 7537

SMALL BUSINESS ADMINISTRATION

Notices

Midwestern area; delegation of authority 7537

TARIFF COMMISSION

Notices

Steel jacks from Canada; investigation 7534

TREASURY DEPARTMENT

See also Coast Guard; Customs Bureau.

Notices

Delegations of authority regarding signing of official papers:
Deputy Treasurer et al. 7529
Treasurer 7529

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

701 7513
908 7513
944 7514
1488 7515

PROPOSED RULES:

1001 7520
1015 7520
1098 7524

12 CFR

545 7508

14 CFR

71 (2 documents) 7507, 7508
225

PROPOSED RULES:

71 (4 documents) 7527, 7528

15 CFR

381 7509
382 7509

16 CFR

13 (2 documents) 7511

19 CFR

4 7512

21 CFR

121 7512

43 CFR

PUBLIC LAND ORDERS:

843 (revoked in part by PLO 4009) 7512
4009 7512
4010 7512
4011 7513
4012 7513
4013 7513

50 CFR

PROPOSED RULES:

280 7516
281 7516

Rules and Regulations

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 66–EA–3]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On page 3078 of the FEDERAL REGISTER for February 24, 1966, the Federal Aviation Agency published proposed regulations which would alter the Islip, N.Y., control zone and Islip, N.Y., transition area.

A recent alteration of the outer marker ADF procedure final approach altitude from 800 feet MSL to 1,600 feet MSL permits us to reduce the southwest control zone extension by 8 statute miles. Additionally, the Long Island Airport was recently renamed, "Long Island-MacArthur Airport".

Interested parties were given 30 days after publication in which to submit written data or views. The Aircraft Owners and Pilots Association recommended the deletion of a portion of the southwest control zone extension. This objection has been resolved by the amendment to the original notice.

The deletion of the control zone extension and the change of the name of the airport are considered less restrictive and editorial in nature and impose no additional burden on any person. In view of the foregoing, notice and public procedure upon the amendments to the original notice are unnecessary.

In view of the foregoing, the proposed rules are adopted effective 0001 e.s.t. June 23, 1966, as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Islip, N.Y., control zone the term, "Long Island Airport" and insert in lieu thereof the term, "Long Island-MacArthur Airport".

2. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Islip, N.Y., control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 40°47'50" N., 73°06'00" W., of Long Island-MacArthur Airport, Islip, N.Y.; within 2 miles each side of the Long Island-MacArthur Airport ILS localizer SW course extending from the 5-mile radius area to 1 mile NE of the OM; and within 2 miles each side of Long Island-MacArthur Airport ILS localizer NE course extending from the 5-mile radius zone to 6 miles NE of the localizer.

3. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to change the description of the Islip, N.Y., transition area by deleting the period after the phrase, "SW of the OM" and inserting a semicolon and the phrase, "and within 2 miles each side of the NE ILS localizer course extending from the 7-mile radius area to 9 miles NE of the localizer.", and delete the term, "Long Island Airport" and insert in lieu thereof the phrase, "Long Island-MacArthur Airport".

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on May 2, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-5687; Filed, May 24, 1966; 8:45 a.m.]

[Airspace Docket No. 65–SO–59]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways and Reporting Points

On March 8, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 3499) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the VOR Federal airway structure and certain reporting points within the Atlanta, Ga., terminal area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

1. Section 71.123 (31 F.R. 2009, 3230, 3231, 5055, 5285, and 6297) is amended as follows:

a. In V–5 all between "Dublin, Ga.," and "Nashville, Tenn.," is deleted and "including an E alternate from Jacksonville to Dublin via INT of Jacksonville 334° and Dublin 137° radials; Rex, Ga., including a W alternate from Dublin to Rex via Macon, Ga., and INT of Macon 335° and Rex 140° radials; INT of Rex 345° and Chattanooga, Tenn., 118° radials; Chattanooga, including a W alternate from Rex to Chattanooga via INT of Rex 268° and Atlanta, Ga., 347° radials, INT of Atlanta 347° and Chattanooga 152° radials;" is substituted therefor.

b. In V–18 all after "Tuscaloosa, Ala.;" is deleted and "Birmingham, Ala.; Anniston, Ala.; Rex, Ga.; INT of Rex 090° and Augusta, Ga., 278° radials; Augusta, including an S alternate from Birmingham to Augusta via INT of Birmingham 114° and Brookwood, Ala., 083° radials, Atlanta, Ga., INT of Atlanta 098° and Augusta 263° radials; INT of Augusta 097° and Charleston, S.C., 300° radials; to Charleston, including an S alternate from Augusta to Charleston via INT of Augusta 157° and Allendale, S.C., 262° radials and Allendale, excluding the airspace between the main and this S alternate airway." is substituted therefor.

c. In V–20 all between "Montgomery, Ala.;" and "Greensboro, N.C.;" is deleted and "La Grange, Ga.; Atlanta, Ga., including an N alternate from Montgomery to Atlanta via INT Montgomery 033° and Atlanta 248° radials; Rex, Ga.; Anderson, S.C.; Spartanburg, S.C., including an N alternate from Atlanta to Spartanburg via Norcross, Ga., INT of Norcross 055° and Spartanburg 244° radials;" is substituted therefor.

d. In V–35 all between "Athens, Ga.;" and "Holston Mountain, Tenn." is deleted and "Asheville, N.C.;" is substituted therefor.

e. In V–51 all between "Dublin, Ga.;" and "Highway, Tenn.;" is deleted and "Rex, Ga.; Crossville, Tenn.;" is substituted therefor.

f. In V–54 all after "Fort Mill, S.C." is deleted and "to Pinehurst, N.C." is substituted therefor.

g. In V–66 all after "via Brookwood, Ala.;" is deleted and "Atlanta, Ga. (4 miles N and 3 miles S of centerline from Brookwood to 3 miles W of Birmingham, Ala., 180° radial); Rex, Ga.; INT of Rex 090° and Athens, Ga., 238° radials; Athens; Fort Mill, S.C.; to Raleigh-Durham, N.C." is substituted therefor.

h. In V–97 all between "Albany;" and "London, Ky.," is deleted and "Atlanta, Ga., including an E alternate from Albany to Atlanta via INT of Albany 010° and Rex, Ga., 173° radials, INT of Rex 173° and Atlanta 147° radials; INT of Atlanta 007° and Knoxville, Tenn., 198° radials; Knoxville, including an E alternate from Atlanta to Knoxville via Norcross, Ga., and Harris, Ga.;" is substituted therefor.

i. In V–194 all between "From Norcross, Ga.," and "Rocky Mount, N.C.;" is deleted and "via INT of Norcross 055° and Anderson, S.C., 267° radials; Anderson; INT of Anderson 065° and Charlotte, N.C., 240° radials; Charlotte; Liberty, N.C.; Raleigh-Durham, N.C.;" is substituted therefor.

j. In V–222 "via INT of Norcross 026°" is deleted and "via INT of Norcross 010°" is substituted therefor.

k. In V–241 all after "INT of Dothan 002° and Columbus 219° radials;" is deleted and "INT of Columbus 086° and Atlanta, Ga., 198° radials; to Atlanta, including a W alternate via INT Columbus 019° and Atlanta 233° radials, and an E alternate via INT of Columbus 086° and Atlanta 198° radials, INT of Columbus 041° and Atlanta 198° radials, and INT of Columbus 041° and Atlanta 174° radials." is substituted therefor.

1. In V-243 "INT of Atlanta 007°" is deleted and "INT of Atlanta 347°" is substituted therefor.

m. V-311 is added as follows:

V-311 From Norcross, Ga., via INT of Norcross 055° and Anderson, S.C., 267° radials: Anderson; Greenwood, S.C.; to Columbia, S.C.

n. V-321 is added as follows:

V-321 From Atlanta, Ga., via INT of Atlanta 264° and Gadsden, Ala., 130° radials; to Gadsden.

o. In V-454 all between "Columbus;" and "INT of Greenwood 060°" is deleted and "INT of Columbus 019° and Atlanta, Ga., 233° radials; Atlanta; Rex, Ga.; INT of Rex 090° and Greenwood, S.C., 240° radials; Greenwood;" is substituted therefor.

2. Section 71.203 (31 F.R. 2277) is amended as follows:

a. Atlanta, Ga. and Anderson, S.C. is added.

b. Ben Hill INT: INT Atlanta, Ga., 007° radials, Rex, Ga., 270° radial; Bobby Jones INT: INT of Atlanta, Ga., 034° McDonough, Ga., 333° radials; Royston, Ga.; and Porterdale INT: INT McDonough, Ga., 063°, Norcross, Ga., 150° radials, are deleted.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 19, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc 66-5688; Filed, May 24, 1966; 8:45 am.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-463; Economic Regs. Amdt. 3]

PART 225—TARIFFS OF CERTAIN CERTIFICATED AIRLINES; TRADE AGREEMENTS

Increase in Value of Trade Agreements for Named Certificated Helicopter Carriers

MAY 20, 1966.

New York Airways, Inc. (NYA) filed a petition for rule making January 24, 1966, Docket 16863, to amend Part 225 so as to extend the part for at least 3 years, to increase the value of trade agreements authorized for helicopter carriers from $20,000 to $100,000 a year, and to authorize the exchange of transportation of property as well as passengers for advertising goods and services.

In ER-453, adopted and effective February 15, 1966, the Board extended Part 225 for an additional 3-year period, but deferred action on the other aspects of New York Airways' petition. Los Angeles Airways, Inc. (LAA) filed an answer supporting the petition.

NYA and LAA allege that the ineligibility of the certificated helicopter carriers for subsidy has created a critical cash shortage in the current operations, and has curtailed their cash advertising. They further state that the increase in the demand for their services has necessitated that they use their cash resources for the purchase of new equipment, and that they expand their advertising budgets so that they may take full advantage of the increasing use by the public of their services. They cite the high cost of advertising in the metropolitan media as an additional reason for increasing the dollar limitation and for permitting transportation of property, such as newspapers from city center to airports, in return for advertising therein.

The Board is aware of the critical cash position of the formerly subsidized certificated helicopter carriers, their need to increase their advertising to stimulate traffic and thus increase their operating revenues, and the high cost of advertising in the metropolitan areas these carriers serve. For these reasons it has determined to grant their request and raise the dollar limitation on their trade agreements to $100,000.

NYA's request that the helicopter carriers be authorized to exchange transportation of property for advertising is denied. Because the basic scheme of the statute is that air transportation should be paid for in cash, the Board has historically refused to extend the Part 225 exemption to include the transportation of property.[1] Such an extension could give rise to problems of preference and prejudice as between competing shippers, problems which are less likely to occur if the exemption is limited to the transportation of the suppliers' personnel and their immediate families.

Because this rule relieves a restriction and will not adversely affect any person, the Board finds that notice and public procedure hereon are not required and that the rule should be made effective immediately.

Accordingly, the Board hereby amends Part 225 of the economic regulations (14 CFR Part 225), effective May 20, 1966, as follows:

Amend § 225.6 by revising paragraph (b) and adding new paragraph (c) to read:

§ 225.6 Limitation on total value of trade agreements.

* * * * *

(b) $20,000 in the aggregate each year for those airlines identified under § 225.1(a)(4);

(c) $100,000 in the aggregate each year for those airlines identified under § 225.1(a)(6).

(Secs. 204(a), 403, 404, 416, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 758, 760, 771; 49 U.S.C. 1324, 1373, 1374, 1386)

By the Civil Aeronautics Board.

Effective date. May 20, 1966.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5720; Filed, May 24, 1966; 8:48 a.m.]

[1] In Regulation ER-290 (1959), the Board denied a request that the local service carriers be authorized to exchange transportation of limited items of property, such as newspapers and television films, for advertising on these grounds.

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 19,915]

PART 545—OPERATIONS

Loan Payments

MAY 19, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 6277) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 545.6-12 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.6-12) and for the purpose of effecting such amendment hereby amends said § 545.6-12 to read as follows, effective May 25, 1966:

§ 545.6-12 Loan payments.

Payments on the principal indebtedness of all loans on real estate security shall be applied direct to the reduction of such indebtedness, but prepayments made on an installment loan may be reapplied from time to time in whole or in part by a Federal association to offset payments which subsequently accrue under the loan contract. Payments on all monthly installment loans, other than construction loans, insured loans, and guaranteed loans, shall begin not later than 60 days after the advance of the loan; insured loans and guaranteed loans may be repayable upon terms acceptable to the insuring or guaranteeing agency and the Board hereby approves for use by any Federal association a loan plan wherein payments on any construction loans that such association may otherwise make under this part shall begin not later than 12 months after the date of the first advance. Borrowers from Federal associations shall have the right to prepay their loans without penalty unless the loan contract makes express provision for a prepayment penalty. The prepayment penalty for a loan secured by a home or combination of home and business property shall not be more than 6 months' advance interest on that part of the aggregate amount of all prepayments made on such loan in any 12-month period which exceeds 20 percent of the original principal amount of the loan.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-5718; Filed, May 24, 1966; 8:48 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10th Gen. Rev. of Export Regs., Amdt. 17]

PART 381—ENFORCEMENT PROVISIONS

PART 382—DENIAL OF EXPORT PRIVILEGES

Miscellaneous Amendments

Parts 381 and 382 of Title 15 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

Effective date: November 12, 1965.

RAUER H. MEYER,
Director, Office of Export Control.

CIVIL PENALTIES FOR VIOLATIONS OF THE EXPORT CONTROL LAW

Purpose and effect: On June 30, 1965, the President approved Public Law 89-63, which extends the duration of the Export Control Act of 1949 through June 30, 1969. In addition, the Act was amended to authorize the administrative imposition of a civil penalty not to exceed $1,000 for each violation of the Export Control Law or any regulation, order, or license issued under it. Prior to this amendment, the only available sanctions which did not involve criminal prosecution of the violator were the revocation of export licenses, general denial of export privileges, exclusion from practice before the Bureau of International Commerce, and seizure and forfeiture of the shipment. This amendment provides another deterrent against violations which may be applied either in addition to, or in lieu of, any other liability or penalty which may be imposed.

As a means of collecting the civil penalty, the Department of Commerce may suspend the violator's export privileges for not more than a year. Upon failure of any person to pay a penalty imposed under this new provision the Government may bring a civil suit to enforce collection. In such a case the violator is entitled to a judicial determination of his liability. However, once a penalty has been paid, no action for the refund thereof may be maintained in any court. In cases where it is found that the penalty has been imposed on the basis of a material error of fact or law, the Department of Commerce may, in its discretion, refund the amount of such penalty within 2 years after payment.

The Department is further authorized to compromise and settle any administrative proceedings brought with respect to violations of the Export Control Law or any regulation, order, or license issued under it.

Effective date of action: November 12, 1965.

Accordingly, §§ 381.1(b), 382.1(a), 382.3(a), 382.13(a), and 382.18 of the Comprehensive Export Schedule are revised to read as follows:

§ 381.1 Sanctions.

* * * * *

(b) *Administrative*—(1) *Denial of export privileges.* A violator of any law, order, regulation, or license relating to export controls is also subject to administrative action which may result in suspension, revocation, or denial of export privileges under the Export Control Law.[1]

(2) *Exclusion from practice.* A violator of any law, order, regulation, or license relating to export controls is further subject to administrative action which may result in exclusion from practice before the Bureau of International Commerce.[2]

(3) *Civil penalty.* (i) A civil penalty not to exceed $1,000 for each violation of the Export Control Law or any regulation, order, or license issued thereunder may be imposed, either in addition to, or in lieu of, any other liability or penalty which may be imposed.[3] The payment of this penalty may be made a condition for a period not exceeding 1 year after the imposition of such penalty to the granting, restoration, or continuing validity of any export licenses, permission, or privilege granted to the person upon whom such a penalty is imposed.

(ii) Upon failure of any person to pay such a penalty, civil action for the recovery of the penalty may be brought in the name of the United States, in which action the court shall determine de novo all issues necessary to the establishment of liability. Once a penalty has been paid, no action for the refund thereof may be maintained in any court.[4]

(4) *Seizure.* In addition, commodities or technical data attempted to be, or being, or intended to be, or which have been, exported or shipped from or taken out of the United States in violation of the Export Control Law or of any proclamation, order, rule, regulation, or license issued thereunder are subject to seizure and forfeiture, as are the vessels, vehicles, and aircraft carrying such commodities or technical data.[5]

[1] See § 370.1(n) for definition of export control document.

[2] See § 384.2(a), "Exclusion of Persons Guilty of Unethical Conduct or Not Possessing Required Integrity and Ethical Standards."

[3] The Department of Commerce is authorized, within its discretion, to compromise and settle any administrative proceedings brought with respect to such violations upon payment of a sum not to exceed $1,000 for each violation.

[4] The Department of Commerce is authorized within its discretion, however, to refund the penalty at any time within two years of payment if it is found that there was a material error of fact or of law.

[5] Title 22 U.S.C. 401.

§ 382.1 Denial of export privileges and imposition of civil penalties.

(a) *Administrative sanctions.*[1] Any person (respondent) who contravenes or violates any law, order, regulation, license, or other reexportation authorization relating to export control is subject to the following administrative actions:

(1) *Revocation of validated export licenses.* Any or all outstanding validated export licenses concerned with or affecting any transaction in which such respondent may have any interest, direct or indirect, may be revoked and ordered returned forthwith to the Office of Export Control.

(2) *General denial of export privileges.* Such respondent may be denied the privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of such denial of export privileges, participation prohibited in any such transaction either in the United States or abroad may be deemed to include:

(i) Participation as a party or as a representative of a party to any validated export license application;

(ii) Participation in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith;

(iii) Participation in the obtaining or using of any validated or general export license or other export control documents;

(iv) Participation in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; and

(v) Participation in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

(3) *Exclusion from practice.* Such respondent may be excluded from practice before the Bureau of International Commerce.

(4) *Civil Penalty.* In addition to the administrative sanctions described above, or in lieu thereof, a civil penalty not to exceed $1,000 may be imposed for each violation. (See § 381.1(b)(3).)

* * * * *

§ 382.3 Institution of administrative proceedings.

(a) *Charging letters.* The Investigations Division, Office of Export Control, with the approval of the Office of the General Counsel, may initiate proceedings for the imposition of one or more of the following sanctions against any person who it has reason to believe has violated any law or regulation relating to export control: (1) denial of export privileges, (2) denial of privileges of practice, or (3) civil penalties. Such proceedings are initiated by service of a

[1] See § 370.4 regarding the unauthorized disposition of foreign excess personal property purchased from the U.S. Armed Forces in foreign countries.

charging letter. The charging letter shall allege the essential facts constituting the specific violations charged, including reference to the particular regulatory or other provisions alleged to have been violated, and shall give notice that, if the respondent is found to have committed the alleged violations, his export privileges may be denied, his privilege of practice may be denied, or a civil penalty may be imposed. The charging letter shall inform the respondent that he is required to answer the allegations therein contained within 30 days, as provided in § 382.5, and that if he fails to answer as so provided he will be in default and the allegations will be deemed admitted. It shall inform the respondent that he is entitled to an oral hearing provided that he files a written demand therefor with his answer or within seven days after service of his answer, and that he may, if he so desires, be represented by counsel of his own choosing. Charging letters may be amended from time to time, upon reasonable notice.

* * * * *

§ 382.13 Appeals.

(a) *Grounds and conditions for appeal.* (1) The respondent may appeal from a denial of export privileges, from a denial of privileges of practice, or from the imposition of a civil penalty, upon the ground (i) that the findings of violation are not supported by any substantial evidence, (ii) that prejudicial error of law was committed, or (iii) that the provisions of the order are arbitrary, capricious, or an abuse of discretion. The appeal must specify upon which of these grounds the appeal is based and must indicate from which provisions of the order the appeal is taken.

(2) An appeal from a denial upon default, a temporary denial, or an indefinite denial will not be entertained unless and until the respondent has moved unsuccessfully for relief as provided in §§ 382.4(b), or 382.11(c), or 382.15 as the case may be.

* * * * *

§ 382.18 Publication of orders.

All orders denying export privileges and all decisions of the Appeals Board in appeals under § 382.13 shall be published in the FEDERAL REGISTER as soon as practicable after issuance; except that such orders and decisions need not be so published where they provide for the imposition of a civil penalty alone or as an alternative to the denial of export privileges and where such civil penalty has been paid before the denial of export privileges becomes effective. Copies of all orders and decisions which are not published in the FEDERAL REGISTER will be available for public inspection at the Office of the Director, Office of Export Control.

Amendments to Supplement No. 1, *Table of Denial and Probation Orders Currently in Effect* (§ 282.51(b)), are as follows:

A. ADDITIONS

Name and address	Effective date	Expiration dates	Export privileges affected	FEDERAL REGISTER citation
American Universal Equipment Co. Vaduz, Liechtenstein, Brussels, Belgium, Tel Aviv, Israel.	8-17-65	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada.	30 F.R. 10209-10210, 8-17-65.
Amoe, Lionel, Amos (Machinery) Ltd., Forge Garage, Middleton (Ludlow), Shropshire, England.	10-19-65	do	do	30 F.R. 13272-13273, 10-19-65.
Bristow Huppert Properties, Ltd., 28 Uxbridge Rd., London, W.5, England.	10-19-65	do	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to John H. Bristow, which see.)	30 F.R. 13273-13274, 10-19-65.
Bristow, John H., Bristow, Ltd., John, 36 Overdale Rd., Ealing, London W.5, England.	10-19-65	do	General and validated licenses, all commodities, any destination, also exports to Canada.	30 F.R. 13273-13274, 10-19-65.
Bristow (Plant Hire) Ltd. (formerly called Bristow and Halliday Ltd.), 120-121 Newgate St., London, E.C.1, England	10-19-65	do	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to John H. Bristow, which see.)	30 F.R. 13273-13274, 10-19-65.
Con-Mech Engineers, Ltd., 4 Southampton Pl., London W.C.1, England.	8-23-65	do	General and validated licenses, all commodities, any destination, also exports to Canada.	30 F.R. 10913, 8-21-65.
Gibbs, D. E., 4 Southampton Pl., London W.C.1, England.	8-23-65	do	do	30 F.R. 10913, 8-21-65.
Gretzke, Harry, doing business as American Universal Equipment Co., Vaduz, Liechtenstein, Brussels, Belgium, Tel Aviv, Israel.	8-17-65	do	do	30 F.R. 10209-10210, 8-17-65.
Mondschein, Elfriede (Mrs.), c/o PI-MO Technische Industrieprodukte und Elektronik G.m.b.H., 64 Mollardgasse, Vienna VI, Austria.	8-31-65	Duration	do	30 F.R. 11180-11182, 8-31-65.
PI-MO K. Pirker & Co., 64 Mollardgasse, Vienna VI, Austria.	8-31-65	do	do	30 F.R. 11180-11182, 8-31-65.
PI-MO Technische Industrieprodukte und Elektronik G.m.b.H., 64 Mollardgasse, Vienna VI, Austria.	8-31-65	do	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to PI-MO K. Pirker & Co., Elfriede Mondschein, and Karl Pirker, which see.)	30 F.R. 11180-11182, 8-31-65.
Pirker, Karl, c/o PI-MO Technische Industrieprodukte und Elektronik G.m.b.H., 64 Mollardgasse, Vienna VI, Austria.	8-31-65	do	General and validated licenses, all commodities, any destination, also exports to Canada.	30 F.R. 11180-11182, 8-31-65.
Tautner, Erwin, 27-4 Belhofer gasse Vienna XII, Austria.	8-31-65	do	do	30 F.R. 11180-11182, 8/31/65.

B. AMENDMENTS

Abou-Hadid Freres, Rue Hamidie, Post Office Box 81, Nasr St. and Souk Nasrie, No. 49, Damascus, Syrian Arab Republic.	7-21-59	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada.	24 F.R. 5946, 7-24-59.
Bordo, Irving E., President, Trade-All Enterprises, Ltd., Post Office Box 26, Station T, 1645 Bathurst St., Toronto 19, Ontario, Canada.	9-1-65	do	do	30 F.R. 11534-11535, 9-9-65; 30 F.R. 12548-12549, 10-1-65; 30 F.R. 14019, 11-5-65.
Chemische Industrie, "Den Haag," N.V., le van der Kunstraat 70, The Hague, Netherlands.	10-27-55	10-27-57 (on probation from 10-28-57 for duration).*		20 F.R. 8202, 11-1-55.
De Swaan Bonnist, E. & L. De Swaan tot, Voortzetting van de Holland, Jute voorheen Gebroeders, Bonnist N.V., Wittenburgergracht 1-3, Amsterdam, Netherlands.	3-8-62	3-27-66 (on probation from 3-28-66 to 3-27-69).*	General and validated licenses, all commodities, any destination, also exports to Canada.	27 F.R. 2378, 3-13-62; 30 F.R. 12303-12304, 9-25-65.
Klementz, Maximilian, Moenckebergstrasse 17, 2000 Hamburg 1, Germany, West	8-9-65	Until further notice.	do	30 F.R. 10166-10167, 8-14-65; 30 F.R. 13304, 9-25-65.
Trade-All Enterprises, Ltd., Post Office Box 26, Station T, 1645 Bathurst St., Tornoto 19, Ontario, Canada.	9-1-65	Indefinite	do	30 F.R. 11534-11535, 9-9-65. 30 F.R. 12548-12549, 10-1-65; 30 F.R. 14019, 11-5-65.

*Although the named person or firm is entitled to all export privileges during this probation period, these privileges may b revoked upon a finding that the probation has been violated.

C. DELETIONS

Name	Address
Aarsen, H., Berk, Milton, Elmetrik, Transmare Handelmaatschappij, N.V.	Meent 93, Rotterdam, Netherlands, 1457 Le Jeune Rd., Coral Gables, Miami, Fla., Sovdeborgsgaten 31, Malmoe, Sweden, Meent 93, Rotterdam, Netherlands.

[F.R. Doc. 66-5685; Filed, May 24, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1060]

PART 13—PROHIBITED TRADE PRACTICES

Liquidation Corporation of America, et al.

Subpart—Misrepresenting oneself and goods—Business Status, Advantages or Connections: § 13.1490 *Nature;* § 13.1565 *Trade names.* Subpart—Using misleading name—Vendor: § 13.2425 *Nature, in general.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Liquidation Corp. of America et al., Springfield, Mo., Docket C-1060, Apr. 26, 1966]

In the Matter of Liquidation Corp. of America, a Corporation, and Gladys Wasson and Roy Wasson, Individually and as Officers and Directors of Said Corporation, and Earl Gardner, Individually and as an Employee and Director of Said Corporation

Consent order requiring a Springfield, Mo., debt collection agency to cease misrepresenting the nature, size and scope of its business, deceptively using the term "liquidation" in its trade name, and using other false and deceptive practices.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Liquidation Corp. of America, a corporation, and its officers and directors, and Gladys Wasson and Roy Wasson, individually and as officers and directors of said corporation, and Earl Gardner, individually as an employee and as a director of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the solicitation of accounts for collection, or the collection of, or attempts to collect accounts, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Liquidation" or any other word or words of similar import or meaning, in or as a part of respondents' trade or corporate name, or otherwise representing, directly or by implication, that they are liquidators or agents engaged in the sale or disposition of bankrupt, estate, salvage, distrained, or other distress or surplus merchandise; or misrepresenting, in any manner, their trade or business status or the nature of respondents' enterprise;

2. Representing, directly or by implication, that their business is nation-wide in scope or that they have nation-wide corresponding attorneys and collectors affiliated or connected with them;

3. Representing, directly or by implication, that respondents' business is departmentalized or that respondents' business employs a large number of employees; or misrepresenting, in any manner, the organization, size, or staff of respondents' business;

4. Representing, directly or by implication, that the corporate respondent has members; or designating the persons who assign accounts to them for collection as "members";

5. Using any unofficial or unauthorized document which simulates or is represented to be a document authorized, issued or approved by a court of law or any other official or legally constituted or authorized authority; or misrepresenting, in any manner, the source, authorization or approval of any document;

6. Using any questionnaire or similar material which does not clearly reveal the purpose for which the information is requested;

7. Representing, directly or by implication, that respondents compile or issue credit reports: *Provided, however,* That it shall be a defense in any enforcement action hereunder for respondents to establish that they provide such service.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: April 26, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5693; Filed, May 24, 1966; 8:45 a.m.]

[Docket No. C-1061]

PART 13—PROHIBITED TRADE PRACTICES

Stein's Fur Shop, Inc., and Barney Golding

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices:* § 13.155-70 Percentage savings; § 13.155-100 Usual as reduced, special, etc. Subpart—Misrepresenting oneself and goods—Goods: § 13.1623 *Formal regulatory and statutory requirements:* § 13.1623-30 Fur Products Labeling Act; Misrepresenting oneself and goods—Prices: § 13.1805 *Exaggerated as regular and customary.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Stein's Fur Shop, Inc., et al., Memphis, Tenn., Docket C-1061, Apr. 27, 1966]

Consent order requiring a Memphis, Tenn., retail furrier to cease misrepresenting the savings available to purchasers of its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Stein's Fur Shop, Inc., a corporation, and its officers, and Barney Golding, individually and as an officer of said corporation and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation, or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Misrepresents in any manner the savings available to purchasers of respondents' fur products.

2. Falsely or deceptively represents in any manner that prices of respondents' fur products are reduced.

3. Misrepresents directly or by implication through percentage savings claims that prices of fur products are reduced to afford purchasers of respondents' fur products the percentage of savings stated.

B. Making claims and representations of the types covered by subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: April 27, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-5694; Filed, May 24, 1966; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 66-106]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Special Tonnage Tax and Light Money, Nigeria

MAY 17, 1966.

The Secretary of State advised the Secretary of the Treasury on April 13, 1966, that the Department of State has obtained satisfactory proof from the Government of Nigeria that as of March 24, 1966, no discriminating duties of tonnage or imposts are imposed or levied in ports of Nigeria upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported into Nigeria in such vessels from the United States or from any foreign country.

Therefore, by virtue of the authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U.S.C. 141), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951, as amended by Executive Order No. 10882, July 18, 1960 (3 CFR Ch. II), and pursuant to the authorization given to me by Treasury Department Order No. 190, Rev. 4, December 15, 1965 (30 F.R. 15769), I declare that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects to vessels of Nigeria, and the produce, manufactures, or merchandise imported into the United States in such vessels from Nigeria or from any other foreign country. This suspension and discontinuance shall take effect from March 24, 1966, and shall continue for so long as the reciprocal exemption of vessels wholly belonging to citizens of the United States and their cargoes shall be continued and no longer.

In accordance with this declaration, section 4.22, Customs Regulations, is amended by the insertion of "Nigeria" immediately after "Nicaragua" in the list of countries exempt from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money.

(R.S. 161, as amended, 4219, as amended, 4225, as amended, 4228, as amended, sec. 3, 23 Stat. 119, as amended; 5 U.S.C. 22, 46 U.S.C. 3, 121, 128, 141)

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-5708; Filed, May 24, 1966; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

EMULSIFIERS AND/OR SURFACE-ACTIVE AGENTS

Correction

In F.R. Doc. 66-5415, appearing at page 7227 of the issue for Wednesday, May 18, 1966, the word "and" in the third line of the addition to § 121.2541 should read "to".

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4009]

[Fairbanks 016450]

ALASKA

Partial Revocation of Public Land Order No. 843

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 843 of June 24, 1952, withdrawing lands for use of the Department of the Air Force for military purposes, is hereby revoked so far as it affects the following described land:

GALENA

Commencing at the point of beginning which is 156°42' W. longitude, 64°42' N. latitude, thence:
East, 2,600 feet;
South, 4,000 feet;
West, 2,600 feet;
North, 4,000 feet to the point of beginning.

Containing 238.75 acres.

2. Until 10 a.m. on August 17, 1966, the State of Alaska shall have a preferred right to select the land as provided by the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the land shall be open to operation of the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 17, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 18, 1966.

[F.R. Doc. 66-5695; Filed, May 24, 1966; 8:45 a.m.]

[Public Land Order 4010]

[Utah 0144045]

UTAH

Exclusion of Land From National Forest

By virtue of the authority vested in the President by section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The following described lands are hereby excluded from the Dixie National Forest:

SALT LAKE MERIDIAN

T. 39 S., R. 16 W.,
Sec. 21, SE¼SE¼;
Sec. 28, N½NE¼.

The areas described aggregate approximately 120 acres in Washington County, of which the SE¼SE¼, section 21, and the NW¼NE¼, section 28, are withdrawn for water power purposes.

2. Until 10 a.m., on November 16, 1966, the State of Utah shall have a preferred right of application to select the lands not otherwise withdrawn, as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m., on November 16, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 18, 1966.

[F.R. Doc. 66-5696; Filed, May 24, 1966; 8:46 a.m.]

[Public Land Order 4011]

[Oregon 017511 (Wash.)]

WASHINGTON

Revocation of Withdrawal for National Forest Administrative Site

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The departmental order of December 28, 1907, withdrawing a tract of land in T. 38 N., R. 29 E., Willamette Meridian, more particularly described below, for use by the Forest Service as an administrative site, is hereby revoked:

WILLAMETTE MERIDIAN

OKANOGAN NATIONAL FOREST

Antoine Ranger Station

T. 38 N., R. 29 E.,
In sec. 8, metes and bounds (S½NE¼, SE¼NW¼, NE¼SW¼ and N½SE¼).

The tract described contains approximately 92 acres in Okanogan County.

2. At 10 a.m., on June 23, 1966, the national forest lands shall be open to such forms of disposition as may by law be made of such lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 18, 1966.

[F.R. Doc. 66-5697; Filed, May 24, 1966; 8:46 a.m.]

[Public Land Order 4012]

[Sacramento 080148]

CALIFORNIA

Withdrawal for National Forest Administrative Site

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (Title 30 U.S.C., Ch. 2), in aid of programs of the Department of Agriculture:

MOUNT DIABLO MERIDIAN

TOIYABE NATIONAL FOREST

Woodfords Administrative Site

T. 11 N., R. 19 E.,
Sec. 35, N½SW¼.

The area described contains 80 acres in Alpine County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 18, 1966.

[F.R. Doc. 66-5698; Filed, May 24, 1966; 8:46 a.m.]

[Public Land Order 4013]

[Sacramento 080319]

CALIFORNIA

Partial Revocation of Reclamation Withdrawals

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

The departmental orders of July 19, 1904, and January 28, 1905, withdrawing land for the Klamath River Project are hereby revoked so far as they affect the following described land:

MOUNT DIABLO MERIDIAN

T. 46 N., R. 5 E.,
Sec. 10, lot 3.

The area described contains 17.52 acres in Modoc County. The land remains in withdrawals for the Lava Beds National Monument established by Proclamation No. 1755 of November 21, 1925, and for other purposes.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 18, 1966.

[F.R. Doc. 66-5699; Filed, May 24, 1966; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAMS

[ACP-1966, Supp. 4]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAMS

Subpart—1964

MAXIMUM FEDERAL COST-SHARE LIMITATION

Section 701.29 of the regulations governing the National Agricultural Conservation Program, 7 CFR Part 701, as amended, is further amended as follows:

Paragraph (c) (9) (iii) is amended and a new paragraph (d) is added to read as follows:

§ 701.29 Maximum Federal cost-share limitation.

* * * * * * *

(c) * * *

(9) *Exceptions.* * * *

(iii) The contribution of such individual or other entity to the cost of performing practices must be made from a fund or account separate from that of any other individual or entity referred to in the applicable subparagraph.

(d) For the purpose of applying the Federal cost-share limitation, a corporation or partnership shall be considered as a separate person from any other corporation or partnership which may participate in the program, even though there are common stockholders or members, with respect to any farm as to which all the following conditions are met: (1) The interests of such corporation or partnership in the farm and the income therefrom must be separate and distinct from the interests therein of the other corporation or partnership; (2) such corporation or partnership must exercise, separate from the other corporation or partnership, responsibility for management of such separate interests; and (3) the contribution of such corporation or partnership to the cost of performing practices must be made from a fund or account separate from that of the other corporation or partnership: *Provided*, That in no event shall cost-sharing be approved on the same farm for more than one corporation or partnership having common stockholders or members.

Signed at Washington, D.C., on May 20, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-5723; Filed, May 24, 1966; 8:48 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 161, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the

handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (i) of § 908.461 (Valencia Orange Reg. 161, 31 F.R. 7109) are hereby amended to read as follows:

§ 908.461 Valencia Orange Regulation 161.

* * * * *

(b) *Order.* (1) * * *

(i) District 1: 850,000 cartons.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 20, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5704; Filed, May 24, 1966; 8:46 a.m.]

[Avocado Reg. 14]

PART 944—FRUIT; IMPORT REGULATIONS

Avocados

§ 944.6 Avocado Regulation 14.

(a) On and after the effective time of this section, the importation into the United States of any avocados is prohibited unless such avocados are inspected and meet the following requirements:

(1) All avocados imported during the period beginning at 12:01 a.m., e.s.t., May 31, 1966, and ending at 12:01 a.m., e.s.t., April 30, 1967, shall grade not less than U.S. No. 3;

(2) Avocados of the Pollock variety shall not be imported (i) prior to 12:01 a.m., e.s.t., July 18, 1966; (ii) during the period beginning at 12:01 a.m., e.s.t., July 18, 1966, and ending at 12:01 a.m., e.s.t., August 1, 1966, unless the individual fruit in each lot of such avocados weighs at least 16 ounces or measures at least 3 7/16 inches in diameter;

(3) Avocados of the Catalina variety shall not be imported (i) prior to 12:01 a.m., e.s.t., October 24, 1966; and (ii) during the period beginning at 12:01 a.m., e.s.t., October 24, 1966, and ending at 12:01 a.m., e.s.t., November 14, 1966, unless the individual fruit in each lot of such avocados weighs at least 18 ounces;

(4) Avocados of the Trapp variety shall not be imported (i) prior to 12:01 a.m., e.s.t., August 15, 1966; and (ii) during the period beginning at 12:01 a.m., e.s.t., August 15, 1966, and ending at 12:01 a.m., e.s.t., September 9, 1966, unless the individual fruit in each lot of such avocados weighs at least 12 ounces or measures at least 3 7/16 inches in diameter;

(5) Avocados of any variety other than Pollock, Catalina, and Trapp shall not be imported (i) prior to 12:01 a.m., e.s.t., July 4, 1966; (ii) during the period beginning at 12:01 a.m., e.s.t., July 4, 1966, and ending at 12:01 a.m., e.s.t., July 11, 1966, unless the individual fruit in each lot of such avocados weighs at least 16 ounces; (iii) during the period beginning at 12:01 a.m., e.s.t., July 11, 1966, and ending at 12:01 a.m., e.s.t., August 1, 1966, unless the individual fruit in each lot of such avocados weighs at least 14 ounces; and (iv) during the period beginning at 12:01 a.m., e.s.t., August 1, 1966, and ending at 12:01 a.m., e.s.t., September 19, 1966, unless the individual fruit in each lot of such avocados weighs at least 12 ounces: *Provided*, That any lot of such avocados may be imported without regard to the minimum weight requirements of this paragraph if such avocados, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color normal for that fruit when mature.

(6) Notwithstanding the provisions of subparagraphs (2) through (5) of this paragraph regarding the minimum weight or diameter for individual fruit, not to exceed 10 percent, by count, of the individual fruit contained in each lot may weigh less than the minimum specified weight and be less than the minimum specified diameter: *Provided*, That such avocados weigh not more than 2 ounces less than the applicable specified weight for the particular variety specified in such subparagraphs. Such tolerances shall be on a lot basis, but not to exceed double such tolerances shall be permitted for an individual container in a lot.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of avocados that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of avocados, is required on all imports of avocados. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of avocados should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the avocados will be imported:

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, 222 Mecllendon Bldg., Harlingen, Tex., 78551 (Phone—Garfield 3-5644),	1 day.
	or	
	James L. Williams, Room 516 U.S. Courthouse, El Paso, Tex., 79901 (Phone—533-9351, Ext. 5340).	Do.
All New York points.	Edward J. Beller, 346 Broadway, Room 306, New York, N.Y., 10013 (Phone—Rector 2-6000, Ext. 7807).	Do.
All Arizona points.	R. H. Bertelson, 136 Grand Ave., Post Office Box 1646, Nogales, Ariz., 85621 (Phone—Atwater 7-2902).	Do.
All Florida points.	Hubert S. Flynt, 775 Warner St., Post Office Box 6697, Orlando, Fla., 32803 (Phone—841-2141),	Do.
	or	
	Lloyd W. Boney, 1350 Northwest 12th Ave., Room 538, Miami, Fla., 33136 (Phone—371-2517).	Do.
All California points.	Carley D. Williams, 784 South Central Ave., Room 294, Los Angeles, Calif., 90021 (Phone—622-8756).	3 days.
All other points.	D. S. Matheson, Fruit and Vegetable Division, Consumer and Marketing Service, Washington, D.C., 20250 (Phone—Dudley 8-5870 and 4560).	Do.

(c) Inspection certificates shall cover only the quantity of avocados that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any avocados to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificates;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipments; and

(7) The following statement, if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provisions of this section, any importation of avocados which, in the aggregate, does not exceed 55 pounds may be imported without regard to the restrictions specified herein.

(g) It is hereby determined, on the basis of the information currently available, that the maturity requirements set forth in this section are comparable to the maturity regulations applicable, during the effective time hereof, to shipments of avocados grown in south Florida.

(h) No provisions of this section shall supersede the restrictions or prohibitions on avocados under the Plant Quarantine Act of 1912.

(i) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of avocados for the purpose of making it eligible for importation.

(j) The terms relating to grade and diameter, as used herein, shall have the same meaning as when used in the U.S. Standards for Florida Avocados (§§ 51.3050–51.3069 of this title). Importation means release from custody of the U.S. Bureau of Customs.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective time of this regulation beyond that hereinafter specified (5 U.S.C. 1001–1011) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) such regulation imposes the same grade and comparable maturity requirements on imports of avocados as are being made applicable to the shipment of avocados grown in Florida under Avocado Regulation 8 which becomes effective May 23, 1966; (c) such domestic and import restrictions should become effective at as near the same time as is reasonably practicable; (d) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time hereof; (e) notice hereof in excess of 3 days, the minimum prescribed by said section 8e, is given with respect to this import regulation; and (f) such notice is hereby determined, under the circumstances, to be reasonable.

Dated, May 19, 1966, to become effective May 31, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5724; Filed, May 24, 1966; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Amdt. 1]

PART 1488—SALES OF AGRICULTURAL COMMODITIES

Subpart A—Sales of Agricultural Commodities Under CCC Export Credit Sales Program (GSM–3, Rev. II)

GENERAL STATEMENT

The regulations issued by Commodity Credit Corporation (31 F.R. 2997) are hereby amended as follows:

Section 1488.1 *General statement* is amended by adding the following sentence at the end of paragraph (b) thereof:

§ 1488.1 General statement.

* * * * *

(b) * * * Export Commodity Certificates issued after May 31, 1966, in connection with exports of private stocks of upland cotton under this program may also be exchanged by the holder of such certificates for rights in the upland cotton certificate pools pursuant to the terms and conditions of announcements issued by CCC so providing and cotton acquired in redemption of such rights need not be exported.

* * * * *

Effective date. Date of signature.

Signed at Washington, D.C., on May 20, 1966.

RAYMOND A. IOANNIS,
Vice President, Commodity Credit Corporation and Administrator, Foreign Agricultural Service.

[F.R. Doc. 66–5723; Filed, May 24, 1966; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Parts 280, 281]

EASTERN PACIFIC TUNA FISHERIES

Notice of Proposed Rule Making

Notice is hereby given, pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 237), and section 6(c) of the Tuna Conventions Act of 1950 (64 Stat. 778), as amended by the Act of October 15, 1962 (76 Stat. 923; 16 U.S.C. 955), that the Secretary of the Interior proposes to amend Title 50, Code of Federal Regulations, by adding a new Subchapter H—Eastern Pacific Tuna Fisheries, consisting of Part 280—Yellowfin Tuna and Part 281—Restrictions on Tuna Imports. The proposed regulations are set forth in tentative form below.

The proposed regulations are to be issued under the authority contained in subsection (c) of section 6 of the Tuna Conventions Act of 1950, as added by the Act of October 15, 1962. In accordance with the authority cited, after adoption of the regulations proposed as Part 280 and publication thereof in the FEDERAL REGISTER, such regulations are to become applicable to all vessels and persons subject to the jurisdiction of the United States on such date as the Secretary of the Interior shall prescribe, but in no event prior to an agreed date for the application by all countries whose vessels engage in fishing for species of fish covered by the Convention for the Establishment of an Inter-American Tropical Tuna Commission (1 U.S.T. 230), in the regulatory area on a meaningful scale of effective measures for the implementation of the Commission's recommendations applicable to all vessels and persons subject to their respective jurisdictions. Steps are being taken to reach agreement with the several countries whose fishermen participate in the tuna fisheries of the eastern Pacific Ocean looking toward ---------- as the date for the simultaneous application by all such countries of suitable conservation measures to be observed by their fishing vessels.

Prior to the final adoption of the proposed regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Regional Director, Pacific Southwest Region, Bureau of Commercial Fisheries, 101 Seaside Avenue, Terminal Island, Calif., 90731, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Interested persons will also be afforded an opportunity to comment orally on the proposed regulations at a public hearing to be held at United Portuguese Club, 2818 Addison Street, San Diego, Calif., beginning at 10 a.m., June 14, 1966. Any person who intends to present views orally at such hearing is requested to furnish in writing his name and the name of the organization he represents, if any, to the said Regional Director not later than June 7, 1966.

Issued at Washington, D.C., and dated May 23, 1966.

DONALD L. MCKERNAN,
Director.

SUBCHAPTER H—EASTERN PACIFIC TUNA FISHERIES

PART 280—YELLOWFIN TUNA

Sec.
280.1 Definitions.
280.2 Basis and purpose.
280.3 Catch limit.
280.4 Open season.
280.5 Closed season.
280.6 Restrictions applicable to cargo vessels.
280.7 Reports and record keeping.
280.8 Persons and vessels exempted.

AUTHORITY: The provisions of this Part 280 issued under sec. 6, 64 Stat. 778, as amended, 16 U.S.C. 955.

§ 280.1 Definitions.

For the purposes of this part, the following terms shall be construed, respectively, to mean and to include:

(a) *Convention.* The Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949, by the United States of America and the Republic of Costa Rica (1 U.S.T. 230).

(b) *Commission.* The Inter-American Tropical Tuna Commission established pursuant to the Convention.

(c) *Director of Investigations.* The Director of Investigations, Inter-American Tropical Tuna Commission, La Jolla, Calif.

(d) *Bureau Director.* The Director of the Bureau of Commercial Fisheries, Fish and Wildlife Service, U.S. Department of the Interior.

(e) *Regional Director.* The Regional Director, Pacific Southwest Region, Bureau of Commercial Fisheries, 101 Seaside Avenue, Terminal Island, Calif.

(f) *Regulatory area.* All waters of the eastern Pacific Ocean bounded by the mainland of the Americas and the following lines: Beginning at a point on the mainland where the parallel of 40 degrees north latitude intersects the coast; thence due west to the meridian of 125 degrees west longitude; thence due south to the parallel of 20 degrees north latitude; thence due east to the meridian of 120 degrees west longitude; thence due south to the parallel of 5 degrees north latitude; thence due east to the meridian of 110 degrees west longitude; thence due south to the parallel of 10 degrees south latitude; thence due east to the meridian of 90 degrees west longitude; thence due south to the parallel of 30 degrees south latitude; thence due east to a point on the mainland where the parallel of 30 degrees south latitude intersects the coast.

(g) *Yellowfin tuna.* Any fish of the species *Thunnus albacares* (synonomy: *Neothunnus macropterus*).

(h) *Other tuna fishes.* Those species (and none other) of the family Scombridae which are known as:

(1) Albacore—*Thunnus alalunga* (synonomy: *Thunnus germo*).

(2) Bigeye—*Thunnus obesus* (synonomy: *Parathunnus sibi*).

(3) Bluefin—*Thunnus thynnus* (synonomy: *Thunnus saliens*).

(4) Skipjack—*Euthynnus pelamis* (synonomy: *Katsuwonus pelamis*).

(i) *Fishing vessel.* Every kind, type, or description of watercraft subject to the jurisdiction of the United States (other than purse seine skiffs) used in or outfitted for catching or processing fish or transporting its catch of fish from fishing grounds.

(j) *Cargo vessel.* Every kind, type, or description of watercraft which is not employed in fishing but which is engaged in whole or in part in the transportation of fish or fish products.

(k) *Person.* Individual, association, corporation, or partnership subject to the jurisdiction of the United States.

(l) *Open season.* The time during which yellowfin tuna may lawfully be captured and taken on board a fishing vessel in the regulatory area without limitation on the quantity permitted to be retained during each fishing voyage. Unless otherwise specified, whenever time is stated in hours it shall be construed to refer to standard time in the area affected.

(m) *Closed season.* The time during which yellowfin tuna may not be taken or retained on board a fishing vessel in quantities exceeding the amounts permitted to be taken and retained as an incident to fishing for other tuna fishes.

§ 280.2 Basis and purpose.

(a) At a special meeting held at Long Beach, Calif., on September 14, 1961, the Commission recommended to the Governments of Costa, Rica, Ecuador, Panama, and the United States of America, parties to the Convention, that they take joint action to limit the annual catch of yellowfin tuna from the eastern Pacific Ocean by fisherman of all nations during the calendar year 1962. This recommendation was made pursuant to paragraph 5 of Article II of the Convention on the basis of scientific investigations conducted by the Commission over a period of time dating from 1951. The most recent years of this period were marked by a substantial increase in fishing effort directed toward the yellowfin tuna stocks, resulting in a rate of exploitation of these stocks greater than that at which the maximum average sustainable yield may be obtained. The Commission's recommendation for joint action by the parties to regulate the yellowfin tuna fishery has as its objective the restoration of these stocks to a level of abundance which will permit maximum average sustainable catch and the maintenance of the stocks in that condition in the future.

(b) At annual meetings held at Quito, Ecuador, May 16–18, 1962; at Panama City, Panama, April 16–17, 1963; at San Diego, Calif., March 18–19, 1964; at Mexico City, Mexico, March 23–24, 1965; and at Guayaquil, Ecuador, April 19–20, 1966, the Commission affirmed its conclusions regarding the need for regulating the yellowfin tuna fishery in the eastern Pacific Ocean and at each meeting recommended to the parties to the Convention that they take joint action to:

(1) Establish a prescribed tonnage limit on the total catch of yellowfin tuna by the fishermen of all nations during each calendar year from an area of the eastern Pacific Ocean defined by the Commission;

(2) Establish open and closed seasons for yellowfin tuna under prescribed conditions;

(3) Permit the landing of not more than fifteen percent (15%) by weight of yellowfin tuna among the tuna taken on a fishing trip made after the close of the yellowfin tuna fishing season; and

(4) Obtain from governments not parties to the Convention, but having vessels which operate in the fishery, cooperation in effecting the recommended conservation measures.

(c) The regulations in this part are designed to implement the Commission's recommendations for the conservation of yellowfin tuna so far as they affect all vessels and persons subject to the jurisdiction of the United States.

§ 280.3 Catch limit.

The annual limitation on the quantity of yellowfin tuna permitted to be taken from the regulatory area during the open season by the fishing vessels of all nations participating in the fishery will be fixed and determined on the basis of recommendations made by the Commission pursuant to paragraph 5 of Article II of the Convention. Upon approval by the Secretary of State and the Secretary of the Interior of the recommended catch limit, announcement of the catch limit thus established shall be made by the Bureau Director through publication of a suitable notice in the FEDERAL REGISTER. The Bureau Director, in like manner, shall announce any revision or modification of an approved annual catch limit which may subsequently enter into force.

§ 280.4 Open season.

The open season for yellowfin tuna fishing shall begin annually at 12:01 a.m. of the first day of January and terminate at midnight on a date to be determined and announced as provided in § 280.5.

§ 280.5 Closed season.

(a) Pursuant to authority granted by the Commission, the Director of Investigations maintains records of the catches of yellowfin tuna made in the regulatory area from time to time during the open season by the fishing vessels of all nations participating in the fishery. By taking into account the cumulative round weight of such yellowfin tuna catches and the estimated additional quantities of yellowfin tuna expected to be caught by the fishing vessels of all nations operating in the regulatory area, the Director of Investigations will determine the date on which he deems the annual catch limit will be reached and will promptly notify the Bureau Director of such date. The Bureau Director shall announce the season closure date thus established by publication in the FEDERAL REGISTER. The closure date so announced shall be final except that if it shall at any time become evident to the Director of Investigations that the catch limit will not be reached by such date, he may substitute another date which shall be announced by the Bureau Director in like manner as provided for the date originally determined.

(b) Except as provided in paragraphs (c) and (d) of this section, after the date determined in the manner provided in this section for the closing of the yellowfin tuna fishing season, it shall be unlawful for any master or other person in charge of a fishing vessel to possess on board such vessel or to bring yellowfin tuna to any port or place in the United States until the yellowfin tuna fishing season reopens on January 1 next following the close of the season.

(c) Any fishing vessel which has departed port to engage in yellowfin tuna fishing prior to the date of the closure of the yellowfin fishing season may continue to take and retain yellowfin tuna without restriction as to quantity until the fishing voyage has been completed by unloading from such fishing vessel the whole or any part of the cargo of tuna taken during such voyage.

(d) After the close of the yellowfin tuna fishing season as provided in this section, yellowfin tuna captured as an incident to fishing for other tuna fishes may be taken on board a fishing vessel and brought to any port or place in the United States in an amount not exceeding fifteen percent (15%) by round weight of all tuna fishes on board the fishing vessel.

(e) The limitation on the quantity of incidentally caught yellowfin tuna specified in paragraph (d) of this section shall be applicable to any fishing vessel irrespective of its arrival in the United States prior or subsequent to December 31 in every case where the catch of tuna has been made during a fishing voyage begun in the closed season.

§ 280.6 Restrictions applicable to cargo vessels.

(a) A fishing vessel shall be deemed to have completed a fishing voyage whenever the whole or any part of its catch of tuna from the regulatory area shall be transferred to a cargo vessel in conformity with the requirements of this section.

(b) In keeping with the provisions of section 251, Title 46, United States Code, no foreign-flag vessel, whether documented as a cargo vessel or otherwise, is permitted to land in a port of the United States any tuna fish or tuna fish products taken on board such vessel on the high seas.

(c) The transfer of tuna from a fishing vessel to a cargo vessel while in a foreign country or its territorial waters will be governed by the laws and regulations of such foreign country.

(d) During the closed season for yellowfin tuna, no fishing vessel shall transfer on the high seas any part of its catch of tuna fish to a cargo vessel documented under the laws of the United States and no such cargo vessel shall receive, possess, or bring to any place in the United States, tuna fish taken on board on the high seas from a fishing vessel unless the cargo vessel shall hold a permit issued in conformity with paragraph (e) of this section.

(e) Upon written application made to him, the Regional Director may issue a permit authorizing a cargo vessel documented under the laws of the United States, to receive, possess, and transport to the United States, tuna fish transferred from fishing vessels on the high seas during the closed season on yellowfin tuna. Such permit may authorize the possession and transportation of yellowfin tuna by a cargo vessel without regard to the quantities of yellowfin or other tuna fishes received or possessed on board such vessel during the closed season on yellowfin tuna and shall contain such additional conditions and restrictions as the Regional Director shall determine to be necessary in light of the circumstances in each case to achieve compliance with the regulations in this part and the objectives of the program for the conservation of the yellowfin tuna resources of the regulatory area.

§ 280.7 Reports and record keeping.

The master or other person in charge of a fishing vessel or such person as may be authorized in writing to serve as the agent of either of such persons shall—

(a) Annually, prior to the initial departure of such vessel to engage in yellowfin tuna fishing, furnish to the Regional Director (either by letter or on a form obtainable from the Regional Director) a report specifying the name, official number, home port, and cargo capacity (in tons of frozen tuna) of the vessel, and the names and addresses of the managing owner and master, respectively, of the vessel intended to be used in fishing for yellowfin tuna in the regulatory area.

(b) Not earlier than 48 hours prior to each departure from port to engage in fishing for yellowfin tuna during the open season for such tuna, furnish to the Regional Director, either by letter, telegram, radiogram, or on a form obtainable from the Regional Director, a report certifying that all tuna fishes taken during the immediately preceding

fishing voyage, if any, have been unloaded and that the vessel is departing port to engage in or resume yellowfin tuna fishing. A report as required by this subsection shall be dispatched from the vessel's port of departure for a fishing voyage and if in letter form the report shall be dispatched by airmail in every case except from ports of departure on the Pacific coast of the United States, where surface mail may be used for such purpose. A copy of the report showing the date of dispatch of the original shall be authenticated by affixing the stamp, seal, or signature of the postal official or employee of the telegraph or radiogram company transmitting the report, as the case may be, and such authenticated copy shall be retained on board the reporting vessel for a period of 6 months following the date of the report. The failure of any vessel, irrespective of cause, to depart upon a fishing voyage within the 48-hour period specified in this subsection shall require the furnishing in like manner of a new report not earlier than 48 hours prior to the delayed departure time.

(c) Keep an accurate log of all operations conducted from the vessel, entering therein for each day the date, noon position (stated in latitude and longitude or in relation to known physical features) and the estimated quantities (in short tons, round weight), of tuna fish by species which are taken on board the vessel: *Provided,* That the record and bridge log maintained at the request of the Commission shall be deemed a sufficient compliance with this paragraph whenever the items of information specified herein are fully and accurately entered in such log.

(d) Report by radio at least once each calendar week during a fishing voyage conducted in the open season; such reporting to begin on a date to be announced by the Bureau Director through publication of a suitable notice in the FEDERAL REGISTER and to continue throughout the open season. Reports by radio shall be made directly or through a cooperating vessel to Radio Station WWD, La Jolla, Calif., 4415.8 kc, 8805.6 kc, 12403.5 kc, or 16533.5 kc or by prepaid commercial radio message directed to the Director of Investigations. Radio reports shall be made between 0900 and 2400 P.s.t., and shall state the name of the fishing vessel and the cumulative estimated quantities, by species, of all tuna fish taken on board from week to week throughout the duration of the fishing voyage. Weekly reports containing all items of information required by this subsection may be submitted to the Director of Investigations by the shore representative of the master or other person in charge of the vessel in lieu of radio reports from the vessel.

(e) Furnish on a form obtainable from the Regional Director, following the delivery or sale of a catch of tuna made by means of such vessel, a report, certified to be correct as to facts within the knowledge of the reporting individual, giving the name and official number of the fishing vessel, the dates of commencement and conclusion of the fishing voyage and listing separately by species and round weight in pounds or short tons, the gross quantities of each species of tuna fish so sold or delivered: *Provided,* That, at the option of the vessel master or other person in charge, a copy of the fish ticket, weigh-out slip, settlement sheet, or similar record customarily issued by the fish dealer or his agent may be used for reporting purposes, in lieu of the form obtainable from the Regional Director, if such alternate record is similarly certified and contains all items of information required by this paragraph: *Provided further,* That for any vessel landing its catch in California and reporting by means of a copy of the California fish ticket, the California Fish and Game boat number may be indicated in lieu of the vessel's official number. Such report shall be delivered or dispatched by mail to the Regional Director within 72 hours after the weigh-out has been completed.

§ 280.8 Persons and vessels exempted.

Nothing contained in §§ 280.2 to 280.7 shall apply to:

(a) Any person or vessel authorized by the Commission, the Bureau Director, or any State of the United States to engage in fishing for research purposes.

(b) Any person or vessel engaged in sport fishing for personal use.

PART 281—RESTRICTIONS ON TUNA IMPORTS

Sec.
281.1 Definitions.
281.2 Basis and purpose.
281.3 Species subject to regulation.
281.4 Species under investigation by the Commission.
281.5 Investigations authorized.
281.6 Publication of findings.
281.7 Proof of admissibility.
281.8 Removal of import restrictions.

AUTHORITY: The provisions of this Part 281 issued under sec. 6, 64 Stat. 778, as amended, 16 U.S.C. 955.

§ 281.1 Definitions.

For the purposes of this part, the following terms shall be construed, respectively, to mean and to include:

(a) *United States.* All areas under the sovereignty of the United States, the Trust Territory of the Pacific Islands, and the Canal Zone.

(b) *Convention.* The Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949, by the United States of America and the Republic of Costa Rica (1 U.S.T. 230).

(c) *Commission.* The Inter-American Tropical Tuna Commission established pursuant to the Convention.

(d) *Bureau Director.* The Director of the Bureau of Commercial Fisheries, Fish and Wildlife Service, U.S. Department of the Interior.

(e) *Regulatory area.* All waters of the eastern Pacific Ocean bounded by the mainland of the Americas and the following lines: Beginning at a point on the mainland where the parallel of 40 degrees north latitude intersects the coast; thence due west to the meridian of 125 degrees west longitude; thence due south to the parallel of 20 degrees north latitude; thence due east to the meridian of 120 degrees west longitude; thence due south to the parallel of 5 degrees north latitude, thence due east to the meridian of 110 degrees west longitude; thence due south to the parallel of 10 degrees south latitude; thence due east to the meridian of 90 degrees west longitude; thence due south to the parallel of 30 degrees south latitude; thence due east to a point on the mainland where the parallel of 30 degrees south latitude intersects the coast.

(f) *Yellowfin tuna.* Any fish of the species *Thunnus albacares* (synonomy: *Neothunnus macropterus*).

(g) *Other tuna fishes.* Those species (and none other) of the family Scombridae which are known as:

(1) Albacore—*Thunnus alalunga* (synonomy: *Thunnus germo*).

(2) Bigeye—*Thunnus obesus* (synonomy: *Parathunnus sibi*).

(3) Bluefin—*Thunnus Thynnus* (synonomy: *Thunnus saliens*).

(4) Skipjack—*Euthynnus pelamis* (synonomy: *Katsuwonus pelamis*).

(h) *Fishing vessel.* Every kind, type, or description of watercraft (other than purse seine skiffs) used in or outfitted for catching or processing fish or transporting fish from fishing grounds.

(i) *Person.* Individual, association, corporation, or partnership.

§ 281.2 Basis and purpose.

(a) At a special meeting held at Long Beach, Calif., on September 14, 1961, the Commission recommended to the Governments of Costa Rica, Ecuador, Panama, and the United States of America, parties to the Convention, that they take joint action to limit the annual catch of yellowfin tuna from the eastern Pacific Ocean by fishermen of all nations during the calendar year 1962. This recommendation was made pursuant to paragraph 5 of Article II of the Convention on the basis of scientific investigations conducted by the Commission over a period of time dating from 1951. The most recent years of this period were marked by a substantial increase in fishing effort directed toward the yellowfin tuna stocks, resulting in a rate of exploitation of these stocks greater than that at which the maximum average sustainable yield may be obtained. The Commission's recommendation for joint action by the parties to regulate the yellowfin tuna fishery has as its objective the restoration of these stocks to a level of abundance which will permit maximum average sustainable catch and the maintenance of the stocks in that condition in the future.

(b) At annual meetings held at Quito, Ecuador, May 16–18, 1962; at Panama City, Panama, April 16–17, 1963; at San Diego, Calif., March 18–19, 1964; at Mexico City, Mexico, March 23–24, 1965; and at Guayaquil, Ecuador, April 19–20, 1966, the Commission affirmed its earlier conclusions regarding the need for regulating the yellowfin tuna fishery in the eastern Pacific Ocean and at each meeting recommended to the parties to the Convention that they take joint action to:

(1) Establish a prescribed tonnage limit on the total catch of yellowfin tuna by the fishermen of all nations during each calendar year from an area of the eastern Pacific Ocean defined by the Commission;

(2) Establish open and closed seasons for yellowfin tuna under prescribed conditions;

(3) Permit the landing of not more than 15 percent (15%) by weight of yellowfin tuna among the tuna taken on a fishing trip made after the close of the yellowfin tuna fishing season; and

(4) Obtain from governments not parties to the Convention, but having vessels which operate in the fishery, cooperation in affecting the recommended conservation measures.

(c) In conformity with the provisions of section 6(c) of the Act and simultaneously with the adoption of the regulations in this part, the Secretary of the Interior has made effective Part 280 of this title for the purpose of carrying out the recommendations of the Commission for the conservation of yellowfin tuna in the regulatory area so far as such recommendations affect all vessels and persons subject to the jurisdiction of the United States.

(d) The yellowfin tuna stocks recommended for regulation by the Commission constitute a significant part of an international high seas fishery in which the vessels of a number of countries are engaged in varying degrees. Since some of the countries are not parties to the Convention and, therefore, have no applicable treaty obligations to fulfill, the achievement of the conservation objectives with respect to the tuna resources of the eastern Pacific Ocean is dependent upon international cooperative efforts to implement the Commission's recommendations. With a view toward encouraging effective cooperation on the part of such countries, the Tuna Conventions Act of 1950, as amended, directs that restrictions be established on the importation of certain tuna fish from any country which shall fail to take action to prevent the occurrence of certain proscribed activities. Thus, section 6(c) of the Act provides that the Secretary of the Interior, with the concurrence of the Secretary of State, shall promulgate regulations—

(1) To prohibit the entry into the United States, from any country when the vessels of such country are being used in the conduct of fishing operations in the regulatory area in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the Commission and which were taken from the regulatory area; and

(2) To prohibit entry into the United States, from any country, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the Commission and which were taken from the regulatory area by vessels other than those of such country in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission.

(e) Section 6(c) of the Act further provides that "in the case of repeated and flagrant fishing operations in the regulatory area by the vessels of any country which seriously threaten the achievement of the objectives of the Commission's recommendations, the Secretary of the Interior, with the concurrence of the Secretary of State, may, in his discretion, also prohibit the entry from such country of such other species of tuna, in any form, as may be under investigation by the Commission and which were taken in the regulatory area."

(f) By letter of May 8, 1964, the Secretary of State concurred in the promulgation of the regulations in this part. Such regulations are designed to implement the provisions of section 6(c) of the Act with respect to import controls and to prescribe procedures for the establishment of restrictions on imports of tuna whenever such action shall be deemed warranted.

§ 281.3 Species subject to regulation.

The species of fish currently subject to regulation pursuant to a recommendation of the Commission within the meaning of section 6(c) of the Act is yellowfin tuna.

§ 281.4 Species under investigation by the Commission.

The species of fish currently under investigation by the Commission within the meaning of section 6(c) of the Act are yellowfin tuna, skipjack tuna, and bigeye tuna.

§ 281.5 Investigations authorized.

(a) The Bureau Director shall cause to be made from time to time such inquiries and investigations as may be necessary to keep himself and other persons concerned currently informed regarding the nature and effectiveness of the measures for the implementation of the Commission's recommendations which are being carried out by countries whose vessels engage in fishing within the regulatory area. In making a finding as to whether or not a country is condoning the use of vessels in the conduct of fishing operations in the regulatory area in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission, the Bureau Director shall take into account, among such other considerations as may appear to be pertinent in a particular case, the following factors:

(1) Whether or not the country provides or causes to be provided to the Commission pertinent statistics on a timely basis.

(2) Whether or not the country has in force conservation measures applicable to its own fishermen adequate for the implementation of the Commission's recommendations.

(3) Whether or not the country has in force measures for the control of landings in its ports of species subject to regulation which are taken in the regulatory area by fishermen of other countries contrary to the Commission's conservation recommendations.

(4) Whether or not the country, having put conservation measures into effect, takes reasonable action to enforce such measures.

(5) The number of vessels of the country which conduct fishing operations in the regulatory area.

(6) The quantity of species subject to regulation taken from the regulatory area by the country's vessels contrary to the Commission's conservation recommendations and its relationship to (i) the total quantity permitted to be taken by the vessels of all countries participating in the fishery and (ii) the quantity of such species sought to be restored to the stocks of fish pursuant to the Commission's conservation recommendations.

(7) Whether or not repeated and flagrant fishing operations in the regulatory area by the vessels of the country seriously threaten the achievement of the objectives of the Commission's recommendations.

(b) Any person who shall have reason to believe that the vessels of any country are being used in the conduct of fishing operations in the regulatory area in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission or that other acts within the purview of the import control provisions of section 6(c) of the Tuna Conventions Act of 1950, as amended, are occurring or are likely to occur, may communicate his belief to the Bureau Director. Every such communication shall contain or be accompanied by a full statement of the reasons for the belief, including a detailed description of such specific acts or events as may support the belief, and such other pertinent facts as may indicate a need for instituting an investigation as authorized in this part.

(c) Upon receipt by the Bureau Director of any communication submitted pursuant to paragraph (b) of this section and found to comply with the requirements of that paragraph, the Bureau Director promptly shall cause such investigation to be made as appears to be warranted by the circumstances of the case. In conducting such investigation the Bureau Director or his designated representative shall consider any representations offered by foreign interests, importers, brokers, domestic producers, or other interested persons. Unless good cause to the contrary shall exist, every such investigation shall be completed within 60 days following receipt of the communication.

§ 281.6 Publication of findings.

If it shall be determined on the basis of section 281.5 that species of fish subject to regulation or under investigation by the Commission, as the case may be, are ineligible for entry into the United States from a particular country pursuant to the provisions of section 6(c) of the Act, the Bureau Director, with the approval of the Secretary of the Interior

and, when required by law, with the concurrence of the Secretary of State, shall publish a finding to that effect in the FEDERAL REGISTER. Effective upon the date of publication of such finding in the FEDERAL REGISTER every shipment of fish in any form of the species under regulation or under investigation by the Commission offered for entry either directly or indirectly from the country named in the finding shall be denied entry unless it shall be established by satisfactory proof pursuant to § 281.7 that a particular shipment of such fish is not ineligible for entry; *Provided*, That entry shall not be denied and no such proof shall be required for any such shipment which, on the date of such publication, was in transit to the United States on board a vessel operating as a common carrier.

§ 281.7 Proof of admissibility.

For the purposes of § 281.6 of this part and section 8(c) of the Tuna Conventions Act of 1950, as amended, a shipment of fish in any form of the species under regulation or under investigation by the Commission offered for entry, directly or indirectly, from a country named in a finding published under such § 281.6 shall be deemed to be eligible for entry if the shipment is accompanied by a certificate of eligibility, executed in the form and manner set forth below, certifying that the tuna in the shipment are not of the species specified in the published finding or, if of such species, were not taken in the regulatory area. The required certificate of eligibility must be executed by a duly authorized official of the country named in the published finding and the certificate must be authenticated with respect to the signature and official position of the person executing the same by a consular officer or consular agent of the United States.

CERTIFICATE OF ELIGIBILITY

I, _____, an authorized officer of the Government of _____, certify that the shipment of tuna fish accompanied by this certificate, consisting of _____ (Quantity) of _____ (Species) in _____ (Number and kind of packages or containers) bearing the following marks and numbers _____:

(a) Contains no fish of the species prohibited entry into the United States by virtue of a finding of ineligibility published under regulations issued pursuant to section 6(c) of the Tuna Conventions Act of 1950, as amended.

(b) Contains fish of the species prohibited entry into the United States by virtue of a finding of ineligibility published under regulations issued pursuant to section 6(c) of the Tuna Conventions Act of 1950, as amended, but that such fish were caught in the waters of _____ (Identify area or areas in which fish were taken) by vessels subject to the jurisdiction of _____ (Country), and that none of the said fish was taken in any part of the eastern Pacific Ocean subject to conservation regulations pursuant to recommendations of the Inter-American Tropical Tuna Commission.

_____ (Signature)

_____ (Title)

_____ (Address)

[This certificate must be accompanied by a certificate of authentication executed by a consular officer or consular agent of the United States.]

§ 281.8 Removal of import restrictions.

Upon a determination by the Bureau Director that the conditions no longer exist which warranted the imposition of import restrictions against the country named in the finding published pursuant to § 281.6, the Bureau Director, with the approval of the Secretary of the Interior, shall publish a finding to such effect in the FEDERAL REGISTER. Effective upon the date of publication of such finding, the prior existing import restrictions against the country designated therein shall terminate: *Provided*, That for a period of 1 year from such date of publication every shipment of fish in any form of the species subject to regulation or under investigation by the Commission shall continue to be denied entry unless the shipment is accompanied by a certification executed by an authorized official of the country of export and authenticated by a consular officer or consular agent of the United States, certifying that no portion of the shipment is comprised of fish which are of species under regulation and which were prohibited from entry under the prior existing import restrictions.

[F.R. Doc. 66-5798; Filed, May 24, 1966; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1001, 1015]

[Docket Nos. AO-14-A38, AO-305-A12]

MILK IN MASSACHUSETTS-RHODE ISLAND AND CONNECTICUT MARKETING AREAS

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the New Hampshire Highway Hotel, Concord, N.H., beginning at 10 a.m., l.t., on June 20, 1966, and with further sessions to be held at the Framingham Motor Inn, Worcester Road (Route 9), Framingham, Mass., beginning at 10 a.m., l.t., on June 23, 1966, and at the Hotel America, 5 Constitution Plaza, Hartford, Conn., beginning at 10 a.m., l.t., on June 27, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Massachusetts-Rhode Island and Connecticut marketing areas.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreements and to the orders.

The proposals relative to redefinition of the marketing area raise in each instance the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined, and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

I. Marketing area proposals.

Proposed by New England Milk Producers' Association, Northern Farms Cooperative, Inc., and Maine Dairymen's Association, Inc.:

Proposal No. 1. Expand and rename the Massachusetts-Rhode Island marketing area by revising § 1001.2 to read as follows:

§ 1001.2 East Central New England marketing area.

"East Central New England marketing area," referred to in this part as the "marketing area," means all territory within the places listed below, all waterfront facilities connected therewith and craft moored thereat, and all territory therein occupied by any governmental installation, institution, or other establishment:

NEW HAMPSHIRE

COUNTIES

Belknap.	Rockingham.
Cheshire.	Strafford.
Hillsboro.	Sullivan.
Merrimack.	

and in Grafton County the municipalities of Hanover and Lebanon, and the towns of Ashland, Bridgewater, Bristol, Holderness, and Plymouth.

VERMONT

Municipalities of Brattleboro, Dummerston, Putney, Rockingham, Vernon, and Westminster in Windham County and the municipalities of Hartford, Hartland, Springfield, Weathersfield, and Windsor in Windsor County.

MASSACHUSETTS

All counties in the Commonwealth, except Berkshire and Nantucket Counties.

RHODE ISLAND

All cities and towns except New Shoreham (Block Island).

Proposed by Eastern Milk Producers Cooperative Association, Inc.:

Proposal No. 2. Amend § 1001.2 by adding the New Hampshire counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan.

Proposed by Honey Gardens Dairy:

Proposal No. 3. Amend § 1001.2 to include the Southern New Hampshire counties of Belknap, Hillsboro, Merrimack, Rockingham, and Strafford, and the New Hampshire towns of Enfield and Canaan.

Proposed by Maple Farms, Inc.:

Proposal No. 4. Further amend § 1001.2 to include the Vermont counties of Windham and Windsor.

Proposed by Billings Farm, Inc., doing business as Billings-Starlake Dairy:

Proposal No. 5. Further amend § 1001.2 so as to include the following counties and municipalities. In New Hampshire, the counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan, and the municipalities of Lebanon, Enfield, Canaan, Hanover, Lyme, and Orford in Grafton County. In Vermont, the counties of Windham and Windsor and the municipalities of Thetford, Fairlee, and Bradford in Orange County.

II. Proposals relating to definitions of producers, handlers, producer-handlers, and dairy farmers for other markets.

Proposed by the Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al:

Proposal No. 6. Amend the Massachusetts-Rhode Island order to permit a cooperative association to elect handler status with respect to member bulk milk which it causes to be delivered to pool plants of other handlers or diverted to a nonpool plant and also to provide for a division of the 2 percent shrinkage allowance if the receiving handler does not purchase the milk on the basis of farm weights and tests. Such changes should be made as follows:

(A) Amend § 1001.9 by adding paragraphs (d), (e), and (f) to read as follows:

§ 1001.9 Handler.

* * * * *

(d) Any cooperative association performing the marketing services specified in § 1001.75 with respect to milk it receives from member dairy farmers in a tank truck, the operation of which is under the control of such cooperative association, and which it causes to be delivered directly from the farms to the pool plant of another handler if the cooperative association has notified in writing, prior to delivery, both the market administrator and the handler to whom the milk is delivered that it elects to be the responsible handler for such milk. Such milk shall be considered as having been received by the cooperative association at the location of the plant to which it is delivered.

(e) Any cooperative association which elects handler status and which meets the conditions specified in paragraph (d) of this section, with respect to producer milk which it causes to be delivered to the pool plant of another cooperative association if both cooperative associations agree to such procedure and so notify the market administrator. Such milk shall be considered as having been received at the location of the plant to which it is delivered.

(f) Any cooperative association performing the marketing services specified in § 1001.75 and which meets the conditions specified in paragraph (d) of this section with respect to producer milk which it causes to be diverted from a pool plant to nonpool plants for the account of such association.

(B) In § 1001.49 revise paragraph (g) to provide a division of the 2 percent maximum allowable shrinkage between a cooperative association in its capacity as a handler on direct-delivered member bulk milk and the transferee handler, unless such transferee handler agrees to purchase such milk on the basis of the farm weights and tests and so notifies the market administrator on or before the date he files his monthly report. Otherwise, one-half of 1 percent shrinkage allowance should be provided the transferor cooperative association on receipts of producer milk by the cooperative and 1½ percent shrinkage allowance should be provided the transferee handler.

Proposed by the Diary Division, Consumer and Marketing Service:

Proposal No. 7. Amend the Connecticut order to provide that a cooperative association shall be the handler with respect to producer milk delivered from the farm to a pool plant in a tank truck owned and operated by or under contract to such association unless both the cooperative and the operator of the pool plant provide written advance notice to the market administrator that the plant operator is to be the handler and is buying such milk on the basis of farm weights and tests. Also, when the cooperative association is the handler the shrinkage should be allocated so that the cooperative is allowed 0.5 percent and the receiving plant 1.5 percent.

Proposed by Eastern Milk Producers Cooperative Association, Inc.:

Proposal No. 8. (A) Delete § 1001.10 of the Massachusetts-Rhode Island order and § 1015.10 of the Connecticut order along with all other references to producer-handlers in either order.

(B) Amend §§ 1001.26, and 1015.26 of the respective orders by adding a new paragraph to read as follows:

Milk of any handler's own farm production distributed on routes not in excess of 1000 quarts (2150 pounds) per day.

Proposed by Maple Farms, Inc.:

Proposal No. 9. (A) Delete § 1001.10 relating to producer-handlers.

(B) Amend § 1001.26 to provide that up to 1000 quarts per day of a handler's own farm production distributed on own routes be classified as exempt milk.

Proposed by Honey Gardens Dairy, Inc.:

Proposal No. 10. Amend the order so that a producer-dealer that is selling more than 3000 quarts of milk per day in a Federal order area shall be fully regulated.

Proposed by the Connecticut Milk Producers Association and Modern Milk Marketing Association:

Proposal No. 11. Amend the Connecticut order so as to place a limit of 3,500 quarts (7,525 pounds) as a daily average for the month and of 6,000 quarts (12,900 pounds) on any one day upon the extent to which any one person or firm may benefit individually through sales as Class I milk in the Connecticut marketing area by a producer-handler of own-farm production which is exempted from the pricing and pooling provisions of the order.

Proposed by the Massachusetts Cooperative Milk Producers Federation, Inc.:

Proposal No. 12. Amend § 1001.10 to permit producer-handlers whose receipts from own production are 2,150 pounds or less per day for the month to sell milk to, and purchase milk from, each other without loss of exemption from the pooling provisions of the order.

Proposed by E. M. Dwyer:

Proposal No. 13. Amend the producer-handler definition in the Massachusetts-Rhode Island order so that any producer of milk who also processes and/or distributes the same shall not be subject to equalization of his own production and that he be not restricted in his purchase of supplemental supplies from regulated sources.

Proposed by Richardson Farms, Inc.:

Proposal No. 14. Amend both the Massachusetts-Rhode Island and Connecticut orders so that producer-dealers may purchase milk above production without penalties during the months of September, October, and November.

Proposed by the University of Connecticut:

Proposal No. 15. Allow producer-handlers the unrestricted use of nonfat milk solids in fortification of fluid milk products and the unrestricted use of cream in standardization by revising the first sentence of paragraph (a) in § 1015.10 to read as follows: "His only source of supply for fluid milk products (except for that portion of such products which is represented by nonfat milk solids used in fortification or by cream used in standardization) are his own production and fluid milk products transferred from pool plants, except that a State-owned and operated institution or establishment otherwise meeting this definition which processes and packages milk produced by another such institution or establishment may receive such milk without having it regarded as a source of supply for fluid milk products."

Proposed by the Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al.:

Proposal No. 16. In § 1001.11 amend paragraph (b) to define as a "dairy farmer for other markets" any dairy farmer with respect to milk purchased from him during the month by a handler as pooled producer milk and moved to a pool plant, if more than half of the milk produced on the same farm is moved as nonpool milk to any plant during the same month.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 17. In § 1001.11 revise the last sentence in the introductory text to read as follows: "Receipts from a 'dairy farmer for other markets' shall be

considered as receipts from the unregulated plant at which his milk was received in the most recent month."

III. Proposals relating to pooling provisions.

Proposed by Cumberland Farms Dairy, Inc.:

Proposal No. 18. In § 1001.37 change the standards for qualifying a plant as a supply plant with respect to milk from farms in tank trucks and increase the shipping requirements for July through November by making the following changes:

(A) Revise paragraph (a) to read as follows:

§ 1001.37 Supply plants.

* * * * *

(a) It is a plant at which facilities are maintained and used for washing and sanitizing cans or tank trucks and to which milk is moved from dairy farmers' farms in cans and is there accepted, weighed or measured, sampled and cooled, or to which milk is moved from dairy farmers' farms in tank trucks and is there transferred primarily to stationary holding tanks.

* * * * *

(B) Revise paragraph (b) by changing "at least 15 percent" to "at least 40 percent."

Proposed by New England Milk Dealers, Inc.:

Proposal No. 19. Amend § 1001.37 so that:

(A) It is necessary for a plant to ship from its total receipts of milk from dairy farmers' farms at least 30 percent in the months of July through November and 15 percent in the months of December through June.

(B) Milk can be transferred and tank trucks can be washed at a specific location without such location being designated as a country plant.

Proposed by the Connecticut Milk Producers Association and Modern Milk Marketing Association:

Proposal No. 20. Revise both the Massachusetts-Rhode Island and Connecticut orders so as to increase the shipping requirements for supply plants from 15 percent to 25 percent during July through November.

Proposed by the Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al.:

Proposal No. 21. (A) Amend § 1001.37 of the Massachusetts-Rhode Island order and § 1015.16 of the Connecticut order to provide in the case of a supply plant which qualified for automatic pool plant status during the preceding December through June period and which would not otherwise be a pool plant under any Federal order in one of the months of July through November, it may nevertheless continue pool supply plant status in such month if the operator appropriately requests such designation and if shipments of fluid milk products from the plant to pool distributing plants under the same order amount to at least 1 percent of the total receipts of milk from dairy farmers' farms at the plant. Further provide that a plant for which such designation has been made may have automatic pool plant status during the following December through June period if total fluid milk shipments to distributing plants for fluid uses amount to at least 20 percent of total receipts from dairy farmers during the July through November period as a whole and at least 15 percent of such receipts are shipped as fluid milk products to plants specified in § 1001.37(b) of the Massachusetts-Rhode Island order and § 1015.16(b)(1) of the Connecticut order.

(B) Amend § 1001.37 of the Massachusetts-Rhode Island Federal order to provide a similar flexible supply plant qualification requirement alternative for each group of plants or system qualifying as a unit. However, no plant which qualified as a member of such group should qualify for automatic pool plant status during December through June unless it has met individually during one month of the preceding July through November period the 15 percent shipping requirements specified in § 1001.37(b).

Proposed by the Massachusetts Cooperative Milk Producers Federation, Inc.:

Proposal No. 22. In § 1001.37 amend paragraph (e) to keep exempt distributing plants and distributing plants for other markets from being pool supply plants by adding subparagraphs (5) and (6) to read as follows:

§ 1001.37 Supply plants.

* * * * *

(e) * * *

(5) Exempt distributing plant; or

(6) Distributing plant for unregulated markets.

* * * * *

Proposal No. 23. Revise the introductory text in § 1001.16 to read as follows:

§ 1001.16 Pool plant.

"Pool plant" means any plant at which all milk received is available as needed for Class I use and which meets the applicable conditions for pool plant status as:

* * * * *

Proposed by Eastern Milk Producers Cooperative Association, Inc.:

Proposal No. 24. Amend both the Massachusetts-Rhode Island and Connecticut orders (§§ 1001.17 and 1015.17) to increase the maximum daily average route disposition in the marketing area of exempt distributing plants from 300 quarts to 500 quarts.

Proposed by New England Milk Producers' Association, Northern Farms Cooperative, Inc., Maine Dairymen's Association, Inc., and by the Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al.:

Proposal No. 25. Amend the definition of "pool milk" in the Massachusetts-Rhode Island order to include route disposition in the marketing area from a New York-New Jersey Federal order pool plant to the extent of all such disposition in the month which is not classified and priced as Class I-B milk under that order and which is in excess of a daily average of 300 quarts or of 700 quarts on any day, whichever is greater.

Proposed by the Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al.:

Proposal No. 26. Remove the special exemption for "certified milk" by deleting paragraph (c) in § 1001.26 and paragraph (d) in § 1001.7.

Proposed by H. P. Hood and Sons, Inc.:

Proposal No. 27. Amend § 1001.27 to:

(A) Delete the unnecessary reference to the orders in effect prior to October 1, 1964.

(B) Authorize diversions on a month-to-month "majority of days" basis with respect to farms which have been pool producers all along but which have been shifted during the past 12 months from one pool plant to another as their "home" plant.

IV. Proposals relating to pricing provisions.

Proposed by the Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al.:

Proposal No. 28. Amend the Massachusetts-Rhode Island order so as to establish the basic minimum Class I price at plants located in the nearby zone and to revise the zone differentials by making the following changes:

(A) Amend § 1001.60 to read the same as § 1015.60 of the Connecticut order, which section establishes the basic minimum Class I price at plants located in the nearby plant zone rather than at plants in the 201–210 mile zone.

(B) In § 1001.62 amend paragraph (d) so as to establish Class I and blended prices applicable at plants located in the 201–210 mile zone 40 cents less than Class I and blended prices applicable at plants in the nearby zone. Further amend the order to establish minus Class I and blended zone price differentials at other distant zone plant locations in the same relationship to Zone 21 prices as is presently provided in the order.

(C) Amend the introductory text of § 1001.64 by deleting "Zone 21" and substituting therefor the words "the nearby zone".

Proposal No. 29. (A) Revise § 1001.61 to read the same as § 1015.61 of the Connecticut order, except that each monthly Class II price adjustment set forth in the table in § 1015.61(d) shall be increased 4.2 cents per hundredweight.

(B) In § 1001.62 revise the table in paragraph (d) to provide minus Class II zone differentials in each of the distant zones in such manner as to establish Class II price levels in such distant zones at the same level as presently provided under existing order provisions.

Proposal No. 30. In § 1015.62 revise the table in paragraph (d) so as to establish zone price differentials which will maintain the existing price relationships with comparable zone prices applicable under the Massachusetts-Rhode Island order as herein proposed to be amended.

Proposed by the Connecticut Milk Producers Association and Modern Milk Marketing Association:

Proposal No. 31. Amend both the Massachusetts-Rhode Island and Connecticut orders so as to increase the price of Class II milk in July–November at all locations by 5 cents per hundredweight.

Proposed by Maple Farms, Inc.:

Proposal No. 32. In § 1001.62 revise paragraph (a) to read as follows:

§ 1001.62 Zone differentials.

* * * * *

(a) Each plant which is located in the area described in § 1001.72, paragraph (a), shall be in the "nearby plant" zone.

* * * * *

Proposed by Eastern Milk Producers Cooperative Association, Inc.:

Proposal No. 33. (A) Provide for amendment of the zone differentials in both the Massachusetts-Rhode Island and Connecticut orders, §§ 1001.62 and 1015.62, by:

(1) Computing the Massachusetts-Rhode Island Class I price f.o.b. the market by amending § 1001.60 as follows:

a. Change the words "plants located in zone 21" as they appear in the first sentence in the introductory text to "plants located in the marketing area".

b. Revise the fraction "$0.0557" as it appears in paragraph (b), subparagraph (1) to "$0.0604".

c. In paragraph (b), subparagraph (2) add the words "and adding $0.47".

(2) Computing the Massachusetts-Rhode Island Class II price f.o.b. the market by amending the table in paragraph (b) of § 1001.61 as follows:

Add 15 cents to the seasonal differential for each month.

(B) Revise the table of zone differentials in paragraph (d) of §§ 1001.62 and 1015.62 to read as follows:

DIFFERENTIALS FOR DETERMINATION OF ZONE PRICES

Plant location (zone)	Distance to Boston (miles)	Class I and blended price differentials (cents per cwt.)	Class II differentials (cents per cwt.)
	Nearby	0	
9	81–90	−14.0	−8.0
10	91–100	−18.0	−9.0
11	101–110	−22.0	−10.0
12	111–120	−26.0	−11.0
13	121–130	−30.4	−12.0
14	131–140	−31.6	−12.2
15	141–150	−32.8	−12.6
16	151–160	−34.0	−13.0
17	161–170	−35.2	−13.4
18	171–180	−36.4	−13.8
19	181–190	−37.6	−14.2
20	191–200	−39.8	−14.6
21	201–210	−40.0	−15.0

Proposal No. 34. Add a new section to both the Massachusetts-Rhode Island and Connecticut orders to provide for pricing of bulk tank milk at farm milkhouse locations. Such section should:

1. Provide for the pricing of bulk tank milk at the milkhouse location of each pool producer.

2. Provide for the zoning of producers' milkhouse location either by individual producer locations or by townships within which each producer is located.

3. Provide producer and classification zone price differentials from the point of pricing under each of the orders which are equal to the zone price differentials at pool plant locations.

4. Provide that no deduction from the producer price at each zone location may be made by the handler for hauling from farm to plant or for any other services coincident with the receiving and transportation of milk from the producer's farm bulk tank to the point (points) of plant receipt.

5. Provide for the classification of bulk tank milk pro rata to the classification of all receipts of producer milk by the receiving handler except as provided by (6) below.

6. Provide for assignment to classification with respect to Class II milk such that city plants will be afforded prior assignment to Class II classification of milk from the nearest zone sufficient to cover reserves for variations in day-to-day sales, plant loss, milk dumped and reclassification from Class I to Class II of route returns, spoilage or other such reclassification .

Proposed by Lawrence Allen:

Proposal No. 35. Amend the Massachusetts-Rhode Island order to price bulk tank milk at the farm with each town zoned on the basis of distance from Boston or other center points.

Proposed by the Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al.:

Proposal No. 36. Amend the diversion provisions in § 1001.27 of the Massachusetts-Rhode Island order to provide that producer milk which a handler reports as having been diverted from one of his plants located in the nearby zone to another plant located in a distant zone, the milk so diverted directly from dairy farmers' farms shall, for pricing purposes, be deemed to have been received at the location of the country plant to which diverted.

Proposed by Massachusetts Cooperative Milk Producers Federation, Inc.:

Proposal No. 37. Amend § 1001.72, of the Massachusetts-Rhode Island order and/or § 1015.63 of the Connecticut order to include in the 46-cent farm location differential area those towns in which there are currently farms shipping to plants located in the commonwealth of Massachusetts which may become pooled plants under either order as a result of marketing area extensions which may be made in consequence of this hearing.

Proposed by Richard F. Mackerer et al:

Proposal No. 38. Amend § 1015.72 by extending the area subject to the 46-cent farm location differential to include that portion of Columbia County north of the New York thruway. Specifically, amend paragraph (a) by extending the 46-cent differential zone to the northern boundary of Columbia County, N.Y., beginning at the Massachusetts State line and extending to the Berkshire Extension of the New York thruway, then following the New York thruway to the Hudson River.

Proposed by New England Milk Producers' Association, Northern Farms Cooperative, Inc., and Maine Dairymen's Association, Inc.:

Proposal No. 39. Amend § 1001.72(b) to include the town of Arundel, Maine, among the Maine towns listed for inclusion in the 23-cent farm location differential area.

Proposed by Lawrence Allen:

Proposal No. 40. Remove the farm location differentials from the Massachusetts-Rhode Island order.

Proposed by Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al.:

Proposal No. 41. Amend § 1001.63 to provide in the case of beginning inventories of fluid milk products which were classified as Class II milk during the preceding month and which are assigned to Class I milk under § 1001.55(d) during the current month that the class prices shall be adjusted by the same zone differentials which would have been used had such milk been classified as Class I milk in the preceding month.

V. Proposals relating to classification and allocation provisions.

Proposed by New England Milk Dealers, Inc.:

Proposal No. 42. Amend § 1001.22 by deleting the phrase "and 50 percent of the quantity by weight of any mixture of milk and skimmed milk and cream containing at least 10 percent but less than 16 percent butterfat."

Proposed by the Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al.:

Proposal No. 43. Add a new section to the Massachusetts-Rhode Island order entitled "Butterfat in skim milk" to read as follows:

§ 1001.____ Butterfat in skim milk.

A handler may claim, for classification purposes pursuant to §§ 1001.47 through 1001.51, butterfat in skim milk disposed of to others or used in the manufacture of milk products by including the butterfat content of such skim milk in his report of receipts and utilization filed pursuant to § 1001.40. In the event the handler does not have adequate records of the claimed butterfat content of such skim milk, the market administrator shall use 0.04 percent as the butterfat content per hundredweight of such skim milk. An election to include the butterfat content of skim milk must be consistently applied at all plants operated by the handler in each of 12 consecutive reporting periods and until at least 30 days notice of change in such procedure is furnished the market administrator.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 44. In § 1001.55 clarify paragraph (e) by revising it to read as follows:

§ 1001.55 Initial assignments to Class II milk.

* * * * *

(e) Assign to Class II milk the quantities in fluid milk products received from producer-handlers under any Federal order and from exempt distributing plants under any New England Federal

order, and in receipts from dairy farmers which are unsuitable for human consumption as milk and which are accepted and disposed of by the handler for salvage purposes only.

* * * * *

Proposed by the University of Connecticut:

Proposal No. 45. Add a new centerhead and a new § 1015.58 thereunder to read as follows:

APPLICATION OF PROVISIONS

§ 1015.58 Exempt governmental agency.

None of the provisions of this part shall apply to a governmental agency. Receipts of fluid milk products at a pool plant from such an agency shall be Class II. The disposition of fluid milk products from a pool plant, or from a cooperative association in its capacity as a handler under § 1015.9(c), to such an agency shall be Class I except that the disposition of fluid milk products in bulk to the University of Connecticut shall be Class II subject to the following conditions:

(a) The quantities of skim milk and butterfat, respectively, classified as Class II shall not be in excess of the quantities of skim milk and butterfat which are established to the satisfaction of the market administrator to have been used by the University of Connecticut to produce any milk product except a fluid milk product or cream;

(b) A joint request for classification as Class II is filed with the market administrator by the University of Connecticut and the operator of the pool plant on or before the date that reports are required to be filed by handlers under § 1015.40.

VI. Payment provision proposals.

Proposed by the Connecticut Milk Producers Association and Modern Milk Marketing Association:

Proposal No. 46. Amend the Connecticut order so as to require each producer-handler to pay the prevailing price for Class I milk, at the times and on the applicable terms specified § 1015.70, to a cooperative association of producers for milk received from such association in its capacity as the operator of a pool plant.

Proposed by New England Milk Dealers, Inc.:

Proposal No. 47. Amend the Massachusetts-Rhode Island order to require handlers to pay cooperative associations the same prices at the same time as producers must be paid.

Proposed by The Local Dairymen's Cooperative Association, Inc:

Proposal No. 48. Amend § 1001.70:

(A) So that the title reads as follows:

§ 1001.70 Payments to producers and cooperative associations.

(B) To provide for the same requirement of handlers purchasing fluid milk products from a cooperative association in its capacity as the operator of a pool plant or as a handler as the order now does in handlers' payments to producers.

(C) To require handlers operating distributing plants (§ 1001.35) purchasing milk products from producers or cooperative associations to make payment on such milk received during the first 15 days of the month at a rate not less than 50 cents below the market administrator's announced estimated price. This payment to be made on or before the 5th day after the end of the month.

Proposed by New England Milk Producers' Association, Northern Farms Cooperative, Inc., and Maine Dairymen's Association, Inc.:

Proposal No. 49. In § 1001.73 amend paragraph (c) by adding the words "including the butterfat differential" so that the paragraph reads as follows:

§ 1001.73 Statements to producers.

* * * * *

(c) The minimum rate or rates, including the butterfat differential, at which payment to the producer is required under § 1001.70;

* * * * *

VII. Miscellaneous proposals.

Proposed by H. P. Hood and Sons, Inc.:

Proposal No. 50. In § 1001.32, paragraph (j), revise subparagraph (3) so as to change "the 12th day of each month" to "the 14th day of each month".

Proposal No. 51. Amend § 1001.40 to provide that the monthly report of receipts and utilization may be filed not later than the 10th day of the month if the report is delivered in person to the office of the market administrator.

Proposed by the Connecticut Milk Dealers' Association:

Proposal No. 52. In § 1015.41, paragraph (e) amend subparagraph (1) so as to exclude Sundays and legal holidays in the State of Connecticut from the 48-hour limitation on either the mailing or delivering to the market administrator a report in writing showing the date on which dumping of certain milk products was made, together with the quantity dumped.

Proposed by Andrew C. Petersen, Inc.:

Proposal No. 53. In § 1015.75 amend paragraph (a) so as to permit any producer who is not a member of a cooperative association and who has produced in the past 12-month period in excess of 5,000,000 pounds of milk and who is presently producing at a minimum of that rate on a farm or farms under the same ownership and all the milk production is delivered to one handler, to be exempt from the marketing service deduction and to make whatever arrangements he desires for the services specified as being covered under the marketing service deduction provision.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 54. In § 1001.37 remove the obsolete transition language by deleting paragraph (f).

Proposal No. 55. In § 1001.32, paragraph (j), subparagraph (4) remove the obsolete transition language by deleting the last sentence.

Proposal No. 56. In § 1001.64 remove the transition language in paragraph (a) by deleting the words "or the corresponding provisions of the Boston, Southeastern New England, Springfield, or Worcester orders" at the end of the paragraph.

Proposal No. 57. In § 1001.65 remove the transition language in paragraph (a) by deleting the second sentence.

Proposal No. 58. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrators, 230 Congress Street, Room 403, Boston, Mass., 02110, 1049 Asylum Avenue, Hartford, Conn., 06105, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250 or may be there inspected.

Signed at Washington, D.C., on May 20, 1966.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 66-5726; Filed, May 24, 1966; 8:48 a.m.]

[7 CFR Part 1098]

[Docket No. AO-184-A22]

MILK IN NASHVILLE, TENN., MARKETING AREA

Notice of Recommended Decision and Opportunity to File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Nashville, Tenn., marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, by the 7th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Nashville, Tenn., on March 29, 1966, pursuant to notice thereof which was issued March 22, 1966 (31 F.R. 4968).

The material issues on the record of the hearing relate to:

(1) The Class II price;

(2) Assignment of shrinkage on farm tank milk; and

(3) Plants subject to other Federal orders.

A decision issued April 26, 1966 (31 F.R. 6549) dealt with Issue 1. This decision is concerned with the remaining issues.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

2. *Assignment of shrinkage on farm tank milk.* The 2 percent maximum Class II shrinkage allowance on producer farm tank milk for which a cooperative is the handler should, under certain conditions, be apportioned between the cooperative and the pool plant receiving such milk. If the pool plant operator accepts the weights ascertained at the time of the farm pickup, he would continue to receive the 2 percent shrinkage allowance. Otherwise, the handler's Class II shrinkage would be limited to 1.5 percent of such receipts and the cooperative in its capacity as the handler on such bulk tank farm milk would be allowed up to 0.5 percent of Class II shrinkage. This method of assigning shrinkage in farm tank milk is provided in most Federal orders in which a cooperative may elect to be the handler on such milk.

The order now permits handlers to classify as Class II shrinkage up to 2 percent of producer milk. However, the order does not prescribe specific percentages for apportioning the shrinkage between the cooperative as a handler on bulk tank milk and the operator of the pool plant to which such milk is delivered. The local cooperative (Nashville Milk Producers, Inc.) has elected to be the handler in practically all instances for the farm bulk tank milk of its producer members. All but a small portion of milk under the order is marketed by this cooperative. The current practice in the market is for the cooperative to bill handlers at the weights ascertained at the farm by the operator of the tank truck picking up the milk. The handler is allowed the maximum 2 percent Class II shrinkage on this milk.

Nashville order handlers have no control or otherwise take any part in determining the weights of milk at the farm and may not even know from which farms their milk was shipped. The farm bulk tank milk from a number of producers is transferred to and included in the large tank trucks in which the milk is transported to the handlers' plants. The quantities of milk received from each farm is ascertained by a dip stick measurement at the farm.

It would be inappropriate to specify in the Nashville order that a handler must account for the total quantity of milk as determined at the farm by the cooperative. Under the conditions in this market, such a provision would likewise be inequitable to the handler who would be required to pay on the basis of a weight determination in which he had no part. The operator of the tank truck under the control of the local cooperative is an agent of that cooperative. The aggregate of the monthly weights determined by him at the farms of Nashville order producers has been consistently greater than the weights ascertained as having been received at handlers' plants. This is because of a small shrinkage or loss experienced in this market in the handling of the milk from the time it is pumped into the tank truck at the farm and when it is received at the pool plant. The scale weights of approximately 15 million pounds of milk, received over a period of 4 years by Nashville handlers, averaged 0.37 percent less than the weights of the same milk ascertained by dip stick measurements at the farm.

The amendment herein provided does not require pool plant operators and cooperatives to change their present arrangements of apportioning the shrinkage on farm tank milk. Instead, the proposed change provides greater flexibility in such arrangements between pool plant operators and cooperatives in accounting for farm tank milk. Whichever alternative (provided by this decision) of accounting for farm tank milk shrinkage is used at a pool plant would be a matter of negotiation between the pool plant operator and the cooperative.

The procedure outlined above for assigning shrinkage on bulk tank milk has been found practicable in other Federal milk orders. Under the conditions in this market, it may be expected that this procedure is equally as practicable in Nashville as under these other orders and will provide a reasonable and equitable basis for the allocation of shrinkage on farm tank milk delivered to pool plants.

3. *Plants subject to other Federal orders.* The order should provide that if the operator of or the cooperative supplying an "other order plant" that also qualifies as a Nashville pool plant submits a request, the Secretary may exclude Class I sales made under limited term contracts to governmental bases and institutions in the marketing area of either order in determining under which order the plant would be pooled.

A distributing plant meeting the pooling requirements of both Nashville and another order in the same month is now regulated by the order in the marketing area of which its Class I distribution is greater. A cooperative and a handler under the Paducah order proposed revising this requirement to permit the Secretary to exclude, under certain conditions, Class I sales to military installations in determining under which order the plant would be pooled.

The operator of a Paducah order plant in Hopkinsville, Ky., encountered difficulties during the last 6 months of 1965 in filling his contract to supply Fort Campbell (in the Nashville marketing area). His monthly Class I distribution in the Paducah and Nashville markets were nearly equal in volume during this period. Hence, the order under which his plant was regulated was subject to change from month to month.

Prior to serving the Fort Campbell contract, the Hopkinsville plant was continuously a pool plant under the Paducah order and its producers were pooled under that order. To serve the Fort Campbell contract, the handler obtained supplies from producer-members of the Nashville Milk Producers Association, who had been pooled under the Nashville order.

There are significant differences between the seasonal Class I pricing plans in the Paducah and Nashville orders and in their provisions for distributing returns to producers: Nashville utilizes a base and excess plan and Paducah a fall incentive ("take out-pay back") plan. Because of the differences in seasonality of Class I prices and the methods of distributing returns to producers, the shifting of the Hopkinsville plant between orders created confusion and dissatisfaction among producers. Consequently, both the Paducah and Nashville producers, through their cooperatives, notified the Hopkinsville handler that they would discontinue delivering to him if he supplied Fort Campbell after the expiration of his 1965 contract.

Nashville producers and handlers opposed the proposal to exclude Class I sales to military installations in deciding under which order the plant would be pooled. Producers claim the problem involves the Paducah order and cannot be corrected by adoption of the proposal in Nashville. Handlers maintain that it would delegate to private parties certain decisions regarding the administration of the order that are reserved by law to the Secretary. Handlers also oppose the proposal on the grounds that Class I sales to military installations located within this marketing area are as much a part of the market's total Class I sales as are Class I sales to any other consumer.

The potential of a handler shifting regulation because of contracts with governmental bases and institutions creates certain problems for the handler as well as producers supplying milk to his plant. It affects producers' returns due to different Class I prices, location differentials and seasonal pricing plans in different Federal orders. Enabling the Secretary to make a determination concerning the order under which milk shall be pooled when contract sales to governmental agencies are involved will ameliorate the problem handlers face when bidding on such contracts.

The proposed provision will not automatically eliminate from consideration the Class I disposition of a handler under limited term contracts as a factor in determining the order to which he is subject. It provides, rather, that a determination in such situations will be made by the Secretary only if it is requested by the plant operator or cooperative supplying the plant. This does not, as suggested by handlers, delegate the Secretary's authority to a party making the request or to any other private party.

The provision herein proposed to be included in Nashville and recently adopted in Paducah will provide more orderly marketing in both orders. Official notice is here taken of the May 1, 1966 amendment (31 F.R. 6536) to the Paducah order, which permits the Sec-

retary to make the same determination as herein proposed. For this provision to be fully effective it must be incorporated into both orders, otherwise, it would not serve its intended purpose.

The order should require that application for a determination be made at least 15 days before its requested effective date. This will afford the Secretary sufficient time for the review of each application. In addition, this will make it possible for interested parties to be apprised of such determination within a reasonable time of its effective date.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Nashville, Tenn., marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. Section 1098.13(a) is revised to read as follows:

§ 1098.13 Producer milk.

* * * * * *

(a) Received at a pool plant directly from a dairy farmer or a handler pursuant to § 1098.8(c): *Provided*, That if the milk received at a pool plant from a handler pursuant to § 1098.8(c) is purchased on a basis other than farm weights, the amount by which the total farm weights of such milk exceed the weights on which the pool plant's purchases are based shall be producer milk received by the handler pursuant to § 1098.8(c) at the location of the pool plant; or

* * * * * *

2. The introductory text of § 1098.30 is revised to read as follows:

§ 1098.30 Reports of receipts and utilization.

On or before the 6th day after the end of each month, each handler, except a handler as defined pursuant to § 1098.8 (e), shall report for such month to the market administrator in detail and on forms prescribed by the market administrator the following:

* * * * * *

3. Section 1098.41(b)(5) is revised to read as follows:

§ 1098.41 Classes of utilization.

* * * * * *

(b) * * *

(5) In shrinkage of skim milk and butterfat, respectively, assigned pursuant to § 1098.42(b)(1) but not to exceed the following:

(i) Two percent of producer milk (except that diverted pursuant to § 1098.7), including that received from a handler pursuant to § 1098.8(c), if the pool plant operator receiving such milk files notice with the market administrator that he is purchasing it on the basis of farm weights;

(ii) Plus 1.5 percent of producer milk received from a handler pursuant to § 1098.8(c) if the handler receiving such milk does not file notice with the market administrator that he is purchasing such milk on the basis of farm weights;

(iii) Plus 1.5 percent of fluid milk products received in bulk tank lots from pool plants;

(iv) Plus 1.5 percent of receipts of fluid milk products in bulk from other order plants, exclusive of the quantity for which Class II utilization was requested by the operators of such plant and the handler;

(v) Plus 1.5 percent of receipts of fluid milk products in bulk from unregulated supply plants, exclusive of the quantity for which Class II utilization is requested by the handler; and

(vi) Less 1.5 percent of fluid milk products disposed of in bulk tank lots to pool plants and nonpool plants; and

* * * * * *

4. The introductory text of § 1098.46 is revised to read as follows:

§ 1098.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1098.45, the market administrator shall determine the classification of producer milk at the pool plant(s) of each handler and for each handler pursuant to § 1098.8(c) as follows:

* * * * * *

5. The introductory text of § 1098.70 is revised to read as follows:

§ 1098.70 Computation of the net pool obligation of each pool handler.

The net pool obligation of each handler defined pursuant to § 1098.8 (a), (b), and (c) during the month shall be a sum of money computed by the market administrator as follows:

* * * * * *

6. Section 1098.91 is revised to read as follows:

§ 1098.91 Handlers subject to other Federal orders.

The provisions of this part shall not apply to a handler with respect to the operation of a plant during any month in which the milk at such plant would be subject to the classification, pricing and payment provisions of another marketing agreement or order issued pursuant to the Act and in which the disposition of fluid milk products from such plant in the other Federal marketing area exceeds that in the Nashville, Tenn., marketing area: *Provided*, That on the basis of a written application made either by the plant operator or by the cooperative association supplying milk to such operator's plant, at least 15 days prior to the date for which a determination of the Secretary is to be effective, the Secretary may determine that the Class I dispositions in the respective marketing areas to be used for purposes of this paragraph shall exclude (for a specified period of time) Class I disposition made under limited term contracts to governmental bases and institutions: *And provided further*, That the operator of a plant which is exempted from the provisions of this part pursuant to this section shall, with respect to the total receipts and utilization or disposition of skim milk and butterfat at such plant, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

Signed at Washington, D.C., on May 19, 1966.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 66-5705; Filed, May 24, 1966; 8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66-AL-4]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration; Supplemental Notice

On March 23, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4844) describing the proposed controlled airspace in the McGrath, Alaska, terminal area.

Subsequent to the publication of the notice, it was determined that additional revisions to IFR procedures would be required and that, therefore, a 700-foot floor transition area and an extension to the 1,200-foot floor transition area would be necessary to provide protection for aircraft executing these revised procedures. The revised instrument approach procedures permit DME to be used to position aircraft for final approach within 15 miles of the VORTAC. A 700-foot transition area is required to provide protected airspace for aircraft executing the McGrath VOR DME 1 instrument approach procedure during the portion of the procedure when flight is authorized below 1,500 feet above the terrain outside of the control zone. The proposed alteration of the 1,200-foot transition area would require redescription to include additional airspace. It is proposed herein to modify the proposed McGrath, Alaska, transition area to include this additional airspace, as hereinafter set forth. No change would be required in the proposed alteration of the control zone.

Accordingly, the notice is hereby amended to propose that the McGrath, Alaska, transition area be redesignated as that airspace extending upward from 700 feet above the surface within a 23-mile radius of the McGrath VORTAC extending clockwise from the 308° T (258° M) to the 334° T. (311° M) radials of the McGrath VORTAC, that airspace extending upward from 1,200 feet above the surface within a 23-mile radius of the McGrath VORTAC extending clockwise from the 334° T (311° M) to the 308° T (285° M) radials of the McGrath VORTAC; within 9 miles NE and 8 miles SW of the McGrath VORTAC 122° T (099° M) radial extending from the 23-mile radius area to 26 miles SE of the VORTAC; and within 5 miles each side of the McGrath VORTAC 003° T (340° M) radial extending from the 23-mile radius area to 34 miles N of the VORTAC.

The proposed transition area would provide protection for aircraft executing portions of the prescribed instrument approach and departure procedures, missed approaches, and holding procedures conducted beyond the limits of the control zone, including revisions now being processed.

In order to provide interested persons time to adequately evaluate this proposal as modified herein and an opportunity to submit such written data, views, or arguments as they may desire, the date for filing such material is extended to 30 days after publication of this supplemental notice in the FEDERAL REGISTER. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The Public Docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Anchorage, Alaska, on May 16, 1966.

R. G. TAYLOR, Jr.,
Acting Director, Alaskan Region.

[F.R. Doc. 66-5689; Filed, May 24, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-37]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations to alter controlled airspace in the Billings, Mont., transition area.

On April 6, 1966, a final rule was published in the FEDERAL REGISTER (31 F.R. 5407) altering the Billings, Mont., transition area, effective May 26, 1966. The Billings, Mont., transition area, as amended, will be redesignated as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Logan Field, Billings, Mont. (latitude 45°48'23" N., longitude 108°31'54" W.); and within 2 miles each side of the 071° bearing from the Billings RBN extending from the 8-mile radius area to 8 miles E of the RBN; and within 5 miles N and 8 miles S of the Billings VORTAC 267° radial extending from the 8-mile radius area to 12 miles W of the VORTAC; and within 5 miles N and 8 miles S of the Billings ILS localizer W course extending from the 8-mile radius area to 12 miles W of the OM; and that airspace extending upward from 1,200 feet above the surface within a 21-mile radius of the Billings VORTAC extending clockwise from V-2 W of Billings to V-19 SE of Billings; and within 10 miles SW and 7 miles NE of the Billings VORTAC 301° radial extending from 20 miles NW of the VORTAC to 49 miles NW of the VORTAC; and within 10 miles SW and 7 miles NE of the Billings VORTAC 317° radial extending from the 21-mile radius area to 45 miles NW of the VORTAC; and within 10 miles W and 7 miles E of the Billings VORTAC 347° radial extending from the 21-mile radius area to 42 miles N of the VORTAC; and within 5 miles each side of the Billings VORTAC 96° radial extending from the 21-mile radius area to 36 miles E of the VORTAC, and that airspace extending upward from 7,700 feet MSL within 8 miles each side of the Billings VORTAC 96° radial extending from 36 miles to 99 miles E of the VORTAC.

A holding pattern has now been established on the Billings, Mont., VORTAC 097° magnetic (096° true) radial for use by aircraft arriving at Logan Field, Billings, Mont., from the east. Therefore, it has been determined that an additional transition area east of Billings is required to provide controlled airspace protection in order to encompass the holding pattern.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Billings terminal area, including the above-determined necessity for additional transition area, proposes the following airspace action:

Alter the Billings, Mont., transition area by redesignating it as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Logan Field, Billings, Mont. (latitude 45°48'23" N., longitude 108°31'54" W.); and within 2 miles each side of the 071° bearing from the Billings RBN extending from the 8-mile radius area to 8 miles E of the RBN; and within 5 miles N and 8 miles S of the Billings VORTAC 267° radial extending from the 8-mile radius area to 12 miles W of the VORTAC; and within 5 miles N and 8 miles S of the Billings ILS localizer W course extending from the 8-mile radius area to 12 miles W of the OM; and that airspace extending upward from 1,200 feet above the surface within a 21-mile radius of the Billings VORTAC extending clockwise from V-2 W of Billings to V-19 SE of Billings; and within 10 miles SW and 7 miles NE of the Billings VORTAC 301° radial extending from 20 miles NW of the VORTAC to 49 miles NW of the VORTAC; and within 10 miles SW and 7 miles NE of the Billings VORTAC 317° radial extending from the 21-mile radius area to 45 miles NW of the VORTAC; and within 10 miles W and 7 miles E of the Billings VORTAC 347° radial extending from the 21-mile radius area to 42 miles N of the VORTAC; and within 5 miles each side of the Billings VORTAC 96° radial extending from the 21-mile radius area to 36 miles E of the VORTAC, and that airspace extending upward from 7,700 feet MSL within 8 miles each side of the Billings VORTAC 96° radial extending from 36 miles to 99 miles E of the VORTAC.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications

received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The Public Docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 13, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-5690; Filed, May 24, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SO-33]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the Memphis, Tenn., transition area.

The Memphis, Tenn., transition area is described in § 71.181 (31 F.R. 2149, 4839).

A VOR/DME instrument approach procedure predicated on the Memphis, Tenn., VORTAC 311° radial/20-nautical mile DME/Radar fix is proposed for the West Memphis Airport.

This amendment would designate a small portion of additional controlled airspace with a floor of 700 feet by altering the Memphis, Tenn., transition area as hereinafter set forth.

The portion "• • • within an 8-mile radius of the West Memphis Airport (latitude 35°08'24" N., longitude 90°14'00" W.) • • •" would be deleted and "• • • within an 8-mile radius of the West Memphis Airport (latitude 35°08'24" N., longitude 90°14'00" W.); within 2 miles each side of the Memphis VORTAC 311° radial, extending from the 8-mile radius area to 31 miles NW of the Memphis VORTAC • • •" would be substituted therefor.

The additional controlled airspace would provide protection for aircraft executing the instrument approach procedure during descent from 1,500 to 1,000 feet above the surface.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 18097, Memphis, Tenn., 38118. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The Official Docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on May 17, 1966.

HENRY S. CHANDLER,
Acting Director, Southern Region.

[F.R. Doc. 66-5691; Filed, May 24, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SO-34]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the Columbus, Miss., control zone and transition area.

The Columbus, Miss., control zone is described in § 71.171 (31 F.R. 2065).

The Columbus control zone would be redesignated as within a 5-mile radius of Columbus AFB, Miss. (latitude 33°38'38" N., longitude 88°26'39" W.); within 2 miles each side of the Columbus AFB localizer NW course, extending from the 5-mile radius zone to 6 miles NW of the airport; within 2 miles each side of the Caledonia VOR 311° radial, extending from the 5-mile radius zone to 8.5 miles NW of the VOR; within 2 miles each side of the Caledonia TACAN 310° radial, extending from the 5-mile radius zone to 6.5 miles NW of the TACAN; and within 2 miles each side of the Caledonia TACAN 142° radial, extending from the 5-mile radius zone to 6 miles SE of the TACAN.

The instrument approach procedures at Columbus AFB, Miss., have been revised, making the dimensions of the control zone and extensions thereto excessive to that required by applicable criteria.

The proposed control zone and extensions thereto would provide controlled airspace for aircraft departing Columbus AFB during climb to 700 feet above the surface and for aircraft executing the instrument approach procedures during descent below 1,000 feet above the surface.

The Columbus, Miss., transition area is described in § 71.181 (31 F.R. 2149).

The Columbus 700-foot transition area would be redesignated as that airspace extending upward from 700 feet above the surface within a 9-mile radius of Columbus AFB, Miss. (latitude 33°38'38" N., longitude 88°26'39" W.); within a 6-mile radius of Columbus-Lowndes County Airport, Miss. (latitude 33°27'52" N., longitude 88°22'50" W.); within a 5-mile radius of Oktibbeha Airport, Miss. (latitude 33°29'45" N., longitude 88°41'00" W.); within 2 miles each side of the Columbus VORTAC 275° radial, extending from the 5-mile radius area to the VORTAC; within 2 miles each side of the Columbus VORTAC 101° radial, extending from the 6-mile radius area to the VORTAC; within 2 miles each side of a 179° bearing from the Columbus Radio Beacon (latitude 33°27'30" N., longitude 88°23'00" W.), extending from the 6-mile radius area to 8 miles S of the Radio Beacon.

An increase in the dimensions of the 700-foot transition area for Columbus AFB and Columbus-Lowndes County Airports is required by applicable criteria.

The proposed 700-foot transition area and the extension thereto would provide controlled airspace for aircraft departing Columbus AFB and Columbus-Lowndes County Airports during climb from 700 to 1,200 feet above the surface and for aircraft executing instrument approach procedures to those airports during descent from 1,500 to 1,000 feet above the surface.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 18097, Memphis, Tenn., 38118. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The Official Docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

These amendments are proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on May 17, 1966.

HENRY S. CHANDLER,
Acting Director, Southern Region.

[F.R. Doc. 66-5692; Filed, May 24, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[Antidumping—ATS 643.3-b]

FISHERY PRODUCTS FROM U.S.S.R.

Withholding of Appraisement Notice

MAY 18, 1966.

Pursuant to section 201(b) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect, from information presented to me, that the purchase price is less or likely to be less than the constructed value of shrimps, lobster tails, and lobsters, fresh frozen or cooked frozen, imported from the U.S.S.R. as defined by sections 203 and 206, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162 and 165). These products come within the purview of the "Antidumping Proceeding Notice" with regard to fishery products.

Customs officers are being directed to withhold appraisement of shrimps, lobster tails, and lobsters, fresh frozen or cooked frozen, imported from the U.S.S.R. in accordance with the provisions of § 14.9(a) of the Customs Regulations (19 CFR 14.9(a)).

The information alleging that the merchandise under consideration was being sold at less than fair value within the meaning of the Antidumping Act was received in proper form on March 9, 1966. This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of April 19, 1966, on page 5975 thereof.

This notice is published pursuant to § 14.6(e) of the Customs Regulations (19 CFR 14.6(e)).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-5709; Filed, May 24, 1966; 8:47 a.m.]

Coast Guard

[CGFR 66-34]

INTERNATIONAL CARGO GEAR BUREAU, INC.

Acceptance of Certificates and/or Registers Issued

With reference to the notice published in the FEDERAL REGISTER under date of November 22, 1957, CGFR 57-47, and by virtue of the authority vested in me as Commandant, U.S. Coast Guard, as therein set forth, the accreditation granted by said notice unto the International Cargo Gear Bureau, Inc., of 52 Broadway, New York, N.Y., is hereby transferred to its successor organization, International Cargo Gear Bureau, Inc., of 17 Battery Place, New York, N.Y., all without prejudice to any current certificates and/or registers heretofore issued under such earlier authority.

This notice shall become effective on June 1, 1966.

[SEAL] E. J. ROLAND,
Commandant, U.S. Coast Guard.

[F.R. Doc. 66-5707; Filed, May 24, 1966; 8:47 a.m.]

Office of the Secretary

[Treasury Dept. Order 182-1]

TREASURER OF UNITED STATES

Delegation of Authority To Appoint Persons To Sign Official Papers

By virtue of the authority vested in the Secretary of the Treasury; including the authority in Reorganization Plan No. 26 of 1950, and by virtue of the authority vested in me as Fiscal Assistant Secretary of the Treasury by Treasury Department Order No. 190 (Rev. 4), there is hereby delegated to the Treasurer of the United States the authority vested in the Secretary of the Treasury under section 304 of the Revised Statutes, as amended, 31 U.S.C. 144, to appoint one or more clerks in the Treasurer's Office to be a Special Assistant Treasurer with authority to sign certificates of deposit, checks, letters, telegrams, and other official documents in connection with the business of the Treasurer's Office.

Dated: May 18, 1966.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 66-5711; Filed, May 24, 1966; 8:47 a.m.]

Office of the Treasurer

[Treasurer of U.S. Order 26]

DEPUTY TREASURER, ET AL.

Signing of Official Papers

By virtue of the authority vested in the Treasurer of the United States by Treasury Department Order No. 182-1, and in accord with section 304 of the Revised Statutes, as amended, 31 U.S.C. 144, I hereby authorize the persons who occupy the positions identified below in the Office of the Treasurer of the United States to sign as Special Assistant Treasurer or under their official titles, when required by the Treasurer of the United States certificates of deposit, checks, letters, telegrams, and other official documents in connection with the business of the Treasurer's Office:

The Deputy Treasurer.
The Assistant Deputy Treasurer.
The Assistant to the Deputy Treasurer.
The Administrative Officer.
The Chief Document Analyst.
The Personnel Officer.
The Assistant Personnel Officer.
The Chief, Cash Division.
The Chief, General Accounts Division.
The Assistant Chief, General Accounts Division.
The Chief, Electronic Data Processing Division.
The Assistant Chief, Electronic Data Processing Division.
The Chief, Check Accounting Division.
The Assistant Chief, Check Accounting Division.
The Chief, Securities Division.
The Assistant Chief, Securities Division.
The Chief, Check Claims Division.
The Assistant Chief, Check Claims Division.
The Technical Assistant Chief, Check Claims Division.
The Special Assistant, Check Claims Division.
The Chief, Claims Adjudication Branch, Check Claims Division.
The Assistant Chief, Claims Adjudication Branch, Check Claims Division.
The Chief, Currency Redemption Division.
The Assistant Chief, Currency Redemption Division.
The Office Management Assistant, Currency Redemption Division.

This order supersedes all prior authorizations to employees of the Treasurer's Office to sign certificates of deposit, checks, letters, telegrams, and other official documents in connection with the business of the Treasurer's Office.

Dated: May 18, 1966.

[SEAL] W. T. HOWELL,
Acting Treasurer of the United States.

[F.R. Doc. 66-5710; Filed, May 24, 1966; 8:47 a.m.]

POST OFFICE DEPARTMENT

MAIL FOR SINGAPORE

In view of the establishment of Singapore as an independent country separate from Malaysia, mail may be addressed to "Singapore" without mention of Malaysia as country of destination. Postage rates and other mailing conditions for Singapore are the same as those for Malaysia.

Part 168, Directory of International Mail, of Title 39, Code of Federal Regulations, will be amended as soon as practicable.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

TIMOTHY J. MAY,
General Counsel.

MAY 20, 1966.

[F.R. Doc. 66-5740; Filed, May 24, 1966; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3250, etc.]

ACOMA OIL CORP., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MAY 17, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 9, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-3250 E 5-5-66	Acoma Oil Corp. (successor to Lakeland Petroleum Corp., et al.) Hamm Bldg., St. Paul, Minn., 55102.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc.,[2] North Louise Field, Wharton County, Tex.	16.16947	14.65
G-4581 E 5-11-66	Acoma Oil Corp. (successor to Lakeland Petroleum Corp., (Operator), et al.).	El Paso Natural Gas Co., Blanco-Mesaverde Field, San Juan County, N. Mex.	[3][4] 14.0	15.025
G-4631 E 5-6-66	Acoma Oil Corp. (successor to Lakeland Petroleum Corp.).	El Paso Natural Gas Co., and Hunt Oil Co., Jack Herbert Field, Upton County, Tex.	[4] 15.7093 [5][6] 13.5	14.65
G-10419 E 5-5-66	Acoma Oil Corp. (successor to Lakeland Petroleum Corp. (Operator), et al.).	El Paso Natural Gas Co., Drinkard Field, Lea County, N. Mex.	[7] 15.6238	14.65
G-11377 E 5-6-66	Acoma Oil Corp. (successor to Lakeland Petroleum Corp.).	El Paso Natural Gas Co. and Hunt Oil Co., Jack Herbert Field, Upton County, Tex.	[4] 15.7093 [5][6] 13.5	14.65
G-11558 E 5-6-66	do	do	[4] 15.7093 [5][6] 13.5	14.65
G-12187 E 5-6-66	do	do	[4] 15.7093 [5][6] 13.5	14.65
G-13597 E 5-5-66	Acoma Oil Corp. (successor to Lakeland Petroleum Corp. (Operator), et al.).	Natural Gas Pipeline Co. of America, Bailey's Prairie Field, Brazoria County, Tex.	[8] 16.0	14.65
G-13883 E 5-9-66	do	Southern Union Gathering Co., Blanco-Mesaverde Field, San Juan County, N. Mex.	[8] 14.0	15.025
G-18435 C 5-9-66	Pan American Petroleum Corp. (Operator), et al., Post Office Box 591, Tulsa, Okla., 74102.	Michigan Wisconsin Pipe Line Co., Laverne Gas Area, Harper County, Okla.	[9] 18.5	14.65
CI60-322 C 5-9-66	The British-American Oil Producing Co., Post Office Box 749, Dallas, Tex., 75221.	Tennessee Gas Pipeline Co., a division of Tenneco Inc.,[1] Block 20 Field, Offshore Cameron Parish, La.	19.0	15.025
CI61-1627 E 5-5-66	Oil Producers, Inc. (successor to A. G. Hill), 509 Murray Bldg., Grand Rapids, Mich., 49502.	Consolidated Gas Supply Corp., Collins Settlement District, Lewis County, W. Va.	25.0	15.325
CI62-1251 C 5-9-66	Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co. (Operator), et al., Post Office Box 747, Dallas, Tex., 75221.	Arkansas Louisiana Gas Co., Wilburton Field, Latimer County, Okla.	15.0	14.65
CI64-28 C 4-14-66	Robert P. Lammerts, c/o Robert N. Berry, attorney at law, 462 First National Bldg., Oklahoma City, Okla.	Arkansas Louisiana Gas Co., North Cooper Field, Blaine County, Okla.	[10] 16.8	14.65
CI64-902 C 2-9-66	Delta Drilling Co. (Operator), et al., Post Office Box 2012, Tyler, Tex., 75702.	Northern Natural Gas Co., Ozona Area, Crockett County, Tex.	16.0	14.65
CI65-54 C 5-6 66	Tenneco Oil Co. (Operator), et al., Post Office Box 2511, Houston, Tex., 77001.	Arkansas Louisiana Gas Co., South Pine Hollow Field, Pittsburg County, Okla.	15.0	14.65
CI65-1159 C 5-5-66	do	El Paso Natural Gas Co., San Juan Basin, Rio Arriba County, N. Mex.	13.0	15.025
CI66-13 (G-16993) C 4-25-66 [11]	Westmore Drilling Co., Inc. (Operator), et al., Chapin Bldg., Medicine Lodge, Kans., 67104.	Cities Service Gas Co., Davis Ranch "I" Unit and Davis Ranch "E" Unit, Aetna Mississippi Gas Pool, Barber County, Kans.	14.0	14.65
CI66-478 C 5-9-66	Thomas E. Berry, et al., Post Office Box 528, Stillwater, Okla., 74074.	Arkansas Louisiana Gas Co., Goldie Sivil Unit, Latimer County, Okla.	15.0	14.65
CI66-900 A 3-28-66	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001.	El Paso Natural Gas Co., Three Bar Field, Andrews County, Tex.	16.0	14.65
CI66-1050 A 4-28-66	Jefferson Elk Oil & Gas Co., Brockport, Pa., 15823.	United Natural Gas Co., Knox Dale Field, Jefferson County, Pa.	25.0	15.025
CI66-1081 A 5-5-66	Century Oil & Gas Co., c/o A. M. Snider, partner, Hundred, W. Va., 26575.	Carnegie Natural Gas Co., Clay District, Monongolia County, W. Va.	20.0	15.325
CI66-1082 A 5-5-66	do	Carnegie Natural Gas Co., Center District, Wetzel County, W. Va.	20.0	15.325
CI66-1083 (G-12352) F 5-6-66	Gulf Oil Corp. (successor to Sinclair Oil & Gas Co.), Post Office Box 1589, Tulsa, Okla., 74102.	Texas Gas Transmission Corp., West Lisbon Field, Claiborne Parish, La.	[12] 18.25	15.025

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and filed date	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66-1084 A 5-6-66	An-Son Corp., 3814 North Santa Fe, Oklahoma City, Okla., 73118.	Michigan Wisconsin Pipe Line Co., Lovedale Field, Harper County, Okla.	[13] 17.0	14.65
CI66-1086 A 5-2-66	Earlsboro Oil & Gas Co., et al., 2803 First National Bldg., Oklahoma City, Okla., 73102.	Panhandle Eastern Pipe Line Co., Northeast Waynoka Field, Woods County, Okla.	17.0	14.65
CI66-1088 A 5-4-66	Sherman Steele, 908 12th Ave., Huntington, W. Va., 25701.	Kentucky-West Virginia Gas Co., Island Creek Field, Pike County, Ky.	15.0	15.225
CI66-1090 A 5-9-66	Perry R. Bass, Inc. (Operator), et al., 1210 Fort Worth National Bank Bldg., Fort Worth, Tex., 76102.	Banquete Gas Co., a division of Crestmont Oil & Gas Co., acreage in San Patricio County, Tex.	13.0	14.65
CI66-1091 A 5-10-66	Violet Oil & Gas, 1726 Rhew Rd., Corpus Christi, Tex., 78403.	Valley Gas Transmission, Inc., Knolle Field, Nueces County, Tex.	15.0	14.65
CI66-1092 B 5-9-66	Texaco, Inc., Post Office Box 52332, Houston, Tex., 77052.	Kansas-Nebraska Natural Gas Co., Inc., Hugoton Field, Finney County, Kans.	[14]	
CI66-1093 A 5-9-66	G. H. Vaughn, Jr., and Jack C. Vaughn (Operators), et al., c/o E. H. Gunter, general manager, 1200 Vaughn Bldg., Dallas, Tex., 75201.	Texas Gas Transmission Corp., Northeast Lisbon Field, Claiborne Parish, La.	18.25	15.025
CI66-1094 A 5-9-66	W. R. Yinger (Operator), et al., 1420 First National Bldg., Oklahoma City, Okla., 73102.	Arkansas Louisiana Gas Co., Arkoma Area, Pittsburg County, Okla.	15.0	14.65
CI66-1095 A 5-10-66	Cleary Petroleum, Inc., 310 Kermac Bldg., Oklahoma City, Okla., 73102.	Panhandle Eastern Pipe Line Co., Kismet Field, Seward County, Kans.	14.0	14.65
CI66-1096 A 5-9-66	Phillips Petroleum Co., Bartlesville, Okla., 74003.	The Shamrock Oil & Gas Corp., Anadarko Basin Area, Lipscomb County, Tex.	15.0	14.65
CI66-1097 A 5-6-66	Graridge Corp., Post Office Box 752, Breckenridge, Tex., 76024.	Arkansas Louisiana Gas Co., Milton Field, Haskell County, Okla.	[15] 15.0	14.65
CI66-1098 A 5-6-66	Robert E. Cloud, Operator, 306 Montclair, Longview, Tex., 75601.	Texas Eastern Transmission Corp., East Timpson Field, Shelby County, Tex.	13.5	14.65
CI66-1100 A 5-9-66	Cabot Corp. (SW), 125 High St., Boston, Mass., 02110.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[16] 18.04	14.65
CI66-1101 A 5-9-66	Midterra Associates, Inc., Suite 1410, 700 Washington St., Denver, Colo., 80203.	Lake Shore Pipe Line Co., Bushnell (Pennsylvania) Field, Erie County, Pa.	27.0	15.025
CI66-1102 A 5-3-66	Graridge Corp. (Operator), et al., Post Office Box 752, Breckenridge, Tex., 76024.	Banquete Gas Co., a division of Crestmont Oil & Gas Co., Plymouth Field, San Patricio County, Tex.	10.0	14.65
CI66-1103 (CI62-252) F 5-5-66	Oil Producers, Inc. (successor to A. G. Hill), 509 Murray Bldg., Grand Rapids, Mich., 49902.	Equitable Gas Co., Court House District, Lewis County, W. Va.	25.0	15.325
CI66-1104 (CI62-907) F 5-5-66	do	Equitable Gas Co., Collins Settlement District, Lewis County, W. Va.	25.0	15.325
CI66-1107 A 5-4-66	Nathan Appleman, d.b.a. N. Appleman Co., 654 Madison Ave., New York, N.Y., 10021.	Kansas-Nebraska Natural Gas Co., Inc., Bradshaw Field, Hamilton County, Kans.	12.5	14.65

[1] Formerly Tennessee Gas Transmission Co.
[2] Includes 1.0 cent minimum for liquids.
[3] Rate in effect subject to refund in Docket No. RI64-363.
[4] High-pressure gas.
[5] Low-pressure gas.
[6] Rate in effect subject to refund in Docket No. RI60-22.
[7] Rate in effect subject to refund in Docket No. RI64-383.
[8] Includes 1.0 cent for pipeline amortization. Rate in effect subject to refund in Docket No. RI64-328.
[9] Includes 1.5 cents upward B.t.u. adjustment.
[10] Subject to deduction for compression; buyer may also treat gas if it fails to meet contract specifications and deduct reasonable expenses for such treatment.
[11] Adds acreage acquired from Champlin Petroleum Co. (formerly Champlin Oil & Refining Co.), Docket No. G-16993.
[12] Includes 1.75 cents tax reimbursement.
[13] Subject to upward and downward B.t.u. adjustment.
[14] Well is no longer capable of delivering into Buyer's line.
[15] Includes 0.75 cent per Mcf compression charge.
[16] Includes 1.04 cents upward B.t.u. adjustment.

[F.R. Doc. 66-5608; Filed, May 24, 1966; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[P. & S. Docket No. 308]

MARKET AGENCIES AT THE SIOUX CITY STOCK YARDS

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on July 15, 1964 (23 A.D. 784), authorizing the respondents, Market Agencies at the Sioux City Stock Yards, Sioux City, Iowa, to assess the current temporary schedule of rates and charges to and including July 31, 1966, unless modified or extended by further order before the latter date.

On May 4, 1966, a petition was filed on behalf of the respondents requesting authority to modify the current temporary schedule of rates and charges as indicated below, and requesting that the current schedule, as so modified, be continued in effect to and including July 31, 1966.

SELLING AND RESELLING CHARGES

SECTION A

	Rates per Head	
	Present	Proposed
CATTLE:		
Consignments of 1 head and 1 head only	$1.65	$1.75
Consignments of more than 1 head:		
First 5 head in each consignment	1.40	1.50
Next 10 head in each consignment	1.35	1.40
Each head over 15 in each consignment	1.25	1.27
CALVES:		
Consignments of 1 head and 1 head only	1.00	1.10
Consignments of more than 1 head:		
First 5 head in each consignment	.95	1.05
Next 10 head in each consignment	.90	.[illegible]
Each head over 15 in each consignment	.85	.87
• • •	• • •	• • •

SECTION B

HOGS, irrespective of manner of arrival:		
Consignments of 1 head and 1 head only	.72	.73
Consignments of more than 1 head:		
First 10 head in each consignment	.50	.56
Next 15 head in each consignment	.45	.51
Each head over 25 in each consignment	.40	.43
• • •	• • •	• • •

SECTION C

SHEEP:		
Consignments of 1 head and 1 head only	.65	.70
Consignments of more than 1 head:		
First 10 head in each 225 head in each consignment	.45	.50
Next 20 head in each 225 head in each consignment	.38	.43
Next 30 head in each 225 head in each consignment	.32	.37
Next 40 head in each 225 head in each consignment	.23	.28
Next 125 head in each 225 head in each consignment	.17	.22
Cripples or subjects	.70	.75
• • •	• • •	• • •

BUYING CHARGES

SECTION E

	Rate per head	
	Present	Proposed
• • •	• • •	• • •
SHEEP:		
Consignments of 1 head and 1 head only	[illegible]	$0.65
Consignments of more than 1 head:		
First 10 head in each 225 head in each consignment	.40	.45
Next 20 head in each 225 head in each consignment	.33	.38
Next 30 head in each 225 head in each consignment	.27	.32
Next 40 head in each 225 head in each consignment	.18	.23
Next 125 head in each 225 head in each consignment	.12	.17
Cripples or subjects	.65	.70
• • •	• • •	• • •

NOTE No. 2. The charge on sows, for immediate slaughter, shipped out by rail or truck, shall be 15 cents [presently 12 cents] per hundred weight.

• • • • •

The modifications, if authorized, will produce additional revenue for the respondents and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, within 10 days after the publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of May 1966.

DONALD A. CAMPBELL,
Director, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 66-5727; Filed, May 24, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

IDAHO

Notice of Filing of Protraction Diagram

MAY 17, 1966.

Notice is hereby given that effective at and after 10 a.m., on June 21, 1966, the following protraction diagram is officially filed of record in the Idaho Land Office, Room 327, Federal Building, Boise, Idaho, 83701. In accordance with Title 43, Code of Federal Regulations, this protraction will become the basic record for describing the land for all authorized uses. Until this date and time the diagram has been placed in open file and is available to the public for information only.

IDAHO PROTRACTION DIAGRAM—No. 86

BOISE MERIDIAN

Approved Apr. 14, 1966

Ts. 8 and 9 N., Rs. 15 and 16 E.

Copies of this diagram are for sale at one dollar ($1.00) each by the Cadastral Engineering Office, Bureau of Land Management, Post Office Box 2237, Boise, Idaho, 83701.

EUGENE E. BABIN,
Acting Manager, Idaho Land Office, Boise, Idaho.

[F.R. Doc. 66-5700; Filed, May 24, 1966; 8:46 a.m.]

OREGON

Revocation of Small Tract Classification

MAY 16, 1966.

Pursuant to authority delegated to me by Bureau Order No. 701, dated July 23, 1964 (29 F.R. 10526), I hereby revoke in its entirety Oregon Small Tract Classification No. 60-1, published July 23, 1959 (24 F.R. 5920):

WILLAMETTE MERIDIAN, OREG.

T. 26 S., R. 2 W.,
Sec. 14, that portion of the SW¼ described as Tracts Nos. 2 to 30 incl., shown on a plat now on file in the Portland Land Office, Bureau of Land Management, 729 Northeast Oregon, Portland, Oreg., 97232, and entitled "Susan Creek Home Sites."

RUSSELL E. GETTY,
State Director.

[F.R. Doc. 66-5701; Filed, May 24, 1966; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17226; Order E-23700]

AIR TAXI CO.

Order To Show Cause Regarding Establishment of Service Mail Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of May 1966.

By petition filed April 14, 1966, Air Taxi Co. requests the Board to establish final service mail rates for the transportation of mail by aircraft between Red Bank, N.J., and John F. Kennedy and Newark Airports.

Petitioner states, inter alia, that it is presently providing regularly scheduled services between the above-named points as an air taxi operator pursuant to Part 298 of the Board's Economic Regulations. The Post Office Department has indicated an interest in utilizing Petitioner's services for the transportation of mail.

Air Taxi Co. proposes to transport mail at a rate of 6 cents per pound from Red Bank to Newark Airport, and from Red Bank to John F. Kennedy Airport. Air Taxi Co. will provide service including the pickup and delivery of mail between the post office in Red Bank and the Red Bank Airport. Delivery will be to air carriers, the respective airport mail facility, or other points designated by the Post Office Department at either Newark or Kennedy. The Post Office Department filed an answer in support of Air Taxi Co.'s application, stating, inter alia, that it believed the proposed mail rate represents fair and reasonable rates of compensation for the transportation of mail by aircraft, including facilities used and useful therefor, and the services connected therewith. The Department also avers that utilization of Air Taxi Co. schedules will cause significant improvement of air mail service in this area.

The Board has determined to fix the fair and reasonable rates of compensation to be paid Air Taxi Co. by the Postmaster General for the air transportation of mail from Red Bank to either Newark or Kennedy airports, including pickup services at the Red Bank Post Office and delivery to another air carrier, to airport mail facilities, or other places at the airports as required by the Post Office Department. Upon consideration of the petition, the answer and other matters officially noticed, the Board proposes to issue an order to include the following findings and conclusions:

1. That the fair and reasonable final service mail rate to be paid to Air Taxi Co., pursuant to section 406 of the Act, for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Red Bank, N.J., and the airports of Newark, N.J., and John F. Kennedy, N.Y., shall be 6 cents per pound.

2. The final service mail rates here fixed and determined are to be paid in their entirety by the Postmaster General.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and pursuant to regulations promulgated in 14 CFR Part 302: *It is ordered*, That:

A. All interested persons, and particularly Air Taxi Co. and the Postmaster General, are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine and publish the final rates specified above as the fair and reasonable rates of compensation to be paid to Air Taxi Co. for the transportation of mail by aircraft, the facilities used and useful therefor and the services connected therewith as specified above;

B. Further procedures herein shall be in accordance with 14 CFR Part 302; and, if there is any objection to the rates or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days, after the date of service of this order;

C. If notice of objection is not filed within 10 days; or if notice is filed and answer is not filed within 30 days, after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fixing and determining the final rate specified herein;

D. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

E. This order be served upon Air Taxi Co. and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5721; Filed, May 24, 1966; 8:48 a.m.]

[Docket No. 16909]

MONTREAL–TAMPA/MIAMI CASE

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding now assigned to be held May 24, 1966, is postponed to June 9, 1966, at 10 a.m., e.d.s.t., in Room 213, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., May 20, 1966.

[SEAL] JAMES S. KEITH,
Hearing Examiner.

[F.R. Doc. 66-5722; Filed, May 24, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 66-441]

STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

MAY 19, 1966.

In accordance with the Commission's action of May 18, 1966, granting a waiver of § 1.571(c) allowing the application described below to be placed at the top of the processing line, notice is hereby given that on June 29, 1966, the following application:

NEW, Lorain, Ohio.
Lorain Community Broadcasting Co.
Req: 1380 kc, 500 w, Day.

will be considered as ready and available for processing, and that pursuant to § 1.227(b)(1) and § 1.591(c) of the Commission's rules, an application, in order to be considered with this application or with any other application on file by the close of business on June 28, 1966, which involves a conflict necessitating a hearing with this application, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) the close of business on June 28, 1966; or (b) the earlier effective cut-off date which this application or any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The Commission hereby waives the provisions of the Note to § 1.571 of the Commission's rules, adopted July 1, 1964, to the extent necessary to permit the acceptance of other applications seeking essentially the same facilities.

The attention of any party in interest desiring to file pleadings concerning the above application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580 (i) of the Commission's rules for the provisions governing the time of filing and other requirements relating to such pleadings.

The operating characteristics specified in the above application are those specified in the outstanding authorization now held by Station WWIZ, Lorain, Ohio, which must cease operation on July 15, 1966, under the Commission's final decision in this matter (WWIZ, Inc., et al., 36 FCC 561, 2 R.R. 2d 169; reconsideration denied, 37 FCC 685, 3 R.R. 2d 315).

Notice is also given that the Commission will consider joint applications (by applicants for permanent authority) or individual applications (by parties not seeking permanent authority) for interim authority to operate WWIZ's facilities. Applications for interim authority must be tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on June 28, 1966.

Adopted: May 18, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5731; Filed, May 24, 1966; 8:49 a.m.]

[Docket Nos. 16588-16590; FCC 66M-711]

KWHK BROADCASTING CO., INC. (KWHK) ET AL.

Statement and Order After Prehearing Conference

In re applications of KWHK Broadcasting Co., Inc. (KWHK), Hutchinson, Kans., Docket No. 16588, File No. BP-15356; Columbia Broadcasting System, Inc. (WCAU), Philadelphia, Pa., Docket No. 16589, File No. BP-15446; KAKE-TV and Radio, Inc. (KAKE), Wichita, Kans., Docket No. 16590, File No. BP-15968; for construction permits.

At today's prehearing conference, among other things the hearing was rescheduled from June 15 to July 19, 1966. It is also expected that a further prehearing conference will be held.

So ordered, This 19th day of May, 1966.

Released: May 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5730; Filed, May 24, 1966; 8:49 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES OR COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN REPUBLIC OF CHINA

MAY 20, 1966.

By an exchange of notes dated April 22, 1966, the Governments of the United States and the Republic of China further amended the bilateral cotton textile agreement between them of October 19, 1963, as amended. As a result of these amendments, the categories which are subject to specific export limitations under the agreement for the period beginning October 1, 1965, and extending through September 30, 1966, are as follows:

5, 6, 9, 15, 18/19, 22/23, 24/25, 26, 28, 30, 32, 34, 35, 41/42, 44, 45, 46, 47, 50, 51, 52, 53, 54, 57, 59, 60, 62, 63, and 64.

There is published below a directive of May 19, 1966, from the Chairman, President's Cabinet Textile Advisory Committee, to the Commissioner of Customs superseding all previous directives issued concerning entries of cotton textiles and cotton textile products produced or manufactured in the Republic of China, and directing that amounts of cotton textiles and cotton textile products in designated categories produced or manufactured in the Republic of China which may be entered, or withdrawn from warehouse for consumption in the United States for the period ending September 30, 1966, be limited to designated levels. The levels set forth in the letter have been adjusted to take into account certain amendments to the bilateral agreement and entries made as of the dates indicated in footnote 1 to the letter.

As amended, the bilateral agreement provides that within the aggregate and applicable group ceilings of the agreement, the Government of the Republic of China may exceed by not more than 5 percent, the specific ceilings on exports in categories 9, 15, 18/19, 22/23, 24/25, 26 (other than duck), 28, 30, 32, 34, 35, 41/42, 44, 47, 57, 59, 63, 63, and 64. Supplemental directives concerning such increases will be issued as may be appropriate.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

WASHINGTON, D.C., 20230,
May 19, 1966.

COMMISSIONER OF CUSTOMS,
Department of the Treasury, Washington, D.C.

DEAR MR. COMMISSIONER: This directive supersedes all previous directives issued to you concerning entries into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products produced or manufactured in the Republic of China.

Under the terms of the Long Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, for the period extending through September 30, 1966, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 5, 6, 9, 15, 18/19, 22/23, 24/25, 26, 28, 30, 32, 34, 35, 41/42, 44, 45, 46,

[1] Commissioner Bartley dissenting; Commissioner Wadsworth absent.

47, 50, 51, 52, 53, 54, 57, 59, 60, 62, 63, and 64 produced or manufactured in the Republic of China, in excess of the following levels:

Category	Corrected level of restraint [1]
5	347,432 square yards [2]
6	0
9	6,728,855 square yards
15	343,345 square yards
18/19	410,176 square yards
22/23	1,430,555 square yards
24/25	867,561 square yards*
26	1,847,596 square yards
Duck sub-level in 26 [3]	757,731 square yards
28	839,505 pieces
30	1,592,550 pieces
32	238,540 dozen*
34	92,454 pieces*
35	74,350 pieces*
41/42	41,207 dozen
44	11,474 dozen
45	8,131 dozen
46	133,679 dozen
47	27,563 dozen
50	50,496 dozen
51	126,108 dozen
52	71,772 dozen
53	10,137 dozen
54	12,151 dozen
57	59,774 dozen
59	27,563 dozen
60	3,887 dozen
62	18,430 pounds
62 (T.S.U.S.A. Nos. 380.0309, 380.0645, 382.0312, and 382.0665 only)	97,648 pounds
63	40,309 pounds
64	29,756 pounds*

[1] These levels have been adjusted to take account of increases and deductions in certain categories as provided for in the bilateral agreement of Oct. 19, 1963, and in subsequent arrangements between the United States and the Republic of China, including those of Apr. 22, 1966. In addition, except where followed by an asterisk (*), these levels have been adjusted to reflect entries made through Apr. 29, 1966. Adjustments have not been made in such levels for entries on or after Apr. 30, 1966. Levels followed by an asterisk have been adjusted to reflect entries made through Mar. 31, 1966. Adjustments have not been made in such levels for entries on or after Apr. 1, 1966.

[2] Within the total of the limits provided for Categories 5 and 6, exports in Category 5 may exceed the limit for the category and amount to 75 percent of the total permitted to be exported in Categories 5 and 6. Since the limit for Category 6 for the period extending through Sept. 30, 1966, has been filled, exports in Category 5 are limited to the amount shown.

[3] T.S.U.S.A. Nos. 320.—01 through 04, 06, 08; 326.—01 through 04, 06, 08; 321.—01 through 04, 06, 08; 327.—01 through 04, 06, 08; 322.—01 through 04, 06, 08; 328.—01 through 04, 06, 08.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on October 1, 1963 (28 F.R. 10551), and amendments thereto on March 24, 1964 (29 F.R. 3679).

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 5, 6, 9, 15, 18/19, 22/23, 25, 26, 28, 30, 41/42, 44, 45, 46, 47, 50, 51, 52, 53, 54, 57, 59, 60, 62, and 63, produced or manufactured in the Republic of China, which have been exported to the United States from the Republic of China prior to October 1, 1965, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period October 1, 1964, through September 30, 1965. In the event that the level of restraint established for the period October 1, 1964, through September 30, 1965, has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter. Cotton textiles and cotton textile products in Categories 24, 32, 34, 35, and 64, produced or manufactured in the Republic of China, which have been exported to the United States from the Republic of China prior to October 1, 1965, shall not be subject to this directive.

In carrying out this directive, you shall charge entries of goods in Category 62, T.S.U.S.A. Nos. 380.0309, 380.0645, 382.0312, and 382.0665, against the special amount provided therefor before charging such entries against the remaining level for the category.

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The levels of restraint set forth above are subject to further adjustment pursuant to the bilateral agreement of October 19, 1963, as amended, which provides that within the aggregate and applicable group ceilings of the agreement, ceilings on certain categories may be exceeded by not more than 5 percent.

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton textiles and cotton textile products from the Republic of China have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of section 4 of the Administrative Procedure Act. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce, and Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 66-5706; Filed, May 24, 1966; 8:46 a.m.]

TARIFF COMMISSION

[AA1921—49]

STEEL JACKS FROM CANADA

Notice of Investigation

Having received advice from the Treasury Department on May 19, 1966, that steel jacks[1] from Canada, manufactured by J. C. Hallman Manufacturing Co., Ltd., Kitchener (formerly Waterloo), Ontario, Canada, are being or are likely to be, sold in the United States at less than fair value, the United States Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

No hearing in connection with this investigation has been ordered. If a hearing is ordered, due notice of the time and place thereof will be given. In this connection, interested parties are referred to § 208.4 of the Commission's rules of practice and procedure (19 CFR 208.4) which provides that interested parties may, within 15 days after the date of publication of this notice in the FEDERAL REGISTER, request that a public hearing be held, stating reasons for the request.

Interested parties are also referred to section 208.5 of the Commission's rules regarding the submission of written statements of pertinent information. Written statements must be filed not later than June 20, 1966.

Issued May 19, 1966.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 66-5686; Filed, May 24, 1966; 8:45 a.m.]

[1] The Commission is advised that the term "steel jacks" relates to hand-operated mechanisms of a type commonly used in repair shops for lifting cars, trucks, and tractors.

DEPARTMENT OF COMMERCE

Maritime Administration

IRVING TRUST CO.

Notice of Approval of Applicant as Trustee

Notice is hereby given that Irving Trust Co., a New York corporation with offices at 1 Wall Street, New York, N.Y., has been approved as a trustee pursuant to Public Law 89-346 and 46 CFR 221.21-221.30.

Dated: May 20, 1966.

M. I. GOODMAN,
Chief, Office of Ship Operations.

[F.R. Doc. 66-5739; Filed, May 24, 1966; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-245]

CONNECTICUT LIGHT & POWER CO., ET AL.

Notice of Issuance of Provisional Construction Permit

Please take notice that, pursuant to the Initial Decision of the Atomic Safety and Licensing Board, dated May 9, 1966, the Director of the Division of Reactor Licensing has issued Provisional Construction Permit No. CPPR-20 to The Connecticut Light & Power Co., The Hartford Electric Light Co., Western Massachusetts Electric Co., and The Millstone Point Co. for the construction of a boiling water nuclear reactor to be located at the Millstone Nuclear Power Station in the town of Waterford, Conn.

A copy of the Initial Decision is on file in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 19th day of May 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66-5719; Filed, May 24, 1966; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-2556—7-2563]

AMERICAN BILTRITE RUBBER CO., INC., ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 17, 1966.

In the matter of applications of the Boston Stock Exchange for Unlisted Trading Privileges in Certain Securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

American Biltrite Rubber Co., Inc.	FILE 7-2557
Consolidated Foods Corp.	FILE 7-2558
Dapper Corp.	FILE 7-2559
Houston Lighting & Power Co.	FILE 7-2560
National Airlines, Inc.	FILE 7-2561
Philadelphia & Reading Corp.	FILE 7-2562
Shamrock Oil & Gas Corp.	FILE 7-2563

Upon receipt of a request, on or before June 2, 1966, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-5713; Filed, May 24, 1966; 8:47 a.m.]

[File No. 70-4379]

CONSOLIDATED NATURAL GAS CO. ET AL.

Notice of Proposed Issue and Sale of Short-Term Promissory Notes and Open Account Advances

MAY 18, 1966.

In the matter of Consolidated Natural Gas Co., 30 Rockefeller Plaza, New York, N.Y., 10020; Consolidated Gas Supply Corp., 445 West Main Street, Clarksburg, W. Va., 26301; The East Ohio Gas Co., Lake Shore Pipe Line Co., 1717 East Ninth Street, Cleveland, Ohio, 44114; The Peoples Natural Gas Co., Two Gateway Center, Pittsburgh, Pa., 15222; The River Gas Co., 324 Fourth Street, Marietta, Ohio, 45750.

Notice is hereby given that Consolidated Natural Gas Co. ("Consolidated"), a registered holding company, and its above named wholly owned subsidiary companies (hereinafter referred to collectively as the "subsidiary companies") have filed a joint application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 7, 9(a), 10, 12(b), and 12(f) of the Act and Rules 43, 45, 50, and 70 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Consolidated proposes to make open-account advances, from time to time during 1966, to the subsidiary companies named below of (i) an aggregate of up to $26,400,000 to be used by them as interim financing of their plant construction expenditures and (ii) an aggregate of up to $35,000,000 for gas storage inventory purposes. The maximum amount to be advanced to each subsidiary company for each such purpose is as follows:

Companies	For gas storage	For construction
Consolidated Gas Supply Corp.	$24,000,000	$12,500,000
The East Ohio Gas Co.	10,000,000	8,000,000
Lake Shore Pipe Line Co.		200,000
The Peoples Natural Gas Co.	1,000,000	5,500,000
The River Gas Co.		200,000
Total	35,000,000	26,400,000

To provide part of the funds for the open-account advances to its subsidiary companies, Consolidated proposes to issue and sell, to the banks named below, its short-term notes (designated herein as construction notes and as gas storage notes) in the aggregate principal amount of $55,000,000. The maximum amount of the construction notes and of the gas storage notes which will be sold to each bank is as follows:

Banks	Gas storage notes	Construction notes
New York City:		
The Chase Manhattan Bank	$11,800,000	$6,700,000
The First National City Bank	3,000,000	2,000,000
Morgan Guaranty Trust Co.	2,750,000	1,500,000
Manufacturers Hanover Trust Co.	2,000,000	1,000,000
Bankers Trust Co.	1,500,000	1,000,000
Chemical Bank New York Trust Co.	1,500,000	1,000,000
Irving Trust Co.	1,500,000	1,000,000
OHIO		
Cleveland:		
The National City Bank	2,400,000	1,800,000
Union Commerce Bank	1,100,000	800,000
Central National Bank	850,000	400,000
Society National Bank	300,000	600,000
Akron:		
First National Bank of Akron	300,000	
The Akron Dime Bank	225,000	
Ashtabula:		
The Farmers National Bank & Trust Co.	50,000	
Canton:		
The Harter Bank & Trust Co.	175,000	
First National Bank of Canton	150,000	
The Canton National Bank	75,000	
The Peoples-Merchants Trust Co.	75,000	
Painesville:		
The Lake County National Bank	50,000	
Warren:		
The Second National Bank of Warren	50,000	
The Union Savings & Trust Co.	55,000	
Youngstown:		
The Mahoning National Bank	350,000	
The Union National Bank	150,000	
PENNSYLVANIA		
Pittsburgh:		
Pittsburgh National Bank	1,400,000	1,200,000
Mellon National Bank and Trust Co.	1,300,000	1,000,000
The Union National Bank of Pittsburgh	500,000	
Altoona:		
Mid-State Bank & Trust Co.	100,000	
Johnstown:		
Johnstown Bank & Trust Co.	60,000	
United States National Bank in Johnstown	50,000	
NEW YORK		
Elmira:		
Marine Midland Trust Co. of Southern, N.Y.	800,000	
Syracuse:		
Marine Midland Trust Co. of Central, N.Y.	500,000	
WEST VIRGINIA		
Clarksburg:		
The Empire National Bank of Clarksburg	150,000	
The Union National Bank of Clarksburg	150,000	
Morgantown:		
The First National Bank of Morgantown	125,000	
Parkersburg:		
The Parkersburg National Bank	125,000	
Commercial Banking & Trust Co.	75,000	
Union Trust & Deposit Co.	75,000	75,000
Total	35,000,000	20,000,000

The gas storage notes mature (and the related open-account advances will be paid) in not more than 12 months from the date of issue of the first gas storage note. Such notes and advances will bear interest at the prime rate in effect at The Chase Manhattan Bank (presently 5½ percent per annum) on the date of issue of the first of such notes. Such notes may be prepaid, in whole or in part, from time to time without premium. It is expected that the gas storage notes and advances will be paid as gas is withdrawn from storage and sold by the subsidiary companies during the 1966–67 heating season. Similar terms and provisions apply to the construction notes and related open account advances which are expected to be paid through the use of proceeds from permanent financing to be undertaken at a later date. The system's 1966 construction program is estimated at $74,600,000. Internal sources are expected to provide all but $20,000,000 of such cash requirements.

The joint application-declaration states that the Public Service Commission of West Virginia has jurisdiction over the short-term borrowings proposed by Consolidated Gas Supply Corp. and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over any of the proposed transactions. The fees and expenses to be incurred in connection with the proposed transactions, all of which will be paid by Consolidated, are estimated not to exceed $2,500.

Notice is further given that any interested person may, not later than June 10, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5714; Filed, May 24, 1966; 8:47 a.m.]

[File No. 70–4386]

GEORGIA POWER CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds and Preferred Stock at Competitive Bidding

MAY 19, 1966.

Notice is hereby given that Georgia Power Co. ("Georgia"), 270 Peachtree Street, Atlanta, Ga., 30303, an exempt holding company and an electric utility subsidiary company of The Southern Co., a registered holding company, has filed an application with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Georgia proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $50,000,000 principal amount of First Mortgage Bonds, ____ Percent Series due 1996. The interest rate of the new bonds (which will be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be paid to Georgia (which will be not less than 99 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The new bonds will be issued under an Indenture dated as of March 1, 1941, between Georgia and Chemical Bank New York Trust Co., successor Trustee, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated as of July 1, 1966.

Georgia also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 90,000 shares of its cumulative preferred stock, without par value. The dividend rate of the new preferred stock (which will be a multiple of 4 cents) and the price to be paid to Georgia (which will be not less than $100 nor more than $102.75 per share) will be determined by the competitive bidding. Georgia's charter will be amended to allow for and to establish the terms of the new preferred stock.

The proceeds from the issuance and sale of the new bonds and new preferred stock will be applied by Georgia, together with funds available from other sources, to finance its 1966 construction program (presently estimated at $114,211,000), to reimburse its treasury for the retirement of previously outstanding bonds, and to pay short-term bank loans.

The issuance and sale of the new bonds and the new preferred stock have been expressly authorized by the Georgia Public Service Commission, the State commission of the State in which Georgia is organized and doing business. The application states that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the transactions proposed. Estimates of fees and expenses to be incurred in connection with the proposed transactions are to be filed by amendment.

Notice is further given that any interested person may, not later than June 14, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5715; Filed, May 24, 1966; 8:47 a.m.]

[811–1127]

OXFORD CUMULATIVE TRUST FUND

Notice of Proposal To Terminate Registration

MAY 19, 1966.

Notice is hereby given that the Securities and Exchange Commission on its own motion proposes to declare by order, pursuant to section 8(f) of the Investment Company Act of 1940 ("Act"), that Oxford Cumulative Trust Fund, ("Oxford Cumulative"), Suite 1546, Lenox Towers, Atlanta, Ga., 30305, a Georgia corporation, has ceased to be an investment company.

Oxford Cumulative registered under section 8(a) of the Act as an open-end, nondiversified management company on November 24, 1961.

By letter to the Commission dated April 12, 1966, R. Means Davis, Treasurer, Oxford Distributor Corp., sponsor of Oxford Cumulative, has stated that Oxford Cumulative has never had any assets, has never issued any securities, has no stockholders and has no intention of offering its securities to the public.

Section 3(c)(1) of the Act provides that any issuer whose outstanding securities are beneficially owned by not more than 100 persons and which is not making and does not presently propose to make a public offering of its securities is not an investment company within the meaning of the Act.

Section 8(f) of the Act provides in pertinent part, that when the Commission, on its own motion, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and that upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than June 3, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Oxford Cumulative Trust Fund at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the matter may be issued by the Commission upon the basis of the information stated in this notice, unless an order for hearing upon this matter shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5716; Filed, May 24, 1966; 8:47 a.m.]

[File No. 70–4387]

PENNSYLVANIA ELECTRIC CO.

Notice of Proposed Issue and Sale of Short-Term Notes to Banks

MAY 19, 1966.

Notice is hereby given that Pennsylvania Electric Co. ("Penelec"), 1001 Broad Street, Johnstown, Pa., 15907, an electric utility subsidiary company of General Public Utilities Corp., a registered holding company, has filed an application with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) thereof as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Penelec proposes to issue and sell to the banks named below, from time to time, not later than May 31, 1967, its promissory notes in an aggregate principal amount of $38,400,000 including within such amount the reissue of $16,000,000 principal amount of short-term notes heretofore issued by Penelec and outstanding at the date of this filing. Each note will mature not later than 9 months from the date of issue, will be prepayable without premium and will bear interest at the prime rate in effect in New York City for commercial loans (currently 5½ percent) on the date of issue.

The maximum principal amount of notes which may be outstanding at any one time with each bank is as follows:

Mellon National Bank & Trust Co., Pittsburgh, Pa.	$15,000,000
Bankers Trust Co., New York, N.Y.	5,000,000
Morgan Guaranty Trust Co. of New York, N.Y.	4,000,000
Chemical Bank New York Trust Co., New York, N.Y.	3,000,000
Marine Midland Grace Trust Co. of New York, N.Y.	2,000,000
First Seneca Bank & Trust Co., Oil City, Pa.	500,000
United States National Bank in Johnstown, Pa.	500,000
The First Pennsylvania Banking & Trust Co., Philadelphia, Pa.	3,000,000
Manufacturers Hanover Trust Co., New York, N.Y.	4,000,000
Union Bank & Trust Co., Erie, Pa.	250,000
The First National Bank of Erie, Pa.	750,000
Mid-State Bank & Trust Co., Altoona, Pa.	400,000
Total	38,400,000

Penelec will use the proceeds from the sale of the notes for construction expenditures, to retire 40,000 shares of preferred stock, and to pay outstanding short-term notes, the proceeds of which have been used for construction. Penelec's construction program for 1966 is contemplated to cost approximately $51,000,000.

The application states that the net proceeds from any permanent debt financing effected prior to the maturity of any of the proposed notes will be used to pay part or all of the notes then outstanding, and the maximum amount of indebtedness which may be incurred by Penelec under this application will be reduced by an amount equal to the net proceeds of the permanent debt financing.

The fees and expenses to be paid by Penelec in connection with the issue and sale of the notes are estimated at $3,300, including counsel fees of $3,000. No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 10, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5717; Filed, May 24, 1966; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30, Midwestern Area (Amdt. 5)]

MIDWESTERN AREA

Delegation of Authority To Conduct Program Activities in Regional Offices

Pursuant to the authority vested in the Area Administrator by Delegation of Authority No. 30 (Rev. 10), 30 F.R. 972, as amended, 30 F.R. 2742, as amended, 30 F.R. 11984, 12434 and 31 F.R. 6761, Delegation of Authority 30 F.R. 3252, as amended, 30 F.R. 7686, 8599, 13556 and 14602, is further amended by the addition of Item I.A.14, to read as follows:

I. • • •

A. *Financial Assistance.*

14. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the original disaster declaration, or extension thereof, has expired.

Effective Date: May 16, 1966.

RICHARD E. LASSAR, *Area Administrator Midwestern Area.*

[F.R. Doc. 66–5702; Filed, May 24, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MAY 20, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent

motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MT-4302, filed April 29, 1966. Applicant: GOREA'S MOTOR EXPRESS, INC., 2003 Bleecker Street, Utica, N.Y., 13503. Applicant's representative: Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y., 13202. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities* as defined by the Commission in 16 NYCRR 800.1, between points in Albany, Oneida, Monroe, and Erie Counties, N.Y., on the one hand, and, on the other, points in Broome, Tioga, and Chemung Counties, N.Y., as an alternate route for operating convenience only with no other service authorized except as presently authorized in applicant's certificate. This authority is to be otherwise combined with present authority of applicant pursuant to the provisions of 16 NYCRR 831.1. NOTE: Applicant states that it is presently authorized to and is rendering the proposed service under certificate No. 1353 in Case MT-4302 by use of either the Syracuse, N.Y., or Onondaga County gateway. Applicant further states that it merely seeks authority to render the proposed service by more expeditious routes.

HEARING: Date and time of hearing to be hereafter fixed. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the New York State Public Service Commission, 55 Elk Street, Albany, N.Y., 12225, and should not be directed to the Interstate Commerce Commission.

State Docket No. 48466, filed May 11, 1966. Applicant: AZTEC TRANSPORTATION CO., INC., 1902 National Boulevard, San Diego, Calif. Applicant's representative: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. Certificate of public convenience and necessity sought to operate a freight service in the transportation of general commodities, with the usual exceptions, both in intra and interstate and foreign commerce, between points and places as follows: (1) Between all points and places in the San Diego Area, described as: (Beginning at a point where the boundary line between San Diego and Orange Counties intersects the shoreline of the Pacific Ocean, thence in the general easterly direction along said county boundary line, to its intersection with State Highway No. 79, thence in a general southerly direction along State Highway No. 79, to its intersection with State Highway No. 80, thence along an imaginary line due south, to the international border between the United States and Mexico, thence westerly along said international border to the shoreline of the Pacific Ocean, thence northerly along said shoreline to the point of beginning); (2) between points and places in the San Diego Area, and all points and places on and within 10 miles laterally of the following highways, with service between all intermediate points: (a) U.S. Highway 101, between the northerly limits of the San Diego Area and San Juan Capistrano, inclusive; (b) State Highway 78 and various county roads, including Montezuma Grade, between the easterly limits of the San Diego Area and points and places within Borrego Valley, inclusive; and (c) State Highway 78, various county roads, including Montezuma Grade, U.S. Highways 80 and 99 and State Highways 94 and 111, between the easterly limits of the San Diego Area and Calexico and Niland, inclusive.

HEARING: Date and time and place of hearing not known. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the California Public Utilities Commission, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif., 94102.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5732; Filed, May 24, 1966; 8:49 a.m.]

[Notice No. 186]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 20, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and 6 copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 66562 (Sub-No. 2171 TA), filed May 17, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: William H. Marx (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, serving Utica, N.Y., as an intermediate point in connection with applicant's authorized regular route operations between Rochester and Albany, N.Y., in MC 66562 (Sub-No. 1908), for 180 days. Supporting shippers: The application is supported by statements from approximately 13 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 92633 (Sub-No. 10 TA), filed May 17, 1966. Applicant: ZIRBEL TRANSPORT, INC., 420 28th Street, Lewiston, Idaho, 83501. Applicant's representative: Donald A. Ericson, Suite 708, Old National Bank Building, Spokane, Wash., 99201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, from Bovill, Latah County, Idaho, to West Linn, Oreg., for 180 days. Supporting shipper: William F. Winkle, sales manager, J. R. Simplot Co., Bovill, Idaho, 83806. Send protests to: L. C. Taylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 401 U.S. Post Office, Spokane, Wash., 99201.

No. MC 98749 (Sub-No. 23 TA), filed May 18, 1966. Applicant DURWARD L. BELL, doing business as BELL TRANSPORT COMPANY, Eastman Road and Ryder Drive, Post Office Box 2362, Longview, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rejected Iso Butanol*, from Hess Terminal, Galena Park, Tex., to the plantsite of Texas Eastman Co., Longview, Tex. (NOTE: Not mentioned in application is that Bell proposes to deliver loads into railroad tank cars at Longview destined to known out-of-State destinations. Therefore the movement is part of an interstate movement for 180 days.) Supporting shipper: Texas Eastman Co., Division of Eastman Kodak, Longview, Tex., 75601. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 105353 (Sub-No. 9 TA), filed May 17, 1966. Applicant: MERRITT PACKING & CRATING SERVICE, INC., 4700 Ivy Street, Denver, Colo., 80216. Applicant's representative: Keith S. Merritt, 4700 Ivy Street, Denver, Colo., 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, in specially designed containers, restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization, between points in Wyoming, and between points in Wyoming, on the one hand, and, on the other, points in Laramie and Weld Counties, Colo., for 180 days. Supporting shippers: Routed Thru-Pac, Inc., 350 Broadway, New York, N.Y., 10013; Trans Ocean Van Service, Post Office Box 7331, Long Beach, Calif., 90807; Jet Forwarding, Inc., 1415 West Torrance Boulevard, Torrance, Calif., 90501; Vanpac Carriers, Inc., 2114 MacDonald Avenue, Richmond, Calif., 94802; Home-Pack Transport, Inc., 57-48 49th Street, Maspeth, N.Y., 11378. Send protests to: Luther H. Oldham, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo., 80202.

No. MC 109689 (Sub-No. 174 TA), filed May 17, 1966. Applicant: W. S. HATCH CO., 643 South 800 West Street, Woods Cross, Utah, 84087. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish feed and fish feed ingredients*, in bulk, and mixed shipments of bag and bulk, in pneumatic type tank vehicles, from Buhl, Idaho, to points in California, for 150 days. Supporting shipper: Rangen, Inc., Post Office Box 706, Buhl, Idaho, 83316. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah, 84111.

No. MC 114897 (Sub-No. 68 TA), filed May 18, 1966. Applicant: WHITFIELD TANK LINES, INC., 300-316 North Clark Road, Post Office Drawer 9897, El Paso, Tex., 79989. Applicant's representative: J. P. Rose (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aviation fuel*, in bulk, in tank vehicles, from Phillips Pipe Line Terminal, near Albuquerque, N. Mex., to airports at or near Las Vegas, Nev., for 180 days. Supporting shipper: Phillips Petroleum Co., Regional Transportation Officer, Post Office Box 239, Salt Lake City, Utah. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse Building, Albuquerque, N. Mex., 87101.

No. MC 117969 (Sub-No. 4 TA), filed May 18, 1966. Applicant: STANLEY J. SMITH, doing business as S. J. SMITH TRUCKING SERVICE, Post Office Box 173, Joyce, La., 71440. Applicant's representative: J. W. Stanard, Post Office Box 788, Baton Rouge, La., 70821. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Joyce, La., to all points in Mississippi and to points in Texas on and east of U.S. Highway No. 281, for 180 days. Supporting shipper: Tremont Lumber Co., Joyce, La., 71440. Send protests to: W. R. Atkins, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, T-4009 Federal Office Building, 701 Loyola Avenue, New Orleans, La., 70113.

No. MC 119702 (Sub-No. 22 TA), filed May 16, 1966. Applicant: STAHLY CARTAGE CO., 130A Hillsboro Avenue, Post Office Box 481, Edwardsville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from Muscatine, Iowa, and points in Iowa within 5 miles thereof, to points in Illinois, Missouri, and Wisconsin, for 150 days. Supporting shipper: Agrico Chemical Co., Division of Continental Oil Co., 1222 Riverside Boulevard, Memphis, Tenn., 38101. Send protests to: Harold Jolliff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 476, 325 West Adams Street, Springfield, Ill., 62704.

No. MC 124078 (Sub-No. 221 TA), filed May 18, 1966. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Nashville, Tenn., to points in Kentucky and Tennessee, and points in Virginia and North Carolina on and west of U.S. Highway 21, for 150 days. Supporting shipper: Missouri Portland Cement Co., 7751 Carondelet Avenue, St. Louis, Mo., 63105. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 128133 (Sub-No. 1 TA), filed May 17, 1966. Applicant: H. HERSCHEL OMPS, doing business as H. H. OMPS, Route 5, Winchester, Va. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, from the Moran Coal Co., Inc., minesite near Westernport, Md., to the plantsite of Potomac Edison Co., located at or near Riverton, Va., for 180 days. Supporting shippers: Moran Coal Co., Inc., Westernport, Md. (Attention: James P. Moran, President); The Potomac Edison Co., 55 East Washington Street, Hagerstown, Md. (Attention: Robert L. Ballentine). Send protests to: Robert D. Caldwell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1220, 12th and Constitution NW., Washington, D.C., 20423.

No. MC 128168 (Sub-No. 1 TA), filed May 18, 1966. Applicant: DANIEL D. MASTO, doing business as ELM CARTAGE CO., 38 Prospect Place Extension, East Haven, Conn. Applicant's representative: John E. Fay, 79 Lafayette Street, Hartford, Conn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Games, toys* (iron, steel, plastic, wooden) *combined and related raw materials, semifinished goods, shipping containers* between New Haven, Conn., on the one hand, and, on the other, Shrewsbury, Chelsea, Lynn, Woburn, Northampton, Somerville, Pittsfield, Dorchester, New Bedford, Cambridge, Fall River, Springfield, West Springfield, East Springfield, Leominster, Florence, Framingham, Clinton, Boston, and Worcester, Mass.; South Plainfield, Burlington, Harrison, Elizabeth, Keyport, Eatontown, Laurelton, Freehold, Somerville, Sayreville, Newark, Port Newark, Newark Airport, Clifton, Hillside, Patterson, and Hoboken, N.J.; Poughkeepsie, New York City, and five boroughs including piers, Mamaroneck, Patchogue, Mineola, North Bellmore, and Copake, N.Y.; Nashua and Manchester, N.H.; and ports of entry on the international boundary line between the United States and Canada, located in New Hampshire and New York, for 180 days. Supporting shipper: The A. C. Gilbert Co., Erector Square, New Haven, Conn. Send protests to: David J. Kiernan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 324 U.S. Post Office Building, 135 High Street, Hartford, Conn., 06101.

No. MC 128196 TA, filed May 17, 1966. Applicant: KARL ARTHUR WEBER, 2408 North 20th Drive, Phoenix, Ariz., 85009. Applicant's representative: Robert D. Greene, 400 West Camelback Road, Phoenix, Ariz., 85013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and wood products* (restricted to wood building materials), between points in Arizona including parts of entry on the international boundary

FOURTH SECTION APPLICATION FOR RELIEF

MAY 20, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40488—*Substituted service—B&O, et al., for R.C. Motor Lines, Inc.* Filed by Southern Motor Carriers Rate Conference, agent (No. 150), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars, between Greenville, S.C., on the one hand, and Baltimore, Md., Kearny, N.J., Philadelphia, Pa., Jacksonville, Fla., and Richmond, Va., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief—Motortruck competition.

Tariff—Supplement 7 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1375.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5733; Filed, May 24, 1966; 8:49 a.m.]

line between the United States and Mexico, on the one hand, and, on the other, points in California, Colorado, Idaho, New Mexico, Oklahoma, Oregon, Washington, Texas, Utah, and Nevada, for 180 days. Supporting shipper: International Forest Products Corp., 3800 North Central Avenue, Phoenix, Ariz., 85012. Send protests to: Andrew V. Baylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 4006 Federal Building, Phoenix, Ariz., 85025.

No. MC 128197 TA, filed May 17, 1966. Applicant: LACASSE & FRERE TRANSPORT, REGD., Paquet Boulevard, Mont Laurier, Labelle County, Quebec, Canada. Applicant's representative: Frank J. Weiner, 536 Granite Street, Braintree, Mass., 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber*, from ports of entry on the international boundary line between the United States-Canada boundary at or near Rouses Point, Rooseveltown, and Ogdensburg, N.Y., Highgate Springs, Derby Line, and Norton, Vt., and Jackman, Maine, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, and Ohio. Restriction: Restricted to traffic originating at points in Argenteuil, Berthier, Champlain, Deaux Montagnes, Gatineau, Joliet, Labelle, Laval, Maskinonque, Montcalm, Montreal, Papineau, Pontiac, Temiscaminque, Terrebonne Counties, Quebec, Canada, for 180 days. Supporting shipper: The Atlantic Lumber Co., 88 Broad Street, Boston, Mass., 02110. Send protests to: Wilmot E. James, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 518 Federal Building, Albany, N.Y., 12207.

No. MC 128200 TA, filed May 18, 1966. Applicant: BORDER TRANSFER & STORAGE CO., 6979 Market Avenue, Post Office Box 10179, El Paso, Tex., 79915. Applicant's representative: Alan F. Wohlstetter, One Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in El Paso County, Tex., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments, for 180 days. Supporting shippers: Door to Door International, Inc., 308 Northeast 72d Street, Seattle, Wash., 98115; Higa Fast Pac, Inc., 25 California Street, San Francisco, Calif., 94111; Northwest Consolidators, Post Office Box 3583 Terminal Annex, Seattle, Wash., 98124. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse Building, Albuquerque, N. Mex., 87101.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-5734; Filed, May 24, 1966; 8:49 a.m.]

[Notice No. 396]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MAY 20, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 67111 (Deviation No. 2), KAIN'S MOTOR SERVICE CORP., End of Bates Street, Logansport, Ind., 46947, filed May 9, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 6 and Indiana Highway 51, near Hobart, Ind., over U.S. Highway 6 to junction U.S. Highway 35, and thence over U.S. Highway 35 to junction U.S. Highway 30, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 41 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction Indiana Highway 51, thence over Indiana Highway 51 to junction Indiana Highway 130, thence over Indiana Highway 130 to Valparaiso, Ind., thence over unnumbered highway to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 35, and thence over U.S. Highway 35 to Logansport, Ind., and return over the same route.

No. MC 72300 (Deviation No. 6), LEE AMERICAN FREIGHT SYSTEM, INC., 418 Olive Street, St. Louis, Mo., filed May 11, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Memphis, Tenn., over U.S. Highway 51 to junction Tennessee Highway 21, thence over Tennessee Highway 21 to junction U.S. Highway 51, thence over U.S. Highway 51 to junction Interstate Highway 57, thence over Interstate Highway 57 (or Illinois Highway 37 and U.S. Highway 45) to junction U.S. Highway 52, and thence over U.S. Highway 52 to Joliet, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Memphis, Tenn., over U.S. Highway 61 to junction Missouri Highway 74, thence over Missouri Highway 74 to the Missouri-Illinois State line, thence over Illinois Highway 146 to junction Illinois Highway 3, thence over Illinois Highway 3 to junction Illinois Highway 159, thence over Illinois Highway 159 to junction Illinois Highway 13, and thence over Illinois Highway 13 to East St. Louis, Ill., and (2) from East St. Louis, Ill., over U.S. Highway 66 (Interstate Highway 55 and Alternate U.S. Highway 66) to Joliet, Ill., and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 312) (Cancels Deviation No. 155), GREYHOUND LINES, INC. (Central Division), 210 East Ninth Street, Fort Worth, Tex., 76102, filed May 12, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle of *passengers and their baggage*, over deviation routes as follows: From junction Wisconsin Highway 55 and U.S. Highway 41, near Kaukauna, Wis., over U.S. Highway 41 to junction Wisconsin Highway 175, near Milwaukee, Wis., (2) from junction U.S. Highway 41 and Wisconsin Highway 33 over Wisconsin Highway 33 to Addison, Wis., and (3) from junction U.S. Highway 41 and Wisconsin Highway 60 over Wisconsin Highway 60 to Slinger, Wis., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Milwaukee, Wis., over U.S. Highway 41 to junction Wisconsin Highway 175 (formerly U.S. Highway 41), thence over Wisconsin Highway 175 via Menomonee Falls, Richfield, Slinger, Theresa, and Byron, Wis., to Fond du Lac, Wis., thence over unnumbered highway (formerly U.S. Highway 41) via North Fond du Lac and Van Dyne, Wis., to junction U.S. Highway 45 (formerly U.S. Highway 41), thence over U.S. Highway 45 via Oshkosh, Wis., to junction Wisconsin Highway 114 (formerly U.S. Highway 41), thence over Wisconsin Highway 114 to junction Wisconsin Highway 47, thence over Wisconsin Highway 47 to Appleton, Wis., and (2) from Green Bay, Wis., over U.S. Highway 41 to junction Wisconsin Highway 55, thence over Wisconsin Highway 55 to Kaukauna, Wis., thence over Wisconsin Highway 96 (formerly County Road V) to Appleton, Wis., thence over Wisconsin Highway 47 to Manasha, Wis., thence over Wisconsin Highway 114 to Neenah, Wis., and return over the same routes.

No. MC 29601 (Sub-No. 1) (Deviation No. 2), MIDWEST COACHES, INC., 216 North Second Street, Mankato, Minn., 56001, filed May 16, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highways 16 and 75, at Luverne, Minn., over U.S. Highway 75 to junction Interstate Highway 90 (approximately 1 mile south of Luverne), thence over Interstate Highway 90 to junction U.S. Highway 16 (approximately ½ mile west of Beaver Creek, Minn.), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From junction U.S. Highways 16 and 75, at Luverne, Minn., over U.S. Highway 16 to junction Interstate Highway 90 (approximately ½ mile west of Beaver Creek, Minn.), and return over the same route.

No. MC 30490 (Deviation No. 1), APPLEYARD'S BUS, INC., 7 Rowell Street, Methuen, Mass., filed May 12, 1966. Carrier's representative: Maxwell A. Howell, 1511 K Street NW., Washington, D.C., 20005. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *newspapers*, in the same vehicle with passengers, over deviation routes as follows: (1) From Lawrence, Mass., over Interstate Highway 495 to junction Massachusetts Highway 110, (2) from Lowell, Mass., over Interstate Highway 495 to junction Massachusetts Highway 110, and (3) from junction Massachusetts Highway 110 and Interstate Highway 95 over Interstate Highway 95 to junction New Hampshire Highway 101E, thence over New Hampshire Highway 101E to Hampton Beach, N.H., also from junction New Hampshire Highway 101 and Interstate Highway 95 over New Hampshire Highway 101 to Hampton, N.H., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: (1) From Lawrence, Mass., over town and city streets via Methuen, Mass., to Haverhill, Mass., thence over Massachusetts Highway 110 to junction unnumbered highway at a point approximately 3 miles west of Salisbury, Mass., and thence over unnumbered highway to Salisbury, Mass., and (2) from Lowell, Mass., over Massachusetts Highway 110 to junction U.S. Highway 1, thence over U.S. Highway 1 to Hampton, N.H., thence over New Hampshire Highway 101E (Beach Road) to junction New Hampshire Highway 1A, and thence over New Hampshire Highway 1A to Hampton Beach, N.H., and return over the same routes.

No. MC 55312 (Deviation No. 4) (Cancels Deviation No. 3), CONTINENTAL TENNESSEE LINES, INC., 418 Fifth Avenue, South, Nashville, Tenn., filed May 12, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From Nashville, Tenn., over Interstate Highway 40 to Knoxville, Tenn., (2) from junction Interstate Highway 40 and U.S. Highway 231, over U.S. Highway 231 to Lebanon, Tenn., (3) from Carthage, Tenn., over Tennessee Highway 53 to junction Interstate Highway 40, (4) from Cookeville, Tenn., over Tennessee Highway 42 to junction Interstate Highway 40, (5) from junction Tennessee Highway 61 and Interstate Highway 40, over Interstate Highway 40 to Knoxville, Tenn., (6) from Midtown Junction, Tenn., over U.S. Highway 70 to junction Interstate Highway 40 (a distance of approximately 2 miles), thence over Interstate Highway 40 to Knoxville, Tenn., and (7) from Crossville, Tenn., over U.S. Highway 127 to junction Interstate Highway 40, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: From junction U.S. Highway 70N to Crossville, Tenn., thence over U.S. Highway 70 to junction U.S. Highway 27, at Harriman Junction, Tenn., thence over U.S. Highway 27 to Harriman, Tenn., thence over Tennessee Highway 61 to Oliver Springs, Tenn., thence over Tennessee Highway 62 to Oak Ridge, Tenn., thence via the Solway Gate and over the New Solway Road to Knoxville, Tenn., (2) from Harriman, Tenn., over Tennessee Highway 61 to Rockwood, Tenn., and (3) from Nashville, Tenn., over U.S. Highway 70N to Lebanon, Tenn., thence over Tennessee Highway 26 to Sparta, Tenn., and return over the same routes.

No. MC 110265 (Deviation No. 5), KENTUCKY BUS LINES, INC., 614 North 9th Street, St. Louis, Mo., filed May 11, 1966. Carrier's representative: B. W. LaTourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis, Mo., 63102. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction Kentucky Turnpike and U.S. Highway 62, approximately 3 miles north of Elizabethtown, Ky., over the Kentucky Turnpike to Louisville, Ky., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From junction Kentucky Turnpike and U.S. Highway 62, approximately 3 miles north of Elizabethtown, Ky., over U.S. Highway 62 to junction Kentucky Highway 61, thence over Kentucky Highway 61 to Louisville, Ky., and return over the same route.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-5735; Filed, May 24, 1966; 8:49 a.m.]

[Notice No. 923]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 20, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 109478 (Sub-No. 96), filed May 16, 1966. Applicant: WORSTER MOTOR LINES, INC., East Main Road, Rural Delivery No. 1, North East, Pa. Applicant's representative: William W. Knox, 23 West 10th Street, Erie, Pa., 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Lawton, Mich., to points in Illinois, Indiana, Kentucky, and Ohio.

HEARING: June 1, 1966, at the Federal Building, Lansing, Mich., before Examiner Robert N. Burchmore.

No. MC 127595 (Sub-No. 1) (Republication), filed December 29, 1965, published FEDERAL REGISTER issue of January 27, 1966, and republished, this issue. Applicant: THOMAS J. TRACY, JR., doing business as SPEEDY MESSENGER SERVICE, 305 Philmar Avenue, Ashland, N.J. Applicant's representative: Harold A. Lockwood, Jr., 2115 Land Title Building, Philadelphia, Pa., 19110. By application filed December 29, 1965, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of general commodities, not exceeding 75 pounds in weight, including industrial hardware, supplies, small machine parts, equipment, belts, gears, tools, castings, and molded, fabricated, and precision industrial rubber products, trade publications, blueprints, and electronic parts, with the usual exceptions, from and to the points indicated in the findings below, further re-

stricted against the transportation of (a) such commodities as are dealt in by retail stores, retail premium redemption companies, and retail mail-order houses, (b) medical, dental, optical, and photographic supplies, materials, and products, (c) medicines, drugs, and health foods, and (d) processed and unprocessed films, and photoengraving supplies. An Order of the Commission, Operating Rights Board No. 1, dated April 29, 1966, and served May 9, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Camden, Burlington, and Gloucester Counties, N.J., on the one hand, and, on the other, points in Bucks, Delaware, Philadelphia, and Montgomery Counties, Pa., restricted against the transportation of any parcel, package, or article weighing more than 75 pounds from one consignor at any one location to one consignee at any one location on any one day, that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 2830 (Sub-No. 6), filed May 11, 1966. Applicant: THE E. J. KELLEY CO., INC., Railroad Square, Torrington, Conn. Applicant's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Ulster County, N.Y., on the one hand, and, on the other, points in Dutchess, Greene, Orange, Sullivan, and Ulster Counties, N.Y. NOTE: Applicant holds common carrier authority under MC 2832 and Subs, as a passenger operator, under the name of E. J. Kelley Co., doing business as Litchfield Hills Line. This application is a matter directly related to Docket No. MC-F-9419, published FEDERAL REGISTER issue of May 18, 1966.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

MOTOR CARRIERS OF PROPERTY

No. MC-F-9420. Authority sought for purchase by THE EL DORADO TRANSPORTATION COMPANY, INCORPORATED, 1718 Boston Post Road, Milford, Conn., of the operating rights of THE V AND L TRUCKING COMPANY, 170 Alabama Street, New Haven, Conn., and for acquisition by JOHN T. MARINO, 517 Overlook Drive, Orange, Conn., and ANGELO MARINO, 5 Grassland Road, Milford, Conn., of control of such rights through the purchase. Applicants' attorneys: Bowes and Millner, 1060 Broad Street, Newark, N.J., 07102, and John E. Fay, 79 Lafayette Street, Hartford, Conn., 06106. Operating rights sought to be transferred: Under a certificate of registration, in docket No. MC-56884 Sub. No. 2, covering the transportation of property, for hire, as a common carrier, in intrastate commerce, in the State of Connecticut. Vendee is authorized to operate as a *common carrier*, in Connecticut, New York, Massachusetts, New Jersey, and Pennsylvania. Application has been filed for temporary authority under section 210a(b). NOTE: MC-52889 Sub. No. 5, is a matter directly related.

No. MC-F-9422. Authority sought for purchase by TOSE, INC., 64 West Fourth Street, Bridgeport, Pa., of the operating rights of FRED ERB, JR., doing business as FRED ERB & SON, 1609 North Delaware Avenue, Philadelphia, Pa., and for acquisition by MIKE TOSE (LEONARD TOSE, 64 West Fourth Street, Bridgeport, Pa., and DESMOND J. McTIGHE, 11 East Airy Street, Norristown, Pa., Executors), of control of such rights through the purchase. Applicants' attorney: Desmond J. McTighe, 11 East Airy, Street, Norristown, Pa. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Camden, N.J., and Phillipsburg, N.J., serving the intermediate points of Philadelphia, Allentown, Bethlehem, and Easton, Pa., and the off-route points of Ambler and Keplers Mill, Pa., unrestricted, and the off-route point of Gibbsboro, restricted to pickup and delivery of paint and ingredients used in the manufacture of paint. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New Jersey, New York, Maryland, Delaware, Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9424. Authority sought for purchase by WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728, of the operating rights and property of H. R. COOK TRUCK LINE, INC., 1334 West Monroe Avenue, Jonesboro, Ark., and for acquisition by WILLIS D. SHAW, also of Elm Springs, Ark., of control of such rights and property through the purchase. Applicants' attorney: A. Alvis Layne, 948 Pennsylvania Building, Washington, D.C., 20004. Operating rights sought to be transferred: *Rice* and *rice products*, in truckloads of 20,000 pounds or more, as a *common carrier*, over irregular routes, from certain specified points in Arkansas, to Louisville, Ky., and points in the Lower Peninsula of Michigan, from DeWitt and Newport, Ark., to points in Missouri, Iowa, Illinois, Indiana, and Ohio, from Amick Rice Mill, Ark., approximately 12 miles southwest of Jonesboro, Ark., to Louisville, Ky., and points in Illinois, Indiana, Iowa, Michigan, Missouri, and Ohio, from Harrisburg and Jonesboro, Ark., to points in Missouri, Illinois, Iowa, Indiana, Ohio, and Tennessee (with exception), from Carlisle and Stuttgart, Ark., to points in Missouri, Illinois, Iowa, Indiana, and Ohio; *foodstuffs* for human consumption, in truckloads of 20,000 pounds or more, from points in Illinois (with exceptions), to points in Arkansas (with exceptions), from Louisville, Ky., Cleveland, Ohio, certain specified points in Illinois, points in Indiana, and those in the southern peninsula of Michigan, to certain specified points in Arkansas; *canned goods*, in truckloads of 20,000 pounds or more, from certain specified points in Arkansas, to Louisville, Ky., and points in Ohio, Indiana, Iowa, Illinois, Missouri, and the Lower Peninsula of Michigan; *onion sets*, in truckloads of 20,000 pounds or more, from points in Cook County, Ill. (with exception), to points in Arkansas (with exceptions), from South Holland, Ill., to certain specified points in Arkansas; *farm implements*, in truckloads of 18,000 pounds or more, from certain specified points in Illinois, to certain specified points in Arkansas; *wire, wire nails*, and *wire products*, in truckloads of 20,000 pounds or more, from Crawfordsville, Ind., to Memphis, Tenn., and certain specified points in Arkansas.

Vegetables, foodstuffs for human consumption, and *dog food*, in truckloads of 20,000 pounds minimum, from certain specified points in Illinois, and points in Indiana, Iowa, Ohio, and Green County, Mo., to certain specified points in Arkansas; *canned vegetables*, in truckloads of 20,000 pounds or more, from Blytheville, Ark., to Louisville, Ky., points in Ohio, Indiana, Iowa, those in the southern peninsula of Michigan, those in Illinois (with exception), and those in Missouri (with exceptions). Restriction: The authority granted above is restricted to the transportation of the quantities indicated, when transported from one consignor to one or more consignees; *plumbers' goods and bathroom and lavatory fixtures*, in truckload lots, from Kokomo, Ind., and Louisville, Ky., to Little Rock, Ark.; *livestock*, in truckload lots, from Jonesboro and Harrisburg, Ark., and points in Arkansas within a radius of 75 miles of Jonesboro and Harrisburg, to East St. Louis, Ill., and St. Louis, Mo. (with exceptions); *empty glass bottles and jars*, in truckload lots, from Marion, Ind., to Little Rock, Ark.; *malt beverages*, in truckload lots, from Evansville, Ind., to Newport, Ark.; *empty containers for malt beverages*, from Newport, Ark., to Evansville, Ind.; *macaroni, noodles, spaghetti, and vermicelli*, in truckload lots, from St. Louis, Mo., to Little Rock, Ark.; *lard, lard compounds*, and *lard substitutes*, in truckload lots, from Louisville, Ky., to Little Rock and Hot Springs, Ark.; *soap, soap powder*, and *powdered cleaning compounds*, in truckload lots, from Louisville, Ky., to Little Rock, Ark.; *canned or preserved foodstuffs*, in truckload lots, from Louisville, Ky., and points in Illinois, Indiana, Wisconsin, Michigan, Ohio, and Iowa, to points in Arkansas and Missouri; *rice* and *rice products*, in truckload lots, from certain specified points in Arkansas, to Louisville, Ky., and points in Ohio, Indiana, Missouri, Illinois, Michigan, Wisconsin, and Iowa (with exception), *dried beans*, in truckload lots, from points in Michigan, to Little Rock, Ark.; *powdered cocoa and chocolate*, in truckload lots, from Chicago, Ill., to Little Rock and Fort Smith, Ark. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii), and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9425. Authority sought for purchase by R.W. EXPRESS, INC., 4840 Wyoming Avenue, Dearborn, Mich., 48126, of the operating rights of BOULEVARD TRANSFER COMPANY, 26380 Van Born Road, Dearborn Heights, Mich., and for acquisition by C. RUSSELL WAGSTAFF, also of 4840 Wyoming Avenue, Dearborn, Mich., 48126, of control of such rights through the purchase. Applicants' attorney: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich., 48226. Operating rights sought to be transferred: *Supplies used in construction work*, as a *common carrier*, over irregular routes, between Detroit, Mich., on the one hand, and, on the other, points in Michigan; *roofing, plaster board, wall board*, between certain specified points in Michigan, on the one hand, and, on the other, points in Michigan; *heavy machinery and equipment*, the transportation of which because of size or weight, requires the use of special equipment, between Detroit, Mich., on the one hand, and, on the other, points in Michigan; *plating equipment and supplies* used in connection with plating, from Detroit, Mich., to certain specified points in Michigan; and *steel fuel tanks* and *fuel tank accessories*, in lowboy trailers, between Romulus, Mich., on the one hand, and, on the other, points in Michigan, from Romulus, Mich., to points in Ohio, Indiana, Illinois, Wisconsin, Minnesota, and Kentucky. Vendee is authorized to operate as a *common carrier* in Michigan, Ohio, Indiana, Missouri, Illinois, Kentucky, West Virginia, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9426. Authority sought for purchase by INFINGER TRANSPORTATION COMPANY, INC., Post Office Box 4296, Charleston Heights, S.C., 29405, of a portion of the operating rights of J. C. HAGLER, JR., and T. W. HAGLER, doing business as HAGLER TRUCK COMPANY, 605 12th Street, Augusta, Ga. Applicants' attorney: Wm. Addams, Room 620, 1776 Peachtree Street, NW., Atlanta, Ga., 30309. Operating rights sought to be transferred: *Petroleum products*, as a *contract carrier*, over irregular routes, from Charleston, S.C., and points within 10 miles thereof, to Metter, Ga., and points in (1) South Carolina, and (2) certain specified points in Georgia; from Savannah, Ga., to certain specified points in North Carolina, and points in South Carolina, from points within 5 miles of Savannah, Ga., to Charleston, and Rock Hill, S.C.; *petroleum products*, in containers, from Charleston, S.C., and points within 10 miles thereof, to certain specified points in Georgia (with exceptions); *filling station equipment* and *empty containers for petroleum products*, from the respective destination points above to the respective origin points above; *filling station equipment*, from Charleston, S.C., to points in South Carolina, and Georgia, from points within 10 miles of Charleston, S.C., to Metter, Ga., and points in (1) South Carolina, and (2) certain specified points in Georgia; *filling station equipment* and *empty containers for petroleum products*, from the destination points immediately above to points within 10 miles of Charleston, S.C., from points in South Carolina, and Georgia, to Charleston, S.C.; *asphalt and petroleum products* in metal containers and cases, and *composition roofing and shingles*, from North Charleston, S.C., to certain specified points in Georgia, and points in South Carolina; *empty asphalt and petroleum products containers*, from the destination points immediately above, to North Charleston, S.C.; *automobile accessories, parts, and supplies*, except petroleum products, and *bicycle tires and tubes*, from Savannah, Ga., and points within 5 miles thereof, to points in South Carolina, and certain specified points in North Carolina; and *empty containers* used in transporting the commodities specified above, from the above destination points to the above-named origin points. Vendee is authorized to operate as a *common carrier* in South Carolina, Georgia, and North Carolina. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9427. Authority sought for control by R. C. JORDAN, 700 Northeast 3d Street, Post Office Box 1190, Amarillo, Tex., of KAYWAY MOTOR FREIGHT, INC., 700 Northeast 3d Street, Post Office Box 1190, Amarillo, Tex. Applicant's attorney: Grady L. Fox, 222 Amarillo Building, Amarillo, Tex. Operating rights sought to be controlled: In pending Docket No. MC-128000, seeking a certificate of public convenience and necessity, in interstate commerce, covering the transportation of general commodities, as a common carrier, over regular routes, from San Angelo, Tex., to San Angelo, Tex., moving in a circuitous manner, serving all intermediate points. R. C. JORDAN, holds no authority with this Commission. However, he controls CURRY MOTOR FREIGHT LINES, INC., 700 Northeast 3d Street, Post Office Box 1190, Amarillo, Tex., which is authorized to operate as a *common carrier* in the State of Texas. Application has not been filed for temporary authority under section 210a(b).

MOTOR CARRIER OF PASSENGERS

No. MC-F-9423. Authority sought for purchase by THAMES VALLEY TRANSPORTATION, INC., 385 Central Avenue, Norwich, Conn., of a portion of the operating rights of THE SHORT LINE OF CONNECTICUT, INCORPORATED, doing business as THE SHORT LINE, 847 Hanover Road, Meriden, Conn., and for acquisition by J. W. POWELL, also of Norwich, Conn., of control of such rights through the purchase. Applicants' attorney: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn., 06103. Operating rights sought to be transferred: Passengers and their baggage, and express and newspapers, in the same vehicle with passengers, as a *common carrier*, over a regular route, between Colchester, Conn., and Norwich, Conn., with service to and from all intermediate points. Vendee is authorized to operate as a *common carrier* in Connecticut, New York, Maine, Delaware, Maryland, Virginia, New Jersey, Pennsylvania, Massachusetts, Rhode Island, Vermont, New Hampshire, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-5736; Filed, May 24, 1966; 8:49 a.m.]

[Notice No. 925]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 20, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission, authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of

filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 2136 (Sub-No. 21), filed May 16, 1966. Applicant: CLEMANS TRUCK LINE, INC., 815 West Sample Street, South Bend, Ind. Applicant's representative: Walter F. Jones, Jr., 1017–19 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite of American Home Foods Corp. located at or near La Porte, Ind., to points in Illinois, Wisconsin, Ohio, Michigan, Kentucky, West Virginia, and Indiana.

HEARING: June 6, 1966, in Room 907, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Theodore M. Tahan.

No. MC 107698 (Sub-No. 42) filed May 16, 1966. Applicant: BONANZA, INC., 2828 South Sooner Road, Post Office Box 10526, Oklahoma City, Okla., 73110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from points in Logan and Morgan Counties, Colo., to points in Alabama, Arizona, Arkansas, California, Idaho, Kansas, Louisiana, Mississippi, Missouri, Montana, New Mexico, Oklahoma, Oregon, Tennessee, Texas, Utah, Washington, Nevada, and Wyoming.

HEARING: June 20, 1966, at the New Courthouse and Federal Building, 1961 Stout Street, Denver, Colo., before Examiner Harry M. Shooman.

No. MC 124174 (Sub-No. 45), filed May 6, 1966. Applicant: MOMSEN TRUCKING COMPANY, a corporation, Highway 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from plantsites of American Home Foods, located at or near La Porte, Ind., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, and South Dakota.

HEARING: June 6, 1966, in Room 907, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Theodore M. Tahan.

No. MC 124363 (Sub-No. 3), filed May 16, 1966. Applicant: DENVER-PACIFIC EXPRESS, INC., 3737 Blake Street, Denver, Colo., 80205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from points in Logan and Morgan Counties, Colo., to points in Arizona, California, Nevada, Oregon, Texas, Utah, and Washington.

HEARING: June 20, 1966, at the New Courthouse and Federal Building, 1961 Stout Street, Denver, Colo., before Examiner Harry M. Shooman.

No. MC 127274 (Sub-No. 11), filed May 16, 1966. Applicant: SHERWOOD TRUCKING, INC., 1517 Hoyt Avenue, Post Office Box 2189, Muncie, Ind., 47302. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite and warehouses of American Home Foods, Inc., located at or near La Porte, Ind., to points in Georgia, Alabama, Mississippi, Louisiana, Tennessee, Arkansas, and Texas.

HEARING: June 6, 1966, in Room 907, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Theodore M. Tahan.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5737; Filed, May 24, 1966; 8:49 a.m.]

[Notice No. 1352]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 20, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68793. By order of May 19, 1966, the Transfer Board approved the transfer to William C. Branam and Joe E. Sutton, a partnership, doing business as J & B Trucking Co., Vernon, Calif., of the operating rights in certificate No. MC–65115, issued April 13, 1965, to Roe's Trucking Co., Inc., Los Angeles, Calif., authorizing the transportation of: Agricultural commodities, fertilizer, and general commodities, with the usual exceptions, and bananas, between points in California. James W. Wade, 453 South Spring Street, Los Angeles, Calif., 90013, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5738; Filed, May 24, 1966; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

	Page
PROCLAMATION:	
3718	6567
3719	6607
3720	6679
3721	6817
3722	6855
3723	6945
3724	7027
3725	7107
EXECUTIVE ORDER:	
July 2, 1910 (revoked in part by PLO 4003)	7351
8389 (see EO 11281)	7215
9989 (superseded by EO 11281)	7215
10348 (superseded by EO 11281)	7215
10644 (amended by EO 11281)	7215
11917 (superseded by EO 11278)	6681
11069 (superseded by EO 11278)	6681
11218 (superseded by EO 11278)	6681
11277	6609
11278	6681
11279	6947
11280	7167
11281	7215
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:	
Reorganization Plan No. 2 of 1966	6857

5 CFR

	Page
630	7279, 7380
213	6769, 6859, 6903, 6949, 7169, 7351, 7379, 7380.
772	6569, 6949

6 CFR

	Page
70	7029

7 CFR

	Page
7	6569
50	6570
51	7169
68	6629
701	6957, 7169, 7513
718	6859, 7393
719	7030
722	6573, 6580, 6859, 7472
724	6819
729	6581, 6957
730	7472
780	7393
813	6819
815	6860
905	6958
908	6825, 7030, 7109, 7394, 7513
909	6825, 7109
910	6826, 7110, 7394, 7473
915	7394
916	7474, 7475
917	7241, 7242, 7348, 7476
918	6958
944	6959, 7514

7 CFR—Continued

	Page
959	6860
965	7243
980	6629
1098	6581
1099	6861, 7110, 7477
1421	6904, 7243, 7477
1427	6861, 7110
1434	6582
1481	7396
1488	7515
1490	6862
PROPOSED RULES:	
52	6871, 7185
58	6715
330	7479
905	7286, 7287
906	7480
911	7482
916	6871, 7482
965	6592
991	7397
1001	7520
1015	7520
1032	6631
1038	7061
1039	7061
1041	7483
1050	6631
1065	6873
1068	7129
1098	7524
1099	7129
1125	7062
1126	6631
1133	6986

8 CFR

	Page
204	7217
214	6611, 7170
511	7348

9 CFR

	Page
76	7029

12 CFR

	Page
1	6826, 6905
10	6949
11	6950
12	6952
13	6953
14	6954
15	6955
16	6955
208	7224
220	7169
522	6905
524	6905
545	7508
PROPOSED RULES:	
523	7354, 7483
525	7483
545	7355
561	7356
563	7356, 7484

13 CFR

	Page
105	7375
121	7375

14 CFR

	Page
39	6582, 6685, 6790, 6959, 7031, 7111, 7170, 7279, 7351.
65	7455
71	6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172, 7217, 7279, 7351, 7352, 7456, 7507.
73	6893, 7032, 7112, 7217
75	7280
95	7112
97	6612, 6685, 6828, 6894, 7218, 7385
137	6685
151	6686
208	6620
223	6584
225	7508
320	6585
378	6621
PROPOSED RULES:	
37	7084
39	7148, 7354, 7483
71	6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187, 7527, 7528.
75	7085
105	6988
121	6592
246	6986

15 CFR

	Page
30	6587
369	7037
372	7038
373	6707, 7038
374	6707
377	6707
379	6709
381	7509
382	6707, 6709, 7038, 7509
384	6709, 6864
385	6709
399	6707, 6709, 6829, 6866, 7038, 7380

16 CFR

	Page
13	7056–7059, 7511
15	6866, 6906, 7225, 7281, 7349
59	6960

17 CFR

	Page
200	6588
240	6705, 6706
PROPOSED RULES:	
240	7289, 7484
249	7289

18 CFR

	Page
260	7226
601	7114
606	7127
PROPOSED RULES:	
141	7287

19 CFR

	Page
1	6611
4	7512
10	6769
PROPOSED RULES:	
1	6871
20	6908

20 CFR Page

404 6611

PROPOSED RULES:

405 7131, 7143

21 CFR Page

8 7172, 7227

10 7227

45 7375

120 7172, 7376

121 6830, 7173, 7227, 7228, 7281, 7282, 7512

131 6705, 6906

146c 6830

146e 7228

148 7173

166 7174

191 6622

PROPOSED RULES:

17 7412

51 6792

121 7245

133 7185, 7354

166 7245

24 CFR

200 6866

25 CFR

221 7283

PROPOSED RULES:

131 7353

26 CFR

1 6589, 6966

31 6589, 7183

PROPOSED RULES:

1 6966

28 CFR

0 6867

29 CFR

548 6769

800 6770

1504 7430

30 CFR

51 7456

31 CFR

90 6960

202 6590

316 6831

332 6686, 6831

520 7333

32 CFR

43 7228

300 6831

706 6962

872 7459

1472 6906

1810 6962, 7175

32A CFR

BDSA (Ch. VI):

BDSA Reg. 2 6590

M–11A 7036

33 CFR Page

202 7284

203 6907, 7175, 7284, 7350

207 6590, 6622, 6867

208 6707

PROPOSED RULES:

402 7356

35 CFR

255 6831

37 CFR

1 7284, 7391

2 7284

38 CFR

2 6770

9 7175

21 6771

39 CFR

17 7391

PROPOSED RULES:

21 6715

24 6715

41 CFR

5–2 7391

6–1 6622

6–2 6623

6–3 6623

6–5 6624

6–7 6624

6–11 6624

6–30 6624

6–60 6625

8–7 7178, 7350

8–12 7179, 7350

9–12 6907

22–60 6625

101–19 7234

101–26 6963, 7234

101–45 6831

42 CFR

55 7128

57 7376, 7378

81 7128

43 CFR

PUBLIC LAND ORDERS:

5 (revoked in part by PLO 4005) 7462

843 (revoked in part by PLO 4009) 7512

2133 (see PLO 4006) 7462

3977 (amended by PLO 4000) 6868

3999 6907

4000 6868

4001 7350

4002 7350

4003 7351

4004 7462

4005 7462

4006 7462

4007 7463

4008 7463

4009 7512

4010 7512

43 CFR—Continued Page

PUBLIC LAND ORDERS—Continued

4011 7513

4012 7513

4013 7513

PROPOSED RULES:

1727 6984

2221 6985

3130 6834

3160 6836

45 CFR

90 7128

144 7463

171 7128

177 6591

801 6591

46 CFR

309 6891

500 7180

527 7392

PROPOSED RULES:

290 7131

510 6792, 7248

512 6838

513 6838

47 CFR

0 6627, 6831

1 6831, 6868

2 7235

15 7469

73 6627, 6628, 6868, 7238, 7469

91 7235

95 7235

PROPOSED RULES:

2 6909, 7086

73 6637, 6638, 6792, 6838, 6874, 7086, 7246

87 6909, 7086

48 CFR

16 7032

17 7033

18 7034

19 7034

49 CFR

71–79 6591

95 6832, 7468, 7469

142 6964

170 7392

188 6964

PROPOSED RULES:

178 7287, 7288

50 CFR

33 6629, 6832, 6869, 6893, 6964, 7225, 7226, 7285.

60 6833

PROPOSED RULES:

10 7479

32 7061

34 7286

271 7244

280 7516

281 7516

102

DETROIT PUBLIC LI. RY MAY 31 1966 ROOM

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 102

Thursday, May 26, 1966 • Washington, D.C.

Pages 7547–7603

Agencies in this issue—

The President
Agricultural Stabilization and Conservation Service
Civil Aeronautics Board
Commodity Credit Corporation
Consumer and Marketing Service
Education Office
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Crop Insurance Corporation
Federal Housing Administration
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Fish and Wildlife Service
Food and Drug Administration
Housing and Urban Development Department
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Park Service
Panama Canal
Securities and Exchange Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

V
C
L
3
10

Subscriptions Now Being Accepted

SLIP LAWS

89th Congress, 2d Session
1966

Separate prints of Public Laws, published immediately after enactment, with marginal annotations and legislative history references.

Subscription Price:
$12.00 per Session

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION

Small Business Week 7551

EXECUTIVE AGENCIES

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Cotton; transfer of acreage affected by natural disaster 7554

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service; Federal Corp Insurance Corporation.

ARMY DEPARTMENT

See Engineers Corps.

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
Drake Motor Lines, Inc., and Shulman, Inc 7594
Hawiian Airlines, Inc., and Skyway Air Cargo, Inc 7595

COMMERCE DEPARTMENT

See Maritime Administration.

COMMODITY CREDIT CORPORATION

Rules and Regulations

Tobacco export program; miscellaneous amendments 7556

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Fresh peaches grown in Georgia; expenses and rate of assessment 7555
Nectarines grown in California; shipment limitations (2 documents) 7554, 7555
Poultry soups, inspection; further postponement of effective date 7553

DEFENSE DEPARTMENT

See Engineers Corps.

EDUCATION OFFICE

Notices

National technical institute for deaf; nationally recognized accrediting agencies 7594

ENGINEERS CORPS

Rules and Regulations

Kissimmee River, Fla.; navigation regulations 7566

FEDERAL AVIATION AGENCY

Rules and Regulations

Alterations:
Federal airway and jet route 7561
Federal airways 7556
Jet routes 7561
Transition areas 7559
Transition areas and control zone 7559
Designations:
Control zone and transition area 7560
Federal airway 7560
Transition area (2 documents) 7561
Transition areas; alteration and revocation 7559

Proposed Rule Making

Alteration:
Control zone and transition area 7575
Federal airways 7573

Notices

Regional Office, Central Region, Kansas City, Mo.; notice of change of address 7595

FEDERAL COMMUNICATIONS COMMISSION

Proposed Rule Making

Certain FM broadcast stations; table of assignments 7576
UHF television channels; expanded use 7576

Notices

Hearings, etc.:
Jupiter Associates, Inc., et al 7595
Naugatuck Valley Service, Inc. (WOWW) 7596
Overmeyer, D. H., Communications Co., and Maxwell Electronics Corp 7596

FEDERAL CROP INSURANCE CORPORATION

Rules and Regulations

Crop insurance:
Barley 7553
Citrus crop:
Arizona-Desert Valley 7554
Florida 7554
Oranges; California 7553
Soybeans 7553
Wheat 7553

FEDERAL HOUSING ADMINISTRATION

Rules and Regulations

Miscellaneous amendments to chapter 7565

FEDERAL MARITIME COMMISSION

Notices

Continental North Atlantic Westbound Freight Conference; admission, etc 7596
Independent ocean freight forwarders, ocean freight brokers, and oceangoing common carriers; practices 7596
Vessel operating common carriers in domestic offshore trade; reports of rate base and income account 7596

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Milstar Manufacturing Corp 7596
Pacific Gas and Electric Co 7597
Panhandle Eastern Pipe Line Co. (2 documents) 7596, 7597
Rochester Gas and Electric Corp. (2 documents) 7598

FEDERAL RESERVE SYSTEM

Notices

Baystate Corp.; order approving application 7598
Citizens Bank and Trust Co.; order approving consolidation of banks 7599
Denver U.S. Bancorporation, Inc.; order approving application 7599

FISH AND WILDLIFE SERVICE

Rules and Regulations

Alaska; hunting 7569
Sport fishing:
New York 7569
Tennessee 7570

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Bread; identity standard and confirmation of effective date 7562
Eggs and egg products; identity standards and confirmation of effective date 7562
Food additives:
Citral propylene glycoy acetal 7563
DDT and TDE (DDD) 7562
Modified polyacrylamide resin 7563
Polyamide-epichlorohydrin resin 7563
Macaroni and noodle products; identity standards, effective date 7562

Proposed Rule Making

Creamed cottage cheese; proposed amendment to identity standards 7572
Meprobamate; scheduling of additional prehearing conference 7573

Notices

Petitions filed:
Continental Chemical Co 7593
FMC Corp 7593

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Education Office; Food and Drug Administration.

(Continued on next page)

HOUSING AND URBAN DEVELOPMENT DEPARTMENT
See also Federal Housing Administration.
Rules and Regulations
Rent supplement payments 7563
Notices
Acting Regional Administrator, Region I (New York); designation 7594

INTERIOR DEPARTMENT
See Fish and Wildlife Service; Land Management Bureau; National Park Service.

INTERNAL REVENUE SERVICE
Proposed Rule Making
Income tax; treatment of interest or dividends paid by certain savings institutions on certain deposits or withdrawable accounts 7571

INTERSTATE COMMERCE COMMISSION
Notices
Applications under sections 5 and 210a(b) 7593
Fourth section applications for relief 7591
Motor carrier:
Broker, water carrier and freight forwarder applications 7577
Temporary authority applications 7591
Soo Line Railroad Co.; diverting or rerouting of traffic; expiration date 7591

LAND MANAGEMENT BUREAU
Rules and Regulations
Public land orders:
Alaska (2 documents) 7567, 7568
California 7567
Idaho 7568
North Dakota 7567
Oregon 7566
Utah 7568
Washington 7567

MARITIME ADMINISTRATION
Notices
American Export Isbrandtsen Lines, Inc.; application for approval of certain cruises 7593

NATIONAL PARK SERVICE
Rules and Regulations
National Capital Region regulations; correction 7566

PANAMA CANAL
Rules and Regulations
Marine licenses; term, suspension or revocation 7566

SECURITIES AND EXCHANGE COMMISSION
Notices
Hearings, etc.:
Atlantic Richfield Co 7600
Continental Vending Machine Corp 7600
McCord Corp 7601
Pennzoil Co., et al 7600
United Security Life Insurance Co 7601

TREASURY DEPARTMENT
See Internal Revenue Service.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR
PROCLAMATION:
3726 7551
EXECUTIVE ORDER:
8111 (revoked by PLO 4017) 7567

7 CFR
81 7553
401 (3 documents) 7553
406 7553
409 7554
410 7554
722 7554
916 (2 documents) 7554, 7555
918 7555
1490 7556

14 CFR
71 (9 documents) 7556, 7559–7561
75 (2 documents) 7561
PROPOSED RULES:
71 (2 documents) 7573, 7575

21 CFR
16 7562
17 7562
42 7562
121 (4 documents) 7562, 7563
PROPOSED RULES:
19 7572
166 7573

24 CFR
5 7563
200 7565
221 7565

26 CFR
PROPOSED RULES:
1 7571

33 CFR
207 7566

35 CFR
4 7566

36 CFR
3 7566

43 CFR
PUBLIC LAND ORDERS:
1177 (revoked in part by PLO 4016) 7567
4014 7566
4015 7567
4016 7567
4017 7567
4018 7567
4019 7568
4020 7568
4021 7568

47 CFR
PROPOSED RULES:
73 (2 documents) 7576

50 CFR
32 7569
33 (2 documents) 7569, 7570

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3726

SMALL BUSINESS WEEK

By the President of the United States of America

A Proclamation

The small businesses of America are the foundation of our cherished system of free, competitive enterprise. Our nearly five million small businesses supply more than a third of the Nation's goods and services, and are a fertile source of new ideas and new products to enrich the lives of our citizens and stimulate the growth of our economy.

Small business concerns, which have increased by more than 300,000 during the past few years, are helping to provide the additional jobs needed by a rapidly growing Nation.

The small, privately owned concern has played a fundamental role in the development of the American way of life, and it continues to represent the door of opportunity for millions of enterprising citizens.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning May 22, 1966, as Small Business Week; and I call upon chambers of commerce, boards of trade, and other public and private organizations to participate in ceremonies recognizing the contribution of small business to our prosperous society, to our welfare and happiness, and to our goal of a better and more productive life for all our people.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 23rd day of May in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-5854; Filed, May 24, 1966; 2:05 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER D—REGULATIONS UNDER THE POULTRY PRODUCTS INSPECTION ACT

PART 81—INSPECTION OF POULTRY AND POULTRY PRODUCTS

Poultry Soups; Further Postponement of Effective Date

The effective date of the provisions of §§ 81.134 and 81.208 of the regulations under the Poultry Products Inspection Act, as amended (21 U.S.C. 451 et seq.), as set forth in the amendments of the regulations published on July 7, 1964 (29 F.R. 8456), insofar as such provisions relate to soups (whether dehydrated, canned or otherwise prepared) containing poultry ingredients, is hereby postponed until July 1, 1966, pursuant to the authority of said Act. During such period of postponement, the provisions of § 81.208 (a) and (b) of the regulations, as published August 15, 1962 (27 F.R. 8098, 7 CFR 81.208 (Supp. 1963)), shall be in effect with respect to such soups.

This action is necessary in order to afford equitable treatment to all poultry soup processors in view of the issuance of a preliminary injunction on behalf of one processor of dehydrated soups in an action which is pending in the U.S. District Court for the District of New Jersey. In order to accomplish its purpose, this action must be made effective on June 1, 1966, when a prior order (31 F.R. 6295) of postponement of effective date expires. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found for good cause that notice of rule making and other public procedure with respect to this action are impracticable and good cause is found for making it effective less than 30 days after publication hereof in the FEDERAL REGISTER.

(Sec. 14, 71 Stat. 447, 21 U.S.C. 463; 29 F.R. 16210, as amended; 30 F.R. 1260, as amended; 30 F.R. 2160)

This action shall become effective on June 1, 1966.

Done at Washington, D.C., this 23d day of May 1966.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 66-5816; Filed, May 25, 1966; 8:52 a.m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR BARLEY CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published February 25, 1966 (31 F.R. 3113), which were designated for barley crop insurance for the 1967 crop year.

ARIZONA	
Maricopa.	Yuma.
Pinal.	
MARYLAND	
Caroline.	
WYOMING	
Big Horn.	Washakie.
Park.	

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 66-5780; Filed, May 25, 1966; 8:48 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR WHEAT CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published February 25, 1966 (31 F.R. 3113), which were designated for wheat crop insurance for the 1967 crop year.

ILLINOIS	
Brown.	
INDIANA	
Bartholomew.	Marion.
Elkhart.	Newton.
Hamilton.	Parke.
MARYLAND	
Caroline.	
MICHIGAN	
Cass.	Livingston.
MISSOURI	
Boone.	Pemiscot.
Clinton.	Platte.
Dunklin.	Randolph.
Mississippi.	Stoddard.
New Madrid.	
MONTANA	
Custer.	Rosebud.
Prairie.	
NEBRASKA	
Hall.	Nance.
Lincoln.	
OHIO	
Fairfield.	Ottawa.
Franklin.	
OKLAHOMA	
Beaver.	
TEXAS	
Deaf Smith.	Randall.
Parmer.	Swisher.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 66-5781; Filed, May 25, 1966; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—PARISHES DESIGNATED FOR SOYBEAN CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following parishes are hereby added to the list of counties published October 28, 1965 (30 F.R. 13689), December 30, 1965 (30 F.R. 16254), February 3, 1966 (31 F.R. 1297), and March 3, 1966 (31 F.R. 3335), which were designated for soybean crop insurance for the 1966 crop year.

LOUISIANA	
Natchitoches.	Red River.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 66-5782; Filed, May 25, 1966; 8:49 a.m.]

PART 406—CALIFORNIA ORANGE CROP INSURANCE

Subpart—Regulations for the 1963 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR ORANGE CROP INSURANCE

Pursuant to authority contained in § 406.1 of the above-identified regulations, the following counties are hereby added to the county published October 28, 1965 (30 F.R. 13692), which was designated for orange crop insurance for the 1966 crop year.

CALIFORNIA	
Fresno.	Kern.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 66-5783; Filed, May 25, 1966; 8:49 a.m.]

PART 409—ARIZONA-DESERT VALLEY CITRUS CROP INSURANCE

Subpart—Regulations for the 1965 and Succeeding Crop Years

APPENDIX—COUNTY DESIGNATED FOR CITRUS CROP INSURANCE

Pursuant to authority contained in § 409.1 of the above-identified regulations, as amended, the following county is hereby added to the list of counties published October 28, 1965 (30 F.R. 13693), which were designated for citrus crop insurance for the 1966 crop year.

CALIFORNIA

Riverside.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 66-5784; Filed, May 25, 1966; 8:49 a.m.]

PART 410—FLORIDA CITRUS CROP INSURANCE

Subpart—Regulations for the 1966 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR CITRUS CROP INSURANCE

Pursuant to authority contained in § 410.1 of the above-identified regulations, the following counties are hereby added to the list of counties published March 3, 1966 (31 F.R. 3335), which were designated for citrus crop insurance for the 1966 crop year.

FLORIDA

Marion. Martin.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 66-5785; Filed, May 25, 1966; 8:49 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 2]

PART 722—COTTON

Subpart—Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton

TRANSFER OF COTTON ACREAGE AFFECTED BY NATURAL DISASTER

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purpose of this amendment is to designate States and counties that have been affected by a natural disaster within the meaning of section 344(n) of the act for the 1966 crop.

In order that determinations with respect to transfers of acreage for the 1966 crop may be made prior to the end of the cotton planting season, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure, and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with the Director, Office of the Federal Register.

Section 722.430 of the regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300, as amended) is amended by adding a new paragraph (h) at the end thereof as follows:

§ 722.430 Transfer of farm cotton acreage affected by a natural disaster.

* * * * * *

(h) *1966 crop—designated States and counties affected by a natural disaster.* It is hereby determined that a natural disaster consisting of flood or excessive rainfall in 1966 has prevented timely planting or replanting of a portion of the 1966 farm allotment on some farms in the following designated States and counties:

ARKANSAS

Greene.	Prairie.
Lawrence.	Woodruff.
Randolph.	Craighead.
Clay.	Independence.
Jackson.	Cross.
Little River.	

ILLINOIS

Alexander.	Pulaski.

LOUISIANA

East Carroll.	Catahoula.
Madison.	Avoyelles.
Tensas.	Natchitoches.
Pointe Coupee.	Red River.
Rapides.	Bossier.
Grant.	Caddo.
Concordia.	

MISSOURI

Butler.	Pemiscot.
Dunklin.	Ripley.
Mississippi.	Scott.
New Madrid.	Stoddard.

(Secs. 344(n), 375; 78 Stat. 177, 52 Stat. 66, as amended; 7 U.S.C. 1344(n), 1375)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 20, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-5817; Filed, May 25, 1966; 8:52 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Nectarine Reg. 5]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 916.327 Nectarine Regulation 5.

(a) *Findings.* (1) Pursuant to the marketing agreement and this part (Order No. 916) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provision hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof; adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 18, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 1, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall handle any package or container of Quetta, Rose, Early Sun Grand, Sun Grand, Star Grand I, Star Grand II, Red King, Sun Flame, or Grandandy nectarines unless:

(i) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 96 nectarines in the respective lug box; or

(ii) Such nectarines, when packed in any container other than in a No. 26 standard lug box, or in a No. 27 standard lug box, measure not less than two and one-eighth (2⅛) inches in diameter: *Provided,* That not to exceed ten (10) percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Nectarines (§§ 51.3145–51.3160 of this title; 31 F.R. 6243); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box" and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California; and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 23, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5789; Filed, May 25, 1966; 8:49 a.m.]

[Nectarine Reg. 6]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 916.328 Nectarine Regulation 6.

(a) *Findings.* (1) Pursuant to the marketing agreement and this part (Order No. 916) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof; adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 18, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 15, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall handle any package or container of Early Le Grand, Grand Prize, Granderli, Royal Grand, Grandeur, Le Grand, Late Le Grand, Golden Grand, Gold King, Red Grand, Clinton, Strawberry, Sun Free, Marigold, September Grand, or Regal Grand nectarines unless:

(i) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack in accordance with the requirements of a standard pack, not more than 88 nectarines in the respective lug box; or

(ii) Such nectarines, when packed in any container other than a No. 26 standard lug box, or in a No. 27 standard lug box, measure not less than two and one-quarter (2¼) inches in diameter: *Provided,* That not to exceed 10 percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Nectarines (§§ 51.3145–51.3160 of this title; 31 F.R. 6243); "No. 26 standard lug box" and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California; and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 23, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5790; Filed, May 25, 1966; 8:49 a.m.]

PART 918—FRESH PEACHES GROWN IN GEORGIA

Expenses and Fixing of Rate of Assessment for 1966–67 Fiscal Period

Pursuant to the marketing agreement, as amended, and Order No. 918, as amended (7 CFR Part 918), regulating the handling of fresh peaches grown in Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the proposals submitted by the Industry Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 918.205 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and necessary to be incurred by the Industry Committee during the period March 1, 1966, through February 28, 1967, will amount to $15,200.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 918.41, is fixed at eight-tenths of a cent ($0.008) per bushel basket of peaches (net weight 50 pounds), or an equivalent of peaches in other containers or in bulk.

It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, and engage in public rule-making procedure, and good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) shipments of fresh peaches have already begun; (2) the relevant provisions of said amended marketing agreement and this part require that rates of assessment fixed for a particular marketing year shall be applicable to all assessable peaches from the beginning of such period; and (3) the current fiscal period began March 1,

1966, and the rate of assessment herein fixed will automatically apply to all assessable peaches beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 20, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5818; Filed, May 25, 1966; 8:52 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Amdt. 1]

PART 1490—PAYMENTS ON EXPORTS OF CERTAIN KINDS OF TOBACCO

Subpart—Tobacco Export Program

MISCELLANEOUS AMENDMENTS

The regulations issued by CCC, published in 31 F.R. 6862 (May 10, 1966), which contain the terms and conditions of the Payments on Exports of Certain Kinds of Tobacco, are hereby amended as follows:

1. Section 1490.1 is amended to permit export payments on export of additional kinds and crops of tobacco and reads as follows:

§ 1490.1 General.

The regulations in this part state the terms and conditions under which CCC, an agency and instrumentality of the United States within the Department of Agriculture, will make a cash payment to an exporter on exportation of eligible tobacco to an eligible country. Flue-cured tobacco (1960, 1961, and 1962 crops), must have been exported by the exporter pursuant to a contract of sale entered into by him with a foreign buyer on or after the date of issuance of the regulations in this part, or the tobacco must have been purchased by the exporter on or after the date of issuance of the regulations in this part and exported to himself or an affiliate abroad. If additional kinds or crops of tobacco, or both, are made eligible for export payment by an amendment to the regulations in this part, such tobacco must be exported by the exporter pursuant to a sales contract entered into by him with a foreign buyer on or after issuance of such amendment, or must have been purchased by the exporter on or after the date of issuance of the amendment and exported to himself or an affiliate abroad. Export payments will be made on submission of appropriate evidence of compliance with the provisions of this subpart.

2. Section 1490.4 is amended (1) to make the following types, kinds, and crops of tobacco eligible for export payment: (i) Fire-cured tobacco (type 21) of the 1959, 1960, 1961, and 1962 crop years, (ii) fire-cured tobacco (types 22, 23) of the 1960, 1961, and 1962 crop years, and (iii) dark air-cured tobacco (types 35 and 36) of the 1961 and 1962 crop years; and (2) to clarify the term "tobacco." The amended section reads as follows:

§ 1490.4 Eligible tobacco.

Tobacco eligible for export payment under this subpart shall be unmanufactured tobacco of the kinds, types and crop years specified below which, (1) was produced in the United States, (2) was not purchased from CCC loan stocks under terms and conditions providing for or authorizing a refund of part of the purchase price upon proof of exportation, and (3) does not contain siftings, stems (except the stem of the leaf exported), homogenized leaf or scrap:

(a) Flue-cured tobacco (types 11–14), 1960, 1961, and 1962 crop years.

(b) Fire-cured tobacco (type 21), 1959, 1960, 1961, and 1962 crop years.

(c) Fire-cured tobacco (types 22, 23), 1960, 1961, and 1962 crop years.

(d) Dark air-cured tobacco (types 35 and 36), 1961 and 1962 crop years.

3. Section 1490.6 is also amended to permit export payments on certain kinds of tobacco exported after the date of issuance of this amendment. The amended section reads as follows:

§ 1490.6 Sales and purchase contracts.

The eligible flue-cured (1960, 1961, and 1962 crops) tobacco must have been exported by the exporter pursuant to a contract of sale entered into by him with a foreign buyer on or after the date of issuance of the regulations in this part or the eligible tobacco must have been purchased by the exporter after the date of issuance of the regulations in this part and exported to himself or an affiliate in an eligible country. If additional kinds or crops of tobacco, or both, are made eligible for export payment by an amendment to the regulations in this part, such tobacco must have been exported by the exporter pursuant to a sales contract entered into by him with a foreign buyer on or after the issuance of such amendment, or must have been purchased by the exporter on or after the date of issuance of the amendment and exported to himself or an affiliate abroad.

(Secs. 4, 5, 62 Stat. 1070, as amended, 15 U.S.C. 714(b))

Effective date. Date of filing with the Office of the Federal Register.

Signed at Washington, D.C., on May 24, 1966.

H. D. GODFREY,
Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 66–5849; Filed, May 24, 1966; 11:23 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65–CE–135]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On January 14, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 478) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of Federal airway segments in the Chicago, Ill., Air Route Traffic Control Center area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all comments received.

The Air Transport Association of America stated that implementation of the actions proposed in the notice would result in the loss of cardinal altitudes on several airway segments. They are opposed to such loss, especially on airway segments adjacent to terminal areas and on short haul airways. The regulation that raised the floor of control area and which instigated the actions proposed in the Notice, was the subject of rule-making procedures and adopted by the Agency on January 16, 1961 (26 F.R. 570). This regulation was implemented to provide additional uncontrolled airspace for VFR operations. Interested persons were cognizant of the fact that in some instances, minimum en route altitudes would be raised and cardinal altitudes lost. The minimum en route altitudes for the airway segments considered in this docket are now in effect and will not be altered further by adoption of the proposals contained herein. No other comments were received.

In the description of V–55 in the Notice, the Fort Wayne 178° True radial was referred to. This radial should be 128°. Corrective action is taken herein.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 4839, 5055, 5056, 5057, 5287) is amended as follows:

1. In V–2 all between "Nodine, Minn.," and "INT of Aylmer 087°" is deleted and "including an N alternate; 12 AGL Lone Rock, Wis.; 12 AGL INT Lone Rock 104° and Milwaukee, Wis., 272° radials; 12 AGL Milwaukee; 12 AGL Muskegon, Mich., including a 12 AGL S alternate via INT Milwaukee 102° and Muskegon 252° radials; 12 AGL Lansing, Mich., including a 12 AGL S alternate from Muskegon to Lansing via INT Muskegon 154° and Grand Rapids, Mich., 284° radials and Grand Rapids; 12 AGL Salem, Mich., including a 12 AGL N alternate via INT Lansing 091° and Salem 308° radials; 12 AGL INT Salem 083° and Aylmer, Ont., Canada, 260° radials; Aylmer;" is substituted therefor.

2. In V–6 all between "Sidney;" and "INT of South Bend 092°" is deleted and "12 AGL North Platte, Nebr.; 12 AGL Grand Island, Nebr.; 12 AGL Omaha, Nebr.; 12 AGL Des Moines, Iowa, including a 12 AGL S alternate; 12 AGL Iowa City, Iowa, including a 12 AGL S alternate via INT Des Moines 112° and Iowa City 252° radials; 12 AGL Cordova, Ill.; 12 AGL Naperville, Ill.; 12 AGL South Bend, Ind.;" is substituted therefor.

3. In V–7 all between "Evansville, Ind.;" and "The airspace below 2000 feet MSL" is deleted and "12 AGL Lewis, Ind.; 12 AGL Terre Haute, Ind., including a 12 AGL W alternate from Evansville to Terre Haute via INT Evansville 001° and Terre Haute 215° radials; 12 AGL Westpoint, Ind.; 12 AGL Lafayette, Ind.; 12 AGL Chicago Heights, Ill.; 12 AGL INT Chicago Heights 358° and Milwaukee, Wis., 137° radials; 12 AGL Milwaukee, including a 12 AGL E alternate via INT Chicago Heights 013° and Milwaukee 137° radials; 12 AGL Green Bay, Wis.; 12 AGL Menomonie, Mich.; 12 AGL Escanaba, Mich." is substituted therefor.

4. In V–8 all between "direct radial to Thurman, Colo." and "Findlay, Ohio;" is deleted and "12 AGL Grand Isle, Nebr., including a 12 AGL N alternate via INT Hayes Center 059° and Grand Isle 273° radials, and also a 12 AGL S alternate; 12 AGL Omaha, Nebr.; 12 AGL Des Moines, Iowa, including a 12 AGL S alternate; 12 AGL Iowa City, Iowa, including a 12 AGL S alternate via INT Des Moines 112° and Iowa City 252° radials; 12 AGL Cordova, Ill.; 12 AGL INT Cordova 088° and Joliet, Ill., 316° radials; 12 AGL Joliet; 12 AGL Chicago Heights, Ill.; 12 AGL Goshen, Ind.;" is substituted therefor.

5. In V–9 all after "Capital, Ill., including a W alternate;" is deleted and "12 AGL Pontiac, Ill.; 12 AGL Joliet, Ill.; 12 AGL Naperville, Ill.; 12 AGL INT Naperville 317° and Milwaukee, Wis., 198° radials; 12 AGL Milwaukee; 12 AGL Oshkosh, Wis.; 12 AGL Green Bay, Wis." is substituted therefor.

6. In V–10 all between "Burlington Iowa;" and "12 AGL Carleton, Mich.;" is deleted and "12 AGL Bradford, Ill.; 12 AGL INT Bradford 050° and Naperville, Ill., 254° radials; 12 AGL Naperville; 12 AGL South Bend, Ind., including a 12 AGL N alternate via INT Naperville 075° and South Bend 290° radials; 12 AGL Litchfield, Mich.;" is substituted therefor.

7. In V–13 all between "Lamoni, Iowa;" and "Farmington, Minn.;" is deleted and "12 AGL Des Moines, Iowa, including a 12 AGL W alternate; 12 AGL Mason City, Iowa, including a 12 AGL E alternate and also a 12 AGL W alternate from Des Moines to Mason City via Fort Dodge, Iowa, excluding the airspace between the main and this W alternate;" is substituted therefor.

8. In V–15 all between "St. Joseph, Mo.;" and "INT Sioux City 340°" is deleted and "12 AGL INT St. Joseph 343° and Neola, Iowa, 157° radials; 12 AGL Neola; 12 AGL INT Neola 322° and Sioux City, Iowa, 159° radials; 12 AGL Sioux City;" is substituted therefor.

9. In V–26 all between "Eau Claire, Wis.;" and "12 AGL INT Salem 138°" is deleted and "12 AGL Wausau, Wis.; 12 AGL Green Bay, Wis.; 12 AGL INT Green Bay 116° and White Cloud, Mich., 302° radials; 12 AGL White Cloud; 12 AGL Lansing, Mich.; 12 AGL Salem, Mich.;" is substituted therefor.

10. In V–30 all before "Waterville, Ohio;" is deleted and "From Milwaukee, Wis., 12 AGL INT Milwaukee 102° and Pullman, Mich., 303° radials; 12 AGL Pullman, including a 12 AGL S alternate via INT Milwaukee 121° and Pullman 282° radials; 12 AGL Litchfield, Mich.;" is substituted therefor.

11. In V–38 all before "Findlay, Ohio;" is deleted and "From Iowa City, Iowa, 12 AGL Moline, Ill.; 12 AGL Joliet, Ill.; 12 AGL Peotone, Ill.; 6 mi. wide 12 AGL Monterey, Ind.; 12 AGL Fort Wayne, Ind.;" is substituted therefor.

12. In V–42 all before "Cleveland, Ohio;" is deleted and "From Flint, Mich.; 12 AGL via INT Flint 133° and Windsor, Ont., 320° radials; 12 AGL Windsor, including an E alternate 12 AGL INT Flint 118° and Windsor 335° radials, 7 mi. wide (3 mi. E and 4 mi. W of centerline), 12 AGL;" is substituted therefor.

13. In V–45 all after "Charleston, W. Va.;" is deleted and "From Waterville, Ohio, 12 AGL Jackson, Mich.;" 12 AGL Lansing, Mich.; 12 AGL Saginaw, Mich.; 12 AGL Alpena, Mich., including a 12 AGL W alternate; 12 AGL Pellston, Mich.;" is substituted therefor.

14. V–48 is amended to read as follows:

V–48 From Burlington, Iowa, 12 AGL Peoria, Ill.; 12 AGL Pontiac, Ill.

15. In V–51 all after "Shelbyville, Ind.;" is deleted and "12 AGL INT Shelbyville 313° and Lafayette, Ind., 136° radials; 12 AGL Lafayette; 12 AGL Chicago Heights, Ill." is substituted therefor.

16. In V–52 all before "Quincy, Ill.;" is deleted and "From Des Moines, Iowa; 12 AGL Ottumwa, Iowa;" is substituted therefor.

17. In V–53 all after "Indianapolis;" is deleted and "12 AGL Westpoint, Ind.; 12 AGL INT Westpoint 326° and Peotone, Ill., 153° radials; 12 AGL Peotone; 12 AGL INT Peotone 003° and Chicago-O'Hare, Ill., 153° radials; 12 AGL Chicago-O'Hare." is substituted therefor.

18. In V–55 all before "Grantsburg, Wis.;" is deleted and "From Dayton, Ohio, 12 AGL Fort Wayne, Ind., including a 12 AGL E alternate via INT Dayton 347° and Fort Wayne 128° radials; 12 AGL Goshen, Ind.; 12 AGL South Bend, Ind.; 12 AGL Keeler, Mich.; 12 AGL Pullman, Mich.; 12 AGL Muskegon, Mich.; 12 AGL INT Muskegon 327° and Green Bay, Wis., 116° radials; 12 AGL Green Bay; 12 AGL Stevens Point, Wis.; 12 AGL INT Stevens Point 281° and Eau Claire, Wis., 107° radials; 12 AGL Eau Claire." is substituted therefor.

19. In V–63 all after "Burlington, Iowa." is deleted and "From INT Polo, Ill., 268° and Janesville, Wis., 239° radials; 12 AGL Janesville; 12 AGL Milwaukee, Wis." is substituted therefor.

20. V–67 is amended to read as follows:

V–67 From Cedar Rapids, Iowa; 12 AGL Waterloo, Iowa; 12 AGL Mason City, Iowa; 12 AGL Rochester, Minn., including a 12 AGL W alternate via INT Mason City 023° and Rochester 243° radials.

21. In V–69 all after "Capital, Ill.;" is deleted and "12 AGL Pontiac, Ill.; 12 AGL Joliet, Ill.; 12 AGL Kedzie, Ill., RBN." is substituted therefor.

22. In V–82 all after "Nodine, Minn.;" is deleted and "12 AGL Dells, Wis.; 12 AGL INT Dells 097° and Timmerman, Wis., 322° radials; 6 mi. wide, 12 AGL Timmerman." is substituted therefor.

23. In V–84 all before "12 AGL Buffalo, N.Y.;" is deleted and "From Bradford, Ill.; 12 AGL INT Bradford 033° and Chicago-O'Hare, Ill., 269° radials; 12 AGL Chicago-O'Hare. From Northbrook, Ill., 12 AGL Pullman, Mich.; 12 AGL Lansing, Mich.; 12 AGL Flint, Mich.; 12 AGL Peck, Mich.; 12 AGL London, Ont., Canada;" is substituted therefor.

24. In V–92 all before "Waterville, Ohio;" is deleted and "From Joliet, Ill., 12 AGL Chicago Heights, Ill.; 12 AGL Goshen, Ind.;" is substituted therefor.

25. V–96 is amended to read as follows:

V–96 From Indianapolis, Ind., 12 AGL Kokomo, Ind.; 12 AGL Fort Wayne, Ind.; to Waterville, Ohio.

26. In V–97 all between "Shelbyville, Ind.," and "INT of Nodine direct radial" is deleted and "12 AGL INT Shelbyville 313° and Lafayette, Ind., 136° radials; 12 AGL Lafayette, including a 12 AGL W alternate from Shelbyville to Lafayette via Indianapolis, Ind., and INT Indianapolis 344° and Shelbyville 313° radials and INT Shelbyville 313° and Lafayette 136° radials; 12 AGL Chicago Heights, Ill. From INT Northbrook, Ill., 273° and Naperville, Ill., 340° radials; 12 AGL INT Naperville 340° and Janesville, Wis., 111° radials; 12 AGL Janesville; 12 AGL INT Janesville 294° and Lone Rock, Wis., 147° radials; 12 AGL Lone Rock; 12 AGL Nodine, Wis.;" is substituted therefor.

27. In V–100 all after "Sioux City, Iowa;" is deleted and "12 AGL Fort Dodge, Iowa; 12 AGL Waterloo, Iowa; 12 AGL Dubuque, Iowa; 12 AGL Rockford, Ill.; 12 AGL Northbrook, Ill.; 12 AGL INT Northbrook 093° and Keeler, Mich., 271° radials; 12 AGL Keeler; 12 AGL Jackson, Mich.; 12 AGL INT Jackson 084° and Salem, Mich., 254° radials; 12 AGL Salem." is substituted therefor.

28. In V–116 all between "Quincy, Ill.;" and "Windsor, Ontario;" is deleted and "12 AGL Peoria, Ill.; 12 AGL Joliet, Ill.; 12 AGL Naperville, Ill.; 12 AGL Keeler, Mich.; 12 AGL Jackson, Mich.; 12 AGL INT Jackson 084° and Salem, Mich., 254° radials; 12 AGL Salem; 12 AGL" is substituted therefor.

29. In V–126 all before "Waterville, Ohio;" is deleted and "From Chicago Heights, Ill., 12 AGL Goshen, Ind.;" is substituted therefor.

30. V–127 is amended to read as follows:

V–127 From Bradford, Ill., 12 AGL Polo, Ill.; 12 AGL Rockford, Ill.

31. In V–128 all before "INT Indianapolis 137°" is deleted and "From Chicago-O'Hare, Ill., 12 AGL INT Chicago-O'Hare 153° and Peotone, Ill., 003° radials; 12 AGL Peotone; 12 AGL INT Peotone 153° and Westpoint, Ind., 326° radials; 12 AGL Westpoint; 12 AGL Indianapolis, Ind.;" is substituted therefor.

32. In V–129 all between "Waukon, Iowa;" and "From Duluth, Minn.," is deleted and "12 AGL Nodine, Minn.; 12 AGL Eau Claire, Wis." is substituted therefor.

33. In V–133 all between "12 AGL Salem;" and "to Marquette, Mich." is deleted and "12 AGL Flint, Mich.; 12 AGL Saginaw, Mich.; 12 AGL Traverse City, Mich., 12 AGL Escanaba, Mich.;" is substituted therefor.

34. In V–138 all after "Sidney, Nebr." is deleted and "From Grand Island, Nebr., 12 AGL INT Grand Island 099° and Raymond, Nebr., 267° radials; 12 AGL Raymond; 12 AGL INT Raymond 040° and Neola, Iowa, 251° radials; 12 AGL Neola; 12 AGL Fort Dodge, Iowa." is substituted therefor.

35. In V–144 all before "Findlay, Ohio:" is deleted and "From Chicago-O'Hare, Ill., 12 AGL INT Chicago-O'Hare 153° and Peotone, Ill., 003° radials; 12 AGL Peotone; 6 mi. wide, 12 AGL Monterey, Ind.; 12 AGL Fort Wayne, Ind.;" is substituted therefor.

36. V–158 is amended to read as follows:

V–158 From Waterloo, Iowa, 12 AGL Dubuque, Iowa; 12 AGL Polo, Ill. The airspace within R–3302 is excluded.

37. In V–161 all between "Lamoni;" and "Rochester, Minn.;" is deleted and "12 AGL Des Moines, Iowa; 12 AGL Newton, Iowa; 12 AGL Waterloo, Iowa, including a 12 AGL W alternate from Des Moines to Waterloo via INT Des Moines 023° and Waterloo 241° radials;" is substituted therefor.

38. In V–170 all between "to Farmington, Minn." to "From Erie, Pa.," is deleted and "From Nodine, Minn., 12 AGL Dells, Wis.; 12 AGL INT Dells 097° and Milwaukee, Wis., 307° radials; 12 AGL Milwaukee; 12 AGL INT Milwaukee 102° and Pullman, Mich., 303° radials; 12 AGL Pullman; 12 AGL Salem, Mich." is substituted therefor.

39. In V–171 all before "INT Nodine 298°" is deleted and "From Louisville, Ky., via Scotland, Ind.; 12 AGL Lewis, Ind.; 12 AGL Danville, Ill.; 12 AGL Peotone, Ill.; 12 AGL Joliet, Ill.; 12 AGL Rockford, Ill.; 12 AGL Lone Rock, Wis.; 12 AGL Nodine, Minn.;" is substituted therefor.

40. In V–172 all after "North Platte;" is deleted and "12 AGL INT North Platte 073° and Wolbach, Nebr., 266° radials; 12 AGL Wolbach; 12 AGL Neola, Iowa; 12 AGL Newton, Iowa; 12 AGL Cedar Rapids, Iowa; 12 AGL Polo, Ill.; 12 AGL Chicago-O'Hare, Ill.; 12 AGL INT Chicago-O'Hare 077° and South Bend, Ind., 310° radials; 12 AGL South Bend." is substituted therefor.

41. V–173 is amended to read as follows:

V–173 From Capital, Ill., 12 AGL Roberts, Ill.; 12 AGL INT Roberts 008° and Joliet, Ill., 067° radials; 12 AGL Kedzie, Ill., RBN.

42. V–177 is amended to read as follows:

V–177 From Fort Wayne, Ind., 12 AGL via Monterey, Ind.; 6 mi. wide, 12 AGL INT Monterey 277° and Chicago Heights, Ill., 140° radials; 12 AGL Chicago Heights. From Naperville, Ill., 12 AGL Janesville, Wis.

43. In V–181 all before "Sioux Falls, S. Dak.;" is deleted and "From Omaha, Nebr., 12 AGL Norfolk, Nebr.; 12 AGL Yankton, S. Dak.;" is substituted therefor.

44. V–193 is amended to read as follows:

V–193 From INT Pullman, Mich., 243° and South Bend, Ind., 310° radials; 12 AGL Pullman; 12 AGL INT Pullman 029° and White Cloud, Mich., 168° radials; 12 AGL White Cloud; 12 AGL Traverse City, Mich., including a 12 AGL W alternate via INT White Cloud 329° and Traverse City 235° radials; 12 AGL Pellston, Mich.; 12 AGL INT Pellston 003° and Sault Ste. Marie, Mich., 214° radials; 12 AGL Sault Ste. Marie.

45. In V–205 all after "St. Joseph, Mo.;" is deleted and "12 AGL INT St. Joseph 343° and Omaha, Nebr., 124° radials; 12 AGL Omaha; 12 AGL Sioux City, Iowa, including a 12 AGL W alternate via INT Omaha 320° and Sioux City 174° radials." is substituted therefor.

46. V–215 is amended to read as follows:

V–215 From INT Muskegon, Mich., 208° and Pullman, Mich., 259° radials; 12 AGL Muskegon; 12 AGL White Cloud, Mich.

47. V–216 is amended to read as follows:

V–216 From Lamar, Colo., 12 AGL Hill City, Kans.; 12 AGL Mankato, Kans.; 12 AGL Pawnee City, Nebr.; 12 AGL Lamoni, Iowa; 12 AGL Ottumwa, Iowa; 12 AGL Iowa City, Iowa. From Janesville, Wis., 12 AGL via INT Janesville 076° and Muskegon, Mich., 252° radials; 12 AGL Muskegon; 12 AGL Saginaw, Mich.; 12 AGL Peck, Mich.; 12 AGL Kleinburg, Ont., Canada. The airspace within Canada is excluded.

48. V–217 is amended to read as follows:

V–217 From Chicago-O'Hare, Ill., 12 AGL INT Chicago-O'Hare 019° and Milwaukee, Wis., 137° radials; 12 AGL INT Milwaukee 137° radial and Milwaukee (General Mitchell Field) ILS front course; 12 AGL Milwaukee (General Mitchell Field) ILS localizer; 12 AGL INT Milwaukee (General Mitchell Field) ILS localizer back course and Green Bay, Wis., 165° radial; 12 AGL Green Bay; Rhinelander, Wis.; to Duluth, Minn.

49. In V–219 all before "Maukato, Minn.;" is deleted and "From Hayes Center, Nebr., 12 AGL INT Hayes Center 059° and Wolbach, Nebr., 251° 12 AGL Wolbach; 12 AGL Norfolk, Nebr.; 12 AGL Sioux City, Iowa;" is substituted therefor.

50. In V–220 all after "McCook;" is deleted and "12 AGL INT McCook 072° and Grand Island, Nebr., 241° radials; 12 AGL Grand Island." is substituted therefor.

51. V–221 is amended to read as follows:

V–221 From Fort Wayne, Ind., 12 AGL via Litchfield, Mich.; 12 AGL Jackson, Mich.; 12 AGL INT Jackson 084° and Salem, Mich., 254° radials; 12 AGL Salem; 12 AGL INT Salem 083° and Erie, Pa., 290° radials; 12 AGL Erie. The airspace within Canada is excluded.

52. V–227 is amended to read as follows:

V–227 From Indianapolis, Ind., 12 AGL INT Indianapolis 312° and Lafayette, Ind., 159° radials; 12 AGL Lafayette.

53. V–228 is amended to read as follows:

V–228 From Northbrook, Ill., 12 AGL South Bend, Ind.

54. V–233 is amended to read as follows:

V–233 From Capital, Ill., 12 AGL via Peoria, Ill.; 12 AGL Cordova, Ill.; 12 AGL Cedar Rapids, Iowa.

55. V–255 is amended to read as follows:

V–255 From Burlington, Iowa, 12 AGL Moline, Ill.; 12 AGL Cordova, Ill.; 12 AGL Rockford, Ill.; 12 AGL Janesville, Wis.; 12 AGL INT Janesville 344° and Dells, Wis., 143° radials; 12 AGL Dells; 12 AGL Stevens Point, Wis.

56. V–262 is amended to read as follows:

V–262 From Peoria, Ill., 12 AGL Bradford, Ill.; 12 AGL Joliet, Ill.; 12 AGL Kedzie, Ill., RBN.

57. V–274 is amended to read as follows:

V–274 From Pullman, Mich., 12 AGL Grand Rapids, Mich.; 12 AGL Saginaw, Mich.

58. V–277 is amended to read as follows:

V–277 From Rosewood, Ohio, 12 AGL Fort Wayne, Ind.; 12 AGL Keeler, Mich.

59. V–285 is amended to read as follows:

V–285 From Indianapolis, Ind., 12 AGL Kokomo, Ind.; 12 AGL Goshen, Ind. From South Bend, Ind., 12 AGL Kalamazoo, Mich.; 12 AGL INT Kalamazoo 014° and Grand Rapids, Mich., 167° radials; 12 AGL Grand Rapids; 12 AGL White Cloud, Mich.

60. V–294 is amended to read as follows:

V–294 From Des Moines, Iowa, 12 AGL INT Des Moines 086° and Cedar Rapids, Iowa, 238° radials; 12 AGL Cedar Rapids.

61. V–320 is amended to read as follows:

V–320 From Peck, Mich., 12 AGL Toronto, Ont., Canada. The airspace within Canada is excluded.

62. In V–422 all before "INT of Fort Wayne" is deleted and "From Chicago Heights, Ill., 12 AGL INT Chicago Heights 117° and Knox, Ind., 276° radials; 12 AGL Knox; 12 AGL Wolflake, Ind.;" is substituted therefor.

63. V–429 is amended to read as follows:

V–429 From Decatur, Ill., 12 AGL Champaign, Ill.; 12 AGL Roberts, Ill.; 12 AGL Joliet, Ill.; 12 AGL INT Joliet 008° and Naperville, Ill., 340° radials; 12 AGL INT Naperville 340° and Milwaukee, Wis., 198° radials; 12 AGL Milwaukee.

64. V–434 is amended to read as follows:

V–434 From Ottumwa, Iowa, 12 AGL Moline, Ill.; 12 AGL Peoria, Ill.

65. V–450 is amended to read as follows:

V–450 From Muskegon, Mich., 12 AGL Green Bay, Wis.

66. V–479 is amended to read as follows:

V–479 From Northbrook, Ill., 12 AGL INT Northbrook 348° and Milwaukee, Wis., 161° radials; 12 AGL Milwaukee.

67. V–491 is amended to read as follows:

V–491 From Lafayette, Ind., 12 AGL INT Lafayette 313° and Peotone, Ill., 153° radials; 12 AGL Peotone.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–5742; Filed, May 25, 1966; 8:45 a.m.]

[Airspace Docket No. 65–SO–82]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration and Revocation of Transition Areas

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to alter the Macon, Ga., and the Greenville, S.C., transition areas and to revoke the Junction City, Ga., transition area.

Because of the airway reconfiguration and renumbering (Airspace Docket No. 65–SO–59) it is necessary to editorially alter the Macon, Ga., and Greenville, S.C., transition areas and to revoke the Junction City, Ga., transition area.

Since these amendments are less restrictive or editorial in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

1. In § 71.181 (31 F.R. 2149) the Macon, Ga., transition area (31 F.R. 2888 and 31 F.R. 6827) is amended by substituting "V–18S" for "V–18" wherever it appears.

2. In § 71.181 (31 F.R. 2149) the Greenville, S.C., transition area is amended by deleting "V–194" wherever it appears.

3. In § 71.181 (31 F.R. 2149) the Junction City, Ga., transition area is revoked.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 18, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66–5744; Filed, May 25, 1966; 8:45 a.m.]

[Airspace Docket No. 66–SO–18]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Areas

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to alter the Montgomery, Ala., and the Birmingham, Ala., transition areas.

The Montgomery and Birmingham transition areas are described in § 71.181 (31 F.R. 2149).

Because of the airway reconfiguration proposed in Airspace Docket No. 65–SO–59, it is necessary to alter the Montgomery and Birmingham, Ala., transition areas.

Since these changes are editorial in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the Montgomery, Ala. (31 F.R. 4889) and the Birmingham, Ala., transition areas are amended to read:

MONTGOMERY, ALA.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Dannelly Field (latitude 32°18'00" N., longitude 86°23'36" W.); within an 8-mile radius of Maxwell AFB (latitude 32°22'48" N., longitude 86°21'55" W.); within 8 miles S and 5 miles N of the Dannelly Field ILS localizer W course extending from the airport to 12 miles W of the LOM; within 2 miles each side of the Maxwell AFB VOR 148° radial extending from the Maxwell AFB 8-mile radius area to the VOR; within 2 miles each side of the 269° bearing from the Dannelly Field LOM extending from the LOM to 17 miles W, excluding the portion which coincides with the Selma, Ala., transition area; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the intersection of the W boundary of V–7 and the S boundary of V–66 extending eastward along the S boundary of V–66 to longitude 86°00'00" W., thence S along longitude 86°00'00" W., to the E boundary of V–159, thence SE along the E boundary of V–159 to the N boundary of V–20N, thence SE to latitude 32°30'00" N., longitude 85°29'00" W., thence S along longitude 85°29'00" W. to the N boundary of V–70, thence W along the N boundary of V–70 to longitude 87°00'00" W., thence N along longitude 87°00'00" W. to a 35-mile radius arc centered on the Selma, Ala., VOR, thence clockwise along that 35-mile radius arc and a 35-mile radius arc centered at latitude 32°27'25" N., longitude 87°05'14" W. to the W boundary of V–7, thence N along the W boundary of V–7 to point of beginning; and that airspace extending upward from 6,000 feet MSL bounded on the N by the S boundary of V–154, on the NE by a 35-mile radius arc centered on the Selma, Ala., VOR, on the E by longitude 87°28'00" W., on the S by latitude 31°54'00" N., and on the W by the E boundary of V–209 and a line extending from the intersection of the E boundary of V–209 and a 30-mile radius arc centered on the Meridian, Miss., VORTAC to latitude 32°18'00" N., longitude 88°20'00" W.

BIRMINGHAM, ALA.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Birmingham Municipal Airport (latitude 33°33'50" N., longitude 86°45'30" W.); within 8 miles NW and 5 miles SE of the Birmingham ILS localizer SW course extending from the OM to 17 miles SW; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 34°00'00" N., longitude 87°-30'00" W., extending E along latitude 34°00'-00" N. to a line 11 miles NW of and parallel to V–115; thence NE along this line to latitude 34°15'00" N.; thence E along latitude 34°15'00" N. to longitude 86°15'00" W.; thence S along longitude 86°15'00" W. to latitude 34°00'00" N.; thence SE to the intersection of a line 7 miles N of and parallel to V–18 and longitude 86°01'00" W.; thence E along a line 7 miles N of and parallel to V–18 to longitude 85°33'00" W.; thence S along longitude 85°33'00" W. to the S boundary of V–18; thence W along the S boundary of V–18 to longitude 86°00'00" W.; thence S along longitude 86°00'00" W. to the S boundary of V–66; thence W along the S boundary of V–66 to a line extending from latitude 33°-01'00" N., longitude 87°18'15" W. through latitude 33°11'00" N., longitude 87°06'40" W.; thence SW to latitude 33°01'00" N., longitude 87°18'15" W.; thence W along latitude 33°01'00" N. to the SE boundary of V–209; thence SW along the SE boundary of V–209 to a 19-mile radius arc centered on the Tuscaloosa, Ala., VOR; thence clockwise along this arc to longitude 87°30'00" W.; thence N along longitude 87°30'00" W. to point of beginning, excluding that portion that coincides with R–2101 and the Gadsden, Ala., transition area.

(Sec. 307(a), the Federal Aviation Act of 1958 (49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 18, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66–5745; Filed, May 25, 1966; 8:45 a.m.]

[Airspace Docket No. 65–SO–83]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Areas and Control Zone

On March 23, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4843) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Atlanta, Ga., and Chattanooga, Tenn., transition areas and the Atlanta, Ga., control zone.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

1. In § 71.181 (31 F.R. 2149) the Atlanta, Ga., transition area is amended to read:

ATLANTA, GA.

That airspace extending upward from 700 feet above the surface within a 15-mile radius of the Atlanta Airport (latitude 33°38'42" N., longitude 84°25'37" W.), excluding the airspace within a 1.5-mile radius of the South Fulton Skyport, Atlanta, Ga. (latitude 33°32'47" N., longitude 84°38'31" W.), and the Gunn Airport, Atlanta, Ga. (latitude 33°43'14" N., longitude 84°09'56" W.); within a 5-mile radius of the DeKalb-Peachtree Airport, Chamblee, Ga. (latitude 33°52'30" N., longitude 84°18'10" W.); within 5 miles SW and 8 miles NE of the Atlanta ILS localizer SE course, extending from the LOM to 12 miles SE of the LOM; within 2 miles each side of the 114° bearing from the Runway 33 LOM, extending from the 15-mile radius area to 17 miles SE of the LOM; that airspace extending upward from 1200 feet above the surface within a 50-mile radius of the Atlanta Airport; within a 30-mile radius of Lost Mountain, Ga., RBN; that airspace NW of Lost Mountain, Ga., extending from the 30-mile radius area bounded on the W by longitude 85°00'00" W., on the N by latitude 34°30'00" N., and on the E by the W boundary of V-5W, excluding the portion that coincides with the Chattanooga, Tenn., transition area; that airspace N of Atlanta extending from the 50-mile radius area bounded on the W by V-51, on the N by V-54, on the E by V-267; that airspace NE of Atlanta bounded on the N by V-54, on the E by a line 5 miles E of and parallel to the Knoxville VORTAC 166° radial and the Norcross VORTAC 025° radial, on the S by V-222 and on the W by V-267; that airspace NE and E of Atlanta extending from the 50-mile radius area bounded on the NW by V-222, on the E by a line extending from the SE boundary of V-222 west of Greenville, S.C., counterclockwise along the arc of a 30-mile radius circle centered at latitude 34°48'45" N., longitude 82°20'30" W., to its INT with the arc of a 15-mile radius circle centered at the Greenwood VOR, thence counterclockwise along this arc to its INT with the N boundary of V-454, thence via the N boundary of V-454 to longitude 83°00'00" W., thence via longitude 83°00'00" W. to the N boundary of V-18S, and on the S by the N boundary of V-18S; that airspace SW of Atlanta extending from the 50-mile radius area bounded on the N by V-18, on the S by V-20N, on the SW by V-159 and on the W by longitude 86°00'-00" W., and that airspace W of Atlanta extending from the 50-mile radius area bounded on the N by a line 12 miles N of and parallel to the Runway 9L ILS localizer W course, on the S by V-18, and on the W by longitude 85°33'00" W., excluding the portion within R-3001.

2. In § 71.181 (31 F.R. 2149) the Chattanooga, Tenn., transition area is amended to read:

CHATTANOOGA, TENN.

That airspace extending upward from 700 feet above the surface within a 14-mile radius of Lovell Field, Chattanooga, Tenn. (latitude 35°02'05" N., longitude 85°12'10" W.), extending clockwise from the 020° to the 250° bearings from the airport; within a 20-mile radius of Lovell Field, extending clockwise from the 250° to the 020° bearings from the airport; within 4 miles each side of the Chattanooga VORTAC 263° radial, extending between the arcs of a 14-mile and a 25-mile radius circle each centered at Lovell Field; within 8 miles E and 5 miles W of the North Chattanooga, Tenn., RBN 016° bearing, extending from the RBN to 12 miles N; that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of Lovell Field; within the area SE of Chattanooga, extending from the 25-mile radius area bounded on the E by the W boundary of V-5W, on the S by a line through latitude 34°-26'58" N., longitude 84°55'58" W., and latitude 34°25'30" N., longitude 84°59'30" W., and on the W by a line 9 miles W of and parallel to the Chattanooga VORTAC 152° radial; within the area S, extending from the 25-mile radius area bounded on the E by a line 9 miles W of and parallel to the Chattanooga VORTAC 152° radial, on the S by latitude 34°37'00" N., on the W by the E boundary of V-115E; within the area N, NE, and NW of Chattanooga extending from the 25-mile radius area bounded by a line beginning at the INT of the arc of a 25-mile radius circle centered at Lovell Field and a line 6 miles W of and parallel to the Chattanooga VORTAC 313° radial; thence NW along a line 6 miles W of and parallel to the Chattanooga VORTAC 313° radial, to and clockwise along the arc of a 50-mile radius circle centered on the Chattanooga VORTAC, to the W boundary of V-51W; thence S along the W boundary of V-51W to latitude 35°24'30" N., thence to latitude 35°22'45" N., longitude 84°45'00" W.; to latitude 35°17'30" N., longitude 84°-45'10" W.; to latitude 35°08'20" N., longitude 84°45'35" W.; thence via latitude 35°08'20" N., to the arc of a 25-mile radius circle centered at Lovell Field; and that airspace extending upward from 3,000 feet MSL bounded on the N by V-54, on the NE by the arc of a 25-mile radius circle centered at Lovell Field, on the SE by V-115, and on the W by a line extending through latitude 34°32'00" N., longitude 85°52'15" W., and latitude 34°-48'00" N., longitude 85°57'10" W., excluding the portion that coincides with the Rome, Ga., transition area.

3. In § 71.171 (31 F.R. 2065) the Atlanta, Ga., control zone is amended to read:

ATLANTA, GA.

Within a 5-mile radius of Atlanta Airport (latitude 33°38'42" N., longitude 84°25'37" W.); within 2 miles each side of the Atlanta ILS Runway 9L localizer W course, extending from the 5-mile radius zone to the OM; within 2 miles each side of the Atlanta ILS localizer SE course, extending from the 5-mile radius zone to the OM; within 2 miles each side of the Atlanta ILS Runway 9L localizer E course, extending from the 5-mile radius zone to 8.5 miles E of the airport reference point; within 2 miles each side of the ILS Runway 9R localizer W course, extending from the 5-mile radius zone to the LOM; within 2 miles each side of the Rex, Ga., VOR 271° radial, extending from the 5-mile radius zone to 8.5 miles E of the Atlanta Airport and within a 3-mile radius of Morris AAF (latitude 33°37'20" N., longitude 84°-20'30" W.).

(Sec. 307(a), the Federal Aviation Act of 1958 (49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 18, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-5746; Filed, May 25, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-102]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone and Transition Area

On March 30, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5133) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations which would designate controlled airspace in the Flagstaff, Ariz., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth:

In § 71.171 (31 F.R. 2065) the following control zone is added:

FLAGSTAFF, ARIZ. (PULLIAM AIRPORT)

That airspace within a 5-mile radius of Pulliam Airport (latitude 35°08'16" N., longitude 111°40'17" W.), within 2 miles each side of the Flagstaff VOR 084° radial, extending from the 5-mile radius zone to 11.5 miles E of the VOR, within 2 miles each side of the Flagstaff VOR 096° radial extending from the 5-mile radius zone to 7.5 miles E of the VOR, and within 2 miles each side of the Flagstaff VOR 189° radial extending from the 5-mile radius zone to 7.5 miles S of the VOR.

In § 71.181 (31 F.R. 2149) the following transition area is added:

FLAGSTAFF, ARIZ. (PULLIAM AIRPORT)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Pulliam Airport (latitude 35°08'16" N., longitude 111°40'17" W.); that airspace extending upward from 1,200 feet above the surface within an arc of a 26-mile radius circle centered on the Flagstaff VOR (latitude 35°-08'50" W., longitude 111°40'24" W.), extending from a line 5 miles NW of and parallel to the Flagstaff VOR 054° radial clockwise to a line 5 miles N of and parallel to the Flagstaff VOR 297° radial, and within 9 miles N and 6 miles S of the Flagstaff VOR 096° radial extending from the 26-mile radius area to 35 miles E of the VOR, excluding that portion within R-2302.

(Sec. 307(a), Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348))

Issued in Los Angeles, Calif., on May 18, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-5747; Filed, May 25, 1966; 8:45 a.m.]

[Airspace Docket No. 65-CE-150]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Federal Airway

On February 9, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 2553) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a VOR Federal airway with a floor of 1,200 feet AGL from Bradford, Ill., via Peotone, Ill.; Knox, Ind.; to South Bend, Ind.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009) is amended by adding the following:

V-332 From Bradford, Ill., 12 AGL Peotone, Ill.; 12 AGL Knox, Ind.; 12 AGL South Bend, Ind.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 19, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5748; Filed, May 25, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-18]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On March 18, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4600) stating that the Federal Aviation Agency proposed to designate controlled airspace in the vicinity of Connersville, Ind.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 21, 1966, as hereinafter set forth:

In § 71.181 (31 F.R. 2149) the following transition area is added:

CONNERSVILLE, IND.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Mettel Airport (latitude 39°41'50" N., longitude 85°07'55" W.), and within 2 miles each side of the 015° bearing from the Mettel Airport extending from the 6-mile radius area to 8 miles north of the airport.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on May 17, 1966.

FRANCIS E. UNTI,
Acting Director, Central Region.

[F.R. Doc. 66-5749; Filed, May 25, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-17]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On March 18, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4600) stating that the Federal Aviation Agency proposed to designate controlled airspace in the vicinity of Gaylord, Mich.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 21, 1966, as hereinafter set forth:

In § 71.181 (31 F.R. 2149) the following transition area is added:

GAYLORD, MICH.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Otsego County Airport (latitude 45°00'50" N., longitude 84°41'45" W.), and within 2 miles each side of the 087° bearing from Otsego County Airport extending from the 6-mile radius area to 8 miles E of the airport; and that airspace extending upward from 1,200 feet above the surface within 8 miles N and 5 miles S of the 087° bearing from Otsego County Airport extending from the airport to 12 miles E of the airport and within 5 miles each side of the 304° bearing from Otsego County Airport extending from the airport to V-193.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on May 17, 1966.

FRANCIS E. UNTI,
Acting Director, Central Region.

[F.R. Doc. 66-5750; Filed, May 25, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-16]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Federal Airway and Jet Route

On January 5, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 99), stating that the Federal Aviation Agency was considering the realignment of V-507 from Lovelock, Nev., to Sod House, Nev., and the realignment of J-7 from Reno, Nev., to Rome, Oreg. In addition, it was proposed to raise the floors of V-507 in accordance with the provisions of CAR Amendment 60-21.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. Due consideration was given to all comments received. The Air Transport Association of America and Scandinavian Airlines System, Inc., supported the proposals. The Soaring Society of America offered no objection. No other comments were received.

Subsequent to publication of the notice, it was determined that the extension of J-7 from Rome via Sacramento, Calif., to Oakland, Calif., via the alignment of J-32 and J-94 would be advantageous as it would provide a continuous route from Oakland via Rome to points east. Since this would facilitate flight planning and air traffic control, and would not assign or reassign controlled airspace or constitute a burden upon any person, such action is taken herein.

In consideration of the foregoing, Part 71 and Part 75 of the Federal Aviation Regulations are amended effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

1. Section 71.123 (31 F.R. 2009) is amended as follows:

In V-507 all before "Rome, Oreg.;" is deleted and "From Reno, Nev., 42 miles 12 AGL, 24 miles 115 MSL, 95 MSL Sod House, Nev.; 67 miles 95 MSL, 85 MSL," is substituted therefor.

2. Section 75.100 (31 F.R. 2346) is amended as follows:

In the text of Jet Route No. 7, all before "Rome, Oreg.;" is deleted and "From Oakland, Calif., via Sacramento, Calif.; Reno, Nev.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 19, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5743; Filed, May 25, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SW-16]

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Routes

The purpose of these amendments to Part 75 of the Federal Aviation Regulations is to realign segments of Jet Routes Nos. 2, 15, and 86.

The segments of J-2 from San Antonio, Tex., to Fort Stockton, Tex.; J-15 from Austin, Tex., to Wink, Tex.; and J-86 from Austin to Fort Stockton have minimum en route altitudes of 20,000 feet MSL or above assigned to these segments which preclude the utilization of altitudes of 18,000 and 19,000 feet MSL for en route traffic. Accordingly, action is being taken herein to realign these jet routes segments via the Junction, Tex., VORTAC. This action will permit the lowering of the minimum en route altitudes and will result in the reduction by approximately 5 nautical miles in the en route mileage from San Antonio and Austin to Wink.

Since these alterations are minor and are less restrictive in nature than the present jet route alignments, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 75.100 (31 F.R. 2346, 4839) is amended as follows:

a. In Jet Route No. 2 "INT of the Fort Stockton 096°, Austin, Tex., 278° and San Antonio, Tex., 309° radials; San Antonio;" is deleted and "Junction, Tex.; San Antonio, Tex.;" is substituted therefor.

b. In Jet Route No. 15 "INT of the Austin 278°, Fort Stockton, Tex., 096° and Wink, Tex., 117° radials; Wink;" is deleted and "Junction, Tex.; Wink, Tex.;" is substituted therefor.

c. In Jet Route No. 86 "Austin, Tex."; is deleted and "Junction, Tex.; Austin, Tex.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 19, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5751; Filed, May 25, 1966; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 16—MACARONI AND NOODLE PRODUCTS

Macaroni Products and Enriched Macaroni Products Made With Nonfat Milk; Confirmation of Effective Date of Order Establishing Identity Standards

In the matter of establishing definitions and standards of identity for macaroni products made with nonfat milk and enriched macaroni products made with nonfat milk:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371), and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of April 9, 1966 (31 F.R. 5618). Accordingly, the regulations promulgated by that order will become effective June 8, 1966.

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: May 19, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5805; Filed, May 25, 1966; 8:51 a.m.]

PART 17—BAKERY PRODUCTS

Bread, Identity Standard; Confirmation of Effective Date of Order Listing Succinylated Monoglycerides as Optional Ingredient

In the matter of amending the standard of identity for bread (21 CFR 17.1) by listing succinylated monoglycerides as an optional ingredient:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371), and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of April 6, 1966 (31 F.R. 5432). Accordingly, the amendment promulgated by that order will become effective June 5, 1966.

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: May 18, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5806; Filed, May 25, 1966; 8:51 a.m.]

PART 42—EGGS AND EGG PRODUCTS

Amendments of Standards for Whole Egg and Yolk Products and Establishment of Standards for Egg White Products; Confirmation of Effective Date

In the matter of amending the standards of identity for whole egg products and yolk products and establishing standards for egg white products:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371), and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that while some comments were received no objections requesting a hearing were filed to the order in the above-identified matter published in the FEDERAL REGISTER of March 19, 1966 (31 F.R. 4677). Accordingly, the amendment promulgated by that order became effective May 18, 1966.

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: May 19, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5807; Filed, May 25, 1966; 8:51 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

DDT, TDE (DDD); EDITORIAL CLARIFICATION

The Commissioner of Food and Drugs, having considered certain questions regarding possible misinterpretations of §§ 121.226 *DDT* and 121.227 *TDE (DDD)* of the food additive regulations, and other relevant material, has concluded that these regulations should be amended to clearly establish that the residues of chlorinated pesticides referred to therein relate only to the residues of DDT and TDE (DDD). Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 701(a); 52 Stat. 1055, 72 Stat. 1785; 21 U.S.C. 348, 371(a)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), §§ 121.226 and 121.227 are revised to read as follows:

§ 121.226 DDT.

The following tolerance is established for residues of DDT resulting from use of DDT as a pesticide on the growing agricultural crop: 100 parts per million in or on dried tomato pomace to be used in dog and cat food at levels up to 5 percent by weight of the prepared food. If residues of TDE (DDD) on tomatoes are also present, the total of both such chlorinated compounds shall not exceed 100 parts per million.

§ 121.227 TDE (DDD).

The following tolerances are established for residues of TDE (DDD) resulting from use of TDE (DDD) as a pesticide on the growing agricultural crop: 100 parts per million in or on dried tomato pomace to be used in dog and cat food at levels up to 5 percent by weight of the prepared food. If residues of DDT are also present, the total of both such chlorinated compounds shall not exceed 100 parts per million.

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since the amendments are editorial in nature.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Secs. 409, 701(a); 52 Stat. 1055, 72 Stat. 1785; 21 U.S.C. 348, 371(a))

Dated: May 19, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5809; Filed, May 25, 1966; 8:51 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

CITRAL PROPYLENE GLYCOL ACETAL

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6A1889), filed by Felton Chemical Co., Inc., 599 Johnson Avenue, Brooklyn, N.Y., 11237, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of citral propylene glycol acetal as a food flavoring substance. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.1164(b) is amended by inserting alphabetically in the list of substances the following new item:

§ 121.1164 Synthetic flavoring substances and adjuvants.

* * * * * * *

(b) * * *

Citral propylene glycol acetal.

* * * * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 18, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5808; Filed, May 25, 1966; 8:51 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

MODIFIED POLYACRYLAMIDE RESIN; CORRECTION

In F.R. Doc. 66-4225 published in the FEDERAL REGISTER of April 19, 1966 (31 F.R. 5959), the portion of § 121.1192 (b) that reads "0.2 percent" is corrected to "0.05 percent".

Dated: May 16, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5810; Filed, May 25, 1966; 8:51 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

POLYAMIDE-EPICHLOROHYDRIN RESIN

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6B1849) filed by Pacific Resins & Chemicals, Inc., 3400 13th Avenue SW., Seattle, Wash., 98134, and other relevant material, has concluded that the food additive regulations should be amended to provide for the optional use of ammonia in the production of polyamide-epichlorohydrin resins used in the manufacture of paper and paperboard intended for use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.2542(a) is amended to read as follows:

§ 121.2542 Polyamide-epichlorohydrin resin.

* * * * * *

(a) Polyamide-epichlorohydrin resin is prepared by reacting adipic acid with diethylenetriamine to form a basic polyamide and further reacting the polyamide with epichlorohydrin, or with a mixture of epichlorohydrin and ammonia, to form a water-soluble thermosetting resin.

* * * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 18, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5811; Filed, May 25, 1966; 8:51 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Subtitle A—Office of the Secretary, Department of Housing and Urban Development

PART 5—RENT SUPPLEMENT PAYMENTS

In Subtitle A a new Part 5 is added as follows:

Sec.
5.1 Definitions.
5.5 Scope of rent supplement assistance.
5.10 Projects eligible for benefits.
5.15 Eligible housing owner.
5.20 Qualified tenant.
5.25 Certificate of eligibility.
5.30 Provisions applicable to cooperative members.
5.35 Term of contract.
5.40 Maximum annual project payments under contract.
5.45 Maximum payments under contract for each tenant.
5.50 Time of payment under contract.
5.55 Recertification of income under contract.
5.60 Hardship cases.
5.65 Tenant occupancy limitations.
5.70 Form of lease.
5.75 Housing owner's obligation under contract to report tenant income increase.
5.80 Change in tenant income status.

AUTHORITY: The provisions of this Part 5 issued under sec. 101(g), P.L. 89-117, 79 Stat. 453.

§ 5.1 Definitions.

(a) "Act" means the Housing and Urban Development Act of 1965.

(b) "Secretary" means the Secretary of Housing and Urban Development or an officer of the Department of Housing and Urban Development empowered to exercise any of the functions of the Secretary under section 101 of the Act.

(c) "Commissioner" means the Federal Housing Commissioner or his authorized representative.

(d) "Dilapidated housing" means a housing unit that does not provide safe and adequate shelter, and in its present condition endangers the health, safety or well-being of the occupants. Such a housing unit shall have one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. Such defects may in-

volve original construction, or they may result from continued neglect or lack of repair or from serious damage to the structure.

(e) "Displaced by governmental action" means an individual or family, moved or to be moved from real property occupied as a dwelling unit as a result of activities in connection with a public improvement or development program carried on by an agency of the United States or any State or local governmental body or agency.

(f) "Family" means two or more persons related by blood, marriage, or operation of law, who occupy the same dwelling unit.

(g) "Physically handicapped" means an individual who has a physical impairment which:

(1) Is expected to be of long continued and indefinite duration;

(2) Substantially impedes his ability to live independently; and

(3) Is of such nature that his ability to live independently could be improved by more suitable housing conditions.

(h) "Substandard housing" means a unit which is either dilapidated as defined in paragraph (d) of this section, or does not have one of the following plumbing facilities:

(1) Hot and cold piped water inside the unit.

(2) Usable flush toilet inside the structure for the exclusive use of the occupants of the unit.

(3) Usable bathtub or shower inside the structure for the exclusive use of the occupants of the unit.

§ 5.5 Scope of rent supplement assistance.

The Commissioner may enter into a rent supplement contract with the owner of specific types of multifamily housing projects for payment of a portion of the rent on behalf of qualified tenants. The conditions of eligibility for such a contract and its terms are specified in this part.

§ 5.10 Projects eligible for benefits.

Rent supplement payments shall be available in connection with multifamily projects involving new construction. They shall also be available in connection with projects involving the major rehabilitation of existing structures, the creation of standard units in structures previously containing substandard units, and (on an experimental basis) in connection with certain existing elderly housing projects.

§ 5.15 Eligible housing owner.

(a) To be eligible to receive rent supplement payments, the owner of the multifamily housing project shall be a nonprofit, limited distribution, or cooperative mortgagor under a mortgage bearing interest at the market rate prescribed in § 221.518(a) of this title. The project must be insured pursuant to a commitment issued after August 10, 1965, for the insurance of a mortgage under section 221(d)(3) of the National Housing Act.

(b) The Commissioner may, on an experimental basis, enter into a limited number of rent supplement contracts with the following types of housing owners:

(1) A nonprofit, limited distribution, or cooperative mortgagor under a mortgage bearing interest at the below-market rate prescribed in § 221.518(b) of this title. Such project must be insured pursuant to a commitment issued after August 10, 1965, for the insurance of a mortgage under section 221(d)(3) of the National Housing Act.

(2) A private nonprofit mortgagor under a mortgage insured pursuant to section 231(c)(3) of the National Housing Act which is approved for receiving the benefits provided in this part and finally endorsed for insurance after August 10, 1965.

(3) A private nonprofit corporation, a public body or agency, or a cooperative housing corporation which is a borrower under section 202 of the Housing Act of 1959 and has been approved for receiving the benefits provided in this part.

(c) A housing owner qualifying under the provisions of paragraph (a) or (b) of this section shall only be eligible for rent supplement payments if:

(1) The dwelling unit or project is part of a workable program for community improvements meeting the requirements of section 101(c) of the Housing Act of 1949; or

(2) The dwelling unit or project receives local official approval for participation in the Federal rent supplement program.

(d) Where the project is to be located in a community in which a workable program was required and was in effect at an earlier date (at which time a loan or grant was made under title I of the Housing Act of 1949 or under the United States Housing Act of 1937), the workable program requirement of paragraph (c)(1) of this section must be met and the requirements of paragraph (c)(2) of this section shall not be applicable.

§ 5.20 Qualified tenant.

(a) The benefits of the rent supplement payments are available only to an individual or a family renting a dwelling unit in a project owned by an eligible housing owner or occupying such a dwelling unit as a cooperative member. To qualify for such benefits, the individual or family shall meet the following requirements:

(1) Have an annual income below the maximum amount established by the Secretary, which amount shall not be higher than can be established in the area where the property is located for occupancy in a low-rent public housing project assisted under the United States Housing Act of 1937.

(2) In a case involving an elderly individual or a family whose head or spouse is elderly, have assets not exceeding $5,000.

(3) In a case involving other than the elderly, have assets not exceeding $2,000.

(4) Be one of the following:

(i) An individual or family displaced by governmental action.

(ii) An individual who is 62 years of age or over, or physically handicapped.

(iii) A head of a family who is or whose spouse is, 62 years of age or over, or who is physically handicapped.

(iv) An occupant of substandard housing.

(v) An occupant or former occupant of a dwelling which is (or was) situated in an area determined by the Small Business Administration subsequent to April 1, 1965, to have been affected by a natural disaster and which has been extensively damaged or destroyed as the result of such disaster.

(b) For the purposes of this section, income shall mean the total gross income, before taxes and other deductions, received by all members of the tenant's household. In determining gross income, there shall be included all wages, social security payments, retirement benefits, military and veteran's disability payments, unemployment benefits, welfare benefits, interest and dividend payments, and such other income items as the Secretary considers appropriate.

§ 5.25 Certificate of eligibility.

(a) Upon request of a housing owner, the Commissioner will review for eligibility the application by a prospective tenant for rent supplement payments. If the application meets the requirements of § 5.20, the Commissioner shall issue a certificate of eligibility. The certificate shall state the amount of rent supplement to be paid monthly by the Commissioner to the housing owner on behalf of the qualified tenant. The payment shown in the certificate shall not, regardless of the tenant's income, exceed 70 percent of the approved rent for the unit. No certificate of eligibility shall be issued where the amount of rent supplement payment would be less than 10 percent of such approved rent.

(b) The Commissioner may approve a qualified tenant as a lessee under an option to purchase a dwelling at a stipulated price, if he determines that the tenant will be able to finance such purchase on the basis of the probability of future increases in the tenant's income.

§ 5.30 Provisions applicable to cooperative members.

(a) A member of a cooperative who obtains a certificate of eligibility shall be required, as a condition of receiving the certificate, to agree that upon a sale of his membership, any equity increment accumulated through rent supplement payments will not be made available to the member, but will be turned over to the cooperative housing owner. Funds received by a cooperative representing an equity increment accumulated through rent supplement payments shall be deposited by the cooperative in a special account to be disbursed as directed by the Commissioner.

(b) The term "tenant" as used in this section shall mean a member of a cooperative, and the term "rent" shall mean the charges under the occupancy agreement between the members of the cooperative.

§ 5.35 Term of contract.

The rent supplement contract shall be limited to the term of the mortgage or 40 years from the date of the first payment made under the contract, whichever is the lesser.

§ 5.40 Maximum annual project payments under contract.

The rent supplement contract shall state the maximum dollar amount of the rent supplement payments for any 1 year based upon the Commissioner's estimate of probable effective demand and distribution of tenant income, including a 10-percent contingency allowance. At the end of such period of time as the Commissioner may prescribe for the rental of the dwelling units, appropriate adjustment shall be made in the maximum rental payments, including a 10-percent contingency allowance, to reflect the actual requirements of the tenants. Payments shall not be made with respect to more than 20 percent of the number of dwelling units in any project which is assisted under:

(a) Section 202 of the Housing Act of 1959, if the loan agreement under that section was entered into on or before August 10, 1965; or

(b) Section 231(c)(3) of the National Housing Act, if the mortgage was finally endorsed for insurance under that section after August 10, 1965, pursuant to a commitment issued on or before such date.

§ 5.45 Maximum payments under contract for each tenant.

(a) The rent supplement contract shall provide that the payment on behalf of a qualified tenant shall be that amount by which the rent approved by the Commissioner for the unit exceeds one-fourth of the tenant's income, or exceeds any welfare allowance for housing if such allowance is larger than one-fourth of the tenant's income.

(b) In computing tenant's income for the purposes of this section, the Commissioner may allow certain specified deductions to take into account income earned by members of the family under 18 years of age, expenses incurred as a result of a physical disability or continuing illness, the cost of necessary child care while a wage earner of the household is at work, and such other deductions as the Secretary considers appropriate.

§ 5.50 Time of payment under contract.

The rent supplement contract shall provide for payments to be made monthly to the housing owner on behalf of qualified tenants in the amounts set forth in the certificates of eligibility.

§ 5.55 Recertification of income under contract.

The rent supplement contract shall provide, except with respect to tenants who are 62 years of age or older, that a recertification of income shall be obtained by the housing owner each year from the date the original certificate of eligibility was issued. Provision shall be included for adjusting payments to reflect income changes shown by the recertification.

§ 5.60 Hardship cases.

Where a tenant's income has decreased due to illness, loss of job, or other hardship beyond his control, the Commissioner may grant a temporary increase in rent supplement payments.

§ 5.65 Tenant occupancy limitations.

Qualified tenants shall not be permitted to occupy units larger than the Commissioner determines necessary for their needs.

§ 5.70 Form of lease.

(a) *Lease form.* Qualified tenants shall be required to execute a lease in a form approved by the Commissioner.

(b) *Special lease provisions.* The lease shall contain the following special provisions:

(1) A provision obligating the tenant to report immediately to the housing owner any increase in income which results in a monthly income of four or more times the full monthly rental for the housing unit.

(2) A provision obligating the tenant to reimburse the Commissioner for any rent supplement payments made by the Commissioner during a period when the tenant's income had increased to a point where rent supplement payments should have been terminated but were not terminated because of the tenant's failure to report the increase to the housing owner.

§ 5.75 Housing owner's obligation under contract to report tenant income increase.

The rent supplement contract shall contain a provision obligating the housing owner to immediately notify the Commissioner upon receiving a report from a tenant of an increase in the tenant's income resulting in a monthly income of four or more times the full monthly rental for the housing unit. The contract shall also obligate the housing owner, upon failing to notify the Commissioner when a report of such increase in income is received from a tenant, to reimburse the Commissioner for any rent supplement payments made during the period the tenant is receiving the increased income.

§ 5.80 Change in tenant income status.

Appropriate adjustments will be made in rent supplement payments to reflect income changes shown by the annual tenant income recertification. Rent supplement payments will be discontinued when it is determined by the Commissioner that 25 percent of the tenant's income is sufficient to pay the full amount of the rent for the unit occupied by the tenant. Where a tenant is no longer entitled to rent supplement payments, he may continue to occupy the unit. The rent charged for the unit shall not exceed the fair market rental as determined by the Commissioner.

Effective as of the 20th day of May 1966.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.
ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-5794; Filed, May 25, 1966; 8:50 a.m.]

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations of Basic Authority and Functions

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

MISCELLANEOUS AMENDMENTS

The following miscellaneous amendments have been made to this chapter:

In § 200.95 a new paragraph (aa) is added as follows:

§ 200.95 Field Office Chiefs of Operations.

. . . . . .

(aa) To certify the eligibility of individual tenants for rent supplement payments, to execute contracts for rent supplement payments, to approve a change in amount, a change in terms, or any other modification in the contracts for rent supplement payments.

(Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61, as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Section 221.501 is amended to read as follows:

§ 221.501 Certificate by Secretary to Commissioner.

(a) Before a mortgage executed by a mortgagor other than a general mortgagor shall be eligible for insurance under this subpart, the Secretary of Housing and Urban Development shall certify to the Commissioner that the community in which the project is to be located has submitted to the Secretary a workable program which has been approved by the Secretary and which is in effect at the time the commitment to insure is issued.

(b) The provisions of paragraph (a) of this section shall not be applicable where the mortgagor is approved by the Commissioner to receive rent supplement payments pursuant to the provisions of §§ 5.1 et seq. of this title, in which case the provisions of § 5.15(c) of this title shall govern.

In § 221.524 paragraph (a) is amended to read as follows:

§ 221.524 Prepayment privileges.

(a) *Prepayment in full.* A mortgage indebtedness may be prepaid in full and the Commissioner's controls terminated only with the prior consent of and upon such terms and conditions as the Commissioner may prescribe. In the case of a limited distribution mortgagor not receiving payments by the Commissioner under a rent supplement contract executed pursuant to the provisions of §§ 5.1 et seq. of this title, the mortgage indebtedness may be prepaid in full at any time after the expiration of 20 years from the date of final endorsement of the mortgage, without the prior consent of the Commissioner.

• • • • •

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715l)

Issued at Washington, D.C., May 20, 1966.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 66-5793; Filed, May 25, 1966; 8:50 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

Kissimmee River, Fla.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.170c governing the use, administration, and navigation of locks on Kissimmee River, Fla., is hereby amended with respect to paragraph (a) to include Locks S-65B and S-65C, effective 30 days after publication in the FEDERAL REGISTER, as follows.

§ 207.170c Kissimmee River, navigation locks between Lake Tohopekaliga and Lake Okeechobee, Fla.; use, administration and navigation.

(a) The owner of or agency controlling the locks shall be required to open the navigation locks upon demand for passage of vessels during the following hours and periods:

Locks S-61, S-65, and S-65E

Monday through Friday.	All year	7:00 a.m. to 6:00 p.m.
Saturday and Sunday.	Mar. 1 through Oct. 31.	5:30 a.m. to 7:30 p.m.
Do.	Nov. 1 through Feb. 28.	5:30 a.m. to 6:30 p.m.

Locks S-65B, S-65C, and S-65D

Monday through Friday.	All year	8:00 a.m. to 5:00 p.m.
Saturday and Sunday.	Mar. 1 through Oct. 31.	5:30 a.m. to 7:30 p.m.
Do.	Nov. 1 through Feb. 28.	5:30 a.m. to 6:30 p.m.

• • • • •

[Regs., May 9, 1966, 1507-32(Kissimmee River, Fla.)-ENGCW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

L. H. WALKER, Jr.
Brigadier General, U.S. Army,
Acting The Adjutant General.

[F.R. Doc. 66-5741; Filed, May 25, 1966; 8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 3—NATIONAL CAPITAL REGION REGULATIONS

Parades and Public Gatherings; Correction

In F.R. Doc. 66-4545, appearing at page 6263, the following change of an error in composition should be made in § 3.19(b)(4):

The word "East" in line one should read "West".

GEORGE B. HARTZOG, Jr.,
Director, National Park Service.

MAY 18, 1966.

[F.R. Doc. 66-5774; Filed, May 25, 1966; 8:48 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

[Canal Zone Order 72]

PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

Term, and Suspension or Revocation, of Marine Licenses

Effective immediately § 4.158 of Title 35 of the Code of Federal Regulations is amended to read as follows:

§ 4.158 Term, and suspension or revocation, of licenses.

(a) Licenses shall be granted for a term of 3 years, but may be suspended or revoked by the Supervising Inspector, or such other officer as may be designated by the Governor, upon satisfactory proof of negligence, unskillfulness, intemperance or other improper conduct. Prior to final action in the matter of the suspension or revocation of any license, the Board of Local Inspectors shall conduct a hearing in the matter and submit its recommendations therein to the Supervising Inspector or other designated officer.

(b) Paragraph (a) of this section is not applicable to licenses issued to marine personnel of the Panama Canal Company. A license granted to such an employee shall be valid for such period(s) as the licensee is employed by the Panama Canal Company in a position requiring the holding of the license.

(2 C.Z.C. sec. 1331(4), 76A Stat. 46; sec. 19 of P.L. 87-845, 76A Stat. 700; sec. 3(a) of E.O. 9746 of July 1, 1946, 11 F.R. 7329, as amended by E.O. 10595 of Feb. 7, 1955, 20 F.R. 819)

Dated: May 21, 1966.

STANLEY R. RESOR,
Secretary of the Army.

[F.R. Doc. 66-5829; Filed, May 25, 1966; 8:53 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4014]

[Oregon 017497; 017503]

OREGON

Withdrawal for National Forest Administrative Site; Partial Revocation of National Forest Administrative Site

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, for an administrative site of the Department of Agriculture:

(Oregon 017497)

WILLAMETTE MERIDIAN

WINEMA NATIONAL FOREST

Pelican Administrative Site Addition

T. 36 S., R. 6 E.,
Sec. 16, E½NW¼NE¼.

The area described contains approximately 20 acres in Klamath County.

2. The Departmental order of June 12, 1908, withdrawing national forest lands for an administrative site is hereby revoked so far as it affects the following described lands:

(OREGON 017503)

WILLAMETTE MERIDIAN

WINEMA NATIONAL FOREST

Pelican Administrative Site

T. 36 S., R. 6 E.,
Sec. 9, SW¼NE¼, S½NW¼, SW¼, N½NE¼NW¼SE¼, and W½W½SE¼.

The areas described aggregate approximately 325 acres in Klamath County.

3. At 10 a.m., on June 25, 1966, the lands released from withdrawal by paragraph 2 above, shall be open to such forms of disposition as may by law be made of national forest lands.

4. The withdrawal made by paragraph 1 of this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66-5766; Filed, May 25, 1966; 8:47 a.m.]

[Public Land Order 4015]

[Oregon 017356 (Wash.)]

WASHINGTON

Partial Revocation of Reclamation Withdrawal

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The departmental orders of April 29, 1907, July 20, 1908, and July 27, 1908, withdrawing lands for reclamation purposes are hereby revoked so far as they affect the following described lands:

WILLAMETTE MERIDIAN

T. 13 N., R. 12 E., Unsurveyed
Sec. 14, NW¼NW¼.
T. 13 N., R. 13 E., Unsurveyed
Sec. 3, N½NE¼ and NW¼.
T. 14 N., R. 14 E.,
Sec. 30, S½;
Sec. 31, lot 1 and NE¼NW¼.

The areas described aggregate 652.59 acres in the Snoqualmie National Forest, Yakima County.

2. At 10 a.m., on June 25, 1966, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66-5767; Filed, May 25, 1966; 8:47 a.m.]

[Public Land Order 4016]

[Fairbanks 020832]

ALASKA

Withdrawal of Land for the Bureau of Indian Affairs for School Purposes; Revocation of Prior Withdrawals Wholly or in Part

By virtue of the authority contained in the act of May 31, 1938 (52 Stat. 593; 48 U.S.C. 353a), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for school purposes:

a. Afognak: U.S. Survey 3886, containing 4.50 acres.
b. Ekwak: U.S. Survey 3864, containing 5.00 acres.
c. Savoonga: U.S. Survey 4237 (unapproved), containing 3.61 acres.

2. Public Land Order No. 1177 of June 28, 1955, and the departmental order of July 5, 1955, withdrawing lands for school purposes, are hereby revoked so far as they affect lands at Afognak, Ekwak, and Savoonga.

3. The primary objective of this order is to redescribe, in terms of the public land surveys, existing withdrawals which describe the lands by metes and bounds. Very little public land is returned to the unreserved public domain by this order.

4. Until 10 a.m., on August 19, 1966, the State of Alaska shall have a preferred right of application to select any lands released from withdrawal by this order, as provided by the act of July 28, 1956 (70 Stat. 709), and section 6g of the act of July 7, 1958 (72 Stat. 339). After that date and hour the lands shall become subject to application, petition, location, and selection generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m., on August 19, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

5. The released lands will be open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws after 10 a.m., on August 19, 1966.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66-5768; Filed, May 25, 1966; 8:47 a.m.]

[Public Land Order 4017]

[Montana 073213 (N.D.)]

NORTH DAKOTA

Revocation of Executive Order No. 8111

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Executive Order No. 8111 of May 10, 1939, reserving all lands owned or controlled by the United States within the following described area for the Billings Lake Migratory Waterfowl Refuge, is hereby revoked:

FIFTH PRINCIPAL MERIDIAN

T. 159 N., R. 61 W.,
Sec. 10, E½;
Sec. 15, N½, N½SE¼ and SE¼SE¼.

The areas described aggregate 760 acres of nonpublic lands in Cavalier County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66-5769; Filed, May 25, 1966; 8:47 a.m.]

[Public Land Order 4018]

[Sacramento 079493]

CALIFORNIA

Withdrawal for National Forest Recreation Area

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in the act of July 9, 1962 (76 Stat. 140; 43 U.S.C. 315g-1), it is ordered as follows:

1. Subject to valid existing rights, the following described lands are hereby withdrawn from appropriation under the U.S. mining laws (Title 30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, for a recreation area of the Department of Agriculture:

MOUNT DIABLO MERIDIAN

ELDORADO NATIONAL FOREST

Pope-Baldwin Recreation Area

T. 12 N., R. 17 E.,
Sec. 1, lots 2 to 6, incl., N½NE¼, and E½SE¼;
Sec. 2, lots 1 to 4, incl., W½, N½NE¼, SW¼NE¼, and NW¼SE¼;
Sec. 3, E½ (partly unsurveyed);
Sec. 10, NE¼ (unsurveyed);
Sec. 11, lots 1 to 3, incl., NE¼NW¼, and NW¼NW¼;
Sec. 12, lots 2, 3, 4, and 7, SE¼NE¼, and N½SE¼.
T. 13 N., R. 17 E.,
Sec. 25, lots 1 to 5, incl.;
Sec. 26, lots 1 and 2 and S½SW¼;
Sec. 27, SE¼SE¼;
Sec. 34, SE¼NE¼, and SE¼;
Secs. 35 and 36.
T. 12 N., R. 18 E.,
Sec. 5, lot 4;
Sec. 6, lots 1 to 21, incl., E½SW¼, and SE¼.

The areas described, including the national forest lands and nonpublic lands, aggregate 4,882.41 acres, of which the following described lands, totaling 285.84 acres, are the nonpublic lands:

MOUNT DIABLO MERIDIAN

T. 12 N., R. 17 E.,
Sec. 1, patented portion lot 4, and NW¼NE¼SE¼;
Sec. 11, lot 1;
Sec. 12, patented portion lot 4.
T. 13 N., R. 17 E.,
Sec. 25, lot 1, patented portion lot 2;
Sec. 36, NE¼NE¼, E½NW¼NE¼, and E½SE¼NE¼.
T. 12 N., R. 18 E.,
Sec. 6, patented portions lots 3, 4, 5, and 16.

2. The withdrawal made by this order shall attach to the nonpublic lands described above upon acquisition of title thereto by the United States under applicable law and the said lands which are within the exterior boundaries of the Eldorado National Forest shall become a part of the national forest and subject to all laws and regulations applicable thereto upon said acquisition of title.

3. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative re-

sources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66-5770; Filed, May 25, 1966; 8:47 a.m.]

[Public Land Order 4019]

[Anchorage 067495]

ALASKA

Excluding Lands From Chugach and Tongass National Forest for Purchase as Homesites

By virtue of the authority vested in the President by section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The following described tracts of land in Alaska, occupied as homesites, are hereby excluded from the national forests indicated and restored, subject to valid existing rights, for purchase as homesites under section 10 of the act of May 14, 1898 (30 Stat. 413; 48 U.S.C. 461), as amended:

CHUGACH NATIONAL FOREST

a. Homesite No. 187, Murcheson Creek Group, lot 2, U.S. Survey 4606, 0.34 acre, approximate latitude 60°32'35" N., longitude 145°42' W.

b. Homesite No. 90, Strawberry Point Group, Tract B, U.S. Survey 2679, 3.76 acres, approximate latitude 60°23'41" N., longitude 146°07'23" W.

c. Homesite No. 207, Heney Creek Group, lot 30, U.S. Survey 3601, 2.96 acres, approximate latitude 60°31'30" N., longitude 145°46' W.

TONGASS NATIONAL FOREST

Homesite No. 1139, Lisianski Group, lot 12, Tract A, U.S. Survey 3305, 0.20 acre, approximate latitude 57°57'25.621" N., longitude 136°13.01' W.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66-5771; Filed, May 25, 1966; 8:48 a.m.]

[Public Land Order 4020]

[Utah 0141197]

UTAH

Adding Land to Manti-LaSal National Forest

By virtue of the authority vested in the President by section 24 of the act of March 3, 1891 (26 Stat. 1103; 16 U.S.C. 471), and the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The boundaries of the Manti-LaSal National Forest are hereby extended to include the following described lands and, subject to valid existing rights and the provisions of existing withdrawals, the lands are hereby made parts of said national forest and hereafter shall be subject to all laws and regulations applicable thereto:

SALT LAKE MERIDIAN

T. 13 S., R. 3 E.,
Sec. 7, SE¼SE¼SE¼;
Sec. 8, S½NE¼, N½SE¼, S½SE¼;
Sec. 9, S½NW¼, N½SW¼, S½SW¼.

The areas described aggregate 490 acres.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66-5772; Filed, May 25, 1966; 8:48 a.m.]

[Public Land Order 4021]

[Idaho 016764]

IDAHO

Withdrawal for Forest Service Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the United States mining laws (30 U.S.C., Ch. 2), in aid of programs of the Department of Agriculture:

BOISE MERIDIAN

SALMON NATIONAL FOREST

Proctor Creek Recreation Area

T. 23 N., R. 15 E., unsurveyed,
A tract of land which will probably be located within the SW¼, sec. 12, and which is more particularly described as:
Beginning at the intersection of Proctor Creek with the mean high waterline of the Salmon River on the southwest bank, said point bearing S. 50° E. and 26.4 feet from a brass cap 3" in diameter marked U.S. Department of Agriculture, Forest Service, with "P" in center and dated 1965, set in granite boulder 4' x 4' x 4½' above ground; thence S. 28° W., 108.2 feet; thence N. 79° W., 150 feet along raised hogsback ridge parallel to Proctor Creek; thence N. 40° W., 148 feet crossing Proctor Creek at 48 feet; thence N. 39° E., 288 feet along the slope; thence N. 9° E., 237 feet along the toe of the slope; thence N. 81° E., 233 feet down to the mean high waterline of the Salmon River; thence in a southeasterly and southwesterly direction following the meandering mean high waterline approximately 450 feet to the point of beginning.
Totaling 3.9 acres, more or less.

Kitchen Creek Recreation Area

T. 23 N., R. 15 E., unsurveyed,
A tract of land which will probably be located within the NE¼, sec. 13, and which is more particularly described as:
Beginning at a granite boulder 12' x 10' x 8' above ground at the intersection of Kitchen Creek with mean high waterline of the Salmon River on the south bank, said point bearing S. 25° E. and 98.3 feet from a brass cap being 3" in diameter marked U.S. Department of Agriculture, Forest Service, with "K" in center and dated 1965, set in a granite outcrop 10' x 4' x 4' above ground; thence N. 3° W., 132 feet along mean high waterline of Salmon River; thence N. 19° W., 264.0 feet; thence N. 30° W., 132 feet; thence N. 44° W., 205.9 feet; thence N. 62° W., 132 feet; thence N. 79° W., 118.1 feet to Douglas-fir 13" diameter at breast height, blazed and scribed "K-1, US"; thence S. 11° W., 139 feet along slope; thence S. 20° E., 400 feet to a rocky point; thence S. 41° E., 675 feet to southwest bank of Salmon River at mean high waterline, crossing Kitchen Creek at 300 feet; thence N. 3° W., 287.8 feet to point of beginning.
Totaling 6.4 acres, more or less.

Hacksaw Tom Recreation Area

T. 23 N., R. 17 E., unsurveyed,
A tract of land which will probably be located within the SW¼, sec. 20 and which is more particularly described as:
Beginning at a Forest Service Monument being a granite boulder 7' x 5' x 4' above ground on south bank of Salmon River, marked with "X, H-1" chiseled in on the south face, said point being S. 28° W., and 429.0 feet across the Salmon River from USMM No. 2794, and bearing S. 28° E., and 44.2 feet from a 25" diameter at breast height, ponderosa pine on south bank of Salmon River blazed and scribed W-1 on southeast face; thence N. 85° W., 503.6 feet along toe of slope to dry gulch; thence N. 49° W., 881.8 feet to large granite boulder; thence N. 18° W., 89.1 feet; thence N. 29° W., 333.0 feet to south bank of Salmon River; thence following along the mean high waterline N. 75° E., 87.8 feet; thence N. 66° E., 194.0 feet; thence S. 80° E., 103.5 feet; thence S. 47° E., 132.0 feet; thence S. 35° E., 495.7 feet; thence S. 44° E., 565.0 feet; thence S. 54° E., 280.0 feet to point of beginning.
Totaling 10.7 acres, more or less.

Badger Flat Recreation Area

T. 23 N., R. 17 E., unsurveyed,
A tract of land which will probably be located within the SW¼, sec. 20, and which is more particularly described as:
Beginning at a Forest Service Monument being a brass cap 3" in diameter marked U.S. Department of Agriculture, Forest Service, with "B" in center and dated 1965, set in a schist boulder 16' x 4' x 4' above ground, said point bearing S. 74° E., and 444.3 feet from the Indian Paintings located on the north side of the Salmon River road between Ebenezer Creek and Poverty Flat; thence N. 20° W., 16.5 feet to rock cliff being west end of upper Indian Paintings; thence N. 80° E., 118.1 feet along base of cliff; thence S. 60° E., 803.9 feet along rocky hillside; thence S. 45° E., 181.5 feet, crossing dry gulch at 132 feet; thence S. 49° W., 153.1 feet along open hillside; thence S. 11° W., 219.8 feet to north edge of Salmon River road, point bearing S. 61° E., and 36.3 feet to U.S. Coast and Geodetic Survey brass cap marked "R291, 1945", set in granite boulder; thence N. 43° W., 291.7 feet along north edge of Salmon River road to dry gulch; thence N. 35° W., 132 feet; thence N. 31° W., 225.7 feet crossing side road at 134.8 feet; thence N. 48° W., for 378.8 feet; thence N. 70° W., 106.3 feet to point of beginning.
Totaling 4.7 acres, more or less.

Foot Bridge Flat Recreation Area

T. 23 N., R. 17 E., unsurveyed,
A tract of land which will probably be located within the NE¼, sec. 14, and which is more particularly described as:
Beginning at a granite outcrop 15' x 4' x 5' above ground marked with "X" chiseled in on the north face, said point being S. 71° W. and approximately 1,056 feet from the southwest corner of the Cove Creek Bridge (beginning point also witnessed by a 15" diameter at breast height ponderosa pine blazed and scribed facing outcrop "CC, 1" bearing S. 36° E., and 15.8 feet to point); thence N. 54° W., 222.4 feet along slope; thence N. 59° W., 221.8 feet; thence N. 32° W., 120.8 feet; thence N. 37° E., 163.7 feet to south bank of Salmon River; thence S. 56° E., 353.8 feet along mean high waterline of the Salmon River; thence S. 80° E., 617.8 feet; thence S. 15° E., 80.5 feet to open hillside crossing access road at 66 feet; thence S. 81° W., 590.1 feet to point of beginning.
Totaling 4.5 acres, more or less.

SAWTOOTH NATIONAL FOREST

Lightfoot Bar Recreation Area

T. 3 N., R. 13 E.,
Sec. 7, SE¼SW¼NE¼, NW¼SE¼NE¼, E½NW¼SE¼, and E½SW¼SE¼;
Sec. 18, N½NW¼NE¼.
Totaling 80 acres.

The areas described aggregate 110.2 acres, more or less, in Camas, Idaho, and Lemhi Counties.

The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66-5773; Filed, May 25, 1966; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Alaska

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

ALASKA

ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE

Public hunting of upland game on all lands within the Aleutian Islands National Wildlife Refuge, Alaska, is permitted in accordance with all applicable State regulations governing upland game hunting. Information relative to hunting thereon may be obtained from the Refuge Manager, Cold Bay, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

ARCTIC NATIONAL WILDLIFE RANGE

Public hunting of upland game on all lands within the Arctic National Wildlife Range, Alaska, is permitted in accordance with all applicable State laws governing upland game hunting. Information relative to hunting thereon may be obtained from the Refuge Supervisor, Bureau of Sport Fisheries and Wildlife, Post Office Box 500, Kenai, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

CLARENCE RHODE NATIONAL WILDLIFE RANGE

Public hunting of upland game on all lands within the Clarence Rhode National Wildlife Range, Alaska, is permitted in accordance with all applicable State regulations governing upland game hunting. Information relative to hunting thereon may be obtained from the Refuge Manager, Bethel, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

IZEMBEK NATIONAL WILDLIFE RANGE

Public hunting of upland game on all lands within the Izembek National Wildlife Range, Alaska, is permitted in accordance with all applicable State regulations governing upland game hunting, subject to the following special condition: The landing of aircraft is prohibited except in the event of emergency. Information relative to hunting thereon may be obtained from the Refuge Supervisor, Bureau of Sport Fisheries and Wildlife, Post Office Box 500, Kenai, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

KENAI NATIONAL MOOSE RANGE

Public hunting of upland game on all lands within the Kenai National Moose Range, Alaska, is permitted in accordance with all applicable State regulations governing upland game hunting, subject to the following special conditions:

(1) Except in the event of an emergency, the landing of aircraft on that portion of the Kenai National Moose Range lying south of the Kenai River is restricted to the following areas:

Area No. 1. All lakes, streams and other bodies of water except that aircraft may not be landed on any glacier.

Area No. 2. The airstrip situated near the south side of Upper Funny River at longitude 150°26'50" W., latitude 60°12' 20" N.

Area No. 3. The airstrip situated near the west side of Funny River at longitude 150°44'52" W., latitude 60°20'12" N.

Area No. 4. The airstrip situated near the north side of Fox River at longitude 150°44' W., latitude 59°58'30" N.

All coordinates are approximate.

This area is delineated on maps available at Refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 3737, Portland, Oreg., 97208.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

KODIAK NATIONAL WILDLIFE REFUGE

Public hunting of upland game on all lands within the Kodiak National Wildlife Refuge, Alaska, is permitted in accordance with all applicable State regulations governing upland game hunting, subject to the following special conditions:

(1) Except in the event of an emergency, the landing of aircraft on the Kodiak National Wildlife Refuge is restricted to the lakes, streams, and other bodies of water.

Information relative to hunting thereon may be obtained from the Refuge headquarters, Kodiak, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

NUNIVAK NATIONAL WILDLIFE REFUGE

Public hunting of upland game on all lands within the Nunivak National Wildlife Refuge, Alaska, is permitted in accordance with all applicable State regulations governing upland game hunting. Information relative to hunting on the refuge may be obtained from Refuge Supervisor, Bureau of Sport Fisheries and Wildlife, Post Office Box 500, Kenai, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

PAUL T. QUICK,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 18, 1966.

[F.R. Doc. 66-5801; Filed, May 25, 1966; 8:50 a.m.]

PART 33—SPORT FISHING

Montezuma National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NEW YORK

MONTEZUMA NATIONAL WILDLIFE REFUGE

Sport fishing on the Montezuma National Wildlife Refuge, N.Y., is permitted from May 1, 1966, through April 30, 1967, on the areas designated by signs as open to fishing. Those open areas, comprising three acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass., 02109. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) No boats may be left on the refuge overnight.

The provisions of this special regulation supplement the regulations governing fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, Code of Federal Regulations, and are effective through April 30, 1967.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 18, 1966.

[F.R. Doc. 66-5764; Filed, May 25, 1966; 8:47 a.m.]

PART 33—SPORT FISHING

Hatchie National Wildlife Refuge, Tennessee

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

TENNESSEE

HATCHIE NATIONAL WILDLIFE REFUGE

Sport fishing on the Hatchie National Wildlife Refuge, Brownsville, Tenn., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 100 acres, are delineated on a map that is available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The sport fishing season on the refuge extends from May 25, 1966, through October 15, 1966.

(2) Fishing permitted during daylight hours only.

(3) Outboard motors prohibited.

(4) Methods of fishing are limited to pole and line, or rod and reel, using natural or artificial baits.

(5) Vehicles prohibited beyond Hart's Lake No. 2 on Powell Road.

(6) Foot paths may be used to reach all lakes from Hatchie River.

(7) Firearms prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 15, 1966.

W. L. TOWNS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 17, 1966.

[F.R. Doc. 66-5765; Filed, May 25, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Treatment of Interest or Dividends Paid by Certain Savings Institutions on Certain Deposits or Withdrawable Accounts

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C., 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

In order to conform the Income Tax Regulations (26 CFR Part 1) to the amendment made to section 461 of the Internal Revenue Code of 1954 by section 3(a) of the Act of October 24, 1962 (Public Law 87-876, 76 Stat. 1199), relating to the treatment of interest or dividends paid by certain savings institutions on certain deposits or withdrawable accounts, such regulations are amended by adding at the end of § 1.461-1 a new paragraph (e) which reads as follows:

§1.461-1 General rule for taxable year of deduction.

* * * * *

(e) *Dividends or interest paid by certain savings institutions on certain deposits or withdrawable accounts*—(1) *Disallowance of deduction.* Section 461 (e) provides that amounts paid to, or credited to the accounts of, depositors or holders of accounts as dividends or interest on their deposits or withdrawable accounts (if such amounts paid or credited are withdrawable on demand subject only to customary notice to withdraw) by a mutual savings bank not having capital stock represented by shares, a domestic building and loan association, or a cooperative bank shall not be allowed as a deduction for the taxable year to the extent such amounts are paid or credited for periods representing more than 12 months. The provisions of section 461 (e) are applicable with respect to taxable years ending after December 31, 1962. The provisions of this subparagraph shall not apply to a taxpayer in the year in which it liquidates (other than following, or as part of, an acquisition of its assets in which the acquiring corporation, pursuant to section 381(a), takes into account certain items of the taxpayer, which for purposes of this paragraph shall be referred to as an acquisition described in section 381(a)). Whether amounts are paid or credited for periods representing more than 12 months depends upon all the facts and circumstances in each case. For example, payments or credits which under all the facts and circumstances are in the nature of bona fide bonus interest or dividends paid or credited because a shareholder or depositor maintained a certain balance for more than 12 months, shall not be considered made for more than 12 months, providing the regular payments or credits represent a period of 12 months or less. The disallowance of a deduction to the taxpayer under this paragraph shall have no effect upon the proper time for reporting dividends or interest by a depositor or holder of a withdrawable account. With respect to a short period (a taxable year consisting of a period of less than 12 months), amounts of dividends or interest paid or credited shall not be allowed as a deduction to the extent that such amounts are paid or credited for a period representing more than the number of months in such short period. In such a case, the rules contained in section 461(e) and this paragraph shall apply to the short period in a manner consistent with the application of such rules to a 12-month taxable year. Subparagraph (2) of this paragraph provides rules for computing amounts not allowed in the taxable year and subparagraph (3) of this paragraph provides rules for determining when such disallowed amounts are allowed. See section 7701(a) (19) and (32) and the regulations thereunder for the definitions of domestic building and loan association and cooperative bank.

(2) *Computation of amounts not allowed as a deduction*—(i) *Method of computation.* The amount of the dividends or interest to which subparagraph (1) of this paragraph applies, which is not allowed as a deduction, shall be computed under the rules of this subparagraph. The amount which is not allowed as a deduction is the difference between the total amount of dividends or interest paid or credited during the taxable year (or short period, if applicable) and an amount which bears the same ratio to such total as the number 12 (or number of months in the short period) bears to the number of months with respect to which such amounts of dividends or interest are paid or credited.

(ii) *Examples.* The provisions of subdivision (i) of this subparagraph may be illustrated by the following examples:

Example (1). X Association, a domestic building and loan association filing its return on the basis of a calendar year, regularly credits dividends on its withdrawable accounts quarterly on the first day of the quarter following the quarter with respect to which they are earned. X changes the time of crediting dividends commencing with the credit for the fourth quarter of 1964. Such credit and all subsequent credits are made on the last day of the quarter with respect to which they are earned. As a result of this change X's credits for the year 1964 are as follows:

Period with respect to which earned	Date credited in 1964	Amount
Fourth quarter, 1963	Jan. 1	$250,000
First quarter, 1964	Apr. 1	300,000
Second quarter, 1964	July 1	300,000
Third quarter, 1964	Oct. 1	300,000
Fourth quarter, 1964	Dec. 31	350,000
Total dividends credited		1,500,000

Since the change in the time of crediting dividends results in the crediting in 1964 of amounts of dividends representing periods totaling 15 months (October 1963, through December 1964), amounts shall not be allowed as a deduction in 1964 which are in excess of $1,200,000, which is the amount which bears the same ratio to the amounts of dividends credited during the year ($1,500,000) as the number 12 bears to the number of months (15) with respect to which such dividends are credited. Thus, $300,000 ($1,500,000 minus $1,200,000) is not allowed as a deduction in 1964.

Example (2). Y Association, a domestic building and loan association filing its return on the basis of a calendar year, regularly credits dividends on its withdrawable accounts on the basis of a semiannual period on March 31 and September 30 of each year. Y changes the period with respect to which credits are made from the semiannual period to the quarterly basis, commencing with the last quarter in 1964. The credit for this last quarter and all subsequent credits are made on the last day of the quarter with respect to which they are earned. As a result of this change, Y's credits for the year 1964 are as follows:

Period with respect to which earned	Date credited in 1964	Amount
Six-month period ending Mar. 31, 1964	Mar. 31	$300,000
Six-month period ending Sept. 30, 1964	Sept. 30	400,000
Fourth quarter-1964	Dec. 31	200,000
Total dividends credited		900,000

Since the change in the basis of crediting dividends results in a crediting in 1964 of dividends representing periods totaling 15 months (October 1963, through December 1964), amounts shall not be allowed as a deduction in 1964 which are in excess of $720,000, which is the amount which bears the same ratio to the amounts of dividends credited during the year ($900,000) as the number 12 bears to the number of months (15) with respect to which such dividends are credited. Thus $180,000 ($900,000 minus $720,000) is not allowed as a deduction in 1964.

Example (3). Z Association, a domestic building and loan association regularly files its return on the basis of a fiscal year ending on the last day of February and regularly credits dividends on its withdrawable accounts quarterly on the last day of the quarter with respect to which they are earned. Z receives approval from the Commissioner of Internal Revenue to change its accounting period to a calendar year and effects the change by filing a return for a short period ending on December 31, 1964. Dividend credits for the short period beginning on March 1 and ending on December 31, 1964, are as follows:

Period with respect to which earned	Date credited 1964	Amount
Jan.–Mar., 1964	Mar. 31	$250,000
April–June, 1964	June 30	300,000
July–Sept., 1964	Sept. 30	300,000
Oct.–Dec., 1964	Dec. 31	350,000
Total dividends credited		1,200,000

Since the change of accounting period results in amounts of dividends credited ($1,200,000) representing periods totaling 12 months (January through December 1964), and such periods represent more than the number of months (10) in the short period, an amount shall not be allowed as a deduction in such short period which is in excess of $1,000,000, which is the amount which bears the same ratio to the amount of dividends credited in the short period ($1,200,000) as the number of months (10) in the short period bears to the number of months (12) with respect to which such dividends are credited. Thus, $200,000 ($1,200,000 minus $1,000,000) is not allowed as a deduction in the short period.

(3) *When amounts allowable.* The amount of dividends or interest disallowed as a deduction under subparagraph (1) of this paragraph shall be allowed as follows (subject to the limitation that the total of the amounts so allowed shall not exceed the amount disallowed under subparagraph (1) of this paragraph):

(i) Such amount shall be allowed as a deduction in a later taxable year or years to the extent that, when taken together with the deductions otherwise allowable in the later taxable year or years, it does not bring the deductions for any later taxable year to a total representing a period of more than 12 months (or number of months in the short period, if applicable).

(ii) In any case in which it is established by clear and convincing evidence to the satisfaction of the Commissioner that the taxpayer does not intend to avoid taxes and does not achieve any appreciable tax reduction by the timing of the deduction, one-tenth of such amount shall be allowed as a deduction in each of the 10 succeeding taxable years, commencing with the taxable year for which such amount is disallowed as a deduction under subparagraph (1) of this paragraph. Normally, if the disallowance of the deduction under subparagraph (1) of this paragraph is a result of a change, not initiated by the taxpayer, in the taxpayer's annual accounting period or accounting method solely as a consequence of a requirement of a Federal or State regulatory authority, or if the disallowance is a result of the taxpayer being a party to an acquisition to which section 381(a) applies, and its annual accounting period or accounting method is changed because different periods or methods are used by the acquiring corporation and the distributor or transferor corporation, the Commissioner will permit the allowance of the disallowed amount in the manner provided in this subdivision.

(iii) If the total of the amounts, if any, allowed under subdivisions (i) and (ii) of this subparagraph before the taxable year in which the taxpayer liquidates or otherwise ceases to engage in trade or business is less than the amount disallowed under subparagraph (1) of this paragraph, there shall be allowed a deduction in such taxable year for the difference between the amount disallowed under subparagraph (1) of this paragraph and the amounts allowed, if any, as deductions under subdivisions (i) and (ii) of this subparagraph unless the circumstances under which the taxpayer ceased to do business constitute an acquisition described in section 381(a) (relating to carryovers in certain corporate acquisitions). If the circumstances under which the taxpayer ceased to do business constitute an acquisition described in section 381(a), the acquiring corporation shall succeed to and take into account the balance of the disallowed amounts on the same basis as the taxpayer, had it not ceased to engage in business.

[F.R. Doc. 66–5800; Filed, May 25, 1966; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 19]

CREAMED COTTAGE CHEESE

Proposal To Amend Identity Standard

Notice is given that Crest Foods Co., Inc., Ashton, Ill., 61006, and Land O'Lakes Creameries, Inc., Minneapolis, Minn., 55413, have submitted a petition proposing that the standard of identity for creamed cottage cheese (21 CFR 19.530) be amended by listing the sodium, ammonium, calcium, and potassium salts of casein and dried milk protein as optional ingredients in the creaming mixture. The standard presently permits the optional use of nonfat dry milk or concentrated skim milk to adjust the solids content of the creaming mixture provided the weight of solids added thereby does not exceed 3 percent of the weight of the creaming mixture. The petitioners propose that the additional optional caseinate ingredients and dried milk protein be permitted within this same limitation on weight of solids used.

Grounds set forth in the petition to support the amendment are that the caseinates and dried milk protein when added to the creaming mixture form a more permanent film of creaming mixture on the curd and thereby effectively reduce syneresis or whey separation.

The petition also proposes label declaration of the optional ingredients when used in the manufacture of creamed cottage cheese.

Accordingly, it is proposed that § 19.530 (b), (c), and (d) (1) be revised to read as follows:

§ 19.530 Creamed cottage cheese; identity; label statement of optional ingredients.

* * * * *

(b) The creaming mixture consists of cream or a mixture of cream with milk or skim milk or both, to which one or more of the following optional ingredients may be added, subject to the conditions set forth in this section:

(1) Salt.

(2) Nonfat dry milk, concentrated skim milk, sodium caseinate, ammonium caseinate, calcium caseinate, potassium caseinate, or dried milk protein may be added singly or in any combination to adjust the solids content, provided the weight of the solids added thereby does not exceed 3 percent of the weight of the creaming mixture.

(3) A culture of harmless lactic acid and flavor-producing bacteria, with or without rennet.

(4) A preparation of pasteurized skim milk with added citric acid, which preparation has been cultured with harmless flavor- and aroma-producing bacteria.

(5) Lactic acid, citric acid, phosphoric acid.

(6) (i) A stabilizing ingredient consisting of one or any mixture of two or more of the following: Carob (locust) bean gum, guar gum, gum karaya, gum tragacanth, calcium sulfate; carrageenan or salts of carrageenan complying with the requirements of §§ 121.1066 and 121.1067 of this chapter; furcelleran or salts of furcelleran, complying with the requirements of §§ 121.1068 and 121.1069 of this chapter; gelatin, lecithin, algin (sodium alginate), propylene glycol alginate, sodium carboxymethylcellulose (cellulose gum).

(ii) Stabilizing ingredients used may be added in a mixture with a carrier consisting of one or any mixture of two or more of the following: Sugar, dextrose, corn sirup solids, dextrin, glycerin, propylene glycol. The quantity of the stabilizing ingredient, including any carrier used, is such that the weight of solids contained therein is not more than 0.5 percent of the weight of the creaming mixture.

The creaming mixture is pasteurized, except that the bacterial cultures permitted by this paragraph and the acids listed in subparagraph (5) of this paragraph may be added after pasteuriztaion.

(c) For the purposes of this section:

(1) "Milk" means sweet milk of cows; "skim milk" means milk from which the milk fat has been separated; and "concentrated skim milk" means skim milk from which a portion of the water has been removed by evaporation.

(2) "Sodium caseinate," "ammonium caseinate," "calcium caseinate," and "potassium caseinate" means the dried form of the reaction product resulting from treating casein precipitated from skim milk with a suitable alkali in such a manner that no excess of alkali is present, as determined by a pH of not more than 8.0 in a 2-percent solution at 25° C.

(3) "Dried milk protein" means the dried form of the reaction product resulting from treating coprecipitates of milk proteins of which casein and lactalbumin are the constituents of major content with a suitable alkali in such manner that no excess of alkali is present, as determined by a pH of not more than 8.0 in a 2-percent solution at 25° C.

(d) (1) When one or a mixture of two or more of the optional ingredients listed in paragraphs (b) (5) and (6) (i) and (c) (2) and (3) of this section is used, the label shall bear the statement "_____ added" or "with added _____," the blank being filled in with the common name or names of the optional ingredients used; *Provided, however,* That the name "vegetable gum" may be used in lieu of the specific names for carob (locust) bean gum, guar gum, gum karaya, and gum tragacanth.

* * * * *

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: May 19, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–5812; Filed, May 25, 1966; 8:51 a.m.]

[21 CFR Part 166]

[Docket No. FDA–DAC–1]

DEPRESSANT AND STIMULANT DRUGS

Meprobamate; Notice of Scheduling of Additional Prehearing Conference

In the matter of listing meprobamate as a drug subject to control under the Drug Abuse Control Amendments of 1965:

An order was published in the FEDERAL REGISTER of March 19, 1966 (31 F.R. 4679), which, among other things, amended Part 166 by adding to § 166.3 a new paragraph (c) designating meprobamate, among other drugs, as a drug subject to control under the Drug Abuse Control Amendments of 1965, in view of its potential for abuse because of its depressant effect on the central nervous system.

After publication of this order, Wallace Laboratories, a division of Carter-Wallace, Inc., Cranbury, N.J., filed objections to the listing of meprobamate and requested a public hearing. It was concluded that the objections of Wallace Laboratories stated reasonable grounds.

Accordingly, there was published in the FEDERAL REGISTER of May 17, 1966 (31 F.R. 7174), an order which, among other things, announced action on objections and also announced that a hearing will be held beginning at 10 a.m., e.d.t., on June 27, 1966, in Room 5131, Health, Education, and Welfare Building, 330 Independence Avenue SW., Washington, D.C., for the purpose of receiving evidence relevant and material to the issues set forth in the order. Also, a prehearing conference was announced for the simplification of the issues, exchange of documentary evidence, the scheduling of witnesses, and such other matters as may aid in the disposition of the hearing, to be held at the same location as the hearing, beginning at 10 a.m. on June 21 1966.

Upon the request of Wallace Laboratories, supported by reasonable grounds, it has been concluded that it will expedite the preparation for the hearing in this matter to hold an additional prehearing conference.

Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), notice is given that an additional prehearing conference for the simplification of the issues, exchange of documentary evidence, the scheduling of witnesses, and such other matters as may aid in the disposition of the proceeding involving the drug meprobamate, will be held in Room 5131, Health, Education, and Welfare Building, 330 Independence Avenue SW., Washington, D.C., beginning at 10 a.m., e.d.t., on June 14, 1966.

All interested persons are invited to attend, and any interested person desiring to appear at the hearings or prehearing conferences should file with the hearing examiner a written notice of appearance, as specified in §§ 2.60 and 2.64 (21 CFR 2.60, 2.64; 31 F.R. 3004), setting forth his name, address, and interest. If any interested person desires to be heard through a representative, such person or representative should file with the hearing examiner a written notice of appearance setting forth the name, address, and employment of such person. These written notices of appearance should be filed as soon as possible or brought to the prehearing conference herein announced.

Any interested person intending to introduce documentary evidence at the hearing shall bring five copies thereof to the prehearing conference.

Mr. William E. Brennan, Room 6411, Federal Building No. 8, 200 C Street SW., Washington, D.C., 20204, is the designated hearing examiner for the proceedings announced herein.

Dated: May 23, 1966.

WILLIAM E. BRENNAN,
Hearing Examiner.

[F.R. Doc. 66–5852; Filed, May 25, 1966; 8:53 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65–SO–90]

FEDERAL AIRWAYS

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of Federal airway segments in the Atlanta, Ga., flight advisory area.

Interested persons may participate in the propsed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency proposes to amend pertinent segments of the following airways as hereinafter set forth.

1. V–5 From Dublin, Ga., 1,200 feet AGL via Rex, Ga., including a 1,200 feet AGL W alternate via Macon, Ga., and INT Macon 335° and Rex 140° True ra-

dials; 1,200 feet AGL INT Rex 345° and Chattanooga, Tenn., 118° True radials; 1,200 feet AGL to Chattanooga, including a 1,200 feet AGL W alternate from Rex to Chattanooga via INT Rex 268° and Atlanta, Ga., 347° True radials and INT Atlanta 347° and Chattanooga 152° True radials.

2. V–7 From Dothan, Ala., 1,200 feet AGL via INT Dothan 333° and Montgomery, Ala., 129° True radials; 1,200 feet AGL Montgomery; 1,200 feet AGL INT Montgomery 308° and Birmingham, Ala., 180° True radials; 7 mi. wide (4 mi. on E, 3 mi. on W and within 4.5° of the centerline) 1,200 feet AGL Birmingham; 1,200 feet AGL Muscle Shoals, Ala., including a 1,200 feet AGL E alternate via INT Birmingham 358° and Muscle Shoals 122° True radials.

3. V–16 From Crossville, Tenn., 1,200 feet AGL via Knoxville, Tenn., including a 1,200 feet AGL S alternate via INT Crossville 100° and Knoxville 247° True radials; 1,200 feet AGL Holston Mountain, Tenn., including a 1,200 feet AGL S alternate from Knoxville to Holston Mountain via Snowbird, Tenn.; 1,200 feet AGL to Pulaski, Va., including a 1,200 feet AGL N alternate from Knoxville to Pulaski via INT Knoxville 050° and Blackford, Va., 246° True radials and Blackford.

4. V–18 From Tuscaloosa, Ala., 1,200 feet AGL via Birmingham, Ala.; 1,200 feet AGL Anniston, Ala.; 1,200 feet AGL Rex, Ga.; 1,200 feet AGL INT Rex 090° and Augusta, Ga., 278° True radials; 1,200 feet AGL to Augusta, including a 1,200 feet AGL S alternate from Birmingham to Augusta via INT of Birmingham 114° and Brookwood, Ala., 083° True radials; Atlanta, Ga., and INT Atlanta 098° and Augusta 263° True radials.

5. V–20 From Mobile, Ala., 1,200 feet AGL via INT Mobile 048° and Monroeville, Ala., 231° True radials; 1,200 feet AGL Monroeville, including a 1,200 feet AGL N alternate via INT Mobile 033° and Monroeville 250° True radials and also a 1,200 feet AGL, 6 mi. wide S alternate via INT Mobile 063° and Monroeville 216° True radials; 1,200 feet AGL Montgomery, Ala.; 1,200 feet AGL La Grange, Ga.; 1,200 feet AGL Atlanta, Ga., including a 1,200 feet AGL N alternate from Montgomery to Atlanta via INT Montgomery 033° and Atlanta 248° True radials; 1,200 feet AGL Rex, Ga.; 1,200 feet AGL Anderson, S.C.; 1,200 feet AGL Spartanburg, S.C., including a 1,200 feet AGL N alternate from Atlanta to Spartanburg via Norcross, Ga., and INT Norcross 055° and Spartanburg 244° True radials; 1,200 feet AGL Greensboro, N.C.; 1,200 feet AGL South Boston, Va.

6. V–35 From Albany, Ga., 1,200 feet AGL via Macon, Ga., including a 1,200 feet AGL W alternate via INT Albany 010° and Macon 228° True radials; 1,200 feet AGL Athens, Ga.; 1,200 feet AGL Asheville, N.C.; 1,200 feet AGL to Holston Mountain, Tenn., including a 1,200 feet AGL E alternate via INT Asheville 022° and Holston Mountain 146° True radials and also a 1,200 feet AGL W alternate via INT Asheville 301° and Holston Mountain 203° True radials.

7. V–37 From Fort Mill, S.C., 1,200 feet AGL to Pulaski, Va., including a 1,200 feet AGL W alternate via Hickory, N.C.

8. V–45 From Raleigh-Durham, N.C., 1,200 feet AGL to Greensboro, N.C.

9. V–51 From Dublin, Ga., 1,200 feet AGL via Rex, Ga.; 1,200 feet AGL Crossville, Tenn.; 1,200 feet AGL to Highway, Tenn.

10. V–53 From Columbia, S.C., 1,200 feet AGL via Spartanburg, S.C.; 1,200 feet AGL Asheville, N.C., including a 1,200 feet AGL W alternate from Columbia to Asheville via Greenwood, S.C., excluding the airspace between the main and this W alternate; 1,200 feet AGL to Holston Mountain, Tenn.

11. V–54 From Muscle Shoals, Ala., 1,200 feet AGL via Huntsville, Ala., including a 1,200 feet AGL N alternate via INT Muscle Shoals 067° and Huntsville 282° True radials; 1,200 feet AGL Chattanooga, Tenn., including a 1,200 feet AGL N alternate and also a 1,200 feet AGL S alternate via INT Huntsville 097° and Chattanooga 229° True radials; 1,200 feet AGL Harris, Ga.; 1,200 feet AGL Spartanburg, S.C.; 1,200 feet AGL Fort Mill, S.C.; 1,200 feet AGL to Pinehurst, N.C.

12. V–56 From Montgomery, Ala., 1,200 feet AGL via INT Montgomery 049° and Columbus, Ga., 270° True radials; 1,200 feet AGL Columbus; 1,200 feet AGL Macon, Ga.; 1,200 feet AGL to Augusta, Ga.

13. V–57 From Birmingham, Ala., 1,200 feet AGL to Decatur, Ala., including a 1,200 feet AGL E alternate via INT Birmingham 013° and Decatur 130° True radials.

14. V–66 From Tuscaloosa, Ala., 1,200 feet AGL via Brookwood, Ala.; 15 mi., 7 mi. wide (4 mi. N and 3 mi. S of centerline) 1,200 feet AGL Atlanta, Ga.; 1,200 feet AGL Rex, Ga.; 1,200 feet AGL INT Rex 090° and Athens, Ga., 238° True radials; 1,200 feet AGL Athens; 1,200 feet AGL Fort Mill, S.C.; 1,200 feet AGL to Raleigh-Durham, N.C.

15. V–70 From Greene County, Miss., 1,200 feet AGL via Monroeville, Ala.; 1,200 feet AGL INT Monroeville 073° and Eufaula, Ala., 258° True radials; 1,200 feet AGL Eufaula; 1,200 feet AGL to Vienna, Ga.

16. V–97 From Albany, Ga., 1,200 feet AGL via Atlanta, Ga., including a 1,200 feet AGL E alternate from Albany to Atlanta via INT of Albany 010° and Rex, Ga., 173° True radials, INT of Rex 173° and Atlanta 147° True radials; 1,200 feet AGL via INT Atlanta 007° and Knoxville, Tenn., 198° True radials; 1,200 feet AGL to Knoxville, including a 1,200 feet AGL E alternate from Atlanta to Knoxville via Norcross, Ga., and Harris, Ga.

17. V–115 From Montgomery, Ala., 1,200 feet AGL INT Montgomery 308° and Birmingham, Ala., 180° True radials; 7 miles wide (4 miles on E and 3 miles on W and within 4.5° of centerline) 1,200 feet AGL Birmingham; 1,200 feet AGL Chattanooga, Tenn., including a 1,200 feet AGL E alternate via INT Birmingham 097° and Gadsden, Ala., 233° True radials, Gadsden, INT Gadsden 042° and Chattanooga 214° True radials; 1,200 feet AGL INT Chattanooga 037° and Knoxville, Tenn., 247° True radials; 1,200 feet AGL to Knoxville.

18. V–133 From Fort Mill, S.C., 1,200 feet AGL to Hickory, N.C.

19. V–143 From Fort Mill, S.C., 1,200 feet AGL to Greensboro, N.C.

20. V–154 From Kewanee, Miss., 1,200 feet AGL via Selma, Ala.; 1,200 feet AGL Montgomery, Ala.; 1,200 feet AGL Tuskegee, Ala.; 1,200 feet AGL INT Tuskegee 078° and Columbus, Ga., 255° True radials; 1,200 feet AGL Columbus, including a 1,200 feet AGL S alternate from Montgomery to Columbus via INT Montgomery 090° and Columbus 219° True radials; 1,200 feet AGL Macon, Ga.; 1,200 feet AGL to Dublin, Ga.

21. V–159 From Eufaula, Ala., 1,200 feet AGL via Tuskegee, Ala.; 1,200 feet AGL to Birmingham, Ala.

22. V–185 From Greenwood, S.C., 1,200 feet AGL via Asheville, N.C.; 1,200 feet AGL Snowbird, Tenn.; 1,200 feet AGL INT Snowbird 301° and Knoxville, Tenn., 069° True radials; 1,200 feet AGL to Knoxville, including a 1,200 feet AGL E alternate from Asheville to Knoxville via INT Asheville 329° and Knoxville 069° True radials.

23. V–194 From Norcross, Ga., 1,200 feet AGL via INT Norcross 055° and Anderson, S.C., 267° True radials; 1,200 feet AGL Anderson; 1,200 feet AGL INT Anderson 065° and Charlotte, N.C., 240° True radials; 1,200 feet AGL Charlotte; 1,200 feet AGL Liberty, N.C.; 1,200 feet AGL to Raleigh-Durham, N.C.

24. V–222 From Hattiesburg, Miss., 1,200 feet AGL Monroeville, Ala. From Norcross, Ga., 1,200 feet AGL via INT Norcross 010° and Toccoa, Ga., 230° True radials; 1,200 feet AGL Toccoa; 1,200 feet AGL Asheville, N.C.; 1,200 feet AGL to Hickory, N.C.

25. V–241 From Dothan, Ala., 1,200 feet AGL via Eufaula, Ala.; 1,200 feet AGL Columbus, Ga., including a 1,200 feet AGL W alternate from Dothan to Columbus via INT Dothan 002° and Columbus 219° True radials; 1,200 feet AGL INT Columbus 086° and Atlanta, Ga., 198° True radials; 1,200 feet AGL to Atlanta; including a 1,200 feet AGL W alternate via INT Columbus 019° and Atlanta 233° True radials and also a 1,200 feet AGL E alternate via INT Columbus 086° and Atlanta 198° True radials, INT of Columbus 041° and Atlanta 198° True radials and INT Columbus 041° and Atlanta 174° True radials.

26. V–243 From Vienna, Ga., 1,200 feet AGL via Atlanta, Ga., including a 1,200 feet AGL E alternate from INT of Vienna 328° and Macon, Ga., 205° True radials to INT of Macon 297° and Vienna 328° True radials via Macon; 1,200 feet AGL INT Atlanta 347° and Chattanooga, Tenn., 152° True radials; 1,200 feet AGL to Chattanooga.

27. V–245 From Jackson, Miss., 1,200 feet AGL Columbus, Miss., excluding the airspace at 8,000 feet MSL and above.

28. V–259 From Fort Mill, S.C., 1,200 feet AGL to Holston Mountain, Tenn., including a 1,200 feet AGL E alternate via Hickory, N.C., and INT Hickory 350° and Holston Mountain 104° True radials.

29. V–266 From Hickory, N.C., 1,200 feet AGL to South Boston, Va.

30. V–267 From Dublin, Ga., 1,200 feet AGL via Norcross, Ga.; 1,200 feet AGL Harris, Ga.; 1,200 feet AGL to Knoxville, Tenn.

31. V–278 From Columbus, Miss., 1,200 feet AGL to Birmingham, Ala., including a 1,200 feet AGL S alternate via INT of Columbus 082° and Tuscaloosa, Ala., 304° True radials and Tuscaloosa.

32. V–296 From Asheville, N.C., 1,200 feet AGL to Fort Mill, S.C.

33. V–310 From Holston Mountain, Tenn., 1,200 feet AGL via INT Holston Mountain 104° and Greensboro, N.C., 280° True radials; 1,200 feet AGL to Greensboro.

34. V–311 From Norcross, Ga., 1,200 feet AGL via INT Norcross 055° and Anderson, N.C., 267° True radials; 1,200 feet AGL Anderson; 1,200 feet AGL Greenwood, S.C.; 1,200 feet AGL Columbia, S.C.

35. V–321 From Huntsville, Ala., 1,200 feet AGL via INT Huntsville 149° and Gadsden, Ala., 333° True radials; 1,200 feet AGL Gadsden; 1,200 feet AGL INT Gadsden 130° and Atlanta, Ga., 264° True radials; 1,200 feet AGL to Atlanta.

36. V–325 From Muscle Shoals, Ala., 1,200 feet AGL to Gadsden, Ala., including a 1,200 feet AGL N alternate from Muscle Shoals to Gadsden via Decatur, Ala., and INT Decatur 130° and Gadsden 318° True radials.

37. V–425 From Brookley, Ala., 1,200 feet AGL to INT Brookley 357° and Mobile, Ga., 048° True radials.

38. V–454 From Monroeville, Ala., 1,200 feet AGL via INT Monroeville 073° and Columbus, Ga., 219° True radials; 1,200 feet AGL Columbus; 1,200 feet AGL INT Columbus 019° and Atlanta, Ga., 233° True radials; 1,200 feet AGL Atlanta; 1,200 feet AGL Rex, Ga.; 1,200 feet AGL INT Rex 090° and Greenwood, S.C., 240° True radials; 1,200 feet AGL Greenwood; 1,200 feet AGL INT Greenwood 060° and Fort Mill, S.C., 227° True radials; 1,200 feet AGL Fort Mill; 1,200 feet AGL Liberty, N.C.; 1,200 feet AGL Lawrenceville, Va.

1,200 feet AGL floors are proposed herein to retain cardinal altitudes, and radar vector altitudes down to the minimum obstruction altitudes, and for aeronautical chart legibility. In some instances the floors could be raised above 1,200 feet AGL, however, because of the short distances involved and height that the floors could be raised, the increase in uncontrolled airspace would be negligible. The airway alignments described herein reflect those under consideration in Airspace Dockets Nos. 65–SO–28 (31 F.R. 2490), 65–SO–50 (31 F.R. 5055) and 65–SO–59 (31 F.R. 3499).

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 19, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–5752; Filed, May 25, 1966; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66–CE–46]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Hutchinson, Kans., terminal area. A JAL/TACAN No. 2 approach for the Hutchinson ANG Base has been proposed, necessitating a revision of controlled airspace protection.

The Hutchinson, Kans., control zone is presently designated as that airspace within a 5-mile radius of the Hutchinson Municipal Airport (latitude 38°03'56" N., longitude 97°51'38" W.), and within 2 miles each side of the 042° radial of the Hutchinson VORTAC extending from the 5-mile radius zone SW to the VORTAC, and within a 5-mile radius of the Hutchinson ANG Base (latitude 37°55'-35" N., longitude 97°54'20" W.).

The Hutchinson, Kans., transition area is presently designated as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Hutchinson Municipal Airport (latitude 38°03'56" N., longitude 97°51'38" W.), and within a 7-mile radius of Hutchinson ANG Base (latitude 37°55'35" N., longitude 97°54'20" W.), and within 8 miles NW and 5 miles SE of the 222° radial of the Hutchinson VORTAC extending from the VORTAC to a point 12 miles SW, and within 8 miles W and 5 miles E of the 342° radial of the Hutchinson VORTAC extending from the VORTAC to a point 12 miles N and within 8 miles NE and 5 miles SW of the Hutchinson ILS localizer NW course extending from the 8-mile radius area to a point 12 miles NW of the OM; and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of the Hutchinson VORTAC and within 8 miles W and 5 miles E of the Hutchinson VORTAC 025° radial extending from the 30-mile radius area to a point 40 miles N of the VORTAC, and within 5 miles SW and 8 miles NE of the Hutchinson VORTAC 296° radial extending from the 30-mile radius area to 33 miles NW of the VORTAC, and the area SW of Hutchinson bounded on the NE by the arc of the 30-mile radius circle centered on the Hutchinson VORTAC, on the S by the N edge of V–12N, on the NW by the SE edge of V–280, excluding the Wichita transition area; and that airspace W of Hutchinson extending upward from 3,500 feet MSL bounded on the E by the arc of the 30-mile radius circle centered on Hutchinson VORTAC on the S by the N edge of V–10, and on the N by the S edge of V–10N, excluding the Great Bend transition area.

In order to provide protection for aircraft executing the JAL/TACAN No. 2 approach procedure and to provide protection for aircraft operating in the Groveland intersection holding pattern airspace, the Federal Aviation Agency proposes the following airspace actions:

(1) Redesignate the Hutchinson, Kans., control zone, as that airspace within a 5-mile radius of the Hutchinson Municipal Airport (latitude 38°03'-56" N., longitude 97°51'38" W.); within 2 miles each side of the 042° radial of the Hutchinson VORTAC extending from the 5-mile radius zone SW to the VORTAC; within a 5-mile radius of the Hutchinson ANG Base (latitude 37°55'-35" N., longitude 97°54'20" W.); and within 2 miles each side of the 166° bearing from the Hutchinson ANG Base extending from the 5-mile radius zone to a point 7 miles S of the Air Base.

(2) Redesignate the Hutchinson, Kans., transition area as that airspace extending upward from 700 feet above the surface within an 8-mile radius of the Hutchinson Municipal Airport (latitude 38°03'56" N., longitude 97°51'38" W.) and within a 7-mile radius of the Hutchinson ANG Base (latitude 37°55'-35" N., longitude 97°54'20" W.), and within 2 miles each side of the 166° bearing from the Hutchinson ANG Base extending from the 7-mile radius area to a point 5 miles S, and within 8 miles NW and 5 miles SE of the 222° radial of the Hutchinson VORTAC extending from the VORTAC to a point 12 miles SW, and within 8 miles W and 5 miles E of the 342° radial of the Hutchinson VORTAC extending from the VORTAC to a point 12 miles N and within 8 miles NE and 5 miles SW of the Hutchinson ILS localizer NW course extending from the 8-mile radius area to a point 12 miles NW of the OM; and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of the Hutchinson VORTAC and within 8 miles W and 5 miles E of the Hutchinson VORTAC 025° radial extending from the 30-mile radius area to a point 40 miles N of the VORTAC, and within 5 miles SW and 8 miles NE of the Hutchinson VORTAC 296° radial extending from the 30-mile radius area to 33 miles NW of the VORTAC, and the area SW of Hutchinson bounded on the NE by the arc of the 30-mile radius circle centered on the Hutchinson VORTAC, on the S by the N edge of V–12N, on the NW by the SE edge of V–280, excluding the Wichita transition area.

Air traffic control requirements no longer exist for the 3,500-foot floor transition area associated with the Hutchinson terminal area.

The floors of the airways that traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

Specific details of the JAL/TACAN No. 2 approach procedure may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 17, 1966.

FRANCIS E. UNTI,
Acting Director, Central Region.

[F.R. Doc. 66-5753; Filed, May 25, 1966; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16601]

CERTAIN FM BROADCAST STATIONS

Order Extending Time for Filing Comments and Reply Comments

In the matter of Amendment of § 73.202 *Table of Assignments*, FM Broadcast Stations (Mount Sterling, Ky., Litchfield, Minn., Oconto, Wis., Dodgeville, Wis., Clare, Mich., Tioga, N. Dak., Prentiss, Miss., Crossett, Ark., Bristow, Okla., Boone, Iowa, Oxford and Clarksdale, Miss., Warsaw, Va., Kingsport, Tenn., Norton, Va., and Neon, Ky.); Docket Nos. 16601; RM-921, RM-922, RM-923, RM-925, RM-931, RM-932, RM-935, RM-938, RM-929, RM-933, RM-934, RM-939.

1. On April 20, 1966, the Commission adopted a notice of proposed rule making (FCC 66-367; 31 F.R. 6429, Apr. 28, 1966) in the above-entitled proceeding which invited comments and reply comments by May 20 and May 31, 1966, respectively, on proposals to amend the FM Table of Assignments with regard to the above-named communities in the caption.

2. On May 20, 1966, Radio Station WKIN (AM), Kingsport, Tenn., filed a motion for extension of time to May 27, 1966, in which to file comments on the proposal, contained in paragraph 13 of the notice of proposed rule making, to amend the FM Table of Assignments with regard to Kingsport, Tenn.; Norton, Va.; and Neon, Ky.

3. In support thereof, WKIN avers that it is in the process of preparing comments which it believes will be of aid to the Commission in this regard, that it will not be possible to complete and file the comments by May 20, 1966, and that the short extension cannot significantly delay Commission action on the proposal contained in paragraph 13 of the notice or any other aspect of the proceeding.

4. It appears that the public interest would be served by a grant of the motion.

5. In view of the foregoing: *It is ordered*, This 20th day of May 1966, That the "Motion for Extension of Time" filed on May 20, 1966, by Radio Station WKIN, Inc., in this proceeding is granted, and that the time for filing comments and reply comments concerning the proposals (for Kingsport, Tenn., Norton, Va., and Neon, Ky.) made in paragraph 13 of the notice of proposed rule making herein is extended from May 20, 1966, to May 27, 1966, and from May 31, 1966, to June 7, 1966, respectively. The filing dates with regard to all other proposals in this proceeding remain as set forth in the notice of proposed rule making.

6. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: May 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5819; Filed, May 25, 1966; 8:52 a.m.]

[47 CFR Part 73]

[Docket No. 14229]

[47 CFR Part 78]

UHF TELEVISION CHANNELS

Expanded Use; Order Extending Time for Filing Reply Comments

1. The filing date for reply comments in the proceeding in this docket relating to the type of television stations to be assigned on UHF Channels 70 and above is May 20, 1966. The Television Advisory Committee, State of California, on May 16, 1966, filed a petition stating that the recommendations of its consulting engineers on this complex plan involve several technical and educational policy factors, and that the time provided for reply comments is not sufficient for it to reach soundly based conclusions about its educational television needs and plans and the effect thereon of the comments filed in this proceeding.

2. As indicated in a previous order herein denying a request for extension of time for filing comments, we are not disposed to delay this proceeding considering its importance and the substantial amount of time already provided for comments. However, inasmuch as this request concerns final reply comments, and it appears that petitioner's studies are complex and extensive and, furthermore, should be helpful to the Commission in resolving this important proceeding, we are of the view that although an extension of 60 days as requested by petitioner would be excessive, a short extension of 10 days is warranted in these circumstances.

3. *Accordingly, it is ordered*, This 18th day of May 1966, that the time for filing reply comments is extended from May 20, 1966, to June 1, 1966. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: May 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5820; Filed, May 25, 1966; 8:52 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice 924]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

MAY 20, 1966.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the Rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of section 1.247(d)(4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

[1] Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 217 (Sub-No. 9), filed May 6, 1966. Applicant: POINT TRANSFER, INC., 174 Sandy Creek Road, Verona, Pa. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives and household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 730 (Sub-No. 267), filed May 4, 1966. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, Calif. Applicant's representative: Earl J. Brooks (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, lumber, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Winnemucca, Nev., and the Oregon-Nevada State line at McDermitt, Oreg., as an alternate or connecting route serving no intermediate points and serving the Oregon-Nevada State line at McDermitt, Oreg., for the purpose of joinder only as follows; from Winnemucca over U.S. Highway 95 to the Oregon-Nevada State line at McDermitt and return over the same route. NOTE: Applicant states operations over the above-described route are restricted to the transportation of shipments moving to or from points in Idaho. If a hearing is deemed necessary, applicant requests it be held at Reno, Nev.

No. MC 1124 (Sub-No. 213), filed May 5, 1966. Applicant: HERRIN TRANSPORTATION COMPANY, a corporation, 2301 McKinney Avenue, Houston, Tex. Applicant's representative: Leroy Hallman, 45th Floor, First National Bank Building, Dallas, Tex., 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, including dangerous explosives (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the site of the Manning, Maxwell & Moore Co. plant, located near Alpine City, La., on U.S. Highway 71, approximately 12 miles northwest of Alexandria, La., as an off-route point in connection with applicant's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or New Orleans, La.

No. MC 1187 (Sub-No. 26), filed May 6, 1966. Applicant: CUSHMAN MOTOR DELIVERY COMPANY, a corporation, 1480 West Kinzie Street, Chicago, Ill., 60622. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 10928 (Sub-No. 52), filed April 22, 1966. Applicant: SOUTHERN-PLAZA EXPRESS, INC., 175 Linfield Drive, Menlo Park, Calif. Applicant's representative: Marshall G. Berol, 100 Bush Street, San Francisco, Calif., 94104. Applicant, in No. MC 10928 and Sub-Nos. 8, 10, 11, 12, 14, 18, 25, 27, 28, 30, 31, 32, 33, 35, 36, 40, 41, 43, and 49, presently holds authority from this Commission to transport "general commodities, except those of unusual value" and various other exceptions applicable in the various certificates. By this application, applicant seeks authority to delete the exception of "those (commodities) of unusual value" which presently exists, and to add the following exception to

those certificates which presently have the "commodities of unusual value" exception: "General commodities, except * * * (exceptions presently applicable for each certificate except the one concerning commodities of unusual value) and the transportation of commodities in connection with which shipper requires carrier to furnish armed guards or armored equipment." Applicant presently conducts operations by virtue of the above-numbered certificates in the States of Arkansas, Illinois, Indiana, Kansas, Kentucky, Missouri, Oklahoma, Tennessee, and Texas. NOTE: Common control may be involved. Applicant states it intends to tack the authority sought in this application to its presently held authority, and also intends to interline with other carriers. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 21170 (Sub-No. 216), filed May 9, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products and materials and supplies and advertising matter*, when moving in conjunction therewith, from Lancaster, Ohio, to Louisville, Ky., St. Louis, Mo., and points in Illinois, Indiana, and the Lower Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 21170 (Sub-No. 217), filed May 9, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa, 50158. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, from Springdale, Ark.; and (2) *foodstuffs and baby supplies*, from Fort Smith, Ark.; to points in Kansas, Missouri, and Kentucky, and to Alton, Cairo, Carbondale, Centralia, East St. Louis, Eldorado, Granite City, Marion, Mount Vernon, Murphysboro, Staunton, Litchfield, Quincy, and Scott Air Force Base, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Little Rock, Ark.

No. MC 21170 (Sub-No. 218), filed May 9, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa, 50158. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tile, floor and wall, mastic, tools, equipment, and supplies* used in the installation of tile, floor or wall, from points in Carroll, Cuyahoga, Franklin, Muskingham, Stark, and Summit Counties, Ohio, and Cook (except points north of U.S. Highway 6), Grundy and Kankakee Counties, Ill., to points in Nebraska, South Dakota, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 21170 (Sub-No. 220), filed May 12, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products* and *commodities used by packinghouses*, as described in appendix I, Ex Parte MC 45, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the plantsite of George A. Hormel & Co. located at or near Bureau, Ill., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia, Iowa, Minnesota, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 21170 (Sub-No. 224), filed May 12, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Lexington, N.C., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia, and *rejected, refused and damaged shipments of frozen foods*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 21571 (Sub-No. 30), filed May 9, 1966. Applicant: SCHERER FREIGHT LINES, INC., 424 West Madison Street, Ottawa, Ill., 61350. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: Applicant holds contract carrier authority in MC 115738, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 21866 (Sub-No. 57), filed May 17, 1966. Applicant: WEST MOTOR FREIGHT, INC., 740 South Reading Avenue, Boyertown, Pa., 19512. Applicant's representative: Paul Coyle, 5631 Utah Avenue NW., Washington, D.C., 20015. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Margarine*, (a) between Coatesville, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Rhode Island, Virginia, West Virginia, and the District of Columbia, and (b) from points in Illinois, Indiana, and Michigan, to Coatesville, Pa. Restriction: The proposed authorities above shall not be joined so as to render a through service between points in the States specified in the first service paragraph above, on the one hand, and, on the other, those specified in the second service paragraph above, via Coatesville, Pa., as a gateway, and (2) *materials and supplies used in the packaging or repackaging of margarine*, from points in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Rhode Island, Virginia, West Virginia, and the District of Columbia, to Coatesville, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 22195 (Sub-No. 121), filed May 5, 1966. Applicant: DAN DUGAN TRANSPORT COMPANY, a corporation, Post Office Box 946, 41st and Grange Avenue, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from the terminal facilities of the Kaneb Pipe Line Co. located at or near Aberdeen, Mitchell, and Wolsey, S. Dak., to the terminal facilities of the Kaneb Pipe Line Co. at or near Geneva and Norfolk, Nebr. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 29079 (Sub-No. 29), filed May 9, 1966. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1200 Home Avenue, Kokomo, Ind., 46901. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 29734 (Sub-No. 8) (Amendment), filed April 7, 1966, published in FEDERAL REGISTER issue of April 28, 1966, amended and republished as amended this issue. Applicant: JOSEPH H. SMITH, WILLIAM H. SMITH, and JAMES J. SMITH, doing business as JOSEPH H. SMITH & COMPANY, 301 East Richmond Street, Philadelphia, Pa. Applicant's representative: Morris J. Winokur, Suite 1920, 2 Penn Center Plaza, John F. Kennedy Boulevard at 15th Street, Philadelphia, Pa., 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tallow and inedible animal grease*, in insulated tank vehicles, from Smithfield, Norfolk, and Dogue, Va., to Baltimore, Md., and Philadelphia, Pa. NOTE: The purpose of this republication is to broaden the authority sought. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 29886 (Sub-No. 225), filed May 4, 1966. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's representative: Charles M. Pieroni, 4000 West Sample Street, South Bend, Ind., 46621. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, and *related machinery parts, and related contractors' materials and supplies* when their transportation is incidental to the transportation by carrier of commodities which by reason of size or weight require the use of special equipment, between points in Illinois, on the one hand, and, on the other, points in Connecticut, New Jersey, New York, and Pennsylvania. NOTE: Applicant states it is authorized to perform this service under its MC 29886, Sub 189 but must perform service by operating through the State of Michigan. By this application it seeks authority to operate direct. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 29886 (Sub-No. 226), filed May 6, 1966. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind., 46621. Applicant's representative: Charles M. Pieroni (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, from Costa Mesa, Calif., to points in Minnesota, Iowa, Wisconsin, Missouri, Illinois, Kentucky, Indiana, Michigan, Ohio, Pennsylvania, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 35358 (Sub-No. 18), filed May 2, 1966. Applicant: BERGER TRANSFER AND STORAGE, INC., 3720 Maclester Drive NE., Minneapolis, Minn. Applicant's representative: Val M. Higgins, First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated furniture* and *parts thereof*, when moving at the same time, between Audubon, Iowa, and points in Kansas, Nebraska, Missouri, Minnesota, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 36832 (Sub-No. 20), filed May 9, 1966. Applicant: AMERICAN TRANSIT LINES, INCORPORATED, 221 North La Salle Street, Chicago, Ill., 60601. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 41849 (Sub-No. 26), filed May 5, 1966. Applicant: KEIGHTLEY BROS., INC., 1601 South 39th Street, St. Louis, Mo. Applicant's representative: Ernest A. Brooks II, 1301–02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, and in bags, from St. Louis, Mo., to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 41915 (Sub-No. 31), filed May 10, 1966. Applicant: MILLER'S MOTOR FREIGHT, INC., Post Office Box 345–183, York, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aerial bombs*, empty, from York, Pa., to Yorktown, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 42963 (Sub-No. 40), filed May 5, 1966. Applicant: DANIEL HAMM DRAYAGE COMPANY, a corporation, Second and Tyler Streets, St. Louis, Mo., 63102. Applicant's representative: Ernest A. Brooks II, 1301–02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cement*, in bulk and in bags, from the plantsite of Dundee Cement Co. at or near Clarksville, Mo.; (2) *cement*, in bulk, from the plantsite of Dundee Cement Co. at or near Rock Island, Ill.; and (3) *cement*, in bulk, from the plantsite of Dundee Cement Co. at or near St. Louis, Mo.; to points in Illinois, Iowa, Missouri, Kansas, Nebraska, Arkansas, Oklahoma, Kentucky, Tennessee, Indiana, Ohio, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 45148 (Sub-No. 9), filed May 11, 1966. Applicant: KELLY-SPRINGFIELD TRUCKING CO., a corporation, 1235 Harrison Avenue, Harrison, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hoisting engines, pile-driving equipment and parts, drilling machinery and parts, movable bridge machinery and parts, and general construction machinery*; (2) *iron castings*; (3) *scrap iron*; (4) *wood and metal patterns*; (5) *foundry equipment, materials, and supplies* (except commodities in bulk, in tank vehicles), between the plantsite of Campbell Foundry Co., Harrison, N.J., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, New York, Pennsylvania, and Virginia, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 50069 (Sub-No. 358), filed May 9, 1966. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill., 60521. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizers, and fertilizer ingredients*, in bulk, in tank vehicles, from the plantsite of the Apple River Chemical Co. located at Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 51146 (Sub-No. 42), filed May 5, 1966. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cellulose materials and products; cellulose materials and products joined to or combined with paper, plastics, synthetics or cloth; paper and paper products; paper and paper products joined to or combined with plastics, synthetics or cloth; materials, equipment and supplies* used in the manufacture and distribution of such products; and *related premiums and advertising materials* when shipped with such products, between Wilmington, Ill., on the one hand, and, on the other, Kansas City, Mo.; Omaha, Nebr.; Pittsburgh, Pa.; and points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 43), filed May 6, 1966. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis., 54303. Applicant's representative: Charles Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles and materials, equipment and supplies* used in the manufacture and distribution of the above described commodities, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota,

Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 51146 (Sub-No. 44), filed May 6, 1966. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis., 54303. Applicant's representative: Charles Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, paving, and roofing materials and supplies*, from Chicago, Ill., to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52110 (Sub-No. 99), filed May 6, 1966. Applicant: BRADY MOTOR-FRATE, INC., 1223 Sixth Avenue, Des Moines, Iowa. Applicant's representative: Homer E. Bradshaw, Fifth Floor, Central National Building, Des Moines, Iowa, 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, bullion, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, and the Lower Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52673 (Sub-No. 23), filed May 5, 1966. Applicant: FRED OLSON MOTOR SERVICE COMPANY, a corporation, 6022 West State Street, Milwaukee, Wis. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), *including commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52751 (Sub-No. 60), filed May 6, 1966. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and steel mill materials, supplies and equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52932 (Sub-No. 13), filed May 5, 1966. Applicant: NORTH PENN TRANSFER, INC., Box 230, Lansdale, Pa. Applicant's representative: John W. Frame, Post Office Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel, iron or steel products, and articles of iron or steel manufacture*, (1) between Philadelphia, Pa., and points in Delaware, Montgomery, and Bucks (except points in Bristol and Falls Township), Counties, Pa.; Upper Saucon, Lower Macungie and Lower Milford Townships, Lehigh County, Pa.; Colebrookdale, Hereford, and Washington Townships, Berks County, Pa.; and Coventry, East Vincent, West Vincent, East Pikeland, West Pikeland, Charlestown, Willistown, Easttown, North Coventry, and East Coventry Townships, Chester County, Pa.; and (2) between points in the above-described territory on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, Ohio, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 58902 (Sub-No. 10), filed May 9, 1966. Applicant: MANLEY TRANSFER COMPANY, INC., 315 North Santa Fe Street, Chanute, Kans., 66720. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Springfield, Mo., and Joplin, Mo., over U.S. Highway 66, and return over the same route, serving the intermediate point of Carthage, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 59728 (Sub-No. 15), filed May 6, 1966. Applicant: MORRISON MOTOR FREIGHT, INC., 1100 East Jenkins Boulevard, Akron, Ohio, 44306. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and except dangerous explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Indianapolis, Ind., and the Indiana State line; over Interstate Highway 74, serving no intermediate points, as an alternate route for operating convenience only, and serving the termini for the purpose of joinder only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Akron, Ohio.

No. MC 60014 (Sub-No. 19), filed May 6, 1966. Applicant: AERO TRUCKING, INC., Post Office Box 278, Rural Delivery No. 1, Oakdale, Pa. Applicant's representative: Noel F. George, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61506 (Sub-No. 30), filed May 5, 1966. Applicant: RUSSELL TRANSFER COMPANY, INC., Athens-Augusta Highway, Post Office Box 92, Washington, Ga. Applicant's representative: Theodore M. Forbes, Jr., Suite 825, The Citizens & Southern National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline, kerosene, jet fuels, and fuel oil distillates*, in bulk, in tank vehicles only, from Athens, Ga., to points in North Carolina and South Carolina, and *rejected shipments*, on return, under continuing contract or contracts for the account of Gulf Oil Corp. only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 61592 (Sub-No. 73), filed May 2, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors and except those which because of size or weight, require the use of special equipment), from Cleveland, Ohio, and ports of entry on the international boundary line between the United States and Canada located in Maine, to points in Ohio, Michigan, Indiana, Kentucky, Illinois, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 64600 (Sub-No. 28), filed April 29, 1966. Applicant: WILSON TRUCKING CORPORATION, Broad Street, Box 340, Waynesboro, Va. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, in bulk, between Washington, D.C., and Cape Charles, Va., from Washington, D.C., over U.S. Highway 50 to Salisbury, Md., thence over U.S. Highway 13 to Cape Charles, Va., and return over the same route, serving the Washington,

D.C., commercial zone and points on that portion of U.S. Highway 13 extending from the Maryland-Virginia State line to Cape Charles, Va. NOTE: Applicant states that no service may be rendered at points in Maryland other than those in the Washington, D.C., commercial zone. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C., or Richmond, Va.

No. MC 69116 (Sub-No. 99), filed May 6, 1966. Applicant: SPECTOR FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill., 60606. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 72243 (Sub-No. 18), filed May 6, 1966. Applicant: THE AETNA FREIGHT LINES, INC., 2507 Youngstown Road SE., Warren, Ohio. Applicant's representative: James M. Burtch, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products*, and *steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 77424 (Sub-No. 23), filed May 9, 1966. Applicant: WENHAM TRANSPORTATION, INC., 3200 East 79th Street, Cleveland, Ohio, 44104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Putnam County, Ill., on the one hand, and, on the other, all points in Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 92633 (Sub-No. 9) (Amendment), filed March 29, 1966, published FEDERAL REGISTER issue of April 14, 1966, amended May 16, 1966, and republished, as amended, this issue. Applicant: ZIRBEL TRANSPORT, INC., 420–28 Street, Lewiston, Idaho. Applicant's representative: Donald A. Ericson, Suite 708, Old National Bank Building, Spokane 1, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, from Bovill, Latah County, Idaho, to Bellingham, Wash., and Springfield, Salem, Gardiner, St. Helens, Deer Island, West Linn, and Wauna, Oreg. NOTE: Common control and dual operations may be involved. The purpose of this republication is to add the destination point of West Linn, Oreg. If a hearing is deemed necessary, applicant requests it be held at Lewiston, Idaho, or Spokane, Wash.

No. MC 92983 (Sub-No. 516), filed May 2, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fats and oils, including blends and products thereof*, in bulk, from points in Oregon and Washington, to points in Colorado, Kansas, Missouri, and Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 517), filed May 5, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint and paint materials*, in bulk, from points in Iowa, to points in Alabama and Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 518), filed May 9, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fats and oils, including blends and products thereof*, in bulk, from points in Iowa, to points in Arkansas, Oklahoma, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 94350 (Sub-No. 170), filed May 5, 1966. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Greenville, S.C. Applicant's representative: Henry P. Willimon, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Baltimore County, Md., to points in the United States, including Alaska, but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md.

No. MC 95084 (Sub-No. 49), filed May 4, 1966. Applicant: HOVE TRUCK LINE, Stanhope, Iowa. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa, 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Bartonville, Ill., to points in Iowa, Kansas, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 100666 (Sub-No. 81) (Amendment), filed April 18, 1966, published FEDERAL REGISTER issue of May 5, 1966, amended May 12, 1966, and republished as amended, this issue. Applicant: MELTON TRUCK LINES, INC., Box 7295, Shreveport, La. Applicant's representative: Wilburn L. Williamson, 443–54 American Building, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel, and iron and steel articles*, from points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, and Florida, and (2) *materials and supplies used in the manufacture and distribution of iron and steel articles*, from the destination States named in (1) above, to points in Putnam County, Ill. NOTE: The purpose of this republication is to broaden the origin point. If a hearing is deemed necessary, applicant requests it be held at Springfield, or Chicago, Ill.

No. MC 101075 (Sub-No. 104), filed May 6, 1966. Applicant: TRANSPORT, INC., 1215 Center Avenue, Moorhead, Minn. Applicant's representative: Ronald B. Pitsenbarger, Post Office Box 396, Moorhead, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, as defined in appendix XIII to the Report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209, from the site of the terminal outlet of Kaneb Pipeline Co. located at or near Jamestown, N. Dak., to the sites of the terminal outlets of Kaneb Pipeline Co. located at or near Geneva and Norfolk, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 102616 (Sub-No. 799), filed May 4, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Trevose (Bucks County), Pa., to Pascagoula, Miss. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 102616 (Sub-No. 800), filed May 4, 1966. Applicant: COASTAL

TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium thiocyanate liquor*, in bulk, in tank vehicles, from the plantsite of Halby Chemical Co., located at or near Le Moyne, Ala., to points in Ohio, Iowa, Illinois, Missouri, Indiana, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 102616 (Sub-No. 801), filed May 10, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, in bulk, from Louisville, Ky., to points in Alabama, Arkansas, Florida, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, North Carolina, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 104093 (Sub-No. 3), filed May 3, 1966. Applicant: HILLSIDE VAN LINES, INC., 142–08 Liberty Avenue, Jamaica, N.Y., 11435. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission between New York, N.Y., on the one hand, and, on the other, points in Georgia, Indiana, North Carolina, South Carolina, Vermont, and West Virginia. NOTE: Applicant states the purpose of the application is to obtain authority to serve States which are presently traversed by applicant in serving States within its present operating authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 105461 (Sub-No. 72), filed May 4, 1966. Applicant: HERR'S MOTOR EXPRESS, INC., Quarryville, Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa., 17566. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, plate or sheet, steel roofing, plate or sheet, iron or steel, coated or plain, corrugated or not corrugated, aluminum sheet, sheet or plate steel, articles*, from Beech Bottom, W. Va.; Steubenville, Ohio; Martins Ferry, Ohio; and Yorkville, Ohio, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and Virginia. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106233 (Sub-No. 12), filed May 2, 1966. Applicant: HART TRUCK LINE, INC., Dexter, Mo. Applicant's representative: G. F. Gunn, Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Poplar Bluff, Mo., and Doniphan, Mo., as follows: (a) From Poplar Bluff over U.S. Highway 160 to junction Ripley County Highway U, thence over Ripley County Highway U to Doniphan, and return over the same route, serving no intermediate points, and (b) from Poplar Bluff over Missouri Highway 53 to junction Missouri Highway 142, thence over Missouri Highway 142 to Doniphan, and return over the same route, serving the intermediate points of Neelyville, Naylor, and Oxley, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 106760 (Sub-No. 53), filed March 25, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories which are intended for use in a building*, from Canton and Fairhope, Ohio, to points in Connecticut, Florida, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107107 (Sub-No. 367), filed May 9, 1966. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th Street, Post Office Box 458, Allapattah Station, Miami, Fla., 33142. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blood plasma*, human, frozen, from Philadelphia, Pa., to Dallas, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 91), filed May 9, 1966. Applicant: PRE-FAB TRANSIT CO., a corporation, Post Office Box 146, Farmer City, Ill. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill., 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, conduit and tubing*, when said commodities are not intended to be used as a component part, material, supply, or fixture of a building, from points in Livingston County, Ill., to points in Minnesota, Arkansas, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107403 (Sub-No. 680), filed May 4, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa., 19050. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro manganese*, in bulk, from Johnston, Pa., to Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107403 (Sub-No. 681), filed May 4, 1966. Applicant: MATLACK INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Columbus, Ohio, to points in Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 479), filed May 9, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fats and tallow*, in bulk, from points in Illinois, Iowa, Minnesota, and Wisconsin, to Milwaukee, Wis. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 107496 (Sub-No. 480), filed May 9, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ink*, in bulk, from Chicago, Ill., to points in Indiana. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107515 (Sub-No. 548), filed May 2, 1966. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga., 30310. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Lewisburg, Tenn., to points in Arkansas, Texas, Oklahoma, Kansas, Missouri, Illinois, Michigan, New Jersey, Pennsylvania, New York, Maryland, Ohio, and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 107906 (Sub-No. 21), filed May 9, 1966. Applicant: TRANSPORT MOTOR EXPRESS, INC., Post Office Box 958, Meyer Road, Fort Wayne, Ind. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108449 (Sub-No. 233), filed May 4, 1966. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn., 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand*, in bulk, from Minneapolis, Minn., to Fargo, N. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 108449 (Sub-No. 234), filed May 4, 1966. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn., 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tanners pocessing oil*, in bulk, in tank vehicles, from Milwaukee, Wis., to Red Wing, Minn. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 109478 (Sub-No. 95), filed May 3, 1966. Applicant: WORSTER MOTOR LINES, INC., East Main Road, Rural Delivery No. 1, North East, Pa. Applicant's representative: William W. Knox, 23 West 10th Street, Erie, Pa., 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes and potato products*, from points in Maine, to points in New York, Pennsylvania, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Washington, D.C.

No. MC 110193 (Sub-No. 147), filed May 9, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos, Post Office Box 2628, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, from Oakland, Iowa, and points with 5 miles thereof, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 110354 (Sub-No. 10), filed May 3, 1966. Applicant: V. KAP TRUCKING, INC., Post Office Box 706, Painesville, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, pesticides, insecticides, and herbicides*, from Cleveland, Ohio, to points in Allegheny, Armstrong, Beaver, Butler, Clarion, Clearfield, Fayette, Greene, Indiana, Jefferson, Lawrence, Mercer, Washington, Warren, Westmoreland, and Venango Counties, Pa., and Hancock, Marshall, Tyler, and Wetzel Counties, W. Va. NOTE: Applicant states that operations to be conducted under contract with Agrico Chemical Co., division of Continental Oil Co., 4600 West 140th Street, Cleveland, Ohio. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 110358 (Sub-No. 5), filed May 9, 1966. Applicant: WILLIAM STREB, doing business as DUNCANNON TRANSPORTATION COMPANY, 1368 Bustleton Pike, Feasterville, Pa. Applicant's representative: G. Donald Bullock, Box 146, Wyncote, Pa., 19095. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and food products used in or useful to or resulting from the manufacture, sale or distribution of bakery, candy, and confectionary products*, in containers, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, (1) between Philadelphia, Pa., Grand Rapids, Mich., and Cincinnati, Ohio; and (2) between the points in (1) above on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, Michigan, Ohio, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and West Virginia, and the District of Columbia; under a continuing contract or contracts with the United Biscuit Co. of America. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110686 (Sub-No. 29) (Amendment), filed April 18, 1966, published in FEDERAL REGISTER issue of May 12, 1966, amended and republished this issue. Applicant: McCORMICK DRAY LINE, INC., Avis, Pa. Applicant's representative: David A. Sutherlund, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities of unusual value), between points in Putnam County, Ill., and points in Alabama, Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: The purpose of this republication is to change the point of Hennepin, Ill., to points in Putnam County, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 214), filed May 6, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: Wilmer B. Hill, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank or hopper vehicles, from Henry, Ill., to points in Delaware, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111231 (Sub-No. 146), filed May 9, 1966. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipe fittings, couplings, connections, and accessories* (except iron and steel pipe) and (except those requiring special equipment) from points in Sangamon, Rock Island, and Logan Counties, Ill., to points in Minnesota, North Dakota, South Dakota, Nebraska, Wyoming, Colorado, New Mexico, and Arizona. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111231 (Sub-No. 147), filed May 6, 1966. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Memphis, Tenn., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111231 (Sub-No. 148), filed May 9, 1966. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipefittings, couplings, connections and accessories* (except iron and steel pipe) and (except those requiring special equipment) from points in Sangamon, Rock Island, and Logan Counties, Ill., to points in Wisconsin, Iowa, Indiana, Ohio, Missouri, Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Kansas, and Texas. NOTE: If a hearing is deemed necessary, applicant does not specify location.

No. MC 111545 (Sub-No. 88), filed May 6, 1966. Applicant: HOME TRANSPORTATION COMPANY, INC., Post Office Box 6426, Station A, 1425 Franklin Road SE., Marietta, Ga. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors designed primarily for the transportation of property over highways), *tractor attachments, and agricultural implements and machinery* (except commodities, the transportation of which because of size or weight re-

quires the use of special equipment), from Atlanta and Decatur, Ga., to points in Connecticut, Delaware, Georgia, Indiana, Maryland, Massachusetts, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, and Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 112223 (Sub-No. 76), filed May 6, 1966. Applicant: QUICKIE TRANSPORT COMPANY, a corporation, 501 11th Avenue South, Minneapolis, Minn. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn., 55415. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid caustic soda and phosphoric acid*, in bulk, in tank vehicles, from Minneapolis and St. Paul, Minn., to points in Iowa, North Dakota, Minnesota, South Dakota, Nebraska, Illinois, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 112520 (Sub-No. 144), filed May 3, 1966. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, between points in Wakulla County, Fla., on the one hand, and, on the other, points in Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville or Tallahassee, Fla.

No. MC 112520 (Sub-No. 145), filed May 5, 1966. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Pace, Fla., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Tallahassee or Jacksonville, Fla.

No. MC 113678 (Sub-No. 255), filed April 27, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat-packinghouses*, as described in sections A and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid bulk commodities, in tank vehicles, and except hides), from Atlanta, Ga., to Oklahoma City, Okla., and Denver, Colo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113843 (Sub-No. 117), filed May 9, 1966. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass., 02210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, and, (2) *potatoes and potato products*, when moving in mixed loads with frozen foods, from Detroit and Greenville, Mich., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the above operation is restricted to traffic originating at the shipper's plantsite or storage and warehouse facilities used by the concerned shippers. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 114360 (Sub-No. 14), filed May 6, 1966. Applicant: SOUTHERN EXPRESS COMPANY, 3333 South Cicero Avenue, Cicero, Ill., 60650. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114533 (Sub-No. 137), filed May 10, 1966. Applicant: B. D. C. CORPORATION, 4970 South Archer Avenue, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh cut flowers*, between Mount Clemens, Mich., on the one hand, and, on the other, Cleveland, Lorain, and Toledo, Ohio, and Indianapolis, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 114533 (Sub-No. 138), filed May 10, 1966. Applicant: B. D. C. CORPORATION, 4970 South Archer Avenue, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Eye glasses, frames, lenses and parts thereof*, between Cleveland, Ohio, on the one hand, and, on the other, Ann Arbor, Battle Creek, Bay City, Flint, Highland Park, Jackson, Kalamazoo, Pontiac, and Saginaw, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 114552 (Sub-No. 27), filed May 6, 1966. Applicant: SENN TRUCKING COMPANY, Post Office Box 333, Newberry, S.C. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C., 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials* used in the installation of wood flooring when transported in the same vehicle with wood flooring and not exceeding 15 percent of the weight of the total shipment, from points in Laurens County, S.C., to points in Florida, Kentucky, Tennessee, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 114848 (Sub-No. 30), filed May 6, 1966. Applicant: WHARTON TRANSPORT CORPORATION, 1498 Channel Avenue, Memphis, Tenn. Applicant's representative: James N. Clay, III, 340 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products*, in bulk, from points in Tippah County, Miss., to points in Illinois, Indiana, Kentucky, Tennessee, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Texas, Oklahoma, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 115162 (Sub-No. 127), filed May 10, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala., 36401. Applicant's representative: Robert E. Tate, Suite 2025, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and iron and steel mill products, equipment, materials, and supplies including those used in the manufacture of iron and steel articles and used in the maintenance of steel plants*, between points in Putnam County, Ill., and points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Illinois, Indiana, Iowa, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115180 (Sub-No. 35), filed May 5, 1966. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Oakland, Iowa, and points within 5 miles thereof, to points in Connecticut, Delaware, Illinois, Maryland, New Jersey, New York, Ohio, Indiana, Pennsylvania, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115331 (Sub-No. 193), filed May 2, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, liquid, vinyl acetate, and latex*, in bulk, in tank vehicles, from Illiopolis, Ill., to points in Colorado, Minnesota, Missouri, Kansas, Ohio, Wisconsin, Texas (except points within 50 miles of Houston), Indiana (except Wabash), Georgia (except Austell and Dalton), Pennsylvania (except Bloomsburg and New Carlyle), and Massachusetts, and Newark, N.J.; Glen Cove, Long Island, N.Y.; and Saugerties, N.Y. NOTE: Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116254 (Sub-No. 67), filed May 9, 1966. Applicant: CHEM-HAULERS, INC., Post Office Box 245, Sheffield, Ala. Applicant's representative: Walter Harwood, Nashville Bank & Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, between points in Graves County, Ky., and Henry and Weakley Counties, Tenn., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Tennessee, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Texas, Oklahoma, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Nashville, Tenn.

No. MC 116475 (Sub-No. 1) (Clarification), filed March 4, 1966, published FEDERAL REGISTER, issue of March 24, 1966, and republished as clarified this issue. Applicant: ESTY's TRANSPORTATION, INC., Post Office Box 37, South Windham, Maine. Applicant's representative: Mary E. Kelley, 10 Tremont Street, Boston, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives, and supplies and equipment* used and shipped therewith, between Hudson, Mass., and points in Maine, under a continuing contract with E. I. du Pont de Nemours & Co., a Delaware corporation. NOTE: Applicant states that the purpose of this application is to follow the traffic which formerly originated at Chelmsford, Mass. The purpose of this republication is to eliminate the restriction contained in the prior publication confining the proposed service to "shipments not exceeding 10,000 pounds in weight," which is not acceptable to the Commission. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 116544 (Sub-No. 73), filed May 9, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizers, dry fertilizers, cleaning, scouring or washing compounds*, liquid or dry, from Cedar Rapids, Iowa, to points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 116544 (Sub-No. 74), filed May 9, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Tama, Iowa, to points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 116628 (Sub-No. 8), filed May 10, 1966. Applicant: SUBURBAN TRANSFER SERVICE, INC., 285 Highland Cross, Post Office Box 168, Rutherford, N.J., 07070. Applicant's representative: Clarence D. Todd, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail department stores, *packaging materials* for such merchandise and *materials and supplies* used in the operation of such stores, between Plymouth Meeting, Pa., on the one hand, and, on the other, points in New Jersey, and New York, and Buffalo, Yonkers, and Long Island, N.Y.; Wilmington, Del.; Philadelphia and Willow Grove, Pa.; Boston, Mass.; Westport and Milford, Conn.; Baltimore, Md.; and the District of Columbia; limited to the transportation service to be performed under a continuing contract or contracts with Franklin Simon. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116763 (Sub-No. 86), filed May 9, 1966. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers*, from Homerville, Ga., to points in Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 117119 (Sub-No. 371), filed May 9, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feeds and ingredients and supplements thereof*, from points in Arizona to points in Idaho. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117574 (Sub-No. 147), filed May 4, 1966. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Mail Route No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, steel mill materials, supplies, and equipment, and building materials*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Hawaii). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117883 (Sub-No. 83), filed May 5, 1966. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts*, and *articles distributed by meat packinghouses*, from Oakland, Iowa, and points within 5 miles thereof, to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118196 (Sub-No. 70), filed May 11, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Highway 71 North, Post Office Box 613, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products* and *articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Guymon, Okla., and points within 10 miles thereof, to points in Arizona, California, Colorado, Idaho, Minnesota, Montana, New Mexico, Nevada, Oregon, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118196 (Sub-No. 71), filed May 13, 1966. Applicant: RAY & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*,

from points in Iowa to points in Missouri (except St. Louis, Mo.) and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 118867 (Sub-No. 4), filed May 6, 1966. Applicant: TWINS, INC., 243 Windsor Street, Kearny, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Radioactive materials*, between points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, under a continuing contract with Nuclear Engineering Co., Inc., of Walnut Creek, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 119422 (Sub-No. 40), filed May 9, 1966. Applicant: EE-JAY TRANSPORTS, INC., 15th and Lincoln Streets, East St. Louis, Ill. Applicant's representative: Ernest A. Brooks II, 1301–02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, (1) from plantsites of Dundee Cement Co. located at or near Clarksville, Mo., and (2) from plantsites of Dundee Cement Co. located at or near St. Louis, Mo., to points in Illinois, Iowa, Missouri, Kansas, Nebraska, Arkansas, Oklahoma, Kentucky, Tennessee, Indiana, Ohio, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119700 (Sub-No. 3), filed May 9, 1966. Applicant: STEEL HAULERS, INC., 306 Ewing, Kansas City, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and such materials as are used or useful in highway construction projects*, between points in Whiteside County, Ill., on the one hand, and, on the other, points in Indiana, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Iowa, Nebraska, South Dakota, North Dakota, and points in Colorado, on and east of U.S. Highways 85 and 87. NOTE: Applicant states that it does not desire to tack this authority with any other authority it presently holds but will interline traffic handled pursuant to this authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119700 (Sub-No. 5), filed May 9, 1966. Applicant: STEEL HAULERS, INC., 306 Ewing, Kansas City, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and such materials as are used or useful in highway construction projects*, between Kansas City, Mo., Chicago, Ill., St. Louis, Mo., and Springfield, Mo., on the one hand, and, on the other, points in Louisiana and points in Colorado, on and east of U.S. Highways 85 and 87. NOTE: Applicant states that it does not desire to tack this authority with any other authority it presently holds but will interline traffic handled pursuant to this authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119700 (Sub-No. 6), filed May 9, 1966. Applicant: STEEL HAULERS, INC., 306 Ewing, Kansas City, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and such materials* as are used or useful on highway construction projects, between Houston, TEX., and points in Louisiana, on the one hand, and, on the other, points in Texas, Oklahoma, Kansas, Missouri, Illinois, Iowa, Nebraska, South Dakota, Arkansas, Indiana, Wisconsin, Minnesota, and points in Colorado on and east of U.S. Highways 85 and 87. NOTE: Applicant states that it does not desire to tack this authority with any other authority it presently holds but will interline traffic handled pursuant to this authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119700 (Sub-No. 7), filed May 9, 1966. Applicant: STEEL HAULERS, INC., 306 Ewing, Kansas City, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and such materials* as are used or useful on highway construction projects, between points in Putnam County, Ill., on the one hand, and, on the other, points in Indiana, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Iowa, Nebraska, South Dakota, North Dakota, and points in Colorado on and east of U.S. Highways 85 and 87. NOTE: Applicant states that it does not desire to tack this authority with any other authority it presently holds but will interline traffic handled pursuant to this authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119700 (Sub-No. 8), filed May 9, 1966. Applicant: STEEL HAULERS, INC., 306 Ewing, Kansas City, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractory products*, between points in Callaway, Audrain, and Montgomery Counties, Mo., on the one hand, and, on the other, points in Illinois and Indiana. NOTE: Applicant states that it does not desire to tack this authority with any other authority it presently holds but will interline traffic handled pursuant to this authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119700 (Sub-No. 9), filed May 9, 1966. Applicant: STEEL HAULERS, INC., 306 Ewing, Kansas City, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and such materials* as are used or useful on highway construction projects, between Tulsa, Okla., on the one hand, and, on the other, points in Nebraska, South Dakota, Louisiana, Indiana, Wisconsin, Minnesota, and points in Colorado on and east of U.S. Highways 85 and 87. NOTE: Applicant states that it does not desire to tack this authority with any other authority it presently holds but will interline traffic handled pursuant to this authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119767 (Sub-No. 167), filed May 10, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are manufactured, sold, and distributed by persons engaged in the manufacture, processing and milling of grain products*, except in bulk, in tank vehicles, from St. Charles and West Chicago, Ill., to points in Illinois, Iowa, Minnesota, Missouri, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 119767 (Sub-No. 169), filed May 10, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen prepared food and pies*, not baked, and (2) *poultry dressed and/or eviscerated frozen*, when in mixed shipments with (1) above, from Carrollton, Macon, Marshall, Milan, and Moberly, Mo., to points in Indiana, Michigan, Ohio, Wisconsin, and Illinois (except points in Christian, Coles, Macon, and Sangamon Counties). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119917 (Sub-No. 18), filed May 5, 1966. Applicant: DUDLEY TRUCKING COMPANY, INC., 717 Memorial Drive, SE., Atlanta, Ga., 30316. Applicant's representative: R. J. Reynolds, Jr., Suite 403–11, Healey Building Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Damaged salvaged merchandise (except those commodities which because of size or weight require the use of special equipment), (1) between points in Arkansas, Oklahoma, and Texas, and (2) between points in Arkansas, Oklahoma, and Texas, on the one hand, and, on the other, points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 123375 (Sub-No. 9), filed May 9, 1966. Applicant: KIRK TRUCKING SERVICE, INC., Post Office Box 153, Monroeville, Pa., 15146. Applicant's representative: Noel F. George, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and steel products, and steel mill equipment, materials, and supplies*, between Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Kansas, Maryland, Massachusetts, Michigan, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, South Dakota, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123544 (Sub-No. 2), filed May 9, 1966. Applicant: OTTO BERTSCH, Box 15, Hillsboro, N. Dak. Applicant's representative: William S. Rosen, 400 Minnesota Building, St. Paul, Minn., 55101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and implements and parts thereof*, in seasonal operations between approximately January 1 and September 1, from ports of entry on the international boundary line between the United States and Canada, located at Neche and Pembina, N. Dak., and Noyes, Minn., to points in Kansas and Nebraska. NOTE: Applicant states that operations will be limited to traffic originating at Winnipeg, Canada, or its commercial zone, and destined for points in the above-named States. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 123633 (Sub-No. 1), filed May 6, 1966. Applicant: AHRENS MOTOR TRUCKING, INC., 550 Ninth Street, Hoboken, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated paper*, in rolls, sheets, and boxes, from the plantsite of Hinde Dauch, division of the West Virginia Pulp & Paper Co., located at Hoboken, N.J., to points in New York south of New York Highway 8 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 7, and thence along New York Highway 7 to the New York-Pennsylvania State line, under a continuing contract with Hinde Dauch, division the West Virginia Pulp & Paper Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 123639 (Sub-No. 78), filed May 5, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo., 80216. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint materials* and *plumbing supplies*, from points in Douglas County, Nebr., to points in Colorado, Arizona, Wyoming, New Mexico, California, Utah, Nevada, and Kansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123639 (Sub-No. 79), filed May 5, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Tama, Iowa, and points within 5 miles thereof, to points in Illinois, Indiana, Ohio, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123639 (Sub-No. 80), filed May 5, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods*, from Des Plaines, Ill., to points in Colorado, Arizona, Nevada, Utah, California, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123639 (Sub-No. 81), filed May 5, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Oakland, Iowa, and points within 5 miles thereof, to points in Illinois, Indiana, Ohio, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123639 (Sub-No. 82), filed May 5, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts*, and *articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Oakland, Iowa, and points within 5 miles thereof, to points in Colorado, Arizona, California, Nevada, Nebraska, Utah, Wyoming, and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123639 (Sub-No. 83), filed May 5, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts*, and *articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Tama, Iowa, and points within 5 miles thereof, to points in Colorado, Arizona, California, Nevada, Nebraska, Utah, Wyoming, and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123639 (Sub-No. 84), filed May 5, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Kans., to points in Arizona, California, and Nevada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123821 (Sub-No. 5), filed May 9, 1966. Applicant: LESTER R. SUMMERS, INC., Rural Delivery No. 1, Ephrata, Pa. Applicant's representative: John M. Musselman, 400 North Third Street, Post Office Box 46, Harrisburg, Pa., 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone and sand*, from points in Luzerne County, Pa., to Washington, D.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 124170 (Sub-No. 12), filed May 9, 1966. Applicant: FROSTWAYS, INC., 2450 Scotten Street, Detroit, Mich. Applicant's representative: Eugene C. Ewald, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766,

from Detroit, Mich., to Elmira and Binghamton, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 124174 (Sub-No. 42), filed May 9, 1966. Applicant: MOMSEN TRUCKING CO., a corporation, U.S. Highways 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk, in tank vehicles), from Salina, Kans., to points in Indiana, Illinois, Iowa, Minnesota, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 124174 (Sub-No. 43), filed May 9, 1966. Applicant: MOMSEN TRUCKING CO., a corporation, Highways 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between Hennepin, Ill., and points in Putnam County, Ill., on the one hand, and, on the other, points in Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Wisconsin, and Wyoming. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 124174 (Sub-No. 44), filed May 6, 1966. Applicant: MOMSEN TRUCKING COMPANY, Highways 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass bottles, glass jars, closures, lids, caps, paper cartons, and packing glass*, from points in Lake and Will Counties, Ill., to points in Iowa, Kansas, Nebraska, Minnesota, Missouri, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124174 (Sub-No. 48), filed May 9, 1966. Applicant: MOMSEN TRUCKING COMPANY, a corporation, Highways 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving North Chicago, Ill., as an off-route point in connection with applicant's presently authorized regular and irregular routes which authorize service to or from Chicago, Ill. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124669 (Sub-No. 20), filed May 6, 1966. Applicant: TRANSPORT, INC., 1012 West 41st Street, Sioux Falls, S. Dak. Applicant's representative: Ronald B. Pitsenbarger, Post Office Box 396, Moorhead, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, as defined in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from the sites of the terminal outlets of Kaneb Pipeline Co. located at or near Aberdeen, Mitchell, and Wolsey, S. Dak., to the sites of the terminal outlets of Kaneb Pipeline Co. located at or near Geneva and Norfolk, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 125708 (Sub-No. 49), filed May 11, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit No. MC 116434 and Subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125708 (Sub-No. 56), filed May 6, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipe fittings, couplings, connections and accessories*, from points in Sangamon, Rock Island, and Logan Counties, Ill., to points in Wisconsin, Indiana, Ohio, Kentucky, Tennessee, Iowa, Kansas, Pennsylvania, and West Virginia. NOTE: Applicant holds contract carrier authority in MC 116434 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 125708 (Sub-No. 57), filed May 6, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products and flooring*, from points in Carroll and Boone Counties, Ark., to points in Iowa, Illinois, Indiana, Missouri, Michigan, Kansas, Ohio, and Wisconsin. NOTE: Applicant holds contract carrier authority in MC 116434 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 125996 (Sub-No. 7), filed May 6, 1966. Applicant: JENSEN TRUCKING CO., INC., 807 Washington Street, Gothenburg, Nebr. Applicant's representative: Charles J. Kimball, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bird, fish, poultry, and animal feed ingredients and bird, fish, poultry and animal feed*, from (1) Buhl and Hagerman, Idaho, to points in Washington and Oregon (except Ontario, Oreg.), and, (2) points in Arizona and California to points in Iowa, Minnesota, Missouri, Nebraska, and Wisconsin. NOTE: Applicant states it seeks no duplicate authority and presently holds said authority over Idaho gateways, and said application is for the purpose of gateway elimination. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 126276 (Sub-No. 3), filed May 9, 1966. Applicant: FAST MOTOR SERVICE, INC., 7521 West 62d Street, Summit, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal containers*, from the plantsite of Crown Cork and Seal Co., Inc., located at St. Louis, Mo., to Chicago, Ill., and Kenosha, Wis.; and (2) *metal containers and materials* used in the manufacture or shipping of metal containers, from Chicago, Ill., to St. Louis and Berkeley, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126749 (Sub-No. 7), filed May 3, 1966. Applicant: K. P. MOVING & STORAGE, INC., 1475 South Acoma Street, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles dealt in by furniture auction houses*, between Denver, Colo., on the one hand, and, on the other, points in Utah, New Mexico, Arizona, California, Oregon, Washington, Idaho, Nevada, Montana, Wyoming, North Dakota, South Dakota, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 127042 (Sub-No. 16), filed May 9, 1966. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Sioux City, Iowa. Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Tama, Iowa, to points in Oregon, Montana, Idaho, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Indiana, and Ohio. NOTE: Common control may be involved. Applicant holds contract carrier authority in MC 115915 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 127185 (Sub-No. 4), filed May 10, 1966. Applicant: GATEWAY TRANSFER CO., INC., Post Office Box 526, Laredo, Tex. Applicant's representative: Jerry Prestridge, 12th Floor Capital National Bank Building, Austin, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including classes A and B explosives* (but excluding commodities in bulk, household goods as defined by the Commission and commodities which because of size or weight require the use of special equipment), (1) between Laredo, Tex., and the port of entry on the international boundary line between the United States and Mexico located at or near Roma, Tex., over U.S. Highway 83, and (2) between Laredo, Tex., and the port of entry on the international boundary line between the United States and Mexico located at or near Rio Grande City, Tex., over U.S. Highway 83, serving no intermediate or off-route points in (1) and (2) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Laredo, Corpus Christi, or San Antonio, Tex.

No. MC 127304 (Second Amendment), filed May 26, 1965, published FEDERAL REGISTER issues of June 24 and November 18, 1965, respectively, amended May 13, 1966, and republished, as amended, this issue. Applicant: CLEAR WATER TRUCK COMPANY, INC., 410 Fourth National Bank Building, Wichita, Kans. Applicant's representative: James F. Miller, Suite N-13 Medical and Professional Building, 7501 Mission Road, Shawnee Mission, Kans. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fluoro-chloro hydrocarbons, including monofluoromethane, dichlorofluoromethane, monochlorodifluoromethane dichlorodifluoromethane and trichloromonofluoromethane*, in containers, in cylinders, and in bulk, from Wichita, Kans., to points in the United States (except Alaska and Hawaii), and *empty containers and such other incidental facilities as are to be used or are useful in the transportation of fluoro-chloro hydrocarbons*, and also *new containers*, on return. NOTE: The purpose of this republication is to add the return movement. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 127601 (Sub-No. 1), filed May 10, 1966. Applicant: REFRIGERATED EXPRESS LINES, INC., Post Office Box 458, Plant City, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned fruits and juices, drinks and beverages*, not requiring refrigeration, from points in Florida to points in Alabama, Georgia, North Carolina, South Carolina, and Tennessee, and *damaged, refused, and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 127844 (Sub-No. 1), filed May 9, 1966. Applicant: L. B. BARNHILL AND I. S. JOHNSON, a partnership, doing business as B & J TRANSPORTATION, R.F.D. No. 1, Box 48 XA, Sumter, S.C. Applicant's representative: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, (1) from points in Marion County, S.C., to points in Virginia, the District of Columbia, Maryland, Delaware, Connecticut, Rhode Island, and Massachusetts, and (2) from points in Florence County, S.C., to points in New Jersey, Pennsylvania, and Delaware. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 127925 (Sub-No. 2), filed May 6, 1966. Applicant: KINGSLAND PAPER HAULAGE, INC., 217 Post Avenue, Lyndhurst, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap and waste paper*, (1) from Lyndhurst, N.J., to Easton, Pa., and (2) from Easton, Pa., to Ridgefield, N.J.; under a continuing contract with James Carrano Sons, New York, N.Y. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 127951 (Sub-No. 1), filed May 2, 1966. Applicant: SOUTHEASTERN CARRIERS, INC., 2400 Northwest 75th Street, Miami, Fla. Applicant's representative: Bernard C. Pestcoe (same as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Laminated sheet plastic material*, from Coshocton, Ohio, to points in Florida, Georgia, North Carolina, and South Carolina and *commodities falling within the partial exemption of section 203(b)(6) of the Act*, and *damaged and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 128161, filed May 2, 1966. Applicant: ECOFF TRUCKING, INC., Fortville, Ind. Applicant's representative: Robert C. Smith, 620 Illinois Building, Indianapolis, Ind., 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Molded polystyrene foam*, from the plantsite of Brookside Corp., located at or near McCordsville, Ind., to points in Ohio, Michigan, Illinois, Kentucky, and St. Louis, Mo., and *damaged or returned shipments* on return, under a continuing contract or contracts with Brookside Corp., McCordsville, Ind. NOTE: Applicant holds contract carrier authority in MC 119934 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 128177, filed May 4, 1966. Applicant: ALFRED M. COOLEY, 389 Edith Street, Pontiac, Mich. Applicant's representative: Paul L. Merideth, 1591 Woodward, Post Office Box 1, Barbour Building, Bloomfield Hills, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Willow Run Airport, located in Wayne and Washtenaw Counties, Mich., and Detroit Metropolitan Wayne County Airport, located in Wayne County, Mich., on the one hand, and, on the other, Pontiac, Flint and Saginaw, Mich., restricted to traffic having an immediately prior or an immediately subsequent movement by aircraft. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 128178, filed May 6, 1966. Applicant: ROY B. HAMMETT, WILLIAM GILLIS HAMMETT, and ROY MOORE, doing business as ALASKA-TEXAS EXPRESS, Post Office Box 1101, Denton, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts; *lumber, lumber products and byproducts*; and *machinery, equipment, materials, and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, between points in Alaska, on the one hand, and, on the other, points in Louisiana, Alabama, Texas, Oklahoma, New Mexico, Kansas, Colorado, Wyoming, and Montana; and, (2) *commodities*, the transportation of which, because of size or weight, requires the use of special equipment, and *related machinery parts, and related contractors materials and supplies* when their transportation is incidental to the transportation by the carrier of commodities which, because of size or weight, require the use of special equipment, exclusive of those commodities specified in the paragraph next above, *mining machinery, materials, parts and supplies*, between points in Alaska, on the one hand, and, on the other, points in Louisiana, Alabama, Texas, Oklahoma, New Mexico, Kansas, Colorado, Wyoming, and Montana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 128188, filed May 6, 1966. Applicant: DOMINION AUTO CARRIERS LTD., 12335 68th Street, Edmonton, Alberta, Canada. Applicant's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Automobiles, trucks, and buses*, as defined in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in initial and secondary movements, in driveaway and truckaway service, and *parts and accessories thereof*, moving at the same time and with the vehicles of which they are a part and on which they are to be installed, and (2) *farm type tractors* moving in mixed shipments with automobiles and trucks, and *parts and accessories thereof* moving at the same time and with the tractors of which they are a part and on which they are to be in-

stalled, from ports of entry on the international boundary line between the United States and Canada located in Washington, Idaho, and Montana, to points in Washington, Idaho, and Montana. Restriction: The proposed authority herein will be restricted to traffic moving in foreign commerce from foreign plantsites of Ford Motor Co. (including its foreign affiliates and subsidiaries). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

MOTOR CARRIERS OF PASSENGERS

No. MC 12995, filed March 9, 1966. Applicant: MASON CITY TRAVEL AGENCY, INC., 215 North Federal Avenue, Mason City, Iowa. Applicant's representative: Clayton L. Wornson, 206 Brick and Tile Building, Mason City, Iowa. For a license (BMC 5) to engage in operations as a *broker* at Mason City, Iowa, in arranging for the transportation, in interstate or foreign commerce, of *passengers and their baggage*, as individuals or in groups, special and charter operations, in round trip all-expense tours, beginning and ending at Mason City, Iowa, and extending to points in the United States, including Alaska and Hawaii. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 43267 (Sub-No. 13), filed May 2, 1966. Applicant: MOHAWK COACH LINES, INC., 149 Liberty Street, Little Ferry, N.J. Applicant's representative: Robert E. Goldstein, 8 West 40th Street, New York, N.Y., 10018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, (1) in one-way charter operations, beginning at points in Westchester County, N.Y., and ending at points in the United States, except Hawaii, and (2) in round trip charter operations beginning and ending at points in Westchester County, N.Y., and extending to points in the United States except Hawaii. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119975 (Sub-No. 1), filed May 6, 1966. Applicant: F. A. KING, Rural Delivery No. 1, Box 224, Hopwood, Pa. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa., 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in round-trip, charter operations, beginning and ending at points in Fayette County, Pa., and extending to points in Ohio, West Virginia, Maryland, New Jersey, New York, Delaware, Virginia, Indiana, and Michigan, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Uniontown, Pa.

APPLICATION OF FREIGHT FORWARDER

FREIGHT FORWARDER OF PROPERTY

No. FF-329 (Sub-No. 1) (BUTLER TRANSPORT COMPANY, INC.—Extension—Motor Vehicles), filed May 12, 1966. Applicant: BUTLER TRANSPORT COMPANY, INC., 4000 West Sample Street, South Bend, Ind. Applicant's representative: Charles Pieroni (same address as applicant). Authority sought under section 410 of the Interstate Commerce Act for a permit authorizing applicant to institute operation as a freight forwarder in interstate or foreign commerce, subject to part IV of the act, through use of the facilities of, railroad, water, or motor vehicle, in the transportation of: Motor vehicles of all types, including trucks with special bodies and equipment and including empty freight carrying trailers, between points in the United States, including Alaska and Hawaii.

APPLICATION OF WATER CARRIER

No. W-414 (Sub-No. 7) (THE OHIO RIVER COMPANY—EXTENSION—ARKANSAS RIVER (2)), filed May 16, 1966. Applicant: THE OHIO RIVER COMPANY, 451 Central Trust Building, Cincinnati, Ohio. Applicant's representatives: John Ladd Dean, 800 National City East, Sixth Building, Cleveland, Ohio, 44114, and J. Paul Toner (same address as applicant). Applicant seeks revision of its present certificate No. W-414 so as to authorize it to perform the following additional service over the routes and between the ports and points indicated: Operation in interstate or foreign commerce as a *common carrier* by nonself propelled vessels with the use of separate towing vessels in the transportation of commodities generally, and by towing vessels in the performance of general towage (a) between ports and points along the Verdigris River and the Arkansas River from Catoosa, Okla., to the confluence of the Arkansas River with the Mississippi River, including the Arkansas Post Canal and the Lower White River between the junction of the Arkansas Post Canal and the Arkansas River and the confluence of the Lower White River with the Mississippi River; and (b) between ports and points specified in (a) above, on the one hand, and, on the other, ports and points which applicant is presently authorized to serve pursuant to its certificate of public convenience and necessity issued August 17, 1964, in Docket No. W-414, as amended.

No. MC 111401 (Sub-No. 197), filed May 5, 1966. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla., 73701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from Borger, Tex., to points in Santa Barbara, Ventura, Los Angeles, Orange, Riverside, San Bernardino, Kern, San Luis Obispo, San Diego, and Imperial Counties, Calif.

No. MC 123965 (Sub-No. 3), filed May 9, 1966. Applicant: KEAL DRIVEAWAY COMPANY, a corporation, 836 East 73d Street, Cleveland, Ohio, 44103. Applicant's representative: J. C. Schriner, 11615 Detroit Avenue, Cleveland, Ohio, 44102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New trucks and new truck chassis*, in driveaway service, from Buffalo, N.Y., and Detroit, Mich., to points in the United States (except Alaska and Hawaii); and *refused or rejected shipments*, on return; restricted to new trucks and new truck chassis which have had prior movement from Brantford, Ontario, Canada.

No. MC 127141 (Sub-No. 2), filed May 4, 1966. Applicant: ERNEST FALEN, Route 6, Caldwell, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, including frozen fruits, vegetables, juices, and melons*, from points in California, to La Grande, Oreg., and Walla Walla, Wash.

No. MC 127661 (Sub-No. 1), filed April 29, 1966. Applicant: ALFRED PRIEST AND DAVID PRIEST, a partnership, doing business as PRIEST TRANSPORT, 202 42d Avenue, SE., Calgary, Alberta, Canada. Applicant's representative: W. A. Galloway, 11th Floor, Guinness House, Calgary, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Steel ceiling trusses and their component parts for the construction of prefabricated industrial buildings*, (1) between Spokane, Wash., and the port of entry on the international boundary line between the United States and Canada located at Eastport, Idaho; from Spokane over U.S. Highway 10 to Coeur d'Alene, Idaho, thence over U.S. Highway 95–10A to Sand Point, Idaho, thence over U.S. Highway 95–2 to junction U.S. Highway 95, and thence over U.S. Highway 95 to Eastport, and return over the same route, serving no intermediate points, and (2) between Spokane, Wash., and the port of entry on the international boundary line between the United States and Canada located at Oroville, Wash.; from Spokane over U.S. Highway 2 to Wilbur, Wash., thence over Washington Highway 174 to Grand Coulee, Wash., thence over Washington Highway 155 to Omak, Wash., and thence over U.S. Highway 97 to Oroville, and return over the same route, serving no intermediate points.

No. MC 128030 (Sub-No. 21), filed May 6, 1966. Applicant: THE STOUT TRUCKING CO., INC., Box 167, Rural Route No. 1, Urbana, Ill. Applicant's representative: W. L. Jordan, 201–2 Merchants Savings Building, 7 South Sixth Street, Terre Haute, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Milwaukee, Wis., to

Effingham, Ill. NOTE: Common control may be involved.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5725; Filed May 25, 1966; 8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 23, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40489—*Substituted service—T&P and Consolidated Copperstate Lines.* Filed by J. D. Hughett, agent (No. 83), for interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between El Paso, Tex., on the one hand, and Dallas and Fort Worth, Tex., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief—Motortruck competition.

Tariff—Supplement 10 to J. D. Hughett, agent, tariff MF-ICC 403.

FSA No. 40490—*Phthalic anhydride to Kingsport, Tenn.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2842), for interested rail carriers. Rates on phthalic anhydride, in tank carloads, from Bridgeport and Woodbridge, N.J., also Institute, W. Va., to Kingsport, Tenn., and specified points in Virginia.

Grounds for relief—Market competition.

Tariffs—Supplements 199 and 139 to Traffic Executive Association-Eastern Railroads, agent, tariffs ICC C-102 and C-334, respectively.

FSA No. 40491—*Soda ash to points in Tennessee.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2843), for interested rail carriers. Rates on soda ash, in bulk, or in bags, in carloads, from specified points in Michigan and Ohio, to Frisco, Greenland, and Kingsport, Tenn.

Grounds for relief—Market competition.

Tariff—Supplement 199 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-102.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5824; Filed, May 25, 1966; 8:52 a.m.]

[3d Rev. S.O. 562; Pfahler's ICC Order 202, Amdt. 1]

SOO LINE RAILROAD CO.

Diverting or Rerouting of Traffic; Expiration Date

Upon further consideration of Pfahler's ICC Order No. 202 (Soo Line Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Pfahler's ICC Order No. 202 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., August 31, 1966, unless otherwise modified, changed or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., May 31, 1966, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 23, 1966.

INTERSTATE COMMERCE COMMISSION,

[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-5825; Filed, May 25, 1966; 8:52 a.m.]

[Notice 187]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 23, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 21866 (Sub-No. 58 TA), filed May 19, 1966. Applicant: WEST MOTOR FREIGHT, INC., 749 South Reading Avenue, Boyertown, Pa., 19512. Applicant's representative: Paul Coyle, 5631 Utah Avenue NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Margarine*, between Coatesville, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Rhode Island, Virginia, West Virginia, and the District of Columbia, from points in Illinois, Indiana, and Michigan, to Coatesville, Pa., with no transportation for compensation on return except as otherwise authorized; Restriction: The authorities granted above shall not be joined so as to render a through service between points in the States specified in the first service paragraph above, via Coatesville, Pa., as a gateway; *materials and supplies*, used in the packaging or repackaging of margarine, from points in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Rhode Island, Virginia, West Virginia, and the District of Columbia, to Coatesville, Pa., with no transportation for compensation on return except as otherwise authorized, for 150 days. Supporting shipper: Dairy Sales Corp., Post Office Box 388, Coatesville, Pa. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 22254 (Sub-No. 48 TA), filed May 19, 1966. Applicant: TRANS-AMERICAN VAN SERVICE, INC., 7540 South Western Avenue, Chicago, Ill., 60620. Applicant's representative: Cohn & Colby, 1 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated self-propelled power sweepers* (other than self-propelled street sweepers, uncrated) *and accessories and parts therefor* when accompanying said vehicle, between Pomona, Calif., and points in the United States, for 180 days. Supporting shipper: Wayne Manufacturing Co., 1201 East Lexington Street, Pomona, Calif. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 42487 (Sub-No. 651 TA), filed May 19, 1966. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif., 94025. Applicant's representative: V. S. Tyler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Weed killing compounds*, liquid, in bulk, in tank vehicles, from Richmond, Calif., to Dayton, N.J., for 150 days. Supporting shipper: Stauffer Chemical Co., 636 California Street, San Francisco, Calif. Send protests to: William R. Murdoch, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif., 94102.

No. MC 45736 (Sub-No. 26 TA), filed May 19, 1966. Applicant: GUIGNARD FREIGHT LINES, INC., Highway 21, North, Post Office Box 26067, Charlotte, N.C., 28201. Applicant's representative: W. D. Turner, Sr., Post Office Box 3661, Charlotte, N.C., 28203. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oil and greases*, from Farmers Valley and Emlenton, Pa., to points in North Carolina and South Carolina, for 180 days. Supporting shipper: Quaker State Oil Refining Corp., Oil City, Pa., 16301. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 52709 (Sub-No. 285 TA), filed May 19, 1966. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., 80216. Applicant's representative: Eugene Hamilton (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A and B explosives*, between Denver, Colo., on the one hand, and, on the other, Rifle and Craig, Colo., from Denver over U.S. Highway 6 to Rifle (also from Denver over U.S. Highway 40 to its junction with U.S. Highway 6 near Idaho Springs, Colo., thence over U.S. Highway 6 to Rifle) and return over the same routes, serving no intermediate points; from Denver over U.S. Highway 40 to Craig (also from Denver over U.S. Highway 6 to its junction with U.S. Highway 40 near Idaho Springs, Colo., thence over U.S. Highway 40 to Craig) and return over the same routes, serving no intermediate points; applicant will tack the authority herein sought with its existing authority at Craig, Rifle, and Denver, and at Denver will interline with connecting carriers, for 180 days. Supporting shippers: Red Ball Motor Freight, Inc., Post Office Box 16062, Denver, Colo., 80216; The Golden Mill, Golden, Colo.; West Nebraska Express, Inc., Box 350, Scottsbluff, Nebr.; Darworth, Inc., Post Office Box 308, Simsbury, Conn.; Buckley Powder Co., 4701 Jackson Street, Denver, Colo., 80216. Send protests to: Luther H. Oldham, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce, Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo., 80202.

No. MC 64932 (Sub-No. 413 TA), filed May 19, 1966. Applicant: ROGERS CARTAGE CO., 1439 West 103d Street, Chicago, Ill., 60643. Applicant's representative: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastics, synthetic*, other than liquid, in bulk, in tank trucks and hopper trucks, from Delaware City, Del., to points in Illinois, Indiana, Michigan, Missouri, Ohio, and Wisconsin, for 180 days. Supporting shipper: Stauffer Chemical Co., 380 Madison Avenue, New York 17, N.Y. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Room 1086, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 78786 (Sub-No. 262 TA), filed May 19, 1966. Applicant: PACIFIC MOTOR TRUCKING COMPANY, 9 Main Street, San Francisco, Calif., 94105. Applicant's representative: R. K. Booth (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Class A and class B explosives*, from Hawthorne, Nev., to Concord and Port Chicago, Calif., for 150 days. Supporting shipper: Military Traffic Management and Terminal Service, Washington, D.C. Send protests to: William R. Murdoch, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif., 94102.

No. MC 108207 (Sub-No. 192 TA), filed May 19, 1966. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex., 75222. Applicant's representative: L. M. McLean (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Human blood plasma*, from Florence, Ariz., to Berkeley, Calif., for 150 days. Supporting shipper: Cutter Laboratories, Fourth and Parker Streets, Berkeley 10, Calif. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 115955 (Sub-No. 8 TA), filed May 19, 1966. Applicant: SCARI'S DELIVERY SERVICE, INC., 409 North Harrison Street, Wilmington, Del. Applicant's representative: Harry J. Scari (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry ice*, less truck load and truck load, from points in the commercial zone of Wilmington, Del., to points in the commercial zone of Dover, Del., for 180 days. Supporting shipper: International Latex Corp., Playtex Park, Dover, Del., 19901 (Frank M. Ryan, traffic manager). Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 206 Post Office Building, Salisbury, Md., 21801.

No. MC 124078 (Sub-No. 224 TA), filed May 19, 1966. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock dust*, in bulk, from Peebles, Ohio, to points in Boyd and Greenup Counties, Ky. (except Ashland, Ky.), for 150 days. Supporting shipper: Ashland Asphalt Paving Co., Box 1108, Ashland, Ky., 41101 (William R. Sparks, general manager). Send protests to: W. P. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 128058 (Sub-No. 2 TA), filed May 19, 1966. Applicant: LAUREL HILL TRUCKING COMPANY, 614 New County Road, Secaucus, N.J., 07094. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk), between Dover, Del.; McGuire Air Force Base, N.J.; Albany, N.Y.; Boston, Mass.; Charleston, S.C.; Norfolk, Va.; Washington, D.C.; Kennedy International Airport, N.Y.; La Guardia Airport, N.Y.; Newark Airport, N.J.; Philadelphia International Airport, Pa.; Baltimore, Md.; Dulles Airport, Va., for 150 days. Supporting shipper: Trans World Airlines, Inc., 605 Third Avenue, New York, N.Y., 10016. Send protests to: Walter J. Grossman, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Room 363, Newark, N.J., 07102.

No. MC 128143 (Sub-No. 1 TA), filed May 19, 1966. Applicant: LOUIS J. VALLAS and ALBERT L. SERAFINO, JR., a partnership, doing business as GEMINI TRANSPORTATION CO., Post Office Box 145, Walnut Creek, Calif., 94597. Applicant's representative: C. R. Nickerson, 9 First Street, San Francisco, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities of unusual value, classes A and B explosives, household goods as defined by the Commission in 17 M.C.C. 467 commodities in bulk, commodities requiring special equipment and commodities injurious or contaminating to other loading), between San Francisco International Airport, San Francisco, Calif., on the one hand, and points located in Contra Costa County, Calif., on the other, on traffic having a prior or subsequent movement by air carriers, for 150 days. Supporting shippers: Aerojet General, Post Office Box 77, San Ramon, Calif., 94583; Diagnostic Associates, Post Office Box 607, Walnut Creek, Calif., 94597; Eldorado Electronics, 601 Chalomar Road, Concord, Calif., 94520; Vacuum Research Co., 3100 Crow Canyon Road, San Ramon, Calif., 94583. Send protests to: H. O. Gaston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif., 94102.

No. MC 128202 TA, filed May 19, 1966. Applicant: HARBOR SEAFOODS COMPANY, INC., Box 191, Wrangell, Alaska, 99929. Applicant's representative: Ben Engdal (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Wrangell, Alaska, and Seattle and Tacoma, Wash., for 90 days. Supporting shipper: City Market, Inc., Post Office Box 140, Wrangell, Alaska, 99929. Send protests to: Hugh H. Chaffee, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 1532, Anchorage, Alaska, 99501.

No. MC 128203 TA, filed May 19, 1966. Applicant: INLAND TRANSPORTATION CO., INC., 6737 Corson Avenue South, Seattle, Wash., 98108. Applicant's representative: Steve Cole (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Woodpulp*, in bales and rolls, from Cosmopolis, Wash., to Longview, Wash., and (2) *fuel oil*, from Longview, Wash., to Cosmopolis, Wash., for 180 days. Supporting shipper: Weyerhaeuser Co., Traffic Department, Box T, Tacoma, Wash., 98401, Attention: R. V. Caldwell, manager, operations. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash., 98101.

No. MC 128204 TA, filed May 19, 1966. Applicant: RICHLAND HARDWOODS, INC., Box 134, Richland Center, Wis., 53581. Applicant's representative: Claude J. Jasper, 111 South Fairchild Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete slat feeding floors and concrete beams in connection therewith*, from Hollandale, Minn., to points in Indiana, Illinois, Iowa, Ohio, Nebraska, Michigan, South Dakota, Wisconsin, and Missouri, for 180 days. Supporting shipper: Dwight and Walter Karsjen, doing business as Karsjens Bros., Hollandale, Minn. Send protests to: C. W. Buckner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis., 53703.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5826; Filed, May 25, 1966; 8:53 a.m.]

[Notice 926]

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

MAY 23, 1966.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b), of the Interstate Commerce Act, and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIER OF PROPERTY

No. MC-F-9430. Authority sought for purchase by WAREHOUSE TRANSPORT, INC., 211 Plainfield Street, Springfield, Mass., of the operating rights and property of EDWARD FUNARO, 1350 Ridge Road, North Haven, Conn., and for acquisition by JOHN J. McCARTHY, also of Springfield, Mass., of control of such rights and property through the purchase. Applicants' attorney and representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass., 02184, and Robert DeMatteis, 1414 Dixwell Avenue, Hamden, Conn. Operating rights sought to be transferred: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, *equipment, materials*, and *supplies*, used in the conduct of such business, as a *contract carrier*, over irregular routes, between certain specified points in Connecticut, Massachusetts, New Hampshire, and Vermont, and between points in the above territory, on the one hand, and, on the other, Boston and Lawrence, Mass., Providence, R.I., and New York and Albany, N.Y. Vendee holds no authority from this Commission. However, its controlling stockholder also controls McCARTHY TRANSPORT, INC., Post Office Box 1658, Portland, Maine, which is authorized to operate as a *contract carrier* in Maine, Vermont, and New Hampshire. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5827; Filed, May 25, 1966; 8:53 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

AMERICAN EXPORT ISBRANDTSEN LINES, INC.

Notice of Application for Approval of Certain Cruises

Notice is hereby given that American Export Isbrandtsen Lines, Inc., acting pursuant to Public Law 87-45, has applied to the Maritime Administration for approval of the following cruises by the SS *Atlantic:*

1967 cruise dates and itinerary

January 4-7—New York, Freeport (Bahamas), Port Everglades.
January 8-13—Port Everglades, Kingston, Nassau, Port Everglades.
January 13-20—Port Everglades, St. Thomas, San Juan, Port Everglades.
January 20-27—Port Everglades, St. Thomas, San Juan, Port Everglades.
January 27-February 2—Port Everglades, Port-au-Prince, Kingston, Nassau, Port Everglades.
February 3-10—Port Everglades, St. Thomas, San Juan, Port Everglades.
February 10-17—Port Everglades, St. Thomas, San Juan, Port Everglades.
February 17-24—Port Everglades, St. Thomas, San Juan, Port Everglades.
February 24-March 3—Port Everglades, St. Thomas, San Juan, Port Everglades.
March 3-10—Port Everglades, St. Thomas, San Juan, Port Everglades.
March 10-17—Port Everglades, St. Thomas, San Juan, Port Everglades.
March 17-20—Port Everglades, Freeport (Bahamas), New York.

Any person, firm or corporation having any interest, within the meaning of Public Law 87-45, in the foregoing who desires to offer data, views and arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C., 20235, by the close of business on June 10, 1966. In the event an opportunity to present oral argument is also desired, specific reason for such request should also be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, JR., *Secretary.*

MAY 23, 1966.

[F.R. Doc. 66-5792; Filed, May 25, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CONTINENTAL CHEMICAL CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 2A0544) has been filed by Continental Chemical Co., 2175 Acoma Street, North Sacramento, Calif., 95815, proposing an amendment to § 121.1091 *Chemicals used in washing fruits and vegetables* to provide for the safe use of sodium mono- and dimethyl naphthalene sulfonates (mol. wt. 245-260) in the washing or to assist in the lye peeling of fruits and vegetables at a level not to exceed 0.2 percent in the wash water.

Dated: May 18, 1966.

J. K. KIRK, *Assistant Commissioner for Operations.*

[F.R. Doc. 66-5813; Filed, May 25, 1966; 8:51 a.m.]

FMC CORP.

Notice of Filing of Petitions for Pesticide and Food Additive Binapacryl

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 408(d)(1), 409(b)(5), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(1), 348(b)(5)), notice is given that a petition (PP 6F0487) has been filed by FMC Corp., 100 Niagara Street, Middleport, N.Y., 14105, proposing the establishment of a pesticide tolerance of 1.5 parts per million for residues of the insecticide and fungicide binapacryl (2-*sec*-butyl-4,6-dinitrophenyl 3-methyl-2-butenoate) in or on the raw agricultural commodities apples, cucumbers, grapes, melons, nectarines, peaches, pears, plums (fresh prunes), strawberries, summer squash, and winter squash.

Notice is also given that FMC Corp. has filed a related petition (FAP 6H2021) proposing the establishment of a food additive tolerance of 3 parts per million for residues of binapacryl in dried peaches. These residues result from carryover and concentration of residues after application of binapacryl to growing peaches.

The analytical method proposed in these petitions for determining residues of binapacryl is extraction with benzene or chloroform and evaporation to dryness, followed by dissolving the residues in aqueous pyridine and measuring the optical density at 430 millimicrons.

Dated: May 18, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5814; Filed, May 25, 1966; 8:51 a.m.]

Office of Education

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

Determination of Nationally Recognized Accrediting Agencies or Associations

In accordance with section 3(b)(6), Public Law 89-36, 79 Stat. 125 (National Technical Institute for the Deaf Act), the following nationally recognized accrediting agencies or associations have been determined by the Commissioner to be reliable authority as to the quality of training offered by institutions of higher education:

I. REGIONAL

Middle States Association of Colleges and Secondary Schools, 225 Broadway, New York, N.Y., 10007.
New England Association of Colleges and Secondary Schools, 50 Beacon Street, Boston, Mass., 02108.
North Central Association of Colleges and Secondary Schools, 5454 South Shore Drive, Chicago, Ill., 60615.
Northwest Association of Secondary and Higher Schools, M 302 Miller Hall, University of Washington, Seattle, Wash., 98105.
Southern Association of Colleges and Schools, 795 Peachtree Street NE., Room 592, Atlanta, Ga., 30308.
Western Association of Schools and Colleges, Mills College, Oakland, Calif., 94613.

II. PROFESSIONAL

American Association of Nurse Anesthetists, Suite 3010, Prudential Plaza, Chicago, Ill., 60601.
National Architectural Accrediting Board, 521 18th Street NW., Washington, D.C., 20006.
Accrediting Association of Bible Colleges, Box 543, Wheaton, Ill., 60187.
Accrediting Commission for Business Schools, Schools Center Building, Room 1404, 5057 Woodward Avenue, Detroit, Mich., 48202.
The American Association of Collegiate Schools of Business, 101 North Skinker Boulevard, Station 24, St. Louis, Mo., 63130.
American Chemical Society, Committee on Professional Training, 343 State Street, Rochester, N.Y., 14604.
American Dental Association, Council on Dental Education, 222 East Superior Street, Chicago, Ill., 60611.
Engineers' Council for Professional Development, 345 East 47th Street, New York, N.Y., 10017.
Society of American Foresters, 1010 16th Street NW., Washington, D.C., 20036.
American Council on Education for Journalism, Indiana University, Department of Journalism, Ernie Pyle Hall, Bloomington, Ind., 47405.
American Bar Association, Section of Legal Education and Admissions to the Bar, 513 Liberty Bank Building, Oklahoma City, Okla., 73100.
American Library Association, Committee on Accreditation, 50 East Huron Street, Chicago, Ill., 60611.
*Liaison Committee on Medical Education, 2530 Ridge Avenue, Evanston, Ill., 60201.
**Liaison Committee on Medical Education, 535 North Dearborn Street, Chicago, Ill., 60610.
Council on Medical Education of the American Medical Association, 535 North Dearborn Street, Chicago, Ill., 60610.
National Association of Schools of Music, Room 305, 1501 New Hampshire Avenue, NW., Washington, D.C., 20036.
National League for Nursing, Inc., 10 Columbus Circle, New York, N.Y., 10019.
American Optometric Association, Council on Optometric Education, 7000 Chippewa Street, St. Louis, Mo., 63119.
American Osteopathic Association, 212 East Ohio Street, Chicago, Ill., 60611.
American Council on Pharmaceutical Education, 77 West Washington Street, Chicago, Ill., 60602.
American Podiatry Association, Council on Education, 3301 16th Street NW., Washington, D.C., 20010.
The American Public Health Association, Inc., 1790 Broadway, New York, N.Y., 10019.
Council on Social Work Education, 345 East 46th Street, New York, N.Y., 10017.
National Council for Accreditation of Teacher Education, Mills Building, 1750 Pennsylvania Avenue NW., Washington, D.C., 20006.
The American Association of Theological Schools, 934 Third National Building, Dayton, Ohio, 45402.
American Veterinary Medical Association, Council on Education, 600 South Michigan Avenue, Chicago, Ill., 60605.

III. OTHER

New York Board of Regents (for higher institutions within New York State), The University of the State of New York, The State Education Department, Albany, N.Y., 12201.

HAROLD HOWE, II,
U.S. Commissioner of Education.

MAY 20, 1966.

[F.R. Doc. 66-5828; Filed, May 25, 1966; 8:53 a.m.]

*Even years.
**Odd years.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

ACTING REGIONAL ADMINISTRATOR, REGION I (NEW YORK)

Designation

Melvin Stein, Regional Counsel, Region I (New York), is hereby designated to serve as Acting Regional Administrator, Region I (New York), during the present vacancy in the position of Regional Administrator, Region I, with all the power and authority of the Regional Administrator.

In the absence of Melvin Stein, the officers appointed to the following positions are hereby designated to serve as Acting Regional Administrator, Region I, with all the power and authority of the Regional Administrator, Region I, provided that no officer is authorized to serve as Acting Regional Administrator unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Regional Director of Urban Renewal.
2. Deputy Regional Director of Community Facilities.
3. Deputy Regional Director of Urban Renewal.

(79 Stat. 670, 5 U.S.C. 624d(d))

Effective date. This designation shall be effective as of May 21, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-5815; Filed, May 25, 1966; 8:52 a.m.]

CIVIL AERONAUTICS BOARD

DRAKE MOTOR LINES, INC., AND SHULMAN, INC.

Application for Approval of Certain Control Relationships

Notice is hereby given, pursuant to the statutory requirements of section 408 (b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the attached order under delegated authority. Interested persons are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., on May 20, 1966.

J. W. ROSENTHAL,
Director,
Bureau of Operating Rights.

ORDER APPROVING CONTROL RELATIONSHIPS

Issued under delegated authority.

Application of Drake Motor Lines, Inc. and Shulman, Inc., Docket 17246; for approval of certain control relationships under section 408 of the Federal Aviation Act of 1958, as amended.

By order E-20793, May 6, 1964, in Dockets 14515 and 14799 the Board, acting pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act) approved, among other things, the control by Harry Shulman, Martin Shulman, Anna Shulman, and the Estate of Benjamin Shulman of Drake Motor Lines, Inc. (Drake), a common carrier by motor vehicle, and certain other companies. Specifically, Drake controlled (1) Orient-American Forwarding Co., a Japanese corporation engaged in forwarding shipments inbound to the United States, and (2) Shulman, Inc. of Massachusetts, a common carrier by motor vehicle (Shulman, (Mass.)) which, in turn, controlled Shulman, Inc. of Delaware, a domestic and international air freight forwarder (Shulman, (Del.)).

Thereafter, by Order E-22705 of September 29, 1965, the Board approved, in Docket 16327, pursuant to section 408, the ownership by Martin and Harry Shulman of all the outstanding stock of Orient-American Forwarding Co. (HK) Ltd. (Orient), a Hong Kong corporation, while they control Shulman (Del.), i.e., through Drake and Shulman (Mass.); and the transfer of such stock interest in Orient to Drake. In both proceedings certain interlocking relationships involving various individuals were also approved under section 409 of the Act.

By application filed April 20, 1966, Drake and Shulman (Del.) request that the Board determine that it has no jurisdiction or, in the alternative, if the Board determines that it has jurisdiction, that it enter an order approving the acquisition by Drake of that portion of the operating authority contained in certificate of public convenience and necessity No. MC-1960 issued by the Interstate Commerce Commission to Long Island Delivery Co., Inc. (Long Island), which authorizes the transportation of general commodities between New-York, N.Y., on the one hand, and points in Bergen, Hudson, Essex, and parts of Passaic and Union Counties, N.J., on the other.[1] The applicants state that Drake is not purchasing any other properties of Long Island and Long Island will continue to operate as a separate and distinct independent motor carrier.

The Interstate Commerce Commission (ICC), on April 11, 1966, approved the acquisition by Drake of Long Island's operating authorization identified as No. MC-1980. Such authorization permits motor common carriage of general commodities, except class A and B explosives, dangerous chemicals, livestock, household goods, as defined by ICC, commodities in bulk, and those requiring special equipment, over irregular routes within the area briefly defined above.

The applicants submit that section 408 does not require approval of the Board in order to acquire the Long Island certificate; that the transaction does not involve the merger or consolidation of two air carriers or a case where an air carrier seeks to acquire control of another air carrier or of a person engaged in any other phase of aeronautics or of an instance of an air carrier acquiring control of another carrier; and that the Board therefore should determine that it has no jurisdiction and enter an order dismissing the application. If, on the other hand, the Board determines that it has jurisdiction over the transaction, the applicants submit that under section 101(3) of the Act the Board may exempt the applicants from the hearing and other requirements of section 408 upon a finding that such relief is in the public interest.

As to the public interest, the applicants submit that no other air carrier will be adversely affected by the transaction; that the public will be benefited from the expanded and improved service which Drake will be able to offer the public in connection with air freight forwarder service provided by Shulman (Del.); and that with the use of the Long Island certificate Drake will be able to pick up and deliver local surface traffic for its own account, as well as surface and air freight forwarder traffic handled by Shulman (Del.).

No adverse comments or requests for a hearing have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER, and a copy of such notice has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with the requirements of section 408 of the Act.

Upon consideration of the application, it is concluded that the transaction proposed herein involves the acquisition by a person (Drake) controlling an air carrier (Shulman (Del.)) of a part of the operating rights of a common carrier (Long Island) within the meaning of section 408 of the Act, and that Board approval of the transaction may be required.[2] Since under section 101(3) of the Act the Board may relieve only indirect air carriers from the provisions of the Act, we have concluded that it is appropriate to deny the applicants' request for an exemption. It has been further concluded that such relationships do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly and do not restrain competition or jeopardize another air carrier not a party to the acquisition of control. Furthermore, no person disclosing a substantial interest in this proceeding is currently requesting a hearing, and it is found that the public interest does not require a hearing. In this instance it appears that the ICC operating authorization issued to Long Island is within the acceptable pickup and delivery zone surrounding New York City and that because of its limited operating authorization, it does not appear that conflicts of interest would arise between air and surface operations which would result in diversion of traffic from air to surface transportation and deprive the air freight forwarder of sufficient incentive to conscientiously promote and develop the movement of air freight.[3] However, should services under the Long Island certificate to be acquired by Drake be expanded, new issues would be raised which could only be resolved upon the filing of a further application for prior approval by the Board. In this posture it appears that approval of the control relationships, to the extent that such approval is necessary pursuant to section 408, would not be inconsistent with the public interest provided that such approval is made effective only so long as the operation of motor vehicles by Drake pursuant to the Long Island certificate is limited to the area defined in ICC Operating Authorization No. MC-1980 as in effect on the date hereof.

Pursuant to authority duly delegated by the Board in the Board's Regulations 14 CFR 385.13, it is found that the foregoing control relationships should be approved under section 408(b) of the Act, without a hearing.

Accordingly, it is ordered:

1. That the proposed acquisition of Long Island by Drake, which controls Shulman (Del.), be and it hereby is approved;
2. That the approval herein shall be effective only so long as the operation of motor vehicles by Drake pursuant to the Long Island operating authorization is confined to the area defined in ICC Operating Authorization No. MC-1980 as in effect on the date hereof; and
3. That, to the extent not granted herein, the application in Docket 17246 be and it hereby is denied.

Persons entitled to petition the Board for review of this order pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within five days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

BY: J. W. ROSENTHAL,
Director, Bureau of Operating Rights.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5802; Filed, May 25, 1966; 8:50 a.m.]

[1] These points are within a radius of approximately 35 miles from New York City.

[2] Cf. Air Freight Forwarder Case, 9 CAB 473, pp. 504-505.

[3] Cf. Telstar Air Freight, Inc., Order E-22479, July 27, 1965.

[Docket 16765]

HAWAIIAN AIRLINES, INC. AND SKYWAY AIR CARGO, INC.

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding now assigned to be held June 1, 1966, is postponed to June 16, 1966, at 10 a.m., e.d.s.t., in Room 213, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., May 23, 1966.

[SEAL] BARRON FREDRICKS,
Hearing Examiner.

[F.R. Doc. 66-5803; Filed, May 25, 1966; 8:50 a.m.]

FEDERAL AVIATION AGENCY

REGIONAL OFFICE, CENTRAL REGION, KANSAS CITY, MO.

Notice of Change of Address

Notice is hereby given that on June 3, 1966, the Regional Office, Central Region, at Kansas City, Mo., will move from 4825 Troost Avenue to the Federal Building, 601 East 12th Street. Central Region serves the aviation public in 12 states: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wisconsin.

(Sec. 313(a), 72 Stat. 752, 49 U.S.C. 1354)

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-5754; Filed, May 25, 1966; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14755-14757; FCC 66M-715]

JUPITER ASSOCIATES, INC., ET AL.

Order Continuing Hearing

In re applications of Jupiter Associates, Inc., Matawan, N.J., Docket No. 14755, File No. BP-14178; William S. Halpern and Louis N. Seltzer doing business as Somerset County Broadcasting Co., Somerville, N.J., Docket No. 14756, File No. BP-14234; Radio Elizabeth, Inc., Elizabeth, N.J., Docket No. 14757, File No. BP-14812; for construction permits.

For reasons stated on the record at a hearing conference of this date: *It is ordered*, This 20th day of May 1966, that the petition for leave to amend its application filed April 1, 1966, on behalf of Jupiter Associates, Inc., and supplemental thereto filed May 3, 1966, be and the same is hereby denied and the tendered amendment is rejected:

It is further ordered, That the hearing now scheduled for June 1, be and

the same is hereby rescheduled for July 6, 1966, 10 a.m., in the Commission's Offices, Washington, D.C.

Released: May 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5821; Filed, May 25, 1966; 8:52 a.m.]

[Docket No. 15658; FCC 66M-713]

NAUGATUCK VALLEY SERVICE, INC. (WOWW)

Order Scheduling Prehearing Conference

In re application of Naugatuck Valley Service, Inc. (WOWW), Naugatuck, Conn., Docket No. 15658, File No. BP-14829; for construction permit.

More hearing in this proceeding seems inevitable. The Review Board has denied applicant's petition for reconsideration of its order directing that the above-entitled application be heard for a second time on a new set of issues, see Memorandum Opinion and Order of the Review Board, released May 6, 1966 (FCC 66R-176).

Accordingly, it is ordered, This 20th day of May 1966, that a prehearing conference will be held at 9 a.m., May 26, 1966, at the offices of the Commission in Washington, D.C., to discuss ways and means of proceeding to hearing on the issues specified in the document referred to above.

Released: May 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5822; Filed, May 25, 1966; 8:52 a.m.]

[Docket Nos. 16388, 16389; FCC 66M-714]

D. H. OVERMYER COMMUNICATIONS CO., AND MAXWELL ELECTRONICS CORP.

Order Rescheduling Hearing

In re applications of D. H. Overmyer Communications Co., Dallas, Tex., Docket No. 16388, File No. BPCT-3463; Maxwell Electronics Corp., Dallas, Tex., Docket No. 16389, File No. BPCT-3489; for construction permits.

Because of a conflict in the hearing schedule: *It is ordered,* This 20th day of May 1966, that the hearing conference now scheduled for July 6, 1966, be and the same is hereby rescheduled for July 5, 1966, 2 p.m., in the Commission's Offices, Washington, D.C.

Released: May 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5823; Filed, May 25, 1966; 8:52 a.m.]

FEDERAL MARITIME COMMISSION

[No. 66-2]

INDEPENDENT OCEAN FREIGHT FORWARDERS, OCEAN FREIGHT BROKERS, AND OCEANGOING COMMON CARRIERS

Notice of Oral Argument Regarding Practices

MAY 20, 1966.

Oral argument in this proceeding will be heard on June 15, 1966, beginning at 9:30 a.m., in Room 114, 1321 H Street, NW., Washington, D.C.

Interested persons are requested to notify the Secretary on or before June 3, 1966, as to the amount of time desired.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5795; Filed, May 25, 1966; 8:50 a.m.]

[Docket No. 66-21]

CONTINENTAL NORTH ATLANTIC WESTBOUND FREIGHT CONFERENCE

Admission, Withdrawal and Expulsion, Self-Policing Reports, Shippers' Requests and Complaints; Notice of Postponement of Dates

Respondent Continental North Atlantic Westbound Freight Conference has requested a postponement of the date for filing affidavits of fact and memoranda of law specified in the order to show cause, served April 14, 1966. Good cause appearing, the following revisions to that order are made:

(1) Respondents shall file affidavits of fact and memoranda of law no later than close of business June 20, 1966.

(2) Hearing Counsel and intervenors, if any, shall file replies to respondent's affidavits of fact and memoranda of law no later than close of business July 5, 1966.

(3) Oral argument will be heard at a date and time to be announced later.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5796; Filed, May 25, 1966; 8:50 a.m.]

[No. 66-20]

VESSEL OPERATING COMMON CARRIERS IN THE DOMESTIC OFFSHORE TRADE

Reports of Rate Base and Income Account; Enlargement of Time for Filing Comments

MAY 20, 1966.

At the request of Lykes Bros. Steamship Co., and good cause appearing, time for filing written statements, data, views, or comments in this proceeding is enlarged to and including May 27, 1966.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5797; Filed, May 25, 1966; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Project No. 2574]

MILSTAR MANUFACTURING CORP.

Notice of Application for License for Constructed Project

MAY 19, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Milstar Manufacturing Corp. (correspondence to: Minot K. Milliken, Vice President, Milstar Manufacturing Corp., 1045 Sixth Avenue, New York, N.Y., 10018) for a license for constructed Project No. 2574, known as the Lockwood project, located on the Kennebec River in the city of Waterville and town of Winslow, in Kennebec County, Maine.

The existing project consists of: (1) A concrete gravity-type dam about 20 feet high and 1,010 feet long in three sections, two spillway sections: One about 225 feet long with a log-way, crest elevation 50.9 feet topped with flashboards 1.25 feet high, and one about 625 feet long, and, a gated section about 160 feet long; (2) a reservoir at elevation 52.16 feet, U.S.G.S., about 1.2 miles long with an area of about 82 acres and negligible storage; (3) a concrete gravity-type canal wall forming a forebay about 450 feet long; (4) a brick powerhouse with six generating units each rated at 800 kw totaling 4,800 kw; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 13, 1966. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5755; Filed, May 25, 1966; 8:46 a.m.]

[Docket No. CP66-358]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

MAY 19, 1966.

Take notice that on May 9, 1966, Panhandle Eastern Pipe Line Co. (Applicant), 3444 Broadway, Kansas City, Mo., 64111, filed in Docket No. CP66-358 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon and sell to the Louisburg Gas Co. three short segments of terminal lateral pipelines of Applicant's Louisburg lateral system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authority to abandon and sell the following lateral pipeline facilities to the Louisburg Gas Co.:

(1) That portion of the lateral pipeline facility located to the south and on the downstream side of the existing Louisburg town border station, consisting of approximately 3,146 feet of 4-inch pipeline, together with drips, anodes, valves and miscellaneous fittings appurtenant thereto;

(2) That portion of the lateral pipeline facility located to the west of the existing Louisburg town border station, consisting of approximately 562 feet of 6-inch pipeline, together with drips, anodes, valves, and miscellaneous fittings appurtenant thereto, and together with the five existing farm taps;

(3) That portion of the lateral pipeline facility located to the north and on the downstream side of the existing pressure regulator located just east of the existing Louisburg town border station, consisting of approximately 2,085 feet of 2-inch pipeline, together with drips, anodes, valves, and miscellaneous fittings appurtenant thereto, and together with the three farm taps which serve four customers.

Applicant states that the sale of the above described facilities will result in a more economical operation for each company and that the expense of the physical changeover of the facilities if any will be negligible. Applicant further states that the granting of the requested authorization will involve no changes in gas deliveries or rates.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 13, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5756; Filed, May 25, 1966; 8:46 a.m.]

[Docket No. CP66-359]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

MAY 19, 1966.

Take notice that on May 9, 1966, Panhandle Eastern Pipe Line Co. (Applicant), 3444 Broadway, Kansas City, Mo., 64111, filed in Docket No. CP66-359 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction of a measuring and regulating station and the delivery and sale to Northern Illinois Gas Co. (Northern Illinois) of certain volumes of natural gas for resale to municipalities and communities located in the counties of Pike, Adams, Hancock, and Henderson, Ill., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that Applicant and Northern Illinois have entered into a gas sales contract dated April 15, 1966, whereby Applicant agrees to sell and Northern Illinois agrees to purchase certain volumes of gas under Applicant's proposed LS-2 rate schedule. Applicant further states that in order to make deliveries of the required volumes of gas to be purchased by Northern Illinois, Applicant proposes to construct measuring and regulating facilities and provide a mainline tap near its Pleasant Hill Compressor Station, Pike County, Ill.

The total estimated volumes of natural gas involved to meet Northern Illinois' annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	157,000	165,000	170,000
Peak day (Mcf)	500	500	500

The total estimated cost of Applicant's proposed construction is $38,000, which will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 13, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5757; Filed, May 25, 1966; 8:46 a.m.]

[Project No. 2310]

PACIFIC GAS AND ELECTRIC CO.

Notice of Supplement to Application for Amendment of License for Constructed Project

MAY 19, 1966.

Public notice is hereby given that a supplement has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Pacific Gas and Electric Co. (correspondence to: E. J. Lage, Vice President—Rates and Valuation, Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif. 94106), to a pending application for amendment of license for constructed Project No. 2310, located on South Yuba and Bear River and tributaries, in Nevada and Placer Counties, Calif., near the cities of Auburn, Colfax, Grass Valley, and Nevada City.

The supplement seeks to include under the license for the project additional constructed facilities and supplements PG&E's application for amendment of license filed October 31, 1963, and PG&E's application for Commission approval of revised project exhibits filed May 4, 1965, which are pending in the Commission. The additional constructed facilities covered by the subject supplement are described as follows: Reservoirs: White Rock Lake—an earth-fill dam and concrete spillway on North White Rock Creek, a reservoir with an area of about 90 acres and storage capacity of about 570 acre-feet, and a controlled outlet through the bottom of the dam; Lake Valley—an earth-fill main dam on the North Fork of the North Fork American River and an earth-fill spillway dam; a spillway through the rock of the left abutment of the spillway dam, a reservoir with an area of about 298 acres and storage capacity of about 7,964 acre-feet, and a controlled outlet through the left abutment; Alta Forebay—an earth-fill dam and spillway at the lower end of Towle Canal, a reservoir with an area of about 5 acres and storage capacity of 37.5 acre-feet; Lake Alta—an earth-fill dam and an earth-fill and rock wall dam, a reservoir with an area of about 25 acres and storage capacity of about 263 acre-feet, a spillway, and a discharge pipe to Cedar Creek; Lake Theodore—an earth-fill dam and spillway on Dry Creek, a reservoir with an area of about 21 acres and storage capacity of about 284 acre-feet, and a discharge pipe to lower Boardman Canal; Lake Arthur—an earth-fill dam and spillway on South Fork of Dry Creek, a reservoir with an area of about 7.1 acres and a storage capacity of about 111 acre-feet; Halsey Forebay—two earth-fill dams and spillway at the down-

stream ends of the Bear River Canal and the Upper Bowman Canal, a reservoir with an area of about 17 acres and a storage capacity of approximately 243 acre-feet; Halsey Afterbay—a rock-fill and concrete dam and spillway on the South Fork of Dry Creek, a reservoir with an area of about 9 acres and a storage capacity of about 106 acre-feet, and a discharge pipe to Wise Canal; Rock Creek Reservoir—a multiple arch concrete dam, two auxiliary earth-fill dams and spillway on Rock Creek, a reservoir with an area of about 55 acres and a storage capacity of about 550 acre-feet, and a controlled outlet through the dam; Wise Forebay—an earth-fill dam and spillway at the downstream ends of Wise Canal and Middle Fiddled Green Canal, a reservoir with an area of about 4.5 acres and a storage capacity of about 32 acre-feet; Canals and Penstocks—Lake Valley Canal—a canal about 2.37 miles long; Diversion from Drum Forebay—a 0.3-mile diversion from Drum Forebay to Canyon Creek; Upper Boardman Canal—a canal about 7.12 miles long from Bear River to Canyon Creek; Towle Canal—a 4-mile canal from Canyon Creek to Alta Forebay; Alta Penstock—a 5,383-foot long welded steel pipe from Alta Forebay to Alta Power Plant; Pulp Mill Canal—a canal 1.12 miles long from Canyon Creek to Lake Alta; Lower Boardman Canal (Alta Tailrace—Lake Alta section)—a canal about 1.6 miles long from Alta powerplant tailrace to Lake Alta; Cedar Creek Canal—a canal about 2.72 miles long from Lake Alta to the Cedar Creek Canal—Lake Arthur section of lower Boardman Canal; Lower Boardman Canal (Cedar Creek Canal—Lake Arthur section)—a canal 29.6 miles long from Cedar Creek to Lake Theodore to Lake Arthur; Bowman Feeder Canal—a canal about 1.90 miles long from the Lower Boardman Canal to the Ragsdale Tunnel Canal; Ragsdale Tunnel and Random Canal—a canal about 1.16 miles long from Bear River Canal and Bowman Feeder Canal to Lower Boardman Canal; Upper Bowman Canal—a canal about 1.93 miles long from Ragsdale Random Canal to Halsey Forebay; Halsey Penstock and Tunnels No. 5 and 6—1,566 feet of woodstave pipe, two tunnels 2,615 feet long and 1,207 feet of steel pipe; Wise Canal—a canal about 5.93 miles long from Halsey Afterbay to Rock Creek Reservoir to Wise Forebay; Rock Creek Diversion Canal—a canal about 0.67 mile long from Wise Canal to Middle Fiddler Green Canal; Middle Fiddler Green Canal—a canal about 2.57 miles long from Rock Creek Diversion Canal to Wise Forebay; Lower Fiddler Green (upper section)—a canal about 2.09 miles long from Wise Forebay to Lower Fiddler Green Canal—South Canal bypass; lower Fiddler Green Canal—South Canal Bypass—a canal about 0.4 mile long from Lower Fiddler Green Canal to Wise Tailrace; Wise Penstock and Tunnel No. 10—1,272 feet of woodstave pipe, 436 feet of tunnel, and 6,842 feet of steel pipe; South Canal—a canal about 7.14 miles long, from Wise Tailrace to various water supply facilities and to North Fork American River; Powerhouses and Transmission Facilities: Alta Power Plant—a powerhouse located on Little Bear River housing two 1,500 hp turbines, each connected to a 1,000 kw generator, a step-up transformer, and switching facilities connected directly to a nonproject transmission system; Halsey Power Plant—a powerhouse located on South Fork Dry Creek housing an 18,000 hp turbine connected to a 15,000 kva generator, and step-up transformers and circuit breakers; Wise Power Plant—a powerhouse located on Auburn Ravine housing an 18,700 hp turbine connected to a 15,000 kva generator, step-up transformers and circuit breakers; Halsey 60 Kv and 115 Kv Tap Lines—two 60 kv tap lines, 0.3 of a mile long from Halsey powerhouse to the licensee's transmission system, two 115 kv tap lines to licensee's nonproject 115 kv transmission lines passing through the plant yard; Wise 60 Kv Tap Lines—two 60 kv tap lines, 0.1 mile long from Wise powerhouse to the licensee's transmission system.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 11, 1966. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc 66-5758; Filed, May 25, 1966; 8:46 a.m.]

[Project No. 2582]

ROCHESTER GAS & ELECTRIC CORP.

Notice of Application for License for Constructed Project

MAY 19, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Rochester Gas & Electric Corp. (correspondence to: Francis E. Drake, Jr., Executive Vice President, Rochester Gas & Electric Corp., 89 East Avenue, Rochester, N.Y., 14604), for license for constructed Project No. 2582, known as Station 2, located on the Genessee River, in the city of Rochester, in Monroe County, N.Y.

The existing project consists of: (1) A canal, known as Brown's Race, approximately 50 feet wide and 4 feet deep, receiving water downstream from the city of Rochester's Central Avenue Dam (located at the Upper Falls), and upstream from a wooden collapsible 32-foot long, 11-foot high dam; (2) an intake structure with seven wooden gates, each 5 feet by 6 feet; (3) a forebay at elevation 480 feet; (4) an automatic syphon spillway; (5) a metal clad intake rack house with wooden shutoff gate; (6) an 11-foot steel penstock about 235 feet long; (7) a powerhouse containing a single 10,000 hp vertical turbine and a 6,500 kw generating unit; (8) two underground 11 kv cables, about 4,000 feet long, to Station 6; and (9) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 13, 1966. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5759; Filed, May 25, 1966; 8:46 a.m.]

[Project No. 2583]

ROCHESTER GAS & ELECTRIC CORP.

Notice of Application for License for Constructed Project

MAY 19, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Rochester Gas & Electric Corp. (correspondence to: Francis E. Drake, Jr., executive vice president, Rochester Gas & Electric Corp., 89 East Avenue, Rochester, N.Y., 14604), for license for constructed Project No. 2583, known as Station No. 5, located on the Middle and Lower Falls of Genessee River, in the city of Rochester, in Monroe County, N.Y.

The existing project consists of: (1) A dam about 400 feet long at Middle Falls, containing four 16-foot by 50-foot taintor gates and 16-foot by 100-foot sector gates; (2) a reservoir of about 325 acre-feet capacity at elevation 391.0 feet; (3) an intake in the center of the river, with 16 gated openings each 10 feet wide and 12 feet high; (4) a 20-foot tunnel about 1,400 feet long, from the intake at the Middle Falls Dam to a surge tank; (5) a surge tank; (6) three 13-foot steel penstocks; (7) a powerhouse at Lower Falls, containing two 16,000 hp turbines and one 22,000 hp turbine connected to two 11,250 kw generators and one 15,750 kw generator, respectively; and (8) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 13, 1966. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5760; Filed, May 25, 1966; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

BAYSTATE CORP.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Baystate Corp., Boston, Mass., for approval of the acquisition of voting shares of Lynn Safe Deposit & Trust Co., Lynn, Mass.

There has come before the Board of Governors, pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)) and § 222.4(a)(2) of Federal Reserve Regulation Y (12 CFR 222.4(a)(2)), an application by Baystate Corp., Boston, Mass., a registered bank holding company, for the Board's prior approval of the acquisition of up to 100 percent of the outstanding voting shares of Lynn Safe Deposit & Trust Co., Lynn, Mass.

As required by section 3(b) of the Act, notice of receipt of the application was given to, and views and recommendation requested of, the Commissioner of Banks for the State of Massachusetts. The Commissioner advised the Board that, pursuant to State law, a petition had been filed by Applicant with the Massachusetts Board of Bank Incorporation for prior approval of the proposed acquisition, and a hearing would be held thereon. The Massachusetts Board, subsequently approved the acquisition, and the Board of Governors was so notified.

Notice of receipt of the application was published in the FEDERAL REGISTER on January 28, 1966 (31 F.R. 1167), providing an oportunity for interested persons to submit comments and views with respect to the proposed acquisition. The time for filing such comments and views has expired, and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved, provided that the acquisition so approved shall not be consummated (a) within seven calendar days after the date of this order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 19th day of May 1966.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-5761; Filed, May 25, 1966; 8:47 a.m.]

CITIZENS BANK & TRUST CO.

Order Approving Consolidation of Banks

In the matter of the application of Citizens Bank & Trust Co. for approval of consolidation with The State Bank of Coleman.

There has come before the Board of Governors, pursuant to the Bank Merger Act, as amended (12 U.S.C. 1828(c), Public Law 89-356), an application by Citizens Bank & Trust Co., Clare, Mich., a State member bank of the Federal Reserve System, for the Board's prior approval of the consolidation of that bank with The State Bank of Coleman, Coleman, Mich., under the charter and title of Citizens Bank & Trust Co. As an incident to the consolidation, the sole office of The State Bank of Coleman would become a branch of the resulting bank. Notice of the proposed consolidation, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed consolidation:

It is hereby ordered, for the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved, provided that said consolidation shall not be consummated (a) before the thirtieth calendar day following the date of this order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 17th day of May 1966.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-5762; Filed, May 25, 1966; 8:47 a.m.]

DENVER U.S. BANCORPORATION, INC.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Denver U.S. Bancorporation, Inc., Denver, Colo., for approval of the acquisition of voting shares of The Mercantile Bank & Trust Co., Boulder, Colo. (Docket No. BHC-73).

There has come before the Board of Governors, pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)) and § 222.4(a)(2) of Federal Reserve Regulation Y (12 CFR 222.4(a)(2)), an application by Denver U.S. Bancorporation, Inc., Denver, Colo., a registered bank holding company, for the Board's prior approval of the acquisition of 50 percent or more of the outstanding voting shares of The Mercantile Bank & Trust Co., Boulder, Colo.

In accordance with section 3(b) of the Act, the Board gave written notice to the State Bank Commissioner of Colorado of receipt of the application and requested his views and recommendation thereon. The Comptroller of the Currency and the Antitrust Division of the Department of Justice were notified of receipt of the application. None of the aforementioned governmental authorities disapproved the application in writing within 30 days of notice of the application. At a later date, however, the State Bank Commissioner, on behalf of himself and the Colorado State Banking Board, opposed the application. The notice of the filing of the application, published in the FEDERAL REGISTER of July 22, 1965 (30 F.R. 9189), included a statement that comments and views regarding the proposed acquisition could be filed with the Board within 30 days thereafter. By letter dated August 17, 1965, the president of The First National Bank of Denver commented adversely on the proposal. By letter dated August 18, 1965, The Central Bank & Trust Co., Denver, Colo., submitted to the Board an opposition to the proposal and requested an opportunity to participate in a hearing on the matter. On September 9, 1965, at the discretion of the Board and in accordance with the provisions of § 222.7 (a) of the Board's Regulation Y (12 CFR 222.7(a)), the Board ordered a public hearing in connection with the application. Said Order was published in the FEDERAL REGISTER on September 16, 1965 (30 F.R. 11887). A public hearing was held in Denver, Colo., on October 19–22, 1965, before a duly selected Hearing Examiner. Appearances at the hearing were made on behalf of Applicant proponent; The Central Bank & Trust Co. and the Colorado State Banking Board and Bank Commissioner as opponents; and counsel for the Board of Governors in a nonadversary capacity. After the hearing, proposed findings of fact, conclusions of law, and briefs were submitted by the aforesaid adversary parties. On March 4, 1966, the Hearing Examiner filed with the Board a Report and Recommended Decision, recommending approval of the application. The opposing bank filed exceptions to the Hearing Examiner's Report and Recommended Decision, together with a supporting brief and a request for oral argument before the Board. Applicant responded with a brief in opposition to the opposing bank's exceptions and request for oral argument. The Colorado State Banking Board and Commissioner filed no exceptions but requested that their abstention be construed, not as agreement with the Hearing Examiner's conclusions, but rather as a reliance upon the record itself. All of the aforementioned documents were received as part of the record and have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that the request for oral argument be and hereby is denied; and that said application for acquisition be and hereby is approved, provided that the ac-

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Boston.

[2] Voting for this action: Chairman Martin, and Governors Shepardson, Mitchell, Daane, Maisel, and Brimmer. Absent and not voting: Governor Robertson.

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Chicago.

[2] Voting for this action: Chairman Martin, and Governors Robertson, Shepardson, Mitchell, Daane, Maisel, and Brimmer.

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Kansas City. Dissenting statement of Governor Robertson also filed as part of the original document and available upon request.

quisition so approved shall not be consummated (a) within 7 calendar days after the date of this order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 16th day of May 1966.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 66-5763; Filed, May 25, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

MAY 20, 1966.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976, being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 22, 1966, through May 31, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5775; Filed, May 25, 1966; 8:48 a.m.]

[File No. 70-4373]

PENNZOIL CO., ET AL.

Notice of Proposed Issuance of Securities and Acquisition of Nonutility Assets by Holding Company and Its Nonutility Subsidiary Companies Relating to Their Oil, Gas, and Mining Businesses

MAY 19, 1966.

In the matter of Pennzoil Co., 900 Southwest Tower, Houston, Tex., 77002; and Wolf's Head Oil Refining Co., Inc., Elk Refining Co., Triad Oil Co., South Penn Oil Co., Pennzoil del Caribe, S.A., Pennzoil de Quebec Limitée, United Gas Pipe Line Co., Union Producing Co., and Duval Corp.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") by Pennzoil Co. ("Pennzoil"), a registered holding company, and by its above-named nonutility subsidiary companies, the first six so named being direct subsidiary companies of Pennzoil, and the last three being subsidiary companies of United Gas Corp. ("United"), a gas utility subsidiary company of Pennzoil. The joint application-declaration designates sections 6, 7, 9, 10, and 12 of the Act and Rules 43 and 49(a), (b), and (d) thereunder as applicable to the proposed transactions. All interested persons are referred to said application-declaration, which is summarized below, for a complete description of the proposed transactions.

The applicants-declarants are variously engaged in nonutility businesses, including the production, transportation, and refining of crude oil; the production, gathering, transportation, processing, and sale of natural gas; the mining, milling, and marketing of copper, sulphur, and other minerals; and the manufacture and marketing of agricultural chemicals.

The filing states that, in accordance with the custom of petroleum and certain mining companies, applicants-declarants propose, in the ordinary course of their business, (i) to enter into various transactions and agreements, described in detail in the application-declaration, in connection with the acquisition or disposition of petroleum, natural gas, and mining properties or leases or interests therein, and (ii) to enter into agreements for the joint ownership and operation of plants for the processing and extraction of liquid hydrocarbons and minerals. It is further stated that the proposed transactions and related agreements frequently involve the sale or acquisition of royalties, participations, and working or other interests that may constitute securities as defined in the Act, or the acquisition of assets or other interests subject to the Act.

Applicants-declarants state that the order of the Commission with respect to the proposed transactions and agreements shall not be deemed to permit the issuance by applicants-declarants of shares of their capital stock or any instruments evidencing indebtedness for borrowed money, and agree that the order may be made subject to the following conditions:

(a) The order shall not apply to any single transaction involving the acquisition or disposition by an applicant-declarant of properties or other interests having a book value in excess of $5,000,000.

(b) The order shall not apply to any transaction with any person affiliated directly or indirectly with any company in the Pennzoil holding-company system.

(c) Applicants-declarants shall file with the Commission, semiannually on the first day of August and February for the periods terminating the preceding 30th day of June and 31st day of December, respectively, a brief description of each transaction effected pursuant to the order.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions and that no fees, commissions or expenses will be incurred in connection with this application-declaration.

In a separate proceeding (Holding Company Act Release No. 15475 (May 16, 1966)), Pennzoil and United have filed a Plan under section 11(e) of the Act proposing the sale by United of its gas utility properties, and the consolidation of Pennzoil and United into a single company which neither directly, nor through subsidiary companies, will engage in the business of a public-utility company as defined in the Act. Upon consummation of the Plan, Pennzoil will file an application for an order declaring it has ceased to be a holding company and terminating its registration under the Act.

Notice is further given that any interested person may, not later than June 9, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Pennzoil Co. at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5776; Filed, May 25, 1966; 8:48 a.m.]

[File No. 7-2564]

ATLANTIC RICHFIELD CO.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 20, 1966.

In the matter of application of the Philadelphia-Baltimore-Washington Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

Atlantic Richfield Co., File 7-2564.

Upon receipt of a request, on or before June 5, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5777; Filed, May 25, 1966; 8:48 a.m.]

[File No. 7-2567]

McCORD CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 20, 1966.

In the matter of application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

McCord Corp., File 7-2567.

Upon receipt of a request, on or before June 5, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5778; Filed, May 25, 1966; 8:48 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

MAY 20, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value, of United Security Life Insurance Co., Birmingham, Ala., otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 23, 1966, through June 1, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5779; Filed, May 25, 1966; 8:48 a.m.]

[2] Voting for this action: Governors Shepardson, Mitchell, Daane, and Maisel. Voting against this action: Governor Robertson. Absent and not voting: Chairman Martin and Governor Brimmer.

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3718 6567
3719 6607
3720 6679
3721 6817
3722 6855
3723 6945
3724 7027
3725 7107
3726 7551

EXECUTIVE ORDER:
July 2, 1910 (revoked in part by PLO 4003) 7351
8111 (revoked by PLO 4017) 7567
8389 (see EO 11281) 7215
9989 (superseded by EO 11281) 7215
10348 (superseded by EO 11281) 7215
10644 (amended by EO 11281) 7215
11917 (superseded by EO 11278) 6681
11069 (superseded by EO 11278) 6681
11218 (superseded by EO 11278) 6681
11277 6609
11278 6681
11279 6947
11280 7167
11281 7215

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 6857

5 CFR

630 7279, 7380
213 6769, 6859, 6903, 6949, 7169, 7351, 7379, 7380.
772 6569, 6949

6 CFR

70 7029

7 CFR

7 6569
50 6570
51 7169
68 6629
81 7553
401 7553
406 7553
409 7554
410 7554
701 6957, 7169, 7513
718 6859, 7393
719 7030
722 6573, 6580, 6859, 7472, 7554
724 6819
729 6581, 6957
730 7472
780 7393
813 6819
815 6860
905 6958

7 CFR—Continued

Page

908 6825, 7030, 7109, 7394, 7513
909 6825, 7109
910 6826, 7110, 7394, 7473
915 7394
916 7474, 7475, 7554, 7555
917 7241, 7242, 7348, 7476
918 6958, 7555
944 6959, 7514
959 6860
965 7243
980 6629
1098 6581
1099 6861, 7110, 7477
1421 6904, 7243, 7477
1427 6861, 7110
1434 6582
1481 7396
1488 7515
1490 6862, 7556

PROPOSED RULES:
52 6871, 7185
58 6715
330 7479
905 7286, 7287
906 7480
911 7482
916 6871, 7482
965 6592
991 7397
1001 7520
1015 7520
1032 6631
1038 7061
1039 7061
1041 7483
1050 6631
1065 6873
1068 7129
1098 7524
1099 7129
1125 7062
1126 6631
1133 6986

8 CFR

204 7217
214 6611, 7170
511 7348

9 CFR

76 7029

12 CFR

1 6826, 6905
10 6949
11 6950
12 6952
13 6953
14 6954
15 6955
16 6955
208 7224
220 7169
522 6905
524 6905
545 7508

12 CFR—Continued

Page

PROPOSED RULES:
523 7354, 7483
525 7483
545 7355
561 7356
563 7356, 7484

13 CFR

105 7375
121 7375

14 CFR

39 6582, 6685, 6790, 6959, 7031, 7111, 7170, 7279, 7351.
65 7455
71 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172, 7217, 7279, 7351, 7352, 7456, 7507, 7556, 7559–7561.
73 6893, 7032, 7112, 7217
75 7280, 7561
95 7112
97 6612, 6685, 6828, 6894, 7218, 7385
137 6685
151 6686
208 6620
223 6584
225 7508
320 6585
378 6621

PROPOSED RULES:
37 7084
39 7148, 7354, 7483
71 6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187, 7527, 7528, 7573, 7575
75 7085
105 6988
121 6592
246 6986

15 CFR

30 6587
369 7037
372 7038
373 6707, 7038
374 6707
377 6707
379 6709
381 7509
382 6707, 6709, 7038, 7509
384 6709, 6864
385 6709
399 6707, 6709, 6829, 6866, 7038, 7380

16 CFR

13 7056–7059, 7511
15 6866, 6906, 7225, 7281, 7349
59 6960

17 CFR

200 6588
240 6705, 6706

PROPOSED RULES:
240 7289, 7484
249 7289

18 CFR

Page

260 7226
601 7114
606 7127

PROPOSED RULES:
141 7287

19 CFR

1 6611
4 7512
10 6769

PROPOSED RULES:
1 6871
20 6908

20 CFR

Page

404 6611

PROPOSED RULES:
405 7131, 7143

21 CFR

Page

8 7172, 7227
10 7227
16 7562
17 7562
42 7562
45 7375
120 7172, 7376
121 6830, 7173, 7227, 7228, 7281, 7282, 7512, 7562, 7563.
131 6705, 6906
146c 6830
146e 7228
148 7173
166 7174
191 6622

PROPOSED RULES:
17 7412
19 7572
51 6792
121 7245
133 7185, 7354
166 7245, 7573

24 CFR

5 7563
200 6866, 7565
221 7565

25 CFR

221 7283

PROPOSED RULES:
131 7353

26 CFR

1 6589, 6966
31 6589, 7183

PROPOSED RULES:
1 6966, 7571

28 CFR

0 6867

29 CFR

548 6769
800 6770
1504 7430

30 CFR

51 7456

31 CFR

90 6960
202 6590
316 6831
332 6686, 6831
520 7333

32 CFR

43 7228
300 6831

32 CFR—Continued

Page

706 6962
872 7459
1472 6906
1810 6962, 7175

32A CFR

BDSA (Ch. VI):
BDSA Reg. 2 6590
M–11A 7036

33 CFR

202 7284
203 6907, 7175, 7284, 7350
207 6590, 6622, 6867, 7566
208 6707

PROPOSED RULES:
402 7356

35 CFR

4 7566
255 6831

36 CFR

3 7566

37 CFR

1 7284, 7391
2 7284

38 CFR

2 6770
9 7175
21 6771

39 CFR

17 7391

PROPOSED RULES:
21 6715
24 6715

41 CFR

5–2 7391
6–1 6622
6–2 6623
6–3 6623
6–5 6624
6–7 6624
6–11 6624
6–30 6624
6–60 6625
8–7 7178, 7350
8–12 7179, 7350
9–12 6907
22–60 6625
101–19 7234
101–26 6903, 7234
101–45 6831

42 CFR

55 7128
57 7376, 7378
81 7128

43 CFR

PUBLIC LAND ORDERS:
5 (revoked in part by PLO 4005) 7462
843 (revoked in part by PLO 4009) 7512
1177 (revoked in part by PLO 4016) 7567
2133 (see PLO 4006) 7462
3977 (amended by PLO 4000) 6868
3999 6907
4000 6868
4001 7350
4002 7350
4003 7351
4004 7462
4005 7462
4006 7462
4007 7463

43 CFR—Continued

Page

PUBLIC LAND ORDERS—Continued
4008 7463
4009 7512
4010 7512
4011 7513
4012 7513
4013 7513
4014 7566
4015 7567
4016 7567
4017 7567
4018 7567
4019 7568
4020 7568
4021 7568

PROPOSED RULES:
1727 6984
2221 6985
3130 6834
3160 6836

45 CFR

90 7128
144 7463
171 7128
177 6591
801 6591

46 CFR

309 6891
500 7180
527 7392

PROPOSED RULES:
290 7131
510 6792, 7248
512 6838
513 6838

47 CFR

0 6627, 6831
1 6831, 6868
2 7235
15 7469
73 6627, 6628, 6868, 7236, 7469
91 7235
95 7235

PROPOSED RULES:
2 6909, 7086
73 6637, 6638, 6792, 6838, 6874, 7086, 7246, 7576.
87 6909, 7086

48 CFR

16 7032
17 7033
18 7034
19 7034

49 CFR

71–79 6591
95 6832, 7468, 7469
142 6964
170 7392
188 6964

PROPOSED RULES:
178 7287, 7288

50 CFR

32 7569
33 6629, 6832, 6869, 6893, 6964, 7225, 7226, 7285, 7569, 7570.
60 6833

PROPOSED RULES:
10 7479
32 7061
34 7286
271 7244
280 7516
281 7516

DETROIT PUBLIC LIBRARY MAY 31 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 103

Friday, May 27, 1966 • Washington, D.C.

Pages 7605–7655



Agencies in this issue—

Agricultural Research Service
Agriculture Department
Atomic Energy Commission
Business and Defense Services Administration
Consumer and Marketing Service
Customs Bureau
Defense Department
Federal Aviation Agency
Federal Coal Mine and Safety Board of Review
Federal Maritime Commission
Federal Power Commission
Fiscal Service
Fish and Wildlife Service
Foreign Assets Control Office
Forest Service
Interstate Commerce Commission
Labor Department
Land Management Bureau
Maritime Administration
Small Business Administration
Veterans Administration

Detailed list of Contents appears inside.

THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Just Released

LIST OF CFR SECTIONS AFFECTED

January–April 1966

(Codification Guide)

The List of CFR Sections Affected is published monthly on a cumulative basis. It lists by number the titles, parts, and sections of the Code of Federal Regulations amended or otherwise affected by documents published in the FEDERAL REGISTER during 1966. Entries indicate the exact nature of all changes effected. This cumulative list of CFR sections affected is supplemented by the current lists of CFR parts affected which are carried in each daily FEDERAL REGISTER.

Individually priced: 15 cents a copy

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

Note to subscribers: The January–April 1966 List of CFR Sections Affected was mailed free of charge to FR subscribers on May 25, 1966.

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL RESEARCH SERVICE
Rules and Regulations
Quarantine; khapra beetle; regulated areas 7609
Notices
Gypsy moth and brown-tail moth; list of establishments 7636

AGRICULTURE DEPARTMENT
See also Agricultural Research Service; Consumer and Marketing Service; Forest Service.
Notices
Texas; designation and extension of areas for emergency loans 7637

ATOMIC ENERGY COMMISSION
Proposed Rule Making
Special nuclear material; requirements for control and physical inventory 7634
Notices
Connecticut Light and Power Co. et al.; issuance of provisional construction permit 7637

BUSINESS AND DEFENSE SERVICES ADMINISTRATION
Rules and Regulations
Copper and copper-base alloys; domestic refined copper set-aside 7626

COMMERCE DEPARTMENT
See Business and Defense Services Administration; Maritime Administration.

CONSUMER AND MARKETING SERVICE
Notices
Humanely slaughtered livestock; identification of carcasses; changes in lists of establishments 7637

CUSTOMS BUREAU
Notices
Typewriter ribbons, on spools; tariff classification 7636

DEFENSE DEPARTMENT
Rules and Regulations
Advance pay for military personnel; policy 7625
Notices
Secretary of the Army et al.; delegation of authority 7636

FEDERAL AVIATION AGENCY
Rules and Regulations
Airman certificates; prerequisites for written tests 7609
Federal airways; alteration 7610
Restricted areas:
Alteration 7612
Revocations (2 documents) 7613
Standard instrument approach procedures; miscellaneous amendments 7614
Temporary restricted area; designation 7612
VOR Federal airways; withdrawal of designation 7612
Proposed Rule Making
Jet route; alteration 7635

FEDERAL COAL MINE SAFETY BOARD OF REVIEW
Rules and Regulations
Procedure 7621
Notices
Organization 7638

FEDERAL MARITIME COMMISSION
Notices
Agreements filed for approval:
Evans Products Co. and Retla Steamship Co 7638
Far East Conference and Pacific Westbound Conference; joint conference agreement 7638
Greece/United States Atlantic Rate Agreement 7639
Lykes Bros. Steamship Co., Inc., and Ahlmann-Transport K.G.; cancellation 7639
Turkey/United States Atlantic Rate Agreement 7639

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Buckles, George L., et al 7639
Consolidated Gas Supply Corp 7645
El Paso Natural Gas Co 7646
Natural Gas Pipeline Company of America (2 documents) 7646
Northern Natural Gas Co 7647
Sohio Petroleum Co 7647
Texas Gas Transmission Corp 7648
United Gas Pipe Line Co 7648

FISCAL SERVICE
Rules and Regulations
United States Retirement Plan Bonds; description 7625

FISH AND WILDLIFE SERVICE
Rules and Regulations
Sport fishing in wildlife refuge areas:
Brigantine National Wildlife Refuge, New Jersey 7627
Elizabeth Alexandra Morton National Wildlife Refuge, New York 7627

FOREIGN ASSETS CONTROL OFFICE
Rules and Regulations
Foreign funds control; correction 7625

FOREST SERVICE
Proposed Rule Making
Administration; procedure of Board of Forest Appeals 7628

INTERIOR DEPARTMENT
See Fish and Wildlife Service; Land Management Bureau.

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section applications for relief 7652
Motor carrier transfer proceedings 7652

LABOR DEPARTMENT
Rules and Regulations
Occupational training of unemployed persons; transportation allowance within commuting area 7624

LAND MANAGEMENT BUREAU
Rules and Regulations
Alaska; public land order opening lands 7626
Proposed Rule Making
Grazing licenses and permits; qualifications, requirements, and conditions 7628

MARITIME ADMINISTRATION
Rules and Regulations
Values for war risk insurance; correction 7627

SMALL BUSINESS ADMINISTRATION
Notices
Illinois; disaster area declaration 7649

TREASURY DEPARTMENT
See Customs Bureau; Fiscal Service; Foreign Assets Control Office.

(Continued on next page)

VETERANS ADMINISTRATION
Notices
Field stations and areas of jurisdiction 7649

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR
301 7609

10 CFR
PROPOSED RULES:
70 7634

14 CFR
61 7609
63 7609
65 7609
71 (2 documents) 7610, 7612
73 (4 documents) 7612, 7613
97 7614
PROPOSED RULES:
75 7635

29 CFR
20 7624

30 CFR
401 7621

31 CFR
341 7625
520 7625

32 CFR
85 7625

32A CFR
BDSA (Ch. VI)
M-11A 7626

36 CFR
PROPOSED RULES:
211 7628

43 CFR
PUBLIC LAND ORDER:
4022 7626
PROPOSED RULES:
4110 7628

46 CFR
309 7627

50 CFR
33 (2 documents) 7627

Rules and Regulations

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 612]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Khapra Beetle

REGULATED AREAS

Pursuant to § 301.76–2 of the regulations supplemental to the Khapra Beetle Quarantine (7 CFR 301.76–2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), administrative instructions are hereby issued as follows, listing premises in which infestations of the khapra beetle have been determined to exist and designating such premises as regulated areas within the meaning of said quarantine and regulations.

§ 301.76–2a Administrative instructions designating certain premises as regulated areas under the khapra beetle quarantine and regulations.

Infestations of the khapra beetle have been determined to exist in the premises listed below. Accordingly, such premises are hereby designated as regulated areas within the meaning of the provisions in this subpart:

ARIZONA

S & W Feed Lot, Post Office Box 1590, Yuma, located 1 mile east of Gila Center Store and four-tenths mile north of Highway 95.

CALIFORNIA

Orita Land & Cattle Co. Feed Yard, located 7½ miles east of Brawley at Orita siding on Highway 115. Mail address: Brawley.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162; interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161. 29 F.R. 16210, as amended, 30 F.R. 5801, as amended; 7 CFR 301.76–2)

These administrative instructions shall become effective May 27, 1966, when they shall supersede P.P.C. 612, effective January 13, 1966 (31 F.R. 427).

This revision adds a feed yard in California, in which khapra beetle infestations have been determined to exist, to the list of premises designated as regulated areas under the khapra beetle quarantine and regulations. It also revokes the designation as a regulated area of the Manchester No. 2 Warehouse, Houston, Tex., since it has been determined by the Director of the Plant Pest Control Division that adequate sanitation measures have been practiced for a sufficient length of time to eradicate the khapra beetle in and upon such premises.

These administrative instructions, in part, impose restrictions supplementing khapra beetle quarantine regulations already in effect. They also relieve restrictions insofar as they revoke the designation of a certain regulated area. They must be made effective promptly in order to carry out the purposes of the regulations and to be of maximum benefit in permitting the interstate movement, without restriction under the quarantine, of regulated products from the premises being removed from designation as a regulated area. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 24th day of May 1966.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F.R. Doc. 66–5873; Filed, May 26, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER D—AIRMEN

[Docket No. 7395; Amdts. 61–21, 63–4, 65–8]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

Prerequisites for Written Tests

The purpose of these amendments is to remove from the airman certification regulations all requirements that applicants for airman certificates meet aeronautical experience requirements before taking the prescribed written tests. These amendments also remove the requirement that an applicant for an airline transport pilot certificate must meet the general eligibility requirements (other than age) before taking the written test.

Section 61.143 (Airplane rating: aeronautical knowledge) requires an applicant for an airline transport pilot certificate with an airplane rating to meet specified aeronautical experience before taking the written test. (The same requirement exists for the holder of an airline transport pilot certificate, rotorcraft rating, who applies for an airplane rating, since under par. (b) of § 61.157 (Additional category ratings) he must comply with § 61.143. A change in the latter section has the effect of removing the requirement automatically in this situation.) Paragraph (c) of § 63.35 (Knowledge requirements) contains this requirement for an applicant for a flight engineer certificate. Paragraph (a) of § 65.75 (Knowledge requirements) contains the requirement for a mechanic certificate or rating. In § 65.115, the sequence stated, and administered accordingly, has placed the experience requirement before the written test. This sequence is not prescribed by the certification regulations for other airmen, nor for an instrument rating under Part 61, and in each of those situations any applicable written test may be taken first. In addition, an applicant for an airline transport pilot certificate, before taking the written test, has been required to meet the general eligibility requirements (other than age) of § 61.141, that is, the requirements on moral character, ability to read, write and understand the English language, education, and medical certification.

Private pilot written examination service has been provided at Flight Service Stations for several years. In addition, the Agency recently conducted a test program in the Southern Region whereby expanded examination service at Flight Service Stations was provided. This service, covering all airmen written examinations, was very well received by the public and the number of applicants taking examinations at Southern Region Flight Service Stations has more than doubled since introduction of the expanded service.

The obligation of the applicants for these airman certificates to first meet aeronautical experience requirements has entailed the need to obtain eligibility verification, before taking the written test at selected Flight Service Stations, from inspectors at Air Carrier District Offices, or General Aviation District Offices or itinerary points. The Agency has determined, in conformity with its overall policy of providing the best possible service to the public, and in order to reduce the required extent of applicants' travel for certification purposes, that the showing of technical qualifying experience needs to be made to the Agency only before the prescribed oral, practical, or flight test, in the four situations discussed.

The Agency believes that the service afforded the public more than offsets the previous requirement that showing of technical qualifying experience must be made before applicants may take certain written tests.

Section 61.21 of Part 61 specifically requires an applicant for a certificate or rating to have passed the written test (if required) and have the applicable

aeronautical experience, in order to be eligible for a flight test. Neither Part 63 nor 65 has a similar provision. It is necessary to preclude any apprehension that the oral, practical, or flight test may now precede compliance with technical, qualifying experience in any situation, as a result of the removal of the regulatory requirements that the latter precede written tests in the four situations actually involved here. These amendments therefore also add, wherever necessary in these two parts, the provision that both the written test and technical qualifying experience must precede the showing of skill.

Section 61.145(b)(2) requires an applicant for an airline transport pilot certificate with an airplane rating to have had at least 1,200 hours of flight time as a pilot within the 8 years before he applies. Under § 61.143 before these amendments, it was necessary to acquire this experience before the written test. Removing the sequence requirement of § 61.143 now will necessitate the accumulation of the 1,200 hours within the 8 years before the flight test. As a result, with the passage of time an applicant entitled to the benefits of § 61.21(b) could lose credit for substantial flight time acquired as a pilot. Section 61.21 (b) provides than an applicant for an airline transport pilot certificate need not take the written test within 24 months before taking the flight test if he has been continuously employed as a pilot or as a pilot assigned to flight engineer duties by, and has continuously participated in an approved pilot training program of a U.S. air carrier or commercial operator. (A similar time extension is provided in like circumstances for a person employed as a pilot by a U.S. scheduled military air transportation service.) In order to prevent the loss of benefits under this provision, these amendments add to § 61.21(b) a provision stating specifically that the applicant complies with the time limitation of § 61.145(b)(2) if he has had at least 1,200 hours of flight time as a pilot within any 8 consecutive years before he takes the flight test, but commencing no earlier than 8 years before he takes the written test (the existing earliest point in time to commence figuring).

Since these amendments are procedural in nature and result in providing applicants for the airman certificates affected an additional benefit, notice and public procedure thereon are not required.

In consideration of the foregoing, Parts 61, 63, and 65 of the Federal Aviation Regulations are amended, effective June 26, 1966, as follows:

1. By amending Part 61 as follows:

§ 61.21 [Amended]

a. By inserting the following sentence after the first sentence of paragraph (b) of § 61.21: "Also, he complies with the 8-year time period limitation of § 61.145 (b)(2) if he has had at least 1,200 hours of flight time as a pilot within any consecutive 8 years before he takes the flight test but commencing no earlier than 8 years before he passed the written test."

§ 61.143 [Amended]

b. By striking out the words ", after meeting the requirements of §§ 61.141 (except paragraph (a) thereof) and 61.145," from the introductory language of § 61.143.

2. By amending Part 63 as follows:

§ 63.35 [Amended]

a. By striking out paragraph (c) of § 63.35.

b. By amending the first sentence of paragraph (a) of § 63.39 to read as follows:

§ 63.39 Skill requirements.

(a) An applicant for a flight engineer certificate with a class rating must, after complying with §§ 63.35 and 63.37, pass a practical test on the duties of a flight engineer in the class of airplane for which a rating is sought. * * *

* * * * * *

c. By amending § 63.57 to read as follows:

§ 63.57 Skill requirements.

(a) An applicant for a flight navigator certificate must, after complying with §§ 63.53 and 63.55, pass a practical test in operating flight navigation equipment, and pass a practical test in navigating aircraft by—

(1) Dead reckoning;
(2) Celestial means; and
(3) Radio aids to navigation.

However, if a delay in taking the test under this section would inconvenience the applicant or an air carrier, he may take it before he receives the result of the written test, or after he has failed any part of the written test except the section on plotting and computing.

(b) The test requirements for this section are set forth in Appendix A of this part.

3. By amending Part 65 as follows:

a. By amending the introductory language of § 65.37 to read as follows:

§ 65.37 Skill requirements: junior rating.

For a junior rating, an air traffic control tower operator must, after complying with § 65.33, pass a practical test on—

* * * * * *

b. By amending the introductory language of § 65.59 to read as follows:

§ 65.59 Skill requirements.

An applicant for an aircraft dispatcher certificate must, after complying with §§ 65.55 and 65.57, pass a practical test—

* * * * * *

§ 65.75 [Amended]

c. By striking out the words ", after meeting the applicable experience requirements of § 65.77," from paragraph (a) of § 65.75.

d. By amending the first sentence of § 65.79 to read as follows:

§ 65.79 Skill requirements.

Each applicant for a mechanic certificate or rating must, after complying with §§ 65.75 and 65.77, pass an oral and practical test on the rating he seeks. * * *

e. By redesignating paragraphs (a) and (b) of § 65.115 as paragraphs (b) and (a), respectively, and by amending paragraph (c) of § 65.115 to read as follows:

§ 65.115 Senior parachute rigger certificate: experience, knowledge, and skill requirements.

* * * * * *

(c) After complying with paragraphs (a) and (b) of this section, pass an oral and practical test showing his ability to pack and maintain at least one type of parachute in common use, appropriate to the type rating he seeks.

f. By amending the introductory language of paragraph (b), and paragraph (c), of § 65.119 to read as follows:

§ 65.119 Master parachute rigger certificate: experience, knowledge, and skill requirements.

* * * * * *

(b) After complying with paragraph (a) of this section, pass an oral test on the following, with respect to two types of parachutes in common use:

* * * * * *

(c) After complying with paragraph (a) of this section, pass a practical test showing his ability to pack and maintain two types of parachutes in common use, and showing that he can satisfactorily supervise other persons in these operations.

g. By amending paragraph (b) of § 65.123 to read as follows:

§ 65.123 Additional type ratings: requirements.

* * * * * *

(b) After complying with paragraph (a) of this section, pass a practical test, to the satisfaction of the Administrator, showing his ability to pack and maintain the type of parachute for which he seeks a rating.

(Secs. 313(a), 601, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421))

Issued in Washington, D.C., on May 23, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-5832; Filed, May 26, 1966; 8:45 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-EA-96]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On February 5, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 2437) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors on Federal airway segments in the Washington, D.C., flight advisory area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Due consideration was given to all comments received.

The Air Transport Association of America concurred in the proposed actions provided that where cardinal altitudes could be preserved that the minimum en route altitudes be established at no more than 1,500 feet above the terrain. The actions proposed in the notice will not affect presently established minimum en route altitudes. No other comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 2473, 3231, 5055, 5056, 5287, 5505, 5824) is amended as follows:

1. In V-1 all between "Cofield, N.C.;" and "12 AGL Waterloo, Del.;" is deleted and "12 AGL Norfolk, Va.; 12 AGL Cape Charles, Va.; 12 AGL INT Cape Charles 015° and Salisbury, Md., 206° radials; 12 AGL Salisbury;" is substituted therefor.

2. In V-3 all between "Fayetteville, N.C., excluding the airspace between the main and this alternate airway;" and "12 AGL Solberg, N.J.;" is deleted and "12 AGL INT Raleigh 016° and Flat Rock, Va., 214° radials; 12 AGL Flat Rock; 12 AGL Brooke, Va.; 6-mile wide, 12 AGL INT Brooke 014° and Westminster, Md., 195° radials; 6-mile wide, 12 AGL Westminster; 12 AGL INT Westminster 065° and West Chester, Pa., 250° radials; 12 AGL West Chester;" is substituted therefor.

3. In V-4 all after "Charleston, W. Va.;" is deleted and "12 AGL Elkins, W. Va., including a 12 AGL S alternate via INT Charleston 083° and Elkins 228° radials; 12 AGL Kessel, W. Va.; 12 AGL Front Royal, Va.; 12 AGL Herndon, Va. The airspace within R-6705 is excluded." is substituted therefor.

4. In V-8 all after "Indian Head, Pa.;" is deleted and "12 AGL Martinsburg, W. Va.; 12 AGL INT Herndon, Va., 048° and Washington, D.C., 324° radials; 12 AGL Washington, including a 12 AGL N alternate from INT Martinsburg 297° and Grantsville, Md., 086° radials to INT Washington 324° and Herndon 048° radials via Hagerstown, Md. The portion outside the United States has no upper limit." is substituted therefor.

5. In V-16 all between "and Blackford;" and "12 AGL Millville, N.J.;" is deleted and "12 AGL Roanoke, Va.; 12 AGL INT Montebello, Va., 180° and Gordonsville, Va.; 247° radials; 12 AGL Gordonsville, including a 12 AGL N alternate from Roanoke to Gordonsville via INT Roanoke 035° and Montebello, 250° radials and Montebello; 12 AGL Nottingham, Md.; 6-mile wide, 12 AGL Kenton, Del.;" is substituted therefor.

6. In V-20 all after "South Boston, Va.;" is deleted and "12 AGL Richmond, Va.; 12 AGL INT Richmond 039° and Brooke, Va.; 131° radials." is substituted therefor.

7. In V-31 all before "12 AGL Selinsgrove, Pa.;" is deleted and "From INT Patuxent River, Md., 036° and Nottingham, Md., 128° radials; 12 AGL Nottingham. From Baltimore, Md.; 12 AGL Harrisburg, Pa.;" is substituted therefor.

8. In V-33 all before "12 AGL Philipsburg, Pa.;" is deleted and "From Cofield, N.C.; 12 AGL INT Cofield 007° and Harcum, Va., 187° radials; 12 AGL Harcum; 12 AGL INT Harcum 003° and Nottingham, Md., 174° radials; 12 AGL Nottingham. From Baltimore, Md., 12 AGL Harrisburg, Pa.;" is substituted therefor.

9. In V-37 all between "Hickory, N.C.;" and "Allegheny, Pa.;" is deleted and "12 AGL Elkins, W. Va.; 12 AGL Morgantown, W. Va.;" is substituted therefor.

10. In V-38 all after "Parkersburg, W. Va.;" is deleted and "12 AGL Elkins, W. Va." is substituted therefor.

11. In V-39 all between "South Boston, Va.;" and "12 AGL East Texas, Pa.;" is deleted and "12 AGL Gordonsville, Va.; 12 AGL INT Gordonsville, 019° and Casanova, Va., 201° radials; 12 AGL Casanova; 12 AGL Herndon, Va., including a 12 AGL E alternate from Gordonsville to Herndon via INT Herndon 202° and Brooke, Va., 300° radials; 12 AGL Westminster, Md.; 12 AGL Lancaster, Pa.;" is substituted therefor.

12. In V-44 all between "Morgantown, W. Va.;" and "12 AGL INT Kenton 086°" is deleted and "12 AGL Martinsburg, W. Va.; 12 AGL Baltimore, Md.; 12 AGL INT Baltimore 094° and Kenton, Del., 262° radials; 12 AGL Kenton;" is substituted therefor.

13. In V-92 all after "Grantsville, Md.;" is deleted and "12 AGL Front Royal, Va." is substituted therefor.

14. In V-93 all before "12 AGL East Texas, Pa.;" is deleted and "From Patuxent River, Md., 12 AGL INT Patuxent 013° and Baltimore, Md., 122° radials; 12 AGL Baltimore; 12 AGL Lancaster, Pa." is substituted therefor.

15. In V-103 all before "INT of Clarksburg 354°" is deleted and "From Greensboro, N.C., 12 AGL Roanoke, Va.; 12 AGL Elkins, W. Va.; 12 AGL Clarksburg, W. Va.;" is substituted therefor.

16. In V-123 all before "INT of Woodstown 043°" is deleted and "From Washington, D.C., 12 AGL INT Baltimore, Md., 223° and Kenton, Del., 262° radials; 12 AGL INT Kenton 262° and Woodstown, N.J., 230° radials; 12 AGL Woodstown." is substituted therefor.

17. In V-136 all before "to Raleigh, N.C." is deleted and "From Pulaski, Va., 12 AGL INT Pulaski 094° and South Boston, Va., 295° radials; 12 AGL South Boston;" is substituted therefor.

18. In V-139 all before "12 AGL Sea Isle, N.J.;" is deleted and "From Cape Charles, Va., 12 AGL Snow Hill, Md.;" is substituted therefor.

19. In V-140 all after "Bluefield, W. Va.;" is deleted and "12 AGL Clifdale, Va.; 12 AGL Montebello, Va.; 12 AGL Casanova, Va.; 12 AGL Herndon, Va.; 12 AGL INT Herndon 061° and West Chester, Pa., 234° radials; 12 AGL West Chester." is substituted therefor.

20. V-143 is amended to read as follows:

V-143 From Fort Mill, S.C., via Greensboro, N.C.; 12 AGL Lynchburg, Va.; 12 AGL Montebello, Va.

21. In V-144 all after "Morgantown, W. Va.;" is deleted and "12 AGL Kessel, W. Va.; 12 AGL Linden, Va.; 12 AGL INT Linden 104° and Herndon, Va., 185° radials," is substituted therefor.

22. In V-155 all after "Lawrenceville, Va.;" is deleted and "12 AGL INT Lawrenceville 034° and Flat Rock, Va.; 171° radials; 12 AGL Flat Rock; 12 AGL Gordonsville, Va.; 12 AGL Linden, Va.; 12 AGL Front Royal, Va. The airspace within R-6602 is excluded." is substituted therefor.

23. V-156 is amended to read as follows:

V-156 From Elkins, W. Va., 12 AGL Gordonsville, Va.; 12 AGL Richmond, Va.; 12 AGL Harcum, Va.; 12 AGL Cape Charles, Va.

24. In V-157 all between "Lawrenceville, Va.;" and "Robbinsville, N.J.;" is deleted and "12 AGL Richmond, Va.; 12 AGL INT Brooke, Va., 132° and Washington, D.C., 189° radials; 6-mile wide, 12 AGL Washington; 12 AGL Baltimore, Md.; 12 AGL INT Baltimore 038° and New Castle, Del., 261° radials; 12 AGL New Castle." is substituted therefor.

25. In V-162 all before "From Harrisburg, Pa." is deleted and "From INT Clarksburg, W. Va., 135° and Elkins, W. Va., 092° radials; 12 AGL Clarksburg." is substituted therefor.

26. V-166 is amended to read as follows:

V-166 From Parkersburg, W. Va., 12 AGL Clarksburg, W. Va.; 12 AGL Kessel, W. Va.; 12 AGL Martinsburg, W. Va.; 12 AGL Westminster, Md.; 12 AGL New Castle, Del.

27. V-174 is amended to read as follows:

V-174 From York, Ky., via Henderson, W. Va.; 12 AGL Elkins, W. Va.; 12 AGL Linden, Va.; 12 AGL INT Linden 104° and Herndon, Va., 185° radials.

28. V-189 is amended to read as follows:

V-189 From Rocky Mount, N.C., 12 AGL Franklin, Va.; 12 AGL Hopewell, Va.

29. In V-194 all after "Cofield, N.C.;" is deleted and "12 AGL Norfolk, Va., including a 12 AGL S alternate via INT Cofield 084° and Norfolk 209° radials; 12 AGL INT Norfolk 001° and Cape Charles, Va., 313° radials." is substituted therefor.

30. In V-213 all between "Rocky Mount, N.C.; 12 AGL Kenton, Del.;" is deleted and "12 AGL Hopewell, Va.; 12 AGL INT Hopewell 019° and Brooke, Va., 131° radials; 12 AGL Patuxent River Md.;" is substituted therefor.

31. In V-222 all after "Hickory, N.C.;" is deleted and "12 AGL Lynchburg, Va.; 12 AGL Gordonsville, Va." is substituted therefor.

32. V-223 is amended to read as follows:

V-223 From Flat Rock, Va., 12 AGL INT Brooke, Va., 300° and Herndon, Va., 202° radials; 12 AGL Herndon; 12 AGL Harrisburg, Pa." is substituted therefor.

33. V-251 is amended to read as follows:

V-251 From Montebello, Va., 12 AGL Front Royal, Va.; 12 AGL Martinsburg, W. Va.; 12 AGL Lancaster, Pa.; 12 AGL Pottstown, Pa.

34. V-258 is amended to read as follows:

V-258 From Charlestown, W. Va., 12 AGL Beckley, W. Va.; 12 AGL INT Beckley 125° and Roanoke, Va., 288° radials; 12 AGL Roanoke; 12 AGL INT Roanoke 145° and Danville, Va., 320° radials; 12 AGL Danville.

35. V-260 is amended to read as follows:

V-260 From Charleston, W. Va., 12 AGL Rainelle, W. Va., including a 12 AGL N alternate via INT Charleston 083° and Rainelle 317° radials; 12 AGL Roanoke, Va., 12 AGL Lynchburg, Va., including a 12 AGL S alternate via INT Roanoke 177° and Lynchburg 253° radials; 12 AGL Flat Rock, Va.; 12 AGL Richmond, Va.; 12 AGL Hopewell, Va.; 12 AGL INT Hopewell 128° and Norfolk, Va., 296° radials; 12 AGL Norfolk.

36. In V-265 all before "12 AGL Philipsburg, Pa.;" is deleted and "From INT Nottingham, Md., 271° and Westminster, Md., 179° radials; 12 AGL Westminster; 12 AGL INT Westminster 346° and Harrisburg, Pa., 196° radials; 12 AGL Harrisburg." is substituted therefor.

37. V-266 is amended to read as follows:

V-266 From Hickory, N.C., via South Boston, Va.; 12 AGL Lawrenceville, Va.; 12 AGL Franklin, Va.; 12 AGL Norfolk, Va.

38. V-268 is amended to read as follows:

V-268 From INT Grantsville, Md., 086° and Martinsburg, W. Va., 297° radials; 12 AGL Hagerstown, Md.; 12 AGL Westminster, Md.; 12 AGL Baltimore, Md.; 12 AGL INT Baltimore 094° and Kenton, Del., 262° radials; 12 AGL Kenton; 12 AGL INT Kenton 086° and Sea Isle, N.J., 049° radials. The airspace with R-4001 is excluded.

39. V-286 is amended to read as follows:

V-286 From Linden, Va., 12 AGL Casanova, Va.; 12 AGL INT Herndon, Va., 202° and Brooke, Va., 300° radials; 12 AGL Brooke; 12 AGL Cape Charles, Va.

40. V-290 is amended to read as follows:

V-290 From Rainelle, W. Va., 12 AGL Montebello, Va.; 12 AGL Flat Rock, Va. From Franklin, Va., 12 AGL Elizabeth City, N.C.

41. In V-308 all before "12 AGL Kenton, Del.;" is deleted and "From INT Linden, Va., 273° and Casanova, Va., 284° radials, 12 AGL Casanova; 12 AGL INT Casanova 076° and Nottingham, Md., 271° radials; 12 AGL Nottingham."

42. In V-433 all before "12 AGL Yardley, Pa.;" is deleted and "From Washington, D.C., 12 AGL INT Baltimore, Md., 223° and Kenton, Del., 262° radials; 12 AGL INT Kenton 262° and New Castle, Del., 222° radials; 12 AGL New Castle;" is substituted therefor.

43. In V-454 "to Hopewell, Va." is deleted and "12 AGL Hopewell, Va." is substituted therefor.

44. V-469 is amended to read as follows:

V-469 From Danville, Va., 12 AGL Lynchburg, Va.

45. V-476 is amended to read as follows:

V-476 From Washington, D.C., 12 AGL Baltimore, Md.; 12 AGL Millville, N.J.

46. In V-501 all before "12 AGL Philipsburg, Pa." is deleted and "From Martinsburg, W. Va., 12 AGL St. Thomas, Pa.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5833; Filed, May 26, 1966; 8:45 a.m.]

[Airspace Docket No. 65-EA-42]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Withdrawal of Designation of VOR Federal Airways

On December 15, 1965, there was published in the FEDERAL REGISTER (30 F.R. 15418) an amendment to Part 71 of the Federal Aviation Regulations which realigned VOR Federal airways Nos. 39 and 260 and designated VOR Federal airway No. 323 via a new VOR to be installed in the vicinity of Duncan, Va. This amendment was to become effective March 3, 1966. This effective date was subsequently postponed until September 15, 1966 (31 F.R. 877), due to a delay in the commissioning of the Duncan VOR.

A recent review of the requirement for commissioning the Duncan VOR has revealed that the en route traffic flow has changed between Atlanta, Ga., and terminals within the Washington, D.C., ARTC Center area and to the north thereof. This change is primarily the result of an increase in turbojet type aircraft operations which utilize the Jet Route Structure to a greater extent, and the radar traffic control capabilities within the Washington and Atlanta Center areas. Accordingly, it has now been determined that the requirement for the Duncan VOR no longer exists and that a modified low altitude airway structure in the area to be served by the Duncan VOR can be developed through use of existing facilities. Therefore, the Federal Aviation Agency has determined that the amendment should be withdrawn.

In consideration of the foregoing, effective immediately, the amendment contained in Airspace Docket No. 65-EA-42 is withdrawn.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5834; Filed, May 26, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-118]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

On March 19, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4738) stating that the Federal Aviation Agency was considering an amendment to Part 73 of the Federal Aviation Regulations that would alter Restricted Area R-2525 at Vernalis, Calif.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

In § 73.25 (31 F.R. 2299), Restricted Area R-2525 is amended as follows: "Time of designation: One hour before sunrise to 2200 hours, local time, daily." is deleted and "Time of designation: Continuous." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5835; Filed, May 26, 1966; 8:45 a.m.

[Airspace Docket No. 65-WE-124]

PART 73—SPECIAL USE AIRSPACE

Designation of Temporary Restricted Areas

On February 19, 1966, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (31 F.R. 2969) stating that the Federal Aviation Agency was considering an amendment to Federal Aviation Regulations (FARs) which would designate two temporary restricted areas encompassing the existing Hunter-Liggett, Calif., restricted area complex (R-2513A and R-2513B).

The designation of additional restricted airspace was requested by Joint Task Force Two (JTF-2) to contain the flights of various types of aircraft at speeds normally ranging from 175 to 600 knots. This series of tests was originally scheduled to begin July 1, 1966; however, they have been postponed until July 21, 1966. It was stated in the NPRM that supersonic speeds would be avoided; however, we were subsequently advised by JTF-2 that twenty extremely low altitude supersonic flights would be necessary to satisfy the requirements of this series of tests. The supersonic portion of these flights will, however, be conducted within the existing Hunter-Liggett restricted area R-2513A and entirely over the Hunter-Liggett military reservation. They will be conducted during daylight hours from October 3 through October 5, 1966. Due to the importance of testing at supersonic speeds and the fact that this phase of the tests will be conducted in an area isolated from the public, the FAA approves the proposed supersonic flights.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. Due consideration was given to all relevant matter presented.

Comments have been received from 13 persons. Nearly all of those who commented objected to the proposal.

The Aircraft Owners and Pilots Association, the California Council of Aviation Associations, and several individuals protested the proposed establishment of restricted airspace over the California VFR coastal flyway. The FAA believes that the establishment of restricted airspace as proposed in the NPRM would have an adverse effect upon aircraft flying the coastal flyway. Therefore, the southwestern boundary of R-2513C is modified so that no part of the new restricted airspace is closer than two statute miles from the seashore.

A group of farmers and ranchers were generally opposed to the selection of this part of the country for the establishment of additional restricted airspace. They further objected to the possible noise and disturbance created by low flying aircraft and its effect on the recreation area around Nacimiento and San Antonio lakes.

It was stated in the NPRM that participating test aircraft would deviate from FAR 91.79 (minimum safe altitudes). However, to minimize the disturbance of persons using the recreation area, participating test aircraft shall maintain 500 feet or higher above the surface until north of latitude 35°47'00" which will exclude most of the recreation area. In addition, to provide for a flyway between the new restricted area and the existing restricted area R-2504, we have deleted that portion of the proposed area east of longitude 120°53'15".

When these temporary restricted areas are not in use for the purpose designated, they will be released to the controlling agency (FAA, Oakland ARTC Center) for public use. Additionally, consideration will be given to requests from persons having a legitimate need to conduct flight within the restricted area at a definite time and place during periods of activation. Prior approval for such flights must be obtained from the Test Director who may be contacted by collect telephone call to Test Director, JTF-2, Experimental Control Operations Office, Hunter-Liggett Range, Jolon, Calif.

In consideration of the foregoing, Part 73 of the FARs is amended, effective July 21, 1966, as hereinafter set forth.

In § 73.25 (31 F.R. 2299) the following is added:

R-2513C HUNTER-LIGGETT, CALIF.
(TEMPORARY)

Beginning at 35°41'12" N., 120°53'15" W., thence to 35°41'12" N., 121°08'30" W., thence to 35°51'00" N., 121°22'00" W., thence to 36°07'00" N., 121°30'00" W., thence to 36°10'00" N., 121°13'00" W., thence to 35°47'30" N., 120°53'15" W., thence to point of beginning, excluding the airspace within R-2513A and R-2513B.

Designated altitudes: Surface to 5,500 feet MSL.

Time of designation: Continuous July 21, 1966, through October 7, 1966.

Controlling agency: Federal Aviation Agency, Oakland ARTC Center.

Using agency: Joint Task Force Two, Sandia Base, N. Mex.

R-2513D HUNTER-LIGGETT, CALIF. (TEMPORARY)

Beginning at 36°02'45" N., 121°17'45" W., thence to 36°05'00" N., 121°15'00" W., thence to 35°57'00" N., 121°04'00" W., thence to 35°55'20" N., 121°05'45" W., thence along the northeastern boundary of R-2513A to the point of beginning.

Designated altitudes: Surface to 14,000 feet MSL.

Time of designation: Continuous July 21, 1966, through October 7, 1966.

Controlling agency: Federal Aviation Agency, Oakland ARTC Center.

Using agency: Joint Task Force Two, Sandia Base, N. Mex.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5836; Filed, May 26, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-36]

PART 73—SPECIAL USE AIRSPACE

Revocation of Restricted Area

Purpose of this amendment is to revoke Restricted Area R-4104 Nashawena, Mass.

The Department of the Navy has advised the Agency that no further requirement exists for this restricted area. Since the revocation of this restricted area will lessen the burden upon the public without a corresponding detriment to the effectiveness of the Department of the Navy, notice and public procedure hereon are unnecessary and the amendment may be effective without regard to the 30-day period preceding effectiveness.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 73.41 (31 F.R. 2317) R-4104 Nashawena, Mass., is revoked.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5867; Filed, May 26, 1966; 8:48 a.m.]

[Airspace Docket No. 66-SW-22]

PART 73—SPECIAL USE AIRSPACE

Revocation of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to revoke Restricted Area R-5110 at McGregor, N. Mex.

The Department of the Army has advised the Federal Aviation Agency that Restricted Area R-5110 is no longer required. Accordingly, action is taken herein to revoke this restricted area.

Since this amendment reduces the burden on the public, notice and public procedure hereon are unnecessary and the amendment may be made effective on less than 30 days notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 73.51 (31 F.R. 2323) Restricted Area R-5110 McGregor, N. Mex., is revoked.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5868; Filed, May 26, 1966; 8:48 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7274; Amdt. 476]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966, OR UPON DECOMMISSIONING OF FACILITY.

City, Auburn; State, Maine; Airport name, Auburn-Lewiston Municipal; Elev., 292'; Fac. Class., MHW; Ident., LEW; Procedure No. 1, Amdt. Orig.; Eff. date, 28 Nov. 64

Augusta VOR	GLU RBn	Direct	2500	T–d	300–1	300–1	300–1
Portland LOM	GLU RBn	Direct	2500	T–n	400–1	400–1	400–1
Hiram Int	GLU RBn	Direct	3500	C–dn	700–1	700–1	700–1½
Freeport Int	GLU RBn	Direct	2500	S–dn–4	700–1	700–1	700–1
				A–dn	NA	NA	NA

Procedure turn S side of crs, 222° Outbnd, 042° Inbnd, 2500' within 10 miles.
Minimum altitude over facility on final approach crs, 1400'.
Crs and distance, facility to airport, 042°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing GLU RBn climb straight ahead on 042° bearing from BLU RBn to 1200'. Make right-climbing turn to 2500' direct, GLU RBn. Hold SW 042° Inbnd, 1-minute right turns.
NOTES: (1) Facility must be monitored aurally throughout the approach. (2) Approach from a holding pattern not authorized. Procedure turn required. (3) Use Portland altimeter setting.
MSA within 25 miles of facility: 000°–090°—2500'; 090°–180°—2000'; 180°–270°—4000'; 270°–360°—3500'.

City, Auburn; State, Maine; Airport name, Auburn-Lewiston Municipal; Elev., 292'; Fac. Class., MHW; Ident., GLU; Procedure No. 2, Amdt. Orig.; Eff. date, 7 May 66, or upon commissioning of facility

SBN VOR	SB LOM	Direct	2300	T–dn	300–1	300–1	300–1
North Liberty Int	SB LOM	Direct	2900	C–dn	800–2	800–2	800–2
GSH VOR	SB LOM	Direct	2900	A–dn	NA	NA	NA

Procedure turn N side of crs, 264° Outbnd, 084° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 2300'.
Crs and distance, facility to airport, 084°—9.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.8 miles after passing SB LOM, climb to 2800', make left turn, return to SB LOM.
NOTE: No weather available, obtain South Bend altimeter setting.
Other changes: GSH RBn transition and radar availability information deleted.
MSA within 25 miles of facility: 090°–180°—3000'; 180°–090°—2300'.

City, Elkhart; State, Ind.; Airport name, Elkhart Municipal; Elev., 779'; Fac. Class., LOM; Ident., SB; Procedure No. 1, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 3 July 65

Fort Smith VOR	LOM	Direct	2500	T–dn*	300–1	300–1	200–½
Branch Int	LOM (final)	Direct	2500	C–dn	600–1	600–1	600–1½
Charleston Int	LOM (final)	Direct	2500	S–dn–25	600–1	600–1	600–1
Spiro Int	LOM	Via FSM R 230° and LOM bearing 254°.	2500	A–dn	800–2	800–2	800–2

Procedure turn N side of crs, 074° Outbnd, 254° Inbnd, 2500' within 10 miles.
Minimum altitude over LOM Inbnd final approach crs, 2500'.
Crs and distance, facility to airport, 254°—6.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.9 miles after passing LOM, climb to 3000' on 254° bearing from LOM, within 20 miles or, when directed by ATC, turn left to heading, 180° until intercepting FSM VOR R 195° (Outbnd), climbing to 3000' within 20 miles.
NOTE: No reduction in takeoff or landing minimums authorized.
CAUTION: All maneuvering must be completed N of final approach crs. Standard distance not applied between final approach crs and restricted area R–2402.
Other change: Fort Smith RBn and Int FSM R 215° and LOM bearing 073° deleted.
*Aircraft departing Runway 25 shall maintain runway heading until reaching 1200' prior to starting right turn.
MSA within 25 miles of facility: 000°–090°—3500'; 090°–270°—3000'; 270°–360°—3000'.

City, Fort Smith; State, Ark.; Airport name, Fort Smith Municipal; Elev., 468'; Fac. Class., LOM; Ident., FS; Procedure No. 1, Amdt. 16; Eff. date, 7 May 66; Sup. Amdt. No. 15; Dated, 17 Apr. 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
OKC VOR	LOM	Direct	2600	T–dn	300–1	300–1	200–1½
Bethany Int	LOM	Direct	2600	C–dn	400–1	500–1	500–1½
Cashion Int	TWO RBn	Direct	3100	S–dn–35L	400–1	400–1	400–1
TWO RBn	LOM	Direct	2600	A–dn	800–2	800–2	800–2
Newcastle Int	LOM (final)	Direct	2400				

Radar available.
Procedure turn E side of crs, 171° Outbnd, 351° Inbnd, 2600' within 10 miles.
Minimum altitude over LOM Inbnd final, 2400'.
Crs and distance, facility to airport, 351°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, climb to 3100' on 351° crs within 15 miles or, when directed by ATC, turn left, climb to 2500' direct to the OKC VOR, or direct to the OKC RBn.
MSA within 25 miles of facility: 000°–090°—3800'; 090°–180°—2600'; 180°–270°—2400'; 270°–360°—2600'.

City, Oklahoma City; State, Okla.; Airport name, Will Rogers World; Elev., 1284'; Fac. Class., LOM; Ident., OK; Procedure No. 1, Amdt. 13; Eff. date, 7 May 66; Sup. Amdt. No. 12; Dated, 10 Apr. 65

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Shreveport; State, La.; Airport name, Shreveport Downtown; Elev., 179'; Fac. Class., BH; Ident., SHV; Procedure No. 1, Amdt. Orig.; Eff. date, 3 July 65

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
DAL VOR	9.8-mile DME Fix, F–190	Direct	1400	T–dn	300–1	NA	NA
				C–d	900–1	NA	NA
				C–n	900–2	NA	NA
				A–dn	NA	NA	NA
				DME minimums—DME equipment required:			
				c–d	800–1	NA	NA
				c–n	800–2	NA	NA

Dallas radar (Love Field) available.
Procedure turn E side of crs 010° Outbnd, 190° Inbnd, 2200' within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 2000'.
Crs and distance, facility to airport, 190°—9.8 miles.
When authorized by ATC, DME may be used within 10 miles at 2200' to position aircraft for a straight-in approach with the elimination of a procedure turn.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.8 miles after passing Dallas VOR, turn left, climb to 2500' on crs, 091° within 20 miles.
NOTES: No weather service available. Night operations restricted to Runways 13–31.
CAUTION: 1028' radio tower, 2.2 miles NNE.
MSA: 000°–090°—2100'; 090°–180°—2000'; 180°–270°—3300'; 270°–360°—2200'.

City, Dallas; State, Tex.; Airport name, Dallas-Garland; Elev., 614'; Fac. Class., H–BVORTAC; Ident., DAL; Procedure No. 1, Amdt. 2; Eff. date, 7 May 66; Sup. Amdt. No. 1; Dated, 28 Mar. 64

GSH VOR	Skeeter Int	Direct	2300	T–dn	300–1	300–1	300–1
SBN VOR	Skeeter Int	Direct	2300	C–dn	500–1	500–1	500–1½
SB LOM	Skeeter Int	Direct	2300	A–dn	NA	NA	NA
Cass Int	Skeeter Int (final)	Direct	2300				

Procedure turn N side of crs, 101° Outbnd, 281° Inbnd, 2300' within 10 miles of Skeeter Int.
Minimum altitude over Skeeter Int on final approach crs, 2300'.
Crs and distance, Skeeter Int to airport, 281°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing Skeeter Int, make right-climbing turn to 2300' and return to Skeeter Int, or when directed by ATC, climb to 2300', proceed direct to SBN VOR.
NOTES: (1) No weather available, obtain South Bend altimeter setting. (2) Dual VOR or VOR and DME required. (3) When authorized by ATC, 26-mile DME Arc at 2500' may be used between SBN VOR R 070° clockwise to R 140° to position aircraft for straight-in approach with elimination of procedure turn.
Other changes: GSH RBn transition and radar availability information deleted.
MSA within 25 miles of facility: 090°–180°—3000'; 180°–090°—2300'.

City, Elkhart; State, Ind.; Airport name, Elkhart Municipal; Elev., 779'; Fac. Class., L–BVORTAC; Ident., SBN; Procedure No. 1, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 3 July 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Spiro Int	FSM VORTAC	Direct	2000	T-dn*	300–1	300–1	200–½
5-mile DME Fix, All Airway radials	FSM VORTAC	Direct	2000	C-dn	600–1	600–1	600–1¼
				S-dn-25	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2
				DME minimums—DME equipment required:			
				S-dn-25	500–1	500–1	500–1

Procedure turn S side of crs, 046° Outbnd, 226° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′; over 3-mile DME Fix, R 226°, 1100′.
Crs and distance, facility to airport, 226°—5.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.2 miles after passing FSM VOR, climb to 2500′ on R 236° within 20 miles or, when directed by ATC, turn left to heading, 180° until intercepting FSM VOR R 195° (Outbnd) climbing to 3600′ within 20 miles.
NOTE: No reduction in takeoff or landing minimums authorized.
When authorized by ATC, DME may be used within 8 miles at 2000′ between R 001° clockwise through R 168° to position aircraft for a straight-in approach with the elimination of a procedure turn.
*Aircraft departing Runway 25 shall maintain runway heading until reaching 1200′ prior to starting right turn.
MSA within 25 miles of facility: 000°–090°—3500′; 090°–270°—3000′; 270°–360°—3000′.

City, Fort Smith; State, Ark.; Airport name, Fort Smith Municipal; Elev., 468′; Fac. Class., BVORTAC; Ident., FSM; Procedure No. 1, Amdt. 10; Eff. date, 7 May 66; Sup. Amdt. No. 9; Dated, 17 Apr. 65

				T-dn*	300–1	300–1	NA
				C-d	600–1	600–1	NA
				C-n	600–2	600–2	NA
				S-d-13%	500–1	500–1	NA
				S-n-13%	500–2	500–2	NA
				A-dn	800–2	800–2	NA

Procedure turn S side of crs, 282° Outbnd, 102° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′. Minimum altitude over Troy Int, 1082′.
Crs and distance, facility to airport, 102°—6.4 miles; Troy Int to airport, 2.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.4 miles after passing JOT VOR, make right turn, climbing to 2300′. Hold at VOR on R 102°, Inbnd crs, 282°, right turns.
NOTE: When authorized by ATC, 8-mile DME Arc at 2300′ may be used between R 171° clockwise through R 006° to position aircraft for straight-in approach with elimination of procedure turn.
*Takeoff Runway 4; climb to 1500′ before turning right toward 925° tower, 1.5 miles ESE of airport.
Runway 12; turn right after takeoff to avoid 1065′ tower, 2.5 miles SE and 925′ tower, 1.5 miles ESE.
%400′ straight-in minimums apply when aircraft is dual VOR equipped or VOR/DME equipped with Troy Int received.
MSA within 25 miles of facility: 000°–090°—3600′; 090°–180°—2100′; 180°–270°—2100′; 270°–360°—2100′.

City, Joliet; State, Ill.; Airport name, Joliet Municipal; Elev., 582′; Fac. Class., BVORTAC; Ident., JOT; Procedure No. 1, Amdt. 7; Eff. date, 7 May 66; Sup. Amdt. No. 6; Dated, 3 Apr. 65

				T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-4*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 216° Outbnd, 036° Inbnd, 1400′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 1200′.
Crs and distance, facility to airport, 036°—4.2 miles.
When authorized by ATC, DME may be used within 7 miles at 1600′ between R 067° clockwise through R 292° to position aircraft for a straight-in approach with the elimination of a procedure turn.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing MLU VOR, turn right, climb to 3000′ on R 067° within 20 miles.
NOTE: 7-mile DME Arc, 1600′ authorized radially 067° clockwise through 292° from the Monroe VOR to intercept final approach crs eliminating procedure turn.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
MSA within 25 miles of facility: 050°–140°—1900′; 140°–230°—3100′; 230°–320°—1900′; 320°–050°—1900′.

City, Monroe; State, La.; Airport name, Munroe Municipal; Elev., 79′; Fac. Class., BVORTAC; Ident., MLU; Procedure No. 1, Amdt. 9; Eff. date, 7 May 66; Sup. Amdt. No. 8; Dated, 24 July 65

Trinity Int	MSL VOR (final)	Direct	2400	T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				S-dn-29*	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Procedure turn N side crs, 109° Outbnd, 289° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, 2400′.
Crs and distance, facility to airport, 289°—5.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing MSL VOR, climb to 2400′, turn left and return to MSL VOR or, when directed by ATC, climb to 2400′ on R 200°, MSL VOR with in 10 miles.
CAUTION: Transmission line poles 654′ located 1.5 miles E of approach end of Runway 29.
*Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–360°—2200′.

City, Muscle Shoals; State, Ala.; Airport name, Muscle Shoals; Elev., 548′; Fac. Class., BVOR; Ident., MSL; Procedure No. 1, Amdt. 17; Eff. date, 7 May 66; Sup. Amdt. No. 16; Dated, 26 Mar. 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
10-mile DME Fix, R 051°	Tulsa VORTAC (final)	Direct	1900	T-dn	300–1	300–1	*300–1
10-mile DME Fix, R 079°	Tulsa VORTAC (final)	Direct	1900	C-dn	500–1	500–1	500–1¼
				S-dn-26	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2
				DME minimums—DME equipment required:			
				C-dn	400–1	500–1	500–1½
				S-dn-26	400–1	400–1	400–1

Radar available.
Procedure turn N side of crs, 080° Outbnd, 260° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′; over 1.3-mile DME Fix, 1500′.
Crs and distance, facility to airport, 260°—4.3 miles; 1.3-mile DME Fix to airport, 260°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing the Tulsa VORTAC, climb to 2500′ on R 280° of the Tulsa VORTAC or, when directed by ATC, climb to 2500′ on R 238° within 20 miles.
*300–1 required on Runways 3L, 21R, 17R, and 35L.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—3600′; 180°–360°—3200′.

City, Tulsa; State, Okla.; Airport name, Tulsa International: Elev., 674′; Fac. Class., BVORTAC; Ident., TUL; Procedure No. 1, Amdt. 13; Eff. date, 7 May 66; Sup. Amdt. No. 12; Dated, 18 Aug. 62

				T-d	300–1	NA	NA
				C-d	600–1	NA	NA
				S-d	NA	NA	NA
				A	NA	NA	NA

Procedure turn S side of crs, 087° Outbnd, 267° Inbnd, 1800′ within 10 miles.
Minimum altitude over facility on final approach crs, 1300′.
Crs and distance, facility to airport, 267°—3.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 3.6 miles after passing MIV VORTAC, make left-climbing turn to 1800′ and return to MIV VOR. Hold SW on MIV R 244°, 1-minute right turns.
NOTE: Airport open day light only.
CAUTION: Transmission lines surrounding the airport.
MSA within 25 miles of facility: 000°–270°—1600′; 270°–360°—2100′.

City, Vineland; State, N.J.; Airport name, Kroelinger; Elev., 100′; Fac. Class., L-BVORTAC; Ident., MIV; Procedure No. 1, Amdt. Orig.; Eff. date, 7 May 66

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Chaffee Int	CGI VOR	Direct	1800	T-dn%#	300–1	300–1	300–1
Gale Int	CGI VOR	Direct	1800	C-dn	700–1	700–1	700–1½
				S-dn-2	700–1	700–1	700–1
				A-dn	800–2	800–2	800–2
				Kelso Fan Marker Minimums 75 mc receiver required:			
				C-dn*	500–1	500–1	500–1½
				S-dn-2*	400–1	400–1	400–1

Procedure turn W side of crs, 192° Outbnd, 012° Inbnd, 1800′ within 10 miles.
Minimum altitude over Kelso Fan Marker on final approach crs, 1042′.
Crs and distance, Kelso Fan Marker to airport, 012°—2.3 miles; breakoff point to runway, 015°—0.9 mile.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles after passing Kelso Fan Marker or 0 mile after passing CGI VOR, make right turn, climbing to 1800′ on R 192° within 10 miles, make right run and return to CGI VOR.
NOTE: 2487′ tower, 12.3 miles N of airport.
%When instrument flight planned to NW, N, or NE, after takeoff turn right or left as appropriate and climb to 1700′ on CGI VOR R 192° before departing on crs.
#Reduction not authorized.
MSA within 25 miles of facility: 045°–135°—2300′; 135°–225°—1900′; 225°–315°—2000′; 315°–045°—3500′.

City, Cape Girardeau; State, Mo.; Airport name, Cape Girardeau Municipal; Elev., 342′; Fac. Class., L-BVOR; Ident., CGI; Procedure No. TerVOR-2, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 6 Nov. 65

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURES—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Chaffee Int	CGI VOR	Direct	3000	T-dn%#	300–1	300–1	300–1
Gale Int	CGI VOR	Direct	3000	C–dn	700–1	700–1	700–1½
				S–dn–20	700–1	700–1	700–1
				A–dn	800–2	800–2	800–2
				McClure Fan Marker Minimums* 75 mc receiver required:			
				C–dn*	500–1	500–1	500–1½
				S–dn–20*	400–1	400–1	400–1

Procedure turn E side of crs, 032° Outbnd, 212° Inbnd, 3000′ within 12 miles.
Minimum altitude over McClure Fan Marker on final approach crs, 1042′.
Crs and distance, McClure Fan Marker to airport, 212°—2.4 miles; breakoff point to runway, 198°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles after passing McClure Fan Marker or 0 mile after passing CGI VOR, climb to 1900′ on R 192° within 10 miles, make right turn and return to CGI VOR. Hold on R 192°, 013° Inbnd, left turns, 1-minute pattern.
NOTE: 2487′ tower, 12.3 miles N of airport.
%When instrument flight planned to NW, N, or NE, after takeoff turn left or right as appropriate and climb to 1700′ on CGI VOR R 192° before departing on crs.
#Reduction not authorized.
MSA within 25 miles of facility: 045°–135°—2300′; 135°–225°—1900′; 225°–315°—2000′; 315°–045°—3500′.

City, Cape Girardeau; State, Mo.; Airport name, Cape Girardeau Municipal; Elev., 342′; Fac. Class., L–BVOR; Ident., CGI; Procedure No. TerVOR–20, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 5 Nov. 65

				T-dn%	300–1	300–1	200–½
				C–d	900–1	900–1	900–1½
				C–n	900–2	900–2	900–2
				A–dn	1000–2	1000–2	1000–2

Procedure turn S side of crs, 255° Outbnd, 075° Inbnd, 2900′ within 10 miles.
Minimum altitude over facility on final approach crs, 2100′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of IWD VOR, climb to 3000′ on R 075° within 10 miles.
NOTE: Procedure not authorized when control zone not in operation, except for air carriers with weather reporting service.
Other change: Deletes T.O. reduction note.
%When weather is less than 500–1, takeoffs on Runways 9, 27, and 36, maintain runway heading until reaching 2500′ prior to turning on crs. 500–1 minimums apply on Runway 18. Restrictions due to 1700′ terrain S.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–270°—3100′; 270°–360°—2000′.

City, Ironwood; State, Mich.; Airport name, Gogebic County; Elev., 1246′; Fac. Class., VOR; Ident., IWD; Procedure No. TerVOR R 255°, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 3 Mar. 66

				T-dn*	300–1	300–1	300–1
				C–dn	800–1	800–1	800–1½
				S–dn–8#	800–1	800–1	800–1
				A–dn	1000–2	1000–2	1000–2
				Dual VOR minimums—Dual VOR receivers required:			
				C–dn	700–1	700–1	700–1½
				S–dn–8#	600–1	600–1	600–1
				A–dn	800–2	800–2	800–2

Procedure turn S side of crs, 251° Outbnd, 071° Inbnd, 3200′ within 10 miles.
Minimum altitude over Nagaunee Int on final approach crs, 2219′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2800′ on MQT VOR, R 084° within 10 miles, turn left and return to the VOR.
CAUTION: 2241′ tower, 5 miles SW, 2110′ tower, 4 miles SW, and 1768′ tower, 2 miles N of airport. Rough unlighted terrain all quadrants.
*Runways 8–26: Climb to 2400′ prior to making right or left turn. 600–1 required for Runways 1–19.
#Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2600′; 180°–270°—3300′; 270°–360°—2800′.

City, Marquette; State, Mich.; Airport name, Marquette County; Elev., 1419′; Fac. Class., BVOR; Ident., MQT; Procedure No. TerVOR–8, Amdt. 5; Eff. date, 7 May 66 Sup. Amdt. No. 4; Dated, 26 Mar. 66

				T-dn*	300–1	300–1	300–1
				C–dn	700–1	700–1	700–1½
				S–dn–26#	600–1	600–1	600–1
				A–dn	800–2	800–2	800–2
				Dual VOR minimums—Dual VOR receivers required:			
				S–dn–26#	500–1	500–1	500–1

Radar available.
Procedure turn N side of final approach crs, 084° Outbnd, 264° Inbnd, 3200′ within 10 miles.
Minimum altitude over Forrestville Int on final approach crs, 2019′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MQT VOR, turn right, climbing to 3200′ on R 264° within 10 miles, turn left and return to the VOR.
CAUTION: 2241′ tower, 5 miles SW, 2110′ tower, 4 miles SW, and 1768′ tower, 2 miles N of airport. Rough unlighted terrain all quadrants.
*Runways 8–26: Climb to 2400′ prior to making right or left turn. 600–1 required for Runways 1–19.
#Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2600′; 180°–270°—3300′; 270°–360°—2800′.

City, Marquette; State, Mich.; Airport name, Marquette County; Elev., 1419′; Fac. Class., BVOR; Ident., MQT; Procedure No. TerVOR–26, Amdt. 4; Eff. date, 7 May 66; Sup. Amdt. No. 3; Dated, 26 Mar. 66

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Dallas; State, Tex.; Airport name, Dallas Garland; Elev., 614′; Fac. Class., H–BVORTAC; Ident., DAL; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 26 Sept. 64; Sup. Amdt. No. Orig.; Dated, 25 July 64

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Fort Smith; State, Ark.; Airport name, Fort Smith Municipal; Elev., 468′; Fac. Class., BVORTAC; Ident., FSM; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff date, 17 Apr. 65

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Monroe; State, La.; Airport name, Monroe Municipal; Elev., 79′; Fac. Class., BVORTAC; Ident., MLU; Procedure No. 1, Amdt. 1; Eff. date, 24 July 65; Sup. Amdt. No. Orig.; Dated, 26 Dec. 64

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Tulsa; State, Okla.; Airport name, Tulsa International; Elev., 674′; Fac. Class., BVORTAC; Ident., TUL; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 4 Apr. 64

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
ACT VORTAC	8-mile Fix on R 141°	Direct	2200	T–dn	300–1	300–1	200–½
Ilieart DME Fix	8-mile Fix on R 141°	Direct	1500	C–dn	400–1	500–1	500–1½
				S–dn–32	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn N side of crs, 141° Outbnd, 321° Inbnd. 2200′ within 10 miles of 8-mile DME Fix.
Minimum altitude over 8-mile DME Fix on final approach crs, 1500′.
Crs and distance, 8-mile DME Fix to airport, 321°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 3.9-mile DME Fix on R 141°; proceed direct to ACTVORTAC, climbing to 2500′, continue on R 306° within 15 miles.
NOTE: When authorized by ATC, DME may be used to orbit E of the R 013° and R 187° at 11 miles from the VOR at 2000′ for a final approach with the elimination of procedure turn.
MSA within 25 miles of facility: 090°–180°—2700′; 180°–090°—2100′.

City, Waco; State, Tex.; Airport name, Waco Municipal; Elev., 515′; Fac. Class., H–BVORTAC; Ident., ACT; Procedure No. VOR/DME No. 1, Amdt. Orig; Eff. date, 7 May 66

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Holston Mountain VORTAC	Int BLA, R 200° and 310° bearing to LOM.			T–dn	300–1	300–1	**200–½
Int BLA, R 200° and 310° bearing to LOM	LOM (MHW)	Direct	6000	C–dn	800–1	800–1½	800–2
Telford Int	LOM (MHW)	Direct	3600	S–dn–22#%	600–¾	600–¾	600–¾
Yuma Int	LOM (MHW)	Direct	3600	A–dn	800–2	800–2	800–2
Hilton Int	LOM (MHW)	Direct	4000				
Greendale Int	LOM (final)##	Direct	5000				
Damascus Int	Int HMV, R 008° and 271° bearing to LOM.	Direct	5000				
Int HMV, R 008° and 271° bearing to LOM	LOM (MHW)		6000				
BON RBn	LOM (MHW)	Direct	3600				
		Direct	3600				

Radar available.
Procedure turn E side of crs, 044° Outbnd, 224° Inbnd, 3600′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude at glide slope interception Inbnd, 3600′.##
Altitude of glide slope and distance to approach end of runway at OM, 3462′—6 miles; at MM, 1742′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing LOM, climb to 4000′ on crs, 224° from LOM within 20 miles or, when directed by ATC, turn right, climb to 4000′ on HMV, R 293° to Yuma Int.
CAUTION: Abrupt changes in terrain elevations adjacent to procedure areas NW. Due to high terrain, aircraft with limited climb capability departing on routes via HMV VORTAC should request clearance to climb on a track of 044° from Boone RBn or 224° from LOM to 4000′ before continuing climb on crs.
**Runways 4 and 22 only.
%600–1 required when approach lights inoperative. 600–1 also required when glide slope not utilized and aircraft must maintain 2400′ or above until passing Beaver Int.
#Reduction not authorized.
##Descent from 5000′ may be made on glide slope or SW of HMV VORTAC, R 348° on final.

City, Bristol; State, Tenn.; Airport name, Tri-City; Elev., 1519′; Fac. Class., ILS; Ident., I-TRI; Procedure No. ILS–22, Amdt. 10; Eff. date, 7 May 66; Sup. Amdt. No. 9; Dated, 16 Apr. 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Fort Smith VOR	LOM	Direct	2700	T–dn*	300–1	300–1	200–½
Branch Int	LOM (final)	Direct	2700	C–dn	600–1	600–1	600–1½
Charleston Int	LOM (final)	Direct	2700	S–dn–25#	200–½	200–½	200–½
Spiro Int	LOM	Via FSM R° 230 and LOM bearing 254°.	2700	A–dn##	600–2	600–2	600–2

Procedure turn N side of crs, 074° Outbnd, 254° Inbnd, 2700′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2700′.
Altitude of glide slope and distance to approach end of runway at OM, 2658′—6.9 miles; at MM, 684′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.9 miles after passing LOM, climb to 3000′ on 254° bearing from LOM, within 20 miles or, when directed by ATC, turn left to heading, 180° until intercepting FSM VOR, R 195° (Outbnd), climbing to 3600′ within 20 miles.
NOTE: No reduction in takeoff or landing minimums authorized.
CAUTION: All maneuvering must be completed N of the localizer crs. Standard distance not applied between localizer crs and restricted area R–2402.
Other change: Deletes transitions intercepting FSM, R 215° and E crs, FSM ILS and Fort Smith RBn.
*Aircraft departing Runway 25 shall maintain runway heading until reaching 1200′ prior to starting right turn.
#500–¾ required when glide slope not utilized.
##All installed components of the ILS must be operating otherwise alternate minimums of 800–2 apply.

City, Fort Smith; State, Ark.; Airport name, Fort Smith Municipal; Elev., 468′; Fac. Class., ILS; Ident., I–FSM; Procedure No. ILS–25, Amdt. 8; Eff. date, 7 May 66; Sup. Amdt. No. 7; Dated, 5 June 65

RVH VORTAC	Coram Int	Via RVH R 282°	1800	T–dn	300–1	300–1	200–½
Coram Int	Edwards Int (final)	Direct	1100	C–dn	600–1	600–1	600–1½
				A–dn	800–2	800–2	800–2

Procedure turn not authorized. Transition from Riverhead VORTAC to final required.
No glide slope or markers. Descend to landing minimums after passing Edwards Int.
Minimum altitude over Edwards Int on final approach crs, 1100′.
Crs and distance, Edwards Int to airport, 237°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing Edwards Int, make left-climbing turn to 2000′, proceed direct to RVH VOR, hold NE RVH VOR, 1-minute right turns, Inbnd crs, 238°.
NOTE: Runways 10–28 closed nights.
Other change: Deletes straight-in minimums.

City, Islip; State, N.Y.; Airport name, Long Island; Elev., 98′; Fac. Class., ILS; Ident., I–ILS; Procedure No. ILS–24 (back crs), Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 15 Jan. 66

OKC VOR	LOM	Direct	2800	T–dn	300–1	300–1	*200–½
Bethany Int	LOM	Direct	2800	C–dn	400–1	500–1	500–1½
Cashion Int	TWO RBn	Direct	3100	S–dn–35L**	200–½	200–½	***200–½
TWO RBn	LOM	Direct	[illegible]00	A–dn	600–2	600–2	600–2
Newcastle Int	LOM (final)	Direct	2400				

Radar vectoring authorized in accordance with approved patterns.
Procedure turn E side of crs, 171° Outbnd, 351° Inbnd, 2600′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2400′.
Altitude of glide slope and distance to approach end of runway at OM, 2329′—3.8 miles; at MM, 1494′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, climb to 3100′ on N crs, ILS within 20 miles, or when directed by ATC, turn left, climb to 2500′ direct to the OKC VOR.
*RVR 2400′ authorized for Runway 35L.
**RVR 2400′. Descent below 1484′ not authorized unless approach lights are visible.
***300–1 authorized without glide slope and with operative ALS except for 4-engine turbojet.

City, Oklahoma City; State, Okla.; Airport name, Will Rogers World; Elev., 1284′; Fac. Class., ILS; Ident., I–OKC; Procedure No. ILS–35L, Amdt. 11; Eff. date, 7 May 66; Sup. Amdt. No. 10; Dated, 10 Apr. 66

6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes														Ceiling and visibility minimums		
From	To	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Condition	2-engine or less	
															65 knots or less	More than 65 knots
															Surveillance approach	
														T–dn	300–1	300–1
														C–dn	1000–1	1000–1
														S–dn–1	700–1	700–1
														A–dn	1000–2	1000–2

More than 2-engine, more than 65 knots
200–½
1000–1½
700–1
1000–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn right, climb to 2400′, proceeding direct to FI LFR. Continue on E crs of FI LFR to Chena Int or, when directed by ATC, climb to 4000′ on S crs, I FAI ILS within 20 miles.
CAUTION: All maneuvering E of airport, 900′; terrain, 1.7 miles W rising to 1000′ at 1.9 miles W.
NOTE: Air carrier sliding scale not approved.

City, Fairbanks; State, Alaska; Airport name, Fairbanks International; Elev., 434′; Fac. Class. and Ident., Fairbanks Rapcon; Procedure No. 1, Amdt. 2; Eff. date, 7 May 66; Sup. Amdt. No. 1; Dated, 4 Mar. 61

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on March 31, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–5876; Filed, May 26, 1966; 8:49 a.m.]

Title 30—MINERAL RESOURCES

Chapter IV—Federal Coal Mine Safety Board of Review

PART 401—RULES OF PROCEDURE

Part 401 of Chapter IV of Title 30 of the Code of Federal Regulations is revised to read as follows:

DEFINITIONS

Sec.
401.1 Definitions.

INITIAL PROCEEDINGS

401.2 Who may initiate proceedings.
401.3 Where to file.
401.4 Form of application; other pleadings.
401.5 Time for filing.
401.6 Computation of time.
401.7 Service on Director.
401.8 Applicants; attorneys.
401.9 Appearance as amicus curiae.
401.10 Service generally.

HEARING, EVIDENCE, TESTIMONY

401.11 Hearing; notice; place.
401.12 Testimony.
401.13 Burden of proof; sequence.
401.14 Rules of evidence.
401.15 Copies of exhibits.
401.16 Objections.
401.17 Further proceedings before Board; oral argument.
401.18 Briefs.
401.19 Request for findings of fact and conclusions of law.
401.20 Temporary relief.
401.21 Transcripts.
401.22 Inspection of transcript.
401.23 Additional time for taking testimony.
401.24 Official records and printed publications.
401.25 Official notice of facts.

SUBPENAS, DEPOSITIONS

401.26 Issuance of subpenas.
401.27 Depositions.
401.28 Witness fees and mileage; deposition costs; payment.

TERMINATION OF PROCEEDINGS

401.29 Prior to finding.
401.30 State plan cases.
401.31 After hearing.
401.32 Finding and order; form and content.

APPEAL TO UNITED STATES COURT OF APPEALS

401.33 Appeal to Court.
401.34 Record on appeal.

GENERAL

401.35 Official acts; hearings and records.
401.36 Constituency of Board.

AUTHORITY: The provisions of this Part 401 issued under section 205, 66 Stat. 697, as amended; 30 U.S.C. 475.

DEFINITIONS

§ 401.1 Definitions.

As used in this part:

(a) The terms "Board," "Bureau," "Director," "duly authorized representative of the Bureau," "mine," and "operator," shall have the meanings set forth in section 201(a) of the Federal Coal Mine Safety Act, as amended.

(b) (1) The term "act" means the Federal Coal Mine Safety Act, as amended.

(2) The term "closing order" means an order issued under sections 203(a), 203(c), or 203(d), or section 206 of the act, which requires an operator to cause persons to be withdrawn from, and to be debarred from entering, an area of a mine.

(3) The term "classification order" means an order issued under section 203(f) or section 206 of the act, requiring the operator of a mine to comply with the provisions of section 209 of the act which pertain to gassy mines, in the operation of such mine.

(4) The term "applicant" means an operator who has applied to the Board for annulment or revision of either a closing or classification order.

(5) The term "respondent" means the Director of the U.S. Bureau of Mines, in any proceeding before the Board.

INITIAL PROCEEDINGS

§ 401.2 Who may initiate proceedings.

(a) An operator notified of a closing order, or of a classification order, made pursuant to section 203 of the act may apply directly to the Board for annulment or revision of such order, without first appealing to the Director under section 206 of the act.

(b) An operator notified of a closing order, or of a classification order, made by the Director pursuant to section 206 of the act may apply to the Board for annulment or revision of such order.

§ 401.3 Where to file.

Each application shall be filed with the Board, at its office in Room 707–8, Universal North Building, 1875 Connecticut Avenue NW., Washington, D.C., 20452.

§ 401.4 Form of application; other pleadings.

(a) No special form of application is required to initiate an appeal under the

act. However, each application shall recite the order complained of, and other facts sufficient to advise the Board of the nature of the proceeding.

(b) The application shall be signed by the operator, or by any person authorized to represent the operator under § 401 8.

(c) Optional forms which meet the foregoing requirements may be obtained, without charge, by request to the Board at its office referred to in § 401.3.

(d) Other pleadings by either party may be required, within the discretion of the Board.

§ 401.5 Time for filing.

(a) Application for review of a closing order may be filed at any time while such order is in effect.

(b) Application for review of a classification order must be filed not later than 20 days after receipt of notice of such order.

§ 401.6 Computation of time.

(a) Except as otherwise provided by law, in computing any period of time prescribed or allowed by any rule, regulation, notice, or order of the Board, or by any applicable statute, the day of the act, event, or default from or after which the designated period of time begins to run shall not be included; but the last day of the period so computed shall be included, unless it is a Saturday, Sunday, or a legal holiday in the District of Columbia, in which event the period shall run until the end of the next day which is not a Saturday, Sunday, or a holiday. When a period of time prescribed or allowed is seven days or less, intermediate Saturdays, Sundays, and holidays shall be excluded in the computation; otherwise, Saturdays, Sundays, and holidays shall be included in the computation. A partday holiday shall be considered as other days and not as a holiday.

(b) When an applicable act or any rule, regulation, notice or order of the Board requires the filing of an application, motion, brief, or other document in any proceeding, such document must be received by the Board before the close of business of the last day of the time limit for such filing.

§ 401.7 Service on Director.

(a) The applicant shall send a copy of the application by registered mail or by certified mail to the Director at Washington, D.C.

(b) A copy of any request for temporary relief shall also be sent by registered mail or by certified mail to the Director at Washington, D.C.

(c) Proof of service must be made before the application or any request for temporary relief will be considered by the Board. A statement by the applicant or his attorney clearly stating the time, date, place, and method of mailing the copy will be accepted as prima facie proof of service.

§ 401.8 Applicants; attorneys.

(a) Any person may file and prosecute his own application for review, or the application of a firm, partnership, corporation or association of which he is a member, or an official, and which he is authorized to represent.

(b) An applicant may be represented by an official of a coal mine operators' association of which he is a member and which official has been authorized to represent him as attorney-in-fact in the proceeding.

(c) An applicant may be represented by an attorney-at-law in good standing, who is admitted to practice before any Federal court, or the highest court of any State or territory of the United States, and who is not under any order of any Court suspending, enjoining, restraining, disbarring or otherwise restricting, him in the practice of law.

(d) Each attorney representing an applicant or respondent shall enter his appearance with the Board prior to participating in any proceeding before the Board, which appearance shall be made a part of the record.

(e) Any person appearing before, or transacting business with, the Board in a representative capacity may be required to file a power of attorney with the Board showing his authority to act in such capacity.

(f) The Board may disqualify, and deny, temporarily or permanently, the privilege of appearing or practicing before it in any way to any person who is found by the Board after hearing in the matter:

(1) Not to possess the requisite qualifications to represent others; or

(2) To be lacking in character or integrity, or to have engaged in unethical or improper professional conduct.

(g) Contemptuous conduct at any hearing before the Board shall be ground for exclusion from said hearing and for summary suspension, without a hearing, for the duration of said hearing.

§ 401.9 Appearance as amicus curiae.

Any person desiring to appear as amicus curiae in a proceeding shall make a timely motion for leave to appear, stating the grounds for such motion. Leave to appear, if granted, will be for such purposes established by the Board in the proceeding.

§ 401.10 Service generally.

(a) A copy of all appearances, motions, briefs, or other documents, filed with the Board must be served by the filing party on the other party or parties in the case.

(b) Unless otherwise specifically provided by law or herein, such service shall be made personally or by first-class, certified, or registered mail, or by telegram. Proof of service must accompany the document filed.

HEARING, EVIDENCE, TESTIMONY

§ 401.11 Hearing; notice; place.

(a) Immediately upon the filing of an application, the Board shall fix the time and place for a prompt hearing thereof. The parties shall be provided with adequate notice of the place and time of the hearing.

(b) Hearings may be held at the office of the Board in Washington, D.C.; or, whenever the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, the Board may hold hearings or conduct other proceedings at any other place. If the applicant so requests, the Board shall hold hearings or conduct other proceedings at the county seat of the county in which the mine involved is located, or at any other place mutually agreed to by the chairman of the Board and the applicant.

(c) Hearings may be conducted by the entire Board; or, upon order of the Board, a hearing may be held by a special panel of one or more Board members and the transcript thereof, which shall be made available to the parties before final action of the Board, shall be submitted to the entire Board for its action thereon.

(d) Upon its own motion, or upon proper cause shown by either party, the Board may advance or postpone the date of the hearing.

§ 401.12 Testimony.

(a) Except as may be otherwise provided in other paragraphs of this section, all witnesses at a hearing shall testify under oath or affirmation administered by a member of the Board and shall be subject to cross-examination.

(b) Any witness may, in the discretion of the Board, be examined separately and apart from all other witnesses except those who may be parties to the proceeding.

(c) For good cause shown, the Board, at any stage of a pending proceeding, may order testimony to be taken by deposition in accordance with § 401.27.

(d) With the consent of the Board and of all parties to the proceeding, the testimony of any witness or witnesses may be submitted in the form of an affidavit, or affidavits, of such witness or witnesses.

(e) With the consent of the Board, the parties may stipulate what a particular witness would testify to if called, or may stipulate as to any or all the facts in the case of any party.

(f) The refusal of a witness at any hearing to answer any question which has been ruled to be proper shall, in the discretion of the Board, be ground for striking all testimony previously given by such witness on related matters.

§ 401.13 Burden of proof; sequence.

(a) The burden of proof is on the respondent when he claims that danger, or a violation of section 209 of the act, as set out in the order under review, existed at the time of the filing of the application, or that methane has been ignited or found in the mine as set out in the order under review. In such hearings, the respondent shall present his evidence first to prove the then existence of such danger or violation or the presence of methane. Following the presentation of respondent's evidence the applicant may present his evidence. Thereupon, respondent may present evidence to rebut the applicant's evidence. If additional evidence is sought to be adduced thereafter, the Board, in its discretion, may admit such evidence, in the sequence determined by the Board.

(b) In all other proceedings, the Board shall designate the order of presentation of evidence.

§ 401.14 Rules of evidence.

In any proceeding before the Board, relevant and material evidence shall be admissible, but there shall be excluded such evidence as is unduly repetitious or cumulative, or such evidence as is not of the kind which would affect reasonable and fair-minded men in the conduct of their daily affairs.

§ 401.15 Copies of exhibits.

Unless otherwise provided by the Board, each document or exhibit, or part thereof, introduced in evidence shall be submitted in duplicate. Furthermore, when exhibits of a documentary character are to be offered in evidence, copies shall be furnished to the adverse party, unless the Board otherwise directs.

§ 401.16 Objections.

If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, he shall state briefly the grounds of such objection, whereupon an automatic exception will follow if the objection is overruled by the Board. No such objection shall be deemed waived by further participation in the hearing.

§ 401.17 Further proceedings before Board; oral argument.

(a) When hearings are conducted by less than the entire Board, an opportunity to appear before the Board shall be afforded the parties prior to any final action in the case, and the Board, in its discretion, may afford the parties an opportunity to submit additional evidence as may be required for a full and true disclosure of the facts.

(b) If oral argument is timely requested by a party or parties in any case, the Board shall allow a reasonable period for such argument, as determined by the Board, and such argument shall be included in the stenographic report of the hearing.

§ 401.18 Briefs.

Parties to a hearing will be permitted to file briefs, if they so request, within time limits which will be set by the Board, depending upon the facts in each individual case. Seven copies of each brief or reply brief shall be filed with the Board. Copies of briefs shall be legibly printed or otherwise legibly duplicated.

§ 401.19 Request for findings of fact and conclusions of law.

If so desired, either party may submit concise proposed findings of fact, supported by specific references to, and analysis of, the record, and conclusions of law, supported by citation of authorities. The Board may, in its discretion, adopt the proposed findings and conclusions in whole or in part, or enter an order without making specific reference to such proposed findings and conclusions.

§ 401.20 Temporary relief.

(a) Pending a hearing on the merits of an application, the applicant may file a request with the Board for temporary relief from the order complained of in the application. The applicant must serve notice of such request on the Director as provided in § 401.7(b).

(b) Immediately upon the filing of a request for temporary relief, the Board shall fix a time and place for a hearing on this request. The Board shall provide ample notice to the parties of the time and place of hearing.

(c) At the conclusion of the testimony, the parties may, in the discretion of the Board, be permitted to present oral argument.

(d) As soon after the conclusion of the hearing as may be practicable, the Board shall grant such temporary relief as it may deem just and proper.

§ 401.21 Transcripts.

Hearings of the Board shall be recorded stenographically by an official reporter designated by the Board. Copies of transcripts of such hearings may be purchased from the official reporter at rates approved by the Board.

§ 401.22 Inspection of transcript.

After the transcript is filed with the Board, it may be inspected in the office of the Board during official hours of business by any party to the case, or may otherwise be made available to the parties as provided by the Board. The transcript may be copied by someone specially designated or approved by the Board for that purpose, under proper restrictions and safeguards.

§ 401.23 Additional time for taking testimony.

If either party shall be unable to procure the testimony of a witness or witnesses within the time limited by the Board, and said time has expired, or is about to expire, and the party desires additional time for such purpose, he must file a motion, accompanied by a statement setting forth specifically the cause of such inability, the name or names of the witness or witnesses, the facts expected to be proved by such witness or witnesses, the steps which have been taken to procure such testimony, and the dates on which efforts have been made to procure it. The Board in its discretion may grant or deny said motion.

§ 401.24 Official records and printed publications.

Official records and any special matter contained in a printed publication, if competent evidence and pertinent to the issue, may be introduced in evidence, before the closing of the time for taking the evidence of the party, by specifying the record or the printed publication, and the page or pages thereof to be used, and submitting the record or authenticated copy, or the printed publication or a copy. Such evidence must be submitted in duplicate and a copy must be provided the other party.

§ 401.25 Official notice of facts.

Official notice may be taken of such matters as might be judicially noticed by the courts of the United States, or of any other matter of technical or scientific fact of established character peculiarly within the general knowledge of the Board as an expert body: *Provided*, That any party shall, on timely request, be afforded an opportunity to show the contrary.

SUBPENAS, DEPOSITIONS

§ 401.26 Issuance of subpenas.

(a) Any member of the Board may, on the written application of a party or the Board's own motion, forthwith issue subpenas requiring the attendance and testimony of witnesses and the production of relevant papers, books, and documents in their possession and under their control. If the application is made on the record while the hearing is in progress, it may be accepted in lieu of a written request. Each request for a subpena shall indicate the person to be subpenaed and shall be supported by a showing of the general relevance and materiality of the evidence sought. An application for subpena to compel a witness to produce documentary evidence shall be verified and shall specify with particularity the books, papers and documents desired and the facts expected to be proved thereby.

(b) If service of a subpena is made by U.S. marshal or his deputy, such service shall be evidenced by his return thereon. If made by another person, such person shall make affidavit thereof, describing the manner in which service is made, and shall return such affidavit on or with the original subpena. In case of failure to make service, the reasons for the failure shall be stated on the original subpena. The original subpena, bearing or accompanied by the authorized return, affidavit or statement, shall be returned forthwith to the office of the Board or, if so directed on the subpena, to the presiding officer before whom the person named in the subpena is required to appear.

§ 401.27 Depositions.

(a) For good cause shown, testimony may be taken by deposition in any pending proceeding, at any stage of such proceeding. Any person may be compelled to appear and depose, and to produce books, papers, or documents, in the same manner as witnesses may be compelled to appear and testify and produce like documentary evidence before the Board, as provided in § 401.26.

(b) Application to take a deposition shall be made in writing to the Board, setting forth the reasons why such deposition should be taken, the name and post office address of the witness, the matters concerning which it is expected the witness will testify, and the time and place proposed for the taking of the deposition, together with the name and address of the person before whom it is desired that the deposition be taken (referred to in this section as the "offi-

cer"). Upon receipt of the application, the Board, if in its discretion good cause has been shown, shall make and serve upon the parties an order which will specify the name of the witness whose deposition is to be taken and the time, the place, and the designation of the officer before whom the witness is to testify, who may or may not be the same officer as that specified in the application. Such order shall be served upon all the parties a reasonable time before the deposition is to be taken.

(c) Such deposition may be taken before any officer authorized to administer oaths by the laws of the United States or of the place where the examination is held. If the examination is held in a foreign country, it may be taken before any secretary of embassy or legation, consul general, vice consul, or consular agent of the United States.

(d) At the time and place specified in said order, the officer designated to take such deposition shall permit the witness to be examined and cross-examined under oath by all the parties appearing, and the testimony of the witness shall be reduced to typewriting by the officer or under his direction. All objections to questions or evidence shall be deemed waived unless made at the examination. The officer shall not have power to rule upon any objections, but he shall note them upon the deposition. The testimony shall be subscribed by the witness in the presence of the officer who shall attach his certificate stating that the witness was duly sworn by him, that the deposition is a true record of the testimony and exhibits given by the witness, and that said officer is not of counsel or attorney to any of the parties nor interested in the event of the proceeding. If the deposition is not signed by the witness because he is ill, dead, cannot be found, or refuses to sign it, such fact shall be included in the certificate of the officer and the deposition may then be used as fully as though signed. The officer shall immediately deliver an original and one copy of said testimony and exhibits, together with his certificate, in person or by registered or certified mail, to the office of the Board, or to the presiding officer of the Board if a hearing is in process.

(e) The Board shall rule upon the admissibility of the deposition or any part thereof.

(f) All errors or irregularities in complying with the provisions of this section shall be deemed waived unless a motion to suppress the deposition, or some part thereof, is made with reasonable promptness after such defect is or, with due diligence, might have been ascertained.

(g) If the parties so stipulate in writing, depositions may be taken before any person at any time or place, upon any notice and in any manner, and when so taken may be used like other depositions.

§ 401.28 Witness fees and mileage; deposition costs; payment.

Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken, and the persons taking such depositions, shall be entitled to the same fees as are paid for like services in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear, and the person taking the deposition shall be paid by the party at whose instance the deposition is taken.

TERMINATION OF PROCEEDINGS

§ 401.29 Prior to finding.

Except in State plan cases, at any stage of the proceeding prior to the making of a finding and order by the Board, upon the submission by either the applicant or the respondent of a copy of an order issued by the respondent or, in proper instances, by a duly authorized representative of the Bureau, annulling, cancelling or revising the order from which the applicant is appealing to the Board, an order dismissing the application may be entered by the Board, at its discretion, without further proceedings.

§ 401.30 State plan cases.

When an application for annulment or revision of an order of a Federal inspector is filed by an operator of a mine located in a State with an approved State plan, the Board may, without further proceedings, issue an order annulling or revising the order of the Federal inspector upon the filing with the Board by the respondent of a statement that (a) an inspection by a duly authorized representative of the Bureau has shown that the imminent danger or violation upon which the order was based has been abated, and (b) the respondent joins with the applicant in requesting annulment or revision of the order.

§ 401.31 After hearing.

Unless terminated as provided in § 401.29, the Board, at the conclusion of the hearing or as soon thereafter as is practicable, will issue an order, affirming, revising, or annulling the order under review.

§ 401.32 Finding and order; form and content.

Each finding and order of the Board shall be in writing, shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. A true copy of the finding and order in each case shall be sent to all the parties or to their attorneys of record by registered or certified mail, and shall be published by the Board in such manner as it deems advisable. Each finding and order shall be entered upon the official record of the Board, together with any written opinion prepared by any members in support of, or dissenting from, any such finding or order.

APPEAL TO U.S. COURT OF APPEALS

§ 401.33 Appeal to Court.

(a) Any party dissatisfied with a final order issued by the Board may appeal to the U.S. Court of Appeals for the circuit in which the mine affected is located.

(b) The appeal is initiated by the filing in the appropriate appellate court of a notice of appeal within thirty days from the date of the making of the final order.

(c) A copy of such notice of appeal must be sent forthwith by registered or certified mail to the other party and to the Board.

§ 401.34 Record on appeal.

(a) Upon receipt of the copy of the notice of appeal, the Board will prepare and file, in the designated appellate court, a certified complete transcript of the record of the proceedings before the Board.

(b) The party making the appeal must pay any costs of the complete transcript of the record, before it is filed with the court.

GENERAL

§ 401.35 Official acts; hearings and records.

Every official act of the Board shall be entered of record. Hearings of the Board, and the official records pertaining to proceedings under section 207 of the act, shall be open to the public.

§ 401.36 Constituency of Board.

Three members of the Board shall constitute a quorum, and official action can be taken only on the affirmative vote of at least three members: *Provided*, That in any official action involving mines in which no more than 14 individuals are regularly employed underground, the participation of the small mine operators' representative and small mine workers' representative shall be required, and in any official action involving mines in which more than 14 individuals are regularly employed underground, the participation of the large mine operators' representative and large mine workers' representative shall be required. However, a hearing may be conducted by a special panel composed of one or more members, upon order of the Board, as provided in § 401.11(c).

Pursuant to authority granted by section 205(h) of the act, the Board adopted the above Rules of Procedure at its office in Washington, D.C., on the 24th day of May 1966, to be effective immediately.

EDWARD STEIDLE,
Chairman, Federal Coal Mine Safety Board of Review.

[F.R. Doc. 66-5858; Filed, May 26, 1966; 8:47 a.m.]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 20—OCCUPATIONAL TRAINING OF UNEMPLOYED PERSONS

Transportation Allowance Within Commuting Area

Pursuant to authority contained in section 207 of the Manpower Development and Training Act of 1962 (42 U.S.C. 2587), I hereby amend Title 29, Part 20, of the Code of Federal Regulations as set forth below.

Section 4 of the Administrative Procedure Act (5 U.S.C. 1003) which requires notice of proposed rules, opportunity for public participation and delay in effective date is not applicable because these rules only relate to public benefits. I do not believe such procedure will serve a useful purpose here. Accordingly, this amendment shall become effective immediately.

Paragraph (a) of § 20.41 is amended to read as follows:

§ 20.41 Transportation allowances.

(a) *Transportation within commuting area.* A person engaged in training under the Act who commutes between his residence and the training facility is eligible for an allowance in an amount equal to the cost of daily local transportation by the least expensive means of transportation reasonably available, less 50 cents a day up to a maximum deduction of $2.50 a week: *Provided however*, That the transportation allowance shall be paid without reduction where the State Agency determines that such payments are necessary in order for the trainees to undertake or continue training. Any person drawing a subsistence allowance by reason of his referral to training outside the commuting area of his regular place of residence is eligible for such daily transportation allowance if his choice for the location of his temporary residence is reasonable in view of such factors as living costs and availability of facilities. A person engaged in on-the-job training, however, shall not be eligible for such allowance for any week in which he has been offered compensated work by the on-the-job employer for a full workweek customary in the industry for the occupation for which he is being trained.

* * * * *

(Sec. 207, 76 Stat. 29)

Signed at Washington, D.C., this 20th day of May 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66-5847; Filed, May 26, 1966; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

PART 85—ADVANCE PAY FOR MILITARY PERSONNEL

Policy

The following amendment to Part 85 has been approved: Section 85.2(a)(4)(iii) as revised now reads:

§ 85.2 Policy.

(a) Advance pay for permanent change of station:

* * * * *

(4) *Liquidation of advance.* * * *

(iii) An advance of pay will not be made in an amount which will require the stoppage of insurance allotments, or allotments for the support of dependents. No allotment, other than class Q allotment, will be established after the advance is made if it will prevent liquidation within the allowed period.

* * * * *

(37 U.S.C. 1006)

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

[F.R. Doc. 66-5869; Filed, May 26, 1966; 8:48 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 341—REGULATIONS GOVERNING UNITED STATES RETIREMENT PLAN BONDS

Section 341.1(a) of Department Circular, Public Debt Series No. 1-63, dated January 10, 1963 (31 CFR 341), is hereby amended to read as follows:

§ 341.1 Description of bonds.

(a) *Investment yield (interest).* United States Retirement Plan Bonds, hereinafter sometimes referred to as Retirement Plan Bonds, will be issued at par. The investment yield (interest) on bonds with (1) issue dates of January 1, 1963, through May 1, 1966, will be 3¼ percent per annum, compounded semiannually, as set forth in the table of redemption values appended to this part, and (2) issue dates of June 1, 1966, or thereafter, will be 4.15 percent per annum, compounded semiannually, as set forth in the table, identified as Table A. The interest will be paid only upon redemption of the bonds. The accrual of interest will continue until the bonds have been redeemed or have reached maturity, whichever is earlier, in accordance with the regulations of this part.

* * * * *

Compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (60 Stat. 237, as amended) is found to be unnecessary with respect to this amendment.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

MAY 23, 1966.

TABLE A—TABLE OF REDEMPTION VALUES PROVIDING AN INVESTMENT YIELD OF 4.15 PERCENT PER ANNUM FOR BONDS BEARING ISSUE DATES BEGINNING JUNE 1, 1966

Table shows the increase in redemption value for each successive half-year term of holding following the date of issue on Retirement Plan Bonds bearing issue dates beginning June 1, 1966. The redemption values have been determined to provide an investment yield of approximately 4.15 percent[1] per annum, compounded semiannually, on the purchase price from issue date to the beginning of each half-year period. The period to maturity is indeterminate in accordance with the provisions of sec. 341.1(b) of this circular.[2]

Issue price	$50	$100	$500	$1,000
Period after issue date. (years)	Redemption values during each half-year period (values increase on first day of period shown).			
First ½	$50.00	$100.00	$500.00	$1,000.00
½ to 1	51.04	102.08	510.38	1,020.75
1 to 1½	52.10	104.19	520.97	1,041.93
1½ to 2	53.18	106.36	531.78	1,063.55
2 to 2½	54.28	108.56	542.81	1,085.62
2½ to 3	55.41	110.81	554.07	1,108.15
3 to 3½	56.56	113.11	565.57	1,131.14
3½ to 4	57.73	115.46	577.31	1,154.61
4 to 4½	58.93	117.86	589.28	1,178.57
4½ to 5	60.15	120.30	601.51	1,203.02
5 to 5½	61.40	122.80	613.99	1,227.99
5½ to 6	62.67	125.35	626.73	1,253.47
6 to 6½	63.97	127.95	639.74	1,279.48
6½ to 7	65.30	130.60	653.01	1,306.03
7 to 7½	66.66	133.31	666.56	1,333.13
7½ to 8	68.04	136.08	680.39	1,360.79
8 to 8½	69.45	138.90	694.51	1,389.03
8½ to 9	70.89	141.78	708.92	1,417.85
9 to 9½	72.36	144.73	723.63	1,447.27
9½ to 10	73.86	147.73	738.65	1,477.30
10 to 10½	75.40	150.80	753.98	1,507.96
10½ to 11	76.96	153.92	769.62	1,539.24
11 to 11½	78.56	157.12	785.59	1,571.18
11½ to 12	80.19	160.38	801.89	1,603.78
12 to 12½	81.85	163.71	818.53	1,637.06
12½ to 13	83.55	167.10	835.52	1,671.03
13 to 13½	85.29	170.57	852.85	1,705.71
13½ to 14	87.06	174.11	870.55	1,741.10
14 to 14½	88.86	177.72	888.61	1,777.23
14½ to 15	90.71	181.41	907.06	1,814.10
15 to 15½	92.59	185.17	925.87	1,851.75
15½ to 16	94.51	189.02	945.09	1,890.17
16 to 16½	96.47	192.94	964.70	1,929.39
16½ to 17	98.47	196.94	984.71	1,969.43
17 to 17½	100.51	201.03	1,005.15	2,010.29
17½ to 18	102.60	205.20	1,026.00	2,052.01
18 to 18½	104.73	209.46	1,047.29	2,094.58
18½ to 19	106.90	213.80	1,069.02	2,138.05
19 to 19½	109.12	218.24	1,091.21	2,182.41
19½ to 20	111.38	222.77	1,113.85	2,227.70
20 to 20½[3]	113.70	227.39	1,136.96	2,273.92

[1] Based on redemption values of $1,000 bond.

[2] At a future date prior to June 1, 1986 (20 years after issue date of the first bonds), this table will be extended to show redemption values for periods of holding of 20½ years and beyond.

[F.R. Doc. 66-5799; Filed, May 26, 1966; 8:45 a.m.]

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 520—FOREIGN FUNDS CONTROL REGULATIONS

Correction

In Federal Register Document 66-5572, published at page 7333 in the issue for Friday, May 20, 1966, the following corrections are made:

1. In paragraph III of the preliminary language, the opening clause of (2), now reading "With the exception of §§ 520.1, 520.101, 520.102, and 520.204," should read "With the exception of §§ 520.1, 520.94, 520.101, 520.102, and 520.204,".

2. Paragraph III(7) should read as follows:

(7) Section 511.86 paragraph (a)(3) (now § 520.86(a)(3)) is amended to eliminate certain restrictions on transactions so that payment may be made in any situation not involving a payment from a blocked account.

3. In §§ 520.4(d), 520.5, 520.30 (introductory text), and 520.204(a)(10), the word "commonwealth" should be inserted following the word "State". As corrected, §§ 520.4(d), 520.5, 520.30 (introductory text), and 520.204(a)(10) read as follows:

§ 520.4 General License No. 4.

• • • • •

(d) Securities issued or guaranteed by the Government of the United States or any State, commonwealth, territory, district, county, municipality or other political subdivision thereof (including agencies and instrumentalities of the foregoing) need not be sold on a national securities exchange: *Provided*, That such securities are sold at market value and pursuant to all other terms and conditions prescribed in this general license.

§ 520.5 General License No. 5.

A general license is hereby granted authorizing the payment from any blocked account to the United States or any agency or instrumentality thereof or to any State, commonwealth, territory, district, county, municipality or political subdivision in the United States, of customs duties, taxes, and fees payable thereto, by the owner of such blocked account.

§ 520.30 General License No. 30.

A general license is hereby granted authorizing any bank or trust company incorporated under the laws of the United States or of any State, commonwealth, territory or district of the United States, or any private bank subject to supervision and examination under the banking laws of any State of the United States, acting as trustee of any trust administered in the United States or as legal representative of any estate of an infant or incompetent administered in the United States, in which trust or estate one or more persons who are nationals of one of the foreign countries listed in § 520.101(a)(1) have an interest, beneficial or otherwise, or are cotrustees or corepresentatives, to engage in the following transactions:

• • • • •

§ 520.204 General Ruling No. 4.

(a) • • •

(10) The term "domestic bank" shall mean any branch or office within the United States of any of the following which is not a national of any blocked country: any bank or trust company incorporated under the banking laws of the United States or of any State, commonwealth, territory, or district of the United States, or any private bank or banker subject to supervision and examination under the banking laws of the United States or of any State, commonwealth, territory or district of the United States. The Treasury Department may also authorize any other banking institution to be treated as a "domestic bank" for the purpose of this definition or for the purpose of any license, ruling, or instruction.

• • • • •

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Order M–11A, Direction 2, Amdt. 1 of May 27, 1966]

M–11A—COPPER AND COPPER-BASE ALLOYS

Domestic Refined Copper Set-Aside

RESERVED PORTION OF PRODUCTION (SET-ASIDE)

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, consultation with industry representatives was rendered impracticable because of the need for immediate action.

This amendment affects Direction 2 to BDSA Order M–11A, of February 23, 1966, by changing the reserved portion of production, as set forth in section 8 of that direction, from ten percent (10%) to thirteen percent (13%).

Section 8 of Direction 2 to BDSA Order M–11A of February 23, 1966, is hereby amended to read as follows:

Sec. 8 Reserved portion of production (set-aside).

From the date of opening his books in any month for the acceptance of rated orders for domestic refined copper, each producer of domestic refined copper shall reserve at least thirteen percent (13%) of his average monthly production of domestic refined copper (as defined in sec. 2(d) of this direction) for the acceptance of such rated orders calling for delivery in the immediately following month until the quantity of domestic refined copper for which he has accepted such rated orders is equal to at least the quantity thereof he is required to reserve, as indicated above; however, he need not accept such orders after the 10th day of that month even though he may not have accepted rated orders equivalent to the reserved quantity by that date: *Provided, however*, That DX rated orders must be accepted in accordance with the provisos contained in sec. 6 (2) and (5) above.

(Sec. 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2154; sec. 1, P.L. 88–343, 78 Stat. 235)

This amendment shall become effective May 27, 1966.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
FORREST D. HOCKERSMITH,
Acting Administrator.

[F.R. Doc. 66–4579; Filed, May 26, 1966; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4022]

[Anchorage 053765]

ALASKA

Opening of Lands, Subject in Part to Section 24 of the Federal Power Act

By virtue of the authority contained in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, it is ordered as follows:

1. In DA–64–Alaska, the Federal Power Commission vacated the power withdrawal created pursuant to the filing of applications for preliminary permit and for amendment thereof for Project No. 350 affecting lands (a) lying within one-half mile of the ordinary high water line of Eklutna Lake and at an elevation in excess of 900 feet above mean sea level and, (b) lying within one-half mile of Eklutna River, with the exception of 200 acres. The excepted area comprises those portions of the S½SE¼ of sec. 19, and the E½NE¼ and the NW¼NE¼ of sec. 30 T. 16 N., R. 1 E., S.M., lying within a strip 600 feet in width, embracing the diversion dam, tunnel, penstock, and powerhouse locations. The lands are described on a map designated "Exhibit K, Anchorage Light & Power Co., River Diversion and Power", and filed in the Office of the Federal Power Commission on April 7, 1931, in connection with Project No. 350.

The areas described aggregate approximately 10,627 acres, of which about 10,000 acres are public lands. Some of the public lands are withdrawn for other purposes, and some have previously been restored subject to section 24 of the Federal Power Act. As to the latter, the effect of this order is to relieve the lands of the restrictive provisions of the said section 24.

2. In DA–64–Alaska, the Federal Power Commission determined that the value of the lands reserved or classified for powersite purposes, bordering Eklutna Lake, and lying below elevation 900, will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act, as amended, and subject to the condition that the United States, its permittees or licensees shall not be held liable for any damage to the improvements placed thereon resulting from the construction, operation, and maintenance of any power project works thereupon. The lands are located within an area which, if surveyed, would probably be described as follows:

SEWARD MERIDIAN

T. 15 N., R. 2 E.,
Sec. 8, NE¼, NE¼NW¼, S½NW¼, NW¼SW¼, E½SW¼, and SE¼;
Sec. 9, W½NW¼, SE¼NW¼, S½NE¼, and S½;
Sec. 10, W½SW¼ and SE¼SW¼;
Sec. 13, SW¼SW¼;
Sec. 14, SW¼NE¼, S½NW¼, and S½;
Sec. 15, NW¼, W½NE¼, SE¼NE¼, and S½;
Sec. 16, NE¼SE¼, NE¼, E½NW¼, and NW¼NW¼;
Sec. 17, NE¼NE¼;
Sec. 22, N½NE¼;
Sec. 23, N½, NE¼SW¼, and SE¼;
Sec. 24, W½ and SW¼SE¼;
Sec. 25;
Sec. 26, E½NE¼ and NW¼NE¼;
Sec. 36, N½, SE¼, and E½SW¼.
T. 15 N., R. 3 E.,
Sec. 30, W½SW¼;
Sec. 31, W½.
T. 14 N., R. 2 E.,
Sec. 1, NE¼.

The areas described aggregate approximately 5,560 acres.

The lands described in this order surround Eklutna Lake and a portion of the Eklutna River. They are traversed by the Eklutna Road which ties into the Glenn Highway 21 miles northeast of Anchorage, Alaska.

3. Until 10 a.m., on August 19, 1966, the State of Alaska shall have a preferred right to select the public lands not otherwise withdrawn in accordance with the provisions of the act of July 28, 1956 (70 Stat. 709; 43 U.S.C. 46–3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the public lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m., on August 19, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. Any disposals of the lands described in paragraph 2 of this order shall be subject to the provisions of section 24 of the Federal Power Act, as amended, and to the conditions specified by the Federal Power Commission in its determination.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws subject to the provisions of the act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Anchorage, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66–5831; Filed, May 26, 1966; 8:45 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER G—EMERGENCY OPERATIONS

[General Order 82, 14th Rev., Amdt. 1]

PART 309—VALUES FOR WAR RISK INSURANCE

Values Effective January 1, 1966; Correction

In F.R. Doc. 66–5074 appearing in the FEDERAL REGISTER issue of May 11, 1966 (31 F.R. 6893), the following list of vessels was inadvertently omitted:

Binder No.	Name of vessel	Official No.	Stated valuation (in thousands)
2040	Australian Reef	244020	$582
2090	Australian Surf	254842	582
210	Avila	267181	1,390
250	Azalea City	243436	2,225
707	Badger State	245136	555
2067	Baltimore Trader	245965	555
1864	Bangor	252036	560
980	Barbara	248079	2,175
347	Barbara Jane	278103	6,620
1616	Bat	244714	275
708	Bayou State	254012	555
949	Bay State	254130	555
1915	Beauregard	251508	2,225
709	Beaver State	245583	593
1755	Beloit Victory	245863	563
947	Bengal Mail	248844	1,000
594	Bennington	242406	555
607	Bethflor	256034	2,550
608	Bethtex	255539	2,550
419	Biddeford Victory	248433	465
261	Bienville	243438	2,225
710	Blue Grass State	253866	555

Dated: May 24, 1966.

L. C. HOFFMANN,
Chairman,
Ship Valuation Committee.

[F.R. Doc. 66–5853; Filed, May 26, 1966; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Brigantine National Wildlife Refuge, N.J.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NEW JERSEY

BRIGANTINE NATIONAL WILDLIFE REFUGE

Sport fishing in tidal waters from the shore and access thereto by walking is permitted on Holgate Peninsula and Little Beach Island on the Brigantine National Wildlife Refuge, N.J., from May 1, 1966, through December 31, 1966, except in those areas posted as closed. The open areas, comprising 60 acres, are delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass., 02109. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations governing fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1966.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 18, 1966.

[F.R. Doc. 66–5855; Filed, May 26, 1966; 8:47 a.m.]

PART 33—SPORT FISHING

Elizabeth Alexandra Morton National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NEW YORK

ELIZABETH ALEXANDRA MORTON NATIONAL WILDLIFE REFUGE

Sport fishing from the shore in tidal waters and access thereto by walking is permitted on the Elizabeth Alexandra Morton National Wildlife Refuge, N.Y., from May 1, 1966, through December 31, 1966, inclusive. The open area, comprising 10 acres, is delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass., 02109. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations governing fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1966.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 18, 1966.

[F.R. Doc. 66–5856; Filed, May 26, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Part 4110]

GRAZING REGULATIONS FOR PUBLIC LANDS

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to authority vested in the Secretary of the Interior by the Act of June 28, 1934 (43 Stat. 1270; 43 U.S.C. 315a), as amended and supplemented, it is proposed to amend and revise the regulations as set forth below. The purpose of this change is to recognize groups, associations or corporations as qualified applicants for grazing use by amending § 4111.1–1. In addition, changes in grazing use will be simplified by amending § 4115.2–1(k)4.

It is the policy of the Department, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Land Management, Washington, D.C., 20240, within thirty (30) days of publication of this notice in the FEDERAL REGISTER.

1. Section 4111.1–1 is amended as indicated below:

§ 4111.1–1 Qualifications.

An applicant for a grazing license or permit is qualified if:

(a) He is engaged in the livestock business and is a citizen of the United States or has on file before a court of competent jurisdiction a valid declaration of intention to become a citizen or a valid petition for naturalization, or:

(b) It is a group, or association authorized to conduct business under the laws of the State in which the grazing privileges sought are to be exercised, all the members of which are qualified under paragraph (a) of this section; provided that the agreement or articles of association under which the association has been formed are approved by the State Director, or:

(c) It is a corporation, the controlling interest in which is vested in persons qualified under paragraph (a) of this section and which is authorized to do business under the laws of the State in which grazing privileges sought are to be exercised; provided that the articles of incorporation have been approved by the State Director.

2. In § 4115.2–1, paragraph (k)(4) is revised to read as follows:

§ 4115.2–1 License and permit procedures; requirements and conditions.

* * * * * *

(k) * * *

(4) *Payment of fees; modification in fees due.* No license or permit shall be issued or renewed until payment of all fees due the United States under these regulations has been made. Fees for licenses and permits are due the United States upon issuance of the fee notice and are payable in full in advance before grazing use is authorized. Grazing privileges may be canceled or reduced pursuant to paragraph (d) of this section for failure to pay the fee in accordance with the fee notice. Any licensee or permittee who desires to make a change in authorized grazing use must file, in advance, a written request for such changes with the District Manager. If the District Manager approves the request he will issue an adjusted fee notice.

* * * * * *

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 23, 1966.

[F.R. Doc. 66–5851; Filed, May 26, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Forest Service

[36 CFR Part 211]

BOARD OF FOREST APPEALS

Proposed Rules of Procedure

It is proposed to amend Title 36 CFR, Chapter II, Part 211 by adding thereto a Subpart C containing procedural rules governing appeals to the Board of Forest Appeals for which provision has been made in 36 CFR 211.23 (30 F.R. 6346). Proposed rules of procedure are set forth below. Interested persons may submit such written comments and suggestions with respect to the proposed rules as they may desire. Communications should be submitted in duplicate to the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250. Communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before issuance of the rules of procedure for the Board of Forest Appeals. No public hearing is contemplated or required. Arrangements for informal conferences with the Chairman of the Board of Forest Appeals may be made by contacting the Chairman at the U.S. Department of Agriculture, Washington, D.C. Any comments and suggestions presented during any such conference should also be submitted in writing for consideration by the Board of Forest Appeals. The proposed rules set forth below may be changed in the light of the comments and suggestions received within the above period.

Subpart C—Rules of Procedure of the Board of Forest Appeals

Sec.
211.101 Scope and purpose.
211.102 Words in the singular form.
211.103 Definitions.
211.104 Membership and participation of the Board.
211.105 Appealable decisions.
211.106 Notice of appeal and written statement.
211.107 Action by forest officer.
211.108 Consolidation of appeals and intervention by other persons.
211.109 Determination of classification of case on appeal.
211.110 Production of documents for inspection and copying.
211.111 Depositions.
211.112 Interrogatories.
211.113 Objections to, and limitations on, production of documents, depositions, and interrogatories.
211.114 Effect of failure to comply with orders under §§ 211.110, 211.111, 211.112, and 211.113.
211.115 Request for and scheduling of hearing.
211.116 Conduct of hearings.
211.117 Closing of the record—readiness of appeal for decision.
211.118 Decisions of the Board.
211.119 Filing, service; extension of time; effective date of filing and computation of time.

AUTHORITY: The provisions of this Subpart C issued under 30 Stat. 35, as amended, 16 U.S.C. 551, 50 Stat. 526, 7 U.S.C. 1011(f); R.S. 161 as amended, 5 U.S.C. 22.

§ 211.101 Scope and purpose.

This subpart implements Subpart B of this part, "Appeals from Administrative Decisions Relating to the Administration of the National Forest or other lands under the Administration of the Forest Service," by providing rules of procedure to be followed in proceedings before the Board of Forest Appeals. For additional information regarding the Board of Forest Appeals, as well as for procedures to be followed prior to appeal to the Board of Forest Appeals and in cases outside the jurisdiction of the Board of Forest Appeals reference should be made to to §§ 211.20–211.37 (30 F.R. 6345). There are excluded from the application of this subpart: (a) Appeals from decisions of contracting officers of the Department of Agriculture involving disputed questions of fact under contracts for the construction, alteration or repair of public buildings or works, or the purchase of administrative supplies, equipment, materials, or services, provided for in 7 CFR 1.101 et seq., (b) appeals where the relief appellant seeks is reformation of a contract or monetary damages, (c) appeals where the relief sought is the reversal or modification of a decision denying an application for a special use permit, contract, or any use of the national forests, (d) appeals where the jurisdiction of another Government agency over the subject matter of the appeal supersedes that of the Department of Agriculture, (e) appeals from decisions of forest officers in personnel matters, and (f) appeals from decisions in appeals classified by the forest officers as within Class Three as defined in § 211.20(a)(3) except that the classification of the case, if disputed, may be appealed to the Board and the Secretary as provided in this subpart.

§ 211.102 Words in the singular form.

Words in this subpart in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 211.103 Definitions.

Unless the context of this subpart otherwise requires:

(a) The term "Department" means the U.S. Department of Agriculture;

(b) The term "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore or may hereafter be delegated to act in his stead;

(c) The term "Board" means the Board of Forest Appeals for which provision has been made in § 211.23 (30 F.R. 6346);

(d) The term "Chairman" means the Chairman of the Board of Forest Appeals;

(e) The term "presiding officer" means the member of the Board delegated by the Board to conduct a hearing and the Chairman of the Board shall be deemed to be the "presiding officer" in any appeal for which no other member of the Board has been named presiding officer as provided in § 211.104(b);

(f) The term "Forest Service" means the Forest Service of the U.S. Department of Agriculture;

(g) The term "National Forest" includes national forest lands and other lands under the administration of the Forest Service;

(h) The term "Regional Forester" means a Regional Forester of the Forest Service or any other field officer of the Forest Service reporting directly to the Chief of the Forest Service;

(i) The term "forest officer" means a Regional Forester or the Chief of the Forest Service;

(j) The term "person" means any individual, partnership, any public or private corporation, association, agency, or other legal entity;

(k) The term "written instrument" means all written contracts, agreements, permits, or other instruments having the legal effect of contracts;

(l) The term "hearing" means that part of the proceeding which involves the submission of oral or written evidence;

(m) The term "party" includes the person prosecuting the appeal, intervenors admitted to the proceeding as provided in this subpart and the forest officer who made the decision from which the appeal is taken;

(n) The term "decision" shall include any order, ruling, or other exercise of discretion by a forest officer or the Board having a substantial effect on private rights but shall not include procedural orders, rulings on evidence, and other like determinations of the presiding officer during the course of an appeal which are not dispositive of the appeal; and

(o) The term "Hearing Clerk" means the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C.

§ 211.104 Membership and participation of the Board.

(a) *Members of the Board.* The Board shall be appointed and serve as provided in § 211.23.

(b) *Meetings of the Board.* Meetings of the Board shall be called by the Chairman from time to time as required to decide appeals and otherwise transact the business of the Board. Such meetings shall generally be held in Washington, D.C., but may, in the discretion of the Chairman, be held at other places mutually convenient to members of the Board. Meetings shall be under the general direction of the Chairman or his alternate if the Chairman is unable to participate. If neither the Chairman or his alternate are able to participate in the meeting and a quorum of the Board is otherwise present, the members so constituting a quorum may choose a temporary Chairman to conduct the business of the meeting. Reasonable notice of meetings of the Board shall be given by the Chairman to the members of the Board and to alternate members in the place of members having like status in the event one or more regular members are unable to participate in the meeting.

(c) *Quorum of the Board.* Three members of the Board, at least one of whom shall not be a regular employee of the Department, shall constitute a quorum for the transaction of business of the Board and any decision or action concurred in by a majority of such quorum shall be deemed a decision or action of the Board.

(d) *Functions of the Chairman—delegation of members for conduct of hearings.* (1) In addition to the functions of the Chairman to which specific reference is made in this subpart, the Chairman shall conduct hearings for the purpose of taking testimony of witnesses and assembling a record of the proceedings and otherwise perform the duties and functions of a presiding officer specified in this subpart in all cases before the Board. The Board also may, from time to time, delegate any one of its other members to conduct hearings and perform the duties and functions of a presiding officer in any case where such a delegation of authority has been made by the Board.

(2) The Chairman shall be responsible for the internal management and administration of the Board, and the Chairman is authorized to act on behalf of the Board in calling meetings of the Board, in conducting correspondence for the Board and in carrying out such other duties as may be necessary in the conduct of routine business of the Board.

(e) *Assignment of presiding officer and members of the Board.* No presiding officer or member of the Board who has any pecuniary or other interest in the outcome of the proceeding, or who has participated in any investigation preceding the institution of the proceeding, shall serve in any capacity in such proceeding.

(f) *Powers of presiding officer.* Subject to review by the Board on completion of the record, the presiding officer shall have the power to:

(1) Rule upon motions and requests, including requests for permission to intervene;

(2) Adjourn the hearing from time to time, and change the time and place of hearing;

(3) Administer oaths and affirmations and take affidavits;

(4) Examine witnesses and receive evidence;

(5) Take or order the taking of depositions;

(6) Admit or exclude evidence;

(7) Hear oral argument on facts or law;

(8) Consolidate appeals filed by two or more appellants if consolidation is warranted under § 211.108(a);

(9) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding and, upon closing of the record as provided in § 211.117, make the record available to the Board for its consideration and decision on the appeal.

§ 211.105 Appealable decisions.

(a) *Appeals in Class One and Class Two cases.* Appeals from decisions classifying cases or from decisions of forest officers on the merits of cases, or both, may be taken to the Board if the appeals are within either of the following categories:

(1) *Class One.* Appeals from decisions in which the issue under appeal relates to a breach of the terms or provisions of a written instrument. To be classified as a Class One appeal, the appeal must be taken by a party or parties to the written instrument.

(2) *Class Two.* Appeals from decisions having effect on the enjoyment of use under a written instrument in which a breach of the terms or provisions of such instrument is not the issue under appeal. To be classified as a Class Two appeal, the appeal must be taken by a party or parties to the written instrument.

(b) *Appeals in Class Three cases.* In the event an appeal is classified by the forest officer as being within Class Three and such classification is disputed by the person adversely affected, such person may appeal the forest officer's classification of the case, but not the merits of the decision, to the Board. The Board shall determine the issue of classification as provided in § 211.119 of this subpart and if the case is reclassified by the Board, or by the Secretary on appeal from the Board, as a Class One or Class Two ap-

peal, the proceedings shall then be continued before the Board as provided in this subpart for appeals of Class One or Class Two, as the case may be. If the forest officer's classification of the appeal is upheld by the Board or by the Secretary, the Chairman shall transmit to the Secretary or to the Chief of the Forest Service, as the case may be, the record before the Board without recommendation as to the disposition of the case on the merits.

§ 211.106 Notice of appeal and written statement.

(a) *Filing of notice and written statement.* Any decision in either Class One or Class Two which is appealable to the Board under the provisions of §§ 211.20 and 211.21 shall be final unless the person adversely affected by the decision files a written notice of appeal to the Board with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, within 30 days from the date of receipt by him of the decision of the forest officer. In the case of an appeal from the classification of a case as one within Class Three, the notice of appeal shall be filed as provided in this paragraph within 90 days from the date of receipt by the appellant of the decision of the forest officer. The time for filing such notices of appeal may not be enlarged by the Board. In addition, the party prosecuting the appeal shall file a written statement of reasons why the decision appealed from is contrary to, or in conflict with, the facts, the law, or the regulations of the Secretary of Agriculture, or is otherwise in error. The written statement of reasons shall be filed with the Hearing Clerk within the 30-day or 90-day period, as the case may be, specified as the period in which notice of appeal shall be filed or within such additional time for filing the statement as may be granted by the Chairman.

(b) *Contents of the notice of appeal.* The notice of appeal shall contain:

(1) Sufficient information to identify the decision from which the appeal is being taken and should include the date, number and title of the contract or other written instrument involved; the date of the decision from which the appeal is being taken; and the name and title of the forest officer who made the decision.

(2) A request for a hearing before the Board, if one is desired.

(c) *Contents of the written statement.* The written statement shall contain:

(1) Sufficient information to identify the decision from which the appeal is being taken and should include the docket number assigned to the case if such number has been assigned and appellant has been advised thereof. If the appellant is other than an individual, the statement should also indicate whether the appellant is a corporation, a partnership, or other form of legal entity and the name and business address of the officer, partner, or other individual authorized to act on behalf of the entity in connection with the appeal. Such person shall be deemed to be the person to whom notices and other documents relating to the appeal may be addressed for purposes of service. In addition, if the appellant is represented by legal counsel or other persons authorized to represent appellant as provided in § 211.115(d), the statement should specify the name and business address of any such person and service of notices and other documents relating to the appeal upon such person shall be deemed to be service upon the appellant.

(2) If the appellant disputes the classification of the case by the forest officer, the written statement should also include a statement of the class in which the appellant believes the case should be placed together with an explanation of the reasons why the appellant believes the case should be so classified.

(3) A statement setting forth clearly and concisely the reasons why the appellant considers the decision appealed from contrary to, or in conflict with, the facts, the law or the regulations of the Secretary of Agriculture, or is otherwise in error, including a statement of facts (avoiding a mere repetition of detailed evidence) upon which the appeal is based, and which it is desired that the Board consider.

(4) A brief statement of the relief which the appellant desires the Board to grant.

§ 211.107 Action by forest officer.

(a) *Notification of forest officer and time for filing responsive pleading.* The Hearing Clerk shall mail copies of the notice of appeal and written statement to the forest officer concerned by certified mail. The forest officer shall within 30 days after receipt of the written statement or within such additional period as may be granted by the Chairman, file a responsive pleading with the Hearing Clerk.

(b) *Contents of responsive Pleading of the forest officer.* The responsive pleading of the forest officer should contain the following:

(1) If the forest officer is of the opinion that the appeal does not substantially comply with the requirements of this subpart, was not filed in good faith, or does not raise any issue of fact to be decided by the Board, he shall state the reasons for such conclusions in his responsive pleading and may request that the Board rule thereon before proceeding further with the appeal. The pleading shall, however, also set forth the statements specified in subparagraph (3) of this paragraph if the forest officer intends to rely thereon in the event the Board decides that the objections are not dispositive of the appeal.

(2) If the forest officer's classification of the case has been disputed, his responsive pleading shall set forth the facts and considerations upon which he made his classification. The pleading shall, however, also set forth the statements specified in subparagraph (3) of this paragraph if the forest officer intends to rely thereon in the event the Board decides that disposition of the dispute as to classification is not dispositive of the appeal.

(3) Specific admissions or denials of the facts contained in the written statement of the appellant and a statement of such other facts as the forest officer believes constitute separate matters of defense.

(4) If the appellant has not requested a hearing before the Board, the forest officer may include such a request in his responsive pleading if he wishes the matter to be heard by the Board. If neither the appellant nor the forest officer requests a hearing, the forest officer shall forward the record on which his decision was based to the Board with his responsive pleading and the Board shall decide the appeal without a hearing, unless a hearing is ordered by the Board on its own motion.

§ 211.108 Consolidation of appeals and intervention by other persons.

(a) *Consolidation.* The presiding officer may, in his discretion, consolidate appeals filed by two or more persons who are adversely affected by the same decision of a forest officer or whose appeals present substantially the same legal and factual issues and are based on the same fact situation.

(b) *Intervention.* The presiding officer may, in his discretion, where intervention will not have the effect of extending the permitted period for filing an appeal, permit persons who may be adversely affected by the modification or reversal of a decision under appeal to intervene in the proceedings on appeal if such intervention does not raise issues foreign to those under appeal and will not unduly delay or prejudice the determination of the rights of the original parties to the appeal. The intervenor shall file a written request for permission to intervene with the Hearing Clerk and shall include in such request the data and information specified in § 211.106(c) for written statements supporting an appeal and shall, in addition, set forth the grounds on which intervention is sought. In any case where the intervention is permitted by the presiding officer, the intervenor shall be bound by all prior proceedings in the appeal. The forest officer whose decision is under appeal shall not be required to file his responsive pleading until at least 30 days after the pleadings of the intervenor have been filed. If intervention is authorized by the presiding officer after responsive pleadings have been filed by the forest officer, the forest officer shall, within such time as the presiding officer may allow, file such additional responsive pleadings as he deems necessary to respond adequately to the intervenor.

§ 211.109 Determination of classification of case on appeal.

If the notice of appeal or written statement and the responsive pleading of the forest officer indicate that the parties are in dispute as to the classification of the appeal, the Board shall classify the appeal upon the written record before considering the case on the merits. The Board or the presiding officer may request the parties to supply such additional written information and documentary evidence as may be determined necessary to classify the case. Such information shall be supplied by the party to whom any such request is addressed within such period of time as may be specified in the request. The classification assigned by the Board to the case shall be final unless the Board's classification is appealed by either party within 30 days to the Secretary, in which case the Secretary shall make the final decision on classification. If the classification is appealed to the Secretary, no further action on the appeal shall be taken by the Board until classification of the case by the Secretary. In the event the Board or the Secretary classifies a case as one which falls within Class Three or finds the case is within the exclusions provided in § 211.20(b) or § 211.21(a), the Chairman will so notify the parties and the Board will take no further action on the appeal except to make such disposition thereof as may be appropriate to the case under the provisions of Subpart B of this part.

§ 211.110 Production of documents for inspection and copying.

At any stage of an appeal, upon motion of either party filed with the Hearing Clerk and upon a showing of good cause therefor, the presiding officer may order the other party to produce for inspection and copying or photographing, any documents, papers, records, letters, photographs, or other tangible things not privileged, relevant to the issues on appeal which are in the other party's possession, custody, or control. The presiding officer upon his own motion, may, at any time prior to closing the record, make a request upon either party to the proceeding for the production of material or information, not privileged and relevant to the appeal.

§ 211.111 Depositions.

(a) *Motion for taking deposition.* Upon motion of a party filed with the Hearing Clerk, the presiding officer may, at any time after the filing of the motion, order the taking of testimony by deposition. The motion shall be in writing and shall set forth: (1) The name and address of the proposed deponent; (2) the name and address of the person (referred to in this section as the "officer"), qualified under the rules in this part to take depositions, before whom the proposed examination is to be made; (3) the proposed time and place of the examination, which shall be at least 15 days after the date of the mailing of the application; and (4) the reasons why such deposition should be taken.

(b) *Presiding officer's order for taking deposition.* If, after the examination of the application, the presiding officer is of the opinion that the deposition should be taken, he shall order its taking. The order shall be filed with the Hearing Clerk and shall be served upon the parties and shall state: (1) The name of the deponent; (2) the time and place of the examination (which shall not be less than 10 days after the filing of the order); and (3) the name of the officer before whom the examination is to be made. The officer and the time and place need not be the same as those suggested in the application.

(c) *Qualifications of officer.* The deponent shall appear before the presiding officer, or before an officer authorized by the law of the United States or by the law of the place of the examination to administer oaths, or before an officer authorized by the Secretary to administer oaths.

(d) *Procedure on examination.* The deponent shall be examined under oath or affirmation and shall be subject to cross-examination. The testimony of the deponent shall be recorded by the officer or by some person under his direction and in his presence. In lieu of oral examination, parties may transmit written interrogatories to the deponent which shall be propounded to the deponent by the officer. The applicant must arrange for the examination of the witness either by oral examination or by written interrogatories.

(e) *Certification by officer.* The officer shall certify on the deposition that the deponent was duly sworn by him and that the deposition is a true record of the deponent's testimony. He shall then securely seal the deposition, together with two copies thereof, in an envelope and mail the same by certified or registered mail to the Hearing Clerk.

(f) *Use of depositions.* A deposition ordered and taken in accord with the provisions of this section may be used in a proceeding if the presiding officer finds that the witness is absent and his presence cannot be readily obtained, the evidence is otherwise admissible, and that circumstances exist as to make it desirable in the interests of justice to allow the deposition to be used. If a deposition has been taken, and the party upon whose application it was taken refuses to offer the deposition, or any part thereof, in evidence, the other party may introduce the deposition, or any portion thereof on which he wishes to rely.

§ 211.112 Interrogatories.

At any time after the filing of the appellant's written statement and in sufficient time to permit answers to be filed before the hearing, either party may serve upon the other interrogatories and requests for admissions by filing them with the Hearing Clerk who shall thereupon transmit a copy to the party for whom they are intended. Such interrogatories and requests for admissions shall be drawn with the purpose of defining the issues in dispute between the parties and to facilitate the presentation of evidence at the hearing. Answers shall be served upon the Hearing Clerk, within 15 days from the date of service of such interrogatories or within such other period of time as may be agreed upon by the parties or prescribed by the presiding officer. A copy of the answers shall be transmitted by the Hearing Clerk to the party propounding the interrogatories.

§ 211.113 Objections to, and limitations on, production of documents, depositions and interrogatories.

The presiding officer, upon motion seasonably made by any party, or by the person to be examined, or upon his own motion, may, upon notice and for good cause, direct that proceedings under §§ 211.110, 211.111, and 211.112 be conducted only under, and in accordance with, such limitations as to documents, persons, time, place and scope as he deems necessary and appropriate.

§ 211.114 Effect of failure to comply with orders under §§ 211.110, 211.111, 211.112, and 211.113.

In the event of the failure of a party to comply with a request for production of documents under § 211.110; or on the failure of a party to appear or to make available an officer, director, official or employee of such party for examination under § 211.111; or on failure of a party to respond to interrogatories or requests for admissions under § 211.112; or on failure of a party to comply with an order of the presiding officer issued under § 211.113; without, in any of such events, showing an excuse or explanation, for such failure satisfactory to the Board, the Board may (a) decide the fact or issue relating to the material requested to be produced, or the subject matter of the probable testimony, in accordance with the claims of the other party or in accordance with other evidence available to the Board; (b) dismiss the appeal if the appellant is the disobedient party; or (c) make such other ruling as the Board determines just and proper.

§ 211.115 Request for and scheduling of hearing.

(a) *Request for hearing.* A hearing before the Board in a Class One or Class Two case shall be a matter of right provided a request therefor has been made by the appellant as specified in this subpart. If a hearing is not requested by the appellant, the forest officer whose decision has been appealed may request a hearing in which event the Board shall proceed to hold such a hearing. If neither of the parties request a hearing, the Board may on its own motion call a hearing on the appeal.

(b) *Place of hearing.* The presiding officer shall designate the place at which the hearing shall be held. The place of hearing shall be in close proximity to the National Forest involved or at such other place as may best serve the interest of the parties to the appeal.

(c) *Time and notice of hearing.* The presiding officer shall make every effort to satisfy the convenience of the parties in fixing the date for the hearing and, unless otherwise agreed to by the parties and the presiding officer, no hearing shall be held unless 30-days notice in writing has been given to the parties of the time and place set for the hearing.

(d) *Representation before the Board.* Any appellant or intervenor may be represented at the hearing and otherwise before the Board by any individual meeting the requirements of 7 CFR 1.26. The forest officer shall be represented by an

attorney from the staff of the Office of the General Counsel, U.S. Department of Agriculture. Whenever, while a proceeding is pending before him, the presiding officer finds that a person acting as counsel or representative for any party to the proceeding is guilty of unethical or unprofessional conduct, the presiding officer may order that such person be precluded from further acting as counsel or representative in such proceeding. An appeal to the Board may be taken from any such order, but the proceeding shall not be delayed or suspended pending disposition of the appeal, except that the presiding officer may suspend the proceeding for a reasonable time for the purpose of enabling the party involved to obtain other counsel or representative.

(e) *Abandonment of appeal.* In any case where an appellant or an intervenor does not take such action as may be necessary to prosecute his appeal, or pursue his petition as intervenor, in accordance with the regulations in this subpart, the presiding officer shall notify him in writing of his default and if such person does not show an explanation for such failure within such period of time as may be specified in the notice of default the Board may dismiss the appeal or the request for intervention for lack of prosecution.

(f) *Prehearing arrangements.* The presiding officer may at any time prior to the hearing direct the parties to appear before him at a specified time and place for a conference to consider or otherwise provide for: (1) Simplification of the issues, (2) stipulations or admissions of fact and of documents, and (3) such other matters as might aid in the disposition of the appeal. The results of any such conference shall be reduced to writing by the presiding officer in the presence of the parties and this writing shall become part of the record.

§ 211.116 Conduct of hearings.

(a) *General.* Hearings shall be conducted by the presiding officer in such a way as to afford the parties a full and complete review of the challenged decision and to obtain a clear and orderly record. Facts admitted in the pleadings or stipulated to by the parties will be treated by the Board as having been established and no further proof of such facts will be required. Facts in dispute between the parties shall be determined by the Board only upon the basis of evidence in the record except that the Board may officially notice those facts which are commonly accepted as being the subject of judicial notice.

(b) *Burden of proof and order of proceeding.* The burden of proof in establishing errors or omissions in the decision of the forest officer shall rest on the person asserting the error or omission. Unless otherwise directed by the presiding officer, the appellant shall proceed first at the hearing and shall be followed by the presentation on behaf of the forest officer. The presiding officer may thereafter limit the introduction of other evidence by the parties in such a manner as to prevent burdening the record with repetitious or cumulative evidence.

(c) *Evidence*—(1) *In general.* Hearings will be conducted as informally as possible considering the necessity for having a clear and concise record of the evidence relating to the issues presented by the appeal. The presiding officer shall receive only evidence which is germane to the issues involved and shall exclude, insofar as practicable, evidence which is immaterial, irrelevant, or unduly repetitious, or which is not of the sort upon which responsible persons are accustomed to rely. Hearings shall be publicly conducted and the testimony given at such hearings shall be reported verbatim. The testimony of witnesses shall be upon oath or affirmation and subject to cross-examination. Any witness may, in the discretion of the presiding officer, be examined separately and apart from all other witnesses except those who may be parties to the proceeding.

(2) *Objections.* If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, he shall state briefly the grounds of such objection, whereupon an automatic exception will follow if the objection is overruled by the presiding officer. The transcript shall not include argument or debate thereon, except as ordered by the presiding officer. The ruling of the presiding officer on any objection shall be a part of the transcript.

(3) *Depositions.* The deposition of any witness shall be admitted, in the manner provided in § 211.110(f).

(4) *Affidavits.* Affidavits may be admitted if the evidence is otherwise admissible.

(5) *Records and documents.* Upon proof of authenticity, papers, books, records, or documents shall be admissible in evidence without the production of the person who made or prepared the same and copies thereof shall be admissible in lieu of submission of original documents where such submission is not practicable.

(6) *Exhibits.* All written statements, charts, tabulations, or similar data offered in evidence at the hearing shall, after identification by the proponent and upon a satisfactory showing of the admissibility of the contents thereof, be numbered as exhibits and received in evidence and made a part of the record. Except where the presiding officer finds that the furnishing of copies is impracticable, a copy of each exhibit, in addition to the original, shall be filed with the presiding officer for the use of each other party to the proceeding. The presiding officer shall advise the parties as to the exact number of copies which will be required to be filed and shall make and have noted on the record the proper distribution of the copies. If the testimony of a witness refers to a statute, or to a report, document or transcript, the presiding officer, after inquiry relating to the identification of such statute, report, document or transcript, shall determine whether the same shall be produced at the hearing and physically be made a part of the evidence as an exhibit, or whether it shall be incorporated into the evidence by reference. If relevant and material matter offered in evidence is embraced in a report, document or transcript containing immaterial or irrelevant matter, such immaterial or irrelevant matter shall be excluded and shall be segregated insofar as practicable, subject to the direction of the presiding officer.

(7) *Official notice.* Official notice will be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical, scientific, or commercial fact of established character: *Provided,* That the parties shall be given adequate notice of matters so noticed, and (except where official notice is taken, for the first time in the proceeding, in the final decision) shall be given adequate opportunity to show that such facts are erroneously noticed.

(8) *Offer of proof.* Whenever evidence is excluded from the record, the party offering such evidence may make an offer of proof, which shall be included in the transcript. The offer of proof shall consist of a brief statement describing the evidence to be offered. If the evidence consists of a brief oral statement or of an exhibit, it shall be inserted into the transcript in toto. In such event, it shall be considered a part of the transcript if the Board decides that the presiding officer's ruling in excluding the evidence was erroneous. The presiding officer shall not allow the insertion of such evidence in toto if the taking of such evidence will consume an unreasonable length of time at the hearing. In the latter event, if the Board decides that the presiding officer erred in excluding the evidence, and that such error was substantial, the hearing shall be reopened to permit the taking of such evidence.

(d) *Oral argument before presiding officer.* Oral argument before the presiding officer shall be allowed unless the presiding officer finds that the denial of such argument will not deprive the parties of an adequate opportunity for oral argument subsequently in the proceeding. Such arguments may be limited by the presiding officer to any extent that he finds necessary for the expeditious disposition of the proceeding and shall be reduced to writing and be made part of the transcript.

(e) *Briefs and proposed findings of fact and conclusions of law—oral argument before the Board.* Such briefs and proposed findings of fact and conclusions of law as may be allowed by the presiding officer shall be filed within such periods of time or extensions thereof as may be determined by the presiding officer. The Board may, in such cases as it deems appropriate, request the parties to appear before the Board, at such time and place as it determines the interest of the parties to the appeal will be best served, and present oral argument upon such issues involved in the appeal as the Board may specify.

(f) *Transcript.* During the period in which the proceeding has an active

status before the Board, a copy of the transcript and exhibits shall be kept on file in the Office of the Hearing Clerk, where it shall be available for examination during official hours of business. Thereafter the transcript and exhibits shall be made available by the Hearing Clerk for examination during official hours of business after prior request and reasonable notice to the Hearing Clerk. If a personal copy of the transcript is desired, it may be obtained upon written application filed with the reporter and upon payment of fees at the rate (if any) provided in the contract between the reporter and the Secretary.

§ 211.117 Closing of the record—readiness of appeal for decision.

(a) *Disputes as to classification.* A dispute as to the classification of a case shall be considered ready for decision on submission of the written statements of the parties and such supplemental or additional information relating to the issue of classification as may have been requested by the Board or by the presiding officer. The record in the proceeding shall, however, remain open for disposition of the case on the merits if the decision of the Board on the issue of classification is not dispositive of the appeal.

(b) *Cases in which no hearing on the merits has been requested.* Cases in which no hearing has been requested by either party and none has been ordered by the Board shall be ready for decision on receipt of the written statements of the parties and the prior record of the proceeding submitted to the Board by the forest officer in accordance with § 211.22 (b) (3). The Board may, however, in any such case request the parties to submit additional information in writing, oral arguments, or briefs, in which event, the case shall not be deemed ready for decision by the Board until such supplementary material requested by the Board has been received.

(c) *Cases in which hearings have been held.* A case in which a hearing has been held shall be ready for decision upon receipt by the Board of the transcript and all exhibits, or upon receipt of briefs, when briefs are to be submitted, or upon conclusion of oral argument before the Board, if such argument is requested by the Board, whichever last occurs.

§ 211.118 Decisions of the Board.

(a) *Class One cases, finality of decisions and requests for reconsideration.* The Board shall make decisions in appeals arising under Class One which shall be final, conclusive and binding on the parties thereto except as they may be subject to review as provided by law. A request for reconsideration of a decision in a Class One case may be made to the Board by any party to an appeal within thirty (30) days from the date of the decision. Such a request shall be in writing, shall be filed with the Hearing Clerk, and shall set forth the grounds on which reconsideration is sought. Reconsideration of a decision, which may include a hearing or rehearing, may be granted or denied at the descretion of the Board.

(b) *Class Two cases, recommendations, advisory.* In Class Two cases which are on appeal, the Board shall make written advisory recommendations, together with supporting determinations of fact, for the consideration of the Chief or the Secretary, as the case may be, and the Chairman shall transmit the record, together with the recommendations of the Board, to the Chief, or to the Secretary, as the case may be, in accordance with the applicable provisions of Subpart B of this part.

(c) *Class Three cases and cases outside of jurisdiction of Board.* If the Board determines that an appeal is in Class Three or is outside its jurisdiction it shall make such disposition of the appeal as is appropriate to the circumstances of the case under the provisions of Subpart B of this part.

(d) *Preponderance of evidence.* The weight and sufficiency of evidence shall be determined by the Board and the decision of the Board on an appeal shall be based on the preponderance of the evidence contained in the record.

(e) *Inclusion of facts, conclusions and reasons.* Decisions of the Board shall include (1) a statement of facts, (2) the conclusion of the Board, and (3) the reasons upon which the conclusion is based. The Chairman shall be responsible for the preparation of the decisions of the Board which shall be signed by all members who concur therein. The concurrence of a majority of the members of the Board shall be sufficient to constitute a decision of the Board on an appeal.

(f) *Action to be taken within sixty (60) days.* On or before the expiration of sixty (60) days after closing of the record as provided in this subpart, the Board shall either make a decision, provide for the production of additional evidence and information, or remand the case to the presiding officer with appropriate instructions. If the production of additional evidence or information is required or the case is remanded, the presiding officer shall notify the parties to the appeal and shall specify the action to be taken by the parties as directed by the Board as well as the period of time within which such action shall be taken. If more than sixty (60) days are required for a decision after the entire record is received, the Board shall notify the parties and specify the reasons for the delay.

(g) *Publication of decisions.* The decisions of the Board shall be reproduced in such manner as the Chairman may determine. A copy of the decision of the Board shall be furnished to each party to the appeal and copies shall be distributed to the Office of the Hearing Clerk, U.S. Department of Agriculture, to the Chief of the Forest Service, to the Regional Offices of the Forest Service and to all Forest Supervisors. Decisions of the Board shall be available at such locations for public inspection at any time during normal business hours. On payment of the cost thereof, if any, copies of decisions of the Board will be distributed to members of the public on request therefor.

§ 211.119 Filing, service; extension of time; effective date of filing and computation of time.

(a) *Filing; number of copies.* Except as provided otherwise in this subpart, all documents or papers required or authorized in this subpart to be filed with the Hearing Clerk shall be filed in quadruplicate: *Provided,* That if there are more than two parties to the appeal, a sufficient number of additional copies shall be filed so as to provide for service upon all the parties to the appeal. Any document or paper, required or authorized in this subpart to be filed with the Hearing Clerk, shall, during the course of an oral hearing, be filed with the presiding officer.

(b) *Service; proof of service.* Copies of all such papers shall be served upon the parties by the Hearing Clerk, by the presiding officer, or by some other employee of the Department. Service shall be made either: (1) By delivering a copy of the document or paper to the party to be served or to the attorney or agent of record of such party; (2) by leaving a copy of the document or paper at the principal office or place of business of such party or of his or its attorney or agent of record; (3) by mailing via certified or registered mail a copy of the document or paper, addressed to such party, or to his or its attorney or agent of record, at his or its last known principal office, place of business, or residence. Proof of service hereunder shall be made by the affidavit of the person who actually made the service. The affidavit of service shall be filed with the Hearing Clerk and the fact of filing thereof shall be noted on the docket of the appeal.

(c) *Extension of time.* The time for the filing of any documents or papers required or authorized in this subpart to be filed, except for notices of appeal and requests for reconsideration, may be extended upon (1) a written stipulation between the parties, or (2) upon the request of a party, by the Board or by the presiding officer if in the judgment of the Board or presiding officer there is good reason for the extension.

(d) *Effective date of filing.* Any document or papers required or authorized under these rules shall be deemed to have been filed when it is postmarked, or when it is received by the Hearing Clerk if other than the U.S. mails are used to accomplish delivery. If the date of mailing cannot be determined from the postmark, an affidavit of mailing may be requested by the presiding officer when he deems such a request necessary and appropriate.

(e) *Computation of time.* Sundays and Federal holidays shall be included in computing the time allowed for the filing of any document or paper: *Provided, however,* That when such time expires on a Sunday or a Federal holiday the time allowed shall be extended to include the next following business day.

Dated: May 19, 1966.

JOHN A. HARRIS,
Chairman of the Board.

[F.R. Doc. 66-5874; Filed, May 26, 1966; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 70]

SPECIAL NUCLEAR MATERIAL

Requirements for Control and Physical Inventory of Special Nuclear Material

The Atomic Energy Commission has under consideration amendments to its regulation, 10 CFR Part 70, Special Nuclear Material, which would require holders of licenses for special nuclear material to adopt material control systems to better enable them to account for the special nuclear material which they are licensed to possess and to perform physical inventories of such material. The purpose of the proposed amendments is to further promote the common defense and security by the prevention of loss or diversion of special nuclear material.

Special nuclear material heretofore possessed by AEC licensees has consisted primarily of Government-owned material distributed for the performance of AEC contract work or distributed under lease arrangements for private use. In appropriate cases the contracts and leases have included requirements that the material be accounted for in a manner acceptable to the Commission. As a result of Public Law 88–489, approved on August 26, 1964, which provided for the private ownership of special nuclear material, some amounts of special nuclear material possessed by licensees will not be subject to the conditions of an AEC contract or lease. Certain accountability requirements of the type heretofore incorporated in the contracts and leases with respect to Government-owned material are reflected in the proposed amendments set forth below.

The proposed amendments would add to the present regulatory requirements imposed upon Commission licensees for maintaining records of receipts, transfers and inventories of special nuclear material, and reporting losses of such material other than normal operating losses. The amendments would require each AEC licensee who is authorized under license to possess in excess of 5,000 grams of special nuclear material, computed by adding the weights of any uranium 233, uranium 235 and plutonium, to (a) establish and maintain written procedures to control and account for the special nuclear material in his possession under license and keep records showing the location and movement of such special nuclear material; and (b) perform, at least annually, a physical inventory of the special nuclear material in his possession under license and keep records thereof. In addition, the proposed amendments would require that each AEC licensee, who is presently authorized to possess at any one time in excess of 5,000 grams of special nuclear material, computed by adding the weight of uranium 233, uranium 235 and plutonium, to submit for Commission review a written description of his special nuclear materials control and accounting system. This latter requirement would not apply to licensees who possess special nuclear material incidental to operation of a nuclear reactor licensed pursuant to 10 CFR Part 50, or to licensees who possess special nuclear material in sealed sources only. It would primarily apply to persons engaged in the processing and fabrication of special nuclear material. The proposed requirements would be set forth in a new § 70.24; present § 70.24 would be renumbered § 70.25.

Since persons who receive special nuclear material pursuant to an agreement State [1] license would not be likely to possess at any one time in excess of 5,000 grams of special nuclear material, no new requirements are proposed for agreement State licensees. All AEC licensees who are authorized under license to possess special nuclear material will continue to be subject to existing requirements of the Commission for maintaining records relating to special nuclear material and for reporting losses of material, other than normal operating losses.

Section 70.4 would be amended by the addition of a new paragraph (q) defining "sealed source."

Section 70.22 would be amended, by the addition of a new paragraph (b) to require an applicant for a license to possess at any one time in excess of 5,000 grams of uranium 233, uranium 235, or plutonium, or any combination thereof, to describe his material control and accounting system, including his physical inventory and measurement procedures. As noted above, this requirement would not apply to licensees who possess special nuclear material incidental to operation of a nuclear reactor licensed pursuant to 10 CFR Part 50, or to licensees who possess special nuclear material in sealed sources only.

Section 70.23 would also be amended, by the addition of a new paragraph (g), to provide that an application, for a license to possess special nuclear material as described in the proposed new § 70.22(b) would be approved by the Commission if, among other things, the Commission found that the applicant's proposed material control and accounting system was adequate.

The Commission is continuing to review its policies and procedures for safeguarding special nuclear material, including privately owned material. Particular attention will be given to the experience gained under these additional requirements to determine whether other requirements are needed. The Commission expects, however, that compliance with these additional requirements, in conjunction with (a) the criminal penalties provided by the Atomic Energy Act of 1954, as amended, for the receipt and possession of special nuclear material without a license,[2] (b) the considerable intrinsic value of special nuclear material, and (c) the regulatory requirements of the Commission relating to such matters as controlling access to and unauthorized removal of special nuclear material and the reporting of the theft or loss of special nuclear material, will provide greater assurance that special nuclear material will be adequately safeguarded. In addition, the regulations, as proposed to be amended, would better enable the Commission's licensees to fulfill their obligations to safeguard the material. The Commission is not proposing at this time to impose physical security requirements, such as the employment of guards or the erection of fences. However, the adequacy of the physical security of special nuclear material possessed by licensees will be carefully observed during routine AEC health and safety inspections, material surveys, and periodic security surveys; and the Commission will take whatever additional measures appear to be necessary to assure that special nuclear material is adequately safeguarded.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, notice is hereby given that adoption of the following amendments to 10 CFR Part 70 is contemplated. All interested persons who desire to submit written comments or suggestions in connection with the proposed amendments should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 60 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

1. Section 70.4 of 10 CFR Part 70 is amended by adding a new paragraph (q) to read as follows:

§ 70.4 Definitions.

* * * * *

(q) "Sealed source" means any special nuclear material that is encased in a capsule designed to prevent leakage or escape of the special nuclear material.

2. Section 70.22 of 10 CFR Part 70 is amended by redesignating paragraphs (b) and (c) as paragraphs (c) and (d) and adding a new paragraph (b) to read as follows:

§ 70.22 Contents of applications.

* * * * *

(b) Each application for a license to possess at any one time special nuclear material in excess of 5,000 grams, computed by adding the weights of any uranium 233, uranium 235 and plutonium, shall contain a description of the applicant's system for control of and accounting for special nuclear material, in storage or use, including a description of physical inventory and measurement procedures. This requirement does not apply to an application for (1) a license to possess special nuclear material incidental to the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter, or (2) a license to possess special nuclear material in a sealed source only.

* * * * *

3. Section 70.23 of 10 CFR 70 is amended by adding a new paragraph (g) to read as follows:

§ 70.23 Requirements for the approval of applications.

A license application will be approved if the Commission determines that:

* * * * *

(g) Where the applicant is required to describe his material control and accounting system pursuant to § 70.22(b), the applicant's proposed system is adequate.

4. Section 70.24 is renumbered § 70.25 and a new § 70.24 is added to read as follows:

§ 70.24 Special nuclear material control and physical inventory requirements.

(a) In addition to any other requirements of this regulation, each licensee who is authorized to possess at any one time special nuclear material in excess of 5,000 grams, computed by adding the weight of any uranium 233, uranium 235, and plutonium, shall (1) establish and maintain written material control and accounting procedures which are sufficient to enable the licensee to account for the special nuclear material in his possession under license and shall keep records showing the location and movement of such special nuclear material in his possession; (2) perform, at least annually, a physical inventory of the special nuclear material in his possession under license and keep records of such inventory.

(b) Except as provided in paragraph (c) of this section, a licensee authorized to possess the quantities of special nuclear material specified in paragraph (a) of this section under a license outstanding on the effective date of this section shall submit to the Commission within 60 days of the effective date of this section, a written description of his system for control of and accounting for special nuclear material possessed under his license, including a description of physical inventory and measurement procedures.

(c) The requirements of paragraph (b) of this section shall not apply to (1) a licensee who is authorized to possess special nuclear material incidental to the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter; or to (2) a licensee who is authorized to possess special nuclear material in sealed sources only.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 20th day of May 1966.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 66–5830; Filed, May 26, 1966; 8:45 a.m.]

[1] A State to which the Commission has transferred certain regulatory authority over radioactive material by formal agreement, pursuant to sec. 274 of the Atomic Energy Act of 1954, as amended.

[2] Sec. 222 of the Atomic Energy Act of 1954, as amended, provides in part, "Whoever willfully violates, attempts to violate, or conspires to violate, any provision of sections 57, 92, or 101 * * * shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation shall, upon conviction thereof, be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury), or by a fine or not more than $20,000 or by imprisonment for not more than 20 years, or both."

Sec. 57 provides, in part, "Unless authorized by a general or specific license issued by the Commission * * * no person may transfer or receive in interstate commerce, transfer, deliver, acquire, own, possess, receive possession of or title to, or import into or export from the United States any special nuclear material."

FEDERAL AVIATION AGENCY

[14 CFR Part 75]

[Airspace Docket No. 66–WE–22]

JET ROUTE

Proposed Alteration

The Federal Aviation Agency has under consideration a proposal to amend Part 75 of the Federal Aviation Regulations by realigning Jet Route No. 5 segment from Lakeview, Oreg., direct to Seattle, Wash.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

Realignment of Jet Route No. 5 as proposed herein would, by eliminating an existing dog leg, simplify air navigation and reduce the segment distance by approximately 15 miles. The proposed direct route presently is used in preference to the current J–5 segment, and its designation as a jet route would ease the workload of the pilot and controller.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 20, 1966.

H. B. HELSTROM,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–5837; Filed, May 26, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[471.21]

TYPEWRITER RIBBONS, ON SPOOLS

Notice of Tariff Classification

The Bureau published on March 2, 1966 (31 F.R. 3308, No. 41), a notice of proposed tariff classification of typewriter ribbons with fast edges, cut to length and wound on spools, indicating that there was under review an established practice whereby such typewriter ribbons were classifiable, if of cotton, under item 347.33, Tariff Schedules of the United States (TSUS), as narrow fabrics, of cotton, dutiable at the rate of 17.5 percent ad valorem; if of silk, under item 347.50, TSUS, as narrow fabrics, of nonpile or nontufted construction, of silk, dutiable at the rate of 15 percent ad valorem; and if of man-made fibers, under item 347.60, TSUS, as narrow fabrics, of man-made fibers, ribbons other than pile or tufted construction, dutiable at the rate of 25 cents per pound plus 20 percent ad valorem.

In a letter dated May 19, 1966, addressed to the collector of customs at New York, the Bureau held that typewriter ribbons with fast edges, cut to length and wound on spools, were properly classifiable, if of cotton, under item 386.50, TSUS, as other articles, not ornamented or of pile, knit, or tufted construction, of cotton, dutiable at the rate of 20 percent ad valorem, if of silk, under item 389.30, TSUS, as other articles, not ornamented or of pile, knit, or tufted construction, of silk, dutiable at the rate of 27.5 percent ad valorem; and if of man-made fibers, under item 389.60, TSUS, as other articles, not ornamented or of pile, knit, or tufted construction, of man-made fibers, dutiable at the rate of 25 cents per pound plus 30 percent ad valorem. These classifications appear to be required in light of Schedule 3, Part 4, Subpart A, Headnote 1, TSUS (covering items 345.10 through 349.30), which reads: "This subpart provides for the named fabrics, braids, and elastic materials, when in the piece only."

As this ruling will result in the assessment of duties at rates higher than those previously assessed on such typewriter ribbons, the higher rates will be applied only to such typewriter ribbons entered, or withdrawn from warehouse for consumption, 90 days after the date of the publication of an abstract of the Bureau letter to the collector of customs at New York in the weekly Treasury Decisions.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-5791; Filed, May 26, 1966; 8:45 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

SECRETARY OF THE ARMY ET AL.

Delegation of Authority To Appoint Contracting Officers in Support of Defense Intelligence Agency Activities

The Deputy Secretary of Defense approved the following delegation of authority May 16, 1966:

Pursuant to section 133(d) of Title 10, United States Code, there is hereby delegated to the Secretary of the Army, the Secretary of the Navy and the Secretary of the Air Force, respectively, with power to redelegate, authority to enter into contracts, including leases, in support of the activities of the Defense Intelligence Agency. This authority includes the power to appoint as a contracting officer for such purpose, any qualified member of their respective departments who is assigned to duty with that Agency.

Precontract actions and contract administration support, including any necessary Secretarial reviews, decisions or determinations and findings, will be taken, provided, or made by the respective military departments or cognizant DOD agency, as appropriate, in accordance with established policies and procedures. Single service responsibility for procurement management and contract administration is authorized under arrangements acceptable to the Military Departments and the Defense Intelligence Agency where this will promote greater efficiency and economy in procurement activities.

This directive is effective immediately.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

[F.R. Doc. 66-5870; Filed, May 26, 1966; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[P.P.C. 640, Amendment]

GYPSY MOTH AND BROWN-TAIL MOTH

Additions to and Deletions From List of Establishments

Pursuant to § 301.45(b)(2) of the gypsy moth and brown-tail mouth quarantine (Notice of Quarantine No. 45, 7 CFR 301.45), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the list of specifically approved establishments eligible to ship stone and quarry products without a gypsy moth certification or permit (30 F.R. 9012-9014) is hereby amended by adding thereto and deleting therefrom establishments as specified below:

Establishment or dealer; address; product

* * * * *

NEW JERSEY

Add:
Samuel Braen's Sons; Central Avenue, Haledon (Mail: Brookside Avenue, Wyckoff); Bluestone.
Samuel Braen's Sons; Route 23, Hamburg (Mail: Brookside Avenue, Wyckoff); Bluestone.
Samuel Braen's Sons; Route 23, Riverdale (Mail: Brookside Avenue, Wyckoff); Bluestone.
Anthony Ferranti & Sons, Inc.; Mine Brook Road, Bernardsville; Bluestone.
Peter W. Kero, Inc.; Route 206, Byram (Mail: 216 Washington Avenue, Carlstadt); Bluestone.
Passaic Crushed Stone, Inc.; Broad Street, Pompton Lakes; Bluestone.
Shamoon Industries, Inc.; Mount Hope; Bluestone.

NEW YORK

Add:
Green Mt. Slate Co., Inc.; Middle Granville; Slate.
Kelly Wholesale Stone & Slate Co.; Route 17M, Monroe; Stone, slate and bluestone.
Labas, Andy; Route 22; Granville; Slate.
Valley Brook Slate Co.; Granville; Slate.
Delete:
Andreas, Andy; Granville; Slate.
Dellamarine, Dan, Stone Quarry; Yonkers; Granite.
Kelly, Philip; Middle Granville; Slate.
Lake Street Granite Quarry, Inc.; East White Plains; Granite.
Loomis, Carl B.; Granville Slate.
Povelka, John; Granville; Slate.
Prehoda Slate Co.; Granville; Slate.

VERMONT

Add:
Acme Granite Co.; 46 Webster Street, Barre; Granite.
Fred Capron, Vermont Slate Products; Pittsford; Slate.
Prehoda Slate Co.; Wells; Slate.
Sheldon Slate Co., Inc.; Poultney; Slate.
Sheldon Slate Co., Inc.; Rupert; Slate.
Tip Top Tile Co.; Fair Haven; Slate.
Vermarco Ground Products; Florence; Marble.
Vermarco Ground Products; West Rutland; Marble.
Delete:
Diego Granite Co.; 120 River Street, Barre; Granite.
Loomis, Carl B.; Castleton; Slate.
Loomis, Carl B.; Fair Haven; Slate.
Loomis, Carl B.; Poultney; Slate.
Marr & Gordon, Inc.; Willey Street, Barre; Granite.
Moore & Northrup; Castleton; Slate.
Vermont Marble Co.; Winooski; Marble.

* * * * *

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161; 29 F.R. 16210, as amended, 30 F.R. 5801, as amended; 7 CFR 301.45(b)(2))

The foregoing amendment shall become effective May 26, 1966.

In this amendment, seven establishments in New Jersey, four establishments in New York, and eight establishments in Vermont are added to the list, and seven establishments in New York and seven establishments in Vermont are deleted from the list, of specifically approved establishments eligible to ship stone and quarry products without a gypsy moth certification or permit under administrative instructions designated as 7 CFR 301.45a.

Under administrative instructions designated as 7 CFR 301.45a(e), mined, quarried, or manufactured stone and quarry products are exempt from the certification and permit requirements of 7 CFR 301.45-3 when they have not been exposed to infestation or when sanitation practices are maintained as prescribed by or to the satisfaction of the inspector and when the Director specifically approves the establishment from which the product is shipped. It has been determined under 7 CFR 301.45(b)(2) that sanitation practices adequate to prevent the spread of infestation are being maintained at the premises of the 19 establishments added to the list. Accordingly, these establishments are specifically approved for the purposes of said administrative instructions. This action relieves certain restrictions presently imposed. It should, therefore, be made effective promptly to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are being relieved.

The Director of the Plant Pest Control Division has determined, on the basis of recent surveys, that the Lake Street Granite Quarry is infested with the gypsy moth. Consequently, a certificate or permit hereafter will be required for movement of its products, and certification will be on the basis of inspection. The other establishments removed from the list either are no longer operating or have discontinued shipments of stone and quarry products subject to regulation.

To the extent this amendment imposes restrictions necessary to prevent the spread of the gypsy moth by deleting the name of the Lake Street Granite Quarry from the list of specifically approved establishments, it should be made effective promptly in order to effectuate the purposes of the regulations. Since the other establishments being deleted from the list are no longer operating or are no longer shipping regulated products, notice and other public procedure with respect to deletion of the names of these establishments from the list would serve no useful purpose.

Accordingly, it is found upon good cause under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that notice and other public procedure with respect to these actions are unnecessary and contrary to the public interest, and good cause is found for making such actions effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 20th day of May 1966.

[SEAL] E. D. BURGESS,
Director, Plant Pest Control Division.

[F.R. Doc. 66-5850; Filed, May 26, 1966; 8:47 a.m.]

Consumer and Marketing Service

HUMANELY SLAUGHTERED LIVESTOCK

Identification of Carcasses; Changes in Lists of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 381.1, the lists (31 F.R. 1208, 3138, 5330, and 6877) of establishments which are operated under Federal inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.) and which use humane methods of slaughter and incidental handling of livestock are hereby amended as follows:

The reference to Knauss Bros., Inc., establishment 204, and the reference to calves with respect to such establishment are deleted.

The following table lists species at additional establishments and additional species at previously listed establishments that have been reported as being slaughtered and handled humanely.

ESTABLISHMENTS SLAUGHTERING HUMANELY

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Cleve Farm Packing Co., Inc.	97A					(*)	
J. Lynn Cornwell, Inc.	107					(*)	
Kansas Packing Co.	164	(*)					
Piute Packing Co.	289	(*)					
Agar Packing Co.	293						
Puckett Packing Co.	343	(*)				(*)	
Kennedy's Sausage Co.	950						
New establishments reporting: 7.						(*)	
Swift & Co.	3F F						
Ferrara Meat Co., Inc.	134		(*)		(*)		
Animal Husbandry Department, Texas Technological College.	236				(*)		
Kummer Meat Co., Inc.	617				(*)		
Jacob Bauer's Sons, Inc.	678		(*)				
Kerber Packing Co.	929			(*)	(*)		
Armour & Co.	956		(*)				
Species added: 8.							

Done at Washington, D.C., this 24th day of May 1966.

R. K. SOMERS,
Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

[F.R. Doc. 66-5804; Filed, May 26, 1966; 8:45 a.m.]

Office of the Secretary

TEXAS

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Texas natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative leading agencies, or other responsible sources.

TEXAS

Harrison.	Marion.
Kaufman.	Tarrant.

It has also been determined that in the hereinafter-named counties in the State of Texas the disaster for which such counties are presently designated has caused a continuing need in those counties for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Texas	Original designation	Present extension
Deaf Smith	29 F.R. 13121	30 F.R. 7099
Oldham	29 F.R. 13121	30 F.R. 7099

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 24th day of May, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-5875; Filed, May 26, 1966; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-245]

CONNECTICUT LIGHT & POWER CO. ET AL.

Notice of Issuance of Provisional Construction Permit

Please take notice that, pursuant to the initial decision of the Atomic Safety and Licensing Board, dated May 9, 1966, the Director of the Division of Reactor Licensing has issued Provisional Construction Permit No. CPPR-20 to The Connecticut Light & Power Co., The Hartford Electric Light Co., Western Massachusetts Electric Co., and the Millstone Point Co. for the construction of

a boiling water nuclear reactor to be located at the Millstone Nuclear Power Station in the town of Waterford, Conn.

A copy of the initial decision is on file in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 19th day of May 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66-5861; Filed, May 26, 1966; 8:47 a.m.]

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

STATEMENT OF ORGANIZATION

The Statement of Organization of the Federal Coal Mine Safety Board of Review is revised to read as follows:

1. *Creation and authority.* The Federal Coal Mine Safety Board of Review, hereinafter referred to as the Board, is an independent agency in the Executive Branch of the Government, created, and operating under the authority vested, by Title II of the Federal Coal Mine Safety Act, as amended (66 Stat. 692, as amended; 30 U.S.C. 471). The Board has jurisdiction to hear and determine applications for revision or annulment of orders issued by representatives of the U.S. Bureau of Mines under section 203 or section 206 of the act, and other related duties and powers set forth in the statutes cited above.

2. *Organization.* The organization of the Board is as follows:

(a) The Board itself is composed of five members. Each member of the Board is appointed for a term of 5 years by the President, by and with the advice and consent of the Senate. One member of the Board shall be a person who by reason of previous training and experience may reasonably be said to represent the viewpoint of operators of coal mines employing 14 or fewer employees underground; one member, who by reason of previous training and experience may reasonably be said to represent the viewpoint of operators of coal mines employing 15 or more employees underground; one member, who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal mine workers in mines employing 14 or fewer employees underground; one member, who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal mine workers in mines employing 15 or more employees underground; and the chairman, who shall be a graduate engineer with experience in the coal mining industry or shall have had at least 5 years of experience as a practical mining engineer in the coal mining industry, and who shall not, within 1 year of his appointment as a member of the Board, have had a pecuniary interest in, or have been regularly employed or engaged in, the mining of coal, or have regularly represented either coal mine operators or coal mine workers, or have been an officer or employee of the Department of the Interior assigned to duty in the Bureau of Mines.

(b) The General Counsel and Secretary of the Board is the chief full-time legal and administrative officer of the Board. He is directly responsible to the Board for all legal and administrative matters within the jurisdiction of the Board. He has custody of the official seal of the Board and of all official files, property and records, and is responsible to the Board for the transaction of all business except matters requiring official action of the Board or a member thereof.

3. *Office; information and applications; hearings and records.*

(a) The office of the Board is located in Washington, D.C. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except legal holidays.

(b) Information may be obtained, and applications or other requests should be filed, with the Board at this office.

(c) Hearings of the Board, and all its official records pertaining to proceedings filed under section 207 of the act, including the findings and orders of the Board in each case, are open to the public.

4. *Procedures.* The methods whereby applications and other requests should be filed, and the general procedures of the agency, are detailed in the Board's rules of procedure (30 CFR 401.1, et seq.), a copy of which may be obtained, without charge, by communicating with the Board office in Washington, D.C.

Adopted by the Federal Coal Mine Safety Board of Review at its office in Washington, D.C., on May 24, 1966.

EDWARD STEIDLE,
Chairman, Federal Coal Mine Safety Board of Review.

[F.R. Doc. 66-5859; Filed, May 26, 1966; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

EVANS PRODUCTS CO. AND RETLA STEAMSHIP CO.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mrs. Amy Scupi, Galland, Kharasch, Calkins & Lippman, 1824 R Street NW., Washington, D.C., 20009.

Agreement 9549, between Evans Products Co. and Retla Steamship Co., proposes to establish agency arrangements whereby Retla Steamship Co. will, for a specified fee, act as general agent for Evans Products Co. in the operation of vessels owned by and/or under charter to Evans Products for carriage of its own plywood and general cargo of other shippers or consignees in the trade between United States ports and unspecified foreign ports. Both parties agree to establish rates, terms and conditions for carriage in the trades, and publish individual tariffs. Retla Steamship Co. will secure and book cargo, account for the operations of Evans' vessels, and perform other functions for Evans Products in accordance with the terms and conditions set forth in the agreement.

Dated: May 24, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5862; Filed, May 26, 1966; 8:47 a.m.]

FAR EAST CONFERENCE AND PACIFIC WESTBOUND CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Elkan Turk, Jr., Burlingham, Underwood, Baron, Wright & White, 25 Broadway, New York, N.Y., 10004.

Agreement 8200-1 modifies the membership provision of the Joint Conference Agreement between the Far East Conference and the Pacific Westbound Conference to require the member lines of either or both to participate in all duly approved agreements supplemental to Agreement 8200.

Dated: May 23, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5863; Filed, May 26, 1966; 8:47 a.m.]

GREECE/U.S. ATLANTIC RATE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. M. Prudenti, States Marine Isthmian Agency, Inc., 90 Broad Street, New York, N.Y., 10004.

Agreement 9238-2, between the parties to the Greece/United States Atlantic Rate Agreement, amends the basic agreement by reducing the term of the Secretary from a period of 1 year to a period of 3 months.

Dated: May 24, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5864; Filed, May 26, 1966; 8:48 a.m.]

TURKEY/U.S. ATLANTIC RATE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. M. Prudenti, States Marine-Isthmian Agency, Inc., 90 Broad Street, New York, N.Y., 10004.

Agreement 9239-2, between the parties to the Turkey/United States Atlantic Rate Agreement, amends the basic agreement by reducing the term of the Secretary from a period of 1 year to a period of 3 months.

Dated: May 23, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5866; Filed, May 26, 1966; 8:48 a.m.]

LYKES BROS. STEAMSHIP CO., INC., AND AHLMANN-TRANSPORT K.G.

Notice of Proposed Cancellation of Agreement

Notice is hereby given that a request for cancellation of the following agreement, pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814) has been filed with the Commission.

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of intent to cancel agreement 8634 filed by:

Mr. T. L. Gusman,
Assistant Vice President—Traffic, 821 Gravier Street, New Orleans, La., 70150.

Agreement 8634, approved August 10, 1961, between Lykes Bros. Steamship Co., Inc. and Ahlmann-Transport K.G. covers a through billing arrangement on cargo transported from Danish ports to U.S. Gulf ports via Hamburg, Germany.

Dated: May 24, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5865; Filed, May 26, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-6119, etc.]

GEORGE L. BUCKLES, ET AL.

Findings and Order

MAY 17, 1966.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, terminating rate proceeding, substituting respondents, making successors co-respondents, redesignating proceedings, requiring filing of agreements and undertakings, requiring filing of surety bond, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC Gas Rate Schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's statement of general policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

Applicants in Docket Nos. G-6297, G-14364, G-14585, G-19135, CI60-55, and CI61-56 propose to continue the sales of natural gas heretofore authorized in said dockets. The FPC gas rate schedules of Applicants' predecessors in interest will be redesignated as those of Applicants. Applicants in Docket Nos. CI66-259 and CI66-779 propose to continue in part the sales of natural gas heretofore authorized in Docket Nos. CI60-423 and G-4547, respectively. The latter Applicants have submitted their predecessors' contracts with the gas purchasers as their own rate schedules. The presently effective rates under all of the aforementioned rate schedules are in effect subject to refund in the following dockets:

Certificate docket No.	Rate suspension docket No.	Predecessor's FPC gas rate schedule
G–6297	RI60–44 [1]	Leonard Oil Co., FPC gas rate schedule No. 1.
G–14364	RI61–505 [2]	Limpia Royalties, Inc., FPC gas rate schedule No. 2.
G–14585	RI61–495 [2]	Limpia Royalties, Inc., FPC gas rate schedule No. 3.
G–19135	RI60–289 [2]	Prime Drilling Co., et al., FPC gas rate schedule No. 3.
CI60–55	RI60–113 [1]	Leonard Oil Co., FPC gas rate schedule No. 3.
CI61–56	RI64–160 [3]	Panhandle Development Co., Inc. (Operator), et al., FPC gas rate schedule No. 2.
CI66–259	RI60–13 [1]	Husky Oil Co., FPC gas rate schedule No. 9.
CI66–779	RI64–483	Sinclair Oil & Gas Co., FPC gas rate schedule No. 272.

[1] Consolidated with the original proceeding in Docket No. AR61–1, et al.
[2] Consolidated with the proceeding on the order to show cause issued Aug. 5, 1965, in Docket No. AR61–1, et al.
[3] Consolidated with Docket No. AR64–1, et al.

Applicant in Docket Nos. G–6297 and CI60–55 has filed an agreement and undertaking to assure the refund of all amounts collected in excess of the amounts determined to be just and reasonable in Docket Nos. RI60–44 and RI 60–113. Applicant in Docket No. CI61–56 has expressed his intention in his certificate application to file an agreement and undertaking to assure the total refund from the date the increased rate became effective. Applicant in Docket No. G–14364 and G–14585 filed an agreement and undertaking to assure the refund of any increased rates collected by it. Accordingly, Applicant in Docket Nos. G–6297 and CI60–55 will be substituted as respondent in the proceedings pending in Docket Nos. RI60–44 and RI60–113; Applicants in Docket Nos. G–14364, G–14585, G–19135, CI61–56, CI66–259, and CI66–779 will be made co-respondents in the proceedings pending in Docket Nos. RI 61–505, RI61–495, RI60–289, RI64–160 (insofar as the proceeding pertains to the assigned rate schedule), RI60–13 (insofar as the proceeding pertains to the assigned rate schedule) and RI64–483, respectively; and the proceedings will be redesignated. The agreements and undertakings submitted in Docket Nos. RI 60–44, RI60–113, RI61–495, and RI61–505 will be accepted for filing. Applicant in Docket No. CI61–56 will be required to file an agreement and undertaking in Docket No. RI64–160 to assure the total refund from the date the increased rate became effective; and Applicants in Docket Nos. G–19135, CI66–259, and CI66–779 will be required to file agreements and undertakings in Docket Nos. RI60–289, RI60–13, and RI64–483, respectively, to assure the refund of any increased rates collected by them.

Applicants in Docket Nos. G–6119, G–6296, G–6297, G–14364, G–14585, CI60–55, and CI66–259 propose to continue sales of natural gas from the Permian Basin area and they will be required to conform to the requirements of the Commission's Opinion Nos. 468 and 468–A with respect to the rates charged for such sales. Applicants in Docket Nos. G–6119, G–14364, G–14585, and CI66–259 have applied for small producer certificates pursuant to § 157.40 of the regulations under the Natural Gas Act. Said applications are pending in Docket Nos. CS66–12 and CS66–119. If small producer certificates should be denied, Applicants will be required to submit rate schedule-quality statements for the sales herein authorized in Docket Nos. G–6119, G–14364, G–14585, and CI66–259.

Alvin C. Hope (Operator), et al., Applicant in Docket No. G–16458, proposes to sell natural gas from additional acreage at a rate in effect subject to refund in Docket No. RI60–401. Applicant has heretofore filed a surety bond in Docket No. RI60–401 to assure the refund of any amounts collected in excess of the amount determined to be just and reasonable in said proceeding. It is appropriate that Applicant should file an additional bond or a rider to the existing bond to assure the refund of any amounts collected for sales of gas from the additional acreage in excess of the amount determined to be just and reasonable in Docket No. RI60–401.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on May 11, 1966, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued in the following dockets should be amended as hereinafter ordered and conditioned:

G–6119	CI61–56	CI63–1461
G–6296	CI61–238	CI64–71
G–6297	CI61–488	CI64–156
G–14364	CI61–496	CI64–175
G–14585	CI61–527	CI64–965
G–15689	CI61–1151	CI64–966
G–15791	CI61–1386	CI65–1312
G–16458	CI61–1392	CI65–1335
G–19135	CI61–1771	CI66–29
G–19145	CI63–318	
CI60–55	CI63–1282	

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates issued in the following dockets should be amended to reflect the deletion of acreage where new certificates are issued herein to authorize service from the subject acreage:

Amend to delete acreage	*New certificates*
G–4528	CI66–873
G–4547	CI66–779
G–13299	CI66–877
G–13633	CI66–870
G–18061	CI66–563
CI60–423	CI66–259

(7) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants herein relating to the abandonments hereinafter permitted and approved should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the rate suspension proceeding in Docket No. RI65–524 should be terminated.

(10) It is necssary and appropriate in carrying out the provisions of the Natural Gas Act that Applicant in Docket Nos. G–6297 and CI60–55 should be substituted as respondent in the proceedings pending in Docket Nos. RI60–44 and RI60–113; that Applicants in Docket Nos. G–14364, G–14585, G–19135, CI61–56, CI66–259, and CI66–779 should be made co-respondents in the proceedings pending in Docket Nos. RI61–505, RI61–495, RI60–289, RI64–160, RI60–13, and RI64–483, respectively; and said proceedings should be redesignated accordingly.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the agreements and undertakings submitted in Docket Nos. RI60–44, RI60–113, RI61–495, and RI61–505 should be accepted for filing; and Applicants in Docket Nos. G–19135, CI61–56, CI66–259, and CI66–779 should be required to file agreements and undertakings in Docket Nos. RI60–289, RI64–160, RI60–13, and RI64–483, respectively.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Alvin C. Hope (Operator), et al., should be required to file an additional surety bond or a rider to the existing bond in Docket No. RI60–401.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's statement of general policy 61–1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 10 and 14 in the attached tabulation.

(E) The certificate issued herein in Docket No. CI66–874 involving the sale of gas by Anadarko Production Co. to its parent, Panhandle Eastern Pipe Line Co., determines the rate which legally may be paid by the buyer to the seller, but is without prejudice to any action which the Commission may take in any future rate proceeding involving either company.

(F) The certificate issued herein in Docket No. CI66–886 is subject to the conditions set forth in paragraphs (C), (D), and (E) of the order accompanying Opinion No. 353 (27 FPC 449), except that said certificate shall not be subject to the Commission's ultimate determination in Docket No. R–200.

(G) The certificate heretofore issued in Docket No. CI66–29 is amended to include the interests of the co-owners.

(H) The certificates heretofore issued in Docket Nos. CI64–965 and CI64–966 are amended to extend the effectiveness thereof for a period of 1 year from the date of this order.

(I) The certificates heretofore issued in Docket Nos. G–15791, G–16458, G–19145, CI61–1392, CI63–318, CI63–1461, CI64–71, CI64–156, CI64–175, and CI65–1335 are amended by adding thereto authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(J) The certificates issued herein in Docket Nos. CI66–764 and CI66–821, and the authorization granted in Docket No. CI63–1461 in paragraph (I) above are issued at a total initial rate of 15.0 cents per Mcf at 14.65 p.s.i.a.

(K) The certificates heretofore issued in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein to authorize service from the subject acreage:

Amend to delete acreage	*New certificate*
G–4528	CI66–873
G–4547	CI66–779
G–13299	CI66–877
G–13633	CI66–870
G–18061	CI66–563
CI60–423	CI66–259

(L) The certificates heretofore issued in Docket Nos. G–6119, G–6296, G–6297, G–14364, G–14585, G–15689, G–19135, CI60–55, CI61–56, CI61–238, CI61–488, CI61–496, CI61–527, CI61–1151, CI61–1386, CI61–1771, CI63–1282, and CI65–1312 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(M) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described and as more fully described in the respective applications herein are granted.

(N) Permission for and approval of the abandonment of service by Applicant in Docket No. CI66–760 is granted, and the related certificate in Docket No. G–12251 is terminated only insofar as it pertains to FPC Gas Rate Schedule No. 7.

(O) The certificates heretofore issued in Docket Nos. G–10174, G–12779 and CI63–554, are terminated.

(P) The rate suspension proceeding in Docket No. RI65–524 is terminated.

(Q) Tenneco Oil Co. is substituted in lieu of Leonard Oil Co. as respondent in the proceedings pending in Docket Nos. RI60–44 and RI60–113; Robert F. White (Operator), et al., Kewanee Oil Co., A. L. Abercrombie (Operator), et al., George L. Buckles, et al., and R & G Drilling Co., Inc., agent (Operator) for William C. Russell, et al., shall be co-respondents in the proceedings pending in Docket Nos. RI60–289, RI61–505 and RI61–495, RI64–160 (insofar as said proceeding pertains to A. L. Abercrombie (Operator), et al., FPC Gas Rate Schedule No. 9 [4]), RI60–13 (insofar as said proceeding pertains to George L. Buckles, et al., FPC Gas Rate Schedule No. 15 [5]) and RI64–483, respectively; and all of the aforementioned proceedings are redesignated accordingly.[6]

(R) The agreements and undertakings submitted by Tenneco Oil Co. in Docket Nos. RI60–44 and RI60–113 and by Kewanee Oil Co. in Docket Nos. RI61–495 and RI61–505 are accepted for filing.

(S) Within 30 days from the issuance of this order A. L. Abercrombie (Operator), et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI64–160 to assure the total refund, together with interest at the rate of 7 percent per annum, of all amounts collected by Abercrombie or his predecessors in excess of the amount determined to be just and reasonable in said proceeding insofar as said proceeding pertains to sales made pursuant to the contract herein redesignated as Abercrombie's FPC Gas Rate Schedule No. 9.[4] Unless notified to the contrary by the Secretary

[4] Formerly Panhandle Development Co., Inc. (Operator), et al., FPC Gas Rate Schedule No. 2.
[5] The contract comprising said rate schedule is also on file as Husky Oil Co. FPC Gas Rate Schedule No. 9.
[6] RI60–13, Husky Oil Co., Haynes and V. T. Drilling Co., Reserve Oil & Gas Co. and George L. Buckles, et al. RI60–44, Tenneco Oil Co. RI60–113, Tenneco Oil Co. RI60–289, Prime Drilling Co., et al., and Robert F. White (Operator), et al. RI61–495, Limpia Royalties, Inc., and Kewanee Oil Co. RI61–505, Limpia Royalties, Inc., and Kewanee Oil Co. RI64–160, Panhandle Development Co., Inc. (Operator), et al., and A. L. Abercrombie (Operator), et al. RI64–483, Sinclair Oil & Gas Co. (Operator), et al., and R & G Drilling Co., Inc., agent (Operator) for William C. Russell, et al.

of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(T) Within 30 days from the issuance of this order, George L. Buckles, et al., Robert F. White (Operator), et al., and R & G Drilling Co., Inc., agent (Operator) for William C. Russell, et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission acceptable agreements and undertakings in Docket Nos. RI60–13, RI60–289 and RI64–483, respectively, to assure the refunds, together with interest at the rate of 7 percent per annum, of any amounts collected by them in excess of the amounts determined to be just and reasonable in said proceedings.[7] Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreements and undertakings shall be deemed to have been accepted for filing.

(U) Applicants in Docket Nos. G–6297, G–14364, G–14585, G–19135, CI60–55, CI61–56, CI66–259, and CI66–779 shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the agreements and undertakings filed by them in Docket Nos. RI60–44, RI61–505, RI61–495, RI60–289, RI60–113, RI64–160, RI60–13, and RI64–483, respectively, shall remain in full force and effect until discharged by the Commission.

(V) Within 45 days from the date of this order Applicants in Docket Nos. G–6296, G–6297, G–14585, CI60–55, and CI66–259 shall submit supplements to their related rate schedules reflecting any reductions necessary to bring their rates into conformity with the applicable base area rate established by paragraph (A) of Opinion No. 468, as modified by Opinion No. 468–A. Due to the stay of the effectiveness of certain of the requirements of Opinion Nos. 468 and 468–A, any filings, if acceptable, will be accepted for informational purposes only.

(W) Within 90 days from the date of this order Applicant in Docket Nos. G–6296, G–6297 and CI60–55 shall file rate schedule-quality statements in the form prescribed in Opinion No. 468–A. If small producer certificates are hereafter denied in Docket Nos. CS66–12 and CS66–119, Applicants in Docket Nos. G–6119, G–14364, G–14585, and CI66–259 shall file rate schedule-quality statements within 45 days of such determinations.

(X) Applicants in Docket Nos. G–14585 and CI66–259 shall submit refund reports as required by paragraph (I) of Opinion No. 468.

(Y) Any rates collected on or after September 1, 1965, by Applicants in Docket Nos. G–6119, G–6296, G–6297, G–14364, G–14585, CI60–55, and CI66–259 in excess of the applicable area base rates prescribed in paragraphs (A) and (B) of Opinion No. 468, as modified by Opinion No. 468–A, shall be subject to refund under the conditions prescribed in paragraph (D) of Opinion No. 468.

(Z) Within 30 days from the issuance of this order Alvin C. Hope (Operator), et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission in Docket No. RI60–401 and additional surety bond [8] or rider to the existing bond in said docket to assure the refund, together with interest at the rate of 7 percent per annum, of any amount collected for sales of natural gas from additional acreage authorized herein in excess of the amount determined to be just and reasonable in Docket No. RI60–401.

(AA) Alvin C. Hope (Operator), et al. shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the additional bond or rider to the existing bond filed in Docket No. RI60–401 shall remain in full force and effect until discharged by the Commission.

(BB) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
G–6119 E 9–17–65	George L. Buckles, et al. (successor to Albert Gackle (Operator), et al.).[1]	El Paso Natural Gas Co., Jalmat Field, Lea County, N. Mex.	Contract 4–1–49 [2]	16	
			Supplemental agreement 8–1–51.	16	1
			Supplemental agreement 10–26–59.	16	2
			Assignment 6–25–65 [3]	16	3
			Assignment 8–30–65 [4]	16	4
			Effective date: 7–1–65.		
G–6296 E 11–3–65 C 8–30–65 [5]	Tenneco Oil Co. (successor to Leonard Oil Co.).	do	Leonard Oil Co., FPC GRS No. 2.	194	
			Supplement Nos. 1–13	194	1–13
			Agreement 8–4–65 [6]	194	14
			Notice of succession 11–1–65.		
			Conveyance 10–1–65.	194	15
			Effective date: 10–1–65.		
G–6297 E 11–3–65	do	do	Leonard Oil Co., FPC GRS No. 1.	193	
			Supplement Nos. 1–5	193	1–5
			Notice of succession 11–1–65.		
			Conveyance 10–1–65.	193	6
			Effective date: 10–1–65.		
G–14364 E 8–16–65	Kewanee Oil Co. (successor to Limpia Royalties, Inc.).	El Paso Natural Gas Co., Wemac Field, Andrews County, Tex.	Limpia Royalties, Inc., FPC GRS No. 2.	55	
			Supplement Nos. 1–2	55	1–2
			Notice of succession (Undated).		
			Assignment 10–1–64 [7]	55	3
			Effective date: 10–1–64.		
G–14585 E 8–16–65	do	El Paso Natural Gas Co., Clearfork Field, Spraberry Trend Area, Upton County, Tex.	Limpia Royalties, Inc., FPC GRS No. 3.	56	
			Supplement Nos. 1–5	56	1–5
			Notice of Succession (Undated).		
			Assignment 10–1–64 [7]	56	6
			Effective date: 10–1–64.		
G–15689 E 2–17–66	Amax Petroleum Corp. (Operator), et al. (successor to American Climax Petroleum Corp. (Operator), et al.).	El Paso Natural Gas Co., West Bar-X Area, Grand County, Utah.	American Climax Petroleum Corp. (Operator), et al., FPC GRS No. 1.	22	
			Supplement No. 1	22	1
			Notice of succession 2–15–66.		
			Certificate of merger 3–28–61 [8]	22	2
			Assignment 6–29–62 [8 9]	22	3
G–15791 C 3–16–66 [10]	Sun Oil Co. (Southwest Division).	Transwestern Pipeline Co., North Follett Field, Lipscomb County, Tex.	Letter agreement 1–19–66. [9 11]	122	17
G–15791 C 3–16–66 [10]	do	Transwestern Pipeline Co., Parsell Field, Roberts County, Tex.	Letter agreement 1–20–66. [9 11]	122	18
G–16458 C 10–23–61	Alvin C. Hope (Operator), et al.	West Lake Natural Gasoline Co. and Holly Corp., Lake Trammell Field, Nolan County, Tex.	Amendment 9–22–61 [8]	1	4

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[7] The agreement and undertaking filed by R & G Drilling Co., Inc., shall pertain only to sales made pursuant to its FPC Gas Rate Schedule No. 5.

[8] The principal amount of the additional bond shall be equal to the annual amount collected subject to refund for sales of gas from the additional acreage.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
CI61–1151 E 2–24–66	do	Panhandle Eastern Pipe Line Co., South Kismet Field, Seward County, Kans.	Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 9.	14	
			Supplement Nos. 1–2	14	1–2
			Notice of succession 2–24–66.		
CI61–1396 E 2–22–66	do	Michigan Wisconsin Pipe Line Co., Greenough Field, Beaver County, Okla.	Assignment 1–3–66	14	3
			Effective date: 1–1–66		
			Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 10.	16	
			Notice of succession 2–24–66.		
			Assignment 1–3–66	16	1
			Effective date: 1–1–66.		
CI61–1392 D 2–28–66 C 2–28–66 [14]	Allerton Muller	Equitable Gas Co., Warren District, Upshur County, W. Va.	Letter agreement 1–14–66.	2	4
			Letter agreement 11–10–65. [9 13]	2	5
CI61–1771 E 3–2–66	A. L. Abercrombie (Operator), et al. (successor to Panhandle Development Co., Inc. (Operator), et al.).	Panhandle Eastern Pipe Line Co., Borches Northwest Field, Meade County, Kans.	Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 12.	15	
			Notice of succession 2–28–66.		
			Assignment 1–3–66	15	1
			Effective date: 1–1–66.		
CI63–318 C 3–4–66 [14]	Frank A. Schultz, et al.	El Paso Natural Gas Co., Basin Dakota Pool, San Juan County, N. Mex.	Supplemental agreement 2–24–66 [9 17]	8	18
CI63–1282 E 2–28–66	A. L. Abercrombie (Operator), et al. (successor to Panhandle Development Co., Inc. (Operator), et al.).	Panhandle Eastern Pipe Line Co., acreage in Meade County, Kans.	Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 14.	17	
			Notice of succession 2–25–66.		
			Assignment 1–3–66	17	1
			Effective date: 1–1–66.		
CI63–1461 C 3–17–66 [10]	Cleary Petroleum, Inc. (Operator), et al.	Arkansas Louisiana Gas Co., Starr Field, Blaine County, Okla.	Supplemental agreement 2–8–66.	18	18
CI64–71 C 3–21–66 [10]	Texaco Inc. (Operator), et al.	Panhandle Eastern Pipe Line Co., Angell Field, Cimarron County, Okla.	Amendment 2–28–66 [9 19]	315	2
CI64–195 C 3–4–66 [14]	Marathon Oil Co.	Colorado Interstate Gas Co., Wamsutter Unit Area, Sweetwater County, Wyo.	Supplemental agreement 7–28–65. [8]	87	2
CI64–175 C 3–7–66 [14]	Pan American Petroleum Corp. (Operator), et al.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	Letter agreement 2–9–66.	363	9
CI64–175 C 3–21–66 [14]	do	Union Pacific Railroad Co.	Letter agreement 3–3–66.	363	10
CI64–901 [20] 2–23–66 [21]			Letter agreement 1–11–66. [9 13]	8	1
CI64–906 [20] 2–28–66 [21]	do	Texaco, Inc.	Letter agreement 1–18–66. [9 13]	331	1
CI65–1312 E 3–14–66	Pan American Petroleum Corp. (successor to Sun Oil Co.).	Arkansas Louisiana Gas Co., Cheshire Field, Ouachita Parish, La.	Supplement to FPC GRS No. 188.	435	
			Supplement No. 1	435	1
			Notice of succession		
			Conveyance 1–27–66 [22]	435	2
			Effective date: 1–1–66.		

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
G–19135 E 2–4–66	Robert F. White (Operator), et al. (successor to Prime Drilling Co., et al.).	Cities Service Gas Co., Rhodes Gas Field, Barber County, Kans.	Prime Drilling Co. et al., FPC GRS No. 3.	6	
			Supplement Nos. 1–2	6	1–2
			Notice of succession 2–25–66.		
			Assignment 1–3–66	6	3
			Effective date: 1–1–66.		
G–19145 C 2–25–66	J. Glenn Turner	El Paso Natural Gas Co., Basin Dakota-Blanco Mesaverde Field, San Juan County, N. Mex.	Supplemental agreement 12–31–64. [8]	7	22
CI60–55 E 11–3–66	Tenneco Oil Co. (successor to Leonard Oil Co.).	El Paso Natural Gas Co., Jalmat Field, Lea County, N. Mex.	Leonard Oil Co., FPC GRS No. 3.	195	
			Supplement Nos. 1–2	195	1–2
			Notice of succession 11–1–65.		
			Conveyance 10–1–65.	195	3
			Effective date: 10–1–65.		
CI61–56 E 2–24–66	A. L. Abercrombie (Operator), et al. (successor to Panhandle Development Co., Inc. (Operator), et al.).	Northern Natural Gas Co., Harper Ranch Field, Clark County, Kans.	Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 2.	9	
			Notice of succession 2–24–66.		
			Assignment 1–3–66	9	7
			Effective date: 1–1–66.		
CI61–238 E 3–11–66	do	Panhandle Eastern Pipe Line Co., Hugoton Field, Grant County, Kans.	Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 3.	[17] 10	
			Notice of succession 3–9–66.		
			Assignment 2–25–66.	10	1
CI61–238 E 3–11–66	do	do	Effective date: 2–1–66.		
			Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 4.	[18] 18	
			Notice of succession 3–9–66.		
			Assignment 2–25–66.	18	1
			Effective date: 2–1–66.		
CI61–468 E 2–21–66	do	Panhandle Eastern Pipe Line Co., Angell Field, Meade County, Kans.	Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 5.	11	
			Notice of succession 2–24–66.		
			Assignment 1–3–66	11	1
			Effective date: 1–1–66.		
CI61–496 E 2–28–66	do	Phillips Petroleum Co., Hugoton Field, Sherman County, Tex.	Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 6.	12	
			Supplement Nos. 1–2	12	1–2
			Notice of succession 2–24–66.		
			Assignment 1–3–66	12	3
			Effective date: 1–1–66.		
CI61–527 E 2–24–66	do	Panhandle Eastern Pipe Line Co., Light Northeast Field, Seward County, Kans.	Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 7.	13	
			Notice of succession 2–24–66.		
			Assignment 1–3–66	13	1
			Effective date: 1–1–66.		

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI65-1335 C 2-21-66 [14]	Central Gas Co., et al.	Consolidated Gas Supply Corp., Center District, Calhoun County, W. Va.	Letter agreement 1-6-66.[6]	2	1
CI66-29 3-17-66 [10 24]	Union Oil Co. of California (Operator), et al.	Michigan Wisconsin Pipe Line Co., South East Stockholm Field, Laverne Area, Harper County, Okla.	([23])	156	
A CI66-259 (CI60-423) F 9-13-65	George L. Buckles, et al. (successor to Husky Oil Co.).	El Paso Natural Gas Co., Langlie-Mattix Field, Lea County, N. Mex.	Contract 5-4-49 [26]	14	
			Letter 6-13-49	14	1
			Letter agreement 6-28-52.	14	2
			Letter agreement 5-6-54.	14	3
			Supplemental agreement 12-15-60.	14	4
			Supplemental agreement 12-15-60.	14	5
			Assignment 4-1-65 [27]	14	6
			Assignment 4-28-65 [28]	14	7
			Assignment 5-14-65 [29]	14	8
			Effective date: 4-1-65.		
A CI66-259 (CI60-423) F 9-13-65	do	do	Contract 4-27-49 [30]	15	
			Letter agreement 6-13-49.	15	1
			Supplemental agreement 6-29-61.	15	2
			Assignment 1-14-63.	15	3
			Supplemental agreement 10-26-59.	15	4
			Supplemental agreement 4-4-63.	15	5
			Supplemental agreement 7-15-63.	15	6
			Assignment 4-1-65 [27]	15	7
			Assignment 4-28-65 [28]	15	8
			Assignment 5-14-65 [29]	15	9
			Effective date: 4-1-65.		
CI66-506 A 12-13-65.[14 30a]	John G. Polokoff	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex.	Contract 1-29-53.	1	
			Supplemental agreement 10-16-58.	1	1
A CI66-563 (G-18061) F 11-22-65	Craig Steel & Salvage Co., (successor to Pan American Petroleum Corp.).	Mountain Fuel Supply Co., Little Worm Creek Field, Sweetwater County, Wyo.	Contract 8-29-58 [31]	1	
			Assignment 11-16-64 [32]	1	1
			Effective date: 2-1-65.		
CI66-578 A 1-10-66 [14]	Lario Oil & Gas Co. (Operator), et al.	Cities Service Gas Co., Nurse Northeast Field, Barber County, Kans.	Contract 9-1-65	20	
CI66-617 A 1-19-66	Humble Oil & Refining Co.	Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark.	Contract 12-16-65 [6]	389	
CI66-645 A 1-24-66 [14]	Sam Dazzo, et al.	El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex.	Contract 3-4-59 [6]	2	
CI66-702 A 2-4-66	Charley Cain	United Fuel Gas Co., acreage in Martin County, Ky.	Contract 2-26-64 [6]	2	
CI66-746 A 2-17-66	Skelly Oil Co.	Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark.	Contract 12-27-65 [6]	216	
CI66-753 A 2-21-66 [14]	Francis M. Friestad, et al.	Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va.	Contract 10-13-65 [6]	10	
CI66-760 (G-12251) B 2-21-66 [9]	Okmar Oil Co.	Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va.	Notice of cancellation 2-18-66.[34 35]	7	6
CI66-764 A 2-23-66 [10]	Shell Oil Co.[35] (Operator), et al.	Natural Gas Pipeline Co. of America, South Talega Field, Dewey County, Okla.	Contract 5-18-65	328	
CI66-770 (CI63-554) B 2-24-66	Sunray DX Oil Co.	Kansas-Nebraska Natural Gas Co., Inc., Minto Field, Logan County, Colo.	Notice of cancellation 2-18-66.[34 35]	226	3
A CI66-779 (G-4547) F 2-24-66	R & G Drilling Co., Inc., agent (Operator) for William C. Russell, et al. (successor to Sinclair Oil & Gas Co.).	El Paso Natural Gas Co., Blanco Mesa Verde Field, San Juan County, N. Mex.	Contract 1-30-54 [37]	5	
			Letter agreement 9-29-54.	5	1
			Letter agreement 7-5-60.	5	2
			Supplemental agreement 9-5-61.	5	3
			Assignment 11-18-65 [38]	5	4
			Assignment 12-1-65 [6 39]	5	5
CI66-784 A 2-25-66	Sun Oil Co.	The Manufacturers Light & Heat Co., The Ryan Unit, Fayette County, Pa.	Contract 1-28-66 [6]	198	
CI66-821 A 3-7-66 3-21-66 [15 40]	Tenneco Oil Co.	Natural Gas Pipeline Co. of America, South Talega Field, Dewey County, Okla.	Contract 12-16-65 [6]	199	
CI66-822 A 3-4-66 [14]	do	El Paso Natural Gas Co., Jicarilla Area, San Juan Basin, Rio Arriba County, N. Mex.	Contract 2-25-66 [6]	198	
CI66-837 A 3-10-66 [14]	Coastal States Gas Producing Co., et al.	Banquete Gas Co., a division of Crestmont Oil & Gas Co., East Taft Area, San Patricio County, Tex.	Contract 1-21-66	61	
CI66-840 A 3-14-66 [14]	Union Drilling, Inc.	Equitable Gas Co., various leases, Meade District, Upshur County, W. Va.	Contract 10-22-65	36	
			Letter agreement 12-21-65.[14]	36	1
CI66-843 A 3-14-66 [14]	Carroll G. Jones (Operator), et al.	United Gas Pipe Line Co., Mount Olive Field, Smith County, Miss.	Contract 12-23-65	1	
CI66-845 A 3-14-66 [14]	Neal Rudder, d.b.a. Rudder Oil & Gas Co.	United Fuel Gas Co., Walton District, Roane County, W. Va.	Contract 2-25-66 [6]	15	
CI66-848 A 3-16-66 [14]	Webster Myers, et al.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	Contract 12-1-65 [6]	1	
CI66-850 A 3-16-66 [14]	F. M. Chisler, et al.	Consolidated Gas Supply Corp., Washington District, Calhoun County, W. Va.	Contract 12-1-65 [6]	1	
CI66-851 A 3-16-66 [14]	W. G. Sampson, et al.	do	Contract 11-24-65 [6]	7	
CI66-852 (G-10174) B 3-16-66	Skelly Oil Co.	Cities Service Gas Co., Driftwood Field, Barber County, Kans.	Notice of cancellation (undated).[34 35]	[41] 101	3
CI66-853 A 3-16-66 [10]	Twin Gas Co. (Operator).	Panhandle Eastern Pipe Line Co., East Aline Processing Plant, Alfalfa County, Okla.	Contract 2-28-66	6	
CI66-858 A 3-17-66 [14]	Virgin Oil Co.	United Fuel Gas Co., Geary District, Roane County, W. Va.	Contract 2-23-66 [6]	1	
CI66-859 A 3-17-66 [14]	do	United Fuel Gas Co., Henry District, Clay County, W. Va.	Contract 2-22-66 [6]	2	
CI66-861 A 3-17-66 [10]	Gulf Oil Corp.	Panhandle Eastern Pipe Line Co., South Higgins Field, Ellis County, Okla.	Contract 2-4-66 [6]	309	
CI66-863 A 3-17-66	Har-Ken Oil Co. (Operator), et al.	Texas Gas Transmission Corp., Midland Field, Muhlenberg County, Ky.	Contract 2-21-66 [6]	8	

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI66-866 A 3-21-66 [10]	Kewanee Oil Co. (Operator), et al.	Southern Natural Gas Co., East Catahoula Field, St. Martin Parish, La.	Contract 3-11-66	57	
CI66-867 A 3-21-66 [14]	Standard Oil Co. of Texas, a division of Chevron Oil Co.	El Paso Natural Gas Co., Huerfanito Mesa Verde Unit, San Juan County, N. Mex.	Contract 12-20-65 [6]	42	
CI66-868 A 3-21-66 [14]	D. A. Drake	United Fuel Gas Co., Geary District, Roane County, W. Va.	Contract 2-23-66 [6]	1	
CI66-869 A 3-21-66 [10]	OK & B Drilling Co., (Operator), et al.	Cities Service Gas Co., acreage in Logan County, Okla.	Contract 3-10-66 [6]	1	
A CI66-870 (G-13633) F 3-18-66	Southern Minerals Corp. (successor to Union Producing Co.).	United Gas Pipe Line Co., Fox Field Area, Refugio County, Tex.	Ratified 3-15-66.	4	
			Contract 1-31-62 [42]	4	1
			Assignment 2-8-66 [43]	4	2
			Effective date: 12-17-65		
A CI66-873 (G-4528) F 3-21-66	Sunray DX Oil Co. (successor to T. J. Ahern, et al.).	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (formerly Tennessee Gas Transmission Co.), Placedo Field, Victoria County, Tex.	Contract 1-1-49 [44]	264	
			Agreement 6-29-49	264	1
			Ratified 9-15-49	264	2
			Letter agreement 10-29-63.[44]	264	3
			Assignment 10-25-65 [45]	264	4
			Effective date: 11-1-65.		
CI66-874 A 3-21-66 [10]	Ansdarko Production Co.	Panhandle Eastern Pipe Line Co., Mocane-Laverne Field, Beaver County, Okla.	Contract 2-8-66 [6]	117	
A CI66-877 (G-13299) F 3-17-66	Sunray DX Oil Co. (successor to Sinclair Oil & Gas Co. (Operator), et al.).	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Contract 3-9-57 [47]	266	
			Amendment 1-14-59	266	1
			Assignment 4-29-65	266	2
			Assignment 8-20-65	266	3
			Effective date: 4-29-65.		
CI66-878 A 3-21-66 [10]	Reading & Bates Offshore Drilling Co.	Michigan Wisconsin Pipe Line Co., Laverne Area, Harper County, Okla.	Contract 2-21-66	3	
CI66-879 A 3-21-66 [14]	Neal Rudder, agent for Rudder Oil & Gas Co., et al.	Equitable Gas Co., Central District, Doddridge County, W. Va.	Contract 3-3-66 [6]	16	
CI66-881 (G-12779) B 3-21-66	Subsurface Reserve Corp.	Texas Eastern Transmission Corp., Christmas Field, De Witt County, Tex.	Notice of cancellation 3-15-66.[34 35]	3	2
CI66-882 A 3-21-66 [10]	Whitestone Petroleum Corp. (Operator), et al.	Texas Eastern Transmission Corp., Manila Village Field, Jefferson Parish, La.	Contract 2-25-66 [48]	1	
			Letter agreement 2-25-66. [49]	1	1
CI66-886 A 3-24-66 [10]	Kirkpatrick Oil and Gas Co. (Operator), et al.	Michigan Wisconsin Pipe Line Co., Woodward Area, Woods County, Okla.	Contract 2-3-66 [6]	[50] 4	

[1] The related rate schedule (Gackle's FPC GRS No. 6) covers the sales from two leases, The G. A. Smith and the May Woolworth. The sale from these leases was authorized in Docket Nos. G-6119 and G-6120, respectively. Buckles has acquired only the Smith lease.
[2] Between Julian E. Simon, et al. and El Paso; on file as Albert Gackle (Operator), et al., FPC GRS No. 6. Gackle holds no interest in sale, acts as agent only.
[3] Assigns a ¼ interest in the Smith lease from Margaret B. Clay, individually and cotrustee with Republic National Bank of Dallas to George L. Buckles, et al.
[4] Assigns a ½ interest in the Smith lease from Adrienne G. Simons, individually and as Executrix of estate of Julian E. Simon, to George L. Buckles, et al.
[5] Adds acreage, this filing made by Leonard Oil Co.
[6] Effective date: Date of initial delivery (Applicant should advise the Commission as to such date).
[7] Assigns interest from Limpia Royalties, Inc., to Kewanee Oil Co.
[8] American Climax Petroleum Corp. merged into American Metal Climax, Inc.
[9] Interest in lease transferred by American Metal Climax, Inc., to Amax Petroleum Corp.
[10] July 1, 1967, moratorium date pursuant to Commission's statement of general policy 61-1, as amended.
[11] Adds acreage and deletes impermissible price provisions with respect to the subject acreage.
[12] For gas produced above base of Chase Group.
[13] For gas produced below base of Chase Group.
[14] January 1, 1968, moratorium date pursuant to Commission's statement of general policy 61-1, as amended.
[15] Deletes certain expired leases and adds renewed leases. Date of initial delivery effective date for renewed leases; 30 days after filing (Mar. 31, 1966) effective date for deletion of expired leases.
[16] Adds acreage.
[17] Adds acreage and deletes 1.0 cent per Mcf minimum guarantee for liquids and Favored Nation Provisions insofar as they pertain to the subject acreage.
[18] Contract rate is 16.8 cents Mcf, however, Applicant proposes and states it is willing to accept both temporary and permanent authorization for the additional acreage at the 15-cent rate.
[19] Includes casinghead gas under basic contract and provides for a rate for casinghead gas of 2 cents per Mcf less than for gas well gas.
[20] Certificate originally issued for 1 year.
[21] Applicants request an extension of 1 year from date extension is authorized.
[22] Provides for extension of short term contract for a period of 1 year from the date such extension is authorized.
[23] Assigns acreage from Sun Oil Co. to Applicant.
[24] Amendment to the certificate filed to include interests of nonsignatory co-owners.
[25] No rate schedule filing required.
[26] Casinghead gas contract between Culbertson & Irwin, et al. (predecessor to Husky Oil Co.) and El Paso; on file as Husky Oil Co. FPC GRS No. 8.
[27] Partial assignment and release of production payment by Elbee Ventures, Inc.
[28] Partial assignment of acreage from Reserve Oil & Gas Co. (an "et al" party under Husky's rate schedule) to George L. Buckles, et al.
[29] Partial assignment of acreage from Husky Oil Co. to George L. Buckles, et al.
[30] Dry gas contract between Culbertson & Irwin, et al. (predecessor to Husky Oil Co.) and El Paso; on file as Husky Oil Co. FPC GRS No. 9.
[30a] This is a June 7, 1954, filing.
[31] Between Pan American Petroleum and Mountain Fuel Supply Co.; on file as Pan American Petroleum Corp. FPC GRS No. 301.
[32] Transfer of Pan American's 40 percent interest in acreage to Craig Steel & Salvage Co.
[33] Other sales authorized in Docket No. G-12251, therefore, said docket will be terminated only insofar as it relates to sales covered under Okmar's FPC GRS No. 7.
[34] Source of gas depleted.
[35] Effective date: Date of this order.
[36] By letter filed Apr. 18, 1966, Applicant agreed to accept a permanent certificate conditioned at a total initial rate of 15.0 cents per Mcf at 14.65 p.s.i.a.
[37] On file as Sinclair Oil & Gas Co. FPC GRS No. 272.
[38] Assignment of E½ of sec. 10, T. 27 N., R. 8 W., N.M.P.M. to William C. Russell by Sinclair (pertains to Mesa Verde Formation only).
[39] Assignment of SE¼ of sec. 10, T. 27 N., R. 8 W., N.M.P.M. to William G. Rabe by William C. Russell. Rabe is being covered by the instant filing.
[40] By letter filed Mar. 21, 1966, Applicant advised willingness to accept a permanent certificate at a rate of 15.0 cents per Mcf at 14.65 p.s.i.a., plus B.t.u. adjustment.
[41] Rate increase to 14.0 cents per Mcf was suspended in Docket No. RI65-524 and not made effective subject to refund; therefore, the rate suspension proceeding in said docket will be terminated.
[42] Basic contract between Union Producing Co., as seller and United Gas Pipe Line Co., as buyer; on file as Union Producing Co. (Operator), et al., FPC GRS No. 245.
[43] Transfers properties from Union Producing Co. (Operator), et al., to Southern Minerals Corp. (Depth limitation of 7,566 ft. not applicable to all assigned acreage.)
[44] Basic contract between Barnsdall Oil Co., as seller and Tennessee Gas Transmission Co., as buyer. Contract ratified by T. J. Abern and designated T. J. Ahern, et al., FPC GRS No. 1.
[45] Provides for life of contract rate of 15.0 cents per Mcf.
[46] Transfers properties from T. J. Abern, et al., to Sunray DX Oil Co.
[47] On file as Sinclair Oil & Gas Co. (Operator), et al., FPC GRS No. 165.
[48] Provides for a life of lease term.
[49] Provides for minimum daily quantity.
[50] Contract price is 19.5 cents per Mcf, however, Applicant states it will accept a permanent certificate at the area ceiling (15.0 cents per Mcf).

. [F.R. Doc. 66-5609; Filed, May 26, 1966; 8:45 a.m.]

[Docket No. CP66-250]

CONSOLIDATED GAS SUPPLY CORP.

Notice of Petition To Amend

MAY 20, 1966.

Take notice that on May 16, 1966, Consolidated Gas Supply Corp. (Petitioner), 445 West Main Street, Clarksburg, W. Va., 26301, filed in Docket No. CP66-250 a petition to amend the order issued in said docket, which order authorized, inter alia, the construction and operation of 25 miles of 30-inch transmission pipeline extending from the existing Hastings Compressor Station, Wetzel County, W. Va., to a proposed new delivery point in Monroe County, Ohio, for The East Ohio Gas Co., an existing customer, together with a dual 24-inch river crossing at the Ohio River. By the instant filing, Petitioner seeks authorization to construct one 30-inch and one 24-inch pipeline at the crossing of the Ohio River in lieu of the presently authorized dual 24-inch river crossing, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that the authorization requested by the instant petition would result in a saving in the total estimated cost of construction of approxi-

mately $72,000. Petitioner further states that the anticipated savings result primarily from the elimination of two 30-inch and four 24-inch scraper traps at the river crossing and the replacement of four 24-inch valves with two 16-inch valves.

The petition to amend states that the aforementioned savings would be made possible because Petitioner now proposes that the 24-inch pipeline crossing the Ohio River be maintained as an emergency pipeline only, not requiring scraper traps, and that the 30-inch pipeline extend the entire distance to the Monroe County, Ohio, delivery point. Petitioner states that this will permit a slight reduction in operating expenses and will eliminate the need to vent gas at scraper traps at the river crossing in close proximity to a proposed power station.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 13, 1966.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5838; Filed, May 26, 1966; 8:46 a.m.]

[Docket No. CP66-362]

EL PASO NATURAL GAS CO.

Notice of Application

MAY 20, 1966.

Take notice that on May 12, 1966, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP66-362 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities in replacement of those proposed to be abandoned, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that in the interest of public safety, Applicant proposes to modify the design and configuration of a certain segment of its San Juan Mainline System situated in the vicinity of the city of Flagstaff, Ariz. The application further states that the area traversed by Applicant's system has undergone a substantial change in character as a result of the growth and development of the said city since the time the aforesaid facilities were originally installed, thereby increasing the potential hazards associated with the operation of such high pressure pipelines.

Specifically, Applicant proposes to remove and salvage segments of its existing 34-inch O.D. pipeline downstream of its Flagstaff Compressor Station totaling 3.3 miles in length and, in replacement thereof, to construct and operate an equivalent length of heavier wall pipeline of the same diameter; and to remove and salvage 7.8 miles of each of its existing 24-inch O.D. and 30-inch O.D. pipelines similarly situated and, in replacement thereof, to construct and operate a single 34-inch O.D. heavier wall pipeline 7.8 miles in length.

Applicant states that no reduction or abandonment of service will result from the project.

The total estimated cost of Applicant's proposed construction is $2,405,653, which cost will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5839; Filed, May 26, 1966; 8:46 a.m.]

[Docket No. CP66-360]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

MAY 20, 1966.

Take notice that on May 12, 1966, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66-360 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of an additional 2,000 Mcf per day of natural gas for sale to The New Jersey Zinc Co. (New Jersey Zinc), an existing direct industrial customer of Applicant, for use by New Jersey Zinc at its plant located in Depue, Bureau County, Ill., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that New Jersey Zinc, by letter dated May 9, 1966, has requested of Applicant an increase in peak day delivery quantity of 2,000 Mcf of natural gas, commencing with the fall of 1966. The application further states that such increase would raise the total peak day delivery quantity of New Jersey Zinc to 5,350 Mcf.

Applicant states that no additional facilities will be required by it to make the proposed delivery.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5840; Filed, May 26, 1966; 8:46 a.m.]

[Docket No. CP66-361]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

MAY 20, 1966.

Take notice that on May 12, 1966, Natural Gas Pipeline Co., of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66-361 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities in order to increase the capacity of its Depue lateral located in Bureau County, Ill., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate the following facilities:

(1) Approximately 3.7 miles of 20-inch pipeline looping that portion of its existing 4-inch Depue lateral from the junction thereof with its main transmission pipeline to the junction thereof with the 16-inch pipeline to be constructed by Illinois Power Co.;

(2) A measuring and regulating station on the Depue lateral at the junction of Illinois Power Co.'s proposed 16-inch pipeline and Applicant's Depue lateral; and

(3) Miscellaneous and appurtenant facilities to the above described facilities.

The application states that Illinois Power has advised Applicant that its gas needs, in the area served by Applicant's Depue lateral, will be an estimated 5,400 Mcf of gas per day in the 1966-67 heating season, which constitutes a significant increase. The application further states that New Jersey Zinc Co., another existing customer of Applicant has also requested increased deliveries (Docket No. CP66-360 filed May 12, 1966), and that due to these increases, Applicant's existing facilities which constitute its Depue lateral are therefore insufficient to meet the delivery requirements which will be imposed on it commencing with the fall of 1966.

The total estimated cost of Applicant's proposed facilities is $329,540, which will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5841; Filed, May 26, 1966; 8:46 a.m.]

[Docket No. CP66-370]

NORTHERN NATURAL GAS CO.

Notice of Application

MAY 20, 1966.

Take notice that on May 16, 1966, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr., 68102, filed in Docket No. CP66-370 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities in Yoakum County, Tex., and Washington County, Minn., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to abandon and remove its measuring station located in section 20, block K, Public School Land, Yoakum County, Tex. Applicant states that this station, which consists of a 500B meter and appurtenances, has been utilized by Applicant to deliver natural gas to the Madison Corp. (Madison), formerly W. D. McBee, Jr., for resale as irrigation pump fuel. Applicant also proposes to abandon and remove its measuring station located in sec. 1, T. 28 N., R. 21 W., Washington County, Minn. Applicant states that this station, which also consists of a 500B meter and appurtenances, has been used to deliver natural gas to its Peoples Natural Gas Division (Peoples) for resale to the Durox Management Co. (Durox), formerly Durox of Minnesota.

The application states that Madison has submitted to Applicant a written notice of cancellation advising that its Yoakum County Distribution System will no longer be operated and that Applicant has been advised by Peoples that Durox is no longer operating its plant with no plans for reopening the plant in the future.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5842; Filed, May 26, 1966; 8:46 a.m.]

[Docket No. RI66-388]

SOHIO PETROLEUM CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

MAY 20, 1966.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 6, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
R166-388..	Sohio Petroleum Co., 970 First National Bank Office Bldg., Oklahoma City, Okla., 73102.	110	8	Phillips Petroleum Co.[1] (Panhandle Field, Moore County, Tex.) (R.R. District No. 10).	$12,121	4-25-66	[2] 5-26-66	[3] 5-27-66	[4] 11.0704	[4] [5] 13.8320	G-10494.

[1] It cannot be determined to which plant the acreage is dedicated. Phillips resells the gas in the area from its Sherman Plant under Phillips' FPC Gas Rate Schedule No. 4 to Michigan Wisconsin Pipe Line Co. and from its Hansford and Sneed Plants under its FPC Gas Rate Schedule No. 5 to Panhandle Eastern Pipe Line at various rates which are in effect subject to refund.

[2] The stated effective date is the first day after expiration of the statutory notice.
[3] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Includes 0.4466 cent deduction by buyer for sour gas.

Sohio Petroleum Co. (Sohio) requests an effective date of May 24, 1966, for its proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Sohio's rate filing and such request is denied.

Sohio's proposed rate increase is for a wellhead sale of gas to Phillips Petroleum Co. (Phillips) who gathers and processes the gas and resells the residue gas after processing to an interstate pipeline company. Phillips' resale rate is in effect subject to refund. Sohio's proposed increased rate exceeds the area increased rate ceiling even though such ceiling is applicable to Phillips' resale rate, not Sohio's rate. Since Phillips' resale rate is in effect subject to refund, we conclude that Sohio's proposed rate should be suspended for 1 day from May 26, 1966, the date of expiration of statutory notice.

[F.R. Doc. 66-5843; Filed, May 26, 1966; 8:46 a.m.]

[Docket No. CP66-364]

TEXAS GAS TRANSMISSION CORP.

Notice of Application

MAY 20, 1966.

Take notice that on May 13, 1966, Texas Gas Transmission Corp. (Applicant), Post Office Box 1160, Owensboro, Ky., 42301, filed in Docket No. CP66-364 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to render a transportation service for Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Tennessee), for a term commencing with authorization therefor and ending September 1, 1967, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to transport volumes of gas tendered by Tennessee up to and including 26,000 Mcf of gas per day. Applicant states that the gas to be transported will be received at Mitchellville, Tenn., and equivalent volumes will be delivered to Louisville Gas & Electric Co., for the account of Tennessee, in the vicinity of Louisville, Ky.

The application states that since the proposed transportation service will be rendered through a portion of Applicant's existing pipeline system and existing interconnections and delivery points, no new facilities for the proposed project are required.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5845; Filed, May 26, 1966; 8:46 a.m.]

[Docket No. CP66-363]

UNITED GAS PIPE LINE CO.

Notice of Application

MAY 20, 1966.

Take notice that on May 12, 1966, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La., 71102, filed in Docket No. CP66-363 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and for the sale of additional quantities of natural gas to Beacon Oil & Refining Co. (Beacon), Henderson Field, Rusk County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to install an orifice meter and regulator station and appurtenant facilities and to remove a temporary type orifice meter and regulator station near milepost 9.85 on Applicant's 6-inch Henderson, Tex., pipeline, located in the John Runnels Survey, Abstract 679, Rusk County, Tex.

Applicant states that it is presently delivering natural gas to Beacon for use in its lease operations in the Henderson Field, Rusk County, Tex., under authorization granted by order of the Commission issued in Docket No. CP66-52 on October 1, 1965, and pursuant to a contract between the parties which is on file with the Commission as Applicant's I.C. No. 712. Applicant further states that at the time it began serving Beacon it was estimated by Beacon that its annual consumption of natural gas would be approximately 90,000 Mcf, but that presently Beacon will require gas in amounts approximating 350,000 Mcf per year. Accordingly, Applicant proposes to sell and deliver to Beacon 350,000 Mcf of gas per year.

The total estimated cost of Applicant's proposed facilities is $4,195, which cost will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-5846; Filed, May 26, 1966; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 578]

ILLINOIS

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Grundy County in the State of Illinois;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from a flood and accompanying conditions occurring on or about May 11, 1966.

OFFICE

Small Business Administration Regional Office 219 South Dearborn Street, Chicago, Ill., 60604.

2. A temporary office will be established at City Hall, Morris, Ill.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1966.

Dated: May 16, 1966.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66-5848; Filed, May 26, 1966; 8:46 a.m.]

VETERANS ADMINISTRATION

FIELD STATIONS AND AREAS OF JURISDICTION

Statement of Organization

The Veterans Administration statement of organization (29 F.R. 6969 and 30 F.R. 7204) is amended to read as follows:

Section 4 is revised to read as follows:

SEC. 4. *Addresses of Veterans Administration installations and jurisdictional areas of insurance centers—(a) Addresses of Veterans Administration installations.* This is a guide to the location of Veterans Administration field stations in each State (also Canal Zone, Philippines, and Commonwealth of Puerto Rico) where information may be obtained by personal contact or correspondence concerning benefits to veterans and their dependents and beneficiaries. The parent regional offices, and centers having regional office activities, are listed with the VA offices (formerly subregional and contact offices) indented thereunder.

Type of activity and location	*Address*
ALABAMA	
Regional Office, Montgomery, 36104	Aronov Bldg., 474 South Court St.
Hospital, Birmingham, 35233	700 South 19th St.
Hospital, Montgomery, 36109	Perry Hill Rd.
Hospital, Tuscaloosa, 35401	Veterans Administration Hospital.
Hospital, Tuskegee, 36083	Do.
ALASKA	
Regional Office, Juneau, 99801	Post Office Box 2629
VA Office, Anchorage, 99501	Post Office Box 1288, Federal Bldg., 709 West Ninth.
ARIZONA	
Regional Office, Phoenix, 85025	230 North First Ave., Federal Bldg.
Hospital, Phoenix, 85012	Seventh St. and Indian School Rd.
Hospital, Tucson, 85713	Veterans Administration Hospital.
Center (Hospital and Domiciliary), Prescott, 86301	Veterans Administration Center.
ARKANSAS	
Regional Office, Little Rock, 72201	700 West Capitol Ave., Federal Office Bldg.
Hospital, Fayetteville, 72701	Veterans Administration Hospital.
Hospital, Little Rock, 72206	300 East Roosevelt Rd.
Little Rock Hospital Division	Mail: Little Rock.
North Little Rock Hospital Division	Do.
CALIFORNIA	
Regional Office, Los Angeles, 90073	1380 South Sepulveda Blvd.
VA Office, San Diego, 92101	2131 Third Ave., Wusnaw Medical Bldg.
Regional Office, San Francisco, 94103	49 Fourth St.
Outpatient Clinic, Los Angeles, 90015	1031 South Broadway.
Hospital, Fresno, 93703	2615 Clinton Ave.
Hospital, Livermore, 94550	Veterans Administration Hospital.
Hospital, Long Beach, 90804	5901 East Seventh St.
Center (Hospital and Domiciliary), Los Angeles, 90073.	Sawtelle and Wilshire Blvds.
Brentwood Division	Mail: Los Angeles
Wadsworth Division	Do.
Hospital, Martinez, 94553	150 Muir Rd.
Hospital, Palo Alto, 94304	Veterans Administration Hospital.
Menlo Park Division	Mail: Palo Alto
Palo Alto Division	Do.
Hospital, San Fernando, 91342	13000 Sayre St.
Hospital, San Francisco, 94121	42d Ave. and Clement St.
Hospital, Sepulveda, 91343	Veterans Administration Hospital.
CANAL ZONE	
Veterans Administration Office, Balboa	Balboa Clubhouse, Mail: Post Office Box 3672.
COLORADO	
Regional Office, Denver, 80225	Denver Federal Center.
Hospital, Denver, 80220	1055 Clermont St.
Hospital, Fort Lyon, 81038	Veterans Administration Hospital.
Hospital, Grand Junction, 81501	Do.
CONNECTICUT	
Regional Office, Hartford, 06103	450 Main St.
Hospital, Newington, 06111	555 Willard Ave.
Hospital, West Haven, 06516	West Spring St.
DELAWARE	
Regional Office, Wilmington, 19899	Post Office Box 1266, 1601 Kirkwood Highway.
Hospital Wilmington, 19805	Veterans Administration Hospital.
DISTRICT OF COLUMBIA	
Hospital, Washington, 20422	50 Irving St. NW.
Veterans Benefits Office, Washington, 20421	2033 M St. NW.
FLORIDA	
Regional Office, St. Petersburg, 33731	Post Office Box 1437.
VA Office, Jacksonville, 32201	Jacksonville Post Office and Courthouse Bldg., 311 West Monroe St., Mail: Post Office Box 505.
VA Office, Miami, 33130	51 Southwest First Ave., Room 100.
Center (Hospital and Domiciliary), Bay Pines, 33504	Veterans Administration Center.
Hospital, Coral Gables, 33134	Veterans Administration Hospital.
Hospital, Lake City, 32055	Do.

GEORGIA

Type of activity and location	Address
Regional Office, Atlanta, 30308	441-449 West Peachtree St. NE.
Hospital, Atlanta, 30319	4158 Peachtree Road NE.
Hospital, Augusta, 30904	Veterans Administration Hospital.
Forest Hills Division	Mail: Augusta.
Lenwood Division	Do.
Center (Hospital and Domiciliary), Dublin, 31021	Veterans Administration Center.

HAWAII

Regional Office, Honolulu, 96801	680 Ala Moana Blvd., Post Office Box 3198.

IDAHO

Center (Regional Office and Hospital), Boise, 83707	Fifth and Fort Sts.

ILLINOIS

Regional Office, Chicago, 60612	2030 West Taylor St.
Hospital, Chicago, 60611	333 East Huron St. (Research).
Hospital, Chicago, 60612	820 South Damen Ave. (West Side).
Hospital, Danville, 61832	Veterans Administration Hospital.
Hospital, Downey, 60064	Do.
Hospital, Hines, 60141	Veterans Administration Hospital (Edward Hines, Jr., Hospital).
Hospital, Marion, 62959	Veterans Administration Hospital.

INDIANA

Regional Office, Indianapolis, 46209	36 South Pennsylvania St.
Hospital, Fort Wayne, 46805	1600 Randalia Dr.
Hospital, Indianapolis, 46207	Veterans Administration Hospital.
10th Street Hospital Division	Mail: 1481 West 10th St.
Cold Spring Road Hospital Division	Do.
Hospital, Marion, 46955	Veterans Administration Hospital.

IOWA

Center (Regional Office and Hospital), Des Moines, 50308.	Veterans Administration Center.
Hospital, Iowa City, 52240	Veterans Administration Hospital.
Hospital, Knoxville, 50138	Do.

KANSAS

Center (Regional Office and Hospital), Wichita, 67218.	5500 East Kellogg.
Hospital, Topeka, 66622	2200 Gage Blvd.
Center (Hospital and Domiciliary), Wadsworth, 66089.	Veterans Administration Center.

KENTUCKY

Regional Office, Louisville, 40201	1405 West Broadway.
Hospital, Lexington, 40507	Veterans Administration Hospital.
Hospital, Louisville, 40202	Mellwood and Zorn Ave.

LOUISIANA

Regional Office, New Orleans, 70113	701 Loyola Ave.
VA Office, Shreveport, 71101	510 East Stoner Ave.
Hospital, Alexandria, 71301	Veterans Administration Hospital.
Hospital, New Orleans, 70140	1601 Perdido St.
Hospital, Shreveport, 71101	510 East Stoner Ave.

MAINE

Center (Regional Office and Hospital), Togus, 04330	Veterans Administration Center.
VA Office, Portland, 04111	76 Pearl St.

MARYLAND

Regional Office, Baltimore, 21202	Fayette and St. Paul Sts.
Hospital, Baltimore, 21218	3900 Loch Raven Blvd.
Hospital, Fort Howard, 21052	Veterans Administration Hospital.
Hospital, Perry Point, 21902	Do.

MASSACHUSETTS

Type of activity and location	Address
Regional Office, Boston, 02203	John Fitzgerald Kennedy Federal Bldg. Government Center.
VA Office, Springfield, 01103	1200 Main St.
Outpatient Clinic, Boston, 02108	17 Court St.
Hospital, Bedford, 01730	200 Springs Rd.
Hospital, Boston, 02130	150 South Huntington Ave.
Hospital, Brockton, 02401	Veterans Administration Hospital.
Hospital, Northampton, 01062	Do.
Hospital, West Roxbury, 02132	1400 Veterans of Foreign Wars Parkway.

MICHIGAN

Regional Office, Detroit, 48231	210 Gratiot Ave. at Library.
Hospital, Ann Arbor, 48105	2215 Fuller Rd.
Hospital, Battle Creek, 49016	Veterans Administration Hospital.
Hospital, Dearborn, 48121	Do.
Hospital, Iron Mountain, 49801	Do.
Hospital, Saginaw, 48602	1500 Weiss St.

MINNESOTA

Center (Regional Office and Insurance), St. Paul, 55111.	Fort Snelling, Remittances: Post Office Box 1820.
Hospital, Minneapolis, 55417	54th St. and 48th Ave. South.
Hospital, St. Cloud, 56301	Veterans Administration Hospital.

MISSISSIPPI

Center (Regional Office and Hospital), Jackson, 39216	1500 East Woodrow Wilson Dr.
Center (Hospital and Domiciliary), Biloxi, 39531	Veterans Administration Center.
Biloxi Hospital and Domiciliary Division	Mail: Biloxi.
Gulfport Hospital Division	Do.

MISSOURI

Regional Office, St. Louis, 63103	Room 4705, Federal Bldg., 1520 Market St.
VA Office Kansas City, 64106	601 East 12th St., Federal Office Bldg.
Hospital Jefferson Barracks, St. Louis, 63125	Veterans Administration Hospital.
Hospital, Kansas City, 64128	4801 Linwood Blvd.
Hospital, Poplar Bluff, 63901	Veterans Administration Hospital.
Hospital, St. Louis, 63106	915 North Grand Blvd. (John J. Cochran Veterans Hospital).

MONTANA

Center (Regional Office and Hospital), Fort Harrison, 59636.	Veterans Administration Center.
Hospital, Miles City, 59301	Veterans Administration Hospital.

NEBRASKA

Regional Office, Lincoln, 68508	220 South 17th St.
Hospital, Grand Island, 68801	Veterans Administration Hospital.
Hospital, Lincoln, 68501	600 70th St.
Hospital, Omaha, 68105	4101 Woolworth Ave.

NEVADA

Center (Regional Office and Hospital), Reno, 89504	1000 Locust St.

NEW HAMPSHIRE

Regional Office, Manchester, 03103	497 Silver St.
Hospital, Manchester, 03104	718 Smyth Rd.

NEW JERSEY

Regional Office, Newark, 07102	20 Washington Pl.
Hospital, East Orange, 07019	Veterans Administration Hospital.
Hospital, Lyons, 07939	Do.

NEW MEXICO

Type of activity and location	Address
Regional Office, Albuquerque, 87101	500 Gold Ave. SW.
Hospital, Albuquerque, 87101	2100 Ridgecrest Dr. SE.

NEW YORK

Regional Office, Buffalo, 14023	1021 Main St.
VA Office, Rochester, 14614	39 State St.
VA Office, Syracuse, 13202	Chimes Bldg., 500 South Salina St.
Regional Office, Brooklyn-New York, 10001	252 Seventh Ave.
VA Office, Albany, 12201	Executive Park, North Stuyvesant Plaza.
Outpatient Clinic, Brooklyn, 11205	35 Ryerson St.
Hospital, Albany, 12208	Veterans Administration Hospital.
Hospital, Batavia, 14020	Do.
Center (Hospital and Domiciliary), Bath, 14810	Veterans Administration Center.
Hospital, Bronx, 10468	130 West Kingsbridge Rd.
Hospital, Brooklyn, 11209	800 Poly Pl.
Hospital, Buffalo, 14215	3495 Bailey Ave.
Hospital, Canandaigua, 14424	Veterans Administration Hospital.
Hospital, Castle Point, 12511	Do.
Hospital, Montrose, 10548	Veterans Administration Hospital (Franklin Delano Roosevelt Hospital).
Hospital, New York, 10010	First Ave. at East 24th St.
Hospital, Northport, Long Island, 11768	Veterans Administration Hospital.
Hospital, Syracuse, 13210	Irving Ave. and University Pl.

NORTH CAROLINA

Regional Office, Winston-Salem, 27101	Wachovia Bldg., 310 North Main St.
Hospital, Durham, 27705	Fulton St. and Erwin Rd.
Hospital, Fayetteville, 28301	Veterans Administration Hospital.
Hospital, Oteen, 28805	Do.
Hospital, Salisbury, 28144	Do.

NORTH DAKOTA

Center (Regional Office and Hospital), Fargo, 58102	Veterans Administration Center.

OHIO

Regional Office, Cleveland, 44114	Cuyahoga Bldg., 216 Superior Ave.
VA Office, Cincinnati, 45202	550 Main St., Room 1024, Federal Bldg.
VA Office, Columbus, 43215	Bryson Bldg., 700 Bryden Rd.
Hospital, Brecksville, 44141	10000 Brecksville Rd.
Hospital, Chillicothe, 45601	Veterans Administration Hospital.
Hospital, Cincinnati, 45220	3200 Vine St., Cincinnati, Ohio.
Hospital, Cleveland, 44106	10701 East Boulevard.
Center (Hospital and Domiciliary), Dayton, 45428	Veterans Administration Center.

OKLAHOMA

Regional Office, Muskogee, 74401	Second and Court Sts.
VA Office, Oklahoma City, 73102	Federal Bldg., 200 Northwest Fourth St.
Hospital, Muskogee, 74401	Memorial Station, Honor Heights Dr.
Hospital, Oklahoma City, 73104	921 Northeast 13th St.

OREGON

Regional Office, Portland, 97204	208 Southwest Fifth St.
Domiciliary, White City, 97501	Veterans Administration Domiciliary.
Hospital, Portland, 97207	Sam Jackson Park.
Hospital, Roseburg, 97470	Veterans Administration Hospital.

PENNSYLVANIA

Type of activity and location	Address
Center (Regional and Insurance), Philadelphia, 19101.	5000 Wissahickon Ave. Mail: Post Office Box 8079, Remittances: Post Office Box 7787.
VA Office, Wilkes-Barre, 18701	19-27 North Main Street.
Regional Office, Pittsburgh, 15222	1000 Liberty Ave.
Hospital, Altoona, 16603	Veterans Administration Hospital.
Hospital, Butler, 16001	Do.
Hospital, Coatesville, 19320	Do.
Hospital, Erie, 16504	135 East 38th St. Blvd.
Hospital, Lebanon, 17042	Veterans Administration Hospital.
Hospital, Philadelphia, 19104	University and Woodland Aves.
Hospital, Pittsburgh, 15206	Leech Farm Rd.
Hospital, Pittsburgh, 15240	Veterans Administration Hospital.
Aspinwall Hospital Division	Mail: University Dr., Pittsburgh.
Pittsburgh Hospital Division	Do.
Hospital, Wilkes-Barre, 18703	1111 East End Blvd.
Outpatient Clinic, Philadelphia, 19102	128 North Broad St.

PHILIPPINES

Regional Office, Manila, 96528	APO 96528, San Francisco, Calif.

PUERTO RICO, COMMONWEALTH OF (INCLUDING THE VIRGIN ISLANDS)

Center (Regional Office and Hospital), San Juan, 00901.	520 Ponce de Leon Ave.

RHODE ISLAND

Regional Office, Providence, 02903	Federal Bldg., Kennedy Plaza.
Hospital, Providence, 02908	Davis Park.

SOUTH CAROLINA

Regional Office, Columbia, 29201	1801 Assembly St.
Hospital, Columbia, 29201	Veterans Administration Hospital.

SOUTH DAKOTA

Center (Regional Office and Hospital), Sioux Falls, 57101.	Veterans Administration Center (Royal C. Johnson Veterans Memorial Hospital).
Hospital, Fort Meade, 57741	Veterans Administration Hospital.
Center (Hospital and Domiciliary), Hot Springs, 57747.	Veterans Administration Center.

TENNESSEE

Regional Office, Nashville, 37203	U.S. Courthouse, 801 Broadway.
Hospital, Memphis, 38115	Park Ave. and Getwell St.
Hospital, Murfreesboro, 37130	Veterans Administration Hospital.
Center (Hospital and Domiciliary), Mountain Home, 37684.	Veterans Administration Center.
Hospital, Nashville, 37203	1310 24th Ave. South

TEXAS

Regional Office, Houston, 77061	515 Rusk Ave.
VA Office, San Antonio, 78204	307 Dwyer Ave.
Regional Office, Waco, 76710	1400 North Valley Mills Dr.
VA Office, Dallas, 75201	2206 Main St.
VA Office, Lubbock, 79401	1612-20 19th St.
Hospital, Amarillo, 79106	Veterans Administration Hospital.
Hospital, Big Spring, 79720	Do.
Center (Hospital and Domiciliary), Bonham, 75418	Veterans Administration Center.
Hospital, Dallas, 75216	4500 South Lancaster Rd.
Hospital, Houston, 77031	2002 Holcombe Blvd.
Hospital, Kerrville, 78028	Veterans Administration Hospital.
Hospital, Marlin, 76661	Do.
Center (Hospital and Domiciliary), Temple, 76501	Veterans Administration Center.
Hospital, Waco, 76703	Memorial Dr.
Outpatient Clinic, Lubbock, 79401	1612-20 19th St.
Outpatient Clinic, San Antonio, 78204	307 Dwyer Ave.

Type of activity and location	Address
UTAH	
Regional Office, Salt Lake City, 84111	125 South State St.
Hospital, Salt Lake City, 84113	Veterans Administration Hospital.
VERMONT	
Center (Regional Office and Hospital), White River Junction, 05001.	Veterans Administration Center.
VIRGINIA	
Regional Office, Roanoke, 24011	211 West Campbell Ave.
Center (Hospital and Domiciliary), Kecoughtan, 23367.	Veterans Administration Center.
Hospital, Richmond, 23225	1201 Broad Rock Rd.
Hospital, Salem, 24153	Veterans Administration Hospital.
WASHINGTON	
Regional Office, Seattle, 98121	Sixth and Lenora Bldg.
Hospital, American Lake, 98493	Veterans Administration Hospital.
Hospital, Seattle, 98108	4435 Beacon Ave. South.
Hospital, Spokane, 99208	North 4815 Assembly St.
Hospital, Vancouver, 98663	Veterans Administration Hospital.
Hospital, Walla Walla, 99362	Do.
WEST VIRGINIA	
Regional Office, Huntington, 25701	502 Eighth St.
Hospital, Beckley, 25801	200 Veterans Ave.
Hospital, Clarksburg, 26302	Veterans Administration Hospital.
Hospital, Huntington, 25701	1540 Spring Valley Dr.
Center (Hospital and Domiciliary), Martinsburg, 25401.	Veterans Administration Center.
WISCONSIN	
Regional Office, Milwaukee, 53202	342 North Water St.
Hospital, Madison, 53705	2500 Overlook Terrace.
Hospital, Tomah, 54660	Veterans Administration Hospital.
Center (Hospital and Domiciliary), Wood, 53193	Veterans Administration Center.
WYOMING	
Center (Regional Office and Hospital), Cheyenne, 82001.	2360 East Pershing Blvd.
Hospital, Sheridan, 82801	Veterans Administration Hospital.

(b) *Jurisdictional areas of insurance centers.*

Location and area	
PHILADELPHIA, PA., CENTER	
Alabama.	New York.
Connecticut.	North Carolina.
Delaware.	Ohio.
District of Columbia.	Pennsylvania.
Florida.	Puerto Rico (including Virgin Islands).
Georgia.	Rhode Island.
Kentucky.	South Carolina.
Maine.	Tennessee.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia.
New Hampshire.	
New Jersey.	
ST. PAUL, MINN., CENTER	
Alaska.	Missouri.
Arizona.	Montana.
Arkansas.	Nebraska.
California.	Nevada.
Colorado.	New Mexico.
Hawaii.	North Dakota.
Idaho.	Oklahoma.
Illinois.	Oregon.
Indiana.	South Dakota.
Iowa.	Texas.
Kansas.	Utah.
Louisiana.	Washington.
Minnesota.	Wisconsin.
Mississippi.	Wyoming.

NOTE: Records of National Service Life Insurance paid by allotment, deduction from benefit payments and payroll, and records of persons residing in the Republic of the Philippines, and all records of U.S. Government Life Insurance are located in the Philadelphia Center.

By direction of the Administrator.

[SEAL] A. H. MONK,
Associate Deputy Administrator.

[F.R. Doc. 66-5857; Filed, May 26, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 24, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40492—*Ethylene glycol to Fiberton, N.C.* Filed by Southwestern Freight Bureau, agent (No. B-8854), for interested rail carriers. Rates on ethylene glycol, in tank-car loads, from specified points in Louisiana and Texas, to Fiberton, N.C.

Grounds for relief—Market competition.

Tariff—Supplement 375 to Southwestern Freight Bureau, agent, tariff ICC 4064.

FSA No. 40493—*Fresh meats and packinghouse products from Gooding and Roberts, Idaho.* Filed by Western Trunk Line Committee, agent (No. A-2452), for interested rail carriers. Rates on fresh meats and packinghouse products, in carloads, from Gooding and Roberts, Idaho, to points in official (excluding Illinois) territory.

Grounds for relief—Market competition.

Tariff—Supplement 6 to Western Trunk Line Committee, agent, tariff ICC A-4620.

FSA No. 40494—*Lumber articles from Woodbine, Ga.* Filed by O. W. South, Jr., agent (No. A4896), for interested rail carriers. Rates on poles and piling, wooden, untreated, in carloads, subject to minimum of five carloads per shipment, from Woodbine, Ga., to Norfolk and Newport News, Va.

Grounds for relief—Private barge competition.

Tariff—Supplement 159 to Southern Freight Association, agent, tariff ICC S-86.

FSA No. 40495—*Chlorine from Wichita, Kans.* Filed by Western Trunk Line Committee, agent (No. A-2451), for interested rail carriers. Rates on chlorine, in tank-car loads, subject to minimum of 550,000 pounds per shipment, from Wichita, Kans., to Charleston and Institute, W. Va.

Grounds for relief—Market competition.

Tariff—Supplement 6 to Western Trunk Line Committee, agent, tariff ICC A-4620.

FSA No. 40496—*Joint motor-rail rates—Central States.* Filed by Central States Motor Freight Bureau, Inc., agent (No. 105), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Central States territory.

Grounds for relief—Motortruck competition.

Tariff—Supplement 10 to Central States Motor Freight Bureau, Inc., agent, tariff MF-ICC 1163.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-5871; Filed, May 26, 1966; 8:48 a.m.]

[Notice 1353]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 24, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68677. By order of May 20, 1966, the Transfer Board approved the transfer to Leo S. Urbanski, Brooklyn, N.Y., of the operating rights in certificate No. MC-126614, issued April 7, 1965, to Thomas A. Schweiger, Maspeth, N.Y., authorizing the transportation, of: Homing pigeons, from New York, N.Y., to specified points in New Jersey. Morris Honig, 150 Broadway, New York 38, N.Y., attorney for applicants.

No. MC-FC-68678. By order of May 20, 1966, the Transfer Board approved the transfer to Dutch Blum Trucking, Inc., Darlington, Pa., of the operating rights in certificate No. MC-6544, issued March 31, 1964, to Lyle C. Blum, doing business as Dutch Blum Trucking Co., Darlington, Pa., authorizing the transportation of: Coal and roadbuilding materials, between points in West Virginia, Pennsylvania, and Ohio. Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222, attorney for applicants.

No. MC-FC-68683. By order of May 20, 1966, the Transfer Board approved the transfer to Don Pfaff, Worthington, Pa., of the operating rights of Ray E. Hoyt and Lester E. Hoyt, a partnership, doing business as Hoyt's Transfer, Worthington, Pa., in certificate No. MC-22672, issued November 16, 1964, authorizing the transportation, of brick and tile, from points in a described portion of Pennsylvania to points in a described portion of Ohio, and a described portion of New York. Richard S. Graff, Kittanning, Pennsylvania, Boarts Building, Kittanning, Pa., attorney for applicants.

No. MC-FC-68751. By order of May 20, 1966, the Transfer Board approved the transfer to Orlo M. Hobbs, Charles W. Hobbs, and Miles P. Nesbitt, a partnership, doing business as Hobbs Trucking Co., Anaheim, Calif., of the operating rights in the certificate in No. MC-62469 and the certificate of registration in No. MC-62469 (Sub-No. 7), issued September 6, 1961, and January 7, 1965, respectively, to Harold Finley, Inc., Tustin, Calif., authorizing transportation, under the certificate, of: Beans, from specified points and places in California to Los Angeles, Calif., and from Los Angeles and Vernon, Calif., to Los Angeles Harbor and Long Beach, Calif., dry beans, from points within 20 miles of Santa Ana, Calif., including Santa Ana, to Los Angeles Harbor and Long Beach Harbor, Calif., newsprint paper, from Los Angeles Harbor and Long Beach Harbor, Calif., to Santa Ana, Calif., canned, bottled, and barreled juices, canned fruits, canned vegetables, canned berries, and canned and glassed jams and jellies, from Ontario, Chino, and Tustin, Calif., and points within 10 miles of Tustin, except Anaheim, Calif., to Los Angeles Harbor and Long Beach Harbor, Calif., citrus fruits, from Tustin, Calif., and points within 10 miles of Tustin, to Los Angeles Harbor, Calif., and fertilizers, from Los Angeles Harbor, Calif., to Tustin, Calif., and points within 10 miles of Tustin; and authorizing transportation under the certificate of registration corresponding to certificate of public convenience and necessity granted in decision No. 70353, dated February 15, 1966, by the Public Utilities Commission of the State of California, of: (1) General commodities, excluding specific commodities, (2) fruits, fresh or green (not cold pack or frozen), between specified cities in California on the one hand, and, on the other, specified cities in California. R. Y. Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif., attorney for applicants.

No. MC-FC-68753. By order of May 20, 1966, the Transfer Board approved the transfer to Tri-State Trucking, Inc., Henderson, Mich., of permit No. MC-125119, issued November 8, 1963, to Byron Sawer, Henderson, Mich., authorizing the transportation of: Liquid fertilizer, in bulk and in tank vehicles, (1) from ports of entry on the United States-Canadian border near Port Huron, Mich., to points in Michigan and Indiana, (2) from ports of entry on the United States-Canadian border near Buffalo and Niagara Falls, N.Y., to points in New York, New Jersey, Pennsylvania, Massachusetts, and Vermont, and (3) from Marion, Ohio, to points in Michigan, Oklahoma, Indiana, Illinois, Pennsylvania, and Kansas. Wilhelmina Boersma, 1600 First Federal Building, Detroit, Mich., attorney for applicants.

No. MC-FC-68754. By order of May 20, 1966, the Transfer Board approved the transfer to Smith Truck Service, Inc., Perry, Okla., of certificate No. MC-76661, issued July 8, 1964, to W.M. Smith, doing business as Smith Truck Service, Perry, Okla., and authorizing the transportation of: Machinery, materials, supplies, and equipment, incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, over irregular routes, between points in Oklahoma, Kansas, and Texas, and similar operations between points in Oklahoma, on the one hand, and, on the other, points in Arkansas and Louisiana. Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23d Street, Oklahoma City, Okla., attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-5872; Filed, May 26, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3718 6567
3719 6607
3720 6679
3721 6817
3722 6855
3723 6945
3724 7027
3725 7107
3726 7551

EXECUTIVE ORDER:
July 2, 1910 (revoked in part by PLO 4003) 7351
8111 (revoked by PLO 4017) 7567
8389 (see EO 11281) 7215
9989 (superseded by EO 11281) 7215
10348 (superseded by EO 11281) 7215
10644 (amended by EO 11281) 7215
11917 (superseded by EO 11278) 6681
11069 (superseded by EO 11278) 6681
11218 (superseded by EO 11278) 6681
11277 6609
11278 6681
11279 6947
11280 7167
11281 7215

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 6857

5 CFR

630 7279, 7380
213 6769, 6859, 6903, 6949, 7169, 7351, 7379, 7380.
772 6569, 6949

6 CFR

70 7029

7 CFR

7 6569
50 6570
51 7169
68 6629
81 7553
301 7609
401 7553
406 7553
409 7554
410 7554
701 6957, 7169, 7513
718 6859, 7393
719 7030
722 6573, 6580, 6859, 7472, 7554
724 6819
729 6581, 6957
730 7472
780 7393
813 6819
815 6860
905 6958
908 6825, 7030, 7109, 7394, 7513
909 6825, 7109
910 6828, 7110, 7394, 7473
915 7394
916 7474, 7475, 7554, 7555
917 7241, 7242, 7348, 7476
918 6958, 7555
944 6959, 7514
959 6860
965 7243
980 6629
1098 6581
1099 6861, 7110, 7477
1421 6904, 7243, 7477
1427 6861, 7110
1434 6582
1481 7396
1488 7515
1490 6862, 7556

PROPOSED RULES:
52 6871, 7185
58 6715
330 7479
905 7286, 7287
906 7480
911 7482
916 6871, 7482
965 6592
991 7397
1001 7520
1015 7520
1032 6631
1038 7061
1039 7061
1041 7483
1050 6631
1065 6873
1068 7129
1098 7524
1099 7129
1125 7062
1126 6631
1133 6986

8 CFR

204 7217
214 6611, 7170
511 7348

9 CFR

76 7029

10 CFR

PROPOSED RULES:
70 7634

12 CFR

1 6826, 6905
10 6949
11 6950
12 6952
13 6953
14 6954
15 6955
16 6955
208 7224
220 7169
522 6905
524 6905
545 7508

12 CFR—Continued

PROPOSED RULES:
523 7354, 7483
525 7483
545 7355
561 7356
563 7356, 7484

13 CFR

105 7375
121 7375

14 CFR

39 6582, 6685, 6790, 6959, 7031, 7111, 7170, 7279, 7351.
61 7609
63 7609
65 7455, 7609
71 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172, 7217, 7279, 7351, 7352, 7456, 7507, 7556, 7559–7561, 7610, 7612.
73 6893, 7032, 7112, 7217, 7612, 7613
75 7280, 7561
95 7112
97 6612, 6685, 6828, 6894, 7218, 7385, 7614
137 6685
151 6686
208 6620
223 6584
225 7508
320 6585
378 6621

PROPOSED RULES:
37 7084
39 7148, 7354, 7483
71 6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187, 7527, 7528, 7573, 7575
75 7085, 7635
105 6988
121 6592
246 6986

15 CFR

30 6587
369 7037
372 7038
373 6707, 7038
374 6707
377 6707
379 6709
381 7509
382 6707, 6709, 7038, 7509
384 6709, 6864
385 6709
399 6707, 6709, 6829, 6866, 7038, 7380

16 CFR

13 7056–7059, 7511
15 6866, 6906, 7225, 7281, 7349
59 6960

17 CFR

200 6588
240 6705, 6706

PROPOSED RULES:
240 7289, 7484
249 7289

18 CFR

Page

260 7226
601 7114
606 7127

PROPOSED RULES:
141 7287

19 CFR

1 6611
4 7512
10 6769

PROPOSED RULES:
1 6871
20 6908

20 CFR

404 6611

PROPOSED RULES:
405 7131, 7143

21 CFR

8 7172, 7227
10 7227
16 7562
17 7562
42 7562
45 7375
120 7172, 7376
121 6830, 7173, 7227, 7228, 7281, 7282, 7512, 7562, 7563.
131 6705, 6906
146c 6830
146e 7228
148 7173
166 7174
191 6622

PROPOSED RULES:
17 7412
19 7572
51 6792
121 7245
133 7185, 7354
166 7245, 7573

24 CFR

5 7563
200 6866, 7565
221 7565

25 CFR

221 7283

PROPOSED RULES:
131 7353

26 CFR

1 6589, 6966
31 6589, 7183

PROPOSED RULES:
1 6966, 7571

28 CFR

0 6867

29 CFR

20 7624
548 6769
800 6770
1504 7430

30 CFR

51 7456
401 7621

31 CFR

90 6960
202 6590
316 6831
332 6686, 6831
341 7625
520 7333, 7625

32 CFR

Page

43 7228
85 7625
300 6831
706 6962
872 7459
1472 6906
1810 6962, 7175

32A CFR

BDSA (Ch. VI):
BDSA Reg. 2 6590
M–11A 7036, 7626

33 CFR

202 7284
203 6907, 7175, 7284, 7350
207 6590, 6622, 6867, 7566
208 6707

PROPOSED RULES:
402 7356

35 CFR

4 7566
255 6831

36 CFR

3 7566

PROPOSED RULES:
211 7628

37 CFR

1 7284, 7391
2 7284

38 CFR

2 6770
9 7175
21 6771

39 CFR

17 7391

PROPOSED RULES:
21 6715
24 6715

41 CFR

5–2 7391
6–1 6622
6–2 6623
6–3 6623
6–5 6624
6–7 6624
6–11 6624
6–30 6624
6–60 6625
8–7 7178, 7350
8–12 7179, 7350
9–12 6907
22–60 6625
101–19 7234
101–26 6963, 7234
101–45 6831

42 CFR

55 7128
57 7376, 7378
81 7128

43 CFR

PUBLIC LAND ORDERS:
5 (revoked in part by PLO 4005) 7462
843 (revoked in part by PLO 4009) 7512
1177 (revoked in part by PLO 4016) 7567
2133 (see PLO 4006) 7462
3977 (amended by PLO 4000) 6868
3999 6907
4000 6868
4001 7350
4002 7350
4003 7351
4004 7462
4005 7462
4006 7462

43 CFR—Continued

Page

PUBLIC LAND ORDERS—Continued
4007 7463
4008 7463
4009 7512
4010 7512
4011 7513
4012 7513
4013 7513
4014 7566
4015 7567
4016 7567
4017 7567
4018 7567
4019 7568
4020 7568
4021 7568
4022 7626

PROPOSED RULES:
1727 6984
2221 6985
3130 6834
3160 6836
4110 7628

45 CFR

90 7128
144 7463
171 7128
177 6591
801 6591

46 CFR

309 6891, 7627
500 7180
527 7392

PROPOSED RULES:
290 7131
510 6792, 7248
512 6838
513 6838

47 CFR

0 6627, 6831
1 6831, 6868
2 7235
15 7469
73 6627, 6628, 6868, 7238, 7469
91 7235
95 7235

PROPOSED RULES:
2 6909, 7086
73 6637, 6638, 6792, 6838, 6874, 7086, 7246, 7576.
87 6909, 7086

48 CFR

16 7032
17 7033
18 7034
19 7034

49 CFR

71–79 6591
95 6832, 7468, 7469
142 6964
170 7392
188 6964

PROPOSED RULES:
178 7287, 7288

50 CFR

32 7569
33 6629, 6832, 6869, 6893, 6964, 7225, 7226, 7285, 7569, 7570, 7627.
60 6833

PROPOSED RULES:
10 7479
32 7061
34 7286
271 7244
280 7516
281 7516

3

1

DETROIT PUBLIC LIBRARY MAY 31 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 104

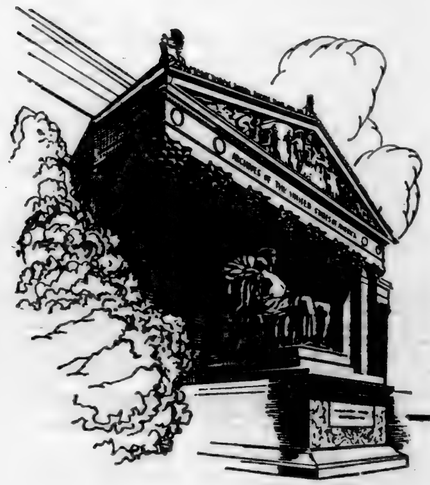
Saturday, May 28, 1966 • Washington, D.C.

Pages 7657–7727

Agencies in this issue—

The President
Air Force Department
Bonneville Power Administration
Civil Aeronautics Board
Civil Service Commission
Commerce Department
Consumer and Marketing Service
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Fiscal Service
Fish and Wildlife Service
Food and Drug Administration
Interior Department
Interstate Commerce Commission
Maritime Administration
National Aeronautics and Space Administration
Securities and Exchange Commission
Small Business Administration
Veterans Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

5-Year Compilations of Presidential Documents

Supplements to Title 3 of the Code of Federal Regulations

The Supplements to Title 3 of the Code of Federal Regulations contain the full text of proclamations, Executive orders, reorganization plans, trade agreement letters, and certain administrative orders issued by the President and published in the Federal Register during the period June 2, 1938–December 31, 1963. Tabular finding aids and subject indexes are included. The individual volumes are priced as follows:

1938–1943 Compilation—$3.00
1943–1948 Compilation—$7.00
1949–1953 Compilation—$7.00
1954–1958 Compilation—$4.00
1959–1963 Compilation—$6.00

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION

Prayer for peace, Memorial Day, 1966 7661

EXECUTIVE ORDERS

Designating the International Cotton Institute as a public international organization entitled to enjoy certain privileges, exemptions and immunities 7667

Prevention, control, and abatement of air pollution by Federal activities 7663

Suspension of the provisions of Sections 5701(a)(1) and 6371 of Title 10, United States Code, which relate to the continuation on the active list of rear admirals in the line of the Navy not restricted in the performance of duty 7669

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT

See Consumer and Marketing Service.

AIR FORCE DEPARTMENT

Rules and Regulations

Miscellaneous amendments to subchapter 7684

BONNEVILLE POWER ADMINISTRATION

Notices

Equal Employment Policy and Security Officer, Office of the Administrator et al.; redelegations of authority 7724

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:

Air carrier discussions 7714
Eastern-Mackey merger case 7715
Frontier Airlines, Inc., and Western Airlines, Inc 7715
International Air Transport Association 7715
Transpacific route investigation 7716
United-Pacific transfer case 7716

CIVIL SERVICE COMMISSION

Rules and Regulations

Excepted service:

District of Columbia Redevelopment Land Agency 7671
Housing and Urban Development Department 7671
Treasury Department 7671

COMMERCE DEPARTMENT

See also Maritime Administration.

Notices

National Bureau of Standards; delegation of authority and functions 7713

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Apricots grown in designated counties in Washington:

Container regulation 7674
Shipment limitations 7673

Fresh freestone peaches for canning, freezing or pulping; standards for grades 7671

Handling limitations:

Lemons grown in California and Arizona 7673
Valencia oranges grown in Arizona and designated part of California 7673

Sweet Cherries grown in designated counties in Washington; shipment limitations 7675

Proposed Rule Making

Fresh pears, plums, and peaches grown in California; expenses and rate of assessment 7703

DEFENSE DEPARTMENT

See Air Force Department.

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directives; Boeing Model 707 and 720 Series airplanes 7675

FEDERAL COMMUNICATIONS COMMISSION

Proposed Rule Making

Public air-ground radiotelephone service; establishment 7704

Notices

Mexican broadcast stations: list of changes, proposed changes and corrections in assignments 7717

Hearings, etc.:

American Telephone and Telegraph Co., and United Telephone Co 7716
Brown Broadcasting Co., and Dixie Broadcasting Corp 7716
Corinth Broadcasting Co., Inc., and Progressive Broadcasting Co 7717
Microwave Communications, Inc., et al 7717
Northern Indiana Broadcasters, Inc 7717
Southington Broadcasters 7717

FEDERAL MARITIME ADMINISTRATION

Notices

Smith, J. D., Inter-Ocean, Inc., et al.; agreements filed for approval 7718

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:

Superior Oil Co 7720
Texaco Inc., et al 7718

FEDERAL RESERVE SYSTEM

Notices

Barnett National Securities Corp.; notice of application for approval of acquisition of shares of bank 7720
Virginia Commonwealth Corp.; notice of application for approval of acquisition of shares of bank 7720

FISCAL SERVICE

Rules and Regulations

Regulations governing United States Savings Bonds 7680

FISH AND WILDLIFE SERVICE

Proposed Rule Making

Bear River Migratory Bird Refuge, Utah; hunting 7703
Migratory bird permits 7700

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Tolerances and exemptions from tolerances for pesticide chemicals in or on agricultural commodities; 2,4-D 7680

Notices

Petitions filed regarding food additives:

American Cyanamid Co 7713
Pittsburgh Plate Glass Co., Chemical Division 7713

Pharmachem Corp.; order refusing approval of supplemental new-drug application 7713

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

INTERIOR DEPARTMENT

See also Bonneville Power Administration; Fish and Wildlife Service.

Notices

Fishery failure due to a resource disaster; determination 7724

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief 7721

Motor carrier:

Temporary authority applications 7722
Transfer proceedings 7724

(Continued on next page)

MARITIME ADMINISTRATION

Rules and Regulations

Values for war risk insurance; correction 7691

Proposed Rule Making

War risk insurance 7704

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Rules and Regulations

Administrative authority and policy; real property acquisition, management and disposal 7676
Patent waiver regulations 7677
Patents, data, and copyrights 7689

SECURITIES AND EXCHANGE COMMISSION

Proposed Rule Making

Preservation and destruction of records 7692

SMALL BUSINESS ADMINISTRATION

Proposed Rule Making

Small business investment companies (2 documents) 7710, 7711

Notices

Delegations of authority to conduct program activities:
Casper Regional Office 7721
Fargo Regional Office 7721
Salt Lake City Regional Area 7721

TREASURY DEPARTMENT

See Fiscal Service.

VETERANS ADMINISTRATION

Rules and Regulations

Miscellaneous amendments to chapter 7687

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATION:
3727 7661
EXECUTIVE ORDERS:
10779 (superseded by EO 11282) 7663
11282 7663
11283 7667
11284 7669

5 CFR

213 (3 documents) 7671

7 CFR

51 7671
908 7673
910 7673
922 (2 documents) 7673, 7674
923 7675
PROPOSED RULES:
917 7703

13 CFR

PROPOSED RULES:
107 (2 documents) 7710, 7711

14 CFR

39 7675
1204 7676
1245 7677

17 CFR

PROPOSED RULES:
256a 7692

21 CFR

120 7680

31 CFR

315 7680

32 CFR

1001 7684
1002 7684
1003 7684
1007 7686
1012 7687
1016 7687

41 CFR

8–7 7687
8–8 7687
8–10 7688
8–52 7688
18–9 7689

46 CFR

309 7691
PROPOSED RULES:
308 7704

47 CFR

PROPOSED RULES:
2 7704
21 7704
87 7704

50 CFR

PROPOSED RULES:
16 7700
32 7703

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3727

PRAYER FOR PEACE, MEMORIAL DAY, 1966

By the President of the United States of America

A Proclamation

Americans will be fighting and dying in Vietnam this Memorial Day, 1966, in fulfillment of our commitment to freedom. Their sacrifice is part of an ancient legacy that begins with man's first act of transcendent courage, and that contains all that is noble and selfless in human character.

Our own liberty was won in struggle against tyranny. In two world wars and in Korea, brave Americans and their allies gave their lives that men might live and prosper in freedom.

We shall not forsake their sacrifice. We shall—because we must—persevere.

We are totally committed to defeat this aggression.

This Nation has never left the field of battle in abject surrender of a cause for which it has fought.

We shall not do so now.

We shall see this through.

Yet as we protect freedom by courage in arms, we shall every day continue the search for an honorable peace.

It is tragic that young lives must be sacrificed, that great sums must be spent for the instruments of war, when the work of peace awaits man's accomplishment in every land. America today—as in past years—is prepared to join in that work with any nation whose devotion is to peace with its neighbors, and a better life for its people. Let the guns of aggression be silent, we say, that the sounds of the builders, of the planters, of the teachers, may be heard.

On this Memorial Day, as we honor the memory of brave men who have borne our colors in war, we pray to God for His mercy. We pray for the wisdom to find a way to end this struggle of nation against nation, of brother against brother. We pray that soon we may begin to build the only true memorial to man's valor in war—a sane and hopeful environment for the generations to come.

The Congress, in a joint resolution approved May 11, 1950 (64 Stat. 158), has requested the President to issue a proclamation calling upon the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period during each such day when the people of the United States might unite in such application:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Memorial Day, Monday, May 30, 1966, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at eleven o'clock in the morning of that day as a time to unite in such prayer.

I urge the press, radio, television, and all other information media to cooperate in this observance.

I also urge all of the people of this Nation to join me in prayer to the Almighty for the safety of our Nation's sons and daughters in Vietnam, for His blessing on those who have sacrificed their lives for this Nation in this and all other struggles, and for His aid in building a world where freedom and justice prevail, and where all men live in friendship, understanding, and peace.

By House Concurrent Resolution 587, the Eighty-ninth Congress has officially recognized that the patriotic tradition of observing Memorial Day began one hundred years ago in Waterloo, New York. In conformity with the request contained in that concurrent resolution, it is my privilege to call attention to the centennial observance of Memorial Day in Waterloo, New York, on May 30, 1966.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-sixth day of May in the year of our Lord nineteen hundred and sixty-six, [SEAL] and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-5998; Filed, May 27, 1966; 10:36 a.m.]

Executive Order 11282

PREVENTION, CONTROL, AND ABATEMENT OF AIR POLLUTION BY FEDERAL ACTIVITIES

By virtue of the authority vested in me as President of the United States and in furtherance of the purpose and policy of the Clean Air Act, as amended (42 U.S.C. 1857), it is ordered as follows:

SECTION 1. *Policy.* The heads of the departments, agencies, and establishments of the Executive Branch of the Government shall provide leadership in the nationwide effort to improve the quality of our air through the prevention, control, and abatement of air pollution from Federal Government activities in the United States. In order to achieve these objectives—

(1) Emissions to the atmosphere from Federal facilities and buildings shall not be permitted if such emissions endanger health or welfare, and emissions which are likely to be injurious or hazardous to people, animals, vegetation, or property shall be minimized. The procedures established in section 3 of this Order shall be followed in minimizing pollution from existing facilities and buildings.

(2) New Federal facilities and buildings shall be constructed so as to meet the objectives prescribed by this Order and the standards established pursuant to section 5 of this Order.

(3) The Secretary of Health, Education, and Welfare shall, in administering the Clean Air Act, as amended, provide technical advice and assistance to the heads of other departments, agencies, and establishments in connection with their duties and responsibilities under this Order. The head of each department, agency, and establishment shall establish appropriate procedures for securing advice from, and consulting with, the Secretary of Health, Education, and Welfare.

(4) The head of each department, agency, and establishment shall ensure compliance with section 107(a) of the Clean Air Act, as amended (42 U.S.C. 1857f(a)), which declares it to be the intent of Congress that Federal departments and agencies shall, to the extent practicable and consistent with the interests of the United States and within available appropriations, cooperate with the Department of Health, Education, and Welfare and with any air pollution control agency in preventing and controlling pollution of the air.

SEC. 2. *Procedures for new Federal facilities and buildings.* A request for funds to defray the cost of designing and constructing new facilities and buildings in the United States shall be included in the annual budget estimates of a department, agency, or establishment only if such request includes funds to defray the costs of such measures as may be necessary to assure that the new facility or building will meet the objectives prescribed by this Order and the standards established pursuant to section 5 of this Order. Air pollution control needs shall be considered in the initial stages of planning for each new installation.

SEC. 3. *Procedures for existing Federal facilities and buildings.* (a) In order to facilitate budgeting for corrective and preventive measures, the head of each department, agency, and establishment shall provide for an examination of all existing facilities and buildings under his jurisdiction in the United States and shall develop and present to the Director of the Bureau of the Budget, by July 1, 1967, a phased and orderly plan for installing such improvements as may be needed to prevent air pollution, or abate such air pollution as may exist, with respect to such buildings and facilities. Subsequent revisions needed to keep any such plan up to date shall be submitted to the Director of the Bureau of the Budget with the annual report required by paragraph (b) of this section. Future construction work at each such facility and the expected future use of the facility shall be considered in developing such a plan. Each such plan, and any revision therein, shall be developed in consultation with the Secretary of Health, Education, and Welfare in order to ensure that adoption

of the measures proposed thereby will result in the prevention or abatement of air pollution in conformity with the objectives prescribed by this Order and the standards prescribed pursuant to section 5 of this Order.

(b) The head of each department, agency, and establishment who has existing facilities and buildings under his jurisdiction in the United States shall present to the Director of the Bureau of the Budget, by July 1, 1968, and by the first of each fiscal year thereafter, an annual report describing progress of his department, agency, or establishment in accomplishing the objectives of its air pollution abatement plan.

SEC. 4. *Objectives for Federal facilities and buildings.* (a) Except for discharges of radioactive emissions which are regulated by the Atomic Energy Commission, Federal facilities and buildings shall conform to the air pollution standards prescribed by the State or community in which they are located. If State or local standards are not prescribed for a particular location, or if the State or local standards are less stringent than the standards established pursuant to this Order, the standards prescribed pursuant to section 5 of this Order shall be followed.

(b) The emission of flyash and other particulate matter shall be kept to a minimum.

(c) Emission of sulfur oxides shall be minimized to the extent practicable.

(d) Wherever appropriate, tall chimneys shall be installed in order to reduce the adverse effects of pollution. The determination of chimney height shall be based on air quality criteria, land use, and meteorological, topographical, aesthetic, and operating factors.

(e) Solid fuels and ash shall be stored and handled so as not to release to the atmosphere dust in significant quantities. Gasoline or any volatile petroleum distillate or organic liquid shall be stored and handled so as not to release to the atmosphere vapor emissions in significant quantities.

(f) In urban areas refuse shall not be burned in open fires and in rural areas it shall be disposed of in such a manner as to reasonably minimize pollution. Refuse shall not be left in dumps without being covered with inert matter within a reasonably short time. Whenever incinerators are used they shall be of such design as will minimize emission of pollutant dusts, fumes, or gases.

(g) Pollutant dusts, fumes, or gases (other than those for which provision is made above), shall not be discharged to the atmosphere in quantities which will endanger health or welfare.

(h) The head of each department, agency, and establishment shall, with respect to each installation in the United States under his jurisdiction, take, or cause to be taken, such action as may be necessary to ensure that discharges of radioactive emissions to the atmosphere are in accord with the rules, regulations, or requirements of the Atomic Energy Commission and the policies and guidance of the Federal Radiation Council as published in the FEDERAL REGISTER.

(i) In extraordinary cases where it may be required in the public interest, the Secretary of Health, Education, and Welfare may exempt any Federal facility or building from the objectives of paragraphs (a) through (g) of this section.

SEC. 5. *Standards.* (a) The Secretary of Health, Education, and Welfare shall prescribe standards to implement the objectives prescribed by paragraphs (a) through (g) of section 4 of this Order. Such standards may modify these objectives whenever the Secretary of Health, Education, and Welfare shall determine that such modifications are necessary in the public interest and will not significantly conflict with the intent of this Order. Prior to issuing any changes in such standards, the Secretary of Health, Education, and Welfare

shall consult with appropriate Federal agencies and shall publish the proposed changes in the FEDERAL REGISTER thirty days prior to their issuance. All such standards prescribed by the Secretary shall be published in the FEDERAL REGISTER.

(b) The permits authorized by section 107(b) of the Clean Air Act, as amended (42 U.S.C. 1857f(b)), may be used to carry out the purposes of this Order as the Secretary of Health, Education, and Welfare may deem appropriate.

SEC. 6. *Prior Executive Order superseded.* Executive Order No. 10779 of August 20, 1958, is hereby superseded.

LYNDON B. JOHNSON

THE WHITE HOUSE,
May 26, 1966.

[F.R. Doc. 66-5980; Filed, May 27, 1966; 8:40 a.m.]

Executive Order 11283

DESIGNATING THE INTERNATIONAL COTTON INSTITUTE AS A PUBLIC INTERNATIONAL ORGANIZATION ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by Section 1 of the International Organizations Immunities Act (22 U.S.C. 288), and having found that the United States participates in the International Cotton Institute pursuant to the Articles of Agreement of International Cotton Institute, entered into under the authority of Section 104 of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), I hereby designate the International Cotton Institute as a public international organization entitled to enjoy those privileges, exemptions, and immunities provided for by the International Organizations Immunities Act which are described in Article VI of the Articles of Agreement of International Cotton Institute (TIAS 5964), a copy of which is annexed hereto and made a part of this Order.

LYNDON B. JOHNSON

THE WHITE HOUSE,
May, 27, 1966.

Article VI. STATUS, IMMUNITIES, AND PRIVILEGES

SECTION 1. *Purposes of Article.*

To enable the Institute to fulfill the functions with which it is entrusted, the status, immunities, and privileges set forth in this article shall be accorded to the Institute in the territories of each member in which it operates or has assets.

SEC. 2. *Status of the Institute.*

The Institute shall possess full juridical personality, including but not limited to the capacity—

(i) to contract;
(ii) to acquire and dispose of real and personal property; and
(iii) to institute legal proceedings.

SEC. 3. *Position of the Institute with regard to judicial process.*

The Institute and its property and assets, wherever located and by whomsoever held, shall enjoy the same immunity from suit and every form of judicial process as is enjoyed by foreign governments except that actions may be brought by persons, other than members or persons acting for or deriving claims from members, against the Institute in a court of competent jurisdiction in the territories of a member in which the Institute has an office or in a country in which the Institute has appointed an agent for the purpose of accepting service or notice of process or as may otherwise be authorized by the General Assembly or by the terms of any contract to which the Institute is a party. In any such action, the Institute's property and assets shall be immune from all forms of seizure, attachment, or execution before delivery of final judgment against the Institute unless such immunity is expressly waived.

SEC. 4. *Immunity of assets from seizure.*

Property and assets of the Institute, wherever located and by whomsoever held, shall be immune from search, and from confiscation.

SEC. 5. *Immunity of archives.*

The archives of the Institute shall be inviolable.

SEC. 6. *Privilege of Communications.*

With respect to official communications between the Institute and its members or between the Institute and other governments, the Institute shall be accorded by each member the same privileges, exemptions, and immunities that such member accords under similar circumstances to official communications of foreign governments.

SEC. 7. *Immunities and privileges of member representatives and officers and employees.*

(a) Persons designated by members to serve as their representatives in the General Assembly and officers and employees of the Institute shall be immune from legal process relating to acts performed by them in their official capacity and falling within their functions as such representatives, officers, or employees.

(b) Persons who are not local nationals and who are designated by members to serve as their representatives in the General Assembly or are officers or employees of the Institute, or are members of their immediate families residing with such representatives, officers, or employees, shall be accorded by each member the same immunities from immigration restrictions, and alien registration requirements, and the same facilities as regards exchange restrictions, as are accorded under similar circumstances by that member to the officers and employees and members of their families, respectively, of other members.

(c) Persons who are not citizens or permanent residents and who are designated by members to serve as their representatives in the General Assembly or are full time officers or employees of the Institute, or are members of their immediate families residing with such representatives, full time officers, or employees, shall be exempted from national service obligations.

(d) Notwithstanding the other provisions of this Agreement, if a member determines that the entry or continued presence in its territory of any person entitled to the benefits of this Agreement is not desirable, that member shall so inform the Institute. After such notification to the Institute, entry for that person may be denied, or in the case of a person who has already entered the territory of the member concerned, that member's obligations under this Agreement with respect to such person shall cease after such person shall have had a reasonable length of time, to be determined by that member, to depart from its territory.

SEC. 8. *Immunities from taxation.*

The Institute shall be accorded by each member the privileges, exemptions, and immunities concerning customs duties and taxes imposed upon or by reason of importation and the procedures in connection therewith as that member accords to foreign governments under similar circumstances. The Institute, its assets, property, and income, and its communications and transportation incident to its operations authorized by this Agreement, shall also be immune from all taxation by the central governments of participating members.

SEC. 9. *Waiver.*

The General Assembly may waive any of the privileges and immunities conferred under this article to such extent and upon such conditions as it may determine.

[F.R. Doc. 66-6018; Filed, May 27, 1966; 11:41 a.m.]

Executive Order 11284

SUSPENSION OF THE PROVISIONS OF SECTIONS 5701(a)(1) AND 6371 OF TITLE 10, UNITED STATES CODE, WHICH RELATE TO THE CONTINUATION ON THE ACTIVE LIST OF REAR ADMIRALS IN THE LINE OF THE NAVY NOT RESTRICTED IN THE PERFORMANCE OF DUTY

By virtue of the authority vested in me by Sections 5711(b) and 6386(c) of Title 10 of the United States Code, I hereby suspend the provisions of Sections 5701(a)(1) and 6371 of Title 10 of the United States Code.

LYNDON B. JOHNSON

THE WHITE HOUSE,
May 27, 1966.

[F.R. Doc. 66-6017; Filed, May 27, 1966; 11:41 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Treasury Department

F.R. Doc. 66-3799, 31 F.R. 5547, under which § 213.3105(d)(1) covering the positions of State Director, Deputy State Director, Regional Director, and Assistant Regional Director was to be revoked effective October 31, 1966, is rescinded. No revocation of § 213.3105(d)(1) will occur on that date.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5907; Filed, May 27, 1966; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Department of Housing and Urban Development

Section 213.3384 is amended to show that the position of Special Assistant to the Under Secretary is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (13) is added to paragraph (a) of § 213.3384 as set out below.

§ 213.3384 Department of Housing and Urban Development.

(a) *Office of the Secretary.* * * *

(13) One Special Assistant to the Under Secretary.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5905; Filed, May 27, 1966; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

District of Columbia Redevelopment Land Agency

Section 213.3387 is added to Part 213 to show that the position of Executive Director is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, a new § 213.3387 is added as set out below.

§ 213.3387 District of Columbia Redevelopment Land Agency.

(a) *Executive Director.*

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-5906; Filed, May 27, 1966; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

Subpart—U.S. Standards for Grades of Fresh Freestone Peaches for Canning, Freezing, or Pulping[1]

On April 6, 1966, notices of proposed rule making were published in the FEDERAL REGISTER (31 F.R. 5448–5449) regarding proposed revisions of U.S. Standards for Fresh Freestone Peaches for Canning and U.S. Standards for Fresh Freestone Peaches for Freezing or Pulping.

Statement of considerations leading to the revision of the grade standards. In June 1965 a request was received from freestone peach processors in Georgia for a revision of the standards for fresh freestone peaches for canning. Studies made in processing plants in Georgia and other States in July 1965 confirmed the need for revision of these standards. Earlier discussions with a processor operating in several locations had indicated the need for changes in the standards for fresh freestone peaches for freezing or pulping.

The proposals published in April 1966 included most of the suggestions and recommendations made by industry members. For each of the two standards, changes dealing with varietal requirements, maturity stages, required color, defect allowances, and definitions of damage and serious damage were incorporated. Following publication of the proposals, copies were distributed to industry members and organizations for their comments. The period for submitting comments concerning the proposals ended May 1, 1966.

Because of the close similarity of the proposed standards for freestone peaches for canning and the proposed standards for freestone peaches for freezing or pulping, the two standards are combined as one under the title U.S. Standards for Grades of Fresh Freestone Peaches for Canning, Freezing, or Pulping. This combination makes only a few minor changes from either of the proposed standards. There was no shape requirement in the proposed standards for peaches for freezing or pulping. Hard peaches were permitted in the U.S. No. 3 grade in these standards and in the U.S. No. 2 grade for peaches for canning. The requirement for shape in the U.S. No. 1 grade in the combined standards is "fairly well formed" which replaces the requirement of "well formed" in the proposed U.S. No. 1 grade for peaches for canning. The shape requirement for U.S. No. 2 peaches for canning, "not badly misshapen", is retained in the combined standards. "Hard" peaches are excluded from the new U.S. No. 2 grade. The new U.S. No. 3 grade has no shape requirement and permits hard peaches which otherwise meet the U.S. No. 1 or U.S. No. 2 grades.

The grades covering freestone peaches for any of these three methods of processing should serve all segments of the industry better than separate and closely similar grade requirements.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notices, the following U.S. Standards for Grades of Fresh Freestone Peaches for Canning, Freezing, or Pulping are hereby promulgated pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

GRADES

Sec.
51.3695 U.S. No. 1.
51.3696 U.S. No. 2.
51.3697 U.S. No. 3.

CULLS

51.3698 Culls.

APPLICATION OF STANDARDS

51.3699 Application of standards.

CALCULATION OF PERCENTAGES

51.3700 Calculation of percentages.

MINIMUM SIZES

51.3701 Minimum sizes.

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

DEFINITIONS

Sec.
51.3702 Mature.
51.3703 Fairly well formed.
51.3704 Hard.
51.3705 Firm.
51.3706 Firm ripe.
51.3707 Ripe.
51.3708 Soft.
51.3709 Damage.
51.3710 Not badly misshapen.
51.3711 Serious damage.
51.3712 Diameter.

AUTHORITY: The provisions of this subpart issued under secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624.

GRADES

§ 51.3695 U.S. No. 1.

"U.S. No. 1" consists of fresh freestone peaches of similar varietal characteristics which are mature, fairly well formed, firm, firm ripe, or ripe, but not hard or soft; which are free from decay, worms, worm holes, and split pits, and free from damage caused by scab, bacterial spot, other disease, insects, bruises, or other means. Ground color shall not be greener than yellowish-green.

§ 51.3696 U.S. No. 2.

"U.S. No. 2" consists of fresh freestone peaches of similar varietal characteristics which are mature, not badly misshapen, which may be firm, firm ripe, or ripe, but not hard or soft; and are free from decay, worms, worm holes, and from serious damage by split pits, scab, bacterial spot, other disease, insects, bruises, or other means. Ground color shall not be greener than yellowish-green.

§ 51.3697 U.S. No. 3.

"U.S. No. 3" consists of fresh freestone peaches which meet the requirements of the U.S. No. 2 grade except that there is no requirement for shape and peaches may be hard.

CULLS

§ 51.3698 Culls.

"Culls" consist of peaches which fail to meet the requirements of U.S. No. 3 grade.

APPLICATION OF STANDARDS

§ 51.3699 Application of standards.

It is presumed that sellers usually will not sort peaches into separate grade lots before delivery to the buyer. Under these circumstances no tolerances are provided for defective or undersize peaches, as it is comtemplated that processors will pay for the exact percentage of U.S. No. 1, U.S. No. 2, and U.S. No. 3 peaches in the lot as determined by inspection. However, if the contract between buyer and seller calls for delivery of lots consisting of only one grade, then, unless otherwise specified, a 10 percent tolerance shall be allowed for peaches which fail to meet the requirements, other than size, of the one grade upon which the contract is based, including not more than 2 percent affected by decay, and not more than 1 percent affected by worms. In addition, a 5 percent tolerance shall be allowed for peaches smaller than the specified minimum size and a 10 percent tolerance for peaches larger than the specified maximum size.

CALCULATION OF PERCENTAGES

§ 51.3700 Calculation of percentages.

Calculation of percentages shall be on the basis of weight.

MINIMUM SIZES

§ 51.3701 Minimum sizes.

Minimum sizes for U.S. No. 1, U.S. No. 2, and U.S. No. 3 grades may be fixed by agreement between buyer and seller, and shall be stated in terms of diameter in inches, or inches and not less than eighth-inch fractions thereof.

DEFINITIONS

§ 51.3702 Mature.

"Mature" means the peach has reached a stage of growth which will insure satisfactory completion of the ripening process.

§ 51.3703 Fairly well formed.

"Fairly well formed" means that the peach will yield two reasonably well shaped halves.

§ 51.3704 Hard.

"Hard" means that the peach is solid and does not yield to moderate pressure.

§ 51.3705 Firm.

"Firm" means that the peach is fairly solid but yields very slightly to moderate pressure.

§ 51.3706 Firm ripe.

"Firm ripe" means that the peach is relatively firm but yields moderately to moderate pressure.

§ 51.3707 Ripe.

"Ripe" means that the peach yields readily to moderate pressure.

§ 51.3708 Soft.

"Soft" means that the peach is overripe, has little resistance to slight pressure, and is too near deterioration to be desirable for processing. Such softness is a result of advanced maturity and is not to be confused with bruising.

§ 51.3709 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which will prevent removal of the skin of the peach by efficient commercial peeling operations; or will cause waste to the extent that the fruit, after trimming, will not yield two reasonably well formed halves; or which will materially detract from the processing quality of the peach or materially impede preparation of the peach for processing. The following specific defects shall be considered as damage:

(a) Scattered scab which exceeds an aggregate area of three-eighths inch in diameter, or scab which is sunken below the skin surface into the flesh of the peach to the extent that it cannot be removed by two shallow cuts;

(b) Bacterial spot which exceeds an aggregate area of three-eighths inch in diameter, or which has cracked the flesh of the peach to the extent that the injured flesh cannot be removed by two shallow cuts.

§ 51.3710 Not badly misshapen.

"Not badly misshapen" means that the peach will yield one reasonably well shaped half.

§ 51.3711 Serious damage.

"Serious damage" means any specific defect described in this section; or any equally objectionable variation of any one of these defects, any other defect, or any combination of defects which will prevent removal of the skin by efficient commercial peeling operations without excessive hand trimming; or which will cause waste of more than 20 percent, by weight, of the flesh of the peach or will seriously detract from the processing quality of the peach or seriously impede preparation of the peach for processing. The following specific defects shall be considered as serious damage:

(a) Scab when sunken into the flesh of both halves of the peach to the extent that removal would require excessive hand trimming; and,

(b) Bacterial spot which has cracked the flesh of both halves of the peach to the extent that removal would require excessive hand trimming.

§ 51.3712 Diameter.

"Diameter" means the shortest distance measured through the center of the peach at right angles to a line running from the stem to the blossom end.

It is hereby found that good cause exists for not postponing the effective date of the revision beyond June 1, 1966 (5 U.S.C. 1001–1011), in that (1) the 1966 harvest season for peaches for canning, freezing, or pulping in Georgia may commence early in June and it is in the interest of the public and the industry that the revision be placed in effect before the start of the harvest season; and, (2) no special preparation is required for compliance with this revision on the part of members of the peach industry or of others.

Accordingly the U.S. Standards for Grades of Fresh Freestone Peaches for Canning, Freezing, or Pulping contained in this subpart shall become effective June 1, 1966, and will thereupon supersede the U.S. Standards for Fresh Freestone Peaches for Canning and the U.S. Standards for Fresh Freestone Peaches for Freezing or Pulping which have been in effect since April 17, 1946.

Dated: May 24, 1966.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 66-5890; Filed, May 27, 1966; 8:46 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 163]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.463 Valencia Orange Regulation 163.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 26, 1966.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., May 29, 1966, and ending at 12:01 a.m., P.s.t., June 5, 1966, are hereby fixed as follows:

(i) District 1: 500,000 cartons;

(ii) District 2: 300,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 27, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6016; Filed, May 27, 1966; 11:20 a.m.]

[Lemon Reg. 216]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.516 Lemon Regulation 216.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 910, as amended), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011), because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 24, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., May 29, 1966, and ending at 12:01 a.m., P.s.t., June 5, 1966, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 279,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "Carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 26, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5954; Filed, May 27, 1966; 8:49 a.m.]

[Apricot Reg. 5]

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Limitation of Shipments

§ 922.305 Apricot Regulation 5.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 922, as amended), regulating the handling of apricots grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Washington Apricot Marketing Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of apricots, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the

public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 1, 1966. A reasonable determination as to the supply of, and the demand for, such apricots must await the development of the crop and adequate information thereon was not available to the Washington Apricot Marketing Committee until May 3, 1966; recommendation as to the need for, and the extent of, regulation of shipments of such apricots was made at the said meeting of the committee, after consideration of all available information relative to the supply and demand conditions for such apricots, at which time the recommendation and supporting information were submitted to the Department; necessary supplemental data for consideration in connection with the specifications of the provisions were not available until May 20, 1966, shipments of the current crop of such apricots will begin on or about June 1, 1966, and this section should be applicable, insofar as practicable, to all shipments of such apricots in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 1, 1966, and ending at 12:01 a.m., P.s.t., June 30, 1967, no handler shall handle any container of apricots unless:

(i) Such apricots grade not less than Washington No. 1 and are at least reasonably uniform in color: *Provided*, That if such apricots are the Moorpark variety in open containers they are generally well matured; and

(ii) Such apricots measure not less than 1⅜ inches in diameter: *Provided*, That apricots of the Blenheim, Blenril, and Tilton varieties when packed in unlidded containers may measure not less than 1¼ inches: *And provided further*, That not more than 10 percent, by count, of such apricots may fail to meet the applicable minimum diameter requirement.

(2) All apricots handled during the period specified in this section are subject also to all applicable container restrictions which are in effect pursuant to this part during such period.

(3) Notwithstanding any other provision of this section, any individual shipment of apricots which meets each of the following requirements may be handled without regard to the provisions of this paragraph, of § 922.41 (Assessments), and of § 922.55 (Inspection and certification):

(i) The shipment consists of apricots sold at the orchard for home use and not for resale;

(ii) The shipment does not, in the aggregate, exceed 500 pounds, net weight, of apricots; and

(iii) Each container is stamped or marked with the words "not for resale" in letters at least one-half inch in height.

(4) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; "diameter" and "Washington No. 1" shall have the same meaning as when used in the State of Washington Department of Agriculture "Washington Standards for Apricots," effective May 31, 1966; "reasonably uniform in color" means that the apricots in the individual container do not show sufficient variation in color to materially affect the general appearance of the apricots; and "generally well matured" means that, with respect to not less than 90 percent, by count, of the apricots in any lot of containers, and not less than 85 percent, by count, of such apricots in any container in such lot, at least 40 percent of the surface area of the fruit is at least as yellow as Shade 4 on the U.S. Standard Ground Color Chart for Apples and Pears in the Western States.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 25, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5915; Filed, May 27, 1966; 8:48 a.m.]

[Apricot Reg. 6]

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Container Regulation

§ 922.306 Apricot Regulation 6.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 922, as amended), regulating the handling of apricots grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Washington Apricot Marketing Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of apricots, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 1, 1966. The Washington Apricot Marketing Committee at its meeting on May 3, 1966, considered the matter of container regulations; such meeting was held after due notice of such meeting and growers and handlers were given an opportunity to submit views and data concerning such regulation; on the basis of the information presented at such meeting, it was concluded that the use of the containers, hereinafter specified, in the marketing of apricots will tend to effectuate the declared policy of the act; the recommendation and supporting information for container regulation subsequent to June 1, 1966, and in the manner provided herein, were promptly submitted to the Department after such meeting, and information concerning such recommendation was disseminated among handlers of apricots; necessary supplemental data for consideration in connection with the specifications of the provisions were not available until May 20, 1966; it is necessary, in order to effectuate the declared policy of the act to make this section effective at the time hereinafter set forth; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Apricot Order 2, as amended (§ 922.302; 22 F.R. 4495, 23 F.R. 4443), is hereby terminated at 12:01 a.m., P.s.t., June 1, 1966.

(2) After the effective time of this section, no handler shall handle any apricots unless such apricots are:

(i) In open containers with inside dimensions of 7 x 11½ x 18 inches and the net weight of the apricots is not less than 28 pounds;

(ii) In lidded 4-basket crates with inside dimensions of 4¾ x 16 x 16 inches and the net weight of the apricots is not less than 20 pounds;

(iii) In closed containers with inside dimensions of 3¾–4¼ x 10½ x 15 inches and containing not less than 14 pounds, net weight, of apricots: *Provided*, That when the apricots are so packed they are row-faced; or

(iv) In closed containers that are marked "12 pounds net weight," and contain not less than 12 pounds, net weight, of apricots which are of random size and are not row-faced.

(3) Notwithstanding any other provision of this section, any individual shipment of apricots which, in the aggregate, does not exceed 500 pounds, net weight, may be handled without regard to the restrictions specified in this paragraph (b) or in § 922.41 or § 922.55.

(4) All apricots handled are also subject to all applicable grade, size, quality, maturity, and pack regulations which are in effect pursuant to this part during the effective period of this section.

(5) The terms "handler," "handle," and "apricots" shall have the same meaning as when used in the amended marketing agreement and order.

(c) *Effective time.* The provisions of this section shall become effective at 12:01 a.m., P.s.t., June 1, 1966.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 25, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5916; Filed, May 27, 1966; 8:48 a.m.]

[Cherry Reg. 5]

PART 923—SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Limitation of Shipments

§ 923.305 Cherry Regulation 5.

(a) *Findings.* (1) Pursuant to the marketing agreement and this part (Order No. 923) regulating the handling of sweet cherries grown in designated counties in Washington, effective under the aplicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Washington Cherry Marketing Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of cherries, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than May 30, 1966. A reasonable determination as to the supply of, and the demand for, cherries must await the development of the crop and adequate information thereon was not available to the Washington Cherry Marketing Committee until May 17, 1966; recommendation as to the need for, and the extent of, regulation of shipments of such cherries was made at the meeting of said committee on May 17, 1966, after consideration of all available information relative to the supply and demand conditions for such cherries, at which time the recommendation and supporting information were submitted to the Department; necessary supplemental data for consideration in connection with the specification of the provisions of this section were not available until May 23, 1966; shipments of the current crop of such cherries will begin on or about May 30, 1966, and this section should be applicable, insofar as practicable, to all shipments of such cherries in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 30, 1966, and ending at 12:01 a.m., P.s.t., June 1, 1967, no handler shall, except as provided in subparagraph (2) of this paragraph, handle any lot of cherries unless such cherries meet each of the following applicable requirements:

(i) *Minimum grade.* U.S. No. 1: *Provided*, That the contents of individual packages in a lot are not limited as to the percentage of defects but the average of the defects of the entire lot shall be within the tolerances specified for such grade.

(ii) *Minimum size.* At least 95 percent, by count, shall measure not less than $^{48}/_{64}$ inch in diameter.

(iii) *Faced packs and any packs of 20 pounds, net weight, or larger.* At least 90 percent, by count, shall measure not less than $^{54}/_{64}$ inch in diameter.

(iv) *Containers.* The net weight of the cherries in any container having a capacity greater than that of a container with inside dimensions of 15⅛ by 10½ by 4 inches shall be not less than 20 pounds; and no container of cherries shall contain less than 12 pounds, net weight, of cherries.

(2) Exceptions: During the aforesaid period, any handler may handle any individual shipment of cherries which, in the aggregate, does not exceed 100 pounds, net weight, without regard to the restrictions specified in this paragraph (b) or in § 923.41 or § 923.55.

(c) *Definitions.* (1) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as given to the respective term in said marketing agreement and order;

(2) "U.S. No. 1" and "diameter" shall have the same meaning as when used in the U.S. Standards for Sweet Cherries (§§ 51.2646–51.2657 of this title); and

(3) "Faced pack" means that the cherries in the top layer in any container are so placed that the stem ends are pointing downward toward the bottom of the container.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 25, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–5917; Filed, May 27, 1966; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7263; Amdt. 39–248]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707 and 720 Series Airplanes

Amendment 39–220 (31 F.R. 5482), AD 66–10–1, as amended by Amendment 39–228 (31 F.R. 6353), requires inspection of the vertical fin rear spar attachment fittings and repair or replacement if cracks are found on Boeing Model 707 and 720 Series airplanes. Subsequent to the issuance of Amendment 39–228, the Agency has determined that it is not necessary to inspect airplanes with 12,000 or more hours' time in service in accordance with paragraph (a) of the AD, but the inspection specified in paragraph (f) of the AD must be accomplished on airplanes with 7,000 or more hours' time in service. Therefore, the AD is being superseded by a new AD that requires inspection of airplanes with 7,000 or more hours' time in service and repair or replacement if cracks are found, and eliminates the inspection required by paragraph (a) of the present AD.

The 400-hour compliance time for the inspection of airplanes with 7,000 or more hours' time in service has been established by the Agency on the basis of safety considerations. This compliance time provides the lead time for operators to schedule and plan compliance with the AD with a minimum burden. To prescribe the inspection required by this AD for airplanes with 7,000 or more hours' time in service under the usual notice and public procedures followed by the Agency within the time the Agency has determined is required in the interest of safety, would necessarily result in a reduction of the compliance time for that inspection. This could possibly leave the operators insufficient time to schedule airplanes for compliance with the AD. Therefore, accomplishment of the inspection required by this AD for airplanes with 7,000 or more hours' time in service within the time the Agency has determined is necessary makes strict compliance with the notice and public procedure provisions of the Administrative Procedure Act impracticable and this amendment becomes effective 30 days after publication in the FEDERAL REGISTER. However, interested persons are invited to submit such written data, views, or arguments as they may desire regarding this AD. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received before the effective date will be considered by the Administrator, and the AD may be changed in the light of com-

ments received. All comments will be available both before and after the effective date in the Rules Docket for examination by interested persons. Operators are urged to submit their comments as early as possible since it may not be possible to evaluate comments received near the effective date in sufficient time to amend the AD before it becomes effective.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING. Applies to Modal 707 and 720 Series airplanes.

Compliance required as indicated.

(a) For airplanes with less than 7,000 hours' time in service on June 27, 1966, inspect in accordance with paragraph (g) of this AD and rework uncracked parts in accordance with Part IV of Boeing Service Bulletin 2399 (R-2) before the accumulation of 7,400 hours' time in service.

(b) For airplanes with 7,000 or more but less than 12,000 hours' time in service on June 27, 1966, inspect in accordance with paragraph (g) of this AD and rework uncracked parts in accordance with Part IV of Bulletin 2399 (R-2) within the next 400 hours' time in service after June 27, 1966.

(c) For airplanes with less than 12,000 hours' time in service on April 7, 1966, but 12,000 or more hours' time in service on June 27, 1966, inspect in accordance with paragraph (g) of this AD and rework uncracked parts in accordance with Part IV of Bulletin 2399 (R-2) before the accumulation of 12,700 hours' time in service.

(d) For airplanes with 12,000 or more but less than 14,650 hours' time in service on April 7, 1966, inspect in accordance with paragraph (g) of this AD and rework uncracked parts in accordance with Part IV of Bulletin 2399 (R-2) within the next 700 hours' time in service after April 7, 1966.

(e) For airplanes with 14,650 or more but less than 15,350 hours' time in service on April 7, 1966, inspect in accordance with paragraph (g) of this AD and rework uncracked parts in accordance with Part IV of Bulletin 2399 (R-2) before the accumulation of 15,350 hours' time in service or within the next 50 hours' time in service after April 7, 1966, whichever occurs later.

(f) For airplanes with 15,350 or more hours' time in service on April 7, 1966, inspect in accordance with paragraph (g) of this AD and rework uncracked parts in accordance with Part IV of Bulletin 2399 (R-2) within the next 50 hours' time in service after April 7, 1966.

(g) Inspect for cracks around the four top bolt holes and the five bolt holes in the inboard tang of terminal fittings, P/N 5-84487, in accordance with Parts I and II of Bulletin 2399 (R-2) or later FAA-approved revision.

(h) Before further flight replace cracked fittings with an uncracked fitting of the same part number or rework in accordance with Part III of Bulletin 2399 (R-2) or later FAA-approved revision or Aircraft Engineering Division FAA Western Region-approved instructions.

(i) Reinspect reworked parts in accordance with paragraph (g) at intervals not to exceed 7,000 hours' time in service from the last inspection and replace or rework in accordance with paragraph (h) as necessary.

This supersedes Amendment 39-220 (31 F.R. 5482), AD 66-10-1, as amended by Amendment 39-228 (31 F.R. 6353).

This amendment becomes effective June 27, 1966.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C. on May 27, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-5995; Filed, May 27, 1966; 9:34 a.m.]

Chapter V—National Aeronautics and Space Administration

PART 1204—ADMINISTRATIVE AUTHORITY AND POLICY

Subpart 5—Delegations and Designations

REAL PROPERTY ACQUISITION, MANAGEMENT, AND DISPOSAL

Section 1204.501 revised in its entirety as follows:

§ 1204.501 Delegation of authority for real property acquisition, management, and disposal.

(a) *Definition.* Real property is land, buildings, structures, utilities systems, and improvements and appurtenances thereto, permanently annexed to land. Real property includes equipment attached to and made a part of buildings, structures, and other facilities, such as heating systems, but excludes collateral equipment which is removable without significant damage to the real property, such as machine tools. Equipment serving a function of real property (e.g., trailers used to house personnel) is considered as real property when so used.

(b) *Delegation of authority.* Consonant with the instructions of the Administrator and Deputy Administrator and to the extent authorized by law and applicable regulations, the Assistant Administrator for Industry Affairs and Director, Facilities Management Office, are hereby delegated authority to:

(1) Acquire title to real property and other interests therein for NASA and the United States by purchase, donation, transfer, easement, lease, permit, license, and otherwise.

(2) Exercise all the authority of NASA, under the Act of August 1, 1888 (40 U.S.C. 257) and under the further authority of the Act of July 29, 1958 (42 U.S.C. 2473 (b)(3)) to acquire real estate for the United States by condemnation under judicial process; and submit to the Attorney General of the United States requests for condemnation.

(3) Exercise for NASA the authority contained in the Act of February 26, 1931 (40 U.S.C. 258a) and the acts supplementary thereto and amendatory thereof, to sign declarations of taking.

(4) Exercise for NASA the authority contained in section 203(b)(14) of the National Aeronautics and Space Act of 1958, as amended, 42 U.S.C. 2473(b)(14) to determine a fair and reasonable reimbursement to the owners and tenants of land and interests in land in accordance with the provisions of NASA Management Instruction 8811.2, but in no event in excess of 25 per centum of the fair value of the parcel of land or interests in land to which the reimbursement is related. (The fair value of land or an interest in land shall be determined on the basis of an appraisal made by or on behalf of the Government in accordance with established appraisal principles and procedures, except that the Assistant Administrator for Industry Affairs or Director, Facilities Management Office, NASA Headquarters, in extraordinary cases when he deems departure from the appraised value to be justified, may submit the question of fair market value to the Administrator, NASA, for his determination.)

(5) Enter into joint use agreements or permits with other Government agencies relating to real property.

(6) Exercise all the authority of NASA under the Act of Congress approved October 23, 1962 (40 U.S.C. 319 to 319c), including the authority to grant on behalf of the United States, to a State or political subdivision or agency thereof or to any person or organization applying therefor, such easements in, over, or upon real property of the United States controlled by NASA as will not be adverse to the interests of the United States in accordance with the requirements set forth in NASA Policy Directive 8813.1.

(7) To the extent authorized by law and applicable regulation, grant leasehold interests, permits or licenses to any public or private entity applying therefor in, over or upon real property of the United States under the control of NASA provided that such grant will not be adverse to the interests of the United States as determined, through suitable regulation, by the Administrator, NASA. But nothing herein shall extend to the disposition of real property which is excess within the meaning of 40 U.S.C. 472(e).

(8) Sell and otherwise dispose of real property in accordance with the provisions of the Federal Property and Administrative Service Act of 1949, as amended (40 U.S.C. 471 et seq.).

(9) Enter into or take other actions with respect to real property transactions with foreign governments and foreign commercial organizations or individuals.

(10) Request other government agencies to act as real estate agents for NASA in accordance with interagency agreements.

(c) *Redelegation of authority.* The Assistant Administrator for Industry Affairs is authorized to redelegate authority to other NASA personnel and officials of other Federal agencies acting as the NASA real estate agents (pursuant to agreements in effect at that time) to enter into real property transactions, except those specified in paragraph (b)(2), (3), (4), and (6) of this section, subject to such limitations as he may consider necessary.

(42 U.S.C. 2473(b)(1))

Effective date. The provisions of this § 1204.501 are effective April 22, 1966.

R. C. SEAMANS, Jr.,
Deputy Administrator.

[F.R. Doc. 66-5913; Filed, May 27, 1966; 8:48 a.m.]

PART 1245—PATENTS

Subpart 1—Patent Waiver Regulations

Subpart 1 is revised in its entirety as follows:

Subpart 1—Patent Waiver Regulations

Sec.
1245.100 Scope of subpart.
1245.101 Definitions.
1245.102 Applicability.
1245.103 Policy.
1245.104 Waiver at the time of contracting.
1245.105 Waiver prior to invention identification.
1245.106 Waiver after reporting of inventions.
1245.107 Reservation of license.
1245.108 Additional reservations.
1245.109 Voidability of waivers.
1245.110 Content of petitions.
1245.111 Processing of petitions.
1245.112 Hearing procedure.
1245.113 License to contractor.
1245.114 Waiver of foreign rights.
1245.115 Filing of patent applications.
1245.116 Publication.

AUTHORITY: The provisions of this Subpart 1 issued under 42 U.S.C. 2457(f).

§ 1245.100 Scope of subpart.

Section 305 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457) provides that each invention determined by the Administrator of NASA to have been made in the performance of work under a NASA contract in the manner specified in that section becomes the exclusive property of the United States unless the rights of the United States are waived in accordance with the provisions of section 305(f) of the Act. Thus title to each such invention vests in the United States unless a waiver is granted. This subpart sets forth the policies and procedures governing the waiver of rights of the United States to inventions under section 305(f) of the Act.

§ 1245.101 Definitions.

As used in this subpart:

(a) "Contract" means any actual or proposed contract, understanding, or other arrangement with the National Aeronautics and Space Administration (NASA) or another Government agency on NASA's behalf, including any assignment, substitution of parties or subcontract executed or entered into thereunder, and including grants made by NASA under 42 U.S.C. 1891–1893.

(b) "Contractor" means a party which has undertaken to perform work under a contract.

(c) "Invention" means an invention made in the manner specified in paragraph (1) or (2) of section 305(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457(a)) in the performance of work under a contract.

(d) "Board" means the NASA Inventions and Contributions Board established by the Administrator of NASA within the Administration under section 305(f) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457(f)).

(e) "To bring to the point of practical application" means to manufacture in the case of a composition or product, to practice in the case of a process, or to operate in the case of a machine and under such conditions as to establish that the invention is being worked and that its benefits are reasonably accessible to the public.

§ 1245.102 Applicability.

This subpart applies to all inventions which may be conceived or first actually reduced to practice under conditions enabling the Administrator of NASA to determine rights therein on behalf of the United States pursuant to section 305 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457).

§ 1245.103 Policy.

(a) In implementing the provisions of section 305(f) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457(f)) and in defining when the interests of the United States would be served by waiver of rights in inventions made in the performance of work under NASA contracts, the Administrator is guided by the objectives set forth in the National Aeronautics and Space Act of 1958 and by the basic policy of the Presidential Memorandum and Statement on Government Patent Policy issued October 10, 1963 (28 F.R. 10943–46). Among the most important objectives of the regulations in this subpart are to provide incentives to foster inventiveness and encourage reporting of inventions made under NASA contracts, to provide for the widest practicable dissemination of new technology resulting from NASA's programs and to encourage the expeditious development and adoption of this new technology for commercial purposes.

(b) This subpart prescribes three different times at which waiver of title may be requested. Waiver of title to an individual invention may be requested under § 1245.106 after the invention has been identified and reported to NASA. Waiver of title to inventions not yet identified and reported may be requested under § 1245.104, prior to execution of the contract, or under § 1245.105, within sixty (60) days of contract execution. Waiver of title may be requested under any of these sections even though a request under a different section was not made or, if made, was not granted.

§ 1245.104 Waiver at the time of contracting.

(a) Where waiver of title is requested prior to contract execution, such waiver normally will be granted if the Board makes each of the six findings set forth in subparagraphs (1) through (6) of this paragraph prior to execution of the contract:

(1) It is not a principal purpose of the contract to create, develop or improve products, processes, or methods which are intended for commercial use (or which are otherwise intended to be made available for use) by the general public at home or abroad, or which will be required for such use by governmental regulations.

(2) It is not a principal purpose of the contract to explore into fields which directly concern the public health or public welfare.

(3) The contract is not in a field of science or technology in which there has been little significant experience outside of work funded by the Government, or where the Government has been the principal developer of the field, with respect to which the acquisition of exclusive rights at the time of contracting might confer on the contractor a preferred or dominant position.

(4) The contract is not for services of the contractor for (i) the operation of a Government-owned research or production facility or (ii) coordinating and directing the work of others.

(5) The purpose of the contract is to build upon existing knowledge or technology to develop information, products, processes, or methods for use by the Government.

(6) The work called for by the contract is in a field of technology in which the contractor has acquired technical competence (demonstrated by factors such as know-how, experience, and patent position) directly related to an area in which the contractor has an established nongovernmental commercial position.

(b) When a petition for waiver is made pursuant to paragraph (a) of this section and sufficient information is not presented to allow the Board to make findings of fact and recommendations to the Administrator of NASA without unduly delaying execution of the contract, the Board will inform the contracting officer that such findings of fact and recommendations have not been made. The contracting officer will so inform the petitioner, who may, upon execution of the contract, request the Board to consider the matter further under § 1245.105. If the Board proposes to recommend against the granting of a waiver under § 1245.105, the petitioner may then request reconsideration or a hearing under § 1245.111.

(c) A waiver granted pursuant to paragraph (a) of this section shall be effective only with respect to inventions which are reported during the term of the contract under which they are made and designated at the time of reporting as being inventions upon which the contractor intends to file or has filed a U.S. Patent application.

(d) A waiver granted pursuant to paragraph (a) of this section is subject to the reservations and conditions set forth in §§ 1245.107–1245.109.

§ 1245.105 Waiver prior to invention identification.

(a) Where a waiver has not been granted under § 1245.104, a petition for

waiver of title to all inventions which may be made in the performance of work under a specific contract may be submitted by the contractor within sixty (60) days after execution of the contract. Such a petition may be made even though no petition for waiver was made prior to execution of the contract under § 1245.104. In the event a petition for waiver under § 1245.104 was previously made but not granted, the contractor may request the Board to consider the matter under this section on the record or, in the alternative, he may submit additional evidence and arguments in support of his petition.

(b) Waiver of title under this section normally will be granted when the Board makes the findings set forth in § 1245.104 (a).

(c) A waiver granted pursuant to paragraph (b) of this section shall be effective only with respect to inventions which are reported during the term of the contract under which they are made and designated at the time of reporting as being inventions upon which the contractor intends to file or has filed a United States patent application.

(d) A waiver granted pursuant to paragraph (b) of this section is subject to the reservations and conditions set forth in §§ 1245.107–1245.109.

§ 1245.106 Waiver after reporting of inventions.

(a) The provisions of this section apply to petitions for waiver of title to individual inventions which have been reported to NASA and which are not subject to a waiver granted pursuant to § 1245.104 or § 1245.105.

(b) Waiver of title to an invention after reporting thereof will not be granted where the Board finds that the invention:

(1) Is directly related to a governmental program for creating, developing, or improving products, processes, or methods for use by the general public at home or abroad; or

(2) Will be required by governmental regulation for use by the general public at home or abroad; or

(3) Is directly related to the public health or public welfare; or

(4) Is in a field of science or technology in which there has been little significant experience outside of work funded by the Government, or where the Government has been the principal developer of the field, and the acquisition of exclusive rights might confer on the contractor a preferred or dominant position.

(c) Except for inventions falling within paragraph (b) of this section, waiver of title to an invention normally will be granted if the Board finds that, in view of the contractor's plans and intentions to bring the invention to the point of practical application, waiver of title to the contractor would be an effective incentive to bring the invention to the point of practical application at the earliest practicable date.

(d) A waiver granted pursuant to paragraph (c) of this section is subject to the reservations and conditions set forth in §§ 1245.107 through 1245.109.

§ 1245.107 Reservation of license.

With respect to any particular invention, waiver of title under any and all provisions of this subpart shall be subject to the reservation of an irrevocable, nonexclusive, nontransferable, royalty-free license for the practice of the invention throughout the world by or on behalf of the United States or any agency thereof, State, or domestic municipal government, or any foreign government pursuant to any existing or future treaty or agreement with the United States.

§ 1245.108 Additional reservations.

(a) With respect to any particular invention, each waiver of title shall be subject to the reservation of the right of the Administrator of NASA to require the granting of a license to any applicant on a nonexclusive, royalty-free basis unless:

(1) The contractor, his licensee, or his assignee has brought the invention to the point of practical application within three years after a U.S. patent issues on the invention and thereafter continues to work the invention and make its benefits reasonably accessible to the public; or

(2) Within three years after a U.S. patent issues on the invention, such patent has been made available for nonexclusive licensing to any responsible applicant, royalty-free or on terms that are reasonable in the circumstances; or

(3) The contractor shows cause why he should retain the full benefits of waiver for a further period of time.

(b) With respect to any particular invention, each waiver of title shall be subject to the reservation, by the Administrator of NASA, of the right to require the granting of a license to any responsible applicant royalty-free or on terms that are reasonable in the circumstances for such practice of the invention as may be appropriate to satisfy the requirements which may be made by governmental regulations for public use of the invention or as may be necessary to fulfill health needs.

(c) Before a contractor is required to grant a license under either paragraph (a) or (b) of this section, he shall be given an opportunity to show cause before the Board why he should not be required to grant such a license.

§ 1245.109 Voidability of waivers.

(a) With respect to any particular invention, each waiver of title shall be voidable at the option of the Administrator of NASA unless:

(1) Within eight months from the date of reporting of an invention subject to a waiver granted pursuant to § 1245.104 or § 1245.105, or eight months from the date of the granting by the Administrator of NASA of a waiver pursuant to § 1245.106, the contractor files an application for U.S. Letters Patent disclosing and claiming the invention and includes within the first paragraph of the specification of such application and any patent issuing thereon the following statement:

The invention described herein was made in the performance of work under a NASA contract and is subject to the provisions of section 305 of the National Aeronautics and Space Act of 1958, Public Law 85–568 (72 Stat. 435; 42 U.S.C. 2457).

(2) The contractor furnishes to the Administrator of NASA a copy of each patent application, domestic or foreign, filed on such invention together with identifying serial number and filing date promptly upon receipt thereof;

(3) The contractor executes and furnishes to the Administrator of NASA instruments fully confirmatory of the rights herein reserved by the Government;

(4) In the event he elects not to continue prosecution of any application filed on such invention, the contractor notifies the Administrator of NASA within sufficient time to allow assumption of prosecution by the Government, and delivers to the Administrator of NASA such duly executed instruments as are necessary to vest in the Administrator title thereto, including an instrument of assignment to such patent application;

(5) The contractor conveys to the Administrator of NASA, on written request, his entire right, title and interest in any foreign country in which he has not filed an application on said invention within—

(i) Nine months from the date a corresponding U.S. application is filed;

(ii) Six months from the date permission is granted to file foreign applications where such filing has been prohibited for security reasons; or

(iii) Such longer periods as may be expressly approved by the Administrator of NASA;

(6) The contractor grants any license which the Administrator of NASA may require to be granted pursuant to § 1245.108; and

(7) The contractor reports, upon NASA's written request, not more often than annually, the commercial use that is being made or is intended to be made of the invention.

(b) With respect to any particular invention, each waiver of title shall be voidable if the patent disclosing and claiming such invention is held to have been used in violation of the antitrust laws in an unappealed or unappealable judgment or order of a court or administrative tribunal of competent jurisdiction.

§ 1245.110 Content of petitions.

(a) Forms which may be used in petitioning for waiver are available from the NASA Inventions and Contributions Board, National Aeronautics and Space Administration, Washington, D.C., 20546. Each request for waiver under § 1245.104, § 1245.105, or § 1245.106 shall be by petition to the Administrator of NASA and shall include:

(1) An identification of the petitioner, his place of business and address, and if the petitioner is represented by counsel, his name and address;

(2) An identification by number and date of the pertinent NASA contract or proposed contract;

(3) A specification of the kind of waiver requested and of the section hereof under which the petition is submitted; and

(4) The signature of the petitioner or his authorized representative.

(b) *Petitions for waiver under §§ 1245.104 and 1245.105:* In addition to the information specified in paragraph (a) of this section, each petition for waiver under § 1245.104 or § 1245.105 shall include:

(1) A copy of the statement of work of the pertinent NASA contract or proposed contract; and

(2) A statement of facts tending to show that the contract is of a type specified in § 1245.104(a), relating such facts to the statement of work of the contract.

(c) *Petitions for waiver under § 1245.106:* A separate petition shall be submitted for each reported invention. In addition to the information specified in paragraph (a) of this section, such petition shall include:

(1) The full names of all inventors;

(2) A concise description of the invention, pointing out the relation of the invention to the known prior art, isolating what the petitioner regards as new, and relating the invention to the work required to be performed under the contract;

(3) A statement whether a patent application has been filed on the invention, together with a copy of such application if filed;

(4) If a patent application has not been filed, any information which may indicate a potential statutory bar to the filing of a patent application under 35 U.S.C. 102 (1958), or a statement that no bar is known to petitioner to exist; and

(5) A statement of facts tending to show that the invention qualifies for waiver of title under § 1245.106.

§ 1245.111 Processing of petitions.

(a) *Submission.* Petitions for waiver under § 1245.104 must be submitted through the contracting officer to the Inventions and Contributions Board, National Aeronautics and Space Administration, Washington, D.C., 20546. All other petitions may be submitted directly to the Board or through the contracting officer to the Board.

(b) *Notice of proposed recommendation.* With respect to petitions for waiver under § 1245.105 or § 1245.106, the Board will notify the petitioner:

(1) Whether it proposes to recommend to the Administrator of NASA that the petition be—

(i) Granted in the extent requested;

(ii) Granted in an extent different from that requested; or

(iii) Denied.

(2) Of the reasons for any recommended action adverse to or different from the waiver requested by the petitioner; and

(3) If the Board proposes to recommend that the petition be denied or granted to an extent different from that requested, that the petitioner may, within such period as the Board may set, but not less than thirty (30) days, request either an oral hearing before or reconsideration by the Board.

(c) *Hearing.* If the petitioner requests a hearing within the time set pursuant to paragraph (b)(3) of this section, the Board will set a place and date for such hearing and notify the petitioner.

(d) *Reconsideration.* If the petitioner requests reconsideration within the time set pursuant to paragraph (b)(3) of this section, the Board will reconsider the petition, together with any additional material submitted by the petitioner during the period set for requesting reconsideration.

(e) *Transmittal to Administrator.* (1) If the Board proposes to recommend that the petition be granted in the extent requested, or in other cases if the petitioner does not request a hearing or reconsideration during the period set for such action, or informs the Board that a hearing or reconsideration will not be requested, the Board shall transmit the petition, its findings of fact with respect thereto, and its recommendation to the Administrator of NASA.

(2) After a hearing or reconsideration as provided in paragraph (c) or (d) of this section, the Board shall transmit to the Administrator of NASA the petition, the record of proceedings, its findings of fact with respect to the request for waiver, and its recommendation.

(f) *Notice of denial.* In the event of denial of the petition by the Administrator of NASA, a written notice of such denial will be given promptly to the petitioner. The written notice will be accompanied with a statement of the grounds for the denial.

§ 1245.112 Hearing procedure.

Hearings held by the Board shall be in accordance with the procedures set forth in this section.

(a) *Public notice.* In addition to the notice to the petitioner required by § 1245.111(c), notice of each hearing shall be published in the FEDERAL REGISTER at least thirty (30) days prior to the date thereof. Such notice shall specify that written comments regarding the matter before the Board may be submitted prior to the hearing or within fifteen (15) days thereafter.

(b) *Hearings to be public.* Each hearing shall be open to the public.

(c) *Representation of petitioner.* Petitioners may be represented by attorneys and any other appropriately designated persons.

(d) *Conduct of hearing.* Hearings shall be conducted in an informal manner, with the objective of providing the petitioner with a full opportunity to present evidence and arguments in support of the petition. Evidence may be presented through means of such witnesses, exhibits, and visual aids as are arranged for by the petitioner. While proceedings will be ex parte, members of the Board, and its counsel, may address questions to witnesses called by the petitioner, and the Board may, at its option, enlist the aid of technical advisors or expert witnesses.

(e) *Record.* A written transcript of the proceeding shall be arranged for by the Board. The petitioner shall submit for the record a copy of any exhibit or visual aid utilized during the hearing.

§ 1245.113 License to contractor.

There is hereby granted to any contractor reporting an invention an irrevocable, nonexclusive, royalty-free license for the practice of such invention throughout the world, together with the right to grant sublicenses of the same scope, to the extent the contractor was legally obligated to do so at the time the contract was awarded. Such license and right is nontransferable except to the successor of that part of the contractor's business to which the invention pertains.

§ 1245.114 Waiver of foreign rights.

Upon request, waiver of title to any identified invention will be granted in countries other than the United States in which the Administrator of NASA does not desire to file an application for patent for such invention, subject to the reservation of an irrevocable, nonexclusive, nontransferable, royalty-free license for the practice of the invention throughout the world by or on behalf of the United States or any agency thereof or any foreign government pursuant to any existing or future treaty or agreement with the United States and subject to the conditions set forth in § 1245.109(a) (2) through (5) and (7).

§ 1245.115 Filing of patent applications.

In order to protect adequately the interests of the Government and the contractor in inventions, contractors are encouraged to file patent applications prior to final disposition of petitions for waiver of title. If a petitioner for waiver of title files a U.S. patent application disclosing and claiming the invention during the pendency of the petition, NASA will reimburse the petitioner for the reasonable costs of filing and such prosecution as may have ensued in the event that the petition is ultimately denied and the petitioner assigns the application to the United States as represented by the Administrator of NASA.

§ 1245.116 Publication.

There shall be published at least annually:

(a) The findings of fact and recommendations of the Board with respect to each petition for waiver;

(b) Appropriate statistics regarding inventions made under NASA contracts, and actions taken with respect thereto; and

(c) The decision of the Board in each proceeding under § 1245.108(c).

Effective date. The provisions of this subpart are effective June 1, 1966, and supersede NASA Patent Waiver Regulations of August 27, 1964 (29 F.R. 12273–12275), as of that date.

JAMES E. WEBB,
Administrator.

[F.R. Doc. 66–5914; Filed, May 27, 1966; 8:48 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

2,4-D

No comments were received in response to the notice published in the FEDERAL REGISTER of April 6, 1966 (31 F.R. 5453), proposing that the pesticide regulations be amended to permit preharvest use of the plant regulator 2,4-D isopropyl ester on citrus fruits. The proposal was published by the Commissioner of Food and Drugs in response to a request filed by Dr. C. C. Compton, Project Leader, Interregional Research Project No. 4, State Agricultural Experiment Stations, Rutgers University, New Brunswick, N.J., 08903. No request has been received for referral of the proposal to an advisory committee.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008): *It is ordered*, That the amendment proposed be adopted without change. Accordingly, § 120.142 is revised to read as follows:

§ 120.142 2,4-D tolerances for residues.

A tolerance of 5 parts per million is established for residues of the herbicide and plant regulator 2,4-D (2,4-dichlorophenoxyacetic acid) in or on each of the following raw agricultural commodities: Apples, citrus fruits, pears, quinces. The tolerance for citrus fruits also includes residues of 2,4-D (2,4-dichlorophenoxyacetic acid) from the preharvest application of 2,4-D isopropyl ester to citrus fruits and from the postharvest application of the 2,4-D isopropyl ester to lemons.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e))

Dated: May 20, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5894; Filed, May 27, 1966; 8:46 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 315—REGULATIONS GOVERNING UNITED STATES SAVINGS BONDS

On March 26, 1966, a notice of proposed rulemaking was published in the FEDERAL REGISTER (31 F.R. 5015) with respect to Treasury Department Circular No. 530, Ninth Revision (31 CFR, Part 315). After consideration of such relevant matter as was presented by interested parties, the regulations, revised and amended in the form shown below, were adopted on May 24, 1966.

This revision and amendment of the regulations is issued under authority of the Revised Statutes, section 161 (5 U.S.C. 22), and the Second Liberty Bond Act (31 U.S.C. 757c, 757c-1), both as amended.

Dated: May 24, 1966.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

Department Circular No. 530, Ninth Revision (31 CFR Part 315), is hereby revised and amended as follows:

§ 315.6 Restrictions on registration.

* * * * *

(b) *Minority.*[1] (1) Bonds purchased by another person with funds belonging to a minor must be registered in the name of the minor without a coowner or beneficiary. Bonds purchased by a representative of a minor's estate must be registered in the name and include in the registration an appropriate reference to the guardianship estate. Bonds purchased by a representative of the estates of two or more minors, even though appointed in a single proceeding, must be registered in the name of each minor separately, with appropriate reference to his guardianship estate.

(2) Bonds purchased with funds not belonging to a minor may be registered to name the minor as owner, coowner or beneficiary, and in this case, the registration must include an appropriate reference to the guardianship estate, if the minor's estate is under legal guardianship.

(3) Bonds purchased as a gift to a minor under a gifts to minors statute in effect in the State in which either the donor or the minor resides may be registered as provided in the applicable statute, with a parenthetical reference to the statute if it is not clearly identified by the registration. A coowner or beneficiary may not be named.

(4) Registration of bonds in the name of a natural guardian for a minor is not authorized.

(5) A minor may name a coowner or beneficiary on bonds he purchases with his wages, earnings, or other funds belonging to him and under his control.

(c) *Incompetency.*[1] Bonds may be purchased with funds belonging to the estate of an incompetent for whom a guardian or similar representative has been appointed.[2] The registration must include appropriate reference to such guardianship or similar fiduciary estate. Bonds purchased with funds not belonging to the incompetent may be registered to name the incompetent as owner (with or without a beneficiary), as coowner or as beneficiary, with appropriate reference to the guardianship or similar fiduciary estate.

§ 315.7 Authorized forms of registration

* * * * *

(b) *Fiduciaries (including legal guardians or similar representatives, certain custodians, executors, administrators and trustees).*—(1) *General.* A bond may be registered in the name of any person or persons or any organization, public or private, acting as fiduciary of a single duly constituted fiduciary estate, but not where the fiduciary would hold the bond merely or principally as security for the performance of a duty, obligation or service. A coowner or beneficiary may not be named in the registration except under the applicable provisions of § 315.6 (b) and (c). A common trust fund established and maintained according to law by a financial institution duly authorized to act as a fiduciary will be considered as a single duly constituted fiduciary estate within the meaning of these regulations in this part. Registration must conform to a form authorized by this paragraph.

(2) *Guardians, conservators, similar representatives, certain custodians.* A bond may be registered in the name and title or capacity of the legally appointed, designated or authorized representative of the estate of a minor, incompetent, aged person, absentee, etc., or in the name of such individual, followed by an appropriate reference to the estate and showing the nature of the disability or referring to the applicable statute. A coowner or beneficiary may be named only in accordance with the applicable provisions of § 315.6 (b) and (c). Examples:

[1] See examples of forms of registration under § 315.7(b)(2).

[2] Bonds should not be registered in the name of an incompetent unless there is a representative for his estate, except as provided in sec. 315.53.

Tenth National Bank, guardian (or conservator, trustee, etc.) of the estate of George M. Brown, 123-45-6789, a minor (or an incompetent, aged person, infirm person, or absentee).

George M. Brown, 123-45-6789, a minor (or an incompetent, aged person, infirm person, or absentee) under legal guardianship (or conservatorship or trusteeship, etc.) of James F. Jones.

John R. Smith 123-45-6789, an adult under conservatorship of Henry C. Smith pursuant to section 572, 1963 Iowa Probate Code.

James F. Brown 123-45-6789, a minor (or an incompetent) under custodianship by designation of the Veterans Administration.

Frank M. Olsen 123-45-6789, an incompetent for whom Eric A. Olsen has been designated trustee by the Department of the Army pursuant to 37 U.S.C. 351-354.

Arnold A. Ames, as custodian for Barry B. Bryan, 123-45-6789, under the California Uniform Gifts of Securities to Minors Act.

Arnold A. Ames, as custodian for Barry B. Bryan, 123-45-6789, a minor, under the laws of Georgia (Ch. 48-3, Code of Ga. Ann.).

Richard A. Roe 123-45-6789, a minor (or an incapacitated adult) beneficiary for whom Reva L. Roe has been designated representative payee by the Secretary of Health, Education, and Welfare, pursuant to 42 U.S.C. 405(j).

Tenth National Bank, guardian of the estate of George M. Brown, a minor or Henry L. Green, 123-45-6789.

Henry L. Green, 123-45-6789 P.O.D. George M. Brown, a minor under legal guardianship of Tenth National Bank.

(3) *Executors and administrators.* A bond may be registered in the name of the representative or representatives appointed by a court or otherwise legally qualified to act for the estate of a decedent, or in the name of an executor authorized to administer a trust under the terms of a will although he is not named as trustee. The names and capacities of all the representatives, as shown in their letters of appointment, must be included in the registration and be followed by an adequate identifying reference to the estate. Examples:

John H. Smith and Calvin N. Jones, executors of the will (or administrators of the estate) of Robert J. Smith, deceased 12-3456789.

John H. Smith, executor of the will of Robert J. Smith, deceased, in trust for Mrs. Jane L. Smith, with remainder over 12-3456789.

(4) *Trustees or life tenants under wills, deeds of trust, agreements or similar instruments.* A bond may be registered in the name and title of the trustee (or trustees) of a duly constituted trust estate, or in the name of a life tenant, followed by an adequate governing the trust or life tenancy. Examples:

Thomas J. White and 10th National Bank, trustees under the will of Robert J. Smith, deceased 12-3456789.

Mrs. Jane M. Smith, life tenant under the will of Robert J. Smith, deceased 12-3456789.

Tenth National Bank, trustee under agreement with Paul E. White, dated 2/1/55 12-3456789.

Carl A. Black and Henry B. Green, trustees under agreement with Paul E. White, dated 2/1/55 12-3456789.

If the trust instrument designates by title only an officer of a board or an organization as trustee, only the title of the officer should be used. Example:

Chairman, Board of Trustees, First Church of Christ, Scientist, of Chicago, Ill., in trust under the will of Robert J. Smith, deceased 12-3456789.

The names of all trustees, in the form used in the trust instrument, must be included in the registration, except as follows:

(i) If there are several trustees designated as a board or authorized to act as a unit, their names may be omitted and the words "Board of Trustees" substituted for the word "trustees." Example:

Board of Trustees of the Immediate Relief Trust of the Federal Aid Association, under trust indenture dated 2/1/55 12-3456789.

(ii) If the trustees do not constitute a board and are not authorized to act as a unit, and are too numerous to be designated in the registration by names and title, some or all of the names may be omitted. Examples:

John A. Smith, Henry B. Jones, et al., trustees under the will of Edwin O. Mann, deceased, 12-345678.

Trustees under the will of Edwin A. Mann, deceased 12-3456789.

(5) *Pension, retirement or similar funds, or eligible employees' savings or savings and vacation plans.* A bond may be registered in the name and title, or title alone, of the trustee or trustees of a pension, retirement or similar fund, or an eligible employees' savings or savings and vacation plan. If the instrument creating the trust provides that the trustees shall serve for a limited term, their names may be omitted. Examples:

Tenth National Bank, trustee of pension fund of Safety Manufacturing Co., U/A with said company dated March 31, 1949 12-3456789.

Trustees of Retirement Fund of Safety Manufacturing Co., under directors' resolution adopted 3/31/49 12-3456789.

County Trust Company, trustee of the Employees' Savings Plan of Jones Co., Inc., U/A dated 1/17/59 12-3456789.

Trustees of the Employees' Savings Plan of Brown Bros., Inc., U/A dated January 20, 1964 12-3456789.

(6) *Funds of lodges, churches, societies, or similar organizations.* A bond may be registered in the titles of the trustees, or a board of trustees, holding funds in trust for a lodge, church, society, or similar organization, whether or not incorporated. Examples:

Trustees of the First Baptist Church, Akron, Ohio, acting as a Board under Sec. 15 of its bylaws 12-3456789.

Trustees of Jamestown Lodge No. 1,000, Benevolent and Protective Order of Elks, under Sec. 10 of its by-laws 12-3456789.

Board of Trustees of the Lotus Club, Washington, Ind., under Art. X of its constitution 12-3456789.

(7) *Investment agents for religious, educational, charitable or nonprofit organizations.* A bond may be registered in the name of a bank, trust company, or other financial institution, or an individual, as agent under an agreement with a religious, educational, charitable, or nonprofit organization, whether or not incorporated, if the agent holds funds for the sole purpose of investing and reinvesting them and paying the income to the organization. The name and designation of the agent must be followed by an adequate identifying reference to the agreement. Examples:

Tenth National Bank, fiscal agent 12-3456789, under agreement with The Evangelical Lutheran Church of the Holy Trinity, dated December 28, 1949.

Sixth Trust Co., investment agent 12-3456789, U/A dated September 16, 1962, with Central City Post, Department of Illinois, American Legion.

John Jones, investment agent, 12-3456789, U/A dated September 16, 1962, with Central City Post, Department of Illinois, American Legion.

(8) *Funds of school groups or activities.* A bond may be registered in the title of the principal or other officer of a public, private, or parochial school holding funds in trust for a student body fund or for a class, group, or activity. If the amount purchased for any one fund does not exceed $500 (face value), no reference need be made to a trust instrument. Examples:

Principal, Western High School, in trust for Class of 1955 Library Fund 12-3456789.

Director of Athletics, Western High School, in trust for Student Activities Association, under resolution adopted May 12, 1955, 12-3456789.

(9) *Public corporations, bodies, or officers as trustees.* A bond may be registered in the name of a public corporation or a public body, or in the title of a public officer, acting as trustee under express authority of law, followed by an appropriate reference to the statute creating the trust. Examples:

Rhode Island Sinking Fund Commission, trustee of the General Sinking Fund, under Chapter 35, General Laws of Rhode Island.

Superintendent of the Confederate Home for Men, in trust for the Benefit Fund under section 3183, Vernon's Civil Stats. of Texas Annot.

(c) *Private organizations (corporations, associations, partnerships).*—(1) *General.* A bond may be registered in the name of any private organization in its own right, except that of a commercial bank, which is defined for this purpose as one accepting demand deposits. The full legal name of the organization, as set forth in its charter, articles of incorporation, constitution, partnership agreement or other authority from which its powers are derived, must be included in the registration and may be followed, if desired, by a parenthetical reference to a particular account, other than a trust account, in accordance with the rules and examples authorized by this paragraph.

(2) *Corporations.* A bond may be registered in the name of a business, fraternal, religious, or other private corporation. The words "a corporation" must be included in the registration unless the fact of incorporation is shown in the name. Examples:

Smith Manufacturing Co., a corporation, 12-3456789.

Green & Redd, Inc., 12-3456789 (Depreciation Acct.).

(3) *Unincorporated associations.* A bond may be registered in the name of a

club, lodge, society, or similar self-governing association which is not incorporated. The words "an unincorporated association" must be included in the registration. This form of registration must not be used for a trust fund, a board of trustees, a partnership, a business conducted under a trade name or a sole proprietorship. If the association is chartered by or affiliated with a parent organization, the name or designation of the subordinate or local organization must be given first, followed by the name of the parent organization. The name of the parent organization may be placed in parentheses and, if well known, may be abbreviated. Examples:

The Lotus Club, an unincorporated association, 12–3456789.

Local 447, Brotherhood of Railroad Trainmen, an unincorporated association, 12–3456789.

Eureka Lodge No. 317 (A.F. & A.M.), an unincorporated association, 12–3456789.

(4) *Partnerships.* A bond may be registered in the name of a partnership, which will be considered as an entity. The words "a partnership" must be included in the registration. Examples:

Smith & Brown, a partnership, 12–3456789.

Acme Novelty Co., a partnership, 12–3456789.

(d) *Institutions (churches, hospitals, homes, schools, etc.).* A bond may be registered in the name of a church, hospital, home, school, or similar institution conducted by a private organization or by private trustees, regardless of the manner in which it is organized or governed or title to its property is held. Descriptive words such as "a corporation" or "an unincorporated association" must not be included in the registration. Examples:

Shriners' Hospital for Crippled Children, St. Louis, Mo., 12–3456789.

St. Mary's Roman Catholic Church, Albany, N.Y., 12–3456789.

Rodeph Shalom Sunday School, Philadelphia, Pa., 12–3456789.

(e) *States, public bodies and corporations and public officers.* A bond may be registered in the name of a State, county, city, town, village, school district, or other political entity, public body or corporation established by law (including a board, commission, administration, authority or agency) which is the owner or official custodian of public funds, other than trust funds, or in the full legal title of the public officer having custody of the funds. Examples:

State of Maine.

Town of Rye, N.Y. (Street Improvement Fund).

Maryland State Highway Commission.

Treasurer, City of Chicago.

(f) *Treasurer of the United States as coowner or beneficiary.* A person who desires to have a bond become the property of the United States upon his death may designate the Treasurer of the United States as coowner or beneficiary. Examples:

George T. Jones, 123–45–6789 or the Treasurer of the United States of America.

George T. Jones, 123–45–6789, P.O.D. the Treasurer of the United States of America.

§ 315.10 Amount which may be held.

* * * * *

(a) *Series E.* $5,000 (face value) for each calendar year up to and including the calendar year 1947; $10,000 (face value) for the calendar years 1948 to 1951, inclusive; $20,000 (face value) for the calendar years 1952 to 1956, inclusive; $10,000 (face value) for the calendar years 1957[2] to 1965, inclusive; $20,000 (face value) for the calendar year 1966 and each calendar year thereafter; except that trustees of an employees' savings plan (as defined in Dept. Cir. No. 653, current revision, 31 CFR Part 316) and trustees of an eligible savings and vacation plan may purchase $2,000 (face value) multiplied by the highest number of employees participating in the plan at any time during the calendar year in which the bonds are issued.

(b) *Series H*—(1) *General limitation.* $20,000 (face value) for each calendar year up to and including the calendar year 1956; $10,000 (face value) for the calendar years 1957[2] to 1961, inclusive; $20,000 (face value) for the calendar years 1962 to 1965, inclusive; $30,000 (face value) for the calendar year 1966 and each calendar year thereafter.

(2) *Special limitation.* $200,000 (face value) for the calendar year 1966 and each calendar year thereafter for bonds received as gifts by an organization which at the time of purchase was an exempt organization under the terms of 26 CFR 1.501(c)(3)–1.

§ 315.11 Computation of amount.

* * * * *

(b) *Bonds that must be included in computation.* * * *

(3) All bonds originally registered in the name of that person as owner or reissued at the request of the original owner to add the name of that person as coowner or to designate him as coowner instead of as beneficiary. However, the amount of bonds of Series E and H held in coownership form may be applied to the holdings of either of the coowners or apportioned between them.

(c) *Bonds that may be excluded from computation.* * * *

(3) Bonds to which he has become entitled under section 315.67 as surviving beneficiary upon the death of the registered owner, as an heir or legatee of the deceased owner, or by virtue of the termination of a trust or the happening of any other event;

* * * * *

(6) Bonds of Series E or H reissued under section 315.61(a);

* * * * *

(9) Bonds of Series H issued in exchange for bonds of Series E, F, or J under the provisions of Department Circular No. 1036 (Part 339 of this chapter) as in effect at the time of the exchange.

§ 315.36 Before maturity.

* * * * *

(e) *Withdrawal of request for redemption.* An owner or a coowner who has presented and surrendered a bond to the Treasury Department or a Federal Reserve Bank or Branch or to an authorized paying agent, with an appropriate request for payment, may withdraw such request if notice of intent to withdraw is given to and received by the same agency to which the bond was presented for payment prior to the issuance of a check in payment or prior to payment by the authorized paying agent. Such request may be withdrawn under the same conditions by the executor or administrator of the estate of a deceased owner, or by the person or persons who would have been entitled to the bond under Subpart O of this part, or by the legal representative of the estate of a person under legal disability, unless presentation and surrender of the bond have cut off rights of survivorship under the provisions of Subpart M or Subpart N of this part.

§ 315.38 Requests for payment.

* * * * *

(c) *Identification and signature.* Unless the bond is presented under provisions of paragraph (a) of this section or paragraph (b) of § 315.39, the owner or a coowner whose name is inscribed on the bond, or other person entitled to payment under the provisions of these regulations, must appear before and establish his identity to an officer authorized to certify requests for payment (see Subpart I of this part), and in the presence of such officer sign the request for payment in ink, adding in the space provided the address to which the check issued in payment is to be mailed. A signature by mark (X) must be witnessed by at least one disinterested person in addition to the certifying officer and must be attested by endorsement in the blank space, substantially as follows: "Witness to above signature by mark," followed by the signature and address of the witness. If the name of the owner, coowner or other person entitled to payment as it appears in the registration or in evidence on file in the Bureau of the Public Debt, Division of Loans and Currency Branch, has been changed by marriage or in any other legal manner, the signature to the request for payment must show both names and the manner in which the change was made, for example, "Mrs. Mary T. Jones Smith (Mrs. Mary T. J. Smith or Mrs. Mary T. Smith) changed by marriage from Miss Mary T. Jones," or "John R. Young, changed by order of court from Hans R. Jung." (See § 315.49.) No request signed in behalf of the owner, a coowner, or person entitled to payment by an agent or a person acting under a power of attorney will be recognized by the Treasury Department, except when the bond has been pledged in lieu of surety under Department Circular No. 154, current revision (Part 225 of this chapter), as provided in § 315.16.

§ 315.42 Persons who may certify.

* * * * *

(b) *At banks, trust companies, and member organizations of the Federal Home Loan Bank System.* Any officer of any bank or trust company incorporated in the United States, its territories, or possessions or the Commonwealth of Puerto Rico, any Federal Savings and Loan Association or other organization which is a member of the Federal Home Loan Bank System, or a domestic or foreign branch of any such institution; any officer of a Federal Reserve Bank, Federal Land Bank, or Federal Home Loan Bank; any employee of any such institution expressly authorized by it for that purpose, who must sign over the title "Designated Employee"; and Federal Reserve Agents and Assistant Agents located at the several Federal Reserve Banks. Certifications by any of these officers or designated employees must be authenticated by either a legible impression of the corporate seal of the institution or, in the case of organizations which are authorized issuing agents for bonds of Series E, by a legible imprint of the issuing agent's dating stamp.

[2] See footnote 5, Dept. Cir. No. 530, Ninth Revision (31 CFR Part 315).

§ 315.50 Payment to representative of estate.

(a) If a bond is registered to show the owner or a coowner is a minor, an incompetent, aged person, absentee, etc., and shows the name of the representative of his estate, the representative may obtain payment of the bond without submitting evidence of his representative capacity. If the representative's name is not shown, a certificate, or a certified copy of the letters of appointment, from the court making the appointment, under court seal, or other proof of qualification if not appointed by a court, must be submitted. Except in the case of corporate fiduciaries, such evidence must show that the appointment is in full force and be dated not more than 1 year prior to presentation of the bond for payment. After the death of a minor, an incompetent, aged person, absentee, etc., the representative of the estate at any time prior to his discharge will be entitled to obtain payment of a bond to which the ward was solely entitled. The request for payment appearing on the back of a bond must be signed by the representative as such, for example, "John S. Jones, guardian (committee) of the estate of Henry W. Smith, a minor (an incompetent)."

(b) If the form of registration does not indicate there is a representative of the estate of a minor owner or coowner, a notice that there is such a representative will not be accepted for the purpose of preventing payment to the minor or to a parent or other person on behalf of the minor, as provided in §§ 315.51 and 315.52.

§ 315.56 Reissue for certain purposes.

* * * * *

(c) *Certain degrees of relationship.* To name as registered owner a person related to the owner as set forth in § 315.61(a)(2), with a beneficiary or coowner, if so desired. (Form PD 3360 may be used.)

(d) *Trustees.* To name the trustee of (1) a personal trust estate created by the owner, or (2) a personal trust estate created by other than the owner provided (i) the owner is a beneficiary of the trust, or (ii) a beneficiary of the trust and the owner are related as set forth in § 315.61(a)(2). (Form PD 1851 may be used.)

§ 315.61 Reissue during the lives of both coowners.

(a) *General.* A bond registered in coownership form may be reissued upon its presentation and surrender during the lifetime and competency of both coowners, upon the request of both, under the following conditions:

(1) *Marriage, divorce, or annulment of marriage.* If one of the coowners marries, or if they are divorced or legally separated from each other, or their marriage to each other is annulled after issue of the bond, the bond may be reissued in the name of either coowner alone, or with a new coowner or beneficiary.

(2) *Related coowners.* If the coowners are related as: husband, wife; parent, child (including stepchild); brother, sister (including the half blood, stepbrother, stepsister, or brother or sister through adoption); grandparent, grandchild; great grandparent, great grandchild; uncle, aunt, nephew, niece (including a child of a brother or sister of the present spouse); granduncle, grandaunt, grandnephew, grandniece; father-in-law, mother-in-law, son-in-law, daughter-in-law; brother-in-law, sister-in-law—the bond may be issued in the name of

(i) Either coowner alone, or with a new coowner or beneficiary;

(ii) A third person related to either coowner in any of the foregoing degrees of relationship, with a coowner or beneficiary if so desired; or

(Form PD 1938 may be used for any of the above classes.)

(iii) The trustee of (*a*) a personal trust estate created by either of them, or (*b*) a personal trust estate created by some other person provided (*1*) either coowner is a beneficiary of the trust, or (*2*) a beneficiary of the trust is related to either coowner in any of the foregoing degrees of relationship. (Form PD 1851 may be used.)

(3) The provisions of this section do not apply to bonds on which the Treasurer of the United States is named as coowner.

* * * * *

§ 315.65 Payment during the lifetime of the registered owner.

A savings bond registered in beneficiary form, for example, "John A. Jones payable on death to Mrs. Mary C. Jones;" will be paid to the registered owner during his lifetime upon his properly executed request as though no beneficiary had been named in the registration. The presentation and surrender of the bond by the registered owner for payment establishes his exclusive right to the proceeds of the bond, and if he should die before the transaction is completed, payment will be made to the legal representative of, or the persons entitled to, his estate upon receipt of proof of appointment and qualification of the representative or the identity of the persons entitled, in accordance with the provisions of Subpart O of this part.

§ 315.66 Reissue during the lifetime of the registered owner.

A savings bond registered in beneficiary form may be reissued upon its presentation and surrender during the lifetime of the registered owner, upon his request, as follows:

(a) To name the beneficiary designated on the bond as coowner. (Form PD 1787 may be used.)

(b) To eliminate his name as owner and to name as owner a custodian for the beneficiary, if a minor, under a statute authorizing gifts to minors. (Form PD 3360 may be used.)

(c) To eliminate the beneficiary, to substitute another person as beneficiary, or to name another person as coowner. The request of the owner must be supported by the duly certified consent of the beneficiary to elimination of his name, or by proof of his death. (Form PD 1787 may be used.)

(d) To eliminate his name as owner and to name as owner the trustee of (1) a personal trust estate created by the owner, or (2) a personal trust estate created by other than the owner if (i) the owner is a beneficiary of the trust, or (ii) a beneficiary of the trust and the owner are related as set forth in § 315.61(a)(2). The request of the owner must be supported by the duly certified consent of the beneficiary, or by proof of his death. (Form PD 1851 may be used.)

(e) The provisions of this section do not apply to bonds on which the Treasurer of the United States is named as beneficiary.

§ 315.67 After the death of the registered owner.

If the registered owner dies without the bond having been presented and surrendered for payment or authorized reissue and is survived by the beneficiary, upon proof of death of the owner the beneficiary will be recognized as the sole and absolute owner, and payment or reissue will be made as though the bond were registered in his name alone (see Subpart L of this part).

Footnote 10 is deleted and footnotes 2 and 7 to 31 CFR Part 315 are amended and revised, as follows:

[2] Taxpayer identifying numbers must be included in Series H bond registrations, except for persons and organizations exempt from furnishing such numbers under regulations of the Internal Revenue Service. Bonds inscribed in the name of an individual, with or without a beneficiary, must show the individual's social security account number. The number of either coowner may be shown on bonds registered in coownership form. However, if the coowners are husband and wife, the husband's number should be shown. If the coowners are a minor and an adult, the adult's number should be shown. (See examples in sec. 315.7.)

At present it is not mandatory that taxpayer identifying numbers be included in registrations of Series E bonds. Issuing agents for Series E bonds issued under any payroll savings plans desiring to place the numbers on bonds should obtain instructions from the Bureau of the Public Debt, Washington, D.C., 20220.

[1] Series E bonds issued on or before April 30, 1952, increased in redemption value at the beginning of the second year after issue date and at the beginning of each successive half-year period thereafter to original maturity. Series E bonds issued on and after May 1, 1952, and Series J bonds, the sale of which terminated on April 30, 1957, increased in redemption value at the beginning of each successive half-year period after issue date. At original maturity the last increase in redemption value of Series E bonds issued on or after May 1, 1952, covers these periods: 2 months, from 9½ years through 9 years, 8 months, for bonds issued before February 1, 1957; 5 months, from 8½ years through 8 years, 11 months, for bonds issued on or after February 1, 1957, but before June 1, 1959; 3 months, from 7½ years through 7 years, 9 months, for bonds issued on and after June 1, 1959, but before December 1, 1965; and 6 months, from 6½ years through 7 years for bonds issued on and after December 1, 1965.

[F.R. Doc. 66-5893, Filed, May 27, 1966; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER W—AIR FORCE PROCUREMENT INSTRUCTION

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

Subchapter W is amended as follows:

PART 1001—GENERAL PROVISIONS

Subpart C—General Policies

§ 1001.352 [Deleted]

Section 1001.352 is deleted.

PART 1002—PROCUREMENT BY FORMAL ADVERTISING

Subpart B—Solicitation of Bids

1. In § 1002.201(a)(17), new material is inserted in subdivision (xii); present subdivisions (xiii) and (xiv) are deleted and a new subdivision (xiii) is inserted. The words "(19) to (25)" are deleted and new subdivisions (xiv) through (xviii) are inserted. Present paragraph (b) is deleted and a new paragraph (b) is inserted. These portions now read as follows:

§ 1002.201 Preparation of invitations for bids.

* * * * * * *

(a) * * *

(17) * * *

(xii) *Percentage of subcontracting.* When a Pre-Award Survey is contemplated as prescribed in § 1.905–4 of this title, the IFB will contain the following provision except that this provision will not be inserted when the clause contained in § 7.603–15 of this title is used:

Bidder represents that the estimated percentage of subcontracting contemplated on this procurement is _____ percent. (December 1954)

NOTE: The "percentage of subcontracting" will be reported as a percentage of the prime contractor's selling price. "Subcontracting" means only contracts for the production of or work upon an item, component, or assembly and does not include: (a) Any purchase of a standard commercial or catalog item, (b) any purchase of a basic raw material, (c) any purchase of supplies or services for the general operation of the contractor's plant, or (d) any purchase from a parent, subsidiary, or affiliate of the contractor.

(xiii) *Notification of synopsis.* See § 1001.1003–8 of this subchapter.

(18) *General provisions or conditions.*

* * * * *

(xiv) *Brand name or equal.* See § 1.1206 of this title.

(xv) *Production sample.* Where production samples are required, the provision in the IFB Schedule may be the same as a "first article" provision (see para. (b)(14) of this section) except that the term "production sample" will be used instead of "first article" and a Production Sample Test Clause (see § 1007.4021 of this subchapter) will be used instead of a First Article Approval Clause.

(xvi) *Special maintenance tools and test equipment.* Where a requirement for special maintenance tools and test equipment exists, a separate item in the schedule will be established similar to the following sample:

The contractor agrees to furnish special maintenance tools and test equipment for items * * * above, to be selected in accordance with * * * dated _____ incorporated herein by reference.

(xvii) [Reserved]

(xviii) The following provision will be included in all Invitations for Bids calling for the purchase of milk or milk products:

STATE MINIMUM DISTRIBUTOR PRICE REGULATION NOT APPLICABLE (MAR. 1963)

This Procurement is financed by Appropriated Funds and is made under the authority of Chapter 137, Title 10, U.S.C., and the Armed Services Procurement Regulation. Pursuant to Paul vs United States, decided by the Supreme Court of the United States on January 14, 1963, State minimum distributor price regulations with respect to milk or milk products are not applicable to this procurement.

(b) The following subparagraphs contain implementation of the corresponding subparagraphs of § 2.201(b) of this title, for supply and service contracts, excluding construction.

(1) through (13) No implementation.

(14) *First article approval.* Where it is known that one or more sources have previously furnished the Government articles subject to first article approval, the schedule may provide for bids to be submitted on one of two bases as applicable: Bid "A" (First Article, Approval Required); Bid "B" (First Article, Approval Not Required). The following provisions will then be inserted in the IFB schedule following the provision in § 1.1906 of this title:

Bidders who *have* previously furnished to the Government the articles referred to in item * * * above shall submit bid on Bid "B" which does not include compliance with the above First Article provision.

Bid submitted under Bid "A" (First Article, Approval Required) or under Bid "B" (First Article, Approval Not Required) are equally acceptable to the Government, as applicable, and award will be made thereon with the best interest of the Government considered. (February 1957)

(15) through (20) No implementation.

(21) *Mortuary services.* See § 1004.2002(a) (5) and (6) of this subchapter.

§§ 1002.205–4; 1002.205–51 [Deleted]

2. Sections 1002.205–4 and 1002.205–51 are deleted.

3. A new § 1002.205–6 is added as follows:

§ 1002.205–6 Preinvitation notices.

(AFPI Form 2, IFB Information, will be attached to the description sheet or IFB schedule sheet mailed to the prospective suppliers.)

PART 1003—PROCUREMENT BY NEGOTIATION

Subpart B—Circumstances Permitting Negotiation

§§ 1003.201—1003.202–3; 1003.213–3 [Deleted]

1. Sections 1003.201 through 1003.202–3 and 1003.213–3 are deleted.

2. Present §§ 1003.207–2, 1003.208–2(a) and 1003.210–2 are deleted and the following inserted, as follows:

§ 1003.207–2 Application.

In addition to meeting the two requirements in § 3.207–2 of this title, the proposed procurement must concern supplies which are authorized for procurement according to the provisions of § 5.1201–2 of this title, AFR 70–17 (Implementing Procedures for Purchase of Supplies Assigned to DSA Under DOD Coordinated Procurement Program) (par. VI A 31 and Enclosure 4), Chapter 16, Volume V, AFM 67–1 (USAF Supply Manual) or as otherwise authorized for local purchase by the Defense Personnel Support Center, Philadelphia, Pa.

§ 1003.208–2 Application.

(a) In addition to meeting the requirements in § 3.208–2 of this title, the proposed procurement must concern supplies which are authorized for base procurement by § 5.1201–2 of this title and AFM 145–1 (Air Force Subsistence Program), other related DOD and AF publications and authorizations, or brand-named items selected by the Superintendent of the USAF Academy, for resale in the Cadet Store.

* * * * *

§ 1003.210–2 Application.

(a) When considering determinations and findings, contracting officers and approving officials will exercise due care before a determination is made that a particular item can be obtained from only one person or firm. Complete sole source substantiation must be included in the determination and finding. Merely citing this authority will not suffice.

(b) No implementation.

(c) This authority may be used only if the negotiation is for identical requirements of the Invitation for Bids. If specification deviations are authorized or the delivery requirements or quantities are changed, consideration must be given to advertising the revised requirements or negotiating under some other exception.

NOTE: Contracting officer may continue use of advertised forms (Standard Forms 19, 30, and 33) to consummate procurement by negotiation. If Standard Form 30 is used, a Standard Form 26 will be placed with it. The negotiation authority will be cited across the face of Standard Form 19, 26, or 33 as follows: "This negotiated contract is entered into pursuant to the provisions of 10 U.S.C. 2304(a)(10) and any required determination and findings have been made."

(d) through (l) No implementation.

(m) This authority will not be used for procurement of any item covered by an approved specification listed in § 1001.1202(a) of this subchapter. When full and free competition can be obtained with the specifications, exhibits, or purchase description and award is contemplated to be made to the lowest responsible bidder, the procurement will be formally advertised. Cases of doubt will be resolved in favor of formal advertising.

(n) through (x) No implementation.

(y) The contemplated procurement is for replenishment spare parts, or components, coded central procurement, and it is not economical to search for data, or review data, beyond the point necessary to identify previous sources. The "not economical" test will be deemed satisfied for the foregoing category of parts and components if the procurement is for:

(1) Spare parts, or components, where the total estimated value of any combination of identical parts, or components, procured under a contract (or order) does not exceed $2,500.

(2) Identical parts or components where the requirement for same would become so urgent if time was expanded in searching for and reviewing data prior to taking procurement action, as to justify procurement under 10 U.S.C. 2304(a)(2). (The foregoing exception may be used one time only for a given part or component. Once aware of the situation, research and review of data must be undertaken in time to remove any future requirement from this category.)

Subpart D—Types of Contracts

1. Present § 1003.408 is deleted and a new section is inserted, as follows:

§ 1003.408 Letter contract.

(a) *Limitations.* (1) No letter contract may be issued prior to the execution of all Determinations and Findings necessary to authorize the intended subsequent definitive contract (see Part 3, Subpart C of this title and Subpart C of this part). The determination required by § 3.408(c)(1) of this title, that no other type of contract is suitable will be accomplished by the Director of Procurement and Production, Hq AFLC, for all activities except AFSC/OAR, and for AFSC/OAR by the Deputy Chief of Staff/Procurement and Production, Hq AFSC, or the Director of Procurement, Hq OAR, or by the appropriate official listed in subparagraph (2) (i) and (ii) of this paragraph. Except as provided in paragraph (c)(2) of this section, the approval of a request for authority to issue a letter contract will constitute the determination. If an approval to issue a letter contract has not been used within 30 days of date of approval, the authority is automatically rescinded.

(2) The authority to issue letter contracts has been redelegated as indicated in subdivisions (i) and (ii) of this subparagraph.

(i) Hq AFLC, by the Director of Procurement and Production.

(*a*) Irrespective of dollar amount:

(*1*) Commanders of oversea commands, air attaches, and chiefs of AF foreign missions. Oversea commanders may redelegate to not below the level of a staff officer responsible for procurement within the headquarters of the first echelon of command immediately subordinate to the oversea command.

(*b*) Where the total cost of the subsequent definitive contract is estimated not to exceed $1,000,000:

(*1*) Commanders, AFLC AMAs without power of redelegation, Deputy Commanders may be authorized to exercise the authority only during the absence of the Commander.

(*2*) Commander and Deputy Commander, APRE and APRFE respectively, have been authorized to issue letter contracts, with power of redelegation to not lower than a staff officer responsible for procurement.

(ii) Hq AFSC by the Deputy Chief of Staff/Procurement and Production to the Commanders, Systems Divisions, without monetary limitation, and to the Commander of OAR and the other AFSC subcommands to the extent of their manual approval authority, with power of redelegation.

(3) The overall price (estimated cost and fee) ceiling required by § 3.408(c)(2) of this title, will be no higher than the quotation leading to the issuance of letter contract.

(4) The date by which definitization is expected to be completed is that date set forth in a schedule of events leading to the contract definitization; the anticipated definitization date will not be established beyond the limits imposed by § 3.408(c)(3) of this title. The expected definitization date in either of these instances is subject to the approval of the approving authority or his designee. Any change or slippage in the expected definitization schedule of events which has an effect on the scheduled definitive contract distribution date will be brought to the attention of the letter contract approving authority (or in the case of letter contracts requiring prior approval of SCK–3 or MCPC, the official who requested permission to issue the letter contract) and will be fully explained and justified in writing. Letter contract definitization date is defined as the date of the definitive contract distribution.

(5) The amount obligated for each letter contract will be the amount estimated to cover the contractor's requirements for funds prior to definitization, but will not exceed the limits imposed by § 3.408(c)(4) of this title. It becomes necessary to increase the funds obligated for the letter contract by later amendment, the personal approval of the official who authorized the issuance of the letter contract (or in the case of letter contracts requiring prior approval of SCK–3 or MCPC, the official who requested permission to issue the letter contract) is required. Any such request exceeding the limits imposed by § 3.408(c)(4) of this title will be reported to the commander of the procuring activity involved, provided that no activity will authorize the obligation of any sum in excess of 70 percent of the total estimated cost of the procurement except with the prior approval of Command Headquarters, through SCK–3 or MCPC, as applicable.

(b) *Content.* The date to be inserted in the first sentence of paragraph (b) of the clause in § 7.802–4(a) of this title, will be the date by which definitization is to be completed based upon the agreement included in the letter contract but in no event will a date later than 180 days from the date of the letter contract be used.

(c) *Procedure.* (1) No letter contract will be issued unless a request for authorization has been approved.

(2) The request for authorization will be prepared by the procuring office and will be transmitted through command channels to AFSC (SCK–3) or AFLC (MCPC), or to the applicable official (AFLC activities see paragraph (a)(2)(i) of this section and AFSC/OAR activities see paragraph (a)(2)(ii) of this section, for approval. The request to SCK–3 or MCPC will be signed by a designated approving official or authorized designee; the request will constitute the determination required by § 3.408(c)(1) of this title. The same effect will be given to electrically transmitted messages to SCK–3 or MCPC which conclude with the phrase "Signed by the (here insert the title of appropriate official)," as for example, "Signed by the Director Procurement and Production."

(3) All requests will be in the exact order set forth in this subparagraph and each item must be answered or marked "N/A" as appropriate.

It is requested this office be authorized to issue a letter contract in accordance with the information contained herein:

(i) Contract number:
Buyer's name: Org. code:
Location: Phone No.:

(ii) Supplies or services:

NOTE: Include the quantities and a brief description of each item being procured, including spare parts, data, etc., to be included in the letter contract. When letter is used, inclose Purchase Request.

(iii) Has determination required by § 3.408(c)(1) of this title been executed?

(iv) Reasons establishing the need for a letter contract.

(a) Required delivery schedule:

(b) Who established the required delivery schedule?

(c) If the requesting activity itself established the required delivery schedule, was it so established by direction of authority outside the requesting activity? If so, identify that authority by name and office code.

(d) What is the production lead time, and on what is this answer based?

(e) Date by which an order must be placed in order to meet delivery dates stated in answer to (a) of this subdivision.

(f) Efforts made to secure agreement to a later delivery schedule so as to avoid need for a letter contract. Include identification of related programs that will be affected if this contract is delayed and estimate of cost of such delay.

(g) Specify why a definitive contract is not possible within the time required to meet the mandatory delivery schedule as verified.

(v) Contractor's name and address:

(a) Is contractor a small business concern?

(b) Where is work to be performed?

(vi) Selection of source:

(a) Was the requirement subjected to synopsis (ASPR Section 1, Part 10 (Part 1, Subpart J of this title))? If not, what exemption applied?

(b) Number of quotations requested:

(c) Number of quotations received:

(d) Date quotations received:

(e) Was further negotiation conducted after the receipt of quotations? If Yes, state with whom and major details.

(f) If competition was obtained, is award proposed to the lowest bidder? If No, explain.

(g) If price competition was the controlling factor in source selection, what is the ceiling price in the letter contract?

(h) Has small business coordination been obtained, both as to small business and critical labor area determination If No, explain.

(i) Give the reasons for the selection of the recommended contractor, and identify by contract number any previous procurements for like items.

(vii) Prices and funding.

(a) Have the unit prices or a specific amount been negotiated and agreed to between the contractor and the Government?

(b) Where comparison can be made of prices of same or equivalent item(s), state such facts to extent feasible, including prices or unit prices and quantities on recent contract(s).

(c) Total dollar estimated cost of this procurement:

(d) Total funds presently available:

(e) Total dollar amount to be obligated on the letter contract:

NOTE: The amount obligated should be no more than is necessary to provide funds up to the anticipated date of definitization, and will in no event exceed 50 percent of the total estimated cost of this procurement. See § 3.408(c)(4) of this title and paragraph (a)(5) of this section.

(f) Total dollar amount in addition to (d) of this subdivision committed to cover the cost of this procurement:

(viii) State whether Pre-Award Survey Report (PAS) has been requested, received, or is not required. If not required, why not?

NOTE: In those instances where a PAS is required it is understood the authorization, if granted, is conditioned upon the receipt of an affirmative PAS or granting of a waiver, prior to issuing the letter contract.

(ix) Government aid.

(a) Are existing Government facilities to be used by the contractor?

(b) Are any additional facilities to be furnished to the contractor? If Yes, has authorization been obtained therefor?

(c) Is any Government property to be furnished, bailed or leased? If Yes, has availability been verified and does the letter contract make such provision?

(d) Is it contemplated that the contractor will require guaranteed loan or advance payments? If Yes, has approval been obtained?

(x) Contract.

(a) Indicate under which sections, if applicable, of Subpart B of this part the procurement is being negotiated, e.g., § 1003.210-2(a), and state whether or not the required Determinations and Findings has been executed. If a "class" Determinations and Findings is applicable, so state, and identify it by number and date.

(b) Type and form of contract contemplated.

(c) Has a cost reimbursement type or fixed price incentive Determinations and Findings been executed according to § 3.303 of this title and § 1003.303.

(d) Is this contract to be under a basic agreement? If Yes, state the number and identify the standard and special clauses to be included in the letter contract and the superseding contract.

(e) Are there any clauses other than those specified in Subchapter A, Chapter 1 of this title and this subchapter to be included in the letter contract?

(f) Are there to be any deviations from standard contract clauses? If Yes, comply with § 1001.109-50 of this subchapter.

(g) Percentage and method of current reimbursement contemplated, if any?

(h) Indicate as briefly as possible the project fund or funds to be utilized.

(i) Contract definitization schedule: All letter contracts awarded should include a definitization schedule whether definitization is anticipated prior to, or subsequent to, 180 days after award. Approval to write a letter contract without the use of a definitization schedule must be obtained from the letter contract approving authority or his designee. Identify milestones of important events by date leading to definitization of the letter contract. Identify by asterisk those dates to be set forth in the letter contract. Minimum mandatory milestones where applicable, will include the following:

Title	*Date*
Definitive work statement completed	
Proposal cutoff[1]	
Submittal of contractor cost proposal	
Negotiations complete	
Contractor's make-or-buy plan complete	
Contractor signature	
Government signature	
Contract distribution	

[1] Proposal cutoff date will normally be 60 days prior to contractor's proposal for negotiating the definitive contract. All changes prior to proposal cutoff date including quantities, model specification or any changes affecting work to be performed by the contractor will be included in the contractor's proposal for definitization of the letter contract. Changes subsequent to the proposal cutoff date may be made under the provisions of the letter contract but will be incorporated by a supplemental agreement into the definitive contract.

(j) Explain any date or combination of dates which prolong the letter contract beyond 180 days.

(4) One copy of all requests for authorization as approved will be forwarded by the procuring activity to the applicable contract administration activity responsible for the administration of the contract.

(d) Copies of the letter contract issued will be forwarded AFSC (SCK-3) or AFLC (MCPC) if the letter contract required their approval for issuance, or if the resultant definitive contract contemplated will require manual approval of DCS/Procurement and Production, AFSC, or Director of Procurement and Production, AFLC.

§ 1003.409 [Amended]

2. In § 1003.409, all of the text is deleted; the heading is retained.

3. New §§ 1003.409-2 and 1003.409-3 are added as follows:

§ 1003.409-2 Requirements contract (RC).

RC clause: § 1007.4028 of this subchapter applies.

§ 1003.409-3 Indefinite quantity contract (IQ).

IQ clause: § 1007.4039 of this subchapter applies.

§ 1003.409-50 [Amended]

4. The heading of § 1003.409-50 is amended to read as follows:

§ 1003.409-50 Call procurement arrangements (CPA).

* * * * *

PART 1007—CONTRACT CLAUSES

Subpart FF—Clauses for Bakery and Dairy Products Contracts

In § 1007.3204-10(b), the first sentence of the clause has been amended. The clause now reads as follows:

§ 1007.3204-10 Price adjustments for subsidized ingredients.

* * * * *

(b) * * *

PRICE ADJUSTMENT FOR SUBSIDIZED INGREDIENTS—EXPECTED SUBSIDIES NOT REALIZED (OCT. 1960)

The contract price is based on the assumption that the Contractor will use, in the performance of this contract, only such nonfat dry milk, anhydrous milk fat ingredients or butter as have been purchased at the Commodity Credit Corporation subsidized prices set forth in the schedule. The Contractor warrants that the contract price does not include any allowance for any contingency to cover increased costs of performance which may result from the Contractor being unable to purchase such ingredients at such subsidized prices. If the Contractor is unable to purchase such ingredients at such prices for the performance of this contract or any part thereof, the Contractor may submit to the Contracting Officer within sixty (60) days after the last delivery under the contract, unless a different time is agreed to by the parties, a statement showing the difference between the costs which would have been incurred for the subsidized ingredients had they been purchased by the Contractor at such prices and the costs which were incurred in lieu thereof, together with such other information as the Contracting Officer may reasonably request. If the Contractor uses in the performance of this contract any ingredients purchased at CCC subsidized prices lower than those set forth in the schedule, the Contractor shall submit to the Contracting Officer, within the period described above, a statement and other information as described above. Promptly after the submission of such information, the parties shall negotiate to equitably adjust the contract price by an amount reflecting the difference between such costs. Upon agreement, the contract shall be modified accordingly. If the parties fail to agree upon such adjustment within sixty (60) days after the date on which such information is required to be submitted, or within such further time as may be agreed on by the parties, the failure to agree shall be deemed to be a dispute concerning a question of fact within the meaning of the clause of this contract entitled "Disputes."

Subpart NN—Special Clauses

§ 1007.4021 [Amended]

1. In § 1007.4021, the last sentence of paragraph (c) has been deleted.

§§ 1007.4024; 1007.4025 [Deleted]

2. Sections 1007.4024 and 1007.4025 are deleted.

3. In § 1007.4047, the date of the clause is amended and the AF Manual number has been changed in the clause and the note. These portions now read as follows:

§ 1007.4047 Safety and accident prevention.

* * * * *

SAFETY AND ACCIDENT PREVENTION (MARCH 1966)

In performing any work under this contract on premises which are under the direct control of the Government, the Contractor shall (i) conform to all safety rules and requirements prescribed in Air Force Manual 127-101, as in effect on the date of this contract and (ii) take such additional precautions as the Contracting Officer may reasonably require for safety and accident prevention purposes. The Contractor agrees to take all reasonable steps and precautions to prevent accidents and preserve the life and health of Contractor and Government personnel performing or in any way coming in contract with the performance of this contract on such premises. Any violation of such rules and requirements, unless promptly corrected, as directed by the Contracting Officer, shall be grounds for termination of this contract in accordance with the default provisions hereof.

NOTE: In construction contracts the reference to AF Manual 127-101 appearing in the above clause will be deleted and the following substituted therefor: "Corps of Engineer Manual EM-385-1-1."

PART 1012—LABOR

Subpart A—Basic Labor Policies

§§ 1012.102-1—1012.102-3; 1012.102-5 [Deleted]

1. Sections 1012.102-1 through 1012.102-3 and 1012.102-5 are deleted.

2. Present § 1012.103-4 is deleted and the following inserted therefor:

§ 1012.102-4 Approvals.

(a) **No implementation.**

(b) **The following are designated to approve overtime and shift premiums according to § 12.102-4 of this title: The commander or vice commander of each major command; Deputy, Assistant Deputy, the Associate Chief of Staff, Procurement and Production, Hq AFSC; the Director or Deputy Director of Procurement and Production, Hq AFLC; the director or deputy director of procurement of the other major commands; the Commander, Deputy Commander, and DCS/Materiel of Aerospace Research; the Director, Special Projects Office, OSAF, for those special projects under personal supervision of the Secretary of the Air Force (Program—Book—RED APPLE); the commander, deputy commander, director of procurement, and systems program directors of AFSC divisions and centers; the commander, deputy commanders, and director of procurement of AFLC AMAs, Air Procurement Region Europe (APRE), and Air Procurement Region Far East (APRFE).**

PART 1016—PROCUREMENT FORMS

Subpart H—Miscellaneous Forms

A new § 1016.810-3 is added as follows:

§ 1016.810-3 Item listings for information of bidders.

(a) Commodity class catalogs (commodity lists): A commodity and services list or catalog will be prepared by each AFLC AMA and each AFSC systems division. Use of a list or catalog by other central procurement or R&D procurement activities is optional. This document will identify those items and services for which the activity has procurement responsibility. This will assist potential suppliers in identifying and selecting items or services they are capable of furnishing and for which they desire to submit an application to be placed on the bidder's list. Each list or catalog will be revised when necessary, however, a semiannual review will be made to insure the contents are up to date. Distribution will be as follows:

(1) To each potential supplier upon request or when a Standard Form 129 is furnished.

(2) To each Defense Contract Administration Services Region and District (DCASR/DCASD) Small Business Office.

(3) To each contractor relations office at AFLC and AFSC procurement activities.

(Sec. 8012, 70A Stat. 488, secs. 2301-2314, 70A Stat. 127-133, 10 U.S.C. 8012, 2301-2314) [AFPI Rev. No. 66, Mar. 31, 1966]

By order of the Secretary of the Air Force.

FREDERICK A. RYKER,
Lieutenant Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 66-5870; Filed, May 27, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 8—Veterans Administration

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments are made in Chapter 8:

PART 8-7—CONTRACT CLAUSES

1. In Part 8-7, § 8-7.150-4(b) is amended to read as follows:

§ 8-7.150-4 Estimated quantities for requirements contracts.

* * * * *

(b) The following clause will be used for general equipment, supplies and services.

ESTIMATED QUANTITIES

As it is impossible to determine the exact quantities that will be required during the contract term, each bidder whose bid is accepted wholly or in part will be required to deliver all articles or services that may be ordered during the contract term, except as he otherwise indicates in his bid and except as otherwise provided herein. Bids will be considered if made with the proviso that the total quantities delivered shall not exceed a certain specified quantity. Bids offering less than 75 percent of the estimated requirement or which provide that the Government shall guarantee any definite quantity, will not be considered. The fact that quantities are estimated shall not relieve the Contractor from filling all orders placed under this contract to the extent of his obligation. Also, the VA shall not be relieved of its obligation to order from the Contractor all articles or services that may, in the judgment of the ordering officer, be needed except that in the public exigency procurement may be made without regard to this contract.

When invitations for bids will result in Decentralized Contracts, the following will be included as a part of the above provision:

It is further provided that any item or service covered by this contract required for delivery to a VA supply depot may at the option of the VA be procured without regard to this contract. The bidder also agrees that any contract made as a result of this Invitation to Bid will not be mandatory on the VA in any purchase transaction of $50 or less, but the Contractor may accept such orders at his option. Failure to return such orders within 10 days shall indicate acceptance upon which all provisions of the contract shall apply.

* * * * *

2. A new Part 8-8 is added to read as follows:

PART 8-8—TERMINATION OF CONTRACTS

Subpart 8-8.6—Termination for Default

§ 8-8.602-6 Repurchase against contractor's account.

(a) **VA Form 07-2237, Request, Turn-in, and Receipt for Property or Services,** or the file copy of the purchase order covering the purchase of supplies, equip-

ment or services against a defaulting contractor shall be annotated to show the name of the defaulted contractor, the contract number, the contract price, the name of the contractor from whom procurement is made, the price paid, the competition secured and the difference in cost, if any, to the Veterans Administration. When reprocurement results in the payment of excess costs, and the purchase is made through the Supply Fund, the excess costs when collected shall be deposited to the credit of the Supply Fund. In all other instances the excess costs, when collected, shall be deposited to General Fund Receipts.

(b) Contracting Officers, when purchasing against a defaulted contractor, shall procure the items in a manner that will protect the interests of the contractor as well as those of the Government.

PART 8–10—BONDS AND INSURANCE

3. In Part 8–10, § 8–10.451 is added to read as follows:

§ 8–10.451 Insurance and indemnification requirements for ambulance service contracts.

Ambulance service contracts will contain the following requirements as applicable.

(a) *Indemnification.* The contractor expressly agrees to indemnify and save the Government, its officers, agents, servants, and employees harmless from and against any and all claims, loss, damage, injury, and liability, however caused, resulting from, arising out of, or in any way connected with the performance of work under this agreement. Further, it is agreed that any negligence or alleged negligence of the Government, its officers, agents, servants, and employees, shall not be a bar to a claim for indemnification unless the act or omission of the Government, its officers, agents, servants, and employees is the sole, competent, and producing cause of such claims, loss, damage, injury, and liability. At the option of the contractor, and subject to the approval by the Contracting Officer of the sources, insurance coverage may be employed as guaranty of indemnification.

(b) *Insurance.* Satisfactory insurance coverage is a condition precedent to award of a contract. In general, a successful bidder must present satisfactory evidence of full compliance with State and local requirements, or those below stipulated, whichever are the greater. More specifically, workman's compensation and employer's liability coverage will conform to applicable State law requirements for the service contemplated, whereas general liability and automobile liability of comprehensive type, shall in the absence of higher statutory minimums, be required in the amounts per vehicle used of not less than $100,000 per person and $500,000 per accident, the corresponding property damage liability insurance coverage (comprehensive automobile liability policy) to be not less than $10,000. State approved sources of insurance coverage ordinarily will be deemed acceptable to the Veterans Administration installation, subject to timely certifications by such sources of the types and limits of the coverages afforded by the sources to the bidder. (In those instances where airplane ambulance service is to be used, substitute the word "aircraft" for "automobile" and "vehicle" and modify coverage to require passenger liability insurance of $100,000 per passenger and $500,000 per accident, and aircraft public liability insurance of $100,000 per person and $500,000 per accident, the corresponding property damage liability insurance coverage (comprehensive aircraft liability policy) to be not less than $50,000 per accident).

4. A new Subpart 8–10.51 is added to read as follows:

Subpart 8–10.51—Indemnification of Contractors, Medical Research or Development Contracts

Sec.
8–10.5100 Scope of subpart.
8–10.5101 General
8–10.5102 Extent of indemnification
8–10.5103 Financial protection

AUTHORITY: The provisions of this Subpart 8–10.51 issued under sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c).

§ 8–10.5100 Scope of subpart.

(a) This subpart sets forth the policies and procedures concerning indemnification of contractors performing contracts which involve a risk of an unusually hazardous nature, covering research or medical research or development as authorized by 38 U.S.C. 216 and 4101.

(b) The authority to indemnify the contractor under this subpart does not create any rights to third parties which would not otherwise exist by law.

(c) As used in this subpart the term "contractor" includes subcontractors of any tier under a contract in which an indemnification provision pursuant to 38 U.S.C. 216(b)(1) is contained.

§ 8–10.5101 General.

(a) The approval for the indemnification of contractors will be made by the Administrator of Veterans Affairs.

(b) Contracting officers shall submit requests for approval, together with all available information, to the Chief Medical Director (134) for transmittal to the Administrator.

§ 8–10.5102 Extent of indemnification.

(a) Any contract for research authorized by 38 U.S.C. 216 or medical research or development by 38 U.S.C. 4101, the performance of which involves a risk of an unusually hazardous nature, may provide that the Government will indemnify the contractor against either or both of the following, but only to the extent that they arise out of the direct performance of the contract and to the extent not covered by the financial protection required under § 8–10.5103.

(1) Liability (including reasonable expenses of litigation or settlement) to third persons, except liability under State or Federal Workman's Compensation Acts to employees of the contractor employed at the site of and in connection with the contract for which indemnification is granted for death, bodily injury, or loss of or damage to property, from a risk that the contract defines as unusually hazardous.

(2) Loss of or damage to property of the contractor from a risk that the contract defines as unusually hazardous.

(b) A contract that provides for indemnification in accordance with this subpart will also provide for:

(1) Notice to the contracting officer of any claim or suit against the contractor for death, bodily injury, or loss or damage to property; and

(2) Control of or assistance in the defense by the Government, at its election, of any suit or claim for which indemnification is provided in the contract.

§ 8–10.5103 Financial protection.

(a) The financial protection to cover liability to third persons and loss of or damage to the contractor's property which the contractor is required to have and maintain will normally be the maximum amount available from private sources; however, the Administrator may establish a lesser amount after taking into consideration the cost and terms of private insurance.

(b) The financial protection may include private insurance, private contractual indemnities, self-insurance, other proof of financial responsibility or a combination of such forms to provide the maximum amount required. When the contractor elects to utilize self insurance, proof of such financial responsibility up to the maximum amount required will be furnished the contracting officer prior to award.

PART 8–52—CONTRACT ADMINISTRATION

5. In Part 8–52, § 8–52.101 is revised to read as follows:

§ 8–52.101 Scope.

This subpart applies to all contracts whether advertised or negotiated, except those construction, architect-engineer, and utility service contracts entered into by Central Office Construction Contracting Officer.

6. Section 8–52.103 is revoked.

§ 8–52.103 Procurement against defaulting contractor [Revoked]

7. Section 8–52.106 is revised to read as follows:

§ 8–52.106 Representatives of Contracting Officers; receipt of equipment, supplies and nonpersonal services.

In carrying out the responsibilities of § 8–51.101, except as stated in paragraph (c) of this section, the Contracting Officer may, without advising prospective contractors, designate the Chief Storekeeper or other personnel to represent him in the inspection and acceptance of materials and services received, such as but not limited to:

(a) The inspection and certification as to compliance with the quality and quantity requirements of the purchase order, requisition or contract.

(b) Inspection of materials for condition and quantity and the acceptance of materials and services based on quality inspection made by another authorized representative.

(c) The Chief Librarian is hereby designated as the representative of the Contracting Officer to receive, inspect, and accept library books, newspapers, and periodicals. Purchase documents will specify delivery direct to the library concerned.

8. In § 8–52.109 paragraphs (a) and (b) are amended to read as follows:

§ 8–52.109 Assistance—General Counsel.

(a) In the administration of a contract, many problems can and do arise that make the advice and assistance of the General Counsel either desirable or necessary. The final decision as to the action to be taken, however, must be made by the Contracting Officer in each instance. To reduce to the absolute minimum the possibility of litigation resulting from his decision, the Contracting Officer shall, except as provided in paragraphs (b) and (c) of this section, submit the problem through channels in sufficient detail to the General Counsel for advice or assistance.

(b) Default action may be taken without consulting the General Counsel when the contractor fails to deliver supplies or equipment, or to render the services required within the specific time, or fails to comply with the applicable specifications, unless the Contracting Officer has reason to doubt that the default action is legal or proper.

* * * * *

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c))

These regulations are effective immediately.

Approved: May 24, 1966.

By direction of the Administrator.

[SEAL] A. H. MONK,
Associate Deputy Administrator.

[F.R. Doc. 66–5802; Filed, May 27, 1966; 8:46 a.m.]

Chapter 18—National Aeronautics and Space Administration

PART 18–9—PATENTS, DATA, AND COPYRIGHTS

Miscellaneous Amendments

1. Section 18–9.101–3 is revised to read as follows:

§ 18–9.101–3 Special instructions for waived inventions.

(a) The New Technology clause set forth in § 18–9.101–4 contains a section IV pertaining to "Waived Inventions." In appropriate cases the Administrator may grant the request of a prospective contractor or subcontractor and waive title to any invention which may be made under the contract or subcontract (see the NASA Patent Waiver Regulations, 14 CFR 1245.104; NASA Management Instruction 5109.2A). In such cases the contracting officer will be informed that the waiver has been granted, and when the contract or subcontract is executed, section IV of the New Technology clause shall be made applicable to the contract to implement the waiver by including the following statement in the schedule of the contract or subcontract:

The Administrator has granted the contractor's request for waiver under 14 CFR 1245.104, and section IV of the New Technology clause is applicable to this contract.

(b) The contracting officer shall not include the statement set forth in paragraph (a) of this section in any contract, or approve its inclusion in any subcontract unless, at the time of or prior to the execution of the contract or subcontract, he has been notified by the Chairman of the Inventions and Contributions Board that the Administrator has granted the contractor's or subcontractor's request for waiver with respect to the contract or subcontract concerned.

(c) The procedures established by these special instructions for waived inventions and 14 CFR 1245.104 are designed to afford an opportunity to settle questions of the allocation of rights in inventions at the time of contracting in cases where the facts are readily determinable. Petitions for waiver submitted to the contracting officer with respect to contracts or subcontracts which will be awarded shall be referred to the Patent Counsel servicing the installation for analysis and forwarding to the Inventions and Contributions Board at NASA Headquarters.

(d) Upon receipt from Patent Counsel of a petition for waiver at the time of contracting, the Inventions and Contributions Board will forthwith review the matter in order to determine if the following six findings can be made (the word "contract" includes "subcontract of any tier"):

(1) It is not a principal purpose of the contract to create, develop or improve products, processes, or methods which are intended for commercial use (or which are otherwise intended to be made available for use) by the general public at home or abroad, or which will be required for such use by governmental regulations.

(2) It is not a principal purpose of the contract to explore into fields which directly concern the public health or public welfare.

(3) The contract is not in a field of science or technology in which there has been little significant experience outside of work funded by the Government, or where the Government has been the principal developer of the field, with respect to which the acquisition of exclusive rights at the time of contracting might confer on the contractor a preferred or dominant position.

(4) The contract is not for services of the contractor for (i) the operation of a Government-owned research or production facility; or (ii) coordinating and directing the work of others.

(5) The purpose of the contract is to build upon existing knowledge or technology to develop information, products, processes, or methods for use by the Government.

(6) The work called for by the contract is in a field of technology in which the contractor has acquired technical competence (demonstrated by factors such as know-how, experience, and patent position) directly related to an area in which the contractor has an established nongovernmental commercial position.

(e) If the findings set forth in paragraph (d) of this section cannot be made without unduly delaying the execution of the contract or subcontract in question, the Inventions and Contributions Board will so notify the contracting officer, who shall notify the contractor or subcontractor concerned. In such cases the statement set forth in paragraph (a) of this section shall not be included in the contract or authorized for inclusion in the subcontract, and the contractor or subcontractor may execute the contract or subcontract and request the Inventions and Contributions Board to consider the matter further under 14 CFR 1245.105.

(f) When the "New Technology" clause (May 1966) is to be applicable to the procurement, the following provision will be included in the Request for Proposals:

WAIVED INVENTIONS (MAY 1966)

(a) Under the NASA Patent Waiver Regulations, 14 CFR 1245.100 et seq., waiver of title to inventions made under NASA contracts may be requested at three different times. Waiver of title to an individual invention may be requested under 14 CFR 1245.106 after the invention has been identified and reported to NASA. Waiver of title to inventions not yet identified and reported may be requested under 14 CFR 1245.104, prior to execution of the contract, or under 14 CFR 1245.105, within sixty (60) days of contract execution. Waiver of title may be requested under any of these sections even though a request under a different section was not made or, if made, was not granted.

(b) If you intend to petition prior to contract execution for waiver of title to all inventions which may be made under the contract, you must present such petition with your proposal. The findings which must be made in order for such a petition to be granted are set forth in 14 CFR 1245.104 and in § 18–9.101–3(d) (1)–(6) of the NASA Procurement Regulations.

(c) In the event that it is decided to negotiate a contract based on your proposal, your petition will be forwarded to the Inventions and Contributions Board for consideration. The Board will either make the necessary findings and recommend to the Administrator of NASA that the waiver be granted, or inform the Contracting Officer that facts which are readily available are insufficient to permit a decision to be made without unduly delaying the execution of the contract. In the latter event, you will be so notified and, upon execution of the contract, you may request the Board to consider the matter further. If your request for waiver is granted, section IV of the "New Technology" clause set forth in § 18–9.101–4 will be made applicable to the contract implementing the waiver.

(g) It will be noted from section IV of the "New Technology" clause and from the NASA Patent Waiver Regulations (NASA Management Instruction 5109.-2A) that although the title to inventions may have been waived to a contractor or subcontractor, such waiver is subject to a number of conditions, reservations, and obligations on the part of the contractor or subcontractor concerned.

(h) Where NASA requests another governmental agency to perform work of a type defined in § 18–9.101–2 on behalf of NASA, a copy of the "New Technology" clause set forth in § 18–9.101–4 will be furnished to the agency, and that agency will be requested to include the clause in any contract which it awards for the performance of research, experimental, design, engineering or developmental work for the purpose of fulfilling the NASA request. The agency shall be furnished the following instructions with the copy of the "New Technology" clause:

Section IV (Waived Inventions) of the "New Technology" clause cannot be made applicable to any procurement made pursuant to this purchase request. Therefore, it is recommended that invitations for bids and requests for proposals issued pursuant to this purchase request contain the following statement:

"Section IV (Waived Inventions) of the New Technology clause will not be made applicable to this contract."

(i) Where the clause set forth in § 18–9.101–4 will be included in a contract resulting from a formally advertised procurement, the invitations for bids shall include the following statement:

"Section IV (Waived Inventions) of the New Technology clause will not be made applicable to this contract."

(j) If the "New Technology" clause (May 1966) is added to an existing contract by a modification, the special instructions set forth in § 18–9.101–3 shall not be applied.

2. Section 18–9.101–4 is revised to read as follows:

§ 18–9.101–4 New technology clause.

NEW TECHNOLOGY (MAY 1966)

(This clause comprises five sections: I—Definitions, II—Reporting and Subcontracts, III—Rights, IV—Waived Inventions, and V—Withholding; and the clause paragraphs are lettered consecutively throughout the sections.)

I—DEFINITIONS

(a) As used in this clause, the following terms shall have the meanings set forth below:

(i) "Reportable item" means any invention, discovery, improvement, or innovation, whether or not the same is susceptible of protection under the U.S. patent laws, which is made in the performance of work under this contract or in the performance of any work done upon an understanding in writing that this contract would be awarded or made in the performance of any work which is reimbursable under any clause in this contract providing for reimbursement of costs incurred prior to the effective date of this contract;

(ii) "Made" means conceived or first actually reduced to practice, and "making" means conceiving or first actually reducing to practice;

(iii) "Invention" means any reportable item which, in the opinion of the Administrator, falls within a statutory class of patentable subject matter (35 U.S.C. 101, 161, and 171);

(iv) "Person" means any individual, partnership, group, corporation, association, institution, or other entity;

(v) When this clause is included in any subcontract, "contractor" means subcontractor and "contract" means subcontract; and

(vi) "Administrator" means the Administrator of NASA or his duly authorized representative.

II—REPORTING AND SUBCONTRACTS

(b) The Contractor shall furnish to the Contracting Officer a written report concerning each reportable item promptly upon the making thereof. Such report shall include such technical detail as is necessary to identify and to describe fully the nature, purpose, operation, and physical (electrical, chemical, etc.) characteristics of the reportable item.

(c) In addition to the reports required in paragraph (b) above, the Contractor shall conduct frequent periodic reviews of the work performed by the Contractor to assure that all reportable items have been reported to the Contracting Officer. Within 1 month following each annual anniversary date of this contract, until completion of the contract work, and within 1 month following completion of the contract work, the Contractor shall furnish to the Contracting Office a written summary of the review activities performed, including a report as required by paragraph (b) above for each reportable item not previously reported, or certifying that there are no reportable items.

(d)(1) The Contractor shall include sections I through IV (paragraphs (a) through (q)) of this clause in each subcontract he awards under this Contract where the performance of research, experimental, design, engineering, or developmental work is contemplated and shall set forth in each subcontract the identification of the prime contract and the identification and mailing address of the Contracting Officer.

(2) As to each subcontract of any tier for which the Inventions and Contributions Board makes the findings referred to in paragraph (k) of this clause, the Contractor shall include in the schedule or elsewhere in such subcontract the statement set forth in said paragraph (k).

(3) In the event of refusal by a subcontractor to accept any of the provisions of this clause other than paragraph (r), the Contractor shall promptly notify the Contracting Officer of such refusal and shall not execute the subcontract in question until provisions have been approved in writing by the Contracting Officer for inclusion in said subcontract.

(4) The Contractor shall furnish promptly to the Contracting Officer a statement listing each subcontract he awards under this contract of over fifty thousand dollars ($50,000) of the type described in paragraph (d)(1) above, stating the name and address of the subcontractor, describing the work to be performed, stating the estimated cost, and giving the estimated completion date of the subcontract. Within 1 month following each annual anniversary date of this contract, until completion of the contract work, and within 1 month following completion of the contract work, the Contractor shall furnish to the Contracting Officer a written report listing each such subcontract not previously reported or certifying that no such subcontracts were awarded during the reporting period.

(e) With respect to each subcontract awarded by the Contractor of over fifty thousand dollars ($50,000) of the type described in paragraph (d)(1) above, the Contractor shall, within 1 month following completion of the work under such subcontract:

(i) Obtain from an official having authority to execute such subcontract on behalf of the subcontractor a letter certifying compliance by the subcontractor with the paragraphs of this "New Technology" clause included in such subcontracts; and

(ii) Submit a copy of such letter directly to the Contracting Officer upon receipt from the subcontractor.

III—RIGHTS

(f)(1) An invention reported under this clause shall be presumed to have been made in the manner specified in paragraph (1) or (2) of section 305(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457(a), 1958) (hereinafter called "the Act").

(2) The presumption of paragraph (f)(1) above shall be conclusive unless the Contractor at the time of reporting the invention submits to the Contracting Officer a written statement, containing supporting details, demonstrating that the invention was not made in the manner specified in paragraph (1) or (2) of section 305(a) of the Act.

(3) Regardless of whether the Inventions and Contributions Board has considered the matter, if the schedule of this contract does not include the statement set forth in paragraph (k) below, the Contractor may, within 60 days from the date of execution of this Contract, petition the Administrator for waiver of title to inventions, pursuant to 14 CFR 1245.105, or after reporting an invention, may petition for waiver of title to that invention, pursuant to 14 CFR 1245.106.

(g) Regardless of whether title to a given invention would otherwise be subject to a waiver or is the subject of a petition for waiver, the Contractor may nevertheless file the statement described in paragraph (f)(2) above. The Administrator will review the information furnished by the Contractor in any such statement and any other available information relating to the circumstances surrounding the making of the invention and will notify the Contractor whether the Administrator has determined that the invention was made in the manner specified in paragraph (1) or (2) of section 305(a) of the Act.

(h) With respect to each invention which becomes the exclusive property of the United States, the Contractor shall:

(1) Inform the Contracting Officer at the earliest practicable date of any public use or sale by the Contractor of the invention or of any publication by the Contractor describing the invention; and

(2) Furnish, upon written request by the Contracting Officer, such full and complete technical and other information available to the Contractor as is necessary for the preparation of a patent application and for prosecution of such patent application, and, in addition, shall execute or endeavor to secure execution of all lawful documents and instruments determined by the Administrator to be necessary for the preparation and prosecution of applications for Letters Patent covering the invention.

(i) Regardless of any other disposition of rights in the invention, in the case of each reported invention which is determined to have been made in the manner specified in paragraph (1) or (2) of section 305(a) of the Act, 14 CFR 1245.113 provides that the Contractor is granted a nonexclusive, irrevocable, royalty-free license to practice such invention together with the right to grant sublicenses of the same scope to the extent

the Contractor was legally obligated to do so at the time the contract was awarded. Such license and right will be nontransferable except to a successor of that part of the Contractor's business to which the invention pertains.

(j)(1) The Government may duplicate, use and disclose in any manner and for any purpose whatsoever, and have others do so, all reports furnished pursuant to paragraphs (b), (c), and (h)(2) of this clause.

(2) Nothing contained in this "New Technology" clause shall be deemed to grant any license under any invention as to which rights of the Government are not expressly obtained pursuant to the Act, as implemented by this clause.

IV—WAIVED INVENTIONS

(k) This section IV (paragraphs (k) through (q)) of this clause shall be applicable to this contract only if, pursuant to the NASA Patent Waiver Regulations, 14 CFR 1245.104, and § 18–9.101–3 of the NASA Procurement Regulations, there is included in the schedule of this contract the following statement:

The Administrator has granted the Contractor's request for waiver under 14 CFR 1245.104, and section IV of the New Technology clause is applicable to this contract.

(l) When this section is applicable to the contract, as provided in paragraph (k) above, the title to any invention made in the performance of work under this contract is subject to a waiver granted by the Administrator pursuant to 14 CFR 1245.104 and to the conditions, reservations, and obligations contained in paragraphs (m), (n), (o), (p), and (q) below.

(m) With respect to any particular invention, the waiver referred to in paragraph (1) above is subject to the following conditions:

(1) That the Contractor report the invention during the term of this contract;

(2) That the invention is determined to have been made in the manner specified in paragraph (1) or (2) of section 305(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457(a)) in the performance of work under this contract; and

(3) That the invention is designated at the time of reporting as being an invention upon which the Contractor intends to file or has filed a U.S. patent application.

(n) With respect to any particular invention, the waiver referred to in paragraph (1) above is subject to the following reservations:

(1) The reservation of an irrevocable, nonexclusive, nontransferable, royalty-free license for the practice of the invention throughout the world by or on behalf of the United States or any agency thereof, State, or domestic municipal government, or any foreign government pursuant to any existing or future treaty or agreement with the United States;

(2) The reservation by the Administrator of the right to require the granting of a license to any applicant on a nonexclusive, royalty-free basis unless:

(i) The Contractor, his licensee, or his assignee has brought the invention to a point of practical application within 3 years after a U.S. patent issues on the invention and makes its benefits reasonably accessible to the public; or

(ii) Within 3 years after a U.S. patent issues on the invention, such patent has been made available for nonexclusive licensing to any responsible applicant, royalty-free or on the terms that are reasonable in the circumstances; or

(iii) The Contractor shows cause why he should retain the full benefits of waiver for a further period of time; and

(3) The reservation by the Administrator of the right to require the granting of a license to any responsible applicant royalty-free or on terms that are reasonable in the circumstances for such practice of the invention as may be appropriate to satisfy the requirements which may be made by governmental regulations for public use of the invention, as may be necessary to fulfill health needs, or for other public purposes, if any, stipulated in the schedule of this contract.

(o) With respect to any particular invention, the waiver referred to in paragraph (1) above is voidable at the option of the Administrator unless the Contractor shall:

(1) File within 8 months from the date of reporting of such an invention, an application for U.S. Letters Patent disclosing and claiming the invention, and include within the first paragraph of the specification of such application and any patent issuing thereon the following statement:

The invention described herein was made in the performance of work under a NASA contract and is subject to the provisions of section 305 of the National Aeronautics and Space Act of 1958, Public Law 85–568 (72 Stat. 435; 42 U.S.C. 2457).

(2) Furnish to the Administrator a copy of each patent application, domestic or foreign, filed thereon, together with identifying serial number and filing date promptly upon receipt thereof;

(3) Execute and furnish to the Administrator instruments fully confirmatory of the rights herein reserved by the Government;

(4) In the event the Contractor elects not to continue prosecution of any application filed thereon, notify the Administrator within sufficient time to allow assumption of prosecution by the Government, and deliver to the Administrator such duly executed instruments as are necessary to vest in the Administrator title thereto, including an instrument of assignment to such application;

(5) Convey to the Administrator, on written request, the Contractor's entire right, title, and interest in any foreign country in which the Contractor has not filed an application on said invention within—

(i) Nine months from the date a corresponding U.S. application is filed;

(ii) Six months from the date permission is granted to file foreign applications where such filing has been prohibited for security reasons; or

(iii) Such longer periods as may be expressly approved by the Administrator.

(6) Grant any license which the Administrator may require to be granted pursuant to paragraph (n) (2) or (3) above.

(7) Report, upon NASA's written request not more often than annually, the commercial use that is being made or is intended to be made of the invention.

(p) With respect to any particular invention, the waiver referred to in paragraph (1) above is voidable at the option of the Administrator if the patent disclosing and claiming such invention is held to have been used in violation of the antitrust laws in an unappealed or unappealable judgment or order of a court or administrative tribunal of competent jurisdiction.

(q) Before a Contractor is required to grant a license under either paragraph (n) (2) or (3) above, he shall be given an opportunity to show cause before the NASA Inventions and Contributions Board why he should not be required to grant such a license.

V—WITHHOLDING

(r)(1) Except as provided in subparagraphs (3) and (4) below, if the Contractor fails to comply with the provisions of this clause after receipt of a written decision of the Contracting Officer, pointing out wherein the Contractor has failed to comply and setting a time limit for compliance, there shall be withheld from payment, unless such failure has been corrected within the time limit set, either five percent (5%) of the amount of this contract as from time to time amended, or fifty thousand dollars ($50,000), whichever is less.

(2) Without regard to whether a written decision as described in subparagraph (1) above has been issued, after payment of eighty-five percent (85%) of the amount of this contract, as from time to time amended, payment shall be withheld until a reserve of either five percent (5%) of such amount, or fifty thousand dollars ($50,000), whichever is less, shall have been set aside, such reserve or balance to be retained until the Contractor shall have complied with the provisions of this clause, as well as with such written decision or decisions as may have been issued pursuant to subparagraph (1) above and not withdrawn or successfully challenged on appeal pursuant to the "Disputes" clause.

(3) The maximum amount which may be withheld under this paragraph (r) shall not exceed five percent (5%) of the amount of this contract or fifty thousand dollars ($50,000), whichever is less. If this contract is a no-fee contract with a Contractor other than an educational institution, the amount which may be withheld shall not exceed one percent (1%) of the amount of the contract or fifty thousand dollars ($50,000), whichever is less. No amount shall be withheld pursuant to this section V so long as an equivalent amount is being withheld under other provisions of this contract.

(4) The withholding provisions of subparagraphs (1) through (3) of this paragraph (r) do not apply to the provisions of paragraph (e) or section IV of this clause, or to no-fee contracts with an educational institution. The withholding of any amount or subsequent payment thereof to the Contractor shall not be construed as a waiver of any rights accruing to the Government under this contract.

(42 U.S.C. 2457(f) and 2473(b)(1))

Effective date. Sections 18–9.101–3 and 18–9.101–4 are effective June 1, 1966.

GEORGE J. VECCHIETTI,
Director of Procurement.

[F.R. Doc. 66–5912; Filed, May 27, 1966; 8:48 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER G—EMERGENCY OPERATIONS

[General Order 82, 14th Rev.]

PART 309—VALUES FOR WAR RISK INSURANCE

Correction of Introductory Text

In F.R. Doc. 66–1079 appearing in the FEDERAL REGISTER issue of February 1, 1966 (31 F.R. 1240), the introductory sentence should read as follows:

Sections 309.1–309.101 of this part are hereby revised to read as follows:

Dated: May 25, 1966

L. C. HOFFMANN,
Chairman, Ship Valuation Committee.

[F.R. Doc. 66–5897; Filed, May 27, 1966; 8:47 a.m.]

Proposed Rule Making

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 256a]

[Release No. 35–15466]

MUTUAL AND SUBSIDIARY SERVICE COMPANIES

Preservation and Destruction of Records

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to revise its Uniform System of Accounts for Mutual Service Companies and Subsidiary Service Companies ("System of Accounts"), promulgated under the Public Utility Holding Company Act of 1935 ("Act") (17 CFR Part 256), for the purpose of establishing a regulation to govern the preservation and destruction of records of service companies subject thereto. The proposal is made pursuant to the provisions of sections 13(c), 15, and 20(a) of the Act.

The System of Accounts was adopted May 12, 1936 (1 F.R. 645), and it is prescribed by the terms of Rule 93 (17 CFR § 250.93) under the Act for all service companies whose organization and conduct of business the Commission has found, pursuant to Rule 88 (17 CFR 250.88) under the Act, sufficient to meet the requirements of section 13(b) of the Act. Rule 93 (17 CFR § 250.93) further provides that every service company subject thereto shall preserve its records in accordance with the requirements of the System of Accounts, which in turn provide that every such service company shall retain its records permanently except as otherwise authorized by the Commission. The proposed revision of the System of Accounts would eliminate the aforesaid requirements, and substitute therefor a regulation (Part 256a of this chapter) permitting the orderly destruction of records, the continued retention of which is deemed no longer necessary or appropriate in the public interest or for the protection of investors or consumers. Such regulation would be entitled "Regulation To Govern the Preservation and Destruction of Records of Mutual and Subsidiary Service Companies" and would be added to the System of Accounts as an Appendix thereto.

For the purpose of implementing the proposed regulation, it is proposed to amend paragraph (c) of § 256.01–8 of this chapter to read as follows:

No company shall destroy any records except as authorized by the provisions of the "Regulation To Govern the Preservation and Destruction of Records of Mutual and Subsidiary Service Companies" annexed hereto as an Appendix.

Copies of the proposed regulation will be furnished upon request. All interested persons are invited to submit their views and comments on the proposed revision of the System of Accounts, in writing, to the Securities and Exchange Commission, Washington, D.C., 20549, on or before May 31, 1966. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

MAY 10, 1966.

Pursuant to the authority contained in section 20 of the Public Utility Holding Company Act of 1935, it is proposed to adopt a new Part 256a of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

PART 256a—REGULATION TO GOVERN THE PRESERVATION AND DESTRUCTION OF RECORDS OF MUTUAL AND SUBSIDIARY SERVICE COMPANIES

GENERAL REQUIREMENTS

Sec.
256a.0–1 Scope of part.
256a.0–2 Substitution of microphotographs for original records.
256a.0–3 Designation of supervisory official.
256a.0–4 Storage of records.
256a.0–5 Index of records.
256a.0–6 Destruction of records.
256a.0–7 Premature destruction or loss of records.
256a.0–8 Inspection of records by public bodies.
256a.0–9 Records required to be prepared.

RECORDS RETENTION SCHEDULE

CORPORATE AND GENERAL

256a.01 Capital stock records.
256a.02 Debt security records.
256a.03 Filings with regulatory agencies.
256a.04 Organization documents.
256a.05 Minutes.
256a.06 Contracts and agreements.

ACCOUNTING RECORDS

256a.07 General and subsidiary ledgers.
256a.08 Journals, journal vouchers and journal entries.
256a.09 Cash books.
256a.10 Voucher registers.
256a.11 Vouchers evidencing disbursements.
256a.12 Accounts receivable.
256a.13 Other records of securities owned.
256a.14 Other records of tangible property owned or leased.
256a.15 Payroll records.

INSURANCE RECORDS

256a.16 Insurance and bonding coverage.
256a.17 Injuries, damages and workmen's compensation.

TAX RECORDS

256a.18 Tax returns, reports, and supporting papers.

PURCHASE AND STORES RECORDS

256a.19 Purchases.
256a.20 Materials and supplies.

TREASURY

256a.21 Records of receipts and disbursements.
256a.22 Statements of funds and deposits.
256a.23 Records of deposits with banks and others.

PERSONNEL RECORDS

256a.24 Employment records.
256a.25 Statements of policy and instructions to employees.

MISCELLANEOUS RECORDS AND REPORTS

256a.26 Organization diagrams and charts.
256a.27 Minutes of meetings of system committees.
256a.28 Appraisals and valuations.
256a.29 Accountants' and auditors' reports.
256a.30 Reports and studies for internal use.
256a.31 Other records.
256a.32 Correspondence.

AUTOMATIC DATA PROCESSING

256a.33 Automatic data processing records.

COMPLETED SERVICES FOR CLIENT COMPANIES

256a.34 Company's copies of documents prepared for associate companies and other clients.
256a.35 Records of predecessor and former associate companies.
256a.36 Records of the company not listed in the schedule.
256a.37 Duplicate copies of records.

AUTHORITY: The provisions of this Part 256a issued under Secs. 13, 15, 20, 49 Stat. 825, 828, 833, 15 U.S.C. 79m, 79o, 79t.

GENERAL REQUIREMENTS

§ 256a.0–1 Scope of part.

(a) This Part 256a constitutes an Appendix of Part 256 of this chapter, Uniform System of Accounts for Mutual Service Companies and Subsidiary Service Companies Under the Public Utility Holding Company Act of 1935, as adopted May 12, 1936, and thereafter amended ("System of Accounts"), and the part shall be applicable to every company which is subject to the provisions of the System of Accounts ("Company") unless otherwise provided by prior order of the Commission.

(b) The part consists of these "General Requirements" (§§ 256a.0–1 to 256a.0–9) and the "Records Retention Schedule" (§256a.01 et seq.).

(c) Solely for the purposes of this Part 256a, all books of account and other records described therein shall be deemed to be records of the Company.

(d) The preservation and destruction of all records of the Company shall be governed by the provisions of this Part 256a. Subject to the limitations and conditions set forth in the General Requirements, the Records Retention Schedule prescribes the minimum periods of time for which the various categories of records of the Company shall be retained and the form in which such records shall be preserved.

(e) Notwithstanding the provisions of the Records Retention Schedule, the Commission may, upon the request of the Company, authorize a shorter period of retention for any record listed therein upon a showing by the Company that preservation of such record for a longer period is not necessary or appropriate in the public interest or for the protection of investors or consumers.

(f) The provisions of this Part 256a shall in no event be construed as excusing compliance with any other lawful requirement for the preservation of records by the Company for periods longer than those prescribed in the Schedule.

§ 256a.0–2 Substitution of microphotographs for original records.

(a) Certain records listed in the Records Retention Schedule (§§ 256a.01 et seq.) may be preserved in the form of nonerasable microphotographic duplicates ("microphotographs") in lieu of the original records, provided the procedures prescribed herein are followed. None of such records, however, need be retained in any form for an aggregate period of time in excess of the retention period specified in respect of such record in the Records Retention Schedule.

(b) Microphotographic indicators in the Records Retention Schedule designate those records for which microphotographs may be substituted in lieu of original records. Such indicators appearing in the Records Retention Schedule denote the following:

(1) M—Indicates that microphotographs may be substituted for the original records at any time after the use of such records for current purposes has been discontinued, which period shall not be less than the date of completion of the examination of the Company's accounts by independent accountants for the fiscal year in which such records were prepared.

(2) M 20, M 10, etc.—Indicates that microphotographs may be substituted for retention of the original records at any time after such records have been retained in their original form for the numbers of years corresponding to the numerals; i.e., 20 years, 10 years, etc.

(3) ME—Indicates that microphotographs may be substituted for retention of the original records at any time subsequent to the expiration, cancellation, supersession, or termination of such records or upon the fulfillment of other conditions specified in the applicable retention instructions of the Records Retention Schedule.

(4) P—Whenever this symbol appears along with any of the microphotographic indicators described above, the microphotographs shall be in the form of positive film copies of negative microphotographic films. In all other instances, negative films may be used.

(c) Absence of any of the "M" indicators explained above indicates (1) that microphotographs may not be substituted for the original records or (2) that microphotographic indicators applicable to cross-referenced retention periods shall be observed.

(d) Prior to photographing, the original records shall be prepared, arranged, classified, and identified so as to facilitate the subsequent location, examination and reproduction of the microphotographs thereof. Any significant characteristic, feature or other attribute of the original records, which microphotography would not reflect clearly (e.g., that such records are copies or that certain figures thereon are red), shall be so indicated on the applicable pages of the records at the time of such arrangement, classification, and identification.

(e) Each roll of film or series of other forms of film shall include a microphotograph of a certificate or certificates stating that the microphotographs are direct and facsimile reproductions of the original records and that they have been made in accordance with the requirements of the regulation.

(f) The photographic matter on each roll of film or in each series of other forms of film shall commence and end with a statement as to the nature and arrangement of the original records reproduced, the name of the photographer, and the date. Supplemental or retaken film, whether of misplaced or omitted records, or of portions of a film found to be spoiled or illegible, or of other matter, shall be attached to the beginning of the roll or series of films, and in such event the aforementioned certificate or certificates shall cover also such supplemental or retaken film and shall state the reasons for retaking such film.

(g) All film stock, negative or positive, shall be of permanent-record microcopying type such as meets the most recent specifications recommended by the American Standards Association or the National Bureau of Standards at the time the microphotographs are made. The microphotographing of records shall be such that the films may be read easily and that reproduction on photographic paper can be made similar in size to the records reproduced without significant loss of clarity of detail during the periods the records are required by the terms of the Records Retention Schedule to be preserved. The development and other processing of the microphotographic films shall be performed in accordance with the most recent specifications and practices recommended by the American Standards Association or the National Bureau of Standards.

(h) The Company shall be prepared to furnish, at its own expense, appropriate standard facilities for reading the microphotographs. If the Commission or any other regulatory agency having jurisdiction in respect of records of the Company so requests, the Company shall furnish, at its expense, photographic reproductions of any records the originals of which have been photographed and destroyed pursuant to the provisions of the regulations in this Part 256a.

§ 256a.0–3 Designation of supervisory official.

The Company shall designate one or more officials to supervise the preservation and authorized destruction of its records, and it may designate any bank, trust company, data processing, or similar agent, which performs corporate functions for the Company, as an official to supervise the preservation or authorized destruction of any records of the Company maintained or stored by such agent.

§ 256a.0–4 Storage of records.

In the selection of storage space, the Company shall provide reasonable protection from theft and damage by fire, flood and other hazards for records required to be preserved, and the Company shall safeguard such records from unnecessary exposure to deterioration from excessive humidity, dryness, inadequate packaging, or lack of proper ventilation. Microphotographs shall be preserved by the Company in such manner as to prevent cracking, breaking, splitting, aging blemishes, or other deterioration, and shall be inspected for detection of deterioration or damage in accordance with the most recent practices and procedures recommended by the American Standards Association or the National Bureau of Standards.

§ 256a.0–5 Index of records.

At each office of the Company, where records are kept or stored, such records, including microphotographs, as are required by the Records Retention Schedule (§§ 256a.01 et seq.) to be preserved, shall be arranged, filed, or currently indexed so that such records will be readily available for inspection by authorized representatives of regulatory agencies concerned.

§ 256a.0–6 Destruction of records.

The destruction of records permitted to be destroyed by the provisions of the Records Retention Schedule (§§ 256a.01 et seq.) may be performed in any manner elected by the Company. Precautions should be taken, however, to macerate or otherwise destroy the legibility of any records the content of which is forbidden by law to be divulged to unauthorized persons.

§ 256a.0–7 Premature destruction or loss of records.

When any records are destroyed before the expiration of retention periods prescribed in the Records Retention Schedule (§§ 256a.01 et seq.), a certified statement listing, as far as may be determined, the records destroyed and describing the circumstances of accidental or other premature destruction shall be filed with the Commission within ninety (90) days from the date of discovery of such destruction. Discovery of loss of records shall be treated in the same manner as in the case of premature destruction.

§ 256a.0–8 Inspection of records by public bodies.

All records of the Company, which support any of its charges to an associate operating company for services or construction performed for, or goods sold to such associate company, shall be made available by the Company in its offices for inspection by authorized representatives of any public body which is empowered by law to regulate the accounts of, and rates charged for utility service by, such associate operating company.

§ 256a.0–9 Records required to be prepared.

The regulations in this Part 256a shall not be construed as requiring the prep-

aration or maintenance by the Company of any records not required to be prepared or maintained by any other provisions of the System of Accounts or of any other rule, regulation or order promulgated by the Commission under the Act.

§ 256a.01 Capital stock records.

RECORDS RETENTION SCHEDULE
CORPORATE AND GENERAL

Description of records	Period of retention	Microphotographic indicator
(a) Capital stock certificate ledgers, stubs, canceled stock certificates, correspondence, documents, or other records showing capital stock certificate issuance, retirement, or transfer.	6 years after cancellation or transfer of stock certificates.	M.
(b) Dividend registers, lists, or similar records	2 years after Company's accounts have been examined by independent accountants.	M.
(c) Canceled dividend checks or drafts	2 years after Company's accounts have been examined by independent accountants, if such payments were made to parent Company; otherwise, 6 years after date of issue.	M.

§ 256a.02 Debt security records.

Description of records	Period of retention	Microphotographic indicator
(a) Debt security instrument ledgers, stubs, canceled instruments, correspondence, documents, or other records showing issuance, retirement or transfer of such debt instruments.	6 years after cancellation of debt instruments	M.
(b) Canceled checks or drafts evidencing payment of interest or principal.	2 years after Company's accounts have been examined by independent accountants, if such payments were made to parent Company; otherwise, 6 years after date of issue.	M.

§ 256a.03 Filings with regulatory agencies.

Description of records	Period of retention	Microphotographic indicator
(a) Formal requests, registration statements or other qualification statements filed by the Company with any Federal or State regulatory agency for clearance or authorization to issue and sell securities of the Company, including related exhibits and transcripts of testimony.	25 years after date of filing, or until all securities covered thereby are retired, whichever is shorter.[1]	M.
(b) Other formal requests for action filed by the Company in its own behalf with any Federal or State regulatory agency, including related exhibits and transcripts of testimony.	10 years after supersession by subsequent order of the regulatory agency.[1]	M.
(c) Notices of filing, and findings, opinions, and/or orders, or registration or other qualification clearances issued by any Federal or State regulatory agency clearing or authorizing the issuance and sale of securities by the Company.	25 years after date of filing, or until all securities covered thereby are retired, whichever is shorter.	M-3.
(d) Notices of filing, and findings, opinions and/or orders approving the organization and/or conduct of business of the Company.	Permanently	MP-3.
(e) Other notices of filing, and findings, opinions and/or orders of any other Federal or State regulatory agency served upon the Company as a principal.	10 years after supersession by subsequent order of the applicable regulatory agency.	M-3.
(f) Periodic reports filed by the Company in its own behalf with the Securities and Exchange Commission or with any other Federal or State rate-regulatory agency, including exhibits or amendments to such reports.	25 years after close of fiscal year [1]	M-3.
(g) Notifications of proposed changes in organization and/or conduct of business, and supplements thereto, filed by the Company with the Securities and Exchange Commission pursuant to conditions or reservations of jurisdiction in outstanding orders of such Commission.	Permanently	MP-3.
(h) Work papers and related correspondence supporting the filings described in paragraphs (a) and (b) of §256a.03 above.	6 years after issue of regulatory agency's order disposing of filing.	M.
(i) Work papers and related correspondence supporting the reports, notifications and other filings described in paragraphs (f) and (g) of §256a.03 above.	6 years after filing	M.

[1] If a retention period is prescribed elsewhere in this schedule with respect to any document which is included as an exhibit to any filing retained pursuant to the requirements of this item, the company need retain only one copy of such document in its files, provided appropriate cross references are established, and such document shall be retained for the longest period prescribed.

§ 256a.04 Organization documents.

Description of records	Period of retention	Microphotographic indicator
(a) Corporate charters, certificates of incorporation, bylaws, franchises, and qualifications to do business in States other than State of incorporation.	Permanently	MP-3.

§ 256a.05 Minutes.

Description of records	Period of retention	Microphotographic indicator
(a) Minutes of meetings of stockholders, directors, and directors' committees.	Permanently	MP-10.

§ 256a.06 Contracts and agreements.

(Not provided for in §§ 256a.15(m)(1), 256a.16(c), and 256a.18(a)(4).)

Description of records	Period of retention	Microphotographic indicator
(a) Contracts and agreements entered into by the Company as principal for the performance of services or construction for or sale of goods to an associate company:		
(1) If associate company has copies the retention of which is governed by regulations of the Federal Power Commission and/or applicable State commission.	6 years after termination	ME or M-5 whichever is shorter.
(2) If associate company does not have copies.	Retain for longest periods prescribed by any other applicable regulatory agency for the associate company in respect of such records.	M-3 (If retention period is 25 years or less). MP-3 (If retention period is more than 25 years).

Description of records	Period of retention	Microphotographic indicator
(b) Other contracts, agreements, leases, deeds, or title papers entered into by the Company as principal:		
(1) If documents affect fixed capital accounts of the Company.	6 years after disposition or writeoff of capitalized item.	M-3.
(2) If documents do not affect fixed capital accounts of the Company.	6 years after termination	M-3.
(c) Other contracts, agreements, leases, deeds, or title papers entered into by the company as agent of an associate company:		
(1) If associate company has copies the retention of which is governed by regulations of the Federal Power Commission and/or applicable State Commission.	Destroy at option	
(2) If associate company does not have copies	Retain for longest period prescribed by any other applicable regulatory agency for the associate company in respect of such records.	M-3 (If retention period is 25 years or less). MP-3 (If retention period is more than 25 years).
(d) Work papers supporting or used in compiling the completed documents referred to in paragraphs (a), (b), and (c) of § 256a.06 above.	3 years after preparation	M.

§ 256a.07 General and subsidiary ledgers.

ACCOUNTING RECORDS

Description of records	Period of retention	Microphotographic indicator
(a) General and subsidiary ledgers and ledgers auxiliary to general ledgers, except as provided for elsewhere, and indexes thereto.	50 years	MP-10.
(b) Trial balances of ledgers described in §256a.07 (a) above.	2 years after Company's accounts are examined by independent accountants.	M.

§ 256a.08 Journals, journal vouchers and journal entries.

Description of records	Period of retention	Microphotographic indicator
(a) Journals, journal entries or journal vouchers, including all supporting analyses, summarizations, distributions, and other computations relating to:		
(1) Charges by Company for services or construction performed for, or for goods sold to associate company which are capitalized by associate company:		
(i) Applicable to licensed projects;	Retain until (1) the Federal Power Commission has approved the actual legitimate cost of such project and has consented to the destruction of such records, and (2) the accounting classification of such project has been approved by any interested State Commission exercising audit jurisdiction in respect of such accounts; but in no event less than 10 years after close of fiscal year.	MP-5.
(ii) Applicable to all other plant accounts:	Retain until original cost or other classification of such plant accounts has been approved by Federal Power Commission and/or any interested State Commission exercising audit jurisdiction in respect of such plant accounts; but in no event less than 10 years after close of fiscal year.	MP-5.
(2) Other charges to associate company for services or goods;	10 years after close of fiscal year	M-5.
(3) Other accounts of the Company	do	M-5.
(b) Lists of standard or recurring journal entries	Destroy at option after supersession	

§ 256a.09 Cash books.

Description of records	Period of retention	Microphotographic indicator
(a) General and subsidiary or auxiliary books	10 years after close of fiscal year [2]	M-5.

[2] Where used as posting media for information, which otherwise would be entered through Journal Entries or Journal Vouchers, the Retention Periods of §256a.08(a) shall apply.

§ 256a.10 Voucher registers.

Description of records	Period of retention	Microphotographic indicator
(a) Voucher registers or similar records	10 years after close of fiscal year [3]	M-5.

[3] Where used as posting media for information, which otherwise would be entered through Journal Entries or Journal Vouchers, the Retention Periods of § 256a.08(a) shall apply.

§ 256a.11 Vouchers evidencing disbursements.

Description of records	Period of retention	Microphotographic indicator
(a) Accounts payable vouchers, together with all supporting documents and account distributions, identifiable with charges by the Company to associate companies in respect of performance of services or construction for or sales of goods to such companies and accommodation or convenience payments, which are capitalized by such companies:		
(1) If amounts of vouchers are $500 or more	Follow instructions to §256a.06(a)(1), but see §256a.11(c).	
(2) If amounts of vouchers are less than $500	10 years after payment, but see §256a.11(c)	M-2.
(b) Accounts payable vouchers, together with all supporting documents and account distributions, identifiable with:		
(1) Other charges to associate companies for services performed and goods sold and accommodation or convenience payments.	6 years after payment, but see §256a.11(c)	M-2.
(2) Investments in fixed assets of the Company:		
(i) If amounts of vouchers are $500 or more.	6 years after retirement or disposition of fixed assets.	M-5.
(ii) If amounts of vouchers are less than $500.	10 years after payment	M-2.
(3) Other accounts of the Company	6 years after payment	M-2.

Description of records	Period of retention	Microphotographic indicator
(c) Detailed records (accompanying vendors' invoices) which support distributions of vouchers to Company's accounts; such as communications toll charges, requisitions for messenger and duplicating services, gasoline and oil charge tickets, public carrier transportation receipts or charge tickets, and similar detailed support items.	3 years after Company's accounts have been examined by independent accountants; provided the account distributions are retained with vouchers.	M.
(d) Canceled checks or drafts, except as specified in §§ 256a.01(c), 256a.02(b), 256a.15(d) and 256a.15(m)(9).	6 years after date of issue	M.
(e) Voucher index or payee file copies of vouchers and/or checks.	Destroy at option	

§ 256a.12 Accounts receivable.

Description of records	Period of retention	Microphotographic indicator
(a) Records of accounts receivable, including accounting department copies of invoices issued and registers of receivables:		
(1) Invoices to associate companies in respect of construction and services performed and goods sold, the costs of which are capitalized by associate companies.	3 years after close of fiscal year, if associate companies have copies the retention of which is governed by regulations of the Federal Power Commission and/or applicable State Commissions; otherwise follow instructions to § 256a.08(a)(1).	M-1.
(2) Other invoices to associate companies for services performed or goods sold.	3 years after close of fiscal year, if associate companies have copies the retention of which is governed by regulations of the Federal Power Commission and/or applicable State Commissions;	M-1.
	Otherwise 6 years from date of invoice	M-2.
(3) Other accounts receivable data	3 years after close of fiscal year	M.

§ 256a.13 Other records of securities owned.

Description of records	Period of retention	Microphotographic indicator
(a) Any records of securities owned, not provided for in §§256a.06 to 256a.11, inclusive. (Excluding temporary investments of cash.)	6 years after disposal or writeoff of investments	M.

§ 256a.14 Other records of tangible property owned or leased.

Description of records	Period of retention	Microphotographic indicator
(a) Any records of tangible property owned or leased, not provided for in §§ 256a.06 to 256a.11, inclusive.	6 years after disposal, termination of lease, or writeoff of property interest.	M.

§ 256a.15 Payroll records.

Description of records	Period of retention	Microphotographic indicator
(a) Time tickets, time sheets, time cards, workmen's reports and other records showing hours worked, description of work and accounts to be charged.	6 years after Company's accounts have been examined by independent accountants, if the distributions of salaries and wages to proper jobs or accounts shown by these records have been transcribed to other records which are retained in accordance with the instructions to §256a.08(a); otherwise retain for periods prescribed by such instructions.	M-2.
(b) Payroll sheets or registers of payments of salaries and wages to individual officers and employees.	6 years after close of fiscal year	M.
(c) Records showing the distribution of salaries and wages paid to officers and employees for each monthly, semimonthly, or weekly payroll period and summaries or recapitulation statements of such distribution.	Retain in accordance with instructions to §256a.08(a).	
(d) Canceled checks or drafts, receipts for wages paid in cash, and other evidences of payments for services rendered by employees.	3 years after date of issue	M.
(e) Authorizations for changes in wage and salary rates, summaries and reports of changes in payroll and similar records.	3 years after close of fiscal year	M.
(f) Employment authorizations and records of authorized positions.	do	M.
(g) Employment termination records	3 years after termination	M.
(h) Payroll statistical reports and analyses	Destroy at option	
(i) Employee earnings records	6 years after termination of employment	M.
(j) Pay deviation computations	Destroy at option after Company's accounts have been examined by independent accountants.	
(k) Payroll deduction authorizations and related records.	3 years after supersession or termination of employment.	M.
(l) U.S. Savings Bond issuing agency reports and records.	3 years after audit or reconcilement	M.
(m) Contracts, agreements and/or other essential records for administering employees' pension, annuity or retirement plans; group life, medical and accident plans; savings plans, stock option or purchase plans; and other employee benefit plans:		
(1) Contracts or agreements	6 years after termination	M.
(2) Employee participation and withdrawal authorizations.	6 years after withdrawal from plan or termination of participation.	M.
(3) Accounting records relative to administration of plans.	6 years after close of fiscal year	M.
(4) Accounting records relative to participating employees.	do	M.
(5) Copies of communications to participating employees.	3 years after date of issue	M.
(6) State "Blue Sky" clearances relative to plans.	3 years after expiration	M.
(7) Employees Health, Welfare, and Pension Plan Disclosure Act filings and related records.	3 years after date of filing	M.
(8) Actuarial studies and reports	6 years after supersession of the study or report or termination of plan.	M.
(9) Canceled checks or drafts paid under benefit plans.	3 years after date of issue	M.
(10) Minutes of committees administering plans.	6 years after termination of plans	M.

NOTE: For tax qualification of benefit plans, see §256a.15(d).

§ 256a.16 Insurance and bonding coverage.

INSURANCE RECORDS

Description of records	Period of retention	Microphotographic indicator
(a) Records of amounts recovered from insurance companies in connection with losses and records of claims against insurance companies including reports of losses and supporting papers.	6 years after settlement	M.
(b) Inspectors' reports and records of condition of property.	Destroy at option after supersession	M.
(c) Insurance policies and bonds	Destroy at option after termination	
(d) Records of insurance policies and bonds in force, showing coverage, premiums paid and expiration dates.	Destroy at option after supersession	M.
(e) Reports of minor losses not covered by insurance and of losses less than minimum amount collectible.	2 years after company's accounts have been examined by independent accountants.	M.
(f) Insurance maps of property and structures erected thereon.	Destroy at option after supersession of disposition of property.	M.
(g) Records and statements relating to insurance requirements.	Destroy at option	

§ 256a.17 Injuries, damages and workmen's compensation.

Description of records	Period of retention	Microphotographic indicator
(a) Claim registers, indexes, and similar records relative to claims presented against the Company in connection with accidents resulting in damage to the property of others or personal injuries.	2 years after settlement	M.
(b) Papers, reports, statements of witnesses, etc., necessary to the support or rejection of individual claims against the Company.	do	M.
(c) Detailed schedules or spread sheets of payments to others for personal injuries or property damage.	do	M.
(d) Other papers, reports or statements pertaining to accidents resulting in property damage or personal injury claims not necessary to the support or rejection of such claims.	Destroy at option after settlement	M.

§ 256a.18 Tax returns, reports, and supporting papers.

TAX RECORDS

Description of records	Period of retention	Microphotographic indicator
(a) Copies of returns and schedules filed with taxing authorities, supporting work papers, and records of appeals relative to:		
(1) Income and excess profits taxes	10 years after settlement	ME.
(2) Property taxes	do	ME.
(3) Other taxes	do	ME.
(4) Agreements between associate companies as to allocation of consolidated income taxes.	10 years after supersession of agreement	ME.
(5) Allocations of consolidated income taxes among associate companies.	10 years after settlement	ME.
(b) Tax bills from taxing authorities and receipts for payment.	Instructions to paragraphs (a) and (b) of §256a.11 apply.	
(c) Summaries of taxes paid	Destroy at option	
(d) Filings with taxing authorities to qualify employee benefit plans.	6 years after supersession	M.
(e) Information returns or reports to taxing authorities (such as Federal W-2 and 1099 Forms).	3 years after filing	M.

§ 256a.19 Purchases.

PURCHASE AND STORES RECORDS

Description of records	Period of retention	Microphotographic indicator
(a) Bids received from vendors	3 years after dates of receipt	M.
(b) Registers or similar records of invoices	Destroy at option after payment of invoice	
(c) Purchasing department copies of purchase orders, invoices, advices from vendors, and related records.	Destroy at option after Company's accounts have been examined by independent accountants.	

§ 256a.20 Materials and supplies.

Description of records	Period of retention	Microphotographic indicator
(a) Records and reports pertaining to inventories of materials and supplies:		
(1) Receipts	3 years after receipt	M.
(2) Issues	3 years after close of fiscal year	M.
(3) Balances on hand	do	M.
(b) Records and reports pertaining to sales of scrap.	do	M.

§ 256a.21 Records of receipts and disbursements.

TREASURY

Description of records	Period of retention	Microphotographic indicator
(a) Daily or other periodic statements of receipts or disbursements of funds.	2 years after date of statement	M.
(b) Records or periodic statements of outstanding vouchers, checks and drafts.	do	M.

§ 256a.22 Statements of funds and deposits.

Description of records	Period of retention	Microphotographic indicator
(a) Papers pertaining to authorizations for payment of accounts payable of associate companies, and transfers of funds between accounts of an associate company.	10 years after close of fiscal year	M.
(b) Summaries and periodic statements of cash balances on hand and with depositories.	do	
(c) Statements of associates' cash balances on hand and with depositories.	do	
(d) Authorizations for and statements of transfers of funds from one depository of the Company to another.	do	

§ 256a.23 Records of deposits with banks and others.

Description of records	Period of retention	Microphotographic indicator
(a) Authorized signature files, including related correspondence.	Destroy at option after supersession	
(b) Bank deposit slips or similar records	2 years after company's accounts have been examined by independent accountants.	M.

Description of records	Period of retention	Microphotographic indicator
(c) Check registers or other records of checks issued.	....do	M.
(d) Bank reconcilement papers and statements from depositories showing the details of funds received, disbursed and transferred and balances on deposit.	....do	M.
(e) Correspondence and memoranda relating to transactions with banks (not provided for in §§256a.01(c), 256a.02 (a) and (b), 256a.11(d), 256a.13(a), 256a.15(d), and paragraphs (a), (b), (c), (d), and (f) of §256a.23).	Destroy at option after company's accounts have been examined by independent accountants.	
(f) Advice of deposits made when information thereon is shown on other records which are retained.	Destroy at option	

§ 256a.24 Employment records.

(Not provided for in §§ 256a.15 and 256a.31(a).)

PERSONNEL RECORDS

Description of records	Period of retention	Microphotographic indicator
(a) Records of employees' service, attendance and other essential data.	2 years after termination of employment	M.
(b) Applications for employment, requests for medical examination, medical examiner's reports, photographs and other miscellaneous employment records.	Destroy at option	
(c) Records of assignments, attachments and garnishments of employees' salaries, including files of notices, etc., essential thereto.	....do	
(d) Minors' working certificates and salary releases.	....do	

§ 256a.25 Statements of policy and instructions to employees.

Description of records	Period of retention	Microphotographic indicator
(a) Statements of policy issued by the company pertaining to:		
(1) Accounting, corporate, and general	10 years after supersession	ME.
(2) Other	6 years after supersession	ME.
(b) Instructions as to methods and procedures issued by the company to its employees pertaining to:		
(1) Accounting, corporate, and general	....do	M.
(2) Other	2 years after supersession	M.
(c) Notices to employees on matters of discipline, department and similar subjects.	Destroy at option	

§ 256a.26 Organization diagrams and charts.

MISCELLANEOUS RECORDS AND REPORTS

Description of records	Period of retention	Microphotographic indicator
	Destroy at option	

§ 256a.27 Minutes of meetings of system committees.

Description of records	Period of retention	Microphotographic indicator
	6 years after close of fiscal year	M-2.

§ 256a.28 Appraisals and valuations.

Description of records	Period of retention	Microphotographic indicator
(a) Appraisals and valuations of investments and properties owned or leased by the Company (includes all records essential thereto).	3 years after disposition, termination of lease, or writeoff of property or investment.	M.

§ 256a.29 Accountants' and auditors' reports.

Description of records	Period of retention	Microphotographic indicator
(a) Reports of examinations and audits by accountants and auditors not in the regular employ of the Company. (Such as reports of public accounting firms and regulatory commission accountants.)	10 years after date of report	M-2.
(b) Internal audits:		
(1) Reports	....do	M-2.
(2) Work papers	2 years after date of report	M.

§ 256a.30 Reports and studies for internal use.

Description of records	Period of retention	Microphotographic indicator
(a) Annual financial, operating and statistical reports regularly prepared in the course of business for internal administrative or operating purposes (and not used as the basis for entries to the accounts of the Company) to show the results of operations and the financial condition of the Company, including supporting detailed reports and related work papers.	10 years after date of report	M-2.
(b) Quarterly, monthly or other periodic financial, operating and statistical reports as above.	2 years after date of report	M.
(c) All other reports and work papers prepared for internal administrative or operating purposes only and not used as the basis for entries to the accounts of the Company.	Destroy at option	

§ 256a.31 Other records.

Description of records	Period of retention	Microphotographic indicator
(a) Receipts and records pertaining to delivery of articles to employees such as badges, keys and material receipt books. (Not provided for in §§256a.15 and 256a.24.)	Destroy at option	
(b) Records of building space occupied by various departments of the Company.	....do	

Description of records	Period of retention	Microphotographic indicator
(c) Indexes of forms used by the Company and and associate companies.	....do	
(d) Transmittals used for indicating papers and records forwarded from one department of the Company to another, and from the Company to associate companies, provided such transmittals do not contain data effecting the accounts of the Company.	....do	

§ 256a.32 Correspondence.

Description of records	Period of retention	Microphotographic indicator
(a) Correspondence, indexes and other miscellaneous material essential to and relating to subject matter covered by other items of this schedule.	For periods prescribed for the items to which such materials relate.	
(b) Stenographers' notebooks and dictaphone or other mechanical device records.	Destroy at option	

§ 256a.33 Automatic data processing records.

AUTOMATIC DATA PROCESSING

Description of records	Period of retention	Microphotographic indicator
(Retain original source data used as input for data processing and data processing report printouts for the applicable periods prescribed elsewhere in this schedule.)		
(a) Punched cards, tapes or similar media used as intermediate records or steps in data processing for assembling data to be posted to the records of the Company or used in a report or study.	Destroy at option	
(b) Program documentation and revisions thereto.	Retain for periods prescribed for related output data.	M-3.

§ 256a.34 Company's copies of documents prepared for associate companies and other clients.

COMPLETED SERVICES FOR CLIENT COMPANIES

Description of records	Period of retention	Microphotographic indicator
(a) Reports, studies, statistical, or other tabulations, charts, maps, tax returns and reports, architectural or engineering drawings and plans, specifications, invitations for bids, bidding specifications, analyses of bids, requisitions, purchase orders, purchase, or construction contracts, plant-construction cost reports, photocopies, automatic data-processing outputs, internal audit reports, and other documents of similar purpose or character prepared by the Company for the benefit of any associate company or group of such companies.	Destroy at option if each associate company concerned has copies of such documents the retention of which is governed by regulations of the Federal Power Commission and/or applicable State Commissions; otherwise retain for the longest periods prescribed for associate companies in respect of such records by the Federal Power Commission and/or applicable State Commissions.	

Description of records	Period of retention	Microphotographic indicator
(b) Work papers used in compiling the completed documents described in §256a.34(a).	Destroy at option if each associate company concerned has copies of such work papers the retention of which is governed by regulations of the Federal Power Commission and/or applicable State Commissions; otherwise retain for the longest periods prescribed for associate companies in respect of such records by the Federal Power Commission and/or applicable State commissions.	
(c) Documents and work papers of the types described in paragraphs (a) and (b) of §256a.34 prepared by the Company for the benefit of nonassociate clients.	5 years after close of fiscal year	M.
(d) Tabulating cards or other mechanical media used in compiling work papers referred to in paragraphs (b) and (c) of §256a.34.	Destroy at option	

§ 256a.35 Records of predecessor and former associate companies.

Description of records	Period of retention	Microphotographic indicator
(a) Records of any predecessor or former associate company of the Company and records of any former associate company of any such predecessor, which are in the possession of or under the control of the Company:		
(1) If the predecessor or former associate company was a mutual service company or subsidiary service company;	Retain in accordance with the provisions of the Regulation.	
(2) If the predecessor or former associate company was solely a registered holding company under the Act;	Retain in accordance with the Commission's regulation to govern the preservation and destruction of books of account and other records of companies which are subject to the uniform system of accounts for public utility holding companies promulgated under the Act (Part 257 of this chapter).[1]	
(3) If the predecessor or former associate company was an operating company, commonly known as a public-utility company.	Retain in accordance with applicable records-retention regulations of any Federal or State regulatory agency having jurisdiction in respect of the accounts and rates charged by such company for public-utility service.	
(4) Any other predecessor or former associate company.	Destroy at option, privided the Company shall first have given the Commission at least 90-day written notice in advance of the proposed destruction of such records, and the Commission has expressed no objection thereto within the said 90-day period.	M.

[1] Holding Company Act of 1935 Release No. 14093, dated Nov. 24, 1959, 24 F.R. 9734.

§ 256a.36 Records of the company not listed in the schedule.

Description of records	Period of retention	Microphotographic indicator
(a) Records not listed in this schedule which serve purposes substantially similar to records listed in the schedule.	Retain for periods prescribed in the schedule for such similar or related records.	
(b) Records not listed in this schedule which do not serve purposes substantially similar to records listed in this schedule, but which would be useful in developing the history of or facts regarding any transaction recorded by the Company in its accounts.	Retain until the destruction of such records has been authorized by the Commission.	M.
(c) Any other records of the Company not listed in this schedule.	Destroy at option	

§ 256a.37 Duplicate copies of records.

Description of records	Period of retention	Microphotographic indicator
(a) Duplicate copies of records of the Company....	Destroy at option, provided such duplicate copies contain no significant information not shown on the originals thereof and the originals are retained for the periods of time specified for such categories of records in this schedule.	

[F.R. Doc. 66-5712; Filed, May 27, 1966; 8:53 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 16]

MIGRATORY BIRD PERMITS

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority of 40 Stat. 755; 16 U.S.C. 703 et seq. it is proposed to revise and amend 50 CFR Part 16 beginning with § 16.1 and ending after § 16.16, as follows:

The copy set forth below of a recommended revision of migratory bird permit regulations under Part 16,Title 50, Code of Federal Regulations, is designed to accomplish the following major changes from the existing regulations and administrative policy:

1. Reduce and simplify recordkeeping and reporting required of waterfowl propagating permittees.

2. Eliminate required annual report by taxidermist permittees.

3. Allow the acquisition of captive-reared and properly marked live waterfowl from propagating permittees, without a permit, if solely for personal use or consumption.

4. Waterfowl propagating permits will be required only when it is desired to sell or otherwise dispose of captive-reared waterfowl to another person.

5. Require the physical marking of captive-reared waterfowl to provide a ready means for distinguishing captive-reared birds from wild birds of the same species, whether alive or dead.

6. Provide regulatory controls for captive-reared mallard ducks differing from those applying to all other species, but which will allow continued use of such mallards for present commercial and dog training purposes without undue additional cost or interference.

7. Allow discontinuation of the administrative policy followed since 1942, whereunder captive-reared mallard and black ducks three or more generations removed from the wild are exempted from any regulatory control even though such birds cannot be readily distinguished from captive-reared birds less than three generations removed from the wild or from wild mallards, either dead or alive.

Benefits to be derived from adoption are as follows:

1. Reduce the recordkeeping and reporting requirements imposed on permittees.

2. Result in a 70 to 80 percent reduction in the number of propagating permits necessary to issue and administer.

3. Provision is made for the use of captive-reared mallards for shooting preserve and other commercial purposes under minimum regulatory restriction which will afford protection of wild mallards and not unduly interfere with present practices. The Bureau recognizes that captive-reared mallards used on shooting preserves provide hunting opportunity; that retrieving dogs help conserve waterfowl; and their training, sometimes with captive-reared mallards, is desirable; that selling captive-reared mallards for food purposes is important to the economic welfare of game breeders; that scientists must be able to capture and hold birds for study and other scientific purposes. It is the desire and intent of the Bureau to provide for the above practices under reasonable regulations with a minimum of required reports and recordkeeping.

Sec.

16.1 Meaning of terms.
16.2 Permits required.
16.3 Exceptions to permit requirement.
16.4 General permit authorizations.
16.5 General permit provisions.
16.6 Transportation and shipping requirements.
16.7 Applicability of State laws.
16.8 Revocation of permits.
16.9 Import and export permits.
16.10 Jurisdiction and address of regional offices.
16.11 Scientific collecting and special purpose permits.
16.12 Taxidermist permits.
16.13 Banding permits.
16.14 Waterfowl propagating permits.
16.15 Acquisition, without a permit, of captive-reared migratory waterfowl other than mallard ducks.
16.16 Acquisition, without a permit, of captive-reared mallard ducks.

(Sections 16.21–16.25 and 16.31–16.37 of Part 16 remain unchanged.)

§ 16.1 Meaning of terms.

As used in this part, terms shall have the meaning ascribed in this section.

(a) "Migratory birds" refers to all those species of birds defined as migratory birds under § 10.1 of Part 10 of this subchapter, and includes all birds of these species which, whether raised in captivity or not, cannot be readily and visibly distinguished by general size or coloration from birds of the same species occurring in a wild state.

(b) "Migratory waterfowl" refers to all those species of wild ducks, geese, brant, and swans included in the definition of migratory birds under § 10.1 of Part 10 of this subchapter and paragraph (a) of this section.

(c) "Public" as used in referring to museums, zoological parks, and scientific or educational institutions refers to such as are open to the general public and either established, maintained, and operated as a governmental service or are privately endowed and incorporated but not operated for profit.

(d) "Take" means to pursue, hunt, shoot, capture, collect, kill, trap, or attempt to pursue, hunt, shoot, capture, collect, kill, or trap.

§ 16.2 Permits required.

Except as permitted by regulations under this part or under Part 10 of this subchapter (the hunting regulations), a permit is required for any person to import, export, take, sell, purchase, otherwise acquire, possess, transport, or dispose of migratory birds or their progeny, parts, nests, or eggs.

§ 16.3 Exceptions to permit requirement.

The following exceptions to the permit requirement are allowed in addition to those allowed in the hunting regulations under Part 10 of this subchapter.

(a) Certain species of migratory birds may, without a permit, be taken and disposed of to control depredations as provided in §§ 16.21 through 16.25.

(b) Employees of the Department of the Interior authorized to enforce the provisions of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 703 et seq.), may, without a permit, take or otherwise acquire, hold in custody, transport, and dispose of migratory birds or their parts, nests, or eggs as necessary in performing their official duties.

(c) State game departments, municipal game farms or parks, and public museums, zoological parks, and scientific or educational institutions may acquire by gift or purchase, possess, transport, and by gift or sale dispose of lawfully acquired migratory birds or their progeny, parts, nests, or eggs without a permit: *Provided*, That such birds may be acquired only from persons authorized by this paragraph or by a permit issued pursuant to this part to possess and dispose of such birds, or from Federal or State game authorites by the gift of seized, condemned, or sick or injured birds. Any such birds, acquired without a permit, and any progeny therefrom may be disposed of only to persons authorized by this paragraph to acquire such birds without a permit. Any person exercising a privilege granted by this paragraph must keep accurate records of such operations showing the species and number of birds acquired, possessed, and disposed of; the names and addresses of the persons from whom such birds were acquired or to whom such birds were donated or sold; and the dates of such transactions. These records shall be maintained on a calendar year basis and shall be retained for a period of 1 year following the end of the calendar year covered by the records.

(d) Migratory waterfowl which have been hatched and raised in captivity or the carcasses or eggs of such birds may be lawfully acquired, possessed, transported, and disposed of without a permit in accordance with the conditions and restrictions set forth in the provisions of §§ 16.15 and 16.16.

§ 16.4 General permit authorizations.

(a) Migratory bird permits may be issued to authorize: (1) The importation, exportation, taking, sale, purchase, other acquisition, possession, transportation, and disposal of migratory waterfowl and their progeny or eggs for propagating and food purposes; (2) the taking and disposal of wild migratory birds or their nests or eggs for depredation control purposes; (3) the importation, exportation, taking, sale, purchase, other acquisition, possession, transportation, and disposal of migratory birds or their progeny, parts, nests, or eggs for scientific, educational, and other special purposes; and (4) the receiving, custody, or possession, transportation, and mounting or other preparation by a taxidermist of migratory birds or their parts, nests, or eggs for any person other than himself.

(b) Consistent with the preservation of migratory birds and with the purposes of this part, applications for migratory bird permits may be disapproved, or approved and permits issued pursuant to the provisions of this part.

§ 16.5 General permit provisions.

Permits issued pursuant to this part are subject to the following provisions:

(a) Permittees must comply with such special terms, conditions, restrictions, or limitations as may be prescribed in the permit.

(b) Importations from Mexico must be accompanied by Mexican export permits.

(c) Permits are not transferable.

(d) Permittees may not dispose of migratory birds or their progeny, parts, nests, or eggs to any person not authorized by or pursuant to this part to acquire such migratory birds or their parts, nests, or eggs; or may a permittee acquire any migratory birds or their parts, nests, or eggs from any person not authorized by or pursuant to this part to dispose of such migratory birds or their progeny, parts, nests, or eggs.

(e) Permittees must, during reasonable hours, allow any person authorized to enforce this part to enter and inspect the premises where permit operations are being carried on and any records of such operations required to be maintained.

§ 16.6 Transportation and shipping requirements.

Every package or container, in which migratory birds or their parts, nests, or eggs are shipped by common carrier wholly within a State or are transported by any means whatsoever from one State, territory, or district to or through another State, territory, or district, or to a foreign country, shall be clearly marked, labeled, or tagged on the outside thereof. These labels or tags shall show the name and address of the consignor and consignee; and an accurate statement of the species and number of birds or their parts, nests, or eggs contained therein; and the permit number under authority of which the birds or their parts, nests, or eggs are transported if a permit is required.

§ 16.7 Applicability of State laws.

Nothing in this part or in any permit issued thereunder shall be construed to authorize the taking, possession, sale, purchase, exchange, or transportation of migratory birds or their parts, nests, or eggs in any State contrary to the laws and regulations of that State: *Provided*, That such laws and regulations are for the purpose of giving further protection to such birds and are not inconsistent with the conventions between the United States and any foreign country for the protection of migratory birds or with the Migratory Bird Treaty Act. No permit issued or privilege granted under this part shall authorize the taking, possession, purchase, sale, exchange, or transportation of migratory birds or their parts, nests, or eggs unless the person also possesses whatever permit may be required for such activities by the State concerned.

§ 16.8 Revocation of permits.

(a) Permits issued pursuant to this part may be revoked and the privileges granted thereunder withdrawn:

(1) If the permittee violates any regulation prescribed in this part; or

(2) When the activities of the permittee, involving live birds or feed on the premises of the permittee, are an element in a violation by the permittee or other person of the migratory bird hunting regulations governing the use of live decoys or bait in the taking of migratory game birds (§ 10.3 of this subchapter) on the premises covered by the permit, or where such activities on the premises of the permittee would preclude the legal hunting of migratory game birds on adjacent premises not under control of the permittee.

(b) Any person whose permit has been revoked shall not be issued a like permit until at least 1 year after the date of revocation.

§ 16.9 Import and export permits.

Applications for permits to import or export migratory birds or their parts, nests, or eggs, except captive-reared mallards (§ 16.16), for purposes provided in this part shall be made by letter addressed to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, and shall contain the following information:

(a) Name and address of the applicant and the purpose for which importation or exportation is being made;

(b) Species and number of migratory birds or their parts, nests, or eggs to be imported or exported;

(c) Name and address of the person from whom such birds are being imported or to whom they are being exported;

(d) Estimated date of arrival or departure of shipment, and the port of entry or exit through which the shipment will be imported or exported; and

(e) Federal permit number and type of permit authorizing possession, acquisition, or disposition of such birds or their parts, nests, or eggs, where such a permit is required.

§ 16.10 Jurisdiction and address of regional offices.

Geographic jurisdictions and addresses of Bureau of Sport Fisheries and Wildlife regional offices are as follows:

(a) Pacific Region (Region 1—comprising the States of Alaska, California, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington), Post Office Box 3737, Portland, Oreg., 97208;

(b) Southwest Region (Region 2—comprising the States of Arizona, Colorado, Kansas, New Mexico, Oklahoma, Texas, Utah, and Wyoming), Post Office Box 1306, Albuquerque, N. Mex., 87103;

(c) North Central Region (Region 3—comprising the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin), 1006 West Lake Street, Minneapolis, Minn., 55408;

(d) Southeast Region (Region 4—comprising the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, plus Puerto Rico and the Virgin Islands), Peachtree-Seventh Building, Atlanta, Ga., 30323; and

(e) Northeast Region (Region 5—comprising the States of Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia), U.S. Post Office and Courthouse, Boston, Mass., 02109.

§ 16.11 Scientific collecting and special purpose permits.

(a) Applications for scientific collecting and other special purpose permits shall be made by letter addressed to the Regional Director at the regional office having administrative jurisdiction over Bureau functions in the State where permit activities are proposed. (See § 16.10 for geographical jurisdiction and addresses of regional offices.) Such applications shall contain the following information:

(1) Name, address, and age of applicant;

(2) Species and number of migratory birds or their parts, nests, or eggs proposed to be taken or acquired when it is possible to determine same in advance;

(3) Statement of the purpose and a justification for granting such a permit; and

(4) In the case of scientific collecting permits, the name and address of the public scientific or educational institution to which all specimens will ultimately be donated.

(b) The tenure of scientific collecting or other special purpose permits shall be from date of issue through the 31st day of December of the second full calendar year following the year of issue unless a different period of time is prescribed in the permit.

(c) All specimens taken and possessed under authority of a scientific collecting

permit must be donated and transferred to the public scientific or educational institution designated in the permit application within 60 days following the date such permit expires or is revoked, unless the permittee has been issued a special permit authorizing possession for a longer period of time.

(d) All permittees must keep accurate records of their operations and file a report of such operations, negative or otherwise, by letter or on a form furnished for that purpose, on or before January 10 of each calendar year following the year of issue unless a different date is stated in the permit.

§ 16.12 Taxidermist permits.

(a) A taxidermist permit is required before any person may perform taxidermy services on migratory birds or their parts, nests, or eggs for any person other than himself. Such permits authorize permittees to receive specimens from, transport, hold in custody or possession, mount or otherwise prepare, and return prepared specimens to another person.

(b) Original applications for a taxidermist permit shall be made by letter addressed to the Regional Director at the regional office having administrative jurisdiction over Bureau functions in the State where permit activities are proposed. (See § 16.10 for geographical jurisdiction and addresses of regional offices.) Such applications shall contain the following information:

(1) Name, age, mailing address, and telephone number of applicant;

(2) Address of premises where taxidermist operations are proposed if different than mailing address;

(3) Statement of applicant's qualifications and experience as a taxidermist; and

(4) Where a State permit is required by State law, whether or not applicant possesses a valid State permit and the number and expiration date of such State permit.

(c) Requests for renewals of existing permits shall be made by letter to the regional office issuing the permit not later than 30 days preceding the expiration date of the permit.

(d) The tenure of taxidermist permits or renewals thereof shall be from date of issue through the 31st day of December of the second full calendar year following the year of issue.

(e) Permittees must keep accurate records of operations, on a calendar year basis, showing the names and addresses of persons from and to whom migratory birds or their parts, nests, or eggs were received or delivered, the number and species of such, and the dates of receipt and delivery. Permittees must retain such records for a period of 1 year following the end of the calendar year covered by the records.

§ 16.13 Banding permits.

(a) A banding permit is required before any person may capture migratory birds for banding purposes or use official bands issued by the Bureau of Sport Fisheries and Wildlife for banding any species of bird.

(b) Applications for banding permits shall be made by letter addressed to the Bird Banding Laboratory, Migratory Bird Populations Station, Bureau of Sport Fisheries and Wildlife, Laurel, Md., 20810. Requests for renewals of existing permits shall be made by letter not later than 30 days prior to the expiration date of the permit.

(c) The banding of migratory birds shall be by official numbered leg bands issued by the Bureau of Sport Fisheries and Wildlife. The use of any other band, clip, dye, or other method of marking is prohibited unless specifically authorized in the banding permit.

(d) All traps or nets used to capture migratory birds for banding purposes shall have attached thereto a tag or label clearly showing the name and address of the permittee and his permit number, or the area in which such traps or nets are located must be posted with Notice of Banding Operations posters (Form 3–1155, available upon request from the Bird Banding Laboratory, Migratory Bird Populations Station, Bureau of Sport Fisheries and Wildlife, Laurel, Md., 20810) which shall bear the name and address of the permittee and the number of his permit.

(e) Banding permits may be suspended or revoked for a violation of any provision of the Migratory Bird Treaty Act or the regulations issued thereunder, or for failure to maintain and submit required records and reports or to comply with any special terms, conditions, or restrictions incorporated in the banding permit.

§ 16.14 Waterfowl propagating permits.

(a) A waterfowl propagating permit is required before any person may lawfully sell, trade, donate, or otherwise dispose of, to another person, any species of captive-reared and properly marked migratory waterfowl or their eggs other than mallard ducks.

(b) Original requests for a propagating permit shall be made by letter addressed to the Regional Director at the regional office having administrative jurisdiction over Bureau functions in the State where permit activities are proposed. (See § 16.10 for geographical jurisdiction and addresses of regional offices.) The applicant will then be furnished an application form to be completed and returned to the regional office.

(c) The tenure of propagating permits or renewals thereof shall be from date of issue through the 31st day of December of the second full calendar year following the year of issue.

(d) Requests for renewals of existing permits shall be made by letter to the regional office issuing the permit not later than 30 days preceding the expiration date of the permit.

(e) When issued, these permits will authorize such disposal subject to the following conditions, restrictions, and requirements:

(1) Effective January 1, 1967, all live migratory waterfowl possessed in captivity under authority of a valid Federal propagating permit shall be physically marked within 60 days by removal of the hind toe from the right foot. All such birds hatched, raised and retained in captivity thereafter shall be so marked prior to reaching 4 weeks of age. The preceding does not apply to captive adult geese, swans and brant which have previously been marked by a "V" notch in the web of one foot, nor to such adult birds held in captivity at public institutions as defined in § 16.1(c).

(2) Such properly marked birds may be killed, in any number, at any time or place, by any means except shooting. Such birds may be killed by shooting only in accordance with all the applicable hunting regulations governing the taking of like species from the wild.

(3) At all times during possession, transportation, and storage until the raw carcasses of such birds are finally processed immediately prior to cooking, smoking, or canning, the marked foot must remain attached to each carcass: *Provided*, That permittees who are also authorized to sell game under a State license, permit, or authorization may remove the marked foot from raw carcasses if the number of his State license, permit, or authorization has first been legibly stamped in ink on the back of each carcass or on the wrapping or container in which each carcass is maintained.

(4) Such properly marked birds, alive or dead, or their eggs may be disposed of in any number, at any time or place, to any person: *Provided*, That on each date that any such birds or their eggs are transferred to another person, the permittee must complete a Form 3–186, Notice of Waterfowl Sale or Transfer. (Bureau will provide supplies of form.) The permittee will furnish the original of completed Form 3–186 to the person acquiring the birds or eggs; retain one copy in his files as a record of his operations; and, on or before the last day of each month, mail three copies of each form completed during that month to the regional office of the Bureau of Sport Fisheries and Wildlife which issued his permit.

(5) Within 10 days following December 31 of each calendar year, permittee must file a report, negative or otherwise, on a form furnished for that purpose, listing the number and species of migratory waterfowl and their eggs on hand as of December 31.

§ 16.15 Acquisition, without a permit, of captive-reared migratory waterfowl other than mallard ducks.

Any person may, without a permit, lawfully acquire captive-reared and properly marked migratory waterfowl of all species other than mallard ducks, alive or dead, or their eggs, and possess and transport such birds or eggs and any progeny or eggs therefrom solely for his own use subject to the following conditions and restrictions:

(a) Such birds, alive or dead, or their eggs may be lawfully acquired only from holders of valid Federal waterfowl propagating permits except that properly marked carcasses of such birds may also

be lawfully acquired as provided under paragraph (c) of this section.

(b) All progeny of such birds or eggs hatched, raised, and retained in captivity must be physically marked by removal of the hind toe from the right foot prior to reaching 4 weeks of age.

(c) No such birds or eggs or any progeny or eggs thereof may be disposed of by any means, alive or dead, to any other person unless a special Federal permit has first been secured authorizing such disposal: *Provided*, That bona fide clubs, hotels, restaurants, boarding houses, and dealers in meat and game may serve or sell to their customers the carcasses of any such birds which they have acquired from the holder of a valid Federal waterfowl propagating permit.

(d) Lawfully possessed and properly marked birds may be killed, in any number, at any time or place, by any means except shooting. Such birds may be killed by shooting only in accordance with all applicable hunting regulations governing the taking of like species from the wild. (See Part 10 of this subchapter.)

(e) At all times during possession, transportation, and storage until the raw carcasses of such birds are finally processed immediately prior to cooking, smoking, or canning, the marked foot must remain attached to each carcass unless such carcasses were otherwise properly marked and the foot removed prior to acquisition.

(f) When any such birds, alive or dead, or their eggs are acquired from a Federal waterfowl propagating permittee, the permittee will furnish a copy of Form 3–186, Notice of Waterfowl Sale or Transfer, to be retained on file by the buyer during his possession of such birds or eggs or progeny or eggs thereof.

§ 16.16 Acquisition, without a permit, of captive-reared mallard ducks.

Captive-reared and properly marked mallard ducks, alive or dead, or their eggs may be acquired, possessed, sold, traded, donated, transported, imported, exported, and disposed of by any person without any permit issued by this Bureau subject to the following conditions, restrictions, and requirements:

(a) Effective January 1, 1967, all such live mallard ducks then possessed in captivity, without a permit, shall be physically marked by removal of the hind toe from the right foot within 60 days, and all such ducks hatched, raised, and retained in captivity thereafter shall be so marked prior to reaching 4 weeks of age.

(b) When so marked, such live birds may be disposed of to, or acquired from, any person and possessed and transported in any number at any time or place.

(c) When so marked, such live birds may be killed, in any number, at any time or place, by any means except shooting. Such birds may be killed by shooting only in accordance with all applicable hunting regulations governing the taking of mallard ducks from the wild: *Provided*, That such birds may be killed by shooting, in any number, at any time, on any premises operated as a shooting preserve under State license, permit, or authorization; or they may be shot, in any number, at any time or place, by any person for bona fide dog training or field trial purposes.

(d) At all times during possession, transportation, and storage until the raw carcasses of such birds are finally processed immediately prior to cooking, smoking, or canning, the marked foot must remain attached to each carcass: *Provided*, That persons, who operate game farms or shooting preserves under a State license, permit, or authorization for such activities, may remove the marked foot when either the number of his State license, permit, or authorization has first been legibly stamped in ink on the back of each carcass or on the container in which each carcass is maintained, or each carcass is identified by a State band on leg or wing pursuant to requirements of his State license, permit, or authorization. When properly marked, such carcasses may be disposed of to, or acquired from, any person and possessed and transported in any number at any time or place.

Interested persons may submit written comments, suggestions, or objections within 30 days from the date of this publication to the Director, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C., 20240.

JOHN S. GOTTSCHALK,
Director, Bureau of Sport Fisheries and Wildlife.

MAY 25, 1966.

[F.R. Doc. 66–5877; Filed, May 27, 1966; 8:45 a.m.]

[50 CFR Part 32]

HUNTING

Bear River Migratory Bird Refuge, Utah

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the Migratory Bird Hunting Stamp Act of 1934, as amended (48 Stat. 451; 16 U.S.C. 718d), it is proposed to amend 50 CFR 32.21 by the addition of Bear River Migratory Bird Refuge, Utah, to the list of wildlife refuges open to the hunting of upland game.

It has been determined that the regulated hunting of upland game may be permitted on the Bear River Migratory Bird Refuge without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 32.21 is amended by the addition of the following area as one where hunting of upland game is authorized:

§ 32.21 List of open areas; upland game.

* * * * *

UTAH

Bear River Migratory Bird Refuge.

* * * * *

JOHN S. GOTTSCHALK,
Director, Bureau of Sport Fisheries and Wildlife.

MAY 20, 1966.

[F.R. Doc. 66–5884; Filed, May 27, 1966; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 917]

FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Expenses and Fixing of Rates of Assessment for 1966–67 Fiscal Period

Consideration is being given to the following proposals submitted by the Control Committee, established under the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the provisions thereof:

(a) That expenses that are reasonable and likely to be incurred during the fiscal period from March 1, 1966, through February 28, 1967, will amount to $220,250, and

(b) That the rates of assessment for such fiscal period payable by each handler in accordance with § 917.37 be fixed at:

(1) Eight mills ($0.008) per standard western pear box of pears, or its equivalent in other containers or in bulk;

(2) Three cents ($0.03) per standard four-basket crate of plums, or its equivalent in other containers or in bulk; and

(3) Three and one-half mills ($0.0035) per California peach box of peaches, or its equivalent in other containers or in bulk.

Terms used in the amended marketing agreement and this part shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and this part.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 10th day after the

publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: May 24, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-5891; Filed, May 27, 1966; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[46 CFR Part 308]

WAR RISK INSURANCE

Notice of Proposed Rule Making

Notice is hereby given that the Maritime Administrator has under consideration revising the terms and conditions under which war risk insurance binders and policies will be issued pursuant to Title XII of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1281–1294). The proposed changes are considered to be necessary for the following principal reasons:

1. The war risk insurance coverage now provided by commercial underwriters is uncertain and inadequate due to the indefinite provisions and the retroactive application of the automatic termination clauses. The Maritime Administrator is therefore prepared to find and determine, pursuant to section 1202(a) of the Act (46 U.S.C. 1282(a)), that war risk insurance adequate for the needs of the waterborne commerce of the United States cannot now be obtained on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States.

2. The Congress recently extended Title XII for 5 years after being advised by the steamship industry that the war risk insurance provided thereunder would not be a gratuity to the steamship owners or cargo owners, because as contemplated by section 1202(b) of the Act (46 U.S.C. 1282(b)), during the initial period under the Government binders, immediately after the commercial insurances have been automatically terminated on outbreak of war, it is the intention that the losses shall be spread over the binders on a mutual basis. To prevent the Government insurance from becoming a gratuity, provision must be made to guarantee to the Government the collection of adequate premiums to cover all losses occurring during the interim 30-day period, including the total amount of all judgments obtained by the shipowners against the Government for amounts in excess of the stated valuation in the policy as authorized by section 1209(a) of the Act (46 U.S.C. 1289(a)).

3. The national plan for emergency preparedness, approved December 1964, provides that in event of a general war involving a nuclear attack upon the United States:

> The Federal Government would assure the equitable sharing of war losses throughout the economy to the extent possible not to guarantee individuals against losses but to insure the maintenance of a viable economy.

Accordingly, it is necessary for the Government's war risk binders and policies to be subject to the condition that, in the event of a general war involving a significant nuclear attack upon the United States, insurance will be payable only to the extent that such payments are consistent with overall national emergency needs, available resources, and national policy on the equitable sharing of war losses.

Therefore, the Maritime Administrator, pursuant to Title XII of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1281–1293), and the authority delegated to him by the Secretary of Commerce (Department of Commerce Order No. 117, effective Apr. 9, 1962, 27 F.R. 3637), proposes to find that war risk insurance adequate for the needs of the waterborne commerce of the United States cannot now be obtained on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States, and to amend the war risk insurance rules and regulations prescribed in 46 CFR Part 308 (Maritime Administration General Order 75, 2d Rev.) to the extent necessary to provide, effective August 1, 1966, as follows:

1. The Maritime Administration will issue war risk hull insurance policies on a mutual basis, upon the application of any qualified shipowner who agrees to the terms and conditions of the policy, including contingent liability for assessments levied against him on a pro rata basis by the Maritime Administration as provided in the policy. The initial premiums will be charged at the rates currently charged by commercial underwriters. The amount insured will be "just compensation" as determined from time to time by the Maritime Administration, but the shipowner shall have the right to reject such value and sue the Government as provided in section 1209(a) of the Act (46 U.S.C. 1289(a)). The shipowner may effect, on an excess basis, war risk insurance which shall not inure to the benefit of the Maritime Administrator as underwriter, as authorized by section 1213 of the Act (46 U.S.C. 1293). After all claims for losses resulting during the period covered by the policies have been finally settled and paid, the remaining assets in the insurance fund derived from the policyholders as premiums and assessments will be distributed pro rata among the policyholders.

2. The Maritime Administration will issue war risk insurance binders providing for mutual insurance coverage substantially on the same terms and conditions as provided in paragraph 1, above, to attach automatically and simultaneously with the day and hour the commercial war risk insurance terminates as a result of advance written notice served by the underwriter on the shipowner, without any retroactive application.

3. The interim binders and policies of insurance will provide, in accordance with national policy, that they are subject to the condition that, in the event of a general war involving a significant nuclear attack upon the United States, insurance will be payable only to the extent that such payments are consistent with overall national emergency needs, available resources, and national policy on the equitable sharing of war losses.

All interested persons are invited to submit their views and comments on the proposed amendments, in writing, to the Maritime Administration, Washington, D.C., 20235, on or before July 1, 1966. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

Dated: May 24, 1966.

By order of the Maritime Administrator.

JAMES S. DAWSON, JR.,
Secretary.

[F.R. Doc. 66-5898; Filed, May 27, 1966; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 21, 87]

[Docket No. 16073; FCC 66-438]

PUBLIC AIR-GROUND RADIOTELEPHONE SERVICE

Notice of Proposed Rule Making

1. Notice is hereby given of further proposed rule making in the above-entitled matter.

2. On June 30, 1965, the Commission adopted a notice of proposed rule making in the instant docket which proposed adoption of an air-ground public radiotelephone system in compliance with the following criteria:

Spectrum: 454.675–455.000 and 459.675–460.000 Mc/s.

Voice channels: At least 60 two-way channels.

RF bandwidth: Not exceeding 5 kc/s per one-way channel.

Emission: Single sideband.

3. This proposal was subject to receipt of comments in response thereto which would give an acceptable set of technical specifications for a feasible system meeting the foregoing criteria. Subject to substantial compliance with these criteria, the system design was left to the ingenuity of interested parties who are competent in this field. Systems specifications submitted are subject to Commission review and selection of those which appear to offer the best service potential.

4. In response to the first notice of proposed rule making in this docket, we received comments from a substantial number of parties. Several of these parties offered constructive comments indicating that a system meeting the Commission's criteria is feasible and recommending specific technical standards for consideration. All comments received are being given careful consideration and no findings thereon are being made at this time.

5. We note that the Radio Technical Commission for Aeronautics (RTCA) has issued a report (Doc. No. DO–130) entitled "Technical Characteristics of an SSB Public Radiotelephone System Operating within the Frequency Bands 454.675–455.000 Mc/s and 459.675–460.000 Mc/s." This RTCA report sets forth system characteristics which are intended to meet the criteria established by the Commission in this proceeding. It also recommends field tests to confirm the suitability of the system. We desire to encourage further development and testing of such a system and are, therefore, issuing in the attached appendix a set of specific proposed rule changes which indicate our present planning as to the technical standards, administration and operation of the proposed service. Pursuant to the proposed rules, the public ground stations would be administered under Part 21 of our rules and the mobile stations would be administered under Part 87.

6. The technical specifications in the proposed rules are intended to comprise only those necessary for regulatory purposes. These proposed technical specifications are subject to changes or additions as developmental work on the proposed system progresses toward completion. They should not be regarded as limiting comments or developmental work to systems meeting the proposed specifications, provided compliance with the general criteria given in paragraph 2, above, is maintained.

7. Comments on any aspect of the proposed rules are invited and any party interested in developmental work on the proposed system is encouraged to apply to the Commission for such licenses as may be needed in connection with such work. We also commend the Radio Technical Commission for Aeronautics for their constructive work and report in this matter and recommend that interested parties coordinate their further work through that organization, and with the Commission's Office of Chief Engineer.

8. Informal progress reports from interested parties on their developmental activities and problems are invited at any time, and are requested to be furnished by July 1 and October 3, 1966. Such informal reports should be submitted in triplicate.

9. Authority for the rule amendments proposed herein is contained in Sections 4(i) and 303 of the Communications Act of 1934, as amended.

10. Any interested person who is of the opinion that the proposed amendments should not be adopted may file with the Commission on or before October 3, 1966, written data, views, or arguments setting forth his comments. Comments in support of the proposed amendments may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed on or before November 3, 1966. In reaching its decision on the rule changes which are proposed herein, the Commission will not be limited to consideration of comments of record but will take into account all relevant information obtained in any manner.

11. In accordance with the provisions of § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: May 18, 1966.

Released: May 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

PART 2—FREQUENCY ALLOCATION AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

1. Section 2.1 is amended by adding the following definitions in alphabetical order:

§ 2.1 Definitions.

Aeronautical public communication service. A communication service carried on from aircraft to land radio stations for the purpose of providing a public communication service for persons aboard aircraft.

Aeronautical public service station. A mobile station, aboard an aircraft, operated in the aeronautical public communication service for hire.

Auxiliary test station. A fixed station used for test transmissions only, operating on mobile station frequencies from a specified location, for the purpose of determining the performance of fixed receiving equipment which is remotely located from the base or ground station with which it is associated, or where the receiving equipment is located with the base or ground station and both are remotely located from the control point of the station.

Domestic public air-ground radio service. A public mobile 2-way radiotelephone service for hire from public ground stations to aeronautical public service stations.

Public ground station. A land station in the domestic public air-ground radio service carrying on a service with aeronautical public service stations.

2. The table in § 2.106 is amended in columns 7, 8, 9, 10, and 11 for the frequency bands 454–455 Mc/s and 459–460 Mc/s to read as follows and footnote NG12 is deleted:

§ 2.106 Table of frequency allocations.

Federal Communications Commission

Band (Mc/s) 7	Service 8	Class of station 9	Frequency (Mc/s) 10	Nature of Stations 11
• • •	• • •	• • •	• • •	• • •
454–454.675	LAND MOBILE.	Base. Land mobile.		DOMESTIC PUBLIC.
454.675–455	MOBILE.	Public ground.		DOMESTIC PUBLIC AIR-GROUND RADIO.
• • •	• • •	• • •	• • •	• • •
459–459.675	LAND MOBILE.	Base. Land mobile.		DOMESTIC PUBLIC.
459.675–460	MOBILE.	Aeronautical public service. Auxiliary test.		AERONAUTICAL PUBLIC COMMUNICATIONS.
• • •	• • •	• • •	• • •	• • •

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

1. Section 21.0(b) is amended to read as follows:

§ 21.0 Basis and purpose.

• • • • • •

(b) The purpose of the rules and regulations in this part is to prescribe the manner in which portions of the radio spectrum may be made available for the use of radio for domestic communication common carrier operations which require transmitting facilities on land, aboard aircraft, and aboard vessels.

2. Section 21.1 is amended by revising the definition of "Auxiliary test station", "Domestic public radio services", and "General communication" and by adding other definitions in alphabetical order, as follows:

§ 21.1 Definitions.

As used in this part:

Aeronautical public service station. A mobile station, aboard an aircraft, operated in the aeronautical public communication service for hire.

• • • • • •

Auxiliary test station. A fixed station used for test transmissions only, operating on mobile station frequencies from a specified fixed location, for the purpose of determining the performance of fixed receiving equipment which is remotely located from the base or ground station with which it is associated, or where the receiving equipment is located with the base or ground station and both are remotely located from the control point of the station.

• • • • • •

Domestic public air-ground radio service. A public mobile two-way radiotelephone service for hire from public ground stations to aeronautical public service stations.

* * * * *

Domestic public radio services. The domestic land mobile, air-ground, and fixed public services, the stations of which are open to public correspondence.

NOTE: Parts 81 and 83 of this chapter are applicable to Maritime services. Part 87 is applicable to Aviation services; and Part 85 is applicable to certain services in Alaska.

* * * * *

General communication. Two-way voice communication, (1) through a base station, between a common carrier land mobile station and a landline telephone station connected to a public message landline telephone system or between two common carrier land mobile stations via a base station and (2) through a public ground station, between an aeronautical public service station and a landline telephone station connected to a public message landline telephone system or between two aeronautical public service stations via a public ground station.

* * * * *

Public ground station. A land station in the domestic public air-ground radio service carrying on a service with aeronautical public service stations.

* * * * *

3. Section 21.29 (a) and (b) is amended to read as follows:

§ 21.29 Forms to be used.

(a) *Application for construction permit for base, public ground, auxiliary test and fixed stations.* A separate application for construction permit shall be submitted for each base, each public ground, each auxiliary test, and each fixed station on FCC Form 401: *Provided, however,* That in the case of fixed stations to be installed at temporary locations, as set forth hereinafter in the applicable subparts of this part, where the equipment utilized is of such design as to comprise a "packaged" unit which is ready for installation and use with only nominal construction, request may be made for waiver of the construction permit and for the immediate issuance of a license: *And provided further,* That an application for an auxiliary test station may be combined with that of a base station of public ground station with which such auxiliary facility is to be associated when both are at the same location. Such applications shall be accompanied by the supplementary information set forth in § 21.15 as may be appropriate.

(b) *Application for license for mobile stations.* No construction permit is required for mobile stations. A separate application on FCC Form 401 shall be submitted for a license for the maximum number of mobile units expected to be placed in operation within the ensuing license period: *Provided, however,* In the Domestic Public Land Mobile Radio Service, an application for license for land mobile units to be licensed in the name of the base station licensee may be combined on the same application form with an application for the base station with which the land mobile units will be associated. In the preparation of such blanket applications, care should be exercised that data furnished therein in all particulars is clearly differentiated between the land mobile and base station installations. In any event, the mobile station license will be issued simultaneously with the issuance of the related base station license in the case of applications in the Domestic Public Land Mobile Radio Service. Applications for mobile stations in the Domestic Public Land Mobile Radio Service which are submitted by persons who propose to become subscribers to a common carrier service for public correspondence shall be accompanied by the supplementary showing set forth in § 21.15(i). Applications for aeronautical public service stations to communicate with public ground stations in the Domestic Public Air-Ground Radio Service shall be filed under the provisions of Part 87 governing aviation services in this chapter.

* * * * *

4. Section 21.32(a) is amended to read as follows:

§ 21.32 License period.

(a) Licenses for stations in the Point-to-Point Microwave Radio and Local Television Transmission Services will be issued for a period not to exceed 5 years; in the case of common carrier Television-STL and Television Pickup stations to which are assigned frequencies allocated to the broadcast services, the authorization to use frequencies shall, in any event, terminate simultaneously with the expiration of the authorization for the broadcast station to which such service is rendered; licenses for stations in the Domestic Public Land Mobile Radio, Public Air-Ground Radio and Rural Radio Services will be issued for a period not to exceed 3 years, except that licenses for developmental stations will be issued for a period not to exceed 1 year. The expiration date of licenses of miscellaneous common carriers in the Domestic Public Land Mobile Radio Service shall be the first day of April in the year of expiration; the expiration date of licenses of telephone company common carriers in the Domestic Public Land Mobile Radio Service shall be the first day of July in the year of expiration; the expiration date of licenses in the Domestic Public Air-Ground Radio Service shall be the first day of October in the year of expiration; the expiration date of licenses in the Rural Radio Service shall be the first day of November in the year of expiration; the expiration date of licenses in the Point-to-Point Microwave and Local Television Transmission Services shall be the first day of February in the year of expiration; and the expiration date of developmental licenses shall be one year or less from the date of grant thereof. When a license is granted subsequent to the last renewal date of the class of license involved, the license shall be issued for only the unexpired period of the current license term of such class.

* * * * *

5. Section 21.101(a) is amended to read as follows:

§ 21.101 Frequency stability.

(a) A permittee or licensee in these services shall maintain the carrier frequency of each authorized transmitter within the following percentage of the reference frequency:

Frequency range	All fixed, base, and ground stations	All mobile stations	
		Over 3 watts	3 watts or less
	Percent	*Percent*	*Percent*
25 to 50 Mc/s	0.002	0.002	0.005
50 to 1000 Mc/s	0.0005	0.0005	0.005
Above 1000 Mc/s	(1)	(1)	(1)

[1] To be specified in the station authorization but shall not be greater than 0.05 percent between 1000 and 10,000 Mc/s and not greater than 0.75 percent above 10,000 Mc/s. (Specific changes will be proposed in another docket.)

* * * * *

6. Section 21.107 (b) and (c) is amended to read as follows:

§ 21.107 Transmitter power.

* * * * *

(b) The rated power output of a transmitter employed in these radi o services shall not exceed the values shown in the following tabulation, except as otherwise limited by § 21.903:

Frequency range (Mc/s):	*Rated power output Watts*
Below 30	50
30 to 50	350
50 to 76	50
76 to 500	250
500 to 10,000	[1] 100
Above 10,000	([2])

[1] As an exception, in the band 5925–6425 Mc/s, the power delivered by a transmitter to the antenna of a station in the fixed service shall not exceed 20 watts. Additionally, in this band, the maximum effective radiated power of the transmitter and associated antenna of a station in the fixed service shall not exceed +55 dbW. These limitations are necessary to minimize the probability of harmful interference to reception in this band on board communication-satellite space stations.

[2] Unlimited.

(c) The power of each transmitter shall be maintained as near as practicable to the power input or output, as the case may be, specified in the instrument of station authorization: *Provided,* That the power of each base station or public ground station transmitter shall not deviate by more than 20 percent above and 25 percent below the authorized power. In the event it becomes impossible to operate within such limits of the authorized power, the station may be operated with reduced power for a period of 10 days or less, provided that if such operation continues longer than 10 days the Commission and the Engineer-in-Charge of the radio district in which the station is located shall be notified in writing immediately thereafter and also upon the resumption of normal power.

7. Section 21.108 (a) and (b) is amended to read as follows:

§ 21.108 Directional antennas.

(a) Unless otherwise authorized upon specific request by the applicant, each station authorized under the rules of this part, other than base, public ground, mobile and auxiliary test stations operating in the Domestic Public Land Mobile and Air-Ground Radio Services, shall employ a directional antenna adjusted with the center of the major lobe of radiation in the horizontal plane directed toward the receiving station with which it communicates: *Provided, however,* Where a station communicates with more than one point, a multi- or omni-directional antenna may be authorized, if necessary.

(b) Stations, other than base, public ground, mobile and auxiliary test stations in the Domestic Public Land Mobile and Air-Ground Radio Services, which are required to operate with a directional antenna shall not radiate signals which exceed the following limits of beam width, measured in the horizontal plane at the half power points, for the major lobe of radiation:

Frequency range (Mc/s):	*Maximum beam width*
Below 500	80°
500 to 1500	20°
1500 to 5000	12°
5000 to 10,000	8°
Above 10,000	3°

* * * * *

8. Section 21.110 (a), (b), and (c) is amended to read as follows:

§ 21.110 Antenna polarization.

(a) Stations operating in the 72–76 Mc/s band, and each base, public ground, mobile, dispatch, and auxiliary test station operating in the Domestic Public Land Mobile Radio and Air-Ground Radio Services shall employ an antenna which radiates a signal, the electrical component of which is vertically polarized.

(b) Unless otherwise authorized, each station operating on frequencies below 500 Mc/s (other than base, public ground, mobile and auxiliary test stations in the Domestic Public Land Mobile Radio and Air-Ground Radio Services, and stations operating in the 72–76 Mc/s band) shall employ an antenna which radiates a signal, the electrical component of which is horizontally polarized: *Provided, however,* That Rural Subscriber stations communicating with base stations may employ vertical polarization.

(c) Upon a satisfactory showing in each particular case that improved transmission will result and potentially harmful interference to other radio installations would be reduced, the Commission may authorize a station operating on frequencies below 500 Mc/s (other than base, public ground, mobile and auxiliary test stations in the Domestic Public Land Mobile Radio and Air-Ground Radio Services, and all stations operating in the 72–76 Mc/s band) to employ an antenna which radiates a signal, the electrical component of which is circularly or otherwise polarized.

* * * * *

9. Section 21.205(h)(3) is amended to read as follows:

§ 21.205 Operator requirements.

* * * * *

(h) Any person may, after obtaining permission from the station licensee, operate the following classes of stations during the course of normal rendition of service, under the circumstances set forth below:

* * * * *

(3) Central office stations, interoffice stations, auxiliary test stations, base stations, and public ground stations, including radio control stations which may be associated therewith.

* * * * *

10. In § 21.213, paragraph (a) is amended to read as follows:

§ 21.213 Station identification.

(a) Each station in these services, except as otherwise provided in this section, shall identify itself by transmitting its assigned call sign in connection with each communication or exchange of communication. In the event of a prolonged series of communications, a station shall identify itself at least every half-hour. However, stations engaged in a public telephone message, telegram, radiophoto, or program transmission shall not be required to transmit identifying call signs when such identification would interrupt the continuity of the message, radiophoto or program that is being transmitted. In any such case, the identifying call sign shall be transmitted immediately following the conclusion of the message, radiophoto or program: *Provided,* That the requirement for transmission of station identification is waived for fixed stations automatically retransmitting by self-actuating means, for fixed stations employing continuous radiation with multichannel transmission and for the exclusive signaling channel used by public ground stations in the Domestic Public Air-Ground Radio Service.

* * * * *

11. Section 21.501(b) is amended by deletion of table footnote 1 and the associated frequencies which are reallocated exclusively to the Domestic Public Air-Ground Radio Service. As amended § 21.501(b) reads as follows:

§ 21.501 Frequencies.

* * * * *

(b) For assignment to stations of communication common carriers engaged also in the business of affording public landline message telephone service, for General and Dispatch Communications (provided that Signaling Communications may also be furnished by any facility rendering such General or Dispatch Service):

Base station frequencies (Mc/s)	*Mobile and auxiliary test station frequencies (Mc/s)*
152.51	157.77
152.54	157.80
152.57	157.83
152.60	157.86
152.63	157.89
152.66	157.92
152.69	157.95
152.72	157.98
152.75	158.01
152.78	158.04
152.81	158.07
454.40	459.40
454.45	459.45
454.50	459.50
454.55	459.55
454.60	459.60
454.65	459.65

* * * * *

12. Section 21.601(a) is amended by deletion of table footnote 3 and the associated frequencies which are reallocated exclusively to the Domestic Public Air-Ground Radio Service. As amended, § 21.601(a) reads as follows:

§ 21.601 Frequencies.

(a) The following frequencies are available primarily to the Domestic Public Land Mobile Radio Service, and on a secondary basis, to stations in the Rural Radio Service, provided no harmful interference is caused to stations in the Domestic Public Land Mobile Radio Service:

Central Office and interoffice station frequencies (Mc/s)	*Rural subscriber and interoffice station frequencies (Mc/s)*
152.03 [2]	[2] 158.49
152.06 [2]	[2] 158.52
152.09 [2]	[2] 158.55
152.12 [2]	[2] 158.58
152.15 [2]	[2] 158.61
152.18 [2]	[2] 158.64
152.21 [2]	[2] 158.67
152.51 [1]	[1] 157.77
152.54 [1]	[1] 157.80
152.57 [1]	[1] 157.83
152.60 [1]	[1] 157.86
152.63 [1]	[1] 157.89
152.66 [1]	[1] 157.92
152.69 [1]	[1] 157.95
152.72 [1]	[1] 157.98
152.75 [1]	[1] 158.01
152.78 [1]	[1] 158.04
152.81 [1]	[1] 158.07
454.05 [2]	[2] 459.05
454.10 [2]	[2] 459.10
454.15 [2]	[2] 459.15
454.20 [2]	[2] 459.20
454.25 [2]	[2] 459.25
454.30 [2]	[2] 459.30
454.35 [2]	[2] 459.35
454.40 [1]	[1] 459.40
454.45 [1]	[1] 459.45
454.50 [1]	[1] 459.50
454.55 [1]	[1] 459.55
454.60 [1]	[1] 459.60
454.65 [1]	[1] 459.65

[1] This frequency is available for assignment only to stations of communication common carriers engaged also in the business of affording public landline message telephone service.

[2] This frequency is available for assignment only to stations of communication common carriers not also engaged in the business of providing a public landline message telephone service. (NOTE: There is pending, in Docket 18847, a proposal to delete frequencies available for central office and interoffice stations for miscellaneous common carriers and to retain the frequencies for rural subscriber stations as designated by this footnote designator 2.)

* * * * *

13. Part 21 is amended by adding a new Subpart K to read as follows:

Subpart K—Domestic Public Air-Ground Radio Service

Sec.
21.900 Eligibility.
21.901 Frequencies.
21.902 Nationwide plan for assignment of ground station frequencies.
21.903 Power limitations and requirements. [Reserved]
21.904 Modulation requirements. [Reserved]
21.905 Bandwidth and emission limitations. [Reserved]
21.906 Antenna radiation characteristics.
21.907 Signaling system requirements for ground stations. [Reserved]
21.908 [Reserved]
21.909 Permissible communications.
21.910 Responsibility for operational control of aeronautical public service stations.
21.911 Air-ground radiotelephone system frequency plan.

§ 21.900 Eligibility.

(a) Applications for public ground stations and auxiliary test stations to be operated in this service will be accepted from existing and proposed communication common carriers. However, authorizations may be granted only to those applicants who have made a factual showing that definite arrangements have been completed for direct interconnection of the public ground station with the nationwide public message telephone system. Applications will be granted only in cases where it is shown that:

(1) The applicant is legally, financially, technically and otherwise qualified to render the proposed service;

(2) There are frequencies available to enable the applicant to render a satisfactory service; and

(3) The public interest, convenience or necessity would be served by a grant thereof.

(b) Authorizations for aeronautical public service stations will be issued to individual users of the service upon the filing of an appropriate application under the provisions of Part 87 governing aviation services in this chapter.

§ 21.901 Frequencies.

The following channel group center (reference) frequencies are available for assignment in the Domestic Public Air-Ground Radio Service for General Communications in accordance with the nationwide plan set forth in § 21.902, and the system frequency plan shown in § 21.911.

Public ground station center frequencies (Mc/s)	Working channel group designations	Aeronautical public service and auxiliary test station center frequencies (Mc/s)
454.70	A	459.70
454.75	B	459.75
454.80	C	459.80
454.85	D	459.85
454.90	E	459.90
454.95	F	459.95

§ 21.902 Nationwide plan for assignment of ground station frequencies.

(a) Ground stations for use in this service shall be authorized in accordance with the nationwide plan and shall be located within 25 statute miles of the location specified. This distance shall be measured from the intersection of the coordinates shown, or from the main post office where coordinates are not specified.

Location	Channel group
Alabama:	
Troy	A
Arizona:	
Grand Canyon	B
Phoenix	D
Arkansas:	
Little Rock	B
California:	
E. of Fresno (36°44′ N. lat., 119°17′ W. long.)	D
NW. of Los Angeles (34°20′ N. lat., 118°36′ W. long.)	C
Palm Springs (33°55′ N. lat., 116°15′ W. long.)	E
N. of Redding (40°55′ N. lat., 122°27′ W. long.)	A
NE. of San Francisco (37°51′ N. lat., 22°11′ W. long.)	F
NW. of Santa Barbara (34°32′ N. lat., 119°58′ W. long.)	B
E. of San Diego (32°53′ N. lat., 116°25′ W. long.)	F
Colorado:	
Denver	E
Grand Junction	C
Washington, D.C.	F
Florida:	
Cocoa	B
Miami	E
Tampa	D
Georgia:	
Atlanta	C
Waycross	F
Hawaii:	
Hilo (Hawaii)	B
Honolulu (Oahu)	C
Kailua-Kona (Hawaii)	F
Kamuela (Hawaii)	D
Kauuli (Maui)	E
Lihue (Kauai)	A
Idaho: Boise	C
Illinois:	
Alton	D
Chicago	F
Indiana: Vincennes	C
Iowa: Waterloo	B
Kansas:	
Colby	F
Salina	C
Kentucky: Middlesboro	B
Louisiana:	
New Orleans	D
Shreveport	A
Maine: Bangor	D
Massachusetts: Boston	C
Michigan: Detroit	E
Minnesota: Minneapolis	C
Mississippi: Jackson	E
Missouri: Kansas City	E
Montana:	
Billings	C
Glendive	D
Great Falls	E
Missoula	A
Nebraska:	
Alliance	B
North Bend	A
Nevada:	
Elko	B
Las Vegas	A
NW. of Reno (39°35′ N. lat., 119°56′ W. long.)	E
New Jersey: Newark	E
New Mexico:	
Albuquerque	A
Artesia	F
Silver City	E
New York:	
Elmira	B
SW. of Albany (42°38′ N. lat., 73°59′ W. long.)	A
North Carolina:	
Charlotte	E
Rocky Mount	A
North Dakota:	
Bismarck	F
Fargo	E
Ohio: Dayton	A
Oklahoma: Oklahoma City	D
Oregon:	
Pendleton	D
Salem	F
Pennsylvania: Pittsburgh	C
Tennessee: Columbia	F
Texas:	
Amarillo	B
Dallas	C
Harlingen	D
Houston	F
San Antonio	B
Sweetwater	E
Utah:	
Ogden	D
Richfield	F
Washington:	
Seattle	E
Spokane	B
West Virginia: Beckley	D
Wisconsin: Wausau	A
Wyoming: Casper	A

§ 21.903 Power limitations and requirements. [Reserved]

§ 21.904 Modulation requirements. [Reserved]

§ 21.905 Bandwidth and emission limitations. [Reserved]

§ 21.906 Antenna radiation characteristics.

Public ground station antenna installations shall be designed for vertical polarization and for uniformly omnidirectional radiation in the horizontal plane.

§ 21.907 Signaling system requirements for public ground stations. [Reserved]

§ 21.908 [Reserved]

§ 21.909 Permissible communications.

(a) Public ground stations are authorized to communicate only with aeronautical public service stations operating on the channels set forth in § 21.901.

(b) Auxiliary test stations in this service shall normally be operated upon aeronautical public service station frequencies only for the purpose of determining the performance of fixed receiving equipment remotely located from the public ground station with which it is associated or where the receiving equipment is located with the public ground station and both are remote from the control point of the station: *Provided, however,* That a transmitter used in an auxiliary test station may be used as a standby transmitter upon the frequency of the public ground station with which it is associated whenever such public ground station is out of service for maintenance or repair.

(c) Unless otherwise prohibited by agreements, laws, rules, regulations, etc. of the foreign country concerned, public ground stations in this service are not prohibited from rendering communication service for hire to stations aboard any aircraft when properly authorized to subscribe to such service.

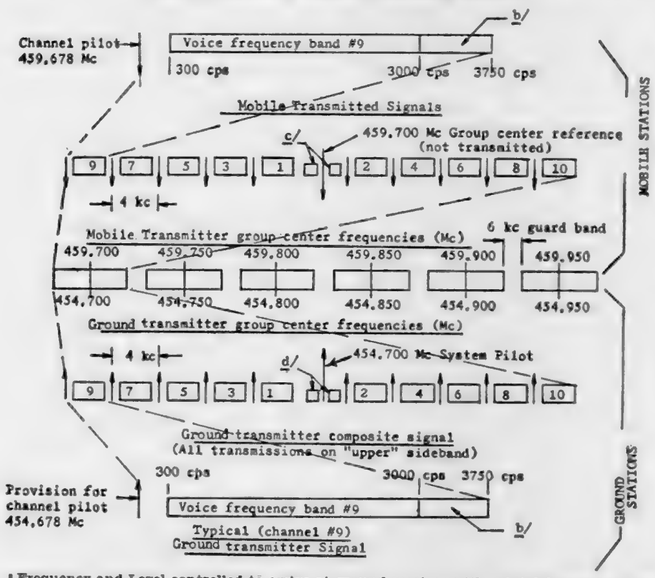
§ 21.910 Responsibility for operational control of aeronautical public service stations.

(a) The licensee of a public ground station in this service shall be responsible for exercising effective operational control over all aeronautical public service stations with which it communicates: *Provided, however,* That the person who is responsible for the proper operation of the aircraft and in command thereof shall have absolute authority to summarily terminate any communication in progress or to forbid the use of the aeronautical public service station when, in his judgment, such action is necessary for reasons of safety in operation of the aircraft.

§ 21.911 Air-ground radiotelephone system frequency plan.

Six groups of Ten (4 kc) channels plus an 11th channel for signaling and Data.

TYPICAL (CHANNEL 9) MOBILE TRANSMITTER SIGNAL [a]



[a] Frequency and Level controlled to arrive at ground receiver with a total frequency error of ±100 cps and an RMS signal level of ±3 db. The doppler error is measured in the aircraft, is inverted, and used to correct the mobile transmitted frequency as received at the ground station.
[b] Provision for "out of voice band" signaling and per-channel control data.
[c] Provision for air-to-ground signaling.
[d] Provision for ground-to-air signaling.

PART 87—AVIATION SERVICES

1. Section 87.5 is amended by revising the definition *Aeronautical public service station* and *Aeronautical public communication service,* and by adding the following new definitions in alphabetical order.

§ 87.5 Definition of terms.

• • • • • •

Aeronautical public communication service. A communication service carried on from aircraft to land radio stations for the purpose of providing a public communication service for persons aboard aircraft.

Aeronautical public service station. A mobile station, aboard an aircraft, operated in the aeronautical public communication service for hire.

• • • • • •

Domestic public air-ground radio service. A public mobile two-way radiotelephone service for hire from public ground stations to aeronautical public service stations.

• • • • • •

Public ground station. A land station in the domestic public air-ground radio service carrying on a service with aeronautical public service stations.

• • • • • •

2. Section 87.65(a)(6) is amended by adding footnote designator 8 to the following entries and by adding footnote 8 to the table.

§ 87.65 Frequency stability.

• • • • • •

(a) • • •

(6) • • •

Mobile stations: • • •	
Aircraft and all other mobile stations	[8] 0.005

• • • • • •

[8] The tolerance applicable to aeronautical public service stations operating in the band 459.675–460 Mc/s is 0.0005 percent.

• • • • • •

3. The table in § 87.67(b)(1) is amended to read as follows:

§ 87.67 Types of emission.

• • • • • •

(b)(1) • • •

Class of emission	Emission designator	Authorized bandwidth: Below 50 Mc/s	Authorized bandwidth: Above 50 Mc/s	Frequency deviation
		Kilocycles	Kilocycles	Kilocycles
A1	0.1A1	0.25		
A2	2.1A2	2.724	50	
A3	6A3	8.0	[5]	
A3A [2]	3A3A [2]	4.0		
A3H [2]	3A3H [2]	4.0		
A3J [2]	3A3J [2]	4.0		
A9A [2]	50A9A [2]		50	
F1	1.7F1	1.7	[6]	
F1	2.4F1	2.5		
F3 [3]	36F3		40	15
F3 [4]	16F3		[7]	5
P	(1)	(1)		

[1] To be specified on authorization.
[2] Operation with carrier suppressed more than 6 db below peak envelope power (type 3A3A and 3A3J) will be authorized only on a developmental basis except for stations operating in the aeronautical fixed service. 3A2A, 3A3H, and 3A3J emissions will be authorized only below 25,000 kc/s.
[3] Applicable to operational fixed stations presently authorized in the band 73.0–74.6 Mc/s.
[4] Applicable to operational fixed stations in the bands 72.0–73.0 and 75.4–76.0 Mc/s.
[5] Applicable to aeronautical public service stations in the band 459.675–460 Mc/s.

• • • • • •

4. The present text of § 87.235 is designated as paragraph (a) and a new paragraph (b) is added to read as follows:

§ 87.235 Frequencies available.

• • • • • •

(b) The channel group center (reference) frequencies shown in column (1)

below are available for assignment to aeronautical public service stations. Transmissions by aircraft stations shall be on a frequency (column 1) corresponding to the public ground station frequency (column 3).

Aeronautical public service center frequencies (Mc/s)	Channel group designations	Public ground station center frequencies (Mc/s)
1	2	3
450.70	A	454.70
450.75	B	454.75
450.80	C	454.80
450.85	D	454.85
450.90	E	454.90
450.95	F	454.95

5. Section 87.237 is amended to read as follows:

§ 87.237 Stations licensed for aeronautical public service.

(a) In the Aviation Services, only those stations licensed for aeronautical public service may carry on public communication service.

(b) Aeronautical public service stations using frequencies in accordance with § 87.235(a) may communicate with coastal and ship stations licensed to carry on public communications service.

(c) Aeronautical public service stations using frequencies in the band 459.675–460 Mc/s are authorized to communicate with and through public ground stations in the domestic public air-ground radio service and foreign public air-ground stations if not prohibited by the country in which the ground station is located.

(d) Aeronautical public service stations are subject to the circuit discipline of the ground stations with which they communicate except as provided in §§ 87.241 and 87.243 of this Part.

6. Section 87.239 is amended to read as follows:

§ 87.239 Scope of service.

(a) All stations licensed in the aeronautical public communication service and equipped for communication with coastal and ship stations shall intercommunicate without discrimination with any other station similarly licensed and equipped, whenever necessary for the handling of traffic.

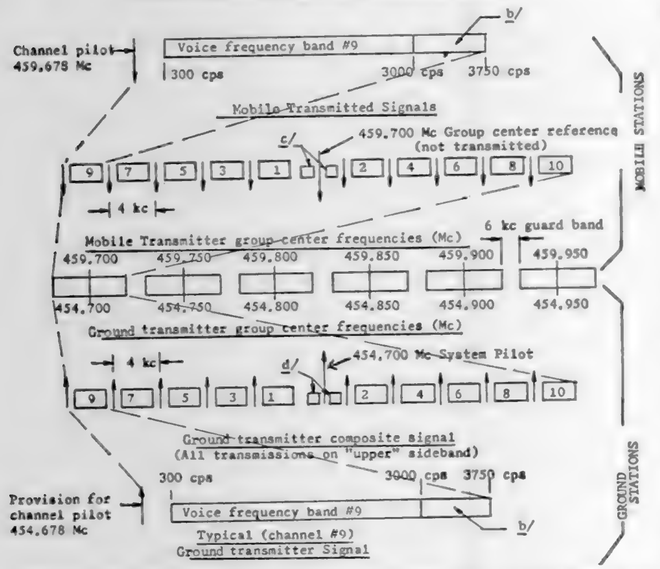
(b) Aeronautical public service stations shall be made available, without discrimination and on reasonable demand, for the use of all persons.

7. New § 87.244 is added to read as follows:

§ 87.244 Air-ground radiotelephone system frequency plan.

Six groups of Ten (4 kc) channels plus an 11th channel for signaling and Data.

TYPICAL (CHANNEL 9) MOBILE TRANSMITTER SIGNAL [a]



[a] Frequency and Level controlled to arrive at ground receiver with a total frequency error of ±100 cps and an RMS signal level of ±3 db. The doppler error is measured in the aircraft, is inverted, and used to correct the mobile transmitted frequency as received at the ground station.

[b] Provision for "out of voice band" signaling and per-channel control data.

[c] Provision for air-to-ground signaling.

[d] Provision for ground-to-air signaling.

8. New § 87.245 is added to read as follows:

§ 87.245 Antenna radiation characteristics.

The antenna of an aeronautical public service station operating in the band 459.675–460 Mc/s shall be designed for vertical polarization.

9. New § 87.247 is added to read as follows:

§ 87.247 Ambient noise.

Each aeronautical public service station utilizing frequencies in the band 459.675–460 Mc/s shall use suitable means to prevent impairment of transmission by the ambient noise present when the aircraft is in flight. A noise-canceling type of microphone, or suitable environmental acoustic treatment shall be used.

10. New § 87.249 is added to read as follows:

§ 87.249 Aeronautical public service station receiver requirements.

(a) Each aeronautical public service station utilizing frequencies in the band 459.675–460 Mc/s shall be equipped to receive and respond to its assigned telephone number when transmitted by the selective signaling system prescribed by Subpart K of Part 21 of this chapter.

(b) Each aeronautical public service station shall employ a receiver designed to automatically revert to the signaling channel frequency upon completion of a call.

[F.R. Doc. 66-5729; Filed, May 27, 1966; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 107]

SMALL BUSINESS INVESTMENT COMPANIES

Notice of Proposed Rule Making

Notice is hereby given that pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85–699, 72 Stat. 694, as amended, it is proposed to amend, as set forth below, Part 107 of Subchapter B, Chapter I, of Title 13 of the Code of Federal Regulations, as revised in 29 F.R. 16946–16961, and amended in 30 F.R. 534, 1187, 2652, 2653, 2654, 3635, 3856, 7597, 7651, 8775, 8900, 11960, 13005, 14095, 14850, 14850–14851, and 31 F.R. 2815, 4954, and 4954–4955, by amending sec. 107.802. Prior to final adoption of such amendment, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in triplicate, to the Investment Division, Small Business Administration, Washington, D.C., 20416, within a period of thirty (30) days of the date of this notice in the FEDERAL REGISTER.

Information. The proposed amendment would provide notice of the revision of the Financial Report, SBA Form 468, and the Instructions for Preparation of the Financial Report (SBA Form 468) to: (1) Simplify the financial reporting requirements for all Licensees; (2) tailor the financial reporting requirements to the different categories of Licensees, based on their situations as borrowers or nonborrowers from SBA and as registered or nonregistered companies under the Investment Company Act of 1940; and (3) provide reporting forms compatible with the revised System of Account Classifications for Small Business Investment Companies (Revision 2, Part 111 of the Regulations) which became effective April 1, 1966.

The three-part form comprising the proposed revised Financial Report, SBA Form 468 (9–66), has been designed so that each part will meet specific needs. Part I will supply the basic financial information essential to the administration of the small business investment company program and the requirements of the industry, the Congress, and the public for statistical information on the program. Part II will provide the data necessary to the Securities and Exchange Commission in carrying out its responsibilities with respect to 1940 Act companies, as such companies are defined in section 107.12 of the SBA Regulations. Part III will furnish information on portfolio securities to assist SBA in the review of loan applications under section 302 and section 303 of the Small Business Investment Act of 1958, as amended, and in the administration of outstanding loans.

It is proposed to amend the Regulations Governing Small Business Investment Companies as follows:

1. By deleting paragraphs (d) and (e) of § 107.802 in their entirety and substituting in lieu thereof new paragraphs (d) and (e). As amended paragraphs (d) and (e) of § 107.802 will read as follows:

§ 107.802 Reports.

* * * * *

(d) *Forms for financial reports.* The financial reports required by this section to be submitted to SBA by Licensees shall be on the prescribed form constituting the Financial Report, SBA Form 468 (9–66), which is designed for submission in part or in its entirety. Part I requires statement of financial condition, statement of statutory capital and surplus, statement of realized gain or loss on investments, statement of income and expense, and supporting schedules 1 through 6; Part II requires supporting schedules 7 through 13; and Part III requires supporting schedules 14 and 15.

(1) The determination as to what part or parts of the report shall be filed by a particular Licensee for a particular reporting period is based on the classification of the Licensee with regard to the following categories:

(i) Borrowing Companies—Licensees which are or become indebted to SBA on account of section 302 or section 303 funds (including SBA guarantees or commitments with respect thereto).

(ii) 1940 Act Companies—Licensees which are registered investment companies subject to the regulatory jurisdiction of the Securities and Exchange Commission under the Investment Company Act of 1940.

(2) With respect to the regular reporting periods ending September 30 and March 31, Licensees shall file the various parts of the Financial Report, SBA Form 468, as follows:

(i) All nonborrowing, non-1940 Act companies file only Part I with SBA as of September 30 and March 31.

(ii) All nonborrowing, 1940 Act companies file only Part I with SBA as of September 30 and only Parts I and II with both SBA and SEC as of March 31.

(iii) All borrowing, non-1940 Act companies file only Parts I and III with SBA as of September 30 and March 31.

(iv) All borrowing, 1940 Act companies file only Parts I and III with SBA as of September 30; file Parts I, II, and III with SBA as of March 31; and file only Parts I and II with SEC as of March 31.

(3) With respect to interim financial reports, SBA may specifically require any or all Licensees to file with SBA any part or parts of the Financial Report, SBA Form 468, for any period of 1 month or more.

(4) The Financial Report, SBA Form 468, shall be submitted in triplicate to the Investment Division, Small Business Administration, Washington, D.C., 20416, on or before the last day of the month immediately following the close of the period covered by the report (in the case of an unaudited report), and on or before the last day of the third month following the close of the period covered by the report (in the case of an audited report).

(5) Licensees which are 1940 Act companies should refer to the rules promulgated by the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C., 20549, for the official requirements as to financial reports to be filed with SEC and the time allowed for filing.

(6) When the Licensee has one or more branch offices, the data contained in the basic financial statements and all supporting schedules shall comprise a combination of the figures for the principal office and all branches. All money amounts required to be shown in the financial statements and schedules may be expressed in even dollars, at the option of the Licensee. If the financial data are expressed in even dollars, appropriate adjustments of individual amounts shall be made for the fractional part of a dollar so that the items will add to the totals shown. The Financial Report prepared by each Licensee shall present fairly the financial position of the Licensee as of the close of the period covered by the report and the results of the Licensee's operations for such period, and shall be prepared in accordance with the detailed instructions accompanying SBA Form 468.

(e) *Verification of reports.* The verification of the Financial Report, SBA Form 468, shall bear the signature of the chief financial officer of the Licensee, or other officer authorized by the board of directors to sign in the event the chief financial officer is unavailable. A Licensee filing with SBA only Part I of the Financial Report shall execute the verification provided in Part I. A Licensee filing with SBA both Part I and Part II shall execute the verification provided in Part II and need not execute that contained in Part I. A Licensee filing with SBA Parts I, II, and III shall execute the verification provided in Part III and need not execute that contained in either Part I or Part II. A secretarial officer of the Licensee shall attest by signature to the fact that the minutes of a meeting of the Licensee's board of directors show that the relevant part or parts of the Financial Report, SBA Form 468, have been reviewed and approved by the board of directors. The date on which each signature is affixed shall be shown. All three copies of the Financial Report to be furnished to SBA shall bear the original signatures of the verifying officers in ink.

2. By deleting the Financial Report, SBA Form 468 (3–65), and Instructions for Preparation of the Financial Report (SBA Form 468) (3–65) referred to in paragraphs (g) and (h) of § 107.802, and substituting therefor amended Financial Report, SBA Form 468 (9–66), and Instructions for Preparation of the Financial Report (SBA Form 468) (9–66). Said amended Financial Report, SBA Form 468 (9–66), and Instructions for Preparation of the Financial Report (SBA Form 468) (9–66) will henceforth constitute the documents referred to in paragraphs (g) and (h) of § 107.802. Said amended Financial Report and Instructions for Preparation thereof have been filed with the Office of the Federal Register as part of this document. Copies thereof may be obtained from the sources listed in paragraph (g) of § 107.802.

Dated: April 23, 1966.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66-5885; Filed, May 27, 1966; 8:45 a.m.]

[13 CFR Part 107]

SMALL BUSINESS INVESTMENT COMPANIES

Notice Withdrawing Proposed Regulation

On November 2, 1965, notice of proposed rule-making was published in the FEDERAL REGISTER concerning the record-keeping requirements applicable to Licensees under § 107.802 of the SBIC Regulation (30 F.R. 13872). The proposal would have added the requirement that every Licensee obtain and keep on file periodic financial reports from each portfolio concern (a) as a condition of all financing agreements consummated

after the effective date of the proposed amendment and, wherever possible, (b) through voluntary cooperation with respect to financing agreements previously made with any such concern.

Notice is hereby given that the Administration, after considering the comments and suggestions received, has determined not to adopt the proposed amendment at this time. Accordingly, it may be considered withdrawn.

Dated: May 19, 1966.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 66-5889; Filed, May 27, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 90-A]

NATIONAL BUREAU OF STANDARDS

Delegation of Authority and Functions

The following order was issued by the Secretary of Commerce on May 12, 1966. This material supersedes the material appearing at 29 F.R. 3829-3830 of March 27, 1964 and 30 F.R. 5802 of April 24, 1965.

SECTION 1. *Purpose.* The purpose of this order is to delegate authority to the Director and to describe the general functions of the National Bureau of Standards.

SEC. 2. *General.* .01 The National Bureau of Standards, established by Act of March 3, 1901 (31 Stat. 1449; 15 U.S.C. 271) is hereby continued as a primary operating unit of the Department of Commerce. The Bureau may also be identified additionally as the Institutes for Science and Technology. The Bureau is headed by a Director appointed by the President with the advice and consent of the Senate.

.02 The Director, National Bureau of Standards, is assisted by a Deputy Director who shall be the principal assistant to the Director and shall perform the functions of the Director during the latter's absence.

SEC. 3. *Delegation of authority.* .01 Pursuant to the authority vested in the Secretary of Commerce by law (including Reorganization Plan No. 5 of 1950), and subject to such policies and directives as the Secretary of Commerce or the Assistant Secretary for Science and Technology may prescribe, the Director is hereby delegated the authority to perform the functions vested in the Secretary of Commerce under:

a. Title 15, Chapter 6 U.S. Code (Weights and Measures and Standard Time);

b. Title 15, Chapter 7 U.S. Code (The Bureau of Standards);

c. 15 U.S.C. 1193 (Flammable Fabrics);

d. 15 U.S.C. 1213 (Household Refrigerators);

e. 15 U.S.C. 1301-1303 (Brake Fluid Standards);

f. 15 U.S.C. 1321 (Seat Belt Standards);

g. Title 15, Chapter 23 U.S. Code (Dissemination of Technical, Scientific and Engineering Information);

h. Section 111(f) of Public Law 89-306 (79 Stat. 1128), relating to scientific and technological advisory services except that recommendations to the President relating to the establishment of uniform Federal automatic data processing standards will be submitted by the Secretary of Commerce.

i. Part VI of Reorganization Plan No. 3 of 1946 (certain functions under the National Bureau of Standards) see text under 5 U.S.C. 133y-16; and

j. Any other existing or subsequent legislation with respect to engineering, mathematics and physical science activities within the special competence of the National Bureau of Standards.

.02 The Director of the National Bureau of Standards may redelegate his authority to appropriate officials of the National Bureau of Standards subject to such conditions in the exercise of such authority as he may prescribe.

SEC. 4. *General functions.* The National Bureau of Standards shall perform the following functions: (a) Develop and maintain the national standards of measurement, and the provisions of means for making measurements consistent with those standards; (b) determine physical constants and properties of materials; (c) develop methods for testing materials, mechanisms, and structures, and make such tests as may be necessary, particularly for Government agencies; (d) cooperate in the establishment of standard practices for incorporation in codes and specifications; (e) provide advisory service to Government agencies on scientific and technical problems; (f) invent and develop devices to serve special needs of the Government; (g) assist industry, business and consumers in the development and acceptance of commercial standards and simplified trade practice recommendations; (h) conduct programs, in cooperation with U.S. business groups and standards organizations, for the development of international standards of practice; (i) conduct a program of textile research; (j) maintain a clearinghouse for the collection and dissemination of scientific, technical, and engineering information; and (k) conduct research and provide technical services designed to improve cost effectiveness in the conduct of agency program through use of computers and related techniques.

SEC. 5. *Savings provision.* All rules, regulations, orders, certificates, and delegations of authority issued by or relating to the National Bureau of Standards or the Office of Technical Services or any official thereof shall remain in effect until specifically revoked or amended by proper authority.

Effective date. May 12, 1966.

DAVID R. BALDWIN,
Assistant Secretary of Commerce.

[F.R. Doc. 66-5878; Filed, May 27, 1966; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMERICAN CYANAMID CO.

Notice of Withdrawal of Petition for Food Additive Sulfaethoxypyridazine

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), American Cyanamid Co., Post Office Box 400, Princeton, N.J., 08540, has withdrawn its petition (FAP 6D1832), published in the FEDERAL REGISTER of October 14, 1965 (31 F.R. 13103), proposing the issuance of a regulation to provide for the safe use of sulfaethoxypyridazine in the feed and drinking water of chickens for the treatment of certain specified conditions.

The withdrawal of this petition is without prejudice to a future filing.

Dated: May 23, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5895; Filed, May 27, 1966; 8:46 a.m.]

PITTSBURGH PLATE GLASS CO., CHEMICAL DIVISION

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6A2013) has been filed by Pittsburgh Plate Glass Co., Chemical Division, Post Office Box 31, Barberton, Ohio, 44203, proposing the issuance of a regulation to provide for the safe use of sodium mono- and dimethyl naphthalene sulfonates (mol. wt. 245-260) at a level not to exceed 250 parts per million in the crystallization of sodium carbonate intended for use in potable water systems to reduce hardness and aid in sedimentation and coagulation.

Dated: May 23, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-5896; Filed, May 27, 1966; 8:46 a.m.]

[Docket No. FDC-D-93; NDA No. 8-564]

PHARMACHEM CORP.

Dextran Injection 6% in Plastic Containers; Order Refusing Approval of Supplemental New-Drug Application

On April 23, 1966, a notice of opportunity for hearing was issued notifying Pharmachem Corp., Bethlehem, Pa., that the Commissioner of Food and Drugs proposed to issue an order refusing approval of supplemental new-drug application No. 8-564, dated August 17, 1961, and subsequent amendments to the supplement, providing for Dextran Injection 6 percent to be packaged in plastic containers, with prejudice to future

use of the supplement by the applicant, on the grounds that: The application does not include adequate tests by all methods reasonably applicable to show whether or not the drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling; the results of the tests performed do not show that the drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling; the information submitted as part of the supplemental application is insufficient to determine whether the drug is safe for use when the Dextran Injection 6 percent has been stored in the proposed container; the supplemental application fails to describe fully the methods, facilities, and controls to be used in fabricating the plastic containers, and adequate data are not provided to establish the stability of the solution in the proposed containers.

The notice of opportunity was sent by certified mail and received by the Pharmachem Corp. on April 22, 1966. It was published in the FEDERAL REGISTER on April 23, 1966 (31 F.R. 6281).

On May 16, 1966, the Pharmachem Corp. entered its appearance and elected not to avail itself of the opportunity for hearing, requesting that the Commissioner immediately issue a final order refusing approval of the supplemental new-drug application No. 8-564.

The Commissioner of Food and Drugs by virtue of the authority vested in the Secretary of the Department of Health, Education, and Welfare by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(d), 52 Stat. 1052, as amended; 21 U.S.C. 355(d)) and delegated to the Commissioner by the Secretary (21 CFR 2.120; 31 F.R. 3008), finds that, in the matter of supplemental new-drug application No. 8-564:

1. The reports of investigations do not include adequate tests by all methods reasonably applicable to show whether or not the drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling.

2. The results of the tests performed do no show that the drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling.

3. On the basis of the information submitted to the Food and Drug Administration as part of the subject supplemental application there is insufficient information to determine whether the drug is safe for use when the Dextran Injection 6 percent has been stored in a container manufactured and labeled as proposed in the supplement.

4. The methods used in, and the facilities and controls used for, the manufacture, processing, and packing of the drug are inadequate to preserve its identity, strength, quality, and purity, in that the supplemental application fails to describe fully the methods, facilities, and controls to be used in fabricating the plastic containers, and adequate data are not provided to establish the stability of the solution in the proposed containers.

Therefore, on the basis of the foregoing findings of fact, and at the request of the applicant, the approval of supplemental new-drug application No. 8-564 is hereby refused, with prejudice to future referral by the applicant to said supplemental application.

Dated: May 26, 1966.

JAMES L. GODDARD, M.D.,
Commissioner of Food and Drugs.

[F.R. Doc. 66-5969; Filed, May 27, 1966; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17352; Order E-23736]

AIR CARRIER DISCUSSIONS

Order Authorizing Discussions Concerning Joint Trunkline "Visit U.S.A." Tariffs

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of May 1966.

By letter of April 22, 1966, to the domestic trunkline carriers,[1] the Board requested their consideration of the possibility that individual "Visit U.S.A." fares might be modified to apply jointly over the lines of the trunk carriers. The purpose of this modification would be to stimulate travel to and within the United States and to reduce the international travel deficit.

In response, it was observed that some carriers have established, or will in the near future establish joint "Visit U.S.A." fares. Most of the responses indicated that the carriers were favorably disposed to such joint fares, although concern was expressed that such fares would have an adverse impact upon yields. The carriers further indicated their concern with various problems in implementing such a program such as the level of fares to be charged, the geographic coverage to be offered, the duration of ticket validity, the disbursement of revenues among participating carriers, and other matters. Two of the carriers suggested that the Board authorize discussions of these problems and several of the carriers have indicated the desirability of such meetings or their willingness to participate in discussions of this matter.

The Board has concluded that the trunkline carriers should be authorized to discuss joint "Visit U.S.A." tariffs in view of the problems involved in an intercarrier program of this type. In our view such discussions are necessary due to the variations in the current tariffs of the individual carriers and the need to resolve these differences as well as to arrive at solutions to many of the substantive and technical problems which would be involved in such an expansion of individual carrier "Visit U.S.A." tariffs. We believe that the availability of a "Visit U.S.A." tariff on a joint trunkline carrier basis would enhance the salability of these fares to visitors from other countries and effect an improvement in the travel imbalance and the balance of payments problem.

In addition to "Visit U.S.A." fares, one carrier has urged that "Discover America" excursion fares should also be made available on a joint trunkline basis. The Board would favor this action since it should add to the attractiveness of these excursion fares, promote domestic travel by U.S. citizens, and improve the balance of payments situation. Since the ends to be achieved are similar, the Board has concluded that it would be in the public interest to authorize the carriers to consider joint "Discover America" fares in connection with the discussions of "Visit U.S.A." fares authorized herein. However, if the carriers should enter discussions on the establishment of joint "Discover America" fares the Board would not contemplate that any agreement would be reached providing tariffs less favorable to the public than those now available under the carriers' individual "Discover America" tariffs.

We recognize that this authorization of discussions of rates and matters affecting rates by carriers engaged in interstate and overseas air transportation is at variance with our customary practice. However, the situation here is novel and the purpose is of such significance that we have concluded these discussions are in the public interest. Furthermore, we will condition our approval of these discussions to require that members of the Board's staff shall be present at each meeting and to require that any intercarrier agreement which may result shall be filed and approved by the Board under section 412 of the Act before it may be placed into effect.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 102, 204(a), 412, and 414 thereof: *It is ordered:*

1. That all trunkline air carriers, as identified in paragraph 4 below, may engage in discussions for a period of 90 days commencing from the date of this order to consider problems involved in establishing joint trunkline "Visit U.S.A." fares and "Discover America" fares;

2. That representatives of the Civil Aeronautics Board shall be notified at least 48 hours in advance and shall be present at all discussions authorized herein.

3. That any agreement or agreements reached as a result of such discussions shall be filed with the Board in accordance with section 412 of the Act and approved by the Board prior to being placed into effect.

4. Copies of this order shall be served on:

American Airlines, Inc.
Braniff Airways, Inc.
Continental Air Lines, Inc.
Delta Air Lines, Inc.
Eastern Air Lines, Inc.
National Airlines, Inc.
Northeast Airlines, Inc.
Northwest Airlines, Inc.
Trans World Airlines, Inc.
United Air Lines, Inc.
Western Air Lines, Inc.

[1] Not including Pan American World Airways, Inc.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5899; Filed, May 27, 1966; 8:47 a.m.]

[Docket No. 16367]

EASTERN-MACKEY MERGER CASE

Notice of Change of Oral Argument Date

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter now assigned to be held on June 8 is reassigned for June 7, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., May 25, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-5900; Filed, May 27, 1966; 8:47 a.m.]

[Docket No. 15353; Order E-23734]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Fare Matters

Adopted by the Civil Aeronautic Board at its office in Washington, D.C., on the 25th day of May 1966.

Agreements adopted by Joint Conferences 1-2, 3-1, and 1-2-3 of the International Air Transport Association relating to fare matters; Docket 15353, Agreement C.A.B. 18841, Agreement C.A.B. 18860.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1-2, 3-1, and 1-2-3 of the International Air Transport Association (IATA), and adopted by mail votes. The agreements have been assigned the above-designated C.A.B. Agreement numbers.

The agreements (1) amend the provisions of the transatlantic tour-basing fares to clarify that the tour package shall include sleeping accommodations for the total duration of the round or circle trip, and (2) readopt round-trip economy-class excursion fares as presently offered between the West Coast/Honolulu and Bora Bora/Papeete. The latter fares are amended to permit the application of the children's discount.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the following resolutions to be adverse to the public interest or in violation of the Act.

C.A.B. agreement No.	*IATA resolution*
C.A.B. 18841	JT12(mail 451)084y
	JT123(Mail 451)084y
C.A.B. 18860	JT31(Mail 119)080p

Accordingly, it is ordered, That:

Agreements C.A.B. 18841 and 18860 be approved.

Any air carrier party to the agreements, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-5901; Filed, May 27, 1966; 8:47 a.m.]

[Docket No. 17347, etc.; Order E-23722]

FRONTIER AIRLINES, INC., AND WESTERN AIRLINES, INC.

Order Granting Motions for Expedited Hearing and Instituting Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of May 1966.

Service to West Yellowstone, Mont., Docket 17347: Application of Frontier Airlines, Inc., Docket 14085, for amendment of its certificate of public convenience and necessity for Route 73 to authorize service to West Yellowstone, Mont.; and application of Western Airlines, Inc., Docket 16347, to add West Yellowstone, Mont., as an intermediate point on Route 28.

Both Frontier Airlines, Inc. (Frontier) and Western Air Lines, Inc. (Western) have on file applications which propose new, or improved, air service for West Yellowstone, Mont. Frontier's amended application in Docket 14085 proposes to extend segment 4(b) of Route 73 beyond the terminal point Jackson, Wyo., to the terminal point Billings, Mont., via the intermediate point West Yellowstone, Mont. Western's application in Docket 16347 requests an amendment of its certificate for Route 28 to add West Yellowstone as an intermediate point between Denver, Colo., and Great Falls, Mont.[1]

The Montana Aeronautics Commission, the city of Billings and the Billings Chamber of Commerce have filed motions requesting consolidation of both carrier applications for expedited consideration. We will grant the motions for expedited consideration because the matters raised by the respective motions, when considered along with other relevant factors, persuade us that an investigation into the service requirements of West Yellowstone will be in the public interest.

Because of airport inadequacy Western did not serve West Yellowstone from 1948 until 1965, but reinstituted air service on June 12, 1965. After only a brief resumption of service on its Route 19 between Great Falls and Salt Lake City, Western reported 3,825 passenger originations at West Yellowstone during the 3d quarter of 1965. For this same period Frontier reported 8,047 passenger originations at Jackson, Wyo., which is considered a gateway to Yellowstone National Park as well as to Grand Teton Park.[2] This impressive traffic response to Yellowstone Park air service indicates that the time is ripe for full consideration of the service needs of West Yellowstone and Yellowstone National Park.[3]

Prompt consideration of the Frontier and Western applications consolidated herein will provide the Board with the opportunity to evaluate the air transportation requirements of West Yellowstone and determine which service proposal will be most responsive to the needs of the public. We will expect both Western and Frontier to have available for the record actual traffic data for the 1966 tourist season which will be helpful in resolving not only the question of which service pattern is best suited for the community, but which carrier, or carriers, should be authorized to provide service at West Yellowstone.

Accordingly, we will institute an investigation herein to determine the air transportation requirements of West Yellowstone. This investigation will be limited to the service issues raised by the applications of Frontier and Western in Dockets 14085 and 16347, respectively; whether any authorization for Frontier to serve West Yellowstone should be without subsidy eligibility; and finally, whether West Yellowstone should receive seasonal or year-round air service. We will not consider in this investigation any applications for new, or improved, route authority other than the applications of Frontier and Western in Dockets 14085 and 16347 which will be consolidated herein or any service issues which will expand the issues of this proceeding beyond the scope defined in and limited by this order. Finally, we intend for this investigation to proceed so that the results of the 1966 tourist season will be available for final determination of the

[1] West Yellowstone now receives seasonal air service from Western as an intermediate point on Route 19.

[2] West Yellowstone is adjacent to the west entrance of Yellowstone National Park and Jackson is 45 miles south of the Park's south entrance.

[3] When it opposed Frontier's application for a temporary exemption to provide a seasonal service at West Yellowstone, Western stated that it would first study the traffic response at West Yellowstone after air service was reactivated to determine if direct air service to West Yellowstone from Denver and Billings was required before it filed an application for authority to provide such service which, of course, would be directly competitive with Frontier's proposed service for West Yellowstone. Frontier's application for an exemption was denied. See Order E-22265, June 3, 1965.

need for any additional air service before the commencement of the 1967 tourist season.

Accordingly, it is ordered:

1. That an investigation designated as the West Yellowstone, Montana, Service Investigation be and hereby is instituted in Docket 17347 to determine whether the public convenience and necessity require:

(a) The amendment, or modification, of Frontier's certificate for Route 73 to add West Yellowstone, Montana, to segment 4(b) as an intermediate point between Jackson, Wyo., and Billings, Mont., for seasonal or year-round air service, and, if so, what terms, conditions and limitations should attach to such authorization; and

(b) The amendment, or modification, of Western's certificate for Route 28 to add West Yellowstone, Mont., as an intermediate point between Denver, Colo., and Great Falls, Mont., for seasonal or year-round air service and, if so, what terms, conditions and limitations should attach to such authorization;

2. That Frontier's application in Docket 14085 and Western's application in Docket 16347 be and hereby are consolidated into Docket 17347 for contemporaneous consideration and decision;

3. That the motions of the Montana Aeronautics Commission, the city of Billings, Mont., and the Billings Chamber of Commerce be and hereby are granted;

4. That this proceeding shall be set down for hearing before an Examiner of the Board at a time and place hereafter to be designated;

5. That a copy of this order be served on Frontier Airlines, Inc., and Western Air Lines, Inc., which are hereby made parties to this investigation; and

6. That a copy of this order be served on the Montana Aeronautics Commission; the Wyoming Aeronautics Commission; the city of Billings, Mont., and the Billings Chamber of Commerce; the city and county of Denver and the Denver Chamber of Commerce; and the West Yellowstone, Mont., Chamber of Commerce.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-5902; Filed, May 27, 1966; 8:47 a.m.]

[Docket No. 16242]

TRANSPACIFIC ROUTE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the prehearing conference in the above-entitled proceeding originally scheduled for March 29, 1966, is reassigned to be held on June 15, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned examiner.

The scope of this proceeding has now been determined by Board Order E-23740. Parties may desire to supplement the proposed statements of issues, proposed stipulations, requests for information, statements of positions, and proposed procedural dates submitted previously. Such statements should be submitted to the Examiner and served on other parties within the period established by Order E-23740 for the filing of amended applications conforming to the scope of the proceeding, i.e., within 10 days after the date of service of said order.

Dated at Washington, D.C., May 25, 1966.

[SEAL] ROBERT L. PARK, *Hearing Examiner.*

[F.R. Doc. 66-5903; Filed, May 27, 1966; 8:47 a.m.]

[Docket No. 15574]

UNITED-PACIFIC TRANSFER CASE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be held on June 29, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., May 24, 1966.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 66-5904; Filed, May 27, 1966; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16565-16571; FCC 66M-719]

AMERICAN TELEPHONE & TELEGRAPH CO. AND UNITED TELEPHONE CO.

Order Continuing Hearing

In re applications of American Telephone & Telegraph Co., for a construction permit to add new facilities to Station KQF58 in the Domestic Public Point-to-Point Microwave Radio Service at West Unity, Ohio, Docket No. 16565, File No. 114-C1-P-66, and for construction permits to establish new facilities in the Domestic Public Point-to-Point Microwave Radio Service at Bluffton, Ohio, Docket No. 16566, File No. 122-C1-P-66, and at Ayersville, Ohio, Docket No. 16567, File No. 123-C1-P-66; and The United Telephone Co., for construction permits to add new facilities to Station KQI71 in the Domestic Public Point-to-Point Microwave Radio Service at West Unity, Ohio, Docket No. 16568, File No. 3292-C1-P-66, to Station KQI72 in the Domestic Public Point-to-Point Microwave Radio Service at Napoleon, Ohio, Docket No. 16569, File No. 3293-C1-P-66, and to Station KQ173 in the Domestic Public Point-to-Point Microwave Radio Service at Ottawa, Ohio, Docket No. 16570, File No. 3294-C1-P-66, and for a construction permit to establish new facilities in the Domestic Public Point-to-Point Microwave Radio Service at Bluffton, Ohio, Docket No. 16571, File No. 3295-C1-P-66.

The Hearing Examiner having under consideration a motion filed on May 19, 1966, by counsel for American Telephone & Telegraph Co. requesting continuance of hearing in the above-styled proceeding now scheduled to commence on May 25, 1966; and

It appearing that the request is made on behalf of all parties to the proceeding; and

It further appearing that counsel for applicant American Telephone & Telegraph Co. and for applicant United Telephone Co. are working with counsel and representatives of the Common Carrier Bureau in an effort to arrive at a stipulation in this proceeding which efforts may obviate the need for further hearings, or at least reduce the time required for hearings and that to accomplish this counsel for all parties agree that additional time is required:

It is therefore ordered, This 23d day of May 1966, that the motion is hereby granted and the hearing now scheduled for May 25, 1966, be and the same is hereby continued to June 22, 1966, at 10 a.m., in the offices of the Commission in Washington, D.C.

Released: May 24, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5918; Filed, May 27, 1966; 8:49 a.m.]

[Docket Nos. 16465, 16466; FCC 66M-722]

BROWN BROADCASTING CO., INC., AND DIXIE BROADCASTING CORP.

Order Continuing Prehearing Conference

In re applications of Brown Broadcasting Co., Inc., Jacksonville, N.C., Docket No. 16465, File No. BP-16700; Dixie Broadcasting Corp., Aurora, N.C., Docket No. 16466, File No. BP-17036; for construction permits.

In view of the pendency of various pleadings herein (petitions seeking enlargement of issues): *It is ordered*, This 24th day of May 1966, on the Hearing Examiner's own motion, that the further prehearing conference herein presently scheduled for 9 a.m., May 26, 1966, is continued to 10 a.m., June 3, 1966, at the Commission's offices, Washington, D.C.

Released: May 24, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5919; Filed, May 27, 1966; 8:49 a.m.]

[Docket Nos. 16450, 16451; FCC 66M-726]

CORINTH BROADCASTING CO., INC., AND PROGRESSIVE BROADCASTING CO.

Order Continuing Hearing

In re applications of the Corinth Broadcasting Co., Inc., Corinth, Miss., Docket No. 16450, File No. BPH-4714; Frank F. Hinton and James D. Anderson, doing business as the Progressive Broadcasting Co., Corinth, Miss., Docket No. 16451, File No. BPH-5015; for construction permits.

The Hearing Examiner having under consideration petition filed this date by counsel for the Corinth Broadcasting Co., Inc., requesting that the date for the exchange of exhibits and the hearing date hereinbefore established be continued without date;

It appearing, that the Progressive Broadcasting Co., the other applicant herein who joins with Corinth in this request, has entered into an agreement which petitioner pleads will be filed for approval with the Review Board on or about May 24, 1966;

It further appearing, that petitioner pleads that in the event of the approval of said agreement, the execution thereof will obviate the necessity for an evidentiary hearing;

It further appearing, that good cause exists why said petition should be granted, and there is no opposition thereto:

Accordingly, it is ordered, This 23d day of May 1966, that the petition is granted and that the exchange of exhibits to be accomplished on this date shall be extended without date: *And, it is further ordered*, That the hearing now scheduled for June 7, 1966, be and the same is continued without date.

Released: May 25, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5920; Filed, May 27, 1966; 8:49 a.m.]

[Docket Nos. 16509-16519; FCC 66M-723]

MICROWAVE COMMUNICATIONS, INC., ET AL.

Order Continuing Hearing

In re applications of Microwave Communications, Inc., et al., Docket No. 16509, File No. 4615-C1-P-64; for construction permits to establish new facilities in the Domestic Public Point-to-Point Microwave Radio Service at Chicago, Ill., St. Louis, Mo., and intermediate points, Docket Nos. 16510, 16511, 16512, 16513, 16514, 16515, 16516, 16517, 16518, 16519.

To permit action by the Commission on applicant's petition for reconsideration and the possible setting of a procedural schedule: *It is ordered*, This 24th day of May 1966, that the hearing is further continued from June 1 to July 11, 1966.[1]

Released: May 24, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5921; Filed, May 27, 1966; 8:49 a.m.]

[Docket No. 14855; FCC 66M-721]

NORTHERN INDIANA BROADCASTERS, INC.

Order Scheduling Prehearing Conference

In re application of Northern Indiana Broadcasters, Inc., Mishawaka, Ind., Docket No. 14855, File No. BP-14771; for construction permit:

It is ordered, This 24th day of May 1966, that a prehearing conference will be held at 9 a.m., June 1, 1966, at the offices of the Commission, Washington, D.C., to discuss ways and means of proceeding to hearing on the issues specified in a memorandum opinion and order issued by the Review Board on March 11, 1966 (FCC 66R-92).

Released: May 24, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5922; Filed, May 27, 1966; 8:49 a.m.]

[Docket No. 15871; FCC 66M-724]

SOUTHINGTON BROADCASTERS

Notice Regarding Application

In re application of Fitzgerald C. Smith, trading as Southington Broadcasters, Southington, Conn., Docket No. 15871, File No. BP-16405; for construction permit.

The Examiner has under consideration the docket in this case and its several ramifications. On March 10, 1966, the Commission's Review Board issued a memorandum opinion and order remanding the captioned matter for further hearing on a new set of issues designed to implement a policy statement issued by the Commission on December 27, 1965 (Policy Statement, 6 R.R. 2d 1901). Applicant's petition before the Commission attacks both the Review Board's order of remand and the policy statement upon which it relies. In his petition to the Commission, applicant mentions that he has also filed a petition for review of the policy statement before the U.S. Court of Appeals.

As previously suggested, the case captioned above has many permutations. Applicant has already once been through hearing in this case. He is currently involved in two other proceedings. Decision reached there or even facts developed there could have material bearing here. It is conceivable that issues might again have to be added to this proceeding.

Considering the possibility that additional issues may have to be added, the fact that both the Review Board's order of remand and the Commission's policy statement upon which it relies are both under attack, and the Examiner's own schedule of matters that take precedence over this one, it seems doubtful if any useful purpose would be served by embarking on prehearing procedures again at this time. The Examiner is, therefore, disposed to withhold ordering a further prehearing conference. It would appear to him that after some forthcoming events have transpired will be time enough to plan for hearing, if in fact one is to be held. The Examiner is not, however, adamant in this position. Should the parties wish to object, they may do so either by appropriate pleading or request for conference.

Let it be made clear, of course, that the Examiner under present plan would, on his own motion, promptly schedule prehearing conference upon reasonable assurance that: (1) Hearing now scheduled need be held; (2) that the issues now specified are all that need be tried.

Dated: May 24, 1966.

Released: May 24, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-5924; Filed, May 27, 1966; 8:49 a.m.]

MEXICAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Correction in Assignments

MAY 20, 1966.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and correction in assignments of Mexican Broadcast Stations modifying the appendix containing assignments of Mexican Broadcast Stations (Mimeograph 4721-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

[1] Counsel are notified that it may not be possible to set up a practicable schedule before hearing, and that the hearing may have to be continued again. If an August hearing recess is announced, the postponement would be to a date not earlier than September.

MEXICAN CHANGE LIST [1]

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
XEVV (PO: 1400 kc/s).	Chiapa del Corzo, Chiapas.	920 kilocycles 5kwD/0.25kwN	ND	U	III-D IV-N	

[1] FCC NOTE: By telegram dated Feb. 19, 1966, the Mexican Administration advises that the above assignment is to be included in the next Mexican Change List.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5923; Filed, May 27, 1966; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

J. D. SMITH INTER-OCEAN, INC., ET AL

Notice of Agreements Filed for Approval

Notice is hereby given that the following freight forwarder cooperative working agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are non-exclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other. Forwarding and service fees are to be agreed upon on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

J. D. Smith Inter-Ocean, Inc., New York, N.Y., and W. G. Carroll & Co., Inc., Atlanta, Ga. FF-3007

General Foreign Freight Forwarders, Norfolk, Va., and International Traffic & Trade Specialists, New York, N.Y. FF-3010

Chas. Kurz Co., Philadelphia, Pa., and Wehrli Shipping Co., New York, N.Y. FF-3011

Brito Forwarding Co., Brownsville, Tex., and J. B. Wood Shipping Co., Inc., New York, N.Y. FF-3012

Franklin G. Reitz, Milwaukee, Wis., and Frederic Henjes, Jr., Inc., New York, N.Y. FF-3013

John S. Connor, Inc., Baltimore, Md., and Wehrli Shipping Co., New York, N.Y. FF-3014

Koeller-Strauss Co., St. Louis, Mo., and D. C. Andrews & Co., Inc., New York, N.Y. (Branches) FF-3015

Seaport Shipping Co. (Seattle), Seattle, Wash., and Severin Goldstein, Los Angeles, Calif. FF-3016

Agreement No. FF-3008 between Alonso Shipping Co., New Orleans, La., and Spartan Overseas Shipping Corp. is a cooperative working arrangement whereunder forwarding and service fees are to be as follows: $7.50 per shipment. Ocean freight brokerage is to be divided equally on a 50/50 basis between both parties. This division of brokerage will be restricted to those shipments handled on behalf of each other.

Agreement No. FF-3009 between Acco Foreign Shipping, Inc., Miami, Fla., and Seabird Forwarders, Inc., New York, N.Y., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage to be collected in full by initiating forwarder. This brokerage will be restricted to those shipments handled on behalf of each other.

Agreement No. FF-3017 between Penson Forwarding Corp., New York, N.Y. (Branches), and Maher & Co., Houston, Tex., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage will be retained by the originating forwarder.

Dated: May 25, 1966.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5908; Filed, May 27, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI66-382 etc.]

TEXACO INC. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

MAY 20, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 6, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-382	Texaco Inc. (Operator), et al., Post Office Box 52332, Houston, Tex., 77052, Attn: Mr. R. C. Shields.	3	20	United Fuel Gas Co. (Valentine Field, Lefourche Parish, La.) (South Louisiana).	[illegible]	4-21-66	[2] 5-23-66	10-23-66	[6] 18.5	[3] [4] [5] 21.10	
RI66-383	do	4	14	United Fuel Gas Co. (East Mud Lake Field, Cameron Parish, La.) (South Louisiana).	408,396	4-21-66	[2] 5-23-66	10-23-66	[6] 17.5	[3] [4] [5] 21.10	
	do	5	14	United Fuel Gas Co. (Horseshoe Bayou-Bayou Sale Fields, St. Mary Parish, La.) (South Louisiana).	35,662	4-21-66	[2] 5-23-66	10-23-66	[6] 17.5	[3] [4] [5] 21.10	
	do	101	13	United Gas Pipe Line Co. (Barterville Field, Lamar and Marion Counties, Miss.).	18,504	4-21-66	[2] 5-23-66	10-23-66	[6] 14.0	[7] 21.25	
	do	102	13	United Gas Pipe Line Co. (Duck Lake Field, St. Martin and St. Mary Parishes, La.).	86,768	4-21-66	[2] 5-23-66	10-23-66	[6] 18.0	[7] 21.25	
	do	145	7	Tennessee Gas Transmission Co. (Main Pass Block 35, South Pass Block 24, Plaquemines Parish, La.).	9,771	4-21-66	[2] 5-23-66	10-23-66	[6] 18.5	[7] 21.25	
	do	146	10	Tennessee Gas Transmission Co. (Bayou Penchant Field, Terrebonne Parish, La.) (South Louisiana).	12,974	4-21-66	[2] 5-23-66	10-23-66	[6] 18.5	[7] 21.25	
	do	187	5	Tennessee Gas Transmission Co. (Atchafalaya Bay Field, St. Mary Parish, La.) (South Louisiana).	12,033	4-21-66	5-22-66	10-22-66	[6] 18.5	[7] 21.25	
	do	199	5	United Gas Pipe Line Co. (Corpus Channel Northwest Field, Nueces County, Tex.) (R.R. District No. 4).	9,600	4-21-66	5-22-66	10-22-66	[6] 15.0	[7] 18.0	
	do	223	3	United Gas Pipe Line Co. (Houma Field, Terrebonne Parish, La.) (South Louisiana).	16,145	4-21-66	5-22-66	10-22-66	[6] 17.5	[7] 21.25	
	do	228	4	Natural Gas Pipeline Co. of America (Northwest Thompsonville Field, Jim Hogg County, Tex.) (R.R. District No. 4).	7,380	4-21-66	5-22-66	10-22-66	[6] 15.0	[7] 18.0	
	do	270	8	Transcontinental Gas Pipe Line Corp. (Live Oak Field Vermilion Parish, La.) (South Louisiana).	175,958	4-21-66	5-22-66	10-22-66	[6] 17.5	[7] 21.25	
	do	270	5	Florida Gas Transmission Co. (East Mustang Island Field, Nueces County, Tex.) (R.R. District No. 4).	12,175	4-21-66	5-22-66	10-22-66	[6] 15.0	[8] 17.5	
	do	281	5	Florida Gas Transmission Co. (South Clara Driscoll Field, Nueces County Tex.) (R.R. District No. 4).	23,250	4-21-66	5-22-66	10-22-66	[6] 15.0	[8] 17.5	
RI66-384	Tenneco Oil Co. (Operator), et al., Post Office Box 2511, Houston, Tex., 77001. Attn: Mr. John E. Watson.	5	13	Texas Eastern Transmission Corp. (West Rockport Field, Aransas County, Tex.), (R.R. District No. 4).	6,868	4-27-66	[10] 6-1-66	11-1-66	[11] 14.6	[8] 15.6	
	do	54	1	South Texas Natural Gas Gathering Co. (North Monte Christo Field, Hidalgo County, Tex.), (R.R. District No. 4).	34,408	4-27-66	[10] 6-1-66	11-1-66	[12] [13] 14.5	[8] [13] 15.5	
	do	55	1	do	11,887	4-27-66	[10] 6-1-66	11-1-66	[12] 14.5	[8] 15.5	
	do [14]	129	1	Tennessee Gas Transmission Co. (Heyser Field, Calhoun County, Tex.), (R.R. District No. 2).	8,829	4-27-66	[10] 6-1-66	11-1-66	[12] 14.0	[8] [9] 16.33333	
RI66-385	do	11	8	Texas Eastern Transmission Corp. (May Field, Kleberg County, Tex.), (R.R. District No. 4).	96	4-27-66	[10] 6-1-66	11-1-66	[11] 14.6	[8] [9] 15.6	
RI66-386	Edwin L. Cox, 38th Floor, First National Bank Bldg., Dallas, Tex., 75202.	3	6	Panhandle Eastern Pipe Line Co. (Texas County, Okla.), (Panhandle Area).	7,488	4-25-66	[10] 7-1-66	12-1-66	[16] 16.0	[8] [16] 17.0	
RI66-387	Kingwood Oil Co., First National Bldg., Oklahoma City, Okla., 73102.	10	8	Michigan Wisconsin Pipe Line Co. (Laverne Field, Beaver County, Okla.), (Panhandle Area).	[17] 3,515 [17] 79	4-25-66	[10] 5-26-66	10-26-66	[16] [18] 17.0 [16] [19] 17.0	[8] [18] [19] 19.5 [8] [19] [20] 19.5	
	do	10	7	do	[17] 3,135	4-27-66	[10] 5-28-66	10-28-66	[16] [20] 17.0	[8] [20] [21] 19.5	
	do	12	1	Transwestern Pipeline Co. (Mocane Area, Beaver County, Okla.), (Panhandle Area).	[17] 14,171	4-27-66	[10] 5-28-66	10-28-66	[16] [22] 17.0	[8] [21] [22] 19.5	

[2] The stated effective date is the first day after expiration of the statutory notice.
[3] Periodic rate increase.
[4] Pressure base is 15.025 p.s.i.a.
[5] Includes 1.5 cents per Mcf tax reimbursement.
[6] Settlement rate approved by Commission order issued Dec. 30, 1963, in Docket No. G-8969, et al.
[7] "Fractured" rate increase; contractually due higher rate under either the periodic, favored-nation or redetermination provisions of the contract.
[8] Footnote 8, not used.
[9] Pressure base is 14.65 p.s.i.a.
[10] The stated effective date is the effective date requested by Respondent.
[11] Settlement rate approved by Commission order issued June 3, 1963, in Docket Nos. G-13742, et al.
[12] Subject to a downward B.t.u. adjustment when B.t.u. content is below 1,000 B.t.u.'s.
[13] Permanently certificated initial rate.
[14] Tenneco is a wholly owned subsidiary of Tennessee, the buyer.
[15] Subject to a downward B.t.u. adjustment.
[16] Subject to upward and downward B.t.u. adjustment.
[17] Includes B.t.u. adjustment.
[18] For Canfield Unit. B.t.u. content of gas is 1150. Rate shown is base rate. Total rate including upward B.t.u. adjustment is 19.55 cents before increase and 22.425 cents after increase.
[19] For Berends Unit. B.t.u. content of gas is 1084. Rate shown is base rate. Total rate including upward B.t.u. adjustment is 18.438 cents before increase and 21.138 after increase.
[20] For Shephard Unit. B.t.u. content of gas is 1134. Rate shown is base rate. Total rate including upward B.t.u. adjustment is 19.278 before increase and 2.112 cents after increase.
[21] For Underwood-Baggerly and McCune Units.

Texaco, Inc. (Operator), et al., and Texaco, Inc. (both referred to herein as Texaco), request that their proposed rate increases be permitted to become effective as of March 1, 1966, the date of exemption of the moratorium period under Texaco's rate settlement in Docket Nos. G–8969, et al. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Texaco's rate filings and such requests are denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61–1, as amended (18 CFR 2.56).

[F.R. Doc. 66–5844; Filed, May 27, 1966; 8:45 a.m.]

[Docket No. RI66–389]

SUPERIOR OIL CO.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates

MAY 20, 1966.

On May 6, 1966 [1] The Superior Oil Co. (Superior) [2] tendered for filing proposed changes in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66–389...	The Superior Oil Co., Post Office Box 1521, Houston, Tex., 77001.	103	[3] 6	Tennessee Gas Transmission Co. (La. Blanc Field, Vermilion Parish, La.) (South Louisiana.).	$126,500 47,714	[4] 5–6–66	[5] 5–23–66	10–23–66	[8] [9] 22.833 [10] 21.25	[8] 23.55 [8] 23.55	

[1] Replaces notice dated Apr. 20, 1966, filed on Apr. 22, 1966.
[2] Originally filed on Apr. 22, 1966.
[3] The stated effective date is the first day after expiration of the 30-day statutory notice period from the filing date of the original submittal on Apr. 22, 1966.
[4] "Fractured" rate. Superior contractunlly due a rate of 23.833 cents per Mcf under the periodic provision of its contract.
[5] Pressure base is 15.025 p.s.i.a.
[8] Presently effective rate for acreage dedicated to basic contract.
[9] Includes 1.5 cents tax reimbursement.
[10] Presently effective rate for acreage added to basic contract by Supplement No. 2, Inclusive of tax reimbursement.

Superior's proposed increased rates and charges exceed the applicable area price level for increased rates as set forth in the Commission's Statement of General Policy No. 61–1, as amended (18 CFR Ch. I, Part 2, § 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed changes, and that Supplement No. 6 to Superior's FPC Gas Rate Schedule No. 103 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement No. 6 to Superior's FPC Gas Rate Schedule No. 103.

(B) Pending such hearing and decision thereon, Supplement No. 6 to Superior's FPC Gas Rate Schedule No. 103 is hereby suspended and the use thereof deferred until October 23, 1966, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 6, 1966.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

[F.R. Doc. 66–5880; Filed, May 27, 1966; 8:45 a.m.]

[1] Originally filed on Apr. 22, 1966.
[2] Address is: P.O. Box 1521, Houston, Tex., 77001.

FEDERAL RESERVE SYSTEM

BARNETT NATIONAL SECURITIES CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)), by Barnett National Securities Corp., which is a bank holding company located in Jacksonville, Fla., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of First National Bank at Winter Park, Winter Park, Fla.

In determining whether to approve this application submitted pursuant to section 3(a)(2) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the following factors: (1) The financial history and condition of the company and the banks concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 23d day of May 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 66–5881; Filed, May 27, 1966; 8:45 a.m.]

VIRGINIA COMMONWEALTH CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)), by Virginia Commonwealth Corp., which is a bank holding company located in Richmond, Va., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of The First Valley Bank, Weber City, Va., a proposed new bank.

In determining whether to approve this application submitted pursuant to section 3(a)(2) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the following factors: (1) The financial history and condition of the company and the banks concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 23d day of May 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 66–5882; Filed, May 27, 1966; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30, Casper, Wyo. Region, Rev. 1, Amdt. 1]

CASPER REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Rocky Mountain Area, 30 F.R. 2741, as amended; 30 F.R. 8080, 30 F.R. 8426: Delegation of Authority 30 F.R. 12649; is hereby amended to add the following authority to Item I.G.:

I. * * *

G. *To Loan Specialists GS–12 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustmen t of interest payment

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. April 27, 1966.

WM. M. JACK, *Regional Director, Casper Regional Office, Small Business Administration.*

[F.R. Doc. 66–5886; Filed, May 27, 1966; 8:45 a.m.]

[Delegation of Authority No. 30, Fargo, N. Dak. Region, Rev. 1, Amdt. 1]

FARGO REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30, F.R. 2742, as amended; 30 F.R. 8080; and 30 F.R. 8426: Delegation of Authority 30, F.R. 5776; is hereby amended to add the following authority to Item I.D.:

I.D. *To Loan Specialists GS–12 and above assigned to all financial assistance division programs in all offices of this region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. May 9, 1966.

ROGER B. PHELPS, *Regional Director Fargo, N. Dak., Regional Office, Small Business Administration.*

[F.R. Doc. 66–5887; Filed, May 27, 1966; 8:46 a.m.]

[Delegation of Authority 30, Salt Lake City, Utah Region, Rev. 1 Amdt. 1]

SALT LAKE CITY

Delegation of Authority To Conduct Program Activities in Regional Area

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Rocky Mountain Area, 30 F.R. 2741; 30 F.R. 8080; 30 F.R. 8426; and 30 F.R. 13419; Delegation of Authority 30 F.R. 12435, Revision 1, is hereby amended to renumber Item I.D. as Item I.E. and Item I.E. as Item I.F. and to substitute the following authority as Item I.D.:

I. * * *

D. To all Loan Specialists GS–9 and above assigned to all financial assistance division programs in all offices of this region to approve or deny the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. May 9, 1966.

WM. G. BRUHN, *Regional Director, Salt Lake City, Utah.*

[F.R. Doc. 66–5888; Filed, May 27, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 25, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40497—*Joint motor-rail rates—Eastern Central.* Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 420), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in Central States, southwestern and middlewest territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 6 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF–ICC A–268.

FSA No. 40498—*Joint motor-rail rates—Eastern Central.* Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 421), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle At-

lantic and New England territories, on the one hand, and points in Central States, middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 6 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF–ICC A–268.

FSA No. 40499—*Joint motor-rail rates—Eastern Central.* Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 422), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 6 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF–ICC A–268.

FSA No. 40500—*Joint motor-rail rates—Eastern Central.* Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 423), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 6 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF–ICC A–268.

FSA No. 40501—*Substituted service—Eastern Central.* Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 424), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars, between Chicago and East St. Louis, Ill., Indianapolis and Jeffersonville, Ind., and Cincinnati, Ohio, on the one hand, and Baltimore, Md., Philadelphia and Pittsburgh, Pa., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief—Motortruck competition.

Tariff—Supplement 9 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF–ICC A–262.

FSA No. 40502—*Joint motor-rail rates—Eastern Central.* Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 425), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 6 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF–ICC A–268.

FSA No. 40503—*Joint motor-rail rates—Eastern Central.* Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 426), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in Central States territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 6 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF–ICC A–268.

FSA No. 40504—*Joint motor-rail rates—Eastern Central.* Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 427), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 6 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF–ICC A–268.

FSA No. 40505—*Joint motor-rail rates—Eastern Central.* Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 428), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in Central States, middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 6 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF–ICC A–268.

FSA No. 40506—*Iron or steel articles to Milwaukee, Wis.* Filed by Soo Line Railroad Co. (No. 94), for interested rail carriers. Rates on iron or steel articles, in carloads, from Sault Ste. Marie, Ontario, Canada, to Milwaukee, Wis.

Grounds for relief—Water competition.

Tariff—Supplement 7 to Soo Line Railroad Co. tariff ICC 7651.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–5909; Filed, May 27, 1966; 8:48 a.m.]

[Notice 188]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 25, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 8575 (Sub-No. 3 TA), filed May 20, 1966. Applicant: FERGUSON VAN LINES, INC., 5225 Madison Road, Cincinnati, Ohio, 45227. Applicant's representative: James D. Ferguson, 5225 Madison Road, Cincinnati, Ohio, 45227. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Florida, Kentucky, Maryland, North Carolina, Ohio, South Carolina, Tennessee, and West Virginia, on the one hand, and, on the other, points in Arizona, California, New Mexico, and Texas, for 180 days. Send protests to: Emil P. Schwab, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio, 45202.

No. MC 66562 (Sub-No. 2174 TA), filed May 20, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: Robert C. Boozer, 80 Broad Street NW., Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities moving in express service*, between Columbia, S.C., and Bethune, S.C., serving the intermediate and/or off-route points of Elgin, Lugoff, and Camden, S.C., from Columbia over U.S. Highway 1 to Bethune, and return over the same route, for 150 days. Restrictions: The service to be performed shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency; shipments transported by applicant shall be limited to those moving on through bills of lading or express receipts. Supporting shippers: The application is supported by statements from five shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 107496 (Sub-No. 482 TA), filed May 20, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third Street, Post Office Box 855, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions*, in bulk, in tank vehicles, from Des Moines, Bettendorf, and Mason City, Iowa, to points in Iowa, Nebraska, Missouri, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Agrico Chemical Co., division of Continental Oil Co., 1222 Riverside Boulevard, Memphis, Tenn., 38101. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 113678 (Sub-No. 256 TA), filed May 23, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, 301 NSEA Building, Box 2028, 14th and J Streets, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, (1) from Greeley, Colo., to points in Illinois, Indiana, Michigan, Ohio (except Cincinnati), New York (except New York City), Pennsylvania, Maryland (except Baltimore), New Jersey, Massachusetts (except Boston), and Connecticut (except New Haven, (2) from Denver, Colo., to points in Illinois, Indiana, Michigan, Ohio, New York (except New York City), Pennsylvania, Maryland (except Baltimore), New Jersey, Massachusetts (except Boston), Connecticut, and Wisconsin, and Davenport, Iowa, for 180 days. Supporting shippers: Monfort Packing Co., Greeley, Colo., 80631; Capitol Packing Co., 5000 Clarkson Street, Denver, Colo., 80216; Pepper Packing Co., Packinghouse Road, Denver, Colo., 80216; United Fryer & Stillman, Inc., 5300 Franklin Street, Denver, Colo., 80216; Cardinal Meat Co., 801 East 50th Avenue, Denver, Colo., 80216; Mappelli-Linder-Sigman, Ltd., 1624 Market Street, Denver, Colo., 80202; Gold Star Meat Co., 10th and Curtis, Denver, Colo., 80204; Shurtenda Steaks, Inc., 2466 West Second Avenue, Denver, Colo., 80206; Home Provision Co., 835 East 50th Avenue, Denver, Colo., 80216; Piat Packing Co., 770 East 50th Avenue, Denver, Colo., 80216; the Cudahy Packing Co., Post Office Box 5448, Terminal Annex, Denver, Colo., 80217. Send protests to: Herbert C. Ruoff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Office Building, Denver, Colo., 80202.

No. MC 114365 (Sub-No. 2 TA), filed May 20, 1966. Applicant: RAY ACKERMAN, 283 Roosevelt Street, Box 174, Iron Mountain (Kingsford), Mich., 49801. Applicant's representative: William J. Bolognesi, Iron Mountain, Mich., 49801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, namely, beer and ale, from La Crosse, Wis., to Norway, Mich., from Sheboygan, Wis., to Escanaba, Mich., from Oconto, Wis. to Norway and Escanaba, Mich., from Milwaukee, Wis., to Escanaba, Mich., from Chicago, Ill., to Escanaba, Mich.; and *empty containers on return*, (2) *building materials*, namely fire clay and brick, from Fulton and Vandalia, Mo., to Iron Mountain, Mich., for 180 days. Supporting shippers: Lardenoit Distributing Co., Inc., Norway, Mich., 49870; Miller Products & Supply Co., Iron Mountain, Mich., 49801; Johnson Distributing Co., Escanaba, Mich., 49829; Central West Distributing Co., Escanaba, Mich., 49829. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich., 48933.

No. MC 128205 TA, filed May 19, 1966. Applicant: BULKMATIC TRANSPORT COMPANY, 4141 North George Street, Schiller Park, Ill. Applicant's representative: Stillerman and Budowsky, 120 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slag*, in bulk, in tank or hopper type vehicles, from Gary, Ind., to points in Illinois, Iowa, Ohio, Michigan, Wisconsin, and Missouri, for 180 days. Supporting shipper: H. B. Reed & Co., Inc., 6937 Kennedy Avenue, Hammond, Ind., 46323. Send protests to: Andrew J. Montgomery, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 219 South Dearborn St., Room 1086, Chicago, Ill., 60604.

No. MC 128207 TA, filed May 20, 1966. Applicant: JOHN W. HOOGLAND AND JOANNE C. HOOGLAND, doing business as CITY EXPRESS, Box 305, Seward, Alaska. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except articles of unusual value, by motor vehicle, in interstate or foreign commerce, between points within a 10-mile radius of Seward, Alaska, for 180 days. Supporting shippers: Seward Hardware, Post Office Box 576, Seward, Alaska; Solly's, Post Office Box 245, Seward, Alaska; Seward Trading Co., Inc., Seward, Alaska; Durant's Hardware & Marine, Box 737, Seward, Alaska; Anderson Furniture & Appliance, Post Office Box 636, Seward, Alaska; Seward Drug Co., Box 127, Seward, Alaska; Alaska Shop, Post Office Box 127, Seward, Alaska; Brown & Hawkins, Box 104, Seward, Alaska; Supply Center, Post Office Box 1435, Seward, Alaska; McMullen's, Post Office Box 216, Seward, Alaska. Send protests to: Hugh H. Chaffee, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 1532, Anchorage, Alaska, 99501.

No. MC 128208 TA, filed May 20, 1966. Applicant: E. B. MARCUM, Route No. 3, Oneida, Tenn., 37841. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* in containers from Louisville, Ky., to Elgin, Tenn., for 180 days. Supporting shipper: Bruce R. Stewart, Elgin, Tenn., 37732. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn., 37203.

No. MC 128230 TA, filed May 20, 1966. Applicant: BANKERS SERVICE, INC., 205 Old Mill Lane, Wilmington, Del. Applicant's representative: Anthony J. Wisnewski (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Checks, business papers, reports, records and audit and accounting media of all kinds* (excluding plant removals); between points in Delaware, Maryland, Pennsylvania, and New Jersey, for 180 days. Supporting shippers: Farmers Bank of the State of Delaware, Post Office Box 1287, Wilmington, Del., 19899 (George N. Leathrum, assistant vice president); Bank of Delaware, Wilmington, Del. (Donald R. Schnee, vice president); Delaware Trust Co., Wilmington, Del. (A. K. Mearns, Jr., treasurer). Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 206 Post Office Building, Salisbury, Md.

MOTOR CARRIERS OF PASSENGERS

No. MC 72349 (Sub-No. 27 TA), filed May 20, 1966. Applicant: EASTERN MASSACHUSETTS STREET RAILWAY COMPANY, 1442 Main Street, Brockton, Mass. Applicant's representative: Neal Holland, State Street Bank Building, 225 Franklin Street, Boston, Mass., 02110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in special operations in round-trip, sight-seeing, all-expense pleasure tours, beginning and ending at Lawrence, Lowell, Lynn, Quincy, and Brockton, Mass., and extending to District of Columbia, and points in Connecticut, Delaware, Maine, Maryland, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Vermont, Virginia and return, for 180 days. Supporting shippers: The application is supported by statements by 56 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Richard D. Mansfield, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 30 Federal Street, Boston, Mass., 02110.

No. MC 128206 TA, filed May 19, 1966. Applicant: FRANK FLORIO, doing business as FRANK'S SCHOOL TRANSPORTATION, 408 East 88 Street, New York, N.Y. Applicant's representative: Charles Trayford, 220 East 42d Street, New York, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Children and supervisory personnel*, between the Borough of Manhattan, N.Y., on the one hand, and, on the other, Champions Day Camp, Inc., Northern Valley Swim Club, 302 Orangeburg Road, Old Tappen, Bergen County, N.J., for 180 days. Supporting shipper: Oscar Schwartz, president, Champions Day Camp, Inc., 302 Orangeburg Road, Old Tappen, N.J. Send protests to: Paul

W. Assenza, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5910; Filed, May 27, 1966; 8:48 a.m.]

[Notice 1354]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 25, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68609. By order of May 24, 1966, the Transfer Board approved the transfer to Arlyn Anderson, Mondamin, Iowa, 51557, of certificate No. MC-86988, issued October 31, 1951, to Roy Coffman and Kenneth Coffman, a partnership, doing business as Coffman & Son, Magnolia, Iowa, 51550, authorizing the transportation of: Coal, lumber, feed, brick, and tile, from Omaha, Nebr., to Woodbine, Iowa, and points within 15 miles thereof.

No. MC-FC-68723. By order of May 20, 1966, the Transfer Board approved the transfer to Gary Van Buiten and Gary Van Buiten, Jr., a partnership, doing business as G. Van Buiten & Son, Oxford, N.Y., the operating rights in certificates Nos. MC-50175 (Sub-No. 2) and MC-50175 (Sub-No. 3) issued August 9, 1943, and March 31, 1958, to Earl Codington, Unadilla, N.Y., authorizing the transportation of: Wood poles, and other material used in the construction and maintenance of electric powerlines, between specified points in New York. Joe B. Munk, 117 Hawley Street, Binghampton, N.Y., 13901, attorney for applicants.

No. MC-FC-68725. By order of May 20, 1966, the Transfer Board approved the transfer to Chieftain Express, Inc., Lancaster, Ohio, of that portion of the operating rights in certificate No. MC-123949, issued December 7, 1965, to Contract Carriers, Inc., Anderson, Ind., authorizing the transportation of: Clay sewer pipe, drain tile, flue liners, chimney tops, wall coping, hollow building blocks, and stovepipe fittings, in shipment of not less than 20,000 pounds, from Logan and New Straitsville, Ohio, to points in Indiana and points in that part of Illinois on and east of U.S. Highway 51, with return of rejected shipments. James R. Stiverson, 50 West Broad Street, Columbus, Ohio, 43215; James E. Wilhelm, Jr., 37 West Broad Street, Columbus, Ohio, 43215; and Robert C. Smith, 620 Illinois Building, Indianapolis, Ind., attorneys for applicants.

No. MC-FC-68744. By order of May 20, 1966, the Transfer Board approved the transfer to Harry Snoderly, doing business as Snoderly Transportation Co., Arco, Idaho, 83213, of the operating rights in certificate No. MC-117290, issued September 19, 1958, to Snoderly Transportation, Inc., Arco, Idaho, 83213, authorizing transportation, over irregular routes, of passengers and their baggage in round-trip charter operations, beginning and ending at Arco, Idaho, and extending to Contact, Nev., and points, located on U.S. Highway 93 between Contact and the Idaho-Nevada State line.

No. MC-FC-68764. By order of May 24, 1966, the Transfer Board approved the transfer to Adeline Timperley, doing business as Timperley Trucking, Norfolk, Nebr., of the operating rights in certificate No. MC-107350, issued May 11, 1961, to Irvin Timperley, Norfolk, Nebr., authorizing the transportation, of: Agricultural commodities, household goods, emigrant movables, farm machinery, and building materials, between specified points in Iowa, Nebraska, and South Dakota. Vincent J. Kirby, Post Office Box 308, Norfolk, Nebr., attorney for applicants.

No. MC-FC-68765. By order of May 24, 1966, the Transfer Board approved the transfer to Leonard Schertzer, doing business as L. Schertzer Trucking Co., Carteret, N.J., of the operating rights in Permit No. MC-52523 issued January 15, 1962, to Meyer Satsky, Elberon, N.J., authorizing the transportation of: Newspapers, from New York, N.Y., to points in New Jersey, and carbonated beverages, from Newark, N.J., to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, Connecticut, and Massachusetts within 150 miles of Newark. Bert Collins, 140 Cedar Street, New York, N.Y., 10006, representative for applicants.

No. MC-FC-68801. By order of May 25, 1966, the Transfer Board approved the transaction whereby Robert Dunn, Wantagh, N.Y., would control the brokerage operations, and acquire broker license No. MC-12731, issued November 24, 1961, to Tenns N' Tours, Inc., Wantagh, N.Y., authorizing the transportation of: Passengers and their baggage, between Merrick, Long Island, N.Y., and points in Nassau and Suffolk Counties, N.Y., within 35 miles of Merrick, on the one hand, and, on the other, points in the United States, including Alaska and Hawaii. Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017, representative for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5911; Filed, May 27, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration

EQUAL EMPLOYMENT POLICY AND SECURITY OFFICER, OFFICE OF THE ADMINISTRATOR, ET AL.

Redelegations of Authority

The Redelegations of Authority published in the FEDERAL REGISTER November 14, 1964 (29 F.R. 15295), as amended January 29, 1965 (30 F.R. 957), August 13, 1965 (30 F.R. 10121), April 8, 1966 (31 F.R. 5577), are hereby amended by adding a new section 16 thereto as follows:

SEC. 16. *Equal opportunity program—employment and contract compliance.* a. The Equal Employment Policy and Security Officer, Office of the Administrator, is designated Bureau Employment Policy Officer, Bureau Contracts Compliance Officer, and Bureau Coordinator to the Office for Equal Opportunity, Office of the Secretary.

b. The Area Managers are designated Area Employment Policy Officers for their respective areas.

c. These officers are responsible for implementing equal opportunity programs so as to comply with departmental policies, procedures and regulations, the Civil Rights Act, related statutes and applicable parts of Executive Orders (including E.O. 10925, 11114, and 11197).

(Secretary's Order 2891, 30 F.R. 12500; 380 DM 3.1; 404 DM 2.4)

Dated: May 19, 1966.

H. R. RICHMOND, *Acting Administrator.*

[F.R. Doc. 66-5883; Filed, May 27, 1966; 8:45 a.m.]

Office of the Secretary

DETERMINATION OF FISHERY FAILURE DUE TO RESOURCE DISASTER

Whereas, many firms and individuals are engaged in raising, harvesting, processing, and marketing oysters in the State of Connecticut; and

Whereas, the cumulative effect of a 5-year drought reached its climax in 1965, with a total failure of oyster seed resources; and

Whereas, the failure of a natural source of oyster seed will be felt throughout the entire Northeast section of the Nation, with the prospect of no marketable oysters for the 1968-1969 period; and

Whereas, insurmountable uninsured losses of seed oyster production in the 1965-1966 season will amount to a several million dollar decrease in State income; and

Whereas, the serious disruption of the Connecticut oyster fishery by alteration of habitat was due to natural causes;

Now, therefore, as Secretary of the Interior, I hereby determine that the foregoing circumstances constitute a commercial fishery failure due to a resource disaster within the meaning of section 4(b) of Public Law 88-309. Pursuant to this determination, I hereby authorize the use of funds appropriated under the above legislation to rehabilitate, restore, and put back into production the oyster grounds of the State of Connecticut, and for such other measures as may be necessary to mitigate the damage to the resource.

STEWART L. UDALL, *Secretary of the Interior.*

MAY 17, 1966.

[F.R. Doc. 66-6020; Filed, May 27, 1966; 1:51 p.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR — Page

PROCLAMATION:
3718 — 6567
3719 — 6607
3720 — 6679
3721 — 6817
3722 — 6855
3723 — 6945
3724 — 7027
3725 — 7107
3726 — 7551
3727 — 7661

EXECUTIVE ORDER:
July 2, 1910 (revoked in part by PLO 4003) — 7351
8111 (revoked by PLO 4017) — 7567
8389 (see EO 11281) — 7215
9989 (superseded by EO 11281) — 7215
10348 (superseded by EO 11281) — 7215
10644 (amended by EO 11281) — 7215
10779 (superseded by EO 11282) — 7663
11917 (superseded by EO 11278) — 6681
11069 (superseded by EO 11278) — 6681
11218 (superseded by EO 11278) — 6681
11277 — 6609
11278 — 6681
11279 — 6947
11280 — 7167
11281 — 7215
11282 — 7663
11284 — 7667
11284 — 7669

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 2 of 1966 — 6857

5 CFR
630 — 7279, 7380
213 — 6769, 6859, 6903, 6949, 7169, 7351, 7379, 7380, 7671.
772 — 6569, 6949

6 CFR
70 — 7029

7 CFR
7 — 6569
50 — 6570
51 — 7169, 7671
68 — 6629
81 — 7553
301 — 7609
401 — 7553
406 — 7553
409 — 7554
410 — 7554
701 — 6957, 7169, 7513
718 — 6859, 7393
719 — 7030
722 — 6573, 6580, 6859, 7472, 7554
724 — 6819
729 — 6581, 6957
730 — 7472
780 — 7393
813 — 6819
815 — 6860
905 — 6958
908 — 6825, 7030, 7109, 7394, 7513, 7673
909 — 6825, 7109
910 — 6826, 7110, 7394, 7473, 7673
915 — 7394
916 — 7474, 7475, 7554, 7555
917 — 7241, 7242, 7348, 7476
918 — 6958, 7555
922 — 7673, 7674
923 — 7675
944 — 6959, 7514
959 — 6860
965 — 7243
980 — 6629
1098 — 6581
1099 — 6861, 7110, 7477
1421 — 6904, 7243, 7477
1427 — 6861, 7110
1434 — 6582
1481 — 7396
1488 — 7515
1490 — 6862, 7556

PROPOSED RULES:
52 — 6871, 7185
58 — 6715
330 — 7479

7 CFR—Continued — Page

PROPOSED RULES—Continued
905 — 7286, 7287
906 — 7480
911 — 7482
916 — 6871, 7482
917 — 7703
965 — 6592
991 — 7397
1001 — 7520
1015 — 7520
1032 — 6631
1038 — 7061
1039 — 7061
1041 — 7483
1050 — 6631
1065 — 6873
1068 — 7129
1098 — 7524
1099 — 7129
1125 — 7062
1126 — 6631
1133 — 6986

8 CFR
204 — 7217
214 — 6611, 7170
511 — 7348

9 CFR
76 — 7029

10 CFR
PROPOSED RULES:
70 — 7634

12 CFR
1 — 6826, 6905
10 — 6949
11 — 6950
12 — 6952
13 — 6953
14 — 6954
15 — 6955
16 — 6955
208 — 7224
220 — 7169
522 — 6905
524 — 6905
545 — 7508

12 CFR—Continued

PROPOSED RULES:

523 ... 7354, 7483
525 ... 7483
545 ... 7355
561 ... 7356
563 ... 7356, 7484

13 CFR

105 ... 7375
121 ... 7375

PROPOSED RULES:

107 ... 7710, 7711

14 CFR

39 ... 6582, 6685, 6790, 6959, 7031, 7111, 7170, 7279, 7351, 7675.
61 ... 7609
63 ... 7609
65 ... 7455, 7609
71 ... 6582, 6584, 6791, 6826, 6827, 6864, 6959, 6960, 7031, 7112, 7171, 7172, 7217, 7279, 7351, 7352, 7456, 7507, 7556, 7559–7561, 7610, 7612.
73 ... 6893, 7032, 7112, 7217, 7612, 7613
75 ... 7280, 7561
95 ... 7112
97 ... 6612, 6685, 6828, 6894, 7218, 7385, 7614
137 ... 6685
151 ... 6686
208 ... 6620
223 ... 6584
225 ... 7508
320 ... 6585
378 ... 6621
1204 ... 7676
1245 ... 7677

PROPOSED RULES:

37 ... 7084
39 ... 7148, 7354, 7483
71 ... 6716, 6717, 6837, 6838, 6873, 6908, 6987, 7149, 7187, 7527, 7528, 7573, 7575
75 ... 7085, 7635
105 ... 6988
121 ... 6592
246 ... 6986

15 CFR

30 ... 6587
369 ... 7037
372 ... 7038
373 ... 6707, 7038
374 ... 6707
377 ... 6707
379 ... 6709
381 ... 7509
382 ... 6707, 6709, 7038, 7509
384 ... 6709, 6864
385 ... 6709
399 ... 6707, 6709, 6829, 6866, 7038, 7380

16 CFR

13 ... 7056–7059, 7511
15 ... 6866, 6906, 7225, 7281, 7349
59 ... 6960

17 CFR

200 ... 6588
240 ... 6705, 6706

PROPOSED RULES:

240 ... 7289, 7484
249 ... 7289
256a ... 7692

18 CFR

260 ... 7226
601 ... 7114
606 ... 7127

PROPOSED RULES:

141 ... 7287

19 CFR

1 ... 6611
4 ... 7512
10 ... 6769

PROPOSED RULES:

1 ... 6871
20 ... 6908

20 CFR

404 ... 6611

PROPOSED RULES:

405 ... 7131, 7143

21 CFR

8 ... 7172, 7227
10 ... 7227
16 ... 7562
17 ... 7562
42 ... 7562
45 ... 7375
120 ... 7172, 7376, 7680
121 ... 6830, 7173, 7227, 7228, 7281, 7282, 7512, 7562, 7563.
131 ... 6705, 6906
146c ... 6830
146e ... 7228
148 ... 7173
166 ... 7174
191 ... 6622

PROPOSED RULES:

17 ... 7412
19 ... 7572
51 ... 6792
121 ... 7245
133 ... 7185, 7354
166 ... 7245, 7573

24 CFR

5 ... 7563
200 ... 6866, 7565
221 ... 7565

25 CFR

221 ... 7283

PROPOSED RULES:

131 ... 7353

26 CFR

1 ... 6589, 6966
31 ... 6589, 7183

PROPOSED RULES:

1 ... 6966, 7571

28 CFR

0 ... 6867

29 CFR

20 ... 7624
548 ... 6769
800 ... 6770
1504 ... 7430

30 CFR

51 ... 7456
401 ... 7621

31 CFR

90 ... 6960
202 ... 6590
315 ... 7680
341 ... 7625
520 ... 7333, 7625
316 ... 6831
332 ... 6686, 6831

32 CFR

43 ... 7228
85 ... 7625
300 ... 6831
706 ... 6962
872 ... 7459
1001 ... 7684
1002 ... 7684
1003 ... 7684
1007 ... 7686
1012 ... 7687
1016 ... 7687
1472 ... 6906
1810 ... 6962, 7175

32A CFR

BDSA (Ch. VI):

BDSA Reg. 2 ... 6590
M–11A ... 7036, 7626

33 CFR

202 ... 7284
203 ... 6907, 7175, 7284, 7350
207 ... 6590, 6622, 6867, 7566
208 ... 6707

PROPOSED RULES:

402 ... 7356

35 CFR

4 ... 7566
255 ... 6831

36 CFR

3 ... 7566

PROPOSED RULES:

211 ... 7628

37 CFR

1 ... 7284, 7391
2 ... 7284

38 CFR

2 ... 6770
9 ... 7175
21 ... 6771

39 CFR

17 ... 7391

PROPOSED RULES:

21 ... 6715
24 ... 6715

41 CFR

5–2 ... 7391
6–1 ... 6622
6–2 ... 6623
6–3 ... 6623
6–5 ... 6624
6–7 ... 6624
6–11 ... 6624
6–30 ... 6624
6–60 ... 6625
8–7 ... 7178, 7350, 7687
8–8 ... 7687
8–10 ... 7688
8–12 ... 7179, 7350
8–52 ... 7688
9–12 ... 6907
18–9 ... 7689
22–60 ... 6625
101–19 ... 7234
101–26 ... 6963, 7234
101–45 ... 6831

42 CFR

55 ... 7128
57 ... 7376, 7378
81 ... 7128

43 CFR

PUBLIC LAND ORDERS:

5 (revoked in part by PLO 4005) ... 7462
843 (revoked in part by PLO 4009) ... 7512
1177 (revoked in part by PLO 4016) ... 7567
2133 (see PLO 4006) ... 7462
3977 (amended by PLO 4000) ... 6868
3999 ... 6907
4000 ... 6868
4001 ... 7350
4002 ... 7350
4003 ... 7351
4004 ... 7462
4005 ... 7462
4006 ... 7462
4007 ... 7463
4008 ... 7463
4009 ... 7512
4010 ... 7512
4011 ... 7513
4012 ... 7513
4013 ... 7513
4014 ... 7566
4015 ... 7567
4016 ... 7567
4017 ... 7567
4018 ... 7567
4019 ... 7568
4020 ... 7568
4021 ... 7568
4022 ... 7626

PROPOSED RULES:

1727 ... 6984
2221 ... 6985
3130 ... 6834

43 CFR—Continued

PROPOSED RULES—Continued

3160 ... 6836
4110 ... 7628

45 CFR

90 ... 7128
144 ... 7463
171 ... 7128
177 ... 6591
801 ... 6591

46 CFR

309 ... 6891, 7627, 7691
500 ... 7180
527 ... 7392

PROPOSED RULES:

290 ... 7131
308 ... 7704
510 ... 6792, 7248
512 ... 6838
513 ... 6838

47 CFR

0 ... 6627, 6831
1 ... 6831, 6868
2 ... 7235
15 ... 7469
73 ... 6627, 6628, 6868, 7238, 7469
91 ... 7235
95 ... 7235

PROPOSED RULES:

2 ... 6909, 7086, 7704
21 ... 7704
73 ... 6637, 6638, 6792, 6838, 6874, 7086, 7246, 7576.
87 ... 6909, 7086, 7704

48 CFR

16 ... 7032
17 ... 7033
18 ... 7034
19 ... 7034

49 CFR

71–79 ... 6591
95 ... 6832, 7468, 7469
142 ... 6964
170 ... 7392
188 ... 6964

PROPOSED RULES:

178 ... 7287, 7288

50 CFR

32 ... 7569
33 ... 6629, 6832, 6869, 6893, 6964, 7225, 7226, 7285, 7569, 7570, 7627.
60 ... 6833

PROPOSED RULES:

10 ... 7479
16 ... 7700
32 ... 7061, 7703
34 ... 7286
271 ... 7244
280 ... 7516
281 ... 7516

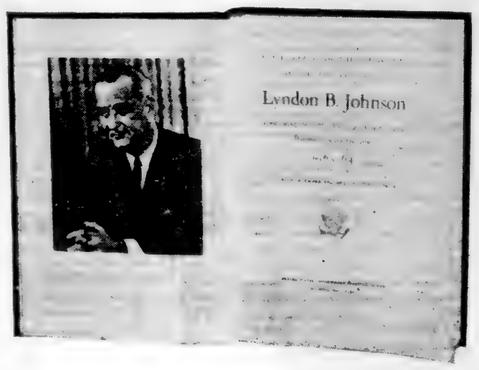
PUBLIC PAPERS OF THE PRESIDENTS OF THE UNITED STATES

Now available

Lyndon B. Johnson
1963-64

Book I (November 22, 1963 to June 30, 1964)
Price $6.75

Book II (July 1, 1964 to December 31, 1964)
Price $7.00



Contents

- Messages to the Congress
- Public speeches and letters
- The President's news conferences
- Radio and television reports to the American people
- Remarks to informal groups

Published by

Office of the Federal Register
National Archives and Records Service
General Services Administration

Order from

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

Prior volumes

Prior volumes covering most of the Truman administration and all of the Eisenhower and Kennedy years are available at comparable prices from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

105

PART 1

DETROIT PUBLIC LIBRARY
JUN 7 1966
SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 105

Wednesday, June 1, 1966 • Washington, D.C.

Pages 7729–7784

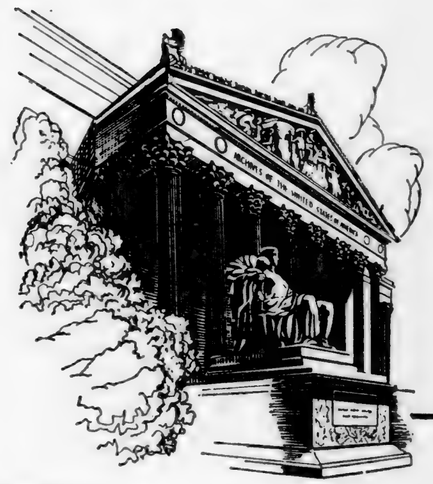
PART I

(Part II begins on page 7777)

Agencies in this issue—

Agricultural Stabilization and Conservation Service
Civil Aeronautics Board
Civil Service Commission
Commerce Department
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Housing Administration
Federal Maritime Commission
Federal Power Commission
Federal Register Administrative Committee
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Foreign Assets Control Office
General Services Administration
Indian Affairs Bureau
Interior Department
International Commerce Bureau
Interstate Commerce Commission
Justice Department
National Bureau of Standards
National Park Service
Oil Import Administration
Post Office Department
Public Health Service
Securities and Exchange Commission
State Department
Treasury Department

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

US. Natl
v. 31 no. 105-126

Now Available

LIST OF CFR SECTIONS AFFECTED

1949–1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

Price $6.75

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402

FEDERAL REGISTER
Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

E

Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE
Rules and Regulations
National agricultural conservation, 1966; correction 7735

ARMY DEPARTMENT
See Engineers Corps.

AGRICULTURE DEPARTMENT
See Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.:
Aerovias Quisqueyana, C. por A. 7766
Empresa Guatemalteca de Aviacion 7766

CIVIL SERVICE COMMISSION
Rules and Regulations
Excepted service:
Agriculture Department 7733
Air Force Department 7733
Commission on Civil Rights 7734
Post Office Department 7733
Voting Rights Program; Choctaw County, Ala 7755

COMMERCE DEPARTMENT
See also International Commerce Bureau; National Bureau of Standards.
Notices
Organization 7766

COMMODITY CREDIT CORPORATION
Rules and Regulations
Flaxseed and linseed oil export payment-in-kind program; terms and conditions 7735

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Cotton classing, testing and standards; miscellaneous amendments 7734
Peaches grown in Georgia; shipments limitation 7735
Proposed Rule Making
Apples; U.S. standards for grades 7757
Milk in certain marketing areas:
Nebraska-Western Iowa et al.; hearing 7757
Paducah, Ky.; decision 7758

CUSTOMS BUREAU
Notices
Anhydrous sodium sulphate and crude salt cake; tariff classification 7764

DEFENSE DEPARTMENT
See Engineers Corps.

ENGINEERS CORPS
Rules and Regulations
Flood control; Texas and Kansas 7751

FEDERAL AVIATION AGENCY
Rules and Regulations
Airworthiness directive; Lear jet Models 23 and 24 airplanes 7735
Jet route; designation 7736
Restricted area; alteration 7736
Transition areas; alterations (2 documents) 7736
Proposed Rule Making
Control zones; designation and alteration 7762
Control zone and transition area; alteration 7760
Jet route and associated airspace; designation 7762
Transition area; alteration 7761
Notices
Priorities under Federal-Aid Airport Program for fiscal year 1967 7766

FEDERAL COMMUNICATIONS COMMISSION
Notices
Interim Amateur Radio Service Plan; approval 7769
Radio Amateur Civil Emergency Service; interim approval 7768
Standard broadcast applications ready and available for processing 7767
Hearings, etc.:
Central Coast Television (KCOY-TV) 7767
Hutchens, James L., and Faith Tabernacle, Inc. (KRVC) 7767
Kansas State Network, Inc., and Highwood Service, Inc. 7768
K-Six Television, Inc. (KVER), and Southwestern Operating Co. (KGNS-TV) 7767
Semo Broadcasting Corp. and Sikeston Community Broadcasting Co. (2 documents) 7767, 7768
Star Stations of Indiana, Inc. 7768

FEDERAL HOUSING ADMINISTRATION
Rules and Regulations
Administration, organization, and housing; miscellaneous amendments 7743

FEDERAL MARITIME COMMISSION
Notices
Academy Forwarding Corp.; show cause order 7770

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Mississippi River Transmission Corp. 7771
Natural Gas Pipeline Company of America (2 documents) 7771
Peoples Gas Light and Coke Co. 7772

FEDERAL REGISTER ADMINISTRATIVE COMMITTEE
CFR Checklist 7733

FEDERAL TRADE COMMISSION
Rules and Regulations
Administrative opinions and rulings:
Discount stamp advertising plan 7737
Food manufacturer, retailer promotion program 7737
Proposed Rule Making
Solvents industry; revocation of rules 7757
Notices
Vertical integration in cement industry; hearing 7772

FISH AND WILDLIFE SERVICE
Rules and Regulations
Sport fishing at Tamarac National Wildlife Refuge, Minnesota 7756
Notices
American Stern Trawlers, Inc.; hearing 7764

FOOD AND DRUG ADMINISTRATION
Rules and Regulations
Coordination product of zinc ion and maneb; tolerance for residues 7741

FOREIGN ASSETS CONTROL OFFICE
Rules and Regulations
Importation of hair 7745

GENERAL SERVICES ADMINISTRATION
Rules and Regulations
Lead and zinc stabilization 7752

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration; Public Health Service.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT
See Federal Housing Administration.

(*Continued on next page*)

INDIAN AFFAIRS BUREAU

Rules and Regulations

Enrollment appeals; filing, review, and determination of enrollment appeals 7745

Preparation of rolls of Indians; application, preparation, and approval of rolls 7744

INTERIOR DEPARTMENT

See also Fish and Wildlife Service; Indian Affairs Bureau; National Park Service; Oil Import Administration.

Notices

Finished products other than residual fuel oil to be used as fuel; adjustment of maximum level of imports into Puerto Rico 7764

Walker River Paiute Reservation, Nevada; ordinance regulating sale and possession of intoxicants 7764

INTERNATIONAL COMMERCE BUREAU

Notices

Antwerp Marine Radio Co.; consent probation order for Export Control Act violations 7765

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief 7776

Motor carrier:

Temporary authority applications 7774

Transfer proceedings 7776

JUSTICE DEPARTMENT

Notices

Choctaw County, Ala.; certification of Attorney General pursuant to section 6 of Voting Rights Act of 1965 7764

NATIONAL BUREAU OF STANDARDS

Rules and Regulations

Standard reference materials; miscellaneous amendments 7737

NATIONAL PARK SERVICE

Notices

Cape Cod National Seashore, Mass.; establishment 7778

OIL IMPORT ADMINISTRATION

Rules and Regulations

Oil Import Reg. 1 7745

POST OFFICE DEPARTMENT

Rules and Regulations

Postal service; miscellaneous amendments 7752

PUBLIC HEALTH SERVICE

Rules and Regulations

Grants to improve quality of schools of medicine, dentistry, osteopathy, optometry and podiatry; correction 7755

SECURITIES AND EXCHANGE COMMISSION

Rules and Regulations

Securities:

Hypothecation of customers' securities 7740

Registration fees 7738

Notices

Hearings, etc.:

Apollo Corp 7772

Columbia Gas System, Inc 7773

Skagit Valley Telephone Co 7774

VTR, Inc 7774

STATE DEPARTMENT

Rules and Regulations

Visas; miscellaneous amendments 7741

TREASURY DEPARTMENT

See also Customs Bureau; Foreign Assets Control Office.

Notices

Customs Bureau; field service; New York 7764

Eggs, whole frozen, from U.K.; determination of sales at not less than fair value 7764

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

213 (4 documents) 7733, 7734

7 CFR

28 7734
701 7735
918 7735
1486 7735

PROPOSED RULES:

51 7757
1065 7757
1066 7757
1068 7757
1069 7757
1075 7757
1076 7757
1099 7758
1125 7757
1131 7757
1133 7757
1134 7757
1136 7757
1137 7757
1138 7757

14 CFR

39 7735
71 (2 documents) 7736
73 7736
75 7736

PROPOSED RULES:

71 (4 documents) 7760–7762
75 7762

15 CFR

230 7737

16 CFR

15 (2 documents) 7737

PROPOSED RULES:

45 7757

17 CFR

230 7738
239 7738
240 7740

21 CFR

120 7741

22 CFR

41 7741
42 7741

24 CFR

200 7743
221 7743

25 CFR

41 7744
42 7745

31 CFR

500 7745

32A CFR

OIA (Ch. X):

OI Reg. 1 7745

33 CFR

208 7751

39 CFR

13 7752
22 7752
25 7752
43 7752

41 CFR

101–15 7752

42 CFR

57 7755

45 CFR

801 7755

50 CFR

33 7756

Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

1966 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the issuance date and price of revised volumes and supplements of the Code of Federal Regulations issued to date during 1966. New units issued during the month are announced on the inside cover of the daily FEDERAL REGISTER as they become available.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

CFR Unit (as of Jan. 1, 1966):	Price
3 1965 Supp	$1.00
4 (Rev.)	.30
5 (Supp.)	.60
6 (Rev.)	1.00
7 Parts:	
1–45 (Rev.)	1.25
46–51 (Rev.)	1.00
52 (Rev.)	2.00
53–209 (Rev.)	2.00
210–399 (Rev.)	1.00
945–980 (Rev.)	.70
981–999 (Rev.)	.60
1000–1029 (Rev.)	1.00
1030–1059 (Rev.)	1.00
1060–1089 (Rev.)	1.00
1090–1119 (Rev.)	.70
1120–1199 (Rev.)	.75
1200–end (Rev.)	2.00
8 (Rev.)	.70
10–11 (Supp.)	.60
12 (Supp.)	1.25
13 (Supp.)	.60
14 Parts 1–39 (Rev.)	1.50
16 (Supp.)	1.00
17 (Supp.)	1.00
18 (Supp.)	.75
21 Parts:	
1–129 (Rev.)	2.00
130–end (Rev.)	2.50
22 (Rev.)	1.00
23 (Rev.)	.25
26 Parts:	
1 (§§ 1.301–1.400) (Rev.)	.65
1 (§§ 1.401–1.500) (Rev.)	.65
1 (§§ 1.501–1.640) (Rev.)	.70
1 (§§ 1.641–1.850) (Rev.)	1.00
1 (§§ 1.851–1.1200) (Rev.)	1.25
1 (§§ 1.6001–end) to Part 19 (Rev.)	.65
20–29 (Supp.)	.40
30–39 (Supp.)	.50
40–169 (Rev.)	1.75
300–499 (Supp.)	.50
500–599	(*)
600–end (Supp.)	.40
27 (Supp.)	.30
28 (Rev.)	.50
29 Parts:	
1–499 (Rev.)	.65
500–899 (Rev.)	1.75
900–end (Rev.)	.65
30 (Rev.)	1.25
31 (Rev.)	1.25
32 Parts:	
40–399 (Rev.)	1.00
590–699 (Rev.)	4.25
800–999 (Rev.)	1.00
32A (Rev.)	1.00
35	(*)
41 Chapters:	
1 (Rev.)	1.75
2–4 (Rev.)	.70
5–5D (Rev.)	.50
18 (Rev.)	1.75
19–100 (Rev.)	.50
44 (Supp.)	.40
46 Parts:	
1–145 (Rev.)	2.75
146–149 (Rev.)	2.50
150–199 (Rev.)	1.25
47 Parts 70–79 (Rev.)	1.00
48 (Rev.)	.40
49 Parts 0–70 (Supp.)	.40
List of Sections Affected, 1949–1963 (Compilation)	6.75

*NOTE: No amendments to these volumes were promulgated during 1965. The cumulative pocket supplements issued as of January 1, 1965, should be retained.

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of the Air Force

Section 213.3309 is amended to show that the number of positions of Special Assistant to the Secretary excepted under Schedule C is reduced from three to two, and that the position of Deputy Under Secretary (Manpower) is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3309 is amended as set out below.

§ 213.3309 Department of the Air Force.

(a) *Office of the Secretary.* (1) Two Special Assistants to the Secretary, and one Special Assistant to the Under Secretary and to each Assistant Secretary of the Air Force.

* * * * *

(5) One Deputy Under Secretary (Manpower).

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5968; Filed, May 31, 1966; 8:49 a.m.]

PART 213—EXCEPTED SERVICE

Post Office Department

Section 213.3311 is amended to show that the position of Director, Office of Research and Engineering, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (19) is added to paragraph (a) of § 213.3311 as set out below.

§ 213.3311 Post Office Department.

(a) *Office of the Postmaster General.* * * *

(19) One Director, Office of Research and Engineering.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5972; Filed, May 31, 1966; 8:49 a.m.]

PART 213—EXCEPTED SERVICE

Department of Agriculture

Section 213.3313 is amended to show that the position of Deputy Director, Science and Education, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (2) is added to paragraph (p) of § 213.3313 as set out below.

§ 213.3313 Department of Agriculture.

* * * * *

(p) *Science and Education.* * * *

(2) Deputy Director.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5967; Filed, May 31, 1966; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Commission on Civil Rights

Section 213.3356 is amended to show that the position of Special Assistant for Public Affairs is no longer excepted under Schedule C, and that the position of Special Assistant to the Staff Director is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3356 is amended by revoking paragraph (e) and adding paragraph (g) as set out below.

§ 213.3356 Commission on Civil Rights.

* * * * *

(e) [Revoked]

* * * * *

(g) One Special Assistant to the Staff Director.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–5971; Filed, May 31, 1966; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 28—COTTON CLASSING, TESTING AND STANDARDS

Cotton Micronaire Readings

Statement of Considerations Leading to Amendments. Revised Official Cotton Standards of the United States for Fiber Fineness and Maturity (7 CFR 28.601–28.603) are effective June 1, 1966. On and after that date these revised standards are available for general use without restriction. These standards are used in determining micronaire readings of fiber fineness and maturity.

Micronaire readings of fiber fineness and maturity are now recognized throughout the industry as an important quality factor in merchandising and processing cotton. Most commercial transactions in cotton now include a specification for micronaire readings.

In order to reflect the availability of the revised standards as general purpose standards without restriction, it is desirable to make amendments of a minor or conforming nature to the regulations governing cotton classing and testing under the United States Cotton Standards Act, as amended (42 Stat. 1517; 7 U.S.C. 51 et seq.) and Cotton Statistics and Estimates Act, as amended (44 Stat. 372; 7 U.S.C. 471 et seq.).

The Regulations under the U.S. Cotton Standards Act (7 CFR, Part 28, Subpart A) are being amended to (1) incorporate a fee of 8 cents per sample for micronaire reading service performed by boards of cotton examiners (provision for this service at the 8 cents fee is being deleted from Subpart E of Part 28), (2) delete the definition of wasty cotton and substitute therefor a definition of micronaire reading, and (3) make other conforming changes of a minor nature.

The Regulations for Cotton Classification and Market News Services for Organized Groups of Producers (7 CFR, Part 28, Subpart D) are being amended to indicate that classification memorandums issued to producers obtaining classification of their cotton under the Smith-Doxey program will show micronaire readings in addition to grade and staple length determinations.

The Regulations for Cotton Fiber and Processing Tests are being amended to delete provisions for micronaire readings on a fee basis by boards of cotton examiners. These provisions will become obsolete due to the amendments described above for Subparts A and D.

These amendments are of a minor or conforming nature and will impose no hardship or advance preparation on the part of users of the cotton classification service. Accordingly, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and public procedure on these amendments are impracticable, unnecessary, and contrary to the public interest and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

The amendments are as follows:

Subpart A—Regulations Under the United States Cotton Standards Act

1. Paragraph (p) of § 28.2 is revised to read as follows:

§ 28.2 Terms defined.

* * * * *

(p) *Official cotton standards.* Official cotton standards of the United States for the grade of American upland cotton, American Egyptian cotton, and Sea Island cotton, for length of staple, and for fiber fineness and maturity, adopted by or established pursuant to the act, or any change or replacement thereof.

* * * * *

(Sec. 10, 42 Stat. 1519; 7 U.S.C. 61)

2. Paragraph (d) of § 28.15 is revised to read as follows:

§ 28.15 Classification and comparison; requests.

* * * * *

(d) *Micronaire reading service.* Micronaire (mike) reading service is available under Form A, C, and D determinations upon request from the applicant and subject to the fees specified in § 28.116 of this Part 28.

(Sec. 10, 42 Stat. 1519; 7 U.S.C. 61)

3. Pargraph (b) of § 28.40 is revised to read as follows:

§ 28.40 Terms defined; cotton classification.

* * * * *

(b) *Micronaire (mike) reading.* The measure of the fiber fineness and maturity, in combination, of cotton as determined by an airflow instrument. For any cotton that has a micronaire reading of 2.6 or lower, the board of cotton examiners will enter the micronaire reading on all classification memoranda issued for such cotton.

* * * * *

(Sec. 10, 42 Stat. 1519; 7 U.S.C. 61)

4. Paragraphs (a), (c), and (d) of § 28.116 are revised to read as follows:

§ 28.116 Amounts of fees for classification; exemption.

(a) For the classification of any cotton or samples, the person requesting the service shall pay a fee, as follows, subject to the minimum fee provided in paragraph (c) of this Section:

(1) Grade, staple, and micronaire reading—43 cents per sample.

(2) Grade and staple only, or grade only, or staple only—35 cents per sample.

(3) Micronaire reading only—8 cents per sample.

* * * * *

(c) A minimum fee of $3.50 shall be assessed for services described in paragraphs (a) and (b) of this section for each lot or mark of cotton reported or handled separately, unless the request for service is so worded that the samples become Government property immediately after classification.

(d) For any review of classification or comparison of any cotton, the fees prescribed in paragraph (a) of this section shall apply. The minimum fee prescribed in paragraph (c) of this section is not applicable to review of classification or comparison.

* * * * *

(Sec. 10, 42 Stat. 1519; 7 U.S.C. 61)

Subpart D—Cotton Classification and Market News Services for Organized Groups of Producers

5. Section 28.910 is revised to read as follows:

§ 28.910 Classification of samples.

The samples submitted as provided in this subpart shall be classified by employees of the Division and a classification memorandum showing the grade, staple length, and micronaire reading of each sample according to the official cotton standards of the United States will be mailed or made available to the producer whose name appears on the tag accompanying the sample, or to a representative designated by the producer or the organized group to receive the classification memorandum.

(Sec. 10 42 Stat. 1519, sec. 3c, 50 Stat 62; 7 U.S.C. 61, 473c)

Subpart E—Cotton Fiber and Processing Tests

6. In § 28.956, item numbers 36, 37, and 38 are deleted in their entirety.

(Sec. 3c, 50 Stat. 62; 7 U.S.C. 473c. Interpret or apply sec. 3d, 55 Stat. 131; 7 U.S.C. 473d)

Effective date. These revisions and deletions shall become effective on June 1, 1966.

Dated: May 26, 1966.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

[F.R. Doc. 66–5974; Filed, May 31, 1966; 8:49 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAMS

[ACP–1966, Supp. 4]

PART 701—NATIONAL AGRICULTURAL CONSERVATION

Subpart—1966

Correction

In F.R. Doc. 66–5723, appearing at page 7513 of the issue for Wednesday, May 25, 1966, the part and subpart headings should read as set forth above.

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Peach Reg. 2]

PART 918—FRESH PEACHES GROWN IN GEORGIA

Limitation of Shipments

§ 918.308 Peach Regulation 2.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 918, as amended (7 CFR Part 918), regulating the handling of fresh peaches grown in the State of Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation of the Industry Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that this regulation will tend to effectuate the declared policy of the act with respect to shipments of fresh peaches grown in the State of Georgia.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 2, 1966. Shipments of peaches grown in Georgia are presently subject to grade and size regulation pursuant to the amended marketing agreement and order; the recommendation and supporting information with respect to size limitations during the period specified hereinafter were promptly submitted to the Department after an open meeting of the Industry Committee on May 26, 1966; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting; interested persons were afforded opportunity to submit their views at this meeting; the size limitation specified in this section is identical to the aforesaid recommendation of the committee and information concerning such recommended regulation has been disseminated among handlers of such peaches; it is necessary, in order to effectuate the declared policy of the act, to make this section effective at the time specified so as to provide for the continued regulation, by size, of the handling of such peaches; and compliance with this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., e.s.t., June 2, 1966, and ending at 12:01 a.m., e.s.t., September 1, 1966, no handler shall ship (except peaches in bulk to destinations in the adjacent markets) any peaches which are smaller than 1⅞ inches in diameter, except that not more than 10 percent, by count, of such peaches in any bulk lot or any lot of packages, and not more than 15 percent, by count, of such peaches in any container in such lot, may be smaller than 1⅞ inches in diameter.

(c) When used herein, the terms "handler," "adjacent markets," "peaches," "peaches in bulk," and "ship" shall have the same meaning as when used in the aforesaid amended marketing agreement and order, and the term "diameter" shall have the same meaning as when used in the revised U.S. Standards for Peaches (§§ 51.1210–51.1223 of this title).

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 27, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6070; Filed, May 31, 1966; 11:20 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Announcement PS–GR–4; Rev. 1, Amdt. 1]

PART 1486—FLAXSEED AND LINSEED OIL

Subpart—Flaxseed and Linseed Oil Export Payment-In-Kind Program Terms and Conditions

The regulations issued by the Commodity Credit Corporation governing the Flaxseed and Linseed Oil Export Payment-In-Kind Program (PS–GR–4, Revision 1) (31 F.R. 2954) are amended as follows:

Section 1486.153 *Flaxseed and linseed oil* is amended to read:

§ 1486.153 Flaxseed and linseed oil.

"Flaxseed" means flaxseed, as defined in the Official Grain Standards of the United States, grown in the United States. "Linseed oil" means linseed oil which is processed in the United States from flaxseed grown in the United States and which is (a) raw linseed oil conforming to Federal Specifications TT–L–215A, as amended, (b) refined linseed oil consisting of 100 percent linseed oil, or (c) such other linseed oil in processed form as may be agreed to in writing by the Vice President. "Net bushel of flaxseed" means 56 pounds of flaxseed free of dockage.

(Secs. 4 and 5, 62 Stat. 1070 and 1072, as amended, 15 U.S.C. 714b and 714c; sec. 407, 63 Stat. 1055, as amended, 7 U.S.C. 1427; sec. 201(a), 70 Stat. 198, 7 U.S.C. 1851)

Effective date. Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 19, 1966.

RAYMOND A. IOANES,
Vice President, Commodity Credit Corporation, Administrator, Foreign Agricultural Service.

[F.R. Doc. 66–5959; Filed, May 31, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7390; Amdt. 39–242]

PART 39—AIRWORTHINESS DIRECTIVES

Lear Jet Model 23 and 24 Airplanes

Pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), an airworthiness directive was adopted on May 21, 1966, and made effective immediately as to all known U.S. operators

of Lear Jet Model 23 and 24 airplanes. The directive requires action to prevent unsafe conditions in the windshield deicing alcohol system and the gyro and electrical systems.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Lear Jet Model 23 and 24 airplanes by individual telegrams dated May 21, 1966. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

LEAR JET. Applies to Model 23 and 24 airplanes.

Compliance required as indicated, unless already accomplished.

(a) On Model 23 airplanes, before further flight remove windshield deicing alcohol cans.

(b) On Model 23 airplanes, the following applies to all Serial Numbers except 003, 011, 016, 020, 024, 026, 033, 035, 039, 043, 044, 047, 050, 051, 062, 065A, 069, 070, 072, 073, 074, 075, 076, 077, 078, 079, 080, 081, 082, 083, 087, 090, 092, 093: further flight is limited to day VFR meteorological conditions and to flight levels below 240 until installation of an attitude indicator (gyro horizon) usable by the pilot and powered by a source separate from the airplane's primary electrical system.

(c) On Models 23 and 24 airplanes, modify the electrical system within the next 300 hours' time in service after the effective date of this AD in accordance with data approved by the Chief, Engineering and Manufacturing Branch, FAA Central Region.

This amendment shall become effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective immediately by telegram dated May 21, 1966.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423))

Issued in Washington, D.C., on May 25, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-5928; Filed, May 31, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-45]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

Controlled airspace in the Goshen, Ind., area presently consists of a transition area designated as:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Goshen, Ind., Airport (latitude 41°31'43" N., longitude 85°47'48" W.) and within 2 miles north and 3 miles south of the Goshen, Ind., VOR 090° radial extending from the 5-mile radius area to the VOR.

The Federal Aviation Agency has conducted a further study of the airspace requirements in the Goshen, Ind., area. The Goshen VORTAC has been commissioned. The Goshen radio beacon will be decommissioned May 26, 1966, and the instrument approach procedure predicated on the radio beacon will be canceled. As a result, the 700-foot transition area extension to the west can be reduced, still allowing adequate protection of aircraft executing the public VOR instrument approach procedure. Therefore, Part 71 of the Federal Aviation Regulations is herein amended to reduce the size of the Goshen, Ind., transition area. Since this amendment is less restrictive and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication of this Final Rule in the FEDERAL REGISTER, as hereinafter set forth:

In § 71.181 (31 F.R. 2149), the Goshen, Ind., transition area is amended to read:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Goshen, Ind., Airport (latitude 41°31'43" N., longitude 85°47'48" W.), and within 2 miles each side of the Goshen, Ind., VORTAC 090° radial extending from the 5-mile radius area to the VORTAC.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on May 13, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-5929; Filed, May 31, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SO-37]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Yazoo City, Miss., transition area.

The Yazoo City transition area is described in § 71.181 (31 F.R. 2149). An extension to the transition area is described as "• • • within 5 miles each side of the 280° bearing from latitude 32°52'00" N., longitude 90°23'31" W., extending from latitude 32°52'00" N., longitude 90°23'31" W. to 18 miles west • • •."

Because of a change to the instrument approach procedure at Yazoo City, the airspace so designated is excessive to that required by applicable criteria.

Since this alteration lessens the burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the Yazoo City, Miss., transition area is amended as follows:

The portion designated "within 5 miles each side of the 280° bearing from latitude 32°52'00" N., longitude 90°23'31" W., extending from latitude 32°52'00" N., longitude 90°23'31" W. to 18 miles west" is deleted and "within 5 miles each side of the 280° bearing from latitude 32°52'00" N., longitude 90°23'31" W., extending from latitude 32°52'00" N., longitude 90°23'31" W. to 13 miles west" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 23, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-5930; Filed, May 31, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-39]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment is to alter the time of designation of Restricted Area R-5002 at Warren Grove, N.J.

In 1964, the time of designation of a portion of R-5002 was extended to accommodate a U.S. Air Force drop training mission. The Department of the Air Force has now advised the Federal Aviation Agency that the additional hours of usage granted to accommodate the drop training mission are no longer required. Therefore, action is taken herein to alter the time of designation of R-5002 accordingly.

Since this amendment reduces the burden on the public, notice and public procedure hereon are unnecessary and the amendment may be made effective on less than 30 days notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 73.50 (31 F.R. 2323) Restricted Area R-5002 is amended by deleting from the text; "Time of Designation. Friday through Sunday, sunrise to sunset, Monday through Thursday, sunrise to sunset except for the portion beginning from the surface to 3,000 feet MSL which lies within a 1-nautical-mile radius centered at latitude 39°42'04" N., longitude 74°24'35" W.; which is sunrise to 2200 e.s.t." and substituting therefor "Time of Designation. Sunrise to Sunset."

(Sec. 307(a), of the Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 23, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5931; Filed, May 31, 1966; 8:45 a.m.]

[Airspace Docket No. 65-EA-59]

PART 75—ESTABLISHMENT OF JET ROUTES

Designation of Jet Route

On January 12, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 352) stating that the Federal Aviation Agency was considering designation of Jet Route No. 518 from Windsor, Ontario, Canada, to Westminster, Md.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The only comment received was from the Air Transport Association of America which endorsed the proposal.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 75.100 (31 F.R. 2346) is amended by adding the following:

Jet Route No. 518 (Windsor, Ontario, Canada, to Westminster, Md.) (Joins Canadian high level airway No. 518).

From Windsor, Ontario, Canada, via INT of Windsor 134° and Ellwood City, Pa., 296° radials; Ellwood City; INT of Ellwood City 123° and Westminster, Md., 289° radials; to Westminster; excluding the airspace which lies over Canadian territory.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 24, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5932; Filed, May 31, 1966; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER B—STANDARD REFERENCE MATERIALS

PART 230—STANDARD REFERENCE MATERIALS

Miscellaneous Amendments

Under the provisions of 15 U.S.C. 275a and 277, the following amendments relating to standard reference materials issued by the National Bureau of Standards are effective upon publication in the FEDERAL REGISTER. The amendments add standard reference materials 335 and 1156 in §§ 230.7-1 and 230.7-2, respectively, and add standard reference material 725 in a new § 230.8-24.

The following amends Title 15 CFR Part 230.

Subpart C—Standards of Certified Chemical Composition

1. Section 230.7-1 *Steels (chip form)* is amended to add standard 335 as follows:

CARBON ONLY

Sample No.	Kind	Carbon	Price
335	B.O.H., 0.1C (carbon only).....	0.092	$8.00

2. Section 230.7-2 *Steels (solid form)* is amended to add standard 1156 as follows:

SPECIALITY STEELS

Sample No.	Kind	Price
1156	Maraging steel.....	$35.00

Subpart D—Standards of Certified Properties and Purity

Section 230.8-24 is added as follows:

§ 230.8-24 Mossbauer differential chemical shift for Iron-57

This standard reference material is intended to furnish a base (zero) point for Mossbauer spectrometry. It is furnished as a platelet 1 cm x 1 cm x 0.0775 cm cut from a single crystal of sodium nitroprusside along the 100 crystal plane. The natural iron concentration is 25.0 mg/cm²±4 percent. This standard reference material has an average value for the chemical shift of 0.0000±0.0002 cm/sec, and an average value for the electric quadrupole splitting of 0.1726±0.0002 cm/sec at 25° C.

Sample No.	Kind	Price
725	Mossbauer differential chemical shift for iron-57 (sodium nitroprusside)	$150.00

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: May 18, 1966.

A. V. ASTIN,
Director.

[F.R. Doc. 66-5926; Filed, May 31, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Discount Stamp Advertising Plan

§ 15.51 Discount stamp advertising plan.

(a) The Federal Trade Commission has advised that a proposed promotional plan involving the use of discount stamps would not be illegal if properly implemented.

(b) The requesting party proposes to issue a set of stamps to customers in grocery stores and other types of retail outlets in certain trading areas. The stamps will feature particular brands of products. When forwarded affixed to labels, wrappers or boxtops of the products featured, the requester will send a check to the customer in an amount equal to 10 cents for each stamp plus 10 cents additional if an entire set has been forwarded.

(c) Suppliers of products featured would pay the requester for managing the promotion. Grocery store and other operators of retail outlets competing in and on the fringes of the trading areas in which the plan is attempted would be offered the opportunity to participate. To this end, such retail outlet operators would be furnished the stamps, promotional kits and money allowances on the basis of their annual dollar volume of sales.

(d) The advisory opinion said it is the Commission's understanding that although the requesting party would concentrate its promotional efforts on operators of grocery stores it would also offer the plan to operators of other types of retail outlets competing in the sale of the products of supplier-advertiser-participants in the promotion and would admonish all such supplier-advertiser-participants of their responsibility to accord proportionally equal treatment to all of their competing customers, whether engaged in grocery retailing or other fields. The Commission further assumed that the proposed notices would adequately inform all prospective participants of all details of the offer.

(e) The Commission advised that its opinion is that "implementation of the plan as outlined would not be violative of sections 2 (d) or (e) of the Robinson-Patman Amendment to the Clayton Act."

(38 Stat. 717, as amndeed; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: May 31, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-5991; Filed, May 31, 1966; 8:50 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Food Manufacturer, Retailer Promotion Program

§ 15.52 Food manufacturer, retailer promotion program.

(a) In an advisory opinion the Federal Trade Commission informed a promotional concern that its proposed advertising program to be utilized by food manufacturers and retailers would not be in violation of existing law if the program is modified to take into account "exceptions and caveats" pointed out the Commission.

(b) The promoter proposed to design a number of aisle-end displays, each promoting the name of a food manufacturer and a seasonal recipe incorporating a product of that manufacturer. Displays for twelve participating manufacturers and decorative material would be packaged in a kit (which may be divided into 12 segments) for distribution to retail stores taking part in the program.

(c) According to the plan, each manufacturer would pay a proportionate share of the cost of the program, retailers would bear none of the cost but must agree to provide aisle ends for displays and stack the manufacturers' products, and the number of kits each retailer

would receive would be determined by the number of retail stores each owns.

(d) The Commission advised the promoter, among other things, that if all retailers sell the products of all the manufacturers and all can use the entire kit, he would not be required to break down the kit just because a particular retailer so desired. However, the Commission said, if there are certain customers who do not sell the products of all the manufacturers or who cannot, because of space limitations, use the entire kit, then the law would be violated if the promoter insists the retailer take the entire kit or nothing.

(e) After pointing out the requirements concerning notice to all competing customers that the plan is available, the Commission said participating manufacturers would not be obligated to meet the demands for cash by retailers, who could utilize the program, simply because they refuse the kit or sell products of only one manufacturer.

(f) As to manufacturers requiring signed agreements from retailers who wish to receive the kits, the Commission advised that the law permits manufacturers to require that dealers who are to receive the benefit of such promotions must agree to reasonable display requirements so that the purposes of the promotion may be carried out. However, it noted, retailers desiring less than the full kit could not be expected to sign an agreement which would require them to accept the full display kits.

(g) Concerning a manufacturer limiting the program to only one of his products and his responsibility to retailers who handle his products only on a "sporadic basis," the Commission said the law imposes no requirement that a seller must give advertising allowances or services on all his products if he elects to accord them on one or more articles. Problems concerning products of like grade and quality which differ in only minor respects or trade names can be avoided if the suppliers include entire product lines and thus avoid fine distinctions between products. As to the second query, the Commission stated that it would not be safe to exclude any retailer who was in fact a customer of one or more of the manufacturers during the course of this promotion.

(h) The Commission pointed out that if there are some grocery outlets which are too small to use the entire kit—or that part of it which represents all the manufacturers with whom they do business—because of actual space limitations, then some alternative must be provided to keep the plan from being one which is tailored primarily for larger retailers. If the plan results in any of the manufacturers furnishing facilities to some customers which are not readily usable by others, the suppliers are likely to find themselves in violation of the law. By furnishing an alternative method of participation to the smaller customers, such as posters and counter displays, this result can be avoided, the Commission advised.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: May 31, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–5992; Filed, May 31, 1966; 8:50 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release Nos. 33–4833, IC–4610]

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

Registration Fees

On January 11, 1966, in Securities Act Release No. 4815 (31 F.R. 577), the Securities and Exchange Commission published for comment its proposal to amend certain of its rules and forms relating to the computation of the fee required to be paid in connection with the filing of registration statements under the Securities Act of 1933 and amendments to registration statements filed pursuant to the provisions of section 24(e)(1) of the Investment Company Act of 1940. After consideration of the comments received in response to the release, the Commission has decided to adopt the amendments in the form proposed with certain modifications described below.

Paragraph (a) of Rule 457 (17 CFR 230.457) has been changed to make clear that where the amount of securities registered is increased by an amendment filed prior to the effective date an additional filing fee based on the offering price of the additional securities is required.

The first clause of paragraph (e) of Rule 457, relating to the calculation of the registration fee where securities are offered in exchange for other securities, has been amended to clarify the meaning of "market value" with respect to securities traded over-the-counter and to make this clause consistent with other provisions of the rule.

Paragraphs (f) and (g) of Rule 457 as adopted have been modified further to clarify the filing fee basis for warrants and other rights offered by "underwriters" and stock issued pursuant to employee stock options.

The revised paragraph (f) refers to "warrants or other rights" where the holders may be deemed to the underwriters to distinguish the subject matter of that paragraph (g) which deals with "options" granted to employees. The revised paragraph (f) provides that the fee shall be calculated upon the basis of the highest of (1) the exercise price, if known at the time of filing, (2) the offering price of securities of the same class concurrently being registered or (3) the market price within 15 days. If the exercise price, (1) above, is not known at the time of filing, the fee is to be computed on the basis of (2) or (3).

Paragraph (g) has been revised to provide that the employer's contributions are to be included in the computation of the fee where the employee may choose the medium in which the employer's contributions are to be invested. Paragraph (g) has been further revised to provide that in the case of employee stock options the fee shall be computed upon the basis of the option price, if known; otherwise upon the basis of the market price within 15 days. The new paragraph (g) applies to all forms on which subject securities are registered and applies to any employee stock option plan regardless of whether such plan is accorded special tax treatment under the Internal Revenue Code.

On February 5, 1965, in Securities Act Release No. 4761 (30 F.R. 2021), the Commission adopted certain amendments to the rules under the Act to reflect the new numbering of the subsections of section 4 of the Act effected by the Securities Acts Amendments of 1964. Inadvertently, a reference to "Section 4(1)" in paragraph (b) of Rule 155 (17 CFR 230.155) was amended to refer incorrectly to "Section 4(2)". Accordingly, the reference to "Section 4(2)" in paragraph (b) of Rule 155 is being changed to refer to "Section 4(1)".

Commission action. Chapter II of Title 17 of the Code of Federal Regulations is amended in the following respects:

I. Rule 457 under the Securities Act of 1933 (17 CFR 230.457) is amended to read as follows:

§ 230.457 Computation of fee.

(a) If a filing fee based on a bona fide estimate of the maximum offering price, computed in accordance with this rule where applicable, has been paid, no additional filing fee shall be required as a result of changes in the proposed offering price. If the number of shares or other units of securities, or the principal amount of debt securities, to be offered is increased by an amendment filed prior to the effective date of the registration statement, an additional filing fee, computed on the basis of the offering price of the additional securities, shall be paid. If the number of shares or other units of securities or principal amount of debt securities, to be offered is decreased by an amendment filed prior to the effective date of the registration statement the amount of the filing fee applicable to the securities withdrawn shall be refunded, except that in no event shall such refund reduce the total filing fee paid to less than $100.

(b) Where securities are to be offered at prices computed upon the basis of fluctuating market prices, the registration fee is to be calculated upon the basis of the price at which securities of the same class were sold, or upon the average of the bid and asked prices of such securities, on a specified date within 15 days prior to the date of filing of the registration statement.

(c) Where securities are to be offered at varying prices based upon fluctuating values of underlying assets, the registration fee is to be calculated upon the basis of the market value of such assets as of a specified date within 15 days prior to the date of filing, in accordance with the method to be used in calculating the daily offering price.

(d) Where securities are to be offered to existing security holders and the portion, if any, not taken by such security holders is to be reoffered to the general public, the registration fee is to be calculated upon the basis of the proposed offering price to such security holders or the proposed reoffering price to the general public, whichever is higher.

(e) Where securities are to be offered in exchange for other securities (except where such exchange results from the exercise of a conversion privilege) the registration fee is to be calculated as follows:

(1) Upon the basis of the market value of the securities to be received by the registrant in the exchange as established by the price at which securities of the same class were sold, or by the average of the bid and asked prices of such security as of a specified date within 15 days prior to the date of filing.

(2) If there is no market for the securities to be received by the registrant in the exchange, the book value of such securities computed as of the latest practicable date prior to the date of filing the registration statement shall be used, unless the issuer of such securities is in bankruptcy or receivership, in which case one-third of the principal amount, par value or stated value of such securities shall be used.

(3) If any cash is to be received by the registrant in connection with the exchange, the amount thereof shall be added to the value of the securities to be received by the registrant in exchange as computed in accordance with subparagraph (1) or (2) above of this paragraph. If any cash is to be paid by the registrant in connection with the exchange, the amount thereof shall be deducted from the value of the securities to be received by the registrant in exchange as computed in accordance with subparagraph (1) or (2) of this paragraph.

(4) Securities to be offered directly or indirectly in exchange for certificates of deposit shall be deemed to be offered in exchange for the securities represented by the certificate of deposit.

(f) Where securities are to be offered pursuant to warrants or other rights to purchase such securities and the holders of such warrants or rights may be deemed to be underwriters, as defined in section 2(11) of the Act, with respect to the warrants or rights or the securities subject thereto, the registration fee is to be calculated upon the basis of the price at which the warrants or rights or the securities subject thereto are to be offered to the public. If such offering price cannot be determined at the time of filing the registration statement, the registration fee is to be calculated upon the basis of the highest of the following: (1) The price at which the warrants or rights may be exercised, if known at the time of filing the registration statement; (2) the offering price of securities of the same class included in the registration statement; or (3) the price at which securities of the same class were sold, or the average of the bid and asked prices of such securities, on a specified date within 15 days prior to the date of filing the registration statement. If the fee is to be calculated upon the basis of the price at which the warrants or rights may be exercised and they are exercisable over a period of time at progressively higher prices, the fee shall be calculated on the basis of the highest price at which they may be exercised. If the warrants or rights are to be registered for distribution in the same registration statement as the securities to be offered pursuant thereto, no separate registration fee shall be required.

(g) Where securities are to be offered to employees pursuant to an employee stock purchase, savings or similar plan, the aggregate offering price and the amount of the registration fee shall be computed only with respect to the aggregate contributions of employees, except that if employees may choose the medium in which the employer's contributions are to be invested, the aggregate offering price shall include the employer's contributions. Where stock is to be offered to employees pursuant to an employee stock option plan, the aggregate offering price and the amount of the fee shall be computed upon the basis of the price at which the option may be exercised, or if such price is not known, upon the basis of the price at which stock of the same class was sold, or the average of the bid and asked prices of such stock, on a specified date within 15 days prior to the date of filing the registration statement.

(h) Where convertible securities and the securities into which conversion is offered are registered at the same time, the registration fee is to be calculated on the basis of the proposed offering price of the convertible securities alone, except that if any additional consideration is to be received in connection with the exercise of the conversion privilege, the maximum amount which may be received shall be added to the proposed offering price of the convertible securities.

(i) Where securities are sold prior to the registration thereof and are subsequently registered for the purpose of making an offer of recision of such sale or sales, the registration fee is to be calculated on the basis of the amount at which such securities were sold, except that where securities repurchased pursuant to such offer of recision are to be reoffered to the general public at a price in excess of such amount, the registration fee is to be calculated on the basis of the proposed reoffering price.

(j) Notwithstanding the other provisions of this rule, the proposed maximum aggregate offering price of American Depositary Receipts registered on Form S–12 (17 CFR 239.19) shall, for the purpose of calculating the registration fee, be computed upon the basis of the maximum aggregate fees or charges to be imposed in connection with the issuance of such receipts.

II. Rule 458 (17 CFR 230.458) under the Securities Act of 1933 is amended to read as follows:

§ 230.458 Payment of fees.

* * * * *

(b) Payments may be rounded to the nearest dollar. Amounts less than one dollar due the Commission will be waived except that in no case may the amount waived reduce the amount due to less than $100.

* * * * *

III. Such portion of the facing page of Form D–1 (17 CFR 239.6) under the Securities Act of 1933 as reads:

Filing fee (the fee is to be calculated as one one-hundredth of 1 percent of the market value (as of an indicated day within 15 days prior to the filing of this registration statement) of the securities to be called for deposit, or, if there be no market value, one one-hundredth of 1 percent of one-third of the face, par, or if no par, stated value of the securities to be called for deposit. In no case shall the fee be less than $25):

CALCULATION OF FILING FEE

Indicate basis used:
(a) Market value (if any)..... $.....
(b) Face, par, or stated value..... .....
(c) One-third of this..... .....
(d) Filing fee (1/100 of 1 percent of (a) or (c), whichever is used, but not less than $25)... .....

is deleted and the following substituted therefor:

Amount of filing fee:

IV. Such portion of the facing page of Form D–1A (17 CFR 239.7) under the Securities Act of 1933 as reads:

Filing fee (the fee is to be calculated as one one-hundredth of 1 percent of the market value (as of an indicated day within 15 days prior to the filing of this registration statement) of the securities to be called for deposit, or if there be no market value, one one-hundredth of 1 percent of one-third of the face, par, or if no par, stated value of the securities to be called for deposit. In no case shall the fee be less than $25):

CALCULATION OF FILING FEE

Indicate basis used:
(a) Market value (if any)..... $.....
(b) Face, par, or stated value..... .....
(c) One-third of this..... .....
(d) Filing fee (1/100 of 1 percent of (a) or (c), whichever is used, but not less than $25)... .....

is deleted and following substituted therefor:

Amount of filing fee:

V. Paragraph G of the facing page of Form S–6 (17 CFR 239.16) under the Securities Act of 1933 which reads:

G. Amount of filing fee, computed at one one-hundredth of 1 percent of the proposed maximum aggregate offering price to the public (minimum fee $25):

is revised to read:

G. Amount of filing fee:

VI. The entire footnote designated by a double asterisk in the table for calculation of the registration fee on the facing page of Form S–8 (17 CFR 239.16b) under the Securities Act of 1933 and the double asterisks following the headings "Proposed maximum aggregate offering price" and "Amount of registration fee" in such table are deleted.

VII. The entire footnote designated by an asterisk in the table for calculation of the registration fee on the facing page of Form S–12 (17 CFR 239.19) under the Securities Act of 1933 and the asterisks following the headings "Proposed Maximum Aggregate Offering Price" and "Registration Fee" in such table are deleted.

VIII. Rule 155 under the Securities Act of 1933 (17 CFR 230.155) is amended by changing "section 4(2)" as it appears in the text of paragraph (b) of such rule, to "section 4(1)".

Since the amendments conform the rules and forms to statutory changes or are in the nature of interpretative rules, the Commission adopts the foregoing amendments, effective on publication, May 24, 1966. The foregoing action is taken pursuant to the Securities Act of 1933, as amended, particularly sections 6(b), 7 and 19(a) thereof.

By the Commission, May 24, 1966.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–5946; Filed, May 31, 1966; 8:47 a.m.]

[Release No. 34–7896]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Hypothecation of Customers' Securities

On July 16, 1965, in Securities Exchange Act Release No. 7847 and in the FEDERAL REGISTER of July 23, 1965, 30 F.R. 9222, the Securities and Exchange Commission published a proposal to amend its Rules 8c–1 and 15c2–1 (17 CFR 240.8c–1 and 240.15c2–1) under the Securities Exchange Act of 1934 ("Exchange Act"). The Commission has considered the comments and suggestions received and after including certain minor technical changes has adopted the amendment in the form stated below effective May 31, 1966.

Rules 8c–1 and 15c2–1 (17 CFR 240.8c–1 and 240.15c2–1) prohibit the hypothecation of customers' securities by broker-dealers under circumstances which permit the pledging of one customer's securities (1) with those of any other customer, unless each customer's prior consent has been obtained; and (2) with those of other than a bona fide customer. The amendments add a new paragraph (g) to Rules 8c–1 and 15c2–1 (17 CFR 240.8c–1 and 240.15c2–1) to provide an exemption from the commingling prohibitions of these rules where an exchange member, broker or dealer participating in a system of a national securities exchange or national securities association for the central handling of securities hypothecates securities in accordance with such system. For the exemption to be applicable the system must contain specified provisions and follow specified procedures which have been deemed adequate by the Commission for the protection of investors.

The amendment is necessitated by the development in recent years of centralized systems for the handling and delivery of securities through the use of automated procedures. In this connection, the Special Study of Securities Markets recommended that the securities industry, with the cooperation of the Commission, should give continuing attention to the possibilities for improving and modernizing existing securities handling and delivery systems.[1] For example, the New York Stock Exchange will soon initiate a Central Certificate Service which would have custody of a large proportion of customers' and proprietary securities now held by individual firms and would effect transfers and hypothecation of securities by means of bookkeeping entries for members of the system, thereby reducing the number of physical transfers of securities.

These amendments provide that the hypothecation of customers' securities held by a clearing corporation or other subsidiary organization of a national securities exchange or national securities association or by a custodian bank pursuant to a central system in which the customers' securities are commingled with others will not of itself constitute a commingling prohibited by these rules. For the exemption to be applicable, the custodian must, in general, agree to deliver the securities that it holds as directed by the system and not assert any claim, right or lien against the securities; the system must have safeguards for the handling, transfer and delivery of the securities; the system must provide for fidelity bond coverage of employees and agents of the clearing corporation or other subsidiary organization; and the system must contain provisions for periodic examination by independent public accountants. The exemption will be applicable only after the Commission has deemed the above provisions, and any amendments of them, to be adequate for the protection of investors. The Commission finds that the form of custody agreement and the other safeguards provided for in the New York Stock Exchange's Central Certificate Service meet these standards.

It should be emphasized that, while the amendments make it clear that the presence within a system of a stock certificate representing the interests of various customers and other parties, including pledges, does not constitute a prohibited commingling under Rule 8c–1 (17 CFR 240.8c–1) or Rule 15c2–1 (17 CFR 240.15c2–1) it nevertheless does not make legal a hypothecation of securities prohibited by these rules. Thus, it would constitute a violation of Rule 8c–1 and Rule 15c2–1 (17 CFR 240.8c–1 and 240.15c2–1) to hypothecate the securities of more than one customer of a member, broker or dealer to secure a loan unless the consent of each customer is obtained. Similarly, it would constitute a violation under any circumstances to hypothecate the securities of a customer with those of any person other than a customer in order to secure a loan. The amendment of these rules would not in any way affect these prohibitions.

Statutory basis. The Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934 as amended, and particularly sections 8(c), 15(c)(2) and 23(a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of its functions under the Act, hereby amends Rules 8c–1 and 15c2–1 (17 CFR 204.8c–1 and 240.15c2–1) by adding a paragraph (g) thereto as stated below. The Commission finds that these amendments relieve restriction and are exemptive in nature and hence under the provisions of section 4(c) of the Administrative Procedure Act, may be and are hereby declared effective May 31, 1966.

The text of the new paragraph added to Rule 8c–1 (17 CFR 240.8c–1) and to Rule 15c2–1 (17CFR 240.15c2–1) is as follows:

§ 240.8c–1 Hypothecation of customers' securities.

* * * * *

(g) The fact that securities carried for the accounts of customers and securities carried for the accounts of others are represented by one or more certificates in the custody of a clearing corporation or other subsidiary organization of either a national securities exchange or of a registered national securities association, or of a custodian bank, in accordance with a system for the central handling of securities established by a national securities exchange or a registered national securities association, pursuant to which system the hypothecation of such securities is effected by bookkeeping entries without physical delivery of such securities, shall not, in and of itself, result in a commingling of securities prohibited by paragraph (a)(1) or (a)(2) of this section, whenever a participating member, broker or dealer hypothecates securities in accordance with such system: *Provided, however,* That (1) any such custodian of any securities held by or for such system shall agree that it will not for any reason, including the assertion of any claim, right or lien of any kind, refuse to refrain from promptly delivering any such securities (other than securities then hypothecated in accordance with such system) to such clearing corporation or other subsidiary organization or as directed by it, except that nothing in such agreement shall be deemed to require the custodian to deliver any securities in contravention of any notice of levy, seizure or similar notice, or order or judgment, issued or directed by a governmental agency or court, or officer thereof, having jurisdiction over such custodian, which on its face affects such securities; (2) such systems shall have safeguards in the handling, transfer and delivery of securities and provisions for fidelity bond coverage of the employees and agents of the clearing corporation or other subsidiary organization and for periodic examinations by independent public accountants; and (3) the provisions of this paragraph (g) shall not be effective with respect to any particular system unless the agreement required by subparagraph (1) and the safeguards and provisions required by subparagraph (2) shall have been deemed adequate by the Commission for the protection of investors, and unless any subsequent amendments to such agreement, safeguards or provisions shall have been deemed adequate by the Commission for the protection of investors.

§ 240.15c2–1 Hypothecation of customers' securities.

* * * * *

(g) The fact that securities carried for the accounts of customers and securities carried for the accounts of others are represented by one or more certificates in the custody of a clearing corporation or other subsidiary organization of either a national securities exchange or of a registered national securities association, or of a custodian bank, in accordance with a system for the central handling of securities established by a national securities exchange or a registered national securities association, pursuant to which system the hypothecation of such securities is effected by bookkeeping entries without physical delivery of such securities, shall not, in and of itself, result in a commingling of securities prohibited by paragraph (a)(1) or (a)(2) of this section, whenever a participating member, broker or dealer hypothecates securities in accordance with such system: *Provided, however,* That (1) any such custodian of any securities held by or for such system shall agree that it will not for any reason, including the assertion of any claim, right or lien of any kind, refuse or refrain from promptly delivering any such securities (other than securities then hypothecated in accordance with such system) to such clearing corporation or other subsidiary organization or as directed by it, except that nothing in such agreement shall be deemed to require the custodian to deliver any securities in contravention of any notice of levy, seizure or similar notice, or order or judgment, issued or directed by a governmental agency or court, or officer thereof, having jurisdiction over such custodian, which on its face affects such securities; (2) such systems shall have safeguards in the handling, transfer and delivery of securities and provisions for fidelity bond coverage of the employees and agents of the clearing corporation or other subsidiary organization and for periodic examinations by independent public accountants; and (3) the provisions of this paragraph (g) shall not be effective with respect to any particular system unless the agreement required by subparagraph (1) of this paragraph and the safeguards and provisions required by subparagraph (2) of this paragraph shall have been deemed adequate by the Commission for the protection of investors, and unless any subsequent amendments to such agreement, safeguards or provisions shall have been deemed adequate by the Commission for the protection of investors.

(Secs. 8(c), 15(c)(2) and 23(a); 48 Stat. 888, 895 and 901, as amended, 15 U.S.C. 78h, 78o and 78w)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

MAY 25, 1966.

[F.R. Doc. 66–5947; Filed, May 31, 1966; 8:47 a.m.]

[1] See Report of Special Study of Securities Markets, Part 1, p. 428.

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Coordination Product of Zinc Ion and Maneb; Tolerance for Residues

A petition (PP 6F0467) was filed with the Food and Drug Administration by Rohm & Haas Co., Independence Mall West, Philadelphia, Pa., 19105, requesting the establishment of a tolerance of 7 parts per million for residues in or on eggplants, peppers, pimentos, and tomatoes of a fungicide consisting of a coordination product of zinc ion and maneb containing 20 percent manganese, 2.5 percent zinc, and 77.5 percent ethylenebisdithiocarbamate (the whole product of which is calculated as zinc ethylenebisdithiocarbamate). The petitioner later withdrew the request for a tolerance in or on eggplants, peppers, and pimentos.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material, it is concluded that the tolerance established by this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), § 120.176 is amended by adding thereto a new item, as follows:

§ 120.176 Coordination product of zinc ion and maneb; tolerances for residues.

* * * * *

7 parts per million in or on tomatoes.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C 346a(d)(2))

Dated: May 26, 1966.

J. K. KIRK, *Assistant Commissioner for Operations.*

[F.R. Doc. 66–5970; Filed, May 31, 1966; 8:49 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.532]

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

PART 42—VISAS: DOCUMENTATION OF IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

Miscellaneous Amendments

Parts 41 and 42, Chapter I, Title 22 of the Code of Federal Regulations are being amended (1) to make certain editorial changes and (2) to provide for registration on quota waiting lists at consular offices abroad only of qualified immigrant visa applicants.

1. Section 41.6(e)(1) is amended to read as follows:

§ 41.6 Nonimmigrants not required to present passports, visas, or border-crossing identification cards.

* * * * *

(e) *Aliens in immediate transit.*—(1) *Aliens in bonded transit.* A visa and a passport shall not be required of an

alien, other than an alien who is a citizen of Albania, Bulgaria, Communist-controlled China ("Chinese People's Republic"), Cuba, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, North Korea ("Democratic People's Republic of Korea"), North Viet-Nam ("Democratic Republic of Viet-Nam"), Outer Mongolia ("Mongolian People's Republic"), Poland, Romania, the Soviet Zone of Germany ("German Democratic Republic"), or the Union of Soviet Socialist Republics, and resident of one of said countries, who is being transported in immediate and continuous transit through the United States in accordance with the terms of a contract, including a bonding agreement, entered into between the transportation line and the Attorney General under the provisions of section 238(d) of the Act, to insure such immediate and continuous transit through, and departure from, the United States en route to a specifically designated foreign country. The privilege of transit without visa may be authorized only under the condition that the alien will depart voluntarily from the United States, that he will not apply for adjustment of status under section 245 of the Act, and that at all times he is not aboard an aircraft which is in flight through the United States he shall be in the custody directed by the district director of the Immigration and Naturalization Service, provided that if admissibility is established only after exercise of the discretion contained in section 212(d)(3)(B) of the Act the alien shall be in the custody of the Immigration and Naturalization Service at carrier expense and shall depart on the earliest and most direct foreign-destined vessel or aircraft.

• • • • •

2. Section 42.21 is amended to read as follows:

§ 42.21 Spouses, children, and parents of U.S. citizens.

An alien shall be classifiable as an immediate relative under section 201(b) of the Act if the consular officer has received from the Immigration and Naturalization Service a petition filed in his behalf by a U.S. citizen and approved in accordance with section 204 of the Act and the consular officer is satisfied that the alien has the relationship to the U.S. citizen indicated in the petition. A U.S. citizen must be at least 21 years of age in order to confer immediate relative status upon a parent. An immediate relative shall be documented as such unless the U.S. citizen refuses to file the required petition for personal reasons other than financial considerations or inconvenience, or unless the immediate relative is also a special immigrant.

3. Paragraph (b) of § 42.30 is amended to read as follows:

§ 42.30 First preference immigrants.

• • • • •

(b) The child of an unmarried son or daughter of a U.S. citizen shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa, be entitled to derivative first preference status pursuant to section 203(a)(9) of the Act, whether or not named in the petition.

4. Paragraph (b) of § 42.31 is amended to read as follows:

§ 42.31 Second preference immigrants.

• • • • •

(b) The child of a spouse or unmarried son or daughter of a lawful permanent resident shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa, be entitled to derivative second preference status pursuant to section 203(a)(9) of the Act, whether or not named in the petition.

5. Paragraph (b) of § 42.32 is amended to read as follows:

§ 42.32 Third preference immigrants.

• • • • •

(b) The spouse or child of the beneficiary of a third preference petition shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa, be entitled to derivative third preference status pursuant to section 203(a)(9) of the Act, whether or not named in the petition.

6. Paragraph (b) of § 42.33 is amended to read as follows:

§ 42.33 Fourth preference immigrants.

• • • • •

(b) The spouse or child of a married son or daughter of a U.S. citizen shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa, be entitled to derivative fourth preference status pursuant to section 203(a)(9) of the Act, whether or not named in the petition.

7. Paragraph (b) of § 42.34 is amended to read as follows:

§ 42.34 Fifth preference immigrants.

• • • • •

(b) The spouse or child of a brother or sister of a U.S. citizen shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa, be entitled to derivative fifth preference status pursuant to section 203(a)(9) of the Act, whether or not named in the petition.

8. Paragraph (b) of § 42.35 is amended to read as follows:

§ 42.35 Sixth preference immigrants.

• • • • •

(b) The spouse or child of the beneficiary of a sixth preference petition shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa, be entitled to derivative sixth preference status pursuant to section 203(a)(9) of the Act, whether or not named in the petition.

9. Section 42.50 is amended to read as follows:

FOREIGN STATE CHARGEABILITY

§ 42.50 General rules of chargeability.

An immigrant shall be chargeable to the foreign state of his birth unless (a) he is classifiable as an immediate relative or special immigrant, or (b) his case falls within one of the exceptions to the general rule of chargeability as provided in section 202(b) of the Act.

10. Section 42.62 is amended to read as follows:

§ 42.62 Waiting lists.

(a) *Establishment of waiting lists.* Form FS-417 (Waiting List Filler) or Forms FS-499A and FS-499B (Immigrant Visa Control Card), when maintained in accordance with appropriate Departmental instructions, shall be considered to constitute "waiting lists" within the meaning of section 203(a)(8) of the Act. Such lists shall show the priority date of each qualified nonpreference applicant. The name of each family member shall be listed separately under the quota for the foreign state to which he is chargeable with appropriate cross references to members of the family who may be chargeable to other oversubscribed quotas. The provisions of section 202(b) of the Act shall be applied, if appropriate, when the turn of either spouse or of a parent is reached on the waiting list.

(b) *Listing of qualified nonpreference applicants.* No record shall be made of a nonpreference visa applicant who has indicated an intention to immigrate to a consular officer subsequent to January 31, 1966, until he has qualified as a nonpreference applicant under the provisions of section 212(a)(14). The registration priority of qualified nonpreference immigrants, shall, except as provided in paragraph (c) of this section, be determined by the chronological order in which their applications on Form FS-497 (Preliminary Questionnaire to Determine Immigrant Status) were received at the consular office, or by the date of issuance of a certification by the Department of Labor in the alien's behalf, whichever is earlier. When a Form FS-497 is received at a consular office, the date, as well as the hour and minute, whenever practicable, of the receipt of such application, shall be noted thereon. The applicant shall be informed of the requirements of section 212(a)(14) and shall be accorded 1 year from the date of receipt of the Form FS-497 by the consular office within which to establish (1) that the provisions of that section are inapplicable to him, (2) that he is within a class listed in the Department of Labor Schedule A (29 CFR 60.4), or (3) that an individual labor certification has been granted in his case. If the alien is unable to establish his eligibility under section 212(a)(14) within 1 year of the date noted on Form FS-497 he is no longer entitled to that date as a priority date. The alien may file a new Form FS-497 which would have the same time limitation. In the absence of an earlier priority date base on the filing of a Form FS-497, the alien may always be granted as a priority date the date of a labor certification approved in his behalf.

(c) *Registration priority.* No alien shall be given a priority date earlier than January 1, 1944. An alien who, before February 1, 1966, was registered as an unqualified registrant on a consular waiting list shall be requested to complete and return a Form FS-497 revised in November 1965, or later. Registrants who do not return the Form FS-497 within 60 days of the mailing of the notification to them shall be accorded no further consideration on the basis of their original registration unless they establish that their failure to return the Form FS-497 was for reasons beyond their control. Registrants who return the Form FS-497 shall be informed of the procedure to be followed in establishing eligibility under section 212(a)(14), and shall be accorded their original priority date if they meet the requirements of that section within 1 year of the notification.

(d) *Priority in order of consideration.* Consideration shall be given immigrant visa applications in the order prescribed in section 203(b) of the Act, and no immigrant within any category shall have his case considered until consideration shall have been given to other immigrants in the same category who have an earlier priority on the chronological waiting list for such category.

11. Section 42.63 is amended to read as follows:

§ 42.63 Derivative registration.

The registration of an applicant on the qualified waiting list shall be considered as automatically including any spouse he may have or may subsequently acquire and any child such applicant or his spouse may have or may subsequently acquire, regardless of whether such spouse or child was specifically named in his application for determination of qualifications. The name of any spouse or child included in the principal alien's application shall be separately registered by the consular officer under the priority date of the principal alien. The provisions of this paragraph shall not adversely affect any privileges relating to derivative registration acquired prior to July 1, 1954.

12. Section 42.64 is amended to read as follows:

§ 42.64 Listing of preference immigrants.

(a) The priority of a preference immigrant shall be determined by the date on which the approved petition granting the preference status was filed with the Immigration and Naturalization Service, including petitions filed prior to December 1, 1965. If it is necessary, because of oversubscription within a particular preference category, to maintain a chronological listing of such intending immigrants, the procedures outlined in § 42.62(a) shall be followed.

(b) The priority of registration established by the filing date of a petition approved to accord preference status under the provisions of sections 203(a)(1) through (6) of the Act shall not be canceled unless the petition according preference status is revoked by the Immigration and Naturalization Service, or, if it has expired, the Service has refused to revalidate it.

13. Sections 42.65, 42.66, 42.67, and 42.68 are rescinded.

• • • • •

Effective date. The amendments to the regulations contained in this order shall be effective upon publication in the FEDERAL REGISTER.

The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) relative to notice of proposed rule making are inapplicable to this order because the regulations contained herein involve foreign affairs functions of the United States.

Dated: May 2, 1966.

PHILIP B. HEYMANN,
Acting Administrator, Bureau of Security and Consular Affairs.

[F.R. Doc. 66-5957; Filed, May 31, 1966; 8:48 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

SUBCHAPTER C—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Miscellaneous Amendments

The following miscellaneous amendments have been made to this chapter:

In Part 200 in the Table of Contents the appropriate section headings are amended as follows:

Sec.
200.50 Authority for delegations.
200.83a Assistant Commissioner for Property Disposition; Director, Community Disposition Staff; Assistant to the Director, Community Disposition Staff; Field Director (Community Disposition) and Assistant Field Director (Community Disposition).

Subpart A—Origin and Establishment

Section 200.1 is amended to read as follows:

§ 200.1 Creation.

The Federal Housing Administration (frequently referred to herein as the FHA) was originally created by the National Housing Act, approved June 27, 1934 (48 Stat. 1246; 12 U.S.C. 1702). On November 9, 1965, by operation of the Department of Housing and Urban Development Act, approved September 9, 1965 (79 Stat. 667), the FHA was transferred to the Department of Housing and Urban Development.

Section 200.2 is amended to read as follows:

§ 200.2 Status.

The Federal Housing Administration is an organizational unit within the Department of Housing and Urban Development.

Subpart B—Functions and Programs

In § 200.32 paragraph (a) is amended to read as follows:

§ 200.32 Residential rehabilitation.

(a) To assist in the elimination of slums and urban blight and the conservation of existing properties and neighborhoods or for disaster areas, the FHA insures mortgages for financing the rehabilitation of existing salvable housing and the replacement of slums with new housing in areas for which, in other than disaster areas, urban renewal plans or urban redevelopment plans have been certified to the FHA by the Secretary of Housing and Urban Development. As a step preliminary to such certification, the Secretary must have approved and certified a workable program designed for the entire community to eliminate slums and prevent the spread of urban blight, unless the plans were approved before the enactment of the Housing Act of 1954.

• • • • •

Subpart C—Organization and Management

Section 200.40 is amended to read as follows:

§ 200.40 Commissioner.

The Federal Housing Administration is headed by a Commissioner who is an Assistant Secretary in the Department of Housing and Urban Development and who has been designated by the Secretary to serve as Assistant Secretary for Mortgage Credit. Each Assistant Secretary of the Department is appointed by the President by and with the advice and consent of the Senate.

Subpart D—Delegations of Basic Authority and Functions

Section 200.50 and the heading thereof are amended to read as follows:

§ 200.50 Authority for delegations.

(a) Section 5(a) of the Department of Housing and Urban Development Act (79 Stat. 667) transferred to and vested in the Secretary all of the functions, powers, and duties of the Federal Housing Commissioner and the Federal Housing Administration which existed prior to November 9, 1965.

(b) Section 1 of title I of the National Housing Act, the authority under which the Commissioner and the Federal Housing Administration operated prior to November 9, 1965, provides in part as follows:

• • • In order to carry out the provisions of this title and titles II, III, VI, VII, VIII, IX, and X, the Commissioner may establish such agencies, accept and utilize such voluntary and uncompensated services, utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees, and appoint such

other officers and employees as he may find necessary, and may prescribe their authorities, duties, responsibilities, * * *. The Commissioner may delegate any of the functions and powers conferred upon him under this title and titles II, III, VI, VII, VIII, IX, and X to such officers, agents and employees as he may designate or appoint * * *.

(c) Section 7(d) of the Department of Housing and Urban Development Act (79 Stat. 667) provides in part as follows:

> The Secretary may delegate any of his functions, powers, and duties to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties * * *.

(d) Interim Order II effective January 18, 1966 (31 F.R. 815) provides in part as follows: The offices or positions and organizational units in the Department shall include, in addition to those otherwise prescribed:

Office or position	*Respective organizational unit*
Federal Housing Commissioner.	Federal Housing Administration.

Each officer or employee appointed to, or designated to act in, the office or position listed immediately above, and each organizational unit so listed is hereby authorized to exercise the functions, powers, and duties vested in, or delegated or assigned to, the office or position or officer or employee or organizational unit having the same title immediately prior to the effective date of the Act, and to redelegate and authorize successive redelegations of such authority to the extent empowered under authority vested, delegated, or assigned immediately prior to the effective date of the Act. Authority delegated herein or redelegated hereunder shall be exercised in the name of the Secretary, except that authority delegated to the Federal Housing Commissioner or the Public Housing Commissioner may be exercised in the name of the Federal Housing Commissioner or the Federal Housing Administration, or the Public Housing Commissioner or the Public Housing Administration, respectively, and any actions taken under this delegation or a redelegation hereunder by or in the name of the Federal Housing Commissioner, Federal Housing Administration, the Public Housing Commissioner, or the Public Housing Administration, shall be deemed to be the action of the Secretary.

In § 200.83a the heading, paragraph (a) and the introductory text of paragraph (b) are amended to read as follows:

§ 200.83a Assistant Commissioner for Property Disposition; Director, Community Disposition Staff; Assistant to the Director, Community Disposition Staff; Field Director (Community Disposition) and Assistant Field Director (Community Disposition).

(a) To the position of Assistant Commissioner for Property Disposition and, under his general supervision, to the positions of Director, Community Disposition Staff, and Assistant to the Director, Community Disposition Staff, there is hereby delegated the authority to execute the functions, powers and duties delegated to the Assistant Secretary for Mortgage Credit and Federal Housing Commissioner under delegation of the Secretary of Housing and Urban Development effective June 5, 1966 (31 F.R. 6839).

(b) To the positions of Field Director (Community Disposition) and Assistant Field Director (Community Disposition), there are delegated the following authorities with respect to the functions referred to in paragraph (a) of this section:

* * * * * *

(Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 807, 55 Stat. 61, as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

In Part 221 in the Table of Contents the centered heading preceding § 221.543 is amended and followed by a new § 221.542a as follows:

APPLICATION OF NET INCOME

Sec.
221.542a Accounting for net income.

Subpart C—Eligibility Requirements—Moderate Income Projects

In Part 221 the centered heading preceding § 221.543 is amended and followed by a new § 221.542a as follows:

APPLICATION OF NET INCOME

§ 221.542a Accounting for net income.

All net income received by a nonprofit, builder-seller or investor-sponsor mortgagor shall be accounted for to the Commissioner and shall not be distributed without the prior approval of the Commissioner.

In § 221.543 paragraph (b) is amended to read as follows:

§ 221.543 Advance amortization.

* * * * * *

(b) The provisions of paragraph (a) of this section shall not apply to the following:

(1) Investor-sponsor, builder-seller or nonprofit mortgagor (the distribution of net income by such mortgagors is controlled by § 221.542a).

(2) Cooperative mortgagors (the use of surplus funds by such mortgagors is prescribed in § 221.534).

(3) Projects involving rehabilitation where the mortgage does not exceed $200,000.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715l)

Issued at Washington, D.C., May 25, 1966.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 66-5976; Filed, May 31, 1966; 8:49 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER F—ENROLLMENT

PART 41—PREPARATION OF ROLLS OF INDIANS

Application, Preparation and Approval of Rolls

Incident to the preparation of a membership roll of the Tlingit and Haida Indians of Alaska authorized by the Act of June 19, 1935 (49 Stat. 388), as amended by the Act of August 19, 1965 (79 Stat. 543), the following amendments are made to Title 25—Indians, Part 41:

Section 41.3 is amended by designating the first paragraph as (a) and adding a new paragraph, designated (b) for the purpose of including requirements for enrollment with the Tlingit and Haida Indians of Alaska and establishing a deadline for filing applications for enrollment. As so amended, § 41.3 reads as follows:

§ 41.3 Qualifications for enrollment and the deadline for filing applications.

(a) Qualifications which must be met to establish eligibility for enrollment and the deadline for filing enrollment applications will be included in this Part 41 by appropriate amendments to this section.

(b) Tlingit and Haida Tribes in Alaska: All persons of Tlingit or Haida Indian blood residing in the various local communities or areas in the United States or Canada on August 19, 1965, shall be eligible for enrollment provided they were legal residents of the Territory of Alaska on June 19, 1935, or prior thereto, or they are descendants of persons of Tlingit or Haida Indian blood who were legal residents of the Territory of Alaska on June 19, 1935, or prior thereto. Applications for enrollment must be postmarked no later than June 30, 1967.

Section 41.5 provides that sponsors may file an application on behalf of members of the Armed Services or other services of the U.S. Government and/or members of their immediate families stationed in Alaska, Hawaii, or elsewhere outside the Continental United States. Language specifying the class of applicants for enrollment with the Tlingit and Haida Indians of Alaska for whom sponsors may file has been added. With the addition of this language § 41.5 now reads as follows:

§ 41.5 Filing of applications.

(a) Any person who desires to be enrolled and believes he meets the requirements for enrollment specified in the regulations of this part must file or have filed in his behalf a completed application form with the Director, Superintendent, or other designated person on or before the deadline specified in § 41.3. Except as provided in paragraph (b) of this § 41.5, written application forms for minors, mentally incompetent persons or other persons in need of assistance, members of the Armed Services or other services of the U.S. Government and/or any members of their immediate families stationed in Alaska, Hawaii, or elsewhere outside the Continental United States, or a person who died after the date of the act, may be filed by the sponsor on or before the specified deadline.[1]

(b) In the preparation of a roll of Tlingit and Haida Indians of Alaska sponsors may file applications on behalf of minors, mentally incompetent persons, or other persons in need of assistance, members of the Armed Services or other services of the United States or Canadian Governments and/or any members of their immediate families stationed outside the limits of Alaska, or a person who died after the date of the act.[1]

No further changes are made in the text of Part 41.

Notice of proposed rule making would cause undue delay in the preparation of the roll and would be contrary to the public interest. Therefore, notice and public procedure imposed by section 4 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238, 5 U.S.C. 1003), are dispensed with under the exceptions provided in that section. Accordingly, the foregoing amendments shall become effective on the date of publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

MAY 25, 1966.

[F.R. Doc. 66-5942; Filed, May 31, 1966; 8:46 a.m.]

PART 42—ENROLLMENT APPEALS

Filing, Review and Determination of Enrollment Appeals

Incident to the preparation of a membership roll of the Tlingit and Haida Indians of Alaska authorized by the Act of June 19, 1935 (49 Stat. 388), as amended by the Act of August 19, 1965 (79 Stat. 543), the following amendments are made to Title 25—Indians, Part 42:

Section 42.3 provides that sponsors may file an appeal on behalf of rejected applicants who are members of the Armed Services or other services of the U.S. Government and/or any members of their immediate families stationed in Alaska or Hawaii or elsewhere outside the Continental United States. It is believed that an exception should be made for persons stationed outside of Alaska in the preparation of the roll of the Tlingit and Haida Tribes of Alaska. Therefore, language has been added specifying the class of appellants for enrollment with the Tlingit and Haida Indians of Alaska for whom appeals may be filed by a sponsor. With the addition of this language § 42.3 reads as follows:

§ 42.3 Who may appeal.

(a) Any person who has been rejected for enrollment may file or have filed in his behalf an appeal from an adverse enrollment action. The burden of proof of establishing eligibility is on the appellant. Except as provided in paragraph (b) of this § 42.3, in the case of minors, mentally incompetent persons or other persons in need of assistance, members of the Armed Services or other services of the U.S. Government and/or any members of their immediate families stationed in Alaska or Hawaii or elsewhere outside the Continental United States, or a person who died after the date of any relevant act, an appeal may be filed by a sponsor. The burden of proof of establishing eligibility is on the appellant.

(b) In the preparation of a roll of Tlingit and Haida Indians of Alaska, the sponsors may file appeals on behalf of minors, mentally incompetent persons or other persons in need of assistance, members of the Armed Services or other services of the United States or Canadian Governments and/or any members of their immediate families stationed outside the limits of Alaska, or a person who died after the date of the act.

Section 42.4 provides, as an exception to the 30-day time limitation for filing appeals, that rejected applicants residing in Alaska or Hawaii or elsewhere outside the Continental United States shall be allowed 60 days in which to file an appeal. To remove the exception where a roll is being prepared for a tribe, band, or group of Indians in Alaska, new language has been added as the second sentence of § 42.4 to provide that when a roll is being prepared for a tribe, band, or group of Indians in Alaska rejected applicants residing outside of Alaska shall have 60 days in which to file an appeal and persons residing in Alaska shall have 30 days in which to appeal from a rejected application. With the new language § 42.4 reads as follows:

§ 42.4 Filing of an appeal.

The appeal shall be in writing addressed to the Secretary and must be received by the official designated in the letter of rejection before the close of business on the 30th day after receipt of the rejection notice, except in those cases where the letter of rejection is delivered to an address in Alaska or Hawaii or elsewhere outside the Continental United States the addressee will have 60 instead of 30 days to file an appeal with the official designated in the letter of rejection. However, if the roll being prepared is for a tribe, band, or group of Indians in Alaska, in cases where the letter of rejection is delivered to an address in Alaska the addressee will have 30 days in which to appeal the rejection of the application and, where the letter of rejection is delivered to an address outside the limits of Alaska the addressee will have 60 days in which to file an appeal. In computing the 30- or 60-day period, the count begins with the day following receipt of the rejection notice and continues for 30 or 60 consecutive days. If, however, the 30th or 60th day falls on a Saturday, Sunday, or legal holiday, the period would end on the first working day thereafter.

No further amendments are made in the text of Part 42.

Notice of proposed rule making would cause undue delay in the preparation of the roll and would be contrary to the public interest. Therefore, notice and public procedure imposed by section 4 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238, 5 U.S.C. 1003), are dispensed with under the exceptions provided in that section. Accordingly, the foregoing amendments shall become effective on the date of publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

MAY 25, 1966.

[F.R. Doc. 66-5943; Filed, May 31, 1966; 8:46 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

Importation of Hair

The Office of Foreign Assets Control has interpreted the term "hair, human, Asiatic" as used in § 500.204(a)(2)(ii) as including Philippine and Indonesian human hair. The regulations are being amended to incorporate a definition to this effect in the Appendix to § 500.204.

Item (12) of the Appendix to § 500.204 is hereby amended to read as follows:

(12) *Hair in various forms.* (i) The term "human, hair, Asiatic" is defined to include hair originating in The Republic of Indonesia and in The Republic of the Philippines.

(ii) The items "hair, human, Asiatic," "fur skins," and "yak hair" include commodities processed therefrom, e.g. beards, braids, buns, chignons, eyelashes, hair pieces, mustaches, nets, netting, switches, tresses, wefts, wefted wiglets, wigs, and wiglets.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 66-5961; Filed, May 31, 1966; 8:48 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

[Rev. 5]

Chapter X—Oil Import Administration, Department of the Interior

OI REG. 1—OIL IMPORT REGULATION

In the FEDERAL REGISTER for March 30, 1966 (31 F.R. 5130), notice was given of a proposal to add a new section 25 to Oil Import Regulation 1 (Revision 4), as amended, which would provide for the making of allocations of imports into Districts I–IV and District V of crude oil and unfinished oils to persons having petrochemical plants in these districts.

Ancillary amendments to sections 4, 5, 6, 17, and paragraphs (g)(1) and (k) of section 22 and the addition of new paragraphs (n), (o), and (p) to section 22 of that regulation were also proposed. Comments were received from 29 companies, associations, or interested persons.

The proposals generally were favorably received, and this Revision 5 adopts the amendments that were proposed with two modifications. Paragraph (g)(1) of section 22 now specifically enumerates all of the hydrocarbons regarded as coming within the term "liquefied gases." The amendment to paragraph (k) of that section 22, relating to refinery inputs, has been made more specific in the interest of clarity. However, a new section 25 has not been added; as the provisions of section 9 were obsolete, that section has been revised to set forth the provisions for the making of allocations to petrochemical plants.

Since a number of amendments have been made to Oil Import Regulation 1 (Revision 4), it is desirable to incorporate these amendments in a new revision of the regulation. No changes of substance have been made in provisions of the regulation other than in those mentioned above. Accordingly, Oil Import Regulation 1 (Revision 5) supersedes Oil Import Regulation 1 (Revision 4) and all outstanding amendments of Revision 4. Because allocations of imports of crude oil and unfinished oil must be made and licenses issued to persons having petrochemical plants, Oil Import Regulation 1 (Revision 5) shall become effective immediately.

Sec.
1 Purpose.
2 Oil Import Administration.
3 Allocation periods.
4 Eligibility for allocations.
5 Applications for allocations and licenses.
6 Records and inspections.
7 Licenses.
8 Small quantities.
9 Allocations—crude and unfinished oils—petrochemical plants—Districts I–IV, District V
10 Allocations—crude and unfinished oils—refiners—Districts I–IV.
11 Allocations—crude and unfinished oils—refiners—District V.
12 Eligibility for and allocations of residual fuel oil to be used as fuel—District I.
13 Allocations of finished products—Districts I–IV, Districts II–IV, District V.
14 Determination of maximum level of imports—Puerto Rico.
15 Allocations of crude oil and unfinished oils—Puerto Rico.
16 Allocations of finished products—Puerto Rico.
17 Use of imported crude oil and unfinished oils.
18 Reports.
19 False statements.
20 Revocation or suspension of allocations or licenses.
21 Appeals.
22 Definitions.

AUTHORITY: Secs. 1 to 22 issued under Proclamation 3279, as amended, 24 F.R. 1781, 3527, 10133; 25 F.R. 13945; 26 F.R. 507, 811; 27 F.R. 9683, 11985; 28 F.R. 4077, 5931; 30 F.R. 15459; sec. 232, 76 Stat. 877.

Section 1. Purpose.

These regulations implement Presidential Proclamation 3279, "Adjusting Imports of Petroleum and Petroleum Products into the United States," dated March 10, 1959, as amended, by providing for the discharge of the responsibilities imposed upon the Secretary of the Interior.

Sec. 2 Oil Import Administration.

There is in the Department of the Interior an Oil Import Administration under the direction of an Administrator designated by the Secretary of the Interior. The Administrator is hereby empowered to exercise, pursuant to this regulation, all of the authority conferred upon the Secretary by Proclamation 3279, as amended, and the Administrator may redelegate such authority.

Sec. 3 Allocation periods.

(a) With respect to Districts I–IV and District V, allocations of imports of crude oil, unfinished oils, and finished products (other than residual fuel oil to be used as fuel) will be made for periods of 12 months beginning January 1. Allocations of imports into Districts II–IV of residual fuel oil to be used as fuel will be made for periods of 12 months beginning April 1, and allocations of such imports into District V will be made for periods of 12 months beginning January 1.

(b) Allocations of imports of finished products into Puerto Rico will be made for periods of 12 months beginning January 1.

(c) Allocations of imports of crude oil and unfinished oils into Puerto Rico (except allocations made pursuant to paragraph (c) of section 15) will be made for periods of 12 months beginning April 1.

Sec. 4 Eligibility for allocations.

(a) To be eligible for an allocation of imports into Districts I–IV or into District V of crude oil and unfinished oils, a person must (1) have either refinery capacity or a petrochemical plant in the respective districts and (2) have had refinery inputs or petrochemical plant inputs in the respective districts for the year ending 3 months prior to the beginning of the allocation period for which the allocation is requested.

(b) To be eligible for an allocation of imports into Puerto Rico of crude oil and unfinished oils, a person must have had refinery capacity in Puerto Rico during the calendar year 1964. Allocations may also be made pursuant to paragraph (c) of section 15.

(c) To be eligible for an allocation of imports into Districts I–IV or into District V of finished products, other than residual fuel oil to be used as fuel, a person must have imported such products into the respective districts during the calendar year 1957.

(d) To be eligible for an allocation of imports into Districts II–IV or into District V of residual fuel oil to be used as fuel, a person must have imported residual fuel oil used as fuel into the respective districts during the calendar year 1957.

(e) To be eligible for an allocation of imports into Puerto Rico of finished products, other than residual fuel oil to be used as fuel, a person must have imported such products into Puerto Rico during the last half of the calendar year 1958.

(f) To be eligible for an allocation of imports into Puerto Rico of residual fuel oil to be used as fuel, a person must have imported residual fuel oil used as fuel into Puerto Rico during the last half of the calendar year 1958.

(g) A person is not eligible individually for an allocation of imports of crude oil and unfinished oils or finished products if the person is a subsidiary or affiliate owned or controlled, by reason of stock ownership or otherwise, by any other individual, corporation, firm, or other business organization or legal entity. The controlling person and the subsidiary or affiliate owned or controlled will be regarded as one. Allocations will be made to the controlling person on behalf of itself and its subsidiary or affiliate but, upon request, licenses will be issued to the subsidiary or affiliate.

Sec. 5 Applications for allocations and licenses.

(a) Except as provided in paragraph (b) of this section, an application for allocation of imports of crude oil, unfinished oils, or finished products and for a license or licenses must be filed with the Administrator, in such form as he may prescribe, not later than 60 calendar days prior to the beginning of the allocation period for which the allocation is required. However, if the 60th day is a Saturday, Sunday, or holiday, the application may be filed on the next succeeding business day. Allocation periods are provided for in section 3 of this regulation.

(b) Applications for allocations of imports of crude oil and unfinished oils to persons having petrochemical plants for the allocation period January 1, 1966, through December 31, 1966, must be filed with the Administrator, in such form as he may prescribe on or before June 15, 1966, unless the time is extended by the Administrator. Paragraph (a) of this section does not apply to an application for an allocation pursuant to paragraph (c) of section 15 or to an application for imports into District I of residual fuel oil to be used as fuel.

Sec. 6 Records and inspections.

All persons receiving allocations pursuant to these regulations shall maintain complete records of imports, refinery inputs, petrochemical plant inputs and the outputs of such plants. These records shall be maintained on a current basis so that they will be available for inspection by a representative of the Oil Import Administration. All records required to be maintained pursuant to this section shall be retained for a period of three (3) years. In connection with the performance of the Oil Import Administration's responsibility for assuring full compliance with these regulations and Proclamation 3279, as amended, the person shall permit representatives of the Oil Import Administration to enter upon his office, property, plants and facilities to examine such records and, if deemed necessary in order to verify such records, to inspect the refinery, petrochemical plant, or terminal and all operations being performed within the facilities which include, but are not necessarily limited to refining, receiving, shipping, testing, and storage. If requested by the Oil Import Administration representatives, the person shall be required to assign an employee to accompany the representatives of the Oil Import Administration in all inspections, record evaluations, and verification operations. The Oil Import Administration representatives shall not be required to sign any releases prior to entering upon a person's property or installation.

Sec. 7 Licenses.

(a) When an allocation has been made to a person under this regulation, the Administrator shall issue a license or licenses based on the allocation, specifying the amount of crude oil and unfinished oils or finished products which may be imported, the period of time such license shall be in effect, and the districts (District I, Districts I–IV, Districts II–IV, District V or Puerto Rico) into which the importation may be made. The Administrator may amend such licenses.

(b) No license issued pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 8 Small quantities.

(a) Collectors of Customs are authorized to permit without a license baggage entries, and entries for consumption of small quantities of crude oil, unfinished oils, or finished products which are certified as samples for testing or analysis and which do not exceed 110 gallons per entry.

(b) Persons desiring to import small quantities not covered by paragraph (a) of this section shall file with the Administrator a written request for an authorization for entry without a license for each shipment describing the oil and quantity to be imported and listing the port of entry.

Sec. 9 Allocations—crude and unfinished oils—petrochemical plants—Districts I–IV, District V.

(a) For the allocation period January 1, 1966, through December 31, 1966, the quantity of imports of crude oil and unfinished oils available for allocation in Districts I–IV was 722,916 B/D. Of this quantity 30,000 B/D were set aside and are now made available for allocation in accordance with this paragraph (a) to persons having petrochemical plants in these districts. Each person with a petrochemical plant in Districts I–IV shall receive an allocation of crude oil and unfinished oils which equals the quantity of petrochemical plant inputs, in barrels at 60° Fahrenheit, which he charged to his petrochemical plant or plants in those districts during the year ending September 30, 1965, multiplied by the percentage ratio that imports of crude oil and unfinished oils, subject to allocation, into these districts bore to refinery inputs and petrochemical plant inputs in these districts during the year ending September 30, 1965. However, the Administrator may adjust this percentage upward or downward as necessary in order to allocate 30,000 B/D ratably among those eligible applicants filing timely applications.

(b) For the allocation period January 1, 1966, through December 31, 1966, the quantity of imports of crude oil and unfinished oils available for allocation in District V was 229,321 B/D. Of this quantity 2,000 B/D were set aside and are now made available for allocation in accordance with this paragraph (b) to persons having petrochemical plants in this district. Each person with a petrochemical plant in District V shall receive an allocation of crude oil and unfinished oils which equals the quantity of petrochemical plant inputs, in barrels at 60° Fahrenheit, which he charged to his petrochemical plant or plants in that district during the year ending September 30, 1965, multiplied by the percentage ratio that imports of crude oil and unfinished oils, subject to allocation, into this district bore to refinery inputs and petrochemical plant inputs in this district during the year ending September 30, 1965. However, the Administrator may adjust this percentage upward or downward as necessary in order to allocate 2,000 B/D ratably among those eligible applicants filing timely applications.

(c) No allocation made pursuant to paragraphs (a) and (b) of this section shall entitle a person to a license which will allow the importation of unfinished oils in excess of 10 percent of the allocation. However, a person obtaining an allocation for crude oil or unfinished oils pursuant to this section may petition the Administrator to adjust this percentage of imports of unfinished oils upward to 100 percent of such person's allocation if the petitioner certifies that the imported unfinished oils will not be exchanged, that the oils will be processed entirely in the petitioner's own petrochemical plant, and that more than 50 percent of the yields (by weight) from the unfinished oils will be petrochemicals.

(d) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 10 Allocations—crude and unfinished oils—refiners—Districts I–IV.

(a) For the allocation period January 1, 1966, through December 31, 1966, the quantity of imports of crude oil and unfinished oils available for allocation in Districts I–IV is 722,916 B/D. Of this quantity 30,000 B/D were set aside and are now made available for allocation in accordance with section 9 to persons having petrochemical plants in these districts, and approximately 3,000 B/D are reserved from allocation by the Administrator and made available to the Oil Import Appeals Board. The balance of imports shall be allocated by the Administrator among eligible applicants as provided in paragraphs (b) and (c) of this section.

(b) Except as provided in paragraph (c) of this section, such eligible applicant shall receive an allocation based on refinery inputs for the year ending September 30, 1965, and computed according to the following schedule:

Average B/D input	*Percent of input*
0–10,000	18.0
10–30,000	11.4
30–100,000	8.9
100,000 plus	5.26

(c)(1) Except as provided in subparagraph (2) of this paragraph, if an eligible applicant imported crude oil pursuant to an allocation under the Voluntary Oil Import Program and if an allocation computed under paragraph (b) of this section would be less than 54.0 percent of the applicant's last allocation of imports of crude oil under the Voluntary Oil Import Program, the applicant shall, nevertheless, receive an allocation under this section equal to 54.0 percent of his last allocation of imports of crude oil under the Voluntary Oil Import Program.

(2) If an applicant imported crude oil pursuant to an allocation under the Voluntary Oil Import Program which reflected imports of crude oil that would now be exempt from restrictions pursuant to clause (4) of paragraph (a) of section 1 of Proclamation 3279, as amended, and if an allocation computed under paragraph (b) of this section would be less than 42.25 percent of the applicant's last allocation of imports of crude oil under the Voluntary Oil Import Program, the applicant shall, nevertheless, receive an allocation under this section equal to 42.25 percent of his last allocation of imports of crude oil under the Voluntary Oil Import Program.

(d) No allocation made pursuant to paragraphs (b) and (c) of this section shall entitle a person to a license which will allow the importation of unfinished oils in excess of 10 percent of the allocation.

(e) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 11 Allocations—crude and unfinished oils—refiners—District V.

(a) For the allocation period January 1, 1966, through December 31, 1966, the quantity of imports of crude oil and unfinished oils available for allocation in District V is 229,321 B/D. Of this quantity 2,000 B/D were set aside and are now made available for allocation in accordance with section 9 to persons having petrochemical plants in this district, and approximately 1,000 B/D are reserved from allocation by the Administrator and made available to the Oil Import Appeals Board. The balance of imports shall be allocated by the Administrator among eligible applicants as provided in paragraphs (b) and (c) of this section.

(b) Except as provided in paragraph (c) of this section, each eligible applicant shall receive an allocation based on refinery inputs for the year ending Sep-

tember 30, 1965, and computed according to the following schedule:

Average B/D input	Percent of input
0–10,000	48.5
10–30,000	22.0
30–100,000	11.9
100,000 plus	7.3

(c) (1) Except as provided in subparagraph (2) of this paragraph, if an eligible applicant imported crude oil pursuant to an allocation under the Voluntary Oil Import Program and if an allocation computed under paragraph (b) of this section would be less than 46.0 percent of the applicant's last allocation of imports of crude oil under the Voluntary Oil Import Program, the applicant shall, nevertheless, receive an allocation under this section equal to 46.0 percent of his last allocation of imports of crude oil under the Voluntary Oil Import Program.

(2) If an applicant imported crude oil pursuant to an allocation under the Voluntary Oil Import Program which reflected imports of crude oil that would now be exempt from restrictions pursuant to clause (4) of paragraph (a) of section 1 of Proclamation 3279, as amended, and if an allocation computed under paragraph (b) of this section would be less than 38.5 percent of the applicant's last allocation of imports of crude oil under the Voluntary Oil Import Program, the applicant shall, nevertheless, receive an allocation under this section equal to 38.5 percent of his last allocation of imports of crude oil under the Voluntary Oil Import Program.

(d) No allocation made pursuant to this section shall entitle a person to a license which allow the importation of unfinished oils in excess of 10 percent of the allocation.

(e) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 12 Eligibility for and allocations of residual fuel oil to be used as fuel—District I.

(a) To be eligible for an allocation of imports into District I of residual fuel oil to be used as fuel a person must:

(1) Have imported residual fuel oil to be used as fuel into District I during the calendar year 1957; or

(2) Be in the business in District I of selling residual fuel oil to be used as fuel and have under his management and operational control a deep-water terminal located in District I into which there has been delivered residual fuel oil to be used as fuel which he owned at the time of delivery, such delivery being the first delivery of that oil into a deep-water terminal in District I; or

(3) Be in the business in District I of selling residual fuel oil to be used as fuel and have a throughput agreement (warehouse agreement) with a deepwater terminal operator under which agreement the person has delivered to the terminal residual fuel oil to be used as fuel which he owned when it was so delivered, such delivery being the first delivery of that oil into a deepwater terminal in District I.

(b) Subject to adjustments upward by the Secretary, the maximum level of imports of residual fuel oil to be used as fuel into District I for the allocation period April 1, 1966, through March 31, 1967, shall be 372,000 B/D. Of this amount the Administrator shall allocate 8,725 B/D in accordance with the decisions of the Oil Import Appeals Board, 5,480 B/D to the Department of Defense, 5,480 B/D to the General Services Administration, and 352,315 B/D pursuant to paragraph (c) of this section.

(c) (1) Except as provided in subparagraph (2) of this paragraph and unless an allocation under subparagraph (2) of this paragraph would be larger, each eligible applicant in District I who had terminal inputs as specified in paragraph (d) of section 12 of Oil Import Regulation 1 (Rev. 4), Amendment 1, shall receive an allocation of imports of residual fuel oil to be used as fuel into District I based upon the applicant's terminal inputs in that district for the year ending December 31, 1965, and computed according to the following schedule:

Average B/D input	Percent of input
0–5,000	35.0
5,000 plus	15.0

(2) An eligible applicant who imported residual fuel oil to be used as fuel into District I during the calendar year 1957 shall be entitled to an allocation of imports of residual fuel oil to be used as fuel into District I in an amount which equals the quantity of such imports by the applicant into that district during the calendar year 1957 multiplied by 0.75.

(d) In addition to allocations provided for in paragraphs (b) and (c) of this section for the allocation period April 1, 1966 through March 31, 1967, within the maximum level as periodically adjusted upward by the Secretary:

(1) The Administrator shall make allocations for that allocation period to each eligible applicant in District I of such quantities of imports of residual fuel oil to be used as fuel as the applicant certifies are required by the applicant to meet his obligations under firm existing contracts between the applicant and customers in District I less the quantity received by such applicant under an allocation made pursuant to paragraph (b) or (c) of this section. The Administrator shall issue licenses under such allocations to such applicant in such amounts as the applicant certifies have been delivered to customers during the allocation period under such contracts; and

(2) The Administrator shall make allocations for that allocation period and simultaneously issue licenses to each eligible applicant in District I of imports of residual fuel oil to be used as fuel in quantities equal to the quantities of such product which the applicant certifies that he has sold and delivered to customers in District I, exclusive of quantities which the applicant has delivered under contracts and which constitute the basis for the issuance of licenses pursuant to subparagraph (1) of this paragraph.

(e) The Administrator shall formulate procedures for making allocations and issuing licenses pursuant to paragraph (d) of this section.

NOTE: The Administrator has issued Residual Fuel Oil Import Instructions—District I, dated April 14, 1966 (31 F.R. 5960).

(f) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 13 Allocations of finished products—District I–IV, Districts II–IV, District V.

(a) The quantity of imports of finished products other than residual fuel oil to be used as fuel determined to be available for allocation in Districts I–IV and in District V, and the quantity of imports of residual fuel oil to be used as fuel available for allocation in Districts II–IV and in District V for any particular allocation period, shall be allocated by the Administrator to each eligible applicant in the proportion that the applicant's imports of such products in the respective districts during the calendar year 1957 bore to the imports of such products during that year by all eligible applicants. Separate allocations shall be made for imports of residual fuel oil to be used as fuel and for imports of finished products other than residual fuel oil to be used as fuel.

(b) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 14 Determination of maximum level of imports—Puerto Rico.

Pursuant to paragraph (c) of section 2 of Proclamation 3279, as amended, the Secretary will, for each allocation period, establish a maximum level of imports of crude oil and unfinished oils into Puerto Rico. For each allocation period, the average barrels per day of imports of residual fuel oil to be used as fuel and of imports of finished products other than residual fuel oil to be used as fuel into Puerto Rico shall not exceed the average barrels per day of imports of such products, respectively, into Puerto Rico during the last half of the calendar year 1958. The Secretary may adjust such level to meet a demand in Puerto Rico for finished products that would not otherwise be met.

Sec. 15 Allocations of crude oil and unfinished oils—Puerto Rico.

(a) For each allocation period, the Administrator shall recommend to the Secretary an allocation of imports of crude oil and unfinished oils for each applicant having refinery capacity in Puerto Rico during the calendar year 1964 based upon estimates of the requirements of such applicant for the allocation period. Allocations will be made by the Secretary upon consideration of the Administrator's recommendations.

(b) If, during the calendar year 1966, a person who received an allocation under paragraph (a) of this section for the allocation period April 1, 1966, through March 31, 1967, ships to Districts I–IV unfinished oils or finished products (other than residual fuel oil to be used as fuel) or sell unfinished oils or finished products (other than residual fuel oil to be used as fuel) which were shipped to Districts I–IV in excess of the volume of unfinished oils or finished products (other than residual fuel oil to be used as fuel) which he so shipped or which he sold and were so shipped during the calendar year 1965, the person's allocation for the allocation period April 1, 1967, through March 31, 1968, shall be reduced by the amount of the excess. Thereafter, each succeeding allocation made to such a person shall be reduced by the amount by which shipments (as described above in this paragraph) made by or attributable to such person during the calendar year immediately preceding the beginning of the allocation period exceeds shipments made by or attributable to such person during the calendar year 1965.

(c) (1) In instances in which the Secretary determines that accomplishment of the objectives of Proclamation 3279, as amended, will not be impaired, allocations of imports of crude oil and unfinished oils may be granted to persons as feedstocks for facilities which in the Secretary's judgment will promote substantial expansion of employment in Puerto Rico through industrial development.

(2) A person seeking such an allocation should file an application with the Administrator. The application should disclose in detail the nature of the facility which the applicant proposes to construct, the proposed location of the facility, the capacity of such facility, the feedstocks to be charged to the facility, the products to be produced and the anticipated destinations of such products, the capital outlay involved, and the manner in which construction of the facility would promote substantial expansion of employment in Puerto Rico through industrial development.

(3) Each such allocation shall be subject to the following conditions and restrictions:

(i) That the profits from the operation of the facility during a minimum period of 10 years be invested in Puerto Rico in ways which will tend to promote substantial expansion of employment;

(ii) That all operations of the facility be conducted in accordance with sound business principles in order to provide maximum funds for investment in Puerto Rico;

(iii) That the Secretary or his authorized representative be given access upon request to all records of transactions pertaining to the operations of the facility, including the purchase of feedstocks for, and the sale and shipment of finished products, unfinished oils, and petrochemicals products by, the facility;

(iv) That all feedstocks imported under licenses issued pursuant to the allocation shall be derived from crude oil produced in the Western Hemisphere (North America, Central America, South America, and the West Indies), except in those instances in which this requirement is waived by the Secretary;

(v) That no licenses will be issued under the allocation until the facility is ready to go on stream and thereafter only upon a certification of amounts to be directly used by the facility;

(vi) That all imports made under such licenses be directly used by the facility; and

(vii) That imports in storage be taken into account by the Administrator in issuing licenses under the allocation for the succeeding allocation period.

An allocation shall, in addition, be subject to such other conditions and restrictions as the Secretary may deem necessary to prevent impairment of the objectives of Proclamation 3279, as amended, and to assure that any imports so allocated are used for the purposes for which the allocation is made and that the holder of such allocation fulfills commitments made in connection with the making of the allocation. The holder of such an allocation shall comply with all such conditions and restrictions, and noncompliance shall be grounds for the suspension or revocation of the allocation.

(d) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 16 Allocations of finished products—Puerto Rico.

(a) For the allocation period beginning January 1, the Administrator shall allocate to each eligible applicant for an allocation for Puerto Rico a quantity of imports of finished products equal to the applicant's average barrels daily of imports of such products for the last half of the calendar year 1958 multiplied by the number of days in the allocation period. Separate allocation shall be made for imports of residual fuel oil to be used as fuel and of imports of finished products other than residual fuel oil to be used as fuel.

(b) In the event that the maximum level of imports of residual fuel oil to be used as fuel or of other finished products is increased to meet a demand in Puerto Rico that would not otherwise be met, the Administrator shall increase the individual allocation of the person who has the demand.

(c) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 17 Use of imported crude oil and unfinished oils.

(a) Except as provided in paragraph (b) of this section, each person who imports crude oil or unfinished oils under a license issued pursuant to an allocation made (1) under sections 10, 11, or 15 of this regulation must process the oils so imported in his own refinery or (2) under section 9 of this regulation must process the oils so imported in his own petrochemical plant.

(b) (1) Subject to the provisions of this paragraph (b), a person who imports crude oil or unfinished oils under an allocation made under sections 9, 10, or 11 or paragraph (a) of section 15 of this regulation may exchange his imported crude oil either for domestic crude oil or for domestic unfinished oils or exchange his imported unfinished oils either for domestic unfinished oils or for domestic crude oil. However, a person receiving an allocation under section 9 may be restricted in the exchange of imported unfinished oils, as provided in paragraph (c) of that section.

(2) A proposed agreement for each such exchange must be reported to the Administrator before any action involved in the exchange is taken.

(3) Each such exchange must be effected on a ratio of not less than one barrel of domestic oil for each barrel of imported oil unless a different exchange ratio is approved by the Administrator.

(4) In any such exchange, the person who is exchanging oil imported pursuant to an allocation under sections 10, 11, or 15 for domestic oil must take delivery of the domestic oil and process it in his own refinery not later than 120 days after the day on which the imported oil is delivered to the other party to the exchange. Also, a person who is exchanging oil imported pursuant to an allocation under section 9 for domestic oil must take delivery of the domestic oil and process it in his own petrochemical plant not later than 120 days after the day on which the imported oil is delivered to the other party to the exchange.

(5) Each such exchange must be on an oil-for-oil basis, and no exchange involving adjustments, settlements, or accounting on a monetary basis is permissible.

(6) Any such exchange must not be otherwise unlawful.

Sec. 18 Reports.

(a) Each person who imports crude oil, unfinished oils, or finished products under a license issued under this regulation shall report to the Administrator the quantities in barrels corrected to 60° Fahrenheit of crude oil, unfinished oils, and finished products so imported. Each report shall state through which port of entry the importation was made and shall specify the kinds of unfinished oils and finished products imported. Each report shall be filed with the Administrator within fifteen (15) days of the end of a particular month.

(b) Each person who exchanges oil pursuant to section 17 of this regulation shall report the exchange to the Administrator on such forms as he shall prescribe. In addition, any changes occurring during an allocation period in the types of oils or the exchange ratio shall be reported.

Sec. 19 False statements.

Persons concealing material facts or making false statements in or in connection with any applications or reports filed with the Administrator or in connection with any license presented to or statements made to a Collector of Customs with respect to imports of crude oil, unfinished oils, or finished products, are guilty of a crime and upon conviction may be punished by fine or imprisonment or both.

Sec. 20 Revocation or suspension of allocations or licenses.

The Administrator may, after a hearing, revoke or suspend any allocation or license issued under this regulation, on grounds relating to the national security, or the violation of the terms of Proclamation 3279, this regulation, or licenses issued pursuant thereto.

Sec. 21 Appeals.

(a) There is in the Department of the Interior, an Oil Import Appeals Board, comprised of a representative each from the Departments of the Interior, Defense, and Commerce, designated, respectively, by the Secretaries of such Departments. The Board shall elect a Chairman from its own membership.

(b) The Appeals Board shall consider petitions by persons affected by this regulation and may, within the limits of the maximum levels of imports established in section 2 of Proclamation 3279, as amended:

(1) Modify any allocation made to any person under this regulation on the grounds of exceptional hardship or error;

(2) Grant allocations of crude oil and unfinished oils in special circumstances to persons with importing histories who do not qualify for the allocations under this regulation;

(3) Grant allocations of finished products on the grounds of exceptional hardship to persons who do not qualify for allocations under this regulation; and

(4) Review the revocation or suspension of any allocation or license.

(c) (1) Except as provided in subparagraphs (2) and (3) of this paragraph, the modification or grant of an allocation by the Appeals Board shall become effective in the allocation period, as provided in section 3 of this regulation, which succeeds the allocation period during which the Board's decision is made and no decision of the Appeals Board shall become effective unless it is made and the Administrator is notified more than 30 calendar days before the beginning of an allocation period.

(2) An allocation granted pursuant to subparagraph (2) or (3) of paragraph (b) of this section to a person who has become ineligible because of total loss of refinery capacity, petrochemical plant, or deepwater terminal facilities may be made effective within the allocation period during which the Appeals Board's decision is made.

(3) The Board may make effective in a current allocation period a grant or a modification of an allocation of imports when a quantity of such imports has been made available for such purpose by the Secretary.

(d) The Appeals Board may take such action on petitions as it deems appropriate; and it may adopt, promulgate, and publish such rules and procedures as it deems appropriate for the conduct of its business. The decisions of the Appeals Board on petitions shall be final.

Sec. 22 Definitions.

As used in this regulation:

(a) "Person" includes an individual, a corporation, firm or other business organization or legal entity, and an agency of a State, territorial, or local government, but does not include a department, establishment, or agency of the United States;

(b) "District I" comprises the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Georgia, and Florida, and the District of Columbia;

(c) "Districts II–IV" means all of the States of the United States except those States within District I and District V;

(d) "Districts I–IV" means the District of Columbia and all of the States of the United States except those States within District V;

(e) "District V" means the States of Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii;

(f) "Crude oil" means crude petroleum as it is produced at the wellhead and liquids (under atmospheric conditions) that have been recovered from mixtures of hydrocarbons which existed in a vaporous phase in a reservoir and that are not natural gas products;

(g) "Finished products" means any one or more of the following petroleum oils, or a mixture or combination of such oils, which are to be used without further processing except blending by mechanical means:

(1) Liquefied gases—ethane, propane, butanes, ethylene, propylene, and butylenes (but not methane) which are recovered from natural gas or produced in the refining of petroleum and which, to be maintained in a liquid state at ambient temperatures, must be kept under greater than atmospheric pressures;

(2) Gasoline—a refined petroleum distillate which, by its composition, is suitable for use as a carburant in internal combustion engines;

(3) Jet fuel—a refined petroleum distillate used to fuel jet propulsion engines;

(4) Naphtha—a refined petroleum distillate falling within a distillation range overlapping the higher gasoline and the lower kerosenes;

(5) Fuel oil—a liquid or liquefiable petroleum product burned for lighting or for the generation of heat or power and derived directly or indirectly from crude oil, such as kerosene, range oil, distillate fuel oils, gas oil, diesel fuel, topped crude oil, residues;

(6) Lubricating oil—a refined petroleum distillate or specially treated petroleum residue used to lessen friction between surfaces;

(7) Residual fuel oil—a topped crude oil or viscous residuum which, as obtained in refining or after blending with other fuel oil, meets or is the equivalent of Military Specification MIL–F–859 for Navy Special Fuel Oil and any other more viscous fuel oil, such as No. 5 or Bunker C;

(8) Asphalt—a solid or semi-solid cementitious material which gradually liquefies when heated, in which the predominating constituents are bitumins, and which is obtained in refining crude oil;

(9) Natural gas products—means liquids (under atmospheric conditions), including natural gasoline, which are recovered by a process of absorption, adsorption, compression, refrigeration, cycling, or a combination of such processes, from mixtures of hydrocarbons that existed in a vaporous phase in a reservoir and which, when recovered and without processing in a refinery, otherwise fall within any of the definitions of products contained in subparagraphs (2) through (5), inclusive, of this paragraph (g);

(h) "Unfinished oils" means one or more of the petroleum oils listed in paragraph (g) of this section, or a mixture or combination of such oils which are to be further processed other than by blending by mechanical means;

(i) "Administrator" means Administrator, Oil Import Administration, Department of the Interior, or his duly authorized representative;

(j) The words "importation," "importing," "import," "imports," and "imported" include both entry for consumption and withdrawal from warehouse for consumption;

(k) "Refinery inputs" means refinery feedstocks,

(1) And include only—

(i) Crude oil,

(ii) Imported unfinished oils and,

(iii) Ethane, propane and butanes which are recovered from natural gas and which are converted into other finished products or unfinished oils;

(2) But do not include for the purpose of computing allocations under section 10 or section 11 of this regulation, any crude oil or unfinished oils which are imported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced, which country, in the case of unfinished oils, is also the country of production of the crude oil from which the unfinished oils were processed or manufactured.

(l) "Refinery capacity" means a plant which (1) consists of stills, refining units and equipment for separating or converting hydrocarbons, and storage tanks, pipelines and pumps; (2) processes crude oil or further processes unfinished oils through the stills or units; and (3) manufactures two or more separate and distinct finished products, unfinished oils, or at least one finished product and one unfinished oil for a total yield equal to not less than 30 percent of the total refinery inputs;

(m) "Deepwater terminal" means a permanent land installation which (1) consists of bulk storage tanks having not less than 100,000 barrels of operational capacity, pumps, and pipelines used for the storage, transfer and handling of residual fuel oil; (2) is adjacent to waterways that permit the safe passage to the installation of a tanker rated 15,000 cargo deadweight tons; and (3) has a berth that will permit the delivery of residual fuel oil to be used as fuel into the installation by direct connection from a tanker rated at 15,000 cargo deadweight tons, drawing not less than 25 feet of water, and moored in the berth. Cargo deadweight tons represent the carrying capacity of a tanker, in tons of 2,240 pounds, less the weight of fuel, water, stores, and other items necessary for use on a voyage;

(n) "Petrochemical plant" means a facility or a unit or group of units within a facility to which petrochemical plant inputs are charged and in which more than 50 percent (by weight) of such inputs are converted by chemical reactions into petrochemicals;

(o) "Petrochemical plant inputs" means unfinished oils other than (1) unfinished oils which are imported into the United States by pipeline, rail, or other means of overland transportation from the country where they are produced, which country is also the country of production of the crude oil from which the unfinished oils were processed or manufactured; and (2) unfinished oils produced in a petrochemical plant as a byproduct in the manufacture of petrochemicals and subsequently recharged to the same petrochemical plant in which they were produced;

(p) "Petrochemicals" means organic compounds or chemical elements other than unfinished oils or finished products, produced from petrochemical plant inputs by chemical reaction.

STEWART L. UDALL,
Secretary of the Interior.

MAY 25, 1966.

[F.R. Doc. 66-5952; Filed, May 31, 1966; 8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 208—FLOOD CONTROL REGULATIONS

Sanford Dam and Lake Meredith, Canadian River, Tex.; Cheney Dam and Reservoir, North Fork of Ninnescah River, Kans.

1. Pursuant to the provisions of section 7 of the Act of Congress, approved December 22, 1944 (58 Stat. 890; 33 U.S.C. 709), the following regulations are hereby prescribed to govern the use of flood control storage above elevation 2941.3 in Lake Meredith on the Canadian River, Tex., and operation of the Sanford Dam for flood control purposes.

§ 208.32 Sanford Dam and Lake Meredith, Canadian River, Tex.

The Bureau of Reclamation, or its designated agent, shall operate the Sanford Dam and Lake Meredith in the interest of flood control as follows:

(a) Flood control storage in the reservoir, Lake Meredith, between elevation 2941.3 (top of conservation pool) and elevation 2965.0 (top of flood control pool) initially amounts to 462,100 acre-feet. Whenever the reservoir level is within this elevation range, the flood control discharge facilities shall be operated under the direction of the District Engineer, Corps of Engineers, Department of the Army, in charge of the locality, so as to reduce as much as practicable the flood damage below the reservoir. All flood control releases shall be made in amounts which, when combined with local inflow below the dam, will not produce flows in excess of bankful on the Canadian River downstream of the reservoir. In order to accomplish this purpose, flows shall not exceed 25,000 c.f.s. at the Sanford Dam site or an 8.0-foot stage (75,000 c.f.s.) on the U.S.G.S. gage on the Canadian River near Canadian, Tex., river mile 433.9.

(b) When the reservoir level exceeds elevation 2965.0 (top of flood control pool) releases shall be made at the maximum rate possible through the flood control outlet works, the river outlet works and the uncontrolled spillway and continue until the pool level recedes to elevation 2965.0 when releases will be made to equal inflow or the maximum release permissible under paragraph (a) of this section, whichever is greater.

(c) The representative of the Bureau of Reclamation, or its designated agent in immediate charge of operation of the Sanford Dam will furnish daily to the District Engineer, Corps of Engineers, Department of the Army, in charge of the locality, a report, on forms provided by the District Engineer for this purpose showing the pool elevation; the number of flood control outlet works gates in operation with their respective openings and releases; the uncontrolled spillway release; and the municipal outlet works release; storage; tailwater elevation; reservoir inflow; available evaporation data; and precipitation in inches. Normally a reading at 8 a.m., noon, 4 p.m., and midnight, shall be shown for each day. Readings of all items except evaporation shall be shown for at least four observations a day when the reservoir level is at or above elevation 2941.3. Whenever the reservoir level rises to elevation 2941.3 and releases for flood regulation are necessary or appear imminent, the representative of the Bureau of Reclamation, or its designated agent, shall report at once to the District Engineer by telephone or telegraph and, unless otherwise instructed, will report once daily thereafter in that manner until the reservoir level recedes to elevation 2941.3. These latter reports shall reach the District Engineer by 9 a.m. each day.

(d) The regulations of this section, insofar as they govern use of the flood control storage capacity above elevation 2941.3, are subject to temporary modification in time of flood by the District Engineer if found desirable on the basis of conditions at the time. Such desired modifications shall be communicated to the representative of the Bureau of Reclamation and its designated agent in immediate charge of operation of the Sanford Dam by the best available means of communication, and shall be confirmed in writing under date of the same day to the Regional Director in charge of the locality, and his designated agent, with a copy to the representative in charge of the Sanford Dam.

(e) Flood control operation shall not restrict pumping necessary for municipal and industrial uses and releases necessary for downstream users.

(f) Releases made in accordance with the regulations of this section are subject to the condition that releases shall not be made at rates or in a manner that would be inconsistent with emergency requirements for protecting the dam and reservoir from major damage or inconsistent with the safe routing of the inflow design flood (spillway design flood).

(g) The discharge characteristics of the flood control outlet works (capable of discharging approximately 22,000 c.f.s. with the reservoir level at elevation 2941.3) shall be maintained in accordance with the construction plans (Bureau of Reclamation Specifications No. DC–5725 as modified by revised drawings and criteria in Designers' Operating Criteria, Sanford Dam, dated October 1965).

(h) All elevations stated in this section are at Sanford Dam and are referred to the datum in use at that location.

2. Pursuant to the provisions of section 7 of the Act of Congress approved December 22, 1944 (58 Stat. 890; 33 U.S.C. 709), the following regulations are hereby prescribed to govern the use of the flood control storage above elevation 1421.6 in Cheney Reservoir on the North Fork of Ninnescah River, Kans., and the operation of the Cheney Dam for flood control purposes.

§ 208.33 Cheney Dam and Reservoir, North Fork of Ninnescah River, Kans.

The Bureau of Reclamation, or its designated agent, shall operate the Cheney Dam and Reservoir in the interest of flood control as follows:

(a) Flood control storage in the reservoir is the capacity between elevation 1421.6 (top of the conservation pool) and elevation 1429.0 (top of the flood control pool), and initially amounts to 80,860 acre-feet. Whenever the reservoir level is within this range the flood control discharge facilities shall be operated under the direction of the District Engineer, Corps of Engineers, Department of the Army, in charge of the locality, so as to reduce as much as practicable the flood damage below the reservoir. All flood control releases shall be made in amounts which, when combined with local inflow below the dam, will not produce flows in excess of bankfull on the North Fork of

Ninnescah and Ninnescah River downstream of the reservoir and on the Arkansas River to Arkansas City, Kans. In order to accomplish this, flows shall not exceed a 90-foot stage (2,500 c.f.s.) on the U.S.G.S. gage on North Fork of Ninnescah River near Cheney, Kans., river mile 8.8; a 12-foot stage (7,000 c.f.s.) on the U.S.G.S. gage on Ninnescah River near Peck, Kans., river mile 31.6; and a 16-foot stage (18,000 c.f.s.) on the U.S.W.B. gage on Arkansas River at Arkansas City, Kans., river mile 701.4.

(b) When the reservoir level exceeds elevation 1429.0 (top of flood control pool), releases shall be made at the maximum rate possible through the river outlet works and the uncontrolled spillway and continued until the pool recedes to elevation 1429.0 when releases shall be made to equal inflow or the maximum release permissible under paragraph (a) of this section, whichever is greater.

(c) The representative of the Bureau of Reclamation or its designated agent in immediate charge of operation of the Cheney Dam shall furnish daily to the District Engineer, Corps of Engineers, Department of the Army, in charge of the locality, a report, on forms provided by the District Engineer for this purpose, showing the pool elevation; the number of river outlet works gates in operation with their respective openings and releases; uncontrolled spillway release; municipal pumping rate; storage; tailwater elevation; reservoir inflow; available evaporation data; and precipitation in inches. Normally, a reading at 8 a.m., noon, 4 p.m., and midnight, shall be shown for each day. Whenever the reservoir pool rises to elevation 1421.6 and releases for flood regulation are necessary or appear imminent, the representative of the Bureau of Reclamation or its designated agent, shall report at once to the District Engineer by telephone or telegraph, and, unless otherwise instructed, shall report once daily thereafter in that manner until the reservoir pool recedes to elevation 1421.6. These latter reports shall reach the District Engineer by 9 a.m. each day.

(d) The regulations of this section, insofar as they govern use of flood control storage capacity above elevation 1421.6, are subject to temporary modification in time of flood by the District Engineer if found desirable on the basis of conditions at the time. Such desired modifications shall be communicated to the representative of the Bureau of Reclamation and its designated agent in immediate charge of operations of the Cheney Dam by any available means of communication, and shall be confirmed in writing under date of the same day to the Regional Director in charge of the locality, and his designated agent, with a copy to the representative in charge of the Cheney Dam.

(e) Flood control operation shall not restrict pumping necessary for municipal and industrial uses and releases necessary for downstream users

(f) Releases made in accordance with the regulations of this section are subject to the condition that releases shall not be made at rates or in a manner that would be inconsistent with emergency requirements for protecting the dam and reservoir from major damage or inconsistent with the safe routing of the inflow design flood (spillway design flood).

(g) The discharge characteristics of the river outlet works (capable of discharging approximately 3,590 c.f.s. with the reservoir level at elevation 1421.6) shall be maintained in accordance with the construction plans (Bureau of Reclamation Specifications No. DC–5744 as modified by revised drawings and criteria in Designers' Operating Criteria, Cheney Dam, dated November 1964).

(h) All elevations stated in this section are at Cheney Dam and are referred to the datum in use at that location.

[Regs., May 5, 1966, ENGCW–EY] (sec. 7, 58 Stat. 890; 33 U.S.C. 709)

LAWRENCE H. WALKER, JR.,
Brigadier General, U.S. Army,
Acting The Adjutant General.

[F.R. Doc. 66–5925; Filed, May 31, 1966; 8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 13—ADDRESSES

PART 22—SECOND CLASS

PART 25—FOURTH CLASS

PART 43—MAIL DEPOSIT AND COLLECTION

Miscellaneous Amendments

The regulations of the Post Office Department are amended as follows:

I. In § 13.5, paragraph (a)(1) is amended to prohibit nonpostal personnel from copying names and addresses from city or rural carrier cases. As so amended, it now reads;

§ 13.5 Mailing list services.

(a) *Correction of mailing lists*—(1) *Service available.* Mailing lists submitted by departments of State governments, municipalities, religious, fraternal, and recognized charitable organizations and mailing lists used by concerns or persons for the solicitation of business by mail will be corrected as frequently as requested at the expense of the owners of the lists. For lists received from Federal agencies and Members of Congress, see subparagraph (4) of this paragraph. Postal employees must not compile mailing lists including occupant lists. Persons other than postal employees may not copy or record by any other means names or addresses from city or rural carrier cases.

* * * * * *

NOTE: The corresponding Postal Manual section is 123.511.

II. In § 22.8, paragraph (a) is revised to reflect current language in section 4352b, Title 39, United States Code.

§ 22.8 Cancellation of second-class privileges.

(a) The Postmaster General may revoke the entry of a publication as second-class mail whenever he finds, after a hearing, that the publication is no longer entitled to be entered as second-class mail. (39 U.S.C. 4352b).

* * * * * *

NOTE: The corresponding Postal Manual section is 132.81.

III. In § 25.2, paragraph (a)(4)(v) is amended to provide for acceptance of player piano rolls as sound recordings at the special fourth-class rate of postage. As so amended, it now reads:

§ 25.2 Classification.

(a) *Description.* * * *

(4) * * *

(v) Sound recordings, including incidental announcements of recordings and guides or scripts prepared solely for use with such recordings. Player piano rolls are classified as sound recordings. Miscellaneous advertisements, including trademarks, of persons or concerns other than the record manufacturer, are not permissible on title labels, protective sleeves, jackets, cartons, and wrappers, and such advertisements may not be mailed as enclosures. The identification statement "Special Fourth-Class Rate—Sound Recordings" must be placed conspicuously on the address side of each package.

* * * * * *

NOTE: The corresponding Postal Manual section is 135.214e.

IV. In § 43.6, the address following "Federal Mail Chute Corp., Ltd." in paragraph (h)(2) is changed to read:

§ 43.6 Mail chutes and receiving boxes.

* * * * * *

(h) *Mailing chute and receiving box manufacturers.* * * *

(2) Manufacturers of approved receiving boxes and mailing chutes are: * * * Federal Mail Chute Corp., Ltd., 364 Bush Street, San Francisco, Calif., 94104; * * *

* * * * * *

NOTE: The corresponding Postal Manual section is 153.682.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 4352, 4554)

TIMOTHY J. MAY,
General Counsel.

MAY 26, 1966.

[F.R. Doc. 66–5963; Filed, May 31, 1966; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER C—DEFENSE MATERIALS

PART 101–15—LEAD AND ZINC STABILIZATION

The following materials set forth miscellaneous amendments to reference Public Law 89–238. In particular, Part 101–15 is revised to delete obsolete materials on qualifications of participants and to incorporate new materials which effectuate the provisions of Title VI of the Civil Rights Act of 1964.

Pursuant to the authority vested in me by Delegation of Authority from the Secretary of the Interior dated April 19, 1962, and published in the FEDERAL REGISTER (27 F.R. 3822), on April 20, 1962, this regulation is amended as follows:

Subchapter C is amended by the revision of Part 101–15, to read as follows:

Subpart 101–15.1—Stabilization Payments to Small Domestic Producers

Sec.
101–15.101 Basis and purpose.
101–15.102 Definitions.
101–15.102–1 Act.
101–15.102–2 Administrator.
101–15.102–3 Normal inventory of crude ore.
101–15.102–4 Newly mined ore or concentrates.
101–15.102–5 Operating unit.
101–15.102–6 Principal product or products.
101–15.102–7 Quarter.
101–15.102–8 Recoverable content.
101–15.102–9 Sale.
101–15.102–10 Small domestic producer.
101–15.102–11 Normal commercial channels.
101–15.102–12 Ton.
101–15.103 Duration of the program.
101–15.104 Participation in the program.
101–15.105 Stabilization in the program.
101–15.106 Limitations on individual producers and properties.
101–15.107 General limitations.
101–15.108 Reports and inspections.
101–15.109 Access to books and records.
101–15.110 Modifications of benefits.
101–15.111 Criminal and civil penalties.

Subparts 101–15.2—101–15.48 [Reserved]

Subpart 101–15.49—Forms

101–15.4900 Scope of support.
101–15.4901 GSA Form 1776, Application for Participation in the Lead and Zinc Mining Stabilization Program.
101–15.4902 GSA Form 1777, Certification of Participation in the Lead and Zinc Mining Stabilization Program.
101–15.4903 GSA Form 1778, Request for Payment in the Lead and Zinc Mining Stabilization Program.

AUTHORITY: The provisions of this Part 101–15 issued under secs. 4, 5, 75 Stat. 767, 768, as amended; 30 U.S.C. 684, 685; delegation of the Secretary of the Interior, 27 F.R. 3822.

Subpart 101–15.1—Stabilization Payments to Small Domestic Producers

§ 101–15.101 Basis and purpose.

The regulations in this Part 101–15 implement Public Law 87–347, 30 U.S.C. 684, 685, as amended, which authorizes the establishment and maintenance of a program of stabilization payments to small domestic producers of lead and zinc ores and concentrates in order to stabilize the mining of lead and zinc by such producers on public, Indian, and other lands. Pursuant to this Act, and the delegation of authority from the Secretary of the Interior dated April 19, 1962, and published in the FEDERAL REGISTER (27 F.R. 3822, Apr. 20, 1962), the Administrator of General Services is authorized to make stabilization payments and to establish and promulgate such regulations and to require such reports as he deems necessary to carry out the purposes of the Act and to assure equitable distribution of the benefits provided for by the Act among the small domestic producers affected. The Administrator of General Services will make such stabilization payments in accordance with the Act and the regulations in this Part 101–15.

§ 101–15.102 Definitions.

As used in this subpart, terms shall have the meanings described in this section.

§ 101–15.102–1 Act.

"Act" means the Act of Congress approved October 3, 1961, Public Law 87–347, 30 U.S.C. 681, as amended.

§ 101–15.102–2 Administrator.

"Administrator" means the Administrator of General Services or his duly authorized representative.

§ 101–15.102–3 Normal inventory of crude ore.

"Normal inventory of crude ore" means the quantity of broken ore on hand at the surface of a mine on October 5, 1965, but not in excess of a quantity which bears a reasonable relation to the quantities of such material customarily maintained during any calendar year between January 1, 1960, and the first day of the period for which he seeks payment.

§ 101–15.102–4 Newly mined ore or concentrates.

"Newly mined ore or concentrates" means domestic ores severed from the land, or concentrates produced from such domestic ores, subsequent to October 5, 1965, including a normal inventory of crude ore as defined in § 101–15.102–3. The term does not refer to material recovered from mine dumps, mill tailings, smelter slags, or residues derived from the ore mined prior to October 5, 1965, or to secondary or salvage material, or to any ores or concentrates which have been commingled with such materials.

§ 101–15.102–5 Operating unit.

"Operating unit" means a mine or group of mines, or portions of either, which the Administrator determines, on the basis of cost and operating records or other available data, are being operated as a single unit separate and apart from other units in the same area.

§ 101–15.102–6 Principal product or products.

The term "principal product or products" means that the dollar value of lead or zinc sold or the combination of lead and zinc sold must have been 50 per centum or more of the total dollar value of all minerals and metals contained in the ores and concentrates produced and sold by the small domestic producer, calculated on the basis of the product of the total metal and mineral content of the ores and concentrates sold, as determined from the settlement assays, and the quoted market prices of those metals or minerals at the time of the sale.

§ 101–15.102–7 Quarter.

"Quarter" means a 3-month period commencing on the first day of January, April, July, or October.

§ 101–15.102–8 Recoverable content.

"Recoverable content" means 95 percent of the lead content of the ores or concentrates and 85 percent of the zinc content of the ores or concentrates as determined by assay.

§ 101–15.102–9 Sale.

"Sale" means a bona fide transfer for value of ores or concentrates from a producer to a processor, which shall be deemed to have occurred not later than the date of receipt of the material by the processor. If a producer smelts or refines his own ores or concentrates, a sale shall be deemed to have occurred when such ores or concentrates are received at his smelter or refinery. A sale of concentrates produced from ores sold to a processing plant by a small domestic producer in accordance with the regulations in this Part 101–15 shall not be considered as a sale by the owner of the processing plant, but shall be considered as a sale by such producer.

§ 101–15.102–10 Small domestic producer.

The term "small domestic producer" means any person or firm who, during a period of not less than 12 months, has engaged in producing ores or concentrates from mines located within the United States or its possessions and in selling the material so produced in normal commercial channels and who, during any 12-month period between January 1, 1960, and the first day of the period for which he seeks payments under this Act, has not produced or sold ores or concentrates the recoverable content of which is more than 3,000 tons of lead and zinc combined, recoverable content being computed as 95 per centum of the lead content of the ores or concentrates and 85 per centum of the zinc content of the ores or concentrates: *Provided*, That the principal product or products of such producer is either lead or zinc or a combination of lead and zinc. The term "small domestic producer" does not include any firm which is a subsidiary of, or controlled by, a large producer.

§ 101–15.102–11 Normal commercial channels.

The term "normal commercial channels" means the use of beneficiating plants, smelters, refineries, or other processing plants which purchase and process lead or zinc ores or concentrates as a usual part of their business.

§ 101–15.102–12 Ton.

"Ton" means 2,000 pounds avoirdupois net dry weight.

§ 101–15.103 Duration of the program.

The program shall terminate with respect to each calendar year upon the

happening of any of the following, whichever occurs first:

(a) The closing of the calendar year, or

(b) When the amount of stabilization payment during any calendar year totals $2,500,000, or

(c) December 31, 1969.

§ 101–15.104 Participation in the program.

(a) Any small domestic producer desiring to participate in the program shall apply on GSA Form 1776 (see § 101–15.4901) to General Services Administration, Defense Materials Service, Washington, D.C., 20405. The application should state that the applicant has read the regulations in this Part 101–15 and accepts their terms and conditions. The Administrator may request such additional information as may be necessary and will issue to each applicant found by him to be qualified, a certificate of participation on GSA Form 1777 (see § 101–15.4902), authorizing the applicant to apply for stabilization payments under the regulations in this Part 101–15 to the extent he is eligible and qualified to receive such payment. The issuance of such a certificate shall not entitle the applicant to any stabilization payments to which he would not otherwise be entitled under the terms and conditions of the Act and the regulations in this Part 101–15.

(b) To obtain stabilization payments, a certified producer shall submit to GSA a request for payment on GSA Form 1778 (see § 101–15.4903). Subject to compliance with the regulations in this part, previously qualified participants will not be required to reapply.

(c) Notwithstanding the fact that all requirements of the regulations in this Part 101–15 may have been met, a small domestic producer shall not be entitled to any stabilization payments if funds are not available therefor under the program.

(d) Notwithstanding any other provisions of the regulations in this Part 101–15, no stabilization payments will be made to any participant in the Lead and Zinc Small Producer's Stabilization Act unless the participant recognizes and agrees to comply with all requirements imposed by or pursuant to the regulations of the General Services Administration (Subpart 101–6.2 of this chapter) issued under the provisions of Title VI of the Civil Rights Acts of 1964.

§ 101–15.105 Stabilization in the program.

Stabilization payments will be made to small domestic producers upon the following terms and conditions:

(a) Presentation of evidence satisfactory to the Administrator of the sale by such applicant of his production of newly mined ore, or concentrates produced therefrom, as provided for in the regulations in this Part 101–15.

(b) Payment shall be made only with respect to the lead or zinc metal content as determined by assay in accordance with paragraphs (c) and (d) of this section.

(c) When the producer sells ore to a processing plant, the assays for lead and zinc shown on the certified assay report issued by the processing plant shall be used. When the producer ships ore to his own processing plant, or ships ores to a toll processing plant, and sells the concentrates therefrom, the assays shown on the certified assay report issued by the smelter or refinery purchasing the concentrates shall be used. Such assays shall be furnished without cost to GSA. Prior to the issuance of a certificate of participation to an applicant, the applicant shall agree that a representative of the Administrator may be present at the weighing, sampling, and assaying of the material upon which stabilization payments are claimed; that a representative portion of the sample shall be packaged, sealed, and identified as the Government's sample; that the Government's sample shall be set aside and held for the Government; and that the Government may have its sample assayed, in which event the Government's assays shall be accepted as establishing the metal content of the material sampled for the purpose of determining the amount of stabilization payments which the applicant may claim against the sales of such material. The cost of the Government's assay shall be for the Government's account.

(d) Lead or zinc metal content shall be calculated on the basis of the dry weights of the ores or concentrates sold multiplied by the percentages of contained lead or zinc metal shown in the assays issued in accordance with paragraph (c) of this section. No stabilization payments shall be made for zinc metal contained in a lead ore or concentrate, or for lead metal contained in a zinc ore or concentrate, unless both metals are sold. If, however, the processor is the same person as the producer, such payments will be made only if such ore or concentrate is to be primarily processed for the recovery of both metals.

(e) For lead, such payment shall be made, subject to the availability of funds therefor, on sales made at times when the market price for common lead at New York, N.Y., as determined by the Administrator, is below 14½ cents per pound, and such payments shall be 75 percent of the difference between 14½ cents per pound and the average market price for the month in which the sales occurred as determined by the Administrator.

(f) For zinc, such payments shall be made, subject to the availability of funds therefor, on sales made at times when the market price for prime western zinc at East St. Louis, Ill., as determined by the Administrator, is below 14½ cents per pound, and such payments shall be 55 percent of the difference between 14½ cents per pound and the average market price for the month in which the sales occurred as determined by the Administrator.

(g) The Administrator's market price determinations shall be based upon trade publications and such other sources of market information as he deems relevant.

(h) Each small domestic producer shall submit one request for payment, on GSA Form 1778 (see § 101–15.4903), covering all sales for each month. Each such request should be submitted by the 15th day after the end of the month in which the sales covered by such request are made, except that requests with respect to sales made between January 1, 1966, and the last day of the month in which the participant receives his certification of participation are to be submitted by the 15th day of the following month. Requests shall be submitted to: General Services Administration, Region 3, Office of Regional Data and Financial Management, 3BCR, Accounting and Reports Division, Washington, D.C., 20407. Unless justifiable cause beyond the reasonable control of the applicant is shown, request for payment received after the applicable date will not be paid until the month following their receipt and in no event will payments be made on requests received after March 31 of the year following the year of the sale. Late requests run the risk of the exhaustion of funds through the payment of timely requests.

(i) Except for applications for participation received during the first three quarters of 1965, an applicant may be eligible for payments under the regulations in this Part 101–15 only with respect to sales in a quarter commencing after the date of the receipt of his application.

§ 101–15.106 Limitations on individual producers and properties.

(a) Stabilization payments otherwise authorized under the regulations in this Part 101–15 shall be subject to the following limitations and restrictions:

(1) No stabilization payments shall be made to any small domestic producer on sales, or further processing in lieu of sales, of newly mined ores or concentrates produced therefrom in any calendar year in excess of 1,200 tons of zinc and 1,200 tons of lead.

(2) No stabilization payments shall be made on any domestically produced material which is sold to or eligible for sale to the United States Government, or any agency thereof, pursuant to a contract made under the provisions of the Defense Production Act of 1950, 50 U.S.C. Appendix 2061–2166, as amended, or the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98–98h. The amounts of such material shall be applied to reduce the annual maximum quantities specified in subparagraph (1) of this paragraph and the applicable quarterly limitations and quotas fixed by the Administrator pursuant to § 101–15.107.

(b) The Administrator may determine what constitutes a single operating unit producing ores. If more than one producer claims payment for sales from production of a single operating unit, the Administrator may determine the quantity of sales for each such producer to which the limitations set forth in the regulations in this Part 101–15 apply.

§ 101–15.107 General limitations.

(a) Notwithstanding any other provisions of the regulations in this Part 101–15, the maximum amounts of stabilization payments which may be made on account of sales of newly mined ores or concentrates produced therefrom shall not exceed the sum of $2,500,000 in any calendar year.

(b) For the purpose of achieving stabilization in the annual rates of production, the Administrator will fix limitations each quarter on the total amounts of lead and zinc on which stabilization payments will be made. The Administrator will assign quotas to individual producers within such quarterly limitations to the extent necessary and in a manner designed to assure equitable distribution of the benefits of the programs. The limitations and quotas so fixed and assigned will not be subject to adjustment except in the event of changes in market prices having such substantial impact upon amounts payable on sales during the quarter as the Administrator determines to require adjustments to avoid defeating the statutory purposes of stabilizing production and making equitable distribution of benefits. The sum of the quarterly limitations or the sum of all producers' quarterly quotas for a calendar year may be less than the total eligible tonnage if funds are not available to cover the full eligible tonnage. Shortfalls in meeting quarterly quotas for any of the first three quarters may be made up by sales in excess of the individual producer's quota for the following quarter only. Shortfalls in the fourth quarter cannot be made up by sales in the first quarter of the following year. Sales made in any quarter in excess of the quota for that quarter may not be carried forward for payment during subsequent quarters.

§ 101–15.108 Reports and inspections.

(a) Applicants shall furnish the Administrator, from time to time, reports showing production and disposition of ores or concentrates, together with such other reports and information as the Administrator may require for the administration of the regulation in this Part 101–15. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U.S.C. 139), and requirements subsequently prescribed will be subject to such approval.

(b) Authorized representatives of the U.S. Government may enter the applicant's property at all reasonable times for inspection of the operations of the applicant. The applicant shall provide such authorized representatives with all reasonable means of access for such inspections.

§ 101–15.109 Access to books and records.

Until 3 years after the termination of the program established under the regulations in this Part 101–15 authorized representatives of the U.S. Government shall have access to and the right to examine any pertinent books, documents, papers, and records of any participant involving transactions related to the program.

§ 101–15.110 Modifications of benefits.

The regulations in this Part 101–15 may be amended or revised by the Administrator from time to time whether or not such amendment or revision increases or decreases any of the benefits provided for by the regulations in this Part 101–15 or affects the distribution of benefits among small domestic producers.

§ 101–15.111 Criminal and civil penalties.

As provided in 30 U.S.C. 689:

(a) Whoever, for the purpose of procuring a payment to which he is not entitled under the Act or the regulations in this Part 101–15 or for the purpose of assisting another to procure a payment to which the other is not entitled under the Act or the regulations in this Part 101–15 misrepresents any material fact, knowing the same to be false, fictitious, or fraudulent, shall be guilty of an offense against the United States and shall be fined not more than $5,000 or imprisoned not more than 2 years, or both, and shall thenceforth be entitled to no benefits under the Act or the regulations in this Part 101–15.

(b) Whoever accepts a payment under the Act or the regulations in this Part 101–15 to which, or any portion of which, he is not entitled, knowing that he is not entitled, thereto or whoever, having accepted a payment under the Act or the regulations in this Part 101–15 to which, or any portion of which, he is not entitled, retains the same, knowing that he is not entitled thereto, shall be required, in a civil action instituted by the Attorney General, to refund treble the amount accepted or retained by him. The acceptance or retention of any payment as aforesaid shall also constitute an offense against the United States punishable by a fine of not more than $5,000 or imprisonment for not more than 2 years, or both, and any person who shall be convicted of such offense shall thenceforth be entitled to no benefits under the Act or the regulations in this Part 101–15.

Subparts 101–15.2—101–15.48 [Reserved]

Subpart 101–15.49—Forms

§ 101–15.4900 Scope of subpart.

This subpart illustrates forms available for use in connection with the Lead and Zinc Stabilization Program prescribed in Part 101–15.

§ 101–15.4901 GSA Form 1776, Application for Participation in the Lead and Zinc Mining Stabilization Program.

§ 101–15.4902 GSA Form 1777, Certificate of Participation in the Lead and Zinc Mining Stabilization Program.

§101–15.4903 GSA Form 1778, Request for Payment in the Lead and Zinc Mining Stabilization Program.

NOTE: The forms in §§ 101–15.4901, 101–15.4902, 101–15.4903 are filed as part of the original document. Copies of these forms may be obtained from the General Services Administration, Defense Materials Service, Industry Materials Division, Washington, D.C., 20405.

Secretary of the Interior concurrence. These regulations have been concurred in by the Secretary of the Interior.

Effective date. These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: May 24, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66–5955; Filed, May 31, 1966; 8:47 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER D—GRANTS

PART 57—GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES (INCLUDING MENTAL RETARDATION RESEARCH FACILITIES), TEACHING FACILITIES, STUDENT LOANS, EDUCATIONAL IMPROVEMENT AND SCHOLARSHIPS

Subpart F—Grants To Improve Quality of Schools of Medicine, Dentistry, Osteopathy, Optometry, and Podiatry

Correction

In F.R. Doc. 66–5565, appearing at page 7376 of the issue for Saturday, May 21, 1966, the phrase reading "with the principant" in § 57.511(b) should read "of the applicant".

Title 45—PUBLIC WELFARE

Chapter VIII—Civil Service Commission

PART 801—VOTING RIGHTS PROGRAM

Appendix A

ALABAMA

Appendix A to Part 801 is amended as set out below to show, under the heading

"Dates, Times, and Places for Filing," one additional place for filing in Alabama:

ALABAMA

County; place for filing; beginning date.

* * * * * *

Choctaw; Butler—Post Office; May 31, 1966.

(Secs. 7 and 9 of the Voting Rights Act of 1965, P.L. 89–110)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–6065; Filed, May 31, 1966; 9:52 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Tamarac National Wildlife Refuge, Minn.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MINNESOTA

TAMARAC NATIONAL WILDLIFE REFUGE

Sport fishing on the Tamarac National Wildlife Refuge, Rochert, Minn., is permitted only on the areas designated by signs as open to fishing. These posted areas, comprising 13,000 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from the date of this publication through September 30, 1966.

(2) The use of minnows or fish, or parts thereof, for bait is not permitted.

(3) The use of boats is not permitted on Chippewa Lake. The use of boats without motors is permitted on Lost and Wauboose Lakes.

(4) Fishing in the Ottertail River at the bridge on County Road 26 is limited as posted by signs to approximately 50 yards upstream and approximately 100 yards downstream from the bridge.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 30, 1966.

W. P. SCHAEFER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 24, 1966.

[F.R. Doc. 66–5944; Filed, May 31, 1966; 8:46 a.m.]

Proposed Rule Making

FEDERAL TRADE COMMISSION

[16 CFR Part 45]

SOLVENTS INDUSTRY

Revocation of the Trade Practice Rules

Notice is hereby given that pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41–58, and provisions of Part 1, Subpart F, of the Commission's procedures and rules of practice, 16 CFR 1.61–1.67, the Federal Trade Commission proposes to revoke the Trade Practice Rules for the Solvents Industry promulgated August 28, 1931.

Interested or affected parties may submit their views, suggestions, objections or other information concerning the proposed revocation to the Chief, Division of Trade Practice Conferences and Guides, Bureau of Industry Guidance, Federal Trade Commission, Sixth Street and Pennsylvania Avenue NW., Washington, D.C., 20580, in writing not later than July 1, 1966. All comments received will be available for examination by interested parties at the Federal Trade Commission, Washington, D.C., and will be fully considered by the Commission.

Approved: May 24, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–5958; Filed, May 31, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 51]

APPLES

Proposed Standards for Grades [1]

Notice is hereby given that the U.S. Department of Agriculture is considering the amendment of U.S. Standards for Grades of Apples (7 CFR 51.300–51.323) pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

All persons who desire to submit written data, views or arguments for consideration in connection with the proposal should file the same in duplicate, not later than July 1, 1966, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, where they will be available for public inspection during official hours of business (paragraph (b) of § 1.27, as amended at 29 F.R. 7311).

Statement of considerations leading to the proposed amendment of the grade standards. Section 51.312 of the U.S. Standards for Grades of Apples requires that closed containers of apples be marked to indicate numerical count or minimum diameter. This section further states that when the numerical count is not shown, the minimum diameter shall be plainly marked on the containers in accordance with the facts.

The U.S. Department of Agriculture has, for many years, interpreted minimum diameter, when marked on containers of apples, to mean that more than 5 percent of the apples must be smaller than the next larger size. For example, in containers marked "2¼-inch minimum" at least 6 percent of the apples must be smaller than 2½ inches in diameter to comply with the marking requirements. However, in this example there must not be more than 5 percent, the tolerance for undersize, under 2¼ inches.

Several industry leaders objected to the Department's interpretation and suggested that the word "minimum," or its abbreviation, when used as part of a size marking, be interpreted to mean only that there are no apples smaller than the marked diameter except for the tolerances provided in §§ 51.307 and 51.308 of the U.S. Standards for Grades of Apples.

On October 25, 1965 the U.S. Department of Agriculture sent an explanation on the question of minimum diameter markings interpretation to interested persons as a notice of intention to consider amending the U.S. Standards for Grades of Apples. As a result of this notice, approximately 80 percent of those who responded favored interpreting the word "minimum" in § 51.312 of the U.S. Standards for Grades of Apples as meaning only that the apples are of the stated size or larger. To avoid misunderstanding in connection with the meaning of minimum diameter markings, it is proposed that § 51.312 be amended.

Also, in the same section, a provision would be made for reporting diameter in inches and not less than one-fourth inch fractions in accordance with common practice, instead of the one-eighth inch fractions now provided.

As proposed to be amended, § 51.312 is set forth below.

§ 51.312 Marking requirements.

The numerical count or the minimum diameter of the apples packed in a closed container shall be indicated on the container.

(a) When the numerical count is not shown, the minimum diameter shall be plainly stamped, stenciled or otherwise marked on the container in terms of whole inches, or whole inches and not less than one-fourth inch fractions thereof.

(b) The word "minimum," or its abbreviation, when following a diameter size marking, means that the apples are of the size marked or larger. (See §§ 51.307 and 51.308.)

(Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624)

Dated: May 25, 1966.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

[F.R. Doc. 66–5975; Filed, May 31, 1966; 8:49 a.m.]

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

[7 CFR Parts 1065, 1066, 1068, 1069, 1075, 1076, 1125, 1131, 1133, 1134, 1136, 1137, 1138]

MILK IN NEBRASKA-WESTERN IOWA MARKETING AREA ET AL.

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

7 CFR parts	Marketing area	Docket Nos.
1065	Nebraska-Western Iowa	AO 86–A19.
1066	Sioux City, Iowa	AO 122–A13.
1068	Minneapolis-St. Paul, Minn.	AO 178–A17 RO 1.
1069	Duluth-Superior	AO 158–A11.
1075	Black Hills, S. Dak.	AO 248–A6.
1076	Eastern S. Dak.	AO 260–A8.
1125	Puget Sound	AO 226–A13.
1131	Central Arizona	AO 271–A10.
1133	Inland Empire	AO 275–A14.
1134	Western Colorado	AO 301–A5.
1136	Great Basin	AO 309–A8.
1137	Eastern Colorado	AO 326–A9.
1138	Rio Grande Valley	AO 335–A7.

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Silver Glade Room, Cosmopolitan Hotel, East 18th Avenue and Broadway, Denver, Colo., beginning at 9 a.m., local time, on June 6, 1966, with respect to proposed amendments to the tentative marketing agreements and to the orders, regulating the handling of milk in the Nebraska-Western Iowa, Sioux City, Iowa, Minneapolis-St. Paul, Duluth-Superior, Black Hills, S. Dak., Eastern South Dakota, Puget Sound, Central Arizona, Inland Empire, Western Colorado, Great Basin, Eastern Colorado, and Rio Grande Valley marketing areas to reflect appropriate Class I prices in light of economic and marketing conditions anticipated for the next few months. With respect to the order

regulating the handling of milk in the Minneapolis-St. Paul marketing area this hearing represents a reopening for the limited purposes stated herein of a public hearing previously held under docket No. AO 178–A17.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the appropriate levels of Class I prices to be established for the months of July through December 1966 under each of the aforesaid orders. At the hearing, evidence also will be received on the question of whether the due and timely execution of the functions of the Secretary imperatively and unavoidably requires the omission of a recommended decision in connection with any emergency amendatory action that may be required with respect to any of the aforesaid orders.

This notice is issued on representation by producers that emergency action is necessary to avert present or potential milk shortages.

The aforesaid proposals have not received the approval of the Secretary of Agriculture.

Signed at Washington, D.C., on May 27, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66–6061; Filed, May 31, 1966; 9:28 a.m.]

[7 CFR Part 1099]

[Docket Nos. AO–183–A13, AO–183–A15]

MILK IN PADUCAH, KY., MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), public hearings were held at Paducah, Ky., on November 17 and 18, 1965, pursuant to notice thereof issued on October 21, 1965 (30 F.R. 13581), and on April 26, 1966, pursuant to notice thereof issued on April 18, 1966 (31 F.R. 6120).

Upon the basis of the evidence introduced at the hearings and the records thereof, the Deputy Administrator, Regulatory Programs, on May 11, 1966 (31 F.R. 7129; F.R. Doc. 66–5281), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (31 F.R. 7129; F.R. Doc. 66–5281) are hereby approved and adopted and are set forth in full herein subject to the following modifications:

1. Immediately preceding the "Findings and conclusions" two new paragraphs are added.

2. The three paragraphs of Issue No. 2 "Emergency action" are deleted and four new paragraphs are added.

3. Under the subheading "Relationships to other markets" in the tenth paragraph a new sentence is added immediately preceding the last sentence.

The material issues on the records of the hearings relate to:

1. Class I prices for May 1966 and subsequent months (including the issue listed as No. 2(b), Class I prices after June 1966, in the final decision issued April 25, 1966).

2. Whether there is need for emergency action with respect to said Class I prices; and

3. Location adjustments for handlers (listed as Issue No. 5 in the April 25, 1966, decision).

Class I prices under the Paducah order were a subject at both the November 1965 and April 1966 hearings. On the record of the earlier hearing the issue of Class I prices was decided for the period of February through June 1966 but not for subsequent periods. The April hearing was called to consider a new proposal for Class I prices for period beginning with May 1966 and any economic and emergency marketing conditions relating to the proposed amendments.

Issue No. 3, location adjustments for handlers, on the record of the November hearing, will be considered in a further decision on the record. All other issues on the record of the November hearing were dealt with in decisions issued January 21, 1966 (31 F.R. 1152), and April 25, 1966 (31 F.R. 6500).

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

The Class I price per hundredweight at pool plants in the Kentucky portion of the marketing area should be the Class I price pursuant to Order No. 62 for the St. Louis, Mo., marketing area plus 15 cents.

Price proposals. At the hearing held on April 26, the Paducah Graded Milk Producers Association asked that the Class I price per hundredweight at Paducah each month be the St. Louis order Class I price plus 15 cents. This is a modification of their proposal as it appeared in the notice of hearing which would have based the Class I price on the Suburban St. Louis order price. Under the association's proposal, the price 15 cents over the St. Louis price would apply in the Kentucky portion of the marketing area, and (as now provided in the order) a price 10 cents higher than at Paducah would apply at pool plants in the Missouri part of the marketing area. The association, which represents virtually all producers on the Paducah market, asserted that such price is necessary to maintain an adequate supply of milk for the market.

Since this proposal contemplates a fixed relationship to the St. Louis Class I price each month, it would modify the seasonal pricing in Paducah to be the same as the seasonal pricing in the St. Louis market. This proposal was requested in place of producers' proposal in the November hearing which would have preserved the present seasonal changes and added 10 cents per hundredweight each month.

One Paducah handler who testified at the April 26, 1966, hearing supported the price increase proposed by the producers' association. The handler asserted that the proper alignment of the Paducah Class I price would be with markets to the north. There was no objection at the April hearing to the producer proposal, although certain handlers in the Memphis market asked that the Class I prices preferably be based on a relationship to the Memphis Class I price. Their modification of producers' proposal would have resulted in a higher price level. Witnesses for Mid-South Milk Producers Association and Central Arkansas Milk Producers Association also testified in favor of the producers' proposal.

Production and Class I sales. The Paducah milk market has relatively high Class I utilization, averaging 88.4 percent of producer milk in Class I during 1965. Monthly milk production averaged about 9.7 million pounds and monthly Class I disposition of producer milk about 8.6 million pounds.

During the past 2 years, average Class I disposition has increased more than producer milk receipts. Class I use of producer milk in 1965 increased 17.1 percent over the quantity in 1964, while production increased 13.3 percent. For the first 3 months of 1966, Class I producer milk was 6.1 percent more than in the same months of 1965, and producer receipts increased 1.6 percent.

As a result of the greater increase in sales than production, milk supplies in recent months have been barely sufficient to meet Class I requirements. Class I utilization of producer milk exceeded 90 percent in 6 of the 8 months ending with March 1966, and averaged 93.3 percent in the last 3 months.

Although most fluid disposition of Paducah handlers is producer milk, it was necessary in the early part of 1966 to secure supplemental supplies of about 550,000 pounds of other source milk for Class I during the January–March period.

Relationships to other markets. The utilization of association member milk is influenced by conditions in nearby markets. The Paducah Graded Milk Producers Association shifts members among several milk markets including Paducah, Suburban St. Louis and Central Arkansas markets, according to the availability and needs for fluid milk. Accordingly, the number of producers on the Paducah market may vary substantially from month to month. Also, a substantial volume of milk from Kentucky dairy farmers who are members of the Paducah Graded Milk Producers Association moves regularly to an Illinois plant regulated under the Suburban St. Louis order.

Milk production for the market is also directly affected by the Memphis Federal order market. In December 1965 about 65 percent of the 427 Paducah producers were located in the seven Kentucky counties of Ballard, Calloway, Carlisle, Fulton, Graves, Hickman and Marshall, in which there were also 107 Memphis producers.[1] Also, in six counties in Tennessee there are 41 Paducah producers and 215 Memphis producers. There is also some overlap of production areas with the Nashville, Tenn., market in Kentucky and with the St. Louis and Suburban St. Louis markets in Missouri.

The representative of the Paducah producers association complained that the price relationship with the Memphis market is currently causing severe concern among membership in the overlapping production areas. This condition he asserted has become more pronounced since the Memphis procurement activity in recent years has moved to Northern Tennessee and into Kentucky. The Paducah market lost about 450,000 pounds of milk per month to Memphis beginning in September 1965. Some of the larger volume milk producers are now expressing intentions of changing markets unless the Paducah price is increased.

Although the hauling charges for moving milk to Memphis from the Kentucky procurement areas is about 45 cents per hundredweight compared to about 20 cents to Paducah, the net returns to Memphis producers may be greater. After allowing for the difference in hauling, the weighted average Memphis price returns exceeded the Paducah blend returns by 20 to 47 cents per hundredweight each month in 1965 and the first 3 months of 1966.

The association did not request, however, that the Paducah price be adjusted so that returns would in every case equal returns to Memphis producers in the same area. The request for price adjustment was limited in relation to price levels in the St. Louis and Suburban St. Louis Federal order markets. Such limitation of price adjustment was considered necessary in view of the proximity of Suburban St. Louis regulated plants and because two Paducah handlers have extensive sales areas in Missouri which adjoin areas served by St. Louis handlers. Also, member milk has a substantial outlet in the Suburban St. Louis market.

Over the long term, therefore, Class I price levels in the St. Louis and Suburban St. Louis markets, where larger supplies of milk exist, may be expected to have a practical limiting effect on the price level in the Paducah market. It is for these reasons that the proposed modification of producers' Class I price proposal made by Memphis regulated handlers is denied.

The Paducah Class I price formula, as now constituted, is 14 cents higher than the St. Louis Class I formula before application of the St. Louis supply-demand adjustment. The annual average of Class I differentials added to the basic formula under the Paducah order is $1.30, compared to $1.40 for St. Louis. The latter, however, is reduced by a factor of 24 cents (formerly the Chicago supply-demand adjustment, now an equivalent price factor), so that the effective average St. Louis differential is $1.16.

In 1964 the Paducah Class I price averaged 11 cents over the St. Louis price and 13 cents over in 1965. More recently, however, the Paducah order Class I price for the April 10–30 period was $4.95 compared to $5.02 for St. Louis. The St. Louis order supply-demand adjustment of plus 16 cents offset the other factors in the price formula which, without the adjustment, would result in a price 9 cents lower than Paducah.

Under the association's proposal to maintain a 15-cent difference between the two markets, the St. Louis supply-demand adjustment would have the same effect on the Paducah Class I price as on the St. Louis price. The association preferred such reflection of the St. Louis supply-demand adjustment to one based on Paducah utilization, because of the smallness of the Paducah market.

It is concluded that reflection of the St. Louis supply-demand adjustment in the manner proposed would be an appropriate factor in a Paducah Class I price. The supply-demand adjustment reflects changes in supply-demand conditions over a broad area in close proximity with the Paducah marketing area. The St. Louis supply-demand adjustment is also a factor in the Suburban St. Louis Class I price. The St. Louis supply-demand adjustment thus provides a signficant measure of conditions which may limit the level of the Paducah Class I price. For the relatively small Paducah market the supplies and distribution activities of St. Louis and Suburban St. Louis handlers represent a potential which should be recognized in the price level. Further, the 15-cent differential closely approximates the difference in the annual averages of the Class I differentials in the two markets over the basic formula price. Such price would apply in the Kentucky portion of the marketing area and the differential as now provided in the order would apply a price 10 cents higher at pool plants in the Missouri counties of the area. The language of the order provision has been modified from the recommended decision, only for the purpose of clarification. This amendment would include the effect of the April 10 amendment which added 22 cents to the St. Louis Class I price through June 1966.

2. *Emergency action.* The conditions in the market are such that supplies in recent months have been barely adequate for Class I milk requirements and there is the threat of loss of producers to other markets. Much concern was expressed at the April hearing as to possible loss of milk supplies because of higher blend prices available to Paducah producers in nearby markets. Therefore, market conditions required that immediate remedial action be taken. This remedial action was provided on a temporary basis by a suspension order issued concurrently with the recommended decision, to provide immediate adjustment of the Class I price until the order could be amended.

The suspension action provided an immediate correction of 18 cents per hundredweight in the Class I price level for the remainder of the month of May and June. This approximated the adjustment which would likely result from adoption of the proposed amendment described herein.

In these circumstances it was not necessary that a recommended decision be omitted. Further, inasmuch as the proposed amendment would provide a long-term modification of the Class I price formula, it was desirable that a recommended decision be issued with opportunity for exceptions.

The suspension order was issued and made effective May 11, 1966 (31 F.R. 7110; F.R. Doc 66–5280), and has provided temporary Class I prices based on a differential of $1.45 plus the basic formula price (Minnesota-Wisconsin price) for the period of May 11 through June 30, 1966. Since the suspension order was issued as a temporary action to Class I prices until the long-term modification of the Class I price formula could be made effective, it should be terminated upon the effective date of the amendment resulting from this decision.

This amendment to the order should be made effective at the earliest possible date even though it may not be at the beginning of the monthly accounting period. There will be little difference in returns to producers whether the Class I prices are prorated over the month's utilization based on the number of days each price was effective or whether two accounting periods in the same month are established. Each handler should be given the option of either filing two reports for the month or having the two Class I prices prorated according to the number of days within the month for which the different price levels were effective. The option chosen by the handler should be indicated at the time of filing his report of receipts and utilization.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously

[1] Official notice is taken of the January 1966 issue of the Memphis Milk Review, Memphis, Tenn., Milk Marketing Area.

issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exception. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Paducah, Ky., Marketing Area," and "Order Amending the Order Regulating the Handling of Milk in the Paducah, Ky., Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of March 1966 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Paducah, Ky., marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on May 26, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Paducah, Ky., Marketing Area

§ 1099.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Paducah, Ky., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Paducah, Ky., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, as follows:

The provision of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on May 11, 1966, and published in the FEDERAL REGISTER on May 14, 1966 (31 F.R. 7129; F.R. Doc. 66-5281), shall be and are the terms and provisions of this order, and is set forth in full herein subject to the following revision:

In § 1099.51, paragraph (a) is revised to read as follows:

§ 1099.51 Class prices.

* * * * *

(a) *Class I milk price.* The price per hundredweight of Class I milk for the month shall be the Class I price pursuant to Part 1062 of this chapter (St. Louis, Mo.), plus 15 cents: *Provided*, That the price for the month for Class I milk at pool plants located within that portion of the marketing area in the State of Missouri shall be the Class I price pursuant to Part 1062 of this chapter (St. Louis, Mo.), plus 25 cents; and

* * * * *

[F.R. Doc. 66-5994; Filed, May 31, 1966; 8:50 a.m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-WE-89]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would revoke the Fortuna, Calif., control area extension, amend the Arcata, Calif., control zone, add the Arcata, Calif., and Fortuna, Calif., transition areas, and amend control area 1415.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency has under consideration the following airspace actions:

1. In § 71.171 (31 F.R. 2065) the Arcata, Calif., control zone would be amended to read "Within a 5-mile radius of Arcata Airport (latitude 40°58' 45'' N., longitude 124°06'25'' W.); and within 2 miles each side of the 219° True bearing from the Arcata Radio Beacon, extending from the 5-mile radius zone to 8 miles southwest of the radio beacon."

2. In § 71.181 (31 F.R. 2149) the following transition areas would be added:

ARCATA, CALIF.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the 328° and 153° True bearings from the Arcata Radio Beacon, extending from 7.5 miles northwest to 14.5 miles southeast of the radio beacon; and that airspace extending upwards from 1,200 feet above the surface bounded on the west by longitude 124°30'00'' W., on the north by latitude 41°16'00'' N., on the east and south by a line 9 miles northeast of and parallel to the 333° and 153° True bearings from the Arcata Radio Beacon to latitude 40°34'00'' N., thence to latitude 40°22'00'' N., longitude 124°12'-00'' W., thence to latitude 40°22'00'' N., longitude 124°30'00'' W.; and within 9 miles each side of the Fortuna VOR 110° True radial, extending from the VOR to 61 miles east.

FORTUNA, CALIF.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Fortuna VOR 327° True radial, extending from the VOR to 8 miles northwest; and within 2 miles northeast and 4.5 miles southwest of the Fortuna VOR 147° True radial, extending from the VOR to 3.5 miles southeast.

3. In § 71.165 (31 F.R. 2055) the Fortuna, Calif., control area extension would be revoked.

4. In § 71.163 (31 F.R. 2050) Control Area 1415 would be amended to read "That airspace within parallel boundary lines 4 NM each side of the Fortuna VOR 270° True radial including the additional airspace within lines diverging at angles of 4.5° from the centerline extending to the east boundary of the Oakland Oceanic Control Area, excluding the portion below 5,000 feet MSL west of longitude 124°30'00'' W."

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on May 25, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5933; Filed, May 31, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-38]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Helena, Mont., terminal area.

Presently, the Helena, Mont., transition area is designated as that airspace extending upward from 700 feet above the surface within 6 miles N and 8 miles S of the Helena VOR 089° and 269° radials extending from 17 miles E to 7 miles W of the VOR; and that airspace extending upward from 1,200 feet above the surface within 6 miles S and 9 miles N of the Helena VOR 089° and 272° radials extending from 12 miles E to 45 miles W of the VOR and within 6 miles NW and 9 miles SE of the Great Falls, Mont. VOR 222° radial extending from 8 miles NE to 27 miles SW of the INT of the Great Falls VOR 222° and Helena 352° radials.

Since designation of the Helena transition area, the Helena VOR has been converted to a VORTAC and a VOR/DME approach procedure has been developed for Helena City-County Airport. In addition, a direct off-airway direct route between Helena and Great Falls has been authorized. Radar vectoring of aircraft on this direct route would be advantageous for air traffic control. The addition of the new approach procedure and authorization of the direct off-airway direct route require modification of the transition area to provide controlled airspace protection.

The Federal Aviation Agency, in consideration of the foregoing, and having completed a comprehensive review of the terminal airspace structural requirements in the Helena terminal area, proposes the following airspace action:

Alter the Helena, Mont., transition area by redesignating it as that airspace extending upward from 700 feet above the surface within 6 miles N and 8 miles S of the Helena VORTAC 089° and 269° radials extending from 18 miles E to 7 miles W of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 6 miles S and 9 miles N of the Helena VORTAC 089° and 272° radials extending from 12 miles E to 45 miles W of the VORTAC, within the area bounded on the N by a line 5 miles N of and parallel to the Helena VORTAC 089° radial and on the SW by a line 5 miles SW of and parallel to the Helena VORTAC 119° radial extending from the VORTAC to the arc of an 18-mile radius circle centered on the VORTAC, and the area bounded on the NW by a line 6 miles NW of and parallel to the Great Falls, Mont., VORTAC 222° radial, on the NE by the arc of a 40-mile radius circle centered on Malmstrom AFB (latitude 47°30'35'' N., longitude 111°11'35'' W.), on the SE by a line 5 miles SE of and parallel to the Helena VORTAC 023° radial and on the south by a line 9 miles N of and parallel to the Helena VORTAC 089° and 272° radials.

The 700-foot floor transition area would provide controlled airspace protection for aircraft executing the prescribed instrument approaches at Helena during descent from 1,500 to 1,000 feet above the surface and for departing aircraft during their climb from 700 to 1,200 feet above the surface.

The 1,200-foot floor transition area would provide controlled airspace for the holding patterns in the Helena terminal area and for the portions of the prescribed instrument approach procedures executed at and above 1,500 feet above the surface. It would also provide adequate controlled airspace for the maximum of flexibility in radar control of air traffic between Helena and Great Falls, Mont.

The floors of the airways that would traverse the transition areas proposed herein would automatically coincide with the floors of the transition areas.

No procedural changes will be required by the proposal contained herein.

Specific details of this proposal and the new approach procedure for Helena City-County Airport may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The Public Docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 18, 1966.

FRANCIS E. UNTI,
Acting Director, Central Region.

[F.R. Doc. 66-5934; Filed, May 31, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SO-35]

CONTROL ZONES

Proposed Designation and Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Albany, Ga., control zone and designate the Albany, Ga. (Turner AFB), control zone.

The Albany, Ga., control zone is described in § 71.181 (31 F.R. 2065).

The Albany, Ga. (Municipal Airport), control zone would be redesignated as within a 5-mile radius of the Albany Municipal Airport (latitude 31°32'00" N., longitude 84°11'35" W.); within 2 miles each side of the 155° radial of the Albany VOR extending from the 5-mile radius area to the VOR; excluding that airspace which coincides with the Albany, Ga. (Turner AFB), control zone.

The Albany, Ga. (Turner AFB), control zone would be designated as within a 5-mile radius of Turner AFB (latitude 31°35'50" N., longitude 84°05'05" W.); within 2 miles each side of the 222° radial of the Turner VOR, extending from the 5-mile radius zone to the VOR; within 2 miles each side of the 038° radial, extending from the 5-mile radius zone to 10 miles NE of Turner TACAN; within 2 miles each side of the 098° radial of the Albany VOR, extending from the 5-mile radius zone to the VOR.

The proposed control zone alteration and designation are required for the protection of prescribed instrument approach and departure procedures at Albany Municipal Airport and Turner AFB. Separate control zones would be provided so that operations within each zone can be conducted in accordance with weather conditions existing within the respective zones.

The adjustment to an extension of the Albany, Ga. (Turner AFB), control zone is required by applicable criteria.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

These amendments are proposed under Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on May 23, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-5935; Filed, May 31, 1966; 8:46 a.m.]

[14 CFR Parts 71, 75]

[Airspace Docket No. 65-SO-53]

JET ROUTE AND ASSOCIATED AIRSPACE

Proposed Designation

The Federal Aviation Agency is considering amendments to Part 71 and Part 75 of the Federal Aviation Regulations that would designate a jet route from Houston, Tex., via Grand Isle, La., and Sarasota, Fla., to Miami, Fla.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designated to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

The proposed amendment would extend the designation of Jet Route No. 86 from Houston, Tex., VOR via Grand Isle, La., VOR; intersection of Grand Isle VOR 104° T (098° M) and Sarasota, Fla., VOR 286° T (285° M) radials; Sarasota VOR; intersection of Sarasota VOR 143° T (142° M) and Miami, Fla., VORTAC 297° T (297° M) radials; to Miami VORTAC. Part 71 would be amended to provide controlled airspace

for this route outside the continental control area.

Designation of this jet route would provide a VHF navigational routing where only a routing utilizing low frequency navigational aids via Control 1226 currently exists. Approximately 25 aircraft operate daily along Control 1226 which closely parallels the proposed jet route. This route would be used for operations between Miami and New Orleans, La., and the West Coast.

It is also proposed to alter § 71.209 by redescribing the Crab VHF Intersection as the intersection of the Sarasota, Fla., 286° T (285° M) and the Tallahassee, Fla., 192° T (191° M) radials to provide a compulsory reporting point on the proposed route for air traffic control purposes.

These amendments are proposed under the authority of Sec. 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on May 25, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-5936; Filed, May 31, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[417.312]

ANHYDROUS SODIUM SULPHATE AND CRUDE SALT CAKE

Tariff Classification

In the FEDERAL REGISTER of November 9, 1963 (28 F.R. 12065), a notice that the Bureau had before it for consideration the tariff classification of anhydrous sodium sulphate and crude salt cake was published.

In a letter, dated July 21, 1965, the Bureau issued a ruling that these commodities which contain more than 98.5 percent of sodium sulphate are classifiable as anhydrous sodium sulphate under paragraph 81, Tariff Act of 1930 (item 421.44, Tariff Schedules of the United States). Such commodities containing 98.5 percent or less of sodium sulphate were held to be classifiable as crude salt cake under paragraph 1766 of the tariff act (item 421.42 of the tariff schedules).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-5962; Filed, May 31, 1966; 8:48 a.m.]

Office of the Secretary

[Antidumping—ATS 643.3-p]

WHOLE FROZEN EGGS FROM UNITED KINGDOM

Determination of Sales at Not Less Than Fair Value

MAY 27, 1966.

On April 16, 1966, there was published in the FEDERAL REGISTER a "Notice of Intent To Discontinue Investigation and To Make Determination That No Sales Exist Below Fair Value" because of termination of sales with respect to whole frozen eggs from the United Kingdom, and that such fact is considered to be evidence that there are not, and are not likely to be, sales below fair value.

After consideration of all comments received, I hereby determine that because of termination of sales whole frozen eggs from the United Kingdom are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

This determination and the statement of the reason therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-6023; Filed, May 31, 1966; 8:50 a.m.]

[T.D. 66-116; T.D. Order No. 165—17, Amdt. 3]

BUREAU OF CUSTOMS

Field Service; New York

MAY 27, 1966.

Pursuant to Reorganization Plan No. 1 of 1965 (30 F.R. 7035), Reorganization No. 26 of 1950 (3 CFR Ch. III), section 1 of the Act of August 1, 1914, as amended, 38 Stat. 623 (19 U.S.C. 2), and Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), Treasury Department Order 165-17 (T.D. 56464, 30 F.R. 10913) is hereby amended by changing from June 1, 1966, to June 15, 1966, the effective date of the creation of Customs Region II, New York City, and the effective date of the creation of the new offices and the abolition of existing districts and offices for the territory included in said Region II.

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-6066; Filed, May 31, 1966; 10:08 a.m.]

DEPARTMENT OF JUSTICE

Office of the Attorney General

CHOCTAW COUNTY, ALA.

Certifications of the Attorney General Pursuant to Section 6 of the Voting Rights Act of 1965 (Public Law 89-110)

In accordance with section 6 of the Voting Rights Act of 1965, I hereby certify that in my judgment the appointment of examiners is necessary to enforce the guarantees of the 15th amendment to the Constitution of the United States in Choctaw County, Ala. This county is included within the scope of the determinations of the Attorney General and the Director of the Census made on August 6, 1965, under section 4(b) of the Voting Rights Act of 1965 and published in the FEDERAL REGISTER on August 7, 1965 (30 F.R. 9897).

NICHOLAS DEB. KATZENBACH,
Attorney General of the United States.

MAY 30, 1966.

[F.R. Doc. 66-6060; Filed, May 31, 1966; 9:15 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. Sub-B-50]

AMERICAN STERN TRAWLERS, INC.

Notice of Hearing

American Stern Trawlers, Inc., 26 Broadway, New York, N.Y., 10004, has applied for a fishing vessel construction differential subsidy to aid in the construction of a steel vessel with a length between perpendiculars of 262 feet to engage in the fishery for bottomfish, hake and herring in the North Pacific Ocean.

Notice is hereby given pursuant to the provisions of the U.S. Fishing Fleet Improvement Act (P.L. 88-498) and Notice and Hearing on Subsidies (50 CFR Part 257) that a hearing in the above-entitled proceedings will be held on July 7, 1966, at 10 a.m., e.d.s.t., in Room 3356, Interior Building, 18th and C Streets NW., Washington, D.C., 20240. Any person desiring to intervene must file a petition of intervention with the Director, Bureau of Commercial Fisheries, as prescribed in 50 CFR Part 257 at least 10 days prior to the date set for the hearing. If such petition of intervention is granted, the place of the hearing may be changed to a field location. Telegraphic notice will be given to the parties in the event of such a change along with the new location.

DONALD L. MCKERNAN,
Director,
Bureau of Commercial Fisheries.

MAY 26, 1966.

[F.R. Doc. 66-5956; Filed, May 31, 1966; 8:47 a.m.]

Office of the Secretary

FINISHED PRODUCTS OTHER THAN RESIDUAL FUEL OIL TO BE USED AS FUEL

Adjustment in Maximum Level of Imports Into Puerto Rico

Pursuant to paragraph (c) of section 2 of Proclamation 3279, as amended (30 F.R. 15459), the maximum level of imports into Puerto Rico of finished products other than residual fuel oil to be used as fuel established on December 21, 1965 (30 F.R. 16088), pursuant to section 14 of Oil Import Regulation 1 (Revision 4) as amended, for the period January 1, 1966, through December 31, 1966, is increased by 110,000 barrels to permit the importation of asphalt in that amount to meet a demand in Puerto Rico that would not otherwise be met.

STEWART L. UDALL,
Secretary of the Interior.

MAY 25, 1966.

[F.R. Doc. 66-5953; Filed, May 31, 1966; 8:47 a.m.]

WALKER RIVER PAIUTE RESERVATION, NEVADA

Ordinance Regulating Sale and Possession of Intoxicants

Pursuant to the Act of August 15, 1953 (Public Law 277, 83d Congress, 1st Session; 67 Stat. 586), I certify that the following ordinance relating to the application of the Federal Indian liquor laws on the Walker River Paiute Reservation was duly adopted by the Walker River Paiute Tribal Council which has jurisdiction over the area of Indian country included in the ordinance:

An ordinance to regulate the sale and possession of intoxicating beverages within the Walker River Indian Reservation, Nevada.

Whereas, Ordinance WR-64-1 was enacted on February 7, 1964, to prohibit the sale of intoxicating beverages on the Walker River Reservation, Nev., and such ordinance was certified by the FEDERAL REGISTER, Volume 29, No. 6659, on May 21, 1964.

Whereas, in the interest of the entire community the members of the Tribe wish to now permit the sale of intoxicating beverages on the reservation.

Now, therefore, be it enacted by the Walker River Paiute Tribal Council of the Walker River Paiute Indian Reservation, Nev., in council meeting assembled this 1st day of April, 1966, that Ordinance No. WR-64-1, enacted on February 7, 1964, is rescinded in its entirety.

Be it further enacted that possession and sale of intoxicating beverages shall be lawful within the Indian country under the jurisdiction of the Walker River Paiute Tribe: *Provided*, That such introduction and possession is in conformity with the laws of the State of Nevada, and with the following:

SECTION 1. (a) It shall be unlawful for any person to sell alcoholic beverages on and within the Walker River Paiute Indian Reservation, Nev., without first obtaining a valid State license as required by law or county ordinance and a valid license issued by the Walker River Paiute Tribal Council.

(b) Such license will authorize the holder thereof to sell alcoholic beverages at retail in packages or by drink for consumption on the premises.

(c) Such license shall set forth the location and description of the building and premises where such sales may be made and for which said license is issued.

(d) Said license shall be displayed in a conspicuous place within the building or room where such alcoholic beverages are sold.

(e) Such license shall be issued for a period concurrent with the period for which the licensee holds a valid State and County license and the license fee, to be paid in advance, shall be at a rate of one-third that of the State and County.

SEC. 2. (a) No person shall sell, deliver or give any alcoholic beverages to any person actually or apparently under the influence of alcoholic beverages.

(a) [sic] No person shall sell, give away or otherwise furnish any alcoholic beverages to any person under the age of twenty-one (21) years or leave or deposit any such alcoholic beverages in any place with the intent that same shall be procured by any person under the age of twenty-one (21) years.

Penalty. Any Indian who violates any of the provisions of this ordinance shall be deemed guilty of an offense and upon conviction thereof shall be punished by a fine of not less than $25 nor more than $100, or by sentence to imprisonment for not less than 10 days nor more than 50 days, or both such fine and imprisonment and/or suspension or revocation of his or her license. When any provision of this ordinance is violated by a non-Indian, he or she shall be referred to the State and/or Federal authorities for prosecution under applicable law and his or her license may be suspended or revoked.

Certification. We, the undersigned, duly elected officers of the Walker River Paiute Tribal Council, hereby certify that the foregoing Ordinance was enacted by the Walker River Paiute Tribal Council pursuant to the Act of August 15, 1953 (Public Law 277, 67 Stat. 586, 83d Congress, 1st Session) at a duly called regular meeting, convened on April 1, 1966, a quorum being present, by a vote of 4 for and 0 against, and said Ordinance has not been rescinded or amended in any way.

Dated this 1st day of April 1966.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 25, 1966.

[F.R. Doc. 66-5945; Filed, May 31, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case No. 353]

ANTWERP MARINE RADIO CO.

Consent Probation Order for Export Control Act Violations

In the matter of Antwerp Marine Radio Co., 8 Ambtmanstraat, Antwerp, Belgium, Respondent.

By charging letter dated October 8, 1965, the respondent was charged by the Director, Investigations Division, Office of Export Control, Bureau of International Commerce, with violations of the U.S. Export Control Act and regulations thereunder. The respondent was served with the charging letter, appeared in the proceedings and filed an answer. Pursuant to the provisions of § 382.10 of the Export Regulations, with agreement of the Director of the Investigations Division, the respondent submitted to the Compliance Commissioner a proposal for the issuance of a consent order substantially in the form hereinafter set forth. In said consent proposal the respondent, for the purpose of this compliance proceeding, admitted the charges set forth in the charging letter. It waived all right to an oral hearing before the Compliance Commissioner, and consented to the issuance of an order. It also waived all right of administrative appeal from, and judicial review of, such order.

The Compliance Commissioner has reviewed the facts in the case and the respondent's proposal. He has approved the proposal and has recommended that it be accepted.

Having considered the Compliance Commissioner's report and the consent proposal, I hereby make the following findings of fact:

1. The respondent Antwerp Marine Radio Co. is a corporation with a place of business in Antwerp, Belgium. The firm is engaged in the installation, servicing, and repair of electronic equipment on ships in Belgian ports. At the time here material Michel Blomme was Administrator-Director of the firm and Marcel Van Der Aa was Managing Director or Commercial Manager.

2. In the latter part of 1964 and the early part of 1965 the respondent sought to obtain a special type electronic tube from a supplier in New York. The said supplier in writing advised respondent that the required license to permit the exportation of said tube from the United States could only be obtained if the application for such license was supported by an import certificate issued to respondent by the Belgian Government. The respondent advised the supplier that the import certificate could not be obtained from the Belgian Government because the tube in question was to be reexported from Belgium.

3. In the early part of 1965 respondent sought to obtain from the same New York supplier certain equipment to be used in a radar installation on a vessel. The supplier informed respondent that to support an application for the exportation of this equipment from the United States a Belgian import certificate was necessary. According to information furnished by respondent this equipment was to be installed on an East German vessel.

4. The respondent having failed in its efforts to obtain Belgian import certificates for the equipment in question, it thereafter solicited and knowingly counseled and sought to procure the U.S. supplier to ship the items in question to it by concealing from the U.S. authorities the true description of the equipment to avoid the necessity of applying for and obtaining the validated licenses required to authorize exportation of the equipment from the United States.

Based on the foregoing I have concluded that the respondent violated §§ 381.2 and 381.3 of the U.S. Export Regulations in that it solicited and knowingly counseled and sought to induce and procure a person in the United States to perform acts which would be contrary to the provisions of the U.S. Export Regulations.

On consideration of the record in the case, including factors which warrant acceptance of the consent proposal, I do hereby accept the consent proposal. Accordingly, it is hereby ordered:

I. For a period of 3 years from the effective date of this order the respondent is placed on probation on condition that it does not knowingly violate the Export Control Act of 1949, as amended, or any regulations or order issued thereunder. While the respondent is on probation it shall be permitted all export privileges as though this order had not been entered. If the respondent does not violate the condition of probation, this order without further action shall terminate at the expiration of 3 years from its effective date.

II. In the event that, after investigation, it is found by the Director, Office of Export Control, or such other official as may at that time be exercising his duties, that the respondent has failed during the 3-year period of probation, to comply in any respect with the condition set forth in Part I hereof, such official may summarily and without notice to the respondent enter and publish an order against the respondent which in substance shall provide as follows:

(a) Revoke all outstanding validated export licenses to which respondent is a party.

(b) For a period up to 3 years deny to the respondent and all persons and firms related to it, all privileges of participating directly or indirectly in any manner or capacity in any exportation of any commodity or technical data from the United States to any foreign destination including Canada. Without limitation of the generality of this provision, participation in any exportation is deemed to include and prohibit participation by the respondent or any related party, directly or indirectly, in any manner or capacity in the conduct of trade (1) as a party or as a representative of a party to any validated export license application, or documents to be submitted therewith, (2) in the preparation or filing of any export license application or of any documents to be submitted therewith, (3) in the obtaining or using of any validated or general export license or other export control documents, (4) in the receiving, ordering, buying, selling, using or disposing in any foreign country of any commodities or technical data, in whole or in part, exported or to be exported, from the United States, and (5) in storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

(c) No person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with the respondent or any related party, or whereby the respondent or any related party may obtain any benefits therefrom or have any interest or participation therein, directly or indirectly: (1) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control documents relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for the respondent or any related party denied export privileges; or (2) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

(d) The entry of an order under this part shall not limit the Bureau of International Commerce from taking other action based on the violation for which probation was revoked as said Bureau shall deem warranted.

This order shall become effective May 27, 1966.

Dated: May 23, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 66-5964; Filed, May 31, 1966; 8:48 a.m.]

Office of the Secretary

[Dept. Order 83, Amdt. 1]

ORGANIZATION

The following amendment to the order was issued by the Secretary of Commerce on May 12, 1966. This material amends the material appearing at 31 F.R. 3471 of March 5, 1966. The material appearing at 29 F.R. 13541 of October 1, 1964, and 30 F.R. 3548 of July 3, 1965, is hereby rescinded.

Department Order 83, dated February 15, 1966, is hereby amended as follows:

Revised organization chart. Attached is a revised organization chart[1] of the Department of Commerce which replaces the chart attached to Department Order 83 issued February 15, 1966. The revised chart reflects the transfer of the Community Relations Service, effective April 22, 1966, from the Department of Commerce to the Department of Justice by Reorganization Plan No. 1 of 1966.

Recision. Department Orders 194 of September 15, 1964, and 194-B of June 24, 1965, "Community Relations Service," are hereby rescinded.

Effective date: May 12, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-5927; Filed, May 31, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15063]

AEROVIAS QUISQUEYANA, C. POR A.

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be heard on June 22, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., May 25, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-5965; Filed, May 31, 1966; 8:48 a.m.]

[Docket No. 17336]

EMPRESA GUATEMALTECA DE AVIACION

Notice of Prehearing Conference

Application for renewal of its foreign air carrier permit between a point or points in Guatemala and the terminal point Miami, Fla., with respect to persons, property and mail; and between a point or points in Guatemala and the terminal point New Orleans, La., with respect to persons, property and mail.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on June 13, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., May 25, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-5966; Filed, May 31, 1966; 8:48 a.m.]

[1] Chart filed as part of original document.

FEDERAL AVIATION AGENCY

PRIORITIES UNDER FEDERAL-AID AIRPORT PROGRAM FOR FISCAL YEAR 1967

Policy Statement

1. *Purpose.* To state the priorities used in allocating Federal funds for airport development under the Federal-aid Airport Program (FAAP).

2. *Background.* Federal funds available for airport development under the Federal Airport Act (49 U.S.C. 1101 et seq.) are usually less than the Requests for Aid submitted by sponsors. Therefore, it is necessary to establish priorities to be used in allocating these Federal funds. For the information of applicants requesting aid the priorities that will be applied in allocating these funds are listed below in their descending order of priority.

3. *Priorities for allocation of Federal funds.* a. Urgent safety facilities to support all weather operations at major air carrier airports. This would cover inpavement lights, high intensity runway edge lighting, land for the approach lighting system and generators for standby power at "continuous power airports."

b. Development for the improved service of the modern equipment now being acquired by the scheduled airlines. This would cover the lengthening, strengthening, widening and marking of runways and taxiways with related land acquisition to accommodate new jet aircraft.

c. Improvements to provide additional airport capacity required by scheduled airlines and air taxis such as parking aprons, secondary runways and additional taxiways.

d. Development at airports that accommodate a high volume of activity or tend to divert aircraft operations from the busy metropolitan area airports serving scheduled air carriers.

e. Development for public use by general aviation at airports in medium and small communities.

f. Development needed under the National Airport Plan that is not covered by the first five priorities.

4. *Application.* The Federal Airport Act contemplates that projects eligible for consideration should include all types of airport development and should not be limited to any classes or categories of public airports. Within the limits of discretion permitted by the Act, the FAA will uniformly apply the above priorities on a national basis. In some States where the program can be supported entirely within State Apportionment Funds, allocations may be made under lower priorities than would be the case where Discretionary Funds are required to support the State program. Airports used by general aviation are not eliminated from consideration in the Fiscal Year 1967 Program. The application of these priorities is intended to make use of the available Federal funds so as to provide the greatest public benefit.

Issued in Washington, D.C., on May 24, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-5937; Filed, May 31, 1966; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 66-466]

STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

MAY 26, 1966.

In accordance with the Commission's action of May 25, 1966, granting a waiver of § 1.571(c) of its rules to permit expeditious processing of the below-described application, notice is hereby given that on July 6, 1966, the following application

New, Tioga, N. Dak.
Tioga Broadcasting Corp.
Req: 1090 kc, 250 w, Day.

will be considered as ready and available for processing, and pursuant to § 1.227 (b)(1) and § 1.591(b) of the Commission's rules, an application, in order to be considered with this application, or with any other application on file by the close of business on July 5, 1966, which involves a conflict necessitating a hearing with this application, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on July 5, 1966, or (b) the earlier effective cut-off date which this application or any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The attention of any party in interest desiring to file pleadings concerning the above application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580 (i) of the Commission's rules for the provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: May 25, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5988; Filed, May 31, 1966; 8:50 a.m.]

[1] Commissioner Loevinger absent.

[Docket Nos. 16306-16308; FCC 66M-733]

K-SIX TELEVISION, INC. (KVER), AND SOUTHWESTERN OPERATING CO. (KGNS-TV)

Order Continuing Hearing

In re applications of K-Six Television, Inc. (KVER), Laredo, Tex., Docket No. 16306, File No. BPCT-3304, for construction permit for new television broadcast station; K-Six Television, Inc. (KVER), Laredo, Tex., Docket No. 16307, File No. BMPCT-6153, for modification of construction permit; Southwestern Operating Co. (KGNS-TV), Laredo, Tex., Docket No. 16308, File No. BRCT-503, for renewal of license.

The Hearing Examiner having under consideration a motion filed May 20, 1965, and an errata to said motion filed May 23, 1966, on behalf of Southwestern Operating Co. requesting that the hearing in the above-captioned proceeding be extended from June 6, 1966, to June 24, 1966; and

It appearing that the reason for the requested extension is the fact that on March 11, 1966, a joint petition for reconsideration of the hearing order and grant of the above-designated applications has been filed before the Commission which, if granted, will obviate the necessity for a hearing; and

It further appearing that counsel for K-Six Television, Inc., and Chief, Broadcast Bureau have no objection to the immediate consideration and grant of the motion, and good cause for granting the same having been shown;

It is ordered, This the 25th day of May 1966, that the motion is granted, and the date of hearing is extended from June 6, 1966, to June 24, 1966.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5982; Filed, May 31, 1966; 8:49 a.m.]

[Docket Nos. 16525, 16526; FCC 66M-731]

JAMES L. HUTCHENS AND FAITH TABERNACLE, INC. (KRVC)

Order Scheduling Further Prehearing Conference

In re applications of James L. Hutchens, Central Point, Oreg., Docket No. 16525, File No. BP-16640; Faith Tabernacle, Inc. (KRVC), Ashland, Oreg., Docket No. 16526, File No. BP-16745; for construction permits.

The Hearing Examiner having under consideration a joint motion filed May 18, 1966, on behalf of the above-captioned applicants requesting an extension of the procedural steps established April 15, 1966, or alternately, set a further prehearing conference thereon; and

It appearing that the reason for the requested extension of procedural dates is to await action by the Review Board on a joint petition to dismiss the application of Faith Tabernacle, Inc., and related material filed before said Board on May 18, 1966, and which, if granted, would necessitate a reevaluation of the issues and procedures resulting therefrom; and

It further appearing that counsel for the Chief, Broadcast Bureau has no objection to the requested extension, and good cause for granting the motion having been shown;

It is ordered, This the 25th day of May 1966, that the joint motion is granted, and the procedural steps established April 15, 1966, are set aside;

It is further ordered, That a further prehearing conference in the above-captioned proceeding will be held on June 17, 1966, at 9 a.m. in the offices of the Commission, Washington, D.C.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5983; Filed, May 31, 1966; 8:50 a.m.]

[Docket No. 16430; FCC 66M-730]

CENTRAL COAST TELEVISION (KCOY-TV)

Order Continuing Hearing

In re Application of Mill Acquistapace, Helen L. Pedotti, James H. Ranger, Burns Rick, and Marion A. Smith, doing business as Central Coast Television (KCOY-TV), Santa Maria, Calif., Docket No. 16430, File No. BPCT-3580, for construction permit.

The Hearing Examiner having under consideration an oral request by counsel for Central Coast Television (KCOY-TV) (said request being concurred in by all other counsel) for a postponement of the hearing in the above-entitled matter from 2 p.m., May 31, 1966, to 10 a.m., June 1, 1966, and

It appearing, that the postponement would conduce to the expedition of the matter,

It is ordered, This 25th day of May 1966, that the aforesaid request is granted and, accordingly, the hearing now scheduled for 2 p.m., May 31, 1966, is postponed to 10 a.m., June 1, 1966, in the Commission's offices in Washington, D.C.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5984; Filed, May 31, 1966; 8:50 a.m.]

[Docket Nos. 16649, 16650]

SEMO BROADCASTING CORP. AND SIKESTON COMMUNITY BROADCASTING CO.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Semo Broadcasting Corp., Sikeston, Mo., Docket No.

16649, File No. BPH-5087, requests: 97.7 mc, No. 249, 3 kw, 195 feet; Sikeston Community Broadcasting Co., Sikeston, Mo., Docket No. 16650, File No. BPH-5161, requests: 97.7 mc, No. 249, 3 kw, 177 feet; for construction permits.

1. The Commission, by the Chief, Broadcast Bureau, under delegated authority considered the above captioned and described applications for construction permits on May 23, 1966.

2. Each of the applicants is qualified to construct and operate as proposed. However, the applications are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is therefore unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine which of the proposals would better serve the public interest.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, which of the applications for construction permits should be granted.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5986; Filed, May 31, 1966; 8:50 a.m.]

[Docket Nos. 16649, 16650; FCC 66M-739]

SEMO BROADCASTING CORP. AND SIKESTON COMMUNITY BROADCASTING CO.

Order Scheduling Hearing

In re applications of Semo Broadcasting Corp., Sikeston, Mo., Docket No. 16649, File No. BPH-5087; Sikeston Community Broadcasting Co., Sikeston, Mo., Docket No. 16650, File No. BPH-5161; for construction permits.

It is ordered, This 26th day of May 1966, that David I. Kraushaar shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 14, 1966, at 10 a.m.; and that a prehearing conference shall be held on June 23, 1966, commencing at 9 a.m.; *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5987; Filed, May 31, 1966; 8:50 a.m.]

[Docket No. 16612; FCC 66M-732]

STAR STATIONS OF INDIANA, INC.

Order Following Prehearing Conference Continuing Hearing

In re applications of Star Stations of Indiana, Inc., Docket No. 16612, File Nos. BR-1144, BRH-1276; for renewal of licenses of Station WIFE AM-FM, Indianapolis, Ind.

Counsel for the applicant and for the Broadcast Bureau having agreed to continue this proceeding until the Commission has acted upon applicant's Petition for Reconsideration filed May 20, 1966;

With concurrence of both counsel: *It is ordered,* This 25th day of May 1966, that hearing now scheduled for July 12, 1966, is continued to September 7, 1966. Place of hearing, Indianapolis, Ind., is unchanged.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5989; Filed, May 31, 1966; 8:50 a.m.]

[Docket Nos. 16606, 16607; FCC 66M-735]

KANSAS STATE NETWORK, INC., AND HIGHWOOD SERVICE, INC.

Order Continuing Hearing

In re applications of Kansas State Network, Inc., Topeka, Kans., Docket No. 16606, File No. BPCT-3537; Highwood Service, Inc., Topeka, Kans., Docket No. 16607, File No. BPCT-3561; for construction permit for new television broadcast station (Channel 29).

It is ordered, This 25th day of May 1966 pursuant to the agreements reached at the prehearing conference held herein on this date, said agreements having taken cognizance of the pending petition for rule making looking toward allocation of an additional television channel to the city of Topeka, that a second prehearing conference shall be held herein on July 25, 1966, commencing at 9 a.m. in the offices of the Commission at Washington, D.C.

It is further ordered, That the hearing herein presently scheduled for June 20, 1966, is continued without date.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5990; Filed, May 31, 1966; 8:50 a.m.]

[FCC 66-476]

RADIO AMATEUR CIVIL EMERGENCY SERVICE (RACES) PLANS

Notice of Review

MAY 26, 1966.

The Commission today[1] approved all outstanding Radio Amateur Civil Emergency Service (RACES) Plans as interim plans for the Amateur Radio Service under the provisions of Executive Order 11092, which assigned emergency preparedness functions to the Federal Communications Commission.

This action, which was concurred in by all interested Government Departments and Agencies, is the result of studies and recommendations by the Amateur Radio Service Subcommittee of the Commission's National Industry Advisory Committee (NIAC).

A detailed review of all present RACES Plans will be conducted by the Amateur Radio Service Subcommittee of the NIAC. All State and local Civil Defense Directors are requested to submit two copies of their present RACES Plans to their Regional Director, Office of Civil Defense for transmittal to the NIAC not later than August 1, 1966.

All other interested entities are requested to submit their requirements for emergency communications, utilizing facilities and personnel of the Amateur Radio Service, to the Executive Secretary, NIAC, Federal Communications Commission, Washington, D.C., 20554, not later than August 1, 1966.

The above information will be utilized by the Amateur Radio Service Subcommittee of NIAC in the development of a new basic plan for the Amateur Radio Service under the provisions of Executive Order 11092.

Adopted: May 25, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-5895; Filed, May 31, 1966; 8:50 a.m.]

[1] See F.R. Doc. 66-5981, supra.

[FCC 66-475]

INTERIM AMATEUR RADIO SERVICE PLAN FOR EMERGENCY OPERATION

Order of Approval

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of May 1966;

The Commission having under consideration a formal recommendation of Executive Committee of the National Industry Advisory Committee (NIAC), which was submitted October 28, 1965, for an Interim Amateur Radio Service Plan for operation during emergencies; and

It appearing, that Executive Order 11092 places upon the Commission, the function of developing plans and procedures covering, among other things, authorization, operation and use of Safety and Special Radio Services facilities and personnel in the national interest in an emergency; and

It further appearing, that the adoption of the proposed interim plan, which recognizes and is based upon the existing Radio Amateur Civil Emergency Service (RACES) but looks toward the development of a Basic Plan for the Amateur Radio Service which will more completely fulfill the expected requirements for emergency communications to be supplied by the Amateur Radio Service, is in the public interest, convenience, and necessity;

It is ordered, Pursuant to sections 4(i), 606 (c) and (d) of the Communication Act of 1934, and Executive Order 11092, that the attached Interim Amateur Radio Service Plan and Statement of Objectives is approved.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

OCTOBER 28, 1965.

The following is the formal recommendation of the Executive Committee of the National Industry Advisory Committee (NIAC), which is herewith respectfully submitted to the Federal Communications Commission for appropriate consideration:

Reference: Item No. 3, NIAC Executive Committee Meeting, October 27, 1965.

Subject: Recommendation of the Amateur Radio Service Subcommittee of NIAC for adoption of an Interim Amateur Radio Service Plan.

1. The formal recommendation of the NIAC Amateur Radio Service Subcommittee, dated September 15, 1965, pertaining to the above subject is attached hereto as Attachment A.

2. The NIAC Executive Committee, in formal session on October 27, 1965, considered this recommended plan and unanimously adopted it as an Interim Basic Plan for the Amateur Radio Service, with the primary purpose of giving interim approval of RACES plans now existing; as well as those to be submitted and approved under current regulations, pending review and incorporation into the final basic amateur plan.

3. It is respectfully recommended that the Federal Communications Commission give appropriate consideration to the adoption of the Interim Basic Amateur Plan pending further study and recommendation of a final Basic Amateur Plan.

W. ELMER POTHEN,
Acting Chairman,
National Industry Advisory Committee.

SEPTEMBER 15, 1965.

INTERIM REPORT NO. 1

Under its terms of reference, the Amateur Radio Services Subcommittee of the National Industry Advisory Committee is charged with the responsibility for submitting recommended plans and procedures to facilitate an amateur emergency communications capability, pursuant to Executive Order 11092. Sections 3 and 3(c) thereof cover "Safety and Special Radio Services" (of which the Amateur Radio Service is an integral part) as follows:

"The Commission shall develop plans and procedures, in consonance with national telecommunications plans and policies, covering * * * authorization, operation and use of safety and special radio services, facilities and personnel in the national interest in an emergency."

This is the initial report of the Subcommittee dealing with only one aspect of its task, but one which is believed to be of prime importance as a first step and to require prompt consideration and action by the Federal Communications Commission.

In order to accomplish its task, the Subcommittee must first be informed of current approved emergency communications requirements of all potential users. The preparation of such requirements is now in process. Pending the receipt and processing of these approved requirements and the formulation of a Basic plan to be recommended by the Subcommittee, it is believed desirable to recognize the existing amateur emergency capabilities as an approved Interim system.

On a voluntary basis, organized and administered through its national society, the Amateur Radio Service has for many years provided vital communications during peacetime emergencies. This service should be continued and encouraged. The Amateur Radio Services Subcommittee will study the current FCC Rules and Regulations Governing Amateur Radio Service and make appropriate recommendations for any changes found desirable to improve the amateur's peacetime emergency capability.

The Radio Amateur Civil Emergency Services (RACES) is a specialized phase of the Amateur Radio Service set up to provide emergency communications under the special conditions which exist in time of war or declared national emergency. It is the only means currently available by which the capabilities of the amateur service may be used under such wartime conditions. The Subcommittee will study the current rules governing RACES along with basic plans and procedures, looking toward recommendations to improve the RACES capability. However, it is believed the present status and development of RACES constitute a sound plan, on an interim basis, for fulfilling the currently known requirements for civil defense and emergency communications. There are currently nearly 2,000 state and local RACES plans in operation, and additional plans now being processed by the Commission for approval will further enhance the capability of the system.

In view of the foregoing, it is respectfully recommended that the FCC formally recognize the existing RACES plan as well as those in process and those to be submitted and approved under current regulations, as an Interim plan to fulfill under the provisions of section 3(c) of Executive Order 11092, immediate emergency communications responsibilities of the Amateur Radio Service pending completion of studies as required under the Terms of Reference of our Subcommittee.

In addition, attached is a statement of objectives for the work of the Amateur Radio Services Subcommittee, which is submitted for approval.

JOHN HUNTOON,
Chairman, Amateur Radio
Services Subcommittee, NIAC.

AMATEUR RADIO SERVICE SUBCOMMITTEE
(NIAC)

AMATEUR RADIO SERVICE; STATEMENT OF OBJECTIVES

Introduction

The Amateur Radio Service is one of "self-training, intercommunication and technical investigations" carried on by individuals with no pecuniary interest, direct or indirect. It is perhaps unique among all others under the jurisdiction of the Federal Communications Commission, since it does not normally provide a continuing communications service for a specific commercial purpose, a specific industry, or a State or local government function. Thus, the requirements to be fulfilled by the Amateur Radio Service in time of emergency are not a continuation of its own internal communications experimental and training needs, but rather making its facilities available to accomplish or supplement the needs of others. Potentially, the facilities of the organized Amateur Radio Service can be used in emergency for almost any present government, commercial or industrial telecommunications operation, to supplement or extend these means of communications, or provide such means when no others exist.

To assure proper development of emergency communications plans, procedures and systems under the provisions of Executive Order 11092, the term "Emergency Operational Communications" is defined as communications pertaining to and covering conditions of war, threat of war, a state of public peril or disaster, or other national, regional, State or area emergency condition posing a threat to the safety of life and property.

Basic Assumptions

1. An attack on the United States or a natural disaster could seriously disrupt communications within and among Federal, State, and local governments, industry and the public.

2. The resumption, restoration and improvement of State and local communications services and facilities would be a priority prerequisite for survival measures, requiring optimum use of some and possibly all surviving communications.

3. During periods of emergency, the facilities of the Amateur Radio Service can provide vital replacement of or backup for destroyed or overloaded communications circuits to support survival and recovery operations.

4. Because of the substantial number of amateur radio licensees and their widespread geographical dispersion, there is a high probability of communications survivability in the Amateur Radio Service despite infliction of severe damage.

5. The principal utilization of amateur capabilities during periods of emergency should be through organized Amateur Radio emergency operations in accordance with prearranged and approved plans.

6. Amateur organizations will promote and support voluntary participation by individual

amateur licensees in organized emergency operations.

7. Government, at all levels, and particularly the Department of the Army (Office of Civil Defense) will cooperate fully in the development of plans and procedures to facilitate an organized amateur emergency communications capability.

8. The emergency communications requirements of all potential users will be made available to the National Industry Advisory Committee for review and appropriate consideration in the preemergency planning under the provisions of Executive Order 11092 and Executive Order 11007.

9. An organized amateur radio capability necessary to provide adequate backup to other communications under general war conditions must also be tailored to fulfill requirements of emergencies such as peacetime disaster, international tension and limited war.

Specific Objections

In order to respond to an emergency situation on a national, regional, State, or local area basis on short notice, the Amateur Radio Service requires an organized capability. To this end, the following specific operational features must be provided:

1. *Notification.* An Emergency Action Notification procedure for designated key Amateur Radio Service licensees is desirable. Notification to other amateur radio licensees will be necessary in some instances in order to reduce or eliminate prevailing interference conditions. The scope of such notifications will depend upon the type and severity of the specific emergency situation; i.e., national emergency, international tension, limited war, or other national, regional, State or local area emergency. The NIAC Amateur Radio Service Subcommittee will be alert to the development of procedures to attain a target reaction time of 5 minutes, particularly with respect to key stations.

2. *Availability.* Once notified of an Emergency Action Condition, amateur radio stations holding National Defense Emergency Authorizations (NDEA) and designated as Primary or Alternate facilities is approved emergency communications plans will immediately place in operating condition all approved emergency communications plans, systems, and procedures appropriate to the existing situation, and these will be kept in continuous operating readiness until receipt of the Emergency Action Condition Termination. Other amateur radio stations, when so directed, will leave the air and remain silent until receipt of the Emergency Action Condition Termination.

3. *Reliability.* The emergency communications systems developed for the Amateur Radio Service to fulfill stated and approved requirements must be so constituted with several levels of alternate or standby facilities as to be able to provide uninterrupted prevailing emergency situation despite heavy damage.

Representatives of the Amateur Radio Service will, in cooperation with the FCC, develop detailed procedures to implement and monitor the effectiveness of all emergency communications plans, procedures, and systems.

4. *Emergency Operations.* In an emergency, communications systems, licensees, and facilities of the Amateur Radio Service must be made available to fulfill approved requirements of:

a. Federal Government Departments and Agencies;

b. State Authorities;

c. Local Area Authorities;

d. National organizations responsible for the public well-being;

e. Approved critical industry operations, including public utilities, essential to the survival and recovery of the populace encompassed by the emergency situation.

5. *Claimancy.* Detailed requirements, plans and procedures will be developed by the Amateur Radio Service Subcommittee of the NIAC and recommended to the Federal Communications Commission, as claimant agency, to claim material, manpower, equipment, supplies, and services needed in support of designated Amateur Radio Service licensees holding valid National Defense Emergency Authorizations issued in accordance with APPROVED plans, systems, and procedures under the provisions of Executive Order 11092 and Executive Order 11007.

6. *Conservation, Salvage, and Rehabilitation.* Standby plans for the conservation and salvage of supplies and equipment and the rehabilitation, restoration, or replacement of key designated Amateur Radio Service emergency communications systems and facilities after an attack or disaster will be developed by the Amateur Radio Services Subcommittee of the NIAC and recommended to the Federal Communications Commission.

7. *Facilities Protection.* The Amateur Radio Services Subcommittee of the NIAC will develop and recommend to the Federal Communications Commission and the Department of Defense advice and guidance to achieve such protection of emergency communications facilities and personnel of the Amateur Radio Service as is necessary to maintain the integrity of the emergency communications facilities and services authorized for this purpose and promote a national program to stimulate disaster preparedness and damage control in accordance with such approved plans. The recommended plans shall include, but not be limited to, organizing and training communications facility personnel, shelter for emergency communications records protection, continuity of emergency communications operation, security of emergency communications facilities, emergency repair and recovery of emergency communications facilities, and deconcentration and dispersal of emergency communications facilities.

8. *Damage Assessment.* The Amateur Radio Services Subcommittee of the NIAC will develop and recommend to the Federal Communications Commission and the Department of Defense plans to maintain a capability to assess the effects of attack on emergency communications systems and facilities of the Amateur Radio Service which are essential in a national emergency and to provide data to the Department of Defense through channels and procedures approved by the Federal Communications Commission.

9. *Tasks.* The organized Amateur Radio Service, in cooperation with the Federal Communications Commission, is best qualified to determine the detailed technical arrangements and procedures necessary to the establishment of optimum emergency communications systems to fulfill stated and approved national, regional, state, and local area emergency communications requirements. Accordingly, the Federal Communications Commission will continue to oversee the development and approval of all plans and procedures relating to the emergency use of Amateur Radio Service facilities and licensees to fulfill stated and approved requirements. Channels have been established through the National Industry Advisory Committee, Amateur Radio Services Subcommittee, for the study and recommendation of all proposals.

a. *Interim Plan for the Amateur Radio Service.* A recommended Interim Plan will be developed and recommended by the Amateur Radio Services Subcommittee of the NIAC, based upon the Radio Amateur Civil Emergency Service, in order to maintain an emergency operational capability during this interim period, prior to an approved basic plan.

It is recognized that the present RACES capability will not completely fulfill expected requirements for emergency communications to be supplied by the Amateur Radio Service. Accordingly, studies will be made of the capability of other areas of organized amateur communication, such as the Amateur Radio Emergency Corps and The National Traffic System, with a view toward recommending appropriate use of these facilities in an eventual Basic Plan for the Amateur Radio Service.

b. *Basic Plan for the Amateur Radio Service.* A recommended Basic Plan will be developed for the Amateur Radio Service, including:

(1) All accepted stated and approved requirements for emergency use of organized Amateur Radio Service emergency communications systems, facilities, and personnel.

(2) Recommended detailed policy guidance for the development of detailed regional, State, and local area emergency communications operational plans and procedures to fulfill stated and approved detailed requirements.

c. *Detailed State Emergency Communications Operational Plans and Procedures.* Amateur Radio Services Subcommittees of State Industry Advisory Committees will develop and recommend detailed State emergency communications operational plans and procedures to fulfill stated and approved requirements including:

All accepted stated requirements received from cognizant Federal, National, State, and local area authorities and other acceptable requirements received from essential industries and public utilities.

Such recommended detailed State plans will be forwarded to appropriate Regional Industry Advisory Committees for consideration and regional coordination, thence to the Amateur Radio Services Subcommittee of the NIAC for review, thence to the NIAC, thence to the FCC for approval and concurrence by cognizant Federal authorities. Implementation of approved State plans will commence at the local operational area.

[F.R. Doc. 66-5081; Filed, May 31, 1966; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License 735]

ACADEMY FORWARDING CORP.

Order To Show Cause

On May 13, 1966, the St. Paul Fire & Marine Insurance Co., notified the Commission that the surety bond filed pursuant to section 44(c), Shipping Act, 1916 (46 U.S.C. 841b) by Academy Forwarding Corp., 15 William Street, New York, N.Y., 10005, would be canceled effective 12:01 a.m., June 12, 1966.

Section 44(c) of the Shipping Act, 1916 (46 U.S.C. 841b) and § 510.5(f) of General Order 4 (46 CFR) provide that no license shall remain in force unless such forwarder shall have furnished a bond.

Section 44(d) of the Shipping Act, 1916 (46 U.S.C. 841b) provides that licenses may, after notice and hearing, be suspended or revoked for wilful failure to comply with any provision of the Act, or with any lawful rule of the Commission promulgated thereunder.

Therefore, it is ordered, That Academy Forwarding Corp., on or before June 3, 1966, either (1) submit a valid bond effective on or before, June 12, 1966, or (2) show cause in writing or request a hearing to be held at 10 a.m., on June 8, 1966, in Room 505, Federal Maritime Commission, 1321 H Street NW., Washington, D.C., 20573, to show cause why its license should not be suspended or revoked pursuant to section 44(d), Shipping Act, 1916.

It is further ordered, That the Director, Bureau of Domestic Regulation, forthwith revoke License No. 735, if the licensee fails to comply with this order.

It is further ordered, That a copy of this order to show cause and all subsequent orders in this matter be served upon the licensee and be published in the FEDERAL REGISTER.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-5973; Filed, May 31, 1966; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-365]

MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Application

MAY 24, 1966.

Take notice that on May 13, 1966, Mississippi River Transmission Corp. (Applicant), 9900 Clayton Road, St. Louis, Mo., 63124, filed in Docket No. CP66-365 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction, during the 12-month period commencing June 1, 1966, and the operation of certain natural gas facilities to enable it to take into its pipeline system natural gas which it may purchase from independent producers and other similar sellers in the general area of its existing pipeline system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of the instant application is to augment its ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally coextensive with its system.

The total cost of the facilities covered by the instant application will not exceed a maximum of $500,000, with no single project to exceed a cost of $125,000, which costs are proposed to be financed from funds on hand and funds generated from Applicant's operation.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 22, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5938; Filed, May 31, 1966; 8:46 a.m.]

[Docket No. CP66-372]

NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Application

MAY 24, 1966.

Take notice that on May 17, 1966, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66-372 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of an additional daily contract quantity of 16,000 Mcf of natural gas to Iowa Illinois Gas & Electric Co. (Iowa Illinois) an existing customer of Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that, by letter dated March 4, 1966, Iowa Illinois requested an additional daily contract quantity of 16,000 Mcf of gas commencing December 1, 1966, to meet the firm requirements of the markets which it serves in Iowa and Illinois.

Applicant states that its existing service agreements with Iowa Illinois, on file with the Commission, are 206,900 Mcf under Rate Schedule CD-1 and 109,433 Mcf under Rate Schedule S-1 for a total peak day of 316,333 Mcf. Applicant further states that upon the grant of the authorization herein requested, together with the increased service of 7,416 Mcf under Rate Schedule S-1 proposed in the application filed in Docket No. CP66-169 on December 1, 1965 (30 F.R. 15383), the total peak day supply of Iowa Illinois commencing December 1, 1966, will be 339,749 Mcf.

The application states that no additional facilities will be required to make the proposed sale and delivery.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 22, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-5939; Filed, May 31, 1966; 8:46 a.m.]

[Docket No. CP66-373]

NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Application

MAY 24, 1966.

Take notice that on May 17, 1966, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed an application in Docket No. CP-66-373 pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of a firm daily quantity of up to 50,000 Mcf of natural gas for a limited term, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to take up to 50,000 Mcf of natural gas per day from The Peoples Gas Light & Coke Co. (Peoples) from Peoples' Mahomet storage field located in Champaign County, Ill., and deliver the gas into the facilities of Chicago District Pipeline Co. (Chicago District) located in Will County, Ill. This arrangement is to continue during the interim period December 1, 1966, to March 31, 1967, pursuant to the temporary transportation agreement between Applicant and Peoples dated May 16, 1966.

Applicant states that Peoples has not yet resolved what permanent arrangement will be made for transporting its Mahomet storage gas.

Applicant further states that with the installation of facilities proposed to be constructed in 1966 in its application filed December 1, 1965, in Docket No.

CP66–169, it will have sufficient excess capacity in that portion of its system between Mahomet and the facilities of Chicago District during the interim period to transport the requested volumes.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 22, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–5940; Filed, May 31, 1966; 8:46 a.m.]

[Docket No. CP66–374]

PEOPLES GAS LIGHT & COKE CO.

Notice of Application

MAY 24, 1966.

Take notice that on May 17, 1966, the Peoples Gas Light & Coke Co. (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66–374 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience authorizing the delivery of natural gas withdrawn from Applicant's Mahomet storage field located in Champaign County, Ill., to Natural Gas Pipeline Co. of America (Natural) for transportation for the account of, and redelivery to, Applicant during the period December 1, 1966, through midnight March 31, 1967, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Authorization for the transportation of up to 50,000 Mcf of storage gas per day for Applicant is requested in Natural's filing of May 17, 1966, in Docket No. CP66–373. The gas is to be redelivered to Applicant in northern Illinois.

Applicant requests exemption from the monthly annual accounting and/or reporting requirements prescribed by the Commission's rules and regulations and the Natural Gas Act during the period December 1, 1966, through March 31, 1967.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 22, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–5941; Filed, May 31, 1966; 8:46 a.m.]

FEDERAL TRADE COMMISSION

VERTICAL INTEGRATION IN CEMENT INDUSTRY

Notice of Public Hearing

Notice is hereby given that the public hearing before the full Commission on vertical mergers in the cement industry, now set for June 6, has been rescheduled for Monday, July 11, 1966.

Reference is made to the "Notice of Public Hearing on Vertical Integration in the Cement Industry" issued April 22, 1966. As there announced the Commission is endeavoring to obtain information on pertinent matters such as the structure of the cement producing and principal cement-consuming industries and the nature of the relevant product and geographical markets. Of particular concern are the causes and business reasons underlying vertical acquisitions in these industries, and the probable effects of such acquisitions on competitive conditions of the markets and industries involved.

Numerous requests have been received from interested parties for additional time to prepare for the subject hearings and to study the staff report of the Division of Industry Analysis of the Commission's Bureau of Economics, entitled "Economic Report on Mergers and Integration in the Cement Industry." The Commission is desirous of obtaining maximum participation by industry members. To encourage the fullest participation possible the Commission has decided to reschedule the hearings until July 11. Although the Commission has not approved, disapproved, or passed upon the matters contained in the foregoing economic report, it is desirable that parties who wish to participate in the hearing direct their comments to matters contained in the report. Copies of the report may still be obtained from the Bureau of Economics, Federal Trade Commission, Washington, D.C., 20580.

Interested parties are hereby invited to submit any information or comments pertinent to these matters or other aspects of the general subject of vertical integration in the cement industry. Written data, views or arguments concerning the subject matter of the hearing may be filed with the Secretary, Federal Trade Commission, Pennsylvania Avenue and Sixth Street NW., Washington, D.C., 20580, not later than July 5, 1966. To the extent practicable, persons wishing to file written presentations in excess of two pages should submit twelve copies.

The public hearing will be held at 10 a.m., e.d.t., on July 11, 1966, in Room 532 of the Federal Trade Commission Building, Pennsylvania Avenue and Sixth Street NW., Washington, D.C. Any person desiring to present orally his views at the hearing should so advise the Secretary of the Commission not later than July 5, 1966, and estimate the time required. The Commission may impose reasonable limitations upon the length of time allotted to any person. Oral presentations should not constitute mere duplications of prior written submittals. Copies of oral presentations or summaries thereof may be submitted at the time of the oral hearing.

The data, views or arguments presented orally or in writing will be available for examination by interested persons at the Federal Trade Commission, Washington, D.C.

Issued: May 26, 1966.

By the Commission without the concurrence of Commissioner MacIntyre.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–6019; Filed, May 31, 1966; 8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811–1160]

APOLLO CORP.

Notice of Application for Order Declaring That Company Has Ceased To Be an Investment Company

MAY 24, 1966.

Notice is hereby given that Apollo Corp. ("Applicant"), 111 Monument Circle, Indianapolis, Ind., 46204, an Indiana corporation and a closed-end, nondiversified investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company. All interested persons are referred to the application on file with the Commission for a statement of the representations which are summarized below.

Applicant was incorporated on February 28, 1955, as "American Travelers Underwriters, Inc.," for the purpose of acting as a management and insurance underwriting company for American Travelers Insurance Co., an Indiana corporation. The proceeds of the sale of Applicant's stock in 1955 were used to acquire 48 percent of the outstanding stock of the insurance company.

On August 28, 1959, Applicant changed its name to "American Equities Corp." Applicant subsequently sold its shares of American Travelers Insurance Co. for cash, and securities of another insurance company. It later sold such securities and used the proceeds to acquire other investment securities. Applicant registered as an investment company on March 21, 1962. Applicant changed its name to "Apollo Corp.", its present name.

At a meeting on August 10, 1965, Applicant's shareholders approved a change of Applicant's investment policy so that it would cease to be an investment company. Applicant subsequently acquired real estate located in Fort Worth, Tex., from West American Industries, Inc. ("West American"), in consideration of the cancellation of indebtedness of West American to Applicant of approximately $531,000.

The following table shows Applicant's assets as of November 30, 1965, exclusive of cash and cash items, with investment securities at market value and land and buildings at fair value determined by Applicant's Board of Directors.

Assets	Value	Percent of total
Investment securities	$193,946	28.3
Land and buildings	490,238	71.7
Other assets	189	
	684,373	100.0

By letter, dated May 3, 1966, Mr. W. J. Holliday, Jr., president of Applicant submitted the following undertaking:

Upon issuance of the order pursuant to section 8(f) of the Investment Company Act of 1940 declaring that Apollo Corp. has ceased to be an investment company, and as long as Apollo Corp. remains not registered as an investment company under the Act, Apollo Corp. will continue to govern its investments and operations so that it will at no time own investment securities having a value exceeding 40 per centum of the value of its total assets (exclusive of Government securities and cash items) on an unconsolidated basis, as these terms are defined in the Act and the rules and regulations thereunder.

Section 8(f) of the Act provides that when the Commission finds that a registered investment company has ceased to be an investment company, it shall so declare by order, which may be made upon appropriate conditions necessary for the protection of investors, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than June 10, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66–5948; Filed, May 31, 1966; 8:47 a.m.]

[File No. 70–4384]

COLUMBIA GAS SYSTEM, INC., AND COLUMBIA GAS OF OHIO, INC.

Notice of Proposed Acquisition of Assets

MAY 25, 1966.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), 120 East 41st Street, New York, N.Y., 10017, a registered holding company, and its gas utility subsidiary company, Columbia Gas of Ohio, Inc. ("Subsidiary Company"), have filed a joint application-declaration with this Commission pursuant to sections 6(a), 6(b), 7, 9, 10, and 12 of the Public Utility Holding Company Act of 1935 ("Act"). All interested persons are referred to the joint application-declaration, which is summarized below, for a complete statement of the transactions therein proposed.

Columbia and its Subsidiary Company have entered into a Reorganization Agreement and Plan, dated as of March 16, 1966, with The Delaware Gas Co. ("Delaware"), a nonassociate gas utility company, providing for the acquisition by the Subsidiary Company of all of the assets and properties of Delaware in exchange for (i) the delivery by the Subsidiary Company to Delaware of 55,000 shares of the common stock of Columbia (currently selling at about $26⅝ per share on the New York Stock Exchange) plus not more than 76 shares, if necessary, to be issued in lieu of fractional shares, and (ii) the assumption by the Subsidiary Company of substantially all liabilities of Delaware on the closing date. The application-declaration states that the terms of the acquisition of the Delaware properties were determined by arm's-length bargaining between the parties.

To enable the Subsidiary Company to make the proposed acquisition, Columbia will deliver the requisite number of shares of its common stock (par value $10 per share) to the Subsidiary Company. In exchange the Subsidiary Company will issue to Columbia common stock (par value $25 per share) in an aggregate par amount equal to the book value of the net assets of Delaware. The assets of Delaware, when acquired, will be reflected on the books of the Subsidiary Company at their recorded costs together with the related reserves.

At December 31, 1965, Delaware's liabilities, which are to be assumed by the Subsidiary Company, consisted principally of $197,745 of net current liabilities, including notes payable of $160,000. At the same date, Delaware's gross property, plant, and equipment, consisting principally of distribution properties, was recorded at original cost in the amount of $1,598,910, with a related reserve for depreciation of $433,880. Delaware's operating revenues for the calendar year 1965 amounted to $1,124,354 and net income amounted to $107,582.

Delaware purchases its entire gas supply from a wholly owned subsidiary company of Columbia with which it is interconnected by a 10-inch transmission line. Delaware serves the city of Delaware, Ohio, and its environs, and its service area is almost completely surrounded by the service area of the Subsidiary Company. The Subsidiary Company serves the city of Columbus, Ohio, and, the filing states, it is expected that ultimately the area between Columbus and Delaware will become a solid and continuous suburban and industrial area and thus a desirable market for the Subsidiary Company.

It is stated that the Public Utilities Commission of Ohio has jurisdiction over certain of the proposed transactions and the order of that commission will be supplied by amendment. It is also stated that no other State commission and no Federal commission, other than this Commission, has jurisdiction over any of the proposed transactions.

Notice is further given that any interested person may, not later than June 13, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being

served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5949; Filed, May 31, 1966; 8:47 a.m.]

[01-49]

SKAGIT VALLEY TELEPHONE CO.

Order Canceling Hearing

MAY 25, 1966.

On July 15, 1965 Skagit Valley Telephone Co. (applicant), Mt. Vernon, Wash., filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended (Exchange Act) for exemption from the provisions of section 12(g) of the Exchange Act. On October 26, 1965, the Commission ordered an evidentiary hearing in this matter which was scheduled to commence on November 15, 1965. The hearing has been postponed repeatedly at the request of the applicant, and by order dated April 29, 1966, the hearing was postponed to June 1, 1966, "with the understanding that the hearing will commence that date, with no further continuances, unless good cause is shown on or before May 20, 1966, why the hearing should not commence on June 1, 1966."

By letter dated May 16, 1966, counsel for the applicant informed the Division of Corporation Finance (Division) that if, after a period of 75 days following publication of notice ordered by the court on April 8, 1966, with respect to the terms of an agreed settlement of an injunctive action instituted by the Commission against application, et al., in the U.S. District Court for the Western District of Washington, applicant has in excess of 300 shareholders of record, the pending application will be withdrawn and applicant will file a registration statement pursuant to section 12(g) of the Act. Applicant also has agreed that the court papers in the injunctive action will become part of the record in this Administrative Proceeding (File No. 3-345), and that it will send a letter to its shareholders informing them of recent developments in the affairs of applicant and of their rights under the settlement agreement.

Accordingly, good cause having been shown why the hearing should not commence on June 1, 1966, the hearing is hereby canceled, without prejudice.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5950; Filed, May 31, 1966; 8:47 a.m.]

[File No. 1-3393]

VTR, INC.

Order Suspending Trading

MAY 24, 1966.

The common stock, $1 par value, of VTR, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 27, 1966, through May 30, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-5951; Filed, May 31, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 189]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 26, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 51146 (Sub-No. 47 TA), filed May 23, 1966. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis., 54303 Applicant's representative: Donald J. Schneider (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Disposable diapers; materials, equipment, and supplies used in the manufacture and distribution of the above; and releated premiums and advertising materials when shipped with such products*, between Cheboygan, Mich., on the one hand, and, on the other, points in Michigan; points in Adams, Allen, Blackford, De Kalb, Huntington, Jay, La Grange, Noble, Steuben, Wabash, Wells, Whiteley Counties, Ind.; points in Allen, Auglaize, Crawford, Defiance, Erie, Fulton, Hancock, Henry, Huron, Lucas, Mercer, Ottawa, Paulding, Putnam, Richland, Sandusky, Seneca, Van Wert, Williams, Wood, Wyandot Counties, Ohio, for 180 days. Supporting shipper: The Procter & Gambel Co., Post Office Box 599, Cincinnati, Ohio, 45201 (W. A. Groening, manager, Warehouse & Trucking Division). Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 57750 (Sub-No. 3 TA), filed May 23, 1966. Applicant: DAKOTA TRANSFER CO., 706 Grain Exchange Building, Minneapolis, Minn., 55415. Applicant's representative: J. R. Scoggin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain, flax seed, and soybeans*, from Leola, Wetonka, and Richmond, S. Dak., to Aberdeen and Conde, S. Dak., for 150 days. Supporting shippers: Independent Elevator Co., Leola, S. Dak.; Leo B. Volk, Richmond, S. Dak.; Wetonka Equity Exchange, Wetonka, S. Dak.; Leola Equity Exchange, Leola, S. Dak. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 87102 (Sub-No. 1 TA), filed May 23, 1966. Applicant: JAMES STANTON HIGNITE, doing business as STANTON HIGNITE, Post Office Box 611, Olive Hill, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fire clay*, from points in Carter, Boyd, Rowan, Lewis, Greenup, Elliott, and Morgan Counties, Ky., to points in Scioto, Jackson, and Lawrence Counties, Ohio, for 150 days. Supporting shipper: P. F. Burchett Clay Co., Box 270, Route 1, Olive Hill, Ky. Send protests to: R. W. Schneiter, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 207 Exchange Building, Lexington, Ky., 40507.

No. MC 111729 (Sub-No. 157 TA), filed May 24, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, De Bevoise Building, Bayside, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Checks, payroll records, business papers, records, and audit and accounting media of all kinds* (excluding plant removals), between points in Essex County, N.J., on the one hand, and, on the other, points in Connecticut, Maryland, Massachusetts, New York, Pennsylvania, and Rhode Island; and Washington, D.C., for 180 days. Supporting shipper: Monroe Data Processing, Inc., 550 Central Avenue, Orange, N.J. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 113024 (Sub-No. 55 TA), filed May 24, 1966. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, South Du Pont Highway, Smyrna, Del., 19977. Applicant's representative: Samuel W. Earnshaw, Washington Building, Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Adhesives, flour, gums, latex, latex compounds, napkins, plastics, resins, starches, and materials and supplies used in the production, sale, and distribution thereof (including packaging and empty containers therefor)*, except commodities in bulk, in tank vehicles, between points in New Jersey and New York within 50 miles of City Hall, New York, N.Y., and Charlotte, N.C., Atlanta, Ga., Chicago, Ill., Cleveland, Ohio, and St. Louis, Mo., for account of International Latex Corp., Dover, Del., for 180 days. Supporting shipper: International Latex Corp., Playtex Park, Dover, Del., 19901 (George V. Evans, corporate director, traffic and transportation). Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 206 Post Office Building, Salisbury, Md., 21801.

No. MC 116740 (Sub-No. 4 TA), filed May 23, 1966. Applicant: LEE N. HICKOX, Rural Route No. 3, Casey, Ill., 62420. Applicant's representative: Robert T. Lawley, 308 Reisch Building, Springfield, Ill., 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden heading and staves*, used in manufacture of barrels and drums, from Albion, Ill., to Louisville, Ky., for 180 days. Supporting shipper: Louisville Cooperage Co., Box 8275, Louisville, Ky., 40208. Send protests to: Harold Jolliff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 476, 325 West Adams Street, Springfield, Ill., 62704.

No. MC 127343 (Sub-No. 3 TA), filed May 23, 1966. Applicant: J. PAUL WILLIAMSON, doing business as OWENS VALLEY MILLING CO., 600 South Main Street, Bishop, Calif., 93514. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Featherock* (volcanic scoria), from Lee Vining, Calif., to Lone Pine, Calif., on shipments having subsequent movement beyond California, by rail, over U.S. Highway 395, for 90 days. Supporting shipper: Featherock, Inc., 6331 Hollywood Boulevard, Los Angeles, Calif. Send protests to: Daniel Augustine, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 11 West Telegraph Street, Carson City, Nev., 89701.

No. MC 128234 TA, filed May 23, 1966. Applicant: MICHAEL D. STERNS, doing business as BONESTEEL TRANSFER, Bonesteel, S. Dak., 57317. Applicant's representative: Don A. Bierle, Suite 4, Law Building, Yankton, S. Dak., 57078. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, lumber, and building materials*, from Sioux City, Iowa, to Fairfax and Bonesteel, S. Dak., for 180 days. Supporting shippers: Bonesteel Produce, Bonesteel, S. Dak. (Herman Volsteadt, manager); Howe Lumber Co., Fairfax, S. Dak. (W. S. Koenig, owner); Bonesteel Grain Co., Bonesteel, S. Dak. (Ambrose Burke, manager). Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak., 57501.

No. MC 128235 TA, filed May 23, 1966. Applicant: ALVIN JOHNSON, Hinckley, Minn. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn., 55415. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, in kegs and cases, from Minneapolis Brewing Co., Minneapolis, Minn., to Amery, Wis.; and *empty kegs and cases*, from Amery, Wis., on return, for 180 days. Supporting shipper: Thompson Beverage Co., 721 Water Avenue, Amery, Wis., 54001. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 128236 TA, filed May 23, 1966. Applicant: L & M TRUCKING COMPANY, INC., Box 271, Remington, Ind. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel castings, stampings, and metal forms*, unfinished, from the plants or warehouses of Remington Forge, Inc., at Remington, Ind., and points within 5 miles thereof, to points in Illinois, Wisconsin, Iowa, Michigan, and Ohio and to ports of entry on the international boundary for export in foreign commerce, for 180 days. Supporting shipper: Remington Forge, Inc., Remington, Ind. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 128237 TA, filed May 23, 1966. Applicant: MERRITT MOVING & STORAGE, INC., 1111 Dunn Avenue, Cheyenne, Wyo., 82001. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver, Colo., 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, in specially designed containers, restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization between points in Wyoming for 180 days. Supporting shippers: Routed Thru-Pac, Inc., 350 Broadway, New York, N.Y., 10013; Jet Forwarding, Inc., 1415 West Torrance Boulevard, Torrance, Calif., 90501; Home-Pack Transport, Inc., 57-48 49th Street, Maspeth, N.Y., 11378; Vanpac Carriers, Inc., 2114 MacDonald Avenue, Richmond, Calif., 94802. Send protests to: Paul A. Naughton, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, D & S Building, 255 North Center Street, Casper, Wyo., 82601.

MOTOR CARRIERS OF PASSENGERS

No. MC 109148 (Sub-No. 21 TA), filed May 23, 1966. Applicant: LAS VEGAS-TONOPAH-RENO STAGE LINE, INC., 922 Stewart Street, Las Vegas, Nev., 89101. Applicant's representative: Richard R. Hanna, Plaza Building, Carson City, Nev., 89701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations consisting of sightseeing or pleasure tours, between Las Vegas, Nev., and points within 10 airline miles thereof, on the one hand, and, on the other, Grand Canyon, Ariz., for 150 days. Supporting shippers: Las Vegas Chamber of Commerce, Las Vegas, Nev., 89101; American Sightseeing Association Inc., 10 East 40th Street, New York, N.Y., 10016; United States Travel Bureau, 11478 Burbank Boulevard, North Hollywood, Calif.; Marlin Walker, Basic High School, Henderson, Nev., 89015; Willis-Cole Travel Service, Inc., Post Office Box 1479, Las Vegas, Nev. Send protests to: Daniel Augustine, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 11 West Telegraph Street, Carson City, Nev., 89701.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5977; Filed, May 31, 1966; 8:49 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

MAY 26, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40507—*Substituted service—CRI&P for Trans-Cold Express, Inc.* Filed by Trans-Cold Express, Inc. (No. 1), for itself and on behalf of Chicago, Rock Island & Pacific Railroad Co. Rates on property loaded in trailers and transported on railroad flatcars, between Chicago, Ill., and Wichita, Kans., also between Dallas, Tex., on the one hand, and Wichita, Kans., and Houston, Tex., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief—Motortruck competition.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5978; Filed, May 31, 1966; 8:49 a.m.]

[Notice 1355]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 25, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68461. By amended order of May 20, 1966, the Transfer Board approved the transfer to James Marshall, Jr., doing business as Marshall's Moving Service, Hawthorne, N.J., of the operating rights in certificate No. MC-95117, issued October 14, 1958, to James Marshall, Jr., and David Marshall, a partnership doing business as Marshall's Moving Service, Hawthorne, N.J., authorizing the transportation, over irregular routes, of: Household goods as defined by the Commission, between points in Passaic County, N.J., on the one hand, and, on the other, New York, N.Y., points on Long Island, N.Y., those in Westchester County, N.Y., and those in Pennsylvania east of the Susquehanna River. Eugene R. Leach, 197 Garden Road, Pompton Lakes, N.J., 07442, representative for applicants.

No. MC-FC-68577. By order of May 20, 1966, the Transfer Board approved the transfer to Melvin Wilken and Merle Wilken, a partnership, doing business as M. Wilken & Son, Westside, Iowa, of the certificate in No. MC-2688, issued May 18, 1951, to Henry Wilken and Melvin Wilken, a partnership, doing business as H. Wilken & Son, Westside, Iowa, authorizing the transportation of: Building materials, farm machinery, hardware, pipe, agricultural commodities, paint, seed, feed, and lubricating oil and grease in containers, from Omaha, Nebr., to Westside, Iowa, and points within 15 miles thereof, and livestock in the reverse direction.

No. MC-FC-68661. By order of May 20, 1966, the Transfer Board approved the transfer to People's Moving & Storage, Inc., Utica, N.Y., of certificate in No. MC-42797, issued February 1, 1944, as amended, January 4, 1965, to show the name as Angelo Russo, doing business as People's Moving & Storage, Utica, N.Y., authorizing the transportation of: Household goods, between Utica, N.Y., on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Connecticut, and Massachusetts. Peter P. Paravati, 309 Court Street, Utica, N.Y., 13502, attorney for applicants.

No. MC-FC-68673. By order of May 20, 1966, the Transfer Board approved the transfer to Leslie L. Johnson, Colby, Kans., of the operating rights of Robert Wenzl, doing business as Wenzl Truck Line, Plainville, Kans., in certificates Nos. MC-2896 and MC-2896 (Sub-No. 2), issued April 13, 1964, and November 12, 1964, respectively, authorizing the transportation, over irregular routes, of hay, grain, and feed, agricultural implements and agricultural implement parts, livestock, household goods as defined by the Commission, mill feeds, farm machinery, hardware, and lumber, corn and feeds, coal, processed mill feeds, as restricted, from, to, and between specified points in Nebraska, Kansas, Colorado, and Missouri, varying with the commodities transported. John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603, attorney for applicants.

No. MC-FC-68708. By order of May 20, 1966, the Transfer Board approved the transfer to Mikim, Inc., Melrose Park, Ill., of the operating rights of Continental Contract Carrier Corp., Los Angeles, Calif., in permit No. MC-124796 (Sub-No. 5), issued November 12, 1964, authorizing the transportation, over irregular routes, of meats, packinghouse products, and commodities used by packinghouses, as described (except commodities in bulk, in tank vehicles), between the site of the Armour & Co. plant of Nampa, Idaho, on the one hand, and, on the other, points in Arizona, California, Nevada, Oregon, and Washington, points in Montana, on and west of U.S. Highway 91, and those in Wasatch, Davis, Weber, Salt Lake, and Utah Counties, Utah. Donald E. Leonard, Box 2028, Lincoln, Nebr., 68501, attorney for applicants.

No. MC-FC-68722. By order of May 20, 1966, the Transfer Board approved the transfer to Milan Trucking Co., Inc., Columbus, Ind., of the operating rights in permit No. MC-123316, issued April 20, 1962, to Edward Milan, doing business as Milan Trucking Co., Columbus, Ind., authorizing the transporting of: Meats, packinghouse products, and commodities used by packinghouses, as described in appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except dairy products as described by the Commission), in shipper owned trailers, from Columbus, Ind., to points in Michigan, Ohio, and that part of Kentucky within the commercial zone of Cincinnati, Ohio. Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-5979; Filed, May 31, 1966; 8:49 a.m.]

105

PART 2

FEDERAL REGISTER

VOLUME 31 • NUMBER 105

Wednesday, June 1, 1966 • Washington, D.C.

PART II

Department of the Interior
National Park Service

•

Establishment of Cape Cod National Seashore, Massachusetts



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

DEPARTMENT OF THE INTERIOR

National Park Service

CAPE COD NATIONAL SEASHORE, MASS.

Notice of Establishment

Whereas, more than 13,000 acres of upland and beach are now under the ownership or control of the United States within the boundaries of the Cape Cod National Seashore, as described in section 1(b) of the act of August 7, 1961 (75 Stat. 284), and the acreage so acquired, in my opinion, is efficiently administrable to carry out the purposes of such act:

Now, therefore, I, Stewart L. Udall, Secretary of the Interior, do hereby give notice of the establishment of the Cape Cod National Seashore, such establishment to become effective on May 30, 1966.

The boundaries of the seashore, which encompass an area as nearly as practicable identical to the area described in section 1 of the act of August 7, 1961, supra, are more particularly described as follows:

Beginning at a point in the Atlantic Ocean a quarter of a mile due west of the mean low-water line of the Atlantic Ocean on Cape Cod at the westernmost extremity of Race Point, Provincetown, Mass.; thence meandering generally southerly, easterly, and northerly along a line a quarter of a mile offshore of and parallel to the mean low-water line of the Atlantic Ocean, Cape Cod Bay, and Provincetown Harbor to a point due east of the intersection of a stone dike with the boundary of the Province Lands Reservation;

thence due west (True meridian) to the said point of intersection marked by a NPS disk stamped 6–1 set in a large boulder in the top of said stone dike (a NPS disk or seal as used in this description is a standard National Park Service round brass disk 2 inches in diameter stamped USDI NPS with a prick punch indentation at the point being defined, stamped with the number appearing at its representative location on the plan);

thence in a course N. 35°31′04″ W.—8,270.19 feet along the boundary of the Province Lands Reservation from said point 6–1 to point 5–5, this course being witnessed as follows:

beginning at point 6–1 and running N. 35°31′04″ W. a partial distance of 2,783.26 feet to a point marked by a NPS disk stamped 6–2 set in a stone bound, which bound has been previously referenced as Province Lands Bound "B", and continuing in the same direction 902.21 feet to a point marked by a NPS disk stamped 5–1 set in a stone bound, which bound has been previously referenced as Province Lands Bound "C", and continuing in the same direction 2,949.14 feet to a point marked by a NPS concrete monument stamped 5–2 (a NPS concrete monument as used in this description is a cast concrete reinforced bound 7 inches square at the top and 10 inches square at the bottom, 3 feet long, set about 32 inches in the ground in the top of which is cast a NPS disk), set in the median strip of U.S. Route 6, and continuing in the same direction 722.85 feet to a point marked by a NPS disk stamped 5–3 set in a stone bound, which bound has been previously referenced as Province Lands Bound "D", and continuing in the same direction 226.69 feet to a point marked by a MHB stamped 5–4 (a MHB as used in this description is a standard Massachusetts highway bound of quarried stone or of cast concrete 6 inches square, a minimum length of 5 feet, set in the ground, a drill hole is in the top, filled with lead and a brass pin placed in the lead at the point being defined, the number appearing on the plan being stamped in the lead plug), and continuing in the same direction 686.06 feet to a corner in Clapps Pond, so called, which corner has been previously referenced as Province Lands Bound Point "E", and shown on the aforementioned plan as point 5–5 with NPS concrete reference monument 5–5A located S. 69°26′32″ W.—185.69 feet, and NPS reference monument 5–5B located N. 35°31′04″ W.—1,042.67 feet from said point 5–5;

thence in a course N. 69°26′32″ E.—6,010.15 feet along the boundary of the Province Lands Reservation from point 5–5 to point 5–9, this course being witnessed as follows:

beginning at point 5–5 and running N. 69°26′32″ E. a partial distance of 3,000 feet to a point marked by a MHB stamped 5–6, and continuing in the same direction 887.59 feet to a point marked by a NPS disk stamped 5–7, set in a stone bound which has been previously referenced as Province Lands Bound "F", and continuing in the same direction 112.41 feet to a point marked by a MHB stamped 5–8, and continuing in the same direction 2,010.15 feet to the point marked by a NPS disk stamped 5–9 set in a stone bound which has been previously referenced as Province Lands Bound "G";

thence in a course N. 00°52′06″ W.—2,023.39 feet along the boundary of the Province Lands Reservation from point 5–9 to point 5–12, this course being witnessed as follows:

beginning at point 5–9 and running N. 00°52′06″ W. a partial distance of 537.81 feet to a point marked by a NPS concrete monument stamped 5–10, and continuing in the same direction 828.96 feet to a point marked by a NPS concrete monument stamped 5–11, and continuing in the same direction 656.62 feet to the point marked by a NPS disk stamped 5–12 set in a stone bound which has been previously referenced as Province Lands Bound "I";

thence in a course N. 89°06′35″ E.—3,013.51 feet along the boundary of the Province Lands Reservation from point 5–12 to point 5–14, this course being witnessed as follows:

beginning at point 5–12 and running N. 89°06′35″ E. a partial distance of 1,673.71 feet to a point marked by a NPS disk stamped 5–13 set in a stone bound which has been previously referenced as Province Lands Bound "J", and continuing in the same direction 604.40 feet to point 5–13A, and continuing in the same direction 735.40 feet to the point marked by a NPS disk stamped 5–14 set in a stone bound which has been previously referenced as Province Lands Bound "K";

thence in a course N. 25°59′00″ W.—19.54 feet to a point marked by a MHB stamped 5–15;

thence in a course northeasterly an arc distance of 270.63 feet (with a radius of 6,250 feet) along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 5–16, this point lying N. 71°06′26″ E.—270.61 feet from point 5–15; thence in a course N. 72°22′51″ E.—759.52 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 4–1;

thence in a course N. 25°15′40″ W.—689.11 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 4–2;

thence in a course N. 59°45′38″ E.—412.07 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 4–3;

thence in a course S. 54°33′01″ E.—967.05 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 4–4;

thence in a course N. 72°22′51″ E.—1,384.36 feet along the right-of-way line of U.S. Route 6 from point 4–4 to point 8–2, this course being witnessed as follows:

beginning at point 4–4 and running N. 72°22′51″ E. a partial distance of 675.72 feet to a point marked by a MHB stamped 8–1, and continuing in the same direction 708.64 feet to the point marked by a MHB stamped 8–2;

thence in a course northeasterly bending to the right from the last course a total arc distance of 2,065.44 feet (with a radius of 6,252.05 feet) along the right-of-way line of U.S. Route 6 from point 8–2 to point 8–4, point 8–4 lying N. 81°50′42″ E.—2,056.07 feet from point 8–2, this course being witnessed as follows:

beginning at point 8–2 and running a partial arc distance of 1,011.13 feet (with a radius of 6,252.05 feet) to a point marked by a MHB stamped 8–3, this point lying N. 77°00′50.3″ E. 1,010.03 feet from point 8–2, and continuing to the right with the same radius an arc distance of 1,054.31 feet to the point marked by a MHB stamped 8–4, this point lying N. 86°28′40.6″ E.—1,053.07 feet from point 8–3;

thence in a course S. 88°41′27″ E.—2,360.37 feet along the right-of-way line of U.S. Route 6 from point 8–4 to point 8–7, this course being witnessed as follows:

beginning at point 8–4 and running S. 88°41′27″ E. a partial distance of 725.26 feet to point 8–5, and continuing in the same direction 723.68 feet to point 8–6, and continuing in the same direction 911.43 feet to the point 8–7 (which point lies N. 1°18′33″ E.—150 feet from a MHB stamped 8–7A set on the Massachusetts Highway base line at their station 17+27.48);

thence in a course Southeasterly bending to the right an arc distance of 798.34 feet (with a radius of 3,749.37 feet) along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 8–8, this point lying S. 82°35′27″ E.—796.83 feet from point 8–7;

thence in a course S. 27°07′55″ E.—200.81 feet along the right-of-way line of U.S. Route 6 to point 8–9;

thence in a course southeasterly an arc distance of 457.41 feet (with a radius of 3,599.37 feet) along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 8–10, this point lying S. 70°46′03″ E.—457.09 feet from point 8–9;

thence in a course northeasterly an arc distance of 151.90 feet (with a radius of 280 feet) along the right-of-way line of U.S. Route 6 to point 8–11, this point lying N. 52°52′35″ E.—150.05 feet from point 8–10;

thence in a course S. 50°00′55″ E.—350 feet along the right-of-way line of U.S. Route 6 to point 8–12 (this point lying N. 22°49′05″ E.—151.01 feet from a point marked with a MHB stamped 8–12A);

thence in a course southeasterly an arc distance of 601.21 feet (with a radius of 3,649.37 feet) along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 8–13, this point lying S. 55°57′52″ E.—600.53 feet from point 8–12;

thence in a course S. 51°14′42″ E.—2,672.83 feet along the right-of-way line of U.S. Route 6 from point 8–13 to point 9–3, this course being witnessed as follows:

beginning at point 8–13 and running S. 51°14′42″ E. a partial distance of 867.78 feet to a point marked by a MHB stamped 9–1, and continuing in the same direction 865.31 feet to a point marked by a MHB stamped 9–2, and continuing in the same direction 939.74 feet to the point marked by a MHB stamped 9–3;

thence in a course southeasterly bending to the left, an arc distance of 1,334.47 feet (with a radius of 5,850.00 feet) along the right-of-way line of U.S. Route 6 to point 9–4 (this point lying N. 25°41′06″ E.—150 feet from a point marked by a railroad spike stamped 9–4A), and S. 57°46′48″ E.—1,331.58 feet from point 9–3;

thence in a course S. 64°18′54″ E.—4,934.07 feet along the right-of-way line of U.S. Route 6 from point 9–4 to point 11–6, this course being witnessed as follows:

beginning at point 9–4 and running S. 64°18′54″ E. a partial distance of 1,726.26 feet to point 11–1, and continuing in the same direction 700 feet to point 11–2, and continuing in the same direction 756.62 feet to a point marked by a MHB stamped 11–3, and continuing in the same direction 616.78 feet to a point marked by MHB stamped 11–4, and continuing in the same direction 326.68 feet to a point marked by a MHB stamped 11–5, and continuing in the same direction 807.73 feet to the point marked by a MHB stamped 11–6;

thence in a course southeasterly bending to the left a total arc distance of 1,486.86 feet (with a radius of 5,850 feet) along the right-of-way line of U.S. Route 6 from point 11–6 to point 11–8, this point lying S. 71°35′47″ E.—1,482.86 feet from point 11–6, this course being witnessed as follows:

beginning at point 11–6 and running a partial arc distance of 743.43 feet (with a radius of 5,850 feet) to a point marked by a MHB stamped 11–7, this point lying S. 67°57′20.3″ E.—742.93 feet from point 11–6, and continuing to the left with the same radius, an arc distance of 743.43 feet to the point marked by a MHB stamped 11–8, this point lying S. 75°14′12.8″ E.—742.93 feet from point 11–7;

thence in a course S. 78°52′39″ E.—1,386.35 feet along the right-of-way line of U.S. Route 6 from point 11–8 to point 11–10, this course being witnessed as follows:

beginning at point 11–8 and running S. 78°52′39″ E. a partial distance of 667.21 feet to a point marked by a MHB stamped 11–9, and continuing in the same direction 719.14 feet to the point marked by a MHB stamped 11–10;

thence in a course southeasterly, bending to the right, a total arc distance of 4,189.09 feet (with a radius of 8,150.07 feet) along the right-of-way line of U.S. Route 6 from point 11–10 to point 11–15, this point lying S. 64°09′10″ E.—4,143.14 feet from point 11–10, this course being witnessed as follows:

beginning at point 11–10 and running a partial arc distance of 591.75 feet (with a radius of 8,150.07 feet) to a point marked by a MHB stamped 11–11, this point lying S. 76°47′51″ E.—591.62 feet from point 11–10, and continuing to the right with the same radius an arc distance of 916.88 feet to a point marked by a MHB stamped 11–12, this point lying S. 71°29′40″ E.—916.39 feet from point 11–11, and continuing to the right with the same radius an arc distance of 916.87 feet to a point marked by a MHB stamped 11–13, this point lying S. 65°02′56″ E.—916.39 feet from point 11–12, and continuing to the right with the same radius an arc distance of 916.88 feet to a point, this point 11–14 lying S. 58°36′11″ E.—916.39 feet from point 11–13, and continuing to the right with the same radius an arc distance of 846.71 feet to the point marked by a MHB stamped 11–15, this point lying S. 52°24′17″ E.—848.34 feet from point 11–14;

thence in a course S. 49°25′40″ E.—3,708.87 feet along the right-of-way line of U.S. Route 6 from point 11–15 to point 12–2, this course being witnessed as follows:

beginning at point 11–15 and running S. 49°25′40″ E. a partial distance of 868.87 feet to a point marked by a MHB stamped 11–16, and continuing in the same direction 800 feet to a point marked by a MHB stamped 11–17, and continuing in the same direction 1,050 feet to point 12–1, and continuing in the same direction 990 feet to the point marked by a MHB stamped 12–2;

thence in a course N. 72°26′38″ E.—227.26 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 12–3;

thence in a course S. 58°18′54″ E.—582.20 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 12–4;

thence in a course S. 13°53′05″ E.—150 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 12–5;

thence in a course N. 61°31′53″ E.—340.32 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 12–6;

thence in a course S. 28°18′05″ E.—82.30 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 12–7;

thence in a course S. 3°41′18″ W.—713.11 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 12–8;

thence in a course southeasterly an arc distance of 872.54 feet (with a radius of 4,150 feet) along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 12–9, this point lying S. 31°41′10″ E.—870.94 feet from point 12–8;

thence in a course S. 1°58′50″ E.—128.70 feet along the right-of-way line of U.S. Route 6 to a point marked by a MHB stamped 12–10;

thence in a course southeasterly an arc distance of 498.12 feet (with a radius of 4,100 feet) along the right-of-way line of U.S. Route 6 to a point marked by a NPS concrete monument stamped 12–11, this point lying S. 20°32′07″ E.—497.81 feet from point 12–10;

thence continuing southerly along the easterly right-of-way line of the Massachusetts State Highway, U.S. Route 6, 65 feet, more or less, to a point located approximately 280 feet north of the northerly sideline of a town way known as South Hollow Road;

thence generally northeasterly and approximately parallel to South Hollow Road, 1,600 feet, more or less, to a corner located approximately 350 feet north of South Hollow Road;

thence generally southerly 350 feet, more or less, to a point on the northerly sideline of South Hollow Road;

thence generally southeasterly 1,075 feet, more or less, to a point on the westerly sideline of a town way known as South Highland Road;

thence generally northeasterly 330 feet, more or less;

thence in a course S. 11°33′31″ E.—2,926.96 feet paralleling the general alinement of U.S. Route 6 and generally distant therefrom about five-tenths of a mile, from point 16–4 to point 13–1, this course being witnessed as follows:

beginning at a point N. 26°27′24″ W. and 1,710 feet removed from point 16–3 and running S. 26°27′24″ E. a partial distance of 1,710 feet to a point marked by a NPS concrete monument stamped 16–3, and continuing in the same direction 995.53 feet to a point marked by the NPS concrete monument stamped 16–4;

thence in a course S. 11°33′31″ E.—2,926.96 feet paralleling the general alinement of U.S. Route 6 and generally distant therefrom about five-tenths of a mile, from point 16–4 to point 13–1, this course being witnessed as follows:

beginning at point 16–4 and running S. 11°33′31″ E. a partial distance of 690 feet to a point marked by a NPS concrete monument stamped 16–5, and continuing in the same direction 2,236.96 feet to the point marked by a NPS concrete monument stamped 13–1;

thence in a course S. 46°04′35″ E.—1,411.36 feet paralleling the general alinement of U.S. Route 6 and generally distant therefrom about five-tenths of a mile, from point 13–1 to point 13–3, this course being witnessed as follows:

beginning at point 13–1 and running S. 46°04′35″ E. a partial distance of 790 feet to a point marked by a NPS concrete monument stamped 13–2, and continuing in the same direction 621.36 feet to the point marked by a NPS concrete monument stamped 13–3;

thence in a course S. 49°19′08″ W.—1,678.86 feet along a ridge about 700 feet northwesterly of a town way known as Long Nook Road, from point 13–3 to point 13–5, this course being witnessed as follows:

beginning at point 13–3 and running S. 49°19′08″ W. a partial distance of 625 feet to a point marked by a NPS concrete monument stamped 13–4, and continuing in the same direction 1,053.86 feet to the point marked by a NPS concrete monument stamped 13–5;

thence in a course S. 61°22′22″ E.—1,800 feet paralleling the general alinement of U.S. Route 6 and generally distant therefrom about two-tenths of a mile, from point 13–5 to point 13–7, this course being witnessed as follows:

beginning at point 13–5 and running S. 61°22′22″ E. a partial distance of 1,400 feet to a point marked by a NPS concrete monument stamped 13–6, and continuing in the same direction 400 feet to a point marked by the NPS concrete monument stamped 13–7;

thence in a course N. 78°14′52″ E.—1,745.71 feet paralleling the general alinement of a town way known as Higgins Hollow Road and generally distant therefrom about 300 feet, from point 13–7 to point 13–10, this course being witnessed as follows:

beginning at point 13–7 and running N. 78°14′52″ E. a partial distance of 260 feet to a point marked by a NPS concrete monument stamped 13–8, and continuing in the same direction 1,175.71 feet to a point marked by a NPS concrete monument stamped 13–9, and continuing in the same direction 310 feet to a point marked by the NPS concrete monument stamped 13–10;

thence in a course N. 60°03′30″ E.—678.88 feet paralleling the general alinement of a town way known as Higgins Hollow Road and generally distant therefrom about 300 feet, from point 13–10 to point 17–3, this course being witnessed as follows:

beginning at point 13–10 and running N. 60°03'30" E. a partial distance of 65 feet to a point marked by a NPS concrete monument stamped 17–1, and continuing in the same direction 508.88 feet to a point marked by a NPS concrete monument stamped 17–2, and continuing in the same direction 105 feet to a point marked by the NPS concrete monument stamped 17–3;

thence in several courses generally southeasterly 3,840 feet, more or less, paralleling the general alinement of U.S. Route 6 and generally distant therefrom about five-tenths of a mile from point 17–3 to point 17–9, these courses being witnessed as follows:

beginning at point 17–3 and running S. 47°09'29" E. a partial distance of 479.61 feet to a point marked by a NPS concrete monument stamped 17–4 and continuing by several courses generally southeasterly approximately 3,290 feet to a point approximately 400 feet northwesterly from North Pamet Road along an old woods road; thence in a course S. 42°55'46" W. 70 feet, more or less, to a point marked by a NPS concrete monument stamped 17–9;

thence in a course S. 42°55'46" W.—1,185.64 feet paralleling the general alinement of a town way known as North Pamet Road and generally distant therefrom about 300 feet from point 17–9 to point 17–13, this course being witnessed as follows:

beginning at point 17–9 and running S. 42°55'46" W. a partial distance of 115 feet to a point marked by a NPS concrete monument stamped 17–10; and continuing in the same direction 110 feet to a point marked by a NPS concrete monument stamped 17–11, and continuing in the same direction 690 feet to a point marked by a NPS concrete monument stamped 17–12, and continuing in the same direction 270.64 feet to the point marked by a NPS concrete monument stamped 17–13;

thence in a course S. 61°11'21" W.—662.04 feet paralleling the general alinement of a town way known as North Pamet Road and generally distant therefrom about 300 feet, from point 17–13 to point 17–15, this course being witnessed as follows:

beginning at point 17–13 and running S. 61°11'21" W. a partial distance of 552.04 feet to a point marked by a NPS concrete monument stamped 17–14, and continuing in the same direction 110 feet to the point marked by a NPS concrete monument stamped 17–15;

thence in a course S. 6°28'22" W. 1,080 feet, more or less, to a point on the centerline of the Pamet River;

thence generally southwesterly and southerly 530 feet, more or less, following the centerline of said river;

thence generally southeasterly 1,350 feet, more or less;

thence generally southerly 800 feet, more or less, to a point approximately 950 feet east of the easterly sideline of U.S. Route 6;

thence southwesterly 2,290 feet, more or less, to a point approximately 1,210 feet southwest of the westerly sideline of U.S. Route 6;

thence northwesterly 345 feet, more or less;

thence in a course S. 75°38'02" W.—670 feet, more or less, to a NPS concrete monument stamped 14–5;

thence in a course S. 75°38'02" W.—3,735.03 feet from point 14–5 to point 14–8, this point lying opposite the intersection of a town way known as Mill Pond Road and a county way known as Old County Road, this course being witnessed as follows:

beginning at point 14–5 and running S. 75°38'20" W. a partial distance of 668.36 feet to a point marked by a NPS concrete monument stamped 14–6, and continuing in the same direction 2,385.17 feet to a point marked by a NPS concrete monument stamped 14–7, and continuing in the same direction 681.60 feet to a point marked by a NPS concrete monument stamped 14–8;

thence in a course southerly an arc distance of 221.72 feet (with a radius of 565 feet) along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–9, this point lying S. 29°12'11" W.—220.29 feet from point 14–8;

thence in a course S. 17°58'10" W.—775.05 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–10;

thence in a course southerly an arc distance of 528.72 feet (with a radius of 1,862.31 feet) along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–11, this point lying S. 9°50'10" W.—526.95 feet from point 14–10;

thence in a course S. 1°45'10" W.—334.35 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–12;

thence in a course southerly an arc distance of 277.61 feet (with a radius of 475.12 feet) along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–13, this point lying S. 15°02'20" E.—273.68 feet from point 14–12;

thence in a course S. 31°46'40" E.—376.17 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–14;

thence in a course southerly an arc distance of 199.36 feet (with a radius of 825 feet) along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–15, this point lying S. 24°51'18" E.—198.88 feet from point 14–14;

thence in a course southerly an arc distance of 511.77 feet (with a radius of 824.25 feet) along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–16, this point lying S. 0°08'43" E.—503.59 feet from point 14–15;

thence in a course S. 17°38'31" W.—659.44 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–17;

thence in a course S. 11°10'29" W.—341.34 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–18;

thence in a course S. 5°44'48" W.—626.47 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–19;

thence in a course S. 11°21'45" W.—245.72 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–20;

thence in a course S. 2°09'41" W.—159.68 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 14–21;

thence in a course S. 9°46'38" E.—963.19 feet along the easterly right-of-way line of Old County Road from point 14–21 to point 14–23, this course being witnessed as follows:

beginning at point 14–21 and running S. 9°46'38" E. a partial distance of 136.07 feet to a point marked by a NPS concrete monument stamped 14–22, and continuing in the same direction a distance of 127.12 feet to the point marked by NPS disk in a county road bound stamped 14–23;

thence in a course S. 17°19'02" E.—260.68 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS disk in a county road bound stamped 25–1;

thence in a course S. 34°39'34" E.—176.94 feet along the easterly right-of-way line of Old County Road to a point marked by a NPS concrete monument stamped 25–2, this point lying opposite the southerly right-of-way line of a town way known as Ryder Beach Road;

thence in a course N. 55°20'26" E.—300 feet to a point marked by a NPS concrete monument stamped 25–3;

thence in a course S. 34°39'34" E.—473.44 feet paralleling the general alinement of Old County Road and generally distant therefrom about 300 feet, from point 25–3 to point 25–5, this course being witnessed as follows:

beginning at point 25–3 and running S. 34°39'34" E. a partial distance of 66.09 feet to a point marked by a NPS concrete monument stamped 25–4, and continuing in the same direction 407.35 feet to the point marked by NPS concrete monument stamped 25–5;

thence in a course S. 24°46'09" E.—246.32 feet paralleling the general alinement of Old County Road and generally distant therefrom about 300 feet, to a point marked by a NPS concrete monument stamped 25–6;

thence in a course S. 15°43'01" E.—455.29 feet paralleling the general alinement of Old County Road and generally distant therefrom about 300 feet, to a point marked by a NPS concrete monument stamped 25–7;

thence in a course S. 37°23'49" E.—427.91 feet paralleling the general alinement of Old County Road and generally distant therefrom about 300 feet, to a point marked by a NPS concrete monument stamped 25–8, this point lying about 600 feet south of the southerly right-of-way line of a town way known as Prince Valley Road:

thence in a course S. 68°18'06" W.—3,374.12 feet from point 25–8 to point 25–10 (this point 25–10 lying on a line between Massachusetts Geodetic Survey Station 145–Y and Massachusetts Geodetic Survey Station 145–Z, which Station 145–Z lies N. 10°12'03" W.—593.17 feet from point 25–10), this course being witnessed as follows:

beginning at point 25–8 and running S. 68°18'06" W. a partial distance of 2,256.56 feet to a point marked by a NPS concrete monument stamped 25–9, and continuing in the same direction 1,117.56 feet to the point marked by NPS concrete monument stamped 25–10;

thence continuing in a course S. 68°18'06" W. about 375 feet to the mean high water line of Cape Cod Bay, at the southern extremity of a town landing known as Ryder Beach Landing, and continuing in the same course to a point ¼-mile offshore from the mean low water line of Cape Cod Bay;

thence turning and running along a line a quarter of a mile offshore of and parallel to the mean low-water line of Cape Cod Bay meandering in a general southerly and easterly direction rounding Jeremy Point and thence in a general northerly direction along a line a quarter of a mile offshore of and

parallel to the mean low-water line on the westerly side of Wellfleet Harbor, to a point one-quarter of a mile due north of the mean low-water line at the eastern tip of Great Island as depicted on the U.S. Geological Survey Wellfleet Quadrangle Sheet (1958);

thence due north (True meridian) to the mean high-water line on the north shore of the Herring River estuary in the vicinity of its confluence with Wellfleet Harbor;

thence following the mean high-water line southwesterly, northwesterly, and northeasterly to the easterly right-of-way line of Chequesset Neck Road at its crossing of Herring River;

thence in a course S. 27°15'00" E. about 245 feet to a point on the 20-foot contour line at or near a NPS concrete monument stamped 26–1 set on the easterly right-of-way line of Chequesset Neck Road, the elevation of the disk in this monument being 20.564;

thence in a meandering line in a general easterly and northerly direction along the 20-foot contour a distance of 2,210 feet more or less from the point at or near NPS concrete monument stamped 26–1 to a point at or near NPS monument stamped 26–8 at the intersection of the 20-foot contour line with the hereinafter described line between monuments 26–6 and 26–7; this 20-foot contour boundary line is witnessed by NPS concrete monuments set at or near said 20-foot contour, as follows:

NPS concrete monument stamped 26–2, the elevation of the disk being 20.233 feet, lying N. 67°02'38" E.—299.75 feet from NPS concrete monument 26–1;
NPS concrete monument stamped 26–3, the elevation of the disk being 20.739 feet, lying N. 72°14'59" E.—469.71 feet from NPS concrete monument 26–2;
NPS concrete monument stamped 26–4, the elevation of the disk being 20.758 feet, lying N. 42°02'19" E.—553.38 feet from NPS concrete monument stamped 26–3;
NPS concrete monument stamped 26–5, the elevation of the disk being 20.570 feet, lying N. 80°06'44" E.—389.99 feet from NPS concrete monument 26–4; and said
NPS concrete monument stamped 26–6, the elevation of the disk being 20.520 feet, lying N. 59°09'49" E.—218.27 feet from NPS concrete monument 26–5;

thence in a course N. 21°34'37" E. 330 feet, more or less, to Mill Creek;

thence generally easterly along Mill Creek 350 feet, more or less;

thence approximately due north 1,060 feet, more or less, to a point on or near an old cartway;

thence generally northeasterly and northerly and generally paralleling said old cartway 2,920 feet, more or less, to a point on the southerly sideline of a town way known as High Toss Road approximately 1,030 feet east of the intersection of High Toss and Duck Harbor Roads;

thence generally easterly and northeasterly along the southerly sideline of said High Toss Road 3,080 feet, more or less, to its intersection with two access roads;

thence generally northerly 660 feet, more or less, along the westerly sideline of the westerly access road and a town way known as Pole Dike Road to the northeasterly sideline of the right-of-way of the New York, New Haven & Hartford Railroad;

thence northwesterly along the northeasterly sideline of said railroad right of way 1,660 feet, more or less;

thence northeasterly 220 feet, more or less, to a point on the 20-foot contour, being at or near a NPS concrete monument stamped 25–25;

thence in a course N. 28°14'52" W.—212.30 feet near the scar of an old roadway to a point marked by a NPS concrete monument stamped 25–26;

thence in a course N. 10°09'45" E.—70.51 feet, more or less, near the scar of an old roadway to a point on the 20-foot contour at or near a NPS concrete monument stamped 25–27, the elevation of the disk being 20.407 feet, and lying 70.51 feet from said NPS concrete monument 25–26;

thence in a meandering line in a generally easterly and northerly direction, south of the edge of the Herring River Marshes, so-called, 6,200 feet, more or less, along the 20-foot contour from the point at or near NPS concrete monument stamped 19–11; this 20-foot contour boundary line is witnessed by NPS concrete monuments set at or near said 20-foot contour, as follows:

NPS concrete monument stamped 25–28, the elevation of the disk being 20.520 feet, lying N. 57°56'25" E.—228.58 feet from NPS concrete monument 25–27;
NPS concrete monument stamped 25–29, the elevation of the disk being 20.329 feet, lying S. 64°39'00" E.—179.49 feet from NPS concrete monument 25–28;
NPS concrete monument stamped 25–30, the elevation of the disk being 20.402 feet, lying N. 11°44'38" E.—95.81 feet from NPS concrete monument 25–29;
NPS concrete monument stamped 25–31, the elevation of the disk being 20.529 feet, lying S. 77°14'32" E.—234.80 feet from NPS concrete monument 25–30;
NPS concrete monument stamped 25–32, the elevation of the disk being 20.301 feet, lying N. 8°51'24" E.—528.70 feet from NPS concrete monument 25–31;
NPS concrete monument stamped 25–33, the elevation of the disk being 20.447 feet, lying N. 58°14'29" E.—186.95 feet from NPS concrete monument 25–32;
NPS concrete monument stamped 25–34, the elevation of the disk being 20.318 feet, lying S. 65°49'58" E.—271.81 feet from NPS concrete monument 25–33;
NPS concrete monument stamped 25–35, the elevation of the disk being 20.391 feet, lying N. 12°30'26" E.—332.10 feet from NPS concrete monument 25–34;
NPS concrete monument stamped 25–36, the elevation of the disk being 20.047 feet, lying N. 53°21'59" E.—246.34 feet from NPS concrete monument 25–35;
NPS concrete monument stamped 25–37, the elevation of the disk being 20.067 feet, lying S. 84°01'14" E.—187 feet from NPS concrete monument 25–36;
NPS concrete monument stamped 25–38, the elevation of the disk being 20.270 feet, lying N. 58°50'00" E.—181.23 feet from NPS concrete monument 25–37;
NPS concrete monument stamped 25–39, the elevation of the disk being 20.379 feet, lying N. 7°22'35" W.—250.96 feet from NPS concrete monument 25–38;
NPS concrete monument stamped 25–40, the elevation of the disk being 20.518 feet, lying N. 37°07'19" E.—340.80 feet from NPS concrete monument 25–39;
NPS concrete monument stamped 25–41, the elevation of the disk being 20.829 feet, lying N. 75°28'15" E.—326.70 feet from NPS concrete monument 25–40;
NPS concrete monument stamped 25–42, the elevation of the disk being 20.637 feet, lying S. 88°49'00" E.—198.06 feet from NPS concrete monument 25–41;
NPS concrete monument stamped 19–1, the elevation of the disk being 20.937 feet, lying N. 64°39'58" E.—301.15 feet from NPS concrete monument 25–42;
NPS concrete monument stamped 19–2, the elevation of the disk being 20.446 feet, lying S 47°52'24" E.—164.75 feet from NPS concrete monument 19–2;
NPS concrete monument stamped 19–3, the elevation of the disk being 20.094 feet, lying N. 18°47'40" E.—260.67 feet from NPS concrete monument 19–2;
NPS concrete monument stamped 19–4, the elevation of the disk being 20.634 feet, lying N. 74°05'21" E.—446.56 feet from NPS concrete monument 19–3;
NPS concrete monument stamped 19–5, the elevation of the disk being 20.362 feet, lying S. 1°36'42" E.—106.80 feet from NPS concrete monument 19–4;
NPS concrete monument stamped 19–6, the elevation of the disk being 20.154 feet, lying S. 64°22'54" E.—194.35 feet from NPS concrete monument 19–5;
NPS concrete monument stamped 19–7, the elevation of the disk being 20.537 feet, lying N. 26°37'02" E.—196.51 feet from NPS concrete monument 19–6;
NPS concrete monument stamped 19–8, the elevation of the disk being 20.589 feet, lying N. 76°56'28" E.—214.69 feet from NPS concrete monument 19–7;
NPS concrete monument stamped 19–9, the elevation of the disk being 20.460 feet, lying S. 62°47'39" E.—154.77 feet from NPS concrete monument 19–8;
NPS concrete monument stamped 19–10, the elevation of the disk being 20.619 feet, lying N. 47°00'55" E.—137.14 feet from NPS concrete monument 19–9;
NPS concrete monument stamped 19–11, the elevation of the disk being 20.392 feet, lying S. 29°30'35" E.—214.85 feet from NPS concrete monument 19–10;

thence in a line generally easterly 175 feet, more or less, to a point on the 20-foot contour at or near NPS concrete monument stamped 19–15, the elevation of the disk being 20.565 feet;

thence following the 20-foot contour northeasterly to NPS monument 19–16, the elevation of the disk being 20.565 feet, lying N. 25°25'06" E.—322.25 feet from NPS concrete monument 19–15;

thence in a line northeasterly 420 feet, more or less, to a point on the 20-foot contour at or near NPS concrete monument stamped 19–20, the elevation of the disk being 20.885 feet;

thence in a line generally easterly 700 feet, more or less, to a point on the 20-foot contour on the westerly sideline of Massachusetts State Highway, U.S. Route 6 at or near NPS concrete monument stamped 19–25, the elevation of the disk being 20.575 feet;

thence in a course N. 89°00'48" E.—2,611.86 feet from point 19–25 to point 19–30, which point (19–30) is set on the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line, said point lying due east on the True meridian and N. 89°00'48" E. on the Massachusetts (Mainland) Coordinate System meridian, this course being witnessed as follows:

beginning at point 19–25 and running N. 89°00'48" E. a partial distance of 25.82 feet to a point marked by a NPS concrete monument stamped 19–26 (which is set at the intersection of this boundary and a line between Massachusetts Geodetic Survey Station 145–AL and Massachusetts Geodetic Survey Station 145–AM, which point (145–AM) is N. 2°45'44.4" E.—10.31 feet from said NPS 19–26), and continuing in the same direction (N. 89°00'48" E.) a distance of 139.50 feet to a point marked by a NPS concrete monument stamped 19–27 set on the easterly side line of said U.S. Route 6, and continuing in the same direction 1,367.80 feet to a point marked by a NPS concrete monument stamped 19–28, and continuing in the same direc-

tion 350.80 feet to a point marked by a NPS concrete monument stamped 19–29, and continuing in the same direction 727.44 feet to the point marked by NPS concrete monument stamped 19–30;

thence in a course S. 7°57'27" E.—1,975.14 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line, from point 19–30 to point 19–33, this course being witnessed as follows:

beginning at point 19–30 and running S. 7°57'27" E. a partial distance of 877.97 feet to a point marked by a NPS concrete monument stamped 19–31, and continuing in the same direction 485.31 feet to a point marked by a NPS concrete monument stamped 19–32, and continuing in the same direction 611.86 feet to the point marked by NPS concrete monument stamped 19–33;

thence in a course S. 24°43'08" E.—4,146.32 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line, from point 19–33 to point 22–4, this course being witnessed as follows:

beginning at point 19–33 and running S. 24°43'02" E. a partial distance of 1,197.25 feet to a point marked by a NPS concrete monument stamped 19–34, and continuing in the same direction 704.84 feet to a point marked by a NPS concrete monument stamped 19–35, and continuing in the same direction 861.08 feet to a point marked by a NPS concrete monument stamped 22–1, and continuing in the same direction 814.58 feet to a point marked by a NPS concrete monument stamped 22–2, and continuing in the same direction 372.65 feet to a point marked by a NPS concrete monument stamped 22–3, and continuing in the same direction 195.92 feet to the point marked by NPS concrete monument stamped 22–4;

thence in a course S. 1°30'49" W.—832.91 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line to a point marked by a NPS concrete monument stamped 22–5;

thence in a course S. 4°47'08" W.—1,733.82 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line from point 22–5 to point 22–7, this course being witnessed as follows:

beginning at point 22–5 and running S. 4°47'08" W. a partial distance of 249.92 feet to a point marked by a NPS concrete monument stamped 22–6, and continuing in the same direction 1,483.90 feet to the point marked by NPS concrete monument stamped 22–7;

thence in a course S. 1°30'03" W.—1,146.23 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line from point 22–7 to point 22–9, this course being witnessed as follows:

beginning at point 22–7 and running S. 1°30'03" W. a partial distance of 952.24 feet to a point marked by a NPS concrete monument stamped 22–8, and continuing in the same direction 193.99 feet to the point marked by NPS concrete monument stamped 22–9;

thence in a course S. 79°29'21" E.—2925.52 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line from point 22–9 to point 22–11, this course being witnessed as follows:

beginning at point 22–9 and running S. 79°29'21" E. a partial distance of 2,551.59 feet to a point marked by a NPS concrete monument stamped 22–10, and continuing in the same direction 373.93 feet to the point marked by NPS concrete monument stamped 22–11;

thence in a course S. 76°41'35" E.—318.35 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line to a point marked by a NPS concrete monument stamped 22–12;

thence in a course S. 70°30'58" E.—816.25 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line to a point marked by a NPS concrete monument stamped 22–13;

thence in a course S. 65°04'21" E.—320.64 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line to a point marked by a NPS concrete monument stamped 22–14;

thence in a course S. 57°12'47" E.—324.02 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line to a point marked by a NPS concrete monument stamped 22–15;

thence in a course S. 53°08'35" E.—307.54 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line to a point marked by a NPS concrete monument stamped 22–16;

thence in a course S. 46°29'26" E.—317.24 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line to a point marked by a NPS concrete monument stamped 22–17;

thence in a course S. 40°32'28" E.—320.87 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line to a point marked by a NPS concrete monument stamped 21–1;

thence in a course S. 36°44'15" E.—3,555.34 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line from point 21–1 to point 23–2, this course being witnessed as follows:

beginning at point 21–1 and running S. 36°44'15" E. a partial distance of 867.12 feet to a point marked by a NPS concrete monument stamped 21–2, and continuing in the same direction 2,165.92 feet to a point marked by a NPS concrete monument stamped 23–1, and continuing in the same direction 522.30 feet to point marked by NPS concrete monument stamped 23–5;

thence in a course S. 65°44'52" E.—1,350.98 feet along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line from point 23–2 to point 23–5, this course being witnessed as follows:

beginning at point 23–2 and running S. 65°44'52" E. a partial distance of 303.77 feet to a point marked by a NPS concrete monument stamped 23–3, and continuing in the same direction 785.41 feet to a point marked by a NPS concrete monument stamped 23–4, and continuing in the same direction 261.80 feet to the point marked by NPS concrete monument stamped 23–5;

thence in a course S. 14°03'34" E.—1,360 feet, more or less, along the easterly right-of-way line of the Cape & Vineyard Electric Co. power transmission line to a point on the northwest boundary line of land known as Camp Wellfleet military Reservation marked by a NPS concrete monument stamped 23–9;

thence S. 36°07'10" W.—130.20 feet to a point marked by a NPS monument stamped 23–10;

thence S. 14°03'34" E.—415.90 feet to a point marked by a NPS monument stamped 23–11;

thence S. 02°32'01" E.—680 feet, more or less, to a point on the easterly sideline of the right-of-way of the New York, New Haven & Hartford Railroad Co.;

thence west 130 feet, more or less, to the westerly sideline of said railroad company right-of-way;

thence southerly along the westerly sideline of said railroad company right-of-way 1,400 feet, more or less;

thence west 240 feet, more or less, to a point on the easterly sideline of Massachusetts State Highway, U.S. Route 6;

thence southerly along the easterly sideline of U.S. Route 6, 2,300 feet, more or less;

thence easterly 100 feet, more or less, to the westerly sideline of said railroad company right-of-way;

thence southerly along the westerly sideline of the railroad company right-of-way 8,450 feet, more or less, to the Eastham-Wellfleet town line at Hatches Creek;

thence generally easterly 250 feet, more or less, along Hatches Creek (the town line) to a point on the easterly sideline of the Cape & Vineyard Electric Co. easement at a point marked by a NPS concrete monument stamped 30–3;

thence in a course S. 38°29'37" E.—5,200 feet from point 30–3 to point 31–5, said point 31–5 lying due north (True meridian) of the intersection of the easterly right-of-way line of a town way known as Nauset Road with the northerly right-of-way line of a town way known as Cable Road at point 31–9 hereinafter mentioned; this course being witnessed as follows:

beginning at point 30–3 and running S. 38°29'37" E. a partial distance of 229.36 feet to a point marked by a NPS concrete monument stamped 31–1, and continuing in the same direction 1,282.29 feet to a point marked by a NPS concrete monument stamped 31–2, and continuing in the same direction 986.90 feet to a point marked by a NPS concrete monument stamped 31–3, and continuing in the same direction 1,404 feet to a point marked by a NPS concrete monument stamped 31–4, and continuing in the same direction 1,297.45 feet to the point marked by NPS concrete monument stamped 31–5;

thence in several courses generally southerly 3,260 feet, more or less, from point 31–5 to point 31–9 lying at the northerly sideline intersection of the above-named roads, these courses being witnessed as follows:

beginning at a point 31–5 and running S. 1°01'37" E. a partial distance of 1,340 feet to a point marked by a NPS concrete monument stamped 31–6, and continuing generally southerly in several courses 1,390 feet, more or less, to a point marked by a NPS concrete monument stamped 31–7, and continuing in a course S. 1°01'37" E. 500 feet to a point marked by a NPS concrete monument stamped 31–8, and continuing in the same direction 29.10 feet to the point marked by a large spike stamped 31–9 (NOTE: point 31–5 lies due north, True meridian, of point 31–9);

thence in a coure S. 61°11'21" W.—662.04 feet along the easterly right-of-way line of said town way known as Nauset Road, from point 31–9 to point 31–11, this course being witnessed as follows:

beginning at point 31–9 and running S. 36°30'02" E. a partial distance of 93.18 feet to a point marked by a NPS disk stamped 31–10 in a town road bound, and continuing in the same direction 673.58 feet to the point marked by NPS disk stamped 31–11 in a town road bound;

thence in a course S. 33°47'42" E.—188.44 feet along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 31–12 in a town road bound;

thence in a course S. 31°26'59" E.—338.47 feet along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 31–13 in a town road bound;

thence in a course southeasterly an arc distance of 303.86 feet (with a radius of 690.30 feet) along the easterly right-of-way line of a town way known as Nauset Road to a point marked by a NPS disk stamped 33–1 in a town road bound, this point lying S. 19°41'22" E.—301.41 feet from point 31–13;

thence in a course S. 7°03'55" E.—256.06 feet along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–2 in a town road bound;

thence in a course southeasterly an arc distance of 279.58 feet (with a radius of 588.22 feet) along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–3 in a town road bound, this point lying S. 20°42'18" E.—276.95 feet from point 33–2;

thence in a course S. 34°17'46" E.—151.53 feet along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–4 in a town road bound;

thence in a course S. 25°24'40" E.—321.61 feet along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–5 in a town road bound;

thence in a course southeasterly an arc distance of 290.18 feet (with a radius of 847.03 feet) along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–6 in a town road bound; this point lying S. 35°13'-36" E.—288.76 feet from point 33–5;

thence in a course S. 45°02'11" E.—182.19 feet along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–7 in a town road bound;

thence in a course southeasterly an arc distance of 152.08 feet (with a radius of 1,342.49 feet) along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–8 in a town road bound, this point lying S. 41°47'-45" E.—152 feet from point 33–7;

thence in a course S. 38°33'12" E.—167.51 feet along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–9 in a town road bound;

thence in a course southeasterly an arc distance of 164.71 feet (with a radius of 564.96 feet) along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–10 in a town road bound, this point lying S. 30°11'57" E.—164.12 feet from point 33–9;

thence in a course S. 21°51'08" E.—627.96 feet along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–11 in a town road bound;

thence in a course S. 20°49'51" E.—441.42 feet along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–12 in a town road bound;

thence in a course southerly an arc distance of 402.85 feet (with a radius of 1,160.40 feet) along the easterly right-of-way line of said town way known as Nauset Road to a point marked by a NPS disk stamped 33–13 in a town road bound, this point lying S. 10°55'-21" E.—400.83 feet from point 33–12;

thence in a course S. 00°55'19" E. 100 feet, more or less, along the easterly sideline of said town way;

thence westerly 260 feet, more or less;

thence generally southeasterly in several courses 650 feet, more or less;

thence generally southerly in several courses 840 feet, more or less, paralleling the general alinement of Nauset Road and generally distant therefrom 500 feet, more or less, to a point marked by a NPS concrete monument stamped 33–19, and continuing generally southerly 310 feet, more or less;

thence by several courses generally westerly approximately 2,270 feet, paralleling the general alinement of Nauset Road and generally distant therefrom 500 feet, more or less, to a point on the easterly sideline of a town way known as Schoolhouse Road;

thence in a course S. 15°57'50" W. 30 feet, more or less, along the easterly sideline of Schoolhouse Road to a point marked by a NPS disk stamped 33–25 in a town road bound;

thence in a course S. 15°57'50" W. 142.28 feet along the easterly right-of-way line of said town way known as Schoolhouse Road, to a point marked by a NPS disk stamped 33–26 in a town road bound;

thence in a course S. 3°32'30" W. 267.18 feet to a point marked by a NPS disk stamped 33–27 in a town road bound;

thence continuing in the same direction 100 feet, more or less, to a point at or near the intersection of the northerly sideline of Nauset Road and the easterly sideline of Schoolhouse Road;

thence generally westerly along the northerly sideline of Nauset Road 520 feet, more or less, to a point on the easterly sideline of U.S. Route 6;

thence southeasterly along the easterly sideline of U.S. Route 6 across Nauset Road to a point near the southerly sideline of Nauset Road at a point marked by a NPS concrete monument stamped 33–30; this point lying on the sideline of the Massachusetts State Highway (U.S. Route 6);

thence in a course S. 39°42'18" E.—284.00 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–31;

thence in a course S. 60°58'14" E.—82.69 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–32;

thence in a course S. 34°55'39" E.—211.69 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–33;

thence in a course S. 18°05'44" E.—223.73 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–34;

thence in a course S. 11°42'32" E.—133.19 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–35;

thence in a course S. 4°44'29" E.—350 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–36;

thence in a course S. 10°26'43" W.—283.84 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–37;

thence in a course N. 83°06'34" W.—20 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–38;

thence in a course S. 11°49'36" W.—20 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–39;

thence in a course S. 1°47'12" W.—82.11 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a MHB stamped 33–40;

thence in a course southerly an arc distance of 374.79 feet (with a radius of 4,054.06 feet) along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6); to a point marked by a MHB stamped 33–41, this point lying S. 00°52'07" E.—374.68 feet from point 33–40;

thence in a course S. 3°30'37" E.—689.34 feet along the easterly right-of-way line of the Massachusetts State Highway (U.S. Route 6) to a point marked by a NPS disk stamped 33–42 set in a concrete bound at the northwesterly boundary of the Eastham Town Hall property;

thence in a course N. 75°24'19" E.—538.04 feet to a point marked by a NPS concrete monument stamped 33–43 set on the northerly boundary of said Eastham Town Hall property;

thence in a course S. 9°37'20" E.—904.03 feet paralleling the general alinement of the Massachusetts State Highway (U.S. Route 6) and generally distant therefrom about one-tenth of a mile, from point 33–43 to point 35–2, this course being witnessed as follows:

beginning at point 33–43 and running S. 9°37'20" E. a partial distance of 435.47 feet to a point marked by a NPS concrete monument stamped 35–1, and continuing in the same direction 468.56 feet to the point marked by NPS concrete monument stamped 35–2;

thence in a course S. 29°55'56" E.—893.23 feet paralleling the general alinement of the Massachusetts State Highway (U.S. Route 6) and generally distant therefrom about one-tenth of a mile, from point 35–2 to point 35–4, this course being witnessed as follows:

beginning at point 35–2 and running S. 29°55'56" E. a partial distance of 566.10 feet to a point marked by a NPS concrete monument stamped 35–3, and continuing in the same direction 327.13 feet to the point marked by NPS concrete monument stamped 35–4;

thence in a course S. 13°40'00" E.—987.45 feet paralleling the general alinement of the Massachusetts State Highway (U.S. Route 6) and generally distant therefrom about one-tenth of a mile, to a point marked by a NPS concrete monument stamped 35–5;

thence in a course S. 3°55'14" E.—645.75 feet paralleling the general alinement of the Massachusetts State Highway (U.S. Route 6) and generally distant therefrom about one-tenth of a mile, from point 35–5 to point 35–7, this course being witnessed as follows:

beginning at point 35–5 and running S. 3°55'14" E. a partial distance of 340.64 feet to a point marked by a NPS concrete monument stamped 35–6, and continuing in the same direction 305.11 feet to said point marked by a NPS concrete monument stamped 35–7;

thence in a course S. 31°39'00" E.—484.28 feet paralleling the general alinement of the Massachusetts State Highway (U.S. Route 6) and generally distant therefrom about one-tenth of a mile, from point 35–7 to point 35–9, this course being witnessed as follows:

beginning at point 35–7 and running S. 31°39'09" E. a partial distance of 411.46 feet to a point marked by a NPS concrete monument stamped 35–8, and continuing in the same direction 72.82 feet to said point marked by a NPS concrete monument stamped 35–9;

thence in a course S. 17°85'40" E.—1500.50 feet more or less, paralleling the general alinement of the Massachusetts State High-

way (U.S. Route 6) and generally distant therefrom about one-tenth of a mile, from point 35–9 to a point in a small stream, this course being witnessed as follows:

beginning at point 35–9 and running S. 17°35'40" E. a partial distance of 949.50 feet to a point marked by a NPS concrete monument stamped 35–10, and continuing in the same direction 350 feet, more or less, to a point on the easterly sideline of a town way known as Governor Prence Road;

thence southwesterly along the easterly sideline of Governor Prence Road 175 feet, more or less, to a point in a small stream;

NOTE: The boundary from point 33–43 to the point in the stream runs southerly paralleling the general alinement of the Massachusetts State Highway (U.S. Route 6) and is generally distant therefrom about one-tenth of a mile.

thence meandering in a course southeasterly along said stream to the tidewaters of Town Cove, so-called, and continuing to the Eastham-Orleans town line;

thence meandering in a course generally northeasterly and southeasterly along the Orleans-Eastham town line to the southerly tip of Stony Island;

thence meandering in a course generally southeasterly in the Town of Orleans by Nauset Harbor Channel to a point due north of the northerly tip of Nauset Heights as depicted on U.S. Geological Survey Orleans Quadrangle Sheet (1946);

thence in a course due south (true meridian) to a point on the 20-foot contour in Nauset Heights as delineated on the said Orleans Quadrangle Sheet at or near a NPS disk stamped 37–1 in an iron pipe, the elevation of the disk being 19.927 (said disk lying N. 11°54'10" E.—170.18 feet from a U.S. Coast and Geodetic Survey monument, being Triangulation Station "Warner");

thence in a meandering line in a general southeasterly and southerly direction a distance of 3,000 feet, more or less, along the line of the original 20-foot contour (as compiled and existing) from the point at or near said NPS disk stamped 37–1 set in an iron pipe, to a point at or near a NPS concrete monument stamped 37–9, said point 37–9 lying 150 feet north of the northerly end of a town way known as Beach Road; this 20-foot contour boundary is witnessed by NPS disks or NPS concrete monuments at or near said 20-foot contour, as follows:

NPS disk stamped 37–2 in an iron pipe, the elevation of the disk being 20.528 feet, lying S. 87°06'01" E. 226.93 feet from NPS disk 37–1;

NPS disk stamped 37–3 in an iron pipe, the elevation of the disk being 20.206 feet, lying S. 67°09'10" E. 162.69 feet from NPS disk 37–2;

NPS disk 37–4 in an iron pipe, the elevation of the disk being 21.076 feet, lying S. 50°13'19" E. 170.92 feet from NPS disk 37–3;

NPS disk stamped 37–5 in an iron pipe, the elevation of the disk being 20.347 feet, lying S. 41°30'41" E. 427.98 feet from NPS disk 37–4;

NPS concrete monument stamped 37–6, the elevation of the disk being 20.256 feet, lying S. 48°19'04" E. 437.29 feet from NPS disk 37–5;

NPS concrete monument stamped 37–7, the elevation of the disk being 20.486 feet, lying S. 36°26'55" E. 279.04 feet from NPS concrete monument 37–6;

NPS concrete monument stamped 37–8, the elevation of the disk being 20.123 feet, lying S. 25°37'19" E. 519.53 feet from NPS concrete monument 37–7;

NPS concrete monument stamped 37–9, the elevation of the disk being 20.835 feet, lying S. 8°57'16" E. 624.48 feet from NPS concrete monument 37–8;

thence continuing southerly 150 feet, more or less, along the 20-foot contour to the northerly end of a town way known as Beach Road at the southerly end of Cliff Road;

thence westerly 260 feet, more or less, to the easterly edge of a swamp;

thence northerly, westerly, southerly, and easterly following the edge of the swamp to a point approximately 50 feet north of NPS concrete monument stamped 37–15;

thence southerly 50 feet, more or less, to NPS monument stamped 37–15;

thence S. 4°50'44" E. 300.10 feet to NPS concrete monument stamped 37–16, the elevation of the disk being 20.211;

thence generally southerly following the 20-foot contour line 320 feet, more or less;

thence easterly 10 feet, more or less;

thence southerly 150 feet, more or less, to the northerly sideline of Aspinet Road;

thence westerly along the northerly sideline of Aspinet Road 45 feet, more or less;

thence southerly 175 feet, more or less, to the northerly sideline of a way;

thence westerly along the northerly sideline of the way 100 feet, more or less;

thence southerly 190 feet, more or less, to the northwesterly sideline of another way;

thence easterly and northeasterly crossing and following the southeasterly sideline of the way approximately 200 feet to the northeasterly sideline of a way running southeasterly;

thence generally northerly and easterly 300 feet, more or less, following the easterly and southerly sidelines of ways to a point 8 feet, more or less, north of NPS monument stamped 37–20;

thence southerly 8 feet, more or less, to NPS monument stamped 37–20, the elevation of the disk being 19.648;

thence generally southeasterly following the 20-foot contour line 170 feet, more or less, to NPS monument stamped 37–21, the elevation of the disk being 20.536;

thence southerly 20 feet, more or less, to a point approximately 70 feet east of the easterly sideline of a way;

thence 110 feet, more or less, westerly to the southwest sideline of a way running southeasterly;

thence generally southeasterly 300 feet, more or less, along the southwesterly sideline of said way;

thence in several courses westerly, southwesterly, and southerly 550 feet, more or less, to a point on the southerly sideline of Beach Road;

thence in several courses generally southeasterly 640 feet, more or less;

thence southwesterly 210 feet, more or less, to the easterly sideline of a way;

thence southeasterly along the easterly sideline of said way 150 feet, more or less;

thence generally southwesterly 660 feet, more or less, to the head of a tributary of Little Pleasant Bay;

thence generally southerly along the thread of channel of the said tributary passing westerly and southwesterly around Pochet Island and thence southwesterly into Little Pleasant Bay passing to westerly of the northerly tip of Sampson Island, the westerly tip of Money Head, and the southwesterly tip of Hog Island following in general the center line of Little Pleasant Bay to Pleasant Bay;

thence generally southeasterly in Pleasant Bay along a line passing midway between Sipson Island and Nauset Beach to a point on the Chatham-Orleans town line one-quarter of a mile westerly of the mean low-water line of Pleasant Bay on the westerly shore of Nauset Beach;

thence generally southerly in Pleasant Bay in the town of Chatham along a line a quarter of a mile offshore of and parallel to the said mean low-water line of Pleasant Bay on the westerly shore of Nauset Beach to a point a quarter of a mile south of the mean low-water line of the southern tip of Nauset Beach;

thence easterly rounding the southern tip of Nauset Beach along a line a quarter of a mile offshore of and parallel thereto;

thence generally northerly and northwesterly, and westerly along a line a quarter of a mile offshore of and parallel to the mean low-water line of the Atlantic Ocean on the easterly shore of Nauset Beach and to the outer Cape to the point of beginning.

This description encompasses an area of—
about 27,700 acres of inland and about 16,900 acres of tideland, totaling about 44,600 acres; comprising
about 5,050 acres of inland and about 2,900 acres of tideland, totaling about 7,950 acres in Provincetown;
about 9,400 acres of inland and about 2,400 acres of tideland, totaling about 11,800 acres in Truro;
about 8,000 acres of inland and about 4,300 acres of tideland, totaling about 12,300 acres in Wellfleet;
about 3,000 acres of inland and about 1,800 acres of tideland, totaling about 4,800 acres in Eastham;
about 1,500 acres of inland and about 2,600 acres of tideland, totaling about 4,100 acres in Orleans;
about 750 acres of inland and about 2,900 acres of tideland, totaling about 3,650 acres in Chatham.

A map depicting the area herein described and identified as Drawing No. NS–CC–7002, dated May 1965, will be kept in the Office of the Superintendent of the Cape Cod National Seashore for public inspection.

It is understood that the boundary description contained herein will be subject to such further minor adjustments as I deem practicable and necessary by virtue of the acquisition of additional acreage for said seashore.

The Cape Cod National Seashore, except as provided otherwise in the act of August 7, 1961, supra, shall be administered subject to the provisions of the act of August 25, 1916 (39 Stat. 535; 16 U.S.C., secs. 1–4), as amended and supplemented, and in accordance with laws of general application relating to the National Park System as defined by the act of August 8, 1953 (67 Stat. 495); except that authority otherwise available to this Department for the conservation and management of natural resources may be utilized to the extent I find such authority will further the purposes of the aforesaid act of August 7, 1961.

STEWART L. UDALL,
Secretary of the Interior.

MAY 13, 1966.

[F.R. Doc. 66–5860; Filed, May 31, 1966; 8:45 a.m.]

DETROIT PUBLIC LIBRARY JUN 3 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 106

Thursday, June 2, 1966 • Washington, D.C.

Pages 7785–7875

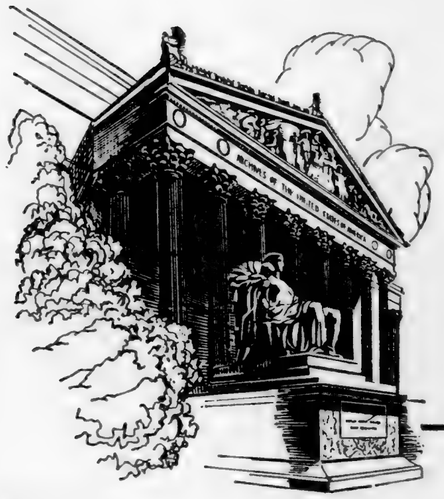
PART I

(Part II begins on page 7863)

Agencies in this issue—

Agency for International Development
Agricultural Stabilization and Conservation Service
Agriculture Department
Atomic Energy Commission
Civil Aeronautics Board
Commerce Department
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Defense Department
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Trade Commission
Internal Revenue Service
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
National Bureau of Standards
Reclamation Bureau
Securities and Exchange Commission
Small Business Administration
Social Security Administration
Veterans Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

No. 106—Pt. I——1

106

PART 1

Latest Edition

Guide to Record Retention Requirements

[Revised as of January 1, 1966]

This useful reference tool is designed to keep industry and the general public informed concerning published requirements in laws and regulations relating to records-retention. It contains over 900 digests detailing the retention periods for the many types of records required to be kept under Federal laws and rules.

The "Guide" tells the user (1) what records must be kept, (2) who must keep them, and (3) how long they must be kept. Each digest also includes a reference to the full text of the basic law or regulation governing such retention.

The booklet's index, numbering over 2,000 items, lists for ready reference the categories of persons, companies, and products affected by Federal record-retention requirements.

Price: 40 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGENCY FOR INTERNATIONAL DEVELOPMENT

Notices

Capital projects guidelines; borrower procurement of goods and services of United States source and origin 7842

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Mainland cane sugar area; approved local areas for 1965 crop 7815
National agricultural conservation, 1966; miscellaneous amendments 7814
Puerto Rico; 1966–67 and subsequent crops 7816
Wheat; 1967–68 marketing year 7814

Notices

Mainland cane sugar area; 1967 crop proportionate shares; notice of hearing 7843

AGRICULTURE DEPARTMENT

See also Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.

Rules and Regulations

Debarred, suspended, and ineligible bidders 7819

ARMY DEPARTMENT

See Engineers Corps.

ATOMIC ENERGY COMMISSION

Notices

State of Alabama; proposed agreement for assumption of certain AEC regulatory authority 7844

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
Bekins Airvan Co 7849
Southeast Airlines, Inc 7848

COMMERCE DEPARTMENT

See also International Commerce Bureau; National Bureau of Standards.

Proposed Rule Making

Seat Belts for use in motor vehicles; proposed standards 7833

COMMODITY CREDIT CORPORATION

Rules and Regulations

Flour export program, terms and conditions; miscellaneous amendments 7817

CONSUMER AND MARKETING SERVICE

Proposed Rule Making

Milk in certain marketing areas:
Inland empire 7831
Southeastern Florida 7829
St. Louis, et al 7831

CUSTOMS BUREAU

Notices

Deputy Regional Commissioner of Customs for Region II, New York; delegation of authority 7842

DEFENSE DEPARTMENT

See also Engineers Corps.

Rules and Regulations

Miscellaneous amendments to subchapter 7807

ENGINEERS CORPS

Rules and Regulations

Bayou Lafourche, La.; bridge regulations 7827

FEDERAL AVIATION AGENCY

Rules and Regulations

Control area and reporting point; alteration 7827
Jet routes; alteration and revocation 7827
Restricted area; alteration 7827

Proposed Rule Making

Control zone, control area extension and transition area; proposed alteration, revocation and designation 7836
Control zone and transition area; proposed alteration 7836

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Community antenna systems; memorandum opinion and order denying petitions for stay 7822
Industrial, scientific, and medical equipment; ultrasonic equipment 7821

Proposed Rule Making

Certain FM broadcast stations; table of assignments 7838
Certain transmitting facilities; extension of time for filing comments 7837
Television broadcast station, Silver City, N. Mex.; table of assignments 7837

Notices

Hearings, etc.:
Central Broadcasting Corp., and Second Thursday Corp 7850
Cosmopolitan Enterprises, Inc., and H. H. Huntley 7850
Larmar Life Broadcasting Co. (2 documents) 7851, 7852
Microwave Communications, Inc., et al 7852
Naugatuck Valley Service, Inc. (WWOW) 7852

FEDERAL MARITIME COMMISSION

Notices

Agreements filed for approval:
American Mail Line, Ltd., et al 7853
American President Lines, Inc., and Isthmian Lines, Inc 7853

FEDERAL TRADE COMMISSION

Rules and Regulations

Administrative opinions and rulings; self-locating shopping guide promotional program 7806

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Social Security Administration.

INTERIOR DEPARTMENT

See Land Management Bureau; Reclamation Bureau.

INTERNAL REVENUE SERVICE

Rules and Regulations

Income tax; income averaging 7789

INTERNATIONAL COMMERCE BUREAU

Notices

Gruber, Josef Leo; order denying export privileges for an indefinite period 7843

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Car service; railroad operating regulations for freight car movement 7806

Proposed Rule Making

Minneapolis-St. Paul, Minn.; redefinition of limits of commercial zone 7841

Notices

Motor carrier:
Alternate route deviation notices 7859
Applications and certain other proceedings (2 documents) 7857, 7859
Temporary authority applications 7855
Transfer proceedings 7855

LAND MANAGEMENT BUREAU

Rules and Regulations

Public domain leasing; continuation or extension of lease 7806

Notices

Alaska; proposed withdrawal and reservation of lands 7842
Colorado; modification of Grazing Districts Nos. 2 and 7; correction 7842

(Continued on next page)

NATIONAL BUREAU OF STANDARDS

Rules and Regulations

Standard reference materials; radioactivity standards 7819

RECLAMATION BUREAU

Notices

Bostwick Park Project, Colorado; land class equivalents 7843

SECURITIES AND EXCHANGE COMMISSION

Rules and Regulations

Interpretative releases 7821

Notices

Atlantic Richfield Co.; order amending notice of application for unlisted trading privileges and of opportunity for hearing 7853

SMALL BUSINESS ADMINISTRATION

Notices

Anchorage Regional Office; delegation of authority to conduct program activities 7853

Manager, Disaster Branch Office, Tampa, Fla.; recision of delegation of authority 7855

Manager, Disaster Field Office, Tampa, Fla.; revocation of appointment 7855

Middle Atlantic Area Regional Offices; delegation of authority to conduct program activities 7854

SOCIAL SECURITY ADMINISTRATION

Proposed Rule Making

Health insurance for aged; principles for reimbursable costs 7864

STATE DEPARTMENT

See Agency for International Development.

TREASURY DEPARTMENT

See Customs Bureau; Internal Revenue Service.

VETERANS ADMINISTRATION

Rules and Regulations

Miscellaneous amendments to chapter (2 documents) 7820

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

701 7814
728 7814
845 7815
893 7816
1483 7817

PROPOSED RULES:

1013 7829
1031 7831
1032 7831
1038 7831
1039 7831
1044 7831
1045 7831
1051 7831
1061 7831
1062 7831
1063 7831
1064 7831
1067 7831
1070 7831
1071 7831
1073 7831
1074 7831
1078 7831
1079 7831
1094 7831
1096 7831
1097 7831
1099 7831
1102 7831
1103 7831
1104 7831
1106 7831
1108 7831
1120 7831
1126 7831
1127 7831
1128 7831
1129 7831
1130 7831
1132 7831
1133 7831

14 CFR

71 7827
73 7827
75 7827

PROPOSED RULES:

71 (2 documents) 7836

15 CFR

230 7819

PROPOSED RULES:

9 7833

16 CFR

15 7806

17 CFR

211 7821
276 7821

20 CFR

PROPOSED RULES:

405 7864

26 CFR

1 7789

32 CFR

1 7807
3 7807
4 7810
7 7811
8 7812
16 7814
30 7814

33 CFR

203 7827

41 CFR

4–1 7819
4–6 7819
8–1 (2 documents) 7820
8–2 7820

43 CFR

3120 7806

47 CFR

18 7821
21 7822
74 7822
91 7822

PROPOSED RULES:

1 7837
21 7837
23 7837
73 (3 documents) 7837, 7838
74 7837
81 7837
87 7837
89 7837
91 7837
93 7837
95 7837
97 7837

49 CFR

95 7806

PROPOSED RULES:

170 7841

Rules and Regulations

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T. D. 6885]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Income Averaging

On April 9, 1965, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under sections 1301 through 1305 of the Internal Revenue Code of 1954 (relating to income averaging) and certain other conforming changes was published in the FEDERAL REGISTER (30 F.R. 4619). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted subject to the changes set forth below:

PARAGRAPH 1. Section 1.1302–2, as set forth in paragraph 1 of the appendix to the notice of proposed rule making, is amended by revising subparagraphs (1) (ii) and (3) (ii) (*b*) of paragraph (c) and paragraph (f).

PAR. 2. Section 1.1304–2, as set forth in paragraph 1 of the appendix to the notice of proposed rule making, is amended by revising paragraph (a) (1) and (4).

PAR. 3. Section 1.1304–3, as set forth in paragraph 1 of the appendix to the notice of proposed rule making, is amended by revising paragraph (e).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: May 24, 1966.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) to the amendments made to part I, subchapter Q, chapter 1 of the Internal Revenue Code of 1954 by section 232(a) of the Revenue Act of 1964 (78 Stat. 105); to redesignate and amend the regulations under sections 1301 through 1307 of the Internal Revenue Code of 1954, as in effect prior to the enactment of the Revenue Act of 1964; and to make certain other changes, such regulations are amended as follows:

INCOME AVERAGING

Sec.
1.1301 Statutory provisions; limitation on tax.
1.1301–1 Limitation on tax.
1.1302 Statutory provisions; definition of averagable income; related definitions.
1.1302–1 Definition of averagable income.
1.1302–2 Adjusted taxable income.
1.1302–3 Average base period income.
1.1302–4 Capital gain net income.
1.1302–5 Other related definitions.
1.1303 Statutory provisions; eligible individuals.
1.1303–1 Eligible individuals.
1.1304 Statutory provisions; special rules.
1.1304–1 Choice of income averaging by taxpayer.
1.1304–2 Provisions inapplicable if income averaging is chosen.
1.1304–3 Special rules for computing base period income.
1.1304–4 Dollar limitations in case of joint returns.
1.1304–5 Determination of total tax for the computation year.
1.1304–6 Special rule for computation of alternative tax.
1.1304–7 Short taxable years.
1.1305 Statutory provisions; regulations.

AUTHORITY: The provisions of §§ 1.301 to 1.1305 issued under sec. 7805 of the Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805.

PARAGRAPH 1. The following new center heading and regulations are inserted following the heading "Readjustment of Tax Between Years and Special Limitations":

INCOME AVERAGING

§ 1.1301 Statutory provisions; limitation on tax.

Sec. 1301. *Limitation on tax.* If an eligible individual has averagable income for the computation year, and if the amount of such income exceeds $3,000, then the tax imposed by section 1 for the computation year which is attributable to averagable income shall be five times the increase in tax under such section which would result from adding 20 percent of such income to the sum of—

(1) 133⅓ percent of average base period income, and

(2) The amount (if any) of the average base period capital gain net income.

[Sec. 1301 as amended by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

§ 1.1301–1 Limitation on tax.

If, for a taxable year beginning after December 31, 1963, an eligible individual (as defined in section 1303 and § 1.1303–1) has averagable income (as defined in section 1302(a) and § 1.1302–1) for the computation year (as defined in section 1302(e)(1) and § 1.1302–5), and if the amount of his averagable income exceeds $3,000, then such individual may choose (pursuant to the provisions of section 1304(a) and § 1.1304–1) to compute the tax attributable to his averagable income under section 1301. The tax imposed by section 1 of the Code which is attributable to an individual's averagable income for the computation year is the amount of tax equal to five times the increase in tax under section 1 which would result from adding 20 percent of the averagable income to the sum of—

(a) 133⅓ percent of the individual's average base period income (as defined in section 1302(c) and § 1.1302–3), and

(b) The amount (if any) of the individual's average base period capital gain net income (as defined in section 1302(d)(2) and paragraph (b) of § 1.1302–4).

§ 1.1302 Statutory provisions; definition of averagable income; related definitions.

Sec. 1302. *Definition of averagable income; related definitions.*—(a) *Averagable income.* For purposes of this part—

(1) *In general.* The term "averagable income" means the amount (if any) by which adjusted taxable income exceeds 133⅓ percent of average base period income.

(2) *Adjustment in certain cases for capital gains.* If—

(A) The average base period capital gain net income, exceeds

(B) The capital gain net income for the computation year,

then the term "averagable income" means the amount determined under paragraph (1), reduced by an amount equal to such excess.

(b) *Adjusted taxable income.* For purposes of this part, the term "adjusted taxable income" means the taxable income for the computation year, decreased by the sum of the following amounts:

(1) *Capital gain net income for the computation year.* The amount (if any) of the capital gain net income for the computation year.

(2) *Income attributable to gifts, bequests, etc.*—(A) *In general.* The amount of net income attributable to an interest in property where such interest was received by the taxpayer as a gift, bequest, devise, or inheritance during the computation year or any base period year. This paragraph shall not apply to gifts, bequests, devises, or inheritances between husband and wife if they make a joint return, or if one of them makes a return as a surviving spouse (as defined in section 2(b)), for the computation year.

(B) *Amount of net income.* Unless the taxpayer otherwise establishes to the satisfaction of the Secretary or his delegate, the amount of net income for any taxable year attributable to an interest described in subparagraph (A) shall be deemed to be 6 percent of the fair market value of such interest (as determined in accordance with the provisions of chapter 11 or chapter 12, as the case may be).

(C) *Limitation.* This paragraph shall apply only if the sum of the net incomes attributable to interests described in subparagraph (A) exceeds $3,000.

(D) *Net income.* For purposes of this paragraph, the term "net income" means, with respect to any interest, the excess of—

(i) Items of gross income attributable to such interest, over

(ii) The deductions properly allocable to or chargeable against such items.

For purposes of computing such net income, capital gains and losses shall not be taken into account.

(3) *Wagering income.* The amount (if any) by which the gains from wagering transactions for the computation year exceed the losses from such transactions.

(4) *Certain amounts received by owner-employees.* The amount (if any) to which section 72(m)(5) (relating to penalties applicable to certain amounts received by owner-employees) applies.

(c) *Average base period income.* For purposes of this part—

(1) *In general.* The term "average base period income" means one-fourth of the sum of the base period incomes for the base period.

(2) *Base period income.* The base period income for any taxable year is the taxable income for such year first increased and then decreased (but not below zero) in the following order:

(A) Taxable income shall be increased by an amount equal to the excess of—

(i) The amount excluded from gross income under section 911 (relating to earned income from sources without the United States) and subpart D of part III of subchapter N (sec. 931 and following, relating to income from sources within possessions of the United States), over

(ii) The deductions which would have been properly allocable to or chargeable against such amount but for the exclusion of such amount from gross income.

(B) Taxable income shall be decreased by the capital gain net income.

(C) If the decrease provided by paragraph (2) of subsection (b) applies to the computation year, the taxable income shall be decreased under the rules of such paragraph (2) (other than the limitation contained in subparagraph (C) thereof).

(d) *Capital gain net income, etc.* For purposes of this part—

(1) *Capital gain net income.* The term "capital gain net income" means the amount equal to 50 percent of the excess of the net long-term capital gain over the net short-term capital loss.

(2) *Average base period capital gain net income.* The term "average base period capital gain net income" means one-fourth of the sum of the capital gain net incomes for the base period. For purposes of the preceding sentence, the capital gain net income for any base period year shall not exceed the base period income for such year computed without regard to subsection (c)(2)(B).

(e) *Other related definitions.* For purposes of this part—

(1) *Computation year.* The term "computation year" means the taxable year for which the taxpayer chooses the benefits of this part.

(2) *Base period.* The term "base period" means the 4 taxable years immediately preceding the computation year.

(3) *Base period year.* The term "base period year" means any of the 4 taxable years immediately preceding the computation year.

(4) *Joint return.* The term "joint return" means the return of a husband and wife made under section 6013.

[Sec. 1302 as amended by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

§ 1.1302–1 Definition of averagable income.

(a) Except as provided in section 1302(a)(2) and paragraph (b) of this section, the term "averagable income" means the amount (if any) by which adjusted taxable income (as defined in section 1302(b) and § 1.1302–2) for the computation year exceeds 133⅓ percent of average base period income (as defined in section 1302(c) and § 1.1302–3).

(b) If average base period capital gain net income exceeds capital gain net income for the computation year, then the term "averagable income" means the amount determined under section 1302(a)(1) and paragraph (a) of this section reduced by an amount equal to such excess. For example, if the amount of an individual's averagable income, determined under section 1302(a)(1) and paragraph (a) of this section, is $10,000, and his average base period capital gain net income is $5,000 while his capital gain net income for the computation year is only $3,000, then the amount of such individual's averagable income for the computation year is $8,000.

§ 1.1302–2 Adjusted taxable income.

(a) *Definition.* The term "adjusted taxable income" means taxable income for the computation year as modified in accordance with paragraphs (1), (2), (3), and (4) of section 1302(b), section 1304(c)(4)(B), and this section. Such term is used only for purposes of computing the tax under sections 1301 through 1305. It has no effect, for example, upon either the determination of a credit or a deduction based upon the income of the computation year or the amount of income to be taken into account in computing base period income if the computation year later becomes a base period year.

(b) *Capital gain net income for the computation year.* In determining adjusted taxable income, taxable income for the computation year is decreased by the amount (if any) of capital gain net income (as defined in section 1302(d)(1) and paragraph (a) of § 1.1302–4) for that year.

(c) *Income attributable to gifts, bequests, devises, or inheritances*—(1) *General rule.* (i) In determining adjusted taxable income, taxable income for the computation year is decreased by the amount of net income attributable to an interest in property where such interest was received by the taxpayer as a gift, bequest, devise, or inheritance during the computation year or any base period year. Under the authority of sections 1302(b)(2) and 1305, this paragraph shall apply to any inter vivos or testamentary gift, including interests in property acquired from a decedent by reason of death, form of ownership, or other conditions (including property acquired through the exercise or nonexercise of a power of appointment). For example, the gratuitous beneficiary of a life insurance policy who receives the proceeds of the policy receives such proceeds as a gift, devise, bequest, or inheritance. The time when such an interest is received is determined in accordance with subparagraph (2) of this paragraph. Section 1302(b)(2) and this paragraph apply only if the total net income attributable to all such interests in property exceeds $3,000 in such year.

(ii) This paragraph shall not apply to the income attributable to interests in property transferred between husband and wife if, for the computation year, they make a joint return (including a joint return filed by a survivor with his deceased spouse for the year of the death of such spouse), or if one of them makes a return as a surviving spouse (as defined in section 2(b) and § 1.2–2) with respect to the transferor. However, this paragraph is applicable to the amount of net income attributable to interests in property transferred between husband and wife if such interests were received by the transferor spouse from a third party in the computation year or any base period year as a gift, bequest, devise, or inheritance.

(2) *Date of receipt.* (i) For purposes of section 1302(b)(2) and this paragraph, an interest in property is received at the time an individual has a present right to such property or the income from such property. An individual has a present right to the income from property even though such right is subject to the discretion of a fiduciary. For example, under the terms of a trust created by A, the trustee may pay the net income to B, C, and D in such proportions and amounts as the trustee, in his absolute discretion, determines. The trustee is authorized to accumulate income and add such income to trust corpus. Although the rights of B, C, and D to receive income payments are subject to the discretion of a fiduciary, each will be treated as having received a gift of his proportionate share of the trust corpus at the time the trust is established.

(ii) An individual may receive, at various times, different interests in a single property. For example, if H purchases Blackacre but takes title to the property with W as a tenant by the entirety, W will be treated as having received a gift of an undivided 50-percent interest in Blackacre at the time of such purchase. If H predeceases W, she will be treated as having received, for purposes of section 1302(b)(2) and this paragraph, the balance of the property on the date of H's death. However, if W predeceases H, he will be treated as having received a gift of W's 50-percent interest in Blackacre.

(3) *Net income*—(i) *Definition.* For purposes of section 1302(b)(2) and this paragraph, the term "net income" means, with respect to any interest in property, the excess of items of gross income attributable to such interest over the deductions properly allocable to or chargeable against such items. The total amount of net income for any taxable year attributable to all of the interests in property which an individual must take into account under this paragraph is the sum of the amounts of net income or net loss attributable to each such interest for such year. However, for purposes of computations under this paragraph, capital gains and losses and the deductions allocable to such gains and losses are not taken into account in determining the amount of net income attributable to any interest in property. Thus, in any case in which an interest in property (or the disposition of such an interest) to which section 1302(b)(2) and this paragraph apply gives rise to a capital gain or loss, neither the amount of such gain or loss or of any deduction allocable to such gain or loss is taken into account in determining the net income attributable to such interest in property.

(ii) *Amount of net income.* (a) The amount of net income for any taxable year attributable to an interest in property to which this paragraph applies shall be deemed to be 6 percent of the fair market value of such interest, as determined in accordance with the provisions of chapter 11 (relating to the estate tax) or chapter 12 (relating to the gift tax) of the Code, as the case may be, unless the taxpayer establishes the actual income attributable to such interest to the satisfaction of the district director. The fair market value of an interest in property shall be determined as of the date of its receipt. Six percent of the fair market value of an interest in property is a fixed amount. Such amount is not adjusted to reflect any subsequent increase or decrease in the fair market value of such interest or any increase or decrease in the amount of income actually arising from such interest.

(b) With respect to any computation year, the amount of net income attributable to each interest in property must be determined in the same manner for each of the 5 taxable years taken into account under the income averaging provisions. Thus, unless the taxpayer establishes the actual income attributable to an interest in property to the satisfaction of the district director for each of such 5 years, the amount of net income attributable to each such interest for each of such 5 years is deemed to be 6 percent of the fair market value of such interest.

(d) *Wagering income.* In determining adjusted taxable income, taxable income for the computation year is decreased by the amount (if any) by which the gains includible in gross income for the computation year which are attributable to wagering transactions exceed the deduction for wagering losses under section 165(d) and § 1.165–10 for such year.

(e) *Certain amounts received by owner-employees.* In determining adjusted taxable income, taxable income for the computation year is decreased by the amounts (if any), described in section 72(m)(5)(A), to which a penalty under section 72(m)(5) and paragraph (e) of § 1.72–17 is applicable.

(f) *Items subject to a limitation on tax.* If the amount of tax attributable to an item of taxable income is subject to a limitation, such as section 632 (relating to the sale of oil and gas properties) or section 1347 (relating to claims against the United States), then, in determining adjusted taxable income, taxable income for the computation year is decreased by such items. If the tax attributable to any amount of an accumulation distribution from a trust is determined under section 668 (relating to treatment of amounts deemed distributed in preceding years) as though such amount had been distributed in a preceding taxable year, then, in determining adjusted taxable income, taxable income for the computation year is decreased by such amount.

(g) *Community income attributable to services.* (1) Under section 1304(c)(4)(B), in determining adjusted taxable income in the case of a married taxpayer who makes a separate return for the computation year, taxable income for such year shall be decreased by the excess (if any) of amounts includible in such return which constitute earned income (within the meaning of section 911(b)) and are community income under community property laws over the amount of such income which would have been includible if such earned income did not constitute community income.

(2) This paragraph may be illustrated by the following example:

Example. The total income of a husband and wife for the computation year consists of $60,000 of community income attributable to personal services, $40,000 of which is earned by H. W makes a separate return for such year and reports gross income of $30,000, her share of the community income. W chooses the benefits of income averaging for such year. In determining her adjusted taxable income for such year, W's taxable income must be reduced by $10,000, the excess of the community income attributable to personal services includible in her return ($30,000) over the amount of such income from personal services which would have been reportable by her if such income did not constitute community income ($20,000). The additional $10,000 of W's income for such year (which results from the application of local community property laws) is not subject to income averaging. For tax on such amounts, see paragraph (b) of § 1.1304–5.

§ 1.1302–3 Average base period income.

(a) *Definition.* The term "average base period income" means one-fourth of the sum of an individual's base period income for the base period. The term "base period" means the 4 taxable years immediately preceding the computation year.

(b) *Base period income*—(1) *Definition.* Except as otherwise provided in subparagraph (3) of this paragraph, the term "base period income" means taxable income for any base period year first increased in accordance with subparagraph (A) of section 1302(c)(2), and this section, and then decreased in accordance with subparagraphs (B) and (C) of section 1302(c)(2) and this section. Base period income for any taxable year may never be less than zero.

(2) *Base period income with respect to a computation year.* Base period income for each base period year must be determined in a manner consistent with the return for the computation year. The base period income with respect to a computation year for which an individual makes a separate return is the separate base period income of such individual. The base period income with respect to a computation year for which a husband and wife make a joint return is the sum of the base period incomes of both the husband and wife. Thus, if A and B, who were not married for the taxable years 1960–1963 and made separate returns for such years, marry in 1964 and make a joint return for the computation year 1964, their base period income for each of the taxable years 1960–1963 is the sum of the base period incomes for each such year of A (computed on the basis of his taxable income for each such year) and of B (similarly computed). If, however, they were married and made joint returns with each other for any of the base period years, their base period income for any such year may be computed on the basis of their aggregate taxable income. The base period income with respect to a computation year for which an individual makes a return as a surviving spouse (as defined in section 2(b) and § 1.2–2) is the sum of the base period incomes of the surviving spouse and the decedent with respect to whom such return is made.

(3) *Minimum limitation on base period income.* For any base period year to which section 1304(c)(1) applies (generally where an individual's marital status is different from that in the computation year), the separate base period income of an individual may not be less than the minimum separate base period income for such year computed in accordance with section 1304(c)(2) and § 1.1304–3.

(c) *Adjustments to taxable income*—(1) *Foreign and possessions income.* In determining base period income for any taxable year, taxable income for such year shall be increased by an amount equal to the excess of the amount of income which was excluded from gross income under section 911 (relating to earned income from sources without the United States) and subpart D of part III of subchapter N (sec. 931 and following, relating to income from sources within possessions of the United States) over the deductions which would have been properly allocable to or chargeable against such amount but for the exclusion of such amount from gross income.

(2) *Capital gain net income.* In determining base period income for any taxable year, taxable income for such year shall be decreased by the amount of capital gain net income (as defined in section 1302(d)(1) and paragraph (a) of § 1.1302–4) for such year. Section 1304(c)(3) and paragraph (f) of § 1.1304–3, relating to minimum base period capital gain net income, do not apply to the adjustment under this subparagraph.

(3) *Income attributable to gifts, bequests, devises, or inheritances.* If the decrease provided by section 1302(b)(2) and paragraph (c) of § 1.1302–2 is applicable to the computation year, then, in determining base period income for any taxable year, taxable income for such year shall be decreased under the rules of section 1302(b)(2) and paragraph (c) of § 1.1302–2. The limitation contained in section 1302(b)(2)(C) and paragraph (c)(1)(i) of § 1.1302–2 shall not apply to a base period year. For example, if an individual's taxable income for the computation year includes an amount of net

income attributable to gifts, bequests, devises, or inheritances which is in excess of $3,000, then, in determining base period income for his base period years, his taxable income for each such year must be decreased by any amount of net income so attributable to such property, whether or not in excess of $3,000. However, no adjustment to taxable income for a base period year shall be made under this subparagraph for a net loss.

§ 1.1302–4 Capital gain net income.

(a) *Capital gain net income.* The term "capital gain net income" means the amount, for any taxable year, equal to 50 percent of the excess of the net long-term capital gain (as defined in section 1222(7)) for such year over the net short-term capital loss (as defined in section 1222(6)) for such year. For example, if, for the taxable year 1964, an individual has a long-term capital gain of $10,000, a short-term capital gain of $3,000, and a capital loss carryover to 1964 of $8,000, then such individual has a capital gain net income for such year of $2,500 ($10,000—($8,000—$3,000) x 50 percent). An individual's capital gain net income for any taxable year cannot be less than zero.

(b) *Average base period capital gain net income—(1) Definition.* The term "average base period capital gain net income" means the amount equal to one-fourth of the sum of the capital gain net incomes for the 4 base period years.

(2) *Limitations.* (i) For purposes of determining average base period capital gain net income, the amount of capital gain net income for any base period year shall not exceed the amount of base period income for such year, computed without reduction by capital gain net income for such year. For example, if an individual's base period income computed without reduction by his capital gain net income for the base period year is $1,000, and if the amount of his capital gain net income for such year is $4,000, then, for purposes of computing his average base period capital gain net income, his capital gain net income for such base period year is $1,000.

(ii) For purposes of determining average base period capital gain net income, capital gain net income for any base period year for which section 1304(c)(1) and paragraph (b)(3) of § 1.1302–3 apply shall not be less than the minimum capital gain net income for such year computed in accordance with section 1304(c)(3) and paragraph (b) of § 1.1304–3. However, the amount of capital gain net income shall not exceed the amount of such income computed under subdivision (i) of this subparagraph.

§ 1.1302–5 Other related definitions.

(a) *Computation year.* The term "computation year" means the taxable year for which an eligible individual chooses under section 1304(a) the benefits of income averaging.

(b) *Base period.* See paragraph (a) of § 1.1302–3 for definition of the term "base period."

(c) *Base period year.* The term "base period year" means any of the 4 taxable years immediately preceding the computation year.

(d) *Joint return.* The term "joint return" means the return of a husband and wife made under section 6013.

§ 1.1303 Statutory provisions; eligible individuals.

Sec. 1303. *Eligible individuals*—(a) *General rule.* Except as otherwise provided in this section, for purposes of this part the term "eligible individual" means any individual who is a citizen or resident of the United States throughout the computation year.

(b) *Nonresident alien individuals.* For purposes of this part, an individual shall not be an eligible individual for the computation year if, at any time during such year or the base period, such individual was a nonresident alien.

(c) *Individuals receiving support from others*—(1) *In general.* For purposes of this part, an individual shall not be an eligible individual for the computation year if, for any base period year, such individual (and his spouse) furnished less than one-half of his support.

(2) *Exceptions.* Paragraph (1) shall not apply to any computation year if—

(A) Such year ends after the individual attained age 25 and, during at least four of his taxable years beginning after he attained age 21 and ending with his computation year, he was not a full-time student,

(B) More than one-half of the individual's adjusted taxable income for the computation year is attributable to work performed by him in substantial part during two or more of the base period years, or

(C) The individual makes a joint return for the computation year and not more than 25 percent of the aggregate adjusted gross income of such individual and his spouse for the computation year is attributable to such individual.

In applying subparagraph (C), amounts which constitute earned income (within the meaning of section 911(b)) and are community income under community property laws applicable to such income shall be taken into account as if such amounts did not constitute community income.

(d) *Student defined.* For purposes of this section, the term "student" means, with respect to a taxable year, an individual who during each of 5 calendar months during such taxable year—

(1) Was a full-time student at an educational institution (as defined in section 151(e)(4)); or

(2) Was pursuing a full-time course of institutional on-farm training under the supervision of an accredited agent of an educational institution (as defined in section 151(e)(4) or of a State or political subdivision of a State.

[Sec. 1303 as amended by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

§ 1.1303–1 Eligible individuals.

(a) *General rule.* Except as otherwise provided in section 1303 and this section, the term "eligible individual" means any individual who is a citizen or resident of the United States throughout the computation year. Such term does not include an estate or trust. If a husband and wife make a joint return under section 6013 for the computation year, both the husband and the wife must be eligible individuals in order to choose the benefits of income averaging.

(b) *Nonresident alien individuals.* An individual is not an eligible individual for the computation year if, at any time during such year or his base period, he was a nonresident alien. The determination that an individual is a nonresident alien is made in accordance with § 1.871–2 through § 1.871–4. For example, if H, a United States citizen living abroad, married W, an alien, during 1960 and returned with her to live in the United States on December 31, 1962, they may not choose the benefits of income averaging if they file a joint return for the taxable year 1964 since W was a nonresident alien for three base period years (1960–1962). H, however, may make a separate return and may, if he is otherwise qualified, choose the benefits of income averaging.

(c) *Individuals receiving support from others*—(1) *Self-support rule.* Except as provided in section 1303(c)(2) and subparagraphs (2), (3), and (4) of this paragraph, to be an eligible individual for the computation year under this paragraph, an individual must, together with his spouse, have furnished 50 percent or more of his support during each of his 4 base period years. For example, H and W are married for the computation year and the 4 base period years. If H and W have provided more than 50 percent of their support during each of the 4 base period years, both H and W are eligible individuals for the computation year. For purposes of determining, under section 1303(c)(1) and this paragraph, whether or not an individual supplied, for a given taxable year, 50 percent or more of his support, the rules of section 152 and the regulations thereunder shall be applied.

(2) *Individuals over 25.* Notwithstanding the general rule contained in section 1303(c)(1) and subparagraph (1) of this paragraph, an individual may be an eligible individual for a computation year if—

(i) That year ends after the individual attained age 25, and

(ii) During at least four of his taxable years beginning after he attained age 21 and ending with the computation year, he was not a full-time student.

For the definition of the term "student" as used in this subparagraph, see paragraph (d)(1) of this section.

(3) *Major accomplishment rule.* Notwithstanding the general rule contained in section 1303(c)(1) and subparagraph (1) of this paragraph, an individual may be an eligible individual for a computation year if more than 50 percent of his adjusted taxable income for the computation year is attributable to work performed by him in substantial part during two or more of his four base period years. It is not necessary that the individual perform any of the work in his computation year.

(4) *Spouse supported by others.* (i) Notwithstanding the general rule contained in section 1303(c)(1) and subparagraph (1) of this paragraph, an individual may be an eligible individual for a computation year if—

(a) Such individual makes a joint return under section 6013 for such year, and

(b) Not more than 25 percent of the aggregate adjusted gross income of such individual and his spouse for such year is attributable to such individual.

For example, H and W, who are United States citizens and calendar year taxpayers, were married in August 1963. H supported himself from 1960 to 1964. W's parents furnished more than 50 percent of her support for each year prior to her marriage. For the taxable year 1964, H and W filed a joint return showing an aggregate adjusted gross income of $10,000, all of which is attributable to H. If H and W are otherwise qualified, they may choose the benefits of income averaging for 1964.

(ii) In applying this subparagraph, to determine the amount of the aggregate adjusted gross income of a husband and wife which is attributable to either of them, amounts of earned income which are community income under community property laws applicable to such income are taken into account as if such amounts did not constitute community income. For the definition of the term "earned income," see section 911(b) and paragraph (c) of § 1.911–2.

(d) *Definitions—(1) Student.* For purposes of section 1303 and this section, the term "student" means, with respect to a taxable year, an individual who during each of 5 calendar months during such taxable year was a full-time student at an educational institution or was pursuing a full-time course of institutional on-farm training under the supervision of an accredited agent of an educational institution or of a State or political subdivision of a State. An example of "institutional on-farm training" is that authorized by 38 U.S.C. 1652 (formerly section 252 of the Veterans' Readjustment Assistance Act of 1952), as described in section 252 of such act. A full-time student is one who is enrolled for some part of 5 calendar months for the number of hours of courses which is considered to be full-time attendance. The 5 calendar months need not be consecutive. School attendance exclusively at night does not constitute full-time attendance. However, full-time attendance at an educational institution may include some attendance at night in connection with a full-time course of study.

(2) *Educational institution.* For definition of "educational institution," see section 151(e)(4) and § 1.151–3.

§ 1.1304 Statutory provisions; special rules.

Sec. 1304. *Special rules*—(a) *Taxpayer must choose benefits.* This part shall apply to the taxpayer only if the taxpayer chooses to have the benefits of this part for such taxable year. Such choice may be made or changed at any time before the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by this chapter for the taxable year.

(b) *Certain provisions inapplicable.* If the taxpayer chooses the benefits of this part for the taxable year, the following provisions shall not apply to him for such year:

(1) Section 3 (relating to optional tax if adjusted gross income is less than $5,000),

(2) Section 72(n)(2) (relating to limitation of tax in case of certain distributions with respect to contributions by self-employed individuals),

(3) Section 911 (relating to earned income from sources without the United States), and

(4) Subpart D of part III of subchapter N (sec. 931 and following, relating to income from sources within possessions of the United States).

(c) *Failure of certain married individuals to make joint return, etc.*—(1) *Application of subsection.* Paragraphs (2), (3), and (4) of this subsection shall apply in the case of any individual who was married for any base period year or the computation year; except that—

(A) Such paragraphs shall not apply in respect of a base period year if—

(i) Such individual and his spouse make a joint return, or such individual makes a return as a surviving spouse (as defined in section 2(b)), for the computation year, and

(ii) Such individual was not married to any other spouse for such base period year, and

(B) Paragraph (4) shall not apply in respect of the computation year if the individual and his spouse make a joint return for such year.

(2) *Minimum base period income.* For purposes of this part, the base period income of an individual for any base period year shall not be less than 50 percent of the base period income which would result from combining his income and deductions for such year—

(A) With the income and deductions for such year of the individual who is his spouse for the computation year, or

(B) If greater, with the income and deductions for such year of the individual who was his spouse for such base period year.

(3) *Minimum base period capital gain net income.* For purposes of this part, the capital gain net income of any individual for any base period year shall not be less than 50 percent of the capital gain net income which would result from combining his capital gain net income for such year (determined without regard to this paragraph) with the capital gain net income for such year (similarly determined) of the individual with whom he is required by paragraph (2) to combine his income and deductions for such year.

(4) *Community income attributable to services.* In the case of amounts which constitute earned income (within the meaning of section 911(b)) and are community income under community property laws applicable to such income—

(A) The amount taken into account for any base period year for purposes of determining base period income shall not be less than the amount which would be taken into account if such amounts did not constitute community income, and

(B) The amount taken into account for purposes of determining adjusted taxable income for the computation year shall not exceed the amount which would be taken into account if such amounts did not constitute community income.

(5) *Marital status.* For purposes of this subsection, section 143 shall apply in determining whether an individual is married for any taxable year.

(d) *Dollar limitations in case of joint returns.* In the case of a joint return, the $3,000 figure contained in section 1301 shall be applied to the aggregate averagable income, and the $3,000 figure contained in section 1302(b)(2)(C) shall be applied to the aggregate net incomes.

(e) *Special rules where there are capital gains*—(1) *Treatment of capital gains in computation year.* In the case of any taxpayer who has capital gain net income for the computation year, the tax imposed by section 1 for the computation year which is attributable to the amount of such net income shall be computed—

(A) By adding so much of the amount thereof as does not exceed average base period capital gain net income above 133⅓ percent of average base period income, and

(B) By adding the remainder (if any) of such net income above the 20 percent of the averagable income as taken into account for purposes of computing the tax imposed by section 1 (and above the amounts (if any) referred to in subsection (f)(1)).

(2) *Computation of alternative tax.* In the case of any taxpayer who has capital gain net income for the computation year, section 1201(b) shall be treated as imposing a tax equal to the tax imposed by section 1, reduced by the amount (if any) by which—

(A) The tax imposed by section 1 and attributable to the capital gain net income for the computation year (determined under paragraph (1)), exceeds

(B) An amount equal to 25 percent of the excess of the net long-term capital gain over the net short-term capital loss.

(f) *Treatment of certain other items*—(1) *Gift or wagering income.* The tax imposed by section 1 for the computation year which is attributable to the amounts subtracted from taxable income under paragraphs (2) and (3) of section 1302(b) shall equal the increase in tax under section 1 which results from adding such amounts above the 20 percent of the averagable income as taken into account for purposes of computing the tax imposed thereon by section 1.

(2) *Section 72(m)(5).* Section 72(m)(5) (relating to penalties applicable to certain amounts received by owner-employees) shall be applied as if this part had not been enacted.

(3) *Other items.* Except as otherwise provided in this part, the order and manner in which items of income shall be taken into account in computing the tax imposed by this chapter on the income of any eligible individual to whom section 1301 applies for any computation year shall be determined under regulations prescribed by the Secretary or his delegate.

(g) *Short taxable years.* In the case of any computation year or base period year which is a short taxable year, this part shall be applied in the manner provided in regulations prescribed by the Secretary or his delegate.

[Sec. 1304 as amended by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

§ 1.1304–1 Choice of income averaging by taxpayer.

(a) *Choice by taxpayer.* The income averaging provisions apply to a taxable year only if the taxpayer chooses to have the benefits of income averaging for such taxable year. The taxpayer shall signify his choice by making his return for the computation year on Form 1040 and attaching Schedule G, Income Averaging, thereto. The taxpayer may make or change his choice of such benefits at any time before the expiration of the period (including extensions thereof) prescribed in section 6511 for making a claim for credit or refund of the tax imposed by chapter 1 of the Code for such taxable year.

(b) *Subsequent qualification.* A taxpayer who was not qualified to choose the benefits of income averaging for a taxable year may subsequently become qualified for such taxable year. For example, if a taxpayer was not qualified to choose the benefits of income averaging

for 1964 incurs a net operating loss in 1965, and the carryback of such loss reduces his income for 1962 and 1963 so that he is no longer ineligible under section 1301 to choose the benefits of income averaging for 1964, the taxpayer may recompute the tax imposed by chapter 1 of the Code on his income for 1964 as if he had originally chosen the benefits of income averaging.

(c) *Subsequent disqualification.* A taxpayer who has chosen the benefits of income averaging for a taxable year may subsequently become disqualified for such benefits for such taxable year. For example, if a taxpayer who chose the benefits of income averaging for 1964 incurs a net operating loss for 1965 and the carryback of such loss reduces his income for 1964 so that he is no longer qualified under section 1301 to choose the benefits of income averaging for that year, the taxpayer must recompute the tax imposed by chapter 1 of the Code on his income for 1964 as if he had not originally chosen the benefits of income averaging.

§ 1.1304–2 Provisions inapplicable if income averaging is chosen.

(a) *Provisions inapplicable.* If a taxpayer chooses the benefits of income averaging for any taxable year, pursuant to section 1304(a) and § 1.1304–1, the following sections of the Code will not apply for such year:

(1) Section 3 (relating to optional tax if adjusted gross income is less than $5,000). A taxpayer may not, therefore, make use of the tax table contained in section 3 for any taxable year for which he chooses the benefits of income averaging. For availability of standard deduction, see section 144(d) and the regulations thereunder.

(2) Section 72(n)(2) (relating to limitation of tax in case of certain distributions with respect to contributions by self-employed individuals).

(3) Section 911 (relating to earned income from sources without the United States). Thus, a taxpayer who chooses the benefits of income averaging for a taxable year may not exclude from his gross income for such year any portion of his earned income from sources without the United States.

(4) Subpart D of Part III of Subchapter N (section 931 and following, relating to income from sources within possessions of the United States). Thus, a taxpayer who chooses the benefits of income averaging for a taxable year may not exclude from his gross income for such year any portion of his income from sources within possessions of the United States. However, the application of this provision for purposes of income averaging shall not affect any subsequent determination under the 3-year rule contained in section 931(a)(1). See § 1.931–1.

(b) *Subsequent disqualification.* The provisions of section 1304(b) and this section do not apply to a taxable year for which a taxpayer chose the benefits of income averaging if he subsequently becomes disqualified for such benefits. See paragraph (c) of § 1.1304–1.

§ 1.1304–3 Special rules for computing base period income.

(a) *Applicability.* Section 1304(c) prescribes the minimum amount of separate base period income of an individual to be taken into account for any base period year in certain circumstances. It applies if an individual was married for any base period year or for the computation year, unless—

(1) For the computation year, such individual and his spouse make a joint return, or he makes a return as a surviving spouse (as defined in section 2(b) and § 1.2–2), and

(2) He was not married to any other spouse for such base period year.

The applicability of this section is determined separately for each base period year. Thus, the provisions of this section may apply to one or more but less than all base period years.

(b) *Minimum separate base period income—(1) General rule.* In any case in which section 1304(c) and this section apply, the separate base period income of an individual for a base period year is the greatest of the following amounts:

(i) The individual's separate income and deductions (increased in accordance with subparagraph (A) of section 1304(c)(4), relating to community income) adjusted in accordance with paragraph (c) of § 1.1302–3;

(ii) 50 percent of the base period income resulting from adjusting, in accordance with paragraph (c) of § 1.1302–3, the sum of the individual's separate income and deductions (increased in accordance with subparagraph (A) of section 1304(c)(4), relating to community income) and the separate income and deductions of his spouse for the computation year; or

(iii) 50 percent of the base period income resulting from adjusting, in accordance with paragraph (c) of § 1.1302–3, the sum of the individual's separate income and deductions and the separate income and deductions of his spouse for such base period year.

However, subdivision (ii) of this subparagraph shall not apply in respect of a base period year if an individual and his spouse make a joint return for the computation year.

(2) *Computation of adjustments.* For purposes of subparagraph (1) (ii) and (iii) of this paragraph, in computing the amount of any adjustment under paragraph (c) of § 1.1302–3, an item of income of an individual may not be decreased by a loss incurred by the individual with whom he combines his income, unless such individuals made a joint return for the base period year in question. For example, if an individual has a net long-term capital gain of $20,000 for a base period year and the individual with whom he combines his income has a net long-term capital loss of $5,000 for such year, their combined capital gain net income for such year is $10,000 ($20,000−(50 percent of $20,000)). However, if such individuals made a joint return for such year, their capital gain net income is $7,500 ($15,000−(50 percent of $15,000)).

(c) *Separate income and deductions—(1) Definition.* The term "separate income and deductions" for a base period year means the excess an individual's gross income over his allowable separate deductions. The separate income and deductions of an individual may never be less than zero.

(2) *Separate deductions.* (i) An individual's separate deductions for a base period year for which he made a separate return are the deductions allowable on such return.

(ii) An individual's separate deductions for a base period year for which he made a joint return are:

(*a*) In the case of deductions allowable in computing adjusted gross income, the sum of such deductions attributable to the items of his gross income; and

(*b*) In the case of deductions allowable in computing taxable income, an amount which bears the same ratio to the amount of such deductions allowable on the joint return as the amount of adjusted gross income attributable to him for such year bears to the amount of the aggregate adjusted gross income of him and his spouse for such year. However, in any case in which 85 percent or more of the aggregate adjusted gross income of a husband and wife for a taxable year is attributable to either the husband or wife, all of such deductions shall be deemed to be the allowable deductions of the individual to whom 85 percent or more of such income is attributable, and none of such deductions shall be deemed to be the allowable deductions of the other spouse.

(d) *Community income attributable to services.* Under section 1304(c)(4)(A), in any case in which subdivisions (i) and (ii) of subparagraph (1) of paragraph (b) apply, an individual's separate income and deductions (as defined in paragraph (c)), shall be increased to take into account, in the case of amounts which constitute earned income (within the meaning of section 911(b)) and are community income under community property laws applicable to such income, not less than the net amount of such earned income which would be taken into account if such amounts of earned income did not constitute community income.

(e) *Example.* The provisions of this section may be illustrated by the following example:

Example. H and W are calendar year taxpayers who were married, residents of a common law State, and otherwise eligible to choose the benefits of income averaging for the taxable year 1964. They made a joint return for 1964. W, however, was married to and made a joint return with A for the taxable year 1960. H was unmarried for 1960. H, A, and W had taxable income for 1960 as indicated in the table below. H and W compute their base period income for 1960 in the following manner:

	A	W	A and W joint return	H
Salary	$11,500	$3,000	$14,500	$3,000
Dividends	500	1,000	1,500	1,000
Adjusted gross income	12,000	4,000	16,000	4,000
Total deductions allowable in computing taxable income			4,000	1,500
Amount of total deductions allowable in computing separate income and deductions	3,000	1,000		1,500
Separate income and deductions	9,000	3,000	12,000	2,500
Foreign income excluded under section 911	10,000			
Separate base period income in accordance with paragraph (b)(1)(i)	19,000	3,000		2,500

Separate base period income in accordance with paragraph (b):

(1) W's separate income and deductions under subdivision (i) of paragraph (b)(1) ---------- $3,000

(2) W's separate base period income under subdivision (iii) of paragraph (b)(1):
  (a) W and A's taxable income for 1960 ---------- $12,000
  (b) Adjustment under paragraph (c) of § 1.1302–3 ---------- 10,000
  22,000

(c) 50 percent of combined base period income ---------- 11,000

W must take $11,000 into account as her separate base period income for 1960. Since H made a joint return with W in the computation year and was not married to another spouse in 1960, section 1304(c) and § 1.1304–3 do not apply to him for 1960. Therefore, his separate base period income for 1960 is $2,500. H and W's base period income, on a joint return basis, for 1960 is $13,500.

(f) *Minimum base period capital gain net income.* In any base period year to which section 1304(c) and this section apply, for purposes of determining an individual's average base period capital gain net income under section 1302(d)(2) and paragraph (b) of § 1.1302–4, his capital gain net income for such year shall not be less than 50 percent of the capital gain net income which would result from combining his capital gain net income for such year (determined without regard to section 1304(c)(3) and this paragraph) with the capital gain net income for such year (also determined without regard to section 1304(c)(3) and this paragraph) of the individual with whom he is required, pursuant to paragraph (b) of this section, to combine his separate income and deductions for such year.

(g) *Marital status.* For purposes of section 1304(c) and this section, the rules of section 143 (relating to determination of marital status) and the regulations thereunder apply in determining whether an individual is married for any taxable year.

§ 1.1304–4 Dollar limitations in case of joint returns.

(a) *Averagable income.* Under section 1301 an eligible individual may choose the benefits of income averaging only if his averagable income for the computation year exceeds $3,000. In the case of a joint return, the $3,000 limitation applies to the aggregate averagable income of the husband and wife making the joint return.

(b) *Income attributable to gifts, bequests, etc.* Under section 1302(b)(2)(C) an individual must, in determining his adjusted taxable income for a computation year, decrease his taxable income for such year by the amount of his income attributable to gifts, bequests, devises, and inheritances only if the sum of such amounts exceeds $3,000. Under section 1304(d), the $3,000 limitation with respect to the amount of net income attributable to such interests in property applies, in the case of a joint return, to the aggregate net income of the husband and wife making the joint return.

§ 1.1304–5 Determination of total tax for the computation year.

(a) *Total tax.* The total amount of tax imposed by section 1 for the computation year on the income of an individual for that year is the sum of the separate amounts of tax imposed on the several segments of the income of the individual who chooses the benefits of income averaging for such year. The several segments of an individual's income arranged in ascending order (from the standpoint of the tax rate brackets applicable to such segments of income) are:

Segment 1. The amount of income equal to 133⅓ percent of average base period income.

Segment 2. The amount (if any) of the adjustment for capital gains made to averagable income under section 1302(a)(2).

Segment 3. The amount (if any) of capital gain net income for the computation year which is less than or equal to average base period capital gain net income.

Segment 4. Twenty percent of averagable income.

Segment 5. The amount (if any) of items of income not specifically included in any other segment.

Segment 6. The amount (if any) of capital gain net income for the computation year which exceeds average base period capital gain net income.

Segment 7. The amount (if any) of income to which section 72(m)(5), relating to certain distributions to owner-employees which are subject to penalties, applies.

(b) *Treatment of segment 5 items.* The tax imposed by section 1 for the computation year on items of income in segment 5 shall equal the increase in tax resulting from adding such amounts to an individual's income immediately above 20 percent of averagable income (segment 4) as such averagable income is taken into account for purposes of computing the tax imposed on such averagable income by section 1. Segment 5 includes the items of income by which taxable income is decreased in determining adjusted taxable income under section 1302(b)(2) and paragraph (c) of § 1.1302–2, section 1302(b)(3) and paragraph (d) of § 1.1302–2, paragraph (f) of § 1.1302–2, and paragraph (g) of § 1.1302–2.

(c) *Treatment of certain amounts received by owner-employees.* The amount of tax imposed by section 1 for the computation year attributable to amounts described in section 72(m)(5)(A), to which a penalty is applicable under section 72(m)(5) and paragraph (e) of § 1.72–17, is computed by determining the increase in tax which results under section 1 from the inclusion of such amounts in income without the use of the income averaging provisions.

(d) *Examples.* The application of the rules described in this section may be illustrated by the following examples:

Example (1). A, an eligible individual who was not married for the taxable years 1960 through 1964, has taxable income for those years as indicated in the table below. For the taxable years 1960 through 1963, all of A's income is ordinary income from salary. For the taxable year 1964, all of A's income is ordinary income, and includes $5,000 of net income attributable to property received by bequest in 1964. A's qualification to choose the benefits of income averaging and the amount of his averagable income for 1964 are determined in the following manner:

Year:	Taxable income
1960	$2,000
1961	4,000
1962	3,500
1963	2,500
1964	49,000

(1) Adjusted taxable income for 1964 (computation year):
  (a) Taxable income for 1964 ---- $49,000
  Less:
  (b) Income attributable to bequest ---- 5,000
  Adjusted taxable income ---- 44,000

(2) Average base period income for years 1960–63 (the base period years):
  (a) 1960 ---- 2,000
  1961 ---- 4,000
  1962 ---- 3,500
  1963 ---- 2,500
  12,000
  (b) Average base period income ($12,000÷4) ---- 3,000

(3) Averagable income for 1964:
  (a) Adjusted taxable income ---- 44,000
  Less:
  (b) 133⅓ percent of average base period income (⅓×$3,000) ---- 4,000
  Averagable income ---- 40,000

Since A's averagable income exceeds $3,000, the entire amount ($40,000) of his averagable income is subject to averaging.

Computation of tax due for computation year (1964):

(1) Segments of income:
  (a) 133⅓ percent of the average base period income ---- $4,000
  (b) 20 percent of the averagable income ($40,000÷5) ---- 8,000
  (c) Income attributable to bequest ---- 5,000
  17,000

(2) Tax attributable to the averagable income:
(a) Tax on $4,000 ---- 740
(b) Tax on $12,000 ($4,000+$8,000) ---- 3,040
(c) Tax on 20 percent of averagable income ($3,040—$740) ---- 2,300
(d) Multiply tax by 5 (5×$2,300) ---- 11,500

(3) Tax attributable to the income attributable to bequest:
(a) Tax on $17,000 ---- 5,055
(b) Tax on $12,000 ---- 3,040
2,015

(4) Total tax for 1964:
(a) Tax on 133⅓ percent of the average base period income ($4,000) ---- 740
(b) Tax on averagable income ($40,000) ---- 11,500
(c) Tax on income attributable to bequest ($5,000) ---- 2,015
Total tax ---- 14,255

Example (2). A, an eligible individual who was not married for the taxable years 1960 through 1964, has taxable income for those years as indicated in the table below. For the taxable years 1960 through 1963, all of his ordinary income is from salary and all of his capital gain is net long-term capital gain. For the taxable year 1964, A's ordinary income includes $5,000 of net income attributable to a bequest received by A in 1964. A's qualification to choose the benefits of income averaging and the amount of his averagable income for 1964 are determined in the following manner:

Year	Taxable income		
	Total	Ordinary income	Capital gain net income
1960	$8,250	$2,000	$6,250
1961	7,750	4,000	3,750
1962	7,500	3,500	4,000
1963	8,500	2,500	6,000
1964	59,000	49,000	10,000

(1) Adjusted taxable income for 1964 (the computation year):
(a) Taxable income for 1964 ---- $59,000
Less:
(b) (i) Capital gain net income for the computation year ---- $10,000
(ii) Income attributable to bequest ---- 5,000
Total ---- 15,000
Adjusted taxable income ---- 44,000

(2) Average base period income for years 1960–63 (the base period years):
(a) 1960 ---- $2,000
1961 ---- 4,000
1962 ---- 3,500
1963 ---- 2,500
12,000
(b) $12,000÷4 ---- 3,000

(3) Average base period capital gain net income:
(a) 1960 ---- 6,250
1961 ---- 3,750
1962 ---- 4,000
1963 ---- 6,000
20,000
(b) $20,000÷4 ---- 5,000

(4) Averagable income for 1964:
(a) Adjusted taxable income ---- 44,000
Less:
(b) 133⅓ percent of average base period income (4/3×$3,000) ---- 4,000
Averagable income ---- 40,000

Since A's averageable income exceeds $3,000, the entire amount ($40,000) of his averagable income is subject to averaging.

Computation of tax due for computation year (1964):

(1) Segments of income:
(a) 133⅓ percent of the average base period income ---- $4,000
(b) The average base period capital gain net income ---- 5,000
(c) 20 percent of the averagable income ($40,000÷5) ---- 8,000
(d) Income attributable to bequest ---- 5,000
(e) Excess of computation year capital gain net income over average base period capital gain net income ($10,000—$5,000) ---- 5,000
27,000

(2) Tax attributable to the averagable income:
(a) Tax on $9,000 ---- 2,055
(b) Tax on $17,000 ---- 5,055
(c) Tax on 20 percent of averagable income ($5,055—$2,055) ---- 3,000
(d) Multiply tax by 5 (5×$3,000) ---- 15,000

(3) Tax attributable to the income attributable to bequest:
(a) Tax on $22,000 ---- 7,460
Less:
(b) Tax on $17,000 ---- 5,055
2,405

(4) Tax attributable to the excess of computation year capital gain net income over average base period capital gain net income:
(a) Tax on $27,000 ---- 10,160
Less:
(b) Tax on $22,000 ---- 7,460
2,700

(5) Total tax for 1964:
(a) Tax on 133⅓ percent of the average base period income ($4,000) ---- 740
(b) Tax on average base period capital gain net income ($5,000) ---- 1,315
(c) Tax on averagable income ($40,000) ---- $15,000
(d) Tax on income attributable to bequest ($5,000) ---- 2,405
(e) Tax on excess capital gain net income ($5,000) ---- 2,700
Total tax ---- 22,160

Example (3). The facts are the same as in example (2) for the taxable years 1960 to 1963. For the taxable year 1964, A's taxable income is $47,000, of which $44,000 is ordinary income and the remaining $3,000 is attributable to his $6,000 of net long-term capital gain.

(1) Adjusted taxable income for 1964 (the computation year):
(a) Taxable income for 1964 ---- $47,000
Less:
(b) Capital gain net income for the computation year ---- 3,000
Adjusted taxable income ---- 44,000

(2) Average base period income for years 1960–63 (the base period years) ---- 3,000

(3) Average base period capital gain net income ---- 5,000

(4) Averagable income for 1964:
(a) Adjusted taxable income ---- 44,000
Less:
(b) 133⅓ percent of average base period income (⅓×$3,000) ---- 4,000
Total ---- 40,000
Less:
(c) The adjustment for capital gains:
(i) Average base period capital gain net income ---- $5,000
Less:
(ii) Capital gain net income for the computation year ---- 3,000
Total ---- 2,000
Averagable income ---- 38,000

Since A's averagable income exceeds $3,000, the entire amount ($38,000) of his averagable income is subject to averaging.

Computation of tax due for computation year (1964):

(1) Segments of income:
(a) 133⅓ percent of the average base period income (⅓×$3,000) ---- $4,000
(b) Adjustment for capital gains ---- 2,000
(c) The amount of the computation year capital gain net income ---- 3,000
(d) 20 percent of the averagable income ($38,000÷5) ---- 7,600
Total ---- 16,600

(2) Tax attributable to the averagable income:
(a) Tax on $9,000 ---- $2,055
(b) Tax on $16,600 ---- 4,877
(c) Tax on 20 percent of averagable income ($4,877—$2,055) ---- 2,822
(d) Multiply tax by 5 (5×$2,822) ---- 14,110

(3) Total tax for 1964:
(a) Tax on 133⅓ percent of the average base period income ($4,000) ---- $740
(b) Tax on the adjustment for capital gains ($2,000) ---- 470
(c) Tax on computation year capital gain net income ($3,000) ---- 845
(d) Tax on averagable income ($38,000) ---- 14,110
Total tax ---- 16,165

§ 1.1304–6 Special rule for computation of alternative tax.

(a) If an individual has capital gain net income, section 1201(b) is treated as imposing an alternative tax in lieu of the tax imposed by section 1, if such alternative tax is less than the tax imposed by section 1. The alternative tax is equal to the tax imposed by section 1, reduced by the amount by which—

(1) The tax imposed by section 1 which is attributable to an individual's capital gain net income for the computation year (as determined under section 1304(e)(1) and § 1.1304–5), exceeds

(2) An amount equal to 25 percent of the excess of such individual's net long-term capital gain for the computation year over his net short-term capital loss for such year.

See § 1.1–3 for rule relating to the computation of the limitation on tax under section 1(c) in cases where the alternative tax is imposed. For purposes of paragraph (a) of § 1.34–2 relating to the limitation on amount of the dividend received credit under section 34) and paragraph (a) of § 1.35–1 (relating to computation of credit for partially tax-exempt interest under section 35) in any case where the alternative tax is imposed, taxable income for a taxable year is an individual's taxable income as defined in section 63.

(b) The application of the rules described in this paragraph may be illustrated by the following example:

Example. A, an eligible individual who was not married for the taxable years 1960 through 1964, has taxable income for those years as indicated in the table below. For the taxable years 1960 through 1964, all of his ordinary income is from salary and all of his capital gain is net long-term capital gain. A's qualification to choose the benefits of income averaging and the amount of his averagable income for 1964 are determined in the following manner:

Year	Taxable income		
	Total	Ordinary income	Capital gain net income
1960	$8,250	$2,000	$6,250
1961	7,750	4,000	3,750
1962	7,500	3,500	4,000
1963	8,500	2,500	6,000
1964	84,000	44,000	40,000

(1) Adjusted taxable income for 1964 (the computation year):
(a) Taxable income for 1964 ---- $84,000
Less:
(b) Capital gain net income for the computation year ---- 40,000
Adjusted taxable income ---- 44,000

(2) Average base period income for years 1960–63 (the base period years) (See example 2, § 1.1304–5(d)) ---- $3,000

(3) Average base period capital gain net income (See example 2, § 1.1304–5(d)) ---- 5,000

(4) Averagable income for 1964:
(a) Adjusted taxable income ---- 44,000
Less:
(b) 133⅓ percent of average base period income (⅓×$3,000) ---- 4,000
Averagable income ---- 40,000

Since A's averagable income exceeds $3,000, the entire amount ($40,000) of his averagable income is subject to averaging.

Computation of the tax due for computation year (1964):

(1) Segments of income:
(a) 133⅓ percent of the average base period income ---- $4,000
(b) The average base period capital gain net income ---- 5,000
(c) 20 percent of the averagable income ($40,000÷5) ---- 8,000
(d) Excess of computation year capital gain net income over average base period capital gain net income ---- 35,000
Total ---- 52,000

(2) Tax attributable to the averagable income:
(a) Tax on $9,000 ---- 2,055
(b) Tax on $17,000 ---- 5,055
(c) Tax on 20 percent of averagable income ($5,055—$2,055) ---- 3,000
(d) Multiply tax by 5 (5×$3,000) ---- 15,000

(3) Tax attributable to the excess of computation year capital gain net income over average base period capital gain net income:
(a) Tax on $52,000 ---- 25,260
Less:
(b) Tax on $17,000 ---- 5,055
20,205

(4) Total tax for 1964:
(a) Tax on 133⅓ percent of the average base period income ($4,000) ---- 740
(b) Tax on average base period capital gain net income ($5,000) ---- 1,315
(c) Tax on averagable income ($40,000) ---- 15,000
(d) Tax on excess capital gain net income ($35,000) ---- 20,205
Total tax ---- 37,260

Computation of alternative tax for computation year (1964):

(1) Tax equal to the tax imposed by sec. 1 of the Code ---- $37,260

(2) Amount (if any) of reduction in tax:
(a) Tax imposed by sec. 1 of the Code which is attributable to the amount of capital gain net income for the computation year which is equal to the average base period capital gain net income ($5,000) ---- 1,315
(b) Tax imposed by sec. 1 of the Code which is attributable to the excess of capital gain net income for the computation year over the average base period capital gain net income ($35,000) ---- $20,205
Total tax attributable to capital gain net income for the computation year ---- 21,520
(c) Amount which is 25 percent of net long-term capital gain for computation year ($80,000) ---- 20,000
Reduction in tax ---- 1,520

(3) Alternative tax for 1964 ($37,260—$1,520) ---- 35,740

§ 1.1304–7 Short taxable years.

(a) *Change of annual accounting period.* (1) If an individual is required under section 443(a)(1) and the regulations thereunder to make a return for a short period, such short period may be treated as a computation year or a base period year. For purposes of this section, a "short period" means any period of less than 12 months for which a return was required to be made under section 443(a).

(2) For a short period which is a computation year, an individual shall determine his eligibility to choose the benefits of income averaging by placing his taxable income on an annual basis by multiplying such income by 12 and dividing the result by the number of months in the short period. The provisions of section 443(c) and the regulations thereunder (relating to adjustment in deduction for personal exemptions) shall apply in such computations. The total tax imposed by section 1 for the short period which is a computation year shall be the same part of the total tax computed on the annual basis as the number of months in the short period is of 12 months. The period described in section 443(b)(2) (relating to computation based on 12-month period) may not be a computation year.

(3) For a short period which is a base period year, the amount of an individual's base period income for such short period is computed as if such short period were a taxable year of 12 months ending on the last day of the short period.

(4) The application of the rules described in subparagraph (1) of this paragraph may be illustrated by the following example:

Example. A, an unmarried, eligible individual who had been a calendar year taxpayer, was allowed in 1964 to change his annual accounting period to a taxable year beginning on April 1. A made a return for

the short period from January 1 to March 31, 1964. His taxable income for the taxable years 1960 to 1964 is as indicated in the table below. For the taxable years 1960 through 1963, all of A's income is ordinary income from salary. For the short period, all of A's income is ordinary income, and includes $5,000 of net income attributable to a bequest received in 1964. A's eligibility to choose the benefits of income averaging and the amount of his averagable income for 1964 are determined in the following manner:

Year:	*Taxable income*
1960	$12,000
1961	14,000
1962	17,500
1963	16,500
1964 (3 months)	15,000

(1) Adjusted taxable income for 1964 (computation year):	
(a) Taxable income for 1964 on annual basis (($15,000×12)÷3)	60,000
Less:	
(b) Income attributable to bequest on annual basis (($5,000×12)÷3)	20,000
Adjusted taxable income	40,000
(2) Average base period income for years (1960–1963) (the base period years):	
(a) 1960	12,000
1961	14,000
1962	17,500
1963	16,500
	60,000
(b) Average base period income ($60,000÷4)	15,000
(3) Averagable income for 1964:	
(a) Adjusted taxable income	40,000
Less:	
(b) 133⅓ percent of average base period income (4/3×$15,000)	20,000
Averagable income	20,000

Since A's averagable income exceeds $3,000, the entire amount ($20,000) of his averagable income is subject to averaging.

Computation of total tax due for computation year (1964):

(1) Segments of income on annual basis:	
(a) 133⅓ percent of the average base period income	$20,000
(b) 20 percent of the averagable income ($20,000÷5)	4,000
(c) Income attributable to bequest	20,000
	44,000
(2) Tax attributable to the averagable income:	
(a) Tax on $20,000	6,450
(b) Tax on $24,000	8,530
(c) Tax on 20 percent of averagable income ($8,530−$6,450)	2,080
(d) Multiply tax by 5 (5×$2,080)	10,400
(3) Tax attributable to the income attributable to bequest:	
Tax on $44,000	20,130
Less: Tax on $24,000	8,530
	11,600
(4) Total tax for 1964:	
(a) Tax on 133⅓ percent of average base period income ($20,000)	6,450
(b) Tax on averagable income on annual basis ($20,000)	10,400
(c) Tax on income attributable to bequest on annual basis ($20,000)	11,600
(d) Tax on annualized income ($60,000)	28,450
Total tax due ($28,450×3/12)	7,112.50

(b) *Taxpayer not in existence for entire taxable year.* If an individual is required under section 443(a)(2) and the regulations thereunder to make a return for a short period, such short period may be treated as a computation year or a base period year. The amount of such individual's adjusted taxable income (if such short period is a computation year) or his base period income (if such short period is a base period year) is computed as if such short period were a taxable year of 12 months ending on the last day of the short period.

(c) *Termination of taxable year for jeopardy.* An individual who is required under section 443(a)(3) and the regulations thereunder to make a return for a period of less than 12 months shall not take such short period into account as a computation year or a base period year.

§ 1.1305 Statutory provisions; regulations.

Sec. 1305. *Regulations.* The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this part.

[Sec. 1305 as amended by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

PAR. 2. Section 1.72 is amended by striking out paragraph (3) of section 72(e) and by revising the historical note. The amended provisions read as follows:

§ 1.72 Statutory provisions; annuities; certain proceeds of endowment and life insurance contracts.

Sec. 72. *Annuities; certain proceeds of endowment and life insurance contracts.* * * *

(e) *Amounts not received as annuities.* * * *

(3) [Deleted]

[Sec. 72 as amended by sec. 4 (a), (b), Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 821); sec. 11(b), Rev. Act 1962 (76 Stat. 1005); sec. 232(b), Rev. Act 1964 (78 Stat. 110)]

PAR. 3. Paragraph (a)(3)(i) of § 1.72–2 is amended to read as follows:

§ 1.72–2 Applicability of section.

(a) *Contracts.* * * *

(3)(i) Sections 402 and 403 provide that certain distributions by employees' trusts and certain payments under employee plans are taxable under section 72. For taxable years beginning before January 1, 1964, section 72(e)(3), as in effect before such date, does not apply to such distributions or payments. For purposes of applying section 72 to such distributions and payments (other than those described in subdivision (iii) of this subparagraph), each separate program of the employer consisting of interrelated contributions and benefits shall be considered a single contract. Therefore, all distributions or payments (other than those described in subdivision (iii) of this subparagraph) which are attributable to a separate program of interrelated contributions and benefits are considered as received under a single contract. A separate program of interrelated contributions and benefits may be financed by the purchase from an insurance company of one or more group contracts or one or more individual contracts, or may be financed partly by the purchase of contracts from an insurance company and partly through an investment fund, or may be financed completely through an investment fund. A program may be considered separate for purposes of section 72 although it is only a part of a plan which qualifies under section 401. There may be several trusts under one separate program, or several separate programs may make use of a single trust. See, however, subdivision (iii) of this subparagraph for rules relating to what constitutes a "contract" for purposes of applying section 72 to distributions commencing before October 20, 1960.

* * * * *

PAR. 4. Section 1.72–11 is amended by revising paragraphs (a)(2), (c)(3), (d)(2), (f)(1), (3), and (g). These amended provisions read as follows:

§ 1.72–11 Amounts not received as annuity payments.

(a) *Introductory.* * * *

(2) The principles of this section apply, to the extent appropriate thereto, to amounts paid which are taxable under section 72 (except, for taxable years beginning before January 1, 1964, section 72(e)(3)) in accordance with sections 402 and 403 and the regulations thereunder. However, if contributions used to purchase the contract include amounts for which a deduction was allowed under section 404 as contributions on behalf of an owner-employee, the rules of this section are modified by the rules of paragraph (b) of § 1.72–17. Further, in applying the provisions of this section, the aggregate premiums or other consideration paid shall not include contributions on behalf of self-employed individuals to the extent that deductions were allowed under section 404 for such contributions. Nor, shall the aggregate of premiums or other consideration paid include amounts used to purchase life, accident, health, or other insurance protection for an owner-employee. See paragraph (b)(4) of § 1.72–16 and paragraph (c) of § 1.72–17. The principles of this section also apply to payments made in the manner described in paragraph (b)(3)(i) of § 1.72–2.

* * * * *

(c) *Amounts received in the nature of a refund of the consideration under a contract and in full discharge of the obligation thereof.* * * *

(3) For the purpose of applying the rule contained in subparagraph (1) of this paragraph, it is immaterial whether the recipient of the amount received in full discharge of the obligation is the same person as the recipient of amounts previously received under the contract which were excludable from gross income, except in the case of a contract transferred for a valuable consideration, with respect to which see paragraph (a) of § 1.72–10. For the limit on the tax, for taxable years beginning before January 1, 1964, attributable to the receipt of a lump sum to which this paragraph applies, see paragraph (g) of this section.

(d) *Amounts received upon the surrender, redemption, or maturity of a contract.* * * *

(2) For the purpose of applying the rule contained in subparagraph (1) of this paragraph, it is immaterial whether the recipient of the amount received upon the surrender, redemption, or maturity of the contract is the same as the recipient of amounts previously received under the contract which were excludable from gross income, except in the case of a contract transferred for a valuable consideration, with respect to which see paragraph (a) of § 1.72–10. For the limit on the amount of tax, for taxable years beginning before January 1, 1964, attributable to the receipt of certain lump sums to which this paragraph applies, see paragraph (g) of this section.

* * * * *

(f) *Periodic payments received for the same term after a lump sum withdrawal.* (1) If, after the date of the first receipt of a payment as an annuity, the annuitant receives a lump sum and is thereafter to receive annuity payments in a reduced amount under the contract for the same term, life, or lives as originally specified in the contract, a portion of the contract shall be considered to have been surrendered or redeemed in consideration of the payment of such lump sum and the exclusion ratio originally determined for the contract shall continue to apply to the amounts received as an annuity without regard to the fact that such amounts are less than the original amounts which were to be paid periodically. The lump sum shall be includible in the gross income of the recipient in accordance with the provisions of subparagraph (2) of this paragraph. However, except in the case of amounts to which sections 402 and 403 apply, the tax, for taxable years beginning before January 1, 1964, attributable to the inclusion of all or part of the lump sum in gross income shall not exceed the amount determined under section 72(e)(3) and paragraph (g) of this section. For taxable years beginning after December 31, 1963, such amounts may be taken into account in computations under sections 1301 through 1305 (relating to income averaging).

* * * * *

(3) This paragraph may be illustrated by the following examples:

Example (1). Taxpayer A pays $20,000 for an annuity contract providing for payments to him of $100 per month for his life. At the annuity starting date he has a life expectancy of 20 years. His expected return is therefore $24,000 and the exclusion ratio is five-sixths. He continues to receive the original annuity payments for 5 years, receiving a total of $6,000, and properly excludes a total of $5,000 from his gross income in his income tax returns for those years. At the beginning of the next year, A agrees with the insurer to take a reduced annuity of $75 per month and a lump sum payment of $4,000 in cash. Of the lump sum he receives, he will include $250 and exclude $3,750 from his gross income for his taxable year of receipt, determined as follows:

Aggregate of premiums or other consideration paid	$20,000
Less amounts received as an annuity to the extent they were excludable from A's income	$5,000
Remainder of the consideration	$15,000
Ratio of the reduction in the amount of the annuity payments to the original annuity payments	25/$100 or ¼
Lump sum received	$4,000
Less one-fourth of the remainder of the consideration (¼ of $15,000)	$3,750
Portion of the lump sum includible in gross income	$250

For taxable years beginning before January 1, 1964, the limit on tax of section 72(e)(3), as in effect before such date, applies to the portion of the lump sum includible in gross income. For taxable years beginning after December 31, 1963, such portion may be taken into account in computations under sections 1301 through 1305 (relating to income averaging). If, in this example, the annuity were a pension payable to A as a retired employee, but the facts were otherwise the same (assuming that, for instance, the $20,000 aggregate of premiums or other consideration paid were A's contributions as determined under section 72(f) and § 1.72–8) the result would be the same except that the tax attributable to the inclusion of the $250 in A's gross income, for taxable years beginning before January 1, 1964, would not be limited by section 72(e)(3), as in effect before such date. If such a lump sum is received in a taxable year beginning after December 31, 1963, the portion of such sum includible in gross income may be taken into account in computations under sections 1301 through 1305 (relating to income averaging).

Example (2). Taxpayer B pays $30,000 for a contract providing for monthly payments to be made to him for 15 years with respect to the principal and earnings of 10 units of an investment fund. B receives $12,000 during the first 5 years of participation and of this amount he has properly excluded a total of $10,000 from his gross income in his income returns for the taxable years, since $2,000 of $2,400 he received in each such year represented his investment divided by the term of the annuity ($30,000÷15). At the beginning of the 6th year, B agrees to take $11,000 in a lump sum and thereafter to accept the payments arising with respect to five units for the remaining 10 years of payments in full discharge of the original obligations of the contract. B shall include $1,000 in his gross income for the 6th year as the result of the lump sum he receives and allocates $1,000 of his original investment in the contract to each of the remaining 10 years with respect to the payments which will continue, determined as follows:

Aggregate of premiums or other consideration paid	$30,000
Total amount received and excludable from gross income	$10,000
Remainder of the consideration	$20,000
Ratio of units discontinued to the total units originally provided	5/10 or ½
Lump sum received at the time of reduction in the number of units to be paid	$11,000
Less one-half of the remainder of the consideration (½ of $20,000)	$10,000
Portion of the lump sum received and includible in gross income	$1,000
Remainder of the consideration less the portion of such remainder attributable to the excludable portion of the lump sum ($20,000−$10,000)	$10,000
Remainder of the consideration properly allocable to each taxable year for the remaining 10 years ($10,000÷10)	$1,000

For the taxable years beginning before January 1, 1964, the limit on tax of section 72(e)(3), as in effect before such date, applies to the portion of the lump sum received and includible in gross income. For taxable years beginning after December 31, 1963, such portion may be taken into account in computations under sections 1301 through 1305 (relating to income averaging).

(g) *Limit on tax attributable to the receipt of a lump sum.* (1) For taxable years beginning before January 1, 1964, if the entire amount of the proceeds received upon the redemption, maturity, surrender, or discharge of a contract to which section 72 applies is received in a lump sum and paragraph (c), (d), or (f) of this section is applicable in determining the portion of such amount which is includible in gross income, the tax attributable to such portion shall not exceed the tax which would have been attributable thereto had such portion been received ratably in the taxable year in which received and the 2 preceding taxable years. The amount of tax attributable to the includible portion of the lump sum received shall be the lesser of:

(i) The difference between the amount of tax for the taxable year of receipt computed by including such portion in gross income and the amount of tax for such taxable year computed by excluding such portion from gross income; or

(ii) The difference between the total amount of tax for the taxable year of receipt and the 2 preceding taxable years computed by including one-third of such portion in gross income for each of the 3 taxable years, and the total amount of the tax for the taxable year of receipt and the 2 preceding taxable years computed by entirely excluding such portion from the gross income of all 3 taxable years.

For the definition of "taxable year", see section 441(b). This subparagraph shall not apply, for taxable years beginning before January 1, 1964, to payments excepted from the application of section 72(e)(3), as in effect before such date, under the provisions of section 402 or 403. See paragraph (a) of § 1.72–2 and paragraph (d) of § 1.72–14.

(2) For taxable years beginning after December 31, 1963, any amount includible in gross income to which this section relates may be taken into account in computations under sections 1301 through 1305 (relating to income averaging).

PAR. 5. Paragraph (b)(3) of § 1.72–17 is amended to read as follows:

§ 1.72–17 Special rules applicable to owner-employees.

* * * * *

(b) *Certain amounts received before annuity starting date.* * * *

(3) Any amounts to which this paragraph applies and which are not includible in gross income under the rules of subparagraph (2) of this paragraph shall be subject to the provisions of section 72(e) and § 1.72–11. However, for taxable years beginning before January 1, 1964, section 72(e)(3), as in effect before such date, shall not apply to such amounts. For taxable years beginning after December 31, 1963, such amounts (other than amounts subject to a penalty under section 72(m)(5) and paragraph (e) of this section) may be taken into account in computations under sections 1301 through 1305 (relating to income averaging).

* * * * *

PAR. 6. Paragraph (b)(3)(iii) of § 1.72–18 is amended to read as follows:

§ 1.72–18 Treatment of certain total distributions with respect to self-employed individuals.

* * * * *

(b) *Distribution to which this section applies.* * * *

(3) * * *

(iii) Distributions or payments made to the employee from a plan or trust unless contributions which were allowed as a deduction under section 404 have been made on behalf of such employee as a self-employed individual under such trust or plan for 5 or more taxable years (whether or not consecutive) prior to the taxable year in which such distributions or payments are made. Distributions or payments to which this section does not apply by reason of this subdivision are taxed as otherwise provided in section 72. However, for taxable years beginning before January 1, 1964, section 72(e)(3), as in effect before such date, is not applicable. For taxable years beginning after December 31, 1963, such distributions or payments may be taken into account in computations under sections 1301 through 1305 (relating to income averaging).

* * * * *

PAR. 7. Section 1.144 is amended by adding a new subsection (d) to section 144 and by revising the historical note. These added and amended provisions read as follows:

§ 1.144 Statutory provisions; election of standard deduction.

Sec. 144. *Election of standard deduction.* * * *

(d) *Individuals electing income averaging.* In the case of a taxpayer who chooses to have the benefits of part I of subchapter Q (relating to income averaging) for the taxable year—

(1) Subsection (a) shall not apply for such taxable year, and

(2) The standard deduction shall be allowed if the taxpayer so elects in his return for such taxable year.

The Secretary or his delegate shall by regulations prescribe the manner of signifying such election in the return. If the taxpayer on making his return fails to signify, in the manner so prescribed, his election to take the standard deduction, such failure shall be considered his election not to take the standard deduction.

* * * * *

[Sec. 144 as amended by secs. 112(c), 232(c), Rev. Act 1964 (78 Stat. 24, 110)]

PAR. 8. The following new section is added after § 1.144–2:

§ 1.144–3 Standard deduction for individuals choosing income averaging.

(a) In the case of an individual who chooses under section 1304(a) to have the benefits of part I of subchapter Q (relating to income averaging) for the taxable year—

(1) Section 144(a) shall not apply, and

(2) The standard deduction under section 141 shall be allowed if an individual so elects in his return for such computation year.

Thus, even though an individual who chooses the benefits of income averaging for a taxable year may not pay the tax imposed under section 3, such individual may elect the standard deduction under section 141.

(b) The standard deduction shall be allowed to an individual if he elects on his return for the computation year to take such deduction. Such individual shall signify on his return his election to take the standard deduction by claiming thereon the deduction in the amount provided for in section 141 instead of itemizing the deductions (other than those specified in sections 62 and 151) allowable in computing taxable income. In the case of a husband and wife (whether separate or joint returns are filed), the election to take the standard deduction and the manner of signifying such election shall, to the extent not limited by section 142 and the regulations thereunder, be made in accordance with these rules.

(c) A change of the election to take, or not to take, the standard deduction for any computation year shall be made in accordance with the rules provided in § 1.144–2.

PAR. 9. Section 1.402(a) is amended by revising section 402(a)(1) and by adding a historical note. These amended and added provisions read as follows:

§ 1.402(a) Statutory provisions; taxability of beneficiary of employees' trust; exempt trust.

Sec. 402. *Taxability of beneficiary of employees' trust*—(a) *Taxability of beneficiary of exempt trust*—(1) *General rule.* Except as provided in paragraphs (2) and (4), the amount actually distributed or made available to any distributee by any employees' trust described in section 401(a) which is exempt from tax under section 501(a) shall be taxable to him, in the year in which so distributed or made available, under section 72 (relating to annuities). The amount actually distributed or made available to any distributee shall not include net unrealized appreciation in securities of the employer corporation attributable to the amount contributed by the employee. Such net unrealized appreciation and the resulting adjustments to basis of such securities shall be determined in accordance with regulations prescribed by the Secretary or his delegate.

* * * * *

[Sec. 402(a) as amended by sec. 4(c), Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 825); sec. 232(e)(1), Rev. Act 1964 (78 Stat. 111)]

PAR. 10. Paragraph (a)(1)(ii) of § 1.402(a)–1 is amended to read as follows:

§ 1.402(a)–1 Taxability of beneficiary under a trust which meets the requirements of section 401(a).

(a) *In general.* (1) * * *

(ii) The provisions of section 402(a) relate only to a distribution by a trust described in section 401(a) which is exempt under section 501(a) for the taxable year of the trust in which the distribution is made. With two exceptions, the distribution from such an exempt trust when received or made available is taxable to the distributee to the extent provided in section 72 (relating to annuities). First, for taxable years beginning before January 1, 1964, section 72(e)(3) (relating to the treatment of certain lump sums), as in effect before such date, shall not apply to such distributions. For taxable years beginning after December 31, 1963, such distributions may be taken into account in computations under sections 1301 through 1305 (relating to income averaging). Secondly, certain total distributions described in section 402(a)(2) are taxable as long-term capital gains. For the treatment of such total distributions, see subparagraph (6) of this paragraph. Under certain circumstances, an amount representing the unrealized appreciation in the value of the securities of the employer is excludable from gross income for the year of distribution. For the rules relating to such exclusion, see paragraph (b) of this section. Furthermore, the exclusion provided by section 105(d) is applicable to a distribution from a trust described in section 401(a) and exempt under section 501(a) if such distribution constitutes wages or payments in lieu of wages for a period during which an employee is absent from work on account of a personal injury or sickness. See § 1.72–15 for the rules relating to the tax treatment of accident or health benefits received under a plan to which section 72 applies.

* * * * *

PAR. 11. Section 1.402(b) is amended by revising section 402(b) and by adding a historical note. These amended and added provisions read as follows:

§ 1.402(b) Statutory provisions; taxability of beneficiary of employees' trust; nonexempt trust.

Sec. 402. *Taxability of beneficiary of employees' trust.* * * *

(b) *Taxability of beneficiary of nonexempt trust.* Contributions to an employees' trust made by an employer during a taxable year of the employer which ends within or with a taxable year of the trust for which the trust is not exempt from tax under section 501(a) shall be included in the gross income of an employee for the taxable year in which the contribution is made to the trust in the case of an employee whose beneficial interest in such contribution is nonforfeitable at the time the contribution is made. The amount actually distributed or made available to any distributee by any such trust shall be taxable to him, in the year in which so distributed or made available, under section 72 (relating to annuities).

* * * * *

[Sec. 402(b) as amended by sec. 232(e)(2), Rev. Act 1964 (78 Stat. 111)]

PAR. 12. Paragraph (b) of § 1.402(b)–1 is amended to read as follows:

§ 1.402(b)–1 Treatment of beneficiary of a trust not exempt under section 501(a).

* * * * *

(b) *Taxation of distributions from trust not exempt under section 501(a).* Any amount actually distributed or made available to any distributee by an employees' trust which is not exempt under section 501(a) for the taxable year of the trust in which the distribution is made shall be taxable in the year in which so distributed or made available under section 72 (relating to annuities). For taxable years beginning before January 1, 1964, section 72(e)(3) (relating to the treatment of certain lump sums), as in effect before such date, shall not apply to such amounts. For taxable years beginning after December 31, 1963, such amounts may be taken into account in computations under sections 1301 through 1305 (relating to income averaging). If, for example, the distribution from such a trust consists of an annuity contract, the amount of the distribution shall be considered to be the entire value of the contract at the time of distribution, and such value is includible in the gross income of the distributee at the time of the distribution to the extent that such value exceeds the investment in the contract determined by applying sections 72 and 101(b). The distributions by such an employees' trust shall be taxed as provided in section 72, whether or not the employee's rights to the contributions were nonforfeitable when the contributions were made or at any time thereafter. For rules relating to the treatment of employer contributions to a non-exempt trust as part of the consideration paid by the employee, see section 72(f). For rules relating to the treatment of the limited exclusion allowable under section 101(b)(2)(D) as additional consideration paid by the employee, see the regulations under that section.

PAR. 13. Section 1.402(d) is amended by revising the language following section 402(d)(3) and by adding a historical note. These amended and added provisions read as follows:

§ 1.402(d) Statutory provisions; taxability of beneficiary of employees' trust; annuities under agreements entered into prior to October 21, 1942.

Sec. 402. *Taxability of beneficiary of employees' trust.* * * *

(d) *Certain employees' annuities.* Notwithstanding subsection (b) or any other provision of this subtitle, a contribution to a trust by an employer shall not be included in the gross income of the employee in the year in which the contribution is made if—

(1) Such contribution is to be applied by the trustee for the purchase of annuity contracts for the benefit of such employee;

(2) Such contribution is made to the trustee pursuant to a written agreement entered into prior to October 21, 1942, between the employer and the trustee, or between the employer and the employee; and

(3) Under the terms of the trust agreement the employee is not entitled during his lifetime, except with the consent of the trustee, to any payments under annuity contracts purchased by the trustee other than annuity payments.

The employee shall include in his gross income the amounts received under such contracts for the year received as provided in section 72 (relating to annuities). This subsection shall have no application with respect to amounts contributed to a trust after June 1, 1949, if the trust on such date was exempt under section 165(a) of the Internal Revenue Code of 1939. For purposes of this subsection, amounts paid by an employer for the purchase of annuity contracts which are transferred to the trustee shall be deemed to be contributions made to a trust or trustee and contributions applied by the trustee for the purchase of annuity contracts; the term "annuity contracts purchased by the trustee" shall include annuity contracts so purchased by the employer and transferred to the trustee; and the term "employee" shall include only a person who was in the employ of the employer, and was covered by the agreement referred to in paragraph (2), prior to October 21, 1942.

* * * * *

[Sec. 402(d) as amended by sec. 232(e)(3), Rev. Act 1964 (78 Stat. 111)]

PAR. 14. Paragraph (a) of § 1.402(d)–1 is amended to read as follows:

§ 1.402(d)–1 Effect of section 402(d).

(a) If the requirements of section 402(d) are met, a contribution made by an employer on behalf of an employee to a trust which is not exempt under section 501(a) shall not be included in the income of the employee in the year in which the contribution is made. Such contribution will be taxable to the employee, when received in later years, as provided in section 72 (relating to annuities). For taxable years beginning before January 1, 1964, section 72(e)(3) (relating to the treatment of certain lump sums), as in effect before such date, shall not apply to such contributions. For taxable years beginning after December 31, 1963, such contributions, when received, may be taken into account in computations under sections 1301 through 1305 (relating to income averaging). See paragraph (b) of § 1.403(c)–1. The intent and purpose of section 402(d) is to give those employees, covered under certain non-exempt trusts to which such section applies, essentially the same tax treatment as those covered by trusts described in section 401(a) and exempt under section 501(a), except that the capital gains treatment referred to in section 402(a)(2) does not apply.

* * * * *

PAR. 15. Section 1.403(a) is amended by revising section 403(a)(1) and by revising the historical note. These amended provisions read as follows:

§ 1.403(a) Statutory provisions; taxation of employee annuities; qualified annuity plan.

Sec. 403. *Taxation of employee annuities*—(a) *Taxability of beneficiary under a qualified annuity plan*—(1) *General rule.* Except as provided in paragraph (2), if an annuity contract is purchased by an employer for an employee under a plan which meets the requirements of section 404(a)(2) (whether or not the employer deducts the amounts paid for the contract under such section), the employee shall include in his gross income the amounts received under such contract for the year received as provided in section 72 (relating to annuities).

* * * * *

[Sec. 403(a) as amended by sec. 23(b), Technical Amendments Act 1958 (72 Stat. 1622); by sec. 4(d), Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 825); sec. 232(e)(4), Rev. Act 1964 (78 Stat. 111)]

PAR. 16. Paragraph (b) of § 1.403(a)–1 is amended to read as follows:

§ 1.403(a)–1 Taxability of beneficiary under a qualified annuity plan.

* * * * *

(b) The amounts received by or made available to any employee referred to in paragraph (a) of this section under such annuity contract shall be included in gross income of the employee for the taxable year in which received or made available, as provided in section 72 (relating to annuities), except that certain total distributions described in section 403(a)(2) are taxable as long-term capital gains. For the treatment of such total distributions, see § 1.403(a)–2. However, for taxable years beginning before January 1, 1964, section 72(e)(3) (relating to the treatment of certain lump sums), as in effect before such date, shall not apply to such amounts. For taxable years beginning after December 31, 1963, such amounts may be taken into account in computations under sections 1301 through 1305 (relating to income averaging).

* * * * *

PAR. 17. Section 1.403(b) is amended by revising section 403(b)(1) and by revising the historical note. These amended provisions read as follows:

§ 1.403(b) Statutory provisions; taxation of employee annuities; taxability of beneficiary under annuity purchases by section 501(c)(3) organization or public school.

Sec. 403. *Taxation of employee annuities.* * * *

(b) *Taxability of beneficiary under annuity purchased by section 501(c)(3) organization*—(1) *General rule.* If—

(A) An annuity contract is purchased—

(i) For an employee by an employer described in section 501(c)(3) which is exempt from tax under section 501(a), or

(ii) For an employee (other than an employee described in clause (i)), who performs services for an educational institution (as defined in section 151(e)(4)), by an employer which is a State, a political subdivision of a State, or an agency or instrumentality of any one or more of the foregoing,

(B) Such annuity contract is not subject to subsection (a), and

(C) The employee's rights under the contract are nonforfeitable, except for failure to pay future premiums,

then amounts contributed by such employer for such annuity contract on or after such rights become nonforfeitable shall be excluded from the gross income of the employee for the taxable year to the extent that the aggregate of such amounts does not exceed the exclusion allowance for such taxable year. The employee shall include in his gross income the amounts received under such contract for the year received as provided in section 72 (relating to annuities).

* * * * *

[Sec. 403(b) as added by sec. 23(a), Technical Amendments Act 1958 (72 Stat. 1620) and amended by sec. 3, Act of October 4, 1961 (Pub. Law 87-370, 75 Stat. 801); sec. 232 (e)(5), Rev. Act 1964 (78 Stat. 111)]

PAR. 18. Paragraph (c)(1) of § 1.403(b)-1 is amended to read as follows:

§ 1.403(b)-1 Taxability of beneficiary under annuity purchased by a section 501(c)(3) organization or public school.

* * * * *

(c) *Taxation of amounts received under annuity contracts*—(1) *In general.* The amounts received by or made available to any employee under an annuity contract to which paragraph (a) or (b) of this section applies shall be included in the gross income of the employee for the taxable year in which received or made available, as provided in section 72 (relating to annuities). For taxable years beginning before January 1, 1964, section 72(e)(3) (relating to the treatment of certain lump sums), as in effect before such date, shall not apply to any amount received by or made available to any such employee under such an annuity contract. For taxable years beginning after December 31, 1963, amounts received or made available to any such employee under such annuity contract may be taken into account in computations under sections 1301 through 1305 (relating to income averaging).

* * * * *

PAR. 19. Section 1.403(c) is amended by revising section 403(c) and by revising the historical note. These amended provisions read as follows:

§ 1.403(c) Statutory provisions; taxation of employee annuities; taxability of beneficiary under a nonqualified annuity.

Sec. 403. *Taxation of employee annuities.* * * *

(c) *Taxability of beneficiary under a nonqualified annuity.* If an annuity contract purchased by an employer for an employee is not subject to subsection (a) and the employee's rights under the contract are nonforfeitable, except for failure to pay future premiums, the amount contributed by the employer for such annuity contract on or after such rights become nonforfeitable shall be included in the gross income of the employee in the year in which the amount is contributed. The employee shall include in his gross income the amounts received under such contract for the year received as provided in section 72 (relating to annuities).

* * * * *

[Sec. 403(c) as relettered by sec. 23(a), Technical Amendments Act 1958 (72 Stat. 1620) and amended by sec. 232(e)(6), Rev. Act 1964 (78 Stat. 111)]

PAR. 20. Section 1.403(c)-1 is amended by revising paragraphs (a) and (b). These amended provisions read as follows:

§ 1.403(c)-1 Taxability of beneficiary under a nonqualified annuity.

(a) Except as provided in section 402(d), if an employer purchases an annuity contract and if the amounts paid for the contract are not subject to paragraph (a) of § 1.403(a)-1 or paragraph (a) of § 1.403(b)-1, the amount of such contribution shall, to the extent it is not excludable under paragraph (b) of § 1.403(b)-1, be included in the income of the employee for the taxable year during which such contribution is made if, at the time the contribution is made, the employee's rights under the annuity contract are nonforfeitable, except for failure to pay future premiums. If the annuity contract was purchased by an employer which is not exempt from tax under section 501(a) or section 521(a), and if the employee's rights under the annuity contract in such a case were forfeitable at the time the employer's contribution was made for the annuity contract, even though they became nonforfeitable later, the amount of such contribution is not required to be included in the income of the employee at the time his rights under the contract become nonforfeitable. On the other hand, if the annuity contract is purchased by an employer which is exempt from tax under section 501(a) or section 521(a), all or part of the value of the contract may be includible in the employee's gross income at the time his rights under the contract become nonforfeitable (see section 403(d) and the regulations thereunder). As to what constitutes nonforfeitable rights of an employee, see § 1.402(b)-1. The amounts received by or made available to the employee under the annuity contract shall be included in the gross income of the employee for the taxable year in which received or made available, as provided in section 72 (relating to annuities). For taxable years beginning before January 1, 1964, section 72(e)(3) (relating to the treatment of certain lump sums), as in effect before such date, shall not apply to such amounts. For taxable years beginning after December 31, 1963, such amounts may be taken into account in computations under sections 1301 through 1305 (relating to income averaging). For rules relating to the treatment of employer contributions as part of the consideration paid by the employee, see section 72(f). See also section 101(b)(2)(D) for rules relating to the treatment of the limited exclusion provided thereunder as part of the consideration paid by the employee.

(b) If an employer has purchased annuity contracts and transferred the same to a trust or if an employer has made contributions to a trust for the purpose of providing annuity contracts for his employees as provided in section 402(d) (see paragraph (a) of § 1.402(d)-1), the amount so paid or contributed is not required to be included in the income of the employee, but any amount received by or made available to the employee under the annuity contract shall be includible in the gross income of the employee for the taxable year in which received or made available, as provided in section 72 (relating to annuities). For taxable years beginning before January 1, 1964, section 72(e)(3) (relating to the treatment of certain lump sums), as in effect before such date, shall not apply to any amount received by or made available to the employee under the annuity contract. For taxable years beginning after December 31, 1963, amounts received by or made available to the employee under the annuity contract may be taken into account in computations under sections 1301 through 1305 (relating to income averaging). In such case the amount paid or contributed by the employer shall not constitute consideration paid by the employees for such annuity contract in determining the amount of annuity payments required to be included in his gross income under section 72 unless the employee has paid income tax for any taxable year beginning before January 1, 1949, with respect to such payment or contribution by the employer for such year and such tax is not credited or refunded to the employee. In the event such tax has been paid and not credited or refunded the amount paid or contributed by the employer for such year shall constitute consideration paid by the employee for the annuity contract in determining the amount of the annuity required to be included in the income of the employee under section 72.

* * * * *

PAR. 21. Section 1.5 is amended by revising section 5(b) and by adding a historical note. These amended and added provisions read as follows:

§ 1.5 Statutory provisions; cross references relating to tax on individuals.

Sec. 5. *Cross references relating to tax on individuals.* * * *

(b) *Special limitations on tax.* (1) For limitation on surtax attributable to sales of oil or gas properties, see section 632.

(2) For limitation on tax in case of income of members of Armed Forces on death, see section 692.

(3) For limitation on tax where an individual chooses the benefits of income averaging, see section 1301.

(4) For computation of tax where taxpayer restores substantial amount held under claim of right, see section 1341.

(5) For limitation on surtax attributable to claims against the United States involving acquisitions of property, see section 1347.

[Sec. 5 as amended by sec. 232(f)(2), Rev. Act 1964 (78 Stat. 111)]

PAR. 22. Section 1.1-3 is amended to read as follows:

§ 1.1-3 Limitation on tax.

The tax imposed by section 1 (whether by subsection (a) or subsection (b) thereof) shall not exceed 87 percent of the taxable income for the taxable year. For purposes of determining this limitation the tax under section 1 (a) or (b) and the tax at the 87-percent rate shall each be computed before the allowance of any credits against the tax. Where the alternative tax on capital gains is imposed under section 1201(b), the 87-percent limitation shall apply only to the partial tax computed on the taxable income reduced by 50 percent of the excess of net long-term capital gains over net short-term capital losses. Where, for purposes of computations under the income averaging provisions, section 1201(b) is treated as imposing the alternative tax on capital gains computed under section 1304(e)(2), the 87-percent limitation shall apply only to the tax equal to the tax imposed by section 1, reduced by the amount of the tax imposed by section 1 which is attributable to capital gain net income for the computation year.

PAR. 23. Paragraph (b)(3) of § 1.691(a)-3 is amended to read as follows:

§ 1.691(a)-3 Character of gross income.

* * * * *

(b) * * *

(3) If the amounts received would be subject to special treatment under part I (section 1301 and following), subchapter Q, chapter 1 of the Code, relating to income attributable to several taxable years, as in effect for taxable years beginning before January 1, 1964, if the decedent had lived and included such amounts in his gross income, such sections apply with respect to the recipient of the income.

* * * * *

PAR. 24. Paragraph (c)(1)(ii) of § 1.702-1 is amended to read as follows:

§ 1.702-1 Income and credits of partner.

* * * * *

(c) Gross income of a partner.

(1) * * *

(ii) In determining the application of the provisions permitting the spreading of income for services rendered over a 36-month period (section 1301, as in effect for taxable years beginning before January 1, 1964);

* * * * *

PAR. 25. Paragraph (c)(1) of § 1.1235-1 is amended to read as follows:

§ 1.1235-1 Sale or exchange of patents.

* * * * *

(c) *Special rules*—(1) *Payments for infringement.* If section 1235 applies to the transfer of all substantial rights to a patent (or an undivided interest therein), amounts received in settlement of, or as the award of damages in, a suit for compensatory damages for infringement of the patent shall be considered payments attributable to a transfer to which section 1235 applies to the extent that such amounts relate to the interest transferred. For taxable years beginning before January 1, 1964, see section 1304, as in effect before such date, and § 1.1304a-1 for treatment of compensatory damages for patent infringement.

* * * * *

PAR. 26. Paragraph (a) of § 1.6012-1 is amended by revising subparagraph (7)(ii) (*j*) and (*k*), by adding a new subparagraph (7)(ii)(*l*), and by revising subparagraph (7)(viii). These amended and added provisions read as follows:

§ 1.6012-1 Individuals required to make returns of income.

(a) *Individual citizen or resident.* * * *

(7) *Use of Form 1040A by certain taxpayers with gross income less than $10,000* * * *

(ii) *Restrictions on use of Form 1040A.* * * *

(*j*) Who claims a deduction for an exemption upon a multiple support agreement under section 152(c);

(*k*) Who claims credit for payment of estimated income tax or for an overpayment of income tax for the previous taxable year; or

(*l*) Who chooses to have the benefits of income averaging for the taxable year.

* * * * *

(viii) *Joint return of husband and wife on Form 1040A.* A husband and wife, eligible under section 6013 and the regulations thereunder to file a joint return for the taxable year, may, subject to the provisions of this subparagraph, make a joint return on Form 1040A for any such year in which the aggregate gross income of the spouses is less than $10,000, consists entirely of remuneration for services performed as an employee, dividends, or interest, and does not include more than $200 from dividends, interest, and remuneration other than wages as defined in section 3401(a). For purposes of determining whether gross income from sources to which the $200 limitation applies exceeds such amount in cases where both spouses receive dividends from domestic corporations, the amount of such dividends received by each spouse is taken into account to the extent that such dividends are includible in gross income. See section 116 and §§ 1.116-1 and 1.116-2. If a joint return is made by husband and wife on Form 1040A, the liability for the tax shall be joint and several. Form 1040A shall not be used by a husband and wife for any taxable year for which they choose to have the benefits of income averaging.

* * * * *

PAR. 27. Section 1.1301 which follows the heading "Income Attributable to Several Taxable Years" is amended by revising its heading and by adding a historical note. These amended and added provisions read as follows:

§ 1.1301a Statutory provisions; compensation from an employment.

* * * * *

[Sec. 1301 as in effect prior to amendment by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

PAR. 28. Section 1.1301-1 is amended to read as follows:

§ 1.1301a-1 Introduction and effective date.

(a) Part I (section 1301 and following), subchapter Q, chapter 1 of the Code, provides special rules to relieve a taxpayer from the amount of tax which otherwise results when an amount of income which has been earned over a period of years is received or accrued in 1 taxable year. Because of the graduated income tax rates this so-called bunching of income in 1 year usually subjects it to a higher rate of tax than would be payable if it had been received or accrued over the several years during which it was earned. The statutory provisions of such part I mitigate the tax consequences of such bunching of income by placing a limit upon the amount of tax to be paid for the taxable year in which such income is received or accrued. In effect, these sections generally treat the income as having been included in gross income ratably over the years (preceding receipt or accrual) in which it was earned. However, these sections have no effect on the income tax liability for prior taxable years; they simply provide a special method of computing the amount of tax for the year of receipt or accrual.

(b) Except as otherwise provided in § 1.1301a-3 and § 1.1307a-3, part I (section 1301 and following), subchapter Q, chapter 1 of the Code (relating to income attributable to several taxable years), shall not apply to taxable years beginning after December 31, 1963.

PAR. 29. The heading of § 1.1301-2 is amended to read as follows:

§ 1.1301a-2 Compensation from an employment.

PAR. 30. The following new section is inserted following § 1.1301a-2:

§ 1.1301a-3 Applicability to taxable years after December 31, 1963.

(a) Section 1301 is applicable to a taxable year beginning after December 31, 1963, if—

(1) An individual or a partnership receives or accrues compensation from an employment (as defined in section 1301(b) and the regulations thereunder) which began before February 6, 1963, and

(2) The taxpayer elects, in accordance with paragraph (b) of this section, to compute the tax attributable to such compensation under the provisions of sections 1301 and 1307, as in effect for taxable years beginning before January 1, 1964.

A taxpayer who makes such an election for a taxable year may not choose the benefits provided by part I of subchapter Q of chapter 1 of the Code (relating to income averaging) for that taxable year.

(b) Such election is signified by computing tax under the provisions of sections 1301 and 1307 on his return. The taxpayer may make or change his election at any time before the expiration of the period (including extensions thereof) prescribed in section 6511 for making a claim for credit or refund of the tax imposed by chapter 1 for such taxable year. However, such period is not extended by the right to make or change such election.

PAR. 31. Section 1.1302 is amended by revising its heading and by adding a historical note. These amended and added provisions read as follows:

§ 1.1302a Statutory provisions; income from an invention or artistic work.

* * * * *

[Sec. 1302 as in effect prior to amendment by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

PAR. 32. Section 1.1302–1 is amended by revising its heading, by revising paragraph (d) (2) and (3), and by adding a new paragraph (e). These amended and added provisions read as follows:

§ 1.1302a–1 Income from an invention or artistic work.

* * * * *

(d) *Computation of tax.* * * *

(2) For effect of allocation of income on items based on amount of income and with respect to a net operating loss or a capital loss carryover, see paragraph (d)(2) of § 1.1301a–2.

(3) See paragraph (d)(4) of § 1.1301a–2 for the computations which are necessary when an amount of gross income from an invention or artistic work is allocated to a period to which there has also been allocated other income entitled to the benefits of part I (section 1301 and following), subchapter Q, chapter 1 of the Code.

(e) *Effective date.* Section 1302 and this section shall not apply to taxable years beginning after December 31, 1963.

PAR. 33. Section 1.1303 is amended by revising its heading, by adding a paragraph (4) to section 1303(b), and by adding a historical note. These amended and added provisions read as follows:

§ 1.1303a Statutory provisions; income from back pay.

Sec. 1303. *Income from back pay.* * * *

(b) *Definition of back pay.* * * *

(4) Termination payments under section 5(c) or section 6(1) of the Peace Corps Act which are received or accrued by an individual during the taxable year on account of any period of service, as a volunteer or volunteer leader under the Peace Corps Act, occurring prior to the taxable year.

[Sec. 1303 as amended by sec. 201, Peace Corps Act (Pub. Law 87–293, 75 Stat. 625); as in effect prior to amendment by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

PAR. 34. Section 1.1303–1 is amended by revising its heading, by revising paragraph (d) (2) and (3), and by adding a new paragraph (e). These amended and added provisions read as follows:

§ 1.1303a–1 Income from back pay.

* * * * *

(d) *Computation of tax.* * * *

(2) For effect of allocation of income on items based on amount of income and with respect to a net operating loss or a capital loss carryover, see paragraph (d)(2) of § 1.1301a–2.

(3) See paragraph (d)(4) of § 1.1301a–2 for the computations which are necessary when an amount of back pay is allocated to a period to which there has also been allocated other income entitled to the benefits of part I (section 1301 and following), subchapter Q, chapter 1 of the Code.

* * * * *

(e) *Effective date.* Section 1303 and this section shall not apply to taxable years beginning after December 31, 1963.

PAR. 35. Section 1.1304 is amended by revising its heading and by revising the historical note. These amended provisions read as follows:

§ 1.1304a Statutory provisions; compensatory damages for patent infringement.

* * * * *

[Sec. 1304 as added by sec. 1, Act of Aug. 11, 1955 (Pub. Law 366, 84th Cong., 69 Stat. 688); as in effect prior to amendment by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

PAR. 36. Section 1.1304–1 is amended by revising its heading and by revising paragraphs (d) (2) and (3) and (f). These amended provisions read as follows:

§ 1.1304a–1 Compensatory damages for patent infringement.

* * * * *

(d) *Computation of tax.* * * *

(2) For effect of allocation of income on items based on amount of income and with respect to a net operating loss or a capital loss carryover, see paragraph (d)(2) of § 1.1301a–2.

(3) See paragraph (d)(4) of § 1.1301a–2 for the computations which are necessary when an amount of compensatory damages is allocated to a period to which there has also been allocated other income entitled to the benefits of part I (section 1301 and following), subchapter Q, chapter 1 of the Code.

* * * * *

(f) *Effective date of this section.* The provisions of section 1304 and this section shall be applicable with respect to taxable years ending after August 11, 1955, but only with respect to amounts of compensatory damages received or accrued after such date as the result of awards made after such date. Section 1304 and this section shall not apply to taxable years beginning after December 31, 1963.

* * * * *

PAR. 37. Section 1.1305 is amended by revising its heading and by revising the historical note. These amended provisions read as follows:

§ 1.1305a Statutory provisions; breach of contract damages.

* * * * *

[Sec. 1305 as added by sec. 1, Act of Aug. 26, 1957 (Pub. Law 85–165, 71 Stat. 413); as in effect prior to amendment by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

PAR. 38. Section 1.1305–1 is amended by revising its heading and by revising paragraphs (d) (3) and (4), (g), and (h). These amended provisions read as follows:

§ 1.1305a–1 Breach of contract damages.

* * * * *

(d) *Computation of tax.* * * *

(3) For effect of allocation of income on items based on amount of income and with respect to a net operating loss or a capital loss carryover, see paragraph (d)(2) of § 1.1301a–2.

(4) See paragraph (d)(4) of § 1.1301a–2 for the computations which are necessary when an amount of breach of contract damages is allocated to a period to which there has also been allocated other income entitled to the benefits of the provisions of part I (section 1301 and following), subchapter Q, chapter 1 of the Code.

* * * * *

(g) *Applicability of another section under part I, subchapter Q, chapter 1 of the Code.* In any case where the amount involved in a particular breach of contract, or breach of a fiduciary duty or relationship, are also covered by the particular terms of another section in part I, subchapter Q, chapter 1 of the Code, the rules for such other section shall apply, since those sections are directed to more specific situations than the provisions of section 1305. Thus, if a taxpayer receives an amount representing damages awarded in a civil action for breach of contract, or breach of fiduciary duty or relationship, and such award also constitutes the payment of an amount which qualifies for treatment prescribed in section 1302 and the regulations thereunder, such amount shall be subject to the provisions of section 1302 and § 1.1302a–1, and section 1305 shall not apply.

(h) *Effective date of this section.* The provisions of section 1305 and this section apply with respect to taxable years ending after December 31, 1954, but only as to amounts received or accrued after such date as the result of awards made after such date. Section 1305 and this section shall not apply to taxable years beginning after December 31, 1963.

PAR. 39. Section 1.1305–2 is amended to read as follows:

§ 1.1305a–2 Illustrations.

The provisions of section 1305 and § 1.1305a–1 may be illustrated by the following examples:

Example (1). On December 31, 1957, a consent judgment is entered in favor of A, an accrual method taxpayer, for $500,000 damages to compensate him for the failure of the XYZ Company to pay royalties due him under the terms of a contract involving the operation by the XYZ Company of an oil lease. The court determined that the breach of contract covered the period from July 1, 1953, through December 31, 1957. The award of $500,000 includes $40,000 representing legal fees and court costs, and $460,000 representing compensation for loss of oil royalties for the period during which the contract was breached. Of the $460,000, the court determined that $110,000 was attributable to 1956 and $130,000 to January through October 1957. Information in the court records disclosed that $60,000 was attributable to 1955. A makes his income tax return on a calendar year basis. For purposes of determining the limitation on tax under section 1305, A must first compute the tax for 1957 under paragraph (d)(1)(i) of § 1.1305a–1 by including the entire amount of damages ($460,000) in gross income for such year and then compute the tax for 1957 without including the $460,000 in gross income in accordance with paragraph (d)(1)(ii) of such section. A must then compute the tax for the current year and all prior years to which the amount of the award is allocable pursuant to paragraph (d)(1)(iii) of § 1.1305a–1. In making such computation, A must allocate $110,000 to 1956, $130,000 to the first 10 months of 1957, and $60,000 to 1955 in accordance with paragraph (c)(1) of § 1.1305a–1. The remaining $160,000 of the $460,000 would be prorated over the unallocated 20 months, 2 in 1957, 12 in 1954, and 6 in 1953 or $8,000 per month in accordance with paragraph (c)(2) of § 1.1305a–1. Thus, the proper allocations would be $146,000 to 1957, $110,000 to 1956, $60,000 to 1955, $96,000 to 1954, and $48,000 to 1953. In addition A is entitled to a deduction for percentage depletion with respect to the amounts allocated to the current taxable year and to prior taxable years. For such purpose, A must reconstruct his gross income and taxable income from the property for 1957 and for the years 1953, 1954, 1955, and 1956. A is also entitled to all credits, deductions, or other items to which he would have been entitled had the royalties been received and included in the gross income in those years. Thus, if, for 1953, prior to the allocation of a part of the award to such year, A had no gains from the sale or exchange of capital assets and no taxable income and he had a capital loss carryover of $1,500 to such year, A may deduct $1,000 as a capital loss in computing the tax for 1953 as provided in paragraph (d)(1)(iii) of § 1.1305a–1. See sections 1211(b) and 1212 and the regulations thereunder.

Example (2). B, a cash method taxpayer, is the author of a play presented in New York City, Chicago, and San Francisco. The play ran from April 6, 1957, through December 27, 1959. In September 1959, B sues the producer, M, for breach of contract respecting the agreement entered into between M and B. M contends that under the terms of the contract B was entitled to a payment of $25,000 on the production of the play and royalties thereafter limited to its earnings in New York City. B insists that he is also entitled to royalties on the earnings of the two companies established by M to present the play in Chicago and San Francisco. On December 29, 1959, the court awards B the sum of $38,000 representing compensation for the loss of royalty income over the period during which the play was presented in Chicago and San Francisco, including legal fees and other costs. This award is paid to B in 1960. In its decree, the court designates royalty payments to B for such period (April 6, 1957, to December 27, 1959) of $1,000 per month or a total of $33,000 for the full period. Although B is entitled to the benefits of section 1305, he must first ascertain whether section 1302 applies, since the other sections under part I (section 1301 and following), subchapter Q, chapter 1 of the Code, have prior applicability. However, B determines that section 1302 is not applicable for the reason that he worked only 18 months on the play. For the purpose of section 1305(a) and paragraph (a) of § 1.1305a–1, B may allocate the $33,000 at the rate of $1,000 per month over the 33 months extending from April 1957 through December 1959. Upon receipt of the award and pursuant to agreement with his literary agent, B pays the agent $2,500 as agent's commission; had B received his royalties when due, he would have paid his agent $3,300 under his contract with the agent. In computing his taxable income for 1960 and for the years reflected in the period April 1957 through December 1959, B may, under the limitation prescribed in paragraph (d)(1) of § 1.1305a–1, deduct only $2,500 for commissions paid to his agent.

PAR. 40. Section 1.1306 is amended by revising its heading and by revising the historical note. These amended provisions read as follows:

§ 1.1306a Statutory provisions; damages for injuries under the antitrust laws.

* * * * *

[Sec. 1306 as added by sec. 58(a), Technical Amendments Act 1958 (72 Stat. 1646); as in effect prior to amendment by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

PAR. 41. Section 1.1306–1 is amended by revising its heading and by revising paragraphs (d) (2) and (3) and (e). These amended provisions read as follows:

§ 1.1306a–1 Damages for injuries under the antitrust laws.

* * * * *

(d) *Computation of tax.* * * *

(2) For the effect of allocation of income on items based on amount of income and with respect to a net operating loss or capital loss carryover, see paragraph (d)(2) of § 1.1301a–2.

(3) See paragraph (d)(4) of § 1.1301a–2 for the computations which are necessary when an amount of damages is allocated to a period to which there has also been allocated other income entitled to the benefits of part I (section 1301 and following), subchapter Q, chapter 1 of the Code.

(e) *Effective date of this section.* The provisions of section 1306 and this section are applicable with respect to taxable years ending after September 2, 1958, but only with respect to amounts of damages received or accrued after such date as a result of awards or settlements made after such date. Section 1306 and this section shall not apply to taxable years beginning after December 31, 1963.

* * * * *

PAR. 42. Section 1.1307 is amended by revising its heading and by revising the historical note. These amended provisions read as follows:

§ 1.1307a Statutory provisions; rules applicable to part I (section 1301 and following), subchapter Q, chapter 1 of the Code.

* * * * *

[Sec. 1307 as renumbered by sec. 1, Act of Aug. 11, 1955 (Pub. Law 366, 84th Cong., 69 Stat. 688); sec. 1, Act of Aug. 26, 1957 (Pub. Law 85–165, 71 Stat. 413); sec. 58, Technical Amendments Act 1958 (72 Stat. 1646); amended by sec. 22, Rev. Act 1962 (76 Stat. 1064); as in effect prior to amendment by sec. 232(a), Rev. Act 1964 (78 Stat. 105)]

PAR. 43. The heading of § 1.1307–1 is amended to read as follows:

§ 1.1307a–1 Rules applicable to part I (section 1301 and following), subchapter Q, chapter 1 of the Code.

* * * * *

PAR. 44. Section 1.1307–2 is amended by revising its heading and by revising paragraphs (a)(3) and (c), and subparagraphs (2), (3), and (5)(ii) of the example in paragraph (e). These amended provisions read as follows:

§ 1.1307a–2 Election with respect to charitable contributions.

(a) *Introduction.* * * *

(3) If an election is made by a taxpayer to determine the limitation on tax on bunched income with the application of section 1307(e) and this section, then the computations required by sections 1301, 1302, 1303, 1304, 1305, 1306, and 1307 (a) to (d), and the regulations thereunder, shall be made with due regard to the requirements of section 1307(e) and this section. For example, with respect to compensation from an employment which is subject to the provisions of section 1301, the allocation required to be made by paragraph (c) of § 1.1301a–2 shall be made with due regard to the fact that the amount of the compensation must be reduced by the amount prescribed in paragraph (b) of this section; similarly, in making the computations required by paragraph (d)(2) of § 1.1301a–2, due regard must be given to the fact that the amount of bunched income which is to be included in adjusted gross income of a taxable year for the purpose of determining the maximum limitation prescribed by section 170(b)(1) for charitable contribution deductions is limited to the amount prescribed in paragraph (d) of this section.

* * * * *

(c) *Reduction of charitable contributions made in the current taxable year.* The portion of the charitable contributions made in the current taxable year which is required to be used as a reduction of the bunched income, as prescribed in paragraph (b) of this section, may not be taken into account as charitable contributions made during the current taxable year in making the computations for such taxable year prescribed by paragraph (d)(1)(iii) of §§ 1.1301a–2, 1.1302a–1, 1.1303a–1, 1.1304a–1, 1.1305a–1, and 1.1306a–1. Thus, in the situation exemplified in paragraph (b) of this section, where it is shown that the taxpayer made charitable contributions of $9,000 during the current taxable year, only $6,750 ($9,000—$2,250) may be taken into account as contributions actually made during such taxable year in the application of section 1307(e) and this section.

* * * * *

(e) * * *

Example. * * *

(2) *Reduction of bunched income.* The amount by which the employment compensation is to be reduced, pursuant to paragraph (b) of this section, is $3,000 computed as follows:

Employment compensation	$15,000
Adjusted gross income for 1962 (including the $15,000 employment compensation)	35,000
Maximum limitation under section 170(b)(1)(B)	7,000
Deduction allowable for 1962 (computed without regard to part I)	7,000
Amount of reduction ($7,000×$15,000/$35,000)	3,000

Thus, $12,000 ($15,000 minus $3,000) is the portion of the employment compensation to be allocated equally over the 48-month period ($3,000 to each year) for purposes of paragraph (c) of § 1.1301a–2.

(3) *Reduction of charitable contributions made in 1962.* Pursuant to paragraph (c) of this section, the partial tax for 1962, that is, the tax attributable to the employment compensation allocated to 1962 computed as prescribed in paragraph (d)(1)(iii) of § 1.1301a–2, is determined as though B had made charitable contributions in 1962 of only $11,000 ($14,000 minus the $3,000 reduction).

* * * * *

(5) *Computation of taxable income.* * * *

(ii) The computation of taxable income pursuant to paragraph (d)(1)(iii) of

§ 1.1301a–2, with the application of section 1307(e), is as follows:

* * * * *

PAR. 45. The following new section is inserted after § 1.1307a–2:

§ 1.1307a–3 Effective date.

(a) Except as otherwise provided in paragraph (b) of this section, section 1307 is not applicable to taxable years beginning after December 31, 1963.

(b) If, for a taxable year beginning after December 31, 1963, a taxpayer elects under the provisions of § 1.1301a–3 to compute his tax in accordance with the provisions of sections 1301 and 1307 (as in effect for taxable years beginning before January 1, 1964), and also elects to have section 1307(e) apply, section 170 (b)(5) does not apply to charitable contributions paid in such taxable year.

[F.R. Doc. 66–5960; Filed, June 1, 1966; 8:50 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[2d Rev. S.O. 975; Amdt. 1]

PART 95—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission held in Washington, D.C., on the 26th day of May A.D., 1966.

Upon further consideration of Second Revised Service Order No. 975 (31 F.R. 4802, 31 F.R. 5317, 31 F.R. 6058) and good cause appearing therefor:

It appearing, that for several years a number of railroads have published in the coal demurrage tariff, Freight Tariff 8–N, I.C.C. H–22, an exception which provides that during the 2 weeks prior to the miners' vacation period carloads of coal billed from mines or preparation plants with shipping instructions postdated to a date within the miners' vacation period may be moved from mines or preparation plant tracks for the convenience of the railroad and held free of demurrage until the shipping date shown on shipping instructions; that this arrangement is beneficial to the coal industry, to the receivers of coal, and to the railroads; that such holding would now be in violation of ICC Second Revised Service Order No. 975:

It is ordered, That:

(a) The provisions of § 95.975 *Railroad operating regulations for freight car movement* are suspended as to coal billed during the 2 weeks' period prior to the miners' vacation period from mines or preparation plants which will observe the vacation period and moved from these mines or preparation plant tracks with shipping instructions postdated to a date within the miners' vacation period in accordance with Item 238–A, Supplement 6 of Freight Tariff 8–N, ICC H–22.

(b) *Effective date.* This amendment shall become effective at 12:01 a.m., June 11, 1966.

(c) *Expiration date.* This amendment shall expire at 11:59 p.m., July 22, 1966, after which date all provisions of Second Revised Service Order No. 975 shall continue effective until its expiration date unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15 and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15 and 17(2). Interprets or applies secs. 1(10–17), 15(4) and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), and 15(4) and 17(2))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–6026; Filed, June 1, 1966; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

SUBCHAPTER C—MINERALS MANAGEMENT (3000)

[Circular No. 2207]

PART 3120—OIL AND GAS

Subpart 3127—Continuation or Extension of Lease

CONTINUATION OF LEASE AS A RESULT OF ACTUAL DRILLING OPERATIONS

On page 11329 of the FEDERAL REGISTER of September 3, 1965, there was published a notice and text of a proposed amendment of 43 CFR 3127.2. The purpose of the amendment is to include in this section a definition of "actual drilling operations" as used in 30 U.S.C. sec. 266(e).

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. After consideration of all of the comments and suggestions received during that period the proposed definition has been amplified to include operations for testing, completing or equipping a well.

The proposed amendment with this change as set forth below is hereby adopted and shall become effective upon publication in the FEDERAL REGISTER.

§ 3127.2 Continuation of lease as a result of actual drilling operations.

(a) Any lease on which actual drilling operations, or for which under an approved cooperative or unit plan of development or operation, actual drilling operations were commenced prior to the end of its primary term and are being diligently prosecuted at that time, shall be extended for 2 years and so long thereafter as oil or gas is produced in paying quantities.

(b) Actual drilling operations must be conducted in such a way as to be an effort which one seriously looking for oil or gas could be expected to make in that particular area, given existing knowledge of geologic and other pertinent facts.

(c) As used in this section (1) "actual drilling operations" shall include not only the physical drilling of a well but the testing, completing or equipping of such well for the production of oil or gas; (2) "primary term" means all periods in the life of the lease prior to its extension by reason of production of oil or gas in paying quantities.

STEWART L. UDALL, *Secretary of the Interior.*

MAY 26, 1966.

[F.R. Doc. 66–6006; Filed, June 1, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Self-Locating Shopping Guide Promotional Program

§ 15.53 Self-locating shopping guide promotional program.

(a) The Federal Trade Commission has advised a sales promotion company that its proposed plan, to furnish self-locating shopping guides to wholesalers for redistribution to their competing retail customers, would not be objectionable provided that smaller retailers are able to obtain proportionally equal treatment.

(b) The Commission noted that some of the aspects of the plan are of interest only to relatively large retailers, and that it appears likely that some, at least, of a participating wholesaler's competing customers may be quite small retailers for whom the proposed plan would have little practical value.

(c) The Commission advised that the "statute requires that any services or facilities made available to the larger of two competing customers must be made proportionally available to the smaller."

(d) Assuming the existence of small competing customers, the Commission said, "it appears clear that if [the] plan is to conform to statutory requirements some provisions should be included therein which would provide for the needs of the smaller customers."

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: June 1, 1966.

By direction of the Commission.

JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–5993; Filed, June 1, 1966; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER A—ARMED SERVICES PROCUREMENT REGULATIONS

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

The following amendments to this subchapter are issued by direction of the Assistant Secretary of Defense (Installations and Logistics) pursuant to authority contained in Department of Defense Directive No. 4105.30, dated March 11, 1959 (24 F.R. 2260), as amended, and 10 U.S.C. 2202.

PART 1—GENERAL PROVISIONS

1. Section 1.325 is revised and new §§ 1.325–1 and 1.325–2 are added, as follows:

§ 1.325 Variation in quantity.

§ 1.325–1 General.

To the extent that a variation is caused by the conditions specified in the clause in § 7.103–4 of this chapter, that quantity may be accepted only to the extent specified in the Schedule. Except as set forth in § 1.325–2, the permissible variation shall be stated as a percentage and may be an increase, a decrease, or a combination of both. There should be no standard or usual percentage or variation. Each procurement for which an overrun or underrun is permissible should be based upon the normal commercial practices of the particular industry for particular items, and the permitted percentage should be no larger than is necessary to afford a contractor reasonable protection. In no event shall the permissible variation exceed plus or minus 10 percent. The clause set forth below shall be included in the Schedule, only when one or more of the causes of quantity variation foreseeable exists at the time of solicitation.

EXTENT OF QUANTITY VARIATION (APRIL 1965)

The permissible variation under the clause of the General Provisions entitled "Variation in Quantity" shall be limited to:

Increase (Insert: ------ Percent or None).
Decrease (Insert: ------ Percent or None).
This increase or decrease shall apply to------.*

Consideration shall be given to the quantity to which the percentage variation applies. For example, when it is contemplated that delivery will be made to multiple destinations and it is desired that the quantity variation extend to the item quantity for each destination, this requirement must be set forth with particularity. Similarly, when it is desired that the quantity variation extend to the total quantity of each item and not to the quantity for each destination, it may be desirable to express a percentage limitation for each destination to prevent unrealistic distribution of any increase or decrease.

*Insert in the blank the designation(s) to which the percentages apply, such as: (1) The total contract quantity; (2) item 1 only; (3) each quantity specified in the delivery schedule of the "Time of Delivery" clause; (4) the total item quantity for each destination; (5) the total quantity of each item without regard to destination.

§ 1.325–2 Subsistence.

The permissible variation in the procurement of small quantities of subsistence may be stated in the Schedule as follows:

(a) Standard pack items purchased on a package, carton, can or other than pound basis: maximum variation for 250 units or less—nearest full shipping container.

(b) Non-standard pack items other than carcass meats not purchased on a package, carton, or can basis: maximum variation for 250 pounds or less—nearest piece or shipping container.

(c) Carcass meats: maximum variation for 500 pounds or less—nearest piece, quarter, side or carcass.

2. Sections 1.606, 1.706–5(b), and 1.1005–2(b) are revised to read as follows:

§ 1.606 Limited debarment or suspension.

Where it is determined to debar or suspend a concern pursuant to § 1.604–1 or § 1.605–1, the Secretary or his authorized representative shall decide whether the debarment or suspension should extend to procurement contracts or to sales contracts, or both. If the debarment or suspension is limited to procurement contracts or to sales contracts, the listing should so indicate. Likewise, a decision may be made to except from an administrative debarment or suspension a particular commodity or commodities or a particular division or subsidiary or other appropriate organizational element of the contractor where such action is considered to be in the best interests of the Government.

§ 1.706–5 Total set-asides.

* * * * *

(b) Contracts for total small business set-asides may be entered into by conventional negotiation or by a special method of procurement known as "Small Business Restricted Advertising". The latter method shall be used wherever possible (see also § 3.201–3). Where multiyear procurement procedures are appropriate (see § 1.322), total set-asides may be made in connection therewith. Invitations for bids and request for proposals shall be restricted to small business concerns. Small Business Restricted Advertising, including awards thereunder, shall be conducted in the same way as prescribed for formal advertising in Part 2 of this chapter except that bids and awards shall be restricted to small business concerns. Bids received from firms which do not qualify as small business concerns shall be considered as nonresponsive and shall be rejected.

* * * * *

§ 1.1005–2 Other publication of award information.

* * * * *

(b) For awards after procurement by negotiation, include the information contained in the notice prescribed by § 3.508–3 of this chapter and where the award was made after competitive negotiation (either price or design competition), include a statement to this effect and state in general terms the basis for selection.

PART 3—PROCUREMENT BY NEGOTIATION

3. Sections 3.201–3 and 3.217–2 are revised, and a new subparagraph (7) is added to § 3.407–2(a), as follows:

§ 3.201–3 Limitation.

The authority of §§ 3.201–3.201–3 shall not be used when negotiation is authorized by the provisions of § 3.206 except that, in the event of a labor surplus or unilateral small business set-aside, this authority shall be used in preference to any other authority in this subpart (see §§ 1.706–2 and 1.804–4). The authority of §§ 3.201—3.201–3 shall not be used to negotiate a reasonable price with a low responsible small business bidder whose bid has been determined by the contracting officer to be an unreasonable bid under Small Business Restricted Advertising procedures. When such an unreasonable bid is received, the set-aside shall be dissolved and the requirement procured on an unrestricted basis by the use of formal advertising or where appropriate by other negotiation authority in accordance with existing regulations.

§ 3.217–2 Application.

The authority of §§ 3.217–3.217–2 shall be used only if, and to the extent, approved for any Military Department and in accordance with Departmental procedures.

§ 3.407–2 Contracts with performance incentives.

(a) *Description.* * * *

(7) It is important that incentive arrangements relating to delivery schedules specify the application of the reward/penalty structure in the event of Government-caused delays (e.g., delays in allotting additional funds to a contract) and other delays beyond the control of the contractor or subcontractor, and without the fault or negligence of either.

* * * * * *

4. Section 3.500 is revised; new subparagraph (54) is added to § 3.501(b); and § 3.507–2(a) is revised, as follows:

§ 3.500 Scope of subpart.

This subpart applies to all negotiated procurement except that described by Subpart F of this part.

§ 3.501 Preparation of request for proposals or request for quotations.

* * * * * *

(b) * * *

(54) A statement on the first sheet or on a cover sheet of the Request for Proposals that: "Proposals must set forth full, accurate, and complete information as required by this request for proposal (including attachments). The penalty for making false statements in proposals is prescribed in 18 U.S.C. 1001." This

statement shall be suitably modified when quotations are requested.

• • • • •

§ 3.507–2 Disclosure of information during the pre-award or pre-acceptance period.

(a) *General.* After receipt of proposals or quotations, no information contained in any proposal or quotation regarding the number or identity of the offerors shall be made available to the public, or to anyone within the Government not having a legitimate interest therein, except in accordance with § 3.508.

• • • • •

5. Section 3.508 is revised and new §§ 3.508–1, 3.508–2, 3.508–3, and 3.508–4 are added, as follows:

§ 3.508 Information to offerors.

§ 3.508–1 General.

Notice shall be provided offerors in accordance with §§ 3.508–2 and 3.508–3. Such notice need not be given where disclosure may in some way prejudice the Government's interest or where the contract is:

(a) For subsistence;

(b) Negotiated pursuant to 10 U.S.C. 2304(a) (4), (5), or (6) (see §§ 3.204, 3.205, or 3.206);

(c) Negotiated with a foreign supplier when only foreign sources of supplies or services have been solicited.

§ 3.508–2 Preaward notice of unacceptable offers.

In any procurement in excess of $10,000 in which it appears that the period of evaluation of proposals is likely to exceed 30 days or in which a limited number of suppliers have been selected for additional negotiation (see § 3.805–1), the contracting officer, upon determination that a proposal is unacceptable, shall provide prompt notice of that fact to the source submitting the proposal. Such notice need not be given where the proposed contract is to be awarded within a few days and notice pursuant to § 3.508–3 would suffice. In addition to stating that the proposal has been determined unacceptable, notice to the offeror shall indicate, in general terms, the basis for such determination and shall advise that, since further negotiation with him concerning this procurement is not contemplated, a revision of his proposal will not be considered.

§ 3.508–3 Post-award notice of offerors.

(a) Promptly after making all awards in any procurement in excess of $10,000, the contracting officer shall give written notice to the unsuccessful offerors that their proposals were not accepted, except that such notice need not be given where notice has been provided pursuant to § 3.508–2. Such notice shall include:

(1) The number of prospective contractors solicited;

(2) The number of proposals received;

(3) The name and address of each offeror receiving an award;

(4) The items, quantities, and unit prices of each award; provided that, where the number of items or other factors makes the listing of unit prices impracticable, only the total contract price need be furnished; and

(5) In general terms, the reasons why the offeror's proposal was not accepted, except where the price information in subparagraph (4) of this paragraph readily reveals such reason, but in no event will an offeror's cost breakdown, profit, overhead rates, trade secrets, manufacturing processes and techniques, or other confidential business information be disclosed to any other offeror.

Additional information as to why an offeror's proposal was not accepted should be provided to the offeror upon his request to the contracting officer, subject to the limitation in subparagraph (5) of this paragraph.

(b) In procurements of $10,000 or less and subject to the exceptions in § 3.508–1, the information described in paragraph (a) of this section shall be furnished to unsuccessful offerors upon request.

(c) Such information as is authorized to be released to unsuccessful offerors pursuant to paragraph (a) (1) through (4) of this section may, upon his request, be provided to the successful offeror.

§ 3.508–4 Classified information.

Classified information shall be furnished only in accordance with regulations governing classified information.

6. Sections 3.604–2, 3.607–3, and 3.607–4 (c) (1) and (j) are revised, as follows:

§ 3.604–2 Purchases in excess of $250 but not in excess of $2,500.

Except as provided in § 3.608–2(b) (2) and (3), reasonable solicitation of quotations from qualified sources of supply shall be made to assure that the procurement is to the advantage of the Government, price and other factors considered, including the administrative cost of the purchase. Generally, solicitation shall be limited to three suppliers and, to the maximum extent possible, shall be restricted to the local trade area. When prices are solicited from three suppliers dealing in the general category of items required and only one quotation is received, it is not necessary to solicit additional quotations if the price received is considered fair and reasonable. Quotations shall generally be solicited orally. Written solicitations shall be used only where (a) the suppliers are located outside the local area, (b) special specifications are involved, (c) a large number of items are included in a single proposed procurement, or (d) obtaining oral quotations is not considered economical. Reasonableness of proposed prices may be established by comparison with previous purchases, current price lists, catalogs, advertisements, or by any other appropriate method. Where these informational media are not available, reasonableness of price may be based on a comparison with similar items in a related industry or the contracting officer's personal knowledge of the item being procured. Although the contracting officer must determine that prices are fair and reasonable, written justification explaining how prices were determined to be fair and reasonable is not required. Written records of solicitation may be limited to notes or abstracts to show the vendor or vendors contacted, prices, delivery, and other informal historical data. When only one source is solicited, a brief written notation must be made a part of the file to explain the absence of competition. Notification to unsuccessful suppliers shall be given only if requested.

§ 3.607–3 Conditions for use.

(a) Imprest funds may be used in accomplishing small purchases when all of the following conditions are present:

(1) The transaction is not in excess of $100 ($250 under emergency conditions);

(2) The supplies or services are available for delivery within 30 days, whether at the supplier's place of business or at destination; and

(3) The purchase does not require detailed technical specifications or technical inspection.

(b) Imprest funds may also be used for payment of:

(1) Charges for local delivery and parcel post (including c.o.d. postal charges) for supplies ordered for payment from imprest funds, when the vendor is requested to arrange for delivery; and

(2) C.o.d. charges for supplies ordered for payment from imprest funds except as limited by paragraph (d) (2) of this section.

(c) The conditions for use specified in paragraphs (a) and (b) of this section do not preclude the use of imprest funds for other expenditures not related to small purchases (e.g., travel advances, travel expenses, and purchases of postage stamps and transportation tokens or passes), when such expenditures are authorized by other regulations governing the use of imprest funds.

(d) Imprest funds shall not be used for:

(1) Payments of salaries and wages;

(2) Payment of transportation charges (i.e., line-haul or intercity charges for transportation services paid directly to a common carrier providing such services, as distinguished from transportation charges included as an integral part of the vendors price);

(3) Advances, other than those authorized in § 3.607–4(d); or

(4) Cashing of checks or other negotiable instruments.

§ 3.607–4 Procedures.

• • • • •

(c) *Receipt of material.* (1) All material purchased through the imprest fund shall be delivered to a designated receiving activity. The receiver shall examine the material to ascertain that the quantities and items described on the purchase request document and the supplier's sales document are present and in satisfactory condition. If the material is acceptable, the receiver shall stamp the supplier's sales document "Received and Accepted", date and sign the document, and pass it to the imprest fund cashier for payment. In the absence of a supplier's sales document or sufficient copies thereof, a receipted Standard Form 1165 (Receipt for Cash—Subvoucher), DD Form 1155 (Order for Supplies or Services), or DD Form 1348–1 (DOD Single Line Item Release/Receipt Document) may be used to record the receipt of purchases made from the imprest fund and shall be processed in the same manner.

• • • • •

(j) *Review.* The imprest fund cashier shall be required to account for the established fund at any time, by cash on hand, paid suppliers' receipts, unpaid reimbursement vouchers, and interim receipts for cash. Unannounced inspections, including cash counts are required to be made of each imprest fund at least quarterly by qualified individuals who are under the jurisdiction of the Comptroller or Chief Accounting Officer of the installation, where such positions exist, but in any case by individuals, excluding the disbursing officer advancing the funds and subordinates of the imprest fund cashier.

7. Sections 3.608–1, 3.608–2 (a) and (b), and 3.608–4 (a), (c), and (d) are revised; new paragraph (c) is added to § 3.608–6; and § 3.608–7 is revised, as follows:

§ 3.608–1 General.

Negotiated purchases of material and nonpersonal services not in excess of $2,500, except as provided in § 3.608–2(b) (2) and (3), may be effected by using DD Form 1155 (Order for Supplies or Services), and its ancillary forms, or Standard Form 44 (Purchase Order—Invoice—Voucher) (see § 3.608–8). The DD Form 1155 may also be used for construction not in excess of $2,000. Pending revision of the April 1, 1964, edition of DD Form 1155r, delete clauses 8 and 9 thereof and the asterisked statement "applicable only to construction contracts for $2,000 or less for work within the United States".

§ 3.608–2 Order for supplies or services (DD Forms 1155, 1155r, 1155r–1, 1155c, 1155c–1, and 1155s).

(a) *Forms.* The following forms may be used to issue purchase orders:

(1) (i) DD Form 1155 (Order for Supplies or Services), which when used with DD Form 1155r (General Provisions of Purchase Order) in accordance with paragraph (b) (1) of this section or with DD Form 1155r–1 (General Provisions of Purchase Order—Foreign) in accordance with paragraph (b) (2) of this section, as appropriate, provides in one document—

(*a*) A purchase order, a blanket purchase agreement, delivery order under a contract, or delivery order on Government agencies outside the Department of Defense (see Part 5 of this chapter);

(*b*) A receiving and inspection report;

(*c*) A property voucher;

(*d*) A public voucher;

(*e*) An imprest fund receipt; and

(*f*) An invoice, if desired by the supplier.

(2) DD Form 1155c (Continuation Sheet) provides additional space (Standard Form 36 (Continuation Sheet) may be used in lieu of DD Form 1155c);

(3) DD Form 1155c–1 (Commissary Continuation Sheet) (for use on optional basis), provides columns suited for commissary procurements; and

(4) DD Form 1155s (Additional General Provisions, Modification, and Acceptance) used with the DD Form 1155 (see § 3.608–4).

The foregoing forms may be used as snap-out manifold forms, as cut sheets, or as reproducible masters. In addition, DD Form 1155r or DD Form 1155r–1 may be printed on the reverse of DD Form 1155.

(b) *Conditions for use.*—(1) *Use as a purchase order of not more than $2,500 in the United States, its possessions, and Puerto Rico.* DD Form 1155 is authorized for negotiated purchases of not more than $2,500 within the United States, its possessions, and Puerto Rico, provided:

(i) The procurement is unclassified.

(ii) No clause covering the subject matter of any clause set forth in this subchapter, other than clauses set forth in DD Form 1155r, and clauses referred to in § 3.606–3(b) (4), in subdivisions (iii) through (xiii) of this subparagraph, in paragraph (d) of this section, in § 3.608–3, and in § 3.608–4, are to be used.

(iii) Where the contract specifies the delivery of data, one of the clauses set forth in §§ 9.203 through 9.206 of this chapter shall be added as appropriate in accordance with the instructions contained in Subpart B, Part 9 of this chapter.

(iv) When required by Subpart D, Part 6 of this chapter, the clause set forth in § 6.403 of this chapter shall be added.

(v) The Priorities, Allocations, and Allotments clause (see § 7.104–18 of this chapter) may be inserted in the Schedule where required.

(vi) When required by Subpart F, Part 4 of this chapter, Humane Slaughter of Livestock, the procedures set forth in § 4.604 of this chapter shall be followed.

(vii) Where inspection and acceptance are at origin, where contract administration is performed at origin, where delivery at multiple destinations is required, or where otherwise appropriate the Material Inspection and Receiving Report clause (see § 7.105–7 of this title) may be inserted in the Schedule.

(viii) Where Government property having an acquisition cost in excess of $25,000 is to be furnished (for use in performance of contract or for repair), the Government Property (Fixed Price) clause in § 13.702 of this chapter shall be inserted in the Schedule. Where Government property having an acquisition cost not in excess of $25,000 is to be furnished for use in performance of the contract or for repair, the Government-Furnished Property (Short Form) clause in § 13.710 of this chapter shall be inserted in the Schedule; provided that use of the clause shall be optional where the acquisition cost of property furnished for repair is not in excess of $2,500. Where a Government Property clause is inserted in the Schedule the contractor's signature shall be obtained by using DD Form 1155s.

(ix) Where the contract is for Military Assistance Program items, the "U.S. Products (Military Assistance Program)" certificate and clause (see §§ 6.703–3 and 6.703–4 of this chapter) shall be inserted in the Schedule, and clause 6 of the General Provisions (Foreign Supplies) deleted. In addition, the contractor's signature shall be obtained by using DD Form 1155s.

(x) The Commercial Warranty clause in § 1.324–2(c) of this chapter may be used in accordance with the provisions of that paragraph.

(xi) The clauses set forth in § 1.1208 of this chapter may be used in accordance with the provisions of that section.

(xii) Where the contract is for mortuary services:

(*a*) The following clauses shall be inserted in the Schedule—

(*1*) The Specification clause in § 7.1201–4 of this chapter;

(*2*) The Delivery and Performance clause in § 7.1201–7;

(*3*) The Subcontracting clause in § 7.1201–8;

(*4*) The Inspection clause in § 7.1201–10;

(*5*) The Professional Requirements clause in § 7.1201–12;

(*6*) The Facility Requirements clause in § 7.1201–13;

(*7*) The Preparation History clause in § 7.1201–14;

(*b*) The Additional Default Provision clause in § 7.1201–9 shall be inserted in the Schedule, with the following substitution for paragraph (a) and the first sentence of paragraph (b) of that clause:

(a) This clause supplements the "Termination for Default" clause of this contract.

(b) This contract may be terminated for default by written notice if during the performance of this contract:

(*c*) The Changes clause in § 7.1201–15 shall be substituted for paragraph 15 of the Additional General Provisions on DD Form 1155s.

(xiii) When required by Subpart H, Part 6 of this chapter, the clause in § 6.806–4 shall be added.

(2) *Use as a purchase order of not more than $5,000 outside the United States, its possessions, and Puerto Rico.* DD Form 1155, 1155r–1, and when required 1155s, are authorized for negotiated purchases of not more than $5,000 when such purchases are for supplies and services procured and used outside the United States, its possessions, and Puerto Rico, provided:

(i) The procurement is unclassified;

(ii) No clauses covering the subject matter of any clause set forth in this subchapter, other than clauses set forth in DD Form 1155r–1, are to be used, except that—

(*a*) Either the standard foreign Disputes clauses in § 7.103–12(b) of this chapter or that clause as modified in accordance with § 7.103–12(c) shall be inserted in the Schedule; and

(b) When the contract is translated into another language, the following clause shall be inserted in the Schedule:

INCONSISTENCY BETWEEN ENGLISH VERSION AND TRANSLATION OF CONTRACT (APRIL 1966)

In the event of inconsistency between any terms of this contract and any translation thereof into another language, the English language meaning shall control.

and

(iii) The DD Form 1155s, properly modified to delete the Assignment of Claims clause, is used when the purchase exceeds $2,500.

The contracting officer may delete the Taxes clause in purchases under $1,000 if he determines that the administrative burden of securing relief from such taxes would be out of proportion to the relief obtained: *Provided*, That such clause shall be included in all contracts in support of NATO infrastructure programs involving the expenditures of funds under section 503(b) of the Foreign Assistance Act of 1961, as amended (see §11.403–1(a) of this chapter).

(3) *Use as a purchase order in excess of $2,500 by deployed units.* DD Form 1155, in conjunction with DD Form 1155s when appropriate, is authorized for purchases in excess of $2,500 but not more than $10,000 where negotiation is authorized by Subpart B of this Part, provided:

(i) The procurement is unclassified.

(ii) The procurement is accomplished by units which are deployed to remote areas away from established Department of Defense installations with procurement functions.

(iii) The mission involving the deployment action is directed by authority above the unit to be deployed.

(iv) The commander of the deployed unit determines the supplies and nonpersonal services to be procured are required for mission accomplishment and time does not permit requirements being satisfied through normal channels.

(v) The supplies or services are immediately available.

(vi) When required by § 7.104–15 of this chapter, the Examination of Records clause shall be added.

(vii) When required by Subpart D, Part 11 of this chapter, one of the clauses set forth in § 11.403 shall be added.

(viii) Authority will be used only from time of initial deployment or mission commencement of a unit until such time as normal channels of support for the unit are established.

(ix) One payment shall be made regardless of the number of deliveries or destinations.

* * * * *

§ 3.608–4 Use of DD Form 1155s With DD Form 1155, DD Form 1155r, and DD Form 1155r–1.

(a) DD Form 1155s (Additional General Provisions, Modification and Acceptance) used with DD Form 1155 and 1155r in accordance with § 3.608–2(b)(1), or with DD Forms 1155 and 1155r–1 in accordance with § 3.608–2(b)(2) in negotiated procurement provides:

(1) Additional general provisions;

(2) A block for modifications;

(3) A block for the contracting officer to mark if the contractor's written acceptance is requested; and

(4) A space for the contractor's signature when a written acceptance is requested.

* * * * *

(c) DD Form 1155s shall be used in conjunction with DD Forms 1155 and 1155r–1 for all purchases in excess of $2,500 which are made in accordance with § 3.608–2(b)(2).

(d) No additional clauses are authorized except as provided in § 3.608–2(b). A superseding DD Form 1155 shall not be used to issue a change to an outstanding purchase order.

§ 3.608–6 Use of DD Form 1155 as a delivery order.

* * * * *

(c) Duplication of the DD Form 1155r or DD Form 1155r–1 is not required when DD Form 1155 is used as a delivery order.

§ 3.608–7 Use of DD Form 1155 as a Public Voucher.

DD Form 1155 is authorized for use as a public voucher:

(a) Up to $2,500 when the form is used as a purchase order under § 3.608–2(b)(1),

(b) Up to $5,000 when the form is used as a purchase order by purchasing offices outside the United States, its possessions and Puerto Rico under conditions enumerated in § 3.608–2(b)(2),

(c) Up to $10,000 when the form is used as a purchase order by deployed units under conditions enumerated in § 3.608–2(b)(3),

(d) Without monetary limitation when the form is used as a delivery order, and

(e) Without monetary limitation as the basis for payment of an invoice against blanket purchase agreements.

PART 4—SPECIAL TYPES AND METHODS OF PROCUREMENT

8. In § 4.303–10, items 20, 21, 22, 23, 24, and 27 are revised to read as follows:

§ 4.303–10 Schedule of items.

* * * * *

Item 20. *Drayage (when other services are performed).* Service provided under this item shall include drayage as required beyond the zone(s) of performance included in the item specified in the order for service. Drayage shall be paid for at a rate per gross c.w.t. of shipment per mile of shipment over the shortest practicable route.

Zone _____ (Provide for additional zones as appropriate).
Estimated quantity _____ gross c.w.t.
Estimated total miles _____
Unit price per gross c.w.t. per mile $_____
Total amount $_____

Item 21. *Drayage (when other services not required).* Service under this item shall include drayage as ordered, when other services are not required, at a rate per gross c.w.t. of shipment per mile of shipment over the shortest practicable route. Service under this item includes the loading and unloading of goods, and placing of same in line-haul carrier terminals or military transportation shipping offices or both. An inventory of individual articles will be prepared when requested by the Contracting Officer.

Zone _____ (Provide for additional zones as appropriate).
Estimated quantity _____ gross c.w.t.
Estimated total miles _____
Unit price per gross c.w.t. per mile $_____
Total amount $_____

Item 22. *Recooperage of Type II and Type III containers as ordered by the contracting officer.*

Zone _____ (Provide for additional zones as appropriate).
Estimated quantity _____ containers
Each $_____ Total amount $_____

SCHEDULE II

INBOUND SERVICES

Item 23. *Complete service—inbound.* Service under this item provides pickup of unaccompanied baggage and loaded containers of household goods (except CONEX) from line-haul carrier's terminal, military installation shipping office, storage facility or the Contractor's plant, delivering them to the owner's residence, the uncrating and unpacking, and at the owner's residence as directed by the owner or his designated representative, servicing of major appliances and removing shipping containers, barrels, boxes, crates and debris from the owner's residence, and drayage of empty Government containers to Contractor's facility or place of storage as directed by the Contracting Officer. This service also shall include interim storage for not more than fifteen (15) days.

(a) *Household goods.*

Estimated quantity _____ lbs.
Unit price per gross c.w.t. $_____
Total amount $_____
Contractor's guaranteed daily capability _____ lbs.

(b) *Unaccompanied baggage.* This normally shall consist of foot lockers, trunks, and similar containers and may also include articles such as cribs, baby carriages, and collapsible playpens.

Estimated quantity _____ lbs.
Unit price per gross c.w.t. $_____
Total amount $_____
Contractor's guaranteed daily capability _____ lbs.

Item 24. *Complete unpacking service (inbound).* Service provided under this item shall be the same as that provided under Item 23 except that shipments shall be received at Contractor's plant, and drayage from line-haul carrier's terminal, military installation, storage or other Contractor facility is not required.

Zone _____ (Provide for additional zones as appropriate).

(a) *Household goods.*
Estimated quantity _____ lbs.
Unit price per gross c.w.t. $_____
Total amount $_____
Contractor's guaranteed daily capability _____ lbs.

(b) *Unaccompanied baggage.*
Estimated quantity _____ lbs.
Unit price per gross c.w.t. $_____
Total amount $_____
Contractor's guaranteed daily capability _____ lbs.

* * * * *

Item 27. *Storage.* Service provided under this item shall include storage-in-transit of containerized articles in excess of the interim period specified in Items 23, 24, 25, and 26

on inbound shipments, when specifically ordered by the Contracting Officer. Service required under this item shall not commence earlier than the 16th calendar day from date of receipt in Contractor's facility. Date of delivery from storage shall not be considered in computation of storage charges.

Zone _____ (Provide for additional zones as appropriate).

Unit price (non-cumulative) per gross c.w.t.	*Estimated percentage of total quantity*
1–10 days ($)	
11–20 days ($)	
21–30 days ($)	
31–45 days ($)	
46–60 days ($)	
61–90 days ($)	
91–120 days ($)	
121–150 days ($)	
151–165 days ($)	

Total amount $_____
Contractor's guaranteed monthly capacity _____ lbs.

* * * * *

PART 7—CONTRACT CLAUSES

9. In § 7.103–8, the existing text is designated as paragraph (a), and new paragraph (b) is added, as follows:

§ 7.103–8 Assignment of claims.

(a) *Clause.*

* * * * *

(b) When a contract is to be assigned pursuant to the above clause, the assignee shall forward to the administrative contracting officer, the disbursing officer, and the surety, if any, the notice and instrument of assignment in the number of copies indicated below:

(1) To the administrative contracting officer—a true copy of the instrument of assignment and an original and three copies of the notice of assignment. The administrative contracting officer shall acknowledge receipt by signing and dating all copies of the notice of assignment and shall—

(i) File the true copy of the instrument of assignment and the original of the notice in the contract file,

(ii) Forward two copies of the notice to the disbursing officer designated in the contract to make payment,

(iii) Return a copy of the notice to the assignee, and

(iv) Advise the procuring contracting officer that the assignment has been made.

(2) To the surety or sureties, if any—a true copy of the instrument of assignment and an original and three copies of the notice of assignment. The surety shall return three acknowledged copies of the notice to the assignee who shall forward two copies to the disbursing officer designated in the contract.

(3) To the disbursing officer designated in the contract to make payment—a true copy of the instrument of assignment and an original and one copy of the notice of assignment. The disbursing officer shall acknowledge and return to the assignee the copy of the notice and shall file the true copy of the instrument and original notice. The disbursing officer shall forward to the appropriate finance center, with the first invoice or voucher, a copy of the notice acknowledged by the administrative contracting officer and a copy acknowledged by the surety, if any, for filing with the contract. If the assignee releases the contractor from the assignment of claims under an existing contract, the contractor, in order to receive payment of the balance due under the contract, is required to file a written notice of such release, with a true copy of the instrument of release of assignment, with the parties with whom the assignee was required to file the notice and instrument of assignment. The disbursing officer shall acknowledge the notice of release to the assignee and shall forward one acknowledged notice of the release to the appropriate finance center for filing with the original contract. Acknowledgment by the contracting officer or the surety, if any, is not required.

10. In § 7.104–12(a), the clause heading and clause paragraph (e) are revised; in § 7.203–4, the clause in paragraph (b) is amended by revising the clause heading and clause paragraphs (h) and (j), and new subparagraph (6) is added to paragraph (c); and § 7.204–12 is revised, as follows:

§ 7.104–12 Military security requirements.

(a) * * *

MILITARY SECURITY REQUIREMENTS (APRIL 1966)

* * * * *

(e) If, subsequent to the date of this contract, the security classifications or security requirements under this contract are changed by the Government as provided in this clause and the security costs or time required for delivery under this contract are thereby increased or decreased, the contract price, delivery schedule, or both and any other provision of the contract that may be affected shall be subject to an equitable adjustment by reason of such increased or decreased costs. Any equitable adjustment shall be accomplished in the same manner as if such changes were directed under the "Changes" clause in this contract.

* * * * *

§ 7.203–4 Allowable cost, fee, and payment.

* * * * *

(b) * * *

ALLOWABLE COST, INCENTIVE FEE, AND PAYMENT (APRIL 1966)

* * * * *

(h) When the work under this contract (including any supplies or services which are ordered separately under, or otherwise added to, this contract) is increased or decreased by contract modification or when any equitable adjustment in the target cost is authorized under any other clause of this contract, equitable adjustments in the target cost, target fee, minimum fee, maximum fee, or any or all of them, as appropriate, shall be set forth in an amendment or supplemental agreement to this contract.

* * * * *

(j) For the purpose of the adjustment of the fee in accordance with (i) above, the term "total allowable cost" shall not include allowable costs arising out of:

(1) Any of the causes covered by the clause hereof entitled "Excusable Delays" to the extent they are beyond the control and without the fault or negligence of the Contractor or any subcontractor;

(ii) The taking effect, after the negotiation of the target cost of this contract, of a statute, court decision, written ruling or regulation which results in the Contractor's being required to pay or bear the burden of any tax or duty, or increase in the rate thereof;

(iii) Any direct cost attributed to the Contractor's assistance or participation in litigation as required by the Contracting Officer pursuant to a provision of this contract, including the furnishing of evidence and information requested pursuant to the clause hereof entitled "Notice and Assistance Regarding Patent and Copyright Infringement";

(iv) The procurement and maintenance of additional insurance not included in the target cost and required by the Contracting Officer pursuant to the clause hereof entitled "Insurance—Liability to Third Persons."

Except as otherwise specifically provided in this contract, all other allowable costs shall be included in the term "total allowable cost" for the purpose of the adjustment of the fee in accordance with (i) above.

* * * * *

(c) * * *

(6) The following shall be added to paragraph (j) of the clause set forth in paragraph (b) of this section if the contract contains one of the "Indemnification" clauses set forth in §§ 10.701(b)(1) and 10.702(b)(1):

(v) ; or any claim, loss, or damage resulting from a risk defined in the contract as unusually hazardous or as a nuclear risk, against which the Government has expressly agreed to indemnify the Contractor (April 1966).

§ 7.204–12 Military security requirements.

In accordance with the requirements of § 7.104–12(a), insert the contract clause set forth in said paragraph, deleting paragraphs (e) and (f) therefrom and substituting therefor the following paragraphs (e) and (f).

(e) If, subsequent to the date of this contract, the security classifications or security requirements under this contract are changed by the Government as provided in this clause, and if such changes cause an increase or decrease in the estimated cost or the time required for the performance of this contract, the estimated cost, fee, delivery schedule, or any or all of them, as appropriate, and any other provision of the contract that may be affected, shall be subject to an equitable adjustment. Any such equitable adjustment shall be accomplished in the manner set forth in the "Changes" clause of this contract.

(f) The Contractor agrees to insert, in all subcontracts hereunder which involve access to classified information, provisions which shall conform substantially to the language of this clause, including this paragraph (f) but excluding paragraph (e) of this clause. The Contractor may insert in any such subcontract, and any subcontract entered into thereunder may contain, in lieu of paragraph (e) of this clause, provisions which permit equitable adjustments to be made in the subcontract price (or estimated subcontract cost and fee) or in the delivery schedule, or both, as appropriate, and any other provision of the contract that may be affected (as appropriate to the type of subcontract involved), on account of changes in security classifications or requirements made under the provisions of this clause subsequent to the date of the subcontract involved (April 1966).

11. Section 7.802–4 is redesignated as § 7.802–5, and a new § 7.802–4 is added, to read as follows:

§ 7.802–4 Payments clause for letter contracts.

PAYMENTS OF ALLOWABLE COSTS PRIOR TO DEFINITIZATION OF CONTRACT (APRIL 1966)

(a) Pending the placing of the definitive contract referred to herein, the Government shall currently reimburse the Contractor for all allowable expenditures made hereunder at the following rates:

(i) One hundred percent (100%) of such approved costs representing progress payments to Subcontractors under fixed-price type subcontracts: *Provided*, That payment by the Government to the Contractor shall not exceed seventy percent (70%) of the costs incurred by such Subcontractors.

(ii) One hundred percent (100%) of approved costs representing cost-reimbursement type subcontracts: *Provided*, That payments by the Government shall not exceed seventy percent (70%) of the costs incurred by Subcontractors; and

(iii) ------* percent (------* %) of all other approved costs.

(b) For the purpose of determining the amounts payable to the Contractor hereunder, allowable items of cost shall be determined by the Contracting Officer in accordance with the statement of cost principles set forth in Part ------ of section XV of the Armed Services Procurement Regulation. In no event shall the total reimbursement made under this paragraph exceed ------* percent (------* %) of the maximum amount of the Government liability otherwise set forth in this letter contract.

(c) Once each month (or at more frequent intervals, if approved by the Contracting Officer), the Contractor may submit to an authorized representative of the Contracting Officer, in such form and reasonable detail as such representative may require, an invoice or public voucher supported by a statement of cost incurred by the Contractor in the performance of this contract and claimed to constitute allowable cost.

(d) Promptly after receipt of each invoice or voucher and statement of cost, the Government shall, except as otherwise provided in this contract, subject to the provisions of (e) below, make payment thereon as approved by the Contracting Officer.

(e) At any time or times prior to final payment under this contract, the Contracting Officer may have the invoices or vouchers and statements of cost audited. Each payment theretofore made shall be subject to reduction for amounts included in the related invoice or voucher which are found by the Contracting Officer, on the basis of such audit, not to constitute allowable cost. Any payment may be reduced for overpayments, or increased for underpayments, on preceding invoices or vouchers.

§ 7.802–5 Definitization. [Redesignated]

PART 8—TERMINATION OF CONTRACTS

12. Section 8.208–4(a)(1) is revised, and in § 8.303, the introductory sentence of paragraph (b) is revised and paragraph (c) is revoked, as follows:

* Insert a percentage no greater than seventy percent (70%) or in case of small business concerns seventy-five percent (75%).

§ 8.208–4 Authorization for subcontract settlements without approval or ratification.

(a)(1) The contracting officer may, upon the written request of the prime contractor, authorize him in writing to conclude settlements of $10,000 or less (see § 8.101–1) of his terminated subcontracts, without approval or ratification by the contracting officer, if:

(i) The contracting officer is satisfied with the adequacy of the procedures used by the contractor in settling termination claims (including proposals for retention, sale, or other disposal of termination inventory) of his immediate and lower tier subcontractors (The contracting officer shall obtain the advice and recommendations of (*a*) the cognizant audit agency with respect to the adequacy of the contractor's audit administration, including personnel; and (*b*) the cognizant disposal office with respect to the adequacy of the contractor's procedures and personnel for the administration of property disposal matters.);

(ii) Any termination inventory included in determining the amount of the settlement will be disposed of in accordance with § 8.513, except that the disposition of such inventory shall not (*a*) be subject to review by the contracting officer under § 8.513–1 or § 8.513–3, or (*b*) be subject to § 8.513–4; *provided*, however, no industrial plant equipment included in such inventory shall be disposed of prior to screening pursuant to § 8.505; and

(iii) The settlement will be accompanied by a certificate substantially similar to the certificate set forth in the settlement proposal forms in § 8.802;

Provided, That the contracting officer shall not grant to the contractor any authority hereunder for settlements between $2,500 and $10,000 without the written approval as to that contractor of the Head of the Procuring Activity concerned, or of a deputy or principal assistant responsible for contract matters, or in the case of Defense Contract Administration Services Regions, the Region Commander. Except as provided in subparagraph (3) of this paragraph, authority granted to a prime contractor pursuant to this subparagraph by any contracting officer within the Department of Defense shall be applicable to all prime contracts of all procuring activities within the Department of Defense which have been terminated or modified by change orders. Such authorization may be exercised only in settling subcontracts which have been terminated as a result of termination for convenience or modification of the prime contract by the Government.

* * * * * * *

§ 8.303 Allowance for profit.

* * * * * * *

(b) *Factors to be considered.* In negotiating or determining profit, factors to be considered include:

* * * * * * *

(c) *Profit in settlements by determination.* [Revoked.]

13. In § 8.701, the clause in paragraph (a) is amended by revising the clause heading and clause paragraph (e), and paragraphs (c) and (d) are revised; and in § 8.706, the clause heading and clause paragraph (e) are revised, as follows:

§ 8.701 Termination clause for fixed-price contracts.

(a) * * *

TERMINATION FOR CONVENIENCE OF THE GOVERNMENT (APRIL 1966)

* * * * * * *

(e) In the event of the failure of the Contractor and the Contracting Officer to agree as provided in paragraph (d) upon the whole amount to be paid to the Contractor by reason of the termination of work pursuant to this clause, the Contracting Officer shall, subject to any Settlement Review Board approvals required by section VIII of the Armed Services Procurement Regulation in effect as of the date of execution of this contract, pay to the Contractor the amounts determined by the Contracting Officer as follows, but without duplication of any amounts agreed upon in accordance with paragraph (d):

(i) For completed supplies accepted by the Government (or sold or acquired as provided in paragraph (b)(vii) above) and not theretofore paid for, a sum equivalent to the aggregate price for such supplies computed in accordance with the price or prices specified in the contract, appropriately adjusted for any saving of freight or other charges;

(ii) The total of—

(A) The costs incurred in the performance of the work terminated, including initial costs and preparatory expense allocable thereto, but exclusive of any costs attributable to supplies paid or to be paid for under paragraph (e)(i) hereof;

(B) The cost of settling and paying claims arising out of the termination of work under subcontracts or orders, as provided in paragraph (b)(v) above, which are properly chargeable to the terminated portion of the contract (exclusive of amounts paid or payable on account of supplies or materials delivered or services furnished by subcontractors or vendors prior to the effective date of the Notice of Termination, which amounts shall be included in the costs payable under (A) above); and

(C) A sum, as profit on (A) above, determined by the Contracting Officer pursuant to 8–303 of the Armed Services Procurement Regulation, in effect as of the date of execution of this contract, to be fair and reasonable: *Provided, however*, That if it appears that the Contractor would have sustained a loss on the entire contract had it been completed, no profit shall be included or allowed under this subdivision (C) and an appropriate adjustment shall be made reducing the amount of the settlement to reflect the indicated rate of loss; and

(iii) The reasonable costs of settlement, including accounting, legal, clerical, and other expenses reasonably necessary for the preparation of settlement claims and supporting data with respect to the terminated portion of the contract and for the termination and settlement of subcontract thereunder, together with reasonable storage, transportation, and other costs incurred in connection with the protection or disposition of property allocable to this contract.

The total sum to be paid to the Contractor under (i) and (ii) of this paragraph (e) shall not exceed the total contract price as reduced by the amount of payments otherwise made and as further reduced by the contract price of work not terminated. Except for normal spoilage, and except to the extent that the Government shall have otherwise expressly assumed the risk of loss, there shall be excluded from the amounts payable to the Contractor under (i) above, the fair value, as determined by the Contracting Officer, of property which is destroyed, lost, stolen, or damaged so as to become undeliverable to the Government, or to a buyer pursuant to paragraph (b)(vii).

* * * * * * *

(c) The following paragraphs shall be used in place of paragraphs (e) and (f) of the above clause when the contract is for construction in excess of $10,000.

(e) In the event of the failure of the Contractor and the Contracting Officer to agree, as provided in paragraph (d), upon the whole amount to be paid to the Contractor by reason of the termination of work pursuant to this clause, the Contracting Officer shall, subject to any Settlement Review Board approvals required by section VIII of the Armed Services Procurement Regulation in effect as of the date of execution of this contract, pay to the Contractor the amounts determined by the Contracting Officer as follows, but without duplication of any amounts agreed upon in accordance with paragraph (d):

(i) With respect to all contract work performed prior to the effective date of the Notice of Termination, the total (without duplication of any items) of—

(A) The cost of such work;

(B) The cost of settling and paying claims arising out of the termination of work under subcontracts or orders as provided in paragraph (b)(v) above, exclusive of the amounts paid or payable on account of supplies or materials delivered or services furnished by the subcontractor prior to the effective date of the Notice of Termination of Work under this contract, which amounts shall be included in the cost on account of which payment is made under (A) above; and

(C) A sum, as profit on (A) above, determined by the Contracting Officer pursuant to 8–303 of the Armed Services Procurement Regulation, in effect as of the date of execution of this contract, to be fair and reasonable: *Provided, however*, That if it appears that the Contractor would have sustained a loss on the entire contract had it been completed, no profit shall be included or allowed under this subdivision (C) and an appropriate adjustment shall be made reducing the amount of the settlement to reflect the indicated rate of loss; and

(ii) The reasonable cost of the preservation and protection of property incurred pursuant to paragraph (b)(ix); and any other reasonable cost incidental to determination of work under this contract, including expense incidental to the determination of the amount due to the Contractor as the result of the termination of work under this contract.

The total sum to be paid to the Contractor under (i) above shall not exceed the total contract price as reduced by the amount of payments otherwise made and as further reduced by the contract price of work not terminated. Except for normal spoilage, and except to the extent that the Government shall have otherwise expressly assumed the risk of loss, there shall be excluded from the amounts payable to the Contractor under (i) above, the fair value, as determined by the Contracting Officer, of property which is destroyed, lost, stolen, or damaged so as to become undeliverable to the Government, or to a buyer pursuant to paragraph (b)(vii).

(f) Any determination of costs under paragraph (c) or (e) hereof shall be governed by the principles for consideration of costs set forth in section XV, Part 4, of the Armed Services Procurement Regulation, as in effect on the date of this contract.

(d) In any contract for Architect-Engineer services in excess of $10,000, the clause in paragraph (a) of this section as modified by paragraph (c) of this section shall be used, the term "Architect-Engineer" shall be substituted for the term "Contractor", and the following paragraph (e) shall be used in place of paragraph (e) therein:

(e) In the event of the failure of the Architect-Engineer and the Contracting Officer to agree as provided in paragraph (d), upon the whole amount to be paid to the Architect-Engineer by reason of the termination of work pursuant to this clause, the Contracting Officer shall, subject to any Settlement Review Board approvals required by section VIII of the Armed Services Procurement Regulation in effect as of the date of execution of this contract, pay to the Architect-Engineer the amounts determined by the Contracting Officer as follows, but without duplication of any amounts agreed upon in accordance with paragraph (d):

(i) For completed work and services accepted by the Government, the price or prices specified in the contract for such work, less any payments previously made;

(ii) The total of—

(A) The costs incurred in the performance of the work and services terminated, including initial costs and preparatory expenses allocable thereto, but exclusive of any costs attributable to the work and services paid or to be paid for under paragraph (e)(i) hereof;

(B) The cost of settling and paying claims arising out of the termination of work or services under subcontracts or orders as provided in paragraph (b)(v) above, which are properly chargeable to the terminated portion of the contract (exclusive of amounts paid or payable on account of work or services delivered or furnished by subcontractors prior to the effective date of termination, which amounts shall be included in the costs payable under (A) above); and

(C) A sum, as profit on (A) above, determined by the Contracting Officer pursuant to 8–303 of the Armed Services Procurement Regulation, in effect as of the date of execution of this contract, to be fair and reasonable: *Provided, however*, That if it appears that the Architect-Engineer would have sustained a loss on the entire contract had it been completed, no profit shall be included or allowed under this subdivision (C) and an appropriate adjustment shall be made reducing the amount of settlement to reflect the indicated rate of loss; and

(iii) The reasonable cost of the preservation and protection of property incurred pursuant to paragraph (b)(ix); and any other reasonable cost incidental to the termination of work under this contract, including expense incidental to the determination of the amount due to the Architect-Engineer as a result of the termination of work under this contract.

The total sum to be paid to the Architect-Engineer under (i) and (ii) above shall not exceed the total contract price as reduced by the amount of payments otherwise made and as further reduced by the contract price of work not terminated. Except for normal spoilage, and except to the extent that the Government shall have otherwise expressly assumed the risk of loss, there shall be excluded from the amounts payable to the Architect-Engineer under (ii) above, the fair value, as determined by the Contracting Officer, of property which is destroyed, lost, stolen, or damaged so as to become undeliverable to the Government, or a buyer pursuant to paragraph (b)(vii).

§ 8.706 Subcontract termination clause.

* * * * * * *

TERMINATION (APRIL 1966)

* * * * * * *

(e) In the event of the failure of the seller and the buyer to agree as provided in paragraph (d) upon the whole amount to be paid to the seller by reason of the termination of work pursuant to this clause, the buyer shall, subject to any Settlement Review Board approvals required by section VIII of the Armed Services Procurement Regulation in effect as of the date of execution of this contract, pay to the seller the amounts determined by the buyer as follows, but without duplication of any amounts agreed upon in accordance with paragraph (d):

(i) For completed supplies accepted by the buyer (or sold or acquired as provided in paragraph (b)(vii) above) and not theretofore paid for, forthwith a sum equivalent to the aggregate price for such supplies computed in accordance with the price or prices specified in the contract, appropriately adjusted for any saving of freight or other charges;

(ii) The total of—

(A) The cost of such work, including initial costs and preparatory expenses allocable thereto, exclusive of any costs attributable to supplies paid or to be paid for under (i) above; and

(B) The cost of settling and paying claims arising out of the termination of work under subcontracts or orders as provided in paragraph (b)(v) above, exclusive of the amounts paid or payable on account of supplies or materials delivered or services furnished by the subcontractor prior to the effective date of the Notice of Termination of work under this contract, which amount shall be included in the cost on account of which payment is made under (A) above; and

(C) A sum, as profit on (A) above, determined by the buyer pursuant to 8–303 of the Armed Services Procurement Regulation, in effect as of the date of execution of this contract, to be fair and reasonable: *Provided, however*, That if it appears that the seller would have sustained a loss on the entire contract had it been completed, no profit shall be included or allowed under this subdivision (C) and an appropriate adjustment shall be made reducing the amount of the settlement to reflect the indicated rate of loss; and

(iii) The reasonable costs of settlement, including accounting, legal, clerical, and other expenses reasonably necessary for the preparation of settlement claims and supporting data with respect to the terminated portion of the contract and for the termination and settlement of subcontracts thereunder, together with reasonable storage, transportation, and other costs incurred in connection with the protection or disposition of the property allocable to this contract.

The total sum to be paid to the seller under (i) and (ii) above shall not exceed the total contract price reduced by the amount of payments otherwise made and as further reduced by the contract price of work not terminated. Except for normal spoilage and except to the extent that the buyer or the Government shall have otherwise expressly assumed the risk of loss, there shall be excluded from the amounts payable to the seller under (i) and (ii)(A) above the fair value as determined by the buyer of property which is destroyed, lost, stolen, or damaged so as to become undeliverable to the buyer or to a purchaser pursuant to paragraph (b)(vii).

* * * * * * *

PART 16—PROCUREMENT FORMS

14. Section 16.303 is revised to read as follows:

§ 16.303 Order for supplies or services (DD Forms 1155, 1155r, 1155r–1, 1155c, 1155c–1, and 1155s).

Order for supplies or services, DD Form 1155 series, shall be used to accomplish small purchases in accordance with § 3.608 of this chapter.

PART 30—APPENDIXES TO ARMED SERVICES PROCUREMENT REGULATIONS

15. In § 30.7, items numbered K–201 (a), K–202(a), K–203.2(viii), K–301, K–302(b)(3), K–303.2 (c) and (d), and K–303.4(b) are revised to read as follows:

§ 30.7 Appendix K—Preaward survey procedures.

* * * * *

K–201 *Procedure for requesting preaward survey.* (a) The purchasing office shall request a preaward survey on Pre-Award Survey of Prospective Contractor (DD Form 1524) (see F–200.1524), indicating in section III thereof, the scope of the survey desired. Factors requiring emphasis not enumerated in section III should be listed by the purchasing office under item "14" of that section. A survey may be requested by telegraphic communication containing the data required by sections I, II and III of the Form. A survey may be requested by telephone but shall be immediately confirmed on DD Form 1524. Unless previously furnished, a copy of the solicitation, and such drawings and specifications as deemed necessary by the purchasing office, shall be supplied with the preaward survey request.

* * * * *

K–202 *Scope of survey.* (a) A complete survey encompasses investigation, to the extent applicable to the proposed contract, of the factors listed in section III of DD Form 1524, together with other requirements of special inquiry as requested by the purchasing office, and submission of appropriate findings thereon.

* * * * *

K–203.2 *Designation of preaward survey monitor.* * * *

(viii) Arrange for required audit and other external assistance (for example, in those cases where contract award is dependent upon the contractor having an adequate cost accounting system for proper postaward administration of the contract, the cognizant audit agency shall be responsible for the system review, evaluation, and conclusive recommendation. DD Form 1524–4 is provided for this purpose.);

* * * * *

K–301 *Preliminary analysis.* The request (DD Form 1524, sections I, II, and III) shall be reviewed to establish basic administrative information and the factors to be investigated. The solicitation shall then be reviewed to ascertain those general and special requirements which have a significant bearing on determining contractor responsibility. Examples are the nature of the product, applicable specifications, delivery schedule, documentation requirements, and financing aspects.

K–302 *Development of information.* * * *

(b) *Development of additional data.* * * *

(3) In each case where review of available data discloses previous unsatisfactory contractor performance in any regard, the preaward survey shall specifically cover the extent to which action has been taken or planned by the contractor to avoid repetition. A narrative discussion shall be referenced in section III of DD Form 1524 and appended to the Form covering each deficiency area and furnishing details on the effect of each deficiency area on the contractor's ability to perform the prospective contract involved, together with reasons for all stated conclusions. Lack of evidence that the contractor was responsible for a failure to meet past contractual requirements does not necessarily indicate satisfactory performance. A persistent pattern of the contractor's need for costly and burdensome Governmental assistance (engineering, inspection, testing) that was provided in the Government's interest but not contractually required, shall be treated in the preaward survey as an element for separate narrative discussion to be appended to the Form.

* * * * *

K–303.2 *Production.* * * *

(c) *Ascertaining production resources.* The information necessary to prepare DD Form 1524–1 shall be obtained by discussion with appropriate management personnel of the prospective contractor. This information shall be verified, when necessary, by physical inspection of the manufacturing plant and evaluated in terms of suitability to manufacture the required item(s).

(d) *Relating production plans to production resources.* When necessary, the representatives of the prospective contractor shall be requested to advise how the production resources described in sections III, IV, V, and VI of DD Form 1524–1 will be allocated and utilized in order to achieve the target dates for the principal milestones. This shall include both in-house and subcontractor production resources. Pertinent to this is an analysis of projects and contracts which will compete for utilization of those resources within the same time frame as that specified by the prospective contractor's production plan. The information developed as a result of equating the production plan and production resources of the prospective contractor should enable the contract administration office to:

(i) Conclude whether the resources which the prospective contractor is planning to use are suitable for the job;

(ii) Determine whether the prospective contractor will be capable of properly controlling, maintaining and using Government-furnished property;

(iii) Determine whether the planning and scheduling of effort will result in timely accomplishment of the principal milestones;

(iv) Conclude whether achievement of the principal milestones will result in timely delivery.

K–303.4 *Financial.* * * *

(b) *Procedure.* Aspects to be considered in determining the prospective contractor's financial capability (DD Form 1524–3) include the following:

(1) The latest balance sheet and profit and loss statement shall be reviewed. The following are indicative of the soundness of the prospective contractor's financial structure:

(i) Rates and ratios;

(ii) Working capital as represented by current assets over current liability; and

(iii) Financial trends such as net worth, sales and profit.

(2) The method of financing the contract shall be evaluated. Where sources of outside financing, other than the Government, are indicated, their availability should be verified.

(3) When financial aid from the Government is to be obtained, the necessity should be verified. Review shall be made concerning the applicability of such financing as progress payments or guaranteed loans.

[Rev. 16, ASPR, Apr. 1, 1966] (Sec. 2202, 70A Stat. 120; 10 U.S.C. 2202. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314)

L. H. WALKER, Jr.,
Brigadier General, U.S. Army,
Acting The Adjutant General.

[F.R. Doc. 66–6000; Filed, June 1, 1966; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAMS

[ACP–1966, Supp. 5]

PART 701—NATIONAL AGRICULTURAL CONSERVATION

Subpart—1966

MISCELLANEOUS AMENDMENTS

The regulations governing the 1966 National Agricultural Conservation Program, 30 F.R. 11371, as amended, are further amended as follows:

1. Section 701.30 is amended by deleting all but the first sentence thereof.

2. Section 701.41 is amended by deleting all but the first sentence of paragraph (g) and by adding the following new sentence as the second sentence of the paragraph: "The term 'tenant' shall include a person who, as a member of a grazing association, participates in the operation of the grazing lands owned or leased by the association."

(Sec. 4, 49 Stat. 164, secs. 7 to 17, 49 Stat. 1148, as amended; 16 U.S.C. 590d, 590g–590q)

Signed at Washington, D.C., on May 26, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–6039; Filed, June 1, 1966; 8:48 a.m.]

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 728—WHEAT

Subpart—1967–68 Marketing Year

Sec.
728.301 Basis and purpose.
728.302 National marketing quota for wheat for 1967–68 marketing year.
728.303 1967 national acreage allotment for wheat.

AUTHORITY: §§ 728.301 to 728.303 issued under secs. 301, 332, 333, 335, 375, 52 Stat. 38, as amended 53, as amended, 54, as amended, 66, as amended, 76 Stat. 621; 7 U.S.C. 1301, 1332, 1333, 1335, 1375.

§ 728.301 Basis and purpose.

(a) The regulations contained in §§ 728.301 to 728.303 are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, to (1) announce that a national wheat marketing quota shall not be in effect for the 1967–68 marketing year; (2) announce the amount of the national marketing quota which would have been determined if a national quota had been proclaimed; and (3) proclaim the 1967 national acreage allotments for wheat.

(b) Section 332(d) of the Act provides that the Secretary shall not proclaim a national marketing quota for the crop of wheat planted for harvest in the calendar year 1967, and that farm marketing quotas shall not be in effect for such crop of wheat.

(c) Section 333 of the Act provides that the Secretary shall proclaim a national acreage allotment for each crop of wheat; and that "The amount of the national acreage allotment for any crop of wheat shall be the number of acres which the Secretary determines on the basis of the projected national yield and expected underplantings (acreage other than that not harvested because of program incentives) of farm acreage allotments will produce an amount of wheat equal to the national marketing quota for wheat for the marketing year for such crop, or if a national marketing quota was not proclaimed, the quota which would have been determined if one had been proclaimed."

(d) Section 332(b) provides that "The amount of the national marketing quota for wheat for any marketing year shall be an amount of wheat which the Secretary estimates (i) will be utilized during such marketing year for human consumption in the United States as food, food products, and beverages, composed wholly or partly of wheat, (ii) will be utilized during such marketing year in the United States for seed, (iii) will be exported either in the form of wheat or wheat products thereof, and (iv) will be utilized during such marketing year in the United States as livestock (including poultry) feed, excluding the estimated quantity of wheat which will be utilized for such purpose as a result of the substitution of wheat for feed grains under section 328 of the Food and Agriculture Act of 1962; less (A) an amount of wheat equal to the estimated imports of wheat into the United States during such marketing year and, (B) if the stocks of wheat owned by the Commodity Credit Corporation are determined by the Secretary to be excessive, an amount of wheat determined by the Secretary to be a desirable reduction in such marketing year in such stocks to achieve the policy of the Act: *Provided*, That if the Secretary determines that the total stocks of wheat in the Nation are insufficient to assure an adequate carryover for the next succeeding marketing year, the national marketing quota otherwise determined shall be increased by the amount the Secretary determines to be necessary to assure an adequate carryover: *And provided further*, That the national marketing quota for wheat for any marketing year shall be not less than one billion bushels." The amount of national marketing quota for wheat for the 1967–68 marketing year set out in § 728.302 and the 1967 national acreage allotment for wheat set out in § 728.303 were computed in accordance with the formulas in the Act.

(e) The considerations entering into the determination of the national marketing quota for wheat that would have been determined for the 1967–68 marketing year in the amount of 1,540 million bushels are set out in § 728.302. The projected national yield for the 1967 crop of wheat is determined to be 27.3 bushels per acre. The basis for this determination follows: The national yield per harvested acre of wheat during each of the 5 calendar years 1961 through 1965, as reported by the Statistical Reporting Service, USDA, was found to be 24.0, 25.1, 25.3, 26.3, and 26.9, respectively. The average of these five annual yields was computed to be 25.5. Based on a graphic projection of national annual wheat yields for a 16-year (1950–65) base period to determine trend in wheat yields and with consideration given to annual wheat yields in the various production areas, improved current production practices, abnormal weather, and expected harvested acreage, it was determined that the 5-year average of 25.5 should be adjusted upward to 27.3 for the purposes of the projected national yield for the 1967 crop of wheat. On the basis of a national quota of 1,540 million bushels, a national projected yield of 27.3 bushels per acre, and expected underplantings (acreage other than that not harvested because of program incentives) of 2.9 million acres, a national acreage allotment of 59.3 million acres was determined.

(f) The finding and determinations by the Secretary contained in §§ 728.302 and 728.303 have been made on the basis of the latest available statistics of the Federal Government as required by section 301(c) of the Act.

(g) Since farm marketing quotas will not be in effect for the 1967 crop of wheat, this document relates only to loans, grants, and benefits, and is therefore exempted from the notice, public procedure, and effective date provisions of section (4) of the Administrative Procedure Act.

§ 728.302 National marketing quota for wheat for 1967–68 marketing year.

(a) A national marketing quota for wheat shall not be in effect for the 1967–68 marketing year. In order that a national acreage allotment may be determined for the 1967 crop of wheat, it is necessary to determine the amount of the national wheat marketing quota which would have been determined if one had been proclaimed for the 1967–68 marketing year.

(b) Based upon (1) estimated human consumption in the United States during the 1967–68 marketing year of 530 million bushels of food, food products, and beverages, composed wholly or partly of wheat, (2) estimated use for seed in the United States during each marketing year of 75 million bushels, (3) estimated exports of wheat and wheat products during such marketing year of 850 million bushels, and (4) the estimated amount which will be utilized during such marketing year as livestock (including poultry) feed determined to be 50 million bushels, excluding the estimated quantity of 15 million bushels of wheat which will be utilized for such purpose as a result of the substitution of wheat for feed grains under section 328 of the Food and Agriculture Act of 1962; less estimated imports into the United States during such marketing year of 5 million bushels, the amount of the national marketing quota for wheat for the 1967–68 marketing year would be 1,500 million bushels. It is determined that stocks of wheat owned by the Commodity Credit Corporation are not excessive and no reduction in such stocks is necessary to achieve the policy of the Act. It is also determined that the total stocks of wheat in the Nation are insufficient to assure an adequate carryover for the 1968–69 marketing year. Therefore, the national quota for the 1967–68 marketing year which would otherwise be determined is increased by 40 million bushels to a total amount of 1,540 million bushels.

§ 728.303 1967 national acreage allotment for wheat.

Based upon the projected national yield of wheat of 27.3 bushels per acre which is hereby determined, and expected underplantings, the 1967 national acreage allotment which will make available a supply of wheat equal to the national marketing quota is determined to be 59.3 million acres, and a 1967 national acreage allotment in that amount is hereby proclaimed.

Effective date. Because of the need to determine State, county, and farm acreage allotments and notify producers of their farm acreage allotments in time for them to plan their seeding operations for the 1967 crop of wheat, this document shall become effective upon filing with the Director, Office of the Federal Register.

Issued at Washington, D.C., this 26th day of May 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–6040; Filed, June 1, 1966; 8:46 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

[§ 845.2; Supp. 5]

PART 845—MAINLAND CANE SUGAR AREA

Approved Local Areas for 1965 Crop

§ 845.7 Approved local areas for the 1965 crop.

For purposes of considering eligibility of farms for abandonment and crop deficiency payments on 1965-crop sugarcane pursuant to paragraph (c) of § 845.2, as amended, the local ASC parish committees in Louisiana and the ASC Glades County Committee in Florida have determined that the extent of crop damage as specified and provided in sub-

paragraph (1)(iii) of paragraph (c) of § 845.2 has occurred in the following parishes and local producing areas:

LOUISIANA

Parishes approved in their entirety

Ascension.	St. James.
Assumption.	St. John.
Lafourche.	St. Mary.
Plaquemines.	Terrebonne.
Pointe Coupee.	West Baton Rouge.
St. Charles.	

Individual local producing areas approved

Areas 2 and 3 in Iberville Parish.

FLORIDA

All of Florida.

Statement of bases and considerations. This supplement provides public notice of the parishes and local producing areas in Louisiana and Florida where due to drought, flood, storm, freeze, disease, or insects, the 1965 sugarcane crop has been damaged to the extent that farms located in whole or in part therein will be considered (as to location) for abandonment or deficiency payments. Producers on these farms who have not filed applications for Sugar Act payments with respect to acreage abandonment or crop deficiencies for which they may otherwise be eligible should apply for such payments before December 31, 1967, as provided in 7 CFR 892.1 (29 F.R. 9426).

(Sec. 403, 61 Stat. 923; 7 U.S.C. 1153, secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132, P.L. 89-311)

Effective date. Date of publication.

Signed at Washington, D.C., on May 27, 1966.

CHAS. M. COX,
Acting Deputy Administrator, State and County Operations.

[F.R. Doc. 66-6041; Filed, June 1, 1966; 8:48 a.m.]

SUBCHAPTER K—GENERAL CONDITIONAL PAYMENTS PROVISIONS

PART 893—PUERTO RICO, 1966-67 AND SUBSEQUENT CROPS

Pursuant to the provisions of the Sugar Act of 1948, as amended, and effective upon publication in the FEDERAL REGISTER, Subchapter K, Chapter VIII, of Title 7 of the Code of Federal Regulations is amended by adding to Subchapter K a new Part 893, as above entitled, and by adding §§ 893.1 through 893.10 in such Part 893 as follows:

Sec.
893.1 Definitions.
893.2 Compliance with child labor provisions of the act.
893.3 Tenant and sharecropper protection.
893.4 Compliance with other conditions of payment.
893.5 Instructions and forms.
893.6 Filing application for payment.
893.7 Determination of eligibility and basis for payment, review and changes in determinations and appeals for review thereof.
893.8 Obtaining information regarding eligibility for payment.
893.9 Obtaining information prevented by producer.
893.10 Preservation of sugar production records.

AUTHORITY: The provisions of this Part 893 issued pursuant to sec. 302 of the Sugar Act of 1948, as amended (sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C 1131, 1132).

§ 893.1 Definitions.

(a) "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the United States Department of Agriculture to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(b) "Deputy Administrator" means the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(c) "Director" means the person employed to be responsible for the day-to-day operations of the Agricultural Stabilization and Conservation Service Caribbean Area Office, or any employee of such office authorized to act on his behalf.

(d) "Area Office" means the Agricultural Stabilization and Conservation Service Caribbean Area Office.

(e) "District Office" means the Agricultural Stabilization and Conservation Service Caribbean District Office.

(f) "Person" means an individual, partnership, corporation, or association.

(g) "Producer" means a person who is the legal owner, at the time of harvest or abandonment, of a portion or all of a crop of sugarcane grown on a farm for the extraction of sugar or liquid sugar.

(h) "Farm" shall have the meaning set forth in Part 827 of this chapter.

(i) "Crop" means sugarcane which was or will be produced and processed (or abandoned) during the 2 consecutive calendar years used to designate a crop. The first calendar year represents the year in which the majority of growth of the cane to be harvested occurs and the second calendar year represents the year in which most of this cane is harvested and processed.

(j) "Act" means the Sugar Act of 1948, as amended.

§ 893.2 Compliance with child labor provisions of the Act.

(a) *Applicability.* As a condition for payment under the Act, and except for a member of the immediate family of a person who was the legal owner of not less than 40 percent of the crop at the time work was performed, no child under the age of 14 shall have been employed or permitted to work on the farm, whether for gain to such child or any other person, in the production, cultivation or harvesting of a crop of sugarcane with respect to which application for payment is made, nor be so employed or permitted to work for a longer period than 8 hours in any one day if between the ages of 14 and 16.

(b) *Deduction for noncompliance.* Payment authorized under the act may be made notwithstanding a failure to comply with the conditions set forth in paragraph (a) of this section, but the payments made with respect to any crop shall be subject to a deduction of $10 for each child for each day or a portion of a day during which such child was employed or permitted to work contrary to the provision of this section.

(c) *Proof of age.* The producer on a farm upon which a child is found by a representative of the area office to have worked or to be working in the production, cultivation or harvesting of a crop of sugarcane shall be required, upon request of the representative, to furnish proof of age of the child if such child is not a member of the immediate family of a person owning at least 40 percent of the crop of sugarcane at the time such work was performed. Proof of age may be established by,

(1) An age certificate issued pursuant to any child labor program carried out under Commonwealth or Federal supervision,

(2) A birth certificate or transcript thereof,

(3) A baptismal certificate showing the date of birth,

(4) A passport,

(5) An insurance policy, or

(6) A Bible record.

(d) *Providing child member of producer's immediate family.* If it is alleged that the child is a member of the immediate family of a person who owns such 40 percent of a crop, such person or a producer on the farm must establish such relationship to the satisfaction of the representative of the area or district office. "Member of the immediate family" is deemed to include children who constitute the household of a person when such person is responsible for and provides the support of such children either as parent or in place of the parent.

§ 893.3 Tenant and share cropper protection.

In addition to compliance with the conditions for payment prescribed by the act, eligibility for payment of any producer of sugarcane with respect to any crop shall be subject to the following conditions:

(a) The number of share tenants or sharecroppers engaged in the production of sugarcane of such crop on the farm of such producer shall not be reduced below the number so engaged with respect to the previous crop unless such reduction is approved by the Director. The Director shall approve such reduction when the reduction was the result of voluntary action of the share tenant or sharecropper, or was caused by reasons beyond the control of the producer.

(b) Such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or any other producer any payments to which share tenants or sharecroppers would be entitled if their leasing or cropping agreements for the previous crop were in effect.

§ 893.4 Compliance with other conditions of payment.

All requirements of the act and the determinations issued pursuant thereto with respect to wage rates, farm proportionate shares (if in effect) and in the case of a processor-producer, prices paid for sugarcane, shall be met.

§ 893.5 Instructions and forms.

The Deputy Administrator shall cause to be prepared for issuance to the area office such forms and internal management instructions as are necessary for carrying out regulations previously or hereafter issued.

§ 893.6 Filing application for payment.

(a) *Form to be used.* Application for payment authorized under Title III of the act with respect to sugarcane planted on a farm for harvest during a crop season shall be made on Form SU-150. The form shall be made available for signing by mail, at the area office, a district ASCS office, the producer's farm, or such other place as designated by the area office and the producer shall be notified by the district office of the place and the time the forms are available for signing.

(b) *Person eligible to receive payment.* Payment shall be made to the producer of the sugarcane. In the event of the death, disappearance, or incompetency of the producer, payment shall be made to the beneficiary designated in the application for payment by the producer, or if no such beneficiary is named, to the producer's legal representative or his heirs as determined by the Director.

(c) *Closing date for filing.* Form SU-150 must be filed no later than June 30 of the second calendar year after the calendar year in which the crop harvest was completed.

(d) *Exception to closing date requirement.* An application may be filed after the closing date if the Director determines that the applicant was prevented from filing by such date because of illness or other reasons beyond his control.

§ 893.7 Determination of eligibility and basis for payment, review and changes in determinations and appeals for review thereof.

Compliance with the conditions prescribed by the act and regulations for any payment authorized under Title III of the act, the facts constituting the basis for any such payment, and the amount thereof, shall be determined by the Director, such determination to be subject to review initiated by the Deputy Administrator and to approval or redetermination by the Deputy Administrator. Determinations by the Director or the Deputy Administrator shall be made and decided in accordance with the applicable provisions of the act and regulations issued by the Secretary thereunder, and on the facts in the individual case. The provisions apprising producers of their rights to request reconsideration or appeal from determinations affecting their eligibility for payments under the act and the procedures to follow in such instances including time limitations for filing appeals are contained in Chapter VII, Part 780 of this title. The procedures applicable to claims for unpaid wages are provided for under regulations pertaining thereto as issued by the Secretary, and contained in Part 867 of this chapter.

§ 893.8 Obtaining information regarding eligibility for payment.

Where it is necessary to obtain information to assist the Director in determining compliance with the conditions prescribed by the Act and regulations for any payment authorized under Title III of the Act, the facts constituting the basis for any such payment or the amount thereof, or to assist the Deputy Administrator in reviewing, upon appeal or upon their own initiative any such determination by the Director, any such information with respect to acreage or compliance shall be obtained to the extent possible as provided in the applicable provisions of Part 718 of Chapter VII of this title, as amended. In the absence of a provision in such Part 718 of this title for obtaining any such information, any employee of the area office designated by the Director to be qualified to perform such a duty may obtain such information.

§ 893.9 Obtaining information prevented by producer.

If the producer, or his representative, on any farm with respect to which application is made for any payment authorized under Title III of the Act prevents the obtaining of the information necessary to determine compliance with the conditions for any such payment, the facts constituting the basis of any such payment or the amount thereof, the conditions prescribed by the Act and regulations for any such payment shall be deemed not to have been met until such producer (including processor-producers) or his representative permits such information to be obtained.

§ 893.10 Preservation of sugar production records.

For the purpose of providing records to be made and preserved in the area office for use in establishing proportionate shares, when required:

(a) The subdivisions of any farm which is subdivided shall be credited with the actual sugar production record, if available, of each subdivision for the five crops immediately preceding the crop when such farm is subdivided, or

(b) If actual records are not available, the production record of the farm shall be divided among the subdivisions on a basis agreed upon by all persons concerned in the subdivision subject to the approval of the Director, or

(c) In the absence of actual records and such agreement, the Director shall determine the division of the farm's production record among the subdivisions, on the basis of acreage of sugarcane growing thereon or suitable for growing sugarcane.

(d) The production record for a reconstituted farm shall be the total of the production records for such 5-year period credited to the constituent parts of the farm.

(e) The sugar production record of any parcel of land which is to be utilized for purposes other than the production of sugarcane for sugar shall, upon written application by the owner to the Director within 5 years from the date of diversion to such other production purposes, be transferred to any other parcel or parcels of land owned by such applicant in Puerto Rico if the Director finds that the transfer of the production record will encourage a wise use of land resources, foster greater diversification of agricultural production and promote the conservation of soil and water resources in Puerto Rico, and the Director determines that such transfer of production record is in the public interest and will facilitate the sale or rental of the land for other productive purposes.

Statement of bases and considerations. In order to qualify for Sugar Act payments, sugarcane producers must comply with the conditions for payment specified in the Act, relating to wages, child labor, fair prices and farm proportionate shares (when such shares are determined by the Secretary to be in effect), and with the provisions of regulations implementing such conditions for payment and the provisions of the Act for the protection of tenants. In addition, certain general requirements must be met. Producers, to receive Sugar Act payments to which they are entitled, must file applications for payment, use approved forms, adhere to instructions and furnish information regarding eligibility for payment and the basis for payment. Heretofore, some of these provisions were incorporated in the annual determinations of proportionate shares. Inasmuch as proportionate shares may not be required every year, the regulatory provisions pertaining to child labor, tenant protection and the general requirements with respect to Sugar Act payments are included herein. This regulation also makes provision for the preservation of sugarcane production records of land diverted to productive purposes other than growing sugarcane, or which becomes a separate farm or part thereof.

Accordingly, I hereby find and conclude that the foregoing regulation will effectuate the applicable provisions of the Act.

Effective date. Date of publication.

Signed at Washington, D.C., on May 26, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6042; Filed, June 1, 1966; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. 1, Amdt. 10]

PART 1483—WHEAT AND FLOUR

Subpart—Flour Export Program—Cash Payment (GR-346) Terms and Conditions

MISCELLANEOUS AMENDMENTS

The Terms and Conditions of the Flour Export Program—Cash Payment

(GR-346) (25 F.R. 5816) as amended (25 F.R. 9939, 25 F.R. 10758, 27 F.R. 1753, 27 F.R. 4863, 27 F.R. 10351, 29 F.R. 4667, 29 F.R. 12010, 30 F.R. 6771 and 15319) are further amended as follows:

§ 1483.201 [Amended]

1. Section 1483.201 *General statement* is amended by adding after the words "United States" in the first sentence the word ", Hawaii".

§ 1483.205 [Amended]

2. Section 1483.205 *General conditions of eligibility* paragraph (a) is amended by adding after the words "United States" in the first sentence the word "Hawaii" and by amending paragraph (c) to read as follows:

(c) A sale of flour derived in whole or in part from wheat produced outside the United States, or flour milled outside the United States, Hawaii or Puerto Rico is not eligible for registration under the program. However, in the event the Director determines that ineligible flour is exported unintentionally, payment may be made but only on that portion which it is established to his satisfaction was milled in the United States, Hawaii or Puerto Rico from wheat produced in the United States.

3. Section 1483.209 *Flour exported prior to sale* paragraph (e) is amended to read as follows:

§ 1483.209 Flour exported prior to sale.

* * * * *

(e) The export payment rate applicable to such sale shall be that rate in effect at the time and date of export for the then current rate period which applies to the coast from which the flour was exported. If the exporter is unable to establish to the satisfaction of CCC the time and date of export and two payment rates are in effect on such day, the time of export shall be deemed to occur at the time the lower of the two payment rates is in effect.

4. Section 1483.225 *Notice of Sale,* paragraph (b) (2) (iv) and (ix) is amended to read as follows:

§ 1483.225 Notice of Sale.

* * * * *

(b) *Information required.* * * *

(2) * * *

(iv) Sale price per hundredweight not including the weight of any bags or other containers, but including in the price any commission and other charges necessary to the sale.

* * * * *

(ix) Name and residence address or bona fide business address of sales agent, if any, and rate of sales commission.

* * * * *

5. Section 1483.227 *Declaration of Sale and evidence of sale* paragraph (b) (1) (x) and (2) (viii) is amended to read as follows:

§ 1483.227 Declaration of Sale and evidence of sale.

* * * * *

(b) *Information required.* (1) * * *

(x) Applicable export payment rate per hundredweight of flour.

* * * * *

(2) * * *

(viii) Name and residence address or bona fide business address of sales agent, if any, and rate of sales commission.

* * * * *

§ 1483.241 [Amended]

6. Section 1483.241 *Cancellation of sale or failure to export* is amended by deleting in the first sentence of paragraph (c) the words "Canada or".

§ 1483.246 [Amended]

7. Section 1483.246 *Documents required as evidence of export* is amended by adding the following sentence to paragraph (a)(4): "In the case of flour to which a denaturant has been added, a certification of the weight of the denaturant added to flour in excess of one-eighth of 1 percent of the combined net weight of the flour and denaturant (after deducting the weight of any enrichment and additive other than the denaturant)" and by amending (a)(5)(iii) to read as follows:

(iii) A certification by the exporter that the flour was milled in the United States, Hawaii, or Puerto Rico from wheat produced in the United States.

§ 1483.251 [Amended]

8. Section 1483.251 *Refunds on flour* paragraph (g) is amended by adding after the words "United States" in the first sentence and "U.S." in the second sentence, the word ", Hawaii", by deleting the last sentence in subparagraph (2) and by amending the third and fourth sentences of subparagraph (3) to read as follows: "The refund rate applicable to such sale shall be the refund rate in effect at the time and date of export for the then current export rate period which applies to the coast of export from which the flour was exported. If the exporter is unable to establish to the satisfaction of CCC the time and date of export and two refund rates are in effect on such day, the time of export shall be deemed to occur at the time the higher of the two refund rates is in effect."

§ 1483.260 [Amended]

9. Section 1483.260 *Submission of offers* is amended by changing the third sentence to read as follows: "Offers to purchase CCC wheat may be submitted by letter, telegram or orally to the office shown in the CCC monthly sales announcement from which the exporter desires delivery."

§ 1483.266 [Amended]

10. Section 1483.266 *Export requirements* is amended to delete paragraph (f).

§ 1483.276 [Amended]

11. Section 1483.276 *Assignments and setoffs* is amended by changing the last sentence of paragraph (a) to read "Forms may be obtained from the Contracting Officer, CCC or the Kansas City ASCS Commodity Office".

§ 1483.278 [Amended]

12. Section 1483.278 *Submission of reports* is amended by adding after the words "Substaff USDA (AG) Washington, D.C." the following TWX numbers and TELEX number:

TWX: 202 965 0437: 202 965 0780: 202 965 0782
TELEX: 089 491

Exporters may use these TWX and TELEX numbers when giving a Notice of Sale.

13. Section 1483.280 is retitled "ASCS Commodity Office" and is amended to read as follows:

§ 1483.280 ASCS Commodity Office.

Information concerning this program may be obtained from the Director, Agricultural Stabilization and Conservation Service Office, U.S. Department of Agriculture, 8930 Ward Parkway, Post Office Box 205, Kansas City, Mo., 64141.

14. Section 1483.289 *Export and exportation* is amended to read as follows:

§ 1483.289 Export and exportation.

"Export" and "exportation" mean, except as hereinafter provided, a shipment of flour destined to a designated country, (a) from the United States, (b) from Hawaii or Puerto Rico, or (c) a shipment from Canada of flour which has been moved from the United States into Canada provided the identity of the flour is preserved until shipped from Canada. The flour so shipped shall be deemed to have been exported on the date which appears on the applicable on-board-export bill of lading or if shipment to the designated country is by truck or rail, on the date and the time the shipment clears the U.S. Customs. If the flour is lost, destroyed or damaged after loading on board an export vessel, exportation shall be deemed to have been made on the date of the on-board-export bill of lading or the latest date appearing on the loading tally sheet or similar documents if the loss, destruction or damage occurs subsequent to loading aboard vessel but prior to the issuance of the on board bill of lading: *Provided,* That if the "lost" or "damaged" flour remains in the United States (including Alaska, Hawaii, or Puerto Rico) it shall be considered as reentered flour under the regulations of this subpart. If flour exported from Canada is reentered into Canada and subsequently reexported, the flour shall be considered as having been exported at the time of the reexportation and not at the time of the original exportation. Exportation by or to a U.S. Government agency shall not qualify as an exportation under the provisions of this announcement unless exportation is by or to the Army and Air Force Exchange Service, a Navy Exchange or the Panama Canal Company.

NOTE TO EXPORTER: Since the export payment on any given quantity of flour is conditioned upon the exportation thereof to a designated country, exporters may find it desirable to carry insurance on the full domestic value of flour against any loss which may occur prior to the flour leaving this country by rail or truck or prior to loading on the export vessel.

§ 1483.291 [Amended]

15. Section 1483.291 *Flour* is amended by adding after the words "United States" where it first appears in the first sentence the word ", Hawaii".

§ 1483.293 [Amended]

16. Section 1483.293 *Ocean carrier* is amended by adding after the words "United States" in the first sentence the word ", Hawaii".

(Secs. 4 and 5, Stat. 1070 and 1072, 15 U.S.C. 714 b and c)

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This amendment shall be effective on the date of filing this amendment with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 27, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-6044; Filed, June 1, 1966; 8:48 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER B—STANDARD REFERENCE MATERIALS

PART 230—STANDARD REFERENCE MATERIALS

Subpart D—Standards of Certified Properties and Purity

RADIOACTIVITY STANDARDS

Under the provisions of 15 U.S.C. 275a and 277, the following amendment relating to standard reference materials issued by the National Bureau of Standards is effective upon publication in the FEDERAL REGISTER. The amendment renews and revises standard reference material 4990-A.

The following amends Title 15 CFR Part 230:

Section 230.8-5 *Radioactivity standards* (b)(9) *Contemporary standard for carbon-14 dating laboratories* is amended to renew and revise standard 4990-A as follows:

Sample No.	Kind	Price
4990-D	Carbon-14 dating standard	$0.00

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a).

Dated: May 20, 1966.

A. V. ASTIN,
Director.

[F.R. Doc. 66-5996; Filed, June 1, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 4—Department of Agriculture

PART 4-1—GENERAL

Subpart 4-1.6—Debarred, Suspended, and Ineligible Bidders

PART 4-6—FOREIGN PURCHASES

Subpart 4-6.51—Purchase From Foreign Firms or Individuals

MISCELLANEOUS AMENDMENTS

1. New sections are inserted as follows:

§ 4-1.650 Foreign firms or individuals.

§ 4-1.650-1 Purpose.

This section prescribes policies and procedures for Department cooperation with the Economic Defense Advisory Committee (EDAC), and other measures to safeguard the interests of the Department in its contractual relationships with foreign firms and individuals. The Department of Commerce publishes quarterly a comprehensive list of foreign individuals and firms (a) who are subject to administrative action by one or more Federal agencies, or (b) with whom all persons in the United States are prohibited from doing business. The principal purpose of this publication, called the Economic Defense List (EDL), is to control exports of strategic materials. The administrative actions which form the basis for inclusion in the EDL include denial of Government contracts, export licenses, benefits under AID programs, technical information, visas, loans, etc. The EDL also includes persons or firms who are "designated nationals" under Foreign Asset Control Regulations. All persons in the United States are prohibited from doing business with designated nationals. In addition to participation in the EDAC program, this section provides for screening of information provided by the Department of Defense, the General Accounting Office, and the General Services Administration, to identify undesirable potential contractors, cooperators, or grantees.

§ 4-1.650-2 Policy.

The policy of the Department is to cooperate in the EDAC program by (a) furnishing to the Committee the names of undesirable foreign individuals and firms involved in Department programs, and (b) to exclude from Department contractual relationships, as defined in § 4-1.650-3, undesirable foreign individuals and firms included in the EDL, except where essential activities would be substantially impaired thereby. It is the policy to similarly exclude undesirable foreign persons or firms reported in accordance with § 4-1.650-4, or included in the other lists referred to in § 4-1.650-5.

§ 4-1.650-3 Definitions.

As used herein a foreign firm or individual is one located or submitting a bid from an address outside the United States, including Puerto Rico, American Samoa, the Canal Zone, and the Virgin Islands. The term also includes firms known to have their principal places of business outside those areas regardless of the point from which bids are submitted. Contractual relationships, as used herein, means all purchases, sales, leases, cooperative agreements and grants, except over-the-counter purchases of $500 or less. Approval of subcontracts refers to approval which the prime contractor is required by his contract to obtain from the contracting agency.

§ 4-1.650-4 Reports.

Agencies of the Department will report to the Department Debarring Officer names of foreign individuals or firms which are considered on the basis of substantial evidence to have been involved in:

(a) Violations of laws or regulations administered by the agency relative to production, processing, labeling, grading, transportation, purchase, sale, or distribution of an agricultural commodity, insecticide, or other products;

(b) Diversion of agricultural commodities in violation of any contract with, or law or regulation administered by the agency;

(c) Fraudulent or unethical conduct, gross negligence, action adverse to U.S. Programs; or

(d) Other improprieties in connection with conduct of foreign trade involving the program mission of the agency, where the action reported is considered sufficient to render the firm or individual unsatisfactory as a trading partner for the United States.

The report should include a full explanation of the facts and circumstances upon which it is based, including copies of documents where applicable.

§ 4-1.650-5 Action by Department Debarring Officer.

The Department Debarring Officer will:

(a) Transmit the information reported under § 4-1.650-4 to the Economic Defense Advisory Committee, through the Department liaison representative.

(b) Retain on file the information reported under § 4-1.650-4.

(c) Maintain on file a current copy of the Economic Defense List, and the lists of offshore suppliers to whom contracts will not be awarded published by the Department of Defense.

(d) Take further action as indicated in § 4-1.650-6 whenever it is proposed to enter a contractual relationship with a foreign individual or firm.

§ 4-1.650-6 Clearance of foreign firms or individuals.

(a) *Checking published lists.* Agencies will check the Department list of debarred and suspended bidders (Plant and Operations Memorandum No. 24)

to see if the firm or individual proposed for a contractual relationship is listed thereon. This includes names listed by the Comptroller General and GSA. While foreign firms or individuals rarely appear on this list, they are subject to such listing. Exceptions to administrative debarments listed thereon may be made by the Department Debarring Officer. No exceptions may be made to other types of debarments included in this list.

(b) *Clearance with the Office of Plant and Operations.* Before entering into a contractual relationship or approving a subcontract with a foreign firm not listed in Plant and Operations Memorandum No. 24, agencies shall furnish the Office of Plant and Operations information as follows:

(1) The name and address of the individual or firm involved.

(2) The names and addresses of all known firms or individuals having a controlling interest or de facto control through other means of the proposed contractor, subcontractor, lessor, cooperator, or grantee.

In obtaining clearance for a proposed prime contract, any known foreign subcontractors to be employed in the work shall be included. However, it is not necessary to delay contracts while attempting to learn the names of prospective subcontractors.

(c) *Action by Office of Plant and Operations.* The Office of Plant and Operations will check the lists referred to in § 4–1.650–5 and advise, by telegraph or cable if requested, whether or not the proposed foreign individual or firm is listed. If it is, the agency will explore possible use of other individuals or firms and other alternatives. If essential activities would be substantially impaired through failure to enter into the proposed relationship with the listed foreign individual or firm, the agency will so advise the Office of Plant and Operations, with a full statement of the facts. The Department Debarring Officer will then determine and advise whether or not the proposed transaction may be made. He shall not authorize transactions with foreign nationals without permission of the Secretary of the Treasury. He shall not authorize transactions with foreign individuals or firms subject to administrative action by Washington headquarters of other agencies without consulting such headquarters.

2. A new Subpart is inserted as follows:

Subpart 4–6.51—Purchase From Foreign Firms or Individuals

Sec.
4–6.5100 Scope.
4–6.5101 Debarred or suspended foreign individuals or firms, are those subject to administrative action by other agencies.

§ 4–6.5100 Scope.

This subpart sets forth restrictions on purchases from foreign firms and individuals.

§ 4–6.5101 Debarred or suspended foreign individuals or firms, and those subject to administrative action by other agencies.

See restrictions in § 4–1.650 concerning transactions with foreign individuals or firms.

Done at Washington, D.C., this 26th day of March 1966.

JOSEPH M. ROBERTSON,
Assistant Secretary for Administration.

[F.R. Doc. 66–6038; Filed, June 1, 1966; 8:48 a.m.]

Chapter 8—Veterans Administration

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments are made in Chapter 8:

PART 8–1—GENERAL

1. In Part 8–1, § 8–1.302–3 (formerly § 8–2.404–2(b), as amended) is added to read as follows:

§ 8–1.302–3 Contracts between the Government and Government employees or business concerns substantially owned or controlled by Government employees.

Excepting those contracts which pertain to the sale of manual arts and occupational therapy products, Veterans Administration Contracting Officers will, prior to entering into a contract with Government employees or business concerns substantially owned or controlled by Government employees, make the following written determinations, approved by the head of the station:

(a) The requirements of the Government cannot reasonably be otherwise supplied.

(b) There is neither a conflict of interest nor a potential conflict of interest in the performance of such contract. These determinations will be made a part of the contract file.

PART 8–2—PROCUREMENT BY FORMAL ADVERTISING

2. In Part 8–2, § 8–2.404–2 is revised to read as follows:

§ 8–2.404–2 Rejection of individual bids.

Questions involving the responsiveness of a bid which cannot be resolved by the Contracting Officer may be submitted directly to the Comptroller General, accompanied by a copy of the pertinent documents. A copy of each submission will be forwarded to the Director, Supply Management Service.

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c))

These regulations are effective immediately.

Approved: May 26, 1966.

By direction of the Administrator.

[SEAL] A. H. MONK,
Associate Deputy Administrator.

[F.R. Doc. 66–6025; Filed, June 1, 1966; 8:47 a.m.]

PART 8–1—GENERAL

Miscellaneous Amendments

1. Part 8–1, § 8–1.350 is amended to read as follows:

§ 8–1.350 Government commercial or industrial activities.

(a) For the purpose of these procurement regulations, a "Government commercial or industrial activity" is defined as an activity operated and managed by a Government agency and which produces a product or service for the Government's own use that is obtainable from a private source, i.e. bakery, laundry, dry-cleaning plant, etc.

(b) A Government commercial or industrial activity will not be initiated, reactivated, expanded, modernized or replaced which involves an additional capital investment of $25,000 or more, or additional annual costs of production of $50,000 or more, without the prior approval of the Administrator or his designee. Bureau of the Budget Circular A–76, dated March 3, 1966, sets forth the criteria for making the determination as to whether commercial or Government commercial activity source will be utilized for the required product or service.

(c) Products or services which involve less than $25,000 additional capital investment or $50,000 additional annual costs of production may be procured from a Government commercial or industrial activity, provided it is not necessary to initiate, reactivate, expand, modernize or replace such activity, or from commercial sources as deemed appropriate by the Contracting Officer and the official requesting the product or service. No cost comparison need be made unless there is reason to believe that inadequate competition or other factors are causing commercial prices to be unreasonable.

(d) When the head of a field station, department head or staff officer believes that the establishment, reactivation, expansion, modernization or replacement of a Government commercial or industrial activity would be advantageous to the Government, a request supported by a full justification will be forwarded through channels to the Administrator or his designee for a determination.

(e) In no instance will contracts be entered into in order to reduce or hold down Veterans Administration employment.

2. Section 8–1.350–3 is revoked.

§ 8–1.350–3 Exemptions. [Revoked]

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c) 72 Stat. 1114, 38 U.S.C. 210(c))

This regulation is effective immediately.

Approved: May 25, 1966.

By direction of the Administrator.

[SEAL] A. H. MONK,
Associate Deputy Administrator.

[F.R. Doc. 66–6025; Filed, June 1, 1966; 8:47 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 40–201, AS–103]

PART 211—INTERPRETATIVE RELEASES RELATING TO ACCOUNTING MATTERS (ACCOUNTING SERIES RELEASES)

PART 276—INTERPRETATIVE RELEASES RELATING TO INVESTMENT ADVISERS ACT OF 1940 AND GENERAL RULES AND REGULATIONS THEREUNDER

Nature of Examination Required To Be Made of Funds and Securities Held in Custody of Investment Advisers and Related Accountant's Certificate

Review of accountants' certificates filed under paragraph (a)(5) of Rule 206(4)–2 (17 CFR 275.206(4)–2) under the Investment Advisers Act of 1940, which requires that at least once a year an independent public accountant shall verify by actual examination all funds and securities of clients held by an investment adviser, indicates a wide variation in the scope of the examinations made and the content of the accountants' certificates. Under the circumstances, the Securities and Exchange Commission deems it appropriate to describe the nature of the examination to be made and the content of the accountant's certificate.

Rule 204–2(b) (17 CFR 275.204–2) under the Investment Advisers Act of 1940 specifically requires that an investment adviser who has custody or possession of funds and/or securities of any client must record all transactions for such clients in a journal and in separate ledger accounts for each client and must maintain copies of confirmations of all transactions in such accounts and a position record for each security in which a client has an interest. In addition, Rule 206(4)–2(a) provides, in general, that it shall constitute a fraudulent, deceptive, or manipulative act or practice for any investment adviser who has custody or possession of funds or securities of clients to do any act or to take any action with respect to any such funds or securities unless (1) all such securities are segregated, marked for identification, and held in safekeeping in a reasonably safe place; (2) the funds are deposited in one or more bank accounts, in the name of the investment adviser as agent or trustee for clients, which contain only clients' funds and certain appropriate records with respect thereto are maintained; (3) immediately after accepting such funds and securities the investment adviser notifies the client in writing of the place and manner in which they will be maintained; (4) not less frequently than once every 3-month period each client is sent an itemized statement showing the debits, credits, and transactions in his account during the period and the funds and securities held at the end of the period; and (5) at least once each calendar year all such funds and securities are verified in an unannounced examination by an independent public accountant and a certificate of the accountant reporting on such examination is filed with the Commission.[1]

In order to make an appropriate examination the independent public accountant, at a date chosen by him and without prior notice to the investment adviser, should make a physical examination of securities and obtain confirmation as appropriate; should obtain confirmation of funds on deposit in banks; and should reconcile the physical count and confirmations to the books and records. These books and records should be verified by adequate examination of the security records and transactions since the last examination and by obtaining from clients written confirmation of the funds and securities in the clients' accounts as of the date of the physical examination. If clients' accounts have been closed or securities or funds of such clients have been returned since the last examination, these should be confirmed on a test basis. Such additional audit procedures as the accountant deems necessary under the circumstances should, of course, also be performed.

The accountant's certificate should comply with the usual technical requirements as to dating, salutation, and manual signature and should include in general terms an appropriate description of the scope of the physical examination of the securities and examination of the related books and records. In addition, the certificate should set forth:

(a) The date of the physical count and confirmation of balances of clients' accounts;

(b) A clear designation of the place and manner in which funds and securities are maintained;

(c) Whether the examination was made without prior notice to the adviser; and

(d) The results of the examination including an expression of opinion as to whether, with respect to the rules under the Investment Advisers Act of 1940 (17 CFR Part 275), the investment adviser was in compliance with paragraph (a) (1) and (2) of Rule 206(4)–2 as at the examination date and had been complying with Rule 204–2(b) during the period since the prior examination date; and whether, in connection with the examination, anything came to the accountant's attention which caused him to believe that the investment adviser had not been complying with paragraph (a) (3) and (4) of Rule 206(4)–2 during the period since the prior examination date. Any material inadequacies found to exist in the books, records, and safekeeping facilities referred to in this paragraph (d) should be identified and any corrective action taken or proposed should be indicated.

The rule requires that the accountant's certificate be filed with the Commission promptly after the completion of the examination. It is suggested that the certificate be filed in duplicate at the regional office of the Commission for the region in which the adviser has his principal place of business.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

MAY 26, 1966.

[F.R. Doc. 66–6010; Filed, June 1, 1966; 8:46 a.m.]

[1] Rule 206(4)–2(a) is not applicable, however, to any investment adviser who is also registered as a broker-dealer under section 15 of the Securities Exchange Act of 1934 if (1) such broker-dealer is subject to and in compliance with Rule 15c3–1 (17 CFR 240.15c3–1) under the Securities Exchange Act of 1934, or (2) such broker-dealer is a member of an exchange whose members are exempt from Rule 15c3–1 under the provisions of paragraph (b)(2) thereof, and such broker-dealer is in compliance with all rules and settled practices of such exchange imposing requirements with respect to financial responsibility and the segregation of funds or securities carried for the account of customers.

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 66–457; RM–865]

PART 18—INDUSTRIAL, SCIENTIFIC, AND MEDICAL EQUIPMENT

Ultrasonic Equipment

1. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of May 1966;

2. The Commission has before it a petition from the Westinghouse Electric Corp., RM–865, for amendment of Part 18 of the rules to provide for prototype certification of ultrasonic equipment. The present rules permit nonlicensed operation of ultrasonic equipment if the equipment meets the technical specifications in the rules and if it has either been type approved or has been certificated at the site of installation to indicate that it does, in fact, meet the technical specifications.

3. On June 16, 1965, the Commission amended Part 18 of the rules to provide for a new prototype certification procedure for industrial heating equipment and simultaneously revised FCC Form 724 to accommodate this new procedure. Petitioner requests further amendment of Part 18 to provide for similar prototype certification for ultrasonic equipment. Such an amendment would be in accord with the Commission's plan for clarifying and simplifying the procedures in Part 18.

4. The Commission has reviewed the prototype certification procedure for industrial heating equipment and has determined that ultrasonic equipment may be prototype certificated under the same procedure. Therefore, Part 18 is being amended by adding a new § 18.83 which will provide for prototype certification of ultrasonic equipment.

5. A manufacturer wishing to obtain prototype certification of ultrasonic equipment will submit to the Commission's Washington office one copy of completed Part III of FCC Form 724, Certification Regarding Measurements, together with a report of measurements determining that the prototype equipment complies with the rules. The manufacturer may then identify production units which are similar to the prototype by providing a certification seal for each unit. In order to certificate these units, the purchaser will be required to complete and file with the Commission's Washington office, and also with the appropriate field office, Part I of FCC Form 724, Certification Regarding Operation (and, when applicable, Part II, Certification by Corporation Concerning Signature of Employee), certifying that the manufacturer's installation instructions have been followed.

6. The effect of this amendment will be beneficial to both the Commission and the public since it will obviate the necessity for measuring radiation at each site where ultrasonic equipment similar to a certificated prototype is installed. Thus, where the prototype certification procedures are used, it will no longer be necessary to file with the Commission's Washington office, and the appropriate field office, copies of the multi-page measurements report which are presently required for each unit of ultrasonics equipment which is installed and operated. This will result in a saving of processing time and filing space for the Commission.

7. Since the amendment adopted herein imposes no new requirements but provides an additional procedure for certification of ultrasonic equipment, compliance with the notice, procedural, and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary.

8. In view of the foregoing, and pursuant to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended: *It is ordered*, That effective June 3, 1966, Part 18 of the Commission's rules is amended as set forth below and the proceedings in RM-865 are terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

Part 18 is amended by the addition of new § 18.83:

§ 18.83 Prototype certification permitted.

(a) Provision for prototype certification is made on the basis that production units can be expected to exhibit the same radiation characteristics as those of the prototype. Acceptance of prototype certification is based on representations and measurements made by the manufacturer of ultrasonic equipment.

(b) Ultrasonic equipment may be prototype certificated under the same procedure provided for industrial heating equipment in §§ 18.125 and 18.126. The technical limitations for ultrasonic equipment in § 18.72 shall apply, and the report of measurements shall include a showing of capability of compliance with the requirements of § 18.72(e).

(c) Certification of ultrasonic equipment which carries the manufacturer's prototype certification label shall be made pursuant to § 18.116 (a) and (b).

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

[F.R. Doc. 66-6049; Filed, June 1, 1966; 8:49 a.m.]

[Docket No. 14895, etc.; FCC 66-456]

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

PART 74—EXPERIMENTAL, AUXILIARY AND SPECIAL BROADCAST SERVICES

PART 91—INDUSTRIAL RADIO SERVICES

Memorandum Opinion and Order Denying Petitions for Stay

In the matter of amendment of Subpart L, Part 91, to adopt rules and regulations to govern the grant of authorizations in the Business Radio Service for microwave stations to relay television signals to community antenna systems, Docket No. 14895; amendment of Subpart I, Part 21, to adopt rules and regulations to govern the grant of authorizations in the Domestic Public Point-to-Point Microwave Radio Service for microwave stations used to relay television broadcast signals to community antenna television systems, Docket No. 15233; amendment of Parts 21, 74, and 91 to adopt rules and regulations relating to the distribution of television broadcast signals by community antenna television systems, and related matters, Docket No. 15971 (RM Nos. 636, 672, 742, 755, and 766).

1. The Commission has before it for consideration seven petitions for stay of the effective dates of the second report and order in Docket Nos. 14895, 15233, and 15971, 31 F.R. 4540, 2 FCC 2d 725, filed by: (1) Cox Broadcasting Corp. and Cox Cablevision Corp; (2) Cosmos Broadcasting Corp. and Cosmos Cablevision Corp.; (3) Television Communications Corp.; (4) Columbus Broadcasting Co., Inc., and Chattahoochee Valley CATV, Inc.; (5) Buckeye Cablevision, Inc.; (6) Newhouse Broadcasting Corp., New-Channels Corp., Delhi Video, Inc., Cabletron, Inc., and Cablevision Co. of Anniston; and (7) The Jerrold Corp., Jerrold Electronics Corp., Ottawa TV Cable Co., Inc., Streator TV Cable Co., Inc., Logansport TV Cable Co., Inc., Pontiac TV Cable Co., Inc., Greater Lafayette TV Cable Co., Inc., Florida TV Cable Inc., Amsterdam TV Cable Co., Gloversville TV Cable Co., Inc., Johnstown TV Cable Co., Inc., Mohican TV Cable Corp., Alpine Cable Television, Inc., Alice Cable Television Corp., McAllen Cable Television Corp., and Perfect TV, Inc. Petitioners request the Commission to stay enforcement of the rules promulgated in the second report until resolution of their concurrently filed petitions for reconsideration and until final adjudication of appeals from the second report or action by Congress, whichever should occur first.[1]

2. In support of their requests for stay, petitioners assert generally, without specific factual detail, that their interests and those of their subscribers will be immediately and irreparably adversely affected unless a stay is granted because petitioners may be forced to delete certain signals from their existing CATV systems, be denied the righ to carry certain signals on proposed CATV systems, and may lose considerable funds expended in connection with present and proposed CATV investments, all of which will injure the public's reception of mutiple television signals. It is further alleged that substantial legal questions are raised by petitioners' petitions for reconsideration with respect to the Commission's assertion of jurisdiction and the manner in which the rules were implemented. In view of the highly contested nature of the Commission's jurisdictional and other actions, the pending court appeals from the second report and the likelihood of further appeals, petitioners assert that the Commission should stay the effectiveness of the rules pending a decision on the several petitions for reconsideration and/or on the several appeals already filed and to be subsequently

[1] Except for Buckeye Cablevision, Inc., petitioners make identical points in their petitions for stay and reconsideration and request the same relief. Buckeye seeks a stay of enforcement of the rules and the cease and desist proceedings in Docket No. 16551, as to Buckeye, pending final orders determining the validity of such rules, the related enforcement proceedings against it, and its petition for waiver (File No. CATV 100-5).

filed, or until final determination by the Congress of legislative proposals in this field.

A. THE CARRIAGE AND NONDUPLICATION RULES

3. Although petitioners seek a stay of the effectiveness of all the rules promulgated in the second report and order, their petitions for reconsideration do not challenge the substantive provisions of the carriage and nonduplication rules. Apart from asserting generally that jurisdiction is lacking and that evidentiary hearing or oral testimony was required, petitioners direct their contentions primarily toward § 74.1107 of the rules governing distant signals in major markets.

4. A preliminary examination of the petitions for reconsideration does not disclose any substantial likelihood that petitioners will prevail on merits of their jurisdictional argument. The petitions merely reiterate contentions which we have already considered and rejected in the Second Report (2 FCC 2d at 728-734, 793-797). Nothing new has been presented to alter our conviction that "the case for present jurisdiction is a strong one" (2 FCC 2d at 733).

5. Nor are petitioners likely to prevail on the merits of their argument that promulgation of the rules on the basis of the rule making proceeding, without conducting a full evidentiary hearing or hearing oral argument, was violative of due process. As petitioners concede, the Administrative Procedure Act does not require oral testimony or oral argument in rule making proceedings. The due process requirement of the Fifth Amendment "is not technical"; "Argument may be oral or written", so long as there is a "hearing in a substantial sense". Morgan v. United States, 298 U.S. 468, 481; Inland Empire Council v. Millis, 325 U.S. 697, 710; FCC v. WJR, 337 U.S. 265. Petitioners do not point to any evidence or argument which they have been precluded from adducing. All interested persons were accorded a full opportunity to present factual material and policy arguments in written form and to reply to the comments of others before the rules were promulgated.

6. We concluded in Part I of the Second Report that a general evidentiary hearing on the carriage and non-duplication rules would serve no useful purpose (2 FCC 2d at 744). Moreover, the top 100 markets procedure adopted in § 74.1107 does accord the persons affected a full evidentiary hearing "in the context of the particular request and the particular situation", a procedure which we considered better suited to promote the public interest than a hearing of an overall nature (2 FCC 2d at 782). And provision has been made in § 74.1109 for evidentiary hearing, where appropriate, in individual situations involving the applicability of the carriage and nonduplication rules and in other appropriate situations not coming under the mandatory hearing requirement in § 74.1107(a).[2]

7. Petitioners have also failed to show that a stay of the effectiveness of the carriage and nonduplication rules is necessary to preserve them or the public from irreparable injury. We concluded in the First and Second Reports that these provisions generally are necessary to protect the public interest and "need impose no substantial burden on the ordinary CATV operator or his subscribers." First Report and Order in Docket Nos. 14895 and 15233, 38 FCC 683, 713-715; Second Report, 2 FCC 2d at 735-737, 747-749. The ad hoc procedures in Section 74.1109 afford an adequate avenue for obtaining appropriate relief in individual situations. Indeed, the rules were not made effective as to existing off-the-air systems for an additional 60-day period to facilitate requests for waiver, our aim being to "allow an orderly transition period for the relatively small number of systems with limited channel capacity whose viability might be jeopardized by immediate application of the rules, or where existing service to CATV subscribers would be unduly disrupted" (Second Report, 2 FCC 2d at 768, 789). See also, Memorandum Opinion and Order in Docket No. 15971, issued on April 21, 1966, FCC 66-354.[3] We emphasized that "we intend to make every effort, consistent with the public interest, to avoid disrupting existing service to the public in applying the carriage provisions of the rules to systems now in operation" (Second Report, 2 FCC 2d at 753-754).

8. In light of the foregoing, we conclude that the public interest would be served by denial of the request for stay insofar as the general effectiveness of the carriage and nonduplication rules are concerned. Petitioners have given no indication of their individual circumstances in their petitions for stay nor have they petitioned for waiver.[3a]

[2] While the Notice of Inquiry and Notice of Proposed Rule Making (1 FCC 2d 453, 477) indicated that the Commission "may" specify oral argument or oral testimony after study of the comments, it also provided a shorter time for comments on Part I and par. 50 of the rule making and stated that "the Commission may well spin-off portions of the rule making for early decision, since other portions may require lengthy consideration." We specifically stated that we would "reach an early determination" on par. 50 (1 FCC 2d at 472). In light of the comments on Part I and par. 50, the urgent need for prompt action in the public interest, and our disposition of these aspects, we decided against oral procedures on the spun-off portions. However, further oral or written procedures may be specified on those portions of Docket No. 15971 which were not resolved in the Second Report (see pars. 51-64 of the Notice).

[3] Where a petition for waiver of the carriage provisions is filed on or before June 17, 1966, or within 15 days after any subsequent request for carriage, the system need not carry the station pending the Commission's ruling on the petition. See § 74.1109(h) of the rules.

[3a] Petitioners Buckeye and Cosmos Cablevision Corp. have filed petitions for waiver of § 74.1107, but of § 74.1103.

However, if hardship circumstances exist, petitioners' proper course is to pursue their available administrative remedy.

B. SECTION 74.1107

9. The petitions for reconsideration are principally directed toward § 74.1107 of the rules. This section prohibits any CATV system operating within the predicted Grade A contour of a television broadcast station in the 100 largest television markets (as ranked by American Research Bureau on the basis of net weekly circulation for the most recent year) from extending the signal of a television broadcast station beyond the Grade B contour of that station except upon a showing, made in evidentiary hearing and approved by the Commission, that such extension would be consistent with the public interest and specifically the establishment and healthy maintenance of television broadcast service in the area. The mandatory hearing requirement does not apply to service being supplied by a CATV system to its subscribers on February 15, 1966, the date on which the Commission issued a Public Notice announcing that such a rule was being adopted (FCC Public Notice 79927). Section 74.1107 was made effective upon publication in the FEDERAL REGISTER on March 17, 1966, pursuant to the Commission's finding that good cause existed for immediate effectiveness (Second Report, par. 147; section 4(c) of the Administrative Procedure Act).

10. Petitioners claim that good cause has not been shown for making the rule effective on publication in the FEDERAL REGISTER. They further assert that the rule by its terms is retroactive, arbitrary and unlawful in its application because the February 15, 1966 "grandfathering" date is geared to our Public Notice of February 15, 1966, which was not published in the FEDERAL REGISTER. In addition, petitioners urge that the Notice of Inquiry and Notice of Proposed Rule Making in Docket No. 15971 (30 F.R. 6078) did not afford specific notice of the grandfather date or of the substantive provisions of § 74.1107.

11. We believe it important to point up the issues presented. The first issue is whether there should be grandfathering and if so, the nature of such grandfathering. A second, and related, issue is whether good cause existed for making the rule effective upon publication in the FEDERAL REGISTER. We shall discuss these issues in turn and then treat the question of appropriate notice under the Administrative Procedure Act.

12. The grandfather issue: In the Second Report we found that serious questions are presented as to "whether CATV operations in major [television] markets may be of such a nature or significance as to have an adverse economic impact on the establishment or maintenance of UHF stations or to require these stations to face substantial competition of a patently unfair nature" and as to "the relationship, if any, of proposed CATV operations on large markets and the development of pay-TV in those

markets" (Second Report, 2 FCC 2d at 781, 770–781).[1] We concluded that it is essential to examine such CATV operations before they become established or well entrenched (2 FCC at 782). We pointed out that such a procedure accords with the basic policy of the Communications Act to resolve important public interest questions before consequences possibly adverse to the public interest develop (ibid.). The crucial consideration was that unless the statutory policy is followed in this instance, any adverse consequences to the public would be irreparable. For, as we stated (2 FCC 2d at 782): "Once entrenched, it is difficult, if not wholly impracticable in light of the disruption which would result, to take effective action or to attempt to roll back the situation, if it should develop or be shown that the CATV operation is inconsistent with the public interest."

13. We found, therefore, that there are important public interest questions to be resolved in these major market situations. Since that is so, we could have simply made our rule applicable upon its effective date to all CATV systems, without any grandfathering; or, as urged by some of the commenting parties, we might have grandfathered only those systems which commenced operation to their subscribers before April 23, 1965 (the date of issuance of our Notice of Proposed Rule Making in Docket No. 15971). The difficulty with such approaches, in our judgment, was the very substantial disruption to the CATV viewing public which could result from requiring a cessation of distant signal service in major markets significantly after CATV service had been initiated. Some appropriate form of grandfathering was therefore in order. Here again we might have chosen a date such as January 1, 1966, on the ground that there might not be too much disruption since systems which commenced operation after that date would not ordinarily have a great number of subscribers. Instead, we determined to take an approach even more liberal to the CATV industry, and adopted the February 15th grandfather date—the date on which the Commission reached informal agreement on its general policy in this area. There was widespread interest in our discussion, both in Congress and in the industries involved, and we therefore publicly announced the overall course we had determined upon.

14. There is thus no question of retroactivity, as urged by petitioners. The rules were made effective on March 17th, and affected the operation of systems as of that date—not before. The real issue put forth by petitioners in this respect is not retroactivity but that the Commission should have grandfathered all systems as they were operating on March 17th—the effective date of the rules (and the date of publication in the FEDERAL REGISTER). But, in our judgment, there are sound reasons militating against such a course.

15. Because of the rapid pace of CATV growth, even a postponement of several weeks might have irrevocably changed the existing situation to a substantial degree. As set forth in the Second Report (2 FCC 2d at 771):

> • • • CATV growth has been explosive and gives every indication of continuing its phenomenal spurt. In 1959, there were about 550 CATV systems, in 1965 at the time of the first report, there were about 1,300 CATV systems, and today—less than a year later—it is estimated that there are 1,565 (Television Digest, Dec. 27, 1965, at p. 3). Further, there are 1,026 CATV franchises which have been recently granted but are not yet operating (ibid.). The number of applications for franchises is even larger—an estimated 1,958.

It is now estimated that in the first 3 months of 1966, the period of issuance of the February 15th Notice and the Second Report, the number of operating systems increased to 1,629 and the number of franchises not yet operating to 1 207 (Television Digest, Apr. 4, 1966, CATV addenda, p. 1). We have also been advised by American Telephone & Telegraph Co. that Bell System Associated Cos. have effective tariffs in 37 States to furnish facilities to CATV systems which may or may not require local franchise authorization. Bell has 26 systems under construction, 50 firm orders, and over 300 letters of intent.

16. It is highly likely that a great number of the proposed systems not yet in operation are located within the Grade A service contours of stations in the top 100 markets and would bring in distant signals. For, whereas existing CATV service has been largely confined to smaller markets lacking three full network services, the CATV industry has shifted its attention to the larger communities and these are the "centers of the most intense CATV development now" (Second Report, 2 FCC 2d at 772, 740–742). Since February 15th, new operations have commenced or expanded into apparently new geographic areas in the vicinity of, or within, the cities of Toledo, San Diego, Cleveland, and Buffalo.[2]

17. Of particular concern in our decision to adopt the February 15th grandfathering date, is the tendency of some business entrepreneurs to make extraordinary efforts to commence operations before an announced deferred deadline which will confer grandfather rights. If the effective date of § 74.1107 had been postponed until 30 days after publication and the grandfathering line had been drawn either at that point or at the publication date, it is likely that many of the 1,207 franchised systems not yet in operation would have made extraordinary efforts to commence service to a token number of subscribers before the deadline, in order to be in a possible position to expand throughout the entire community without undergoing the hearing which we have found required by the public interest. It is reported, for example, in the April 4, 1966, edition of Cable Television Review (p. 3) that in Toledo, petitioner Buckeye, who is challenging the validity of the February 15th grandfathering date, "raced the clock prior to the March 16 FCC report and order deadline and was delivering signals to 52 homes 8 hours before the 17th" (Opposition of Storer Broadcasting Co. to Petition for Stay, p. 3).

18. Thus, the effect of grandfathering on the basis of the publication date or 30 days thereafter would have undoubtedly been an all-out effort to beat the deadline, and therefore a significant additional number of systems in operation in the top 100 markets. We have set out in the Second Report (par. 149) the difficult practical questions that may be raised in attempting to draw a line in the community to halt the expansion of a new system. See § 74.1107(d). It would clearly not serve the public interest to foster the development of a situation where the system just commences operation and we then attempt to act as quickly as possible to halt growth. We would be promoting disruption to the public and a chaotic situation, rather than orderly consideration of the important public interest questions raised prior to the commencement of service—the thrust of our major market, distant signals policy. In short, we simply do not believe that in a situation of rapid change we are precluded from taking immediate action to stay, pending hearing, the commencement of new operations which could be seriously detrimental to the public interest and which by the act of coming into being might preclude effective remedial action by the Commission—at least without substantial disruption to the public. Sound public interest considerations therefore existed for drawing the grandfathering line at February 15. We stress again that selection of this date was less stringent action than an earlier cutoff, and was designed to minimize any disruption in existing service to the CATV segment of the viewing public, while at the same time affording necessary protection against possible irreparable injury to the public interest from a pell-mell scramble for commencement of new operations in major markets during a hiatus.

19. Complaint concerning the lack of publication in the FEDERAL REGISTER of the Public Notice of February 15, 1966, misses the point. That Notice did not constitute Commission action and did not require any action or course of conduct by CATV systems. It simply announced, inter alia, the grandfathering date that had been decided upon in the Commission deliberations and which was to be incorporated in the regulations which were still to be issued. A party who commenced new distant signal operations in major markets during the period between February 15 and March 17, 1966, when § 74.1107 became effective upon publication in the FEDERAL REGISTER, was not in violation of the rule during that period or subject to any sanction. All that the rule requires is that distant signal operations commenced after February 15 be suspended on and after March 17, 1966, pending the requisite hearing on the merits. In short, whatever the grandfathering date selected—April 23, 1965, as urged by some, January 1, 1966, or February 15—there was no legal requirement for immediate announcement of the date and immediate publication in the FEDERAL REGISTER. What was legally required was publication of the rule, with its grandfathering date, in the FEDERAL REGISTER, and this of course was done.

20. As a practical matter, we point out that we did announce in the Public Notice of February 15, 1966, the consensus which had developed in our meetings, both as to carriage and nonduplication requirements and the major market, distant signals policy (including the February 15 grandfathering date). That Notice, while not published in the FEDERAL REGISTER, was usually well-publicized.[3] Significantly, none of the petitioners assert that they were unaware of the February 15 grandfathering date, and it would strain credulity if they were.[4]

21. Good cause for effectiveness upon publication: Having determined upon a grandfathering date earlier than the date of publication in the FEDERAL REGISTER, good cause existed for making the rule (§ 74.1107) effective upon publication in the FEDERAL REGISTER. We could have followed normal procedure and waited until 30 days after publication in the FEDERAL REGISTER to proceed against systems commencing distant signal operation in the top 100 markets after February 15, 1966, and continuing after the effective date. But this would not have served any useful purpose or the public interest. Since grandfathering is pegged to the February 15 date, orderly procedure and the desirability of avoiding disruption as much as possible called for prompt Commission action against any system commencing operation after that date in violation of the rules, rather than the Commission waiting passively on the side lines for the 30-day period to expire. Here again, this would be true whether the grandfathering date was February 15th or some earlier date.[5]

22. The issue of appropriate notice: Our action was not taken without adequate prior notice to potential CATV operators and local franchising authorities. The Notice of Inquiry and Notice of Proposed Rule Making in Docket No. 15971, issued on April 23, 1965, and published in the FEDERAL REGISTER (30 F.R. 6078), put all persons on legal notice that the Commission might take action of a substantially similar nature. We set forth at some length the subject and issues involved in CATV operations "in areas with potential for independent stations," pointing out that: "Such areas include not only communities with four or more commercial channel assignments but also those areas where any new station would rely very substantially upon independent programing sources because of overshadowing by three network services from nearby communities" (Notice, 1 FCC 2d 453, at 471). In order to be "in a position to take definitive action," we specifically invited comment on a proposed rule to "prohibit the extension of the signal of any television station beyond its Grade B contour into a community" located in such areas "without there having been a clear and compelling showing that in the particular circumstances there is no threat to the development or maintenance of independent UHF service in the community" (1 FCC 2d at 472). Further, we indicated that this aspect of the proceeding might be spun off for early determination (pars. 50, 67, 1 FCC 2d at 472, 477).

23. We also invited "counterproposals as to possible alternative measures" and requested comments on "the proposals of petitioners" (1 FCC 2d at 476). The proposals of the rulemaking petitioners, which were described in the notice (1 FCC 2d at 454–463), included requests that the Commission: "adopt rules which would define the areas and zones normally to be served by television stations and prohibit the use of the stations' signals to serve other areas except upon prior consent of the Commission" (1 FCC 2d at 457); "stay immediately the commencement of operations by CATV's in those areas which now or in the near future will be served by three or more commercial stations pending the adoption of final rules to this effect," for the asserted reason that "once CATV franchises are granted in the larger markets and construction is commenced pursuant to those grants, the Commission will in fact have lost effective control of television allocations in those areas" because the "practical and legal difficulties • • • in attempting to reverse this situation would be virtually insurmountable" (1 FCC 2d at 462); "stay • • • microwave grants for CATV use" pending the adoption of a rule which would "permit a signal to be carried by CATV only if the community is located within a prescribed signal contour of the station carried, or is closer than a specified distance from the station," suggested to be "the grade B contour of the station carried, or a distance of 80–90 miles" (1 FCC 2d at 463, footnote 11); and "put on notice all persons who now operate or who propose to operate CATV systems that CATV operations, whether or not microwave relay is used, will be subject to regulation, and that some CATV systems may be required to modify or cut back their operations" (1 FCC 2d at 463).

24. As a further matter, the counterproposals which were submitted in the comments (and to which all parties were given an opportunity to respond) went directly to these matters. We have summarized these comments on paragraph 50 and the proposals made therein in the Appendix B to the Second Report (see 31 F.R. 4565–66), and will not repeat them here. The proposals of the American Broadcasting Co. (ABC), Westinghouse Broadcasting Co., Association of Maximum Service Telecasters (AMST), Midwest Television, Inc., and others clearly dealt with paragraph 50 of the notice and with the rules finally adopted.[6]

25. We stressed the factor of "notice" in the notice itself, so that persons proposing to operate CATV systems and franchising authorities would take account of the pending rule making in planning their future actions. We stated (1 FCC 2d at 477): "we believe it appro-

---

[1] We need not repeat here the detailed discussion in the First and Second Reports as to the injury to the public if UHF should fail a second time or as to the inability of CATV adequately to replace the lost service. See Second Report, 2 FCC 2d at 735–36, 744–775; Notice of Inquiry and Notice of Proposed Rule Making in Docket No. 15971, 1 FCC 2d 453, 468–471; First Report, 38 FCC 683, 699–701; Carroll Broadcasting Co. v. FCC, 228 F 2d 440 (C.A.D.C.).

[2] These operations are presently the subject of Commission inquiry pursuant to § 74.1107 or § 74.1109 of the rules, or section 312(b) of the Communications Act.

[3] For 2 or 3 weeks just before the Notice was issued the Commission had received a flood of letters and telephone calls from members of the public and Congress on behalf of constituents, which reflected widespread knowledge in the CATV industry that the Commission was about to act in this proceeding. On Feb. 15, the day the Notice was issued, the Commission held a press conference on the Notice, which was well-attended by members of the press and other interested persons in the industries involved. The provisions of the Notice were widely reported both by the general press and by the trade press. On Feb. 15 and within the next few days the Commission distributed almost 5,000 copies of the Notice to persons who requested copies or otherwise inquired as to the status of the proceeding.

[4] The National Community Television Association's newsletter of Feb. 18, 1966, sent to all the members of the Association, which include petitioners, discussed in great detail the Commission's Public Notice, referred specifically to the Feb. 15 grandfathering date, and attached the text of the Notice.

[5] Similarly, had we decided upon a later grandfathering date such as the date of publication in the FEDERAL REGISTER, the foregoing discussion in paragraphs 13–21 would be pertinent and would constitute good cause for immediate effectiveness of the § 74.1107 upon publication.

[6] Thus, ABC urged "the adoption of a rule prohibiting any person from transporting the signal of a TV station beyond its Grade B of four or more commercial Grade A assignments and receiving Grade A or better service from three or more commercial TV stations stating that such a rule would apply basically to all but three of the nation's top 100 markets • • •." (Id. at p. 4566.) AMST proposed the rule "that no CATV system shall be permitted to extend the signal of any television broadcast station beyond its Grade B contour except upon a clear and full showing • • • that the operation of the CATV system, taken together with the operations of all other CATV systems operating or franchised or which are being proposed in the area in question, would not pose a substantial threat to the maintenance or the expansion of any existing UHF station or the development of new UHF service in the area." AMST also urged that the foregoing rule should be made effective immediately upon its publication and should be made applicable to all CATV systems proposed on or after Apr. 23, 1965, the date of the release of the Commission's First Report and Order and its Notice of Inquiry and Notice of Proposed Rule Making. It stated that an alternative would be to apply the rule to all CATV systems operating on the date of publication of the rule which thereafter substantially expand their lines or the number of their subscribers or which increase the number of stations carried. (Ibid.)

priate, as requested by one of the petitioners, to put all persons who now operate or propose to operate CATV systems on notice that CATV operations may be subject to Commission regulation of the nature indicated, whether microwave is used or not." We concluded the portion of the notice dealing with proposed Commission action on CATV in major markets and overshadowed areas by stating (1 FCC 2d 472): "Finally, we believe that franchising authorities will give due regard to the fact that the matter is thus under Commission consideration."

26. There is no unusual variance between the proposals made in the notice and the provisions of section 74.1107. The requirement for evidentiary hearing merely sets forth the procedure for making the showing proposed in the notice. The use of the 100 largest television markets, as ranked by ARB, delineates the "areas with potential for independent stations"; with a few minor exceptions these markets constitute the "areas with four or more commercial channel assignments."[10] The use of the Grade A contour, which was suggested by several parties to the proceeding (Second Report, 2 FCC 2d at 791, 792) is a reasonable means of identifying not only "overshadowed" areas but also the area where CATV operations might have the severest impact on UHF stations in major markets (Second Report, footnote 63, 2 FCC 2d at 783). The questions of "effective date" and "grandfathering" were implicit components of the course of action proposed by the notice, which expressly noted and called for comments on the petitioners' requests for an immediate stay on the commencement of new operations pending determination of the merits because the "practical and legal difficulties" in subsequently "attempting to reverse the situation would be virtually insurmountable" (1 FCC 2d at 462, 476). As a further matter, the proposals or counterproposals submitted by the parties (par. 24 above) are also pertinent, although we think reliance upon them is unnecessary. See Owensboro-on-the-air v. FCC, 262 F. 2d 702 (C.A.D.C.), cert. den. 360 U.S. 911. Accordingly, the promulgation of section 74.1107 was preceded by sufficient legal notice within the meaning of section 4(a) of the Administrative Procedure Act.

27. *Conclusion.* Unlike the ordinary request for stay which seeks to preserve the status quo pending the outcome of a determination on the merits, a grant of the stay relief sought by petitioners would permit them and untold other CATV systems to irrevocably alter the status quo. Apart from petitioner Buckeye, it is not alleged that any of the petitioners commenced new distant signal service in the top 100 markets between February 15th and March 17th, or to date. Rather, petitioners seek a stay of § 74.1107 in order to commence new service which is not now being provided to subscribers. For the very reasons which led us to select the February 15th grandfathering date and to make § 74.1107 effective upon publication, it follows a fortiori that a stay would be unwarranted and contrary to the public interest. Indeed, in view of the much longer time period involved, the potential irreparable injury to the public would be magnified many times. By completion of the judicial review process, the operating systems in the 100 top markets would be too numerous and extensive to allow meaningful protection of the public interest through § 74.1107 even if its validity is sustained, as we believe it will be.

28. Petitioners have not shown any substantial likelihood of prevailing on the merits of their petitions for reconsideration. Nor have they shown any irreparable injury to themselves which would outweigh the public injury in the grant of a stay. It is asserted that considerable sums have been invested in obtaining franchises, preoperational expenses, and construction of system plants; that pole attachment rights from local utilities are affected and may be lost, as well as funds due on outstanding contractual commitments for plant equipment, performance bonds, etc.; and that franchise rights may be lost for failure to construct within time limits. But § 74.1107 does not preclude, or require a hearing for, construction or the commencement of operations limited to local signals or any other service not involving the carriage of distant broadcast signals. Nor does the section flatly prohibit the carriage of distant signals; it provides rather that "Commission approval of a request to extend a signal in the foregoing circumstances will be granted where the Commission, after consideration of the request and all related materials in full evidentiary hearing, determines that the requisite showing has been made." Since petitioners may obtain relief upon conclusion of the hearing, the mere requirement for hearing does not cause irreparable injury. Virginia Petroleum Jobbers Assn. v. Federal Power Commission, 259 F. 2d 921, 925 (C.A.D.C.).[11] There may well be, of course, some loss of potential subscriber fees in the interim. However, in the circumstances we cannot regard private injury of this nature as sufficient to overcome the crucial possibility of substantial irreparable injury to the public.

29. Moreover, if application of the hearing requirement of § 74.1107 would be unduly inequitable or inappropriate in the unusual situation, a waiver can be sought. Petitioners point out that because of the distances between stations in some hyphenated markets, a station may be considered a distant signal in its own market. Or a system may be required to carry the Grade B signals of VHF stations in a community but be precluded, without hearing, from carrying a low powered UHF station in the same community.[12] There may be instances, of course, where a hearing is not necessary to protect the public interest and where strict application of the rule would produce anomalous results.[13] We think, nevertheless, that the criteria of § 74.1107 generally reach the situations of concern (see Second Report, pars. 118–127, 144; fns. 54, 57; 2 FCC 2d at 772–777, 783). While exceptions may be made for good cause shown, this should be upon petition for waiver which will permit Commission consideration of the particular circumstances prior to the commencement of distant signal operations.

30. In sum, we think that the rules are valid and that the public interest requires that they be continued in effect. The rules cannot be simply ignored by persons who disagree or believe that an exception should be made in their instance. The proper procedure is to obtain a court stay of the effectiveness of the rules or a waiver from the Commission. Those who commence operation in violation of the rules, as a substitute for either procedure, do so at their own risk and will be responsible for any disruption to the public caused by the cease and desist and enforcement procedures which the Commission will be forced to pursue. Such operations will have to stop prior to Commission consideration of the merits and will not be taken into account in that consideration.[14]

31. In light of the foregoing: *It is ordered*, this 25th day of May 1966, that the petitions for stay are denied.

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[15]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6058; Filed, June 1, 1966; 8:50 a.m.]

[10] ARB market rankings are widely used by the television industry and have been used by the Commission in other rule making proceedings. See, e.g., Notice of Proposed Rule Making and Memorandum Opinion and Order in Docket No. 16068, 30 F.R. 8166; Public Notice No. 60894, December 18, 1964. The Fifth Report and Memorandum Opinion and Order in Docket No. 14229, 2 FCC 2d 527, promulgating a revised table of UHF television channel assignments, summarized the assignments made in the top 100 markets, as ranked by ARB, as follows (2 FCC 2d at 551): "Thus, with minor exceptions, the top 25 markets have 6 or more unreserved assignments; the 26th to 75th markets have 5 or more unreserved assignments; the 76th to 100th markets have 4 or more unreserved assignments; and the 101st to 150th markets have 3 or more unreserved assignments." See also, Fourth Report and Order in Docket Nos. 14229 et al., 30 F.R. 7711.

[11] If the franchises impose some time limit within which distant signals must be carried, petitioners have not shown that relief cannot be obtained from the franchising authorities for a delay occasioned by factors beyond their control. As noted in par. 25 above, our April 1965 Notice expressly cautioned franchise authorities as to the possibility of Commission action in this area. The Federal regulation is, in any event, controlling.

[12] We note, however, that the community of the VHF stations may be a separate major market, thus bringing into play the considerations discussed in fn. 69 of the Second Report, 2 FCC 2d at 786. In other words, protection of the public interest may necessitate some appropriate temporary relief as to the VHF signals rather than waiver of the rule to permit carriage of the UHF signal without hearing.

[13] We note that petitioners challenge the use of the predicted Grade B contour as a measure of a distant signal. However, the use of propagation curves to measure television service contours is customary in Commission proceedings and has been judicially recognized as valid. Wilton E. Hall & Greenville Television Co. v. FCC, 237 F. 2d 567, 573–575 (C.A.D.C.). Under the rules, the predicted Grade B contour may be refuted by an adequate showing of the actual contour. The availability of signals through the use of ordinary home receiving equipment is entirely different, we believe, from the situation where signals would not be available to the public but for the use of highly sophisticated CATV equipment which may include a tall antenna structure placed on the highest elevation in the area. Frank K. Spain, d.b.a. Microwave Service Co., Tupelo, Miss., 2 FCC 2d 905, 907–908. See also Second Report, fn. 63, 2 FCC 2d at 783.

[14] For these reasons, and those set forth in our Order of April 27, 1966, in Docket No. 16551, Buckeye's petition for stay of the effectiveness of the rules pending final orders determining their validity and its petition for waiver (File No. CATV 100–5) will be denied. See also FCC 66–449 and FCC 66–455, adopted this day.

[15] Dissenting statement of Commissioner Bartley filed as part of original document.

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65–EA–87]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Area and Reporting Point

On March 31, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5132) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter Control 1144 and the Cod Intersection reporting point.

Interested persons were afforded an opportunity to participate in the proposed rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

1. Section 71.163 (31 F.R. 2050) is amended as follows:

Control 1144 is amended to read:

Control 1144 that airspace vicinity of Nantucket, Mass., within an area bounded by a line beginning at latitude 41°06'00" N., longitude 70°09'10" W., to latitude 41°25'35" N., longitude 70°09'35" W., to latitude 41°26'00" N., longitude 69°15'00" W., to latitude 41°46'00" N., longitude 68°00'00" W., to latitude 41°46'00" N., longitude 68°00'00" W., to the point of beginning, excluding the portion below 2,000 feet MSL except that airspace which lies within the confines of Federal airways.

2. In § 71.209 (31 F.R. 2287), Cod INT is amended to read:

Cod INT: INT of Nantucket, Mass., CONSOLAN 089° True bearing and the W boundary of New York Oceanic Control Area at latitude 41°16'50" N., longitude 68°00'00" W.

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510); Executive Order 10854 (24 F.R. 9565))

Issued in Washington, D.C., on May 25, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6001; Filed, June 1, 1966; 8:45 a.m.]

[Airspace Docket No. 66–CE–36]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to § 73.43 of the Federal Aviation Regulations is to reduce the designated altitudes of the Lake Superior, Minn., Restricted Area R–4305 from "Surface to flight level 500" to "Surface to flight level 450."

Records for 1964 and 1965 indicate that R–4305 was utilized only from the surface to flight level 450. Therefore, the requirement for a flight level of 500 does not exist and this amendment lowers the ceiling of this restricted area to flight level 450. The Department of the Air Force concurs in this action.

Since this amendment will restore airspace to the public use, notice and public procedure are unnecessary and this amendment may be made effective without regard to the 30-day period preceding effectiveness.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 73.43 (31 F.R. 2319), R–4305 Lake Superior, Minn., "Designated altitudes: Surface to flight level 500." is deleted and "Designated altitudes: Surface to flight level 450." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 25, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-6002; Filed, June 1, 1966; 8:45 a.m.]

[Airspace Docket No. 66–WE–14]

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration and Revocation of Jet Routes

On March 29, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5078) stating that the Federal Aviation Agency (FAA) proposed to revoke in its entirety Jet Route No. 140 which extends from Salt Lake City, Utah, to Denver, Colo., and to realign Jet Routes No. 30 and 56 from Provo, Utah, and Salt Lake City, respectively, to Denver.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 75.100 (31 F.R. 2346) is amended as follows:

1. In Jet Route No. 56 "Kremmling, Colo." is deleted and "Meeker, Colo." is substituted therefor.

2. In Jet Route No. 30 "Myton, Utah; Kremmling, Colo." is deleted and "Meeker, Colo." is substituted therefor.

3. Jet Route No. 140 is revoked.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 25, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6005; Filed, June 1, 1966; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Bayou Lafourche, La.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.245 is hereby amended with respect to paragraph (j) by amending subparagraph (3), deleting the State of Louisiana, Department of Highways bridges across Bayou Lafourche at Thibodaux and Labadieville and revising subparagraph (4) to permit the highway bridge at Thibodaux and all bridges above, to

remain in a closed position, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

* * * * *

(j) *Waterways discharging into Gulf of Mexico west of Mississippi River.*

* * * * *

(3) Bayou Lafourche, La.; Texas and New Orleans Railroad Co. bridge at Lafourche. At least 48 hours' advance notice required.

(4) Bayou Lafourche, La.; The State of Louisiana, Department of Highways bridge at Thibodaux and all bridges above. The draws need not be opened for the passage of vessels, and the special regulations contained in paragraphs (b) to (e), inclusive, of this section shall not apply to these bridges.

* * * * *

[Regs., May 6, 1966, ENGCW-ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

LAWRENCE H. WALKER, JR.,
Brigadier General, U.S. Army,
Acting The Adjutant General.

[F.R. Doc. 66-5999; Filed, June 1, 1966; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1013]

[Docket No. AO-286-A8]

MILK IN SOUTHEASTERN FLORIDA MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order (Partial)

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Southeastern Florida marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, by the third day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Fort Lauderdale, Fla., on March 3-4, 1966, pursuant to notice thereof which was issued February 10, 1966 (31 F.R. 2730).

The material issues on the record of the hearing relate to:

1. Expansion of the marketing area.
2. Class prices.
3. Butterfat differentials.
4. Location differentials.
5. Classification.
6. Enabling a cooperative to be the handler on bulk tank milk.
7. Diversion of producer milk.
8. Miscellaneous and conforming changes.

This decision is concerned only with a portion (Class I price) of Issue 2. The remainder of that issue and all other issues at the hearing will be considered in a further decision.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

2. *Class prices*—(a) *Class I price.* The Class I price through June 1967 should be computed by adding $3.20 to a basic formula price. The Minnesota-Wisconsin manufacturing milk price series, which is the basic formula for determining the Class I price for Tampa Bay and 65 other Federal milk orders, should be the basic formula for the Southeastern Florida order.

The method of adding a differential to a basic formula price in determining the Class I price gives appropriate consideration to the economic factors underlying changes in the general level of prices for milk and manufactured dairy products. Basically, prices for milk used for fluid purposes have a direct relationship to the prices paid for milk used for manufacturing purposes.

A differential over manufacturing milk prices is necessary to cover the extra costs of meeting quality requirements in the production of market milk and transportation costs to the fluid market and to furnish the necessary incentive for dairy farmers to produce and deliver adequate supplies for the needs of the market.

Producers proposed that the Class I price be computed by adding a specific differential to the Minnesota-Wisconsin manufacturing milk price series. This series is based on prices paid at a large number of manufacturing plants in the two states. Plant operators report the total pounds of manufacturing grade milk received from farmers, the total butterfat content and the total dollars paid to dairy farmers for such milk f.o.b. plants. These prices are reported on a current month basis and the announced Minnesota-Wisconsin price is available by the fifth day of the following month. The various Federal order markets in which the Minnesota-Wisconsin price series is used as a basic formula price include markets that serve as sources of supplemental milk for Southeastern Florida handlers.

The Class I price is now obtained by adding or subtracting a monthly supply-demand adjustment to $6.625. The price thus obtained may not, however, exceed by more than $4.00 the Midwest condensery price or be less than that price plus $2.75. For the 4 years through December 1965, the Southeastern Florida Class I price averaged $6.37. For 1962, it was $6.38; $6.39 in 1963; $6.33 in 1964; and $6.39 in 1965.

Producers proposed that the Class I price be the Minnesota-Wisconsin price for the preceding month plus an average differential of $3.30. Such differential would be $3.15 March through July and $3.40 August through February. As proposed by producers, the supply-demand provisions of the order would be discontinued. Producers claim that their proposed Class I price, which is 30 cents above Tampa Bay, is necessary to maintain an appropriate alinement with the Tampa Bay Class I price. In further support of an increased Class I price, producers state that their cost prices f.o.b. the Southeastern Florida market for supplemental milk supplies in the past year were higher than the order Class I prices.

Handlers opposed any change in the Class I pricing provisions that would increase the level of the Class I price. They contend that the supplies of milk for the market are generally ample and that there has been no perceptible decline in production relative to the market's Class I requirements. Handlers also pointed out that relatively negligible quantities of milk were imported from outside sources on an annual basis to meet the market's Class I needs. In response to producers' claim that the importation of supplies indicated that production for the market was not adequate, handlers argue that the increased production on an annual basis locally to replace the imports would be uneconomical for producers. They stated further that producers are aware of this and consider it to be in their best interest to maintain the current rate of production relative to the market's requirements. Handlers had no objection to using the Minnesota-Wisconsin milk price series as the basic formula price, providing the Class I price would be no higher than the Minnesota-Wisconsin price for the preceding month plus $3.00 modified by the present supply-demand provisions of the order.

The present method of determining the Southeastern Florida Class I price is inappropriate under current marketing conditions. Maintaining a stated amount ($6.625) as a basic Class I price fails to give consideration to the basic economic factors affecting milk prices. Class I prices in nearby Tampa Bay and in other Federal orders (including those that serve as alternative sources of supply for Southeastern Florida handlers) are based on the market prices of manufacturing grade milk. As the prices for manufacturing milk increase, as they have in recent months, the increase is reflected in the Class I prices in practically all Federal orders except Southeastern Florida.

On an annual basis, the Minnesota-Wisconsin series as a basic formula was relatively stable from 1962, when it averaged $3.12, to 1965 when it was $3.26. Since the fall of 1965, however, when production nationally declined precipitously, the Minnesota-Wisconsin price, as did other manufacturing milk prices, rose sharply. For December 1965 and January and February 1966, the Minnesota-Wisconsin prices of $3.47, $3.47, and $3.58 averaged 25 cents above the $3.29, $3.25, and $3.22 prices for the corresponding months a year earlier. These prices, as all other Minnesota-Wisconsin prices referred to herein, are on a 3.5-percent butterfat basis.

Since the Class I price for the current month is announced by the fifth day of the month, the basic formula price should be the Minnesota-Wisconsin price for the preceding month. For the 4-year period ending November 1965, the Minnesota-Wisconsin price averaged $3.16. As a basic formula for the 4 years, it would have averaged $3.12 in 1962, $3.10 in 1963, $3.17 in 1964, and $3.26 in 1965. The Southeastern Florida Class I price averaged $6.37 for the same 4-year period. If the Minnesota-Wisconsin price plus $3.20 as herein proposed were the effective Class I price in 1962 through 1965, it would have obtained an average price of $6.36, approximately the same as the average order price for the 4-year period.

The $3.20 Class I differential herein proposed is 20 cents above the comparable differential in the Tampa Bay order. However, the Tampa Bay order provides that its Class I price may not be higher than the Southeastern Florida Class I price for the same month. Because of the recent sharp increase in the Minnesota-Wisconsin price series (on which the Tampa Bay Class I price is based) the Tampa Bay Class I price, since its inception, has been the same as the Southeastern Florida Class I price. Southeastern Florida producers claim that it is inappropriate to maintain the prices in these two orders at the same level. Tampa Bay, they state, is closer to the alternative sources of supply, from which supplemental milk must be obtained, and argue that this justifies Southeastern Florida Class I price 30 cents higher than that for Tampa Bay.

The Southeastern Florida Class I price must give appropriate recognition to the competition of Southeastern Florida and Tampa Bay handlers, both in the procurement of supplies and in Class I sales. A majority of the milk under both the Southeastern Florida and Tampa Bay orders is produced in an area that is about equally accessible to both markets. Hence, a Southeastern Florida Class I price that is too low in relation to the Tampa Bay Class I price would place Southeastern Florida handlers at a disadvantage in keeping producers in this area where the milksheds for the two markets overlap. Likewise, a wide difference between the Southeastern Florida and Tampa Bay Class I prices would give an unwarranted advantage to handlers in the "under-priced" market.

The Tampa Bay marketing area's being closer to alternative sources of supply does not per se justify a substantially higher Southeastern Florida Class I price. On the other hand, a disparate difference between the Class I price in these markets over an extended period of time could result in chaotic marketing conditions in the area. The 30-cent spread between the Tampa Bay and Southeastern Florida Class I price requested by producers would tend to contribute to this end.

In urging that the present supply-demand provisions be eliminated from the order, producers emphasized that a supply-demand formula should be based on the producer deliveries and Class I sales for a larger region than the Southeastern Florida market, such as the aggregate receipts and sales for Southeastern Florida and Tampa Bay. The Tampa Bay order has been fully effective only since January of this year. Hence, adequate data are not yet available on which to base a supply-demand formula that would be applicable to that order. Consideration was given to this fact when establishing the Class I pricing provisions in the Tampa Bay order. It was concluded at that time that a supply-demand formula should not be incorporated into the order before at least 1 year's data on supply and sales had been accumulated. For that reason, the Tampa Bay Class I price was made effective for only the first 18 months of the order, through June 1967. It is appropriate, therefore, that the proposed Southeastern Florida Class I price not be made applicable beyond that month. This will make it possible to consider comprehensively the Class I pricing structure of the two orders at a public hearing to provide for Class I pricing after June 1967. At that time, sufficient data will be available to give adequate consideration to a single supply-demand formula for the two orders.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The party prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Southeastern Florida marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. In § 1013.50, paragraphs (b) and (c) are revoked and paragraph (a) is revised to read as follows:

§ 1013.50 Class prices.

* * * * *

(a) *Class I price.* From the effective date of this paragraph through June 1967, the Class I price shall be the basic formula price for the preceding month plus $3.20.

(b) [Revoked].

(c) [Revoked].

* * * * *

2. Add a new § 1013.50–a to read as follows:

§ 1013.50–a Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential (rounded to the nearest one-tenth cent) at the rate of the Chicago butter price times 0.12 and rounded to the nearest cent.

Signed at Washington, D.C., on May 27, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66–6046; Filed, June 1, 1966; 8:49 a.m.]

[7 CFR Part 1062 etc.]

MILK IN CERTAIN MARKETING AREAS

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

7 CFR Part	Marketing area	Docket Nos.
1062	St. Louis	AO 10–A35.
1031	Northwestern Indiana	AO 170–A20.
1032	Suburban St. Louis	AO 313–A11.
1038	Rock River Valley	AO 194–A13.
1039	Milwaukee	AO 212–A19.
1044	Michigan Upper Peninsula	AO 299–A10.
1045	Northeastern Wisconsin	AO 334–A9.
1051	Madison	AO 329–A5.
1061	St. Joseph, Mo.	AO 327–A8 RO 2.
1063	Quad Cities-Dubuque	AO 105–A23.
1064	Greater Kansas City	AO 23–A28 RO 2.
1067	Ozarks	AO 222–A20.
1070	Cedar Rapids-Iowa City	AO 229–A14.
1071	Neosho Valley	AO 227–A18.
1073	Wichita	AO 173–A17 RO 1.
1074	Southwest Kansas	AO 249–A7 RO 1.
1078	North Central Iowa	AO 272–A9.
1079	Des Moines	AO 295–A10.
1094	New Orleans	AO 103–A23.
1096	Northern Louisiana	AO 257–A12.
1097	Memphis	AO 219–A18.
1099	Paducah	AO 183–A16.
1102	Fort Smith	AO 237–A14.
1103	Mississippi	AO 346–A2.
1104	Red River Valley	AO 298–A8.
1106	Oklahoma Metropolitan	AO 210–A20.
1108	Central Arkansas	AO 243–A15.
1120	Lubbock-Plainview	AO 328–A5.
1126	North Texas	AO 231–A26.
1127	San Antonio	AO 232–A15.
1128	Central West Texas	AO 238–A17.
1129	Austin-Waco	AO 256–A11.
1130	Corpus Christi	AO 259–A14.
1132	Texas Panhandle	AO 262–A12.

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Gateway Hotel (Statler), 822 Washington Boulevard, St. Louis 1, Mo., beginning at 9:30 a.m., c.d.t., on June 7, 1966, with respect to proposed amendments to the tentative marketing agreements and to the orders, regulating the handling of milk in the St. Louis, Northwestern Indiana, Suburban St. Louis, Rock River Valley, Milwaukee, Michigan Upper Peninsula, Northeastern Wisconsin, Madison, St. Joseph, Mo., Quad Cities-Dubuque, Greater Kansas City, Ozarks, Cedar Rapids-Iowa City, Neosho Valley, Wichita, Southwest Kansas, North Central Iowa, Des Moines, New Orleans, Northern Louisiana, Memphis, Paducah, Mississippi, Red River Valley, Oklahoma Metropolitan, Central Arkansas, Lubbock-Plainview, North Texas, San Antonio, Central West Texas, Austin-Waco, Corpus Christi, Texas Panhandle and Fort Smith marketing areas to reflect appropriate Class I prices in light of economic and marketing conditions anticipated for the next few months. With respect to the orders regulating the handling of milk in the Wichita, Southwest Kansas, Greater Kansas City and St. Joseph, Mo., marketing areas, this hearing represents a reopening for the limited purposes stated herein of public hearings previously held under docket Nos. AO 173–A17, AO 249–A7, AO 23–A28, and AO 327–A8, respectively.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the appropriate levels of Class I prices to be established for the months of July through December 1966 under each of the aforesaid orders. At the hearing, evidence also will be received on the question of whether the due and timely execution of the functions of the Secretary imperatively and unavoidably requires the omission of a recommended decision in connection with any emergency amendatory action that may be required with respect to any of the aforesaid orders.

This notice is issued on representation by producers that emergency action is necessary to avert present or potential milk shortages.

The aforesaid proposals have not received the approval of the Secretary of Agriculture.

Signed at Washington, D.C., on May 27, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66–6062; Filed, June 1, 1966; 8:50 a.m.]

[7 CFR Part 1133]

[Docket No. AO 275–A13]

MILK IN INLAND EMPIRE MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Inland Empire marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, by the 3d day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Spokane, Wash., on May 17, 1966, pursuant to notice thereof which was issued May 9, 1966 (31 F.R. 6986).

The material issues on the record of the hearing relate to:

1. Diversion of producer milk; and
2. Need for emergency action.

Finding and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Diversion of producer milk.* The present diversion provisions should be revised to increase the amount of milk which may be diverted from 25 percent to 35 percent of the total producer milk delivered to pool plants, including eligible diversions, during each of the months of April, May, June and July.

The provisions of the present order which permit two or more cooperative associations to have their allowable diversions computed on the basis of the combined deliveries of milk by their member producers if each association has filed in writing with the market administrator a request for such computation, should be continued.

Previous to August 1, 1965, the order permitted unlimited diversions during the months of December through June. Official notice is taken of suspension orders issued by the Assistant Secretary on July 8, 1964, and by the Under Secretary on June 17, 1965, which permitted unlimited diversions of producer milk for the months of July 1964 and July 1965, respectively.

Presently, producer milk may be diverted in an amount limited to 15 percent of the total producer milk delivered to pool plants, including eligible diversions, in each of the months of September, October, and November and 25 percent in all other months of the year.

Receipts of producer milk in the Inland Empire marketing area have increased 543,000 pounds per month or approximately 3.7 percent during the first 4 months of 1966 in comparison to producer receipts during this same period 1 year ago. Class I use of producer milk decreased 293,500 pounds per month or about 2.7 percent during the first 4 months of 1966 in comparison to Class I use of like receipts 1 year ago.

The association stated that it had conducted a survey of its producers to obtain an estimate of its member producer's production during the coming months. On the basis of this survey of expected production and the trend in Class I use, the cooperative believes that an increase in the diversion percentage from 25 percent to 35 percent is necessary for the needs of the association.

The proponent cooperative association estimated that its producer receipts during the month of May 1966 would be 300,000 pounds greater than its producer receipts in April of this year. It further estimated that its producer receipts in June 1966 would be about 6,500,000 pounds, an increase of almost 600,000 pounds over its receipts for the month of April. This would be 800,000 pounds or 14 percent greater than its receipts in June of 1965.

Pool plants in the Inland Empire marketing area have limited manufacturing facilities for utilizing producer milk in Class III uses. Producer milk which is in excess of handlers' fluid milk needs and the capacity of manufacturing facilities of the pool plants must be disposed of to nonpool plants for manufacturing. During the period of January 1964 through April 1966, about 40 percent of the producer milk classified as Class III was manufactured in pool plants. The remaining 60 percent of the producer milk receiving a Class III classification was moved to nonpool plants having manufacturing facilities.

The amount of milk moved to nonpool plants during the period of January 1964 through April 1966 averaged 1,500,000 pounds per month. These movements varied from a low of 390,000 pounds in March 1965 to a high of 3,750,000 pounds in June of 1964.

The milk which is in excess of the needs of the pool plants may be moved to nonpool plants either by diversion or by transfer. The movement of producer milk to nonpool plants by means of interplant transfers is much more costly and inefficient than the movement of such milk by diversions. In most instances the interplant transfers require that milk be transported from the farm to pool plants located in Spokane and then moved to nonpool plants located outside the marketing area. Frequently the farms are located closer to the manufacturing plant. Thus diversion not only saves the cost of receiving and reloading the milk at a pool plant but it usually results in greatly reduced hauling costs.

The cooperative association which requested the increase in the percentage of milk which may be diverted handles most of the reserve supplies of milk for the market. In April 1966, this association diverted 2,222,396 pounds of milk which amounted to 92 percent of the producer milk moved to nonpool plants for Class III use.

The proponent cooperative association diverted 14, 25, 39, and 22 percent of its total member milk for the months of April, May, June, and July 1965, respectively. The combined diversions of the proponent cooperative association and the other association supplying the market for the months of April, May, June, and July 1965 amounted to 10, 21, 32, and 16 percent, respectively, of their total member milk. The combined diversions of the two cooperative associations for April 1966 amounted to 22 percent of their combined deliveries, which is more than twice the percentage diverted 1 year ago.

It is evident from the percentage of milk which was diverted during the past year and from the large increase in diversions for the month of April 1966 over those of 1 year ago that the present diversions permitted by the order will be inadequate for the months of June and July of this year. If present trends continue, the present provisions will be inadequate in future years to accommodate the market situation during the entire period of flush production. Therefore, the diversion percentages should be increased to 35 percent during each of the months of April, May, June, and July.

The need for diverting excess milk received at a pool plant which receives its entire milk supply from nonmember producers is similar to that of the cooperative associations. Thus the percentage of diversions which are permitted a cooperative association are equally applicable in the case of a pool plant. Accordingly, proprietary handlers should be permitted to divert up to 35 percent of the milk received at and diverted from such pool plant during each of the months of April, May, June, and July from producers who are not members of a cooperative association which is diverting milk of its member producers during such month.

The other cooperative association supplying the market offered no testimony at the hearing, but filed a brief supporting the requested increase in the percentage of milk which might be diverted. No testimony was received at the hearing in opposition to increasing the percentage of producer milk which may be diverted.

2. *Need for emergency action.* The proponent cooperative association stated that amendatory action was definitely needed to increase the amount of allowable diversions permitted during the months of June and July 1966. Testimony given on behalf of the association indicated that the present diversion limitation of 25 percent for the month of May 1966 would not be adequate. The representative of the association stated, however, that the cooperative would be able to remain within the diversion limit for May of this year by moving milk from producers which would be in excess of the diversion limits by use of interplant transfers.

Although proponents claimed that an emergency marketing condition existed, such condition is not sufficiently grave to warrant the omission of a recommended decision. Relief for the months of June and July will not be delayed by issuance of a recommended decision in this matter.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Inland Empire marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

Revise § 1133.12(c) (1) and (2) to read as follows:

§ 1133.12 Producer milk.

* * * * *

(c) * * *

(1) A cooperative association may divert for its account, pursuant to paragraph (b)(1) of this section, the milk of any member producer eligible for diversion. The total quantity of milk so diverted, however, may not exceed 15 percent in the months of September, October, and November, 25 percent in the months of December, January, February, March, and August, and 35 percent in the months of April, May, June, and July, of its total member milk received at all pool plants and diverted therefrom during the month. Two or more cooperative associations may have their allowable diversions computed on the basis of the combined deliveries of milk by their member producers if each association has filed in writing with the market administrator a request for such computation;

(2) A handler operating a pool plant may divert for his account, pursuant to paragraph (a)(2) of this section, milk of any producer eligible for diversion, other than a member of a cooperative association which diverts milk pursuant to subparagraph (1) of this paragraph. The total quantity of milk so diverted, however, may not exceed 15 percent in the months of September, October, and November, 25 percent in the months of December, January, February, March, and August, and 35 percent in the months of April, May, June, and July, of the milk received at and diverted from such pool plant during the month from producers who are not members of a cooperative association which diverts milk pursuant to subparagraph (1) of this paragraph;

* * * * *

Signed at Washington, D.C., on May 27, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66-6045; Filed, June 1, 1966; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[15 CFR Part 9]

SEAT BELTS FOR USE IN MOTOR VEHICLES

Proposed Standards

Notice is hereby given that the changes set forth below are proposed in the standards for seat belts for use in motor vehicles published in the FEDERAL REGISTER on July 1, 1965, in conformance with Public Law 88–201, approved December 13, 1963 (77 Stat. 361).

These proposed changes pertain to the hardware only. The requirements for attachment hardware will be upgraded through increased strength requirements for fasteners and through certain changes in their corrosion resistance. Additional requirements for buckles are added to reduce the probability of false latching and to provide adequately for unlatching. The buckles are required to function properly after the corrosion-resistance test. Changes are made to reduce the likelihood of retractors being used improperly, and requirements for nonlocking retractors are added.

These proposed changes were developed after consultation with the Society of Automotive Engineers and were discussed finally during a March 25, 1966, meeting with the Hardware Subcommittee of the SAE Motor Vehicle Seat Belt Committee.

The proposed changes were agreed to unanimously by the members of the Ad Hoc Government Committee on Seat Belts on April 13, 1966.

Prior to the final adoption and publication of the amendments proposed herein, consideration will be given to any comments and suggestions pertaining thereto which are submitted in writing, in duplicate, to the Director, National Bureau of Standards, U.S. Department of Commerce, Washington, D.C., 20234, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Dated: May 17, 1966.

A. V. ASTIN,
Director,
National Bureau of Standards.

1. Amend § 9.3 (c), (e), (f), (l), and (m) to read:

§ 9.3 General requirements.

* * * * *

(c) *Upper torso restraint.* A Type 2 or 3 seat belt assembly shall provide upper torso restraint without shifting the pelvic restraint into the abdominal region. An upper torso restraint shall be designed to minimize vertical forces on the shoulders and spine. Hardware for upper torso restraint shall be so designed and located in the seat belt assembly that the possibility of injury to the occupant is minimized. An automatic locking retractor shall not be included in an upper torso restraint. A Type 2–a shoulder belt shall comply with applicable requirements for a Type 2 seat belt assembly in §§ 9.3 to 9.6, inclusive.

* * * * *

(e) *Release.* A Type 1 or Type 2 seat belt assembly shall be provided with a buckle or buckles readily accessible to the occupant to permit his easy and rapid removal from the assembly. A Type 3 seat belt assembly shall be provided with a quickly recognizable and easily operated release arrangement, readily accessible to an adult. Buckle release mechanism shall be designed to minimize the possibility of accidental release. A buckle with release mechanism in the latched position shall have only one opening in which the tongue can be inserted on the end of the buckle designed to receive and latch the tongue.

(f) *Attachment hardware.* A seat belt assembly shall include all hardware necessary for installation in a motor vehicle in accordance with SAE Recommended Practice, Motor Vehicle Seat Belt Installations—SAE J800b, published by the Society of Automotive Engineers, 485 Lexington Avenue, New York, N.Y., 10017, except that seat belt assemblies designed for installation in motor vehicles equipped with seat belt anchorages shall not require underfloor hardware, but shall have 7/16–20 UNF–2A, 1/2–13 UNC–2A, or nonthreaded fasteners as required by the particular vehicle. The hardware shall be designed to prevent attaching bolts and other parts becoming disengaged from the vehicle in service. Reinforcing plates or washers furnished for universal floor installations shall be of steel, free from burrs and sharp edges on the peripheral edges adjacent to the vehicle, not less than 0.06 inch or 1.5 millimeter in thickness nor less than 4 square inches or 25 square centimeters in projected area. The distance between any edge of the plate and the edge of the bolt hole shall be at least 0.6 inch or 15 millimeters and any corner shall be rounded to a radius of not less than 0.25 inch or 6 millimeters, or cut at a 45-degree angle along a hypotenuse not less than 0.25 inch or 6 millimeters in length.

* * * * *

(l) *Installation instructions.* A seat belt assembly or retractor shall be accompanied by an instruction sheet providing sufficient information for installing the assembly in a motor vehicle except for a seat belt assembly installed in a motor vehicle by an automobile manufacturer. The installation instructions shall state whether the assembly is for universal installation or for installation only in specifically stated motor vehicles, and shall include at least those items in SAE Recommended Practice, Motor Vehicle Seat Belt Installations—SAE J800b, published by the Society of Automotive Engineers.

(m) *Usage and maintenance instructions.* A seat belt assembly or retractor shall be accompanied by written instructions for the proper use of the assembly, stressing particularly the importance of wearing the assembly snugly and properly located on the body, and on the maintenance of the assembly and periodic inspection of all components. The instructions shall show the proper manner of threading webbing in the hardware of seat belt assemblies in which the webbing is not permanently fastened. Instructions for a nonlocking retractor shall include a caution that the webbing must be fully extended from the retractor during use of the seat belt assembly unless the retractor is attached to the free end of webbing which is not subjected to any tension during restraint of an occupant by the assembly. Instructions for Type 2a shoulder belt shall include a warning that the shoulder belt is not to be used without a lap belt.

2. Amend § 9.5 (a), (b), (c), (d), (h), and (j) to read:

§ 9.5 Requirements for hardware.

(a) *Corrision resistance.* Attachment hardware of a seat belt assembly after being subjected to the conditions specified in § 9.8(a) shall be free of ferrous corrosion on significant surfaces except for permissible ferrous corrosion at peripheral edges or edges of holes on underfloor reinforcing plates and washers, or such hardware at or near the floor shall be protected against corrosion by at least a Type KS electrodeposited coating of nickel or copper and nickel and other attachment hardware shall be protected by a Type QS electrodeposited coating of nickel or copper and nickel, in accordance with Tentative Specifications for Electrodeposited Coatings of Nickel and Chromium on Steel, ASTM Designation: A166–61T, published by the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pa., 19103, but such hardware shall not be racked for electroplating in locations subjected to maximum stresses. Surfaces of buckles, retractors and metallic parts, other than attachment hardware, of a seat belt assembly after subjection to the conditions specified in § 9.8(a) shall be free of ferrous or nonferrous corrosion which may be transferred, either directly or by means of the webbing, to the occupant or his clothing when the assembly is worn. After test, buckles shall conform to applicable requirements in paragraphs (d) to (g) of this section.

(b) *Temperature resistance.* Plastic or other nonmetallic hardware parts of a seat belt assembly when subjected to the conditions specified in § 9.8(b) shall not warp or otherwise deteriorate to cause the assembly to operate improperly or

fail to comply with applicable requirements in this section and § 9.6.

(c) *Attachment hardware.* Eye bolts, shoulder bolts, or other bolts used to secure the pelvic restraint of a seat belt assembly to a motor vehicle shall withstand a force of 10,000 pounds or 4,540 kilograms when tested by the procedure specified in § 9.8(c)(1), except that attachment bolts of a seat belt assembly designed for installation in specific models of motor vehicles in which the ends of two or more seat belt assemblies can not be attached to the vehicle by a single bolt shall have a breaking strength of not less than 5,000 pounds or 2,270 kilograms. Other attachment hardware designed to receive the ends of two seat belt assemblies shall withstand a tensile force of at least 6,000 pounds or 2,720 kilograms without fracture of any section when tested by the procedure specified in § 9.8(c)(2). A seat belt assembly having single attachment hooks of the quick-disconnect type for connecting webbing to an eye bolt shall be provided with a retaining latch or keeper which shall not move more than 0.08 inch or 2 millimeters in either the vertical or horizontal direction when tested by the procedure specified in § 9.8(c)(3).

(d) *Buckle release force.* The buckle of a Type 1 or Type 2 seat belt assembly shall release when a force of not more than 30 pounds or 14 kilograms is applied, and the buckle of a Type 3 seat belt assembly shall release when a force of not more than 20 pounds or 9 kilograms is applied as prescribed in § 9.8(d). A buckle designed for pushbutton application of buckle release force shall have a minimum area of 0.7 square inch or 4.5 square centimeters with a minimum linear dimension of 0.4 inch or 10 millimeters for applying the release force, or a buckle designed for lever application of buckle release force shall permit the insertion of a cylinder 0.4 inch or 10 millimeters in diameter and 1.5 inches or 38 millimeters in length to at least the midpoint of the cylinder along the cylinder's entire length in the actuation portion of the buckle release.

* * * * *

(h) *Nonlocking retractor.* The webbing of a seat belt assembly shall extend from a non-locking retractor within 0.25 inch or 6 mm of maximum length when a tension is applied as prescribed in § 9.8(h). A nonlocking retractor on upper-torso restraint shall be attached to the nonadjustable end of the assembly, the reel of the retractor shall be visible to an occupant of the assembly, and the maximum retraction force shall be less than 50 percent of the adjustment force measured by the procedure specified in § 9.8(e), unless the retractor is attached to the free end of webbing which is not subjected to any tension during restraint of an occupant by the assembly.

* * * * *

(j) *Emergency-locking retractor.* An emergency-locking retractor used on a Type 1 or Type 2 seat belt assembly shall lock before the webbing extends 1 inch or 2.5 centimeters when the retractor is subjected to an acceleration of 0.5 gravity or 5 meters per second per second, and shall exert a retraction force of not less than 1.5 pounds or 0.7 kilogram when attached to a pelvic restraint or shall exert a retraction force of not less than 0.45 pounds or 0.2 kilogram nor more than 2.0 pounds or 0.9 kilogram when attached to an upper torso restraint under zero acceleration when tested by procedures specified in § 9.8(j).

* * * * *

3. Amend § 9.8 (a), (c), (h), and (k) to read:

§ 9.8 Test procedures for hardware.

(a) *Corrosion resistance.* Three seat belt assemblies shall be tested by Standard Method of Salt Spray (Fog) Testing, ASTM Designation: B 117–64, published by the American Society for Testing and Materials. The period of test shall be 50 hours for all attachment hardware at or near the floor, consisting of two periods of 24 hours exposure to salt spray followed by 1 hour drying and 25 hours for all other hardware, consisting of one period of 24 hours exposure to salt spray followed by 1 hour drying. In the salt spray test chamber, the parts from the three assemblies shall be oriented differently, selecting those orientations most likely to develop corrosion on the larger areas. At the end of test, the seat belt assembly shall be washed with water to remove the salt. After drying for at least 24 hours under standard laboratory conditions specified in § 9.7(a) attachment hardware shall be examined for ferrous corrosion on significant surfaces, that is all surfaces that can be contacted by a sphere 0.75 inch or 2 centimeters in diameter, and other hardware shall be examined for ferrous and nonferrous corrosion which may be transferred, either directly or by means of the webbing, to a person or his clothing during use of a seat belt assembly incorporating the hardware.

NOTE: This test shall not be required on hardware made from corrosion-resistant steel containing at least 11.5 percent chromium, nor on attachment hardware protected with an electrodeposited coating of nickel or copper and nickel as prescribed in § 9.5(a).

* * * * *

(c) *Attachment hardware.* (1) Attachment bolts used to secure the pelvic restraint of a seat belt assembly to a motor vehicle shall be tested in the following manner: To one head of a testing machine described in § 9.7(b), two or more belt sections shall be attached. At the free end of each belt section, attachment hardware from the seat belt assembly (i.e., sister hooks, etc.) shall be attached. The attachment hardware shall be fastened by the bolt in a fixture on the other head of the testing machine as shown in Figure 3, which has a standard $\frac{7}{16}$–20 UNF–2B or $\frac{1}{2}$–13 UNC–2B threaded hole in a hardened steel plate at least 0.4 inch or 1 centimeter in thickness; the axis of this threaded hole forms a 45 degree angle with the line of pull of the belt sections. The bolt shall be installed with 2 full threads exposed from the fully seated position with the attachment hardware from the two belt sections attached. The appropriate force required by § 9.5(c)(1) shall be applied. A bolt from each of three seat belt assemblies shall be tested.

(2) Attachment hardware, other than bolts, designed to receive the ends of two seat belt assemblies shall be subjected to a tensile force of 6,000 pounds or 2,720 kilograms in a manner simulating use. The hardware shall be examined for fracture after the force is released.

(3) Single attachment hook for connecting webbing to any eye bolt shall be tested in the following manner: The hook shall be held rigidly so that the retainer latch or keeper, with cotter pin or other locking device in place, is in a horizontal position as shown in Figure 4. A force of 150±2 pounds or 68±1 kilograms shall be applied vertically as near as possible to the free end of the retainer latch, and the movement of the latch by this force at the point of application shall be measured. The vertical force shall be released, and a force of 150±2 pounds or 68±1 kilograms shall be applied horizontally as near as possible to the free end of the retainer latch. The movement of the latch by this force at the point of load application shall be measured. Alternatively, the hook may be held in other positions provided the forces are applied and the movements of the latch are measured at the points indicated in Figure 4.

* * * * *

(h) *Nonlocking retractor.* After the retractor is cycled 10 times by full extension and retraction of the webbing, the retractor and webbing shall be suspended vertically and a force of 4 pounds or 1.8 kilograms shall be applied to extend the webbing from the retractor. The force shall be reduced to 3 pounds or 1.4 kilograms when attached to a pelvic restraint or to 2 pounds or 0.9 kilogram when attached to an upper-torso restraint. The residual extension of the webbing shall be measured by manual rotation of the retractor drum or by disengaging the retraction mechanism. Measurements shall be made on three retractors.

NOTE: This test shall not be required on a nonlocking retractor attached to the free-end of webbing which is not subjected to any tension during restraint of an occupant by the assembly.

* * * * *

(k) *Performance of retractor.* After completion of the corrosion-resistance test described in paragraph (a) of this section, the webbing shall be fully extended and allowed to dry for at least 24 hours under standard laboratory conditions specified in § 9.7(a). The retractor shall be examined for ferrous and nonferrous corrosion which may be transferred, either directly or by means of the webbing, to a person or his clothing during use of a seat belt assembly incorporating the retractor, and for ferrous corrosion on significant surfaces if the retractor is part of the attachment hardware. The webbing shall be withdrawn manually and allowed to retract for 25 cycles. The retractor shall be mounted in an apparatus capable of extending the webbing fully, applying a force of 20 pounds or 9 kilograms at full extension, and allowing the webbing to retract freely and completely. The webbing shall be withdrawn from the retractor and allowed to retract repeatedly in this apparatus until 2,500 cycles are completed. The retractor and webbing shall then be subjected to the temperature resistance test prescribed in paragraph (b) of this section. The retractor shall be subjected to 2,500 additional cycles of webbing withdrawal and retraction. Then, the retractor and webbing shall be subjected to dust in a chamber similar to one illustrated in Figure 8 containing about 2 pounds or 0.9 kilogram of coarse grade dust conforming to the specification given in SAE Recommended Practice, Air Cleaner Test Code–SAE J 726a, published by the Society of Automotive Engineers. The dust shall be agitated every 20 minutes for 5 seconds by compressed air, free of oil and moisture, at a gage pressure of 80±8 pounds per square inch or 5.6±0.6 kilograms per square centimeter entering through an orifice 0.060±0.004 inch or 1.5±0.1 millimeters in diameter. The webbing shall be extended to the top of the chamber and kept extended at all times except that the webbing shall be subjected to 10 cycles of complete retraction and extension within 1 to 2 minutes after each agitation of the dust. At the end of 5 hours, the assembly shall be removed from the chamber. The webbing shall be fully withdrawn from the retractor manually and allowed to retract completely for 25 cycles. An automatic-locking retractor or a nonlocking retractor attached to pelvic restraint shall be subjected to 5,000 additional cycles of webbing withdrawal and retraction. An emergency-locking retractor or a nonlocking retractor attached to upper torso restraint shall be subjected to 45,000 additional cycles of webbing withdrawal and retraction between 50 and 100 percent extension. The locking mechanism of an emergency locking retractor shall be actuated at least 10,000 times within 50 to 100 percent extension of webbing during the 50,000 cycles. At the end of test, compliance of the retractors with applicable requirements in § 9.5 (h), (i), and (j) shall be determined. Three retractors shall be tested for performance.

4. Amend § 9.9(a)(2) and (5), (b)(4), and (c)(3) and add new (a)(7), (b)(6), and (c)(4) to read:

§ 9.9 Test procedures for assembly performance.

(a) *Type 1 seat belt assembly.* * * *

(2) The attachment hardware furnished with the seat belt assembly shall be attached to the anchorage bar. The anchor points shall be spaced so that the webbing is parallel in the two sides of the loop. The attaching bolts shall be parallel to, or at an angle of 45 or 90 degrees to the webbing, whichever results in an angle nearest to 90 degrees between webbing and attachment hardware except that eye bolts shall be vertical, and attaching bolts or nonthreaded anchorages of a seat belt assembly designed for use in specific models of motor vehicles shall be installed to produce the maximum angle in use indicated by the installation instructions, utilizing special fixtures if necessary to simulate installation in the motor vehicle. Rigid adapters between anchorage bar and attachment hardware shall be used if necessary to locate and orient the adjustment hardware. The adapters shall have a flat support face perpendicular to the threaded hole for the attaching bolt and adequate in area to provide full support for the base of the attachment hardware connected to the webbing. If necessary, a washer shall be used under a swivel plate or other attachment hardware that would crush or damage the webbing as the attaching bolt is tightened.

* * * * *

(5) After the buckle is released, the webbing shall be examined for cutting by the hardware. If the yarns are partially or completely severed in a line for a distance of 10 percent or more of the webbing width, the cut webbing shall be tested for breaking strength as specified in § 9.7(b) locating the cut in the free length between grips. If there is insufficient webbing on either side of the cut to make such a test for breaking strength, another seat belt assembly shall be used with the webbing repositioned in the hardware. A tensile force of 2500±25 pounds or 1135±10 kilograms shall be applied to the components or a force of 5000±50 pounds or 2270±20 kilograms shall be applied to an assembly loop. After the force is removed, the breaking strength of the cut webbing shall be determined as prescribed above.

* * * * *

(1) If a seat belt assembly has a buckle in which the tongue is capable of inverted insertion, one of the three assemblies shall be tested with the tongue inverted.

(b) *Type 2 seat belt assembly.* * * *

(4) After the buckle is released in tests of pelvic and upper torso restraints, the webbing shall be examined for cutting by the hardware. If the yarns are partially or completely severed in a line for a distance of 10 percent or more of the webbing width, the cut webbing shall be tested for breaking strength as specified in § 9.7(b) locating the cut in the free length between grips. If there is insufficient webbing on either side of the cut to make such a test for breaking strength, another seat belt assembly shall be used with the webbing repositioned in the hardware. The force applied shall be 2500±25 pounds or 1135±10 kilograms for components of pelvic restraint, and 1500±15 pounds or 680±5 kilograms for components of upper torso restraint. After the force is removed, the breaking strength of the cut webbing shall be determined as prescribed above.

* * * * *

(6) If a seat belt assembly has a buckle in which the tongue is capable of inverted insertion, one of the three assemblies shall be tested with the tongue inverted.

(c) *Type 3 seat belt assembly.* * * *

(3) After the buckle is released, the webbing shall be examined for cutting by the hardware. If the yarns are partially or completely severed in a line for a distance of 10 percent or more of the webbing width, the cut webbing shall be tested for breaking strength as specified in § 9.7(b) locating the cut in the free length between grips. If there is insufficient webbing on either side of the cut to make such a test for breaking strength, another seat belt assembly shall be used with the webbing repositioned in the hardware. A tensile force shall be applied to the components as follows: Webbing in pelvic or upper torso restraint—700 pounds or 320 kilograms; webbing in seat back retainer or webbing connecting pelvic and upper torso restraint to attachment hardware—1,500 pounds or 680 kilograms. After the force is removed, the breaking strength of the cut webbing shall be determined as prescribed above.

(4) If a seat belt assembly has a buckle in which the tongue is capable of inverted insertion, one of the three assemblies shall be tested with the tongue inverted.

5. Amend § 9.11 to read as follows:

§ 9.11 Effective date.

The standards prescribed herein shall become mandatory after December 31, 1966, and until this date shall be optional alternatives to the standards published in the FEDERAL REGISTER on July 1, 1965.

6. Amend Figure 3 as follows:

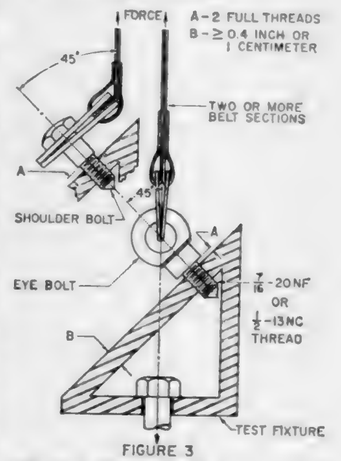


FIGURE 3

[F.R. Doc. 66-5997; Filed, June 1, 1966; 8:45 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66–SO–38]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Meridian (Key Field), Miss., control zone and transition area.

The Meridian (Key Field) control zone is described in § 71.171 (31 F.R. 2065).

The control zone would be redesignated as within a 5-mile radius of Key Field (latitude 32°19'58" N., longitude 88°45' 05" W.); within 2 miles each side of the Meridian ILS localizer S course extending from the 5-mile radius zone to the Meridian RBN; within 2 miles each side of the Meridian VORTAC 155° radial extending from the 5-mile radius zone to 13.5 miles SE of the VORTAC; within 2 miles each side of the Meridian VORTAC 310° radial extending from the 5-mile radius zone to 6 miles NW of the airport.

Alterations to the dimensions of the control zone extensions are required by applicable criteria.

The proposed amendment would provide additional controlled airspace along the northwest extension, required for the protection of aircraft departing Key Field during climb to 700 feet above the ground.

The proposal will permit a reduction in the size of controlled airspace along the southeast extension. This airspace is for the protection of aircraft executing instrument approach procedures during descent below 1,000 feet above the surface.

The Meridian (Key Field) transition area is described in § 71.181 (31 F.R. 2149).

The Meridian 700-foot transition area would be redesignated as that airspace extending upward from 700 feet above the surface within an 11-mile radius of Key Field (latitude 32°19'58" N., longitude 88°45'05" W.), excluding that portion which coincides with the Meridian, Miss. (NAAS Meridian) transition area; within 8 miles E and 5 miles W of the Meridian ILS localizer S course extending from the Meridian RBN to 13 miles S of the RBN; within 8 miles E and 5 miles W of the 191° bearing from the Meridian RBN extending from the RBN to 13 miles S; within 8 miles SW and 5 miles NE of the Meridian VORTAC 315° radial extending from the VORTAC to 13 miles NW.

An increase in the dimensions of the 700-foot transition area is required by applicable criteria.

The proposed transition area would provide controlled airspace for aircraft departing Key Field during climb from 700 to 1,200 feet above the surface, and for aircraft executing instrument approach procedures during descent from 1,500 to 1,000 feet above the surface.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attn: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 18097, Memphis, Tenn., 38118. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

These amendments are proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on May 24, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66–6003; Filed, June 1, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65–AL–21]

CONTROL ZONE, CONTROL AREA EXTENSION, AND TRANSITION AREA

Proposed Alteration, Revocation, and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the vicinity of Yakataga, Alaska.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by article 12 and annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in annex 11 apply in those parts of the airspace under the jurisdiction of a contracting State, derived from ICAO, wherein air traffic services are provided and also whenever a contracting State accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting State accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with article 3 of the Convention on International Civil Aviation, Chicago, 1944, State aircraft are exempt from the provisions of annex 11 and its Standards and Recommended Practices. As a contracting State, the United States agreed by article 3(d) that its State aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

To implement the provisions of CAR Amendments 60–21/60–29 in the Yakataga Airport terminal area, the Federal Aviation Agency has under consideration the following amendments to part 71:

a. The Yakataga control zone would be altered to comprise that airspace within a five (5) mile radius of the Yakataga Airport (latitude 60°05' N., longitude 142°30' W.); and within 2 miles each side of the southwest course of the Yakataga R.R., extending from the 5-mile radius zone to the intersection of the southwest course of the Yakataga R.R. and the east course of the Hinchinbrook, Alaska, R.R. This control zone would be effective from 0545 to 2145 hours, local time, daily.

b. The Yakataga, Alaska, control area extension would be revoked.

c. The Yakataga, Alaska, transition area would be designated as that airspace extending upward from 1,200 feet above the surface within five (5) miles northwest and eight (8) miles southeast of the Yakataga R.R., southwest course, extending from seven (7) miles northeast to thirteen (13) miles southwest of the intersection of the southwest course of the Yakataga R.R. and the east course of the Hinchinbrook, Alaska, R.R.; and within five (5) miles each side of the Yakataga R.R. southeast course, extending from the R.R. to the intersection of the southeast course of the Yakataga R.R. and the west course of the Yakutat, Alaska, R.R.

The actions proposed herein would provide protection for aircraft executing prescribed instrument approach, missed approach, holding, and departure procedures for the Yakataga Airport. Upon designation of the Yakataga transition area, the need for the Yakataga control area extension would no longer exist.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on May 25, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–6004; Filed, June 1, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 1, 21, 23, 73, 74, 81, 87, 89, 91, 93, 95, 97]

[Docket No. 16591]

CERTAIN TRANSMITTING FACILITIES

Order Extending Time for Filing Comments

In the matter of amendment of Parts 1, 21, 23, 73, 74, 81, 87, 89, 91, 93, 95, and 97 of the Commission's rules to require prior coordination with the U.S. Department of Agriculture and the Department of the Interior when desiring to install or modify transmitting facilities on certain lands under the jurisdiction of those Departments; Docket No. 16591.

1. On April 15, 1966, the Commission issued a notice of proposed rule making (FCC–336) in the above proceeding. Interested parties were authorized to file comments with respect thereto by June 1, 1966, and reply comments by June 15, 1966.

2. On May 20, 1966, Southern California Mobile Radio Association petitioned the Commission to extend the time for filing comments and reply comments from June 1 and June 15, 1966, respectively, to August 1 and August 15, 1966, respectively. Petitioner contends that the Commission's proposal would have far-reaching effect upon members of the petitioning association as well as the licensed systems served by such members, particularly in certain counties in Southern California. It is claimed that the time provided in the Commission's proposal for the filing of comments is not sufficient to obtain the views and coordinate the comments of the association's members.

3. In view of the above, it is believed that some extension of time is warranted. However, it is noted that the Commission's notice of proposed rule making provided 45 days for the filing of comments, and that there is a need for the disposition of this matter at the earliest date possible. Therefore, the public interest would not be served by a grant of the full 2 months extension of time requested.

4. *Accordingly, it is ordered*, This 26th day of May 1966, that, pursuant to authority contained in section 0.251(b) of the Commission's rules, the time for filing of comments and reply comments in the above proceeding is extended from June 1 and June 15, 1966, respectively, to July 1 and July 15, 1966, respectively.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6056; Filed, June 1, 1966; 8:50 a.m.]

[47 CFR Part 73]

[Docket No. 16661; FCC 66–460]

TELEVISION BROADCAST STATIONS, SILVER CITY, N. MEX.

Table of Assignments

1. During the negotiations with the Government of Mexico in mid-1962, regarding television broadcast assignments in the United States-Mexico border area it was found that additional assignments of VHF channels could be made on both sides of the border. In an effort to secure an equitable division of these remaining VHF channels and to preserve them for possible future use, both countries chose certain communities primarily for record purposes in which to list assignments although there was no current demand for such channels and no firm basis for assuming a future demand. Most of these additional channels were not restricted to the community selected for record purposes and could be sited over a fairly large area and still comply with the minimum geographic separations specified in the Commission Rules.

2. One such assignment, Channel 6, was made at Silver City-Truth or Consequences, N. Mex., announcement of which was included in a Report and Order adopted in August 1962. The hyphenated entry was used since Channel 6 could not be used in either Silver City or Truth or Consequences because of existing cochannel assignments at Tucson, Ariz., and Carlsbad, N. Mex., but could be located between the two cities. The standard reference points in the two cities were established for the computation of distances and served to protect the assignment against encroachment by possible future transmitter locations in Mexico. However, the inclusion of these reference points in our Table of Assignments places restrictions on the effective use of other cochannel assignments in the Table.

3. On the basis of present assignments, Channel 6 could be assigned anywhere in a narrow area stretching from the Mexican border north of Palomas, Chihuahua to Socorro, N. Mex., and then curving northwestward to the vicinity of Winslow, Ariz. While we may anticipate that a need for the channel may arise in the future somewhere in this area, it would be impossible to select with any certainty any single community in this area as the likely location of a future TV station. Furthermore, the selection of a community would establish a record reference point for the computation of distance and could jeopardize the future availability of the channel at other places and continue to impede the effective use of other assignments already in the Table. Omission of the assignment from the Table of Assignments would provide a basis for protecting it over the entire area in which it may now be used and at the same time avoid conflicts with justifiable locations or relocations of other stations on the same or adjacent channels.

4. One such conflict is before us now. The Board of Regents of the Universities and State Colleges of Arizona, licensee of KUAT, Channel 6, Tucson, Ariz., wishes to modify its present facilities by relocating its transmitter and increasing power. The site chosen is on Mount Bigelow from which location KUAT will be able to triple the population it serves and advance its plans to provide educational television broadcast service to all the people of the State. The chosen site would not comply with the minimum geographic separations. The Board filed a petition for reconsideration of the Fifth Report and Order in Docket No. 14229 in which the hyphenated listing of Silver City-Truth or Consequences was changed to Silver City. However, restoring the hypenated listing or changing it to list only Truth or Consequences would not solve their problem since the contemplated new site for KUAT would be short spaced to the main Post Office locations in both cities. The Association of Maximum Service Telecasters has opposed the KUAT application because of the shortage, unless at the same time Channel 6 is deleted from Silver City and it is made clear that any use of Channel 6 in that general area will meet all mileage separations.

5. Under the circumstances, there appears to be no valid reason for retaining the Channel 6 listing at either Silver City or Truth or Consequences, N. Mex., for use of a maximum facility assignment. Omission of the assignment will not preclude future restoration of Channel 6 to the Table at a time when and place where a need arises within the area in which Channel 6 may be assigned in full compliance with the minimum geographic separations required by the rules. In the meantime there appears to be a need for such service as can be provided in this sparsely settled area. Our recent rule change which

would permit 100 watt translators on unused VHF channels was designed as an interim step to provide service in just such areas.[1] Therefore while we propose to discontinue the availability of Channel 6 for maximum facilities at Silver City we shall leave it in the table for the present with a footnote indicating that it is available for 100 watt translator use only.

6. Channel 10 is also assigned to Silver City but reserved for education. It does not appear, however, that there will be an interest in operating an educational station in this area for some time. On the other hand it is quite likely that there will be economic support for a second 100 watt translator operation in the area. Therefore, we are also proposing in this Notice to remove the reservation from Channel 10. At the present time there are a total of 17 assignments reserved for educational use in the State of New Mexico. Of these, 6 are in the VHF and 11 are in the UHF portion of the TV spectrum. In the event the proposed elimination of the educational reservation on Channel 10 at Silver City is adopted, there would remain a total of 16 educational reservations in the State. Moreover, since Silver City is in an area where UHF assignments are possible, such an educational reservation could be made in the future if the need arises.

7. Accordingly, under the authority contained in sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend § 73.606(b) of the Commission rules by revising the Table of Assignments in Silver City to read as follows:

City	Channels
Silver City, N. Mex	6[1], 10+
• • •	• • •

[1] Available for 100 watt translator use only.

8. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations interested parties may file comments on or before July 5, 1966, and reply comments on or before July 15, 1966. All submissions by parties to this proceeding, or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

9. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: May 25, 1966.

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6057; Filed, June 1, 1966; 8:50 a.m.]

[1] On Mar. 18, 1966, an application was received for a 100 watt translator on Channel 6 at Silver City by WGAL Television, Inc., proposing to rebroadcast its Albuquerque station KOAT-TV.

[2] Commissioner Lee dissenting.

[47 CFR Part 73]

[Docket No. 16662; FCC 66-479]

CERTAIN FM BROADCAST STATIONS

Table of Assignments

In the matter of amendment of § 73.202, *Table of Assignments*, FM Broadcast Stations (Leitchfield, Ky., Rolla and Columbia, Mo., Bakersfield, Calif., Sandusky, Mich., Enterprise and Troy, Ala., Ladysmith, Wis., and Ironwood, Mich., Sturgeon Bay, Wis., Morris, Minn., Jerseyville, Ill., Augusta, Ga., Brewton and Andalusia, Ala., Wickenburg, Ariz., Potsdam, N.Y., and New Albany, Ohio; Docket No. 16662, RM-957, RM-940, RM-941, RM-878, RM-944, RM-948, RM-949, RM-956, RM-958, RM-959.

1. Notice is hereby given of proposed rule making in the above-entitled matter, concerning amendments of the FM Table of Assignments contained in § 73.202(b) of the Commission's rules. All proposed assignments are alleged and appear to meet the spacing requirements of the rules. All those proposed assignments which are within 250 miles of the United States-Canada border require coordination with the Canadian Government under the terms of the Canadian-United States FM Agreement of 1947 and the Working Arrangement of 1963. Except as noted, all channels proposed to be deleted are unoccupied and unapplied for, and all population figures are from the 1960 U.S. Census.

2. *RM-957. Leitchfield, Ky.* This request filed on May 3, 1966, by Rough River Broadcasting Co., Inc., licensee of WMTL(AM), Leitchfield, Ky., is for a first Class A assignment (Channel 285A) to Leitchfield, without any other changes in the Table. Leitchfield has a population of 2,982 and its county (Grayson) has a population of 15,831. Its only radio station (WMTL) is a daytime-only operation. Grayson County, of which Leitchfield is the county seat and largest community, is largely rural in nature but does have various industries.

3. We are of the view that comments should be invited on petitioner's proposal as follows:

City	Channel No.	
	Present	Proposed
Leitchfield, Ky		285A

4. *RM-940. Rolla, Mo.* On March 24, 1966, The Show-Me Broadcasting Co., licensee of Station KTTR(AM), Rolla, Mo., petitioned for rule making to assign Channel 287 to Rolla by making a needed change in Columbia, Mo., as follows:

City	Channel No.	
	Present	Proposed
Rolla, Mo	232A	232A, 287[1]
Columbia, Mo	244A, 288A	244A, 252A

[1] In Docket No. 16535 it was proposed to assign either Channel 288A or 232A to Bolivar, Mo. Since Bolivar is only 95 miles from Rolla, where the adjacent channel to 288A is proposed, the subject proposal is in conflict with the first alternative Bolivar proposed.

Rolla has a population of 11,132 and the county in which it is located (Phelps) has a population of 25,396. It is the county seat and largest community in the county. The sole FM assignment, Channel 232A is authorized to Station KCLU-FM. Rolla also has one Class IV AM station (licensed to petitioner) and one day-time-only station. Petitioner submits that Rolla has a need for a Class C assignment since it is the center of a rural area and is distant from any substantial centers of population. Aside from Columbia (75 miles away), the nearest population centers are Jefferson City (50 miles), St. Louis (95 miles), and Springfield (100 miles). Petitioner also urges that the assignment of Channel 287 to Rolla would provide service to an area of 2,268 square miles that now receives no primary FM service, as well as a large area at night which does not have nighttime AM service, and that it would aid the general area by providing information concerning emergencies, weather conditions, and agricultural news during the early morning and late nighttime periods.

5. Our policy has been to place Class B or C channels in the larger cities and metropolitan areas and Class A channels in the smaller communities. However, we have made exceptions to this general policy in those cases where the small community is in a large rural area and far removed from population centers. Rolla may be the type of community which warrants a departure from the general policy in this regard and so we invite comments on the petitioner's proposal set out above. We also invite comments on whether the proposed additional assignment would not preclude future needed assignments in other communities and whether we should mix a Class A and C assignment in the same city.

6. *RM-941. Bakersfield, Calif.* In a petition filed on March 28, 1966, Thunderbird Broadcasting Co., licensee of radio Station KUZZ(AM), Bakersfield, Calif., requests the addition of Channel 300 to Bakersfield without any other changes in the Table. Bakersfield, the county seat of Kern County, has a population of 56,848 and Kern County has a population of 291,984. There are three Class B assignments in that city, all of which are in operation, and eight AM stations, two of which are daytime-only operations. Petitioner submits figures to show the great population, industrial, and agricultural gains which have been made over the past years. It urges that Bakersfield needs and can support a fourth FM station. Finally, it points out that the recent action of the Commission in moving Channel 300 from Lancaster to San Clemente, Calif., in Docket No. 16212 (FCC 66-190), makes the proposed assignment technically feasible.

7. KGEE, Inc., licensee of Stations KGEE and KGEE-FM, Bakersfield, Calif., opposes the petition of Thunderbird on the grounds that the market is already overcrowded with radio broadcast and TV stations, that the proposal to add Chan[illegible]00 to Bakersfield would thus waste [illegible]annel, and that the petitioner has not shown that the geography of the area precludes reception of outside signals. KGEE submits data purporting to show that the AM-FM stations in the market have shown losses since 1955. In a reply to this opposition Thunderbird submits that the financial data based on FCC annual reports may be adequate for a general comparison of markets, but unless one checks the accounting details for individual stations, the overall summaries are not conclusive. Thunderbird also urges that any points in the opposition which are relevant can be considered by the Commission after comments are received in response to a notice of proposed rule making.

8. We have carefully considered petitioner's proposal and the opposition of KGEE and are of the view that the petitioner's proposal merits rule making in order that all interested parties may submit their views and relevant data. Comments are therefore invited on the following proposal:

City	Channel No.	
	Present	Proposed
Bakersfield, Calif	231, 243, 268	231, 243, 268, 300

9. *RM-878. Sandusky, Mich.* In a petition filed on November 4, 1965, and amended on January 6, and February 1, 1966, Sanilac Broadcasting Co., applicant for a new AM broadcast station in Sandusky, Mich., requests the assignment of Channel 221A to Sandusky by shifting this channel from Bad Axe, Mich. Petitioner further states that in the event the Commission believes that the assignment at Bad Axe should be replaced, it proposes that Channel 269A could be moved to Bad Axe from Tawas City and that this could be replaced by the assignment of Channel 221A. The proposals are summarized as follows:

City (all in Michigan)	Channel No.	
	Present	Proposed
Alternative 1:		
Bad Axe	221A	-
Sandusky	-	221A
Alternative 2:		
Bad Axe	221A	269A
Sandusky	-	221A
Tawas City	269A	-
Alternative 3:		
Bad Axe	221A	269A
Sandusky	-	221A
Tawas City	269A	221A

10. Sandusky, Mich., is a community of 2,066 persons and the county in which it is located has a population of 32,314 persons. Petitioner states that Sanilac County, located centrally in the so-called "Thumb area" of Michigan, is devoted almost entirely to agricultural activities, that there is no radio station in it, and that the proposed station is needed to provide local service, market and weather reports, and emergency communications. Finally, petitioner submits that the proposal will conform to all the separation requirements of the rules and the Working Arrangement of 1963 concerning FM assignments along the Canadian-United States border, provided a site for the proposed station at Sandusky on Channel 221A is located about 5 miles west of the community.

11. Thumb Broadcasting Co., licensee of Station WLEW(AM), Bad Axe, Mich., opposes the Sanilac proposals. Thumb Broadcasting states that it is preparing an application for Channel 221A at Bad Axe and that any proposal which would delete this assignment without replacement should be denied since Bad Axe (population 2,998) is a larger community than Sandusky. It points out that the substitute assignment of Channel 269A to Bad Axe would not conform to the United States-Canadian FM Agreement in that it would greatly reduce the spacing to Channel 269 at Wingham, Ontario, from its present separation to Tawas City.

12. We are of the view that the first alternative proposal of Sanilac should not be adopted since it would remove an assignment from a larger community. The second and third alternatives also cannot be adopted in view of the spacing problem with a Canadian assignment which the Sandusky replacement would involve. However, we believe that the assignment of a first FM channel to Sandusky would serve the public interest if it is possible without violating any rules or depriving another community of such an assignment. It appears that Channels 249A or 276A may be assigned to Sandusky in conformance with the spacing rules. As to Channel 276A, the Canadian authorities, in preliminary negotiations, have indicated a willingness to accept this assignment. In view of the above, we deny the proposals made by Sanilac Broadcasting Co. in its petition RM-878 but instead invite comments on the following:

City	Channel No.	
	Present	Proposed
Sandusky, Mich		249A or 276A

13. *RM-944. Enterprise and Troy, Ala.* On April 6, 1966, Wiregrass Broadcasting Co., licensee of radio Station WIRB(AM), Enterprise, Ala., filed a petition requesting the addition of Channel 245 to Enterprise by deleting it from Troy, Ala., as follows:

City	Channel No.	
	Present	Proposed
Enterprise, Ala	228A	228A, 245
Troy, Ala	245, 289	289

Enterprise has a population of 11,410 and the county in which it is located has a population of 30,583. It has a daytime-only AM station, licensed to petitioner, and one Class A FM assignment, for which no application has been filed. It is located about 28 miles WNW of Dothan, Ala. Troy has a population of 10,234 and its county has a population of 25,987. In addition to the two Class C FM assignments, neither of which have been applied for, it has an unlimited time AM station. Petitioner submits that the population of Enterprise has increased at a much greater rate than has that of Troy, that the Army Aviation Center at Fort Rucker, 8 miles distant, has been enlarged and that a junior college has recently commenced operation in Enterprise, and that it plans to file an application for Channel 245 in the event the proposal is adopted. For these reasons, petitioner urges that the proposal is in accord with the rules and would serve the public interest.

14. We are of the view that comments should be invited on petitioner's proposal as outlined above, in order that all interested parties may submit their views and relevant data. We also invite comments on the proposed mixing of Class A and C assignments in the same community, a situation we have tried to avoid where possible.

15. *RM-948. Ladysmith, Wis.* On April 18, 1966, Flambeau Broadcasting Co., licensee of radio Station WLDY, Ladysmith, Wis., filed a petition requesting the assignment of Channel 225 to Ladysmith by substituting Channel 295 for 226 at Ironwood, Mich., as follows:

City	Channel No.	
	Present	Proposed
Ladysmith, Wis	288A	225, 288A
Ironwood, Mich	226, 259	259, 295

Ladysmith (population 3,584) is the county seat and largest community in Rusk County (population 14,794). It has a Class IV AM station, licensed to petitioner and an unoccupied Class A FM assignment. It is located in a rural section of Northern Wisconsin, the nearest large city being about 50 miles distant (Eau Claire) and the nearest metropolitan area at about 103 miles (Duluth-Superior). Petitioner urges that it is anxious to serve smaller outlying villages from which it draws support for its AM station but that this cannot be done with a Class A FM station, and that the proposal conforms to all the separation rules.

16. Since Ladysmith is located in a large rural area far removed from population centers, it may be the type of community which merits a departure from our policy of assigning Class A channels to the smaller communities and Class B or C channels to large cities and metropolitan markets. However, we do not believe that two assignments are warranted in this small community. We are therefore inviting comments on the following proposal:

City	Channel No.	
	Present	Proposed
Ladysmith, Wis	288A	225
Ironwood, Mich	226, 259	259, 295

17. *RM–949. Sturgeon Bay, Wis.* On April 21, 1966, Federalist, Ltd., a prospective applicant for a new FM station in Sturgeon Bay, Wis., filed a petition requesting the addition of Channel 230 or 231 to Sturgeon Bay as follows:

City	Channel No.	
	Present	Proposed
Sturgeon Bay, Wis.	240A	230 or 231, 240A

Sturgeon Bay has a population of 7,353 and its county, Door County, has a population of 20,685. It is the county seat and largest community in the county. The sole FM assignment has been authorized to the licensee of the sole AM station in the community, a daytime-only operation. Petitioner urges that a second FM assignment is needed to provide the area with an independent FM service, that the proposal conforms to all the rules, and that it intends to file for and construct a new station if the request is granted. Petitioner points out that Channel 231 is to be preferred over 230 since the actual separations to other stations and assignments is greater on the former channel. Channel 230 at Sturgeon Bay would also be very close to the minimum required to Channel 227 at Escanaba, Mich.

18. Sturgeon Bay is not a very large community and we are not convinced that a second FM assignment is merited. However, if the petitioner or any other interested party can show that the assignment of Channel 231 will not preclude its assignment, or that of any of the six adjacent channels, in other communities in which there may be a future need for such an assignment, we will give favorable consideration to the request, in the event it is found to serve the public interest in other respects. Comments are therefore invited on the following proposal:

City	Channel No.	
	Present	Proposed
Sturgeon Bay, Wis.	240A	231, 240A

19. *RM–956. Morris, Minn.* This petition, filed on May 3, 1966, by Clifford L. Hedberg, licensee of Station KMRS (AM), Morris, Minn., requests the substitution of Class C Channel 294 or 298 for Class A Channel 232A at Morris. Morris has a population of 4,199 and is the largest community and county seat of Stevens County, which has a population of 11,262. Morris is about 80 miles from St. Cloud and about 135 miles from Minneapolis. It has a Class IV AM station, licensed to petitioner, but no application has been filed for the Class A FM channel assigned to it. Petitioner submits that Morris is the center of a large rural area and that its AM station cannot even serve the county due to its restricted service range, especially during nighttime hours. He urges that a Class C assignment is appropriate for this community, and that with such an assignment it would be possible to serve the large rural area around Morris, and that he will apply for such a station in the event it is adopted.

20. Morris is a small community; however, since it is the center of a large rural area and is situated far removed from any population centers, we are of the view that it may be the type of community which warrants a departure from our general policy of assigning Class B or C channels to the large cities or metropolitan areas and only Class A channels to the smaller communities. Of the two channels proposed, Channel 294 would not conform to our minimum spacing requirements since it would not be the required 65 miles from the assignment of Channel 292A at Ortonville, Minn. We are therefore inviting comments on the following:

City	Channel No.	
	Present	Proposed
Morris, Minn.	232A	298

21. *RM–958. Jerseyville, Ill.* On May 5, 1966, Tri-County Broadcasting Co., Inc., licensee of Station WJBM(AM), Jerseyville, Ill., filed a petition for rule making requesting the assignment of Channel 281 to Jerseyville, Ill., without any other changes in the Table. Jerseyville has a population of 7,420 and its county (Jersey County) has a population of 17,023. WJBM is the only radio station in Jersey County and in the two adjoining counties and operates daytime only. Petitioner submits that the only manner in which it can improve the service of WJBM to the three counties is by the proposed assignment. It urges that Jerseyville merits a Class B assignment since there is no Class A channel available, since it would provide service to three rural counties with a population of over 40,000 persons, and since it is distant from large centers of population in Illinois. In an engineering attachment, a showing is made that the assignment of Channel 281 to Jerseyville will not preclude any needed future assignments in other communities in view of existing stations and assignment in communities in the general area.

22. Jerseyville appears to be the type of community which merits the assignment of a Class A channel. However, in view of the unavailability of a Class A assignment and the situation of this community with respect to the surrounding rural area and its distance from large cities and metropolitan areas in its State, we are inviting comments on petitioner's proposal as follows:

City	Channel No.	
	Present	Proposed
Jersoyville, Ill.		281

23. *RM–959. Augusta, Ga.* In a petition filed on May 5, 1966, Broadcasting Associates of America, Inc., licensee of Station WGUS(AM), North Augusta, S.C., requested the deletion of Channel 275 from Augusta, Ga., and the addition of Channels 272A and 276A to that city as follows:

City	Channel No.	
	Present	Proposed
Augusta, Ga.	275, 282, 289	272A, 276A, 282, 289

Augusta has a population of 70,626. It has five AM stations, one of which is a daytime-only station. Two of the three Class C FM assignments (282 and 289) are in operation and no applications have been filed for the remaining assignment. Petitioner points out that, in order to meet the required minimum spacings, a station on Channel 275 would have to be located about 18 miles out of the city. It urges that the assignment of two Class A channels would remove this inconvenience, and would permit savings and efficiencies by permitting use of existing tower sites. It is recognized that the mixing of Class A and C channels is not conducive to creating competitive equality among the stations, but petitioner submits that the proposed assignments would be more satisfactory in view of the severe limitation on selection of a site on the assigned Class C channel.

24. Since the proposed assignment of two Class A assignments in lieu of the one Class C would make available an additional frequency in this area in which assignments are rather scarce, and since it would make the selection of sites easier for applicants, we are of the view that comments should be invited on the proposal and that the mixing of Class A and C assignments may be warranted in this case.

25. *Changes on Commission's own motion.* In addition to those proposals advanced by interested parties, we wish to make additional changes on our own motion. Channel 296A was inadvertently assigned to Brewton, Ala., at spacings below the minimums required. No other Class A assignment can be made to Brewton without other changes in the Table. However, Channel 292A can be assigned to that community if Channel 293, assigned and unoccupied at Andalusia, Ala., is deleted. Andalusia, a community of 10,263 persons, has been assigned Channel 251 and also has a Class IV AM station in operation. Likewise, Channel 261A at Wickenburg, Ariz., is short-spaced to an assignment for which an application has been tendered for filing. Channel 256 at Potsdam does not meet the required spacing to an existing station on an adjacent channel in Burlington, Vt. Lastly, Channel 280A was assigned to New Albany, Ohio, upon request of an interested party on the basis of a showing which claimed that the minimum spacings would be met. However, a station in Portsmouth, Ohio was assumed to be located in Zone I but actually is situated in Zone II. Thus, the assignment does not meet the requirements of the rules and must be deleted. We invite comments, therefore, on the following:

City	Channel No.	
	Present	Proposed
Andalusia, Ala.	251, 293	251
Brewton, Ala.	296A	292A
Wickenburg, Ariz.	261A	288A
Potsdam, N.Y.	256	257A
New Albany, Ohio	280A	

26. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

27. Pursuant to applicable procedures set out in Section 1.415 of the Commission's rules, interested persons may file comments on or before June 27, 1966, and reply comments on or before July 8, 1966. All submissions by parties to this proceeding or persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

28. In accordance with the provisions of Section 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: May 25, 1966.

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66–6058; Filed, June 1, 1966; 8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 170]

[Ex Parte No. MC–37 (Sub-No. 2)]

MINNEAPOLIS-ST. PAUL COMMERCIAL ZONE

Redefinition of Limits

MAY 27, 1966.

Redefinition of the limits of the Minneapolis-St. Paul, Minn., commercial zone, heretofore defined in Ex Parte No. MC–37, Commercial Zones and Terminal Areas, 48 M.C.C. 441 at page 453.

Petitioner: Minneapolis Traffic Association. Petitioner's representative: Eugene J. Mielke, 701 Second Avenue South, Minneapolis, Minn., 55402.

By petition filed May 11, 1966, Minneapolis Traffic Association requests the Commission to reopen the above proceeding for the purpose of redefining the limits of the Minneapolis-St. Paul, Minn., commercial zone, which were most recently defined on July 19, 1948, in *Commercial Zones and Terminal Areas*, 48 M.C.C. 441 at page 453 (49 CFR 170.26), so as to include therein Plymouth and Bloomington, Minn.

No oral hearing is contemplated at this time, but anyone wishing to make representations in favor of, or against, the above proposed revision of the limits of the Minneapolis-St. Paul, Minn., commercial zone, may do so by the submission of written data, views, or arguments. To the extent possible, representations in favor of the proposed revision should include suggested wording for incorporating the proposed additions into the existing description. An original and five copies of such data, views, or arguments shall be filed with the Commission on or before July 5, 1966.

Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–6033; Filed, June 1, 1966; 8:47 a.m.]

[2] Commissioner Cox dissenting in part.

Notices

DEPARTMENT OF STATE

Agency for International Development

CAPITAL PROJECTS GUIDELINES

Borrower Procurement of Goods and Services of U.S. Source and Origin

The Agency for International Development has prepared a publication entitled "AID Capital Projects Guidelines" which describes the criteria that will generally govern AID approval of contracts and contractors in connection with borrower procurement for capital projects financed from dollar loans under the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2151 et seq.) in cases where the loan is limited to the financing of goods and services of United States source and origin. These guidelines do not apply to commodity transactions which are governed by AID Regulation No. 1, as amended, 22 CFR Part 201. Neither do they apply to procurement contracts to which the United States is a party, including contracts governed by the AID Procurement Regulations, 41 CFR Ch. 7.

The publication entitled "AID Capital Projects Guidelines" may be obtained without charge by making requests to the following office:

Distribution Branch, Agency for International Development, Washington, D.C., 20523.

Specific criteria to be applied to a particular case are governed by the loan agreement and pertinent letters of implementation and related documents. Information as to the criteria which will be applied under a particular loan may be obtained, in Washington, from the AID regional bureau which has cognizance over the loan. Inquiries should be made, as appropriate, to:

The Assistant Administrator, Bureau for Near East and South Asia.
The Assistant Administrator, Bureau for Africa.
The Assistant Administrator, Bureau for Far East.
The Assistant Administrator, Bureau for Latin America.

Their address is: Agency for International Development, Washington, D.C., 20523.

WILLIAM S. GAUD,
Deputy Administrator.

MAY 12, 1966.

[F.R. Doc. 66-6035; Filed, June 1, 1966; 8:48 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 66-113; Customs Delegation Order 24]

DEPUTY REGIONAL COMMISSIONER OF CUSTOMS, REGION II, NEW YORK

Delegation of Authority

MAY 26, 1966.

By virtue of authority vested in me by Treasury Department Order No. 165, Revised (T.D. 53654, 19 F.R. 7241), all functions, rights, privileges, powers, and duties delegated to district directors of customs and to regional commissioners of customs by Customs Delegation Order No. 22 (T.D. 56470, 30 F.R. 11180) and delegated to the assistant regional commissioners for Customs Region II, New York, by Customs Delegation Order No. 23 (T.D. 66-100, 31 F.R. 7150), are hereby delegated also to the deputy regional commissioner of customs for Customs Region II, New York, effective on the date that the creation of the office of regional commissioner for that region becomes effective under Treasury Department Order No. 165-17 (T.D. 56464, 30 F.R. 10913).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-6022; Filed, June 1, 1966; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

Modification of Grazing Districts Nos. 2 and 7; Correction

The legal description of lands in the third paragraph of F.R. Doc. 66-4951, appearing on page 6794 of the issue for May 6, 1966, Vol. 31, No. 88 under the following townships and sections should read:

6TH PRINCIPAL MERIDIAN, COLORADO

T. 9 S., R. 85 W.,
Secs. 3 to 10, inclusive; secs. 14 to 23, inclusive; and secs. 26 to 35, inclusive.
T. 7 S., R. 87 W.,
Secs. 1 to 11, inclusive; secs. 14 to 23, inclusive; and secs. 26 to 35, inclusive.
T. 6 S., R. 91 W.,
Sec. 36, E½ and E½W½.

CHARLES H. STODDARD,
Director.

MAY 26, 1966.

[F.R. Doc. 66-6007; Filed, June 1, 1966; 8:46 a.m.]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 24, 1966.

The Department of the Air Force has filed the above application for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining and mineral leasing laws.

The applicant desires the land for protection of water supply at an Air Force Station.

For a period of thirty (30) days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 555 Cordova Street, Anchorage, Alaska, 99501.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

TATALINA AIR FORCE STATION

Commencing at a point on the west boundary of an area withdrawn by Public Land Order 731, which is also the northeast corner of an area withdrawn by Public Land Order 815, at approximate latitude 62°55'44" N., longitude 156°01'12" W.; thence west, 600 feet, to a point which is the southwest corner of an area withdrawn by Public Land Order 1740, said point being the True Point of Beginning for this description; thence west, 4,680 feet, to a point which is the northwest corner of an area withdrawn by Public Land Order 815; thence north, 3,960 feet to a point; thence east, 5,280 feet to a point which is the northwest corner of an area withdrawn by Public Land Order 731; thence south, 3,421.9 feet to a point which is the northeast corner of an area withdrawn by Public Land Order 1740; thence west, 600 feet to a point which is the northwest corner of said area; thence south 538.1 to the point of beginning.

Containing 472.59 acres, more or less.

BURTON W. SILCOCK,
State Director.

[F.R. Doc. 66-6008; Filed, June 1, 1966; 8:46 a.m.]

Bureau of Reclamation

[Public Notice 1]

BOSTWICK PARK PROJECT, COLORADO

Land Class Equivalents

1. Section 2 of the Act of September 2, 1964, 78 Stat. 852, provides that "on the said projects, the limitation on lands held in single ownership which may be eligible to receive project water from, through, or by means of project works shall be one hundred and sixty acres of Class 1 land as defined for the Bostwick Park Project (participating project of the Colorado River Storage Project) or the equivalent thereof in other land classes as determined by the Secretary of the Interior."

2. Article 21 of contract No. 14-60-400-4421 between the United States and the Bostwick Park Water Conservancy District dated March 18, 1966, provides that "Computation of the equivalent of one hundred sixty (160) acres of Class 1 land shall be based on factors which shall be set forth in a Public Notice issued by the Secretary of the Interior and which shall become effective on the date said Public Notice is published in the FEDERAL REGISTER."

3. Accordingly, I have determined and hereby establish that, in computing the equivalent of one hundred and sixty acres of Class 1 land in the Bostwick Park Water Conservancy District of the Bostwick Park Reclamation Project, each acre of Class 2 land shall be counted as eighty-five one-hundredths of an acre, and each acre of Class 3 land shall be counted as sixty-five one-hundredths of an acre.

STEWART L. UDALL,
Secretary of the Interior.

MAY 25, 1966.

[F.R. Doc. 66-6009; Filed, June 1, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

MAINLAND CANE SUGAR AREA

1967 Crop Proportionate Shares; Notice of Hearing

Notice is hereby given that the Secretary of Agriculture, acting pursuant to the Sugar Act of 1948, as amended, is preparing to conduct a public hearing to receive views and recommendations from all interested persons on the need for establishing proportionate shares for the 1967 sugarcane crop in the Mainland Cane Sugar Area (Louisiana and Florida).

In accordance with the provisions of paragraph (1), subsection (b) of section 302 of the Sugar Act of 1948, as amended, the Secretary must determine for each crop year whether the production of sugar from any crop of sugarcane in the area will, in the absence of proportionate shares, be greater than the quantity needed to enable the area to meet its quota and provide a normal carryover inventory, as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar from such crop normally would be marketed. Such determination may be made only after due notice and opportunity for an informal public hearing.

The hearing on this matter will be conducted at the Eden Roc Hotel, Miami Beach, Fla., beginning at 10 a.m. on June 14, 1966.

Views and recommendations are desired on all phases of the proportionate share program. They may be submitted in writing, in triplicate, at the hearing, or may be mailed to the Director, Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250, postmarked not later than July 1, 1966. Interested persons will be given the opportunity at the hearing to appear and submit orally data, views and arguments in regard to the establishment of proportionate shares.

Restrictions on the marketing of sugarcane in the area are in effect for the 1966 crop. Estimates of sugar production for that crop indicate that the marketing quota for the area will be exceeded by about 50,000 tons.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Signed at Washington, D.C., on May 27, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-6043; Filed, June 1, 1966; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 23(65)-61]

JOSEF LEO GRUBER

Order Denying Export Privileges for Indefinite Period

In the matter of Josef Leo Gruber, sometimes known as Josef Leopold Gruber, trading as "Opera" Tonaufnahmestudio Josef Leo Gruber, 72 Penzingerstrasse, Vienna XIV, Austria, respondent; File No. 23(65)-61.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above-named respondent all export privileges for an indefinite period because the said respondent failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested, without good cause being shown. This application was made pursuant to § 382.15 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations).

In accordance with the usual practice, the application for an Indefinite Denial Order was referred to the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commissioner and the evidence in support of the application have been considered.

The evidence presented shows that the respondent, Josef Leo Gruber, sometimes known as Josef Leopold Gruber, is in the sound recording business in Vienna, Austria, and does business under the name of "Opera" Tonaufnahmestudio Josef Leo Gruber; that the respondent received certain strategic recording equipment which had been exported by a supplier from the United States. The aforesaid Investigations Division is conducting an investigation into the disposition by said respondent of said commodities. It is impracticable to subpoena the respondent, and relevant and material interrogatories and request to furnish certain specific documents relating to his disposition of said commodities were served on him pursuant to § 382.15 of the Export Regulations. Said respondent has failed to furnish answers to said interrogatories or to furnish the documents requested, as required by said section and has not shown good cause for such failure. I find that an order denying export privileges to said respondent for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949.

Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondent, his representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of

a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to his agents, employees, and partners, and to any person, firm, corporation, or business organization with which the respondent now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall remain in effect until the respondent provides responsive answers, written information and documents in response to the interrogatories heretofore served upon him or gives adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Regulations.

V. No person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondent or any related party, or whereby the respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondent.

VII. In accordance with the provisions of § 382.15 of the Export Regulations, the respondent may move at any time to vacate or modify this Indefinite Denial Order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C., 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested shall be held before the Compliance Commissioner, at Washington, D.C., at the earliest convenient date.

This order shall become effective May 31, 1966.

Dated: May 24, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 66-6034; Filed, June 1, 1966; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

STATE OF ALABAMA

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Alabama for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A resume, prepared by the State of Alabama and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. A copy of the program, including proposed Alabama regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C., 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; April 3, 1965, 30 F.R. 4352; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Washington, D.C., this 27th day of May 1966.

For the Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

PROPOSED AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF ALABAMA FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Alabama is authorized under Act Number 582, Regular Session, 1963, to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Alabama certified on April 25, 1966, that the State of Alabama (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on _____ that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

ART. II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ART. III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ART. V. The Commission will use its best efforts to cooperate with the State and other agreement states in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ART. VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on October 1, 1966, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at Montgomery, State of Alabama, in triplicate, this day of _____

For the United States Atomic Energy Commission.

_____

For the State of Alabama.

GEORGE C. WALLACE,
Governor.

POLICIES AND PROCEDURES FOR THE CONTROL OF RADIATION

FOREWORD

The 1963 Regular Session of the Legislature of the State of Alabama enacted a Radiation Control Law which authorizes the Governor of Alabama to enter into an agreement with the U.S. Atomic Energy Commission for the purpose of assuming from the Commission certain regulatory functions for the use of byproduct material, source material, and special nuclear material in quantities not sufficient to form a critical mass. Among other provisions, the Radiation Control Law authorizes the State:

(1) To institute and maintain a regulatory program for all sources of ionizing radiation so as to provide for (a) compatibility with the standards and regulatory programs of the Federal Government, (b) a single, effective system of regulation within the State, and (c) a system consonant insofar as possible with those of other states; and

(2) To institute and maintain a program to permit development and utilization of sources of ionizing radiation for peaceful purposes consistent with the health and safety of the public.

Act 582, Regular Session, 1963, establishes the State Board of Health as the state radiation control agency for regulating, licensing, and inspecting sources and uses of radioactive materials including radium and accelerator produced isotopes, and machines and devices producing ionizing radiation. A Radiation Advisory Board of Health consisting of nine members appointed by the Governor was established under the provisions of this Act to advise the State Board of Health in carrying out the provisions of the law.

In this narrative a chronology outlining the development of the present system of radiation protection and control in Alabama will be presented along with plans, practices, and policies which will be undertaken by the Agency.

History. The Alabama State Department of Public Health became initially involved in limited control and study of the uses of ionizing radiation in 1953 when the Bureau of Sanitation made a study of fluoroscopic shoe fitting machines in Alabama. The possession or use of these machines is now prohibited by regulations adopted by the State Board of Health.

In 1957, the State of Alabama, Water Improvement Commission, which is housed within the Alabama State Department of Public Health, became interested in the levels of radioactivity in the streams of the State. Accordingly, plans were made, equipment purchased, and stream sampling stations were established throughout the State. During the summer of 1958, samples were collected from these sampling stations and analyzed for gross alpha and beta activity. This activity has continued since that time. In 1964, this activity was taken over and expanded by the newly formed Division of Radiological Health—an organizational division of the Bureau of Sanitation.

In 1963, a physical survey was conducted of all known dental X-ray units in the State; and, when necessary, filtration and collimation were added to bring them into compliance with the recommendations of the American Academy of Oral Roentgenology. A total of 945 dental X-ray units were surveyed. Currently, all dental X-ray units which are registered with the Agency are in compliance with the recommendations for filtration and collimation of the American Academy of Oral Roentgenology.

The Jefferson County Board of Health organized a radiological health program in 1962 and initiated a physical survey of all medical X-ray units during the same year. Since this time, a program has been in progress to bring all of the medical X-ray units in Jefferson County into compliance with the recommendations contained in National Bureau of Standards Handbook 76. Presently, over 98 percent of the 340 units in Jefferson County are in compliance with these recommendations.

In 1964, all X-ray units in the State were registered. Units were located by letters to all members of the healing arts profession listed in the roster of the Medical Association of the State of Alabama and to selected industries as shown in the Directory of Industries published by the Alabama State Chamber of Commerce. Following registration, the Division of Radiological Health performed a physical survey of the medical X-ray units in Alabama, except those in Jefferson County which had been previously surveyed. A total of 828 radiographic and 439 fluoroscopic units were inspected. Letters were written to the owners of deficient units requesting that the deficiencies noted in the survey be corrected. On May 10, 1965, the State Board of Health adopted rules and regulations governing the use of X-rays in the healing arts.

A radium leak testing program was conducted jointly by personnel of the Alabama State Department of Public Health and the Jefferson County Board of Health in Jefferson County during 1964. This program revealed that 4 of the 10 radium facilities in Jefferson County had leaking or contaminated sources. The following year personnel of the Alabama State Department of Public Health extended this leak testing program to all counties in the State. Of the additional 30 facilities, a total of 13 were found to have leaking or contaminated sources of radium. All owners of leaking or contaminated sources of radium voluntarily disposed of the leaking radium or had it reencapsulated.

Shortly after its establishment in 1963, the Division of Radiological Health became interested in Project Dribble. This project was a joint undertaking of the U.S. Department of Defense and the U.S. Atomic Energy Commission in which a 5-kiloton nuclear device was detonated in a salt dome located near Hattiesburg, Miss. The Division was concerned with the possibility that the detonation might vent and thus spread radioactive fallout in Alabama. Although the U.S. Public Health Service was responsible for off-site monitoring during this project, the Division of Radiological Health established a sampling program to determine the quantity of radioactive materials present in the air, in milk from samples collected throughout the State, and in the streams of the State both prior to and following the detonation. No venting occurred following the detonation but valuable experience was gained by laboratory personnel.

Members of the staff of the Alabama State Department of Public Health have accompanied members of the AEC staff on their inspections of licensees within the State for many years. Within the last 3 years, Alabama personnel have accompanied AEC inspectors on 81 percent of the inspections within the State. During this period they have become familiar with the inspection of licensees of radioactive materials. Also during this period, staff members have accompanied AEC personnel on investigations of incidents involving radioactive materials in Alabama. Further experience was gained when on several occasions staff members were requested to locate lost radium needles.

Program description. The State Board of Health was designated by Act 582, Regular Session, 1963, as the State Radiation Control Agency in Alabama and has the authority for regulating, licensing, and inspecting sources and uses of radioactive materials and machines and devices producing ionizing radiation. The radiation control program will be carried out by the Division of Radiological Health—an organizational division of the Bureau of Sanitation. Through an understanding with the Agency, medical X-ray registration and inspection activities may be conducted at the county level; however, licensing and inspection of radioactive materials will be conducted exclusively by the Agency.

The Agency is responsible for responding to emergency situations and is adequately staffed with qualified personnel. Emergency supplies and equipment to carry out this responsibility are available. Communications within the Agency and with county health departments have been established. Arrangements will be made with the State Highway Patrol to provide prompt notification of any transportation accident involving radioactive materials.

Licensing and registration. The radiation control program of the State of Alabama will regulate all sources of ionizing radiation including radium, accelerator-produced nuclides in non-exempt quantities, and machine-produced radiation such as medical and dental X-ray units. All X-ray units have been registered with the Agency. Specific licenses will be issued to authorize the possession and use of radioactive materials, including radium and accelerator-produced nuclides, in quantities not exempted or generally licensed by the Agency. Criteria for the possession of byproduct, source, and special nuclear materials will be compatible with those established by the U.S. Atomic Energy Commission.

The licensing program will be essentially the same as that presently used by the U.S. Atomic Energy Commission. The Agency will utilize applicable criteria contained in Atomic Energy Commission publications as general guides in the evaluation of license applications. The director and assistant director of the Division of Radiological Health will evaluate all license applications. Other individuals will assist in this function as they acquire competence through experience and training. Prelicensing visits will be made when determined necessary. For routine applications, both medical and nonmedical, the State Health Officer will issue specific licenses on behalf of the State Board of Health.

A Medical Advisory Committee will advise the State Board of Health through the State Health Officer on nonroutine medical uses of radioactive materials. This Committee currently consists of four radiologists and an internist who are experienced in the medical use of radioisotopes.

Inspections. Staff personnel will conduct inspections of licensees and registrants to determine compliance with regulations promulgated by the Agency and to determine the adequacy of the radiation protection program. Inspections will be performed under the supervision of the assistant director of the Division of Radiological Health. A radiation physicist and two radiation specialists will perform inspections of radiation producing machines. Three radiation physicists assigned to the radioactive materials program will perform all materials inspections. Inspection personnel are qualified by training in the field of radiological health to perform these inspections. Materials inspections will be compatible with those now performed by the Division of Compliance of the U.S. Atomic Energy Commission.

Staff members will be kept current on developments in the field of radioactive materials by continued training in appropriate courses conducted by the USAEC and USPHS. The following frequency for the inspection of licensees in Alabama is proposed but may be either increased or decreased depending upon individual circumstances and the experience of the Agency.

Industrial radiographers—once each 6 months.

Operations involving waste disposal—once each 6 months.

Academic—once each 12 months.

Medical and hospital—once each 12 months.

Other categories—depending on the hazards associated with the program.

It is anticipated that all specific licensees will be inspected at least once each calendar year. The inspections may be announced or unannounced, except prelicensing evaluations will be scheduled.

Before the termination of each inspection, the inspector will confer with the licensee to discuss the results of his inspection, presenting oral recommendations or suggestions if indicated. The inspector will submit in writing comprehensive reports to the Director of the Division of Radiological Health relating facts and circumstances observed during the inspection. The report will enumerate violations, if any, and include recommendations. Recommendations made by field personnel will be subject to the critical review of senior staff members of the Division of Radiological Health. The licensee will be notified of the results of the inspection, including any indicated recommendations, by letter from the Agency as soon as practical.

Enforcement. If during the course of an inspection only minor items of noncompliance such as failure to label, improper signs, etc., are noted and the licensee agrees to correct the items of noncompliance at the time of the inspection, these items of noncompliance will be reviewed during the course of the next inspection.

If items of noncompliance of a more serious nature are found, the licensee will be required to correct such items within a specified period of time. The licensee will be required to inform the Agency in writing within thirty days, or less if specified, of the corrective action taken and the date the corrective action was completed. Follow-up inspections may be conducted by the Agency or the matter may be reviewed at the next regular inspection of the licensee to insure that adequate corrective action has been accomplished. In certain cases, items of noncompliance may be enforced by administrative procedures such as amending the license.

Under the provisions of Act Number 582 of the Alabama Law, Regular Session, 1963, the Agency has authority to initiate immediate legal action against a licensee who is in violation of the rules and regulations issued under the provisions of this Act. If in the opinion of the Agency a person is engaged in or is about to engage in any act or practice in violation of the provisions of this Act or rules and regulations issued thereunder, the State's Attorney General at the request of the Agency may make application for a court order enjoining such acts or practices or direct compliance with the rules and regulations promulgated under the provisions of this Act.

If the Agency should determine that an emergency exists, it has the authority to impound or order the impounding of any source of ionizing radiation in the possession of any person who is not equipped to observe or who fails to observe the provisions of the the Act or any rules or regulations issued thereunder.

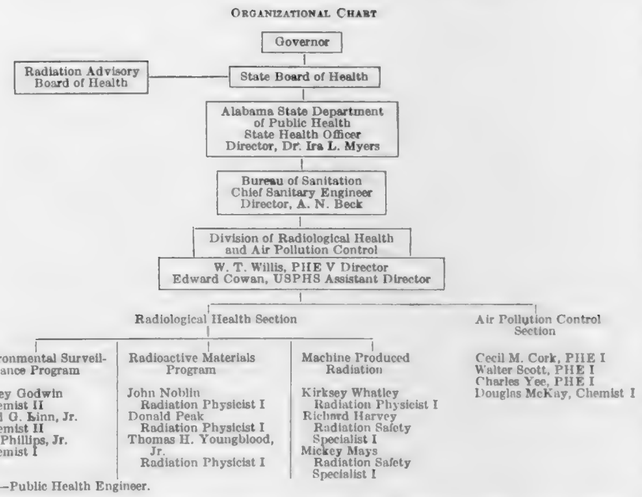
It is proposed that full legal measures will be employed only in those instances where there is continued noncompliance after notice, willful negligence on the part of the licensee, or where a serious potential hazard exists. Provisions of the Act provide for appropriate punishment of any violations of the Act or rules and regulations promulgated under the provisions of the Act.

Act Number 582 duly authorizes representatives of the Agency to enter at all reasonable times upon any private or public property for the purpose of determining whether or not there is compliance with or violations of the provisions of this Act or rules and regulations issued thereunder.

Hearings. Act Number 582 provides for a hearing on the record upon the request by any person whose interest may be affected by the issuance or modification of rules and regulations relating to the control of sources of ionizing radiation or for granting or suspending, revoking or amending a license or for determining compliance with rules and regulations of the Agency. Whenever the Agency finds that an emergency exists requiring immediate action to protect the public health and safety, the Agency may without notice or hearing issue a regulation or order reciting the existence of such emergency and requiring that such action be taken as is necessary to meet the emergency. Such regulation or order shall become effective immediately. However, anyone aggrieved by such order shall on application to the Agency be afforded a hearing within thirty days. On the basis of such hearing, the emergency regulation or order shall be continued, modified, or revoked within thirty days after such hearing.

Any final order entered in any proceeding shall be subject to judicial review by the Circuit Court of Montgomery County in the manner prescribed for taking appeals from orders of the Alabama Public Service Commission as provided in Code 1960, Title 48, section 79 and following.

ORGANIZATIONAL CHART



PHE—Public Health Engineer.

ALABAMA RADIATION CONTROL PERSONNEL

The Division of Radiological Health is an existing organizational unit of the Bureau of Sanitation, Alabama State Department of Public Health. Technical personnel engaged in the existing programs of the Division are listed below; also, listed below are personnel of the air pollution program who will be used in radiological health in emergency and unusual situations where additional personnel are needed.

Bureau of Sanitation—Chief, Arthur N. Beck, B.S., M.S.

Division of Radiological Health—Director, W. T. Willis, B.S., M.S.; Assistant Director, J. Edward Cowan, B.S., M.P.H.; Radiation Physicist I: John Noblin, B.S., Donald W. Peak, A.B., Kirksey E. Whatley, B.S., Thomas H. Youngblood, Jr., B.S.; Chemist II: Aubrey V. Godwin, B.S., Lloyd G. Linn, Jr., B.S.; Chemist I, Alva Phillips, B.S.; Radiation Safety Specialist: Richard E. Harvey, R. X-Ray Technician, Mickey T. Mays, R. X-Ray Technician.

Air Pollution Program—Director, W. T. Willis, B.S., M.S.; Public Health Engineer I: Charles Yee, B.S., Cecil M. Cork, B.S., Walter E. Scott, B.S.; Chemist I, Douglas McKay, BS.

Education and Experience of staff members:

WILLIAM THOMAS WILLIS

EDUCATION AND TRAINING

B.S. Civil Engineering, Alabama Polytechnic Institute, 1948.
S.M. Sanitary Engineering, Harvard University, 1952.

U.S. Public Health Service Courses:
One week—Detection and Control of Radioactive Pollutants in Water.
Two weeks—Sanitary Engineering Aspects of Nuclear Energy Course.
Two weeks—Basic Radiological Health Course.
One week—Medical X-Ray Protection Course.
Two weeks—Occupational Radiation Protection.
One week—Engineering Management of Radiation Accidents.
One week—Civil Defense Training Course for Food and Drug Officials.
Two weeks—Reactor Safety and Hazards Evaluation.
One week—Community Air Pollution.
One week—Measurement of Airborne Radioactivity.
One week—Elements of Air Quality Management.
One week—Control of Particulate Emissions.
One week—Control of Gaseous Emissions.
One week—Meteorological Aspects of Air Pollution.

Atomic Energy Commission Courses:
Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.

EXPERIENCE

Seventeen years total experience in Sanitary Engineering, Alabama State Department of Public Health. Fifteen years in stream pollution control. Two years as Director of Division of Radiological Health, responsibilities for directing and administrating a comprehensive program in radiation control involving the medical and industrial x-ray field, radioactive materials regulatory program, environmental surveillance and the environmental health laboratory.

JAMES EDWARD COWAN

EDUCATION AND TECHNICAL TRAINING

B.A., Science, Western Carolina College, 1949.
M.S. P.H., Sanitary Science, University of North Carolina, 1950.
M.P.H., Radiation Health, University of Pittsburgh, 1961.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Reactor Safety and Hazards Evaluation.
Two weeks—Radionuclide Protection.
One week—Medical X-Ray Protection.
One week—Management of Nuclear Emergencies.
Two weeks—Medical Aspects of Radiological Health.
One week—Radium Hazards and Control.

Atomic Energy Commission Courses:
Two weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.
One week—Dose and Dosimetric Determinations, ANL, Chicago.

Other Training:
Three weeks—Presbyterian Hospital, X-Ray Department, Pittsburgh.
Five weeks—Westinghouse Testing Reactor, Health Physics Department, Pittsburgh.
One week—Radiological Monitors Instructor Course—FCDA, Austin, Texas.

EXPERIENCE

Regular Corps, U.S. Public Health Service; 12 years generalized public health experience in local, State, and Federal agencies; 2 years, Radiation Control Program, Division of Occupational Health and Radiation Control, Texas State Department of Health; 2 years, Division of Radiological Health, Alabama State Department of Health, experienced in licensing, inspection, and other aspects of radiological health.

CECIL MERRITT CORK

EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, Auburn University, 1964.

U.S. Public Health Service Courses:
One week—Community Air Pollution.
One week—Elements of Air Quality Management.
One week—Control of Particulate Emissions.
One week—Source Sampling for Atmospheric Survey.
One week—Combustion Evaluation—Sources and Control Devices.
One week—Design of Air Pollutant Sampling Trains.
Two weeks—Atmospheric Survey.
One week—Control of Gaseous Emissions.

EXPERIENCE

One year, Public Health Engineer I, Division of Radiological Health, Alabama State Department of Public Health. Has accompanied Radiation Physicists on radium surveys.

AUBREY V. GODWIN

EDUCATION AND TECHNICAL TRAINING

A.A., Chemistry, Southwest Mississippi Junior College, 1958.
B.A., Chemistry, University of Mississippi, 1961.
Educational Leave, Mr. Godwin is presently on educational leave attending the University of Michigan where he will receive an MPH degree in 1966.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.
Two weeks—Radiochemical Analysis and Instrumentation, On-the-job training, Southeastern Radiological Health Laboratory, Montgomery.

Other Training:
Two weeks—C.B.R. Refresher Course, Fort McClellan.
One week—Civil Defense for Food and Drug Officials, Montgomery.

EXPERIENCE

Two and one-half years experience as Chemist, Water Quality Surveillance, Alabama State Department of Public Health; Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included broad experience in chemical preparation of samples, and operation of counting equipment, including a 400-channel gamma spectrometer. For seven months, served as Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory. Concurrently, 3 years in C.R.B., Army National Guard.

RICHARD E. HARVEY

EDUCATION AND TECHNICAL TRAINING

Registered X-ray Technician. Two years X-ray technician course. Norwood Clinic, Birmingham, Alabama.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Radium Hazards and Control.
Two weeks—Medical X-Ray Protection.
One week—Radiological Health for X-Ray Technologist.

EXPERIENCE

Six months experience with medical X-ray program, Division of Radiological Health.

LLOYD G. LINN, Jr.

EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Birmingham Southern College, 1963.
U.S. Public Health Service Courses:
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.
Two weeks—Basic Radiological Health.
One week—Measurement of Airborne Radioactivity.
Two weeks—Analysis of Radionuclides in Water.
Two weeks—Radiochemical Analysis and Instrumentation, On-the-job training, Southeastern Radiological Health Laboratory, Montgomery.
Two weeks—Chemical Analyses for Water Quality.
One week—Pesticide Residue Analysis of Foods.
Other Training:
Infrared Spectroscopy, ACS Short Course School, 150th Annual ACS National Convention, Atlantic City.
RCA Course in Nuclear Instrumentation.
One week—Gas Chromatography.

EXPERIENCE

One year, 4 months experience as chemist, water quality surveillance, Alabama State Department of Public Health. Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included all phases of sample preparation and radioanalysis. Serving as Acting Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory while Mr. Godwin is on educational leave.

MICKEY T. MAYS

EDUCATION AND TECHNICAL TRAINING

Registered X-Ray Technician. Air Force Medical Service School, Gunter Air Force Base, Montgomery, Alabama.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Medical X-ray Protection.

EXPERIENCE

Four years as X-ray technician, Maxwell Air Force Base, Montgomery, Alabama.

DOUGLAS L. MCKAY

EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Florence State College, 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Analysis of Atmospheric Organics.

EXPERIENCE

Three months, chemist, Jefferson County Health Department, Birmingham, Alabama. Three months, chemist, Alabama State Department of Public Health, Montgomery, Alabama.

JOHN W. NOBLIN

EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1962.
U.S. Public Health Service Courses:
One week—Radium Hazards and Control.
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.
One week—Measurement of Airborne Radioactivity.
One week—Radionuclide Analysis by Gamma Spectroscopy.
U.S. Atomic Energy Commission Courses:
Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.
Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.
Other Training:
One week—Radiological Defense Officer Course.

EXPERIENCE

Two years experience as Radiation Physicist, Division of Radiological Health. Experienced in survey and inspection techniques of radioactive materials. Planned and conducted statewide onsite survey of all radium facilities in Alabama.

DONALD W. PEAK

EDUCATION AND TECHNICAL TRAINING

A.B. in Physics and Mathematics, Huntingdon College.
One and one-half years graduate study, Nuclear Science, Auburn University.
Educational Leave, Mr. Peak is presently on educational leave attending North Carolina State College where he will receive an M.S. degree in Radiation Protection and Safety in 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Radium Hazards and Control.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.

EXPERIENCE

Ten months experience with Division of Radiological Health, Alabama State Department of Public Health. Experience includes work in the Alabama state-wide radium survey.

ALVA PHILLIPS, JR.

EDUCATION AND TECHNICAL TRAINING

B.S., Engineering Technology, Troy State College, 1965.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.

EXPERIENCE

Three months, Chemist, Division of Radiological Health.

WALTER E. SCOTT

EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, University of Alabama, 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Elements of Air Quality Management.
One week—Source Sampling for Atmospheric Pollutants.
One week—Design of Pollutant Sampling Trains.

EXPERIENCE

Three months, Engineer, Air Pollution Control Program.

KIRKSEY E. WHATLEY

EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1965.
U.S. Public Health Service Course:
Two weeks—Basic Radiological Health.

EXPERIENCE

Two months, Division of Radiological Health.

CHARLES K. YEE

EDUCATION AND TECHNICAL TRAINING

B.S., Chemical Engineering, Auburn University, 1963.
U.S. Public Health Service Courses:
One week—Meteorological Aspects of Air Pollution.
One week—Elements of Air Quality Management.
One week—Combustion Evaluation—Sources and Control Devices.
One week—Analysis of Atmospheric Inorganic.
Two weeks—Analysis of Atmospheric Organic.

EXPERIENCE

Nine months Public Health Engineer I, Environmental Health Laboratory, Alabama State Department of Public Health.

THOMAS H. YOUNGBLOOD, Jr.

EDUCATION AND TECHNICAL TRAINING

B.S. in Science, Troy State College, 1965.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-Ray Protection.
One week—Radium Hazards and Control.
U.S. Atomic Energy Commission:
Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.

EXPERIENCE

Nine months, Division of Radiological Health, Alabama State Department of Public Health. Worked with state-wide radium survey program.

[F.R. Doc. 66-6021; Filed, June 1, 1966; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16979; Order E-23744]

SOUTHEAST AIRLINES, INC.

Order Instituting Investigation and Denying Exemption

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of May 1966.

Application of Southeast Airlines, Inc., Docket 16979; for an exemption under section 416(b) of the Federal Aviation Act of 1958, as amended.

On February 14, 1966, Southeast Airlines, Inc. (Southeast), an air taxi operator, filed an application for exemption from section 401 of the Act and Part 298 of the Board's Economic Regulations in order to use one F-27 aircraft in the air transportation of persons, property and mail between Miami and Key West via Marathon, Fla.[1] In the alternative, Southeast requests an exemption to engage in certain activities with limited interstate aspects (such as advertising, through ticketing, interline bookings, etc.), as well as the transportation of mail incident to operations that applicant alleges it would institute as an intrastate commercial operator utilizing large aircraft.

In support of its application Southeast alleges, inter alia, that it now provides scheduled air taxi operations between Miami and Key West, via Marathon; that National Airlines, Inc. (National), the air carrier certificated between Miami and Key West, provides only one mid-day round-trip flight which fails to meet the traffic demands; and that no air carrier is certificated to serve Marathon. Southeast estimates that the monthly total of passengers over the Miami-Key West route is 6,500; that of this total Southeast carries approximately 1,500 per month, about 20 percent of whom enplane and deplane at Marathon; and that Argonaut Airways (a commercial operator) carries in excess of 3,000 passengers per month over the Miami-Key West route. Southeast alleges that Argonaut's operations are illegal and are having a serious adverse effect on the applicant's services; that it has filed a complaint with the Board's Bureau of Enforcement with respect to Argonaut's services; and that if Argonaut's operations are brought to an end by the Board, there will continue to be a need for air service to accommodate the requirements now being filled by Argonaut.

No objections to grant of this application have been filed.

The Board has carefully considered this application and related matters and concludes that the request for exemption should be denied. Heretofore, authorizations by exemption permitting air taxi operators to perform conventional services with large aircraft have been in the nature of experiments to test the feasibility of such services. However, the Board has clearly indicated that the question of extended need for such services should be resolved only on the basis of a full evidentiary record.[2] The instant proposal cannot be classified as experimental or specialized, or as a temporary auxiliary to the service of a certificated carrier. It involves scheduled service with large, modern aircraft between two well-established and substantially populated communities. The route has been served regularly by a certificated carrier since 1944, and more recently by other classes of carrier using both large and small equipment. Thus it is clear that there is no need for further experimentation. On the contrary, rather than innovating a service, Southeast proposes to enter, on a competitive basis, an established market served by a certificated air carrier. Where, as here, a proposed operation would constitute a service equivalent to that provided by a certificated carrier, and would involve a change in authorization for service over a route of a certificated carrier, we believe the appropriate procedure for authorization is section 401, not section 416(b), of the Act.[3] Accordingly, we conclude that it would not be in the public interest to grant Southeast the relief it seeks.

National provides only one round-trip daily between Miami and Key West. This service consists of a mid-day flight originating and terminating in New York City and does not appear to be geared to the needs of either local traffic or the Post Office Department.[4] The total traffic on National between Key West and all other domestic points for the year ended December 31, 1964, was 17,740 passengers, or an average of 48 passengers a day. Of this total, local traffic between Miami and Key West accounted for 6,090 passengers.[5] There are no reporting requirements for air taxi operators or intrastate carriers from which to ascertain the number of passengers carried by these classes of carriers during any given period or over any particular route. However, it appears that several air taxi operators are currently providing multiple schedules daily with small aircraft, and, until recently, an alleged commercial operator was providing scheduled service with large aircraft. It appears, therefore, on the basis of the volume of noncertificated services provided in the Miami-Key West market that National's service between these points may not be fully responsive to the needs of the public and the postal service. We shall, therefore, institute a Miami-Key West Service Investigation to determine whether the public convenience and necessity require the certification, on a subsidy ineligible basis, of one or more air carriers to transport persons, property and mail between Miami and Key West, nonstop and/or via Marathon, and whether the certificate authority of National at Key West should be suspended or deleted.

Accordingly, it is ordered:

1. That the application of Southeast in Docket 16979 be and it hereby is denied;

2. That an investigation to be called the Miami-Key West Service Investigation, Docket 17358, be and it hereby is instituted to determine whether the public convenience and necessity require the certification, on a subsidy-ineligible basis, of one or more carriers to provide air transportation of persons, property, and mail between Miami and Key West, nonstop and/or via Marathon; and whether the public convenience requires the suspension or deletion of National's authority at Key West; and

3. That the Investigation instituted in Docket 17358, be assigned to an Examiner of the Board for hearing at a time and place hereafter to be designated.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-6047; Filed, June 1, 1966; 8:49 a.m.]

[1] Air taxi operators are precluded by Part 298 from utilizing in direct air transportation aircraft having a maximum gross certificated takeoff weight in excess of 12,500 pounds.

[2] See Orders E-23221, Feb. 10, 1966, and E-23418, Mar. 25, 1966. An exception was made in the case of Schaefer Air Service, Inc. (Order E-22294, June 11, 1965). However, there the applicant was providing a unique operation requiring specialized equipment and services not otherwise readily available, and projected toward an extremely limited clientele.

[3] This situation is not comparable to the case of South Central Airlines, Inc., Order E-21037, July 7, 1964, where an air taxi operator was authorized to provide service with an aircraft in excess of the 12,500-pound limitation in the Miami-Key West market. There the Board clearly indicated that that case was not to be used as a precedent for granting exemption to air taxi operators to use large aircraft, and noted that the aircraft authorized to be used was one having a gross weight of 13,500 pounds which, technically, could be operated within the air taxi weight limitation. Cf. Melbourne Airways and Air College, Inc., Order E-22497, Aug. 2, 1965, and Midwest Airways, Inc., Order E-20626, Mar. 27, 1964, wherein the Board declined to authorize air taxi operators to use large aircraft in areas served by certificated carriers.

[4] On the basis of evidence submitted in the South Central Case, supra, the Board concluded that National's daily round-trip service between Miami and Key West did not appear to fully meet the needs of the public. See Order E-21037, July 7, 1964. In addition, the Postmaster General has heretofore stated that a minimum of one morning and one evening daily round-trip flight is required between Miami and Key West to satisfy postal needs.

[5] Origination and Destination Survey for year ended Dec. 31, 1964.

[Docket No. 17360; Order E-23746]

BEKINS AIRVAN CO.

Order of Investigation and Suspension Regarding Proposed Increased Charge for Excess Valuation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of May 1966.

By tariff revision filed April 27, 1966, and marked to become effective May 31, 1966, Bekins Airvan Co. (Bekins) proposes to increase its charge for excess valuation to $1.50 per $100, or fraction thereof, of the full amount of the shipper's declared value. This charge will apply if the shipper declares a value in excess of $0.30 per pound per article. If the shipper fails to declare a value on the entire shipment, Bekins' liability for loss or damage does not exceed $0.30 per pound per article. Bekins, an air freight forwarder, is authorized to engage in transportation of household goods. It supports its filing as correcting an error originally made on the charge for excess valuation, which was $0.50 per $100.

Upon consideration of all relevant matters, the Board finds that the proposed tariff revisions may be unjust, unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. Bekins' original tariff charge for excess valuation of $0.50 per $100 was made effective August 15, 1965. It was revised effective March 15, 1966, to indicate that the charge would be assessed on the full amount of the shipper's declared value. The current proposal of $1.50 involves a tripling of the current rate.

The current charges of Bekins of $0.50 per $100 are the same as the charges for excess valuation of most other air

freight forwarders of household goods. These charges are considerably higher, however, than imposed by the direct air carriers. Since Bekins has presented no cost justification for a substantial increase in excess valuation charges which appear excessive, the Board will suspend the proposal pending an investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof:

It is ordered, That:

1. An investigation is instituted to determine whether the provisions of Rule No. 75(c) on 2d Revised Page 14 of Bekins Airvan Co.'s CAB No. 5, and rules, regulations or practices affecting such provisions are, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful provisions, and rules, regulations, or practices affecting such provisions;

2. Pending hearing and decision by the Board, the provisions of Rule No. 75 (c) on 2d Revised Page 14 of Bekins Airvan Co.'s CAB No. 5 are suspended and their use deferred to and including August 28, 1966, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be filed with the tariff and served upon Bekins Airvan Co., which is hereby made a party to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-6048; Filed, June 1, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16368, 16369; FCC 66M-742]

CENTRAL BROADCASTING CORP., AND SECOND THURSDAY CORP.

Order Continuing Hearing

In re applications of Central Broadcasting Corp., Madison, Tenn., Docket No. 16368, File No. BPH-3773; second Thursday Corp., Nashville, Tenn., Docket No. 16369, File No. BPH-3778; for construction permits.

The Hearing Examiner having under consideration the motion for indefinite continuance of procedural dates filed May 19, 1966, by Central Broadcasting Corp. and the opposition thereto filed May 23, 1966, by the Broadcast Bureau;[1]

It appearing, that as basis for the requested continuance it is alleged that applicants "are in the process of negotiations looking toward a resolution of the conflict between their applications without further litigation;"

It further appearing, that the Broadcast Bureau opposes the petition for the reasons that extensions of procedural dates have twice been requested and granted with the instant request not being made until the date on which the exhibits to be offered in the direct presentations were to be exchanged and it accordingly is urged that the instant motion be denied "unless and until a joint dismissal agreement has been filed;"

It further appearing, that the instant motion fails to indicate the stage of the said negotiations, the date contemplated for completion thereof, or to in any manner indicate that the neogtiations will in fact result in the filing of a joint dismissal agreement and accordingly the request for an indefinite continuance must be denied;

It is ordered, This 25th day of May 1966 that the said motion for continuance of procedural dates is denied;

It is further ordered, On the Hearing Examiner's own motion that the date for exchange of exhibits to be offered in the direct presentations is continued from May 19, 1966, to May 31, 1966, and the date for commencement of hearing is continued from May 31, 1966, to June 6, 1966, commencing at 10 a.m. in the offices of the Commission at Washington, D.C., said dates to be strictly adhered to in the event a joint dismissal agreement has not been filed on or before May 31, 1966.

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6050; Filed, June 1, 1966; 8:49 a.m.]

[1] Counsel for Second Thursday Corp. has orally advised that he consents to early consideration and grant of the requested continuance.

[Docket Nos. 16572, 16573; FCC 66M-738]

COSMOPOLITAN ENTERPRISES, INC., AND H. H. HUNTLEY

Memorandum Opinion and Order Regarding Procedural Dates

In re applications of Cosmopolitan Enterprises, Inc., Edna, Tex., Docket No. 16572, File No. BP-16347; H. H. Huntley, Yoakum, Tex., Docket No. 16573, File No. BP-16570; for construction permits.

1. On May 16, 1966, Cosmopolitan Enterprises, Inc., filed a petition for change in procedural dates. The petition has been opposed in its entirety by H. H. Huntley and International Broadcasting Corp. The Broadcast Bureau filed a response which is a conditional consent to an extension of the date for exchange of exhibits but the Bureau insists that there would be insufficient time to examine the engineering exhibits prior to the hearing date suggested by Cosmopolitan, which is June 29.

2. At the present time there is a schedule of procedural dates which was evolved during a prehearing conference held on May 4. These dates and the schedule now proposed by Cosmopolitan are as follows:

	Present schedule	Proposed schedule
Direct exchange	June 9	June 23
Supplemental exchange	June 20	June 27
Hearing commencement	June 28	June 29

3. The responses of Huntley, International, and the Bureau are correct in pointing out that there would be insufficient time between the date of direct exchange and the hearing date for an examination of engineering exhibits which all parties concede will be of a complex nature. The situation is also complicated by the fact that the applicants and respondent have retained consulting engineers who reside outside the Washington area. Obviously time will be lost in dispatching exhibits to and from these consultants. Furthermore, the procedural dates suggested in the petition would probably make it impossible to have an informal engineering conference prior to the hearing. The Hearing Examiner recognizes that such conferences can often be of inestimable value and will take no action which might preclude convening such a conference.

4. Actually the petition does not state facts which would constitute good cause but inferentially it may be concluded that this is a hardship case. It is doubtless true that petitioner's consulting engineer will need additional time for preparation of exhibits because he was retained at a rather late stage of the proceeding. While the Hearing Examiner would normally be inclined to deny a request which is designed merely to satisfy the convenience of an applicant, it must be recognized that the engineering problems here appear to be of a more complex nature than is ordinarily the case. By denying any relief to Cosmopolitan there is the possibility that such action would administer "sudden death" to that applicant. In an endeavor to avoid any action which might smack of being arbitrary, the Examiner proposes to modify the schedule of dates, although not precisely as requested. The modified schedule will also take accord of the realities of the situation which have been pointed out by Cosmopolitan's opponents and by the Broadcast Bureau. Thus, the date for commencement of hearing will be set sufficiently late to allow a fair opportunity for all parties to study the exhibits, request witnesses and ask for supplementary material. This schedule will consist of the following dates:

Direct exchange	June 20.
Supplemental exchange (with request for witnesses)	July 1.
Commencement of hearing	July 11.

Admittedly the foregoing changes are designed to effect a compromise which will reasonably satisfy the needs and rights of all the parties. The Examiner is constrained to add that no further changes of these dates will be granted except upon the most cogent showing of good cause.

It is ordered, This 25th day of May 1966, that the petition for change in procedural dates filed on May 16, 1966, by Cosmopolitan Enterprises, Inc., is granted to the extent shown above and that, in accordance with the schedule shown in paragraph 4 above, the date for commencement of hearing is changed from June 28 to July 11, 1966.

Released: May 26, 2966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6051; Filed, June 1, 1966; 8:49 a.m.]

[Docket No. 16663; FCC 66-481]

LAMAR LIFE BROADCASTING CO.

Order Designating Application for Hearing on Stated Issues

In re applications of Lamar Life Broadcasting Co., Docket No. 16663, File No. BRCT-326; for renewal of license of Television Station WLBT and auxiliary services, Jackson, Miss.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of May 1966:

1. This proceeding involves an application for renewal of the license of Television Station WLBT. At issue are questions of standing, procedure and alleged unfairness in programing by applicant. The proceeding comes before the Commission now on remand from the U.S. Court of Appeals for the District of Columbia Circuit directing the holding of a hearing on the application. United Church of Christ et al. v. Federal Communications Commission, —— App. D.C. ——, —— F. 2d —— (March 25, 1966).

2. The case is now before us on the following pleadings:

(a) Application for renewal of the license of Television Station WLBT for the period June 1, 1964, to May 31, 1967, filed by Lamar Life Broadcasting Co. (herein called applicant) on March 3, 1964.

(b) Petition to intervene and to deny application for renewal filed by the Office of Communications of the United Church of Christ, Aaron Henry and Robert L. T. Smith on April 15, 1964, seeking leave to intervene in the proceeding and denial of the application on grounds specified by numerous allegations therein.

(c) An opposition to petition filed by the applicant on May 15, 1964, denying most of the allegations and opposing the relief sought by the aforesaid petition.

(d) Petition for Joinder filed by the United Church of Christ at Tougaloo, Miss., on June 10, 1964, seeking leave to intervene in the proceeding and to join in the aforesaid Petition filed by the Office of Communications of the United Church of Christ, Aaron Henry and Robert L. T. Smith.

(e) Reply to Opposition to Petition to Intervene and to Deny Application for Renewal filed by applicant on July 13, 1964, opposing the relief sought by the Petition for Joinder.

(f) Response to Reply filed by applicant on September 13, 1964 and containing further allegations by applicant responsive to the pleading of the United Church of Christ et al. filed on July 13, 1964.

3. On May 19, 1965, the Commission issued its Memorandum Opinion and Order in this proceeding discussing the substantive allegations of the foregoing pleadings and the results of the Commission's investigation of the case. In reliance thereon the Commission stated various conclusions concerning the matters referred to in these pleadings. The Commission held, in substance, that the several petitioners did not have standing as parties in the proceeding but that irrespective of standing the Commission would consider the matters raised by the several petitions and the responses thereto. The Commission concluded that serious questions were raised as to whether applicant had properly operated the station in the past but that the public interest would best be served by granting a renewal of the license for 1 year on condition that the applicant operate in accordance with specified conditions during that period and report upon its operations in a renewal application to be filed at the end of that year.

4. An appeal was taken to the U.S. Court of Appeals for the District of Columbia Circuit by the Office of Communications of the United Church of Christ, Aaron Henry, Robert L. T. Smith and the United Church of Christ at Tougaloo. The Court of Appeals stated that the issues presented to and decided by it were (a) whether appellants, or any of them, had standing as parties in interest before the Commission in this proceeding, and (b) whether the Commission was required to conduct an evidentiary hearing on this application. The court held that responsible and representative groups, including such community organizations as civic associations, professional societies, unions, churches, and educational institutions or associations should be allowed to intervene as parties in a proceeding such as this one, subject to the broad discretion of the Commission in determining which and how many community representatives are reasonably required to give the Commission the assistance it needs in vindicating the public interest. The court stated that it did not hold that all appellants have standing but that it did hold that the Commission must allow standing to one or more of them. The court further held that in the circumstances of this proceeding an evidentiary hearing was required in order to resolve the public interest issue. The court stated that: "The Commission is directed to conduct hearings on WLBT's renewal application, allowing public intervention pursuant to this holding. Since the Commission has already decided that appellants are responsible representatives of the listening public of the Jackson area, we see no obstacle to a prompt determination granting standing to appellants or some of them."

5. That holding is the law of this case. Since a hearing is to be held, the future action of the Commission should be based upon the record made in that hearing. It is, therefore, inappropriate for the Memorandum Opinion and Order previously issued to stand and, accordingly, the Memorandum Opinion adopted May 19, 1965, is hereby withdrawn and the Order of that date is hereby vacated.

6. This proceeding is hereby referred to a Hearing Examiner, to be hereafter designated, who shall have all of the power and authority specified in 47 CFR §§ 1.243 and 1.251 and who shall conduct these proceedings and hold a hearing herein pursuant to 47 U.S. Code section 309(c) and the directions and conditions specified herein. The Hearing Examiner shall permit proposed findings and conclusions pursuant to 47 CFR 1.263 and 1.264, and thereafter shall prepare and issue an initial decision pursuant to 47 CFR 1.267 which shall be subject to the filing of exceptions, appeal and review pursuant to 47 CFR 1.276 and 1.277. In accordance with established procedure (see 47 CFR 0.365) the review function in this proceeding shall be performed by the Commission.

7. In a Memorandum Opinion and Order adopted December 2, 1965 (1 FCC 2d 1484), the Commission approved an application for transfer of control of Station WLBT from the Lamar Life Broadcasting Co. to the Lamar Life Insurance Co. For the reasons stated in that opinion, our action did not affect or prejudice the outcome of this proceeding, then on appeal. It, therefore, appears that the Lamar Life Insurance Co. should be substituted as the applicant herein for the Lamar Life Broadcasting Co., with no prejudice or effect upon the issues to be resolved herein. The heading of this proceeding shall hereinafter be so modified and provided.

8. The pertinent pleadings now before us contain petitions to intervene by the four parties who had jointly petitioned the Commission to deny WLBT's renewal action and who had appealed to the court from the Commission's denial thereof. In the circumstances of this case, and in light of the indicated relationship between petitioners and other organizations directly affected by the WLBT practices complained of, we deem it appropriate to confer standing as parties in interest herein upon all the petitioners. In general we believe that organizations rather than individuals are likely to be representative of the community and helpful to the Commission in a proceeding such as this; but in reliance upon the fact that these petitioners have been joined in pleadings before the Commission and the court and are jointly represented herein by the same counsel, so that there will be no undue and burdensome proliferation of parties, we will permit intervention by the Office of Communications of the United Church of Christ, the United Church of Christ at Tougaloo, Miss., Aaron Henry and Robert L. T. Smith upon filing written appearances herein pursuant to paragraph 11 of this Order.

9. It appears from the pertinent pleadings filed herein that the substantial is-

sues raised relate to charges that the programing presented by applicant has been unfair to various groups, particularly Negro groups, within the service area, and has discriminatorily denied such groups the opportunity for local expression over the facilities of applicant's station.[1] Accordingly, the hearing to be held herein and the other proceedings herein shall be directed to the following issues:

(a) Whether Station WLBT has afforded reasonable opportunity for the discussion of conflicting views on issues of public importance;

(b) Whether Station WLBT has afforded reasonable opportunity for the use of its broadcasting facilities by the significant groups comprising the community of its service area;

(c) Whether Station WLBT has acted in good faith with respect to the presentation of programs dealing with the issue of racial discrimination, and, particularly, whether it has misrepresented to the public or the Commission with respect to the presentation of such programing.

(d) Whether in light of all the evidence a grant of the application for renewal of license of Station WLBT would serve the public interest, convenience, or necessity.

The ultimate issue here is the probable future performance of the applicant with respect to serving the public interest, convenience or necessity through operation of the station involved. Melody Music, Inc., — FCC 2d — (Mar. 9, 1966), (FCC 66–226). Accordingly, the the Hearing Examiner should admit evidence which appears to be material and relevant to this basic issue and which is not unduly remote in time. With this same objective, evidence otherwise material and relevant relating to the operation of the station up to the date of the hearing may be admitted.[2]

10. Pursuant to the rule announced in D & E Broadcasting Company, 1 FCC 2d 78 (1965), and in accordance with the statutory mandate of section 309(e), the burden of proof as to issues (a) and (b) shall be upon the intervenors, the burden of proof as to issue (c) shall be upon the Broadcast Bureau, and the burden of proof as to issue (d) shall be upon the applicant.

11. Applicant and intervenors may participate as parties at the hearing herein and avail themselves of the opportunity to be heard provided that they each file a timely notice of intention to appear and participate pursuant to 47 CFR § 1.221.

12. The hearing herein shall be held at a time and place to be specified in a subsequent order. The applicant shall give local notice of the hearing, pursuant to 47 U.S. Code section 311(a)(2) and 47 CFR § 1.594(g).

It is ordered, That further proceedings herein be held pursuant to and in accordance with the provisions of paragraphs 6, 7, 8, 9, 10, 11 and 12 of the foregoing Order.

Released: May 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[3]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6052; Filed, June 1, 1966; 8:49 a.m.]

[Docket No. 16663; FCC 66M–747]

LAMAR LIFE BROADCASTING CO.

Order Scheduling Prehearing Conference

In re applications of Lamar Life Broadcasting Co., Docket No. 16663, File No. BRCT–326; for renewal of license of Television Station WLBT and auxiliary services, Jackson, Miss.

It is ordered, This 27th day of May 1966, that Jay A. Kyle shall serve as Presiding Officer in the above-entitled proceeding, and that a prehearing conference therein shall be held in the offices of the Commission, Washington, D.C., on June 21, 1966: *And, it is further ordered*, That the formal hearing in the proceeding shall be convened at a time and place to be specified by subsequent order.

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6053; Filed June 1, 1966; 8:49 a.m.]

[Docket No. 16509 etc.; FCC 66M–743]

MICROWAVE COMMUNICATIONS, INC.

Order Regarding Procedural Dates

In re applications of Microwave Communications, Inc. et al., Docket No. 16509, File No. 4615–C1–P–64; for construction permits to establish new facilities in the Domestic Public Point-to-Point Microwave Radio Service at Chicago, Ill., St. Louis, Mo., and intermediate points; Docket Nos. 16510, 16511, 16512, 16513, 16514, 16515, 16516, 16517, 16518, 16519.

The following schedule shall be in effect:

Applicant to furnish its direct written case to other parties and Hearing Examiner by--	June 20, 1966
Petitioners to furnish their direct written cases to applicant and Hearing Examiner by----------	July 11, 1966
Receipt of notification of witnesses for cross-examination by----------	July 21, 1966
Hearing (rescheduled from July 11, see FCC 66M–723) -	July 26, 1966

So ordered, This 26th day of May 1966.[1]

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6054; Filed, June 1, 1966; 8:49 a.m.]

[Docket No. 15658; FCC 66M–744]

NAUGATUCK VALLEY SERVICE, INC. (WOWW)

Order Following Prehearing Conference

In re application of Naugatuck Valley Service, Inc. (WOWW), Naugatuck, Conn., Docket No. 15658, File No. BP–14829; for construction permit.

Pursuant to agreements reached at a prehearing conference held today or arrived at subsequently by all parties: *It is ordered*, This 26th day of May 1966, that the following procedural steps will be taken on the dates specified in the above-captioned proceeding:

June 15, 1966--	Applicant will notify other parties of the persons from whom depositions are to be taken.
July 13, 1966---	Hearing.

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6055; Filed, June 1, 1966; 8:50 a.m.]

[1] The allegations concerning discrimination against the Roman Catholic Church is simply a bare one, with no supporting facts or circumstances indicating a significant public interest question in the context of this case. As to the over-commercialization charge, the amount of time alleged to be devoted to commercials was roughly 15 percent—a percentage not unreasonable or shown to be inconsistent with the public interest. The licensee further represented that it adhered to the NAB code and it has kept within that representation. In the circumstances, we do not feel that hearing issues would be appropriate as to these matters.

[2] Prior to our action of May 19, 1965, the applicant had promised improvement in this area (see paragraph 26, 38 FCC 1143); there were further statements of compliance with the conditions attached to our May 19, 1965, order made in connection with the transfer application of December 2, 1965. In the circumstances, we believe that evidence of this nature should be received, without here deciding its weight or significance in the overall hearing record to be made before us.

[3] Statement of Commissioner Cox filed as part of original document.

[1] This schedule, which conforms to the discussion at the prehearing conference of February 25, allows only 4 days of hearing before the probable August recess. The Hearing Examiner does not know how much of the case can be covered in that time, and it may be necessary, as previously indicated (FCC 66M–723) to continue the remainder of the hearing to September, at the earliest. (This Order was written after public notice (84556) of the Commission's denial of the applicant's petition for reconsideration and grant and application for review, but before the text of the rulings was available. Because of the tight schedule the Hearing Examiner is issuing this order without waiting for the text.)

FEDERAL MARITIME COMMISSION

AMERICAN MAIL LINE, LTD., ET AL.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Warner W. Gardner, Shea & Gardner, 734 15th Street NW., Washington, D.C., 20005.

Agreement No. 9551 between American Mail Line, Ltd., American President Lines, Ltd., and Pacific Far East Line, Inc., is an agreement in principle to an eventual merger of the three lines, precise details of which remain to be agreed upon. In the interim Agreement No. 9551 would permit the parties to coordinate sailings and solicit traffic jointly.

Dated: May 27, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66–6036; Filed, June 1, 1966; 8:48 a.m.]

AMERICAN PRESIDENT LINES, INC., AND ISTHMIAN LINES, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. W. H. Williams, Assistant to the Vice President, American President Lines, Inc., 1101 17th Street NW., Washington, D.C., 20036.

Agreement 9550 between American President Lines and Isthmian Lines, is a tariff concurrence agreement whereby American President Lines concurs in the publication and filing of rates by Isthmian Lines in the trade from Vietnam and Cambodia to U.S. Atlantic and Gulf ports. The parties may discuss rates and other tariff matters which may affect both of them, but, final decision as to tariff matters to be filed shall be reserved to Isthmian Lines.

Dated: May 27, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66–6037; Filed, June 1, 1966; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

ATLANTIC RICHFIELD CO.

Order Amending Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 26, 1966.

In the matter of application of the Philadelphia Baltimore Washington Stock Exchange for unlisted trading privileges in a certain security.

The notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing dated May 20, 1966, in the above matter (Administrative Proceeding File No. 3–648) is hereby amended to read as follows:

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the $3 cumulative convertible preference stock of Atlantic Richfield Co., which security is listed and registered on one or more other national securities exchanges.

Upon receipt of a request, on or before June 5, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C., 20001, not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66–6011; Filed, June 1, 1966; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30; Anchorage, Alaska Region]

ANCHORAGE REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Pacific Coastal Area, 30 F.R. 3340, as revised, 30 F.R. 8080, as amended, 30 F.R. 8978, as amended, 30 F.R. 13557, as amended, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (delegated to the positions as indicated below). To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. Eligibility determinations (delegated to the positions as indicated below). To determine the eligibility of applicants for assistance under any program of the agency in accordance with Small Business Administration standards and policies.

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned).

1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve business and disaster loans not exceeding $350,000 (SBA share).

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington and Area approved loans

and loans approved under delegated authority, said execution as follows:

(Name), Administrator,
By_____
(Name)
Title of person signing.

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and to certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance on construction loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and think requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. Working Supervisor, Loan Processing.

1. Item I.C.3.

2. To decline business and disaster loans of any amount.

3. Items I.C.6. through 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

E. Working Supervisor, Loan Administration and Liquidation.

1. To approve the amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C.12.—only the authority for servicing, administration and collection, including subitems a. and b.

3. Item I.A. (Size Determinations for Financial Assistance only.)

4. Item I.B. (Eligibility Determinations for Financial Assistance only.)

5. Item I.C.12.—only the authority for liquidation, including collateral purchased, and subitems a. and b.

F. To Loan Specialists GS–9 and above assigned to all Financial Assistance Division programs in all offices of this region. Final authority to approve the following actions concerning direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

G. Chief, Procurement and Management Assistance.

1. Item I.A. (Size Determinations on PMA Activities only.)

2. Item I.B. (Eligibility Determinations on PMA Activities only.)

H. Regional Counsel. To disburse approved loans.

I. Administrative Assistant.

1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date. May 17, 1966.

ROBERT E. BUTLER,
Regional Director,
Anchorage Regional Office.

[F.R. Doc. 66–6012; Filed, June 1, 1966; 8:46 a.m.]

[Delegation of Authority 30; Middle Atlantic Area (Amdt. 5)]

MIDDLE ATLANTIC AREA

Delegation of Authority To Conduct Program Activities in Regional Offices

Pursuant to the authority vested in the Area Administrator by Delegation of Authority No. 30 (Revision 10), 30 F.R. 972, as amended, 30 F.R. 2742, 11984, and 12343; Delegation of Authority 30 F.R. 3254, as amended, 30 F.R. 5778, 8080, 13890, and 14128, is further amended by revising Items I. C. 1. a and b, I. F. 1 and 2., to read as follows:

I. * * *

C. *Procurement and management assistance.* 1. a. (Only to the Regional Directors, Philadelphia, Cleveland, Richmond and Baltimore Regions.) To approve applications for Certificates of Competency received from small business concerns which are located within the geographical jurisdiction of the area office when the total value of the contract to be awarded as a result of the issuance of a COC does not exceed $350,000.

b. (Only to the Regional Directors, Newark and Washington, D.C., Regions.) To approve applications for Certificates of Competency received from small business concerns which are located within the geographical jurisdiction of the area office when the total value of the contract to be awarded as a result of the issuance of a COC does not exceed $100,000.

* * * * *

F. *Size determinations.* 1. (Only to the Regional Directors, Philadelphia; Cleveland; Richmond; Baltimore; Washington, D.C.; Pittsburgh; Newark; and Columbus.) To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classifications for financial purposes only. Product classifications for procurement purposes are made by contracting officers.

2. (Only to the Regional Director, Clarksburg.) To make initial size determinations for financial assistance purposes only, in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial purposes only. Product classification decisions for procurement purposes are made by contracting officers.

* * * * *

Effective date. May 18, 1966.

EDWARD N. ROSA,
Area Administrator,
Middle Atlantic Area.

[F.R. Doc. 66–6013; Filed, June 1, 1966; 8:46 a.m.]

[Delegation of Authority 30; Miami Regional Disaster 1, 1966]

MANAGER, DISASTER BRANCH OFFICE, TAMPA, FLA.

Delegation of Authority Rescinded

Notice is hereby given that Delegation of Authority No. 30, Disaster 1–1966, 31 F.R. 6144, is hereby rescinded in its entirety.

Effective date. May 16, 1966.

THOMAS A. BUTLER,
Regional Director, Miami, Fla.

[F.R. Doc. 66–6014; Filed, June 1, 1966; 8:46 am.]

MANAGER, DISASTER FIELD OFFICE, TAMPA, FLA.

Revocation of Appointment

Pursuant to authority contained in Delegation of Authority No. 30, Southeastern Area, 30 F.R. 2884, as amended, I hereby revoke in its entirety the designation effective April 11, 1966 (31 F.R. 6144) of William H. Merrill, Jr., as Manager of the Disaster Branch Office at Tampa, Fla.

Effective date. May 16, 1966.

THOMAS A. BUTLER,
Regional Director, Miami, Fla.

[F.R. Doc. 66–6015; Filed, June 1, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1356]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 27, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68659. By order of May 25, 1966, the Transfer Board approved the transfer to Price S. Hilton and Wendell G. Hilton, a partnership, doing business as Hiltons Trucking, Rural Route No. 1, Box 215, Galesville, Wis., 54630, of certificate in No. MC–96439, issued December 2, 1952, to Price Stevens Hilton, doing business as Price S. Hilton Trucking, Rural Route No. 1, Box 215, Galesville, Wis., 54630, authorizing the transportation of: General commodities, with the usual exceptions including household goods and commodities in bulk, from Winona, Minn., and points in Minnesota within 5 miles of Winona to named points in Trempealeau and LaCrosse Counties, Wis., and, livestock and agricultural commodities on the return.

No. MC–FC–68663. By order of May 25, 1966, the Transfer Board approved the transfer to George O. Slater, Inc., Stoughton, Mass., of the certificate in No. MC–45362, issued July 30, 1965, to Hyman Stone, doing business as Stone Bros., and acquired by George O. Slater, Stoughton, Mass., authorizing the transportation of: Household goods, between Boston, Mass., and points in Massachusetts within 25 miles of Boston, on the one hand, and, on the other, points in Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, New Hampshire, Maine, and Maryland. Robert J. Gallagher, 111 State Street, Boston, Mass., 02109, attorney for applicants.

No. MC–FC–68668. By order of May 25, 1966, the Transfer Board approved the transfer to E. L. Hollingsworth & Co., a corporation, Flint, Mich., of the certificate in No. MC–28636, issued June 12, 1941, to E. L. Hollingsworth, doing business as E. L. Hollingsworth & Co., Flint, Mich., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Detroit, Mich., and Bay City, Mich., serving the intermediate points of Pontiac, Flint, and Saginaw, Mich. Quentin A. Ewert, Union Savings & Loan Building, 117 West Allegan Street, Lansing, Mich., 48933, counsel for applicants.

No. MC–FC–68709. By order of May 25, 1966, the Transfer Board approved the transfer to Joseph L. Werner, doing business as Werner Express, St. Louis, Mo., of the operating rights of Meier Drayage Co., Inc., St. Louis, Mo., in Certificate No. MC–80345 (Sub-No. 1), issued November 10, 1949, authorizing the transportation, over irregular routes, of uncrated, new, household furniture, household furnishings, and household appliances, from St. Louis, Mo., to points in Illinois within 85 miles of St. Louis, and of used or damaged household furniture, household furnishings, and household appliances, uncrated, from points in Illinois within 85 miles of St. Louis to St. Louis, Mo. Austin C. Knetzger, 722 Chestnut Street, St. Louis, Mo., 63101, attorney for applicants.

No. MC–FC–68719. By order of May 23, 1966, the Transfer Board approved the transfer to Robert E. Mack, Harry Robson, Carl Brown, Sophie R. Mack, and Estelle M. Funk, a partnership, doing business as Mack Transportation Co., Philadelphia, Pa., of Certificate No. MC–10223, issued May 24, 1949, authorizing the transportation of general commodities, with the usual exceptions, over irregular routes between points and places in Philadelphia, Pa.; and in Permit No. MC–105809 and MC–105809 (Sub-No. 4), MC–105809 (Sub-No. 5), and MC–105809 (Sub-No. 6), issued by the Commission, May 25, 1949, June 14, 1951, November 14, 1952, and March 11, 1954, respectively, of such commodities as are sold in chain and retail stores, coal tar products, in bulk, and plumbing and heating supplies, from Philadelphia, Pa., and Tullytown, Pa., to points and places in Connecticut, Delaware, Maryland, New Jersey, New York, and Pennsylvania, varying with the commodities indicated. Dual operations were authorized. Alan L. Reed, 2107 Fidelity-Philadelphia Trust Building, Philadelphia, Pa., 19109, attorney for applicants.

No. MC–FC–68746. By order of May 25, 1966, the Transfer Board approved the transfer to Blaschke Trucking Co., a corporation, Houston, Tex., of the certificate of registration in No. MC–120851 (Sub-No. 1), issued April 20, 1964, to Hugo E. Blaschke, doing business as Blaschke Trucking Co., Houston, Tex., evidencing a right to engage in transportation in interstate or foreign commerce solely within the State of Texas, corresponding to Certificate of Public Convenience and Necessity No. 5255, Docket No. S–5936, dated February 13, 1961, issued by the Railroad Commission of Texas. H. H. Prewett, Suite 2159, Tennessee Building, Houston, Tex., 77002, attorney for applicants.

No. MC–FC–68752. By order of May 25, 1966, the Transfer Board approved the transfer to Frederick Schroen and William Schroen, a partnership, doing business as R. Rieken Moving & Storage, Cresskill, N.J., of certificate in No. MC–60611, issued May 11, 1949, to Richard Rieken, New Milford, N.J., authorizing the transportation of: Household goods, as defined by the Commission, between points and places within 100 miles of Dumont, N.J. Edward F. Bowes, 1060 Broad Street, Newark, N.J., attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–6027; Filed, June 1, 1966; 8:47 a.m.]

[Notice 190]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 27, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 22046 (Sub-No. 13 TA), filed May 25, 1966. Applicant: W. M. (BILLY) WALKER, INC., 129 South Grimes Street, Hobbs, N. Mex., 88240. Applicant's representative: W. D. Girand, Hobbs, N. Mex., 88240. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, and *related machinery parts, and related contractors' materials and supplies* when their transportation is incidental to the transportation by the carrier of commodities which, because of size or weight require the use of special equipment, from and to all points within a radius of 200 miles of Hobbs, N. Mex., for 180 days. Supporting shippers: New Mexico Electric Service Co., Post Office Box 920, Hobbs, N. Mex., 88240; H. B. Zachry Co., Post Office Box 760, Hobbs, N. Mex., 88240; Missouri Valley Constructors, Inc., Post Office Box 1988, Amarillo, Tex., 79105; Potash Co. of America, Post Office Box 31, Carlsbad, N. Mex., 88220; Rust Caterpillar Tractor Co., Post Office Box 856, Hobbs, N. Mex., 88240; New Mexico Bank & Trust Co., Hobbs, N. Mex., 88240; International Minerals & Chemical Corp., Post Office Box 71, Carlsbad, N. Mex., 88220. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse Building, Albuquerque, N. Mex., 87101.

No. MC 105159 (Sub-No. 18 TA), filed May 25, 1966. Applicant: LAWRENCE TRUCKING, INC., 1320 West Main Street, Red Wing, Minn. Applicant's representative: Donald B. Taylor, 4261 Minnehaha Avenue South, Minneapolis, Minn., 55406. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products and mortar mix*, from Red Wing, Minn., and Des Moines, Iowa, to points in Iowa, Minnesota, and Nebraska, for 180 days. Supporting shipper: Red Wing Sewer Pipe Corp., Featherstone Road, Red Wing, Minn. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 110686 (Sub-No. 33 TA), filed May 25, 1966. Applicant: McCORMICK DRAY LINE, INC., Avis, Pa. Applicant's representative: J. S. Griffith (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bulk handling semitrailers*, equipped with vacuum and pressure conveying systems, as demonstrators, between points in the United States (excluding Alaska and Hawaii), for 180 days. Supporting shipper: The Young Machinery Company, Inc., Muncy, Pa. Send protests to: Kenneth R. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa., 18503.

No. MC 116073 (Sub-No. 69 TA), filed May 25, 1966. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Moorhead, Minn., 56560. Applicant's representative: John C. Barrett (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movement, from points in Sauk County, Wis., to points in Michigan, Ohio, Indiana, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, and Montana, for 180 days. Supporting shipper: House of Harmony, Inc., 301 South Main Street, Adams, Wis., 53910. Send protests to: Joseph H. Ambs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1621 South University Drive, Room 213, Fargo, N. Dak., 58102.

No. MC 125216 (Sub-No. 2 TA), filed May 25, 1966. Applicant: OWENS TRUCKMEN, INC., 183 Concord Street, Brooklyn, N.Y. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Elevators and escalators, and parts, cabs, materials, supplies, equipment, tools and accessories* used or useful in installation and repair of elevators and escalators, from Long Island City, N.Y., to points in New Jersey, Connecticut, and New York, *returned shipments*, on return; Restriction: Under contract with Stanley Elevator Co., Inc., Long Island City, N.Y., for 180 days. Supporting shipper: Stanley Elevator Co., Inc., 47–24 27th Street, Long Island City, N.Y. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 125458 (Sub-No. 3 TA), filed May 25, 1966. Applicant: DWIGHT LEWIS, doing business as LEWIS GRAIN & PRODUCE, Post Office Box 262, Morton, Miss. Applicant's representative: Donald B. Morrison, Post Office Box 961, Jackson, Miss. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets*, from Morton, Miss., to Mobile, Ala., New Orleans, Weeks, Reserve, and Harvey, La., and Memphis, Tenn., service performed under a continuing contract with Morton Manufacturing Co., Inc., Morton, Miss., for 180 days. Supporting shipper: Morton Manufacturing Co., Inc., Morton, Miss. (A. B. Farriss, President). Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 128247 TA, filed May 24, 1966. Applicant: BURSAL TRANSPORT, INC., Rural Route 1, Bunker Hill, Ind. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles, and dross*, from the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., to points in Illinois, Michigan, Wisconsin, Missouri, Iowa, Ohio, Pennsylvania, Virginia, West Virginia, Kentucky, and Tennessee, (2) *machinery, machinery parts, millrolls, iron and steel; ingots, iron and steel, carrier shipping reels, cleaning compounds and lubricants*, from all points in Illinois, Michigan, Wisconsin, Missouri, Iowa, Ohio, Pennsylvania, Virginia, West Virginia, Kentucky, and Tennessee, to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., (3) *lime and quick lime*, from Chicago, Ill., St. Louis, Mo., and Woodville, Ohio, to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., (4) *dolomite*, from Chicago, Ill., to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., (5) *refractory products*, from Chicago, Ill., Woodville, Ohio, and Pittsburgh, Pa., to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., (6) *ingot molds and stools, and fence posts*, from Chicago Heights, Ill., to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., for 180 days. Supporting shipper: Continental Steel Corp., Kokomo, Ind. Send protests to: District Supervisor Dixon, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 128248 TA, filed May 25, 1966. Applicant: ROUNTREE TRANSPORT, INC., 3580 Southwest 46th Avenue, Fort Lauderdale, Fla., 33302. Applicant's representative: John T. Bond, 1955 Northwest 17th Avenue, Miami, Fla. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material and supplies used in the installation, maintenance, and repair of such equipment*, for the account of Western Electric Co., Inc., between Fort Lauderdale, Fla., on the one hand, and, on the other, points in Broward, Dade, and Palm Beach Counties, Fla., for 180 days. Supporting shipper: Western Electric Co., Inc., 3300 Lexington Road, Winston-Salem, N.C. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1621, 51 Southwest First Avenue, Miami, Fla., 33130.

No. MC 128249 TA, filed May 25, 1966. Applicant: CRONER DISTRIBUTING CORP., 530 Olmstead Avenue, Bronx, N.Y. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Noodles, spaghetti, macaroni, baked goods (such as matzos, macaroons, soup nuts, and kichel)*, from Long Island City, N.Y., to East Paterson and Hackensack, N.J., (2) *dried soups*, from Paterson, N.J., to Farmingdale, Long Island City, Bronx, and Brooklyn, N.Y., (3) *return shipments of noodles, baked goods, and dehydrated soups*, from East Paterson to Long Island City, N.Y., restricted to a service to be performed under a continuing contract or contracts with A. Goodman & Sons, Inc., for 180 days. Supporting shipper: A. Goodman & Sons, Inc., 2107 41st Avenue, Long Island City, N.Y. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 128250 TA, filed May 25, 1966. Applicant: EUGENE NANNEY, 827 Harvard Road, Sikeston, Mo. Applicant's representative: Daniel S. Norton, Post Office Box 447, Sikeston, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) Used farm *equipment*, from Sikeston, Mo., to on-farm sites throughout the continental United States; no return movement, (2) *ceramic lamps*, from Mayfield, Ky., to Chicago, Ill., and on return, *shredded paper* (packaging material) from points in Cook County, Ill., to Mayfield, Ky., for 180 days. Supporting shipper: Brewer Auction Co., Sikeston, Mo.; Sikeston Ceramics, Mayfield, Ky. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 3248–B, 1520 Market Street, St. Louis, Mo., 63103.

No. MC 128252 TA, filed May 25, 1966. Applicant: DAVID MARCUS, doing business as MARCUS TRUCKING, 1625 Emmons Avenue, Brooklyn, N.Y. Applicant's representative: Arthur Piken, 160–16 Jamaica Avenue, Jamaica, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric lamps and fixtures and parts* used in the manufacture of lamps and fixtures, (1) from piers and wharves in the New York, N.Y., commercial zone to premises of Mobilite, Inc., at Great Neck, N.Y., (2) from premises of Mobilite, Inc., at Great Neck, N.Y., to freight forwarders and consolidators in the New York, N.Y., commercial zone and to points in New Jersey and points in Fairfield County, Conn., for 150 days. Supporting shipper: Mobilite, Inc., 98 Cuttermill Road, Great Neck, N.Y. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

MOTOR CARRIERS OF PASSENGERS

No. MC 127138 (Sub-No. 1 TA), filed May 25, 1966. Applicant: VINCENT DALESSIO, 926 Fifth Street, New Martinsville, W. Va., 26155. Applicant's representative: D. L. Bennett, 213 First National Bank Building, 2207 National Road, Wheeling, W. Va., 26003. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, between Jacksonburg, W. Va., and Hannibal, Ohio, as follows: From Jacksonburg, over West Virginia Highway 20 to New Martinsville, W. Va., thence across the Ohio River to Ohio Highway 7, thence over Ohio Highway 7 to plantsite of Ormet Corp. in Hannibal, Ohio, and return over the same routes, serving all intermediate points, for 180 days. Supported by: Robert Anderson, Box 3, Jacksonburg, W. Va.; John Bassett, Reader, W. Va.; Robert King, Box 154, Pine Grove, W. Va.; Lee White, Jacksonburg, W. Va.; Sherman Larrimore, Reader, W. Va.; Leslie Williams, Route 7 ,Turkey Run, W. Va.; R. W. Elliot, Pine Grove, W. Va.; John Brown, Route 20, Turkey Run, W. Va. Send protests to: J. A. Niggemyer, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 531 Hawley Building, Wheeling, W. Va., 26003 .

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–6028; Filed, June 1, 1966; 8:47 a.m.]

[Notice 927]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 27, 1966.

The following publications are governed by special rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications *as filed* by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 112822 (Sub-No. 65), filed May 19, 1966. Applicant: EARL BRAY, INC., Post Office Box 1191, Linwood and North Streets, Cushing, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, from Springdale, Ark., to points in Kansas, Missouri, Kentucky and to Alton, Cairo, Carbondale, Centralia, East St. Louis, Eldorado, Granite City, Marion, Mount Vernon, Murphysboro, Staunton, Litchfield, Quincy, and Scott Air Force Base, Ill., and (2) *foodstuffs and baby supplies*, from Fort Smith, Ark., to points in Kentucky, and to Alton, Cairo, Carbondale, Centralia, East St. Louis, Eldorado, Granite City, Marion, Mount Vernon, Murphysboro, Staunton, Litchfield, Quincy, and Scott Air Force Base, Ill.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

HEARING: June 9, 1966, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Examiner Frederick G. Smithson.

No. MC 112435 (Sub-No. 5) (Republication), filed March 19, 1965, published FEDERAL REGISTER issues of April 14, 1965, and June 9, 1965, and republished, this issue. Applicant: D. M. SMOCK, L. D. SMOCK, and E. G. SMOCK, a partnership doing business as D. & L. E. TRANSIT CO., 1502 Augusta Street, Zanesville, Ohio. Applicant's representative: James M. Burtch, 44 East Broad Street, Columbus 15, Ohio. By application filed March 19, 1965, as amended May 27, 1965, and published in the FEDERAL REGISTER June 9, 1965, applicant seeks a permit under section 209 of the Interstate Commerce Act, authorizing it to extend its operations as a contract carrier by motor vehicle in interstate or foreign commerce, over irregular routes, to the transportation of (a) ferro alloys from Philo, Ohio, to points in Kentucky, (b) ferro alloys in containers from Philo, Ohio, to New Jersey and Baltimore and Sparrows Point, Md., and (c) equipment, materials and supplies used in the manufacture, processing, packaging and sale of ferro alloys from points in Kentucky, Pennsylvania, West Virginia, Illinois, Indiana, Michigan, New York, Baltimore, Md., and St. Louis, Mo., to Philo, Ohio. The application was referred to Examiner Edwin J. Martenet for hearing on December 2, 1965, and the recommendation of an appropriate order thereon.

A corrected report and recommended order of the Commission, served April 14, 1966, which became effective May 16, 1966, finds that the applicant is fit, willing, and able properly to perform the service of a contract carrier by motor vehicle and to conform to the provisions of the Interstate Commerce Act and with the lawful requirements, rules and regulations of the Commission thereunder and that operation in interstate or foreign commerce by applicant as a contract carrier by motor vehicle over irregular routes under continuing contract with the Ohio Ferro Alloys Corp. of Canton, Ohio, in the transportation of (a) *ferro alloys*, from Philo, Ohio, to points in Kentucky, New Jersey, and Sparrows Point, Md., (b) *ferro alloys* in containers, from Philo, Ohio, to Baltimore, Md., and (c) *equipment, materials and supplies used in the manufacture, processing, packaging and sale of ferro alloys* (except liquid commodities, in bulk, in tank vehicles), from points in Kentucky, Pennsylvania, West Virginia, Illinois, Indiana, Michigan, New Jersey, New York, Baltimore, Md., and St. Louis, Mo., to Philo, Ohio, will be consistent with the public interest and the national transportation policy.

The amendments proposed by the applicant at the hearing will be granted with the proviso or condition that there be republication in the FEDERAL REGISTER of notice of the amended application

and the authority granted herein and the elapse of 30 days after such republication before the issuance to the applicant of the permit sought in this proceeding.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 15821 (Sub-No. 11), filed May 19, 1966. Applicant: GRAF BROS., INC., 180 Main Street, Salisbury, Mass. Applicant's representative: Kenneth B. Williams, 111 State Street, Boston, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Massachusetts. NOTE: This application is directly related to MC-F-9429 published this issue. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 52889 (Sub-No. 5), filed May 12, 1966. Applicant: EL DORADO TRANSPORTATION COMPANY, INCORPORATED, 1718 Boston Post Road, Milford, Conn. Applicant's representative: A. David Milliner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Connecticut. NOTE: Application is directly related to MC-F-9420, to be published May 25, 1966. Applicant states that operations under this authority, if granted, will be tacked to applicant's existing authority, in which it is authorized to operate in the States of Connecticut, Massachusetts, New Jersey, New York, and Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or New Haven, Conn.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9428. Authority sought for control and merger by IDA-CAL FREIGHT LINES, INC., 1798 Floral Avenue (Post Office Box 422), Twin Falls, Idaho, of the operating rights and property of (1) IDA-MONT FREIGHT LINES, INC., 1798 Floral Avenue (Post Office Box 422), Twin Falls, Idaho, and (2) BUHL-TWIN FALLS TRUCK LINES, INC., 1798 Floral Avenue (Post Office Box 422), Twin Falls, Idaho, and for acquisition by HELMUT MOSS, also of Twin Falls, Idaho, of control of such rights and property through the transaction. Applicants' attorney: Marvin Handler, 405 Montgomery Street, Suite 1401, San Francisco, Calif., 94104. Operating rights sought to be controlled and merged: (1) IDA-MONT FREIGHT LINES, INC.: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Butte, Mont., and Idaho Falls, Idaho, serving all intermediate points; *frozen fruits* and *frozen vegetables*, over irregular routes, from Caldwell, Idaho, Salt Lake City and Ogden, Utah, and points in California, Washington, and Oregon, to points in Montana; and (2) BUHL-TWIN FALLS TRUCK LINES, INC.: Under a certificate of registration in Docket No. MC-120177 (Sub-No. 1), covering the transportation of property, as a common carrier, in intrastate state commerce, in the State of Idaho. IDA-CAL FREIGHT LINES, INC., is authorized to operate as a *common carrier* in Idaho, California, and Nevada. Application has not been filed for temporary authority under section 210a(b). NOTE: MC-118318 (Sub-No. 13), is a matter directly related.

No. MC-F-9429. Authority sought for purchase by GRAF BROS., INC., 180 Main Street., Salisbury, Mass., of the operating rights and property of KEVILLE MOTOR LINES, INC., 27 Willow Street, Westwood, Mass., and for acquisition by FRED WM. GRAF, 14 Allen Street, Newburyport, Mass., of control of such rights and property through the purchase. Applicants' attorneys: Kenneth B. Williams, 111 State Street, Boston, Mass., 02109, and Jeanne M. Hession, 5 Potosi Street, Boston, Mass., 02122. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-97640 (Sub-No. 1), covering the transportation of general commodities, as a common carrier in intrastate commerce, within the State of Massachusetts. Vendee is authorized to operate as a *common carrier* in points in the United States east of the Mississippi River. Application has been filed for temporary authority under section 210a(b). NOTE: Docket No. MC-15821 (Sub-No. 11) is a matter directly related.

No. MC-F-9431. Authority sought for control and merger by MOTOR FREIGHT CORPORATION, 2345 South 13th Street, Terre Haute, Ind., of the operating rights and property of DURRETT TRANSFER, INC., U.S. Highway 41, Springfield, Tenn., and for acquisition by HARRY J. ADAMS, also of Terre Haute, Ind., of control of such rights and property through the transaction. Applicants' attorneys: John P. McMahon, 100 East Broad Street, Columbus, Ohio, 43215, and A. O. Buck, 500 Court Square Building, Nashville, Tenn., 37201. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, household goods, and commodities in bulk, as a *common carrier*, over regular routes, between Nashville, Tenn., and Adairville, Ky., between Russellville, Ky., and Owensboro, Ky., between South Carollton, Ky., and Owensboro, Ky., serving all intermediate points, with restriction; between Nashville, Tenn., and Owensboro, Ky., between Adairville, Ky., and Russellville, Ky., serving no intermediate points; between junction of U.S. Highways 41 and 60 (near Henderson, Ky.), and Beech Grove, Ky., serving all intermediate and off-route points (with exceptions), certain intermediate points for purposes of joinder only, between Henderson, Ky., and Sorgho, Ky., serving all intermediate and off-route points (with exception), and serving Henderson for purposes of joinder only, between junction of Kentucky Highways 136 and 56 (West of Beech Grove, Ky.), and junction of Kentucky Highway 136 and U.S. Highway 41 (at Anthoston, Ky.), serving all intermediate and off-route points (with exception), and serving Anthoston for purposes of joinder only, between St. Joseph, Davis County, Ky., and junction of Kentucky Highways 258 and 136 (near Anthoston, Ky.), serving no intermediate points, with restriction; and serving certain off-route points in connection with carriers authorized regular route operations, with restriction; numerous alternate routes for operating convenience only, with restrictions; and *general commodities*, excepting, among others, commodities in bulk, but not excepting household goods, between Sacramento, Ky., and Evansville, Ind., serving certain intermediate points, and the off-route points of Curdsville, and Cleopatra, Ky., between Stanley, and Evansville, Ind., serving no intermediate points. Motor Freight Corp. is authorized to operate as a *common carrier* in Indiana, Illinois, Missouri, Ohio, Kentucky, Nebraska, and Iowa. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9432. Authority sought for control by WATT TRANSPORT, INC., 115 Army Road, Providence, R.I., 02905, of ESSEX WAREHOUSE COMPANY, 609 West 29th Street, New York, N.Y., and for acquisition by JOHN J. ORR, II, HELEN O. DALEY, and N. EVERETT PICCHIONE, all also of Providence, R.I., of control of ESSEX WAREHOUSE COMPANY, through the acquisition by WATT TRANSPORT, INC. Applicants' attorney and representative: John C. Bradley, 618 Perpetual Building, Washington, D.C., 20424, and Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905. Operating rights sought to be controlled: *Heaters*, as a *common carrier*, over irregular routes, from New York, N.Y., to Phillipsburg, N.J.; and *general commodities*, excepting, among others, household goods, and commodities in bulk, between Newark, N.J., on the one hand, and, on the other, certain specified points in New York, between New York, N.Y., and points in Nassau and Suffolk Counties, N.Y., on the one hand, and, on the other, certain specified points in New Jersey. Watt Transport, Inc., is authorized to operate as a *common carrier* in Massachusetts, New Jersey, Rhode Island, Connecticut, and New York. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9433. Authority sought for purchase by ADRIAN VAN DAALEN and JAY M. VAN DAALEN, both of 1239 Randolph, SW., Grand Rapids, Mich., 49507, of the operating rights and property of CAPITAL EXPRESS, INC., 1621 Century, SW., Grand Rapids, Mich., 49502. Applicants' attorney: J. M. Neath, Jr., One Vandenberg Center, Grand Rapids, Mich. Operating rights sought to be transferred: *Household laundry equipment*, as a *contract carrier*, over irregular routes, from Peoria, Ill., to Grand Rapids, Mich., from Grand Rapids, Mich., to points in Illinois, Indiana, and Ohio; *electric ranges*, from Grand Rapids, Mich., to points in Illinois, Indiana, and Ohio; *waste paper*, from Chicago, Ill., to Grand Rapids, Mich.; *refrigerators* and *materials, equipment, and supplies*, used in the manufacture of refrigerators, from Grand Rapids, Mich., to Detroit, Mich.; *refrigerators*, from Grand Rapids, Mich., to points in Illinois, Indiana and Ohio; *materials, equipment, and supplies* used in the manufacture of refrigerators, from points in Illinois, Indiana and Ohio to Grand Rapids, Mich.; *electric ranges*, and *parts thereof*, from Delaware, Ohio, to Grand Rapids, Mich., with restriction; *machinery* and *parts, materials and supplies*, used in the manufacture of electric ranges (except such as require the use of special equipment to load, unload or transport), between Grand Rapids, Mich., and Delaware, Ohio, with restriction; *dishwashers* and *parts thereof* when transported at the same time and in the same vehicle with dishwashers, from Connersville, Ind., to Grand Rapids, Mich., with restriction; *dishwashers* and *parts thereof* when transported at the same time and in the same vehicle with dishwashers, when moving in mixed loads with refrigerators, electric ranges or household laundry equipment, the said dishwashers and parts thereof not to exceed 25 percent of the weight of the total load, from Grand Rapids, Mich., to points in Illinois, Indiana, and Ohio, with restriction; *cooking ranges, parts thereof*, and *machinery and parts, materials and supplies used in the manufacture thereof* (except such as require the use of special equipment to load, unload or transport), between Grand Rapids, Mich., and Delaware, Ohio, with restriction; *cooking ranges*, from Grand Rapids, Mich., to points in Illinois, Indiana and Ohio, with restriction; *dehumidifiers*, from Columbus, Ohio, to Grand Rapids, Mich.; *water heaters*, from Chicago, Ill., to Grand Rapids, Mich.; *water heaters* and *dehumidifiers*, when moving in mixed loads with other appliances, from Grand Rapids, Mich., to points in Illinois, Indiana, and Ohio, with restriction; and *materials, equipment, and supplies* used in the manufacture of laundry equipment (except steel, and except materials, equipment, and supplies used in the manufacture of laundry equipments, which, because of size or weight or inherent nature, requires the use of special equipment or special handling), from points in Illinois, Indiana, and Ohio, to Grand Rapids, Mich., with restriction. ADRIAN VAN DAALEN and JAY M. VAN DAALEN hold no authority with this Commission. However, they control KELLER TRANSFER LINE, INC., 1239 Randolph Street, SW., Grand Rapids, Mich., which is authorized to operate as a *common carrier* in Michigan and Illinois. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6029; Filed, June 1, 1966; 8:47 a.m.]

[Notice 929]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 27, 1966.

The following publications are governed by special rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statements as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 112617 (Sub-No. 230), filed May 18, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. Applicant's representative: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Helena, Ark., and points within 10 miles thereof, to points in Alabama, Arkansas, Indiana, Illinois, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas.

HEARING: July 25, 1966, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Examiner William J. O'Brien, Jr.

No. MC 124078 (Sub-No. 222), filed May 9, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia, ammonium nitrate, urea, acids, fertilizers, fertilizer solutions and fertilizer materials*, liquid and dry, in bulk, and (2) *ammonium nitrate, urea, fertilizer, fertilizer material and fertilizer ingredients*, dry, in bags, from Helena, Ark., and points within 10 miles thereof, to points in Arkansas, Louisiana, Texas, Oklahoma, Kansas, Missouri, Illinois, Kentucky, Tennessee, Mississippi, and Alabama. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

HEARING: July 25, 1966, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Examiner William J. O'Brien, Jr.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6031; Filed, June 1, 1966; 8:47 a.m.]

[Notice 397]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MAY 27, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1

(c)(8)), and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 42487 (Deviation No. 62), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif., filed May 19, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Pittsburgh, Pa., and Erie, Pa., over Interstate Highway 79, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) from Mercer, Pa., over U.S. Highway 19 to Erie, Pa., (2) from Jamestown, N.Y., over New York Highway 60 to junction unnumbered highway, thence over unnumbered highway via Busti, N.Y., to the New York-Pennsylvania State line, thence over unnumbered highway to Sugargrove, Pa., thence over Pennsylvania Highway 69 to junction Pennsylvania Highway 27, thence over Pennsylvania Highway 27 via Youngsville, Pa., to Pleasantville, Pa., thence over Pennsylvania Highway 36 to Titusville, Pa., thence over Pennsylvania Highway 8 to Franklin, Pa., thence over U.S. Highway 62 to Mercer, Pa., thence over U.S. Highway 19 to Harlansburg, Pa., thence over Pennsylvania Highway 108 to New Castle, Pa., thence over Pennsylvania Highway 65 (formerly Pennsylvania Highway 88) to Pittsburgh, Pa., and (3) from Harlansburg, Pa., over U.S. Highway 19 to Pittsburgh, Pa., and return over the same routes.

No. MC 59488 (Deviation No. 8), SOUTHWESTERN TRANSPORTATION COMPANY, 1517 West Front Street, Tyler, Tex., 75702, filed May 18, 1966. Carrier's representative: Lloyd M. Roach (same address as applicant). Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Texarkana, Ark., and Dallas, Tex., over Interstate Highway 30, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Texarkana, Ark., over U.S. Highway 67 via Sulphur Springs, Tex., to Dallas, Tex., and return over the same routes.

No. MC 59488 (Deviation No. 9), SOUTHWESTERN TRANSPORTATION COMPANY, 1517 West Front Street, Tyler, Tex., 75702, filed May 18, 1966. Carrier's representative: Lloyd M. Roach (same address as applicant). Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Memphis, Tenn., and St. Louis, Mo., over Interstate Highway 55, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: Between Memphis, Tenn., and St. Louis, Mo., over U.S. Highway 61.

No. MC 59488 (Deviation No. 10), SOUTHWESTERN TRANSPORTATION COMPANY, 1517 West Front Street, Tyler, Tex., 75702, filed May 18, 1966. Carrier's representative: Lloyd M. Roach (same address as applicant). Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Memphis, Tenn., over Interstate Highway 40 to Little Rock, Ark., thence over Interstate Highway 30 to Texarkana, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Memphis, Tenn., over U.S. Highway 70 to Little Rock, Ark., thence over U.S. Highway 67 to Texarkana, Tex., and return over the same route.

No. MC 59488 (Deviation No. 11), SOUTHWESTERN TRANSPORTATION COMPANY, 1517 West Front Street, Tyler, Tex., 75702, filed May 20, 1966. Carrier's representative: Lloyd M. Roach (same address as applicant). Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Bossier City, La. (junction Louisiana Highway 3 and U.S. Highways 79 and 80 and Interstate Highway 20), east over U.S. Highways 79 and 80 and Interstate Highway 20 to Minden, La., thence over U.S. Highway 79 to Homer, La., thence north over Louisiana Highway 9 to junction U.S. Highway 167, thence north over U.S. Highway 167 to Thornton, Ark., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes, as follows: (1) From Memphis, Tenn., over U.S. Highway 70 to junction Arkansas Highway 17, thence over Arkansas Highway 17 to junction U.S. Highway 79, thence over U.S. Highway 79 to Magnolia, Ark., thence over U.S. Highway 82 to Texarkana, Tex., and (2) from Lewisville, Ark., over Arkansas Highway 29 to the Arkansas-Louisiana State line, thence over Louisiana Highway 3 (formerly Louisiana Highway 10) to junction U.S. Highway 80, thence over U.S. Highway 80 to Shreveport, La., and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 313), GREYHOUND LINES, INC. (Western Division), Market and Fremont Streets, San Francisco, Calif., 94106, filed May 17, 1966. Carrier's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif., 94105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 101 and California Highway 85 (West Los Gatos Junction) over California Highway 85 to junction Interstate Highway 280, thence over Interstate Highway 280 to junction California Highway 17, thence over California Highway 17 to Los Gatos, Calif., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From San Francisco, Calif., over U.S. Highway 101 to junction unnumbered highway (North Gonzales Junction), thence over unnumbered highway via Gonzales to junction U.S. Highway 101 (South Gonzales Junction), thence over U.S. Highway 101 to San Luis Obispo, Calif., (2) from San Francisco, Calif., over California Highway 82 to junction U.S. Highway 101 south of San Jose (Edenvale Junction), Calif., (3) from Palo Alto, Calif., over unnumbered highway via Mountain View and Sunnyvale to junction California Highway 82 south of Sunnyvale (Sunnyvale Junction), Calif., and (4) from junction California Highway 85 and California Highway 82 (Sunnyvale Junction), over California Highway 85 to Saratoga, Calif., thence over California Highway 9 to Los Gatos, Calif., thence over California Highway 17 to Santa Cruz, Calif., and return over the same routes.

No. MC 1515 (Deviation No. 314), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio, 44113, filed May 19, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, over deviation routes as follows: (1) From junction Interstate Highway 70 and U.S. Highways 40 and 522 at Hancock, Md., over Interstate Highway 70 to junction (within the city limits of Frederick, Md.) with U.S. Highway 240, Interstate Highway 70S and the Frederick bypass route, (2) from Hancock, Md., over U.S. Highway 522 to junction Interstate Highway 70 north of Hancock, Md., (3) from Hancock, Md., over Maryland Highway 144 to junction Interstate Highway 70 east of Hancock, Md., (4) from Clear Spring, Md., over Maryland Highway 68 to junction Interstate Highway 70, (5) from Huyett, Md., over Maryland Highway 63 to junction Interstate Highway 70, (6) from junction Interstate Highway 81 and U.S. Highway 40 west of Hagerstown, Md., over Interstate Highway 81 to junction Interstate Highway 70, (7) from Wagners Crossing, Md., over Maryland Highway 66 to junction Interstate Highway 70, (8) from junction U.S. Highway 40 and Maryland Highway 153 near Myersville, Md., over Maryland Highway 153 to junction Interstate Highway 70, (9) from Frederick, Md., over U.S. Highway 340 to junction Interstate Highway 70, (10) also access and egress to Interstate Highway 70 where it junctions with regular routes as follows:

(a) Junction U.S. Highway 40 and Interstate Highway 70 southeast of Hagerstown, Md., and (b) junction Alternate U.S. Highway 40 and Interstate Highway 70 west of Frederick, Md., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Pittsburgh, Pa., over U.S. Highway 19 to Washington, Pa., thence over U.S. Highway 40 to junction Alternate U.S. Highway 40, thence over Alternate U.S. Highway 40 to junction U.S. Highway 40, northwest of Frederick, Md., thence over U.S. Highway 40 to junction Maryland Highway 144, thence over Maryland Highway 144 to Baltimore, Md., (2) from junction Frederick, Md., Bypass and U.S. Highway 40 over Frederick, Md., Bypass to junction new U.S. Highway 40 (near the eastern city limits of Frederick, Md.), thence over new U.S. Highway 40 to junction Maryland Highway 144 near Ridgeville, Md., (3) from Harrisburg, Pa., over U.S. Highway 11 via Carlisle and Shippensburg, Pa., to Winchester, Va., (4) from junction Alternate U.S. Highway 40 and U.S. Highway 40 over U.S. Highway 40 to Hagerstown, Md. (also from junction U.S. Highway 40 and Maryland Highway 17 to Myersville, Md., and thence over Maryland Highway 54 and unnumbered highway to junction U.S. Highway 40), (5) from junction U.S. Highways 40 and 522, located at Hancock, Md., over U.S. Highway 522 to junction Interstate Highway 70, located north of Warfordsburg, Pa., thence over Interstate Highway 70 to junction Pennsylvania Highway 126, thence over Pennsylvania Highway 126 to junction U.S. Highway 30, and return over the same routes.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6032; Filed, June 1, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June

5 CFR

	Page
213	7733, 7734

7 CFR

	Page
28	7734
701	7735, 7814
728	7814
845	7815
893	7816
918	7735
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
1013	7829
1031	7831
1032	7831
1038	7831
1039	7831
1044	7831
1045	7831
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1094	7831
1096	7831
1097	7831
1099	7758, 7831
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

14 CFR

	Page
39	7735
71	7736, 7827
73	7736, 7827
75	7736, 7827
PROPOSED RULES:	
71	7760–7762, 7836
75	7762

15 CFR

	Page
230	7737, 7819
PROPOSED RULES:	
9	7833

16 CFR

	Page
15	7737, 7806
PROPOSED RULES:	
45	7757

17 CFR

	Page
211	7821
230	7738
239	7738
240	7740
276	7821

20 CFR

	Page
PROPOSED RULES:	
405	7864

21 CFR

	Page
120	7741

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
200	7743
221	7743

25 CFR

	Page
41	7744
42	7745

26 CFR

	Page
1	7789

31 CFR

	Page
500	7745

32 CFR

	Page
1	7807
3	7807
4	7810
7	7811
8	7812
16	7814
30	7814

32A CFR

	Page
OIA (Ch. X):	
OI REG. 1	7751

33 CFR

	Page
203	7827
208	7751

39 CFR

	Page
13	7752
22	7752
25	7752
43	7752

41 CFR

	Page
4–1	7819
4–6	7819
8–1	7820
8–2	7820
101–15	7752

42 CFR

	Page
57	7755

43 CFR

	Page
3120	7806

45 CFR

	Page
801	7755

47 CFR

	Page
18	7821
21	7822
74	7822
91	7822
PROPOSED RULES:	
1	7837
21	7837
23	7837
73	7837, 7838
74	7837
81	7837
87	7837
89	7837
91	7837
93	7837
95	7837
97	7837

49 CFR

	Page
95	7806
PROPOSED RULES:	
170	7841

50 CFR

	Page
33	7756

106

PART 2

FEDERAL REGISTER

VOLUME 31 • NUMBER 106

Thursday, June 2, 1966 • Washington, D.C.

PART II

Department of Health, Education, and Welfare

•

Social Security Administration

•

Health Insurance Program for Aged



Notice of Proposed Rule Making

3

10

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 405]

[Reg. 5]

HEALTH INSURANCE PROGRAM FOR AGED

Principles for Reimbursable Costs

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations (§ 405.401 et seq.) relate to the principles for reimbursement for provider costs for covered services furnished to beneficiaries under title XVIII of the Social Security Act.

In the framing of these proposed regulations for the determination of reasonable cost, it was the intent to give consideration to the principles generally applied by national organizations and established prepayment programs. Accordingly, in development of the proposed principles of reimbursement there has been extensive consultation with representatives of the American Hospital Association and with many others including representatives of the American Nursing Home Association, the American Association of Hospital Accountants, the National Blue Cross Association, individual Blue Cross plans, the Health Insurance Association of America, and the private insurance field as well as State and Federal agencies which purchase hospital and institutional services. There have been meetings also with hospital administrators and comptrollers, nationally recognized authorities in the field of health care costs, and many other interested individuals and organizations. The Health Insurance Benefits Advisory Council, a 16-member non-Federal body established for the purpose of providing advice in the formulation of regulations, has given prolonged attention to the subject of cost reimbursement, and these principles are based on their advice and have their support.

Prior to the final adoption of the proposed regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C., 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed Federal Health Insurance for the Aged regulations are to be issued under the authority contained in sections 1102, 1814(b), 1861(v), and 1871, 49 Stat. 647, as amended, 79 Stat. 294, 79 Stat. 322, 79 Stat. 326; 42 U.S.C. 1302, 1395, et seq.

Chapter III, Title 20, is amended by adding thereto Subpart D of Part 405 to read as follows:

Subpart D—Principles of Reimbursement for Provider Costs

§ 405.401 Introduction.

(a) Under the health insurance program for the aged, the amount paid to any provider of services—i.e., hospital, extended care facility, or home health agency—for the covered services furnished to beneficiaries is required by section 1814(d) of the Social Security Act to be the "reasonable cost" of such services.

(b) These principles of reimbursement and the related policies described in this subpart establish the guidelines and procedures to be used by institutional providers, fiscal intermediaries, and the Social Security Administration in determining reasonable cost.

(c) The principles of reimbursement will be applied on behalf of the program by public and private organizations and agencies acting as fiscal intermediaries in the payment of claims. These organizations and agencies were selected after nomination by groups or associations of hospitals. Extended care facilities and home health agencies may similarly nominate such intermediaries. The fiscal intermediaries will be responsible for paying the bills of beneficiaries for covered services received in participating hospitals and other institutions under the medicare program. A provider may deal directly with the Social Security Administration, in which case the same principles will be used in making payment for services.

(d) In consideration of the wide variations in size and scope of services of providers and regional differences that exist, the principles are flexible on many points. They offer certain alternatives and options designed to fit individual circumstances and to allow time for those providers who do not already collect the statistical and financial data necessary for the reporting of costs to develop the necessary records.

(e) An important role of the fiscal intermediary, in addition to claims processing and payment, and other assigned responsibilities, is to furnish consultative services to providers in the development of accounting and cost-finding procedures which will assure them equitable payment under the program.

§ 405.402 Cost reimbursement; general.

(a) In formulating methods for making fair and equitable reimbursement for services rendered beneficiaries of the program, payment is to be made on the basis of current costs of the individual provider, rather than costs of a past period or a fixed negotiated rate. All necessary and proper expenses of an institution in the production of services, including normal standby costs, are recognized. Furthermore, the share of the total institutional cost that is borne by the program is related to the care furnished beneficiaries so that no part of their cost would need to be borne by other patients. Conversely, costs attributable to other patients of the institution are not to be borne by the program. Thus, the application of this approach, with appropriate accounting support, will result in meeting actual costs of services to beneficiaries as they vary from institution to institution.

(b) Putting these several points together, certain tests were evolved for the principles of reimbursement and certain goals were established that they should be designed to accomplish. In general terms, these are the tests or objectives:

(1) That the methods of reimbursement should result in current payment so that institutions will not be disadvantaged, as they sometimes are under other arrangements, by having to put up money for the purchase of goods and services well before they receive reimbursement.

(2) That, in addition to current payment, there should be retroactive adjustment so that increases in costs are taken fully into account as they actually occurred, not just prospectively.

(3) That there be a division of the allowable costs between the beneficiaries of this program and the other patients of the hospital that takes account of the actual use of services by the beneficiaries of this program and that is fair to each provider individually.

(4) That there be sufficient flexibility in the methods of reimbursement to be used, particularly at the beginning of the program, to take account of the great differences in the present state of development of recordkeeping.

(5) That the principles should result in the equitable treatment of both nonprofit organizations and profitmaking organizations.

(6) That there should be a recognition of the need of hospitals and other providers to keep pace with growing needs and to make improvements.

(c) As formulated herein, the principles give recognition to such factors as depreciation, interest, bad debts, educational costs, compensation of owners, and allowance for capital funds to secure, preserve, and improve service-rendering capabilities and in lieu of a direct return on equity capital. With respect to allowable costs some items of inclusion and exclusion are:

(1) An appropriate part of the net cost of approved educational activities will be included.

(2) Costs incurred for research purposes, over and above usual patient care, will not be included.

(3) Grants, gifts, and income from endowments will not be deducted from operating costs unless they are designated by the donor for the payment of specific operating costs.

(4) The value of voluntary services provided by sisters or other members of religious orders is includable in the amount that would be paid others for similar work.

(5) Discounts and allowances received on the purchase of goods or services are reductions of the cost to which they relate.

(6) Bad debts growing out of the failure of a beneficiary to pay the deductible, or the coinsurance, will be reimbursed (after bona fide efforts at collection).

(7) Charity and courtesy allowances are not includable, although "fringe benefit" allowances for employees under a formal plan will be includable as part of their compensation.

(8) A reasonable allowance of compensation for the services of owners in profitmaking organizations will be allowed providing their services are actually performed in a necessary function.

(d) In developing these principles of reimbursement for the health insurance program, all of the considerations inherent in allowances for depreciation were studied. The principles, as presented, provide options to meet varied situations. Depreciation will essentially be on an historical cost basis but since many institutions do not have adequate records of old assets, the principles provide an optional allowance in lieu of such depreciation for assets acquired before 1966. For assets acquired after 1965, the historical cost basis must be used. All assets actually in use for production of services for title XVIII beneficiaries will be recognized even though they may have been fully or partially depreciated for other purposes. Assets financed with public funds may be depreciated. In general, the options for accelerated depreciation allowed by the income tax laws will be permitted. Although funding of depreciation is not required, there is an incentive for it since income from funded depreciation is not considered as an offset which must be taken to reduce the interest expense that is allowable as a program cost.

(e) An allowance is provided in recognition of the continuing need for capital funds to secure, preserve, and improve service-rendering capability. In part this allowance is in lieu of a direct return on net capital investment and in part is a recognition of various uncertainties that are inherent in the application of any cost formula at this stage of cost-finding capabilities. The allowance will apply to both nonprofit and profitmaking organizations alike. This avoids the anomalous result that would arise from reimbursing a profitmaking organization more than a nonprofit organization for rendering exactly the same service solely by reason of allowing a return on investment in one case but not the other. The allowance will be computed by taking 2 percent of total allowable cost (for purposes of determining this base, interest expense will be subtracted). The amount computed will be subject to the limitation that the total allowance not exceed a reasonable long-term interest rate on net capital investment.

§ 405.403 Apportionment of allowable costs.

(a) Consistent with prevailing practice where third-party organizations pay for health care on a cost basis, reimbursement under the title XVIII health insurance program will involve determination of (1) each provider's allowable costs for producing services, and (2) the share of these costs which is to be borne by title XVIII. The provider's costs are to be determined in accordance with the principles reviewed in the preceding discussion relating to allowable costs; the share to be borne by title XVIII is to be determined in accordance with principles relating to apportionment of cost.

(b) In the study and consideration devoted to the method of apportioning costs, the objective has been to adopt methods for use under title XVIII of the Act that would, to the extent reasonably possible, result in the program's share of a provider's total allowable costs being the same as the program's share of the provider's total services. This result is essential for carrying out the statutory directive that the program's payments to providers should be such that the costs of covered services for beneficiaries would not be passed on to nonbeneficiaries, nor would the cost of services for nonbeneficiaries be borne by the program.

(c) A basic factor bearing upon apportionment of costs is that title XVIII beneficiaries are not a cross section of the total population. Nor will they constitute a cross section of all patients receiving services from most of the providers that participate in the program. Available evidence shows that the use of services by persons age 65 and over differs significantly from other groups. Consequently, the objective sought in the determination of the title XVIII share of a provider's total costs means that the methods used for apportionment must take into account the differences in the amount of services received by patients who are beneficiaries and other patients served by the provider.

(d) The method most widely used at the present time by third-party purchasers of inpatient hospital care apportions a provider's total costs among groups served on the basis of the relative number of days of care used. This method, commonly referred to as average per diem cost, does not take into account variations in the amount of service which a day of care may represent and thereby assumes that the patients for whom payment is made on this basis are average in their use of service.

(e) In considering the average per diem method of apportioning cost for use under the program, the difficulty encountered is that the preponderance of presently available evidence strongly indicates that the over-65 patient is not typical from the standpoint of average per diem cost. On the average he stays in the hospital twice as long and therefore the ancillary services that he uses are averaged over the longer period of time, resulting in an average per diem cost for the aged alone, significantly below the average per diem for all patients.

(f) Moreover, the relative use of services by aged patients as compared to other patients differs significantly among institutions. Consequently, considerations of equity among institutions are involved as well as that of effectiveness of the apportionment method under the program in accomplishing the objective of paying each provider fully, but only, for services to beneficiaries.

(g) A further consideration of long-range importance is that the relative use of services by aged and other patients can be expected to change, possibly to a significant extent in future years. The ability of apportionment methods used under the program to reflect such change is an element of flexibility which has been regarded as important in the formulation of the cost reimbursement principles.

(h) An alternative to the relative number of days of care as a basis for apportioning costs is the relative amount of charges billed by the provider for services to patients. The amount of charges is the basis upon which the cost of hospital care is distributed among patients who pay directly for the services they receive. Payment for services on the basis of charges applies generally under insurance programs where individuals are indemnified for incurred expense, a form of health insurance widely held throughout the Nation. Also, charges to patients are commonly a factor in determining the amount of payment to hospitals under insurance programs providing service benefits, many of which pay "costs or charges, whichever is less" and some of which pay exclusively on the basis of charges. In all of these instances, the provider's own charge structure and method of itemizing services for the purpose of assessing charges is utilized as a measure of the amount of services received and as the basis for allocating responsibility for payment among those receiving the provider's services.

(i) An increasing number of third-party purchasers who pay for services on the basis of cost are developing methods which utilize charges to measure the amount of services for which they have responsibility for payment. In this approach, the amount of charges for such services as a proportion of the provider's total charges to all patients is used to determine the proportion of the provider's total costs for which the third-party purchaser assumes responsibility. The approach is subject to numerous variations. It can be applied to the total of charges for all services combined or it can be applied to components of the provider's activities for which the amount of costs and charges are ascertained through a breakdown of data from provider's accounting records.

(j) For the application of the approach to components, which represent types of services, the breakdown of total costs is accomplished by "cost-finding" techniques under which indirect costs and nonrevenue activities are allocated to revenue producing components for which charges are made as services are rendered.

§ 405.404 Methods of apportionment under title XVIII.

(a) The principles for reimbursement under title XVIII of the act establish two basic methods, either of which may be used at the option of a provider, for the determination of the share of allowable

costs for which payment is to be made to the provider.

(b) The first alternative is to apply the beneficiaries' share of total charges, on a departmental basis, to total costs for the respective departments. Use of this department-by-department method will involve determination, by cost-finding methods, of the total costs for each of the institution's departments that are revenue-producing; i.e., departments providing services to patients for which charges are made.

(c) The second alternative is a combination method. Under this method, as applied to inpatient care, that part of a provider's total allowable cost which is attributable to routine services (room, board, nursing service) is to be apportioned on the basis of the relative number of patient days for beneficiaries and for other patients; i.e., an average cost per diem basis. The residual part of the provider's allowable cost, attributable to nonroutine or ancillary services, is to be apportioned on the basis of the beneficiaries' share of the total charges to patients by the provider for nonroutine or ancillary services. The amounts computed to be the program's share of the two parts of the provider's allowable costs are then combined in determining the amount of reimbursement under the program. Use of the combined method will necessitate cost finding to determine the division of the provider's total allowable costs into the two parts, although it would be less involved than for the first alternative, the department-by-department method.

(d) It is recognized that many hospitals and other providers do not currently employ methods for ascertaining the cost of the services they produce, either by departmental or other groupings of services. Although the use of cost finding has become more extensive among institutions in recent years, for a large number of providers use of the apportionment methods under the program will involve compiling information needed as a basis for breaking down total costs into departmental costs or between routine services and other services, as would need to be done at the end of each accounting year. To avoid an undue burden on providers and to allow ample time for all providers to adopt the cost-finding methods needed for the apportionment methods under the program, a temporary method may be used, at the option of the provider, for accounting periods ending before January 1, 1968. Under this option, a provider may employ the combination method of apportionment by using an estimated percentage obtained from the intermediary as the basis for arriving at a division of total allowable costs between routine and other services. This estimated percentage basis for division of costs will be accepted in lieu of actual cost finding as the basis for the division in the initial reporting period(s) of any provider of service. Furthermore, where there are special factors which make the apportionment methods difficult to apply, the intermediary may approve appropriate adaptations to accomplish the objective of determining the share of the provider's allowable costs which is attributable to services rendered to beneficiaries.

§ 405.405 Payments to providers.

(a) The fiscal intermediaries will establish a basis for interim payments to each provider. This may be done by one of several methods. Where an intermediary is already paying the provider on a cost basis, the intermediary can adjust its rate of payment to an estimate of the result under the title XVIII principles of reimbursement. Where no organization is paying the provider on a cost basis, the intermediary can obtain the previous year's financial statement from the provider and, by applying the principles of reimbursement, compute or approximate an appropriate rate of payment. The interim payment may be related to last year's average per diem, or to charges, or to any other ready basis of approximating costs.

(b) At the end of the period, the actual apportionment, based on the cost finding and apportionment methods selected by the provider, will determine the title XVIII reimbursement for the actual services provided to beneficiaries during the period.

(c) Basically, therefore, interim payments to providers will be made for services throughout the year, with final settlement on a retroactive basis at the end of the accounting period. Interim payments will be made as often as possible and in no event less frequently than once a month. The retroactive payments will take fully into account the costs that were actually incurred and settle on an actual, rather than on an estimated basis.

(d) In addition to the basic procedure for payment to a provider following the submission of bills to the intermediary, payment will be made upon request by the provider on a basis designed to reimburse concurrently as services are furnished to beneficiaries. The amount of such payment will be computed by the intermediary initially on an estimated basis and periodically adjusted to represent the average level of services unreimbursed by the basic payment procedure.

§ 405.406 Financial data and reports.

(a) The principles of cost reimbursement will require that providers maintain sufficient financial records and statistical data for proper determination of costs payable under the program. Standardized definitions, accounting, statistics, and reporting practices which are widely accepted in the hospital and related fields are followed. Changes in these practices and systems will not be required in order to determine costs payable under the principles of reimbursement. Essentially the methods of determining costs payable under title XVIII involve making use of data available from the institution's basic accounts, as usually maintained, to arrive at equitable and proper payment for services to beneficiaries.

(b) Costs reports will be required from providers on an annual basis with reporting periods based on the provider's accounting year. In the interpretation and application of the principles of reimbursement, the fiscal intermediaries will be an important source of consultative assistance to providers and will be available to deal with questions and problems on a day-to-day basis.

§ 405.415 Depreciation: allowance for depreciation based on asset costs.

(a) *Principle.* An appropriate allowance for depreciation on buildings and equipment is an allowable cost. The depreciation must be:

(1) Identifiable and recorded in the provider's accounting records;

(2) Based on the historical cost of the asset or fair market value at the time of donation in the case of donated assets; and

(3) Prorated over the estimated useful life of the asset using the straight-line method or accelerated depreciation under the declining balance or sum-of-the-years' digits methods.

(b) *Definitions*—(1) *Historical costs.* Historical cost is the cost incurred by the present owner in acquiring the asset.

(2) *Fair market value.* Fair market value is the price that the asset would bring by bona fide bargaining between well-informed buyers and sellers at the date of acquisition. Usually the fair market price will be the price at which bona fide sales have been consummated for assets of like type, quality, and quantity in a particular market at the time of acquisition.

(3) *The straight-line method.* Under the straight-line method of depreciation, the cost or other basis (e.g., donated) of the asset, less its estimated salvage value, if any, is determined first. Then this amount is distributed in equal amounts over the period of the estimated useful life of the asset.

(4) *Declining balance method.* Under the declining balance method, the annual depreciation allowance is computed by multiplying the undepreciated balance of the asset each year by a uniform rate up to double the straight-line rate.

(5) *Sum-of-the-years' digits method.* Under the sum-of-the-years' digits method, the annual depreciation allowance is computed by multiplying the depreciable cost basis (cost less salvage value) by a constantly decreasing fraction. The numerator of the fraction is represented by the remaining years of useful life of the asset at the beginning of each year, and the denominator is always represented by the sum of the years' digits of useful life at the time of acquisition.

(c) *Recording of depreciation.* Appropriate recording of depreciation encompasses the identification of the depreciable assets in use, the assets' historical costs, the method of depreciation, estimated useful life, and the assets' accumulated depreciation. The Chart of Accounts published by the American Hospital Association and publications of the Internal Revenue Service are to be used as guides for the estimation of the useful life of assets.

(d) *Depreciation methods.* (1) Proration of the cost of an asset over its useful life will be allowed on the straight-line, the declining balance, or the sum-of-the-years' digits methods. The provider may choose to use one of the methods on a single asset or group of assets and another method on others. In applying the declining balance or sum-of-the-years' digits method to an asset that is not new, the undepreciated balance of the asset is to be treated as the cost of a new asset in computing the depreciation.

(2) A provider may change from the straight-line method to an accelerated method or vice versa upon advance approval from the intermediary on a prospective basis with the request being made before the end of the first month of the prospective reporting period. Only one such change with respect to a particular asset may be made by a provider.

(e) *Funding of depreciation.* Although funding of depreciation is not required, it is strongly recommended that providers use this mechanism as a means of conserving funds for replacement of depreciable assets, and cordinate their planning of capital expenditures with areawide planning activities of community and State agencies. As an incentive for funding, investment income on funded depreciation will not be treated as a reduction of allowable interest expense.

(f) *Gains and losses on disposal of assets.* Gains and losses realized from the disposal of depreciable assets are to be included in the determination of allowable cost. The extent to which such gains and losses are includable is to be calculated on a proration basis recognizing the amount of depreciation charged under the program in relation to the amount of depreciation, if any, charged or assumed in a prior period.

§ 405.416 Depreciation: optional allowance for depreciation based on a percentage of operating costs.

(a) *Principle.* With respect to all assets acquired before 1966, the provider, at its option, may choose an allowance for depreciation based on a percentage of operating costs. The operating costs to be used are the lower of the provider's 1965 operating costs or the provider's current year's allowable costs. The percent to be applied is 5 percent starting with the year 1966–67, with such percentage being uniformly reduced by one-half percent each succeeding year. The allowance based on operating costs is in addition to regular depreciation on assets acquired after 1965; however, when the optional allowance is selected, the combined amount of such allowance on pre-1966 assets and the allowance for actual depreciation on assets acquired after 1965 may not exceed 6 percent of the provider's allowable cost for the current year.

(b) *Definitions*—(1) *Operating costs.* Operating costs are the total costs incurred by the provider in operating the institution or facility.

(2) *Allowable costs.* Allowable costs are the costs of a provider which are includable under the principles for cost reimbursement; by the application of apportionment methods to the total amount of such allowable costs, the share of a provider's total cost which is attributable to covered services for beneficiaries is determined.

(c) *Application.* Where a provider has inadequate historical cost records for pre-1966 depreciable assets, the provider may elect to receive an allowance for depreciation on such assets based on a percentage of operating costs. The optional allowance for depreciation for such assets may be used, however, whether or not a provider has records of the cost of pre-1966 depreciable assets currently in use.

(d) *Allowance based on a percentage of operating costs.* (1) The allowance for depreciation based on a percentage of operating costs is to be computed by applying a specified percentage to a base amount equal to the provider's 1965 total operating costs, without adjustments to these principles or the current year's allowable operating costs, whichever is lower. The percentage to be applied would be five for 1966–67, four and one-half for 1967–68, and would so continue to decline annually by equal amounts to become zero in 1976–77.

(2) When used as a base for determining the optional allowance for depreciation, neither the 1965 operating costs nor the current year's allowable costs are to include any actual depreciation or estimated depreciation on rented depreciable-type assets. Such exclusions are to be made only for the purpose of computing the allowance for depreciation based on operating costs. For other purposes, the excluded amounts are recognized in determining allowable costs and for computing the costs of services rendered to the program beneficiaries during the reporting period.

(e) *Change to actual depreciation.* (1) A provider that elects this allowance may at any time before 1976 change to actual depreciation on all pre-1966 depreciable assets. In such case, this option is eliminated and the provider can no longer elect to receive an allowance for depreciation based on a percentage of operating costs.

(2) Where the provider desires to change to actual depreciation but either has no historical cost records or has incomplete records, the determination of historical cost could be made through appropriate means involving expert consultation with the determination being subject to review and approval by the intermediary.

(f) *Determination of optional allowance based on percentage of operating costs illustrated.* The following illustrates how the provider would determine the optional allowance for depreciation based on operating costs.

Example No. 1.—The provider keeps its records on a calendar year basis. The current year's actual allowable cost and the actual operating cost for 1965 do not include any actual depreciation or rentals on depreciable-type assets.

Year 1966	
Current year's allowable cost	$1,100,000
Operating cost for 1965 [1]	$1,000,000
Percent for determining the allowance	5
Allowance	$50,000

[1] 1965 operating cost was used in computing the allowance for depreciation based on a percentage of operating costs because it was lower than 1966 allowable cost.

Year 1967	
Current year's allowable cost	$1,200,000
Operating cost for 1965 [1]	$1,000,000
Percent for determining the allowance	4½
Allowance	$45,000

[1] 1965 operating cost was used in computing the allowance for depreciation based on a percentage of operating costs because it was lower than 1967 allowable cost.

Year 1968	
Operating cost for 1965	$1,000,000
Current year's allowable cost [1]	$900,000
Percent for determining the allowance	4
Allowance	$36,000

[1] The current year's allowable cost was used in computing the allowance for depreciation based on percentage of operating costs because it was lower than 1965 operating cost.

Example No. 2.—When the provider pays rent for depreciable-type assets rented prior to 1966, the estimated depreciation on such assets must be deducted from the allowance. The following illustration demonstrates how the allowance is determined.

Year 1966

The provider keeps its records on a calendar year basis. The current year's actual allowable cost and the actual operating cost for 1965 did not include any actual depreciation. However, such costs have been adjusted to exclude estimated depreciation on rented depreciable-type assets.

Adjusted current year's allowable cost	$1,100,000
Adjusted operating cost for 1965 [1]	$1,000,000
Percent for determining the allowance	5
Allowance	$50,000
Less estimated depreciation for depreciable-type assets rented prior to 1966 on which rental is paid in 1966	$3,000
Adjusted allowance	$47,000

[1] 1965 operating cost was used in computing the allowance for depreciation based on a percentage of operating costs because it was lower than 1966 allowable cost.

Year 1967

Adjusted current year's allowable cost	$1,200,000
Adjusted operating cost for 1965 [1]	$1,000,000
Percent for determining the allowance	4½
Allowance	$45,000

Less estimated depreciation for depreciable-type assets rented prior to 1966 on which rental is paid in 1967	$3,000
Adjusted allowance	$42,000

[1] 1965 operating cost was used in computing the allowance for depreciation based on a percentage of operating costs because it was lower than 1967 allowable cost.

(g) *Limitation on depreciation where optional allowance is used.* This optional allowance only is subject to a limitation based on the provider's total allowable operating cost for the current year. To determine this limitation, compute the sum of the actual depreciation claimed, and the allowance based on a percentage of operating costs after adjustment for estimated depreciation on depreciable-type assets rented after 1965. If this sum exceeds 6 percent of the provider's current year's allowable cost (exclusive of any actual depreciation claimed and estimated depreciation on rented depreciable-type assets), the allowance for depreciation based on a percentage of operating costs will be reduced by the amount of the excess. In applying this limitation, if the actual depreciation claimed is on an accelerated basis it must be converted to a straight-line basis only for use in calculating this limitation. It is presumed that pre-1966 assets will not be retired at a greater than normal rate, and the limitation of 6 percent, as it affects the availability of the allowance, is designed as a safeguard where the presumption is not borne out. Where the provider does not elect to use the optional allowance, the combined allowance for depreciation based on costs of pre-1966 assets and those subsequently acquired is not subject to the 6-percent limitation.

Example No. 1.—The following illustration demonstrates how this limitation would be determined.

YEAR 1966

The provider keeps its records on a calendar year basis. The current year's actual allowable cost and the actual operating cost for 1965 have been adjusted to exclude actual depreciation and the estimated depreciation on rented depreciable-type assets.

Adjusted operating cost for 1965	$1,000,000
Percent for determining the allowance	5
In 1966 assets were acquired which produce a straight-line depreciation of	$18,000
Estimated depreciation on assets rented in 1966	$2,000
Adjusted allowable operating cost for 1966	$1,100,000
Calculation of Allowance for Depreciation Based on a Percentage of Operation Costs	
Gross allowance:	
5% times adjusted 1965 operating costs ($1,000,000)	$50,000
Estimated depreciation on assets rented in 1966	2,000
Straight-line depreciation on post-1965 assets	18,000
Total	70,000
6% of adjusted 1966 allowable operating cost	66,000
Deduction in allowance	4,000
Allowance	50,000
Reduction	4,000
Adjusted allowance	46,000
Total depreciation allowance for 1966 ($18,000 actual depreciation plus $46,000 allowance based on operating cost)	64,000

Assume in this illustration that the provider had elected to use the declining balance method in computing its allowable depreciation and the rental expense for depreciable-type assets was $3,500. In that case, it would include in its 1966 allowable cost not only the $46,000 allowance based on operating costs but also $36,000 (in this instance 2 × straight-line rate is used) in actual depreciation and the rental expense of $3,500—or a total of $85,000 covering all its depreciable assets.

§ 405.417 Depreciation: allowance for depreciation on fully depreciated or partially depreciated assets.

(a) *Principle.* Depreciation on assets being used by a provider at the time it enters into the title XVIII program will be allowed; this applies even though such assets may be fully or partially depreciated on the provider's books.

(b) *Application.* Depreciation is allowable on assets being used at the time the provider enters into the program. This applies even though such assets may be fully depreciated on the provider's books or fully depreciated with respect to other third-party payers. So long as an asset is being used, its useful life is considered not to have ended, and consequently the asset is subject to depreciation based upon a revised estimate of the asset's useful life as determined by the provider and approved by the intermediary. Correction of prior years' depreciation to reflect revision of estimated useful life should be made in the first year of participation in the program unless the provider has used the optional method (§ 405.416), in which case the correction should be made at the time of discontinuing the use of that method. When an asset has become fully depreciated under title XVIII, further depreciation would not be appropriate or allowable, even though the asset may continue in use. For example, if a 50-year-old building is in use at the time the provider enters into the program, depreciation is allowable on the building even though it has been fully depreciated on the provider's books. Assuming that a reasonable estimate of the asset's continued life is 20 years (70 years from the date of acquisition), the provider may claim depreciation over the next 20 years—if the asset is in use that long—or a total depreciation of as much as twenty-seventieths of the asset's historical cost. If the asset is disposed of before the expiration of its estimated useful life, the depreciation would be adjusted to the actual useful life. Likewise, a provider may not have fully depreciated other assets it is using and finds that it has incorrectly estimated the useful lives of those assets. In such cases, the provider may use the corrected useful lives in determining the amount of depreciation, provided such corrections have been approved by the intermediary.

§ 405.418 Depreciation: allowance for depreciation on assets financed with Federal or public funds.

(a) *Principle.* Depreciation will be allowed on assets financed with Hill-Burton or other Federal or public funds.

(b) *Application.* (1) Like other assets (including other donated depreciable assets), assets financed with Hill-Burton or other Federal or public funds become a part of the provider institution's plant and equipment to be used in rendering services. It is the function of payment of depreciation to provide funds which make it possible to maintain the assets and preserve the capital employed in the production of services. Therefore, irrespective of the source of financing of an asset, if it is used in the providing of services for beneficiaries of the program, payment for depreciation of the asset is, in fact, a cost of the production of those services. Moreover, recognition of this cost is necessary to maintain productive capacity for the future. An incentive for funding of depreciation is provided in these principles by the provision that investment income on funded depreciation will not be treated as a reduction of allowable interest expense under § 405.419 (a) which follows.

(2) For certain purposes, however, assets financed with Hill-Burton or other Federal funds should be treated differently from other depreciable assets, i.e., such assets are to be excluded from the provider's net investment when applying the limitation on the allowance in lieu of specific recognition of other cost under § 405.428(a).

§ 405.419 Interest expense.

(a) *Principle.* Necessary and proper interest on both current and capital indebtedness is an allowable cost.

(b) *Definitions*—(1) *Interest.* Interest is the cost incurred for the use of borrowed funds. Interest on current indebtedness is the cost incurred for funds borrowed for a relatively short term. This is usually for such purposes as working capital for normal operating expenses. Interest on capital indebtedness is the cost incurred for funds borrowed for capital purposes, such as acquisition of facilities and equipment, and capital improvements. Generally, loans for capital purposes are long-term loans.

(2) *Necessary.* Necessary requires that the interest:

(i) Be incurred on a loan made to satisfy a financial need of the provider. Loans which result in excess funds or investments would not be considered necessary.

(ii) Be incurred on a loan made for a purpose reasonably related to patient care.

(iii) Be reduced by investment income except where such income is from gifts and grants, whether restricted or unrestricted, and which are held separate and not commingled with other funds. Income from funded depreciation will not be used to reduce interest expense.

(3) *Proper.* Proper requires that interest:

(i) Be incurred at a rate not in excess of what a prudent borrower would have had to pay in the money market existing at the time the loan was made.

(ii) Be paid to a lender not related through control or ownership, or personal relationship to the borrowing organization. However, interest is allowable if paid on loans from the provider's donor-restricted funds or the funded depreciation account.

(c) *Borrower-lender relationship.* (1) To be allowable, interest expense must be incurred on indebtedness established with lenders or lending organizations not related through control, ownership, or personal relationship to the borrower. Presence of any of these factors could affect the "bargaining" process that usually accompanies the making of a loan, and could thus be suggestive of an agreement on higher rates of interest or of unnecessary loans. Loans should be made under terms and conditions that a prudent borrower would make in arms-length transactions with lending institutions. The intent of this provision is to assure that loans are legitimate and needed, and that the interest rate is reasonable. Thus, interest paid by the provider to partners or to stockholders of the provider would not be allowable. Where the owner uses his own funds in a business, it is reasonable to treat the funds as invested funds or capital, rather than borrowed funds.

(2) Exceptions to the general rule regarding interest on loans from controlled sources of funds are made in the following circumstances. Where the general fund of a provider "borrows" from a donor-restricted fund and pays interest to the restricted fund, this interest expense is an allowable cost. The same treatment will be accorded interest paid by the general fund on money "borrowed" from the funded depreciation account of the provider. In addition, if a provider operated by members of a religious order borrows from the order, interest paid to the order is an allowable cost.

(3) Where funded depreciation is used for purposes other than improvement, replacement, or expansion of facilities or equipment related to patient care, allowable interest expense will be reduced to adjust for offsets not made in prior years for earnings on funded depreciation.

(4) Allowable interest expense on current indebtedness of a provider will be adjusted to reflect the extent to which working capital needs which are attributable to covered services for beneficiaries have been met by payments to the provider designed to reimburse concurrently as services are furnished to beneficiaries.

§ 405.420 Bad debts, charity, and courtesy allowances.

(a) *Principle.* Bad debts, charity, and courtesy allowances are deductions from revenue and are not to be included in allowable cost; however, bad debts attributable to the deductibles and coinsurance amounts are allowable costs.

(b) *Definitions*—(1) *Bad debts.* Bad debts are amounts considered to be uncollectible from accounts and notes receivable which were created or acquired in providing services. "Accounts receivable" and "notes receivable" are designations for claims arising from the rendering of services, and are collectible in money in the relatively near future.

(2) *Charity allowances.* Charity allowances are reductions in charges made by the provider of services because of the indigence or medical indigence of the patient.

(3) *Courtesy allowances.* Courtesy allowances indicate a reduction in charges in the form of an allowance to physicians, clergy, members of religious orders, and others as approved by the governing body of the provider, for services received from the provider. Employee fringe benefits, such as hospitalization and personnel health programs, are not considered to be courtesy allowances.

(c) *Normal accounting treatment: reduction in revenue.* Bad debts, charity, and courtesy allowances represent reductions in revenue. The failure to collect charges for services rendered does not add to the cost of providing the services. Such costs have already been incurred in the production of the services.

(d) *Requirements of title XVIII.* Title XVIII of the Act costs of covered services furnished beneficiaries are not to be borne by individuals not covered by the health insurance program, and conversely, costs of services provided for other than beneficiaries are not to be borne by the health insurance program. Uncollected revenue related to services rendered to beneficiaries of the program generally means the provider has not recovered the cost of services covered by that revenue. The failure of beneficiaries to pay the deductible and coinsurance amounts can result in the related costs of covered services being borne by other than beneficiaries of title XVIII. To assure that such covered service costs are not borne by others, the costs attributable to the deductible and coinsurance amounts which remain unpaid will be included in the title XVIII share of allowable costs. Bad debts arising from other sources are not allowable costs.

(e) *Criteria for allowable bad debt.* A bad debt must meet the following criteria to be allowable:

(1) The debt must be related to covered services and derived from deductible and coinsurance amounts.

(2) The provider must be able to establish that reasonable collection efforts were made.

(3) The debt was actually uncollectible when claimed as worthless.

(4) Sound business judgment established that there was no likelihood of recovery at any time in the future.

(f) *Charging of bad debts and bad debt recoveries.* The amounts uncollectible from specific beneficiaries are to be charged off as bad debts in the accounting period in which the accounts are deemed to be worthless. In some cases an amount previously written off as a bad debt and allocated to the program may be recovered in a subsequent accounting period; in such cases the income therefrom must be used to reduce the cost of beneficiary services for the period in which the collection is made.

(g) *Charity allowances.* Charity allowances have no relationship to beneficiaries of the health insurance program and are not allowable costs. The cost to the provider of employee fringe-benefit programs is an allowable element of reimbursement.

§ 405.421 Cost of educational activities.

(a) *Principle.* An appropriate part of the net cost of approved educational activities is an allowable cost.

(b) *Definitions*—(1) *Approved educational activities.* Approved educational activities means formally organized or planned programs of study usually engaged in by providers in order to enhance the quality of patient care in an institution. These activities must be licensed where required by State law. Where licensing is not required, the institution must receive approval from the recognized national professional organization for the particular activity.

(2) *Net cost.* The net cost means the cost of approved educational activities (including stipends of trainees, compensation of teachers, and other costs), less any reimbursements from grants, tuition, and specific donations.

(3) *Appropriate part.* The appropriate part means the net cost of the activity apportioned in accordance with the methods set forth in these principles.

(c) *Educational activities.* Many providers engage in educational activities including training programs for nurses, medical students, interns and residents, and various paramedical specialties. These programs contribute to the quality of patient care within an institution and are necessary to meet the community's needs for medical and paramedical personnel. It is recognized that the costs of such educational activities should be borne by the community. However, many communities have not assumed responsibility for financing these programs and it is necessary that support be provided by those purchasing health care. Until communities undertake to bear these costs, the program will participate appropriately in the support of these activities. Although the intent of the program is to share in the support of educational activities customarily or traditionally carried on by providers in conjunction with their operations, it is not intended that this program should participate in increased costs resulting from redistribution of costs from educational institutions or units to patient care institutions or units.

(d) *"Orientation" and "on-the-job training".* The costs of "orientation" and "on-the-job training" are not within the scope of this principle but are recognized as normal operating costs in accordance with principles relating thereto.

(e) *Approved programs.* In addition to approved medical, osteopathic, and dental internships and residency programs, recognized professional and para-

medical educational and training programs now being conducted by provider institutions, and their approving bodies, include the following:

Program	Approving bodies
(1) Cytotechnology	Council on Medical Education of the American Medical Association in collaboration with the Board of Schools of Medical Technology of the American Society of Clinical Pathologists.
(2) Dietetic internships	The American Dietetic Association.
(3) Hospital administration residencies.	Members of the Association of University Programs in Hospital Administration.
(4) Inhalation therapy	Council on Medical Education of the American Medical Association in collaboration with the Board of Schools of Inhalation Therapy.
(5) Medical records	Council on Medical Education of the American Medical Association in collaboration with the Committee on Education and Registration of the American Association of Medical Record Librarians.
(6) Medical technology	Council on Medical Education of the American Medical Association in collaboration with the Board of Schools of Medical Technology, American Society of Clinical Pathologists.
(7) Nurse anesthetists	The American Association of Nurse Anesthetists.
(8) Professional nursing	Approved by the respective State approving authorities. Reported for the United States by the National League for Nursing.
(9) Practical nursing	Approved by the respective State approving authorities. Reported for the United States by the National League for Nursing.
(10) Occupational therapy	Council on Medical Education of the American Medical Association in collaboration with the Council on Education of the American Occupational Therapy Association.
(11) Pharmacy internships and residencies.	Accredited by the American Council on Pharmaceutical Education.
(12) Physical therapy	Council on Medical Education of the American Medical Association in collaboration with the American Physical Therapy Association.
(13) X-ray technology	Council on Medical Education of the American Medical Association in collaboration with the American College of Radiology.

(f) *Other educational programs.* There may also be other educational programs not included in the foregoing in which a provider institution is engaged. Appropriate consideration will be given by the intermediary and the Social Security Administration to the costs incurred for those activities that come within the purview of the principle when determining the allowable costs for apportionment under the health insurance program.

§ 405.422 Research costs.

(a) *Principle.* Costs incurred for research purposes, over and above usual patient care, are not includible as allowable costs.

(b) *Application.* (1) There are numerous sources of financing for health-related research activities. Funds for this purpose are provided under many Federal programs and by other tax-supported agencies. Also, many foundations, voluntary health agencies, and other private organizations, as well as individuals, sponsor or contribute to the support of medical and related research. Funds available from such sources are generally ample to meet basic medical and hospital research needs. A further consideration is that quality review should be assured as a condition of governmental support for research. Provisions for such review would introduce special difficulties in the health insurance program.

(2) Where research is conducted in conjunction with and as a part of the care of patients, the costs of usual patient care are allowable to the extent that such costs are not met by funds provided for the research. Under this principle, however, studies, analyses, surveys, and related activities to serve the provider's administrative and program needs, are not excluded as allowable costs in the determination of reimbursement under title XVIII of the act.

§ 405.423 Grants, gifts, and income from endowments.

(a) *Principle.* Unrestricted grants, gifts, and income from endowments should not be deducted from operating costs in computing reimbursable cost. Grants, gifts, or endowment income designated by a donor for paying specific operating costs should be deducted from the particular operating cost or group of costs.

(b) *Definitions* — (1) *Unrestricted grants, gifts, income from endowment.* Unrestricted grants, gifts, and income from endowments are funds, cash or otherwise, given to a provider without restriction by the donor as to their use.

(2) *Designated or restricted grants, gifts, and income from endowments.* Designated or restricted grants, gifts, and income from endowments are funds, cash or otherwise, which must be used only for the specific purpose designated by the donor. This does not refer to unrestricted grants, gifts, or income from endowments which have been restricted for a specific purpose by the provider.

(c) *Application.* (1) Unrestricted funds, cash or otherwise, are generally the property of the provider to be used in any manner its management deems appropriate and should not be deducted from operating costs. It would be inequitable to require providers to use the unrestricted funds to reduce the payments for care. The use of these funds is generally a means of recovering costs which are not otherwise recoverable.

(2) Donor-restricted funds which are designated for paying certain hospital operating expenses should apply and serve to reduce these costs or group of costs and benefit all patients who use services covered by the donation. If such costs are not reduced, the provider would secure reimbursement for the same expense twice; it would be reimbursed through the donor-restricted contributions as well as from patients and third-party payers including the title XVIII health insurance program.

§ 405.424 Value of voluntary services.

(a) *Principle.* The value of voluntary services provided by sisters or other members of religious orders is allowable as an operating expense for the determination of allowable cost. The amounts included are not to exceed those paid others for similar work. Such amounts must be identifiable in the records of the institution as a legal obligation for operating expenses.

(b) *Definitions; voluntary services.* Voluntary services must be performed by sisters or other members of religious orders in positions necessary to enable the provider institution to carry out the functions of normal patient care. The value of donated services of individual volunteers or members of volunteer organizations engaged in various activities at a provider institution is not allowable as a reimbursable cost under the title XVIII health insurance program.

(c) *Application.* The following illustrates how a provider would determine an amount to be allowed under this principle: The prevailing salary for a lay nurse working in Hospital A is $5,000 for the year. The lay nurse receives no maintenance or special perquisites. A sister working as a nurse engaged in the same activities in the same hospital receives maintenance and special perquisites which cost the hospital $2,000 and are included in the hospital's allowable operating costs. The hospital would then include in its records an additional $3,000 to bring the value of the services rendered to $5,000. The amount of $3,000 would be allowable where the provider assumes obligation for the expense under a written agreement with the sisterhood or other religious order covering payment by the provider for the services.

§ 405.425 Purchase discounts and allowances, and refunds of expenses.

(a) *Principle.* Discounts and allowances received on purchases of goods or services are reductions of the costs to which they relate. Similarly, refunds of previous expense payments are reductions of the related expense.

(b) *Definitions*—(1) *Discounts.* Discounts, in general, are reductions granted for the settlement of debts.

(2) *Allowances.* Allowances are deductions granted for damage, delay, shortage, imperfection, or other causes, excluding discounts and returns.

(3) *Refunds.* Refunds are amounts paid back or a credit allowed on account of an overcollection.

(c) *Normal accounting treatment: Reduction of costs.* All discounts, allowances, and refunds of expenses are reductions in the cost of goods or services purchased and are not income. When they are received in the same accounting period in which the purchases were made or expenses were incurred, they will reduce the purchases or expenses of that period. However, when they are received in a later accounting period, they will reduce the comparable purchases or expenses in the period in which they are received.

(d) *Application.* (1) Purchase discounts have been classified as cash, trade, or quantity discounts. Cash discounts are reductions granted for the settlement of debts before they are due. Trade discounts are reductions from list prices granted to a class of customers before consideration of credit terms. Quantity discounts are reductions from list prices granted because of the size of individual or aggregate purchase transactions. Whatever the classification of purchase discounts, like treatment in reducing allowable costs is required. In the past, purchase discounts were considered as financial management income. However, modern accounting theory holds that income is not derived from a purchase but rather from a sale or an exchange and that purchase discounts are reductions in the cost of whatever was purchased. The true cost of the goods or services is the net amount actually paid for them. Treating purchase discounts as income would result in an overstatement of costs to the extent of the discount.

(2) As with discounts, allowances, and rebates received from purchases of goods or services and refunds of previous expense payments are clearly reductions in costs and must be reflected in the determination of allowable costs. This treatment is equitable and is in accord with that generally followed by other governmental programs and third-party payment organizations paying on the basis of cost.

§ 405.426 Compensation of owners.

(a) *Principle.* A reasonable allowance of compensation for services of owners is an allowable cost, provided the services are actually performed in a necessary function.

(b) *Definitions*—(1) *Compensation.* Compensation means the total benefit received by the owner for the services he renders to the institution. It includes:

(i) Salary amounts paid for managerial, administrative, professional, and other services.

(ii) Amounts paid by the institution for the personal benefit of the proprietor.

(iii) The cost of assets and services which the proprietor receives from the institution.

(iv) Deferred compensation.

(2) *Reasonableness.* Reasonableness requires that the compensation allowance:

(i) Be such an amount as would ordinarily be paid for comparable services by comparable institutions.

(ii) Depend upon the facts and circumstances of each case.

(3) *Necessary.* Necessary requires that the function:

(i) Be such that had the owner not rendered the services, the institution would have had to employ another person to perform the services.

(ii) Be pertinent to the operation and sound conduct of the institution.

(c) *Application.* (1) Owners of provider organizations often render services as managers, administrators, or in other capacities. In such cases, it is equitable that reasonable compensation for the services rendered be an allowable cost. To do otherwise would disadvantage such owners in comparison with corporate providers or providers employing persons to perform similar services.

(2) Ordinarily, compensation paid to proprietors is a distribution of profits. However, where a proprietor renders necessary services for the institution, the institution is in effect employing his services, and a reasonable compensation for these services is an allowable cost. In corporate providers, the salaries of owners who are also employees are subject to the same requirements of reasonableness. Where the services are rendered on less than a full-time basis, the allowable compensation should reflect an amount proportionate to a full-time basis. Reasonableness of compensation may be determined by reference to, or in comparison with, compensation paid for comparable services and responsibilities in comparable institutions; or it may be determined by other appropriate means.

§ 405.427 Cost to related organizations.

(a) *Principle.* Costs applicable to services, facilities, and supplies furnished to the provider by organizations related to the provider by common ownership or control are includable in the allowable cost of the provider at the cost to the related organization. However, such cost must not exceed the price of comparable services, facilities, or supplies that could be purchased elsewhere.

(b) *Definitions*—(1) *Related to provider.* Related to the provider means that the provider to a significant extent is associated or affiliated with or has control of or is controlled by the organization furnishing the services, facilities, or supplies.

(2) *Common ownership.* Common ownership exists when an individual or individuals possess significant ownership or equity in the provider and the institution or organization serving the provider.

(3) *Control.* Control exists where an individual or an organization has the power, directly or indirectly, significantly to influence or direct the actions or policies of an organization or institution.

(c) *Application.* (1) Individuals and organizations associate with others for various reasons and by various means. Some deem it appropriate to do so to assure a steady flow of supplies or services, to reduce competition, to gain a tax advantage, to extend influence, and for other reasons. These goals may be accomplished by means of ownership or control, by financial assistance, by management assistance, and other ways.

(2) Where the provider obtains items of services, facilities, or supplies from an organization, even though it is a separate legal entity, and the organization is owned or controlled by the owner(s) of the provider, in effect the items are obtained from itself. An example would be a corporation building a hospital or a nursing home and then leasing it to another corporation controlled by the owner. Therefore, reimbursable cost should include the costs for these items at the cost to the supplying organization. However, if the comparable services, facilities, or supplies could be obtained at a lower cost elsewhere, the "going rates" should be the amount includable by the provider as a reasonable allowable cost.

§ 405.428 Allowance in lieu of specific recognition of other costs.

(a) *Principle.* In lieu of specific recognition of other costs in providing and improving services, an allowance amounting to 2 percent of costs allowed under the other principles (with the exception of interest expense) is includable as an element of reasonable cost of services, subject to the limitation that the allowance not exceed a reasonable long-term interest rate on the provider's net investment related to patient care.

(b) *Application.* Difficulty in measurement, lack of adequate data and other considerations have precluded specific recognition of various elements which are germane to costs of services for beneficiaries. Moreover, although the methods to be utilized by providers for determining the actual cost of services provided to beneficiaries are the best available, there is some lack of precision in methods at the present stage of development of cost finding which represents a contingency for which recognition is appropriate. It is the established practice of a significant number of large third-party purchasers to include in payment for costs of services a factor in the form of an allowance to cover various elements not specifically recognized or not precisely measured. This allowance is, in part, in lieu of a specific interest return on equity capital as well as other factors not given specific recognition. The allowance under this principle is limited to an amount which, as a percentage of the provider's investment in plant, property, and equipment related to patient care (net of depreciation and long-term debt related to such investment), does not exceed the average interest rate on special issues of public-debt obligations issued to the Federal Hospital Insurance Trust Fund during the reporting period (i.e., the appropriate average of the several monthly rates, as

determined under section 1817(c) of the Social Security Act). In the determination of the amount of the provider's net investment, for purposes of applying this limitation, the cost of assets financed by Hill-Burton or other Federal funds will be excluded. Such exclusion will be on the basis of the share of the cost financed by Federal funds after adjustment for depreciation.

§ 405.451 Cost related to patient care.

(a) *Principle.* All payments to providers of services must be based on the "reasonable cost" of services covered under title XVIII of the Act and related to the care of beneficiaries. Reasonable cost includes all necessary and proper costs incurred in rendering the services, subject to principles relating to specific items of revenue and cost.

(b) *Definitions*—(1) *Reasonable Cost.* Reasonable cost of any services must be determined in accordance with regulations establishing the method or methods to be used, and the items to be included. The regulations in this subpart take into account both direct and indirect costs of providers of services. The objective is that under the methods of determining costs, the costs with respect to individuals covered by the program will not be borne by individuals not so covered, and the costs with respect to individuals not so covered will not be borne by the program. These regulations also provide for the making of suitable retroactive adjustments after the provider has submitted fiscal and statistical reports. The retroactive adjustment will represent the difference between the amount received by the provider during the year for covered services from both title XVIII and the beneficiaries and the amount determined in accordance with an accepted method of cost apportionment to be the actual cost of services rendered to beneficiaries during the year.

(2) *Necessary and proper costs.* Necessary and proper costs are costs which are appropriate and helpful in developing and maintaining the operation of patient care facilities and activities. They are usually costs which are common and accepted occurrences in the field of the provider's activity.

(c) *Application.* (1) It is the intent of title XVIII of the Act that payments to providers of services should be fair to the providers, to the contributors to the health-insurance trust funds, and to other patients.

(2) The costs of providers' services vary from one provider to another and the variations generally reflect differences in scope of services and intensity of care. The provision in title XVIII of the Act for payment of reasonable cost of services is intended to meet the actual costs, however widely they may vary from one institution to another. This is subject to a limitation where a particular institution's costs are found to be substantially out of line with other institutions in the same area which are similar in size, scope of services, utilization, and other relevant factors.

(3) The determination of reasonable cost of services must be based on cost related to the care of beneficiaries of title XVIII of the Act. Reasonable cost includes all necessary and proper expenses incurred in rendering services, such as administrative costs, maintenance costs, and premium payments for employee health and pension plans. It includes both direct and indirect costs and normal standby costs. However, where the provider's operating costs include amounts not related to patient care, or specifically not reimbursable under the program, such amounts will not be allowable. The reasonable cost basis of reimbursement contemplates that the providers of services would be reimbursed the actual costs of providing quality care however widely the actual costs may vary from provider to provider and from time to time for the same provider.

§ 405.452 Determination of cost of services to beneficiaries.

(a) *Principle.* Total allowable costs of a provider shall be apportioned between program beneficiaries and other patients so that the share borne by the program is based upon actual services received by program beneficiaries. To accomplish this apportionment, the provider shall have the option of either of the two following methods:

(1) *Departmental method.* The ratio of beneficiary charges to total patient charges for the services of each department is applied to the cost of the department.

(2) *Combination method.* The cost of "routine services" for program beneficiaries is determined on the basis of average cost per diem of these services for all patients; to this is added the cost of ancillary services used by beneficiaries, determined by apportioning the total cost of ancillary services on the basis of the ratio of beneficiary charges for ancillary services to total patient charges for such services.

(b) *Definitions*—(1) *Apportionment.* Apportionment means an allocation or distribution of allowable cost between the beneficiaries of the health insurance program and other patients.

(2) *Routine services.* Routine services means the regular room, dietary, and nursing services, minor medical and surgical supplies, and the use of equipment and facilities for which a separate charge is not customarily made.

(3) *Ancillary services.* Ancillary services or special services are the services for which charges are customarily made in addition to routine services.

(4) *Charges.* Charges refers to the regular rates for various services which are charged to both beneficiaries and other paying patients who receive the services. Implicit in the use of charges as the basis for apportionment is the objective that charges for services be related to the cost of the services.

(5) *Cost.* Cost refers to reasonable cost as described in § 405.451(a).

(6) *Ratio of beneficiary charges to total charges on a departmental basis.* Ratio of beneficiary charges to total charges on a departmental basis, as applied to inpatients, means the ratio of inpatient charges to beneficiaries of the health insurance program for services of a revenue-producing department or center to the inpatient charges to all patients for that center during an accounting period. After each revenue-producing center's ratio is determined, the cost of services rendered to beneficiaries of the health insurance program is computed by applying the individual ratio for the center to the cost of the related center for the period.

(7) *Average cost per diem for routine services.* Average cost per diem for routine services means the amount computed by dividing the total allowable inpatient cost for routine services by the total number of inpatient days of care (excluding newborn days where nursery costs are excluded from routine service costs) rendered by the provider in the accounting period.

(8) *Ratio of beneficiary charges for ancillary services to total charges for ancillary services.* Ratio of beneficiary charges for ancillary services to total charges for ancillary services, as applied to inpatients, means the ratio of the total inpatient charges for covered ancillary services rendered to beneficiaries of the health insurance program to the total inpatient charges for ancillary services to all patients during an accounting period. This ratio is applied to the allowable inpatient ancillary costs for the period to determine the amount of reimbursement to a provider for the covered ancillary services rendered to beneficiaries.

(c) *Application*—(1) *Objective.* (i) The law provides that the costs with respect to individuals covered by the health insurance program will not be borne by individuals not so covered, and, conversely, that costs with respect to individuals who are not under the program will not be borne by the program.

(ii) The cost of services to beneficiaries of the health insurance program may be determined by either of the alternative methods, that is selected by a provider; however, the objective of whatever method of apportionment is used will be to approximate as closely as practicable the actual cost of services rendered.

(iii) The two methods of apportionment available for use in determining the cost of services rendered to beneficiaries of the program have as their goal the allocation of the total allowable costs between the beneficiaries and other patients in as equitable a manner as possible. Under these methods, if it is found that beneficiaries receive more than the average amount of services, the providers would receive reimbursement greater than average cost for all patients. Conversely, if the beneficiaries receive less than the average amount of services, the providers would be reimbursed accordingly for the services rendered.

(2) *Departmental method.* The following illustrates how apportionment based on the ratio of beneficiary charges to total charges applied to cost on a departmental basis would be determined, using only inpatient data.

HOSPITAL A

Department	Charges to program beneficiaries	Total charges	Ratio of beneficiary charges to total charges	Total cost	Cost of beneficiary services
			Percent		
Routine services	$140,000	$600,000	23⅓	$630,000	$147,000
X-ray	24,000	100,000	24	75,000	18,000
Operating room	20,000	70,000	28⅔	77,000	22,000
Laboratory	40,000	140,000	28⅔	98,000	28,000
Pharmacy	20,000	60,000	33⅓	45,000	15,000
Others	6,000	30,000	20	25,000	5,000
Total	250,000	1,000,000		950,000	235,000

The total reimbursement for services rendered by the provider to the beneficiaries would be $235,000.

(3) *Combination method*—(i) *Using cost finding.* A provider may, at its option, elect to be reimbursed on the average cost per diem for the cost of routine services, with apportionment of the cost of ancillary services on the basis of the ratio of beneficiary charges to total patient charges applied to the cost of all such ancillary services. The cost of the ancilliary services rendered to beneficiaries of the program is determined by computing the ratio of total inpatient charges for ancillary services to beneficiaries to the total inpatient ancillary charges to all patients. This ratio is then applied to the total allowable cost of inpatient ancillary services.

COST-FINDING EMPLOYED BY HOSPITAL B

Statistical and financial data:	
Total inpatient days for all patients	30,000
Inpatient days applicable to beneficiaries	7,500
Inpatient routine services—total allowable cost	$600,000
Inpatient ancillary services—total allowable cost	$320,000
Inpatient ancillary services—total charges	$400,000
Inpatient ancillary services—charges for services to beneficiaries	$80,000
Computation of cost applicable to program:	
Average cost per diem for routine services: $600,000÷30,000 days=$20 per diem.	
Cost of routine services rendered to beneficiaries: $20 per diem × 7,500 days	$150,000
Ratio of beneficiary charges to total charges for all ancillary services: $80,000÷$400.00=20%.	
Cost of ancillary services rendered to beneficiaries: 20% × $320,000	$64,000
Total cost of beneficiary services	$214,000

(ii) *Using estimated percentage.* The provider has an option at the beginning of the program of obtaining from the intermediary and utilizing an estimated rather than a computed basis for apportioning cost between routine and ancillary services. Where a provider either elects this option or is unable to make the necessary computations by cost-finding methods as indicated in § 405.453, the intermediary will estimate the appropriate percentage of the provider's allowable cost that represents routine service costs and the appropriate percentage that represents the ancillary service costs. These percentages are to be based upon study, analysis, and judgment by the intermediary and designed to approximate the result that a cost-finding method would have produced for the particular provider. The use of estimated percentages would apply only to cost reports for periods ending before January 1, 1968. For subsequent periods, the use of cost-finding methods as described in § 405.453 will be required for the apportionment of allowable costs.

ESTIMATED PERCENTAGES EMPLOYED BY HOSPITAL C

Statistical and financial data:	
Total inpatient days for all patients	35,000
Inpatient days applicable to beneficiaries	5,000
Total allowable inpatient cost	$1,000,000
Estimated percent for routine inpatient services	70
Estimated percent for ancillary inpatient services	30
Inpatient ancillary services: Total charges	$400,000
Charges for services to beneficiaries	$80,000
Computation of cost applicable to program:	
Average cost per diem for routine services: 70%×$1,000,000=$700,000 (routine service cost). $700,000÷35,000 days=$20 per diem.	
Cost of routine services rendered to beneficiaries: $20 per diem×5,000 days	$100,000
Ratio of beneficiary charges to total charges for all ancillary services: $80,000÷$400,000=20%.	
Cost of ancillary services rendered to beneficiaries: 30%×$1,000,000=$300,000 (ancillary service costs). 20%×$300,000	$60,000
Total cost of beneficiary services	$160,000

(4) *Option to use departmental method or combination method for the first reporting period.* The provider has the option of using either the departmental method or the combination method for the first reporting period. Thereafter, a provider may change from one to the other method provided a request is made to the intermediary before the end of the first month of the period for which the change is to be applied and such request is approved.

(5) *Temporary methods of apportionment.* (i) The intermediary may find that a provider is unable to apply either the departmental method or the combination method employing cost finding or estimated percentages. In such case, the intermediary can authorize the provider to use, on a temporary basis, an apportionment based on the ratio of beneficiary inpatient charges to total inpatient charges applied to the total cost of all services. This would permit the provider time to establish the records necessary for applying either of the basic alternative methods of apportionment in the next accounting period. In some cases the intermediary may determine that a provider is unable to employ this temporary method of apportionment based on the ratio of beneficiary inpatient charges to total inpatient charges applied to total inpatient cost. In such a case any other method determined by the intermediary to be reasonable may be used on a temporary basis. Any temporary method of apportionment may not be used to cover more than one cost reporting period.

Example. The following illustration demonstrates the apportionment of cost based on the ratio of beneficiary inpatient charges to all inpatient charges computed on a total basis for all inpatient services.

HOSPITAL D

Financial data:	
Inpatient services:	
Total allowable cost	$950,000
Total charges	1,000,000
Charges for beneficiary services	200,000
Computation of cost of beneficiary inpatient services:	
Ratio of beneficiary charges to total charges: $200,000÷$1,000,000=20%.	
Cost of services rendered to beneficiaries: 20%×$950,000	190,000

(ii) Whenever authorization is given to apportion costs by a method other than one of the two basic alternative methods, such authorization would be considered to be a temporary expediency to cover only one accounting period. It would be available to a provider only after diligent efforts have been made by the provider to apportion its costs based upon either of the approved methods of apportionment.

§ 405.453 Adequate cost data and cost finding.

(a) *Principle.* Providers receiving payment on the basis of reimbursable cost must provide adequate cost data. This must be based on their financial and statistical records which must be capable of verification by qualified auditors. The cost data must be based on an approved method of cost finding and on the accrual basis of accounting. However, where governmental institutions operate on a cash basis of accounting, cost data based on such basis of accounting will be acceptable, subject to appropriate treatment of capital expenditures.

(b) *Definitions*—(1) *Cost finding.* Cost finding is the process of recasting the data derived from the accounts ordinarily kept by a provider to ascertain costs of the various types of services rendered. It is the determination of these costs by the allocation of direct costs and proration of indirect costs.

(2) *Accrual basis of accounting.* Under the accrual basis of accounting, revenue is reported in the period when it is earned, regardless of when it is collected, and expenses are reported in the period in which they are incurred, regardless of when they are paid.

(c) *Application.* Adequate cost information must be obtained from the provider's records to support payments made for services rendered to beneficiaries. The requirement of adequacy of data implies that the data be accurate and in sufficient detail to accomplish the purposes for which it is intended. Adequate data capable of being audited is consistent with good business concepts and effective and efficient management of any organization, whether it is operated for profit or on a nonprofit basis. It is a reasonable expectation on the part of any agency paying for services on a cost-reimbursement basis. In order to provide the required cost data and not impair comparability, financial and statistical records should be maintained in a manner consistent from one period to another. However, a proper regard for consistency need not preclude a desirable change in accounting procedures when there is reason to effect such change.

(d) *Cost finding methods.* After the close of the accounting period, one of the following methods of cost finding is to be used to determine the actual costs of services rendered during that period.

(1) *Step-down method.* This method recognizes that services rendered by certain nonrevenue-producing departments or centers are utilized by certain other nonrevenue-producing centers as well as by the revenue-producing centers. All costs of nonrevenue-producing centers are allocated to all centers which they serve, regardless of whether or not these centers produce revenue. The cost of the nonrevenue-producing center serving the greatest number of other centers, while receiving benefits from the least number of centers, is apportioned first. Following the apportionment of the cost of the nonrevenue-producing center, that center will be considered "closed" and no further costs are apportioned to that center. This applies even though it may have received some service from a center whose cost is apportioned later. Generally when two centers render service to an equal number of centers while receiving benefits from an equal number, that center which has the greatest amount to expense should be allocated first.

(2) *Other methods*—(i) *The double-apportionment method.* The double-apportionment method may be used by a provider upon approval of the intermediary. This method also recognizes that the nonrevenue-producing departments or centers render services to other nonrevenue-producing centers as well as to revenue-producing centers. A preliminary allocation of the costs of nonrevenue-producing centers is made. These centers or departments are not "closed" after this preliminary allocation. Instead, they remain "open," accumulating a portion of the costs of all other centers from which services are received. Thus, after the first or preliminary allocation, some costs will remain in each center representing services received from other centers. The first or preliminary allocation is followed by a second or final apportionment of expenses involving the allocation of all costs remaining in the nonrevenue-producing functions directly to revenue-producing centers.

(ii) *More sophisticated methods.* A more sophisticated method designed to allocate costs more accurately may be used by the provider upon approval of the intermediary. However, having elected to use the double-apportionment method, the provider may not thereafter use the step-down method without approval of the intermediary. Request for the approval must be made on a prospective basis and must be submitted before the end of the first month of the prospective reporting period. Likewise, once having elected to use a more sophisticated method, the provider may not thereafter use either the double-apportionment or step-down methods without similar request and approval.

(3) *Temporary method for initial period.* If the provider is unable to use either cost-finding method when it first participates in the program, it may apply to the intermediary for permission to use some other acceptable method which would accurately identify costs by department or center, and appropriately segregate inpatient and outpatient costs. Such other method may be used for cost reports covering periods ending before January 1, 1968.

(e) *Accounting basis.* The cost data submitted must be based on the accrual basis of accounting which is recognized as the most accurate basis for determining costs. However, governmental institutions that operate on a cash basis of accounting may submit cost data on the cash basis subject to appropriate treatment of capital expenditures.

§ 405.454 Payments to providers.

(a) *Principle.* Providers of services will be paid the reasonable cost of services furnished to beneficiaries. Interim payments approximating the actual costs of the provider will be made on the most expeditious basis administratively feasible but not less often than monthly. A retroactive adjustment based on actual costs will be made at the end of the reporting period. At the request of the provider, payment will be made on a basis designed to reimburse concurrently as services are rendered to beneficiaries.

(b) *Amount and frequency of payment.* Title XVIII of the act states that providers of services will be paid the reasonable cost of services furnished to beneficiaries. Since actual costs of services cannot be determined until the end of the accounting period, the providers must be paid on an estimated cost basis during the year. While the law provides that interim payments shall be made no less often than monthly, intermediaries are expected to make payments on the most expeditious basis administratively feasible. Whatever estimated cost basis is used for determining interim payments during the year, the intent is that the interim payments shall approximate actual costs as nearly as is practicable so that the retroactive adjustment based on actual costs will be as small as possible.

(c) *Interim payments during initial reporting period.* At the beginning of the program or when a provider first participates in the program, it will be necessary to establish interim rates of payment to providers of services. Once a provider has filed a cost report under the health insurance program, the cost report may be used as a basis for determining the interim rate of reimbursement for the following period. However, since initially there is no previous history of cost under the program, the interim rate of payment must be determined by other methods, including the following:

(1) Where the intermediary is already paying the provider on a cost or cost-related basis, the intermediary will adjust its rate of payment to the program's principles of reimbursement. This rate may be either an amount per inpatient day, or a percent of the provider's charges for services rendered to the program's beneficiaries.

(2) Where an organization other than the intermediary is paying the provider for services on a cost or cost-related basis, the intermediary may obtain from that organization or from the provider itself the rate of payment being used and other cost information as may be needed to adjust that rate of payment to give recognition to the program's principles of reimbursement.

(3) Where no organization is paying the provider on a cost or cost-related basis, the intermediary will obtain the previous year's financial statement from the provider. By analysis of such statement in the light of the principles of reimbursement, the intermediary will compute an appropriate rate of payment.

(4) After the initial interim rate has been set, the provider may at any time request, and be allowed, an appropriate increase in the computed rate, upon presentation of satisfactory evidence to the intermediary that costs have increased. Likewise, the intermediary may adjust the interim rate of payment if it has evidence that actual costs may fall significantly below the computed rate.

(d) *Interim payments for new providers.* (1) Newly established providers will not have a cost experience on which to base a determination of an interim rate of payment. In such cases, the intermediary will use the following methods to determine an appropriate rate:

(i) Where there is a provider or providers comparable in substantially all relevant factors to the provider for which the rate is needed, the intermediary will base an interim rate of payment on the costs of the comparable provider.

(ii) If there are no substantially comparable providers from whom data are available, the intermediary will determine an interim rate of payment based on the budgeted or projected costs of the provider.

(2) Under either method, the intermediary will review the provider's cost experience after a period of 3 months. If need for an adjustment is indicated, the interim rate of payment will be adjusted in line with the provider's cost experience.

(e) *Interim payments after initial reporting period.* Interim rates of payment for services provided after the initial reporting period will be established on the basis of the cost report filed for the previous year covering health insurance services. The current rate will be determined—whether on a per diem or percentage of charges basis—using the previous year's costs of covered services and making any appropriate adjustments required to bring, as closely as possible, the current year's rate of interim payment into alignment with current year's costs. This interim rate of payment may be adjusted by the intermediary during an accounting period if the provider submits appropriate evidence that its actual costs are or will be significantly higher than the computed rate. Likewise, the intermediary may adjust the interim rate of payment if it has evidence that actual costs may fall significantly below the computed rate.

(f) *Retroactive adjustment.* (1) Title XVIII of the Act provides that providers of services shall be paid amounts determined to be due, but not less often than monthly, with necessary adjustments due to previously made overpayments or underpayments. Interim payments are made on the basis of estimated costs. Actual costs reimbursable to a provider cannot be determined until the cost reports are filed and costs are verified. Therefore, a retroactive adjustment will be made at the end of the reporting period to bring the interim payments made to the provider during the period into agreement with the reimbursable amount payable to the provider for the services rendered to program beneficiaries during that period.

(2) In order to reimburse the provider as quickly as possible, an initial retroactive adjustment will be made as soon as the cost report is received. For this purpose, the costs will be accepted as reported—unless there are obvious errors or inconsistencies—subject to later audit. When an audit is made and the final liability of the program is determined, a final adjustment will be made.

(3) To determine the retroactive adjustment, the amount of the provider's total allowable cost apportioned to the program for the reporting year is computed. This is the total amount of reimbursement the provider is due to receive from the program and the beneficiaries for covered services rendered during the reporting period. The total of the interim payments made by the program in the reporting year and the deductibles and coinsurance amounts receivable from beneficiaries is computed. The difference between the reimbursement due and the payments made is the amount of the retroactive adjustment.

(g) *Provision for current financing.* (1) In addition to the basic procedure for payment to a provider following the submission of bills to the intermediary, payment will be made upon request by the provider on a basis designed to reimburse concurrently as services are furnished to beneficiaries. The amount of such payment will be computed by the intermediary initially on an estimated basis and periodically adjusted to represent the average level of services unreimbursed by the basic payment procedure.

(2) A study will be made of the possibility that a financial requirement in the production of services arises prior to the rendition of services to beneficiaries and is not being met by the program. Among the factors to be considered in the study will be the extent to which outlays for consumable items for which payment may be made in advance of rendition of services are offset by outlays for other items, such as wages and salaries, which ordinarily are not made until after services are rendered.

(h) *Cost reporting period.* For cost-reporting purposes, the program will require submission of annual reports covering a 12-month period of operations based upon the provider's accounting year. At the option of the provider, however, during the first year of the program a short period report beginning July 1, 1966, and ending with the provider's accounting year may be submitted, provided such report covers at least 6 months.

Dated: May 27, 1966.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: May 27, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-6110; Filed, June 1, 1966; 8:50 a.m.]

DETROIT PUBLIC LIBRARY JUN 6 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 107

Friday, June 3, 1966 • Washington, D.C.

Pages 7877–7954

Agencies in this issue—

Agriculture Department
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Federal Aviation Agency
Federal Communications Commission
Federal Power Commission
Federal Reserve System
Fiscal Service
Fish and Wildlife Service
Foreign Assets Control Office
Forest Service
Interstate Commerce Commission
Land Management Bureau
National Bureau of Standards
Post Office Department
Public Health Service
Securities and Exchange Commission
Small Business Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 20—Employees' Benefits (Revised)
$1.75

Title 24—Housing and Housing Credit (Revised)
$1.25

Title 26—Internal Revenue Part 1 (§§ 1.0–1—1.300)
(Revised)
$1.75

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963–3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURE DEPARTMENT

See also Consumer and Marketing Service; Forest Service.

Rules and Regulations

Public contracts and property management; contract appeals procedure; membership 7902

CIVIL AERONAUTICS BOARD

Notices

Air express charge investigation; postponement of prehearing conference 7916

CIVIL SERVICE COMMISSION

Rules and Regulations

Severance pay; coverage 7881

COMMERCE DEPARTMENT

See National Bureau of Standards.

CONSUMER AND MARKETING SERVICE

Proposed Rule Making

Milk in certain marketing areas; hearings:
Massachusetts-Rhode Island et al 7911
Tri-State et al 7911

Notices

Meat and poultry inspection and related services; administration 7916

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directives:
Aero Commander airplanes, certain models 7881
General Electric CT58 Series engines 7882
Mooney Model M20 and M20A airplanes 7882
Restricted area; alteration 7882
Standard instrument approach procedures; miscellaneous amendments (2 documents) 7883, 7893

Notices

Minnesota-Iowa Television Co.; hearing 7917

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Radio broadcast services; miscellaneous amendments 7904

Notices

Hearings, etc.:
American Colonial Broadcasting Corp. et al 7917
Cascade Broadcasting Corp. and Sunset Broadcasting Co. (KNDX–FM) 7918
Lafayette Broadcasting Co., Inc., and State Line Broadcasting Co., Inc 7918
Selma Television, Inc. (WSLA–TV) 7919
Sudbury, Jones T., and Northwest Tennessee Broadcasting Co., Inc 7918
TeleSystems Corp 7918
Washington Broadcasting Co. and WOL, Inc 7919

FEDERAL POWER COMMISSION

Rules and Regulations

Electric utilities and natural gas companies; annual reporting of research and development activities 7897

Notices

Hearings, etc.:
Anadarko Production Co. et al 7920
Cascade Natural Gas Corp 7924
Central Illinois Public Service Co. and Natural Gas Pipeline Company of America 7924
Central Illinois Public Service Co. and Panhandle Eastern Pipe Line Co 7924
Consumers Power Co 7924
East Tennessee Natural Gas Co. 7925
Florida Gas Transmission Co 7925
Ohio Power Co. (2 documents) 7925, 7926
Pipeline production area rate proceedings 7926
Union Oil Company of California 7926

FEDERAL RESERVE SYSTEM

Notices

United Bancshares of Florida, Inc.; order approving application 7927

FISCAL SERVICE

Rules and Regulations

Acceptable securities:
Deposit of Government moneys and payment of special checks 7899
Special deposits of public moneys 7899

FISH AND WILDLIFE SERVICE

Rules and Regulations

Hunting big game in certain wildlife refuges in Alaska 7909
Sport fishing at Monomoy National Wildlife Refuge, Mass 7910

FOREIGN ASSETS CONTROL OFFICE

Rules and Regulations

Paintings and scrolls from Japan; importation and dealing 7899

FOREST SERVICE

Rules and Regulations

Land uses; administration and use of National Forest Wilderness and National Forest Primitive Areas 7899
Occupancy trespasses 7902

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Public Health Service.

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau.

INTERSTATE COMMERCE COMMISSION

Proposed Rule Making

Seat belts in buses 7911

Notices

Fourth section applications for relief 7953
Motor carrier:
Broker, water carrier, and freight forwarder applications 7930
Temporary authority applications 7951
Transfer proceedings 7952

LAND MANAGEMENT BUREAU

Notices

Alaska; filing of plat of survey 7914
Arizona; Kingman Job Corps Conservation Center; delegation of authority to Chief, Branch of Administration 7915
Idaho; filing of plat of survey 7914
Montana:
Proposed classification of lands 7914
Proposed withdrawal of lands 7914
Oregon; filing of plat of survey and opening of lands 7915

NATIONAL BUREAU OF STANDARDS

Notices

Standard frequency and time broadcasts by NBS radio stations 7916

POST OFFICE DEPARTMENT

Notices

Certain designated officials; authority delegation 7914

(Continued on next page)

PUBLIC HEALTH SERVICE

Rules and Regulations

Prevention, control, and abatement of air pollution from Federal government activities; performance standards and techniques of measurement 7902

SECURITIES AND EXCHANGE COMMISSION

Proposed Rule Making

Exemption of certain purchase or sale transactions between affiliated registered investment companies 7913

Notices

Hearings, etc.:

Elkton Co 7927
Great American Industries, Inc. 7928
Jamestown Telephone Corp. et al 7928
John Deere Overseas Capital Corp 7928
Pinal County Development Association 7928

SMALL BUSINESS ADMINISTRATION

Notices

Delegations of authority to conduct program activities in regional offices:

Baltimore 7929
Cleveland 7929
Columbus 7929
Pittsburgh 7929
Richmond 7930

TREASURY DEPARTMENT

See Fiscal Service; Foreign Assets Control Office.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

550 7881

7 CFR

PROPOSED RULES:

1001 7911
1002 7911
1003 7911
1004 7911
1005 7911
1008 7911
1009 7911
1011 7911
1012 7911
1013 7911
1015 7911
1016 7911
1033 7911
1034 7911
1035 7911
1036 7911
1040 7911
1041 7911
1043 7911
1046 7911
1047 7911
1048 7911
1049 7911
1090 7911
1098 7911
1101 7911

14 CFR

39 (3 documents) 7881, 7882
73 7882
97 (2 documents) 7883, 7893

17 CFR

PROPOSED RULES:

270 7913

18 CFR

101 7897
141 7897
201 7897
260 7897

31 CFR

202 7899
203 7899
500 7899

36 CFR

251 7899
261 7902

41 CFR

4–50 7902

42 CFR

76 7902

47 CFR

73 7904

49 CFR

PROPOSED RULES:

193 7911

50 CFR

32 7909
33 7910

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 550—PAY ADMINISTRATION (GENERAL)

Subpart G—Severance Pay

MISCELLANEOUS AMENDMENTS

Subpart G of Part 550 is amended to provide that severance pay does not apply when the separated employee qualifies for immediate retirement under a system applicable to employees of the District of Columbia; to provide for averaging of pay of a postal substitute to determine rate of severance pay; and to provide for suspension of severance pay through more than one temporary appointment or extensions thereof. Effective on publication in the FEDERAL REGISTER Subpart G is amended as set out below.

§ 550.701 Coverage.

* * * * *

(b) *Employees.* * * *

(3) This subpart does not apply to an officer or employee in the District of Columbia Government who, at the time of separation from the service, has fulfilled the requirements for an immediate annuity under the Policemen and Firemen's Retirement and Disability Amendments of 1957 (secs. 4–502 through 4–539, D.C. Code, 1961 ed.), the Act for the Retirement of Public School Teachers in the District of Columbia (secs. 31–701 through 31–745, D.C. Code, 1961 ed.), or the District of Columbia Judges Retirement Act (secs. 11–776 and 11–1701, D.C. Code, 1961 ed., Supp. V).

§ 550.704 General provisions.

(a) *Payment of severance pay.* (1) Except as provided in subparagraph (2) of this paragraph, on an employee's separation, the department shall compute his severance pay fund, and shall pay him at the same pay period intervals as if still employed the same amount as his basic compensation for the pay period immediately before separation until the severance pay fund is exhausted, except that the final payment shall consist only of that portion of the severance pay fund remaining.

(2) For a postal substitute, the basic compensation for the pay period immediately before separation as required in subparagraph (1) of this paragraph, is the average number of hours in a pay status per pay period for the 26 pay periods immediately before separation, or 80 hours, whichever is less, times the hourly rate of pay in effect at the time of separation.

* * * * *

§ 550.707 Postponement of payments.

(a) When, after a break in service of more than 3 days, an employee who is entitled to severance pay accepts one or more temporary appointments of 1 year or less (including any authorized temporary extensions thereof), the department which separated him shall suspend the payment of severance pay for the duration of the appointment and shall, at the termination of the appointment, continue the payment of the severance pay fund as prescribed by this subpart and the act. The period of service covered by such an appointment is not creditable for purposes of computing the severance pay it interrupts.

(b) When, without a break or after a break in service of 3 days or less, an employee who is entitled to severance pay accepts one or more temporary part-time or temporary intermittent appointments (including any authorized temporary extensions thereof), the department which separated him shall suspend and then continue the payment of severance pay exactly as prescribed by paragraph (a) of this section.

(Sec. 9(c), P.L. 89–301, 79 Stat. 1119; E.O. 11257)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–6111; Filed, June 2, 1966; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 7273; Amdt. 39–246]

PART 39—AIRWORTHINESS DIRECTIVES

Aero Commander (Snow) Models S–2A, S–2B, S–2C, and 600 S–2C Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the installation of wing lower steel spar caps on Aero Commander (Snow) Models S–2A, S–2B, S–2C, and 600 S–2C airplanes was published in 31 F.R. 5496.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

AERO COMMANDER (SNOW). Applies to Models S–2A, S–2B, S–2C, and 600 S–2C airplanes. Compliance required as indicated, unless already accomplished.

To prevent fatigue cracks in the lower spar cap of the wing main spar, accomplish the following:

(a) For Model S–2A airplanes with 1,400 or more hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) within the next 100 hours' time in service and comply with paragraph (l) within the next 1,500 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) within the next 100 hours' time in service.

(b) For Model S–2A airplanes with less than 1,400 hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) before the accumulation of 1,500 hours' time in service and comply with paragraph (l) within the next 1,500 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) before the accumulation of 1,500 hours' time in service.

(c) For Models S–2B and S–2C airplanes, Serial Number 1189 and below, powered by 450 hp. engines, with 900 or more hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) within the next 100 hours' time in service and comply with paragraph (l) within the next 1,000 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) within the next 100 hours' time in service.

(d) For Models S–2B and S–2C airplanes, Serial Number 1189 and below, powered by 450 hp. engines, with less than 900 hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) before the accumulation of 1,000 hours' time in service and comply with paragraph (l) within the next 1,000 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) before the accumulation of 1,000 hours' time in service.

(e) For Model S–2C airplanes, Serial Numbers 1190 through 1231, powered by 450 hp. engines, with 900 or more hours' time in service on the effective date of this AD, comply with paragraph (l) within the next 100 hours' time in service.

(f) For Model S–2C airplanes, Serial Numbers 1190 through 1231, powered by 450 hp. engines, with less than 900 hours' time in service on the effective date of this AD, comply with paragraph (l) before the accumulation of 1,000 hours' time in service.

(g) For Models S–2C and 600 S–2C airplanes, Serial Number 1189 and below, powered by 600 hp. engines, with 600 or more hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) within the next 100 hours' time in service and comply with paragraph (l) within the next 700 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) within the next 100 hours' time in service.

(h) For Models S–2C and 600 S–2C airplanes, Serial Number 1189 and below, powered by 600 hp. engines, with less than 600 hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) before the accumulation of 700 hours' time in service and comply with paragraph (l) within the next 700 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) before the accumulation of 700 hours' time in service.

(i) For Models S–2C and 600 S–2C airplanes, Serial Numbers 1190 through 1231, powered by 600 hp. engines, with 600 or more hours' time in service on the effective date of this AD, comply with paragraph (l) within the next 100 hours' time in service.

(j) For Models S–2C and 600 S–2C airplanes, Serial Numbers 1190 through 1231, powered by 600 hp. engines, with less than 600 hours' time in service on the effective date of this AD, comply with paragraph (l) before the accumulation of 700 hours' time in service.

(k) Install modified wing center splice in accordance with Snow Service Letter No. 29 or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Southwest Region.

(l) Install wing lower steel spar caps in accordance with Snow Drawing No. 5–1089, Revision D, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Southwest Region.

(Snow Service Letter No. 36 pertains to this subject.)

This amendment becomes effective July 5, 1966.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 27, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66–6071; Filed, June 2, 1966; 8:45 a.m.]

[Docket No. 6999; Amdt. 39–244]

PART 39—AIRWORTHINESS DIRECTIVES

Mooney Model M20 and M20A Airplanes

Amendment 39–180 (31 F.R. 288), AD 66–2–4, requires inspection of the wood structure and repair where necessary on Mooney Model M20 and M20A airplanes. Subsequent to the issuance of Amendment 39–180, the Agency has determined that due to a recent failure of a portion of an airplane structure that had severe wood deterioration, the initial inspection required by the AD must be made within the next 10 hours' time in service after the effective date of this amendment, and that any wood or glue joint deterioration found during the inspections required by the AD must be repaired before further flight. Therefore, the AD is being amended to require compliance with the initial inspection requirement of the AD within the next 10 hours' time in service and repair before further flight if wood or glue joint deterioration is found.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–180 (31 F.R. 288), AD 66–2–4, is amended as follows:

1. The compliance statement is amended to read as follows:

Compliance required within the next 10 hours' time in service after June 13, 1966, unless already accomplished at or since the last annual inspection, and thereafter at each annual inspection.

2. Paragraph (k) is amended to read as follows:

(k) Repair all structure having wood or glue joint deterioration in accordance with Mooney Service Letters Nos. 20–67 and 20–70 or an FAA-approved equivalent before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed.

This amendment becomes effective June 13, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 27, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66–6107; Filed, June 2, 1966; 8:48 a.m.]

[Docket No. 6323; Amdt. 39–245]

PART 39—AIRWORTHINESS DIRECTIVES

General Electric CT58 Series Engines

A proposal to amend Part 39 of the Federal Aviation Regulations by amending Amendment 39–3 (29 F.R. 15810), AD 64–26–2, by requiring the installation of modified G.E. starters on General Electric CT58 Series engines was published in 31 F.R. 4841.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–3 (29 F.R. 15810), AD 64–26–2, is amended as follows:

1. By amending the applicability paragraph to read as follows:

GENERAL ELECTRIC. Applies to Models CT58–100–1, –100–2, –110–1 engines; Model CT58–140–1 engines, Serial Numbers 295001 through 295018; Model T58–GE–1 engines; and Model T58–GE–5 engines, Serial Numbers 285001 through 285016.

2. By adding the following new paragraphs at the end thereof:

(e) Within the next 1,600 hours' time in service after July 5, 1966, accomplish the following:

(1) On installations that incorporate General Electric starter Models 2CM270D3 or 2CM270D5, install front frame accessory drive pinion bearing, P/N 4002T03 (Vendor P/N HDB003–9), and modify starter by incorporating a new field winding assembly, P/N 36A227553G01 or 36A227554G01. Stamp a "B" on the starter nameplate after the starter model number on starters, Model 2GM270D3, and a "C" on the nameplate after the starter model number on starters, Model 2CM270D5, to indicate the field winding assembly has been changed. (Starter Models 2CM270D3B and 2CM270D5C have been modified at the factory.)

(2) On installations which incorporate starters other than General Electric Models 2CM270D3 or 2CM270D5, install front frame accessory drive pinion bearing, P/N 4002T03D03 (Vendor P/N HDB003–9).

(f) The inspections required by paragraphs (a) through (c) may be discontinued upon the accomplishment of the installations and modifications specified in paragraph (e).

3. By amending the parenthetical reference statement to read:

(General Electric Commercial Engine Bulletin No. 141 and General Electric Starter Service Bulletin No. 80–2 pertain to this subject.)

This amendment becomes effective July 5, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 27, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66–6108; Filed, June 2, 1966; 8:49 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65–EA–108]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

On March 19, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4738) stating that the Federal Aviation Agency was considering an amendment to Part 73 of the Federal Aviation Regulations which would increase the hours of use of restricted area R–6501, Underhill, Vt.

Interested persons were afforded an opportunity to participate in the proposed rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 73.65 (31 F.R. 2338), restricted area R–6501, is amended as follows:

"Time of designation: Continuous, June 1 through July 31; 0700 to 0100 e.s.t. August 1 through May 31" is deleted and "Time of designation: Continuous, Monday through Saturday, other times by a NOTAM issued 24 hours in advance" is substituted therefore.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 26, 1966.

WILLIAM E. MORGAN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 66–6072; Filed, June 2, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7288; Amdt. 477]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T–dn	300–1	300–1	200–½
				C–dn	500–1	500–1	500–1½
				S–dn–12	500–1	500–1	500–1
				A–dn	NA	NA	NA

Procedure turn S side of crs, 296° Outbnd, 116° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 116°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 miles after passing RBn, make left 180° climbing turn to 2400′ and return to AID RBn.
NOTE: No weather available. Obtain Indianapolis altimeter setting.
Other change: Deletes transitions.
MSA within 25 miles of facility: 000°–360°—2500′.

City, Anderson; State, Ind.; Airport name, Anderson Municipal; Elev., 913′; Fac. Class., MHW; Ident., AID; Procedure No. 1, Amdt 2; Eff. date, 14 May 66; Sup. Amdt. No. 1; Dated, 23 Feb. 23

Atlanta RBn	Red Oak LOM	Direct	2500	T–dn	800–1	800–1	200–½
Atlanta VOR	Red Oak LOM	Direct	2500	C–dn	800–1	800–1	500–1⅛
Harrison Int	Red Oak LOM	Direct	3000	S–dn–9R*	800–1	800–1	800–1
Chattahoochee Int	Red Oak LOM (final)	Direct	2500	A–dn	800–2	800–2	800–2
Raymond Int	Red Oak LOM	Direct	2500				

Radar available.
Procedure turn S side of crs, 269° Outbnd, 089° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2500′.
Crs and distance, facility to airport, 089°—5.0 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing Red Oak LOM, climb to 3000′, turn right and proceed direct to ATL VORTAC. Hold S on R 173°.
NOTE: TDZ–9R, CL–9R/27L, VASI–27R/27L, REIL–27R.
*Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—4000′; 090°–180°—2200′; 180°–270°—3700′; 270°–360°—3800′.

City, Atlanta; State, Ga.; Airport name, Atlanta; Elev., 1024′; Fac. Class., LOM; Ident., AL; Procedure No. 4, Amdt. 3; Eff. date, 14 May 66; Sup. Amdt. No. 2; Dated 17 July 65

Augusta VOR	GLU RBn	Direct	2500	T–d	300–1	300–1	300–1
Portland LOM	GLU RBn	Direct	2500	T–n	400–1	400–1	400–1
Hiram Int	GLU RBn	Direct	3200	C–dn	700–1	700–1	700–1¼
Freeport Int	GLU RBn	Direct	2500	S–dn–4	700–1	700–1	700–1
				A–dn	NA	NA	NA

Procedure turn S side of crs, 222° Outbnd, 042° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1400′.
Crs and distance, facility to airport, 042°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing GLU RBn, climb straight ahead on 042° bearing from BLU RBn to 1200′. Make right-climbing turn to 2500′ direct GLU RBn. Hold SW 042° Inbnd, 1-minute right turns.
NOTES: (1) Facility must be monitored aurally throughout the approach. (2) Approach from a holding pattern not authorized. Procedure turn required. (3) Use Portland altimeter setting.
MSA within 25 miles of facility: 000°–090°—2500′; 090°–180°—2000′; 180°–270°—4000′; 270°–360°—3400′.

City, Auburn; State, Maine; Airport name, Auburn-Lewiston Municipal; Elev., 292′; Fac. Class., MHW; Ident., GLU; Procedure No. 2, Amdt. Orig.; Eff. date, 7 May 66, or upon commissioning of facility.

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 66 knots
					66 knots or less	More than 66 knots	
HMV VORTAC	Boone RBn	Direct	[illegible]	T dn	[illegible]	[illegible]	[illegible]
	Boone RBn	Direct	[illegible]	C dn	[illegible]	[illegible]	[illegible]
	Boone RBn	Direct	[illegible]	B dn 66	[illegible]	[illegible]	[illegible]
	Boone RBn	Direct	[illegible]	A dn	1400-1	1400-1	1400-1
	Int HMV VORTAC R 337° and 221° bearing to Boone RBn.	Direct	[illegible]				
Int HMV VORTAC R 337° and 221° bearing to Boone RBn.	Boone RBn	Direct	[illegible]				
HLA VOR	Int HMV VORTAC R 337° and 221° bearing to Boone RBn.	Direct	[illegible]				
Int HMV VORTAC R 337° and 221° bearing to Boone RBn.	Boone RBn	Direct	[illegible]				
[illegible]	Boone RBn	Direct	[illegible]				

[illegible]

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 66 knots
					66 knots or less	More than 66 knots	
CRP VOR	CRP RBn	Direct	1400	T dn	800-1	800-1	800-1½
				C dn	800-1	800-1	800-1½
				A dn	800-2	800-2	800-2

Radar available.
Procedure turn N side of crs, 090° Outbound, 270° Inbound, 1400' within 10 miles.
Minimum altitude over facility or final approach crs, 1400'.
Crs and distance, facility to airport, 270°—3.2 miles.
Localizer course and established upon clearance to authorized landing minimums or if landing not accomplished within 3.2 miles after passing RBn. Turn left intercept 071° [illegible]
MSA 25 mile radius of facility: 090°-180°, 1400'; 180°-270°, 1400'; 270°-090°, 2000'.
(Cancels Corpus Christi, State Tex., Airport name Corpus Christi International, Rbn, 66, Fac Class, ODH, Ident, CRP, Procedure No 1, Amdt 4, Eff date 10 May 69 Supersedes Amdt No 3 Dated 27 Feb 69)

[illegible]

PUBLIC HEALTH SERVICE

Rules and Regulations

Prevention, control, and abatement of air pollution from Federal government activities; performance standards and techniques of measurement 7902

SECURITIES AND EXCHANGE COMMISSION

Proposed Rule Making

Exemption of certain purchase or sale transactions between affiliated registered investment companies 7913

Notices

Hearings, etc.:

Elkton Co 7927
Great American Industries, Inc 7928
Jamestown Telephone Corp. et al 7928
John Deere Overseas Capital Corp 7928
Pinal County Development Association 7928

SMALL BUSINESS ADMINISTRATION

Notices

Delegations of authority to conduct program activities in regional offices:

Baltimore 7929
Cleveland 7929
Columbus 7929
Pittsburgh 7929
Richmond 7930

TREASURY DEPARTMENT

See Fiscal Service; Foreign Assets Control Office.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

550 7881

7 CFR

PROPOSED RULES:

1001 7911
1002 7911
1003 7911
1004 7911
1005 7911
1008 7911
1009 7911
1011 7911
1012 7911
1013 7911
1015 7911
1016 7911
1033 7911
1034 7911
1035 7911
1036 7911
1040 7911
1041 7911
1043 7911
1046 7911
1047 7911
1048 7911
1049 7911
1090 7911
1098 7911
1101 7911

14 CFR

39 (3 documents) 7881, 7882
73 7882
97 (2 documents) 7883, 7893

17 CFR

PROPOSED RULES:

270 7913

18 CFR

101 7897
141 7897
201 7897
260 7897

31 CFR

202 7899
203 7899
500 7899

36 CFR

251 7899
261 7902

41 CFR

4–50 7902

42 CFR

76 7902

47 CFR

73 7904

49 CFR

PROPOSED RULES:

193 7911

50 CFR

32 7909
33 7910

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 550—PAY ADMINISTRATION (GENERAL)

Subpart G—Severance Pay

MISCELLANEOUS AMENDMENTS

Subpart G of Part 550 is amended to provide that severance pay does not apply when the separated employee qualifies for immediate retirement under a system applicable to employees of the District of Columbia; to provide for averaging of pay of a postal substitute to determine rate of severance pay; and to provide for suspension of severance pay through more than one temporary appointment or extensions thereof. Effective on publication in the FEDERAL REGISTER Subpart G is amended as set out below.

§ 550.701 Coverage.

* * * * *

(b) *Employees.* * * *

(3) This subpart does not apply to an officer or employee in the District of Columbia Government who, at the time of separation from the service, has fulfilled the requirements for an immediate annuity under the Policemen and Firemen's Retirement and Disability Amendments of 1957 (secs. 4–502 through 4–539, D.C. Code, 1961 ed.), the Act for the Retirement of Public School Teachers in the District of Columbia (secs. 31–701 through 31–745, D.C. Code, 1961 ed.), or the District of Columbia Judges Retirement Act (secs. 11–776 and 11–1701, D.C. Code, 1961 ed., Supp. V).

§ 550.704 General provisions.

(a) *Payment of severance pay.* (1) Except as provided in subparagraph (2) of this paragraph, on an employee's separation, the department shall compute his severance pay fund, and shall pay him at the same pay period intervals as if still employed the same amount as his basic compensation for the pay period immediately before separation until the severance pay fund is exhausted, except that the final payment shall consist only of that portion of the severance pay fund remaining.

(2) For a postal substitute, the basic compensation for the pay period immediately before separation as required in subparagraph (1) of this paragraph, is the average number of hours in a pay status per pay period for the 26 pay periods immediately before separation, or 80 hours, whichever is less, times the hourly rate of pay in effect at the time of separation.

* * * * *

§ 550.707 Postponement of payments.

(a) When, after a break in service of more than 3 days, an employee who is entitled to severance pay accepts one or more temporary appointments of 1 year or less (including any authorized temporary extensions thereof), the department which separated him shall suspend the payment of severance pay for the duration of the appointment and shall, at the termination of the appointment, continue the payment of the severance pay fund as prescribed by this subpart and the act. The period of service covered by such an appointment is not creditable for purposes of computing the severance pay it interrupts.

(b) When, without a break or after a break in service of 3 days or less, an employee who is entitled to severance pay accepts one or more temporary part-time or temporary intermittent appointments (including any authorized temporary extensions thereof), the department which separated him shall suspend and then continue the payment of severance pay exactly as prescribed by paragraph (a) of this section.

(Sec. 9(c), P.L. 89–301, 79 Stat. 1119; E.O. 11257)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–6111; Filed, June 2, 1966; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 7273; Amdt. 39–246]

PART 39—AIRWORTHINESS DIRECTIVES

Aero Commander (Snow) Models S–2A, S–2B, S–2C, and 600 S–2C Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the installation of wing lower steel spar caps on Aero Commander (Snow) Models S–2A, S–2B, S–2C, and 600 S–2C airplanes was published in 31 F.R. 5496.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

AERO COMMANDER (SNOW). Applies to Models S–2A, S–2B, S–2C, and 600 S–2C airplanes.

Compliance required as indicated, unless already accomplished.

To prevent fatigue cracks in the lower spar cap of the wing main spar, accomplish the following:

(a) For Model S–2A airplanes with 1,400 or more hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) within the next 100 hours' time in service and comply with paragraph (l) within the next 1,500 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) within the next 100 hours' time in service.

(b) For Model S–2A airplanes with less than 1,400 hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) before the accumulation of 1,500 hours' time in service and comply with paragraph (l) within the next 1,500 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) before the accumulation of 1,500 hours' time in service.

(c) For Models S–2B and S–2C airplanes, Serial Number 1189 and below, powered by 450 hp. engines, with 900 or more hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) within the next 100 hours' time in service and comply with paragraph (l) within the next 1,000 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) within the next 100 hours' time in service.

(d) For Models S–2B and S–2C airplanes, Serial Number 1189 and below, powered by 450 hp. engines, with less than 900 hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) before the accumulation of 1,000 hours' time in service and comply with paragraph (l) within the next 1,000 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) before the accumulation of 1,000 hours' time in service.

(e) For Model S–2C airplanes, Serial Numbers 1190 through 1231, powered by 450 hp. engines, with 900 or more hours' time in service on the effective date of this AD, comply with paragraph (l) within the next 100 hours' time in service.

(f) For Model S–2C airplanes, Serial Numbers 1190 through 1231, powered by 450 hp. engines, with less than 900 hours' time in service on the effective date of this AD, comply with paragraph (l) before the accumulation of 1,000 hours' time in service.

(g) For Models S–2C and 600 S–2C airplanes, Serial Number 1189 and below, powered by 600 hp. engines, with 600 or more hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) within the next 100 hours' time in service and comply with paragraph (l) within the next 700 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) within the next 100 hours' time in service.

(h) For Models S–2C and 600 S–2C airplanes, Serial Number 1189 and below, powered by 600 hp. engines, with less than 600 hours' time in service on the effective date of this AD—

(1) Comply with paragraph (k) before the accumulation of 700 hours' time in service and comply with paragraph (l) within the next 700 hours' time in service after complying with paragraph (k); or

(2) Comply with paragraph (l) before the accumulation of 700 hours' time in service.

(l) For Models S-2C and 600 S-2C airplanes, Serial Numbers 1190 through 1231, powered by 600 hp. engines, with 600 or more hours' time in service on the effective date of this AD, comply with paragraph (l) within the next 100 hours' time in service.

(j) For Models S-2C and 600 S-2C airplanes, Serial Numbers 1190 through 1231, powered by 600 hp. engines, with less than 600 hours' time in service on the effective date of this AD, comply with paragraph (l) before the accumulation of 700 hours' time in service.

(k) Install modified wing center splice in accordance with Snow Service Letter No. 29 or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Southwest Region.

(l) Install wing lower steel spar caps in accordance with Snow Drawing No. 5-1089, Revision D, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Southwest Region.

(Snow Service Letter No. 36 pertains to this subject.)

This amendment becomes effective July 5, 1966.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 27, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-6071; Filed, June 2, 1966; 8:45 a.m.]

[Docket No. 6999; Amdt. 39-244]

PART 39—AIRWORTHINESS DIRECTIVES

Mooney Model M20 and M20A Airplanes

Amendment 39-180 (31 F.R. 288), AD 66-2-4, requires inspection of the wood structure and repair where necessary on Mooney Model M20 and M20A airplanes. Subsequent to the issuance of Amendment 39-180, the Agency has determined that due to a recent failure of a portion of an airplane structure that had severe wood deterioration, the initial inspection required by the AD must be made within the next 10 hours' time in service after the effective date of this amendment, and that any wood or glue joint deterioration found during the inspections required by the AD must be repaired before further flight. Therefore, the AD is being amended to require compliance with the initial inspection requirement of the AD within the next 10 hours' time in service and repair before further flight if wood or glue joint deterioration is found.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-180 (31 F.R. 288), AD 66-2-4, is amended as follows:

1. The compliance statement is amended to read as follows:

Compliance required within the next 10 hours' time in service after June 13, 1966, unless already accomplished at or since the last annual inspection, and thereafter at each annual inspection.

2. Paragraph (k) is amended to read as follows:

(k) Repair all structure having wood or glue joint deterioration in accordance with Mooney Service Letters Nos. 20-67 and 20-70 or an FAA-approved equivalent before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed.

This amendment becomes effective June 13, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 27, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-6107; Filed, June 2, 1966; 8:48 a.m.]

[Docket No. 6323; Amdt. 39-245]

PART 39—AIRWORTHINESS DIRECTIVES

General Electric CT58 Series Engines

A proposal to amend Part 39 of the Federal Aviation Regulations by amending Amendment 39-3 (29 F.R. 15810), AD 64-26-2, by requiring the installation of modified G.E. starters on General Electric CT58 Series engines was published in 31 F.R. 4841.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-3 (29 F.R. 15810), AD 64-26-2, is amended as follows:

1. By amending the applicability paragraph to read as follows:

GENERAL ELECTRIC. Applies to Models CT58-100-1, -100-2, -110-1 engines; Model CT58-140-1 engines, Serial Numbers 295001 through 295018; Model T58-GE-1 engines; and Model T58-GE-5 engines, Serial Numbers 285001 through 285016.

2. By adding the following new paragraphs at the end thereof:

(e) Within the next 1,600 hours' time in service after July 5, 1966, accomplish the following:

(1) On installations that incorporate General Electric starter Models 2CM270D3 or 2CM270D5, install front frame accessory drive pinion bearing, P/N 4002T03 (Vendor P/N HDB003-9), and modify starter by incorporating a new field winding assembly, P/N 36A227553G01 or 36A227554G01. Stamp a "B" on the starter nameplate after the starter model number on starters, Model 2GM270D3, and a "C" on the nameplate after the starter model number on starters, Model 2CM270D5, to indicate the field winding assembly has been changed. (Starter Models 2CM270D3B and 2CM270D5C have been modified at the factory.)

(2) On installations which incorporate starters other than General Electric Models 2CM270D3 or 2CM270D5, install front frame accessory drive pinion bearing, P/N 4002T03D03 (Vendor P/N HDB003-9).

(f) The inspections required by paragraphs (a) through (c) may be discontinued upon the accomplishment of the installations and modifications specified in paragraph (e).

3. By amending the parenthetical reference statement to read:

(General Electric Commercial Engine Bulletin No. 141 and General Electric Starter Service Bulletin No. 80-2 pertain to this subject.)

This amendment becomes effective July 5, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 27, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-6108; Filed, June 2, 1966; 8:49 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-EA-198]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

On March 19, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4738) stating that the Federal Aviation Agency was considering an amendment to Part 73 of the Federal Aviation Regulations which would increase the hours of use of restricted area R-6501, Underhill, Vt.

Interested persons were afforded an opportunity to participate in the proposed rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 73.65 (31 F.R. 2338), restricted area R-6501, is amended as follows:

"Time of designation: Continuous, June 1 through July 31; 0700 to 0100 e.s.t. August 1 through May 31" is deleted and "Time of designation: Continuous, Monday through Saturday, other times by a NOTAM issued 24 hours in advance" is substituted therefore.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 26, 1966.

WILLIAM E. MORGAN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 66-6072; Filed, June 2, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7288; Amdt. 477]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 55 knots
					65 knots or less	More than 55 knots	
				T-dn	300-1	300-1	300-1½
				C-dn	500-1	500-1	500-1½
				S-dn-12	500-1	500-1	500-1
				A-dn	NA	NA	NA

Procedure turn S side of crs, 298° Outbnd, 118° Inbnd, 2400' within 10 miles.
Minimum altitude over facility on final approach crs, 1500'.
Crs and distance, facility to airport, 118°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 miles after passing RBn, make left 180° climbing turn to 2400' and return to AID RBn.
NOTE: No weather available. Obtain Indianapolis altimeter setting.
Other change: Deletes transitions.
MSA within 25 miles of facility: 000°-300°—2500'.

City, Anderson; State, Ind.; Airport name, Anderson Municipal; Elev., 913'; Fac. Class., MHW; Ident., AID; Procedure No. 1, Amdt 2; Eff. date, 14 May 66; Sup. Amdt. No. 1; Dated, 23 Feb. 23

Atlanta RBn	Red Oak LOM	Direct	2500	T-dn	300-1	300-1	300-1
Atlanta VOR	Red Oak LOM	Direct	2500	C-dn	500-1	500-1	500-1½
Harrison Int	Red Oak LOM	Direct	3000	S-dn-9R*	500-1	500-1	500-1
Chattahoochee Int	Red Oak LOM (final)	Direct	2500	A-dn	800-2	800-2	800-2
Raymond Int	Red Oak LOM	Direct	2500				

Radar available.
Procedure turn S side of crs, 269° Outbnd, 089° Inbnd, 2500' within 10 miles.
Minimum altitude over facility on final approach crs, 2500'.
Crs and distance, facility to airport, 089°—5.0 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing Red Oak LOM, climb to 3000', turn right and proceed direct to ATL VORTAC. Hold S on R 173°.
NOTE: TD2-9R, CL-9R/27L, VASI-27R/27L, REIL-27R.
*Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°-090°—4000'; 090°-180°—2200'; 180°-270°—3700'; 270°-360°—3800'.

City, Atlanta; State, Ga.; Airport name, Atlanta; Elev., 1024'; Fac. Class., LOM; Ident., AL; Procedure No. 4, Amdt. 3; Eff. date, 14 May 66; Sup. Amdt. No. 2; Dated 17 July 65

Augusta VOR	GLU RBn	Direct	2500	T-d	300-1	300-1	300-1
Portland LOM	GLU RBn	Direct	2500	T-n	400-1	400-1	400-1
Hiram Int	GLU RBn	Direct	3500	C-dn	700-1	700-1	700-1½
Freeport Int	GLU RBn	Direct	2500	S-dn-4	700-1	700-1	700-1
				A-dn	NA	NA	NA

Procedure turn S side of crs, 222° Outbnd, 042° Inbnd, 2500' within 10 miles.
Minimum altitude over facility on final approach crs, 1400'.
Crs and distance, facility to airport, 042°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing GLU RBn, climb straight ahead on 042° bearing from BLU RBn to 1200'. Make right-climbing turn to 2500' direct GLU RBn. Hold SW 042° Inbnd, 1-minute right turns.
NOTES: (1) Facility must be monitored aurally throughout the approach. (2) Approach from a holding pattern not authorized. Procedure turn required. (3) Use Portland altimeter setting.
MSA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2800'; 180°-270°—4000'; 270°-360°—3400'.

City, Auburn; State, Maine; Airport name, Auburn-Lewiston Municipal; Elev., 262'; Fac. Class., MHW; Ident., GLU; Procedure No. 2, Amdt. Orig.; Eff. date, 7 May 66, or upon commissioning of facility.

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
HMV VORTAC	Boone RBn	Direct	6000	T–dn	300–1	300–1	*200–½
Telford Int	Boone RBn	Direct	3600	C–dn	800–1	800–1½	800–2
Hilton Int	Boone RBn	Direct	5000	S–dn–4#	600–1	600–1	600–1
Yuma Int	Boone RBn	Direct	4000	A–dn	1000–2	1000–2	1000–2
Unicoi Int	Int HMV VORTAC R 237° and 321° bearing to Boone RBn.	Direct	6000				
Int HMV VORTAC R 237° and 321° bearing to Boone RBn.	Boone RBn	Direct	3600				
BLA VOR	Int HMV VORTAC R 320° and 220° bearing to Boone RBn.	Direct	6000				
Int HMV VORTAC R 320° and 220° bearing to Boone RBn.	Boone RBn	Direct	3600				
LOM	Boone RBn	Direct	3600				

Radar available.
Procedure turn S side of crs, 224° Outbnd, 044° Inbnd, 3600′ within 10 miles.
Minimum altitude over facility on final approach crs, 2700′.
Crs and distance, facility to airport, 044°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing Boone RBn, climb to 3600′ on crs of 044° from Boone RBn within 15 miles of; when directed by ATC, turn right, climb to 3600′ and return direct to Boone RBn.
CAUTION: Abrupt changes in terrain elevations immediately adjacent to procedure areas. Due high terrain, aircraft within limited climb capability departing on routes via HMV VORTAC should request clearance to climb on track of 044° from Boone RBn or 224° from LOM to 4000′ before continuing climb on crs. Obstruction (lighted buildings) to the right of centerline extended Runway 4.
*Runways 4 and 22 only.
#Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—5400′; 090°–180°—7300′; 180°–270°—5900′; 270°–360°—5200′.

City, Bristol; State, Tenn.; Airport name, Tri-City; Elev., 1519′; Fac. Class., HW; Ident., BON; Procedure No. 2, Amdt. 6; Eff. date, 14 May 66; Sup. Amdt. No. 5; Dated, 16 Apr. 66

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
LFD VOR	CWM RBn	Direct	2500	T–dn	300–1	300–1	200–½
BTL VOR	CWM RBn	Direct	2500	C–dn	700–1	700–1	700–1½
Brighton Int	CWM RBn	Direct	2500	S–dn–3	700–1	700–1	700–1
Sherwood Int	CWM RBn	Direct	2500	A–dn	NA	NA	NA

Procedure turn N side final approach crs, 210° Outbnd, 030° Inbnd, 2500′ within 10 miles.
Minimum over facility on final approach crs, 1600′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of CWM RBn, make left-climbing turn and climb to 2500′ on 210° crs from "H" then return to MH.
NOTES: 1. Approaches controlled by Battle Creek approach control. Close flight plan with Battle Creek Radio by radio or long distance phone immediately upon landing.
2. No weather available.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—2500′; 180°–270°—2400′; 270°–360°—2200′.

City, Coldwater; State, Mich.; Airport name, Branch County Memorial; Elev., 956′; Fac. Class., MHW; Ident., CWM; Procedure No. 1, Amdt. 1; Eff. date, 14 May 66; Sup. Amdt. No. Orig.; Dated, 2 Jan. 66

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Lawson RBn	LOM	Direct	2200	T–dn	300–1	300–1	200–½
Columbus VOR	LOM	Direct	2200	C–dn	500–1	500–1	500–1½
Geneva Int	LOM	Direct	2200	S–dn–5°	500–1	500–1	500–1
Maryn Int	LOM	Direct	2200	A–dn	800–2	800–2	800–2
Beale Int	LOM (final)	Direct	2200				

Procedure turn W side of crs, 233° Outbnd, 053° Inbnd, 2200′ within 10 miles of LOM.
Minimum altitude over facility on final approach crs, 2200′ over LOM.
Crs and distance, facility to airport, 053°—6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing LOM, climb to 2200′, proceed to Geneva Int via 045° bearing from CS LOM, or when directed by ATC, climb to 2200′, turn left and return direct to LOM.
* Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—3400′; 090°–180°—3300′; 180°–270°—1800′; 270°–360°—2900′.

City, Columbus; State, Ga.; Airport name, Muscogee County; Elev., 307′; Fac. Class., LOM; Ident., CS; Procedure No. 1, Amdt. 13; Eff. date, 14 May 66; Sup. Amdt. No. 12; Dated, 25 Dec. 65

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
CRP VOR	LOM	Direct	2000	T–dn	300–1	300–1	200–½
CRP RBn	LOM	Direct	2000	C–dn*	400–1	500–1	500–1½
Mathis Int	Edroy Int	Direct	1700	S–dn–13°	400–1	400–1	400–1
Edroy Int	LOM (final)	Direct	1400	A–dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 307° Outbnd, 127° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1400′.
Crs and distance, facility to airport, 127°—4.8 miles; Tank Fix to airport, 127°—2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing LOM, proceed to Pogo VHF Int via 127° bearing from CRP LOM and CRP VOR, R 182° climbing to 2000′ or, when directed by ATC, turn left, proceed direct to CRP VOR climbing to 2000′.
*If Tank Fix not received, descent below 700′ not authorized.
MSA within 25 miles of facility: 000–090°—1400′; 090°–180°—2000′; 180°–270°—2100′; 270°–360°—1500′.

City, Corpus Christi; State, Tex.; Airport name, Corpus Christi International; Elev., 43′; Fac. Class., LOM; Ident., CB; Procedure No. 1, Amdt. 12; Eff. date, 14 May 66; Sup. Amdt. No. 11; Dated, 3 July 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
CRP VOR	CRP RBn	Direct	1000	T–dn	300–1	300–1	200–½
				C–dn	500–1	500–1	500–1½
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 039° Outbnd, 219° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1100′.
Crs and distance, facility to airport, 216°—2.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.2 miles after passing RBn, turn left, intercept CRP VOR, R 182° and proceed to Pogo Int climbing to 2000′.
MSA within 25 miles of facility: 000°–090°—1400′; 090°–180°—1400′; 180°–270°—2100′; 270°–360°—1400′.

City, Corpus Christi; State, Tex.; Airport name, Corpus Christi International; Elev., 43′; Fac. Class., SBH; Ident., CRP; Procedure No. 2, Amdt. 4; Eff. date, 14 May 66; Sup. Amdt. No. 3; Dated, 27 Feb. 65

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Macon VOR	LOM	Direct	1800	T–dn	300–1	300–1	200–½
Powersville Int	LOM (final)	Direct	1500	C–dn	500–1	500–1	500–1½
				S–dn–5°	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn S side SW crs, 227° Outbnd, 047° Inbnd, 1600′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 047°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, climb to 2200′ on crs 047° within 20 miles or, when directed by ATC, turn left, climbing to 2000′ direct to LOM.
CAUTION: 1209′ tower, 5.5 miles NE of airport.
*Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—2200′; 090°–180°—2500′; 180°–270°—1900′; 270°–360°—2100′.

City, Macon; State, Ga.; Airport name, Macon Municipal; Elev., 354′; Fac. Class., LOM; Ident., MC; Procedure No. 1, Amdt. 11; Eff. date, 14 May 66; Sup. Amdt. No. 10, Dated, 22 Jan. 66

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
San Lorenzo Int	SJP RBn	Direct	2000	T–dn	300–1	300–1	200–½
SJU VOR	SJP RBn	Direct	1600	C–dn	600–1	600–1	600–1½
SJU RBn	SJP RBn	Direct	1600	S–dn–7#	600–1	600–1	600–1
Greenwater Int	SJP RBn	Direct	2000	A–dn	800–2	800–2	800–2
Coral Int	SJP RBn	Direct	1600				
Mangrove Int	SJP RBn	Direct	2000				
Caribbean Int	SJP RBn	Direct	2000				
Guaynabo Int	SJP RBn	Direct	3200				

Radar available.
Procedure turn N* side of crs, 289° Outbnd, 109° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1000′.
Crs and distance, facility to airport, 075°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing SJP RBn, climb to 1100′ on crs of 075° within 20 miles of SJP RBn.
*Nonstandard due to high terrain on S side of crs.
#Reduction in landing visibility not authorized.
MSA within 25 miles of facility: 000°–090°—1000′; 090°–180°—5100′; 180°–270°—4200′; 270°–360°—1800′.

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9′; Fac. Class., MHW; Ident., SJP; Procedure No. 1, Amdt. 8; Eff. date, 14 May 66; Sup. Amdt. No. 7; Dated, 16 Oct. 65

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Columbus RBn	C8G VOR	Direct	2000	T–dn	300–1	300–1	200–½
Columbus LOM	C8G VOR	Direct	2000	C–dn	700–1	700–1	700–1½
				A–dn	800–2	800–2	800–2
				If Davis Int received, minimums become:			
				C–dn	600–1	600–1	600–1½

Procedure turn W side of crs, 328° Outbnd, 148° Inbnd, 2000′ within 10 miles.
Minimum altitude over C8G VOR on final approach crs, 1700′; over Davis Int, 1100′.
Crs and distance, C8G VOR to airport, 148°—6.8 miles; Davis Int to airport, 148°—1.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.8 miles after passing VOR, turn left, climb to 2200′ and proceed to Geneva Int via 046° bearing from C8 LOM or, when directed by ATC, turn left, climb to 2200′ and proceed to C8G VOR via R 147°.
MSA within 25 miles of facility: 000°–090°—3400′; 090°–180°—3200′; 180°–270°—3000′; 270°–360°—2200′.

City, Columbus; State, Ga.; Airport name, Muscogee County; Elev., 307′; Fac. Class., L–BVOR; Ident., C8G; Procedure No. 1, Amdt. 7; Eff. date, 14 May 66; Sup. Amdt. No. 6; Dated, 4 Mar. 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURES—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
CRP RBn. Taft Int	CRP VOR CRP VOR (final)	Direct Direct	2000 1600	T–dn C–d C–n S–d–17° S–n–17° A–dn	300–1 700–1 700–2 700–1 700–2 800–2	300–1 700–1 700–2 700–1 700–2 800–2	200–½ 700–1⅞ 700–2 700–1 700–2 800–2

Radar available.
Procedure turn W side of crs, 311° Outbnd, 131° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′.
Crs and distance, facility to airport, 191°—7.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.9 miles after passing CRP, VOR, turn left, intercept CRP VOR, R 182° and proceed to Pogo Int, climbing to 2000′.
*Reduction of landing visibility not authorized.
MSA within 25 miles of facility: 000°–090°—1400′; 090°–180°—1400′; 180°–270°—2100′; 270°–360°—1500′.

City, Corpus Christi; State, Tex.; Airport name, Corpus Christi International; Elev., 43′; Fac. Class., H–BVORTAC; Ident., CRP; Procedure No. 1, Amdt. 11; Eff. date, 14 May 66; Sup. Amdt. No. 10; Dated, 1 Sept. 65

Salem VOR Carleton VOR	YIP VOR YIP VOR	Direct Direct	2800 2500	T–dn C–d C–n S–d–9 S–n–9 A–dn Dual VOR minimums; dual VOR receivers required:#	300–1 500–1 500–2 500–1 500–2 800–2	300–1 500–1 500–2 500–1 500–2 800–2	200–½ 500–1⅞ 500–2 500–1 500–2 800–2
				C–dn#	400–1	500–1	500–1⅞
				S–dn–9#	400–1	400–1	400–1

Radar available.
Procedure turn S side of crs, 282° Outbnd, 102° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′; 1139′ over French Int.
Crs and distance, facility to airport, 102°—7.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.3 miles after passing YIP VOR, make left-climbing turn to 2700′ and proceed to DW LOM.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—2100′; 270°–360°—2600′.

City, Detroit; State, Mich.; Airport name, Detroit Metropolitan Wayne County; Elev., 639′; Fac. Class., T–VOR; Ident., YIP; Procedure No. 1, Amdt. 1; Eff. date, 14 May 66; Sup. Amdt. No. Orig.; Dated, 16 Apr. 66

				T–dn C–d A–d	300–1 700–1 NA	300–1 700–1 NA	200–½ 700–1⅞ NA

Procedure turn S side of crs, 249° Outbnd, 069° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 069°—7.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.8 miles after passing DBN VOR, turn left, climb to 2500′ and proceed to DBN VOR via R 069°. Contact MCN approach control. Contact Macon FSS on appropriate frequency and receive on DBN VOR frequency for obtaining or canceling IFR clearance.
CAUTION: Tower, 683′, located 2.1 miles ESE of airport.
MSA within 25 miles of facility: 000°–090°—1200′; 090°–180°—1700′; 180°–270°—2500′; 270°–360°—1800′.

City, Dublin; State, Ga.; Airport name, Dublin Municipal; Elev., 310′; Fac. Class., LBVOR; Ident., DBN; Procedure No. 1, Amdt. 1; Eff. date, 14 May 66; Sup. Amdt. No. Orig.; Dated, 13 June 64

Isla Verde Int/10.4-mile DME Fix 6-mile DME/Radar Fix	6-mile DME/Radar Fix (final) SJU VOR (final)	Direct Direct	600 500	T–dn C–dn A–dn	300–1 500–1 800–2	300–1 500–1 800–2	200–½ 500–1⅞ 800–2

Radar required.
Procedure turn not authorized.
Minimum altitude over facility on final approach crs, 800′; over 6-mile DME/Radar Fix, 600′; over Isla Verde Int/10.4-mile DME Fix, 1500′.
Crs and distance, 6-mile DME/Radar Fix, to airport, 274°—6 miles; Isla Verde Int/DME Fix, 274°—10.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, turn right, climb to 2000′ on R 359° within 20 miles or, when directed by ATC, turn right, climb to 1500′ on R 094° within 20 miles of SJU VOR.
NOTE: When authorized by ATC, DME may be used within 6–11 miles, clockwise, R 304° to R 094° at 1500′, to position aircraft for straight-in approach.
MSA within 25 miles of facility: 000°–090°—1200′; 090°–180°—4600′; 180°–270°—5100′; 270°–360°—1800′.

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9′; Fac. Class., BVORTAC; Ident., SJU; Procedure No. 1, Amdt. 9; Eff. date, 14 May 66; Sup. Amdt. No. 8; Dated, 16 Oct. 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
SOP VORTAC	West 5-mile DME Fix (final)	086° 5 miles	1200	T–dn C–d C–n A–dn#	300–1 700–1 700–2 NA	300–1 700–1 700–2 NA	NA NA NA NA
				If W 5-mile DME Fix received, the following minimums apply:			
				C–dn	500–1	500–1	NA

Procedure turn S side of crs, 266° Outbnd, 086° Inbnd, 2200′ within 10 miles.
Minimum altitude over SOP VORTAC on final approach crs, 2000′.
Minimum altitude over W 5-mile DME Fix, 1200′.
Crs and distance, W 5-mile DME Fix to airport, 086°—4.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.4 miles after passing SOP VORTAC, make immediate left turn, climbing to 2200′, returning to SOP VORTAC via R 086°.
#800–2 authorized for air carriers having approval for their weather service.
MSA within 25 miles of the facility: 000°–270°—1800′; 270°–360°—2200′.

City, Southern Pines; State, N.C.; Airport name, Pinehurst–Southern Pines; Elev., 400′; Fac. Class., L–BVORTAC; Ident., SOP; Procedure No. 1, Amdt. 3; Eff. date, 14 May 66; Sup. Amdt. No. 2; Dated, 18 Sept. 65

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Dry Fork Int Milton Int	DAN VOR DAN VOR	Direct Direct	2700 2300	T–dn C–dn S–dn–2 A–dn	300–1 500–1 500–1 800–2	300–1 500–1 500–1 800–2	200–½ 500–1⅞ 500–1 800–2
				The following minimums apply if Gatewood Int received:			
				S–dn–2	400–1	400–1	400–1

Radar available (Greensboro approach control).
Procedure turn E side of crs, 212° Outbnd, 032° Inbnd, 2200′ within 10 miles.
Minimum altitude over facility on final approach crs, 1082′; if Gatewood Int used, 982′.
Crs and distance, breakoff point to approach end of Runway 2, 020°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing DAN VOR, make right-climbing turn to 2200′, hold SW on DAN VOR, R 212°, 1-minute right turns.
Other change: Deletes Sandy River Int.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—1900′; 180°–270°—2600′; 270°–360°—3100′.

City, Danville; State, Va.; Airport name, Danville Municipal; Elev., 582′; Fac. Class., L–BVOR; Ident., DAN; Procedure No. TerVOR–2, Amdt. 7; Eff. date, 14 May 66; Sup. Amdt. No. 6; Dated, 26 Mar. 66

South Boston VOR Dry Fork Int Milton Int	Rock Spring Int Danville VOR Danville VOR	Direct Direct Direct	2300 2700 2300	T–dn C–dn S–dn–24 A–dn	300–1 500–1 500–1 800–2	300–1 500–1 500–1 800–2	200–½ 500–1⅞ 500–1 800–2

Radar available (Greensboro approach control).
Procedure turn N side of crs, 048° Outbnd, 228° Inbnd, 2300′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 1082′; if Rock Spring Int used, 982′.
Crs and distance, Rock Spring Int to VOR, 228°—6 miles. Breakoff point to runway, 241°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing DAN VOR, make right-climbing turn to 2300′, hold NE on DAN VOR, R 048°, 1-minute right turns.
Other change: Deletes Sandy River Int and associated minimums.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—1900′; 180°–270°—2600′; 270°–360°—3100′.

City, Danville; State, Va.; Airport name, Danville Municipal; Elev., 582′; Fac. Class., L–BVOR; Ident., DAN; Procedure No. TerVOR–24, Amdt. 3; Eff. date, 14 May 66; Sup. Amdt. No. 2; Dated, 26 Mar. 66

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
SJU RBn	SJU VOR	Direct	1600	T–dn	300–1	300–1	200–½
SJP RBn	SJU VOR	Direct	1600	C–dn	1000–1	1000–1	1000–1½
				S–dn–7°	1000–1	1000–1	1000–1
				A–dn	1000–2	1000–2	1000–2
				If aircraft equipped with VOR and ADF receivers operating normally and Antenna Int received, the following minimums are authorized:			
				C–dn	500–1	500–1	500–1½
				S–dn–7♯	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 260° Outbnd, 080° Inbnd, 1600′ within 10 miles. Beyond 10 miles, not authorized.
Minimum altitude over facility on final approach crs, 1000′; if Antenna Int or 6-mile fix identified, 800′.
Facility on airport.
Crs and distance, Antenna Int to airport, 080°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing Antenna Int, turn right and climb to 1500′ on R 095° within 20 miles of SJU VOR.
NOTE: Procedure turn nonstandard due high terrain S and W of area.
♯Reduction of landing visibility below ½ mile not authorized.
*Reduction in landing visibility not authorized.
MSA within 25 miles of facility: 000°–090°—1200′; 090°–180°—4600′; 180°–270°—5100′; 270°–360°—1800′.

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9′; Fac. Class., BVORTAC; Ident., SJU; Procedure No. TerVOR-7, Amdt. 6; Eff. date, 14 May 66; Sup. Amdt. No. 5; Dated, 16 Oct. 65

SJP RBn	SJU VOR	Direct	1500	T–dn	300–1	300–1	200–½
SJU RBn	SJU VOR	Direct	1600	C–dn	500–1	500–1	500–1½
				S–dn–25°	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 064° Outbnd, 246° Inbnd, 1100′ within 9 miles.
Minimum altitude over facility on final approach crs, 400′.
Facility on airport. Breakoff point to Runway 25, 255°—0.8 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, turn right, climb to 2000′ on R 359° within 20 miles of SJU VOR.
NOTES: (1) Procedure turn distance restricted to 9 miles of VOR due to warning area N of procedure turn area. (2) When authorized by ATC, DME may be used within 8-11 miles clockwise, R 304° to R 095° at 1100′ to position aircraft for straight-in approach with the elimination of procedure turn.
*400–¼ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—1200′; 090°–180°—4600′; 180°–270°—5100′; 270°–360°—1800′.

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9′; Fac. Class., BVORTAC; Ident., SJU; Procedure No. TerVOR-25, Amdt. 7; Eff. date, 14 May 66; Sup. Amdt. No. 6; Dated, 16 Oct. 65

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Erie VOR	11-mile DME Fix R 060°	Direct	2800	T–dn	300–1	300–1	200–½
Hammett Int	11-mile DME Fix R 060° (final)	Via 254° crs 6 miles	1800	C–dn	500–1	500–1	500–1½
17-mile DME Fix R 060°	11-mile DME Fix R 060° (final)	Direct	1800	S–dn–24	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2

Procedure turn N side of crs, 060° Outbnd, 240° Inbnd, 2800′ between 11- and 21-mile DME Fix.
Minimum altitude over 11-mile DME Fix, final approach crs, 1800′.
Crs and distance, 11-mile DME fix to airport, 240°—4.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 6.9-mile DME Fix, climb to 3000′ on R 060° direct to Erie VORTAC, hold SW, 1-minute right turns, 060° Inbnd or when directed by ATC, make immediate right-climbing turn to 3000′, intercept Erie VORTAC R 060° Outbnd, proceed to 11-mile DME Fix R 060°, hold between 11- and 16-mile DME Fix R 060°, right turns.
AIR CARRIER NOTE: 300–1 required for takeoff on all Runways except 6–24. Sliding scale authorized Runway 6–24.
NOTE: When authorized by ATC, DME may be used to position aircraft on final approach crs at 3200′ between R 020° clockwise R 110° via 17-mile DME Arc with elimination of procedure turn.
MSA within 25 miles of facility: 050°–140°—3100′; 140°–230°—2900′; 230°–320°—2300′; 320°–050°—1800′.

City, Erie; State, Pa.; Airport name, Port Erie; Elev., 732′; Fac. Class., H-BVORTAC; Ident., ERI; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 14 May 66

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T–dn	300–1	300–1	200–½
				C–dn	500–1	500–1	500–1½
				S–dn–13°	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 324° Outbnd, 144° Inbnd, 2000′ within 10 miles of Frances Int or between 3.5 and 13.5 miles of VOR.
Facility on airport.
Minimum altitude over 3.5-mile DME Fix or Frances Int on final approach crs, 1200′.
Crs and distance, breakoff point to approach end of Runway 13, 129°—0.22 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, turn right and climb to 2000′ on R 324° within 16 miles.
NOTE: When authorized by ATC, DME may be used within 16 miles at 2200′ in all directions to position aircraft for a final approach with the elimination of a procedure turn.
*Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—2200′; 090°–180°—2500′; 180°–270°—1900′; 270°–360°—2100′.

City, Macon; State, Ga.; Airport name, Macon Municipal; Elev., 354′; Fac. Class., BVORTAC; Ident., MCN; Procedure No. VOR/DME 1, Amdt. 5; Eff. date, 14 May 66; Sup. Amdt. No. 4; Dated, 2 Apr. 66

MC LFR	MCG VORTAC	Direct	3000	T–dn	300–1	300–1	200–½
4-mile DME Fix R 345°	2-mile DME Fix R 345°	Direct	900	C–dn	400–1	500–1	500–1½
				S–dn–15	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn E side of crs, 345° Outbnd, 165° Inbnd, 3000′ within 10 miles of 4-mile DME Fix.
Minimum altitude over 4-mile DME Fix, 1100′; over 2-mile DME Fix, 900′,* over facility on final approach crs, 747′.
Crs and distance, breakoff point to approach end of Runway 15, 155°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of the MCG VORTAC, turn left, climb to 3000′ on R 100° within 15 miles.
CAUTION: Mountainous terrain all quadrants. Terrain 1386′, 3.1 miles S of airport.
NOTE: When authorized by ATC, DME may be used to position aircraft for final approach at 3000′ between radials 325° clockwise to 290° and from 200° clockwise to 325° at 4200′ within 15 miles with the elimination of a procedure turn.
*If 2-mile DME Fix not received, ceiling minimum becomes 600′.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—3000′; 180°–270°—5200′; 270°–360°—6300′.

City, McGrath; State, Alaska; Airport name, McGrath FAA; Elev., 337′; Fac. Class., H-BVORTAC; Ident., MCG; Procedure No. VOR/DME 1, Amdt. 1; Eff. date, 14 May 66; Sup. Amdt. No. Orig.; Dated, 5 Mar. 66

Potomac Int	DCA VORTAC	Direct	2000	T–dn	300–1	300–1	200–½
Herndon VORTAC	DCA VORTAC	Direct	2000	C–dn	700–1	700–1	700–1½
Nottingham VORTAC	DCA VORTAC	Direct	3000	S–dn–18°♯	700–1	700–1	700–1
R 196° DCA VOR clockwise R 320°	DCA VOR 10-mile ARC		2500	A–dn	800–2	800–2	800–2
R 022° DCA VOR counterclockwise	R 320° DCA VOR 10-mile ARC		2500				

Radar available.
Procedure turn S side of crs, 320° Outbnd, 140° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 7-mile DME Fix, 2000′; over 5-mile DME Fix, 1440′; over 3-mile DME Fix, 800′ over facility 715′.
Breakoff point to runway 1.1-mile DME Fix, 0.6 mile 130°.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing DCA VORTAC, climb to 1000′ on crs, 140°, make right turn and proceed to Washington RBn at 1500′, climbing to 1800′ in holding pattern 181° Outbnd, 091° Inbnd, 1-minute left turns.
CAUTION: Washington Monument 596′ 1.6 miles N of airport. Antenna 400′, 2.3 miles NW of airport.
*Reduction not authorized.
♯All turbojet aircraft 700–3.
MSA within 25 miles of facility: 270°–090°—2500′; 090°–270°—1700′.

City, Washington, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., LBVORTAC; Ident., DCA; Procedure No. VOR/DME 2, Amdt. 1; Eff. date, 14 May 66; Sup. Amdt. No. Orig.; Dated, 30 Apr. 66

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Atlanta RBn	Red Oak LOM	Direct	2500	T-dn**	300-1	300-1	200-½
Atlanta VOR	Red Oak LOM	Direct	2500	C-dn	500-1	500-1	500-1½
Harrison Int	Red Oak LOM	Direct	3000	S-dn-9R**	200-½	200-½	200-½
Chattahoochee Int	Red Oak LOM (final)	Direct	2500	A-dn	600-2	600-2	600-2
Raymond Int	Red Oak LOM	Direct	2500				

Radar available.
Procedure turn S side of crs, 269° Outbnd, 089° Inbnd, 2500′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2500′.
Altitude of glide slope and distance to approach end of runway at OM, 2500′—5 miles; at MM, 1226′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing LOM climb to 3000′, turn right and proceed direct to ATL VORTAC. Hold S on R 173°.
NOTE: TDZ-9R, CL-9R/27L, VASI-27R, REIL-27R, VASI-27L/27R.
#RVR (2400′). Descent below 1224′ not authorized unless approach lights are visible.
*500-¾ (RVR 4000′) required when glide slope not utilized. Reduction not authorized.
**RVR (2400′) authorized Runway 9R.

City, Atlanta; State, Ga.; Airport name, Atlanta; Elev., 1024′; Fac. Class., ILS; Ident., I-ALR; Procedure No. ILS-9R, Amdt. 4; Eff. date, 14 May 66; Sup. Amdt. No. 3; Dated, 26 Feb. 66

Lawson RBn	LOM	Direct	2200	T-dn	300-1	300-1	200-½
Columbus VOR	LOM	Direct	2200	C-dn	500-1	500-1	500-1½
Marvyn Int	LOM	Direct	2200	S-dn-6*	300-¾	300-¾	300-¾
Geneva Int	LOM	Direct	2200	A-dn	600-2	600-2	600-2
Seale Int	LOM (final)	Direct	2200				

Procedure turn W side of crs, 233° Outbnd, 053° Inbnd, 2200′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2200′.
Altitude of glide slope and distance to approach end of Runway at OM, 2157′—6 miles; at MM, 622′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing LOM, climb to 2200′, proceed to Geneva Int via 045° bearing from CS LOM, or when directed by ATC, climb to 2200′, turn left and return direct to LOM.
NOTE: No approach lights.
*500-¾ required when glide slope inoperative. Reduction not authorized.

City, Columbus; State, Ga.; Airport name, Muscogee County; Elev., 397′; Fac. Class., ILS; Ident., I-CSG; Procedure No. ILS-5, Amdt. 7; Eff. date, 14 May 66; Sup. Amdt. No. 6; Dated, 25 Dec. 65

Pogo Int	LOM	Direct	2000	T-dn	300-1	300-1	200-½
CRP VOR	LOM	Direct	2000	C-dn	#400-1	500-1	500-1½
CRP RBn	LOM	Direct	2000	S-dn-13#	200-½	200-½	200-½
Sinton Int	LOM	Direct	2000	A-dn	600-2	600-2	600-2
Mathis Int	Edroy Int	Direct	1700				
Edroy	LOM (final)	Direct	1400				

Radar available.
Procedure turn W side of crs, 307° Outbnd, 127° Inbnd, 2000′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1400′.
Altitude of glide slope and distance to approach end of runway at LOM, 1370′—4.8 miles; at LMM, 344′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing LOM, proceed to Pogo Int via ILS SE CRS and CRP VOR, R 182° climbing to 2000′ or, when directed by ATC, turn left, proceed direct to CRP VOR climbing to 2000′.
*500-¾ required if glide slope not utilized.
#500-1 required if glide slope not utilized.

City, Corpus Christi; State, Tex.; Airport name, Corpus Christi International; Elev., 43′; Fac. Class., ILS; Ident., I-CRP; Procedure No. ILS-13, Amdt. 11; Eff. date, 14 May 66; Sup. Amdt. No. 10; Dated, 3 July 65

Castleton Int	River Int (final)	Direct	2500	T-dn	300-1	300-1	200-½
IND VOR	River Int	Direct	2800	C-dn	400-1	500-1	500-1½
Quincy Int	River Int	Direct	2800	S-dn-22#	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn N side of NE crs, 044° Outbnd, 224° Inbnd, 2800′ within 10 miles of River Int.
Minimum altitude over River Int Inbnd, 2500′.
Crs and distance, River Int to airport, 224°—5.6 miles.
No glide slope, outer marker, or middle marker.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing River Int, climb to 3000′ on the SW crs ILS and proceed to Banta Int via the SW crs, ILS and IND VOR, R 169° or, when directed by ATC, climb to 3000′ on SW crs ILS and proceed direct to Quincy Int, make right-climbing turn to 2500′ and proceed direct to IND VOR.
NOTE: This ILS procedure not authorized when radar is inoperative unless aircraft is equipped to receive VOR and ILS simultaneously.
Other change: Deletes transitions IND RBn—River Int, NE crs ILS and R 005° SHB VOR—Castleton Int.
#400-½ authorized with SALS, 400-¾ authorized with HIRL, except for 4-engine turbojets.

City, Indianapolis; State, Ind.; Airport name, Indianapolis Municipal (Weir Cook); Elev., 797′; Fac. Class., ILS; Ident., I-IND; Procedure No. ILS-22 (back crs), Amdt. 7; Eff. date, 14 May 66; Sup. Amdt. No. 6; Dated, 26 Dec. 64

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Macon VOR	LOM	Direct	1600	T-dn	300-1	300-1	200-½
Powersville Int	LOM (final)	Direct	1600	C-dn	500-1	500-1	500-1½
				S-dn-6*	200-½	200-½	200-½
				A-dn	600-2	600-2	600-2

Radar available.
Procedure turn S side SW crs, 227° Outbnd, 047° Inbnd, 1600′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1600′.
Altitude of glide slope and distance to approach end of runway at OM, 1490—3.8 miles; at MM, 540′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, climb to 2200′ on crs, 047° within 15 miles of LOM or, when directed by ATC, turn left, climbing to 2000′ direct to LOM.
CAUTION: 1209′ tower, 5.5 miles NE of airport on missed approach crs.
*500-¾ required when glide slope not utilized. Reduction not authorized.

City, Macon; State, Ga.; Airport name, Macon Municipal; Elev., 354′; Fac. Class., ILS; Ident., I-MCN; Procedure No. ILS-5, Amdt. 11; Eff. date, 14 May 66; Sup. Amdt. No.10; Dated, 27 Nov. 65

Clifton Int	AVN RBn	Direct	2700	T-dn	300-1	300-1	200-½
Rochester VOR	AVN RBn	Direct	2700	C-dn	600-1	600-1	600-1½
Geneseo VOR	AVN RBn	Direct	2700	S-dn-4*	300-¾	300-¾	300-¾
Linwood Int	AVN RBn (final)	Direct	2700	A-dn	800-2	800-2	800-2
Fishers Int	AVN RBn	Direct	2700				

Radar available.
Procedure turn SE side of crs, 220° Outbnd, 040° Inbnd, 2700′ within 10 miles of AVN RBn.
Crs and distance, AVN RBn to airport, 040°—7 miles.
Minimum altitude at glide slope interception Inbnd 2700′.
Altitude of glide slope and distance to approach end of runway at OM, 1660′—4.1 miles; at MM, 705′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7 miles after passing AVN RBn or 4.1 miles after passing OM, make left-climbing turn to 3000′, intercept R 298° of Rochester VOR, proceed to Spencerport Int. Hold W, 1-minute, left turns, 118° Inbnd or, when directed by ATC, climb to 3000′ on 040° crs, make right turn, proceed direct to RO LOM, hold E, 1-minute, right turns, 277° Inbnd.
AIR CARRIER NOTE: Takeoff on Runway 12 and landing on Runway 30 not authorized.
CAUTION: Tower 946′, 2.5 miles SW of airport.
*600-1 required when glide slope not utilized. Reduction not authorized.

City, Rochester; State, N.Y.; Airport name, Rochester Monroe County; Elev., 560′; Fac. Class., ILS; Ident., I-MCU; Procedure No. ILS-4, Amdt. Orig.; Eff. date, 14 May 66

Stonewall Int	LOM (final)	Direct	1600	T-dn*	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-1R*	200-½	200-½	200-½
				A-dn	600-2	600-2	600-2

Radar available.
Procedure turn W side of crs, 186° Outbnd, 006° Inbnd, 1600′ within 10 miles. Procedure turn must be authorized by ATC.
Minimum altitude at glide slope interception Inbnd, 1600′.
Altitude of glide slope and distance to approach end of runway at OM, 1597′—4.6 miles; at MM, 515′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing LOM, proceed direct to Poolesville RBn. Hold N 186° bearing Inbnd, 2800′, 1-minute right turns.
*RVR 2000′ authorized for 4-engine turbojet; RVR 1800′, authorized all other aircraft Runway 1R. Descent below 513′ not authorized unless ALS visible.

City, Washington, D.C.; Airport name, Dulles International; Elev., 313′; Fac. Class., ILS; Ident., I-DIA; Procedure No. ILS-1R, Amdt. 3; Eff. date, 14 May 66; Sup. Amdt. No. 2; Dated, 11 May 63

Boyds Int	Poolesville	RBn (final)	Direct	2300	T-dn*	300-1	300-1	200-½
Frederick VOR	Poolesville	RBn	Direct	2800	C-dn	500-1	500-1	500-1¼
Sugar Loaf Int	Poolesville	RBn	Direct	2800	S-dn-19R*	200-½	200-½	200-½
					A-dn	600-2	600-2	600-2

Radar available.
Procedure turn W side of crs, 006° Outbnd, 186° Inbnd, 2900′ within 10 miles of PLV RBn.
Minimum altitude at glide slope interception Inbnd, 2300′.
Altitude of glide slope and distance to approach end of runway at Poolesville RBn, 2297′—7.3 miles; at OM, 1282′—3.6 miles; at MM, 462′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.3 miles after passing PLV RBn or 3.6 miles after passing OM, make right turn to intercept HRN, R 227°, climb to 4000′, proceed to Blue Ridge Int via V-39 and V-144, hold W on Blue Ridge Int, LDN R 110°, 4000′, 1-minute left turns.
*RVR 2000′ authorized for 4-engine turbojet; RVR 1800′ authorized all other aircraft Runway 19R. Descent below 513′ not authorized unless ALS visible.

City, Washington, D.C.; Airport name, Dulles International; Elev., 313′; Fac. Class., ILS; Ident., I-DLX; Procedure No. ILS-19R, Amdt. 7; Eff. date, 14 May 66; Sup. Amdt. No. 6; Dated, 12 Mar. 66

5. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300–1	300–1	200–½
				C-dn	700–1	700–1	700–1½
				S-dn-24R	700–1	700–1	700–1
				A-dn	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn S of airport and climb to 2400'. Proceed direct to FI LFR, then on E crs (060°) to Chena Int.

CAUTION: All maneuvering S of airport—1060' terrain, 1.6 miles N of airport.

NOTE: Authorized for military use only except by prior arrangement.

Other change: Deletes radar terminal area maneuvering sectors and altitudes.

City, Fairbanks; State, Alaska; Airport name, Wainwright A.F.; Elev., 448'; Fac. Class., and Ident., Fairbanks RAPCON; Procedure No. 1, Amdt. 1; Eff. date, 14 May 66; Sup. Amdt. No. Orig.; Dated, 28 Apr 62

					Surveillance approach		
0°	360°	Within:	1600				
Within IL8 procedure turn area 300°	180°	7 miles	1600	T-dn	300–1	300–1	200–½
180°	300°	7–25 miles	2100	C-dn	500–1	500–1	500–1½
180°	300°	7–15 miles	2100	S-dn–5, 23, 13*#	500–1	500–1	500–1
		15–25 miles	2700	A-dn	800–2	800–2	800–2

All bearings and distances are from radar site on Robins Air Force Base with sector azimuths progressing clockwise.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 5: Climb to 2200' on R 055° of MCN VOR within 20 miles. Runway 23: Climb to 2000' on R 227° of MCN VOR within 20 miles. Runway 13: Turn right,

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T–d	800–1	800–1	800–1
				C–d	800–1	800–1½	800–1½
				A–dn	NA	NA	NA

Procedure turn E side of crs. 150° Outbnd, 330° Inbnd, 1500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 330°—4.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing LCH VOR, climb to 1500′ on the LCH VOR, R 330° within 20 miles.
NOTES: (1) Weather service not available. (2) This procedure authorized for daylight hours only. (3) Air carrier use not authorized. (4) Pilots using this procedure requested to close IFR flight plan immediately upon completion of approach with Lake Charles approach control via radio or by commercial facilities after landing.
MSA within 25 miles of facility: 000°–360°—1500′.

City, Lake Charles; State, La.; Airport name, East Lake Charles; Elev., 19′; Fac. Class., H–BVORTAC; Ident., LCH; Procedure No. 1, Amdt. Orig.; Eff. date, 21 May 66

				T–dn	800–1	800–1	800–1½
				C–dn	600–1	600–1	600–1¼
				S–dn–12	600–1	600–1	600–1
				A–dn	800–2	800–2	800–2
				DME minimums—DME* equipment required:			
				C–dn*	500–1	500–1	500–1½
				S–dn–12*	500–1	500–1	500–1

Radar available.
Procedure turn S side crs, 278° Outbnd, 098° Inbnd, 3000′ within 10 miles.
Minimum altitude over facility on final approach crs, 3000′; over 6-mile DME Fix, R 098°—1884′.
Crs and distance, facility to airport, 098°—8 miles; 6-mile DME Fix to airport, 098°—2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8 miles after passing OKC VOR, climb to 2900′ on R 098° within 20 miles.
NOTE: When authorized by ATC, DME may be used to orbit W of the R 171° and R 028° at 10 miles from the VOR at 3000′ for a final approach with the elimination of a procedure turn.
MSA within 25 miles of facility: 000°–090°—3800′; 090°–180°—2900′; 180°–270°—3000′; 270°–360°—2700′.

City, Oklahoma City; State, Okla.; Airport name, Will Rogers World; Elev., 1284′; Fac. Class., H–BVORTAC; Ident., OKC; Procedure No. 1, Amdt. 11; Eff. date, 21 May 66 Sup. Amdt. No. 10; Dated, 26 Mar. 66

				T–dn	800–1	800–1	800–1½
				C–dn	800–1	800–1½	800–1½
				C–n	800–2	800–2	800–2
				A–dn	NA	NA	NA
				DME minimums—DME* equipment required:			
				C–dn*	500–1	500–1	500–1½
				S–dn–1*	400–1	400–1	400–1

Procedure turn E side of final approach crs, 178° Outbnd, 358° Inbnd, 3000′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs 2500′; over 5-mile DME Fix, R 358°—2160′.
Crs and distance, facility to airport, 358°—7.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.1 miles after passing FYV VOR, turn right and climb to 3000′ on R 022°, FYV VOR within 20 miles.
NOTE: No weather service at airport.
Other change: Deletes transition. Deletes straight-in minimums without DME.
MSA within 25 miles of facility: 000°–180°—3500′; 180°–000°—3100′.

City, Rogers; State, Ark.; Airport name, Municipal; Elev., 1360′; Fac. Class., BVORTAC; Ident., FYV; Procedure No. 1, Amdt. 1; Eff. date, 21 May 66; Sup. Amdt. No. Orig.; Dated, 11 Apr. 59

Isla Verde Int/10.4-miles DME Fix	6-miles DME/Radar Fix (final)	Direct	600	T–dn	800–1	800–1	800–1½
6-mile DME/Radar Fix	SJU VOR (final)	Direct	600	C–dn	500–1	500–1	500–1½
				A–dn	800–2	800–2	800–2

Radar required.
Procedure turn not authorized.
Minimum altitude over facility on final approach crs, 500′; over 6-mile DME/Radar Fix, 600′; over Isla Verde Int/10.4-mile DME Fix, 1500′.
Crs and distance, 6-mile DME/Radar Fix, to airport, 274°, 6 miles; Isla Verde Int/DME Fix, 274°—10.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, turn right, climb to 2000′ on R 359° within 20 miles or, when directed by ATC, turn right, climb to 1500′ on R 004° within 20 miles of SJU VOR.
NOTE: When authorized by ATC, DME may be used within 6–11 miles clockwise, R 304° to R 094°, at 1500′ to position aircraft for straight-in approach.
MSA within 25 miles of facility: 000°–090°—1200′; 090°–180°—4600′; 180°–270°—5100′; 270°–360°—1800′.

City, San Juan; State, P.R.; Airport name, Puerto Rico, International; Elev., 9′; Fac. Class., BVORTAC; Ident., SJU; Procedure No. 1, Amdt. 9; Eff. date, 14 May 66; Sup. Amdt. No. 8; Dated 16 Oct. 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Airways	SBV VORTAC			T–d	300–1	300–1	NA
				C–d	900–1	900–1	NA
				S–d	NA	NA	NA
				A–d	NA	NA	NA

Procedure turn S side of crs, 260° Outbnd, 080° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′.
Crs and distance, facility to airport, 080°—8.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.3 miles after passing the VOR, make climbing right turn to 3000′, return to VORTAC. Hold NE on R 031°, 1-minute right turns, 211° Inbnd.
NOTES: (1) Daylight operations only. (2) Obtain Danville, Va., FSS weather and altimeter setting before conducting IFR approach.
MSA within 25 miles of facility: 000°–270°—1900′; 270°–360°—2300′.

City, South Boston; State, Va.; Airport name, William M. Tuck; Elev., —; Fac. Class., L–BVORTAC; Ident., SBV; Procedure No. VOR–1, Amdt. Orig.; Eff. date, 21 May 66

				T–d	300–1	300–1	NA
				C–d	800–1	800–1	NA
				S–d	NA	NA	NA
				A–d	NA	NA	NA

Procedure turn S side of crs, 228° Outbnd, 048° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 048°—8.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.6 miles after passing CCV VOR, make right-climbing turn to 1900′, proceed direct to CCV VOR. Hold SW, right turns, 048° Inbnd.
NOTES: (1) Obtain weather altimeter setting from Norfolk area radio before conducting IFR approach. (2) Hours of operation 8 a.m. to 5 p.m.
MSA within 25 miles of facility: All directions, 1600′.

City, Weirwood; State, Va.; Airport name, Kellam Field; Elev., 15′; Fac. Class., BVORTAC; Ident., CCD; Procedure No. VOR–1, Amdt. Orig.; Eff. date, 21 May 66

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T–dn	300–1	300–1	300–1½
				C–dn	500–1	500–1	500–1½
				S–dn–3*	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2
				If Hope Int received, minimums are:			
				C–dn	400–1	400–1	400–1½
				S–dn–3**	400–1	400–1	400–1

Radar available.#
Procedure turn S side of crs, 237° Outbnd, 057° Inbnd, 1700′ within 10 miles.
Facility on airport.
Minimum altitude over FAY VOR, 700′.
Crs and distance, Hope Int to VOR, 057°—5.1 miles.
Crs and distance, breakoff point to approach end of Runway 3, 035°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of FAY VOR, turn right, climb to 1700′ on R 091° within 15 miles.
#Radar terminal transition altitude, 2500′ within 15-mile radius of Grannis Field. (Raleigh approach control.)
*Reduction below ¾ mile not authorized.
**400–1½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
MSA within 25 miles of facility: 000°–090°—1500′; 090°–180°—1500′; 180°–270°—1500′; 270°–360°—1800′.

City, Fayetteville; State, N.C.; Airport name, Grannis Field; Elev., 190′; Fac. Class., L–BVOR; Ident., FAY; Procedure No. TerVOR–3, Amdt. 4; Eff. date, 21 May 66; Sup. Amdt. No. 3; Dated, 10 Dec. 64

Williams VOR	MYV VOR	Direct	2500	T–dn%	300–1	300–1	300–1½
Grimes Int	MYV VOR	Direct	2500	C–dn	500–1	500–1	500–1½
Yuba Int	MYV VOR	Direct	2500	S–dn–32	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2
				If Plumas Int received, the following minimums apply:			
				C–dn	400–1	400–1	400–1½
				S–dn–32	400–1	400–1	400–1

Radar available.
Procedure turn E side of crs, 135° Outbnd, 315° Inbnd, 1500′ within 10 miles.
Minimum altitude over Plumas Int on final approach crs, 600′.
Facility on airport, crs and distance, Plumas Int to VOR, 315°—4 miles; breakoff point to runway, 319°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing MYV VOR, climb to 2000′ on MYV VOR, R 228° within 15 miles.
%Takeoffs all runways: Westbound to Yuba Int, climb on MYV, R 135° or MYV, R 325° within 10 miles to cross VOR at or above 1500′, then continue climb on MYV R 262°, MCA V23, 3000′ northwestbound. On crs climb authorized direct Chico VOR and direct Grimes Int.
MSA within 25 miles of facility: 000°–090°—4000′; 090°–180°—3700′; 180°–270°—2500′; 270°–360°—3500′.

City, Marysville; State, Calif.; Airport name, Yuba County; Elev., 63′; Fac. Class., T–BVOR; Ident., MYV; Procedure No. VOR–22, Amdt. 2; Eff. date, 21 May 66; Sup. Amdt. No. 1; Dated, 16 Apr. 66

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
SJU RBn	SJU VOR	Direct	1600	T-dn	300–1	300–1	200–½
SJP RBn	SJU VOR	Direct	1600	C-dn	1000–1	1000–1	1000–1¼
				S-dn–7*	1000–1	1000–1	1000–1
				A-dn	1000–2	1000–2	1000–2
				If aircraft equipped with VOR and ADF receivers operating normally and Antenna Int received, the following minimums are authorized:			
				C-dn	500–1	500–1	500–1¼
				S-dn–7*	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 260° Outbnd, 080° Inbnd, 1800′ within 10 miles. Beyond 10 miles, not authorized.
Minimum altitude over facility on final approach crs, 1000′; if Antenna Int or 6-mile Fix identified, 800′.
Facility on airport.
Crs and distance, Antenna Int to airport, 080°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing Antenna Int, turn right and climb to 1500′ on R 095° within 20 miles of SJU VOR.
NOTE: Procedure turn nonstandard due high terrain S and W of area.
‡Reduction of landing visibility below ½ mile not authorized.
*Reduction in landing visibility not authorized.
MSA within 25 miles of facility: 000°–090°—1200′; 090°–180°—4600′; 180°–270°—5100′; 270°–360°—1800′.

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9′; Fac. Class., BVORTAC; Ident., SJU; Procedure No. Ter VOR–7, Amdt. 6; Eff. date, 14 May 66; Sup. Amdt. No. 5; Dated, 16 Oct. 65

SJP–RBn	SJU VOR	Direct	1500	T-dn	300–1	300–1	200–½
SJU RBn	SJU VOR	Direct	1600	C-dn	500–1	500–1	500–1¼
				S-dn–25*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 066° Outbnd, 246° Inbnd, 1100′ within 9 miles.
Minimum altitude over facility on final approach crs, 400′.
Facility on airport, breakoff point to Runway 25, 255°—0.8 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, turn right, climb to 2000′ on R 359° within 20 miles of SJU VOR.
NOTES: (1) Procedure turn distance restricted to 9 miles of VOR due to warning area N of procedure turn area. (2) When authorized by ATC, DME may be used within 8–11 miles clockwise, R 304° to R 095° at 1100′ to position aircraft for straight-in approach with the elimination of procedure turn.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—1200′; 090°–180°—4600′; 180°–270°—5100′; 270°–360°—1800′.

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9′; Fac. Class., BVORTAC; Ident., SJU; Procedure No. TerVOR–25, Amdt. 7; Eff. date, 14 May 66; Sup. Amdt. No. 6; Dated, 16 Oct. 65

4. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
					Surveillance approach		
000°	360°	15–30 miles	5000				
000°	360°	0–15 miles	4000	T-dn	300–1	300–1	200–½
				C-dn	400–1	400–1	500–1¼
				S-dn–8, 26, 17R.‡	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn not authorized.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, (1) climb to 5100′ on runway heading within 10 miles, or (2) start climb to 4600′, turn as directed by ATC and proceed to the LOM or, (3) start climb to 4800′, turn as directed by ATC and proceed to LBB VOR.
*Radar control will provide 1000′ vertical clearance within a 3-mile radius of tower, 4085′—7 miles SSW; tower, 4070′—9 miles SSW; and tower, 4014′—6.5 miles S of airport.
‡400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS. 400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

City, Lubbock; State, Tex.; Airport name, Lubbock Airport; Elev., 3269′; Fac. Class. and Ident., Lubbock Radar; Procedure No. 1, Amdt. Orig; Eff. date, 21 May 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on April 14, 1966.

EDWARD C. HODSON,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–6155; Filed, June 2, 1966; 8:50 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER C—ACCOUNTS, FEDERAL POWER ACT

[Docket No. R–256; Order 322]

PART 101—UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR CLASS A AND CLASS B PUBLIC UTILITIES AND LICENSEES

SUBCHAPTER D—APPROVED FORMS, FEDERAL POWER ACT

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

SUBCHAPTER F—ACCOUNTS, NATURAL GAS ACT

PART 201—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES

SUBCHAPTER G—APPROVED FORMS, NATURAL GAS ACT

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Miscellaneous Amendments

MAY 26, 1966.

On February 11, 1964, the Commission gave notice by publication in the FEDERAL REGISTER (29 F.R. 2512) that it proposed to amend the Commission's Annual Report Forms No. 1 and No. 2, prescribed, respectively, by §§ 141.1 and 260.1 of its regulations, for use by public utilities, licensees and natural gas companies, by the addition of a new schedule entitled "Research and Development Activities." The proposed schedules are designed to obtain information, not readily, reliably or uniformly available from existing sources, concerning the general nature of electric utility and natural gas research and development projects and the accounting related thereto. Such information will materially assist the Commission in its effort to encourage technological developments to improve service and lower costs in the electric utility and natural gas industries by providing consistent and reliable data concerning the character and scope of current research.

Comments were invited from interested persons to be submitted by March 16, 1964. Upon request, the time for filing written views was subsequently extended through April 15, 1964 (29 F.R. 3442). In response to this notice and invitation, the Commission has received comments from or on behalf of the 27 respondents listed in the margin,[1] all of which have been given careful consideration in preparing the text of the regulation herein promulgated. The principal objections to the proposed new schedules were that they would be open to public inspection and would require the disclosure of secret and confidential information, thereby infringing on contractual commitments, aiding competitors, compromising patent rights and ultimately hampering research and development activities. Additionally, there were objections to the cost and burden of supplying the needed data, the low monetary limit set for projects required to be reported, the requirement for identifying the particular accounts charged with research and development expense, and absence of explanation of what the term "significant technological research and development projects" was intended to cover. The necessity of providing the Commission with research and development information was questioned and the possibility of obtaining information from alternative sources was suggested.

This proceeding provides an unusually good example of the purpose to be served by the notice requirements of the Administrative Procedure Act for the comments and suggested changes in the rule proposed have proved to be extremely pertinent and helpful. They have enabled us to revise our proposed reporting schedules in the interest of clarity, definition, and simplification while, at the same time, obtaining a supply of information adequate for our purposes which, as stated in the notice, is to enable the Commission to enhance its ability to stay abreast of developments in the two industries over which it has jurisdiction.

The schedules here prescribed are designed to provide the Commission annually with a description of the character and cost of the principal (i.e., those costing $5,000 or more) electric utility and natural gas research activities. Projects will be classified by system function, such as fossil fuel, steamplant, transmission, pipeline design, storage. Each project will be briefly described by area of research, for example, safety, extra-high voltage transmission, pollution.

We recognize that the furnishing of this information imposes both additional costs and increased personnel burdens upon the reporting companies and have therefore endeavored to minimize that burden by requiring only brief descriptions of research projects. This does not mean, however, that the descriptions may be so general as to be meaningless. There is widespread interest these days concerning the adequacy of research into such matters as high-strength steel pipe for use in pipelines, gasification of coal, handling of liquefied natural gas, fuel cells, AC–DC conversion, appearance of transmission facilities, and new technologies of both underground and high-voltage transmission of electric energy. Wherever possible, therefore, projects relating to such specific matters should be so identified.

We shall not attempt to discuss all the suggestions for revising the text of the instructions in the schedules. Suffice it to say that those adopted were for the purpose of removing the misapprehensions of many respondents as to the extent of the detail required.

Other points raised, however, require more specific mention. Several respondents argued that the accounting detail required in the schedules as proposed would be exceedingly burdensome. We agree and are requiring only that such data be summarized with an indication as to whether the amounts expended (estimated, if necessary) were charged to plant or expensed.

Many respondents argued that such information should for various reasons be kept confidential, particularly with respect to the disclosure of business and trade secrets and the names of persons or other entities participating with the reporting company in a research project. There is some merit in these comments and we will not require the reporting of such names unless they be affiliated with the reporting company. We are not requiring the disclosure of trade secrets, for we believe that projects can be described sufficiently for our purpose in terms designed to protect any secrecy the company deems necessary.

Illustrative of the current interest in the adequacy of research was the establishment of the Electric Research Council whose objectives are to stimulate more fully coordinated intensive research efforts in all segments of the electric power generating and distribution organizations in the country—investor-owned, State and local public, cooperative, and Federal. Because the council was organized about a year following the initiation of this proceeding, the schedule originally proposed made no provisions for reporting expenditures made in its support. We trust and anticipate that its work will have full participating support from the industry. Such support should have public recognition and with that purpose in mind

[1] American Electric Power Service Corp., Baltimore Gas and Electric Co., Columbia Gas System Service Corp., Commonwealth Edison Co., Bureau of Census (Department of Commerce), Edison Electric Institute, El Paso Natural Gas Co., Hope Natural Gas Co., Kansas-Nebraska Natural Gas Co., Inc., Lake Shore Pipe Line Co., National Science Foundation, Natural Gas Pipeline Co. of America, New England Electric System, New York State Natural Gas Corp., Northern Natural Gas Co., Panhandle Eastern Pipe Line Co., Pennsylvania Public Utility Commission, Portland General Electric Co., Public Service Electric and Gas Co., Southern Union Gas Co., Tennessee Gas Transmission Co., Texas Eastern Transmission Corp., Texas Gas Transmission Corp., Transcontinental Gas Pipe Line Corp., Trunkline Gas Co., Virginia Electric and Power Co., Washington Gas Light Co.

we have revised paragraph 2.B. of instructions in the electric schedule (attachment A)[1] to provide therefor.

Finally, in response to many of the comments, we are amending the uniform system of accounts by adding a definition of the term "Research and Development."

The Commission believes that the modifications incorporated in the proposed regulations meet the principal objections to the original proposal while at the same time enabling the Commission to obtain research and development information adequate for its minimum needs. Acting pursuant to the Federal Reports Act (5 U.S.C. 139), the Bureau of the Budget has approved the collection of the information in the form herein prescribed.

Under the regulations here adopted, the schedules will be initially effective for the reporting year 1966 instead of 1963, as originally proposed.

The Commission further finds:

(1) The addition to Annual Report Forms Nos. 1 and 2 of new schedules on research and development activities will provide important assistance to the Commission in carrying out its obligations under the Federal Power and Natural Gas Acts by assuring that the Commission will have adequate, current, and readily comparable information concerning research and development activities within the industries over which the Commission exercises regulatory responsibilities.

(2) In view of the foregoing, and upon consideration of all relevant matters presented, these amendments are necessary and appropriate for the purposes of the Federal Power and Natural Gas Acts.

(3) The definition of "research and development" here being added to the Uniform System of Accounts (18 CFR Parts 101 and 201) is responsive to most of the comments submitted. It simplifies rather than increases the reporting burden and is one with which the companies are, we believe, familiar. Further notice thereof prior to adoption, as provided in section 4 of the Administrative Procedure Act, is therefore unnecessary.

The Commission, acting pursuant to the Federal Power Act, as amended, particularly sections 304, 309, and 311 thereof (49 Stat. 855, 858, 859; 116 U.S.C. 825c, 825h, 825j) and the Natural Gas Act, as amended, particularly sections 10 and 16 thereof (52 Stat. 826, 830; 15 U.S.C. 717i, 717o), orders:

(A) Effective for the reporting year 1966, Annual Report FPC Form No. 1 and FPC Form No. 2, prescribed for Class A and B electric utilities, licensees, and natural gas companies by § 141.1, Subchapter D, and § 260.1, Subchapter G, respectively, of Chapter I, Title 18 of the Code of Federal Regulations, are amended by adding a new schedule to each entitled "Research and Development Activities" as set out in Attachments A and B, hereto.[1]

(B) Paragraph (d) of the said § 141.1 and paragraph (c) of the said § 260.1 are amended by inserting "Research and Development Activities" immediately before "Attestation" in the list of schedules.

(C) The section, Definitions, in Part 101, "Uniform System of Accounts Prescribed for Public Utilities and Licensees Subject to the Provisions of the Federal Power Act," Subchapter C, of said Title 18, is amended by renumbering the existing definition 27 as 27.A. and inserting, to follow such renumbered definition, the following:

27. * * *

B. "Research and development" means expenditures incurred by public utilities and licensees which represent research and development costs in the experimental or laboratory sense. Unless otherwise prescribed by the Commission, the definition of the term "research and experimental expenditures" contained in Internal Revenue Service Regulations, § 1.174–2 or superseding revisions thereof, shall be the controlling definition for the purposes of this uniform system of accounts and the related annual report forms prescribed by the Commission. Terms in the general definition of the Internal Revenue Service regulations have been modified for this system of accounts. The term includes generally all such costs incident to the development of an experimental or pilot model, a plant process, a product, a formula, an invention, or similar property, and the improvement of already existing property of the type mentioned. The term does not include expenditures such as those for the ordinary testing or inspection of materials or products for quality control or those for efficiency surveys, management studies, consumer surveys, advertising, or promotions. However, the term includes the costs of obtaining a patent, such as attorney's fees expended in making and perfecting a patent application. On the other hand, the term does not include the costs of acquiring another's patent, model, production or process, nor does it include expenditures paid or incurred for research in connection with literary, historical, or similar projects.

Research and development expenditures include, in addition to the costs incurred by the public utilities and licensees for research or experimentation undertaken directly by them, expenses paid or incurred for research or experimentation carried on in their behalf by another person or organization (such as a research institute, foundation, engineering company, or similar contractor). However, any expenditures for research or experimentation carried on in behalf of public utilities and licensees by another person are not research and development expenses to the extent that they represent expenditures for the acquisition or improvement of land or depreciable property, used in connection with the research or experimentation, to which the public utilities and licensees acquire rights of ownership.

(D) The section, Definitions, in Part 201, "Uniform System of Accounts Prescribed for Natural Gas Companies Subject to the Provisions of the Natural Gas Act," Subchapter F of said Title 18, is amended by renumbering the existing definition 24 as 24.A. and inserting, to follow such renumbered definition, the following:

24. * * *

B. "Research and development" means expenditures incurred by natural gas companies which represent research and development costs in the experimental or laboratory sense. Unless otherwise prescribed by the Commission, the definition of the term "research and experimental expenditures" contained in Internal Revenue Service Regulations, § 1.174–2 or superseding revisions thereof, shall be the controlling definition for the purposes of this uniform system of accounts and the related annual report forms prescribed by the Commission. terms in the general definition of the Internal Revenue Service regulations have been modified for this system of accounts. The term includes generally all such costs incident to the development of an experimental or pilot model, a plant process, a product, a formula, an invention, or similar property, and the improvement of already existing property of the type mentioned. The term does not include expenditures such as those for the ordinary testing or inspection of materials or products for quality control or those for efficiency surveys, management studies, consumer surveys, advertising, or promotions. However, the term includes the costs of obtaining a patent, such as attorney's fees expended in making and perfecting a patent application. On the other hand, the term does not include the costs of acquiring another's patent, model, production or process, nor does it include expenditures paid or incurred for research in connection with literary, historical, or similar projects.

Research and development expenditures include, in addition to the costs incurred by the natural gas companies for research or experimentation undertaken directly by them, expenses paid or incurred for research or experimentation carried on in their behalf by another person or organization (such as a research institute, foundation, engineering company, or similar contractor). However, any expenditures for research or experimentation carried on in behalf of natural gas companies by another person are not research and development expenses to the extent that they represent expenditures for the acquisition or improvement of land or depreciable property, used in connection with the research or experimentation, to which the natural gas companies acquire rights of ownership.

(E) The amendments herein prescribed shall be effective July 1, 1966.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

[F.R. Doc. 66–6075; Filed, June 2, 1966; 8:45 a.m.]

[1] Attachments A and B filed as part of original document.

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS

[Dept. Circular 176 (Rev.); 14th Amdt.]

PART 202—DEPOSIT OF PUBLIC MONEYS AND PAYMENT OF GOVERNMENT CHECKS

Acceptable Securities

Part 202, Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States (appearing also as Treasury Department Circular No. 176 (Revised), 11 F.R. 102, January 3, 1946, as amended) is hereby further amended by revising paragraph (i) of § 202.20 to read as follows:

§ 202.20 Collateral security for deposits.

* * * * * *

(i) **Participation Certificates issued by the Federal National Mortgage Association, at face value.**

* * * * * *

(Sec. 10, 56 Stat. 356, as amended; 12 U.S.C. 265)

Dated: May 27, 1966.

[SEAL] JOHN K. CARLOCK, *Fiscal Assistant Secretary.*

[F.R. Doc. 66–6067; Filed, June 2, 1966; 8:45 a.m.]

[Dept. Circular 92 (Rev.); 13th Amdt.]

PART 203—SPECIAL DEPOSITS OF PUBLIC MONEYS UNDER ACT OF CONGRESS APPROVED SEPTEMBER 24, 1917, AS AMENDED

Acceptable Securities

Part 203, Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States (appearing also as Treasury Department Circular No. 92 (Revised), 14 F.R. 7058, November 23, 1949, as amended) is hereby further amended by revising paragraph (o) of § 203.7 to read as follows:

§ 203.7 Special Depositaries must pledge collateral security before receiving deposits; acceptable securities.

* * * * * *

(o) *Participation Certificates issued by the Federal National Mortgage Association.* Participation Certificates issued by the Federal National Mortgage Association: At face value.

* * * * * *

(Sec. 8, 40 Stat. 291, as amended; 31 U.S.C. 771)

Dated: May 27, 1966.

[SEAL] JOHN K. CARLOCK, *Fiscal Assistant Secretary.*

[F.R. Doc. 66–6068; Filed, June 2, 1966; 8:45 a.m.]

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

Importation of and Dealings in Certain Merchandise

Section 500.204, Appendix, item (213) is being amended to add "paintings and scrolls" to the list contained therein of certain Chinese type articles the importation of which from Japan is authorized without a license under certain conditions.

Section 500.204, Appendix, item (213) is hereby amended by the addition to the list of articles contained therein of "paintings and scrolls." As amended item (213) reads as follows:

(213) *Certain Chinese type articles from Japan.* The following Chinese type articles subject to § 500.204(a)(2)(ii), not including antiques, originating in and imported directly from Japan are hereby authorized to be imported without a certificate of origin or a specific license, provided there has been no interest therein of a designated national:
Bronze, silver, and other metal articles.
Ceramics.
Coral articles.
Ivory articles.
Jade and other semiprecious stone manufactures (jewelry, figurines, bowls, etc.).
Paintings and scrolls.

[SEAL] MARGARET W. SCHWARTZ, *Director, Office of Foreign Assets Control.*

[F.R. Doc. 66–6069; Filed, June 2, 1966; 8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

PART 251—LAND USES

Administration and Use of National Forest Wilderness and National Forest Primitive Areas

In Part 251 of Title 36, Code of Federal Regulations, §§ 251.20, 251.21, and 251.21a are hereby revoked; and §§ 251.70 to 251.84 and 251.86 are added, under the heading "Administration and Use of National Forest Wilderness and National Forest Primitive Areas," as follows:

ADMINISTRATION AND USE OF NATIONAL FOREST WILDERNESS AND NATIONAL FOREST PRIMITIVE AREAS

§ 251.70 Definition.

National Forest Wilderness shall consist of those units of the National Wilderness Preservation System which at least 30 days before the Wilderness Act of September 3, 1964, were designated as Wilderness and Wild under Secretary of Agriculture's Regulations U–1 and U–2 (§§ 251.20, 251.21), the Boundary Waters Canoe Area as designated under Regulation U–3 (§ 251.22), and such other areas of the National Forests as may later be added to the System by act of Congress. Sections 251.70 to 251.84 apply to all National Forest units now or hereafter in the National Wilderness Preservation System, including the Boundary Waters Canoe Area, Superior National Forest, except as that area is subject to § 251.85.

§ 251.71 Objectives.

Except as otherwise provided in the regulations in this part, National Forest Wilderness shall be so administered as to meet the public purposes of recreational, scenic, scientific, educational, conservation, and historical uses; and it shall also be administered for such other purposes for which it may have been established in such a manner as to preserve and protect its wilderness character. In carrying out such purposes, National Forest Wilderness resources shall be managed to promote, perpetuate, and, where necessary, restore the wilderness character of the land and its specific values of solitude, physical and mental challenge, scientific study, inspiration, and primitive recreation. To that end:

(a) Natural ecological succession will be allowed to operate freely to the extent feasible.

(b) Wilderness will be made available for human use to the optimum extent consistent with the maintenance of primitive conditions.

(c) In resolving conflicts in resource use, wilderness values will be dominant to the extent not limited by the Wilderness Act, subsequent establishing legislation, or the regulations in this part.

§ 251.72 Control of uses.

To the extent not limited by the Wilderness Act, subsequent legislation establishing a particular unit, or the regulations in this part, the Chief, Forest Service, may prescribe measures necessary to control fire, insects, and disease and measures which may be used in emergencies involving the health and safety of persons or damage to property and may require permits for, or otherwise limit or regulate, any use of National Forest land, including, but not limited to, camping, campfires, and grazing of recreation livestock.

§ 251.73 Maintenance of records.

The Chief, Forest Service, in accordance with section 3(a)(2) of the Wilderness Act, shall establish uniform procedures and standards for the maintenance and availability to the public of records pertaining to National Forest Wilderness, including maps and legal descriptions; copies of regulations governing Wilderness; and copies of public notices and reports submitted to Congress regarding pending additions, eliminations, or modifications. Copies of such information pertaining to National Forest Wilderness within their respective jurisdictions shall be available to the public in the appropriate offices of the Regional Foresters, Forest Supervisors, and Forest Rangers.

§ 251.74 Establishment, modification, or elimination.

National Forest Wilderness will be established, modified, or eliminated in

accordance with the provisions of sections 3 (b), (d), and (e) of the Wilderness Act. The Chief, Forest Service, shall arrange for issuing public notices, appointing hearing officers, holding public hearings, and notifying the Governors of the States concerned and the governing board of each county in which the lands involved are located.

(a) At least 30 days' public notice shall be given of the proposed action and intent to hold a public hearing. Public notice shall include publication in the FEDERAL REGISTER and in a newspaper of general circulation in the vicinity of the land involved.

(b) Public hearings shall be held at locations convenient to the area affected. If the land involved is in more than one State, at least one hearing shall be held in each State in which a portion of the land lies.

(c) A record of the public hearing and the views submitted subsequent to public notice and prior to the close of the public hearing shall be included with any recommendations to the President and to the Congress with respect to any such action.

(d) At least 30 days before the date of the public hearing, suitable advice shall be furnished to the Governor of each State and the governing board of each county or, in Alaska, the borough in which the lands are located, and Federal departments and agencies concerned; and such officers or Federal agencies shall be invited to submit their views on the proposed action at the hearing or in writing by not later than 30 days following the date of the hearing. Any views submitted in response to such advice with respect to any proposed Wilderness action shall be included with any recommendations to the President and to the Congress with respect to any such action.

§ 251.75 Commercial enterprises, roads, motor vehicles, motorized equipment, motorboats, aircraft, aircraft landing facilities, airdrops, structures, and cutting of trees.

Except as provided in the Wilderness Act, subsequent legislation establishing a particular Wilderness unit, or §§ 251.27, 251.28, and 251.30, paragraphs (c) and (d) of this section, and §§ 251.76, 251.77, and 251.81 through 251.85, inclusive, and subject to existing rights, there shall be in National Forest Wilderness no commercial enterprises; no temporary or permanent roads; no aircraft landing strips; no heliports or helispots; no use of motor vehicles, motorized equipment, motorboats, or other forms of mechanical transport; no landing of aircraft; no dropping of materials, supplies, or persons from aircraft; no structures or installations; and no cutting of trees for nonwilderness purposes.

(a) "Mechanical transport," as herein used, shall include any contrivance which travels over ground, snow, or water on wheels, tracks, skids, or by floatation and is propelled by a nonliving power source contained or carried on or within the device.

(b) "Motorized equipment," as herein used, shall include any machine activated by a nonliving power source, except that small battery-powered, hand-carried devices such as flashlights, shavers, and Geiger counters are not classed as motorized equipment.

(c) The Chief, Forest Service, may authorize occupancy and use of National Forest land by officers, employees, agencies, or agents of the Federal, State, and county governments to carry out the purposes of the Wilderness Act and will prescribe conditions under which motorized equipment, mechanical transport, aircraft, aircraft landing strips, heliports, helispots, installations, or structures may be used, transported, or installed by the Forest Service and its agents and by other Federal, State, or county agencies or their agents, to meet the minimum requirements for authorized activities to protect and administer the Wilderness and its resources. The Chief may also prescribe the conditions under which such equipment, transport, aircraft, installations, or structures may be used in emergencies involving the health and safety of persons, damage to property, or other purposes.

(d) The Chief, Forest Service, may permit, subject to such restrictions as he deems desirable, the landing of aircraft and the use of motorboats at places within any Wilderness where these uses were established prior to the date the Wilderness was designated by Congress as a unit of the National Wilderness Preservation System. The Chief may also permit the maintenance of aircraft landing strips, heliports, or helispots which existed when the Wilderness was designated by Congress as a unit of the National Wilderness Preservation System.

§ 251.76 Grazing of livestock.

(a) The grazing of livestock, where such use was established before the date of legislation which includes an area in the National Wilderness Preservation System, shall be permitted to continue under the general regulations covering grazing of livestock on the National Forests and in accordance with special provisions covering grazing use in units of National Forest Wilderness which the Chief of the Forest Service may prescribe for general application in such units or may arrange to have prescribed for individual units.

(b) The Chief, Forest Service, may permit, subject to such conditions as he deems necessary, the maintenance, reconstruction, or relocation of those livestock management improvements and structures which existed within a Wilderness when it was incorporated into the National Wilderness Preservation System. Additional improvements or structures may be built when necessary to protect wilderness values.

§ 251.77 Permanent structures and commercial services.

Motels, summer homes, stores, resorts, organization camps, hunting and fishing lodges, electronic installations, and similar structures and uses are prohibited in National Forest Wilderness. The Chief, Forest Service, may permit temporary structures and commercial services within National Forest Wilderness to the extent necessary for realizing the recreational or other wilderness purposes, which may include, but are not limited to, the public services generally offered by packers, outfitters, and guides.

§ 251.78 Poisons and herbicides.

Poisons or herbicides will not be used to control wildlife, fish, insects, or plants within any Wilderness except by or under the direct supervision of the Forest Service or other agency designated by the Chief, Forest Service; however, the personal use of household-type insecticides by visitors to provide for health and sanitation is specifically excepted from this prohibition.

§ 251.79 Jurisdiction over wildlife and fish.

Nothing in the regulations in this part shall be construed as affecting the jurisdiction or responsibility of the several States with respect to wildlife and fish in the National Forests.

§ 251.80 Water rights.

Nothing in the regulations in this part constitutes an expressed or implied claim or denial on the part of the Department of Agriculture as to exemption from State water laws.

§ 251.81 Access to surrounded State and private lands.

States or persons, and their successors in interest, who own land completely surrounded by National Forest Wilderness shall be given such rights as may be necessary to assure adequate access to that land. "Adequate access" is defined as the combination of routes and modes of travel which will, as determined by the Forest Service, cause the least lasting impact on the primitive character of the land and at the same time will serve the reasonable purposes for which the State and private land is held or used. Access by routes or modes of travel not available to the general public under the regulations in this part shall be given by written authorization issued by the Forest Service. The authorization will prescribe the means and the routes of travel to and from the privately owned or State-owned land which constitute adequate access and the conditions reasonably necessary to preserve the National Forest Wilderness.

§ 251.82 Access to valid mining claims or valid occupancies.

Persons with valid mining claims or other valid occupancies wholly within National Forest Wilderness shall be permitted access to such surrounded claims or occupancies by means consistent with the preservation of National Forest Wilderness which have been or are being customarily used with respect to other such claims or occupancies surrounded by National Forest Wilderness. The Forest Service will, when appropriate, issue permits which shall prescribe the routes of travel to and from the surrounded claims or occupancies, the mode of travel, and other conditions reasonably necessary to preserve the National Forest Wilderness.

§ 251.83 Mining, mineral leases, and mineral permits.

Notwithstanding any other provisions of the regulations in this part, the U.S. mining laws and all laws pertaining to mineral leasing shall extend to each National Forest Wilderness for the period specified in the Wilderness Act or subsequent establishing legislation to the same extent they were applicable prior to the date the Wilderness was designated by Congress as a part of the National Wilderness Preservation System.

(a) Whoever hereafter locates a mining claim in National Forest Wilderness shall within 30 days thereafter file a written notice of his Post Office address and the location of that mining claim in the office of the Forest Supervisor or District Ranger having jurisdiction over the National Forest land on which the claim is located.

(b) Holders of unpatented mining claims validly established on any National Forest Wilderness prior to inclusion of such unit in the National Wilderness Preservation System shall be accorded the rights provided by the U.S. mining laws as then applicable to the National Forest land involved. Persons locating mining claims in any unit of National Forest Wilderness on or after the date on which the said unit was included in the National Wilderness Preservation System shall be accorded the rights provided by the U.S. mining laws as applicable to the National Forest land involved and subject to provisions specified in the establishing legislation. All claimants shall comply with reasonable conditions prescribed by the Chief, Forest Service, for the protection of National Forest resources in accordance with the general purposes of maintaining the National Wilderness Preservation System unimpaired for future use and enjoyment as wilderness and so as to provide for the preservation of its wilderness character; and a performance bond may be required.

(1) Prior to commencing operation or development of any mining claim, or to cutting timber thereon, mining claimants shall file written notice in the office of the Forest Supervisor or District Ranger having jurisdiction over the land involved. Unless within 20 days after such notice is given the Forest Service requires the claimant to furnish operating plans or to accept a permit governing such operations, he may commence operation, development, or timber cutting.

(2) No claimant shall construct roads across National Forest Wilderness unless authorized by the Forest Service. Application to construct a road to a mining claim shall be filed with the Forest Service and shall be accompanied by a plat showing the location of the proposed road and by a description of the type and standard of the road. The Chief, Forest Service, shall, when appropriate, authorize construction of the road as proposed or shall require such changes in location and type and standard of construction as are necessary to safeguard the National Forest resources, including wilderness values, consistent with the use of the land for mineral location, exploration, development, drilling, and production and for transmission lines, waterlines, telephone lines, and processing operations, including, where essential, the use of mechanical transport, aircraft or motorized equipment.

(3) Claimants shall cut timber on mining claims within National Forest Wilderness only for the actual development of the claim or uses reasonably incident thereto. Any severance or removal of timber, other than severance or removal to provide clearance, shall be in accordance with sound principles of forest management and in such a manner as to minimize the adverse effect on the wilderness character of the land.

(4) All claimants shall, in developing and operating their mining claims, take those reasonable measures, including settling ponds, necessary for the disposal of tailings, dumpage, and other deleterious materials or substances to prevent obstruction, pollution, excessive siltation, or deterioration of the land, streams, ponds, lakes, or springs, as may be directed by the Forest Service.

(5) On mining claims validly established prior to inclusion of the land within the National Wilderness Preservation System, claimants shall, as directed by the Forest Service and if application for patent is not pending, take all reasonable measures to remove any improvements no longer needed for mining purposes and which were installed after the land was designated by Congress as Wilderness and, by appropriate treatment, restore, as nearly as practicable, the original contour of the surface of the land which was disturbed subsequent to the date this section is adopted and which is no longer needed in performing location, exploration, drilling, and production and promote its revegetation by natural means. On such part of the claim where restoration to approximately the original contour is not feasible, restoration for such part shall provide a combination of bank slopes and contour gradient conducive to soil stabilization and revegetation by natural means.

(6) On claims validly established after the date the land was included within the National Wilderness Preservation System, claimants shall, as directed by the Forest Service, take all reasonable measures to remove improvements no longer needed for mining purposes and, by appropriate treatment, restore, as near as practicable, the original contour of the surface of the land which was disturbed and which is no longer needed in performing location and exploration, drilling and production, and to revegetate and to otherwise prevent or control accelerated soil erosion.

(c) The title to timber on patented claims validly established after the land was included within the National Wilderness Preservation System remains in the United States, subject to a right to cut and use timber for mining purposes. So much of the mature timber may be cut and used as is needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available. The cutting shall comply with the requirements for sound principles of forest management as defined by the National Forest rules and regulations and set forth in stipulations issued by the Chief, Forest Service, which as a minimum incorporate the following basic principles of forest management:

(1) Harvesting operations shall be so conducted as to minimize soil movement and damage from water runoff; and

(2) Slash shall be disposed of and other precautions shall be taken to minimize damage from forest insects, disease, and fire.

(d) Mineral leases, permits, and licenses covering lands within National Forest Wilderness will contain reasonable stipulations for the protection of the wilderness character of the land consistent with the use of the land for purposes for which they are leased, permitted, or licensed. The Chief, Forest Service, shall specify the conditions to be included in such stipulations.

(e) Permits shall not be issued for the removal of mineral materials commonly known as "common varieties" under the Materials Act of July 31, 1947, as amended and supplemented (30 U.S.C. 601–604).

§ 251.84 Prospecting for minerals and other resources.

The Chief, Forest Service, shall allow any activity, including prospecting, for the purpose of gathering information about minerals or other resources in National Forest Wilderness except that any such activity for gathering information shall be carried on in a manner compatible with the preservation of the wilderness environment, and except, further, that:

(a) No person shall have any right or interest in or to any mineral deposits which may be discovered through prospecting or other information-gathering activity after the legal date on which the United States mining laws and laws pertaining to mineral leasing cease to apply to the specific Wilderness, nor shall any person after such date have any preference in applying for a mineral lease, license, or permit.

(b) No overland motor vehicle or other form of mechanical overland transport may be used in connection with prospecting for minerals or any activity for the purpose of gathering information about minerals or other resources except as authorized by the Chief, Forest Service.

(c) Any person desiring to use motorized equipment, to land aircraft, or to make substantial excavations for mineral prospecting or for other purposes shall apply in writing to the office of the Forest Supervisor or District Ranger having jurisdiction over the land involved. Excavations shall be considered "substantial" which singularly or collectively exceed 200 cubic feet within any area which can be bounded by a rectangle containing 20 surface acres. Such use or excavation may be authorized by

a permit issued by the Forest Service. Such permits may provide for the protection of National Forest resources, including wilderness values, protection of the public, and restoration of disturbed areas, including the posting of performance bonds.

(d) Prospecting for water resources and the establishment of new reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest and the subsequent maintenance of such facilities, all pursuant to section 4(d)(4)(1) of the Wilderness Act, will be permitted when and as authorized by the President.

§ 251.86 National Forest Primitive Areas.

(a) Within those areas of National Forests classified as "Primitive" on the effective date of the Wilderness Act, September 3, 1964, there shall be no roads or other provision for motorized transportation, no commercial timber cutting, and no occupancy under special-use permit for hotels, stores, resorts, summer homes, organization camps, hunting and fishing lodges, or similar uses: *Provided*, That existing roads over National Forest lands reserved from the public domain and roads necessary for the exercise of a statutory right of ingress and egress may be allowed under appropriate conditions determined by the Chief, Forest Service.

(b) Grazing of domestic livestock, development of water storage projects which do not involve road construction, and improvements necessary for the protection of the National Forests may be permitted, subject to such restrictions as the Chief, Forest Service, deems desirable. Within Primitive Areas, when the use is for other than administrative needs of the Forest Service, use by other Federal agencies when authorized by the Chief, and in emergencies, the landing of aircraft and the use of motorboats are prohibited on National Forest land or water unless such use by aircraft or motorboats has already become well established, the use of motor vehicles is prohibited, and the use of other motorized equipment is prohibited except as authorized by the Chief. These restrictions are not intended as limitations on statutory rights of ingress and egress or of prospecting, locating, and developing mineral resources.

(78 Stat. 890, 16 U.S.C. 1131–1136; 30 Stat. 35, as amended 16 U.S.C. 551; 74 Stat. 215, 16 U.S.C. 528–531)

Done at Washington, D.C., this 31st day of May 1966.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 66-6117; Filed, June 2, 1966; 8:49 a.m.]

PART 261—TRESPASS

Occupancy Trespasses

In Part 261 of Title 36, Code of Federal Regulations, § 261.11, *Occupancy trespasses* is amended by the addition of paragraph (m) to read as follows:

§ 261.11 Occupancy trespasses.

The following acts are prohibited on National Forests or other land under Forest Service control:

* * * * *

(m) The going or being upon a unit of the National Wilderness Preservation System established by the Wilderness Act of September 3, 1964 (16 U.S.C. 1131–1136), without complying with the requirements for registration, camping, grazing of recreation livestock, and other uses of National Forest land. Notice of requirements shall be posted in such locations as will reasonably bring them to the attention of the public and a copy of such requirements shall be kept available to the public in the offices of the Ranger and Supervisor and at registration stations.

(78 Stat. 890, 16 U.S.C. 1131–1136; 30 Stat. 35, as amended 16 U.S.C. 551; 74 Stat. 215, 16 U.S.C. 528–531)

Done at Washington, D.C., this 31st day of May 1966.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 66-6118; Filed, June 2, 1966; 8:49 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 4—Department of Agriculture

PART 4-50—DISPUTES AND APPEALS POLICY AND PROCEDURE

Subpart 4-50.2—Contract Appeal Procedure

MEMBERSHIP

Section 4-50.202-1 is revised to read as follows:

§ 4-50.202-1 Membership.

The Board of Contract Appeals shall be designated by the Director of Plant and Operations for each case and be composed of not less than three members as follows: One member from the Office of the General Counsel, who shall serve as Chairman, one member from the Office of Plant and Operations, who shall serve as Secretary, and one member from the Department experienced in the subject matter of the work involved in the contract. Other members from the Department may be designated when considered desirable by the Director of Plant and Operations. No member shall have been directly involved in the formulation or administration of the contract in dispute. An alternate may be designated by the Director of Plant and Operations for any Board member who dies, or is absent, or disqualified. The Director of Plant and Operations shall consult with the agencies involved in determining the availability of employees best qualified to serve on the Board. The Chairman and Secretary of each established Board are authorized to administer oaths and affirmations to any witness attending to testify in any matter relating to the appeal.

Done at Washington, D.C., this 1st day of June 1966.

JOSEPH M. ROBERTSON,
Assistant Secretary for Administration.

[F.R. Doc. 66-6119; Filed, June 2, 1966; 8:49 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER F—QUARANTINE, INSPECTION, AND LICENSING

PART 76—PREVENTION, CONTROL, AND ABATEMENT OF AIR POLLUTION FROM FEDERAL GOVERNMENT ACTIVITIES: PERFORMANCE STANDARDS AND TECHNIQUES OF MEASUREMENT

Pursuant to section 5 of Executive Order No. 11282, the Secretary of Health, Education, and Welfare hereby amends Subchapter F of Title 42, Code of Federal Regulations, by adding a new Part 76, as follows:

Sec.
76.1 Definitions.
76.2 Intent.
76.3 Applicability.
76.4 Combustion of fuel.
76.5 Sulfur oxides.
76.6 Stacks.
76.7 Storage and handling of fuels and ash.
76.8 Disposal of refuse.
76.9 Other pollution producing processes.

AUTHORITY: The provisions of this Part 76 issued under section 5 of Executive Order 11282.

§ 76.1 Definitions.

As used in this part:

(a) "Executive Order" means Executive Order No. 11282.

(b) Nonurban areas" means all areas other than urban areas.

(c) Ringelmann Scale" means the Ringelmann Scale as published in the U.S. Bureau of Mines Information Circular 7715.

(d) "Secretary" means the Secretary of Health, Education, and Welfare.

(e) "Smoke Inspection Guide" means the U.S. Public Health Service Smoke Inspection Guide described in Part 75 of this title.

(f) "Urban areas" means those areas classified as urban in the latest available Federal census, or as Standard Metropolitan Statistical Areas by the Bureau of the Budget.

§ 76.2 Intent.

It is the intent of these standards that emissions to the atmosphere from Federal facilities and buildings shall not be permitted if such emissions endanger health or welfare and that emissions which are likely to be injurious or hazardous to people, animals, vegetation, or property shall be minimized.

§ 76.3 Applicability.

(a) Unless otherwise indicated, the standards in this part apply to both new and existing Federal facilities and buildings. These standards are effective upon publication in the FEDERAL REGISTER, except for those facilities and buildings which are likely to require installation of improvements under the plan to be submitted in accordance with section 3 of the Executive Order.

(b) Except for discharges of radioactive effluents which are regulated by the Atomic Energy Commission, Federal facilities and buildings shall conform to the air pollution standards prescribed by the State or community in which they are located. If State or local standards are not prescribed for a particular location, or if the State or local standards are less stringent than the standards prescribed herein, the standards in this part shall be applicable to discharges from such Federal facilities and buildings except as otherwise indicated.

(c) Temporary operations that may result in potential air pollution problems, such as those associated with research, development, test, evaluation, space, and military activities, shall be conducted with such precautions and safeguards as are needed to achieve the intent of these standards.

(d) The Secretary may, upon application of the relevant department, agency or establishment, exempt any Federal facility or building from the objectives contained in section 4 of the Executive order and from any or all of these standards whenever he determines that the activities of such building or facility will not significantly conflict with the intent of the Executive order and that such an exemption is in the public interest.

§ 76.4 Combustion of fuel.

(a) The following standards apply to the combustion units of facilities and buildings having a heat input of less than 1,000 million B.t.u./hour, other than fireplaces, stoves, or grills burning wood or charcoal:

(1) Manually fired equipment shall not be installed as new or replacement equipment, except for the burning of anthracite, coke, or smokeless fuel.

(2) (i) For new units, except during startup, cleaning of fires, or soot blowing, the density of any emission to the atmosphere shall not exceed No. 1 on the Ringelmann Scale or the Smoke Inspection Guide.

(ii) For existing units, except during startup, cleaning of fires, or soot blowing, the density of any emission to the atmosphere shall not exceed No. 2 on the Ringelmann Scale or Smoke Inspection Guide.

(3) A photoelectric or other type smoke detector, recorder, or alarm shall be installed on units larger than ten million BTU per hour input, except where gas or light oil (No. 2 or lighter), is burned.

(4) During routine operation, the emission of particles larger than 60 microns shall not normally occur.

(5) Means shall be provided in all newly constructed units and wherever practicable in existing units to allow the periodic measurement of flyash and other particulate matter.

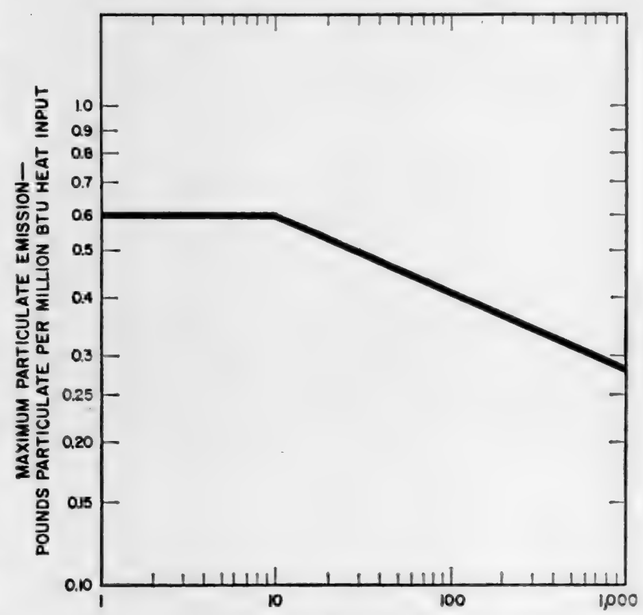
(6) All new or replacement spreader stoker installations shall be of a type that automatically discharges ashes to the ash pit either continuously or in very frequent small increments, and flyash shall be reinjected only from boiler passes.

(7) For units of less than 10 million BTU/hour heat input, the emission of flyash and other particulate matter shall not exceed 0.6 pounds of particulate matter per million BTU heat input, as measured by the American Society of Mechanical Engineers Power Test Code No. 27 for "Determining Dust Concentrations in a Gas Stream," or equivalent test method.

(8) For units between 10 million and 1,000 million BTU/hour heat input, the emission of flyash and other particulate matter shall not exceed that specified in figure 1, as measured by the test method specified in subparagraph (7) of this paragraph. Existing units shall meet this standard within the time designated by the plan submitted in accordance with section 3 of the Executive order except that with respect to existing spreader stoker units the plan may specify certain units which may emit particulate matter at an interim rate not exceeding 0.6 lbs/million BTU heat input.

FIGURE 1

MAXIMUM EMISSION OF PARTICULATE MATTER FROM FUEL BURNING INSTALLATIONS



(b) For units having a heat input of more than 1,000 million BTU/hour, the appropriate department, agency, or establishment shall seek special advice from the Secretary with regard to smoke, flyash, and other particulate emissions.

§ 76.5 Sulfur oxides.

(a) Combustion units of facilities or buildings not located in areas specified by the Secretary under paragraph (c) of this section and whose heat input is less than 1,000 million BTU/hour shall burn the lowest sulfur content fuel that is reasonably available. In determining reasonable availability, the factors to be considered include, among others, price, firmness of supply, extent of existing pollution, and assurance of supply un-

der adverse weather and natural disaster conditions.

(b) For combustion units or Federal facilities or buildings not located in areas specified by the Secretary under paragraph (c) of this section and whose heat input is more than 1,000 million BTU/hour, the appropriate department, agency, or establishment shall seek special advice from the Secretary with regard to sulfur-oxide emissions.

(c)(1) For Standard Metropolitan Statistical Areas or Standard Consolidated Areas whose central city has a population greater than 2 million and a population density greater than 15,000 persons per square mile, the Secretary will, within 6 months after the effective date of the regulations in this part, establish by regulation limits on the emission of sulfur oxides to the atmosphere or prescribe such control steps or measures as may be necessary over time to abate or control sulfurous pollution from Federal installations. The limits or measures so established shall be no less stringent than the relevant State or local requirements.

(2) Such limits or measures shall be established only after consultation with appropriate Federal, State and local officials and affected parties. Not less than 30 days prior to prescribing such limits or measures, the Secretary will publish in the FEDERAL REGISTER notice of his intention to adopt such limits or measures, and will thereafter publish in the FEDERAL REGISTER the limits or measures established. The Secretary may at any time designate other urban areas which suffer from extremely high air pollution levels, and after similar consultation, and publication in the FEDERAL REGISTER, prescribe such limits or measures as he determines are necessary to carry out the intent of this order.

(d) The emission of the oxides of sulfur the atmosphere shall be monitored at regular intervals by determining the sulfur content of the fuel used or by determining the sulfur content of flue gases.

§ 76.6 Stacks.

For buildings or facilities in nonurbanized areas, the particle emission standards of § 76.4(a) (7) and (8) may be revised for an individual installation by an amount to be determined by the Secretary, when:

(a) The stack height exceeds by 2½ times the height of the highest building in that area, and

(b) The pollution level in any area will not be significantly increased thereby.

For large plants the determination of chimney height shall be based on air quality criteria, land use, and meteorological, topographical, aesthetic, and operating factors.

§ 76.7 Storage and handling of fuels and ash.

(a) Solid fuels and ash shall be stored and handled so as not to release to the atmosphere dust in significant quantities.

(b) In quantities of 40,000 gallons or more, gasoline or any volatile petroleum distillate or organic liquid having a vapor pressure of 1.5 p.s.i.a. or greater under actual storage conditions shall be stored in pressure tanks or reservoirs or shall be stored in containers equipped with a floating roof or vapor recovery system or other vapor emission control device.

(c) Stationary gasoline storage tanks with a capacity of 250 gallons or more shall be equipped with either submerged filling inlets or with vapor recovery or emission control systems such that loss of vapor to the atmosphere during filling operations shall be minimized.

(d) Gasoline or petroleum distillate tank car or tank truck loading facilities handling 20,000 gallons per day or more shall be equipped with submersible filling arms or other vapor emission control systems.

§ 76.8 Disposal of refuse.

(a) Refuse shall not be burned in open fires in urban areas. In nonurban areas there shall not be burned in open fires, within a 24-hour period, more than 25 pounds of material at a single site nor more than 500 pounds of material at any number of sites within a 1-mile radius, except that these quantities may be exceeded when the open burning occurs at diverse sites such as are associated with railroad rights-of-way, interurban highways, irrigation canals, forests, agricultural operations, etc. Deteriorated or unused explosives, munitions, and certain hazardous materials may be burned in open fires, in accordance with recognized procedures. Refuse shall not be left in dumps without being covered with inert matter within a reasonably short time.

(b) Refuse shall be incinerated only in facilities specially designed for that purpose. Incinerators shall meet the emission visibility standards of § 76.4 (a)(2) and (a)(3). In addition, for installations burning 200 pounds of refuse or more per hour, emissions shall not exceed 0.2 grain of particulate matter per standard cubic foot of dry flue gas corrected to 12 percent carbon dioxide (without the contribution of auxiliary fuel), and shall not normally include particles larger than 60 microns. For installations burning fewer than 200 pounds of refuse per hour, emissions shall not exceed 0.3 grain of particulate matter per standard cubic foot of dry flue gas corrected to 12 percent carbon dioxide (without the contribution of auxiliary fuel).

§ 76.9 Other pollution producing processes.

For dusts, fumes, or gases from any process not heretofore described, except for discharges of radioactive effluents regulated by the Atomic Energy Commission, whatever measures may be necessary to comply with the intent of these regulations shall be applied. This will generally require the installation of equipment or devices to minimize such emissions to the point where they will meet the standards contained in these regulations. For processes which emit toxic substances in quantities which might endanger health or welfare and for fires which emit smoke or fumes at official firefighting schools, the appropriate department, agency, or establishment shall seek special advice from the Secretary.

(NOTE: The Department of Health, Education, and Welfare will, from time to time, and after consultation with industries concerned, issue "Guides of Good Practice" for specific operations to aid Federal departments, agencies, and establishments in the selection of equipment and methods for meeting the performance standards. For emissions not covered herein, or for which there have been issued no applicable "Guides of Good Practice," the Department of Health, Education, and Welfare will provide technical material and consultation to departments, agencies, and establishments requesting such assistance. Requests for "Guides of Good Practice," technical material, or consultation should be directed either to the Federal Facilities Section, Abatement Branch, Division of Air Pollution, Public Health Service, Department of Health, Education, and Welfare, Washington, D.C., 20201, or to the appropriate Regional Air Pollution Program Director of the Public Health Service located in the Department of Health, Education, and Welfare Regional Offices.)

Dated: June 2, 1966.

JOHN W. GARDNER,
Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-6201; Filed, June 2, 1966; 12:24 p.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 15404; FCC 66-459]

PART 73—RADIO BROADCAST SERVICES

Miscellaneous Amendments

Report and order. In the matter of amendment of Part 73 of the Commission's rules and regulations to require FM broadcast stations engaging in multiplex stereophonic programing or SCA operation to install type approved frequency and modulation monitors capable of monitoring sub-carrier operation.

1. The Commission has before it for consideration its notice of proposed rule making (FCC 64-298) released on April 2, 1964, and comments filed in response thereto by a number of licensees of FM broadcast stations, equipment manufacturers, organizations and individuals having an interest in the broadcast industry.[1]

[1] Comments were filed by the following: Electronic Industries Association, Washington, D.C.; Zenith Radio Corp., Chicago, Ill.; WFPG-FM, Atlantic City, N.J.; WJMD, Bethesda, Md.; Belar Electronics Laboratory, Drexel Hill, Pa.; Collins Radio Co., Dallas, Tex.; Association of Federal Communications Consulting Engineers, Washington, D.C.; McMartin Industries, Inc., Omaha, Nebr.; Radio Corp. of America, New York, N.Y.; KEEZ, San Antonio, Tex.; National Association of Broadcasters, Washington, D.C.; Roy H. Trumbull, Corte Maders, Calif.; Robert J. Carpenter, Rockville, Md.; WDET-FM, Detroit, Mich.

2. The notice of proposed rule making in this proceeding set forth our belief in the need, of FM broadcast stations engaged in stereophonic broadcasting and in the transmission of additional programs under a Subsidiary Communications Authorization, for type approved frequency and modulation monitors to assist them in establishing the technical adequacy of such operations. This belief was generally supported with respect to the need for multiplex modulation monitors.

3. On the other hand, however, most comments questioned the need for a multiplex frequency monitor. The general consensus, as expressed by one party was: "It is unnecessary for a crystal oscillator to continuously check the frequency of a similar crystal oscillator." As an alternative, occasional checks of frequency were suggested to assure proper frequency stability.

4. Upon reexamination of this question, we are not persuaded that a need for frequency monitors in connection with stereophonic broadcasting and the SCA subcarrier operation has been established. We do believe, however, that the licensee must have available a means of determining that the pilot subcarrier and SCA subcarrier frequencies are maintained within proper limits. Our experience in the field of television broadcasting is pertinent in this regard. Our conclusion there was that a separate frequency monitor is unnecessary if the licensee checks the operating frequency on a daily basis using a simple procedure which will indicate that the operating frequency is within authorized limits.

5. We reach a similar conclusion in this proceeding as reflected in new paragraphs (i) of § 73.295 and (b) of § 73.297 below. In this context, however, it becomes necessary to specify a permissible tolerance for variations in the resting frequency of the SCA subcarrier, since there is no reference point in the present rules. The figure chosen (i.e., 500 cycles per second) is we believe reasonable and well within the confines of good engineering practice. Sections 73.283, 73.295, 73.583, and 73.595 are being amended to provide for the daily logging of the necessary readings.

6. With respect to modulation monitors, §§ 73.253(a), 73.332(b), and 73.553 (a) are being amended to recognize the existence of three different types: (a) Those for nonmultiplex operations, as presently provided for; (b) monitors for stereophonic operation; and (c) monitors for SCA operations. We agree with those who commented adversely on our proposal to identify these monitors as Class A, B, and C however, and have modified Note 1 to §§ 73.253 and 73.553 to refer to them merely as nonmultiplex, stereophonic and SCA monitors.

7. In adopting our notice of proposed rule making in this matter, we had anticipated a relatively short period for the submission of comments and adoption of an appropriate Report and Order, and had suggested approximately 6 months as the time necessary for manufacturers to obtain type approval of the monitors and to supply FM broadcast stations requiring these new monitors. We note, however, that since the institution of stereophonic broadcasting by FM stations in June of 1961 at least three manufacturers have produced a stereophonic modulation monitor. In examining the specifications of each of these currently produced items we note that none will fully meet the specifications we are here adopting. In view of the equipment modifications which eventually will be necessary, the subsequent submission of the monitors for type approval and the necessary time for stations to obtain the type approved model, we are adopting an effective date of June 1, 1967, and specify this date in Note 2 to §§ 73.253(a) and 73.553(a). However, because our action in this proceeding has been delayed in consequence of which manufacturers have produced stereophonic and SCA modulation monitors in reliance upon our ultimate adoption of specifications for type approval and because a considerable number of licensees have purchased and installed these monitors while awaiting our decision in this matter, we are providing in Note 2 to § 73.253(a) that these licensees may continue to use such monitors until January 1, 1972. We do this, however, with the understanding that the installation and use of these nontype approved monitors does not in any way relieve the licensee of the responsibility for maintaining stereophonic or SCA operations in compliance with the appropriate technical rules (see §§ 73.322 and 73.319 of the rules). We do not believe it necessary, however, to set a future effective date for the measurement of stereophonic pilot subcarrier and SCA subcarrier frequencies, as discussed above, because the procedures there are relatively simple and the necessary additional equipment, if not already in possession of the licensee, is readily available.

8. We turn now to a detailed consideration of modulation monitor specifications (§ 73.332 below). In general, those who commented in this proceeding were in agreement with these paragraphs as proposed in our notice. We have found it necessary to make changes in certain subparagraphs as described more fully herein, both because of comments received and because of a reexamination of the level of accuracy which we believe necessary and desirable.

9. Subparagraph (1) of paragraph (d), § 73.332, requires that the type approved modulation monitor indicate the modulation percentage of the carrier produced by the main channel (L+R) signal with an accuracy of plus or minus five percent for all frequencies from 50 to 15,000 cycles per second. To insure the accuracy of this indication, we have found it necessary to expand the proposed rule to provide that the frequency characteristic be such that the attenuation at the pilot subcarrier frequency (19 kilocycles) is at least 26 decibels and the attenuation in the frequency range of 23 kilocycles and above where AM subcarrier sideband information is present is at least 46 decibels. Likewise in subparagraph (2) of paragraph (d) we have expanded the proposed rule, as suggested by McMartin Industries, Inc., to require for measurement of modulation percentage of the carrier produced by the suppressed subcarrier and its sidebands, that the frequency characteristic be such that the attenuation at 19 kilocycles and 57 kilocycles be at least 26 decibels and the attenuation at 15,000 cycles and below and at 59 kilocycles and above shall be at least 46 decibels. These specifications we believe will enable the accuracy of this indication.

10. Similarly, subparagraph (3) specifies the requirement that the modulation monitor indicate the modulation of the carrier by the pilot subcarrier. This subparagraph is adopted as proposed in our Notice.

11. Subparagraph (4) of paragraph (d) relating to the measuring of total modulation of the carrier which was contained in the notice of proposed rule making as paragraph (d)(9) has been expanded to establish, with greater specificity, the accuracy of the visual peak preset indicating device (more commonly known as the "peak flasher"). This we find necessary because the peak flasher is normally more accurate in indicating modulation peaks under program conditions because it is a peak indicating device whereas the modulation meter is a semipeak indicator. Unfortunately, our existing rules (§ 73.332 (b)) for nonmultiplex modulation monitors, while requiring the peak indicating device, are not specific in defining its accuracy. We do intend at some future date, to correct this deficiency. Meanwhile we believe that, since we are herein establishing new classes of modulation monitors, the new units should be examined for type approval under the more specific accuracy requirements.

12. In further consideration of the discussion above, we believe it advisable to indicate our belief, because of the greater accuracy of the peak indicating device in indicating modulation peaks, that when there is disagreement between the peak preset indicator and the semipeak modulation meter indications, the peak flasher should be considered the prime indicator. Since this matter was not raised in our Notice and since this principle applies equally well to nonmultiplex monitors, we are not now modifying the rules to incorporate a clarification, but intend to do so in the future.

13. As suggested by Collins Radio Company, we have revised subparagraph (5) of paragraph (d), which was paragraph (d)(4) of our Notice, to indicate a maximum variation of the frequency characteristic of one decibel and have added paragraph (d)(5)(iv) to provide for the proper phase relationship between the pilot subcarrier and regenerated 38 kc/s subcarrier in the monitor. We also take this opportunity to change the permissible harmonic distortion from ½ percent to 1 percent and to specify that the monitor be capable of reading a separation of 35 decibels with an accuracy of plus or minus three decibels. These changes are both minor relaxations of our original proposal.

14. When an FM broadcast station is transmitting an SCA program in addition to a stereophonic broadcast an undesirable characteristic which may occur in an improperly adjusted system is crosstalk from the SCA and main channels into the stereophonic subchannel and from the stereophonic subchannel into the main channel. Thus, paragraph (d)(6) is intended to provide the licensee with a means of measuring crosstalk to insure compliance of his operation with the rules. Paragraph (d) (5) and (7) of the notice have been combined and result in paragraph (d)(6) as set forth below. We have found it necessary, however, to specify the crosstalk characteristic and crosstalk indication of the monitor to insure the accuracy of the indication of this parameter.

15. Paragraph (d)(8) relating to suppression of the subcarrier is adopted as proposed except that the indication of suppression is changed from 45 to 46 decibels and a stipulation is added that the indication of subcarrier suppression must be revealed for the frequency range of subcarrier modulation from 5,000 to 15,000 cycles and for full modulation of the subcarrier. We are adding this additional requirement because our experience in examining stereophonic transmission equipment has demonstrated to us that some stereophonic transmitters are capable of suppressing the 38 kilocycle stereophonic subcarrier to a value of 1 percent (as required by § 73.322) under the condition of no modulation but fail to do so when the stereophonic subcarrier is modulated. We believe that a type approved stereophonic modulation monitor should provide a means of measuring stereophonic subcarrier suppression over the frequency and amplitude range of subcarrier modulation specified.

16. In the notice of proposed rule making we had suggested in paragraph (d) (10) and (11) that means be provided for measuring both AM and FM noise. Many who commented questioned the need for such a specification on the basis that this is an occasional "proof of performance" measurement which can be accomplished when necessary using the circuitry of the monitor but an external meter to provide the necessary indication. Upon reexamination, we agree with these comments. FM broadcast stations operating in the monophonic mode normally determine the levels of AM and FM noise in the transmitting system at least once a year during the annual equipment performance measurements (See § 73.254(b)) and while we do not wish to imply that an annual measurement is sufficient to insure compliance with the rule, problems of excessive AM and FM noise do not usually occur when appropriate diligence is exercised. Accordingly, we are deleting the requirement that the modulation monitor provide, internally, a means for measuring AM and FM noise. We are, however, adding a new paragraph to stipulate that when signals are brought out for external metering or monitoring purposes, they shall have all of the characteristics required for internal metering purposes and also that any loading by external circuitry shall have no effect on the monitor's indications.

17. Paragraph (e) of the notice proposed that the stereophonic pilot subcarrier modulation be displayed continuously and independently of the total modulation. The comments received on this proposition were opposed because it it claimed that pilot subcarrier level is relatively constant once properly set and continuous monitoring is unnecessary. We are impressed by these comments and agree that, so long as an indication of pilot subcarrier level is available to the operator upon demand, continuous display of this parameter is unnecessary. Accordingly, paragraph (e) is modified to provide that when switching is utilized to display the parameters set forth in paragraph (d) (1) through (5) below, the visual peak "flasher" for total modulation must be independent of this switching so that it continuously affords an indication of total modulation.

18. With respect to type approval specifications for SCA modulation monitors, paragraph (f) (1) was not contained in our notice but was added because of our belief, as demonstrated by most SCA monitors now being produced, that the licensee engaging in SCA operation desires a single monitor which will exhibit main channel modulation as well as SCA modulation. To insure the accuracy of this main channel indication we have specified that the frequency characteristics be such that the attenuation in the SCA range from 20 to 75 kilocycles be at least 46 decibels.

19. Paragraph (f)(2) adopts our proposal for a means of determining modulation of the main carrier by each SCA subcarrier, but we have found it necessary, to insure proper accuracy, to be more specific in delineating the monitor frequency characteristic.

20. Likewise, subparagraph (3) of paragraph (f) relating to the indication of total modulation is adopted as contained in our notice (see paragraph (f)(2) therein). However, as described in paragraph 12 above relating to stereophonic monitors, we believe it necessary to establish with greater specificity the operation of the visual peak preset indicating device and have provided additional criteria which this device must meet.

21. Paragraph (f)(4) is adopted as proposed in paragraph (f)(3) of the notice.

22. The cross-talk measuring means proposed in paragraph (f)(4) of the notice is adopted with clarified wording and a specification for the required cross-talk characteristic of the monitor, and appears as paragraph (f)(5) below.

23. Paragraph (f)(6) of § 73.332 was not included in our notice, but has been added, as we have described in paragraph 16 in connection with stereophonic modulation monitors, to permit external metering or monitoring provided that any loading by external circuitry shall have no effect on the monitor's indication.

24. Paragraph (g) is adopted as proposed in our notice with the added stipulation, as described in paragraph 17 above, that the peak preset indicator (peak flasher) of total modulation must be independent of any switching functions and must afford a continuous display.

25. Sections 73.553, 73.583, 73.595, and 73.596 are amended in similar fashion to that described above to conform the monitor requirements for noncommercial educational FM stations to those for commercial FM stations with the exception that Note 2 to § 73.553 does not permit the continued use, until January 1, 1972, of those nontype approved monitors which were purchased and installed prior to July 5, 1966. Because of the limited number of noncommercial educational FM broadcast stations engaging in stereophonic and SCA operations, we do not feel this exemption is necessary, and we will grant waivers for these stations upon request.

26. We call attention to the fact that we have taken the opportunity, while amending §§ 73.297 and 73.596 relating to stereophonic broadcasting, to delete the requirement that stations so operating shall notify us of the hours of stereophonic broadcasting and any change therein. At the time of adoption of the original rule, we felt it desirable to be informed as to the extent of stereophonic broadcasting. At the present time we believe such operation is progressing in satisfactory fashion, and see no further need to be informed of the hours of stereophonic broadcasting. Since this is a relaxation of an existing requirement, we find that prior notice of such change would serve no public purpose.

27. Certain of the comments submitted by the National Association of Broadcasters (NAB) expressed a view that the adequacy of existing nonmultiplex monitors should be examined as part of this proceeding. We have, in cooperation with the broadcast industry, examined several different types of modulation monitors under actual operating conditions and have reached the conclusion that our rules relating to nonmultiplex monitors should be modified. However, in order not to delay this proceeding further, we have decided to establish specifications for stereophonic and SCA modulation monitors now and, at an early date, we plan to reexamine the specifications for nonmultiplex monitors.

28. When questioning the performance of existing nonmultiplex monitors, NAB also doubted the propriety of our actions in issuing certain violation notices for excessive modulation (violation of § 73.268). The point in dispute concerns our use of measuring equipment which differs from the modulation monitor we require to be installed at broadcast stations. In this connection, we point out that our present rules require that each monitor be equipped with both a "modulation peak indicating device" and a "semipeak indicator" (§§ 73.332(b) (2) and (3)). We observe that the NAB comment presumes that only the semipeak indicator is used for setting modulation levels and appears to overlook the peak-reading device. Our emphasis, on the other hand, is with the latter device which is intended to deal with those transient peaks of program material which cannot be indicated reliably by the semipeak meter. The disputed violation notices concerned the transient "peaks of frequent recurrence" which exceeded the peak modulation levels permitted under § 73.268 of our rules. The facilities we use in enforcing the provisions of this section include a cathode ray oscilloscope accurately calibrated in terms of modulation peak amplitudes. We believe that this method, which stresses modulation measurement in terms of peak amplitudes, is fully consistent with the provisions of § 73.332 (b)(2).

29. Examination of the instruction books supplied with most existing type approved modulation monitors reveals that users of this equipment are cautioned to calibrate the monitors properly and to use discretion in relying on the meter and peak flasher indications of the monitor under program conditions. We believe, from our study of the problem, that few discrepancies occur between the indications revealed by the Commission's monitoring equipment and the station modulation monitor indications if due consideration is given to proper calibration of the modulation monitor.

30. For the reasons stated above, we are of the opinion that it is in the public interest to adopt the proposals set forth in the notice, as revised in the manner discussed above.

31. Authority for the adoption of the amendments herein is contained in sections 4(i), 303 (f), (e), and (r) of the Communications Act of 1934, as amended.

32. In view of the foregoing: *It is ordered*, That effective July 5, 1966, Part 73 of the Commission's rules and regulations are amended as set forth below and the proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: May 25, 1966.

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

1. Section 73.253(a) of the Commission rules and regulations is amended to read as follows:

§ 73.253 Modulation monitor.

(a) The licensee of each station shall have in operation, either at the transmitter or at the place where the transmitter is controlled, a modulation monitor of a type approved by the Commission for nonmultiplex operation: *Provided*, That: (1) If the station is engaged in stereophonic operation as contemplated by § 73.297, the licensee shall have in operation a modulation monitor of a type approved by the Commission for monitoring stereophonic operation, and (2) if the station is engaged in operation with a Subsidiary Communications Authorization, as contemplated by § 73.295, the license shall have in operation a modulation monitor of a type approved by the Commission for monitoring SCA operation.

NOTE 1: Approved modulation monitors (nonmultiplex, stereophonic and SCA) are included on the Commission's "Radio Equipment List, Part B, Aural Broadcast Equipment." Copies of this list are available for inspection at the Commission's office in Washington, D.C., and at its field offices.

NOTE 2: The provisions of this subpart relating to stereophonic and SCA modulation monitors shall become effective June 1, 1967, except that the licensee of any FM broadcast station who purchased and installed a stereophonic or SCA modulation monitor prior to July 5, 1966, which meets in part the requirements of § 73.332 may continue to use such monitor until January 1, 1972.

* * * * * *

2. Section 73.283 is amended by addition of new paragraph (a)(6) to read as follows:

§ 73.283 Operating log.

(a) * * *

(6) An entry, where applicable, describing the results obtained in determining the pilot subcarrier frequency for stereophonic broadcasting.

* * * * *

3. Section 73.295 is amended by addition of new paragraphs (f)(5) and (i) to read as follows:

§ 73.295 Operation under Subsidiary Communications Authorizations.

* * * * *

(f) * * *

(5) An entry describing the results obtained in determining the frequency of each SCA subcarrier.

* * * * *

(i) The subcarrier frequency of each SCA subcarrier shall be checked as often as necessary to insure that it is kept at all times within 500 cycles per second of the authorized frequency. At least one check shall be made each day. The choice of method of performing the daily frequency check is left to the discretion of the licensee. However, whatever method is used shall be capable of sufficient accuracy to reveal deviations of the operating frequency in excess of the 500-cycles per second tolerance.

4. Section 73.297 of the Commission rules and regulations is amended to read as follows:

§ 73.297 Stereophonic broadcasting.

(a) FM broadcast stations may, without further authority, transmit stereophonic programs in accordance with the technical standards set forth in § 73.322: *Provided, however*, That the Commission and the Engineer in Charge of the radio district in which the station is located shall be notified within 10 days of the installation of type-accepted stereophonic transmission equipment or any change therein, and of the commencement of stereophonic programing.

(b) The pilot subcarrier frequency shall be checked as often as necessary to insure that it is kept at all times within the prescribed tolerance. At least one check shall be made each day. The choice of method of performing the daily frequency check is left to the discretion of the licensee. However, whatever method is used shall be capable of sufficient accuracy to reveal deviations of the pilot subcarrier frequency in excess of the prescribed 2-cycle per second tolerance.

§ 73.319 [Amended]

5. Section 73.319 is amended by deletion of the Note following paragraph (c).

6. In § 73.332 the introductory text of paragraph (b) is amended and new paragraphs (d), (e), (f), and (g) are added to read as follows:

§ 73.332 Requirements for type approval of modulation monitors.

* * * * * *

(b) The specifications that a nonmultiplex modulation monitor shall meet before it will be approved by the Commission are as follows:

* * * * * *

(d) The specifications that a modulation monitor shall meet before it will be type approved for monitoring stereophonic operation are as follows:

(1) A means for measuring the modulation percentage of the carrier produced by the main channel signal. For this purpose the instrument shall comply with the provisions of paragraph (b) of this section except that no peak preset indicator need be provided, and the accuracy indication shall be ± 5 percent in modulation percentage for all frequencies from 50 to 15,000 cycles per second. The frequency characteristic, in addition to satisfying the modulation accuracy requirement, must be such that the attenuation at 19 kilocycles per second shall be at least 26 decibels, and the attenuation at 23 kilocycles per second and above shall be at least 46 decibels. These ratios are with respect to the minimum response in the frequency range 50 to 15,000 cycles per second.

(2) A means for measuring the modulation percentage of the carrier produced by the stereophonic subcarrier (38 kilocycles per second) and its sidebands. For this purpose the instrument shall comply with the provisions of paragraph (b) of this section except that no peak preset indicator need be provided and the accuracy of the indication shall be within ±5 percent in modulation percentage for frequencies 23 to 53 kilocycles per second. The frequency characteristic, in addition to satisfying the modulation accuracy requirement, must be such that the attenuation at 19 kilocycles per second and 57 kilocycles per second be at least 26 decibels, and at least 46 decibels at 15 kilocycles per second and below, and 59 kilocycles per second and above. All these ratios are with respect to the minimum response in the band from 23 to 53 kilocycles per second.

(3) A means for measuring the modulation percentage of the carrier by the pilot subcarrier (19 kilocycles per second). For this purpose the indicating meter shall have a scale with length of at

least 2.3 inches. Markings shall be provided for 6 percent, 8 percent, 10 percent, and 12 percent modulation with the range between 6 percent and 12 percent occupying at least 50 percent of this scale length. The accuracy of reading at the 8 percent and 10 percent limits shall be ± ½ percent in modulation percentage.

(4) A means for measuring total modulation percentage of the carrier by the main channel, stereophonic subchannel, pilot subcarrier, and all SCA subcarriers simultaneously. For this purpose the instrument shall comply with the provisions of paragraph (b) of this section except that the frequency characteristic shall not have more than a one decibel difference for any frequencies from 50 cycles per second to 75 kilocycles per second. The accuracy of the modulation percentage reading must hold when the modulation consists of complete composite stereophonic signals (main channel, pilot subcarrier and stereophonic subchannel). Left and right signals used to produce this composite signal shall include sinusoidal tones from 50 to 15,000 cycles per second. The peak preset indicator must also respond correctly to tone bursts at repetition rates from one to ten bursts per second with the following composition of the bursts: (i) Ten consecutive cycles of a constant amplitude 10,000 cycles per second sinusoid; and (ii) five consecutive cycles of a constant amplitude 1,000 cycles per second sinusoid. In addition, each response of the peak preset indicator shall persist for a minimum of 2 and a maximum of 4 seconds and be independent of the direction of frequency deviation.

(5) A means for measuring individually the amplitudes of the left and the right stereophonic channels. For this purpose the instrument shall have, for all frequencies in the range 50 to 15,000 cycles per second:

(i) A frequency characteristic permitting a 1 decibel maximum variation.

(ii) A harmonic distortion of 1 percent or less.

(iii) A capability of reading stereophonic channel separation of at least 35 decibels with an accuracy of ±3 decibels.

(iv) An internal means of ensuring that the proper phase relationship exists between the incoming 19 kilocycles per second pilot carrier and regenerated stereophonic subcarrier in the monitor.

(6) A means for accurately indicating cross talk from the main channel and SCA operation into the stereophonic subchannel, and from the stereophonic subchannel into the main channel. (With stereophonic operation, SCA operation shall be considered as from 59 to 75 kilocycles per second.) For this purpose the monitor must have:

(i) A provision for indicating a cross talk ratio of at least 70 decibels.

(ii) A characteristic not exceeding 46 decibels of internal cross talk for any single main channel signal or for any single stereophonic subchannel signal that modulates the main carrier 90 percent.

(iii) A characteristic not exceeding 66 decibels of internal cross talk (with respect to 100 percent modulation) for any SCA operation from 59 to 75 kilocycles per second that modulates the main carrier 10 percent. The SCA cross talk shall be evaluated for the main channel frequency range from 50 to 15,000 cycles per second and the stereophonic subchannel range from 23,000 to 53,000 cycles per second.

(7) The requirements of subparagraphs (5) and (6) of this paragraph contemplate the use of sinusoidal test signals.

(8) A means for accurately indicating a suppression of the stereophonic subcarrier of at least 46 decibels with respect to 100 percent modulation of the carrier. The means must be valid for 90 percent subchannel modulation for signals from 5,000 to 15,000 cycles per second.

(9) When signals are brought out for external metering or monitoring, they shall have all the characteristics stipulated for internal metering purposes, and any loading by external circuitry shall have no effect on the monitor's indications.

(e) The stereophonic subchannel modulation display may be a part of the main channel modulation display. However, if switching of functions is utilized, the peak preset indicator of total modulation must be independent of this switching and afford a continuous display of total modulation.

(f) The specifications that a modulation monitor shall meet before it will be type approved for monitoring SCA operation are as follows:

(1) A means for measuring the modulation percentage of the carrier produced by the main channel signal. For this purpose the instrument shall comply with the provisions of paragraph (b) of this section except that no peak preset indicator need be provided, and the accuracy of indication shall be ±5 percent in modulation percentage for all frequencies from 50 to 15,000 cycles per second. The frequency characteristic, in addition to satisfying the modulation accuracy requirement, must be such that the attenuation from 20 kilocycles per second to 75 kilocycles per second shall be at least 46 decibels with respect to the minimum response in the frequency range 50 to 15,000 cycles per second.

(2) A means for measuring the modulation of the main carrier by each unmodulated subcarrier separated by a minimum of 5 kilocycles from an adjacent unmodulated subcarrier to an accuracy of one percent in modulation percentage. For SCA subcarriers from 59 to 75 kilocycles per second, the monitor characteristic shall be such as to ignore any signal of 53 kilocycles per second and below, the amplitude of which is +40 decibels with respect to the subcarrier being measured. For SCA subcarriers from 20 to 75 kilocycles per second (no stereophonic service), the monitor characteristic shall be such as to ignore a +40 decibel signal at 15 kilocycles per second or below.

(3) A means for measuring total modulation percentage of carrier by the main channel and all SCA subcarriers simultaneously. For this purpose the instrument shall comply with the provisions of paragraph (b) of this section except that the frequency characteristic shall not have more than a one decibel difference for any frequencies from 50 cycles per second to 75 kilocycles per second. The accuracy of the modulation percentage reading must hold when the modulation consists of main channel and SCA subcarrier signals. The peak preset indicator must also respond correctly to tone bursts at repetition rates from one to ten bursts per second with the following composition of the bursts: (i) Ten consecutive cycles of a constant amplitude 10,000 cycles per second sinusoid; and (ii) five consecutive cycles of a constant amplitude 1,000 cycles per second sinusoid. In addition, each response of the peak preset indicator shall persist for a minimum of 2 and a maximum of 4 seconds and be independent of the direction of frequency deviation.

(4) A means for measuring the deviation of each subcarrier under modulation to an accuracy of 1,000 cycles per second.

(5) A means for accurately measuring the cross talk of SCA operation (20 to 75 kilocycles per second) into the main channel (50 to 15,000 cycles per second). The monitor's internal cross talk characteristic must be at least 66 decibels (100 percent modulation) and the monitor must be capable of indicating at least 70 decibels.

(6) When signals are brought out for external metering or monitoring, they shall have all the characteristics stipulated for internal metering purposes, and any loading by external circuitry shall have no effect on the monitor's indication.

(g) The SCA modulation display may be part of the main channel modulation display but the peak preset indicator of total modulation must be independent of any switching functions and afford a continuous display.

7. Section 73.553(a) of the Commission rules and regulations is amended to read as follows:

§ 73.553 Modulation monitor.

(a) The licensee of each station licensed for transmitter power output above 10 watts shall have in operation, either at the transmitter or the place the transmitter is controlled, a modulation monitor of a type approved by the Commission for non-multiplex operation: *Provided*, That: (1) If the station is engaged in stereophonic operation, as contemplated by § 73.596, the licensee shall have in operation a modulation monitor of a type approved by the Commission for monitoring stereophonic operation, and (2) if the station is engaged in operation with a Subsidiary Communications Authorization, as contemplated by § 73.595, the licensee shall have in operation a modulation monitor of a type approved by the Commission for monitoring SCA operation.

NOTE 1: Approved modulation monitors (non-multiplex, stereophonic and SCA) are included on the Commission's "Radio Equipment List, Part B, Aural Broadcast Equipment." Copies of this list are available for inspection at the Commission's office in Washington, D.C., and at its field offices.

NOTE 2: The provisions of this subpart relating to stereophonic and SCA modulation monitors shall become effective June 1, 1967.

• • • • • •

8. Section 73.583 is amended by addition of new paragraph (a)(6) to read as follows:

§ 73.583 Operating log.

(a) • • •

(6) An entry, where applicable, describing the results obtained in determining the pilot subcarrier frequency for stereophonic broadcasting.

• • • • • •

9. Section 73.596 is amended by addition of new paragraphs (f)(5) and (i) to read as follows:

§ 73.595 Operation under Subsidiary Communications Authorizations.

(f) • • •

(5) An entry describing the results obtained in determining the frequency of each SCA subcarrier.

• • • • • •

(i) The subcarrier frequency of each SCA subcarrier shall be checked as often as necessary to insure that it is kept at all times within 500 cycles per second of the authorized frequency. At least one check shall be made each day. The choice of method of performing the daily frequency check is left to the discretion of the licensee. However, whatever method is used shall be capable of sufficient accuracy to reveal deviations of the operating frequency in excess of the 500 cycle per second tolerance.

10. Section 73.596 is amended to read as follows:

§ 73.596 Stereophonic broadcasting.

(a) Noncommercial educational FM broadcast stations may, without further authority, transmit stereophonic programs in accordance with the technical standards set forth in § 73.322 provided, however, that the Commission and the Engineer in Charge of the radio district in which the station is located shall be notified within 10 days, of the installation of type-accepted stereophonic transmission equipment or any change therein, and of the commencement of stereophonic programing.

(b) The pilot subcarrier frequency shall be checked as often as necessary to insure that it is kept at all times within the prescribed tolerance. At least one check shall be made each day. The choice of method for performing the daily frequency check is left to the discretion of the licensee. However, whatever method is used shall be capable of sufficient accuracy to reveal deviation of the pilot subcarrier frequency in excess of the prescribed 2 cycle per second tolerance.

[F.R. Doc. 66-6121; Filed, June 2, 1966; 8:50 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Certain National Wildlife Refuges, Alaska

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

ALASKA

ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE

Public hunting of big game on all lands within the Aleutian Islands National Wildlife Refuge, Alaska, is permitted in accordance with all applicable State regulations governing big game hunting, subject to the following special conditions:

(1) Species permitted to be taken: Caribou on the islands of Atka, Unimak, and Adak; brown bear on the island of Unimak.

(2) A Federal permit is required to take brown bear on Unimak Island. Permits may be obtained from the Refuge Manager, Aleutian Islands National Wildlife Refuge, Bureau of Sport Fisheries and Wildlife, Cold Bay, Alaska, or from the Game Management Agent, Box 6088, Anchorage, Alaska.

(3) Landing of aircraft on Unimak Island or taking aircraft off from Unimak Island, while transporting big game or big game hunters is restricted to the following areas:

Area No. 1. The airstrip situated at the village of False Pass.

Area No. 2. The airstrip situated at Cape Sarichef.

Area No. 3. The waters of all lakes, bays, and lagoons on or adjacent to Unimak Island.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

ARCTIC NATIONAL WILDLIFE RANGE

Public hunting of big game on all lands within the Arctic National Wildlife Range, Alaska, is permitted in accordance with all applicable State regulations governing big game hunting. Information relative to hunting thereon may be obtained from the Refuge Supervisor, Bureau of Sport Fisheries and Wildlife, Post Office Box 500, Kenai, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

BERING SEA NATIONAL WILDLIFE REFUGE

Public hunting of big game on all lands within the Bering Sea National Wildlife Refuge, Alaska, is permitted in accordance with all applicable State regulations governing big game hunting, subject to the following special conditions:

(1) A Federal permit is required to enter the Refuge. Permits may be obtained from the Refuge Supervisor, Bureau of Sport Fisheries and Wildlife, Post Office Box 500, Kenai, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

IZEMBEK NATIONAL WILDLIFE RANGE

Public hunting of big game on all lands within the Izembek National Wildlife Range, Alaska, is permitted in accordance with all applicable State regulations governing big game hunting, subject to the following special condition: The landing of aircraft is prohibited except in the event of emergency. Information relative to hunting may be obtained from the Refuge Supervisor, Bureau of Sport Fisheries and Wildlife, Post Office Box 500, Kenai, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

KENAI NATIONAL MOOSE RANGE

Public hunting of big game on all lands within the Kenai National Moose Range, Alaska, is permitted in accordance with all applicable State regulations governing big game hunting, subject to the following special conditions:

(1) Except in the event of an emergency, the landing of aircraft on that portion of the Kenai National Moose Range lying south of the Kenai River is restricted to the following areas:

Area No. 1. All lakes, streams and other bodies of water except that aircraft may not be landed on any glacier.

Area No. 2. The airstrip situated near the south side of Upper Funny River at longitude 150°26'50" W., latitude 60°-12'20" N.

Area No. 3. The airstrip situated near the west side of Funny River at longitude 150°44'52" W., latitude 60°20'12" N.

Area No. 4. The airstrip situated near the north side of Fox River at longitude 150°44' W., latitude 50°50'30" N.

All coordinates are approximate.

This area is delineated on maps available at Refuge Headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, P.O. Box 3737, Portland, Oregon, 97208.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

KODIAK NATIONAL WILDLIFE REFUGE

Public hunting of big game on all lands within the Kodiak National Wildlife Refuge, Alaska, is permitted in accordance with all applicable State regulations governing big game hunting, subject to the following special conditions:

(1) Except in the event of an emergency, the landing of aircraft on the Kodiak National Wildlife Refuge is restricted to the lakes, streams, and other bodies of water.

Information relative to hunting thereon may be obtained from Refuge Headquarters, Kodiak, Alaska.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1967.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 26, 1966.

[F.R. Doc. 66-6088; Filed, June 2, 1966; 8:47 a.m.]

PART 33—SPORT FISHING

Monomoy National Wildlife Refuge, Mass.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MASSACHUSETTS

MONOMOY NATIONAL WILDLIFE REFUGE

Sport fishing on the Monomoy National Wildlife Refuge, Mass., is permitted from January 1, 1966, through December 31, 1966, in tidal areas below the mean high water mark. These open areas, comprising 1,000 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass., 02109. Sport fishing shall be in accordance with all applicable State and Town regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1966.

RICHARD E. GRIFFITH,
Regional Director.

MAY 26, 1966.

[F.R. Doc. 66-6089; Filed, June 2, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1001–1004, 1012, 1013, 1015, 1016]

MILK IN MASSACHUSETTS-RHODE ISLAND MARKETING AREA ET AL.

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

7 CFR Parts	Marketing area	Docket Nos.
1001	Massachusetts-Rhode Island	AO 14–A39.
1002	New York-New Jersey	AO 71–A48.
1003	Washington, D.C.	AO 293–A13.
1004	Delaware Valley	AO 160–A31.
1012	Tampa Bay	AO 347–A3.
1013	Southeastern Florida	AO 286–A10.
1015	Connecticut	AO 305–A13.
1016	Upper Chesapeake Bay	AO 312–A9.

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the James Madison Room, Presidential Arms, 1320 G Street NW., Washington, D.C., beginning at 9:30 a.m., e.d.t., on June 9, 1966, with respect to proposed amendments to the tentative marketing agreements and to the orders, regulating the handling of milk in the Massachusetts-Rhode Island, New York-New Jersey, Washington, D.C., Delaware Valley, Tampa Bay, southeastern Florida, Connecticut, and upper Chesapeake Bay marketing areas to reflect appropriate Class I prices in light of economic and marketing conditions anticipated for the next few months.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the appropriate levels of class I prices to be established for the months of July through December 1966 under each of the aforesaid orders. At the hearing, evidence also will be received on the question of whether the due and timely execution of the functions of the Secretary imperatively and unavoidably requires the omission of a recommended decision in connection with any emergency amendatory action that may be required with respect to any of the aforesaid orders.

This notice is issued on representation by producers that emergency action is necessary to avert present or potential milk shortages.

The aforesaid proposals have not received the approval of the Secretary of Agriculture.

Signed at Washington, D.C., on May 27, 1966.

CLARENCE H. GIRARD,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 66-6063; Filed, June 2, 1966; 8:45 a.m.]

[7 CFR Parts 1005, 1008, 1009, 1011, 1033–1036, 1040, 1041, 1043, 1046–1049, 1090, 1098, 1101]

MILK IN TRI-STATE MARKETING AREA ET AL.

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

7 CFR Parts	Marketing area	Docket Nos.
1005	Tri-State	AO 177–A26.
1008	Wheeling	AO 268–A10.
1009	Clarksburg	AO 286–A10.
1011	Appalachian	AO 251–A7.
1033	Cincinnati	AO 166–A32.
1034	Dayton-Springfield	AO 175–A23.
1035	Columbus	AO 176–A20.
1036	Northeastern Ohio	AO 179–A26.
1040	Southern Michigan	AO 225–A16.
1041	Northwestern Ohio	AO 79–A28 RO 1.
1043	Upstate Michigan	AO 247–A9.
1046	Louisville-Lexington-Evansville	AO 123–A30.
1047	Fort Wayne	AO 33–A33.
1048	Youngstown-Warren	AO 325–A6.
1049	Indianapolis	AO 319–A7.
1090	Chattanooga	AO 266–A6.
1098	Nashville	AO 184–A23.
1101	Knoxville	AO 195–A14.

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Statler-Hilton Hotel, Euclid and East 12th Streets, 9 a.m., local time, Cleveland, Ohio, June 10, with respect to proposed amendments to the tentative marketing agreements and to the orders, regulating the handling of milk in the Tri-State, Wheeling, Clarksburg, Appalachian, Cincinnati, Dayton-Springfield, Columbus, Northeastern Ohio, Southern Michigan, Northwestern Ohio, Upstate Michigan, Louisville-Lexington-Evansville, Fort Wayne, Youngstown-Warren, Indianapolis, Chattanooga, Nashville, and Knoxville marketing areas to reflect appropriate class I prices in light of economic and marketing conditions anticipated for the next few months. With respect to the order regulating the handling of milk in the northwestern Ohio marketing area this hearing represents a reopening for the limited purposes stated herein of a public hearing to be held under Docket No. AO 72–A28.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the appropriate levels of class I prices to be established for the months of July through December 1966 under each of the aforesaid orders. At the hearing, evidence also will be received on the question of whether the due and timely execution of the functions of the Secretary imperatively and unavoidably requires the omission of a recommended decision in connection with any emergency amendatory action that may be required with respect to any of the aforesaid orders.

This notice is issued on representation by producers that emergency action is necessary to avert present or potential milk shortages.

The aforesaid proposals have not received the approval of the Secretary of Agriculture.

Signed at Washington, D.C., on May 27, 1966.

CLARENCE H. GIRARD,
Deputy Administrator Regulatory Programs.

[F.R. Doc. 66-6064; Filed, June 2, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 193]

[Ex Parte No. MC-60]

SEAT BELTS IN BUSES

Proposed Safety Regulations

Notice and order. At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 27th day of May A.D. 1966.

A number of accidents involving buses operating in interstate commerce, particularly in 1965, have resulted in death or serious injury to a larger than normal number of passengers and drivers of such buses. A sizable number of persons killed in such accidents were thrown from the buses upon overturn.

The present design of buses used in interstate commerce is conducive to passengers being thrown from the vehicle, through the windows, in the event of overturn or under other accident conditions. Provision for the safety of both passengers and drivers indicates that a need may exist for regulatory requirements for the installation, maintenance, and use of seat belts, or other safety devices, installed and secured in accordance with nationally recognized standards, in-

sofar as this is technically consistent with the design of buses and seat anchorages.

Proposed regulations governing the installation and use of seat belts on buses have been prepared by the staff of the Commission's Section of Motor Carrier Safety, Bureau of Operations and Compliance. For the convenience both of the Commission and of those wishing to participate in this proceeding these regulations, representing a staff proposal and not the present views of the Commission itself, are appended to this notice and order.

Upon consideration of the foregoing matters, and good cause appearing:

It is ordered, That a proceeding be, and it is hereby, instituted under Part II of the Interstate Commerce Act, and more particularly section 204(a)(6) thereof, 49 U.S.C. section 304(a)(6), and section 4 of the Administrative Procedure Act, 5 U.S.C. section 1003, to inquire into the operations of motor carriers of passengers in order to determine whether it is necessary or desirable to adopt regulations and establish standards which would require such carriers to install, provide, and maintain seat belts for the use of passengers and drivers; to determine what specifications such seat belts, if their use is prescribed, should be required to meet; to determine whether the proposed regulations prepared by the staff of the Commission's Section of Motor Carrier Safety, Bureau of Operations and Compliance, or other regulations in lieu thereof, are reasonable and should be adopted; and to take such other and further action as the facts and circumstances may justify and require.

It is further ordered, That all motor carriers of passengers operating in interstate or foreign commerce within the United States and subject to the Interstate Commerce Act be, and they are hereby, made respondents in this proceeding; and that the Bureau of Enforcement of this Commission be, and it is hereby, made a party to this proceeding and directed to participate therein.

It is further ordered, That no oral hearings be scheduled for receiving testimony unless need therefor should later appear, but that respondents or any other interested person may participate in this proceeding by submitting for consideration written verified statements of facts, views, and arguments.

Twenty-five copies of all such written statements, the original of which shall be verified, shall be filed with the Secretary, Interstate Commerce Commission, Washington, D.C., 20423, on or before August 3, 1966. All such statements will be considered as evidence and as a part of the record in this proceeding.

In order to save time and expense, parties who have interests in common are urged to file joint statements.

Parties filing verified statements are particularly invited to express their views and opinions with respect to the proposed regulations prepared by the Section of Motor Carrier Safety, which are appended to this order and are urged to suggest any modifications of those proposed regulations or any alternative regulations which they may deem necessary or desirable. The regulations prepared by the Section of Motor Carrier Safety represent the preliminary views of the Commission's staff, and are intended to serve as a point of departure for further discussion and as a framework within which to consider the facts and arguments to be presented in the verified statements to be submitted. They have not been tentatively approved or adopted by the Commission, and should not be construed as a statement of the Commission's position in this proceeding.

Parties filing statements are further invited and encouraged to develop factual material including but not necessarily limited to discussion and argument pertinent to the following subjects:

1. Whether, if seat belts are to be required, the regulation should require seat belt assemblies to conform to existing Federal Standards for seat belts for use in motor vehicles, 15 CFR Part 9 (30 F.R. 8432) and, if so, whether standards should be prescribed only for buses to be constructed in the future, for buses already in service, or for any portion of buses presently in service?

2. Whether specifications for seat belt assembly anchorages and for seat anchorages conforming to Federal Standard No. 515/1 and 515/6, 41 CFR Part 101 (30 F.R. 8319) should be prescribed for new buses and for buses presently in service or for any part of such buses presently in service?

3. If seat belts are required, should they be required in all buses? Should they be required on all seats in all buses, or only on certain seats? If any buses are exempted, should the exemption be based on the service area involved, such as a commercial zone defined by the Commission, or a service area otherwise defined, or on the type of bus, such as a school bus?

4. Should passengers be required to use seat belts if their installation on buses is directed? If so, should carriers be required to enforce the use of seat belts by passengers?

5. Should some device other than a seat belt, such as shoulder straps, be prescribed? Should regulations be adopted to require notification to passengers that the use of seat belts is required or recommended, such notification to be displayed in legible form in each passenger compartment?

6. If seat belts are to be required, should the Commission's existing regulations governing standees and aisle seats (49 CFR 193.90 and 193.91) be modified in any respect?

And it is further ordered, That a copy of this order be served upon all motor carriers of passengers operating in interstate or foreign commerce within the United States; that a copy be mailed to the Governor of every State and to the Public Utility Commission or Board, or similar regulatory body having jurisdiction over transportation by motor vehicle, in every State; that a copy be posted in the Office of the Secretary, Interstate Commerce Commission, for public inspection; and that a copy be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

REGULATIONS PROPOSED BY THE STAFF OF THE SECTION OF MOTOR CARRIER SAFETY

§ 193.94 Seat belts, buses.

(a) *General.* As provided in paragraph (c) of this section every bus, except any bus operated exclusively and wholly within a commercial zone defined by the Commission, shall be provided with a seat belt assembly for each seat, passenger and driver, except aisle seats and temporary folding seats permitted by § 193.91.

(b) *Specifications.* All seat belt assemblies, seat belt assembly anchorages, and seat anchorages, shall conform in all respects to the following Federal Standards and shall be marked to certify that they do so comply:

(1) *Seat belt assembly.* Standards for Seat Belts for Use in Motor Vehicles, 15 CFR Part 9 (30 F.R. 8432).

(2) *Seat belt assembly anchorage.* Federal Standard No. 515/1 Anchorage for Seat Belt Assemblies for Automotive Vehicles, 41 CFR Part 101 (30 F.R. 8319).

(3) *Seat anchorage.* Federal Standard No. 515/6—Anchorage of Seats for Automotive Vehicles, 41 CFR Part 101 (30 F.R. 8319).

(c) *Application.* (1) Buses manufactured on and after January 1, 1967, shall meet the requirements of paragraphs (a) and (b) of this section in all respects.

(2) Buses manufactured on and after January 1, 1963, and before January 1, 1967, shall be brought into compliance with the requirements of paragraphs (a) and (b) of this section by June 30, 1967.

(3) Carriers operating buses manufactured before January 1, 1963, shall have seat belts meeting the requirements of paragraph (b)(1) of this section installed on not less than 25 percent of such buses during each 6-month interval after June 30, 1967, until all such buses being operated by the carrier meet the requirements of paragraphs (a) and (b)(1) of this section.

(d) *Instruction sign.* Each bus required by paragraphs (a) and (c) of this section to be equipped with seat belt assemblies shall have clearly posted at the front of each passenger compartment a sign with letters at least one-half inch high stating that ICC regulations require seat belts in the bus and directing passengers to use belts while the bus is in motion.

[F.R. Doc. 66-6112; Filed, June 2, 1966; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 270]

[Release 40-4604]

EXEMPTION OF CERTAIN PURCHASE OR SALE TRANSACTIONS BETWEEN AFFILIATED REGISTERED INVESTMENT COMPANIES

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration the adoption of § 270.17a-7 of Chapter II of Title 17, CFR (Rule 17a-7 under the Investment Company Act of 1940 ("Act")), to exempt certain purchase or sale transactions between affiliated registered investment companies from the provisions of section 17(a) of the Act. The proposed rule would be adopted pursuant to the authority granted to the Commission in sections 6(c) and 38(a) of the Act.

Section 17(a) of the Act prohibits an affiliated person of a registered investment company or an affiliated person of such a person, acting as principal, from selling to or purchasing from the registered investment company or a company controlled by the registered investment company any security or other property, subject to certain exceptions, unless the Commission upon application pursuant to section 17(b) of the Act grants an exemption from the provisions of section 17(a). An exemption may be granted if the Commission finds that the evidence establishes that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the Act. Section 6(c) of the Act provides that the Commission by rule, regulation or order may exempt any person or transaction or any class of persons or transactions from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Section 38(a) of the Act authorizes the Commission to issue such rules as are necessary or appropriate to the exercise of the powers conferred upon the Commission in the Act.

It is proposed that, under certain circumstances, a purchase or sale transaction between affiliated registered investment companies be exempt from section 17(a) of the Act if the transaction involves a security traded upon a national securities exchange and is effected for no consideration other than cash payment against prompt delivery of the security. In addition, the proposed rule (§ 270.17a-7) would require that the transaction be effected at a price equal to the average of the independent closing price of the security upon the national securities exchange which is the primary exchange market for the security, on each of the five trading sessions immediately prior to the date of the transaction. In the absence of an independent closing price for the security on any one or more of the five trading sessions immediately prior to the date of the transaction, the proposed rule (§ 270.17a-7) provides for using the average of the security's closing independent bid and independent offer on any such day or days.

The exemption would be available only under circumstances where the transaction is consistent with the policy of each registered investment company, as recited in its registration statement and reports filed under the Act, and where no brokerage commission, fee or other remuneration is paid in connection with the transaction, except for customary transfer fees. The proposed rule (§ 270.17a-7) is intended to provide an exemption solely from section 17(a) of the Act and not from any other provisions of the Act or other applicable law.

The proposed rule 17a-7 (§ 270.17a-7) would apply to registered investment companies which are affiliated persons, or affiliated persons of affiliated persons, of each other as defined in sections 2(a)(2) and 2(a)(3) of the Act. For purposes of section 2(a)(3)(C) (of the Act), affiliation based upon control would depend upon the facts of the given situation, including such factors as extensive interlocks of officers, directors or key personnel, common investment advisers or underwriters, etc.

The basic purpose of the proposed rule (§ 270.17a-7) would be to eliminate filing and processing applications under circumstances where there appears to be no likelihood that the statutory finding for a specific exemption under section 17(b) (of the Act) could not be made.

The proposed Rule 17a-7 (§ 270.17a-7) includes conditions as to the availability of the exemption which are designed to limit the exemption to those situations where the Commission, upon the basis of its experience, considers that there is no likelihood of overreaching of the investment companies participating in the transaction. In addition, it appears that the interests of investors will be served by the proposed exemption in that it will permit affiliated investment companies which heretofore may have chosen to avoid the application procedures of section 17(b) of the Act by purchasing or selling securities on the open market, thereby incurring duplicate brokerage charges, to avoid the payment of brokerage by effecting such transactions with each other. (The proposed Rule 17a-7 (§ 270.17a-7) does not, of course, prevent or restrict in any way the filing of an application under section 17(b) of the Act with respect to transactions which are subject to section 17(a) of the Act but not exempted by the proposed rule or by the other rules under section 17(a) (of the Act).)

If the proposed rule (§ 270.17a-7) were adopted, the pertinent details of transactions for which exemption is claimed under Rule 17a-7 (§ 270.17a-7) would be required to be reported under Item 2.07 of Form N-1R (17 CFR 274.101) under the Act.

The text of the proposed Rule 17a-7 (§ 270.17a-7) reads as follows:

§ 270.17a-7 Exemption of certain purchase or sale transactions between affiliated registered investment companies.

A purchase or sale transaction between registered investment companies which are affiliated persons, or affiliated persons of affiliated persons, of each other shall be exempt from section 17(a) of the Act provided:

(a) The transaction is a purchase or sale, for no consideration other than cash payment against prompt delivery, of a security traded upon a national securities exchange;

(b) The transaction is effected at a price equal to the average of the independent closing price of the security, or, in the absence of a closing price, the average of the closing independent bid and independent offer for the security, upon the national securities exchange which is the primary exchange market for the security, on each of the five trading sessions immediately prior to the date of the transaction;

(c) The transaction is consistent with the policy of each registered investment company, as recited in its registration statement and reports filed under the Act; and

(d) No brokerage commission, fee (except for customary transfer fees), or other remuneration is paid in connection with the transaction.

(Secs. 6(c), 38(a), 54 Stat. 800, 841, 15 U.S.C. 80a-6, 80a-37.)

All interested persons are invited to submit views and comments on the proposed Rule 17a-7 (§ 270.17a-7). Written statements of views and comments in respect of the proposed rule (§ 270.17a-7) should be submitted to the Securities and Exchange Commission, Washington, D.C., 20549, on or before June 17, 1966. All such communications will be available for public inspection.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

MAY 20, 1966.

[F.R. Doc. 66-6106; Filed, June 2, 1966; 8:48 a.m.]

Notices

POST OFFICE DEPARTMENT

CERTAIN DESIGNATED OFFICIALS

Authority Delegation

The following is the text of Order No. 266, dated May 13, 1966, by the Assistant Postmaster General, Bureau of Facilities:

Assistant Postmaster General, Bureau of Facilities, Orders No. 249, 250 and 251, 29 F.R. 12882, dated August 20, 1964, paragraph E, are amended to include:

4. To negotiate and execute agreements with lessors to substitute POD Form 1419, Tax Clause Rider, February 1965, for existing Tax Escalation Clause Riders.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 309, 501)

TIMOTHY J. MAY,
General Counsel.

MAY 31, 1966.

[F.R. Doc. 66-6116; Filed, June 2, 1966; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Filing of Plat of Survey

MAY 26, 1966.

1. The plat of survey of the land described below will be officially filed at the Fairbanks Land Office, Fairbanks, Alaska, effective 10 a.m., on June 21, 1966.

FAIRBANKS MERIDIAN

T. 1 S., R. 3 W. (Group 110)

2. The area described above aggregates 20,883.03 acres. The plat was accepted April 28, 1966. Available data indicates the land included in this plat consists of hilly land: Most of the slopes are covered with a new growth of dense poplar and birch timber. The soil is a light brown, fine grained silt, somewhat rocky on the steeper slopes.

Inquiries concerning these lands shall be addressed to the manager, Fairbanks District and Land Office, Bureau of Land Management, Post Office Box 1150, Fairbanks, Alaska, 99701.

DONALD E. HARDING,
Acting Manager, Fairbanks District and Land Office.

[F.R. Doc. 66-6090; Filed, June 2, 1966; 8:47 a.m.]

IDAHO

Notice of Filing of Plat of Survey

MAY 27, 1966.

1. Notice is hereby given that effective at and after 10 a.m. on July 5, 1966, the following plat of survey will be officially filed of record in the Idaho Land Office, Room 327, Federal Building, Boise, Idaho, 83701.

BOISE MERIDIAN

APPROVED APRIL 28, 1966

T. 5 N., R. 6 W.,
Sec. 14, lot 5;
Sec. 23, lots 5, 6, 7, and 8.

The areas surveyed aggregate 21.86 acres.

2. Lots 6, 7, and 8, sec. 23, are withdrawn by Public Land Order No. 3016 of April 8, 1963, for use by the Bureau of Sport Fisheries and Wildlife as an addition to the Deer Flat National Wildlife Refuge.

3. Lot 5, sec. 14 and lot 5, sec. 23 are included in proposed withdrawal application Idaho 013743 of the Bureau of Sport Fisheries and Wildlife. The lots are temporarily segregated from further appropriation subject to valid settlement claims and rights. All valid settlement applications or valid right claims must be received within 3 months of the effective date of filing of the plat to protect their preference right of entry.

EUGENE E. BABIN,
Acting Manager, Idaho Land Office.

[F.R. Doc. 66-6092; Filed, June 2, 1966; 8:47 a.m.]

[Montana 073488]

MONTANA

Notice of Proposed Withdrawal

MAY 25, 1966.

The U.S. Corps of Engineers, Department of the Army, filed an application for withdrawal from mineral leasing under the mineral leasing laws the following described lands:

T. 31 N., R. 3 W., P.M., Montana.
Sec. 31, lots 1 and 2, S½NW¼NE¼NW¼, SW¼NE¼NW¼, W½SE¼NE¼NW¼, W½NE¼SE¼NW¼, NW¼SE¼NW¼, SW¼SE¼NW¼, and NW¼SE¼SE¼NW¼.

The lands were patented December 13, 1930, with a reservation of oil and gas by the United States pursuant to the provisions of the Act of July 17, 1914 (38 Stat. 509).

T. 31 N., R. 3 W., P.M., Montana.
Sec. 31, North 330 feet of lot 3, and NW¼NW¼NE¼SW¼.

The land was patented May 24, 1929, with a reservation of oil and gas by the United States pursuant to the provisions of the Act of July 17, 1914 (38 Stat. 509).

The applicant, on behalf of the United States and for the Department of the Air Force, has acquired the above parcels for Malmstrom Air Force facilities. The Air Force facility will be maintained and operated indefinitely and no intrusion of any kind can be allowed for security considerations.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Mont., 59101.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

KENNETH J. SIRE,
Acting Land Office Manager.

[F.R. Doc. 66-6093; Filed, June 2, 1966; 8:47 a.m.]

[Montana 073705]

MONTANA

Notice of Proposed Classification of Public Lands

MAY 27, 1966.

Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and to the regulations in 43 CFR parts 2410 and 2411, it is proposed to classify the public lands within the area described below, together with any lands therein that may become public lands in the future, for retention for multiple use management. Publication of this notice segregates the described public lands from appropriation under the homestead, desert land, and allotment laws (43 U.S.C. ch. 7, 43 U.S.C. ch. 9, and 25 U.S.C. 331), and from sale under section 2455 of the revised statutes (43 U.S.C. 1171).

For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the district manager, Bureau of Land Management, Malta, Mont.

The public lands proposed for classification are located within the following described area and are shown on maps on file in the Malta district office, Bureau of Land Management, Malta, Mont., and the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN MONTANA

VALLEY COUNTY

T. 23 N., R. 34 E.,
Secs. 1 to 21, inclusive.
T. 23 N., R. 35 E.,
Secs. 1 to 18, inclusive.
T. 23 N., R. 36 E.,
Secs. 2 to 11, inclusive; Secs. 14 to 18, inclusive.
T. 24 N., Rs. 34 to 37 E., inclusive.
T. 24 N., R. 38 E.,
Secs. 1 to 24, inclusive; Secs. 29 to 32, inclusive.
T. 25 N., Rs. 34 to 38 E., inclusive.
T. 25 N., R. 39 E.,
Secs. 5 to 8, inclusive; Secs. 17 to 20, inclusive; Secs. 29 to 32, inclusive.
T. 26 N., Rs. 34 to 38 E., inclusive.
T. 26 N., R. 39 E.,
Secs. 2 to 11, inclusive; Secs. 13 to 20, inclusive; Secs. 29 to 32, inclusive.
T. 26 N., R. 40 E.,
Secs. 17 and 18.
T. 27 N., Rs. 34 to 37 E., inclusive.
T. 27 N., R. 38 E.,
Secs. 2 to 11, inclusive; Secs. 13 to 36, inclusive.
T. 27 N., R. 39 E.,
Secs. 3 and 4; Secs. 9 and 10; Secs. 14 to 23, inclusive; Secs. 26 to 35, inclusive.
T. 28 N., Rs. 34 to 37 E., inclusive.
T. 28 N., R. 38 E.,
Secs. 6 to 11, inclusive; Secs. 14 to 23, inclusive; Secs. 26 to 35, inclusive.
T. 29 N., R. 34 E.,
Secs. 7 to 11, inclusive; Secs. 14 to 23, inclusive; Secs. 26 to 36, inclusive.
T. 29 N., R. 35 E.,
Sec. 13 and Secs. 24 to 36, inclusive.
T. 29 N., R. 36 E.,
Secs. 13 to 36, inclusive.
T. 29 N., R. 37 E.,
Secs. 14 to 23, inclusive; Secs. 26 to 35, inclusive.
T. 32 N., R. 37 E.
T. 32 N., R. 38 E.,
Secs. 1 to 24, inclusive; Secs. 26 to 35, inclusive.
T. 33 N., R. 35 E.,
Sec. 1; Secs. 11 to 14, inclusive; Secs. 23 to 26, inclusive; Sec. 35.
T. 33 N., R. 36 E.
T. 33 N., R. 37 E.
T. 33 N., R. 38 E.,
Secs. 1 to 24, inclusive; Secs. 26 to 35, inclusive.
T. 33 N., R. 39 E.,
Secs. 5 to 7, inclusive; Sec. 18.
Tps. 34 N., Rs. 36 to 38 E., inclusive.
T. 34 N., R. 39 E.,
Secs. 1 to 32, inclusive.
T. 35 N., R. 35 E.,
Secs. 1 to 6, inclusive; Secs. 11 to 14, inclusive; Secs. 23 to 26, inclusive.
T. 35 N., Rs. 36 to 38 E., inclusive.
T. 35 N., R. 39 E.,
Secs. 5 to 8, inclusive; Secs. 17 to 20, inclusive; Secs. 29 to 34, inclusive.
T. 36 N., Rs. 35 to 38 E. inclusive.
T. 36 N. R. 39 E.,
Secs. 2 to 11, inclusive; Secs. 14 to 21, inclusive; Secs. 28 to 33, inclusive.
T. 37 N., Rs. 35 to 38 E., inclusive.
T. 37 N., R. 39 E.,
Secs. 6 and 7; Secs. 18 to 20, inclusive; Secs. 29 to 32, inclusive.

The public lands in the areas described aggregate approximately 614,700 acres.

A public hearing on the proposed classification will be held on August 10, 1966, at 10:30 a.m., in the Bureau of Land Management district office, Gordon-Peters Building, Malta, Mont.

HAROLD TYSK,
State Director.

[F.R. Doc. 66-6094; Filed, June 2, 1966; 8:47 a.m.]

[Group 493]

OREGON

Notice of Filing of Plat of Survey and Order Providing for Opening of Lands

MAY 27, 1966.

1. Plat of survey of the land described below will be officially filed in the Land Office, Portland, Oreg., effective at 10 a.m. on July 5, 1966:

WILLAMETTE MERIDIAN

T. 21 S., R. 47 E.,
Sec. 6, lot 6;
Sec. 7, lots 6, 7, 8, 9, and 10.

The areas described aggregate 4.65 acres of public land.

2. The lands described consist of three islands and three segments of two other islands in the Snake River, the remaining portions of which are located in the State of Idaho. These island areas are at an elevation of about 2,200 feet above sea level. The lands described rise gently from the Snake River and there are numerous narrow flats only 2 to 5 feet above ordinary high water. The lands support a vegetative growth of native grasses, sagebrush, and willow.

3. The lands described in paragraph 1 are opened to petition, application, and selection, as outlined in paragraph 4 below. No application for these lands will be allowed under the nonmineral public land laws, unless or until the lands have been classified. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Subject to any existing valid rights and the requirements of applicable law, the lands described in paragraph 1 hereof are hereby opened to filing of petition-application and selection in accordance with the following:

a. Applications and selections under the nonmineral public land laws, and offers under the mineral leasing laws may be presented to the manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs.

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws presented prior to 10 a.m., on July 5, 1966, will be considered as simultaneously filed at that hour. Rights under such applications and selections and offers filed after that hour will be governed by the time of filing.

5. Persons claiming preference rights based upon settlement, statutory preference, or equitable claims must enclose properly executed statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning these lands shall be addressed to the manager, Land Office, Bureau of Land Management, 729 Northeast Oregon, Portland, Oreg., 97232.

IRVING W. ANDERSON,
Manager, Land Office.

[F.R. Doc. 66-6095; Filed, June 2, 1966; 8:47 a.m.]

KINGMAN JOB CORPS CONSERVATION CENTER, ARIZONA

Chief, Branch of Administration; Delegation of Authority

Pursuant to authority contained in sections 1 and 2 of Bureau Order No. 698, as amended, the following authority is hereby delegated to the Chief, Branch of Administration, Donald P. Groves:

1. Contracts and leases: Issue orders, regardless of amount for equipment (including the rental of equipment), supplies and services obtained from General Services Administration Stores Stock, Federal Supply Schedules, and other established sources of supply.

2. Make open market purchases for supplies, equipment, and services, not exceeding $2,500 per transaction ($2,000 if for construction), pursuant to section 302(c)(3) 9f, the Federal Property and Administrative Services Act of 1949, as amended, provided that the supplies and services are not available from established sources.

3. With the exception of S.F. 44—Purchase Order-Invoice-Voucher, the authority delegated herein may not be redelegated.

4. This delegation will become effective the day of publication or July 1, 1966.

ELDON G. HAYES,
Center Director.

MAY 23, 1966.

[F.R. Doc. 66-6091; Filed, June 2, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

MEAT AND POULTRY INSPECTION, AND RELATED SERVICES

Administration

Pursuant to the authority delegated to the Administrator of the Consumer and Marketing Service in section 40 of the Statement of Organization and Delegations, appearing in 29 F.R. 16212, the following changes pertaining to administration of meat inspection, poultry inspection, and related services are made in the internal organization of the Consumer and Marketing Service.

(1) The Meat Inspection Division, with responsibility for the administration of the Meat Inspection Act (21 U.S.C. 71 et seq.); the Horse Meat Act (21 U.S.C. 96); the Humane Slaughter Act (7 U.S.C. 1901 et seq.); the Process and Renovated Butter Act (26 U.S.C. 4817–4818); the import meat provisions of the Tariff Act of 1930, as amended (19 U.S.C. 1306 (b) and (c)); and functions under section 203 (h) and (n) of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622), is abolished. Those functions of the Meat Inspection Division pertaining to the administration of the livestock slaughter inspection programs relating to (a) antemortem and postmortem inspection of animals, their carcasses, organs, and parts, thereof; (b) the chilling, branding, and shipping of carcasses, meat byproducts, and nonprocessed parts of carcasses; (c) the handling and control of inedible and condemned materials (including inedible rendering) incident to antemortem, postmortem, and chilling operations to assure a wholesome supply of meat and edible meat byproducts for consumers; and (d) the provisions of the Humane Slaughter Act, are transferred to a new division, known as the Livestock Slaughter Inspection Division.

(2) A new division, known as the Processed Meat Inspection Division, administers processed meat inspection programs previously administered by the Meat Inspection Division, including all operations after slaughter and chilling relating to, or further handling of, (a) edible meat, meat byproducts and meat food products; (b) the carcass breakup, and movement in commerce from slaughtering establishments; (c) export certification and import inspection; (d) the issuance of certificates and surveillance of exempted plants; and (e) related reimbursable services to assure sanitary, wholesome, and truthfully labeled products.

(3) A new division, known as the Technical Services Division, administers programs to provide the meat and poultry inspection functions of the agency with the technical services required to assure that food products moving in foreign and domestic commerce are wholesome, unadulterated, and truthfully labeled. Such technical services include (a) the sampling, testing, and analyses of meat products, chemical compounds, microbiological, pathological, and toxicological specimens, and other associated laboratory services; (b) the approval of product formulas, methods of preparation, and labels; (c) the development and promulgation of standards of composition and identity for processed products; (d) the approval of plant design, structure and equipment, and sanitation standards; and (e) the surveillance of foreign inspection systems, and Federal-State relations.

(4) There are created seven Meat Inspection district offices to carry out livestock slaughter inspection, processed meat inspection, and field technical services programs (except laboratories) relating to meat inspection within their respectively assigned geographical districts in the United States. The district offices report directly to the Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

The seven meat inspection districts, the location of their respective headquarters, and the areas assigned to each are as follows:

(a) Northeastern: Philadelphia, Pa.—Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

(b) Southeastern: Atlanta, Ga.—Alabama, District of Columbia, Florida, Georgia, Kentucky, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, Puerto Rico, and the Virgin Islands.

(c) North Central: Chicago, Ill.—Illinois, Indiana, Michigan, and Ohio.

(d) Northern: St. Paul, Minn.—Minnesota, Montana, North Dakota, South Dakota, Wisconsin, and Wyoming.

(e) Central: Kansas City, Mo.—Iowa, Kansas, Missouri, and Nebraska.

(f) Southwestern: Dallas, Tex.—Arkansas, Colorado, Louisiana, New Mexico, Oklahoma, and Texas.

(g) Western: San Francisco, Calif.—Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Washington, and Utah.

(5) Field aspects of the Technical Services Division (except laboratories) relating to poultry and poultry products are conducted by the five existing area offices of the Poultry Division.

(6) The functions of the Meat Inspection Division relating to the administration of the Process and Renovated Butter Act are transferred to the Dairy Division.

(7) All rules, regulations, licenses, approvals, orders, forms, certificates, and other official documents of or relating to the Meat Inspection Division, which concern the functions transferred to the new Livestock Slaughter Inspection Division, shall continue to be effective according to their terms as documents of or relating to the Livestock Slaughter Inspection Division, until modified or revoked.

(8) All rules, regulations, licenses, approvals, orders, forms, certificates and other official documents of or relating to the Meat Inspection Division, which concern the functions transferred to the new Processed Meat Inspection Division, shall continue to be effective according to their terms as documents of or relating to the Processed Meat Inspection Division, until modified or revoked.

(9) All rules, regulations, licenses, approvals, orders, forms, certificates and other official documents of or relating to the Meat Inspection Division and Poultry Division, which concern the functions transferred to the new Technical Services Division, shall continue to be effective according to their terms as documents of or relating to the Technical Services Division, until modified or revoked.

(10) All rules, regulations, licenses, approvals, orders, forms, certificates and other official documents of or relating to the Meat Inspection Division, which concern the administration of the Process and Renovated Butter Act, shall continue to be effective according to their terms as documents of or relating to the Dairy Division, until modified or revoked.

(11) The Food Distribution area offices of the Consumer and Marketing Service are redesignated as Consumer Food Programs district offices, as of July 1, 1966.

Except as otherwise provided, the effective date of the above changes is April 4, 1966.

Issued at Washington, D.C., this 31st day of May 1966.

S. R. SMITH,
Administrator.

[F.R. Doc. 66–6120; Filed, June 2, 1966; 8:50 a.m.]

DEPARTMENT OF COMMERCE

National Bureau of Standards

STANDARD FREQUENCY AND TIME BROADCASTS BY NBS RADIO STATIONS

In accordance with National Bureau of Standards policy of giving monthly notices regarding changes of phases in seconds pulses, notice is hereby given that there will be no change in the phase of seconds pulses emitted from radio station WWVB, Fort Collins, Colo., on July 1, 1966.

Notice is also hereby given that there will be no change in the phase of time pulses emitted from radio station WWV, Greenbelt, Md., and WWVH, Maui, Hawaii, on July 1, 1966. These pulses at present occur at intervals which are longer than one second by 300 parts in 10^{10}. This is due to the offset maintained in frequency, as coordinated by the Bureau International de l'Heure (BIH).

A. V. ASTIN,
Director.

MAY 27, 1966.

F.R. Doc. 66–6174; Filed, June 2, 1966; 10:00 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17037]

AIR EXPRESS CHARGE INVESTIGATION

Notice of Postponement of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled proceeding presently assigned to be held on June 3, 1966, is postponed until July 6, 1966, at 10 a.m., e.d.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned.

Dated at Washington, D.C., May 31, 1966.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 66–6129; Filed, June 2, 1966; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 66–CE–3]

MINNESOTA-IOWA TELEVISION CO.

Notice of Hearing

On April 6, 1966, pursuant to § 77.37 (c)(2) of Part 77 of the Federal Aviation Regulations (FAR), the State of Minnesota Department of Aeronautics requested a public hearing to review the determination of no hazard issued on March 11, 1966, by the Federal Aviation Agency's central region for the proposed construction of a television antenna structure near Myrtle, Minn.

Initially, a grant of a discretionary review on the basis of written materials was issued on April 28, 1966 (31 F.R. 6797). During the course of this review, the State of Minnesota, acting through its commissioner of aeronautics and the special assistant attorney general, formally renewed its demand for a public hearing, stating that the factual issues in this matter cannot be adequately determined without a public hearing. Moreover, the State of Minnesota demands the right to confront, examine, and cross-examine witnesses.

By reason of the foregoing, and pursuant to the authority delegated to me by the Administrator, the petition of the State of Minnesota Department of Aeronautics for discretionary review on the basis of a public hearing in accordance with § 77.33(c)(2) of Part 77 is granted, and such review will be conducted in accordance with Subpart E of Part 77.

Under the provisions of Part 77, Mr. George R. Borsari is appointed as the presiding officer. The general counsel has appointed to Mr. Evans W. North as the legal officer.

Unless otherwise authorized by the Presiding Officer, parties to this hearing must be of record by July 15, 1966. Also, exhibits to be used during the direct case of any party must be exchanged with the other parties by August 1, 1966. The public hearing will be convened on August 8, 1966, at which time a prehearing conference will be held.

The presiding officer will give notice in the FEDERAL REGISTER concerning the location and time of the hearing and the designation of the parties to the hearing.

Upon conclusion of this hearing and resolution of the questions of fact presented in this matter, an appropriate order will be published in the FEDERAL REGISTER. In accordance with § 77.37, FAR, the determination of no hazard to air navigation issued by the Agency's central regional office in Aeronautical Study No. CE–OE–5601 is not a final determination.

Issued in Washington, D.C., on May 27, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66–6073; Filed, June 2, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16657–16659; FCC 66–469]

AMERICAN COLONIAL BROADCASTING CORP. ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re application of American Colonial Broadcasting Corp., Caguas, P.R., Docket No. 16657, File No. BPH–4890; requests 103.3 mc, No. 277; 25 kw; 1123 feet; Caguas Radio Corp., Caguas, P.R., Docket No. 16658, File No. BPH–4962; requests 103.3 mc, No. 277; 29.5 kw; 710 feet; Francisco Pereira Casillas, Federico Virella, Hector Pereira Buonomo, and Pedro Luis Jimenes doing business as Borinquen Broadcasting Co., Caguas, P.R., Docket No. 16659, File No. BPH–4971; requests 103.3 mc, No. 277; 50 kw; 365.2 feet; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of May 1966;

1. The Commission has before it for consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would cause mutually destructive interference.

2. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and populations which would receive service from the various proposals. The population figures vary from a low of 983,134 to a high of 1,433,012, and the area's figures vary from 914 square miles to 1,810 square miles. Consequently, for the purposes of comparison, the areas and populations within the respective 1-mv/m contours together with the availability of other FM services of at least 1 mv/m in such areas will be considered under the standard comparative issue for the purpose of determining whether a comparative preference should accrue to any of the applicants.

3. As we stated in the Reising case, 1 F.C.C. 2d 1082, 6 R.R. 2d 431 (1965), programing evidence would not normally be admissible under the standard comparative issue, absent a finding regarding a material and substantial difference between the proposals. In this case, consideration of the programing proposals is required because American Colonial Broadcasting Corp. and Borinquen Broadcasting Co. propose essentially equal amounts of duplication of AM programing, 14 hours per week or approximately 36.84 percent and 40.25 hours per week or approximately 38.33 percent, respectively, while Caguas Radio Corp., proposes independent operation. Therefore, programing evidence reasonably relating to the indicated AM duplication matter will be admissible under the standard comparative issue.

4. The applicants are qualified to construct and operate as proposed. However, because of their mutual exclusivity, the Commission is unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity and is of the opinion that the applications must be designated for hearing on the issues set forth below.

5. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine which of the proposals would best serve the public interest.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, which of the applications should be granted.

6. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

7. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6122; Filed, June 2, 1966; 8:50 a.m.]

[1] Commissioner Loevinger absent.

[Docket Nos. 15303, 15304; FCC 66M-752]

CASCADE BROADCASTING CO. AND SUNSET BROADCASTING CO. (KNDX-FM)

Order Continuing Hearing

In re applications of Cascade Broadcasting Co., Yakima, Wash., Docket No. 15303, File No. BPH-4072; David Zander Pugsley, trading as Sunset Broadcasting Co. (KNDX-FM), Yakima, Wash., Docket No. 15304, File No. BPH-4180; for construction permits.

The Hearing Examiner having under consideration the necessity of changing the date of hearing;

It appearing, that Sunset Broadcasting Co. on May 26, 1966, filed a pleading which, if acted upon favorably, would dispense with the necessity for hearing; and

It further appearing, that sufficient time has not elapsed for other parties to file responses; and

It further appearing, that the date of May 31, 1966, is now scheduled as a further hearing date but that no useful purpose would be served by meeting at that time;

It is ordered, This 26th day of May 1966, that the date for further hearing of May 31, 1966, is continued to July 5, 1966.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6123; Filed, June 2, 1966; 8:50 a.m.]

[Docket No. 16666; FCC 66M-749]

TELESYSTEMS CORP.

Order Scheduling Hearing

In the matter of cease and desist order to be directed against TeleSystems Corp., owner and operator of a community antenna television system at Springfield Township, Pa.

It is ordered, This 26th day of May 1966, that David I. Kraushaar shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on June 28, 1966; and that a prehearing conference shall be convened on June 15, 1966, commencing at 9 a.m.: *And it is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6124; Filed, June 2, 1966; 8:50 a.m.]

[Docket Nos. 16655, 16656; FCC 66-468]

JONES T. SUDBURY AND NORTHWEST TENNESSEE BROADCASTING CO., INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Jones T. Sudbury, Martin, Tenn., Docket No. 16655, File No. BPH-5067, requests 101.7 mc, No. 269, 3 kw, 176 feet; Northwest Tennessee Broadcasting Co., Inc., Martin, Tenn., Docket No. 16656, File No. BPH-5174, requests 101.7 mc, No. 269, 3 kw, 274 feet; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of May 1966;

1. The Commission has under consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. As we stated in the Reising case, 1 FCC 2d 1082, 6 R.R. 2d 431 (1965), programing evidence would not be admissible under the standard comparative issue, absent a finding regarding a substantial and material difference between the proposals. In this case, consideration of the programing proposals is required because Jones T. Sudbury proposes virtually complete duplication of his companion AM station while Northwest Tennessee Broadcasting Co., Inc., proposes independent operation. Therefore, programing evidence reasonably relating to the indicated AM duplication matter will be admissible under the standard comparative issue.

3. Each of the applicants is qualified to construct and operate as proposed. However because of their mutual exclusivity, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

4. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine which of the proposals would better serve the public interest.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, which of the applications for construction permits should be granted.

5. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

6. *It is further ordered*, That, the applicants herein shall, pursuant to § 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually, or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6125; Filed, June 2, 1966; 8:50 a.m.]

[Docket Nos. 16653, 16654; FCC 66-467]

LAFAYETTE BROADCASTING CO., INC., AND STATE LINE BROADCASTING CO., INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Lafayette Broadcasting Co., Inc., Lafayette, Tenn., Docket No. 16653, File No. BPH-5009, requests 99.3mc, No. 257; 3 kw; 199 feet; State Line Broadcasting Co., Inc., Scottsville, Ky., Docket No. 16654, File No. BPH-5119, requests 99.3mc, No. 257; 3 kw; 258 feet; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 25th day of May 1966;

1. The Commission has before it for consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would cause mutually destructive interference.

2. The Lafayette Broadcasting Co., Inc., proposal specifies Lafayette, Tenn., while the State Line Broadcasting Co., Inc., proposal (pursuant to the "25-mile" rule) specifies Scottsville, Ky. Consequently, it is necessary to determine, pursuant to section 307(b) of the Communications Act, of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

3. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and populations which would receive service from the two proposals. Lafayette Broadcasting Co., Inc., would serve 14,139 persons in an area of 359.7 square miles, while State Line Broadcasting Co., Inc., would serve 74,141 persons in an area of 706.5 square miles. Consequently, the areas and populations within the respective 1 mv/m contours together with the

[1] Commissioner Loevinger absent.

availability of other FM services of at least 1 mv/m in such areas will be considered under the 307(b) issue, and if required, under the contingent comparative issue for the purposes of determining whether a comparative preference should accrue to either of the applicants.

4. The applicants are qualified to construct and operate as proposed. However, because of their mutual exclusivity, the Commission is unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity and is of the opinion that the applications must be designated for hearing on the issues set forth below.

5. *It is ordered*, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

2. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to section 307(b), which of the proposals would better serve the public interest.

3. To determine in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

6. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

7. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.549(g) of the rules.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6126; Filed, June 2, 1966; 8:50 a.m.]

[1] Commissioner Loevinger absent.

[Docket No. 15888; FCC 66M-748]

SELMA TELEVISION, INC. (WSLA-TV)

Order Regarding Procedural Dates

In re application of Selma Television, Inc. (WSLA-TV), Selma, Ala., Docket No. 15888, File No. BPCT-2827, for construction permit.

The Hearing Examiner having under consideration the "Petition for Continuance of Procedural Dates" filed on May 24, 1966 by WCOV, Inc.;

It appearing, that continuance is sought for the reasons that the required engineering data has been unavoidably delayed and counsel for one of the parties has been advised that he must undergo mandatory major surgery without delay; and

It further appearing, that all parties have consented to immediate consideration and grant of the petition and good cause for grant of the requested continuance is present;

It is ordered, This 26th day of May 1966, that the said petition is granted and the date for preliminary exchange of engineering exhibits is extended from June 3, 1966, to June 13, 1966; the date for exchange of all exhibits to be offered into evidence is extended from June 20, 1966, to July 18, 1966; the date for giving notification of witnesses to be called for cross-examination is extended from July 1, 1966, to August 19, 1966; and the date for hearing is extended from July 11, 1966, to September 7, 1966, commencing at 10 a.m. in the offices of the Commission at Washington, D.C.

Released: May 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6127; Filed, June 2, 1966; 8:50 a.m.]

[Docket No. 16533; FCC 66-450]

WASHINGTON BROADCASTING CO. AND WOL, INC.

Memorandum Opinion and Order Enlarging Issues

In re application of Washington Broadcasting Co. (Assignor), and WOL, Inc. (Assignee), Docket No. 16533, File Nos. BAL-5418, BALH-780, BALRE-1237, for assignment of licenses of Stations WOL, AM and FM, Washington, D.C.

1. This proceeding was initiated by our Memorandum Opinion and Order (2 FCC 2d 952), released March 18, 1966, which provided that an expedited hearing should be held to determine whether our previous Memorandum Opinion and Order (1 FCC 2d 25), adopted July 7, 1965, granting the assignment application of Washington Broadcasting Co. to WOL, Inc., should be set aside and whether that assignment application should be denied. Because of substantial and material issues of fact concerning the authenticity of WOL's representations in its survey of community needs and interests, this proceeding was designated for hearing on issues to determine: (a) the facts concerning the preparation of WOL's program survey, (b) whether that survey was adequate to support the major change in programing proposed by WOL, (c) whether misrepresentations were made to the Commission in connection with that survey, and (d) whether the public interest would be served by affirming the grant of the assignment application to WOL. We also stated that Atlantic Broadcasting Co. (WUST) would be permitted to participate in the hearing as a party in interest.

2. Now before us is a petition filed by WOL requesting reconsideration of the designation order. WOL urges us to set aside the designation order and to reaffirm our earlier order granting the assignment application. In the alternative, WOL requests that we modify the designation order: (a) to shift the burden of proceeding and the burden of proof with respect to Issue (c), supra, to WUST and (b) to enlarge the issues to determine whether WOL's programing has served to meet the ascertained needs and proposed program objectives. WOL urges, and we agree, that each of these requests may be properly considered by us under section 1.111 of the rules, which provides that all questions raised in a petition for reconsideration and grant without hearing will be acted upon by the Commission.

3. WOL claims that the designation order was based primarily upon the conflicting affidavits of the Reverend S. Everette Guiles and Mr. Howard Sanders as to whether a particular interview took place during the course of WOL's ascertainment of programing needs. WOL urges that the conflicting assertions in those affidavits will probably never be resolved, since there is no independent corroborating evidence. WOL asserts that, even if the Guiles affidavit is correct, it should not reflect adversely upon WOL's licensee qualifications because: (a) WOL's report of the Guiles interview was based on Sanders' account, (b) WOL's principals had no reason to doubt the integrity and veracity of Sanders, whom they had employed for 2 years, (c) WOL conducted a thorough investigation of the Guiles incident, which was inconclusive in that no independent evidence was found and Sanders reaffirmed his previous account of the interview, and (d) WOL fully and promptly reported the investigation to the Commission. WOL concludes that it has acted in a completely responsible manner, that WUST's other allegations involved nothing more than a difference in semantics or slightly differing recollections as to minor details of the interviews, and that there must be some procedure other than this lengthy and burdensome hearing which would protect the public interest.

4. Both the Broadcast Bureau and WUST oppose WOL's petition for reconsideration, arguing that WOL has not presented any new facts which would resolve the serious questions raised by the designation order. WUST urges that the discrepancies as to WOL's survey interviews involve more than mere differences in semantics or in recollections and that the Guiles-Sanders matter is significant since WOL proposed one hour of its programing each week solely on the basis of that alleged interview. In reply to those oppositions, WOL claims that, since its application was once approved and since this matter was before the Court of Appeals, the public interest in administrative finality warrants a hearing only in the most compelling of circumstances. WOL then asserts that such circumstances are not present here because WUST's allegations do not detract from its overall efforts to ascertain program needs and because there is no basis for concluding that the Guiles incident reflects adversely upon WOL's principals. Under these circumstances, WOL concludes that a hearing would serve no useful purpose and that the designation order should be reconsidered.

5. This proceeding was designated for hearing because of substantial and material issues of fact concerning the authenticity of WOL's representations on its survey of community needs and interests. Based on WUST allegations, which were supported by affidavits of individuals who had purportedly been interviewed by WOL, we designated issues to determine the facts as to WOL's program survey, whether that survey was adequate to support the major change in programing proposed by WOL, and whether misrepresentations had been made to the Commission in connection with that survey. WOL has not provided any facts in its present pleadings which would give us any greater assurance of the authenticity of its program survey or of the representations which it made to us. Rather, WOL has limited its contentions to claims that its survey efforts have not been shown to be inadequate and that the Guiles-Sanders matter does not reflect on its qualifications to be a licensee. Without considering the extent to which the Guiles-Sanders matter reflects upon WOL's licensee qualifications, we are convinced that an evidentiary hearing must be held, since the public interest requires that we determine whether WOL's program proposal is based upon authentic or false representations as to its survey of community needs and interests. Accordingly, we shall deny WOL's petition for reconsideration to the extent that it requests us to set aside the designation order, and we shall proceed to consider WOL's alternative requests for relief.

6. First, WOL requests that the burden of proceeding with the introduction of evidence and the burden of proof with respect to Issue 3 be shifted to WUST, since this hearing was ordered on the basis of WUST's allegations. WOL relies upon our Memorandum Opinion and Order in D and E Broadcasting Co., 1 FCC 2d 78, 5 R.R. 2d 475 (1965), in which we held that, when hearing issues involving serious misconduct are designated as a result of a petition to deny or to enlarge issues, the burden of proceeding and the burden of proof will generally be placed upon the party making the charges. The Bureau and WUST argue that WUST was not made a party to this proceeding when it was designated for hearing and that the burdens were appropriately placed upon WOL since the facts relating to the issue are peculiarly within the knowledge of WOL and since those facts concern the operation of WOL's broadcast facility.

7. Issue 3 involves a charge of serious misconduct against WOL, and it was initially raised by WUST's petition to deny. Since WUST is now a party to this proceeding, we are persuaded that it would be more in accord with concepts of basic fairness to require WUST to make an initial presentation of evidence under Issue 3. See D and E, supra. However, since the principal facts with respect to WOL's program survey are peculiarly within its knowledge and since those facts concern its broadcast facility, we are convinced that the ultimate burden of proof under Issue 3 was correctly placed and should remain upon WOL. See Elyria-Lorain Broadcasting, FCC 65-857, 6 R.R. 2d 191 (1965). Accordingly, we will direct WUST to proceed with the initial introduction of evidence with respect to Issue 3 to delineate the facts in issue and to inform WOL of the precise factual question to be resolved. Thereafter, WOL will be required to proceed with the burden of going forward with the evidence and will have the burden of proof on this issue.

8. WOL also requests that we modify the designation order by adding the following issue:

> To determine whether the programing of WOL, Inc., has served to meet the needs which have been ascertained and the program objectives which were proposed.

WOL points out that the designation order might be deemed to preclude the adduction of such evidence, which, it claims, is vital to a proper and equitable resolution of this proceeding. The Bureau and WUST urge that consideration not be given to such evidence since it would only disclose the programing of a licensee whose basic qualifications had been questioned by the Commission, and evidence of good programing under such circumstances would be of dubious decisional significance.

9. We agree with the Bureau and WUST that we are not required to consider evidence of this type, since it would be offered essentially in mitigation of any adverse findings under the designated issues. However, in our view the public interest will be better served if WOL is permitted to make the requested showing, without prejudice to the right of other parties to argue, subsequently, as to the weight which should be accorded that evidence. Therefore, the designated issues in this proceeding will be enlarged as requested by WOL.

10. *Accordingly, it is ordered,* This 25th day of May 1966, that the petition for reconsideration, filed March 24, 1966, by WOL, Inc., is denied to the extent that it requests reconsideration and grant without hearing, and is granted to the extent reflected hereinafter; and

11. *It is further ordered,* That Atlantic Broadcasting Co. (WUST), is directed to proceed with the initial presentation of evidence with respect to Issue 3 of this proceeding, but that, following WUST's initial presentation, WOL, Inc., must proceed with the burden of going forward with the evidence and will have the burden of proof with respect to Issue 3; and

12. *It is further ordered,* That paragraph 13 of the Memorandum Opinion and Order (FCC 66-254, released Mar. 16, 1966) designating this proceeding for hearing is revised as shown in the preceding ordering clause; and

13. *It is further ordered,* That the issues in this proceeding are enlarged by the addition of the following issue:

> To determine whether the programing of WOL, Inc. has served to meet the needs which have been ascertained and the program objectives which were proposed.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6128; Filed, June 2, 1966; 8:50 a.m.]

[1] Commissioners Cox and Wadsworth dissenting and voting for grant of the petition for reconsideration; Commissioner Loevinger absent.

FEDERAL POWER COMMISSION

[Docket Nos. CI61-78 etc.]

ANADARKO PRODUCTION CO. ET AL.

Findings and Order

MAY 25, 1966.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, making successor co-respondent, redesignating proceedings, accepting agreement and undertaking for filing and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC Gas Rate Schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's Statement of General Policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

Amerada Petroleum Corp., Applicant in Docket No. CI66-669, proposes to continue in part the sales of natural gas heretofore authorized in Docket Nos. G-4537 and G-5381 and made pursuant to Sinclair Oil & Gas Co. (Operator), et al., FPC Gas Rate Schedule No. 265 and Claud E. Aikman FPC Gas Rate Schedule No. 3, respectively. The contracts comprising said rate schedules will also be accepted for filing as rate schedules of Applicant. The presently effective rate under the contract comprising Sinclair's FPC Gas Rate Schedule No. 265 is in effect subject to refund in Docket No. RI60-73.[1] The presently effective rate under the contract comprising Aikman's FPC Gas Rate Schedule No. 3 is in effect subject to refund in Docket No. RI65-108,[2] and increased rates have been collected for locked-in periods subject to refund in Docket Nos. RI60-45,[1] RI61-347[2] and RI64-108.[2] Applicant has filed a motion to be made co-respondent in each of the aforementioned rate proceedings together with an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amounts determined to be just and reasonable in said proceedings. Accordingly, Applicant will be made co-respondent in each of said proceedings, the proceedings will be redesignated and the agreements and undertakings will be accepted for filing. Applicant proposes to continue sales of natural gas from the Permian Basin area and will be required to conform to the requirements of the Commission's Opinion Nos. 468 and 468-A with respect to the rate charged for such sales.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on May 20, 1966, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-4537, G-5381, G-13324, CI61-524, CI61-752, CI63-336, CI63-337, CI63-608, CI65-1178, and CI65-1179 should be amended as hereinafter ordered and conditioned.

(6) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants herein relating to the abandonments hereinafter permitted and approved should be terminated.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Amerada Petroleum Corp. should be made co-respondent in the proceedings pending in Docket Nos. RI60-45, RI60-73, RI61-437, RI64-108 and RI65-108; that said proceedings should be redesignated accordingly; and that the agreement and undertaking submitted by Amerada in said proceedings should be accepted for filing.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's Statement of General Policy 61-1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 11 and 26 in the attached tabulation.

(E) The certificates issued herein in Docket Nos. CI61-78 and CI63-264, involving sales of gas by Anadarko Production Co. to its parent, Panhandle Eastern Pipe Line Co., determines the rate which legally may be paid by the buyer to the seller, but is without prejudice to any action which the Commission may take in any future rate proceeding involving either company.

(F) The certificate issued herein in Docket No. CI66-731, is conditioned to an initial rate of 17 cents per Mcf at 14.65 p.s.i.a. plus B.t.u. adjustment, limited, however, to a net rate to Michigan Wisconsin Pipe Line Company at the discharge side of the processing plant not

[1] Consolidated with the original proceeding in Docket No. AR61-1 et al.
[2] Consolidated with the proceeding on the Order to Show Cause issued August 5, 1965, in Docket No. AR61-1 et al.

to exceed 17 cents per Mcf and with a moratorium on the filing of rate increases until January 1, 1967.

(G) A certificate is issued herein to L. G. Krieger, et al., in Docket No. CI66–865, authorizing Applicant to continue services previously rendered by Carl H. Noel and Glen Dial, Jr., for which no certificate authorization was granted.

(H) The certificates issued herein in Docket Nos. CI66–917 and CI66–945 are subject to the conditions set forth in paragraphs (C), (D), and (E) of the order accompanying Opinion No. 353 (27 FPC 449), except that said certificates shall not be subject to the Commission's ultimate determination in Docket No. R–200.

(I) The certificates heretofore issued to Pan American Petroleum Corp. (Operator), et al., in Docket Nos. CI63–336 and CI63–337 are amended to include the sales of natural gas from acreage acquired from the Atlantic Refining Co. in Docket No. CI61–752 and Shell Oil Co. in Docket No. CI61–524.

(J) The authorization granted in Docket Nos. CI63–336 and CI63–337 in paragraph (I) above is subject to the conditions set forth in paragraphs (C), (D), and (E) of the order accompanying Opinion No. 353 (27 FPC 449), except that said certificates shall not be subject to the Commission's ultimate determination in Docket No. R–200.

(K) The certificate heretofore issued in Docket No. CI63–608 is amended to include the sale of natural gas from the additional acreage and to include interest of the coowner, and said authorization is subject to the conditions set forth in paragraphs (C), (D), and (E) of the order accompanying Opinion No. 353 (27 FPC 449).

(L) The certificates heretofore issued in the following dockets are amended to reflect the deletion of acreage where new certificates are isued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	*New certificate and/or Amendment to add acreage*
G–4537	CI66–669
G–5381	CI66–669
G–13324	CI66–731
CI61–524	CI63–337
CI61–752	CI63–336

(M) The certificates heretofore issued in Docket Nos. CI65–1178 and CI65–1179 are amended by changing the certificate holder to the successor in interest as indicated in the tabulation herein.

(N) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described and as more fully described in the respective applications herein are granted.

(O) The abandonment herein permitted and approved in Docket No. CI66–920 does not relieve Applicant of any refund obligations in the related rate suspension proceeding in Docket No. G–19861.

(P) The certificates heretofore issued in Docket Nos. G–6042, G–11145, CI61–1 and CI65–751 are terminated.

(Q) Amerada Petroleum Corp. shall be a co-respondent in the proceedings pending in Docket Nos. RI60–45, RI60–73, RI61–437, RI64–108 (insofar as said proceeding pertains to Amerada's FPC Gas Rate Schedule No. 132 [5]); said proceedings are redesignated accordingly; [4] and the agreement and undertaking submitted by Amerada in said proceedings is accepted for filing.

(R) Amerada Petroleum Corp. shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the agreement and undertaking filed by Amerada in Docket Nos. RI60–45, RI60–73, RI61–437, RI64–108, and RI65–108 shall remain in full force and effect until discharged by the Commission.

(S) Within 45 days from the date of this order Applicant in Docket No. CI66–669 shall submit supplements to their related rate schedules reflecting any reductions necessary to bring its rates into conformity with the applicable base area rates established by paragraph (A) of Opinion No. 468, as modified by Opinion No. 468–A. Due to the stay of the effectiveness of certain of the requirements of Opinion Nos. 468 and 468–A, any filings, if acceptable will be accepted for informational purposes only.

(T) Within 45 days from the date of this order Applicant in Docket No. CI66–669 shall file rate schedule-quality statements in the form prescribed in Opinion No. 468–A.

(U) Any rates collected on or after September 1, 1965, by Applicant in Docket No. CI66–669 in excess of the applicable base area rates prescribed in paragraphs (A) and (B) of Opinion No. 468, as modified by Opinion No. 468–A, shall be subject to refund under the conditions prescribed in paragraph (D) of Opinion No. 468.

(V) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

Docket No. and date filed	Applicant	Purchaser, field and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
CI61–78 [1] A 7–18–60	Anadarko Production Co.	Panhandle Eastern Pipe Line Co., Leslie Field, Meade County, Kans.	(7)	[8] 23	
CI63–264 [6] A 8–27–62	do	Panhandle Eastern Pipe Line Co., Carthage Area, Texas County, Okla.	(7)	[8] 70	
F CI63–336 (CI61–752) C 12–8–65 [6]	Pan American Petroleum [9] Corp. (Operator), et al (successor to the Atlantic Refining Co.).	Michigan Wisconsin Pipe Line Co., Northeast Selling Field, Woodward County, Okla.	Assignment 5–15–64 [7]	[8] 344	8
F CI63–337 (CI61–524) C 1–13–66	Pan American Petroleum [9] Corp. (Operator), et al. (successor to Shell Oil Co.).	Michigan Wisconsin Pipe Line Co., Woodward Gas Area, Woodward County, Okla.	Assignment 4–2–65 [7] Assignment 5–24–65 [7]	345 [8] 345	14 15
CI63–608 C 2–24–66 [10 11]	Oklahoma Natural Gas Co. (Operator), et al.	Michigan Wisconsin Pipe Line Co., Southeast Pringey Field, Woodward County, Okla.	Ratification of agreement 12–7–65.[12]	23	6
CI64–541 A 11–4–63 4–11–66 [13]	Cabot Corp. (SW)	Panhandle Eastern Pipe Line Co., Acreage in Beaver County, Okla.	Contract 9–25–63	[8] 74	
CI65–1178 E 3–25–66	Steeple Oil and Gas Corp. (successor to Calvin Michelson).	Almos Gas Gathering Co., Southwest Sliva Field, Bee County, Tex.	Calvin Michelson, FPC GRS No. 2. Supplement No. 1 Notice of succession 3–22–66. Assignment 5–12–65 [14] Effective date: 4–22–66	8 8 8 8	 1 2
CI65–1179 E 3–25–66	do	Almos Gas Gathering Co. Southwest Sliva Field, Live Oak County, Tex.	Calvin Michelson, FPC GRS No. 3. Supplement No. 1 Notice of succession 3–22–66. Assignment 5–12–65 [14] Effective date: 5–8–66	8 8 8 8	 1 2

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[5] The contract comprising said rate schedule is also on file as Sinclair Oil & Gas Co. (Operator) et al., FPC Gas Rate Schedule No. 265.

[4] RI60–45, Sinclair Oil & Gas Co. (Operator) et al., and Amerada Petroleum Corp.; RI60–73, Claud E. Aikman and Amerada Petroleum Corp.; RI61–437, Western Natural Gas Co. (Operator) et al., Sinclair Oil & Gas Co. (Operator) et al., and Amerada Petroleum Corp.; RI64–108, Western Natural Gas Co. (Operator) et al., Sinclair Oil & Gas Co. (Operator) et al., Continental Oil Co., and Amerada Petroleum Corp.; RI65–108, Sinclair Oil & Gas Co. (Operator) et al., and Amerada Petroleum Corp.

Docket No. and date filed	Applicant	Purchaser, field and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
A CI66–669 (G–4537) F 1–24–66	Amerada Petroleum Corp. (successor to Sinclair Oil & Gas Co. (Operator), et al.)	El Paso Natural Gas Co., Jutla Field, Lea County, N. Mex.	Contract 5–1–47 [15] Supplemental agreement 7–27–53.	132 132	1 2
A CI66–669 (G–5381) F 1–24–66 2–7–66 [16]	Amerada Petroleum Corp. (successor to Claud E. Aikman, et al.)	do	Supplemental agreement 10–28–59. Assignment 8–19–65 [17] Effective date: 8–19–65. Contract 9–28–53 [18] Letter agreement 12–15–58. Supplemental agreement 10–28–59 Assignment 9–18–61 [19] Assignment 8–10–65 [11] Effective date: 9–18–61. Succession dated [20] Lease agreement 6–17–63.[21] Contract 4–24–62 [22] Assignment 1–28–64 [23] Letter agreement 2–11–66.[24] Effective date: 9–1–63. Contract 2–16–66	132 132 133 133 133

[Docket No. CP66-371]

CASCADE NATURAL GAS CORP.

Notice of Application

MAY 25, 1966.

Take notice that on May 16, 1966, Cascade Natural Gas Corp. (Applicant), 222 Fairview Avenue N., Seattle, Wash., 98109, filed in Docket No. CP66-371 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction, during a 12-month period, and the operation of certain natural gas facilities to enable it to take into its pipeline system natural gas which it may purchase from independent producers and other similar sellers in the general area of its existing pipeline system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of the instant application is to augment its ability to act with reasonable dispatch in contracting for and in connecting to its system new or expanding supplies of gas adjacent to its system necessary to enable it to continue its presently authorized sales.

The total cost of Applicant's proposed construction is not to exceed $2,079,000, with no single project expenditure to exceed $450,000, which costs will be financed from funds on hand, from cash generated from normal operations and from internal sources.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 22, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6077; Filed, June 2, 1966; 8:45 a.m.]

[Docket No. CP66-366]

CENTRAL ILLINOIS PUBLIC SERVICE CO. AND NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

MAY 25, 1966.

Take notice that on May 16, 1966, Central Illinois Public Service Co. (Applicant), Illinois Building, Springfield, Ill., filed in Docket No. CP66-366 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Natural Gas Pipeline Co. of America (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in the village of Vergennes, Jackson County, Ill., and its environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that the village of Vergennes is located in the northern part of Jackson County, Ill., approximately 2.4 miles east of the gas transmission main of Respondent.

Applicant proposes to construct, own, and operate and maintain a 2-inch gas distribution main extending from a point of proposed connection with the gas transmission main of Respondent to the village of Vergennes and to construct, own, operate, and maintain a gas distribution system in the village of Vergennes and its environs.

The total estimated volumes of natural gas necessary to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	4,089	7,320	8,968
Peak day (Mcf)	54	81	100

Total estimated cost of Applicant's proposed facilities is $54,850, which cost will be financed from internal funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 22, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6076; Filed, June 2, 1966; 8:46 a.m.]

[Docket No. CP66-367]

CENTRAL ILLINOIS PUBLIC SERVICE CO. AND PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

MAY 25, 1966.

Take notice that on May 16, 1966, Central Illinois Public Service Co. (Applicant), Illinois Building, Springfield, Ill., filed in Docket No. CP66-367 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Panhandle Eastern Pipe Line Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in the villages of Alsey and Glasgow, Scott County, Ill., and their environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that the villages of Alsey and Glasgow are located in the southern part of Scott County, Ill., and are situated approximately one-half mile and 1 mile, respectively, south of the gas transmission main of Respondent.

Applicant proposes to construct, own, operate, and maintain a 4-inch and 2-inch gas distribution main extending from a point of proposed connection with the gas transmission main of Respondent approximately one-half mile north of the village of Alsey to the villages of Alsey and Glasgow, and to construct, operate, and maintain gas distribution systems in the villages of Alsey and Glasgow and their environs.

The total estimated volumes of natural gas necessary to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	16,720	24,347	28,775
Peak day (Mcf)	160	232	278

The total estimated cost of Applicant's proposed facilities is $83,990, which cost will be financed from internal funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 23, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6079; Filed, June 2, 1966; 8:46 a.m.]

[Project No. 2580]

CONSUMERS POWER CO.

Notice of Application for License for Constructed Project

MAY 26, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Consumers Power Company (correspondence to: W. R. Boris, secretary, Consumers Power Co., 212 West Michigan Avenue, Jackson, Mich., 49201) for a license for constructed Project No. 2580, known as the Tippy Project, located on the Manistee River, County of Manistee, State of Michigan, near the towns of Wellston and Brethren.

The existing project consists of: (1) An earth embankment dam with a concrete corewall and steel sheet piling cutoff, a reinforced concrete gated spillway structure, and a cellular concrete intake structure surmounted by taintor gates and integral with the powerhouse; (2) a reservoir that at normal full pond elevation 687.5 feet, extends approximately 11 miles upstream and has a surface area of approximately 1,540 acres; (3) a powerhouse with a total installed capacity of 20,000 kilowatts in three equal units comprising vertical Francis turbines rated 10,000 h.p. at 55-foot head direct connected to generators rated 7,050 kva, 0.95 pf; (4) a substation with three 7,500 kva, 7,200/138,000-volt transformers; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 25, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6080; Filed, June 2, 1966; 8:46 a.m.]

[Docket No. CP66-375]

EAST TENNESSEE NATURAL GAS CO.

Notice of Application

MAY 25, 1966.

Take notice that on May 17, 1966, East Tennessee Natural Gas Co. (Applicant), Post Office Box 10245, Knoxville, Tenn., 37191, filed in Docket No. CP66-375 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of two 2,000-horsepower natural gas compressor stations on Applicant's north line, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

One of the new stations is to be located near Greenbrier, Tenn., and the other near Monterey, Tenn.

Applicant states that the increased capacity to be provided by the proposed construction is required to meet the requirement of its customers during the 1966-67 winter heating season. The proposed construction would increase Applicant's daily design capacity to 235,338 Mcf per day, and increase its sales capacity by 47,224 Mcf per day.

The total estimated cost of the facilities to be constructed is $1,713,000, which will be financed through the issuance of a promissory note.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 22, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6081; Filed, June 2, 1966; 8:46 a.m.]

[Docket No. CP66-368]

FLORIDA GAS TRANSMISSION CO.

Notice of Application

MAY 25, 1966.

Take notice that on May 16, 1966, Florida Gas Transmission Co. (Applicant), Post Office Box 44, Winter Park, Fla., filed in Docket No. CP66-368 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct during the 12-month period commencing July 1, 1966, and operate routine gas purchase facilities which will enable it to take into its certificated main pipeline system natural gas purchased from independent producers or other similar sellers thereof in the general supply area of Applicant's existing transmission system.

Applicant states that the purpose of the instant application is to enhance its ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally coextensive with said system.

The total estimated cost of Applicant's proposed construction is not to exceed $1 million, with no single project expenditure to exceed $250,000, which will be financed from internally generated funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 23, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6082; Filed, June 2, 1966; 8:46 a.m.]

[Project No. 2570]

OHIO POWER CO.

Notice of Application for Preliminary Permit for Unconstructed Project

MAY 25, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Ohio Power Co. (correspondence to: H. B. Cohn, vice president, Post Office Box 7, Church Street Station, New York, N.Y., 10007) for a preliminary permit for unconstructed Project No. 2570, to be known as the Racine Locks and Dam Project, to be located on the Ohio River at the U.S. Government's Racine Dam, scheduled to be constructed in the period 1967-70. The hydroelectric power facilities comprising Project No. 2570 would be installed on the Ohio side of the Ohio River, in Meigs County, Ohio, in the region of Racine and Pomeroy; would affect some 27 acres of lands of the United States under the jurisdiction of the U.S. Corps of Engineers which is to construct the Government dam, and would utilize water from the Government dam.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 18, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6083; Filed, June 2, 1966; 8:46 a.m.]

[Project No. 2571]

OHIO POWER CO.

Notice of Application for Preliminary Permit for Unconstructed Project

MAY 25, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Ohio Power Co. (correspondence to: H. B. Cohn, vice president, Ohio Power Co., Post Office Box 7, Church Street Station, New York, N.Y., 10007) for license for unconstructed Project No. 2571, to be known as Greenup Locks and Dam Project, to be located on the Ohio River at the U.S. Government's constructed Greenup Dam. The hydroelectric power facilities would be installed on the Ohio side of the Ohio River in Scioto County, Ohio, in the region of Ironton and Portsmouth, Ohio; would affect lands of the United States under the supervision of the U.S. Corps of Engineers, constructor of the Government dam, and would utilize water from the Government dam.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 20, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6084; Filed, June 2, 1966; 8:46 a.m.]

[Docket No. RP66–24]

PIPELINE PRODUCTION AREA RATE PROCEEDING

Order Designating Additional Respondents

MAY 25, 1966.

The Commission, by order issued April 13, 1966, severed the pipeline production the above-identified docket for the purposes of determining the proper method for pricing, as a component of the overall cost-of-service of the purchasing pipeline, natural gas produced by the pipelines or acquired by them from their affiliated producer companies.

In appendix A to our order of April 13, 1966, we named various pipeline companies as parties-respondent to the newly instituted proceeding. Since this proceeding encompasses the issue of the appropriate method of pricing to be applied to natural gas acquired by pipelines from their affiliated producer companies we conclude upon further consideration that it is appropriate to join as parties-respondent the affiliated producer companies hereinafter named.

Accordingly, the Commission believes that it is in the public interest to amend appendix A to the April 13 order to include the following affiliated producer issue from the Hugoton-Anadarko area rate proceeding Docket Nos. AR64–1, et al., and instituted a new proceeding in companies: Anadarko Production Co., Cities Service Oil Co., Colorado Oil & Gas Co., Columbian Fuel Corp., El Paso Natural Gas Products Co., La Gloria Oil & Gas Co., Lone Star Producing Co., the Preston Oil Co., Tenneco Oil Co., Texas Gas Exploration Corp., and Union Producing Co. This list of affiliated producer companies may not necessarily be all-inclusive; there may be other existing affiliated producer companies which may be brought to the Commission's attention during the course of this proceeding.

Additionally, we are amending appendix A to the aforementioned order to include Iroquois Gas Co., United Natural Gas Co., Pennsylvania Gas Co., as parties-respondent pipeline companies to this proceeding.

The Commission orders: Appendix A of the Commission's order in this docket issued April 13, 1966, is hereby amended to include the following companies as parties-respondent in the proceedings instituted by paragraph (B) of that order: Anadarko Production Co., Cities Service Oil Co., Colorado Oil & Gas Co., Columbian Fuel Corp., El Paso Natural Gas Products Co., La Gloria Oil & Gas Co., Lone Star Producing Co., the Preston Oil Co., Tenneco Oil Co., Texas Gas Exploration Corp., Union Producing Co., Iroquois Gas Co., United Natural Gas Co., and Pennsylvania Gas Co.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6085; Filed, June 2, 1966; 8:46 a.m.]

[Docket No. RI66–390]

UNION OIL COMPANY OF CALIFORNIA

Order Accepting Contract Amendment, Providing for Hearing on and Suspension of Proposed Change in Rate

MAY 25, 1966.

Union Oil Co. of California (Union Oil)[1] has tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-390	Union Oil Co. of Calif., Union Union Oil Center, Los Angeles, Calif., 90017. Attn: C. E. Smith, Manager, Natural Gas and Gas Liquids.	154 154	[2] [3]	El Paso Natural Gas Co. (Red Hills Area, Lea County, N. Mex.) (Permian Basin Area).	$53,460	4-25-66 4-25-66	[4] 5-26-66 [5] 5-26-66	(Accepted) 10-26-66	16.5	[6] 18.48	RI66-16.

[1] Amends contract provisions to provide for production from all gas wells completed on seller's properties instead of production from one well. Amends contract to provide upward and downward B.t.u. adjustment from 1,000 B.t.u.'s; adds acreage (Application to amend certificate issued in Docket No. CI65-485 to cover the additional acreage has been filed).

[2] The stated effective date is the first day after expiration of the statutory notice

[4] Pressure base is 14.65 p.s.i.a.

[5] B.t.u. adjustment for B.t.u. in excess of 1,000 (Quality statement shows that the gas contains 1,120 B.t.u.'s per cu. ft.

Union Oil requests a retroactive effective date of February 1, 1966, for its proposed contract amendment and rate increase filing. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Union Oil's contract amendment and rate increase and such request is denied.

Union Oil proposes a rate increase consisting of an upward B.t.u. price adjustment for a sale of new gas-well gas to El Paso Natural Gas Co. in the Permian Basin area of New Mexico. The basis for the rate change is a contract amendment, filed concurrently with the rate change, which provides, among other things, for price adjustments for B.t.u.'s above and below 1,000. Prior to such amendment, the contract had no provision for B.t.u. price adjustments, but only provided that the B.t.u. of the delivered gas be not less than 1,000.

The present rate under the contract is 16.5 cents in effect subject to refund in Docket No. RI66–16. Union Oil states that as of February 1, 1966, the estimated B.t.u. content of the gas was 1,120. By applying the B.t.u. adjustment of the contract amendment, to the 16.5-cents rate, Union Oil determines a B.t.u. price adjustment of 1.98 cents per Mcf. The proposed rate is thus 18.48 cents (16.5-cents base rate, plus 1.98 cents upward adjustment for B.t.u.'s in excess of 1,000). The B.t.u. adjustment, as calculated by Union Oil, is contrary to the B.t.u. adjustment standards, prescribed in the Permian Basin opinions, which precludes adjustment for B.t.u.'s between 1,000 and 1,050.

[1] Address is: Union Oil Center, Los Angeles, Calif., 90017, attention: Mr. C. E. Smith, manager, Natural Gas and Gas Liquids.

In compliance with Opinion No. 468, Union Oil filed a quality statement which shows the gas to be of pipeline quality and further shows that the applicable area rate for the sale is 17.69 cents per Mcf. This rate is derived by adding to the area base rate of 16.58 cents per Mcf (15.5 cents per Mcf, plus applicable state and local production taxes in effect September 1, 1965) a B.t.u. price adjustment of 1.11 cents per Mcf. This adjustment is determined by applying the B.t.u. adjustment provision of the Permian Basin opinion for the B.t.u.'s in excess of 1,050.

No action has yet been taken on the quality statement. The proposed rate, however, is not consistent with that reflected in such quality statement.

In view of the possibility that Union Oil's proposed rate may be in excess of the applicable area rate ceiling determined in Permian, it is appropriate to suspend such rate for 5 months as ordered herein.

Except for the stay of the moratorium in Opinion No. 468, Union Oil's rate increase filing would be rejectable. If the moratorium is ultimately upheld upon judicial review, the filing will be rejected ab initio.

On April 25, 1966, Union Oil tendered for filing a contract amendment dated February 1, 1966, which amends the contract provisions to provide for production from all gas wells completed on seller's properties instead of production from one well; provides upward and downward B.t.u. adjustment from 1,000 B.t.u.'s, and dedicates additional acreage. The contract amendment has been designated as Supplement No. 2 to Union Oil's FPC Gas Rate Schedule No. 154. We believe that it would be in the public interest to accept for filing Union Oil's aforementioned contract amendment to become effective as of May 26, 1966, the date of expiration of the statutory notice, but not the proposed rate contained therein which will be suspended as indicated below.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing Union Oil's proposed contract amendment dated February 1, 1966, designated as Supplement No. 2 to Union Oil's FPC Gas Rate Schedule No. 154, and for permitting such supplement to become effective on May 26, 1966, the date of expiration of the statutory notice.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 3 to Union Oil's FPC Gas Rate Schedule No. 154 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Union Oil's contract amendment dated February 1, 1966, designated as Supplement No. 2 to Union Oil's FPC Gas Rate Schedule No. 154, is accepted for filing and permitted to become effective as of May 26, 1966.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 3 to Union Oil's FPC Gas Rate Schedule No. 154.

(C) Pending a hearing and decision thereon, the above-designated rate supplement is hereby suspended and the use thereof deferred until October 26, 1966, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 13, 1966.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66–6086; Filed, June 2, 1966; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

UNITED BANCSHARES OF FLORIDA, INC.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of United Bancshares of Florida, Inc., Miami Beach, Fla., for permission to become a bank holding company through acquisition of stock of two banks in Florida.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)) and § 222.4 (a)(1) of Federal Reserve Regulation Y (12 CFR 222.4(a)(1)), an application on behalf of United Bancshares of Florida, Inc., Miami Beach, Fla., for the Board's approval of action whereby Applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of the Miami Beach First National Bank, Miami Beach, and United National Bank, Miami, both in Florida.

As required by section 3(b) of the Act, the Board notified the Comptroller of the Currency of receipt of the application and requested his views and recommendation thereon. The Comptroller recommended approval.

Notice of receipt of the application was published in the FEDERAL REGISTER on March 15, 1966 (31 F.R. 4425), which provided an opportunity for submission of comments and views regarding the proposed transaction. Time for filing such views and comments has expired and all those filed with the Board have been considered by it.

It is ordered, for the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is approved, provided that the acquisition so approved shall not be consummated (a) within seven calendar days after the date of this Order or (b) later than three months after said date.

Dated at Washington, D.C., this 26th day of May 1966.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66–6087; Filed, June 2, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 14–1]

ELKTON CO.

Order Suspending Trading

MAY 27, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 1 cent par value, of The Elkton Company otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 28, 1966, through June 6, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66–6101; Filed, June 2, 1966; 8:48 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Atlanta.

[2] Voting for this action: Vice Chairman Robertson, and Governors Shepardson, Mitchell, Daane, and Maisel. Absent and not voting: Chairman Martin and Governor Brimmer.

[File No. 1-3782]

GREAT AMERICAN INDUSTRIES, INC.

Order Suspending Trading

MAY 27, 1966.

The common stock, 10 cents par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, $10 par value, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 29, 1966, through June 7, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6102; Filed, June 2, 1966; 8:48 a.m.]

[01-5, 01-6, 01-7]

JAMESTOWN TELEPHONE CORP. ET AL.

Order Postponing Hearing

MAY 27, 1966.

A hearing is now scheduled for May 31, 1966, upon applications filed by Jamestown Telephone Corp., Meadville Telephone Co. and Home Telephone Co. of Ridgway for exemption from the registration provisions of section 12(g) of the Securities Exchange Act of 1934.

It appearing that additional time is required for the parties to consummate negotiations with respect to a proposed stipulation which, among other things, is expected to provide for waiver of an evidentiary hearing herein,

It is ordered, That the hearing is hereby postponed to July 1, 1966.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6103; Filed, June 2, 1966; 8:48 a.m.]

PINAL COUNTY DEVELOPMENT ASSOCIATION

Order Suspending Trading

MAY 27, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5⅞ percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended; this order to be effective for the period May 29, 1966, through June 7, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6104; Filed, June 2, 1966; 8:48 a.m.]

[File No. 812-1955]

JOHN DEERE OVERSEAS CAPITAL CORP.

Notice of Filing of Application for Order Exempting Company From All Provisions of Act

MAY 27, 1966.

Notice is hereby given that John Deere Overseas Capital Corp. ("applicant") has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting it from all provisions of the Act and the rules and regulations thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below:

The applicant was organized by Deere & Co. ("Deere") under the laws of the State of Delaware in May 1966. All of the common stock of applicant, consisting of 100 shares, no par value, will be purchased by Deere for a price of $1,000,000 in cash. On or before October 31, 1966, Deere will make capital contributions to applicant of additional cash, securities or other property so that the equity capital of applicant will not be less than 20 percent of the principal amount of the debentures referred to below. Any additional equity securities which applicant may issue shall be issued only to Deere. Deere does not intend to dispose of any of the securities of applicant held by Deere except to applicant or to another wholly owned subsidiary of Deere.

Deere, a Delaware corporation, and its subsidiaries manufacture, distribute and finance the sale of farm equipment and small and medium sized construction equipment.

Applicant has been organized to assist in financing the foreign operations of Deere and its subsidiaries in a manner complying with the voluntary cooperation program instituted by the President in February 1965, to improve the balance of payments position of the United States. Applicant intends to issue and sell its Guaranteed Convertible Debentures ("Debentures"). Deere will guarantee the principal, premium, if any, sinking fund payments and interest payments on the Debentures. The Debentures will become convertible on August 1, 1967, into common stock of Deere. Any additional securities of applicant which may be issued to or held by the public will be guaranteed by Deere.

It is intended that at least 70 percent of the assets of applicant will be invested in or loaned to foreign companies (including United States companies all or substantially all of whose business is carried on abroad) of which Deere owns directly or indirectly (or will own immediately after such investment or loan) 10 percent or more of the outstanding voting securities, and which are primarily engaged in a business other than investing, reinvesting, owning, holding or trading in securities. It is contemplated that a major portion of the proceeds will be applied to the operations of the European subsidiaries of Deere. Pending commitment of the proceeds, and from time to time thereafter in connection with changes in investments and loans, the assets of applicant may be invested on a short-term basis, or may be deposited in banks.

The Debentures are to be sold to underwriters under conditions which are intended to assure that the Debentures will not be sold to nationals or residents of the United States or its territories or possessions. The Agreement among Underwriters will contain various provisions intended to assure that the Debentures will not be offered or sold to nationals or residents of the United States or its territories or possessions except in transactions with underwriters or with U.S. dealers. U.S. underwriters or U.S. dealers may offer or sell Debentures in the United States in transactions with agents, custodians, nominees, or trustees for persons who are not nationals or residents of the United States or its territories or possessions.

Counsel has advised the applicant that U.S. persons will be required to report and pay interest equalization tax with respect to acquisitions of the Debentures, except where a specific statutory exemption is available. Consequently, by financing its foreign operations through the applicant rather than through sales of its own debt obligations Deere will utilize an instrumentality the acquisition of whose debt obligations by U.S. persons would, generally, subject such persons to interest equalization tax, thereby tending to discourage them from purchasing such debt securities.

The Debentures and the common stock of Deere into which they are to be convertible will be registered under the Securities Act of 1933. Applicant will use its best efforts to list the Debentures on the New York Stock Exchange and to register them under the Securities Exchange Act of 1934.

Applicant submits that it is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act for the Commission to enter an order exempting applicant from each and every provision of the Act for the following reasons: (1) The principal purpose of the applicant is to obtain funds from foreign sources for Deere's foreign operation while assisting in improving the balance of payments position of the United States; (2) the payment of the Debentures, which is guaranteed by Deere, and the value of the right to convert the Debentures by exchanging them for shares of Deere common stock, do not depend on the operations or investment policy of the applicant because of the unconditional guarantee of Deere; (3) none of the equity securities of the applicant will be held by any person other than Deere or a wholly owned subsidiary of Deere; (4) applicant will not deal or trade in securities; (5) applicant's security holders will have the benefit of the disclosure and reporting provisions of the Securities Exchange Act of 1934; the Debentures (and the common stock into which they will be convertible) will be registered under the Securities Act of 1933 and the indenture relating to the Debentures will be qualified under the Trust Indenture Act of 1939; (6) the Debentures will be offered and sold only to foreign nationals under conditions intended to assure that they will not be distributed or redistributed to or for the benefit of nationals or residents of the United States or its territories or its possessions; (7) the burden of the interest equalization tax will tend to discourage purchase of the Debentures by any United States person.

Notice is further given that any interested person may, not later than June 13, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or of law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant, at the address stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6105; Filed, June 2, 1966; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30, Columbus Region; Amdt. 1]

COLUMBUS REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30, F.R. No. 3254; 30 F.R. 13890; Delegation of Authority 30, F.R. No. 6454 is hereby amended to add the following authority to Item I.F.:

I.F. To Loan Specialists GS-9 and above assigned to all Financial Assistance Division programs in all offices of this region. Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modification in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective Date: April 27, 1966.

JOHN W. DONAHEY, *Regional Director, Columbus Regional Office, Small Business Administration.*

[F.R. Doc. 66-6096; Filed, June 2, 1966; 8:47 a.m.]

[Delegation of Authority No. 30, Baltimore, Md., Region; Rev. 1; Amdt. 1]

BALTIMORE REGIONAL AREA

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Middle Atlantic Area, 30 F.R. 3254; Delegation of Authority 30 F.R. 4432 is hereby amended to add the following authority as Item I.G.:

I. • • •

G. To Loan Specialists GS-9 and above assigned to all financial assistance division programs of this region. Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date: April 15, 1966.

MEREDITH R. HOFFMASTER, *Regional Director, Baltimore, Maryland.*

[F.R. Doc. 66-6097; Filed, June 2, 1966; 8:47 a.m.]

[Delegation of Authority 30, Pittsburgh, Pa., Region, Rev. 1, Amdt. 1]

PITTSBURGH REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Middle Atlantic Area, 30 F.R. 3254, as amended, 30 F.R. 5778, 30 F.R. 8080, 30 F.R. 13890 and 30 F.R. 14128; Delegation of Authority 30 F.R. 6456 as revised by 31 F.R. 927 is hereby amended to add the following authority at Item I.F.:

I.F. To Loan Specialists GS-9 and above assigned to all financial assistance division programs in all offices of this region. Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date: April 13, 1966.

F. A. THOMASSY, *Regional Director, Pittsburgh Regional Office, Small Business Administration.*

[F.R. Doc. 66-6098; Filed, June 2, 1966; 8:48 a.m.]

[Delegation of Authority No. 30, Cleveland, Ohio, Region; Amdt. 1]

CLEVELAND REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30, F.R. 3254; 30 F.R. 8080; 30 F.R. 13890; and 30 F.R. 14128; Delega-

tion of Authority 30, F.R. 7262; is hereby amended to add the following authority to Item I.G.:

I.G. To Loan Specialists GS–12 and above Assigned to all Financial Assistance Division programs in all offices of this region. Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective Date: April 26, 1966.

JOHN F. O'BRIEN,
Acting Regional Director, Cleveland Regional Office, Small Business Administration.

[F.R. Doc. 66-6099; Filed, June 2, 1966; 8:48 a.m.]

[Delegation of Authority No. 30, Richmond, Va., Region; Amdt. 1]

RICHMOND REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority 30, F.R. 3254; 30 F.R. 5778; and 30 F.R. 8080, Delegation of Authority 30, F.R. 6456 is hereby amended to add the following authority to Item "I.F.:

"I.F. To Loan Specialists GS–11 and above assigned to all Financial Assistance Division programs in all offices of this region. Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.
2. Release of dividends of life insurance or consent to application against premiums.
3. Minor modifications in the authorization.
4. Extension of disbursement period.
5. Extension of initial principal payments.
6. Adjustment of interest payment dates.
7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date: April 14, 1966.

CLARENCE P. MOORE,
Regional Director, Richmond Regional Office, Small Business Administration.

[F.R. Doc. 66-6100; Filed, June 2, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 928]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

MAY 27, 1966.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the Rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the Special Rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 130 (Sub-No. 4), filed May 18, 1966. Applicant: DALLAS L. CORBET, doing business as CORBET TRUCK LINE, Robinson, Kans. Applicant's representative: Erle W. Francis, Suite 719, Capitol Federal Building, 700 Kansas Avenue, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed and poultry feed and feed ingredients*, in bulk, packages, bags or containers, from St. Joseph, Mo., to points in Kansas, Missouri, and that part of Iowa on and west of U.S. Highway 65, with no duplication of authority, and *damaged or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 475 (Sub-No. 1), filed May 11, 1966. Applicant: EUGENE WYMORE, doing business as WYMORE TRANSFER CO., 16th at Main, Oregon City, Oreg. Applicant's representative: Earl V. White, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Paper, paper products, paper mill supplies, machinery, and equipment*, (1) between Portland and Wauna, Oreg.; from Portland over U.S. Highway 30 to Wauna, and return over the same route, and (2) between Rainier and Clatskanie, Oreg.; over Columbia County Roads (U.S. Highway 30 bypass) as an alternate route for operating convenience only, serving no intermediate points in (1) and (2) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 629 (Sub-No. 23), filed May 18, 1966. Applicant: HELM'S EXPRESS, INC., Post Office Box 268, Pittsburgh, Pa., 15230. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsite of the American Cyanamid Co. in Princeton Township, Mercer County, N.J., as an off-route point in connection with applicant's authorized regular route authority between Cleveland, Ohio, and Philadelphia, Pa., and between Pittsburgh, Pa., and New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

[1] Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

No. MC 730 (Sub-No. 268), filed May 16, 1966. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. Applicant's representative: Alfred G. Krebs (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A and B explosives*, between junction U.S. Highways 30N and 30S at or near Little America, Wyo., and junction U.S. Highways 30N and 91 at McCammon, Idaho, over U.S. Highway 30N, serving no intermediate points and as an alternate route for operating convenience only in connection with applicant's authorized regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 1936 (Sub-No. 22), filed May 12, 1966. Applicant: B & P MOTOR EXPRESS, INC., 720 Gross Street, Pittsburgh, Pa., 15224. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives and household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 2153 (Sub-No. 38), filed May 16, 1966. Applicant: MIDWEST MOTOR EXPRESS, INC., 12th Street and Front Avenue, Box 1058, Bismarck, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Beach, N. Dak., and Glendive, Mont., over U.S. Highway 10 and Interstate Highway 94, serving the intermediate point of Wibaux, Mont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Bismarck, N. Dak.

No. MC 2202 (Sub-No. 293), filed May 10, 1966. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio, 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Lorain County, Ohio, to points in Ohio, Maryland, New Jersey, New York, Delaware, Georgia, Alabama, and South Carolina. NOTE: The purpose of this republication is to broaden the original application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2202 (Sub-No. 294), filed May 10, 1966. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio, 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Archer Aluminum, a division of R. J. Reynolds Tobacco Co., located at or near Huntingdon, Tenn., as an off-route point in connection with applicant's regular route between Memphis, Tenn., and Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 2484 (Sub-No. 41) (Amendment), filed May 28, 1966, published FEDERAL REGISTER issue of April 14, 1966, amended May 24, 1966 and republished as amended this issue. Applicant: E & L TRANSPORT COMPANY, a corporation, 14201 Prospect Avenue, Post Office Box 299, Dearborn, Mich., 48121. Applicant's representative: George S. Dixon, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm type tractors*, (1) from Detroit, Mich., to points in New York, and (2) from points in Lorain County, Ohio, to points in Ohio, Maryland, New Jersey, New York, Delaware, Georgia, Alabama, and South Carolina. NOTE: The purpose of this republication is to broaden the original application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2542 (Sub-No. 11), filed May 10, 1966. Applicant: THE ADLEY CORPORATION, doing business as ADLEY EXPRESS COMPANY, 216 Crown Street, New Haven, Conn. Applicant's representative: J. G. Dail, Jr., 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between New York, N.Y., and points in Nassau and Suffolk Counties, N.Y. NOTE: Applicant proposes to tack the authority sought to its existing authority at New York, N.Y. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 3874 (Sub-No. 10), filed May 19, 1966. Applicant: L. C. CORP., doing business as GREY LINES, 1137 Statler Office Building, Boston, Mass. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Newspapers, television guides, magazines, and inserts, supplements and parts* of the above described commodities, between Albany, N.Y., and Pittsfield, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 4405 (Sub-No. 441) (Correction), filed April 11, 1966, published FEDERAL REGISTER issue of May 5, 1966, and republished as corrected this issue. Applicant: DEALER'S TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's representative: James W. Wrape, Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semitrailers and trailer chassis and semitrailer chassis* (except those designed to be drawn by passenger automobiles), in initial movements in truckaway and driveaway service, from Bridgewater, Va., to points in the United States, including Alaska, but excluding Hawaii, and (2) *tractors*, in secondary driveaway service, only when drawing trailers moving in initial driveaway service, from Bridgewater, Va., to points in Alaska, Arizona, Nevada, Oregon, and Vermont. NOTE: Applicant states no tacking with existing authority of applicant is contemplated. The purpose of this republication is to show the correct address of applicant's representative. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 4405 (Sub-No. 442) (Correction), filed April 11, 1966, published FEDERAL REGISTER, issue of May 5, 1966, and republished as corrected this issue. Applicant: DEALER'S TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's representative: James W. Wrape, Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semitrailers and trailer chassis and semitrailer chassis* (except those designed to be drawn by passenger automobiles), in initial movements in truckaway and driveaway service, from Ashdown, Ark., to points in the United States, including Alaska, but excluding Hawaii, and (2) *tractors*, in secondary driveaway service, only when drawing trailers moving in initial driveaway service, from Ashdown, Ark., to points in Alaska, Arizona, Nevada, Oregon, and Vermont. NOTE: Applicant states no tacking with existing authority of applicant is contemplated. The purpose of this republication is to the correct address of applicant's representative. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Dallas, Tex.

No. MC 11220 (Sub-No. 106), filed May 13, 1966. Applicant: GORDONS

TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, Tenn. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Dallas, Tex., and Hugo, Okla.; from Dallas over U.S. Highway 67 (Interstate Highway 30) to junction Texas Highway 34, thence over Texas Highway 34 to Greenville, Tex., thence over Texas Highway 24 to junction U.S. Highway 271, thence over U.S. Highway 271 to Hugo, Okla., and return over the same route, serving Arthur City, Tex., and all intermediate points in Oklahoma. NOTE: Applicant states should this application be granted applicant is agreeable to the cancellation of its existing authority between Hugo, Okla., and Arthur City, Tex. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 13499 (Sub-No. 2), filed May 11, 1966. Applicant: PACIFIC TRANSPORTATION LINES, INC., 901 Fuhrmann Boulevard, Buffalo, N.Y., 14203, mailing address: 443 Delaware Avenue, Buffalo, N.Y., 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery, and food business houses, and fixtures, equipment, supplies and materials used in the conduct of such business*, from Horseheads, N.Y. (Chemung County), to points in Erie, Crawford, Venango, Warren, Forest, Elk, Cameron, McKean, Potter, Clinton, and Tioga, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 13569 (Sub-No. 18), filed May 10, 1966. Applicant: THE LAKE SHORE MOTOR FREIGHT COMPANY, a corporation, 1200 South State Street, Girard, Ohio. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J., 07122. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Pittsburgh, Pa., or Chicago, Ill.

No. MC 14702 (Sub-No. 14), filed May 18, 1966. Applicant: OHIO FAST FREIGHT, INC., Post Office Box 808, Warren, Ohio. Applicant's representative: Paul T. Beery, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel products, steel mill equipment, materials, and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 15640 (Sub-No. 12), filed May 9, 1966. Applicant: DEBOLT TRANSFER, INC., 335 East Seventh Avenue, Homestead, Pa., 15120. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa., 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steelmill materials, supplies and equipment, and building materials*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 16634 (Sub-No. 15), filed May 4, 1966. Applicant: STRANG TRANSPORTATION, INC., Main Street, Elmer, N.J. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer, and dry fertilizer materials*, from Wilmington, Del., to points in Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 16872 (Sub-No. 12), filed May 18, 1966. Applicant: WILLIAM MIRRER, doing business as MIRRER'S TRUCKING CO., 38 Alan Avenue, Glen Rock, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers*, glass or plastic, in packages, between Paterson, N.J., on the one hand, and, on the other, Providence, R.I., Bridgeport, New Haven, and Hartford, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 17002 (Sub-No. 33) (Amendment), filed April 20, 1966, published in FEDERAL REGISTER issue of May 5, 1966, amended May 24, 1966, and republished as amended this issue. Applicant: CASE DRIVEWAY, INC., 6001 U.S. Route 60, East Huntington, W. Va. Applicant's representative: Paul F. Sullivan, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles* as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (a) from points in Putnam County, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Minnesota, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, and (b) materials, supplies and equipment used in the manufacture of iron and steel and iron and steel articles on return. NOTE: The purpose of this republication is to change the origin point of Hennepin, Ill., to points in Putnam County, Ill., and to add item (b) to the application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 17057 (Sub-No. 3), filed May 11, 1966. Applicant: E. M. GREGG, INC., Post Office Drawer G, U.S. Highway 270 East, Hugoton, Kans. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products; and (2) *machinery, equipment, materials, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof; between points in Baca, Prowers, and Kiowa Counties, Colo. NOTE: Applicant states that it intends to tack this proposed service to existing authority in MC 17057, which grants authority to transport above-described equipment between points in Baca County, Colo., on the one hand, and, on the other, points in Kansas and Oklahoma. If a hearing is deemed necessary, applicant requests it be held at Lamar, Colo.

No. MC 17868 (Sub-No. 6), filed May 13, 1966. Applicant: H. E. BRINKERHOFF AND SONS TRANSPORTATION CO., a corporation, 1001 South 14th Street, Harrisburg, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Household goods*, as defined by the Commission, uncrated, crated, and containerized, between points in the Borough of Gettysburg (Adams County), Harrisburg (Dauphin County), and Reading (Berks County), Pa., on the one hand, and, on the other, points in Pennsylvania, restricted to shipments having a prior or subsequent movement beyond said points, uncrated, crated, and in containers, and further restricted to pickup and delivery service incidental to and in connection with

packing, crating, and containerization or unpacking, uncrating, and containerization of such shipments; (2) *Household goods*, as defined by the Commission, between Harrisburg, Pa., and points within 75 miles of Harrisburg, on the one hand, and, on the other, points in Kansas, Arkansas, Oklahoma, Mississippi, New Mexico, Arizona, and California. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 20491 (Sub-No. 7), filed May 13, 1966. Applicant: SOL COHEN & SONS, INC., 1208 Channing Road, Far Rockaway, N.Y. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Camp baggage and personal effects of campers*, during the season extending from June 1 to October 1 inclusive of each year, between points in Hampshire, Hampden, Essex, Middlesex, Norfolk, Suffolk, and Worcester Counties, Mass., and Hartford and Tolland Counties, Conn., on the one hand, and, on the other, points in Massachusetts, Maine, New Hampshire, Connecticut, Vermont, and New York (except New York, N.Y., and points in Nassau, Suffolk, and Westchester Counties, N.Y.). NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 21170 (Sub-No. 214), filed May 8, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from Pewaukee, Wis., to points in Colorado, Nebraska, Iowa, Missouri, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 21170 (Sub-No. 219), filed May 11, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and processed foodstuffs*, from Collinsville, Ill., to points in Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 21170 (Sub-No. 221), filed May 12, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, and fish feed and feed ingredients* and *supplements thereof* (except in bulk, in tank vehicles), between points in Nebraska, Iowa, and Kansas on the one hand, and, on the other, points in Connecticut, Massachusetts, Pennsylvania, Rhode Island, and New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 21170 (Sub-No. 223), filed May 12, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal food*, from Boston and Woburn, Mass., to points in Arkansas, Alabama, Georgia, Louisiana, Mississippi, Michigan, Minnesota, Kentucky, Ohio, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 21170 (Sub-No. 225), filed May 11, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Novelties, decorations, and party goods*, from Shippensburg, Pa., to points in Minnesota, Iowa, Missouri, Nebraska, Kansas, Oklahoma, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 21170 (Sub-No. 227), filed May 13, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Washing compounds*, granular, from the plantsite of the Monsanto Chemical Co., located at Trenton, Mich., to the plantsite of Lever Bros. Co., located at Hammond, Ind., or warehouses designated by the Lever Bros. Co., located at Hammond, Ind.; and *damaged or rejected shipments*, on return, restricted against shipments in bulk, or liquid. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 21170 (Sub-No. 229), filed May 18, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, preserved, or prepared (except frozen foods), from points in Kansas, to points in Missouri (except Kansas City, Mo., and St. Louis, Mo., and points in their commercial zones). NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 21170 (Sub-No. 230), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sonatubes, and plastic products*, with or without being combined with wood or metal, from Midland, Mich., Pevely and Louisiana, Mo., Kearny, N.J., Waterford, N.Y., and Akron, Ohio, to points in Iowa, Illinois, Nebraska, North Dakota, South Dakota, Wisconsin, the Upper Peninsula of Michigan, Kentucky, Tennessee, Texas, Missouri, Kansas, Oklahoma, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 21170 (Sub-No. 231), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Louisiana, to points in Indiana, Kentucky, Missouri, Ohio, Pennsylvania, Tennessee, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 21170 (Sub-No. 232), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in packages, from Wrens, Ga., to points in Alabama, Arkansas, Colorado, Florida, Illinois, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 26001 (Sub-No. 14), filed May 13, 1966. Applicant: AMERICAN FREIGHTWAYS CO., INC., 518 Porter Avenue, Brooklyn, N.Y. Applicant's representative: Martin Werner, 2 West 45th Street, New York, 36, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), serving Greenwich, Conn., as an off-route point in connection with applicant's regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 28478 (Sub-No. 31), filed May 19, 1966. Applicant: GREAT LAKES EXPRESS CO., a corporation, 172 Davenport Street, Saginaw, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Michigan, Ohio, Indiana, Pennsylvania, New York, Wisconsin, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 41116 (Sub-No. 25), filed May 10, 1966. Applicant: FOGLEMAN TRUCK LINE, INC., Post Office Box 603, Crowley, La. Applicant's representative: Austin L. Hatchell, Suite 1102, Perry-Brooks Building, Austin, Tex., 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer solutions, ingredients, and materials*, and *urea*, in bulk, and in bags, from Lake Charles, La., to points in Louisiana, Texas, Oklahoma, Arkansas, and Mississippi, under a continuing contract with Olin Mathieson Chemical Corp. NOTE: Applicant holds common carrier authority under MC 123993, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, La.

No. MC 41255 (Sub-No. 59), filed May 13, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C., 27292. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen citrus juice concentrate* and *citrus products*, not canned and not frozen, in vehicles equipped with mechanical refrigeration, from points in Florida to points in Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Virginia, and West Virginia. NOTE: Applicant states that the purpose of this application is to remove the point to point destination restriction and allow statewide destination territory. If a hearing is deemed necessary, applicant requests it be held at Tampa or Orlando, Fla.

No. MC 41406 (Sub-No. 16), filed May 12, 1966. Applicant: J. ARTIM & SONS, INC., 7105 Kennedy Avenue, Hammond, Ind. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467) between points in Putnam County, Ill., and points in Indiana, Iowa, Wisconsin, Ohio, Kentucky, Michigan, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Missouri, Arkansas, Tennessee, Mississippi, Louisiana, Alabama, Georgia, Florida, Colorado, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 42487 (Sub-No. 652), filed May 13, 1966. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in Putnam County, Ill., as off-route points in connection with carrier's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 45057 (Sub-No. 17), filed May 9, 1966. Applicant: McLEOD TRUCKING, INC., 1289 East Fifth Street, Reno, Nev. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barite*, in bulk, in bulk trailers and/or bags, barrels, or containers, from Battle Mountain, Nev., to points in Lincoln and Clatsop Counties, Oreg. NOTE: Applicant states it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 51146 (Sub-No. 45), filed May 11, 1966. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulp* (except in tank or hopper type vehicles), between points in Wisconsin on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 55236 (Sub-No. 132), filed May 9, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics and plastic materials*, in bulk, in tank vehicles or hopper-type vehicles, from the plantsite of Rexall Drug & Chemical Co. located approximately 4 miles southeast of Channahon, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 55236 (Sub-No. 134), filed May 16, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal fats, animal oils, and vegetable oils, including products and blends of such commodities*, in bulk, in tank vehicles, from Chicago, Ill., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Mississippi, Nebraska, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Tennessee, Virginia, West Virginia, and Wisconsin, and the District of Columbia; and (2) *vegetable oils*, in bulk, in tank vehicles, from points in Illinois, Iowa, Missouri, Tennessee, and Wisconsin, to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 55236 (Sub-No. 135), filed May 19, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial chemicals*, and *fertilizers*, in bulk, in tank vehicles, from points in Woodbury County, Iowa, to points in Colorado, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 55236 (Sub-No. 136), filed May 19, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank or hopper-type vehicles, from Utica, Ill., to points in Minnesota and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59367 (Sub-No. 44), filed May 16, 1966. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa, 50501. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50316. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Oakland, Iowa, and points within 5 miles thereof, to points in Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 59507 (Sub-No. 11), filed May 18, 1966. Applicant: EDGAR H. ALLEN & SON, INC., Box 184, Old Bridge, N.J. Applicant's representative: August W. Heckman, 297 Academy Street, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, ties, wooden poles, wooden piling, sheet steel piling, structural steel beams, and contractors' supplies*, from Old Bridge, N.J., to points in Connecticut east of the Connecticut River (except New London, Conn.). NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 61403 (Sub-No. 157), filed May 11, 1966. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Post Office Box 47, Kingsport, Tenn. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, and fertilizer ingredients*, in bulk, in tank vehicles (except cryogenic liquids, in bulk, in tank vehicles), from the plantsite of Apple River Chemical Co., at Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 70040 (Sub-No. 3), filed May 9, 1966. Applicant: KAY C. SCHWEDHELM, doing business as SCHWEDHELM FREIGHT, Bancroft, Nebr. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), (1) between Omaha, Nebr., and Sioux City, Iowa, from Omaha, over U.S. Highway 275 to junction U.S. Highway 77, thence over U.S. Highway 77 to Sioux City, Iowa, and return over the same route, serving the intermediate and off-route points of Council Bluffs, Iowa, and Bancroft, Rosalie, Walt Hill, Winnebago, Homer, Dakota City, and South Sioux City, Nebr., those points within a 10-mile radius of Winnebago and Rosalie, Nebr., those points in Iowa within a 6-mile radius of Sioux City, Iowa, and serving the junction of U.S. Highways 275 and 77 for purposes of joinder only, except that no service is authorized between Omaha, Nebr., and Council Bluffs, Iowa, on the one hand, and, on the other, Sioux City, Iowa, (2) between junction U.S. Highways 275 and 77 and Sioux City, Iowa, from junction U.S. Highways 275 and 77, over U.S. Highway 275 to junction Nebraska Highway 9, thence over Nebraska Highway 9 to junction Nebraska Highway 16, thence over Nebraska Highway 16 to junction Nebraska Highway 35, thence over Nebraska Highway 35 to junction Nebraska Highway 9, thence over Nebraska Highway 9 to junction U.S. Highway 20, thence over U.S. Highway 20 to Sioux City, Iowa, and return over the same route, serving all intermediate points on said highways between Pender, Nebr., and Sioux City, Iowa, including Pender, and the off-route points of Emerson, Concord, Wayne, and Thurston, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 71337 (Sub-No. 4), filed May 9, 1966. Applicant: WM. B. DUFFY CARTING CO., INC., 62 Scio Street, Rochester, N.Y. Applicant's representative: Robert V. Gianniny, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen food products* having a prior movement by rail, between Avon, Batavia, and Rochester, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y., or Washington, D.C.

No. MC 72140 (Sub-No. 49), filed May 5, 1966. Applicant: SHIPPERS DISPATCH, INC., 1216 West Sample Street, South Bend, Ind. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), between points in Putnam County, Ill., on the one hand, and, on the other, points in Missouri, Indiana, Ohio, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 73165 (Sub-No. 224), filed May 9, 1966. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas; and (2) *materials, equipment and supplies used in, or in connection with, the manufacture, production, processing, or distribution of iron and steel and iron and steel articles*, from points in the above-named States to points in Putnam County, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 73464 (Sub-No. 101) (Amendment), filed December 13, 1966, published FEDERAL REGISTER issue of January 20, 1966, amended May 16, 1966, and republished as amended this issue. Applicant: JACK COLE COMPANY, a corporation, 1900 Vanderbilt Road, Birmingham, Ala. Applicant's representative: R. J. Reynolds III, Suite 403–11, Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), (1) between Detroit and Bay City, Mich., from Detroit over Interstate Highway 75 to Saginaw, thence over Michigan Highway 13 to Bay City, serving the intermediate points of Flint, Pontiac, and Troy and the off-route points of Ann Arbor, East Lansing, Jackson, Lansing, Midland, Swartz Creek, Willow Run, and Ypsilanti, and serving Detroit for joinder only, and (2) between Toledo, Ohio, and Bay City, Mich., from Toledo over U.S. Highway 223 to junction U.S. Highway 23, thence over U.S. Highway 23 to junction Interstate Highway 75, thence over Interstate Highway 75 to junction Michigan Highway 13, thence over Michigan Highway 13 to Bay City, serving the intermediate points of Ann Arbor, Flint, Ypsilanti, and Saginaw, and the off-route points of East Lansing, Jackson, Lansing, Midland, Pontiac, Swartz Creek, Troy, and Willow Run, and serving Toledo for joinder only.

NOTE: Applicant states at Detroit, Mich., and Toledo, Ohio, applicant intends to tack or join the proposed routes with presently held irregular route authority, thereby providing single line service between the involved Michigan points, on the one hand, and, on the other, Andalusia, Anniston, Attalla, Birmingham, Brewton, Demopolis, Dothan, Elba, Enterprise, Eufaula, Evergreen, Gadsden, Georgiana, Greenville, Montgomery, Opelika, Opp, Ozark, and Prattville, Ala.; points in Alabama within 15 miles of Birmingham; and points in Alabama located on applicant's regular routes between Birmingham and Mobile, Ala. At the aforesaid Alabama points applicant intends to interline the involved traffic with all available carriers, including its subsidiary, Dixie Highway Express, Inc., which applicant controls pursuant to authority granted in Docket No. MC–F 8373. Dixie Highway Express, Inc., holds authority under Docket No. MC 108185 and effective subs, and operates over a system of regular routes in the States of Alabama, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee. The purpose of this republication is to add the note above for clarification. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 78763 (Sub-No. 39), filed May 5, 1966. Applicant: JETWAY, INC., Box 230, Lansdale, Pa. Applicant's representative: John W. Frame, Post Office Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel, iron or steel products, and articles of iron or steel manufacture*, between points in Pennsylvania on and east of U.S. Highway 15 (except points in Pennsylvania on and east of U.S. Highway 15 in Adams, York, Cumberland, Perry, Dauphin, Lebanon, Lancaster, Berks, Chester, and Montgomery Counties, Pa.; and points in Pennsylvania on and east of U.S. Highway 15 and north of the East Branch of the Susquehanna River in Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, and Columbia Counties, Pa.), on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, Ohio, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 81350 (Sub-No. 3), filed May 18, 1966. Applicant: EASTERN DAKOTA TRANSPORTATION, INC., 1 East Oak Street, Sisseton, S. Dak. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn., 55403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Fargo, N. Dak., and Moorhead, Minn., on the one hand, and, on the other, points in Roberts, Marshall, Grant, and Day Counties, S. Dak., and (2) between Fargo, N. Dak., on the one hand, and, on the other, points in Traverse and Big Stone Counties, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 83217 (Sub-No. 23), filed May 9, 1966. Applicant: DAKOTA EXPRESS, INC., 110 North Reid Street, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Foodstuffs*, from points in Minnesota, to points in Iowa, Nebraska, and South Dakota. NOTE: Applicant states it will transport exempt commodities on return. No duplicate authority is sought. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 83217 (Sub-No. 24), filed May 9, 1966. Applicant: DAKOTA EXPRESS, INC., 110 North Reid Street, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses* and such commodities as are used by meatpackers in the conduct of their business as described in appendix I to the report in the *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from Tama, Iowa, and points within 5 miles thereof, to points in Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant states it will transport exempt commodities on return, and no duplicating authority is sought herein. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 83539 (Sub-No. 183), (Amendment), filed April 22, 1966, published FEDERAL REGISTER issue of May 12, 1966, amended May 16, 1966, and republished as amended this issue. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's representative: J. P. Welsh, Post Office Box 5976, Dallas, Tex., 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Electrical transformers, circuit breakers, switchgear, air switches, laminations sheet steel for magnetic cores and/or parts thereof*, which by reason of size or weight require the use of special equipment, (2) *electrical transformers, circuit breakers, switchgear, air switches, laminations sheet steel for magnetic cores, and insulators and parts thereof*, which do not require the use of special equipment when moving in the same vehicle at the same time with the commodities in (1) above, and (3) *transformer oil in containers, paint in containers, fans, copper bar and pipe and iron and steel forms* used in or on the commodities named in (1) above, and *related products*, when transported in mixed loads with the commodities in (1) and (2) above, from Canonsburg, Pa., to points in Arizona, California, Colorado, Idaho, Iowa, Kansas, Mississippi, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. NOTE: Applicant states it presently holds existing authority to transport "Commodities, which by reason of size or weight require the use of special equipment," from the origin to all named destinations except Idaho. Applicant here seeks, at shipper's request, to obtain specific authority for the involved commodities in mixed loads to enable full utilization of equipment and permit greater flexibility in shipping combination loads with intermediate stops within the destination territory. Application here seeks no duplicating authority. The purpose of this republication is for a change in the commodity description pursuant to specific request of supporting shipper. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83835 (Sub-No. 49), filed May 9, 1966. Applicant: WALES TRUCKING COMPANY, a corporation, 905 Meyers Road, Grand Prairie, Tex. Applicant's representative: James W. Hightower, Wynnewood Professional Building, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Primer and rust preventive pipe coating*, in drums and containers, between Indianapolis, Ind., on the one hand, and, on the other, points in Michigan and Wisconsin, and *damaged or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 87103 (Sub-No. 4), filed May 6, 1966. Applicant: JOSEPH H. SHAW, doing business as MILLER TRANSFER & STORAGE, Clarion, Pa.. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa., 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Appliances, equipment, machinery, machines, and accessories and parts thereof*, used or useful in the manufacture and packaging of glass and plaster containers, (1) between the plantsites of the Brockway Glass Co. located at Brockway, Pa., and points within 15 miles thereof and Washington, Pa., on the one hand, and, on the other, its plantsites located at Freehold, N.J., Boylston, Ala., Zanesville, Ohio, Lapel, Ind., Rosemont, Minn., Ada and Muskogee, Okla., Oakland and Pomona, Calif., Parkersburg, W. Va., and Fitchburg and Boston, Mass., and (2) from Hartford, Conn., to the various plantsites of the Brockway Glass Co. at Brockway, Pa., and within 15 miles of Brockway, Pa. NOTE: Applicant is authorized to operate as a contract carrier in MC 119302, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 88161 (Sub-No. 75), filed May 16, 1966. Applicant: INLAND TRANSPORTATION CO., INC., 6737 Corson Avenue South, Seattle, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers*, dry, in bulk, in tank vehicles, from Ontario and Nyssa, Oreg., to points in Washington, Payette, Gem, Canyon, Ada, Elmore, Owhyee, Gooding, Lincoln, Jerome, Twin Falls, Cassia, and Minidoka Counties, Idaho, and *rejected or contaminated shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 89340 (Sub-No. 1) (Amendment), filed October 6, 1965, published October 28, 1965, amended, and republished as amended, this issue. Applicant: HUGHES TRANSPORTATION, INC., 2038 Meeting Street Road, Post Office Box 851, Charleston, S.C. Applicant's representative: Frank B. Hand, Jr., 921 17th Street NW., Washington, D.C., 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel bar joists and steel bolts, nuts, plates, and angles*, when transported with steel bar joists as a part of the same shipment, from Florence, S.C., to points in Florida, Georgia, South Carolina, North Carolina, Virginia, West Virginia, Tennessee, Alabama, Mississippi, Kentucky, Maryland, Delaware, Pennsylvania, Rhode Island, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, Ohio, Michigan, Illinois, Indiana, Wisconsin, and New Jersey, and the District of Columbia; and (2) *steel angles, bars, and rods*, from Charleston, S.C., to Florence, S.C. NOTE: Applicant states that the operation is to be performed under continuing contracts with Vulcraft, division of Nuclear Corp. of America, Florence, S.C., and Florence Iron & Steel Co., Florence, S.C. Applicant is also authorized to conduct operations as a common carrier in certificate MC 102682 and subs thereunder; therefore, dual operations may be involved. The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 92983 (Sub-No. 519), filed May 10, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cider, juices, vinegar, and wines*, in bulk, in tank vehicles, from points in New York, to points in Arkansas, Illinois, Kansas, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 520), filed May 11, 1966. Applicant: ELDON MILLER, INC., 531 Walnut Street, Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Tennessee to points in Kansas, Missouri, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 521), filed May 13, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fats and oils, including blends and products thereof* (except petroleum oils), in bulk, from points in Colorado, Kansas, and Oklahoma to points in Kansas and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 522), filed May 13, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cider, juices, vinegar, and wines*, in bulk, in tank vehicles, from points in Missouri to points in Arkansas, Kansas, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 94350 (Sub-No. 171), filed May 9, 1966. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Greenville, S.C. Applicant's representative: Henry P. Willimon, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Richland County, S.C., to points in Louisiana and in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, and *damaged or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 95540 (Sub-No. 675), filed May 5, 1966. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway, director of operating rights, Watkins Motor Lines, Inc., Albany Highway, Thomasville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in packages, from the facilities of Magnet Cove Barium Co., located at or near Vaiden, Miss., to points in Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states it was granted authority in MC 95540, Sub 568, to serve the supporting shippers plant which was formerly located at Kosciusko, Miss., to serve all points in the above States. The supporting shipper has moved its operation from Kosciusko, Miss., to Vaiden, Miss., which is located 23 miles northwest of its former location at Kosciusko. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 97825 (Sub-No. 3), filed May 9, 1966. Applicant: LOUISIANA MIDLAND TRANSPORT CO., INC., 3679 Florida Boulevard, Baton Rouge, La. Applicant's representative: Carlos G. Spaht, Union Federal Building, Baton Rouge, La., 70821. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities*, (a) between Georgetown and Ferriday, La., over Louisiana Highways 108 and 6, including side trip to and from Rhinehart, over Louisiana Highway 19, (b) between Packton and Georgetown over Louisiana Highway 108, (c) between Ferriday and Vidalia, La., over U.S. Highway 65, and (d) between Trout and Pineville, La. (with closed doors) via Pollock over Louisiana Highway 19 and U.S. Highway 165, and (2) *cement*, in packages and in bulk, in tank or other bulk type carrying vehicles, which has had a prior movement by either water or rail from Selma (Jefferson County), Mo., from Vidalia and Monroe, La., to points in Arkansas, Alabama, Louisiana, and Mississippi; and *damaged or rejected shipments*, on return. NOTE: Applicant states the operating authority sought in (1) above is now authorized by a certificate of registration issued in Docket No. MC 97825, Sub 1. Applicant has recently filed an application for contract carrier authority in MC 127858 to perform the service set forth in (2) above, a request will be made for the withdrawal and dismissal of MC 127858. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or first available place.

No. MC 102567 (Sub-No. 111), filed May 9, 1966. Applicant: EARL CLARENCE GIBBON, doing business as EARL GIBBON PETROLEUM TRANSPORT, 235 Benton Road, Bossier City, La. Applicant's representative: Jo E. Shaw, Bettes Building, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ethylene dibromide*, in bulk, in tank vehicles, from El Dorado, Ark., to points in Colorado, Idaho, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 102608 (Sub-No. 15), filed May 12, 1966. Applicant: BURLINGTON-CHICAGO CARTAGE, INC., 604 North Tremont Street, Kewanee, Ill. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the terminal site of Cooper-Jarrett, Inc., on Frontage Road (formerly old U.S. Highway 66) and now parallel to new U.S. Highway 66 and Interstate Highway 55, approximately one-half mile west of County Line Road, in an unincorporated portion of Du Page County, Ill., as an off-route point, in connection with applicant's present operations, for the purpose of interchanging traffic at said terminal site. NOTE: Applicant states the purpose of the application is to enable applicant to continue its interchange of traffic with Cooper-Jarrett, Inc., which is in the process of constructing a terminal on the property described hereinabove. Applicant's present authority does not allow it to serve the site of Cooper-Jarrett's new terminal. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 102616 (Sub-No. 802), filed May 9, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar products*, in bulk, in tank or hopper type vehicles, from Cleveland and Ironton, Ohio, to points in Illinois, Indiana, Michigan, New York, Ohio, Pennsylvania, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103051 (Sub-No. 209), filed May 16, 1966. Applicant: FLEET TRANSPORT COMPANY, INC., 1000 44th Avenue, Post Office Box 7645, Nashville, Tenn., 37209. Applicant's representative: R. J. Reynolds, Jr., 403–11 Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup, liquid sugar, and blends of corn syrup and liquid sugar*, in bulk, in tank vehicles, from points in Dallas County, Ala., to points in Georgia, Florida, Mississippi, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 103378 (Sub-No. 324), filed May 11, 1966. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's representative: Martin Sack, Atlantic National Bank Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, having a prior or subsequent movement by water, and *empty shipper or water carrier owned trailers* used in the service specified above, between Charleston, S.C., on the one hand, and, on the other, points in North Carolina, South Carolina, and Georgia; restricted to traffic having a prior or subsequent movement by water through the port of Charleston, S.C. NOTE: Applicant states that the service proposed herein will be one wherein applicant will furnish a tractor or power unit, and the trailer will be furnished by either the shipper or water carrier. Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 103880 (Sub-No. 370), filed May 13, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio, 44306. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from the plantsite of the Cordova Industrial Park, located at or near Cordova, Ill., in Rock Island County, Ill., to points in Minnesota, Wisconsin, Iowa, Illinois, Missouri, Indiana, Michigan, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 105407 (Sub-No. 13), filed May 11, 1966. Applicant: HANNIBAL-QUINCY TRUCK LINES, INC., 2816

Market Street, Hannibal, Mo. Applicant's representative: Mack Stephenson, 42 ~~Fox~~ Mill Lane, Springfield, Ill., 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Pittsfield and Jacksonville, Ill., over U.S. Highway 36, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 106205 (Sub-No. 7), filed May 13, 1966. Applicant: AUTO TRANSPORT, INC., 104-66 43d Avenue, Corona, N.Y. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Used passenger automobiles*, in secondary movements, in driveaway service, restricted to service for automobile dealers and automobile rental companies, between New York, N.Y., on the one hand, and, on the other, points in Morris County, N.J. NOTE: Applicant states under certificate No. MC 106205, Sub 6 it presently holds authority to transport the commodities described above between New York, N.Y., and points in Hudson, Bergen, Essex, Union, Passaic, Sussex, Warren, Middlesex, Hunterdon, Ocean, Monmouth, and Somerset Counties, N.J. Morris County, N.J., is completely surrounded by Essex, Passaic, Somerset, Hunterdon, Warren, and Sussex Counties. When application was made by this applicant to serve the aforementioned New Jersey counties, Morris County was inadvertently omitted. By this application applicant now seeks to serve the single county, located in the middle of the territory it is authorized to serve, which is not included in its present certificate, MC 106205, Sub 6. It is necessary for applicant to traverse Morris County to serve the other counties. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 106644 (Sub-No. 65) (Amendment), filed April 18, 1966, published FEDERAL REGISTER issue of May 5, 1966, amended May 24, 1966, and republished as amended this issue. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. Applicant's representative: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, as described by the Commission, from points in Putnam County, Ill., to points in Kansas, Texas, Missouri, Wisconsin, Indiana, Tennessee, Louisiana, Georgia, Oklahoma, Iowa, Arkansas, Michigan, Kentucky, Mississippi, Alabama, Florida, North Carolina, South Carolina, and Virginia, and (2) *articles used in the manufacture of iron and steel or iron and steel articles, and commodities used in the maintenance of steel plants*, from points in Kansas, Texas, Missouri, Wisconsin, Indiana, Tennessee, Louisiana, Georgia, Oklahoma, Iowa, Arkansas, Michigan, Kentucky, Mississippi, Alabama, Florida, North Carolina, South Carolina, and Virginia, to points in Putnam County, Ill. NOTE: The purpose of this republication is to broaden the origin and destination points. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106644 (Sub-No. 66), filed May 9, 1966. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. Applicant's representative: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and composition board, including flakeboard, and particleboard*, from the plantsites of the Georgia-Pacific Corp. at or near Louisville and Gloster, Miss., to points in Alabama, Florida, Georgia, Arkansas, North Carolina, South Carolina, Tennessee, Louisiana, Texas, Oklahoma, Kansas, Missouri, Iowa, Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, and New Hampshire. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106644 (Sub-No. 67), filed May 9, 1966. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. Applicant's representative: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta, Ga., 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum products*, from the plantsite of Revere Copper & Brass, Inc., on Goose Pond Island (approximately 6 miles south of Scottsboro, Ala.), to points in Arkansas, Alabama, Georgia, Florida, South Carolina, North Carolina, Kentucky, Tennessee, Louisiana, Texas, Oklahoma, Missouri, Wisconsin, Ohio, Michigan, Illinois, Indiana, New York, Virginia, West Virginia, Maryland, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Pennsylvania, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106644 (Sub-No. 68), filed May 9, 1966. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. Applicant's representative: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta, Ga., 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard sheets and boards*, from Catawba, S.C., and points within 5 miles thereof, to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, Tennessee, Arkansas, Texas, Virginia, Maryland, Pennsylvania, New Jersey, New York, Massachusetts, Rhode Island, Missouri, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 106904 (Sub-No. 7), filed May 9, 1966. Applicant: JEFF A. ROBERTSON, doing business as TOPEKA MOTOR FREIGHT, 4490 Lower Silver Lake Road, Topeka, Kans., 66618. Applicant's representative: Rex L. Culley, Banker Building, Eighth and Main, Russell, Kans., 67665. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading): (1) between Kansas City, Kans., and Weskan, Kans.; From Kansas City, over Kansas Highway 32 to Lawrence, Kans., thence over U.S. Highway 24 to Manhattan, Kans., thence over Kansas Highway 18 to Junction City, Kans., thence over Interstate Highway 70 and U.S. Highway 40 to Salina, Kans., thence over U.S. Highway 40 to Russell, Kans., thence over U.S. Highway 40 to junction Interstate Highway 70, thence over Interstate Highway 70 to WaKeeney, Kans. (also over U.S. Highway 40 to WaKeeney), thence over Interstate Highway 70 and U.S. Highway 40 to Oakley, Kans., thence over U.S. Highway 40 to Weskan, serving the off-route points of Lenape, Williamstown, Chapman, Detroit, Abilene, Sand Springs, Solomon, New Cambria, Terra Cotta, Kanopolis, Bunker Hill, Ogallah, Voda, Collyer, Quinter, Park, Grainfield, Grinnell, and Campus, Kans.

(2) Between Topeka, Kans., and Hollenberg, Kans.: From Topeka, over U.S. Highway 24 to junction Kansas Highway 63, thence over Kansas Highway 63 to junction Kansas Highway 16, thence over Kansas Highway 16 to junction Kansas Highway 99, thence over Kansas Highway 99 to junction Kansas Highway 9, thence over Kansas Highway 9 to junction U.S. Highway 77, thence over U.S. Highway 77 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction Kansas Highway 15E, thence over Kansas Highway 15E to junction unnumbered highway east of Hollenberg, thence over unnumbered highway to Hollenberg, serving the off-route points of Delia, Lillis, Winifred, Herkimer, and Hanover, Kans.; (3) between Manhattan, Kans., and Oketo, Kans.: From Manhattan over U.S. Highway 24 to junction U.S. Highway 77, thence over U.S. Highway 77 to junction Kansas Highway 233, thence over Kansas Highway 233 to Oketo, serving the off-route points of Cleburne, Schroyer, and Marietta, Kans.; (4) between Manhattan, Kans., and Elwood, Kans.: From Manhattan, over U.S. Highway 24 to junction U.S. Highway 77, thence over U.S. Highway 77 to junction U.S. Highway 36, thence over U.S. Highway 36 to Elwood, serving the off-route points of Carden, Beattie, Axtel, Oneida, Sabetha, Morrill, Hamlin, Robinson, Leona, Severance, and Moray, Kans.; (5) between Lawrence, Kans., and Leavenworth, Kans.: From Lawrence, over U.S. Highways 24 and 40 to junction U.S. Highway 73, thence over U.S. Highway 73 to Leavenworth, serving the off-route point of Fairmount, Kans.

(6) Between Salina, Kans., and Oakley, Kans.: From Salina, over U.S. Highway 81 to junction Interstate Highway 70, thence northerly over Interstate Highway 70 to junction unnumbered highway, thence northerly over unnumbered highway to junction Kansas Highway 18, thence over Kansas Highway 18 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction Kansas Highway 25, thence over Kansas Highway 25 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction U.S. Highway 40, thence over U.S. Highway 40 to Oakley, serving the off-route points of Vesper, Sylvan Grove, Penokee, Morland, Seguin, Menlo, Halford, and Mingo, Kans.; (7) between Salina, Kans., and McPherson, Kans., over U.S. Highway 81, serving the off-route points of Mentor, Assaira, Bridgeport, Johnstown, and Hilton, Kans.; (8) between Salina, Kans., and Beloit, Kans.: From Salina, over old U.S. Highway 40 to Solomon, Kans., thence over unnumbered highway to junction Interstate Highway 70, thence over Interstate Highway 70 to junction unnumbered county highway south of Niles, Kans., thence over unnumbered county highway to junction Kansas Highway 18, thence over Kansas Highway 18 to junction U.S. Highway 81, thence over U.S. Highway 81 to junction Kansas Highway 106, thence over Kansas Highway 106 to Minneapolis, Kans., thence return over Kansas Highway 106 to junction U.S. Highway 81, thence over U.S. Highday 81 to junction Kansas Highway 41, thence over Kansas Highway 41 to Delphos, Kans., thence northerly over unnumbered county highway to junction U.S. Highway 24, thence over U.S. Highway 24 to junction Kansas Highway 124, thence over Kansas Highway 124 to Beloit, serving the off-route points of Glasco, Simpson, Asherville, and Lindsey, Kans.;

(9) Between Salina, Kans., and Beloit, Kans.: From Salina, over U.S. Highway 81 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction Kansas Highway 124, thence over Kansas Highway 124 to Beloit, as an alternate route for operating convenience only; (10) between Junction City, Kans., and Concordia, Kans.: From Junction City, over unnumbered highway northwesterly of Junction City to Wakefield, Kans., thence over unnumbered highway northwesterly to junction U.S. Highway 24 at Clay Center, Kans., thence over U.S. Highway 24 to junction U.S. Highway 81, thence over U.S. Highway 81 to Concordia, serving the off-route points of Idana, Browndale, and Miltonvale, Kans.; (11) between Junction City, Kans., and Concordia, Kans.: From Junction City, over Interstate Highway 70 to junction U.S. Highway 77, thence over U.S. Highway 77 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction U.S. Highway 81, thence over U.S. Highway 81 to Concordia, as an alternate route for operating convenience only; and return over the same routes, serving all intermediate points. NOTE: Applicant states that it proposes to tack the above-described authority with presently held authority, in which it is authorized to operate in the States of Kansas, Missouri, and Nebraska, in order to provide single line service. If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC 107002 (Sub-No. 302) (Amendment), filed April 8, 1966, published in FEDERAL REGISTER issue of April 28, 1966, amended May 24, 1966, and republished as amended this issue. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representatives: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., 20006, and H. D. Miller, Jr., Post Office Box 1250, Jackson, Miss., 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Lake Charles, La., to points in Arizona, California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. NOTE: The purpose of this republication is to change the origin point to Lake Charles, La., in lieu of Lake Charles, La., and points within 5 miles thereof. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 107227 (Sub-No. 89), filed May 10, 1966. Applicant: INSURED TRANSPORTERS, INC., 1944 Williams Street, San Leandro, Calif. Applicant's representative: John G. Lyons, Mills Tower, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trucks*, in initial movements, in driveway service, from Ottawa, Kans., to points in the United States, except Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 107295 (Sub-No. 92), filed May 11, 1966. Applicant: PRE-FAB TRANSIT CO., a corporation, Post Office Box 146, Farmer City, Ill. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and equipment and supplies used or useful in production and distribution of such articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, Wisconsin, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Mississippi, Louisiana, Alabama, Georgia, and Florida. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 107496 (Sub-No. 481), filed May 9, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polyurethene*, from McCook, Ill., to points in Indiana, Michigan, Ohio, Iowa, Wisconsin, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108067 (Sub-No. 11) (Correction), filed April 18, 1966, published FEDERAL REGISTER issue of May 5, 1966, and republished as corrected this issue. Applicant: AL ZEFFIRO TRANSFER AND STORAGE, INC., 8th Street and Meldon Avenue, Donora, Pa. Applicant's representative: Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precut and prefabricated buildings and materials, equipment, supplies, fixtures, appliances, and accessories used or useful in construction, selling, or distribution thereof*, from New Beaver Borough, Lawrence County, Pa., to points in Allen, Crawford, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lorain, Lucas, Marion, Morrow, Ottawa, Paulding, Putnam, Richland, Sandusky, Seneca, Van Wert, Williams, Wood, and Wyandot Counties, Ohio. NOTE: The purpose of this republication is to show the origin point as New Beaver Borough, in lieu of, Beaver Borough. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 108228 (Sub-No. 31), filed May 16, 1966. Applicant: MILES TRUCKING CO., INC., Post Office Box 578, Plant City, Fla. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, berries, and vegetables* from Plant City, Fla., to Mt. Kisco, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108228 (Sub-No. 32), filed May 16, 1966. Applicant: MILES TRUCKING CO., INC., Post Office Box 578, Plant City, Fla. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen squab*, from Sumter, S.C., to points in Delaware, Illinois, Indiana, Kentucky, Tennessee, Maryland, Ohio, Pennsylvania, Florida, Georgia, Alabama, South Carolina, New Jersey, New York, North Carolina, West Virginia, Virginia, Connecticut, Massachusetts, Rhode Island, Vermont, New

Hampshire, Maine, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108449 (Sub-No. 235), filed May 9, 1966. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn., 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Milwaukee, Wis., to points in that portion of Illinois located in an area bounded by a line beginning at the junction of the Illinois-Iowa State line and Interstate Highway 80 and extending along Interstate Highway 80 to U.S. Highway 51 near Peru, Ill., thence, along U.S. Highway 51 to U.S. Highway 24 at El Paso, Ill., thence along U.S. Highway 24 to the Indiana-Illinois State line, thence along the Indiana-Illinois State line to the western shore of Lake Michigan to the Wisconsin-Illinois State line, thence along the Wisconsin-Illinois State line and the Illinois-Iowa State line to the point of beginning, including points on the indicated portions of the highways specified. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108518 (Sub-No. 8), filed May 19, 1966. Applicant: IRON & STEEL TRANSPORT, INC., 2001 Shepler Church Road SW., Canton, Ohio. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, and household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108736 (Sub-No. 10), filed May 13, 1966. Applicant: A. H. VIETOR, doing business as ALBERT LEA TRANSFER (GENEVIEVE VIETOR, EXECUTRIX), 423 Adams Avenue, Albert Lea, Minn. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa, 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and frozen foods*, between points in Minnesota and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Des Moines, Iowa.

No. MC 108736 (Sub-No. 12), filed May 13, 1966. Applicant: A. H. VIETOR, doing business as ALBERT LEA TRANSFER CO. (GENEVIEVE VIETOR, EXECUTRIX), 423 Adams Avenue, Albert Lea, Minn. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from St. Louis, Mo., to Albert Lea, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 109326 (Sub-No. 92), filed May 13, 1966. Applicant: C & D TRANSPORTATION CO., INC., Post Office Box 1503, Mobile, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of George A. Hormel & Co., at or near Bureau, Ill., to points in Alabama, Georgia, Florida, Mississippi, Louisiana, North Carolina, South Carolina, Kentucky, and Tennessee, restricted to traffic originating at the plantsite and/or cold storage facilities utilized by George A. Hormel & Co., at or near Bureau, Ill. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 109584 (Sub-No. 134), filed May 9, 1966. Applicant: ARIZONA-PACIFIC TANK LINES, a corporation, 3201 Ringsby Court, Denver, Colo., 80216. Applicant's representative: Eugene Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Montebello, Calif., to port of entry on the international boundary line between the United States and Mexico at Calexico, Calif. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Los Angeles, Calif.

No. MC 109633 (Sub-No. 13), filed May 13, 1966. Applicant: ARBET TRUCK LINES, INC., 222 East 135th Place, Chicago, Ill., 60627. Applicant's representative: Bernard B. Wolfe, 77 West Washington Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Steel*, between Middletown, Ohio, and Connersville, Ind., as follows: From Middletown, over Ohio Highway 73 to Oxford, Ohio, thence over U.S. Highway 27 to Liberty, Ind., thence over Indiana Highway 44 to Connersville, Ind., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: Applicant states that it does not propose a new service nor to serve any additional territory. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 109649 (Sub-No. 9), filed May 10, 1966. Applicant: L. P. TRANSPORTATION, INC., Chester, N.Y. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from Selkirk, N.Y., to points in Maine. NOTE: Applicant states it presently holds authority to perform proposed service by tacking its existing certificates. The purpose of this application is to eliminate a circuitous routing. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 110193 (Sub-No. 148), filed May 16, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos, Post Office Box 2628, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, livestock, household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 785), filed May 13, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa., 19335. Applicant's representatives: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar, syrups, and blends thereof*, in bulk, in tank vehicles, from Louisville, Ky., to points in Illinois, Indiana, Kentucky, Ohio, Tennessee, and West Virginia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 110525 (Sub-No. 786), filed May 13, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Leonard A. Jaskiewicz and J. William Cain, Jr., 1155 15th Street NW., Madison Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products, coal tar, and coal tar products*, between points in Hamilton County, Ohio, on the one hand, and, on the other, points in Alabama, Florida, Georgia, Iowa, Kansas, Louisiana, Mississippi, Nebraska, Oklahoma, South Dakota, Tennessee, Kentucky, Indiana, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 110563 (Sub-No. 38), filed May 6, 1966. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Sidney, Ohio. Applicant's representative: Joseph Scanlan, 111 West Washington

Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, except commodities in bulk, in tank vehicles, and hides, from Chicago, Ill., to points in Connecticut, Massachusetts, Pennsylvania, New Jersey, New York, Rhode Island, and Washington, D.C., and Baltimore, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110686 (Sub-No. 31), filed May 11, 1966. Applicant: McCORMICK DRAY LINE, INC., Avis, Pa. Applicant's representative: David A. Sutherlund, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Copper bars, copper rods, and copper wire*, from Bayway, Carteret, and Roebling, N.J., and Hastings on the Hudson and Laurel Hill, N.Y., to Williamsport, Pa.; and (2) *metal wire and metal cable*, from Williamsport, Pa., to points in West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110686 (Sub-No. 32), filed May 11, 1966. Applicant: McCORMICK DRAY LINE, INC., Avis, Pa. Applicant's representative: David A. Sutherlund, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between Jersey Shore, Pa., and points within 15 miles thereof, on the one hand, and, on the other, points in Connecticut, Delaware, Kentucky, Maryland, Massachusetts, New Jersey, New York, Ohio, Rhode Island, Tennessee, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110988 (Sub-No. 215), filed May 6, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: Wilmer B. Hill, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in pneumatic type trailers, from the plantsite of Cowles Chemical Co., at or near Joliet, Ill., to points in Ohio, Michigan, Missouri, Iowa, Indiana, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 216), filed May 11, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, quick or hydrated, in bulk, from Buffington, Ind., to points in Illinois, Iowa, Kentucky, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 220), filed May 17, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flotation oil*, in bulk, from Madison, Wis., to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 111170 (Sub-No. 111), filed May 16, 1966. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, El Dorado, Ark. Applicant's representative: Thomas Harper, Kelly Building, Post Office Box 43, Fort Smith, Ark., 72902. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid*, in bulk, from El Dorado, Ark., to points in New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 111467 (Sub-No. 10), filed May 9, 1966. Applicant: ARTHUR J. PAPE, doing business as ART PAPE TRANSFER, 1381 Rockdale Road, Dubuque, Iowa, 52001. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, from Clinton, Iowa, to points in Boone, Bureau, Carroll, De Kalb, Henderson, Henry, Jo Daviess, Knox, La Salle, Lee, Marshall, Mercer, Ogle, Peoria, Rock Island, Stark, Stephenson, Warren, Whiteside, Winnebago, and Woodford Counties, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 112223 (Sub-No. 78), filed May 12, 1966. Applicant: QUICKIE TRANSPORT COMPANY, a corporation, 501 11th Avenue South, Minneapolis, Minn. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn., 55415. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fat*, in bulk, from points in Dakota County, Minn., to Arcadia, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 112617 (Sub-No. 229), filed May 13, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. Applicant's representative: J. William Cain, Jr., 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products, coal tar, and coal tar products*, between points in Hamilton County, Ohio, on the one hand, and, on the other, points in Alabama, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Nebraska, Oklahoma, South Dakota, Tennessee, Kentucky, Indiana, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 46), filed May 12, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in pneumatic type trailers, from the plantsite of Cowles Chemical Co. at or near Joliet, Ill., to points in Indiana, Iowa, Michigan, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 47), filed May 12, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Joliet, Ill., to points in Georgia, New York, Oklahoma, Pennsylvania, Texas (except Harris County), and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113325 (Sub-No. 99), filed May 5, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizers, and fertilizer ingredients*, in bulk, in tank vehicles (except cryogenic liquids), from the plantsite of the Apple River Chemical Co., at or near Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113388 (Sub-No. 71), filed May 10, 1966. Applicant: LESTER C. NEWTON TRUCKING CO., a corporation, Bridgeville, Del. Applicant's representative: H. Charles Ephraim, 1411 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Delaware and Maryland on the Del-Mar-Va Peninsula to points in Florida, and *rejected, refused, and damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113388 (Sub-No. 72), filed May 10, 1966. Applicant: LESTER C. NEWTON TRUCKING CO., a corporation, Post Office Box 265, Bridgeville, Del.,

19933. Applicant's representative: H. Charles Ephraim, 1411 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Wilmington, Del., to points in Connecticut, Florida, Georgia, Maine, Maryland, Massachusetts, New Jersey, New Hampshire, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, and Virginia, and the District of Columbia, and *rejected, refused, or damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113410 (Sub-No. 59), filed May 11, 1966. Applicant: DAHLEN TRANSPORT, INC., 875 North Prior Avenue, St. Paul, Minn., 55104. Applicant's representative: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, fertilizer ingredients, and fertilizer solutions*, in bulk, in tank vehicles, from Waterville, Minn., and points within 5 miles thereof, to points in Iowa and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 113459 (Sub-No. 36), filed May 9, 1966. Applicant: H. J. JEFFRIES TRUCK LINE, INC., 4720 South Shields Boulevard, Post Office Box 94850, Oklahoma City, Okla., 73219. Applicant's representative: James W. Hightower, Wynnewood Professional Building, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Primer and rust preventive pipe coating*, in drums and containers, and *damaged or rejected shipments*, between Indianapolis, Ind., on the one hand, and, on the other, points in Michigan and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113495 (Sub-No. 24), filed May 11, 1966. Applicant: GREGORY HEAVY HAULERS, INC., 51 Oldham Street, Post Office Box 5266, Nashville, Tenn. Applicant's representative: Wilmer B. Hill, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel*, and *iron and steel articles*, between points in Tennessee on and east of U.S. Highway 127, on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Ohio, Illinois, Indiana, Kentucky, Maryland, Mississippi, Missouri, North Carolina, Pennsylvania, South Carolina, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113555 (Sub-No. 5), [illegible] May 12, 1966. Applicant: OSBOR[illegible] TRUCKING CO., INC., 208 W[illegible] son Street, Fond du Lac, Wis. [illegible] applicant's representative: Frank W. Coyne, Bank of Madison Building, 1 West Main Street, Madison, Wis., 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Patterns and pattern parts*, between points in Ohio, Michigan, Indiana, Illinois, and Wisconsin, under a continuing bilateral contract with Giddings & Lewis Machine Tool Co. of Fond du Lac, Wis. NOTE: Applicant holds common carrier authority under MC 22147, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 113624 (Sub-No. 29), filed May 5, 1966. Applicant: WARD TRANSPORT, INC., Post Office Box 133, Pueblo, Colo. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Adams, Arapahoe, Boulder, Denver, Douglas, and Jefferson Counties, Colo., to points in Arizona, Arkansas, California, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, Utah, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114273 (Sub-No. 19), filed May 9, 1966. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 1904, 3930 16th Avenue SW., Cedar Rapids, Iowa. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., Cedar Rapids, Iowa, 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel products and related items*, and *materials and supplies* used in the manufacture of iron and steel products, between points in Putnam County, Ill., on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, and Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114457 (Sub-No. 55), filed May 16, 1966. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from Pewaukee, Wis., to points in Iowa, Missouri, Nebraska, Kansas, Colorado, Arizona, Utah, Nevada, and California. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 114457 (Sub-No. 56), filed May 16, 1966. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, and potatoes and potato products*, from Detroit, Mich., to points in Illinois, Indiana, Missouri, Wisconsin, Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 114457 (Sub-No. 57), filed May 16, 1966. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn., 55104. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Frankfort, Mich., to points in Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114457 (Sub-No. 58), filed May 16, 1966. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Kans., to points in Nebraska, Iowa, Michigan, Indiana, Illinois, Minnesota, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114457 (Sub-No. 59), filed May 16, 1966. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, and potatoes and potato products*, from Detroit, Mich., to points in Illinois, Indiana, Missouri, Wisconsin, Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 114457 (Sub-No. 60), filed May 16, 1966. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Buffalo, N.Y., to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114725 (Sub-No. 28), filed May 18, 1966. Applicant: WYNNE TRANSPORT SERVICE, INC., 1528 North 11th Street, Omaha, Nebr. Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, between points in Iowa, Nebraska, Colorado, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 115113 (Sub-No. 8), filed May 12, 1966. Applicant: IOWA PACKERS XPRESS, INC., Post Office Box 448, Fort Dodge, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite of Geo. A. Hormel & Co., located at or near Bureau, Ill., to points in Connecticut, Maryland, Massachusetts, New York, Pennsylvania, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a place of hearing.

No. MC 115113 (Sub-No. 9), filed May 12, 1966. Applicant: IOWA PACKERS XPRESS, INC., Post Office Box 448, Fort Dodge, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from points in York County, Nebr., to points in Connecticut, Maryland, Massachusetts, New York, Pennsylvania, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115113 (Sub-No. 10), filed May 12, 1966. Applicant: IOWA PACKERS XPRESS, INC., Post Office Box 448, Fort Dodge, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Tama, Iowa, and points within 5 miles thereof, to points in Connecticut, Maryland, Massachusetts, New York, Pennsylvania, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115113 (Sub-No. 11), filed May 12, 1966. Applicant: IOWA PACKERS XPRESS, INC., Post Office Box 448, Fort Dodge, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite of Spencer Packing Co., at or near Schuyler, Nebr., to points in Connecticut, Maryland, Massachusetts, New York, Pennsylvania, Virginia, and the District of Columbia, restricted to traffic originating at the described plantsite. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115162 (Sub-No. 128), filed May 13, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. Applicant's representative: Robert E. Tate, Suite 2025–2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from points in Wisconsin, Iowa, Vermont, New York, Maine, New Hampshire, North Carolina, South Carolina, Arkansas, Indiana, Virginia, West Virginia, and Michigan to points in Alabama, Mississippi, Louisiana, Texas, Arkansas, Tennessee, and Florida; and from points in Vermont to points in Georgia, and, (2) *lumber, poles, boxes, crates, and pallets*, from points in Alabama, Florida, Georgia, points on and south of U.S. 80 in Mississippi, and Canton, Miss., to points in Tennessee, Kentucky, Indiana, Illinois, Ohio, Wisconsin, Iowa, Nebraska, Michigan, Minnesota, Missouri, Arkansas, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 115162 (Sub-No. 129), filed May 13, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. Applicant's representative: Robert E. Tate, Suite 2025–2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiber bituminized or indurated, conduit, pipe, couplings, or fittings*, not requiring the use of special equipment, from Ironton, Ohio, to points in Nebraska, Illinois, Wisconsin, Minnesota, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 115331 (Sub-No. 194), filed May 16, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Joliet, Ill., to points in Georgia, New York, Oklahoma, Pennsylvania, Texas (except Harris County), and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115826 (Sub-No. 136), filed May 16, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088 Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting, rugs, floor covering, textiles, and textile products*, from points in Georgia, North Carolina, South Carolina, and Tennessee, to points in Colorado, Idaho, Utah, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 115826 (Sub-No. 137), filed May 16, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088 Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, in tank vehicles, from Great Falls, Mont., to points in Arizona, Colorado, Illinois, Iowa, Kansas, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Utah, Washington, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 115826 (Sub-No. 138), filed May 16, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, agricultural products and those commodities embraced in section 203(b)(6) of Part II of the Interstate Commerce Act, when moving in the same vehicle with bananas*, (1) from points in California, to points in Utah, and (2) from points in Utah, to points in Colorado, Idaho, Montana, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 115826 (Sub-No. 139), filed May 16, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, 1960 31st Street, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk,

in tank vehicles), between points in Arizona, on the one hand, and, on the other, points in California. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 115826 (Sub-No. 143), filed May 18, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Phoenix, Ariz., to points in Illinois, Missouri, Texas, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 115826 (Sub-No. 144), filed May 18, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 508, Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pickles*, in containers, from Denver, Colo., to points in Arizona, California, Kansas, Nevada, New Mexico, and Nebraska. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 116014 (Sub-No. 27), filed May 16, 1966. Applicant: OLIVER TRUCKING COMPANY, INC., North Bloomfield Road, Winchester, Ky. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, materials, supplies, and equipment used in the operation of a steel mill*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States on and east (except Illinois) of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada and points in Arkansas, Louisiana, Missouri, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116045 (Sub-No. 25) (Amendment), filed May 2, 1966, published in FEDERAL REGISTER issue of May 19, 1966, amended and republished as amended this issue. Applicant: NEUMAN TRANSIT CO., INC., Post Office Box 38, Rawlins, Wyo. Applicant's representative: John P. Thompson, 450 Capitol Life Building, Denver, Colo., 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrocarbonitrate*, other than in bulk, from Rawlins, Wyo., to points in Arizona, Nevada, and Montana. NOTE: The purpose of this republication is to broaden the authority sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 116254 (Sub-No. 68), filed May 9, 1966. Applicant: CHEM-HAULERS, INC., Post Office Box 245, Sheffield, Ala. Applicant's representative: Walter Harwood, 515 Nashville Bank and Trust Building, Nashville, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the site of the Dixie Pipeline Co., near Alma, Ga., to points in South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116273 (Sub-No. 70), filed May 19, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, and *dry commodities*, in bags, when moving at the same time in the same vehicle with liquid chemicals, from points in the Chicago, Ill., commercial zone, to points in Illinois, Indiana, Michigan, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116325 (Sub-No. 46), filed May 11, 1966. Applicant: JENNINGS BOND, doing business as BOND ENTERPRISES, Post Office Box 8, Lutesville, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallet, lumber, blocking, skids, crates, and pallet bins*, from Butler County, Mo., to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo.

No. MC 116325 (Sub-No. 47), filed May 12, 1966. Applicant: JENNINGS BOND, doing business as BOND ENTERPRISES, Post Office Box No. 8, Lutesville, Mo., 63762. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipe fittings, couplings, connections, and accessories* (except iron and steel pipe, and except those requiring special equipment), from points in Sangamon, Rock Island, and Logan Counties, Ill., to points in California, Washington, Oregon, Utah, Nevada, Montana, and Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116544 (Sub-No. 72), filed May 6, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Carthage, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Schuyler, Nebr., to points in Alabama, Arizona, Arkansas, California, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 116544 (Sub-No. 75), filed May 9, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Juices, beverages, or drinks other than citrus, and citrus products*, from points in Florida, to points in Arkansas, Illinois, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 116544 (Sub-No. 76), filed May 12, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Mankato and St. James, Minn., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Iowa, Kansas, Louisiana, Mississippi, Missouri, Montana, Nevada, Nebraska, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 116740 (Sub-No. 3), filed May 18, 1966. Applicant: LEE N. HICKOX, Rural Route No. 3, Casey, Ill. Applicant's representative: Robert T. Lawley, 306–308 Reisch Building, Springfield, Ill., 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk and bag, from Indianapolis, Jasonville, and New Albany, Ind., and Louisville, Ky., to points in Clark, Clay, Crawford, Edwards, and Richland Counties, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 116982 (Sub-No. 4), filed May 16, 1966. Applicant: FUCHS, INC., 306 Water Street, Sauk City, Wis. Applicant's representative: Edward Solie, Executive Building, Suite 100 4513 Vernon Boulevard, Madison, Wis., 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from Danville, Ill., to points in Wisconsin and the Upper Peninsula of Michigan, limited to a transportation service to be performed, under a continuing contract, or contracts, with the American Agricultural Chemical Co. of Fulton, Ill. NOTE: Applicant states it is now authorized in No. MC 116982 to transport fertilizer from Fulton, Ill., to the same destination

territory under a continuing contract, or contracts, with the American Agricultural Chemical Co. of Fulton, Ill. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 117119 (Sub-No. 372), filed May 9, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Potato products* and (2) *potato products*, when transported in mixed shipments with exempt commodities, from points in Colorado to points in Alabama, Arizona, Arkansas, California, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117119 (Sub-No. 373), filed May 9, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Columbia and Dutchess Counties, N.Y., to points in Illinois (except Chicago, Ill., and its commercial zone as defined by the Commission), Wisconsin, Minnesota, Iowa, Nebraska, Missouri, and Kansas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117313 (Sub-No. 5), filed May 11, 1966. Applicant: TRYON TRUCKING, INC., Post Office Box 68, Fairless Hills, Pa. Applicant's representative: Noel F. George, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel products, and steel mill equipment, materials, and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, Texas, Wisconsin, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117574 (Sub-No. 148), filed May 11, 1966. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Motor Route No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, between points in Tennessee, Missouri, and Wisconsin, on the one hand, and, on the other, points in West Virginia south of U.S. Highway 50 and those in Ohio south of U.S. Highway 40. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117883 (Sub-No. 84), filed May 9, 1966. Applicant: SUBLER TRANSFER, INC., East Maine Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned, prepared, or frozen foodstuffs*, from points in Massachusetts to points in Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 117883 (Sub-No. 85), filed May 13, 1966. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Chemung County, N.Y.; Lackawanna and York Counties, and Harrisburg, Pa., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117883 (Sub-No. 86), filed May 13, 1966. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in West Virginia on and north of U.S. Highway 50 to points in Pennsylvania on and east of U.S. Highway 219, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117883 (Sub-No. 87), filed May 18, 1966. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, and (2) *frozen onion products*, in mixed shipments with fish and shellfish presently exempt from regulation under section 203(b)(6) of the Interstate Commerce Act, from points in Massachusetts, to points in Delaware, Indiana, Illinois, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Nebraska, New York, Ohio, Pennsylvania, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 118196 (Sub-No. 72), filed May 13, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from Albert Lea, Minn., to points in North Dakota, South Dakota, and Montana. NOTE: Applicant states that the above operation is restricted to traffic originating at the plantsite or storage facilities of the Miami Margarine Co., located at Albert Lea, Minn. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 118196 (Sub-No. 73), filed May 13, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from points in Missouri (except Carthage, Mo.) to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 118196 (Sub-No. 74), filed May 13, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* (except commodities in bulk, in tank vehicles), (2) *frozen foods*, (3) *canned and preserved foods*, (4) *chemicals, chemical blends, and ingredients to be used in further manufacturing process*, transportation of which does not require special equipment or bulk or tank vehicles, (5) (a) *agricultural commodities*, and (b) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with agricultural commodities, (6) *animal and poultry foods*, (7) *coffee, condensed, coffee extracts, coffee green* (8) *tea and tea dust*, (9) *industrial products*, in packages, requiring refrigeration, (10) *sugar*, (11) *fruits*, and (12) *nuts*, from points in Hancock, Harrison, and Jackson Counties, Miss., to points in Alabama, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119317 (Sub-No. 25), filed May 13, 1966. Applicant: GROSS AND SONS TRANSPORT COMPANY, a corporation, 1706 Arlington, Independence, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fluid milk and fluid milk products, milk byproducts and liquid nonalcoholic and noncarbonated beverages*, in containers, in vehicles equipped with mechanical refrigeration for Sealtest Foods, National Dairy Products Corp., from Kansas City, Mo., to Kingsley, Storm Lake, Fort Dodge, Webster City, Ames, Guthrie Center, Audubon, Greenfield, Ottumwa, Oskaloosa, and Bedford, Iowa; and, Norfolk, Fremont, Columbus, Fullerton, Kearney, Grand Island, Seward, Lincoln, Nebraska City, Auburn, Fall City, Beatrice, Hebron, Superior, Alma, Oxford, and Holdrege, Nebr., and *rejected, damaged or spoiled shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119531 (Sub-No. 57), filed May 12, 1966. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster

Road, Cincinnati, Ohio, 45226. Applicant's representative: Charles W. Singer, Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper* between points in the Lower Peninsula of Michigan (except Battle Creek, Grand Rapids, Kalamazoo, Otsego, Plainwell, Three Rivers, Vicksburg, Watervliet, and White Pigeon), on the one hand, and, on the other, points in Illinois, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119632 (Sub-No. 22), filed May 9, 1966. Applicant: REED LINES, INC., Box 285, Woodburn, Ind. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel products*, and *steel mill equipment, materials, and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Indiana, Kentucky, Michigan, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119700 (Sub-No. 4), filed May 9, 1966. Applicant: STEEL HAULERS, INC., 306 Ewing, Kansas City, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles and such materials as are used or useful in highway construction projects*, between points in Colorado on and east of U.S. Highways 85 and 87 on the one hand, and, on the other, points in Missouri, Iowa, Illinois, Arkansas, Oklahoma, Texas, Louisiana, Indiana, Wisconsin, and Minnesota. NOTE: Applicant states it does not desire to tack this authority with any other authority it presently holds but will interline traffic handled pursuant to this authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119765 (Sub-No. 10), filed May 18, 1966. Applicant: HENRY G. NELSEN, INC., 1548 Locust Street, Avoca, Iowa. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, the size and weight of which do not require special handling, from Putnam County, Ill., to points in Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Nebraska, Kansas, Minnesota, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 166), filed May 10, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Post Office Box 339, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Austin, Ind., to points in Iowa, Minnesota, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Indianapolis, Ind.

No. MC 119767 (Sub-No. 168), filed May 10, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from Blue Earth, Le Sueur, Glencoe, and Montgomery, Minn., to points in Iowa, restricted to traffic originating at the plantsite of the Green Giant Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 170), filed May 11, 1966. Applicant: BEAVER TRANSPORT CO, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, in packages, from the plantsite of Universal Glass Products Co., Rockdale, Ill., to points in Kentucky, (except Louisville). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 171), filed May 11, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Dubuque, Iowa, to points in Illinois (except those points on and south of U.S. Highway 6), Indiana, Michigan, Minnesota, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 172), filed May 11, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned milk or cream, evaporated milk or cream, instant milk or cream substitutes, flavoring or fruit syrups, formulas or infant nursers, liquid diet foods, and other milk products and supplies*, from Greenville, Ill., to points in Indiana, Michigan, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 173), filed May 11, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I in the *Description in Motor Carriers Certificates* 61 M.C.C. 209 and 766, from Dayton, Ohio, to points in Illinois (except Chicago), and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 174), filed May 13, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet, Burlington, Wis. Applicant's representative: Fred H. Figge (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale grocery and food business houses, and in connection therewith equipment, materials, and supplies used or useful in the conduct of such business*, from Elk Grove Village, Ill., to points in Iowa, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 120543 (Sub-No. 47), filed May 12, 1966. Applicant: FLORIDA REFRIGERATED SERVICE, INC., U.S. 301 North, Dade City, Fla. Applicant's representative: Lawrence D. Fay, 1205 Universal Marion Building, Jacksonville, Fla., 32201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, and *potato products* not frozen, with or without other ingredients, cooked, diced, flaked, powdered, shredded, and sliced, from Detroit, Mich., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 123067 (Sub-No. 44), filed May 16, 1966. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's representative: Frank C. Philips, Post Office Box 612, Winston-Salem, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular route, transporting: *Dry fertilizer*, in bulk, in tank vehicles, from Greensboro, N.C., to points in South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 123393 (Sub-No. 132), filed May 5, 1966. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware and items distributed by glassware manufacturers*, from Sand Springs and Sapulpa, Okla., to points in Wisconsin, Iowa, North Dakota, South Dakota, and Minnesota, with the restriction that shipments to Minnesota will move in connection with shipments to North Dakota, South Dakota, or Wisconsin and shipments to Iowa will move in connection with shipments to North Dakota, South Dakota, or Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 123639 (Sub-No. 85), filed May 16, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo., 80216. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from Austin, Ind., to points in Missouri, Nebraska, Colorado, and Kansas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 86), filed May 16, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo., 80216. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield equipment, materials and supplies), between Pueblo and Minnequa, Colo., to points in Arizona, California, Nevada, Utah, and New Mexico. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 87), filed May 16, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield equipment, materials and supplies), between Pueblo and Minnequa, Colo., to points in Iowa, Missouri, Illinois, Indiana, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 88), filed May 16, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Carrollton, Macon, Marshall, Milan, and Moberly, Mo., to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, Kentucky, Tennessee (except Memphis, Tenn. and points in the commercial zone of Memphis, Tenn.), and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 124078 (Sub-No. 223), filed May 11, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral shot*, in bulk, from Birmingham, Ala., to points in Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 124078 (Sub-No. 226), filed May 16, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy flour*, in bulk, from Danville, Ill., to points in Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124174 (Sub-No. 46), filed May 9, 1966. Applicant: MOMSEN TRUCKING COMPANY, a corporation, Highways 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insecticides, herbicides, fungicides, fertilizers, and fertilizer compounds* (except those in liquid in tank vehicles), between Council Bluffs, Iowa, and points in Illinois, Iowa, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124174 (Sub-No. 47), filed May 9, 1966. Applicant: MOMSEN TRUCKING COMPANY, a corporation, Highways 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the terminal site of Cooper-Jarrett, Inc., on Frontage Road (formerly old U.S. Highway 66), now parallel to new U.S. 66 and Interstate Highway 55, approximately ½ mile west of County Line Road, in an unincorporated portion of Du Page County, Ill., as an off-route point, in connection with applicant's present regular route operations, for the purpose of interchanging traffic at said terminal site. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 124363 (Sub-No. 4), filed May 16, 1966. Applicant: DENVER-PACIFIC EXPRESS, INC., 3737 Blake Street, Denver, Colo., 80205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Colorado Springs, Denver, and Greeley, Colo., to points in Utah, Idaho, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 124363 (Sub-No. 5), filed May 16, 1966. Applicant: DENVER-PACIFIC EXPRESS, INC., 3737 Blake Street, Denver, Colo., 80205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from points in York County, Nebr., to points in Arizona, California, Colorado, Nevada, New Mexico, Utah, Idaho, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 125243 (Sub-No. 4), filed May 10, 1966. Applicant: JINK GRAHAM, doing business as J & L VAN LINES, Post Office Box 584, Hollywood, N. Mex. Applicant's representative: Ronald R. Calhoun, 608 Southwest National Bank Building, El Paso, Tex., 79901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Race horses*, and in connection therewith, *personal effects of attendants, equipment, supplies, and mascots* used in the care, racing, and exhibition of such animals, (1) between points in New Mexico, on the one hand, and, on the other, Las Vegas, Nev.; Hot Springs, Ark.; and points in Texas, Oklahoma, California, and Louisiana; and (2) between Hot Springs, Ark., and Las Vegas, Nev., and points in Arizona, Colorado, Nebraska, Texas, Oklahoma, California, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex.

No. MC 125708 (Sub-No. 58), filed May 9, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipefittings* of concrete or plastic construction, not requiring special equipment, and *materials* used therefor, between points in the United States excluding Alaska and Hawaii. NOTE: Applicant holds contract carrier authority in MC 116434, Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125708 (Sub-No. 59), filed May 16, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products, flooring, pallets, and bases*, from Springfield, West Plains, and Birch Tree, Mo., to points in Kansas, Iowa, Wisconsin, Illinois, Indiana, Ohio, Michigan, and Pennsylvania. NOTE: Applicant is authorized to operate as a

contract carrier in MC 116434 Sub 1 and other subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 125708 (Sub-No. 60), filed May 16, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel*, from St. Louis, Mo., and points in its commercial zone, to points in Macoupin County, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 125777 (Sub-No. 98), filed May 16, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, quick or hydrated, in bulk, from Buffington, Ind., to points in Illinois, Iowa, Kentucky, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125973 (Sub-No. 3), filed May 12, 1966. Applicant: CROWN WAREHOUSE & TRANSPORTATION COMPANY, INC., 710 East Ninth Avenue, Gary, Ind., 46401. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, between the warehouses of Indiana Wholesale Food Supply Corp., Gary, Ind., on the one hand, and, on the other, points in Wisconsin and Iowa. NOTE: Applicant states the operations proposed to be performed will be under a continuing contract or contracts with the Indiana Wholesale Food Supply Corp. of Gary, Ind., applicant's presently only contracting shipper. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125978 (Sub-No. 7), filed May 11, 1966. Applicant: DEPENDABLE CAR TRAVEL SERVICE, INC., Hotel National, Suite 201, 592 Seventh Avenue, New York, N.Y. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used passenger automobiles and station wagons* in a driveaway service, with or without baggage, personal effects and pets, between points in California and Arizona on the one hand, and, on the other, points in the United States, including Alaska and excluding Hawaii, restricted against vehicles moving on government bills of lading, vehicles having an immediately prior or subsequent movement by rail and vehicles moving for, from or on behalf of manufacturers of new cars and station wagons (except licensed vehicles being transported for use by personnel of manufacturers). NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 126736 (Sub-No. 48), filed May 11, 1966. Applicant: PETROLEUM CARRIER CORPORATION OF FLORIDA, 369 Margaret Street, Jacksonville, Fla. Applicant's representative: Martin Sack, 710 Atlantic Bank Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Commodities*, in bulk, having a prior or subsequent movement by water, and (b) *empty shipper or water carrier owned trailers* used in the service specified above; between Jacksonville, Fla., on the one hand, and, on the other, points in Georgia and Florida, restricted to traffic having a prior or subsequent movement by water through the Port of Jacksonville, Fla. NOTE: Applicant states it shall not tack or join the above authority for purposes of performing a through movement. Applicant also states the service proposed herein will be one wherein applicant will furnish a tractor or power unit and the trailer will be furnished by either the shipper or water carrier. Applicant already holds some of the authority herein requested and seeks no duplicate authority. If a hearing is deemed necessary applicant requests it be held at Jacksonville, Fla.

No. MC 127033 (Sub-No. 7), filed May 16, 1966. Applicant: C & B TRUCKING CO., INC., Post Office Box 192, Chester, S.C. Applicant's representative: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Poultry byproducts*, from points in Gaston County, N.C., to points in North Carolina, South Carolina, and Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 127239 (Sub-No. 3), filed May 9, 1966. Applicant: UNIVERSAL BOW TRANSPORT INCORPORATED, Concord Industrial Park, Concord, N.H., Mail address: Post Office Box 276. Applicant's representative: Francis E. Barrett, Jr., 536 Granite Street, Braintree, Mass., 02184. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paperboard*, from Demopolis, Ala., to Bow, N.H., under a continuing contract or contracts with Universal Packaging Corp. of Bow, N.H. NOTE: If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 127523 (Sub-No. 1), filed May 9, 1966. Applicant: INTERNATIONAL WALNUT CORPORATION, CANADA LTD., 100 Toryork Drive, Weston, Ontario, Canada. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, between points in Michigan, Ohio, Pennsylvania, New York, and Illinois, under a continuing contract or contracts with Forest-All Sales and Products Ltd., an Ontario corporation; Forest-All Lumber, Inc., a New York corporation. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127535 (Sub-No. 4), filed May 19, 1966. Applicant: TROY NEWS COMPANY, INC., Post Office Box 696, Troy, N.Y. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Newspapers, television guides, magazines, and inserts, supplements and parts of the above described commodities*, between Albany and Troy, N.Y., on the one hand, and, on the other, Buffalo, Spring Valley, Beacon, Binghamton, Elmira, Niagara Falls, Batavia, Geneva, Peekskill, Little Falls, Ogdensburg, Watertown, Ithaca, Auburn, Hornell, Olean, Salamanca, Jamestown, and Dunkirk, N.Y., and Erie, Pa. NOTE: Applicant states it proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127834 (Sub-No. 1) (Clarification) filed February 21, 1966, published FEDERAL REGISTER issue of March 18, 1966, clarified May 18, 1966, and republished, as clarified, this issue. Applicant: CHEROKEE HAULING & RIGGING, INC., 509 Second Avenue., South, Nashville, Tenn. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky., 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, between points in Tennessee on and east of U.S. Highway 127, on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, North Carolina, Ohio, West Virginia, and South Carolina. NOTE: Applicant states that he intends to tack the above proposed authority with that in pending MC 127834 (in which a hearing officer's report was served May 19, 1966) wherein he proposes to operate as a common carrier transporting signs, sign poles, and parts and accessories therefor, and materials, supplies and equipment used in the manufacture of signs, sign poles, and parts and accessories (except those requiring special equipment) between points in Tennessee on and west of U.S. Highway 27 and east of the Tennessee River, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). The purpose of this republication is to clarify the tacking provision in the note. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 128058 (Sub-No. 1), filed May 6, 1966. Applicant: LAUREL HILL TRUCKING COMPANY, a corporation, 614 New County Road, Secaucus, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk), between Dover, Del.; Mc-

Guire Air Force Base, N.J.; Albany, N.Y.; Boston, Mass.; Charleston, S.C.; Norfolk, Va.; Washington, D.C.; Kennedy International Airport, N.Y.; La Guardia Airport, N.Y.; Newark Airport, N.J.; Philadelphia International Airport, Pa.; Baltimore, Md.; International Airport, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128138 (Sub-No. 1), filed May 11, 1966. Applicant: ATLANTIC-PACIFIC PILOT AND DRIVE EXCHANGE, INC., 609 Sutter Street, San Francisco, Calif., 94102. Applicant's representative: Bertram S. Silver, 140 Montgomery Street, San Francisco, Calif., 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in driveaway service, between points in California and Hawaii, on the one hand, and, on the other, points in the United States. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 128148 (Sub-No. 1), filed May 9, 1966. Applicant: C. E. EVANS, doing business as C. E. TRANSPORT, Fifth and College, Bowling Green, Ky., 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used cars*, from Indianapolis, Ind., to Bowling Green, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Bowling Green, Ky.

No. MC 128176 (Sub-No. 1), filed May 4, 1966. Applicant: JOHN GELSIMINO AND MICHAEL GELSIMINO, doing business as EEMCO MACHINERY HAULERS, 2307 Wager Road, Rural Delivery 9, Erie, Pa. Applicant's representative: George S. Maxwell, Suite 948 Leader Building, Cleveland, Ohio, 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Calenders, mixers, mixing mills, presses, extruders, slitters*, used in the manufacture of rubber and/or plastic products and the machine tools, *including but not limited to lathes, milling machines, drill presses, shapers, grinders* used in the manufacture of the products of the shipper when purchased at the liquidation of competitors or other manufacturers, *sheet steel, castings and gears* used in the manufacture of the shipper's products, between points in Pennsylvania, Maine, Vermont, New Hampshire, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, Oklahoma, Missouri, Tennessee, Kentucky, Indiana, Illinois, Wisconsin, Michigan, and Ohio. Note: If a hearing is deemed necessary, applicant requests it be held at Erie, Pa.

No. MC 128180 (Sub-No. 1), filed May 11, 1966. Applicant: WILLIAM E. WALSH, JR., doing business as BILL WALSH TRUCKING, 2131 Northeast 132d Avenue, Portland, Oreg. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland 10, Oreg. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, shavings, and hog fuel*, from points in Multnomah, Clackamas, Yamhill, Tillamook, and Polk Counties, Oreg., to Longview, Wash., for the account of Longview Fibre Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 128184, filed May 5, 1966. Applicant: M W M TRUCK LINES, INC., Post Office Box 222, Arcadia, Mo., 63621. Applicant's representative: Ernest A. Brooks II, 1301–02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, wooden pallets, and blocking material*, from points in Missouri on and south of U.S. Highway 40, and on and east of U.S. Highway 65, to points in Iowa, Indiana, Kansas, Kentucky, Illinois, Michigan, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 128186, filed May 4, 1966. Applicant: G. W. KEASLER, Jr., Box 386, Pickens, S.C. Applicant's representative: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, between points in South Carolina, North Carolina, and Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 128193, filed May 11, 1966. Applicant: POSSE TRUCKING, INC., Rural Delivery 1, Route 11, Berwick, Pa. Applicant's representative: John W. Frame, Post Office Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise as is dealt in by wholesale, retail, and chain grocery stores and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business*, between points within the territory bounded by a line beginning at Phillipsburg, N.J., and extending through Clinton, Flemington, Jamesburg, and Cassville to Highpoint, N.J., thence south to Cape May, N.J., thence along the north and east shore line of Delaware Bay and the Delaware River to Pennsville, N.J., thence across the Delaware River to New Castle, Del., thence west to the Delaware-Maryland State line at a point west of Glasgow, Del., thence north along the Delaware-Maryland State line to point of junction with the Pennsylvania-Maryland State line, thence west along the Pennsylvania-Maryland State line to the east bank of the Susquehanna River, thence north and west along the east bank of the Susquehanna River to West Nanticoke, Pa., thence through Tunkhannock, Nicholson, Forrest City, Honesdale, and Porter's Lake to Delaware Water Gap, Pa., thence along the west bank of the Delaware River to Easton, Pa., and thence across the Delaware River to Phillipsburg, N.J., including the points named, and (2) *fruits, vegetables, farm products, poultry, and seafood*, in the respective seasons of their production, from points in New Jersey, Pennsylvania, and Delaware to points in the above-described territory. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 128197 (Sub-No. 1), filed May 11, 1966. Applicant: LACASSE & FRERE TRANSPORT, REG'D, Paquet Boulevard, Mont Laurier, Quebec, Canada. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass., 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber*, from ports of entry on the international boundary line between the United States and Canada located at or near Rouses Point, Rooseveltown, and Ogdensburg, N.Y., Highgate Springs, Derby Line, and Norton, Vt., and Jackman, Maine, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, and Ohio, restricted to traffic originating at points in Argenteuil, Berthier, Champlain, Deaux Montagnes, Gatineau, Joliet, Labelle, Laval, Maskinongue, Montcalm, Montreal, Papineau, Pontiac, Temiscamingue, and Terrebonne Counties, Quebec, Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 128201, filed May 3, 1966. Applicant: SCHUSTER GRAIN COMPANY, INC., Seventh Avenue SE., Le Mars, Iowa. Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal feeds and feed ingredients, insecticides and pesticides* from the plantsite or warehouse facilities of Supersweet Feeds at Le Mars, Iowa, to points in Minnesota, South Dakota, and Nebraska, and (2) *feed ingredients* from destinations in (1) above to origin in (1) above. NOTE: Applicant states that the above service is limited to transportation service performed under a continuing contract with Supersweet Feeds, Le Mars, Iowa. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 128210, filed May 12, 1966. Applicant: MARLAND L. CHICK, Oak Street, Alfred, Maine. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sugar and exempt commodities* in the same vehicle at the same time, from Boston, Mass., to Sanford and Springvale, Maine, service to be under a continuing bilateral contract and restricted to one shipper, Kostis Fruit Co., Inc., Sanford, Maine, and further restricted to not exceed 3 tons of sugar per trip. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Maine.

No. MC 128211, filed May 18, 1966. Applicant: AUTO DRIVEWAY, INC., 5100 Two Notch Road, Columbia, S.C. Applicant's representative: Frank A.

Graham Jr., 707 Security Federal Building., Columbia, S.C., 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Repossessed automobiles and repossessed trucks* (except truck tractors), in secondary movements by the driveaway method or by use of wrecker equipment, between points in South Carolina, on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 128218, filed May 17, 1966. Applicant: E. J. CHADWICK TRANSPORTATION, INC., 921 Bergen Avenue, Jersey City, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pineapples*, when moving in the same vehicle with bananas, from New York, N.Y.; Philadelphia, Pa.; Weehawken, N.J.; Norfolk and Richmond, Va.; and Charleston, S.C.; to points in Delaware, Connecticut, Rhode Island, Maryland, Massachusetts, New Jersey, New York, and Pennsylvania, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

MOTOR CARRIERS OF PASSENGERS

No. MC 1200 (Sub-No. 7), filed May 9, 1966. Applicant: RHODE ISLAND BUS CORP., Post Office Box 666, Providence, R.I. Applicant's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, beginning and ending at New London, Montville, Norwich, Jewett City, Plainfield, and Moosup, Conn., and extending to Lincoln Racetrack at Lincoln, R.I.; Narragansett Park, Pawtucket, R.I., and Suffolk Downs, Boston, Mass., during the respective racing seasons. NOTE: If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 59238 (Sub-No. 61), filed May 11, 1966. Applicant: VIRGINIA STAGE LINES, INCORPORATED, 114 Fourth Street SE., Charlottesville, Va. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round-trip special operations, during the authorized racing seasons of the Bowie, Laurel, and Pimlico, Md., race tracks, beginning and ending at Richmond and Fredericksburg, Va., and extending to Bowie, Laurel, and Pimlico, Md., race tracks. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61016 (Sub-No. 29), filed May 11, 1966. Applicant: PETER PAN BUS LINES, INC., 144 Bridge Street, Springfield, Mass. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between Palmer, Mass., and West Brookfield, Mass., from Palmer over Massachusetts Route 67 to West Brookfield and return over the same route, serving the intermediate points of West Warren and Warren, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.

No. MC 67340 (Sub-No. 6), filed May 3, 1966. Applicant: RESORT BUS LINES, INC., 31 Edgecomb Place, Yonkers, N.Y. Applicant's representative: Samuel B. Zinder, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express and newspapers*, (1) between Peekskill, N.Y., and Hartford, Conn., from Peekskill over U.S. Highway 6 to junction Alternate U.S. Highway 6 at or near Southbury, Conn., thence over Alternate U.S. Highway 6 to Meriden, Conn., thence over U.S. Highway 5 to Hartford, and return over the same route, serving all intermediate points; (2) between junction U.S. Highways 202 and 6 near Peekskill, N.Y., and junction U.S. Highways 6 and 202 near Brewster, N.Y., over U.S. Highway 202, serving all intermediate points; (3) between Brewster, N.Y., and Hartford, Conn., over Interstate Highway 84 serving all intermediate points; (4) between junction U.S. Highway 6 and Alternate U.S. Highway 6 at or near Sandy Hook, Conn., and junction U.S. Highway 6 and Alternate U.S. Highway 6 at or near the Housatonic River, Conn., over Alternate U.S. Highway 6, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Peekskill, N.Y., or Danbury, Conn.

No. MC 114757 (Sub-No. 5), filed May 18, 1966. Applicant: EMPIRE BUS LINES, INC., 184 Smith Street, Poughkeepsie, N.Y. Applicant's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, moving in a circuitous manner, between Poughkeepsie, N.Y., and Bard College, at Annandale-On-Hudson, N.Y.; from Poughkeepsie over U.S. Highway 9 to Red Hook, N.Y., thence over New York Highway 199 to junction New York Highway 9G, thence over New York Highway 9G to Bard College at Annandale-On-Hudson, and return over New York Highway 9G to junction U.S. Highway 9, and thence over U.S. Highway 9 to Poughkeepsie, serving all intermediate points. NOTE: Applicant holds contract carrier authority in MC 126689 Sub 2, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or New York, N.Y.

No. MC 123432 (Sub-No. 8), filed May 19, 1966. Applicant: WISCONSIN COACH LINES, INC., 901 Niagara Street, Waukesha, Wis. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, mail, and newspapers*, in the same vehicle with passengers, between Lake Geneva, Wis., and Elkhorn, Wis., over U.S. Highway 12, and return over the same route, serving all intermediate points. NOTE: Applicant states that it intends to tack the above-described route with its existing regular route authority, in which it is authorized to operate in the States of Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 124852 (Sub-No. 5), filed May 11, 1966. Applicant: INLAND MOTOR LINES, INC., 356 North Rock Island, Wichita, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers* and *express*, between Wichita, Kans., and Caldwell, Kans., over U.S. Highway 81 serving all intermediate points on southbound service, and all intermediate points except South Haven and Wellington, Kans., on northbound service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

APPLICATION FOR BROKERAGE LICENSE

MOTOR CARRIER OF PASSENGERS

No. MC 12731 (Sub-No. 1), filed May 2, 1966. Applicant: TEENS N' TOURS, INC., 1004 White Birch Lane, Post Office Box A-7, Wantagh, Long Island, N.Y. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y. For a license (BMC 5) to engage in operations as a *broker*, at Massapequa, Long Island, N.Y., in arranging for the transportation of passengers and their baggage, in all-expense tours, as individuals and groups, in charter operations, between Merrick, Long Island, N.Y., and points in Nassau and Suffolk Counties, N.Y., within 35 miles of Merrick, on the one hand, and, on the other, points in the United States, including Alaska and Hawaii.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 124078 (Sub-No. 227), filed May 18, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Decatur, Ill., to points in Indiana.

No. MC 124078 (Sub-No. 228), filed May 18, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from West Winfield, Pa., to points in Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wyoming, and Yates Counties, N.Y.

No. MC 124418 (Sub-No. 4), filed May 5, 1966. Applicant: D–H–R TRUCKING, INC., Harrisburg, Ill. Applicant's representative: W. L. Jordan, 201–2 Merchants Savings Building, 7 South Sixth Street, Terre Haute, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk or in packages, from Harrisburg, Ill., (1) to points in Indiana on and south of Interstate Highway 74 from the Illinois-Indiana State line to the Indiana-Ohio State line, and (2) points in Kentucky on and west of U.S. Highway 31E from the Indiana-Kentucky State line to the Kentucky-Tennessee State line, and *rejected or returned shipments*, on return. NOTE: Applicant states the area described in (2) above includes area in Kentucky to which services was authorized in MC 124418, Sub 1 and which is now being served. Applicant fully understands that the granting of authority requested herein in (2) above will in no way constitute any duplication of authority but rather will simplify territorial description for simplification and authorization purposes.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Sub-No. 105), filed March 25, 1966. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago, Ill., 60603. Applicant's representative: W. T. Meinhold, Market and Fremont Street, San Francisco, Calif., 94106. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers. *Revise Washington Alternate Route No. 20 to adopt Washington Highway 202 between Bothell and Monroe in lieu of present segment of Washington Highway 9 between Bothell and Snohomish, herein proposed to be revoked.* Washington Alternate Route No. 20. Between Seattle and Monroe: From Seattle over Washington Highway 522 to Bothell, thence over Washington Highway 202 to Monroe, as an alternate route to be used for operating convenience only, with no service at intermediate points. NOTE: Common control may be involved. The changes in operating authority hereinabove shown and explained are proposed to be incorporated in the designated revised sheet of certificate No. MC 1515 (Sub-No. 7).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–6030; Filed, June 2, 1966; 8:45 a.m.]

[Notice 191]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 31, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 106398 (Sub-No. 331 TA), filed May 26, 1966. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Box 8096, Dawson Station, Tulsa, Okla., 74141. Applicant's representative: O. L. Thee (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial movements, in truckaway service, from Caddo Parish, La., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Ritz Craft, Inc. (Larry J. Ritzenthaler, executive vice president), Argos, Ind. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla., 73102.

No. MC 108696 (Sub-No. 9 TA), filed May 26, 1966. Applicant: JACOB A. TIGELAAR, ADA TIGELAAR, HENRY J. DEWEERD, AND CORNELIA DEWEERD, a partnership, doing business as TIGELAAR & DEWEERD, 5367 School Street, Box 145, Hudsonville, Mich., 49426. Applicant's representative: Rodger T. Ederer, Union Savings & Loan Building, 117 West Allegan Street, Lansing, Mich., 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulverizing limestone* (except in bulk), from the plant of Ohio & Indiana Stone Co. near Greencastle, Ind., to city of Hudsonville and points in townships of Georgetown, Jamestown, Zeeland, and Blendon in Ottawa County, and in townships of Byron and Gaines, in Kent County, Mich., for 120 days. Supporting shippers: Gerald Van Solkema Farms, Post Office Box 264, Byron Center, Mich., 49315; Farmers' Co-Operative Elevator Co., Hudsonville, Mich., 49426. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich., 48933.

No. MC 111740 (Sub-No. 18 TA), filed May 26, 1966. Applicant: OIL TRANSPORT COMPANY, Post Office Drawer 2679, Abilene, Tex., 79604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sulphur*, in bulk, in tank vehicles, from Climax Chemical Co. plantsite near Oil Center, N. Mex., and to Best Fertilizer Co. plantsite near Plainview, Tex., for 150 days. Supporting shipper: Mr. W. H. Kolins, Vice President, Manufacturing, Climax Chemical Co., Monument, N. Mex. Send protests to: Ralph Bezner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 816 T & P Building, Fort Worth, Tex., 76102.

No. MC 119880 (Sub-No. 20 TA), filed May 26, 1966. Applicant: DRUM TRANSPORT, INC., Box 2056, East Peoria, Ill., 61611. Applicant's representative: B. N. Drum (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tequila and Kahlua*, in bulk in tank vehicles, from the port of entry on the international boundary line between the United States and Mexico, at or near Laredo, Tex., to St. Louis, Mo., and Detroit, Mich., for 180 days. Supporting shipper: Jules Berman & Associates, Inc., 9025 Wilshire Boulevard, Beverly Hills, Calif., 90211. Send protests to: Raymond E. Mauk, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 126450 (Sub-No. 3 TA), filed May 26, 1966. Applicant: W. C. WINTER, INC., 833 Warner Street SW., Atlanta, Ga., 30310. Applicant's representative: Virgil H. Smith, Suite 431, Title Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tile*, clay or earthen, unglazed, from points in Bartow County, Ga., to points in Alabama, North Carolina, Mississippi, Louisiana, South Carolina, Tennessee, and Virginia, for 180 days. Supporting shipper: Georgia Quarry Tile Co., Inc., 151 Mills Street NW., Atlanta, Ga., 30313. Send protests to: William L. Scroggs, Dis-

trict Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308.

No. MC 127223 (Sub-No. 1 TA), filed May 26, 1966. Applicant: EUGENE STORY, West Main Street, Byrdstown, Tenn., 38549. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Lumber*, from Byrdstown, Tenn., to points in Kentucky, Indiana, and Ohio, for 180 days. Supporting shipper: Sells Lumber Co., West Main Street, Byrdstown, Tenn., 38549. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn., 37203.

No. MC 127689 (Sub-No. 3 TA), filed May 23, 1966. Applicant: PASCAGOULA DRAYAGE CO., 705 East Pine Street, Hattiesburg, Miss. Applicant's representative: W. N. Innis (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard, fiberboard faced or finished with decorative or protective material, and accessories and supplies*, from the plantsite and warehouse site of the Masonite Corp. at Laurel, Miss., to points in Alabama, Arkansas, Louisiana, and Memphis, Tenn., and points in its commercial zone, for 150 days. Supporting shipper: Masonite Corp., 29 North Wacker Drive, Chicago, Ill., 60606 (Frank E. Lawless, assistant general traffic manager). Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss.

No. MC 127931 (Sub-No. 2 TA), filed May 26, 1966. Applicant: EDWARD T. COX, 1306 West Vermijo, Colorado Springs, Colo., 80904. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motion picture film*, for the account of the Army and Air Force Motion Picture Service, from and to Denver, Colo., to, from, and between motion picture theaters of the Army and Air Force Motion Picture Service, near Colorado Springs, Colo., at Fort Carson, Colo., Ent Air Force Base, Colo., and the U.S. Air Force Academy, Colo., for 180 days. Supporting shipper: Army & Air Force Motion Picture Service, St. Louis Regional Office, 4100 Goodfellow Boulevard, St. Louis, Mo., 63120. Send protests to: Herbert C. Ruoff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo., 80202.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-6114; Filed, June 2, 1966; 8:49 a.m.]

[Notice 1357]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 31, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68716. By order of May 26, 1966, the Transfer Board approved the transfer to Walter H. Mayle, doing business as Waynesburg Transfer and Storage, Waynesburg, Pa., of Certificate No. MC-40807, issued October 25, 1950, to George W. Bercik, Waynesburg, Pa., authorizing the transportation of household goods between points and places in Greene County, Pa., on the one hand, and, on the other, points and places in that part of West Virginia on and north of U.S. Highway 50, and those in that part of Ohio on and south of U.S. Highway 422 and on and east of U.S. Highway 21; and coal, over irregular routes, from points and places in a certain designated area of West Virginia, to points and places in Waynesboro, Pa., and points and places within 5 miles of Waynesboro, with no transportation for compensation on return except as otherwise authorized. John E. Baily, 52 Church Street, Waynesburg, Pa., attorney for applicants.

No. MC-FC-68757. By order of May 25, 1966, the Transfer Board approved the transfer to Jayson J. Levine, doing business as Jay Levine Trucking, Manchester, N.H., of the operating rights in Certificate No. MC-78053, issued October 11, 1941, to Sherman A. Bartlett, doing business as Bartlett's Express, Goffstown, N.H., and authorizing the transportation of: General commodities, with exceptions, between Manchester and Goffstown, N.H., over New Hampshire Highway 114, and return over the same route; service is authorized to and from all intermediate points. Hedley G. Pingree, 875 Elm Street, Manchester, N.H., and Andre J. Barbeau, 795 Elm Street, Manchester, N.H., attorneys for applicants.

No. MC-FC-68758. By order of May 25, 1966, the Transfer Board approved the transfer to Avenue F Trucking Corp., Brooklyn, N.Y., of the operating rights in Permit No. MC-54420, issued November 29, 1946, to William Lustigman, 202 Avenue F, Brooklyn, N.Y., and authorizing the transportation of: Bakery materials, over irregular routes, between New York, N.Y., on the one hand, and, on the other, points and places in Bergen, Essex, Hudson, Middlesex, Passaic and Union Counties, N.J., and Nassau, Suffolk and Westchester Counties, N.Y.

No. MC-FC-68759. By order of May 25, 1966, the Transfer Board approved the transfer to Carmelo F. Catalana, doing business as Central Express & Van Co. and Central Moving & Storage Co., New York, N.Y., 10016, of that portion of the operating rights of Frank Rotondo, doing business as Frank & Brothers Moving & Storage, Bronx, N.Y., 10459, in Certificate No. MC-5466, issued September 26, 1962, authorizing the transportation, over irregular routes, of household goods, as defined, between points in the New York, N.Y., commercial zone, as defined, on the one hand, and, on the other, points in Delaware, Indiana, Maine, Maryland, Massachusetts, New Hampshire, Ohio, Rhode Island, Virginia, Illinois, and the District of Columbia. Alvin Altman, 1776 Broadway, New York, N.Y., 10019, attorney for applicants.

No. MC-FC-68762. By order of May 25, 1966, the Transfer Board approved the transfer to Roger W. Nicks, doing business as Midwestern Bus Lines, Baker, Mont., of the operating rights of James W. Cawley and Wayne Lee Cawley, a partnership, Baker, Mont., in Certificate No. MC-126053, issued November 9, 1964, authorizing the transportation, over a regular route, of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, between Miles City, Mont., and Aberdeen, S. Dak. Russell L. Culver, Box No. AA, Baker, Mont., 59313 attorney for applicants.

No. MC-FC-68782. By order of May 25, 1966, the Transfer Board approved the transfer to Vincent J. Herzog, Honesdale, Pa., of the operating rights in Certificate No. MC-25306, issued February 23, 1944, to Robert Lewis, doing business as Bob's Express Line, Binghamton, N.Y., and authorizing the transportation of: General commodities, with exceptions, over irregular routes between Binghamton, Johnson City, and Endicott, N.Y., on the one hand, and, on the other, Mill City and Osterhout, Pa., and other points and places in northern Pennsylvania. John M. Zachara, Post Office Box Z, Paterson, N.J., 07509, attorney for applicants.

No. MC-FC-68787. By order of May 25, 1966, the Transfer Board approved the transfer to Prentice Truck Line, Inc., 120 South Broadway, Stigler, Okla., 74462, of the operating rights of Burl Prentice, 120 South Broadway, Stigler, Okla., 74462, in Certificates Nos. MC-30059 and MC-30059 (Sub-No. 2), issued May 3, 1949, and May 25, 1964, respectively, authorizing the transportation, over regular routes, of general commodities, excluding commodities in bulk and other specified commodities, between Stigler, Okla., and Fort Smith, Ark., between Stigler, Okla., and Fort Smith, Ark., and between Spiro, Okla., and Fort Smith, Ark.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-6115; Filed, June 2, 1966; 8:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 31, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40508—*Asphalt from Points in Montana*. Filed by Trans-Continental Freight Bureau, agent (No. 430), for interested rail carriers. Rates on asphalt (asphaltum), natural, byproduct or petroleum (other than paint, stain or varnish), in tank carloads, subject to minimum of 10 cars per shipment, from Billings, East Billings, Great Falls and Laurel, Mont., to Cedar Rapids and Marengo, Iowa, also Sioux Falls, S. Dak.

Grounds for relief—Market competition.

Tariffs—Supplement 5 to Chicago, Milwaukee, St. Paul and Pacific Railroad Co. tariff ICC B-8075, and 2 other schedules listed in the application.

FSA No. 40509—*Fresh Meats and Packinghouse Products from Dakota City, Nebr.* Filed by Western Trunk Line Committee, agent (No. A-2453), for interested rail carriers. Rates on fresh meats and packinghouse products, in carloads, from Dakota City, Nebr., to points in southern territory.

Grounds for relief—Market competition.

FSA No. 40510—*Cement and Related Articles from Ravena, N.Y.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2844), for interested rail carriers. Rates on cement, hydraulic, natural or portland, and related articles, in carloads, from Ravena, N.Y., to points in Florida, Georgia, North Carolina, South Carolina, and Virginia.

Grounds for relief—Market competition.

Tariff—Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-588.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-6113; Filed, June 2, 1966; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

5 CFR

	Page
213	7733, 7734
550	7881

7 CFR

	Page
28	7734
701	7735, 7814
728	7814
845	7815
893	7816
918	7735
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
1001	7911
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911
1015	7911
1016	7911
1031	7831
1032	7831
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831
1039	7831
1040	7911
1041	7911
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1051	7831

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

14 CFR

	Page
39	7735, 7881, 7882
71	7736, 7827
73	7736, 7827, 7882
75	7736, 7827
97	7883, 7893
PROPOSED RULES:	
71	7760-7762, 7836
75	7762

15 CFR

	Page
230	7737, 7819
PROPOSED RULES:	
9	7833

16 CFR

	Page
15	7737, 7806
PROPOSED RULES:	
45	7757

17 CFR

	Page
211	7821
230	7738
239	7738
240	7740
276	7821
PROPOSED RULES:	
270	7913

18 CFR

	Page
101	7897
141	7897
201	7897
260	7897

20 CFR

	Page
PROPOSED RULES:	
405	7864

21 CFR

	Page
120	7741

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
200	7743
221	7743

25 CFR — Page

41 — 7744
42 — 7745

26 CFR

1 — 7789

31 CFR

202 — 7899
203 — 7899
500 — 7745, 7899

32 CFR

1 — 7807
3 — 7807
4 — 7810
7 — 7811
8 — 7812
16 — 7814
30 — 7814

32A CFR

OIA (Ch. X):
OI REG. 1 — 7751

33 CFR

203 — 7827
208 — 7751

36 CFR — Page

251 — 7899
261 — 7902

39 CFR

13 — 7752
22 — 7752
25 — 7752
43 — 7752

41 CFR

4–1 — 7819
4–6 — 7819
4–50 — 7902
8–1 — 7820
8–2 — 7820
101–15 — 7752

42 CFR

57 — 7755
76 — 7902

43 CFR

3120 — 7806

45 CFR

801 — 7755

47 CFR — Page

18 — 7821
21 — 7822
73 — 7904
74 — 7822
91 — 7822

PROPOSED RULES:

1 — 7837
21 — 7837
23 — 7837
73 — 7837, 7838
74 — 7837
81 — 7837
87 — 7837
89 — 7837
91 — 7837
93 — 7837
95 — 7837
97 — 7837

49 CFR

95 — 7806

PROPOSED RULES:

170 — 7841
193 — 7911

50 CFR

32 — 7909
33 — 7756, 7910

VOL
31
10

DETROIT PUBLIC LIBRARY JUN 2 1966 SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 6 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 108

Saturday, June 4, 1966 • Washington, D.C.

Pages 7955–7992

Agencies in this issue—

Agriculture Department
Army Department
Atomic Energy Commission
Business and Defense Services Administration
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Employment Security Bureau
Federal Aviation Agency
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Bureau of Standards
Securities and Exchange Commission
Small Business Administration
Wage and Hour Division

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

108

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 32—National Defense (Parts 1000–1099)
(Revised)
$1.50

Title 37—Patents, Trade-Marks, and Copyrights
(Pocket Supplement)
$0.45

Title 38—Pensions, Bonuses, and Veterans' Relief
(Revised)
$2.00

Title 39—Postal Service (Revised)
$2.00

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURE DEPARTMENT
See also Commodity Credit Corporation; Consumer and Marketing Service.
Notices
Texas; extension of designation of area for emergency loans 7978

ARMY DEPARTMENT
Rules and Regulations
Relief assistance; disaster relief .. 7966

ATOMIC ENERGY COMMISSION
Rules and Regulations
Southern Rhodesia; amendment of general licenses respecting exports 7959

BUSINESS AND DEFENSE SERVICES ADMINISTRATION
Notices
Bona fide motor-vehicle manufacturers; notice of determination 7978

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.:
Cordova Airlines, Inc 7982
Latin American service mail rate proceeding 7982

CIVIL SERVICE COMMISSION
Rules and Regulations
Excepted service:
Emergency Planning Office 7959
Health, Education, and Welfare Department 7959

COMMERCE DEPARTMENT
See Business and Defense Services Administration; Maritime Administration; National Bureau of Standards.

COMMODITY CREDIT CORPORATION
Rules and Regulations
Barley loan and purchase program; 1966 and subsequent crops 7964

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Fresh pears, plums, and peaches grown in California; regulation by sizes 7963
Handling limitations:
Lemons grown in California and Arizona 7962
Valencia oranges grown in Arizona and designated part of California 7961
Limes grown in Florida; quality and size regulation 7962
Milk in Paducah, Ky., marketing area 7963
Proposed Rule Making
Milk in certain marketing areas; decisions:
Milwaukee, Wis 7972
Rock River Valley 7971
Oranges, grapefruit, tangerines, and tangelos grown in Florida; handling 7971

CUSTOMS BUREAU
Notices
Bunge Corp.; notice of U.S. citizenship 7978

DEFENSE DEPARTMENT
See Army Department.

EMPLOYMENT SECURITY BUREAU
Rules and Regulations
Certification and use of foreign labor for agricultural and logging industry employment 7966

FEDERAL AVIATION AGENCY
Proposed Rule Making
Control zone and transition area; proposed alteration 7675
Proposed designations:
Control zone 7977
Temporary restricted area 7977
Transition area 7976

FEDERAL MARITIME COMMISSION
Notices
Lake Shipping Co., et al.; agreements filed for approval 7984

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
An-Son Corp., et al 7984
El Paso Natural Gas Co 7986
Natural Gas Pipeline Company of America (2 documents) ... 7986, 7987
Northwestern Public Service Co. 7987
United Fuel Gas Co 7987

FEDERAL TRADE COMMISSION
Rules and Regulations
Prohibited trade practices:
Nor-Cal Distributors, Inc., et al 7960
Tri-State Press Service, Inc 7961

FISH AND WILDLIFE SERVICE
Rules and Regulations
Hart Mountain National Antelope Refuge, Oregon; sport fishing .. 7970
Notices
Conn, Howard H.; notice of loan application 7978

INTERIOR DEPARTMENT
See Fish and Wildlife Service; Land Management Bureau.

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section applications for relief 7989
Motor carrier:
Temporary authority applications 7989
Transfer proceedings 7990

LABOR DEPARTMENT
See Employment Security Bureau; Wage and Hour Division.

LAND MANAGEMENT BUREAU
Rules and Regulations
PUBLIC LAND ORDERS:
Arizona 7969
New Mexico 7969
Wyoming 7969

MARITIME ADMINISTRATION
Rules and Regulations
War risk insurance; miscellaneous amendments 7970
Notices
List of free world and Polish flag vessels arriving in Cuba since Jan. 1, 1963 7979

NATIONAL BUREAU OF STANDARDS
Rules and Regulations
Standard reference materials; standards of certified chemical composition 7968

SECURITIES AND EXCHANGE COMMISSION
Notices
Continental Vending Machine Corp.; order suspending trading 7988

SMALL BUSINESS ADMINISTRATION
Notices
Sioux Falls Regional Office; delegation of authority to conduct program activities 7988

TREASURY DEPARTMENT
See Customs Bureau.

WAGE AND HOUR DIVISION
Notices
Certificates authorizing employment of learners at special minimum rates 7988

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

213 (2 documents) 7959

7 CFR

908 7961
910 7962
911 7962
917 7963
1099 7963
1421 7964

PROPOSED RULES:

905 7971
1038 7971
1039 7972

10 CFR

36 7959
40 7959

14 CFR

PROPOSED RULES:

71 (3 documents) 7975–7977
73 7977

15 CFR

230 7968

16 CFR

13 (2 documents) 7960, 7961

20 CFR

602 7966

32 CFR

502 7966

43 CFR

PUBLIC LAND ORDERS:

4023 7969
4024 7969
4025 7969

46 CFR

308 7970

50 CFR

33 7970

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3216 is amended to show that certain professional positions, GS–9 through GS–15, involving responsibilities under Titles IV and VI of the Civil Rights Act of 1964 are excepted under Schedule B until December 31, 1966, and that the Schedule B authority for thirty related positions in the Office of Education is revoked. Effective on publication in the FEDERAL REGISTER, § 213.3216 is amended by revoking subparagraph (2) of paragraph (a) and adding a new paragraph (b) as set out below.

§ 213.3216 Department of Health, Education, and Welfare.

(a) *Office of Education.* • • •

(2) [Revoked]

(b) *General.* (1) To the extent set by the Commission, positions at GS–9 through GS–15 involving program responsibilities under Titles IV and VI of the Civil Rights Act of 1964. An appointment may not be made under this subparagraph after December 31, 1966.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–6173; Filed, June 3, 1966; 8:49 a.m.]

PART 213—EXCEPTED SERVICE

Office of Emergency Planning

Section 213.3326 is amended to show that the positions of Technical Assistant to the Director of Telecommunications Management (Space Communications) and Director, Telecommunications Office, are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3326 is amended by revoking the following: Subparagraph (2) of paragraph (c) and paragraph (m) in its entirety.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–6172; Filed, June 3, 1966; 8:49 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 36—EXPORT AND IMPORT OF BYPRODUCT MATERIAL

PART 40—LICENSING OF SOURCE MATERIAL

General Licenses Respecting Exports to Southern Rhodesia

These amendments to Title 10 of the Code of Federal Regulations, Parts 36 and 40, are designed to bring the Commission's regulations for the export of byproduct and source materials into consonance with the export regulations of the U.S. Department of Commerce with respect to exports to Southern Rhodesia.

The Department of Commerce amended its export regulations (15 CFR 384.8) effective March 18, 1966, to revoke its general license for exports to Southern Rhodesia except for specified commodities deemed to be necessary for essential humanitarian and educational purposes (31 F.R. 4783) and to make other changes in its export regulations with respect to licenses for export to Southern Rhodesia. The action was taken pursuant to foreign policy objectives and international responsibilities of the United States, and in support of the United Nations Security Council Resolution of November 30, 1965.

The Commission's regulation, 10 CFR Part 36, Export and Import of Byproduct Material, provides general licenses for any licensee to export to any foreign country, with certain exceptions, (1) byproduct material covered by his license having an atomic number from 3 to 83, and tritium in luminous aircraft safety devices (§ 36.21), (2) certain quantities and compounds of tritium and polonium 210 (§ 36.22) and (3) americium 241 (§ 36.23). Title 10 CFR Part 40, Licensing of Source Material, provides a general license for the export of up to three pounds of source material at any one time, incandescent gas mantles containing thorium, and uranium in counterweights for aircrafts, etc., to any foreign country, with certain exceptions (§ 40.23).

Under the amendments to Part 36, export to Southern Rhodesia of byproduct material having an atomic number from 3 to 83, inclusive, and of certain quantities and compounds of tritium and polonium 210, contained in medicinals or pharmaceutical preparations or in devices, applicators or appliances designed for use in medical diagnosis or therapy only, will continue to be authorized under general license. Applications will have to be filed with the Commission for a specific license to export to Southern Rhodesia any other byproduct material, except that exempted by 10 CFR 30.15. The amendments to Part 40 revoke the general licenses in § 40.23 with respect to export to Southern Rhodesia. Hereafter, applications will have to be filed with the Commission for a specific license to export source material to Southern Rhodesia, other than that exempted by § 40.13(a).

Exports to Southern Rhodesia no longer covered by the general licenses in §§ 36.21, 36.22, and 36.23 of 10 CFR Part 36 and § 40.23 of 10 CFR Part 40 as a result of changes set forth in paragraphs 1 through 7, below, and which were on dock for lading, on lighter, laden aboard an export carrier, or in transit to a port of exit prior to 12:01 a.m., June 3, 1966, may be exported under the previous general licenses (§§ 36.21, 36.22, 36.23, and 40.23) up to and including June 18, 1966. Any such shipment not laden aboard the exporting carrier on or before June 18, 1966, requires a specific license for export.

Inasmuch as these amendments involve the foreign affairs functions of the United States, the Commission has found that general notice of proposed rule making and public procedure thereon are contrary to the public interest; and that good cause exists why these amendments should be made effective upon publication in the FEDERAL REGISTER without the customary 30-day notice.

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, the following amendments of Title 10, Chapter 1, Code of Federal Regulations, Parts 36 and 40, are published as documents subject to codification and are effective upon publication in the FEDERAL REGISTER.

1. Section 36.21 of 10 CFR Part 36 is amended by designating the existing paragraph as (a) and adding "Southern Rhodesia or" between the words "to" and "any" in redesignated paragraph (a) and by adding a new paragraph (b) to read as follows:

(b) A general license designated AEC–GL–MED is hereby issued authorizing any licensee of the Commission or of an agreement State to export from the U.S. byproduct material covered by his license having an atomic number from 3 to 83, inclusive, to Southern Rhodesia to the extent that the byproduct material is contained in medicinals or pharmaceutical preparations or in devices, applicators or appliances designed for use in medical diagnosis or therapy.

2. Paragraph (a) of § 36.22 of 10 CFR Part 36 is amended by adding "Southern Rhodesia," between the words "except" and "Poland".

3. Paragraph (b) of § 36.22 of 10 CFR Part 36 is redesignated paragraph (c).

4. A new paragraph (b) is added to § 36.22 of 10 CFR Part 36 to read as follows:

(b) A general license designated AEC–GL–TPM is hereby issued authorizing any licensee of the Commission or of an agreement State to export from the U.S. byproduct material of the kinds or forms specified in paragraph (a) of this section to Southern Rhodesia to the extent that the byproduct material is contained in medicinals or pharmaceutical preparations or in devices, applicators or appliances designed for use in medical diagnosis or therapy.

5. Redesignated paragraph (c) of § 36.22 of 10 CFR Part 36 is amended by deleting "license established by paragraph (a)" and substituting therefor "licenses established by paragraphs (a) and (b)".

6. Section 36.23 of 10 CFR Part 36 is amended by inserting "Southern Rhodesia," between the words "except" and "Poland".

7. Section 40.23 of 10 CFR Part 40 is amended by inserting "Southern Rhodesia," between the words "except" and "Cuba" in paragraphs (a) and (b) and "Southern Rhodesia or" between the words "except" and "countries" in paragraph (c).

(Sec. 82, 68 Stat. 935; 42 U.S.C. 2112, sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 26th day of May 1966.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[FR. Doc. 66–6156; Filed, June 3, 1966; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C–1062]

PART 13—PROHIBITED TRADE PRACTICES

Nor-Cal Distributors, Inc., et al.

Subpart—Discriminating in price under section 2, Clayton Act—Knowingly inducing or receiving discriminating price under 2(f): § 13.855 *Inducing and receiving discriminations.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Nor-Cal Distributors, Inc., et al., San Francisco, Calif., Docket C–1062, Apr. 29, 1966]

In the Matter of Nor-Cal Distributors, Inc., a Corporation; Allied Automotive, Inc., a Corporation; Auto Parts Sales Co., a Corporation; the Automotive Supply Co., Inc., a Corporation; Belmont Auto Parts, Inc., a Corporation; Benson & Zimmerman Co., a Corporation; Berkeley Automotive Center, a Corporation; C. & H. Auto Parts, a Corporation; Cresta Bros. Auto Parts, a Corporation; Federal Parts & Products Co., Inc., a Corporation; Henderson Bros. Stores, Inc., a Corporation; Hust Bros., Inc., a Corporation; E. C. Kraft & Co., a Corporation; Lacey Automotive Parts Co., a Corporation; Lakeside Automotive, Inc., a Corporation; Lemoore Auto Supply, a Corporation; Littrell Parts, a Corporation; Maxwell Motor Supply Co., Inc., a Corporation; Mill Valley Auto Parts, Inc., a Corporation; Motor Parts Co., a Corporation; Chico Automotive Supply, a Corporation Doing Business Under the Firm Name and Style of Motor Supply Co.; Moses & Moses Motor Parts, a Corporation Doing Business Under the Firm Name and Style of M & M Motor Parts; National Auto Parts Co., Inc., a Corporation; Tri-City Auto Supply, a Corporation; Sequoia Auto Parts, a Corporation; Westside Auto Parts, Inc., a Corporation; Herman Krebs and Earl Lounsbury, Copartners Doing Business Under the Firm Name and Style of Automotive Parts Co.; Floyd E. Benson, Doing Business Under the Firm Name and Style of Benson & Ridenhour, a Sole Proprietorship; William T. Wood, Doing Business Under the Firm Name and Style of Automotive Parts & Machine Shop Co., a Sole Proprietorship; A. Frank Lewis and Albert H. Davis, Copartners Doing Business Under the Firm Name and Style of Contra Costa Auto Parts; Julius G. Rossi and Leonard L. Rundle, Copartners Doing Business Under the Firm Name and Style of Farnsworth & Callahan; Jack W. Parker, Doing Business Under the Firm Name and Style of Globe Auto Supply, a Sole Proprietorship; Robert B. Huston, George E. Huston and Kenneth A. Greer, Copartners Doing Business Under the Firm Name and Style of Hollister Auto Parts; Raymond Allen, Doing Business Under the Firm Name and Style of Irving Auto Supply, a Sole Proprietorship; Herbert J. Kramer and Guldbrand J. Kramer, Copartners Doing Business Under the Firm Name and Style of Kramer Auto Supply Co.; William J. Cresta, Jr., Doing Business Under the Firm Name and Style of McCullock Auto Supply, a Sole Proprietorship; Barrett T. Hicks and Eleanor B. Hicks, Copartners Doing Business Under the Firm Name and Style of Merced Motor Parts; Carl Pate and William Lehnhoff, Copartners Doing Business Under the Firm Name and Style of Montgomery Auto Parts; Eugene F. Asher and Harry W. Scott, Copartners Doing Business Under the Firm Name and Style of Motor Supply Company; L. R. Horler, J. A. Bennett, L. C. Avedano and V. Borba, Copartners Doing Business Under the Firm Name and Style of National Parts Company; Louis P. Lazzaretto and Elmer L. Anderson, Copartners Doing Business Under the Firm Name and Style of United Auto-Sweet Service Co.; F. M. Chandler, Earl Neilsen, Robert P. Chandler and Burton E. Hazelton, Copartners Doing Business Under the Firm Name and Style of Sweet Service Co. of Santa Cruz; Jack A. Fisher and James V. Fisher, Copartners Doing Business Under the Firm Name and Style of Tracy Auto Parts; James M. White, Doing Business Under the Firm Name and Style of Whities Auto Parts, a Sole Proprietorship; Douglas Davis, Doing Business Under the Firm Name and Style of Davis' Auto Parts, a Sole Proprietorship; John Nunes, Doing Business Under the Firm Name and Style of Novato Auto Parts, a Sole Proprietorship; and C. W. Lerer, Doing Business Under the Firm Name and Style of M. Lerer & Sons, a Sole Proprietorship.

Consent order requiring 46 jobbers of automotive products and supplies and their buying organization, Nor-Cal Distributors, Inc., of San Francisco, Calif., to cease knowingly inducing and receiving discriminatory prices from their suppliers in violation of secton 2(f) of the Clayton Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Nor-Cal Distributors, Inc., a corporation; Allied Automotive, Inc., a corporation; Auto Parts Sales Co., a corporation; The Automotive Supply Co., Inc., a corporation; Belmont Auto Parts, Inc., a corporation; Benson & Zimmerman Co., a corporation; Berkeley Automotive Center, a corporation; C. & H. Auto Parts, a corporation; Cresta Bros. Auto Parts, a corporation; Federal Parts & Products Co., Inc., a corporation; Henderson Bros. Stores, Inc., a corporation; Hust Bros., Inc., a corporation; E. C. Kraft & Co., a corporation; Lacey Automotive Parts Co., a corporation; Lakeside Automotive, Inc., a corporation; Lemoore Auto Supply, a corporation; Littrell Parts, a corporation; Maxwell Motor Supply Co., Inc., a corporation; Mill Valley Auto Parts, Inc., a corporation; Motor Parts Co., a corporation; Chico Automotive Supply, a corporation, doing business under the firm name and style of Motor Supply Co.; Moses & Moses Motor Parts, a corporation, doing business under the firm name and style of M & M Motor Parts; National Auto Parts Co., Inc., a corporation; Tri-City Auto Supply, a corporation; Sequoia Auto Parts, a corporation; Herman Krebs and Earl Lounsbury, copartners doing business under the firm name and style of Automotive Parts Co.; Westside Auto Parts, Inc., a corporation; Floyd E. Benson, doing business under the firm name and style of Benson & Ridenhour, a sole proprietorship; William T. Wood, doing business under the firm name and style of Automotive Parts & Machine Shop Co., a sole proprietorship; A. Frank Lewis and Albert H. Davis, copartners doing business under the firm name and style of Contra Costa Auto Parts; Julius G. Rossi and Leonard L. Rundle, copartners doing business under the firm name and style of Farnsworth & Callahan; Jack W. Parker, doing business under the firm name and style of Globe Auto Supply, a sole proprietorship; Robert B. Huston, George E. Huston and Kenneth A. Greer, copartners doing business under the firm name and style of Hollister Auto Parts; Raymond Allen, doing business under the firm name and style of Irving Auto Supply, a sole proprietorship; Herbert J. Kramer and Guldbrand J. Kramer, copartners doing business under the firm name and style of Kramer Auto Supply Co.; William J. Cresta, Jr., doing business under the firm name and style of McCullock Auto Supply, a sole proprietorship; Barrett T. Hicks and Eleanor B. Hicks, copartners doing business under the firm name and style of Merced Motor Parts; Carl Pate and William Lehnhoff, copartners doing business under the firm name and style of Montgomery Auto Parts; Eugene F. Asher and Harry W. Scott, copartners doing business under the firm name and style of Motor Supply Co.; L. R. Horler, J. A. Bennett, L. C. Avedano and V. Borba, copartners doing business under the firm name and style of National Parts Co.; Louis P. Lazzaretto and Elmer L. Anderson, copartners doing business under the firm name and style of United Auto-Sweet Service Co.; F. M. Chandler, Earl Neilsen, Robert P. Chandler and Burton E. Hazelton, copartners doing business under the firm name and style of Sweet Service Co. of Santa Cruz; Jack A. Fisher and James V. Fisher, copartners doing business under the firm name and style of Tracy Auto Parts; James M. White, doing business under the firm name and style of Whities Auto Parts, a sole proprietorship; Douglas Davis, doing business under the firm name and style of Davis' Auto Parts, a sole proprietorship; John Nunes, doing business under the firm name and style of Novato Auto Parts, a sole proprietorship; and C. W. Lerer, doing business under the firm name and style of M. Lerer & Sons, a sole proprietorship; and respondents' agents, representatives, employees, officers and members, directly or through any corporate or other device, in connection with the offering to purchase or purchase of any automotive products or supplies in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from:

Knowingly inducing or knowingly receiving or accepting any discrimination in the price of such products and supplies, by directly or indirectly inducing, receiving, or accepting from any seller a net price known by respondents to be below the net price at which said products and supplies of like grade and quality are being sold by such seller to other customers, where the seller is competing with any other seller for respondents' business, or where respondents are competing with other customers of the seller.

For the purpose of determining "net price" under the terms of this order, there shall be taken into account discounts, rebates, allowances, deductions, or other terms and conditions of sale by which net prices are effected.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: April 29, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–6139; Filed, June 3, 1966; 8:45 a.m.]

[Docket No. C–1063]

PART 13—PROHIBITED TRADE PRACTICES

Tri-State Press Service, Inc., and Joe L. Regan

Subpart—Coercing and intimidating: § 13.350 *Customers or prospective customers.* Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1395 *Connections and arrangements with others.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Tri-State Press Service, Inc., et al., Docket C–1063, Apr. 29, 1966].

Consent order requiring an Evansville, Ind., publisher to cease using misrepresentations and threatening tactics to sell advertising space in its weekly newspaper "Tri-State Labor News" or any other publication.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered,* That respondents Tri-State Press Service, Inc., a corporation, and its officers, and Joe L. Regan, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the soliciting, offering for sale, or sale in commerce of advertising space in the weekly newspaper now designated as Tri-State Labor News, or any other publication, whether published under that name or any other name, and in connection with the offering for sale, sale or distribution of said newspaper, or any other publication, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or by implication, that said publication is endorsed or sponsored by, affiliated with, or is an official publication of or connected in any manner with a labor union: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that any claimed or alleged sponsorship, endorsement, affiliation, or status as an official publication has been in fact received and officially authorized.

B. Inducing or seeking to induce a business concern to purchase advertising space in or contribute to respondents' publication by means of expressed or implied threats that such business concern will or may be subjected to unfavorable treatment at the hands of labor union members should it refuse to make such purchase or contribution.

II. *It is further ordered,* That respondents set forth in a clear and conspicuous manner, immediately after the name of each such publication appearing at the top of the masthead of such publication, the following statement: "Not affiliated with any labor union or other labor organization."

III. *It is further ordered,* That respondents shall deliver a copy of this order to every salesman or representative now, or at any time hereafter, selling or soliciting the sale of advertisements in any such publication.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: April 29, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–6140; Filed, June 3, 1966; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 164]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.464 Valencia Orange Regulation 164.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to

effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 2, 1966.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., June 5, 1966, and ending at 12:01 a.m., P.s.t., June 12, 1966, are hereby fixed as follows:

(i) District 1: 450,000 cartons;

(ii) District 2: 300,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 3, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6272; Filed, June 3, 1966; 11:20 a.m.]

[Lemon Reg. 217]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.517 Lemon Regulation 217.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 1, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., June 5, 1966, and ending at 12:01 a.m., P.s.t., June 12, 1966, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 325,500 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 2, 1966.

PAUL A. NICHOLSON,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6209; Filed, June 3, 1966; 8:49 a.m.]

[Lime Reg. 22, Amdt. 1]

PART 911—LIMES GROWN IN FLORIDA

Quality and Size Regulation

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674) and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 6, 1966. Shipments of Florida limes are currently regulated pursuant to Lime Regulation 22 (31 F.R. 6102) and, unless sooner terminated, will continue to be so regulated until May 1, 1967, determinations as to the need for, and extent of, continued regulation of Florida lime shipments must await the development of the crop and the availability of information on the demand for such fruit; the recommendations and supporting information for regulation of lime shipments subsequent to June 6, 1966, and in the manner herein provided, were promptly submitted to the Department after an unassembled meeting of the Florida Lime Administrative Committee on May 31, 1966, held to consider recommendations for regulation; the provisions of this amendment are identical with the aforesaid recommendations of the committee, and information concerning such provisions has been disseminated among handlers of Florida limes; it is necessary, in order to effectuate the declared policy of the act, to make this amendment effective as hereinafter set forth; and compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

It is, therefore, ordered that the provisions of paragraph (b)(1)(ii) of § 911.324 (Lime Regulation 22) are hereby amended to read as follows during the period beginning at 12:01 a.m., e.s.t., June 6, 1966, and ending at 12:01 a.m., e.s.t., May 1, 1967:

(ii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which do not grade at least U.S. Combination, Mixed Color, with not less than 75 percent, by count, of the limes in each container thereof grading at least U.S. No. 1, Mixed Color, and the remainder thereof grading not less than U.S. No. 2, Mixed Color; or

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 2, 1966.

PAUL A. NICHOLSON,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6210; Filed, June 3, 1966; 8:49 a.m.]

[Plum Reg. 5, Amdt. 1]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Sizes

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Santa Rosa plums grown in California.

Order. It is, therefore, ordered that the provisions of paragraph (b)(2) of § 917.376 (Plum Regulation 5; 31 F.R. 7348) are hereby amended to read as follows:

§ 917.376 Plum Regulation 5 (Santa Rosa).

* * * * * * *

(b) *Order.* * * *

(2) During each day of the aforesaid period, any handler may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than the size prescribed in subparagraph (1) of this paragraph if said quantity does not exceed one hundred (100) percent of the number of the same type of packages or containers of such plums shipped by such handler which meet the size requirements of said subparagraph (1) of this paragraph: *Provided*, That all such smaller plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 5 standard pack.

* * * * * * *

The provisions of this amendment shall become effective June 2, 1966.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 1, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6169; Filed, June 3, 1966; 8:48 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 99]

PART 1099—MILK IN PADUCAH, KY., MARKETING AREA

Order Amending Order

§ 1099.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing records.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), public hearings were held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Paducah, Ky., marketing area. Upon the basis of the evidence introduced at such hearings and the records thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held; and

(4) Since the suspension order of May 11, 1966 (31 F.R. 7110; F.R. Doc. 66–5280), was issued as a temporary action to provide immediate remedial action as to Class I prices until the long-term modification of the Class I price formula, herein provided, could be made effective, such suspension order is hereby terminated.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than June 1, 1966. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued May 11, 1966, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective June 1, 1966, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Secs. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of produres as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered:

1. That the suspension order (31 F.R. 7110; F.R. Doc. 66–5280) which suspended certain of the Class I price provisions for the period of May 11 through June 30, 1966, is hereby terminated on the effective date of this order.

2. That on and after the effective date hereof, the handling of milk in the Pa-

ducah, Ky., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

In § 1099.51, paragraph (a) is revised to read as follows:

§ 1099.51 Class prices.

* * * * *

(a) *Class I milk price.* The price per hundredweight of Class I milk for the month shall be the Class I price pursuant to Part 1062 of this chapter (St. Louis, Mo.) plus 15 cents: *Provided*, That the price for the month for Class I milk at pool plants located within that portion of the marketing area in the State of Missouri shall be the Class I price pursuant to Part 1062 of this chapter (St. Louis, Mo.) plus 25 cents; and

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date. June 1, 1966.

Signed at Washington, D.C., on May 31, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66-6149; Filed, June 3, 1966; 8:46 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs., 1966 and Subsequent Crops, Barley Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops, Barley Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1966 and subsequent crops of barley as follows:

Sec.
1421.2261 Purpose.
1421.2262 Availability.
1421.2263 Compliance requirements.
1421.2264 Eligible barley.
1421.2265 Determination of quality.
1421.2266 Determination of quantity.
1421.2267 Warehouse receipts.
1421.2268 Fees and charges.
1421.2269 Warehouse charges.
1421.2270 Maturity of loans.
1421.2271 Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2261 Purpose.

This supplement contains program provisions, which together with the annual crop year supplement and provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops, and any amendments thereto, or revisions thereof (such regulations are referred to herein as "General Regulations") apply to loans and purchases for the 1966 and subsequent crops of barley.

§ 1421.2262 Availability.

Producers desiring price support must request a loan or notify the ASCS county office of intentions to sell to CCC no later than the dates set forth in the annual crop year supplement to the regulations in this subpart.

§ 1421.2263 Compliance requirements.

A producer to be eligible for a loan or purchase must be eligible under the Feed Grain Program Regulations to the extent specified in the annual crop year supplement to the regulations in this subpart.

§ 1421.2264 Eligible barley.

(a) *General.* To be eligible for a loan or purchase, the barley must be merchantable for food or feed or for other uses, as determined by CCC, and must not contain mercurial compounds or other substances poisonous to man or animals.

(b) *Warehouse stored loan grade requirements.* Barley to be placed under a warehouse storage loan must also meet the following requirements:

(1) The barley must grade No. 5 or better, except that (i) the barley may grade "Sample" on the factor of total damage (except heat damage), (ii) Western Barley shall have a test weight of not less than 36 pounds per bushel, and (iii) the barley may have the following special grade designations: "Garlicky" and in the State of Alaska only, "Tough."

(2) The barley must not grade Blighted, Bleached, Ergoty, Smutty or, if Western Barley, Stained;

(3) The barley must not grade "Weevily" unless the warehouse receipt is accompanied by a supplemental certificate which indicates the warehouseman will deliver barley (i) which does not grade "Weevily" and (ii) which is otherwise of an eligible grade and quality. The grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.2267(c);

(4) The barley must not contain over 14.5 (13.5 if Western Barley) percent moisture unless the warehouse receipt is accompanied by a supplemental certificate which indicates the warehouseman will deliver barley which does not contain over 14.5 (13.5 if Western Barley) percent moisture and which is otherwise of an eligible quality. The grade, grading factors and the quantity shown on the supplemental certificate must be as specified in § 1421.2267(c). This subparagraph shall not apply to barley produced in the State of Alaska.

§ 1421.2265 Determination of quality.

The class, grade, grading factors and all other quality factors shall be based on the Official Grain Standards of the United States for Barley, whether or not such determinations are made on the basis of an official inspection.

§ 1421.2266 Determination of quantity.

When the quantity is determined by weight, a bushel shall be 48 pounds of barley free of dockage.

(a) *In warehouse.* The quantity of barley on which a warehouse storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable. If the barley has been dried or blended to reduce the moisture content, the quantity specified on the warehouse receipt or the supplemental certificate, if applicable, shall represent the quantity after drying or blending, and such quantity shall reflect a minimum shrink in the receiving weight of 1.2 times the percentage difference between the moisture content of the barley, when received, and 14.5 (13.5 if Western Barley) percent.

(b) *On farm.* The quantity of eligible barley which may be placed under farm storage loan shall be determined in accordance with § 1421.67 of the General Regulations. The quantity acquired by CCC from farm storage under a loan or purchase shall be determined by weight.

(c) *Dockage.* When the quantity is determined by weight, the percentage of dockage shall be determined and the weight of such dockage shall be deducted from the gross weight in determining the net quantity.

§ 1421.2267 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate warehouse receipt must be submitted for each grade and class of barley.

(b) *Entries.* Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show: (1) Gross weight and net bushels, (2) class, (3) grade (including special grades), (4) test weight, (5) moisture if above 14.5 (13.5 if Western Barley) percent, (6) dockage, (7) any other grading factor(s) when such factor(s) and not test weight determine the grade, (8) whether the barley arrived by rail, truck, or barge, (9) the date the barley was received or deposited in the warehouse.

(c) *Where warehouse receipt shows "Weevily" and/or excess moisture.* If a warehouse receipt tendered as security for a loan indicates the barley grades "Weevily" or contains over 14.5 (13.5 if Western Barley) percent moisture, the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.2264(b). The grade, grading factors, and the quantity to be delivered must be shown on the supplemental certificate as follows: (1) When the warehouse receipt shows "Weevily" and the barley has been conditioned to correct the "Weevily" condition, the supplemental certificate must show the same grade without the "Weevily" designation and the same grading factors and quantity as shown on the warehouse receipt; (2) when the warehouse receipt indicates a moisture content of over 14.5 (13.5 if Western Barley) percent and the barley has been dried or blended, the supplemental certificate must show the grade, grading factors, and quantity after drying or blending the barley to a moisture content of not over 14.5 (13.5 if Western Barley) percent which shall reflect a drying or blending shrink as specified in § 1421.2266(a). The supplemental certificate must state that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt. In the case of conditions specified in subparagraphs (1) and (2) of this paragraph, the grade, grading factors, and the quantity shown on the supplemental certificate shall supersede the entries for such items on the warehouse receipt.

(d) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.2269.

(e) *Freight bill requirements.* Warehouse receipts representing barley which has been shipped by rail or water from a country shipping point to a designated terminal point, or shipped by rail or water from a country shipping point to a storage point and stored in transit to a designated terminal point, must be accompanied by registered freight bills or by a certificate containing similar information. These registered freight bills or certificates must be representative as to origin and date of movement of the barley and must reflect the total freight from origin to the designated terminal point, including penalty for out-of-line haul, if any. The form of these certificates shall be prescribed by the ASCS commodity office and shall be signed by the warehouseman and may be made a part of the supplemental certificate.

§ 1421.2268 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.60(b) of the General Regulations.

§ 1421.2269 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the barley represented thereby stored in an approved warehouse operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the barley is deposited in the warehouse for storage. Warehouse receipts and the barley represented thereby stored in an approved warehouse operated by an Eastern common carrier may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission. In no event shall a warehouseman be entitled to satisfy the lien by sale of the barley when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—UGSA warehouses.* The table set forth in the annual crop year supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of barley stored in an approved warehouse operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the date to be used for computing the storage deduction on barley stored in approved warehouses operating under the Uniform Grain Storage Agreement shall be the latest of the following: (1) The date the barley was received or deposited in the warehouse, (2) the date storage charges start, or (3) the day following the date through which the storage charges have been paid.

(c) *Deduction of storage charges—Eastern common carriers.* In the case of barley stored in an approved warehouse operated by an Eastern common carrier, there shall be deducted in computing the loan or purchase price the amount of the approved tariff rate for storage (not including elevation), which will accumulate from the date of deposit through the applicable maturity date unless written evidence is submitted with the warehouse receipt that such charges have been prepaid. The State office shall advise county offices of the applicable charges. Where the producer presents evidence showing the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges prepaid by the producer.

§ 1421.2270 Maturity of loans.

Loans mature on demand but not later than the date specified in the annual crop year supplement to the regulations contained in this subpart.

§ 1421.2271 Support rates.

Basic terminal and county support rates for barley and the schedule of discounts shall be set forth in the annual crop year supplement to the regulations contained in this subpart. Farm stored loans will be made at the applicable basic support rate adjusted only for the weed control discount where applicable. The support rate for warehouse storage loans, and for barley acquired from under loan or by purchase shall be the applicable basic support rate adjusted in accordance with the provisions of this section, and the discounts shown in the annual crop year supplement to the regulations in this subpart. Settlement of loans and purchases shall be made in accordance with the provisions of § 1421.72 of the General Regulations.

(a) *Support rates for barley in approved warehouse storage at designated terminal markets.* (1) The basic support rates established for designated terminal markets apply to barley shipped on a domestic interstate freight rate basis. The basic support rate at the designated terminal market for any barley shipped at other than the domestic interstate freight rate shall be reduced by the amount by which the freight rate paid is less than the domestic interstate freight rate.

(2) The basic support rates established for designated terminal markets also apply to barley which has been shipped by rail or water from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges. If the amount of paid-infreight is insufficient to guarantee the minimum proportional domestic interstate freight rate, if any, from the terminal market to a recognized market determined by the appropriate ASCS commodity office, there shall be deducted from the applicable basic support rate the amount by which the amount of freight actually paid in is less than the amount required to be paid in to guarantee out-bound movement at the minimum proportional domestic interstate freight rate. If the barley is stored at any designated terminal market and neither registered freight bills nor registered freight certificates are presented, the basic support rate shall be reduced by the actual amount of paid-in freight required to guarantee the proportional out-bound rate from the terminal market to a recognized market determined by the appropriate ASCS commodity office.

(3) The support rate for barley received by truck and stored at any designated terminal market, shall be determined by deducting from the terminal rate 2.5 cents per bushel plus the actual amount of paid-in freight required to guarantee the proportional out-bound rate from the terminal market to a recognized market determined by the appropriate ASCS commodity office.

(4) Notwithstanding the foregoing provisions of this paragraph (a), in determining the support rate for barley shipped by rail or water and stored at any of the following terminal markets, there shall also be deducted from the applicable basic support rate the transportation cost, if any may be incurred, as determined by the appropriate ASCS commodity office, for moving the barley to a tidewater facility located within the same switching limits:

Long Beach, Los Angeles, Oakland, San Francisco, Stockton, and Wilmington, Calif.
Baton Rouge and New Orleans, La.
Baltimore, Md.
Duluth, Minn.
Astoria and Portland, Oreg.
Albany and New York, N.Y.
Philadelphia, Pa.
Beaumont, Galveston, Houston, and Port Arthur, Tex.
Norfolk, Va.
Kalama, Longview, Seattle, Tacoma, and Vancouver, Wash.
Superior, Wis.

(5) Notwithstanding the foregoing provisions of this paragraph, in determining the support rate for barley re-

ceived by truck and stored at any of the terminal markets listed in subparagraph (4) of this paragraph, there shall be deducted from the applicable basic support rate an amount of 2.5 cents per bushel, plus the transportation cost, if any, as determined by the appropriate ASCS commodity office, for moving the barley to a tidewater facility located within the same switching limits.

(b) *Support rates for barley in approved warehouse storage at other than designated terminal markets.* In determining the support rate for barley which is shipped by rail or water and which is stored in approved warehouses (other than those situated in the designated terminal markets), there shall be deducted from the support rate for the appropriate designated terminal market, as determined by CCC, an amount equal to the transit balance, if any, of the through-freight rate from the point of origin for such barley to such terminal market: *Provided*, That on any barley shipped at other than the domestic interstate freight rate, the basic support rate shall be further reduced by the amount by which the freight rate paid is less than the amount of the domestic interstate freight rate from the point of origin of such barley to the point of destination or appropriate terminal market: *And provided further*, That in the case of barley stored at any railroad transit point, taking a penalty by reason of out-of-line movement to the appropriate designated market, or for any other reason, there shall be added to such transit balance an amount equal to any out-of-line costs or other costs incurred in storing barley in such position.

(c) *Support rates for barley in approved country warehouse and farm storage.* (1) The applicable basic support rate for farm-storage loans and for barley stored in approved country warehouse-storage, except as otherwise provided in paragraph (b) of this section and subparagraph (2) of this paragraph, shall be the basic county support rate established for the county in which the barley is stored.

(2) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities, having the same domestic interstate freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same basic county support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 31, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-6170; Filed, June 3, 1966; 8:49 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter V—Bureau of Employment Security, Department of Labor

PART 602—COOPERATION OF THE U.S. EMPLOYMENT SERVICE AND STATES IN ESTABLISHING AND MAINTAINING A NATIONAL SYSTEM OF PUBLIC EMPLOYMENT OFFICES

Foreign Labor

Pursuant to regulations issued by the Commissioner of Immigration and Naturalization (8 CFR 214.2(h); 29 F.R. 11959) implementing provisions of the Immigration and Nationality Act (8 U.S.C. 1184(e)), I hereby revise 20 CFR 602.10 to read as set forth below.

Because these rules constitute general statements of agency procedure and policy, notice of proposed rule making, public participation and delay in effective date are not required by section 4 of the Administrative Procedure Act (5 U.S.C. 1003). I do not believe such proceedings or delay would serve a useful purpose here. Accordingly, I hereby revise 20 CFR 602.10, effective immediately, by adding at the end thereof a new paragraph (e) to read as follows:

§ 602.10 Certification and use of foreign labor for agricultural and logging industry employment.

* * * * * *

(e) In any case in which the Regional Office of the Bureau of Employment Security determines after examination of all the pertinent facts that the certification referred to in 8 CFR 214.2(h)(2)(ii) cannot appropriately be issued, it shall promptly so notify the employer or association requesting the certification. Such notification shall contain a statement of the reasons on which the refusal to issue a certification is based.

(8 CFR 214.2(h))

Signed at Washington, D.C., this 31st day of May 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66-6145; Filed, June 3, 1966; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER A—AID OF CIVIL AUTHORITIES AND PUBLIC RELATIONS

PART 502—RELIEF ASSISTANCE

Disaster Relief

Sections 502.1 through 502.6 are superseded by the following sections:

Sec.
502.1 Purpose and applicability.
502.2 Definitions.
502.3 Provisions of disaster relief legislation and Executive orders and other authorities.
502.4 Department of Defense policies and delegation of authority.
502.5 Department of the Army policies and designation of responsibilities.

AUTHORITY: §§ 502.1 to 502.5 issued under sec. 3012, 70A Stat. 157; 10 U.S.C. 3012.

SOURCE: AR 500-60, 6 May 1966.

§ 502.1 Purpose and applicability.

(a) Sections 502.1–502.5 contain Department of the Army policy and responsibilities for operations involving participation in natural disaster relief activities.

(b) Sections 502.1–502.5 are applicable in the 48 contiguous States and the District of Columbia, and where not in conflict with public law or other proper authority, have equal application to Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands. Within the latter areas, the commander of the unified command concerned is responsible for emergency employment of military resources in disaster relief.

(c) Policy and guidance for related type emergencies involving employment of Army resources are contained in AR 500–50 (Civil Disturbances), AR 500–70 (Civil Defense), and AR 420–90 (Fire Prevention and Protection).

(d) The provisions of §§ 502.1–502.5 apply generally except as otherwise covered in directives of Chief of Engineers pertinent to the Civil Works Program.

§ 502.2 Definitions.

For the purpose of §§ 502.1–502.5 the following definitions apply:

(a) *Natural disaster.* All domestic emergencies except those created as a result of enemy attack or civil disturbance.

(b) *Major disaster.* Any disaster caused by flood, drought, fire, earthquake, storm, hurricane, or other catastrophe, which in the determination of the President, is or threatens to be, of such severity and magnitude as to warrant disaster assistance by the Federal Government under the provisions of Public Law 875 (see § 502.3(a)) to supplement the efforts and available resources of State and local governments in alleviating the damage, hardship or suffering caused thereby.

(c) *Imminent seriousness.* An emergency condition of immediate urgency in which it would be dangerous to delay necessary action by waiting for instructions from higher authority despite the fact such instructions are requested through command channels by the most expeditious means of communication available.

(d) *Military resources.* Includes personnel, equipment, and supplies of Department of Defense agencies including the Army, Navy, Air Force, Marine Corps, and Defense Supply Agency.

(e) *State.* Includes any State in the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(f) *Local government.* Includes any county, city, village, town, district, or other political subdivision of any State, or the District of Columbia.

(g) *Federal agency.* Includes any departmental, independent establishment, government corporation, or other agency of the executive branch of the Federal Government, excepting, however, the American National Red Cross.

(h) *Office of Emergency Planning (OEP).* The Federal Executive agency in the Executive Office of the President responsible for coordinating Federal assistance for major disasters in behalf of the President.

(i) *Office of Civil Defense (OCD).* The office under the Secretary of the Army responsible for plans and preparations for civil defense.

(j) *American National Red Cross (ANRC).* The national organization of the Red Cross organized to undertake activities for the relief of persons suffering from disaster as stated in Section 3 of the Act of January 5, 1905, ch 23, as amended (36 U.S.C. 3), entitled "An Act To Incorporate the American National Red Cross."

(k) *DOD components.* Army, Navy, Air Force, Marine Corps, Defense Supply Agency, and other Department of Defense agencies.

§ 502.3 Provisions of disaster relief legislation and Executive orders and other authorities.

The following guidelines are pertinent to disaster relief action.

(a) Public Law 875, 81st Congress, as amended, 42 U.S.C. 1855–1855g (Federal Disaster Act of 30 September 1950), hereinafter referred to as P.L. 875, which provides for supplementary Federal assistance to State and local governments in major disasters, and for other purposes.

(b) Executive Order 10427 dated January 16, 1953, as amended, which delegates to the Director, OEP the authority to direct and coordinate other Federal agencies in rendering assistance to State and local governments under provisions of P.L. 875.

(c) Executive Order 10737, dated October 29, 1957, which amends Executive Order 10427 to include authority for the reimbursement of any Federal agency, subject to the concurrence of the Director of the Bureau of the Budget, for authorized expenditures for funds allocated by the President for use in assistance to a specific State.

(d) Executive Order 11051 dated September 27, 1962, which specifically prescribes the responsibility of the Director, OEP as set forth in Executive Orders 10427 and 10737.

(e) Federal assistance is authorized under provisions of P.L. 875 only after the President has declared the specific disaster as defined in the Act. Such declaration is made after a request for Federal assistance by the Governor of the State (or the Board of Commissioners of the District of Columbia), through the appropriate OEP Regional Office Director.

(f) Section 5 of the Act of August 18, 1941, ch. 377, as amended, 33 U.S.C. 701n; is commonly known and hereinafter referred to as Public Law 99 (P.L. 99). It provides basic guidance for the applicable emergency activities of the Corps of Engineers. The law provides discretionary authority for expenditures for flood emergency preparation; flood fighting and rescue operations, and emergency repair or restoration of flood control works and Federal shore protection or hurricane flood protection works. Administration of P.L. 99 is under the direction of the Secretary of the Army and the supervision of the Chief of Engineers. No declaration of a major disaster is required.

(g) Existing statutes and Executive orders do not in any way limit Federal agencies from taking necessary action in accordance with existing policy and statutory authority in the event of a disaster which will not brook delay in the commencement of Federal assistance or other Federal action and/or pending the designation by the President of a major disaster.

(h) The American National Red Cross is charged in accordance with its Charter, with continuing a system of national and international relief with voluntary service and financing, which in effect supports official disaster relief action.

§ 502.4 Department of Defense policies and delegation of authority.

(a) Responsibility for alleviating disaster conditions rests primarily with individuals, families, private industry, local and State governments, the American National Red Cross, and those Federal agencies having special statutory responsibilities.

(b) DOD components are authorized to assist civilian authorities as necessary or as directed by competent authority.

(c) Where the disaster is of such imminent seriousness that delay in awaiting instructions from higher authority is unwarranted, a military commander will take such action as may be required and justified under the circumstances to save human life, prevent immediate human suffering, or mitigate major property damage or destruction. The commander will immediately report to higher authority the action taken and request appropriate guidance.

(d) DOD components have been directed to develop, as appropriate, contingency plans for major disaster operations and insure that these are coordinated with appropriate civil authorities at State and local level.

(e) DOD components overseas will participate in foreign disaster relief operations as directed by unified commanders.

(f) The Department of the Army has been directed to assume responsibility for military support in disasters within the continental United States (48 contiguous States and the District of Columbia). This includes responsibility for effective utilization, coordination, and control of resources made available by the Department of the Navy, the Department of the Air Force, and other DOD components as appropriate.

(g) The Department of the Navy has been directed to coordinate with the Department of the Army in planning and supporting civil authorities in disaster relief operations.

(h) The Department of the Air Force has been directed to coordinate with the Department of the Army in planning and supporting civil authorities in disaster relief operations including activities of the Civil Air Patrol.

(i) The Joint Chiefs of Staff have been directed to issue instructions to appropriate unified commanders to insure proper planning and use of military resources for disaster relief operations in Alaska, Hawaii, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands.

§ 502.5 Department of the Army policies and designation of responsibilities.

(a) Military commanders will conduct relief operations in the event of emergency as described in § 502.4(c), or when directed by higher military authority or by direction of OEP under P.L. 875.

(b) Use of military resources and other military participation in disaster relief will be on a minimum essential basis and terminated at the earliest practicable time. Military assistance in rehabilitation following a disaster is not authorized, except as directed by the OEP, or in support of emergency operations conducted by the Corps of Engineers as authorized by law.

(c) Federal troops used in disaster relief activities will be under command of, and directly responsible to, their military superiors.

(d) National Guard forces, if not in active Federal service, will remain under control of the State governor and will be considered part of the local resources available to civil authorities. Federally owned National Guard equipment may accompany a unit when ordered into disaster relief operations by a governor.

(e) The Commanding General, U.S. Continental Army Command (CG USCONARC) is delegated responsibility for the conduct of Army support activities. Specifically he—

(1) Is, under the provisions of §§ 502.1–502.5, assigned responsibility for the conduct of military disaster relief in the 48 contiguous States and the District of Columbia.

(2) Will be prepared to conduct disaster relief operations as appropriate in Mexico or Canada upon direction of the Department of the Army.

(3) Will coordinate and insure establishment of joint control of the disaster relief efforts of all DOD components. In local disasters not warranting a declaration of a major disaster, local civil authorities can be expected to make appeals for assistance direct to installations or activities other than those operated by the Department of the Army.

(4) Will report to the Deputy Chief of Staff for Military Operations by the fastest electrical means when resources of DOD components are committed to disaster relief or when disaster conditions prevail that make commitment of DOD resources imminent.

(5) Will, as appropriate, furnish available personnel and resources to District and Division Engineers of the Corps of Engineers prosecuting a flood fight under provisions of P.L. 99, or acting in response to a disaster relief directive from OEP under provisions of P.L. 875.

(6) Will establish and maintain liaison with the Directors of OEP and OCD, the American National Red Cross, and such other Federal, State, and local governmental agencies as are necessary to discharge responsibilities under §§ 502.1–502.5.

(7) Has full authority to approve or disapprove personal requests for military assistance made by a State governor or a member of Congress. This authority will not be delegated lower than ZI army commanders. Information on such requests and action taken will be furnished to Deputy Chief of Staff for Military Operations, Department of the Army, Washington, D.C., 20310.

(8) Will insure that ZI army commanders have an effective natural disaster information plan for use in the event of military operations. The plan should provide for early dispatch of information personnel to the scene.

(f) ZI army commanders are specifically charged, under the overall direction of CG USCONARC, with supporting disaster relief operations, and they—

(1) Will establish and maintain, as appropriate, liaison with Regional Directors, OEP and OCD, area offices of the American National Red Cross and other Federal, State, and local governmental agencies.

(2) Will establish and maintain, as necessary, working relationships with appropriate DOD component headquarters, class II installations and Division/District Engineers to insure coordination of the overall military disaster relief effort within the Army area and will secure necessary information from such installations as required for reports.

(3) Will assume control of resources made available by class II installations and activities for disaster assistance. If class II installation or activity resources are required but have not been made available by the activity commander, the ZI army commander will forward a request with justification through command channels to the Deputy Chief of Staff for Military Operations, Department of the Army. In those cases where commanders are unable to communicate with Headquarters, Department of the Army, and where in the opinion of the ZI army commander concerned, the extreme emergency warrants the temporary use of such resources, he will direct their use and report this action through command channels to the Deputy Chief of Staff for Military Operations.

(4) Will, upon request, make resources available to District and Division Engineers performing a flood fight under provisions of P.L. 99 and/or support the Corps of Engineers response to directive from OEP under provisions of P.L. 875.

(5) Will coordinate the military relief effort with assistance provided by the Corps of Engineers under statutory authorities of the Chief of Engineers or as directed by the OEP under P.L. 875.

(g) Class II installation and activity commanders are responsible for supporting disaster relief efforts under the provisions of §§ 502.1–502.5, and they—

(1) Will take action in local disasters of imminent seriousness as appropriate. Such action will be reported concurrently to his headquarters and to the respective ZI army commander.

(2) Will, upon the request of the ZI army commander, designate those resources under their control which can be made immediately available for disaster relief operations. Only such resources will be placed under the operational control of the ZI army commander or Division/District Engineer conducting relief operations.

(h) The Chief of Engineers is responsible for the provision of disaster assistance by applicable Division and District Engineers when required by disaster of imminent seriousness and as authorized by statutory authorities or as directed by the OEP under P.L. 875. He will—

(1) Insure that Division and District Engineers establish and maintain appropriate liaison with ZI army commanders, regional Directors of OCD and OEP, the American National Red Cross, and other Federal, State and local governmental agencies as necessary to discharge assigned responsibilities.

(2) Furnish the ZI army commanders concerned all pertinent information on floods or other natural disasters including activities undertaken by the Corps of Engineers. Information furnished will be by the fastest electrical means and consistent with reporting requirements placed on ZI army commanders.

(3) Insure that Engineers preplanned procedures for disaster operations are coordinated among Division/District Engineers and the ZI army commanders, and include provisions covering flood emergencies.

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-6130; Filed, June 3, 1966; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER B—STANDARD REFERENCE MATERIALS

PART 230—STANDARD REFERENCE MATERIALS

Subpart C—Standards of Certified Chemical Composition

MISCELLANEOUS AMENDMENTS

Under the provisions of 15 U.S.C. 275a and 277, the following amendments relating to standard reference materials, issued by the National Bureau of Standards are effective upon publication in the FEDERAL REGISTER. The amendments add standard reference materials 1170 and 979.

The following amends Title 15 CFR Part 230.

1. Section 230.7–2 *Steels (solid form)* (b) (2) *Special ingot irons and low-alloy steels* is amended to add standard 1170 as follows:

§ 230.7–2 Steels (solid form).

* * * * * * *

(b) * * *

(2) * * *

Sample Nos.	Kind	Price	
		400 Series	1100 Series
1170	Selenium steel (0.3%) Se		$35.00

* * * * * * *

2. Section 230.7–22 *Isotopic reference standards* is amended to add standard 979 as follows:

§ 230.7–22 Isotopic reference standards.

* * * * * * *

Sample Nos.	Kind	Element	Price
979	Chromium nitrate	Chromium	$20.00

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: May 24, 1966.

A. V. ASTIN,
Director.

[F.R. Doc. 66-6131; Filed, June 3, 1966; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4023]

[Wyoming 0266519; 0285651; 0322727]

WYOMING

Withdrawal for Reclamation Purposes and for the Yellowtail Wildlife Habitat Management Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. Subject to valid existing rights, the following described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Title 30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved as follows:

a. For the Yellowtail Unit, Missouri River Basin Project:

SIXTH PRINCIPAL MERIDIAN

T. 55 N., R. 94 W.,
Sec. 9, lots 2 and 3.
T. 56 N., R. 94 W.,
Sec. 4, lots 1, 4, 5, 6, 7;
Sec. 8, lot 3;
Sec. 9, lots 1, 2, 8;
Sec. 10, W½NW¼, SW¼;
Sec. 15, lot 1;
Sec. 16, lot 1;
Sec. 20, lot 4;
Sec. 21, lot 6;
Sec. 22, lots 1, 5, 6;
Sec. 28, lots 1, 2.
T. 57 N., R. 94 W.,
Sec. 7, SW¼SE¼;
Sec. 16, lots 1, 2, 4, 5, 6, NW¼NW¼, SE¼NW¼, N½SE¼;
Sec. 17, lots 1, 5;
Sec. 21, lot 1, SW¼SW¼;
Sec. 27, lot 1;
Sec. 28, NW¼NW¼;
Sec. 34, lots 1, 8, E½SE¼.

The areas described aggregate 1,455.54 acres.

b. For management in cooperation with the State of Wyoming for the Yellowtail Wildlife Habitat Management Area:

T. 57 N., R. 94 W.,
Sec. 20, NW¼NW¼;
Sec. 31, lots 1, 2, NW¼NE¼, NE¼NW¼.
T. 56 N., R. 95 W.,
Sec. 2, lots 1, 2;
Sec. 3, lots 1, 2.

The areas described aggregate 309.84 acres.

2. Upon execution of a cooperative agreement with the Secretary of the Interior or his delegate, the State of Wyoming is authorized to manage the lands described in paragraph 1b above for the conservation of small game and waterfowl and as a public hunting ground, consistent with Federal programs for the management of the lands.

3. The withdrawal made by paragraph 1b of this order does not alter the applicability of the public land laws governing the use of the lands described in that paragraph, under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws. However, leases, licenses, contracts, or permits, will be issued only if the proposed use of the lands will not interfere with proper management of the Yellowtail Wildlife Habitat Management Area.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 31, 1966.

[F.R. Doc. 66-6143; Filed, June 3, 1966; 8:46 a.m.]

[Public Land Order 4024]

[New Mexico 0559246]

NEW MEXICO

Partial Revocation of Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the Act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, it is ordered as follows:

1. The departmental order of February 26, 1918, which established Stock Driveway Withdrawal No. 9, New Mexico No. 3, as heretofore modified, is hereby revoked so far as it affects the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN

T. 2 S., R. 9 W.,
Sec. 19, lots 1, 2, 3, S½NE¼, E½NW¼, NE¼SW¼, N½SE¼, and SE¼SE¼;
Sec. 20, W½SW¼, SE¼SW¼;
Sec. 28, W½SW¼, SE¼SW¼;
Sec. 29, W½NE¼, SE¼NE¼, N½NW¼, SE¼NW¼, N½SE¼, and SE¼SE¼;
Sec. 33, W½NE¼, SE¼NE¼, N½NW¼, SE¼NW¼, and N½SE¼;
Sec. 34, SW¼.
T. 2 S., R. 10 W.,
Sec. 10, N½, NE¼SE¼;
Sec. 11, NW¼SW¼;
Sec. 13, NW¼SW¼, S½S½;
Sec. 14, E½, E½NW¼, NE¼SW¼;
Sec. 23, NE¼NE¼;
Sec. 24, NE¼, E½NW¼, NW¼NW¼, N½SE¼.
T. 3., R. 9 W.,
Sec. 3, lots 1, 3, 4, S½N½, NE¼SW¼ and SE¼;
Sec. 10, E½NE¼;
Sec. 11, W½NE¼, NW¼.

The areas described aggregate 3720.77 acres of public domain and 39.65 acres of privately owned land described as lot 1 Sec. 3, T. 3 S., R. 9 W.

The lands lie in Catron County, N. Mex. The topography ranges from nearly level to hilly. Soils vary from shallow to deep in depth, and are predominantly of a heavy loam texture. The vegetation consists chiefly of grama grass with scattered stands of pinon juniper.

2. At 10 a.m. on July 6, 1966, all the public lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on July 6, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The land has been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws, subject to the regulations in 43 CFR 3400.3.

The State of New Mexico has waived the preference right of application granted to certain States by R.S. 2276, as amended (43 U.S.C. 852).

Inquiries concerning the lands shall be addressed to the Chief, Division of Lands and Minerals Program Management and Land Office, Post Office Box 1449, Santa Fe, N. Mex., 87501.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 31, 1966.

[F.R. Doc. 66-6142; Filed, June 3, 1966; 8:46 a.m.]

[Public Land Order 4025]

[Arizona 035667]

ARIZONA

Revocation of Stock Driveway Withdrawals

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, it is ordered as follows:

1. The departmental order of June 6, 1923, creating Stock Driveway Withdrawal No. 164 (Arizona 6), and any other order or orders withdrawing lands for stock driveway purposes, are hereby revoked so far as they affect the following described lands:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 7 E.,
Sec. 8, S½;
Sec. 17, NW¼;
Sec. 18, NE¼;
Sec. 19, NE¼.
T. 1 N., R. 8 E.,
Sec. 7, lots 1 and 2, S½ lot 4, E½NW¼, NE¼, SE¼SW¼ and S½SE¼;
Sec. 8, N½N½, N½SW¼NW¼, SE¼ and S½SW¼;
Sec. 9, NW¼NW¼, N½NE¼NW¼, S½SE¼NE¼ and S½;
Sec. 10, S½N½ and S½;
Sec. 11, E½E½SW¼;
Sec. 14, W½W½W¼, E½SW¼SW¼, and E½E½NW¼;
Sec. 23, W½W½;
Sec. 26, W½W½, W½SE¼SW¼, N½NE¼, SE¼NE¼, E½SW¼NE¼, and E½SE¼;
Sec. 35, E½NE¼NE¼, W½SW¼NE¼, W½SE¼, and SE¼SE¼.

The areas described including the public and nonpublic lands, aggregate 3,458.01 acres in Pinal County, of which those in T. 1 N., R. 7 E., aggregating approximately 800 acres, are the nonpublic lands.

The lands are within 2 to 3 miles of Apache Junction, and approximately 16 miles east of Mesa. Vegetation is of the desert brush type.

2. Until 10 a.m. on November 29, 1966, the State of Arizona shall have a preferred right of application to select the public lands as provided by R.S. 2276, as

amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on November 29, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws subject to the regulations in 43 CFR 3400.3.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Phoenix, Ariz.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

MAY 31, 1966.

[F.R. Doc. 66-6144; Filed, June 3, 1966; 8:46 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER G—EMERGENCY OPERATIONS

[General Order 75, 2d Rev., Amdt. 12]

PART 308—WAR RISK INSURANCE

Miscellaneous Amendments

Part 308 is hereby amended to reflect the following changes:

Amend § 308.6 *Period of interim binders and renewal procedure*, § 308.106 *Standard form of war risk hull insurance interim binder and optional disbursements insurance endorsement*, § 308.206 *Standard form of war risk protection and indemnity insurance interim binder*, and § 308.305 *Standard form of Second Seamen's war risk insurance interim binder*, by changing the expiration dates contained therein to read "midnight, August 7, 1966, G.m.t."

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114)

By order of the Maritime Administrator.

Dated: June 1, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-6167; Filed, June 3, 1966; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Hart Mountain National Antelope Refuge, Oreg.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

OREGON
HART MOUNTAIN NATIONAL ANTELOPE REFUGE

Sport fishing on the Hart Mountain National Antelope Refuge, Oreg., is permitted only on the area designated by signs as open to fishing. This open area, comprising 100 acres, is delineated on maps available at the refuge headquarters, U.S. Post Office Building, Lakeview, Oreg., 97630, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special condition:

The sport fishing season on the refuge extends from June 1 through October 31, 1966.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 31, 1966.

PAUL T. QUICK,
Regional Director Bureau of Sport Fisheries and Wildlife.

MAY 24, 1966.

[F.R. Doc. 66-6141; Filed, June 3, 1966; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 905]

[Docket No. AO-85-A6]

ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Notice of Hearing Regarding Proposed Amendment of Marketing Agreement and Order

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Auditorium, Florida Citrus Mutual Building, Lakeland, Fla., beginning at 10:30 a.m., local time, June 20, 1966, with respect to proposed amendment of the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905; 30 F.R. 13933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida. The proposed amendments have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions relating to the proposed amendments, which are hereinafter set forth, and appropriate modifications thereof.

The following amendments were proposed jointly by the Growers Administrative and Shippers Advisory Committees (established pursuant to the marketing agreement and order), Florida Citrus Mutual, Indian River Citrus League, and Florida Fresh Citrus Shippers Association:

1. Amend § 905.34(b) to read as follows:

§ 905.34 Procedure of committees.

* * * * *

(b) For any decision or recommendation of either committee to be valid, five concurring votes shall be necessary: *Provided*, That the Growers Administrative Committee may recommend a regulation restricting the shipment of grapefruit, grown in Regulation Area I or Regulation Area II, which meets the requirements of the Improved No. 2 grade only upon the affirmative vote of a majority of its members from the regulation area in which such restriction would apply. The votes of each member cast for or against any recommendation made pursuant to this subpart shall be duly recorded. Each member must vote in person.

* * * * *

2. Add a new § 905.16 as follows:

§ 905.16 Improved No. 2 grade and Improved No. 2 Bright grade.

"Improved No. 2 grade" and "Improved No. 2 Bright grade" mean grapefruit meeting all of the requirements of the U.S. No. 2 grade and the U.S. No. 2 Bright grade and those requirements of the U.S. No. 1 grade relating to shape (form) and color, as such requirements are set forth in the U.S. Standards for Grades of Florida Grapefruit (§§ 51.750-51.783 of this title) or as such standards may hereafter be amended.

The Fruit and Vegetable Division, Consumer and Marketing Service, has proposed that consideration be given at the hearing, to:

3. Making such other changes in the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform to any amendments thereto which may result from this hearing.

Copies of this notice of hearing may be obtained from M. F. Miller, Fruit and Vegetable Division, Consumer and Marketing Service, Post Office Box 9, Lakeland, Fla., 33802.

Dated: May 31, 1966.

CLARENCE H. GIRARD,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 66-6150; Filed, June 3, 1966; 8:47 a.m.]

[7 CFR Part 1038]

[Docket No. AO 194-A12]

MILK IN ROCK RIVER VALLEY MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Rockford, Ill., May 19, 1966, pursuant to notice thereof issued May 11, 1966 (31 F.R. 7061).

The material issue on the record of the hearing related to elimination of the provision which limits the area within which Class II classification is permitted on milk transferred or diverted to nonpool plants.

It is found on the basis of the record that the due and timely execution of the function of the Secretary under the Act imperatively and unavoidably requires the omission of a recommended decision and opportunity for exceptions thereto on the material issue. Marketing conditions in this market are such that it is urgent that remedial action be taken as soon as possible. Any delay in informing interested persons of the conclusions made will tend to make ineffective the relief sought. The time involved in the preparation, filing, and publication of a recommended decision and the filing of exceptions thereto would in this instance contribute to the threat of disorderly marketing of excess milk in this market.

The notice of hearing stated that consideration would be given to the economic and emergency marketing conditions that relate to the proposed amendments. Action under the procedure described above was requested by proponents at the hearing. There was no opposition to it.

It is therefore found that good cause exists for omission of the recommended decision and the opportunity for filing exceptions thereto.

Findings and conclusions. The following findings and conclusions on the material issue are based on evidence presented at the hearing and the record thereof:

Elimination of distance limitation on Class II classification of milk. The distance limitation on the area within which milk may be moved to nonpool plants and be classified as Class II should be removed. The present order limits the "surplus disposal area" to not more than 150 miles from the nearer of the post offices of Janesville, Wis., or Sterling, Ill. Proponent cooperatives ask that this distance limitation be deleted from the order. There was no opposition to the proposal.

The Chicago order was terminated April 30, 1966. It is expected that as a consequence several plants formerly pooled under the Chicago order will become pooled under the Rock River Valley order beginning in May 1966. At times excess milk from such plants has been moved to nonpool plants located beyond the area in which Class II classification may apply. Any movements beyond this area would be automatically classified as Class I milk even though disposed of in manufactured dairy products which carry a Class II value.

Although disposition of excess milk has been contained within the surplus disposal area during the current month of May, it is likely that transfers and diversions of excess milk may be required in June and subsequent months to points in southern Illinois and Indiana.

Handlers regulated under the Rock River Valley order prior to May 1, 1966, had no need to dispose of excess milk at the Class II classification beyond 150 miles of either Janesville or Sterling. Therefore, the area within the mileage limitation was sufficient to insure that orderly disposition of any excess milk on the market could be effected.

Under the former Chicago order the area in which milk could be disposed of in surplus uses and be classified and priced as Class II included the States of Wisconsin, Illinois, and Indiana. Excess milk was moved at times from Chicago plants, particularly those located in Illinois, to manufacturing plants in Illinois and Indiana which are located outside the 150-mile radius from Janesville and Sterling. To accommodate movements from these same plants now regulated by the Rock River Valley order, the order should be amended to accommodate the manner in which excess milk is moved. This action will assure producers of obtaining returns for their milk in accordance with the class in which it is used.

The market administrator is required to verify the utilization claimed on milk moved to nonpool plants. It may reasonably be expected that the market administrator will be able to make such verification at nonpool plants where excess milk of this market is moved without incurring undue expense. Many such nonpool plants in southern Illinois and Indiana which are used as outlets for excess milk from this market are located near other order markets and in some cases are subject to verification of the classification of milk claimed under the provisions of the other orders. Thus, audit of the utilization in these manufacturing milk plants should not significantly add to the expense of administration of this order.

Expansion of the area by permitting greater flexibility in disposing of excess supplies to manufacturing outlets will contribute to orderly marketing of milk in the Rock River Valley market. Elimination of the distance limitation will permit the efficient disposal of supplies not needed by order handlers for Class I purposes in the marketing area.

Rulings on proposed findings and conclusions. No briefs, proposed findings or conclusions were filed on behalf of interested parties.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order as hereby proposed to be amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Rock River Valley Marketing Area" and "Order Amending the Order, Regulating the Handling of Milk in the Rock River Valley Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of March 1966 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Rock River Valley marketing area is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on May 31, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Rock River Valley Marketing Area

§ 1038.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Rock River Valley marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Rock River Valley marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, as follows:

Section 1038.44(c) and the introductory text of § 1038.44(d) is amended as follows:

§ 1038.44 Transfers.

* * * * *

(c) As Class I milk, if transferred in packaged form to a nonpool plant that is not an other order plant;

(d) As Class I milk, if transferred in bulk or diverted to a nonpool plant that is neither an other order plant nor a producer-handler plant, unless the requirements of subparagraphs (1) and (2) of this paragraph are met in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph:

* * * * *

[F.R. Doc. 66-6151; Filed, June 3, 1966; 8:47 a.m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

[7 CFR Part 1039]

[Docket No. AO 212-A18]

MILK IN MILWAUKEE, WIS., MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Milwaukee, Wis., May 20, 1966, pursuant to notice thereof issued May 11, 1966 (31 F.R. 7061), and notice of rescheduling issued May 13, 1966.

The material issues on the record of the hearing related to:

1. Elimination of the provision which limits the area within which Class II classification is permitted on milk transferred or diverted to nonpool plants.

2. Identifying separate plant handler systems.

3. Exemption of certain producer milk from the base-excess plan.

It is found on the basis of the record that the due and timely execution of the function of the Secretary under the Act imperatively and unavoidably requires the omission of a recommended decision and opportunity for exceptions thereto on the material issues. Marketing conditions in this market are such that it is urgent that remedial action be taken as soon as possible. Any delay in informing interested persons of the conclusions made will tend to make ineffective the relief sought. The time involved in the preparation, filing, and publication of a recommended decision and the filing of exceptions thereto would in this instance contribute to the threat of disorderly marketing conditions in the handling of milk in this market.

The notice of hearing stated that consideration would be given to the economic and emergency marketing conditions that relate to the proposed amendments. Action under the procedure described above was requested by proponents at the hearing.

It is therefore found that good cause exists for omission of the recommended decision and the opportunity for filing exceptions thereto.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Elimination of the distance limitation on Class II classification of milk.* The distance limitation on the area within which milk may be moved to nonpool plants and be classified as Class II should be removed. The present order limits the "surplus disposal area" to nonpool plants located within the State of Wisconsin, or not more than 150 miles from the Milwaukee City Hall.

The proponent cooperative which was supported by another cooperative asked that this distance limitation be deleted from the order. They requested that the effective date be May 1, 1966, to accommodate the Class II classification of milk currently being transferred or diverted to nonpool plants at distant locations.

The Chicago milk order was terminated April 30, 1966. It is expected that as a consequence plants of several handlers that were formerly pooled under the Chicago order will become pooled under the Milwaukee order beginning in May 1966. At times excess milk from these plants has been moved to nonpool plants located beyond the area in which Class II classification may apply. Any milk movements beyond this area would be classified automatically as Class I milk even though disposed of in manufactured dairy products which carry a Class II value.

Disposition of excess milk has been made to points outside Wisconsin and more than 150 miles from Milwaukee in the current month of May. It is likely that transfers and diversions of excess milk will be required in June and subsequent months to nonpool plants located in southern Illinois and Indiana.

Handlers regulated under the Milwaukee order prior to May 1, 1966, had no need to dispose of excess milk at the Class II classification outside the State of Wisconsin and beyond 150 miles of Milwaukee. Therefore, the limitation on the surplus disposal area did not affect the orderly disposition of any excess milk on the market.

Under the former Chicago order the area in which milk could be disposed in surplus uses and be classified and priced as Class II included the States of Wisconsin, Illinois, and Indiana. Excess milk was moved at times from Chicago plants, particularly those located in Illinois and southern Wisconsin, to manufacturing plants in Illinois and Indiana which are located outside the 150-mile radius from Milwaukee. To accommodate movement from these same plants now regulated by the Milwaukee order, the order should be amended to accommodate the manner in which excess milk is moved. This action will assure producers of obtaining returns for their milk in accordance with the classification in which it is used.

The market administrator is required to verify the utilization claimed on milk moved to nonpool plants. It may reasonably be expected that he will be able to make such verification at nonpool plants where excess milk of this market is moved without incurring undue expense. Many such nonpool plants located in southern Illinois and Indiana which are used as outlets for excess milk from this market are located near other order markets and, in some cases, are subject to verification of the classification of milk claimed under the provisions of the other orders. Thus, audit of the utilization in these manufacturing milk plants should not add significantly to the expense of administration of this order.

Expansion of the area by permitting greater flexibility in disposing of excess supplies to manufacturing outlets will contribute to the orderly marketing of milk in the Milwaukee market. Elimination of the distance limitation will permit the efficient disposal of supplies not needed by order handlers for Class I purposes in the marketing area.

It is necessary that amendatory action on this issue be made effective on and after May 1, 1966. Handlers and producers formerly under the Chicago milk order will be the only persons affected by this action. Upon termination of the Chicago order milk continued to move from former Chicago plants on a regular day-to-day basis to nonpool plants outside the area of surplus disposal permitted under the present Milwaukee order. Such milk is disposed of in Class II manufactured product uses for a Class II return but the Milwaukee order now requires a charge at the Class I price on the milk. Handlers and producers had insufficient notice of this situation or time to adapt to it so that excess milk would not be charged for at the Class I price. Providing that milk moved to nonpool plants be priced at the Class I price when it was used for manufactured dairy products at Class II values is inequitable to handlers. Therefore, this amendment should become effective May 1, 1966.

2. *Handler definition.* The handler definition should be revised to identify as separate handlers, those persons operating plants which become regulated by this order on and after May 1, 1966, if the operator requests separate handler status.

With the termination of the Chicago milk order (Part 1030) effective April 30, 1966, several plants which had prior to that time been regulated by such order are expected to be regulated by the Milwaukee order. These plants which will become regulated in May under the Milwaukee order are engaged primarily in serving the area which was defined as the Chicago marketing area. However, since these plants do make disposition of sufficient quantities of milk in the Milwaukee area they are subject to regulation by such order in the absence of the Chicago order.

Although the plants serving the Milwaukee marketing area and those serving the Chicago area as defined in the terminated order are operated by the same person the plant systems serving Milwaukee and those serving the Chicago market are operated separately with little, if any, movements between the plant systems under the same person's control. This separate identity should be maintained under the circumstances which have resulted in these additional plants becoming regulated under the Milwaukee order.

Failure to recognize the separate operations of such persons which have served the Milwaukee market historically will tend to create disorderly marketing conditions in the Milwaukee area. By treating all plants operated by the same person as a single handler the total receipts and uses of milk at all such plants would be treated as one handler system and one uniform price would be computed. This would result in the producers delivering to the Milwaukee plant of such multiple plant operation receiving a somewhat lower blend price than would result from a blend computed on the basis of the use of milk by the Milwaukee plant. This sharing of Milwaukee Class I sales with producers delivering to plants having little association with the Milwaukee market was opposed by three cooperative associations of producers supplying the

Milwaukee market historically. One of these cooperatives, the proponent of the amendment, also has many more of its members supplying the plants which have recently become regulated by the Milwaukee order. These producers' representatives testified that the handler-producer relationships as they existed in the Milwaukee market prior to the termination of the Chicago order should not be affected due to these plants becoming newly regulated by the Milwaukee order.

One cooperative witness representing producers delivering to plants historically regulated by the Milwaukee order and to plants which became regulated as a consequence of the Chicago order termination opposed the amendment of the handler definition. This witness stated that by combining the uses of milk at all plants operated by one person the resulting blend price for the newly regulated plants would be increased and the blend price for the Milwaukee plant would be reduced. However, this witness expressed the judgment that the handler would not be able to reduce the price actually paid at the Milwaukee plant since he would probably have to pay a premium at that location because the prices paid by other handlers in Milwaukee would otherwise be higher and he would lose his producer supply to such handlers.

One handler who would be affected by the proposed amendment supported the proposal to consider as a separate handler his plant operation which has been regulated historically by the Milwaukee order.

It is possible that a newly constructed plant or one that has had no association with the market may start supplying the Milwaukee market with milk in sufficient quantity to become a pool plant after May 1, 1966. Such a distributing plant or supply plant should be a part of the separate handled system of pool plants (existing prior to May 1, 1966), under the Milwaukee order if it in the current month distributes 50 percent or more of its Grade A milk receipts in the marketing area or supplies 50 percent or more of its Grade A milk receipts from dairy farmers to distributing plants which were pool plants serving the Milwaukee market prior to May 1, 1966.

The proposed amendment to the handler definition should be made effective May 1, 1966. The announcement of uniform prices for each handler is made by the market administrator on or before the 12th day of the month following that in which milk was received. The price for May 1966 milk will thus be announced on or before June 12, 1966.

Providing that this amendment become effective on May 1, 1966, will ease the adjustments required by the addition of plants at which from 3,000 to 5,000 producers deliver milk. This would prevent any shortrun fluctuation in uniform prices to producers which could result from the impact on the market of the addition of this many new producers to the approximately 2,200 producers now on the market. The amendment does not modify the minimum payments at class prices required by handlers. Hence, no handler's obligation under the order would be affected.

3. *Exemption from base-excess plan.* No exemption should be granted in the computation of bases and the payment plan to apply in May and June 1966 to producers who first entered the market in this period.

The Milwaukee order base and excess plan provisions provide that bases will be computed for producers at any nonpool plant which becomes a pool plant in the March through June period. The bases upon which such producers are paid in the months of March through June are determined based upon their deliveries of milk in the preceding August–November to the nonpool plant which is currently a pool plant.

The representative of the cooperative proposing exemption of new producers from the base-excess plan supported the proposed amendment because producers formerly under the Chicago order which was terminated April 30, 1966, had no advance notice that they would be paid on a base-excess plan in May and June 1966. Thus, they had no opportunity to establish bases upon which they would receive payment. Also, there are additional administrative complexities and costs involved in computing May and June bases for the added producers.

The cooperative representative testified that if any change to a base and excess plan such as was proposed required a referendum among individual producers that no action should be taken on the proposal under consideration in view of the limited time available in which a referendum could be held.

The Food and Agriculture Act of 1965 amended the Agricultural Marketing Agreement Act of 1937 to require that a referendum among individual producers voting individually be required on any amendment to a base and excess plan. In view of the limited time remaining, conduction of a referendum and its completion with final action to exempt certain producers from the base-excess plan for May and June 1966 is difficult, if not impossible, to accomplish. Consideration is also given to the fact that cooperatives have the right to reblend proceeds from milk sales to members and this could mitigate the problem of base-excess payments for milk in May and June 1966.

In view of the above, no action should be taken on the proposal to amend the base-excess plan of the order.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or to reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order as hereby proposed to be amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Milwaukee, Wis., Marketing Area" and "Order Amending the Order, Regulating the Handling of Milk in the Milwaukee, Wis., Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of March 1966 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Milwaukee, Wis., marketing area is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on May 31, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Milwaukee, Wis., Marketing Area

§ 10.39.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Milwaukee, Wis., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified, in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Milwaukee, Wisconsin, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, as follows:

1. Section 1039.12(a) is revised as follows:

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

§ 1039.12 Handler.

* * * * *

(a) Any person in his capacity as the operator of a pool plant, except that any person who is the operator of a distributing plant or a supply plant that first became a pool plant under this part after May 1, 1966, upon written notification to, and subject to approval by the market administrator may be a separate handler for such distributing plant or supply plant if such distributing plant distributes in the current month less than 50 percent of its Grade A milk receipts in the Milwaukee marketing area or if such supply plant ships in the current month less than 50 percent of its Grade A milk receipts from dairy farmers to pool distributing plants which were pool plants under this part prior to May 1, 1966,

* * * * *

2. Section 1039.44(c) and the introductory text of § 1039.44(d) is revised as follows:

§ 1039.44 Transfers.

* * * * *

(c) As Class I milk if transferred in packaged form to a nonpool plant that is not an other order plant;

(d) As Class I milk if transferred in bulk or diverted to a nonpool plant that is neither an other order plant nor a producer-handler plant unless the requirements of subparagraphs (1) and (2) of this paragraph are met, in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph:

* * * * *

[F.R. Doc. 66-6152; Filed, June 3, 1966; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66-CE-40]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Hastings, Nebr., terminal area.

Controlled airspace in the Hastings, Nebr., terminal area is presently designated as follows:

(1) The Hastings, Nebr., control zone is designated as that airspace within a 5-mile radius of Hastings, Nebr., Municipal Airport (latitude 40°36'20" N., longitude 98°25'30" W.), and within 2 miles each side of the 338° bearing from Hastings Municipal Airport extending from the 5-mile radius zone to 8 miles N of the airport, and within 2 miles each side of the Hastings VOR 145° radial extending from the 5-mile radius zone to 8 miles SE of the VOR. The control zone shall be effective during the time established by a Notice to Airmen and continuously published in the Airman's Information Manual.

(2) The Hastings, Nebr., transition area is designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Hastings Municipal Airport (latitude 40°36'-20" N., longitude 98°25'30" W.), and within 5 miles E and 8 miles W of the 338° bearing from the Hastings Municipal Airport, extending from the airport to 12 miles N of the airport, and within 2 miles each side of the Hastings VOR 145° radial extending from the VOR to 8 miles SE; and that airspace extending upward from 1,200 feet above the surface within 7 miles E and 5 miles W of the 158° bearing from the Hastings Municipal Airport, extending from the arc of a 7-mile radius circle centered on Hastings Municipal Airport to 18 miles SE of the airport and within 5 miles SW and 8 miles NE of the Hastings VOR 145° radial extending from the VOR to 12 miles SE, and within 5 miles E and 8 miles W of the 338° bearing from Hastings Municipal Airport extending from 12 miles N of the airport to 20 miles N of the airport, and within 5 miles each side of the 066° bearing from Hastings Municipal Airport, extending from the arc of a 7-mile radius circle centered on Hastings Municipal Airport to the S edge of V–138, and within 5 miles each side of the 286° bearing from Hastings Municipal Airport, extending from a line 8 miles W of and parallel to a 338° bearing from Hastings Municipal Airport to V–8 S.

The Hastings, Nebr., ADF and VOR instrument approach procedures are being revised, which requires modification of the airspace designations in the Hastings, Nebr., terminal area.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Hastings terminal area, as a result of the revisions of the Hastings ADF and VOR instrument approach procedures, proposes the following airspace actions:

(1) Alter the Hastings, Nebr., control zone by redesignating it as that airspace within a 5-mile radius of Hastings, Nebr., Municipal Airport (latitude 40°36'20" N., longitude 98°25'30" W.), within 2 miles each side of the 338° bearing from Hastings Municipal Airport extending from the 5-mile radius zone to 14 miles N of the airport, and within 2 miles each side of the 143° bearing from Hastings Municipal Airport extending from the 5-mile radius zone to 8 miles SE of the airport. The control zone shall be effective during the time established by a Notice to Airmen and continuously published in the Airman's Information Manual.

(2) Alter the Hastings, Nebr., transition area by redesignating it as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Hastings Municipal Airport (latitude 40°36'20" N., longitude 98°25'30" W.), within 2 miles each side of the 323° bearing from Hastings Municipal Airport extending from the 7-mile radius zone to 8 miles NW of the airport; within 2 miles each side of the 338° bearing from

Hastings Municipal Airport extending from the 7-mile radius zone to 14 miles N of the airport, and within 2 miles each side of the 143° bearing from Hastings Municipal Airport extending from the 7-mile radius zone to 8 miles SE of the airport; and that airspace extending upward from 1,200 feet above the surface within 8 miles NE and 5 miles SW of the 143° bearing from Hastings Municipal Airport extending from the Hastings Municipal Airport to 14 miles SE, within 5 miles E and 9 miles W of the 338° bearing from the Hastings Municipal Airport extending from the Hastings Municipal Airport to 18 miles N, and within 5 miles each side of the 066° bearing from Hastings Municipal Airport extending from the Hastings Municipal Airport to the S edge of V–138 and the area bounded on the S by a line 5 miles S of and parallel to the 286° bearing from Hastings Municipal Airport on the N by V–8 S and on the E by a line 9 miles W of and parallel to the 338° bearing from Hastings Municipal Airport.

The proposed control zone with extensions will provide controlled airspace protection for aircraft executing the public instrument approach procedures during descent below 1,000 feet above the surface when the control zone is effective.

The proposed 700-foot floor transition area with extensions will provide the controlled airspace protection required for aircraft executing the public instrument approach procedures during descent from 1,500 to 700 feet above the surface when the control zone designation is not in effect. The proposed 1,200-foot floor transition area with extensions will provide controlled airspace protection required for aircraft executing public instrument approach procedures during descent to 1,500 feet above the surface.

The floors of the airway that traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

Modifications proposed herein are recommended to accommodate new procedures; therefore, no procedural changes would be required. Specific details of these new procedures may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 23, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-6161; Filed, June 3, 1966; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-47]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate controlled airspace in the Hayward and Cable, Wis., terminal areas.

At the present there is no designated controlled airspace in either of these terminal areas.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Hayward and Cable, Wis., terminal areas, as a result of the State of Wisconsin installing an "H" facility between Hayward Municipal Airport and Cable Union Airport and the development of instrument approach procedures for both airports utilizing this facility as the navigational aid, proposes the following airspace action:

Designate a transition area in the Hayward, Wis., terminal area to comprise that airspace extending upward from 700 feet above the surface within a 5-mile radius of Hayward, Wis., Municipal Airport (latitude 46°01'30" N., longitude 91°26'39" W.); and within a 5-mile radius of Cable Union Airport, Cable, Wis. (latitude 46°11'37" N., longitude 91°14'-38" W.); and within 2 miles each side of the 025° bearing from Hayward Municipal Airport extending from the Hayward Municipal Airport 5-mile radius area to 15 miles NE of the airport; and within 2 miles each side of the 230° bearing from Cable Union Airport, extending from the Cable Union Airport 5-mile radius area to 17 miles SW of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles SE and 8 miles NW of the 025° bearing from Hayward Municipal Airport, extending from 7 miles to 19 miles NE of the airport; and within 5 miles NW and 8 miles SE of the 230° bearing from Cable Union Airport, extending from 4 miles to 21 miles SW of the airport; and 5 miles each side of the 029° bearing from Hayward Municipal Airport extending from 6 miles NE of the airport to V–217.

The "H" facility will be located at latitude 40°06'37" N., longitude 91°23'-01" W.

The 700-foot floor transition area would provide controlled airspace protection for aircraft executing the prescribed instrument approach procedures for Hayward Municipal and Cable Union Airports during descent from 1,500 to 700 feet above the surface. It would also provide this protection for aircraft departing the two airports during climb from 700 to 1,200 feet above the surface.

The 1,200-foot floor transition area would provide controlled airspace protection for the procedure turn areas of the prescribed instrument approach procedures, for the holding patterns, and for aircraft transitioning from V–217 to execute instrument approach procedures at either Hayward Municipal or Cable Union Airports.

No airways will traverse the transition area proposed herein.

The controlled airspace proposed for designation in this docket was developed to protect new instrument approach procedures. Therefore, no changes to instrument approach procedures would be required.

Specific details of this proposal and the instrument approach procedures for which it was developed to protect may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 23, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-6162; Filed, June 3, 1966; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-48]

CONTROL ZONE

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations to designate controlled airspace in the Davenport, Iowa, terminal area.

No control zone is presently designated in the Davenport, Iowa, terminal area.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Davenport, Iowa, terminal area, proposes to take the following airspace action:

Designate a control zone at Davenport, Iowa, to comprise that airspace within a 5-mile radius of the Davenport Municipal Airport (latitude 41°36'40" N., longitude 90°35'20" W.), and within 2 miles each side of the 224° bearing from the Davenport RBN extending from the 5-mile radius zone to 8 miles southwest of the RBN. This control zone shall be effective during the times established by a Notice to Airmen and continuously published in the Airman's Information Manual.

The proposed control zone will provide controlled airspace protection for aircraft executing prescribed departure and approach procedures at the Davenport, Iowa, Municipal Airport, and will be effective during the hours of operation of the Weather Reporting Service to be provided by personnel certificated by the U.S. Weather Bureau. Initially, the hours for the taking of these observations and the dissemination of weather information will be from 0700 to 1900 local time daily. Normally, 30 days' notice will be given prior to any change of these hours by a Notice to Airmen and continuously published in the Airman's Information Manual.

No procedural changes would be effected in conjunction with the action proposed herein.

Specific details of this proposal may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 23, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-6163; Filed, June 3, 1966; 8:48 a.m.]

[14 CFR Part 73]

[Airspace Docket No. 66-WE-26]

TEMPORARY RESTRICTED AREA

Proposed Designation

The Federal Aviation Agency (FAA) is considering an amendment to Part 73 of the Federal Aviation Regulations that would designate a temporary restricted area lying within the presently designated boundaries of the Gila Bend, Ariz., Restricted Area R–2304.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue, SW., Washington, D.C., 20553. An informal Docket, 800 Independence Avenue SW., docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The present Gila Bend, Ariz., Restricted Area R–2304 is designated from the surface to flight level 240, sunrise to sunset, Monday through Friday. The Department of the Air Force has submitted a proposal for the designation of a small area in the northeast corner of R–2304 as a temporary restricted area, from the surface to 6,000 feet MSL, on a continuous basis from September 1, 1966, to September 1, 1967, unless canceled sooner by a Notice to Airmen (NOTAM).

The stated requirement for this area is to provide the U.S. Army Electronic Proving Ground, Fort Huachuca, Ariz., airspace on a continuous basis within which a vertical antenna 2,458.8 feet in length suspended from a tethered balloon, can be located. This antenna will be used to conduct electronic countermeasure vulnerability tests of the LORAN-D Hyperbolic Navigation System. These tests are considered essential to the development of this navigation system and important to national defense. The balloon site would be located at the geographic center (latitude 32°38'25" N., longitude 112°21'45" W.) of the proposed area. The balloon would remain in a stationary position 2,500 feet above the surface (5,200 feet MSL) at all times when aloft. When the proposed restricted area is not in use for the purpose for which it was designated, it would be released to the Albuquerque Air Route Traffic Control Center for use by the public under a joint use agreement.

The following provisions would be incorporated in the balloon system to insure its maximum altitude and stability within the proposed airspace:

1. The balloon would be anchored by a 2,200-pound tensile strength cable.

2. An automatic failsafe deflation device consisting of a rip panel in the balloon would be attached to the cable. This device would be automatically activated should the balloon break free of the tether, and would deflate the balloon causing it to descend to ground level.

3. A barometric device would be installed to automatically deflate the balloon at a preset altitude should the safety device in 2. above fail.

4. Red obstruction lights would be mounted on the balloon to provide visible observation during periods of reduced visibility and at night.

In consideration of the foregoing, the FAA proposes the designation of R–2304A as hereinafter set forth.

R–2304A GILA BEND, ARIZ.

Boundaries: Beginning at latitude 32°36'-00" N., longitude 112°18'00" W.; to latitude 32°36'00" N., longitude 112°24'00" W.; to latitude 32°41'30" N., longitude 112°24'00" W.; to latitude 32°38'30" N., longitude 112°18'00" W.; to point of beginning.

Designated altitudes. Surface to 6,000 feet MSL.

Time of designation. Continuous, September 1, 1966, to September 1, 1967, unless canceled sooner by Notice to Airmen.

Controlling agency. Federal Aviation Agency, Albuquerque ARTC Center.

Using agency. Commander, Luke AFB, Ariz.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 27, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6132; Filed, June 3, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 66-115]

BUNGE CORP.

Notice of U.S. Citizenship

MAY 27, 1966.

This is to give notice under § 3.21(j), Customs Regulations, that Bunge Corp., 1 Chase Manhattan Plaza, New York, N.Y., 10005, incorporated under the laws of the State of New York, has met the qualification requirements of § 3.19(a)(4), Customs Regulations, as a citizen of the United States and has filed the certificate under oath required by § 3.21(g), Customs Regulations. Therefore, a Certificate of Compliance, customs Form 1262, was issued to the corporation by the Commissioner of Customs on May 27, 1966, in accordance with § 3.21(i), Customs Regulations. The certificate is valid for a period of 3 years from the date of its issuance unless there first occurs a change in corporate status requiring a report under § 3.21(h) of the Customs Regulations.

The text of the law is stated in Treasury Decision 54693, dated September 23, 1958. The regulations found necessary to give effect to the law are stated in Treasury Decision 54827, dated April 2, 1959. Vessels built in the United States and owned by the corporation which are non-self-propelled or which, if self-propelled, are of less than 500 gross tons shall be entitled to documentations, as limited by the restrictions stated in section 883-1, title 46, United States Code.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-6153; Filed, June 3, 1966; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. A-388]

HOWARD H. CONN

Notice of Loan Application

Howard H. Conn, Post Office Box 306, Petersburg, Alaska, 99833, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 50-foot registered length wood vessel to engage in the fishery for halibut, salmon, black cod, Dungeness crab, and king crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

HAROLD E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

JUNE 1, 1966.

[F.R. Doc. 66-6157; Filed, June 3, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

TEXAS

Extension of Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Texas natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Texas	*Present designation*
De Witt	30 F.R. 9887

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 1st day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6171; Filed, June 3, 1966; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

BONA FIDE MOTOR-VEHICLE MANUFACTURERS

Notice of Determination

Notice is hereby given that pursuant to authority contained in Chapter III, Part 301, of Title 19 of the Code of Federal Regulations, the Administrator, as of May 27, 1966, has determined the following to be bona fide motor-vehicle manufacturers;

Name and address and effective date of determination

American Motors Corp., 14250 Plymouth Road, Detroit, Mich., 48232, January 18, 1965, January 18, 1966.

American Trailer Service, Inc., 2814 North Cleveland Avenue, St. Paul, Minn., 55113, January 18, 1965, January 18, 1966.

Antietam Equipment Co., Post Office Box 91, Hagerstown, Md., 21740, January 18, 1965, January 18, 1966.

Automotive Safety, Inc., 252 Central Avenue, Newark, N.J., 07103, January 18, 1965, January 17, 1966.

Automotive Service Co., 111-113 North Waterloo, Jackson, Mich., 49204, January 18, 1965, January 18, 1966.

Avanti Motor Corp., 613 South Michigan Street, South Bend, Ind., 46601, June 7, 1965, June 7, 1966.

Ballard Brake & Equipment Co., Inc., 1316 West Eighth Street, Marion, Ind., 46952, January 18, 1965, January 18, 1966.

Adam Black & Sons, 276-300 Tonnele Avenue, Jersey City, N.J., 07306, January 18, 1965, January 18, 1966.

Blue Bird Body Co., Fort Valley, Ga., 31030, January 18, 1965, January 18, 1966.

Capitol Trailer & Body Co., 3420 East Broadway, No. Little Rock, Ark., 72117, December 27, 1965.

The Carnegie Body Co., 9500 Brookpart Road, Cleveland, Ohio, 44129, January 18, 1965, January 18, 1966.

Checker Motors Corp., 2016 North Pitcher Street, Kalamazoo, Mich., January 18, 1965, January 18, 1966.

Chrysler Corp., 341 Massachusetts Avenue, Highland Park, Mich., 48231, January 18, 1965, January 18, 1966.

Commercial Truck & Trailer, Inc., 313 North State Street, Girard, Ohio, 44620, January 18, 1965, January 18, 1966.

Divco-Wayne Corp., 680 Fifth Avenue, New York, N.Y., 10019, January 18, 1966.

Roy F. Drake Body & Equipment Co., 1501 North Minnesota Avenue, Sioux Falls, S. Dak., 57101, January 18, 1965, January 18, 1966.

Eggiman Motor & Equipment Sales, Inc., 2959 West Beltline Highway, Madison, Wis., 53713, January 18, 1965, January 18, 1966.

Elder-Oilfield, Inc., 5875 North Loop, Post Office Box 2061, Houston, Tex., 77001, January 18, 1965, January 18, 1966.

Name and address and effective date of determination

Emmert Trailer, 614-618 Mishawaka Street, Elkhart, Ind., 46514, January 18, 1965, January 18, 1966.

FWD Corp., 105 East 12th Street, Clintonville, Wis., 54929, January 18, 1965, January 18, 1966.

The Fixible Co., 326-332 North Water Street, Loudonville, Ohio, 44842, January 18, 1965, January 18, 1966.

Ford Motor Co., The American Road, Dearborn, Mich., 48120, January 18, 1965, January 18, 1966.

Freightliner Corp., 5400 North Basin Avenue, Portland, Oreg., January 18, 1965, January 18, 1966.

General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich., 48202, January 18, 1965, January 18, 1966.

The Heil Co., 3000 West Montana Street, Milwaukee, Wis., 53201, January 18, 1965, January 18, 1966.

Hendrickson Manufacturing Co., 8001 West 47th Street, Lyons, Ill., 60534, January 18, 1965, January 18, 1966.

The Hess & Eisenhardt Co., Blue Ash Avenue, Rossmoyne, Cincinnati, Ohio, 45242, December 15, 1965.

Hobbs Equipment Co., Inc., Keeler Avenue, Norwalk, Conn., 06856, January 18, 1965, January 18, 1966.

Hudsonville Truck & Trailer Service Co., 5210 36th Avenue, Hudsonville, Mich., 49426, January 18, 1965, January 31, 1966.

O. G. Hughes & Sons, Inc., 312 South Central, Knoxville, Tenn., 37902, January 18, 1965, January 18, 1966.

Humes Truck & Trailer Manufacturing Co., 907 Franklin Avenue, Steubenville, Ohio, 43952, January 18, 1965, January 18, 1966.

Illinois Auto Electric Co., 2001-37 Indiana Avenue, Chicago, Ill., 60616, January 18, 1965, January 18, 1966.

International Harvester Co., 401 North Michigan Avenue, Chicago, Ill., 60611, January 18, 1965, January 18, 1966.

Kaiser Jeep Corp., 940 North Cove Boulevard, Toledo, Ohio, 43601, January 18, 1965, January 19, 1966.

Kay Wheel Sales Co., Tacony and Van Kirk Streets, Philadelphia, Pa., 19135, February 25, 1966.

Kencar Equipment Co., 1906 Lakeview Avenue, Dayton, Ohio, 45408, January 18, 1965, January 18, 1966.

Kenworth Motor Truck Co., 8801 East Marginal Way, Seattle, Wash., 98108, January 18, 1965, January 18, 1966.

Ledwell & Son, Inc., Post Office Box 1106, Texarkana, Tex., 75501, January 18, 1966.

Leland Equipment Co., 408 North Main Street, Tulsa, Okla., 74101, January 18, 1965, January 18, 1966.

Mack Trucks, Inc., Executive Offices, Box M, Allentown, Pa., 18105, January 18, 1965, January 18, 1966.

Jalco Truck Products Co., Inc., 534 Meridan Road, Youngstown, Ohio, 44501, January 18, 1965, January 18, 1966.

Jay Madsen Equipment Co., Inc., 120 Wilson Avenue, Bath, N.Y., 14810, January 18, 1965, January 18, 1966.

Manning Equipment Co., 3709 Bishop Lane, Louisville, Ky., 40218, January 18, 1965, January 18, 1966.

Marion Metal Products, 959 Cheney Avenue, Box 406, Marion, Ohio, 43302, January 18, 1965, January 18, 1966.

Marmon Motor Co., Post Office Box 5175, Dallas, Tex., 75222, August 1, 1965.

Midget Motors Corp., Campbell Street Extension, Athens, Ohio, 45701, January 18, 1965, January 14, 1966.

Dan Mitchell & Sons, Inc., 34 127th Street, Corona, Long Island, N.Y., 11368, January 18, 1965, January 18, 1966.

Moline Body Co., 222 52d Street, Moline, Ill., 61265, January 18, 1965, January 18, 1966.

Monon Trailer Inc., Monon, Ind., 47959, January 18, 1965, January 18, 1966.

Montone Manufacturing Co., Post Office Box P, Hazleton, Pa., 18201, January 18, 1965, January 18, 1966.

Motor Coach Industries, Inc., Pembina, N. Dak., 58271, January 18, 1965, January 18, 1966.

Nelson Manufacturing Co., Ottawa, Ohio, 45875, January 18, 1966.

The Ness Co., Inc., 365 West Cottage Place, York, Pa., 17405, January 18, 1965, January 18, 1966.

Nye Implement Co., Inc., 250 East Fourth Street, Post Office Box 311, Fostoria, Ohio, 44830, January 18, 1965, January 18, 1966.

Ohio Body Manufacturing Co., New London, Ohio, 44851, January 18, 1965, January 18, 1966.

Olson Trailer & Body Builders Co., 2740 South Ashland Avenue, Green Bay, Wis., 54306, January 18, 1965, January 18, 1966.

Omaha Standard, 2411 West Broadway, Council Bluffs, Iowa, 51504, January 18, 1965, January, 18, 1966.

Oshkosh Motor Truck, Inc., 2307, Oregon Street, Oshkosh, Wis., 54902, January 18, 1965, January 1, 1966.

Ottawa Steel Products, Daybrook-Ottawa Corp., Ottawa, Kans., 66067, January 18, 1965, January 17, 1966.

Outboard Marine Corp., 100 Pershing Road, Waukegan, Ill., 60086, January 18, 1965, January 18, 1966.

Palmer Spring Co., 355 Forest Avenue, Portland, Maine, 04101, January 18, 1965, January 18, 1966.

Palmer Trailer Sales Co., Inc., 162 Park Street, Palmer, Mass., January 18, 1965, January 18, 1966.

Parsons Division, Koehring Co., Newton, Iowa, 50208, May 28, 1965, April 27, 1966.

Perfection Equipment Co., 7 South Pennsylvania, Oklahoma City, Okla., 73107, January 18, 1965, January 18, 1966.

Perfection Spring & Equipment Co., 1172 Commonwealth Avenue, Boston, Mass., 02134, January 18, 1965, January 18, 1966.

Perfection Truck Equipment Co., 2550 McGee Trafficway, Kansas City, Mo., 64108, January 18, 1965, January 18, 1966.

Peterbilt Motors Co., 38801 Cherry Street, Newark, Calif., 94560, January 18, 1965, January 18, 1966.

Polaris Industries, Inc., Roseau, Minn., 56751, August 1, 1965.

Reliable Spring Co., Inc., 10557 South Michigan Avenue, Chicago, Ill., 60628, January 18, 1965, January 18, 1966.

S.S. Automobiles, Inc., 161 West Wisconsin Avenue, Milwaukee, Wis., 53203, May 7, 1965, May 22, 1966.

Safety Sales & Service Corp., 50-96 South Cameron Street, Harrisburg, Pa., 17105, January 18, 1965, January 18, 1966.

Schien Body & Equipment Co., North on University, Carlinville, Ill., 62626, January 18, 1965, January 18, 1966.

Scientific Brake & Equipment Co., 314 West Genesee Avenue, Saginaw, Mich., 48601, January 18, 1965, January 18, 1966.

Schweigers, Inc., Highway 81 and 212, Watertown, S. Dak., 57201, January 18, 1965, January 18, 1966.

Paul Stutler, Inc., 3397 East Waterloo Road, Akron, Ohio, 44312, January 18, 1965, January 18, 1966.

Superior Coach Corp., 1300 East Kibby Street, Lima, Ohio, 45802, January 18, 1966.

D. H. Thomas & Son, Inc., 1005 Lee Street, Rockford, Ill., 61103, January 18, 1965, January 18, 1966.

Thumb Truck Equipment, Pigeon, Mich., January 18, 1966.

Truck Equipment Co., 1911 Southwest Washington Street, Peoria, Ill., 61602, January 18, 1965, January 18, 1966.

Truck Equipment, Inc., 680 Potts Avenue, Green Bay, Wis., 54306, February 28, 1966.

Truck & Trailer Equipment Co., 4214 West Mount Hope Road at M-78, Lansing, Mich., 48904, January 18, 1965, January 18, 1966.

Walter Motor Truck Co., School Road, Voorheesville, N.Y., January 18, 1965, January 18, 1966.

Ward LaFrance Truck Corp., Grand Central Avenue, Elmira Heights, N.Y., 14902, January 18, 1965, January 18, 1966.

Weaver Trailer & Body Co., 1355 West Mound Street, Columbus, Ohio, 43223, January 18, 1965, January 18, 1966.

Weaver Truck Trailer & Body Corp., 2405-15 North Wooster Avenue, Dover, Ohio, 44622, November 5, 1965.

White Autocar Sales, Inc., 140 Arbor Lane, Green Bay, Wis., 54305, January 18, 1965, January 18, 1966.

White Motor Corp., Post Office Box 6979, Cleveland, Ohio, 44114, January 18, 1965, January 18, 1966.

The Administrator will publish from time to time such revisions of this list as may be appropriate to reflect additions, deletions, or other necessary changes in it.

FORREST D. HOCKERSMITH,
Acting Administrator, Business and Defense Services Administration.

[F.R. Doc. 66-6133; Filed, June 3, 1966; 8:45 a.m.]

Maritime Administration

[Report 72]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through May 23, 1966, exclusive of those vessels that called at Cuba on United States Government-approved noncommercial voyages and those listed in section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

FLAG OF REGISTRY

Name of Ship	*Gross tonnage*
Total, All Flags (255 ships)	1,803,326
British (73 ships)	545,604
**Agate (trips to Cuba under ex-name, Dairen—British)	
**Amalia (now Maltese)	
**Amazon River (now River—sold to Dutch breakers)	7,234
Antarctica	8,785
Arctic Ocean	8,791
Ardenode	7,036
Ardgem	6,981
**Ardmore (now Kali Elpis—British)	4,664
Ardpatrick	7,054
*Ardrossmore	5,830
Ardrowan	7,300

*Added to Report No. 71, appearing in the FEDERAL REGISTER issue of May 17, 1966.

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
British—Continued	
Ardsirod	7,025
Ardtara	5,795
**Arlington Court (now Southgate—British).	
Athelcrown (tanker)	11,149
Athelduke (tanker)	9,089
Athelknight (tanker)	9,087
Athelmere (tanker)	7,524
Athelmonarch (tanker)	11,182
**Athelsultan (tanker) broken up	9,149
Avisfaith	7,868
Baxtergate	8,813
Cheung Chau	8,566
**Chipbee (sold for scrap)	7,271
**Cosmo Trader (trips to Cuba under ex-name, Ivy Fair—British).	
**Dairen (now Agate—British)	4,939
**East Breeze (now Phoenician Dawn—British)	8,708
Eastfortune	8,789
Elicos	7,134
Formentor	8,424
Fortune Enterprise	7,284
**Free Enterprise (now Cypriot).	
**Free Merchant (now Cypriot).	
**Garthdale (now Jeb Lee—British)	7,542
Grosvenor Mariner	7,026
Hazelmoor	7,907
Helka	2,111
Hemisphere	8,718
Ho Fung	7,121
Inchstaffa	5,255
Inchstuart	7,043
**Ivy Fair (now Cosmo Trader—British—broken up)	7,201
**Jeb Lee (trip to Cuba under ex-name, Garthdale—British).	
Jollity	8,660
**Kali Elpis (trips to Cuba under ex-name, Ardmore—British).	
Kinross	5,388
La Hortensia	9,486
Linkmoor	8,236
Magister	2,339
Nancy Dee	6,597
Nebula	8,924
**Newdene (now Free Navigator—Cypriot).	
**Newforest (now Cypriot).	
Newgate	6,743
Newglade	7,368
**Newgrove (now Cypriot).	
Newheath	7,643
Newhill	7,855
Newlane	7,043
**Newmeadow (now Cypriot).	
Newmoat	7,151
Newmoor	7,168
Nils Amelon	8,281
Oceantramp	6,185
Oceantravel	10,477
Peony	9,037
**Phoenician Dawn (trips to Cuba under ex-name, East Breeze—British).	
**Redbrook (now E. Evangelia—Greek)	7,388
Ruthy Ann	7,361
**St. Antonio (now Maltese).	
Sandsend	7,236
Santa Granda	7,229
Sea Amber	10,421
Sea Coral	10,421
Sea Empress	8,941
Seasage	4,330
Shienfoon	7,127
**Shun Fung (wrecked)	7,148
**Soclyve (now Maltese).	
**Southgate (previous trips to Cuba under ex-name, Arlington Court—British)	9,662

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
British—Continued	
Stanwear	8,108
**Suva Breeze (Now Cathay Trader—Panamanian)	4,970
**Swift River (now Kallithea—Cypriot).	
**Timios Stavros (now Maltese flag—previous trips to Cuba—Greek).	
Venice	8,611
Vercharmian	7,265
Vergmont	7,381
Yungfutary	5,888
Yunglutaton	5,414
Zela M.	7,237
Lebanese (57 ships)	384,507
Agia Sophia	3,106
Aiolos II	7,256
Ais Giannis	6,997
**Akamas (now Cypriot).	
Al Amin	7,186
Alaska	6,989
Anthas	7,044
Antonis	6,259
**Ares (constructive total loss)	4,557
Areti	7,176
Aristefs	6,995
Astir	5,324
Athamas	4,729
**Carnation (sold Spanish breakers)	4,884
Claire	5,411
Cris	6,032
Dimos	7,187
**E. Myrtidiotissa (trips to Cuba under ex-name, Kalliopi D. Lemos—Lebanese).	
**Free Trader (now Cypriot).	
Georgios M. II	5,028
Giannis	5,270
Giorgos Tsakiroglou	7,240
Granikos	7,282
Ilena	5,925
Ioannis Aspiotis	7,297
**Kalliopi D. Lemos (now E. Myrtidiotissa—Lebanese)	5,103
Katerina	9,357
Leftric	7,176
Malou	7,145
Mantric	7,255
Maria Despina	7,254
Maria Renee	7,203
Marichristina	7,124
**Marymark (sold German ship breakers)	4,383
Mersinidi	6,782
Mousse	9,307
Nictric	7,296
Noelle	7,251
Noemi	7,070
Olga	7,199
Panagos	7,133
Parmarina	6,721
**Razani (broken up)	7,253
Reneka	7,250
Rio	7,194
St. Anthony	5,349
St. Nicolas	7,165
San George	7,267
**San John (now Ledra—Cypriot).	
San Spyridon	7,260
**Sheik Boutros (trips to Cuba under ex-name, Cavtat—Yugoslav).	
Stevo	7,066
Taxiarhis	7,349
Tertric	7,045
Theodoros Lemos	7,198
Tony	7,176
Toula	6,426
Troyan	7,243
Vassiliki	7,192
Vastric	6,751

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
Lebanese—Continued	
Vergolivada	6,339
Yanxilas	10,051
Greek (36 ships)	268,450
Agios Therapon	5,617
Akastos	7,331
Alice	7,189
**Ambassade (sold Hongkong ship breakers)	6,600
Americana	7,104
Anacreon	7,359
**Anatoli (now Sunrise—Cypriot).	
**Andromachi (previous trips to Cuba under ex-name, Penelope—Greek)	6,712
**Antonia (now Amfithea—Cypriot).	
Apollon	9,744
Athanassios K	7,216
Barbarino	7,084
Calliopi Michalos	7,249
**Embassy (broken up)	6,418
**E. Evangelia (trips to Cuba under ex-name, Redbrook—British).	
Eftychia	10,865
**Flora M. (now Liberian)	7,244
**Gloria (now Helen—Greek).	
**Helen (previous trips to Cuba under ex-name, Gloria—Greek)	7,128
Irena	7,232
Istros II	7,275
Kapetan Kostis	5,032
Kyra Hariklia	6,888
**Maria Theresa (now Ingrid Anne—South African)	7,245
Marigo	7,147
**Maroudio (now Thalie—Panamanian)	7,369
**Mastro-Stellos II (now Wendy H.—South African)	7,282
**Nicolaos F. (previous trip to Cuba under ex-name, Nicolaos Frangistas—Greek)	7,199
**Nicolaos Frangistas (now Nicolaos F.—Greek).	
Nikolis M	7,176
**Pamit (now Bambero—Liberian)	3,929
Pantanassa	7,131
Paxoi	7,144
**Penelope (now Andromachi—Greek).	
**Presvia (broken up)	10,820
Redestos	5,911
Roula Maria (tanker)	10,608
**Seirios (broken up)	7,239
Sophia	7,030
**Stylianos N. Vlassopulos (now Antonia II—Cypriot)	7,303
**Timios Stavros (formerly British flag now Maltese).	
Tina	7,362
Western Trader	9,268
Polish (18 ships)	136,680
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin	9,148
Chorsow	7,237
Energetyk	10,843
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
Huta Zgoda	6,840
Hutnik	10,897
Kopalnia Bobrek	7,221
Kopalnia Czeladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Piast	3,184
Transportowiec	10,880

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
Cypriot (19 ships)	127,242
Acme	7,159
Adelphos Petrakis	7,170
**Akamas (previous trips to Cuba—Lebanese)	7,285
*Aktor	6,993
Alexandros	7,245
Amfiali	7,110
**Amfithea (previous trip to Cuba under ex-name, Antonia—Greek)	5,171
**Antonia II (trip to Cuba under ex-name, Stylianos N. Vlassopulos—Greek).	
Artemida	7,247
El Toro	5,949
**Free Enterprise (previous trips to Cuba—British)	6,807
**Free Merchant (previous trips to Cuba—British)	5,237
**Free Navigator (previous trips to Cuba under ex-name, Newdene—British)	7,181
**Free Trader (previous trips to Cuba—Lebanese)	7,067
**Kallithea (previous trips to Cuba under ex-name, Swift River—British)	7,251
**Ledra (previous trips to Cuba under ex-name, San John—Lebanese)	5,172
**Newforest (previous trips to Cuba—British)	7,185
**Newgrove (previous trips to Cuba—British and Haitian)	7,172
**Newmeadow (previous trips to Cuba—British)	5,654
**Sunrise (previous trips to Cuba under ex-name, Anatoli—Greek)	7,167
Italian (15 ships)	123,058
Achille	6,950
Agostino Bertani	8,380
**Andrea Costa (tanker—broken up)	10,440
Aspromonte	7,154
Caprera	7,189
*Elia (tanker)	11,377
**Geremia (previous trips to Cuba under ex-name, Mariasusanna—Italian)	2,479
Giuseppe Giulietti (tanker)	17,519
**Graziella Zeta (trips to Cuba under ex-name, Montiron—Italian).	
Mariasusanna (now Geremia—Italian).	
**Montiron (now Graziella Zeta—Italian)	1,595
Nazareno	7,173
Nino Bixio	8,427
San Francesco	9,284
San Nicola (tanker)	12,461
Santa Lucia	9,278
**Somalia (now Chenchang—Nationalist Chinese)	3,352
Yugoslav (9 ships)	60,800
Bar	7,233
**Cavtat (now Sheik Boutros—Lebanese	7,266

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
Yugoslav—Continued	
Cetinje	7,200
Dugi Otok	6,997
Kolasin	7,217
Mojkovac	7,125
Plod	3,657
Promina	6,960
**Trebinjica (wrecked)	7,145
French (7 ships)	26,817
Arsinoe (tanker, sunk)	10,426
Circe	2,874
Enee	1,232
Foulaya	3,739
Mungo	4,820
Nelee	2,874
**Neve (now Drameoumar—Guinean)	852
Moroccan (5 ships)	35,828
Atlas	10,392
Banora	3,082
Marrakech	3,214
Mauritanie	10,392
Toubkal	8,748
Maltese (5 ships)	33,788
**Amalia (previous trips to Cuba—British)	7,304
Ispahan	7,156
**St. Antonio (previous trip to Cuba—British)	6,704
**Soclyve (previous trips to Cuba—British)	7,291
**Timios Stavros (previous trips to Cuba—British and Greek)	5,333
Finnish (4 ships)	32,919
Augusta Paulin	7,096
**Hermia (trip to Cuba under ex-name, Amfred—Swedish).	
Margrethe Paulin	7,251
Ragni Paulin	6,823
Sword (tanker)	11,749
Netherlands (2 ships)	999
Meike	500
Tempo	499
Norwegian (2 ships)	10,002
Ole Bratt	5,252
**Tine (now Jezreel—Panamanian flag—wrecked)	4,750
Swedish (2 ships)	9,318
**Amfred (now Hermia—Finnish)	2,828
**Dagmar (now Bali Mariner—Panamanian)	6,490
Monaco (1 ship)	7,314
Saint Lys	7,314
Guinean:	
**Drameoumar (trip to Cuba under ex-name, Neve—French).	
Haitian:	
**Newgrove (now Cypriot).	
Liberian:	
**Bambero (trips to Cuba under ex-name, Pamit—Greek).	
**Flora M. (trips to Cuba—Greek).	
Nationalist Chinese:	
**Chenchang (trip to Cuba under ex-name, Somalia—Italian).	

FLAG OF REGISTRY—Continued

Name of Ship	Gross tonnage
Panamanian:	
**Bali Mariner (trips to Cuba under ex-name, Dagmar—Swedish).	
**Jezreel (trip to Cuba under ex-name, Tine—Norwegian—wrecked).	
**Cathay Trader (trips to Cuba under ex-name, Suva Breeze—British).	
**Thalie (trip to Cuba under ex-name, Maroudio—Greek).	
South African:	
**Wendy H. (trip to Cuba under ex-name, Mastro-Stellos II—Greek).	
**Ingrid Anne (trip to Cuba under ex-name, Maria Theresa—Greek).	

*Added to Report No. 71, appearing in the FEDERAL REGISTER issue of May 17, 1966.

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessels under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c) and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY

a. Since last report: None.

b. Previous reports:

Flag of registry (total)	Number of ships 91
British	39
Danish	1
Finnish	2
French	1
German (West)	1
Greek	25
Israeli	1
Italian	5
Japanese	1
Kuwaiti	1
Lebanese	3
Norwegian	4
Spanish	6
Swedish	1

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through May 23, 1966.

Flag of registry	Number of trips								
	1963	1964	1965	1966					Total
				Jan.	Feb.	Mar.	Apr.	May	
British	133	180	126	5	11	11	11	3	480
Lebanese	84	91	48	3	3	4	5		228
Greek	90	27	23	3	2	2	3		150
Italian	16	20	24	2			2	1	65
Yugoslav	12	11	15		2	1	2		43
Cypriot		1	17	1	1	4	2	1	26
French	8	9	9						25
Spanish	8	17							24
Norwegian	14	10							24
Moroccan	9	12	1						22
Finnish	1	4	5	1	2		2	1	16
Maltese		2	1	1					9
Netherlands		4	2						6
Swedish	3	3							6
Kuwaiti		2	1						3
Israeli			2						2
Danish	1								1
German (West)	1								1
Haitian			1						1
Japanese	1								1
Monaco					1				1
Subtotal	370	394	290	16	27	22	27	5	1,152
Polish	18	16	12		2	1	1		50
Grand total	388	410	302	16	29	23	28	5	1,202

NOTE: Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than one trip to Cuba. Monthly totals subject to revision as additional data become available.

Dated: May 25, 1966.

By order of the Deputy Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-6168; Filed, June 3, 1966; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17372; Order E-23752]

CORDOVA AIRLINES, INC.

Order of Investigation and Suspension Regarding Proposed Fare Increases

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 31st day of May 1966.

By tariff filing,[1] marked to become effective June 1, 1966, Cordova Airlines, Inc. (Cordova), proposes 22 fare increases and 4 fare decreases between points[2] on the northern portion of its route system. The fare increases range from $2 to $17 while the decreases range from $1 to $5.

In support of its proposal, Cordova states only that the fare adjustments are necessary to meet the costs of its short haul, small plane, low volume operations.

No complaints have been filed against the proposal.

Many of the proposed increases are substantial both relatively and in dollar amount. Cordova's operations have required Federal subsidy support[3] in the past and the carrier's latest financial reports indicate a continued subsidy requirement. While Cordova may require additional revenue, increases of the magnitude proposed in many instances appear to be unreasonable and have not been adequately supported by appropriate economic data in compliance with § 221.165 of the Board's Economic Regulations. Upon consideration of all relevant facts, the Board finds that the proposed increased fares set forth below may be unjust or unreasonable, unjustly discriminatory, unduly preferential, or unduly prejudicial, and should be investigated; and that the proposed fare decreases should be permitted to become effective. The Board would be willing to consider more reasonable fare increases, however, if such a proposal were supported by a comprehensive statement of justification in terms of traffic, cost of service, and other appropriate economic data.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof:

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions described in Apendix A attached hereto,[4] and rules, regulations, and practices affecting such fares and provisions, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A hereto[4] are suspended and their use deferred to and including August 29, 1966, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. This investigation be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

4. A copy of this order be filed with the aforesaid tariff and be served upon Cordova Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[5]

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-6165; Filed, June 3, 1966; 8:48 a.m.]

[Docket No. 15381; Order E-23753]

LATIN AMERICAN SERVICE MAIL RATE PROCEEDING

Order Fixing Final Service Mail Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 31st day of May 1966.

On May 5, 1966, the Board adopted a Statement of Provisional Findings and Conclusions (Statement) and Order to Show Cause (E-23642) proposing new final service mail rates for the Latin American services of Braniff Airways, Inc., Delta Air Lines, Inc., Pan American-Grace Airways, Inc., and Pan American World Airways, Inc. Certain technical changes in the rate order (E-22512, Aug. 6, 1965) establishing service mail rates for domestic services were also proposed. All interested parties were directed to show cause within 10 days of the date of the order to show cause why the Board should not adopt the provisional findings and conclusions, fix, determine and publish the final rates specified in the Statement as the fair and reasonable rates of compensation to be paid for the carriage of mail over the routes specified, and amend Order E-22512 in the manner proposed in the Statement.

The time allowed for filing notices of objection has expired without objection being filed. All parties have therefore waived their right to a hearing and all other procedural steps short of a final decision by the Board.

The Board, upon consideration of the record, has determined that it should reaffirm and make final the findings set forth in the aforementioned Statement.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof,

It is ordered, That:

[1] Cordova Airlines, Inc., Local Passenger Fares Tariff C.A.B. No. 46.

[2] Anchorage, Chisana, Chitina, Glacier Creek, Glennallen/Gulkana, May Creek/McCarthy, Northway, and Cordova.

[3] Order E-23290, Feb. 25, 1966; Order E-23216, Feb. 10, 1966.

[4] Appendix A filed as part of original document.

[5] Dissenting statement of members Gilliland and Adams filed as part of original document.

1. Order E-22512, August 6, 1965, is hereby amended as follows:

(a) On page 5, line 3, the following language should be inserted between "June 19, 1965," and "are set forth below."

and over their routes between points within the 48 contiguous States and the District of Columbia, on the one hand, and the Virgin Islands and Acapulco, Mexico, on the other hand, in effect on or after May 31, 1966;

(b) On page 7 under "4. Equalization of Rates" paragraph (a) line 3, insert the words "Latin American," between the words "including" and "transatlantic";

(c) At the end of footnote 2 on page 7 add the following:

Such offices for the Latin American area are currently located in Chicago, Houston, Los Angeles, Miami, New Orleans, New York, Washington, D.C., San Juan, P.R., and Charlotte Amalie, Frederiksted, and Christiansted, V.I.;

(d) On page 8 line 2 of the first paragraph under (c) insert the words "Latin American," between the words "including" and "transatlantic";

(e) On page 8 line 2 of paragraph (d) insert the words "Latin American," between the words "including" and "transatlantic."

2. The fair and reasonable rates of compensation to be paid the carriers named below by the Postmaster General, pursuant to the provisions of section 406 of the Federal Aviation Act of 1958, for the transportation of mail by aircraft over their respective routes as described below, the facilities used and useful therefor, and the services connected therewith, are as follows:

(a) For the period July 1, 1964, through February 28, 1966, a rate of 55.10 cents per ton-mile for the Latin American services of Pan American World Airways, Inc., other than those between the continental United States, on the one hand, and San Juan, P.R., and Mexico City, Mexico, on the other; a rate of 55.10 cents per ton-mile for the services of Braniff International Airways, Inc., between the continental United States, on the one hand, and the Canal Zone, on the other; a rate of 55.10 cents per ton-mile for all services of Mackey Airlines, Inc.; a rate of 65.30 cents per ton-mile for all of the Latin American services of Braniff International Airways, Inc., Delta Air Lines, Inc., and Pan American-Grace Airways, Inc., other than those between the continental United States, on the one hand, and San Juan, P.R., Mexico City and the Canal Zone, on the other. Such rates shall be applied in accordance with the terms and conditions stated in Order E-9695, October 27, 1955.

(b) For the period on and after March 1, 1966, a rate of 42.09 cents per ton-mile for the Latin American services of Braniff International Airways, Inc., Delta Air Lines, Inc., Pan American World Airways, Inc., Pan American-Grace Airways, Inc., and Mackey Airlines, Inc., other than those between the continental United States, on the one hand, and San Juan, P.R., the Virgin Islands, and Mexico City, Monterrey, and Acapulco, Mexico, on the other. This rate shall be applied in accordance with the terms and conditions set forth below.

Mail ton-miles. The mail ton-miles for each shipment of mail shall be based upon the standard mileage established herein for service between the points of origin and destination of each shipment.[1]

Standard mileage. The standard mileage for each pair of points shall be as set forth in Appendix B to this Order.[2]

Changes in standard mileage. The standard mileages set forth in Appendix B to this Order shall remain in effect throughout the period this rate order is in effect: *Provided, however*, That at any time the Board may institute a proceeding, and any carrier subject to this order and/or the Postmaster General, may make application to the Board for establishment of standard mileages to a new point: *And provided further, however*, That once each fiscal year the Board may institute a proceeding and any carrier subject to this order and/or the Postmaster General may make application to the Board for revision of any standard mileage effective July 1 of such fiscal year. Such applications will not be regarded as reopening the rate. Applications provided for above shall be clearly entitled "Application for (New) (Revised) Standard Mileage," shall contain a clear and concise statement of the requested standard mileage or standard mileage revision and the facts upon which such request is based, and shall in all other respects conform to the applicable requirements of the rules of practice.

In establishing standard mileages to a new point, the Board will consider the routings of flights to such point and the number of flights required by the postal service. In establishing revised standard mileages, the Board will consider the effect of changes in airport location, mail flow, and flight routings reflected in the carriers' general schedules during the first seven days of the month immediately preceding the July 1 effective date of such revision.

Origin and destination of mail shipments. As used herein "point of origin" means the point at which the carrier first enplanes the mail shipment after receipt thereof from a Postal Administration or its representatives, from another ratemaking division of the same carrier, the operations of which division are not encompassed herein, or from another carrier; and "point of destination" means the point at which the carrier deplanes the mail shipment for delivery to a Postal Administration or its representatives, to a separate ratemaking division of the same carrier, the operations of which division are not encompassed herein, or to another carrier.

Equalization of rates—Election to equalize. Any air carrier, or, pursuant to agreement, any two or more air carriers providing service on an interline or interchange basis, may, by notice, elect to establish a reduced charge for the carriage of mail between:

(a) Any point where a U.S. Post Office Department international exchange office is located[3] and any other point to which such international exchange office is authorized to dispatch air mail, or

(b) Foreign points,

equal to the charge then in effect for service between such points by any other air carrier or air carriers.[4]

Notice of election to equalize rate. An original and three copies of each notice of election and agreement to equalize shall be filed with the Board and a copy thereof shall be served upon the Postmaster General and each carrier providing on-line or connecting service between the stated points. Such notices shall contain a complete description of the reduced charge being established, the routing over which it applies and how it is constructed and shall similarly describe the charge being equalized with.

Any equalized rate established pursuant to this order shall be effective for the electing carrier or carriers as of the date of filing of the notice or such later date as may be specified in the notice, until such election is terminated. Elections may be terminated by any electing carrier upon 10 days' notice filed with the Board and served upon the Postmaster General and each carrier providing on-line or connecting service between the stated points.

Division of equalized rates. In case of equalization of rates by agreement, the agreement shall provide for the proration of the mail compensation between participating carriers on the basis of the relative compensation which would otherwise be payable to each carrier in the absence of such an equalization. In the absence of an agreement among carriers for equlization of rates for interline or interchange shipments between a stated pair of points, any carrier (or two or more carriers jointly) may, by notice,

[1] No tabulation of standard mileages is being attached to this Order when initially issued. The standard mileages now being used to compute service mail pay, which are known to both the Department and all affected carriers, will continue to be used until the end of fiscal year 1966. An Appendix establishing new standard mileages to apply during fiscal year 1967 will be published by July 1, 1966.

[2] See footnote 1 above.

[3] Such offices for Latin America are currently located at Chicago, Houston, Los Angeles, Miami, New Orleans, New York, Washington, D.C., San Juan, P.R., and Charlotte Amalie, Frederiksted, and Christiansted, V.I. The terms of this paragraph shall apply to points at which international exchange offices are hereafter established and shall cease to apply to any points at which international exchange offices are discontinued. The Postmaster General will file a notice of such new and discontinued offices in this docket and serve a copy on each carrier subject to this order.

[4] The domestic multielement service mail rate is being amended herein to permit the air carriers covered by that rate to participate with carriers covered by this order in rate equalizations with respect to mail shipments transported between certain U.S. points and other points subject to the provisions of both the domestic and international service rates.

elect to receive as its portion of the total compensation for each shipment the amount remaining after subtracting from such total compensation the compensation due the other carrier or carriers involved (nonelecting carriers). Such total compensation shall be computed on the basis of the lowest rate then in effect for service between the stated pair of points for any carrier or carriers. The compensation due the nonelecting carrier or carriers shall be that otherwise applicable to the point-to-point service it actually provides. In those instances where there is a nonelecting carrier or carriers involved in providing the through service and two or more carriers elect to receive payment under this provision, the total payment due such electing carriers shall be prorated by them on the basis of the relative compensation which would otherwise be payable to each of them in the absence of the provisions of this paragraph.

Divisions of equalized rates prescribed by the Board. In the event that any carrier is unable to enter into an agreement with any other carrier to transport mail between any stated points at a reduced rate it may file an application with the Board requesting it to determine and fix a different method of apportioning the total compensation for each such shipment of mail between the participating carriers. Such applications shall not be deemed to reopen the mail rates fixed by this order. An original and 19 copies of such an application shall be filed. Applications filed pursuant to this paragraph shall conform generally to the provisions of the rules of practice governing the filing of petitions in mail rate cases. Within 7 days after the application is served, any party may file an answer in support of or in opposition to the application, together with any documentary material upon which it relies. Any order upon application filed pursuant to this paragraph shall be effective no earlier than the date of filing of the application with the Board.

In reviewing such application, the Board will consider, among other pertinent factors, the need for the proposed service, the historical participation of electing carrier or carriers in the transportation of mail between such stated points, the amount of absorption required, and the grounds for refusal by the carrier or carriers to enter into an equalization agreement. After hearing the carriers concerned, either orally or in writing, in those cases where it deems such action appropriate the Board will by order prescribe the method for apportioning the total compensation between such carriers, but in no event shall the carrier or carriers which refuse to enter into an agreement to equalize compensation be required to accept less than the compensation which would have been payable if the services were performed under voluntary equalization agreement.

The compensation provided herein shall be in lieu of, and not in addition to, the service mail compensation heretofore received by each carrier for mail transported on and after July 1, 1964.

The foregoing rates do not apply to the transportation of first-class and other preferential mail (other than air mail and air parcel post) for which a separate rate has been, or hereafter may be, established.

3. The petition of the Postmaster General in Docket 15381 is hereby dismissed and the proceeding therein terminated.

4. This order will be served upon American Airlines, Inc., Continental Air Lines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., Northeast Airlines, Inc., United Air Lines, Inc., Western Air Lines, Inc., Airlift International, Inc., The Flying Tiger Line, Inc., The Slick Corp., Allegheny Airlines, Inc., Bonanza Air Lines, Inc., Central Airlines, Inc., Frontier Airlines, Inc., Lake Central Airlines, Inc., Mohawk Airlines, Inc., North Central Airlines, Inc., Ozark Air Lines, Inc., Pacific Air Lines, Inc., Piedmont Aviation, Inc., Southern Airways, Inc., Trans-Texas Airways, Inc., West Coast Airlines, Inc., Braniff Airways, Inc., Delta Air Lines, Inc., Northwest Airlines, Inc., Pan American-Grace Airways, Inc., Pan American World Airways, Inc., Trans World Airlines, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-6166; Filed, June 3, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

LAKE SHIPPING CO., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following freight forwarder cooperative working agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working agreements under which the parties may perform freight forwarding services for each other. Forwarding and service fees are to be divided as agreed between the parties.

Lake Shipping Co., Lake Charles, La., and Schenkers International Forwarders, Inc., New York, N.Y. — FF-3018

Fillette Green & Co. of Tampa, Tampa, Fla., and Pitt & Scott Corp., New York, N.Y. — FF-3019

Francesco Parisi, Inc., New York, N.Y., and W. M. Stone & Co., Inc., Norfolk, Va. — FF-3020

H. E. Schurig & Co., Inc., Houston, Tex. (other ports), and F. J. Herbelin Forwarding Co., Inc., Houston, Tex. (other ports) — FF-3021

Al. G. Wichterich Co., New Orleans, La., and J. R. Michels, Inc., Houston, Tex. — FF-3022

Agreement No. FF-3023 between Thomas E. Flynn & Co., Miami, Fla., and Regal Shipping Corp., New York, N.Y., is a cooperative working arrangement whereunder forwarding and service fees are to be negotiated per shipment. Ocean freight compensation is 50 percent of the brokerage. This division of brokerage will be restricted to those shipments handled on behalf of each other.

Agreement No. FF-3024 between C. S. Greene & Co., Inc., Chicago, Ill., and Worlex Corp., Chicago, Ill., is a cooperative working arrangement whereunder forwarding and service fees are $2.50 for preparation of shipper's export declaration; $7.50 handling per shipment; if consular invoice required, an additional $2.50. Special services remain subject to negotiation and agreement on each transaction. Ocean freight brokerage to be divided on the basis of fifty percent (50%) to Worlex Corp. and fifty percent (50%) to C. S. Greene & Co., Inc.

Dated: May 31, 1966.

THOMAS LISI, *Secretary.*

[F.R. Doc. 66-6164; Filed, June 3, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-19542, etc.]

AN-SON CORP., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MAY 25, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 17, 1966.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
C165-967..... C 5-16-66	Continental Oil Co., Post Office Box 2197, Houston, Tex., 77001.	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	13.0	15.025
C166-129..... C 5-16-66	Joseph E. Seagram & Sons, Inc., dba. Texas Pacific Oil Co., Post Office Box 747, Dallas, Tex., 75221.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
C166-367..... C 5-16-66	Glover & Helser Petroleum Management Corp., 1010 Kermac Bldg., Oklahoma City, Okla., 73102.	El Paso Natural Gas Co., Panhandle East Field, Collingsworth County, Tex.	13.0	14.65
C166-835..... A 3-4-66	Alta Beamon Anderson, % Mrs. Virginia Conway Vinson, Elkins, Weems & Sears, 2100 First City National Bank Bldg., Houston, Tex., 77002.	El Paso Natural Gas Co., Blanco Mesa Verde Field, San Juan County, N. Mex.	* 12.0	15.025
C166-836..... A 3-4-66	R. E. Beaman Estate, % W. H. Beaman, Jr., Attorney, Vinson, Elkins, Weems & Searls, 2100 First City National Bank Bldg., Houston, Tex., 77002.	....do.....	* 12.0	15.025
C166-909..... (G-13633) C 4-15-66	Layne Drilling Co., Post Office Box 2599, Jackson, Miss., 39207.	United Gas Pipe Line Co., Maxie-Pistol Ridge Field, Forrest County, Miss.	* 20.0	15.025
C166-912..... C 5-16-66	Banquete Gas Co., a division of Crestmont Oil & Gas Co., 2622 Mission St., San Marino, Calif.	United Gas Pipe Line Co., Odem and Taft Fields, San Patricio County, Tex.	15.0	14.65
C166-1108..... B 5-12-66	C. M. Beckett, Wood Bldg., Marshall, Tex., 75670.	Arkansas Louisiana Gas Co., East Haynesville Field, Claiborne Parish, La.	Uneconomical	.....
C166-1110..... A 5-9-66	Wolfpen Oil & Gas Co., % Virgil Stanley Agent, 214 North Main, Pikeville, Ky., 41501.	Carnegie Natural Gas Co., Coy Overfield Farm, Ritchie County, W. Va.	20.0	15.325
C166-1111..... A 5-12-66	J. F. Flanigan, et al., % Leo M. Ryan, Esq., Star Route, Lewis Run, Pa., 16738.	Pennsylvania Gas Co., Hamilton Township, McKean County, Pa.	23.0	14.73
C166-1112..... A 5-12-66	Perry R. Bass, Inc. (Operator), et al., 1100 First National Bank Bldg., Fort Worth, Tex., 76102.	Banquete Gas Co., a division of Crestmont Oil & Gas Co., acreage in Wharton County, Tex.	13.0	14.65
C166-1113..... A 5-12-66	Ferrell L. Prior, et al., Box 1466, Parkersburg, W. Va., 26101.	United Fuel Gas Co., Ravenswood District, Jackson County, W. Va.	23.0	15.325
C166-1114..... A 5-12-66	R. L. Foree (Operator), et al., 1700 First National Bank Bldg., Dallas, Tex., 75202.	Panhandle Eastern Pipe Line Co., Kerrymaan Field, Morton County, Kans.	12.0	14.65
C166-1115..... A 5-11-66	Delta Corp., 801 First National Bldg., Oklahoma City, Okla., 73102.	Cities Service Gas Co., Wakita Field, Grant County, Okla.	14.0	14.65
C166-1116..... A 5-11-66	....do.....	Northern Natural Gas Co., Dover Field, Dewey County, Okla.	17.0	14.65
C166-1117..... B 5-5-66	Benedum-Trees Oil Co. (Operator), et al., Benedum-Trees Bldg., Pittsburgh, Pa., 15222.	Texas Gas Transmission Corp., South Lake Arthur Field, Jefferson Davis Parish, La.	Depleted	.....
C166-1118..... A 5-13-66	Sherman P. Oakes and Garold Oakes, Rt. 1, Bell County No. 1, Kane, Pa., 16735.	Pennsylvania Gas Co., Sheffield Township, Warren County, Pa.	27.0	15.025
C166-1119..... A 5-13-66	Dave Morgan, Post Office Box 820, Blackwell, Okla., 74631.	Cities Service Gas Co., North Ostelot Extension, Kay County, Okla.	12.0	14.65
C166-1120..... A 5-12-66	W. B. Osborn, Jr. (Operator), et al., Post Office Box 6706, Shreveport, La., 71106.	United Gas Pipe Line Co., Henry Pla No. 1 Well, Goliad County, Tex.	14.0	14.65
C166-1122..... A 5-16-66	Texaco Inc., Post Office Box 52332, Houston, Tex., 77052.	Texas Eastern Transmission Corp., South Bird Island Field, Kleberg County, Tex.	14.0	14.65
C166-1123..... A 5-16-66	Rodney DeLange (Operator), et al., c/o Jim Hammond, Inc., 600 Northeast Loop Expressway, San Antonio, Tex., 78209.	Tennessee Gas Transmission Co., Alta Hunde Field, Zapata County, Tex.	14.0	14.65

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-19542..... C 5-13-66	An-Son Corp., 3814 North Santa Fe, Oklahoma City, Okla., 73118.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[1] 17.0	14.65
C166-738..... C 5-16-66	Ashland Oil & Refining Co., Post Office Box 1503, Houston, Tex., 77001.	Panhandle Eastern Pipe Line Co., acreage in Woods County, Okla.	15.0	14.65
C166-738..... C 5-16-66	....do.....	....do.....	17.0	14.65
C166-1358..... C 5-16-66	Pan American Petroleum Corp. (Operator), et al., Post Office Box 591, Tulsa, Okla., 74102.	Michigan Wisconsin Pipe Line Co., and Mayer Gas Co., Woodward Arkansas Louisiana Gas Co., Arkoma Area, Pittsburg County, Okla.	* 18.0 * 16.0	14.65 14.65
C166-20..... D 5-19-66	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001.	Arkansas Louisiana Gas Co.	Assigned	.....
C166-40..... E 5-9-66	Central States Gas Producing Co., Successor to Petroleum Co.), Post Office Drawer 831, Corpus Christi, Tex., 78403.	Arkansas Louisiana Gas Co., North-Bear Field, Grady County, Okla.	12.0	14.65
C164-962..... D 5-16-66	Worldwide Petroleum Corp., 1845 Sherman Ave., Denver, Colo., 80225 (Partial Abandonment).	Lake Shore Pipe Line Co., Lexington Field, Erie County, Pa.	(2)	.....
C164-1359..... D 5-16-66	....do.....	Lake Shore Pipe Line Co., Bushnell Field, Erie County, Pa.	(2)	.....
C166-296..... C 5-16-66	Cuttyhamp Oil & Gas Corp., 1133 Circle Dr., Abilene, Tex.	Arkansas Louisiana Gas Co., Chamberlain Field, Latimer County, Okla.	16.0	14.65
C166-305..... C 5-16-66	Va. Roy Hildreth, et al., d.b.a. Hildreth & Reed, et al., c/o Paul F. Biary, agent, Box 28, Bluefield, W. Va., 24701.	Consolidated Gas Supply Corp., Spencer District, Roane County, W. Va.	25.0	15.325
C165-795..... D 5-16-66	Wilshire Petroleum Corp., (Partial Abandonment).	Lake Shore Pipe Line Co., Bushnell Field, Erie County, Pa.	(2)	.....

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
C166–1124 ..... A 5–12–66	Northern Pump Co. (Operator), et al., Post Office Box 7277, Camden Station, Minneapolis, Minn., 55412.	Tennessee Gas Transmission Co.,[9] North Weslaco Field, Hidalgo County, Tex.	19.24347	14.65
C165–1125 .. B 5–12–66	Sun Oil Co. (Mid-Continent Division), 1608 Walnut St., Philadelphia, Pa., 19103.	Colorado Interstate Gas Co., Kansas-Adams Ranch Field, Meade County, Kans.	Depleted	.....
C166–1126 ..... A 5–13–66	Petroleum, Inc., Garvey Bldg., Wichita, Kans., 67202.	Kansas-Nebraska Natural Gas Co., Inc., Bradshaw Gas Field, Hamilton County, Kans.	12.5	14.65
C166–1127 .. B 5–16–66	Dixon Management Corp., 1810 Bank of the Southwest Bldg., Houston, Tex., 77002.	Tennessee Gas Transmission Co.,[9] Twin Basin Field, Wharton County, Tex.	Depleted	.....
C166–1128 .. A 5–16–66	Sinclair Oil & Gas Co., et al., Post Office Box 521, Tulsa, Okla., 74102.	Cities Service Gas Co., South Bishop Field, Roger Mills County, Okla.	15.0	14.65
C166–1129 ..... A 5–18–66	W. J. Fellers (Operator), et al., c/o Jerry F. Lyons, Esquire, Post Office Box 550, Amarillo, Tex., 79105.	Northern Natural Gas Co., North Lemon and Victory Field, Haskell County, Kans.	14.0	14.65
C166–1130 ..... A 5–18–66	Sun Oil Co. (Gulf Coast Division), 1608 Walnut St., Philadelphia, Pa., 19103.	United Gas Pipe Line Co., West Belle Isle Area, St. Mary Parish, La.	20.625	15.025
C166–1131 ... A 5–18–66	Skelly Oil Co., Post Office Box 1650, Tulsa, Okla., 74102.	Tennessee Gas Transmission Co.,[9] Alte Hunde Field, Zapata County, Tex.	16.0	14.65
C166–1132 ..... B 5–12–66	Southdown, Inc. (Operator), et al., 1221 Commerce Bldg., New Orleans, La., 70112.	Texas Gas Transmission Corp., North Cankton Field, St. Landry Parish, La.	Uneconomical	.....
C166–1134 ..... B 5–13–66	D. R. Lauck Oil Co., Inc., et al., 301 South Broadway, Wichita, Kans., 67202.	Kansas-Nebraska Natural Gas Co., Inc., Hugoton Gas Field, Finney County, Kans.	Uneconomical	.....
C166–1135 .. B 5–5–66	Alvin Johnson, 1702 Beck Bldg., Shreveport, La., 71102.	Arkansas Louisiana Gas Co., Longwood Field, Caddo Parish, La. and Harrison County, Tex.	Depleted	.....

[1] Subject to upward and downward B.t.u. adjustment.
[2] Acreage in Woodward County.
[3] Acreage in Major County.
[4] Includes 1.0 cent per Mcf upward B.t.u. adjustment.
[5] Purchaser has not connected well to pipeline and no gas has been sold into interstate commerce.
[6] Includes 1.0 cent per Mcf minimum guarantee for liquids.
[7] Adds acreage acquired from Union Producing Co., Docket No. G–13633.
[8] Settlement rate as approved by Commission order issued Dec. 23, 1964, in Docket Nos. G–13811 et al.
[9] Now Tennessee Gas Pipeline Co., a division of Tenneco, Inc.

[F.R. Doc. 66–6076; Filed, June 3, 1966; 8:45 a.m.]

[Docket No. G–8932]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

MAY 27, 1966.

Take notice that on May 19, 1966, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. G–8932 a petition to amend the order issued in said docket on November 25, 1955, and heretofore amended on October 26, 1956, and December 10, 1965, by authorizing limited-term importation of 100,000 Mcf (at 14.9 p.s.i.a.) of natural gas per day, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By simultaneous filings in the instant docket and in Docket No. CP66–315 on April 5, 1966, Petitioner set forth a program to build facilities and increase its importation of natural gas purchased from Westcoast Transmission Co., Ltd. (Westcoast), and imported at the International Boundary near Sumas, Wash. (31 F.R. 5918). The proposal in these filings contemplates facilities to accommodate import volumes for which authorization is sought in Docket No. G–8932, pursuant to section 3 of the Natural Gas Act, of 500,000 Mcf of natural gas per day.

Petitioner states that additional capacity and the availability of additional quantities of gas are necessary to provide the additional firm service which has been requested and contracted by its distributor customers. Petitioner is seeking a temporary certificate in the proceedings in Docket No. CP66–315 to authorize construction and operation of the first phase of the facilities.

By the instant filing, Petitioner requests authorization to import the first increment of 100,000 Mcf of natural gas per day available under the Second Service Agreement between Petitioner and Westcoast. The proposed importation would be for the term commencing November 1, 1966, and extending through October 31, 1967, or until authorization of the import volumes sought by the filing of April 5, 1966 (dated April 1, 1966), and authorization of the construction sought by Petitioner's application filed April 5, 1966, in Docket No. CP66–315, whichever first occurs.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 24, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6134; Filed, June 3, 1966; 8:45 a.m.]

[Docket No. CP66–377]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

MAY 27, 1966.

Take notice that on May 18, 1966, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66–377 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a measuring station and approximately 8.57 miles of 30-inch pipeline extending from its proposed 36-inch Dyer Road pipeline, all as more fully set forth in teh application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate the facilities to extend from its proposed 36-inch Dyer Road pipeline, which is a subject of Applicant's application filed December 1, 1965, in Docket No. CP66–169, in order to provide a new delivery point for an existing customer, Northern Indiana Public Service Co. (Northern Indiana). The new delivery point will be located at the Illinois-Indiana State line in the northeast corner of Kankakee County, Ill., approximately 17 miles south of existing points of delivery to Northern Indiana.

Applicant states that Northern Indiana has advised it that if increases in delivery volumes of natural gas as proposed in Docket No. CP66–169 of 68,587 Mcf per peak day are delivered at existing delivery points at Hammond and Munster, Ind., via Chicago District Pipeline Co., then Northern Indiana will be required to construct a larger diameter high pressure pipeline through the congested metropolitan area of Hammond and Gary, Ind. The application states that in addition to the expense of such a project, further concentration in this single area of large volume deliveries to Northern Indiana is a threat to continuity of service. Applicant states that there would be a serious interruption or curtailment to Northern Indiana's customers in the Gary-Hammond area in the event of operational loss of any of Northern Indiana's facilities or those of Chicago District Pipeline Co. used for delivery to Northern Indiana.

The estimated cost of construction of the facilities for the new delivery point is $1,178,816, which will be met from funds on hand.

The delivery to Northern Indiana at the new point of delivery will be made pursuant to Applicant's proposed Rate Schedule F–1, which provides for a charge to Northern Indiana for the facilities to be constructed.

No increase in peak day delivery quantity to Northern Indiana is proposed.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 24, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6135; Filed, June 3, 1966; 8:45 a.m.]

[Docket No. CP66–378]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

MAY 27, 1966.

Take notice that on May 18, 1966, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed an application in Docket No. CP66–378 pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of an additional daily contract quantity of 1,500 Mcf of natural gas to Wisconsin Southern Gas Co. (Wisconsin Southern), an existing customer, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Wisconsin Southern has requested an additional daily contract quantity of 1,500 Mcf of natural gas commencing December 1, 1966, to meet the firm requirements of the markets which it serves in Wisconsin.

No additional facilities will be required to make the proposed sale and delivery.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 24, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6136; Filed, June 3, 1966; 8:45 a.m.]

[Docket No. E–7293]

NORTHWESTERN PUBLIC SERVICE CO.

Notice of Application

MAY 27, 1966.

Take notice that on May 19, 1966, the Northwestern Public Service Co. (Applicant), filed an application with the Federal Power Commission seeking an order pursuant to section 204 of the Federal Power Act authorizing it to issue $3.5 million principal amount of 30-year First Mortgage Bonds.

Applicant is incorporated under the laws of the State of Delaware and is qualified to do business in the States of North Dakota, South Dakota, and Nebraska with its principal place of business office at Huron, S. Dak. Applicant is engaged in generating, transmitting, distributing and selling electric energy in the east central portion of South Dakota, where it furnishes electric service in 108 communities.

Applicant proposes to issue the bonds at competitive bidding pursuant to the Commission's regulations under the Federal Power Act. The bonds are to be issued under and secured by the lien of the Applicant's Indenture dated August 1, 1940, as amended and supplemented, and as to be further supplemented by an additional Supplemental Indenture. It is presently contemplated that the bonds will be dated in 1966 and will mature in 1996.

The proceeds from the bonds will be used to finance in part construction, completion, extension and improvement of the Applicant's facilities. The Applicant's 1966 construction expenditures are estimated at approximately $5.3 million, of which approximately $2,275,000 is for routine extensions and additions to its existing electric system in South Dakota, approximately $350,000 for routine extensions and additions to its gas distribution system in South Dakota, approximately $335,000 for routine extensions and additions to its gas distribution system in Nebraska, approximately $1,675,000 for the rebuilding and construction of major electric transmission lines, and approximately $565,000 for additions to or construction of major substations.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 20, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6137; Filed, June 3, 1966; 8:45 a.m.]

[Docket No. CP66–379]

UNITED FUEL GAS CO.

Notice of Application

MAY 27, 1966.

Take notice that on May 18, 1966, United Fuel Gas Co. (Applicant), Post Office Box 1273, Charleston, W. Va., 25325, filed an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain natural gas transmission pipeline facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to retire by transfer to its distribution plant approximately 0.8 mile of 14-inch pipeline and to abandon approximately 10.9 miles of 14-inch and 16-inch pipeline extending eastward from the town of Hurricane to the Kanawha River in Putnam County, W. Va.

Applicant states that all customers served by the portion of the pipeline to be transferred to Applicant's distribution plant will continue to be served as retail customers of Applicant's West Virginia distribution operations. All other customers previously served from that portion of Applicant's pipeline to be retired have been disconnected either by agreement or pursuant to authorization by the West Virginia Public Service Commission. Therefore, the proposed abandonment will not cause the termination of service to any of Applicant's customers.

Applicant states that the pipeline is old and deteriorated and no longer serves any transmission function.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 24, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protests or petition to intervene is filed within the time required herein, if the Commission

on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6138; Filed, June 3, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

MAY 31, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 1, 1966, through June 10, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-6147; Filed, June 3, 1966; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30, Sioux Falls, S. Dak., Region, Rev. 1, Amdt. 1]

SIOUX FALLS REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Rocky Mountain Area, 30 F.R. 2741, as amended, 30 F.R. 8080 and 8426; Delegation of Authority 30 F.R. 4568, as revised, 30 F.R. 11409 is hereby amended to read as follows:

I. • • •

F. To Loan Specialists GS-9 and above assigned to all Financial Assistance Division programs in all offices of this region. Final authority to approve the following actions concerning direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date. June 1, 1966.

EDWIN JENISON,
Regional Director,
Sioux Falls Regional Office.

[F.R. Doc. 66-6148; Filed, June 3, 1966; 8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Glendale Manufacturing Corp., 175 Sweeten Creek Road, Asheville, N.C.; effective 5-9-66 to 5-8-67 (ladies' gowns and pajamas).

Landress-Smith Corp., Hoschton, Ga.; effective 5-18-66 to 5-17-67 (men's and boys' slacks).

Opp Textiles, Inc., Opp, Ala.; effective 5-18-66 to 5-17-67 (hunting and camping clothing, men's shirts).

Piedmont Shirt Co., Poinsett Highway, Greenville, S.C.; effective 5-14-66 to 5-13-67 (men's and boys' sport and dress shirts).

Prepmore Apparel, Inc., Russellville, Ala.; effective 5-26-66 to 5-25-67 (boys' sport and dress shirts).

Scranton Pants Manufacturing Co., 613 Wyoming Avenue, Scranton, Pa.; effective 5-23-66 to 5-22-67 (men's dress pants).

Spartans Industries, Inc., Spencer, Tenn.; effective 5-11-66 to 5-10-67 (ladies' and girls' capri pants and shorts).

J. M. Wood Manufacturing Co., Inc., 200 South Commerce, Waco, Tex.; effective 5-18-66 to 5-17-67 (men's and boys' pants and shirts).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

The Jacy Manufacturing Co., Wilburton, Pa.; effective 5-12-66 to 5-11-67; 10 learners. Learners may not be employed at special minimum wage rates in the production of women's skirts or suits (ladies' dresses).

McColl Manufacturing Co., McColl, S.C.; effective 5-9-66 to 5-8-67; 10 learners (ladies' dresses).

Nelson Manufacturing Co., Inc., Lovingston, Va.; effective 5-9-66 to 5-8-67; 10 learners (children's playwear).

Pajama-Craft Manufacturing Co., Inc., Monarch Street, Littlestown, Pa.; effective 5-16-66 to 5-15-67; 10 learners (men's and boys' pajamas).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Form-O-Uth Brassiere Co., doing business as Marie Foundations Branch, 800 East Kingsmill, Pampa, Tex.; effective 5-9-66 to 11-8-66; 25 learners (brassieres and girdles).

Nelson Manufacturing Co., Inc., Lovingston, Va.; effective 5-9-66 to 11-8-66; 30 learners (children's playwear).

Phil Campbell Manufacturing Co., Phil Campbell, Ala.; effective 5-13-66 to 11-12-66; 20 learners (boys' jeans).

Henry I. Siegel Co., Inc., Whiteville, Tenn.; effective 5-14-66 to 9-30-66; 30 learners (ladies' pants).

Reidbord Bros. Co., Lumber Street, Buckhannon, W. Va.; effective 5-13-66 to 11-12-66; 10 learners (men's and boys' trousers).

Southern Garment Co., Post Office Box 608, Robbins, N.C.; effective 5-9-66 to 11-8-66; 10 learners (women's dresses).

Tuskegee Mills, Tuskegee, Ala.; effective 5-13-66 to 10-19-66; 25 additional learners (children's pants, shirts, and blouses) (supplemental certificate).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

W. Y. Shugart & Sons, Inc., Fort Payne, Ala.; effective 5-12-66 to 5-11-67; 5 percent of the total number of factory production workers for normal labor turnover purposes (children's and infants' hosiery).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico and the Virgin Islands to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

W.O. Tobacco Corp., Calle Ruiz Belvis, Apartado 576, Caguas, P.R.; effective 4-19-66 to 4-18-67; 25 learners for normal labor turnover purposes in the occupation of sorting, sizing, each for a learning period of 240 hours at the rate of 80 cents an hour (wrapper type tobacco).

Belair Time Corp., La Grande Princesse, Christiansted, St. Croix, U.S. Virgin Islands, effective 4-12-66 to 4-11-67; 5 learners for normal labor turnover purposes in the occupation of watch assembly, for a learning period of 480 hours at the rates of $1.10 an hour for the first 240 hours and $1.15 an hour for the remaining 240 hours (watches).

Quality Products Co., Inc., 78-29 Kronprindsens Gade, Post Office Box 2446, Charlotte Amalie, St. Thomas, U.S. Virgin Islands, effective 4-25-66 to 7-5-66; 10 learners for normal labor turnover purposes in the occupation of watch assembly, for a learning period of 480 hours at the rates of $1.10 an hour for the first 240 hours and $1.15 an hour for the remaining 240 hours (watches) (replacement certificate).

St. Thomas Textiles, Inc., Bldg. 23, Sub Base, St. Thomas, U.S. Virgins Islands, effective 4-6-66 to 10-5-66; 15 learners for plant expansion purposes in the occupations of: (1) Machine stitching, turning, each for a learning period of 480 hours at the rates of 95 cents an hour for the first 240 hours and $1.10 an hour for the remaining 240 hours; and (2) die and clicker machine operating, for a period of 160 hours at the rate of 95 cents an hour (work gloves).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 20th day of May 1966.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 66-6146; Filed, June 3, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 1, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40511—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 151), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariffs—Supplements to Southern Motor Carriers Rate Conference, agent, tariffs MF-ICC 1361 and 1403.

FSA No. 40512—*Substituted service—CMSTP&P for International Transport, Inc.* Filed by A. R. Fowler, agent (No. 16), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flatcars, between points in Idaho, Montana, and Washington, on the one hand, and points in middlewest territory, on the other, on traffic originating at or destined to such point or points beyond as described in the application.

Grounds for relief—Motortruck competition.

Tariff—A. R. Fowler, agent, tariff MF-ICC 378.

FSA No. 40513—*Bananas and cocoanuts from Texas Ports.* Filed by Southwestern Freight Bureau, agent (No. B-8858), for interested rail carriers. Rates on bananas and cocoanuts, in carloads, from Freeport, Galveston, Houston, and Texas City, Tex., to points in Arkansas, Kansas, Missouri, and Oklahoma.

Grounds for relief—Port equalization.

Tariff—Supplement 10 to Southwestern Freight Bureau, agent, tariff ICC 4658.

FSA No. 40514—*Class and commodity rates from and to Talley, Ala.* Filed by O. W. South, Jr., agent (No. A4897), for interested rail carriers. Rates on property moving on class and commodity rates, between Talley, Ala., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief—New station and grouping.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6158; Filed, June 3, 1966; 8:47 a.m.]

[Notice 192]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 1, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 108207 (Sub-No. 193 TA), filed May 27, 1966. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex., 75222. Applicant's representative: L. M. McLean (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and fresh and cured meats*, from Los Angeles, Calif., to Albuquerque, N. Mex., for 180 days. Supporting shippers: Major Food Products, Inc., 1703 Potrero Street, South El Monte, Calif., 91733; Leo's Quality Foods, 1830 West Slauson Avenue, Los Angeles, Calif., 90047; Mr. Smith's Frozen Foods, Inc., 1653 West El Segundo Boulevard, Gardena, Calif.; John P. Harding Market Co., 3022 South Cochran Avenue, Los Angeles, Calif., 90016; the McCoy Meat Co., 3386 East Vernon Avenue, Los Angeles, Calif., 90058. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 114848 (Sub-No. 31 TA), filed May 27, 1966. Applicant: WHARTON TRANSPORT CORPORATION, 1498 Channel Avenue, De Soto Station, Memphis, Tenn., 38106. Applicant's representative: James N. Clay, Jr., 340 Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, from Mayfield, Ky., to Cincinnati, Ohio, and its commercial zone, for 150 days. Supporting shipper: Missouri Portland Cement Co., 7751 Carondelet Avenue, St. Louis, Mo., 63105. Send protests to: W. W. Garland, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 390 Federal Office Building, 167 North Main Street, Memphis, Tenn., 38103.

No. MC 127777 (Sub-No. 4 TA), filed May 27, 1966. Applicant: MOBILE HOME EXPRESS, INC., 18503 Torrence Avenue, Suite No. 2, Lansing, Ill. Applicant's representative: Roland Des Ruisseau (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, eleven feet, six inches (11'6") and over in width, in the initial movements by towaway or truckaway method, from Middlebury, Ind., to points in Illinois and points in Wisconsin, south of Routes No.

22 and No. 29 from Oconto, Wis., to Prescott, Wis., for 150 days. Supporting shippers: Mobile Homes Sales, 3333 11th Streets, Rockford, Ill.; Roscoe Goodbred, Shady Lane Mobile Home Sales, Earlville, Ill.; Willow Lake Estates, 161 Tollview Road, Elgin, Ill.; Colonial Mobile Homes, Inc., 14139 Western Avenue, Blue Island, Ill.; Mel-Kay Mobile Court, Route 113S, Coal City, Ill.; MacDonald Mobile Home Sales, 4503 Lake Street, Melrose Park, Ill.; Schult Mobile Homes Corp., Post Office Box 130, Elkhart, Ind. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Room 1086, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 128213 (Sub-No. 1 TA), filed May 27, 1966. Applicant: T. LINDSAY, INC., 74 Illinois Avenue, Paterson, N.J., 07503. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bicycles, trunks, and duffle bags*, between Milford, Pa., on the one hand, and, on the other, points in New Jersey, for 180 days. Supporting shipper: New Jersey YMHA–YWHA Camps, 589 Central Avenue, East Orange, N.J., 07018. Send protests to: Joel Morrows, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J., 07102.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6159; Filed, June 3, 1966; 8:47 a.m.]

[Notice 1358]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 1, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68763. By order of May 27, 1966, the Transfer Board approved the transfer to Stanley L. Mayne, doing business as Nichols Motor Express, Watertown, N.Y., of the operating rights of Harry J. Woods, doing business as Nichols Motor Express, Cape Vincent, N.Y., in certificate No. MC–48091 and certificate of registration No. MC–48091 (Sub-No. 3), issued May 12, 1961, and March 25, 1964, respectively, authorizing the transportation, over regular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Watertown, N.Y., and Cape Vincent, N.Y., under the said certificate No. MC–48091, and the transportation, of general commodities, between the city of Watertown and the village of Cape Vincent (Jefferson County) and between the city of Watertown and the village of Sackets Harbor (Jefferson County), under certificate of registration No. MC–48091 (Sub-No. 3). Stephen A. McKay, 345 Washington Street, Watertown, N.Y., 13601, attorney for applicants.

No. MC–FC–68779. By order of May 27, 1966, the Transfer Board approved the transfer to Levenson Transportation Corp., New York, N.Y., of certificate No. MC–124311, issued February 20, 1963, to Harold Levenson, doing business as H. Levenson Trucking Co., New York, N.Y., authorizing the transportation of: Cut piece-goods, and trimmings, over regular routes, from New York, N.Y., to Perth Amboy, N.J., serving all intermediate points, and men's, ladies', and children's garments, from Perth Amboy, N.J., to New York, N.Y., serving all intermediate points. Jerome G. Greenspan, 17 John Street, New York, N.Y., 10038, attorney for applicants.

No. MC–FC–68781. By order of May 27, 1966, the Transfer Board approved the transfer to Drexel Chadwick, Anita, Iowa, of the operating rights set forth in certificate No. MC–6465, issued March 16, 1942, to Drexel Chadwick and J. H. Chadwick, a partnership, doing business as Chadwick Brothers, Anita, Iowa, authorizing the transportation of livestock between Anita, Iowa, and points and places within 15 miles thereof, on the one hand, and on the other, Omaha, Nebr., also, feed fencing materials, and building materials (other than structural steel or road building materials) from Omaha, Nebr., to Anita, Iowa, and points and places within 15 miles of Anita. A. R. Fowler, 2288 University Avenue, St. Paul, Minn., 55114, representative for applicants.

No. MC–FC–68786. By order of May 27, 1966, the Transfer Board approved the transfer to San Antonio Banana Co., a corporation, 1500 South Zarzamora, San Antonio, Tex., of the operating rights of W. J. Isom, Sr., and W. J. Isom, Jr., a partnership, doing business as San Antonio Banana Co., San Antonio, Tex., in certificate No. MC–118153, issued June 30, 1961, authorizing the transportation over irregular routes, of bananas, from New Orleans, La., to San Antonio, Tex., and from San Antonio, Tex., to Salt Lake City, Utah.

No. MC–FC–68790. By order of May 31, 1966, the Transfer Board approved the transfer to Andrew George Philipp and Roland Andrew Philipp, a partnership, doing business as Andrew G. Philipp and Roland A. Philipp, 215 South Seventh Street, Osage, Iowa, 50461, of the operating rights of Richard E. Jahnel, 532 State Street, Osage, Iowa, 50461, in certificates Nos. MC–115660 and MC–115660 (Sub-No. 2), issued November 28, 1956, and April 24, 1959, respectively, authorizing the transportation, over irregular routes, of commercial fertilizer, feed and feed ingredients, in bulk, and livestock feed, in bulk, from and to specified points in Iowa, Illinois, and Minnesota, varying with the commodities transported.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6160; Filed, June 3, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

5 CFR — Page
213 ... 7733, 7734, 7959
550 ... 7881

7 CFR
28 ... 7734
701 ... 7735, 7814
728 ... 7814
845 ... 7815
893 ... 7816
908 ... 7961
910 ... 7962
911 ... 7962
917 ... 7963
918 ... 7735
1099 ... 7963
1421 ... 7964
1483 ... 7817
1486 ... 7735
PROPOSED RULES:
51 ... 7757
905 ... 7971
1001 ... 7911
1002 ... 7911
1003 ... 7911
1004 ... 7911
1005 ... 7911
1008 ... 7911
1009 ... 7911
1011 ... 7911
1012 ... 7911
1013 ... 7829, 7911
1015 ... 7911
1016 ... 7911
1031 ... 7831
1032 ... 7831
1033 ... 7911
1034 ... 7911
1035 ... 7911
1036 ... 7911
1038 ... 7831, 7971
1039 ... 7831, 7972
1040 ... 7911
1041 ... 7911
1043 ... 7911
1044 ... 7831
1045 ... 7831
1046 ... 7911
1047 ... 7911
1048 ... 7911
1049 ... 7911
1051 ... 7831
1061 ... 7831
1062 ... 7831
1063 ... 7831
1064 ... 7831
1065 ... 7757
1066 ... 7757
1067 ... 7831
1068 ... 7757
1069 ... 7757
1070 ... 7831
1071 ... 7831
1073 ... 7831
1074 ... 7831
1075 ... 7757
1076 ... 7757
1078 ... 7831
1079 ... 7831
1090 ... 7911
1094 ... 7831

7 CFR—Continued — Page
PROPOSED RULES—Continued
1096 ... 7831
1097 ... 7831
1098 ... 7911
1099 ... 7758, 7831
1101 ... 7911
1102 ... 7831
1103 ... 7831
1104 ... 7831
1106 ... 7831
1108 ... 7831
1120 ... 7831
1125 ... 7757
1126 ... 7831
1127 ... 7831
1128 ... 7831
1129 ... 7831
1130 ... 7831
1131 ... 7757
1132 ... 7831
1133 ... 7757, 7831
1134 ... 7757
1136 ... 7757
1137 ... 7757
1138 ... 7757

10 CFR
36 ... 7959
40 ... 7959

14 CFR
39 ... 7735, 7881, 7882
71 ... 7736, 7827
73 ... 7736, 7827, 7882
75 ... 7736, 7827
97 ... 7883, 7893
PROPOSED RULES:
71 ... 7760–7762, 7836, 7975–7977
73 ... 7977
75 ... 7762

15 CFR
230 ... 7737, 7819, 7968
PROPOSED RULES:
9 ... 7833

16 CFR
13 ... 7960, 7961
15 ... 7737, 7806
PROPOSED RULES:
45 ... 7757

17 CFR
211 ... 7821
230 ... 7738
239 ... 7738
240 ... 7740
276 ... 7821
PROPOSED RULES:
270 ... 7913

18 CFR
101 ... 7897
141 ... 7897
201 ... 7897
260 ... 7897

20 CFR
602 ... 7966
PROPOSED RULES:
405 ... 7864

21 CFR — Page
120 ... 7741

22 CFR
41 ... 7741
42 ... 7741

24 CFR
200 ... 7743
221 ... 7743

25 CFR
41 ... 7744
42 ... 7745

26 CFR
1 ... 7789

31 CFR
202 ... 7899
203 ... 7899
500 ... 7745, 7899

32 CFR
1 ... 7807
3 ... 7807
4 ... 7810
7 ... 7811
8 ... 7812
16 ... 7814
30 ... 7814
502 ... 7966

32A CFR
OIA (Ch. X):
OI REG. 1 ... 7745

33 CFR
203 ... 7827
208 ... 7751

36 CFR
251 ... 7899
261 ... 7902

39 CFR
13 ... 7752
22 ... 7752
25 ... 7752
43 ... 7752

41 CFR
4–1 ... 7819
4–6 ... 7819
4–50 ... 7902
8–1 ... 7820
8–2 ... 7820
101–15 ... 7752

42 CFR
57 ... 7755
76 ... 7902

43 CFR
3120 ... 7806
PUBLIC LAND ORDERS:
4023 ... 7969
4024 ... 7969
4025 ... 7969

45 CFR
801 ... 7755

46 CFR
308 ... 7970

47 CFR	Page
18	7821
21	7822
73	7904
74	7822
91	7822
PROPOSED RULES:	
1	7837
21	7837
23	7837
73	7837, 7838
74	7837
81	7837
87	7837
89	7837
91	7837
93	7837
95	7837
97	7837
49 CFR	
95	7806
PROPOSED RULES:	
170	7841
193	7911
50 CFR	
32	7909
33	7756, 7910, 7970

VOL

31

10

SOCIOLOGY & ECONOMICS
DETROIT PUBLIC LIBRARY JUN 9 1966

SOCIOLOGY & ECONOMICS
DETROIT PUBLIC LIBRARY JUN 9 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 109

Tuesday, June 7, 1966 • Washington, D.C.

Pages 7993–8039

Agencies in this issue—

Agricultural Research Service
Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Commodity Credit Corporation
Consumer and Marketing Service
Defense Department
Education Office
Federal Aviation Agency
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Food and Drug Administration
Interstate Commerce Commission
Treasury Department
Wage and Hour Division

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 7—Agriculture (Parts 900–944) (Revised)
$1.00

Title 14—Aeronautics and Space (Part 200–End)
(Revised)
$1.50

Title 47—Telecommunication (Parts 0–19) (Revised)
$1.00

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER

Area Code 202 — Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL RESEARCH SERVICE
Rules and Regulations
Commuted travel time allowances; administrative instructions ... 8020

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE
Rules and Regulations
Sugar; continental requirements, quotas, and deficits, 1966; miscellaneous amendments ... 7999
Wheat export marketing certificates; miscellaneous amendments ... 7997

AGRICULTURE DEPARTMENT
See Agricultural Research Service; Agricultural Stabilization and Conservation Service; Commodity Credit Corporation.

ATOMIC ENERGY COMMISSION
Notices
General Dynamics Corp.; application for utilization facility license ... 8028

CIVIL AERONAUTICS BOARD
Notices
Northeast-Bahama service case; order ... 8028

COMMODITY CREDIT CORPORATION
Rules and Regulations
Loan and purchase programs, 1966 and subsequent crops:
Flaxseed ... 8003
Grain sorghum ... 8000

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Limes; importation ... 8000
Milk in Southwest Kansas marketing area; order suspending certain provisions ... 8000
Proposed Rule Making
Pecans of domestic production; hearing ... 8021
Notices
Union Stock Yards, Chicago, Ill.; petition for modification of rate order ... 8027

DEFENSE DEPARTMENT
Rules and Regulations
Research grants and title to equipment purchased under grants ... 8007

EDUCATION OFFICE
Notices
Federal financial assistance in construction of noncommercial educational television broadcast facilities; filing of applications ... 8028

FEDERAL AVIATION AGENCY
Rules and Regulations
Standard instrument approach procedures; miscellaneous amendments ... 8010
Proposed Rule Making
Control zone and transition area; alteration ... 8025
Weather governing operations in control zone; supplemental notice ... 8026

FEDERAL COMMUNICATIONS COMMISSION
Proposed Rule Making
Microwave relays to be licensed to translator operators; extension of time for comments ... 8026
Notices
Hearings, etc.:
Abacoa Radio Corp. (WRAI) and Mid-Ocean Broadcasting Corp ... 8029
American Colonial Broadcasting Corp. et al ... 8029
American Telephone and Telegraph Co ... 8030
City Index Corp. and John M. McLendon ... 8030
Filbert, Roy A ... 8031
Jupiter Associates, Inc., et al ... 8030
Lafayette Broadcasting Co., Inc., and State Line Broadcasting Co., Inc ... 8031
Lebanon Valley Radio et al ... 8030
McAlister Broadcasting Corp. and KJJJ-TV ... 8031
Northern Indiana Broadcasters, Inc ... 8031
Richardson, Donald B ... 8030
Sudbury, Jones T., and Northwest Tennessee Broadcasting Co., Inc ... 8030
Washington Broadcasting Co. and WOL, Inc ... 8031
WTCN Television, Inc. (WTCN-TV) et al ... 8031

FEDERAL HOME LOAN BANK BOARD
Rules and Regulations
Federal Savings and Loan Insurance Corporation:
Operations; payment of insurance premiums ... 8004
Statements of policy ... 8004

FEDERAL MARITIME COMMISSION
Notices
Agreements filed for approval:
City of Anchorage and Sea-Land Service, Inc ... 8032
Meyer Line et al ... 8032

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Alabama-Tennessee Natural Gas Co ... 8032
Ambrose, Z. C., et al ... 8034
Cities Service Oil Co. et al ... 8035
El Paso Natural Gas Co ... 8032
El Paso Products Co ... 8033
Holyoke Water Power Co ... 8033
Tenneco Oil Co. et al ... 8033
Tennessee-Texas Oil Co. and Tidewater Oil Co ... 8033
Village of Cobden, Ill., and Texas Eastern Transmission Corp ... 8034
West Ohio Gas Co. and Michigan Wisconsin Pipe Line Co ... 8034

FISH AND WILDLIFE SERVICE
Notices
Morgan, John C.; loan application ... 8027

FOOD AND DRUG ADMINISTRATION
Rules and Regulations
Drugs, new; exemptions for investigational use; terminations ... 8009
Food additives:
Acetylated monoglycerides ... 8008
Definitions, procedures, and interpretations; deletions ... 8008
Defoaming agents used in coatings ... 8008
Ethylene-vinyl acetate copolymers ... 8009
Vinylidene chloride copolymer coatings for nylon film ... 8009
Notices
Food additives; petitions:
Imperial Chemical Industries, Ltd.; withdrawal ... 8028
Rohm & Haas Co.; filing ... 8028
Trifluralin; establishment of temporary tolerance ... 8028

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Education Office; Food and Drug Administration.

INTERIOR DEPARTMENT
See Fish and Wildlife Service.

(Continued on next page)

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief 8038
Motor carrier transfers proceedings 8037

LABOR DEPARTMENT

See Wage and Hour Division.

TREASURY DEPARTMENT

Notices

Customs field service; effective date of creation of Region II, New York City 8027
Prudence Mutual Casualty Co.; extension of authority to qualify as surety on Federal bonds 8027

WAGE AND HOUR DIVISION

Notices

Certificates authorizing employment of learners at special minimum rates 8036

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

778 7997
811 7999
944 8000
1074 8000
1421 (2 documents) 8000, 8003
PROPOSED RULES:
994 8021

9 CFR

97 8020

12 CFR

563 8004
571 8004

14 CFR

97 8010
PROPOSED RULES:
71 8025
91 8026

21 CFR

121 (5 documents) 8008, 8009
130 8009

32 CFR

273 8007

47 CFR

PROPOSED RULES:
74 8026

Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 5]

PART 778—EXPORT WHEAT MARKETING CERTIFICATE REGULATIONS

Miscellaneous Amendments

Basis and purpose. The following amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (see sec. 379a to 379j, 52 Stat. 31, as amended by 76 Stat. 626, 78 Stat. 178 and 79 Stat. 1202, 7 U.S.C. 1379a to 1379j) to provide changes in the Export Wheat Marketing Certificate Regulations.

The amendment implements the provision included in the Food and Agriculture Act of 1965 which amended the statute governing the Export Wheat Marketing Certificate Regulations to provide that beginning July 1, 1966, the cost of export marketing certificates per bushel to the exporter shall be that amount determined by the Secretary on a daily basis which would make United States wheat generally competitive in the world market, avoid disruption of world market prices, and fulfill the international obligations of the United States. The amendment provides with respect to Durum wheat to be exported on and after July 1, 1966, that each exporter shall submit, prior to export, a report of intention to export which shall include an offer (i) to acquire and surrender export marketing certificates of a specified value covering the intended exportation, or (ii) to make an exportation in consideration of an export payment of a specified amount, or (iii) to make an exportation without either acquiring and surrendering certificates or receiving an export payment. Upon submission the Director will accept the offer if, on the day the offer is submitted for consideration, the Director determines that the exporter's compliance with the offer will make United States Durum wheat generally competitive in the world market, avoid disruption of world market prices and fulfill the international obligations of the United States. Other miscellaneous changes are also included herein.

It is essential that the requirements of this amendment be made effective as soon as possible inasmuch as exporters wish now to make export sales for exportation on and after July 1, 1966, and exportations during such period are subject to the aforementioned requirements of the Food and Agriculture Act of 1965, which are implemented herein. Accordingly, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and that this amendment shall be effective upon filing with the Director, Office of the Federal Register.

The amendment reads as follows:

Section 778.5(d) is amended to change the last two sentences to read as follows: "An exporter who exports wheat on or after July 1, 1966, in satisfaction of his export obligations in connection with an acquisition of wheat under GR–261 at competitive world prices shall not be required to acquire and surrender certificates to CCC."

A new § 778.7b is added as follows:

§ 778.7b Requirements applicable to Durum wheat exported on or after July 1, 1966.

(a) *General.* Certificate costs on Durum wheat exported on or after July 1, 1966, shall be determined by the Director as provided in this section. Any exporter who wishes to export Durum wheat on or after July 1, 1966, shall prior to export submit to the Director a report of intention to export which shall include an offer: (1) To acquire and surrender certificates to Commodity Credit Corporation covering the intended exportation at a cost specified by him in his report, or (2) to make an exportation in consideration of an export payment as specified in his report, or (3) to make an exportation without either acquiring and surrending certificates or receiving an export payment. The Director will accept offers which he determines will make United States wheat generally competitive in the world market, avoid disruption of world market prices, and fulfill the international obligations of the United States. The reports of intention to export shall be as provided in paragraph (b) of this section except that a report in which the exporter offers to make an exportation in consideration of an export payment shall be as provided in the applicable provisions of GR–345. The exporter may receive an allowance for special factors relating to the wheat to be exported, which may include, but are not limited to, quality of the wheat and method of shipment to such coast or port as may be specified for Durum wheat in the announcement of certificate costs and export payment rates relating to wheat other than Durum wheat in effect prior to 3:31 p.m. on the day for which the offer is submitted for consideration. The cost of certificates for Durum wheat exported pursuant to an offer accepted by the Director, which provides for the acquisition and surrender of certificates, shall be the cost per bushel specified in such offer after deducting any applicable allowance. If the allowance for special factors exceeds the cost of certificates contained in the exporter's report of intention to export, the offer accepted by the Director shall be considered an agreement by CCC to make an export payment subject to the exporter's complying with the applicable provisions of these regulations and GR–345.

(b) *Submission of reports of intention to export Durum wheat*—(1) *Place and time.* Exporters of Durum wheat shall submit reports of intention to export in writing by letter, telegram, TWX or teletypewriter to the Director. Such offers must be received in the Department of Agriculture by 3:30 p.m. (e.s.t. or e.d.t. whichever is in effect) of the day on which the exporter desires the offer contained in such report to be considered for acceptance. Offers contained in reports will be considered daily, except that offers will not be considered for any Saturday, National Holiday or day upon which the major grain exchanges are closed, unless otherwise specified in the announcement described in § 778.7a(a).

(2) *Form.* All reports must be signed by the exporter or his authorized agent and shall specifically state the following:

(i) The report is submitted pursuant to and is subject to the terms and conditions of these regulations. This may be signified by use of the term "EWMCR".

(ii) The date for which the offer contained in the report is submitted for consideration. This date must be shown on the offer and may also appear in the lower left hand corner of the envelope in which offers by letter are submitted. An offer will be considered for acceptance only on the day specified and will not be considered on any other day unless the offer is resubmitted.

(iii) The report applies to Durum wheat.

(iv) The net quantity, in bushels, of Durum wheat to be exported.

(v) The cost of certificates, if any, which the exporter offers to acquire and surrender on the Durum wheat to be exported expressed in whole cents per bushel, exclusive of any allowance for special factors relating to the wheat to be exported as provided in paragraph (a) of this section.

(vi) The period within which the Durum wheat will be exported. The designation shall be made from one of the export periods specified for Durum wheat in the announcement of certificate costs and payment rates applicable to wheat other than Durum wheat. The export period once specified in a particular announcement will remain in effect until modified in a subsequent announcement.

(vii) The name and address of the exporter. Example: The following rep-

resents a report containing an offer to acquire certificates to export 100,000 bushels of Durum wheat during July and August for a certificate cost of 10 cents per bushel submitted by John Doe Export Co.

EWMCR—For consideration May 8.
The report applies to 100,000 bushels, Durum wheat.
For export July–August, offer 10 cents bushel certificate cost.
Signed: John Doe Export Co.,
By: Richard Doe, President,
400 Blank Street,
New York, N.Y.

(viii) The code word "CERTAG" if, for this particular transaction, the exporter wishes to make the undertaking as provided for in § 778.5(c) in consideration of the right to export Durum wheat without first having acquired and surrendered certificates.

(3) A report shall not specify more than one quantity of Durum wheat, one certificate cost, if any, and one export period. An exporter may separately submit more than one report for opening on any stated date. The Director reserves the right to accept or reject any or all offers or to waive any informality in connection with such offers. Offers contained in the report will be considered in their entirety only, and offers containing conditions other than those authorized in these regulations will not be considered.

(c) *Acceptance by CCC.* If the Director accepts an exporter's offer, an attempt will be made to notify the exporter by telephone by 4:30 p.m. (e.s.t. or e.d.s.t. whichever is in effect) of the day on which the exporter desires the offer to be considered, and by the close of business of such day there will be forwarded to the exporter Form CCC–179 (Acceptance of Offer to Acquire and Surrender Export Wheat Marketing Certificates on Durum Wheat) which shall constitute the Director's written acceptance of the offer.

(d) *Notice of Sale of Durum Wheat.* The exporter shall file a report with the Director consisting of a Notice of Sale within 15 days after the Durum wheat is sold to a foreign buyer or the date the exporter's offer for the acquisition and surrender of certificates was accepted by the Director, whichever is later, or such extension of such time as may be approved by the Director in writing for good cause shown. The Notice of Sale must contain the same information as required in GR–345 of exporters who wish to receive an export payment on Durum wheat. The Notice of Sale will be acknowledged by wire and the exporter furnished with a registration number which shall be shown on the Report of Wheat Exported, Form CCC–521, and all correspondence with reference to the transaction.

(e) *Exportation not in accordance with an offer approved by the Director.* If an exportation occurs which is not in accordance with an offer made as specified in paragraph (a) (1), (2), or (3) of this section and accepted by the Director, the exporter shall acquire and surrender certificates to CCC at a cost per bushel in such amount as the Director, after taking into consideration prices on the date of export and the date of sale and other relevant factors, determines will make the wheat exported generally competitive in the world market, avoid disruption of world market prices, and fulfill the international obligations of the United States. Exportation in a different period than the period specified in an offer accepted by the Director may be permitted without any adjustment in the cost of certificates if it is established to the satisfaction of the Director before or after such exportation. That failure to make the exportation in the period specified in the offer was not the result of the fault or negligence of the exporter.

(f) *Failure to export.* If the exporter fails to export the Durum wheat specified in an offer accepted by the Director which provides for the acquisition and surrender of certificates, the certificate cost specified in such offer (prior to any allowance for special factors) shall apply to exportations of Durum wheat by the exporter up to the quantity specified in the offer in the same export period which (prior to any allowance for special factors) (1) would in the absence of this rule have the highest export payment rate applicable thereto of any exportations made by the exporter during such period, or to the extent that there are no exportations by the exporter to which an export payment would otherwise be applicable, (2) would in the absence of this rule be neither eligible for an export payment nor subject to the acquisition and surrender of certificates, or to the extent that no exportation as provided in subparagraph (1) or (2) of this paragraph occurs, (3) would in the absence of this rule be subject to the acquisition and surrender of certificates at the lowest certificate cost applicable thereto of any exportations made by the exporter during such period but at a cost which is less than the certificate cost applicable to the offer against which exportation was not made. To the extent that no exportation as provided in subparagraph (1), (2), or (3) occurs in the same export period, then the certificate cost specified in the offer shall apply, as provided in the foregoing provisions of this paragraph, to exportations in the next succeeding export period in which such exportations occur. The exporter will receive the allowance for special factors applicable to the wheat so exported if such allowance was specified in the announcement of certificate costs and payment rates on the day for which the offer against which exportation was not made was submitted for consideration; *Provided, however,* That if the allowance for special factors exceeds the cost of certificates, the exporter shall not be eligible for an export payment in the amount of such excess, and the allowance for special factors shall not be applicable to the extent, if any, that it reduces the cost of certificates below the cost which would have been applicable to the exportation in the absence of this rule. If the exporter fails to export Durum wheat specified in an offer accepted by the Director which provides for an exportation without the exporter either acquiring and surrendering certificates or receiving an export payment, the provisions of such offer (prior to any allowance for special factors) shall apply to exportations of Durum wheat by the exporter up to the quantity specified in the offer in the same export period which, prior to any allowance for special factors, would otherwise have the highest export payment rate applicable thereto of any exportation made by the exporter during such period; or, to the extent there are no exportations by the exporter to which an export payment would otherwise be applicable, the provisions of the offer shall apply to exportations in the next succeeding period in which such exportations occur. The exporter shall not, however, be eligible for any allowance for special factors on such exportation.

In addition to the foregoing, the exporter may be suspended or debarred from participating in programs of CCC for such period and subject to such terms and conditions as may be provided pursuant to the Suspension and Debarment Regulations of CCC (31 F.R. 4950, March 25, 1966) and any amendments thereto: *Provided:* That the exporter shall not be subject to the foregoing provisions for failure to export and shall not be suspended or debarred for such failure if he establishes to the satisfaction of CCC that his failure to discharge his obligations under the program was not due to his fault or negligence.

(g) *Quantity tolerance on Durum wheat.* If any exporter exports or causes exportation of a net quantity of Durum wheat less than the net quantity provided in the exporter's offer accepted by the Director but not less than 95 percent of such quantity, he shall not be subject to the provisions of paragraph (f) of this section for failure to export the under shipped quantity. If an exporter exports or causes exportation of a net quantity greater than the net quantity provided in an offer accepted by the Director, the provisions of such offer shall apply to the entire net quantity exported up to an amount not exceeding 105 percent of the net quantity provided in such offer. If any Durum wheat is exported in excess of 105 percent of such quantity, the amount in excess of the quantity specified in the offer shall be subject to the acquisition of certificates at a cost per bushel which the Director determines will make the Durum wheat competitive in the world market, avoid disruption of world market prices and fulfill the international obligations of the United States.

(Secs. 379a to 379j, 52 Stat. 31, as amended by 76 Stat. 626, 78 Stat. 178 and 79 Stat. 1203, 7 U.S.C. 1379 a to j)

Effective date: Date of filing with the Director, Office of the Federal Register.

ORVILLE L. FREEMAN,
Secretary.

JUNE 2, 1966.

[F.R. Doc. 66–6274; Filed, June 3, 1966; 12:33 p.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 5]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas and Quota Deficits for 1966

Basis and purpose and bases and considerations. This amendment is issued pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act". The purpose of this amendment to Sugar Regulation 811 (30 F.R. 15313, 31 F.R. 2776, 2895, 3283, 5681) is to determine and to prorate and allocate the deficits in quotas established pursuant to the Act.

Section 204(a) of the Act provides that the Secretary shall from time to time determine whether any area or country will be unable to fill its quota or proration of a quota. On the basis of the quotas established for Puerto Rico and the Virgin Islands for the calendar year 1966 in § 811.41 of this part and the supply of sugar expected to be available from those areas for marketing in the continental United States during the calendar year 1966, it is herein found that Puerto Rico will be unable to fill its quota by 410,000 short tons, raw value, and the Virgin Islands will be unable to fill its quota by 5,000 short tons, raw value. Accordingly, quota deficits of 415,000 short tons, raw value, are determined and prorated between the Philippines and Western Hemisphere countries. The deficits determined herein for Puerto Rico and the Virgin Islands will not decrease marketing opportunities within their respective quotas. None of the deficit prorations provided for in this amendment can be imported into the continental United States prior to July 1, 1966.

Effective date. This action establishes deficits of 415,000 short tons, raw value, and prorates such deficits to the Republic of the Philippines and Western Hemisphere countries. To permit such countries for which larger quotas or prorations are hereby established to plan and to market in an orderly manner the larger quantity of sugar, it is essential at this time that all persons selling and purchasing sugar for consumption in the continental United States be promptly informed of the changes in marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable, and contrary to the public interest and this amendment shall be effective upon publication in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby amended by adding a new § 811.42 and by amending §§ 811.41 and 811.43 as follows:

1. Section 811.41 is amended by adding subparagraph (a) (2) as follows:

§ 811.41 Quotas for domestic areas.

* * * * *

(2) It is hereby determined pursuant to section 204(a) of the Act that for the calendar year 1966 Puerto Rico and the Virgin Islands will be unable by 410,000 and 5,000 short tons, raw value, respectively to fill the quotas established for such areas in subparagraph (1) of this paragraph. Pursuant to section 204(b) of the Act the determination of such deficits shall not affect the quotas established in subparagraph (1) of this paragraph.

* * * * *

2. Section 811.42 is added to read as follows:

§ 811.42 Proration and allocation of deficits and quotas in effect.

The deficits in the quotas determined in paragraph (a) (2) of § 811.41 amounting to 415,000 short tons, raw value, are hereby prorated, pursuant to section 204(a) of the Act, between the Republic of the Philippines and Western Hemisphere countries named in section 202(c) (3) (A) of the Act, which are in diplomatic relations with the United States, by prorating 195,963 tons to the Republic of the Philippines, and by prorating the remainder of the deficit amounting to 219,037 short tons, raw value, to Western Hemisphere countries named in section 202(c) (3) (A) of the Act on the basis of quotas in effect. Each deficit proration to a Western Hemisphere country is contingent upon the Secretary having received an assurance from such country at some time prior to August 1, 1966 that such country agrees to use an amount equal to the total net receipts f.a.s. port of shipment derived from the sale of sugar from such deficit proration for the purchase and importation of U.S. agricultural commodities prior to July 1, 1967. No quantity within a deficit proration will be approved for importation unless such assurance has been received. Each foreign country which is unable to fill its quota including its deficit proration has the responsibility to notify the Secretary the extent of and reasons for such shortfall.

3. Section 811.43 is amended by designating paragraph (b) as paragraph (b) (1) and by adding a new paragraph (b) (2) and amending paragraph (c) to read as follows:

§ 811.43 Quotas for foreign countries.

* * * * *

(b) (1) * * *

(2) In addition to the quantity of 1,082,580 short tons, raw value, for the Republic of the Philippines in subparagraph (1) of this paragraph, a quantity of 195,963 short tons, raw value, representing a proration of quota deficits as provided in § 811.42, is added to and established as a part of the quota for such country. Such quantity of 195,963 short tons, raw value, of sugar may be imported only as raw sugar in accordance with procedures set forth in Part 817 of this chapter.

(c) For the calendar year 1966, the prorations to individual foreign countries other than the Republic of the Philippines pursuant to paragraphs (c) and (d) of section 202 and paragraph (a) of section 204 of the Act are as follows:

[Short tons, raw value]

Country	Basic quotas	Temporary quotas and prorations pursuant to sec. 202(d) [1]	Deficit prorations	Total quotas and prorations
Mexico	190,049	191,289	41,786	423,104
Dominican Republic	185,870	187,063	40,867	413,800
Brazil	185,870	187,063	40,867	413,800
Peru	148,253	149,205	32,596	330,054
British West Indies	74,250	74,726	16,325	165,301
Ecuador	27,045	27,218	5,946	60,209
French West Indies	23,357	23,506	5,135	51,998
Argentina	22,965	23,012	5,027	50,004
Costa Rica	21,881	23,305	4,952	50,138
Nicaragua	21,881	23,305	4,952	50,138
Colombia	19,669	19,794	4,325	43,788
Guatemala	18,439	19,639	4,173	42,251
Panama	13,786	13,886	3,027	30,651
El Salvador	13,322	14,402	3,060	30,984
Haiti	10,326	10,392	2,270	22,988
Venezuela	9,343	9,402	2,054	20,799
British Honduras	5,409	5,444	1,189	12,042
Bolivia	2,213	2,226	486	4,925
Australia	88,500	88,519		177,019
Republic of China	36,879	36,879		73,758
India	35,404	35,404		70,808
South Africa	26,061	26,061		52,122
Fiji Islands	19,423	19,423		38,846
Thailand	8,113	8,114		16,227
Mauritius	8,113	8,114		16,227
Malagasy Republic	4,180	4,179		8,359
Swaziland	3,196	3,196		6,392
Ireland	5,361			5,361
Total	1,229,239	1,284,707	219,087	2,682,913

[1] Proration of quotas withheld from Cuba, Southern Rhodesia and the proration of the Honduran quota to Central American Common Market countries.

* * * * * * *

(Secs. 201, 202, 204, and 403; 61 Stat. 923 as amended, 924 as amended, 925 as amended and 932 as amended; 7 U.S.C. 1111, 1112, 1114 and 1153)

Effective date. This order will become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 1st day of June 1966.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66-6199; Filed, June 2, 1966; 3:13 p.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lime Reg. 3, Amdt. 1]

PART 944—FRUIT; IMPORT REGULATIONS

Limes

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) through subparagraph (3) thereof of § 944.202 (Lime Regulation 3; 31 F.R. 6102) are hereby amended to read as follows:

§ 944.202 Lime Regulation 3.

(a) On and after 12:01 a.m., e.s.t., June 11, 1966, the importation into the United States of any limes is prohibited unless such limes are inspected and meet the following requirements:

(1) Such limes of the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) meet the requirements of at least U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(2) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) grade at least U.S. Combination, Mixed Color with not less than 75 percent, by count, of the limes in each container thereof grading not less than the U.S. No. 1, Mixed Color, and the remainder thereof grading not less than U.S. No. 2, Mixed Color; and

(3) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) are of a size not smaller than 1⅞ inches in diameter: *Provided*, That such limes which are smaller than 1⅞ inches in diameter but not smaller than 1⅜ inches in diameter may be imported if such smaller limes have an average juice content of at least 50 percent, by volume; and

* * * * *

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 1001-1011) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions being made applicable to domestic shipments of limes under Amendment 1 to Lime Regulation 22 (§ 911.324), which becomes effective June 6, 1966; (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; (d) notice hereof in excess of 3 days, the minimum that is prescribed by said section 8e is given with respect to such regulation; and (e) such notice is hereby determined, under the circumstances, to be reasonable.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated, June 2, 1966, to become effective at 12:01 a.m., e.s.t., June 11, 1966.

PAUL A. NICHOLSON,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6214; Filed, June 6, 1966; 8:48 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 74]

PART 1074—MILK IN SOUTHWEST KANSAS MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Southwest Kansas marketing area (7 CFR Part 1074), it is hereby found and determined that:

(a) The following provisions of the order no longer tend to effectuate the declared policy of the Act for the month of June 1966: Section 1074.51(a) (1), (2), and (3).

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension action was requested by a cooperative association and a handler with own production representing all producers and by other major handlers of the marketing area. This action will have the effect of decreasing the Class I milk price for June 1966 by approximately 15 cents per hundredweight. This will maintain prices in a more nearly normal relationship between this market and the nearby and larger Wichita, Kans., market by reducing the difference in Class I milk prices between these two markets from 32 to 17 cents per hundredweight. The normal difference is not more than 10 cents per hundredweight. Wichita handlers distribute approximately one-third of the fluid milk products in this marketing area. It is therefore necessary that Class I milk prices between these two markets be in reasonable alignment.

The supply-demand adjustment of the Southwest Kansas area, the major cause of the current difference in Class I prices, does not accurately reflect market conditions for the month of June. The Southwest Milk Producers Association, which assumes responsibility for supplying the fluid milk needs of the market, has, in the recent months used for computing the adjustment, marketed milk through other channels which otherwise would have been surplus to the market's fluid requirements. The supply-demand adjustment factor for June 1966 thus reflects a lesser supply of milk for the Southwest Kansas market than is actually available for the market's fluid needs.

Therefore, good cause exists for making this order effective June 1, 1966.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the period June 1966.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date. June 1, 1966.

Signed at Washington, D.C., on June 1, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66-6213; Filed, June 6, 1966; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs., 1966 and Subsequent Crops Grain Sorghum Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops Grain Sorghum Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1966 and subsequent crops of grain sorghum as follows:

Sec.
1421.2561 Purpose.
1421.2562 Availability.
1421.2563 Compliance requirements.
1421.2564 Eligible grain sorghum.
1421.2565 Determination of quality.
1421.2566 Determination of quantity.
1421.2567 Warehouse receipts.
1421.2568 Fees and charges.

Sec.
1421.2569 Warehouse charges.
1421.2570 Maturity of loans.
1421.2571 Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2561 Purpose.

This supplement contains program provisions, which together with the annual crop year supplement and provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops and any amendments thereto, or revisions thereof (such regulations are referred to herein as "General Regulations") apply to loans and purchases for the 1966 and subsequent crops of grain sorghum.

§ 1421.2562 Availability.

Producers desiring price support must request a loan or notify the ASCS county office of intentions to sell to CCC no later than the dates set forth in the annual crop year supplement to the regulations in this subpart.

§ 1421.2563 Compliance requirements.

A producer to be eligible for a loan or a purchase must be eligible under the Feed Grain Program Regulations to the extent specified in the annual crop year supplement to the regulations in this subpart.

§ 1421.2564 Eligible grain sorghum.

(a) *General.* To be eligible for a loan or purchase, the grain sorghum must be merchantable for food or feed or for other uses, as determined by CCC, and must not contain mercurial compounds or other substances poisonous to man or animals.

(b) *Warehouse stored loan grade requirements.* Grain sorghum to be placed under a warehouse storage loan must also meet the following requirements:

(1) The grain sorghum must grade No. 4 or better, except for moisture, and in addition may carry the special grade designation "Smutty."

(2) The grain sorghum must not grade "Weevily" unless the warehouse receipt for the grain sorghum is accompanied by a supplemental certificate which indicates the warehouseman will deliver grain sorghum (i) which does not grade "Weevily" and (ii) which is otherwise of an eligible grade and quality. The grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.2567(c).

(3) The grain sorghum must not contain over 14 percent moisture unless the warehouse receipt is accompanied by a supplemental certificate which indicates the warehouseman will deliver grain sorghum containing not over 14 percent moisture and which is otherwise of an eligible quality. The grade, grading factors and the quantity shown on the supplemental certificate must be as specified in § 1421.2567(c).

§ 1421.2565 Determination of quality.

The class, grade, grading factors and all other quality factors shall be based on the Official Grain Standards of the United States for Grain Sorghum, whether or not such determinations are made on the basis of an official inspection.

§ 1421.2566 Determination of quantity.

When the quantity is determined by weight, a unit of 100 pounds shall be 100 pounds of grain sorghum free of dockage.

(a) *In warehouse.* The quantity of grain sorghum on which a warehouse storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable. If the grain sorghum has been dried or blended to reduce the moisture content, the quantity specified on the warehouse receipt or the supplemental certificate, if applicable, shall represent the quantity after drying or blending, and such quantity shall reflect a minimum shrink in the receiving weight of 1.2 times the percentage difference of the moisture content of the grain sorghum, when received, and 14 percent.

(b) *On farm.* The quantity of eligible grain sorghum which may be placed under farm storage loan shall be determined in accordance with § 1421.67 of the General Regulations. The quantity acquired by CCC from farm storage under a loan or purchase shall be determined by weight.

(c) *Dockage.* When the quantity is determined by weight, the percentage of dockage shall be determined and the weight of such dockage shall be deducted from the gross weight in determining the net quantity.

§ 1421.2567 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate warehouse receipt must be submitted for each grade and class of grain sorghum.

(b) *Entries.* Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show: (1) Gross and net weight, (2) class, (3) grade (including special grades), (4) test weight, (5) moisture, (6) dockage, (7) any other grading factor(s) when such factor(s) and not test weight determine the grade, (8) whether the grain sorghum arrived by rail, truck or barge and (9) the date the grain sorghum was received or deposited in warehouse.

(c) *Where warehouse receipt shows "Weevily" or moisture over 14 percent.* If a warehouse receipt tendered as security for a loan indicates the grain sorghum grades "Weevily" or contains over 14 percent moisture, the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.2564(b). The grade, grading factors, and the quantity to be delivered must be shown on the supplemental certificate as follows: (1) When the warehouse receipt shows "Weevily" and the grain sorghum has been conditioned to correct the "Weevily" condition, the supplemental certificate must show the same grade without the "Weevily" designation and the same grading factors and quantity as shown on the warehouse receipt; (2) when the warehouse receipt indicates moisture over 14 percent and the grain sorghum has been dried or blended, the supplemental certificate must show the grade, grading factors, and quantity after drying or blending the grain sorghum to a moisture content of not over 14 percent which shall reflect a drying or blending shrink as specified in § 1421.2566. The supplemental certificate must state that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt. In the case of conditions specified in subparagraphs (1) and (2) of this paragraph, the grade, grading factors, and the quantity shown on the supplemental certificate shall supersede the entries for such items on the warehouse receipt.

(d) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.2569.

(e) *Freight bill requirements.* Warehouse receipts representing grain sorghum which has been shipped by rail or water from a country shipping point to a designated terminal point, or shipped by rail or water from a country shipping point to a storage point and stored in transit to a designated terminal point, must be accompanied by registered freight bills or by a certificate containing similar information. These registered freight bills or certificates must be representative as to origin and date of movement of the grain sorghum and must reflect the total freight from origin to the designated terminal point including penalty for out-of-line haul, if any. The form of these certificates shall be prescribed by the ASCS commodity office and shall be signed by the warehouseman and may be made a part of the supplemental certificate.

§ 1421.2568 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.60(b) of the General Regulations.

§ 1421.2569 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the grain sorghum represented thereby stored in an approved warehouse operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the grain sorghum is deposited in the warehouse for storage. Warehouse receipts and the grain sorghum represented thereby stored in an approved warehouse operated by an Eastern common carrier may be subject to liens for warehouse

elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission. In no event shall a warehouseman be entitled to satisfy the lien by sale of the grain sorghum when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—UGSA warehouses.* The table set forth in the annual crop year supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of grain sorghum stored in an approved warehouse operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the date to be used for computing the storage deduction on grain sorghum stored in approved warehouses operating under the Uniform Grain Storage Agreement shall be the latest of the following: (1) The date the grain sorghum was received or deposited in warehouse, (2) the date storage charges start, or (3) the day following the date through which the storage charges have been paid.

(c) *Deduction of storage charges—Eastern common carriers.* In the case of grain sorghum stored in an approved warehouse operated by an Eastern common carrier, there shall be deducted in computing the loan or purchase price the amount of the approved tariff rate for storage (not including elevation), which will accumulate from the date of deposit through the applicable maturity date unless written evidence is submitted with the warehouse receipt that such charges have been prepaid. The State office shall advise county offices of the applicable charges. Where the producer presents evidence showing the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges prepaid by the producer.

§ 1421.2570 Maturity of loans.

Loans mature on demand but not later than the date specified in the annual crop year supplement to the regulations contained in this subpart.

§ 1421.2571 Support rates.

Basic terminal and county support rates for grain sorghum and the schedule of discounts shall be set forth in the annual crop year supplement to the regulations contained in this subpart. Farm stored loans will be made at the applicable basic support rate adjusted only for the weed control discount where applicable. The support rate for warehouse stored loans, and for grain sorghum acquired from under a loan or by purchase shall be the applicable basic support rate adjusted in accordance with the provisions of this section, and the discounts shown in the annual crop year supplement to the regulations in this subpart. Settlement of loans and purchases shall be made in accordance with the provisions of § 1421.72 of the General Regulations.

(a) *Support rates at designated terminal markets.* (1) The basic support rates established for designated terminal markets apply to grain sorghum shipped on a domestic interstate freight rate basis. The basic support rate at the designated terminal market for any grain sorghum shipped at other than the domestic interstate freight rate shall be reduced by the amount by which the freight rate paid is less than the domestic interstate freight rate.

(2) The basic support rates established for designated terminal markets also apply to grain sorghum which has been shipped by rail or water from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges. In the event the amount of paid-in freight is insufficient to guarantee the minimum proportional domestic interstate freight rate, if any, from the terminal market to a recognized market determined by the appropriate ASCS commodity office, there shall be deducted from the applicable basic support rate the amount by which the amount of freight actually paid in is less than the amount required to be paid in to guarantee out-bound movement at the minimum proportional domestic interstate freight rate. If the grain sorghum is stored at any designated terminal market and neither registered freight bills nor registered freight certificates are presented, the basic support rate shall be reduced by the actual amount of paid-in freight required to guarantee the proportional out-bound rate from the terminal market to a recognized market determined by the appropriate ASCS commodity office.

(3) The support rate for grain sorghum received by truck and stored at any designated terminal market shall be determined by deducting from the applicable basic support rate 6 cents per hundredweight plus the actual amount of paid-in freight required to guarantee the proportional out-bound rate from the terminal market to a recognized market determined by the appropriate ASCS commodity office.

(4) Notwithstanding the foregoing provisions of this paragraph (a), in determining the support rate for grain sorghum shipped by rail or water and stored at any of the following terminal markets there shall be deducted from the applicable basic support rate, the transportation cost, if any may be incurred, as determined by the appropriate ASCS commodity office, for moving the grain sorghum to a tidewater facility located within the same switching limits:

Long Beach, Los Angeles, Oakland, San Francisco, Stockton, and Wilmington, Calif.
Baton Rouge and New Orleans, La.
Astoria and Portland, Oreg.
Beaumont, Brownsville, Corpus Christi, Galveston, Houston, and Port Arthur, Tex.
Kalama, Longview, Seattle, Tacoma, and Vancouver, Wash.

(5) Notwithstanding the foregoing provisions of this paragraph in determining the support rate for grain sorghum received by truck and stored at any of the terminal markets listed in subparagraph (4) of this paragraph, there shall be deducted from the applicable basic support rate an amount of 6 cents per hundredweight, plus the transportation cost, if any, as determined by the appropriate ASCS commodity office, for moving the grain sorghum to a tidewater facility located within the same switching limits.

(b) *Support rates for grain sorghum in approved warehouse storage at other than designated terminal markets.* In determining the support rate for grain sorghum which is shipped by rail or water and which is stored in approved warehouses (other than those situated in the designated terminal markets) there shall be deducted from the basic support rate for the appropriate designated terminal market, as determined by CCC, an amount equal to the transit balance, if any, of the through-freight rate from the point for origin of such grain sorghum to such terminal market: *Provided*, That on any grain sorghum shipped at other than the domestic interstate freight rate, the basic support rate shall be further reduced by the amount by which the freight rate paid is less than the amount of the domestic interstate freight rate from the point of origin of such grain sorghum to the point of destination or appropriate terminal market: *And provided further*, That in the case of grain sorghum stored at any railroad transit point, taking a penalty by reason of out-of-line movement to the appropriate designated market, or for any other reason, there shall be added to such transit balance an amount equal to any out-of-line costs or other cost incurred in storing grain sorghum in such position.

(c) *Support rates for grain sorghum in approved country warehouse and farm storage.* (1) The applicable basic support rate for farm-storage loans and for grain stored in approved country warehouse-storage, except as otherwise provided in paragraph (b) of this section and subparagraph (2) of this paragraph, shall be the basic county support rate established for the county in which the grain sorghum is stored.

(2) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities, having the same domestic interstate freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same basic support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 2, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-6212; Filed, June 6, 1966; 8:48 a.m.]

[C.C.C. Grain Price Support Regs., 1966 and Subsequent Crops, Flaxseed Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops, Flaxseed Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1966 and subsequent crops of flaxseed as follows:

Sec.

1421.3051 Purpose.
1421.3052 Availability.
1421.3053 Eligible flaxseed.
1421.3054 Determination of quality.
1421.3055 Determination of quantity.
1421.3056 Warehouse receipts.
1421.3057 Fees and charges.
1421.3058 Warehouse charges.
1421.3059 Maturity of loans.
1421.3060 Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1054; 15 U.S.C. 714 b and c, 7 U.S.C. 1447, 1421.

§ 1421.3051 Purpose.

This subpart contains program provisions which, together with the annual flaxseed crop supplement and the provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) and any amendments thereto or revisions thereof (such regulations are referred in this subpart as "General Regulations"), apply to loans and purchases for the 1966 and subsequent crops of flaxseed.

§ 1421.3052 Availability.

Producers desiring price support for flaxseed must request a loan or notify the ASCS county office of intentions to sell to CCC no later than the dates set forth in the applicable annual flaxseed crop supplement to the regulations in this part.

§ 1421.3053 Eligible flaxseed.

(a) *General.* To be eligible for a loan or a purchase, the flaxseed (1) must be merchantable for crushing into oil and feed, as determined by CCC, and (2) must not contain mercurial compounds or other substances poisonous to man or animals.

(b) *Warehouse-stored loan grade requirements.* To be eligible for a warehouse-storage loan, the flaxseed must also grade No. 1 or No. 2.

§ 1421.3054 Determination of quality.

The grade, grading factors and all other quality factors shall be based on the Official Grain Standards of the United States for Flaxseed, whether or not determinations are made on the basis of an official inspection.

§ 1421.3055 Determination of quantity.

When the quantity is determined by weight, a bushel shall be 56 pounds of flaxseed free of dockage.

(a) *In warehouse.* The quantity of flaxseed stored in an approved warehouse and on which a warehouse-storage loan may be made and the quantity of flaxseed delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt, or on the supplemental certificate if applicable.

(b) *On farm.* The quantity of flaxseed eligible to be placed under a farm-storage loan shall be determined in accordance with § 1421.67 of the General Regulations. The quantity acquired by CCC from farm storage shall be determined by weight.

§ 1421.3056 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate warehouse receipt must be submitted for each grade of flaxseed.

(b) *Entries.* Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show: (1) Gross weight, and net bushels, (2) grade, (3) test weight, (4) moisture, (5) dockage, (6) any other grading factor(s) when such factor(s) and not test weight determined(s) the grade, (7) whether the flaxseed arrived by rail, truck, or barge, and (8) the date the flaxseed was received or deposited in the warehouse.

(c) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.3058.

(d) *Freight bill requirements.* Warehouse receipts representing flaxseed which has been shipped by rail or water from a country shipping point to a designated terminal point, or shipped by rail or water from a country shipping point to a storage point and stored in transit to a designated terminal point, must be accompanied by registered freight bills or by a certifiate containing similar information. These registered freight bills or certificates must be representative as to origin and date of movement of the flaxseed and must reflect the total freight rate from origin to designated terminal point, including penalty for out-of-line haul, if any. The form of these certificates will be prescribed by the ASCS commodity office, shall be signed by the warehouseman, and may be made a part of the supplemental certificate.

§ 1421.3057 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.60(b) of the General Regulations.

§ 1421.3058 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the flaxseed represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the flaxseed is deposited in the warehouse for storage. In no event shall a warehouseman be entitled to satisfy the lien by sale of the flaxseed when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—UGSA warehouses.* The table set forth in the annual flaxseed crop supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of flaxseed stored in an approved warehouse operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deduction shall be made. If such written evidence is not submitted, the beginning date to be used for computing the storage deduction on flaxseed stored in warehouses operating under the Uniform Grain Storage Agreement shall be the latest of the following: (1) The date the flaxseed was received or deposited in the warehouse, (2) the date storage charges start, or (3) the day following the date through which the storage charges have been paid.

§ 1421.3059 Maturity of loans.

Loans will mature on demand but not later than the date specified in the annual flaxseed crop supplement to the regulations in this part.

§ 1421.3060 Support rates.

Basic terminal and county support rates for flaxseed and the schedule of premiums and discounts shall be set forth in the annual flaxseed crop supplement to the regulations in this part. The support rate for farm storage loans will be the applicable basic support rate adjusted only for the weed control discount where applicable. The support rate for warehouse storage loans and for flaxseed acquired by CCC from under loan or by purchase shall be the applicable basic support rate adjusted in accordance with the provisions of this section, and the premiums and discounts shown in the annual flaxseed crop supplement to the regulations in this part. Settlement of loans and purchases shall be made as provided in § 1421.72 of the General Regulations.

(a) *Support rates for flaxseed in approved warehouse storage at designated terminal markets—(1) Minneapolis and St. Paul, Minn.* (i) The basic support rates established for the Minneapolis and St. Paul terminal markets apply to flax-

seed shipped on a domestic interstate freight rate basis. The basic support rates at these terminal markets for any flaxseed shipped at other than the domestic interstate freight rate shall be reduced by the amount by which the freight rate paid is less than the domestic interstate freight rate.

(ii) The basic support rates established for the Minneapolis and St. Paul, Minn., terminal markets also apply to flaxseed which has been shipped by rail or water from a country shipping point to one of such designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges. If the amount of paid-in freight is insufficient to guarantee the minimum proportional domestic interstate freight rate, if any, from the terminal market determined by the ASCS commodity office, there shall be deducted from the applicable terminal support rate the amount by which the amount of freight actually paid in is less than the amount required to be paid in to guarantee outbound movement at the minimum proportional domestic interstate freight rate. If the flaxseed is stored at either of such designated terminal markets and neither registered freight bills nor registered freight certificates are presented, the basic support rate shall be reduced by the actual amount of paid-in freight required to guarantee the proportional outbound rate from the terminal market to a recognized market determined by the ASCS commodity office.

(iii) The support rate for flaxseed received by truck and stored at either of these terminal markets shall be determined by deducting from the terminal support rate 4.5 cents per bushel plus the actual amount of paid-in freight required to guarantee the proportional outbound rate from the terminal market to a recognized market determined by the ASCS commodity office.

(2) *Port terminal markets.* In determining the support rate for flaxseed shipped by rail or water and stored at any of the port terminal markets specified in this subparagraph, there shall be deducted from the applicable terminal rate, the transportation cost, if any may be incurred, as determined by the ASCS commodity office, for moving the flaxseed to a tidewater facility located within the switching limits of the terminal market to which it was delivered. In determining the support rate for flaxseed delivered by truck to such terminal markets, there shall also be deducted from the terminal rate 4.5 cents per bushel:

Los Angeles and San Francisco, Calif.
Duluth, Minn.
Superior, Wis.
Corpus Christi and Houston, Tex.

(b) *Support rates for flaxseed in approved warehouse storage at other than designated terminal markets.* In determining the support rate for flaxseed which is shipped by rail or water and which is stored in approved warehouses (other than those situated in the designated terminal markets), there shall be deducted from the support rate for the appropriate designated terminal market, as determined by CCC, an amount equal to the transit balance, if any, of the throught-freight rate from the point of origin for such flaxseed to such terminal market: *Provided*, That on any flaxseed shipped at other than the domestic interstate freight rate, the support rate shall be further reduced by the amount by which the freight rate paid is less than the domestic interstate freight rate from the point of origin of such flaxseed to the point of destination or appropriate terminal market: *And provided further*, That in the case of flaxseed stored at any railroad transit point taking a penalty by reason of out-of-line movement to the appropriate designated terminal market, or for any other reason, there shall be added to such transit balance an amount equal to any out-of-line costs or other costs incurred in storing flaxseed in such position.

(c) *Support rates for flaxseed in approved country warehouse and farm storage.* (1) The applicable basic support rate for flaxseed in farm-storage and for flaxseed stored in approved country warehouse-storage, except as otherwise provided in paragraph (b) of this section, subparagraph (2) of this paragraph and § 1421.72(c)(2) of the General Regulations, shall be the basic county support rate established for the county in which the flaxseed is stored.

(2) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities having the same domestic interstate freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same basic county support rate shall apply even though such warehouses are not all located in the same county. Such basic county support rate shall be the highest support rate of the counties involved.

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 2, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-6211; Filed, June 6, 1966; 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. FSLIC-2,630]

PART 563—OPERATIONS

Payment of Insurance Premiums

JUNE 1, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 6278) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 563.15 of the Rules and Regulations for Insurance of Accounts (12 CFR 563.15) as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends said § 563.15 as follows, effective January 1, 1967:

Paragraph (a) of § 563.15 of the Rules and Regulations for Insurance of Accounts is hereby amended to read as follows:

§ 563.15 Premiums and their uses; amount; payment.

(a) *General provisions.* Each institution whose application for insurance is approved by the Corporation shall pay to the Corporation a premium charge for such insurance at the rate fixed by statute, determined from the latest report of the insured institution filed with the Corporation. The first annual premium shall be paid at the time the certificate of insurance is issued by the Corporation. Thereafter, each annual premium charge shall be paid at the beginning of each insurance year. Such annual premiums shall be determined from the latest report of the insured institution filed with the Corporation or, if the institution has failed to file such report within 60 days prior to any date upon which its annual premium becomes due, from the latest report of the institution made or published pursuant to the requirements of law or regulations. Any amount contained in any such report covering interest accrued, but not due and payable, or dividends declared but not due and distributable, upon an account of an insured member will not be included in the computation of premiums.

* * * * *

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-6216; Filed, June 6, 1966; 8:48 a.m.]

[No. FSLIC-2,588]

PART 571—STATEMENTS OF POLICY

MAY 19, 1966.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of publishing a statement of general policy outlining the circumstances under which appraisals will be obtained by the Board on real estate owned by, and real estate securing the loans of, institutions whose accounts are insured by the Federal Savings and Loan Insurance Corporation and outlining the procedures to be followed in obtaining such appraisals, and for the purpose of effecting such publication, hereby amends the Rules and Regulations for Insurance of Accounts (12 CFR, Chapter V, Subchapter D) by adding at the end of said Subchapter D a new part, Part 571, to read as follows:

§ 571.1 Appraisal of real estate securing assets of insured institutions.

Insurance Regulation 563.17-1 provides that the examination of an insured institution shall include appraisals when deemed advisable. It has been, and it now is, the policy of the Federal Home Loan Bank Board to have the real estate securing an insured institution's assets appraised when specific facts or information with respect to mortgage loans of lending, or with respect to operations in general, give evidence that an institution's appraisals may be excessive, that lending may be of a marginal nature, that appraisal policies and practices may not conform with generally accepted and established professional standards, or that assets secured by real estate are overvalued. This statement of policy sets out the basic guidelines for a determination that appraisals should be obtained and the procedures to be employed in obtaining such appraisals.

(a) *General.* (1) Notwithstanding any provisions hereinafter set out in this statement of policy, appraisals may, and will, be made in any instance where, in the opinion of the Board, such appraisals are necessary to protect the interests of the Corporation, other insured institutions, or the public. Further, the Director of the Board's Office of Examinations and Supervision has been, and continues to be, authorized to direct that an examination, including such appraisals as he deems advisable, be made at any time of any insured institution and any statements made herein shall not act to modify or limit such authority.

(2) As used in this statement of policy, the term "professional appraiser" means an individual whose qualifications are demonstrated by means of senior membership in a national appraisal organization or an individual who, in the opinion of a Chief Examiner for the Board qualifies under standards equivalent to those established by such national organizations. The fact that a professional appraiser is employed by an insured institution on a fee or salary basis need not, of itself, adversely affect the acceptability of any report of appraisal prepared by or under the direct supervision of such appraiser.

(3) A determination to obtain appraisals must be the product of a careful consideration of current facts and factors and, therefore, such a determination will usually be geared to the orderly processes of examination.

(4) The exercise of judgment in arriving at a decision to obtain appraisals has been, and must continue to be, a matter which requires consultation and close cooperation between all examining and supervisory personnel.

(b) *Authority of Supervisory Agent to obtain appraisals.* The Board's Supervisory Agent for the Federal Home Loan Bank district in which the home office of an insured institution is located is authorized to instruct the Board's Chief Examiner for such district to obtain, in connection with any examination of such insured institution, appraisals of real estate securing the institution's assets when, in the opinion of such Supervisory Agent, the institution's policies and practices and operating results and trends are such as to cause concern over the quality of such assets.

(c) *Authority of Chief Examiner to obtain appraisals.* The Board's Chief Examiner for the Federal Home Loan Bank district in which the home office of an insured institution is located is authorized to obtain, as a part of and in connection with an examination, appraisals of real estate securing such institution's loans and contracts when an examination discloses the following conditions or such conditions are otherwise known or found to exist:

(1) When the institution's independent public accountant disclaims an opinion on its financial statements in his report of audit because he is of the opinion that the fair market value of real estate securing assets is materially less than book value of such assets.

(2) When the institution's independent public accountant expresses an opinion in his report of audit that the financial statements do not fairly present the institution's financial position or results of operations because of potential losses in the loan portfolio or on the sale of real estate owned.

(3) When a borrower agrees or otherwise obligates himself to pay, or does pay, fees or other consideration to a third party to induce an inflow of savings to the institution.

(4) When there has been two or more changes in record ownership of the security property in comparatively rapid succession within a short period of time, each such change being accompanied by a material increase in the reported purchase price.

(5) When the beneficial owner of the real estate is not directly obligated to the institution for the repayment of the debt.

(6) When an appraisal of income-producing real estate or vacant land, excepting such real estate being utilized in farming or similar agricultural pursuits, has not been made by a professional appraiser within a 3-year period preceding the Board's examination.

(7) When loan applications, contracts of sale, or other documents submitted to induce and support the granting of loans to finance the purchase of security properties do not disclose the true purchase prices.

(8) In the case of loans or contracts granted or made to facilitate the sale by the institution of real estate previously acquired by it as a result of foreclosure or voluntary deed in lieu thereof:

(i) When the appraisal supporting the loan or contract to facilitate exceeds by 10 percent or more the appraised value of the real estate at the time of acquisition by the institution, unless both appraisals were made by a professional appraiser or appraisers;

(ii) When the sales price of the real estate sold by the institution is 10 percent or more above or below the appraised value of such real estate at the time of acquisition by the institution, unless the appraisal at the time of acquisition was made by a professional appraiser.

(9) When a loan involves real estate in which an officer, director, employee, or attorney of or for the institution, or any owner of 10 percent or more of the institution's permanent, reserve, or guaranty stock, had a direct or indirect interest, financial or otherwise, of 10 percent or more, excepting real estate occupied by such officer, director, employee, attorney, or stockholder on his or her residence.

(10) When the original amount of a loan exceeds the greater of $100,000 or one-fourth of 1 percent of the institution's assets at the time such loan was granted, except loans secured by single-family dwellings, and the security for which was not appraised by a professional appraiser.

(11) When real estate acquired since the date of the previous examination by foreclosure or voluntary deed in lieu thereof or in exchange for any scheduled items, which remains as real estate owned on the institution's books at the time of the examination, was not appraised by a professional appraiser at the time of acquisition, excepting real estate temporarily held pending transfer to an insuring or guaranteeing agency of the U.S. Government.

(12) When other real estate owned by the institution for a period of 3 or more years (excepting real estate occupied or to be occupied as a home, branch, or service office of such institution) has not been appraised by a professional appraiser within the 3-year period preceding the examination.

(d) *Authority to obtain appraisals, after consultation.* When the trend of the ratio of scheduled items to total assets is such that it raises serious question as to financial condition, when it is apparent that assets secured by real property are worth substantially less than the book value thereof, or when there are other indications of the need to evaluate appraisal practices and policies, the Chief Examiner, after consultation with the Supervisory Agent, is authorized to obtain, as a part of and in connection with an examination, appraisals of the real estate securing the insured institution's loans and contracts.

(e) *Other bases for obtaining appraisals.* It is not feasible to identify, or to state categorically or inflexibly, all of the other indications of the need to evaluate appraisal practices and policies. Many factors must be considered separately and in context in the light of the operations of each institution, and economic conditions as they exist. However, the following broad areas of operation by an insured institution will be of paramount supervisory concern and essential facts and information with respect to such matters will in large measure constitute the basis for determining whether or not appraisals should be made.

(1) *Increase in funds for mortgage lending.* The extent to which the institution's expense ratio and dividend rate necessitate or have produced volume lending or lending at interest rates, or at interest rates plus fees, which ma-

terially exceed rates charged by responsible lenders in the area on prime real estate security—in order to provide sufficient revenue to pay expenses and dividends—are matters of much importance. In evaluating this aspect or area of an institution's operations consideration will be given not only to the dividend rate and expense ratio as compared to other comparable institutions in the same business area, but also to such matters as bonus (on top of a competitive dividend rate); inflow of savings from or through brokers; advertising of rate or rate increases in a manner or by means which indicate pressure solicitation of savings; extensive rate advertising in media outside the institution's normal business area; use of give-aways, direct or through brokers, and any solicitation practices generally recognized as being inconsistent with accepted standards in the conduct of responsible financial institutions. In order to evaluate the extent of any mortgage lending pressures to which the institution is subjecting itself, consideration may also need to be given to the use of borrowed money and to sales of loans for relending purposes.

(2) *Increase in mortgage lending.* A material increase in the amount of loans made, as compared to an approximate equal period next preceding that covered by an examination, might be indicative of lending policies and practices which would call for appraisals. A determination to have appraisals made in connection with an examination would be well based if any of the following conditions or practices are found, particularly when such conditions or practices are coupled to the mortgage lending pressures described above.

(i) A significant amount of loans made at interest and/or fee charges which are higher than charges generally being made by other comparable institutions in the area.

(ii) Loans made to borrowers with whom the institution has previously had material difficulty.

(iii) A series of loans or advances within a short period of time, on the same security property, particularly if these transactions are accompanied by increased appraisals without commensurate improvement of or addition to the security.

(iv) Material concentration of loans on real estate in declining areas, or to a few speculative or operative builders.

(v) Appraisal of real estate security at amounts which substantially exceed sales prices, particularly in the case of new construction which is sold on a competitive, free market and not subject to temporary adverse economic conditions in the community or to other considerations which in certain limited circumstances might justify an appraisal in excess of purchase price.

(vi) Disbursement of construction loan proceeds in advance of the progress of construction or of value at the time disbursement is made.

(vii) Inadequate loan applications, credit information, or documentation of the disbursement of proceeds of loans.

(viii) Granting or extension of mortgage credit to speculative builders when the borrower is already indebted to the institution on loans secured by properties which have remained unsold for a substantial period of time following completion.

(3) *Other considerations.* (i) While the condition and operations of an institution as measured by the factors enumerated above would generally be determinative, the identification of those matters is not intended as even a suggestion that consideration should not be given to other matters, separately or in context with one or more of the factors stated.

(ii) Among other considerations to which careful attention should be given in connection with a determination as to whether or not appraisals should be made are:

(*a*) Failure to follow an aggressive collection policy or to observe recognized standards in determining the ability of borrowers to undertake and to pay their mortgage obligations.

(*b*) Inventory of completed but unsold houses in the institution's lending area, particularly where the institution is continuing to make speculative construction loans or is subject to the investment pressures previously described.

(*c*) The number and amount of speculative construction loans as to which there is a relatively substantial deficiency in funds available for completion of construction.

(f) *Selection of appraiser.* The Board's Chief Examiner for the Federal Home Loan Bank district in which the home office of an insured institution is located will select the professional appraiser or appraisers to make appraisals under this program. When making the selection, the Chief Examiner shall, insofar as is feasible, make such selection from those professional appraisers who do not regularly make appraisals for competing institutions in the community.

(g) *Purpose and type of appraisals.* (1) The purpose of obtaining appraisals is to provide information and data essential to the proper discharge of the Board's supervisory responsibilities. The facts of each particular situation will, in large measure, determine the type of appraisal activity. Thus, appraisals may be obtained in order to test overall appraisal policies and practices, to determine the results of the application of specific policies and practices in relation to specific lending areas or property types, to estimate potential losses, etc. The Chief Examiner will select such appraisal procedure as will, in his opinion, best disclose the deficiencies and permit such supervisory action as may be appropriate.

(2) The Chief Examiner may obtain the services of a professional appraiser to make actual, physical appraisal of specific properties, to review and evaluate the institution's appraisal policies and procedures, or to make a preliminary appraisal or survey. The latter procedure is to estimate the highest and best use of the property, to select the approach which, in his opinion, will develop the most rational value indication, to ascertain whether the neighborhood is improving stabilizing or declining, to determine the condition of the property, etc. Dependent on the purpose of the appraisal assignment the Chief Examiner may select any one or combination of the three procedures.

(3) Regardless of the appraisal procedure utilized, the professional appraiser will submit a written report of his findings to the Chief Examiner. When a preliminary appraisal survey is made, the professional appraiser's report of findings will specifically include an opinion regarding the sufficiency of data and the reasonableness of estimates of value shown on the institution's reports of appraisal.

(h) *Selection of properties to be appraised.* An examiner designated by the Chief Examiner will select properties to be appraised. Depending on the purpose of the appraisals, selection may encompass a sampling of the security for the newer loans, the security for the entire loan portfolio, the security for substandard loans, the security for certain types of classes of loans, or real estate owned.

(i) *When appraisals need not be obtained.* (1) Appraisals need not be obtained in connection with the examination of any state-chartered insured institution the home office of which is located in a state where the appropriate state supervisory authority has established and maintains an appraisal procedure acceptable to the Board whereby appraisals on the staff of such state authority make appraisals of real estate security in connection with examinations of each such insured institution, provided that the results of such appraisals are made known by such state authority, in writing, to the Board's Supervisory Agent for the Federal Home Loan Bank district in which such state is located.

(2) Appraisals generally need not be obtained on:

(i) Real estate securing insured or guaranteed loans;

(ii) Real estate securing loans or contracts purchased from the Corporation within the preceding 3-year period;

(iii) Real estate securing loans or contracts acquired as a result of a merger or purchase of assets made for supervisory purposes within the preceding 3-year period;

(iv) Real estate acquired as a result of a merger or purchase of assets for supervisory purposes within the preceding 3-year period;

(v) Real estate previously appraised as a part of and in connection with an examination by the Board's examiners, except:

(*a*) Income-producing real estate or vacant land (exclusive of such real estate utilized in farming or similar agricultural pursuits) not appraised by a professional appraiser within a 3-year period preceding the examination; and

(*b*) Real estate (exclusive of that occupied or to be occupied as a home, branch or service office of the institution) owned by the institution for a period of 3 or more years and which has not been appraised by a professional appraiser within the 3-year period preceding the examination.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726; Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-6217; Filed, June 6, 1966; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER M—MISCELLANEOUS

PART 273—RESEARCH GRANTS AND TITLE TO EQUIPMENT PURCHASED UNDER GRANTS

The Secretary of Defense approved the following revision to Part 273 on April 26, 1966:

Sec.
273.1 Purpose.
273.2 Applicability and scope.
273.3 Definitions.
273.4 Policy.
273.5 Responsibility and authority.
273.6 Grant agreements.
273.7 Administration of grants.
273.8 Reporting.

AUTHORITY: The provisions of this Part 273 issued under R.S. 161, 5 U.S.C. 22; 10 U.S.C. 2220?; secs. 1–3, 72 Stat. 1793, 42 U.S.C. 1891–1893.

§ 273.1 Purpose.

This part—

(a) Establishes uniform Department of Defense policy for (1) making grants for the support of scientific research and (2) vesting title under grants to equipment purchased with research funds.

(b) Delegates authority of the Secretary of Defense under P.L. 85–934, "An Act to Authorize the Expenditure of Funds Through Grants for Support of Scientific Research and for Other Purposes," approved September 6, 1958.

§ 273.2 Applicability and scope.

The provisions of this part apply to all DoD Components delegated authority under § 273.5 to enter into grant agreements, or assigned administrative responsibilities for awarding scientific research grants to educational institutions and other nonprofit organizations.

§ 273.3 Definitions.

As used herein, the following definitions apply:

(a) *Grant.* An award of funds or equipment included in a written agreement executed by a grantor agency of the Department of Defense through its contracting activities under the authority of P.L. 85–934.

(b) *Grantor agency.* DoD Component authorized hereby to make grants in support of research.

(c) *Research.* All effort directed toward increased knowledge of natural phenomena and environment and efforts directed toward the solution of problems in the physical, behavioral, engineering, environmental, social, and biomedical sciences.

(d) *Educational institution of other nonprofit organization.* Any corporation, foundation, trust or institution operated for purposes of higher education or whose primary purpose is the conduct of scientific research, not organized for profit, no part of whose net earnings inures to the profit of any private shareholder or individual.

§ 273.4 Policy.

The awarding of research grants and vesting of title to equipment purchased with research funds in the grantee organizations increases Department of Defense flexibility in arranging for the conduct of pertinent research, and generally serves the objectives of both the grantee and the DoD; this policy shall be applied as follows:

(a) A grant will be used, instead of a contract, for the support of research when authorized by P.L. 85–934 and determined best to further DoD objectives. Grants shall generally not be made for more than 5 years.

(1) In making the determination, consideration shall be given to the nature and scope of the research, and such factors as the relative simplicity in execution, ease in administration, and latitude in payment arrangements permitted by the grant.

(2) Prior to awarding a grant, the responsible DoD Component will determine that the grantee institution has furnished a letter of assurance that it is complying with the provisions of P.L. 88–352 "The Civil Rights Act of 1964," as outlined in DoD Directive 5500.11, "Nondiscrimination in Federally Assisted Programs," December 28, 1964 (Part 300 of this chapter) (29 F.R. 19291).

(3) Compliance must be assured with limitations such as those contained in P.L. 89–213, "Department of Defense Appropriation Act, 1966," section 638, which specified that "none of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project," and any similar later enactments.

(4) The award of foreign grants will follow Department of Defense policies for procurements of scientific and technical knowledge resulting in expenditures outside the United States. See section VI, part 8, of the Armed Services Procurement Regulation now set forth in Defense Procurement Circular 29 dated June 4, 1965.

(b) Pursuant to BoB Circular A–74, "Participation in the Costs of Research Supported by Federal Grants," December 13, 1965, grantees with funds from a non-Federal source must share in the cost of a research project on more than a token basis. Participation in the costs of research by such institutions or organizations reflects mutuality of interest. Grantor agencies should generally continue their present policies and practices concerning the extent of cost participation by grantee institutions:

(1) Except for increased indirect cost allowances which may be paid as a result of the removal of statutory limitations on payment of such allowances;

(2) Except that in cases where grantor agencies would otherwise pay all research costs, the applicant institution must share in such research costs on more than a token basis.

The amount of cost participation shall be determined on an individual grant basis, and no fixed amount or rate shall be established for general application. However, it is suggested that in most cases cost participation should principally be part, or all, of the salaries of permanent staff members participating in the research.

(c) Title to all or any part of the equipment purchased with research grant funds may be vested in the grantee organization which conducted or will conduct the research. Prior to vesting title, pursuant to P.L. 85–934, a determination must be made that such action furthers the objectives of the DoD. In making this determination, such factors as the following shall be considered:

(1) The retention of title in the DoD creates an administrative burden not warranted by the value of the equipment.

(2) The administration and keeping of records by the grantee organization becomes prohibitively complicated or expensive.

(3) The expense involved in redistributing or relocating particular equipment exceeds the value of the equipment.

(d) The services of the Defense Documentation Center, Defense Supply Agency, will be provided to DoD grantee organizations in the same manner as to DoD Contractors.

§ 273.5 Responsibility and authority.

(a) The Director, Defense Research and Engineering, will administer the provisions of this part.

(b) Grants in excess of $1 million will be approved only by the Secretary or Deputy Secretary of Defense.

(c) The authority vested in the Secretary of Defense by sections 1 and 2 of P.L. 85–934 is hereby delegated to the Director of Defense Research and Engineering and the Secretaries of the Military Departments for grants of $1 million or less. This authority may be redelegated to DoD research activities whose responsibilities include the support of research at educational institutions and other nonprofit organizations, as defined in § 273.3(d), for grants of $500,000 or less.

§ 273.6 Grant agreements.

Grant agreements shall be brief, containing only those provisions required by statutes, or for the protection of the fundamental interests of the Government. Provision shall be made for:

(a) Grantee's cost participation, pursuant to P.L. 89–213;

(b) Maintenance of adequate records to document the actual amount of cost

participation, and for a determination that grant funds were properly expended;

(c) Patent and data rights, pursuant to section IX of the Armed Services Procurement Regulation (Part 9 of this chapter); and

(d) Revocation of the grant.

§ 273.7 Administration of grants.

(a) Requests for grants must include:

(1) The amounts requested for (i) direct expenses, by category, and (ii) indirect expenses related thereto;

(2) The total grant request; and

(3) The amount, by category, which the institution proposes as its cost sharing contribution, from non-Federal sources, to the planned research.

(b) Applicable cost principles of parts 2 or 3 of section XV of the Armed Services Procurement Regulation (§§ 15.201—15.205–47 or §§ 15.301—15.307–3 of this chapter) will be used in establishing the grant amount. Costs which are not allowable under those parts may not be included in the grantee's cost contribution. Appendices B and C to the Armed Services Procurement Regulation (§§ 30.2 and 30.3 of this chapter) provide guidance in the handling of property to which the Federal Government retains title.

(c) Grantor agencies awarding grants will require grantees to maintain sufficient records to demonstrate that their actual contributions are not less, proportionately, than those originally negotiated. A grantee's cost contribution will be subject to a DoD audit.

(d) The Defense Contract Audit Agency (DCAA) will assist in the auditing of grants, including cost contribution audits, upon request of the responsible grantor agencies.

§ 273.8 Reporting.

The annual reports to the Congress and to the Bureau of the Budget, pursuant to section 3 and paragraph 6 of P.L. 85–934 and BoB Circular A–74, respectively, will be prepared in accordance with procedures issued by the Assistant Secretary of Defense (Installations and Logistics).

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

[F.R. Doc. 66–6175; Filed, June 6, 1966; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart A—Definitions and Procedural and Interpretative Regulations

DELETION OF OBSOLETE MATERIAL

Effective upon publication of this order in the FEDERAL REGISTER, Part 121 is amended by deleting §§ 121.84, 121.89, 121.90, and 121.91, which are obsolete.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: May 25, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–6191; Filed, June 6, 1966; 8:46 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

ACETYLATED MONOGLYCERIDES

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6A1854) filed by Armour & Co., 1015 National Press Building, Washington, D.C., 20004, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of acetylated monoglycerides produced by interesterification of edible fats with triacetin and purified by means of steam stripping. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.1018(a)(1) is revised to read as follows:

§ 121.1018 Acetylated monoglycerides.

* * * * * * *

(a) * * *

(1) The interesterification of edible fats with triacetin and in the presence of catalytic agents that are not food additives or are authorized by regulation, followed by a molecular distillation or by steam stripping; or

* * * * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 25, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–6189; Filed, June 6, 1966; 8:46 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

DEFOAMING AGENTS USED IN COATINGS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6B1856) filed by Virginia Chemicals, Inc., West Norfolk, Va., 23703, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of sorbitan monolaurate in the production of defoaming agents used in food-contact coatings. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.2557(d)(3) is amended by inserting alphabetically in the list of substances a new item, as follows:

§ 121.2557 Defoaming agents used in coatings.

* * * * * * *

(d) * * *

(3) * * *

List of substances	*Limitations*
* * *	* * *
Sorbitan monolaurate	

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 27, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–6190; Filed, June 6, 1966; 8:46 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ETHYLENE-VINYL ACETATE COPOLYMERS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6B1906) filed by E. I. du Pont de Nemours & Co., Inc., 1007 Market Street, Wilmington, Del., 19898, and other relevant material, has concluded that the extraction test prescribed by § 121.2570(b) for ethylenevinyl acetate copolymers is unnecessary for these copolymers when used as components of food-packaging adhesives because permitted use in adhesives under the conditions of safe use prescribed by § 121.2520 is not expected to result in significant amounts becoming components of food. (These copolymers are listed in § 121.2520(c)(5) as "Ethylene" and "Vinyl acetate" under "Polymers: Homopolymers and copolymers of the following monomers:".)

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.2570 is amended by adding thereto a new paragraph, as follows:

§ 121.2570 Ethylene-vinyl acetate copolymers.

* * * * * * *

(c) The provisions of paragraph (b) of this section are not applicable to ethylene-vinyl acetate copolymers used in food-packaging adhesives complying with § 121.2520.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 27, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–6192; Filed, June 6, 1966; 8:46 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

VINYLIDENE CHLORIDE COPOLYMER COATINGS FOR NYLON FILM

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 5B1571) filed my Morton Chemical Co., a division of Morton Salt Co., 110 North Wacker Drive, Chicago, Ill., 60606, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of vinylidene chloride copolymer food-contact coatings for nylon film. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Part 121 is amended by adding to Subpart F the following new section:

§ 121.2599 Vinylidene chloride copolymer coatings for nylon film.

Vinylidene chloride copolymer coatings identified in this section and applied on nylon film may be safely used as food-contact surfaces, in accordance with the following prescribed conditions:

(a) The coating is applied as a continuous film over one or both sides of a base film produced from nylon resins complying with § 121.2502.

(b) The coatings are prepared from vinylidene chloride copolymers produced by copolymerizing vinylidene chloride with acrylonitrile and ethyl acrylate. The finished copolymers contain at least 50 weight-percent of polymer units derived from vinylidene chloride.

(c) Optional adjuvant substances employed in the production of the coatings or added thereto to impart desired properties may include sodium dodecylbenzenesulfonate.

(d) The coating in the finished form in which it is to contact food, when extracted with the solvent or solvents characterizing the type of food, and under conditions of time and temperature characterizing the conditions of its intended use as determined from tables 1 and 2 of § 121.2526(c), shall yield net chloroform-soluble extractives not to exceed 0.5 milligram per square inch of coated surface when tested by the methods described in § 121.2526(d).

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 31, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–6193; Filed, June 6, 1966; 8:46 a.m.]

SUBCHAPTER C—DRUGS

PART 130—NEW DRUGS

Subpart A—Procedural and Interpretative Regulations

EXEMPTIONS FOR NEW DRUGS FOR INVESTIGATIONAL USE; TERMINATIONS

The Commissioner of Food and Drugs has determined that the procedural new drug regulations should be amended as set forth below to provide for the situation in which the interests of the public health require that an exemption from section 505(a) of the act for an investigational new drug be immediately terminated.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 701(a), 52 Stat. 1052 as amended, 1055; 21 U.S.C. 355, 371(a)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), the new drug regulations are amended as follows:

Section 130.3 *New drugs for investigational use in human beings; exemptions from section 505(a)* is amended by adding the following new sentences to the end of paragraph (d): "If at any time, the Commissioner concludes that continuation of a new drug investigation presents an imminent hazard to the public health, he shall terminate the exemption forthwith, notify the sponsor of the termination, and inform the sponsor that the exemption is subject to reinstatement on the basis of additional submissions which eliminate such hazard(s). The sponsor shall recall the unused supplies of the drug."

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order since section 4(a) of the Administrative Procedure Act so provides with respect to amending procedural regulations.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Secs. 505, 701(a), 52 Stat. 1052 as amended, 1055; 21 U.S.C. 355, 371(a))

Dated: May 26, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66–6194; Filed, June 6, 1966; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7313; Amdt. 479]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following low or medium frequency range procedures prescribed in § 97.11(a) to read:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300–1	300–1	300–1¼
				C-dn	500–1	500–1	500–1⅓
				S-dn-11	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Procedure turn S side W crs, 254° Outbnd, 074° Inbnd, 1500′ within 10 miles.
Minimum altitude over facility on final approach crs, 700′.
Crs and distance, facility to airport, 106°—2.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 miles after passing Yakutat LFR, climb to 1700′ on S.E. crs, 111° Outbnd, within 15 miles.
MSA within 25 miles of facility: NE—6700′; SE—2000′; SW—2000′; NW—8000′.

City, Yakutat; State, Alaska; Airport name, Yakutat; Elev., 37′; Fac. Class., SBRAZ; Ident., YK; Procedure No. 1, Amdt. 8; Eff. date, 28 May 66; Sup. Amdt. No. 7; Dated, 16 Nov. 63

2. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ITH VOR	Alpine RBn (final)	Direct	3500	T-dn 6-24°	800–1½	800–1½	800–1½
Int V252/V35	Alpine RBn	Direct	3300	T-d 10–28°	800–2	800–2	800–2
ELM VOR	Alpine RBn	Direct	3500	T-n 10–28°	800–3	800–3	800–3
Sayre Int	Alpine RBn	Direct	3300	C-d	1200–2	1200–2	1200–2
Int V252/239° bearing to Alpine RBn	Alpine RBn (final)	Direct	3500	C-n	1200–3	1200–3	1200–3
				A-d	1800–2	1800–2	1800–2
				A-n	1800–3	1800–3	1800–3

Procedure turn N side of final approach crs, 059° Outbnd, 239° Inbnd, 3500′ within 10 miles of Alpine RBn.
Minimum altitude over facility on final approach crs, 3300′.
Crs and distance, facility to airport, 239°—7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7 miles after passing Alpine RBn, climb on crs, 239° to 2500′ within 10 miles. Then proceed direct to ELM VOR, climbing to 3500′. Hold W, ELM VOR, 1-minute right turns, 056° Inbnd.
AIR CARRIER NOTE: Sliding scale not authorized. No reduction in landing visibility minimums authorized for local conditions. No reduction in takeoff minimums authorized.
CAUTION: *Runway 1–19 not authorized for IFR departures.
Departure procedures: Runway 6: Climb Outbnd on the localizer crs through 2500′ before proceeding as cleared. Runway 24: Climb on the ELM VOR, R 066° toward ELM VOR through 2500′ before proceeding as cleared. Runway 28: Make left-climbing turn as soon as practical after takeoff to intercept the ELM VOR, R 066°, then via the ELM VOR, R 066° toward the ELM VOR until through 2500′ before proceeding as cleared. Runway 10: Make left turn as soon as practical after takeoff proceeding on a direct crs to the Alpine RBn until through 2500′ before proceeding as cleared.
NOTE: High terrain, N and S of airport. High towers, S of airport.
MSA within 25 miles of facility: 090°–180°—3900′; 180°–090°—3600′.

City, Elmira; State, N.Y.; Airport name, Chemung County; Elev., 961′; Fac. Class., MHW; Ident., ALP; Procedure No. 1, Amdt. 5; Eff. date, 28 May 66; Sup. Amdt. No. 4; Dated, 5 Feb. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Garden City VOR	GCK RBn	Direct	4800	T-dn	300–1	300–1	300–1¼
				C-d	500–1	500–1	500–1¼
				C-n*	500–2	500–2	500–2
				S-d-12	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 313° Outbnd, 133° Inbnd, 4500′ within 10 miles.
Minimum altitude over facility on final approach crs, 4500′.
Crs and distance, facility to airport, 133°—6.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.8 miles after passing RBn, climb to 4500′ on 133° bearing from GCK RBn within 10 miles of airport, make right turn, return GCK RBn.
*Lights operating on Runways 17–35 only.
MSA within 25 miles of facility: 000°–090°—4000′; 090°–270°—4800′; 270°–360°—4400′.

City, Garden City; State, Kans.; Airport name, Garden City Municipal; Elev., 2896′; Fac. Class., H–SAB; Ident., GCK; Procedure No. 1, Amdt. 3; Eff. date, 28 May 66; Sup. Amdt. No. 2; Dated, 10 Apr. 65

IDA VOR	RBn	Direct	7100	T-dn*	300–1	300–1	300–1¼
Rigby Int	RBn (final)	Direct	8400	C-dn	500–1	500–1	500–1½
				S-dn-20	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 019° Outbnd, 199° Inbnd, 7100′ within 10 miles.
Minimum altitude over facility on final approach crs, 8400′.
Crs and distance, facility to airport, 199°—2.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.2 miles after passing IDA RBn, climb to 7000′ on 199° crs of IDA RBn within 10 miles.
*Takeoff all runways: Shuttle climb on 196° crs from IDA RBn within 20 miles to minimum altitude required for direction of flight.

Direction of flight	MCA
E, V–330	6400

MSA within 25 miles of facility: 000°–090°—10,000′; 090°–180°—8600′; 180°–270°—7900′; 270°–360°—7200′.

City, Idaho Falls; State, Idaho; Airport name, Fanning Field; Elev., 4730′; Fac. Class., H–SAB; Ident., IDA; Procedure No. 1, Amdt. 4; Eff. date, 28 May 66; Sup. Amdt. No. 3; Dated, 17 July 65

				T-dn	300–1	300–1	300–1¼
				C-dn	500–1	500–1	500–1½
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn* E or N side of crs, 058° Outbnd, 238° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 900′.
Crs and distance, facility to airport, 238°—2.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles after passing RBn, make climbing right turn to 2000′, returning to RBn. Hold NE, 1-minute right turns, Inbnd crs, 238°.
*Nonstandard to provide improved lateral separation with Willow Grove, Pa., and McGuire AFB. The direction of procedure turn to be specified during approach clearance
MSA within 25 miles of facility: 000°–180°—1800′; 180°–270°—2400′; 270°–360°—2000′.

City, Philadelphia; State, Pa.; Airport name, North Philadelphia; Elev., 120′; Fac. Class., MHW; Ident., PNE; Procedure No. 1, Amdt. 2; Eff. date, 28 May 66; Sup. Amdt. No. 1; Dated, 15 June 63

				T-dn	300–1	300–1	200–1¼
				C-dn	500–1	500–1	500–1½
				S-dn-11	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 286° Outbnd, 106° Inbnd, 1200′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 700′.
Crs and distance, facility to airport, 106°–2.7.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 miles after passing YK LFR, climb to 1700′ on crs, 111° within 15 miles.
MSA within 25 miles of facility: 000°–090°—6700′; 090°–180°—2000′; 180°–270°—2000′; 270°–360°—8000′.

City, Yakutat; State, Alaska; Airport name, Yakutat; Elev., 37′; Fac. Class., SBRAZ; Ident., YK; Procedure No. 1, Amdt. 8; Eff. date, 28 May 66; Sup. Amdt. No. 5; Dated, 16 Nov. 63

3. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn	300–1	300–1	200–½
				C-d	700–1	700–1	700–1½
				C-n	700–2	700–2	700–2
				A-dn	800–2	800–2	800–2
				DME minimums—DME equipment required:			
				C-dn	500–1	500–1	500–1

Procedure turn N side of crs, 108° Outbnd, 288° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′; over 6-mile DME Fix, R 288°—1397′.
Crs and distance, facility to airport, 288°—9.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.6 miles after passing BRL VOR, make left-climbing turn to 2300′ and return to BRL VOR.
NOTE: When authorized by ATC, BRL VORTAC DME may be used via the 6-mile DME Arc at 2300′ altitude from BRL VOR, R 015° clockwise to R 192° to position aircraft for straight-in approach with the elimination of procedure turn.
CAUTION: 1008′ tower, 2 miles NNW of airport.
MSA within 25 miles of airport: 000°–360°—2300′.

City, Burlington; State, Iowa; Airport name, Burlington Municipal; Elev., 697′; Fac. Class., BVORTAC; Ident., BRL; Procedure No. 1, Amdt. 1; Eff. date, 26 May 66; Sup. Amdt. No. Orig.; Dated, 8 Sept. 62

				T-dn	300–1	300–1	200–½
				C-d	700–1	700–1	700–1
				C-n	700–2	700–2	700–2
				S-d-9	700–1	700–1	700–1
				S-n-9	700–2	700–2	700–2
				A-dn	NA	NA	NA
				DME minimums—DME equipment required:			
				C-dn	500–1	500–1½	500–1
				S-dn-9	500–1	500–1	500–1

Procedure turn S side of crs, 270° Outbnd, 090° Inbnd, 2500′ within 10 miles.
Minimum altitude over 7-mile DME Fix on final approach crs, 1825′.
Crs and distance, facility to airport, 090°—10.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 10.1 miles of GSH VOR, climb to 2500′ on R 090° within 20 miles.
NOTES: (1) No weather available. (2) Obtain South Bend altimeter setting. (3) When authorized by ATC, DME may be used via 6-mile DME Arc at 2500′ between R 150° clockwise to R 270° and 2900′ between R 270° clockwise to R 030° to position aircraft for straight-in approach with the elimination of the procedure turn.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—2400′; 180°–270°—2300′; 270°–360°—3000′.

City, Goshen; State, Ind.; Airport name, Goshen; Elev., 825′; Fac. Class., BVOR; Ident., GSH; Procedure No. 1, Amdt. 4; Eff. date, 28 May 66; Sup. Amdt. No. 3; Dated, 14 Nov. 64

				T-dn	300–1	300–1	200–½
				C-dn	700–1	700–1	700–1½
				S-dn-13*	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2
				If aircraft is equipped with operating VOR/DME and Lyman 4-mile DME Fix is received, minimums become:			
				S-dn-13#	400–1	400–1	400–1

Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 1500′ within 10 miles.
Minimum altitude over facility on final approach crs, 800′ (400′ if Lyman 4-mile DME Fix is identified).
Facility on airport. Bearing and distance, breakoff point to Runway 13, 130°—0.3 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of GPT VORTAC, turn left, climb to 1500′ on R 320°, GPT VORTAC within 20 miles.
CAUTION: 425′ tower, 1.1 miles SSW of airport.
NOTE: When authorized by ATC, DME may be used within 15 miles at 1800′ to position aircraft for straight-in approach with the elimination of procedure turn.
* Reduction not authorized.
400–¾ authorized with operative high-intensity runway lights, except for 4-engine turbojet aircraft.
MSA within 25 miles of facility: 000°–090°—1900′; 090°–180°—1300′; 180°–270°—1300′; 270°–360°—2600′.

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28′; Fac. Class., BVORTAC; Ident., GPT; Procedure No. 1, Amdt. Orig.; Eff. date, 26 May 66

Cedar Rapids LOM	IOW VOR	Direct	2500	T-dn	300–1	300–1	200–½
CID VOR	IOW VOR	Direct	2500	C-d	600–1	600–1	600–1½
				C-n	600–2	600–2	600–2
				S-d-35	600–1	600–1	600–1
				S-n-35	600–2	600–2	600–2
				A-dn&	NA	NA	NA
				DME minimums—DME equipment required:			
				C-dn	600–1	600–1	600–1½
				S-dn-35	500–1	500–1	500–1

Radar available.
Procedure turn W side of crs, 196° Outbnd, 019° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, 2400′; over 5-mile DME Fix, R 019°—1261′.
Crs and distance, facility to airport, 019°—7.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.5 miles after passing IOW VOR, make right turn, climb to 2400′ and return to IOW VOR.
NOTES: (1) Obtain Cedar Rapids altimeter setting. (2) When authorized by ATC, IOW VORTAC DME may be used via 7-mile Arc at 2400′ altitude from IOW VOR, R 073° clockwise to R 265° to position aircraft for straight-in approach with elimination of procedure turn. (3) Minimum radar altitudes: 000° clockwise to 360°—0 to 10 miles from IOW VOR: 2400′. 265° clockwise to 140°—10 to 15 miles from IOW VOR: 2500′.
& Alternate minimums of 800–2 authorized for those air carriers with approved weather reporting service.
MSA within 25 miles of facility: 000°–360°—2200′.

City, Iowa City; State, Iowa; Airport name, Iowa City Municipal; Elev., 661′; Fac. Class., L-BVORTAC; Ident., IOW; Procedure No. 1, Amdt. 4; Eff. date, 28 May 66; Sup. Amdt. No. 3; Dated, 10 Oct. 64

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Airways	LVL VOR			T-d	300–1	300–1	NA
				C-d	600–1	600–1	NA
				A	NA	NA	NA

Procedure turn S side of crs, 303° Outbnd, 123° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 123°—5.9 miles (includes sod runway).
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing VOR, make right-climbing turn to 2000′ returning to VOR. Hold NW 303° radial, 1-minute right turns, 123° Inbnd.
NOTE: Obtain Blackstone FSS weather and altimeter setting before conducting IFR approach.
CAUTION: R–6602—9 miles N, LVL VOR.
MSA within 25 miles of facility: 000°–360°—1800′.

City, Lawrenceville; State, Va.; Airport name, Lawrenceville Municipal; Elev., 325′; Fac. Class., LBVOR; Ident., LVL; Procedure No. 1, Amdt. Orig.; Eff. date, 28 May 66

				T-dn	300–1	300–1	NA
				C-dn	600–1	600–1	NA
				A-dn*	NA	NA	NA

Radar available.
Procedure turn W side of crs, 317° Outbnd, 137° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 137°—5.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.2 miles after passing JAN VOR, climb to 2500′ on R 137° within 20 miles or, when directed by ATC, turn left, climb to 2000′, and return direct to JAN VOR.
NOTES: (1) Aircraft will cancel IFR with JAN approach control prior to landing and upon reaching visual flight conditions. Aircraft will not take off without prior ATC approval. (2) When authorized by ATC, DME may be used within 30 miles at 3000′ to position aircraft for straight-in approach with the elimination of procedure turn.
* Nearest weather observation at Jackson Airport (Thompson Field).
MSA within 25 miles of facility: 000°–090°—1700′; 090°–180°—1700′; 180°–270°—3000′; 270°–360°—1800′.

City, Madison; State, Miss.; Airport name, Bruce Campbell Field; Elev., 324′; Fac. Class., BVORTAC; Ident., JAN; Procedure No. 1, Amdt. 3; Eff. date, 28 May 66; Sup. Amdt. No. 2; Dated, 19 Aug. 65

				T-d	300–1	300–1	NA
				C-d	600–1	600–1	NA
				A-dn	NA	NA	NA

Procedure turn N side of crs, 130° Outbnd, 310° Inbnd, 2300′ within 10 miles.
Facility on airport.
Minimum altitude over facility on final approach crs, 795′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile make immediate right-climbing turn, climb on SBJ VOR, R 130° to 1600′ within 5 miles, return to the SBJ VOR climbing to 2300′. Hold SE, SBJ VOR, R 130°, 1-minute right turns.
CAUTION: 900′ terrain, 3.7 miles NW of airport.
MSA within 25 miles of facility: 270°–090°—2500′; 090°–180°—1600′; 180°–270°—2000′.

City, Readington; State, N.J.; Airport name, Solberg-Hunterdon; Elev., 195′; Fac. Class., LBVORTAC; Ident., SBJ; Procedure No. 1, Amdt. 3; Eff. date, 28 May 66; Sup. Amdt. No. 2; Dated, 11 July 64

				T-dn	800–1	800–1	NA
				C-dn	400–1	400–1	NA
				A-dn	NA	NA	NA

Radar available.
Procedure turn S side of crs, 089° Outbnd, 269° Inbnd, 2200′ within 10 miles.
Minimum altitude over facility on final approach crs, 2200′.
Crs and distance, facility to airport, 269°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing FML VOR, make left turn, climb to 2500′ and proceed direct to FML VOR. Hold S, 1-minute right turns.
NOTE: Contact Charlotte approach control on appropriate frequency for IFR clearance.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2000′; 180°–270°—2100′; 270°–360°—3000′.

City, Rock Hill; State, S.C.; Airport name, Rock Hill Municipal; Elev., 666′; Fac. Class., L-BVOR; Ident., FML; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 26 May 66

				T-d	800–1	800–1	NA
				C-d	800–1	800–1	NA
				S-d	NA	NA	NA
				A-d	NA	NA	NA

Procedure turn S side of crs, 228° Outbnd, 048° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 048°—8.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.6 miles after passing CCV VOR, make right-climbing turn to 1900′, proceed direct to CCV VOR. Hold SW, right turns, 048° Inbnd.
NOTES: (1) Obtain weather altimeter setting from Norfolk area radio before conducting IFR approach. (2) Hours of operation 8 a.m. to 5 p.m.
MSA within 25 miles of facility: All directions, 1600′.

City, Weirwood; State, Va.; Airport name, Kellam Field; Elev., 15′; Fac. Class., BVORTAC; Ident., CCD; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 21 May 66

4. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Dry Fork Int	DAN VOR	Direct	2700	T-dn	300–1	300–1	200–½
Milton Int	DAN VOR	Direct	2300	C-dn	500–1	500–1	500–1½
				S-dn-2	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available (Greensboro approach control).
Procedure turn E side of crs. 212° Outbnd, 032° Inbnd, 2200′ within 10 miles.
Minimum altitude over Gateway Int on final approach crs, 1100′.
Crs and distance, Gatewood Int to VOR, 032°—2.4 miles. Breakoff point to approach end of Runway 2, 020°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing DAN VOR, make right-climbing turn to 2200′, hold SW on DAN VOR, R 212°, 1-minute right turns.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—1900′; 180°–270°—2600′; 270°–360°—3100′.

City, Danville; State, Va.; Airport name, Danville Municipal; Elev., 582′; Fac. Class., L-BVOR; Ident., DAN; Procedure No. Ter VOR-2, Amdt. 8; Eff. date, 28 May 66; Sup. Amdt. No. 7; Dated, 14 May 66

South Boston VOR	Rock Spring Int	Direct	2300	T-dn	300–1	300–1	200–½
Dry Fork Int	Danville VOR	Direct	2700	C-dn	500–1	500–1	500–1½
Milton Int	Danville VOR	Direct	2300	S-dn-24	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available (Greensboro approach control).
Procedure turn N side of crs, 048° Outbnd, 228° Inbnd, 2300′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over Rock Spring Int on final approach crs, 1100′.
Crs and distance, Rock Spring Int to VOR, 228°—6 miles. Breakoff point to runway, 241°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing DAN VOR, make right-climbing turn to 2300′, hold NE on DAN VOR, R 048°, 1-minute right turns.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—1900′; 180°–270°—2600′; 270°–360°—3100′.

City, Danville; State, Va.; Airport name, Danville Municipal; Elev., 582′; Fac. Class., L-BVOR; Ident., DAN; Procedure No. Ter VOR-24, Amdt. 4; Eff. date, 28 May 66; Sup. Amdt. No. 3; Dated, 14 May 66

				T-dn	300–1	300–1	200–½
				C-dn*	500–1	500–1	500–1½
				S-dn-17	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2
				DME minimums—DME equipment required:			
				C-dn*	400–1	500–1	500–1½
				S-dn-17	400–1	400–1	400–1

Procedure turn W side of crs, 353° Outbnd, 173° Inbnd, 4100′ within 10 miles.
Minimum altitude over 4-mile DME Fix, R 353°, on final approach crs, 3395′.
Facility on airport. Breakoff point to Runway 17, 169°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing GCK VOR, climb to 4100′ on GCK, R 160° within 10 miles. Make left turn, return to GCK VOR.
NOTE: When authorized by ATC, GCK VORTAC DME may be used via 10-mile Arc at 4400′ altitude from R 270° clockwise to R 086° to position aircraft for straight-in approach with elimination of procedure turn.
*Lights operating on Runways 17/35 only.
MSA within 25 miles of facility: 000°–090°—4000′; 090°–270°—4600′; 270°–360°—4400′.

City, Garden City; State, Kans.; Airport name, Garden City Municipal; Elev., 2895′; Fac. Class., BVORTAC; Ident., GCK; Procedure No. TerVOR-17, Amdt. 4; Eff. date, 28 May 66; Sup. Amdt. No. 3; Dated, 10 Apr. 66

				T-dn	300–1	300–1	200–½
				C-dn*	600–1	600–1	600–1½
				S-dn-35	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2
				DME minimums—DME equipment required:			
				C-dn*	400–1	500–1	500–1½
				S-dn-35	400–1	400–1	400–1

Procedure turn E side of crs, 160° Outbnd, 340° Inbnd, 4500′ within 10 miles.
Minimum altitude over 4-mile DME Fix, R 160, on final approach crs, 3495′.
Facility on airport. Breakoff point to Runway 35, 349°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing GCK VOR, climb to 4100′ on R 353° within 10 miles. Make left turn and return to GCK VOR, hold N, 173° Inbnd, right turns, 1-minute pattern.
NOTE: When authorized by ATC, GCK VORTAC DME may be used via 10-mile Arc at 4700′ altitude from R 086° clockwise to R 270°, to position aircraft for straight-in approach with elimination of procedure turn.
*Lights operating on Runways 17/35 only.
MSA within 25 miles of facility: 000°–090°—4000′; 090°–270°—4800′; 270°–360°—4400′.

City, Garden City; State, Kans.; Airport name, Garden City Municipal; Elev., 2895′; Fac. Class., BVORTAC; Ident., GCK; Procedure No. TerVOR-35, Amdt. Orig.; Eff. date, 28 May 66

PROCEDURE CANCELED, EFFECTIVE 26 MAY 1966.

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28′; Fac. Class., BVOR; Ident., GPT; Procedure No. TerVOR-13, Amdt. 6; Eff. date, 2 Oct. 65; Sup. Amdt. No. 5; Dated, 26 Dec. 64

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
IDA RBn	VOR	Direct	6500	T-dn%	300–1	300–1	200–½
Rigby Int	VOR	Direct	6200	C-dn	500–1	500–1	500–1½
Shelley Radar Fix (R 206°/10 miles)	VOR (final)	Direct	5200	S-dn-2°	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side crs, 206° Outbnd, 026° Inbnd, 6200′ within 10 miles. Nonstandard due to high terrain E.
Minimum altitude over facility on final approach crs, 5200′.
Crs and distance, breakoff point to Runway 2, 021°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing IDA VOR, climb to 7000′ on R 013° within 10 miles, or when directed by ATC, within 0 mile after passing IDA VOR, turn left climbing to 7000′ on R 196° of IDA VOR within 10 miles.
*500–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
%Takeoff all runways: Shuttle climb on R 196° of IDA VOR within 20 miles to minimum altitude required for direction of flight.

Direction of flight	MCA
E, V–330	6400

MSA within 25 miles of facility: 000°–090°—9400′; 090°–180°—8600′; 180°–270°—7900′; 270°–360°—7000′.

City, Idaho Falls; State, Idaho; Airport name, Fanning Field; Elev., 4730′; Fac. Class., BVOR; Ident., IDA; Procedure No. VOR-2, Amdt. 8; Eff. date, 28 May 66; Sup. Amdt. No. 7; Dated, 17 July 65

IDA RBn	VOR	Direct	6500	T-dn%	300–1	300–1	200–½
Rigby Int	IDA RBn (final)	Direct	5400	C-dn*	500–1	500–1	500–1½
				S-dn-20#§	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 013° Outbnd, 193° Inbnd, 6200′ within 10 miles.
Minimum altitude over IDA RBn on final approach crs, 5400′; over VOR, 5100′.
Crs and distance, breakoff point to Runway 20, 201°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of IDA VOR, climb to 7000′ on R 196°, IDA VOR within 10 miles.
*ADF equipment required for descent below 5400′.
#400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
%Takeoff all runways: Shuttle climb on R 196° of IDA VOR within 20 miles to minimum altitude required for direction of flight.

Direction of flight	MCA
E, V–330	6400

MSA within 25 miles of facility: 000°–090°—9400′; 090°–180°—8600′; 180°–270°—7900′; 270°–360°—7000′.

City, Idaho Falls; State, Idaho; Airport name, Fanning Field; Elev., 4739′; Fac. Class., BVOR; Ident., IOA; Procedure No. VOR-20, Amdt. 5; Eff. date, 28 May 66; Sup. Amdt. No. 4; Dated, 17 July 65

15-mile DME Fix, PRB, R 133°	10-mile DME Fix, PRB, R 133°	Direct	9600	T-dn%	300–1	300–1	200–½
10-mile DME Fix, PRB, R 133°	3-mile DME Fix, PRB, R 133°	Direct	7700	C-d	1300–1	1300–1	1300–1½
				C-n	1300–2	1300–2	1300–2
				A-d#	1300–2	1300–2	1300–2
				A-dn§	1300–3	1300–3	1300–3
				If 3-mile DME Fix received, the following minimums apply:			
				C-d	700–1	700–1	700–1½
				C-n	700–2	700–2	700–2

Procedure turn E side of crs, 133° Outbnd, 313° Inbnd, 9600′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over 10-mile DME Fix, 9600′; over 3-mile DME Fix, 2100′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing PRB VOR, turn left, climb to 9600′ on PRB VOR, R 133° within 15 miles. (Caution: 9625′ terrain, 21 miles SE of VOR.)
NOTE: When authorized by ATC, DME may be used at 12 miles at 9600′ between PRB, R 077° clockwise to R 179° to position aircraft for straight-in approach with elimination of procedure turn.
%Takeoffs all runways: Climb in a holding pattern NW of PRB VOR on PRB VOR, R 326° (146° Inbnd), left turns, within 10 miles to cross the VOR at or above the following MCA's: V113—3000′; northbound, V348—3000′; eastbound V25—9000′; southeastbound, V25W—3000′; southbound, V25—5000′; northwestbound, V25E—on crs, climb satisfactory with minimum climb rate of 180′ per mile.
#800′ ceiling authorized for aircraft equipped with operative DME.
MSA within 25 miles of facility: 000°–090°—5400′; 090°–270°—4700′; 270°–360°—5000′.

City, Paso Robles; State, Calif.; Airport name, Paso Robles-County; Elev., 836′; Fac. Class., L-BVORTAC; Ident., PRB; Procedure No. VOR R 133°, Amdt. 4; Eff. date, 26 May 66; Sup. Amdt. No. VOR R 130°, 3; Dated, 16 Oct. 65

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn*	300–1	300–1	200–½
				Minimums when control zone effective:			
				C–d‡	600–1	600–1	600–1½
				C–n‡	600–1½	600–1½	600–1½
				S–dn–5‡	600–1	600–1	600–1
				A–dn‡	800–2	800–2	800–2
				DME minimums—DME equipment required:			
				C–d‡	400–1	600–1	600–1½
				C–n‡	400–1½	600–1½	600–1½
				S–dn–5‡	400–1	400–1	400–1
				Minimums when control zone not effective:			
				C–d	800–1	800–1	800–1½
				C–n	800–1½	800–1½	800–1½
				S–dn–5	800–1	800–1	800–1
				A–dn	NA	NA	NA
				DME minimums—DME equipment required:			
				C–d	600–1	800–1	800–1½
				C–n	600–1½	800–1½	800–1½
				S–dn–5	600–1	600–1	600–1

Procedure turn S side of crs, 227° Outbnd, 047° Inbnd, 3200′ within 10 miles.
Minimum altitude over 4-mile DME Fix, R 227°, on final approach crs, 2108′$ (2408′$ when control zone not effective).
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of RHI VORTAC turn left, climb to 3200′ on R 320° within 10 miles.
NOTES: (1) Obtain Wausau, Wis., altimeter setting when control zone not effective. (2) When authorized by ATC, RHI DME may be used to position aircraft for straight-in approach at 3300′ between R 138° clockwise to R 331° via 7-mile DME Arc with the elimination of procedure turn.
‡These minimums apply at all times for those air carriers with approved weather reporting service.
$When weather is less than 400–2, aircraft taking off Runway 15, turn right and climb to 2500′ on R 185° prior to turning eastbound due to 1983′ tower, 2 miles ESE of airport.
MSA within 25 miles of facility: 000°–360°—3100′.

City, Rhinelander; State, Wis.; Airport name, Rhinelander-Oneida County; Elev., 1608′; Fac. Class., BVORTAC; Ident., RHI; Procedure No. TerVOR–5, Amdt. 1; Eff. date, 28 May 66; Sup. Amdt. No. Orig.; Dated, 29 Apr. 65

				T-dn$	300–1	300–1	200–½
				Minimums when control zone effective:			
				C–d‡	500–1	600–1	600–1½
				C–n‡	500–1½	600–1½	600–1½
				S–dn–15‡	500–1	500–1	500–1
				A–dn‡	800–2	800–2	800–2
				DME minimums—DME equipment required:			
				C–d‡	400–1	600–1	600–1½
				C–n‡	400–1½	600–1½	600–1½
				S–dn–15‡	400–1	400–1	400–1
				Minimums when control zone not effective:			
				C–d	700–1	800–1	800–1½
				C–n	700–1½	800–1½	800–1½
				S–dn–15	700–1	700–1	700–1
				A–dn	NA	NA	NA
				DME minimums—DME equipment required:			
				C–d	600–1	800–1	800–1½
				C–n	600–1½	800–1½	800–1½
				S–dn–15	600–1	600–1	600–1

Procedure turn W side of crs. 320° Outbnd, 140° Inbnd, 3200′ within 10 miles.
Minimum altitude over 4-mile DME Fix, R 320° on final approach crs, 2108′$ (2308′$ when control zone not effective).
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of RHI VORTAC turn right, climb to 3200′ on R 185° within 10 miles.
NOTES: (1) Obtain Wausau, Wis., altimeter setting when control zone not effective. (2) When authorized by ATC, RHI DME may be used to position aircraft for straight-in approach at 3200′ between R 300° clockwise to R 060° via 7-mile DME Arc with the elimination of procedure turn.
‡These minimums apply at all times for those air carriers with approved weather reporting service.
$When weather is less than 400–2 aircraft taking off Runway 15 turn right and climb to 2500′ on R 185° prior to turning eastbound due to 1983′ tower, 2 miles ESE of airport.
MSA within 25 miles of facility: 000°–360°—3100′.

City, Rhinelander; State, Wis.; Airport name, Rhinelander-Oneida County; Elev., 1608′; Fac. Class., BVORTAC; Ident., RHI; Procedure No. TerVOR–15, Amdt. 4; Eff. date, 28 May 66; Sup. Amdt. No. 3; Dated, 29 Apr. 65

YK LFR	YAK VOR	Direct	1200	T–dn	300–1	300–1	200–½
				C–dn	500–1	500–1	500–1½
				S–dn–11	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2

Procedure turn S side of crs, 268° Outbnd, 088° Inbnd, 1200′ within 10 miles.
Minimum altitude over Int of YAK VOR, R 268° and SW crs, YK LFR, 700′.
Crs and distance, breakoff point to approach end of Runway 11, 106°—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of YAK VOR, climb to 1700′ on YAK VOR, R 118° within 15 miles.
MSA within 25 miles of facility: 000°–090°—6700′; 090°–180°—2000′; 180°–270°—2000′; 270°–360°—3000′.

City, Yakutat; State, Alaska; Airport name, Yakutat; Elev., 37′; Fac. Class., BVORTAC; Ident., YAK; Procedure No. TerVOR–11, Amdt. 2; Eff. date, 28 May 66; Sup. Amdt. No. 1; Dated, 16 Nov. 63

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
YK LFR	YAK VOR	Direct	1200	T–dn	300–1	300–1	200–½
				C–dn	500–1	500–1	500–1½
				S–dn–30	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2

Procedure turn S side of crs, 118° Outbnd, 298° Inbnd, 1200′ within 10 miles.
Descend to 500′ after completion of procedure turn.
Crs and distance, breakoff point to approach end of Runway 29, 286°—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of YAK VOR, climb to 1700′ on YAK VOR, R 268° within 15 miles.
MSA within 25 miles of facility: 000°–090°—6700′; 090°–180°—2000′; 180°–270°—3000′; 270°–360°—3000′.

City, Yakutat; State, Alaska; Airport name, Yakutat; Elev., 37′; Fac. Class., BVORTAC; Ident., YAK; Procedure No. TerVOR–29, Amdt. 1; Eff. date, 28 May 66; Sup. Amdt. No. Orig.; Dated, 23 Jan. 60

5. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots

PROCEDURE CANCELED, EFFECTIVE 28 MAY 1966.

City, Garden City; State, Kans.; Airport name, Garden City Municipal; Elev., 2895′; Fac. Class., BVORTAC; Ident., GCK; Procedure No. VOR/DME–1, Amdt. Orig; Eff. date, 10 Apr. 65

PROCEDURE CANCELED, EFFECTIVE 28 MAY 1966.

City, Garden City; State, Kans.; Airport name, Garden City Municipal; Elev., 2895′; Fac. Class., BVORTAC; Ident., GCK; Procedure No. VOR/DME–2, Amdt. Orig; Eff. date, 10 Apr. 65

				T–dn	300–1	300–1	NA
				C–dn	600–1	600–1	NA
				A–dn*	NA	NA	NA

Radar available.
Procedure turn E side of crs, 137° Outbnd, 317° Inbnd, 2200′ between 11 miles and 21 miles of VORTAC.
Minimum altitude over 11-mile DME Fix on final approach crs, 2200′.
Crs and distance, 11-mile DME Fix to airport, 317°—6.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 6-mile DME Fix, climb to 2000′ on JAN VORTAC, R 137°, proceed to JAN VORTAC. Hold NW, JAN VORTAC, R 350°, 170° Inbnd, 1-minute right turns or, when directed by ATC, turn right, climb to 2000′ on JAN VORTAC, R 076° within 20 miles.
NOTES: (1) Aircraft will cancel IFR with JAN approach control prior to landing and upon reaching visual flight conditions. Aircraft will not takeoff without prior ATC approval. (2) When authorized by ATC, DME may be used within 30 miles at 3000′ to position aircraft for straight-in approach with the elimination of procedure turn.
*Nearest weather observation at Jackson Airport (Thompson Field).
MSA within 25 miles of facility: 000°–090°—1700′; 090°–180°—1700′; 180°–270°—3000′; 270°–360°—1800′.

City, Madison; State, Miss.; Airport name, Bruce Campbell Field; Elev., 324′; Fac. Class., BVORTAC; Ident., JAN; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 26 May 66; Sup. Amdt. No. Orig.; Dated, 19 Aug. 65

Haystack Int	8-mile DME Fix, R 129°	Direct	4000	T–dn	300–1	300–1	200–½
8-mile DME Fix, R 129°	Massena VOR (final)	Direct	1700	C–dn	500–1	500–1	500–1½
				A–dn	800–2	800–2	800–2

Minimum altitude over facility on final approach crs, 1700′.
Crs and distance, facility to airport 298°—5.3 miles.
Haystack Int to 8-mile DME Fix, R 129°—4000′; 8-mile DME Fix, R 129° to MSS VOR (final), 1700′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing MSS VOR, make a right-climbing turn to 2000′; return to Massena VOR. Hold SE of MSS VOR, 298° Inbnd, 1-minute, right turns.
CAUTION: 598′ tower, 2 miles SW of airport.
MSA within 25 miles of facility: 000°–090°—2000′; 090°–180°—3500′; 180°–270°—3000′; 270°–360°—2000′.

City, Massena; State, N.Y.; Airport name, Richards Field; Elev., 215′; Fac. Class., H–BVORTAC; Ident., MSS; Procedure No. VOR/DME No. 2, Amdt. 1; Eff. date, 26 May 66; Sup. Amdt. No. Orig.; Dated, 5 May 65

PROCEDURE CANCELED, EFFECTIVE 26 MAY 1966.

City, Paso Robles; State, Calif.; Airport name, Paso Robles-County; Elev., 836′; Fac. Class., BVORTAC; Ident., PRB; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 16 Oct. 65

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T–dn	300–1	300–1	NA
				C–dn	600–1	600–1	NA
				A–dn	NA	NA	NA

Procedure turn N side of crs, 097° Outbnd, 277° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′; over 12-mile DME Fix, 2300′.
Crs and distance, facility to airport 277°—16.9 miles; from 12-mile DME Fix, 4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 17 miles after passing AHN VORTAC, make left turn, climb to 2300′ and proceed direct to AHN VORTAC. Hold NE, 1-minute right turns.
NOTE: (1) Contact Atlanta center or Anderson FSS on appropriate frequency and receive on AHN VOR frequency for IFR clearance. (2) When authorized by ATC, DME may be used to position aircraft on final approach via the 10-mile Arc of AHN VORTAC at 2300′ with the elimination of the procedure turn.
MSA within 25 miles of facility: 000°–090°—2000′; 090°–180°—2400′; 180°–270°—3100′; 270°–360°—2600′.

City, Winder; State, Ga.; Airport name, Winder; Elev., 943′; Fac. Class., LBVORTAC; Ident., AHN; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 26 May 66

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
YK LFR	YAK VOR	Direct	1200	T–dn	300–1	300–1	200–½
				C–dn	500–1	500–1	500–1½
				S–d–02*	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn S side of crs, 200° Outbnd, 020° Inbnd, 1200′ within 10 miles.
Descend to 700′ after 8-mile DME Fix. Descend to 400′ after 4-mile DME Fix.
Crs and distance, breakoff point to approach end of Runway 02, 020°—1.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 1700′ on YAK VOR, R 200° within 15 miles.
NOTE: When authorized by ATC, DME may be used to position aircraft for final approach at 1200′ between radials 110° clockwise to 268° within 10 miles with the elimination of procedure turn. Within 30 miles of YAK VOR when on airways, descent to 1200′ authorized.
*Night straight-in not authorized.
MSA within 25 miles of facility: 000°–090°—6700′; 090°–180°—2000′; 180°–270°—2000′; 270°–360°—8000′.

City, Yakutat; State, Alaska; Airport name, Yakutat; Elev., 37′; Fac. Class., BVORTAC; Ident., YAK; Procedure No. VOR/DME No. 1, Amdt. 2; Eff. date, 28 May 66; Sup. Amdt. No. 1; Dated, 14 Nov. 64

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
YK LFR	YAK VOR	Direct	1200	T–dn	300–1	300–1	200–½
				C–dn	500–1	500–1	500–1½
				S–dn–11*	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn S side of crs, 268° Outbnd, 088° Inbnd, 1200′ within 10 miles.
Descend to 500′ after 8-mile DME Fix. Descend to 400′ after 2-mile DME Fix.
Crs and distance, breakoff point to approach end of Runway 11, 106°—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of YAK VOR, climb to 1700′ on YAK VOR, R 118° within 15 miles.
NOTE: When authorized by ATC, DME may be used to position aircraft for final approach at 1200′ between radials 110° clockwise to 268° within 10 miles with the elimination of procedure turn. Within 30 miles of YAK VOR when on airways, descent to 1200′ authorized.
*400–¼ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—6700′; 090°–180°—2000′; 180°–270°—2000′; 270°–360°—8000′.

City, Yakutat; State, Alaska; Airport name, Yakutat; Elev., 37′; Fac. Class., BVORTAC; Ident., YAK; Procedure No. VOR/DME No. 2, Amdt. 2; Eff. date, 28 May 66; Sup. Amdt. No. 1; Dated, 28 Aug. 65

6. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Allentown VOR	LOM	Direct	2400	T–dn	300–1	300–1	200–½
East Penn Int	LOM	Direct	2600	C–dn	500–1	500–1	500–1½
Coopersburg Int	LOM	Direct	2500	S–dn–6*#	200–½	200–½	200–½
East Texas VOR	LOM	Direct	2400	A–dn	600–2	600–2	600–2
Pottstown VOR	Shamrock Int	Via R 360°, PTW VOR.	2400				
Shamrock Int	LOM (final)	Direct	2400				

Procedure turn N side crs, 241° Outbnd, 061° Inbnd, 2400′ within 10 miles of LOM.
Minimum altitude at glide slope interception Inbnd, 2400′.
Altitude of glide slope and distance to approach end of runway at OM, 2390′—6.1 miles; at MM, 600′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.1 miles after passing LOM, climb straight ahead to 1500′ or above on localizer NE crs to intercept ABE, R 115°, make right turn, proceed via ABE, R 115° to Belfast Int climbing to 3000′. Hold SE, 1-minute right turns, 295° Inbnd.
*500–1 required with glide slope inoperative. 500–¾ for HIRL, 800–½ for ALS authorized, except for 4-engine turbojets.
#RVR 2400′ authorized Runway 6.
‡RVR 2400′. Descent below 588′ not authorized unless approach lights are visible.

City, Allentown; State, Pa.; Airport name, Allentown-Bethlehem-Easton; Elev., 388′; Fac. Class., ILS; Ident., I-ABE; Procedure No. ILS–6, Amdt. 8; Eff. date, 26 May 66; Sup. Amdt. No. 7; Dated, 26 Mar. 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
ITH VOR	Alpine RBn (final)	Direct	3500	T–dn 6–24	800–1¼	800–1¼	800–1¼
Int V252/V35	Alpine RBn	Direct	3500	T–d 10–28	800–2	800–2	800–2
ELM VOR	Alpine RBn	Direct	3500	T–n 10–28	800–3	800–3	800–3
Sayre Int	Alpine RBn	Direct	3500	T–dn 1–19	NA	NA	NA
Int V252/NE crs localizer	Alpine RBn (final)	Direct	3500	C–d	1200–2	1200–2	1200–2
				C–n	1200–3	1200–3	1200–3
				S–dn–24#	800–1¼	800–1¼	800–1¼
				A–d	1400–2	1400–2	1400–2
				A–n	1400–3	1400–3	1400–3

Procedure turn N side of final approach crs, 059° Outbnd, 239° Inbnd, 3500′ within 10 miles of Alpine RBn.
Minimum altitude at glide slope interception Inbnd, 3300′.
Altitude of glide slope and distance to approach end of runway at OM, 2237′—3.9 miles; at MM, 1170′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing OM or 7 miles after passing Alpine RBn, climb on crs, 239° to 2500′ within 10 miles. Then proceed direct to ELM VOR, climbing to 3500′. Hold W, ELM VOR, 1-minute right turns, 066° Inbnd.
AIR CARRIER NOTE: Sliding scale not authorized. No reduction in landing visibility minimums authorized for local conditions. No reduction in takeoff minimums authorized.
Departure procedures: Runway 6: Climb Outbnd on the localizer crs through 2500′ before proceeding as cleared. Runway 24: Climb on the ELM VOR, R 066° toward ELM VOR through 2500′ before proceeding as cleared. Runway 28: Make left-climbing turn as soon as practical after takeoff to intercept the ELM VOR, R 066°, then via the ELM VOR, R 066 toward the ELM VOR until through 2500′ before proceeding as cleared. Runway 10: Make left turn as soon as practical after takeoff proceeding on a direct crs to the Alpine RBn until through 2500′ before proceeding as cleared.
NOTE: High terrain, N and S of airport. High towers, S of airport.
#900–1¼ required when glide slope not utilized.

City, Elmira; State, N.Y.; Airport name, Chemung County; Elev., 951′; Fac. Class., ILS; Ident., I-ELM; Procedure No. ILS 24, Amdt. 7; Eff. date, 28 May 66; Sup. Amdt. No. 6; Dated, 5 Feb. 66

7. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
000°	360°	0–25 miles	2600	Surveillance approach			
				T–dn°	300–1	300–1	200–½
				C–dn	400–1	500–1	500–1½
				S–dn–12,‡ 30, 5	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

All bearings and distance are from radar site located on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2600′, proceed direct to DSM VOR, or when directed by ATC, climb to 2700′, proceed direct to TNU VOR.
CAUTION: 1546′ tower located 3.2 miles NNE of airport.
*When 1546′ tower, 3.2 miles NNE of airport not visible on takeoff to NW or NE, climb to 2100′ prior to turning toward tower.
‡Reduction below 1 mile not authorized Runway 30. 400–¼ authorized Runway 12 with operative HIRL, except for 4-engine turbojets.

City, Des Moines; State, Iowa; Airport name, Des Moines Municipal; Elev., 957′; Fac. Class and Ident., Des Moines Radar; Procedure No. 1, Amdt. 4; Eff. date, 28 May 66; Sup. Amdt. No. 3; Dated, 26 Mar. 66

PROCEDURE CANCELED, EFFECTIVE 28 MAY 1966.

City, Wichita; State, Kans.; Airport name, Beech Factory; Elev., 1387′; Fac. Class. and Ident., Wichita Radar; Procedure No. 1, Amdt. 2; Eff. date, 22 May 65; Sup. Amdt. No. 1; Dated, 30 Apr. 64

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on April 22, 1966.

C. W. WALKER,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–6276; Filed, June 6, 1966; 8:50 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Administrative Instructions Prescribing Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Director of the Animal Health Division by § 97.1 of the regulations concerning overtime services relating to imports and exports, effective August 18, 1964 (9 CFR 97.1), administrative instructions (9 CFR 97.2) effective July 30, 1963, as amended May 18, 1964 (29 F.R. 6318), December 7, 1964 (29 F.R. 16316), April 12, 1965 (30 F.R. 4609), and June 18, 1965 (30 F.R. 7893), prescribing the commuted travel time that shall be included in each period of overtime or holiday duty, are hereby amended by adding to or deleting from the respective "lists" therein, as follows:

WITHIN METROPOLITAN AREA

ONE HOUR

Delete: Los Angeles Harbor, San Pedro, Calif.
Delete: Spokane, Wash.
Add: Los Angeles Harbor, San Pedro, Calif., including: Long Beach; Wilmington; and Terminal Island.
Add: Port of Albany, Albany, N.Y.
Add: Seattle, Wash.

TWO HOURS

Delete: Honolulu, Hawaii.
Delete: San Francisco, Calif.
Delete: Seattle, Wash.
Add: Honolulu, Hawaii, including: Aiea; Barber's Point, Naval Air Station; Honolulu International Airport; West Loch; Middle Loch; East Loch; Pearl City; and Waipahu.
Add: San Francisco, Calif., including: Alameda, Richmond, Pittsburg, and other ports in San Francisco and San Pablo Bay areas.

OUTSIDE METROPOLITAN AREA

ONE HOUR

Delete: Long Beach Harbor (served from San Pedro, Calif.).

TWO HOURS

Add: Port of Albany, Albany, N.Y. (when served from Averill Park, N.Y.).

THREE HOURS

Add: Aberdeen, Wash. (served from Olympia, Wash.).
Add: Hoquiam, Wash. (served from Olympia, Wash.).
Add: Kalama, Wash. (served from Portland, Oreg.).

FOUR HOURS

Add: Mauna, Oreg. (served from Portland, Oreg.).

SIX HOURS

Add: Aberdeen, Wash. (when served from Seattle, Wash.).
Add: Hoquiam, Wash. (when served from Seattle, Wash.).
Add: Raymond, Wash. (when served from Seattle, Wash.).

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal Health Division.

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238), it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(64 Stat. 561; U.S.C. 576)

These revised administrative instructions shall be effective upon publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 1st day of June 1966.

R. L. KNUDSON,
Acting Director, Animal Health Division, Agricultural Research Service.

[F.R. Doc. 66-6200; Filed, June 6, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 994]

[Docket No. AO-359]

PECANS OF DOMESTIC PRODUCTION

Notice of Hearing With Respect to Proposed Marketing Agreement and Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing with respect to a proposed marketing agreement and order regulating the handling of domestic pecans. Such hearing will be held at the New Albany Hotel, Pine and Jackson Streets, Albany, Ga., beginning at 9:30 a.m., l.t., June 23, The Holiday Inn, Route 80 West, Jackson, Miss., beginning at 9:30 a.m., l.t., June 27, and at the Baker Hotel, 1400 Commerce Street, Dallas, Tex., beginning at 9:30 a.m., l.t., June 30, 1966. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the provisions of the proposed marketing agreement and order, hereinafter set forth, and to any appropriate modifications thereof.

The Federated Pecan Growers of America and several State pecan grower associations have submitted, and requested a hearing on, a proposed marketing agreement and order, the provisions of which are as follows (the sections identified with asterisks (* * *) apply only to the proposed marketing agreement and not to the proposed order):

DEFINITIONS

§ 994.1 Secretary.

"Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the U.S. Department of Agriculture who is, or who may hereafter be, authorized to act in his stead.

§ 994.2 Act.

"Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 et seq.).

§ 994.3 Person.

"Person" means an individual, partnership, corporation, association, or any other business unit.

§ 994.4 Production area.

"Production area" means all States with commercial production of pecans and includes the States of:

Alabama.
Arizona.
Arkansas.
California.
Florida.
Georgia.
Illinois.
Indiana.
Kansas.
Kentucky.
Louisiana.
Mississippi.
Missouri.
New Mexico.
North Carolina.
Oklahoma.
South Carolina.
Tennessee.
Texas.
Virginia.

§ 994.5 District.

"District" means any one of the following geographic subdivisions of the production area:

District 1, consisting of the States of Florida and Georgia.
District 2, consisting of the States of Alabama, Louisiana, and Mississippi.
District 3, consisting of the States of Arizona, California, New Mexico, and Texas.
District 4, consisting of the States of Arkansas, Kansas, Missouri, and Oklahoma.
District 5, consisting of the States of Illinois, Indiana, Kentucky, North Carolina, South Carolina, Tennessee, and Virginia.

§ 994.6 Pecans.

"Pecans" means the nuts of the pecan tree Carya illinoensis, grown in the production area.

§ 994.7 Inshell pecans.

"Inshell pecans" is synonymous with "unshelled pecans" and means pecans from which the shells have not been removed.

§ 994.8 Shelled pecans.

"Shelled pecans" means pecan kernels or portions of kernels after the shells have been removed.

§ 994.9 Producer.

"Producer" is synonymous with "grower" and means any person engaged within the production area in a proprietary capacity in the production of pecans for sale.

§ 994.10 Handle.

"Handle" means to receive, acquire, shell or process inshell pecans, or to transport or ship (except as a common or contract carrier of pecans owned by another) or sell inshell or shelled pecans, or otherwise cause inshell or shelled pecans to enter the current of commerce, whether intrastate, interstate, or foreign.

§ 994.11 Handler.

"Handler" means any person who handles inshell or shelled pecans, including shellers, inshell processors, dealers, and exporters.

§ 994.12 Shell.

"Shell" means to crack inshell pecans, remove the shells, and sort, grade, or otherwise prepare shelled pecans for market.

§ 994.13 Sheller.

"Sheller" means any person whose principal business is mechanical shelling of pecans and marketing shelled pecans.

§ 994.14 Process.

"Process" means to bleach, clean, grade, size, pack, or otherwise prepare inshell pecans for market.

§ 994.15 Processor.

"Processor" means any person who processes inshell pecans.

§ 994.15a Dealer.

"Dealer" means any person whose principal business is purchasing pecans from growers and selling them to shellers or processors.

§ 994.16 Crop year.

"Crop year" is synonymous with "Fiscal year" and means the 12-month period beginning with October 1 of any year and ending with September 30 of the following year.

§ 994.17 Grower association.

"Grower association" means any of the following associations of pecan growers.

Georgia Pecan Growers Association.
Kansas Nut Growers Association.
Oklahoma Pecan Growers Association.
Southeast Pecan Growers Association.
Texas Pecan Growers Association.
Louisiana Pecan Growers Association.
Southwest Alabama Pecan Growers Association.
Northern Nut Growers Association.

§ 994.18 Handler association.

"Handler association" means any one of the following:

National Pecan Shellers and Processors Association.
Southeastern Pecan Distributors Association.

§ 994.19 Part and subpart.

"Part" means the order regulating the handling of pecans produced within the production area and all rules, regulations, and supplementary order issued thereunder. The order itself shall be a "subpart" of such part.

PECAN ADMINISTRATIVE COMMITTEE

§ 994.20 Establishment and membership.

A Pecan Administrative Committee (hereinafter referred to as "Committee") is hereby established to administer the terms and provisions of this part. Such committee shall consist of 23 members of whom 14 shall represent producers and 9 shall represent handlers. For each member there shall be an alter-

nate member with the same qualifications.

§ 994.21 Representation.

(a) *Producers.* The producer representation on the committee shall be:

(1) Four members from District 1;
(2) Three members from District 2;
(3) Four members from District 3;
(4) Two members from District 4; and
(5) One member from District 5.

(b) *Handlers.* The handler representation on the committee shall be:

(1) Three members representing shellers and processors located in the Southeastern United States;

(2) Three members representing shellers and processors located in the Southwestern United States; and

(3) One member representing shellers and processors located in the North Central States;

(4) Two members representing dealers.

§ 994.22 Eligibility.

Each producer member of the committee and alternate member shall be, at the time of his selection and during his term of office, a producer, in the district for which selected and shall cease to be a member or alternate when he ceases to be a producer or when he handles pecans in such quantities that less than 51 percent of the pecans he handles are of his own production. Each handler member of the committee and his alternate shall be a handler, or an officer or employee of a handler, in the region of the production area for which selected and shall cease to be a member or alternate when he ceases to be such a handler.

§ 994.23 Term of office.

Members and alternate members of the committee shall serve for terms of 3 years ending on April 30, except that initial members and alternates shall be selected and serve for terms of 1, 2, or 3 years so that the terms of one-third of the members and their alternates expire each year. Except as otherwise provided in § 994.22 each member and alternate member shall continue to serve until his successor is selected and has qualified.

§ 994.24 Nomination.

The committee may hold and shall give reasonable publicity to nomination meetings and may use the grower associations to convene meetings of producers for such purposes. Handlers may nominate their successor representatives at meetings held for that purpose. Only persons eligible to serve as members shall be eligible to vote. Each producer and each handler shall have but one vote. The person receiving the largest number of the votes cast for a position shall be the nominee. All nominations shall be certified by the committee to the Secretary no later than April 5 preceding the commencement of the term of office. For the purpose of obtaining initial nominations, the Secretary shall perform the functions of the committee.

§ 994.25 Selection.

The Secretary shall select producer and handler members and alternate members of the committee in the numbers and with the qualifications specified in this part. Such selections shall be made from the nominations certified by the committee or from among other qualified persons.

§ 994.26 Qualify by acceptance.

Each person selected by the Secretary as a member or as an alternate member shall, prior to serving, qualify by filing with the Secretary, a written acceptance as soon as practicable after being notified of such selection.

§ 994.27 Alternate members.

An alternate for a member shall act in the place and stead of such member, during his absence, or in the event of his removal, resignation, disqualification, or death, until a successor for such member's unexpired term has been selected and has qualified.

§ 994.28 Vacancies.

Any vacancy occasioned by the removal, resignation, disqualification, or death of any member or alternate member, or failure of any person selected as a member or alternate member to qualify may be filled pursuant to §§ 994.24 and 994.25: *Provided*, That any vacancy which is not recognized by the committee certifying to the Secretary a new nominee within 40 calendar days, may be filled by the Secretary from among eligible persons without regard to nomination.

§ 994.29 Compensation and expenses.

The members of the committee, and the alternate members when acting as members, shall serve without compensation but shall be allowed their necessary expenses, actual or per diem, as approved by the committee.

§ 994.30 Procedure.

All decisions of the committee reached at an assembled meeting shall be by majority vote of 75 percent of the members present, including alternates acting for members. All votes in an assembled meeting shall be cast in person and a quorum must be present for a valid decision. A quorum shall consist of 50 percent of the grower members and 50 percent of the handler members. The committee may vote by mail, telephone, or telegram, upon due notice, to all members: *Provided*, That each proposition so voted upon is explained accurately, fully, and reasonably identical to each member, all votes shall be confirmed in writing, and one dissenting vote shall prevent its adoption. Failure of any member, or alternate acting for a member, to vote within a prescribed time shall be held to be a dissenting vote.

§ 994.31 Powers.

The committee shall have the following powers:

(a) To administer the provisions of this part in accordance with its terms;

(b) To make rules and regulations to effectuate the terms and provisions of this part;

(c) To receive, investigate, and report to the Secretary complaints of violations of this part; and

(d) To recommend to the Secretary amendments to this part.

§ 994.32 Duties.

The committee shall have the following duties:

(a) To act as intermediary between the Secretary and any producer or handler;

(b) To keep minutes, books, and other records which shall clearly reflect all of its acts and transactions and these shall be subject to examination by the Secretary at any time;

(c) To investigate and assemble data on the production, handling, and marketing of pecans;

(d) To submit to the Secretary such available information with respect to pecans as he may request and such other information as the committee may deem desirable and pertinent;

(e) To select from among its members a chairman and other officers and to adopt such bylaws for the conduct of its business as it may deem advisable;

(f) To appoint or employ such persons as it may deem necessary and to determine the salaries and define the duties of each such person;

(g) To cause the books of the committee to be audited by a certified public accountant at least once each crop year and at such other times as the committee may deem necessary or as the Secretary may request, to submit two copies of each such audit report to the Secretary, and to make available a copy which does not contain confidential data for inspection at the offices of the committee by producers and handlers;

(h) To prepare and submit to the Secretary quarterly statements of the financial operations of the committee and to make such statements together with the minutes of the meetings of said committee available for inspection at the offices of the committee by producers and handlers;

(i) To give the Secretary the same notice of meetings of the committee as is given to members;

(j) To investigate compliance with and to use means available to the committee to prevent violation of the provisions of this part; and

(k) To establish with the approval of the Secretary such rules and regulations as are necessary or incidental to administration of this part, as are consistent with its provisions, and as would tend to accomplish the purposes of this part and the act.

MARKETING POLICY

§ 994.40 Marketing policy.

Prior to October 1, the committee shall prepare and submit to the Secretary a report setting forth its recommended marketing policy for the pending crop year. In the event it subsequently becomes advisable to modify such policy, because of changed conditions, the committee shall formulate a new policy and shall submit a report thereon to the Secretary. In developing the marketing policy, the committee shall give consideration to the production, harvesting and storage conditions, probable quality of crop, demand for pecans in domestic and foreign markets, and the probable assessable tonnage and such other factors as may have a bearing on the administration of this part. Notice of the committee's marketing policy, and of any modifications thereof, shall be given promptly by reasonable publicity, to producers and handlers.

QUALITY REGULATION

§ 994.41 Export quality regulation.

No handler shall sell, transport, ship, or otherwise place shelled or inshell pecans into export markets unless such pecans have been inspected and certified as meeting the applicable minimum quality requirements specified pursuant to this part.

§ 994.42 Minimum standards of quality.

(a) *Inshell pecans.* Inshell pecans, sold, transported or shipped into export markets shall be equal to or better than the requirements of the U.S. Commercial grade for pecans in the shell as defined in the then effective U.S. Standards for pecans in the shell or as such requirements may for purposes of this part be modified by the Secretary upon recommendation of the Committee.

(b) *Shelled pecans.* Shelled pecans sold, transported, or shipped into export markets shall be equal to or better than the applicable requirements for U.S. Commercial Halves or U.S. Commercial Pieces defined in the then effective U.S. Standards for shelled pecans, or as such requirements may for purposes of this part be modified by the Secretary upon recommendation of the Committee.

§ 994.43 Inspection, certification, and identification.

Each handler shall, at his own expense, prior to or upon shipping shelled or inshell pecans into export markets, cause an inspection to be made of any such pecans to determine whether they meet the applicable quality requirements effective pursuant to this part, and shall comply with such identification requirements of the Committee, with the approval of the Secretary, may prescribe. Such handler shall obtain an acceptable certificate that such pecans meet such applicable requirements and a copy of each such certificate shall be furnished to the Committee. Acceptable certificates shall be those issued by Federal or Federal-State inspectors authorized or licensed by the Secretary.

§ 994.44 Above parity situations.

Minimum standards of quality, the inspection and certification requirements, effective under this part and the provisions of this part relating to administration shall continue in effect irrespective of whether or not the estimated season average price for pecans is in excess of the parity level specified in section 2(1) of the act.

§ 994.45 Domestic quality regulation.

(a) Whenever three-fourths of the handler members and three-fourths of the grower members of the committee, including alternates acting as members, conclude that appropriate minimum standards of quality should be established for inshell pecans or shelled pecans, or both, marketed in domestic markets, the committee may recommend, and the Secretary establish, such standards for one or more crop years.

(b) The establishment of any such standards shall be contingent on the adoption and recommendation by the committee and approval by the Secretary of such appropriate rules and procedures as are necessary to administer such standards effectively.

(c) In any crop year when any such minimum standard is effective, no handler shall sell or deliver any shelled pecans, inshell pecans, or both, as applicable, into domestic markets, other than pecans sold or delivered to a sheller or processor for shelling, removal of defective pecans, or other processing, unless they comply with such standard. Either of the following shall be acceptable evidence that pecans comply with the applicable minimum standard:

(1) A certificate of inspection issued by a Federal or Federal-State inspector authorized or licensed by the Secretary, showing that the pecans meet the applicable minimum standard.

(2) Any handler's brand registered with the committee as used only on pecans of at least the applicable minimum standard and appearing on the pecans or their closed container: *Provided*, That such branded pecans may be inspected by the committee at any time, and if found not meeting such minimum standard, shall thereafter be inspected pursuant to subparagraph (1) of this paragraph.

§ 994.46 Modification.

Minimum standards of quality, inspection and certification requirements, and exemptions under this part may be modified by the Secretary, on the basis of a recommendation of the committee or other information whenever he finds that such modification would tend to effectuate the declared policy of the act.

MARKETING RESEARCH AND DEVELOPMENT

§ 994.50 Marketing research and development projects and promotion activities.

(a) *Projects and activities.* The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of pecans. Such projects may provide for any form of marketing promotion activity, including paid advertising. The expense of such projects shall be paid from funds collected pursuant to § 994.58.

(b) *Committee recommendations.* (1) Prior to October 1 of each crop year, the committee shall, in addition to its marketing policy recommendation, prepare and submit to the Secretary its recommendation with respect to marketing research and development projects, including marketing promotion with/or without paid advertising, as it concludes will carry out the declared policy of the act.

(2) If the committee concludes that marketing research or development projects or promotion activity should be undertaken, or continued, in any crop year, it shall submit to the Secretary for his approval its recommendation as to the nature of the project or activity to be undertaken; the time and duration of activity; advertising media to be used, if any; the estimated cost of the activity; and the objectives of such project or activity.

(c) *Factors to be considered.* In considering its recommendation with respect to such projects, the committee shall give consideration to at least the following factors:

(1) Whether the indicated supply exceeds the total demand for pecans, and whether activity is needed to increase disappearance in one or more outlets.

(2) The threat of competitive nuts and whether activity is needed to retain existing outlets.

(3) The need and ability of the committee to supplement brand promotion and merchandising activities of handlers.

(4) The need for a coordinated effort with USDA's Plentiful Foods Program.

(5) The need for marketing research on which to base market development activity.

(6) Whether the proposed marketing promotion activities would carry out the declared policy of the act.

(d) *Review.* As soon as practicable after the end of each crop year, the committee shall review the operation of any marketing research, market development, or marketing promotion project or activity in effect during such crop year, and submit a report thereon to the Secretary. In making such review and report, the committee shall evaluate the performance and results of such projects against their original objectives. In any contract with a research or promotion agency, the committee shall reserve to itself and the Secretary the right to verify performance and invoices for services rendered by such agency.

§ 994.51 Exemptions.

Any pecan grower may handle pecans of his own production free of the regulatory and assessment provisions of this part if he sells such pecans directly to consumers at roadside stands or farmers' markets; or if shipped by parcel post or express: *Provided*, That the quantities so sold or shipped do not exceed 105 pounds of inshell pecans or 40 pounds of shelled pecans to any one consumer in any 1 calendar day.

REPORTS, BOOKS, AND RECORDS

§ 994.52 Confidential information.

All reports and records furnished or submitted by handler to the committee which include data or information constituting a trade secret or disclosing the trade position, financial condition, or business operations of the particular handlers or their customers shall be received by, and at all times kept in the custody and under the control of one or more employees of the committee, who

shall disclose such information to no person except the Secretary.

§ 994.53 Reports of acquisitions and shipments.

Each handler shall file such reports of his acquisitions and shipments of inshell and shelled pecans as may be requested by the committee, with approval by the Secretary.

§ 994.54 Other reports.

Upon the request of the committee, with the approval of the Secretary, each handler shall furnish such other reports and information as are needed to enable the committee to perform its functions under this part.

§ 994.55 Records.

Each handler shall maintain such records of pecans received, held and disposed of by him, as will substantiate any required reports and will show performance under this part. Such records shall be retained for at least 2 years beyond the crop year of their applicability.

§ 994.56 Verification of reports.

For the purpose of checking and verifying reports filed by handlers or the operation of handlers under the provisions of this part, the Secretary and the committee, through its duly authorized agents, shall have access to any premises where pecans may be held by any handler and at any time during reasonable business hours, shall be permitted to inspect any pecans so held by such handler and any and all records of such handler with respect to the acquisition, holding, or disposition of all pecans which may be held or which may have been disposed of by him.

EXPENSES AND ASSESSMENTS

§ 994.57 Expenses.

The committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by it during each crop year for the maintenance and functioning of the committee and for such other purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

§ 994.58 Assessments.

(a) *Assessment rates.* Each handler shall pay to the committee upon demand with respect to all pecans received or acquired by him from producers, including pecans of his own production, his pro rata share of all expenses, which the Secretary finds are reasonable and likely to be incurred by the committee during each crop year. Each handler's pro rata share shall be the applicable rate or rates of assessment fixed by the Secretary per pound of pecans received or acquired by him during such crop year. Such assessment may be deducted from the purchase price paid to the grower with respect to such pecans. In the first crop year of operation, the total assessment on an inshell basis shall not be greater than one-tenth of 1 cent per pound (10 cents per 100 pounds) and in succeeding years shall not be greater than one-fourth of 1 cent per pound (25 cents per 100 pounds). At any time during or after a crop year the Secretary may increase the rate of assessment as necessary to cover authorized expenses.

(b) *Advance payments and loans.* In order to provide funds to carry out the functions of the committee, the committee may borrow money or may accept advance payments from any handler to be credited toward such assessments as may be levied pursuant to this section against the respective handler.

(c) *Reserve.* The committee, with the approval of the Secretary, may establish and maintain during one or more crop years a monetary reserve in an amount approximating 1 year's anticipated expenses. Such reserve funds may be used for expenses of the committee authorized pursuant to § 994.57.

(d) *Refunds.* Funds held by the committee at the conclusion of the crop year in excess of the crop year's expenses, other than reserve funds, may be used to defray expenses for no more than the ensuing 6 months, and thereafter within a reasonable time the committee shall credit the aforesaid administrative excess to handlers who contributed to such excess: *Provided*, That the excess due any handler shall be applied, in whole or in part, by the committee to any outstanding obligation due the committee from such handler. Should any handler discontinue handling pecans, such excess shall be refunded to him. A handler's share of such excess funds shall be the amount of such assessments he paid in excess of his actual pro rata share of the expenses of the committee.

(e) *Disposition of funds upon termination.* Upon termination of this part any funds in possession of the committee shall be distributed in such manner as the Secretary shall direct: *Provided*, That to the extent practicable such funds shall be returned pro rata to the persons from whom collected.

§ 994.59 Identification.

Pecans on which assessments have been paid shall bear identification provided by the committee. The committee, shall make available suitable identification to handlers, and shall adopt, with the approval of the Secretary, such rules and procedures covering use and accounting for such identification.

MISCELLANEOUS PROVISIONS

§ 994.60 Rights of the Secretary.

The members of the committee (including successors or alternates) and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary, in his discretion, at any time. Each and every decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time, and upon such disapproval shall be deemed null and void.

§ 994.61 Personal liability.

No member or alternate member of the committee, nor any employee, representative, or agent of the committee shall be held personally responsible, either individually, or jointly with others, in any way whatsoever, to any person, for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate member, employee, representative, or agent, except for acts of dishonesty, willful misconduct, or gross negligence.

§ 994.62 Separability.

If any provision of this part is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder, or the applicability thereof to any other person, circumstance, or thing, shall not be affected thereby.

§ 994.63 Derogation.

Nothing contained in this part is, or shall be consrued to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 994.64 Duration of immunities.

The benefits, privileges, and immunities conferred upon any person by virtue of this part shall cease upon its termination, except with respect to acts done under and during the existence thereof.

§ 994.65 Agents.

The Secretary may, by a designation in writing, name any person, including any officer/or employee of the U.S. Government, or name any service, division or branch in the U.S. Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this part.

§ 994.66 Effective time.

The provisions of this part, as well as any amendments, shall become effective at such time as the Secretary may declare, and shall continue in force until terminated or suspended in one of the ways specified in § 994.67.

§ 994.67 Suspension or termination.

(a) *Failure to effectuate policy of act.* The Secretary shall terminate or suspend the operation of any or all of the provisions of this part, whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(b) *Referendum.* The Secretary shall terminate, in accordance with section 8c(16)(B) (7 U.S.C. 608c(16)(B)) of the act, the provisions of this part at the end of any crop year whenever he finds that such termination is favored by a majority of the producers of pecans who during such crop year have been engaged in the production of pecans for market: *Provided*, That such majority have during such period produced for market more than 50 percent of the volume of such pecans produced for market within the production area, but such termination shall be effective only if announced on or before July 1 of the then current crop year.

(c) *Termination of act.* The provisions of this part shall terminate, in any event, whenever the provisions of the act authorizing them cease to be in effect.

§ 994.68 Procedure upon termination.

Upon the termination of this part, the members of the committee then functioning shall continue as joint trustees, for the purpose of liquidating the affairs of the committee. Action by such trustees shall require the concurrence of a majority of said trustees. Such trustees shall continue in such capacity until discharged by the Secretary, and shall account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and the joint trustees, to such person as the Secretary may direct; and shall, upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all the funds, properties, and claims vested in the committee or the joint trustees, pursuant to this subpart. Any person to whom funds, property or claims have been transferred or delivery by the committee or the joint trustees, pursuant to this section, shall be subject to the same obligations imposed upon the members of said committee and upon said joint trustees.

§ 994.69 Effect of termination or amendment.

Unless otherwise expressly provided by the Secretary, the termination of this part or of any regulation issued pursuant thereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provisions of this part or any regulation issued thereunder, or (b) release or extinguish any violation of this part or any regulation issued thereunder, or (c) affect or impair any right or remedies of the Secretary, or of any other person, with respect to such violation.

§ 994.70 Counterparts.

This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original. * * *

§ 994.71 Additional parties.

After the effective date thereof, any handler may become a party to this agreement if a counterpart is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges and immunities conferred by this agreement shall then be effective as to such new contracting party. * * *

§ 994.72 Order with marketing agreement.

Each signatory handler hereby requests the Secretary to issue, pursuant to the Act, an order providing for regulating the handling of pecans in the same manner as is provided for in this agreement. * * *

Copies of this notice may be obtained or inspected at the Lakeland Marketing Field Office, U.S. Department of Agriculture, Florida Citrus Mutual Building, Post Office Box 19, Lakeland, Fla.; Southwest Marketing Field Office, Commercial Arts Building, 2217 North 10th Street, McAllen, Tex.; Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250; or from the County Extension Agents in the pecan producing areas.

Dated: June 2, 1966.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 66-6235; Filed, June 6, 1966; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-EA-101]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency has under consideration a proposal to amend Part 71 of the Federal Aviation Regulations with respect to controlled airspace in the vicinity of Martha's Vineyard, Mass.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

In consideration of the foregoing, it is proposed to amend Part 71 of the Federal Aviation Regulations as follows:

a. In § 71.171, the FAA proposes to amend the description of the Martha's Vineyard, Mass., control zone by deleting "Martha's Vineyard VOR 050° radial," and "040° bearing from the Martha's Vineyard RBN," and substituting therefor, "Martha's Vineyard VOR 055° radial," and "041° bearing from the Martha's Vineyard RBN," respectively.

b. In § 71.181, it is proposed to amend the description of the Falmouth, Mass., transition area, by deleting "Martha's Vineyard VOR 050° radial, extending from the VOR to 12 miles NE of the VOR;" and substituting therefor, "Martha's Vineyard VOR 055° radial, extending from the VOR to 12 miles NE of the VOR; within 2 miles each side of the 183° bearing from Martha's Vineyard RBN, extending from the 6-mile radius area to 8 miles S of the RBN; and within a 5-mile radius of the Oak Bluffs Airport, Oak Bluffs, Mass. (latitude 41°26'25" N., longitude 70°34'10" W.);"

New public-use VOR and ADF instrument approach procedures utilizing the Martha's Vineyard VOR and RBN, and minor revisions to the existing VOR and ADF instrument approach procedures to the Martha's Vineyard Airport have been implemented.

The amendments to the control zone and transition area, as proposed herein are necessary to protect aircraft executing these prescribed instrument ap-

proach and departure procedures at the airports involved.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on May 31, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6177; Filed, June 6, 1966; 8:45 a.m.]

[14 CFR Part 91]

[Docket No. 6873; Notice 65-20A]

WEATHER GOVERNING OPERATIONS IN A CONTROL ZONE

Supplemental Notice of Proposed Rule Making

On August 27, 1965, the Federal Aviation Agency published a notice of proposed rule making in the FEDERAL REGISTER (30 F.R. 11106), which proposed certain amendments to Part 91 of the Federal Aviation Regulations for the purpose of clarifying the rules with respect to flight operations within control zones under varying weather conditions, where two or more airfields are situated within the control zone.

Comment from interested persons was solicited and received. General support was indicated for the proposed amendment of § 91.107(d), which would permit Special VFR landings and takeoffs at an airport within a control zone if flight visibility during landing and takeoff is at least 1 statute mile, and in the absence of a ground visibility observation for that airport made by an accredited observer.

Opposition was expressed with respect to the proposed amendment of § 91.105 (c), which would have prohibited landing, takeoff, or entry in the traffic pattern of any airport within a control zone under VFR, unless ground visibility at the airport upon which the control zone is designated was at least 3 statute miles; and unless ground visibility at the airport of intended operation was at least 3 statute miles; or, if ground visibility was not reported at the airport of intended operation, unless flight visibility during landing, takeoff, or while operating in the traffic pattern was at least 3 statute miles. Opposition was based generally on the assertion that the amendment would unduly restrict and burden all pilots using all secondary airports with no appreciable increase in safety, by relating the existing weather at a primary airport to operations at a secondary airport, when in fact actual conditions at the primary and secondary airports may differ significantly.

Further study of the subject, in the light of comments received, tends to support this premise and indicates that problem situations are isolated and can be treated by other measures, such as special rules or letters of agreement.

Accordingly, the Federal Aviation Agency is considering amending Part 91 of the Federal Aviation Regulations as set forth below, to permit VFR operations at a secondary airport within a control zone when necessary weather conditions prevail, and irrespective of whether VFR conditions exist at the primary airport.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 8, 1966, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments will be available, before and after the closing date for comments, in the Rules Docket for examination by interested persons.

In consideration of the foregoing, it is proposed to amend §§ 91.105(c) and 91.107(d) of the Federal Aviation Regulations to read as hereinafter set forth:

§ 91.105 **Basic VFR weather minimums.**

* * * * *

(c) *Ground visibility or flight visibility.* Except as provided in § 91.107, no person may take off or land an aircraft, or enter the traffic pattern of an airport, under VFR, within a control zone—

(1) Unless ground visibility at that airport is at least 3 statute miles; or

(2) If ground visibility is not reported at that airport, unless flight visibility during landing, or takeoff, or while operating in the traffic pattern, is at least 3 statute miles.

* * * * *

§ 91.107 **Special VFR weather minimums.**

* * * * *

(d) No person may take off or land an aircraft (other than a helicopter) at any airport in a control zone under VFR—

(1) Unless ground visibility at that airport is at least 1 statute mile; or

(2) If ground visibility is not reported at that airport, unless flight visibility during landing or takeoff is at least 1 statute mile.

These amendments are proposed under the authority of section 307 of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 31, 1966.

ARCHIE W. LEAGUE,
Director, Air Traffic Service.

[F.R. Doc. 66-6178; Filed, June 6, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 74]

[Docket No. 16424]

MICROWAVE RELAYS LICENSED TO TRANSLATOR OPERATORS

Order Extending Time for Filing Comments and Reply Comments

1. In a notice of proposed rule making, released on January 14, 1966, in this proceeding (FCC 66-41), the Commission invited comments from interested parties on the proposal contained therein on or before March 1, 1966, and reply comments on or before March 15, 1966. In an order released March 17, 1966, these dates were extended to June 1, 1966, and June 15, 1966, respectively. On May 31, 1966, the Broadcast Equipment Section of the Electronic Industries Association (EIA) filed a request for a further extension in which to file comments. EIA states that much useful data has already been collected by the EIA Engineering Subcommittee involved, comments are now in preparation, and meetings have been planned starting in June for approval of final drafts by the Subcommittee and the Broadcast Equipment Section for submission. EIA therefore urges that the time for filing comments be extended to September 1, 1966.

2. We are of the view that the data and information which will be submitted by EIA will be helpful in making our determinations in this matter and that therefore the extension requested is warranted and would serve the public interest. *Accordingly, it is ordered,* That the time for filing comments in this proceeding is extended from June 1, 1966, to September 1, 1966, and the time for filing reply comments from June 15, 1966, to September 15, 1966.

3. This action is taken pursuant to authority contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and §0.281(d)(8) of the Commission's rules and regulations.

Adopted: May 31, 1966.

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6234; Filed, June 6, 1966; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, 1965 Rev. Supp. No. 18]

PRUDENCE MUTUAL CASUALTY CO.

Extension of Authority To Qualify as Surety on Federal Bonds

JUNE 2, 1966.

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to Prudence Mutual Casualty Co., Chicago, Ill., under the provisions of the Act of Congress, approved July 30, 1947 (6 U.S.C. 6-13), to qualify as sole surety on recognizances, stipulations, bonds, and undertakings permitted or required by the laws of the United States, expiring on May 31, 1966, has been extended to August 31, 1966, with an underwriting limitation of $100,000.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 66-6203; Filed, June 6, 1966; 8:47 a.m.]

[T.D. 66-121]

[T.D. Order No. 165-17, Amdt. 4]

CUSTOMS FIELD SERVICE

Effective Date of Creation of Region II, New York City

JUNE 3, 1966.

Pursuant to Reorganization Plan No. 1 of 1965 (30 F.R. 7035), Reorganization No. 26 of 1950 (3 CFR Ch. III), section 1 of the Act of August 1, 1914, as amended, 38 Stat. 623 (19 U.S.C. 2), and Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), Treasury Department Order 165-17 (T.D. 56464, 30 F.R. 10913) as amended by T.D. 66-116 (31 F.R. 7764) is hereby further amended by changing from June 15, 1966, to June 6, 1966, the effective date of the creation of Customs Region II, New York City, and the effective date of the creation of the new offices and the abolition of existing districts and offices for the territory included in said Region II.

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-6332; Filed, June 6, 1966; 10:56 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. G-365]

JOHN C. MORGAN

Notice of Loan Application

John C. Morgan, Post Office Box 532, Naples, Fla., 33940, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 37-foot wood vessel to engage in the fishery for mackerel, pompano, and grouper.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. L. McHUGH,
Acting Director,
Bureau of Commercial Fisheries.

JUNE 2, 1966.

[F.R. Doc. 66-6202; Filed, June 6, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[P. & S. Docket No. 402]

MARKET AGENCIES AT UNION STOCK YARDS, CHICAGO, ILL.

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on February 23, 1965 (24 A.D. 202), continuing in effect to and including February 28, 1967, an order issued on February 8, 1962 (21 A.D. 115), which, as modified by orders issued on March 29, 1962 (21 A.D. 272), January 6, 1964 (23 A.D. 43), and July 26, 1965 (24 A.D. 949), authorizes the respondents, Market Agencies at Union Stock Yards, Chicago, Ill., to assess the current temporary schedule of rates and charges.

On May 17, 1966, a petition was filed on behalf of the respondents requesting authority to modify, as soon as possible, the current temporary schedule of rates and charges as indicated below.

* * * * *

SECTION B.—SELLING CHARGES

	Rate per head	
	Proposed	Present
B-1 Cattle:		
Consignments of 1 head and 1 head only	$1.80	$1.70
Consignments of more than 1 head:		
First 5 head in each consignment	1.60	1.50
Next 10 head in each consignment	1.55	1.45
Each head over 15 head in each consignment	1.50	1.40
B-2 Cattle, maximum charge: In no instance shall the charge for selling a consignment of cattle exceed the aggregate of $51.50 (presently $48.00) for the first 24,400 pounds, plus 19 (presently 18) cents for each additional 100 pounds or fraction thereof, plus extra service charges provided in section E.	* * *	* * *
B-7 Hogs:		
Consignments of 1 head and 1 head only:		
Each head weighing 250 pounds or over	.83	.80
Each head weighing under 250 pounds	.68	.65
Consignments of more than 1 head:		
First 10 head in each consignment	.58	.55
Next 15 head in each consignment	.53	.50
Each head over 25 head in each consignment	.48	.45
B-8 Hogs, maximum charge: In no instance shall the charge for selling a consignment of hogs exceed the aggregate of $40.25 (presently $38.00) for the first 18,000 pounds, plus 19 (presently 18) cents for each additional 100 pounds or fraction thereof, plus extra service charges provided in section E.	* * *	* * *
B-9 Sheep or goats:		
Consignments of 1 head and 1 head only	.38	.35
Consignments of more than 1 head:		
First 10 head in each 250 head	.43	.40
The next 50 head in each 250 head	.38	.35
The next 60 head in each 250 head	.23	.20
The next 130 head in each 250 head	.18	.15
* * *	* * *	* * *

SECTION I.—FEEDER CATTLE AND CALF AUCTION BUYING AND SERVICE CHARGES

* * *	* * *	* * *
I-1 Cattle (average weight over 400 lbs.)	1.55	1.45
Plus extra service charges provided in section E. Maximum, $51.50 (presently $48.00) for the first 24,400 lbs., plus 19 (presently 18) cents for each additional 100 lbs. or fraction thereof, plus extra service charges provided in section E.		
* * *	* * *	* * *
I-3 Cattle (average weight over 400 lbs.)	1.23	1.15
Plus extra service charges provided in section E. Maximum, $36.00 for the first 24,400 lbs., plus 15 (presently 14) cents for each additional 100 lbs. or fraction thereof, plus extra service charges provided in section E.		
* * *	* * *	* * *
I-5 Cattle (average weight over 400 lbs.)	.85	.80
Plus ½ extra service charges provided in section E. Maximum, $24.00 for the first 24,400 lbs., plus 10 (presently 9) cents for each additional 100 lbs. or fraction thereof, plus ½ extra service charges provided in section E.		
* * *	* * *	* * *

The modifications, if authorized, will produce additional revenue for the respondents and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of

the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, within 10 days after the publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 1st day of June 1966.

GLENN G. BIERMAN,
Acting Director, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 66-6215; Filed, June 6, 1966; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

IMPERIAL CHEMICAL INDUSTRIES, LTD.

Notice of Withdrawal of Petition for Food Additives Slimicides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Imperial Chemical Industries, Ltd., Post Office Box 42, Hexagon House, Blackley, Manchester, 9, England, has withdrawn its petition (FAP 6H1982), published in the FEDERAL REGISTER of March 9, 1966 (30 F.R. 4151), proposing an amendment to § 121.2505 *Slimicides* to provide for the safe use of 1,2-benzisothiazolone as a slime-control substance in the preparation of slimicides used in the manufacture of paper and paperboard that contact food.

The withdrawal of this petition is without prejudice to a future filing.

Dated: May 31, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6195; Filed, June 6, 1966; 8:46 a.m.]

ROHM & HAAS CO.

Notice of Filing of Petition for Food Additive 1,1-Bis(p-Chlorophenyl)-2,2,2-Trichloroethanol

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6H2025) has been filed by Rohm & Haas Co., Independence Mall West, Philadelphia, Pa., 19105, proposing the issuance of a regulation to establish a tolerance of 30 parts per million for residues of the insecticide 1,1-bis-(p-chlorophenyl)-2,2,2-trichloroethanol in or on dried tea leaves from its use in the production of the crop.

Dated: May 26, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6196; Filed, June 6, 1966; 8:47 a.m.]

TRIFLURALIN

Notice of Establishment of Temporary Tolerance

Notice is given that at the request of the Elanco Products Co., Indianapolis, Ind., 46206, a temporary tolerance is established for residues of the herbicide trifluralin (α,α,α-trifluoro-2,6-dinitro-*N*,*N*-dipropyl-*p*-toluidine) in or on sugarbeets at 0.05 part per million. The Commissioner of Food and Drugs has determined that this temporary tolerance will protect the public health.

A condition under which this temporary tolerance is established is that the herbicide will be used in accord with the terms of the experimental permit issued by the U.S. Department of Agriculture. Distribution will be under the Elanco Products Co. name.

This temporary tolerance expires May 27, 1967.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and delegated by him to the Commissioner (21 CFR 2.120; 31 F.R. 3008).

Dated: May 27, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-6197; Filed, June 6, 1966; 8:47 a.m.]

Office of Education

FEDERAL FINANCIAL ASSISTANCE IN CONSTRUCTION OF NONCOMMERCIAL EDUCATIONAL TELEVISION BROADCAST FACILITIES

Applications Accepted for Filing

Notice is hereby given that effective with this publication the following described applications, for Federal financial assistance in the construction of noncommercial educational television broadcast facilities are accepted for filing in accordance with 45 CFR 60.7:

North Central Educational Television Association, Inc., Highway 81 South, Fargo, N. Dak., File No. 142, to expand the operation of noncommercial educational television station KFME, Channel 13, Fargo, N. Dak.

Board of Trustees for the Vincennes University, 1002 North First Street, File No. 67, to amend its approved project to establish a new noncommercial educational television station on Channel 52, Vincennes, Ind., by adding cost increases made necessary by order of the Federal Communications Commission to change proposed operation to Channel 22.

Georgia State Board of Education, State Office Building, Atlanta, Ga., File No. 90, to amend its approved project to establish a new noncommercial educational television satellite station on Channel 20, Wrens, Ga., by deletion of proposed studio facilities at Atlanta and of apparatus claimed for credit.

Any interested person may, pursuant to 45 CFR 60.8, within 30 calendar days from the date of this publication, file comments regarding the above applications with the Chief, Educational Television Facilities Branch, U.S. Office of Education, Washington, D.C., 20202.

(76 Stat. 64, 47 U.S.C. 390)

RAYMOND J. STANLEY,
Chief, Educational Television Facilities Branch, U.S. Office of Education.

[F.R. Doc. 66-6218; Filed, June 6, 1966; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-253]

GENERAL DYNAMICS CORP.

Notice of Application for Utilization Facility License

Please take notice that General Dynamics Corp., under section 104c of the Atomic Energy Act of 1954, has submitted an application for a license to construct and operate an Accelerator Pulsed Fast Critical Assembly, designated as the APFA-III, for nuclear research on the Corporation's John Jay Hopkins Laboratory site at Torrey Pines Mesa, Calif. A copy of the application is available for public inspection in the AEC Public Document Room, located at 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 26th day of May 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director, Division of Reactor Licensing.

[F.R. Doc. 66-6176; Filed, June 6, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 15356 etc.; Order No. E-23760]

NORTHEAST-BAHAMAS SERVICE CASE

Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of June 1966.

On March 29, 1966, the Board issued its Order of Consolidation, Order E-23436, in which it limited the scope of this proceeding to the issue of turnaround service between the U.S. coterminal points of Boston, Mass.; New York, N.Y.; Philadelphia, Pa.; and Washington, D.C., or any of them, on the one hand, and a point or points in the Bahama Islands, on the other hand.

Petitions for reconsideration of Order E-23436 have been filed by Northwest, Pan American, the Mayor and City Council of Baltimore and the Chamber of Commerce of Metropolitan Baltimore, and the Greater Baltimore Committee and State Aviation Commission of Maryland.[1] Answers to Northwest's petition have been filed by Eastern, Pan American, Trans Caribbean, Northeast and the Bureau of Operating Rights. The Virginia Parties[2] filed an answer opposing the Baltimore petitions and the Bureau filed an answer supporting the petition filed by Pan American and the Mayor and City Council of Baltimore, but opposing the petition of the Greater Baltimore Committee and State Aviation Commission of Maryland.

Northwest's petition requests the Board to define the scope of the proceeding so that any new single-plane services authorized in this proceeding may be operated beyond the four U.S. coterminal points over the existing routes of the applicants. Northwest also asks the Board to include as an issue the question of technical modifications of Northwest's certificate that are necessary to enable the carrier to operate such single-plane service beyond the coterminal points.

Pan American's petition seeks the redesignation of New York as New York/Newark and Washington as Washington/Baltimore. The Mayor, City Council and Chamber of Commerce of Baltimore request the Board to redesignate Washington as Washington/Baltimore. The Greater Baltimore Committee and the State Aviation Commission of Maryland ask the Board to include as an issue the question of service between Baltimore and the Bahamas.

We have considered Northwest's petition and the answers filed in response thereto, and have concluded that the petition should be denied. Our consolidation order, E-23436, stated we are considering the need for turnaround service between the U.S. coterminals and the Bahamas, and only those applications seeking to provide this service were consolidated. In order that there be no misunderstanding of our intention to limit the issues to turnaround service between the U.S. coterminals, on the one hand, and a point or points in the Bahamas, on the other hand, we will amend our consolidation order to prohibit the operation of single-plane service beyond these terminal points.

After giving careful consideration to the petitions filed by Pan American, the Mayor and City Council of Baltimore, and the Greater Baltimore Committee and State Aviation Commission of Maryland, as well as the answer filed by the Virginia Parties, we have decided to redesignate New York as New York/Newark and to designate Washington and Baltimore as separate coterminal points as well as a single hyphenated point.

Accordingly, it is ordered,

1. That the petition for reconsideration filed by Northwest be and it is denied;

2. That ordering paragraph 1 of Order E-23436 be and it hereby is amended to read:

1. The following applications be and they hereby are consolidated for hearing and decision herein with the original application of Northeast Airlines, Inc., in Docket 15356, to the extent that such applications request authorization of a route between the U.S. coterminal points of Boston, Mass.; New York, N.Y./Newark, N.J.; Philadelphia, Pa.; Washington, D.C./Baltimore, Md.; Washington, D.C.; and Baltimore, Md.; or any of them, on the one hand, and a point or points in the Bahama Islands, on the other hand; Braniff Airways, Inc., Docket 16800; Caribbean-Atlantic Airlines, Inc., Docket 16798; Eastern Air Lines, Inc., Docket 16795; Mackey Airlines, Inc., Docket 14952; National Airlines, Inc., Docket 16792; Northwest Airlines, Inc., Docket 16803; Pan American-Grace Airways, Inc., Docket 16789; Pan American World Airways, Inc., Docket 16799; and Trans Caribbean Airways, Inc., Docket 16802. Any awards made as a result of this proceeding shall be subject to the restriction that all flights must originate at Boston, Mass.; New York, N.Y./Newark, N.J.; Philadelphia, Pa., Washington, D.C./Baltimore, Md., Washington, D.C., or Baltimore, Md., and terminate at a point in the Bahama Islands, or shall originate at a point in the Bahama Islands and terminate at Washington, D.C./Baltimore, Md.; Washington, D.C.; Baltimore, Md.; Philadelphia, Pa.; New York, N.Y./Newark, N.J.; or Boston, Mass.

3. That, except to the extent granted herein, all motions, petitions and requests for relief be and they hereby are denied.

4. That this order be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-6208; Filed, June 6, 1966; 8:48 a.m.]

[1] The pleadings filed by the Baltimore petitioners were accompanied by motions for leave to file otherwise unauthorized documents as required by section 4(f) of the Board's rules of practice. The motions have stated good cause for their failure to comply with the cut-off date contained in the Chief Examiner's Notice of December 1, 1965. We will therefore consider their petitions for reconsideration.

[2] Virginia Airports Authority and the Fairfax County Industrial Development Authority.

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14977, 14978; FCC 66M-780]

ABACOA RADIO CORP. (WRAI) AND MID-OCEAN BROADCASTING CORP.

Order Regarding Procedural Dates

In re applications of Abacoa Radio Corp. (WRAI), Rio Piedras (San Juan), P.R., Docket No. 14977, File No. BP-14070; Mid-Ocean Broadcasting Corp., San Juan, P.R., Docket No. 14978, File No. BP-14994; for construction permits.

The Hearing Examiner having under consideration a letter (with attachment) of counsel for Mid-Ocean, dated May 27, 1966, received by the Hearing Examiner on that date; the transcript of the further hearing conference held herein on April 6, 1966, in particular page 551 thereof; and his order released herein on April 7, 1966 (FCC 66M-491);

It appearing, that draft of a final agreement for settlement of the subject proceeding has been approved by the principals of the applicants; and,

It further appearing, that as a result of said approval, Abacoa will have its application appropriately amended and that every effort will be made to have such an amendment on file by June 13, 1966;[1] and,

It further appearing, that applicants contemplate filing of necessary petition for approval of agreement with the Review Board by June 20; and,

It further appearing, that in its May 27 letter, Mid-Ocean requests the Hearing Examiner (1) to suspend the effectiveness of the June 1 date, presently scheduled for exchange of exhibits, and (2) to schedule June 20, presently set for commencement of hearing, as a hearing conference, a request supported by counsel for Abacoa and not opposed by Bureau counsel in reliance upon applicants' stated assurances;

It is ordered, This 1st day of June 1966, that Mid-Ocean's letter request of May 27, 1966, is granted and the effectiveness of the June 1, 1966, date for exchange of exhibits is suspended; and,

It is further ordered, That June 20, 1966, presently scheduled for commencement of hearing, is established as date for a further hearing conference, to commence at 9 a.m. in the offices of the Commission at Washington, D.C.

Released: June 2, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6219; Filed, June 6, 1966; 8:49 a.m.]

[Docket Nos. 16657-16659; FCC 66M-760]

AMERICAN COLONIAL BROADCASTING CORP. ET AL.

Order Scheduling Hearing

In re applications of American Colonial Broadcasting Corp., Caguas, P.R., Docket No. 16657, File No. BPH-4890; Caguas Radio Corp., Caguas, P.R., Docket No. 16658, File No. BPH-4962; Francisco

[1] Mid-Ocean's concern in its May 27 letter that, as indicated by Abacoa, a period of up to 45 days may be required to prepare (for filing) Abacoa's amendment (a delay to which Bureau counsel orally (May 31, 1966) strongly objected), thus appears to have been unfounded.

Pereira Casillas, Federico Virella, Hector Pereira Buonomo, and Pedro Luis Jimenez, doing business as Borinquen Broadcasting Co., Caguas, P.R., Docket No. 16659, File No. BPH-4971; for construction permits.

It is ordered, This 27th day of May 1966, that Forest L. McClenning shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 13, 1966, at 10 a.m.; and that a prehearing conference shall be held on June 20, 1966, commencing at 9 a.m.: *And it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6220; Filed, June 6, 1966; 8:49 a.m.]

[Docket No. 16258; FCC 66M-756]

AMERICAN TELEPHONE AND TELEGRAPH CO. ET AL.

Order

In the matter of American Telephone & Telegraph Co. and the Associated Bell System Companies, charges for interstate and foreign communication service.

The Telephone Committee having under consideration a request, dated May 25, 1966, in behalf of the Bell System Respondents, requesting extension, from May 31 until July 29, 1966, of the time within which to file a portion of their direct testimony relating to rate-making principles and factors, as prescribed in our order of February 11, 1966 (FCC 66M-234); and

It appearing that the imminence of the presently prescribed May 31, 1966 date for filing of such evidence precludes our waiting for the filing of oppositions to the request by parties to the proceeding; and

It further appearing that good cause has been shown for a grant of the requested relief;

It is ordered, This 31st day of May 1966, that our order of February 11, 1966, described above, is amended to provide that Respondents may file and serve the reference testimony relating to rate-making principles and factors, on or before July 29, 1966.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6221; Filed, June 6, 1966; 8:49 a.m.]

[Docket Nos. 16584, 16585; FCC 66M-766]

CITY INDEX CORP. AND JOHN M. McLENDON

Order Continuing Hearing

In re applications of City Index Corp., Jackson, Miss., Docket No. 16584, File No. BPCT-3530; John M. McLendon, trading as Tele/Mac of Jackson, Jackson, Miss., Docket No. 16585, File No. BPCT-3647; for construction permit for new television broadcast station (Channel 16).

Pursuant to agreements reached at the prehearing conference held on May 31, 1966, the evidentiary hearing in the above-entitled proceeding now scheduled for June 13, 1966, is continued to September 12, 1966, beginning at 10 a.m. in the offices of the Commission, Washington, D.C.

It is so ordered, This 31st day of May 1966.

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6222; Filed, June 6, 1966; 8:49 a.m.]

[Docket No. 16641; FCC 66M-757]

DONALD B. RICHARDSON

Order Scheduling Hearing

In the matter of Donald B. Richardson, Lansdowne, Md., order to show cause why the license for radio Station KKI-3885 in the citizens radio service should not be revoked.

It is ordered, This 31st day of May 1966, that the hearing in the above-entitled proceeding shall be held in the Offices of the Commission, Washington, D.C., on July 5, 1966, commencing at 10 a.m.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6223; Filed, June 6, 1966; 8:49 a.m.]

[Docket No. 15835 etc.; FCC 66M-764]

LEBANON VALLEY RADIO ET AL.

Order Scheduling Hearing Conference

In re applications of Arthur K. Greiner, Glenn W. Winter, William W. Rakow, and Robert M. Lesher, doing business as Lebanon Valley Radio, Lebanon, Pa., Docket No. 15835, File No. BP-16098; John E. Hewitt, Thomas A. Ehrgood, Clifford A. Minnich, and Fitzgerald C. Smith, doing business as Cedar Broadcasters, Lebanon, Pa., Docket No. 15836, File No. BP-16103; Catonsville Broadcasting Co., Catonsville, Md., Docket No. 15838, File No. BP-16105; Radio Catonsville, Inc., Catonsville, Md., Docket No. 15839, File No. BP-16106; for construction permits.

Even though the opposition by Cedar Broadcasters demonstrates the illogic of urgency about picking up the hearing again, the conventions of our practice do not in a case like this recommend denial of Lebanon Valley Radio's May 17 request for a hearing conference: *Accordingly, it is ordered*, This 31st day of May, 1966, that the request of May 17 by Lebanon Valley Radio for a hearing conference is granted to the extent that a hearing conference will be held in this proceeding on Friday, June 10, at 10 a.m. in Washington, D.C.

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F. R. Doc. 66-6224; Filed, June 6, 1966; 8:49 a.m.]

[Docket Nos. 16655, 16656; FCC 66M-762]

JONES T. SUDBURY AND NORTHWEST TENNESSEE BROADCASTING CO., INC.

Order Scheduling Hearing

In re applications of Jones T. Sudbury, Martin, Tenn., Docket No. 16655, File No. BPH-5067; Northwest Tennessee Broadcasting Co., Inc., Martin, Tenn., Docket No. 16656, File No. BPH-5174; for construction permits.

It is ordered, This 27th day of May 1966, that Basil P. Cooper shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 18, 1966, at 10 a.m.; and that a prehearing conference shall be held on June 21, 1966, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6225; Filed, June 6, 1966; 8:49 a.m.]

[Docket Nos. 14755-14757; FCC 66M-776]

JUPITER ASSOCIATES, INC., ET AL.

Order Scheduling Hearing Session

In reapplications of Jupiter Associates, Inc., Matawan, N.J., Docket No. 14755, File No. BP-14178; William S. Halpern and Louis N. Seltzer doing business as Somerset County Broadcasting Co., Somerville, N.J., Docket No. 14756, File No. BP-14234; Radio Elizabeth, Inc., Elizabeth, N.J., Docket No. 14757, File No. BP-14812; for construction permits.

The Hearing Examiner having under consideration a motion filed May 27, 1966, on behalf of Jupiter Associates, Inc., requesting a hearing session for the purpose of taking testimony of Dr. Frederick P. Staffiinger, one of the petitioner's stockholders;

It appearing, that the hearing herein is scheduled to commence on July 6, 1966, having been so scheduled primarily for the accommodation of said petitioner;

It further appearing, that said Dr. Staffiinger, due to a long standing commitment, will be out of the country during the month of July and, therefore, unavailable as a witness for Jupiter Associates, Inc.;

It further appearing, that the pleading states that counsel for the other parties will interpose no objection to a scheduling of a hearing session on June 9, 1966, in order to afford Dr. Staffiinger the opportunity to testify in said proceeding;

It further appearing, that petitioner requests immediate consideration of said motion and good cause having been shown that the motion should be granted;

Accordingly, It is ordered, This 1st day of June 1966, that the motion Is granted, and

It is further ordered, That a hearing session will be held on June 9, 1966, 10 a.m., in the Commission's offices, Washington, D.C., for the purpose of taking testimony, including cross-examination of Dr. Frederick P. Staffiinger, under the Commission's remand order involving a so-called new section 307(b) issue (FCC 65-1156, released December 27, 1965).

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6226; Filed, June 6, 1966; 8:49 a.m.]

[Docket Nos. 16653, 16654; FCC 66M-761]

LAFAYETTE BROADCASTING CO., INC., AND STATE LINE BROADCASTING CO., INC.

Order Scheduling Hearing

In re applications of Lafayette Broadcasting Co., Inc., Lafayette, Tenn., Docket No. 16653, File No. BPH-5009; State Line Broadcasting Co., Inc., Scottsville, Ky., Docket No. 16654, File No. BPH-5119; for construction permits.

It is ordered, This 27th day of May 1966, that Thomas H. Donahue shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 18, 1966, at 10 a.m.; and that a prehearing conference shall be held on June 23, 1966, commencing at 9 a.m.: *And it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6227; Filed, June 6, 1966; 8:49 a.m.]

[Docket Nos. 16489, 16490; FCC 66M-755]

McALISTER BROADCASTING CORP. AND KJJJ-TV

Order Continuing Prehearing Conference

In re applications of McAlister Broadcasting Corp., Lubbock, Tex., Docket No. 16489, File No. BPCT-3426; John B. Walton, Jr., doing business as KJJJ-TV, Lubbock, Tex., Docket No. 16490, File No. BPCT-3527; for construction permit for new television broadcast station Channel 28.

The Hearing Examiner having under consideration the letter request of counsel for John B. Walton, Jr., doing business as KJJJ-TV, one of the above-named applicants, dated May 27, 1966, requesting that the further prehearing conference in the above-entitled proceeding now scheduled for June 7, 1966, be continued;

It appearing, that a joint request seeking dismissal of the McAlister application and a grant of the Walton application was filed with the Review Board on May 24, 1966; and

It further appearing, that favorable action by the Review Board on said request would be dispositive of the proceeding; and

It further appearing, that all parties have consented to immediate action on said request, and that good cause has been shown for a grant thereof;

It is ordered, This 27th day of May 1966, that the above-mentioned request Is granted; and that the further prehearing conference presently scheduled for June 7, 1966, be, and the same is, hereby continued to July 7, 1966.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6228; Filed, June 6, 1966; 8:49 a.m.]

[Docket No. 14855; FCC 66M-759]

NORTHERN INDIANA BROADCASTERS, INC.

Order Scheduling Hearing Conference

In re application of Northern Indiana Broadcasters, Inc., Mishawaka, Ind., Docket No. 14855, File No. BP-14771; for construction permit.

Here under consideration is a Motion to Continue Hearing Conference, filed on May 27, 1966, by Northern Indiana Broadcasters, Inc.; and

It appearing that counsel for the other parties have consented to grant of the motion and to its immediate consideration and that, considering the Examiner's docket, the requested postponement will not delay final determination;

It is ordered, This 31st day of May 1966, that the motion is granted, and the hearing conference now scheduled to be held June 1, 1966, is continued to 9 a.m., June 15, 1966.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6229; Filed, June 6, 1966; 8:50 a.m.]

[Docket No. 16582; FCC 66M-758]

ROY A. FILBERT

Order Scheduling Hearing

In the matter of Roy A. Filbert, Baltimore, Md., Docket No. 16582, order to show cause why the license for radio station KKI-3886 in the citizens radio service should not be revoked.

It is ordered, This 31st day of May 1966, that H. Gifford Irion shall serve as Presiding Officer in the above-entitled proceeding; and that the hearing therein shall be held in the offices of the Commission, Washington, D.C., on July 1, 1966, commencing at 10 a.m.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6230; Filed, June 6, 1966; 8:50 a.m.]

[Docket No. 16583; FCC 66M-774]

WASHINGTON BROADCASTING CO. AND WOL, INC.

Order Scheduling Hearing Conference

In re application of Washington Broadcasting Co. (Assignor) and WOL, Inc. (Assignee), Docket No. 16533, File Nos. BAL-5418, BALH-780, BALRE-1237, for Assignment of Licenses of Stations WOL AM and FM, Washington, D.C.

Pursuant to the Commission's Memorandum Opinion and Order (FCC 66-450) released May 31, 1966: *It is ordered*, This 1st day of June 1966, that there will be a hearing conference in this proceeding on June 8, 1966, 10 a.m., in the Commission's Offices, Washington, D.C.

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6232; Filed, June 6, 1966; 8:50 a.m.]

[Docket Nos. 15841-15843; FCC 66M-773]

WTCN TELEVISION, INC. (WTCN-TV), ET AL.

Order Scheduling Further Hearing Conference

In re applications of WTCN Television, Inc. (WTCN-TV), Minneapolis, Minn., Docket No. 15841, File No. BPCT-2850; Midwest Radio-Television, Inc. (WCCO-TV), Minneapolis, Minn., Docket No. 15842, File No. BPCT-3292; United Television, Inc. (KMSP-TV), Minneapolis, Minn., Docket No. 15843, File No. BPCT-3293; for construction permits.

On the Hearing Examiner's own motion: *It is ordered*, This 1st day of June 1966, that there will be a further hearing conference in this proceeding on June

8, 1966, 2 p.m., in the Commission's offices, Washington, D.C.

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6233; Filed, June 6, 1966; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

CITY OF ANCHORAGE AND SEA-LAND SERVICE, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of Agreement Filed for Approval by:

J. Scot Provas, Terminal and Fleet Streets, Post Office Box 1060, Elizabeth, N.J., 07207.

Agreement No. T-1685-2 between the city of Anchorage (City) and Sea-Land Service, Inc. (Sea-Land), modifies the basic agreement which provides for the lease and preferential use of berth space and transit shed at Anchorage, Alaska. The purpose of the modification is to:

(1) Increase the number of preferential berthing assignments per agreement year to Sea-Land;

(2) Provide that Sea-Land give the City 30 days advance notice of its sailing schedules;

(3) Provide that Sea-Land make every effort to vacate the berth within 44, rather than 54, hours after arrival and mooring;

(4) Provide for deference by Sea-Land to vessels of the Alaska State Ferry System; and

(5) Provide for an increase in revenue payments to the City.

Dated: June 2, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6204; Filed, June 6, 1966; 8:47 a.m.]

MEYER LINE ET AL.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Meyer Line, Finnlines, Polish Ocean Lines:

Notice of agreement filed for approval by:

Mr. Raymond Horgan, Executive Vice President, Stockard Shipping Co., Inc., 17 Battery Place, New York, N.Y., 10004.

Agreement 9552, between Meyer Line, Finnlines, and Polish Ocean Lines, provides that, in the trade from U.S. North Atlantic ports in the Hampton Roads/Portland, Maine, range to ports in West Europe in the range from Antwerp east including Hamburg, (1) the parties may confer with each other and discuss together from time to time the matter of rates, charges, classifications, practices, and tariff matters; (2) the parties may agree on various rates, charges, classifications, practices, and related tariff matters, to be charged or observed by them respectively, but with reservation of the right by each party to alter for itself any rate, charge, classification, practice, or related tariff matter thus agreed upon or in force upon first giving the other parties at least 48 hours' notice; (3) the individual lines will file their tariffs, rules and regulations with the Commission; (4) a Secretary will be appointed to maintain records of all action taken, carry out the requirements of the agreement, and duly certify minutes or other records of action which shall be promptly furnished the Commission.

Dated: June 2, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6205; Filed, June 6, 1966; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. CP65-197, CP66-211]

ALABAMA-TENNESSEE NATURAL GAS CO.

Notice of Consolidation and Date of Hearing

MAY 31, 1966.

Notice of the petition to amend filed in Docket No. CP65-197 was issued by the Secretary of the Commission on March 7, 1966, and published in the FEDERAL REGISTER on March 12, 1966 (31 F.R. 4362). Petitioner seeks to amend the order of the Commission issued in said Docket on April 30, 1965, as amended on December 20, 1965, so as to authorize on a permanent basis the sale and delivery of an additional volume of 700 Mcf of gas per day to the Ford Motor Co., an existing customer.

On January 6, 1966, the Secretary of the Commission issued a notice of application in Docket No. CP66-211, which was published in the FEDERAL REGISTER on January 13, 1966 (31 F.R. 463). By its application in said docket, Alabama-Tennessee Natural Gas Co. requests the Commission to issue a certificate of public convenience and necessity authorizing it to construct and operate certain facilities necessary to increase its daily delivery capacity in order to render additional natural gas service to existing customers and initial gas service to the new Amoco Chemicals Corp. plant being built near Decatur, Ala. and to provide unallocated capacity to be used to meet Applicant's future market requirements.

These related applications should be heard upon a consolidated record and are hereby consolidated for hearing.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 28, 1966 at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by said applications.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6179; Filed, June 6, 1966; 8:45 a.m.]

[Docket No. CP61-92]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

MAY 31, 1966.

Take notice that on May 24, 1966, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP61-92 a petition to amend the order of the Commission issued in said Docket on January 11, 1965, 33 FPC 34, and amended June 2, 1965, and February 4, 1966, requesting authorization for the construction and operation of certain natural gas facilities necessary to connect the Key-Richardson 2-71 Well located in Ochiltree County, Tex., and for the delivery of gas produced therefrom to Northern Natural Gas Co. (Northern) on an exchange basis, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The order issued in the instant docket authorized Petitioner to construct and operate certain facilities and to deliver natural gas to Northern on an exchange basis, at points in Ochiltree County, Tex., as a part of the authorized exchange quantity under Petitioner's Rate Schedule Z-1, FPC Gas Tariff, Third Revised Volume No. 2. As to authorized, gas delivered to Northern in Ochiltree County, Tex., is produced from those wells identified on Exhibit B to Rate Schedule Z-1.

Specifically, Petitioner proposes to construct and operate approximately 0.25 mile of 4½-inch O.D. pipeline extending from the Key-Richardson 2-71 Well located in the NE¼ of Section 71, Block 13, T&NO Railroad Survey, Ochiltree County, Tex., to a point of connection with Petitioner's existing facilities interconnecting with Northern's gathering system in the SE¼ of Section 57, Block 13, of Ochiltree County, and a standard high pressure well tie and measurement station with standard appurtenances.

Petitioner estimates that reserves of 1.4 billion cubic feet of natural gas will be recoverable from the Key-Richardson 2-71 Well.

The total estimated cost of Petitioner's proposed facilities is $6,750, which cost will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 27, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6181; Filed, June 6, 1966; 8:46 a.m.]

[Docket No. G-14645 etc.]

EL PASO PRODUCTS CO.

Notice of Change in Name

MAY 31, 1966.

Take notice that on April 11, 1966, El Paso Products Co. filed a notice of change in name to advise the Commission that its corporate name had been changed from El Paso Natural Gas Products Co. effective January 1, 1966, all as more fully set forth in the notice which is on file with the Commission and open to public inspection.

El Paso Natural Gas Products Co. holds certificates of public convenience and necessity for the sale of natural gas issued in Docket Nos. G-14645, G-15510, G-15511, G-16006, G-16015, G-16175, G-16499, G-17206, G-18629, G-20585, CI61-1461, CI63-1265,[1] CI64-227, and CI65-414.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 24, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6182; Filed, June 6, 1966; 8:45 a.m.]

[Project No. 2004]

HOLYOKE WATER POWER CO.

Notice of Application for Amendment of License for Constructed Project

MAY 31, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Holyoke Water Power Co. (correspondence to: Robert E. Barrett, Jr., President, Holyoke Water Power Co., Holyoke, Mass., 01040), for amendment of the license for constructed Project No. 2004, located on the Connecticut River, city of Holyoke, Hampden County, Mass.

The application seeks to include in the license for the existing project an additional constructed hydroelectric unit acquired by Applicant from one of the industrial plants along the latter's canal system. The hydroelectric facilities involved consist of a 400-horsepower vertical waterwheel and a 375 kva direct-connected generator which is integrated into the company's operations.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 18, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6183; Filed, June 6, 1966; 8:45 a.m.]

[Docket No. RI65-202, etc.]

TENNECO OIL CO., ET AL.

Order Providing for Hearing; Correction

MAY 20, 1966.

In the order providing for hearing on and suspension of proposed changes in rates, and allowing rate changes to become effective subject to refund, issued September 23, 1964, and published in the FEDERAL REGISTER October 2, 1964 (F.R. Doc. 64-9942, 29 F.R. 13588), change the "Proposed Increased Rate" to read "13.2549" in lieu of "13.2534" after Docket No. RI65-202, et al. in Appendix "A". This relates to Rate Schedule No. 57, Supplement No. 2.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-6184; Filed, June 6, 1966; 8:45 a.m.]

[Docket Nos. G-16907, G-16908]

TENNESSEE-TEXAN OIL CO. AND TIDEWATER OIL CO.

Order To Show Cause

JUNE 1, 1966.

The question involved is the same as that presented in Skelly Oil Co., et al., Opinion No. 492, issued this day. The two producers in the instant proceeding were issued temporary certificates at 18.2304 cents per Mcf. These temporary certificates contained no refund conditions. Thereafter by order dated April 22, 1963, the Commission issued permanent certificates to these producers conditioned upon an initial price of 15 cents per Mcf. The Commission order did not require the two producers to make refunds of the amounts collected by them in excess of 15 cents per Mcf during the period when the temporary certificates were in effect. After appeal by Public Service Commission of the State of New York to the U.S. Court of Appeals for the District of Columbia, a stipulation was entered into by joint motion filed in that court September 26, 1963, providing that the disposition of the case should be governed by the disposition in the Skelly case. After the Court of Appeals had reached its decision in the Skelly case,[1] the court entered an order on February 11, 1964, that the present case be remanded to the Commission for proceedings consistent with the opinion of the Court of Appeals in Skelly. Certiorari was denied by the Supreme Court at the same time certiorari was denied in the Skelly case.

We know of no reason why a disposition should not be made of the remaining two dockets in this proceeding in the same manner as the dockets involved in Skelly Oil Co., et al., Opinion No. 492. We think that the proceeding can be expedited by requiring the two producers to show cause why an order should not issue requiring them to file refund computations in accordance with the principles set forth in Opinion No. 492. The producers here involved will have the opportunity of course, to show that the facts in one or both dockets differ from those in the dockets dealt with in Opinion No. 492.

In view of the foregoing it is necessary and appropriate for the purpose of administering the Natural Gas Act that the parties listed in the caption be required to show cause, if there be any, why they should not be required to file refund computations in accordance with the principles set out in Opinion No. 492, and thereafter to make refunds to the extent indicated by such refund computations

[1] Temporary certificate.

[1] Public Service Commission of State of New York v. FPC, 329 F. 2d 242, cert. den. — U.S. —.

and in the same manner as provided in Opinion No. 492.

The Commission orders:

(A) Tennessee-Texan Oil Co., in Docket No. G–16867, and Tidewater Oil Co., in Docket No. G–16908 shall show cause, if there be any, in writing, within 60 days of the issuance of this order, why they should not be ordered to file refund computations in accordance with the principles set forth in Opinion No. 492, issued this day, and to make the refunds shown to be due in the manner provided in Opinion No. 492.

(B) Further procedures will be established by subsequent orders of the Commission herein. Service of any and all documents filed by Tennessee-Texan Oil Co. and Tidewater Oil Co. in response to this order to show cause shall be made upon all intervenors in this proceeding, upon United Gas Pipe Line Co., and upon the Commission staff.

By the Commission.[2]

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66–6185; Filed, June 6, 1966; 8:45 a.m.]

[Docket No. CP66–382]

VILLAGE OF COBDEN, ILL., AND TEXAS EASTERN TRANSMISSION CORP.

Notice of Application

MAY 31, 1966.

Take notice that on May 20, 1966, the village of Cobden, Ill. (Applicant) filed in Docket No. CP66–382 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Texas Eastern Transmission Corp. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be established by Applicant and to sell and deliver to Applicant its natural gas requirements, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the population of the proposed service area is 1,028, and that the natural gas requirements during the first three years of proposed operations are estimated to be as follows:

	First year	Second year	Third year
Annual (Mcf)	42,800	49,900	57,700
Peak day (Mcf)	416	486	566

Applicant proposes to construct and operate a natural gas distribution system to serve the prospective customers in the village of Cobden and vicinity and along the proposed transmission pipeline. The proposed 3-inch transmission lateral will be installed by Applicant along U.S. Highway No. 51 approximately 5 miles to the meter station to be located on the east side of the city of Jonesboro, Ill., at the present site of Jonesboro's existing town border station.

Applicant states that it has entered into a contract with the city of Jonesboro under which Jonesboro will transport Cobden's natural gas from Respondent to Cobden's meter station through new transmission facilities to be constructed by Jonesboro, pursuant to authorization sought by Jonesboro in its application filed May 20, 1966, in Docket No. CP66–381.

The total estimated cost of the facilities to be constructed by Applicant is $225,000, to be financed through the use of gas revenue certificates.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 27, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6186; Filed, June 6, 1966; 8:46 a.m.]

[Docket No. CP66–383]

WEST OHIO GAS CO. AND MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

JUNE 1, 1966.

Take notice that on May 20, 1966, West Ohio Gas Co. (Applicant), 319 West Market Street, Lima, Ohio, 45802, filed in Docket No. CP66–383 an application pursuant to section 7(a) of the Natural Gas Act for an order directing Michigan Wisconsin Pipe Line Co. (Respondent) to extend its gas transportation facilities, to make physical connection with Applicant's proposed distribution facilities, and to sell natural gas to Applicant for resale and distribution in the village of Convoy, Ohio, and the rural areas adjacent thereto, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Respondent's transmission pipeline extends within 1.75 miles of the village limits of Convoy. The service to be provided by Respondent would be to a new delivery point located approximately 1.75 miles due west of the village of Convoy in Van Wert County, Ohio. Applicant does not receive natural gas from Respondent at any other delivery points at present. Applicant proposes that Respondent construct approximately 1.25 miles of the required lateral pipeline pursuant to Respondent's "10-cent" formula.

Applicant states that Convoy had a 1960 population of 976 and there are 326 residences and 43 commercial establishments now located in Convoy and 13 residences along the route of the transmission pipeline. The estimated natural gas requirements during the first 3 years of proposed operations are as follows:

	First year	Second year	Third year
Annual (Mcf)	27,362	32,498	39,383
Peak day (Mcf)	268	329	392

Applicant proposes that Respondent deliver the natural gas pursuant to Respondent's SGS–1 rate schedule.

The estimated cost of the facilities to be constructed by Applicant is $103,505, which will be financed from internally generated funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 27, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6187; Filed, June 6, 1966; 8:46 a.m.]

[Docket Nos. CS66–32, etc.]

Z. C. AMBROSE ET AL.

Notice of Applications for "Small Producer" Certificates [1]

MAY 31, 1966.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket Nos.	Date filed	Name of applicant
CS66–32	13- 2-66	Z. C. Ambrose, et al., 3230 Mercer, Houston, Tex., 77062.
CS66–129	5- 9-66	Connally Oil Co., Inc., 744 Hickory St., Abilene, Tex., 79604.
CS66–130	5- 9-66	Earl Vest, et al., d.b.a. Vests, Dorbandt & Ross, Box 1047, Kermit, Tex., 79745.
CS66–131	5-16-66	Cowper Bros. Production Co., Post Office Box 111, Big Spring, Tex., 79720.
CS66–132	5-16-66	Midhurst Oil Corp., 1030 Bank of the Southwest Bldg., Houston, Tex., 77002.
CS66–133	5-17-66	Albert C. Muse, et al., 415 Porter Bldg., Pittsburgh, Pa., 15219.
CS66–134	5-17-66	Rilan Corp. (successor to H. L. Moses), 1408 Southern National Bank Bldg., Houston, Tex., 77002.

[F.R. Doc. 66–6188; Filed, June 6, 1966; 8:46 a.m.]

[Docket Nos. G–4579 etc.]

CITIES SERVICE OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

JUNE 1, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated cation, or within the time fixed herein for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed here for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G–4579 D 5–23–66	Cities Service Oil Co., Bartlesville, Okla., 74003 (partial abandonment).	Colorado Interstate Gas Co., Keyes Field, Cimarron County, Okla.	(1)	-------
G–5073 D 5–23–66	Shell Oil Co., 50 West 50th St., New York, N.Y., 10020 (partial abandonment).	do	(1)	-------
G–5452 E 5–18–66	C. Carroll Summers (successor to C. T. Moore and K. W. Fox), Post Office Box 88202, Indianapolis, Ind., 46208.	Consolidated Gas Supply Corp., Ten Mile District, Harrison County, W. Va.	20.0	15.325
G–5657 E 5–16–66	D. E. McCullough, d.b.a. Associated Producers (successor to Irvin and Associates), 403 West Miles Ave., Pennsboro, W. Va., 26415.	Consolidated Gas Supply Corp., McKim District, Pleasants County, W. Va.	20.0	15.325
G–6083 C 5–20–66	Pubco Petroleum Corp., Post Office Box 809, Albuquerque, N. Mex., 87103.	El Paso Natural Gas Co., Blanco Mesaverde Field, San Juan County, N. Mex.	13.0	15.025
G–7241 C 5–23–66	Artec Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex., 75202.	El Paso Natural Gas Co., Artec Pictured Cliffs Field, San Juan County, N. Mex.	12.05085	15.025
G–9325 D 12–23–65	The Atlantic Refining Co., Post Office Box 2819, Dallas, Tex., 75221.	Tennessee Gas Transmission Co., Magnet-Wittiers Field, Wharton County, Tex.	(2)	-------
G–15714 D 5–23–66 [4]	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001.	Transwestern Pipeline Co., acreage in Lipscomb County, Tex.	Assigned	-------
G–16199 C 5–9–66 [4]	Banquete Gas Co., a division of Crestmont Oil & Gas Co., 2622 Mission St., San Marino, Calif.	United Gas Pipe Line Co., Plymouth and East Taft Fields, San Patricio County, Tex.	[3] 12.1536	-------
G–18878 C 5–20–66	Thomas E. Berry (Operator), et al., Post Office Box 528, Stillwater, Okla., 74074.	Transwestern Pipeline Co., acreage in Beaver County, Okla.	17.0	14.65
CI61–989 E 5–19–66	A. L. Abercrombie, Inc. (Operator), et al. (successor to Panhandle Development Co., Inc. (Operator), et al.), 801 Union Center Bldg., Wichita, Kans.	Kansas-Nebraska Natural Gas Co., Inc., East Camrick Field, Beaver County, Okla.	[3] 17.2	14.65
CI62–802 C 5–16–66	Rodney P. Calvin, 416 Patterson Bldg., 555 17th St., Denver, Colo., 80202.	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	13.0	15.025
CI63–265 C 5–23–66	Forest Oil Corp., et al., [5] 1300 National Bank of Commerce Bldg., San Antonio, Tex., 78205.	Michigan Wisconsin Pipe Line Co., Morgan-Horn Unit, Woodward County, Okla.	[3] 20.404	14.65
CI63–720 C 5–23–66	Davon Drilling Co. and Clara R. Weitzenhoffer, Post Office Box 12509, Oklahoma City 12, Okla.	Panhandle Eastern Pipe Line Co., Northwest Oakdale Field, Woods County, Okla.	[3] 18.0	14.65
CI63–963 E 5–16–66	Tesoro Petroleum Corp. (successor to Texstar Securities, Inc., et al.), 533 Busby Dr., San Antonio, Tex., 78209.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	25.0	15.325
CI63–1129 D 5–16–66	Harper Oil Co. (Operator), et al., 904 Hightower Bldg., Oklahoma City, Okla., 73102 (Partial Abandonment).	Arkansas Louisiana Gas Co., North Drummond Area, Garfield and Major Counties, Okla.	Depleted	-------
CI63–1357 E 5–16–66	Lou Ala Development Corp., Inc. (successor to Omega Petroleum Corp.), 2314 Scovell Court, Shreveport, La., 71104.	Arkansas Louisiana Gas Co., Monroe Field, Ouachita, Morehouse and Union Parishes, La.	[3] 17.0	15.02
CI64–28 C 5–23–66	Robert P. Lammerts, c/o Robert N. Berry, attorney, 462 First National Bldg., Oklahoma City, Okla., 73102.	Arkansas Louisiana Gas Co., North Cooper Field, Blaine County, Okla.	18.0	14.65
CI64–1063 D 5–19–66	Texaco Oil Co. (Operator), et al., Post Office Box 2511, Houston, Tex., 77001 (Partial Abandonment).	Cities Service Gas Co., Northeast Clyde Field, Grant County, Okla.	Depleted	-------
CI65–2 C 5–23–66	Arkla Exploration Co., et al., Post Office Box 1126, Shreveport, La., 71102.	Arkansas Louisiana Gas Co., Arkoma Basin Area, Haskell and Le Flore Counties, Okla.	18.0	14.65
CI66–37 C 5–23–66	Davon Drilling Co., et al., Post Office Box 12509, Oklahoma City, Okla., 73112.	Panhandle Eastern Pipe Line Co., Oakdale Pool, Woods County, Okla.	[3] 18.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[1] Commissioner O'Connor disagreed with the show cause order to the extent inconsistent with his separate views in Skelly Oil Co., et al., Docket Nos. G–18638, et al.; Opinion No. 492 issued this day.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
C166-1159, A 5-26-66	Forest Oil Corp. (Operator), et al., 1300 National Bank of Commerce Bldg., San Antonio, Tex., 78205.	Tennessee Gas Transmission Co.,[3] North Weslaco Field, Hidalgo County, Tex.	19.24347	14.65
C166-1160	do.	do.[3]	19.24347	14.65
C166-1161, A 5-26-66	Henry H. Howard and Edmund D. Howard, Box 569, Mount Jewett, Pa., 16740.	Pennsylvania Gas Co., Lafayette Township, McKean County, Pa.	[20]	14.73
C166-1165, A 5-23-66	Vernon W. Frost, et al.	Texas Eastern Transmission Corp., Carthage Field, Rusk County, Tex.	Depleted	.....
C166-1166, A 5-5-66	O. B. Wetzel, attorney-in-fact, Consolidated Natural Gas Co., acreage in Ritchie County, W. Va.	Consolidated Gas Supply Corp., Ritchie Field, Ritchie County, W. Va.	20.0	14.7
C166-1167, A 5-24-66	Sinclair Oil & Gas Co., et al., Post Office Box 521, Tulsa, Okla., 74102.	Michigan Wisconsin Pipe Line Co., Putnam Field, Dewey County, Okla.	[21] 20.0	14.65
C166-1171, A 5-26-66	Coastal States Gas Producing Co., Post Office Drawer 521, Corpus Christi, Tex., 78403.	South Texas Natural Gas Gathering Co., Manchester Field, Calcasieu Parish, La.	15.0	15.025

[1] Uneconomical to connect to well on Bracken A-1 Unit.
[2] Non-Texaco interest to Cities Service Co., a division of Tenneco, Inc.
[3] Deletes the 6,000- to 7,000-foot depth interval of the Cockburn "B" Lease.
[4] Deletes acreage assigned to Amarillo Oil Co.
[5] Covers gas produced by Giardige Corp. who has filed for certificate authorization in Docket No. C166-1102.
[6] Rate schedule reflects rate of 12.4986 cents per Mcf which includes 0.255 cent reimbursement of Texas dedicated reserve tax. Such tax found unconstitutional and no longer feasible.
[7] Includes 1.75 cents per Mcf compression charge.
[8] Applicant states its willingness to accept certificate for subject sale pursuant to the same conditions as are contained in Opinion No. 453.
[9] Contract rate is 17.0 cents; however, Applicants agree to accept 16.0 cents per Mcf with respect to additional acreage.
[10] Includes 1.0 cent per Mcf Louisiana Severance Tax Reimbursement.
[11] Contract provides base price of 17.0 cents; however, Applicant agrees to accept 15.0 cents plus B.t.u. adjustment.
[12] Adds interest of coowners.
[13] Contract provides for rate of 16.0 cents per Mcf; however, Applicant states willingness to accept permanent certificate containing conditions similar to those imposed by Opinion No. 468.
[14] 6 winter months.
[15] 6 summer months.
[16] Includes 3.0 cents B.t.u. adjustment.
[17] Includes 3.0 cents gathering charge.
[18] Gathering charge for service to producers in Docket No. C166-1156.
[19] When deliveries average under 25 Mcf per day, rate shall be 24.0 cents per Mcf; from 25 to 49 Mcf per day, rate shall be 27.0 cents per Mcf; from 50 to 99 Mcf per day, rate shall be 26.0 cents per Mcf; from 100 to 249 Mcf per day, rate shall be 25.0 cents per Mcf; from 250 to 499 Mcf per day, rate shall be 20.0 cents per Mcf; from 500 Mcf or over, rate shall be 19.0 cents per Mcf.
[20] Includes 0.5 cent upward B.t.u. adjustment.

[F.R. Doc. 66-6180; Filed, June 6, 1966; 8:45 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
C166-1145, C 5-23-66	Texaco, Inc. (Operator), et al., Post Office Box 52332, Houston, Tex., 77052.	Lone Star Gas Co., East Hewitt Field, Carter County, Okla.	15.0	14.65
C166-1146, C 5-18-66	Texas Oil Co. Post Office Box 2511, Houston, Tex., 77001.	Michigan Wisconsin Pipe Line Co., Easterwood Unit, Laverne Field, Harper County, Okla.	17.0	14.65
C166-1000, A 4-20-66	Pan American Petroleum Corp. (Operator), et al., Post Office Box 591, Tulsa, Okla., 74102.	El Paso Natural Gas Co., Three Bar Field, Andrews County, Tex.	[11] 15.06	14.65
C166-1065, A 5-2-66	Jeanmac Petroleum Corp., c/o John S. Holy, attorney, Post Office Box 643, Western, W. Va., 26452.	Equitable Gas Co., Salt Lick and Otter Districts, Braxton County, W. Va.	26.0	15.325
C166-1138, A 5-11-66	Ritchland Gas Co., Box 1808, Huntington, W. Va., 25701.	Carnegie Natural Gas Co., Harpertown Field, Ritchie County, W. Va.	20.0	15.325
C166-1139, A 5-11-66	Bias Gas Co., Box 1808, Huntington, W. Va., 25701.	Carnegie Natural Gas Co., Burnthouse Field, Ritchie County, W. Va.	20.0	15.325
C166-1140, A 5-17-66	Kanran Gas Co., 703 Union Bldg., Charleston, W. Va., 25301.	Consolidated Gas Supply Corp., acreage in Boone County, W. Va.	20.0	15.325
C166-1140, A 5-16-66	J. L. La Fortune, 1201 First National Bldg., Tulsa, Okla., 74103.	Cities Service Gas Co., South Bishop Area, Ellis County, Okla.	17.0	14.65
C166-1141, A 5-13-66	Pine Run Oil Co., c/o John A. Healy, owner, 131 Main St., Bradford, Pa., 16701.	Pennsylvania Gas Co., Highland Township, Elk County, Pa.	[12] 32.0 [13] 28.0	14.73 14.73
C166-1142, A 5-19-66	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001.	Tennessee Gas Transmission Co., San Roman Field, Starr County, Tex.[3]	16.0	14.65
C166-1143, A 5-19-66	Placid Oil Co., 2500 First National Bank Bldg., Dallas, Tex., 75202.	Valley Gas Transmission, Inc., Chatham Field, Jackson Parish, La.	15.0	15.025
C166-1144, A 5-20-66	Anadarko Production Co., Post Office Box 1031, Fort Worth, Tex., 76101.	Panhandle Eastern Pipe Line Co., Putnam Council Grove Field, Stevens County, Kans.	14.0	14.65
C166-1145, A 5-19-66	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla., 74102.	Panhandle Eastern Pipe Line Co., South Forgan Field, Beaver County, Okla.	[14] 18.71	14.65
C166-1146, (G-4707) F 5-19-66	Harvey Broyles (Operator), et al. (Successors to Cities Service Co.), c/o Petroleum Tower, Shreveport, La., 7110.	Arkansas Louisiana Gas Co., Bear Creek Field, Bienville Parish, La.	12.820	15.025
C166-1147, A 5-23-66	Anadarko Production Co., Post Office Box 9317, Fort Worth, Tex., 76101.	Panhandle Eastern Pipe Line Co., Light Gas Area (Chester Zone), Beaver County, Okla.	17.0	14.65
C166-1148, A 5-25-66	do.	Cities Service Gas Co., Southwest Waynoka Field, Woodward County, Okla.	14.0	14.65
C166-1149, A 5-23-66	A. R. Graves, et al., c/o Jerome M. Alper, counsel, 818 18th St. N.W., Washington, D.C., 20006.	Arkansas Louisiana Gas Co., Chenlere Field, Ouachita Parish, La.	18.33	15.025
C166-1150, B 5-19-66	Kingwood Oil Co. (Operator), et al., 1100 Kingwood Bldg., Oklahoma City, Okla., 73102.	Northern Natural Gas Co., Mocane Field, Beaver County, Okla.	Depleted	.....
C166-1152, A 5-20-66	Wico Oil Co., 2004 Liberty Bank Bldg., Oklahoma City, Okla., 73102.	Mississippi River Transmission Corp., Hico-Knowles Field, Lincoln Parish, La.	10.57	14.65
C166-1153, B 5-19-66	Dixon Management Corp., et al., 1010 Petroleum Club Bldg., Houston, Tex., 77002.	United Gas Pipe Line Co., Unified Chemical Corp., North Fort Neches Field, Orange County, Tex.	Depleted	.....
C166-1154, A 5-23-66	Cities Service Oil Co. (Operator), et al., Cities Service Bldg., Bartlesville, Okla., 74003.	Panhandle Eastern Pipe Line Co., acreage in Cimarron County, Okla.	17.0	14.65
C166-1155, A 5-18-66	John C. Otley, et al., 600-A Enterprise Bldg., Tulsa, Okla., 74103.	Cities Service Gas Co., Bishop Field, Ellis County, Okla.	17.0	14.65
C166-1156, A 5-23-66	W. J. Fellers (Operator), et al., c/o Jerry F. Lyons, attorney, Post Office Box 860, Amarillo, Tex., 79105.	Cities Service Gas Co., North Nye Field, Beaver County, Okla.	[15] 17.0	14.65
C166-1157, A 5-23-66	Cleary Petroleum, Inc. 310 Classen Bldg., Oklahoma City, Okla., 73102.	do.	[15] 3.0	14.65
C166-1158, A 5-23-66	Larco Drilling Co., Post Office Box 2066, Jackson, Miss., 39207.	United Gas Pipe Line Co., South Mage Gas Field, Simpson and Smith Counties, Miss.	18.5	15.025

See footnotes at end of table.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Blue Bell, Inc., Seminole, Okla.; effective 5-16-66 to 5-15-67 (men's, boys', ladies', and girls' dungarees).

Carwood Manufacturing Co., Plant No. 3,107 Chattanooga Street, Cornelia, Ga.; effective 5-26-66 to 5-25-67 (sport shirts and work shirts).

Durant Sportswear, Inc., Durant, Miss.; effective 5-28-66 to 5-27-67 (men's and boys' outerwear-jackets).

Flushing Shirt Manufacturing Co., Grantsville, Md.; effective 5-18-66 to 5-17-67 (men's shirts).

Lavonia Industries, Inc., Lavonia, Ga.; effective 5-18-66 to 5-17-67 (house dresses).

Metric Shirt Corp., O'Neal Street, Belton, S.C.; effective 5-18-66 to 5-17-67 (men's dress and sport shirts).

The Newton Co., Newton, Miss.; effective 5-17-66 to 5-16-67 (men's and ladies' slacks).

Reed Manufacturing Co., Inc., 307 South Spring Street, Tupelo, Miss.; effective 5-18-66 to 5-17-67 (men's work clothing and boys' slacks, shorts and dungarees).

Fred Ronald Manfacturing Co., 1901 Southern Boulevard, Parsons, Kans.; effective 5-20-66 to 5-19-67 (boys' slacks).

Shulta Manufacturing Co., Henderson, Tenn.; effective 5-25-66 to 5-24-67 (men's and boys' pants).

Stadium Manufacturing Co., Freedom Factory, Edwards Street at Tuscan Avenue, Hattiesburg, Miss.; effective 5-18-66 to 5-17-67 (men's and boys' cotton pajamas).

The Van Heussen Co., Des Arc, Ark.; effective 5-22-66 to 5-21-67 (men's dress shirts).

Wellington Manufacturing Co., Okolona, Miss.; effective 5-23-66 to 5-22-67 (men's and ladies' slacks).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Glen Lyon Brassiere & Corset Co., Inc., 44 Carey Avenue, Wilkes-Barre, Pa.; effective 5-19-66 to 5-18-67; 10 learners (corsets).

Irene Sportswear Co., Inc., Walnut Street, Nicholson, Pa.; effective 5-28-66 to 5-27-67; 10 learners (ladies' blouses).

Jackie Garment Co., 221-225 East Centre Street, Shenandoah, Pa.; effective 5-16-66 to 5-15-67; five learners (ladies' dresses).

Raritan Sportswear Co., 375 Stanford Street, Perth Amboy, N.J.; effective 5-17-66 to 5-16-67; 10 learners (men's and boys' outerwear-jackets).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Ridgely Manufacturing Co., Ridgely, Tenn.; effective 5-19-66 to 11-18-66; 15 learners (men's, boys' and kiddies' carcoats and outerwear jackets).

Levi Strauss & Co., Roswell, N. Mex.; effective 5-19-66 to 11-18-66; 80 learners (men's and boys' jeans).

Susan Garment, Inc., South Center Street, Fredericksburg, Pa.; effective 5-19-66 to 11-18-66; 15 learners (ladies' blouses and dresses).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

N. Churchill Manufacturing Co., Inc., 544 North Pearl Street, Centralia, Wash.; effective 5-25-66 to 5-24-67; 10 learners for normal labor turnover purposes (work gloves).

Fairfield Glove Co., Bonaparte, Iowa; effective 5-31-66 to 5-30-67; 10 learners for normal labor turnover purposes (work gloves).

Fairfield Glove Co., 603 West Stone Avenue, Fairfield, Iowa; effective 5-31-66 to 5-30-67; 10 learners for normal labor turnover purposes (work gloves).

Jasper Glove Co., Inc., 611 Main Street, Jasper, Ind.; effective 5-28-66 to 5-27-67; 10 learners for normal labor turnover purposes (work gloves).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Reidler Knitting Mills, Inc., 757 West Broad Street, Hazleton, Pa.; effective 5-29-66 to 5-28-67; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's, women's, and children's cotton knit underwear).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 27th day of May 1966.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 66-6198; Filed, June 6, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1359]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 2, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68569. By order of May 31, 1966, the Transfer Board approved the transfer to George F. Elver, doing business as Elver's West Side Towing, Madison, Wis., of the operating rights in certificates Nos. MC-119126 and MC-119126 (Sub-No. 1), issued May 11, 1960, and February 7, 1961, respectively, to Rite-Way Auto Service, Inc., Madison, Wis., authorizing transportation, over irregular routes, of wrecked or disabled buses from points in Iowa, Illinois, and Michigan to Madison, Wis., and from Madison, Wis., to Chicago, Ill., and wrecked or disabled trucks and truck tractors between points in Illinois, on the one hand, and, on the other, points in Dane and Rock Counties, Wis., restricted to movement with tow-truck or wrecker equipment. John L. Bruemmer, 121 West Doty Street, Madison, Wis., 53703, attorney for applicants.

No. MC-FC-68729. By order of May 31, 1966, the Transfer Board approved the transfer to E. F. Smith, Inc., Roaring Spring, Pa., of the operating rights of Earl F. Smith, Roaring Spring, Pa., in certificates Nos. MC-29648, MC-29648 (Sub-No. 5), and MC-29648 (Sub-No. 11), issued January 3, 1942, August 1, 1942, and April 4, 1950, respectively, authorizing the transportation, over irregular routes, of paper products, paper plant machinery and supplies, material, supplies, and equipment used in the production of paper and paper products, fertilizer, seed, peat moss, oyster shells, grits, canned food, brick, steel, machinery and parts not requiring special equipment, general commodities, excluding household goods and other specified commodities, iron cores, paper (printing and wrapping) and damaged or rejected shipments of paper (printing and wrapping), fresh fruits and vegetables, dicalcium phosphate, and containers used in the transportation of the last two mentioned commodities, between specified points in Pennsylvania, New York, New Jersey, Maryland, and the District of Columbia, varying with the commodities transported. Harold E. Miller, Central Trust Building, Altoona, Pa., attorney for applicants.

No. MC-FC-68747. By order of May 31, 1966, the Transfer Board approved the transfer to John A. Griffin, Jr., doing business as Freeman Vans & Storage Co., North White Plains, N.Y., of certificate in No. MC-43704, issued July 23, 1959, to Tillie Ellenberg and Abraham Ellenberg, a partnership, doing business as Freeman Vans & Storage Co., New York, N.Y., authorizing the transportation of: Household goods, as defined by the Commission, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, and New Jersey. Alvin Altman, 1776 Broadway, New York, N.Y., attorney for transferor. Morris Honig, 150

Broadway, New York, N.Y., attorney for transferee.

No. MC-FC-68761. By order of May 31, 1966, the Transfer Board approved the transfer to Geneva Moving & Storage Co., Inc., Geneva, N.Y., of the operating rights of Adelbert P. Morse, doing business as Dallas Moving Service, Penn Yan, N.Y., in certificate No. MC-15202, issued August 12, 1958, authorizing the transportation of household goods, over irregular routes, between Penn Yan, N.Y., and points within 40 miles thereof, on the one hand, and, on the other, points in Connecticut, New Jersey, Pennsylvania, and New York. Raymond A. Richards, 35 Curtice Park, Webster, N.Y., 14580, representative for applicants.

No. MC-FC-68783. By order of May 31, 1966, the Transfer Board approved the transfer to Donald L. Kumm and Sharon L. Kumm, a partnership, doing business as Interior Motor Freight, Maupin, Oreg., of the operating rights of Giles C. Parman, doing business as Interior Motor Freight, Maupin, Oreg., in certificate No. MC-118834, issued December 7, 1964, authorizing the transportation, over regular routes, of general commodities, except household goods, as defined, and petroleum products, in bulk, in tank vehicles, between The Dalles, Oreg., and Madras, Oreg., as restricted. John G. McLaughlin, 624 Pacific Building, Portland, Oreg., 97204, attorney for applicants.

No. MC-FC-68785. By order of May 31, 1966, the Transfer Board approved the transfer to Frank Van Wagner Horse Transportation, Inc., Westbury, N.Y., of the operating rights in certificates Nos. MC-102917, MC-102917 (Sub-No. 1), MC-102917 (Sub-No. 3), and MC-102917 (Sub-No. 4), issued August 8, 1942, December 13, 1945, August 22, 1950, and January 27, 1953, respectively, to Frank W. Van Wagner, Jr., Westbury, Long Island, N.Y., authorizing the transportation of, among other things, horses (other than ordinary livestock) and equipment and paraphernalia incidental to the transportation, care, and display of such horses, over irregular routes, between points and places in New York, on the one hand, and, on the other, points and places in New Jersey, Maryland, Delaware, Massachusetts, Virginia, and Pennsylvania, traversing the District of Columbia and Connecticut for operating convenience only. William Biederman, 280 Broadway, New York 7, N.Y., and Robert F. Mulligan, 342 Post Avenue, Westbury, N.Y., attorneys for applicants.

No. MC-FC-68788. By order of May 31, 1966, the Transfer Board approved the transfer to Orval A. Zimmerman and Nettie M. Zimmerman, a partnership, doing business as Parma Lumber Co.-Parma Transfer Co., Fourth Street, Parma, Idaho, 83660, of the operating rights of Orval A. Zimmerman, Nettie M. Zimmerman, Philip Grosvenor, and Leone R. Grosvenor, a partnership, doing business as Parma Transfer Co., Fourth Street, Parma, Idaho, 83660, in certificate No. MC-101334, issued November 13, 1961, authorizing the transportation, over irregular routes, of general commodities, except classes A and B explosives, between Parma, Idaho, and points in Idaho within 10 miles thereof, on the one hand, and, on the other, points in Baker and Malheur Counties, Oreg., within 100 miles of Parma, as restricted.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6206; Filed, June 6, 1966; 8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 2, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40515—*Joint motor-rail rates—Central and Southern.* Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 108), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in Central States territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 41 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF-ICC 309.

FSA No. 40516—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 570), for interested rail carriers. Rates on heating apparatus, less-than-carload, subject to minimum charge per shipment based on weight of 7,000 pounds, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Intrastate rates and maintenance of rates from and to points in other States not subject to the same competition.

Tariff—Supplement 51 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

AGGREGATE-OF-INTERMEDIATES

FSA No. 40517—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 571), for interested rail carriers. Rates on anhydrous ammonia and aromatic concentrates, in tank carloads, also heating apparatus, less-than-carloads, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 51 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6207; Filed, June 6, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

5 CFR

	Page
213	7733, 7734, 7959
550	7881

7 CFR

	Page
28	7734
701	7735, 7814
728	7814
778	7997
811	7999
845	7815
893	7816
908	7961
910	7962
911	7962
917	7963
918	7735
944	8000
1074	8000
1099	7963
1421	7964, 8000, 8003
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
905	7971
994	8021
1001	7911
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911
1015	7911
1016	7911
1031	7831
1032	7831
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

9 CFR

	Page
97	8020

10 CFR

	Page
36	7959
40	7959

12 CFR

	Page
563	8004
571	8004

14 CFR

	Page
39	7735, 7881, 7882
71	7736, 7827
73	7736, 7827, 7882
75	7736, 7827
97	7883, 7893, 8010
PROPOSED RULES:	
71	7760-7762, 7836, 7975-7977, 8025.
73	7977
75	7762
91	8026

15 CFR

	Page
230	7737, 7819, 7968
PROPOSED RULES:	
9	7833

16 CFR

	Page
13	7960, 7961
15	7737, 7806
PROPOSED RULES:	
45	7757

17 CFR

	Page
211	7821
230	7738
239	7738
240	7740
276	7821
PROPOSED RULES:	
270	7913

18 CFR

	Page
101	7897
141	7897
201	7897
260	7897

20 CFR

	Page
602	7966
PROPOSED RULES:	
405	7864

21 CFR

	Page
120	7741
121	8008, 8009
130	8009

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
200	7743
221	7743

25 CFR

	Page
41	7744
42	7745

26 CFR

	Page
1	7789

31 CFR

	Page
202	7899
203	7899
500	7745, 7899

32 CFR

	Page
1	7807
3	7807
4	7810
7	7811
8	7812
16	7814
30	7814
273	8007
502	7966

32A CFR

	Page
OIA (Ch. X):	
OI REG. 1	7745

33 CFR

	Page
203	7827
208	7751

36 CFR

	Page
251	7899
261	7902

39 CFR

	Page
13	7752
22	7752
25	7752
43	7752

41 CFR

	Page
4-1	7819
4-6	7819
4-50	7902
8-1	7820
8-2	7820
101-15	7752

42 CFR

	Page
57	7755
76	7902

43 CFR

	Page
3120	7806
PUBLIC LAND ORDERS:	
4023	7969
4024	7969
4025	7969

45 CFR

	Page
801	7755

46 CFR

	Page
308	7970

47 CFR

	Page
18	7821
21	7822
73	7904
74	7822
91	7822
PROPOSED RULES:	
1	7837
21	7837
23	7837
73	7837, 7838
74	7837, 8026
81	7837
87	7837
89	7837
91	7837
93	7837
95	7837
97	7837

49 CFR

	Page
95	7806
PROPOSED RULES:	
170	7841
193	7911

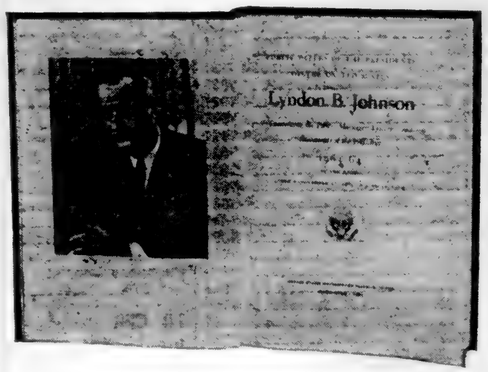
50 CFR

	Page
32	7909
33	7756, 7910, 7970

PUBLIC PAPERS OF THE PRESIDENTS OF THE UNITED STATES

Now available

Lyndon B. Johnson
1963-64



Book I (November 22, 1963 to June 30, 1964)
Price $6.75

Book II (July 1, 1964 to December 31, 1964)
Price $7.00

Contents

- Messages to the Congress
- Public speeches and letters
- The President's news conferences
- Radio and television reports to the American people
- Remarks to informal groups

Published by

Office of the Federal Register
National Archives and Records Service
General Services Administration

Order from

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

Prior volumes

Prior volumes covering most of the Truman administration and all of the Eisenhower and Kennedy years are available at comparable prices from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

DETROIT PUBLIC LIBRARY JUN 10 1966

SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 10 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 110

Wednesday, June 8, 1966 • Washington, D.C.

Pages 8041–8108

Agencies in this issue—

Agriculture Department
Atomic Energy Commission
Commerce Department
Comptroller of the Currency
Consumer and Marketing Service
Customs Bureau
Defense Supply Agency
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Health, Education, and Welfare Department
Housing and Urban Development Department
Immigration and Naturalization Service
Interagency Textile Administrative Committee
Interior Department
Interstate Commerce Commission
Maritime Administration
National Bureau of Standards
Saint Lawrence Seaway Development Corporation
Securities and Exchange Commission
Treasury Department
Veterans Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

How To Find U.S. Statutes and U.S. Code Citations

[Revised Edition—1965]

This pamphlet contains typical legal references which require further citing. The official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been included. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

This revised edition contains illustrations of principal finding aids and reflects the changes made in the new master table of statutes set out in the 1964 edition of the United States Code.

Price: 10 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

[Published by the Committee on the Judiciary, House of Representatives]

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURE DEPARTMENT

See also Consumer and Marketing Service.

Notices

New Jersey; extension of designation of area for emergency loans 8082

ATOMIC ENERGY COMMISSION

Notices

Puerto Rico Water Resources Authority; notice of proposed issuance of operating authorization regarding boiling nuclear superheater (BONUS) power station 8092

Virginia Polytechnic Institute; notice of proposed issuance of facility license amendment 8091

COMMERCE DEPARTMENT

See also Maritime Administration; National Bureau of Standards.

Notices

Organization and functions:
Maritime Administration 8087
National Bureau of Standards 8083

Organization units; procurement authority 8086

COMPTROLLER OF THE CURRENCY

Rules and Regulations

Investment securities regulation; Federal National Mortgage Association participation certificates 8060

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Lemons grown in California and Arizona; handling limitations 8045

CUSTOMS BUREAU

Notices

Electric desk lamps; tariff classification 8082

DEFENSE SUPPLY AGENCY

Rules and Regulations

Investigating and processing certain non-contractual claims and reporting related litigation 8061

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directives:
Lycoming 0-540-B2B5 engines 8045
Pratt & Whitney Aircraft Wasp Jr. and R-985 Series engines 8046

Alterations:
Federal airways 8046
Transition areas (2 documents) 8047

High altitude reporting points and jet routes; designation and alteration 8047

Standard instrument approach procedures; miscellaneous amendments 8048

Transition area; designation 8046

Proposed Rule Making

Assignment of identification numbers 8077

Conformity of products to their type designs 8075

Control zone and transition area; proposed alteration 8077

Portland Terminal area; special air traffic rule 8078

Transition area; proposed designation 8078

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Radio broadcast services:
Minimum power authorized for Class IV stations 8067

Table of assignments:
FM broadcast stations (2 documents) 8069, 8071
Television broadcast stations (3 documents) 8070, 8072, 8073

Proposed Rule Making

Addition of UHF television broadcast channels:
Bend, Oreg 8081
Waynesville, N.C 8079
Orlando, Fla 8080

Television broadcast station, Dickinson, N. Dak.; table of assignments 8081

Notices

Brown Broadcasting Co., Inc., and Dixie Broadcasting Corp.; construction permits 8093

FEDERAL MARITIME COMMISSION

Notices

Diaz-Wandembergh; order to show cause why license should not be suspended or revoked 8095

Hunter, John H., & Son, Inc., et al.; independent ocean freight forwarder applications 8095

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
California Division of Forestry 8096
Idaho Power Co 8096
Tenneco Oil Co., et al 8097

FEDERAL RESERVE SYSTEM

Rules and Regulations

Reserves of member banks; instalment loans 8060

Notices

State Bank and Trust Co.; order approving merger of banks 8097

FEDERAL TRADE COMMISSION

Rules and Regulations

Prohibited trade practices:
Berkley, Philip T., and Berkley Associates 8058
Heavy Construction Schools of Illinois, Inc., et al 8058
LeRoy Knitted Sportswear, Inc., et al 8058
Leeds, Louis and Leeds Manufacturing 8059
Peck and Peck 8059
Rorer, William H., Inc 8059
Universal Publishing & Distributing Corp 8060

FISH AND WILDLIFE SERVICE

Rules and Regulations

San Andres National Wildlife Refuge, New Mexico; hunting 8065

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Notices

Statement of organization and delegation of authority 8089

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notices

Regional Director of Administration and Chief, Accounting Branch, Administrative Division, Region IV (Chicago); redelegation of authority to execute legends on bonds, notes or other obligations 8091

IMMIGRATION AND NATURALIZATION SERVICE

Rules and Regulations

Documentary requirements; miscellaneous amendments 8046

(Continued on next page)

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

Notices

Certain cotton textile products produced or manufactured in Poland; limitation on entry and withdrawal from warehouse for consumption ---------- 8098

INTERIOR DEPARTMENT

See also Fish and Wildlife Service.

Notices

McGraw, E. Clyde; statement of changes in financial interests ---------- 8082

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Car service; distribution of boxcars ---------- 8064

Notices

Fourth section applications for relief ---------- 8105

Maximum hours of service of motor carrier employees ---------- 8100

Motor carrier:

Alternate route deviation notices ---------- 8100

Applications and certain other proceedings (2 documents) ---------- 8101, 8104

Intrastate applications ---------- 8105

Transfer proceedings ---------- 8106

JUSTICE DEPARTMENT

See Immigration and Naturalization Service.

MARITIME ADMINISTRATION

Rules and Regulations

Procedures relating to review by the Under Secretary of Commerce for Transportation of actions by the Maritime Subsidy Board ---------- 8065

NATIONAL BUREAU OF STANDARDS

Notices

51st National Conference on Weights and Measures; announcement ---------- 8082

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Rules and Regulations

Seaway regulations and rules; miscellaneous amendments ---------- 8062

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:

Allegheny & Western Railway Co ---------- 8098

Kjøbenhavns Telefon Aktieselskab ---------- 8099

Pennzoil Co ---------- 8099

United Security Life Insurance Co ---------- 8100

TREASURY DEPARTMENT

See also Comptroller of the Currency; Customs Bureau.

Notices

United Bonding Insurance Co.; extension of authority to qualify as surety on Federal bonds ---------- 8082

VETERANS ADMINISTRATION

Rules and Regulations

Veterans Administration cemeteries; interment ---------- 8064

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

910 ---------- 8045

8 CFR

212 ---------- 8045
214 ---------- 8045
236 ---------- 8045

12 CFR

1 ---------- 8060
204 ---------- 8060

14 CFR

39 (2 documents) ---------- 8045, 8046
71 (5 documents) ---------- 8046, 8047
75 ---------- 8047
97 ---------- 8048
PROPOSED RULES:
21 ---------- 8075
47 ---------- 8077
71 (2 documents) ---------- 8077, 8078
93 ---------- 8078

16 CFR

13 (7 documents) ---------- 8058–8060

32 CFR

1250 ---------- 8061

33 CFR

401 ---------- 8062

38 CFR

17 ---------- 8064

46 CFR

202 ---------- 8065

47 CFR

73 (6 documents) ---------- 8067, 8069–8073
PROPOSED RULES:
73 (4 documents) ---------- 8079–8081

49 CFR

95 ---------- 8064

50 CFR

32 ---------- 8065

Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 216, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.516 (Lemon Regulation 216, 31 F.R. 7673) are hereby amended to read as follows:

§ 910.516 Lemon Regulation 216.

* * * * * * *

(b) *Order.* (1) * * *

(ii) District 2: 325,500 cartons.

* * * * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 3, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6273; Filed, June 7, 1966; 8:48 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

PART 214—NONIMMIGRANT CLASSES

PART 236—EXCLUSION OF ALIENS

Miscellaneous Amendments

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

1. The third sentence of paragraph (b) *Application* of § 212.6 *Nonresident alien border crossing cards* is amended to read as follows: "A citizen of Mexico shall apply on Form I–190 for a nonresident alien border crossing card, supporting his application with evidence of Mexican citizenship and residence, a valid unexpired passport or a valid Mexican Form 13, and one photograph, size 1½'' x 1½''."

2. The first sentence of subparagraph (1) *Without visas* of paragraph (c) *Transits* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended to read as follows: "Any alien may apply for immediate and continuous transit through the United States, except a citizen of the Union of Soviet Socialist Republics, Estonia, Latvia, Lithuania, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Albania, Cuba, Communist-controlled China ("Chinese People's Republic"), North Korea ("Democratic People's Republic of Korea"), the Soviet Zone of Germany ("German Democratic Republic"), North Viet-Nam ("Democratic Republic of Viet-Nam"), and Outer Mongolia ("Mongolian People's Republic"), resident in one of the countries named."

3. The second sentence of paragraph (a) *Contents* of § 236.3 *Decision of the special inquiry officer; notice to the applicant* is amended to read as follows: "It shall include a discussion of the evidence and findings as to excludability; the formal enumeration of findings is not required."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure with the exception of the amendment to § 214.2(c)(1) which is clarifying in nature.

Dated: June 2, 1966.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 66-6267; Filed, June 7, 1966; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 7192; Amdt. 39-248]

PART 39—AIRWORTHINESS DIRECTIVES

Lycoming O–540–B2B5 Engines

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of the crankshaft idler shafts and accessory housing on Lycoming O–540–B2B5 engines was published in 31 F.R. 4520.

Interested persons have been afforded an opportunity to participate in the making of the amendment. There was a comment that the compliance time of paragraph (a) was confusing. The format of the AD has been revised to clarify the compliance times.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

LYCOMING. Applies to Model O–540–B2B5 engines, Serial Numbers 101–40 through 6267–40, installed in Piper PA–25 and Intermountain Manufacturing Company airplanes, except engines remanufactured at Lycoming after November 14, 1965.

Compliance required as indicated, unless already accomplished.

To prevent further failures of crankshaft idler shafts, accomplish the following:

(a) For engines with less than 300 hours' time in service on the effective date of this AD since overhaul, comply with paragraph (d) before the accumulation of 400 hours' time in service since overhaul.

(b) For engines with less than 300 hours' time in service on the effective date of this AD since new that have never been overhauled, comply with paragraph (d) before

the accumulation of 400 hours' time in service since new.

(c) For engines with 300 or more hours' time in service on the effective date of this AD since new or overhaul, comply with paragraph (d) within the next 100 hours' time in service.

(d) Replace crankshaft idler shaft, P/N 70390, and accessory housing, P/N 71648, with crankshaft idler shaft, P/N 73014, and accessory housing, P/N 75367 or 71648-85.

(Lycoming Service Bulletin No. 306 pertains to this subject.)

This amendment becomes effective July 9, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on June 2, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-6280; Filed, June 7, 1966; 8:48 a.m.]

[Docket No. 1115; Amdt. 39-247]

PART 39—AIRWORTHINESS DIRECTIVES

Pratt & Whitney Aircraft Wasp Jr. and R-985 Series Engines

A proposal to amend Part 39 of the Federal Aviation Regulations by superseding Amendment 436 (27 F.R. 4552), AD 62-11-5, with a new directive requiring replacement of 6-rivet and 12-rivet cam reduction drive gear assemblies with a one-piece cam reduction gear on Pratt & Whitney Aircraft Wasp Jr. and R-985 Series engines was published in 31 F.R. 5665.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PRATT & WHITNEY. Applies to Pratt & Whitney Aircraft Wasp Jr. and R-985 Series engines.

Compliance required at the next engine overhaul after the effective date of this AD unless already accomplished.

To prevent failure of the cam reduction drive gear assembly and resultant loss of engine power, replace cam reduction drive gear assembly, P/N 3965, with cam reduction drive gear, P/N 331098.

(Pratt & Whitney Aircraft Service Bulletin No. 1671, Supplement No. 1, Revision A, revised November 24, 1959, pertains to this subject.)

This supersedes Amendment 436 (27 F.R. 4552), AD 62-11-5.

This amendment becomes effective July 9, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on June 2, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-6281; Filed, June 7, 1966; 8:48 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 66-SO-5]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On March 23, 1966, F.R. Doc. No. 66-3047 was published in the FEDERAL REGISTER (31 F.R. 4839) amending Part 71 of the Federal Aviation Regulations. In the amendment the Winder, Ga., transition area extension was described as "* * * within 2 miles each side of the Athens, Ga., VORTAC 278° radial * * *." Subsequent to the publication of the rule, it was determined that the transition area extension should have been described as "* * * within 2 miles each side of the Athens, Ga., VORTAC 277° radial * * *."

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, F.R. Doc. No. 66-3047 is amended as follows:

In the fourth line of the Winder, Ga., transition area description "* * * within 2 miles each side of the Athens, Ga., VORTAC 278° radial * * *" is deleted and "* * * within 2 miles each side of the Athens, Ga., VORTAC 277° radial * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 31, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-6243; Filed, June 7, 1966; 8:45 a.m.]

[Airspace Docket No. 65-SO-91]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On March 5, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 3468) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of airway segments in the Memphis, Tenn., flight advisory area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all comments received.

The Air Transport Association of America objected to the loss of cardinal altitudes on some airway segments which would result from the actions proposed in the Notice. The Agency has agreed to preserve cardinal altitudes wherever possible. No other comments were received.

The descriptions of the alignments of V-7, V-54 and V-57 have been revised to reflect amendments promulgated in Airspace Docket No. 65-SO-28, which will be effective July 21, 1966.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 3230, 3231, 4839, 5055, 6484) is amended as follows:

1. In V-5 all between "Chattanooga 152° radials;" and "12 AGL Bowling Green, Ky.;" is deleted and "12 AGL Nashville, Tenn., including a 12 AGL E alternate via INT Chattanooga 332° and Nashville 117° radials;" is substituted therefor.

2. In V-7 "Muscle Shoals, Ala., including an E alternate via INT of Birmingham 358° and Muscle Shoals 122° radials and also a W alternate via INT Birmingham 313° and Muscle Shoals 178° radials; Graham, Tenn.; Nashville, Tenn.;" is deleted and "12 AGL Muscle Shoals, Ala., including a 12 AGL E alternate via INT of Birmingham 358° and Muscle Shoals 122° radials and also a 12 AGL W alternate via INT Birmingham 313° and Muscle Shoals 178° radials; 12 AGL Graham, Tenn.; 12 AGL Nashville, Tenn.;" is substituted therefor.

3. In V-9 all between "via Picayune, Miss.;" and "12 AGL Farmington, Mo.;" is deleted and "12 AGL Jackson, Miss., including a 12 AGL E alternate and also a 12 AGL W alternate via INT McComb 348° and Jackson 199° radials; 12 AGL Greenwood, Miss., including a 12 AGL E alternate and also a 12 AGL W alternate; 12 AGL Memphis, Tenn., including a 12 AGL E alternate and also a 12 AGL W alternate; 12 AGL Malden, Mo., including a 12 AGL W alternate;" is substituted therefor.

4. In V-11 all before "12 AGL INT Paducah 039°" is deleted and "From Mobile, Ala., 12 AGL Green County, Miss.; 12 AGL Laurel, Miss.; 12 AGL Jackson, Miss. From Memphis, Tenn., 12 AGL Dyersburg, Tenn., including a 12 AGL W alternate via INT Memphis 346° and Dyersburg 235° radials; 12 AGL Paducah, Ky., including a 12 AGL E alternate from Memphis to Paducah via INT Memphis 063° and Holly Springs, Miss., 028° radials and INT Holly Springs 028° and Paducah 179° radials;" is substituted therefor.

5. In V-16 all between "12 AGL Memphis, Tenn., including a 12 AGL S alternate;" and "Knoxville, Tenn.," is deleted and "12 AGL Jacks Creek, Tenn.; 12 AGL Graham, Tenn., including a 12 AGL S alternate from Memphis to Graham via INT Memphis 078° and Graham 238° radials; 12 AGL Nashville, Tenn., including a 12 AGL N alternate from Jacks Creek to Nashville via INT Jacks Creek 044° and Nashville 284° radials; 12 AGL Crossville, Tenn., including a 12 AGL S alternate and also a 12 AGL N alternate via INT Nashville 081° and Crossville 301° radials;" is substituted therefor.

6. In V-18 all between "12 AGL Jackson, Miss., including a 12 AGL N alternate and also a 12 AGL W alternate;" and "Birmingham, Ala.;" is deleted and "12 AGL Meridian, Miss., including a 12 AGL N alternate and also a 12 AGL S alternate via INT Jackson 134° and Meridian 262° radials; 12 AGL Tuscaloosa, Ala.;" is substituted therefor.

7. In V-54 all between "12 AGL Memphis, Tenn., including a 12 AGL N alternate;" and "Harris, Ga.;" is deleted and "12 AGL Muscle Shoals, Ala., including a 12 AGL N alternate via INT Memphis 078° and Muscle Shoals 293° radials and also a 12 AGL S alternate via Holly Springs, Miss., and INT Holly Springs 099° and Muscle Shoals 255° radials; 12 AGL Huntsville, Ala., including a 12 AGL N alternate via INT Muscle Shoals 067° and Huntsville 282° radials; 12 AGL Chattanooga, Tenn., including a 12 AGL N alternate and also a 12 AGL S alternate via INT Huntsville 097° and Chattanooga 229° radials;" is substituted therefor.

8. In V-57 all before "From Lexington, Ky.," is deleted and "From Birmingham, Ala., 12 AGL Decatur, Ala., including a 12 AGL E alternate via INT Birmingham 013° and Decatur 130° radials; 12 AGL Graham, Tenn.; 12 AGL Bowling Green, Ky." is substituted therefor.

9. In V-154 all before "Selma, Ala.;" is deleted and "From Meridian, Miss., 12 AGL Kewanee, Miss.;" is substituted therefor.

10. V-176 is amended to read as follows:

V-176 From Memphis, Tenn., 12 AGL Holly Springs, Miss.; 12 AGL Hamilton, Ala., including a 12 AGL S alternate from Memphis to Hamilton via INT Memphis 136° and Hamilton 273° radials; 12 AGL INT Hamilton 122° and Birmingham, Ala., 298° radials; 12 AGL Birmingham, including a 12 AGL N alternate from Holly Springs to Birmingham via INT Holly Springs 099° and Birmingham 313° radials.

11. In V-191 all before "12 AGL Farmington, Mo.;" is deleted and "From Memphis, Tenn., 12 AGL Walnut Ridge, Ark.;" is substituted therefor.

12. In V-194 "to Meridian, Miss." is deleted and "12 AGL Meridian, Miss." is substituted therefor.

13. V-209 is amended to read as follows:

V-209 From Mobile, Ala., 12 AGL INT Mobile 356° and Hattiesburg, Miss., 060° radials; 10 mi. 12 AGL; 6 mi. wide 12 AGL Kewanee, Miss.; 7 mi. wide (4 mi. on N, 3 mi. on S and within 4.5° of centerline) 12 AGL Brookwood, Ala.; 12 AGL Birmingham, Ala.

14. In V-222 "Hattiesburg, Miss.;" is deleted and "12 AGL Hattiesburg, Miss.;" is substituted therefor.

15. In V-278 "Columbus, Miss.;" is deleted and "12 AGL Columbus, Miss.;" is substituted therefor.

16. In V-455 all after "Hattiesburg 221° radials;" is deleted and "6 mi. wide, 12 AGL Meridian, including a 12 AGL W alternate via INT Hattiesburg 010° and Meridian 230° radials." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on June 1, 1966.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6244; Filed, June 7, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On page 5498 of the FEDERAL REGISTER for April 7, 1966, the Federal Aviation Agency published proposed regulations which would alter the State College, Pa., transition area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., July 21, 1966.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on May 16, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of State College, Pa., transition area and insert in lieu thereof the following:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 40°51'06" N., 77°51'00" W., of University Park Airport, State College, Pa.; within a 5-mile radius of the center 40°46'15" N., 77°52'50" W., of State College Air Depot Airport, State College, Pa., and within 2 miles each side of the State College Air Depot Airport Runway 22 centerline extended from the State College Air Depot Airport 5-mile radius area to 10 miles southwest of the end of the runway, excluding that portion that coincides with the Philipsburg, Pa., transition area.

[F.R. Doc. 66-6245; Filed, June 7, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-43]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The Federal Aviation Agency is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Youngstown, Ohio (31 F.R. 2275), 1,200-foot floor transition area.

Due to the decommissioning of the Fitzgerald VOR it will be necessary to substitute therefor geographic coordinates of the VOR site.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary and the amendment may be made effective upon publication.

In view of the foregoing, the amendment is hereby adopted effective upon publication in the FEDERAL REGISTER as follows:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Youngstown, Ohio, 1,200-foot floor transition area the phrase, "to the Fitzgerald, Pa. VOR" and insert in lieu thereof the coordinates "to Latitude 41°21'12" N, Longitude 79°09'-05" W."

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on May 13, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-6246; Filed, June 7, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-11]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 75—ESTABLISHMENT OF JET ROUTES

Designation of High Altitude Reporting Points and Alteration of Jet Routes

On April 13, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5710) stating that the Federal Aviation Agency (FAA) was considering realignment of Jet Routes Nos. 60, 84, and 94 and designation of Wilson Creek, Nev., Meeker, Colo., and Sidney, Nebr., as high altitude reporting points.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

1. Section 75.100 (31 F.R. 2346) is amended as follows:

a. In Jet Route No. 60 "Wolbach" is deleted and "Omaha" is substituted therefor.

b. In Jet Route No. 84 all before "Wolbach, Nebr.;" is deleted and "From Oakland, Calif.; via Stockton, Calif.; Coaldale, Nev.; Wilson Creek, Nev.; Meeker, Colo.; Sidney, Nebr.;" is substituted therefor.

c. In Jet Route No. 94 "Sacramento" is deleted and "Stockton" is substituted therefor.

2. Section 71.207 (31 F.R. 2284) is amended by adding the following:

a. Wilson Creek, Nev.
b. Meeker, Colo.
c. Sidney, Nebr.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on June 1, 1966.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6247; Filed, June 7, 1966; 8:46 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7333; Amdt. 480]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				S-dn-12	500–1	500–1	500–1
				A-dn	NA	NA	NA

Radar available.
Procedure turn S side of crs, 298° Outbnd, 118° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 118°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 miles after passing RBn, make left, 158° climbing turn to 2400′ and return to AID RBn.
NOTE: No weather available. Obtain Indianapolis altimeter setting.
Other change: Deletes transitions.
MSA within 25 miles of facility: 000°–360°—2500′.

City, Anderson; State, Ind.; Airport name, Anderson Municipal; Elev., 913′; Fac. Class., MHW; Ident., AID; Procedure No. 1, Amdt. 3; Eff. date, 4 June 66; Sup. Amdt. No. 2; Dated, 14 Mar. 66

ANB VOR	Munford Int	Direct	2700	T-d	200–1	200–1	200–1
				T-n	500–1½	500–1½	500–1½
				C-d	1000–1½	1000–1½	1000–1½
				C-n	1000–2	1000–2	1000–2
				S-d-5#	800–1½	800–1½	800–1½
				S-n-5#	800–2	800–2	800–2
				A-dn	1000–2	1000–2	1000–2

Procedure turn N side of crs, 230° Outbnd, 050° Inbnd, 2700′ within 5 miles of Munford Int (nonstandard due obstruction).
Minimum altitude over Munford Int on final approach crs, 2000′.
Crs and distance, Munford Int to airport, 050°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing Munford Int, or 0 mile after passing ANV RBn, climb immediately to 4000′ eastbound on R 082° of ANB VOR within 20 miles.
CAUTION: Circling approaches, avoid area N, NW, and SE of airport due high terrain.
NOTE: This procedure authorized only for aircraft having an operating VOR receiver in addition to an operating ADF receiver and Munford Int is identified.
#Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—3200′; 090°–180°—4000′; 180°–270°—4000′; 270°–360°—2800′.

City, Anniston; State, Ala.; Airport name, Anniston Municipal; Elev., 611′; Fac. Class., BMH; Ident., ANB; Procedure No. 1, Amdt. 3; Eff. date, 4 June 66; Sup. Amdt. No. 2; Dated, 3 May 66

BHM VORTAC	LOM	Direct	2800	T-dn	300–1	300–1	*200–½
Chelsea Int	LOM	Direct	2800	C-dn	800–1	800–1	800–1½
Leeds Int	LOM	Direct	2800	S-dn-6#	800–1	800–1	800–1
Bessemer Int	LOM (final)	Direct	3000	A-dn	1000–2	1000–2	1000–2

Radar available.
Procedure turn N side of crs, 232° Outbnd, 052° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 052°—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, climb to 3000′ on crs of 052° within 15 miles, or when directed by ATC, turn left, climb to 3000′ and proceed to BHM VORTAC.
NOTE: VASI Runway 23.
*Runways 5 and 23 only.
#Reduction not authorized.
MSA within 25 miles of facility: 000°–360°—2900′.

City, Birmingham; State, Ala.; Airport name, Municipal; Elev., 643′; Fac. Class., LOM; Ident., BH; Procedure No. 1, Amdt. 17; Eff. date, 4 June 66; Sup. Amdt. No. 16; Dated, 10 July 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
BHM VORTAC	ROE RBn	Direct	2800	T-dn	300–1	300–1	*200–½
Leeds Int	ROE RBn	Direct	2800	C-dn	900–1	900–1	900–1½
Chelsea Int	ROE RBn	Direct	2800	S-dn-23#	900–1	900–1	900–1
Helena Int	ROE RBn	Direct	2800	A-dn	1000–2	1000–2	1000–2
Bessemer Int	ROE RBn	Direct	2800	If aircraft is equipped with dual ADF and crs guidance is provided by receiving ROE RBn and LMM or LOM simultaneously, following minimums apply:			
Trussville Int	ROE RBn (final)	Direct	1900	S-dn-23#	700–1	700–1	700–1

Radar available.
Procedure turn N side of crs, 052° Outbnd, 232° Inbnd, 2800′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 232°—4.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing ROE RBn, climb to 3000′ on crs, 232° within 20 miles.
NOTE: VASI Runway 23.
CAUTION: Tower, 1375′—1.6 miles S of final approach crs.
*Runways 5 and 23 only.
#Reduction not authorized.
MSA within 25 miles of facility: 000°–360°—2900′.

City, Birmingham; State, Ala.; Airport name, Municipal; Elev., 643′; Fac. Class., MHW; Ident., ROE; Procedure No. 2, Amdt. 4; Eff. date, 4 June 66; Sup. Amdt. No.3; Dated, 10 July 65

HOU VOR	AAP	Direct	1800	T-dn	300–1	300–1	200–½
Fairbanks Int	AAP	Direct	1800	C-dn	600–1	600–1	600–1½
Arcola Int	AAP	Direct	2500	A-dn	NA	NA	NA
Rosenberg Int	AAP	Direct	1600				
Cypress Int	AAP	Direct	1700				

Radar available.
Procedure turn W side of crs, 344° Outbnd, 164° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 800′.
Crs and distance, facility to airport, 162°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.4 mile after passing AAP RBn, turn right, climb to 2000′ on crs of 270° from the AAP RBn within 10 miles.
NOTES: No weather service. Unicom 24 hours 122.8 and 122.1. Procedure not authorized for air carrier. Runways 50 feet wide. Private facility approved for public use.
Other change: Deletes transition from Houston RBn to AAP.
MSA within 25 miles of facility: 000°–090°—1800′; 090°–180°—2600′; 180°–270°—1800′; 270°–360°—1600′.

City, Houston; State, Tex.; Airport name, Andrau Airport; Elev., 80′; Fac. Class., MHW; Ident., AAP; Procedure No. 1, Amdt. 8; Eff. date, 4 June 66; Sup. Amdt. No. 7; Dated, 3 July 65

HOU VOR	LOM	Direct	3000	T-dn	300–1	300–1	200–½
Fairbanks Int	LOM	Direct	2000	C-dn	400–1	500–1	500–1½
Arcola Int	LOM (final)	Direct	2000	S-dn-8	400–1	400–1	400–1
			*1300	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn S side of crs, 216° Outbnd, 036° Inbnd, 2000′ within 10 miles.
Minimum altitude over LOM on final approach crs, 1300′.
Crs and distance, facility to airport, 036°—4.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing LOM, climb to 1600′ on 036° bearing from LOM within 20 miles.
CAUTION: 1549′ tower, approximately 8.5 miles W of LOM; 1235′ tower, approximately 9 miles SE of LOM.
Other change: Deletes transition Houston RBn to LOM.
*Descent below 2000′ not authorized until established on final approach crs.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—2300′; 180°–270°—2600′; 270°–360°—1800′.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., LOM; Ident., HO; Procedure No. 1, Amdt. 24; Eff. date, 4 June 66; Sup. Amdt. No. 23; Dated, 17 Apr. 65

Monument Int	PDA RBn (final)	Direct	1100	T-dn	300–1	300–1	200–½
La Porte Int	PDA RBn	Direct	1800	C-dn	400–1	500–1	500–1½
Fairbanks Int	PDA RBn	Direct	1800	S-dn-21	400–1	400–1	400–1
Gulf Coast Int	PDA RBn	Direct	1800	A-dn	800–2	800–2	800–2
HOU VOR	PDA RBn	Direct	1600				

Radar available.
Procedure turn N side of crs, 036° Outbnd, 216° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1100′.
Crs and distance, facility to airport, 216°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing PDA RBn, climb to 1600′ on 216° bearing from PDA RBn within 15 miles, or when directed by ATC, turn right, climb to 1800′ on R 306° HOU VOR within 20 miles.
CAUTION: 1235′ TV tower, approximately 11 miles SSE of HOU VOR; 1549′ TV tower, approximately 13 miles SW of HOU VOR.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—2300′; 180°–270°—2600′; 270°–360°—1800′.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., MHW; Ident., PDA; Procedure No. 4, Amdt. 3; Eff. date, 4 June 66; Sup. Amdt. No. 2; Dated, 17 Apr. 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
Byers Int	PTT RBn	Direct	3500	T-dn	300–1	300–1	200–½
				C-dn	600–1½	600–1½	600–1½
St. John Int	PTT RBn	Direct	3500	S-d-17	600–1	600–1	600–1
				S-n-17	600–1½	600–1½	600–1½
				A-dn	NA	NA	NA

Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 3500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2561′.
Facility on airport. Breakoff point to Runway 17, 171°—0.8 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing PTT RBn, make right turn climbing to 3500′ on 342° bearing from PTT RBn within 10 miles, make left turn, and return to PTT RBn.
NOTE: (1) Runway lights on 17–35 only. (2) No weather available. Obtain Hutchinson altimeter setting.
CAUTION: Flood lighted cattle pens on W side of field may be confusing at night—use extreme caution.
Other change: Pratt Int name changed to Byers Int.
MSA within 25 miles of facility: 270°–180°—3300′; 180°–270°—3500′.

City, Pratt; State, Kans.; Airport name, Pratt Municipal; Elev., 1951′; Fac. Class., MH; Ident., PTT; Procedure No. 1, Amdt. 1; Eff. date, 4 June 66; Sup. Amdt. No. Orig.; Dated, 27 Apr. 66

HUA VOR	ITS RBn	Direct	2600	T-dn	300–1	300–1	200–½
DCU VOR	ITS RBn	Direct	2600	C-d	1000–1	1000–1	1000–1½
HSV VOR	ITS RBn	Direct	2600	C-n	1000–2	1000–2	1000–2
Folsom Int	ITS RBn	Direct	2600	S-d-35*	700–1	700–1	700–1
				S-n-35*	700–2	700–2	700–2
				A-dn	1000–2	1000–2	1000–2

Radar available.
Procedure turn E side of crs, 170° Outbnd, 350° Inbnd, 2600′ within 10 miles.
Minimum altitude over facility on final approach crs, 2100′.
Crs and distance, facility to airport, 350°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing ITS RBn, climb to 2000′ on crs of 350° from ITS RBn within 20 miles, or when directed by ATC, climb to 2600′, proceed direct to HUA RBn and enter holding pattern.
NOTE: Authorized for military use only, except by prior arrangements.
CAUTION: High terrain, 1.7 miles E of airport with tower, elevation, 1371′.
* Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2600′; 180°–270°—2300′; 270°–360°—2600′.

City, Redstone Arsenal; State, Ala.; Airport name, Redstone AAF; Elev., 682′; Fac. Class., MHW; Ident., ITS; Procedure No. 1, Amdt. 6; Eff. date, 4 June 66; Sup. Amdt. No. 5; Dated, 28 Nov. 64

HSV VOR	Harvest Int	Direct	2600	T-dn	300–1	300–1	200–½
ITS RBn	Harvest Int	Direct	2600	C-d	1000–1	1000–1	1000–1½
HUA VOR	Harvest Int	Direct	2600	C-n	1000–2	1000–2	1000–2
DCU VOR	Harvest Int	Direct	2600	S-d-17*	500–1	500–1	500–1
				S-n-17#	600–1	600–1	600–1
				A-dn	1000–2	1000–2	1000–2

Radar available.
Procedure turn E side of crs, 354° Outbnd, 174° Inbnd, 2600′ within 10 miles of Harvest Int/Radar Fix.
Minimum altitude over Harvest Int/Radar Fix on final approach crs, 2100′; over HUA RBn, 1700′.
Crs and distance, Harvest Int/Radar Fix to HUA RBn, 174°—2.7 miles; crs and distance, HUA RBn to airport, 174°—3.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.5 miles after passing HUA RBn, climb to 2600′ on crs of 174° from HUA RBn within 20 miles, or when directed by ATC, climb to 2900′, proceed direct to ITS RBn and enter holding pattern.
NOTE: Authorized for military use only, except by prior arrangements.
CAUTION: High terrain, 1.7 miles E of airport with tower, elevation, 1371′.
* Reduction below ¼ mile not authorized.
Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—3000′; 180°–270°—2200′; 270°–360°—2600′.

City, Redstone Arsenal; State, Ala.; Airport name, Redstone AAF; Elev., 682′; Fac. Class., HW; Ident., HUA; Procedure No. 2, Amdt. 1; Eff. date, 4 June 66; Sup. Amdt. No. Orig.; Dated, 28 Nov. 64

Brighton Int	IRS RBn	Direct	2500	T-dn	300–1	300–1	200–½
Sherwood Int	IRS RBn	Direct	2500	C-dn	800–1	800–1	800–1½
Centerville Int	IRS RBn	Direct	2500	S-dn-20	800–1	800–1	800–1
				A-dn	NA	NA	NA
				VOR/ADF minimums, VOR and ADF receivers required:			
				C-dn	600–1	600–1	600–1½
				S-dn-20	500–1	600–1	600–1

Procedure turn N side of crs, 060° Outbnd, 240° Inbnd, 2500′ within 10 miles.
Minimum altitude over Oak Int on final approach crs, 1734′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of IRS RBn, make right turn, climb to 2500′ on crs, 060° and return to RBn.
NOTE: No weather available. Obtain Battle Creek altimeter setting.
MSA within 25 miles of facility: 000°–360°—2400′.

City, Sturgis; State, Mich.; Airport name, Kirsch Municipal; Elev., 924′; Fac. Class., MHW; Ident., IRS; Procedure No. 1, Amdt. Orig.; Eff. date, 4 June 66

TVC VOR	TVC RBn	Direct	2100	T-dn*	300–1	300–1	200–½
				C-dn	500–1	600–1	500–1½
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 130° Outbnd, 310° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1800′.
Crs and distance, facility to airport, 310°—2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2 miles after passing RBn, make climbing right turn to 2100′ and return to TVC RBn, or when directed by ATC, make right turn, climb to 3000′ on 360° crs and return to RBn.
CAUTION: *Several antennas from 1132′ to 1546′ between 3 to 4.5 miles W and NW of airport. Plan departure to avoid this area.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—2900′; 180°–270°—3300′; 270°–360°—2000′.

City, Traverse City; State, Mich.; Airport name, Traverse City Municipal; Elev., 623′; Fac. Class., SABH; Ident., TVC; Procedure No. 1, Amdt. 3; Eff. date, 4 June 66; Sup. Amdt. No. 2; Dated, 23 Apr. 66

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
				T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-15L and R*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 332° Outbnd, 152° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′ over JA LOM, 6.4-miles DME/Radar Fix, or Ruth Int, 1800′.
Crs and distance, facility to Runway 15L, 152°—11.7 miles; JA LOM, 6.4-mile DME/Radar Fix, or Ruth Int to Runway 15L, 152°—5.3 miles.
Crs and distance, facility to Runway 15R, 152°—12.2 miles; JA LOM, 6.4-mile DME/Radar Fix, or Ruth Int to Runway 15R, 152°—5.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 15L: Within 11.7 miles after passing JAN VORTAC, turn right, climb to 2000′ on JAN VORTAC, R 164° within 20 miles. Runway 15R: Within 12.2 miles after passing JAN VORTAC, turn right, climb to 2000′ on JAN VORTAC, R 164° within 20 miles.
NOTE: When authorized by ATC, DME may be used within 30 miles at 3000′ to position aircraft for a straight-in approach with the elimination of a procedure turn.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. Runways 15 L and R, 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS, Runway 15L.
MSA within 25 miles of facility: 000°–090°—1700′; 090°–180°—1700′; 180°–270°—3000′; 270°–360°—1800′.

City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 345′; Fac. Class., H–BVORTAC; Ident., JAN; Procedure No. 1, Amdt. 5; Eff. date, 4 June 66; Sup. Amdt. No. 4; Dated, 27 Nov. 65

				T-dn%	300–1	300–1	200–½
				C-d	600–1	600–1	600–1½
				C-n	600–2	600–2	600–2
				S-d-29	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 146° Outbnd, 326° Inbnd, 7300′ within 10 miles.
Final approach from holding pattern at VOR not authorized. Procedure turn required.
Minimum altitude over facility on final approach crs, 5300′.
Crs and distance, facility to airport, 314°—6.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.4 miles after passing VOR, make left-climbing turn to VOR, continue climb on R 146° within 10 miles in order to cross VOR on 326° Inbnd at 7300′, hold in 1-minute pattern SE of VOR, 326° Inbnd with left turns.
CAUTION: Runways 7–25 and 11–29 unlighted.
%Takeoff all runways: Aircraft departing SE on V–536, climb directly to VOR, continue climb on R 146° within 10 miles to cross VOR on Inbnd heading of 326° at 7300 or above. Continue climb to 9000′ in 1-minute left turn holding pattern SE of VOR on R 146° Inbnd heading 326° before departing VOR on crs. Aircraft departing SW on V–536, cross VOR at 5000′ or above. Aircraft departing S on V–251, climb directly to VOR, then continue climb directly on crs to assigned altitude.
MSA's within 25 miles of facility: 000°–090°—10,300′; 090°–180°—6700′; 180°–270°—7800′; 270°–360°—7800′.

City, Kalispell; State, Mont.; Airport name, Flathead County; Elev., 2972′; Fac. Class., BVOR; Ident., FCA; Procedure No. 1, Amdt. 2; Eff. date, 4 June 66; Sup. Amdt. No. 1; Dated, 30 Apr. 66

Evans Creek FM, V23	MFR VOR (final)	Direct	4300	T-dn%	300–1	300–1	200–½
Evans Creek FM, V23W	MFR VOR (final)	Direct	4300	C-d*	1200–1	1200–1	1200–1½
				C-n*	1200–2	1200–2	1200–2
				A-dn	1200–2	1200–2	1200–2
				*If Table Int is positively identified, the following minimums apply:			
				C-dn	700–1	700–1	700–1½

Procedure turn E side of crs, 342° Outbnd, 162° Inbnd, 6300′ within 10 miles of MFR VOR.
Minimum altitude over MFR VOR on final approach crs, 4300′; over Table Int, 3400′.
Crs and distance, MFR VOR to airport, 146°—6.3 miles; Table Int to airport, 146°—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.3 miles after passing MFR VOR or 4.5 miles after passing Table Int, make immediate right turn, climb direct to MFR VOR, thence continue climb to 6300′ in a 1-minute right turn holding pattern S of MFR VOR on R 157°.
NOTE: When authorized by ATC, DME may be used between R 216°, MFR VOR, clockwise to R 342°, MFR VOR at 15 miles at 6300′ to position aircraft for straight-in approach with elimination of procedure turn.
CAUTION: High terrain in all quadrants.
Other change: Deletes transition MFR VOR to Evans Creek FM.
*ADF equipment required to execute this procedure to the reduced minimums.
%All IFR departures must comply with published Medford SID's.
MSA within 25 miles of facility: 000°–090°—9600′; 090°–180°—8600′; 180°–270°—7400′; 270°–360°—6300′.

City, Medford; State, Oreg.; Airport name, Medford Municipal; Elev., 1330′; Fac. Class., H–BVORTAC; Ident., MFR; Procedure No. 1, Amdt. 8; Eff. date, 4 June 66; Sup. Amdt. No. 7; Dated, 30 Oct. 65

PROCEDURE CANCELED, EFFECTIVE 4 JUNE 1966.

City, Phoenix; State, Ariz.; Airport name, Sky Harbor Municipal; Elev., 1122′; Fac. Class., BVORTAC; Ident., PHX; Procedure No. 2, Amdt. 4; Eff. date, 27 July 63; Sup. Amdt. No. 3; Dated, 28 Oct. 61

HSV VOR	Monrovia Int	Direct	2600	T-dn	300–1	300–1	200–½
DCU VOR	Monrovia Int	Direct	2600	C-d	600–1	600–1	600–1½
				C-n	600–2	600–2	600–2
				A-dn	1000–2	1000–2	1000–2

Radar available.
Procedure turn E side of crs, 338° Outbnd, 158° Inbnd, 2600′ within 10 miles, Monrovia Int/Radar Fix.
Minimum altitude over Monrovia Int/Radar Fix on final approach crs, 2300′; Rainbow Int, 1800′; facility, 1400′.
Crs and distance, Monrovia Int/Radar Fix to Rainbow Int, 158°—3.4 miles; Rainbow Int to VOR, 158°—2.5 miles; VOR to airport, 158°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.5 mile after passing HUA VOR, turn right, climb to 2600′ on R 170° of HUA VOR within 20 miles, or when directed by ATC, turn right, climb to 2600′; proceed direct to ITS RBn and enter holding pattern.
NOTE: (1) Authorized for military use only except by prior arrangements. (2) This procedure authorized only for aircraft equipped with two operating VOR receivers.
CAUTION: High terrain, 1.7 miles E of airport with tower, elevation, 1371′. All circling is to be made to the W of the centerline of Runways 17/35.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2600′; 180°–270°—2100′; 270°–360°—3000′.

City, Redstone; State, Ala.; Airport name, Redstone AAF; Elev., 682′; Fac. Class., TacVOR; Ident., HUA; Procedure No. TerVOR–17, Amdt. Orig.; Eff. date, 4 June 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
H8V VOR	Bunker Int	Direct	2600	T-dn	300–1	300–1	200–½
DCU VOR	Bunker Int	Direct	2600	C-d	1000–1	1000–1	1000–1½
ITS RBn	Bunker Int	Direct	2600	C-n	1000–2	1000–2	1000–2
				S-d–35°	700–1	700–1	700–1
				S-n–35°	800–2	800–2	800–2
				A-dn	1000–2	1000–2	1000–2

Radar available.
Procedure turn E side of crs, 165° Outbnd, 345° Inbnd, 2600′ within 10 miles of Bunker Int/Radar Fix.
Minimum altitude over Bunker Int/Radar Fix on final approach crs, 2100′; Wheeler Int/Radar Fix, 1500′.
Crs and distance, Bunker Int/Radar Fix to airport, 345°—4.8 miles; Wheeler Int/Radar Fix to airport, 345°—2.7 miles; Bunker Int/Radar Fix to VOR, 345°—6.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of HUA VOR, climb to 2600′ on R 345° of HUA VOR within 20 miles, or when directed by ATC, climb to 3600′ on R 338° of HUA VOR, proceed to Monrovia Int and enter holding pattern.
NOTE: Authorized for military use only except by prior arrangements.
CAUTION: High terrain, 1.7 miles E of airport with tower, elevation, 1371′.
* Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2600′; 180°–270°—2100′; 270°–360°—2600′.

City, Redstone; State, Ala.; Airport name, Redstone AAF; Elev., 682′; Fac. Class., TerVOR; Ident., HUA; Procedure No. TerVOR-35, Amdt. Orig.; Eff. date, 4 June 66

TVC RBn	TVC VOR	Direct	2100	T-dn**	301–1	300–1	200–½
				C-dn	800–1	800–1	800–1½
				A-dn	800–2	800–2	800–2
				VOR/ADF minimums, VOR and ADF receivers required:#			
				C-dn#	400–1	800–1	800–1½

Radar available.
Procedur turn E side of crs, 160° Outbnd, 340° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1800′; over Hill Int, 1423′.
Crs and distance, facility to airport, 340°—4.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing TVC VOR, make climbing right turn to 2100′ and return to VOR, or when directed by ATC, make right turn, climbing to 2000′ on 360° crs and return to TVC VOR.
CAUTION: **Several antennas from 1132′ to 1546′ between 3 to 4.5 miles W and NW of airport. Plan departure to avoid this area.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—2900′; 180°–270°—3600′; 270°–360°—2600′.

City, Traverse City; State, Mich.; Airport name, Traverse City Municipal; Elev., 623′; Fac. Class., BVOR; Ident., TVC; Procedure No. 1, Amdt. 6; Eff. date, 4 June 66; Sup. Amdt. No. 5; Dated, 23 Apr. 66

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
GVN RBn	ANN VOR	122°—9.2 miles	4000	T-dn*	300–1	300–1	200–½
AT LFR	ANN VOR	Direct	4000	C-dn*	500–1½	500–1½	500–1½
205° magnetic bearing from GIA RBn**	205° magnetic bearing from GVN RBn (final).	104°—16.5 miles	4000	S-dn–12#	500–1½	500–1½	500–1½
				A-dn	800–2	800–2	800–2
				With elimination of procedure turn, minimums become:**			
				C-d	700–1½	700–1½	700–1½
				C-n	700–2	700–2	700–2
				S-d–12	700–1½	700–1½	700–1½
				S-n–12	700–2	700–2	700–2

Procedure turn W side of crs, 284° Outbnd, 104° Inbnd, 3700′ within 10 miles.
Minimum altitude over facility on final approach crs, 619′.#
Facility on airport, breakoff point to end of Runway 12, 123°—1.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of ANN VOR, turn right, climb to 4200′ on R 138° within 15 miles.
CAUTION: Terrain, 1000′ within 1.9 miles N through E, 2832′—2.9 miles; E, 3301′—5.1 miles ENE of airport.
NOTE: All maneuvering for circling to be conducted W of airport.
* Runways 2–20: Night operation not authorized. Runway 2: T-d restricted to 600–1 due to high terrain, N through E, 1000′ within 2 miles. Make immediate left turn after takeoff.
#Descent below 3300′ not authorized until intercepting 180° bearing from GVN RBn. If 180° bearing from GVN RBn not received, execute missed approach.
**Procedure turn not required when approaching ANN VOR southbound on V–307 if 205° bearing from GIA RBn and 205° bearing from GVN RBn are received.
MSA within 25 miles of facility: 000°–090°—6400′; 090°–180°—4600′; 180°–270°—6000′; 270°–360°—5500′.

City, Annette Island; State, Alaska; Airport name, Annette FAA Airport; Elev., 119′; Fac. Class., H-BVOR; Ident., ANN; Procedure No. TerVOR-12, Amdt. 1; Eff. date, 4 June 66; Sup. Amdt. No. Orig.; Dated, 29 Aug. 64

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn	300–1	300–1	NA
				C-dn	600–1	600–1	NA
				S-dn–24	600–1	600–1	NA
				A-dn	NA	NA	NA

Procedure turn N side of crs, 053° Outbnd, 233° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 1292′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of DKK VOR, make right-climbing turn, intercept R 053° of DKK VOR, climb to 2800′ within 10 miles, return to DKK VOR. Hold NE, 1-minute right turns.
MSA within 25 miles of facility: 070°–250°—3200′; 250°–340°—1700′; 340°–070°—2400′.

City, Dunkirk; State, N.Y.; Airport name, Dunkirk Municipal; Elev., 692′; Fac. Class., L-BVOR; Ident., DKK; Procedure No. Ter VOR-24, Amdt. Orig.; Eff. date, 4 June 66

IDA RBn	VOR	Direct	6200	T-dn%	300–1	300–1	200–½
Rigby Int	VOR	Direct	6200	C-dn	500–1	500–1	500–1½
Shelley Radar Fix (R 206°/10 miles)	VOR (final)	Direct	5000	S-dn–2°	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side crs, 206° Outbnd, 026° Inbnd, 6200′ within 10 miles. Nonstandard due to high terrain, E.
Minimum altitude over facility on final approach crs, 5200′.
Crs and distance, breakoff point to Runway 2, 021°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing IDA VOR, climb to 7000′ on R 013° within 10 miles, or when directed by ATC, within 0 mile after passing IDA VOR, turn left climbing to 7000′ on R 196° of IDA VOR within 10 miles.
*500–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
%Takeoff all runways: Shuttle climb on R 196° of IDA VOR within 20 miles to minimum altitude required for direction of flight.

Direction of flight	MCA
E, V–330	6400

MSA within 25 miles of facility: 000°–090°—9400′; 090°–180°—8600′; 180°–270°—7000′; 270°–360°—7000′.

City, Idaho Falls; State, Idaho; Airport name, Fanning Field; Elev., 4730′; Fac. Class., BVOR; Ident., IDA; Procedure No. VOR-2, Amdt. 8; Eff. date, 28 May 66; Sup. Amdt. No. 7; Dated, 17 July 65

				T-dn	300–1	300–1	NA
				C-dn	400–1	500–1	NA
				S-dn–9	400–1	400–1	NA
				A-dn	NA	NA	NA

Radar available.
Procedure turn S side of crs, 265° Outbnd, 085° Inbnd, 2600′ within 10 miles.
Minimum altitude over Royalton Int on final approach crs, 1600′.
Facility on airport. Breakoff point to runway, 091°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of Strongsville VOR, make left-climbing turn to 3000′, intercept R 346° of Strongsville VOR, proceed to Crib Int. Hold SE, 1-minute, right turns.
CAUTION: Several towers approximately 6 miles E of airport, highest, 1971′.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2800′; 180°–270°—2300′; 270°–360°—2100′.

City, Strongsville; State, Ohio; Airport name, Strongsville Airpark; Elev., 840′; Fac. Class., LBVOR; Ident., STG; Procedure No. Ter VOR-9, Amdt. Orig.; Eff. date, 4 June 66

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Fairbanks Int	16-mile DME Fix, R 298°	16-mile DME Arc	1600	T-dn	300–1	300–1	200–½
				C-dn*	400–1	500–1	500–1½
16-mile DME Fix, R 298°	10-mile DME Fix, R 298°	Direct	1600	S-dn–12°	400–1	400–1	400–1
10-mile DME Fix, R 298°	5-mile DME Fix, R 298° (final)	Direct	1300	A-dn*	800–2	800–2	800–2

Radar available.
Radar Fixes may be used in lieu of DME Fixes.
Procedure turn SW side of crs, 298° Outbnd, 118° Inbnd, 1800′ within 10 miles.
Minimum altitude over 5-mile DME Fix on final approach crs, 1300′.
Crs and distance, 5-mile DME Fix to airport, 118°—4.1 miles; breakoff point to runway, 123°—0.3 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of HOU VOR, climb to 2200′ on HOU VOR, R 171° within 15 miles.
CAUTION: 1235′ tower, approximately 11 miles SSE of HOU VOR; 1549′ TV tower, approximately 13 miles SW of HOU VOR.
*If neither 5-mile DME Fix or Radar Fix received, descent below 1300′ not authorized.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—2300′; 180°–270°—2600′; 270°–360°—1800′.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., H-BVORTAC; Ident., HOU; Procedure No. VOR/DME-1, Amdt. 5; Eff. date, 4 June 66; Sup. Amdt. No. 4; Dated, 21 Aug. 66

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
10-mile DME Fix, R 017°	5-mile DME Fix, R 017° (final)	Direct	1600	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-21°	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Radar Fix may be used in lieu of DME Fix.
Procedure turn W side of crs, 017° Outbnd, 197° Inbnd, 1800′ within 10 miles.
Minimum altitude over 5-mile Fix on final approach crs, 1500′.
Crs and distance, breakoff point to approach end Runway 21, 216°—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of HOU VOR, climb to 2500′ on R 218° within 20 miles.
CAUTION: 1549′ tower, approximately 13 miles SW of HOU VOR; 1235′ tower, approximately 11 miles SSE of HOU VOR.
Other change: Deletes transition from 5-mile DME Fix, R 017° to HOU VOR (final) and deletes altitude over VOR.
*400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—2300′; 180°–270°—2600′; 270°–360°—1800′.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., H-BVORTAC; Ident., HOU; Procedure No. VOR/DME No. 2, Amdt. 8; Eff. date, 4 June 66; Sup. Amdt. No. 7; Dated, 21 Aug. 65

10-mile DME Fix, R 231°	5-mile DME Fix, R 231° (final)	Direct	1600	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-3°	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Radar Fix may be used in lieu of DME Fix.
Procedure turn S side of crs, 231° Outbnd, 051° Inbnd, 2500′ within 10 miles.
Minimum altitude over 5-mile DME Fix on final approach crs, 1500′.
Crs and distance, breakoff point to approach end Runway 3, 036°—0.8 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of HOU VOR, climb to 1600′ on R 036° within 20 miles.
CAUTION: 1549′ tower, approximately 13 miles SW of HOU VOR; 1235′ tower, approximately 11 miles SSE of HOU VOR.
Other change: Deletes transition from 5-mile DME Fix, R 231° to Houston VOR (final).
*Descent below 2000′ not authorized until aircraft is Inbnd on final approach within 10 miles and descent below 1500′ not authorized until passing 5-mile DME Fix on final. **400-½ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. 400-½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—2300′; 180°–270°—2600′; 270°–360°—1800′.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., H-BVORTAC; Ident., HOU; Procedure No. VOR/DME-3, Amdt. 6; Eff. date, 4 June 66; Sup. Amdt. No. 5; Dated, 21 Aug. 65

GLS VOR	10-mile DME Fix, R 134°	Direct	1700	T-dn	300-1	300-1	200-½
10-mile DME Fix, R 134°	1.8-mile DME Fix, R 134° (final)	Direct	600	C-dn*	400-1	500-1	500-1½
				S-dn-30°	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn E side of crs, 134° Outbnd, 314° Inbnd, 1700′ within 10 miles.
Minimum altitude over 1.8-mile DME Fix on final approach crs 600′.
Facility on airport.
Crs and distance, breakoff point to runway, 306°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing HOU VOR, turn left, climb to 1800′ on HOU VOR, R 306°, or, when directed by ATC, turn left, climb to 1800′ on HOU VOR R 282°.
CAUTION: 1232′ tower, 11 miles SSE of HOU VOR; 753′ tower, 6 miles NW of HOU VOR.
NOTE: HOU RBn or Radar Fix may be used in lieu of 1.8-mile DME Fix.
*If 1.8-mile DME Fix, HOU RBn passage or Radar Fix not received, descent below 600′ not authorized.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—2300′; 180°–270°—2600′; 270°–360°—1800′.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., H-BVORTAC; Ident., HOU; Procedure No. VOR/DME-4, Amdt. 2; Eff. date, 4 June 66; Sup. Amdt. No. 1; Dated, 17 Apr. 65

				T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-33 Rf	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn E side of crs 152° Outbnd, 332° Inbnd, 2000′ between 19 miles and 29 miles of VORTAC, or between 19-mile and 29-mile Radar Fixes.
Minimum altitude over 19-mile DME Fix or 19-mile Radar Fix on final approach crs, 2000′.
Crs and distance, 19-mile DME Fix or 19-mile Radar Fix to airport, 332°—5.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 14-mile DME Fix or 14-mile Radar Fix, turn right, climb to 2000′ on JAN VORTAC, R 129°, proceed to Rankin Int, hold SE, 1-minute, right turns, 309° Inbnd.
NOTE: When authorized by ATC, DME may be used within 30 miles at 3000′, to position aircraft for straight-in approach with the elimination of procedure turn.
#400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—1700′; 090°–180°—1700′; 180°–270°—3000′; 270°–360°—1800′.

City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 345′; Fac. Class., H-BVORTAC; Ident., JAN; Procedure No. VOR/DME No. 1, Amdt. 3; Eff. date, 4 June 66; Sup. Amdt. No. 2; Dated, 2 Oct. 65

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
15-mile DME Fix, R 333°	7.8-mile DME Fix, R 333°	Direct	6000	T-dn%	300-1	300-1	200-½
7.8-mile DME Fix, R 333°	3.5-mile DME Fix, R 333°	Direct	3900	C-dn	700-1	700-1	700-1½
3.5-mile DME Fix, R 333°	0-mile DME Fix, R 333°	Direct	3300	S-dn-14#	500-1	500-1	500-1
10-mile DME Fix, R 136°	MFR VOR	Direct	6000	A-dn	1000-2	1000-2	1000-2
10-mile DME Fix, R 157°	MFR VOR	Direct	6000				

Procedure turn E side of crs, 333° Outbnd, 153° Inbnd, 5700′ within 12 miles.
Minimum altitude over 3.5-mile DME Fix, R 333° on final approach crs, 3500′; over MFR VOR, 3300′; over 2.4-mile DME Fix, R 146°, 2300′.
Crs and distance, facility to airport, 146°—6.3 miles; 2.4-mile DME Fix, R 146° to airport, 146°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.3 miles after passing MFR VOR, or at the 6.3-mile DME Fix, R 146°, make immediate right turn, climb direct to MFR VOR, thence continue climb to 6000′ in a 1-minute right turn holding pattern S of MFR VOR on R 157°.
CAUTION: High terrain all quadrants.
NOTE: When authorized by ATC, DME may be used between R 216°, MFR VOR clockwise to R 333°, MFR VOR within 15 miles at 6500′ to position aircraft for straight-in approach with elimination of procedure turn.
%All IFR departures must comply with published Medford SID's.
#Sliding scale not authorized. Visibility reduction not authorized.
MSA within 25 miles of facility: 000°–090°—9900′; 090°–180°—8600′; 180°–270°—7400′; 270°–360°—6300′.

City, Medford; State, Oreg.; Airport name, Medford Municipal; Elev., 1330′; Fac. Class., H-BVORTAC; Ident., MFR; Procedure No. VOR/DME No. 1, Amdt. 3; Eff. date, 4 June 66; Sup. Amdt. No. 2; Dated, 30 Oct. 65

15-mile DME Fix, R 316°	8.7-mile DME Fix, R 316°	Direct	6000	T-dn%	300-1	300-1	200-½
8.7-mile DME Fix, R 316°	3.5-mile DME Fix, R 316°	Direct	3900	C-dn	700-1	700-1	700-1½
3.5-mile DME Fix, R 316°	0-mile DME Fix, R 316°	Direct	3300	S-dn-14#	500-1	500-1	500-1
				A-dn	1000-2	1000-2	1000-2

Procedure turn not authorized.
Minimum altitude over 8.7-mile DME Fix, R 316° on final approach crs, 6000′; over 3.5-mile DME Fix, R 316°—3900′; over MFR VORTAC, 3300′; over 2.4-mile DME Fix, R 146°—2500′.
Crs and distance, facility to airport, 146°—6.3 miles; 2.4-mile DME Fix, R 146° to airport, 146°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.3 miles after passing MFR VOR, or at the 6.3-mile DME Fix, R 146°, make immediate right turn, climb direct to MFR VOR, thence continue climb to 6000′ in a 1-minute right turn holding pattern S of MFR VOR on R 157°.
NOTE: When authorized by ATC, DME may be used between R 216°, MFR VOR clockwise to R 333°, MFR VOR within 15 miles at 6500′ to position aircraft for straight-in approach.
CAUTION: High terrain all quadrants.
%All IFR departures must comply with published Medford SID's.
#Sliding scale not authorized. Visibility reduction not authorized.
MSA within 25 miles of facility: 000°–090°—9900′; 090°–180°—8600′; 180°–270°—7400′; 270°–360°—6300′.

City, Medford; State, Oreg.; Airport name, Medford Municipal; Elev., 1330′; Fac. Class., H-BVORTAC; Ident., MFR; Procedure No. VOR/DME No. 2, Amdt. 1; Eff. date, 4 June 66; Sup. Amdt. No. Orig.; Dated, 30 Oct. 65

YK LFR	YAK VOR	Direct	1200	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-26°	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 118° Outbnd, 298° Inbnd, 1200′ within 10 miles.
Descend to 700′ after 8-mile DME Fix. Descend to 400′ after 4-mile DME Fix.
Crs and distance, breakoff point to approach end of Runway 26, 286°—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of YAK VOR, climb to 1700′ on YAK VOR, R 268° within 15 miles.
NOTE: When authorized by ATC, DME may be used to position aircraft for final approach at 1200′ between radials 110° clockwise to 268° within 10 miles with the elimination of procedure turn. Within 30 miles of YAK VOR when on airways, descent to 1200′ authorized.
*400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—6700′; 090°–180°—2000′; 180°–270°—2000′; 270°—360°—8000′.

City, Yakutat; State, Alaska; Airport name, Yakutat; Elev., 37′; Fac. Class., BVORTAC; Ident., YAK; Procedure No. VOR/DME No. 3, Amdt. 2; Eff. date, 4 June 66; Sup. Amdt. No. 1; Dated, 28 Aug. 65

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
BHM VORTAC	LOM	Direct	2800	T-dn%	300–1	300–1	*200–½
Chelsea Int	LOM	Direct	2800	C-dn	800–1	900–1	900–1½
Leeds Int	LOM	Direct	2500	S-dn–66**	200–½	200–½	200–½
Bessemer Int	LOM (final)	Direct	2000	A-dn	900–1	900–2	900–2

Radar available.
Procedure turn N side of SW crs, 232° Outbnd, 052° Inbnd 2500′ within 10 miles (nonstandard to avoid obstructions).
Minimum altitude at glide slope interception Inbnd, 2000′.
Altitude of glide slope and distance to approach end of runway at OM, 2000′—4.5 miles; at MM, 815′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3000′ on crs of 052° via ROE RBn to Trussville Int. Hold NE, 1-minute right turns, or when directed by ATC, turn left, climb to 3000′ and proceed to BHM VORTAC.
NOTE: VASI, runway 23.
%RVR 2400′ authorized runway 5.
#RVR 2400′. Descent below 843′ not authorized unless approach lights are visible.
**400–¾ (RVR 4000′) required when glide slope not utilized. 400–½ (RVR 2400′) authorized with operative ALS, except for 4-engine turbojets.
*Runways 5/23 only.

City, Birmingham; State, Ala.; Airport name, Municipal; Elev., 643′; Fac. Class., ILS; Ident., I-BHM; Procedure No. ILS–5, Amdt. 20; Eff. date, 4 June 66; Sup. Amdt. No. 19; Dated, 10 July 65

Houston VOR	LOM	Direct	2000	T-dn##	300–1	300–1	200–½
Fairbanks Int	LOM	Direct	2000	C-dn	400–1	500–1	500–1½
Arcola Int	LOM (final)	Via LOC	*1300	S-dn–36%%	200–½	200–½	200–½
				A-dn	600–2	600–2	600–2

Radar available.
Procedure turn S side SW crs, 216° Outbnd, 036° Inbnd, 2000′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1300′.
Altitude of glide slope and distance to approach end of runway at OM, 1260′—4.2 miles; at MM, 250′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing LOM, climb to 1600′ on NE crs, ILS within 20 miles, or when directed by ATC, turn left, climb to 1800′ on HOU VOR, R 306°.
CAUTION: 1549′ tower, approximately 8.5 miles W of LOM; 1235′ tower, approximately 9 miles SE of LOM.
%400–¾ required when glide slope not utilized. 400–½ authorized, except for 4-engine turbojet aircraft with operative ALS.
*Descent below 2000′ not authorized until established on localizer.
##RVR 2400′ authorized for takeoff runway 3.
#RVR 2400′, descent below 248′ not authorized.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., ILS; Ident., I-HOU; Procedure No. ILS–3, Amdt. 26; Eff. date, 4 June 66; Sup. Amdt. No. 25; Dated, 17 Apr. 66

Houston VOR	Monument Int	Direct	1600	T-dn	300–1	300–1	200–½
Monument Int	Pasadena RBn or Fix (final)#	Direct	1100	C-dn	400–1	500–1	500–1½
				S-dn–21°	400–1	600–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn N side NE crs, 036° Outbnd, 216° Inbnd, 1600′ within 10 miles of Pasadena RBn or Fix.#
No glide slope. Minimum altitude over Pasadena RBn or Fix.# 1100′.
Crs and distance, Pasadena RBn or Fix# to Runway 21, 216°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles of Pasadena RBn or Fix,# climb to 1600′ on SW crs, HOU ILS within 15 miles, or when directed by ATC, turn right, climb to 1800′ on R 306°, HOU VOR within 20 miles.
CAUTION: 1235′ TV tower, approximately 11 miles SSE, HOU VOR; 1549′ TV tower, approximately 13 miles SW, HOU VOR.
Other change: Deletes radar transition and final approach notes.
#Pasadena Fix is a Houston Radar (ASR) Fix coinciding with location of Pasadena RBn.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., ILS; Ident., I-HOU; Procedure No. ILS–21 (back crs), Amdt. 12; Eff. date, 4 June 66; Sup. Amdt. No. 11; Dated, 17 Apr. 66

Florence Int	LOM	Direct	1900	T-dn	300–1	300–1	200–½
Branch Int	LOM	Direct	1900	C-dn	400–1	500–1	500–1¼
Byram Int	LOM	Direct	2000	S-dn–15L*	200–½	200–½	200–½
Trace Int	LOM	Direct	1900	A-dn	600–2	600–2	600–2
Rankin Int	LOM	Direct	1900				
JAN VORTAC	LOM (final)		1900				

Radar available.
Procedure turn W side of crs, 333° Outbnd, 153° Inbnd, 1900′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1800′.
Altitude of glide slope and distance to approach end of runway at OM, 1778′—5.3 miles; at MM, 489′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LOM, turn right, climb to 2000′ on JAN VORTAC, R 164° within 20 miles.
*400–¾ required when glide slope not utilized. 400–½ authorized, except for 4-engine turbojet aircraft with operative ALS.

City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 346′; Fac. Class., ILS; Ident., I-JAN; Procedure No. ILS–15L, Amdt. 3; Eff. date, 4 June 66; Sup Amdt. No. 2; Dated, 2 Oct. 65

6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
		Within:		Surveillance approach			
000°	360°	15 miles	2500	T-dn	300–1	300–1	*200–½
000°	360°	15 to 25 miles	3500	C-dn–5/13/36	800–1	900–1	900–1½
				C-dn–23	900–1	900–1	900–1½
				S-dn–09	600–1	600–1	600–1
				S-dn–18#	700–1	700–1	700–1
				S-dn 23**#	900–1	900–1	900–1
				S-dn–36#	800–1	800–1	800–1
				A-dn	1000–2	1000–2	1000–2

Radar control must provide 3 miles separation from radio tower, 1809′ located 4 miles SW of airport or maintain 2800′. All bearings and distances are from radar antenna with sector azimuths progressing clockwise.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 5: Climb to 3000′ on crs of 052° from LOM within 15 miles. Runway 23: Climb to 3000′, turn right and proceed to BHM VORTAC, or when directed by ATC, climb to 3000′ and proceed to BHM LOM. Runways 36 and 18: Climb to 2000′, turn left and proceed to BHM VORTAC.
NOTE: VASI, Runway 23.
*Runways 5–23 only.
**Maintain at least 1900′ until 4 miles from runway on final approach to Runway 23.
#Reduction not authorized.

City, Birmingham; State, Ala.; Airport name, Municipal; Elev., 643′; Fac. Class., and Ident., Birmingham Radar; Procedure No. 1, Amdt. 7; Eff. date, 4 June 66; Sup. Amdt. No. 6; Dated, 17 Apr. 66

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes														Ceiling and visibility minimums			
From	To	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
														Precision approach			
030	150	10	4000											T-dn	300–1	300–1	200–½
150	030	20	2700											C-d	1000–1	1000–1	1000–1½
														C-n	1000–2	1000–2	1000–2
														S-dn–17	200–½	200–½	200–½
														S-dn–35	300–½	300–½	300–½
														A-dn	1000–2	1000–2	1000–2
														Surveillance approach			
														S-d–17	800–1	800–1	800–1
														S-n–17	800–2	800–2	800–2
														S-d–35	700–1	700–1	700–1
														S-n–35	700–2	700–2	700–2

Radar terminal transition altitudes: All bearings are from radar site within sector azimuths progressing clockwise.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 17: Climb to 2600′, proceed direct to Whitesburg RBn and enter holding pattern. Runway 35: Turn left, climb to 2600′, proceed direct to ITS RBn and enter holding pattern.
NOTES: Authorized for military use only, except by prior arrangement.
CAUTION: High terrain, 1.7 miles E of airport with tower elevation, 1371′; due terrain and towers in maneuvering areas, radar guidance will not be discontinued until the aircraft has either landed or climbed to designated altitude and crs on missed approach.

City, Redstone Arsenal; State, Ala.; Airport name, Redstone AAF; Elev., 627′; Fac. Class. and Ident., Redstone Radar; Procedure No. 1, Amdt. 5; Eff. date, 4 June 66; Sup. Amdt. No. 4; Dated, 6 Mar. 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on April 29, 1966.

C. W. WALKER,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–6338; Filed, June 7, 1966; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 8673]

PART 13—PROHIBITED TRADE PRACTICES

Philip T. Berkley and Berkley Associates

Subpart—Advertising falsely or misleadingly: § 13.60 *Earnings and profits.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1615 *Earnings and profits.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Berkley Associates, San Diego, Calif., Docket 8673, May 5, 1966]

Consent order requiring a San Diego, Calif., commodity futures analyst, to cease making false claims regarding his advisory and managed accounts services or exaggerating the profits derived from their use.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Philip T. Berkley, an individual trading as Berkley Associates, or under any other name or names, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of publications on "Methods" or rules for dealing in commodity futures, or of advisory and managed accounts services for dealing in commodity futures, or of any similar or related publications or services, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

a. Representing, directly or indirectly, that respondent's "Methods" or rules have been in existence for as long as 15 years; or misrepresenting the extent, if any, to which past experience suggests or demonstrates the validity of respondent's "Methods" or rules.

b. Representing, directly or indirectly, that any stated profits or earnings resulted from actual trades based on respondent's "Methods" or rules, or that they could have been predicted on the basis of said "Methods" or rules, or were typical or could be expected generally by persons employing said "Methods," rules or services in the future.

c. Representing, directly or indirectly, that the application of respondent's "Methods" or rules in the managed accounts service results in higher profits for customers than would be ordinarily realized.

d. Misrepresenting in any manner, or by any means, the profits or earnings derived by persons making use of respondent's "Methods" or rules for dealing in commodity futures or of respondent's advisory service or managed accounts service.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: May 5, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6257; Filed, June 7, 1966; 8:46 a.m.]

[Docket No. C-1064]

PART 13—PROHIBITED TRADE PRACTICES

Heavy Construction Schools of Illinois, Inc., and Mary A. Neiman

Subpart—Advertising falsely or misleadingly: § 13.115 *Jobs and employment service.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1670 *Jobs and employment.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Heavy Construction Schools of Illinois, Inc., et al., Chicago, Ill., Docket No. C-1064, May 5, 1966]

Consent order requiring the operators of a Chicago, Ill., correspondence school, to cease making false employment, earnings and other claims for its course for heavy construction equipment operators.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Heavy Construction Schools of Illinois, Inc., a corporation, and its officers, and Mary A. Neiman, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of courses of study and instruction in heavy equipment operation or any other subject, trade or vocation, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

(1) Upon completion of respondents' courses, persons will be competent or fully-trained operators of the types of heavy equipment they have selected to be trained on; or misrepresenting in any other manner the training afforded by respondents' courses.

(2) Persons completing respondents' courses in heavy equipment operation will have immediate or unlimited opportunities for employment as a heavy equipment operator; or misrepresenting in any other manner the opportunities for employment available to persons completing respondents' courses.

(3) Persons completing respondents' courses in heavy equipment operation and obtaining employment as a heavy equipment operator will thus be able to earn $7,000 to $15,000 a year; or misrepresenting in any manner the earnings of persons completing respondents' courses.

(4) Respondents have an effective placement service, maintain contact with employers of heavy equipment operators, receive requests for heavy equipment operators or will actively assist persons completing respondents' courses in obtaining employment as heavy equipment operators; or misrepresenting in any other manner the assistance furnished to persons completing their courses in obtaining employment.

(5) Persons completing respondents' courses in heavy equipment operation will not be required to undergo apprenticeship training before becoming qualified for employment as a heavy equipment operator.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: May 5, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6258; Filed, June 7, 1966; 8:46 a.m.]

[Docket No. C-1067]

PART 13—PROHIBITED TRADE PRACTICES

LeRoy Knitted Sportswear, Inc., et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-90 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46 Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, LeRoy Knitted Sportswear, Inc., et al., Los Angeles, Calif., Docket No. C-1067, May 17, 1966]

In the Matter of LeRoy Knitted Sportswear, Inc., a Corporation, and Samuel Scharf, Leon Scharf, and Roy Scharf, Individually and as Officers of Said Corporation

Consent order requiring a Los Angeles, Calif., manufacturer, importer, and jobber of wool products to cease misbranding wool sweaters and other wool products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents LeRoy Knitted Sportswear, Inc., a corporation, and its officers, and Samuel Scharf, Leon Scharf, and Roy Scharf, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from introducing into commerce, or offering for sale, selling, transporting, distributing or delivering for shipment in commerce, wool sweaters or any other wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939:

1. Which are falsely or deceptively stamped, tagged, labeled or otherwise identified as to the character or amount of the constituent fibers contained therein.

2. Unless each of such products has securely affixed thereto, or placed thereon, a stamp, tag, label or other means of identification correctly showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

3. To which is affixed a label wherein the term "mohair" is used in lieu of the word "wool" in setting forth the required information on labels affixed to such wool products unless the fibers described as "mohair" are entitled to such designation and are present in at least the amount stated.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: May 17, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6259; Filed, June 7, 1966; 8:47 a.m.]

[Docket No. C-1065]

PART 13—PROHIBITED TRADE PRACTICES

Louis Leeds and Leeds Manufacturing

Subpart—Importing, selling, or transporting flammable wear: § 13.1060 *Importing, selling, or transporting flammable wear.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Leeds Manufacturing, Bronx, N.Y., Docket C-1065, May 12, 1966]

Consent order requiring a Bronx, N.Y., importer and manufacturer of sweaters to cease importing, manufacturing or selling wearing apparel made from dangerously flammable fabrics.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That the respondent Louis Leeds, an individual trading as Leeds Manufacturing, or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from:

1. (a) Importing into the United States; or

(b) Manufacturing for sale, selling, offering for sale, introducing, delivering for introduction, transporting or causing to be transported in commerce, as "commerce" is defined in the Flammable Fabrics Act; or

(c) Transporting or causing to be transported, for the purpose of sale or delivery after sale in commerce;

any article of wearing apparel which, under the provisions of section 4 of the Flammable Fabrics Act, as amended, is so highly flammable as to be dangerous when worn by individuals.

2. Manufacturing for sale, selling, or offering for sale any article of wearing apparel made of fabric, which fabric has been shipped or received in commerce, and which under section 4 of the Act, as amended, is so highly flammable as to be dangerous when worn by individuals.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: May 12, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6260; Filed, June 7, 1966; 8:47 a.m.]

[Docket No. C-1068]

PART 13—PROHIBITED TRADE PRACTICES

Peck & Peck

Subpart—Discriminating in price under section 5, Federal Trade Commission Act: § 13.892 *Knowingly inducing or receiving discriminating payments.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Peck & Peck, New York, N.Y., Docket C-1068, May 19, 1966]

Consent order requiring a New York City wearing apparel chainstore to cease knowingly inducing or receiving discriminatory promotional allowances from its suppliers, in violation of section 5 of the Federal Trade Commission Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Peck & Peck a corporation, and its officers, employees, agents and representatives, directly or through any corporate or other device, in or in connection with any purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of products for resale, do forthwith cease and desist from:

Inducing and receiving, receiving, or contracting for the receipt of, anything of value from any supplier as compensation or in consideration for advertising services or facilities furnished by or through respondent in magazines, newspapers, catalogs, brochures, enclosures, or mailing pieces in connection with the handling, sale or offering for sale of products purchased from such supplier, when respondent knows or should know that such compensation or consideration is not made available by such supplier on proportionally equal terms to all of its other customers competing with respondent in the sale and distribution of such supplier's products.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: May 19, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6261; Filed, June 7, 1966; 8:47 a.m.]

[Docket No. 8599 o.]

PART 13—PROHIBITED TRADE PRACTICES

William H. Rorer, Inc.

Subpart—Discriminating in price under section 2, Clayton Act—Price discrimination under 2(a): § 13.730 *Customer classification.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, William H. Rorer, Inc., Port Washington, Pa., Docket 8599, May 9, 1966]

Order requiring a Fort Washington, Pa., drug manufacturer, to cease giving a discriminatory discount of 5 percent to customers classified as "chain drugstores" over the discount granted to independent drugstores in violation of section 2(a) of the Clayton Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent William H. Rorer, Inc., a corporation, and its officers, representatives, agents and employees, directly, indirectly, or through any corporate or other device, in or in connection with the sale of prescription and nonprescription pharmaceutical products in commerce, as "commerce" is defined in the amended Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, in the price of such products of like grade and quality by selling to some purchasers at prices higher than the price charged to any other purchaser who, in fact, competes in the resale and distribution of respondent's products with the purchaser paying the higher prices.

It is further ordered, That, in addition to and apart from the provisions of the preceding paragraph, if respondent at any time after the effective date of this order institutes a price schedule whereby it charges a different price for its products to any person, group or class of its competing customers on the basis or in the belief that such difference in price is justified by savings to the respondent in the cost of manufacture, sale or delivery to the members of such customer group or class, respondent shall—

(a) Promptly notify the Federal Trade Commission of the institution of such price schedules and submit to the Commission a written statement with necessary underlying data in support of the cost justification of such price discrimination; and

(b) Adequately and regularly publicize to all customers that prices to some are higher than to others, together with reasons and details of the price differences or discounts.

It is further ordered, That the hearing examiner's initial decision, as above modified and as modified by the accompanying opinion be, and it hereby is, adopted as the decision of the Commission.

It is further ordered, That respondent William H. Rorer, Inc., shall within sixty (60) days after service upon them of this order file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: May 9, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6262; Filed, June 7, 1966; 8:47 a.m.]

[Docket No. C-1066]

PART 13—PROHIBITED TRADE PRACTICES

Universal Publishing & Distributing Corp.

Subpart—Discriminating in price under section 2, Clayton Act—Payment for services or facilities for processing or sale under 2(d): § 13.825 *Allowances for services or facilities.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Universal Publishing & Distributing Corporation, New York, N.Y., Docket C-1066, May 13, 1966]

Consent order requiring a New York City publisher of paperback books and magazines, to cease discriminating among its competing customers in payment of promotional allowances, in violation of section 2(d) of the Clayton Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Universal Publishing & Distributing Corporation, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the distribution, sale or offering for sale of publications, including magazines and paperback books, in commerce, as "commerce" is defined in the amended Clayton Act, do forthwith cease and desist from:

Paying or contracting for the payment of an allowance or anything of value directly or indirectly to, or for the benefit of, any customer as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the handling, offering for sale, sale or distribution of publications, including magazines and paperback books, published, distributed, sold or offered for sale by respondent unless such payment or consideration is affirmatively offered and otherwise made available on proportionally equal terms to all of respondent's other customers competing with such favored customer in the distribution of such publications, including magazines and paperback books.

The word "customer" as used above shall be deemed to mean anyone who purchases from respondent, acting either as principal or agent, or from a distributor, where such transaction with such purchaser is essentially a sale by respondent, acting either as principal or agent.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has compiled with this order.

Issued: May 13, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6263; Filed, June 7, 1966; 8:47 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 1—INVESTMENT SECURITIES REGULATION

Federal National Mortgage Association Participation Certificates

§ 1.172 Federal National Mortgage Association Participation Certificates.

(a) *Request.* The Comptroller of the Currency has been requested to rule that Participation Certificates in the Small Business Obligations Trust, issued by the Federal National Mortgage Association, as trustee, are eligible for purchase, dealing in, underwriting, and unlimited holding by National Banks pursuant to paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) Paragraph Seventh of 12 U.S.C. 24 provides that a National Bank may, without limitations or restrictions, deal in, underwrite, and purchase for its own account participations of, or issued by, the Federal National Mortgage Association.

(2) Pursuant to the Participation Sales Act of 1966, which amended the Federal National Mortgage Association Charter Act, the Administrator of the Small Business Administration, as trustor, and the Federal National Mortgage Association, as trustee, have created the Small Business Obligations Trust. The Federal National Mortgage Association is authorized to act in a fiduciary and representative capacity with respect to the trust and, in accordance with the trust indenture, to issue Participation Certificates to the public. The Association has guaranteed, in its corporate capacity, payment of principal and interest of Participation Certificates issued under the Small Business Obligations Trust.

(c) *Ruling.* It is our conclusion that Participation Certificates in the Small Business Obligations Trust issued by Federal National Mortgage Association, as Trustee, are participations of, or issued by, the Federal National Mortgage Association within the meaning of paragraph Seventh of 12 U.S.C. 24 and are, therefore, eligible for purchase, dealing in, underwriting, and unlimited holding by National Banks.

Dated: June 3, 1966.

[SEAL] JAMES J. SAXON, *Comptroller of the Currency.*

[F.R. Doc. 66-6277; Filed, June 7, 1966; 8:48 a.m.]

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. D]

PART 204—RESERVES OF MEMBER BANKS

Reserves Against Funds Received by Member Banks in Connection With Instalment Loans

§ 204.111 Reserves against funds received by member banks in connection with instalment loans.

(a) The Board of Governors has been asked to re-examine its 1928 ruling that member banks must maintain reserves, in accordance with Federal Reserve Regulation D (this Part 204), against hypothecated "deposits" created by payments on instalment loans.

(b) It appears that in some States the books of commercial banks show as "deposits" the funds that are paid by a borrower on an instalment loan, until the loan is paid in full. The amounts received are not immediately used to reduce the unpaid balance du on the note, but are held by the bank until the sum of the payments equals the entire amount of principal and interest. It is understood that under the terms of the agreement between the banks and their customers the funds so received are assigned to the bank and cannot be reached by the borrower or his creditors.

(c) In 1928, the Board first ruled that member banks must maintain reserves against such hypothecated deposits. An interpretation to that effect was published in 1931 (1931 Fed. Res. Bulletin 538), and the Board has continued to adhere to that position.

(d) The Board has reconsidered its earlier rulings and has decided that where the agreement between the bank and borrower is such that instalment payments on loans are irrevocably assigned to the bank and cannot be reached by the borrower or his creditors, such payments are not "deposits" regardless of the terms used in relevant State statutes or in the bank's books and records and, therefore, are not subject to the reserve requirements of this part.

(e) The Board's earlier rulings on this subject are superseded to the extent that they conflict with the conclusion expressed herein.

(Interprets or applies 12 U.S.C. 462)

Dated at Washington, D.C., this 25th day of May 1966.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN, *Secretary,*

[F.R. Doc. 66-6254; Filed, June 7, 1966; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XII—Defense Supply Agency

[DSA Reg. 5515.2]

PART 1250—INVESTIGATING AND PROCESSING CERTAIN NONCONTRACTUAL CLAIMS AND REPORTING RELATED LITIGATION

MARCH 17, 1966.

Part 1250 is added to Title 32 of the Code of Federal Regulations, reading as follows:

Sec.
1250.1 References.
1250.2 Purpose.
1250.3 Scope.
1250.4 General.
1250.5 Responsibilities.
1250.6 Procedures.

AUTHORITY: The provisions of this Part 1250 issued under 5 U.S.C. 22; 10 U.S.C. 125; DoD Directive 5105.22, Dec. 9, 1965.

§ 1250.1 References.[1]

(a) AR 25-20, 1 Oct 59, Subj: Investigating and Processing of Claims.

(b) AR 25-30, 1 Oct 59, Subj: Claims Arising from Negligence of Military Personnel or Civilian Employees under the Federal Tort Claims Act.

(c) AR 25-100, 1 Oct 59, Subj: Claims of Military Personnel and Civilian Employees for Property Lost or Damaged Incident to Service.

(d) AR 27-1, 18 Mar 65, Subj: Litigation—General Provisions.

(e) AR 25-35, 13 May 63, Subj: Claims Incident to Use of Government Vehicles and Other Property of the United States Not Cognizable Under Other Law.

(f) AR 27-17, 9 Jul 65, Subj: Claims in Favor of the United States for Damage to or Loss or Destruction of Army Property.

(g) AR 230-8, 27 Aug 58, Subj: Protecting, Insuring and Investing Assets of Nonappropriated Funds and Related Activities.

(h) Manual of the Judge Advocate General, Department of the Navy, Chapter XXI.

§ 1250.2 Purpose.

To provide policy and procedures for investigating and processing of claims and related litigation:

[1] May be obtained from Departments of the Army and Navy.

(a) By civilian and military personnel of the Defense Supply Agency under 31 U.S.C. 240-242.

(b) Arising under 10 U.S.C. 2736 (P.L. 87-769).

(c) Arising under the Federal Tort Claims Act, 28 U.S.C. 1346(b), 2671-2680.

(d) In favor of the United States, other than contractual, for loss, damage, or destruction of real or personal property in the possession, custody, or control of the Defense Supply Agency.

(e) Arising out of the operation of nonappropriated funds and related activities established pursuant to DSAR 1330.2 and DSAR 1330.4.

(f) By industrial employees for monetary restitution under the provisions of Department of Defense Directive 5220.6.

§ 1250.3 Scope.

This Part 1250 is applicable to HQ DSA and DSA field activities.

§ 1250.4 General.

(a) *Policy.* All claims within the purview of this DSAR, and all related litigation will be processed and reported in accordance with these procedures and referenced Departmental regulations.

(b) *Definitions*—(1) *Claims Investigating Officer.* A military officer or civilian employee of DSA, appointed in accordance with this Part 1250, to investigate and process claims within the purview of this Part 1250.

(2) *Member of the Army, Member of the Navy, Member of the Marine Corps, Member of the Air Force.* Officers and enlisted personnel of these Military Services.

§ 1250.5 Responsibilities.

(a) *DSA field activities.* (1) Heads of DSA primary level field activities are responsible for:

(i) Designating a qualified individual under their command, preferably one experienced in the conduct of investigations, as the Claims Investigating Officer for the activity.

(ii) Authorizing Heads of subordinate activities to appoint Claims Investigating Officers where necessary.

(2) The Commander, DSA Administrative Support Center, is responsible for designating a qualified individual, preferably one experienced in the conduct of investigations, as the Claims Investigating Officer for DSASC and HQ DSA.

(3) Claims Investigating Officers are responsible for the expeditious conduct of all investigations and the processing of reports in accordance with appropriate Departmental regulations as prescribed by this Part 1250. To insure prompt investigation of every incident while witnesses are available, and before damage has been repaired, the duties of personnel as Claims Investigating Officers will ordinarily have priority over any other assignments they may have.

(4) The Counsel, DSA field activities, is responsible for:

(i) Receiving claims reports and information about related litigation, and processing these reports and information in accordance with this Part 1250 and the appropriate Departmental regulations.

(ii) Providing directions and guidance to Claims Investigating Officers in the Investigation and processing of claims.

(b) The Counsel, DSA (DSAH-G) is responsible for:

(1) Providing guidance to Counsel at DSA field activities on all claims and litigation matters within the purview of this Part 1250.

(2) Receiving claims reports and information on related litigation forwarded to HQ DSA, Attention: DSAH-G, and processing these in accordance with this DSAR and appropriate Departmental regulations.

(3) Maintaining this Part 1250 in a current status and reviewing it annually.

§ 1250.6 Procedures.

(a) Claims by military and civilian personnel of DSA for property lost or damaged incident to service.

(1) The Claims Investigating Officer will conduct his investigation and prepare all necessary forms and reports in accordance with the appropriate portions of AR 25-50[1] and AR 25-100, except where the claimant is a member of the Navy or Marine Corps in which event the provisions of § 1250.1(h) will be followed.

(2) The completed report will be forwarded by the Claims Investigating Officer to one of the following activities for settlement:

(i) Where the claimant is a DSA civilian employee or a member of the Army; The Staff Judge Advocate for the Army Area in which the Claims Investigating Officer is located.

(ii) Where the claimant is a member of the Navy or Marine Corps; the cognizant adjudicating authority as listed in § 1250.1(h) (paragraphs 2124 and 2125).

(iii) Where the claimant is a member of the Air Force; the nearest Air Force Staff Judge Advocate.

(b) Claims incident to the use of Government property not cognizable under any other law (10 U.S.C. 2736; P.L. 87-769).

(1) The Claims Investigating Officer will conduct his investigation and prepare all necessary forms and reports in accordance with the appropriate portions of AR 25-20 and AR 25-35.

(2) The completed report will be forwarded by the Claims Investigating Officer to the Counsel for his activity or if the activity has no counsel to the next higher echelon having such a position.

(3) The activity Counsel receiving the Claims Investigating Officer's report will review the report, and take all necessary action to assure that it is complete and in accordance with AR 25-20 and AR 25-35. He will forward the report together with his comments and recommendations to one of the following activities for settlement. Where the incident giving rise to the claim was occasioned by an act or omission of:

(i) *DSA civilian personnel.* Counsel, HQ, DSA.

(ii) *A member of the Army.* The Staff Judge Advocate of the Army Area in which the incident giving rise to claim occurred.

(iii) *A member of the Navy or Marine Corps.* The District legal officer of the Naval District in which the incident giving rise to the claim occurred.

(iv) *A member of the Air Force.* The Air Force Staff Judge Advocate nearest the place where the incident giving rise to the claim occurred.

(c) Claims under the Federal Tort Claims Act arising from negligence of DSA military or civilian personnel.

(1) The Claims Investigating Officer will conduct his investigation and prepare all necessary forms and reports in accordance with the appropriate portions of AR 25–20 and AR 25–30.

(2) The completed report will be forwarded by the Claims Investigating Officer to Counsel for his activity, or if his activity has no Counsel to the next higher echelon having such a position.

(3) The activity Counsel receiving the Claims Investigating Officer's report will review the report and take all necessary action to assure that it is complete and in accordance with AR 25–20 and AR 25–30. He will forward the report together with his comments and recommendations to one of the following activities for settlement. Where the incident giving rise to the claim was occasioned by an act or omission of:

(i) *DSA civilian personnel or a member of the Army.* The Staff Judge Advocate of the Army Area in which the incident giving rise to the claim occurred.

(ii) *A member of the Navy or Marine Corps.* The District legal officer of the Naval District in which the incident giving rise to the claim occurred.

(iii) *A member of the Air Force.* The Air Force Staff Judge Advocate nearest the place where the incident giving rise to the claim occurred.

(d) Tort Claims in favor of the United States for damage to or loss or destruction of DSA property.

(1) These claims will be investigated and processed in accordance with the provisions of AR 27–17 except:

(i) The duties of the claims officer will be performed by the Claims Investigating Officer.

(ii) The duties of the staff judge advocate will be performed by Counsel.

(iii) The reports of the Claims Investigating Officer will be furnished direct to Counsel for his activity, or if his activity has no Counsel to the next higher echelon having such a position.

(iv) With respect to reports referred to them, Counsel are authorized to give receipts for any payments received and to execute releases where payment in full is received.

(v) Where payment in full is not received after reasonable efforts have been made to collect the claim administratively, Counsel will refer the case directly to the U.S. Attorney unless:

(*a*) The amount of the claim exceeds $5,000 in which event the case will be referred to Counsel, HQ DSA.

(*b*) The amount of the debt is less than $75; or the record clearly shows that the debtor is unable to pay; or the debtor cannot be located; in which event the file may be closed and the debt treated as an uncollectable which does not have to be referred to the General Accounting Office.

(2) If, at any stage of the processing of a claim under paragraph (d) of this section, a claim is filed against the Government arising out of the same incident, or it becomes apparent that one will be filed, the claim under paragraph (d) of this section will be treated as a counter-claim, and included under the report filed in accordance with the applicable section of this Part 1250.

(e) Reporting legal proceedings:

(1) All process and pleadings served on any personnel or activity of the Defense Supply Agency, and related to a claim covered by this Part 1250 or involving an incident which may give rise to a claim covered by this Part 1250, together with other immediately available data concerning the commencement of legal proceedings, will be promptly referred to Counsel for the activity involved, or, if the activity has no Counsel, to the next higher echelon having such a position.

(2) Any Military Service member or civilian employee of DSA (or his personal representative) against whom a domestic civil action or proceeding is brought for damage to property, or for personal injury or death, on account of his operation or a motor vehicle (Government or privately owned) in the scope of his employment (28 U.S.C. 2679) will:

(i) Upon receipt of process and pleadings or any other information regarding the commencement of such action or proceeding, immediately inform his commander and Counsel as specified in this paragraph (e).

(ii) Promptly deliver all process and pleadings served upon him, or an attested true copy thereof, to Counsel.

(3) Upon receipt of information or process and pleadings pursuant to subparagraph (1) or (2) of this paragraph, Counsel will promptly prepare the process reports in acordance with the appropriate portions of AR 27–1, except that:

(i) If the incident giving rise to the litigation was occasioned by an act or omission of a member of the Navy or Marine Corps, or a member of the Air Force, information and reports required to be furnished The Judge Advocate General of the Army will be furnished instead to The Judge Advocates General of the Navy and Air Force respectively.

(ii) If the incident giving rise to the litigation would be processed as a claim under subdivision (i) of this subparagraph, the information and reports required to be furnished The Judge Advocate of the Army will be furnished instead to Counsel, DSA.

(f) All claims and related litigation arising out of the operation of nonappropriated funds and related activities.

(1) Claims and related litigation arising from acts of omissions of employees of nonappropriated funds will be processed in the same manner as claims under paragraph (c) of this section involving an act or omission of a member of the Army.

(2) Claims of civilian employees of nonappropriated funds for property loss or damaged incident to employment will be processed in the same manner as claims under paragraph (a) of this section by civilian personnel of DSA.

(3) Tort claims in favor of nonappropriated fund activities and related litigation will be processed in accordance with AR 230–8, section VI, and paragraph 14.3.

(4) Appeals to the Armed Services Board of Contract Appeals from decisions of the contracting officer on nonappropriated fund contracts will be processed in the same manner as appeals under DSA appropriated fund contract.

(g) Industrial security claims: Claims for monetary restitution determined to be payable under DoD Directive 5220.6,[1] paragraph Vc, will be forwarded by the board making the final favorable determination through HQ DSA, Attention: DSAH-FI, to the U.S. Army Claims Service, Fort Holabird, Md., 21219, for payment. A copy of the board's favorable determination including a determination of the amount of restitution considered to be just and equitable will accompany the claim.

By order of the Director.

WILLIAM PAULE,
Colonel, U.S. Air Force,
Staff Director, Administration.

[F.R. Doc. 66–6256; Filed, June 7, 1966; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter IV—Saint Lawrence Seaway Development Corporation

PART 401—SEAWAY REGULATIONS AND RULES

Miscellaneous Amendments

The amendments contained herein are of a miscellaneous nature and apply to Subpart A—Regulations and Subpart B—Rules, of 33 CFR Part 401. The St. Lawrence Seaway Development Corporation is acting jointly with The St. Lawrence Seaway Authority of Canada in issuing these regulations, pursuant to provisions of the Corporation's enabling act (33 U.S.C. 981 et seq.). The present amendments were first published in the FEDERAL REGISTER on March 26, 1966, in a notice of proposed rule making (31 F.R. 5018–5020).

Interested parties were permitted to submit written comments, suggestions or objections with respect to the proposed changes and no objections having been received, they are hereby adopted by the Corporation.

Subpart A—Regulations and Subpart B—Rules of 33 CFR Part 401, as revised by 28 F.R. 3754–62 and amended by 29 F.R. 5034–35 and 30 F.R. 6580–81, are further amended as follows:

I. The regulations of Subpart A concerning transit of the Seaway in § 401.3 and dangerous cargo in § 401.9 are amended by revising § 401.3(c) to provide for a single maximum limitation rather than alternate maximums for the extreme breadth of vessels transiting the Seaway; and by revising § 401.9(a) to remove the necessity of obtaining the "written permission of the Authority" for nonhazardous quantities of dangerous goods; as follows:

[1] May be obtained from Departments of the Army and Navy.

§ 401.3 Transit of the Seaway.

* * * * * *

(c) Subject to the regulations of this part, vessels exceeding 715 feet in overall length and 72 feet in beam, but not exceeding 730 feet in overall length and 75 feet 6 inches in extreme breadth including fenders may, with special instructions from the Authority, transit during the navigation season.

* * * * * *

§ 401.9 Dangerous cargo.

(a) No vessel, carrying dangerous cargo to which regulations made under the Canada Shipping Act or regulations issued pursuant to the Dangerous Cargo Act of the United States of America apply, shall transit except in accordance with the requirements of such regulations and in accordance with all directions given by the Authority.

* * * * * *

II. The rules of Subpart B respecting Condition of Vessels, §§ 401.102–1 to 401.102–20, are amended by revising § 401.102–1 (on vessel diminsions) to specify inclusion of permanent fenders in the extreme breadth limitation of vessels; by revising § 401.102–13 (on requirements for mooring lines and winches) in order to add Table 2—Location of Fairleads following Table 1—Mooring Lines and Winches, Minimum Requirements, and to make a consistent change in paragraph (b) of this section; and by adding §§ 401.102–21 (rudder angle indicators), 401.102–22 (engine R.P.M. indicators), 401.102–23 (gyro compasses), and 401.102–24 (radar equipment) as equipment being recommended for vessels using the Seaway in the interest of safe navigation in restricted channels, and § 401.102–25 (on midship draft markings on vessels) to assist judging the stability of vessels, as follows:

§ 401.102–1 Dimensions.

Vessels in excess of 730 feet in overall length or 75 feet 6 inches in extreme breadth including permanent fenders, if any, shall not transit under any circumstances.

§ 401.102–13 Requirements for mooring lines and winches.

Minimum requirements with respect to mooring lines and winches and with respect to the location of fairleads on vessels in excess of 200 feet in overall length are tabulated hereunder and are as follows:

* * * * * *

(b) All vessels in excess of 90 feet in overall length shall be provided with four mooring lines so positioned that two shall lead aft and two shall lead ahead. On vessels in excess of 90 feet and up to 200 feet in overall length, two of the lines, one leading forward and one leading aft, must lead from the break of the bow and two, one leading forward and one leading aft, from the stern quarter. Lines shall not lead from the extreme bow or stern. Fairlead locations on vessels in excess of 200 feet in overall length shall be in accordance with Table 2—Location of Fairleads, of this section.

* * * * * *

TABLE 2—LOCATION OF FAIRLEADS

Overall length of vessel in feet	For mooring lines Nos. 1 and 2	For mooring lines Nos. 3 and 4
200 to 300	Between 30 and 80 feet from the stem.	Between 30 and 80 feet from the stern.
Over 300 to 400	Between 40 and 100 feet from the stem.	Between 50 and 110 feet from the stern.
Over 400 to 500	Between 40 and 110 feet from the stem.	Between 50 and 130 feet from the stern.
Over 500 to 600	Between 50 and 130 feet from the stem.	Between 60 and 150 feet from the stern.
Over 600 to 730	Between 60 and 160 feet from the stem.	Between 70 and 170 feet from the stern.

§ 401.102–21 Rudder angle indicators.

It is strongly recommended that vessels be equipped with rudder angle indicators located near the helm.

§ 401.102–22 Engine R.P.M. indicators.

It is strongly recommended that vessels be equipped with engine R.P.M. indicators located on the bridge.

§ 401.102–23 Gyro compasses.

It is recommended that vessels be equipped with gyro compasses.

§ 401.102–24 Radar equipment.

It is recommended that vessels be equipped with radar.

§ 401.102–25 Midship draft markings.

It is strongly recommended that vessels be marked on both sides with midship draft markings.

III. The rules of Subpart B respecting Radio Communications, §§ 401.103–1 to 401.103–8, are amended by revising §§ 401.103–4 (calling-in) and 401.103–5 (calling-in on entering at Montreal) to reduce radio reports by vessels to essential information, as follows:

§ 401.103–4 Calling-in.

Vessels intending to or in transit must report on the assigned frequency to the designated station when opposite Calling-In Points 2, 7, and 15, when upbound, and 16, 14, and 10, when downbound, and except as provided hereunder, the following information will be given:

Name of vessel.
Position.
Destination.
Sailing draft fore and aft.
Cargo.

At all other Calling-In Points, vessels must report the name of the vessel and its position, and it shall report its destination, sailing draft and cargo only in the event that these have changed since the last report.

§ 401.103–5 Calling-in on entering at Montreal.

Vessels intending to enter the Seaway at Montreal shall report the name of the vessel, its position and its sailing draft, fore and aft, to the Montreal Harbor Dispatch Station.

IV. The rules of Subpart B respecting Transit Instructions, §§ 401.104–1 to 401.104–48, are amended by revising § 401.104–1 (navigation season) to change the closing date for main canals of the St. Lawrence River Section; by adding § 401.104–16 (on cargo booms) in the interest of safe navigation; and by revising § 401.104–17 (on preparing mooring lines for passing through) for clarification, as follows:

§ 401.104–1 Navigation season.

Unless in the opinion of the Authority weather and ice conditions do not allow, navigation on the Seaway will open and will close on the following dates in each year:

	Open	Close
Welland and Third Welland Canals	Apr. 1	Dec. 15
Sault Ste. Marie Canal (Canada)	Apr. 4	Dec. 12
South Shore, Beauharnois, Wiley-Dondero, and Iroquois Canals	Apr. 15	Dec. 8
Lachine and Cornwall Canals	...do...	Nov. 30

§ 401.104–16 Cargo booms.

Vessels shall have cargo booms secured in their housings during transit.

§ 401.104–17 Preparing mooring lines for passing through.

Before a vessel enters a lock, sufficient lengths of mooring lines to reach the mooring posts on the lock walls, shall be drawn off the winch drums and laid out on the deck. The eye of the mooring line shall be passed outward through the fairleads at the side to be ready for service.

V. The rules of Subpart B respecting Dangerous Cargo, §§ 401.105–1 to 401.105–8, are amended by revising § 401.105–1 (general conditions) for clarification; and by revising § 401.105–7 (on calling-in) to reflect the change in § 401.103–4, as follows:

§ 401.105–1 General conditions.

Vessels carrying fuel oil, gasoline, crude oil, or other flammable goods in bulk, including empty tankers which are not gas free, and vessels carrying dangerous goods to which regulations made under the Canada Shipping Act, or to which the Dangerous Cargo Act of the United States of America or regulations issued pursuant thereto, apply, shall be deemed to carry dangerous

cargo, and they may transit only if all requirements of the statutes and regulations cited and of §§ 401.105–2 to 401.105–8 have been fulfilled.

§ 401.105–7 Calling-in.

Vessels carrying any dangerous cargo shall report the nature of the dangerous cargo and the Seaway Explosives Permit number, if applicable, in addition to the other required information, when calling-in as provided by § 401.103–4.

VI. The rules of Subpart B respecting Toll Assessment and Collection, §§ 401.106–1 to 401.106–10, are amended by revising § 401.106–9 (on in-transit cargo) to remove ambiguous words, as follows:

§ 401.106–9 In-transit cargo.

Cargo which is carried both upbound and downbound in the course of the same voyage shall be reported in the transit declaration, but this cargo may be deemed to be ballast and not subject to toll assessment.

(68 Stat. 93–97, 33 U.S.C. 981–990, as amended)

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION,
[SEAL] JOSEPH H. MCCANN,
Administrator.

[F.R. Doc. 66–6240; Filed, June 7, 1966; 8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 17—MEDICAL

Interment in Veterans Administration Cemeteries

Section 17.200 is revised to read as follows:

§ 17.200 Interment in Veterans Administration cemeteries.

Burial is authorized in Veterans Administration cemeteries of the remains of the following:

(a) Any veteran (as defined in § 17.30 (a)) who:

(1) Dies while receiving hospital, domiciliary, or nursing home care in a Veterans Administration field station, or

(2) Dies in the immediate vicinity of a Veterans Administration field station having a cemetery, whose body is unclaimed, whose relatives cannot be located, and for whom burial expenses are payable under § 3.1600 of this chapter.

(3) Dies while receiving hospital care at Veterans Administration expense in a non-Veterans Administration hospital.

(4) Dies while receiving nursing home care at Veterans Administration expense in a public or private institution.

(b) Any interred veteran's unremarried widow, unremarried widower, minor child or unmarried adult child who was physically or mentally disabled and incapable of self-support, in the same grave with the veteran.

(c) Such other persons or classes of persons as may be designated by the Administrator.

(72 Stat. 1114; 38 U.S.C. 210)

This VA Regulation is effective the date of approval.

Approved: June 2, 1966.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 66–6275; Filed, June 7, 1966; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Rev. S.O. No. 985]

PART 95—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 3d day of June, A.D., 1966.

It appearing that there is presently a shortage of boxcars to meet current requirements on the railroads named in section (a) herein; that forthcoming grain harvests will further greatly deplete an inadequate supply of boxcars; that prompt and uninterrupted movement of grains from farms to terminals is essential to prevent spoilage and consequent great economic loss; that continued movement of grains from terminals to markets and to ports is essential for the national economy and to enable the nation to meet its foreign aid commitments; that these railroads must also continue to furnish boxcars to shippers of other commodities in order to prevent the closing of industries and unemployment of their personnel; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of boxcars owned by these railroads are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 95.985 Revised Service Order No. 985.

(a) Distribution of boxcars; application. (1) This order shall apply to boxcars owned by the railroads listed below:

Atchison, Topeka, and Santa Fe Railway Co., The;
Chicago, Burlington & Quincy Railroad Co.;
Chicago, Rock Island & Pacific Railroad Co.;
Colorado & Southern Railway Co., The;
Fort Worth & Denver Railway Co.;
Missouri-Illinois Railroad Co.;
Missouri-Kansas-Texas Railroad Co.;
Missouri Pacific Railroad Co.;
St. Louis-San Francisco Railway Co.;
Texas & Pacific Railway Co., The.

(2) The term "boxcars" as used in this order means plain unequipped boxcars of 50 feet 6 inches or less inside length.

(3) The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(b) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Withdraw all boxcars described in paragraph (a) of this section from distribution and return to owners empty except as otherwise provided in subparagraphs (2), (3), (4), and (5) of this paragraph.

(2) Boxcars defined in paragraph (a) of this section available empty at a station other than a junction with the owner may be loaded to stations on or via the owner, or to any station which is closer to the owner than the point where loaded.

(3) Boxcars defined in paragraph (a) of this section available empty at a junction with the owner must be delivered to the owner at that junction, either loaded or empty.

(4) Boxcars defined in paragraph (a) of this section may not be backhauled, or held empty more than 24 hours awaiting placement for loading for the purpose of obtaining a load as authorized in subparagraphs (2) and (3) of this paragraph.

(5) A carrier named in paragraph (a) of this section will handle boxcars of other carriers named in that section under the provisions of subparagraphs (1), (2), (3), and (4) of this paragraph and of paragraph (c) of this section.

(c) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any boxcar defined in paragraph (a) of this section for movement contrary to the provisions of paragraph (b) of this section.

(d) Effective date: This order shall become effective at 12:01 a.m., June 6, 1966.

(e) Expiration date: This order shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

(Sec. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies sec. 1(10–17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–6296; Filed, June 7, 1966; 8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

San Andres National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

NEW MEXICO

SAN ANDRES NATIONAL WILDLIFE REFUGE

Public hunting of deer (either sex) on the San Andres National Wildlife Refuge, N. Mex., is permitted from December 3 through December 4, 1966, inclusive, only on the area designated by signs as open to hunting. This area, comprising 57,215 acres, is delineated on maps available at refuge headquarters, Las Cruces, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer, subject to the following special conditions:

(1) Hunters must check in and out in person at the check station at the junction of U.S. 70 and Jornada road. The check station will be open to allow hunters to start checking in during the late afternoon of December 2, 1966. Time of entry to the hunting area will be at the discretion of the conservation officer in charge. Any entry permits required by the military authorities will be available at the check station. All hunters must check out no later than 10 p.m., December 4, 1966.

(2) No entry into the hunting area from the west will be permitted north of the Rope Springs road. Hunters will also not be permitted to enter the east side of the San Andres Range except at the discretion of the conservation officer in charge.

(3) The conservation officer in charge may restrict the number of hunters entering any one area. If required by the firing schedule, hunters will be cleared from all areas whereon their safety is endangered.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 4, 1966.

CECIL A. KENNEDY,
Refuge Manager San Andres National Wildlife Refuge, Las Cruces, N. Mex.

MAY 26, 1966.

[F.R. Doc. 66–6264; Filed, June 7, 1966; 8:47 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

PART 202—PROCEDURES RELATING TO REVIEW BY UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION OF ACTIONS BY MARITIME SUBSIDY BOARD

Part 202 is revised to read as follows:

Sec.
202.1 Purpose.
202.2 Time and place for filings.
202.3 Form of petitions, requests and replies.
202.4 Petitions and requests for review—content.
202.5 Replies and requests that review not be exercised—content.
202.6 Grant or denial of review.
202.7 Supplemental briefs.
202.8 Oral argument.
202.9 Decisions by the Under Secretary of Commerce for Transportation.
202.10 Petitions for reconsideration.
202.11 Ex parte communications.

AUTHORITY: The provisions of this Part 202 issued under sec. 204, 49 Stat. 1987, as amended; sec. 204(b), Merchant Marine Act, 1936, as amended (46 U.S.C. 1114(b)); Reorganization Plan No. 7 of 1961 (26 F.R. 7315).

§ 202.1 Purpose.

The rules of this part prescribe procedures relating to Secretarial review of any decision, report, order or action of the Maritime Subsidy Board (Board) pursuant to Department Order 117–A.[1] Section 6 of Department Order 117–A is reprinted here for the convenience of the public.

SEC. 6. *Review and finality of actions by Maritime Subsidy Board.* .01 The Under Secretary of Commerce for Transportation (hereinafter referred to as "Under Secretary") may, on his own motion or on the basis of a petition filed as hereinafter provided, review any decision, report and/or order of the Maritime Subsidy Board based on a hearing held pursuant to (a) statutory requirements or (b) Board order, by entering a written order stating that he elects to review the action of the Board. Copies of all orders for review shall be served on all parties of record (which phrase includes the Board). Petitions for review under this paragraph may be filed by parties of record, shall be in writing, and shall state the grounds upon which petitioner relies. Ten (10) copies of such petitions for review, together with proof of service thereof on all parties of record, shall be filed with the Under Secretary within fifteen (15) days after the date of the service of the Board's decision, report or order. Parties of record may file replies in writing thereto. Ten (10) copies of such replies, together with proof of service thereof on the petitioner and all other parties of record, shall be filed with the Under Secretary within ten (10) days after the date the petition for review is timely filed. Petitions for review and replies thereto shall be limited to the record before the Board. If a petition for review is filed within the time prescribed, a decision, report or order of the Board shall be final fifteen (15) days after expiration of the time prescribed for filing a reply thereto unless the Under Secretary, prior to expiration of the fifteen (15) days, enters a written order granting the petition for review. If no petition for review is filed within the time prescribed, a decision, report or order of the Board shall be final twenty (20) days after the date of service of the decision unless the Under Secretary, prior to expiration of the twenty (20) days, enters a written order stating that he elects to review the action of the Board. If upon any review the decision of the Under Secretary rests on official notice of a material fact not appearing in the evidence in the record, any party of record shall, if request is made within ten (10) days after the date of service of the Under Secretary's decision on said party, be afforded an opportunity to show the contrary. The said ten (10) days shall constitute the period for a "timely request" within the meaning of section 7(d) of the Administrative Procedure Act.

.02 The Under Secretary may on his own motion review all actions of the Maritime Subsidy Board other than those referred to in paragraph .01 of this section by entering a written order stating that he elects to review the action of the Board. Any person having an interest in any action of the Board under this paragraph shall have the privilege of submitting to the Under Secretary within ten (10) days after the date of such Board action, a request that the Under Secretary undertake such review. Such request shall be in writing and shall state the grounds upon which the person submitting the same relies and his interest in the action for which review is requested. Ten (10) copies of such requests shall be submitted to the Under Secretary. Any other person having an interest in such matter shall have the privilege of submitting within fifteen (15) days after the date of the Board's action, a written request that the Under Secretary not exercise such review. Copies of request that the Under Secretary undertake or not exercise review will be open for public inspection at the office of the Secretary of the Board. If either a request that the Under Secretary undertake review or a request that he not exercise review is submitted within the time prescribed, an action of the Board shall be final in ten (10) days after expiration of the time prescribed for submission of a request that review not be exercised unless the Under Secretary, prior to the expiration of the ten (10) days, enters a written order stating that he elects to review the action of the Board. If neither a request that the Under Secretary undertake review nor a request that he not exercise review is submitted within the time prescribed, an action of the Board shall be final in twenty (20) days after the date of such action unless the Under Secretary, prior to expiration of the twenty (20) days, enters a written order stating that he elects to review the action of the Board. Copies of all orders for review shall be served upon the Board, and upon all persons filing requests as herein described.

.03 If a timely petition for reconsideration is filed under the rules prescribed by the Board, the time for filing a petition or request for review by the Under Secretary under paragraph .01 or .02 of this section, respectively, or the entry of an order by the Under Secretary on his own motion electing

[1] See F.R. Doc. 66–6236, *infra.*

to review an action of the Board under paragraph .01 or .02 of this section, shall, in the case of actions under paragraph .01 of this section run from the date of service of the Board's action and, in the case of actions under paragraph .02 of this section, run from the date of the Board's action, finally disposing of the issues presented by the petition for reconsideration.

.04 In computing any period of time under this section, the time begins with the day following the act, event, or default, and includes the last day of the period unless it is Saturday, Sunday, or national legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or such holiday. The prescribed time for action by the Under Secretary in a proceeding in which additional days have been added pursuant to the provisions of this paragraph shall be extended by the total of such additional days.

.05 Petitions and requests for review by the Under Secretary shall not be filed:

a. Unless the petitioner shall have first exhausted his administrative remedies (other than a petition for reconsideration) before the Maritime Subsidy Board; nor

b. With respect to interlocutory decisions of the Maritime Subsidy Board in actions or proceedings referred to in paragraphs .01 and .02 of this section.

.06 The Under Secretary may, for good cause and/or in order to prevent undue hardship in any particular case, waive or modify any procedural provision of this section by written order.

§ 202.2 Time and place for filings.

All petitions, requests and replies relating to Secretarial review of Maritime Subsidy Board actions shall be filed with the Office of the Under Secretary of Commerce for Transportation, Room 5838, Department of Commerce. Such papers shall be filed in accordance with the provisions of and within the time periods prescribed by Department Order 117–A.

§ 202.3 Form of petitions, requests and replies.

(a) All papers presented to the Under Secretary, other than records, shall bear on the cover the name and post office address of the party, and the name and address of the principal attorney or authorized representative (of any) for the party concerned. Certification shall be made that service of the paper has been made upon all parties of record (if any) and upon the Secretary of the Maritime Subsidy Board. One copy of every paper filed with the Under Secretary must in addition bear at its close the hand written signature of the party or attorney.

(b) All papers presented to the Under Secretary, other than records, shall, unless they are fewer than 10 pages in length, be preceded by a subject index of the matter contained therein, with page references, and a table of the cases (alphabetically arranged), textbooks, statutes and other material cited, with references to the pages where they are cited.

(c) Whenever a reference is made to a transcript, exhibit or other part of the record, such reference must be accompanied by a specific citation identifying the document and indicating the relevant page number of the document concerned.

(d) Papers filed with the Under Secretary should be logically arranged, with proper headings, concise, and free from irrelevant and unduly repetitious matter.

(e) It will not be necessary to reproduce the opinion of the Board.

§ 202.4 Petitions and requests for review—content.

Petitions and requests for review shall contain in the order here indicated—

(a) A reference to the decision, report, order or action of the Board;

(b) A concise statement of the interest of the party submitting the paper;

(c) A concise summary statement of the case containing that which is material to the consideration of the questions presented;

(d) A listing of each of the grounds upon which the party seeking review relies, expressed in the terms and circumstances of the case, each ground set forth in a separate, numbered paragraph;

(e) The argument, generally amplifying the material in paragraph (d) of this section and exhibiting clearly the points of law, policy and fact being presented, citing the authorities, statutes and other material relied upon. The argument should separately identify and treat each of the grounds upon which review is sought. In cases where reversible legal error is contended, a full legal argument on the points concerned should be presented. In cases where policy error is contended, it should be pointed out what policy of the Board is alleged to be wrong, what is wrong with it and what policy the submitting party advocates as the correct one. In cases where reversible factual error is contended, the findings of fact alleged to be erroneous should be pointed out along with citations to the record where appropriate. The party should further indicate precisely what it contends to be the correct findings of fact, with supporting references;

(f) A conclusion, specifying with particularity the action which the submitting party believes the Under Secretary should take.

§ 202.6 Grant or denial of review.

(a) A petition or request for review by the Under Secretary of any decision, report, order or action of the Board will not be granted unless significant and important questions of over-all policy requiring the Secretary's attention are involved or there appears to be significant legal, policy, or factual error in the Board's action.

(b) The parties and the Secretary of the Board will be notified, by Order, of the Under Secretary's decision to review a case on his own motion, and of his decision to review or to deny review of a case where a petition or request concerning review has been filed.

(c) Promptly upon notice of a decision by the Under Secretary to review a case subject to review under section 6.01 of Department Order 117–A, the Secretary of the Board shall certify to the Under Secretary the complete record of the proceeding before the Board and shall serve upon all parties a copy of such certification which shall adequately identify the matter so certified. The Secretary of the Board shall further serve upon all parties a copy of any further communication from the Board or Maritime Administration on such a case.

§ 202.7 Supplemental briefs.

If an order taking review is entered by the Under Secretary, further briefs supplementing the arguments set forth in the petitions and replies may be requested in cases where the Under Secretary deems such to be appropriate and desirable.

§ 202.8 Oral argument.

Generally, oral argument will not be necessary. However, the Under Secretary reserves the right to schedule such when he deems it desirable.

§ 202.9 Decisions by the Under Secretary of Commerce for Transportation.

Decisions of the Under Secretary will be reached in accordance with applicable law and the evidence. Upon the determination of a case taken under review by the Under Secretary, a written decision and opinion which states the Under Secretary's conclusions and an explanation thereof will be issued.

§ 202.10 Petitions for reconsideration.

Petitions for reconsideration of decisions by the Under Secretary in any case taken under review will be considered, upon a showing of good cause, if filed within ten (10) days of service of the Under Secretary's decision.

§ 202.11 Ex parte communications.

Oral or written communications with the Department concerning a matter subject to Secretarial review under section 6.01 of Department Order 117–A, unless otherwise provided by law or by order, rule, or regulation of the Department, shall be deemed ex parte communications and shall not be part of the record and shall not be considered in

making any recommendation, decision or action; *Provided, however,* That this rule shall not apply to customary informal communications with Department counsel, including discussions directed toward the development of a stipulation or settlement between parties; communications of a nature deemed proper in proceedings in U.S. Federal courts; and communications with Department counsel which merely inquire as to procedures or the status of a proceeding without discussing issues or expressing points of view. Any written communication subject to the above stated rule received by the Department shall be placed in the correspondence file of the case, which is available for public inspection. If an oral communication subject to the above stated rule is received, a memorandum setting forth the substance of the conversation shall be made and placed in the correspondence file.

Dated: May 27, 1966.

ALAN S. BOYD,
Under Secretary of Commerce for Transportation.

[F.R. Doc. 66–6237; Filed, June 7, 1966; 8:50 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 16370; FCC 66–506]

PART 73—RADIO BROADCAST SERVICES

Minimum Power Authorized for Class IV Stations

1. The Commission has under consideration its notice of proposed rule making, FCC 65–1130, issued in this proceeding on December 17, 1965, and published in the FEDERAL REGISTER on December 22, 1965 (30 F.R. 15811), inviting comments on a proposal to raise the minimum permissible power for Class IV standard broadcast stations from 100 watts to 250 watts. The notice also pointed out that, in the event the proposal is adopted, we would urge existing 100-watt stations, which can do so in conformance with the rules, to apply for increased power day and night. Comments were filed by several Class IV station licensees, two applicants for 100 watt stations, two engineering consultants, and an association of regional AM licensees.[1]

PROPOSED RULE

2. The comments filed centered around three basic points; the merits of the proposal with regard to new Class IV stations, whether or not the proposed minimum power should apply to existing Class IV stations operating with 100 watts of power, and whether the proposed rules should apply to pending applications. With respect to the first point, both consulting engineers opposed raising the minimum power to 250 watts. They submit that the use of 100 watts may be the only means of providing stations in communities which need them, that it permits greater flexibility in allocations, that it would implement the desire of the Commission to halt the increase of new stations in suburban areas designed to serve the nearby metropolitan areas, and that more categories of stations are needed rather than less in view of the strict allocation rules recently adopted. They further challenge the basic assumption by the Commission that 100-watt AM stations are inefficient. The arguments advanced to show that the use of 100 watts is more efficient than the proposed 250-watt minimum include the following: More stations can be assigned on the basis of 100 watts, the ratio of service to interference radii for 100 watts compares favorably with that for 250 watts, in the FM broadcast service provision is made for 10-watt operation by noncommercial educational stations, and the service radius of a 100-watt station on 1230 kc/s, with an antenna radiation of 50 mv/m and a ground conductivity of 8 mmhos is about the same as that for a 250-watt Class II station on 1520 kc/s with an antenna radiation of 90 mv/m and the same ground conductivity.

EXISTING STATIONS

3. One party, the licensee of a Class IV station, opposes the proposed increases for existing stations or applications unless a showing is made that the technical criteria prohibiting overlap contained in § 73.37 is included. This party points out that in the event a pending application for a 100-watt station is granted it would create substantial interference to its service area which could impair its service and prove devastating to its survival. Another existing 100-watt station supports the proposal for existing stations and urges that it would provide a first nighttime service to many people and that similar increases would result for the 5 Class IV stations which operate with 100 watts in communities with no other broadcast station.[2] The Pasadena Presbyterian Church operates station KPPC during specified hours with 100 watts—6 a.m.–12 p.m. Sunday and 7 p.m.–11 p.m. Wednesday on 1240 kc/s in Pasadena, Calif. It agrees that 100-watt operation is inefficient and states that it hopes to be able to increase its power to 250 watts in the event the rule is adopted. In reply to this party, Tracy Broadcasting Co., licensee of KGFJ on 1230 kc/s, 250 w N and 1000 w D, states that it is required to reduce power to 100 watts when KPPC is on the air. Tracy does not oppose the proposed rule but urges that if the rule is adopted that it either does not apply to existing share-time stations operating with 100 watts or that if it is applied to share-time stations, authority for 250 watts operation must be on a simultaneous basis. In another reply to KPPC, Buckley-Jaeger, licensee of KGIL, San Fernando, Calif., on 1260 kc/s, 5 kw–DA–2, states that its station must operate with its nighttime directional antenna during the hours in which KPPC operates in order to avoid overlap of its 2 mv/m contour and the 25 mv/m contour of KPPC. It requests that in the event the proposed rule is adopted, existing stations will not be permitted to increase power unless the new operation is in full compliance with all applicable rules.

4. The Association on Broadcast Standards, Inc., is concerned that any action taken herein may have an adverse effect on stations on adjacent channels to the Class IV assignments and fears that the Commission may declare as a matter of public policy that existing 100-watt stations may increase their power across-the-board. It urges that the rules apply to new stations only and that applications from existing 100-watt stations be acted upon solely with regard to the individual merits.

PENDING APPLICATIONS

5. There are five pending applications which specify 100 watts power, two of which are for the community of Wilkesboro, N.C. (see order issued on November 26, 1965, FCC 65–1049), and one each for Thurmont, Md., Ajo, Ariz., and Monroe, N.C. Two parties urge that pending applications should be exempt from the new rule since they are so few that they will not decrease efficiency to the extent that the public interest would suffer, that they were filed in reliance on the present rules, and there may be selected situations where a 100-watt station would fill the need for a local station.

CONCLUSIONS

6. After careful consideration of all the comments and data submitted in this proceeding we are of the view that the proposed rule to raise the minimum power for a Class IV station from 100 watts to 250 watts, day and night, is in the public interest and should be adopted. We agree with the statement of some of the parties that the lower power may be the only way in which Class IV stations can be added in certain communities. However, we must evaluate this against the detriments which flow from the present rules which permit the assignment of new 100-watt facilities and subsequent power increases to 500 watts (daytime), notwithstanding the interference which is caused to existing facilities. The net result is that the interference caused usually outweighs any benefits which

[1] The parties who filed comments are as follows: Paul L. Cashion and J. B. Wilson, Jr., doing business as Wilkes County Radio, applicant for a 100-watt station at Wilkesboro, N.C.; Victor A. Leisner, applicant for a 100-watt station at Thurmont, Md.; Pasadena Presbyterian Church, licensee of KPPC, Pasadena, Calif.; Sea Island Broadcasting Corp., licensee of WSIB, Beaufort, S.C.; E. Harold Munn, Jr., consulting engineer; WBEJ, Inc., licensee of WBEJ, Elizabethton, Tenn.; Buckley-Jaeger Broadcasting Corp. of Calif., licensee of KGIL, San Fernando, Calif.; Association on Broadcasting Standards, Inc., and Nathan Williams, consulting engineer.

[2] There are a total of 9 Class IV stations operating with 100 watts, six of which are fulltime operations with this power and three of which operate with 100 watts on specified hours. Seven of these are the only AM stations in the community.

may be gained from the limited additional service provided. In addition, the allocation of new 100-watt Class IV stations may offer an impediment to existing 250-watt Class IV stations seeking a daytime power increase to 1 kilowatt or to new Class IV stations in other communities. The Commission concluded at the time the rules were amended to raise the daytime power ceiling for Class IV stations from 250 watts to 1 kilowatt that this relaxation would bring more effective radio service to sizable segments of the public and benefit Class IV stations to the maximum possible degree. It is evident, therefore, that the continuance of an allocation system which might hinder the accomplishment of this objective would not be desirable. Further, in most cases where a 100-watt station is proposed because a 250-watt assignment would not be feasible, there is no lack of local service

7. The arguments that the proposal is less efficient than the present rule are not supported by any facts or documentation. Adding more stations does not necessarily mean more service to more people. Our experience with TV and FM allocations has led us to the conclusion that there is a point in which the greatest service to the largest areas and populations is provided and increasing the number of stations (by shorter separations in TV or FM or by lower power in AM) soon results in "islands of service" and "oceans of interference." See discussion in report and order issued on July 7, 1964, in Docket 15084, in which the present AM technical rules were adopted. It is true that we permit noncommercial educational FM stations with only 10 watts of transmitter power. However, these stations are intended to serve only an educational institution and the surrounding campuses, not a community of any appreciable size. The example cited of the same service range for a 100-watt station and that for a Class II station is also not convincing. Much of the difference is made up by the difference in frequency. Further, since there is no ceiling to the nighttime limitation of a Class IV station and there is for a Class II station, the Class IV station's service area at night would be much smaller than that of the Class II. The fact that the ratio of the radii of the service to interference signals for the 100 and 250 watts is the same is also not significant. On balance, therefore, we are of the view that the new minimum power for Class IV stations should be 250 watts.

8. As to existing stations which operate with 100 watts, we stated in our notice that we would urge such stations which can do so in conformance with the rules to seek increased power day and night. We did not intend to infer that such stations would be granted such increases automatically but that those which could conform to the rules and Communications Act and if otherwise consistent with the public interest, would be considered favorably. We shall consider such requests upon the merits of the individual application. With respect to pending applications, we believe that the public interest would be served by making exceptions in their cases. There are only five such applications at the present time and we do not believe that the four stations which could be granted upon a finding that they would otherwise serve the public interest, would negate to a serious degree the objective we are seeking to obtain from the proposed rule changes. All of these were filed prior to our proposal.

9. Authority for the adoption of the amendments adopted herein is contained in sections 4(i), 303(f) and 303(r) and 307(b) of the Communications Act of 1934, as amended.

10. In view of the foregoing: *It is ordered*, That effective July 11, 1966, Part 73 of the rules and regulations is amended insofar as minimum power authorized for Class IV AM stations is concerned as set forth below.

11. *It is further ordered*, That this proceeding is terminated.

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[3]

[SEAL] BEN F. WAPLE, *Secretary.*

Part 73 is amended as follows:

1. In § 73.21 paragraph (c)(1) is amended to read as follows:

§ 73.21 Classes of standard broadcast channels and stations.

* * * * *

(c) *Local channel.* * * *

(1) *Class IV station.* A Class IV station is a station operating on a local channel and designed to render service primarily to a city or town and the suburban and rural areas contiguous thereto. The power of a station of this class shall not be less than 0.25 kilowatt, and not more than 0.25 kilowatt nighttime and 1 kilowatt daytime, and its service area is subject to interference in accordance with § 73.182. Stations which are licensed to operate with 100 watts day or might continue to do so.

* * * * *

2. In § 73.23 paragraphs (c) and (e) are amended so as to delete the expression "0.1 kw or" from each so as to read as follows:

§ 73.23 Time of operation of the several classes of stations.

* * * * *

(c) Daytime permits operation during the hours between average monthly local sunrise and average monthly local sunset. Daytime stations operating on local channels with a power of 0.25 kw may, upon notification to the Commission and to the Engineer in Charge of the radio district in which they are located, operate at hours beyond those specified in their license.

* * * * *

(e) Specified hours means that the exact operating hours are specified in the license. (The minimum hours that any station shall operate are specified in §73.71.) Specified hours stations operating on local channels with a power of 0.25 kw, except those sharing time with other stations may, upon notification to the Commission and the Engineer in Charge of the radio district in which they are located, operate at hours beyond those specified in their license.

3. Section 73.41 is amended to read as follows:

§ 73.41 Maximum rated carrier power; tolerances.

The maximum rated carrier power of a transmitter shall be an even power step as recognized by the Commission's plan of allocation (250 watts, 500 watts, 1 kw., 5 kw., 10 kw., 25 kw., 50 kw) and shall not be less than the authorized power nor shall it be greater than the value specified in the following table:

Class of station	Maximum power authorized to station	Maximum rated carrier power permitted to be installed
Class IV	250, 500 or 1,000 watts	1,000
Class III	500 or 1,000 watts	1,000
	5,000 watts	5,000
Class II	250, 500, or 1,000 watts	1,000
	5,000 or 10,000 watts	10,000
	25,000 or 50,000 watts	50,000
Class I	10,000 watts	10,000
	25,000 or 50,000 watts	50,000

4. In § 73.52 paragraph (b) is amended to read as follows:

§ 73.52 Operating power; indirect measurement.

* * * * *

(b) * * *

Factor (F)	Method of modulation	Maximum rated carrier power	Class of amplifier
0.70	Plate	0.25–1.0 kw	
.80	Plate	5 kw and over	
.35	Low Level	0.25 kw and over	B
.65	Low Level	0.25 kw and over	BC[1]
.35	Grid	0.25 kw and over	

[1] All linear amplifier operation where efficiency approaches that of Class C operation.

* * * * *

5. In § 73.182 that portion of paragraph (a)(4) preceding the Note, and paragraph (f) are amended as set forth below. In paragraph (v) the Table is amended in Column 3 for Class of station IV to read: "0.25 kw (night), and 0.25 to 1 kw (day)".

§ 73.182 Engineering standards of allocation.

(a) * * *

(4) Class IV stations operate on local channels, normally rendering primary service only to a city or town and the suburban or rural areas contiguous thereto, with powers not less than 250 watts, nor more than 250 watts nighttime and 1 kilowatt daytime (for restrictions on daytime power of local stations located near the Mexican border or in an area within the State of Florida, see § 73.21 (c)). Such stations are normally protected to the 0.5 mv/m contour daytime. On local channels the separation required for the daytime protection shall also determine the nighttime separation. Where directional antennas are employed daytime by Class IV stations operating with more than 250 watts power, the separations required shall in no case be less than those necessary to afford protection, assuming nondirectional operation with 250 watts. In no case will 250 watts nighttime operation be authorized to a station unable to operate nondirectionally at 250 watts in the daytime. The actual nighttime limitation will be calculated.

* * * * *

(f) The signals necessary to render primary service to different types of service areas are as follows:

Area	Field intensity groundwave[1]
City business or factory areas	10 to 50 mv/m.
City residential areas	2 to 10 mv/m.
Rural—all areas during winter or northern areas during summer	0.1 to 0.5 mv/m.
Rural—southern areas during summer	0.25 to 1.0 mv/m.

[1] See § 73.184 for curves showing distance to various groundwave field intensity contours for different frequency and ground conductivities and § 73.183.

All these values are based on an absence of objectionable fading, either in changing intensity or selective fading, the usual noise level in the area, and an absence of limiting interference from other broadcast stations. The values apply both day and night but generally fading or interference from other stations limits the primary service at night in all rural areas to higher values of field intensity than the values given. The Commission will authorize a directive antenna for a Class IV station for daytime operation only with power in excess of 250 watts. In computing the degrees of protection which such antenna will afford, the radiation produced by this antenna shall be assumed to be no less, in any direction, than that which would result from nondirectional operation, utilizing a single element of the directional array, with 250 watts.

NOTE: Standards have not been established for interference from atmospherics or manmade electric noise as no uniform method of measuring noise or static has been established. In any individual case objectionable interference from any source, except other broadcast signals, may be determined by comparing the actual noise interference reproduced during reception of a desired broadcast signal to the degree of interference that would be caused by another broadcast signal within 20 cycles of the desired signal and having a carrier ratio of 20 to 1 with both signals modulated 100 percent on peaks of usual programs. Standards of noise measurements and interference ratio for noise are now being studied.

6. In § 73.189 paragraph (b)(2)(i) is amended to read as follows:

§ 73.189 Minimum antenna heights or field intensity requirements.

* * * * *

(b) * * *

(2) * * *

(i) Class IV stations, 150 feet or a minimum effective field intensity of 150 mv/m for 1 kilowatt (75 mv/m for 250 watts). (This height applies to a Class IV station on a local channel only. In the case of a Class IV station assigned to a regional channel Curve A shall apply.)

* * * * *

(Secs. 4, 303, 307, 48 Stat. 1066 as amended 47 U.S.C. 154, 303, 307)

[F.R. Doc. 66-6285; Filed, June 7, 1966; 8:48 a.m.]

[3] Commissioner Hyde dissenting; Commissioner Cox concurring in part.

[Docket No. 16587, RM-896; FCC 66-504]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, FM Broadcast Stations, Idaho Falls, Idaho

1. The Commission has before it for consideration its Notice of Proposed Rule Making issued on April 15, 1966 (FCC 66-320) and published in the FEDERAL REGISTER on April 20, 1966 (31 F.R. 6065) inviting comments on a proposal to substitute Channel 256 for 223 at Idaho Falls, Idaho as follows:

City	Channel No.	
	Present	Proposed
Idaho Falls, Idaho	223, 241	241, 256

The Notice was issued in response to a petition filed by Eastern Idaho Broadcasting and Television Company (Eastern), the licensee of television Station KIFI-TV, Channel 8 at Idaho Falls. In addition to the subject petition (RM-896), Eastern also filed a Petition for Reconsideration of a construction permit granted to Golden Valley FM, Inc. (BPH-4908) for a new FM station in Idaho Falls on Channel 223, KGVM-FM. In view of an agreement signed by both Eastern and KGVM-FM requesting deferral of action by the Commission on the reconsideration request and other related pleadings, no action has been taken on the petition for reconsideration of the KGVM-FM grant.

2. The purpose of the subject petition is to remove the possibility of the interference petitioner feels is likely to occur to the reception of its TV station in the area of the FM transmitter due to the fact that the second harmonic of the FM signal (185.0 Mc/s) falls within the range of Channel 8 (180–186 Mc/s). See Information Bulletin FCC 65-130, dated February 19, 1965, and Public Notice, FCC 66-106, dated February 3, 1966. Eastern fears that this interference will be severe in this case since the TV station is far (30 miles) from the center of population while the FM station is situated much closer to the city (about 8 miles northeast) and near the populated area. It cites the example of the interference which was caused to reception of WILX-TV on Channel 10 at Lansing, Mich., around the transmitter of WKFR-FM on Channel 243 at Battle Creek, Mich. Eastern urges that the proposed substitution of Channel 256 for 223 at Idaho Falls will conform to the policy included in the February 3, 1966, Public Notice since there will not result any loss of potential FM service nor will it shift the problem to any other community or television station. Eastern submits that Channel 223, if deleted from Idaho Falls, would still be available in a large area to the east and south of that city and that there are 23 other FM channels which can be assigned to Idaho Falls for future use, 10 of which could be used simultaneously. Eastern further states that any resulting interference to TV reception in this area would have grave consequences to the people of Idaho Falls since they receive no other service than that provided by KIFI-TV and KID-TV, the second television station in the market, and that it would result in competitive imbalance in the television situation in this relatively small market. Finally, Eastern requests that the construction permit of KGVM-FM be modified to specify the proposed channel in lieu of Channel 223 with appropriate conditions.

3. KGVM-FM submits measurements purporting to show that its operation would not cause interference to reception of KIFI-TV and states that observations at homes nearest the transmitter indicate that no interference exists to the color and other portions of the KIFI-TV signals. Eastern questions both the equipment used and the results of the measurements as to their reliability and validity. It repeats its request that Channel 256 be substituted for Channel 223 at Idaho Falls and states that it is willing to reimburse KGVM-FM up to $1,000 and possibly more for reasonable costs stemming from the change in assignment. KGVM-FM states that it would like to proceed on Channel 223 at its own risk but that in the event it is considered that the operation on Channel 223 presents a problem, it is willing to shift to Channel 256.

4. After consideration of all the comments and data submitted in this proceeding we are of the view that the proposed substitution of Channel 256 for 223 at Idaho Falls would serve the public interest. The change would eliminate the possibility of future interference to the reception of one of the two TV signals in the community and would conform to our policy of making FM channel changes announced in our Public Notice of February 3, 1966.

5. Authority for the adoption of the amendments contained herein is contained in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

6. In view of the foregoing: *It is ordered*, That effective July 11, 1966, § 73.202 of the Commission's Rules, the FM Table of Assignments, is amended to read, with respect to the community named below, as follows:

City	*Channel No.*
Idaho Falls, Idaho	241, 256

7. *It is further ordered*, That the outstanding construction permit held by Golden Valley FM, Inc., for Station KGVM-FM on Channel 223 at Idaho Falls, Idaho, is modified, to specify operation on Channel 256 subject to the following conditions:

(a) That the permittee shall submit to the Commission in writing by June 20, 1966, its consent to the above modification.

(b) The permittee shall submit to the Commission by June 20, 1966, all the technical information normally required

for the issuance of a construction permit for operation on Channel 256, including any changes in antenna and transmission line.

(c) The permittee shall cease any further tests on Channel 223 or any other operation on this channel until the station is ready to commence equipment tests on Channel 256.

8. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat. 1066, 1082, 1083, as amended, sec. 316, 66 Stat. 717; 47 U.S.C. 154, 303, 307, 316)

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6286; Filed, June 7, 1966; 8:49 a.m.]

[Docket No. 16185, RM-795; FCC 66-489]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, Television Broadcast Stations, Colby, Kans.

1. The Commission has before it for consideration its notice of proposed rule making released September 10, 1965 (FCC 65-782), in response to a petition of Colby Development, Inc.[1a] (Colby), requesting the assignment of Channel 4 to Colby, Kans. In addition to those of petitioner, comments in support of the request and the proposal herein have been filed by the American Broadcasting Co. (ABC); comments in opposition thereto by KAYS, Inc. (KLOE), licensee of Station KLOE-TV, Goodland, Kans. The Association of Maximum Service Telecasters, Inc. (MST), filed a statement concerning the transmitter site location of the proposed facility.

2. Colby, with a population of 4,210, is located in a rather sparsely populated area in the northwestern part of Kansas. It is the largest community and county seat of Thomas County, which has a population of 7,358.[2] Colby has no television service of its own and no channel assignment at the present time. However, it is within the Grade A contour of Station KLOE-TV (Channel 10), Goodland, Kans., and the Grade B contour of Station, KOMC-TV (Channel 8), McCook, Nebr. Station KLOE-TV is operated as a satellite of Station KAYS-TV, Hays, Kans., and is affiliated with the Columbia Broadcasting System. Station KOMC-TV is operated as a satellite of Station KARD-TV, Wichita, Kans., and is affiliated with the National Broadcasting Co.[3]

3. As pointed out by petitioner, the requested assignment of Channel 4 to Colby will meet the Commission's separation requirements only if the transmitter is located in an area approximately 17 miles west of the city.[4] MST takes note of this in its statement which it filed for this purpose, pointing out that it has consistently opposed proposals in derogation of the Commission's minimum mileage separation requirements and taking the position that the requested assignment should therefore be conditioned upon the aforesaid site location meeting all spacing requirements.

4. In support of its request for the assignment of Channel 4 to Colby petitioner states that on the basis of discussions with the licensee of Station KAKE-TV, Wichita (KAKE-TV & Radio, Inc.), the contemplated VHF station at Colby would be authorized to rebroadcast the programs presented by Station KAKE-TV—both the ABC network and also the nonnetwork programs of interest in the area. Petitioner states that the allocation of a VHF channel to provide wide area coverage in the Colby area is essential for this arrangement and "ultimately to make possible the presentation of programs designed to meet local needs * * *".

5. ABC, in its supporting comments, points out that Colby has no television station or channel allocation and that a third service for the area would provide essential competition; also, that it appears that there would be adequate economic support in the Colby area for the station assuming facilities comparable to the two existing stations serving Colby, a 60 percent sets-in-use factor and a 30 percent share of the audience.

6. In its comments opposing the proposed assignment, KLOE questions the economic feasibility of another television station in the sparsely populated Colby area, inasmuch as both stations—KLOE-TV and a Channel 4 facility—would be serving the same general area, stating that "* * * KLOE-TV could well be forced to curtail some of its efforts in providing and expanding its local live services * * *". KLOE also states that the allocation of an additional VHF channel in this area of flat terrain would be contrary to the Commission's policy of furthering UHF development and also observes that "* * * since this channel can be used in other communities in a very large area which do not have any AM or TV stations, the proposed assignment to Colby would preclude the use of needed future assignments in other communities."

7. The balance of KLOE's opposition argument is premised on the assumption the petitioner will be the applicant and ultimately the licensee of the requested Channel 4 facility. Thus KLOE observes that Station KAKE-TV, Wichita, whose signal will be rebroadcast by the proposed station, is the licensee of AM stations at Wichita and Garden City, Kans., and has television translators at Great Bend, Russell, Herington, and Hays, Kans., and further, is applicant for Station KUPK, Garden City, a satellite operation, on Channel 13. Therefore, contends KLOE, the operation of another TV satellite at Colby will enable a metropolitan area station to control media of mass communication over a distance of several hundred miles between Wichita and the Colorado border. Also, KLOE claims, since the satellite station at Colby must rely for most of its revenues on what KAKE-TV will pay it for carrying its programs, the new station will be virtually at the mercy of KAKE-TV, and further, no one else will be in a position to purchase the station without the consent of KAKE-TV to rebroadcast its programs and receive an adequate compensation therefor.

8. In reply comments Colby addresses itself to KLOE's objections to the proposed satellite arrangement with KAKE-TV, noting that KLOE-TV is itself a satellite (of KAYS-TV) and indeed (unlike petitioner) is a wholly owned satellite. Colby also points out the incongruity of KLOE's arguments against a new service in the Colby area in light of KLOE's own efforts to obtain ABC programs for the (Colby-Goodland) area. As to the economic arguments, Colby states that KLOE has not attempted to make an economic study or to determine the support which the area could provide a Colby facility, and further, that the Commission will review the financial feasibility when acting on an application for the facility.

CONCLUSION

9. It is of course true that the Commission does follow a policy designed to encourage the development of UHF. However, in this case there is no demonstrated or apparent demand or interest in a UHF channel in the Colby area at this time, and similarly, although it is obviously true that the requested channel could also be assigned in areas which have no stations, KLOE does not indicate any specific city in this general area where there is in fact a demand or potential demand for the channel. In any case, there is now a request and a case made for the VHF channel assignment for Colby. While it is of course impossible to finitely predict the financial success or viability of a new station, we believe the economic facts here provide a sufficient basis for making the channel available. Beyond this, the arguments of the opposition in this regard are speculative, and largely irrelevant in this proceeding.[5] Similarly, all pertinent questions concerning specific programing plans and capabilities of the petitioner and any other party who might apply for a construction permit for the channel would be considered and decided in a licensing proceeding rather than in this rule making proceeding.

10. In view of the foregoing, we are of the view that the public interest, convenience and necessity would be served by the assignment of Channel 4 to Colby, Kans. In view of the foregoing: *It is ordered*, effective July 11, 1966, that the Table of Assignments contained in § 73.606 of the Commission's rules and regulations is amended insofar as the community named is concerned, to read as follows:

City	*Channel No.*
Colby, Kans.	4

11. This assignment is made on the basis that any applicant for this channel will utilize a transmitter site which will meet the Commission's mileage separation requirements and otherwise comply with the Commission's rules.

12. Authority for this action is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

13. *It is further ordered*, That this proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[6]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6287; Filed, June 7, 1966; 8:49 a.m.]

[Docket No. 16212; FCC 66-490]

PART 73—RADIO BROADCAST SERVICES

Certain FM Broadcast Stations; Table of Assignments

In the matter of amendment of § 73.202, *Table of Assignments*, FM Broadcast Stations; Carrollton, Ky., Columbia, Tenn., San Clemente and Lancaster, Calif., Providence, R.I., Salt Lake City and Toole, Utah, Carroll, Cherokee, and Algona, Iowa, Nacogdoches and Lufkin, Tex., Charleroi and Uniontown, Pa., Clarksburg, Fairmont, Morgantown, and New Martinsville, W. Va., Denison, Iowa, Immokalee, Fla., New London, Neenah-Menasha, and Green Bay, Wis., Mason City, Iowa, and RM-808, RM-817, RM-837, RM-825, RM-838, RM-841, RM-844, RM-918.

1. The Commission has before it for consideration its Further Notice of Proposed Rule Making, FCC 66-191, issued Austin, Minn.; Docket No. 16212, RM-818, RM-819, RM-816, RM-830, RM-822, in this proceeding on February 28, 1966 (31 F.R. 3348) and all the comments and data filed in response thereto. The further notice was intended to dispose of the last remaining matter in the subject proceeding and invited comments on three conflicting proposals as follows:

City	Population		Present assignments		Proposed FM assignments
	City	County	AM	FM	
Denison	4,980	18,569	One daytime	296A	290(C)
Fort Dodge	28,399	47,810	One daytime	221A, 233	221A, 233(C), 291(C)
			One Class IV		
Mason City	30,642	49,894	One unlimited	252A	252A, 260(C)
			One Class IV		
Austin	27,908	48,498	One daytime		
			Two unlimited	260	291(C)

All of the cities are the largest in their respective counties and are the county seats.

3. In support of its request for a Class C assignment (Channel 290) in lieu of its present Class A assignment (Channel 296A), Denison points out that it is located in the center of a rural area and that it is quite distant from any substantial centers of population. Denison is about equidistant (approximately 65 miles) from Fort Dodge, Sioux City, Iowa, and Omaha, Nebr., all of which have Class C assignments. There are in addition Class C assignments at Storm Lake (43 miles) and at Carroll (23 miles). A station operates at Storm Lake and an application has been filed for the Carroll assignment. Petitioner states that the area of the six adjoining counties are without any local broadcast or television stations. With respect to the Fort Dodge-Mason City conflict, Denison urges that the proposal to add a Class C to Mason City would equalize the FM assignments to these communities, with one Class A and one Class C to each. It therefore supports the Mason City request as well as its own.

4. Northwest opposes the assignment of Channel 290 to Denison and urges the assignment of Channel 291 to Fort Dodge. It submits that Fort Dodge is over five times larger than Denison and is growing at a greater rate, that it is the hub of a large trading area and focal point for medical, educational, cultural and religious interests in the surrounding area, and that it would provide competitive equality with the other Class C assignment in the city. Northwest further argues that Fort Dodge is also the center of a large rural area and is far removed from large cities and so is deserving of a second Class C assignment.

5. North Central points out that Mason City is the largest of those under consideration in this proceeding, and that the county is also the largest of the counties. It submits that Mason City is the commercial center of a rich farming, dairying, and stock-raising region, and has many industrial and commercial establishments. It urges that Channel 260 is the only available Class C assignment which can be made to Mason City without extensive changes in the FM Table and that it can be made with but the substitution of Channel 291 to Austin, and that the proposal would best fulfill the statutory mandate of equitable and efficient distribution of frequencies. Finally, it states that the transmitter for Channel 291 at Austin would have to be located about 2 to 3 miles south of the city but that one of the AM stations and

City	Channel No.	
	Present	Proposed
Denison Broadcasting Co. (KDSN, Denison, Iowa): Denison, Iowa	296A	290
Northwest Broadcasting Co. (KVFD, Fort Dodge, Iowa): Fort Dodge, Iowa	221A, 233	221A, 233, 291
North Central Iowa Broadcasting Co. (KSMN, Mason City, Iowa):		
Mason City, Iowa	252A	252A, 260
Austin, Minnesota	260	291

2. In view of the spacings between these communities, Channel 290 and Channel 291 cannot be assigned to Denison and Fort Dodge, respectively, and Channel 291 cannot be assigned to both Fort Dodge and Austin, Minn. In order to meet the required minimum separations, Channel 291 at Austin would have to be located to the south of the city. Thus, either Channel 291 can be assigned to Fort Dodge alone or Channel 290 can be assigned to Denison and Channel 291 to Austin at a location out of town (with 260 for Mason City). The communities involved in the requests and the pertinent data concerning them are as follows:

[1] Commissioner Cox dissenting.

[1a] According to petitioner, it is a corporation formed by a group of local businessmen to stimulate the development of Colby and surrounding area.

[2] All population figures—1960 U.S. Census.

[3] Part of the area which would be served by the proposed facility on Channel 4 is also within the Grade B contour of Station KHPL-TV (Channel 6), Hays Center, Nebr. (which is a satellite of KHOL-TV, Kearney, Nebr., and is affiliated with the ABC network). However, this area does not extend to Colby.

[4] Petitioner states that there is a relatively large area at this location where it could operate and provide the required city grade service to Colby. (The standard reference point at Colby for a Channel 4 assignment is short spaced as to Station KHTL-TV, Channel (4) Superior, Nebr.

[5] The leading cases on economic injury, Carroll Broadcasting Co. v. FCC (258 F. 2d 440) and Sanders Brothers Radio Stations v. FCC (309 U.S. 470) were both cases involving license applicants. In any case, the Commission has stated (Carroll Broadcasting) that "* * * the burden of proceeding with the introduction of evidence and the burden of proof as to this issue (i.e., whether a grant of the application would result in such economic injury as would impair the protestant's ability to continue serving the public) shall be on the protestant * * *". Furthermore, the courts stated in Carroll Broadcasting that "* * * private injury is by no means always, or even usually reflected in public detriment. Competitors may severely injure each other to the great benefit of the public * * *".

[6] Commissioner Lee absent.

the television station are located about 2.5 miles south of Austin.

6. Minnesota-Iowa Television Co., licensee of Stations KAUS(AM) and KMMT(TV), Austin, Minn., opposes the substitution of Channel 291 at Austin for Channel 260. It points out that the assignment of Channel 291 to Austin would require the location of a site about 22 miles south of Austin, due to the assignment of Channel 292A at River Falls, Wis. (apparently overlooked by the proponent of Channel 260 for Mason City). Minnesota-Iowa submits that this assignment would not be suitable for Austin but since the location of a site would be closer to Mason City than to Austin, would be more appropriate for the latter. The engineering showing attached to these comments indicates that Channel 291 can be located in the city of Mason City itself as well as in Fort Dodge. Minnesota-Iowa further states that the comments of Denison and North Central are made on the basis that a substitute channel (291) can be assigned to Austin but urges that this is not so since the transmitter for its use would have to be about 22 miles south of Austin in view of the assignment of Channel 292A to River Falls, Wis., and the application which was recently filed for this assignment. It submits that in the event Channel 260 is retained in Austin, it will file an application for its use. In its reply comments North Central alters its request and supports the proposal to assign Channel 291 to Mason City. It urges that this assignment, while it would preclude the assignment of Channel 290 to Denison and 291 to Fort Dodge will lead to the most equitable and efficient distribution of frequencies. It contends that, because of the size and importance of Mason City to the natural market area around it, a Class C facility is necessary to serve the market, that it merits a first Class C assignment before the smaller city of Fort Dodge merits a second such assignment, and before Denison, a small, rural community, merits a first Class C channel.

7. In the Further Notice the Commission was presented with three conflicting requests for a first Class C assignment in Denison (Channel 290), a second Class C in Fort Dodge (Channel 291), and a first Class C in Mason City (Channel 260). The third proposal would require that Channel 291 be substituted for Channel 260 at Austin, Minn. The record discloses (and none of the parties refute this) that Channel 291 would not be a satisfactory substitute for Channel 260 at Austin in view of the need to place the site about 22 miles south of the city. In fact, this would place the site much closer to Mason City than to Austin and, for this reason, it is proposed that Channel 291 be assigned to Mason City, where it can be used in the city itself. We are of the view that the North Central proposal to assign Channel 260 to Mason City should be rejected. However, we are also of the view that Mason City merits the assignment of a first Class C assignment in preference to Denison and that it merits this assignment as against a second Class C assignment to Fort Dodge. It is the largest community of the three, is located in the county with the largest population, and is similarly situated with respect to large cities and metropolitan areas. The assignment of Channel 291 to Mason City would give that community one Class C and one Class A assignment, retain a Class C and Class A in Fort Dodge, and retain a Class A assignment in Denison. We believe that this arrangement would be the most equitable distribution of available frequencies in spite of the mixing of Class A and C assignments, which we believe to be warranted in this case. Finally, the changes adopted would retain a more suitable assignment for the city of Austin.

8. Authority for the adoption of the amendments contained herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

9. In view of the foregoing; *it is ordered*, That effective July 11, 1966, § 73.202 of the Commission's rules, the FM Table of Assignments, is amended to read, with respect to the community named below, as follows:

City	*Channel No.*
Mason City, Iowa	252A, 291

10. *It is further ordered*, That this proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6288; Filed, June 7, 1966; 8:49 a.m.]

[Docket No. 16467, RM-874; FCC 66-488]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, Television Broadcast Stations, Bemidji, Minn.

1. The Commission has before it for consideration the proposal to amend the Television Table of Assignments (§ 73.606 of the Commission's rules and regulations) to reserve Channel 9, already assigned to Bemidji, Minn., for noncommercial use.[1a]

2. As our notice pointed out, Bemidji is centrally located in the north central part of Minnesota in a rather sparsely populated area.[2] There is little direct television service with some service from translators and CATV. There is no educational television service, and an ETV station on Channel 9 with maximum power and 1,000-foot antenna height would be able to serve 125,000 persons. Both the petition and subsequent informal comments indicate that a UHF channel would not be used. The Bemidji City Council adopted a resolution opposing the rule making because it would seriously jeopardize the possibility of future commercial television broadcasts originating in the city of Bemidji. There is no indication, however, that anyone intends to apply for a commercial station on Channel 9.

3. Numerous letters and other communications have been received from educational and public-spirited organizations indicating that they are ready, willing, and able to proceed with the construction of an ETV station on Channel 9 and that programing will be available. The principal communication of this sort is from the Twin City Area ETV Corp. which states that it has formally been requested to act for the Bemidji area schools to apply for a construction permit and Department of Health, Education, and Welfare funds, while funds are already available to interconnect with the Minnesota ETV network and permit full programing immediately. The apparent intention is to take these steps promptly to activate a station on Channel 9. Twin City Area ETV Corp. also stated that it is organizing a staff for the station and making program plans.

4. Other comments indicate that many organizations will help develop, use, or financially support the station. Included are: Minnesota Education Association; Minnesota Adult Education Association; Clearbrook Public School; Beltrami County Schools; Independent School District No. 601; Laporte Public Schools; Bemidji Area Council on Children and Youth; Bi-County Community Action Program; Beltrami County Welfare Department; Indian Education Unit, State Department of Education; Lions American Legion, and other similar groups.

5. AMST is concerned with the mileage separation of a station on Bemidji's Channel 9 to Station KMSP-TV, Channel 9, Minneapolis, Minn. There is a slight short-spacing from the Bemidji reference point to KMSP-TV's present site and slightly more to the proposed transmitter site which is in hearing in part because of FAA's objections to the tall towers at the proposed Minneapolis antenna farm (see Docket Nos. 15841, 15842, and 15843). In the notice, we stated that we need not defer acting on the Bemidji proposal, since it would suffice to provide a condition that the Bemidji station's transmitter site comply with the mileage separation requirements to KMSP-TV's proposed site. AMST suggests that the Commission "explicitly declare that the transmitter of any station (on Channel 9 at Bemidji) be required, in particular, to meet mileage separation requirements to KMSP-TV's site, whether on the Foshay Tower (present location) or at another location that the Commission may ultimately authorize." AMST seems to suggest that action on the application for Bemidji's Channel 9 station be held in abeyance pending resolution of problems as to KMSP-TV's proposed site at the Minneapolis antenna farm or any other location that may ultimately be authorized. We do not believe that such action is necessary or required. However, in the light of KMSP-TV's application to change transmitter site, which is also the location of the antenna farm, we would expect any application for the Bemidji channel to meet the separation requirements to the existing site or the proposed KMSP-TV site.[3]

6. We conclude that the public interest, convenience, and necessity would be served by reserving Channel 9 at Bemidji, Minn.

7. Authority for the amendment adopted herein is contained in sections 4 (i) and (j), 303, and 307(b) of the Communications Act of 1934, as amended.

8. In view of the foregoing: *It is ordered*, That effective July 11, 1966, the Television Table of Assignments (§ 73.606 (b) of the Commission's rules and regulations) is amended as follows:

City	*Channel No.*
Bemidji, Minn.	*9, 26

9. It is further ordered that this proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[4]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6289; Filed, June 7, 1966; 8:49 a.m.]

[Docket No. 16158, RM-764; FCC 66-495]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments Television Broadcast Stations, Medford, Brookings, Oreg.

1. The Commission has before it for consideration its notice of proposed rule making released July 30, 1965 (FCC 65-731), in response to petitions filed by T & R Broadcasters, Inc. (T & R), and the State of Oregon acting by and through the State Board of Higher Education (Oregon Board). The notice invited comments on a proposal to reassign Channel 8 from Brookings to Medford, Oreg., and also on a counterproposal which would reserve the channel, if so reassigned, for noncommercial educational use. Comments and reply comments in support of T & R's request for the reassignment of Channel 8 to Medford for commercial use were filed by American Broadcasting Co. (ABC). Comments in support of the Oregon Board request for allocation of Channel 8 to Medford for noncommercial educational use were filed by National Association of Educational Broadcasters (NAEB). T & R filed comments and reply comments and Oregon Board filed comments in support of their requests. In addition to the foregoing, comments were filed by Everett A. Faber on alleged comments attributed to him by James L. Hutchens (T & R) regarding educational television and Oregon Broadcasting Company cable systems in southern Oregon, and supplemental reply comments in response thereto were filed by T & R.[1]

2. Medford, with a population of 24,425 (Jackson County, population 73,962)[2] is located in a rather sparsely populated and mountainous area in southwestern Oregon, approximately 75 miles inland from Brookings on the coast. Pointing out that Medford's population has increased 41 percent in the last ten year census period, T & R presents economic and trade data which reflects a significant growth for Medford and Jackson County since 1960. In addition to the foregoing, the thrust of this petitioner's (and also ABC's) argument for a third VHF assignment for Medford is that by reason of the shared affiliation (ABC) between the existing stations—KTVM-TV (Channel 5) and KMED-TV (Channel 10)—the full network program services of the national networks cannot be made available to the public in Medford or within the service area of the stations, and furthermore, since the Commission has not allocated any UHF channels to Medford the advent of a third VHF channel there would not thwart the future development of UHF.

3. Oregon Board, licensee of Stations KOAC-TV (Channel *7), Corvallis, Oreg., and KOAP-TV (Channel *10), Portland, Oreg., points out that both of these stations are located in the central northern section of the State and that no noncommercial educational television service is now available to the southern sections, where a substantial portion of the population is located. Petitioner describes its present educational service of both in-school instruction and over-the-air evening programs of an "educational, cultural and informative nature" for the public, and states that with the use of its present microwave system it could transmit its programs to the contemplated Medford educational facility. Oregon Board asserts that although the Commission's new table reserves a UHF channel for educational use at Medford, this is a VHF market and furthermore the terrain in the area is extremely rough and mountainous and thus a UHF facility cannot provide adequate coverage to the areas sought to be served in the southern section of the State. Petitioner also states that with Channel 8 it could utilize certain VHF equipment which it is now replacing, and that it would be in a position to make prompt utilization of the VHF channel there.[3]

4. In its reply comments, T & R states that "* * * the overwhelming majority of channel assignments projected in the Oregon Board's plan were UHF channels * * *," and points out that the plan suggested that allocation of Channels 8, 25, or 48 for noncommercial educational use at Medford; also, that the NAEB plan has proposed the assignment of UHF Channel 48 for education in Medford. T & R also observes that the Oregon Board's projected program schedule would tie up the channel during daytime hours for in-school instruction and that the Commission's "instructional fixed service" was adopted for this kind of televising. ABC in turn suggests that the educators could apply for Channel 8—even if it is allocated on a commercial basis, or the reserved UHF channel, or they could present programs on Channel 8 "* * * thereby increasing the number of educational programs already carried by the two existing stations in Medford."

5. The comments of Everett A. Faber and the supplemental reply comments of T & R are the result of a comment which was filed as an attachment to the T & R comments and described therein as "further evidence of the existence of CATV systems in the southern Oregon area, the extent (sic) of providing television signals including educational television programs."[4] T & R claims that based on Faber's statements as to his present and planned installations, "* * * southern Oregon, for the most part, already has complete service from the educational station in Corvallis" and that "* * * the present growth of the cable television systems in the Medford-Central Point-Ashland area is being accelerated by the lack of fully diversified coverage from all three networks." Faber, on the other hand, claims that he was misquoted, and misrepresented and that

[1] Commissioner Lee absent.

[1a] Channel *26, assigned by the Fifth Report and Order in Docket No. 14229, would become a commercial channel.

[2] Bemidji's population is 9,958 (1960 Census), and Beltrami County in which Bemidji is located has a population of 17,287.

[3] The notice pointed out that the Bemidji reference point was 3 miles short to KMSP-TV's proposed site and about 1 mile to its present site.

[4] Commissioner Lee absent.

[1] In response to a telegram received Sept. 29, 1965, from Everett A. Faber, we requested a written statement from him, which was received Oct. 22, 1965. On Nov. 22, 1965, we granted a request of T & R for permission and time to review and respond to Mr. Faber's statement, and said response was received from T & R, in the form of "supplemental reply comments to notice of proposed rule making," on Nov. 26, 1965.

[2] 1960 U.S. Census.

[3] Oregon Board received grants of $315,415 from HEW and $105,138 from the State of Oregon, and Commission authority to increase its power and install a new transmitter, tower and antenna for KOAC-TV, and the old equipment could be used with a Channel 8 allocation (but not a UHF channel) at Medford.

[4] According to Television Factbook (1965 edition), Faber is manager of Jackson Antenna Cable TV, which is owned by Oregon Broadcasting Co. The system for Medford is described as a 12 channel system with 100 customers and a potential of 5,000, with Stations KTVM and KMED-TV, Medford, KVAL-TV, Eugene, KOAC-TV, Corvallis, and KPTV, Portland.

there is as a matter of fact very little interest in cable service in Medford.[4]

CONCLUSION

I. *Question of reassignment of Channel 8 from Brookings to Medford.* 6. Although none of the comments filed in this proceeding oppose the request to delete Channel 8 at Brookings and assign it at Medford, this will deprive Brookings of its only commercial assignment in order to give Medford a third VHF assignment. However, there has been no application for the channel at Brookings, and considering its size (population 2,637) and the fact that it is receiving some television service at the present time (Stations KIEM-TV and KVIQ-TV, Eureka, Calif.), the possibility of applicants for the channel would seem remote. Moreover, in the event that there is a need for a channel at some future date, consideration can be given to assigning a UHF channel to the area at that time.[5] Medford, on the other hand, while not a large metropolis, is a growing community which, according to T & R Broadcasters, can support another television service. And indeed both T & R and ABC have stated that the requested assignment (as an unreserved channel) will result in a third competitive service and a complete choice of network services for the Medford audience. With regard to any adverse impact such assignment would have on the growth of UHF we believe the effect would be negligible. There are no UHF stations in operation nor applications on file for such in this general area. In addition, the relatively small size of the market would make it very difficult for a UHF station to compete with 2 VHF stations.

II. *Question of commercial versus educational use.* 7. This question is a more difficult one insofar as it involves certain technical and economic considerations which would affect both petitioners and the public. On the basis of Oregon Board's comments (Exhibit E–5), it plans to serve, from a studio at Ashland (which is approximately 12 miles southeast of Medford), the Medford-Ashland (and presumably the Rogue River Valley) area. Indeed, both the topography and demography of this region would apparently limit the coverage outlined in the Board's plan to precisely the Rogue River Valley area. Under these circumstances, there should be no significant advantage as to signal coverage and reception quality (assuming comparable equipment), as between a VHF and a UHF facility. Furthermore, the "VHF market" argument—that receivers presently in use and installed in the Medford community are equipped for VHF reception only—would apply also to the commercial petitioner; in fact, any economic disadvantage inherent in a UHF facility in a VHF market would presumably have a greater impact on a commercial operation.

8. As the Commission has demonstrated many times in the past, we have adopted a policy of providing all possible encouragement and assistance for the development of educational television. However, in this case the educator's use of the existing Channel *18 assignment, while possibly entailing certain immediate disadvantages to the educators, should not present serious difficulties for a noncommercial operation. On the other hand, a reservation of the only possible VHF channel would doubtless preclude a third local commercial broadcast service at Medford at this time. In view of the foregoing: *It is ordered*, Effective July 11, 1966, that the table of assignments contained in § 73.606 of the Commission rules and regulations is amended insofar as the communities named are concerned, to read as follows:

City	Channel No.
Brookings, Oreg.	*14
Medford, Oreg.	5, 8+, 10+, *18

9. This action is taken pursuant to authority found in sections 4(1), 303, and 307(b) of the Communications Act of 1934, as amended.

10. *It is further ordered*, That this proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6290; Filed, June 7, 1966; 8:49 a.m.]

[4] Although there is a large amount of comment material filed herein on this subject, we are not devoting more space or according it decisional significance. As we have stated in other proceedings, we consider CATV as a supplement to, rather than a replacement for, the regular broadcast services. And although there are serious implications and indications possibly giving rise to questions of candor and character qualifications, this has not been considered as a relevant factor or consideration in this—a rule making—proceeding.

[5] In view of the policy of the Commission as set forth in par. 14 of the Fourth Report and Order in Docket No. 14229—to avoid selecting specific communities of less than 25,000 population for commercial UHF assignments, we are not making a replacement assignment for Brookings at this time.

[1] Commissioner Lee absent; Commissioner Wadsworth dissenting.

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 21]

[Docket No. 7411; Notice No. 66–21]

CONFORMITY OF PRODUCTS TO THEIR TYPE DESIGNS

Notice of Proposed Rule Making

The Federal Aviation Agency is considering amending Part 21 of the Federal Aviation Regulations with respect to (1) showings of conformity to type design data that must be made before an aircraft may be presented by the applicant for FAA tests during type certification; (2) contents of certain statements of conformity; and (3) showings of conformity to type design data that must be made for the issue of a standard airworthiness certificate for a new aircraft not manufactured under a production certificate or under a type certificate.

Interested persons are invited to participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 8, 1966, will be considered by the Administrator before taking action on the proposed rules. The proposals in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Proposal 1. Conformity to type design data as a prerequisite to FAA tests during aircraft type certification (§ 21.33). Section 21.33(a) would be amended by deleting the word "flight" between the words "any" and "tests", and by adding the following at the end thereof:

However, unless otherwise authorized by the Administrator—

(1) No aircraft or part thereof may be presented to the Administrator for tests unless compliance with paragraphs (b)(2) through (b)(4) of this section has been shown for that aircraft or part; and

(2) No change may be made to an aircraft between the time that compliance with paragraphs (b)(2) through (b)(4) of this section is shown for that aircraft or part thereof and the time that the aircraft or part is presented to the Administrator for tests.

Explanation. The word "flight" would be deleted since this proposal would require that each applicant allow the Administrator to make any tests, ground or flight, necessary to determine that an aircraft meets the applicable requirements. New subparagraphs (a)(1) and (a)(2) would be added to minimize the hazards involved in the testing of aircraft during type certification. During this period, the Agency's primary means of preventing unnecessary hazard is familiarity with submitted type design data plus an assurance that all materials, products, parts, manufacturing processes, construction methods, and assembly methods conform to submitted type design data. Since the purpose of the tests by the Administrator is to determine compliance with applicable airworthiness requirements, proposed new (a)(1) would not incorporate (b)(1) which requires compliance with those requirements.

Proposed new (a)(2) is necessary because proposed new (a)(1) gives the applicant flexibility concerning the time that compliance with (b)(2) through (b)(4) is shown. Where this showing is made in advance of presentation of the aircraft to the Administrator for test, proposed new (a)(2) would ensure that the aircraft, as accepted by the Administrator for tests, has not been changed since the time that compliance with proposed (a)(1) was shown. Finally, if the Administrator should find that certain tests are necessary before the applicant has complied with proposed new (a)(1) or (a)(2), the language "unless otherwise authorized by the Administrator," which precedes (a)(1) and (a)(2), would let the applicant comply with the requirement to allow the Administrator to make necessary tests (present § 21.33 (a)) without at the same time appearing to place himself in violation of proposed (a)(1) or (a)(2). The quoted language would also let the applicant make any changes to the aircraft that are authorized by the Administrator.

Proposal 2. Statement of conformity for aircraft presented to the Administrator for test during type certification (§ 2153). Section 21.53 would be amended by—

(1) Designating the present language as paragraph (a);

(2) Striking out the word "prototype" between the words "each" and "presented" and inserting the words "aircraft engine and propeller" in place thereof;

(3) Adding the following at the end of the present language: "This statement of conformity must include a statement that the aircraft engine or propeller conforms to the type design therefor;" and

(4) Adding the following paragraph (b): "(b) For aircraft, a statement of conformity must be submitted when the aircraft is presented to the Administrator for tests, and must include a statement that the applicant has complied with § 21.33(a) (unless otherwise authorized under that paragraph)."

Explanation. Present § 21.53 requires that a statement of conformity must be submitted for each prototype that is "presented for type certification" but is silent as to the required contents of the statement of conformity. For aircraft engines and propellers, the quoted language is adequate since it is not practical to specify the exact stage, during type certification, at which the statement of conformity will be required for every aircraft engine or propeller. For these products, the only rule change necessary is the specification of the contents of the required statement of conformity, namely a statement that the product conforms to its type design. This change reflects present practice in administering § 21.53.

For aircraft, on the other hand, the words "presented for type certification" are not precise enough since the effective administration of Proposal 1, above, requires that the statement of conformity for each aircraft be submitted when the aircraft is "presented to the Administrator for tests" as these words are used in proposed new § 21.33 (a)(1) and (a)(2). This is because the consistent administration of proposed new § 21.33 (a)(1) and (a)(2) requires an understanding, between the applicant and the Administrator, with respect to (1) when an aircraft is regarded as "presented to the Administrator for tests," and (2) the nature of the conformity requirements relied on by the Administrator in accepting an aircraft for FAA tests. The applicant who submits the Statement of Conformity, form FAA–317, for an aircraft that is to be presented to the Administrator for tests would, under this proposal, realize that by submitting the form he is stating to the Administrator that (1) he (the applicant) regards the aircraft as "presented to the Administrator for test" as of the time the form is submitted, and (2) his showing of compliance with §21.33(a) is current as of the time the form is submitted.

Proposal 3. Statement of Conformity for products manufactured under type certificate only (§§ 21.130 and 21.183(b)). (a) Section 21.130 would be amended by inserting the words ", or an aircraft engine or propeller Airworthiness Approval Tag (FAA Form 186)" between the words "certificate" and "give"; by redesignating paragraphs (a) and (b) as paragraphs (b) and (c), respectively; and by adding a new paragraph (a) reading as follows:

(a) For each product, a statement that the product conforms to its type certificate and is in condition for safe operation.

(b) Section 21.183(b) would be amended by deleting the words "for the aircraft issued by the manufacturer, and" between the words "conformity" and "if", and by inserting the words "prescribed in § 21.130" in place thereof.

Explanation. For products manufactured under a type certificate only, the manufacturer is required to maintain all information necessary for the Adminis-

trator to determine conformity to type design data, and (for products manufactured more than six months after the date of issue of the type certificate) to establish and maintain an approved production inspection system that ensures that each product conforms to its type design and is in condition for safe operation. To implement these requirements, the statement of conformity, Form FAA 317, required by § 21.130 now gives the Administrator the statement, by responsible employees of the manufacturer, that each product is manufactured in conformity with the type design data forming the basis for its type certificate. This form is now used administratively for engines and propellers for which an Airworthiness Approval Tag is sought as well as for aircraft for which an airworthiness certificate is sought. This amendment would simply make this practice explicit, in addition to the requirements now in § 21.130 (a) and (b). Finally, the statement of conformity referred to in § 21.183(b) is the same statement of conformity as that prescribed in § 21.130 for aircraft for which an airworthiness certificate is sought. The amendment to § 21.183(b) would make this clear in order to preclude an appearance of duplication. This change appears in the further amendment made to § 21.183 under *Proposal 4*, below.

Proposal 4. Showings of conformity to type design data that must be made for the issue of a standard airworthiness certificate for a new aircraft not manufactured under a production certificate or under a type certificate. Section 21.183 would be amended to read as follows:

§ 21.183 Issue of standard airworthiness certificates for normal, utility, acrobatic, and transport category aircraft.

(a) *New aircraft manufactured under a production certificate.* An applicant for a standard airworthiness certificate for a new aircraft manufactured under a production certificate is entitled to a standard airworthiness certificate without further showing, except that the Administrator may inspect the aircraft to determine conformity to the type design and condition for safe operation.

(b) *New aircraft manufactured under type certificate only.* An applicant for a standard airworthiness certificate for a new aircraft manufactured under a type certificate only is entitled to a standard airworthiness certificate upon presentation, by the holder or licensee of the type certificate, of the statement of conformity prescribed in § 21.130 if the Administrator finds after inspection that the aircraft conforms to the type design and is in condition for safe operation.

(c) *New aircraft not manufactured under a production certificate or under a type certificate.* An applicant for a standard airworthiness certificate for a new aircraft for which a type certificate has been issued but which was not manufactured under a production certificate or under the type certificate therefor, is entitled to a standard airworthiness certificate if—

(1) He presents a statement from the holder of a production inspection system approval for the aircraft under § 21.123 (c), or the holder of a production certificate for the aircraft, that all necessary production inspections and tests, including production flight tests, have been conducted and have shown that the aircraft conforms to type design data and is in a condition for safe operation, and the Administrator finds after inspection that the aircraft conforms to the type design and is in a condition for safe operation; or

(2) Compliance is shown with the following and the Administrator finds that the aircraft conforms to the type design and is in condition for safe operation:

(i) The applicant must show that each component of the aircraft conforms to the type design, is assembled and installed in conformity with approved type design data, is in condition for safe operation, and is within its established service life limits.

(ii) The applicant must conduct all flight tests prescribed in the production flight test procedures for the holder or licensee of the type certificate of the aircraft.

(d) *Import aircraft.* An applicant for an original airworthiness certificate for an import aircraft type certificated in accordance with § 21.29 of this Part is entitled to an airworthiness certificate if the country in which the aircraft was manufactured certifies, or the Administrator finds, that the aircraft conforms to the type design and is in a condition for safe operation.

(e) *Other aircraft.* An applicant for an airworthiness certificate for an aircraft not covered by paragraphs (a) through (d) of this section is entitled to an airworthiness certificate if—

(1) He presents evidence to the Administrator that the aircraft conforms to a type design approved under a type certificate or a supplemental type certificate and to applicable Airworthiness Directives;

(2) The aircraft (except an experimentally certificated aircraft that previously had been issued a different airworthiness certificate under this section) has been inspected and found airworthy—

(i) By the manufacturer;

(ii) By an appropriately certificated domestic repair station;

(iii) By a certificated air carrier having adequate overhaul facilities and having a maintenance and inspection organization appropriate to the aircraft type; or

(iv) In the case of a single-engine airplane, by the holder of an inspection authorization issued under Part 65 of this Chapter; and

(3) The Administrator finds after inspection, that the aircraft conforms to the type design, and is in a condition for safe operation.

Explanation. As stated in the preamble to Amendment 1–2, effective October 1, 1959 (24 F.R. 7065), § 1.67(d) of the Civil Air Regulations, now § 21.183 (d) of the Federal Aviation Regulations, was added to eliminate administrative difficulties arising in the standard airworthiness certification of "other than newly manufactured aircraft" such as "aircraft which were used in military service and later released for civil use and * * * other aircraft which had not had their airworthiness status maintained." For these aircraft, the general requirement in § 21.183(d)(1) to present evidence of conformity to an approved type design, and the inspection requirements in § 21.183(d)(2), have been adequate since they are used, in most cases, to determine whether an airworthiness status that has not been maintained should be restored. Section 21.183(d) would therefore be unchanged for these aircraft (but redesignated as paragraph (e) under this proposal). However, § 21.183(d), because of its general nature, is currently being administered to cover a class of aircraft not originally contemplated by Amendment 1–2. This class is composed of new aircraft that are not manufactured under a production certificate or under a type certificate. These aircraft are built from materials, parts, and appliances that may be obtained as spare or surplus components from the holder of the type or production certificate for the aircraft, the holders of other production approvals, or from unknown sources. Since these aircraft are built entirely outside of any approved system designed to ensure conformity with type design data, the possibilities of nonconformity in processes and components are great enough to require that a detailed procedure be used in every case to provide the same degree of assurance of conformity to approved type design data as is now provided for aircraft individually produced under a type certificate only. Such a procedure has been administered under present § 21.183(d). However, the class of aircraft built from spare and surplus components is now large enough to require that this detailed procedure be set forth as a separate rule of general applicability. This is done in proposed § 21.183(c).

Several changes would also be made to paragraphs (a) and (b) of § 21.183. Those paragraphs would be amended to make it clear that they apply to newly manufactured aircraft. This change, together with the applicability of proposed new paragraph (c) to new aircraft, would make it clear that present paragraph (d), redesignated as paragraph (e), applies to aircraft other than newly manufactured aircraft, consistent with the intent of Amendment 1–2. Under this proposal, even aircraft built from spare and surplus components would be handled under present paragraph (d), redesignated as paragraph (e), if their airworthiness status is not maintained and standard airworthiness certification is later sought. Paragraph (a) would also be amended to make it clear that the Administrator's power to inspect the aircraft is not limited to inspections for conformity to type design data but includes inspections to determine condition for safe operation. Paragraph (b) would also be amended to make it clear that the statement of conformity referred to is the same statement of conformity prescribed in § 21.130 and, as such, must be submitted by the holder or licensee of the type certificate. Present paragraphs (c) and (d) would be redesignated, without change, as paragraphs (d) and (e), respectively.

Proposal 5. Conformity with supplemental type design (§ 21.115). Section 21.115 would be amended by designating the present language as paragraph (a) and by adding the following paragraph (b):

(b) Each applicant for a supplemental type certificate must meet §§ 21.33 and 21.53 with respect to each change in the type design.

Explanation. The purpose of §§ 21.33 and 21.53, as modified by proposals 1 and 2, above, is to assist the Administrator in making his determination that each product conforms to its type design. This purpose applies to determinations of conformity made by the Administrator during supplemental type certification as well as during original type certification.

These amendments are proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423).

Issued in Washington, D.C., on June 2, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-6248; Filed, June 7, 1966; 8:45 a.m.]

[14 CFR Part 47]

[Docket No. 7412; Notice No. 66-22]

ASSIGNMENT OF IDENTIFICATION NUMBERS

Notice of Proposed Rule Making

The Federal Aviation Agency is considering amending Part 47 of the Federal Aviation Regulations to provide for the issuance of all U.S. identification numbers ("registration marks") by the FAA Aircraft Registry.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 8, 1966, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Under § 47.15, both the FAA Aircraft Registry and FAA inspectors in the field issue U.S. identification numbers ("registration marks"). The FAA Aircraft Registry issues numbers to aircraft last previously registered in a foreign country (under § 47.15(a)), issues blocks of numbers to aircraft manufacturers (under § 47.15(c)), issues changed numbers (under § 47.15(d)), issues three symbol numbers (under § 47.15 (d), (e), and (f)), issues other special numbers (under § 47.15 (d) and (f)), and reassigns and reissues numbers (under § 47.15 (g) and (h)). For the most part, assignments by FAA inspectors are for amateur-built aircraft, and for aircraft assembled from parts to conform to an approved type design by a person other than the holder of the type certificate. At present, the FAA Aircraft Registry issued numbers account for 99 percent of all assignments, while FAA inspectors issue the remaining 1 percent.

It is proposed to amend § 47.15(a) to provide that all United States identification numbers will be issued by the FAA Aircraft Registry. If an aircraft has never been registered anywhere, the applicant would obtain a number from the FAA Aircraft Registry. As now provided by § 47.15(a), if an aircraft was last previously registered in a foreign country, the FAA Aircraft Registry would issue a number only after the application was received, and the foreign registration found to be ended or invalid. Unless the owner requests that the number be reassigned or changed, a number once assigned to an aircraft remains with the aircraft. Therefore, if the aircraft was last previously registered in the United States, the applicant would continue to use the number already assigned to the aircraft on his Application. Certain procedural steps in obtaining identification numbers would be spelled out in greater detail.

Adoption of this proposal would end the requirement that a small percentage of applicants for registration go to an FAA inspector to get a number, and would permit applicants to deal with the Registry directly. Also, this proposal would permit the FAA to reduce costs and improve control of U.S. identification numbers by concentrating their issuance in a single location.

In consideration of the foregoing, it is proposed to amend Part 47 of the Federal Aviation Regulations by amending § 47.15(a) to read as follows:

§ 47.15 Identification number.

(a) *Number required.* Except when he applies under § 47.37 of this Part, an Applicant for Aircraft Registration must place a United States identification number ("registration mark") on his Application for Aircraft Registration, FAA Form 8050–1, and on any evidence submitted with the Application. There is no charge for the assignment of numbers provided in this paragraph. This paragraph does not apply to an aircraft manufacturer who applies for a group of U.S. identification numbers under paragraph (c) of this section, or to a person who applies for a special identification number under paragraphs (d) through (g) of this section.

(1) *Aircraft not previously registered anywhere.* The Applicant must obtain the U.S. identification number from the FAA Registry by request in writing describing the aircraft by make, type, model and serial number (or, if it is amateur-built, as provided in § 47.33(b) of this Part) and stating that the aircraft has not previously been registered anywhere. If the aircraft was brought into the United States from a foreign country, the Applicant must submit evidence that the aircraft has never been registered in a foreign country.

(2) *Aircraft last previously registered in the United States.* Unless he applies for a different number under paragraphs (d) through (g) of this section, the Applicant must place the U.S. identification number that is already assigned to the aircraft on his Application and the supporting evidence.

(3) *Aircraft previously registered in a foreign country.* The Applicant must comply with the requirements of § 47.37 of this Part. The identification number will be issued with the Certificate of Aircraft Registration.

This proposal is made under the authority of sections 307(c), 313(a), 501, 503, 505, and 1102 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(c), 1354(a), 1401, 1403, 1405, and 1502), and the Convention on the International Recognition of Rights in Aircraft (4 U.S.T. 1830).

Issued in Washington, D.C., on June 2, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-6282; Filed, June 7, 1966; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-42]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the Jamestown, N. Dak., terminal area.

The following controlled airspace is presently designated in the Jamestown, N. Dak., terminal area:

(1) The Jamestown, N. Dak., control zone is designated as that airspace within a 5-mile radius of Jamestown, N. Dak., Municipal Airport (latitude 46°55'48" N., longitude 98°40'42" W.).

(2) The Jamestown, N. Dak., transition area is designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Jamestown, N. Dak., Municipal Airport (latitude 46°55'48" N., longitude 98°40'42" W.); and within 2 miles each side of the Jamestown VOR 190° radial extending from the 7-mile radius area to 8 miles S of the VOR; and that airspace extending upward from 1,200 feet above the surface within 8 miles E and 5 miles W of the Jamestown VOR 010° and 190° radials, extending from 4 miles N to 13 miles S of the VOR.

The Jamestown, N. Dak., VOR will be relocated to a site on the airport and be converted to a VORTAC in November 1966. Relocation and conversion of the NAVAID facility requires cancellation of the present instrument approach procedure and establishment of two new instrument approach procedures at Jamestown.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Jamestown, N. Dak., terminal area, as a result of the above mentioned relocation and conversion of the NAVAID facility and the establishment of new instrument approach procedures, proposes the following airspace actions:

(1) Alter the Jamestown, N. Dak., control zone by redesignating it as that airspace within a 5-mile radius of Jamestown Municipal Airport (Lat. 46°55'48" N., Long. 98°40'42" W.); within 2 miles each side of the Jamestown VORTAC 308° radial, extending from the 5-mile radius zone to 8 miles NW of the VORTAC; and within 2 miles each side of the Jamestown VORTAC 140° radial, extending from the 5-mile radius zone to 8 miles SE of the VORTAC.

(2) Alter the Jamestown, N. Dak., transition area by redesignating it as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Jamestown Municipal Airport (Lat. 46°55'48" N., Long. 98°40'42" W.); and that airspace extending upward from 1200 feet above the surface within a 14-mile radius of Jamestown Municipal Airport.

The proposed control zone would provide controlled airspace protection for aircraft departing the Jamestown Municipal Airport during climb to 700 feet above the surface and for aircraft executing the new prescribed instrument approach procedures during descent below 1,000 feet above the surface.

The proposed 700-foot floor transition area would provide controlled airspace for aircraft departing Jamestown during climb from 700 to 1,200 feet above the surface. The proposed 1,200-foot floor transition area would provide controlled airspace protection for the procedure turn and DME arc areas of the prescribed new instrument approach procedures, and for the holding patterns at Jamestown.

The floors of the airways that traverse the transition area proposed herein will automatically coincide with the floors of the transition area.

Specific details of the new procedures upon which the action proposed herein was based may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, ATTN: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 26, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-6249; Filed, June 7, 1966; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-44]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate controlled airspace at Grand Rapids, Minn.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Grand Rapids, Minn., terminal area, proposes the following airspace actions:

Designate the Grand Rapids, Minn., transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Grand Rapids Municipal Airport (latitude 47°12'45" N., longitude 93°30'35" W.), and within 2 miles each side of the Grand Rapids VOR 160° radial, extending from the VOR to 8 miles south of the VOR; and that airspace extending upward from 1,200 feet above the surface within 8 miles east and 5 miles west of the Grand Rapids VOR 160° radial, extending from the VOR to 12 miles south of the VOR.

The State of Minnesota is relocating a state owned VOR from the Grand Rapids Municipal Airport to a point 3 nautical miles south of the airport. A public use instrument approach procedure has been developed using this facility and it will be effective concurrent with the designation of controlled airspace.

The proposed 700-foot floor transition area will provide controlled airspace protection for departing aircraft during climb from 700 to 1,200 feet above the surface. It will also provide controlled airspace protection for aircraft executing the prescribed instrument approach procedure during descent from 1,500 to 700 feet above the surface.

The proposed 1,200-foot floor transition area will provide protection for aircraft executing the procedure turn area of the prescribed instrument approach procedure and while in the holding pattern at the Grand Rapids VOR. The floors of the airways that would traverse the transition area proposed herein will automatically coincide with the floor of the transition area.

Since a new approach procedure is being established, no procedural changes will be effected in conjunction with the actions proposed herein.

Specific details of the new approach procedure for the Grand Rapids, Minnesota, Municipal Airport and of the proposal contained herein may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 27, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-6283; Filed, June 7, 1966; 8:48 a.m.]

[14 CFR Part 93]

[Regulatory Docket No. 7410; Notice No. 66-20]

PORTLAND TERMINAL AREA

Special Air Traffic Rule

The Federal Aviation Agency has under consideration a proposal to amend Part 93 of the Federal Aviation Regulations to establish special air traffic rules for the Portland International Airport Traffic Area.

Interested persons may participate in the making of the proposed rule by submitting such written information, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 8, 1966, will be considered by the Administrator before taking action on the proposed rule. The proposed amendment may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comment, in the rules docket for examination by interested persons.

The purpose of this special air traffic rule is to reduce the possibility of conflict between aircraft operating to and from Portland International Airport, Pearson Airpark, and the proposed Columbia River Seaplane Base, Vancouver, Wash. This rule would establish an airport traffic pattern at or above an altitude of 1,000 feet MSL to the north of Pearson Airpark, a seadrome traffic pattern at an altitude of 700 feet MSL to the north of the proposed Columbia River Seaplane Base, and requires pilots of aircraft operating to or from Pearson Airpark and the proposed Columbia River Seaplane Base to maintain two-way radio communications with the Portland Tower while operating within the Portland International Airport Traffic Area.

Pearson Airpark is a general aviation airport located approximately 3¼ miles northwest of Portland International Airport at an elevation of 30 feet MSL. One hundred and eight civil aircraft are based at this location. A proposal to extend runway 8/26 westerly by approximately 900 feet, to an overall length of 4,500 feet, will probably attract larger aircraft than are now using the airport. There were approximately 35,000 airport operations at Pearson Airpark during the calendar year 1965 with an average of 1,500 itinerant operations per month.

The proposed Columbia River Seaplane Base is located one-half mile north of Portland International Airport and 2 miles southeast of Pearson Airpark. This base will occupy an area approximately 500 feet wide and 8,000 feet long oriented in an east-west direction in the Columbia River channel and centered on latitude 45°36'25" N., longitude 122°36'00" W. at an elevation of approximately 20 feet MSL.

The eastern portion of the seaplane landing area will lie 3,900 feet north of the threshold of runway 20 at Portland International Airport and is directly under the approach path to this runway. Aircraft approaching Portland International to land on runway 20 in a normal three degree glide angle would pass over the seaplane landing area at an altitude approximately 230 feet above the water. The proximity of the proposed Seaplane Base to Portland International Airport gives rise to conflict. Any seaplane traffic pattern established south of the seaplane base will overlap and conflict with traffic patterns for runway 10L/28R and runway 20 at the Portland International Airport.

Portland International Airport has an elevation of 26 feet MSL and houses 48 military and 96 civil aircraft. There were 162,901 airport operations during the calendar year 1965. The Portland Tower controlled 88,350 instrument operations during the same period. Aircraft using this airport include single-engine private; multi-engine propeller driven and multi-engine turbojet commercial, and high-performance military turbojet fighter.

An area of potential conflict is concentrated in the final approach portion to runways 10L and 10R at Portland International Airport. The proposed extension of runway 10R/28L 1,700 feet in a westerly direction will increase the potential conflict between traffic on the final approach to land east at Portland or departing to the west and traffic operating at Pearson Airpark.

Conflict between Portland traffic and proposed Columbia River Seaplane traffic will occur when Portland traffic is operating to and from the NE/SW runway.

The communications provision of this rule will enable the Portland Tower to issue traffic advisories to Pearson Airpark traffic, the Seaplane Base traffic, and Portland International traffic. While this rule will give Portland Tower the capability to control traffic operating to or from Pearson Airpark or Columbia River Seaplane Base, it is anticipated that, for the most part, they will exercise this capability in an advisory capacity.

The traffic at Pearson Airpark is presently a problem because flight paths normally followed by Pearson traffic are not readily ascertainable from the Portland Tower, nor are the controllers at Portland International Airport able to determine the intended flight paths of pilots operating to or from Pearson Airpark.

Because the most likely area of traffic confliction is south to southwest of Pearson Airpark in the vicinity of the Portland International approach to runways 10R and 10L, it appears that traffic patterns established north of Pearson Airpark will minimize the area of conflict.

In consideration of the foregoing, it is proposed to amend Part 93 of the Federal Aviation Regulations by adding the Subpart H as follows:

Subpart H—Portland, Oregon, Airport Traffic Area

§ 93.101 Applicability.

This subpart prescribes special air traffic rules for persons operating aircraft to or from the Pearson Airpark or the Columbia River Seaplane Base within the Portland International Airport traffic area.

§ 93.103 Pearson Airpark and Columbia River Seaplane Base Airport Traffic.

Unless otherwise authorized by Air Traffic Control, each person operating an aircraft within the Portland International Airport traffic area for the purpose of landing at or taking off from Pearson Airpark, or the Columbia River Seaplane Base, Vancouver, Wash., shall operate such aircraft in accordance with the rules set forth in this section.

(a) *Communications with the Portland International Tower.* Each person operating an aircraft to or from the Pearson Airpark or the Columbia River Seaplane Base shall establish and maintain two-way radio communications with the Portland International Airport Traffic Control Tower.

(b) *Pearson Airpark Airport Traffic Pattern—Landing.* Except when the VFR clearance-from-cloud rules of Part 91 require otherwise, each person piloting an aircraft landing at the Pearson Airpark shall enter the traffic pattern north of the airport at or above 1,000 feet MSL and execute a left traffic pattern for a landing to the east or a right traffic pattern for a landing to the west.

(c) *Pearson Airpark Airport Traffic Pattern—Departing.* Each person piloting an aircraft departing from Pearson Airpark shall leave the airport traffic pattern to the north.

(d) *Columbia River Seaplane Base Airport Traffic Pattern—Landing.* Except when the VFR clearance-from-cloud rules of Part 91 require otherwise, each person piloting an aircraft landing at the Columbia River Seaplane Base shall enter the traffic pattern north of the airport at 700 feet MSL and execute a left traffic pattern for a landing to the east or a right traffic pattern for a landing to the west.

(e) *Columbia River Seaplane Base Airport Traffic Pattern—Departing.* Each person piloting an aircraft departing from the Columbia River Seaplane Base shall leave the seaplane base traffic pattern to the north.

These amendments are proposed under the authority of section 307 of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 1, 1966.

WILLIAM E. MORGAN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 66-6250; Filed, June 7, 1966; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16671, RM-911; FCC 66-491]

ADDITION OF COMMERCIAL UHF TELEVISION BROADCAST CHANNEL

Waynesville, N.C.

1. On January 28, 1966, Video Cable Co., Inc., filed a petition (RM-911) requesting the assignment of a commercial UHF channel to Waynesville, N.C. In support thereof the petitioner states that there are no television stations or assignments in Waynesville or Haywood

County in which Waynesville is located. Petitioner is of the belief that there is a need for a local TV station in Waynesville and if a channel is provided, it will promptly apply for authority to construct and operate a new UHF television broadcast station in that area.

2. Video Cable Co., Inc., currently operates a CATV system in Waynesville and believes that a UHF facility will enable it to greatly expand its service to the public. Such an operation would provide a medium for local expression to Waynesville and Haywood County. According to the 1966 edition of the Television Factbook, the CATV system has 1,100 subscribers out of a potential 2,000 and brings in the signals of WBTV, Charlotte; WLOS–TV, Asheville, both in North Carolina; WFBC–TV, Greenville, and WSPA–TV, Spartansburg, S.C.; WBIR–TV, Knoxville, and WJHL–TV, Johnson City, Tenn.; WCYB–TV, Bristol, Va.; and WGTV, Athens, Ga. Fifteen FM stations are also carried on the system. All of the stations are picked up directly off-the-air.

3. Waynesville is situated in the western part of North Carolina, some 25 miles south and west of Asheville and near the Tennessee border. Its 1960 population was 6,096, that of the adjoining community of Hazelwood, 1,960 and that of Haywood County, 39,711. Its economy is based upon agriculture, manufacturing and tourist and resort trade. The annual value of agricultural products is more than $6 million; the annual industrial payroll is in excess of $34 million and annual income from tourist and resort trade exceeds $7 million and increases each year.

4. It has been found that Channel 59 is most efficient in terms of the impact on other available assignments. Although Waynesville is in an area where remaining available assignments are considered to be scarce, Channel 59 is available only in a few small communities and its use at Waynesville does not deprive any other community of its only available assignment.

5. Accordingly, pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the table of assignments in § 73.606(b) of the Commission rules, insofar as the city listed below is concerned to read as follows:

City	Channels
Waynesville, N.C.	59

6. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations interested parties may file comments on or before July 11, 1966, and reply comments on or before July 21, 1966. All submissions by parties to this proceeding, or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

7. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6291; Filed, June 7, 1966; 8:49 a.m.]

[47 CFR Part 73]

[Docket No. 16672, RM–928; FCC 66–492]

ADDITION OF UHF TELEVISION BROADCAST CHANNEL

Orlando, Fla.

1. Gordon Sherman, applicant for authority to construct a new UHF television broadcast station on Channel 35 in Orlando, Fla., filed a petition on February 28, 1966, requesting the assignment of Channel 48 to Orlando, Fla. Orlando is currently assigned Channels 6, 9, *24, and 35. Channel 24 is reserved for educational use. The petitioner and Omicron Television Corp. are both applicants for Channel 35 in Orlando and the applications have been designated for hearing (Docket Nos. 16536 and 16537).

2. In support of its request, the petitioner points out that a hearing will delay for an indeterminate time the institution of UHF television service in Orlando. The addition of another UHF channel to Orlando will make it possible for one of the applicants to amend to the new channel and eliminate the mutual exclusivity problem that now exists. The petitioner further states that preliminary consideration has been given to a site at 28°-34'30'' N. latitude and 81°34'30'' W. longitude and that Channel 48 used at this site would meet all of the required geographic separations specified in the rules.

3. On March 9, 1966, Omicron Television Corp. filed a comment concerning the petition of Gordon Sherman, pointing out that the petition alludes to the possibility that "one of the applicants" may amend to the new channel which might give the impression that Omicron supported such a solution. Omicron asserts that it does not join, either directly or by inference, in Sherman's request for an additional channel in Orlando and that it has no present intention of amending its application in that regard at any time. Omicron further urged that the petition of Gordon Sherman should not be used as the basis for a delay in the orderly processing of its application or the conduct of the hearing. Sherman replied to the comments of Omicron on March 23, 1966, by stating that the petition was not filed for the purpose of delaying processing of the pending applications for Channel 35 and that Omicron could at some time in the future file appropriate pleadings concerning the public interest aspects of the delay in bringing UHF television service to Orlando which might be occasioned by a comparative hearing or the need or lack of need of additional television service that could be provided by the additional UHF channel in Orlando.

4. We have used the electronic computer to examine the assignment possibilities in Orlando, particularly with respect to the site specified by Gordon Sherman. It has been determined that Channel 48 is available for assignment and employing the criteria used to develop the overall UHF assignment plan, Channel 48 is the most efficient assignment in terms of the impact on remaining available assignments. Orlando is in an area where remaining available assignments are considered to be adequate to meet potential future needs for additional channels. Channel 48 is available only in a relatively narrow strip running between the east and west coast of Florida and its use at Orlando will have little impact on the reservoir of remaining available assignments. In the few places where it might be used, other UHF channels are available for assignment.

5. Orlando with a population of nearly 170,000 is ranked by ARB as the 66th market in combination with Daytona Beach. The assignment of a fourth unreserved channel at Orlando would give the combined market six unreserved channels which is not inconsistent with the pattern of assignments adopted in the Fifth Report and Order in Docket No. 14229 (par. 65). Although neither applicant is obliged to amend to the new channel, the assignment will afford an opportunity to avoid a hearing on the issue of mutual exclusivity. For those reasons the petition is considered to have sufficient merit to warrant the institution of rule making.

6. Accordingly, pursuant to the authority contained in Sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the table of assignments in section 73.606(b) of the Commission rules insofar as the city listed below is concerned, to read as follows:

City	Channels
Orlando, Fla.	6-, 9, *24, 35, 48

7. Pursuant to applicable procedures set out in section 1.415 of the Commission's rules and regulations interested parties may file comments on or before July 11, 1966, and reply comments on or before July 21, 1966. All submissions by parties to this proceeding, or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

8. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6292; Filed, June 7, 1966; 8:49 a.m.]

[1] Commissioner Lee absent.

[47 CFR Part 73]

[Docket No. 16673, RM–946; FCC 66–493]

ADDITION OF UHF TELEVISION BROADCAST CHANNEL ASSIGNMENT

Bend, Oreg.

1. Liberty Television, Inc., licensee of television broadcast station KEZI–TV, Channel 9, Eugene, Oreg., filed a petition (RM–946) on April 15, 1966, requesting the assignment of an unreserved UHF television broadcast channel at Bend, Oreg.

2. In support thereof, the petitioner states that it desires to provide television service to the area of Bend and the current table of assignments provides only Channel 15 at Bend and that channel is reserved for educational use. If an unreserved channel is provided, Liberty Television, Inc., will promptly apply for authority to construct and operate a new UHF television broadcast station at Bend.

3. Bend is situated in central Oregon, approximately 90 miles due east of Eugene. Its 1960 population was 11,936. The nearest commercial TV stations are KEZI–TV, Channel 9 and KVAL–TV, Channel 13 at Eugene. Three 1 watt VHF television translators are operated at Bend by Video Utility Corp., bringing in the signals of KOIN–TV, Channel 6, KGW–TV, Channel 8 and KPTV, Channel 12, all of Portland, Oreg. According to the 1966 edition of the TV Factbook, Bend Cable TV Co. operates a CATV system at Bend with 3,494 subscribers out of an estimated potential of 4,000. The CATV carries the three Portland stations carried by the VHF translators and in addition carries KOAP–TV, Channel 10, Portland and KEZI–TV, Channel 9, Eugene. KOAP–TV is an educational television broadcast station.

4. We have employed the electronic computer to examine the assignment possibilities at Bend and have determined that Channel 21 would have the least impact on remaining available assignments. Bend is in an area where available UHF assignments are considered to be plentiful. On the assumption that the petitioner will apply for authority to operate a television broadcast station on the channel if authorized to do so, there appears to be sufficient merit to warrant the institution of rule making.

5. Accordingly, pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the table of assignments in § 73.606(b) of the Commission rules insofar as the city listed below is concerned, to read as follows:

City	Channels
Bend, Oreg.	*15, 21

6. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations interested parties may file comments on or before July 11, 1966, and reply comments on or before July 21, 1966. All submissions by parties to this proceeding, or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

7. In accordance with the provisions of section 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6293; Filed, June 7, 1966; 8:49 a.m.]

[47 CFR Part 73]

[Docket No. 16681, RM–912; FCC 66–505]

TELEVISION BROADCAST STATIONS, DICKINSON, N. DAK.

Table of Assignments

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has before it for consideration a petition, filed January 25, 1966, by Meyer Broadcasting Co., licensee of Station KFYR–TV, Channel 5, Bismarck, N. Dak., requesting the Commission to assign Channel 7 to Dickinson, N. Dak. The purpose of such assignment is to permit Translator Station KØ7GV, of which the Colored Tower Television, Inc., is the licensee, to operate a 100-watt TV translator, as permitted by § 74.702 (g) of the Commission's Rules and Regulations.[1a] Colored Tower, by letter dated January 14, 1966, to the Commission, a copy of which is appended to the petition, advises that it "supports" the petition because service to the Dickinson audience would be greatly improved. Translator Station KØ7GV is authorized to rebroadcast programing from petitioner's station.

3. Further data and information is adduced to support the petition. Dickinson, population 9,971 (1960 Census), located in Stark County (population 18,451), is served by Station KDIX–TV, Channel 2.[2] KDIX–TV, it appears, is affiliated with the CBS and ABC networks; and, by arrangement with petitioner, it also rebroadcasts some special NBC programs and 2 weekly NBC programs on a delayed basis.[3]

4. Because of Dickinson's inability to economically support another regular television station, petitioner feels that the only realistic basis for additional television service would be by a 100-watt television translator on Channel 7. An engineering study demonstrates the availability of a site for a Channel 7 100-watt translator transmitter west of Dickinson complying with co-channel mileage separations. Since Dickinson is within 250 miles of the Canadian-U.S. border the proposed assignment must be coordinated with the Canadian Government in accordance with the Canadian-United States Television Agreement of 1952.

5. Accordingly, comments are invited on petitioner's proposal to amend the TV Table of Assignments as follows:

City	Channel No.	
	Present	Proposed
Dickinson, N. Dak.	2+, *4	2+, *4, 7

6. Authority for the adoption of the amendment proposed herein is contained in sections 4 (i) and (j), 303, and 307(b) of the Communications Act of 1934, as amended.

7. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before July 11, 1966, and reply comments on or before July 21, 1966. All submissions by parties to this proceeding, or by persons acting on behalf of any party, must be made in written comments, reply comments, or other appropriate pleadings.

8. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: June 2, 1966.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6294; Filed, June 7, 1966; 8:49 a.m.]

[1] Commissioner Lee absent.

[1a] Promulgated by Report and Order in Docket No. 15858, adopted July 7, 1966 (1 FCC 2d 15).

[2] Also assigned to Dickinson is Channel 4 which is reserved for educational noncommercial use. See Docket No. 14864, adopted March 3, 1963 (28 F.R. 2450).

[3] Petitioner states that its broadcast of ABC programing (16½ hours weekly), does not conflict with KDIX–TV's programing from the same source, since all of the latter's ABC programing is on a delayed broadcast basis.

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[431.1]

ELECTRIC DESK LAMPS

Tariff Classification

JUNE 2, 1966.

Pursuant to section 16.10a(d) of the Customs Regulations (19 CFR 16.10a (d)), the Bureau of Customs gave notice in the FEDERAL REGISTER of February 19, 1965 (30 F.R. 2287), that it would review the existing established and uniform practice of classifying certain electric desk lamps, referred to as "Lampettes," in chief value of brass but by weight predominantly of iron, under the provision for illuminating articles * * * of base metal: * * * other: table, floor and other portable lamps for indoor illumination, of brass, in item 653.35, Tariff Schedules of the United States (TSUS). That review has been completed, after careful consideration of all representations received.

In the review consideration was given to classification under the provision for illuminating articles * * * of base metal: * * * other: * * * other, in item 653.40 pursuant to Headnote 2(d), Schedule 6, TSUS.

However, since Headnote 2(d) requires classification on the basis of the base metal of predominant weight only when the competing provisions are equally specific and since item 635.35 is the more specific in being limited to portable lamps for indoor illumination, Headnote 2(d) does not apply. Accordingly, under General Headnote 9(f)(i), classification depends upon a finding as to the material of chief value.

The Bureau finds that the desk lamps in question are in chief value of brass, portable, and used for indoor illumination. Therefore, classification under the provisions of item 653.35, with duty at the rate of 10.5 percent ad valorem, is proper.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-6278; Filed, June 7, 1966; 8:48 a.m.]

Office of the Secretary

[Dept. Circ. 570, 1965 Rev. Supp. No. 19]

UNITED BONDING INSURANCE CO.

Extension of Authority To Qualify as Surety on Federal Bonds

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to United Bonding Insurance Co., Indianapolis, Ind., under the provisions of the Act of Congress, approved July 30, 1947 (6 U.S.C. 6-13), to qualify as sole surety on recognizances, stipulations, bonds, and undertakings permitted or required by the laws of the United States, expiring on May 31, 1966, has been extended to August 31, 1966, with an underwriting limitation of $50,000.

Dated: June 3, 1966.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc 66-6279; Filed, June 7, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

E. CLYDE McGRAW

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) Delete: Kaneb Pipe Line Co. Add: Atchison-Topeka & Santa Fe Railway Co., General Telephone & Electronics Corp., Inland Steel Co., National Lead Co., Southern Railway, United States Pipe & Foundry Co., State of California Series L Bonds.
(3) None.
(4) None.

This statement is made as of June 1, 1966.

Dated: May 27, 1966.

E. CLYDE MCGRAW.

[F.R. Doc. 66-6266; Filed, June 7, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

NEW JERSEY

Extension of Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of New Jersey natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

New Jersey:	*Present designation*
Atlantic	30 F.R. 9114
Burlington	30 F.R. 9114
Camden	30 F.R. 9114
Cape May	30 F.R. 9114
Cumberland	30 F.R. 9114
Gloucester	30 F.R. 9114
Mercer	30 F.R. 9114
Ocean	30 F.R. 9114
Salem	30 F.R. 9114

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 2d day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6231; Filed, June 7, 1966; 8:45 a.m.]

DEPARTMENT OF COMMERCE

National Bureau of Standards

51ST NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

Announcement of Conference

The 51st National Conference on Weights and Measures will convene in Denver, Colo., on July 11, 1966, under the sponsorship of the National Bureau of Standards, U.S. Department of Commerce. The Conference, a meeting of Federal and State weights and measures officials and interested representatives of industry, business, and consumers, again will have standing committees contemplating changes in model weights and measures law, regulations, specifications, and tolerances.

The Conference will consider changes in the "Model State Law on Weights and Measures" and "Model State Regulation Pertaining to Packages" and changes in Handbook 44, *Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices*. Conference committees this year will deal with package sales, labeling of glass and plastic containers, retroactivity of technical requirements on sales of weights and measures devices, and technical requirements for scales, liquid-measuring devices, and milk bottles.

These changes, when adopted by the National Conference, are recommended to the States for action. Anyone having an interest in these proceedings may obtain the tentative program and tentative reports of Conference committees by addressing a request for the Announcement of the 51st National Conference on Weights and Measures to:

M. W. Jensen, Executive Secretary, National Conference on Weights and Measures, National Bureau of Standards, Washington, D.C., 20234.

Dated: May 25, 1966.

A. V. ASTIN,
Director.

[F.R. Doc. 66-6238; Filed, June 7, 1966; 8:45 a.m.]

Office of the Secretary

[Department Order 90-B]

NATIONAL BUREAU OF STANDARDS

Organization and Functions

This material supersedes the material appearing at 30 F.R. 1204-1208 of February 4, 1965, and 30 F.R. 12549-12550 of October 1, 1965.

SECTION 1. *Purpose.* The purpose of this order is to prescribe the organization and assignment of functions within the National Bureau of Standards.

SEC. 2. *Organization.* .01 The National Bureau of Standards is a principal focal point in the Federal Government for assuring maximum application of the physical and engineering sciences to the advancement of technology in industry and commerce. To this end the Bureau's research and central national services are conducted in three broad program areas: (a) basic measurement standards, (b) materials research, and (c) engineering standards and applied technology. An "Institute" is established for each of these program areas to facilitate coordination and management of programs involving similar technical objectives, staff, and facilities.

.02 The Institute for Basic Standards conducts programs of basic measurement standards, which include research and services oriented toward the needs of the scientific and engineering community of the Nation. The Institute comprises a series of divisions, each serving a classical subject matter area of science and engineering.

.03 The Institute for Materials Research conducts materials research and provides associated reference material services. Beyond their direct interest to the Nation's scientists and engineers, the activities of this Institute yield services which are essential to the advancement of technology in industry and commerce. The Institute comprises a series of divisions organized primarily by technical field.

.04 The Institute for Applied Technology stimulates technical innovation and industrial use of the results of modern science and technology. The principal elements of the Institute are: (a) a Textiles and Apparel Technology Center furnishing specialized technical services to that industry; (b) technical divisions which provide services in technology of more general applicability; (c) the Clearinghouse for Federal Scientific and Technical Information which promotes widest effective use by the scientific community, industry, and commerce of current information in all fields of industrial technology; and (d) a Center for Computer Sciences and Technology which conducts research and provides technical services designed to improve cost effectiveness in the conduct of agency programs through the use of computers and related techniques.

.05 The National Bureau of Standards shall comprise the organizational units enumerated in subsequent sections of this order.

SEC. 3. *Office of the Director.* .01 The Director determines the policies of the Bureau and directs the development and execution of its programs.

.02 The Deputy Director assists the Director in the direction of the Bureau, with particular regard to planning and internal coordination of its programs, and performs the functions of the Director in the latter's absence.

SEC. 4. *Special offices reporting to the Director.* .01 The Office of Public Information conducts the public information activities of the Bureau, including coordination of relations with the general press, and policy guidance for inquiry service for the general public, exhibits, tours, and informational films programs.

.02 The Office of Industrial Services establishes and operates services and activities to: (a) examine the existing and likely future needs for joint industry-NBS research, data collection, data evaluation and dissemination, and implement responses to the findings; (b) examine and recommend how NBS generated data, techniques and other research results may best be transmitted for utilization in industry and commerce; (c) promote cooperative research in and by industry for the solution of its technical problems; and (d) develop and expand the Research Associate Program of NBS, under which qualified individuals sponsored by industrial and professional organizations, conduct research temporarily at NBS in collaboration with NBS staff on technical problems of widespread significance.

.03 The Office for Academic Liaison serves as the focal point for the Bureau's cooperation with the academic sector, coordinates arrangements for staff exchanges between the Bureau and academic institutions, provides information to colleges and universities regarding career opportunities in the Bureau, and also serves as liaison office for cooperative research activities between the Bureau and other Government agencies.

.04 The Office of Engineering Standards Liaison and Analysis provides liaison between the National Bureau of Standards and engineering standards bodies, both domestic and international, and coordinates NBS participation with respect to engineering standards in the programs of other Government agencies; supplies assistance to these organizations where necessary, to support their committee activities and help make the Bureau resources available for whatever other functions are appropriate; coordinates the participation of NBS personnel in engineering standards committees and in other engineering standards activities, both domestic and international; develops criteria and priorities for participation in engineering standards committees, and allocates travel funds for international engineering standards participation; develops programs of education and promotion at NBS toward increased engineering standards committee participation; evaluates effectiveness of NBS engineering standards activities; initiates technical-economic studies to assist in developing effective engineering standards programs; and develops recommendations for engineering standards policy and legislation.

.05 The Office for Program Development and Evaluation undertakes such studies, research, investigations and other related activities as will provide authoritative and definitive guidance to the Director on how the Bureau's substantive programs must change, grow, and develop so that their outputs will become and remain optimally related to the needs of American science and industry.

.06 The Director will have available to him the services of a legal counsel under the supervision of the General Counsel of the Department of Commerce to provide necessary legal advice. This includes preparation of legislation, providing legal advice regarding patent questions, advising on legal problems connected with grants and contracts, and advising on problems connected with the use of proprietary rights and in the applications of standards of practice. He also provides legal assistance, where necessary, in negotiations with private industry to establish cooperative research associations and in the negotiation of grants and contracts.

SEC. 5. *Office of the Associate Director for Administration.* .01 The Associate Director for Administration makes certain that the Bureau's programs are carried forward within applicable regulatory and procedural restraints, plans and operates centralized services in the fields of administrative management, and serves as the Director's principal staff adviser on management matters. On matters pertaining to administration and management, the Office of the Associate Director for Administration and all other organizational components, as applicable, of the National Bureau of Standards are subject to the authorities of the departmental staff offices in the Office of the Assistant Secretary for Administration as provided in Department Order 134, and supplements thereto.

.02 Functions of each of the organization units (at Gaithersburg, Md.), reporting to the Associate Director for Administration are:

a. The Accounting Division administers the official system of central fiscal records, payments and reports, provides test administration service, and provides staff assistance on accounting and related matters;

b. The Administrative Services Division has staff responsibility for security, safety, emergency relocation planning, and civil defense activities, and administers mail and messenger and teletype

service, directory and locator service, guard services, custodial functions, duplicating service, and local transportation service; and auditorium and conference room services;

c. The Budget and Management Division advises on financial management and provides staff assistance in the preparation of estimates and the utilization of funds, provides staff assistance in improvement of management practices, makes organization and procedures studies, provides advisory service on administrative requirements of technical programs, develops and maintains allied programs such as issuances, records and forms management, and coordinates administrative procedures and actions where several administrative divisions are affected;

d. The Internal Audit Division assists the Director and other Bureau officials by conducting independent, objective, and constructive appraisals of the effectiveness and efficiency with which the Bureau's operating administrative and financial programs are being carried out and reporting its findings and recommendations for consideration and action;

e. The Personnel Division advises on personnel policy and utilization, and administers recruitment, placement, classification, training and employee relations activities, and assists operating officials on these and other aspects of personnel management;

f. The Plant Division maintains the physical plant at Washington, D.C., and Gaithersburg, Md., and performs staff work in planning and providing grounds, buildings, and improvements at all Bureau locations; and

g. The Supply Division performs or facilitates the procurement and distribution of material, keeps records and promotes effective utilization of property, acts as the contracting office for all research, construction, supply and lease contracts entered into by the Bureau, and administers communication services.

.03 In addition to the above organizational units, the Executive Officer for Boulder Support (at Boulder, Colo.) reports to the Associate Director for Administration. The administrative and technical activities reporting to the Executive Officer for Boulder Support provide administrative guidance, facilities and management planning and technical and administrative supporting services for all NBS activities conducted at Boulder, Colo., and are responsible for the effective servicing of the Environmental Science Services Administration activities at Boulder, Colo., and appropriate field stations. Functions of the administrative and technical support divisions at Boulder, Colo. are:

a. The Administrative Services Division performs procurement, property management, office services (including security) and financial management functions as delegated by the Director which are necessary to the adequate support of the NBS and ESSA activities at Boulder, Colo., and their associated field stations.

b. The Shops Division designs, constructs, and repairs precision scientific instruments and auxiliary equipment for the NBS and ESSA activities at Boulder, Colo.

c. The Plant Division operates and maintains the physical facilities at the Boulder, Colo., Laboratories; and plans alterations and expansion of physical facilities as required by NBS and tenant agencies.

SEC. 6. *Office of the Associate Director for Technical Support.* .01 The Associate Director for Technical Support plans and operates centralized technical services which directly support the Bureau's technical programs. He also serves as the Director's principal staff adviser on technical support matters.

.02 The functions of each of the organization units reporting to the Associate Director for Technical Support are:

a. The Office of Technical Information and Publications fosters the outward communication of the Bureau's scientific findings and related technical data to science and industry through reports, articles, conferences and meetings, films, correspondence and other appropriate mechanisms; and assists in the preparation, scheduling, printing and distribution of Bureau publications;

b. The Research Information Division furnishes diversified information services to the staff of the Bureau, including conventional library services, bibliographic, reference, and translation services, and conducts studies associated with the mechanization of the foregoing services;

c. The Office of Radiation Safety is responsible for radiation safety in the Bureau, operation of health physics activities, AEC licensing for radiation sources, and accountability for radioactive materials;

d. The Instrument Shops Division designs, constructs, and repairs precision scientific instruments and auxiliary equipment; and

e. The Measurement Engineering Division serves the Bureau in an engineering consulting capacity in measurement technology. It provides technical advice and apparatus development supported by appropriate research, especially in electronics and in the combinations of electronics with mechanical, thermal, and optical techniques.

SEC. 7. *Institute for Basic Standards.* .01 The Institute for Basic Standards provides the central basis within the United States of a complete and consistent system of physical measurement; coordinates that system with the measurement systems of other nations; and furnishes essential services leading to accurate and uniform physical measurements throughout the Nation's scientific community, industry, and commerce.

.02 The Director, Institute for Basic Standards, directs the development, execution, and evaluation of the programs of the Institute. The Deputy Director, Institute for Basic Standards, assists in the direction of the Institute and performs the functions of the Director in the latter's absence. The Deputy Director for Radio Standards, Institute for Basic Standards, assists in the direction of the Institute's programs at the Boulder Laboratories relating to radio science.

.03 The Office of Standard Reference Data administers the National Standard Reference Data System which provides critically evaluated data in the physical sciences on a national basis. This requires arrangement for the continuing systematic review of the national and international scientific literature in the physical sciences, the evaluation of the data it contains, the stimulation of research needed to fill important gaps in the data, and the compilation and dissemination of evaluated data through a variety of publication and reference services tailored to the user needs in science and industry.

.04 The other organizational units of the Institute for Basic Standards are as follows:

Applied Mathematics Division.
Electricity Division.
Metrology Division.
Mechanics Division.
Heat Division.
Atomic Physics Division.
Physical Chemistry Division.
Laboratory Astrophysics Division.
Radiation Physics Division.
*Radio Standards Laboratory: Radio Standards Physics Division, Radio Standards Engineering Division.

a. Each division except the Applied Mathematics Division engages in such of the following functions as are appropriate to the subject matter field indicated generally by the division title:

1. Develop and maintain the national standards for physical measurement, develop appropriate multiples and submultiples of prototype standards, and develop transfer standards and standard instruments;

2. Determine important fundamental physical constants which may serve as reference standards, and analyze the self-consistencies of their measured values;

3. Conduct experimental and theoretical studies of fundamental physical phenomena of interest to scientists and engineers with the general objective of improving or creating new measurement methods and standards to meet existing or anticipated needs;

4. Conduct general research and development on basic measurement techniques and instrumentation, including research on the interaction of basic measuring processes on the properties of matter and physical and chemical processes;

5. Calibrate instruments in terms of the national standards, and provide other measurement services to promote accuracy and uniformity of physical measurements;

6. Correlate with other nations the national standards and definitions of the units of measurement; and

*(The closely allied Radio Standards Physics and Radio Standards Engineering Divisions are grouped under the Radio Standards Laboratory for facility in administration.)

7. Provide advisory services to Government, science, and industry on basic measurement problems.

b. The Applied Mathematics Division:

1. Conducts research in various fields of mathematics important to physical and engineering sciences, automatic data processing, and operations research with emphasis on statistical, numerical and combinatorial analysis and mathematical physics;

2. Provides consultative services to the Bureau and other Federal agencies; and

3. Develops tools for mathematical work, such as mathematical tables, handbooks, manuals, mathematical models, and computational methods and advises on their use.

SEC. 8. *Institute for Materials Research.* .01 The Institute for Materials Research assists and stimulates industry in the development of new and improved products by supplying increased understanding of basic properties of materials. The main functions of the Institute are: (a) Conduct research on the fundamental properties of matter and materials which are of importance to science, industry, and commerce, and the collection and dissemination of data on these properties; (b) develop techniques for the preparation of experimental materials and for the measurement of their properties; (c) develop criteria by which the performance characteristics of basic materials may be evaluated; and (d) develop, produce, and distribute standard reference materials which provide a basis for comparison of measurements on materials and aid in the control of production processes in industry.

.02 The Director, Institute for Materials Research, directs the development, execution and evaluation of the programs of the Institute. The Deputy Director, Institute for Materials Research, assists in the direction of the Institute and performs the functions of the Director in the latter's absence.

.03 The Office of Standard Reference Materials evaluates the requirements of science and industry for carefully characterized reference materials, stimulates the Bureau's efforts to develop methods for production of needed reference materials and directs their production and distribution.

.04 The other organizational units of the Materials Research Institute are as follows:

Analytical Chemistry Division.
Polymers Division.
Metallurgy Division.
Inorganic Materials Division.
Reactor Radiations Division.
Cryogenics Division.

Each division engages in such of the following functions as are appropriate to the subject matter field indicated generally by the division title:

a. Conduct research on the chemical and physical constants, properties, constitution and structure of matter;

b. Devise and improve methods for the preparation, purification, analysis, and characterization of materials;

c. Investigate fundamental chemical, metallurgical, and physical phenomena of importance to science and industry such as fatigue and fracture, crystal growth and imperfections, stress corrosion, etc.;

d. Develop techniques for measurement of the properties of materials under carefully controlled conditions extending to the extremes of high and low temperature and pressure, and exposure to different types of radiation;

e. Assist in the development of standard methods and equipment for testing materials;

f. Conduct research and develop methodology leading to the production of standard reference materials and produce these materials; and

g. Provide advisory services to Government, science and industry on basic materials problems.

SEC. 9. *Institute for Applied Technology.* .01 The Institute for Applied Technology provides technical services to promote the use of available technology and to facilitate technological innovation in industry and Government. The main functions of the Institute are: (a) To identify and evaluate obstacles to technical innovation and to participate in overcoming them; (b) to provide industry and Government with technical bases for their evaluation of technological products and services; (c) to maintain cooperation with public and private organizations leading to the development of technological standards (including mandatory safety standards), codes and methods of test; (d) to disseminate technical information; and (e) to provide technical advice and services to Government agencies upon request in (1) technical analysis, simulation, and appraisal concerning the achievement of increased cost-effectiveness, including operations research and benefit-cost analysis; and in (2) the design of information systems and the utilization of automatic data processing.

.02 The Director, Institute for Applied Technology, directs the development, execution, and evaluation of the programs of the Institute. The Deputy Director, Institute for Applied Technology, assists in the direction of the Institute and performs the functions of the Director in the latter's absence.

.03 The Clearinghouse for Federal Scientific and Technical Information provides a single point of contact in the Federal Government through which current research efforts and the results of Government-sponsored research in science and technology are made available to industry, commerce, and the general public, and provides for a central service for the translation of foreign and technical documents. The Clearinghouse collects, organizes and publicizes unclassified Government-generated technical reports and provides reference, referral, and sales services for technical reports and translations received from domestic and foreign sources. The primary aim of the Clearinghouse is to achieve through interagency agreement and cooperation a unified documentation and distribution system for Government-generated technical reports and information on research in progress. The Clearinghouse channels and directs the flow of significant Government R & D to the technical industrial community, both nationally and regionally, functioning as a wholesaler of technical reports and information to state-industry-university development groups, trade associations and the technical press. Further, the Clearinghouse provides basic information and counsel regarding technical, industrial production matters to countries participating in the programs of the Agency for International Development (AID).

.04 The Textile and Apparel Technology Center (a) cooperates with trade associations and other appropriate organizations to identify obstacles to technical innovation in the textile industry and to formulate programs to overcome these; (b) collects, analyzes and disseminates technical information of particular importance to industry; (c) develops criteria for evaluation of textiles and apparel; (e) cooperates in the development of industry standards; and (f) provides support for research in private laboratories on problems of general importance in the industry.

.05 The Center for Computer Sciences and Technology conducts research and provides technical services to the Administrator of General Services (with respect to his responsibilities under Public Law 89-306) and to other Government agencies on request designed to aid in improving cost effectiveness in the conduct of their programs through the selection, acquisition, and effective utilization of automatic data processing field involve: (a) Providing advisory and consultative services to executive agencies on the methods for developing information systems based on the use of computers and the programing and languages thereof; (b) undertaking research in computer sciences and techniques, including system design, oriented primarily toward Government applications; (c) providing day-to-day guidance and monitorship of an executive branch program for supporting the development, measurement, and testing of voluntary commercial standards for automatic data processing equipment, techniques, and computer languages; and (d) improving compatibility in automatic data processing equipment procured by the Federal Government by recommending uniform Federal standards for automatic data processing equipment, techniques, and computer languages. Functions of the organization units of the Center are:

a. The Director is responsible for establishment of operating policy; planning; coordination and direction of all the functions and responsibilities assigned to the Center. The Deputy and Technical Director assists the Director in the direction of the Center, with particular regard to planning and internal coordination of its programs, and performs the functions of the Director in the latter's absence.

b. The Office for Information Processing Standards administers and coordinates all activities involved in the development, testing, and coordination of proposed standards in the field of informa-

tion processing including preparation of recommendations to foster the general use of approved standards throughout the Government.

c. The Technical Information Exchange functions as a specialized information center on computer sciences and technology which provides a referral service for the formal literature and a reference service for the informal literature and related materials such as general use computer programs. It also serves as a repository for source material for case histories and for the complete record of ADP standardization efforts by the American Standards Association, International Standards Organization and the Federal Government. In addition, it assists in the preparation of special technical summaries and state-of-the-art reports.

d. The Computer Services Division provides computing and data conversion services to NBS and other agencies on a reimbursable basis, together with the supporting problem analysis and computer programing, as required.

e. The Management Applications Planning Division provides assistance on request to Federal agencies in the planning and development of management information systems which make effective use of available computers and related techniques. In addition, it develops recommendations for methods of measuring and improving the effectiveness with which computers are selected and used by Federal agencies.

f. The Systems Research and Development Division conducts investigations into advanced concepts for the development, organization, and implementation of systems dependent upon available computers, including the innovation or extension of those techniques needed for the design of advanced prototype systems.

g. The Information Processing Technology Division conducts research and development and collaborates therein with other Federal agencies in selected areas of information processing technology and related disciplines to improve methodologies and to permit the matching of developing needs with new or improved techniques and tools; as directed, makes available central research facilities in support of the research and development responsibilities of the Center.

h. The Information Sciences Division maintains awareness of emerging developments in the field of information sciences and related disciplines in order to select those areas in which the Center should conduct (or arrange for the conduct of) investigations needed to provide technical insight for fostering advances in the information sciences of broad future significance to the Federal Government.

.06 The Manager, Engineering Standards, plans and administers the programs of the Office of Weights and Measures and the Office of Engineering Standards Services and participates in the formulation of policy with respect to engineering standards activities.

a. The Office of Weights and Measures provides technical assistance to the States with regard to model laws and technical regulations, and to the States, business, and industry in the areas of testing, specifications, and tolerances for weighing and measuring devices, the design, construction, and use of standards of weight and measure of associated instruments, and the training of State and local weights and measures officials.

b. The Office of Engineering Standards Services cooperates with and assists producers, distributors, users and consumers of products, and agencies of the Federal, State and local governments in the development of standards for products (these functions are performed through the Product Standards Program); develops safety standards required by statute and conducts appropriate sampling, testing and evaluation; and provides information services with respect to engineering standards, public and private.

.07 The Office of Invention and Innovation analyzes the effect of Federal laws and policies (e.g., tax, antitrust, and regulatory policies) on the national climate for invention and innovation; undertakes studies in related areas with other agencies; and assists and encourages inventors through inventors' services and programs, including cooperative activities with the States.

.08 The other organizational units of the Institute for Applied Technology and the functions of each are as follows:

a. The Building Research Division develops criteria for performance standards of building products, structures, and systems; and cooperates with industry, other Government agencies, and the professional associations of the industry in the development of standards and methods of measurement.

b. The Electronic Instrumentation Division develops criteria for the evaluation of products and services in the general field of electronic instrumentation; cooperates with appropriate public and private organizations in identifying needs for improved technology in this field; and cooperates in the development of standards, codes and specifications. Further, it applies the technology of electronic instrumentation to the development of methods of practical measurement of physical quantities and properties of materials.

c. The Technical Analysis Division conducts benefit-cost analyses and other basic studies required in planning and carrying out programs of the Institute. This includes the development of simulations of industrial systems and of Government interactions with industry, and the conduct of studies of alternative Institute programs. On request, the Division provides similar analytic services for other programs of the Department of Commerce, in particular those of the science-based bureaus, and, as appropriate, for other agencies of the Executive Branch.

Effective date: May 16, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-6241; Filed, June 7, 1966; 8:45 a.m.]

[Department Order 46, Amdt. 2]

PROCUREMENT

Delegated Authority

The following amendment to the order was issued by the Secretary of Commerce on May 20, 1966. The material appearing at 29 F.R. 13541-13542 of October 1, 1964, is hereby further amended and the material appearing at 30 F.R. 6548 of May 12, 1965, is superseded.

1. Appendix A, dated April 28, 1965, to Department Order 46 of September 16, 1964, is hereby amended to read:

"Part I. Organization units delegated procurement authority:

"National Bureau of Standards.

"Environmental Science Services Administration (except as specified in Part II hereof).

"Bureau of the Census (except as specified in Part II hereof).

"Maritime Administration (except as specified in Part II hereof).

"Bureau of Public Roads (except as specified in Part II hereof).

"Part II. Organization units for which the Assistant Secretary for Administration exercises procurement authority:

"Office of the Secretary, including all components thereof.

"All operating units not enumerated in Part I hereof.

"Bureau of Public Roads (procurement of personal property and nonprofessional and nontechnical service contracts for headquarters office use).

"Census Bureau (all procurement under $2,500).

"Maritime Administration (procurement of administrative equipment and supplies for headquarters use).

"Environmental Science Services Administration (all procurement and contracts for nontechnical items, items of common use within the Department, and selected items or services of a scientific or technical nature as designated through mutual agreement between the Director of Administration of ESSA and the Director, Office of Administrative Services, Office of the Secretary)."

2. This amendment supersedes Amendment 1 of April 28, 1965.

Effective date: May 20, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-6242; Filed, June 7, 1966; 8:45 a.m.]

[Department Order 117-A]

MARITIME ADMINISTRATION

Organization and Functions

The following order was issued by the Secretary of Commerce on May 20, 1966. This material, together with Department Order 117-B of May 20, 1966, supersedes the material appearing at 30 F.R. 14534 of November 20, 1965; 27 F.R. 7687 of August 3, 1962; and 27 F.R. 3637-3641 of April 17, 1962.

SECTION 1. *Purpose.* The purpose of this order is to delegate authority to the Maritime Administrator and the Maritime Subsidy Board, Maritime Administration, and prescribe the general functions of the Maritime Administration.

SEC. 2. *General.* .01 Maritime Administration. The Maritime Administration established in the Department of Commerce by Reorganization Plan No. 21 of 1950, effective May 24, 1950, as affected by Reorganization Plan No. 7 of 1961, effective August 12, 1961, is continued as a primary operating unit in the Department of Commerce. The Maritime Administration is headed by the Maritime Administrator appointed by the President, by and with the advice and consent of the Senate. The Maritime Administrator shall report and be responsible to the Under Secretary of Commerce for Transportation. The Maritime Administrator is vested with the residual powers and authorities of the Director, National Shipping Authority, which was established by the Secretary of Commerce, effective March 13, 1951, and is designated Commandant of the U.S. Maritime Service.

.02 Maritime Subsidy Board. The Maritime Subsidy Board is continued within the Maritime Administration. The Board is composed of the Maritime Administrator, the Deputy Maritime Administrator and the General Counsel of the Maritime Administration. In the case of a vacancy in the Board or the absence or disability of one of its members, the Comptroller of the Maritime Administration shall act as a member of the Maritime Subsidy Board. Each member of the Maritime Subsidy Board, while serving in that capacity, shall act pursuant to direct authority from the Secretary of Commerce and exercise judgment independently of authority otherwise delegated to the Maritime Administrator. The Maritime Administrator or the Acting Maritime Administrator serves as Chairman of the Maritime Subsidy Board. The concurring votes of two members shall be sufficient for the disposition of any matter which may come before the Board.

SEC. 3. *Delegations of Authority to the Maritime Administrator.* .01 Pursuant to the authority vested in the Secretary of Commerce by Reorganization Plan No. 21 of 1950, as affected by Reorganization Plan No. 7 of 1961, and Reorganization Plan No. 5 of 1950, and subject to such policies and directives as the Secretary of Commerce and the Under Secretary of Commerce for Transportation may prescribe, the Maritime Administrator is authorized to perform the functions and exercise the powers and authorities vested in the Secretary of Commerce by:

a. Reorganization Plan No. 21 of 1950 and section 202 of Reorganization Plan No. 7 of 1961, except those functions, powers and authorities delegated to the Maritime Subsidy Board by section 4 of this order;

b. Title VI of the Civil Rights Act of 1964, which are applicable to the Maritime Administrator, as provided in Department Order 195 and the regulations referred to therein;

c. Executive Orders 10480 and 10999, as amended, and any present or subsequent delegations or implementing orders under mobilization statutes, with respect to intercoastal, coastwise, and overseas shipping and ports and port facilities, including the use thereof;

d. Any other existing or subsequent legislation and Executive Orders with respect to the promotion and maintenance of the American merchant marine, except those relating to the functions, powers and authorities delegated by section 4 of this order; and

e. Any existing or subsequent legislation providing for the transfer, or otherwise making available, of vessels under the jurisdiction of the Department to another Federal agency.

.02 The authority granted by subparagraph .01c. of this section shall not be deemed to include authority to grant exceptions from, or amend, modify or revise the provisions of Transportation Orders T-1 and T-2, as amended.

.03 Any condition or limitation which may be imposed by the Secretary of Commerce or the Under Secretary of Commerce for Transportation on the authority delegated in paragraph .01 of this section and which requires public notice under the provisions of section 3(a) of the Administrative Procedure Act will be published in the FEDERAL REGISTER.

.04 The Maritime Administrator may redelegate his authority to officials of the Maritime Administration subject to such limitations in the exercise of such authority as he may prescribe.

SEC. 4. *Delegations of authority to the Maritime Subsidy Board.* .01 Pursuant to the authority vested in the Secretary of Commerce by Reorganization Plan No. 21 of 1950, as affected by Reorganization Plan No. 7 of 1961, and Reorganization Plan No. 5 of 1950, the Maritime Subsidy Board is authorized to perform the functions and exercise the powers and authorities vested in the Secretary of Commerce as follows:

a. All functions heretofore vested in the Federal Maritime Board pursuant to section 105(1) (except the last proviso thereto), section 105(2), and, insofar as applicable to these functions section 105 (3) of Reorganization Plan No. 21 of 1950, as the same have been transferred to the Secretary of Commerce by section 202(b)(1) of Reorganization Plan No. 7 of 1961, except investigations, hearings and determinations, including changes in determinations, with respect to minimum manning scales, minimum wage scales and minimum working conditions referred to in section 301(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1101, et seq.).

b. All functions transferred to the Secretary of Commerce by section 202(b)(2) (except requiring the filing of reports, accounts, records, rates, charges, and memoranda under section 21 of the Shipping Act, 1916, as amended, and making reports and recommendations to Congress) and section 202(b)(3) of Reorganization Plan No. 7 of 1961, insofar as said functions relate to the functions described in subparagraph a. of this paragraph.

c. All functions under Title VI of the Civil Rights Act of 1964, which are applicable to the Maritime Subsidy Board, as provided in Department Order 195 and the regulations referred to therein, which delegated authority shall be performed in accord with the provisions of said Department order and regulations, and shall be exempted from review under section 6 of this order.

d. All functions vested in the Secretary of Commerce by any existing or subsequent legislation and Executive orders relating to the functions described in subparagraphs a and b of this paragraph.

.02 Any member of the Maritime Subsidy Board or the Secretary or an Assistant Secretary of the Maritime Subsidy Board is authorized to execute and sign contracts and other documents authorized or approved pursuant to section 4 or 6 hereof or paragraph b of section 3 of Department Order 117-B. The execution of such contracts or documents may be attested, under the seal of the Maritime Administration, by the Secretary or an Assistant Secretary of the Maritime Subsidy Board.

.03 The Maritime Subsidy Board may, with the approval of the Secretary of Commerce, redelegate the authority delegated herein, and prescribe necessary limitations, restrictions and conditions on the exercise of such authority. Action taken by any redelegatee pursuant to the authority herein contained shall be exempt from the provisions of section 6 of this order.

SEC. 5. *General functions.* .01 The Maritime Administration, in accordance with the declaration of policy stated in Title I of the Merchant Marine Act, 1936, as amended, shall be responsible for fostering the development and maintenance of an American merchant marine sufficient to meet the needs of the national security and of the domestic and foreign commerce of the United States. The functions of the Maritime Administration include the award of construction-differential and operating-differential subsidies to the American merchant marine; trade-in of ships of new construction; administration of construction reserve funds; providing insurance on construction loans and ship mortgages obtained from private sources for ship construction and reconstruction; providing assistance to the shipping industry to generate increased trade and cargo shipments on U.S.-flag ships; administration of charters and general agency agreements for operation of Gov-

ernment-owned ships; custody and preservation of ships in National Defense Reserve Fleets; exchange of war-built ships with unsubsidized operators; design and construction of ships for Government account; furnishing of war risk insurance on privately owned merchant ships; training of merchant marine officers; and administration of a research and development program in the maritime field. The functions of the Maritime Administration also include the making of rules and regulations with respect to the foregoing functions.

.02 Insofar as deemed desirable, the Chairman of the Maritime Subsidy Board may make use of officers and employees of the Maritime Administration to perform activities for the Maritime Subsidy Board. Employees of the Maritime Administration may be designated as the Secretary or Assistant Secretaries of the Board.

SEC. 6. *Review and finality of actions by Maritime Subsidy Board.* .01 The Under Secretary of Commerce for Transportation (hereinafter referred to as "Under Secretary") may, on his own motion or on the basis of a petition filed as hereinafter provided, review any decision, report and/or order of the Maritime Subsidy Board based on a hearing held pursuant to (a) statutory requirements or (b) Board order, by entering a written order stating that he elects to review the action of the Board. Copies of all orders for review shall be served on all parties of record (which phrase includes the Board). Petitions for review under this paragraph may be filed by parties of record, shall be in writing, and shall state the grounds upon which petitioner relies. Ten (10) copies of such petitions for review, together with proof of service thereof on all parties of record, shall be filed with the Under Secretary within fifteen (15) days after the date of the service of the Board's decision, report or order. Parties of record may file replies in writing thereto. Ten (10) copies of such replies, together with proof of service thereof on the petitioner and all other parties of record, shall be filed with the Under Secretary within ten (10) days after the date the petition for review is timely filed. Petitions for review and replies thereto shall be limited to the record before the Board. If a petition for review is filed within the time prescribed, a decision, report or order of the Board shall be final fifteen (15) days after expiration of the time prescribed for filing a reply thereto unless the Under Secretary, prior to expiration of the fifteen (15) days, enters a written order granting the petition for review. If no petition for review is filed within the time prescribed, a decision, report or order of the Board shall be final twenty (20) days after the date of service of the decision unless the Under Secretary, prior to expiration of the twenty (20) days, enters a written order stating that he elects to review the action of the Board. If upon any review the decision of the Under Secretary rests on official notice of a material fact not appearing in the evidence in the record, any party of record shall, if request is made within ten (10) days after the date of service of the Under Secretary's decision on said party, be afforded an opportunity to show the contrary. The said ten (10) days shall constitute the period for a "timely request" within the meaning of section 7(d) of the Administrative Procedure Act.

.02 The Under Secretary may on his own motion review all actions of the Maritime Subsidy Board other than those referred to in paragraph .01 of this section by entering a written order stating that he elects to review the action of the Board. Any person having an interest in any action of the Board under this paragraph shall have the privilege of submitting to the Under Secretary, within ten (10) days after the date of such Board action, a request that the Under Secretary undertake such review. Such request shall be in writing and shall state the grounds upon which the person submitting the same relies and his interest in the action for which review is requested. Ten (10) copies of such requests shall be submitted to the Under Secretary. Any other person having an interest in such matter shall have the privilege of submitting within fifteen (15) days after the date of the Board's action, a written request that the Under Secretary not exercise such review. Copies of request that the Under Secretary undertake or not exercise review will be open for public inspection at the office of the Secretary of the Board. If either a request that the Under Secretary undertake review or a request that he not exercise review is submitted within the time prescribed, an action of the Board shall be final in ten (10) days after expiration of the time prescribed for submission of a request that review not be exercised unless the Under Secretary, prior to the expiration of the ten (10) days, enters a written order stating that he elects to review the action of the Board. If neither a request that the Under Secretary undertake review nor a request that he not exercise review is submitted within the time prescribed, an action of the Board shall be final in twenty (20) days after the date of such action unless the Under Secretary, prior to expiration of the twenty (20) days, enters a written order stating that he elects to review the action of the Board. Copies of all orders for review shall be served upon the Board, and upon all persons filing requests as herein described.

.03 If a timely petition for reconsideration is filed under the rules prescribed by the Board, the time for filing a petition or request for review by the Under Secretary under paragraph .01 or .02 of this section, respectively, or the entry of an order by the Under Secretary on his own motion electing to review an action of the Board under paragraph .01 or .02 of this section, shall, in the case of actions under paragraph .01 of this section run from the date of service of the Board's action and, in the case of actions under paragraph .02 of this section, run from the date of the Board's action, finally disposing of the issues presented by the petition for reconsideration.

.04 In computing any period of time under this section, the time begins with the day following the act, event, or default, and includes the last day of the period unless it is Saturday, Sunday, or national legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or such holiday. The prescribed time for action by the Under Secretary in a proceeding in which additional days have been added pursuant to the provisions of this paragraph shall be extended by the total of such additional days.

.05 Petitions and requests for review by the Under Secretary shall not be filed:

a. Unless the petitioner shall have first exhausted his administrative remedies (other than a petition for reconsideration) before the Maritime Subsidy Board; nor

b. With respect to interlocutory decisions of the Maritime Subsidy Board in actions or proceedings referred to in paragraphs .01 and .02 of this section.

.06 The Under Secretary may, for good cause and/or in order to prevent undue hardship in any particular case, waive or modify any procedural provision of this section by written order.

SEC. 7. *Basic organization structure.* Department Order 117–B prescribing the basic organization structure and assignment of functions within the Maritime Administration, shall be developed and issued by the Administrator, with the approval of the Under Secretary for Transportation and the Assistant Secretary for Administration.

SEC. 8. *Savings provision.* .01 All orders, determinations, rules, regulations, permissions, delegations, approval, agreements, rulings, certificates, directives and other actions heretofore issued or taken by or relating to the Federal Maritime Board, Maritime Administration, Maritime Subsidy Board, National Shipping Authority and their predecessor agencies, and in effect on the effective date of this order shall, insofar as they relate to the functions referred to herein and are not inconsistent herewith, remain in full force and effect until hereafter suspended, amended or revoked under appropriate authority.

.02 All actions, proceedings, hearings or investigations pending on the effective date of this order before the Maritime Administration or the Maritime Subsidy Board in respect to the functions referred to in this order shall be continued before the Maritime Administration or the Maritime Subsidy Board, as the case may be, in accordance with the delegations made pursuant to this order.

Effective date: May 20, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-6236; Filed, June 7, 1966; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

STATEMENT OF ORGANIZATION AND DELEGATIONS OF AUTHORITY

Part 6 of the Statement of Organization and Delegations of Authority of the Department of Health, Education, and Welfare (22 F.R. 1045) is hereby amended to read as follows:

PART 6—OFFICE OF EDUCATION

SEC. 6.00 *Mission.* The Office of Education is responsible for providing professional and financial assistance to strengthen education in the United States in accordance with Federal laws and regulations.

SEC. 6.10 *Organization.* (a) The Office of Education, which is under the supervision and direction of the Commissioner of Education, consists of the following:

Office of the Commissioner:
- Commissioner.
- Deputy Commissioner.
- Associate Commissioner for Federal-State Relations.
- Associate Commissioner for International Education.
- Associate Commissioner for Field Services.
- Office of Administration.
- Office of Information.
- Office of Legislation.
- Office of Program Planning and Evaluation.
  - Division of Program Planning.
  - Division of Program Evaluation.
- Office of Equal Educational Opportunities.
- Office of Disadvantaged and Handicapped.
- Contracts and Construction Service.
- National Center for Educational Statistics.
  - Office of the Assistant Commissioner.
  - Division of Data Sources and Standards.
  - Division of Data Processing and Data Analysis.
  - Division of Statistical Analysis.
  - Division of Operations Analysis.

Bureau of Elementary and Secondary Education:
- Office of the Associate Commissioner.
- Division of Plans and Supplementary Centers.
- Division of Program Operations.
- Division of State Agency Cooperation.
- Division of School Assistance in Federally Affected Areas.
- Division of Educational Personnel Training.

Bureau of Adult and Vocational Education:
- Office of the Associate Commissioner.
- Division of Vocational and Technical Education.
- Division of Library Services and Educational Facilities.
- Division of Adult Education Programs.

Bureau of Higher Education:
- Office of the Associate Commissioner.
- Division of Student Financial Aid.
- Division of Foreign Studies.
- Division of Graduate Programs.
- Division of College Facilities.
- Division of College Support.

Bureau of Research:
- Office of the Associate Commissioner.
- Division of Elementary and Secondary Research.
- Division of Adult and Vocational Research.
- Division of Higher Education Research.
- Division of Laboratories and Research Development.
- Division of Research Training and Dissemination.

(b) The order of succession in the Office of Education is as follows:

(1) During the absence or disability of the Commissioner of Education or in the event of a vacancy in that office, the first official listed below who is available shall act as Commissioner.

a. Deputy Commissioner.
b. Associate Commissioner for Federal-State Relations.
c. Other Associate Commissioners in order of the seniority of their appointments as Associate Commissioner or, in the event of concurrent appointments, in order of the seniority of their appointments to the Office of Education.
d. Assistant Commissioner for Administration.

(2) During the absence or disability of the Deputy Commissioner or in the event of a vacancy in that office, the first official listed in b through d, above, who is available shall act as Deputy Commissioner.

SEC. 6.20 *Functions.* (a) Except as provided in Part 2 (Office of the Secretary) and section 6.30 of this Part (Reservation of Authority), the Commissioner of Education shall exercise the functions vested in or delegated to the Secretary, the Department of Health, Education, and Welfare, the Commissioner, or the Office of Education by or under the following:

(1) Reorganization Plan Number 1, 53 Stat. 1424, July 1, 1939, and Reorganization Plan Number 1, 67 Stat. 631; 20 U.S.C. 1, April 11, 1953; derived from the Acts of March 2, 1867, 14 Stat. 434, and July 20, 1868, 15 Stat. 92 (establishment of Federal agency).

(2) Morrill Acts (establishment of and assistance to land-grant colleges and universities); except that authority to certify funds is reserved to the Secretary (Act of July 2, 1862, 12 Stat. 503, and Act of August 30, 1890, 26 Stat. 417, as amended, 7 U.S.C. 301–329).

(3) Joint Resolution No. 8, 52d Cong., approved April 12, 1892 (availability of library facilities) (27 Stat. 395, as amended, 20 U.S.C. 91).

(4) Act of May 28, 1896 (publications and international education studies) (29 Stat. 171, 20 U.S.C. 3).

(5) Smith-Hughes Act (vocational education) (P.L. 64–347 approved February 23, 1917, 39 Stat. 929, as amended, 20 U.S.C. 11–15, 16–28).

(6) Section 8 of the Act of March 2, 1867 (inspection of Howard University) (P.L. 70–634 approved December 13, 1928, 45 Stat. 1021, as amended, 20 U.S.C. 123).

(7) Section 4 of Public Law 70–831 approved February 27, 1929 (membership on D.C. Commission on Licensure) (45 Stat. 1327, as amended, 2 D.C. Code 103).

(8) Extension of the Smith-Hughes Act to Puerto Rico (vocational education) (P.L. 71–791 approved March 3, 1931, 46 Stat. 1489, 20 U.S.C. 30).

(9) George-Barden Act (vocational education); except the function of the Secretary in section 206(b) relating to the fixing of compensation for advisory committee members (P.L. 74–673 approved June 8, 1936, 49 Stat. 1488, as amended, 20 U.S.C. 15 i–m, o–q, aa–jj, aaa–ggg).

(10) Public Law 74–741 approved June 22, 1936 (studies of and reports on library services) (49 Stat. 1797, as extended).

(11) Extension of the George-Barden Act to the Virgin Islands (vocational education) (P.L. 81–462 approved March 18, 1950, 64 Stat. 27, 20 U.S.C. 31–33).

(12) Agreement with Housing and Home Finance Agency under Title IV of the Housing Act of 1950 (college housing loans) (P.L. 81–475 approved April 20, 1950, 64 Stat. 79, as amended, 12 U.S.C. 1749a(c)(2)).

(13) Section 18 of Public Law 81–740 approved August 30, 1950 (Future Farmers of America) (64 Stat. 567, 36 U.S.C. 288).

(14) Public Law 81–815 approved September 23, 1950 (assistance to federally affected areas and disaster relief areas for construction of schools) (64 Stat. 967, as amended, 20 U.S.C. 631–645).

(15) Public Law 81–874 approved September 30, 1950 (assistance to federally affected areas and disaster relief areas for operation and maintenance of schools and assistance to local educational agencies for meeting the special educational needs of educationally deprived children); except the functions of the Secretary in section 203(d) relating to determinations with respect to payments under the program of aid to families with dependent children and in section 212(b) relating to assistance to the National Advisory Council on the Education of Disadvantaged Children (64 Stat. 1100, as amended, 20 U.S.C. 236–244).

(16) Immigration and Nationality Act (approval of schools for aliens under student visas) (P.L. 82–414 approved June 27, 1952, 66 Stat. 166, as amended, 8 U.S.C. 1101(a)(15)(F)).

(17) Veterans Readjustment Assistance Act of 1952 (approval of accrediting agencies and membership on advisory committee to Administrator of Veterans Affairs) (P.L. 82–550 approved July 16, 1952, 66 Stat. 672, as amended, 38 U.S.C. 1644, 1653, 1662–1664, 1667).

(18) Executive Order 10521 of March 17, 1954 (consultation with National Science Foundation on study of effects on educational institutions of Federal contracts and grants for scientific research and development).

(19) Cooperative Research Act (P.L. 83–531 approved July 26, 1954, 68 Stat. 533, as amended, 20 U.S.C. 331–332).

(20) Public Law 83–532 approved July 26, 1954 (membership on National Advisory Committee on Education) (68 Stat. 533, 20 U.S.C. 333–337).

(21) Library Services and Construction Act (P.L. 84–597 approved June 19, 1956, 70 Stat. 293, as amended, 20 U.S.C. 351–358).

(22) Extension of the George-Barden Act to Guam (vocational education) (P.L. 84–896 approved August 1, 1956, 70 Stat. 909, 20 U.S.C. 34).

(23) National Defense Education Act of 1958, including functions of the Secretary under section 1001(d) to study Federal programs in higher education,

after initial contact has been made by the Secretary with the heads of departments and agencies concerned; except the functions of the Secretary in sections 761 (a) and (d) relating to the approval of members of the Advisory Committee on New Educational Media and the fixing of compensation therefor and in section 1002(a) relating to the establishment of advisory committees and the fixing of compensation therefor (P.L. 85–864 approved September 2, 1958, 72 Stat. 1581, as amended, 20 U.S.C. 401–592).

(24) Public Law 85–874 approved September 2, 1958 (membership on Board of Trustees of the John F. Kennedy Center for the Performing Arts) (72 Stat. 1698, as amended).

(25) Public Law 85–875 approved September 2, 1958 (science clubs) (72 Stat. 1700, 20 U.S.C. 2 note).

(26) Public Law 85–905 approved September 2, 1958 (captioned films for the deaf) (72 Stat. 1742, as amended, 42 U.S.C. 2491–2495).

(27) Public Law 85–926 approved September 6, 1958 (handicapped children) (72 Stat. 1777, as amended, 20 U.S.C. 611–618).

(28) Section 106 of the Mutual Educational and Cultural Exchange Act of 1961 (representation on Board of Foreign Scholarships) (P.L. 87–256 approved September 21, 1961, 75 Stat. 532, 22 U.S.C. 2456).

(29) Executive Order 11001 of February 16, 1962, section 5, and those portions of sections 6, 7, 9, 10, and 12 which pertain to education (preparation of national emergency plans and development of preparedness programs covering education functions and educational institutions).

(30) Manpower Development and Training Act of 1962 (retraining); except that responsibility for overall policy direction, including liaison with the Department of Labor and coordination with other departments and agencies, and authority to submit reports to Congress required by section 309(b), to approve State agreements under section 231 and agreements or arrangements with the Department of Labor, and to approve apportionments and reapportionments under section 301 are reserved to the Secretary (P.L. 87–415 approved March 15, 1962, 76 Stat. 23, as amended, 42 U.S.C. 2571–2620).

(31) Part IV of Title III of the Communications Act of 1934 (grants for construction of educational television broadcasting facilities); except that authority to establish policies for administration of the grants program, to give final approval or approval subject to specified conditions to project grants, to effect liaison with other Federal departments and agencies on matters involving policy and program coordination, and to issue rules and regulations authorized by section 396 is reserved to the Secretary (P.L. 87–477 approved May 1, 1962, 76 Stat. 64, 47 U.S.C. 390–397).

(32) Executive Order 11034 of June 25, 1962, in connection with the administration of section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 (promotion of modern foreign language training and area studies) (P.L. 87–256 approved September 21, 1961, 75 Stat. 527, 22 U.S.C. 2452).

(33) Migration and Refugee Assistance Act of 1962 (Cuban refugee educational assistance); programs as assigned by the Commissioner of Welfare (P.L. 87–510 approved June 28, 1962, 76 Stat. 121, as amended, 22 U.S.C. 2601–2605).

(34) Extension to American Samoa of the George-Barden Act (vocational education) and of scientific, technical, and other assistance under any program administered by the Commissioner of Education except financial assistance under a grant-in-aid program (P.L. 87–688 approved September 25, 1962, 76 Stat. 586, 48 U.S.C. 1666–1667).

(35) Sections 721(b) and 725(a) of the Public Health Service Act, as amended, by the Health Professions Educational Assistance Act of 1963 (approval of bodies for accrediting schools of medicine, dentistry, osteopathy, pharmacy, optometry, podiatry, nursing, and public health and membership on National Advisory Council on Education for Health Professions) (P.L. 88–129 approved September 24, 1963, 77 Stat. 165, as amended, 42 U.S.C. 293a(b)(1)).

(36) Section 302 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (research and demonstration projects in education of handicapped children); except the function of the Secretary in subsection (d) relating to the fixing of compensation for committee or panel members (P.L. 88–164 approved October 31, 1963, 77 Stat. 295, as amended, 20 U.S.C. 618).

(37) Higher Education Facilities Act of 1963; except the functions of the Secretary in sections 203 (a) and (c) and section 402(c) relating to the approval of advisory committee members and the fixing of compensation therefor (P.L. 88–204 approved December 16, 1963, 77 Stat. 363, as amended, 20 U.S.C. 701–757).

(38) Vocational Education Act of 1963; except the functions of the Secretary in sections 9 (a) and (c) relating to approval of advisory committee members and the fixing of compensation therefor and in section 12 relating to periodic review of vocational education programs and laws (P.L. 88–210 approved December 18, 1963, 77 Stat. 403, 20 U.S.C. 35–35n).

(39) Executive Order 11155 of May 23, 1964 (Presidential Scholars).

(40) Title IV and, with respect to programs administered by the Commissioner of Education, Title VI of the Civil Rights Act of 1964 (desegregation of public education and nondiscrimination in Federally assisted programs); except that no termination of or refusal to grant or to continue Federal financial assistance under section 602 shall be made without the approval of the Secretary (P.L. 88–352 approved July 2, 1964, 78 Stat. 246, 42 U.S.C. 2000c–c9, d–84).

(41) Extension to the Trust Territory of the Pacific Islands of any program or of assistance under any program administered by the Commissioner of Education; except financial assistance under a grant-in-aid program (P.L. 88–487 approved August 22, 1964, 78 Stat. 601, 48 U.S.C. 1681).

(42) Sections 841(a) and 843(f) of the Public Health Service Act as added by the Nurse Training Act of 1964 (membership on National Advisory Council on Nurse Training and approval of bodies for accrediting schools of nursing (P.L. 88–581 approved September 4, 1964, 78 Stat. 917, as amended, 42 U.S.C. 298).

(43) Executive Order 11183 of October 6, 1964 (membership on and assistance to President's Commission on White House Fellowships).

(44) Executive Order 11185 of October 16, 1964 (coordination of Federal education programs); except the functions of the Secretary thereunder.

(45) Delegation of Authorities dated October 23, 1964, from Director, Office of Economic Opportunity (29 F.R. 14764), with respect to Part B of Title II, and section 602 of the Economic Opportunity Act of 1964 (adult basic education programs); except that the policies, standards, criteria, and procedures for the exercise of such authorities are those set forth in such rules and regulations as may be prescribed jointly by the Director, Office of Economic Opportunity, and the Secretary; preference must, to the extent feasible, be given to programs and projects that are components of a community action program approved under Part A of Title II; and the reporting and coordination provisions of section 611 must be followed (P.L. 88–452 approved August 20, 1964, 78 Stat. 508, as amended, 42 U.S.C. 2751–2756, 2801–2807, 2942).

(46) Executive Order 11197 of February 5, 1965 (membership on President's Council on Equal Opportunity); except the functions of the Secretary thereunder.

(47) Section 211 and, with respect to programs administered by the Commissioner of Education, section 214 of the Appalachian Regional Development Act of 1965 (vocational education facilities and supplements to certain grant-in-aid programs) (P.L. 89–4 approved March 9, 1965, 79 Stat. 16, 17, 40 App. A, U.S.C. 211, 214).

(48) Elementary and Secondary Education Act of 1965; except the functions of the Secretary in sections 306 (a) and (c) relating to the approval of members of the Advisory Committee on Supplementary Educational Centers and Services and the fixing of compensation therefor, in section 510 relating to periodic review of the program and laws for strengthening State departments of education, and in section 602 relating to the establishment of advisory councils and the fixing of compensation therefor (P.L. 89–10 approved April 11, 1965, 79 Stat. 27, 20 U.S.C. 821–885).

(49) Sections 3(b) and 6 of the National Technical Institute for the Deaf Act (accrediting agencies and membership on National Advisory Board on Establishment of the National Technical Institute for the Deaf); except the functions of the Secretary thereunder (P.L. 89–36 approved June 8, 1965, 79 Stat. 125, 20 U.S.C. 682(b), 685).

(50) Sections 9, 12, and 13 of the National Foundation on the Arts and the Humanities Act of 1965 (membership on the Federal Council on the Arts and the Humanities) (P.L. 89–209 approved September 29, 1965, 79 Stat. 851, 20 U.S.C. 958, 961, 962).

(51) National Vocational Student Loan Insurance Act of 1965 (student loan insurance) except the functions of the Secretary prescribed by section 15 (P.L. 89–287 approved October 22, 1965, 79 Stat. 1037, 20 U.S.C. 981–996).

(52) Higher Education Act of 1965 (community service programs, college library assistance and library training and research, strengthening developing institutions, student assistance, teacher programs, financial assistance for the improvement of undergraduate instruction) except the functions of the Secretary prescribed by sections 109, 205, 303, and 433 (P.L. 89–329, 79 Stat. 1219, 20 U.S.C. 1001–1144).

(b) The Commissioner of Education shall be responsible for carrying out responsibilities assigned by or under agreements made with the Department of State in connection with educational aspects of international educational exchange and international technical cooperation programs under the following:

(1) Agricultural Trade Development and Assistance Act of 1954 (P.L. 83–480 approved July 10, 1954, 68 Stat. 454, as amended, 7 U.S.C. Ch. 41).

(2) Act for International Development of 1961 (P.L. 87–195 approved September 4, 1961, 75 Stat. 424, as amended, 22 U.S.C. Ch. 32).

(3) Mutual Educational and Cultural Exchange Act of 1961 (P.L. 87–256 approved September 21, 1961, 75 Stat. 527, as amended, 22 U.S.C. Ch. 33).

SEC. 6.30 *Reservation of authority.* No State grant-in-aid funds shall be withheld nor shall any State plan or amendment thereto submitted pursuant to any statute administered by the Office of Education be finally disapproved without the Commissioner's prior consultation and discussion with the Secretary.

SEC. 6.40 *Delegation of authority.* Authority contained in section 6.20, except the making of regulations, may, to the extent permitted by law, be delegated or redelegated by the Commissioner of Office of Education as he may deem appropriate.

Dated: June 2, 1966.

[SEAL] JOHN W. GARDNER,
Secretary.

[F.R. Doc. 66–6307; Filed, June 7, 1966; 8:50 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

REGIONAL DIRECTOR OF ADMINISTRATION AND CHIEF, ACCOUNTING BRANCH, ADMINISTRATIVE DIVISION, REGION IV (CHICAGO)

Redelegation of Authority To Execute Legends on Bonds, Notes, or Other Obligations

The Regional Director of Administration and the Chief, Accounting Branch, Administrative Division, Region IV (Chicago), Department of Housing and Urban Development, are hereby authorized within the Region to execute, on behalf of the Secretary of Housing and Urban Development, any legend appearing on any bond, note, or other obligation being acquired by the Federal Government from a local public agency on account of a loan to such local public agency pursuant to Title I of the Housing Act of 1949, as amended (42 U.S.C. 1450 et seq.), which legend indicates the Federal Government's acceptance of the delivery of the particular bond, note, or other obligation and its payment therefor on the date specified in the particular legend.

This redelegation of authority supersedes the redelegation effective January 18, 1963 (28 F.R. 504, January 18, 1963).

(79 Stat. 670, 5 U.S.C. 624d(d); Secretary of Housing and Urban Development delegation effective March 22, 1966 (31 F.R. 4814, March 22, 1966))

Effective as of the 8th day of June 1966.

JOHN P. MCCOLLUM,
Regional Administrator,
Region IV (Chicago).

[F.R. Doc. 66–6284; Filed, June 7, 1966; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50–124]

VIRGINIA POLYTECHNIC INSTITUTE

Notice of Proposed Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission ("the Commission") is considering the issuance of Amendment No. 1, set forth below, to Facility License No. R–62 which authorizes Virginia Polytechnic Institute ("the licensee") to operate the Argonaut-type nuclear reactor ("the reactor") located on the Institute's campus at Blacksburg, Va.

The proposed amendment, which revises the license in its entirety, would authorize (1) an increase in the maximum steady state power level of the reactor from 10 kilowatts to 100 kilowatts thermal, (2) an increase in the limit on excess reactivity from 0.5 percent to 0.6 percent, (3) the use of a second core for low power experiments, and (4) would incorporate technical specifications in the license. The proposed amendment was requested by the licensee in an application dated December 7, 1965, and a supplement thereto dated March 5, 1966. The Commission would issue the amendment upon making the findings set forth in the proposed amendment.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this amendment may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued. If no request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue the license amendment fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER.

For further details with respect to this proposed amendment, see (1) the application and the supplement thereto, and (2) a related safety evaluation prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the safety evaluation may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 3d day of June 1966.

For the Atomic Energy Commission.

MARVIN M. MANN,
Acting Director,
Division of Reactor Licensing.

PROPOSED FACILITY LICENSE AMENDMENT

[License No. R–62; Amdt. 1]

The Atomic Energy Commission having found that:

a. The application for license amendment dated December 7, 1965, as supplemented March 5, 1966, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

b. There is reasonable assurance that (i) the activities authorized by the license, as amended, can be conducted at the designated location without endangering the health and safety of the public, and (ii) such activities will be conducted in compliance with the rules and regulations of the Commission;

c. The licensee is technically and financially qualified to engage in the activities authorized by this license, as amended, in accordance with the rules and regulations of the Commission;

d. The licensee is a nonprofit educational institution and will operate the reactor for the conduct of educational activities. The licensee is therefore exempt from the financial protection requirement of subsection 170a. of the Atomic Energy Act of 1954, as amended; and

e. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public.

Facility License No. R-62 is hereby amended in its entirety to read as follows:

1. This license applies to the Argonaut-type nuclear reactor (hereinafter "the reactor") which is owned by Virginia Polytechnic Institute (hereinafter "the licensee"), located on the Institute's campus in Blacksburg, Va., and described in the application for license dated February 5, 1959, and amendments thereto dated April 1, 1959, July 2, 1959, November 20, 1959, December 14, 1959, December 7, 1965, and March 5, 1966 (hereinafter "the application").

2. Subject to the conditions and requirements incorporated herein, the Atomic Energy Commission (hereinafter "the Commission") hereby licenses Virginia Polytechnic Institute:

A. Pursuant to section 104c of the Atomic Energy Act of 1954, as amended (hereinafter "the Act") and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," to possess, use and operate the reactor as a utilization facility at the designated location in Blacksburg, Va.

B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material," to receive, possess and use in connection with operation of the reactor 16 grams of plutonium contained in an encapsulated plutonium-beryllium neutron source, and up to 8.0 kilograms of contained uranium-235; and

C. Pursuant to the Act and Title 10, CFR, Chapter I, Part 30, "Licensing of Byproduct Material," to possess, but not to separate, such byproduct material as may be produced by operation of the reactor.

3. This license shall be deemed to contain and is subject to the conditions specified in §§ 50.54 and 50.59 of Part 50, § 70.32 of Part 70 and § 30.32 of Part 30 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. *Maximum power level.* The licensee is authorized to operate the reactor at steady state power levels up to a maximum of 100 kilowatts thermal.

B. *Technical specifications.* The Technical Specifications contained in Appendix A to this license (hereinafter the "Technical Specifications") are hereby incorporated in this license. The licensee shall operate the reactor only in accordance with the Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in 10 CFR 50.59.

C. *Authorization of changes, tests, and experiments.* The licensee may (1) make changes in the reactor as described in the hazards summary report, (2) make changes in the procedures as described in the hazards summary report, and (3) conduct tests or experiments not described in the hazards summary report only in accordance with the provisions of § 50.59 of the Commission's regulations.

D. *Reports.* In addition to reports otherwise required under this license and applicable regulations:

(1) The licensee shall report in writing to the Commission within 10 days of its observed occurrence any incident or condition relating to the operation of the reactor which prevented or could have prevented a nuclear system from performing its safety function as described in the Technical Specifications or in the hazards summary report.

(2) The licensee shall report to the Commission in writing within 30 days of its observed occurrence any substantial variance disclosed by operation of the reactor from performance specifications contained in the hazards summary report or the Technical Specifications.

(3) The licensee shall report to the Commission in writing within 30 days of its occurrence any significant change in transient or accident analysis, as described in the hazards summary report.

E. *Records.* In addition to those otherwise required under this license and applicable regulations, the licensee shall keep the following records:

(1) Reactor operating records, including power levels.

(2) Records of in-pile irradiations.

(3) Records showing radioactivity released or discharged into the air or water beyond the effective control of the licensee as measured at the point of such release or discharge.

(4) Records of emergency reactor scrams, including reasons for emergency shutdowns.

4. This license amendment is effective as of the date of issuance and shall expire at midnight November 16, 1969, unless sooner terminated.

Date of issuance:

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

Enclosure: Appendix A, Technical Specifications.

[F.R. Doc. 66-6336; Filed, June 7, 1966; 8:50 a.m.]

[Docket No. 115-4]

PUERTO RICO WATER RESOURCES AUTHORITY

Boiling Nuclear Superheater (Bonus) Power Station; Notice of Proposed Issuance of Operating Authorization

Notice is hereby given pursuant to § 115.46(b), 10 CFR Part 115, that, unless within thirty (30) days after publication of this notice in the FEDERAL REGISTER a request for a hearing is filed with the U.S. Atomic Energy Commission (the Commission) by the applicant, or a petition for leave to intervene is filed by any person whose interest may be affected, as provided by and in accordance with the Commission's "Rules of Practice," 10 CFR Part 2, the Commission is considering the issuance of an operating authorization (substantially as set forth in the attachment hereto) which would authorize the Puerto Rico Water Resources Authority to use and operate the Boiling Water Nuclear Superheater (BONUS) Reactor at powers up to 50 megawatts thermal. This authorization was requested by the Puerto Rico Water Resources Authority in its application dated November 30, 1964, and amendment thereto dated December 24, 1965. The authorization would be issued upon the Commission's making the findings set forth in the proposed operating authorization.

The BONUS nuclear reactor is located at Punta Higuera, near Rincon, Puerto Rico. The boiling water reactor was constructed by Combustion Engineering, Inc., for the Atomic Energy Commission, and has been operated jointly by Combustion Engineering, Inc., and the Puerto Rico Water Resources Authority since April 2, 1964, under a provisional operating authorization which will be superseded by the proposed operating authorization.

For further details with respect to this proposed issuance, see (1) the application and amendment thereto filed by the Puerto Rico Water Resources Authority, (2) the report of the Advisory Committee on Reactor Safeguards (ACRS), dated May 11, 1966, (3) a related safety evaluation prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing, and (4) the Technical Specifications, designated as Appendix A to the authorization, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the safety evaluation and a copy of the ACRS report, dated May 11, 1966, may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 6th day of June 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

PROPOSED OPERATING AUTHORIZATION NO. DPRA-4

The U.S. Atomic Energy Commission having found that:

a. The application for this operating authorization meets the standards and requirements of the Commission's regulations;

b. There is reasonable assurance (i) that the activities authorized by this operating authorization can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;

c. The Puerto Rico Water Resources Authority is technically qualified to engage in the activities authorized by this operating authorization in accordance with the rules and regulations of the Commission; and

d. The issuance of this operating authorization is not inimical to the health and safety of the public;

Operating Authorization No. DPRA-4 is hereby issued, effective as of the date of issuance, to read as follows:

1. This Operating Authorization applies to the Boiling Water Nuclear Superheater (BONUS) Reactor (the reactor) owned by the U.S. Atomic Energy Commission (the Commission) and to be operated by Puerto Rico Water Resources Authority (PRWRA) under contract with the Commission. The reactor is located at Punta Higuera at the western tip of Puerto Rico, approximately 2 miles from the town of Rincon and approximately 13 miles from the city of Mayagues, and is described in the Final Hazards Summary Report, PRWRA-GNEC 5, dated February 1, 1962, as amended, and in other portions of the application identified as the Interim Report, GNEC 210, Design and Fabrication of the BONUS Reactor Pressure Vessel, dated February 10, 1962, and supplements thereto.

2. Subject to the conditions and requirements incorporated herein, including the Technical Specifications hereto, the Commission hereby authorizes PRWRA, pursuant to the Atomic Energy Act of 1954, as amended (the Act) and Title 10, CFR, Chapter 1, Part 115, "Procedures for Review of Certain Nuclear Reactors Exempted from Licensing Requirements," to use and operate the Boiling Water Nuclear Superheater (BONUS) Reactor.

3. This authorization shall be deemed to contain and is subject to the conditions specified in sections 115.42 and 115.47 of Part 115 and is subject to all applicable provisions of the Act and rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. PRWRA is authorized to operate the reactor at steady state power levels up to 50 megawatts thermal.

B. *Technical Specifications.* The Technical Specifications contained in Appendix "A" hereto[1] are hereby incorporated into this authorization. Except as hereinafter provided, PRWRA shall operate the reactor in accordance with the Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in Section 115.47 of Part 115.

C. *Records.* In addition to those otherwise required under this authorization and applicable regulations, PRWRA shall keep the following records:

(1) Reactor operating records, including power levels and periods of operation at each power level.

(2) Records showing the radioactivity released or discharged into the air or water beyond the effective control of PRWRA as measured at or prior to the point of such release or discharge.

(3) Records of radioactivity levels at both on-site monitoring stations and off-site sampling stations.

(4) Records of emergency shutdowns and inadvertent scrams, including reasons therefor.

(5) Records of principal maintenance operations involving substitution or replacement of reactor equipment or components and the reasons therefor.

(6) Records of facility tests and measurements performed pursuant to the requirements of the Technical Specifications.

D. *Reports.* In addition to reports otherwise required under this authorization and applicable regulations of the Commission:

(1) PRWRA shall inform the Commission of any incident or condition relating to the operation of the reactor which prevented or could have prevented a nuclear system from performing its safety functions as described in the Technical Specifications. For each such occurrence, PRWRA shall promptly notify by telephone or telegraph, the Director of the appropriate Atomic Energy Commission Regional Compliance Office listed in Appendix D of 10 CFR 20, and shall submit within ten (10) days a report in writing to the Director, Division of Reactor Licensing, with a copy to the Regional Compliance Office.

[1] This item was not filed with the Office of the Federal Register but will be available for inspection in the Public Document Room of the Atomic Energy Commission.

(2) PRWRA shall report to the Commission in writing within thirty (30) days of its observed occurrence any substantial variance disclosed by operation of the reactor from performance specifications contained in the Technical Specifications.

(3) PRWRA shall make a report in writing to the Division of Reactor Licensing at the end of each monthly period which summarizes the following:

(a) Total number of hours of operation and total energy generated by the reactor.

(b) Number of shutdowns of the reactor with a brief explanation of the cause of each shutdown.

(c) Operating experience including a summary of the number of malfunctions in the control and safety systems with brief explanation of each.

(d) Measurements and tests performed on the nuclear systems and results thereof.

(e) Principal maintenance performed and replacements made in the reactor and associated systems including a report on various tests performed on components of the reactor and associated systems.

(f) A description of the tests performed to demonstrate that the leak rates meet the Technical Specifications, the results of such tests, and a description of any necessary corrective measures taken to meet the requirements of the Technical Specifications.

(g) Changes made in the facility design and operating procedures pursuant to Section 115.47 of Part 115.

(h) Significant changes in plant organization and transient or accident analyses as described in the Final Hazards Summary Report.

(i) The kind and quantity of radioactive material released to the environment as recorded at both on-site monitoring stations and off-site sampling stations.

4. This authorization shall be effective as of the date of issuance and, unless extended for good cause shown, shall expire ten (10) years from the said date: *Provided, however,* That this authorization shall expire in any event upon termination of the contract between PRWRA and the Commission for operation of the reactor.

5. Effective with its issuance, this authorization terminates and supersedes Provisional Operating Authorization DPRA-4, as amended, issued jointly to Combustion Engineering, Inc., and the Puerto Rico Water Resources Authority.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66-6376; Filed, June 7, 1966; 11:19 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16465, 16466; FCC 66R-206]

BROWN BROADCASTING CO., INC., AND DIXIE BROADCASTING CORP.

Memorandum Opinion and Order Enlarging Issues

In re applications of Brown Broadcasting Co., Inc., Jacksonville, N.C., Docket No. 16465, File No. BP-16700; Dixie Broadcasting Corp., Aurora, N.C., Docket No. 16466, File No. BP-17036; for construction permits.

1. Before the Review Board is a petition to enlarge issues, filed March 16, 1966, by Brown Broadcasting Co., Inc. (Brown), seeking to add four issues against Dixie Broadcasting Corporation (Dixie).[1] The four issues sought are: a Suburban issue, a strike application issue, a concentration of control issue, and a character qualifications issue.

2. Brown is an applicant for a new standard broadcast station (1290 kc, 1 kw, Day) in Jacksonville, N.C.; Dixie is an applicant for 1290 kc, 1 kw, Day, in Aurora, N.C. The mutually exclusive applications were designated for hearing by Order, FCC 66-155, released February 23, 1966.

SUBURBAN ISSUE

3. In its application, Dixie stated, "The needs and interests of Aurora and the surrounding area were determined through personal interviews with the community leaders, including businessmen, church leaders, the local banker and members of the general population." Attached to the Brown petition to enlarge is an affidavit from its president quoting conversations with various individuals in the town of Aurora. These individuals, most of whom are the heads of the organizations which Dixie had allegedly contacted, stated that no one representing Dixie Broadcasting Corp. had ever contacted them about establishing a radio station in that community. Included in the affidavit are statements from the bank manager, mayor, police chief, American Legion post commander, volunteer fire chief, and president of the local Ruritan Club. In its opposition, Dixie says Robert L. Winslow, general manager of another station owned by the principals of Dixie, conducted the survey. Dixie states that Winslow did in fact have a conversation with the bank manager, "but did not reveal his interest in a radio station for the community." Fearing that possible competitors would realize its interest in the market, Dixie conducted its "investigation into community needs * * * without disclosure of the corporate applicant." A copy of the report filed by Winslow after his visit to Aurora is included as an exhibit with the opposition. The report gives summaries of conversations Winslow had with three persons in the town: the bank manager, a leading businessman, and a clergyman.

4. Even taking the survey submitted by Dixie in its most favorable light, it is clear that no significant inquiry into the programing needs of Aurora was made by Dixie as far as Winslow's affidavit and report reflect. At best, Winslow's statement shows only an effort to determine the economic potential of a station in Aurora. None of the principals of Dixie is a resident of Aurora, and no showing has been made by Dixie of familiarity with Aurora's needs other than that based on the alleged contacts. Accordingly, a Suburban issue will be added. See Don L. Huber, 36 FCC 638, 2 RR 2d 243 (1964); see also Higson-Frank Radio Enterprises, 36 FCC 1391, 2 RR 2d 755 (1964).

[1] Also before the Board are: (a) Opposition to petition to enlarge issues, filed April 8, 1966, by Dixie; (b) comments, filed April 15, 1966, by the Broadcast Bureau; and (c) reply, filed April 21, 1966, by Brown.

STRIKE APPLICATION ISSUE

5. In support of its request for an issue to determine whether Dixie's application was filed to block or delay the grant of Brown's application, Brown alleges the following: Desiring to avoid a hearing on the mutually exclusive applications, Brown—with acquiescence by Dixie—had a frequency study conducted for Aurora. The study showed 1360 kc to be available for uncontested application at Aurora. Dixie, however, stated that it was unwilling to amend, preferring to engage in a hearing for 1290 kc. Brown points out that, in addition to Dixie's apparent failure to have had a frequency study made before it filed, Dixie submitted the application for 1290 kc on the last day that the Commission would accept an application on this frequency in conflict with Brown's 1290 kc application for Jacksonville, and it further contends that—

> the absence of a bona fide survey by Dixie to establish the need for a new station at Aurora * * *, the extremely small population of Aurora (less than 500) and the almost phantomlike character of the other communities which Dixie claims it will serve by its proposed Aurora station, add further circumstantial evidence to support the conclusion that Dixie's purpose is not just to establish a new station at Aurora.

Arguing that Dixie is trying to protect its interest in Station WEYE, 1290 kc, 1 kw, Day, Class III, Sanford, N.C., licensed to Crest Broadcasting Corporation,[1] Brown submits an engineering statement in support of its assertion that a grant of its Jacksonville application would preclude WEYE from increasing power, whereas a grant of Dixie's Aurora proposal would not prevent WEYE from increasing power.

6. In its opposition, Dixie states it did not consider an amendment to 1360 kc because it believed it would prevail in the section 307(b) determination; that at least 6 months would elapse before Commission consideration of an amended application; and that there could be no foretelling the competitive problems Dixie would face with an amended application. Dixie points to the growth potential of Aurora and, in reference to the charges concerning Station WEYE, states that in light of existing overlap of WEYE's 0.5 mv/m contour with the 0.025 mv/m contour of another station (WHKY, Hickory, N.C.), a directional antenna would be required for a 5 kw operation at WEYE and it had already been determined that this would not be economically feasible for that station. The potential growth argument and the economic feasibility argument consist primarily of contentions, without supporting factual data to permit an evaluation of these arguments.

7. The Bureau questions why, if 1360 kc was available and Brown really sought to avoid a hearing, Brown did not amend. Based on Dixie's response and the alleged inadequacy of Brown's allegations, the Bureau does not support addition of this issue. In its reply, Brown submits that the delay incident to a hearing obviously will be longer (and the expense greater) than with an amended and possibly uncontested application. Brown again argues that the factors cited in its request for the Suburban issue also raise a question as to Dixie's bona fides. Brown does not, however, respond to the question raised by the Bureau as to why Brown did not amend to avoid a hearing, since no showing was made by Brown that 1360 kc was not as available to it as it was to Dixie.

8. In the Board's view, Brown's contentions rest largely upon surmise and suspicion. Jacksonville has two standard broadcast stations and Aurora has none. Hence, there is substance in Dixie's argument that it would prefer a 307(b) contest with Brown on 1290 kc rather than to amend to 1360 kc and possibly run the risk of a 307(b) proceeding with some community which does not presently have a station. Brown does not contend that its proposed station would compete with Dixie's station in Jacksonville; instead, it relies upon a hypothetical possibility that Dixie is desirous of increasing the power of its Sanford station, and that for that reason Dixie seeks to block a grant of Brown's application. That Brown is relying solely upon a hypothetical possibility is indicated by the absence of any factual allegations that Dixie is in fact planning such power increase, and its suspicion to this effect is undermined by the engineering affidavit presented by Dixie that the power of the Sanford station cannot be increased without a directional array, the expense of which would not be justified by the Sanford market.[2] While Dixie does not present any supporting economic data, the Board does not regard the absence of such data as fatal in view of Brown's reliance upon suspicion and surmise for the requested issue. Finally, Brown, in its reply pleading, completely ignores the Bureau's question as to whether Brown could amend to 1360 kc; for if it could, there is no apparent reason why Dixie, rather than Brown, should amend to 1360 kc, particularly in view of the fact that an amendment by Dixie could result in a less favorable 307(b) position than it now has vis-a-vis Brown on 1290 kc. For the reasons stated, Brown's request for a strike application issue will be denied.

CONCENTRATION OF CONTROL ISSUE

9. In support of its request for a concentration of control issue, Brown alleges that three stations already owned by the principals of Dixie[3] are in a direct line from the Virginia border across northeastern North Carolina and in total cover 227,649 persons. The proposed outlet in Aurora would add another station to the line and would bring the population covered to 272,965 persons. Furthermore, a fourth presently owned station[4] raises this potential total population figure to 337,619.[5] Brown contends that such concentrated area coverage would be contrary to the intent of section 73.35 (b) of the Commission's rules. Brown also points out that the three stations in a line (see note 4, supra) are presently sold in combination[7] and the fourth (Aurora) will be in a geographic position to be sold in combination also.

10. Dixie argues that the concentration of control test is not the mere location of stations, but their location vis-a-vis competition. It then asserts that each of its existing stations faces direct competition from at least one other station in each market. The proposed outlet in Aurora while it would not have competition in that particular community, will serve much the same market as four other stations within 22 miles of Aurora. However, Dixie does not deny Brown's contention that combination selling occurs with Stations WIZS, WRMT, and WPXY, nor does it negative the possibility that the Aurora outlet would be sold in combination as well. It is on the latter aspect that the Bureau supports addition of the issue.

11. Section 73.35(b) of the Commission's rules prohibits any grant which "would result in a concentration of control of standard broadcasting in a manner inconsistent with public interest, convenience, or necessity." Joint rates and the possibility thereof on the proposed station raise a sufficient question to add a concentration issue. See Des Moines County Broadcasting Co., 37 FCC 638; 3 RR 2d 416 (1964); cf. North Atlanta Broadcasting Co., 37 FCC 1145, 4 RR 2d 476 (1964). In the latter case, as the Bureau correctly points out, it was specifically found that there were no joint rates between the stations within the circumscribed area. Id. at 1147, 4 RR 2d at 478. The danger to be avoided is that in facing competition from services of comparable magnitude, the stations able to offer joint rates might be at a considerable economic advantage. Cf. Amendment of the Commission's Rules Relating to Multiple Ownership of Standard, FM and Television Broadcast Stations, FCC 64-445, 2 RR 2d 1588, 1591. Therefore, the requested concentration of control issue will be added.

CHARACTER QUALIFICATIONS ISSUE

12. Brown alleges that Station WPXY, Greenville, N.C.—whose licensee, Bell Broadcasting Co. (Bell) is 85 percent owned by the principals of Dixie—deliberately altered a September 1964 Hooper rating for the Greenville market which had shown a WPXY competitor, Station WOOW in Greenville, to have a substantially greater proportion of the audience. This was done to stimulate sales and for on-the-air promotion. Suit was brought against Bell by WOOW, Inc., in August 1965; Bell and its general manager (both party-defendants to the suit) demurred; on February 1, 1966, a judgment of nonsuit was entered at the election of the plaintiff. Though pending at the time of the Dixie application, this litigation was not reported in response to Question 10(d) or 10(e) of Form 301. Brown concludes that "the failure of Dixie to reveal the pendency of this litigation in its application, coupled with the serious nature of the allegations made in the complaint, raises a substantial question as to the character qualifications of the principals of Dixie." It says the nonsuit of the plaintiff indicates an out-of-court settlement, but this should not be dispositive of the question in that "the issues raised in the complaint were never adjudicated, and * * * the allegations are of such serious import that an inquiry into them at the hearing is warranted."

13. Dixie's opposition to the addition of the issue may be summarized as follows: The suit was settled out-of-court for $1,500. A letter dated August 12, 1965, informed the Commission of a suit pending against Bell and of what steps were being taken to prevent further dissemination of the falsified ratings. The Commission was kept further informed through letters dated August 18 and 23, 1965. In addition, according to WPXY's general manager, the motive behind the falsification "was to boost the morale of the sales force and not to deceive the public." Full disclosure to the Commission indicated that there was no attempt to conceal the nature of the act, and the Commission, in a letter dated August 30, 1965, indicated no action would be taken against Bell. The failure to include any information in Dixie's Form 301 was based on a conclusion that Bell was not the applicant here and the parties to the Dixie application were not the defendants in the WOOW suit.

14. The Bureau opposes addition of the character issue. It states that the Commission was fully aware of the conduct of Bell when the issues were designated in the present case. Furthermore, it states that the full disclosure vitiates any question of intent to deceive. In its reply, Brown points out that the admission by Bell came nearly a year after the survey was first taken and was prompted by the law suit, rather than "forthrightness." The reply questions the logic of the statement by WPXY's general manager that he altered the figures to boost the morale of the sales staff, but at the same time instructed the salesmen not to use the ratings in selling time on the station.

15. Brown's request for a character qualifications issue against Dixie based on the facts underlying the now-dismissed suit against Bell must be denied. The Commission's letter of August 30, 1965, reflects the fact that it has considered the matter thoroughly and that the Commission "does not contemplate any further action." Brown has alleged no facts which would permit the Board to alter the Commission's disposition of the matter. Fidelity Radio, Inc., 1 FCC 2d 661, 6 RR 2d 140 (1965).[8]

Accordingly, it is ordered, This 27th day of May 1966, that the petition to enlarge issues, filed March 16, 1966, by Brown Broadcasting Co., Inc., is granted to the extent indicated herein and is denied in all other respects; and that the issues in this proceeding are enlarged by addition of the following issues:

(a) To determine the efforts made by Dixie Broadcasting Corp. to ascertain the programing needs and interests of the area proposed to be served and the manner in which the applicant proposes to meet such need and interests; and

(b) To determine whether a grant of the application of Dixie Broadcasting Corp. will result in undue concentration of control of broadcast stations in northeastern North Carolina in contravention of § 73.35(b) of the Commission's rules and of the Commission's diversification policy underlying said rules.

Released: May 31, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[9]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6295; Filed, June 7, 1966; 8:49 a.m.]

[1] The principals in Dixie own 85 percent of the stock in Crest.

[2] Dixie's statement in this regard is being relied upon by the Board as a material representation underlying the denial of the requested issue. For this reason, the Board's Memorandum Opinion and Order will be associated with the WEYE file for consideration in connection with any possible future application by WEYE for a power increase.

[3] WIZS, 1450 kc, 250 w, 1 kw-LS, U, Class IV (licensed to Radio Corp.), Henderson N.C.; WRMT, 1490 kc, 250 w, 1 kw-LS, U, Class IV (licensed to Atlantic Radio Corp.), Rocky Mount, N.C.; WPXY, 1550 kc, 1 kw, Day, Class II (licensed to Bell Broadcasting Corp.), Greenville, N.C.

[4] WEYE, Sanford, N.C. See paragraphs 5–8, supra.

[5] The four stations presently owned cover 3,471 square miles. A grant of the Aurora application would increase the coverage of 4,791 square miles.

[7] 48 Standard Rate and Data Service, No. 3, pt. 1, pp. 578, 582; No. 3, pt. 2, p. 139.

[8] As the ownership in the two corporations is almost totally identical, the better practice would have been for Dixie to disclose the existence of the suit against Bell in its application. Nevertheless, the Board does not find this to be reflection enough on the character of the applicant to add the issue.

[9] Board Member Kessler dissenting and Board Member Nelson not participating.

Section 44(c) of the Shipping Act, 1916 (46 U.S.C. 841b) and § 510.5(f) of General Order 4 (46 CFR) provide that no license shall remain in force unless such forwarder shall have furnished a bond.

Section 44(d) of the Shipping Act, 1916 (46 U.S.C. 841b) provides that licenses may, after notice and hearing, be suspended or revoked for willful failure to comply with any provision of the Act, or with any lawful rule of the Commission promulgated thereunder.

Therefore, it is ordered, That John E. Diaz doing business as Diaz-Wandembergh, on or before June 10, 1966, either (1) submit a valid bond effective on or before June 18, 1966, or (2) show cause in writing or request a hearing to be held at 10 a.m., on June 14, 1966, in Room 505, Federal Maritime Commission, 1321 H Street NW., Washington, D.C., 20573, to show cause why its license should not be suspended or revoked pursuant to section 44(d), Shipping Act, 1916.

It is further ordered, That the Director, Bureau of Domestic Regulation forthwith revoke license No. 743 if the licensee fails to comply with this order.

It is further ordered, That a copy of this order to show cause and all subsequent orders in this matter be served upon the licensee and be published in the FEDERAL REGISTER.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 66-6305; Filed, June 7, 1966; 8:50 a.m.]

JOHN H. HUNTER AND SON, INC., ET AL.

Independent Ocean Freight Forwarder Applications

Notice is hereby given of changes in the following independent ocean freight forwarder licenses and applications therefor filed pursuant to section 44, Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

GRANDFATHER APPLICANT

John H. Hunter & Son, Inc., 44 Whitehall Street, New York, N.Y., 10004; Application No. 531, withdrawn May 24, 1966.

LICENSEES

Coadel International Co., 230 California Street, San Francisco, Calif.; License No. 337, canceled May 2, 1966.

Cargo Fast Pacific, Inc., 396 Broadway, New York, N.Y., 10013; License No. 968, canceled May 3, 1966.

Bermuda Forwarders (Manuel C. Gomez, d.b.a.), Post Office Box 396, Fair Lawn, N.J.; License No. 1074, canceled May 10, 1966.

Star Foreign Freight Forwarding, Inc., 132 Front Street, New York, N.Y., 10005; License No. 1014, canceled May 10, 1966.

NEW APPLICANTS

Transport Expediters (Hudson Tarte, d.b.a.), 3507 Rainier Avenue, Seattle, Wash.; Application denied May 11, 1966.

Royal Household Goods Shipping Co., Inc., 95 Broad Street, New York, N.Y., 10004; Application withdrawn May 27, 1966.

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission, applications for

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License 743]

DIAZ-WANDEMBERGH

Order To Show Cause

On May 19, 1966, Roanoke Agency, Inc., in its capacity as General Surety Bond Agents for St. Paul Mercury Insurance Co. notified the Commission that the surety bond filed pursuant to section 44(c), Shipping Act, 1916 (46 U.S.C. 841b) by John E. Diaz doing business as Diaz-Wandembergh, 5435 Northwest 36th Street, Miami Springs, Fla., 33166, would be canceled effective 12:01 a.m., June 18, 1966.

[Project No. 2128]

[Docket No. RI66-396]

the above township and range which

suant to the filing of the application for

licenses as independent ocean freight forwarders, pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., 20573. Protests received within 60 days from the date of publication of this notice in the FEDERAL REGISTER will be considered.

Mario J. Macchione, 156 State Street, Boston, Mass., 02109; Mario J. Macchione, owner.
Joan Berns, 2 West 31st Street, New York, N.Y.; Joan Berns, owner.
R. J. Bolte Co. (Richard J. Bolte, d.b.a.), 12133 Rambler Road, Philadelphia, Pa., 19114; Richard J. Bolte, owner.

Notice is hereby given of changes in the following independent ocean freight forwarder licenses.

ADDRESS CHANGES

Seven Seas Mercantile Transport, Inc., 42 Broadway, New York, N.Y., 10004; License No. 563.
J. Cortina, Exchange National Bank Building, 605 North Franklin Street, Suites 606, 607, Tampa, Fla., 33602; License No. 105.
Vandegrift Forwarding Co., Inc., 32 Broadway, Suite 300, New York, N.Y., 10004; License No. 370.
Pan American Forwarders, Inc., 95 Broad Street, New York, N.Y., 10004; License No. 653.
M. J. Corbett & Co., Inc., 80 Broad Street, New York, N.Y., 10004; License No. 737.
M. Harrison & Co., Inc. (Affiliate of M. J. Corbett & Co., Inc.), 80 Broad Street, New York, N.Y., 10004; License No. 737.

CHANGE OF NAME

International Express Co. (S. B. Navarro, d.b.a.) to International Express Co., Inc., 348 Camp Street, New Orleans, La.; License No. 501.

CHANGE OF OFFICERS

W. R. Keating & Co., Inc., 90 Broad Street, New York, N.Y., 10004; License No. 190, William J. Augerot, vice president.
Eastern Freight Forwarders, Inc., 309 St. Michael Street, Mobile, Ala.; License No. 1107, M. Woodrow Myers, president and general manager; Harry D. Hardy, treasurer-secretary.
Albert E. Bowen, Inc., 17 Battery Place, New York, N.Y.; License No. 918, Bernard D. Atwood, secretary; William A. Phelps, assistant secretary.
Pan American Forwarders, Inc., 95 Broad Street, New York, N.Y.; License No. 653, William V. Young, president and treasurer; Eugene D. Palmieri, vice president; Myrtle De Vita, assistant secretary.
Dumont Shipping Co., Inc., 11 Broadway, New York, N.Y.; License No. 887, Charles J. Mueller, Jr., president; Eugene Schramm, vice president; Charles J. Mueller, Jr., treasurer; John P. McQuade, secretary; Sol Abraham, assistant secretary.

GRANDFATHER APPLICANTS LICENSED

May 1966

American Express Co., 65 Broadway, New York, N.Y.; License No. 289, issued May 17, 1966.
Penn Shipping & Forwarding Co. (Julius Berkovits, d.b.a.), 101 West 31st Street, Room 806, New York, N.Y.; License No. 286, issued May 18, 1966.
Puerto Rican Forwarding Co., Inc., 271 Culver Avenue, Jersey City, N.J.; License No. 873, issued May 17, 1966.

NEW APPLICANTS LICENSED

May 1966

Major Van Lines, Inc., 601 Ocean Avenue, Jersey City, N.J.; License No. 1117, issued May 24, 1966.

Dated: June 3, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6306; Filed, June 7, 1966; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Project No. 1971]

IDAHO POWER CO.

Notice of Application for Amendment of License for Partly Constructed Project

JUNE 1, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Idaho Power Co. (correspondence to: T. E. Roach, President, Idaho Power Co., Boise, Idaho, 83701) for amendment of the license for partly constructed Project No. 1971, located on the Snake River Idaho and Oregon, and affecting lands of the United States within the Wallowa—Whitman National Forest in Wallowa County, Oreg.

The licensee seeks to include in the license for the project the proposed Pallette Junction—Enterprise 230—kv transmission line, which will form part of the transmission system of Project No. 1971, and will connect Enterprise, Oreg., with a line to be built from Enterprise to Walla Walla, Wash., by Pacific Power & Light Co. The Pallette Junction—Enterprise line will provide an additional intertie between the licensee's system and the Northwest Power Pool, thereby allowing power to flow to and from the Northwest Power Pool. The line would also be used for the delivery of power to Pacific Power & Light Co. under a contract between the latter and the licensee a copy of which is on file with the Commission. The subject line will initially receive power from the Brownlee Development of Project No. 1971, but upon completion of the Hells Canyon power plant and construction of the Hells Canyon—Pallette Junction transmission line, the power will then be routed directly from Hells Canyon.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 19, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6251; Filed, June 7, 1966; 8:46 a.m.]

[Project No. 2128]

CALIFORNIA DIVISION OF FORESTRY

Order Further Vacating Withdrawal

MAY 26, 1966.

An application (C–4–D3 2321 9217) by the California Division of Forestry (Applicant) was forwarded to this Commission by the Sacramento District Office of the Bureau of Land Management, Department of the Interior, for use of the following described lands of the United States withdrawn for power purposes:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 4 N., R. 10 E., sec. 5, lot 2, SW¼NE¼.
T. 5 N., R. 10 E., sec. 32, SW¼SE¼.

Inasmuch as the SW¼SE¼ of sec. 32 is not withdrawn for power purposes, we will give it no further consideration in this order.

Applicant desires to use the above-described lands as a training ground for truck drivers and heavy equipment operators and plans to construct a road and firebreak across portions of the tracts.

The lands lie on the north shore of the Camanche Reservoir, a flood control and water supply for irrigation and domestic uses only project, recently completed by East Bay Municipal Utility District, (District) of Oakland, Calif. The lands are part of the remaining portions of lands still withdrawn pursuant to the filing on February 25, 1953, of an application by District for a preliminary permit for the then proposed Camanche, Middle Bar and Railroad Flat Developments comprising Project No. 2128. These three developments were later included in an application for license filed on August 28, 1957, by the District, which also included the rehabilitation of the existing Pardee Development operating under Congressional authorization. However, following the filing of the application, studies by engineers retained by District indicated that Middle Bar and Railroad Flat developments and redevelopment of Pardee should be abandoned in favor of an enlarged Camanche development for flood control and water supply for irrigation and domestic uses, but with no provision for power generation. A Commission staff study of the feasibility of power at the enlarged Camanche development supported the District's engineers' conclusion that provision for power generation at Camanche was not economically justified. Construction at a later date of the Middle Bar and Railroad Flat developments would not be precluded by construction of the enlarged Camanche dam and reservoir. In these circumstances, and pursuant to application therefor, the Commission permitted withdrawal of District's application for license for Project No. 2128 by its order issued March 12, 1962. As recited above, the Camanche Reservoir, without power generation, has been completed.

Pursuant to the application therefor by District, the Commission by its order issued September 10, 1962, in Docket No. DA–1030–California, vacated the NE¼ NW¼NW¼, sec. 8 (about 10 acres) of the above township and range which was a portion of the lands withdrawn for the Camanche Reservoir of Project No. 2128. The Commission's order stated, among other things, that a Commission staff study supports the conclusion that provision for power generation at the Camanche Reservoir "is not economically feasible." Consequently, we are herein ordering vacation of all of the lands remaining withdrawn (comprising 159.52 acres) for the Camanche Reservoir development of Project No. 2128.

The Commission finds: Inasmuch as the following described lands have no power value, the existing power withdrawal pertaining to the lands under section 24 of the Federal Power Act pursuant to the filing of the application for Project No. 2128, insofar as it withdrew lands for the Camanche Reservoir, serves no useful purpose and vacation of their withdrawal is in the public interest:

T. 4 N., R. 9 E., sec. 10, N½NE¼.
T. 4 N., R. 10 E., sec. 5, lot 2, SW¼NE¼.

The Commission orders: The existing power withdrawal, insofar as it pertains to the lands described in the above finding, is hereby vacated.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-6252; Filed, June 7, 1966; 8:46 a.m.]

[Docket No. RI66-396]

TENNECO OIL CO., ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

MAY 27, 1966.

On April 27, 1966,[1] Tenneco Oil Co. (Operator), et al. (Tenneco),[2] tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-396..	Tenneco Oil Co.[3] (Operator), et al., Post Office Box 2511, Houston, Tex., 77001.	128	1	Tennessee Gas Pipeline Co.[3] (El Ebanito Field, Starr County, Tex.) (R.R. District No. 4).	$2,334	[4] 4-27-66	[5] 6-1-66	11-1-66	[7] 14.6	[8] 16.0	

[3] Tenneco and Tennessee are wholly owned subsidiaries of Tenneco Inc.
[4] The stated effective date is the effective date proposed by Respondent.
[5] "Fractured" rate increase. Tenneco contractually entitled to file for periodic rate increase to 18.24347 cents.
[6] Pressure base is 14.65 p.s.i.a.
[7] Permanently certificated rate authorized in Docket No. CI61-1272, approving Tennessee's transfer of on-system sale to its subsidiary, Tenneco.

Tenneco's proposed increased rate and charge exceeds the applicable area price level for increased rates as set forth in the Commission's Statement of General Policy No. 61–1, as amended (18 CFR 2.56).

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 1 of Tenneco's FPC Gas Rate Schedule No. 128 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Tenneco's FPC Gas Rate Schedule No. 128.

(B) Pending such hearing and decision thereon, Supplement No. 1 to Tenneco's FPC Gas Rate Schedule No. 128 is hereby suspended and the use thereof deferred until November 1, 1966, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 13, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6253; Filed, June 7, 1966; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

STATE BANK AND TRUST CO.

Order Approving Merger of Banks

In the matter of the application of the State Bank & Trust Co. for approval of merger with The Ney State Bank.

There has come before the Board of Governors, pursuant to the Bank Merger Act, as amended (12 U.S.C. 1828(c), Public Law 89–356), an application by the State Bank & Trust Co., Defiance, Ohio, a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and the Ney State Bank, Ney, Ohio, under the charter and title of the State Bank & Trust Co. As an incident to the merger, the sole office of the Ney State Bank would become a branch of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger:

It is hereby ordered, For the reasons set forth in the Board's Statement[10] of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than three months after said date.

Dated at Washington, D.C., this 1st day of June 1966.

By order of the Board of Governors.[10a]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-6255; Filed, June 7, 1966; 8:46 a.m.]

[1] Amended by filing submitted on May 9, 1966, proposing a rate of 16.0 cents in lieu of 18.24347 cents originally proposed.
[2] Address is: Post Office Box 2511, Houston, Tex., 77001.
[10] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Cleveland.
[10a] Voting for this action: Vice Chairman Robertson, and Governors Shepardson, Maisel, and Brimmer. Absent and not voting: Chairman Martin, and Governors Mitchell and Daane.

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN POLAND

Limitation on Entry and Withdrawal From Warehouse for Consumption

JUNE 3, 1966.

By an exchange of letters concluded on May 20, 1966, the U.S. Government, in furtherance of the objectives of, and under the terms of the Long-Term Arrangements Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, entered into an agreement with the Government of Poland providing that exports from Poland to the United States of cotton shirts in Category 46 would be limited to 8,400 dozen for the 12-month period beginning May 26, 1966.

There is published below a letter of June 1, 1966, from the Chairman, President's Cabinet Textile Advisory Committee, to the Commissioner of Customs, directing that the amount of cotton textile products in Category 46, produced or manufactured in Poland, and exported to the United States from Poland on or after May 26 1966, which may be entered into the United States for consumption or withdrawn from warehouse for consumption, for the period beginning May 26, 1966, and extending through May 25, 1967, be limited to 8,400 dozen.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE
PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE
WASHINGTON, D.C., 20230, *June 1, 1966.*

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangements Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, and in accordance with procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 46, produced or manufactured in Poland, in excess of 8,400 dozen for the period beginning May 26, 1966, and extending through May 25, 1967.

A detailed description of Category 46 in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on October 1, 1963 (28 F.R. 10551), and amendments thereto on March 24, 1964 (29 F.R. 3679).

Goods in Category 46, produced or manufactured in Poland, which have been exported to the United States from Poland prior to May 26, 1966, shall not be subject to this directive. The level designated above has not been adjusted to reflect entries made on or after May 26, 1966.

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Poland and with respect to imports of cotton textile products from Poland have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of section 4 of the Administrative Procedure Act. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce, and Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 66-6239; Filed, June 7, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 81-66]

ALLEGHENY & WESTERN RAILWAY CO.

Notice of Application and Opportunity for Hearing

JUNE 1, 1966.

Notice is hereby given that Allegheny & Western Railway Co., a Pennsylvania corporation (Allegheny), and the Baltimore & Ohio Railroad Co. (B&O) have made application to the Securities and Exchange Commission seeking an exemption under section 12(h) of the Securities Exchange Act of 1934 (Act) from the requirements of section 14(c) of the Act, for and in connection with any annual meeting of stockholders of Allegheny at which the only action to be taken is the election of director and/or such other action as does not directly or indirectly affect the interests of the holders of such stock.

Section 12(h) of the Act permits the Commission, upon application of an interested person, by order, after notice and opportunity for hearing, to exempt in whole or in part any issuer or class of issuers from section 14 upon such terms and conditions and for such period as it deems appropriate, if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer, or otherwise, that such action is not inconsistent with the public interest or the protection of investors.

According to the present application, all of the property of Allegheny constitutes a part of the B&O railroad system. This property is leased in perpetuity under agreements dating from October 1, 1898, to the Buffalo, Rochester and Pittsburg Railway Co. (Buffalo), at an annual rental equivalent to (a) 4 percent per annum interest on outstanding bonds of Allegheny; (b) dividends of 6 percent per annum on Allegheny's Capital Stock; and (c) an annual sum not to exceed $500 for maintenance of Allegheny's corporate organization. Payment of the interest and dividends is guaranteed by Buffalo. All of the property of Buffalo (including its leasehold interest in Allegheny) constitutes a part of the B&O railroad system, pursuant to agreements dating from December 15, 1931, in which B&O covenants to pay the rentals called for by Allegheny's lease to Buffalo.

The Board of Directors of Allegheny consists of officers and employees of B&O chosen and nominated by it. The directors and officers of Allegheny serve as such without compensation from, or expense to Allegheny. Allegheny presently has outstanding 32,000 shares of Capital Stock, which shares are registered with the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934 and listed for trading on the New York Stock Exchange. As of March 24, 1966, B&O owned 12.46 percent of the aforesaid Capital Stock. No other single person owned more than 1,000 shares. Also, B&O owns all but 2 shares of the 60,000 outstanding shares of preferred stock of Buffalo, and all but 1 share of the latter's 104,987 outstanding shares of common stock.

As of March 24, 1966, the number of holders of Allegheny's Capital Stock aggregated 719. In 1965, 1990 shares of Allegheny Capital Stock were traded on the New York Stock Exchange. Allegheny filed annual reports containing financial information together with other significant data with the Interstate Commerce Commission and with this Commission. Allegheny mails notice of its annual meeting to registered holders of its stock. The applicants have undertaken to distribute to such stockholders, with the notice, a current annual report of Allegheny, including balance sheet and income statement information. With the knowledge of the New York Stock Exchange no proxies have been solicited from stockholders since 1938.

The applicants have waived notice and opportunity for hearing but if the Commission finds itself unable to grant the application, the waiver shall not apply.

Notice is hereby given that any interested person may, not later than June 22, 1966, at 5:30 a.m., submit to the Commission in writing his views or any additional facts bearing upon the application or the desirability of a hearing thereon. Any such communication or request should be addressed to the Secretary, Securities and Exchange Commission, Washington, D.C., 20549, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reason for such request and the issues of fact or law raised by the application which he desires to controvert. At any time after such date, an order granting the application may be issued by the Commission unless an order for hearing upon said application is issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-6268; Filed, June 7, 1966; 8:47 a.m.]

[File Nos. 2-20318 (22-3339), 2-21180 (22-3505)]

KJØBENHAVNS TELEFON AKTIESELSKAB

Notice of Application and Opportunity for Hearing

JUNE 1, 1966.

Notice is hereby given that Kjøbenhavns Telefon Aktieselskab (Copenhagen Telephone Co., Inc., the "Company") has filed an application pursuant to clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 (hereinafter referred to as the "Act") for a finding by the Commission that the trusteeship of First National City Bank (New York) under three indentures (the "Bank Indentures") of the Company, dated as of June 1, 1962 (the "1962 Indenture"), dated as of April 15, 1963 (the "1963 Indenture"), which have been qualified under the Act, and dated as of July 1, 1964 (the "1964 Indenture"), which has not been qualified under the Act, and trusteeship by First National City Bank under an indenture dated as of April 1, 1966 (the "1966 Indenture"), into which First National City Bank has entered and which has not been qualified under the Act, is not likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify First National City Bank from acting as Trustee under the three Bank Indentures and the 1966 Indenture.

Section 310(b) of the Act, which is included in section 8.08 in the 1962 Indenture, the 1963 Indenture and the 1964 Indenture provides, in part, that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interest (as defined in the section), it shall within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions stated therein, that a trustee is deemed to have a conflicting interest if it is acting as trustee under a qualified indenture and becomes trustee under another indenture of the same obligor. However, pursuant to clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture or indentures under which other securities of such obligor are outstanding, if the issuer shall have sustained the burden of proving, on application to the Commission, and after opportunity for hearing thereon, that trusteeship under a qualified indenture and another indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under any of such indentures.

The Company alleges that:

1. It has outstanding

(a) $15,000,000 principal amount of its 5⅝ percent Sinking Fund Dollar Debentures due June 1, 1977, under an indenture (the "1962 Indenture") between the Company and First National City Bank, Trustee. The 1962 Indenture has been qualified under the Act (File Nos. 2-20318, 22-3339);

(b) $15,000,000 principal amount of its 5⅜ percent Sinking Fund Dollar Debentures due April 15, 1978, under an indenture (the "1963 Indenture") between the Company and First National City Bank, Trustee. The 1963 Indenture has been qualified under the Act (File Nos. 2-21180, 22-3505);

(c) $15,000,000 principal amount of its 5¾ percent Sinking Fund Debentures due July 1, 1984, under an indenture (the "1964 Indenture") between the Company and First National City Bank, Trustee. The 1964 Indenture has not been qualified under the Act.

2. The Company has issued $10,000,000 principal amount of its 6¾ percent Sinking Fund Dollar Debentures due April 1, 1986 under an indenture (the "1966 Indenture") between the Company and First National City Bank, Trustee. The 1966 Indenture has not been qualified under the Act.

3. The 1962 Indenture, the 1963 Indenture, the 1964 Indenture and the 1966 Indenture are wholly unsecured.

4. Aside from differences as to amounts, dates and interest rates, the provisions of the four indentures are substantially identical, except for certain differences which, in the opinion of the Company, is unlikely to cause any conflict of interest between the respective trusteeships of First National City Bank under such indentures.

The Company waives notice of hearing, and waives hearing, in connection with the matter.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission, 500 North Capitol Street NW., Washington, D.C.

Notice is further given that any interested person may, not later than June 30, 1966, request in writing that a hearing be held in such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

For the Commission (by delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-6269; Filed, June 7, 1966; 8:47 a.m.]

[File No. 70-4388]

PENNZOIL CO. AND ELK REFINING CO.

Notice of Proposed Sale and Acquisition of Assets and Securities Incident to Change of Corporate Domicile

MAY 31, 1966.

Notice is hereby given that Pennzoil Co. ("Pennzoil"), 900 Southwest Tower, Houston, Tex., 77002, a registered holding company, and its wholly owned nonutility subsidiary company, Elk Refining Co. ("Elk-Pa."), a Pennsylvania corporation, have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), proposing to reincorporate Elk-Pa. as a West Virginia corporation with the same corporate name ("Elk-W. Va."). Applicants-declarants designate sections 6, 7, 9, 10, and 12 of the Act as applicable to the proposed transactions. All interested persons are referred to said application-declaration, which is summarized below, for a complete description of the proposed transactions.

Elk-Pa. is engaged, directly and through two wholly owned subsidiary companies, in the refining of crude oil at Falling Rock, W. Va., and the marketing of gasoline and other petroleum products. At December 31, 1965, the total consolidated assets, less related reserves for depreciation, depletion and amortization, of Elk-Pa. amounted to approximately $10,000,000, and total consolidated liabilities amounted to approximately $1,600,000.

Elk-W. Va. will issue all of its capital stock to Pennzoil in exchange for all of the capital stock of Elk-Pa. Elk-Pa. will then be merged into Elk-W. Va. which, as the surviving corporation, will acquire Elk-Pa.'s properties, and assets and will assume its liabilities. It is stated that on the effective date of the merger, the Board of Directors of Elk-W. Va. will be composed of the same persons who now constitute the Board of Directors of Elk-Pa.

Fees, commissions and expenses in connection with the proposed transactions are estimated at $5,900 including legal fees of $5,200. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 20, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issue of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if

the person being served is located more than 500 miles from the point of mailing) upon Pennzoil Company at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6270; Filed, June 7, 1966; 8:47 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

JUNE 1, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value, of United Security Life Insurance Company, Birmingham, Ala., otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 2, 1966, through June 11, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6271; Filed, June 7, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. MC 40 (Sub-No. 2)]

MAXIMUM HOURS OF SERVICE OF MOTOR CARRIER EMPLOYEES

JUNE 3, 1966.

Petition by Dependable Trucking Co. requesting modification of findings in Ex Parte No. MC 2, 28 M.C.C. 125, so as to bring the mechanics employed by it under the provisions of section 204(a) of the Interstate Commerce Act; petitioner's representatives: John C. Peet, Jr., and U. Baker Smith, 2107 Fidelity-Philadelphia Tr. Building, Philadelphia, Pa., 19109. By petition filed May 9, 1966, Dependable Trucking Co. requests that the mechanics employed by it be found subject to the provisions of section 204(a) of the Interstate Commerce Act relating to the qualifications and maximum hours of service of employees of motor carriers engaged in interstate commerce. Under section 13(b)(1) of the Fair Labor Standards Act, the effect of such a finding would be to exempt petitioner's mechanics from the overtime compensation provisions of section 7(a) of this act.

Petitioner conducts no motor carrier operations. It is engaged exclusively in the leasing and servicing of motor carrier equipment. With the exception of two units of equipment leased to a firm engaged in private carriage, all petitioner's equipment is leased to Reisch Trucking Co., a motor common carrier of property, operating in interstate commerce pursuant to certificates Nos. MC-16513 and MC-16513 (Sub-No. 1). This carrier owns no equipment of its own. Petitioner employs 22 mechanics whose sole duties consist of maintaining the equipment leased to Reisch Trucking Co. Petitioner and Reisch Trucking Co. are commonly owned and controlled and share common office facilities and clerical help. The findings in Ex Parte No. MC 2, 28 M.C.C. 125, regarding the qualifications and maximum hours of service of interstate motor carrier employees do not relate to mechanics employed by establishments such as petitioner. It believes that the circumstances described above warrants modification of these findings in such a manner as to extend the provisions of section 204(a) of the Interstate Commerce Act to its mechanics.

No oral hearing is contemplated at this time, but anyone wishing to make representations in favor of, or against, the modification proposed above may do so by the submission of written data, views, or arguments. An original and five copies of such data, views, or arguments must be filed with the Commission on or before July 11, 1966.

Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6297; Filed, June 7, 1966; 8:49 a.m.]

[Notice 398]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 3, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 903 (Deviation No. 1), FALWELL FAST FREIGHT, INC., Post Office Box 937, 3915 Campbell Avenue, Lynchburg, Va., filed May 26, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highways 60 and 21, south of Gauley Bridge, W. Va., over U.S. Highway 60 to junction U.S. Highway 220, at Clifton Forge, Va., thence over U.S. Highway 220 to Roanoke, Va., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Bluefield, W. Va., over U.S. Highway 19 to Princeton, W. Va., thence over U.S. Highway 219 to Rich Creek, Va., thence over U.S. Highway 460 (formerly Virginia Highway 8) to Christiansburg, Va., thence over U.S. Highway 11 to Roanoke, Va., (2) from Bluefield, W. Va., over U.S. Highway 19 to junction U.S. Highway 21 (formerly U.S. Highway 19), thence over U.S. Highway 21 to Gauley Bridge, W. Va., thence over U.S. Highway 60 to Charleston, W. Va., and (3) from Bluefield, W. Va., over U.S. Highway 19 to Beckley, W. Va., thence over West Virginia Highway 3 to Racine, W. Va., and thence over U.S. Highway 119 to Charleston, W. Va., and return over the same routes.

No. MC 2136 (Deviation No. 3), CLEMANS TRUCK LINE, INC., 815 West Sample Street, South Bend, Ind., 46221, filed May 31, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From South Bend, Ind., over Indiana Highway 23 to the Indiana-Michigan State line, thence over Michigan Highway 62 to junction Michigan Highway 60 at or near Cassopolis, Mich., thence over Michigan Highway 60 to junction U.S. Highway 131 near Three Rivers, Mich., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From South Bend, Ind., over U.S. Highway 33 to Elkhart, Ind., thence over Indiana Highway 120 to Bristol, Ind., thence over Indiana Highway 15 to the Indiana-Michigan State line, thence over U.S. Highway 131 to junction Michigan Highway 60 at or near Three Rivers, Mich., and return over the same route.

No. MC 108298 (Deviation No. 3), ELLIS TRUCKING CO., INC., 1600 Oliver Avenue, Indianapolis, Ind., 46207, filed May 27, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highways 23 and 25, at Toledo, Ohio, over U.S. Highway 23 to junction U.S. Highway 10 at Flint, Mich., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Flint, Mich., over U.S. Highway 10 to Detroit, Mich., and (2) from Detroit, Mich., over U.S. Highway 25 to Toledo, Ohio, and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 315) (Cancels Deviation No. 171), GREYHOUND LINES, INC. (Western Division), Market and Fremont Streets, San Francisco, Calif., 94106, filed May 31, 1966. Carrier's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif., 94105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From Grants Pass, Oreg., over access highways to Interstate Highway 5, thence over Interstate Highway 5 to Medford, Oreg., (2) from Medford, Oreg., over Interstate Highway 5 and access highways to Ashland, Oreg., (3) from North Grants Pass Interchange, over Interstate Highway 5 to Medford, Oreg., (4) from Medford, Oreg., over Interstate Highway 5 to South Ashland Interchange, and (5) from Siskiyou, Oreg., over Interstate Highway 5 to South Summit Junction, Oreg., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From Portland, Oreg., over Interstate Highway 5 to junction U.S. Highway 99E (North Salem Junction), thence over U.S. Highway 99E to junction Interstate Highway 5, thence over Interstate Highway 5 to Albany, Oreg., thence over U.S. Highway 99E to Junction City, Oreg., thence over U.S. Highway 99 to Eugene, Oreg., thence over Interstate Highway 5 to Canyonville, Oreg., thence over U.S. Highway 99 to Rock Point, Oreg., thence over Interstate Highway 5 to junction U.S. Highway 99 (Seven Oaks), thence over U.S. Highway 99 to junction Interstate Highway 5 (South Ashland Junction), thence over Interstate Highway 5 to Siskiyou, Oreg., thence over U.S. Highway 99 to Oregon-California State line (connects with California Route 41).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6296; Filed, June 7, 1966; 8:50 a.m.]

[Notice 930]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 3, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflects the scope of the application as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 111196 (Sub-No. 31) (Republication), filed April 8, 1965, published FEDERAL REGISTER issue of April 28, 1965, and republished, this issue. Applicant: R. KUNTZMAN, INC., 1805 West State Street, Alliance, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. By application filed April 8, 1965, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, of general commodities (except those of unusual value, classes A and B explosives, livestock, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Beach City, Bolivar, Brewster, Canal Fulton, Crystal Spring, East Sparta, Harmon, Magnolia, Marshallville, McDonaldsville, Minerva, Navarre, Newman, North Lawrence, Stanwood, Waynesburg, and Wilnot, all in Stark County, Ohio, as offroute points in conjunction with applicant's regular-route operations at Alliance and Canton, Ohio, subject to the restriction that the service so authorized shall be for the purpose of joinder only with carriers' existing authority to transport general commodities, with usual exceptions, and that service authorized herein shall be for the purpose of interchange of traffic.

An order of the Commission, Operating Rights Board No. 1, dated May 16, 1966, and served May 24, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Canal Fulton, Minerva, Navarre, N. Lawrence, Magnolia, and Waynesburg, Ohio, as off-route points in connection with applicant's otherwise authorized regular-route operations, restricted to the transportation of traffic received from or delivered to other for-hire carriers; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 116254 (Sub-No. 62) (Corrected republication), filed November 4, 1965, published FEDERAL REGISTER issues of November 18, 1965, and May 11, 1966, respectively, and republished this issue. Applicant: CHEM-HAULERS, INC., Post Office Box 245, Sheffield, Ala. Applicant's representative: Walter Harwood, Nashville Bank & Trust Building, Nashville, Tenn. By application filed November 4, 1965, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of dimethyl terephthalate and terephthalic acid, in bins of 4,000 pounds to 5,500 pounds capacity each, from the plant site of Amoco Chemicals Corp. located at or near Decatur, Ala., to points in Alabama, Georgia, Illinois, Indiana, Mississippi, North Carolina, Ohio, Kentucky, South Carolina, Tennessee, Virginia, and West Virginia, restricted to traffic which is loaded in bins or containers prior to placement on vehicles, which is destined to Kingsport, Tenn., and points in Virginia and West Virginia.

An order of the Commission, Operating Rights Board No. 1, dated April 21, 1966, and served April 28, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *dimethyl terephthalate* and *terephthalic acid*, other than in bulk, from the plantsite of Amoco Chemicals Corp., at or near Decatur, Ala., to points in Georgia, Illinois, Indiana, Mississippi, North Carolina, Ohio, Kentucky, South Carolina, Tennessee, Virginia, and West Virginia; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such pub-

lication, during which period any proper party in interest may file an appropriate protest or other pleading. NOTE: The purpose of this corrected republication is to show applicant's correct name and representative.

No. MC 123615 (Sub-No. 4) (Republication), filed October 27, 1965, published FEDERAL REGISTER issue of November 18, 1965, and republished, this issue. Applicant: TRANSPET, INC., 36 Cooper Square, New York, N.Y. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J., 07102. By application filed October 27, 1965, as amended, applicant seeks a permit authorizing operation, in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes, of pet supplies, pet foods, pet accessories, pet tonics, and insecticides, except in bulk, from Harrison and Bloomfield, N.J., to points in Connecticut, Delaware, the District of Columbia, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, points in Albany, Bronx, Broome, Cayuga, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Herkimer, Kings, Madison, Monroe, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Oswego, Otsego, Putnam, Queens, Rensselaer Richmond, Rockland, Saratoga, Schenectady, Schoharie, Schuyler, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Washington, Wayne, and Westchester Counties, N.Y., points in Berks, Bucks, Carbon, Chester, Columbia, Dauphin, Delaware, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Northumberland, Philadelphia, Pike, Schuylkill, and York Counties, Pa., and points in Anne Arundel, Baltimore, Caroline, Carroll, Frederick, Harford, Howard, Kent, Montgomery, Prince Georges, Queen Annes, and Talbot Counties, Md., and returned, rejected, and damaged merchandise, on return, restricted to service under contract with Aquarium Supply Co. (division of Sternco Industries, Inc.), Long Life Fish Products (division of Sternco Industries, Inc.), Pet Needs, Inc., Hartz Mountain Products Corp., and Sternco Industries, Inc. The application was referred to Examiner Kenneth A. Jennings for hearing and the recommendation of an appropriate order thereon. Hearing was held on March 24, 1966, at New York, N.Y. At the hearing, applicant moved to amend its application to include Baltimore City as a destination point. A report and recommended order of the Commission, served April 25, 1966, which became effective May 16, 1966, finds that applicant is fit, willing, and able properly to perform the service of a contract carrier by motor vehicle and to conform to the provisions of the Interstate Commerce Act and with the lawful requirements, rules, and regulations of the Commission thereunder, and that operation, in interstate or foreign commerce by applicant as a contract carrier by motor vehicle, over irregular routes, under continuing contracts with Hartz Mountain Products Corp., Pet Needs, Inc., and Sternco Industries, Inc., transporting (1) pet supplies, pet foods, pet accessories, pet tonics, and pet insecticides (except commodities in bulk), from Harrison and Bloomfield, N.J., to the District of Columbia, Baltimore, Md., points in Connecticut, Delaware

SIGNAL DELIVERY SERVICE, INC., is authorized to operate as a *contract carrier* in Illinois, Indiana, and Michigan. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9438. Authority sought for purchase by ST. MARYS TRUCKING CO., INC., St. Marys, Ohio, of a portion of the operating rights of WABASH VALLEY TRUCKING, INC., Brazil, Clay County, Ind., and for acquisition by LEO W. BRINGWALD and MILDRED M. BRINGWALD, both of 1622 Ritterskamp Avenue, Vincennes, Ind., of control of such rights through the purchase. Applicants' representative: W. L. Jordon, 201 Merchants Savings Building, Terre Haute, Ind. Operating rights sought to be transferred: *Waste paper*, as a *common carrier*, over irregular routes, from Chicago, Ill., to Terre Haute, Ind. Vendee is authorized to operate as a *common carrier* in Indiana, Ohio, Illinois, and West Virginia. Application has not been filed for temporary authority under section 210a(b). NOTE: If a hearing is deemed necessary, Applicants request such a hearing be held at Columbus, Ohio.

No. MC-F-9439. Authority sought for purchase by UNITED HAULAGE CO., INC., 11-22 Welling Court, Long Island City (Queens), N.Y., of a portion of the operating rights of PROMPT MOTOR LINES, INC., 448 Ninth Avenue, New York, N.Y., and for acquisition by HERBERT MINTZER and LAWRENCE SCHWARTZ, both also of Long Island City, N.Y., of control of such rights through the purchase. Applicants' attorneys: Schindel and Cooper, 450 Seventh Avenue, New York, N.Y., 10001, and Bowes and Millner, 1060 Broad Street, Newark, N.J., 07102. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in the New York, N.Y., commercial zone, as defined by the Commission, on the one hand, and, on the other, points in Suffolk County, N.Y. Vendee is authorized to operate as a *common carrier* in New York and New Jersey. Application has not been filed for temporary authority under section 210a(b). NOTE: See also related applications in Docket Nos. MC-F-9440 (THE EL DORADO TRANSPORTATION CO., INC.—Purchase (Portion)—PROMPT MOTOR LINES, INC.), and MC-F-9441 (FRIEDMAN'S EXPRESS, INC.—Purchase (Portion)—THE EL DORADO TRANSPORTATION CO., INC.), published this same issue.

No. MC-F-9440. Authority sought for purchase by THE EL DORADO TRANSPORTATION COMPANY, INCORPORATED, 1718 Boston Post Road, Milford, Conn., of a portion of the operating rights of PROMPT MOTOR LINES, INC., 448 Ninth Ave., New York, N.Y., and for acquisition by JOHN MARINO, 517 Overlook Drive, Orange, Conn., and ANGELO MARINO, 5 Grassland Road, Milford, Conn., of control of such rights through the purchase. Applicants' attorneys: Bowes & Millner, 1060 Broad Street, Newark, N.J., 07102, and Hylan Cooper, 450 Seventh Avenue, New York, N.Y. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in the New York, N.Y., commercial zone, as defined by the Commission, between points in the New York, N.Y., commercial zone, as defined by the Commission, on the one hand, and, on the other, points in Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset, and Union Counties, N.J., and Westchester and Nassau Counties, N.Y. Vendee is authorized to operate as a *common carrier* in Connecticut, New York, Massachusetts, New Jersey, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b). NOTE: See also related applications in Docket Nos. MC-F-9439 (UNITED HAULAGE CO., INC.—Purchase (Portion)—PROMPT MOTOR LINES, INC.), and MC-F-9441 (FRIEDMAN'S EXPRESS, INC.—Purchase (Portion)—THE EL DORADO TRANSPORTATION CO., INC.), published this same issue.

No. MC-F-9441. Authority sought for purchase by FRIEDMAN'S EXPRESS, INC., 220 Conyngham Avenue, Wilkes Barre, Pa., of a portion of the operating rights of THE EL DORADO TRANSPORTATION COMPANY, INCORPORATED, 1718 Boston Post Road, Milford, Conn. Applicants' attorneys: Edward Nehez, 10 East 40 Street, New York, N.Y., Koenig, Siskind, and Drabkin, 84 William Street, New York, N.Y., 10038, and Bowes and Millner, 1060 Broad Street, Newark, N.J., 07102. Operating rights sought to be transferred: *General commodities*, excepting among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between Newark, Elizabeth, Irvington, and Harrison, N.J., on the one hand, and, on the other, New York, N.Y., and points in Westchester and Nassau Counties, N.Y. Vendee is authorized to operate as a *common carrier* in New York, Pennsylvania, and New Jersey. Application has not been filed for temporary authority under section 210a(b). NOTE: See also related applications in Docket Nos. MC-F-9439 (UNITED HAULAGE CO., INC.—Purchase (Portion)—PROMPT MOTOR LINES, INC.), and MC-F-9440 (THE EL DORADO TRANSPORTATION CO., INC.—Purchase (Portion)—PROMPT MOTOR LINES, INC.), published this same issue.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6299; Filed, June 7, 1966; 8:50 a.m.]

[Notice 932]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 3, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

Special rules of procedure for hearing.

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 123639 (Sub-No. 91), filed May 18, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: James C. Hardman, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except animal hides and commodities in bulk, in tank vehicles), from points in Morgan and Logan Counties, Colo., to points in Arizona, Nevada, Utah, California, Oregon, and Washington.

HEARING: June 20, 1966, at the New Court and Federal Building, 1961 Stout Street, Denver, Colo., before Examiner Harry M. Shooman.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6300; Filed, June 7, 1966; 8:50 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JUNE 3, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. 2709, filed March 29, 1966. Applicant: BLUEBONNET EXPRESS, INC., 5009 Rusk, Houston, Tex. Applicant's representative: Joe G. Fender, 2033 Norfolk Street, Houston, Tex. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities*, over the following routes in Texas: U.S. Highway 90 between Houston and Flatonia; State Highway 95 between Flatonia and Shiner; U.S. Highway 90A between Shiner and Hallettsville; U.S. Highway 77 between Hallettsville and Schulenburg; U.S. Highway 90A between Houston and Hallettsville; U.S. Highway 77A between Hallettsville and Quero; State Highway 72 between Quero and Kennedy; State Highway 239 between Kennedy and Goliad; U.S. Highway 59 between Goliad and Victoria; State Highway 71 between Columbus and Austin, restricted against transportation from Austin to Bastrop; State Highways 259 and 237 and U.S. Highway 290 between La Grange and Brenham via Oldenburg and Burton; Over State Highway 36 between Brenham and Caldwell; State Highway 21 between Caldwell and Bryan; State Highway 6 between Bryan and Hearne; U.S. Highway 59 between Houston and Nacogdoches; State Highway 185 between Victoria and Seadrift; State Highways 238 and 316 between Seadrift and Port Lavaca; State Highways 35 and 172 between Port Lavaca and Ganada, serving all intermediate points along said routes and coordinating the service with service presently being rendered under existing certificates and interchanging freight at appropriate points with other carriers, subject to the following restrictions. The service proposed herein is subject to the following conditions: No service shall be rendered in the transportation of any package or article weighing more than 50 pounds. No service shall be provided in the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor at one location on any one day. *Newspapers, potted plants and cut flowers* over the following routes: State Highways 259 and 237 and U.S. Highway 290 between La Grange and Brenham via Oldenburg and Burton; over State Highway 36 between Brenham and Caldwell; State Highway 21 between Caldwell and Bryan; State Highway 6 between Bryan and Hearne.

HEARING: Application has not been assigned for hearing. Contact should be made with Railroad Commission of Texas to determine date and place of hearing. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Railroad Commission of Texas, Austin, Tex., and should not be directed to the Interstate Commerce Commission.

State Docket No. 3506, filed May 20, 1966. Applicant: THOMAS C. JOHNSON, doing business as HAZARD EXPRESS, Hazard, Ky. Applicant's representatives: Julius Rather, 259 West Short Street, Lexington, Ky., and Catlett and Amato, McClure Building, Frankfort, Ky. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities*, except classes A and B explosives, household goods, and commodities in bulk, over irregular routes, between Louisville, Jefferson County, Ky., and Lexington, Fayette County, Ky., serving no intermediate points, from Louisville over Interstate Highway 64 to junction of Interstate Highway 64 and U.S. Highway 60, near Frankfort, Ky., thence over U.S. Highway 60 to Lexington, and return over the same routes, as an extension of applicant's existing authority, but restricted against the transportation of traffic originating at, destined to, or interchanged at, Lexington, Ky., or Jenkins, Ky., or their commercial areas as defined by section 281.012(2) of the Kentucky Revised Statutes.

HEARING: July 6, 1966, in the Offices of the Department of Motor Transportation, Fourth Floor, State Office Building, Frankfort, Ky. Requests for procedural information, including the time for filing protests, concerning this application, should be addressed to Department of Motor Transportation, State Office Building, Frankfort, Ky., 40601, and should not be directed to the Interstate Commerce Commission.

State Docket No. M-4019, filed May 25, 1966. Applicant: ATLAS TRANSIT & WAREHOUSE CO., INC., 14th and Geyer Streets, Little Rock, Ark. Applicant's representative: James N. Clay III, 340 Sterick Building, Memphis, Tenn. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities*, over the following routes in Arkansas: State Highway 14, Junction U.S. Highway 63 to Batesville; State Highway 10, Little Rock to Perry; State Highway 60, Arkansas River to Plainview; State Highway 113, Junction State Highway 60 to Junction State Highway 10 (serving Fourche as off-route point); State Highway 7, Junction State Highway 60 to Ola; State Highway 28, Rover to Ola (serving Kingston as off-route point); State Highway 27, Rover to Danville; State Highways 23 and 116, Booneville to Sanatorium. NOTE: Applicant intends to tack with its presently certificated routes at all common points of joinder and to serve all intermediate points on routes sought.

HEARING: Thursday, June 16, 1966, at 10 a.m., Justice Building, Little Rock, Ark. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Arkansas Commerce Commission, Justice Building, Little Rock, Ark., 72201, and should not be directed to the Interstate Commerce Commission.

State Docket No. 15787, filed May 25, 1966. Applicant: ROSS NEELY EXPRESS, INC., 3601 5th Avenue North, Birmingham, Ala. Applicant's representative: John W. Cooper, 1301 City Federal Building, Birmingham, Ala., 35203. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities* (except commodities in bulk, commodities requiring special equipment, commodities injurious to other lading, and high explosives), serving the plantsite of Macmillan, Bloedel, and Powell River Ltd., near Pine Hill, Ala., as an off-route point to applicant's Alabama Highway 5 and U.S. Highway 43 routes.

HEARING: Not known.

Requests for procedural information, including the time for filing protests, concerning this application, should be addressed to the Secretary of the Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala., 36102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6301; Filed, June 7, 1966; 8:50 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 3, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40518—*Joint motor-rail rates—Middlewest Motor Freight.* Filed by Middlewest Motor Freight Bureau, agent (No. 372), for interested carriers.

Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Central States, middlewest and southwestern territories, on the one hand, and points in Canada, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 5 to Middlewest Motor Freight Bureau, agent, tariff MF-ICC 491.

FSA No. 40519—*Soybean cake or meal from points in Arkansas.* Filed by Southwestern Freight Bureau, agent (No. B-8861), for interested rail carriers. Rates on soybean cake or meal, in carloads, from points in Arkansas, to points in southern territory.

Grounds for relief—Market competition.

Tariffs—Supplements 10 and 7 to Southwestern Freight Bureau, agent, tariffs ICC 4634 and 4673, respectively.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6302; Filed, June 7, 1966; 8:50 a.m.]

[Notice 1360]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 3, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68610. By order of May 31, 1966, the Transfer Board approved the transfer to Sacco Bros. Truck Service, Inc., Wheeling, W. Va., of the certificate in No. MC-95495, issued April 25, 1957, to Edward J. Sacco, Harold C. Sacco, William F. Sacco, James P. Sacco, and Donald F. Sacco, a partnership, doing business as Sacco Bros. Trucking Service, Wheeling, W. Va., authorizing the transportation of: Slag, sand, gravel, stone, dirt, cinders, paving brick, red dog, and bituminous road materials, from Martins Ferry, Ohio, to points in West Virginia, and from Benwood and Holliday's Cove, W. Va., to points in Ohio within 50 miles of Benwood, and points in Ohio within 50 miles of Holliday's Cove; and coal, from Wellsburg, W. Va., and points within 10 miles of Wellsburg, to Toronto, Ohio, and points in Ohio within 25 miles of Toronto. Ronald W. Kasserman, 900 Riley Law Building, Wheeling, W. Va., attorney for applicants.

No. MC-FC-68766. By order of May 31, 1966, the Transfer Board approved the transfer to William Earnhardt, doing business as Earnhardt Transport, Post Office Box 376, 1315 South Main Street, Salisbury, N.C., of the operating rights in certificates Nos. MC-116622 and MC-116622 (Sub-No. 3) issued April 20, 1960, and April 6, 1961, to Southern Pine Express, Inc., Route 2, Rockwell, N.C., authorizing the transportation of: Lumber, and wooden pallets, between points in North Carolina, Tennessee, Kentucky, Ohio, West Virginia, Virginia, and Pennsylvania.

No. MC-FC-68767. By order of May 31, 1966, the Transfer Board approved the transfer to Alfred M. Flategraff, doing business as Gardner Truck Line, Pine River, Minn., of the operating rights in certificates Nos. MC-1718 and MC-1718 (Sub-No. 9) issued October 10, 1962, and November 1, 1965, to Henry O. Flategraff and Alfred M. Flategraff, doing business as Gardner Truck Line, Pine River, Minn., authorizing the transportation, of: Butter, wooden spools, reels, new stove and office fixtures, between points in Minnesota, Iowa, North Dakota, South Dakota, and Wisconsin. A. R. Fowler, 2288 University Avenue, St. Paul, Minn., 55114, representative for applicants.

No. MC-FC-68791. By order of May 31, 1966, the Transfer Board approved the transfer to Merrimack Motor Trans. Co., Inc., 75 Sunset Road, Dracut, Mass., of the certificate of registration No. MC-85545 (Sub-No. 1), issued December 11, 1963, to Ubald W. Bergeron, doing business as Merrimack Motor Trans., 118 Aiken Street, Lowell, Mass., evidencing a right to engage in interstate or foreign commerce, in the transportation of: General commodities anywhere within the Commonwealth of Massachusetts, over irregular routes.

No. MC-FC-68792. By order of May 31, 1966, the Transfer Board approved the transfer to Raymond A. Harsch, Inc., Elmont, N.Y., of permit in No. MC-125778 (Sub-No. 1), issued Noyember 6, 1964, to Raymond A. Harsch, Elmont, N.Y., authorizing the transportation of: *Kitchen equipment as defined by the Commission,* kitchen cabinets, moldings, vanity cabinets, exhaust fans, garbage disposal units, and parts, accessories and materials used in the installation and assembly of the above-described commodities, from East Rockaway (Nassau County), N.Y., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, North Carolina, Pennsylvania, Rhode Island, Virginia, and the District of Columbia and returned shipments of the above-specified commodities, under continuing contract with Whitehall Cabinets, Inc., of East Rockaway, N.Y. Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y., attorney for applicants.

No. MC-FC-68795. By order of May 31, 1966, the Transfer Board approved the transfer to William Kellett & Sons, Inc., Keansburg, N.J., of certificate in No. MC-43328, issued May 7, 1942, to William H. A. Weber, Irvington, N.J., authorizing the transportation of: Household goods, over irregular routes, between points and places, in Essex, Union, Hudson, Bergen, and Passaic Counties, N.J., on the one hand, and, on the other, points and places in New Jersey, New York, Pennsylvania, Connecticut, Rhode Island, and Massachusetts, machinery, over irregular routes, between points and places in Essex, Union, Hudson, Bergen, and Passaic Counties, N.J., on the one hand, and, on the other, New York, N.Y., Easton and Philadelphia, Pa., and points and places in Westchester and Nassau Counties, N.Y., and electrical equipment, over irregular routes, between Newark, N.J., and New York, N.Y. Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J., attorney for transferee. Bernard F. Flynn, Jr., York-Flynn Building, East Blackwell Street, Dover, N.J., attorney for transferor.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6303; Filed, June 7, 1966; 8:50 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

5 CFR

	Page
213	7733, 7734, 7959
550	7881

7 CFR

	Page
28	7734
701	7735, 7814
728	7814
778	7997
811	7999
845	7815
893	7816
908	7961
910	7962, 8045
911	7962
917	7963
918	7735
944	8000
1074	8000
1099	7963
1421	7964, 8000, 8003
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
905	7971
994	8021
1001	7911
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911
1015	7911
1016	7911
1031	7831
1032	7831
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
97	8020

10 CFR

	Page
36	7959
40	7959

12 CFR

	Page
1	8060
204	8060
563	8004
571	8004

14 CFR

	Page
39	7735, 7881, 7882, 8045, 8046
71	7736, 7827, 8046, 8047
73	7736, 7827, 7882
75	7736, 7827, 8047
97	7883, 7893, 8010, 8048
PROPOSED RULES:	
21	8075
47	8077
71	7760-7762, 7836, 7975-7977, 8025, 8077, 8078
73	7977
75	7762
91	8026
93	8078

15 CFR

	Page
230	7737, 7819, 7968
PROPOSED RULES:	
9	7833

16 CFR

	Page
13	7960, 7961, 8058-8060
15	7737, 7806
PROPOSED RULES:	
45	7757

17 CFR

	Page
211	7821
230	7738
239	7738
240	7740
276	7821
PROPOSED RULES:	
270	7913

18 CFR

	Page
101	7897
141	7897
201	7897
260	7897

20 CFR

	Page
602	7966
PROPOSED RULES:	
405	7864

21 CFR

	Page
120	7741
121	8008, 8009
130	8009

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
200	7743
221	7743

25 CFR

	Page
41	7744
42	7745

26 CFR

	Page
1	7789

31 CFR

	Page
202	7899
203	7899
500	7745, 7899

32 CFR

	Page
1	7807
3	7807
4	7810
7	7811
8	7812
16	7814
30	7814
273	8007
502	7966
1250	8061

32A CFR

	Page
OIA (Ch. X):	
OI REG. 1	7745

33 CFR

	Page
203	7827
208	7751
401	8062

36 CFR

	Page
251	7899
261	7902

38 CFR

	Page
17	8064

39 CFR — Page

13 — 7752
22 — 7752
25 — 7752
43 — 7752

41 CFR

4–1 — 7819
4–6 — 7819
4–50 — 7902
8–1 — 7820
8–2 — 7820
101–15 — 7752

42 CFR

57 — 7755
76 — 7902

43 CFR

3120 — 7806

43 CFR—Continued — Page

PUBLIC LAND ORDERS:

4023 — 7969
4024 — 7969
4025 — 7969

45 CFR

801 — 7755

46 CFR

202 — 8065
308 — 7970

47 CFR

18 — 7821
21 — 7822
73 — 7904, 8067, 8069–8073
74 — 7822
91 — 7822

47 CFR—Continued — Page

PROPOSED RULES:

1 — 7837
21 — 7837
23 — 7837
73 — 7837, 7838, 8077–8081
74 — 7837, 8026
81 — 7837
87 — 7837
89 — 7837
91 — 7837
93 — 7837
95 — 7837
97 — 7837

49 CFR

95 — 7806, 8064

PROPOSED RULES:

170 — 7841
193 — 7911

50 CFR

32 — 7909, 8065
33 — 7756, 7910, 7970

DETROIT PUBLIC LIBRARY JUN 13 1966

111

LOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 13 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 111

Thursday, June 9, 1966 • Washington, D.C.

Pages 8109–8169

Agencies in this issue—

Agricultural Research Service
Atomic Energy Commission
Consumer and Marketing Service
Emergency Planning Office
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
General Services Administration
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Park Service
Small Business Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

V
31
N
111

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 14—Aeronautics and Space (Parts 40–199)
(Revised)
$1.50

Title 26—Internal Revenue (Parts 170–299)
(Pocket Supplement)
$1.00

Title 32—National Defense (Part 1100–End)
(Pocket Supplement)
$1.00

Title 36—Parks, Forests, and Memorials
(Pocket Supplement)
$0.60

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER
Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL RESEARCH SERVICE
Rules and Regulations
Imports and exports; commuted travel time allowances 8113

AGRICULTURE DEPARTMENT
See Agricultural Research Service; Consumer and Marketing Service.

ARMY DEPARTMENT
See Engineers Corps.

ATOMIC ENERGY COMMISSION
Notices
State of Alabama; proposed agreement for assumption of certain AEC regulatory authority 8137

COMMERCE DEPARTMENT
See International Commerce Bureau; Maritime Administration.

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Corn standards; interpretations regarding term "other colors" 8113
Fruit; shipment limitations:
Grapefruit 8114
Oranges 8114
Milk in certain marketing areas; orders amending orders:
Milwaukee, Wis 8116
Rock River Valley 8115
Plums grown in California; size 8114
Proposed Rule Making
Milk in southeastern Florida marketing area; extension of time for comments 8131

DEFENSE DEPARTMENT
See Engineers Corps.

EMERGENCY PLANNING OFFICE
Notices
Texas; major disaster notice 8146

ENGINEERS CORPS
Rules and Regulations
Danger zone; Pacific Ocean, Hawaii 8129

FEDERAL AVIATION AGENCY
Rules and Regulations
Control area and reporting points; alteration; correction 8117
Federal airways; alteration 8117
Standard instrument approach procedures; miscellaneous amendments 8118

FEDERAL COMMUNICATIONS COMMISSION
Proposed Rule Making
Table of assignments, FM broadcast stations; extension of time for comments 8132
Notices
Hearings, etc.:
Brown Broadcasting Co., Inc., and Dixie Broadcasting Corp. 8141
Central Broadcasting Corp. and Second Thursday Corp 8141
Gill, Raymond W 8142
Washington Broadcasting Co. and WOL, Inc 8142

FEDERAL MARITIME COMMISSION
Notices
Practices of independent ocean freight forwarders and brokers, and ocean-going common carriers; scheduling of oral argument 8142

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
City of Jonesboro, Ill., and Texas Eastern Transmission Corp. 8142
Commonwealth Edison Co. and Central Illinois Electric and Gas Co 8142
Consolidated Edison Company of New York, Inc. (2 documents) 8143
Michigan Wisconsin Pipe Line Co 8144
Missouri Natural Gas Co. and Mississippi River Transmission Corp. (2 documents) 8144, 8145
Natural Gas Pipeline Company of America 8145
Northern States Power Co 8145
Pacific Power & Light Co 8145
Panhandle Eastern Pipe Line Co 8146

FISH AND WILDLIFE SERVICE
Proposed Rule Making
Anadromous fisheries conservation, development and enhancement 8130

GENERAL SERVICES ADMINISTRATION
Rules and Regulations
Construction and alteration of public buildings; miscellaneous amendments 8117
Procurement by negotiation; architectural and engineering services 8116

INTERIOR DEPARTMENT
See Fish and Wildlife Service; Land Management Bureau; National Park Service.

INTERNATIONAL COMMERCE BUREAU
Notices
Cargo Consolidation Services, Ltd., et al.; order extending temporary denial of export privileges 8136

INTERSTATE COMMERCE COMMISSION
Notices
Motor carrier:
Broker, water carrier, and freight forwarder applications 8147
Property 8166
Railroads; boxcar distribution:
Baltimore and Ohio Railroad Co. and Soo Line Railroad Co. 8167
Louisville and Nashville Railroad Co. and Chicago and Western Railway Co 8167
Pennsylvania Railroad Co. and Soo Line Railroad Co 8167

LAND MANAGEMENT BUREAU
Notices
Alaska; filing of plat of survey 8133
Idaho; proposed withdrawal and reservation of lands; amendment 8133
Utah; opening of lands to mineral leasing and location 8133

MARITIME ADMINISTRATION
Notices
United States Lines Co.; application of certain cruises 8137

NATIONAL PARK SERVICE
Notices
Authority delegations:
Chief, Division of Contract Administration and Construction, San Francisco Planning and Service Center 8134
Superintendents et al.:
Northeast Region 8135
Southeast Region 8135
Southwest Region 8134

SMALL BUSINESS ADMINISTRATION
Notices
Authority delegations:
Disaster Loan Group, Disaster Field Office, New Orleans 8146
Manager, Disaster Field Office, New Orleans 8147
Disaster Loan Group, Southwestern Area; designation of chairman and members 8147

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

26 8113
354 8113
905 (2 documents) 8114
917 8114
1038 8115
1039 8116
PROPOSED RULES:
1013 8131

14 CFR

71 (2 documents) 8117
97 8118

33 CFR

204 8129

41 CFR

1–3 8116
101–17 8117

47 CFR

PROPOSED RULES:
73 8132

50 CFR

PROPOSED RULES:
401 8130

Rules and Regulations

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 26—GRAIN STANDARDS

Subpart B—Standards

INTERPRETATIONS REGARDING TERM "OTHER COLORS"

Statement of considerations. Under the Official Grain Standards of the United States for Corn (7 CFR 26.151–26.153) "yellow kernels of corn with a slight tinge of red" are considered as yellow corn, and "white kernels of corn with a slight tinge of light straw or pink color" are considered as white corn.

In recent years, yellow corn with red pigmented stripes has appeared in commercial lots in various midwestern grain markets. When the stripes were distinct and were on the side and over the crown of the kernels, the kernels were considered to be "corn of other colors." A similar striped condition is reported to occur in white corn. When corn of other colors is present in yellow corn in quantities of more than 5 percent, and when present in white corn in quantities of more than 2 percent, the corn is graded "Mixed Corn." The occurrence of yellow corn with red stripes has become more pronounced in recent months and in one or more markets is now one of the more important factors in grading the corn.

Corn specialists have indicated that the stripes are caused by a virus, are not known to be related to the quality of the corn, and are not necessarily a genetic characteristic. Corn merchandisers have indicated that the stripes are considered to be an appearance factor and are not considered objectionable by the end users. Accordingly, it was questioned whether the corn with the stripes should be considered "corn of other colors."

On April 16, 1966, there was published in the FEDERAL REGISTER (31 F.R. 5905) a proposed interpretation regarding the term "yellow kernels of corn with a slight tinge of red" when used in the Official Grain Standards of the United States for Corn. It was proposed that the term should be construed to include kernels which are yellow and/or light red in color, and kernels which are yellow and dark red in color provided the dark red color covers less than 50 percent of the kernel. Yellow and dark red kernels in which the dark red color covers 50 percent or more of the kernel would be considered as "corn of other colors."

A proposed interpretation with respect to the term "white kernels of corn with a slight tinge of straw or pink color" was also included. It was proposed that the term should be construed to include kernels which are white and/or light straw or light pink in color, and kernels which are white and pink in color provided the pink color covers less than 50 percent of the kernel. White and pink kernels in which the pink color covers 50 percent or more of the kernel would be considered as "corn of other colors."

Interested parties were given 30 days after publication to submit written data, views, or arguments.

Essentially all of the information available to the Department, including the comments received from the interested parties, supports the proposed interpretations. Accordingly, pursuant to section 8 of the U.S. Grain Standards Act, as amended (7 U.S.C. 84), the following interpretations of the Official Grain Standards of the United States for Corn are hereby issued to appear in 7 CFR 26.904 and 26.905:

§ 26.904 Interpretation with respect to the term "yellow kernels of corn with a slight tinge of red."

The term "yellow kernels of corn with a slight tinge of red" when used in the Official Grain Standards of the United States for Corn (see § 26.151(c)) shall be construed to include kernels which are yellow and/or light red in color, and kernels which are yellow and dark red in color provided the dark red color covers less than 50 percent of the kernel. Yellow and dark red kernels in which the dark red color covers 50 percent or more of the kernel shall be considered as "corn of other colors."

§ 26.905 Interpretation with respect to the term "white kernels of corn with a slight tinge of light straw or pink color."

The term "white kernels of corn with a slight tinge of light straw or pink color," when used in the Official Grain Standards of the United States for Corn (see § 26.151(d)) shall be construed to include kernels which are white and/or light straw or light pink in color, and kernels which are white and pink in color provided the pink color covers less than 50 percent of the kernel. White and pink kernels in which the pink color covers 50 percent or more of the kernel shall be considered as "corn of other colors."

(Sec. 8, 39 Stat. 485, 7 U.S.C. 84; 29 F.R. 16210, as amended, 30 F.R. 1260, as amended)

Effective date. The foregoing interpretations shall be applied in the inspection and grading of corn, under the U.S. Grain Standards Act, effective today.

On and after the effective date, upon request of the applicant for inspection, the percentage of striped corn will be shown on inspection certificates.

Done at Washington, D.C., this 3d day of June 1966.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 66-6333; Filed, June 8, 1966; 8:47 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Director of the Plant Quarantine Division by § 354.1 of the regulations concerning overtime services relating to imports and exports, effective November 7, 1965 (7 CFR 354.1), administrative instructions (7 CFR 354.2), effective January 27, 1966, as amended March 19, 1966, and April 23, 1966 (31 F.R. 1052, 4722, 6247), prescribing the commuted travel time that shall be included in each period of overtime duty are hereby amended by adding to the "list" therein as follows:

§ 354.2 Administrative instructions prescribing commuted travel time.

* * * * *

OUTSIDE METROPOLITAN AREA

* * * * *

FOUR HOURS

Olmstead AFB, Middletown, Pa. (served from Philadelphia, Pa.).

* * * * *

This commuted travel time period has been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime duty when such travel is performed solely on account of such overtime duty. Such establishment depends upon facts within the knowledge of the Plant Quarantine Division. It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(64 Stat. 561; 5 U.S.C. 576).

This amendment shall become effective June 9, 1966.

Done at Hyattsville, Md., this 6th day of June 1966.

[SEAL] F. A. JOHNSTON,
Director, Plant Quarantine Division.

[F.R. Doc. 66-6346; Filed, June 8, 1966; 8:48 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Grapefruit Reg. 62]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Notice was published in the May 19, 1966, issue of the FEDERAL REGISTER (31 F.R. 7286) that consideration was being given to proposals of the Growers Administrative Committee, established under the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof, with respect to grade and size limitations to be made applicable to all grapefruit handled between the production area and any point outside thereof in the continental United States, Canada, or Mexico.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, it is hereby found that the limitation of the shipment of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

§ 905.482 Grapefruit Regulation 62.

(a) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the U.S. Standards for Florida Grapefruit (§§ 51.750–51.783 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., August 1, 1966, and ending at 12:01 a.m., e.s.t., September 12, 1966, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(ii) Any seedless grapefruit, grown in the production area, which are smaller than $3^{8}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; or

(iii) Any seeded grapefruit, grown in the production area, which are smaller than $3^{15}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, June 3, 1966, to become effective at 12:01 a.m., e.s.t., August 1, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6335; Filed, June 8, 1966; 8:47 a.m.]

[Orange Reg. 53]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Notice was published in the May 19, 1966, issue of the FEDERAL REGISTER (31 F.R. 7287) that consideration was being given to proposals of the Growers Administrative Committee, established under the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof, with respect to grade and size limitations to be made applicable to all oranges handled between the production area and any point outside thereof in the continental United States, Canada, or Mexico.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, it is hereby found that the limitation of the shipment of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

§ 905.483 Orange Regulation 53.

(a) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the U.S. Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1178 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., August 1, 1966, and ending at 12:01 a.m., e.s.t., September 12, 1966, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(ii) Any oranges, except Temple and Murcott Honey oranges, grown in the production area, which are of a size smaller than $2^{4}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the U.S. Standards for Florida Oranges and Tangelos: *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2^{4}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2^{10}/_{16}$ inches in diameter or smaller;

(iii) Any Temple oranges, grown in the production area, which are of a size smaller than $2^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the aforesaid U.S. Standards for Florida Oranges and Tangelos; or

(iv) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than $2^{4}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Murcott Honey oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the aforesaid U.S. Standards for Florida Oranges and Tangelos.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, June 3, 1966, to become effective at 12:01 a.m., e.s.t., August 1, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6334; Filed, June 8, 1966; 8:47 a.m.]

[Plum Reg. 6]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Plums; Size

§ 917.377 Plum Regulation 6 (El Dorado, Mariposa, Red Roy, Laroda, Ace, Elephant Heart, and Sharkey).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipment of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 10, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of El Dorado, Mariposa, Red Roy, Laroda, Ace, Elephant Heart, or Sharkey plums unless such plums are of a size that, when packed in a standard basket, they will pack at least 3 x 4 x 5 standard pack.

(2) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (7 CFR 51.1520–1538; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 8, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6419; Filed, June 8, 1966; 11:21 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 38]

PART 1038—MILK IN ROCK RIVER VALLEY MARKETING AREA

Order Amending Order

§ 1038.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Rock River Valley marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than June 1, 1966. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area. The decision of the Assistant Secretary containing all amendment provisions of this order was issued May 31, 1966. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective June 1, 1966, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Rock River Valley marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as amended, and as hereby further amended, as follows:

Section 1038.44(c) and the introductory text of § 1038.44(d) is amended as follows:

§ 1038.44 Transfers.

* * * * *

(c) As Class I milk, if transferred in packaged form to a nonpool plant that is not an other order plant;

(d) As Class I milk, if transferred in bulk or diverted to a nonpool plant that is neither an other order plant nor a producer-handler plant, unless the requirements of subparagraphs (1) and (2) of this paragraph are met in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph:

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date. June 1, 1966.

Signed at Washington, D.C., on June 6, 1966.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66–6347; Filed, June 8, 1966; 8:48 a.m.]

[Milk Order 39]

PART 1039—MILK IN MILWAUKEE, WIS., MARKETING AREA

Order Amending Order

§ 1039.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Milwaukee, Wis., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1966. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The decision of the Assistant Secretary containing all amendment provisions of this order was issued May 31, 1966. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1966, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Milwaukee, Wis., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. Section 1039.12(a) is revised as follows:

§ 1039.12 Handler.

* * * * *

(a) Any person in his capacity as the operator of a pool plant, except that any person who is the operator of a distributing plant or a supply plant that first became a pool plant under this part after May 1, 1966, upon written notification to, and subject to approval by the market administrator may be a separate handler for such distributing plant or supply plant if such distributing plant distributes in the current month less than 50 percent of its Grade A milk receipts in the Milwaukee marketing area or if such supply plant ships in the current month less than 50 percent of its Grade A milk receipts from dairy farmers to pool distributing plants which were pool plants under this part prior to May 1, 1966,

* * * * *

2. Section 1039.44(c) and the introductory text of § 1039.44(d) is revised as follows:

§ 1039.44 Transfers.

* * * * *

(c) As Class I milk if transferred in packaged form to a nonpool plant that is not an other order plant;

(d) As Class I milk if transferred in bulk or diverted to a nonpool plant that is neither an other order plant nor a producer-handler plant unless the requirements of subparagraphs (1) and (2) of this paragraph are met, in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph:

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date. May 1, 1966.

Signed at Washington, D.C., on June 6, 1966.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66–6348; Filed, June 8, 1966; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1–3—PROCUREMENT BY NEGOTIATION

Subpart 1–3.2—Circumstances Permitting Negotiation

ARCHITECTURAL AND ENGINEERING SERVICES

This amendment revises § 1–3.204 to delete the General Services Administration clearance requirement regarding the negotiation of contracts for professional engineering, architectural, and landscape architectural services, and to provide references to the appropriate sections of the Federal Property Management Regulations (41 CFR Chapter 101) with respect to contracts for engineering and architectural services and delegations of authority under section 15 of the Public Buildings Act of 1959 (40 U.S.C. 614).

Section 1–3.204 is revised as follows:

§ 1–3.204 Personal or professional services.

* * * * *

(b) *Limitations.* This authority shall not apply to the procurement by negotiation of any types of services authorized under any other provisions of this subpart. (For instructions regarding contracts for professional engineering, architectural, and landscape architectural services and delegations of authority under section 15 of the Public Buildings Act of 1959 (40 U.S.C. 614), see Federal Property Management Regulations (§§ 101–17.402(c) and 101–17.501 of this title).)

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This amendment is effective July 18, 1966, but may be observed earlier.

Dated: June 2, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66–6340; Filed, June 8, 1966; 8:47 a.m.]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER D—PUBLIC BUILDINGS AND SPACE

PART 101–17—CONSTRUCTION AND ALTERATION OF PUBLIC BUILDINGS

Miscellaneous Amendments

This amendment prescribes the basis on which executive agencies may contract for professional engineering, architectural, and landscape architectural services and the policies and procedures regarding delegations of the Administrator's authorities and responsibilities under the Public Buildings Act of 1959 (40 U.S.C. 601–615).

Subpart 101–17.4—Construction Projects

Section 101–17.402(c) is revised to prescribe the basis on which executive agencies may contract for professional engineering, architectural, and landscape architectural services for projects which fall within the definition of a "public building" set forth in section 13 of the Public Buildings Act of 1959 (40 U.S.C. 612). As revised, the section reads as follows:

§ 101–17.402 Architectural and engineering services.

* * * * *

(c) Executive agencies may contract for professional engineering, architectural, and landscape architectural services for projects which fall within the definition of a "public building" contained in section 13 of the Public Buildings Act of 1959 (40 U.S.C. 612) only when the Administrator of General Services has delegated his responsibilities and authorities pursuant to section 15 of that Act (40 U.S.C. 614). (See § 101–17.501 regarding delegations of authority.)

Subpart 101–17.5—Delegation of Authority

Section 101–17.501 is revised to limit its application to delegations of authority pursuant to section 15 of the Public Buildings Act of 1959 (40 U.S.C. 614), and to prescribe criteria for granting such delegations. As revised, the section reads as follows:

§ 101–17.501 Conditions justifying delegation.

The authorities and responsibilities of the Administrator of General Services under the provisions of the Public Buildings Act of 1959 (40 U.S.C. 601–615) shall, except for the authority in section 4 of that Act, upon request, be delegated to the appropriate executive agency where the estimated cost of the project does not exceed $100,000 and may, in the Administrator's discretion, be delegated in cases exceeding that amount (see sec. 15 of the Act). When the estimated cost of the project exceeds $100,000, the following criteria will be applied in determining whether a delegation will be made:

(a) The staff capability of the requesting agency to negotiate and administer contracts for the various types of work involved; and

(b) Whether such a delegation will promote efficiency and economy. See § 101–17.402(c) regarding contracts for professional engineering and architectural services.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This amendment is effective July 18, 1966, but may be observed earlier.

Dated: June 2, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66–6341; Filed, June 8, 1966; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65–CE–92]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On August 28, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 11146) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would extend V–9 from Green Bay, Wis., via Iron Mountain, Mich., to Houghton, Mich., including an east alternate from Iron Mountain to Houghton via Marquette, Mich.; extend V–191 from Rhinelander, Wis., via Ironwood, Mich., to Duluth, Minn., and that would designate a segment of V–430 from Duluth via Ironwood and Iron Mountain to Escanaba, Mich. These actions would provide Federal airways for scheduled air carriers serving certified permanent air carrier stops in Minnesota and lower Michigan. On November 18, 1965, an amendment to Part 71 of the Federal Aviation Regulations was published in the FEDERAL REGISTER (30 F.R. 14424) which designated these airway segments effective March 3, 1966. On April 11, 1966, it was determined that the Iron Mountain, Mich., VORTAC would not meet the standards to support air navigation. Accordingly, an amendment to Part 71 of the Federal Aviation Regulations revoking the above segments of V–9 and V–430 was published in the FEDERAL REGISTER (31 F.R. 5823).

On June 1, 1966, after modification of the Iron Mountain VORTAC, a flight inspection of the facility determined that it will now meet the standards required to support air navigation. As the airways are required to provide air traffic service to scheduled air carrier aircraft serving Ironwood, Mich., Iron Mountain, Mich., Escanaba, Mich., Green Bay, Wis., Marquette, Mich., and Houghton, Mich., action is taken herein to designate V–9 and V–430 as proposed in the notice.

Since there were no objections to the proposals as published in the notice and as these actions involve public convenience and safety, the Administrator has determined that notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 5823, 6484, 6582) is amended as follows:

1. In V–9 "to Green Bay, Wis." is deleted and "Green Bay, Wis.; Iron Mountain, Mich.; to Houghton, Mich., including an E alternate from Iron Mountain to Houghton via Marquette, Mich." is substituted therefor.

2. In V–430 "to Ironwood, Mich." is deleted and "Ironwood, Mich.; Iron Mountain, Mich.; to Escanaba, Mich." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on June 2, 1966.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–6310; Filed, June 8, 1966; 8:45 a.m.]

[Airspace Docket No. 65–EA–87]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Area and Reporting Point

Correction

In F.R. Doc. 66–6001 appearing in the issue for Thursday, June 2, 1966, at page 7827 in the 8th line of Control 1144 for § 71.163, "latitude 41°46'00" N." should read "latitude 41°06'00" N.".

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7351; Amdt. 481]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Augusta VOR	CCM RBn.	Direct.	2300	T-dn# C-dn S-dn A-dn	400–1 600–1 NA 800–2	400–1 600–1 NA 800–2	400–1 600–1½ NA 800–2

Procedure turn W side of crs, 351° Outbnd, 171° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 1200′.
Crs and distance, facility to airport, 171°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.9 mile after passing CCM RBn, climb straight ahead on 171° bearing from CCM RBn to 1500′, then right-climbing turn to 2300′ direct CCM RBn. Hold N of CCM RBn, 171° Inbnd, 1-minute right turns.
NOTE: Approach from a holding pattern not authorized. Procedure turn required.
CAUTION: 507′ antenna, 1.3 miles W of airport, 545′ antenna, 0.9 mile SSE of airport.
#Runway 17 departures make left-climbing turn after takeoff.
MSA within 25 miles of facility: 000°–180°—2000′; 180°–270°—2500′; 270°–360°—3000′.

City, Augusta; State, Maine; Airport name, Augusta State; Elev., 357′; Fac. Class., MHW; Ident., CCM; Procedure No. 2, Amdt. Orig.; Eff. date, 11 June 66

Lawson RBn	LOM	Direct	2200	T-dn	300–1	300–1	200–½
Columbus VOR	LOM	Direct	2200	C-dn	500–1	500–1	500–1½
Geneva Int	LOM	Direct	2200	S-dn–6°	500–1	500–1	500–1
Marvyn Int	LOM	Direct	2200	A-dn	800–2	800–2	800–2
Seale Int	LOM (final)	Direct	2200				

Procedure turn W side of crs, 233° Outbnd, 053° Inbnd, 2200′ within 10 miles of LOM.
Minimum altitude over facility on final approach crs, 2200′ over LOM.
Crs and distance, facility to airport, 053°—6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing LOM, climb to 2200′, proceed to Geneva Int via 049° bearing from CS LOM, or when directed by ATC, climb to 2200′, turn left and return direct to LOM.
#Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—3400′; 090°–180°—3300′; 180°–270°—1800′; 270°–360°—2300′.

City, Columbus; State, Ga.; Airport name, Muscogee County; Elev., 397′; Fac. Class., LOM; Ident., CS; Procedure No. 1, Amdt. 14; Eff. date, 11 June 66; Sup. Amdt. No. 13; Dated, 14 May 66

Salem VOR	LOM	Direct	2600	T-dn	300–1	300–1	200–½
Carleton VOR	LOM (final)	Direct	2300	C-dn	400–1	500–1	500–1½
YIP LOM	LOM	Direct	2300	S-dn–3 L and R	400–1	400–1	400–1
Creek Int	LOM (final)	Direct	2300	A-dn	800–2	800–2	800–2
Milan Int	LOM	Direct	2300				

Radar available.
Procedure turn E side of crs, 212° Outbnd, 032° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′.
Crs and distance, facility to Runway 3L, 032°—5.9 miles; to Runway 3R, 087°—6.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing LOM, make right-climbing turn to 2300′ and proceed to Park Int via QG VOR, R 286°, or when directed by ATC, make left-climbing turn to 2200′ and return to DT LOM.
MSA within 25 miles of the facility: 000°–090°—2600′; 090°–180°—2300′; 180°–270°—2300′; 270°–360°—2300′.

City, Detroit (Romulus), State, Mich.; Airport name, Detroit Metropolitan Wayne County; Elev., 639′; Fac. Class., LOM; Ident., DT; Procedure No. 1, Amdt. 15; Eff. Date, 11 June 66; Sup. Amdt. No. 14, Dated, 9 Oct. 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
SVM VOR	DW LOM	Direct	2700	T-dn	300–1	300–1	200–½
YIP VOR	DW LOM	Direct	2700	C-dn	500–1	500–1	500–1½
CRL VOR	DW LOM	Direct	2700	S-dn–21 R and L#	500–1	500–1	500–1
QG VOR	DW LOM	Direct	2400	A-dn	800–2	800–2	800–2
Royal Int	DW LOM (final)	Direct					

Radar available.
Procedure turn N side of crs, 032° Outbnd, 212° Inbnd, 2700′ within 10 miles.
Minimum altitude over facility on final approach crs, 2400′.
Crs and distance, facility to Runway 21R, 212°—5.2 miles; to Runway 21L, 205°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.2 miles after passing DW LOM, make right-climbing turn to 2400′ and proceed direct to YI LOM, or when directed by ATC, (1) climb to 2200′, proceed direct to DT LOM, (2) climb to 2300′, make left turn, proceed to Rockwood Int via SVM, R 141°.
#Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—2300′; 270°–360°—2600′.

City, Detroit (Romulus); State, Mich.; Airport name, Detroit Metropolitan Wayne County; Elev., 639′; Fac. Class., LOM; Ident., DW; Procedure No. 2, Amdt. 5; Eff. date, 11 June 66; Sup. Amdt. No. 4; Dated, 18 Dec. 65

Milan Int	Mooreville Int	Via SVM R 200°	2400	T-dn	300–1	300–1	200–½
Milan Int	LOM	Direct	2400	C-dn	500–1	500–1	500–1½
Mooreville Int	LOM (final)	Direct	2300	S-dn–5 R and L	500–1	500–1	500–1
Salem VOR	LOM	Direct	2600	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 230° Outbnd, 050° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′.
Crs and distance, facility to airport, 050°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing LOM, make left-climbing turn to 2600′ and proceed to Salem VOR on R 170°, or when directed by ATC, make left-climbing turn to 2400′ and return to YI LOM.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—2400′; 270°–360°—2800′.

City, Detroit; State, Mich.; Airport name, Willow Run; Elev., 716′; Fac. Class., LOM; Ident., YI; Procedure No. 1, Amdt. 20; Eff. date, 11 June 66; Sup. Amdt. No. 19; Dated 22 July 65

Coffeyville Int	IDP RBn	Direct	2800	T-dn	300–1	300–1	200–½
Liberty Int	IDP RBn	Direct	2800	C-dn	700–1	700–1	700–1½
				S-d–31	700–1	700–1	700–1
				A-dn	NA	NA	NA

Procedure turn E side of crs, 149° Outbnd, 329° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1520′.
Facility on airport, breakoff point to Runway 31, 308°—0.95 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing IDP RBn, make left turn climbing to 2000′ on 149° bearing from IDP RBn within 10 miles, make left turn and return to IDP RBn. Hold on 149° bearing from IDP RBn, 329° Inbnd.
NOTES: (1) Lights operating Runways 35/17 only. (2) Use CNU altimeter setting.
MSA within 25 miles of facility: 045°–135°—2300′; 135°–225°—2100′; 225°–315°—2000′; 315°–045°—2600′.

City, Independence; State, Kans.; Airport name, Independence Municipal; Elev., 820′; Fac. Class., MH; Ident., IDP; Procedure No. 1, Amdt. 1; Eff. date, 11 June 66; Sup. Amdt. No. Orig.; Dated, 7 Jan. 65

Florence Int	LOM	Direct	1900	T-dn	300–1	300–1	200–½
Byram Int	LOM	Direct	2000	C-dn	400–1	500–1	500–1½
Trace Int	LOM	Direct	1900	S-dn–15L	400–1	400–1	400–1
Branch Int	LOM	Direct	1900	A-dn	800–2	800–2	800–2
Rankin Int	LOM	Direct	1900				
JAN VORTAC	LOM (final)	Direct	1900				

Radar available.
Procedure turn W side of crs, 333° Outbnd, 153° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 153°—5.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing JA LOM, turn right, climb to 2000′ on JAN VORTAC, R 164° within 20 miles.
MSA within 25 miles of facility: 000°–090°—1700′; 090°–180°—1800′; 180°–270°—3000′; 270°–360°—1700′.

City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 345′; Fac. Class., LOM; Ident., JA; Procedure No. 1, Amdt. 4; Eff. date, 11 June 66; Sup. Amdt. No. 3; Dated, 2 Oct. 65

JAN VORTAC	JAN RBn	Direct	1900	T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 003° Outbnd, 183° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1400′.
Crs and distance, facility to airport, 183°—2.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles after passing JAN RBn, climb to 2500′ on crs, 183° from JAN RBn within 20 miles.
CAUTION: Tower, 1049′ located 3.5 miles SW of airport.
MSA within 25 miles of facility: 000°–090°—1700′; 090°–180°—1800′; 180°–270°—3000′; 270°–360°—1700′.

City, Jackson; State, Miss.; Airport name, Hawkins Field; Elev., 343′; Fac. Class., H–SAB; Ident., JAN; Procedure No. 2, Amdt. 5; Eff. date, 11 June 66; Sup. Amdt. No. 4; Dated, 2 Oct. 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Herndon VOR	DC RBn	Direct	2000	T-dn	300–1	300–1	200–½
Potomac Int	DC RBn	Direct	2000	C-dn‡	700–1	700–1	700–1½
GTN RBn	DC RBn	Direct	2000	S-dn36‡	500–1	500–1	500–1
Ironsides Int	DC RBn	Direct	2000	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 181° Outbnd, 001° Inbnd, 2000′ within 10 miles.
Nonstandard to avoid Andrews traffic.
Minimum altitude over facility on final approach crs, 1400′.
Crs and distance, facility to airport, 001°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing DC RBn, make a left-climbing turn as soon as practicable, climb to 2000′, proceed to GTN RBn, hold NW, GTN RBn on bearing, 144°, 1-minute right turns.
CAUTION: 442′ monument, 1.7 miles W of final approach crs; 193′ stacks, 1.3 miles S of airport; 596′ monument, approximately 1.6 miles N of airport.
¢Reductions not authorized for turbojets.
‡All turbojet aircraft circling visibility minimums, 2 miles.
MSA within 25 miles of facility: 000°–270°—1700′; 270°–000°—2500′.

City, Washington, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., H–SAB; Ident., DC; Procedure No. 1, Amdt. 2; Eff. date, 11 June 66; Sup. Amdt. No. 1; Dated, 3 Oct. 64

Herndon VOR	GTN RBn	Direct	2000	T-dn	300–1	300–1	200–½
Unity Int	GTN RBn	Direct	2000	C-dn‡	900–1	900–1	900–1½
Ironsides Int	GTN RBn	Direct	2000	S-dn–15‡¢	900–1	900–1	900–1
DC RBn	GTN RBn	Direct	2000	A-dn	1000–2	1000–2	1000–2

Radar available.
Procedure turn W side of crs, 324° Outbnd, 144° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′.
Crs and distance, facility to airport, 144°—5.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing GTN RBn, climb to 1000′ on crs of 144°, make a right turn and proceed to DC RBn, 1800′, climb in holding pattern to 2000′, hold S, DC RBn on bearing, 181° Outbnd, 001° Inbnd, 1-minute left turns.
CAUTION: 596′ monument, 1.6 miles N of airport.
¢Reduction not authorized.
‡All turbojet aircraft 900–2.
MSA within 25 miles of facility: 270°–060°—2500′; 060°–270°—1700′.

City, Washington, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., HIW; Ident., GTN; Procedure No. 2, Amdt. 2; Eff. date, 11 June 66; Sup. Amdt. No. 1; Dated, 3 Oct. 64

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn	300–1	300–1	NA
				C-dn	600–1	600–1	NA
				C-n	600–2	600–2	NA
				A-dn	NA	NA	NA

Procedure turn W side of crs, 010° Outbnd, 190° Inbnd, 2900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 190°—1.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles after passing DLL VOR, make right-climbing turn to 2900′ on R 010°, hold N on R 010°.
NOTES: (1) When weather is below 1300–2, aircraft departing southeastbound, flight below 2800′ beyond 2 miles from airport is prohibited between radials 180° and 110° inclusive of the DLL VOR due to 2280′ tower, 7 miles SE of airport. (2) No weather available. Obtain Lone Rock, Wis., altimeter setting. (3) Final approach from holding pattern at VOR not authorized. Procedure turn required. (4) Caution: Runways 4–22 unlighted.
MSA within 25 miles of the facility: 000°–090°—2100′; 090°–180°—3300′; 180°–360°—2500′.

City, Baraboo; State, Wis.; Airport name, Bell Aero Service; Elev., 980′; Fac. Class., L–BVOR; Ident., DLL; Procedure No. 1, Amdt. 1; Eff. date, 11 June 66; Sup. Amdt. No. Orig.; Dated, 6 Nov. 65

Lawson RBn	CSG VOR	Direct	2000	T-dn	300–1	300–1	200–½
Columbus LOM	CSG VOR	Direct	2000	C-dn	700–1	700–1	700–1½
				A-dn	800–2	800–2	800–2
				If Davis Int received, minimums become:			
				C-dn	500–1	500–1	500–1½

Procedure turn W side of crs, 328° Outbnd, 148° Inbnd, 2000′ within 10 miles.
Minimum altitude over CSG VOR on final approach crs, 1700′; over Davis Int, 1100′.
Crs and distance, CSG VOR to airport, 148°—6.8 miles; Davis Int to airport, 148°—1.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.8 miles after passing VOR, turn left, climb to 2200′ and proceed to Geneva Int via 049° bearing from CSG LOM, or when directed by ATC, turn left, climb to 2200′ and proceed to CSG VOR via R 147.
MSA within 25 miles of facility: 000°–090°—3400′; 090°–180°—3200′; 180°–270°—2000′; 270°–360°—2200′.

City, Columbus; State, Ga.; Airport name, Muscogee County; Elev., 307′; Fac. Class., L–BVOR; Ident., CSG; Procedure No. 1, Amdt. 8; Eff. date, 11 June 66; Sup. Amdt. No. 7; Dated, 14 May 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Border Int	Taylor Int (final)	Direct	1800	T-dn	300–1	300–1	200–½
Carleton VOR	Taylor Int	Direct	2300	C-dn	400–1	500–1	500–1½
YIP VOR	Taylor Int	Direct	2300	S-dn–27	400–1	400–1	400–1
La Salle Int	Border Int	Direct	2300	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn S side of crs, 101° Outbnd, 281° Inbnd, 2300′ within 10 miles of Taylor Int.
Minimum altitude over Taylor Int on final approach crs 1800′.
Crs and distance, Taylor Int to airport, 281°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing Taylor Int, climb to 2300′ and proceed to YIP VOR.
NOTE: Dual VOR equipment or radar identification of Taylor Int required.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—2400′; 270°–360°—2600′.

City, Detroit; State, Mich.; Airport name, Detroit Metropolitan Wayne County; Elev., 639′; Fac. Class., T-VOR; Ident., YIP; Procedure No. 2, Amdt. 1; Eff. date, 11 June 66; Sup. Amdt. No. Orig.; Dated, 16 Apr. 66

				T-dn	300–1	300–1	200–½
				C-d	1000–1	1000–1	1000–1½
				C-n	1000–2	1000–2	1000–2
				A-dn	1000–2	1000–2	1000–2
				If 8.5-mile DME/Radar Fix or Fisher Int identified on final, minimums become:			
				C-dn	500–1	500–1	500–1½

Radar available.
Procedure turn W side crs, 010° Outbnd, 190° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′; over 8.5-mile DME/Radar Fix or Fisher Int, 1300′.
Crs and distance, JAN VORTAC to airport, 190°—10.8 miles; 8.5-mile DME/Radar Fix or Fisher Int to airport, 190°—2.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 10.8 miles after passing JAN VORTAC, climb to 2500′ on JAN VORTAC, R 190° within 20 miles, or, when directed by ATC, turn left, climb to 2300′ on JAN VORTAC, R 001° within 20 miles.
NOTE: When authorized by ATC, DME may be used within 30 miles at 3000′ to position aircraft for a straight-in approach with the elimination of a procedure turn.
CAUTION: Tower, 1049′ located 3.5 miles SW of airport.
MSA within 25 miles of facility: 000°–090°—1700′; 090°–180°—1700′; 180°–270°—3000′; 270°–360°—1800′.

City, Jackson; State, Miss.; Airport name, Hawkins Field; Elev., 343′; Fac. Class., H–BVORTAC; Ident., JAN; Procedure No. 1, Amdt. 7; Eff. date, 11 June 66; Sup. Amdt. No. 6; Dated, 2 Oct. 65

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
DAY VOR	MGY VOR	Via DAY VOR R 163°.	3000	T-dn	300–1	300–1	200–1
Gladstone Int	MGY VOR	Direct	2700	C-dn	500–1	500–1	500–1½
Camden Int	MGY VOR	Direct	2900	S-dn–20	500–1	500–1	500–1
Mount Holly Int	MGY VOR	Direct	2700	A-dn	NA	NA	NA
4-mile Radar Fix	MGY VOR (final)	Direct	1500				

Radar available.
Procedure turn E side of crs, 028° Outbnd, 208° Inbnd, 2700′ within 10 miles.
Minimum altitude over 4-mile Radar Fix on final, 2000′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MGY VOR, make left turn, climb to 3000′ on R 136° to Mount Holly Int. Hold SW 1-minute left turns, 055° Inbnd.
MSA within 25 miles of facility: 000°–270°—2600′; 270°–360°—3100′.

City, Dayton; State, Ohio; Airport name, Montgomery County; Elev., 960′; Fac. Class., T–VOR; Ident., MGY; Procedure No. TerVOR–20, Amdt. 1; Eff. date, 11 June 66; Sup. Amdt. No. Orig.; Dated, 21 Aug. 65

Dayton VOR	MGY VOR	Via DAY VOR R 163°.	3000	T-dn	300–1	300–1	200–1
Gladstone Int	MGY VOR	Direct	2700	C-dn	700–1	700–1	700–1½
Camden Int	MGY VOR	Direct	2900	A-dn	NA	NA	NA
Mount Holly Int	5-mile Radar Fix	Direct	2700				
5-mile Radar Fix	MGY VOR (final)	Direct	1700				

Radar available.
Procedure turn E side of crs, 136° Outbnd, 316° Inbnd, 2700′ within 10 miles.
Facility on airport.
Minimum altitude over 5-mile Radar Fix on final, 1800′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished after passing MGY VOR, make climbing right turn to 2700′, hold SE on R 136° MGY VOR, 1-minute right turns.
MSA within 25 miles of facility: 000°–270°—2600′; 270°–360°—3100′.

City, Dayton; State, Ohio; Airport name, Montgomery County; Elev., 960′; Fac. Class., VORW; Ident., MGY; Procedure No. TerVOR R 136°, Amdt. 4; Eff. date, 11 June 66; Sup. Amdt. No. TerVOR R 146°, 3; Dated, 6 Apr. 63

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
CRL VOR	YIP VOR	Direct	2600	T-dn	300–1	300–1	200–½
SVM VOR	YIP VOR	Direct	2600	C-dn	700–1	700–1	700–1¼
Milan Int	YIP VOR	Direct	2500	S-dn-5R*	700–1	700–1	700–1
				A-dn	800–2	800–2	800–2
				Dual VOR minimums, Dual VOR receivers required:*			
				C-dn	500–1	500–1	500–1½
				S-dn-5R**	500–1	500–1	500–1

Radar available.
Procedure turn S side of crs, 240° Outbnd, 060° Inbnd, 2500′ within 10 miles.
Minimum altitude over Track Int on final approach crs, 1416′.*
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of YIP VOR, make climbing left turn to 2600′ and proceed to SVM VOR on SVM, R 170°, or when directed by ATC, climb to 2700′ and proceed to Beacon Int.
*700–¾ authorized with operative HIRL or ALS, except 4-engine turbojets, reduction below ¾ mile not authorized.
**500–¾ authorized with operative HIRL or ALS, except 4-engine turbojets, reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—2400′; 270°–360°—2600′.

City, Detroit; State, Mich.; Airport name, Willow Run; Elev., 716′; Fac. Class., VOR; Ident., YIP; Procedure No. Ter VOR-5R, Amdt. 4; Eff. date, 11 June 66; Sup. Amdt. No. 3; Dated, 23 Nov. 63

YIP VOR	Beacon Int	Direct	2700	T-dn	300–1	300–1	200–½
CRL VOR	Beacon Int	Direct	2700	C-dn	500–1	500–1	500–1½
SVM VOR	Beacon Int	Direct	2700	S-dn-23L#	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 040° Outbnd, 220° Inbnd, 2700′ within 10 miles of Beacon Int.
Minimum altitude over Beacon Int on final approach crs, 1700′.
Facility on airport.
Beacon Int to YIP VOR, 220°—4.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of YIP VOR, climb to 2400′, proceed to Track Int, or when directed by ATC, climb to 2400′, proceed to CRL VOR.
NOTES: (1) Dual omnireceivers required unless Radar Fix obtainable at Beacon Int. (2) Final approach from holding pattern at Beacon Int not authorized. Procedure turn required.
#400–¾ authorized, with operative high-intensity runway lights, except 4-engine turbojets.
Reduction below 1 mile for REIL not authorized.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—2400′; 270°–360°—2600′.

City, Detroit; State, Mich.; Airport name, Willow Run; Elev., 716′; Fac. Class., VOR; Ident., YIP; Procedure No. TerVOR 23L, Amdt. 5; Eff. date, 11 June 66; Sup. Amdt. No. 4; Dated, 23 Nov. 63

CRL VOR	YIP VOR	Direct	2300	T-dn	300–1	300–1	200–½
SVM VOR	YIP VOR	Direct	2600	C-dn	500–1	500–1	500–1½
Trenton Int	Huron Int (final)	Via YIP R 108°	1900	S-dn-27L	500–1	500–1	500–1
La Salle Int	Trenton Int	Via QO R 250° and YIP R 108°	2300	A-dn	800–2	800–2	800–2
				Dual VOR Minimums—Dual VOR receivers required #			
				C-dn#	400–1	500–1	500–1½
				S-dn-27L#	400–1	400–1	400–1

Radar available.
Procedure turn N side of crs, 108° Outbnd, 288° Inbnd, 2300′ within 10 miles.
Minimum altitude over Huron Int on final approach crs, 1216′.#
Facility on airport.
Huron Int# to Runway 27L, 4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of YIP VOR, make right turn, climb to 2600′ proceed direct to SVM VOR, or, when directed by ATC, climb to 2400′, proceed to YI LOM.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—2400′; 270°–360°—2600′.

City, Detroit, State, Mich.; Airport name, Willow Run; Elev., 716′; Fac. Class., VOR; Ident., YIP; Procedure No. TerVOR 27L, Amdt. 4; Eff. date, 11 June 66; Sup. Amdt. No. 3; Dated, 23 Nov. 63

Leslie Int	JXN VOR	Direct	2300	T-dn	300–1	300–1	200–½
Brooklyn Int	JXN VOR	Direct	2300	C-dn	500–1	500–1	500–1½
Litchfield VOR	JXN VOR	Direct	2700	S-dn-5	800–1	500–1	500–1
				A-dn	800–2	800–2	800–2
				DME minimums; DME equipment required:#			
				C-dn	400–1	500–1	500–1½
				S-dn-5	400–1	400–1	400–1

Procedure turn S side of crs, 240° Outbnd, 060° Inbnd, 2300′ within 10 miles.
Minimum altitude over 4-mile DME Fix on final approach crs, 1500′.
Crs and distance, breakoff point to Runway 5, 053°—0.25 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over JXN VOR, climb to 2300′ on R 060° within 10 miles, reverse crs, proceed to JXN VOR.
CAUTION: 1946′ tower, 11.3 miles NW; 1330′ tower, 2.2 miles SE; 1310′ tower, 3 miles NE.
NOTE: When authorized by ATC, DME may be used via 10-mile DME Arc at 2600′ altitude, between JXN VOR R 139° clockwise to R 315°, to position aircraft for straight-in approach with the elimination of the procedure turn.
MSA within 25 miles of facility: 000°–090°—2400′; 090°–180°—2500′; 180°–270°—2600′; 270°–360°—3000′.

City, Jackson; State, Mich.; Airport name, Reynolds Municipal; Elev., 1000′; Fac. Class., L–BVORTAC; Ident., JXN; Procedure No. TerVOR–5, Amdt. 2; Eff. date, 11 June 66; Sup. Amdt. No. 1; Dated, 28 Dec. 63

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
Leslie Int	JXN VOR	Direct	2300	T-dn	300–1	300–1	200–½
Brooklyn Int	JXN VOR	Direct	2300	C-dn	500–1	500–1	500–1½
LFD VOR	JXN VOR	Direct	2700	S-dn-13	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2
				Dual VOR or DME minimums; dual VOR receivers or DME required:			
				C-dn	400–1	500–1	500–1½
				S-dn-13	400–1	400–1	400–1

Procedure turn W side of crs, 308° Outbnd, 128° Inbnd, 2300′ within 10 miles.
Facility on airport.
Minimum altitude over Cloverleaf Int on final approach crs, 1500′.
Crs and distance, breakoff point to Runway 13, 135°—0.3 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over JXN VOR, climb to 2300′ on R 128° within 10 miles. Reverse crs, proceed to JXN VOR.
CAUTION: Tower, 11.3 miles NW, 1946′; tower, 2.2 miles SE, 1330′; tower, 3 miles NE, 1310′.
When authorized by ATC, DME may be used via 10-mile DME Arc at 2900′ altitude, between JXN VOR R 180° clockwise to R 065°, to position aircraft for straight-in approach with the elimination of the procedure turn.
MSA within 25 miles of facility: 000°–090°—2400′; 090°–180°—2500′; 180°–270°—2600′; 270°–360°—3000′.

City, Jackson; State, Mich.; Airport name, Reynolds Municipal; Elev., 1000′; Fac. Class., BVORTAC; Ident., JXN; Procedure No. TerVOR–13, Amdt. 3; Eff. date, 11 June 66; Sup. Amdt. No. 2; Dated, 2 Jan. 65

Leslie Int	JXN VOR	Direct	2300	T-dn	300–1	300–1	200–½
Brooklyn Int	JXN VOR	Direct	2300	C-dn	700–1	700–1	700–1½
Litchfield VOR	JXN VOR	Direct	2700	S-dn-23#	700–1	700–1	700–1
Pinckney Int	JXN VOR	Direct	2400	A-dn	800–2	800–2	800–2
				Following minimums apply after passing JXN RBn:			
				C-dn	400–1	500–1	500–1½
				S-dn-23#	400–1	400–1	400–1

Procedure turn N side of crs, 046° Outbnd, 226° Inbnd, 2300′ within 10 miles.
Minimum altitude abeam JXN RBn on final approach crs, 1700′, over JXN VOR, authorized minimums.
Crs and distance, abeam JXN RBn to airport, 226°—2.1 miles.
Crs and distance, breakoff point to Runway 23, 233°—0.25 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over JXN VOR, climb to 2300′ on R 226° within 10 miles. Reverse crs, proceed to JXN VOR.
CAUTION: 1946′ tower, 11.3 miles NW; 1330′ tower, 2.2 miles SE; 1310′ tower, 3 miles NE.
NOTE: When authorized by ATC, DME may be used via 10-mile DME Arc at 2500′ altitude, between JXN VOR, R 360° clockwise to R 160° to position aircraft for straight-in approach with the elimination of the procedure turn.
#Reduction not authorized for nonstandard REIL.
MSA within 25 miles of facility: 000°–090°—2400′; 090°–180°—2500′; 180°–270°—2600′; 270°–360°—3000′.

City, Jackson; State, Mich.; Airport name, Reynolds Municipal; Elev., 1000′; Fac. Class., L–BVORTAC; Ident., JXN; Procedure No. TerVOR–23, Amdt. 3; Eff. date, 11 June 66; Sup. Amdt. No. 2; Dated, 10 Feb. 66

Jackson VOR	Teton FM	Direct	11,300	T-dn%	1600–2	1600–2	1600–2
				C-dn*	1700–2	1700–2	1700–2
				A-dn**	NA	NA	NA

Procedure turn E side of crs, 183° Outbnd, 003° Inbnd, 11,300′ within 11 miles of Teton FM.
Minimum altitude over Teton FM on final approach crs, 9100′.
Facility on airport. Crs, and distance, Teton FM to airport, 003°—3 miles; 3.6 miles, Teton FM to VOR.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished when over Jackson VOR, climb to 13,000′ via JAC VOR, R 012° to intercept DNW VOR, R 233°, thence direct to DNW VOR. Hold W of DNW VOR at 13,000′ on DNW VOR, R 265°, or when directed by ATC, right-climbing turn, climb to 14,000′ on JAC VOR, R 183° within 20 miles. No turns authorized below 11,500′, all turns E.
NOTE: Final approach from holding pattern not authorized, procedure turn required.
CAUTION: High terrain all quadrants. Altimeter setting from IDA FSS. VOR and fan marker receivers required.
*All turns W of airport, high terrain E.
**Alternate minimums of 2400–3 authorized for air carriers with weather service at airport.
%IFR departures: Climb clear of clouds over airport to 8000′, then climb on JAC VOR, R 012° within 10 miles, all turns E, to sufficient altitude to cross JAC VOR at: 10,000′ NBND to DNW, 13,000′ WBND to IDA, 12,000′ SBND to MLD, 14,200′ WBND to DBS.
MSA within 25 miles of facility: 000°–090°—14,000′; 090°–180°—13,800′; 180°–270°—13,200′; 270°–360°—15,800′.

City, Jackson; State, Wyo.; Airport name, Jackson's Hole; Elev., 6444′; Fac. Class., L–BVOR; Ident., JAC; Procedure No. VOR–1, Amdt. 1; Eff. date, 11 June 66; Sup. Amdt. No. Orig.; Dated, 2 Apr. 66

5-mile DME Fix on R 221°	JST VOR (final)	Direct	2700	T-dn	300–1	300–1	200–½
				C-dn	600–1	600–1	600–1¼
				S-dn-5	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2
				DME minimums—DME equipment required:*			
				C-dn	400–1	500–1	500–1½
				S-dn-5	400–1	400–1	400–1

Procedure turn S side of crs, 221° Outbnd, 041° Inbnd, 3800′ within 10 miles.
Minimum altitude over 5-mile DME Fix, 2884′.
Facility on airport. Breakoff point to Runway 5, 045°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of JST VOR, climb to 4200′ on JST R 060° within 10 miles. Hold NE, 1-minute right turns, 230° Inbnd.
*Reduction based on lighting aids not authorized.
MSA within 25 miles of facility: 000°–360°—4200′.

City, Johnstown; State, Pa.; Airport name, Johnstown-Cambria County; Elev., 2284′; Fac. Class., BVORTAC; Ident., JST; Procedure No. TerVOR–5, Amdt. Orig.; Eff. date, 11 June 66

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
5-mile DME Fix on R 326°	JST VOR (final)	Direct	2800	T-dn	300–1	300–1	200–½
				C-dn	1000–2	1000–2	1000–2
				S-dn-15	1000–2	1000–2	1000–2
				A-dn	1000–2	1000–2	1000–2
				DME minimums—DME equipment required:*			
				C-dn	500–1	500–1	500–1½
				S-dn-15	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Procedure turn W side of final approach crs, 326° Outbnd, 146° Inbnd, 4200′ within 10 miles.
Minimum altitude over 5-mile DME Fix, 3284′.
Crs and distance, breakoff point to end of Runway 15, 150°—0.3 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of JST VOR, climb to 4200′ on R 146° within 10 miles of JST VOR, reverse crs to JST VOR, maintain 4200′. Hold NW, 1-minute right turns, 146° Inbnd.
*Reduction based on lighting aids not authorized.
MSA within 25 miles of facility: 000°–360°—4200′.

City, Johnstown; State, Pa.; Airport name, Johnstown-Cambria County; Elev., 2284′; Fac. Class., BVORTAC; Ident., JST; Procedure No. TerVOR-15, Amdt. Orig.; Eff. date, 11 June 66

5-mile DME Fix on R 050°	JST VOR (final)	Direct	2700	T-dn	300–1	300–1	200–½
				C-dn	600–1	600–1	600–1½
				S-dn-23	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2
				DME minimums—DME equipment required:*			
				C-dn	400–1	500–1	500–1½
				S-dn-23	400–1	400–1	400–1

Procedure turn N side of crs, 050° Outbnd, 230° Inbnd, 4200′ within 10 miles.
Minimum altitude over 5-mile DME Fix, 2884′.
Crs and distance, breakoff point to end of Runway 23, 225°—0.3 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of JST VOR, climb to 4200′ on JST VOR, R 230° within 10 miles. Make a left turn, return to VOR, hold NE, 1-minute right turns, 230° Inbnd.
*Reduction based on lighting aids not authorized.
MSA within 25 miles of facility: 000°–360°—4200′.

City, Johnstown; State, Pa.; Airport name, Johnstown-Cambria County; Elev., 2284′; Fac. Class., BVORTAC; Ident., JST; Procedure No. TerVOR-23, Amdt. Orig.; Eff. date, 11 June 66

				T-dn%	300–1	300–1	300–1
				C-dn	800–1	800–1	800–1½
				S-dn-20R#	800–1	800–1	800–1
				A-dn*	1000–2	1000–2	1000–2

Procedure turn N side of crs, 015° Outbnd, 195° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1203′.
Facility on airport.
Crs and distance, breakoff point to approach end of Runway 20R, 205°—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, turn left, climb to 3000′ on R 111°, PSC VOR within 10 miles.
CAUTION: Restricted area 6 miles NW of airport.
*Alternate minimums not authorized 2200 to 0400 local time. Alternate minimums authorized 24 hours daily for air carriers with weather reporting service at the airport.
#Sliding scale not authorized.
%Takeoffs all runways: Climb on R 111°, PSC VOR within 10 miles, to cross PSC VOR at or above 1500′ southbound on V–112W. All maneuvering N side R 111°, PSC VOR.
MSA within 25 miles of facility: 000°–090°—2600′; 090°–180°—3400′; 180°–270°—4300′; 270°–360°—4000′.

City, Pasco; State, Wash.; Airport name, Tri-Cities; Elev., 403′; Fac. Class., L–BVOR; Ident., PSC, Procedure No. VOR–20R, Amdt. 6; Eff. date, 11 June 66; Sup. Amdt. No. 5; Dated, 5 Feb. 66

				T-dn%	300–1	300–1	300–1
				C-dn	800–1	800–1	800–1½
				S-dn-29R#	800–1	800–1	800–1
				A-dn*	1000–2	1000–2	1000–2

Procedure turn E side of crs, 111° Outbnd, 291° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1203′.
Crs and distance, breakoff point to approach end of Runway 29R, 295°—0.5 mile.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, turn right, climb to 3000′ on R 015° within 10 miles.
CAUTION: Restricted area 6 miles NW of airport.
*Alternate minimums not authorized 2200 to 0400 local time. Alternate minimums authorized 24 hours daily for air carriers with weather reporting service at the airport.
#Sliding scale not authorized.
%Takeoffs all runways: Climb on R 111°, PSC VOR within 10 miles, to cross PSC VOR at or above 1500′ southbound on V–112W. All maneuvering N side R 111°, PSC, VOR.
MSA within 25 miles of facility: 000°–090°—2600′; 090°–180°—3400′; 180°–270°—4300′; 270°–360°—4000′.

City, Pasco; State, Wash.; Airport name, Tri-Cities; Elev., 403′; Fac. Class., L–BVOR; Ident., PSC; Procedure No. VOR–29R, Amdt. 6; Eff. date, 11 June 66; Sup. Amdt. No. 5; Dated, 5 Feb. 66

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Potomac Int	DCA VORTAC	Direct	2000	T-dn	300–1	300–1	200–½
Herndon VORTAC	DCA VORTAC	Direct	2000	C-dn#	700–1	700–1	700–1½
Nottingham VORTAC	DCA VORTAC	Direct	2000	S-dn-15#	700–1	700–1	700–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn S side, 320° Outbnd, 140° Inbnd, 2000′ within 10 miles of Georgetown MHW.
Minimum altitude *abeam GTN RBn on final approach crs, 1600′, descend to landing minimums after passing abeam GTN RBn on crs. 140°.
Crs and distance, abeam GTN RBn to breakoff point 140°—5 miles; breakoff point to runway, 140°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing DCA VOR, climb to 1000′ on crs 140°, make a right turn and proceed to Washington RBn at 1500′, climbing to 1800′ in holding pattern 181° Outbnd, 001° Inbnd, 1-minute left turns.
CAUTION: Washington Monument, 506′, 1.6 miles N of airport. Antenna on top of building, 400′, 2.8 miles NW of airport.
$Reduction not authorized.
#All Turbojet aircraft 700–2.
*Maintain 1600′ until abeam GTN RBn. If position abeam GTN RBn not identified, descent below 1600′ not authorized.
MSA within 25 miles of facility: 090°–270°—1700′; 270°–090°—2500′.

City, Washington, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., BVOR; Ident., DCA; Procedure No. TerVOR-15, Amdt. 13; Eff. date, 11 June 66; Sup. Amdt. No. 12; Dated, 12 June 66

Potomac Int	DCA VOR	Direct	2000	T-dn	300–1	300–1	200–½
Herndon VOR	DCA VOR	Direct	2000	C-dn 15, 18, 21, 3.6@	700–1	700–1	700–1½
Nottingham VOR	DCA VOR	Direct	1600	C-dn-33&@	800–1	800–1	800–1½
				S-dn-30&$	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 186° Outbnd, 006° Inbnd, 1500′ within 10 miles of Washington RBn.
Minimum altitude over facility on final approach crs, 500′. Maintain 1400′ until passing Alexandria Int.*
Crs and distance, breakoff point to approach end of Runway 36, 003°—0.5 mile; Alexandria Int to approach end of Runway 36, 006°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, make a left-climbing turn as soon as practical, climb to 2000′ on R 320° DCA VOR and proceed to Potomac Int. Hold NW on DCA VOR, R 320°, 1-minute left turns.
CAUTION: Washington Monument 500′, 1.6 miles N of airport; 193′ stack, 1.3 miles SW of airport; 316′ stack, 1.5 miles E of airport.
$Reductions not authorized for turbojets.
¢500–¾ for high-intensity runway lights and 800–½ for ALS authorized except for turbojet aircraft.
*Descend to landing minimums after passing Alexandria Int.
#Circling to Runway 33 not authorized beyond the DCA VOR, R 157.
@All turbojet aircraft circling minimums: Runway 33, 600–2; Runways 3, 15, 18, 21, 700–2.
MSA within 25 miles of facility: 090°–270°—1700′; 270°–090°—2500′.

City, Washington, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., BVOR; Ident., DCA; Procedure No. TerVOR-36, Amdt. 12; Eff. date, 11 June 66; Sup. Amdt. No. 11; Dated, 21 Aug. 65

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn	300–1	300–1	200–½
				C-dn	400–1	800–1	800–1½
				S-dn-32L#	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 154° Outbnd, 334° Inbnd, 2000′ between 19 miles and 29 miles of VORTAC or between 19 miles and 29 miles Radar Fixes.
Minimum altitude over 19-mile DME/Radar Fix on final approach crs, 2000′.
Crs and distance, 19-mile DME/Radar Fix to airport, 334°—5.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 14-mile DME/Radar Fix, turn right, climb to 2000′ on JAN VORTAC, R 129°, proceed to Rankin Int. Hold SE, 1-minute right turns, 309° Inbnd.
NOTE: When authorized by ATC, DME may be used within 30 miles at 3000′, to position aircraft for straight-in approach with the elimination of procedure turn.
#400–¾ authorized with high-intensity runway lights except for 4-engine turbojet.
MSA within 25 miles of facility: 000°–090°—1700′; 090°–180°—1700′; 180°–270°—3000′; 270°–360°—1800′.

City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 345′; Fac. Class., H–BVORTAC; Ident., JAN; Procedure No. VOR/DME No. 2, Amdt. Orig; Eff. date, 11 June 66

PROCEDURE CANCELED, EFFECTIVE 11 JUNE 1966.

City, Johnstown; State, Pa.; Airport name, Johnstown-Cambria County; Elev., 2284′; Fac. Class., BVORTAC; Ident., JST; Procedure No. VOR/DME No. 1, Amdt. 2; Eff. date, 2 Apr. 66; Sup. Amdt. No. 1; Dated, 30 June 64

PROCEDURE CANCELED, EFFECTIVE 11 JUNE 1966.

City, Johnstown; State, Pa.; Airport name, Johnstown-Cambria County; Elev., 2284′; Fac. Class., BVORTAC; Ident., JST; Procedure No. VOR/DME No. 2, Amdt. 2; Eff. date, 2 Apr. 66; Sup. Amdt. No. 1; Dated, 20 June 64

PROCEDURE CANCELED, EFFECTIVE 11 JUNE 1966.

City, Johnstown; State, Pa.; Airport name, Johnstown-Cambria County; Elev., 2284′; Fac. Class., BVORTAC; Ident., JST; Procedure No. VOR/DME No. 3, Amdt. 1; Eff. date, 2 Apr. 66; Sup. Amdt. No. Orig.; Dated, 25 July 64

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
R 196°, DCA VOR clockwise, R 332°	DCA VOR	Via 10 NM Arc	2500	T-dn	300–1	300–1	200–½
R 022°, DCA VOR counterclockwise, R 332°	DCA VOR	Via 10 NM Arc	2600	C-dn#	700–1	700–1	700–2
				S-dn-15°#*	700–1	700–1	700–2
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn not authorized. Final approach crs, 152° Inbnd from 10-mile DME Fix.
Minimum altitude over 10-mile DME Fix, 2500'; 7-mile DME Fix (Cabin DME Fix), 2000' final; 5-mile DME Fix, 1400'; 3-mile DME Fix, 800'; over facility, 715'.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of DCA VOR, climb to 1000' on crs of 152°, make right turn and proceed to Washington RBn at 1500', climbing to 1800' in holding pattern, 181° Outbnd, 001° Inbnd, 1-minute left turns.
CAUTION: Washington Monument 596', 1.6 miles N of airport.
*Reduction not authorized.
#All turbojet aircraft 700–2.
MSA within 25 miles of facility: 270°–090°—2500'; 090°–270°—1700'.

City, Washington, D.C.; Airport name, Washington National; Elev., 15'; Fac. Class., L-VORTAC; Ident., DCA; Procedure No. VOR/DME No. 1, Amdt. 2; Eff. date, 11 June 66; Sup. Amdt. No. 1; Dated, 30 Apr. 66

Potomac Int	DCA VORTAC	Direct	2000	T-dn	300–1	300–1	200–½
Herndon VORTAC	DCA VORTAC	Direct	2000	C-dn#	700–1	700–1	700–1½
Nottingham VORTAC	DCA VORTAC	Direct	2000	S-dn-15°#*	700–1	700–1	700–1
R 196°, DCA VOR clockwise, R 332°	DCA VOR, 10-mile Arc		2500	A-dn	800–2	800–2	800–2
R 022°, DCA VOR counterclockwise, R 332°	DCA VOR, 10-mile Arc		2500				

Radar available.
Procedure turn S side of crs, 320° Outbnd, 140° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 7-mile DME Fix (Steven DME Fix), 2000' final; over 5-mile DME Fix, 1400'; over 3-mile DME Fix, 800'; over facility, 715'.
Breakoff point to runway 1.1-mile DME Fix, 0.6 mile 130°.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing DCA VORTAC, climb to 1000' on crs, 140°, make right turn and proceed to Washington RBn at 1500', climbing to 1800' in holding pattern 181° Outbnd, 001° Inbnd, 1-minute left turns.
CAUTION: Washington Monument 596', 1.6 miles N of airport. Antenna 400', 2.8 miles NW of airport.
*Reduction not authorized.
#All turbojet aircraft, 700–2.
MSA within 25 miles of facility: 270°–090°—2500'; 090°–270°—1700'.

City, Washington, D.C.; Airport name, Washington National; Elev., 15'; Fac. Class., LBVORTAC; Ident., DCA; Procedure No. VOR/DME No. 2, Amdt. 2; Eff. date, 11 June 66; Sup. Amdt. No. 1; Dated, 14 May 66

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Lawson RBn	LOM	Direct	2200	T-dn	300–1	300–1	200–½
Columbus VOR	LOM	Direct	2200	C-dn	500–1	500–1	500–1½
Marwyn Int	LOM	Direct	2200	S-dn-5°	300–¾*	300–¾*	300–¾
Geneva Int	LOM	Direct	2200	A-dn	600–2	600–2	600–2
Seale Int	LOM (final)	Direct	2200				

Procedure turn W side of crs, 233° Outbnd, 053° Inbnd, 2200' within 10 miles.
Minimum altitude at glide slope intercept Inbnd, 2200'.
Altitude of glide slope and distance to approach end of runway at OM, 2157'—6.0 miles; at MM, 623'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing LOM, climb to 2200', proceed to Geneva Int via 049° bearing from CS LOM, or when directed by ATC, climb to 2200' turn left and return direct to LOM.
NOTE: No approach lights.
*500–¾ required when glide slope inoperative. Reduction not authorized.

City, Columbus; State, Ga.; Airport name, Muscogee County; Elev., 397'; Fac. Class., ILS; Ident., I-CSG; Procedure No. ILS–5, Amdt. 8; Eff. date, 11 June 66; Sup. Amdt. No. 7; Dated, 14 May 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Salem VOR	LOM	Direct	2600	T-dn*	300–1	300–1	200–½
YIP LOM	LOM	Direct	2300	C-dn	400–1	500–1	500–1½
Creek Int	LOM (final)	Direct	2300	S-dn-31L#**	200–½	200–½	200–½
Carleton VOR	LOM (final)	Via CRL, R 010° and localizer crs.	2300	S-dn-3R#	400–1	400–1	400–1
Milan Int	LOM	Direct	2300	A-dn	600–2	600–2	600–2

Radar available.
Procedure turn E side of crs, 212° Outbnd, 032° Inbnd, 2300' within 10 miles.
Minimum altitude at glide slope intercept Inbnd, 2300'.
Altitude of glide slope and distance to approach end of runway at LOM, 2246'—5.9 miles; at LMM, 841'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing LOM, make right-climbing turn to 2300' and proceed to Park Int via QG VOR, R 268°, or when directed by ATC, make left-climbing turn to 2300' and return to DT LOM.
*400–¾ required when glide slope not utilized. 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
#Crs and distance, OM to Runway 3R, 037°—6.6 miles.
*RVR 2400' authorized.
**RVR 2400'. Descent below 839' not authorized unless approach lights are visible.

City, Detroit (Romulus); State, Mich.; Airport name, Detroit Metropolitan Wayne County; Elev., 630'; Fac. Class., ILS; Ident., I-DTW; Procedure No. ILS-3L-R, Amdt. 15; Eff. date, 11 June 66; Sup. Amdt. No. 14; Dated, 9 Oct. 65

Mooreville Int	LOM (final)	Direct	2300	T-dn*	300–1	300–1	200–½
Salem VOR	LOM	Direct	2600	C-dn	500–1	500–1	500–1½
Milan Int	LOM	Direct	2400	S-dn-8R#**	200–½	200–½	200–½
Milan Int	Mooreville Int	Via SVM, R 200°	2400	S-dn-8L	400–1	400–1	400–1
				A-dn	600–2	600–2	600–2

Radar available.
Procedure turn W side of crs, 230° Outbnd, 050° Inbnd, 2400' within 10 miles.
Minimum altitude at glide slope intercept Inbnd, 2300'.
Altitude of glide slope and distance to approach end of runway at OM, 2251'—5 miles; at MM, 932'—0.5 mile.
If visual contact not established upon descent to approach end of runway at OM, 2251'—5 miles; at MM, 932'—0.5 mile, or if landing not accomplished make left turn, climb to 2600' to Salem VOR on R 170°, or when directed by ATC, make left-climbing turn to 2400' and return to YI LOM.
*RVR (2400) authorized Runway 5R.
#2400' RVR, descent below 916' not authorized unless approach lights are visible.
**400–¾ when glide slope not utilized, reduction below ¾ mile not authorized.

City, Detroit; State, Mich.; Airport name, Willow Run; Elev., 716'; Fac. Class., ILS; Ident., I-YIP; Procedure No. ILS–5R and L, Amdt. 18; Eff. date, 11 June 66; Sup. Amdt. No. 13; Dated, 22 July 65

Garden Int	Ford Int (final)	Direct	1700	T-dn	300–1	300–1	200–½
Salem VOR	Ford Int	Direct	2700	C-dn	500–1	500–1	500–1½
Carleton VOR	Ford Int	Direct	2700	S-dn-23 L-R*	400–1	400–1	400–1
YIP VOR	Ford Int	Direct	2700	A-dn	800–2	800–2	800–2
Redford Int	Garden Int	Direct	2700				

Radar available.
Procedure turn N side of crs, 050° Outbnd, 230° Inbnd, 2700' within 10 miles of Ford Int.
Minimum altitude over Ford Int, 1700'.
Crs and distance, Ford Int to Runway 23L, 230°—4.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing Ford Int, climb to 2400', proceed to YIP LOM, or when directed by ATC, climb to 2400', proceed to CRL VOR.
CAUTION: TV tower 1749', 15 miles NE of Ford Int.
NOTE: Final approach from holding pattern not authorized, procedure turn required.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
Reduction below 1 mile for REIL not authorized.

City, Detroit; State, Mich.; Airport name, Willow Run; Elev., 716'; Fac. Class., ILS; Ident., I-YIP; Procedure No. ILS–23 R and L, Amdt. 8; Eff. date, 11 June 66; Sup. Amdt. No. 7; Dated, 22 July 65

Prior Int via localizer crs	Snelling Int	Direct	2500	T-dn	300–1	300–1	200–½
White Bear Int	NE crs ILS (final)	Via R 011°, FGT VOR, Direct	2400	C-dn	500–1	500–1	500–1½
FGT VOR	Snelling Int		2500	S-dn-22#	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn N side of crs, 039° Outbnd, 219° Inbnd, 2500' within 10 miles of Snelling Int.
No glide slope or markers.
Minimum altitude over Snelling Int on final approach crs, 2400'; over Highland Int on final approach crs, 1500'.
Crs and distance, Snelling Int to airport, 219°—5.1 miles; Highland Int to airport, 219°—2.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing Snelling Int, climb to 2200' on SW crs of ILS to AP LOM, or when directed by ATC, make left-climbing turn to 2500' and proceed to Snelling Int.
NOTE: This procedure authorized only for aircraft equipped to receive VOR and ILS simultaneously.
#Reduction not authorized.

City, Minneapolis; State, Minn.; Airport name, Minneapolis-St. Paul International; Elev., 840'; Fac. Class., ILS; Ident., I-APL; Procedure No. ILS (back crs), Amdt. 5; Eff. date, 11 June 66; Sup. Amdt. No. 4; Dated, 29 Jan. 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Herndon VOR	LOM	Direct	2000	T–dn*	300–1	300–1	200–½
Potomac Int	LOM	Direct	2000	C–dn, 15, 18, 21, 33§	700–1	700–1	700–1½
Nottingham VOR	LOM	Direct	2000	C–dn–33§§	500–1	500–1	500–1½
Ironsides Int	LOM	Direct	1500	S–dn–36*¢	$200–½	$200–½	$200–½
				A–dn	700–2	700–2	700–2

Radar available.
Procedure turn W side S crs, 183° Outbnd, 003° Inbnd, 1500′ within 10 miles of OM.
Minimum altitude at glide slope interception Inbnd, 1400′.
Altitude of glide slope and distance to approach end of runway at OM, 1397′—4.6 miles, at MM, 209′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles from LOM, make climbing turn to left as soon as practicable and climb to 2000′, proceed to Georgetown MHW. Hold NW GTN on bearing 144°, 1-minute right turns.
NOTE: After interception of localizer crs Inbnd, descent on glide slope to cross OM at 1397′ on final is authorized.
CAUTION: Washington Monument 596′, 1.6 miles N of airport; 193′ stack, 1.3 miles SW of airport; 310′ stack, 1.5 miles E of airport.
¢Reductions not authorized for turbojets.
§§All turbojet aircraft circling minimums: Runway 33—600–2; Runways 3, 15, 18, 21—700–2.
*RVR 2000′ authorized for 4-engine turbojet; RVR 1800′ authorized all other aircraft Runway 36. Descent below 215′ not authorized unless approach lights visible.
$500–1 required when glide slope not utilized, 500–¼ for high-intensity runway lights and 500–½ for ALS authorized, except for turbojet aircraft.
#Circling to Runway 33 not authorized beyond the DCA VOR, R 157°.

City, Washington, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., ILS; Ident., I–DCA; Procedure No. ILS–36, Amdt. 19; Eff. date, 11 June 66; Sup. Amdt. No. 18; Dated, 12 Feb. 66

ICT VOR	Kechi Int	Direct	3000	T–dn	300–1	300–1	200–½
Whitewater Int	Kechi Int (final)	Via V–77 and N crs ICT ILS.	3000	C–dn	400–1	500–1	500–1½
				S–dn–19@	400–1	400–1	400–1
DeGraff Int	Kechi Int (final)	Via V–12 and N crs ICT ILS.	3000	A–dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 011° Outbnd, 191° Inbnd, 3000′ within 10 miles of Kechi Int.
Minimum altitude over Kechi Int on final approach crs, 3000′; over Goddard Int, 2100′.
Crs and distance, Kechi Int to airport, 191°—6 miles; Goddard Int to airport, 191°—2.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing Kechi Int, make right turn, climbing to 3400′ Outbnd on ICT VOR, R 216°, within 20 miles of ICT VOR, or when directed by ATC, climb to 3000′ on S crs, ICT ILS and proceed to Mayfield Int.
NOTES: (1) When radar not available, operating ILS and VOR receivers required to execute this procedure. (2) No glide slope. (3) Radar identification of Kechi and Goddard Int authorized. (4) When authorized by ATC, ICT VORTAC DME may be used via 10-mile DME Arc at 3400′ altitude from ICT, R 181° clockwise to ICT, R 028°, to position aircraft for a straight-in approach with elimination of procedure turn.
@400–¾ authorized with operative high-intensity runway lights, except for 4-engine turbojets.

City, Wichita; State, Kans.; Airport name, Wichita Municipal; Elev., 1332′; Fac. Class., ILS; Ident., I–ICT; Procedure No. ILS–19 (back crs), Amdt. 6; Eff. date, 11 June 66; Sup. Amdt. No. 5; Dated, 11 Sept. 65

6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
All sectors	Radar site	0–20 miles	2500	Precision approach			
		20–30 miles	3000	T–dn	300–1	300–1	200–½
				C–dn	500–1	500–1	500–1½
				S–dn–29L*	300–¾	300–¾	300–¾
				A–dn	700–2	700–2	700–2
				Surveillance approach			
				T–dn	300–1	300–1	200–½
				C–dn–11R and 29L	500–1	500–1	500–1½
				C–dn–22	600–1	600–1	600–1½
				S–dn–29L$	400–1	400–1	400–1
				S–dn–11R¢	400–1	400–1	400–1
				S–dn–22$	600–1	600–1	600–1
				C–dn–4	500–1	500–1	500–1½
				S–dn–4**	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 29L: Climb to 2500′ on NW crs, MSP ILS to Loretto Int, or when directed by ATC, make left-climbing turn, climb to 2800′ and return to MS LOM. Runway 11R: Climb to 2800′ on SE crs, MSP ILS within 10 miles of MS LOM Runway 4: Climb to 2500′ on NE crs, APL ILS within 10 miles. Runway 22: Climb to 2300′ on SW crs, APL ILS within 10 miles of AP LOM.
CAUTION: On approach to Runway 11R do not descend below 1400′ until radar controller has advised passing tower located 2.5 miles from approach end Runway 11R.
¢400–¾ authorized except for 4-engine turbojet aircraft, with operative high-intensity runway lights. Visibility reduction not authorized for REIL.
$Reduction not authorized.
#400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. 400–½ authorized except for 4-engine turbojet aircraft with operative SALS.
*300–¾ authorized, except for 4-engine turbojet aircraft with operative SALS.
**500–¾ authorized except for 4-engine turbojet aircraft with operative high-intensity runway lights. 500–½ authorized except for 4-engine turbojet aircraft with operative ALS.

City, Minneapolis; State, Minn.; Airport name, Minneapolis-St. Paul International (Wold-Chamberlain Field); Elev., 840′; Fac. Class, and Ident., Minneapolis Radar; Procedure No. 1, Amdt. 16; Eff. date, 11 June 66; Sup. Amdt. No. 15; Dated, 29 Jan. 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on May 6, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–6339; Filed, June 8, 1966; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

Pacific Ocean, Hawaii

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; U.S.C. 1), § 204.224a is hereby prescribed establishing and governing the use and navigation of a danger zone in the Pacific Ocean at Barber's Point, Island of Oahu, Hawaii, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 204.224a Pacific Ocean at Barber's Point, Island of Oahu, Hawaii; danger zone.

(a) *The danger zone.* The waters within a rectangular area beginning at a point in latitude 21°17′56″ N., longitude 158°05′21″ W.; thence to latitude 21°17′30″ N., longitude 158°05′21″ W.; thence to latitude 21°17′58″ N., longitude 158°02′49″ W.; thence to latitude 21°18′24″ N., longitude 158°02′49″ W.

(b) *The regulations.* (1) The area is closed to all surface craft, swimmers, divers and fishermen except to craft and personnel authorized by the enforcing agency.
(2) The regulations in this section shall be enforced by the Commanding Officer, Naval Air Station, Barber's Point, FPO San Francisco, 96611, and such agencies as he may designate.

[Regs., May 24, 1966, ENGCW–ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66–6308; Filed, June 8, 1966; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 401]

ANADROMOUS FISHERIES CONSERVATION, DEVELOPMENT AND ENHANCEMENT

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Anadromous Fish Act of 1965 (P.L. 89-304), it is proposed to adopt 50 CFR Part 401 as set forth below. The purpose of these regulations is to set forth procedures to be used by the Secretary in providing financial and other assistance, through cooperative agreements, to State agencies and other non-Federal interests in the conservation, development and enhancement of the commercial and sport anadromous fisheries resources of the Nation and fishes of the Great Lakes which ascend streams to spawn.

On February 14, 1966, a letter and a copy of the proposed regulations were sent concerned State Fishery agencies for their review. Also, on February 14, a letter signed by the Secretary of the Interior was sent the Governor of each State, with a copy of the Anadromous Fish Act, informing them of meetings scheduled as follows for discussion of the proposed regulations:

Boston, Mass.	Feb. 18
St. Petersburg Beach, Fla.	Feb. 24
Ann Arbor, Mich.	Mar. 8
Portland, Oreg.	Mar. 10

In addition, on February 15 a news release was given wide distribution which, among other things, invited non-Federal interests other than the State fishery agencies to attend the four meetings.

These meetings were held as scheduled and were attended by representatives of 20 of the 31 eligible States. Six non-Federal interests other than the States were also present. Reaction to the proposed regulations was very favorable and only minor revisions resulted.

Program objectives, goals and priorities, together with determination to be made of the distribution of funds to eligible grantees require further attention within the U.S. Fish and Wildlife Service.

Interested persons may submit written comments, suggestions, or objections with respect to the proposed regulations to the Director, Bureau of Commercial Fisheries or the Director, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C., 20240, within 30 days after the date of publication of this notice in the FEDERAL REGISTER.

Sec.

401.1 Definitions.
401.2 Submission of applications.
401.3 Prosecution of work.
401.4 General information for the Secretary.
401.5 Availability of funds.
401.6 Payments to cooperators.
401.7 Forms of vouchers.
401.8 Property as matching funds.
401.9 Economy and efficiency of operations.
401.10 Ownership of property.
401.11 Personnel.
401.12 Inspection.
401.13 Records retention.
401.14 Reporting.
401.15 Safety and accident prevention.
401.16 Contracts.
401.17 Statements and payrolls.
401.18 Officials not to benefit.
401.19 Patents and inventions.
401.20 Convict labor.
401.21 Civil rights.

AUTHORITY: The provisions of this Part 401 issued under P.L. 89-304.

§ 401.1 Definitions.

As used in this part, terms shall have the meanings ascribed in this section.

(a) *Secretary.* The Secretary of the Interior or his authorized representatives.

(b) *Act.* Public Law 89-304, the Anadromous Fish Act of 1965.

(c) *State.* Any State of the United States which has had or now contains anadromous fish and the States bordering the Great Lakes.

(d) *State fishery agency.* Any department(s), division(s), commission(s), or official(s) of a State empowered under its laws to administer the commercial or sport fishery.

(e) *Non-Federal interest.* Any organization, association, institution, business, school, individual or group of individuals, municipality and others outside the Federal Government in addition to State fishery agencies who desire to cooperate within the terms of the Act.

(f) *Cooperator.* A State fishery agency or other non-Federal interest participating in a cooperative agreement with the Secretary.

(g) *Anadromous fish.* Aquatic, gill breathing, vertebrate animals bearing paired fins which migrate to and spawn in fresh water, but which spend part of their life in salt water; also, fish which spend part of their life in the Great Lakes and spawn in streams tributary to the Great Lakes.

(h) *Cooperative agreement.* (1) The documentation describing conservation, development, and enhancement activities to be carried on as provided by the Act. Such agreements shall set forth the responsibilities of the cooperators and the Secretary, the anticipated benefits of the undertaking, the estimated cost to each cooperator, the term of the agreement, disposition of real or personal properties, and such other information as is appropriate.

(2) Cooperative agreements constitute the basis for projects and shall conform to the documentation requirements prescribed by the Secretary.

(i) *Project.* Any undertaking involving the conservation, enhancement and development of anadromous fish. A project is established upon execution of a cooperative agreement.

§ 401.2 Submission of applications.

Proposed cooperative agreements shall be submitted to the concerned Regional or Area Office.

§ 401.3 Prosecution of work.

(a) The cooperator shall carry projects through to a stage of completion acceptable to the Secretary with reasonable promptness. Failure to render satisfactory progress reports or failure to complete the project to the satisfaction of the Secretary shall be cause for the Secretary to withhold further payments until the project provisions are satisfactorily met. Projects may be terminated upon determination by the Secretary that satisfactory progress has not been maintained. The Secretary shall have the right to inspect and review work being done at any time.

(b) Research and/or development work shall be continuously coordinated by the cooperator with studies conducted by others to avoid unnecessary duplication.

(c) All work shall be performed in accordance with applicable State laws, except when in conflict with Federal laws or regulations, in which case Federal laws or regulations shall prevail.

§ 401.4 General information for the Secretary.

Before any Federal funds may be obligated for any project the cooperator shall furnish to the Secretary upon his request, information regarding the laws affecting anadromous fish and the authority of a cooperator to participate in the benefits of the Act.

(a) *Document signature.* Individuals authorized to sign project documents under the Commercial Fisheries Research and Development Act or the Federal Aid in Fish Restoration Act may likewise sign cooperative agreements under this Act.

(b) *Program information.* The Secretary may, from time to time, request, and the cooperators shall furnish, information relating to the administration and maintenance of any project established under the Act.

§ 401.5 Availability of funds.

Language appearing in Appropriation Acts providing funds for this program will govern the period during which the funds may be obligated.

§ 401.6 Payments to cooperators.

Payments shall be made to cooperators as work described in cooperative agreements progresses and is completed.

§ 401.7 Forms of vouchers.

Vouchers on forms provided by the Secretary and certified as therein prescribed showing amounts expended on each project, and the Federal portion claimed to be due on account thereof, shall be submitted to the Secretary by the cooperator.

§ 401.8 Property as matching funds.

The non-Federal share of the cost of projects may be in the form of real or personal property. To establish the value of such property the cooperator shall furnish such market value appraisal information as the Secretary may require prior to execution of a cooperative agreement.

§ 401.9 Economy and efficiency of operations.

No cooperative agreement shall be executed until the cooperator has shown to the satisfaction of the Secretary that appropriate and adequate means shall be employed to achieve economy and efficiency in the completion of the project.

§ 401.10 Ownership of property.

When real property is acquired pursuant to the provisions of the Act, title to such property or interest therein shall be vested in the United States, and the conveying instrument shall recite the United States of America as the grantee. However, if the Secretary determines that under the terms of the cooperative agreement, the intent and purpose of the Act may be better served by State ownership of such property, an appropriate transfer may be made. When real or personal property is utilized by the State as matching funds, title to such property shall remain in the State. When real or personal property is utilized as matching funds by a cooperator other than the State, title shall be in the State unless otherwise specified in the cooperative agreement.

§ 401.11 Personnel.

The cooperator shall maintain an adequate and competent force of employees to initiate and carry cooperative agreements to satisfactory completion. Personnel employed on projects shall be selected on the basis of their competence to perform the services required and shall conduct their duties in a manner acceptable to the Secretary.

§ 401.12 Inspection.

Supervision of each project shall be as specified in the cooperative agreement and shall include adequate and continuous inspection. The project will be subject at all times to Federal inspection.

§ 401.13 Records retention.

All records of accounts and reports, with supporting documentation thereto, will be retained by the cooperator for a period of three years after final audit is made by the Federal Government.

§ 401.14 Reporting.

Progress and final reports shall be submitted to the Secretary by the cooperator in accordance with reporting requirements prescribed by the Secretary. Reports should be in the form of publications whenever appropriate. Progress and final reports will be placed in permanent depository for future reference.

§ 401.15 Safety and accident prevention.

In the performance of each project, the cooperator shall comply with all applicable Federal, State and local laws governing safety, health and sanitation. The cooperator shall be responsible for ascertaining that all safeguards, safety devices and protective equipment are provided. The cooperator will take any other needed actions reasonably necessary to protect the life and health of employees on the job, the safety of the public, and the protection of property used in connection with the performance of the work covered by plans, specifications, and estimates relating to the project.

§ 401.16 Contracts.

Supply, service, equipment and construction contracts, other than research and development contracts and contracts for professional services, involving an expenditure of $2,500 or more entered into by a cooperator for the execution of approved project activities, shall be based upon free and open competitive bids. If a contract is awarded to other than the lowest responsible bidder, the payment of the Federal portion of the cost of the project shall be based on the lowest responsible bid, unless it is satisfactorily shown that it was advantageous to the project to accept a higher bid. Upon request, the cooperator shall certify and promptly furnish to the Secretary a copy of each contract executed and copies of all bids received concerning the contract. Contracts for research, development and professional services may be negotiated, provided that the Secretary is satisfied that adequate steps are taken to insure economical and efficient services and the impartial selection of contractors.

§ 401.17 Statements and payrolls.

The regulations of the Secretary of Labor applicable to contractors and subcontractors (29 CFR Part 3), made pursuant to the Copeland Act, as amended (40 U.S.C. 276c), and to aid in the enforcement of the Anti-Kickback Act (18 U.S.C. 874) are made a part of the regulations in this part by reference. The cooperator will comply with the regulations in this part and any amendments or modifications thereof and the cooperator's prime contractor will be responsible for the submission of statements required of subcontractors thereunder. The foregoing shall apply except as the Secretary of Labor may specifically provide for reasonable limitation, variations, tolerances, and exemptions.

§ 401.18 Officials not to benefit.

No Member of, or Delegate to, Congress, or Resident Commissioner, shall be admitted to any share or any part of an agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

§ 401.19 Patents and inventions.

Determination of the patent rights in any inventions or discoveries resulting from work under cooperative agreements entered into pursuant to the Act shall be governed by the Statement of Government Patent Policy promulgated by the President in his memorandum of October 10, 1963 (3 CFR, 1963 Supp., p. 238, 28 F.R. 10943).

§ 401.20 Convict labor.

In connection with the performance of work, the cooperator agrees not to employ any person undergoing sentence of imprisonment at hard labor.

§ 401.21 Civil rights.

Each cooperative agreement shall contain a statement of assurance executed by the cooperator providing that the project will be carried out in accordance with Title VI, Nondiscrimination in Federally Assisted Programs, of the Civil Rights Act of 1964 and with the Secretary's regulations promulgated thereunder.

STEWART L. UDALL,
Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66-6350; Filed, June 8, 1966; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1013]

[Docket No. AO-286-A8]

MILK IN SOUTHEASTERN FLORIDA MARKETING AREA

Notice of Extension of Time for Filing Exceptions to Recommended Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Southeastern Florida marketing area, which was issued May 27, 1966 (31 F.R. 7829), is hereby extended until June 15, 1966.

Signed at Washington, D.C., on June 6, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66-6340; Filed, June 8, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16601; RM-934]

TABLE OF ASSIGNMENTS, FM BROADCAST STATIONS

Order Extending Time To File Reply Comments

In the matter of amendment of § 73.202, *Table of Assignments*, FM Broadcast Stations (Mount Sterling, Ky., Litchfield, Minn., Oconto, Wis., Dodgeville, Wis., Clare, Mich., Tioga, N. Dak., Prentiss, Miss., Crossett, Ark., Bristow, Okla., Boone, Iowa, Oxford and Clarksdale, Miss., Warsaw, Va., Kingsport, Tenn., Norton, Va., and Neon, Ky.); Docket No. 16601, RM-921, RM-922, RM-923, RM-925, RM-931, RM-932, RM-935, RM-938, RM-929, RM-933, RM-934, RM-939.

1. On April 22, 1966, the Commission issued a notice of proposed rule making (FCC 66-367, 31 F.R. 6429) in the above-entitled matter inviting comments on various proposals to change the FM Table of Assignments. Comments in this proceeding were due May 20, 1966, and reply comments on May 31, 1966.

2. On May 27, 1966, The Corinth Broadcasting Co., Inc., one of the parties which filed comments with respect to a proposal related to RM-934, filed a request for an extension of time to file reply comments until June 13, 1966. Corinth states that it is desirous of filing reply comments together with engineering exhibits but that its consulting engineer will be out of town for the next 10 days.

3. We are of the view that the requested extension will serve the public interest. In view of this: *It is ordered*, This 1st day of June 1966, that the Request for Extension of Time filed on May 27, 1966, by The Corinth Broadcasting Co., Inc., is granted, and that the time for filing reply comments concerning the proposal contained in RM-934 is extended from May 31, 1966, to June 13, 1966.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: June 1, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6265; Filed, June 8, 1966; 8:49 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. Idaho 017112]

IDAHO

Notice of Amendment of Proposed Withdrawal and Reservation of Lands and Partial Termination

JUNE 1, 1966.

The Department of Agriculture has filed an amendment to their application Serial Number Idaho 017112, for the withdrawal of lands. The lands described below are proposed for withdrawal from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws nor disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended. The applicant desires the land for public purposes for an existing campground in the Challis National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 2237, Boise, Idaho, 83701.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Department of Agriculture.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

WEST FORK CAMPGROUND

T. 12 N., R. 15 E., unsurveyed,

When surveyed will probably be in the W½, Sec. 18, more particularly described as:

Beginning at a reference point, being an iron stake set in the ground with 4 feet exposed and which is located 45 feet above high water line on the south bank of the mouth of Sawmill Creek which is on the west bank of the West Fork of Yankee Fork of the Salmon River, thence N. 29° W., 4,750 feet along the West Fork to corner No. 1 the true point of beginning; thence by metes and bounds;

N. 82° W., 450 feet along West Fork to corner No. 2;
N. 54° W., 527 feet along West Fork to corner No. 3;
N. 27° W., 711 feet along West Fork to corner No. 4;
S. 88° W., 295 feet along West Fork to corner No. 5;
S. 82° W., 286 feet along West Fork to corner No. 6;
N. 17° W., 521 feet across West Fork Road to corner No. 7;
S. 81° E., 2,130 feet to corner No. 8;
S. 4° E., 859 feet to corner No. 9;
S. 39° W., 384 feet to corner No. 1, the point of beginning.

Totaling 39 acres, more or less.

The applicant agency has canceled its application only insofar as it involves the lands described below, which were included in F.R. Doc. 66-2836 on page 4527 of the issue for March 17, 1966. Therefore, pursuant to the regulations contained in 43 CFR 2311, such lands are relieved of the segregative effect of the above-mentioned application at 10 a.m., June 16, 1966.

The lands terminated are:

BOISE MERIDIAN

WEST FORK CAMPGROUND

T. 12 N., R. 15 E., unsurveyed,

The area described by metes and bounds within the W½, Sec. 8 and containing 39 acres, more or less.

ORVAL G. HADLEY,
Manager, Land Office.

[F.R. Doc. 66-6323; Filed, June 8, 1966; 8:46 a.m.]

[Utah 0148771]

UTAH

Order Opening Lands to Mineral Leasing and Location

MAY 31, 1966.

1. In an exchange of lands made under the provisions of Section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

SALT LAKE MERIDIAN, UTAH

T. 12 S., R. 9 E., Sec. 16

The area described contains 640 acres.

2. The lands are located in Carbon County, about 8 miles northwest of the town of Helper. Topography is steep and mountainous with areas of rocky cliffs. Soils are mountain type, generally shallow.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby opened to mineral leasing under applicable regulations and mineral location under the U.S. mining laws. All valid applications received at or prior to 10 a.m., on July 11, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Post Office Box 11505, Salt Lake City, Utah, 84111.

R. D. NIELSON,
State Director.

[F.R. Doc. 66-6324; Filed, June 8, 1966; 8:46 a.m.]

ALASKA

Notice of Filing of Plat of Survey

1. Plat of survey of the lands described below will be officially filed in the Anchorage District and Land Office, Anchorage, Alaska, effective at 10:00 a.m., June 20, 1966.

SEWARD MERIDIAN

T. 7 N., R. 11 W.,
Sec. 9, Lots 1-11, S½N½, E½SE¼, NW¼SW¼;
Sec. 10, Lots 1-4, S½N½, S½;
Sec. 11, Lots 1-4, S½N½, S½;
Sec. 12, Lots 1-7, SW¼NE¼, S½NW¼, SW¼, W½SE¼;
Sec. 13, Lots 1-8, W½NE¼, SE¼NW¼, S½SW¼, W½SE¼, NE¼SW¼;
Sec. 14, Lots 1-6, W½NE¼, W½;
Sec. 15, All;
Sec. 16, Lots 1-10, NE¼, S½NW¼;
Sec. 21, Lots 1-11, SE¼NE¼, SE¼;
Sec. 28, Lots 1-10, N½NE¼, S½S½;
Tract A.

Containing 8,332.88 acres.

2. The area surveyed is situated on the Kenai Peninsula about 10 miles north of the town of Kenai. The general elevation ranges from 115 to 300 feet above sea level; the highest point is a sharp ridge in sections 2 and 11. The soil is, for the most part, a good sandy loam more than 2 feet deep. There are 10 lakes in the survey that are meanderable, under existing regulations of meanderability, and many small ponds.

3. The public lands affected by this order are hereby restored to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, rules and regulations.

4. The greater part of the lands affected by this notice has been selected by the State of Alaska in accordance with an subject to the limitations and requirements of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9-1(a) and 43 CFR 1840.

5. Inquiries concerning the lands should be addressed to the Manager, Anchorage District and Land Office, 555 Cordova Street, Anchorage, Alaska.

JAMES W. SCOTT,
Manager,
Anchorage District and Land Office.

[F.R. Doc. 66-6322; Filed, June 8, 1966; 8:46 a.m.]

National Park Service

[Order 2]

SAN FRANCISCO PLANNING AND SERVICE CENTER

Chief, Division of Contract Administration and Construction; Delegation of Authority

SECTION 1. The Chief, Division of Contract Administration and Construction, under the Chief, Office of Design and Construction, San Francisco Planning and Service Center, is hereby authorized to exercise the construction activities of the Service within the areas served by this office. In exercising these activities, the Chief, Division of Contract Administration and Construction may enter and administer the required contracts, and his staff may directly prosecute the construction contracting program.

SEC. 2. Authority to enter construction contracts granted by section 1 of this order shall be limited to contracts not to exceed $200,000. Contracts are to be entered into subject to the provisions of applicable rules and regulations and after determination that funds are available and will be reserved to meet the contractual obligation being entered into. Authorizations for change orders and extra work orders are subject to the same requirements and limitations.

(National Park Service Order No. 33, 31 F.R. 769; 245 DM 1, 28 F.R. 915; 5 U.S.C. sec. 22; sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: May 5, 1966.

WILLIAM L. BOWEN,
Chief, Office of Design and Construction, San Francisco Planning and Service Center.

[F.R. Doc. 66-6325; Filed, June 8, 1966; 8:46 a.m.]

[Order 4]

SUPERINTENDENTS, ET AL., SOUTHWEST REGION

Delegation of Authority

SECTION 1. The National Park Service Superintendents in the Southwest Region whose positions are allocated to Civil Service grades GS–14 and above, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Appointments and status changes involving personnel in GS–14 and higher grades; however, appointments and status changes involving grade GS–13 must be submitted to the Southwest Regional Office for review before being finalized.

(b) Classification of positions in any Civil Service or supervisory wage board grades.

(c) Establishment of permanent graded or ungraded positions.

(d) Establishment of wage rates.

(e) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500, and (3) payment of the full amount of the damages is offered.

(f) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam.

SEC. 2. The Superintendents whose positions are allocated to Civil Service grades GS–11, GS–12, and GS–13, inclusive, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Appointments and status changes involving personnel in the same Civil Service grade as, or higher grades than, the Superintendent making appointments or status changes.

(b) Classification of positions in any Civil Service or supervisory wage board grades.

(c) Establishment of permanent graded or ungraded positions.

(d) Establishment of wage rates.

(e) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500, and (3) payment of the full amount of the damages is offered.

(f) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam.

(g) Approval of contracts for construction, supplies or services in excess of $50,000, provided that construction contracts will be entered into only with the advice and consent of the Design and Construction Office Chief.

SEC. 3. The Superintendents whose positions are allocated to Civil Service grades GS–10 and below in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Appointments and status changes involving personnel in the same Civil Service grade as, or higher grades than, the Superintendent making appointments or status changes.

(b) Classification of positions in any Civil Service or supervisory wage board grades.

(c) Establishment of permanent graded or ungraded positions.

(d) Establishment of wage rates.

(e) Issuance of revocable special use permits having a term of more than 3 years.

(f) Acceptance of donations of personal property valued in excess of $5,000 and acceptance of donations of money in excess of $5,000.

(g) Reimbursement of employees and other owners for property lost, damaged or destroyed.

(h) Hire, rental, or purchase of personal property from employees.

(i) Sales of timber pursuant to section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., 1952 ed., sec. 3), in excess of $1,000 for any one transaction.

(j) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500, and (3) payment of the full amount of the damages is offered.

(k) Issuance of concession permits having a term of more than 3 years.

(l) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam.

(m) Approval of contracts for construction, supplies or services in excess of $10,000, provided that construction contracts will be entered into only with the advice and consent of the Design and Construction Office Chief.

SEC. 4. Assistant Regional Directors: The Assistant Regional Directors may execute and approve contracts not in excess of $200,000 for construction, supplies, equipment and services, provided that construction contracts will be entered into only with the advice and consent of the Design and Construction Office Chief. This authority may be exercised by the Assistant Regional Directors in behalf of any office or area for which the Southwest Regional Office serves as the field finance office.

SEC. 5. Regional Chief, Division of Property Management and General Services: The Regional Chief, Division of Property Management and General Services may execute and approve contracts not in excess of $50,000 for construction, supplies, equipment, and services, provided that construction contracts will be entered into only with the advice and consent of the Design and Construction Office Chief. This authority may be exercised by the Regional Chief, Division of Property Management and General Services, in behalf of any office or area for which the Southwest Regional Office serves as the field finance office.

SEC. 6. Assistant Procurement and Property Management Officer and Procurement and Property Management Assistant: The Assistant Procurement and Property Management Officer and the Procurement and Property Management Assistant may issue purchase orders not in excess of $2,500 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 7. Redelegation: A superintendent may, in writing, redelegate to any officer or employee the authority delegated to him by this order. Each redelegation shall be published in the FEDERAL REGISTER.

SEC. 8. Appeal: Except in matters relating to contracts for construction, supplies, equipment, or services, any party aggrieved by any action or decision of any superintendent shall have a right of appeal to the Regional Director. Any such appeal shall be in writing and shall be submitted to the Regional Director within 30 days after receipt by the aggrieved party of notice of the action taken or decision made by the superintendent.

SEC. 9. Revocation: This order supersedes Order No. 3, as amended; however, redelegations based thereon are continued in effect to the extent that they are not in conflict with this order.

(National Park Service Order No. 34 (31 F.R. 4255); 39 Stat. 535; 16 U.S.C. sec. 2)

Dated: April 18, 1966.

DANIEL B. BEARD,
Regional Director, Southwest Region.

[F.R. Doc. 66-6326; Filed, June 8, 1966; 8:46 a.m.]

[Order 5]

PARK SUPERINTENDENTS, ET AL., NORTHEAST REGION

Delegation of Authority

SECTION 1. The National Park Service superintendents in the Northeast Region whose positions are allocated to Civil Service grades GS–13 and above, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following:

(a) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500 and (3) payment of the full amount of the damages is offered.

SEC. 2. The superintendents whose positions are allocated to Civil Service grades GS–11, and GS–12, in the administration, operation and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Approval of contracts for construction, supplies or services in excess of $50,000, provided that construction contracts will be entered into only with the advice and consent of the design and construction office chief.

(b) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500 and (3) payment of the full amount of the damages is offered.

SEC. 3. The superintendents whose positions are allocated to Civil Service grades GS–10 and below in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Approval of contracts for construction, supplies or services in excess of $10,000; provided that construction contracts will be entered into only with the advice and consent of the design and construction office chief.

(b) Issuance of concession permits having a term of more than 3 years.

(c) Reimbursement of employees and other owners for property lost, damaged or destroyed.

(d) Sales of timber pursuant to section 3 of the act of August 25, 1916 (39 Stat. 535; 16 U.S.C., 1952 ed., sec. 3), in excess of $1,000 for any one transaction.

(e) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500, and (3) payment of the full amount of the damages is offered.

(f) Acceptance of donations of personal property valued in excess of $5,000, and acceptance of donations of money in excess of $5,000.

SEC. 4. Associate Regional Director: The Associate Regional Director may execute and approve contracts not in excess of $200,000 for construction, supplies, equipment, and services; provided that construction contracts will be entered into only with the advice and consent of the design and construction office chief. This authority may be exercised by the Associate Regional Director in behalf of any office or area for which the Northeast Regional Office serves as the field finance office.

SEC. 5. Regional Chief, Division of Property Management and General Services: The Regional Chief, Division of Property Management and General Services may execute and approve contracts not in excess of $50,000 for construction, supplies, equipment and services; provided, that construction contracts will be entered into only with the advice and consent of the design and construction office chief. This authority may be exercised by the Regional Chief, Division of Property Management and General Services in behalf of any area or office for which the Northeast Regional Office serves as the field office.

SEC. 6. Redelegation: A superintendent may, in writing, redelegate to any officer or employee the authority delegated to him by this order. Each redelegation shall be published in the FEDERAL REGISTER.

SEC. 7. Revocation: This order supersedes Northeast Regional Office Order No. 4, however, redelegations based thereon are continued in effect to the extent that they are not in conflict with this order.

(National Park Service Order No. 34 (31 F.R. 4255); 29 Stat. 535; 16 U.S.C., sec. 2)

LEMUEL A. GARRISON,
Regional Director, Northeast Region.

[F.R. Doc. 66-6327; Filed, June 8, 1966; 8:46 a.m.]

[Order 4]

PARK SUPERINTENDENTS, ET AL., SOUTHEAST REGION

Delegation of Authority

SECTION 1. The National Park Service Superintendents in the Southeast Region, whose positions are allocated to Civil Service Grades GS–13 and above, in the administration, operation and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following:

(a) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500, and (3) payment of the full amount of the damages is offered.

(b) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as a result of the construction of a dam.

SEC. 2. The superintendents whose positions are allocated to Civil Service Grades GS–11 and –12, in the administration, operation and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Approval of contracts for construction, supplies or services in excess of $50,000, provided that construction contracts will be entered into only with the advice and consent of the design and construction office chief.

(b) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500, and (3) payment of the full amount of the damages is offered.

(c) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as a result of the construction of a dam.

SEC. 3. The superintendents whose positions are allocated to Civil Service

Grades GS–10 and below in the administration, operation and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Execution or approval of contracts for construction, supplies, or services in excess of $10,000, provided that construction contracts will be entered into only with the advice and consent of the design and construction office chief.

(b) Issuance of revocable special use permits having a term of more than 3 years.

(c) Acceptance of donations of personal property valued in excess of $5,000, and acceptance of donations of money in excess of $5,000.

(d) Reimbursement of employees and other owners for property lost, damaged, or destroyed.

(e) Sales of timber pursuant to section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., 1952 ed., sec. 3), in excess of $1,000 for any one transaction.

(f) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500, and (3) payment of the full amount of the damages is offered.

(g) Issuance of concession permits having a term of more than 3 years.

(h) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as a result of the construction of a dam.

(i) Hire, rental, or purchase of personal property from employees.

SEC. 4. Assistant Regional Directors: The Assistant Regional Directors may execute and approve contracts not in excess of $200,000 for construction, supplies, equipment, and services, provided that construction contracts will be entered into only with the advice and consent of the design and construction office chief. This authority may be exercised by the Assistant Regional Directors in behalf of any office or area for which the Southeast Regional Office serves as the field finance office.

SEC. 5. The Regional Chief, Division of Property Management and General Services: The Regional Chief, Division of Property Management and General Services, may execute and approve contracts not in excess of $50,000 for construction, supplies, equipment and services, provided that construction contracts will be entered into only with the advice and consent of the design and construction office chief. This authority may be exercised by the Regional Chief, Division of Property Management and General Services, in behalf of any area or office for which the Southeast Regional Office serves as the field finance office.

SEC. 6. A superintendent may, in writing, redelegate to any officer or employee the authority delegated to him by this order. Each redelegation shall be published in the FEDERAL REGISTER.

SEC. 7. Revocation: This order supersedes Southeast Regional Office Order No. 3 as amended; however, redelegations based thereon are continued in effect to the extent that they are not in conflict with this order.

(National Park Service Order No. 34 (31 F.R. 4255); 39 Stat. 535, 16 U.S.C., sec. 2)

Dated: April 28, 1966.

ELBERT COX,
Regional Director, Southeast Region.

[F.R. Doc. 66–6326; Filed, June 8, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File 23(65)–49]

CARGO CONSOLIDATION SERVICES, LTD., ET AL.

Order Extending Temporary Denial of Export Privileges

In the matter of Cargo Consolidation Services, Ltd., Pump Lane, Hayes, Middlesex, England; Albert Sydney Bone, 32 Station Road, Hounslow, Middlesex, England, respondents; Cargo Consolidation Services (Forwarding), Ltd., Cargo Consolidation Services (Holdings), Ltd., A. S. Bone (Merchandising) Ltd., Pump Lane, Hayes, Middlesex, England, related parties; File 23(65)–49.

An order temporarily denying export priviliges for a period of 60 days was entered against the above named respondents and related parties on April 6, 1966 (31 F.R. 6206). Said order was issued in connection with an investigation instituted by the Investigations Division, Office of Export Control, Bureau of International Commerce, into the disposition of certain U.S.-origin spare parts received by the respondent firm. There was reasonable basis to believe that in the course of said investigation the respondent, Bone, on behalf of said firm made false statements to an official of the U.S. Government. A charging letter dated April 8, 1966, was issued against respondents and was served on them April 21, 1966. The respondents have denied certain of the allegations in the charging letter and have raised certain legal questions. They have been given the opportunity to present information and documents relating to the matter not previously submitted.

The compliance proceedings will not be disposed of before the expiration of the temporary denial order and the Director of the Investigations Division has applied under § 382.11 of the Export Regulations for an extension of said order. The matter has been considered by the Compliance Commissioner and he has reported his recommendation to me that the temporary denial order be extended for 45 days. He has found that such an extension is reasonably necessary to protect the public interest and for effective enforcement of the law. I confirm these findings.

Accordingly, it is hereby ordered,

I. The prohibitions and restrictions of the temporary denial order issued on April 6, 1966 (31 F.R. 6206), against the above-named respondents and related parties are hereby continued in full force and effect.

II. The respondents, their successors, assigns, partners, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to their agents and employees and to any successor and to any person, firm, corporation, or business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order continues in full force and effect the temporary denial order which was entered on April 6, 1966, and shall remain in effect for a period of 45 days from the expiration of said temporary denial order, to wit, through July 20, 1966, unless it is hereafter amended, modified, or vacated in accordance with the provisions of U.S. Export Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with respondents or any related party, or whereby the respondents or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served upon the respondents and the named related parties.

VII. In accordance with the provisions of § 382.11(c) of the Export Regulations, the respondents or any related party may move at any time to vacate or modify this temporary denial order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request an oral hearing thereon which, if requested, shall be held before the Compliance Commissioner in Washington, D.C., at the earliest convenient date.

Dated: June 1, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 66–6337; Filed, June 8, 1966; 8:47 a.m.]

Maritime Administration

UNITED STATES LINES CO.

Notice of Application for Approval of Certain Cruises

Notice is hereby given that United States Lines Co., acting pursuant to Public Law 87–45, has applied to the Maritime Administration for approval of the following cruises with the SS *United States*.

Sails New York	Returns New York	Itinerary
Nov. 23, 1966	Nov. 28, 1966	Nassau.
Dec. 22, 1966	Jan. 2, 1967	Nassau, Cristobal, Curacao, St. Thomas.

Any person, firm or corporation having any interest, within the meaning of Public Law 87–45, in the foregoing who desires to offer data, views or arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C., 20235, by the close of business on June 24, 1966.

In the event an opportunity to present oral argument is also desired, specific reason for such request should also be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

Dated: June 7, 1966.

By Order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66–6382; Filed, June 8, 1966; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

STATE OF ALABAMA

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Alabama for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A resume, prepared by the State of Alabama and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. A copy of the program, including proposed Alabama regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C., 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; April 3, 1965, 30 F.R. 4352; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Washington, D.C., this 27th day of May 1966.

For the Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

PROPOSED AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF ALABAMA FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under chapters 6, 7, and 8 and section 161 of the Act with respect to by-product materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Alabama is authorized under Act Number 582, Regular Session, 1963, to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Alabama certified on April 25, 1966, that the State of Alabama (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on _____ that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

ART. II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ART. III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ART. V. The Commission will use its best efforts to cooperate with the State and other agreement states in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ART. VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on October 1, 1966, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at Montgomery, State of Alabama, in triplicate, this day of ----------

For the United States Atomic Energy Commission.

For the State of Alabama.

GEORGE C. WALLACE,
Governor.

POLICIES AND PROCEDURES FOR THE CONTROL OF RADIATION

FOREWORD

The 1963 Regular Session of the Legislature of the State of Alabama enacted a Radiation Control Law which authorizes the Governor of Alabama to enter into an agreement with the U.S. Atomic Energy Commission for the purpose of assuming from the Commission certain regulatory functions for the use of byproduct material, source material, and special nuclear material in quantities not sufficient to form a critical mass. Among other provisions, the Radiation Control Law authorizes the State:

(1) To institute and maintain a regulatory program for all sources of ionizing radiation so as to provide for (a) compatibility with the standards and regulatory programs of the Federal Government, (b) a single, effective system of regulation within the State, and (c) a system consonant insofar as possible with those of other states; and

(2) To institute and maintain a program to permit development and utilization of sources of ionizing radiation for peaceful purposes consistent with the health and safety of the public.

Act 582, Regular Session, 1963, establishes the State Board of Health as the state radiation control agency for regulating, licensing, and inspecting sources and uses of radioactive materials including radium and accelerator produced isotopes, and machines and devices producing ionizing radiation. A Radiation Advisory Board of Health consisting of nine members appointed by the Governor was established under the provisions of this Act to advise the State Board of Health in carrying out the provisions of the law.

In this narrative a chronology outlining the development of the present system of radiation protection and control in Alabama will be presented along with plans, practices, and policies which will be undertaken by the Agency.

History. The Alabama State Department of Public Health became initially involved in limited control and study of the uses of ionizing radiation in 1953 when the Bureau of Sanitation made a study of fluoroscopic shoe fitting machines in Alabama. The possession or use of these machines is now prohibited by regulations adopted by the State Board of Health.

In 1957, the State of Alabama, Water Improvement Commission, which is housed within the Alabama State Department of Public Health, became interested in the levels of radioactivity in the streams of the State. Accordingly, plans were made, equipment purchased, and stream sampling stations were established throughout the State. During the summer of 1958, samples were collected from these sampling stations and analyzed for gross alpha and beta activity. This activity has continued since that time. In 1964, this activity was taken over and expanded by the newly formed Division of Radiological Health—an organizational division of the Bureau of Sanitation.

In 1963, a physical survey was conducted of all known dental X-ray units in the State; and, when necessary, filtration and collimation were added to bring them into compliance with the recommendations of the American Academy of Oral Roentgenology. A total of 945 dental X-ray units were surveyed. Currently, all dental X-ray units which are registered with the Agency are in compliance with the recommendations for filtration and collimation of the American Academy of Oral Roentgenology.

The Jefferson County Board of Health organized a radiological health program in 1962 and initiated a physical survey of all medical X-ray units during the same year. Since this time, a program has been in progress to bring all of the medical X-ray units in Jefferson County into compliance with the recommendations contained in National Bureau of Standards Handbook 76. Presently, over 98 percent of the 340 units in Jefferson County are in compliance with these recommendations.

In 1964, all X-ray units in the State were registered. Units were located by letters to all members of the healing arts profession listed in the roster of the Medical Association of the State of Alabama and to selected industries as shown in the Directory of Industries published by the Alabama State Chamber of Commerce. Following registration, the Division of Radiological Health performed a physical survey of the medical X-ray units in Alabama, except those in Jefferson County which had been previously surveyed. A total of 828 radiographic and 439 fluoroscopic units were inspected. Letters were written to the owners of deficient units requesting that the deficiencies noted in the survey be corrected. On May 19, 1965, the State Board of Health adopted rules and regulations governing the use of X-rays in the healing arts.

A radium leak testing program was conducted jointly by personnel of the Alabama State Department of Public Health and the Jefferson County Board of Health in Jefferson County during 1964. This program revealed that 4 of the 10 radium facilities in Jefferson County had leaking or contaminated sources. The following year personnel of the Alabama State Department of Public Health extended this leak testing program to all counties in the State. Of the additional 30 facilities, a total of 13 were found to have leaking or contaminated sources of radium. All owners of leaking or contaminated sources of radium voluntarily disposed of the leaking radium or had it reencapsulated.

Shortly after its establishment in 1963, the Division of Radiological Health became interested in Project Dribble. This project was a joint undertaking of the U.S. Department of Defense and the U.S. Atomic Energy Commission in which a 5 kiloton nuclear device was detonated in a salt dome located near Hattiesburg, Miss. The Division was concerned with the possibility that the detonation might vent and thus spread radioactive fallout in Alabama. Although the U.S. Public Health Service was responsible for off-site monitoring during this project, the Division of Radiological Health established a sampling program to determine the quantity of radioactive materials present in the air, in milk from samples collected throughout the State, and in the streams of the State both prior to and following the detonation. No venting occurred following the detonation but valuable experience was gained by laboratory personnel.

Members of the staff of the Alabama State Department of Public Health have accompanied members of the AEC staff on their inspections of licensees within the State for many years. Within the last 3 years, Alabama personnel have accompanied AEC inspectors on 81 percent of the inspections within the State. During this period they have become familiar with the inspection of licensees of radioactive materials. Also during this period, staff members have accompanied AEC personnel on investigations of incidents involving radioactive materials in Alabama. Further experience was gained when on several occasions staff members were requested to locate lost radium needles.

Program description. The State Board of Health was designated by Act 582, Regular Session, 1963, as the State Radiation Control Agency in Alabama and has the authority for regulating, licensing, and inspecting sources and uses of radioactive materials and machines and devices producing ionizing radiation. The radiation control program will be carried out by the Division of Radiological Health—an organizational division of the Bureau of Sanitation. Through an understanding with the Agency, medical X-ray registration and inspection activities may be conducted at the county level; however, licensing and inspection of radioactive materials will be conducted exclusively by the Agency.

The Agency is responsible for responding to emergency situations and is adequately staffed with qualified personnel. Emergency supplies and equipment to carry out this responsibility are available. Communications within the Agency and with county health departments have been established. Arrangements will be made with the State Highway Patrol to provide prompt notification of any transportation accident involving radioactive materials.

Licensing and registration. The radiation control program of the State of Alabama will regulate all sources of ionizing radiation

including radium, accelerator-produced nuclides in non-exempt quantities, and machine-produced radiation such as medical and dental X-ray units. All X-ray units have been registered with the Agency. Specific licenses will be issued to authorize the possession and use of radioactive materials, including radium and accelerator-produced nuclides, in quantities not exempted or generally licensed by the Agency. Criteria for the possession of byproduct, source, and special nuclear materials will be compatible with those established by the U.S. Atomic Energy Commission.

The licensing program will be essentially the same as that presently used by the U.S. Atomic Energy Commission. The Agency will utilize applicable criteria contained in Atomic Energy Commission publications as general guides in the evaluation of license applications. The director and assistant director of the Division of Radiological Health will evaluate all license applications. Other individuals will assist in this function as they acquire competence through experience and training. Prelicensing visits will be made when determined necessary. For routine applications, both medical and nonmedical, the State Health Officer will issue specific licenses on behalf of the State Board of Health.

A Medical Advisory Committee will advise the State Board of Health through the State Health Officer on nonroutine medical uses of radioactive materials. This Committee currently consists of four radiologists and an internist who are experienced in the medical use of radioisotopes.

Inspections. Staff personnel will conduct inspections of licensees and registrants to determine compliance with regulations promulgated by the Agency and to determine the adequacy of the radiation protection program. Inspections will be performed under the supervision of the assistant director of the Division of Radiological Health. A radiation physicist and two radiation specialists will perform inspections of radiation producing machines. Three radiation physicists assigned to the radioactive materials program will perform all materials inspections. Inspection personnel are qualified by training in the field of radiological health to perform these inspections. Materials inspections will be compatible with those now performed by the Division of Compliance of the U.S. Atomic Energy Commission.

Staff members will be kept current on developments in the field of radioactive materials by continued training in appropriate courses conducted by the USAEC and USPHS. The following frequency for the inspection of licensees in Alabama is proposed but may be either increased or decreased depending upon individual circumstances and the experience of the Agency.

Industrial radiographers—once each 6 months.

Operations involving waste disposal—once each 6 months.

Academic—once each 12 months.

Medical and hospital—once each 12 months.

Other categories—depending on the hazards associated with the program.

It is anticipated that all specific licensees will be inspected at least once each calendar year. The inspections may be announced or unannounced, except prelicensing evaluations will be scheduled.

Before the termination of each inspection, the inspector will confer with the licensee to discuss the results of his inspection, presenting oral recommendations or suggestions if indicated. The inspector will submit in writing comprehensive reports to the Director of the Division of Radiological Health relating facts and circumstances observed during the inspection. The report will enumerate violations, if any, and include recommendations. Recommendations made by field personnel will be subject to the critical review of senior staff members of the Division of Radiological Health. The licensee will be notified of the results of the inspection, including any indicated recommendations, by letter from the Agency as soon as practical.

Enforcement. If during the course of an inspection only minor items of noncompliance such as failure to label, improper signs, etc., are noted and the licensee agrees to correct the items of noncompliance at the time of the inspection, these items of noncompliance will be reviewed during the course of the next inspection.

If items of noncompliance of a more serious nature are found, the licensee will be required to correct such items within a specified period of time. The licensee will be required to inform the Agency in writing within thirty days, or less if specified, of the corrective action taken and the date the corrective action was completed. Follow-up inspections may be conducted by the Agency or the matter may be reviewed at the next regular inspection of the licensee to insure that adequate corrective action has been accomplished. In certain cases, items of noncompliance may be enforced by administrative procedures such as amending the license.

Under the provisions of Act Number 582 of the Alabama Law, Regular Session, 1963, the Agency has authority to initiate immediate legal action against a licensee who is in violation of the rules and regulations issued under the provisions of this Act. If in the opinion of the Agency a person is engaged in or is about to engage in any act or practice in violation of the provisions of this Act or rules and regulations issued thereunder, the State's Attorney General at the request of the Agency may make application for a court order enjoining such acts or practices or direct compliance with the rules and regulations promulgated under the provisions of this Act.

If the Agency should determine that an emergency exists, it has the authority to impound or order the impounding of any source of ionizing radiation in the possession of any person who is not equipped to observe or who fails to observe the provisions of the the Act or any rules or regulations issued thereunder.

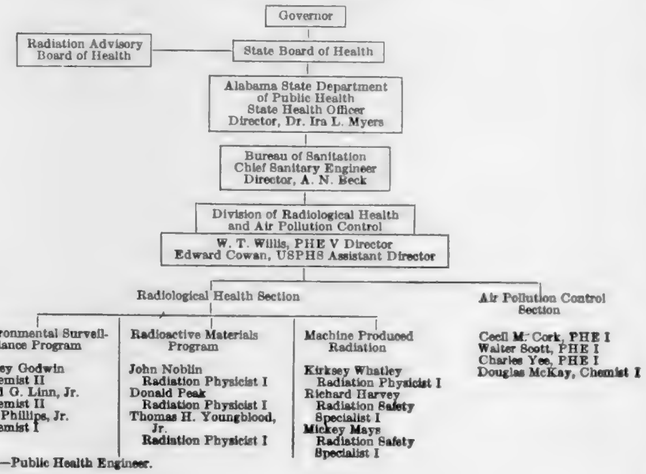
It is proposed that full legal measures will be employed only in those instances where there is continued noncompliance after notice, willful negligence on the part of the licensee, or where a serious potential hazard exists. Provisions of the Act provide for appropriate punishment of any violations of the Act or rules and regulations promulgated under the provisions of the Act.

Act Number 582 duly authorizes representatives of the Agency to enter at all reasonable times upon any private or public property for the purpose of determining whether or not there is compliance with or violations of the provisions of this Act or rules and regulations issued thereunder.

Hearings. Act Number 582 provides for a hearing on the record upon the request by any person whose interest may be affected by the issuance or modification of rules and regulations relating to the control of sources of ionizing radiation or for granting or suspending, revoking or amending a license or for determining compliance with rules and regulations of the Agency. Whenever the Agency finds that an emergency exists requiring immediate action to protect the public health and safety, the Agency may without notice or hearing issue a regulation or order reciting the existence of such emergency and requiring that such action be taken as is necessary to meet the emergency. Such regulation or order shall become effective immediately. However, anyone aggrieved by such order shall on application to the Agency be afforded a hearing within thirty days. On the basis of such hearing, the emergency regulation or order shall be continued, modified, or revoked within thirty days after such hearing.

Any final order entered in any proceeding shall be subject to judicial review by the Circuit Court of Montgomery County in the manner prescribed for taking appeals from orders of the Alabama Public Service Commission as provided in Code 1960, Title 48, section 79 and following.

ORGANIZATIONAL CHART



PHE—Public Health Engineer.

ALABAMA RADIATION CONTROL PERSONNEL

The Division of Radiological Health is an existing organizational unit of the Bureau of Sanitation, Alabama State Department of Public Health. Technical personnel engaged in the existing programs of the Division are listed below; also, listed below are personnel of the air pollution program who will be used in radiological health in emergency and unusual situations where additional personnel are needed.

Bureau of Sanitation—Chief, Arthur N. Beck, B.S., M.S.

Division of Radiological Health—Director, W. T. Willis, B.S., M.S.; Assistant Director, J. Edward Cowan, B.S., M.P.H.; Radiation Physicist I: John Noblin, B.S., Donald W. Peak, A.B., Kirksey E. Whatley, B.S., Thomas H. Youngblood, Jr., B.S.; Chemist II: Aubrey V. Godwin, B.S., Lloyd G. Linn, Jr., B.S.; Chemist I, Alva Phillips, B.S.; Radiation Safety Specialist: Richard E. Harvey, R. X-Ray Technician, Mickey T. Mays, R. X-Ray Technician.

Air Pollution Program—Director, W. T. Willis, B.S., M.S.; Public Health Engineer I: Charles Yee, B.S., Cecil M. Cork, B.S., Walter E. Scott, B.S.; Chemist I, Douglas McKay, BS.

Education and Experience of staff members:

WILLIAM THOMAS WILLIS

EDUCATION AND TRAINING

B.S. Civil Engineering, Alabama Polytechnic Institute, 1948.
S.M. Sanitary Engineering, Harvard University, 1952.

U.S. Public Health Service Courses:
One week—Detection and Control of Radioactive Pollutants in Water.
Two weeks—Sanitary Engineering Aspects of Nuclear Energy Course.
Two weeks—Basic Radiological Health Course.
One week—Medical X-Ray Protection Course.
Two weeks—Occupational Radiation Protection.
One week—Engineering Management of Radiation Accidents.
One week—Civil Defense Training Course for Food and Drug Officials.
Two weeks—Reactor Safety and Hazards Evaluation.
One week—Community Air Pollution.
One week—Measurement of Airborne Radioactivity.
One week—Elements of Air Quality Management.
One week—Control of Particulate Emissions.
One week—Control of Gaseous Emissions.
One week—Meteorological Aspects of Air Pollution.
Atomic Energy Commission Courses:
Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.

EXPERIENCE

Seventeen years total experience in Sanitary Engineering, Alabama State Department of Public Health. Fifteen years in stream pollution control. Two years as Director of Division of Radiological Health, responsibilities for directing and administrating a comprehensive program in radiation control involving the medical and industrial x-ray field, radioactive materials regulatory program, environmental surveillance and the environmental health laboratory.

JAMES EDWARD COWAN

EDUCATION AND TECHNICAL TRAINING

B.A., Science, Western Carolina College, 1949.
M.S. P.H., Sanitary Science, University of North Carolina, 1950.
M.P.H., Radiation Health, University of Pittsburgh, 1961.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Reactor Safety and Hazards Evaluation.
Two weeks—Radionuclide Protection.
One week—Medical X-Ray Protection.
One week—Management of Nuclear Emergencies.
Two weeks—Medical Aspects of Radiological Health.
One week—Radium Hazards and Control.
Atomic Energy Commission Courses:
Two weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.
One week—Dose and Dosimetric Determinations, ANL, Chicago.
Other Training:
Three weeks—Presbyterian Hospital, X-Ray Department, Pittsburgh.
Five weeks—Westinghouse Testing Reactor, Health Physics Department, Pittsburgh.
One week—Radiological Monitors Instructor Course—FCDA, Austin, Texas.

EXPERIENCE

Regular Corps, U.S. Public Health Service; 12 years generalized public health experience in local, State, and Federal agencies; 2 years, Radiation Control Program, Division of Occupational Health and Radiation Control, Texas State Department of Health; 2 years, Division of Radiological Health, Alabama State Department of Health, experienced in licensing, inspection, and other aspects of radiological health.

CECIL MERRITT CORK

EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, Auburn University, 1964.

U.S. Public Health Service Courses:
One week—Community Air Pollution.
One week—Elements of Air Quality Management.
One week—Control of Particulate Emissions.
One week—Source Sampling for Atmospheric Survey.
One week—Combustion Evaluation—Sources and Control Devices.
One week—Design of Air Pollutant Sampling Trains.
Two weeks—Atmospheric Survey.
One week—Control of Gaseous Emissions.

EXPERIENCE

One year, Public Health Engineer I, Division of Radiological Health, Alabama State Department of Public Health. Has accompanied Radiation Physicists on radium surveys.

AUBREY V. GODWIN

EDUCATION AND TECHNICAL TRAINING

A.A., Chemistry, Southwest Mississippi Junior College, 1958.
B.A., Chemistry, University of Mississippi, 1961.
Educational Leave, Mr. Godwin is presently on educational leave attending the University of Michigan where he will receive an MPH degree in 1966.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.
Two weeks—Radiochemical Analysis and Instrumentation, On-the-job training, Southeastern Radiological Health Laboratory, Montgomery, Alabama.
Other Training:
Two weeks—C.B.R. Refresher Course, Fort McClellan.
One week—Civil Defense for Food and Drug Officials, Montgomery.

EXPERIENCE

Two and one-half years experience as Chemist, Water Quality Surveillance, Alabama State Department of Public Health; Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included broad experience in chemical preparation of samples, and operation of counting equipment, including a 400-channel gamma spectrometer. For seven months, served as Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory. Concurrently, 3 years in C.R.B., Army National Guard.

RICHARD E. HARVEY

EDUCATION AND TECHNICAL TRAINING

Registered X-ray Technician. Two years X-ray technician course. Norwood Clinic, Birmingham, Alabama.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Radium Hazards and Control.
Two weeks—Medical X-Ray Protection.
One week—Radiological Health for X-Ray Technologist.

EXPERIENCE

Six months experience with medical X-ray program, Division of Radiological Health.

LLOYD G. LINN, Jr.

EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Birmingham Southern College, 1963.

U.S. Public Health Service Courses:
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.
Two weeks—Basic Radiological Health.
One week—Measurement of Airborne Radioactivity.
Two weeks—Analysis of Radionuclides in Water.
Two weeks—Radiochemical Analysis and Instrumentation, On-the-job training, Southeastern Radiological Health Laboratory, Montgomery.
Two weeks—Chemical Analyses for Water Quality.
One week—Pesticide Residue Analysis of Foods.
Other Training:
Infrared Spectroscopy, ACS Short Course School, 150th Annual ACS National Convention, Atlantic City.
RCA Course in Nuclear Instrumentation.
One week—Gas Chromatography.

EXPERIENCE

One year, 4 months experience as chemist, water quality surveillance, Alabama State Department of Public Health. Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included all phases of sample preparation and radioanalysis. Serving as Acting Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory while Mr. Godwin is on educational leave.

MICKEY T. MAYS

EDUCATION AND TECHNICAL TRAINING

Registered X-Ray Technician. Air Force Medical Service School, Gunter Air Force Base, Montgomery, Alabama.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Medical X-ray Protection.

EXPERIENCE

Four years as X-ray technician, Maxwell Air Force Base, Montgomery, Alabama.

DOUGLAS L. MCKAY

EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Florence State College, 1966.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Analysis of Atmospheric Organics.

EXPERIENCE

Three months, chemist, Jefferson County Health Department, Birmingham, Alabama. Three months, chemist, Alabama State Department of Public Health, Montgomery, Alabama.

JOHN W. NOBLIN

EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1962.

U.S. Public Health Service Courses:
One week—Radium Hazards and Control.
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.
One week—Measurement of Airborne Radioactivity.
One week—Radionuclide Analysis by Gamma Spectroscopy.

U.S. Atomic Energy Commission Courses:
Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.
Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.
Other Training:
One week—Radiological Defense Officer Course.

EXPERIENCE

Two years experience as Radiation Physicist, Division of Radiological Health. Experienced in survey and inspection techniques of radioactive materials. Planned and conducted statewide onsite survey of all radium facilities in Alabama.

DONALD W. PEAK

EDUCATION AND TECHNICAL TRAINING

A.B. in Physics and Mathematics, Huntingdon College.
One and one-half years graduate study, Nuclear Science, Auburn University.
Educational Leave, Mr. Peak is presently on educational leave attending North Carolina State College where he will receive an M.S. degree in Radiation Protection and Safety in 1966.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Radium Hazards and Control.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.

EXPERIENCE

Ten months experience with Division of Radiological Health, Alabama State Department of Public Health. Experience includes work in the Alabama state-wide radium survey.

ALVA PHILLIPS, JR.

EDUCATION AND TECHNICAL TRAINING

B.S., Engineering Technology, Troy State College, 1965.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.

EXPERIENCE

Three months, Chemist, Division of Radiological Health.

WALTER E. SCOTT

EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, University of Alabama, 1966.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Elements of Air Quality Management.
One week—Source Sampling for Atmospheric Pollutants.
One week—Design of Pollutant Sampling Trains.

EXPERIENCE

Three months, Engineer, Air Pollution Control Program.

KIRKSEY E. WHATLEY

EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1965.

U.S. Public Health Service Course:
Two weeks—Basic Radiological Health.

EXPERIENCE

Two months, Division of Radiological Health.

CHARLES K. YEE

EDUCATION AND TECHNICAL TRAINING

B.S., Chemical Engineering, Auburn University, 1963.

U.S. Public Health Service Courses:
One week—Meteorological Aspects of Air Pollution.
One week—Elements of Air Quality Management.
One week—Combustion Evaluation—Sources and Control Devices.
One week—Analysis of Atmospheric Inorganic.
Two weeks—Analysis of Atmospheric Organic.

EXPERIENCE

Nine months Public Health Engineer I, Environmental Health Laboratory, Alabama State Department of Public Health.

THOMAS H. YOUNGBLOOD, Jr.

EDUCATION AND TECHNICAL TRAINING

B.S. in Science, Troy State College, 1965.

U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-Ray Protection.
One week—Radium Hazards and Control.

U.S. Atomic Energy Commission:
Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.

EXPERIENCE

Nine months, Division of Radiological Health, Alabama State Department of Public Health. Worked with state-wide radium survey program.

[F.R. Doc. 66-6021; Filed, June 1, 1966; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16465, 16466; FCC 66M-790]

BROWN BROADCASTING CO., INC., AND DIXIE BROADCASTING CORP.

Order Scheduling Hearing

In re applications of Brown Broadcasting Co., Inc., Jacksonville, N.C., Docket No. 16465, File No. BP-16700; Dixie Broadcasting Corp., Aurora, N.C., Docket No. 16466, File No. BP-17036; for construction permits.

A further prehearing conference in the above-entitled proceeding having been held as scheduled on June 3, 1966,

It is ordered, This 3d day of June 1966, that the procedural ground rules established at said conference are hereby approved and that the transcript of said conference, incorporated herein by reference with the same force and effect as if set forth at length, shall control as to any question bearing on the established ground rules; and

It is further ordered, That the hearing herein shall convene at 10 a.m., July 25, 1966, at the Commission's offices, Washington, D.C.

Released: June 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6351; Filed, June 8, 1966; 8:48 a.m.]

[Docket Nos. 16368, 16369; FCC 66M-787]

CENTRAL BROADCASTING CORP., AND SECOND THURSDAY CORP.

Order Continuing Hearing

In re applications of Central Broadcasting Corp., Madison, Tenn., Docket No. 16368, File No. BPH-3773; Second Thursday Corp., Nashville, Tenn., Docket No. 16369, File No. BPH-3778; for construction permits.

The Hearing Examiner having under consideration the joint motion for indefinite continuance filed May 31, 1966, by the applicants herein and the opposition thereto filed June 2, 1966, by the Broadcast Bureau;

It appearing, that, as basis for the requested continuance it is alleged that an agreement has been reached which provides, inter alia, for dismissal of the application of Central Broadcasting Corp. and a joint motion for approval of the agreement will be filed as soon as the agreement and required supporting affidavits can be completed;

It further appearing, that by its opposition the Broadcast Bureau opposes the requested indefinite continuance, but does not oppose a continuance to June 6, 1966, for exchange of exhibits and to June 20, 1966, for commencement of hearing for the reason that should the application of Central Broadcasting Corp. be dismissed there would remain outstanding issues relative to the application of Second Thursday Corp. which must be resolved in hearing;

It further appearing, that the indefinite continuance requested is not warranted in view of the fact that the proceeding would not be terminated upon approval of the proposed agreement, but the dates proposed by the Broadcast Bureau would not afford adequate time for filing and disposition of the motion for approval of agreement

and exchange of exhibits deemed relevant in the light of the action taken on such motion:

It is ordered, This 3d day of June 1966, that the motion for indefinite continuance of hearing is denied:

It is further ordered, On the Hearing Examiner's own motion, that the date for exchange of exhibits is continued from May 31, 1966, to July 5, 1966, and the date for hearing is continued from June 6, 1966, to July 11, 1966, commencing at 10 a.m. in the offices of the Commission at Washington, D.C.

Released: June 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6352; Filed, June 8, 1966; 8:49 a.m.]

[Docket No. 16617; FCC 66M-788]

RAYMOND W. GILL

Order Scheduling Hearing

In the matter of Raymond W. Gill, Dunn Loring, Va.; order to show cause why the license for Radio Station KMI-3224 in the Citizens Radio Service should not be revoked; Docket No. 16617.

It is ordered, This 3d day of June 1966, that Isadore A. Honig shall serve as Presiding Officer in the above-entitled proceeding; and that the hearing therein shall be held in the offices of the Commission, Washington, D.C., on July 7, 1966, commencing at 10 a.m.

Released: June 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6353; Filed, June 8, 1966; 8:49 a.m.]

[Docket No. 16533; FCC 66M-786]

WASHINGTON BROADCASTING CO., AND WOL, INC.

Order Rescheduling Hearing

In re application of Washington Broadcasting Co. (assignor) and WOL, Inc. (assignee), Docket No. 16533, File Nos. BAL-5418, BALH-780, BALRE-1237; for assignment of licenses of Stations WOL AM and FM Washington, D.C.

Pursuant to a telephone conversation with the Hearing Examiner, counsel for WOL, Inc., as of this date, has forwarded a written request that the hearing conference now scheduled for June 8, 1966, be rescheduled for June 13, 1966, 2 p.m.;

It appearing, that counsel for WOL, Inc., has a prior commitment for June 8, 1966, to argue an appeal from a Commission order in another proceeding;

It further appearing, that good cause exists why said request should be granted;

Accordingly, it is ordered, This 3d day of June 1966, that the request is granted and the hearing conference now scheduled for June 8, 1966, be, and it hereby is, rescheduled for June 13, 1966, 2 p.m., in the Commission's offices, Washington, D.C.

Released: June 3, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6354; Filed, June 8, 1966; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

[No. 66-2]

PRACTICES OF INDEPENDENT OCEAN FREIGHT FORWARDERS, OCEAN FREIGHT BROKERS, AND OCEAN-GOING COMMON CARRIERS

Scheduling of Oral Argument

JUNE 7, 1966.

Oral argument in this proceeding, previously scheduled to be heard on June 15, 1966, is hereby rescheduled to be heard June 13, 1966, beginning at 10 a.m., in Room 114, 1321 H Streeet NW., Washington, D.C.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6399; Filed, June 8, 1966; 9:39 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-381]

CITY OF JONESBORO, ILL., AND TEXAS EASTERN TRANSMISSION CORP.

Notice of Application

JUNE 2, 1966.

Take notice that on May 20, 1966, the city of Jonesboro, Ill. (Applicant), filed in Docket No. CP66-381 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Texas Eastern Transmission Corp. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant to provide a new point of delivery for Applicant's present allocation of natural gas for Applicant's existing distribution system and also for delivery of the natural gas requirements of the facilities proposed to be constructed by the village of Cobden, Ill., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant says that the establishment of a new point of delivery is necessary because the present method of transportation of gas through the low pressure facilities of the city of Anna, Ill., is unsatisfactory and inadequate to meet the growing demands and to assure sufficient volumes and pressures on peak days. Applicant further states that the proposal would make it possible to make natural gas available to the village of Cobden and prospective customers in Cobden and along the proposed transmission pipeline, all of which are now without natural gas. The village of Cobden has filed its own application pursuant to section 7(a) of the Natural Gas Act in Docket No. CP66-382.

Specifically, Applicant proposes to interconnect a lateral pipeline with Respondent's pipline near the point where it crosses Illinois State Highway No. 127. From this point of connection, Applicant proposes to construct a 4-inch high pressure lateral extending northward along said highway a distance of approximately 4 miles to the existing town border station presently located at the east side of the city of Jonesboro. Applicant also proposes to serve prospective customers along the transmission pipeline, as well as the village of Cobden.

The total estimated cost of the facilities to be constructed by Applicant is $71,000, which will be financed from funds on hand in the City's Gas Fund.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 27, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6311; Filed, June 8, 1966; 8:45 a.m.]

[Docket No. E-7275]

COMMONWEALTH EDISON CO. AND CENTRAL ILLINOIS ELECTRIC & GAS CO.

Order Providing for Hearing

JUNE 3, 1966.

Upon consideration of the joint application submitted on behalf of Commonwealth Edison Co. (Commonwealth) and Central Illinois Electric & Gas Co. (Central) for authorization to merge their respective facilities and operations submitted March 2, 1966, the Commission deems it in the public interest to afford applicants and all other interested parties opportunity for oral hearings prior to disposition of the application on the merits. Important legal and policy considerations affecting this Commission's administration of its overall regulatory responsibilities under the Federal Power Act are presented by its determination as to whether the proposed merger is consistent with the public interest. These responsibilities embrace accounting, corporate, facility interconnection and coordination, financial and rate making considerations, sections, 202, 205, 206, and 301 of the Federal Power Act. And see also the Public Utility Holding Act, 15 U.S.C. 79 et seq.

Underlying our consideration in setting this matter for hearing is the Commission's view that the public interest and the requirements of the Federal Power Act will generally be best served by setting for hearing all applications requesting approval of the merger and consolidation of two or more Class A electric utilities.[1] In the near future a formal statement of this Commission's policy will be included as a part of the Commission's rules of practice and procedure, Part II General Policy and Interpretations (18 CFR).[2]

As filed the joint application of Commonwealth and Central includes substantial supporting factual information. To date, the Commission has received comments unfavorable to the proposed merger transaction submitted upon behalf of the Utility Users League and named individuals.[3] Presumably, factual data included in the joint application will be submitted in support of the applicants' positions during the hearing provided herein. Additionally, the applicants and all interested parties should address themselves to the general considerations raised by the proposed merger and the overall requirements of the Federal Power Act: relating to the advantages and disadvantages of corporate integration to the respective customers of the facilities and operations of Commonwealth and Central balanced against the advantages and disadvantages arising from their present nonaffiliated status or those which might result from increased coordination and operation of the properties of the two companies without corporate integration.

To afford all parties and any prospective interveners opportunity to prepare for presentations at the oral hearing in this matter without unduly delaying our ultimate disposition of the joint application filed by Commonwealth and Central, we deem it necessary to prescribe certain procedural rulings governing the hearing as hereinafter provided. The petititon for leave to intervene submitted upon behalf of the Utility Users League and named individuals and the answer thereto submitted upon behalf of Commonwealth and Central on April 14, 1966, will be considered subsequently together with any other petitions to intervene.

The Commission orders:

(A) A public hearing shall commence in a hearing room of the Federal Power Commission on July 11, 1966, at 10 a.m. e.d.s.t., 441 G Street, Washington, D.C., to consider the issues raised by the joint application of Commonwealth and Central submitted in the above-entitled matter on March 2, 1966, and the issues set forth in the recital above. Any interested person, State or local public authorities desiring to participate in the hearing as provided herein shall submit petitions for leave to intervene or notices of intervention, as appropriate, on or before June 20, 1966, in accordance with §§ 1.8 and 1.37 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37).

[1] Electric utilities having annual electric operating revenues of $2,500,000 or more.

[2] We note that the Illinois Commerce Commission similarly provides for hearings on mergers of this type.

[3] Petition for leave to intervene upon behalf of petitioners Utility Users League, Nickolas J. Barnes, Sidney J. Rosenberg, and Harry R. Booth, received Apr. 7, 1966.

(B) The Presiding Examiner shall convene a prehearing conference at the commencement of the hearing for purposes of receiving any factual stipulations, statements of position; and shall dispose of all prehearing procedural questions including the time for presentation of evidence and cross examination thereof.

By the Commission.[4]

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6312; Filed, June 8, 1966; 8:45 a.m.]

[Project No. 2338]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Notice of Amendment of Application for License for Unconstructed Project

JUNE 3, 1966.

Public notice is hereby given that Consolidated Edison Co. of New York, Inc. (Applicant or Consolidated Edison), has filed an amendment to its application under the Federal Power Act (16 U.S.C. 791a–825r) for a license for unconstructed Project No. 2338, the Cornwall Pumped Storage Project, to be located on the Hudson River, in the village of Cornwall and towns of Cornwall and Highlands, Orange County, N.Y.

The project, as proposed in the amended application, will consist of: Five earth and rockfill dams forming an upper storage reservoir located in a natural basin at the crest of the Hudson Highlands on the west bank of the Hudson River; a reservoir with a capacity of 25,000 acre-feet and a surface area of about 240 acres at full pool elevation of 1,160 feet (MSL Datum); an ungated intake of the morning glory type leading to a 40-foot diameter concrete-lined tunnel extending about 10,000 feet to a manifold and thence to eight steel-lined, concrete encased, penstocks; an underground powerhouse containing eight pump-turbine motor-generator units each having a nameplate rating of 258 mva at 0.90 power factor; an underground step-up substation; underground tailrace tunnels; submarine and underground cables extending from the underground substation to the Cornwall East Switching Station to be located at Nelsonville, N.Y., approximately 0.6 mile from the Hudson River; and a double circuit overhead 345 kv transmission line extending from the Cornwall East Switching Station to a point on the existing transmission line right-of-way which extends from Pleasant Valley, N.Y., to Millwood, in Westchester County, and to the Sprain Brook Substation in the city of Yonkers, N.Y. Power will be transmitted to the load by replacing existing lines on the aforementioned right-of-way.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 25, 1966. The amendment to the application is on file with the Commission for public inspection.

A hearing in this proceeding has been fixed to commence in New York City on November 14, 1966, at a place to be designated by notice of the Presiding Examiner. The Commission's order of June 3, 1966, should be consulted for the schedule fixed for the filing by interveners of direct testimony and motions. Evidence at the hearing will include the amended application in addition to the matters previously raised in this proceeding.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6313; Filed, June 8, 1966; 8:45 a.m.]

[Project No. 2338]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Order Granting Continuance and Denying Motion for Additional Prehearing Conference and Stay of Proceeding

JUNE 3, 1966.

In Scenic Hudson Preservation Conference v. F.P.C., 354 F. 2d 608 (CA2), cert. denied, May 16, 1966, the Court set aside three orders of the Commission including the order of March 9, 1965 (Op. No. 452, 33 FPC 428), granting a license to Consolidated Edison Co. of New York, Inc. (Consolidated Edison, or Applicant), for the construction and operation of the Cornwall Pumped Storage Project, Project No. 2338. In accordance with the direction of the Court, the Commission, by its order of January 25, 1966, fixed a hearing on remand, and it ordered a prehearing conference which was held in New York City on March 22 and 23, 1966.

Consolidated Edison applied for a license on January 29, 1963. The application, as amended on September 13, 1963, sought authorization to construct and operate certain project works, including a powerhouse, of the modified outdoor type, mostly underground, to be recessed into the base of the north face of Storm King Mountain on the Hudson River near Newburgh, N.Y. On May 31, 1966, the Applicant filed an amended application providing, among other things, for placing all powerhouse structures and facilities and the step up substation underground in the village and town of Cornwall, N.Y., near the previous powerhouse site.

At the prehearing conference in March 1966, the Presiding Examiner prescribed a schedule for the filing of prepared direct testimony prior to the hearing and ruled that the hearing should commence in New York City on October 17, 1966. On April 15, 1966, the Scenic Hudson Preservation Conference, the town of Putnam Valley, and the Sierra Club and the Atlantic Chapter of

[4] Commissioner Bagge dissenting.

the Sierra Club, filed a motion, supported by other interveners,[1] that the date designated by the Presiding Examiner for submission of prepared testimony and commencement of the hearing be vacated, that another prehearing conference be held, and that a stay be granted for all purposes.

At the prehearing conference the Applicant indicated its intention to study the feasibility of an underground powerhouse and stated it proposed to file any amended license application providing therefor by April 29, 1966. The Presiding Examiner fixed dates, including those for the filing of direct testimony, on the assumption that the amended application would be filed on April 29, 1966. However, as the Applicant did not file the amended application until May 31, 1966, it is appropriate that the interveners opposing the project be given a month's extension of time in which to file their direct case.[2]

The requests for a stay and for another prehearing conference were based on the fact that at the time the motion was filed a petition for certiorari had been filed by the Applicant and was then pending. On May 16, 1966, certiorari was denied by the Supreme Court. No substantial reason has been advanced for another prehearing conference or for a stay of the proceeding. If for other reasons, based on the amended application, the moving parties feel that another prehearing conference should be held, they are, of course, free to make application to the Presiding Examiner. At the prehearing conference the Presiding Examiner prescribed a procedure substantially as hereinafter provided. For the convenience of the participants this procedure is outlined below with the dates adjusted in accordance with this order, including the date for the commencement of the hearing.

The Commission finds:

(1) The dates set forth in the procedural schedule prescribed by the Presiding Examiner should be adjusted to permit interveners in opposition to the project an additional month to prepare their direct testimony.

(2) The motion of the Scenic Hudson Preservation Conference, the town of Putnam Valley, and the Sierra Club and the Atlantic Chapter of the Sierra Club for another prehearing conference and for a stay of this proceeding should be denied.

The Commission orders:

(A) The motion of the above-named interveners for another prehearing conference and for a stay of this proceeding, is hereby denied.

(B) The filing schedule in this proceeding, and the date of commencement of the hearing are as follows:

1. The Applicant and interveners supporting the application shall file by September 7, 1966, with the Secretary of the Commission an original and 10 copies of all testimony, including qualifications of the witnesses, and exhibits to be presented in Applicant's direct case.

2. The Secretary of the Interior and interveners opposing the project shall file with the Secretary, by October 13, 1966, an original and 10 copies of all direct testimony and exhibits including qualifications of witnesses.

3. The direct case of the staff of the Commission shall be filed by October 27, 1966.

4. All motions to strike shall be filed with the Presiding Examiner by November 3, 1966, with replies to such motions to be filed by November 10, 1966.

5. Copies of all filings specified herein shall be served on all other parties.

6. On November 14, 1966, the hearing in this proceeding shall commence in New York City.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6314; Filed, June 8, 1966; 8:45 a.m.]

[Docket No. G-669]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Petition To Amend

JUNE 2, 1966.

Take notice that on May 23, 1966, Michigan Wisconsin Pipe Line Co. (Petitioner), 1 Woodward Avenue, Detroit, Mich., 48226, filed in Docket No. G-669 a petition to amend the certificate of public convenience and necessity issued in said docket on November 30, 1946, and previously amended on March 2, 1950, by authorizing the relocation of certain natural gas facilities, as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner was authorized, inter alia, to construct and operate 3.9 miles of 8-inch transmission pipeline extending from the takeoff point of its De Pere, Wis., lateral to Green Bay, Wis., for the delivery and sale of natural gas to Wisconsin Public Service Corp. for distribution and resale in Green Bay.

Petitioner states that due to population growth the pipeline is now located in a residential area which is relatively densely populated, and municipal officials have urged the relocation of existing facilities. Petitioner further states that the 8-inch pipeline does not have sufficient capacity to meet the estimated 1966-67 peak hour requirements and, because of the population density, looping of the pipeline is infeasible.

Petitioner proposes to install and operate a new meter station and 2.9 miles of 16-inch pipeline to substitute for the existing 3.9 miles of 8-inch pipeline.

The estimated cost of construction is $286,490, which will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before June 24, 1966.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6315; Filed, June 8, 1966; 8:45 a.m.]

[Docket No. CP66-384]

MISSOURI NATURAL GAS CO. AND MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Application

JUNE 2, 1966.

Take notice that on May 23, 1966, Missouri Natural Gas Co. (Applicant), Drawer 230, Farmington, Mo., 63640, filed in Docket No. CP66-384 an application pursuant to section 7(a) of the Natural Gas Act for an order directing Mississippi River Transmission Corp. (Respondent) to establish a physical connection of its natural gas transmission facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant up to 364 Mcf of natural gas per day for resale and distribution in the unincorporated community of Selma, in Jefferson County, Mo., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Selma has a population of approximately 650 inhabitants and estimates the natural gas requirements of the community during the first 3 years of proposed operations to be as follows:

	First year	Second year	Third year
Annual (Mcf)...	17,697	23,829	30,128
Peak day (Mcf)..	214	289	364

Applicant proposes to construct and operate approximately 15,000 feet of 4-inch pipeline lateral and a distribution system to serve Selma. The estimated cost of the proposed construction is $175,500.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 27, 1966.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6316; Filed, June 8, 1966; 8:45 a.m.]

[Docket No. CP66-385]

MISSOURI NATURAL GAS CO. AND MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Application

JUNE 2, 1966.

Take notice that on May 23, 1966, Missouri Natural Gas Co. (Applicant), 314 North Broadway, 16th Floor, St. Louis, Mo., 63102, filed in Docket No. CP66-385 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Mississippi River Transmission Corp. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in the city of Leadwood, St. Francois County, Mo., and its environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct, own and operate distribution facilities within the city of Leadwood. Applicant states that such facilities will connect with Respondent's existing, but essentially unused, pipeline which passes along the southern edge of Leadwood, where it formerly served the total requirements of a St. Joseph Lead Co. plant.

The total estimated volumes of natural gas necessary to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)...	24,836	32,669	36,668
Peak day (Mcf)..	323	425	476

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 27, 1966.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6317; Filed, June 8, 1966; 8:45 a.m.]

[Docket No. CP66-386]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

JUNE 2, 1966.

Take notice that on May 24, 1966, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66-386 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities to permit increased flexibility in the operation of its Gulf Coast pipeline, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate approximately 22.5 miles of 30-inch loop pipeline on its Gulf Coast pipeline in Victoria and Jackson Counties, Tex., and modification to its Compressor Station No. 341 gas turbine engines to increase the horsepower thereof to 6,330.

Applicant states that the added flexibility to be achieved through the facilities proposed by the instant application will afford it the ability to attach gas supplies to its system sought of its Compressor Station No. 301 for periods of short or long duration in the event of a supply curtailment on its system, as well as the attachment and utilization of new long term contracted supplies.

The total estimated cost of Applicant's proposed facilities is $2,832,292, which cost will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before June 27, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6318; Filed, June 8, 1966; 8:46 a.m.]

[Docket No. E-7295]

NORTHERN STATES POWER CO.

Notice of Application

JUNE 2, 1966.

Take notice that on May 27, 1966, Northern States Power Co. (Applicant), filed an application with the Federal Power Commission seeking an order pursuant to section 204 of the Federal Power Act authorizing the issuance of $45,000,000 principal amount of First Mortgage Bonds.

Applicant is incorporated under the laws of the State of Minnesota and is qualified to do business in the States of South Dakota and North Dakota with its principal place of business office in Minneapolis, Minn.

Applicant proposes to issue and sell the bonds at competitive bidding in accordance with the Commission's Regulations under the Federal Power Act. The bonds are to mature on August 1, 1996, and to be issued under and secured by the Trust Indenture dated February 1, 1937, from Applicant to Harris Trust & Savings Bank, Trustee, as supplemented and as to be further supplemented on August 1, 1966.

The proceeds from the sale of the bonds will be added to the general funds of the Applicant and will be used to pay part of the 1966 expenditures under its continuing construction program and to pay outstanding bank loans which are estimated to aggregate as of the date of the issuance and delivery of the new bonds about $32,000,000. Applicant's 1966 construction program is presently estimated at $74.6 million. Included among Applicant's principal expenditures for its 1966 construction program are approximately $29,500,000 for its Allen S. King plant in Oak Park Heights, Minn., $3,800,000 for construction of approximately 100 miles of 345 kv transmission line from the Red Rock Substation to Adams Substation, $484,000 for the installation of transmission line outlet facilities at the Allen S. King plant, $502,000 for construction of 23.5 miles of 345 kv transmission line from Allen S. King plant to Terminal Substation, $779,000 for the installation of Terminal facilities at the Red Rock Substation, $1,535,000 for the installation of substation and line terminal facilities for the Allen S. King plant, and approximately $17,969,000 for distribution facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 27, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6319; Filed, June 8, 1966; 8:46 a.m.]

[Docket No. E-7291]

PACIFIC POWER & LIGHT CO.

Notice of Application

JUNE 2, 1966.

Take notice that on May 12, 1966, Pacific Power & Light Co. (Applicant) incorporated under the laws of the State of Maine and qualified to transact business in the States of Oregon, Washing-

[1] The Secretary of the Interior and the following other interveners supported the motion: Town of Philipstown; Philipstown Citizens Association; the Cortlandt Conservation Association, Inc., and the Hudson River Fishermen's Association.

[2] The Presiding Examiner ruled that prior to the hearing interveners in opposition to the project shall serve testimony on (1) gas turbines as an alternative to the project; (2) air pollution; (3) the impact of project facilities (including overhead transmission lines) on scenic beauty, community planning and recreational resources; (4) possible seepage from the project reservoir; (5) the general safety of dike structures.

It was also ruled at the prehearing conference that Scenic Hudson and other interveners in opposition to the project might defer their testimony on the following subjects (until after that of the Applicant, the Secretary of the Interior, and the staff had been received): (1) Alternative power sources (other than gas turbines but including interconnections); (2) underground transmission cost; (3) fish protection; (4) Hudson River development, including alternative hydroelectric powersites.

ton, California, Montana, and Idaho, with its principal place of business office at Portland, Oreg., filed an application with the Federal Power Commission pursuant to section 203 of the Federal Power Act seeking authority to acquire certain electric facilities from Portland General Electric Co. (Portland), an Oregon corporation.

Ordinance No. 120617 passed by the City Council of the City of Portland, Oreg., on June 30, 1965, designates certain areas within the city of Portland as Underground Wiring Districts and as Underground Wiring Control Districts and further designates areas within such districts to be served exclusively by Applicant and by Portland, respectively. Pursuant to this Ordinance Applicant and Portland entered into an agreement dated March 25, 1966, whereby the Applicant has agreed to acquire certain electric utility property belonging to Portland in exchange for certain of Applicant's properties and the payment by Applicant to Portland of the sum of $161,105. These facilities comprise certain electric distribution systems and associated facilities including underground conduits, conductors and line transformers located within the city of Portland. The depreciated original cost of the property to be transferred by Applicant to Portland is $938,718, and the depreciated original cost of the property to be transferred by Portland to Applicant is $1,062,864. In effect Applicant will transfer approximately 370 customers to Portland of which 348 will be commercial customers and 22 will be residential customers. Portland will transfer to Applicant approximately 254 customers of which 251 will be commercial customers and 3 will be residential customers.

Applicant represents that the proposed acquisition will be consistent with the public interest in that it will promote the installation of underground facilities in the core area of the city of Portland in the most economical and effective manner and will eliminate areas where there are now duplicating systems.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 27, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6320; Filed, June 8, 1966; 8:46 a.m.]

[Docket No. CP63-159]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Petition To Amend

JUNE 3, 1966.

Take notice that on May 25, 1966, Panhandle Eastern Pipe Line Co. (Petitioner), 3444 Broadway, Kansas City, Mo., 64111, filed in Docket No. CP63-159 a petition to amend the certificate of public convenience and necessity issued in said docket on November 12, 1963 (Opinion 410), requesting authorization for the transportation of natural gas for the purpose of hydrocarbon extraction by National Helium Corp. (National Helium) at its plant located in the vicinity of Liberal, Kans., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The petition to amend states that Petitioner entered into a contract dated October 2, 1961, to provide National Helium with volumes of gas for the extraction of helium and hydrocarbons and for fuel and that National Helium, in turn, entered into a contract dated October 13, 1961, with the United States pursuant to the Helium Act amendments of 1961, providing for the supply of a helium-gas mixture to be used in the Government's helium conservation program.

Following hearings before the Commission, Petitioner received a certificate of public convenience and necessity, issued in the instant docket on November 12, 1963, for the transportation of fuel to National Helium's plant, conditioned upon Petitioner seeking authorization to transport natural gas for the purpose of hydrocarbon extraction to be performed by National Helium.

Petitioner states that because of the condition referred to above, it did not exercise the authorization granted by the aforementioned certificate, and sought rehearing and court review of the Commission's order. On April 27, 1966, the U.S. Court of Appeals for the Eighth Circuit affirmed the Commission's order in Panhandle Eastern Pipe Line Co. v. FPC.

By the instant filing, Petitioner requests authorization for the transportation of natural gas for the purpose of hydrocarbon extraction by National Helium at its plant located in the vicinity of Liberal, Kans.

Petitioner states that the average shrinkage due to the extraction of hydrocarbons will be about 22,000 Mcf daily or about 8,000,000 Mcf annually. Petitioner further states that it has ample gas supply to meet the needs of National Helium without any significant effect upon Petitioner's ability to deliver necessary volumes of gas to its existing customers, and that its sales to existing customers will not be impaired because the deliveries to National Helium will be made at a point where gas from its several supply sources is commingled, and prior to the entry of the gas stream into Petitioner's main line transmission system.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 1, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6321; Filed, June 8, 1966; 8:46 a.m.]

OFFICE OF EMERGENCY PLANNING

TEXAS

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, and Public Law 87-296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated May 12, 1966, reading in part as follows:

I have determined that the damage in the areas adversely affected by severe storms and flooding beginning on or about April 22, 1966, in the State of Texas, is of sufficient severity and magnitude to warrant Federal disaster assistance to supplement State and local efforts.

I do hereby determine the following areas in the State of Texas to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of May 12, 1966:

The counties of:

Anderson.	Leon.
Bowie.	Marion.
Camp.	Morris.
Cass.	Navarro.
Collin.	Rains.
Dallas.	Red River.
Fannin.	Rockwall.
Freestone.	Rusk.
Gregg.	Shelby.
Harrison.	Titus.
Henderson.	Upshur.
Lamar.	

Dated: June 3, 1966.

FARRIS BRYANT,
Director,
Office of Emergency Planning.

[F.R. Doc. 66-6309; Filed, June 8, 1966; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-6 (SW Area—Dallas); Disaster 7]

DISASTER LOAN GROUP, DISASTER FIELD OFFICE, NEW ORLEANS, LA.

Rescission of Delegation of Authority

Notice is hereby given that Delegation of Authority No. 30-6, Disaster No. 7, 31 F.R. 3042, dated February 22, 1966, is hereby rescinded in its entirety.

Effective date. June 1, 1966.

JAMES R. WOODALL,
Program Coordinator,
Disaster Area, State of Louisiana.

[F.R. Doc. 66-6329; Filed, June 8, 1966; 8:47 a.m.]

[Delegation of Authority 30-6 (SW Area-Dallas); Disaster 7]

MANAGER, DISASTER FIELD OFFICE, NEW ORLEANS, LA.

Rescission of Delegation of Authority

Notice is hereby given that Delegation of Authority No. 30-6, Disaster No. 7, 31 F.R. 3042, dated February 22, 1966, is hereby rescinded in its entirety.

Effective date. June 1, 1966.

JAMES R. WOODALL,
Program Coordinator,
Disaster Area, State of Louisiana.

[F.R. Doc. 66-6330; Filed, June 8, 1966; 8:47 a.m.]

CHAIRMAN AND MEMBERS OF DISASTER LOAN GROUP, SOUTHWESTERN AREA

Revocation of Designation

Pursuant to the authority contained in I.B. of Delegation of Authority of Program Coordinator, Disaster Area, State of Louisiana (No. 30-6, SW Area-Dallas, Disaster No. 7, 31 F.R. 3043, dated Feb. 22, 1966, effective Feb. 1, 1966), I hereby revoke in its entirety the designation of Chairman and Members of Disaster Loan Group, Southwestern Area.

Effective date. June 1, 1966.

JAMES R. WOODALL,
Program Coordinator,
Disaster Area, State of Louisiana.

[F.R. Doc. 66-6331; Filed, June 8, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 931]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JUNE 3, 1966.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission. Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 200 (Sub-No. 214), filed May 18, 1966. Applicant: RISS & COMPANY, INC., 903 Grand Avenue, Kansas City, Mo. Applicant's representative: Ivan E. Moody, 1111 Scarritt Building, Ba. 1-2288, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives and household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in Iowa, Nebraska, Colorado, Kansas, Oklahoma, Texas, Arkansas, Missouri, Illinois, Indiana, Ohio, Michigan, Kentucky, Pennsylvania, Virginia, West Virginia, Maryland, New Jersey, New York, Connecticut, Massachusetts, and Rhode Island. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 531 (Sub-No. 208), filed May 13, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from North Seadrift, Tex., to points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Utah, Washington, and Wyoming. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 610 (Sub-No. 4) (Amendment), filed March 25, 1966, published FEDERAL REGISTER issue of April 21, 1966, amended May 25, 1966, and republished as amended, this issue. Applicant: H. M. SKINNER & SONS, INC., New Bethlehem Pa. Applicant's representative: H. Ray Pope, Jr., 10 Grant Street, Clarion, Pa., 16214. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in the townships of Redbank, Mahoning, Madison, Pine, Sugar Creek, Brady's Bend, the village of Cowansville, and the Borough of South Bethlehem, all located in Armstrong County, Pa., and the townships of Redbank, Porter, Brady, Madison, Toby, Licking, Piney, Monroe, Limestone, Clarion, Paint, Highland, Knox, Farmington, Washington, the Boroughs of Hawthorn, New Bethlehem, East Brady, Rimersburg, Callensburg, Sligo, Curllsville, Clarion, and Strattanville, all located in Clarion County, Pa., and the city of Pittsburgh, Allegheny County, Pa., excluding the transportation of household goods, motor vehicles and commodities in bulk in tank vehicles, the point of interchange to be Pittsburgh, Pa. only. NOTE: The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 906 (Sub-No. 83), filed May 19, 1966. Applicant: CONSOLIDATED FORWARDING CO., a corporation, 1300 North 10th Street, St. Louis, Mo. Applicant's representative: Thomas F. Kilroy, Suite 913 Colorado Building, 1341 G Street NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, including meats and meat byproducts, requiring temperature control, in vehicles equipped with mechanical refrigeration, in less-than-truckload shipments, between points in Illinois, Indiana, Kansas, Missouri, Ohio, Oklahoma, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 1042 (Sub-No. 5), filed May 18, 1966. Applicant: C. P. T. FREIGHT, INC., 2600 Calumet Avenue, Hammond, Ind. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B ex-

[1] Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

plosives, household goods as defined by the Commission and commodities in bulk), *including commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Wisconsin, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 2452 (Sub-No. 8), filed May 19, 1966. Applicant: HAJEK TRUCKING CO., INC., 7635 West Lawndale Avenue, Summit, Ill. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between Burns Harbor and Portage, Ind., Chicago Heights, Joliet, and Waukegan, Ill., and points in the Chicago commercial zone as defined by the Commission, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 2593 (Sub-No. 13), filed May 16, 1966. Applicant: BAUMANN BROS. TRANSPORTATION, INC., 1813 Yolande, Post Office Box 1524, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Eggs, egg case fillers, cartons, and containers*, between Lincoln, Nebr., and Nashville, Ill., as follows: (1) From Lincoln, over U.S. Highway 6 to junction U.S. Highway 51, thence over U.S. Highway 51 to junction U.S. Highway 460, thence over U.S. Highway 460 to Nashville; (2) from Lincoln, over U.S. Highway 2 to junction U.S. Highway 75, thence over U.S. Highway 75 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction U.S. Highway 71, thence over U.S. Highway 71 to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 460, thence over U.S. Highway 460 to Nashville; and (3) from Lincoln, over U.S. Highway 34 to junction U.S. Highway 61, thence over U.S. Highway 61 to junction U.S. Highway 40, thence over U.S. Highway 40 as specified immediately above to Nashville; and return over the same routes, serving all intermediate points and the off-route points of Champaign, Peoria, and Springfield, Ill.; Boone, Carroll, Cedar Rapids, and Clarinda, Iowa; Emporia, Lawrence, and Topeka, Kans.; and Columbus, Nebr. NOTE: Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 8973 (Sub-No. 9), filed May 19, 1966. Applicant: METROPOLITAN TRUCKING, INC., 2424 95th Street, North Bergen, N.J. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude rubber and balata gums*, except shipments in bulk thereof, from Port Newark and Jersey City, N.J., and the piers at New York, N.Y., to Sparta, N.J., and Hatfield, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 13123 (Sub-No. 38) (Amendment), filed April 22, 1966, published in FEDERAL REGISTER, issue of May 12, 1966, amended May 20, 1966, and republished as amended, this issue. Applicant: WILSON FREIGHT COMPANY, a corporation, 3636 Follett Avenue, Cincinnati, Ohio, 45223. Applicant's representative: Milton H. Bortz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, and household goods), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to enlarge the commodity authorization. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 15167 (Sub-No. 32), filed May 18, 1966. Applicant: CULLUM TRUCKING CO., a corporation, 1281 West Side Avenue, Jersey City, N.J. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic resins*, in bulk, in tank vehicles, from the plantsite of Archer Daniels Midland Co. at Newark and Bayway, N.J., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Virginia, and the District of Columbia; under a continuing contract or contracts with Archer Daniels Midland Co., of Minneapolis, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 18459 (Sub-No. 4), filed May 17, 1966. Applicant: BRITTON MOTOR SERVICE, INC., 740 Westminster Street, St. Paul, Minn., 55101. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as defined by the Commission in Ex Parte MC-45, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 21170 (Sub-No. 222), filed May 12, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Elk Township (Clarion County), Pa., to points in Indiana, Ohio, Illinois, Michigan, Wisconsin, Kentucky, and St. Louis, Mo., and points in New York on and west of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 11 to Binghamton, N.Y., thence along New York Highway 12 to Clayton, N.Y., and *pallets and skids*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., Pittsburgh, Pa., or Washington, D.C.

MC 21170 (Sub-No. 228), filed May 18, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, preserved or prepared, from points in Fulton County, Ohio, to points in Illinois, except Chicago, Ill., and its commercial zone. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 22254 (Sub-No. 49), filed May 17, 1966. Applicant: TRANS-AMERICAN VAN SERVICE, INC., 7540 South Western Avenue, Chicago, Ill., 60620. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated self-propelled power sweepers* (other than self-propelled street sweepers, uncrated) *and accessories and parts therefor when accompanying said vehicles*, between Pomona, Calif., and points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 27598 (Sub-No. 6), filed May 13, 1966. Applicant: BOWARD MOVING AND STORAGE, INC., Post Office Box 244, Commerce Road, Staunton, Va. Applicant's representative: M. Bruce Morgan, 206 Azar Building, Glen Burnie, Md., 21061. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission (1) between Staunton, Va., and points in Virginia within 50 miles of Staunton; and (2) between Waynesboro, Va., and points within 50 miles of Waynesboro, on the one hand, and, on the other, points in Connecticut, Delaware, Florida, Georgia, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, and West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Staunton, Va.

No. MC 29079 (Sub-No. 30), filed May 19, 1966. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1200 Home Avenue, Kokomo, Ind., 46901. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Burns Harbor and Portage, Ind.; and Chicago, Chicago Heights, Joliet, and Waukegan, Ill.; to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 29553 (Sub-No. 7), filed May 18, 1966. Applicant: LAMBERT'S EXPRESS, INC., 100 South Fourth Street, Harrison, N.J. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Kitchen sinks and household and electrical appliances*, from Newark, N.J., to points in Chittenden County, Vt., Albany and Clinton Counties, N.Y., and Chester County, Pa., and *returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 29886 (Sub-No. 227), filed May 13, 1966. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's representative: Charles M. Pieroni (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles* (except passenger automobiles) and *chassis*, in initial and secondary movements in driveaway service, and bodies, cabs, and parts of, and accessories for, such vehicles when moving in connection therewith, from ports of entry on the international boundary line between Canada and the States of Washington and Idaho to points in the United States except Alaska and Hawaii, and from the ports of entry on the international boundary line between Canada and Alaska to points in Alaska, restricted to traffic moving in foreign commerce from foreign plantsites of the White Motor Co. (including its foreign affiliates and subsidiaries). NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Chicago, Ill.

No. MC 30844 (Sub-No. 220), filed May 13, 1966. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, Waterloo, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Connecticut, New York, and Pennsylvania, to points in Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 30844 (Sub-No. 221), filed May 18, 1966. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, Waterloo, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and groceries*, from Bowling Green, Fremont, Orrville, and Vermilion, Ohio; and Pittsburgh, Pa., to Minneapolis and St. Paul, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 30900 (Sub-No. 16), filed May 19, 1966. Applicant: FILKINS TRANSPORTATION COMPANY, INC., 723 Crane Avenue, Pittsfield, Mass. Applicant's representative: William L. Mobley, Rooms 311–315, 1694 Main Street, Springfield, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, leather, and machinery, chemicals, and other materials* used in or incidental to the manufacture and processing of leather, between North Adams, Mass., and Lebanon, N.H. NOTE: Applicant states that it proposes to tack the above authority to authority presently held by it, in which it is authorized to operate in the States of Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.

No. MC 31444 (Sub-No. 52), filed May 18, 1966. Applicant: SCHREIBER TRUCKING CO., INC., 1391 Washington Boulevard, Pittsburgh, Pa. Applicant's representative: Louis E. Smith, Suite 511 Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 31879 (Sub-No. 21), filed May 17, 1966. Applicant: EXHIBITORS FILM DELIVERY & SERVICE CO., INC., 101 West 10th Avenue, North Kansas City, Mo., 64116. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except dangerous explosives, household goods as defined by the Commission, commodities in bulk, and livestock), between points in Jasper, Newton, and Greene Counties, Mo., on the one hand, and, on the other, points in Kansas. Restriction: No service shall be rendered in the transportation of any parcels, packages, or articles weighing in the aggregate more than 100 pounds from one consignor at any one location to one consignee at any one location on any one day. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 33780 (Sub-No. 2), filed May 18, 1966. Applicant: FRED W. WITTIG, Wayland, N.Y. Applicant's representative: Robert V. Gianniny, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, crated and uncrated*, from Wayland, N.Y., to points in Maine, New Hampshire, and Vermont, and *refused, rejected and returned shipment* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 37473 (Sub-No. 26), filed May 19, 1966. Applicant: DETROIT-PITTSBURGH MOTOR FREIGHT, INC., 5324 Grant Avenue, Cleveland, Ohio, 44127. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Burns Harbor and Portage, Ind., Chicago, Chicago Heights, Joliet, and Waukegan, Ill., to point in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 41255 (Sub-No. 60), filed May 16, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen vegetables and frozen fruits*, (a) from Plant City, Lakeland, Tampa, and Bartow, Fla., to points in the District of Columbia, Maryland, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island and Massachusetts, and returned, rejected and refused shipments on return, (b) between points in New York and Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 41255 (Sub-No. 61), filed May 17, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. Applicant's representative: Harry Ross, 848 Warner Bldg., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food, and feed and feed ingredients and supplements thereof* (except in bulk in tank vehicles), from points in LaFourche Parrish, La., to points in Florida, Mississippi, Alabama, Georgia, North Carolina, South Carolina, Virginia, Tennessee, Kentucky, West Virginia, Maryland, Pennsylvania, District of Columbia and Massachusetts. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 41406 (Sub-No. 17), filed May 26, 1966. Applicant: J. ARTIM & SONS, INC., 7105 Kennedy Avenue, Hammond, Ind. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Chicago Heights, Waukegan, Joliet, and Chicago, Ill.; and

points in Lake and Porter Counties, Ind.; (1) to points in Iowa west of a line beginning at the Iowa-Illinois State line at Keokuk, Iowa, and extending along U.S. Highway 218 to Cedar Rapids, Iowa, thence along Iowa Highway 13 to Marquette, Iowa, at the Iowa-Wisconsin State line; (2) to points in Wisconsin (except points in Columbia, Crawford, Dane, Dodge, Fond du Lac, Grant, Green, Iowa, Jefferson, Lafayette, Kenosha, Ozaukee, Racine, Richland, Rock, Sauk, Sheboygan, Walworth, Washington, and Waukesha Counties, Wis.); (3) to points in Ohio east of a line beginning at the Ohio-Michigan State line at Toledo, Ohio, and extending along U.S. Highway 23 to Columbus, Ohio, thence along U.S. Highway 62 to Washington Courthouse, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio, at the Ohio-Kentucky State line; (4) to points in Kentucky (except Henderson, Louisville, Owensboro, and Paducah, Ky.); and (5) to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Missouri, Arkansas, Tennessee, Mississippi, Louisiana, Alabama, Georgia, Florida, Colorado, and Texas; and *steel mill supplies*, on return. NOTE: Applicant states that no duplicate authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 42487 (Sub-No. 653), filed May 18, 1966. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juice and fruit juice concentrate*, in bulk, in tank vehicles, from Ontario and Corona, Calif., to Glen Roy, Pa., and Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 44761 (Sub-No. 7), filed May 18, 1966. Applicant: LEE BROS. INC., 3659 South Normal Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, the size and weight of which do not require special equipment, from points in Putnam County, Ill., to points in Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Nebraska, Kansas, Minnesota, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 44932 (Sub-No. 15), filed May 18, 1966. Applicant: W. W. YOUNG & SON, INC., 11861 South Cottage Grove Avenue, Chicago, Ill., 60628. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission), *including commodities requiring special equipment and commodities in bulk*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Michigan, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 46280 (Sub-No. 61), filed May 19, 1966. Applicant: DARLING FREIGHT, INC., 4000 Division Avenue, South, Grand Rapids, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Ohio, Pennsylvania, Wisconsin, Minnesota, Iowa, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 49387 (Sub-No. 28), filed May 18, 1966. Applicant: ORSCHELN BROS. TRUCK LINES, INC., Highway 24 East, Moberly, Mo. Applicant's representative: G. F. Gunn, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractories and refractory supplies*, from points in Audrain, Callaway, and Montgomery Counties, Mo., to points in Illinois and Indiana on and north of U.S. Highway 40. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 49387 (Sub-No. 29), filed May 18, 1966. Applicant: ORSCHELN BROS. TRUCK LINES, INC., Highway 24 East, Moberly, Mo. Applicant's representative: G. F. Gunn, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared food and pies*, not baked, and *poultry*, dressed or eviscerated, frozen, from Carrollton, Macon, Marshall, Milan, and Moberly, Mo., to points in Illinois, Indiana, Kentucky, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 52574 (Sub-No. 26) (Amendment) filed March 4, 1966, published FEDERAL REGISTER issue of March 31, 1966, amended May 31, 1966, and republished as amended this issue. Applicant: ELIZABETH FREIGHT FORWARDING CORP., 120 South 20th Street, Irvington, N.J., 07111. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances and housewares*, from Union, N.J., to New York, N.Y., points in Nassau, Suffolk, Westchester, Rockland, and Orange Counties, N.Y., Lehigh and Northampton Counties, Pa., and *returned and rejected merchandise*, on return, restricted to service to be performed under a continuing contract or contracts with H. Schultz & Sons, of Union, N.J. NOTE: The purpose of this republication is to redescribe the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 55236 (Sub-No. 133), filed May 13, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and fertilizer ingredients*, in bulk, from Thorntown and Eaton, Ind., to points in Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 55236 (Sub-No. 137), filed May 19, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile softener*, in bulk, from Clinton, Iowa, to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59120 (Sub-No. 24), filed May 19, 1966. Applicant: EAZOR EXPRESS, INC., Eazor Square, 30th Street, Pittsburgh, Pa., 15201. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59367 (Sub-No. 45), filed May 16, 1966. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa, 50501. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from points in Mills County, Iowa, to points in Wisconsin and the Upper Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 59384 (Sub-No. 2), filed May 18, 1966. Applicant: EMPIRE CARRIERS CORPORATION, 555 West 34th Street, New York, N.Y. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y., 10038. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel* as described in appendix X in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, *and accessories, including, but not limited to handbags, purses, mufflers, scarfs, shawls, costume jewelry, wallets and umbrellas, and dry goods including, but not limited to, linens, tablecloths, blankets, sheets, pillow cases, napkins, shades, curtains, spreads, towels, bath mats and piece goods*, between New York, N.Y., and points in New Jersey within 25 miles of New York, N.Y., on the one hand, and, on the other, points in Nassau and Suffolk Counties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 59640 (Sub-No. 3), filed May 18, 1966. Applicant: PAULS TRUCKING CORPORATION, 209 Walter Street, South Plainfield, N.J. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business (except commodities in bulk, in tank vehicles), between Cranford, N.J., on the one hand, and, on the other, points in Westchester and Rockland Counties, N.Y., New Castle and Kent Counties, Del., Delaware County, Pa., Wicomico County, Md., and Fairfield and New Haven Counties, Conn., under a continuing contract or contracts with Supermarkets General Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 59868 (Sub-No. 2) (Clarification) filed March 17, 1966, published FEDERAL REGISTER issue of April 7, 1966, clarified May 17, 1966, and republished, as clarified, this issue. Applicant: CARGO DISTRIBUTION CORPORATION, 309 West 37th Street, New York, N.Y. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Nassau County, N.Y., on the one hand, and, on the other, points in Suffolk County, N.Y. NOTE: Applicant states it proposes to tack the proposed authority, if granted, with its existing authority between New York, N.Y., and points in Hudson County, N.J., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Middlesex, Monmouth, Passaic, and Union Counties, N.J., Nassau, Suffolk, Westchester, Rockland, Orange, Sullivan, Ulster, Greene, Columbia, Dutchess, and Putnam Counties, N.Y., and Fairfield and New Haven Counties, Conn. The purpose of this republication is to show the tacking provision. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 60879 (Sub-No. 2), filed May 19, 1966. Applicant: F. T. TRUCKING CO., INC., Post Office Box 33, Bremen Station, St. Louis, Mo., 63160. Applicant's representative R. W. Burgess, 1507 Papin Street, St. Louis 3, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., and points in Kentucky, Ohio, Tennessee, Georgia, Alabama, Florida, Mississippi, Louisiana, Arkansas, Texas, Kansas, Colorado, Missouri, Iowa, Michigan, Indiana, Minnesota, Wisconsin, Nebraska, North Dakota, South Dakota, Oklahoma, Illinois, Montana, Wyoming, New Mexico, Arizona, Utah, Idaho, Nevada, California, and Oregon. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, or Chicago, Ill.

No. MC 60879 (Sub-No. 3), filed May 19, 1966. Applicant: F. T. TRUCKING CO., INC., Post Office Box 33, Bremen Station, St. Louis, Mo., 63160. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum scrap, dross, residues, ingots, shot, and billets*, between points in Iowa, Kansas, Oklahoma, Indiana, Kentucky, Texas, Ohio, Louisiana, Missouri, Arkansas, Wisconsin, Illinois, Minnesota, Michigan, Pennsylvania, West Virginia, Tennessee, Georgia, Alabama, and Mississippi. NOTE: Applicant states the proposed operation will be performed under a continuing contract or contracts with United States Reduction Co. of East Chicago, Ind. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 61592 (Sub-No. 71) (Amendment), filed March 30, 1966, published in FEDERAL REGISTER, issue of April 14, 1966, amended May 19, 1966, and republished as amended, this issue. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, millwork, and wood products*, from points in California, Idaho, Montana, Oregon, and Washington, to points in the United States (except Alaska and Hawaii). NOTE: The purpose of this republication is to add additional destination territory and to change location requested for hearing. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 61592 (Sub-No. 75), filed May 19, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and agricultural implements and parts thereof*, from points in Tennessee on and east of U.S. Highway 41 beginning at the Kentucky-Tennessee State line to Nashville, Tenn., and on and east of U.S. Highway 31 from Nashville to the Tennessee-Alabama State line, to points in the United States (including points in Tennessee west of the above described boundary) except Hawaii, Arkansas, Alabama, Mississippi, Louisiana, Texas, Florida, Georgia, North Carolina, Kentucky, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 61592 (Sub-No. 76), filed May 19, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors and except those which because of size or weight require the use of special equipment), from Houston, Tex.; New Orleans, La.; Duluth, Minn.; and ports of entry on the international boundary line between the United States and Canada, located in Maine; to points in Colorado, Idaho, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming. NOTE: Applicant states that shipper is to be afforded storage-in-transit privileges. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 64994 (Sub-No. 77), filed May 16, 1966. Applicant: HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C., 27102. Applicant's representative: Frank C. Philips (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in Indiana, Kentucky, Michigan, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 67200 (Sub-No. 23), filed May 19, 1966. Applicant: THE FURNITURE TRANSPORT COMPANY, INC., Furniture Row, Milford, Conn. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in North Carolina to Hickory, High Point, and Lenoir, N.C., for movement via pool-car or pool-truck to Milford, Conn., for distribution in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, and New Jersey. NOTE: Applicant has also filed Freight Forwarder Application, assigned No. FF–334, published this issue of the FEDERAL REGISTER. The application is also accompanied by a Petition to Dismiss. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or Boston, Mass.

No. MC 67450 (Sub-No. 22), filed May 19, 1966. Applicant: PETERLIN CARTAGE CO., a corporation, 9651 South Ewing Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, foodstuffs, food preparations, cooking oils, shortening, and matches and such materials, supplies, and equipment* as are used or are useful to persons engaged in the manufacture, selling, and distribution of the forgoing commodities, from Toledo, Ohio, to points in Illinois, Indiana, Michigan, Ohio, Kentucky, New York, Wisconsin, Pennsylvania, and West Virginia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 67691 (Sub-No. 4), filed May 17, 1966. Applicant: VALLEY FILM SERVICE, INC., 518 South Main Avenue, San Antonio, Tex. Applicant's representative: David A. Sutherlund, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), having a prior or subsequent movement by air, between airports located in Bexar and Harris Counties, Tex., and points in Texas over the routes described as follows: (1) From San Antonio, Tex., over U.S. Highway 281, to Corpus Christi, Tex., and return over the same route, (2) from Beeville, Tex., over Texas Highway 202, to Refugio, Tex., thence over Texas Highway 774 to junction Texas Highways 774 and 35, and thence over Texas Highway 35 to junction Texas Highway 35 and U.S. Highway 181, and return over the same route, (3) from Corpus Christi, Tex., over Texas Highway 44, to Alice, Tex., and return over the same route, (4) from Alice, Tex., over Texas Highway 665, to Driscoll, Tex., and return over the same route, (5) from Alice, Tex., over U.S. Highway 281, to Pharr, Tex., and return over the same route, (6) from Houston, Tex., over U.S. Highway 59, to Victoria, Tex., and thence over U.S. Highway 77 to Brownsville, Tex., and return over the same route, (7) from San Manuel, Tex., over Texas Highway 186, to Raymondville, Tex., and return over the same route, (8) from junction Texas Highways 681 and 107, over Texas Highway 107 to junction Texas Highway 107 and U.S. Highway 77, and return over the same route, (9) from junction Texas Highways 681 and 107, over Texas Highway 681 to McAllen, Tex., and return over the same route, and (10) from McAllen, Tex., over U.S. Highway 83, to Harlingen, Tex., and return over the same route, serving all intermediate points and points in the following Counties as off-route points: Bexar, Wilson, De Witt, Lavaca, Wharton, Fort Bend, Harris, Brazoria, Matagorda, Jackson, Victoria, Goliad, Karnes, Bee, Refugio, San Patricio, Jim Wells, Nueces, Kleberg, Kenedy, Brooks, Hidalgo, Wallacy, and Cameron Counties, Tex. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Antonio, Tex.

No. MC 67866 (Sub-No. 21), filed May 18, 1966. Applicant: FILM TRANSIT, INC., 311 South Second Street, Post Office Box 444, Memphis, Tenn. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except dangerous explosives, household goods as defined by the Commission, commodities in bulk, and livestock), between Memphis, Tenn., on the one hand, and, on the other, points in Mississippi on and north of U.S. Highway 82, and Moorhead, Itta Bena, and State College, Miss.; restricted to shipments of 100 pounds or less, and further restricted to perform no service for the transportation of any package or article weighing in excess of 70 pounds per package or article, nor in excess of 100 pounds per day from one consignor at one location to one consignee at one location. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 72243 (Sub-No. 18) (Amendment), filed May 6, 1966, published FEDERAL REGISTER issue of May 26, 1966, amended and republished, this issue. Applicant: THE AETNA FREIGHT LINES, INC., 2507 Youngstown Road SE., Warren, Ohio. Applicant's representative: James M. Burtch, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Hawaii and Alaska). NOTE: The purpose of this republication is to increase the territorial scope of the application to include the States of Maine, New Hampshire, New York, Pennsylvania, Vermont, and West Virginia. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 72423 (Sub-No. 1), filed May 18, 1966. Applicant: R. D. HOUNSHELL, doing business as STERLING TRANSFER CO., 111 East Chestnut Street, Sterling, Colo. Applicant's representative: Marion F. Jones, Suite 420 Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between Snyder, Colo., and points within 50 miles thereof, on the one hand, and, on the other, points in Wyoming. NOTE: Applicant states he presently has authority between Snyder, Colo. and points within 50 miles thereof, on the one hand, and, on the other, points in Kansas and Nebraska. He also has authority to transport livestock and agricultural commodities, from the same area to points in New Mexico, Wyoming, and Kansas. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 73464 (Sub-No. 102) (Amendment), filed March 7, 1966, published in FEDERAL REGISTER, issue of March 31, 1966, amended May 23, 1966, and republished as amended, this issue. Applicant: JACK COLE COMPANY, a corporation, 1900 Vanderbilt Road, Birmingham, Ala., 35201. Applicant's representative: R. J. Reynolds, III, Suite 403–411, Healey Building, Atlanta, Ga., 30302. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except explosives, commodities in bulk, and commodities requiring special equipment), between the plantsite of Revere Copper and Brass, Inc., located approximately 6 miles south of Scottsboro, Ala., on the one hand, and, on the other, points in the Philadelphia, Pa., commercial zone, as defined by the Commission in 17 M.C.C. 533; points in the New York, N.Y., commercial zone, as defined by the Commission in 1 M.C.C. 665 and 2 M.C.C. 191; Ann Arbor, Bay City, East Lansing, Flint, Jackson, Lansing, Midland, Pontiac, Saginaw, Swartz Creek, Troy, Willow Run, Ypsilanti, and Detroit, Mich.; and points in the Detroit, Mich., commercial zone; Edwardsville, Kewanee, and Litchfield, Ill.; points in Indiana, points in Ohio; and points in that part of Illinois on, east, and south of a line beginning at Cairo, Ill., and extending along U.S. Highway 51 to La Salle, Ill., thence along U.S. Highway 6 to Joliet, Ill., thence along Alternate U.S. Highway 66 to junction U.S. Highway 66, and thence along U.S. Highway 66 to Chicago, Ill. NOTE: Applicant states that it intends to tack the proposed authority with that presently held in MC 73464 (Sub-No. 89), so as to provide single line service between the proposed plantsite at or near Scottsboro, Ala., on the one hand, and, on the other, points in New Jersey, New York, and Pennsylvania, presently served under the aforesaid Sub 89 authority. Applicant further states that it intends to interchange with other carriers, thereby participating in the movement of the subject traffic between the plantsite at or near Scottsboro, Ala., on the one hand, and, on the other, points beyond the territory applicant proposes to serve directly in the States of Illinois, Indiana, Ohio, Michigan, New Jersey, New York, and Pennsylvania. The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 75185 (Sub-No. 267), filed May 16, 1966. Applicant: SERVICE TRUCKING CO., INC., Post Office Box 276, Federalsburg, Md., 21632. Applicant's representative: James W. Lawson, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Delaware east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal, to points in Kentucky, Tennessee, Arkansas, Louisiana, Mississippi, and Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 77005 (Sub-No. 7), filed May 19, 1966. Applicant: THE CORAOPOLIS TRANSFER AND STORAGE COMPANY, a corporation, First and Talbot Streets, Box 484, Braddock, Pa., 15104. Applicant's representative: Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, and household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 85934 (Sub-No. 45), filed May 19, 1966. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming, Dearborn, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank vehicles, from Detroit, Mich., to points in Illinois, Indiana, Michigan, and Ohio. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 92983 (Sub-No. 523), filed May 16, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fats and oils, including blends and products thereof* in bulk, from points in Iowa to points in Illinois, Louisiana, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 525), filed May 18, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cider, juices, vinegar, and wines*, in bulk, from points in Oregon and Washington to points in Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 526), filed May 19, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages and spirits*, in bulk, from points in Platte County, Mo., to points in Kansas, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 94265 (Sub-No. 181), filed May 18, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lafayette, Ind., to points in Colorado, Iowa, Kansas, Nebraska, Minnesota, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 94265 (Sub-No. 182), filed May 18, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, packinghouse products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Madison, Wis., to Charleston, W. Va. Restriction: The above authority is restricted to shipments which are stopped in Charleston, W. Va., for partial unloading with final deliveries being made in Virginia and/or North Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 94265 (Sub-No. 183), filed May 19, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Dayton, Ohio, to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 94265 (Sub-No. 184), filed May 19, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, from Fort Wayne, Ind., to points in Arkansas, Florida, Georgia, Iowa, Kansas, Missouri, Oklahoma, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 94265 (Sub-No. 185), filed May 19, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Military Highway, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Albert Lea, Fairmont, Mankato, Winnebago, and Worthington, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, the Lower Peninsula of Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 94265 (Sub-No. 186), filed May 19, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Military Highway, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, raw and manufactured, from Chicago, Ill., to points in Indiana, Maryland, North Carolina, Ohio, South Carolina, Virginia, and West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 94265 (Sub-No. 187), filed May 19, 1966. Applicant BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Military Highway, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Michigan, on and north of U.S. Highway 21, to points in Illinois, Indiana, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 94265 (Sub-No. 188), filed May 19, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Military Highway, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from Memphis, Tenn., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 94265 (Sub-No. 189), filed May 19, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), *and advertising materials, supplies, and premiums when moving in the same vehicle*, from the facilities of American Home Foods Division, American Home Products Corp., located at La Porte, Ind., to points in Illinois, Iowa, Wisconsin, Minnesota, Missouri, Kansas, Nebraska, Rhode Island, Connecticut, Massachusetts, Delaware, Virginia, West Virginia, Ohio, Kentucky, Tennessee, North Carolina, New Jersey, New York, Pennsylvania, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 103880 (Sub-No. 371), filed May 13, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio, 44306. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Resins*, liquid, in bulk, in tank vheicles, from Toledo, Ohio, to Tupelo, Miss. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103880 (Sub-No. 372), filed May 13, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio, 44306. Applicant's represenative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, liquid, vinyl acetate, and latex*, in bulk, in tank vehicles, from Illiopolis, Ill., to points in Colorado, Minnesota, Missouri, Kansas, Ohio, Wisconsin, Texas (except points within 50 miles of Houston), Indiana (except Wabash), Georgia (except Austell and Dalton), Pennsylvania (except Bloomsburg and New Carlyle), Massachusetts, Newark, N.J., and Glen Cove, Long Island, N.Y., and Saugerties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 105813 (Sub-No. 143), filed May 19, 1966. Applicant: BELFORD TRUCKING CO., INC., 3500 Northwest 79th Avenue, Miami, Fla., 33144. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Guyman, Okla., to points in Florida, Georgia, Alabama, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 106603 (Sub-No. 85), filed May 16, 1966. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street SW., Grand Rapids, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay sewer pipe and fittings therefore, clay coping, clay flue linings, clay liner plates, clay drain tiles and firebrick*, from East Liverpool, Ohio, to points in Illinois, Indiana, Michigan and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 106644 (Sub-No. 66) (Amendment), filed May 9, 1966, published FEDERAL REGISTER, issue of June 3, 1966, and republished as amended this issue. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. Applicant's representative: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and composition board, including flakeboard, and particleboard*, from the plantsites of the Georgia-Pacific Corp. at or near Louisville and Gloster, Miss., to points in Alabama, Florida, Georgia, Arkansas, North Carolina, South Carolina, Tennessee, Louisiana, Texas, Oklahoma, Kansas, Missouri, Iowa, Wisconsin, Michigan, Illinois, Indiana, Maine, Ohio, Kentucky, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and the District of Columbia. NOTE: The purpose of this republication is to show that the application has been amended to add Maine and the District of Columbia. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106644 (Sub-No. 67) (Amendment), filed May 9, 1966, published FEDERAL REGISTER, issue of June 3, 1966, and republished as amended this issue. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. Applicant's representative: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta, Ga., 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum products, including aluminum scrap*, between the plantsite of Revere Copper and Brass, Inc., on Goose Pond Island (approximately 6 miles south of Scottsboro, Ala.), on the one hand, and, on the other, points in Arkansas, Alabama, Georgia, Florida, South Carolina, North Carolina, Kentucky, Tennessee, Louisiana, Texas, Oklahoma, Missouri, Wisconsin, Ohio, Michigan, Illinois, Indiana, New York, Virginia, West Virginia, Maryland, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Pennsylvania, and the District of Columbia. NOTE: The purpose of this republication is to show that the application has been amended to include aluminum scrap, and also seeks a between movement, rather than a from and to movement. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 106674 (Sub-No. 58), filed May 16, 1966. Applicant: SCHILLI MOTOR LINES, INC., Second and St. Clair Avenue, East St. Louis, Ill. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Manufactured dry fertilizers*, from the site of the facilities of the Monsanto Chemical Co., located within 5 miles of the Crab Orchard Arsenal, at Ordill, Ill., to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin, and (2) *manufactured dry fertilizers, including ammonium nitrate urea*, from Cairo, Ill., to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin. NOTE: Applicant states the authority here applied for as set forth above is the same as the presently-held contract carrier authority of Schilli Transportation, Inc. The purpose of this application is to convert this contract carrier authority to common carrier authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 106674 (Sub-No. 59), filed May 16, 1966. Applicant: SCHILLI MOTOR LINES, INC., Second and St. Clair Avenue, East St. Louis, Ill. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Colorado Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions and ingredients*, in bulk, in tank vehicles, (1) from Thorntown, Ind., to points in Ohio, (2) from Wausau, Ind., to points in Illinois and Ohio, and (3) from Eaton, Ind., to points in Ohio, except Mount Sterling and Washington Court House. NOTE: Applicant states it proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 107295 (Sub-No. 93), filed May 13, 1966. Applicant: PRE-FAB TRANSIT CO., a corporation, Post Office Box 146, Farmer City, Ill. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill., 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, lumber, pulp, paper, and other forest products*, from points in Oregon, Washington, California, Idaho, Montana, Wyoming, and Colorado, to points in Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Kentucky, Tennessee, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 108460 (Sub-No. 17), filed May 17, 1966. Applicant: PETROLEUM CARRIERS COMPANY, a corporation, 5104 West 14th Street, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from the sites of the Terminal Outlets of Kaneb Pipeline Co. at or near Aberdeen, Mitchell, and Wolsey, S. Dak., and Jamestown, N. Dak., to the sites of the Kaneb Pipeline Co. at or near Geneva, and Norfolk, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 108736 (Sub-No. 11), filed May 13, 1966. Applicant: A. H. VIETOR, doing business as ALBERT LEA TRANSFER CO., 423 Adams Avenue, Albert Lea, Minn. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa, 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, (1) from Chicago, Danville, and Tiskilwa, Ill.; Cedar Rapids, Des Moines, and Marion, Iowa, to points in Minnesota on and west of U.S. Highway 52, beginning at the Iowa-Minnesota State line and extending to junction Minnesota Highway 60, thence on and south of Minnesota Highway 60 to junction Minnesota Highway 15 at Madelia, Minn., thence on and east of Minnesota Highway 15 to the Iowa-Minnesota State line (except to points in Faribault and Freeborn Counties, Minn.), (2) from Decatur and Waukegan, Ill.; Terre Haute, Ind., Alden, Clinton, and Muscatine, Iowa; and Hannibal and Concordia, Mo., and Fremont, Nebr., to points in Minnesota on and west of U.S. Highway 52, beginning at the Iowa-Minnesota State line and extending to junction Minnesota Highway 60, thence on and south of Minnesota Highway 60 to junction Minnesota Highway 15 at Madelia, Minn., thence on and east of Minnesota Highway 15 to the Iowa-Minnesota State line. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 108859 (Sub-No. 44), filed May 18, 1966. Applicant: CLAIRMONT TRANSFER CO., a corporation, 1803 Seventh Avenue North, Escanaba, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from points in Putnam County, Ill., to points in Michigan, Wisconsin, and Indiana, Henderson, Ky., and the Louisville, Ky., commercial zone (as defined by the Commission). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109326 (Sub-No. 91), filed May 13, 1966. Applicant: C & D TRANSPORTRATION CO., INC., Post Office Box 1503, Mobile, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen foods*, in vehicles equipped with mechanical refrigeration, from Lexington, N.C., to points in South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, and Louisiana. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 109478 (Sub-No. 97), filed May 16, 1966. Applicant: WORSTER MOTOR LINES, INC., East Main Road, Rural Delivery No. 1, North East, Pa. Applicant's representative: William W. Knox, 23 West 10th Street, Erie, Pa., 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, glass bottles, and parts for glass containers and glass bottles*, from Fairmont, W. Va., to points in New Hampshire, Connecticut, Massachusetts, Rhode Island, and Vermont. NOTE: Applicant states that the purpose of this application is to eliminate gateway to the New England points of Connecticut, Massachusetts, and Rhode Island, and also to add the States of Vermont and New Hampshire to its present authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109818 (Sub-No. 17), filed May 12, 1966. Applicant: WENGER TRUCK LINE, INC., Beaver, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in appendix V to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Putnam County, Ill., to points in Iowa, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110193 (Sub-No. 149), filed May 18, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies and component parts used in the manufacture and assembly of mobile homes and pallets*, from Millville, Pa., to Elkhart, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at South Bend, Ind.

No. MC 110325 (Sub-No. 39), filed May 19, 1966. Applicant: TRANSCON LINES, 1206 South Maple Avenue, Los Angeles, Calif., 90015. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Suite 812, Kansas City, Mo., 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving the plantsite of Hussman Refrigerator Co. located in Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular-route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110988 (Sub-No. 221), filed May 17, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid carbon dioxide*, in bulk, in tank vehicles, from Fort Madison, Iowa, to points in Illinois, Indiana, Ohio, Michigan, Missouri, Minnesota, Nebraska, Kansas, Oklahoma, Iowa, Kentucky, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis.

No. MC 110988 (Sub-No. 222), filed May 17, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer solutions, and fertilizer ingredients*, in bulk, in tank vehicles, from Calamine, Dane, Fall River, and Sun Prairie, Wis., to points in Illinois, on and north of Illinois Highway 64. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 223), filed May 18, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis., 54957. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perlite and vermiculite*, in bulk, from De Kalb and Chicago, Ill., to points in Minnesota, Iowa, Missouri, Wisconsin, Michigan, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 224), filed May 19, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products and equipment materials and supplies* used in the manufacture and distribution of paper and paper products, between Neenah and Menasha, Wis., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, Ohio, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111231 (Sub-No. 149), filed May 12, 1966. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfinished lumber, finished lumber, finished mill work, staves*,

treated and untreated posts and poles, pallets and pallet materials, blocking lumber, crating lumber, dimension lumber, wooden flooring, ties, wooden fencing materials, wooden boxes, wooden crates, wooden shapes, wooden windows and wooden doors, from points in Missouri, located on, west and north of a line commencing at the Mississippi River at St. Louis, Mo., thence along U.S. Highway 50 to Jefferson City, Mo., thence along U.S. Highway 54 to Missouri-Kansas State line, to points in Illinois, Indiana, Arkansas, Kentucky, Tennessee, and Iowa. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111401 (Sub-No. 199), filed May 16, 1966. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla., 73701. Applicant's representative: Alvin J. Meiklejohn Jr., Suite 420 Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Texas, to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112617 (Sub-No. 231), filed May 19, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. Applicant's representatives: Leonard A. Jaskiewicz and Ronald N. Cobert, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from the rail-motor interchange facilities of the New York Central Railroad Co., exclusive of team tracks and public facilities, at or near Jeffersonville, Ind., to points in Indiana, Kentucky, Tennessee, Ohio on and south of U.S. Highway 40, and Illinois on and south of U.S. Highway 36, restricted to shipments having a prior movement by rail. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112617 (Sub-No. 232), filed May 19, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. Applicant's representatives: Ronald N. Cobert and Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from the rail-motor interchange facilities of the New York Central Railroad Co., exclusive of team tracks and public facilities, at or near Indianapolis, Ind., to points in Indiana, Kentucky, Illinois, and Ohio on and west of U.S. Highway 21; restricted to shipments having a prior movement by rail. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112617 (Sub-No. 233), filed May 19, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. Applicant's representatives: Ronald N. Cobert and Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from the rail-motor interchange facilities of the New York Central Railroad Co., exclusive of team tracks and public facilities, in Butler, Clermont, Hamilton, and Warren Counties, Ohio, to points in Indiana, Kentucky, Ohio, and West Virginia; restricted to shipments having a prior movement by rail. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112697 (Sub-No. 10), filed May 18, 1966. Applicant: SAMUEL A. BRASFIELD, doing business as B & S ENTERPRISES, 1727 Osborn Drive, Memphis, Tenn., 38127. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used cotton ties and bagging*, from points in South Carolina, North Carolina, and Georgia to points in Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Texas, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 112697 (Sub-No. 11), filed May 18, 1966. Applicant: SAMUEL A. BRASFIELD, doing business as B & S ENTERPRISES, 1727 Osborn Drive, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements, and component parts and attachments moving therewith* (except those which because of their size or weight requires the use of special equipment) *and trailers*, from points in Arkansas and Mississippi, to points in the United States except Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 112697 (Sub-No. 12), filed May 18, 1966. Applicant: SAMUEL A. BRASFIELD, doing business as B & S ENTERPRISES, 1727 Osborn Drive, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap, waste, surplus and salvaged, junked, used, disassembled and inoperative equipment, machinery, and vehicles, and parts, attachments and accessories* (except commodities which because of their size or weight requires the use of special equipment), from points in the United States, except Alaska and Hawaii, to Memphis, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 112750 (Sub-No. 223), filed May 18, 1966. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments, including originals and copies of checks, drafts, notes, money orders, travelers' checks, and canceled bonds, and accounting papers relating thereto, including originals and copies of cash letters, letters of transmittal, summary sheets, adding machine tapes, deposit records, withdrawal slips, and debit and credit records* (except coin, currency, bullion, and negotiable securities) under continuing contracts with banks and bank institutions only; namely, national banks, State banks, Federal Reserve banks, savings and loan associations, and savings banks, (a) between points in Greene County, Ind., and St. Louis, Mo., and (b) between Chicago, Ill., on the one hand, and, on the other, Cleveland and Toledo, Ohio. NOTE: Applicant holds common carrier authority under MC 111729 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 112801 (Sub-No. 49), filed May 18, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics and plastic materials*, in bulk, in tank vehicles or hopper type vehicles, from the plantsite of Rexall Drug & Chemical Co. located approximately 4 miles southeast of Channahon, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 51), filed May 18, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of Chevron Chemical Co. located at or near Sugar Creek, Mo., to points in Iowa, Kansas, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 113325 (Sub-No. 100), filed May 16, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products*, in bulk, in tank or hopper type vehicles, from Danville, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113325 (Sub-No. 101), filed May 16, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, in bulk, from Louisville, Ky., to points in Alabama, Arkansas, Florida, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, North Carolina, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113325 (Sub-No. 102), filed May 16, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, in bulk, in tank vehicles, from Kenton, Ohio, to points in Alabama, Georgia, Illinois, Indiana, Iowa, Michigan, Nebraska, North Carolina, Oregon, Pennsylvania, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113325 (Sub-No. 104), filed May 18, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial chemicals and fertilizers*, in bulk, from points in Woodbury County, Iowa, to points in Nebraska, South Dakota, North Dakota, Minnesota, Wisconsin, Wyoming, Montana, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 113325 (Sub-No. 105), filed May 18, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, liquid vinyl acetate, and latex*, in bulk, from Illiopolis, Ill., to points in Colorado, Minnesota, Missouri, Kansas, Ohio, Wisconsin, Texas (except Houston and 50 miles), Indiana (except Wabash), Georgia (except Dalton and Austell), Pennsylvania (except Bloomsburg and New Carlyle), Massachusetts, Newark, N.J., and Glen Cove, Long Island, and Saugerties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113325 (Sub-No. 106), filed May 18, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank or hopper vehicles, from Henry, Ill., to points in Delaware, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113325 (Sub-No. 107), filed May 18, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid carbon dioxide*, in bulk, in tank vehicles, from Fort Madison, Iowa, to points in Illinois, Indiana, Ohio, Michigan, Missouri, Minnesota, Nebraska, Kansas, Oklahoma, Iowa, Kentucky, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113459 (Sub-No. 37), filed May 19, 1966. Applicant: H. J. JEFFRIES TRUCK LINE, INC., 4720 South Shields Boulevard, Oklahoma City 29, Okla. Applicant's representative: James W. Hightower, Wynnewood Professional Building, Dallas 24, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from (1) Pagosa Springs and Durango, Colo., and (2) points in McKinley and Otero Counties, N. Mex., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Missouri, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin, and *damaged and rejected shipments of the commodities specified*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 113855 (Sub-No. 133), filed May 16, 1966. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements, front end loaders, lift trucks, and attachments and parts*, from Fargo, N. Dak., to points in the United States, except Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 113855 (Sub-No. 134), filed May 16, 1966. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's representative: Gene Johnson, 502 First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Loaders, conveyors, screens, grizzlies, bins, light towers, idlers, prefabricated concrete forms, steel scaffolding and attachments, parts and accessories for the specified commodities*, from Yankton, S. Dak., and points withing 2 miles thereof, to points in the United States, except Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 114019 (Sub-No. 160), filed May 19, 1966. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill., 60629. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Guyman, Okla., to points in Kansas, Colorado, Nebraska, North Dakota, South Dakota, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Kentucky, West Virginia, Maryland, Delaware, Pennsylvania, New York, New Jersey, Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114084 (Sub-No. 9), filed May 19, 1966. Applicant: S AND S TRUCKING COMPANY, a corporation, 118 South Oakland Avenue, Post Office Box 1392, Statesville, N.C. Applicant's representative: H. Overton Kemp, Post Office Box 20202, Room 101–327, North Tryon Street, Charlotte, N.C., 28202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antique furniture*, crated and uncrated and *used household and office furniture* (except household goods as defined by the Commission in Ex Parte No. MC 19), from points in New York, New Jersey, Pennsylvania, Maryland, and the District of Columbia, and points in the commercial zone thereof, as determined by the Commission in Ex Parte No. MC 37, to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia, and points in the commercial zone thereof, as defined by the Commission in Ex Parte No. MC 37. NOTE: Applicant states if the authority sought above is granted, it is willing to file a petition of dismissal of the authority in MC 14084, Sub 2, coincidental with the issuance of the authority sought in this application. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 114098 (Sub-No. 47), filed May 19, 1966. Applicant: LOWTHER TRUCKING COMPANY, a corporation, Post Office Box 2115, 521 Penman Street, Charlotte, N.C., 28201. Applicant's representative: H. Overton Kemp, 327 North Tryon Street, Room 101, Post Office Box 20202, Charlotte, N.C., 28202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and molding*, in flatbed trailers, between Charlotte, N.C., on the one hand, and, on the other, points in Alabama, Arkansas,

Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, Vermont, West Virginia, Wisconsin, and Wilmington, N.C., and the District of Columbia, and *rejected, refused or damaged plywood and molding*, on return. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 114211 (Sub-No. 101), filed May 16, 1966. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, tubing, conduit, valves or fittings, compound, joint sealer, bonding cement, primer, coating, thinner, and accessories* used in the installation of such products, and *rejected shipments* on return, from points in Oklahoma County, Okla., to points in Kansas, Colorado, Wyoming, Nebraska, North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, Missouri, Illinois, Indiana, and Michigan. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114360 (Sub-No. 15), filed May 18, 1966. Applicant: SOUTHERN EXPRESS COMPANY, a corporation, 3333 South Cicero Avenue, Cicero, Ill., 60650. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Burns Harbor and Portage, Ind., Chicago, Chicago Heights, Joliet, and Waukegan, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114364 (Sub-No. 121), filed May 13, 1966. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 672, Rocky Ford, Colo. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oil field tubular goods), from Pueblo (Minnequa), Colo., to points in Arizona, Arkansas, Idaho, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, Utah, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114457 (Sub-No. 61), filed May 19, 1966. Applicant: DART TRANSIT COMPANY, 780 North Prior Avenue, St. Paul, Minn. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Wisconsin, Minnesota, the Upper Peninsula of Michigan, Iowa, North Dakota, South Dakota, Nebraska, Kansas, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114552 (Sub-No. 28), filed May 16, 1966. Applicant: SENN TRUCKING COMPANY, a corporation, Post Office Box 333, Newberry, S.C. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C., 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard*, from Louisburg, N.C., and points within 5 miles thereof, to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, West Virginia, Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 114569 (Sub-No. 79), filed May 13, 1966. Applicant: SHAFFER TRUCKING, INC., Box 418, New Kingstown, Pa. Applicant's representative: James Hagar, Esq., Commerce Building, Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned, prepared and preserved foodstuffs*, from points in Dauphin and Northumberland Counties, Pa., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114569 (Sub-No. 80), filed May 18, 1966. Applicant: SHAFFER TRUCKING, INC., New Kingstown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (excluding frozen foods and commodities in bulk, in tank or hopper type vehicles), from Menomonie, Vesper, Oconomowas, Astigo, and Rice Lake, Wis., to points in New York, Pennsylvania, Maryland, Delaware, New Jersey, Connecticut, Massachusetts, Vermont, New Hampshire, Rhode Island, Maine, and the District of Columbia; (2) *dairy products*, from Green Bay and Fon du Lac, Wis., to points in Connecticut, Massachusetts, Vermont, New Hampshire, Rhode Island, and Maine. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 115162 (Sub-No. 130), filed May 13, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. Applicant's representative: Robert E. Tate, Suite 2025–2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Honeycomb pulpboard* (unexpanded), from Trenton, N.J., to Dothan, Ala. NOTE: This traffic will originate in Trenton, N.J., and destine in Dothan, Ala. If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 115331 (Sub-No. 195), filed May 16, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Colorado Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, except in liquid form, transported in tank vehicles, (1) between Perry, Atlantic, Independence, and Cherokee, Iowa, and points in Colorado, Illinois, Minnesota, Nebraska, South Dakota, Wisconsin, Kansas, and Missouri, (2) between West Liberty, Iowa, and points in Colorado, Nebraska, South Dakota, Illinois, Kansas, Minnesota, and Missouri, and (3) between Elkhorn, Nebr., and points in Colorado, Iowa, Minnesota, South Dakota, Kansas, and Missouri, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115331 (Sub-No. 196), filed May 16, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Colorado Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Honeycomb pulpboard* (unexpanded), from Trenton, N.J., to Dothan, Ala. NOTE: This traffic will originate in Trenton, N.J., and destine in Dothan, Ala. If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 115331 (Sub-No. 195), filed May 16, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Colorado Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, except in liquid form, transported in tank vehicles, (1) between Perry, Atlantic, Independence, and Cherokee, Iowa, and points in Colorado, Illinois, Minnesota, Nebraska, South Dakota, Wisconsin, Kansas, and Missouri, (2) between West Liberty, Iowa, and points in Colorado, Nebraska, South Dakota, Illinois, Kansas, Minnesota, and Missouri, and (3) between Elkhorn, Nebr., and points in Colorado, Iowa, Minnesota, South Dakota, Kansas, and Missouri, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115651 (Sub-No. 13), filed May 19, 1966. Applicant: KANEY TRANSPORTATION, INC., Freeport, Ill., 61032. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill., 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizers, and fertilizer ingredients*, in bulk, in tank vehicles (except cryogenic liquids), from Apple River Chemical Co.'s site at Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota,

and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115821 (Sub-No. 9), filed May 18, 1966. Applicant: FRANK BEELMAN, JR., St. Libory, Ill. Applicant's representative: Ernest A. Brooks II, 1301–02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed rock, limestone, and limestone products*, from points in Monroe County, Ill., to points in Kentucky, Tennessee, Missouri, and Mississippi. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 115826 (Sub-No. 140), filed May 17, 1966. Applicant: W. J. DIGBY, INC., 1960 31st Street, Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Guymon, Okla., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115826 (Sub-No. 142), filed May 18, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the plantsite of Snyder Packing Co. at or near Hastings, Nebr., to points in Utah, restricted to traffic originating at Snyder Packing Co. at or near Hastings, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 116014 (Sub-No. 26), filed May 16, 1966. Applicant: OLIVER TRUCKING CO., INC., North Bloomfield Road, Winchester, Ky. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooperage stock and material*, from Greenville, Tenn., Wilson, N.C., and Mullins, S.C., to points in Alabama, Georgia, Florida, Kentucky, Maryland, Missouri, South Carolina, North Carolina, Ohio, Tennessee, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116014 (Sub-No. 28), filed May 16, 1966. Applicant: OLIVER TRUCKING COMPANY, INC., North Bloomfield Road, Winchester, Ky. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, liquid, vinyl acetate and latex*, in bulk, in tank vehicles, from Illiopolis, Ill., to points in Colorado, Minnesota, Missouri, Kansas, Ohio, Wisconsin, Texas (except points within 50 miles of Houston), Indiana (except Wabash), Georgia (except Austell and Dalton), Pennsylvania (except Bloomsburg and New Carlyle), and Massachusetts; and Newark, N.J.; Glen Cove, Long Island, N.Y.; and Saugerties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116273 (Sub-No. 68), filed May 13, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill., 60650. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics and plastic materials*, in bulk, in tank or hopper type vehicles, from the plantsite of Rexall Drug & Chemical Co., located approximately 4 miles southeast of Channahon, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116273 (Sub-No. 69), filed May 13, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill., 60650. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in pneumatic type trailers, from the plantsite of Cowles Chemical Co., located at or near Joliet, Ill., to points in Iowa, Wisconsin, Michigan, Missouri, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116544 (Sub-No. 77), filed May 17, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Carthage, Mo. Applicant's representative: Harry Ross, Warner Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food, and feed and feed ingredients* and supplements thereto (except in bulk in tank vehicles) from points in Lafourche Parish, La., and Mississippi to points in Georgia, Florida, and Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116763 (Sub-No. 89), filed May 13, 1966. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials and building supplies*, from points in Kentucky to points in Florida and points in Georgia on and south of U.S. Highway 80; and (2) *building materials and building supplies*, from points in West Virginia and points in Pennsylvania on and west of U.S. Highway 219, to points in Alabama, Louisiana, Mississippi, Florida, and points in Georgia on and south of U.S. Highway 80. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 116763 (Sub-No. 90), filed May 13, 1966. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials and building supplies* (except stone finished and unfinished), from points in Mississippi and Tennessee (except Chattanooga and Nashville) to points in Illinois, Indiana, Kentucky, Michigan; that part of New York on and west of Interstate Highway 81; Ohio; that part of Pennsylvania on and west of U.S. Highway 220; West Virginia; and Wisconsin; and (2) *building materials and building supplies* (except stone finished and unfinished), from points in Illinois (except Breese, Carlinville, Centralia, Flora, Irvington, and Sparta); points in Indiana (except Elkhart, Indianapolis, Kokomo, and South Bend); points in the Lower Peninsula of Michigan; and points in Ohio, to points in Alabama (except Bibb, Cullman, Blount, Jefferson, Saint Clair, Shelby, Talladega, Tuscaloosa, and Walker Counties); Louisiana, Mississippi, and Tennessee (except Chattanooga and Nashville). NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 116763 (Sub-No. 91), filed May 16, 1966. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods, animal and poultry feed and/or food, and supplements therefor*, from points in Louisiana south of U.S. Highway 84 (except Baton Rouge, Cecilia, New Orleans, and Villa Platte, La.), to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, West Virginia, and Wisconsin; to be restricted against tacking or

interlining. NOTE: Applicant states that no duplicating authority is requested. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117119 (Sub-No. 374), filed May 16, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs and potato products*, not frozen, from points in Washington, Oregon, and Idaho, to points in Kansas, Iowa, Missouri, Illinois, Indiana, Ohio, Wisconsin, Michigan, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 117119 (Sub-No. 375), filed May 16, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oleomargarine, shortening, lard, tallow, vegetable oils, salad dressings, and table sauces* (except commodities in bulk, in tank vehicles), in temperature-controlled vehicles, from points in Fresno County, Calif., to points in Oregon, Washington, Idaho, Utah, Nevada, Colorado, Montana, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 117200 (Sub-No. 8), filed May 11, 1966. Applicant: TISCH AND DREWS, INC., 212 Green Bay Avenue, Oconto Falls, Wis., 54154. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ground wood pulp*, from Tomahawk, Wis., to points in Minnesota, for and as directed by Tomahawk Power & Pulp Co., Tomahawk, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 117730 (Sub-No. 10), filed May 16, 1966. Applicant: KOUBENEC MOTOR SERVICE, INC., 641 Maple Lane, Batavia, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, from Wedron, Ill., to Mishawaka, Walkerton, Warsaw, Fort Wayne, South Bend, and Indianapolis, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 118196 (Sub-No. 75), filed May 16, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Great Falls, Mont., to points in Washington, Oregon, Idaho, California, Nevada, Utah, Arizona, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Great Falls, Mont.

No. MC 118196 (Sub-No. 76), filed May 16, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, U.S. Highway 71 North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Great Falls, Mont., to points in Minnesota, Iowa, Wisconsin, Illinois, Indiana, Michigan, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Great Falls, Mont.

No. MC 118696 (Sub-No. 2), filed May 16, 1966. Applicant: FERREE MOVING AND STORAGE, INC., 9450 South Calumet Avenue, Munster, Ind. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mattresses, new furniture, and kitchen cabinets*, from points in Indiana (except Munster, Ind.) to points in Kentucky, Ohio, Pennsylvania, North Carolina, New York, Virginia, Wisconsin, Illinois, Missouri, Iowa, Michigan, Rhode Island, Connecticut, Massachusetts, and Maryland. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Louisville, Ky.

No. MC 118916 (Sub-No. 3), filed May 12, 1966. Applicant: LEONARD L. POWELL, 520 South Ella Street, Sandpoint, Idaho, 83864. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Dairy products*, as described in section B of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and *Ice cream and Sherbert*, both in vehicles equipped with temperature control devices, and *Bakery products*, from Troy, Mont., to Libby, Mont.; serving no intermediate points, from Troy over U.S. Highway 2 to Libby, Mont., and return over the same route. NOTE: If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 119474 (Sub-No. 2), filed May 16, 1966. Applicant: OSENGA'S TRUCKING SERVICE, INC., 1148 West 95th Place, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, animal and poultry feed concentrates, and animal and poultry feed ingredients*, from Bloomington, Bedford, and La Porte, Ind., to points in Illinois, Wisconsin, and the Lower Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119474 (Sub-No. 3), filed May 16, 1966. Applicant: OSENGA'S TRUCKING SERVICE, INC., 1148 West 95th Place, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, animal and poultry feed concentrates, and animal and poultry feed ingredients*, between Sylvania, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Wisconsin, and the Lower Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119489 (Sub.-No. 10), filed May 19, 1966. Applicant: PAUL ABLER, doing business as CENTRAL TRANSPORT COMPANY, 906 South 13th Street, Post Office Box 596 Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, between points in Iowa, Nebraska, Colorado, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119507 (Sub-No. 17), filed May 17, 1966. Applicant: GRAUN TRANSPORTATION, INC., Emma Street, Bettsville, Ohio. Applicant's representative: Taylor C. Burneson, 88 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, quick or hydrated, in bulk, from Buffington, Lake County, Ind., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119670 (Sub-No. 9), filed May 19, 1966. Applicant: THE VICTOR TRANSIT CORPORATION, Post Office Box 115, Winton Place Station, Cincinnati, Ohio. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, paper products, and pulpboard* (other than corrugated), from Cincinnati and Middletown, Ohio, to Tullahoma, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Cincinnati, Ohio.

No. MC 119710 (Sub-No. 9), filed May 16, 1966. Applicant: JOHN L. SHUPE and IVAN D. SHUPE, a partnership, doing business as SHUPE BROS., Post Office Box 919, Greeley, Colo. Applicant's representative: Paul F. Sullivan, Suite 913, Colorado Building, Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feeds*, from Garden City, Kans., to points in Colorado, Nebraska, New Mexico, Oklahoma, and Texas, restricted to a transportation service performed under a continuing contract or contracts with W. R. Grace & Co., *and exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 119777 (Sub-No. 58), filed May 16, 1966. Applicant: LIGON SPECIALIZED HAULERS, INC., Post Office Box 31, Madisonville, Ky. Applicant's representative: Robert M. Pearce, 1033 State Street, Central Building, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, conduit, tubing, and fittings, and connections*, from Fairbury, Ill., and points within 5 miles thereof, to points in Alabama, Arkansas, Georgia, Florida, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas. NOTE: Applicant states it proposes to tack the authority sought with present authority in paragraphs 15 and 16 of certificate No. MC 119777. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119777 (Sub-No. 59), filed May 16, 1966. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box 31, Madisonville, Ky. Applicant's representative: Robert M. Pearce, Central Building, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and steel mill materials, supplies and equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States including Alaska and Hawaii (but excluding Idaho, Montana, Oregon, Washington, and Wyoming). NOTE: Applicant states it proposes to tack the authority sought herein with presently held authority in MC 119777 and Subs 10, 21, 22, and 27 wherein it is authorized to perform operations in the States of Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119777 (Sub-No. 60), filed May 16, 1966. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box 31, Madisonville, Ky. Applicant's representative: Robert M. Pearce, Central Building, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles* (except those requiring special equipment), between points in Illinois, Indiana, Kentucky, and Tennessee. NOTE: Applicant states it proposes to tack the authority sought herein with presently held authority in MC 119777 and Subs 10, 21, 22, and 27 wherein it is authorized to perform operations in the States of Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 119789 (Sub-No. 21), filed May 17, 1966. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6, Opelousas, La. Applicant's representative: Robert E. Born, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boxes and crates*, from Hazlehurst, Port Gibson, and Magnolia, Miss., to points in Brooks, Cameron, Crockett, Dimmit, Duval, Edwards, Frio, Hidalgo, Jim Hogg, Kenedy, Kleberg, Kinney, La Salle, Maverick, McMullen, Real, Starr, Sutton, Terrell, Uvalde, Val Verde, Webb, Jim Wells, Willacy, Zapata, and Zavala Counties, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 119864 (Sub-No. 34), filed May 19, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers, caps, covers and and stoppers, paper or fiberboard cartons*, from Streator, Ill., to points in Indiana, Wisconsin, The Lower Peninsula of Michigan, and Louisville, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119934 (Sub-No. 117), filed May 19, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. Applicant's representatives: Leonard A. Jaskiewicz and Ronald N. Cobert, Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from the rail-motor interchange facilities of New York Central Railroad Co., exclusive of team tracks and public facilities, in Butler, Clermont, Hamilton, and Warren Counties, Ohio, to points in Indiana, Kentucky, Ohio, and West Virginia, restricted to shipments having a prior movement by rail. NOTE: Applicant has pending an application for contract carrier authority in MC 128161. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 120737 (Sub-No. 2), filed May 18, 1966. Applicant: STAR DELIVERY & TRANSFER, INC., 948 North Fifth Avenue, Canton, Ill. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery, implements, and parts* as described in appendix 12 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except commodities the transportation of which, because of size or weight, require the use of special equipment) and *tractors, tractor parts and attachments*, from Canton and Chicago, Ill., to points in Wisconsin, Michigan, Iowa, Missouri, Mississippi, Alabama, Georgia, Illinois, Tennessee, Indiana, Ohio, Pennsylvania, Virginia, North Carolina, South Carolina, Kentucky, Minnesota, and Nebraska, and (2) *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (a) between points within 50 miles of Pottstown, Ill., (b) between points within 50 miles of Pottstown, Ill., on the one hand, and, on the other, Chicago, Rock Island, East St. Louis, and Moline, Ill., and (c) between Aurora, Montgomery, Joliet, and Decatur, Ill., on the one hand, and, on the other, Peoria and East Peoria, Ill., authority in (2) to be restricted against tacking with authority in (1) above. NOTE: Applicant states it is not requesting any duplicating authority and agrees to submit its certificate of registration MC 120737, Sub 1, in the event this application is granted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 120777 (Sub-No. 3), filed May 17, 1966. Applicant: REED FILM SERVICE, INC., 518 South Main Avenue, San Antonio, Tex. Applicant's representative: David A. Sutherlund, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), having a prior or subsequent movement by air, between airports located in Bexar County, Tex., and points in Texas over the routes described as follows: (1) From San Antonio, Tex., over U.S. Highway 90, to Del Rio, Tex., and return over the same route, (2) from Del Rio, Tex., over U.S. Highway 277, to Carrizo Springs, Tex., and return over the same route, (3) from Carrizo Springs, Tex., over Texas Highway 85, to Dilley, Tex., and return over the same route, (4) from Eagle Pass, Tex., over Texas Highway 76 to Moore, Tex., and return over the same route, (5) from San Antonio, Tex., over U.S. Highway 81 (and/or Interstate Highway 35), to Laredo, Tex., and return over the same route, (6) from Uvalde, Tex., over U.S. Highway 83, to McAllen, Tex., and return over the same route, (7) from San Antonio, Tex., over Texas Highway 346, to Jourdanton, Tex., thence over Texas Highway 173 to Freer, Tex., and thence over Texas Highway 339 to Benavides, Tex., and return over the same route, (8) from Laredo, Tex., over Texas Highway 359 to San Diego, Tex., and return over the same route, (9) from Freer, Tex., over Texas Highway 44, to Alice, Tex., and return over the same route, and (10) from San Antonio, Tex., over Texas Highway 281, to Alice, Tex., and return over the same route, serving all intermediate points and points in the following Counties as off-route points: Bexar, Atascosa, Medina, Uvalde, Kinney, Val Verde, Maverick, Zavala, Dimmit, Frio, La Salle, McMullen, Live Oak, Webb, Du-

val, Jim Wells Zapata, Jim Hogg, and Star Counties, Tex. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Antonio, Tex.

No. MC 121495 (Sub-No. 2), filed May 19, 1966. Applicant: ENGLEWOOD TRANSIT COMPANY, a corporation, 1125 West 46th Avenue, Denver, Colo. Applicant's representative: Edward C. Hastings, 330 Petroleum Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Elkhart, Kans., and the Colorado-Kansas State line, near Holly, Colo.; from Elkhart over Kansas Highway 27 to junction U.S. Highway 50, and thence over U.S. Highway 50 to the Colorado-Kansas State line near Holly, and return over the same route, serving the intermediate point of Richfield, Kans. NOTE: If a hearing is deemed necessary, applicant requests it be held at Elkhart, Kans.

No. MC 123639 (Sub-No. 94), filed May 19, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124083 (Sub-No. 27), filed May 18, 1966. Applicant: SKINNER MOTOR EXPRESS, INC., 1035 Keystone Avenue, Indianapolis, Ind. Applicant's representative: James J. Williams, 1012 14th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, in dump vehicles, from Indianapolis, Ind., to points in St. Louis County, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 124359 (Sub-No. 6), filed May 19, 1966. Applicant: WIL-HELEN, INC., 1409 16th Avenue, Greeley, Colo., 80631. Applicant's representative: Paul F. Sullivan, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stair treads, floor and wall tile, linoleum and other floor coverings, and related materials and supplies used in the installation of the above*, from Middlefield, Ohio, and Newark and Kearney, N.J., to points in Bent, Boulder, Crowley, Denver, El Paso, Fremont, Jefferson, Kit Carson, Larimer, Las Animas, Mesa, Morgan, Otero, Pueblo, Sedgwick, and Weld Counties, Colo., and Lamar, Colo., points in Albany, Fremont, Goshen, Laramie, Natrona, Park, and Sheridan Counties, Wyo., Cheyenne, Kimball, Perkins, and Scottsbluff Counties, Nebr., and Rapid City, S. Dak., restricted to service performed under a continuing contract or contracts with the Western Corp. of Denver, Colo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 124363 (Sub-No. 6) filed May 19, 1966. Applicant: DENVER PACIFIC EXPRESS, INC., 3737 Blake Street, Denver, Colo., 80205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Phoenix, Ariz., to points in Washington, Oregon, California, Texas, Missouri, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 125420 (Sub-No. 11), filed May 12, 1966. Applicant: MERCURY TANKLINES LIMITED, Post Office Box 5858, South Edmonton, Alberta, Canada. Applicant's representative: J. F. Meglen, 207 Behner Building, 2822 3d Avenue North, Billings, Mont., 59103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages*, in bulk, in tank vehicles, for the account of Canadian Park & Tilford Ltd., from the international boundary line between the United States and Canada at the port of entry, at or near Blaine, Wash., to Fresno, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 125640 (Sub-No. 2) (Amendment), filed March 10, 1966, published FEDERAL REGISTER issue of April 7, 1966, amended May 26, 1966, and republished, as amended, this issue. Applicant: ATLANTIC-PACIFIC DRIVE-AWAYS, INC., 51 East 42d St., New York, N.Y. Applicant's representative: S. Harrison Kahn, 733 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used passenger automobiles*, in driveaway service, between points in New York, New Jersey, Connecticut, Pennsylvania, and Massachusetts, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: The purpose of this republication is to broaden the scope of the proposed operation. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 125717 (Sub-No. 7), filed May 19, 1966. Applicant: NORMAN JOSEPH CHOPLIN, doing business as JOE CHOPLIN, 1301 North Spring, Independence, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *contract carrier*, by motor vehicle ,over irregular routes, transporting: (1) *Dairy replacement products*, from Kansas City, Mo., to points in Arkansas and Louisiana, and *rejected, returned or damaged shipments*, on return; and (2) *pulpboard boxes* (other than corrugated), knocked down flat, from Garland, Tex., to Kansas City, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 127215 (Sub-No. 23), filed May 19, 1966. Applicant: KENDRICK CARTAGE CO., a corporation, Post Office Box 63, Salem, Ill. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127451 (Sub-No. 1), filed May 17, 1966. Applicant: A. D. GAVIN, E. P. GAVIN, and R. G. PEEL, a partnership, doing business as PEEL AND GAVIN TRUCKING CO., 6057 Braemar Street, South Burnaby, British Columbia, Canada. Applicant's representative: J. Stewart Black, 1322 Laburnum Street, Vancouver 9, British Columbia. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products, poles, and piling*, between Blaine, Sumas, or Lynden, Wash., at the international boundary between the United States and Canada, on the one hand, and, on the other, points in Whatcom, Skagit, Snohomish King, Lewis, Cowlitz, and Pierce Counties, Wash., and Portland, Oreg., on traffic originating at or destined to points in British Columbia, Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 127505 (Sub-No. 4), filed May 19, 1966. Applicant: RALPH H. BOELK, doing business as R. H. BOELK TRUCK LINE, 1201 14th Avenue, Mendota, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127505 (Sub-No. 5), filed May 19, 1966. Applicant: RALPH H. BOELK, doing business as R. H. BOELK TRUCK LINES, 1201 14th Avenue, Mendota, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractories and refractory products*, from points in Audrain, Calloway, and Montgomery Counties, Mo., to points in Illinois and Indiana, on and north of U.S. Highway 36 (applicable to both states). NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 127535 (Sub-No. 3), filed May 19, 1966. Applicant: TROY NEWS COMPANY, INC., Post Office Box 696, Troy, N.Y. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magazines, television guides, inserts, supplements, and parts*, between Albany and Troy, N.Y., on the one hand, and, on the other, Amsterdam, Schenectady, Glens Falls, Gloversville, Plattsburg, Rochester, Saranac Lake, Saratoga Springs, Hudson, Kingston, Monticello, Middletown, Newburgh, Poughkeepsie, Syracuse, and Utica, N.Y.; Brattleboro, Burlington, and Rutland, Vt.; and West Lebanon and Keene, N.H. NOTE: Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127840 (Sub-No. 7), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie Street, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Compounds organic*, derived from inedible fatty materials, in bulk, in stainless steel tank vehicles, (1) from Mapleton, Ill., to Ossining, N.Y. and (2) from Ossining, N.Y., to McCook, Ill. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 8), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products*, in bulk, in tank or hopper type vehicles, from Danville, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 15), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar and blends, mixtures and products thereof*, from Louisville, Ky., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Tennessee, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 18), filed May 19, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie Street, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic plastics and resins*, in bulk, in tank vehicles, from Meredosia, Ill., to points in New Jersey, New York, Oklahoma, Massachusetts, Pennsylvania, and Texas, except points in Harris County. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 19), filed May 19, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from Davenport, Iowa, and points within 5 miles thereof, to points in Illinois, Iowa, Minnesota, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127891 (Sub-No. 3), filed May 12, 1966. Applicant: M. C. SHUTT, doing business as GIRARD ELEVATOR CO., a corporation, Girard, Ill. Applicant's representative: Harvey B. Stephens, 714 First National Bank Building, Springfield, Ill., 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer materials, and ingredients*, in bulk, from Springfield, Ill., to points in Iowa, and *grain* from points in Iowa to Springfield, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 127933 (Sub-No. 1), filed May 18, 1966. Applicant: GLEN NYLANDER, doing business as NYLANDER TRANSIT, Brandon, Minn. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Jams, jellies and preserves*, from Fargo, N. Dak., to points in the United States (except Alaska and Hawaii); (2) *glass containers and jars, and cartons*, from Wheeling, W. Va.; Washington, Pa.; Ada and Muskogee, Okla.; and points in Illinois and Minnesota, to Fargo, N. Dak.; (3) *pectin*, from Kansas City, Kans., and Chicago, Ill., to Fargo, N. Dak.; (4) *citric acid*, from Chicago, Ill., and Minneapolis, Minn., to Fargo, N. Dak.; (5) *bottle closures, covers and caps*, from Chicago, Ill., and Wheeling, W. Va., to Fargo, N. Dak.; (6) *sugar*, from Billings, Mont., to Fargo, N. Dak.; and (7) *fresh iced and fresh frozen fruit*, from points in the United States (except Alaska and Hawaii) to Fargo, N. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 127949 (Sub-No. 1), filed April 28, 1966. Applicant: LOWELL G. KINNISON, doing business as KINNISON TRUCK LINES, Post Office Box 381, Red Oak, Iowa, 51566. Applicant's representative: Clyde E. Herring, 640 Shoreham Building, Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as is dealt in by wholesale, retail and chain grocery and food business houses* (except commodities in bulk), from points in Alameda, Contra Costa, San Benito, San Francisco, San Joaquin, Santa Clara, and Stanislaus Counties, Calif., to Grand Island, Lincoln, and Omaha, Nebr., and Sioux City and Des Moines, Iowa, and *returned, damaged, and defective shipments* of the above-described commodities, and *empty containers* used in transporting such commodities, on return, restricted to service under continuing contracts with Kaplan Wholesale Grocer, Sioux City, Iowa; Omaha Institutional Service, Omaha, Nebr.; Skag-Way Department Stores, Inc., Grand Island, Nebr.; Hockenberg-Rubin Co., Des Moines, Iowa; and Bovis Coffee Tea & Spice Co., Sioux City, Iowa. NOTE: Applicant states it will also transport exempt agricultural products on return. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 128133 (Sub-No. 2), filed May 12, 1966. Applicant: H. HERSCHEL OMPS, Route 5, Winchester, Va. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, from points in Allegheny and Garrett Counties, Md., and points in Mineral and Grant Counties, W. Va., to points in Frederick and Warren Counties, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128164 (Sub-No. 1), filed May 16, 1966. Applicant: BUEL I. LOWDER, 2710 Highway 96 East, Pueblo, Colo., 81001. Applicant's representative: Bert L. Penn, 30 South Emerson Street, Denver, Colo., 80209. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities injurious or contaminating to other lading, and household goods), between Pueblo, Colo., and Scott City, Kans., over Colorado State Highway 96 and Kansas State Highway 96, and return over the same route, serving the intermediate points of Blende, Baxter, Vineland, Avondale, North Avondale, Boone, Olney Springs, Crowley, Sugar City, Ordway, Arlington, Haswell, Eads, Chivington, Brandon, Sheridan Lake, and Towner, Colo.; and Tribune, Whitelaw, Selkirk, Leoti, Marienthal, and Modoc, Kans. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pueblo, Colo.

No. MC 128187, filed May 5, 1966. Applicant: SOUTHERN NEW MEXICO WAREHOUSE, INC., 103 East Greene (Box 1416), Carlsbad, N. Mex., 88220. Authority sought to operate as a *com-*

mon carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment) (1) between Carlsbad, N. Mex., and El Paso, Tex., over combined U.S. Highways 62 and 180, serving all intermediate points and the off-route points of Dell City, Tex., and Carlsbad Caverns, N. Mex., and those within 35 miles of Carlsbad, and (2) between Carlsbad, N. Mex., and Artesia, N. Mex., over U.S. Highway 285, serving all intermediate points and off-route point of Carlsbad Cavern, N. Mex., and those within 35 miles of Carlsbad. NOTE: If a hearing is deemed necessary, applicant requests it be held at Carlsbad, N. Mex.

No. MC 128196 (Sub-No. 1), filed May 17, 1966. Applicant: KARL ARTHUR WEBER, 2408 North 20th Drive, Phoenix, Ariz. Applicant's representative: Lester Engler, 400 West Camelback Road, Phoenix, Ariz., 85013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and wood products*; restricted to wood building materials; between points in Arizona and ports of entry on the international boundary line between the United States and Mexico, on the one hand, and, on the other, points in California, Colorado, Idaho, New Mexico, Oklahoma, Oregon, Washington, Texas, Utah, and Nevada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 128200 (Sub-No. 1), filed May 18, 1966. Applicant: BORDER TRANSFER & STORAGE CO., a corporation, 6979 Market Avenue, El Paso, Tex. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in El Paso County, Tex., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments. NOTE: If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex.

No. MC 128202 (Sub-No. 1), filed May 16, 1966. Applicant: HARBOR SEAFOODS COMPANY, INC., Box 191, Wrangell, Alaska. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Wrangell, Alaska, and Tacoma and Seattle, Wash. NOTE: If a hearing is deemed necessary, applicant requests it be held at Wrangell, Alaska.

No. MC 128214, filed May 18, 1966. Applicant: CHARLES M. READER, doing business as Q TRUCKING COMPANY, a corporation, Post Office Box 355, Nome, Alaska. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in that part of the Seward Peninsula of Alaska, bounded on the south by Norton Sound and the Bering Sea, on the west by the Bering Strait, on the north by Kotzebue Sound and the Arctic Ocean, and on the east by a line beginning at Selawik and extending in a southeasterly direction to Shaktoolik. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fairbanks, Alaska.

No. MC 128215, filed May 17, 1966. Applicant: MARTIN TRAILER TOTERS, INC., 4038 Jefferson Highway, New Orleans, La., 70121. Applicant's representative: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La., 70130. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *House trailers or mobile homes*, to be drawn by motive power, between points in Alabama, Arkansas, Florida, Louisiana, Mississippi, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 128216, filed May 16, 1966. Applicant: VALER LUPU, doing business as VALER TRANSPORTATION COMPANY, 18615 Dix Avenue, Melvindale, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) from St. Louis, Mo., and Columbus, Ohio, to Detroit, Pontiac, Monroe, and Jackson, Mich.; (2) from Fort Wayne, Ind., to Detroit and Pontiac, Mich.; and (3) from Sheboygan and La Crosse, Wis., to Detroit, Mich. NOTE: Applicant states that it presently holds contract carrier authority in MC 125608 and subs thereunder that is largely coextensive with the common carrier authority sought above. Applicant further states that if the requested common carrier authority is granted, applicant proposes to tender its contract carrier authority for cancellation. If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 128217, filed May 18, 1966. Applicant: REINHART MAYER, doing business as MAYER TRUCK LINE, 1205 South Riverside Drive, Jamestown, N. Dak. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles* as described in Group III of appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (a) from Broadview, Chicago, Chicago Heights, Granite City, and Sterling, Ill., and Duluth and Minneapolis, Minn., to points in Montana, North Dakota, and South Dakota, and (b) from Jamestown, N. Dak., to points in Montana and South Dakota, traffic from Broadview, Chicago, and Chicago Heights, Ill., and South Dakota is restricted to shipments moving in combination loads with shipments originating at Jamestown, N. Dak., and destined to points in South Dakota, and (2) *asphalt, asphalt roof shingles, roofing and accessories*, from Phillipsburg, Kans., to points in North Dakota. NOTE: Applicant has common carrier Docket No. MC 120978 Sub 1, pending, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Fargo or Bismarck, N. Dak.

No. MC 128219, filed May 16, 1966. Applicant: SALVATORE T. ZIZZO, doing business as FRANKLIN TRUCK LINES, W 156 N8116 Pilgrim Road, Menomonee Falls, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Insulation products*, its *raw materials* and any *parts or products* used in producing insulation products, from Merton, Wis., to points in Wisconsin, Minnesota, South Dakota, Iowa, Illinois, Indiana, Ohio, and Michigan, and *raw products* and all *materials* used in making and maintaining an insulation manufacturing plan, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 128220, filed May 16, 1966. Applicant: RALPH LATHEM, doing business as LATHEM TRUCKING COMPANY, Post Office Box 508, Burnside, Ky. Applicant's representative: Robert M. Pearce, Central Building, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal briquettes, wood chips, vermiculite, lighter fluid, and associated items used or useful in the preparation of barbecue*, from Burnside, Ky., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee (except Knoxville), and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it to be held at Louisville, Ky.

No. MC 128224, filed May 19, 1966. Applicant: GEORGE F. JOHNSON, Rural Delivery No. 1, New Stanton, Pa. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic mold steel and component parts thereof*, between the Borough of Youngwood, Westmoreland County, Pa., on the one hand, and, on the other, Hillside, N.J., Detroit, Mich., Chicago, Ill., and Cleveland, Ohio. NOTE: Applicant states that the above proposed operation will be restricted to a service to be performed under a continuing contract or contracts with D-M-E Corp. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 128227, filed May 18, 1966. Applicant: JOSEPH MISCH, doing business as HARTIG EXPRESS, 2301 Copelen Street, Cincinnati, Ohio, 45206. Applicant's representative: Eugene M. Malkin, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is manufactured and distributed by drug*

manufacturing companies, in packages, when moving from, to or between plants, warehouses, or other facilities of such companies, from points in Hamilton County, Ohio, to points in Campbell, Kenton, and Boone Counties, Ky., and Dearborn County, Ind., restricted to operations to be performed under a continuing contract or contracts with Parke, Davis & Co. of Detroit, Mich., and William S. Merrell Co. of Cincinnati, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Washington, D.C.

No. MC 128228, filed May 16, 1966. Applicant: H. F. LLOYD TRUCKING, INC., 410 Wicks Lane, Billings, Mont., 59101. Applicant's representative: Jerome Anderson, Suite 300, First National Bank Building, Billings, Mont., 59101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, timbers, poles, posts and piling, plywood and hardboard*, between White Sulphur Springs, Mont., and points within 5 miles thereof, on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Wisconsin, Illinois, Indiana, and Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 128232, filed May 18, 1966. Applicant: DORRIS CLOUSE, Licking, Mo. Applicant's representative: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *contract carrier* by motor vehicle, over irregular routes, transporting: *Lumber, lumber products and pallets, poles, posts, and logs*, from points in Howell, Shannon, Texas, and Oregon Counties, Mo., to points in Illinois on and north of U.S. Highway 24 and points in Indiana on and north of U.S. Highway 24. NOTE: Applicant states the proposed transportation will be performed under a continuing contract with McVickers Lumber Co. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 128238, filed May 19, 1966. Applicant: DALE COURTER, 704 Mulberry Street, Valley Falls, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mill feeds* in bags or sacks in bulk and *agricultural chemicals* in boxes, bottles, bags, sacks, and containers, (1) from St. Joseph, Mo., to Valley Falls, Kans. (2) between farms in Jefferson, Atchison, Jackson, Brown, Leavenworth, Wyandotte, and Doniphan Counties, Kans. NOTE: If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC 128240, filed May 19, 1966. Applicant: TRANS-CRAFT, INCORPORATED, Durham-Chapel Hill Boulevard, Durham, N.C. Applicant's representative: Harry C. Ames, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, from Miami and Jupiter, Fla., and Greenville, N.C., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128241, filed May 16, 1966. Applicant: CHRIS DRAKOS, doing business as MONTANA BRAND PRODUCE CO., 160 Pacific Avenue, Salt Lake City, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas* (2) *agricultural products* and those commodities embraced in section 203(b)(6) of Part II of the Interstate Commerce Act, when moving in the same vehicle with bananas, (1) from points in California to points in Utah, and (2) from points in Utah to points in Colorado, Idaho, Montana, and Wyoming. NOTE: Applicant states he will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 128243, filed May 19, 1966. Applicant: PARKWAY EXPEDITERS, INC., 1009 Second Avenue, Asbury Park, N.J. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ironing boards, bed frames, and juvenile toys, games, and playtime goods such as rocking horses, snow discs, table and chair sets, rubber balls, and tricycles*, from the warehouse site of Parkway Expediters, Inc., at Asbury Park, N.J., to Philadelphia, Pa., New York, N.Y., and points in Suffolk and Nassau Counties, N.Y., and *returned shipments*, on return, under a continuing contract or contracts with Garton Toy Co. of Sheboygan, Wis., The Delphos Bending Co., of Delphos, Ohio, The Barr Rubber Products Co., of Sandusky, Ohio, Seymour Industries, Inc., of Seymour, Ind., and Blazon, Inc., of Akron, Ohio. NOTE: This application is filed with a Motion to Dismiss. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

MOTOR CARRIERS OF PASSENGERS

No. MC 84728 (Sub-No. 54), filed May 17, 1966. Applicant: SAFEWAY TRAILS, INC., 1200 Eye Street NW., Washington, D.C. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between Port Allegany, Pa., and St. Marys, Pa., as follows: From Port Allegany, over U.S. Highway 6 to Kane, Pa., thence over Pennsylvania Highway 321 to Wilcox, Pa., thence over U.S. Highway 219 to Johnsonburg, Pa., thence over Pennsylvania Highway 255 to St. Marys, and return over the same route, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 116921 (Sub-No. 6), filed May 18, 1966. Applicant: WEST FORDHAM TRANSPORTATION CORP., Harriman, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers*, in the same vehicle with passengers, between New York, N.Y., and Pittsfield, Mass.; from New York over city streets and highways to the Major Deegan Highway, thence over Major Deegan Highway to the Thomas E. Dewey Thruway, thence over Thomas E. Dewey Thruway to access roads leading to and from U.S. Highway 9, thence over access roadways to junction U.S Highway 9, thence over U.S. Highway 9 to junction New York Highway 82 near Fishkill, N.Y., thence over New York Highway 82 to junction U.S. Highway 44, thence over U.S. Highway 44 to junction New York Highway 22 near Millerton, N.Y., thence over New York Highway 22 to junction New York Highway 23 near Hillsdale, N.Y., thence over New York Highway 23 to junction Massachusetts Highway 23 at the New York-Massachusetts State line, thence over Massachusetts Highway 23 to junction U.S. Highway 7, thence over U.S. Highway 7 to Pittsfield, Mass., and return over the same route, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 123473 (Sub-No. 5), filed May 18, 1966. Applicant: WEST HUNTERDON TRANSIT CO., INC., Routes 202 and 69, Flemington, N.J. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular

routes, transporting: Passengers and Authority sought under section 410 Part

turn over the same route, serving no intermediate points, but serving Exits 29, 27, 25, and 23 for joinder purposes only. NOTE: Applicant states that service to and from junction Interstate Highway 95 and Virginia Highway 644 and junction Interstate Highway 495 and Maryland Highway 97 is restricted to interchange services only. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108531 (Sub-No. 9), filed May 19, 1966. Applicant: BLUE BIRD COACH LINES, INC., 502–504 North Barry Street, Olean, N.Y. Applicant's representative: Albert J. Tener, Bank of Jamestown Building, Jamestown, N.Y., 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between Port Allegany, Pa., and St. Marys, Pa., as follows: From Port Allegany, over U.S. Highway 6 to Kane, Pa., thence over Pennsylvania Highway 321 to Wilcox, Pa., thence over U.S. Highway 219 to Johnsonburg, Pa., thence over Pennsylvania Highway 255 to St. Marys, and return over the same route, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 116921 (Sub-No. 6), filed May 18, 1966. Applicant: WEST FORDHAM TRANSPORTATION CORP., Harriman, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers*, in the same vehicle with passengers, between New York, N.Y., and Pittsfield, Mass.; from New York over city streets and highways to the Major Deegan Highway, thence over Major Deegan Highway to the Thomas E. Dewey Thruway, thence over Thomas E. Dewey Thruway to access roads leading to and from U.S. Highway 9, thence over access roadways to junction U.S Highway 9, thence over U.S. Highway 9 to junction New York Highway 82 near Fishkill, N.Y., thence over New York Highway 82 to junction U.S. Highway 44, thence over U.S. Highway 44 to junction New York Highway 22 near Millerton, N.Y., thence over New York Highway 22 to junction New York Highway 23 near Hillsdale, N.Y., thence over New York Highway 23 to junction Massachusetts Highway 23 at the New York-Massachusetts State line, thence over Massachusetts Highway 23 to junction U.S. Highway 7, thence over U.S. Highway 7 to Pittsfield, Mass., and return over the same route, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 123473 (Sub-No. 5), filed May 18, 1966. Applicant: WEST HUNTERDON TRANSIT CO., INC., Routes 202 and 69, Flemington, N.J. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular

routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicles with passengers between Frenchtown, N.J., and the village of Upper Black Eddy, Pa., from Flemington, N.J., over N.J. Highway 12 to Frenchtown, thence (1) over Hunterdon County Highway 19 to Milford, N.J., thence, over the bridge between Milford and Upper Black Eddy to Upper Black Eddy, or (2) across the Frenchtown, Tinicum Township Bridge to Tinicum, Pa., thence, over Pennsylvania Highway 32 to Upper Black Eddy, and return over the same routes serving all intermediate points: NOTE: If a hearing is deemed necessary, applicant requests that it be held at Newark, N.J.

APPLICATION FOR BROKERAGE LICENSE

No. MC 12739 (Sub-No. 2), filed May 17, 1966. Applicant: PEAK TOURS, INC., 142A North Franklin Street, Hempstead, N.Y., 11550. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. For a license (BMC 5) to engage in operations as a *broker* at New York, N.Y., in arranging for the transportation by motor vehicle, in interstate or foreign commerce of *passengers and their baggage*, in the same vehicle, in round-trip, all expense tours, beginning and ending at New York, N.Y., and extending to points in the United States (except Alaska and Hawaii).

FREIGHT FORWARDER APPLICATIONS

FREIGHT FORWARDERS OF PROPERTY

No. FF-96 (Sub-No. 2) (New England Forwarding Company, Inc., Extension—Import-Export), filed May 18, 1966. Applicant: NEW ENGLAND FORWARDING COMPANY, INC., 20 Wyola Place, Boston, Mass., 02121. Applicant's representative: William J. Lippman, 1824 R Street NW., Washington, D.C., 20009. Authority sought under section 410, Part IV of the Interstate Commerce Act to extend operations as a freight forwarder, in interstate or foreign commerce, through use of the facilities of common carriers by railroad, express, water, and motor vehicle, in the transportation of: *General commodities*, between points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and points in all States east thereof within the continental United States, including the District of Columbia, on the one hand, and, on the other, (1) all ports located on the Atlantic and Gulf Coasts of the United States; and (2) all airports located in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas and in all States east thereof within the continental United States, including the District of Columbia, restricted to import and export shipments having an immediate prior or subsequent movement in foreign commerce.

No. FF-334 (The Furniture Transport Company, Inc., Freight Forwarder Application), filed May 19, 1966. Applicant: THE FURNITURE TRANSPORT COMPANY, INC., Furniture Row, Milford, Conn. Applicant's representative: Arthur J. Piken, 160-16 Jamaica 32, N.Y. Authority sought under section 410, Part IV of the Interstate Commerce Act, for a permit to institute operation as a freight forwarder, in interstate or foreign commerce, in the transportation of *new furniture*, from manufacturers of furniture throughout the State of North Carolina, which merchandise is to be consolidated at Hickory and High Point, Lenoir, N.C., for pool car or pool truck movement to applicant's warehouse and rail siding at Milford, Conn., for distribution to furniture dealers, stores, and distributors throughout the New England States and the States of New York and New Jersey. NOTE: Applicant has also filed a Form BMC 78 application, assigned No. MC 67200 Sub 23, published this issue of the FEDERAL REGISTER. The application is also accompanied by a Petition to Dismiss.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 2229 (Sub-No. 139), filed May 17, 1966. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard, Post Office Box 10837, Dallas, Tex., 75207. Applicant's representative: Charles D. Mathews (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including classes A and B explosives*, but (excluding household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the plantsite of Magna American Corp., at or near Raymond, Miss., as an off-route point in connection with applicant's authorized regular route operations in certificate MC 2229 and subs thereto, coordinating this service with all authorized services under said certificates.

No. MC 2229 (Sub-No. 140), filed May 17, 1966. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard, Post Office Box, 10837, Dallas, Tex., 75207. Applicant's representative: Charles D. Mathews (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including classes A and B explosives* (but excluding household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the plantsite of St. Regis Paper Co. at or near Ferguson, Miss., as an off-route point in connection with applicant's authorized regular-route operations in MC 2229 and subs thereof, coordinating such service with all existing services under said certificates.

No. MC 42487 (Sub-No. 654), filed May 19, 1966. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's representative: Robert K. Lancefield (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives*, between Curtiss and Tucson, Ariz. NOTE: Common control may be involved.

No. MC 111103 (Sub-No. 18), filed May 13, 1966. Applicant: PROTECTIVE MOTOR SERVICE COMPANY, INC., 725-29 South Broad Street, Philadelphia, Pa., 19147. Applicant's representative: Morris Cheston, Jr., Land Title Building, Philadelphia, Pa., 19110. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies and advertising literature* moving therewith (excluding motion picture film used primarily for commercial theater and television exhibition), between Philadelphia, Pa., on the one hand, and, on the other, points in Bucks and Lancaster Counties, Pa.; restricted to shipments having a prior or subsequent out-of-state movement.

No. MC 124553 (Sub-No. 2), filed May 19, 1966. Applicant: CLYDE S. HOLLAND, Sudith, Ky. Applicant's representative: Ollie L. Merchant, Suite 202, 140 South Fifth Street, Louisville, Ky., 40202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feeds*, from Cincinnati, Ohio, to points in Morgan County, Ky., under contract with Mrs. Curtis Elliott, Denzil R. Elliott, Lowell S. Elliott, Emil L. Elliott, and Mrs. Barletta Sheets, a partnership, doing business as Morgan Farmers Store of West Liberty, Ky.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6304; Filed, June 8, 1966; 8:45 a.m.]

[Notice 933]

MOTOR CARRIER OF PROPERTY

JUNE 6, 1966.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b), of the Interstate Commerce Act, and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIER OF PROPERTY

No. MC-F-9443. Authority sought for purchase by THE YOUNGSTOWN CARTAGE CO., 825 West Federal Street, Youngstown, Ohio, 44501, of the operating rights and property of DE ROSA TRANSPORTATION, INC., 1500 West 33d Street, Chicago, Ill., 60608, and for acquisition by WILLIAM F. WOLFF, also of Youngstown, Ohio, 44501, of control of such rights and property through the purchase. Applicants' attorney and representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio, and Robert Cronin, 1 North La Salle Street, Chicago, Ill. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Chicago, Ill., and Delavan, Wis., serving all intermediate and certain off-route points; *general commodities*, with exceptions as stated above, over irregular routes, between Chicago, Ill. (not including points in Indiana lying within the Chicago, Ill., commercial zone as defined by the Commission), on the one hand, and, on the other, Libertyville and Grayslake, Ill., between points in Cook, McHenry, and Lake Counties, Ill., on the one hand, and, on the other, points in Kenosha and Walworth Counties, Wis., between Chicago, Ill., and points in Illinois within 25 miles of Chicago, and those in Lake County, Ind., on and north of U.S. Highway 30, on the one hand, and, on the other, certain specified points in Michigan, between points in Chicago, Ill., between Chicago, Ill., on the one hand, and, on the other, points in Illinois within 25 miles of Chicago; between points in Cook County, Ill., on the one hand, and, on the other, points in Lake and Porter Counties, Ind., on and north of U.S. Highway 30, between points in Cook County, Ill., on and south of U.S. Highway 34, and those in Lake County, Ind., on and north of U.S. Highway 30, on the one hand, and, on the other, points in Michigan on and south of U.S. Highway 12. Restriction: Service is not authorized between Chicago, Ill., and Detroit, Mich. Vendee is authorized to operate as a *common carrier* in Pennsylvania, West Virginia, Ohio, New York, New Jersey, Michigan, Massachusetts, Rhode Island, Connecticut, Delaware, Maryland, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6342; Filed, June 8, 1966; 8:48 a.m.]

delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., June 6, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 3, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-6343; Filed, June 8, 1966; 8:48 a.m.]

[S.O. 981; 2d Rev. Pfahler's Car Dist. Dir. 4]

BALTIMORE & OHIO RAILROAD CO., AND SOO LINE RAILROAD CO.

Boxcar Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions.

(a) The Baltimore & Ohio Railroad Co. shall deliver to the Soo Line Railroad Co. a weekly total of 175 empty, plain, serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Orders Nos. 983 and 985.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., June 6, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 3, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-6344; Filed, June 8, 1966; 8:48 a.m.]

[S.O. 981; Pfahler's Car Dist. Dir. 11]

LOUISVILLE & NASHVILLE RAILROAD CO. AND CHICAGO & NORTH WESTERN RAILWAY CO.

Boxcar Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Louisville & Nashville Railroad Co. shall deliver to the Chicago & North Western Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet eight inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Orders Nos. 983 and 985.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., June 6, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 3, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-6345; Filed, June 8, 1966; 8:48 a.m.]

[S.O. 981; 2d Rev. Pfahler's Car Dist. Dir. 8]

PENNSYLVANIA RAILROAD CO. AND SOO LINE RAILROAD CO.

Boxcar Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 981:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Pennsylvania Railroad Co. shall deliver to the Soo Line Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships and cars included in Service Orders Nos. 983 and 985.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., June 6, 1966.

(4) Expiration date: This direction shall expire at 11:59 p.m., July 3, 1966, unless otherwise modified, changed or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 3, 1966.

[SEAL] INTERSTATE COMMERCE COMMISSION, R. D. PFAHLER, *Agent*.

[F.R. Doc. 66-6345; Filed, June 8, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

5 CFR

	Page
213	7733, 7734, 7959
550	7881

7 CFR

	Page
26	8113
28	7734
354	8113
701	7735, 7814
728	7814
778	7997
811	7999
845	7815
893	7816
905	8114
908	7961
910	7962, 8045
911	7962
917	7963, 8114
918	7735
944	8000
1038	8115
1039	8116
1074	8000
1099	7963
1421	7964, 8000, 8003
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
905	7971
994	8021
1001	7911
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131
1015	7911
1016	7911
1031	7831
1032	7831
1033	7911
1034	7911
1035	7911

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831
1127	7831
1128	7831

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
97	8020

10 CFR

	Page
36	7959
40	7959

12 CFR

	Page
1	8060
204	8060
563	8004
571	8004

14 CFR

	Page
39	7735, 7881, 7882, 8045, 8046
71	7736, 7827, 8046, 8047, 8117
73	7736, 7827, 7882
75	7736, 7827, 8047
97	7883, 7893, 8010, 8048, 8118
PROPOSED RULES:	
21	8075
47	8077
71	7760–7762, 7836, 7975–7977, 8025, 8077, 8078
73	7977
75	7762
91	8026
93	8078

15 CFR

	Page
230	7737, 7819, 7968
PROPOSED RULES:	
9	7833

16 CFR

	Page
13	7960, 7961, 8058–8060
15	7737, 7806
PROPOSED RULES:	
45	7757

17 CFR

	Page
211	7821
230	7738
239	7738
240	7740
276	7821
PROPOSED RULES:	
270	7913

18 CFR

	Page
101	7897
141	7897
201	7897
260	7897

20 CFR

	Page
602	7966
PROPOSED RULES:	
405	7864

21 CFR

	Page
120	7741
121	8008, 8009
130	8009

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
200	7743
221	7743

25 CFR

	Page
41	7744
42	7745

26 CFR

	Page
1	7789

31 CFR

	Page
202	7899
203	7899
500	7745, 7899

32 CFR

	Page
1	7807
3	7807
4	7810
7	7811
8	7812
16	7814
30	7814
273	8007
502	7966
1250	8061

32A CFR

	Page
OIA (Ch. X):	
OI REG. 1	7745

33 CFR

	Page
203	7827
204	8129
208	7751
401	8062

36 CFR

	Page
251	7899
261	7902

38 CFR

	Page
17	8064

39 CFR

	Page
13	7752
22	7752
25	7752
43	7752

41 CFR

	Page
1–3	8116
4–1	7819
4–6	7819
4–50	7902
8–1	7820
8–2	7820
101–15	7752
101–17	8117

42 CFR

	Page
57	7755
76	7902

43 CFR

	Page
3120	7806
PUBLIC LAND ORDERS:	
4023	7969
4024	7969
4025	7969

45 CFR

	Page
801	7755

46 CFR

	Page
202	8065
308	7970

47 CFR

	Page
18	7821
21	7822
73	7904, 8067, 8069–8073
74	7822
91	7822
PROPOSED RULES:	
1	7837
21	7837
23	7837
73	7837, 7838, 8079–8081, 8132
74	7837, 8026
81	7837
87	7837
89	7837
91	7837
93	7837
95	7837
97	7837

49 CFR

	Page
95	7806, 8064
PROPOSED RULES:	
170	7841
193	7911

50 CFR

	Page
32	7909, 8065
33	7756, 7910, 7970
PROPOSED RULES:	
401	8130

SOCIOLOGY & ECONOMICS

SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 13 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 112

Friday, June 10, 1966 • Washington, D.C.

Pages 8171–8205

Agencies in this issue—

Agency for International Development
Agriculture Department
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Federal Aviation Agency
Federal Communications Commission
Federal Crop Insurance Corporation
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Forest Service
Interior Department
Interstate Commerce Commission
Land Management Bureau
Securities and Exchange Commission
State Department
Tariff Commission
Treasury Department

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

112

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 41—Public Contracts and Property Management
(Chapter 101–End) (Revised)
$1.25

Title 42—Public Health (Pocket Supplement)
$1.00

Title 43—Public Lands: Interior (Revised)
$2.50

Title 45—Public Welfare (Pocket Supplement)
$1.50

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER

Area Code 202 Phone 963–3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGENCY FOR INTERNATIONAL DEVELOPMENT
Notices
Assistant Administrator for Administration; delegation of authority ... 8186
Mizrachi Women's Organization of America, Inc.; register as voluntary foreign aid agency ... 8186

AGRICULTURE DEPARTMENT
See also Consumer and Marketing Service; Federal Crop Insurance Corporation; Forest Service.
Rules and Regulations
Nondiscrimination; complaints ... 8175
Notices
Texas; extension of designation of areas for emergency loans ... 8185

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.:
Alaska Airlines, Inc ... 8194
International Air Transport Association ... 8194
Trans International Airlines, Inc ... 8194

CIVIL SERVICE COMMISSION
Rules and Regulations
Excepted service:
Federal Aviation Agency ... 8175
Navy Department ... 8175

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Carrots grown in south Texas; order terminating marketing agreement and order ... 8178
Nectarines grown in California (2 documents) ... 8176, 8177
Plums grown in California; regulation by grade and size ... 8177
Proposed Rule Making
Avocados grown in south Florida; expenses and rate of assessment ... 8181
Notices
Union Stock Yards Company of Omaha (Ltd.); petition for modification of rate order ... 8185

FEDERAL AVIATION AGENCY
Rules and Regulations
Controlled airspace; revocation and alteration ... 8178
Federal airways; alteration ... 8179
Transition area; alteration ... 8179
Proposed Rule Making
Transition areas; proposed alterations (2 documents) ... 8183
Transition area and control area extension; proposed alteration and revocation ... 8182

FEDERAL COMMUNICATIONS COMMISSION
Notices
Canadian Broadcast Stations; list of changes, proposed changes, and corrections in assignments ... 8195
Hearings, etc.:
Lunde Corp., and KASI Iowa, Inc ... 8196
Olmstead County Broadcasting Co., and North Central Video, Inc ... 8196
Reising, Keith L. and Kentuckiana Television, Inc ... 8197

FEDERAL CROP INSURANCE CORPORATION
Rules and Regulations
Barley crop insurance; discontinuance in counties previously designated ... 8175

FEDERAL MARITIME COMMISSION
Notices
Agreements filed for approval:
Asia Africa Shipping Co., Ltd., and Kawasaki Kisen Kaisha, Ltd ... 8201
Howard Terminal and Learner Co ... 8200
N.V. Nedlloyd Lijnen and Hoegh Lines Joint Service ... 8201
Oceanic Forwarding Co., et al ... 8200
Kimbrell-Lawrence Transportation, Inc., et al.; notice of investigation ... 8201
Outward Continental North Pacific Freight Conference; order to show cause ... 8198

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Atlantic Seaboard Corp ... 8202
Wisconsin Gas Co., and Michigan Wisconsin Pipe Line Co. (3 documents) ... 8202, 8203

FEDERAL RESERVE SYSTEM
Notices
Otto Bremer Co.; amended notice of request for determination and order for hearing ... 8195

FOREST SERVICE
Rules and Regulations
Timber; awards of advertised timber ... 8180
Notices
San Gabriel Wilderness; notice of proposal and hearing announcement ... 8185

INTERIOR DEPARTMENT
See Land Management Bureau.

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section applications for relief ... 8203
Motor carrier transfer proceedings (2 documents) ... 8203

LAND MANAGEMENT BUREAU
Proposed Rule Making
Mineral leases, permits and licenses; miscellaneous amendments ... 8181

SECURITIES AND EXCHANGE COMMISSION
Notices
Pennzoil Co.; notice of filing regarding renewal and extension of notes to banks ... 8186

STATE DEPARTMENT
See Agency for International Development.

TARIFF COMMISSION
Notices
Steel jacks from Canada; notice of hearing ... 8185

TREASURY DEPARTMENT
Rules and Regulations
Transactions in foreign exchange, transfers of credit and export of coin and currency ... 8179
Notices
Aetna Casualty and Surety Co., et al.; companies holding certificates of authority as acceptable sureties on Federal bonds and as acceptable reinsuring companies ... 8187

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

213 (2 documents) 8175

7 CFR

15 8175
401 8175
916 (2 documents) 8176, 8177
917 8177
970 8178
PROPOSED RULES:
915 8181

14 CFR

71 (3 documents) 8178, 8179
PROPOSED RULES:
71 (3 documents) 8182, 8183

31 CFR

128 8179

36 CFR

221 8180

43 CFR

PROPOSED RULES:
3130 8181
3140 8181
3150 8181
3160 8181
3180 8181

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of the Navy

Section 213.3108 is amended to show that the name of the U.S. Medical Research Institute has been changed to Naval Medical Research Institute, and that the number of scientific and professional resident research associate positions excepted under Schedule A at the Naval Medical Research Institute has been increased from 5 to 10, and that the new limitation is on the number of appointments that may be made in any calendar year rather than on the number of positions that may be filled at any one time. Effective on publication in the FEDERAL REGISTER, paragraph (g) of § 213.3108 is amended as set out below.

§ 213.3108 Department of the Navy.

* * * * * *

(g) *Naval Medical Research Institute, National Naval Medical Center, Bethesda, Md.* (1) Scientific and professional resident research associate positions when filled on a temporary basis by persons with doctoral degrees in appropriate biological or biochemical sciences, or in medicine or related fields of study, for research activities of mutual interest to the appointee and to the Institute. Not more than 10 appointments per calendar year may be made under this exception. No individual may be employed for more than 1 year under this exception, except that with prior approval of the Commission an appointment may be extended for not more than one additional year.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6381; Filed, June 9, 1966; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

Federal Aviation Agency

Section 213.3357 is amended to show that one position of Assistant to the Chief, Congressional Relations Division, is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3357 is amended as set out below.

§ 213.3357 Federal Aviation Agency.

(a) One Assistant to the Chief, Congressional Relations Division.

* * * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6380; Filed, June 9, 1966; 8:47 a.m.]

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 15—NONDISCRIMINATION

Complaints

Subpart B, Part 15, Subtitle A, Title 7 CFR, § 15.52 is hereby revised to read as follows:

§ 15.52 Complaints.

(a) Any person who believes himself or any specific class of individuals to be subjected to discrimination prohibited by the regulations in this subpart may by himself or by an authorized representative file a written complaint based on the ground of such discrimination. No particular form of complaint shall be required. The complaint must be filed within 90 days from the date of the alleged discrimination unless the Secretary extends the time for filing. Any person who complains of discrimination shall be advised of his right to file a complaint as herein provided and each agency of the Department dealing with the public shall post in a conspicuous place in its office notice of the right to file a complaint under this subpart.

(b) Notwithstanding the foregoing provisions of this section, any complaint filed hereunder, to the extent that it involves a determination, decision or action under a program or activity covered by this subpart, shall be handled in accordance with the procedures established by law or regulation of the Department or any of its agencies for the handling of complaints or appeals under such program or activity which are not based on grounds of discrimination prohibited by this subpart: *Provided*, That the officer, committee or other employee receiving a complaint based on discrimination shall immediately furnish a notice and a factual report thereof to the Secretary in accordance with procedures established by each agency. Each action taken on any such complaint shall likewise be reported to the Secretary.

(c) Any complaint authorized by paragraph (a) of this section involving matters within the responsibility of an agency which has no complaint or appeal procedure established by law or regulations, may be filed directly with the Secretary of Agriculture. Any such complaint filed with any agency of the Department not having responsibility therefor shall be forwarded to the appropriate agency or to the Secretary.

(d) The investigative function with respect to complaints authorized by paragraph (a) of this section shall be discharged by the Office of the Inspector General in the manner determined by the Inspector General.

Effective date. This revision of § 15.52 to Subpart B, Part 15, Subtitle A, Title 7 CFR, shall become effective upon publication in the FEDERAL REGISTER.

Dated: June 7, 1966.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 66-6379; Filed, June 9, 1966; 8:47 a.m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

DISCONTINUANCE OF INSURANCE IN COUNTIES PREVIOUSLY DESIGNATED FOR BARLEY CROP INSURANCE

The counties listed below are hereby deleted from the list of counties published in the FEDERAL REGISTER on February 25, 1966 (31 F.R. 3113), which were designated for barley crop insurance for the 1967 crop year pursuant to the authority contained in § 401.1 of the above-identified regulations.

WISCONSIN	
Dodge.	Fond du Lac.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 66-6391; Filed, June 9, 1966; 8:48 a.m.]

Chapter IX—Consumer and Market-

paid advertising and sales promotion activities designed to expand the market

subdivision as may be prescribed pur-

committee shall require the concurring

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C.

Terms used in the marketing agree-

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 916—NECTARINES GROWN IN CALIFORNIA

Order Amending Order Regulating Handling

§ 916.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of the order; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Fresno, Calif., February 11, 1966, upon proposed amendment of the marketing agreement and to Order No. 916 (7 CFR Part 916), regulating the handling of nectarines grown in California. Upon the basis of the evidence adduced at such hearing and the record thereof, it is found that:

(1) The said order, as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order, as hereby amended, regulates the handling of nectarines grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The said order, as hereby amended, is limited in its application to the smallest regional production area that is practicable consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of nectarines grown in the production area which make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of nectarines grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found, on the basis hereinafter indicated, that good cause exists for making the provisions of this amendatory order effective upon publication in the FEDERAL REGISTER, and that it would be contrary to the public interest to postpone such effective time until 30 days after such publication (5 U.S.C. 1001–1011). The provisions of this order would authorize paid advertising and sales promotion activities designed to expand the market and stimulate the sales of nectarines. Shipment of the 1966 crop of nectarines are now beginning. Indications are that promotional activity in connection therewith may be needed to move the crop advantageously. Therefore, this order should be made effective as soon as practicable so that such promotional activity may be considered and such projects as may be indicated by the circumstances developed in accordance with such provisions. The provisions of this order are well known to producers and handlers. The hearing was held at Fresno, Calif., on February 11, 1966, and the recommended decision and final decision were published in the FEDERAL REGISTER on April 9, 1966 (31 F.R. 5635), and May 10, 1966 (31 F.R. 6871), respectively. Copies of the text of the amendment to the order have been made available to all known producers and handlers; the provisions of this order do not impose any obligations on handlers until promotional projects are developed in accordance therewith; and compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective time of such regulations.

(c) *Determinations.* It is hereby determined that:

(1) The "Marketing Agreement, as Amended, Regulating the Handling of Nectarines Grown in California," upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the fruit covered by this order) who, during the period March 1, 1965, through February 28, 1966, handled not less than 50 percent of the volume of nectarines covered by the said order as hereby amended; and

(2) The issuance of this order, amending the aforesaid order, is favored or approved by at least two-thirds of the respective producers who participated in a referendum on the question of its approval and who, during the determined representative period (March 1, 1965, through February 28, 1966), were engaged, within the production area specified in the aforesaid amended order, in the production for market of nectarines; such producers having also produced for market at least two-thirds of the volume of nectarines represented in such referendum.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of nectarines grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order as hereby amended as follows:

1. The provisions of § 916.12 are amended to read as follows:

§ 916.12 District.

"District" means the applicable one of the following described subdivisions of the production area or such other subdivision as may be prescribed pursuant to § 916.31:

(a) "District 1" shall include the counties of Madera, Fresno, and Kings and that portion of Tulare County north of the 4th Standard Parallel south of the Mount Diablo Base Line of the General Land Office.

(b) "District 2" shall include that portion of Tulare County not included in District 1.

(c) "District 3" shall include all of the production area lying south of the northern boundaries of the counties of San Luis Obispo, Kern, and San Bernardino.

(d) "District 4" shall include the counties of Merced, Stanislaus, and the balance of the production area.

2. The provisions of § 916.20 are amended to read as follows:

§ 916.20 Establishment and membership.

There is hereby established a Nectarine Administrative Committee consisting of eight members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he is an alternate. The members and their alternates shall be growers or employees of growers. Five of the members and their respective alternates shall be producers of nectarines in District 1. One member and his alternate shall be producers of nectarines in District 2; one of the members and his alternate shall be producers of nectarines in District 3; and one member and his alternate shall be producers of nectarines in District 4.

§ 916.22 [Amended]

3. The last sentence in paragraph (b) (1) and the last sentence in paragraph (b) (2) are deleted from § 916.22.[1]

§ 916.27 [Amended]

4. The last sentence of § 916.27 is deleted and the following substituted therefor: "In the event both a member of the committee and his alternate are unable to attend a committee meeting, the member or the committee members present may designate any other alternate to serve in such member's place and stead provided such action is necessary to secure a quorum."

5. Paragraph (a) of § 916.32 is revised to read as follows:

§ 916.32 Procedure.

(a) Six members of the committee, or alternates acting for members, shall constitute a quorum and any action of the committee shall require the concurring vote of the majority of those present: *Provided,* That actions of the committee with respect to expenses and assessments, or recommendations for regulations pursuant to §§ 916.50 to 916.55, shall require at least six concurring votes.

* * * * * *

6. The provisions of § 916.33 are amended to read as follows:

§ 916.33 Expenses and compensation.

The members of the committee, and alternates when acting as members, shall serve without compensation but shall be reimbursed for expenses necessarily incurred by them in the performance of their duties under this part: *Provided,* That the committee at its discretion may request the attendance of one or more alternates at any or all meetings notwithstanding the expected or actual presence of the respective members and may pay expenses as aforesaid.

7. The provisions of § 916.45 are amended to read as follows:

§ 916.45 Marketing research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of nectarines. Such projects may provide for any form of marketing promotion including paid advertising. The expense of such projects shall be paid by funds collected pursuant to § 916.41.

§ 916.64 [Amended]

8. The provisions of § 916.64 are amended as follows:

a. Paragraph (e) is redesignated as paragraph (f).

b. Paragraph (d) is deleted and the following substituted therefor:

(d) The committee shall consider all petitions from growers submitted to it for termination of this part provided such petitions are received by the committee prior to October 1 of the then current fiscal period. Upon recommendation of the committee received not later than December 1 of the then current fiscal period, the Secretary shall conduct a referendum among the growers prior to February 15 of such fiscal period to ascertain whether continuance of this part is favored by producers.

(e) The Secretary shall conduct a referendum within the period beginning December 1, 1968, and ending February 15, 1969, to ascertain whether continuance of this part is favored by the growers. The Secretary shall conduct such a referendum within the same period of every fourth fiscal period thereafter.

[1] These sentences, which were suspended on Jan. 15, 1959 (24 F.R. 356) and do not appear in 7 CFR Part 916, read as follows:

"(b) (1) * * * Such procedure shall include the subdivision of multiple member districts into election districts designed to provide equitable distribution of representation.

"(b) (2) * * * Each such grower, including employees of such grower, shall be entitled to cast but one vote for one nominee for member and one vote for one nominee for alternate member in the district or election district in which he produces nectarines."

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, June 7, 1966, to become effective upon publication in the FEDERAL REGISTER.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66-6392; Filed, June 9, 1966; 8:48 a.m.]

PART 916—NECTARINES GROWN IN CALIFORNIA

Expenses and Rate of Assessment and Carryover of Unexpended Funds

On May 24, 1966, notice of rule making was published in the FEDERAL REGISTER (31 F.R. 7482) regarding proposed expenses and the related rate of assessment for the period beginning March 1, 1966, and ending February 28, 1967, pursuant to the marketing agreement and Order No. 916 (7 CFR Part 916), regulating the handling of nectarines grown in California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Nectarine Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 916.205 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Nectarine Administrative Committee during the period March 1, 1966, through February 28, 1967, will amount to $183,581.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 916.41, is fixed at $0.03 per standard lug box of nectarines, or equivalent quantity of nectarines in other containers or in bulk.

(c) *Reserve.* Unexpended assessment funds, in excess of expenses incurred during the fiscal period ending February 28, 1967, shall be carried as a reserve in accordance with the applicable provisions of § 916.42 of said marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) shipments of the current crop of nectarines grown in California are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable nectarines handled during the aforesaid period; and (3) such period began on March 1, 1966, and said rate of assessment will automatically apply to all such nectarines beginning with such date.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order, and "standard lug box" shall mean the No. 26 standard lug box set forth in section 828.4 of the Agricultural Code of California.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 6, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6377; Filed, June 9, 1966; 8:47 a.m.]

[Plum Reg. 7]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Grade and Size

§ 917.378 Plum Regulation 7 (Tragedy).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was

held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) The provisions of § 917.373 (Plum Regulation 2; 31 F.R. 7242) shall not apply to Tragedy plums during the period specified in subparagraph (2) of this paragraph.

(2) During the period beginning at 12:01 a.m., P.s.t., June 10, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Tragedy plums unless:

(i) Such plums grade at least U.S. No. 1, with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted by such grade; and

(ii) Such plums are of a size that, when packed in a standard basket, they will pack at least a 5 x 6 standard pack.

(3) When used herein, "U.S. No. 1," "standard pack," and "serious damage" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520–1538 of this title; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 8, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6420; Filed, June 9, 1966; 8:49 a.m.]

PART 970—CARROTS GROWN IN SOUTH TEXAS

Order Terminating Marketing Agreement and Order

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), a referendum was conducted among south Texas carrot producers during the period March 31 through April 4, 1966 (31 F.R. 4353). The purpose of the referendum was to determine whether such producers favor continuation or termination of Marketing Agreement No. 142 and Order No. 970 (7 CFR Part 970) regulating the handling of carrots grown in south Texas (hereinafter referred to collectively as the "order").

It is hereby found upon the basis of said referendum that termination of the order is favored by a majority of the producers who, during the determined representative period August 1, 1964, to July 31, 1965, have been engaged in the production for market of carrots grown within the production area specified in such order. It is further found that such majority of producers has, during such representative period, produced for market more than 50 per centum of the volume of carrots produced for market within such production area.

Therefore, pursuant to § 970.84(c) of the order and § 608c(16)(B) of the act, Marketing Agreement No. 142 and said Order No. 970, and the rules and regulations thereunder, are, with the exception of §§ 970.43, 970.85, and 970.86, hereby terminated at the end of the current fiscal and marketing period, i.e., July 31, 1966.

The Director, Fruit and Vegetable Division, Consumer and Marketing Service, is authorized to supervise liquidation by the trustees of the affairs of the South Texas Carrot Committee, to appoint any successor trustees, to take any other action necessary to complete the liquidation, and to discharge the liquidating trustees. Upon determination by the Director that liquidation has been completed, he shall terminate §§ 970.43, 970.85, and 970.86.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated June 7, 1966 to become effective July 31, 1966.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66-6393; Filed, June 9, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65-EA-110]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation and Alteration of Controlled Airspace

The purpose of these amendments is to revoke the Boston, Mass., control area extension, to substitute references to the Boston transition area for the Boston control area extension, as appropriate, in additional control areas, and to include a portion of the present Boston control area extension within the Portland, Maine transition area.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The Boston control area extension is now covered by portions of the Boston, Falmouth, Mass., Chicopee Falls, Mass., Concord, N.H., Portland, Maine, and Providence, R.I., transition areas. Included in this action are editorial changes to Control 1141 and Control 1142 to substitute references to the Boston control areas extension with references to the Boston transition area. In addiion, continued designation of the portion of the Boston control area extension outside of the continental control area extending upward from FL 240 to FL 300 inclusive within an 18-mile radius of the Pease, N.H., RBN is required for Pease AFB high altitude IFR activities.

Since the airspace required for the protection of IFR operations in this area is included within the descriptions of the above-mentioned transition areas and all unnecessary controlled airspace is hereby released to the public for other purposes, the burden upon the public is reduced. For this reason the Administrator finds that notice and public procedure hereon are unnecessary, and for this reason the amendments may become effective without regard to the 30 day statutory period preceding effectiveness.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

a. In § 71.163 (31 F.R. 2050) the following actions are taken:

1. In the text of Control 1141, "Boston, Mass., control area extension," is deleted, and "Boston, Mass., transition area," is substituted therefor.

2. In the text of Control 1142, "Boston control area extension," is deleted, and "Boston, Mass., transition area," is substituted therefor.

b. In § 71.165 (31 F.R. 2055), the Boston, Mass., control area extension is revoked.

c. In § 71.181 (31 F.R. 2149), the Portland, Maine, transition area is amended as follows: In the text, "excluding the portion within R–4901 and C–516." is deleted and "including that airspace outside of the continental control area extending upward from FL 240 to FL 300, inclusive, within an 18-mile radius of the Pease, N.H., RBN. The portions within R–4901 and C–516 are excluded." is substituted therefor.

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510); Executive Order 10854 (24 F.R. 9565))

Issued in Washington, D.C., on June 3, 1966.

JOHN D. MATTSON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6356; Filed, June 9, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-43]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On May 6, 1966, F.R. Doc. No. 66-4943 was published in the FEDERAL REGISTER (31 F.R. 6791). Item 4 of this document altered a segment of V–86 to read "Billings, Mont.; 32 miles 12 AGL, 35 miles 75 MSL, 12 AGL Sheridan, Wyo.; 20 miles 12 AGL, 45 miles 70 MSL, 72 miles 80 MSL, 12 AGL Rapid City, S. Dak.;". Subsequent to publication of the document, it was determined that the 8,000-foot MSL segment of V–86 would be less than 1,200 feet AGL in the vicinity of Laird Peak. Reestablishment of the 1,200-foot AGL segment approximately 9 miles further west to a point 54 miles west of the Rapid City VORTAC, would alleviate this condition. Such action is taken herein.

Since this action is minor in nature and will result in a reduced amount of assigned airspace, the Administrator has determined that notice and public procedure hereon are unnecessary and that the action may be made effective immediately.

In consideration of the foregoing, effective immediately, F.R. Doc. No. 66-4943, Item 4 is amended as follows: In V–86 "72 miles" is deleted and "63 miles" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on June 3, 1966.

JOHN D. MATTSON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6357; Filed, June 9, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-25]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The Federal Aviation Agency is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Andover, N.J. (31 F.R. 2153) 700-foot floor transition area.

Due to a U.S. Coast and Geodetic Survey refinement of the airport geographical coordinates an alteration in the description of the Andover, N.J., 700-foot floor transition area will be necessary. Also, an additional extension will be required to more accurately portray the airspace protection requirements for the final approach course.

Since these amendments are minor in nature, notice and public procedure hereon are unnecessary and the amendments may be made effective upon publication.

In view of the foregoing, the amendments are hereby adopted effective upon publication in the FEDERAL REGISTER as follows:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Andover, N.J., transition area the coordinates, "41°00'–00" N., 74°44'00" W." and insert in lieu thereof, "41°00'30" N., 74°44'20" W.". Also revise the description to add the phrase, "within 2 miles each side of the Stillwater, N.J., VOR 083° radial extending from the 7-mile radius area to the VOR" after the words, "west of the VOR" and before the words, "effective from sunrise to sunset daily."

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on May 27, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-6358; Filed, June 9, 1966; 8:45 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 128—TRANSACTIONS IN FOREIGN EXCHANGE, TRANSFERS OF CREDIT, AND EXPORT OF COIN AND CURRENCY

Amendment of Appendix

The Appendix to Part 128 sets forth the texts of determinations which had been made by the National Advisory Council and the Bureau of the Budget pursuant to section 2 (a) and (b) of E.O. 10033. These determinations have been superseded and accordingly, the Appendix to Part 128 is hereby amended to read as follows:

I. Determination of the National Advisory Council pursuant to E.O. 10033.

In an action dated September 7, 1965, the National Advisory Council on International Monetary and Financial Problems made the following determination pursuant to section 2(a) of E.O. 10033 of February 8, 1949:

Action 65 (E.O.)–49. The National Advisory Council, having consulted with the Director of the Bureau of the Budget, determines that current information with respect to international capital movements, derived from data on U.S. liabilities to and claims on foreigners and transactions in securities with foreigners, and current information with respect to U.S. gold holdings, foreign-currency holdings, and dollar liabilities to foreigners, are essential in order that the United States may comply with official requests of the International Monetary Fund for information with respect to the U.S. balance of payments and monetary reserves.

Action No. 320, March 17, 1949, is superseded by this determination and is hereby revoked.

II. Designation of the Treasury Department by the Director of the Bureau of the Budget pursuant to section 2(b) of E.O. 10033.

On December 1, 1965, the Treasury Department was designated, pursuant to section 2(b) of E.O. 10033 of February 8, 1949, to collect information for the International Monetary Fund under the National Advisory Council determination of September 7, 1965. The letter containing the designation reads as follows:

DECEMBER 1, 1965.

Hon. HENRY H. FOWLER,
Secretary of the Treasury,
Washington, D.C., 20220.

DEAR MR. SECRETARY: On September 7, 1965, the National Advisory Council, after consultation with this Bureau in accordance with section 2(a) of Executive Order 10033, made the following determination (Action 65 (E.O.)–49):

"The National Advisory Council, having consulted with the Director of the Bureau of the Budget, determines that current information with respect to international capital movements, derived from data on U.S. liabilities to and claims on foreigners and transactions in securities with foreigners, and current information with respect to U.S. gold holdings, foreign-currency holdings, and dollar liabilities to foreigners, are essential in order that the United States may comply with official requests of the International Monetary Fund for information with respect to the U.S. balance of payments and monetary reserves."

It is hereby determined, pursuant to section 2(b) of Executive Order 10033, that the Treasury Department shall collect information pertaining to capital movements between the United States and foreign countries and pertaining to the monetary reserves of the United States, except information pertaining to direct-investment transactions, U.S. Government foreign lending operations, and claims and liabilities of U.S. Government agencies (other than public debt obligations), which is collected by the Department of Commerce.

This letter supersedes the earlier determination as to the responsibilities of the Treasury Department in this area, dated April 21, 1949, as amended May 4, 1950.

Sincerely yours,

RAYMOND T. BOWMAN,
Assistant Director for Statistical Standards.

Note to § 128.2. A note is being added to this section for the purpose of calling attention to the actions abolishing and reestablishing the National Advisory Council and amending Executive Order 10033 of February 9, 1949.

The note shall read as follows:

NOTE: The National Advisory Council on International Monetary and Financial Problems created by section 4 of the Bretton Woods Agreements Act (59 Stat. 512; 22 U.S.C 286b) was abolished, effective July 27, 1965, under Reorganization Plan No. 4 of 1965 pursuant to the Reorganization Act of 1949 and its functions were transferred to the President.

Executive Order 11238, July 28, 1965, (1) established a new "National Advisory Council on International Monetary and Financial Problems" with the same membership, functions, and status as the Council established by section 4 of the Bretton Woods Agreements had had immediately prior to the taking effect of Reorganization Plan No. 4 of 1965, and (2) provided that the new Council should terminate on January 1, 1966, or on such earlier date as might be prescribed.

Executive Order 11269, February 14, 1966, established, effective January 1, 1966, the "National Advisory Council on International Monetary and Financial Policies" and delegated to it all the functions which had been vested in the Presi-

dent under Reorganization Plan No. 4 of 1965, exclusive of certain functions delegated to the Secretary of the Treasury. Section 5 of the Executive Order amended section 2(a) of Executive Order 10033, February 8, 1949, by substituting for the name "National Advisory Council on International Monetary and Financial Problems" the following: "National Advisory Council on International Monetary and Financial Policies."

[SEAL] MERLYN N. TRUED,
Assistant Secretary.

[F.R. Doc. 66-6383; Filed, June 9, 1966; 8:47 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

[Reg. S-10]

PART 221—TIMBER

Awards of Advertised Timber

Section 221.10 of Title 36, Code of Federal Regulations, is amended by the addition of paragraph (d) to read as follows:

§ 221.10 Awards of advertised timber.

* * * * * *

(d) If timber is advertised as set aside for competitive bidding by small business concerns, award will be made to the highest bidder who qualifies as a small business concern and who has not been determined by the Small Business Administration to be ineligible for preferential award of set-aside sales.

(30 Stat. 35, as amended, 16 U.S.C. 476, 551)

Done at Washington, D.C., this 7th day of June 1966.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 66-6395; Filed, June 9, 1966; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Parts 3130, 3140, 3150, 3160, 3180]

MINERAL LEASES, PERMITS, AND LICENSES

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Mineral Leasing Act of 1920 (41 Stat. 437; 30 U.S.C. 108 et seq.), as amended, the act of August 31, 1964 (P.L. 88-526; 78 Stat. 710), and section 2478 of the Revised Statutes (43 U.S.C. 1201), it is proposed to amend 43 CFR Parts 3130, 3140, 3150, 3160, and 3180 as set forth below.

The purpose of the amendments is to provide for the filing of a statement of interest of applicants for mineral leases and permits similar to that presently required for oil and gas lease applications.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments, to the Bureau of Land Management, Washington, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Amend § 3131.2 by adding a new paragraph (e) to read as follows:

§ 3131.2 Application for lease.

* * * * * *

(e) Every applicant for lease or permit must submit at the time of filing a signed statement that he is the sole party in interest in the offer and the lease or permit, if issued; if not, he shall set forth the names of the other interested parties. If there are other parties interested in the offer, a separate statement must be signed by them and by the offeror setting forth the nature and extent of the interest of each in the offer, the nature of the agreement between them, if oral, and a copy of such agreement if written. Such separate statement of interest and written agreement, if any, or a statement of the nature of such agreement, if oral, must accompany the application. Simultaneously, all interested parties must furnish evidence of their qualifications to hold such lease interest or permit.

2. Amend § 3141.2 by adding a new subparagraph (5) to paragraph (b) to read as follows:

§ 3141.2 Qualifications of applicant.

* * * * * *

(b) * * *

(5) At the time of filing, a signed statement by the offeror that he is the sole party in interest in the offer and the lease or permit, if issued; if not, he shall set forth the names of the other interested parties. If there are other parties interested in the offer, a separate statement must be signed by them and by the offeror setting forth the nature and extent of the interest of each in the offer, the nature of the agreement between them, if oral, and a copy of such agreement if written. Such separate statement of interest or written agreement, if any, or a statement of the nature of such agreements, if oral, must accompany the application. Simultaneously, all interested parties must furnish evidence of their qualifications to hold such lease interest or permit.

3. Amend § 3151.2 by adding a new subparagraph (5) to paragraph (b) to read as follows:

§ 3151.2 Qualifications of applicant.

* * * * * *

(b) * * *

(5) At the time of filing, a signed statement by the offeror that he is the sole party in interest in the offer and the lease or permit, if issued; if not, he shall set forth the names of the other interested parties. If there are other parties interested in the offer, a separate statement must be signed by them and by the offeror setting forth the nature and extent of the interest of each in the offer, the nature of the agreement between them, if oral, and a copy of such agreement if written. Such separate statement of interest or written agreement, if any, or a statement of the nature of such agreement, if oral, must accompany the application. Simultaneously, all interested parties must furnish evidence of their qualifications to hold such lease interest or permit.

4. Amend § 3161.2 by adding a new subparagraph (5) to paragraph (b) to read as follows:

§ 3161.2 Qualifications of applicant.

* * * * * *

(b) * * *

(5) At the time of filing, a signed statement by the offeror that he is the sole party in interest in the offer and the lease or permit, if issued; if not, he shall set forth the names of the other interested parties. If there are other parties interested in the offer, a separate statement must be signed by them and by the offeror setting forth the nature and extent of the interest of each in the offer, the nature of the agreement between them, if oral, and a copy of such agreement if written. Such separate statement of interest and written agreement, if any, or a statement of the nature of such agreement, if oral, must accompany the application. Simultaneously, all interested parties must furnish evidence of their qualifications to hold such lease interest or permit.

5. Amend § 3181.2 by adding a new subparagraph (5) to paragraph (b) to read as follows:

§ 3181.2 Qualifications of applicants.

* * * * * *

(b) * * *

(5) At the time of filing, a signed statement by the offeror that he is the sole party in interest in the offer and the lease or permit, if issued; if not, he shall set forth the names of the other interested parties. If there are other parties interested in the offer, a separate statement must be signed by them and by the offeror setting forth the nature and extent of the interest of each in the offer, the nature of the agreement between them, if oral, and a copy of such agreement if written. Such separate statement of interest and written agreement, if any, or a statement of the nature of such agreement, if oral, must accompany the application. Simultaneously, all interested parties must furnish evidence of their qualifications to hold such lease interest or permit.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66-6371; Filed, June 9, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 915]

AVOCADOS GROWN IN SOUTH FLORIDA

Approval of Expenses and Fixing of Rate of Assessment for 1966-67 Fiscal Year

Consideration is being given to the following proposals submitted by the Florida Avocado Administrative Committee, established under the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof: (1) That expenses that are reasonable and likely to be incurred by the Avocado Administrative Commit-

tee, during the period from April 1, 1966, through March 31, 1967, will amount to $10,816; and (2) that there be fixed, at $0.05 per bushel of avocados, the rate of assessment payable by each handler in accordance with § 915.41 of the aforesaid marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: June 6, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6378; Filed, June 9, 1966; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 63-SO-56]

TRANSITION AREA AND CONTROL AREA EXTENSION

Proposed Alteration and Revocation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Key West, Fla., transition area and revoke the Key West control area extension.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency having completed a comprehensive review of the terminal airspace structure requirements in the Key West terminal area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, proposes the following airspace actions.

a. Alter the Key West transition area by redesignating it as that airspace extending upward from 700 feet above the surface within a 7-mile radius of NAS Key West (Boca Chica) (latitude 24°34'-26'' N., longitude 81°41'18'' W.); within 2 miles each side of the 251° True bearing from the Navy Key West UHF RBN, extending from the 7-mile radius area to 23 miles west of the UHF RBN; within 2 miles each side of the Navy Key West TACAN 246° True radial, extending from the 7-mile radius area to 16 miles southwest of the TACAN; and that airspace extending upward from 1,200 feet above the surface bounded by a line extending from latitude 25°04'05'' N., longitude 81°58'15'' W., thence clockwise along the arc of a 35-mile radius circle centered at the Key West VORTAC to latitude 24°-08'50'' N., longitude 82°04'35'' W., to latitude 24°13'00'' N., longitude 82°02'-30'' W., to latitude 24°13'00'' N., longitude 82°21'00'' W., to latitude 24°25'00'' N., longitude 82°32'00'' W., to latitude 24°45'00'' N., longitude 82°32'00'' W., to latitude 24°45'00'' N., longitude 81°56'-50'' W., to latitude 24°49'00'' N., longitude 81°55'00'' W., to the point of beginning, including the airspace northeast of Key West bounded on the north by Blue 19, on the east and south by V-3, and on the southwest by the 35-mile radius circle, excluding the portion within W-173 and W-465.

b. The Key West control area extension would be revoked.

Navy Key West Approach Control provides approach control service for the Key West International Airport, NAS Boca Chica, and NAS Key West Seadrome. A 7-mile radius area of NAS Boca Chica is required for the protection of IFR aircraft departing all runways until reaching 1,200 feet above the surface. A 1,200-foot transition area is required within a 35-mile radius of Key West VOR with an extension required to the west to encompass the area under approach control jurisdiction and holding areas. Airspace at low level is also required for low level military IFR maneuvers, AFIO scramble procedures and on-course requested scramble departures, as well as normal departure routings. The extension to the northeast of Key West extending from the 35-mile radius arc bounded on the north by B-10 and on the east and south by V-3 is required for overseas operations which are routed over Marathon radio beacon direct to Sable INT, thence direct Perrine radio beacon or Miami ILS outer marker.

The western extension with the 1,200-foot floor is required to provide protected airspace for jet instrument approach procedures employing delayed descent features followed by lengthy low altitude approach segments. The southern portion is required for low altitude holding southeast of the Dorado Intersection and for departures utilizing Control 1233 at 1,500 feet for distances of 25 nautical miles.

Revocation of the Key West control area extension is proposed as this designated airspace would no longer be required to protect instrument operations in the area.

No changes would be made to instrument approach procedures at Key West as a result of this action. Alterations of the Key West control zone were accomplished in Airspace Docket No. 65-SO-29 (30 F.R. 12332, 13512).

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510), and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on June 3, 1966.

JOHN D. MATTSON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6359; Filed, June 9, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-40]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the Manhattan, Kans., terminal area.

The following controlled airspace is presently designated in the Manhattan, Kans., terminal area:

The Manhattan, Kans., transition area is designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Manhattan Airport (latitude 39°08'35'' N., longitude 96°40'05'' W.), within 2 miles each side of the Manhattan VOR 046° radial, extending from the 7-mile radius area to 8 miles NE of the VOR; within 2 miles NE and 3 miles SW of the 127° bearing from the Manhattan RBN, extending from the RBN to 10 miles SE; within 6 miles S and 9 miles N of the Fort Riley VOR 059° radial extending from the VOR to 21 miles NE; within 2 miles each side of the Fort Riley VOR 222° radial extending from the VOR to 8 miles SW; and that airspace extending upward from 1,200 feet above the surface within a 23-mile radius of the Marshall AAF (latitude 39°03'15'' N., longitude 96°-45'50'' W.). The portion of this transition area within R-3602 shall be used only after obtaining prior approval from the appropriate authority.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Manhattan, Kans., terminal area, proposes the following airspace action:

Redesignate the Manhattan, Kans., transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Manhattan Airport (latitude 39°08'35'' N., longitude 96°40'05'' W.), within 2 miles each side of the Manhattan VOR 046° radial extending from the 7-mile radius area to 8 miles NE of the VOR; within 2 miles NE and 3 miles SW of the 127° bearing from the Manhattan RBN, extending from the RBN to 10 miles SE; within 6 miles S and 9 miles N of the Fort Riley VOR 059° radial extending from the VOR to 21 miles NE; within 2 miles each side of the Fort Riley VOR 222° radial extending from the VOR to 8 miles SW; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 39°27'00'' N., longitude 96°31'00'' W., direct to latitude 39°02'50'' N., longitude 97°28'20'' W., thence S clockwise along the arc of the 14-mile radius circle centered on the Salina VORTAC, to the N edge of V-4S, thence E along the N boundary of V-4S to the Emporia VORTAC 346° radial thence N along the Emporia VORTAC 346° radial to the point of beginning. The portion of this transition area within R-3602 shall be used only after obtaining prior approval from the appropriate authority.

The proposed modification is to the Manhattan, Kans., 1,200-foot transition area and will provide controlled airspace for aircraft departing from and arriving at Marshall AAF, Fort Riley, Kans., and the Manhattan, Kans., Municipal Airport. The modification will also permit radar vectoring for aircraft departing from and arriving at adjacent terminal areas.

The floors of the airways that traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

No procedural changes would be effected in conjunction with the actions proposed herein.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this Notice in order to become part of the record for consideration. The proposal contained in this Notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo., 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 31, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-6360; Filed, June 9, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-51]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the Topeka, Kans., terminal area.

The following controlled airspace is presently designated in the Topeka, Kans., terminal area:

The Topeka, Kans., transition area is designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Philip Billard Airport, Topeka, Kans. (latitude 39°-04'09'' N., longitude 95°37'18'' W.), within 2 miles each side of the Topeka VORTAC 039° radial, extending from the 7-mile radius area to 8 miles NE of the VORTAC, within 5 miles SW and 8 miles NE of the Philip Billard Airport ILS localizer NW course extending from 3 miles SE to 12 miles NW of the OM; within a 7-mile radius of Forbes AFB, Topeka, Kans. (latitude 38°57'10'' N., longitude 95°39'50'' W.), and within 2 miles each side of the Forbes AFB TACAN 321° radial extending from the 7-mile radius area to 9 miles NW of the TACAN; that airspace upward from 1,200 feet above the surface bounded by a line beginning at latitude 38°22'30'' N., longitude 96°-02'00'' W., thence SE along a line 8 miles NE of and parallel to the Emporia, Kans., VORTAC 134° radial to the S boundary of V-10, thence NE along the S boundary of V-10 to latitude 38°53'00'' N., longitude 95°05'10'' W., thence NW to latitude 38°59'00'' N., longitude 95°-12'20'' W., thence N to latitude 39°30'00'' N., longitude 95°09'00'' W., thence N along longitude 95°09'00'' W., to the arc of a 20-mile radius circle centered on the Rosecrans Memorial Airport, St. Joseph, Mo. (latitude 39°46'23'' N., longitude 94°54'31'' W.), thence clockwise along the arc of the 20-mile radius circle to the W boundary of V-77, thence SW along the W boundary of V-77 to the arc of a 28-mile radius circle centered on the Philip Billard Airport, thence counterclockwise along the arc of the 28-mile radius circle to the longitude 95°45'00'' W., thence NW to latitude 39°40'00'' N., longitude 95°57'00'' W., thence SW to latitude 39°26'50'' N., longitude 96°-30'50'' W., thence SE along the Emporia VORTAC 346° radial to the arc of a 23-mile radius circle centered on Marshall AAF Fort Riley, Kans. (latitude 39°-03'15'' N., longitude 96°45'50'' W.); thence clockwise along the arc of the 23-mile radius circle to the intersection of the Emporia VORTAC 346° radial, thence SE along the Emporia VORTAC 346° radial to the arc of a 5-mile radius circle centered on the Emporia Municipal Airport, Emporia, Kans. (latitude 38°-20'00'' N., longitude 96°11'15'' W.), thence clockwise along the arc of the 5-mile radius circle to the Emporia VORTAC 044° radial, thence NE along the 044° radial to the point of beginning; and that airspace extending upward from 3,500 feet MSL bounded by a line beginning at latitude 40°02'20'' N., longitude 96°43'00'' W., thence E along the S boundary of V-216 and V-50 to the arc of a 20-mile radius circle centered on the Rosecrans Memorial Airport, thence counterclockwise along the arc of the 20-mile radius circle to the W boundary of V-77, thence SW along the west boundary of V-77 to the arc of a 28-mile radius circle centered on Philip Billard Airport, thence counterclockwise along the arc of the 28-mile radius circle to longitude 95°45'00'' W., thence NW to latitude 39°40'00'' N., longitude 95°-57'00'' W., thence SW to latitude 39°-26'50'' N., longitude 96°30'50'' W., thence NW to the point of beginning.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Topeka, Kans., terminal area, which revealed a need for revising the designated 1,200-foot transition area, proposes the following airspace action:

Redesignate the Topeka, Kans., transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Philip Billard Airport, Topeka, Kans. (latitude 39°04'-09'' N., longitude 95°37'18'' W.), within 2 miles each side of the Topeka VORTAC 039° radial extending from the 7-mile radius area to 8 miles NE of the VORTAC, within 5 miles SW and 8 miles NE of the Philip Billard Airport ILS localizer NW course, extending from 3 miles SE to 12 miles NW of the OM, within a 7-mile radius of Forbes AFB, Topeka, Kans. (latitude 38°57'10'' N., longitude 95°39'-50'' W.), and within 2 miles each side of the Forbes AFB TACAN 321° radial extending from the 7-mile radius area to 9 miles NW of the TACAN; that airspace extending upward from 1,200 feet above the surface bounded by the Emporia, Kans., VORTAC 346° radial beginning at latitude 39°26'50'' N., longitude 96°30'-50'' W., S to the NW edge of V-10, thence NE to latitude 39°00'00'' N., longitude 95°09'00'' W., thence N along longitude 95°09'00'' W. to the S edge of V-71, thence NW to latitude 39°49'00'' N., longitude 95°34'00'' W., thence direct to point of beginning excluding the portion within the Emporia, Kans., transition area.

The additional controlled airspace proposed herein will provide protection for aircraft executing the Topeka JAL/VOR approach procedure. Air Traffic Control requirements no longer exist for the 3,500-foot floor transition area.

The floors of the airways that traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

No procedural changes would be effected in conjunction with the actions proposed herein.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contracting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo., 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 27, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-6361; Filed, June 9, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[P. & S. Docket No. 344]

UNION STOCK YARDS CO. OF OMAHA (LTD.)

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on June 23, 1965 (24 A.D. 823), continuing in effect to and including July 31, 1967, an order issued on June 18, 1962 (21 A.D. 571), authorizing the respondent, Union Stock Yards Co. of Omaha (Ltd.), Omaha, Nebr., to assess the current temporary schedule of rates and charges.

By a petition filed on May 26, 1966, the respondent requested authority to modify, as soon as possible, the current temporary schedule of rates and charges as indicated below, and requested that the current schedule, as so modified, be continued for a period of 2 years.

SECTION NO. 1—YARDAGE CHARGES

	Rate per head	
	Present	Proposed
(a) All livestock received, and (b) all livestock reweighed or resold:		
Cattle (except bulls 700 pounds or over)	$1.12	$1.20
Bulls (minimum 700 pounds)	1.65	1.75
Calves (maximum 400 pounds)	.65	.80
Hogs	.40	.44
Sheep or goats	.23	.25
Horses or mules	1.12	1.20
Exceptions		
• • •	• • •	• • •
(d) Livestock resold or reweighed, other than through a commission firm, in these yards for local delivery will be assessed the following yardage charges:		
Cattle (except bulls 700 pounds or over)	.37	.40
Bulls (minimum 700 pounds)	.53	.57
Calves (maximum 400 pounds)	.22	.23
Hogs	.14	.15
Sheep or goats	.07	.08
(e) Livestock resold or reweighed, other than through a commission firm, in these yards for shipment off the market, the following charges will apply:		
Cattle (except bulls 700 pounds or over)	.17	.18
Bulls (minimum 700 pounds)	.26	.28
Calves (maximum 400 pounds)	.11	.12
Hogs	.08	.09
Sheep or goats	.03	.03

The modifications, if authorized, will produce additional revenue for the respondent and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, within 10 days after the publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of June 1966.

GLENN G. BIERMAN,
Acting Director, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 66-6394; Filed, June 9, 1966; 8:48 a.m.]

Forest Service

SAN GABRIEL WILDERNESS

Proposal and Hearing Announcement

Notice is hereby given in accordance with the provisions of the Wilderness Act of September 3, 1964 (P.L. 88-577; 78 Stat. 890, 892; 16 U.S.C. 1131, 1132), that a public hearing will be held beginning at 9 a.m., on July 27, 1966, in the auditorium, Eaton Canyon Nature Center, 1750 North Altadena Drive, Altadena, Calif., on a proposal for a recommendation to be made by the Secretary of Agriculture to the President of the United States that a recommendation be submitted to Congress for the establishment of the San Gabriel Wilderness, comprising about 36,137 acres, including most of the Devil Canyon—Bear Canyon Primitive Area, and one contiguous area. The proposed San Gabriel Wilderness is located within the Angeles National Forest, Los Angeles County, State of California.

A brochure containing a map and information about the proposed Wilderness may be obtained from the Forest Supervisor, Angeles National Forest, 1015 North Lake Avenue, Pasadena, Calif., or the Regional Forester, Appraiser's Building, 630 Sansome Street, San Francisco, Calif.

Individuals and organizations are invited to express their views by appearing at the Hearing or may submit written comments for inclusion in the official record to Regional Forester, Appraiser's Building, 630 Sansome Street, San Francisco, Calif., 94111, by August 27, 1966.

A. W. GREELEY,
Associate Chief, Forest Service.

[F.R. Doc. 66-6396; Filed, June 9, 1966; 8:48 a.m.]

Office of the Secretary

TEXAS

Extension of Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Texas natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Texas:	*Present designation*
Ellis	30 F.R. 13907
Fannin	30 F.R. 11977
Fort Bend	30 F.R. 10864

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 7th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6397; Filed, June 9, 1966; 8:48 a.m.]

TARIFF COMMISSION

[AA1921-49]

STEEL JACKS FROM CANADA

Notice of Hearing

Notice is hereby given that the U.S. Tariff Commission, on June 7, 1966, ordered a public hearing to be held in connection with the investigation instituted under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), with respect to steel jacks imported from Canada, manufactured by J. C. Hallman Manufacturing Co., Ltd., Kitchner (formerly Waterloo), Ontario, Canada. Notice of the institution of this investigation was published in the FEDERAL REGISTER on May 25, 1966 (31 F.R. 7534).

The hearing will be held in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., at 10 a.m., e.d.s.t., on July 6, 1966. Interested parties desiring to appear and to be heard should notify the Secretary of the Commission, in writing, at least 3 days in advance of the date set for the hearing.

Issued: June 7, 1966.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 66-6384; Filed, June 9, 1966; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4390]

PENNZOIL CO.

Notice of Filing Regarding Renewal and Extension of Notes to Banks

JUNE 2, 1966.

Notice is hereby given that Pennzoil Co. ("Pennzoil"), 900 Southwest Tower, Houston, Tex., 77002, a registered holding company, has filed with this Commission a declaration and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 of the Act as applicable to the proposed transaction. All interested persons are referred to said declaration, as amended, which is summarized below, for a complete description of the proposed transaction.

Pennzoil proposes to renew and extend $214,975,000 principal amount of outstanding promissory notes payable to the banks named below, which Pennzoil issued and sold on December 20, 1965, immediately prior to its registration as a holding company under the Act:

Mellon National Bank & Trust Co., Pittsburgh, Pa.	$30,000,000
Chemical Bank New York Trust Co., New York, N.Y.	30,000,000
The First National Bank of Chicago, Ill.	30,000,000
Bank of America N.T. and S.A., Los Angeles, Calif.	30,000,000
National Bank of Detroit, Mich.	12,000,000
First National Bank in St. Louis, Mo.	5,000,000
The First National Bank & Trust Co., of Tulsa, Okla.	2,900,000
First National Bank of Fort Worth, Tex.	2,100,000
Third National Bank in Nashville, Tenn.	2,000,000
First National Lincoln Bank of Louisville, Ky.	2,000,000
Frost National Bank of San Antonio, Tex.	1,000,000
Bank of Texas, Houston, Tex.	1,375,000
The Kanawha Valley Bank, Charleston, W. Va.	750,000
The Alamo National Bank of San Antonio, Tex.	600,000
First Seneca Bank & Trust Co., Oil City, Pa.	600,000
The First National Bank of Midland, Tex.	500,000
Capital National Bank, Houston, Tex.	350,000
The Bradford National Bank, Bradford, Pa.	300,000
Republic National Bank of Dallas, Tex.	12,000,000
Franklin National Bank, New York, N.Y.	10,000,000
The Cleveland Trust Co., Cleveland, Ohio	10,000,000
Marine Midland Grace Trust Co. of New York, N.Y.	9,000,000
Marine Midland Trust Co. of Western New York, Buffalo, N.Y.	7,000,000
Pittsburgh National Bank, Pittsburgh, Pa.	5,500,000
Bank of California N.A., San Francisco, Calif.	5,000,000
Bank of the Southwest N.A., Houston, Tex.	5,000,000
Total	214,975,000

The outstanding notes mature June 30, 1966, bear interest at the rate of 5¼ percent per annum from the date of issue, and are subject to pro rata prepayment, in whole or in part, without premium or penalty except that, if prepayment is made directly or indirectly from the proceeds of other bank borrowings, a premium must be paid on the prepaid principal amount, calculated at the rate of ¼ of 1 percent per annum from the date of prepayment to the date of maturity.

Pennzoil proposes to renew and extend the maturity of all of the outstanding notes from June 30, 1966, to not later than December 31, 1966, upon substantially the same terms and conditions, except that the rate of interest, initially and as thereafter adjusted from time to time, will be ¼ of 1 percent in excess of the prime commercial rate for unsecured loans in effect from time to time during the extended period of the notes. The rate of interest initially is expected to be 5¾ percent per annum.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. Fees and expenses in connection with the renewal and extension of the notes are estimated at $3,750 including legal fees of $2,500.

Notice is further given that any interested person may, not later than June 21, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6373; Filed, June 9, 1966; 8:46 a.m.]

DEPARTMENT OF STATE

Agency for International Development

[Delegation of Authority 36; Amdt. 1]

ASSISTANT ADMINISTRATOR FOR ADMINISTRATION

Delegation of Authority

Pursuant to the authority delegated to me by Delegation of Authority No. 104 of November 3, 1961, as amended (26 F.R. 10608), I hereby direct that Delegation of Authority No. 36 to the Assistant Administrator for Administration (29 F.R. 5353) be, and it is hereby amended, as follows:

1. In paragraph 2., add a new subparagraph (e), reading as follows:

(e) Authority to settle and pay claims of officers and employees of the Agency for International Development (including employees serving under personal services contracts where an employer-employee relationship exists between themselves and this Agency) for damage to, or loss of, personal property incident to their service with this Agency, pursuant to authority contained in section 3 of the Military Personnel and Civilian Employees' Claims Act of 1964 (Public Law 88-558), as amended.

2. This amendment to Delegation of Authority No. 36 is effective immediately.

DAVID E. BELL, *Administrator.*

MAY 31, 1966.

[F.R. Doc. 66-6374; Filed, June 9, 1966; 8:46 a.m.]

MIZRACHI WOMEN'S ORGANIZATION OF AMERICA, INC.

Register of Voluntary Foreign Aid Agencies

In accordance with the regulations of the Agency for International Development concerning Registration of Agencies for Voluntary Foreign Aid (A.I.D. Regulation 3) 22 CFR Part 203, promulgated pursuant to section 621 of the Foreign Assistance Act of 1961, as amended, notice is hereby given that a certificate of registration [1] as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the Agency for International Development to the following agency:

Mizrachi Women's Organization of America, Inc., 242 Park Avenue South, New York, N.Y., 10003.

HERBERT J. WATERS, *Assistant Administrator for Material Resources.*

MAY 31, 1966.

[F.R. Doc. 66-6375; Filed, June 9, 1966; 8:46 a.m.]

[1] Certificate of registration filed as part of original document.

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570; 1966 Revision]

COMPANIES HOLDING CERTIFICATES OF AUTHORITY AS ACCEPTABLE SURETIES ON FEDERAL BONDS AND AS ACCEPTABLE REINSURING COMPANIES

JUNE 1, 1966.

This circular is published annually as of June 1, solely for the information of Federal bond-approving officers and persons required to give bonds to the United States. Interim changes in this circular are published in the FEDERAL REGISTER as they occur.

The following companies, except where otherwise noted, have complied with the law and the regulations of the Treasury Department and are acceptable as sureties on Federal bonds, to the extent and with respect to the localities indicated opposite their respective names.

[SEAL]

JOHN K. CARLOCK, *Fiscal Assistant Secretary of the Treasury.*

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM SECRETARY OF THE TREASURY UNDER ACT OF CONGRESS, APPROVED JULY 30, 1947 (6 U.S.C. 6-13) AS ACCEPTABLE SURETIES ON FEDERAL BONDS (a)

Names of companies and locations of principal executive offices.	Underwriting limitations (net limit on any one risk). See footnote (b). (In thousands of dollars)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
The Aetna Casualty and Surety Company, Hartford, Conn.	40,659	All	CONN.—All except Guam.
Aetna Insurance Company, Hartford, Conn.	12,961	All except Canal Zone, Kan.	CONN.—All except Canal Zone, Guam, Hawaii, Virgin Islands.
Agricultural Insurance Company, Watertown, N.Y.	2,254	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Guam, Hawaii, sIll., Ind., Ky., Md., Miss., N.C., Okla., Puerto Rico, Tenn., Virgin Islands, W. Va.
Allegheny Mutual Casualty Company, Meadville, Pa.	92	Alaska, Fla., Ind., Md., Mich., N.J., Ohio, Pa., Wis.	PA.—D.C., sFla., nIll., sInd., Md., eMich., N.J., Ohio, eWis.
Allied Mutual Insurance Company, Des Moines, Iowa.	1,528	Ariz., Colo., Ind., Iowa, Kans., Minn., Nebr., N. Dak., S. Dak., Wyo.	IOWA—Ariz., Colo., D.C., Kans., Minn., Nebr., N.Dak., S. Dak.
American Automobile Insurance Company, San Francisco, Cal.	3,975	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	MO.—All except Canal Zone, Guam, Puerto Rico, Virgin Islands.
American Bonding Company, Los Angeles, Cal.	45	Cal., Iowa, Nebr.	NEBR.—Cal., D.C., Iowa, Nev.
American Casualty Company of Reading, Pennsylvania, Reading, Pa.	3,370	All except Canal Zone, Guam, Virgin Islands.	PA.—All except Guam, Virgin Islands.
American Credit Indemnity Company of New York, Baltimore, Md.	2,103	Cal., Colo., Conn., Del., Ill., Ind., Iowa, Ky., Me., Md., Mass., Minn., Mo., N.H., N.J., N. Mex., N.Y., N.C., Ohio, Okla., Pa., R.I., Vt., Wash., W. Va.	N.Y.—D.C.
American Employers' Insurance Company, Boston, Mass.	3,482	All except Guam.	MASS.—All except Guam.
American Fidelity Company, Manchester, N.H.	392	Conn., Iowa, Me., Mass., Miss., N.H., R.I., Vt.	VT.—All except Canal Zone, Guam, Kan., Puerto Rico, Virgin Islands.
American Fire and Casualty Company, Orlando, Fla.	381	Ala., Ark., Colo., D.C., Fla., Ga., Kans., Ky., La., Md., Miss., Mo., N.C., Okla., S.C., Tenn., Tex., Va.	FLA.—Ala., Ark., Colo., D.C., Ga., Kans., Ky., La., Md., Miss., Mo., N.C., Okla., S.C., Tenn., Tex., Va.
American and Foreign Insurance Company, New York, N.Y.	1,528	All except Canal Zone, Del., Guam., La., Oreg., Puerto Rico, Va., Virgin Islands.	N.Y.—D.C., Tex.
American General Insurance Company, Houston, Tex.	18,788	Ala., Ariz., Ark., Colo., D.C., Fla., La., Miss., N. Mex., Okla., Pa., Tex.	TEX.—All except Conn., Del., Guam, Hawaii, Me., Mass., Mich., N.H., N.J., N.Y., Puerto Rico, R.I., Vt., Virgin Islands.
American Guarantee and Liability Insurance Company, Chicago, Ill.	1,152	All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—Alaska, Cal., Conn., D.C., nFla., nsGa., nsIll., nInd., Me., Md., Mass., eMich., Minn., Mo., N.H., N.J., N. Mex., Ohio, Pa., nswTex., Vt.
American Home Assurance Company, New York, N.Y.	1,894	Ala., Alaska, Ariz., Cal., Colo., Conn., Del., D.C., Fla., Ga., Hawaii, Ill., Ind., Iowa, Kans., Ky., La., Md., Mass., Mich., Minn., Miss., Mo., Mont., Nebr., Nev., N.H., N.J., N. Mex., N.Y., N.C., N. Dak., Ohio, Okla., Pa., R.I., S.C. (fidelity only), S. Dak., Tex., Utah, Vt., Va., Wash., W. Va., Wis., Wyo.	N.Y.—D.C.
American Indemnity Company, Galveston, Tex.	540	Ala., Ark., Cal., Colo., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., La., Mich., Minn., Miss., Mo., Mont., N. Mex., N.C., Ohio, Okla., S.C., Tenn., Tex., Va., Wis., Wyo.	TEX.—All except Alaska, wArk., Canal Zone, Guam, Hawaii, wMich., nOkla., Puerto Rico, Virgin Islands, wVa.
The American Insurance Company, Principal Office: Newark, N.J. Home Office: San Francisco, Cal.	9,314	All except Canal Zone, Guam	N.J.—All except Canal Zone, Guam, Puerto Rico, Virgin Islands.
American Manufacturers Mutual Insurance Company, Chicago, Ill.	750	All except Canal Zone, Del., Guam, Hawaii, La., Oreg., Puerto Rico, S.C., Tenn., Virgin Islands.	N.Y.—All except nAla., Ark., Canal Zone, Conn., Del., Ga., Guam, Hawaii, Idaho, sIowa, Kans., La., Me., Md., Mo., Nebr., Nev., Oreg., nPa., Puerto Rico, S.C., S. Dak., Tenn., Tex., Utah, Va., Virgin Islands, wWis.
American Motorists Insurance Company, Chicago, Ill.	1,226	All except Alaska, Del., Guam, Hawaii, Idaho, Oreg.	ILL.—All except Alaska, Ark., Canal Zone, Del., Guam, Hawaii, Idaho, Nev., N. Mex., Oreg., Tenn., Virgin Islands, Wyo.
American Mutual Liability Insurance Company, Wakefield, Mass.	3,821	All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	MASS.—D.C.
American National Fire Insurance Company, New York, N.Y.	1,045	All except Canal Zone, Conn., Del., Ga., Guam, Idaho, Kans., La., Me., Mass., Mich., N.J., N.C., Pa., Puerto Rico, S.C., S. Dak., Tenn., Va., Virgin Islands, Wis.	N.Y.—All except Guam.
American Re-Insurance Company, New York, N.Y.	6,112	All except Canal Zone, Guam, N. Mex., Puerto Rico, Virgin Islands.	N.Y.—All except Guam.
American States Insurance Company, Indianapolis, Ind.	2,368	Alaska, Ariz., Ark., Cal., Colo., D.C., Idaho, Ill., Ind., Iowa, Kans., Ky., Md., Mich., Minn., Mo., Mont., Nebr., Nev., N.J., N. Mex., N. Dak., Ohio, Okla., Pa., Tenn., Wash., W. Va., Wis.	IND.—Ariz., Cal., Colo., D.C., Ill., Iowa, Kans., Ky., Mich., Mo., Ohio, Pa., W. Va., Wis.
Argonaut Insurance Company, Menlo Park, Cal.	917	Ala., Alaska, Ariz., Ark., Cal., Colo., D.C., Hawaii, Idaho, Ill., Iowa, La., Md., Mass., Minn., Miss., Mont., Nev., N.J., N. Mex., N. Dak., Ohio, Okla., Oreg., Pa., S.C., Tex., Utah, Vt., Wash., Wyo.	CAL.—D.C., nGa., Idaho, eLa.

See footnotes at end of table.

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM SECRETARY OF THE TREASURY UNDER ACT OF CONGRESS, APPROVED JULY 30, 1947 (6 U.S.C. 6–13) AS ACCEPTABLE SURETIES ON FEDERAL BONDS (a)—Continued

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk). See footnote (b). (In thousands of dollars)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
Associated Indemnity Corporation, San Francisco, Cal.	1,158	All except Canal Zone, Guam	CAL.—nAla., Ariz., D.C., sFla., eMo., Mont., Nebr., Nev., cN.Y., wOkla., Oreg., Tex., Utah, Wash.
Atlantic Insurance Company, Dallas, Tex.	1,004	Ala., Ariz., Ark., Cal., Ga., Ill., Ind., Kans., Md., Mo., Nev., N. Mex., N.C., Ohio, Okla., S.C., Tenn., Tex., Utah.	TEX.—Ala., Ariz., Ark., Cal., Colo., Del., D.C., Fla., Ga., Idaho, Ill., Ind., nIowa, Kans., La., Mich., Mo., Nev., N.J., N. Mex., N.C., Ohio, Okla., sPa., S.C., Tenn., Utah.
Atlantic Mutual Insurance Company, New York, N.Y.	3,747	All except Ala., Canal Zone, Guam, Hawaii, La., Puerto Rico, Virgin Islands.	N.Y.—D.C.
Auto-Owners Insurance Company, Lansing, Mich.	908	Ala., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., Mich., Minn., Mo., Nebr., N.C., N. Dak., Ohio, Pa., S.C., S. Dak., Tenn., Wis.	MICH.—D.C., neFla., Ill., Ind., Iowa, Minn., Mo., N. Dak., Ohio, S. Dak.
Balboa Insurance Company, Los Angeles, Cal.	529	All except Ala., Ark., Canal Zone, Guam, Iowa, La., Me., Mass., Minn., Miss., Nebr., N.H., N.J., N.C., N. Dak., Oreg., Puerto Rico, R.I., S.C., S. Dak., Tenn., Vt., Va., Virgin Islands, W. Va., Wis.	CAL.—D.C.
Bankers Multiple Line Insurance Company, Chicago, Ill.	579	All except Alaska, Canal Zone, Del., Ga., Guam, Hawaii, Idaho, La., Me., N.H., Oreg., S.C., Tenn., Va., Virgin Islands.	IOWA—D.C.
Bankers and Shippers Insurance Company of New York, New York, N.Y.	1,316	All except Canal Zone, Guam, Hawaii, Me., Puerto Rico, Virgin Islands.	N.Y.—mAla., Ariz., Ark., Del., D.C., nFla., nGa., sInd., sIowa, eKy., Me., Mass., Mich., Minn., sMiss., wMo., N.H., N.J., sOhio, wOkla., R.I., S.Dak., nwTex., Wyo
Beneficial Fire and Casualty Insurance Company, Los Angeles, Cal.	371	Alaska, Ariz., Cal., Colo., D.C., Ill., Ind., Md., Mich., Minn., Mo., Mont., Nebr., Nev., N. Mex., N.Y., Okla., Oreg., R.I., Utah, Wash., Wyo.	CAL.—D.C.
Birmingham Fire Insurance Company of Pennsylvania, Pittsburgh, Pa.	691	All except Ark., Canal Zone, Del., Ga., Guam, Hawaii, Idaho, Mass., N.H., N.J., Puerto Rico, S.C., Tex., Virgin Islands.	PA.—D.C.
Boston Insurance Company, Boston, Mass.	2,130	All except Canal Zone, Guam, Oreg	MASS.—All except Alaska, Guam, Canal Zone, Hawaii, Idaho, N. Dak., Oreg.
The Buckeye Union Insurance Company, Columbus, Ohio.[1]	3,371	Ind., Ky., Mich., Ohio, Pa., Va., W. Va	OHIO—D.C., Ill., Ind., Ky., Mich., Minn., Pa., eTenn., Va., W. Va.
Buffalo Insurance Company, Buffalo, N.Y.	387	Ala., Alaska, Ariz., Cal., Colo., Conn., D.C., Fla., Ga., Ill., Ind., Iowa, Me., Md., Mass., Mich., Minn., Miss., Mo. (fidelity only), Mont., Nebr., Nev., N.H., N.J., N. Mex., N.Y., N.C., N. Dak., Ohio, Okla., Pa., R.I., S.C. (fidelity only), S. Dak., Utah (fidelity only), Vt., Wash., W. Va. (surety only), Wis., Wyo.	N.Y.—D.C.
The Camden Fire Insurance Association, Camden, N.J.	3,209	Ala. (fidelity only), Alaska, Ariz., Ark., Cal., Canal Zone, Colo., Conn., D.C., Ill., Ind., Iowa, Kans., Ky., Md., Mass., Mich., Minn., Nev., N.H., N.J., N. Mex., N.Y., N.C., N. Dak., Ohio, Okla., Pa., R.I., S.C. (fidelity only), Utah, Vt., Va., W. Va., Wyo.	N.J.—D.C.
Capitol Indemnity Corporation, Madison, Wis.	122	Ill., Iowa, Mich., Minn., Wis	WIS.—D.C., nGa., Ill., sInd., Iowa, Mich., Minn., uMo.
Cascade Insurance Company, Tacoma, Wash.	353	Cal., Idaho, Mont., Nev., Oreg., Utah, Wash	WASH.—All except Canal Zone, Guam, Puerto Rico, Virgin Islands.
The Celina Mutual Insurance Company, Celina, Ohio.	278	Colo., D.C., Ill., Ind., Kans., Ky., Md., Mich., Mo., Ohio, Pa., Va., W. Va., Wis.	OHIO—D.C.
Centennial Insurance Company, New York, N.Y.	883	All except Ala., Canal Zone, Guam, La., Puerto Rico, Virgin Islands.	N.Y.—D.C.
Central Mutual Insurance Company, Van Wert, Ohio.	1,296	All except Ala., Ark., Canal Zone, Guam, Hawaii, La., Nebr., N. Dak., Oreg., Puerto Rico, S. Dak., Tenn., Tex., Virgin Islands, Wis.	OHIO—D.C.
The Cincinnati Insurance Company, Cincinnati, Ohio.	349	Ala., D.C., Fla., Ga., Ind., Ky., Mich., Ohio	OHIO—mAla., D.C., sFla., nGa., sInd., Ky.
Citizens Casualty Company of New York, New York, N.Y.	159	All except Canal Zone, Guam, Hawaii, Ohio, Virgin Islands.	N.Y.—All except Canal Zone, Guam, Hawaii, Virgin Islands.
Citizens Insurance Company of New Jersey, Hartford, Conn.	998	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	N.J.—All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
Commerical Insurance Company of Newark, N.J., New York, N.Y.	2,380	All except Puerto Rico	N.J.—All except Guam.
Commercial Standard Insurance Company, Fort Worth, Tex.	534	Ala., Ariz., Ark., Cal., Colo., D.C., Ill., Ind., Iowa, Kans., Ky., La., Minn., Miss., Mo., Mont., Nebr., Nev., N. Mex., N.C., N. Dak., Okla., S. Dak., Tenn., Tex., Utah., Va., Wash., Wis., Wyo.	TEX.—All except Alaska, Canal Zone, Guam, Hawaii, Minn., Miss., Puerto Rico, S. Dak., Virgin Islands.
Commercial Union Insurance Company of New York, New York, N.Y.[1]	13,152	All except Canal Zone, Guam	N.Y.—All except Canal Zone, Guam.
The Connecticut Fire Insurance Company, Hartford, Conn.	8,306	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	CONN.—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
The Connecticut Indemnity Company, Hartford, Conn.	983	All except Alaska, Canal Zone, Del., Guam, Hawaii, Oreg., Puerto Rico, S.C., Va., Virgin Islands.	CONN.—All except Alaska, Ariz., Cal., Canal Zone, Guam, Hawaii, Idaho, Mont., Nev., Oreg., Puerto Rico, Utah, Virgin Islands, Wash.
Consolidated Insurance Company, Indianapolis, Ind.	164	Ill., Ind., Ky., Mich., Ohio	IND.—D.C., Ill., Ky., Mich., Ohio.
Consolidated Mutual Insurance Company, Brooklyn, N.Y.	932	All except Ala., Alaska, Canal Zone, Del., Guam, La., S.C.	N.Y.—D.C.
Continental Casualty Company, Chicago, Ill.	35,822	All except Guam	ILL.—All except Canal Zone, Guam, Virgin Islands.
The Continental Insurance Company, New York, N.Y.[1]	118,391	All except Guam	N.Y.—All except Guam.
Cosmopolitan Mutual Insurance Company, New York, N.Y.	1,062	Ala., Ark., Cal., Conn., D.C., Fla., Ga., Ill., Ind., La., Me., Md., Mass., Mich., Mo., N.H., N.J., N.Y., N.C., Okla., Pa., Puerto Rico, R.I., S.C., Tenn., Tex., Vt., Va., W. Va., Wis.	N.Y.—D.C.
Emmco Insurance Company, South Bend, Ind.	1,740	Ala., Ind., N.Y., Vt., Wyo	IND.—D.C.
Empire Fire and Marine Insurance Company, Omaha, Nebr.	77	Alaska, Ariz., Colo., Ga., Ill., Iowa, Minn., Miss., Mo., Mont., Nebr., Nev., N. Mex., N. Dak., Okla., S. Dak., Utah, Wash., Wyo.	NEBR.—D.C.
Employers Casualty Company, Dallas, Tex.	1,066	Ariz., Ark., Cal., Colo., Ill., Ind., Iowa, Kans., Ky., Minn., Miss., Mo., Mont., Nebr., Nev., N. Mex., Tex., Utah, Wash., Wyo.	TEX.—D.C.
The Employers' Fire Insurance Company, Boston, Mass.	1,843	All except Guam, Virgin Islands	MASS.—All except Canal Zone, Guam.
Employers Mutual Casualty Company, Des Moines, Iowa.	1,756	All except Ala., Canal Zone, Conn., Del., Fla., Ga., Guam, Hawaii, Ky., La., Mass., Mont., Nev., Oreg., Puerto Rico, R.I., Tenn., Utah, Virgin Islands, W. Va.	IOWA—Alaska, Colo., D.C., Ill., Ind., Kans., Md., Minn., Miss., Mo., Nebr., N.C., N. Dak., Ohio, Okla., Oreg., Pa., S.C., S. Dak., Wis.
Employers Mutual Liability Insurance Company of Wisconsin, Wausau, Wis.	10,973	All except Canal Zone, Virgin Islands	WIS.—D.C.

See footnotes at end of table.

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM SECRETARY OF THE TREASURY UNDER ACT OF CONGRESS, APPROVED JULY 30, 1947 (6 U.S.C. 6–13) AS ACCEPTABLE SURETIES ON FEDERAL BONDS (a)—Continued

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk). See footnote (b). (In thousands of dollars)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
Employers Reinsurance Corporation, Kansas City, Mo.	4,604	All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	MO.—All except Guam.
Equitable Fire and Marine Insurance Company, Hartford, Conn.	2,674	All except Ala., Alaska, Ariz., Canal Zone, Del., Ga., Guam, Mont., Nev., N.C., Oreg., Puerto Rico, S.C., S. Dak., Virgin Islands, W. Va.	R.I.—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
Export Insurance Company, Houston, Tex.	412	All except Canal Zone, Conn., D.C., Fla., Guam, Hawaii, Ind., Kans., Ky., Me., Md., Mich., Nebr., N.J., Ohio, Oreg., Pa., Puerto Rico, S. Dak., Utah, Va., Virgin Islands, Wash., Wis.	N.Y.—D.C.
Farmers Elevator Mutual Insurance Company, Des Moines, Iowa.	215	Colo., Ill., Iowa, Kans., Minn., Mo., Nebr., N. Dak., Okla., S. Dak., Tex., Wis., Wyo.	IOWA—Colo., D.C., Ill., Kans., Nebr., Okla., S. Dak.
Farmers Mutual Rail Insurance Company of Iowa, Des Moines, Iowa.	1,067	Iowa	IOWA—D.C.
Federal Insurance Company, New York, N.Y.	17,736	All	N.J.—All except Guam.
Federated Mutual Implement and Hardware Insurance Company, Owatonna, Minn.	1,025	All except Alaska, Cal., Canal Zone, Del., Guam, Hawaii, Idaho, La., Me., Mass., Nev., Oreg., Pa., Puerto Rico, Tex., Virgin Islands, Wis.	MINN.—Ala., Ark., D.C., Fla., Ga., Ky., Miss., N.C., Okla., S.C., Tenn., Va., W. Va.
The Fidelity and Casualty Company of New York, New York, N.Y.	17,876	All except Guam, Virgin Islands	N.Y.—All except Guam, Hawaii, Virgin Islands.
Fidelity and Deposit Company of Maryland, Baltimore, Md.	8,135	All except Guam	Md.—All except Guam.
Fidelity-Phenix Insurance Company, New York, N.Y.	2,908	All except Canal Zone, Guam, Virgin Islands	N.Y.—All except Guam, Virgin Islands.
Firemen's Fund Insurance Company, San Francisco, Cal.[1]	18,000	All except Canal Zone	CAL.—All except Guam.
First Insurance Company of Hawaii, Ltd., Honolulu, Hawaii.	15,677	All except Puerto Rico	N.J.—All except Canal Zone, Guam.
Forum Insurance Company, Providence, R.I.	919	Guam, Hawaii, Oreg	HAWAII—D.C.
The Fulton Insurance Company, New York, N.Y.	520	All except Canal Zone, Colo., Fla., Guam, Hawaii, Idaho, Mass., Miss., Mo., Puerto Rico, S.C., S. Dak., Tenn., Virgin Islands.	R.I.—D.C.
General Fire and Casualty Company, New York, N.Y.	273	All except Ala., Canal Zone, Del., Guam, Idaho, Puerto Rico, Virgin Islands.	N.Y.—All except Ala., Canal Zone, Del., Ga., Guam, Idaho, Puerto Rico, Virgin Islands, eWash.
General Insurance Company of America, Seattle, Wash.	671	All except Canal Zone, Guam, Puerto Rico	N.Y.—D.C.
General Reinsurance Corporation, New York, N.Y.	15,976	All except Virgin Islands	WASH.—All except Pureto Rico, Virgin Islands.
Glens Falls Insurance Company, Glens Falls, N.Y.	9,545	All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—All except Canal Zone, Guam, Virgin Islands.
Globe Indemnity Company, New York, N.Y.	5,906	All except Canal Zone, Guam, Puerto Rico, Virgin Islands	N.Y.—All except Guam, Puerto Rico, Virgin Islands.
Grain Dealers Mutual Insurance Company, Indianapolis, Ind.	6,783	All except Canal Zone, Guam, Virgin Islands	N.Y.—All except Alaska, Guam, Virgin Islands.
Granite State Insurance Company, Manchester, N.H.	915	All except Ala., Alaska, Canal Zone, Del., Guam, Hawaii, Idaho, Me., Nev., Puerto Rico, S.C., Tenn., Virgin Islands.	IND.—Ark., Colo., D.C., Ill., Iowa, Kans., Nebr., Ohio, wOkla.
Great American Insurance Company, New York, N.Y.	495	All except Canal Zone, Del., Guam, Hawaii, Idaho, Oreg., Puerto Rico, Virgin Islands.	N.H.—All except Guam, Puerto Rico.
Great Northern Insurance Company, Minneapolis, Minn.	28,756	All except Canal Zone, Guam	N.Y.—All except Guam.
Greater New York Mutual Insurance Company, New York, N.Y.	672	Ariz., Ill., Iowa, Minn., Mo., Mont., Nebr., Nev., N.Y., N. Dak., S. Dak., Wis., Wyo.	MINN.—D.C., nsIll., Iowa, Mo., Mont., N. Dak., S. Dak., Wis.
Guarantee Insurance Company, Los Los Angeles, Cal.	2,064	All except Alaska, Ariz., Ark., Canal Zone, Colo., Del., Guam, Hawaii, Idaho, Kans., La., S.C., Tenn., Virgin Islands.	N.Y.—D.C.
Gulf American Fire and Casualty Company, Montgomery, Ala.	491	Alaska, Ariz., Ark., Cal., Colo., Mich., Mont., Nev., N.J., N. Mex., N.Y., N.C., Okla., Tex., Utah, Va., Wash., Wyo.	CAL.—D.C.
Gulf Insurance Company, Dallas, Tex.	116	Ala., Fla., Ga., La., Miss., S.C., Tenn	ALA.—Alaska, D.C., mnGa., sMiss.
The Hanover Insurance Company, New York, N.Y.	7,746	Ala., Ariz., Ark., Cal., Colo., Fla., Ga., Ill., Ind., Iowa, Kans., La., Md., Mich., Miss., Mo., Nebr., Nev., N. Mex., N.Y., N.C., Ohio, Okla., Pa., S.C., Tenn., Tex., Utah, Wash., Wyo.	TEX.—Ala., Ariz., Ark., Cal., Colo., Del., D.C., Fla., Ga., Idaho, Ill., Ind., nIowa, Kans., La., Mich., Mo., N.J., N. Mex., N.C., Ohio, Okla., Pa., S.C., Tenn., Utah.
Hardware Mutual Casualty Company, Stevens Point, Wis.	5,029	All except Canal Zone, Guam, Puerto Rico	N.Y.—All except Guam.
Hartford Accident and Indemnity Company, Hartford, Conn.	1,888	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	WIS.—D.C.
Hartford Fire Insurance Company, Hartford, Conn.	30,309	All	CONN.—All except Guam, Virgin Islands.
Hawkeye-Security Insurance Company, Des Moines, Iowa.	66,494	All except Canal Zone	CONN.—Ariz., Cal., D.C., Hawaii, La., N.Y.
Highlands Insurance Company, Houston, Tex.	798	Colo., D.C., Fla., Idaho, Ill., Ind., Iowa, Kans., Md., Mich., Minn., Mo., Mont., Nebr., Nev., N. Mex., Ohio, Pa., S. Dak., Utah, Va., Wyo.	IOWA—Colo., D.C., Fla., Ill., sInd., Kans., wMich., Mo., Nebr., N. Mex., S. Dak., Wyo.
The Home Indemnity Company, New York, N.Y.	390	All except Canal Zone, Conn., Del., Guam, Hawaii, Idaho, Me., Mass., Minn., N.H., N.J., N.Y., Ohio, Puerto Rico, R.I., Vt., Virgin Islands, Wis.	TEX.—D.C., La.
The Home Insurance Company, New York, N.Y.	5,341	All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Guam, Hawaii, Puerto Rico, Virgin Islands.
Home Owners Insurance Company, Chicago, Ill.	37,061	All except Canal Zone	N.Y.—Alaska, D.C., Puerto Rico.
Hudson Insurance Company, New York, N.Y.	126	Ariz., Fla., Ga., Ill., Ind., Minn., Miss., Mo., Nev., Tenn.	ILL.—Ariz., D.C., sFla., Minn., Mont., wWash.
Illinois National Insurance Co., Springfield, Ill.	408	N.Y.	N.Y.—D.C.
Indiana Bonding and Surety Company, Indianapolis, Ind.	632	Ill., Ind., Iowa, Ky., N. Mex., Ohio	ILL.—All except Canal Zone, Guam, Puerto Rico, Virgin Islands.
Indiana Insurance Company, Indianapolis, Ind.	55	Ind	IND.—D.C.
Industrial Indemnity Company, San Francisco, Cal.	647	Ill., Ind., Ky., Mich., Ohio	IND.—D.C., Ill., Ky., Mich., Ohio.
	1,768	Alaska, Ariz., Ark., Cal., Colo., Fla., Ga., Guam, Hawaii, Idaho, Ill., Ind., La., Md., Mich., Miss., Mo., Mont., Nebr., Nev., N.J., N. Mex., N.C., Okla., Oreg., S. Dak., Tenn., Tex., Utah., Wash., Wyo.	CAL.—Alaska, Ariz., oArk., Colo., D.C., sFla., nGa., Hawaii, Idaho, nIll., sInd., eLa., Md., eMich., eMo., Mont., Nebr., Nev., N.J., N. Mex., N.C., Okla., Oreg., S. Dak., Tex., Utah, Wash., Wyo.

See footnotes at end of table.

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM SECRETARY OF THE TREASURY UNDER ACT OF CONGRESS, APPROVED JULY 30, 1947 (6 U.S.C. 6-13) AS ACCEPTABLE SURETIES ON FEDERAL BONDS (a)—Continued

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk). See footnote (b). (In thousands of dollars)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
Inland Insurance Company, Lincoln, Nebr.	363	Iowa, Minn., Nebr., S. Dak.	NEBR.—Ariz., Ark., Colo., D.C., Ill., Iowa, Kans., Ky., Minn., sMo., Mont., Nev., N. Mex., N. Dak., Ohio, Okla., Oreg., S. Dak., Tex., Utah, Wash., Wyo.
Insurance Company of North America, Philadelphia, Pa.	86,828	All except Guam	PA.—All except Guam.
The Insurance Company of the State of Pennsylvania, New York, N.Y.	985	Ala., Alaska, Ariz., Cal., Colo., Conn., Del., D.C., Fla., Ga., Hawaii, Ill., Ind., Iowa, Kans., Ky., La., Md., Mass., Mich., Minn., Miss., Mo., Mont., Nebr., Nev., N.H., N.J., N. Mex., N.Y., N.C., Ohio, Okla., Pa., R.I., S.C. (fidelity only), Tex., Utah, Vt., Va., Wash., W. Va., Wis., Wyo.	PA.—D.C.
International Fidelity Insurance Company, Newark, N.J.	50	Mass., Mich., N.J., N.Y., Pa.	N.J.—All except Alaska, Guam, Virgin Islands.
International Service Insurance Company, Fort Worth, Tex.	443	Alaska, Canal Zone, N. Mex., Tex.	TEX.—D.C.
Iowa Mutual Insurance Company, De Witt, Iowa.	403	Colo., Fla., Ill., Iowa, Kans., Minn., Mo., Mont., Nebr., N. Mex., N.C., N. Dak., Okla., S.C., S. Dak., Wis., Wyo.	IOWA—nAla., Colo., D.C., sIll., Kans., Minn., Mont., Nebr., wN.C., wOkla., Oreg., S. Dak.
Jersey Insurance Company of New York, New York, N.Y.	871	All except Alaska, Ariz., Canal Zone, Del., Guam, Hawaii, Me., Nev., N.H., N. Mex., N. Dak., Puerto Rico, Vt., Virgin Islands, W. Va., Wyo.	N.Y.—nAla., Ariz., Ark., D.C., nFla., nGa., sInd., sIowa, eKy., Mass., Mich., Minn., sMiss., wMo., N.J., Ohio, wOkla., R.I., S. Dak., nwTex.
Kansas City Fire and Marine Insurance Company, Glens Falls, N.Y.	356	All except Canal Zone, Del., Guam, Hawaii, Puerto Rico, Virgin Islands.	MO.—Ala., Alaska, Ark., Colo., D.C., Fla., Ga., Ill., Iowa, Kans., Minn., Nebr., Okla., S.C., Tex., Va., Wis., Wyo.
Lawyers Surety Corporation, Dallas, Tex.	61	Tex.	TEX.—D.C.
Liberty Mutual Insurance Company, Boston, Mass.	19,714	All except Guam	MASS.—All except Canal Zone, Guam.
Lumbermens Mutual Casualty Company, Chicago, Ill.	6,750	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	ILL.—All except Canal Zone, Guam, Hawaii, wLa., Puerto Rico, Virgin Islands.
Maine Bonding and Casualty Company, Portland, Me.	364	Conn., Fla., Me., Md., Mass., N.H., N.Y., R.I., Tenn., Tex., Vt., Va.	ME.—Conn., D.C., Mass., N.H., R.I., Vt.
The Manhattan Fire and Marine Insurance Company, New York, N.Y.	1,319	All except Canal Zone, Conn., Del., Guam, La., Me., Mass., N. Dak., Oreg., Puerto Rico, S.C., Tenn., Virgin Islands.	N.Y.—D.C.
Maryland American General Insurance Company, Houston, Tex.	1,029	N. Mex., Okla., Tex.	TEX.—D.C.
Maryland Casualty Company, Baltimore, Md.	14,973	All except Guam	MD.—All except Guam.
Maryland National Insurance Company, Bel Air, Md.	172	Ala., Ariz., Ark., Colo., Fla., Ga., Ill., Ind., Ky., La., Md., Mich., Minn., Mo., Nebr., Nev., N. Dak., Ohio, Okla., Oreg., Pa., S. Dak., Tenn., Tex., Va., Wash., W. Va.	MD.—All except sAla., Alaska, sCal., Canal Zone, Colo., Guam, Hawaii, Me., N.H., N.Y., N.C., Puerto Rico, wS.C., wTex., Virgin Islands.
Massachusetts Bay Insurance Company, Boston, Mass.	347	Colo., D.C., Fla., Ga., Ind., Iowa, Kans., Me., Md., Mass., Mo., N.H., N.Y., R.I., Tex., Vt., Wis., Wyo.	MASS.—Colo., D.C., Ga., Ind., Iowa, Kans., Me., Md., N.H., R.I., Tex., Vt., Wis., Wyo.
Merchants Mutual Bonding Company, Des Moines, Iowa.	37	Iowa, Kans., Mont., Nebr., Okla., Tex.	IOWA—D.C., sIll., Nebr.
Michigan Millers Mutual Insurance Company, Lansing, Mich.	1,058	All except Ala., Alaska, Ariz., Canal Zone, Ga., Guam, Hawaii, Idaho, La., Nev., N. Mex., Oreg., Puerto Rico, S.C., Virgin Islands, Wyo.	MICH.—eArk., Cal., Colo., D.C., Ill., Ind., Iowa, Kans., eKy., Minn., Miss., Mo., Mont., Nebr., nwN.Y., N. Dak., Ohio, wOkla., S. Dak., wmTenn., Utah, wWash.
Michigan Mutual Liability Company, Detroit, Mich.	1,115	All except Canal Zone, Del., Guam, Hawaii, Me., Minn., Oreg., Puerto Rico, Tex., Virgin Islands, W. Va., Wyo.	MICH.—D.C.
Mid-Century Insurance Company, Los Angeles, Cal.	868	All except Ala., Alaska, Canal Zone, Conn., D.C., Guam, Hawaii, Idaho, Ky., La., Me., Md., Mass., Miss., N.H., N. Mex., N.Y., N.C., Pa., Puerto Rico, R.I., S.C., Tenn., Va., Virgin Islands, W. Va.	CAL.—Ariz., Ark., Colo., D.C., Idaho, Ill., Ind., Iowa, Kans., Mich., Minn., Mo., Mont., Nebr., Nev., N. Mex., N. Dak., Okla., Oreg., S. Dak., Tex., Utah, Wash., Wis., Wyo.
The Millers Mutual Fire Insurance Company, Harrisburg, Pa.	275	Ga., Ind., N.Y., N.C., Pa., S.C., Tex. (surety only), Vt., W. Va. (surety only).	PA.—D.C.
The Millers Mutual Fire Insurance Company of Texas, Fort Worth, Tex.	481	All except Ala., Alaska, Canal Zone, Conn., Del., Guam, Hawaii, Idaho, Me., Md., Nev., N.J., N.C., Puerto Rico, R.I., S.C., Vt., Virgin Islands, Wash., W. Va., Wyo.	TEX.—All except Ala., Alaska, Canal Zone, Conn., Del., Guam, Hawaii, Idaho, Me., Md., Nev., N.H., N.J., N.C., mFa., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, Wash., W. Va., sWis., Wyo.
Millers' Mutual Insurance Association of Illinois, Alton, Ill.	1,476	Ark., Colo., Fla., Ga., Ill., Ind., Iowa, Kans., Md., Mich., Minn., Mo., Mont., N.Y., N.C., N. Dak., Ohio, Okla., Pa., S.C., S. Dak., Tex., Vt., Va., Wash., W. Va., Wis., Wyo.	ILL.—nmAla., Ark., Colo., D.C., Ind., Iowa, Kans., Minn., Mo., Mont., N. Dak., S. Dak.
Millers National Insurance Company, Chicago, Ill.	317	All except Alaska, Canal Zone, Del., Guam, Hawaii, La., Me., Miss., N.H., Puerto Rico, Vt., Virgin Islands.	ILL.—Ariz., sCal., Colo., D.C., Ind., Iowa, Kans., Ky., Mass., Mich., Minn., Mo., Mont., Nev., N. Mex., N. Dak., R.I., S. Dak., nwsTex., Utah, wWis., Wyo.
Mutual Boiler and Machinery Insurance Company, Waltham, Mass.	1,640	Alaska, Ariz., Cal., Colo., Conn., D.C., Ind., Iowa, Ky., Mass., Mich., Minn., Mont., Nev., N.H., N.J., N. Mex., N.Y., N.C., R.I., Tex., Utah, Vt., W. Va., Wis., Wyo.	MASS.—D.C.
National Automobile and Casualty Insurance Company, Los Angeles, Cal.	353	Alaska, Ariz., Cal., Colo., Idaho, Ill., Ind., Kans., Ky., La., Mich., Mo., Mont., Nev., N. Mex., Okla., Oreg., Tenn., Tex., Utah, Wash., Wyo.	CAL.—All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
National-Ben Franklin Insurance Company of Pittsburgh, Pa., New York, N.Y.	1,368	All except Canal Zone, Guam, Hawaii, Oreg., Puerto Rico, Virgin Islands.	PA.—D.C., Md.
National Casualty Company, Detroit, Mich.	1,000	All except Ala., Ariz., Ark., Canal Zone, Conn., D.C., Fla., Guam, Hawaii, Iowa, Kans., Me., Miss., Nev., N. Mex., N.C., Ohio, Okla., Oreg., Puerto Rico, S.C., S. Dak., Tex., Va., Virgin Islands.	MICH.—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
National Fire Insurance Company of Hartford, Chicago, Ill.	11,038	All except Canal Zone, Guam, Virgin Islands	CONN.—All except Ariz., Canal Zone, Guam, Nev., Virgin Islands.
National Grange Mutual Insurance Company, Keene, N.H.	2,174	Conn., Fla., Me., Mass., N.H., N.J., N.Y., Ohio, Pa., R.I., S.C., Tenn., Vt., W. Va.	N.H.—All except Alaska, Canal Zone, Guam, Hawaii, Virgin Islands.
National Indemnity Company, Omaha, Nebr.	451	All except Canal Zone, Conn., Fla., Ga., Guam, Hawaii, Me., Mass., N.H., N.J., N.Y., Ohio, Oreg., Puerto Rico, R.I., S.C., Vt., Virgin Islands.	NEBR.—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
The National Reinsurance Corporation, New York, N.Y.	3,006	All except Ala., Canal Zone, Fla., Guam, Ga., La., Me., Miss., Mo., N.C., Oreg., Puerto Rico, S.C., S. Dak., Tenn., Va., Virgin Islands.	N.Y.—D.C., sOhio.
National Standard Insurance Company, Houston, Tex.	286	La., N. Mex., Tex.	TEX.—D.C.
National Surety Corporation, Principal Office: New York, N.Y., Home Office: San Francisco, Cal.	6,235	All except Guam	N.Y.—All except Guam.

See footnotes at end of table.

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM SECRETARY OF THE TREASURY UNDER ACT OF CONGRESS, APPROVED JULY 30, 1947 (6 U.S.C. 6-13) AS ACCEPTABLE SURETIES ON FEDERAL BONDS (a)—Continued

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk). See footnote (b). (In thousands of dollars)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
National Union Fire Insurance Company of Pittsburgh, Pa., Pittsburgh, Pa.	2,477	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	PA.—All except Alaska, Canal Zone, Guam, Puerto Rico, Virgin Islands.
National Union Indemnity Company, Pittsburgh, Pa.	603	All except Ark., Canal Zone, Guam, Hawaii, Idaho, Me., Oreg., Puerto Rico, Virgin Islands.	PA.—All except Alaska, Canal Zone, Guam, Puerto Rico, Virgin Islands.
Nationwide Mutual Insurance Company, Columbus, Ohio.	1,622	All except Cal., Canal Zone, Guam Hawaii, Wis.	OHIO—D.C.
New Amsterdam Casualty Company, Hartford, Conn.	5,533	All except Canal Zone, Guam, Idaho, Virgin Islands	N.Y.—All except Canal Zone, Guam, Virgin Islands.
New Hampshire Insurance Company, Manchester, N.H.	3,892	All except Canal Zone, Guam, Puerto Rico, Va.	N.H.—All except Guam.
New York Underwriters Insurance Company, New York, N.Y.	2,340	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	N.Y.—All except Canal Zone, Guam, Puerto Rico, Virgin Islands.
Newark Insurance Company, New York, N.Y.	1,918	All except Canal Zone, Guam, Oreg., Puerto Rico, Virgin Islands.	N.J.—All except Alaska, nCal., Canal Zone, Guam, Hawaii, Idaho, Virgin Islands, Wyo.
Niagara Fire Insurance Company, New York, N.Y.	5,230	All except Canal Zone, Guam	N.Y.—All except Canal Zone, Guam.
North American Reinsurance Corporation, New York, N.Y.	3,643	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	N.Y.—All except Canal Zone, Guam, Puerto Rico, Virgin Islands.
The North River Insurance Company, New York, N.Y.	6,234	All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
North Star Reinsurance Corporation, New York, N.Y.	318	Ark., Cal., D.C., Ill., Iowa, Kans., Mich., Nev., N.H., N.J., N.Y., Utah, W. Va.	N.Y.—D.C.
Northeastern Insurance Company of Hartford, Des Moines, Iowa.	834	Cal., Colo., Conn., Ill., Iowa, Kans., Mich., N.H., N.J., N.Y., Ohio, Okla., Tex.	CONN.—D.C.
The Northern Assurance Company of America, Boston, Mass.	1,331	All except Canal Zone, Guam, Virgin Islands	MASS.—All except Canal Zone, Guam, Minn., Virgin Islands, sW. Va.
Northern Insurance Company of New York, New York, N.Y.	4,720	All except Canal Zone, Fla., Guam, Hawaii, La., N.H., Oreg., Puerto Rico, S.C., Tenn., Va., Virgin Islands.	N.Y.—D.C., Me.
Northwestern National Casualty Company, Milwaukee, Wis.	568	Ala., Ariz., Cal., Ill., Ind., Iowa, Kans., Ky., Minn., Mo., Mont., Nebr., N. Mex., Okla., Pa., R.I., Tex., Wis.	WIS.—Cal., D.C., mnFla., Idaho, Ill., Kans., wLa., Minn., Mo., Nebr., nwOkla., R.I., Vt., W. Va.
Northwestern National Insurance Company, Milwaukee, Wis.	4,059	All except Canal Zone, Guam, Virgin Islands	WIS.—All except Canal Zone, mnFla., Guam, Idaho, wLa., Puerto Rico, Vt., Virgin Islands.
The Ohio Casualty Insurance Company, Hamilton, Ohio.	3,750	All except Alaska, Canal Zone, Guam, Hawaii, Idaho, Me., N.Y., Puerto Rico, Virgin Islands.	OHIO—All except Canal Zone, Guam, Hawaii, Virgin Islands.
Ohio Farmers Insurance Company, LeRoy, Ohio.	1,740	Ariz., Cal., Colo., Conn., Del., D.C., Ill., Ind., Iowa., Md., Mass., Mich., Minn., Mo., Nev., N.J., N.Y., N. Dak., Ohio, Pa., R.I., S. Dak., Va., W. Va., Wis.	OHIO—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
Old Colony Insurance Company, Boston, Mass.	717	All except Canal Zone, Guam, Hawaii, Oreg., Virgin Islands.	MASS.—All except Alaska, Canal Zone, Guam, Hawaii, Idaho, Nev., N. Dak., Oreg., Virgin Islands.
Olympic Insurance Company, Los Angeles, Cal.	476	All except Ala., Ark., Canal Zone, Del., D.C., Fla., Ga., Guam, Hawaii, Idaho, La., Me., Md., Mass., N.H., N.J., N.Y., N.C., Ohio, Pa., Puerto Rico, R.I., S.C., S. Dak., Tenn., Vt., Va., Virgin Islands, W. Va.	CAL.—D.C.
Oregon Automobile Insurance Company, Portland, Oreg.	461	Cal., Hawaii, Idaho, Nev., Oreg., Utah, Wash.	OREG.—Cal., D.C., Hawaii, Idaho, Nev., Utah, Wash.
Pacific Employers Insurance Company, Los Angeles, Cal.	1,083	All except Ala., Ark., Canal Zone, Conn., D.C., Fla., Ga., Guam, Hawaii, Ky., La., Me., Md., Mass., Mich., N.H., N.Y., N.C., N. Dak., Pa., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, W. Va., Wis.	CAL.—Ariz., Conn., Del., D.C., sFla., wKy., Md., Mass., N. Mex., N.Y., Ohio, R.I., wTex., W. Va., Wis.
Pacific Indemnity Company, Los Angeles, Cal.	2,982	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	CAL.—All except Conn., Guam, Me., N.H., Vt., Virgin Islands.
Pacific Insurance Company, Limited, Honolulu, Hawaii.	789	Hawaii	HAWAII—D.C.
Pacific Insurance Company of New York, New York, N.Y.	1,945	All except Alaska, Canal Zone, Guam, Hawaii, Me., Nev., N.H., N. Dak., Puerto Rico, S. Dak., Vt., Virgin Islands, W. Va., Wyo.	N.Y.—mAla., Ariz., Ark., Del., D.C., nFla., nGa., sInd., sIowa, eKy., Me., Mass., Mich., Minn., sMiss., wMo., N.J., sOhio, wOkla., R.I., S. Dak., nwTex., Wyo.
Peerless Insurance Company, Keene, N.H.	742	All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	N.H.—All except Guam, Hawaii, Virgin Islands.
The Pennsylvania Insurance Company, New York, N.Y.	2,417	All except Canal Zone, Guam, Puerto Rico	PA.—All except Canal Zone, Guam, Puerto Rico.
Pennsylvania Manufacturers' Association Insurance Company, Philadelphia, Pa.	1,908	Del., D.C., Md., N.J., N.Y., Pa., W. Va.	PA.—D.C.
Pennsylvania Millers Mutual Insurance Company, Wilkes-Barre, Pa.	1,046	D.C., Pa.	PA.—D.C.
Pennsylvania National Mutual Casualty Insurance Company, Harrisburg, Pa.	1,027	Ala., Del., D.C., Ga., Ill., Ind., Iowa, Kans., Ky., Md., Mich., Minn., Miss., Mo., Nebr., N.J., N.C., Ohio, Okla., Pa., R.I., S.C., Tenn., Tex., Utah, Vt., Va., W. Va., Wis.	PA.—D.C., Kans., Md., Mo., N.J., N.C., Okla., Tenn., Va.
Phoenix Assurance Company of New York, New York, N.Y.	1,826	All except Canal Zone, Guam, Virgin Islands	N.Y.—All except Alaska, Canal Zone, Guam, Puerto Rico, Virgin Islands.
The Phoenix Insurance Company, Hartford, Conn.	15,372	All except Canal Zone, Guam, Puerto Rico, Virgin Islands	CONN.—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
Planet Insurance Company, Philadelphia, Pa.	1,607	All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	WIS.—All except Canal Zone, Guam, Virgin Islands.
Potomac Insurance Company, Philadelphia, Pa.	5,298	Ala. (fidelity only), Ariz., Cal., Colo., Conn., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., La., Md., Mass., Mich., Minn., Miss., Mo., Nebr., N.J., N. Mex., N.Y., N.C., Ohio, Okla., Oreg., Pa., R.I., S.C. (fidelity only), Tenn., Tex., Utah, Va., Wash., W. Va., Wis., Wyo.	PA.—All except Ala., Alaska, Ariz., Ark., Canal Zone, Del., sGa., Guam, Hawaii, Idaho, eIll., nInd., nIowa, eKy., Me., nMiss., Mont., Nev., N.H., N. Dak., eOkla., Oreg., Puerto Rico, S.C., S.Dak., wTex., Vt., Va., Virgin Islands.
Providence Washington Insurance Company, Providence, R.I.	1,759	All except Canal Zone, Del., Guam, Idaho, La., Oreg., Puerto Rico, Virgin Islands.	R.I.—Conn., D.C., Mass., N.H., N.J., N.Y., Pa., Vt.
The Prudential Insurance Company of Great Britain Located in New York, New York, N.Y.	988	N.Y.	N.Y.—D.C.
Public Service Mutual Insurance Company, New York, N.Y.	1,902	Conn., Del., D.C., Fla., Ga., Idaho, Ill., Iowa, Me., Md., Mass., Mich., N.H., N.J., N.Y., N.C., Pa., R.I., Vt., Va., W. Va., Wis.	N.Y.—D.C., sFla., ePa., wTex.
Queen Insurance Company of America, New York, N.Y.	4,007	All except Canal Zone, Guam, Oreg., Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Guam, Hawaii, Idaho, Virgin Islands, Wyo.
The Reinsurance Corporation of New York, New York, N.Y.	3,429	Alaska, Ark., Cal., Colo., Del., D.C., Ga., Idaho, Ill., Ind., Iowa, Kans. (reinsurance only), Ky., La. (reinsurance only), Me., Md., Mass. (reinsurance only), Mich., Minn., Miss., Mo., Mont., Nebr., Nev., N.H. (reinsurance only), N.J., N.Y., N.C., N. Dak., Ohio, Okla., R.I., S.C., Tex. (reinsurance only), Utah (reinsurance only), Vt., Va. (reinsurance only), Wash., W. Va., Wis., Wyo.	N.Y.—D.C.

See footnotes at end of table.

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM SECRETARY OF THE TREASURY UNDER ACT OF CONGRESS, APPROVED JULY 30, 1947 (6 U.S.C. 6–13) AS ACCEPTABLE SURETIES ON FEDERAL BONDS (a)—Continued

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk). See footnote (b). (In thousands of dollars)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
Reliance Insurance Company, Philadelphia, Pa.	20,755	All except Canal Zone, Guam	PA.—All except Canal Zone, Guam.
Republic Insurance Company, Dallas, Tex.	2,823	All except Ala., Alaska, Canal Zone, Del., Fla, Ga., Guam, Hawaii, Idaho, Ky., Me., Mass., Mont., Nev., N.H., N. Dak., Puerto Rico, R.I., S.C., S. Dak., Tenn., Utah, Vt., Virgin Islands, Wyo.	TEX.—D.C.
Resolute Insurance Company, Hartford, Conn.	306	All except Canal Zone, Guam, La., N.Y., Virgin Islands.	R.I.—All except wArk., Canal Zone, mGa., Guam, Hawaii, La., Me., wMich., nMiss., nwN.Y., N.C., Oreg., Puerto Rico, S.C., S. Dak., weTenn., Utah, Vt., wVa., Virgin Islands, nW. Va., wWis. N.Y.—All except Guam, Virgin Islands.
Royal Indemnity Company, New York, N.Y.	5,299	All	CONN.—All except Ark., Canal Zone, Ga., Guam, Ky., La., Miss., N.C., Okla., Puerto Rico, S.C., Tenn., nweTex., Vt., Virgin Islands, wVa., W. Va. MINN.—All except Guam.
Safeguard Insurance Company, New York, N.Y.	1,780	All except Canal Zone, Del., Guam, Puerto Rico, Virgin Islands.	
St. Paul Fire and Marine Insurance Company, St. Paul, Minn.	27,194	All except Canal Zone, Guam	MINN.—All except Guam.
St. Paul Mercury Insurance Company, St. Paul, Minn.	3,067	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	N.Y.—All except Guam.
Seaboard Surety Company, New York, N.Y.	2,884	All except Guam	CONN.
Security Insurance Company of Hartford, Hartford, Conn.[1]	6,319	All except Canal Zone, Del., Guam, Hawaii, Miss., Oreg., Puerto Rico, Virgin Islands.	ILL.—D.C.
Security Mutual Casualty Company, Chicago, Ill.	1,035	All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	TEX.—XAll except Canal Zone, Guam, Mont.
Security National Insurance Company, Dallas, Tex.	354	Ark., Cal., Colo., Ind., Mich., Okla., Tex	TEX.—Ala., Ariz., Ark., Cal., Colo., Del., D.C., Fla., Ga., Idaho, Ill., Ind., niowa, Kans., La., Mich., Nev., N.J., N. Mex., N.C., Okla., Pa., S.C., Tenn., Utah, Wyo. GA.—Ariz., Cal., D.C., nsFla., nInd., Md., sMiss., N.J., nwN.C., ePa., enTex.
Select Insurance Company, Dallas, Tex.	566	Colo., Fla., Tex., Wyo	
Southern General Insurance Company, Allentown, Pa.	225	Ark., Cal., Colo., Del., D.C., Fla., Ga., Ill., Ind., Md., Miss., Mo., N.J., N.C., Pa., R.I., S.C., Tex., Utah, Wash., Wis.	CONN.—Ala., Ariz., Ark., nCal., Del., D.C., Hawaii, Idaho, Ind., sIowa, Kans., Ky., Me., Md., sMiss., wMo., Mont.,-Nebr., N.H., N.J., nesN.Y., nOhio, Okla., Oreg., wPa., nesTex. OHIO—D.C., Ky., Md., Mich., Tenn., W. Va.
The Standard Fire Insurance Company, Hartford, Conn.	2,539	All except Ala., Canal Zone, Del., Guam, La., N.J., Puerto Rico, Tenn., Virgin Islands, W. Va.	
State Automobile Mutual Insurance Company, Columbus, Ohio.	1,764	Ala., Fla., Ga., Ind., Kans., Ky., Md., Mich., Miss., Mo., N.J., N.C., Ohio, Pa., S.C., Tenn., W. Va.	FLA.—D.C.
State Fire and Casualty Company, Miami, Fla.	183	Alaska, D.C., Fla., Ind., Ky., La., Md., Miss., Nev., Okla.	
State Surety Company, Des Moines, Iowa.	53	Iowa, Kans., Minn., Mo., Nebr., S. Dak	IOWA—eArk., D.C., sFla., Ill., Kans., eLa., wMich., Minn., Mo., Nebr., N. Dak., nOhio, nOkla., S. Dak.
Statesman Insurance Company, Indianapolis, Ind.	123	Ala., Ill., Ind., Iowa, Md., Pa., Tenn	IND.—Colo., D.C., Ill., nIowa, Kans., eLa., Minn., wMo., Nebr., wnPa., S. Dak.
The Stuyvesant Insurance Company, Allentown, Pa.	515	All except Canal Zone, Guam, Hawaii, Virgin Islands	N.Y.—All except Alaska, Canal Zone, Guam, Hawaii, Virgin Islands.
The Summit Fidelity and Surety Company, Chicago, Ill.	78	All except Ark., Cal., Canal Zone, Conn., D.C., Ga., Guam, Hawaii, Idaho, Me., Md., Mass., Mont., N.H., N.Y., N.C., Oreg., Puerto Rico, R.I., S.C., S. Dak., Tex., Virgin Islands, W. Va.	OHIO—D.C.
Sun Insurance Company of New York, New York, N.Y.	1,099	All except Canal Zone, Guam, Hawaii, Idaho, La., Miss., Puerto Rico, S.C., Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
Superior Insurance Company, Indianapolis, Ind.	530	Ala., Ariz., Cal., Colo., Fla., Ga., Ind., Kans., Mich., N. Mex., Okla., Tex., Utah, Wyo.	TEX.—sCal., Colo., D.C., Okla.
Superior Risk Insurance Company, Leroy, Ohio.	747	Ariz., Cal., Colo., Conn., Del., D.C., Ill., Ind., Iowa, Ky., Md., Mass., Mich., Minn., Nev., N.J., N.Y., Ohio, Pa., R.I., Va., W. Va., Wis.	OHIO—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
Traders & General Insurance Company, Dallas, Tex.	137	Colo., Kans., La., Miss., Mo., N. Mex., Okla., Tex	TEX.—D.C.
Transamerica Insurance Company, Los Angeles, Cal.	5,969	All except Guam	CAL.—All except Canal Zone, Guam, Virgin Islands.
Transcontinental Insurance Company, Chicago, Ill.	3,363	All except Canal Zone, Del., Guam, Hawaii, La., Oreg., Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Del., nsGa., Guam, Hawaii, La., Miss., Oreg., Puerto Rico, S.C., Vt., Virgin Islands.
Transit Casualty Company, St Louis, Mo.	348	Ala., Alaska, Cal., Colo., D.C., Hawaii, Ill., Ind., Iowa, Kans., Ky., Md., Mich., Miss., Mo., Mont., Nebr., Nev., N.J., N.C., N. Dak., Ohio, Okla., R.I., S.C. (fidelity only), Tex., Utah, Vt., Wash., W. Va., Wis., Wyo.	MD.—D.C.
Transport Indemnity Company, Los Angeles, Cal.	839	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	CAL.—All except Alaska, Canal Zone, Guam, eKy., eLa., eMiss., Nev., nwN.Y., eOhio, eOkla., Puerto Rico, nTenn., wVa., Virgin Islands, W. Va.
Transportation Insurance Company, Chicago, Ill.	930	All except Canal Zone, Guam, Hawaii, Puerto Rico, S.C., Virgin Islands.	ILL.—All except Alaska, nCal., Canal Zone, Conn., sFla., Guam, Hawaii, eKy., Minn., wMo., Nev., N.H., wN.Y., Ohio, ePa., Puerto Rico, S. Dak., Virgin Islands, wWash., nW. Va., Wis. CONN.—All except Guam.
The Travelers Indemnity Company, Hartford, Conn.	21,000	All except Guam	TEX.—All except Guam.
Trinity Universal Insurance Company, Dallas, Tex.	2,014	All except Alaska, Canal Zone, Conn., Del., Guam, Hawaii, Idaho, Me., Md., Mass., Mont., Nev., N.H., N.J., N.Y., Puerto Rico, R.I., S.C., Tenn., Utah, Vt., Va., Virgin Islands, W. Va., Wyo.	
Tri-State Insurance Company, Tulsa, Okla.	336	All except Cal., Canal Zone, Conn., Del., D.C., Guam, Hawaii, Me., Md., Mass., Mich., N.H., N.J., N.Y., N.C., Ohio, Oreg., Pa., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, W. Va., Wis.	OKLA.—All except Cal., Canal Zone, Conn., Del., Guam, Hawaii, Me., Md., Mass., Mich., N.H., N.J., N.Y., N.C., Ohio, Oreg., Pa., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, W. Va., Wis.
Twin City Fire Insurance Company, Hartford, Conn.	803	All except Canal Zone, Guam, Puerto Rico, Virgin Islands.	MINN.—Conn., D.C., La.
United Pacific Insurance Company, Tacoma, Wash.	1,912	All except Ala., Canal Zone, Conn., Del., Ga., Guam, La., Me., Md., Mass., N.J., N.C., Pa., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, W. Va.	WASH.—All except Canal Zone, Guam, Puerto Rico, Virgin Islands.
United States Casualty Company, Hartford, Conn.	1,406	All except Canal Zone, Guam, Hawaii	N.Y.—All except Alaska, Canal Zone, Guam, Hawaii, wLa.
United States Fidelity and Guaranty Company, Baltimore, Md.[1]	40,672	All except Guam	MD.—All except Guam.
United States Fire Insurance Company, New York, N.Y.	10,641	All except Canal Zone, Guam, Virgin Islands	N.Y.—All except Alaska, Canal Zone, Guam, Hawaii Virgin Islands.

See footnotes at end of table.

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM SECRETARY OF THE TREASURY UNDER ACT OF CONGRESS, APPROVED JULY 30, 1947 (6 U.S.C. 6–13) AS ACCEPTABLE SURETIES ON FEDERAL BONDS (a)—Continued

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk). See footnote (b). (In thousands of dollars)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
Universal Surety Company, Lincoln, Nebr.	226	Ariz., Colo., Iowa, Kans., Minn., Mo., Mont., Nebr., N. Mex., N. Dak., Ohio, Okla., S. Dak., Utah, Wash., Wyo.	NEBR.—Ariz., Colo., D.C., Iowa, Kans., Minn., Mo., Mont., N. Mex., N. Dak., wOkla., S. Dak., nTex., Utah, Wyo.
Utica Mutual Insurance Company, Utica, N.Y.	1,956	All except Alaska, Ark., Canal Zone, Guam, Hawaii, Kans., La., Mich., Oreg., Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Guam, Hawaii, Me., Puerto Rico, Virgin Islands.
Valley Forge Insurance Company, Reading, Pa.	1,256	All except Alaska, Ariz., Cal., Canal Zone, Conn., Fla., Guam, Hawaii, Idaho, Kans., Ky., La., Me., Nebr., N.H., N. Mex., N.C., Oreg., Puerto Rico, R.I., S.C., S. Dak., Tenn., Virgin Islands, Wyo.	PA.—All except Guam, Virgin Islands, Wis.
Vigilant Insurance Company, New York, N.Y.	1,687	All except Alaska, Canal Zone, Guam, Hawaii, Virgin Islands.	N.Y.—All except Alaska, Guam, Hawaii, Puerto Rico, Virgin Islands.
West American Insurance Company, Hamilton, Ohio.	680	Ariz., Ark., Cal., Colo., D.C. Ill., Ind., Iowa. Kans., Ky., La., Md., Mich., Minn., Mo., Nebr., Nev., N. Mex., N. Dak., Ohio, Okla., Oreg., Pa., Utah, Va., Wash., Wis., Wyo.	CAL.—Ala., Colo., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., eLa., Md., Mich., Minn., Mo., Nev., N. Mex., N. Dak., Ohio, nOkla., Oreg., Pa., mTenn., Tex., Utah, Va., Wash., Wis., Wyo.
Westchester Fire Insurance Company, New York, N.Y.	6,222	All except Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
The Western Casualty and Surety Company, Fort Scott, Kans.	3,209	All except Alaska, Canal Zone, Conn., Del., Guam, Hawaii, Me., Mass., N.H., N.Y., N.C., Pa., Puerto Rico, R.I., Vt., Va., Virgin Islands, W. Va.	KANS.—All except Guam, Puerto Rico, Virgin Islands.
The Western Fire Insurance Company, Fort Scott, Kans.	1,718	Ariz., Ark., Cal., Colo., Fla., Ill., Ind., Iowa, Kans., Ky., Mich., Minn., Miss., Mo., Nebr., Nev., N. Mex., N.Y., N. Dak., Ohio, Okla., S. Dak., Tenn., Utah, Wash., Wis., Wyo.	KANS.—All except Guam, Puerto Rico, Virgin Islands.
Western Pacific Insurance Company, Seattle, Wash.	233	Alaska, Ariz., Colo., Idaho, Mont., Nev., Oreg., Utah, Wash., Wyo.	WASH.—Alaska, Ariz., Cal., Colo., D.C., Idaho, wMich., Mont., Nev., N. Mex., sN.Y., Oreg., Utah, Wyo.
Western Surety Company, Sioux Falls, S. Dak.	800	All except Alaska, Canal Zone, Guam, Hawaii, Me., N.H. N.Y., N.C., Puerto Rico, S.C., Virgin Islands.	S. DAK.—All except Alaska, Canal Zone, Guam, Hawaii, Puerto Rico, Virgin Islands.
Wolverine Insurance Company, Battle, Creek, Mich.	539	Alaska, Ark., Cal., Fla., Ga. (surety only), Ill., Ind., Iowa, Mich., Minn., Nebr., Nev., N. Mex., N. Dak., Ohio, Pa., Vt., W. Va., Wyo.	MICH.—D.C., Ga., Ill., Ind., Iowa, Minn., Ohio, S. Dak.
The Yorkshire Insurance Company of New York, New York, N.Y.	573	All except Ark., Canal Zone, Guam, Hawaii, Puerto Rico, S. Dak., Virgin Islands.	N.Y.—All except Alaska, Guam, Puerto Rico, Virgin Islands.

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM THE SECRETARY OF THE TREASURY AS ACCEPTABLE REINSURING COMPANIES UNDER TREASURY CIRCULAR NO. 297 DATED JULY 5, 1922, AS AMENDED

Names of companies	Underwriting limitations (net limit on any one risk). (In thousands of dollars)	Judicial Districts in which process agents have been appointed
Accident and Casualty Insurance Company of Winterthur, Switzerland (U.S. Office, New York, N.Y.)	1,348	D.C.
Alliance Assurance Company, Ltd., London, England (U.S. Office, New York, N.Y.)	683	D.C.
Atlas Assurance Company, Limited, London, England (U.S. Office, New York, N.Y.)	706	D.C.
Constellation Insurance Company, New York, N.Y.	970	D.C.
The Employers' Liability Assurance Corporation, Limited, London, England (U.S. Office, Boston, Mass.)	7,278	D.C.
General Accident Fire and Life Assurance Corporation, Limited, Perth, Scotland (U.S. Office, Philadelphia, Pa.)	10,942	D.C.
General Security Assurance Corporation of New York, New York, N.Y.	461	D.C.
The Guarantee Company of North America, Montreal, Canada (U.S. Office, New York, N.Y.)	102	D.C.
The London Assurance, London, England (U.S. Office, New York, N.Y.)	862	D.C.
London Guarantee and Accident Company, Ltd., London, England (U.S. Office, New York, N.Y.)	1,234	D.C.
The London & Lancashire Insurance Company, Ltd., London, England (U.S. Office, New York, N.Y.)	770	D.C.
The Marine Insurance Company, Ltd., London, England (U.S. Office, New York, N.Y.)	533	D.C.
Metropolitan Fire Assurance Company, Hartford, Conn.	214	D.C.
Munich Reinsurance Company, Munich, Germany (U.S. Office, New York, N.Y.)	1,048	D.C.
The Netherlands Insurance Company, Est. 1845, The Hague, Holland (U.S. Office, Keene, N.H.)	536	D.C.
Royal Insurance Company, Limited, Liverpool, England (U.S. Office, New York, N.Y.)	3,772	D.C.
The Sea Insurance Company, Limited, of Liverpool, England (U.S. Office, New York, N.Y.)	813	D.C.
The Skandia Insurance Company, Stockholm, Sweden (U.S. Office, New York, N.Y.)	990	D.C.
Sun Insurance Office, Limited, London, England (U.S. Office, New York, N.Y.)	796	D.C.
Swiss Reinsurance Company, Zurich, Switzerland (U.S. Office, New York, N.Y.)	3,121	D.C.
Transatlantic Reinsurance Company, New York, N.Y.	124	D.C.
The Unity Fire and General Insurance Company, New York, N.Y.	440	D.C.
Zurich Insurance Company, Zurich, Switzerland (U.S. Office, Chicago, Ill.)	7,024	D.C.

[1] This company assumed the business of the Buckeye Union Casualty Company, effective January 1, 1965.

[2] American Central Insurance Company and Central Surety and Insurance Corporation merged into this company effective December 31, 1965.

[3] This company assumed casualty (including fidelity and surety) business of Milwaukee Insurance Company of Milwaukee, Wis., effective January 1, 1965.

[4] Formerly Home Fire and Marine Insurance Company of California. Name changed effective January 1, 1966 (see FEDERAL REGISTER of January 20, 1966, page 765 for details).

[5] Formerly Security Insurance Company of New Haven. Name changed effective January 1, 1965.

[6] Merchants Fire Assurance Company of New York and Merchants Indemnity Corporation of New York merged into this company effective January 1, 1966.

NOTES

(a) All certificates of authority expire May 31, and are renewable June 1, annually.

(b) Treasury regulations do not limit the penal sum of bonds which surety companies may execute. The net retention, however, cannot exceed the underwriting limitation and excess risks must be protected by reinsurance, co-insurance, or other methods in accordance with Treasury regulations. When excess risks on bonds in favor of the United States are protected by reinsurance, such reinsurance is to be effected by use of Treasury Form BA 6308 (formerly Form 389) to be filed with the bond or within 45 days thereafter. Risks in excess of limit fixed herein must be reported for quarter in which they are executed. In protecting such excess, the rating in force on the date of the execution of the risk will govern absolutely. This limit applies until a new rating is established by the Treasury Department.

(c) The term "other areas" includes Canal Zone, Guam, Puerto Rico and Virgin Islands.

(d) Abbreviated capital letters preceding judicial districts indicate State in which the company is incorporated. Process agents are required in the following districts: Where principal resides; where obligation is to be performed; and where bond is returnable or filed. No process agent required in State wherein company is incorporated. Letters "n, s, e, m, and w" preceding names of States indicate respectively the Northern, Southern, Eastern, Middle, and Western judicial districts of States indicated. If letters do not precede names of States, process agents have been appointed in all judicial districts of such States.

[F.R. Doc. 66-6154; Filed, June 9, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17321]

ALASKA AIRLINES, INC., AND CATHAY PACIFIC AIRWAYS, LTD.

Notice of Proposed Approval of Sale of Aircraft

Application of Alaska Airlines, Inc., for approval under section 408 of the Federal Aviation Act of 1958, as amended, of the sale to Cathay Pacific Airways, Ltd., of one Convair 880 aircraft, Docket 17321.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the order set forth below under delegated authority. Interested persons are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., June 7, 1966.

J. W. ROSENTHAL,
Director,
Bureau of Operating Rights.

ORDER OF APPROVAL

Issued under delegated authority.

Application of Alaska Airlines, Inc., Docket 17321, for approval of contract of sale of aircraft, engines, and spares.

By application filed May 12, 1966, Alaska Airlines, Inc. (Alaska) requests approval, without hearing, pursuant to section 408(b) of the Federal Aviation Act of 1958, as amended, (the Act) of the sale to Cathay Pacific Airways, Ltd. (Cathay) of one Convair 880M aircraft, three spare engines and Alaska's inventory of other spare parts. The total sale price is $3,700,000.[1]

In support of its request for approval, Alaska states that the aircraft will become surplus to its requirements on delivery of the first of two Boeing 727 aircraft which are scheduled for delivery in September and October 1966; that the 880 will be retained in service until the first 727 is delivered; and that the transaction is fair, reasonable, advantageous, and compensatory to Alaska.

No objections to approval of the application have been filed.

Upon review of the application, we have concluded that the Convair 880 aircraft and related equipment to be sold to Cathay, a person engaged in a phase of aeronautics, constitute a substantial part of the properties of Alaska within the meaning of section 408 of the Act. However, it has been further concluded that the sale of these properties to Cathay does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly and does not tend to restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing. It therefore appears that approval of the transaction without a hearing would not be inconsistent with the public interest.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER and a copy of such action has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with the requirements of section 408(b) of the Act.

Pursuant to authority duly delegated by the Board in the Board's regulations (14 CFR 385.13), it is found that the above described transaction should be approved under section 408(b) without a hearing.

Accordingly, it is ordered:

1. That the transaction described in the instant application be and it hereby is approved; and

2. That this action does not constitute a determination of the reasonableness of the transaction for rate-making purposes.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

BY: J. W. Rosenthal,
Director,
Bureau of Operating Rights.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-6389; Filed, June 9, 1966; 8:48 a.m.]

[Docket No. 16236; Order E-23773]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of June 1966.

Agreement adopted by Joint Conference 1-2, 3-1, and 1-2-3 of the International Air Transport Association relating to specific commodity rates; Docket 16236, Agreement CAB 18703, R-16 through R-21.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1-2, 3-1, and 1-2-3 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated April 27, and May 16, 1966,[1] as set forth in the attachment hereto,[2] (1) names a rate under a new commodity description, and (2) names additional rates under existing commodity descriptions. The new rates under the new and existing commodity descriptions reflect reductions ranging from 18.7 to 86.5 percent and are consistent with the present level of specific commodity rates within the applicable areas.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered:

That Agreement CAB 18703, R-16 through R-21, be approved, provided that approval thereof shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-6390; Filed, June 9, 1966; 8:48 a.m.]

[Docket 17291]

TRANS INTERNATIONAL AIRLINES, INC.

Notice of Proposed Approval of Application

Notice is hereby given, pursuant to the statutory requirements of section 408(b), that the undersigned intends to issue the attached order under delegated authority. Interested persons are hereby afforded a period of 15 days from date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., June 7, 1966.

J. W. ROSENTHAL,
Director,
Bureau of Operating Rights.

ORDER APPROVING AGREEMENT

Issued under delegated authority.

Application of Trans International Airlines, Inc., for approval of an agreement under section 412 and for an exemption under section 416(b) of the Federal Aviation Act of 1958, as amended; Docket 17291, Agreement CAB 18899.

On May 5, 1966, Trans International Airlines, Inc. (TIA), filed with the Board an agreement (CAB 18899) which it has entered into with Canadian Pacific Air Lines, Ltd. (CPAL), together with an application for approval of this agreement and an exemption from sections 401 and 403 of the Act to the extent necessary to carry out the operations described therein. The agreement envisages the leasing by TIA to CPAL for a period beginning October 2, 1966, and ending October 1, 1967, of one DC-8-51 aircraft for use in any CPAL service, with flight crew furnished by TIA but with the right reserved by CPAL to use its own crews.

In support of its application TIA alleges, inter alia, that CPAL recently lost one of its DC-8 aircraft in an accident and, because of the long delivery date involved in obtaining a replacement which it has ordered, the instant arrangement is necessary; that TIA has an urgent need for additional utilization of its DC-8 fleet; that the first 8 months of the proposed lease are an off-season for commercial charter utilization; that TIA will receive three 258-passenger DC-8-61 aircraft in March, April, and August, 1967 and thus, during the on-season of 1967, will be in a transitional stage wherein its total fleet capacity may temporarily outrun its traffic development; that TIA must also be concerned with the problem of maintaining the required balance between commercial and military revenues in accordance with the policies of the Military Air Command once it has obtained the three DC-8-61 aircraft; that CPAL will pay TIA under this agreement the sum of $4,115,000; and that the arrangement meets the guidelines of the Board's policy statement respecting wet leases by U.S. carriers to foreign air carriers (section 399.19).

No objections to this application have been received.

A threshold jurisdictional question is posed by the subject application. TIA apparently conceives of the transaction as involving a "wet lease," that is a charter of aircraft and crews since it seeks operating authority normally associated with a "wet lease," i.e., an exemption from sections 401 and 403 of the Act. However, our analysis of the lease convinces us that what is involved is the customary lease of aircraft and not a charter of aircraft and crews. Consequently, approval under section 408 of the Act is required rather than the operating authority sought by TIA. Although TIA crews may operate the aircraft, it is clear from the agreement that TIA will give up dominion and control of the aircraft during the term of the lease. Thus, for example, CPAL shall operate the aircraft under its certificate and Canadian operating authority; the aircraft will be registered in Canada; and CPAL shall maintain hull insurance and liability coverage. These and other lease provisions, taken in the aggregate, are the basis for our conclusion. In view of the foregoing the subject application shall be treated as seeking relief under section 408 of the Act.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER, and a copy of such notice has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with the requirements of section 408 of the Act.

Upon consideration of the application, it is concluded that jurisdiction under section 408 exists since CPAL, a phase of aeronautics, will lease a substantial portion of the assets of TIA, an air carrier. However, it has been further concluded that such lease does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly and does not restrain competition or jeopardize another air carrier not a party to the transaction. Furthermore, no person disclosing a substantial interest is currently requesting a hearing and it is found that the public interest does not require a hearing.

The lease may assist TIA with respect to aircraft utilization and, subsequent to its receiving the three "stretched" jet aircraft, with respect to maintaining its ratio of commercial to military traffic. The only U.S. point served by CPAL (other than service between Whitehorse, Yukon, and Fairbanks, Alaska, which does not appear pertinent here in view of the size of the aircraft) is Honolulu, Hawaii, on a route from Vancouver to Australasia. The only U.S. route carrier serving between Honolulu and any points on CPAL's Vancouver-Australasia route is Pan American World Airways, Inc., which is a carrier of such size and strength compared to CPAL that we see no likelihood of any significant adverse effect upon it from the proposed utilization by CPAL of this one aircraft. Moreover, this aircraft is a replacement rather than an addition to CPAL's fleet and thus in a sense does not increase its competitive capacity. Finally, there is also no reason to believe that the operation of this service would impair the ability of TIA to promote and perform civil charters in accordance with its certificate.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.13, it is found that the foregoing transaction should be approved under section 408 (b) of the Act, without a hearing.

Accordingly, it is ordered:

1. That the transaction between TIA and CPAL hereinbefore described be and it hereby is approved under section 408 of the Act;

2. That this action shall not be deemed an approval for rate-making purposes of the financial provisions of the transaction;

3. That to the extent not granted TIA's application be and it hereby is dismissed; and

4. That this order may be amended or revoked at any time in the discretion of the Board without hearing.

Persons entitled to petition the Board for review of this order pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within five days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

BY: J. W. Rosenthal,
Director,
Bureau of Operating Rights.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-6404; Filed, June 9, 1966; 8:48 a.m.]

FEDERAL RESERVE SYSTEM

OTTO BREMER CO.

Amended Notice of Request for Determination and Order for Hearing Thereon

Notice was given by publication in 30 F.R. 16286 (Dec. 30, 1965) that request had been made to the Board of Governors of the Federal Reserve System, pursuant to section 4(c)(6) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(c)(6)) and § 222.5(b) of the Board's Regulation Y (12 CFR 222.5(b)), by the Otto Bremer Co., St. Paul, Minn., a bank holding company, for a determination that the activities planned to be undertaken by its proposed subsidiaries, Farmers Agricultural Credit Co., Inc., The Farmers Insurance Agency, Inc., American Insurance Agency, Inc., and The International State Agency, are of the kind described in the aforementioned sections of the Act and the Regulation so as to make it unnecessary for the prohibitions of section 4 of the Act with respect to shares in nonbanking organizations to apply in order to carry out the purposes of the Act. The name of the Carrington Credit Co., another proposed subsidiary, was omitted from that notice. The hearing ordered to be held by that notice has been held and evidence received relating to the proposed activities of the aforementioned proposed subsidiaries, including Carrington Credit Co.

Any person desiring to give testimony in this proceeding concerning the Carrington Credit Co. and its proposed activities should file with the Secretary of the Board, directly or through the Federal Reserve Bank of Minneapolis, Minneapolis, Minn., on or before June 28, 1966, a written request containing a statement of the petitioner's interest in the proceeding, and a summary of the matters concerning which said petitioner wishes to give testimony. Such request will be presented to the designated hearing examiner for his determination as to the need for a further hearing in this matter. Persons submitting requests will be notified of the hearing examiner's decision.

Dated at Washington, D.C., this 3d day of June 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-6372; Filed, June 9, 1966; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Canadian Change List 211]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections in Assignments

MAY 18, 1966.

Notification under the provisions of part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph No. 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

[1] Comprised of $3,045,000 for the aircraft, $510,000 for the three spare engines and $145,000 for other spare parts.

[1] Received in the Board Apr. 29, and May 23, 1966, respectively.

[2] Attachment filed as part of original document.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CKEY (PO: 590 kc 10 kwD/5 kwN DA-1).	Toronto, Ontario	590 kilocycles 10 kw	DA-2	U	III	E.I.O. 5-15-67.
CJCH (PO: 600 kc 10 kwD/5 kwN DA-2).	North Bay, Ontario	600 kilocycles 10 kwD/5 kwN	DA-2	U	III	E.I.O. 5-15-67.
New (change in pattern and location with increase in power—See List No. 209).	Prince George, British Columbia.	690 kilocycles 10 kw	DA-N	U	III	E.I.O. 5-15-67.
CJET (now in operation with increased power).	Smith Falls, Ontario	850 kilocycles 10 kw	DA-2	U	III	
CJSP (change in pattern and location with increase in power—See List No. 177) (PO: 710 kc 1 kw DA-D).	Leamington, Ontario	710 kilocycles 10 kw	DA-D	D	II	E.I.O. 5-15-67.
New	Leamington, Ontario	710 kilocycles 0.25 kw	DA-N	Night	II	E.I.O. 5-15-67.
CKTS (delete assignment).	Sherbrooke, Province of Quebec.	900 kilocycles 10 kwD/2.5 kwN.	DA-2	U	II	
CKTS (PO: 900 kc 1 kw DA-N).	Sherbrooke, Province of Quebec.	900 kilocycles 1 kw	DA-1	U	II	E.I.O. 5-15-67.
New (delete assignment—vide: 1280 kc).	Powell River, British Columbia.	1230 kilocycles 1 kw	DA-2	U	IV	
New	Powell River, British Columbia.	1280 kilocycles 1 kw	DA-1	U	III	E.I.O. 5-15-67.
New	Saskatoon, Saskatchewan.	1570 kilocycles 10 kw	DA-N	U	III	E.I.O. 5-15-67.
New	Oshawa, Ontario	1590 kilocycles 5 kwD/1 kwN	DA-1	U	III	E.I.O. 5-15-67.
CJVR (assignment of call letters).	Melfort, Saskatchewan	1430 kilocycles 10 kw	DA-N	U	III	
New	Shaunavon, Saskatchewan.	1490 kilocycles 1 kwD/0.25 kwN.	ND	U	IV	E.I.O. 5-15-67.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6385; Filed, June 9, 1966; 8:47 a.m.]

[Docket Nos. 16667, 16668; FCC 66-486]

LUNDE CORP. AND KASI IOWA, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Lunde Corp., Ames, Iowa, Docket No. 16667, File No. BPH-5016, requests 104.1 mc, No. 281; 100 kw; 451 feet; KASI Iowa, Inc., Ames, Iowa, Docket No. 16668, File No. BPH-5118, requests 104.1 mc, No. 281; 52.9 kw; 269 feet; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 2d day of June 1966;

1. The Commission has under consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and populations which would receive service from the proposals. Consequently, for the purposes of comparison, the areas and populations within the 1 mv/m contours together with the availability of other FM services of at least 1 mv/m in such areas will be considered under the standard comparative issue for the purpose of determining whether a comparative preference should accrue to either of the applicants.

3. As we stated in the Reising case, 1 FCC 2d 1082, 6 RR 2d 431 (1965), programing evidence would not be admissible under the standard comparative issue, absent a finding regarding a substantial and material difference between the proposals. In this case, consideration of the programing proposals is required because KASI Iowa, Inc., proposes to duplicate its companion AM station approximately 12 hours per day or 70.38 percent of the time, while Lunde Corp. proposes independent operation. Therefore, programing evidence will be admissible under the standard comparative issue.

4. Each of the applicants is qualified to construct and operate as proposed. However, because of their mutual exclusivity the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

5. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine which of the proposals would better serve the public interest.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, which of the applications for construction permit should be granted.

6. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

7. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: June 7, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6386; Filed, June 9, 1966; 8:47 a.m.]

[Docket Nos. 16669, 16670; FCC 66-487]

OLMSTEAD COUNTY BROADCASTING COMPANY AND NORTH CENTRAL VIDEO, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Olmstead County Broadcasting Co., Rochester, Minn., Docket No. 16669, File No. BPH-5145, requests 96.7 mc, No. 244, 3 kw, 26 feet; North Central Video, Inc., Rochester, Minn., Docket No. 16670, File No. BPH-5192, requests 96.7 mc, No. 244, 3 kw, 267 feet; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 2d day of June 1966;

[1] Commissioner Lee absent.

1. The Commission has before it for consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would cause mutually destructive interference.

2. As we stated in the Reising case, 1 FCC 2d 1082, 6 RR 2d 431 (1965) programing evidence would not be admissible under the standard comparative issue, absent a finding regarding a material and substantial difference between the proposals. In this case, consideration of the programing proposals is required because Olmstead County Broadcasting Co. proposes to duplicate its companion AM station approximately 10 hours per day or 61.86 percent of the time, while North Central Video, Inc., proposes to duplicate the programing of its companion AM station only about 2 hours and 40 minutes per day or 14.25 percent of the time. Therefore, programing evidence reasonably relating to the indicated AM duplication matter will be admissible under the standard comparative issue.

3. Each of the applicants is qualified to construct and operate as proposed. However, because of their mutual exclusivity the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

4. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine which of the proposals would better serve the public interest.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, which of the applications for construction permit should be granted.

5. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein pursuant to § 1.221(c) of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

6. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: JUNE 7, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6387; Filed, June 9, 1966; 8:47 a.m.]

[Docket Nos. 16253, 16423; FCC 66R-212]

KEITH L. REISING AND KENTUCKIANA TELEVISION, INC.

Memorandum Opinion and Order Enlarging Issues

In re applications of Keith L. Reising, Louisville, Ky., Docket No. 16253, File No. BPH-4207; Kentuckiana Television, Inc., Louisville, Ky., Docket No. 16423, File No. BPH-5120; for construction permits.

1. The Review Board has before it for consideration the motion of Keith L. Reising (Reising) to add issues [1] respecting the broadcasting of an advertisement for a lottery by Kentuckiana Television, Inc. (Kentuckiana), licensee of Station WLKY-TV, Louisville, Ky., and an applicant herein for a new FM broadcast station at Louisville. Reising's application, also for a new FM broadcast station at Louisville, Ky., was first designated for hearing by Memorandum Opinion and Order, FCC 65-949, 1 FCC 2d 1082. Kentuckiana's application was consolidated for hearing with the applications of Reising and another proposal since dismissed (FCC 66M-318, released March 3, 1966), by Order FCC 66-38, released January 17, 1966.

2. Reising requests that issues be added to determine whether Kentuckiana broadcast an advertisement for a lottery sponsored by the Blue Boar Cafeteria in Louisville, Ky. The advertising copy, attached to Kentuckiana's opposition pleading, reads as follows:

> Downtown Louisville • • • that's where the fun is! and that's where Blue Boar is too • • • with two convenient locations: on Fourth Street in the heart of the theater district and • • • on Walnut Street between Fourth and Fifth. You'll enjoy Blue Boar's relaxing atmosphere • • • cheerful service • • • and vast variety of delicious homemade food at pleasing prices, and when you dine at one of the downtown Blue Boar locations between 4:30 and 8:30 any night of the week you can play "Napkin Roulette"! Here's all you do: Just unroll your dinner napkin • • • and tucked inside, along with the silver • • • you may find two free tickets to see an outstanding first run movie at one of the six downtown theaters. So, when you want a really enjoyable evening on-the-town, come downtown to Blue Boar • • • where the fun is.

Reising attaches affidavits to his petition and reply which state that he purchased a meal at the Blue Boar Cafeteria but did not find theater tickets in the napkin. Reising apparently made no attempt, however, to play "napkin roulette" without making a purchase. Kentuckiana, with its opposition to Reising's petition, submits the affidavits of five individuals unknown to the Blue Boar management who entered the cafeteria, unrolled napkins but did not purchase food. Only one affiant went to the cafeteria between the hours of 4:30 and 8:30 p.m. when, according to the advertisement, a person could play "napkin roulette".

3. A lottery possesses three elements: (1) Chance, (2) prize, and (3) consideration, FCC v. American Broadcasting Co., 347 U.S. 284, 10 RR 2030 (1954). Kentuckiana contends that since in the "napkin roulette" promotion there was no requirement to purchase food the element of consideration was not present, citing Caples Co. v. United States, 100 U.S. App. D.C. 126, 243 F. 2d 232, 15 RR 2005 (1957). Even though the purchase of food might be called "minimal" consideration, such purchase would constitute consideration and render the contest in question a lottery. As the Commission stated in The Noble Broadcasting Co., 1 FCC 2d 154, 5 RR 2d 915 (1965):

> Consideration exists where a chance or a prize drawing is given with the purchase of legitimate goods, even though the goods are in fact priced no higher because of the issuance of the prize or chances. Horner v. United States, 147 U.S. 449 (1893).[2]

4. The Broadcast Bureau points out that the determination of whether the "napkin roulette" promotion was a lottery must be made in light of all of the surrounding conditions. The Review Board agrees with this observation. The fact that the theatre tickets were wrapped in dinner napkins at the end of the food line and the improbability that a person would enter a food line without purchasing food are considerations to be weighed in judging whether

[1] Commissioner Lee absent.

[1a] The Review Board has the following pleadings before it for consideration: (1) Petition to enlarge issues, filed by Keith L. Reising on Mar. 1, 1966; (2) opposition to petition to enlarge issues, filed by Kentuckiana Television, Inc., on Mar. 18, 1966; (3) Broadcast Bureau's comments on "petition to enlarge issues", filed on Mar. 18, 1966; and (4) reply to responses to petition to enlarge issues, filed by Keith L. Reising on Apr. 5, 1966. Inasmuch as the facts underlying Reising's request are alleged to have occurred in February and March 1966, good cause for late filing of Reising's petition is determined to exist.

[2] Applying the dicta of the Horner case, the Court held in U.S. v. Walls 58 Fed. 942 (1893) that the purchase of a newspaper containing a number similar to numbers to be drawn constituted a violation of the postal lottery laws. Cf. WRBC Radio Stations, Inc. (WRBC), 2 FCC 687 (1936), Metropolitan Broadcasting Corp. (WMBQ), 5 FCC 501 (1938) and Meredith Colon Johnston, 1 FCC 2d 720, 5 RR 2d 749 (Rev. Bd. 1965).

the promotion was a lottery.[3] In a recent Memorandum Opinion and Order, KTOK Radio, Inc., FCC 66–431, released May 12, 1966 (imposing a forfeiture for broadcast of a lottery advertisement), the Commission, answering a contention that at least 90 persons participated without making a purchase, stated:

> The advertisement for this contest states that a purchase is necessary to participate and contains nothing to indicate that one can enter without making such a purchase. Further, the licensee admits that efforts were made to have all registrants purchase merchandise, and the registration form even states that a purchase is necessary. No announcement or printed statement directed to the public indicated how one might participate without making a purchase. The fact that some few persons allegedly may have been allowed to register without making a purchase does not alter the advertiser's intent and purpose for conducting the contest.

5. Kentuckiana urges that "the broadcast of a single promotional scheme does not raise a question upon which an evidentiary hearing must be held," citing as authority Audiocasting of Texas, Inc., FCC 64–1044, 3 RR 2d 1035. The Audiocasting case involved approval of an application for transfer of control in which a petition to deny was interposed alleging, among other things, that spot announcements on November 9, 1963, had advertised a teenage dance where records and silver dollars were given away. In concluding that it was unnecessary to decide whether this promotion constituted a lottery, the Commission stated "[t]his single incident involving a marginal question at best is not of a nature which would raise a public interest question or constitute a ground for denying the subject application." Similarly, the Noble case, supra, held that the promotion of two dances with prizes to ticket purchasers, while constituting a lottery, was not sufficient to disqualify an applicant in a renewal proceeding.

6. On the basis of the pleadings, a sufficient showing has been made to raise the question as to whether a lottery was involved. In view of the termination of promotion, and of the fact that the promotion apparently was no more than an isolated instance, the matter does not appear to raise a question as to the licensee's basic qualifications but is relevant to the comparative evaluation of the two applicants. Even if it is concluded that "napkin roulette" was not legally a lottery, a question is presented by reason of the language used in the advertisement of the promotion whether Kentuckiana took adequate steps prior to its broadcast to insure that it was a proper promotion. A failure in this respect on the part of Kentuckiana may have constituted a violation of its responsibility to supervise and control the material broadcast over its station. See Palmetto Broadcasting Co., 33 FCC 251, 23 RR 483; reconsideration denied 34 FCC 101, 23 RR 486a (1963); affirmed 334 F. 2d 534 (D.C. Cir. 1964), 2 RR 2d 2001; cert. denied 379 U.S. 843. An issue will be added on the Board's own motion to determine whether Kentuckiana violated its responsibility of supervision and control.

Accordingly, it is ordered, This 6th day of June 1966, that the Petition to Enlarge Issues, filed by Keith L. Reising on March 1, 1966, is granted to the extent indicated herein, and the issues in this proceeding are enlarged by the addition of the following issues:

(1) To determine the facts and circumstances surrounding the advertisement by television broadcast Station WLKY–TV, Louisville, Ky., during the month of February 1966, of a promotion entitled "Napkin Roulette";

(2) To determine whether Kentuckiana exercised appropriate control or supervision of its programing by insuring prior to broadcast that its promotion of "Napkin Roulette" did not constitute the broadcast of an advertisement for a lottery;

(3) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether the comparative qualifications of Kentuckiana Television, Inc., are adversely affected.

Released: June 7, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[4]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66–6388; Filed, June 9, 1966; 8:47 a.m.]

[3] See Central States Theatre Corp. v. Pat, 11 F. Supp. 566 (S.D. Ia. 1936) concerning the interpretation of the NRA fair business standards code respecting the operation of a movie theatre alleged to be engaging in unfair business tactics because it promoted an alleged lottery. A lottery was held to exist because the persons wishing to engage in the promotion had to sign their names on an entry book placed in the foyer of the theatre. The Court concluded that, "[t]he very purpose of the registration book being within the foyer of the theatre is to induce people to enter the theatre * * *."

[4] Board Members Berkemeyer and Slone dissenting.

FEDERAL MARITIME COMMISSION

[Docket No. 66–36]

OUTWARD CONTINENTAL NORTH PACIFIC FREIGHT CONFERENCE

Admission, Withdrawal, and Expulsion; Self-Policing Reports; Shippers' Requests and Complaints; Order To Show Cause

Agreement 93, originally approved June 14, 1927, between the member lines of the Outward Continental North Pacific Freight Conference, covers the trade from Scandinavian, Baltic, German, Dutch, Belgian, and French Atlantic ports to all Pacific Coast ports north of the United States-Mexican border, and to the Hawaiian Islands with transshipment at Los Angeles Harbor and/or San Francisco.

Section 15 of the Shipping Act, 1916, reads in pertinent part, as follows:

> The Commission shall disapprove any such agreement, after notice and hearing, on a finding of inadequate policing of the obligations under it * * *.

General Order 7 (46 CFR Part 528) was adopted to implement section 15, as amended by Public Law 87–346, 75 Stat. 763–4, effective October 3, 1961. The order provides in pertinent part, as follows:

§ 528.1 *Scope and purpose.* * * * The Commission shall disapprove an agreement thereunder if, after notice, and hearing, it finds inadequate policing of the obligations of the agreement. This amendment makes it necessary that provision for self-policing be included in certain section 15 agreements and that the Commission be informed of the manner in which such provision is being carried out. The requirements set forth below are to aid the Commission in determining the existence and adequacy of self-policing systems, in accordance with the statutory objective.

§ 528.2 *General requirements, section 15 agreements.* Conference agreements and other ratefixing agreements between common carriers by water in the foreign and domestic off-shore commerce of the United States, whether or not previously approved, shall contain a provision describing the method or system used by the parties in policing the obligations under the agreement, including the procedure for handling complaints and the functions and authority of every person having responsibility for administering the system. In the case of agreements, previously approved under section 15 which do not meet these requirements, the parties shall file for approval an amendment which complies with the requirements * * *.

§ 528.3 *Reporting requirements.* Twice each year, once during the month of January and once during the month of July, there shall be filed with the Commission by the conferences and carriers subject to these rules, or by any person to whom they have delegated the self-policing authority, a report showing the nature of each complaint received during the preceding 6-month period; the action taken on the complaint or on the volition of any person responsible for policing; and with respect to violations found, the nature thereof and the penalty or other sanction imposed. The names of the parties involved in complaints or in action taken on the volition of the person responsible for policing may be omitted from these reports.

The basic agreement, as approved by the U.S. Shipping Board on June 14, 1927, does not contain a self-policing provision which conforms to the requirements outlined in § 528.2 above.

On November 24, 1964, a form letter (Attachment 1)[1] was addressed to all those Conferences and ratefixing agreements, including the subject Conference, which had not filed self-policing reports due in July 1964, covering the period from January through June 1964, pursuant to the requirements of § 528.3 of General Order 7. No report was filed in response to our letter.

By letter of February 16, 1965 (Attachment 2),[1] the attention of the Conference was called to the first unfiled report due in July 1964, and to the second unfiled report due in January 1965. Again our letter was ignored and no reports were filed.

[1] Attachments 1, 2, 3, 4, 5, and 6 filed as part of original document.

On April 29, 1965, a letter (Attachment 3)[1] was addressed to the subject Conference in which modification of the agreement was requested to conform with the requirements of General Order 7. No reply has been received to this letter and no action has been taken on this matter by the Conference.

Section 15 of the Shipping Act, 1916, provides, in pertinent part, as follows:

> No such agreement shall be approved, nor shall continued approval be permitted * * * in respect to any conference agreement, which fails to provide reasonable and equal terms and conditions for admission and readmission to conference membership of other qualified carriers in the trade, or fails to provide that any member may withdraw from membership upon reasonable notice without penalty for such withdrawal.

General Order 9 was adopted to implement section 2 of Public Law 87–346, effective October 3, 1961. It provides as follows:

§ 523.1 *Statement of policy.* (a) * * * no conference agreement shall be approved, nor shall continued approval be permitted for any agreement, which fails to provide reasonable and equal terms and conditions for admission and readmission to conference membership of other qualified carriers in the trade, or fails to provide that any member may withdraw from membership upon reasonable notice without penalty for such withdrawal.

(b) It is the responsibility of the Federal Maritime Commission under the Shipping Act, 1916, to determine that all conference agreements contain reasonable and equal terms and conditions for admission and readmission to conference membership of qualified carriers according to the requirements set forth in paragraph (a) of this section.

§ 523.2 *Provisions of conference agreements.* In effectuation of the policy set forth in § 523.1, conference agreements, whether in effect on October 3, 1961, or initiated after that date, shall contain provisions substantially as follows:

(a) Any common carrier by water which has been regularly engaged as a common carrier in the trade covered by this agreement, or who furnishes evidence of ability and intention in good faith to institute and maintain such a common carrier service between ports within the scope of this agreement, and who evidences an ability and intention in good faith to abide by all the terms and conditions of this agreement, may hereafter become a party to this agreement by affixing its signature thereto.

NOTE: The above provision will not preclude the conference from imposing legitimate conditions on membership, including but not necessarily limited to, the payment of an admission fee, payment of any outstanding financial obligations arising from prior membership, or the posting of a security bond or deposit. All such conditions must be made expressed terms of the conference agreement, filed with and approved by the Commission pursuant to section 15 of the Shipping Act, 1916.

(b) Every application for membership shall be acted upon promptly.

(c) No carrier which has complied with the conditions set forth in paragraph (a) of this section shall be denied admission or readmission to membership.

(d) Prompt notice of admission to membership shall be furnished to the Federal Maritime Commission and no admission shall be effective prior to the postmark date of such notice.

(e) Advice of any denial of admission to membership, together with a statement of the reasons therefor, shall be furnished promptly to the Federal Maritime Commission.

(f) Any party may withdraw from the Conference without penalty by giving at least 30 days' written notice of intention to withdraw to the conference: *Provided, however,* That action taken by the conference to compel the payment of outstanding financial obligations by the resigning member shall not be construed as a penalty for withdrawal.

(g) Notice of withdrawal of any party shall be furnished promptly to the Federal Maritime Commission.

(h) No party may be expelled against its will from this Conference except for failure to maintain a common carrier service between the ports within the scope of this agreement (said failure to be determined according to the minimum sailing requirements set forth in this agreement) or for failure to abide by all the terms and conditions of this agreement.

(i) No expulsion shall become effective until a detailed statement setting forth the reason or reasons therefor has been furnished the expelled member and a copy of such notification submitted to the Federal Maritime Commission.

On November 5, 1964, the Commission dispatched a letter to the Conference Secretary (Attachment 4),[2] advising the Conference of the requirement of § 523.10 of General Order 9 that all existing Conference agreements be modified to comply with General Order 9 and filed with the Commission by July 20, 1964. In his response thereto, dated December 16, 1964 (Attachment 5),[1] the Conference Secretary stated that the terms of the Commission's General Order had been compared with the terms of the agreement, and that no substantial difference between the two with respect to admission, withdrawal and expulsion of Conference members could be found.

The Conference Secretary was advised by letter of April 29, 1965 (Attachment 3),[1] of the specific changes required in Articles 2 and 3 of Agreement 93, as amended, to effect compliance with General Order 9. No response has been received to this letter, and no action has been taken in this matter by the Conference.

The approved agreement of the members of the Outward Continental North Pacific Freight Conference does not comport with the statutory requirements of section 15 of the Shipping Act, 1916, and the requirements of General Order 9 in the following respects:

(a) "Just and reasonable cause" is not adequate criteria for denial of admission to membership and does not meet the requirements of General Order 9 (§ 523.2 (c)).

(b) There is no provision for expulsion for failure to abide by all the terms and conditions of the agreement (§ 523.2(h)).

(c) The agreement fails to provide that no expulsion shall become effective until a detailed statement setting forth the reason or reasons therefor has been furnished the expelled member and a copy of such notification submitted to the Commission (§ 523.2(i)).

[1] Attachments 1, 2, 3, 4, 5, and 6 filed as part of original document.

Section 15 of the Shipping Act, 1916, also provides, in pertinent part, that:

> The Commission shall disapprove any such agreement, after notice and hearing, on a finding * * * of failure or refusal to adopt and maintain reasonable procedures for promptly and fairly hearing and considering shippers' requests and complaints.

General Order 14 was adopted to implement section 2 of Public Law 87–346, effective October 3, 1961. The general order as promulgated, provided, in pertinent part as follows:

§ 527.3 *Filing of procedures.* Within 60 days from the effective date of this part, each ratemaking group operating under an approved section 15 agreement shall file with the Commission a statement outlining in complete detail its procedures for the disposition of shippers' requests and complaints. In January of each year thereafter, each of the above shall file a report covering all changes made in these procedures during the past year, and, in the event the procedures have continued unchanged, the report shall so state.[2]

§ 527.4 *Reports.* By January 31, April 30, July 31, and October 31 of each year, each conference and each other body with ratefixing authority under an approved agreement shall file with the Commission a report covering all shippers' requests and complaints received during the preceding calendar quarter or pending at the beginning of such calendar quarter. The first such report shall be filed by October 31, 1965. All such reports shall include the following information for each request or complaint:

(a) Date request or complaint was received.

(b) Identity of the person or firm submitting the request or complaint.

(c) Nature of request or complaint, i.e., rate reduction, rate establishment, classification, overcharge, undercharge, measurement, etc.

(d) If final action was taken, date and nature thereof.

(e) If final action was not taken, an identification of the request or complaint as "pending".

(f) If denied, the reason.

§ 527.5 *Resident representative.* Conferences and other ratemaking groups domiciled outside the United States shall designate a resident representative in the United States with whom shippers situated in the United States may lodge their requests and complaints. The resident representative shall maintain for a period of 2 years a complete record of requests and complaints filed with him by shippers and consignees situated in the United States and its territories. Conferences and other ratemaking groups subject to this section may satisfy the reporting requirements of § 527.4 by reporting those requests and complaints filed with the resident agent appointed pursuant to the provisions of this section. Appointment of the resident representative shall be made by September 9, 1965.

§ 527.6 *Tariff provision.* Tariff issued by or on behalf of conferences and other ratemaking groups shall contain full instructions as to where and by what method shippers may file their requests and complaints, together with a sample of the rate request form, if one is used, or, in lieu thereof, a statement as to what supporting information is considered necessary for processing the request or complaint through conference channels. Appropriate tariff provisions shall be accom-

[2] The concluding sentence of this section was deleted effective May 21, 1966.

plished within 90 days from the effective date of these rules.[4]

On June 9, 1965, all conferences and ratemaking agreements were mailed a copy of General Order 14 which became effective July 9, 1965. This Conference has made no effort to comply with the requirements of General Order 14. No response was received to our letter of January 7, 1966 (Attachment 6),[5] advising the Conference Secretary of the failure of the Conference to so comply.

The issues raised herein do not involve any disputed issues of fact which necessitate an evidentiary hearing and require a prompt determination by the Commission.

Now, therefore, pursuant to sections 15 and 22 of the Shipping Act, 1916:

It is ordered, That the Outward Continental North Pacific Freight Conference and the member lines thereof show cause why Agreement 93, as amended, should not be disapproved by the Commission pursuant to section 15 of the Shipping Act, 1916, because of the Conference's failure to comply with the requirements of section 15 of the Shipping Act, 1916, and the Conference's failure to comply with the Commission's General Order 7, issued July 30, 1963, the Commission's General Order 9, issued April 21, 1964, and the Commission's General Order 14, issued June 8, 1965. This proceeding shall be limited to the submission of affidavits and memoranda and oral argument. The affidavits of fact and memoranda of law shall be filed by respondents no later than close of business July 8, 1966, replies thereto shall be filed by Hearing Counsel and interveners, if any, no later than close of business July 25, 1966. An original and 15 copies of affidavits of fact, memoranda of law, and replies to be filed with the Secretary, Federal Maritime Commission, Washington, D.C., 20573. Copies of any papers filed with the Secretary should also be served upon all parties hereto. Oral argument will be heard at a date and time to be announced.

It is further ordered, That the Outward Continental North Pacific Freight Conference and its member lines as indicated in Attachment 7, are hereby made respondents in this proceeding.

It is further ordered, That this order be published in the FEDERAL REGISTER and a copy of such order be served upon each respondent.

Persons other than respondents and Hearing Counsel who desire to become a party to this proceeding shall file a petition for leave to intervene in accordance with Rule 5(1) (46 CFR 502.72) of the Commission's rules of practice and procedure no later than close of business June 15, 1966, with copy to Respondent Conference.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Special Assistant to the Secretary.

ATTACHMENT 7

Outward Continental North Pacific Freight Conference, Karel Doormanlaan 8, Katwijk Aan Zee, Holland.
Compagnie General Transatlantique (French Line), General Steamship Corp., Ltd., One Bush Street, San Francisco, Calif., 94104.
East Asiatic Co., Inc. (The) (A/S Det Ostasiatiske Kompagni), 465 California Street, San Francisco, Calif., 94104.
Hamburg Amerika Linie, Balfour, Guthrie & Co., Ltd., 255 California Street, San Francisco, Calif., 94111.
Nippon Yusen Kaisha, Ltd. (N.Y.K. Line), Transmarine Navigation Corp., 311 California Street, San Francisco, Calif., 94104.
Norddeutscher Lloyd, Balfour, Guthrie & Co., Ltd., 255 California Street, San Francisco, Calif., 94111.
N. V. Nederlandsch-Amerikaansche Stoomvaart - Maatschappij (Holland - Amerika Lijn), 324 Sansome Street, San Francisco, Calif., 94104.
Olsen & Co., Fred (Fred Olsen Line), 465 California Street, San Francisco, Calif., 94104.
Rederiaktiebolaget Nordstjernan (Johnson Line), 2 Pine Street, San Francisco, Calif., 94111.
Royal Mail Lines, Ltd., Holland-America Line, 324 Sansome Street, San Francisco, Calif., 94104.
Westfal-Larsen & Co., A/S, 310 Sansome Street, San Francisco, Calif., 94104.

ASSOCIATE MEMBER

American President Lines, Ltd., 601 California Street, San Francisco, Calif., 94108.

[F.R. Doc. 66-6363; Filed, June 9, 1966; 8:45 a.m.]

HOWARD TERMINAL AND LEARNER CO.

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Harmon K. Howard, 95 Market Street, Oakland, Calif., 94604.

Agreement 8305-A is a sublease to the Learner Co. of certain property which Howard Terminal leases from the Port of Oakland, Calif. Pursuant to the terms of the original lease, the Port of Oakland Board of Port Commissioners has consented to this sublease to Learner. The property is to be used solely for the scrapping of vessels and the preparation and storage of scrap therefrom. Rental is a fixed amount per square foot per month.

Dated June 7, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6400; Filed, June 9, 1966; 8:48 a.m.]

OCEANIC FORWARDING CO., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following freight forwarder cooperative working agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other. Forwarding and service fees are to be agreed upon on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

Oceanic Forwarding Co., San Francisco, Calif., and Fillette, Green & Co. of Tampa, Tampa, Fla.---- FF-3028
L. B. Watson Co., Los Angeles, Calif., and J. E. Bernard & Co., Inc., New York, N.Y.---------- FF-3029
Karr, Ellis & Co., New York, N.Y., and Terra-Marine Shipping Co., San Francisco, Calif.---------- FF-3030
M. E. Dey & Co., Milwaukee, Wis., and Pitt & Scott Corp., New York, N.Y.---------- FF-3031
Silvey Shipping Co., Inc., New York, N.Y., and Valencia-Baxt Express Co., Inc., San Juan, P.R.-------- FF-3032
Arthur J. Fritz & Co., San Francisco, Calif., and Reedy Forwarding Co., Inc., Miami, Fla.---------- FF-3034
Oceanic Forwarding Co., San Francisco, Calif., and C. S. Greene & Co., Inc., Chicago, Ill.---------- FF-3035

Agreement No. FF-3025 between Export Enterprises, Inc., Phila., Pa., and M. E. Dey & Co., Inc., Milwaukee, Wis., is a cooperative working arrangement whereunder ocean freight compensation is to be retained by the originating forwarder. The basic fee for passing shipper's export declaration will be $2.50 each. Other forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services rendered or to be performed.

Agreement No. FF-3026 between Thomas E. Flynn & Co., Miami, Fla., and Anderson Shipping Co., Savannah, Ga., is a cooperative working arrangement whereunder forwarding and service fees are $5.00 per shipment. Ocean freight compensation is 50 percent of brokerage. This division of brokerage will be restricted to those shipments handled on behalf of each other.

Agreement No. FF-3027 between Advance Shipping Co., Houston, Tex., and D. Hauser, Inc., New York, N.Y., is a cooperative working arrangement whereunder forwarding and service fees as arranged. Ocean freight compensation is to be divided as arranged or 50-50.

Agreement No. FF-3033 between Mercury International Van Service, Inc., Wilmington, Calif., and Universal Transport Corp., New York, N.Y., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage shall be retained by the party arranging the booking agreement with the carrier.

NOTICE OF AGREEMENTS SUBJECT TO CANCELLATION

Notice is hereby given that the following independent ocean freight forwarder cooperative working agreements approved by the Commission pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814) are scheduled for cancellation inasmuch as in accordance with the terms therein the parties to the agreements have requested in writing that the agreements be terminated.

W. G. Kesler, New Orleans, La., and Export Enterprises, Inc., Philadelphia, Pa.---------- FF-1498
Norton & Ellis, Inc., Norfolk, Va., and Export Enterprises, Inc., Philadelphia, Pa.---------- FF-1607
Fillette, Green & Co. of Tampa, Fla., and Cosdel International Co., San Francisco, Calif.---------- FF-471

Dated: June 7, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6401; Filed, June 9, 1966; 8:48 a.m.]

ASIA AFRICA SHIPPING CO., LTD., AND KAWASAKI KISEN KAISHA, LTD.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Lim Eng Choon, Manager, Post Office Box 15294, Union House, Hong Kong.

Agreement 9553 between Asia Africa Shipping Co., Ltd., and Kawasaki Kisen Kaisha, Ltd., provides for the establishment of a transshipment arrangement between the carriers for the movement of general cargo in the trade from loading ports in Indonesia to ports on the U.S. Atlantic and Gulf Coasts with transshipment at Hong Kong under terms and conditions as set forth in the agreement.

Dated: June 6, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6362; Filed, June 9, 1966; 8:45 a.m.]

[Docket No. 66-37]

KIMBRELL-LAWRENCE TRANSPORTATION, INC.

General Increase in Rates in Kodiak Island, Alaska Peninsula, and Aleutian Islands, Alaska; Notice of Investigation

Whereas, on May 6, 1966, Kimbrell Lawrence Transportation, Inc., filed Supplement No. 3 to Tariff FMC-F No. 1 which will, effective June 8, 1966, generally increase rates between Seattle, Wash., and ports in the Kodiak Island, Alaska Peninsula, and Aleutian Islands area of Alaska;

Whereas, the Commission has considered the new schedule and has reason to believe that the said schedule may result in rates, charges, and/or practices which would be unjust, unreasonable, or otherwise unlawful in violation of the Shipping Act, 1916 or the Intercoastal Shipping Act, 1933;

Whereas, the Commission, is of the opinion that said increases should be made the subject of a public investigation and hearing to determine whether they are unjust or unreasonable or otherwise unlawful under the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933.

Now, therefore, it is ordered, That, pursuant to sections 18(a) and 22 of the Shipping Act, 1916, and sections 3 and 4 of the Intercoastal Shipping Act, 1933, an investigation be, and it is hereby instituted to determine the lawfulness of all matter prefixed with a diamond symbol in Supplement No. 3 to Kimbrell-Lawrence Transportation Co., Inc., Tariff FMC-F No. 1. The Commission will make such findings and issue such orders as the facts and law warrant.

It is further ordered, That all subsequent revisions of the matter hereby placed under investigation shall be, and they are hereby placed under investigation in this proceeding;

It is further ordered, That (I) the investigation herein ordered be assigned for public hearing by the Chief Examiner, before an examiner of the Commission's Office of Hearing Examiners, at a date and place to be announced; (II) Kimbrell-Lawrence Transportation, Inc., be, and it is hereby made respondent in this proceeding; (III) a copy of this order shall forthwith be served upon said respondent; (IV) the said respondent be duly notified of the time and place of the hearing herein ordered; and (V) this order and notice of the said hearing be published in the FEDERAL REGISTER.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(1) (46 CFR 502.72).

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-6364; Filed, June 9, 1966; 8:45 a.m.]

N.V. NEDLLOYD LIJNEN AND HOEGH LINES JOINT SERVICE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

[1] Effective May 21, 1966, the following sentence was added to this section: "All changes made in such instructions shall be published in said tariffs, supplements thereto, or reissues thereof, in accordance with the tariff filing requirements of sec. 18(b) of the Shipping Act, 1916."

[5] Attachments 1, 2, 3, 4, 5, and 6 filed as part of original document.

Mr. Edward P. Cotter, Charrier & McAteer, Inc., 1750 Pennsylvania Avenue NW., Washington, D.C., 2006.

Agreement 9554, between N.V. Nedlloyd Lijnen and Hoegh Lines, an approved joint service under Agreement 7593, as amended, establishes a sailing arrangement for operation in the trade from United States ports to ports in the Mediterranean, Red Sea, India, Pakistan, Ceylon, Burma, Malaysia, Singapore, and Indonesia. The parties are to so arrange sailings to avoid conflict and as best to provide for a spacing of their total sailings made entirely in each party's name and own account. The agreement also provides for Nedlloyd Lines, Inc., to be the general agents for both parties in the United States.

Dated: June 6, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6365; Filed, June 9, 1966; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-390]

ATLANTIC SEABOARD CORP.

Notice of Application

JUNE 3, 1966.

Take notice that on May 26, 1966, Atlantic Seaboard Corp. (Applicant), Post Office Box 1273, Charleston, W. Va., 25325, filed in Docket No. CP66-390 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization for the construction and operation of approximately 1,185 feet of 36-inch O.D., electric weld, X-100 steel pipeline at a point in its transmission pipeline system in Grant County, W. Va., approximately 14 miles east of its Seneca compressor station.

Applicant states that the issuance of a certificate authorizing the installation and operation of the proposed 1,185 feet of X-100 pipeline, which was constructed as an experimental project in November of 1964, is in order in that its only alternative will be to replace the X-100 pipe with X-60 pipe as authorized in the temporary certificate issued by the Commission on June 17, 1965, in Docket No. CP65-122. Applicant further states that such alternative would require the otherwise unnecessary investment of substantial funds.

The total actual cost of Applicant's transmission pipeline facility, is $105,921.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 1, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6366; Filed, June 9, 1966; 8:46 a.m.]

[Docket No. CP66-387]

WISCONSIN GAS CO. AND MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

JUNE 3, 1966.

Take notice that on May 26, 1966, Wisconsin Gas Co. (Applicant), 626 East Wisconsin Avenue, Milwaukee, Wis., 53202, filed in Docket No. CP66-387 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipe Line Co. (Respondent) to construct certain natural gas transmission facilities, to establish physical connection of its transmission facilities with facilities proposed to be constructed by Applicant and to sell and deliver to Applicant up to 5,433 Mcf of gas per day in the third year for resale and distribution in the cities of Adams, Markesan, Montello, Princeton, and Wautoma, Wis., and several villages in central Wisconsin, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate distribution systems and portions of lateral pipelines to serve 25 cities and villages in central Wisconsin in the Counties of Green Lake, Marquette, Waushara, Fond du Lac, Adams, and Waupaca. The specific communities to be served, in addition to the cities listed above, are as follows: The villages of Coloma, Endeavor, Fairwater, Fremont, Friendship, Hancock, Kingston, Lohrville, Marquette, Neshkoro, Oxford, Plainfield, Redgranite, Westfield, and Wild Rose, and the unincorporated villages of Dalton, Manchester, Packwaukee, Pine River, and Poy Sippi.

Applicant estimates the natural gas requirements of these communities will aggregate volumes shown in the following table during the first 3 years of proposed operations:

	First year	Second year	Third year
Annual (Mcf)	385,178	585,389	943,981
Peak Day (Mcf)	2,014	4,013	5,433

The estimated cost of the facilities proposed to be constructed by Applicant is $3,134,806, which will not require any special financing, according to the application.

Applicant estimates that Respondent will construct, pursuant to its "10-cent formula", 6.8 miles of 6-inch and 23.5 miles of 4-inch transmission pipeline, necessary tie-ins, and seven metering stations at a total estimated cost of $726,647.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 30, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6367; Filed, June 9, 1966; 8:46 a.m.]

[Docket No. CP66-388]

WISCONSIN GAS CO. AND MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

JUNE 3, 1966.

Take notice that on May 26, 1966, Wisconsin Gas Co. (Applicant), 626 East Wisconsin Avenue, Milwaukee, Wis., 53202, filed in Docket No. CP66-388 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipe Line Co. (Respondent) to establish physical connection of its transmission facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant up to 321 Mcf of natural gas per day for resale and distribution in the villages of Auburndale and Milladore, Wis., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant estimates the total volumes of natural gas which will be required by Auburndale and Milladore, Wood County, Wis., during the first 3 years of proposed operations will be as follows:

	First year	Second year	Third year
Annual (Mcf)	17,180	36,020	51,283
Peak day (Mcf)	85	219	321

Applicant proposes that Respondent construct and operate two measuring stations, one each for Auburndale and Milladore, and 4-inch transmission pipelines from Respondent's existing facilities and the proposed measuring stations. The exact lengths of the transmission pipelines, estimated to be 0.2 mile in each case, are to be determined by Respondent's "10-cent formula." Applicant proposes to construct and operate complete distribution systems in Auburndale and Milladore.

The estimated cost of construction of the facilities to be installed by Applicant is $112,828, which will not require any special financing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 1, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6368; Filed, June 9, 1966; 8:46 a.m.]

[Docket No. CP66-389]

WISCONSIN GAS CO. AND MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

JUNE 3, 1966.

Take notice that on May 26, 1966, Wisconsin Gas Co. (Applicant), 626 East Wisconsin Avenue, Milwaukee, Wis., 53202, filed in Docket No. CP66-389 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipe Line Co. (Respondent) to establish physical connection of its transmission system with the facilities to be constructed by Applicant and to sell and deliver to Applicant up to 973 Mcf of natural gas per day for resale and distribution in the village of Pulaski and the unincorporated village of Krakow, Wis., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant estimates the volumes of natural gas which will be required to serve Pulaski and Krakow during the first 3 years of proposed operations will be as follows:

	First year	Second year	Third year
Annual (Mcf)	42,114	81,108	143,363
Peak day (Mcf)	190	563	973

Applicant proposes that Respondent construct one measuring station and a 4-inch transmission pipeline to extend from a point on Respondent's present transmission facilities to the measuring station, a distance of approximately 4.4 miles. Applicant states that the exact distance of the pipeline will be determined pursuant to Respondent's "10-cent formula."

Applicant proposes to construct and operate the remainder of the required lateral transmission pipeline for Krakow and Pulaski, approximately 8.2 miles. Applicant will also construct and operate distribution systems in each community.

The estimated total cost of the facilities to be constructed by Applicant is $353,456, which will not require any special financing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 1, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6369; Filed, June 9, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 6, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40520—Returned shipments—beet or cane sugar. Filed by Western Trunk Line Committee, agent (No. A-2454), for interested rail carriers. Rates on beet or cane sugar, in carloads, on shipments returned from original destinations in southwestern and western trunkline territories, to original points of shipment in western trunkline and transcontinental territories, also points in Montana.

Grounds for relief—Carrier competition.

FSA No. 40521—Chlorine to Kingsport, Tenn. Filed by O. W. South, Jr., agent (No. A4898), for interested rail carriers. Rates on chlorine, in tank carloads, from Charleston, Dock, Elk, Owens, South Charleston, and South Ruffner, W. Va., to Kingsport, Tenn.

Grounds for relief—Market competition.

Tariff—Supplement 202 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-102.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6356; Filed, June 9, 1966; 8:45 a.m.]

[Notice 1361]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 7, 1966.

Application filed for temporary authority under section 210(a)(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 179:

No. MC-FC-68882. Application filed June 3, 1966, by DESPATCH MOVING & STORAGE CO., INC., c/o Skadden, Arps, Slate, Meagher & Flom, Esqs., 551 Fifth Avenue, New York, N.Y., 10017, for temporary authority to lease the operating rights of EDWARD BEERMANN, doing business as DESPATCH MOVING & STORAGE CO. AND DESPATCH EXPRESS CO., 428 West 108th Street, New York, N.Y. The transfer to DESPATCH MOVING & STORAGE CO., INC., of the operating rights of EDWARD BEERMANN, doing business as DESPATCH MOVING & STORAGE CO. AND DESPATCH EXPRESS CO. is still pending.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6405; Filed, June 9, 1966; 8:49 a.m.]

[Notice 1361-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 7, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68829. By order of May 31, 1966, the Transfer Board approved the transfer to Keystone Moving and Storage Co., a corporation, Lancaster, Pa., of a portion of the operating rights in certificate in No. MC-107831, issued September 10, 1953, to Keystone Express and Storage Co., Inc., Lancaster, Pa., authorizing the transportation of: Household goods, between points in a specified part of Pennsylvania, on the one hand, and, on the other, points in New York, New Jersey, Massachusetts, Connecticut, Rhode Island, New Hampshire, Delaware, Maryland, Virginia, West Virginia, Ohio, Indiana, Illinois, Georgia, North Carolina, South Carolina, the District of Columbia, and the Lower Peninsula of Michigan. Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6406; Filed, June 9, 1966; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

5 CFR

	Page
213	7733, 7734, 7959, 8175
550	7881

7 CFR

	Page
15	8175
26	8113
28	7734
354	8113
401	8175
701	7735, 7814
728	7814
778	7997
811	7999
845	7815
893	7816
905	8114
908	7961
910	7962, 8045
911	7962
916	8176, 8177
917	7963, 8114, 8177
918	7735
944	8000
970	8178
1038	8115
1039	8116
1074	8000
1099	7963
1421	7964, 8000, 8003
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
905	7971
915	8181
994	8021
1001	7911
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131
1015	7911
1016	7911
1031	7831
1032	7831
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
1067	7831
1066	7757
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
97	8020

10 CFR

	Page
36	7959
40	7959

12 CFR

	Page
1	8060
204	8060
563	8004
571	8004

14 CFR

	Page
39	7735, 7881, 7882, 8045, 8046
71	7736, 7827, 8046, 8047, 8117, 8178, 8179
73	7736, 7827, 7882
75	7736, 7827, 8047
97	7883, 7893, 8010, 8048, 8118
PROPOSED RULES:	
21	8075
47	8077
71	7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183.

14 CFR—Continued

	Page
PROPOSED RULES—Continued	
73	7977
75	7762
91	8026
93	8078

15 CFR

	Page
230	7737, 7819, 7968
PROPOSED RULES:	
9	7833

16 CFR

	Page
13	7960, 7961, 8058–8060
15	7737, 7806
PROPOSED RULES:	
45	7757

17 CFR

	Page
211	7821
230	7738
239	7738
240	7740
276	7821
PROPOSED RULES:	
270	7913

18 CFR

	Page
101	7897
141	7897
201	7897
260	7897

20 CFR

	Page
602	7966
PROPOSED RULES:	
405	7864

21 CFR

	Page
120	7741
121	8008, 8009
130	8009

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
200	7743
221	7743

25 CFR

	Page
41	7744
42	7745

26 CFR

	Page
1	7789

31 CFR

	Page
128	8179
202	7899
203	7899
500	7745, 7899

32 CFR

	Page
1	7807
3	7807
4	7810
7	7811
8	7812
16	7814

32 CFR—Continued

	Page
30	7814
273	8007
502	7966
1250	8061

32A CFR

	Page
OIA (Ch. X):	
OI REG. 1	7745

33 CFR

	Page
203	7827
204	8129
208	7751
401	8062

36 CFR

	Page
221	8180
251	7899
261	7902

38 CFR

	Page
17	8064

39 CFR

	Page
13	7752
22	7752
25	7752
43	7752

41 CFR

	Page
1–3	8116
4–1	7819
4–6	7819
4–50	7902
8–1	7820
8–2	7820
101–15	7752
101–17	8117

42 CFR

	Page
57	7755
76	7902

43 CFR

	Page
3120	7806
PUBLIC LAND ORDERS:	
4023	7969
4024	7969
4025	7969
PROPOSED RULES:	
3130	8181
3140	8181
3150	8181
3160	8181
3180	8181

45 CFR

	Page
801	7755

46 CFR

	Page
202	8065
308	7970

47 CFR

	Page
18	7821
21	7822
73	7904, 8067, 8069–8073
74	7822
91	7822
PROPOSED RULES:	
1	7837
21	7837
23	7837
73	7837, 7838, 8079–8081, 8132
74	7837, 8026
81	7837
87	7837
89	7837
91	7837
93	7837
95	7837
97	7837

49 CFR

	Page
95	7806, 8064
PROPOSED RULES:	
170	7841
193	7911

50 CFR

	Page
32	7909, 8065
33	7756, 7910, 7970
PROPOSED RULES:	
401	8130

VOL

31

112

OLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 13 1968

OLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 13 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 113

Saturday, June 11, 1966 • Washington, D.C.

Pages 8207–8272

Agencies in this issue—

The President
Atomic Energy Commission
Civil Aeronautics Board
Commerce Department
Consumer and Marketing Service
Federal Aviation Agency
Federal Communications Commission
Federal Power Commission
Federal Trade Commission
Fiscal Service
Food and Drug Administration
Housing and Urban Development Department
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Park Service
Post Office Department
Securities and Exchange Commission
Tariff Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 47—Telecommunication (Parts 20–69). (Revised)
$1.50

Title 47—Telecommunication (Part 80–End)
(Revised)
$1.50

Title 50—Wildlife and Fisheries (Pocket Supplement)
$0.60

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

EXECUTIVE ORDER

Designation of certain foreign countries as economically less developed countries for purposes of interest equalization tax ... 8211

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT

See Consumer and Marketing Service.

ATOMIC ENERGY COMMISSION

Rules and Regulations

Labor; equal opportunity in employment ... 8237

Notices

U.S. Army Materials Research Agency; issuance of facility license amendment ... 8249

CIVIL AERONAUTICS BOARD

Notices

IATA traffic conference; agreement regarding specific commodity rates ... 8249

Hearings, etc.:

Scandinavian Airlines System ... 8249

Sudflug, Suddeutsche Fluggesellschaft mbH ... 8249

COMMERCE DEPARTMENT

See also International Commerce Bureau; Maritime Administration.

Notices

Maritime Administration; organization and assignment of functions ... 8246

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Fruit:

California; plums (3 documents) ... 8231, 8232

California and Arizona; handling limitations:

Lemons ... 8231

Oranges, Valencia ... 8230

Florida; limes; expenses and rate of assessment ... 8231

Proposed Rule Making

Milk in Massachusetts-Rhode Island and Connecticut marketing areas; hearing ... 8242

FEDERAL AVIATION AGENCY

Rules and Regulations

Standard instrument approach procedures; miscellaneous amendments ... 8217

Proposed Rule Making

Federal airway, jet route, reporting points and control area; alterations and designation ... 8242

Transition area; designation ... 8242

FEDERAL COMMUNICATIONS COMMISSION

Notices

Hearings, etc.:

Cirilli, Arthur A., et al ... 8250

D. H. Overmyer Communications Co. and Maxwell Electronics Corp ... 8250

J. C. Stallings and Texan Broadcasting Co., Inc ... 8257

Lamar Life Broadcasting Co ... 8252

Lunde Corp. and KASI Iowa, Inc ... 8252

Olmstead County Broadcasting Co. and North Central Video, Inc ... 8253

RKO General, Inc. (KHJ-TV) and Fidelity Television, Inc ... 8253

Royal Broadcasting Co. (KHAI) and Radio KHAI, Inc. (2 documents) ... 8254, 8256

Valparaiso Broadcasting Co. et al ... 8257

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:

Duke Power Co ... 8263

Gulf Oil Corp. et al ... 8260

Natural Gas Pipeline Company of America (2 documents) ... 8263, 8264

United Gas Pipe Line Company ... 8264

FEDERAL TRADE COMMISSION

Rules and Regulations

Administrative opinions and rulings:

Dissemination of uniform warranty plans by trade association of its members ... 8233

Promotional assistance; newsstand display ... 8233

Proposed Rule Making

Deceptive pricing:

Optical products industry ... 8244

Residential aluminum siding industry ... 8243

FISCAL SERVICE

Rules and Regulations

Acceptable securities:

Deposit of public moneys and payment of Government checks ... 8234

Special deposits of public moneys ... 8234

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Color additives; ultramarine blue; confirmation of effective date ... 8216

Notices

Upjohn Co.; filing of petition for food additive ... 8248

Temporary tolerance ... 8248

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notices

Acting Regional Administrator, Region I, New York; designation ... 8248

INTERIOR DEPARTMENT

See Land Management Bureau; National Park Service.

INTERNATIONAL COMMERCE BUREAU

Rules and Regulations

Export; miscellaneous amendments ... 8213

INTERSTATE COMMERCE COMMISSION

Proposed Rule Making

Bills of lading ... 8244

Notices

Fourth section applications for relief (2 documents) ... 8264, 8268

Motor carrier:

Temporary authority applications ... 8265

Transfer proceedings ... 8269

LAND MANAGEMENT BUREAU

Rules and Regulations

Public land orders:

Alaska; revocation of national forest recreation area withdrawal ... 8238

Arizona; revocation of previous order ... 8240

Idaho:

Partial revocation of reclamation withdrawal, Owyhee Project ... 8238

Withdrawal for national forest recreation areas and campgrounds ... 8239

Montana; withdrawal for reclamation purposes ... 8240

Nevada; partial revocation of stock driveway ... 8238

New Mexico; withdrawal for ecological plots and demonstration area ... 8241

Oklahoma; withdrawal for reclamation purposes ... 8239

Oregon; withdrawal for reclamation purposes ... 8241

Utah:

Withdrawal for Dixie Project ... 8238

Withdrawal for national forest recreation area and partial revocation of previous order ... 8240

Wyoming; revocation of air navigation site withdrawal ... 8239

(Continued on next page)

MARITIME ADMINISTRATION

Notices

Moore-McCormack Lines, Inc., application 8245

NATIONAL PARK SERVICE

Notices

Land acquisition officers; authority delegations:
Service centers 8245
Special projects 8245
Planning and service centers at Washington, D.C., and San Francisco, Calif.; delegation of authority to chief land acquisition officers 8245
Shadow Mountain National Recreation Area; intention to issue concession permit 8245

POST OFFICE DEPARTMENT

Rules and Regulations

Postal service; miscellaneous amendments 8234

SECURITIES AND EXCHANGE COMMISSION

Rules and Regulations

Exemption regarding financial connections with small or commercial banking institutions 8233

Notices

Hearings, etc.:
American Electric Power Co., Inc 8257
Electric Bond and Share Co., et al 8258
Elkton Co 8259
Great American Industries, Inc. 8259
Leach Corp 8259
Pinal County Development Association 8260
Pinnacle Investment Corp 8260

TARIFF COMMISSION

Notices

Certain General Motors Corporation employees; report to the President on petition for adjustment assistance 8269

TREASURY DEPARTMENT

See Fiscal Service.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

EXECUTIVE ORDERS:
11224 (superseded by EO 11285) ... 8211
11285 ... 8211

7 CFR

908 ... 8230
910 ... 8231
911 ... 8231
917 (3 documents) ... 8231, 8232
PROPOSED RULES:
1001 ... 8242
1015 ... 8242

14 CFR

97 ... 8217
PROPOSED RULES:
71 (2 documents) ... 8242
75 ... 8242

15 CFR

372 ... 8213
373 ... 8213
374 ... 8213
375 ... 8213
376 ... 8213
377 ... 8213
379 ... 8213
382 ... 8213
385 ... 8213

16 CFR

15 (2 documents) ... 8233
PROPOSED RULES:
57 ... 8243
192 ... 8244

17 CFR

250 ... 8233

21 CFR

8 ... 8216

31 CFR

202 ... 8234
203 ... 8234

39 CFR

27 ... 8234
41 ... 8234
43 ... 8235
46 ... 8235
51 ... 8236
52 ... 8236
53 ... 8236
55 ... 8236
56 ... 8236
58 ... 8237
61 ... 8237

41 CFR

9–12 ... 8237

43 CFR

PUBLIC LAND ORDERS:
662 (revoked by PLO 4035) ... 8240
829 (revoked in part by PLO 4028) ... 8238
1775 (revoked in part by PLO 4027) ... 8238
4026 ... 8238
4027 ... 8238
4028 ... 8238
4029 ... 8238
4030 ... 8239
4031 ... 8239
4032 ... 8239
4034 ... 8240
4035 ... 8240
4036 ... 8240
4037 ... 8241
4038 ... 8241

49 CFR

PROPOSED RULES:
31 ... 8244

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11285

DESIGNATION OF CERTAIN FOREIGN COUNTRIES AS ECONOMICALLY LESS DEVELOPED COUNTRIES FOR PURPOSES OF THE INTEREST EQUALIZATION TAX

WHEREAS notice was given on December 7, 1965, that I intended to notify the Senate and House of Representatives of my intention to terminate the designation of Abu Dhabi, Bahrain, Iran, Iraq, Kuwait–Saudi Arabia Neutral Zone, Libya, Qatar, and Saudi Arabia as economically less developed countries for purposes of the tax imposed by section 4911 of the Internal Revenue Code; and

WHEREAS the Senate and House of Representatives have been duly notified of my intention to terminate the designation of these countries as economically less developed countries for such purposes;

NOW, THEREFORE, by virtue of the authority vested in me by section 4916(b) of the Internal Revenue Code of 1954, as added by section 2 of the Interest Equalization Tax Act, approved September 2, 1964 (Public Law 88-563), by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. *Economically less developed countries.* For purposes of the tax imposed by section 4911 of the Internal Revenue Code, the following areas are designated as economically less developed countries:

(a) All foreign countries (including Trust Territories) in existence on or after the effective date of this order, other than Australia, Austria, Belgium, Canada, Denmark, Federal Republic of Germany, France, Iran, Iraq, Ireland, Italy, Japan, Kuwait, Kuwait–Saudi Arabia Neutral Zone, Libya, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Portugal, San Marino, Saudi Arabia, Spain, Sweden, Switzerland, Union of South Africa, United Kingdom, and any foreign country within the Sino-Soviet bloc, as defined in section 2;

(b) Each territory, department, province, and possession (other than Abu Dhabi, the Bahamas, Bahrain, Bermuda, Hong Kong, and Qatar), of any foreign country in existence on or after the effective date of this order, other than a foreign country within the Sino-Soviet bloc, as defined in section 2, if the territory, department, province, or possession is overseas from the foreign country of which it is a territory, department, province, or possession; and

(c) The Commonwealth of Puerto Rico and all possessions of the United States.

SEC. 2. *Definition of the term "foreign country within the Sino-Soviet bloc."* For purposes of this order, the term "foreign country within the Sino-Soviet bloc" shall mean Albania, Bulgaria, any part of China which is dominated or controlled by International Communism, Cuba, Czechoslovakia, Estonia, Hungary, any part of Korea which is dominated or controlled by International Communism, Latvia, Lithuania, Outer Mongolia, Poland (including any area under its provisional administration), Rumania, Soviet Zone of Germany and the

Soviet Sector of Berlin, Tibet, Union of Soviet Socialist Republics and the Kurile Islands, Southern Sakhalin, and areas in East Prussia which are under the provisional administration of the Union of Soviet Socialist Republics, and any part of Viet Nam which is dominated or controlled by International Communism.

SEC. 3. *Prior commitments to acquire.* Notwithstanding the provisions of sections 1 and 2 of this order, any area which had the status of an economically less developed country under Executive Order No. 11224 prior to the effective date of this order shall be deemed to be an economically less developed country for purposes of section 4916 with respect to an acquisition of stock or a debt obligation—

(a) If such acquisition is made pursuant to an obligation to acquire which, prior to December 7, 1965, was unconditional or was subject only to conditions contained in a formal contract under which partial performance had occurred; or

(b) If, with respect to such acquisition, the acquiring United States person (or, in a case where two or more United States persons are making acquisitions as part of a single transaction, a majority in interest of such persons), had taken every action prior to December 7, 1965, to signify approval of the acquisition under the procedures ordinarily employed by such person (or persons) in similar transactions and had sent or deposited for delivery to the foreign person from whom the acquisition was made written evidence of such approval in the form of a commitment letter, memorandum of terms, draft purchase contract, or other document setting forth, or referring to a document sent by the foreign person from whom the acquisition was made which set forth, the principal terms of such acquisition, subject only to the execution of formal documents evidencing the acquisition and to customary closing conditions.

SEC. 4. *Rules and regulations.* The Secretary of the Treasury or his delegate is authorized to prescribe from time to time regulations, rulings, directions, and instructions to carry out the purposes of this order.

SEC. 5. *Effective date.* This order shall become effective upon its filing for publication in the FEDERAL REGISTER.

SEC. 6. *Supersedure of Executive Order No. 11224.* The Executive Order No. 11224, dated May 13, 1965, is hereby superseded.

LYNDON B. JOHNSON

THE WHITE HOUSE,
June 10, 1966.

[F.R. Doc. 66-6534; Filed, June 10, 1966; 12:23 p.m.]

Rules and Regulations

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10th Gen. Rev. of Export Regs., Amdt. 18]

MISCELLANEOUS AMENDMENTS

Parts 372, 373, 374, 375, 376, 377, 379, 382, and 385 of Title 15 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959–1963 Comp.)

Effective date: June 2, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

I. *Revision of Application for Export License, Form FC–419, and Export License, Form FC–628.*

Purpose and effect: The Bureau of International Commerce has revised the format of Form FC–419, Application for Export License.

Substantively, this form remains unchanged. However, several revisions have been made to adapt the new form to the requirements of a more economical and faster method for issuing export licenses. These changes are as follows:

1. The new application is a four-part snap-out form as compared to the current three-part form. A new duplicate carbon copy has been added for Office of Export Control purposes. The present duplicate (OEC record copy) and triplicate (applicant's file copy) have been redesignated "Triplicate" and "Quadruplicate," respectively.

2. The items on the new form have been rearranged.

3. The new form is now printed in blue ink rather than green.

In preparing the "Commodity Description" item of the new form, exporters are reminded to describe the commodities in terms which correspond with the commodity descriptions on the Commodity Control List (§ 399.1 of the Comprehensive Export Schedule). It is important that this space not be used by the exporter for any other purpose, such as consignee information, additional required certifications, or similar information. If additional details as prescribed by the Export Regulations are to be included, this supplementary information should be inserted in the "Additional Information" item of the new form, or on an attachment thereto.

The format of Form FC–628, Export License, has also been revised without substantive change to conform with the new export application form.

One of two types of validated license documents will be issued, depending upon whether the application is submitted on the new form or on an older form. Either type of validated license will be accepted by Customs Officers.

Exporters are requested to start using the newly revised Form FC–419 (Rev. Jan. 1966) as soon as possible. Copies of the new form may be obtained from all Department of Commerce Field Offices listed on page 1 of the Comprehensive Export Schedule and from the Bureau of International Commerce, Washington, D.C., 20230.

Effective date of action: June 2, 1966.

Export license applications submitted on Forms FC–419 bearing a printed revision date prior to January 1966 will be accepted until October 1, 1966. After that date, all such applications will be returned without action to the applicant for submission on the new Form FC–419 (Rev. Jan. 1966).

Accordingly, the following sections of the Comprehensive Export Schedule are amended to read as set forth below: 372.4 (c)(2)(iv), 372.4(e), 372.5(a)(1), 372.5(a)(4), 376.4(a), 377.5(a), 385.4(b); Note following 373.5(b)(4); and footnotes 1 to §§ 374.4(a), 375.2(a), 376.4(a), and 377.5(a).

PART 372—INDIVIDUAL AND OTHER VALIDATED LICENSES

§ 372.4 Applications for validated license.

* * * * *

(c) *Requirement to disclose parties in interest.* * * * (2) *Definition of parties in interest.* * * *

(iv) *Purchaser.* The person abroad who has entered into the export transaction with the applicant to purchase the commodities or technical data for delivery to the ultimate consignee must be named as the purchaser. If such person is the same as the ultimate consignee, the applicant should state in the "Purchaser in Foreign Country" item of Form FC–419 (Rev. Jan. 1966) Application for Export License, "Same as Item 3"; if such person is the same as the intermediate consignee, the applicant should state in the "Purchaser in Foreign Country" item of Form FC–419, "Same as Item 4". A bank, freight forwarder, forwarding agent, or other intermediary is generally not acceptable as the purchaser.

* * * * *

(e) *Information regarding commodities.* The applicant must state on the application for a validated license submitted on Form FC–419 (Rev. Jan. 1966), in accordance with the instructions set forth on such form (see Supplement S–2, and § 372.5(a)(4)), for each commodity listed therein:

(1) The quantity to be shipped;

(2) A description in sufficient detail to permit accurate identification, including its Export Control Commodity number;

(3) The total selling price of the item and its price per unit; and

(4) The proposed end use.

* * * * *

§ 372.5 How to file an application for a validated license.

(a) *Form and manner of filing*—(1) *Application form and processing card.* An application for a validated license must be submitted on Form FC–419, Application for Export License (Rev. Jan. 1966), accompanied by Form FC–420, Application Processing Card (see Supplements S–1 and S–2 for facsimiles).[1] An application is incomplete and will be returned without action to the applicant if it is not accompanied by the Form FC–420 completely and correctly filled in.

(2) *Requirements set forth on forms.* All terms, conditions, provisions, and instructions, including the applicant's certification, contained in such form or forms are hereby incorporated as a part of the Export Regulations.

(3) *Facsimiles of Form FC–419.* Exporters may print facsimiles of Form FC–419 (Rev. Jan. 1966) with printed answers to many of the questions, provided the facsimiles are identical with the official form in size, color, ink, and typographic arrangement.

(4) *Preparation of Form FC–419.* The following instructions apply to the preparation of applications submitted on Form FC–419, Application for Export License, for all types of validated export licenses issued by the Office of Export Control, except as modified by special licensing procedures and provisions contained in the Export Regulations.

Enter the date the application is completed in the box titled "Date of Application."

Item 1. The name and address of the applicant must be entered. The postal ZIP Code must be included as it is an integral part of the address. Failure to include ZIP Code on an application may result in delay in mailing of the export license.

Item 2. The person named as purchaser should be the person abroad who has entered into the export transaction with the applicant or Order Party. If such person is the same as the ultimate consignee, applicant should state "Same as Item 3"; if such person is the same as the intermediate consignee, applicant should state "Same as Item 4." If no entry is made in this item, the applicant represents that the ultimate consignee is the foreign purchaser.

Item 3. The person named as ultimate consignee shall be the person abroad who is actually to receive the material for the end use designated in Item 10. A bank, freight

[1] Forms FC–419 and FC–420 may be obtained at all U.S. Department of Commerce Field Offices listed on page 1, and from the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230.

forwarder, forwarding agent, or other intermediary is not acceptable as an ultimate consignee, but should be disclosed as an intermediate consignee, where appropriate.

Item 4. An intermediate consignee may be a bank, forwarding agent, or other intermediary in a foreign country who participates as an agent for the exporter or for the purchaser or ultimate consignee for the purpose of effecting delivery of the export to the purchaser or ultimate consignee. All known intermediate consignees must be named. If no intermediary is to be used, state "None"; if unknown state "unknown." If no entry is made in this item, the applicant represents that there is no intermediate consignee.

Item 5. The country of final (ultimate) destination is to be entered, not a country through which the export may travel in transit to its final destination. The name of the country shall be stated in accordance with the country designation listed in "Schedule C, Classification of Country Designations Used in Compiling the United States Foreign Trade Statistics," issued by the Bureau of the Census, unless otherwise specified in §§ 373.66–373.99 of the Export Regulations. The country designation may be a destination shown in a heading alongside of a Schedule C code number, or a destination listed in a further breakdown under such heading. For example, when an export is made to Crete, the name of the country shown in Item 5 of the application may be Greece, which appears alongside of Schedule C code number 484, or it may be Crete, which is listed as a destination in the breakdown under Greece.

Exporters are responsible for placing a statement of ultimate destination and prohibition against diversion on shipper's export declaration, bill of lading, and commercial invoice for various export shipments. Omission of the statement, or unauthorized diversion of commodities from country of final (ultimate) destination, not in accordance with the statement, are violations of the export regulations subject to denial of export privileges and to civil and criminal penalties.

Item 6. The applicant's reference number may be used for applicant's convenience.

Item 7. (a) Give the quantity to be shipped, using units specified in the Commodity Control List (§ 399.1).

Item 7. (b) Commodities must be described in terms which correspond with the commodity descriptions in the Commodity Control List (§ 399.1). Additional details as prescribed by the Export Regulations must be furnished to the extent necessary for identification of the specific items so classified. Include characteristics shown on the Commodity Control List such as basic ingredients, composition, type, size, gauge, grade, horsepower, etc. Where the Commodity Control List entry states "specify by name," all of the commodities to be included in the shipment must be listed by name on the application.

Item 7. (c) The Export Control Commodity Number, Processing Code, and Related Commodity Group Number, must be shown in this column. All commodities on a single application must have the same Processing Code and the same Related Commodity Group Number.

Item 7. (d) Unit price should be shown except where a large variety of products within a single Export Control Commodity Number makes such a breakdown extremely difficult. In such cases only total price need be shown. The applicant must show total price in the customary form of quotation such as f.o.b. (factory) f.a.s. (named port), c.i.f., or other form. The particular form of price quotation must be specified. The amounts entered in the total price column on the application shall be rounded to the nearest whole dollar, except where the actual total value is less than $0.50. For example: If the total price for a commodity listed on the application is $2,375.49, it should be listed as $2,375; $2,375.50 should be listed as $2,376; $0.78 should be listed as $1; and $0.38 should be listed, unchanged, as $0.38. Where the normal trade practice in a given commodity makes it impracticable to establish a firm contract price, the precise terms upon which the price is to be ascertained and from which the contract price may be objectively determined must be stated on the application. A mere statement by the exporter of "market price at the time of delivery of shipment," or other such general statement of price will not be acceptable.

Item 8. The name and address of the person, other than applicant, authorized by the applicant to receive the license, if issued, should be entered. The Postal ZIP Code must be included as it is an integral part of the address. Failure to include ZIP Code on an application may result in delay in mailing of the export license. The license will be transmitted only to applicant or to the person designated on the license application as the person entitled to receive the license on behalf of the licensee. The license will not be transmitted directly to the Customs Office at the port of exit, except for an emergency clearance, as set forth in paragraph 372.5(i), and in the note following § 372.13 of the Comprehensive Export Schedule.

Item 9. Leave blank if applicant is the producer of the commodities to be exported. Applicant so represents where item is blank. If applicant is not the producer, give supplier's name and address, or state "unknown," if unknown.

Item 10. End use of commodities or technical data covered by this application will be an important factor in determining issuance of license. Statement by ultimate consignee (and purchaser, if not same) as to ultimate destination and end use must be submitted for certain exports as required by the Export Regulations. (Applicant's reference to such statement does not relieve him of responsibility to fully disclose any additional or different information he may know.) Applicant must indicate clearly the end use intended by the ultimate consignee, stating what will be produced or manufactured, or what services will be rendered, and give the country or countries where this will take place. A complete and detailed description is required.

Item 11. If applicant is exporting for the account of a foreign principal, the name and address of the foreign principal must be shown and an explanation of the transaction given in full. If no entry is made in this item, the applicant represents that he is exporting for his own account.

Item 12. Enter additional information pertinent to the transaction or required by the Export Regulations, such as special certifications, names of parties in interest not disclosed elsewhere, explanation of documents attached, etc. If this application represents a transaction previously considered by the Office of Export Control and returned without action or rejected, give prior case number (application number) and indicate prior action by Office of Export Control.

Item 13. Application must be signed by applicant, or by an officer or duly authorized agent of the applicant. (If signed by agent of the applicant, title and firm name of agent must be shown.)

Item 14. Where the applicant did not receive the order directly from the foreign purchaser or ultimate consignee named in the application, or through his or their agents abroad, the person in the United States who conducted the direct negotiations with the foreign party and originally received the order (the order party) must sign the application and complete this item.

PART 376—PERIODIC REQUIREMENTS LICENSE

§ 376.4 Application requirements.

(a) *How to prepare a PRL License application.* An application for a PRL License shall be prepared and submitted on Form FC–419, Application for Export License (Rev. Jan. 1966), with Form FC–420, Application Processing Card,[1] attached, in accordance with instructions contained in § 372.5, and with the following specific modifications:

* * * * *

PART 377—TIME LIMIT LICENSE

§ 377.5 Application requirements.

(a) *Application form.* An application for a Time Limit License shall be prepared and submitted on Form FC–419, Application for Export License (Rev. Jan. 1966), with Form FC–420, Application Processing Card,[1a] attached, in accordance with instructions contained in § 372.5, with the specific modifications indicated in paragraphs (b) and (c) of this section.

PART 385—TECHNICAL DATA

§ 385.4 Export under a validated license.

* * * * *

(b) *Application form and application processing card.* An application for a technical data license shall be submitted on Form FC–419, Application for Export License (Rev. Jan. 1966), accompanied by a Form FC–420, Application Processing Card, as described in paragraph (c) of this section, and the letter of explanation described in paragraph (d) of this section.

PART 373—LICENSING POLICIES AND SPECIAL PROVISIONS

§ 373.5 Licensing policy for agricultural commodities and manufactures thereof covering shipments to country groups Y and Z.

* * * * *

(b) *Exportations and reexportations of wheat and flour.* * * *

(4) *Additional information.* * * *

NOTE: The applicant is not required to complete item 9 of the application with regard to the name and address of the supplier.

[1] Forms FC–419 and FC–420 may be obtained at all U.S. Department of Commerce Field Offices listed on page 1, and from the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230.

[1a] Forms FC–419, FC–420, FC–917, or FC–843 may be obtained from all U.S. Department of Commerce field offices listed on page 1, from the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230, and from U.S. consulates, embassies and other posts in Country Group "T" countries.

PART 374—PROJECT LICENSE

§ 374.4 Application procedure.

(a) *Documents required.*[1] * * *

PART 375—BLANKET LICENSE

§ 375.2 Application requirements.

(a) *Application form and consignee list.*[1a] * * *

PART 376—PERIODIC REQUIREMENTS LICENSE

§ 376.4 Application requirements.

(a) *How to prepare a PRL License Application.*[1a] * * *

PART 377—TIME LIMIT LICENSE

§ 377.5 Application requirements.

(a) *Application form.*[1b] * * *

II. *Commodity description for validated license shipments.*

Purpose and effect: The Export Regulations previously provided that the Shippers' Export Declaration must always include the same commodity description as shown on the related validated export license. The descriptions which appear on license applications and which are necessary for a proper licensing decision are often longer than is necessary to identify the items for Customs Officers in Commodity Control List terms.

Therefore, under the revised procedure for issuing validated export licenses, commodity descriptions on licenses will be underlined to indicate only the portions of a condensed description necessary to identify the item properly in Commodity Control List terms. The Export Regulations are revised to provide that, when the description on the license is underlined, only the underlined portions of the commodity description need appear in the commodity description on the Declaration. If a portion of the description is not underlined, the Declaration should include the full commodity description appearing on the validated license. The Bureau of the Census requires that the commodity description include sufficient detail to permit verification of the Schedule B number entered on the Declaration. Therefore, in some cases to meet Bureau of the Census statistical requirements, it will be necessary to incorporate further detail in addition to that appearing on the license.

Effective date of action: June 2, 1966.

Accordingly, § 379.4(c) (2) of the Comprehensive Export Schedule is amended to read as set forth below:

PART 379—EXPORT CLEARANCE AND DESTINATION CONTROL

§ 379.4 Authentication of declaration.

* * * * *

(c) *Schedule B number and commodity description*—(1) *Schedule B number.* The seven digit Schedule B number, as shown in Schedule B (Statistical Classification of Domestic and Foreign Commodities Exported from the United States), shall be entered in column 13 of the Declaration regardless of whether the shipment is moving under a validated or a general license. However, if the shipment is being made under authority of a validated license issued prior to January 1, 1965, the five digit Schedule B number shown on the validated license shall be entered, in addition, in column 10 of the Declaration.

(2) *Commodity description for validated license shipments.* (i) The commodity description on the Declaration for a shipment moving under authority of a validated license shall include all of the commodity description shown on the related validated license if none of the commodity description shown on the license is underlined. If part of the description on the license is underlined, only the underlined portions need be included on the Declaration. However, since the commodity description shown on the license will be stated in Commodity Control List terms, it may be inadequate to meet Bureau of the Census statistical requirements. For statistical purposes, the Bureau of the Census requires that the commodity description shall give sufficient detail to permit verification of the Schedule B number assigned. Therefore, the commodity description on the Declaration shall incorporate further detail, in addition to that appearing on the license, whenever such further detail will aid in confirming that the proper Schedule B number is entered on the Declaration (e.g., size, material, or degree of fabrication of the specific commodity).

(ii) Many commodity classification descriptions in Schedule B are followed by instructions such as "Specify by name," "State species," etc. Where such instruction appears, the more specific information called for should be furnished in column 10 of the Declaration, in addition to all other information necessary to verify the Schedule B number assigned. When a single Shipper's Export Declaration covers more than one item classifiable under a single one of the classifications carrying the "Specify by name" or similar requirement, such as "State species" or "Specify type," separate quantities, values, and shipping weights for the individual items are not required. Each item should be separately enumerated in Column (10), except that if more than five items are involved, all classifiable under one Schedule B number, only the five items of greatest value in the classification are required to be separately enumerated.

III. *Special provisions for exports of molybdenum.*[2]

Purpose and effect: The following forms of molybdenum have become increasingly scarce in recent months:

Export control commodity No.	*and commodity description*
28393	Molybdenum ores and concentrates.
51369	Molybdenum oxide.
51470	Molybdenum disulfide, 86 percent content or higher.
51470	Calcium molybdate.
51470	Ammonium molybdate.
51470	Sodium and potassium molybdate.
67160	Ferromolybdenum.
68942	Molybdenum or molybdenum alloys, unwrought.
68942	Molybdenum or molybdenum alloys, waste and scrap.
68942	Molybdenum or molybdenum alloy metal powders.

Among the measures taken to relieve the domestic shortage of these commodities is the release of molybdenum from the U.S. National Stockpile. Obviously, excessive exports of these scarce forms of molybdenum would tend to defeat this measure. To prevent this, the supplier is required to certify that the molybdenum which is available for export neither has been nor will be supplied through a release from the U.S. National Stockpile. Regardless of whether the supplier is also the exporter, this certification is required in support of an application for an export license.

Effective date of action: June 2, 1966.

Accordingly, new §§ 373.21 and 373.36 and § 373.44(b) are added to the Comprehensive Export Schedule to read as set forth below:

PART 373—LICENSING POLICIES AND SPECIAL PROVISIONS

§ 373.21 Molybdenum ores and concentrates.

An application for a license to export molybdenum ores or concentrates, Export Control Commodity No. 28393, shall include or be accompanied by the following certification by the supplier of the commodities, regardless of whether the supplier is the applicant:

I (We) certify that the following molybdenum commodities, which are available to (name of applicant) for export, have not been and will not be supplied from commodities released from the U.S. National Stockpile:

Export control commodity No.	Commodity description	Quantity

[1] Forms FC–419, FC–420, FC–988 may be obtained at all U.S. Department of Commerce field offices (listed on page 1) and from the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230.

[1a] Forms FC–419 and FC–420 may be obtained at all U.S. Department of Commerce Field Offices listed on page 1, and from the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230.

[1b] Forms FC–419, FC–420, FC–917, or FC–843 may be obtained from all U.S. Department of Commerce field offices listed on page 1, from the U.S. Department of Commerce, Office of Export Control, Washington, D.C., 20230, and from U.S. consulates, embassies and other posts in Country Group "T" countries.

[2] The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Name of supplier)_____

NOTE: 1. As used in this certification, a commodity is "available" only if the supplier or the applicant has present legal title to the commodities and has access to such commodities for export purposes.

2. If the applicant is not the producer of the commodities, the certification shall be signed by the supplier shown in Item 9 of the application.

§ 373.36 Molybdenum disulfide and molybdates.

The following molybdenum commodities are subject to the special provisions set forth in § 373.21:

Export control commodity No. and commodity description	
51360	Molybdenum oxide.
51470	Molybdenum disulfide, 86 percent content or higher.
51470	Calcium molybdate.
51470	Ammonium molybdate.
51470	Sodium and potassium molybdate.

§ 373.44 Other commodities in commodity section 6.

* * * * *

(b) *Molybdenum metals.* The following molybdenum metals are subject to the special provisions of § 373.21.

Export control commodity No. and commodity description	
67160	Ferromolybdenum.
68942	Molybdenum or molybdenum alloys, unwrought.
68942	Molybdenum or molybdenum alloys, waste and scrap.
68942	Molybdenum or molybdenum alloy metal powders.

IV. *Revision of General License GTDU.* Purpose and effect: Before exporting unpublished technical data relating to certain materials and equipment under the provisions of General License GTDU, the exporter must obtain from the importer a written assurance that neither the technical data nor the direct product thereof is intended to be shipped, either directly or indirectly, to Country Group W, Y, or Z. Effective July 5, 1966, the list of materials and equipment subject to this requirement for a written assurance is now extended to include technical data relating to the following commodities:

1. Phosphor compounds specially prepared for lasers, including but not limited to: neodymium-doped calcium tungstate, dysprosium-doped calcium fluoride, eu-trifluoroethenoyl acetonate, praseodymium-doped lanthanum trifluoride (Export Control Commodity No. 51500); and

2. Voltmeters, with a full scale sensitivity of 10 nanovolts or less (Export Control Commodity No. 72952).

Accordingly, § 385.2(c)(4)(iii) of the Comprehensive Export Schedule is amended to read as set forth below:

PART 385—TECHNICAL DATA

§ 385.2 General licenses.

* * * * *

(c) *General License GTDU; Unpublished Technical Data.* * * *

(4) *Requirement of written assurance for certain data, services, and materials.* * * *

* * *

(iii) Technical data relating to the following materials and equipment:

* * * * *

(w) Alpha trioxymethylene (trioxane) (Export Control Commodity Nos. 51208 and 51209);

* * * * *

(cc) Phosphor compounds specially prepared for lasers, including but not limited to: neodymium-doped calcium tungstate, dysprosium-doped calcium fluoride, eu-trifluoroethenoyl acetonate, praseodymium-doped lanthanum trifluoride (Export Control Commodity Number 51500); and

(dd) Voltmeters, with full scale sensitivity of 10 nanovolts or less (Export Control Commodity Number 72952).

PART 382—ADMINISTRATIVE PROCEEDINGS

IV. *Revision of denial and probation orders (Supplement No. 1 to Part 382).* The Denial and Probation Orders, Supplement No. 1 to Part 382, are revised as follows:

A. ADDITIONS

Name and address	Effective date	Expiration dates	Export privileges affected	FEDERAL REGISTER citation
Bone, Albert Sydney, 32 Station Road, Hounslow, Middlesex, England.	4- 6-66	June 5, 1966	General and validated licenses, all commodities, any destination, also exports to Canada.	31 F.R. 6206, 4-22-66.
Bone (Merchandising) Ltd., A.S., Pump Lane, Hayes, Middlesex, England.	4- 6-66	do	General and validated licenses, all commodities, any destination, also exports to Canada (Party related to Bone, Albert Sydney, which see).	31 F.R. 6206, 4-22-66.
Cargo Consolidation Services (Forwarding), Ltd., Cargo Consolidation Services (Holdings), Ltd., Pump Lane, Hayes, Middlesex, England.	4- 6-66	do	do	31 F.R. 6206, 4-22-66.
Cargo Consolidation Services, Ltd., Pump Lane, Hayes, Middlesex, England.	4- 6-66	do	General and validated licenses, all commodities, any destination, also exports to Canada.	31 F.R. 6206, 4-22-66.
Diatron-Oschanitzky K.G., also known as Diatron K.G., Wirtstrasse 3, 8 Munich 9, West Germany.	4-16-66	Indefinite	do	31 F.R. 7150-7151, 5-14-66.
Oschanitzky, Dr. Wilhelm, Wirtstrasse 3, 8 Munich 9, West Germany.	4-16-66	do	General and validated licenses, all commodities, any destination, also exports to Canada (Partner and Managing Official of Diatron-Oschanitzky, which see).	31 F.R. 7150-7151, 5-14-66.

B. AMENDMENTS

Hopkinson, Anthony G., Lawrence Estates, Green Lane, Hounslow, Middlesex, England.	5-13-66	Apr. 20, 1971	General and validated licenses, all commodities, any destination, also exports to Canada.	31 F.R. 3140, 2-25-66. 31 F.R. 6280-6281, 4-23-66.
Rad Reps (Factors), Ltd., Lawrence Estates, Green Lane, Hounslow, Middlesex, England.	2-18-66	do	do	31 F.R. 3140, 2-25-66. 31 F.R. 6280-6281, 4-23-66.

[F.R. Doc. 66-6398; Filed, June 10, 1966; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart D—Listing of Color Additives for Food Use Exempt From Certification

ULTRAMARINE BLUE; CONFIRMATION OF EFFECTIVE DATE

In the matter of listing ultramarine blue as a safe color additive for use in salt for animal feed and exempting it from certification:

1. Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(b)(1), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376(b)(1), (c)(2), (d)), and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of April 21, 1966 (31 F.R. 6104). Accordingly, the regulation promulgated by that order will become effective June 20, 1966.

2. Effective June 20, 1966, § 8.501 *Provisional lists of color additives* is amended by deleting from paragraph (e) the item "Ultramarine blue."

(Sec. 706(b)(1), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376(b)(1), (c)(2), (d))

Dated: June 6, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6468; Filed, June 10, 1966; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7364; Amdt. 482]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

From—	To—	Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums: 2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Sherwood Int	ATW RBn	Direct	2600	T-dn	300-1	300-1	200-½
Little Chute Int	ATW RBn	Direct	2600	C-dn	400-1	500-1	500-1½
Oshkosh VOR	ATW RBn	Direct	2600	S-dn	400-1	400-1	400-1
				A-dn	NA	NA	NA

Procedure turn S side of crs, 134° Outbnd, 314° Inbnd, 2600' within 10 miles of Menasha Int.
Minimum altitude over Menasha Int on final approach crs, 2200'.
Crs and distance, Menasha Int to airport, 314°—4.7 miles; Menasha to RBn, 4.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of RBn, make left-climbing turn to 2600' on 134° bearing from ATW H within 15 miles.
NOTES: (1) Final approach from holding pattern at Menasha Int not authorized. Procedure turn required. (2) No weather available. Obtain Green Bay, Wis., altimeter setting.
MSA within 25 miles of facility: 000°-090°—3100'; 090°-180°—2700'; 180°-360°—2200'.

City, Appleton; State, Wis.; Airport name, Outagamie County (new); Elev., 918'; Fac. Class., MHW; Ident., ATW; Procedure No. 1, Amdt. 1; Eff. date, 18 June 66; Sup. Amdt. No. Orig.; Dated, 6 Jan. 66

Sherwood Int	ATW RBn	Direct	2600	T-dn	300-1	300-1	200-½
Little Chute Int	ATW RBn	Direct	2600	C-dn	600-1	600-1	600-1½
Oshkosh VOR	ATW RBn	Direct	2600	S-dn	600-1	600-1	600-1
				A-dn	NA	NA	NA
				ADF/VOR minimums (VOR receiver required):			
				C-dn*	400-1	500-1	500-1½
				S-dn-12*	400-1	400-1	400-1

Procedure turn S side of crs, 284° Outbnd, 104° Inbnd, 2600' within 10 miles.
Minimum altitude over Medina Int on final approach crs, 1518'.
Crs and distance, Medina Int to airport, 104°—3 miles; Medina Int to ATW RBn, 3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of H, climb to 2600' on 134° magnetic bearing within 10 miles.
NOTE: No weather available. Obtain Green Bay, Wis., altimeter setting.
MSA within 25 miles of facility: 000°-090°—3100'; 090°-180°—2700'; 180°-360°—2200'.

City, Appleton; State, Wis.; Airport name, Outagamie County; Elev., 918'; Fac. Class., MHW; Ident., ATW; Procedure No. 2, Amdt. Orig.; Eff. date, 18 June 66

Dayton Int	CQN RBn	Direct	3000	T-dn	800-1	800-1	*200-½
Chattanooga VORTAC	CQN RBn	Direct	3000	C-dn	800-1½	700-1½	700-2
Chickamauga Int	CQN RBn	Direct	3000	S-dn-20°	800-1	800-1	800-1
Whitwell Int	CQN RBn	Direct	3400	A-dn	800-2	800-2	800-2
Bridgeport Int	CQN RBn	Direct	3400				
Coalmont Int	CQN RBn	Direct	3400				
Georgetown Int	CQN RBn	Direct	3000				
Crandall Int	CQN RBn	Direct	3000				
Haletown Int	CQN RBn	Direct	3000				
Dunlap Int	CQN RBn	Direct	3400				
Riceville Int	CQN RBn	Direct	5400				
			3000				

Radar available.
Procedure turn E side of crs, 016° Outbnd, 196° Inbnd, 3000' within 10 miles of CQN RBn.
Minimum altitude Inbnd over CQN RBn, 3000'; over OM, 1600'; over MM, 1200'. If OM not received, descent below 1600' not authorized.
Distances to runway: CQN, 7.7 miles; OM, 4.1 miles; MM, 0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.7 miles after passing CQN RBn, climb to 3000' on crs of 196° within 15 miles.
CAUTION: Due to high terrain and towers, aircraft with limited climb capability departing on routes W through N, should request clearance to climb on a track of 016° or 196° from LMM to 3000' before continuing climb on crs.
*Reduction below ¾ mile not authorized.
*Takeoff on Runways 14-32 with less than 300-1 not authorized.
MSA within 25 miles of facility: 000°-090°—3400'; 090°-180°—3600'; 180°-360°—3400'.

City, Chattanooga; State, Tenn.; Airport name, Lovell Field; Elev., 682'; Fac. Class., MHW; Ident., CQN; Procedure No. 1, Amdt. 15; Eff. date, 18 June 66; Sup. Amdt. No. 14; Dated, 5 Mar. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
CGT VOR	Stack Int	Via CGT, R 356° and bearing, 138° from RV LOM.	3500	T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-32L	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2
API VOR*	Stack Int	Direct	3500				
Niles Int	Stack Int	Via API, R 088° and bearing, 138° from RV LOM.	3500				
Stack Int	RV LOM (final)	Direct	2300				
ORD VOR*	Stack Int	Direct	3500				
OBK VOR*	Stack Int	Direct	3500				
Lakewood Int	ORD VOR	Via OBK VOR, R 272° and ORD, R 306°.	3500				

Radar available.
Procedure turn E side of crs, 138° Outbnd, 318° Inbnd, 3500′ within 10 miles of Stack Int.
Minimum altitude over RV LOM on final approach crs, 2300′; over Stack Int, 3500′.
Crs and distance, RV LOM to airport, 318°—5.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing RV LOM, turn left to 300° heading, climb to 1800′, then make left-climbing turn to 3500′ and proceed direct to DPA VOR.
NOTES: (1) Functioning VOR receiver required unless a radar vector to final approach crs is obtained. (2) Runway 32L LOM named River Grove; Runway 32R RBn named Indian. (3) *Requires holding pattern entry at Stack Int during nonradar operation. (4) All transition to Stack Int except as noted.
CAUTION: Takeoffs on Runway 27 when weather is below 2000-3 will intercept ORD VOR, R 306° and climb to 2000′ before proceeding westbound. Takeoffs on Runway 32L when weather is below 2000-3 will intercept ORD VOR, R 250° and climb to 2000′ before proceeding westbound.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—2600′; 180°–270°—2400′; 270°–360°—2600′.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667′; Fac. Class., LOM; Ident., RV; Procedure No. 4, Amdt. 3; Eff. date, 18 June 66; Sup. Amdt. No. 2; Dated, 26 June 66

CGT VOR	Park Int	Via CGT, R 356° and bearing, 138° from ID LOM.	3500	T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-32R	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2
API VOR*	Park Int	Direct	3500				
Niles Int	Park Int	Via API, R 088° and bearing, 138° from ID LOM.	3500				
ORD VOR*	Park Int	Direct	3500				
OBK VOR*	Park Int	Direct	3500				
Park Int	ID LOM (final)	Direct	2300				
Lakewood Int	ORD VOR	Via OBK, R 272° and ORD VOR, R 306°.	3500				

Radar available.
Procedure turn E side of crs, 138° Outbnd, 318° Inbnd, 3500′ within 10 miles of Park Int.
Minimum altitude over ID LOM on final approach crs, 2300′; over Park Int on final approach crs, 3500′.
Crs and distance, ID LOM to airport, 318°—6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing ID LOM, turn right to 335° heading, climb to 1500′, then make right-climbing turn to 3500′ and proceed to Evanston Int via ORD, R 075°.
NOTES: (1) Functioning VOR receiver required unless a radar vector to final approach crs is obtained. (2) LOM 32L named River Grove; LOM 32R named Indian. (3) *Requires holding pattern entry at Park Int during nonradar operation. (4) All transitions to Park Int except as noted.
CAUTION: Takeoffs on Runway 27 when weather is below 2000-3 will intercept ORD VOR, R 250° and climb to 2000′ before proceeding westbound. Takeoffs on Runway 32L when weather is below 2000-3 will intercept ORD VOR, R 306° and climb to 2000′ before proceeding westbound.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—2600′; 180°–270°—2400′; 270°–360°—2600′.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667′; Fac. Class., LOM; Ident., ID; Procedure No. 5, Amdt. 3; Eff. date, 18 June 66; Sup. Amdt. No. 2; Dated, 26 June 66

OMA VOR	LOM	Direct	2700	T-dn	300–1	300–1	200–½
Neola VOR	LOM	Direct	2900	C-dn	700–1	700–1	700–1½
				C-n	700–1½	700–1½	700–1½
				S-dn-14	800–1	800–1	800–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side crs, 316° Outbnd, 136° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2200′.
Crs and distance, facility to airport, 136°—4.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing LOM, climb to 2800′ on crs 136° from LOM, proceed to OMA VOR, or when directed by ATC, climb to 2900′ on crs, 136° from LOM, turn left and proceed direct to EOL VOR.
NOTE: Final approach from holding pattern at LOM not authorized. Procedure turn required.
CAUTION: Bluff, 1339′—1.3 miles E; towers, 1739′—4 miles WNW and 1746′—3 miles SW of airport.
Unless radar vectored after takeoff, climb to 2200′ before proceeding in a westerly direction.
MSA within 25 miles of facility: 000°–090°—2700′; 090°–360°—2800′.

City, Omaha; State, Nebr.; Airport name, Eppley Airfield; Elev., 983′; Fac. Class., LOM; Ident., OM; Procedure No. 1, Amdt. 15; Eff. date, 18 June 66; Sup. Amdt. No. 14; Dated, 23 Jan 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
RAL VOR	Highgrove Int	Direct	4200	T-dn %	300–1	300–1	200–½
Sierra Int	Highgrove Int	Direct	4200	C-dn	800–1	800–1	800–1
Highgrove Int	Colton RBn/Int	Direct	4200	A-dn	800–2	800–2	800–2
Colton RBn/Int	LOM (final)	Direct	2800	If Dixon Int received, the following minimums apply.			
Moreno Int	Colton RBn	Direct	4200	ADF and VOR equipment:			
ONT VOR	RAL VOR	Direct	4200	C-dn	500–1	500–1	500–1½
				S-dn-25	400–1	400–1	400–1

Procedure turn not authorized. Radar available.
Minimum altitude over Colton RBn on final approach crs, 4200′; over LOM, 2800′.
Crs and distance, facility to airport, 255°—5.9 miles; Dixon Int to airport, 255°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing LOM, climb to 3000′ on crs of 255° within 14 miles of LOM.
MSA within 25 miles of facility: 000°–090°—11,300′; 090°–180°—6700′; 180°–270°—6100′; 270°–360°—11,100′.
%N and eastbound (278° through 105° clockwise, IFR departures must comply with published Ontario SID's.

City, Ontario; State, Calif.; Airport name, Ontario International; Elev., 952′; Fac. Class., LOM; Ident., ON; Procedure No. 1, Amdt. 21; Eff. date, 18 June 66; Sup. Amdt. No. 20; Dated, 11 Sept. 65

NUN VOR	LOM	Direct	1700	T-dn	300–1	300–1	200–½
PNS RBn	LOM	Direct	1700	C-dn	400–1	500–1	500–1½
Gonzales Int	LOM (final)	Direct	1300	S-dn-16	400–1	400–1	400–1
Harold Int	LOM	Direct	1700	A-dn	800–2	800–2	800–2
Elberta Int	LOM	Direct	1700				

Radar available.
Procedure turn E side of crs, 342° Outbnd, 163° Inbnd, 1400′ within 10 miles. Procedure turn nonstandard due ATC.
Minimum altitude over facility on final approach crs, 1300′.
Crs and distance, facility to airport, 163°—3.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.5 miles after passing LOM, climb to 2000′ on crs of 163° from the LOM within 10 miles, or when directed by ATC, climb to 2000′ on crs of 100° from the Pensacola RBn within 15 miles.
CAUTION: Warning area 10 miles S of PNS RBn.
MSA within 25 miles of facility: 000°–090°—1500′; 090°–180°—1500′; 180°–270°—1600′; 270°–360°—2400′.

City, Pensacola; State, Fla.; Airport name, Pensacola Municipal (Hagler); Elev., 118′; Fac. Class., LOM; Ident., PN; Procedure No. 1, Amdt. 11; Eff. date, 18 June 1966; Sup. Amdt. No. 10; Dated, 26 Dec. 1964

NUN VOR	PNS RBn	Direct	1700	T-dn	300–1	300–1	300–½
Harold Int	PNS RBn	Direct	1700	C-dn	400–1	500–1	500–1½
				S-dn-34	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 163° Outbnd, 343° Inbnd, 1600′ within 10 miles. Beyond 10 miles not authorized due warning area.
Minimum altitude over facility on final approach crs, 700′.
Crs, and distance, facility to airport, 343°—1.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles after passing RBn, climb to 2000′ on 343° bearing from RBn within 15 miles, or when directed by ATC, turn right, climb to 2000′ on bearing of 030° from Pensacola RBn within 15 miles.
CAUTION: Warning area beyond 10 miles S of PNS RBn.
MSA within 25 miles of facility: 000°–090°—1500′; 090°–180°—1200′; 180°–270°—1600′; 270°–360°—1900′.

City, Pensacola; State, Fla.; Airport name, Pensacola Municipal (Hagler); Elev., 118′; Fac. Class., H–SAB; Ident., PNS; Procedure No. 2, Amdt. 5; Eff. date, 18 Jun 66; Sup. Amdt. No. 4; Dated, 5 Dec. 64

Odin Int	Salem RBn	Direct	2100	T-dn	300–1	300–1	NA
St. Peter Int	Salem RBn	Direct	2100	C-dn	600–1	600–1	NA
				S-dn-18	600–1	600–1	NA
				A-dn	NA	NA	NA

Procedure turn E side of crs, 005° Outbnd, 185° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1171′.
Crs and distance, facility on airport, breakoff point to Runway 18, 176°—0.66 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing Salem RBn, make right turn, climbing to 2100′ on the 005° bearing from Salem RBn within 10 miles. Make right turn and return to Salem RBn.
NOTE: Obtain VLA altimeter setting.
MSA within 25 miles of facility: 000°–360°—2100′.

City, Salem; State, Ill.; Airport name, Salem-Leckrone; Elev., 571′; Fac. Class., MH; Ident., SLO; Procedure No. 1, Amdt. Orig.; Eff. date, 18 June 66

PROCEDURE CANCELED, EFFECTIVE 18 JUNE 1966.

City, Sturgis; State, Mich.; Airport name, Kirsch Municipal; Elev., 924′; Fac. Class., MHW; Ident., IRS; Procedure No. 1, Amdt. Orig.; Eff. date, 4 June 66

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Radar required				T–dn	300–1	300–1	NA
				C–dn	700–1	700–1	NA
				A–dn	NA	NA	NA

Procedure turn not authorized.
Minimum altitude over facility on final approach crs, 1600'.
Crs and distance, facility to airport, 267°—3.8 miles.
Minimum altitude at glide slope interception, Inbnd not authorized.
Altitude of glide slope and distance to approach end of runway at OM not authorized.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing ENO VOR, make right turn, climbing to 1600', proceed to Kenton VORTAC. Hold E, R 087°, 1-minute right turns.
MSA within 25 miles of the facility: 000°–180°—1100'; 180°–000°—1600'.

City, Chiswold; State, Del.; Airport name, Delaware Airpark; Elev., 50'; Fac. Class., L-BVORTAC; Ident., ENO; Procedure No. 1, Amdt. Orig.; Eff. date, 18 June 66

				T–dn	300–1	300–1	200–½
				C–dn	400–1	500–1	500–1½
				S–dn–31	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn E side of crs, 131° Outbnd, 311° Inbnd, 5700' within 10 miles.
Minimum altitude over facility on final approach crs, 4600'.
Crs and distance, facility to airport, 311°—2.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles after passing CTB VOR, make left turn and proceed to the CTB VOR, climbing to 5700'.
NOTE: Final approach from holding pattern at VOR not authorized. Procedure turn required.
NOTES: (1) Final approach from holding pattern at VOR not authorized. Procedure turn required. (2) When authorized by ATC, DME may be used to position aircraft for straight-in approach at 6000' between R 130° clockwise to R 152° via 6-mile DME Arc with the elimination of procedure turn.
MSA within 25 miles of facility: 000°–360°—5700'.

City, Cut Bank; State, Mont.; Airport name, Cut Bank; Elev., 3854'; Fac. Class., L-BVORTAC; Ident., CTB; Procedure No. 1, Amdt. 6; Eff. date, 18 June 66; Sup. Amdt. No. 5; Dated, 11 Nov. 65

				T–dn	300–1	NA	NA
				C–d	900–1	NA	NA
				C–n	900–2	NA	NA
				A–dn	NA	NA	NA
				DME minimums—DME equipment required:*			
				c–d*	800–1	NA	NA
				c–n*	800–2	NA	NA

Radar available.
Procedure turn E side of crs, 010° Outbnd, 190° Inbnd, 2200' within 10 miles.
Minimum altitude over facility on final approach crs 3000'; over 8-mile DME Fix, R 190°—1514'.
Crs and distance, facility to airport, 190°—9.8 miles.
When authorized by ATC, DME may be used within 10 miles at 2200' to position aircraft for a straight-in approach with the elimination of a procedure turn.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.8 miles after passing Dallas VOR, turn left, climb to 2500' on crs, 091° within 20 miles.
NOTE: Night operations restricted to Runways 13–31.
CAUTION: 1026' radio tower, 2.2 miles NNE. Final approach crs 1 mile E of Temco Garland.
MSA: 000°–090°—2100'; 090°–180°—2000'; 180°–270°—3300'; 270°–360°—2200'.

City, Dallas; State, Tex.; Airport name, Dallas-Garland; Elev., 614'; Fac. Class., H-BVORTAC; Ident., DAL; Procedure No. 1, Amdt. 3; Eff. date, 18 June 66; Sup. Amdt. No. 2; Dated, 7 May 66

				T–dn	300–1	300–1	NA
				C–dn*	500–1	500–1	NA
				S–dn–33#	500–1	500–1	NA
				A–dn	NA	NA	NA

Procedure turn E side of crs, 161° Outbnd, 341° Inbnd, 2100' within 10 miles.
Minimum altitude over facility on final approach crs, 1400'.
Crs and distance, facility to airport, 341°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing JKS VORTAC, make left-climbing turn to 2100' and return to JKS VORTAC.
NOTES: (1) Altimeter setting and weather information from Jackson FSS (McKellar Field). (2) Aircraft will cancel IFR with Jackson FSS prior to landing or upon reaching VFR conditions. (3) Aircraft will not take off under IFR conditions without prior ATC approval.
#Reduction below ¾ mile not authorized.
*Night operations, Runways 1–19 not authorized.
MSA within 25 miles of facility: 000°–360°—2200'.

City, Lexington; State, Tenn.; Airport name, Franklin-Wilkins; Elev., 517'; Fac. Class., BVORTAC; Ident., JKS; Procedure No. 1, Amdt. 3; Eff. date, 18 June 66; Sup. Amdt. No. 2; Dated, 12 Mar. 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T–d	300–1	300–1	NA
				C–d	700–1	700–1	NA
				A–d	1000–3	1000–3	NA

Procedure turn N side of crs, 068° Outbnd, 248° Inbnd, 3000' within 10 miles.
Minimum altitude over facility on final approach crs, 2000'.*
Crs and distance, facility to airport, 248°—11.1 miles.*
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing MCB VORTAC, climb to 2000' on R 239° within 20 miles of MCB VORTAC.
CAUTION: 792' tower located 2.5 miles NW of airport; 847' tower, 1.3 miles E of airport; and 570' tower, 2.3 miles ENE of airport.
NOTE: When authorized by ATC, DME may be used within 8 miles at 2200' to position aircraft for final approach with the elimination of procedure turn.
*Descent to 1200' authorized after passing MCB VORTAC within 6 miles, then proceed VFR to airport, 248°—5.1 miles.
MSA within 25 miles of facility: 000°–360°—1900'.

City, McComb; State, Miss.; Airport name, McComb-Pike County; Elev., 460'; Fac. Class., BVOR; Ident., MCB; Procedure No. 1, Amdt. 7; Eff. date, 18 June 66; Sup. Amdt. No. 6; Dated, 8 Aug. 64

MC LFR	MCG VORTAC	Direct	2700	T–dn	300–1	300–1	200–½
22-mile DME Fix, R 097°	10-miles DME Fix, R 097°	Direct	2700	C–dn**	500–1	500–1	500–1½
10-mile DME Fix, R 097°	1.5-miles DME Fix, R 097° or abeam MC LFR.	Direct	**1200	A–dn	800–2	800–2	800–2

Procedure turn N side of crs, 097° Outbnd, 277° Inbnd, 2700' within 10 miles.
Minimum altitude over facility on final approach crs, 837' **.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, turn right, climb to 3000' on R 100°, MCG VORTAC within 15 miles.
NOTES: When authorized by ATC, DME may be used within 22 miles at 2700' between radials 090°–110°, to position for final approach, with the elimination of a procedure turn.
CAUTION: Mountainous terrain all quadrants. Terrain, 1266'—3.1 miles S of airport.
**If 1.5-mile DME Fix, R 097°, not received or the passing of MC LFR is not identified on final approach, descent below 1200' not authorized.

City, McGrath; State, Alaska; Airport name, McGrath; Elev., 337'; Fac. Class., H-BVORTAC; Ident., MCG; Procedure No. 1, Amdt. 2; Eff. date, 18 June 66; Sup. Amdt. No. 1; Dated, 2 Nov. 63

Boston VOR	Lawrence VOR	Direct	2000	T–d	300–1	300–1	NA
Manchester VOR	Lawrence VOR	Direct	2200	T–n	NA	NA	NA
Bedford RBn	Lawrence VOR	Direct	2000	C–d*	800–1½	800–1½	NA
Hollis Int	Lawrence VOR	Direct	2000	C–n	NA	NA	NA
Rye RBn	Lawrence VOR (final)	Direct	2000	S–dn	NA	NA	NA
				A–dn	NA	NA	NA

Radar available.
Procedure turn W side of crs, 044° Outbnd, 224° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 2000'.
Crs and distance, facility to airport, 224°—9.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.9 miles after passing LWN VOR, make right-climbing turn to 2000' direct LWN VOR. Hold NE of LWM VOR, 1-minute right turns, 224° Inbnd.
NOTE: Use Bedford/Hanscom altimeter setting.
CAUTION: Power lines 20' high, 350' SW of approach end of Runway 3.
*Maintain 1500' until 5 miles SW of LWM VOR or passing LWM RBn.
MSA within 25 miles of facility: 000°–270°—2000'; 270°–360°—2500'.

City, Tewksbury; State, Mass.; Airport name, Tew-MAC; Elev., 92'; Fac. Class., BVOR; Ident., LWM; Procedure No. VOR–1, Amdt. Orig.; Eff. date, 18 June 66

10-mile DME Fix, R 051°	Tulsa VORTAC (final)	Direct	1900	T–dn	300–1	300–1	300–1
10-mile DME Fix, R 079°	Tulsa VORTAC (final)	Direct	1900	C–dn	500–1	500–1	500–1½
				S–dn–26	500–1	500–1	500–1
				A–dn	800–2	800–2	800–2
				DME minimums—DME equipment required:**			
				C–dn**	400–1	500–1	500–1½
				S–dn–26**	400–1	400–1	400–1

Radar available.
Procedure turn N side of crs, 080° Outbnd, 260° Inbnd, 1900' within 10 miles.
Minimum altitude over facility on final approach crs, 1900'; over 1.3-mile DME Fix, R 260°—1175'.
Crs and distance, facility to airport, 260°—4.3 miles; 1.3-mile DME Fix to airport, 260°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing the Tulsa VORTAC, climb to 2500' on R 280° of the Tulsa VORTAC, or when directed by ATC, climb to 2600' on R 238° within 20 miles.
*300–1 required on runways 8L, 21R, 17R, and 35L.
MSA within 25 miles of facility: 000°–090°—2100'; 090°–180°—3600'; 180°–360°—3200'.

City, Tulsa; State, Okla.; Airport name, Tulsa International; Elev., 674'; Fac. Class., BVORTAC; Ident., TUL; Procedure No. 1, Amdt. 14; Eff. date, 18 June 66; Sup. Amdt. No. 13; Dated, 7 May 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn%*	300-1	300-1	200-½
				C-dn**	600-1	600-1	600-1½
				C-n**	600-2	600-2	600-2
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 159° Outbnd, 339° Inbnd, 2900′ within 10 miles.
Minimum altitude over facility on final approach crs, 2600′.
Crs and distance, facility to airport, 339°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles after passing VOR, make right-climbing turn to 2900′ return to VOR. Hold SE on R 159°, 1-minute right turns, 339° Inbnd.
NOTE: When authorized by ATC, DME may be used to position aircraft for straight-in approach at 3500′ between R 104° clockwise to R 271° via 6-mile DME Arc with the elimination of procedure turn.
CAUTION: Runways 9-27 unlighted.
*When weather is less than 1400-2, aircraft taking off Runway 12, climb to 3000′ on runway heading prior to turning westbound. Runway 9 or 30 climb to 3000′ on runway heading prior to turning N or westbound. Runway 22 make left-climbing turn to 3000′ prior to turning westbound. Runway 4 turn right, climb to 3000′ prior to turning W or northbound due to 2549′ TV antenna, 3 miles WSW and 1864′ tower, 3.5 miles N of airport. 1400-2 minimums apply for aircraft taking off on Runway 27.
**Circling not authorized in area W of Wisconsin River.
MSA within 25 miles of facility: 000°–090°—2900′; 090°–180°—2500′; 180°–270°—2800′; 270°–360°—3000′.

City, Wausau; State, Wis.; Airport name, Wausau Municipal; Elev., 1201′; Fac. Class., BVORTAC; Ident., AUW; Procedure No. 1, Amdt. 7; Eff. date, 18 June 66; Sup. Amdt. No. 6; Dated, 24 June 65

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Du Page VOR	Glen Int	Direct	2500	T-dn#	300-1	300-1	200-½
Naperville VOR	Glen Int	Direct	2500	C-dn	500-1	500-1	500-1½
Warren Int	Glen Int	Via APL R-288° and ORD, R 223°.	2500	S-dn-4	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
Glen Int	Benson Int (final)	Direct	1800				
Tiger Int	Glen Int	Direct	2500				

Procedure turn not authorized.
Radar available.
Minimum altitude over Benson Int on final approach crs, 1800′.
Crs and distance, Benson Int to VOR, 043°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of ORD VOR, make left turn, climb to 2500′, proceed to OBK VOR via OBK, R 170°.
NOTE: Aircraft must be equipped with dual VOR receivers, or position be identified over Benson Int by O'Hare Radar.
#CAUTION: Takeoffs on Runway 27, when weather is below 2000-3, will intercept ORD VOR, R 250° and climb to 2000′ before proceeding westbound. Takeoffs on Runway 32L, when weather is below 2000-3, will intercept ORD VOR R 306° and climb to 2000′ before proceeding westbound.
MSA within 25 miles of facility: 000°–090°—2000′; 090°–180°—2500′; 180°–270°—2600′; 270°–360°—2500′.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667′; Fac. Class., BVORTAC; Ident., ORD; Procedure No. TerVOR-4, Amdt. 3; Eff. date, 18 June 66; Sup. Amdt. No. 2; Dated, 12 June 65

Papi Int	Ridge Int	Via OBK, R 076° and ORD, R 063°.	2500	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-22	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2
Ridge Int	Rand Int (final)	Direct	1400				
OBK VOR	Ridge Int	Direct	2500				
Niles Int	ORD VORTAC	Direct	2500				
Warren Int	ORD VORTAC	Direct	2500				
OBK VOR	ORD VORTAC	Direct	2500				

Radar available.
Procedure turn N side of crs, 033° Outbnd, 213° Inbnd, 2500′ within 10 miles of VORTAC.
Minimum altitude over Rand Int on final approach crs, 1400′.
Crs and distance, Rand Int to VOR, 3.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of ORD VOR, climb to 3500′ and proceed to DPA VOR via ORD R 213° and DPA R 086°, or as directed by ATC, climb to 1500′ on ORD R 213°, then make right-climbing turn to 2500′ and proceed to Elgin Int via ORD R 271°.
NOTE: Dual VOR receivers required or Radar Fix in lieu of Rand Int.
CAUTION: Takeoffs on Runway 27, when weather is below 2000-3, will intercept ORD VOR R 250° and climb to 2000′ before proceeding westbound. Takeoffs on Runway 32L, when weather is below 2000-3, will intercept ORD VOR R 306° and climb to 2000′ before proceeding westbound.
MSA within 25 miles of facility: 000°–090°—2000′; 090°–180°—2600′; 180°–270°—2600′; 270°–360°—2500′.

City, Chicago; State, Ill.; Airport name, O'Hare International; Elev., 667′; Fac. Class., L-BVORTAC; Ident., ORD; Procedure No. TerVOR-22, Amdt. 5; Eff. date, 18 June 66; Sup. Amdt. No. 4; Dated, 22 May 65

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
OBH VOR	GRI VOR	Direct	3700	T-dn	300-1	300-1	200-½
				C-dn	700-1	700-1	700-1½
				S-dn-12	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2
				DME or dual VOR minimums—DME equipment or dual VOR receivers required:			
				C-dn	500-1	500-1	500-1½
				S-dn-12	400-1	400-1	400-1

Procedure turn W side of crs, 294° Outbnd, 114° Inbnd, 3200′ within 10 miles.
Minimum altitude over 3.6-mile DME Fix or Evers Int on final approach crs, 2546′.
Crs and distance, 3.6-mile DME Fix or Evers Int to airport, 114°—3.8 miles. Breakoff point to runway, 125°—0.89 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing GRI VOR or 3.6 miles after passing Evers Int, make left turn, climbing to 3700′ on GRI VOR R 350° within 12 miles, make left turn and return to GRI VOR. Hold N on R 350°, 1-minute right turns, 170° Inbnd.
NOTE: When authorized by ATC, GRI VORTAC/DME may be used via the 10-mile DME Arc at 3700′ altitude, between GRI VOR R 231° clockwise to GRI VOR R 074°, to position aircraft for final approach with elimination of procedure turn.
MSA within 25 miles of facility: 225°–135°—3300′; 135°–225°—3800′.

City, Grand Island; State, Nebr.; Airport name, Grand Island Municipal; Elev., 1846′; Fac. Class., BVORTAC; Ident., GRI; Procedure No. TerVOR-12, Amdt. 4; Eff. date, 18 June 66; Sup. Amdt. No. 3; Dated, 10 June 64

OBH VOR	GRI VOR	Direct	3700	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-17@	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
				DME minimums—DME equipment required:			
				C-dn	500-1	500-1	500-1½
				S-dn-17@@	400-1	400-1	400-1

Procedure turn W side of crs, 350° Outbnd, 170° Inbnd, 3100′ within 10 miles.
Minimum altitude over 3-mile DME Fix on final approach crs, 2346′.
Crs and distance, facility to airport, 170°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing GRI VOR, make left turn, climbing to 3700′ on GRI VOR R 350° within 12 miles, make left turn and return to GRI VOR.
NOTE: When authorized by ATC, GRI VORTAC/DME may be used via the 10-mile DME Arc at 3700′ altitude, between GRI VOR R 231° clockwise to GRI VOR R 074°, to position aircraft for final approach with elimination of procedure turn.
@500-¾ authorized with HIRL, except for 4-engine turbojets.
@@400-¾ authorized with HIRL, except for 4-engine turbojets.
MSA within 25 miles of facility: 225°–135°—3300′; 135°–225°—3800′.

City, Grand Island; State, Nebr.; Airport name, Grand Island Municipal; Elev., 1846′; Fac. Class., BVORTAC; Ident., GRI; Procedure No. TerVOR-17, Amdt. 8; Eff. date, 18 June 66; Sup. Amdt. No. 7; Dated, 10 Oct. 64

Wilton Int	JEF VOR	Direct	2900	T-d	500-1	500-1	500-1
REA VOR	JEF VOR	Direct	2900	T-n	500-2	500-2	500-2
Algoa Int	JEF VOR	Direct	2400	Minimums when control zone effective:			
CBI VOR	Scott Int	Direct	2400	C-dn&	700-1	700-1	700-1½
Scott Int	Cole Int (final)	Direct	1800	S-dn-12@&	700-1	700-1	700-1
				A-dn&	1000-2	1000-2	1000-2
				Minimums when control zone not effective:			
				C-dn	800-1	800-1	800-1½
				S-dn-12	800-1	800-1	800-1
				A-dn	NA	NA	NA

Procedure turn S side of crs, 301° Outbnd, 121° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, 1247′.*
Facility on airport. Crs and distance, Cole Int to airport, 121°—5.8 miles; breakoff point to Runway 12, 116°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing JEF VOR, climb to 2500′ on JEF VOR, R 112° within 10 miles, make right turn and return to JEF VOR. Hold SE on JEF VOR R 112°, 292° Inbnd.
NOTE: When control zone not effective, obtain Columbia altimeter setting.
CAUTION: 985′ tower, located 1.3 miles W of airport. 1000′ tower, located 2.7 miles SE of airport. 1151′ tower, located 3.9 miles NE of airport. 1784′ tower, located 6.2 miles NE of airport.
&These minimums apply at all times for air carriers with approved weather reporting service.
*1347′ when control zone not effective.
@Reduction not authorized for nonstandard REIL.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–180°—2300′; 180°–270°—2200′; 270°–360°—2700′.

City, Jefferson City; State, Mo.; Airport name, Jefferson City Memorial; Elev., 547′; Fac. Class., L-BVOR; Ident., JEF; Procedure No. TerVOR-12, Amdt. 3; Eff. date, 18 June 66; Sup. Amdt. No. 2; Dated, 2 Apr. 66

FIM VORTAC	Susana Int	Direct	4000	T-dn%	300-1	300-1	300-1
Virginia Int	Susana Int	Direct	4000	C-dn	500-1	500-1	500-1½
Susana Int	Canoga Int (final)	Direct	3000	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn not authorized.
Minimum altitude over Canoga Int on final approach crs, 3000′.
Crs and distance, Canoga Int VOR 075°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at VNY VOR, turn left, climb via R 256° to Virginia Int at 4500′, or when directed by ATC, climb via R 096° to El Monte Int at 4500′. Positive Radar crs monitor required on alternate missed approach.
%All directions IFR departures: Unless otherwise directed by ATC, within 1 mile after takeoff, turn E, climb via VNY R 096° to El Monte Int at 4500′. Cross Glendale Int at 3500′ minimums. Departure requires minimum climb rate of 270′ per mile.
MSA within 25 miles of facility: 000°–090°—8600′; 090°–180°—5100′; 180°–270°—4100′; 270°–360°—6160′.

City, Los Angeles; State, Calif.; Airport name, Van Nuys; Elev., 799′; Fac. Class., L-VOR; Ident., VNY; Procedure No. VOR R 256°, Amdt. Orig.; Eff. date, 18 June 66

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Rock Creek Int	TWF VOR	Direct	8000	T-dn% C-dn S-dn-25 A-dn*	300–1 500–1 500–1 NA	300–1 500–1 500–1 NA	200–½ 500–1½ 500–1 NA

Procedure turn N side of crs, 068° Outbnd, 248° Inbnd, 5600′ within 10 miles.
Minimum altitude over facility on final approach crs, 4600′.
Facility on airport.
Crs and distance, breakoff point to approach end of Runway 25, 253°—0.3 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of TWF VOR, turn right, climb to 5600′ on R 293° within 10 miles, or when directed by ATC, turn right, climb to 5600′ on R 068° within 10 miles.
*Alternate minimums of 800–2 authorized for air carrier with weather reporting service available at the airport.
%Takeoff all runways: Shuttle climb on the 060° Radial of TWF VOR within 10 miles to minimum crossing altitude required for direction of flight.

Direction of Flight	MCA (feet)
SE, V253 and R 113°	5,800

MSA within 25 miles of facility: 060°–150°—9100′; 150°–240°—7900′; 240°–060°—6000′.
City, Twin Falls; State, Idaho; Airport name, Twin Falls Municipal (Joslin Field); Elev., 4148′; Fac. Class., BVOR; Ident., TWF; Procedure No. VOR–25, Amdt. 6; Eff. date, 18 June 66; Sup. Amdt. No. 5; Dated, 26 June 65.

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
OBH VORTAC	GRI VORTAC	Direct	3700	T-dn	300–1	300–1	200–½
GRI VORTAC	7-mile DME Fix, R 170°	Direct	3700	C-dn	500–1	500–1	500–1½
				S-dn-35@	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Procedure turn E side of crs, 170° Outbnd, 350° Inbnd, 3700′ between 7-mile and 17-mile DME Fix, R 170°.
Minimum altitude over 7-mile DME Fix, R 170° final approach crs, 3400′.
Crs and distance, 7-mile DME Fix, R 170° to airport, 350°—5.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.6-mile DME Fix, R 170°, climb to 3700′ on GRI R 350°, within 12 miles, make left turn and return to GRI VOR, hold N on R 350°, 1-minute right turns, 170° Inbnd.
NOTE: When authorized by ATC, GRI VORTAC/DME may be used via 13-mile Arc at 3700′ altitude, between GRI VOR R 074° clockwise to GRI VOR R 263°, to position aircraft for final approach with elimination of procedure turn.
@ 500–¾ authorized with operative HIRL, 500–½ authorized with operative ALS, except for 4-engine turbojets.
MSA within 25 miles of facility: 225°–135°—3300′; 135°–225°—3800′.
City, Grand Island; State, Nebr.; Airport name, Grand Island Municipal; Elev., 1846′; Fac. Class., BVORTAC; Ident., GRI; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 18 June 66; Sup. Amdt. No. Orig.; Dated, 20 Nov. 65

Webb Int	18-mile DME Fix, R 317°	Via 18 miles DME Arc	2200	T-dn	300–1	300–1	200–½
18-mile DME Fix, R 317°	13.5-mile DME Fix, R 317° (final)	Direct	1500	C-dn	400–1	500–1	500–1½
Laredo VORTAC	10.1-mile DME Fix, R 317°	Direct	2000	S-dn-15	400–1	400–1	400–1
				A-dn	NA	NA	NA

Radar available.
Procedure turn E side of crs, 317° Outbnd, 137° Inbnd, 2000′ within 10 miles of 10.1-mile DME Fix.
Minimum altitude over 13.5-mile DME Fix R 317° on final approach crs, 1500′.
Crs and distance, 13.5-mile DME Fix R 317° to airport, 137°—3.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at the 10.1-mile DME Fix, R 317°, turn left, climb to 2000′ on 10.1-mile DME Arc until intercepting V–17, proceed N on V–17 within 20 miles of Laredo VORTAC.
NOTES: (1) 10.1-mile DME Fix, R 317° located over airport. (2) VOR and DME equipment required for the execution of this approach, if radar service not available. (3) Radar Fixes may be used in lieu of DME Fixes.
MSA within 25 miles of facility: 180°–090°—2200′; 090°–180°—2300′.
City, Laredo; State, Tex.; Airport name, Laredo Municipal; Elev., 524′; Fac. Class., H-BVORTAC; Ident., LRD; Procedure No. VOR/DME No. 1; Amdt. 2; Eff. date, 18 June 66; Sup. Amdt. No. 1; Dated, 19 Mar. 66

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Dayton Int	CQN RBn	Direct	3800				
Hailetown Int	CQN RBn	Direct	3400	T-dn	300–1	300–1	#200–½
Chattanooga VORTAC	CQN RBn	Direct	3000	C-dn	600–1¾	700–1¾	700–2
Dunlap Int	CQN RBn	Direct	3400	S-dn–20°	200–1¾	200–1¾	200–1¾
Chicamauga Int	CQN RBn	Direct	3000	A-dn	600–2	700–2	700–2
Whitwell Int	CQN RBn	Direct	3400				
Bridgeport Int	CQN RBn	Direct	3400				
Coalmont Int	CQN RBn	Direct	3400				
Georgetown Int	CQN RBn	Direct	3000				
Crandall Int	CQN RBn	Direct	3000				
Riceville Int	CQN RBn	Direct	3000				

Radar available.
Procedure turn E side N crs, 016° Outbnd, 196° Inbnd, 3000′ within 10 miles of CQN RBn.
Minimum altitude at glide slope interception Inbnd, 3000′.
Altitude of glide slope and distance to approach end of runway at CQN RBn, 2949′—7.7 miles; at OM, 1900′—4.1 miles; at MM, 890′—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.7 miles after passing CQN RBn, or 4.1 miles after passing OM, climb to 3000′ on S crs ILS within 15 miles, or, when directed by ATC, turn left and proceed direct to CHA VORTAC at 3000′.
CAUTION: Due to high terrain and towers, aircraft with limited climb capability departing on routes W through N, should request clearance to climb on a track of 016° or 196° from LMM to 3000′ before continuing climb on crs.
*500–¾ required when glide slope not utilized. Reduction below ¾ mile not authorized.
#Takeoff on runways 14–32 with less than 300–1 not authorized.
City, Chattanooga; State, Tenn.; Airport name, Lovell Field; Elev., 682′; Fac. Class., ILS; Ident., I–CHA; Procedure No. ILS–20, Amdt. 16; Eff date, 18 June 66; Sup. Amdt. No. 15; Dated, 5 Mar. 66

Lakewood Int	OH LOM (final)	Via OBK R 272° and NW crs, OHA ILS.	2500	T-dn%	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn–14L@	300–½	300–½	250–½
Niles Int	ORD VOR	Direct	2500	A-dn	600–2	600–2	600–2
ORD VOR	OH LOM	Direct	2500				
Warren Int	LOM	Direct	2500				
Deerfield Int	OH LOM	Direct	2500				
OBK VOR	OH LOM	Direct	2500				

Radar available.
Procedure turn W side of NW crs, 318° Outbnd, 138° Inbnd, 2500′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2500′.
Altitude of glide slope and distance to approach end of runway at LOM, 2680′—5.7 miles; at LMM, 980′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn left to a heading of 120° and climb to 1500′, make left-climbing turn to 3500′ and proceed to Evanston Int via ORD, R 075°.
NOTES: Runway 14R, LOM named "ROMEO"; Runway 14L, LOM named "LIMA"; No approach lights.
CAUTION: Takeoffs Runway 27, when weather is below 2000–3, will intercept ORD VOR R 280° and climb to 2000′ before proceeding westbound. Takeoffs Runway 32L, when weather is below 2000–3, will intercept ORD R 308° and climb to 2000′ before proceeding westbound. When conducting a parallel approach, parallel ILS 14 R and L procedure must be used.
@ 400–1 required when glide slope not utilized; 400–½ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
%RVR, 2400′ authorized for takeoff on Runways 14L, 14R, and 32L.
City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667′; Fac. Class., ILS; Ident., I–OHA; Procedure No. ILS–14L, Amdt. 9; Eff. date, 18 June 66; Sup. Amdt. No. 8; Dated, 26 June 65

Lakewood Int	OR LOM (final)	Via OBK R 272° and NW crs, ORD ILS.	2200	T-dn%	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn–14R"%	300–½	300–½	200–½
ORD VOR	OR LOM	Direct	2500	A-dn	600–2	600–2	600–2
Warren Int	OR LOM	Direct	2500				
Elgin Int	OR LOM	Direct	2500				
Niles Int	ORD VOR	Direct	2500				
Deerfield Int	OR LOM	Direct	2500				
OBK VOR	OR LOM	Direct	2500				

Radar available.
Procedure turn W side of crs, 318° Outbnd, 138° Inbnd, 2500′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2200′.
Altitude of glide slope and distance to approach end of runway at LOM, 2140′—5.3 miles; at LMM, 961′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn right to a heading of 155° and climb to 1500′, then make a right-climbing turn to 3500′ and proceed to DPA VOR via R 085°, or, when directed by ATC, turn right to heading of 155° and climb to 1600′, then make right-climbing turn to 2500′ and proceed to Elgin Int. via ORD R 271°.
CAUTION: When conducting a parallel approach, parallel ILS 14 R and L procedure must be used.
NOTES: (1) Final approach from holding pattern not applicable. Procedure turn required. (2) Runway 14R, LOM named "ROMEO"; Runway 14L, LOM named "LIMA."
CAUTION: Takeoffs on Runway 27, when weather is below 2000–3, will intercept ORD VOR R 280° and climb to 2000′ before proceeding westbound. Takeoffs on Runway 32L, when weather is below 2000–3, will intercept ORD VOR R 308° and climb to 2000′ before proceeding westbound.
@ 400–¼ required when glide slope not utilized; 600–½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
"2400′ RVR. Descent below 867′ not authorized unless approach lights are visible.
#RVR 2400′ authorized Runways 14L, 14R, and 32L.
City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667′; Fac. Class., ILS; Ident., I–ORD; Procedure No. ILS–14R, Amdt. 11; Eff. date, 18 June 66; Sup. Amdt. No. 10; Dated, 26 June 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Meadows Int	Lima OM (final when glide slope not utilized).	Direct	2500	T–dn	300–1	300–1	200–½
				C–dn	NA	NA	NA
				8–dn–14R#	200–½	200–½	200–½
				8–dn–14L*§	300–¾	300–¾	300–¾
				A–dn	600–2	600–2	600–2

Procedure turn not authorized. Radar vectoring to final approach crs required.
Crs, Romeo LOM to Runway 14R, 138°; Lima LOM to Runway 14L, 138°.
Minimum altitude at glide slope interception Inbnd, 14R—2200'; 14L—3200' (2500' when authorized by ATC).
Altitude of glide slope and distance to approach end of runways at OM: 14R, 2140'—5.3 miles; 14L, 2460'—5.7 miles; at MM, 14R, 861'—0.5 mile, 14L, 900'—0.6 mile.
When advised by the controller or if visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 14R: Turn right to heading of 155° and climb to 1500', then make right-climbing turn to 3500' and proceed to DPA VOR via R 085°. Runway 14L: Turn left to heading of 120° and climb to 1500', make left-climbing turn to 3500' and proceed to Evanston Int via ORD R 075°.
*No approach lights.
#8–dn–14R: 400–¾ required when glide slope not utilized; 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS. 2400' RVR. Descent below 867' not authorized unless approach lights are visible.
§8–dn–14L: 400–1 required when glide slope not utilized; 400–½ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
NOTES: (1) Use of this procedure is mandatory when conducting a parallel ILS approach, and is authorized only when airborne 75 mc (or ADF), and localizer receivers are operating simultaneously. A Radar Fix in lieu of Meadows Int will be provided upon pilot's request. (2) When any required airborne receiver in Note (1) is malfunctioning or a parallel approach is not desired, immediate notification of approach control is mandatory. (3) When advised that parallel operations are in progress, the pilot will check his authorization and restrictions for Runways 14 L and R, and be prepared to accept or reject an approach to either.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., ILS; Ident., I–ORD and I–OHA; Procedure No. Parallel ILS–14 L and R, Amdt. 4; Eff. date, 18 June 66; Sup. Amdt. No. 3; Dated, 26 June 65

CGT VOR	Stack Int	Via CGT R 356° and SE crs, RVG ILS.	3500	T–dn #	300–1	300–1	200–½
				C–dn	400–1	500–1	500–1½
				8–dn–32L/%	200–½	200–½	200–½
				A–dn	600–2	600–2	600–2
API VOR*	Stack Int	Direct	3500				
Niles Int	Stack Int	Via API R 088° and SE crs.	3500				
ORD VOR*	Stack Int	Direct RVG ILS.	3500				
OBK VOR*	Stack Int	Direct	3500				
Stack Int	LOM (final)	Direct	2300				
Lakewood Int	ORD VOR	Via OBK R 272° and ORD VOR R 306°.	3500				

Radar available.
Procedure turn E side of crs, 138° Outbnd, 318° Inbnd, 3500' within 10 miles of Stack Int.
Minimum altitude at glide slope interception Inbnd, 2300', over Stack Int, 3500'.
Crs and distance, LOM to airport, 318°—5.6 miles.
Altitude of glide slope and distance to approach end of runway at LOM, 2282'—5.6 miles; at MM, 851'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn left to 300° heading, climb to 1500', then make left-climbing turn to 3500' and proceed direct to DPA VOR.
NOTES: (1) Functioning VOR receiver required unless a radar vector to final approach crs is obtained. (2) 400–¾ required without glide slope; 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS. (3) Runway 32L LOM named River Grove. Runway 32R RBn named Indian. (4) 1460' tower, 5.5 miles W; 1413' tower, 4.9 miles W. (5) Caution when conducting a parallel approach, parallel ILS 32 L and R procedure must be used. (6) All transition to Stack Int except as noted. (7) *Requires holding pattern entry at Stack Int during nonradar operation.
CAUTION: Takeoffs on Runway 27, when weather is below 2000–3, will intercept ORD VOR, R–250° and climb to 2000' before proceeding westbound. Takeoffs on Runway 32L, when weather is below 2000–3, will intercept ORD VOR, R 306° and climb to 2000' before proceeding westbound.
#RVR, 2400' authorized Runways 14L, 14R, and 32L.
%RVR, 2400'. Descent below 867' not authorized unless approach lights are visible.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., ILS; Ident., I–RVG; Procedure No. ILS–32L, Amdt. 4; Eff. date, 18 June 66; Sup. Amdt. No. 3; Dated, 26 June 65

OBK VOR#	Park Int	Direct	3500				
CGT VOR	Park Int	Via CGT, R 356° and SE crs, IDN ILS.	3500	T–dn	300–1	300–1	200–½
				C–dn	40–01	500–1	500–1½
				8–dn–32R*	400–1	400–1	400–1
Niles Int	Park Int	Via API, R 088° and SE crs, IDN ILS.	3500	A–dn	800–2	800–2	800–2
ORD VOR#	Park Int	Direct	3500				
Park Int	OM (final)	Direct	2300				
Lakewood Int	ORD VOR	Via OBK, R 272° and ORD VOR, R 306°.	3500				

Radar available.
Procedure turn E side of crs, 138° Outbnd, 318° Inbnd, 3500' within 10 miles of Park Int.
Minimum altitude over Park Int on final approach crs, 3500'; over OM, 2300'.
Crs and distance, OM to airport, 318°—6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing OM, turn right to 335° heading, climb to 1500', then make right-climbing turn to 3500' and proceed to Evanston Int, via ORD VOR, R 075°.
NOTES: (1) Functioning VOR receiver required unless radar operating. (2) No glide slope, middle compass locator, or middle marker. (3) Caution when conduction a parallel approach, parallel ILS, 32 L and R procedure must be used. (4) # Requires holding pattern entry at Park Int during nonradar operations. (5) All transmissions to Park Int except as noted.
CAUTION: Takeoffs on Runway 27, when weather is below 2000–3, will intercept ORD VOR, R 250° and climb to 2000' before proceeding westbound. Takeoffs on Runway 32L, when weather is below 2000–3, will intercept ORD VOR, R 306° and climb to 2000' before proceeding westbound.
*400–¾ authorized with operative high-intensity runway lights, except for 4-engine turbojets.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., ILS; Ident., I–IDN; Procedure No. ILS–32R, Amdt. 1; Eff. date, 18 June 66; Sup. Amdt. No. Orig.; Dated, 11 Dec. 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Canal Int	Indian OM (final 32R)	318°—6.8 miles		T–dn	300–1	300–1	200–½
Congress Int	River Grove OM (final when glide slope not used).	318°—2.4 miles	2300	C–dn	NA	NA	NA
			2300	8–dn–32L#	200–½	200–½	200–½
				8–dn–32R*	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn not authorized. Radar required.
Crs, River Grove OM to 32L, 318°; Indian OM to 32R, 318°.
Runway 32L: Minimum at glide slope intercept Inbnd, 3000'.
Runway 32R: Minimum altitude over Canal Int, 4000'; over Indian OM, 2300'.
Altitude of glide slope and distance to approach end of Runway at OM: 32L—2282', 5.6 miles; 32R—no glide slope, 6.0 miles.
Altitude of glide slope at MM: 32L—851', 0.6 mile; 32R no MM.
When advised by controller or if visual contact not established upon descent to authorized landing minimums or if landing not accomplished—
Runway 32L: Turn left to 300° heading, climb to 1500', then make left-climbing turn to 3500' and proceed direct to DPA VOR.
Runway 32R: Turn right to 335° heading, climb to 1500', then make right-climbing turn to 3500' and proceed to Evanston Int via ORD, R 075°.
#Runway 32L: 400–¾ required when glide slope not utilized, 400–½ with operative ALS except for 4-engine turbojets.
*Runway 32R: No approach lights, glide slope, MM or LMM. 400–¾ authorized with operative high-intensity runway lights except for 4-engine turbojets.
#Runway 32L: 2400' RVR. Descent below 867' not authorized unless approach lights are visible.
NOTES: (1) Use of this procedure is mandatory when conducting a parallel ILS, 32 L and R approach, and is authorized only when airborne 75 mc (or ADF) and localizer receiver are operating simultaneously. Radar fixes in lieu of Congress or Canal Int will be provided on pilot's request. (2) When any required airborne receiver in note (1) is malfunctioning or a parallel approach is not desired, immediate notification of approach control is mandatory. (3) When advised that parallel operations are in progress, the pilot will check his authorization for runway 32 L and R and be prepared to accept or reject approach to either.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667' Fac. Class., ILS; Ident., I–RVG and I–IDN; Procedure No. Parallel ILS 32, L and R, Amdt. 1; Eff. date, 18 June 66; Sup. Amdt. No. Orig.; Dated, 11 Dec. 65

Indianapolis VOR	LOM	Direct	2400	T–dn#	300–1	300–1	200–½
Shelbyville VOR	LOM	Direct	2400	C–dn	400–1	500–1	500–1½
Castleton Int	LOM	Direct	2400	8–dn–31*#	200–½	200–½	200–½
Quincy Int	LOM	Direct	2400	A–dn	600–2	600–2	600–2
Morgantown Int	LOM	Direct	2600				
Whiteland Int	LOM (final)	Via IND VOR, R 136° and ILS 8E crs.	2400				

Radar available.
Procedure turn E, side of crs, 133° Outbnd, 313° Inbnd, 2400' within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2400'.
Altitude of glide slope and distance to approach end of runway at OM, 2270'—5.4 miles; at MM, 963'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2500' and proceed direct to IND VOR, or when directed by ATC, make left turn climbing to 2000' and proceed direct to the IN LOM.
*400–¾ required when glide slope not utilized. 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
#RVR, 2400' authorized on Runway 31.
#RVR, 2400'. Descent below 907' not authorized unless approach lights are visible.

City, Indianapolis; State, Ind.; Airport name, Indianapolis Municipal (Weir-Cook); Elev., 707'; Fac. Class., ILS; Ident., I–COA; Procedure No. ILS–31, Amdt. 2; Eff. date, 18 June 66; Sup. Amdt. No. 1; Dated, 10 July 65

Channel VHF Int	LOM	Direct	1200	T–dn*	300–1	300–1	200–½
Channel VHF Int	Narrows VHF Int	Via JFK VOR, 189 MR and 8BJ VOR, 114 MR.	1500	C–dn	500–1	500–1	500–1½
				8–dn–4R**	200–½	200–½	200–½
				A–dn	600–2	600–2	600–2
Narrows VHF Int	LOM (final)	Direct	#1000				

Radar available.
Procedure turn S side of crs, 222° Outbnd, 042° Inbnd, 1200' within 10 miles of LOM.
Minimum altitude at glide slope interception Inbnd, 1000'.
Altitude of glide slope and distance to approach end of runway at OM, 756'—2.7 miles; at MM, 211'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 miles after passing LOM, climb straight ahead to 500', then make a climbing right turn to 3000' on JFK, R 077° to Deer Park VOR. Hold E, 1-minute left turns, Inbnd crs, 257°.
CAUTION: (1) Circling landing minimums do not provide standard clearance over stack, 277'—1.1 miles SSE of airport. (2) DME indication at 1000' altitude/glide slope interception, 3.8 miles; at OM, 2.8 miles; at MM, 0.75 mile. DME should not be used to determine aircraft position over MM, runway threshold or runway touchdown point.
#After interception of localizer course Inbnd, descend on glide slope to cross OM at 756'.
*RVR runways 4R, 22L—2000', 4-engine turbojet. 1800' other aircraft. RVR Runway 31L, 2000'; RVR Runway 31R, 2400'.
**RVR, 2000' 4-engine turbojet. 1800' other aircraft. Descent below 212' not authorized unless ALS visible.

City, New York; State, N.Y.; Airport name, John F. Kennedy International; Elev., 12'; Fac. Class., ILS; Ident., I–JFK; Procedure No. ILS–4R, Amdt. 11; Eff. date, 18 June 66; Sup. Amdt. No. 10; Dated, 18 Dec. 65

Deer Park VOR	Roslyn VHF Int	LGA, R 100°	2000	T–dn*	300–1	300–1	200–½
Roslyn VHF Int	OM (final)	Direct	1700	C–dn	500–1	500–1	500–1½
Kennedy VOR	ON	Direct	1900	8–dn–22L/%**	200–½	200–½	200–½
				A–dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of NE crs, 042° Outbnd, 222° Inbnd, 1900' within 10 miles of OM.
Minimum altitude at glide slope interception Inbnd, 1700'.
Altitude of glide slope and distance to approach end of runway at OM, 1692'—5.6 miles; at MM, 218'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing OM, climb to 800' straight ahead, make climbing left turn to 2000' on JFK, R 189° to Channel VHF Int, hold S, 1-minute right turns Inbnd crs, 009°.
CAUTION: Circling minimums do not provide standard clearance over the following obstruction, 277' stack, 1.1 miles SSE of runway 4R.
%400–¾ (RVR 4000') required when glide slope not utilized. 400–½ (RVR 2400') authorized with operative ALS, except for 4-engine turbojet aircraft.
*RVR—runways 4R, 22L—2000', 4-engine turbojet. 1800' other aircraft. RVR—runway 31L, 2000'. RVR—31R, 2400'.
**RVR, 2000', 4-engine turbojet. 1800' other aircraft. Descent below 212' not authorized unless ALS visible. RVV available on Runway 22R for takeoff and landing.

City, New York; State, N.Y.; Airport name, John F. Kennedy International; Elev., 12'; Fac. Class., ILS; Ident., I–IWY; Procedure No. ILS–32L, Amdt. 13; Eff. date, 18 June 66; Sup. Amdt. No. 12; Dated, 18 Dec. 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Deer Park VOR	Carol Int	Direct	2000	T-dn*	200-1	200-1	200-½
Deer Park VOR	Carol Int	JFK, R 077° to 11.5-miles clockwise arc.	2000	C-dn	500-1	500-1	500-1½
				S-dn-31R**%	300-¾	300-¾	300-¾
				A-dn	600-2	600-2	600-2
Channel Int	Carol Int	Direct	2000				
Channel Int	Carol Int	JFK, R 189° to 11.5-miles counterclockwise arc.	2000				
Carol Int	LOM (final)	Direct	1600				
Kennedy VOR	LOM	Direct	1600				

Radar available.
Procedure turn S side of SE crs, 131° Outbnd, 311° Inbnd, 1600′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1600′.
Altitude of glide slope and distance to approach end of runway at OM, 1857′—5.6 miles; at MM, 1987′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing LOM, climb straight ahead to 500′, make climbing left turn to 2000′ on JFK, R 189° to Channel Int. Hold S, 1-minute right turns, Inbnd crs, 009°.
CAUTION: Circling minimums do not provide standard clearance over stack, 277′, 1.1 miles SSE of Runway 4R.
**RVR, 4000′ also authorized for landing on Runway 31R in lieu of ¾-mile visibility provided that all components of the ILS and all related airborne equipment are in satisfactory operating condition.
%400-1 required when glide slope not utilized. 400-¾ (RVR, 4000′) authorized with operative HIRL, except for 4-engine turbojet aircraft.
*RVR—Runways 4R, 22L, 2000′ 4-engine turbojet. 1800′ other aircraft. RVR—Runway 31L, 2000′. RVR—Runway 31R, 2400′.

City, New York; State, N.Y.; Airport name, John F. Kennedy International; Elev., 12′; Fac. Class., ILS; Ident., I-RTH; Procedure No. ILS-31R, Amdt. 4; Eff. date, 18 June 66; Sup. Amdt. No. 3; Dated, 18 Dec. 65

OMA VOR	LOM	Direct	2700	T-dn#	200-1	200-1	200-½
Neola VOR	LOM	Direct	2900	C-dn	700-1	700-1	700-1½
				C-n	700-1½	700-1½	700-1½
				S-dn-14*	200-½	200-½	200-½
				A-dn	700-2	700-2	700-2

Radar available.
Procedure turn W side of crs, 316° Outbnd, 136° Inbnd, 2600′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2200′.
Altitude of glide slope and distance to approach end of runway at OM, 2150′—4.1 miles; at MM, 1180′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing LOM, climb to 2800′ on SE crs, ILS, proceed direct OMA VOR or when directed by ATC, climb to 2900′ on SE crs, ILS, turn left, direct, EOL VOR.
NOTE: Final approach from holding pattern at LOM not authorized. Procedure turn required.
CAUTION: Bluff 1339′, 1.3 miles E; Towers, 1739′, 4 miles WNW and 1746′, 3 miles SW of airport.
#Unless radar vectored after takeoff, climb to 2200′ prior to proceeding in a westerly direction. RVR, 2400′ authorized Runway 14.
*500-1 straight-in required when glide slope inoperative; 500-¾ with operative high-intensity runway lights; 500-½ with operative ALS except for 4-engine turbojets. RVR, 2400′. Descent below 1183′ not authorized unless approach lights are visible.

City, Omaha; State, Nebr.; Airport name, Eppley Airfield; Elev., 983′; Fac. Class., ILS; Ident., I-OMA; Procedure No. ILS-14, Amdt. 15; Eff. date, 18 June 66; Sup. Amdt. No. 14; Dated, 23 Jan. 65

ONT VOR	RAL VOR	Direct	4200	T-dn%	200-1	300-1	200-½
RAL VOR	Highgrove Int	Direct	4200	C-dn*	300-1	300-1	300-1½
Sierra Int	Highgrove Int	Direct	4200	S-dn-25#	200-½	200-½	200-½
Highgrove Int	Colton RBn	Direct	4200	A-dn	300-2	300-2	300-2
Colton RBn	LOM (final)	Direct	2800				
Moreno Int	Colton RBn	Direct	4200				
Highgrove Int	Colton Int	Direct	4200				

Radar available.
Procedure turn not authorized.
Altitude and distance to approach end of runway at Colton RBn, 4200′—10.8 miles; at OM, 2720′—5.9 miles; *at Dixon Int, 1850′—3 miles; at MM, 1145′—0.6 mile. Descent to cross LOM at 2720′ authorized after intercepting glide slope on localizer crs at minimum altitude, 2800′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing LOM, climb to 3000′ on W crs within 14 miles of ILS LOM.
#RVR, 2400′ authorized Runway 25.
%N and eastbound (278° through 106°, clockwise) IFR departures must comply with published Ontario SID's.
$RV R, 2400′. Descent below 1152′ not authorized unless approach lights are visible.
*When glide slope not utilized, Dixon Int must be received for minimums of 400-½; 400-¼ authorized except for 4-engine turbojet aircraft with operative ALS. Dual VHF equipment required. If Dixon Int not utilized, S-dn not authorized and 800′ ceiling minimum for C-dn.

City, Ontario; State, Calif.; Airport name, Ontario International; Elev., 952′; Fac. Class., ILS; Ident., I-ONT; Procedure No. ILS-25, Amdt. 23; Eff. date, 18 June 66; Sup. Amdt. No. 22; Dated, 9 Oct. 65

NUN VOR	LOM	Direct	1700	T-dn	200-1	200-1	200-½
Pensacola RBn	LOM	Direct	1700	C-dn	400-1	500-1	500-1½
Gonsales Int	LOM (final)	Direct	1300	S-dn-16*	200-½	200-½	200-½
Harold Int	LOM	Direct	1700	A-dn	600-2	600-2	600-2
Elberta Int	LOM	Direct	1700				

Radar available.
Procedure turn E side of crs, 343° Outbnd, 163° Inbnd, 1400′ within 10 miles. Procedure turn nonstandard due ATC.
Minimum altitude at glide slope interception Inbnd, 1300′.
Altitude of glide slope and distance to approach end of runway at OM, 1276′—3.8 miles; at MM, 314′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000′ on SE crs of ILS within 10 miles, or when directed by ATC, climb to 2000′ on R 100° of the NUN VOR within 15 miles.
CAUTION: Warning area 10 miles S of PNS RBn.
*400-¾ required when glide slope not utilized. 400-½ authorized with operative ALS except for 4-engine turbojets.

City, Pensacola; State, Fla.; Airport name, Pensacola Municipal (Hagler); Elev., 118′; Fac. Class., ILS; Ident., I-PNS; Procedure No. ILS-16, Amdt. 10; Eff. date, 18 June 66; Sup. Amdt. No. 9; Dated, 26 Dec. 64

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
NUN VOR	PNS RBn	Via NUN VOR, R 100°.	1700	T-dn	300-1	300-1	200-½
NUN VOR	Casino Int	Via NUN VOR, R 125°.	1700	C-dn	400-1	500-1	500-1½
				S-dn-34%	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn E side S crs, 163° Outbnd, 343° Inbnd, 1600′ within 10 miles of PNS RBn beyond 10 miles not authorized due warning area.
No glide slope. Minimum altitude over PNS RBn, 700′.
Crs and distance, PNS RBn to approach end of Runway 34, 343°—1.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles after passing PNS RBn, climb to 2000′ on ILS N crs within 15 miles, or when directed by ATC, turn right, climb to 2000′ on R 054 of the Pensacola (NUN) VOR within 15 miles.
%400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

City, Pensacola; State, Fla.; Airport name, Pensacola Municipal (Hagler); Elev., 118′; Fac. Class., ILS; Ident., I-PNS; Procedure No. ILS-34 (back crs), Amdt. 10; Eff. date, 18 June 66; Sup. Amdt. No. 9; Dated, 5 Sept. 64

ILM VORTAC	Wesley Int	Direct	1600	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-16#	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 343° Outbnd, 163° Inbnd, 1600′ within 10 miles of Wesley Int.
Minimum altitude over Wesley Int on final approach crs, 1600′.
Crs and distance, Wesley Int to airport, 163°—4.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing Wesley Int., climb to 1600′ on ILM localizer crs (163°) within 20 miles.
NOTE: When authorized by ATC, DME (ILM VORTAC) may be used within 15 miles (230° to 060° clockwise) at 1600′ altitude to position aircraft for a final approach with the elimination of the procedure turn.
#400-¾ authorized with operative high-intensity runway lights, except for 4-engine turbojets.

City, Wilmington; State, N.C.; Airport name, New Hanover County; Elev., 31′; Fac. Class., ILS; Ident., I-ILM; Procedure No. ILS-16 (back crs), Amdt. Orig; Eff. date, 18 June 66

6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
050°	030°	Within:		Surveillance approach			
All sectors		20 miles	1700	T-dn	300-1	300-1	200-½
		10 miles	1500	C-dn	500-1	500-1	500-1½
				S-dn*#$	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
				Precision approach			
				S-dn-13	200-½	200-½	200-½
				S-dn-4, 31	300-¾	300-¾	300-¾
				A-dn-13, 4, 31	600-2	600-2	600-2

Radar terminal area transition altitudes—all bearings from the radar site with sector azimuths progressing clockwise.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runways 4, 8, 13, and 17: Make a left-climbing turn to 1500′ on CYN VOR R 213° to Nesco Int, hold E, 1-minute left turns, Inbnd crs, 284°. Runways 31, 26, 35, and 22: Make right-climbing turn to 1500′ on CYN VOR R 213° to Nesco Int, hold E, 1-minute left turns, Inbnd crs, 284°.
CAUTION: Radar tower, 226′, 0.7 mile SW Runway 4.
*400-1 authorized for Runways 13, 17, 22, 26, and 31.
#400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights for Runways 13 and 31.
%400-½ authorized, except for 4-engine turbojet aircraft, with operative ALS, Runway 13.
$Runway 35 only—Maintain 700′ until passing the 3-mile Radar Fix.

City, Atlantic City; State, N.J.; Airport name, NAFEC-Atlantic City; Elev., 78′; Fac. Class. and Ident., Atlantic City Radar; Procedure No. 1, Amdt. 6; Eff. date, 18 June 66; Sup. Amdt. No. 5; Dated, 22 May 65

All directions	Radar Site	Within 20 miles	1600	Surveillance approach			
				T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-2, 12, 30, 21, 35**	400-1	400-1	400-1
				S-dn-17	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2500′ straight ahead, then proceed to HOU VOR. Aircraft on any direct crs to HOU VOR may descend to 760′ from 5-mile Radar Fix.
**400-½ authorized for runway 3, except for 4-engine turbojet aircraft, with operative ALS.
**400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
*Radar control must provide 3 mile or 1000′ vertical separation from the following obstructions:

Obstruction	MSL altitude (feet)	HOU VOR Radial	Distance nautical miles
Tower	1235	159°	11.0
Tower	1051	240°	11.5
Tower	751	291°	11.4
Tower	753	309°	6.0
Tower	1649	238°	13.1

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48'; Fac. Class. and Ident., Houston Radar; Procedure No. 1, Amdt. 15; Eff. date, 18 June 66; Sup. Amdt. No. 14; Dated, 13 Nov. 65

All directions	180°	Within: 40 miles...	#2500	Surveillance approach			
090°		Between: 40 and 50 miles.	2500	T–dn%	300–1	300–1	200–½
				C–dn	400–1	500–1	500–1½
				S–dn–All°	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2
				Precision approach			
				T–dn%	300–1	300–1	200–½
				C–dn	400–1	500–1	500–1½
				S–dn–4°°	200–½	200–½	200–½
				A–dn	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, all runways: Climb to 3000' and proceed via R 285° of Shelbyville to Shelbyville VOR or, when directed by ATC, (1) Climb to 3000' on NE crs, ILS and proceed to Castleton Int, (2) Climb to 2500' and proceed direct to IND VOR.
#2800' within 3 miles of two 1849' towers, NE of airport; 2900' within 3 miles of 1852' tower, E and NE of airport; 3100' within 3 miles of 2100' tower, 20.5 miles SSE.
*400–¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
400–½ authorized, with operative ALS, except for 4-engine turbojets.
%RVR, 2400' authorized Runways 4 and 31.
**2400' RVR. Descent below 997' not authorized unless approach lights are visible.

City, Indianapolis; State, Ind.; Airport name, Indianapolis Municipal (Weir-Cook); Elev., 797'; Fac. Class. and Ident., Wier-Cook Radar; Procedure No. 1, Amdt. 15; Eff. date, 18 June 66; Sup. Amdt. No. 14; Dated, 30 Jan. 65

		Within:		Precision approach			
All directions	Radar Site	25 miles	2500	C–dn	500–1	500–1¼	500–1½
All directions#	Radar Site	20 miles	1500	S–dn–4R**	200–½	200–½	200–½
169°	223°	4–15 miles	1000	A–dn–4R	600–2	600–2	600–2
				Surveillance approach			
				T–dn°	300–1	300–1	200–½
				C–dn	600–1	600–1	600–1½
				S–dn–4L	600–1	600–1	600–1
				S–dn–22R	500–1	500–1	500–1
				S–dn–31R%	400–1	400–1	400–1
				A–dn–All	800–2	800–2	800–2

All bearings are from the Radar Site with azimuth progressing clockwise.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runways 4R, 4L: Make right-climbing turn to 3000' on JFK VOR, R 077° to DPK VOR. Hold E 1-minute left turns, Inbnd crs, 257°. Runways 22R, 31R: Make left-climbing turn to 2000' on JFK VOR, R 189° to Channel Int. Hold S, 1-minute right turns, Inbnd crs, 009°.
CAUTION: Circling minimums do not provide standard clearance over 277' stack, 1.1 miles SSE of airport.
*RVR—Runways 4R, 22L, 2000', 4-engine turbojet. 1800' other aircraft. RVR—Runway 31L, 2000'; RVR—Runway 31R, 2400'.
**RVR, 2000', 4-engine turbojet. 1800' other aircraft. Descent below 212' not authorized unless ALS visible.
%400–¾ (RVR, 4000') authorized with operative HIRL, except for 4-engine turbojet aircraft.
#Except W of LGA VOR, Radials 045°–219°, 2500' minimum altitude required.

City, New York; State, N.Y.; Airport name, John F. Kennedy International; Elev., 12'; Fac. Class. and Ident., Kennedy Radar; Procedure No. 1, Amdt. 11; Eff. date, 18 June 66; Sup. Amdt. No. 10; Dated, 5 Feb. 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on May 11, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–6463; Filed, June 10, 1966; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 165]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.465 Valencia Orange Regulation 165.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 9, 1966.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., June 12, 1966, and ending at 12:01 a.m., P.s.t., June 19, 1966, are hereby fixed as follows:

(i) District 1: 350,000 cartons;

(ii) District 2: 250,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 10, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6530; Filed, June 10, 1966; 11:32 a.m.]

[Lemon Reg. 218]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.518 Lemon Regulation 218.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 7, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., June 12, 1966, and ending at 12:01 a.m., P.s.t., June 19, 1966, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 348,750 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "Carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6494; Filed, June 10, 1966; 8:51 a.m.]

PART 911—LIMES GROWN IN FLORIDA

Expenses and Rate of Assessment

On May 24, 1966, notice of rule making was published in the FEDERAL REGISTER (31 F.R. 7482) regarding proposed expenses and the related rate of assessment for the period beginning April 1, 1966, and ending March 31, 1967, pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in the State of Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Florida Lime Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 911.206 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Florida Lime Administrative Committee during the period April 1, 1966, through March 31, 1967, will amount to $9,676.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 911.41, is fixed at $0.025 per bushel of limes.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable limes handled during the aforesaid period, and (2) such period began on April 1, 1966, and said rate of assessment will automatically apply to all such limes beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 8, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6467; Filed, June 10, 1966; 8:49 a.m.]

[Plum Reg. 8]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Plums; Size

§ 917.379 Plum Regulation 8 (Wickson, New Yorker, Sim-ka, and Arrosa).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the

FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 12, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Wickson, New Yorker, Sim-ka, or Arrosa plums unless such plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 4 standard pack.

(2) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (7 CFR 51.1520–1538; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 8, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6421; Filed, June 10, 1966; 8:46 a.m.]

[Plum Reg. 9]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Plums; Size

§ 917.380 Plum Regulation 9 (Burbank and Emily).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 19, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Burbank or Emily plums unless such plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 5 standard pack.

(2) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (7 CFR 51.1520–1538; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 8, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6422; Filed, June 10, 1966; 8:46 a.m.]

[Plum Reg. 10]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Plums; Size

§ 917.381 Plum Regulation 10 (Duarte, Late Duarte, and President).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 30 F.R. 15990); regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 19, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Duarte, Late Duarte, or President plums, except to the extent otherwise permitted under this paragraph, unless such plums are of a size that, when packed in a standard basket, they will pack at least a 3 x 4 x 5 standard pack.

(2) During each day of the aforesaid period, any handler may ship from any shipping point a quantity of each such variety of plums, by number of packages or containers, which are of a size smaller than the size prescribed in subparagraph (1) of this paragraph if said quantity does not exceed one hundred (100) percent of the number of the same type of packages or containers of such variety of plums shipped by such handler which meet the size requirements of said subparagraph (1) of this paragraph: *Provided*, That all such smaller plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 5 standard pack.

(3) If any handler, during any day of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than the size prescribed in subparagraph (1) of this paragraph, the quantity of such undershipment may be shipped by such handler only from such shipping point.

(4) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (7 CFR 51.1520–1538; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of Section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 8, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6423; Filed, June 10, 1966; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Promotional Assistance; Newsstand Display

§ 15.54 Promotional assistance; Newsstand display.

(a) The Federal Trade Commission rendered to the publisher of a magazine a favorable advisory opinion regarding his promotional assistance plan providing basically for payments of 99 cents per issue, per newsstand and alternatively, at the newsstand operator's option, payment at a rate of one-half cent per copy sold, per issue. Payments would be subject to a $75 maximum per issue to any single newsstand operator. Payments would be made quarterly provided the operator had reported daily sales and permanently displayed the magazine in a high traffic location full cover exposed within easy reach of customers. The plan would be offered each calendar quarter by a notice on the magazine's cover with details printed on an inside page.

(b) Plans such as this come within the purview of section 2(d) of the Robinson-Patman amendment to the Clayton Act. Section 2(d) provides in essence that it is unlawful for a supplier in interstate commerce to offer promotional assistance to his reselling customer unless a proportionally equal offer also is made to the customer's competitors who sell the same product.

(c) The Commission's Guides for Advertising Allowances discuss the requirements for such promotional assistance plans in considerable detail and will be of assistance to persons contemplating their use.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: June 10, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-6424; Filed, June 10, 1966; 8:46 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Dissemination of Uniform Warranty Plans by Trade Association to Its Members

§ 15.55 Dissemination of uniform warranty plans by trade association to its members.

In an advisory opinion the Federal Trade Commission informed a trade association of manufacturers that its dissemination to members of a bulletin outlining two warranty plans and encouraging each member to adopt its own individual warranty would not be violative of any laws administered by the Commission, provided the association uses no coercion for the adoption of either plan.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: June 10, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-6425; Filed, June 10, 1966; 8:46 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 35-15495]

PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Exemptions With Respect to Financial Connections With Small or Commercial Banking Institutions

The Securities and Exchange Commission, on February 28, 1966, gave notice (Holding Company Act Release No. 15412) (31 F.R. 3424) of, and invited views and comments on, a proposal to amend Rule 70(a)(4)(C) (17 CFR 250.70(a)(4)(iii)) adopted under the Public Utility Holding Company Act of 1935 ("Act") (15 U.S.C. 79 et seq.). Comments were received and considered by the Commission.

Section 17(c) of the Act prohibits any registered holding company or any subsidiary company thereof from having as an officer or director any "executive officer, director, partner, appointee, or representative of any bank, trust company, investment banker, or banking association or firm" except as permitted by

rule or regulation of the Commission "as not adversely affecting the public interest or the interest of investors or consumers." Rule 70 (17 CFR 250.70) thereunder sets forth the exemptions granted by the Commission from the prohibitions of section 17(c). Paragraph (a)(4)(iii) of § 250.70 provides an exemption in the case of a public-utility subsidiary company for persons whose only financial connection is with a commercial banking institution having its principal offices within the territory in which such company (or such company together with its wholly owned subsidiary companies) carries on operations as a public-utility company.

It appears that it is appropriate to amend § 250.70(a)(4)(iii) as proposed in our notice so as to permit a public-utility subsidiary company to have as a director or officer a person affiliated with a commercial bank whose principal office is located in the service area of an associate public-utility company, provided that the service areas of both such companies are contiguous and located entirely within the same State.

Accordingly, the Commission, acting pursuant to authority conferred upon it by the Public Utility Holding Company Act of 1935, particularly sections 17(c) and 20(a) thereof, hereby amends subdivision (iii) of subparagraph (4) of paragraph (a) of § 250.70 of this chapter to read as follows:

§ 250.70 Exemptions from section 17(c) of the Act.

(a) • • •
(4) • • •

(iii) One or more commercial banking institutions having their principal offices within the territory in which such company, or an associate public-utility company serving a contiguous territory, carries on operations as a public-utility company: *Provided*, That (*a*) if the officer or director has a financial connection with a commercial banking institution having its principal office within the territory of an associate public-utility company, the service territories of both such companies are located entirely within the same State, and (*b*) the operating revenues from public-utility operations for the preceding calendar year of each such public-utility company constituted at least 70 percent of the consolidated revenues of each such company and all its wholly owned subsidiary companies; or

• • • • •

(Secs. 3, 17(c), 20, 49 Stat. 810, 830, 833; 15 U.S.C. 79c, 79q, 79t)

Effective date. The foregoing action shall be effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

JUNE 7, 1966.

[F.R. Doc. 66-6443; Filed, June 10, 1966; 8:48 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS

[Dept. Circular No. 176 (Revised), 14th Amdt., 1st Supp.]

PART 202—DEPOSIT OF PUBLIC MONEYS AND PAYMENT OF GOVERNMENT CHECKS

Acceptable Securities

Part 202, Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States (appearing also as Treasury Department Circular No. 176 (Revised), 11 F.R. 102, Jan. 3, 1946, as amended) is hereby further amended by adding immediately following paragraph (i) of § 202.20 a new paragraph to read as follows:

§ 202.20 Collateral security for deposits.

• • • • •

(j) Certificates of Interest issued by the Commodity Credit Corporation, at face value.

• • • • •

(Sec. 10, 56 Stat. 356, as amended; 12 U.S.C. 265)

Dated: June 7, 1966.

[SEAL] JOHN K. CARLOCK, *Fiscal Assistant Secretary.*

[F.R. Doc. 66-6453; Filed, June 10, 1966; 8:49 a.m.]

[Dept. Circular No. 92 (Rev.), 13th Amdt., 1st Supp.]

PART 203—SPECIAL DEPOSITS OF PUBLIC MONEYS UNDER THE ACT OF CONGRESS APPROVED SEPTEMBER 24, 1917, AS AMENDED

Acceptable Securities

Part 203, Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States (appearing also as Treasury Department Circular No. 92 (Revised), 14 F.R. 7058, November 23, 1949, as amended) is hereby further amended by adding immediately following paragraph (p) of § 203.7 a new paragraph to read as follows:

§ 203.7 Special Depositaries must pledge collateral security before receiving deposits; acceptable securities.

• • • • •

(q) Insured loans to college students—Notes representing loans to college students which are insured either by Federal insurance or by a State agency or private nonprofit institution or organization administering a student loan insurance program in accordance with a formal agreement with the Commissioner of Education under the provisions of the Higher Education Act of 1965: at face value (principal amount less payments made thereon).

• • • • •

(Sec. 8, 40 Stat. 291, as amended; 31 U.S.C. 771)

Dated: June 7, 1966.

[SEAL] JOHN K. CARLOCK, *Fiscal Assistant Secretary.*

[F.R. Doc. 66-6454; Filed, June 10, 1966; 8:49 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

MISCELLANEOUS AMENDMENTS TO CHAPTER

The regulations of the Post Office Department are amended as follows:

PART 27—OFFICIAL MAIL

I. In Part 27 make the following change: In § 27.2 *Executive and judicial officers*, add the following in proper alphabetical order to the list under paragraph (c)(1)(ii):

§ 27.2 Executive and judicial officers.

• • • • •

(c) *Methods of preparing official mail*—(1) *Postage and fees paid.* • • •

(ii) Authorized departments and agencies are:

• • • • •

Federal Bureau of Investigation.

• • • • •

NOTE: The corresponding Postal Manual section is 137.231b.

PART 41—SERVICE IN POST OFFICES

II. In Part 41 make the following changes:

A. In § 41.1, paragraph (b) is amended to separate requirements for the establishment of post offices, stations, and branches, to define the difference between stations and branches, and to provide for the designation of all rural units as either stations or branches on the same basis as contract and classified units are designated. In addition, paragraph (c) is amended to clarify the procedure and information to be furnished when requesting establishment of a post office. As so amended, paragraphs (b) and (c) respectively read.

§ 41.1 Establishment of post offices.

• • • • •

(b) *Requirements*—(1) *Post offices.* There is no fixed minimum population requirement for the establishment of an independent post office; however, this factor is given consideration in making a determination. Post offices are established when it is not possible to render adequate and satisfactory service through the post office, station or branch now serving the area, through a new station or branch or by an extension of city, rural or star route delivery. Post offices are not established solely for the purpose of providing community identity.

(2) *Stations.* Classified, contract and rural personnel and nonpersonnel stations are established where needed within the service limits of an independent post office. Units established within the corporate limits of the city, town or village where the main post office is located are designated as "stations."

(3) *Branches.* Classified, contract and rural personnel and nonpersonnel branches are established within the service limits of an independent post office. Units established outside of the corporate limits of the city, town or village where the main post office is located are designated as "branches." Classified and contract branches cannot be established at locations more than 20 miles outside the corporate limits of the city, town or village where the main post office is located and must serve a population of not less than 1,500 persons. The 20-mile limitation and 1,500 population requirement does not apply to airports, military installations, rural personnel and/or nonpersonnel branches. Where the parent post office is located in an unincorporated city, town or community, then all postal units administratively attached to that post office shall be designated as branches.

(c) *Procedure.* Patrons desiring a post office in their community should communicate with the Assistant Postmaster General, Bureau of Operations, Post Office Department, Washington, D.C., 20260. Requests for an independent post office should include the population to be served and specific information as to why the present postal service is not adequate and satisfactory. Requests for the establishment of classified, contract or rural personnel and/or nonpersonnel stations or branches will be made to the local postmaster who will submit the request with appropriate comments to the Regional Director.

NOTE: The corresponding Postal Manual sections are 151.12 and 151.13.

B. In § 41.3, paragraphs (c)(2)(i)(*a*), (*b*), and (*c*), (c)(2)(ii)(*a*) and (*b*), and (d)(5) are amended to show rural units as stations and branches. As so amended, the paragraphs now read:

§ 41.3 Post office boxes.

• • • • •

(c) *Rental rates*—• • •

(2) *Rates at stations, branches, annexes, and airport mail facilities*—(i) *Stations, branches, annexes, and airport mail facilities of first-class offices.* (*a*) With the exception of rural stations and branches or stations and branches primarily servicing academic institutions (see subdivision (iii) of this subparagraph) box rent rates at stations, branches, annexes and airport mail facilities affiliated with first-class post offices, regardless of gross annual postal receipts, shall be based on the following:

(*1*) At classified stations, branches, and airport mail facilities, with or without city carrier service and with the position of the superintendent ranked in salary levels 9 or above, the rates are those prescribed in the box rent schedule for the first group below that of the main office.

(*2*) At classified stations, branches, and airport mail facilities, with or without city carrier service and with the position of the superintendent ranked in salary levels 8 or below, the rates are those prescribed in the box rent schedule for the second group below that of the main office.

(*3*) At designated classified stations and branches located very near the main office and at annexes, the rates shall be the same as those charged at the main office.

(*4*) All contract stations will charge those rates prescribed in the box rent schedule for the second group below that of the main office.

(*b*) All personnel rural stations and branches shall charge the fees prescribed in the box rent schedule for group I post offices.

(*c*) At nonpersonnel rural stations and branches, the box rent fee is 60 cents per fiscal year. If rented after the beginning of the fiscal year, the rate is 5 cents for each month, or portion of a month, remaining in the fiscal year.

• • • • •

(ii) *Stations and branches of second- and third-class offices.* (*a*) With the exception of rural stations and branches or certain stations and branches primarily servicing academic institutions, stations and branches of second- and third-class post offices will charge the same rental fees as those charged at the main office.

(*b*) Rural stations and branches will charge the fees prescribed in subdivision (i)(*b*) and (*c*) of this subparagraph.

• • • • •

(d) *Payment of box rent.* • • •

(5) *At nonpersonnel rural stations and branches.* Boxes at nonpersonnel rural stations and branches may be rented only on a fiscal year basis, or for the remaining portion of the fiscal year. (See subparagraph (3) of this paragraph.) For each payment collected, the rural carrier will issue Form 1096, Cash Receipt, pending issuance of Form 1538.

• • • • •

NOTE: The corresponding Postal Manual sections are 151.332a(1), 151.332a(2), 151.332a(3), 151.332b(1), 151.332b(2), and 151.34e, respectively.

PART 43—MAIL DEPOSIT AND COLLECTION

III. In Part 43, make the following change: In § 43.2, paragraph (b) is amended to add a provision to show that mail is collected from nonpersonnel rural stations and branches. As so amended, paragraph (b) now reads:

§ 43.2 Ordinary deposit of mail.

• • • • •

(b) *Collection boxes.* Collection boxes for the deposit of mail are placed at convenient points in areas served by city carriers. At non-city-delivery offices, collection boxes are located in front of the post office quarters. Schedules are posted on these boxes showing collection times. Nonpersonnel rural stations and branches also provide a collection box for the deposit of mail which is collected by the rural carrier serving the unit.

• • • • •

NOTE: The corresponding Postal Manual section is 153.22.

PART 46—RURAL SERVICE

IV. In Part 46, make the following changes:

A. Section 46.1 is rewritten to designate all rural units as either stations or branches, and to show functions of personnel and nonpersonnel rural stations and branches. As so rewritten and revised, it now reads:

§ 46.1 Rural stations and branches.

(a) *Establishment.* Rural stations and branches, both personnel and nonpersonnel, are established and maintained in communities where a considerable number of people would be seriously inconvenienced if required to transact postal business with rural or star route carriers only, and where it is determined inadvisable to establish an independent post office. (See § 41.1 (b) and (c) of this chapter for definition of stations and branches.)

(b) *Functions.* (1) Personnel rural stations and branches accept, dispatch, receive and deliver mail, including registered, insured, COD, and certified mail, issue money orders, and sell stamps and stamped paper.

(2) Nonpersonnel rural stations and branches are self-service units which furnish essential mail services such as the collection and delivery of ordinary mail and sale of stamps. Services such as the sale of money orders, and the acceptance and delivery of certified, insured, registered, and COD mail are provided patrons of nonpersonnel rural stations and branches by the rural carrier at the time he services the unit. Carriers are required to remain at the unit a minimum of 15 minutes each day their routes are scheduled to operate, to afford patrons the services not otherwise available from the unit, such as money orders, stamped envelopes, etc.

(c) *Hours.* Personnel and nonpersonnel rural stations and branches are open during ordinary business hours of each weekday, except National holidays.

(d) *Treatment of mail.* Mail addressed to a personnel rural station or branch will be retained there to be called for, unless the addressee is a patron of a rural route starting from the rural station, or of an adjoining route, in which case the mail will be delivered to the patron's box by the carrier. Mail addressed to a nonpersonnel rural station or branch will be placed in the addressee's lock box at the station or branch.

NOTE: The corresponding Postal Manual section is 156.1.

B. In § 46.3, paragraph (b) is amended to also provide delivery service to patrons of rural stations and branches. As so amended paragraph (b) now reads:

§ 46.3 Carrier service.

• • • • • •

(b) *To residence.* Rural carriers will deliver registered, certified, numbered insured, c.o.d., and special delivery mail to the patron's residence if it is not more than one-half mile from the route and if there is a passable road leading to it. Unnumbered insured mail will be delivered the same as ordinary mail. This same service will be accorded patrons of nonpersonnel rural stations and branches and personnel rural stations and branches.

• • • • • •

NOTE: The corresponding Postal Manual section is 156.32

PART 51—REGISTRY

V. In Part 51, make the following changes:

A. In § 51.3, a new paragraph (b)(3) is added to show how patrons at nonpersonnel rural stations and branches may have mail registered. As so added the new paragraph reads:

§ 51.3 Registration.

• • • • • •

(b) *Where to mail.* • • •

(3) *Nonpersonnel rural station and branches.* Patrons must meet the rural carrier at the nonpersonnel rural station or branch to have mail registered.

• • • • • •

NOTE: The corresponding Postal Manual section is 161.32c.

B. In § 51.9, paragraph (e) is amended to make reference to Part 46 of this chapter for delivery by rural carriers or at personnel and nonpersonnel rural stations and branches. As so amended, it now reads:

§ 51.9 Delivery.

• • • • • •

(e) *Rural delivery.* For delivery by rural carriers or at personnel and nonpersonnel rural stations and branches, see Part 46 of this chapter.

• • • • • •

NOTE: The corresponding Postal Manual section is 161.95.

PART 52—INSURANCE

VI. In Part 52, make the following changes:

A. In § 52.3, a new paragraph (g) is added to prescribe that patrons at nonpersonnel rural stations and branches must meet the carrier at the station or branch for insurance service. As so added, it reads:

§ 52.3 Mailing.

• • • • • •

(g) *Nonpersonnel rural stations and branches.* Patrons at nonpersonnel rural stations and branches must meet the rural carrier at the station or branch for insurance service.

NOTE: The corresponding Postal Manual section is 162.37.

B. In § 52.5, present paragraphs (c), (d), and (e) are redesignated paragraphs (d), (e), and (f) respectively and a new paragraph (c) is added in lieu thereof to refer to Part 46 of this chapter for instructions concerning delivery by rural carriers or at personnel and nonpersonnel rural stations and branches. As so added, new paragraph (c) reads:

§ 52.5 Delivery.

• • • • • •

(c) *Rural delivery.* For delivery by rural carriers or at personnel and nonpersonnel rural stations and branches, see Part 46 of this chapter.

• • • • • •

NOTE: The corresponding Postal Manual section is 162.53.

PART 53—COD

VII. In Part 53, make the following changes:

§ 53.3 [Amended]

A. In § 53.3, paragraph (b) is amended to add a requirement that COD parcels must be mailed at a personnel or nonpersonnel rural station or branch. As so amended it now reads:

(b) *Where to mail.* COD parcels must be mailed at a post office, branch, or station through a rural carrier or at a personnel or nonpersonnel rural station or branch. They may not be placed in mail drops at post offices, nor in or on street mail boxes. They may not be left on, but may be placed in, rural mail boxes.

NOTE: The corresponding Postal Manual section is 163.32.

B. In § 53.3, paragraph (h) is deleted as these instructions for presenting mail to rural carriers for COD service are obsolete.

NOTE: The corresponding Postal Manual section is 163.38.

C. In § 53.5, present paragraphs (d) and (e) are redesignated paragraphs (e) and (f) respectively and a new paragraph (d) is added in lieu thereof to make reference to Part 46 of this chapter for instructions covering delivery by rural carriers or at personnel and nonpersonnel rural stations and branches. As so added, new paragraph (d) reads:

§ 53.5 Delivery.

• • • • • •

(d) *Rural delivery.* For delivery by rural carriers or at personnel and nonpersonnel rural stations and branches, see Part 46 of this chapter.

• • • • • •

NOTE: The corresponding Postal Manual section is 163.54.

PART 55—CERTIFICATES OF MAILING

VIII. In Part 55, make the following change: In § 55.3, paragraph (a)(1) is amended to except mailers at nonpersonnel rural stations and branches from preparing certificates of mailing. In addition, paragraph (a)(2) is amended to include patrons of nonpersonnel rural stations and branches who may deliver mail to rural carriers with the fee for the certificate. As so amended paragraph (a) (1) and (2) now reads:

§ 55.3 Forms.

(a) *Who prepares.* (1) Certificates of mailing are prepared by the mailer, except mailers on rural routes or at nonpersonnel rural stations and branches. Individual and firm mailing book certificates must show the name and address of both the sender and the addressee, and may show the amount of postage paid. Identifying invoice or order numbers also may be placed on the certificate.

(2) Patrons of rural routes and nonpersonnel rural stations and branches may deliver mail to the rural carrier with the fee for the certificate. The carrier will obtain the certificate at the post office, attach the stamps, cancel them by postmark, and deliver the certificate to the sender on his next trip.

• • • • • •

NOTE: The corresponding Postal Manual sections are 165.311 and 165.312.

PART 56—SPECIAL DELIVERY

IX. In Part 56, make the following changes:

A. In § 56.1, paragraph (a) is amended to show special delivery mail is given immediate delivery to points within a 1 mile radius of any post office, station, or branch, except contract and rural stations and branches. In addition, regulations are now included in paragraph (a) to provide special delivery service to patrons of nonpersonnel rural stations and branches, if their residence is within one-half mile of the unit and if there is a passable road. As so amended, it now reads:

§ 56.1 Description of special delivery.

(a) *Points of delivery.* Special delivery mail is given immediate delivery at the office of address during prescribed hours to:

(1) Points within a radius of 1 mile of any post office, station, or branch (except contract and rural stations and branches).

(2) Points within the delivery limits of any post office having letter carrier service.

(3) Points within one-half mile of a rural route by rural carrier on his regular trip, if there is a passable road leading to the addressee's dwelling or place of business.

(4) To patrons of nonpersonnel rural stations and branches, if their residence is within one-half mile of the unit and if there is a passable road leading to it. Otherwise, leave mail in patron's box at the unit.

(5) Points within one-half mile of a star route by the star route carrier who may make such delivery on his regular trip if the deviation from his regular route will not delay him in meeting schedule requirements.

• • • • • •

NOTE: The corresponding Postal Manual section is 166.11.

B. In § 56.4 make the following change: Paragraph (d) is amended to accord the same special delivery service to patrons of personnel and nonpersonnel rural stations and branches as "delivery service" to patrons with rural boxes. As so amended, paragraph (d) now reads:

§ 56.4 Delivery procedures.

• • • • • •

(d) *Delivery to rural boxes.* Special delivery mail for an addressee who lives more than one-half mile from the rural route is delivered to his box. If he lives within one-half mile of the route and delivery cannot be made to his residence or place of business, it is deposited in his box, and a notice of nondelivery on Form 3955 is left at his residence or place of business. The same service will be accorded patrons of personnel and nonpersonnel rural stations and branches. (See § 46.3(c) of this chapter for parcels that are too large for the box.)

• • • • • •

NOTE: The corresponding Postal Manual section is 166.44.

PART 58—CERTIFIED MAIL

X. In Part 58, make the following changes:

A. In § 58.4, paragraph (c) is amended to provide for the deposit of certified mail at nonpersonnel rural stations and branches. As so amended, it now reads:

§ 58.4 Mailing.

• • • • • •

(c) *Where to mail.* Patrons may mail certified mail at the post office, branch, or station or give it to a rural carrier. It may also be deposited in mail drops in post offices, street letterboxes, nonpersonnel rural stations and branches or any other receptacles for first-class mail, provided the specific directions in paragraph (d) of this section are followed.

• • • • • •

NOTE: The corresponding Postal Manual section is 168.43.

B. In § 58.5, paragraph (c) is amended to provide for delivery of certified mail by rural carriers or at personnel and nonpersonnel rural stations and branches. As so amended, paragraph (c) now reads:

§ 58.5 Delivery.

• • • • • •

(c) *Rural delivery.* For delivery by rural carriers or at personnel and nonpersonnel rural stations and branches, see Part 46 of this chapter.

• • • • • •

NOTE: The corresponding Postal Manual section is 168.53.

PART 61—MONEY ORDERS

XI. In Part 61, make the following changes:

A. In § 61.1 make the following changes:

1. Paragraph (a) is amended to refer patrons of rural routes and nonpersonnel rural stations and branches to special procedures.

2. Paragraph (e)(4) is added to provide for money order service to patrons of nonpersonnel rural stations and branches.

§ 61.1 Issuance of domestic money orders.

(a) *Where sold.* Patrons may buy domestic money orders at all post offices, branches, and stations in the United States and its possessions, except for certain offices in Alaska. Money order facilities are also provided for members of the Armed Forces of the United States. Special procedures for patrons of rural routes and nonpersonnel rural stations and branches are explained in paragraph (e) of this section.

• • • • • •

(e) *Issuance to rural patrons—* • • •

(4) *Nonpersonnel rural stations and branches.* The procedures outlined in subparagraphs (1), (2), and (3) of this paragraph will be followed in providing money order service to patrons of nonpersonnel rural stations and branches. Patrons should meet the carrier at the station or branch. A supply of applications is maintained at the station or branch.

• • • • • •

NOTE: The corresponding Postal Manual sections are 171.11 and 171.154 respectively.

B. In § 61.3, paragraph (b) (2) and (3) is amended to prescribe that rural carriers will cash money orders for patrons of nonpersonnel rural stations and branches. As so amended, it now reads:

§ 61.3 Cashing money orders.

• • • • • •

(b) *Where to cash.* • • •

(2) Rural carriers will cash money orders for rural patrons, including patrons of nonpersonnel rural stations and branches. Money orders must be endorsed in his presence. No fee or compensation is required for this service.

(3) Money orders issued at military post offices are payable only at military post offices and U.S. military banking facilities, or at post offices or banks located in the United States, its possessions, or Territories, and countries with which the United States transacts domestic-international money order business. If the purchaser or payee of a money order issued at a military post office transfers ownership by endorsement to another, the endorsee must cash the money order at either a military post office, a U.S. military banking facility, or a post office located in the United States, its possessions, or Territories.

• • • • • •

NOTE: The corresponding Postal Manual sections are 171.322 and 171.323.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 5001, 5006, 5007, 5101, 701, 703, 2011, 6005, 6006, 6402)

TIMOTHY J. MAY,
General Counsel.

JUNE 8, 1966.

[F.R. Doc. 66-6461; Filed, June 10, 1966; 8:49 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-12—LABOR

Subpart 9-12.8—Equal Opportunity in Employment

Subpart 9-12.8, Equal Opportunity in Employment, is deleted, and the following substituted therefor:

Subpart 9-12.8—Equal Opportunity in Employment

Sec.
9-12.800 Scope of subpart.
9-12.805 Administration.
9-12.805-1 Duties of agencies.
9-12.805-50 Preaward procedure for formally advertised supply contracts of $1 million or more.

AUTHORITY: The provisions of this subpart 9-12.8 issued under sec. 161 of the Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205 of the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486.

§ 9-12.800 Scope of subpart.

This subpart implements FPR 1-12.8, Equal Opportunity in Employment.

§ 9-12.805 Administration.

§ 9-12.805-1 Duties of agencies.

(a) The Assistant to the General Manager is the AEC Contracts Compliance Officer.

(b) Heads of Divisions and Offices, Headquarters, having contract authority and Managers of Field Offices are Deputy Contracts Compliance Officers.

§ 9-12.805-50 Preaward procedure for formally advertised supply contracts of $1 million or more.

(a) In invitations for bids for formally advertised supply contracts which may result in a bid of $1 million or more, the following representation shall be obtained from bidders:

The bidder represents:

(1) That a full compliance review of the bidder's employment practices ☐ has ☐ has not been conducted by an agency of the Federal Government; that such compliance review ☐ has ☐ has not been conducted for the bidder's known first-tier $1 million or more subcontractors.

(2) That the most recent compliance reviews were conducted as follows:

Name of contractor (known first-tier $1 million or more subcontractors); date; Federal Agency.

(b) Invitations for bids for contracts described in paragraph (a) of this sec-

tion shall require a bidder to submit with his bid a copy of the latest compliance report, SF–100, which he has filed under Executive Order 11246, under Title VII of the Civil Rights Act of 1964, or as a member of Plans for Progress. If no such report has been filed, a current SF–100 shall be submitted with the bid. The invitation should also require bidders to submit such report for their known first-tier $1 million subcontractors.

Effective date. These amendments are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 3d day of June 1966.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director, Division of Contracts.

[F.R. Doc. 66–6409; Filed, June 10, 1966; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4026]

[Idaho 017338]

IDAHO

Partial Revocation of Reclamation Withdrawal (Owyhee Project)

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

The departmental order of March 26, 1930, withdrawing lands in the first form for reclamation purposes in connection with the Owyhee Project, is hereby revoked so far as it affects the following described lands:

BOISE MERIDIAN

T. 9 N., R. 3 E.,
Sec. 16, E½.

Containing 320 acres.

The lands are withdrawn in part for water power purposes and are within the Boise National Forest. They are wholly or partly included within proposed national forest protective withdrawal Idaho 05278. At 10 a.m. on July 12, 1966, the lands shall be subject to such forms of disposition as may be made of national forest lands, subject to valid existing rights, the provisions of existing withdrawals, and the segregative effect of withdrawal application Idaho 05278.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66–6426; Filed, June 10, 1966; 8:46 a.m.]

[Public Land Order 4027]

[Utah 010084]

UTAH

Withdrawal for National Forest Recreation Area; Partial Revocation of Public Land Order No. 1775

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described lands in the Dixie National Forest are hereby withdrawn from appropriation under the U.S. mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

SALT LAKE MERIDIAN

DIXIE NATIONAL FOREST

Red Canyon Recreation Area

T. 35 S., R. 4½ W.,
Sec. 26, W½E½NE¼NW¼, W½NE¼NW¼, N½NW¼NW¼, SE¼NW¼NW¼, N½N½SW¼NW¼NW¼;
Sec. 27, E½NE¼NE¼NE¼, N½NE¼SE¼NE¼NE¼.

The areas described aggregate 68.75 acres.

2. Public Land Order No. 1775 of January 13, 1959, withdrawing lands within certain national forests, is hereby revoked so far as it affects the following described lands:

SALT LAKE MERIDIAN

DIXIE NATIONAL FOREST

Red Canyon Recreation Area

T. 35 S., R. 4½ W.,
Sec. 21, SE¼SE¼SW¼, S½SW¼SE¼, SW¼SE¼SE¼;
Sec. 28, NE¼NE¼NW¼, NW¼NE¼, NE¼NE¼.

Containing 130 acres.

3. At 10 a.m. on July 12, 1966, the lands described in paragraph 2 hereof shall be open to such forms of disposition as may by law be made of national forest lands, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66–6427; Filed, June 10, 1966; 8:46 a.m.]

[Public Land Order 4028]

[Anchorage 067493]

ALASKA

Revocation of National Forest Recreation Area Withdrawal

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 829 of May 16, 1952, so far as it withdrew the following described land for a recreation area is hereby revoked:

SEWARD MERIDIAN

CHUGACH NATIONAL FOREST

T. 7 N., R. 1 W. (Unsurveyed),
Sec. 29, a tract of land 10.00 chains in width, on the east right-of-way line, parallel to and 50 feet from the centerline of the Anchorage-Seward Highway, and 18.00 chains in length, between Station 1021+12 and Station 1033, approximate latitude 60°40′ N., and longitude 149°29′ W.

The area described contains approximately 18 acres.

2. At 10 a.m. on July 12, 1966, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66–6428; Filed, June 10, 1966; 8:46 a.m.]

[Public Land Order 4029]

[Nevada 047429]

NEVADA

Partial Revocation of Stock Driveway

By virtue of the authority contained in the act of December 29, 1916 (39 Stat. 862; 43 U.S.C. 300), as amended, it is ordered as follows:

1. The departmental order of October 28, 1919, creating Stock Driveway Withdrawal No. 104, Nevada No. 29, is hereby revoked so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 31 N., R. 49 E.,
Sec. 4, lots 1 to 4, incl., S½NE¼, SE¼NW¼.
T. 32 N., R. 49 E.,
Secs. 12, 24, 26, and 34.
T. 33 N., R. 49 E.,
Sec. 2, lots 3 and 4, S½NW¼, SW¼;
Sec. 10, E½;
Secs. 14, 24, and 36.
T. 34 N., R. 49 E.,
Sec. 36, W½.

The areas described aggregate 5,791.09 acres in Eureka County.

2. After 10 a.m. on July 12, 1966, the lands shall become subject to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on July 12, 1966, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nev.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66–6429; Filed, June 10, 1966; 8:46 a.m.]

[Public Land Order 4030]

[Wyoming 0323562]

WYOMING

Revocation of Air Navigation Site Withdrawal

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), it is ordered as follows:

1. The departmental order of December 6, 1937, withdrawing the following described lands as Air Navigation Site No. 114, is hereby revoked:

SIXTH PRINCIPAL MERIDIAN

T. 16 N., R. 74 W.,
Sec. 28, E½NE¼NE¼ and E½ of lot 1.

The areas described aggregate 42.90 acres in Albany County.

The lands are located three miles west of Laramie. Topography is undulating to rolling; soil is sandy loam with gravel occurring locally.

2. Until 10 a.m. on December 5, 1966, the State of Wyoming shall have a preferred right of application to select the lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on December 5, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws at 10 a.m. on December 5, 1966.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyo.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66–6430; Filed, June 10, 1966; 8:47 a.m.]

[Public Land Order 4031]

[New Mexico 0554283 (Oklahoma)]

OKLAHOMA

Withdrawal for Reclamation Purposes

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, but not from leasing under the mineral leasing laws, and reserved for the Arbuckle Dam and Reservoir Project:

INDIAN MERIDIAN

T. 1 S., R. 2 E.,
Sec. 25: 48.75 acres out of E½E½ and described as follows: Beginning at a point 891 feet north of the southeast corner of sec. 25, T. 1 S., R. 2 E., on the east line of said section; thence west 330 feet parallel to the south line of said section; thence north 429 feet parallel to the east line of said section; thence west 825 feet parallel to the south line of said section; thence north 1,716 feet parallel to the east line of said section; thence east 1,155 feet parallel to the south line of said section to the east line; thence south along the east line 2,145 feet to the place of beginning.
T. 1 S., R. 3 E.,
Sec. 30: 42.10 acres out of W½W½ and described as follows: Beginning at a point 891 feet north of the southwest corner of sec. 30 and on the west boundary of said section; thence east 330 feet; thence north 330 feet; thence east 594 feet; thence north 1,815 feet; thence west 924 feet; thence south 2,145 feet, along west boundary of sec. 30 to the point of beginning. And a tract within lot 4, being a roadway 40 feet wide, the center line of which is described as follows: Beginning at a point on the boundary of the above described tract, 1,221 feet north and 660 feet east of the southwest corner of sec. 30; thence south 200 feet; thence south 3°00′ west 200 feet; thence south 56°00′ west 310 feet, south 19°00′ west 290 feet; thence south 11°30′ west 200 feet; thence south 39°30′ east 225 feet, more or less, to a point on the south boundary of sec. 30 and 450 feet east of the southwest corner of said section.
Sec. 31: 4.61 acres out of W½NW¼ and described as follows: A tract beginning at a point 660 feet north and 528 feet east of the ¼ section corner on the west boundary of sec. 31; thence east 264 feet; thence north 330 feet; thence west 264 feet; thence south 330 feet to point of beginning. A tract being a roadway 40 feet wide, the centerline of which is described as follows: Beginning at a point on the north boundary of sec. 31 and 450 feet east of the northwest corner of said section; thence south 39°30′ east 535 feet more or less to bend in roadway; thence south 28°00′ west 300 feet; thence south 14°00′ west 420 feet; thence south 60°30′ east 160 feet; thence south 22°30′ east 170 feet; thence south 11°30′ east 180 feet; thence south 9°00′ west 160 feet to a point on the boundary and near the northeast corner of the above described tract. A tract being a roadway 40 feet wide, the centerline of which is described as follows: Beginning at a point 545 feet east of the west ¼ section corner of sec. 31, and on the east-west centerline of said section; thence north 19°00′ east 698 feet to a point on the south boundary of the above described tract.

The areas described aggregate 95.46 acres in Murray County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66–6431; Filed, June 10, 1966; 8:47 a.m.]

[Public Land Order 4032]

[Idaho 017100; 017101]

IDAHO

Withdrawal for National Forest Recreation Areas and Campgrounds

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, for recreation areas and campgrounds of the Department of Agriculture:

BOISE MERIDIAN (IDAHO 017100)

CLEARWATER NATIONAL FOREST

Wilderness Gateway Recreation Area

T. 35 N., R. 9 E., unsurveyed,
Sec. 26, SW¼NW¼SW¼ and W½SW¼SW¼;
Sec. 27, E½SE¼NE¼SE¼, S½S½SW¼SE¼ and E½SE¼SE¼;
Sec. 28, SW¼NW¼SW¼ and W½SW¼NW¼NE¼, N½SW¼NE¼, SE¼SW¼NE¼, W½SE¼NE¼, E½NE¼NW¼ and NE¼SE¼NW¼.

Hidden Creek Campground

T. 40 N., R. 10 E.,
Sec. 3, S½SE¼SE¼;
Sec. 10, N½NE¼NE¼NE¼ and NE¼NW¼NE¼NE¼, unsurveyed.

Clearwater Gulch Picnic Area

T. 36 N., R. 6 E.,
Sec. 6, SW¼SW¼ of lot 5 and NW¼NW¼ of lot 10.

Washington Creek Campground

T. 39 N., R. 7 E.,
Sec. 22, E½ of lot 12;
Sec. 23, lot 3.

COEUR D'ALENE NATIONAL FOREST

Tom Lavin Creek Campground

T. 52 N., R. 1 W.,
Sec. 17, W½W½SW¼SW¼NE¼, SE¼SE¼NW¼, NE¼NE¼SW¼, E½NW¼NE¼SW¼, N½SE¼NE¼SW¼ and W½W½NW¼NW¼SE¼.

Bumblebee Campground Addition

T. 50 N., R. 1 E.,
Sec. 36, N½ of lot 3.

The areas described aggregate 322.83 acres in Clearwater, Idaho, Kootenai, and Shoshone Counties.

BOISE MERIDIAN (IDAHO 017101)

SAWTOOTH NATIONAL FOREST

Butterfield Creek Recreation Area

T. 5 N., R. 15 E., unsurveyed,
Secs. 1, 12 and 13.

T. 5 N., R. 16 E., unsurveyed,
Secs. 5 to 8, incl.

An area of land within the above unsurveyed seven sections more particularly described as:

Beginning at a point which bears N. 69°44'54" W., 4,780.00 feet from an iron post with brass plug and marked with a cross (+). Said iron post being the established Right-of-way Marker for Highway Station No. 873+40.2 of U.S. Highway No. 93—Project 26–C7, and located 50 feet from the highway centerline on the right side of the highway when traveling in a direction toward Stanley, Idaho. Said point of beginning is Station No. 2004 (Corner No. 1) of the Forest Service tract survey; thence by metes and bounds,

N. 35°42'57" E., 2,627.46 feet, to Station No. 2009 (Corner No. 2);
S. 47°49'32" E., 4,954.48 feet, to Station No. 1272 (Corner No. 3);
S. 71°45'12" E., 3,881.61 feet, to Station No. 2005 (Corner No. 4);
S. 32°50'20" W., 6,454.03 feet, to Station No. 2008 (Corner No. 5);
S. 76°43'48" W., 4,533.37 feet, to Station No. 1121 (Corner No. 6);
S. 67°36'58" W., 10,253.22 feet, to Station No. 1133 (Corner No. 7);
N. 7°52'43" W., 3,530.72 feet, to Station No. 1402 (Corner No. 8);
N. 36°25'37" E., 5,922.79 feet, to Station No. 2006 (Corner No. 9);
N. 50°26'23" E., 7,069.27 feet, to Station No. 2004 (Corner No. 1), the point of beginning.

Basis of Bearing: Bearings shown refer to Assumed North based on a bearing of N. 28°09' W., used for the centerline survey of U.S. Highway No. 93 between Station P.T. 873+40.2 and Station P.C. 895+49.8 of the highway survey—and assumed to be correct.

The area described contains 2,820.27 acres in Blaine County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66-6432; Filed, June 10, 1966; 8:47 a.m.]

[Public Land Order 4034]

[Montana 073067]

MONTANA

Withdrawal for Reclamation Purposes

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

Subject to valid existing rights, the following described public land is hereby withdrawn from all forms of appropriation under the public land laws including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for the Milk River Project:

PRINCIPAL MERIDIAN

T. 30 N., R. 27 E.,
Sec. 6, lot 10.

Containing 18.14 acres in Phillips County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66-6434; Filed, June 10, 1966; 8:47 a.m.]

[Public Land Order 4035]

[Arizona 035349]

ARIZONA

Revocation of Public Land Order No. 662

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Order No. 662 of August 28, 1950, withdrawing the following described lands for use by the Department of the Air Force as an auxiliary field, is hereby revoked:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 7 E.,
Sec. 32, lot 1, W½NW¼, and NW¼SW¼.

The areas described aggregate 155.72 acres of privately owned land in Maricopa County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66-6435; Filed, June 10, 1966; 8:47 a.m.]

[Public Land Order 4036]

[Utah 069117]

UTAH

Withdrawal for Dixie Project

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, and in the act of September 2, 1964 (78 Stat. 848), it is ordered as follows:

Subject to valid existing rights the following described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws including the mining laws (Title 30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for the Dixie Project:

SALT LAKE MERIDIAN

T. 41 S., R. 12 W.,
Sec. 33, N½;
Sec. 34, N½;
Sec. 35, N½.
T. 41 S., R. 13 W.,
Sec. 25, lots 5 and 6, NW¼NE¼, N½SE¼;
Sec. 28, NW¼NW¼;
Sec. 29, E½, E½NW¼, SW¼NW¼, SW¼;
Sec. 30, lots 1 to 6, incl., SW¼NE¼, N½SE¼ (less patented mining claims).
T. 42 S., R. 13 W.,
Sec. 10, SE¼SE¼;
Sec. 11, lot 3;
Sec. 15, lots 2 to 4, incl.;
Sec. 19, lots 1 to 12, incl.;
Sec. 27, W½W½;
Sec. 28, NW¼NW¼, NW¼SE¼;
Sec. 29, E½W½;
Sec. 30, lots 1 to 12, incl., W½E½;
Sec. 31, lots 1 to 6, incl., NE¼;
Sec. 33, SW¼, S½SE¼, NE¼SE¼;
Sec. 34, W½W½.
T. 43 S., R. 13 W.,
Sec. 4, W½W½, E½NW¼, NW¼NE¼;
Sec. 5;
Sec. 6, E½E½.
T. 41 S., R. 14 W.,
Sec. 25, lot 10, W½SE¼;
Sec. 34, lots 3 and 4, SW¼SE¼;
Sec. 35, S½NE¼, SE¼, SW¼.
T. 42 S., R. 14 W.,
Sec. 3, E½, SE¼NW¼, N½SW¼;
Sec. 4, lots 6 to 8, incl.;
Sec. 8, SE¼, SE¼SW¼, SE¼NE¼;
Sec. 9, S½, S½NW¼, NE¼NW¼, W½NE¼;
Sec. 10, lots 1 to 11, incl., W½SW¼, NE¼SE¼, SE¼NW¼;
Sec. 11, lot 2, SW¼SE¼;
Sec. 13, SW¼;
Sec. 14, W½NE¼, E½NW¼, SW¼NW¼, S½;
Sec. 15, lot 2, S½S½, SW¼NE¼;
Sec. 17, N½;
Sec. 19, lots 2, 3, 10, 17, 19, S½SE¼;
Sec. 20, lot 5, S½SW¼;
Sec. 21, SE¼;
Secs. 22 to 27, incl.;
Sec. 28, E½NE¼, SW¼NE¼, W½, SE¼;
Sec. 29, E½, W½W½, E½NW¼, NE¼SW¼;
Secs. 30 and 31;
Sec. 33, W½, W½NE¼.
T. 43 S., R. 14 W.,
Sec. 4, NW¼NW¼;
Sec. 5, E½, NW¼, N½SW¼, SE¼SW¼;
Sec. 6, lots 1 to 4, incl., E½W½, NE¼, N½SE¼;
Sec. 7, lots 1 to 4, incl., E½W½, W½SE¼, SW¼NE¼;
Sec. 8, E½;
Sec. 9, SW¼SW¼;
Sec. 17, E½E½;
Sec. 18, lots 1 to 4, incl., E½W½, W½E½;
Sec. 19, lots 1 to 4, incl., E½NW¼, W½NE¼;
Sec. 20, NW¼SW¼, S½S½;
Sec. 21, E½, E½W½, SW¼SW¼;
Sec. 22, S½;
Sec. 27, N½, N½S½;
Sec. 28, N½, N½S½;
Sec. 29, NE¼;
Sec. 30, lots 1 to 4, incl., E½W½;
Sec. 31, lot 3, NE¼NW¼.
T. 42 S., R. 15 W.,
Sec. 23, lot 1, NW¼NE¼;
Sec. 24, NE¼, E½W½, NW¼SE¼;
Sec. 25, S½NE¼, SE¼NW¼, SE¼.
T. 43 S., R. 15 W.,
Sec. 1, lots 1, 2, 4 to 7, incl., and 10 to 14, incl.;
Sec. 8, SW¼NW¼, W½SW¼, SE¼SE¼;
Sec. 9, SW¼SW¼;
Sec. 12, E½;
Sec. 13, E½, E½W½, W½NW¼;
Sec. 21, N½;
Sec. 24, NE¼, W½NW¼;
Sec. 25, E½, E½W½, SW¼SW¼.
T. 41 S., R. 16 W.,
Sec. 31, SE¼NE¼;
Sec. 33, E½SE¼.
T. 42 S., R. 16 W.,
Sec. 4, lots 4, 7, 8, 9, SW¼NE¼, SE¼NW¼, E½SW¼, SW¼NW¼, NW¼SW¼;
Sec. 5, SE¼NE¼;
Sec. 7, lots 7 and 8;
Sec. 9, lot 6, W½SE¼, E½NW¼;
Sec. 15, W½E½, NW¼NW¼, SE¼NW¼, NE¼SW¼, N½SE¼SW¼, E½W½SW¼ SE¼SW¼, E½SW¼SE¼SW¼, SE¼ SE¼SW¼;
Sec. 17, lot 1, NE¼NW¼, NW¼SE¼;
Sec. 18, lots 1 to 5, incl., S½NE¼;
Sec. 21, NW¼NE¼, SE¼NE¼, NE¼SE¼;
Sec. 35, SE¼NW¼.
T. 43 S., R. 16 W.,
Sec. 1, S½NW¼;
Sec. 13, SE¼NE¼, NE¼SE¼.
T. 40 S., R. 17 W.,
Sec. 29, W½SE¼, S½NE¼;
Sec. 33, lot 4.
T. 41 S., R. 17 W.,
Sec. 4, lots 4, 5, 12;
Sec. 5, lots 1 to 12, incl., SE¼, NE¼SW¼;
Sec. 8, E½, E½NW¼.
T. 42 S., R. 17 W.,
Sec. 12, NE¼NW¼, N½NE¼, SE¼NE¼, NE¼SE¼.

The areas described aggregate 28,787.03 acres in Washington County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66-6436; Filed, June 10, 1966; 8:45 a.m.]

[Public Land Order 4037]

[Oregon 017844]

OREGON

Withdrawal for Reclamation Purposes

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

Subject to valid existing rights the following described public lands which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, but not from leasing under the mineral leasing laws, and reserved for the Howard Prairie Reservoir, Rogue River Basin Project:

WILLAMETTE MERIDIAN

T. 39 S., R. 4 E.,
Sec. 6, SW¼NE¼, N½SE¼, NE¼NE¼ SW¼SE¼, and SE¼SE¼.

The areas described aggregate 162.5 acres.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66-6437; Filed, June 10, 1966; 8:47 a.m.]

[Public Land Order 4038]

[New Mexico 0556601]

NEW MEXICO

Withdrawal for Ecological Plots and Demonstration Area

By virtue of the authority vested in the President, and pursuant to Executive Order 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Chap. 2, Title 30, U.S.C.), and reserved for ecological plots and a demonstration area.

NEW MEXICO PRINCIPAL MERIDIAN

T. 13 S., R. 2 W.,
Sec. 35, NE¼NE¼,
T. 24 S., R. 2 W.,
Sec. 15, SE¼SE¼.
T. 12 S., R. 5 W.,
Sec. 10, SE¼;
Secs. 11 and 14.
T. 16 S., R. 5 W.,
Sec. 27;
Sec. 28, E½;
Sec. 33, N½NE¼;
Sec. 34, N½;
Sec. 35, NW¼NW¼.
T. 12 S., R. 6 W.,
Sec. 3, NW¼SW¼.
T. 21 S., R. 6 W.,
Sec. 25, NW¼SE¼.
T. 25 S., R. 17 W.,
Sec. 33, NE¼NW¼.
T. 20 S., R. 8 W.,
Sec. 9, SE¼NE¼.
T. 4 S., R. 7 E.,
Sec. 26, NW¼NW¼.
T. 13 S., R. 10 E.,
Sec. 18, lots 1 to 6, incl.
T. 23 S., R. 13 E.,
Sec. 21, SE¼NE¼.

The areas described aggregate 3,346.06 acres, in Sierra, Lincoln, Hidalgo, Grant, Luna, and Otero Counties.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66-6438; Filed, June 10, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1001, 1015]

[Docket Nos. AO–14–A38, AO–305–A12]

MILK IN MASSACHUSETTS-RHODE ISLAND AND CONNECTICUT MARKETING AREAS

Supplemental Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

Notice was issued on May 20, 1966 (31 F.R. 7520) of a public hearing to be convened at the New Hampshire Highway Hotel, Concord, N.H., beginning at 10 a.m., l.t., on June 20, 1966, and with further sessions to be held at the Framingham Motor Inn, Worcester Road (Route 9), Framingham, Mass., beginning at 10 a.m., l.t., on June 23, 1966, and at the Hotel America, 5 Constitution Plaza, Hartford, Conn., beginning at 10 a.m., l.t., on June 27, 1966, with respect to proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the Massachusetts-Rhode Island and Connecticut marketing areas.

Notice is hereby given pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900), that in addition to receiving evidence relative to the proposed amendments set forth in the original notice of hearing, evidence will be received with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreements and to the orders.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by New England Milk Producers' Association, Northern Farms Cooperative, Inc., Maine Dairymen's Association, Inc., and by the Cooperative Dairy Economics Service in behalf of Cabot Farmers' Cooperative Creamery Co., Inc., et al:

Proposal No. 59. Amend both the Massachusetts-Rhode Island and Connecticut orders (§§ 1001.22 and 1015.22) by removing the words "ice cream mix, ice milk mix, milk shake base mix" and substituting therefor the words "frozen dairy product mixes."

Proposal No. 60. Amend § 1001.56(b) of the Massachusetts-Rhode Island order and § 1015.55(c)(2) of the Connecticut order to provide that receipts of bulk milk at pool distributing plants from plants fully regulated under other Federal milk orders and not assigned Class II upon mutual agreement of the handlers; be assigned to the remaining pounds in each class according to the market average utilization in each class, as estimated by the market administrator the previous month, to the extent that the handler has Class II utilization to cover the pounds so assigned to Class II: *Provided*, That such receipts shall be assigned pro rata to the handler's utilization remaining in each class at all of his pool plants if his average utilization is below the market average.

Proposed by the Dairy Division, Consumer and Marketing Service: *Proposal No. 61.* In §§ 1001.60(a)(3) and 1015.60(a)(3) modify the factor .04041 to reflect revisions in dairy feed prices as reported by the U.S. Department of Agriculture.

Copies of this supplemental notice of hearing and the orders may be procured from the Market Administrators, 230 Congress Street, Room 403, Boston, Mass., 02110; 1049 Asylum Avenue, Hartford, Conn., 06105, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250 or may be there inspected.

Signed at Washington, D.C., on June 9, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66–6505; Filed, June 10, 1966; 8:51 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66–SO–40]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Lawrenceville, Ga., transition area.

The Lawrenceville, Ga., transition area would be designated as that airspace extending upward from 700 feet above the surface within a 6-mile radius of the Gwinnett County Airport (latitude 33°58'53'' N., longitude 83°57'50'' W.); within 2 miles each side of the Norcross VORTAC 077° radial extending from the Norcross VORTAC to 16 miles east.

The proposed transition area is needed for the protection of IFR operations at the Gwinnett County Airport. A prescribed instrument approach procedure to the Gwinnett County Airport utilizing the Norcross, Ga., VORTAC is proposed in conjunction with the designation of this transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on June 3, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66–6413; Filed, June 10, 1966; 8:45 a.m.]

[14 CFR Parts 71, 75]

[Airspace Docket No. 65–AL–30]

FEDERAL AIRWAY, JET ROUTE, REPORTING POINTS, AND CONTROL AREA

Proposed Alterations and Designations

The Federal Aviation Agency is considering amendments to Parts 71 and 75 of the Federal Aviation Regulations which would extend, redesignate, and designate certain Alaskan airways, jet routes and reporting points.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the U.S. is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

The Federal Aviation Agency has under consideration the following airspace actions:

1. Redesignate and extend Alaskan VOR Federal airway No. 438 from Homer, Alaska, to a VOR to be commissioned May 15, 1966, in the vicinity of Kodiak, Alaska, including a standard west alternate, and excluding the airspace below 2,000 feet MSL outside the United States.

2. Extend Alaskan VOR Federal airway No. 506 from King Salmon, Alaska, via the INT of King Salmon 097° T (076° M) and Kodiak 332° T (309° M) radials; Kodiak; to Marble INT (latitude 57°29'00'' N., longitude 150°30'00'' W.), excluding the airspace below 2,000 feet MSL outside the United States.

3. Designate Jet Route No. 123 from King Salmon via Kodiak to Marble INT.

4. Designate Jet Route No. 125 from Kodiak direct to Anchorage, Alaska.

5. Designate control area associated with the portion of the above mentioned jet routes for those portions outside the United States.

6. Designate the following Alaskan low altitude reporting points:

a. Kodiak, Alaska.

b. Augustine INT: INT Homer, Alaska, 252°, Kenai, Alaska, 216° True radials.

c. Marble INT: INT Kodiak 107° T (084° M) radial, NW boundary Anchorage oceanic control area at latitude 57°29'00'' N., longitude 150°30'00'' W.

7. Designate the following Alaskan high altitude reporting points:

a. Kodiak, Alaska.

b. Marble INT: INT Kodiak 107° T (084° M) radial, NW boundary Anchorage oceanic control area at latitude 57°29'00'' N., longitude 150°30'00'' W.

8. Redesignate Control 1217 to exclude the airspace below 2,000 feet MSL outside the United States.

The actions proposed herein would provide airways and jet routes for VOR equipped aircraft to operate between Anchorage and Kodiak, Alaska; between King Salmon and Kodiak, Alaska; and within the domestic control area, toward Seattle, Wash.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on June 7, 1966.

T. MCCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 66–6414; Filed, June 10, 1966; 8:45 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 57]

RESIDENTIAL ALUMINUM SIDING INDUSTRY

Deceptive Pricing

Notice is hereby given that pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41–58, and provisions of Part 1, Subpart F, of the Commission's procedures and rules of practice, 16 CFR 1.61–1.67, the Federal Trade Commission proposes to revise § 57.3 *Deceptive pricing*, of the Trade Practice Rules for the Residential Aluminum Siding Industry promulgated April 6, 1962, to read as follows:

§ 57.3 Deceptive pricing.

It is an unfair trade practice for any member of the industry to represent or imply, in advertising or otherwise that residential aluminum siding may be purchased for a specified price, or at a saving, when such is not the fact; or that such product is being offered for sale at a reduced price when such is not the fact; or otherwise to deceive purchasers or prospective purchasers with respect to the price of such products offered for sale; or to furnish any means or instrumentality by which others engaged in the sale of residential aluminum siding may make any such representation. Among the practices prohibited by this section are:

(a) Representing or implying in advertising or otherwise that a quoted price, whether determined on the basis of a stated price per square foot or otherwise, is the total cost for a complete installation when in fact the products sold do not include all costs for labor and all parts and accessories necessary for the proper function and appearance of such installed products (such as starter strips, door and window trim, window head flashing, backup pieces and corner pieces).

(b) Representing or implying in advertising or otherwise that a specified price for residential aluminum siding is for any size structure (e.g., "installed on your home $_____") when in fact such price applies only to structures of limited size without adequate and conspicuous disclosure of such limitation (e.g., "$_____ installed on your home when area to be covered does not exceed 1,000 square feet" or "installed price $_____ per square foot").

(c) The use of pictures or illustrations of large houses or structures in connection with specified prices which is likely to mislead purchasers or prospective purchasers as to the cost of the installation of aluminum siding, as when the aluminum siding for the illustrated house would not be installed for the specified price.

NOTE: On December 20, 1963, the Commission adopted Guides Against Deceptive Pricing which became effective January 8, 1964. Copies thereof will be furnished upon request. [Rule 3.]

Interested or affected parties may submit their written views, suggestions, objections, or other information concerning the proposed revision to the Chief,

Division of Trade Practice Conferences and Guides, Bureau of Industry Guidance, Federal Trade Commission, Sixth Street and Pennsylvania Avenue NW., Washington, D.C., 20580, not later than July 11, 1966.

All comments received will be available for examination by interested parties at the Federal Trade Commission, Washington, D.C., and will be fully considered by the Commission.

Approved: June 1, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6402; Filed, June 10, 1966; 8:45 a.m.]

[16 CFR Part 192]

OPTICAL PRODUCTS INDUSTRY

Deceptive Pricing

Notice is hereby given that pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41–58, and provisions of Part 1, Subpart F, of the Commission's Procedures and Rules of Practice, 16 CFR 1.61–1.67, the Federal Trade Commission proposes to revise § 192.6 *Deceptive pricing*, of the Trade Practice Rules for the Optical Products Industry promulgated June 30, 1962, to read as follows:

§ 192.6 Deceptive pricing.

It is an unfair trade practice for any member of the industry to represent directly or indirectly in advertising or otherwise that an industry product may be purchased for a specified price, or at a saving, or at a reduced price, when such is not the fact; or otherwise to deceive purchasers or prospective purchasers with respect to the price of any product offered for sale; or to furnish any means or instrumentality by which others engaged in the sale of industry products may make any such representation. Among the types of practices to be regarded as prohibited by this section are:

(a) Representing or implying in advertising or otherwise that a specified price for prescription eyeglasses or contact lenses includes the cost to the buyer of necessary eye examination and test by an ophthalmologist or optometrist for the purpose of determining the buyer's visual defects and prescribing suitable lenses for the relief or correction thereof, when such is not the case;

(b) Representing or implying in advertising or otherwise that complete eyeglasses are purchasable for a specified price when an additional price is charged for a component part of the complete eyeglasses (such as the frames thereof);

(c) Representing or implying in advertising that a specified price is applicable to all types and kinds of eyeglasses or contact lenses when a higher price is charged for certain kinds or types (e.g., when the stated price has applicability to eyeglasses with single vision lenses and a higher price is charged for eyeglasses with bifocal lenses);

(d) Representing or implying in advertising that contact lenses may be purchased at a specified price when an additional and undisclosed charge is made for processing and fitting services that are necessary and made evident after first use by the buyer and during the period required for his adjustment to the use of such lenses;

(e) Representing or implying in advertising that products may be purchased on credit for the same price that is applicable to cash sales; that no down payment is required in the case of credit sales; that no finance charge or interest is required when products are sold on credit or an installment payment plan; or that a finance or interest charge in the case of sales on credit will not exceed a specified amount or rate; when such are not the facts.

NOTE: On December 20, 1963, the Commission adopted Guides Against Deceptive Pricing which became effective January 8, 1964. Copies thereof will be furnished upon request. (Rule 6)

Interested or affected parties may submit their written views, suggestions, objections or other information concerning the proposed revision to the Chief, Division of Trade Practice Conferences and Guides, Bureau of Industry Guidance, Federal Trade Commission, Sixth Street and Pennsylvania Avenue NW., Washington, D.C., 20580 not later than July 11, 1966.

All comments received will be available for examination by interested parties at the Federal Trade Commission, Washington, D.C., and will be fully considered by the Commission.

Approved: June 1, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6403; Filed, June 10, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[No. 4844]

[49 CFR Part 31]

[Reports 64 ICC 347, 66 ICC 687, 80 ICC 305, 156 ICC 188, 235 ICC 63]

BILLS OF LADING

Notice of Proposed Rule Making

It appearing, that in this proceeding, the Commission entered an order prescribing the form of Uniform Through Export Bill of Lading, which must be observed on certain traffic to nonadjacent foreign countries; and that such order, as modified, is still in effect (49 CFR 31.4, 31.5, and 31.6);

It further appearing, that since the dates of such reports and order, as amended, section 25 of the Interstate Commerce Act, under which the Commission acted, has been repealed;

And it further appearing, that a petition filed April 20, 1966, by the Southern Pacific Co. seeks permission to depart from the terms of such order, as amended, to allow use of an Alternate Form Uniform Through Export Bill of Lading, which petition will be held in abeyance pending disposition of the instant matter;

It is ordered, That the parties to this proceeding, and other persons affected thereby, be, and they are hereby, cited to show cause, if any there be, by formal return filed with the Commission on or before August 1, 1966, stating specifically the grounds relied upon, why said order, as amended, should not be vacated and set aside insofar as it prescribed the form of a Uniform Through Export Bill of Lading.

And it is further ordered, That a copy of this order be served upon all parties; that a copy be deposited in the Office of the Secretary of the Commission; and that a copy be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 27th day of May, A.D. 1966.

By the Commission, Commissioner Walrath.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6459; Filed, June 10, 1966; 8:49 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

National Park Service

[Order No. 35, Amdt. No. 2]

PLANNING AND SERVICE CENTERS, WASHINGTON, D.C., AND SAN FRANCISCO, CALIF.

Chief Land Acquisition Officers; Delegations of Authority

Delegation. Order No. 35 approved February 11, 1966, and published in 31 F.R. 2870 on February 17, 1966, and Amendment No. 1 thereto approved March 9, 1966, and published in 31 F.R. 4901 on March 24, 1966, set forth in sections (a), (b), (c), and (d) thereof certain authority delegated to the chief land acquisition officer of the National Park Service Planning and Service Center located at Washington, D.C., and the chief land acquisition officer of the Planning and Service Center located at San Francisco, Calif. This amendment covers additional authority as set forth in section (e) as follows:

(e) Approval on behalf of the National Park Service of offers of settlement in condemnation cases where the gross amount involved does not exceed $10,000. This delegation will extend to officers in charge of special land acquisition projects. Approval of offers of settlement by said officers will be communicated to the appropriate Office of the Solicitor's Office for such further action as may be proper.

(245 DM1, 28 F.R. 915; 5 U.S.C. 22; sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: June 6, 1966.

GEORGE B. HARTZOG, Jr., *Director.*

[F.R. Doc. 66-6439; Filed, June 10, 1966; 8:47 a.m.]

SHADOW MOUNTAIN NATIONAL RECREATION AREA

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5, Public Law 89-249, public notice is hereby given that the Department of the Interior, through the Superintendent of Rocky Mountain National Park and Shadow Mountain National Recreation Area, National Park Service, proposes, thirty (30) days after the date of publication of this notice, to issue for the period January 1, 1966, through December 31, 1970, the concession permit under which Fred L. Young, doing business as Kickapoo Lodge, provides concession facilities and services for the public in Shadow Mountain National Recreation Area.

The foregoing concessioner has performed his obligation under prior permits to the satisfaction of the National Park Service and, therefore, pursuant to the act cited above is entitled to be given preference in the renewal of the permit and in the negotiation of a new permit. However, under the act cited above, the Service is also required to consider and evaluate all proposals received as a result of this notice.

FRED J. NOVAK, *Superintendent, Rocky Mountain National Park and Shadow Mountain National Recreation Area.*

MAY 27, 1966.

[F.R. Doc. 66-6440; Filed, June 10, 1966; 8:47 a.m.]

[Order No. 35]

LAND ACQUISITION OFFICERS OF SERVICE CENTERS

Delegation of Authority; Correction

In F.R. Vol. 31, No. 33, page 2870, the following change of an error in composition should be made in paragraph (a): The amount of $100,000 in the last line of paragraph (a) should read $200,000.

Dated: June 4, 1966.

GEORGE B. HARTZOG, Jr., *Director, National Park Service.*

[F.R. Doc. 66-6441; Filed, June 10, 1966; 8:47 a.m.]

[Order No. 36]

LAND ACQUISITION OFFICERS OF SPECIAL PROJECTS

Delegation of Authority

Delegation. The land acquisition officers of the following: Assateague Island National Seashore, Md.; Cape Cod National Seashore, Mass.; Fire Island National Seashore, N.Y.; Ozark National Scenic Riverways, Mo.; and Whiskeytown-Shasta-Trinity National Recreation Area, Calif., are authorized to exercise authority with respect to the following:

(a) Approval and acceptance of options and offers to sell to or exchange with the U.S. lands, or interests in lands, within areas under the jurisdiction and control of the National Park Service, and execution of all necessary agreements and conveyances incident thereto when the amount involved does not exceed $100,000.

(b) Acceptance of deeds conveying to the U.S. lands, or interests in lands, within areas under the jurisdiction or control of the National Park Service.

(c) Contracting for and acceptance of bills of sale or other evidence of title to personal property which is authorized to be acquired for the purpose of the areas under the jurisdiction or control of the National Park Service.

(245 DM1, 28 F.R. 915; 5 U.S.C. 22; sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: June 4, 1966.

GEORGE B. HARTZOG, Jr., *Director.*

[F.R. Doc. 66-6442; Filed, June 10, 1966; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

MOORE-McCORMACK LINES, INC.

Notice of Application

Notice is hereby given that Moore-McCormack Lines, Inc., has filed application to amend its Operating-Differential Subsidy Agreement, Contract FMB-48 (Rev.) to permit calls at ports in British Guiana (now Guyana), Surinam, and French Guiana with freight ships employed on its subsidized service on Trade Route No. 1 between U.S. Atlantic Coast ports and ports on the East Coast of South America.

Any person, firm or corporation having an interest in such application and desiring a hearing under section 605(c) of the Merchant Marine Act, 1936, as amended 46 U.S.C. 1175, should by the close of business on June 20, 1966, notify the Secretary, Maritime Subsidy Board in writing in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board.

In the event a hearing is ordered to be held on the application under section 605(c) the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route or line served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of U.S. registry in such service, route or line is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr., *Secretary.*

JUNE 9, 1966.

[F.R. Doc. 66-6502; Filed, June 10, 1966; 8:51 a.m.]

Office of the Secretary

[Dept. Order 117-B]

MARITIME ADMINISTRATION

Organization and Assignment of Functions

This material together with Department Order 117-A of May 20, 1966, supersedes the material appearing at 30 F.R. 14534 of November 20, 1965; 27 F.R. 7687 of August 3, 1962; and 27 F.R. 3637-3641 of April 17, 1962.

SECTION 1. *Purpose.* The purpose of this order is to prescribe the organization and assignment of functions within the Maritime Administration.

SEC. 2. *Organization.* The Maritime Administration shall consist of the following organization units:

a. Office of the Maritime Administrator.
b. Maritime Subsidy Board.
c. Executive Staffs.
d. Office of the General Counsel.
e. Office of Budget and Management.
f. Office of Program Planning.
g. Office of Public Information.
h. Office of Personnel Management.
i. Office of Data Systems.
j. Office of the Comptroller.
k. Office of Maritime Promotion.
l. Office of Property and Supply.
m. Office of Ship Construction.
n. Office of Research and Development.
o. Office of Ship Operations.
p. Office of Government Aid.
q. Office of Maritime Manpower.
r. United States Merchant Marine Academy.
s. Field Organization Coast Districts.

SEC. 3. *Functions of the Maritime Administration.* Specific functions of the organizational components of the Maritime Administration are as follows:

a. The Office of the Maritime Administrator directs the activities of the Maritime Administration except with respect to those functions which are performed by the Maritime Subsidy Board. Within this office are a Deputy Maritime Administrator and such other assistants as deemed necessary to give emphasis and direction to various programs. The Deputy Maritime Administrator performs such duties as the Maritime Administrator shall prescribe, together with the duties which he performs as a member of the Maritime Subsidy Board. In addition, he is the Acting Maritime Administrator during the absence or disability of the Maritime Administrator and, unless the Secretary of Commerce designates another person, during a vacancy in the office of the Maritime Administrator.

b. The Maritime Subsidy Board shall be responsible for and perform the following functions:

1. The functions with respect to making, amending, and terminating subsidy contracts, which shall be deemed to include, in the case of construction-differential subsidy, the contract for the construction, reconstruction or reconditioning of a vessel and the contract for the sale of the vessel to the subsidy applicant or the contract to pay a construction-differential subsidy and the cost of the national defense features, and, in the case of operating-differential subsidy, the contract with the subsidy applicant for the payment of the subsidy;

2. The functions with respect to: (a) Conducting hearings and making determinations antecedent to making, amending, and terminating subsidy contracts, under the provisions of Titles V, VI, and VIII, and sections 301 (except investigations, hearings and determinations, including changes in determinations, with respect to minimum manning scales, minimum wage scales and minimum working conditions), 708, 805(a), and 805(f) of the Merchant Marine Act, 1936, as amended (the Act), (b) making readjustments in determinations as to operating cost differentials under section 606 of the Act, and (c) the approval of the sale, assignment, or transfer of any operating subsidy contract under section 608 of the Act;

3. The functions with respect to investigating and determining (a) the relative cost of construction of comparable vessels in the United States and foreign countries, (b) the relative cost of operating vessels under the registry of the United States and under foreign registry, and (c) the extent and character of aids and subsidies granted by foreign governments to their merchant marines, under the provisions of subsections (c), (d), and (e) of section 211 of the Act;

4. So much of the functions specified in section 12 of the Shipping Act, 1916, as amended, as the same relate to the functions of the Board under subparagraphs 1. through 3. of this paragraph; and

5. So much of the functions with respect to adopting rules and regulations, subpoenaing witnesses, administering oaths, taking evidence, and requiring the production of books, papers, and documents, under sections 204 and 214 of the Act, as relate to the functions of the Board.

c. The Executive Staffs shall be responsible for secretariat, hearing examining, investigation, security, and intelligence functions, and other special services for the Office of the Maritime Administrator and the Maritime Subsidy Board.

d. The Office of the General Counsel shall, under the overall supervision of the General Counsel, Department of Commerce, serve as the law office of the Administration; review and give legal clearance to applications for subsidy and other Government aids to shipping, sales, mortgages, charters, and transfers of ships; prepare and approve as to form and legality, contracts, agreements, performance bonds, deeds, leases, general orders, and related documents; render legal opinions as to the interpretation of such documents and the statutes; prepare drafts of proposed legislation and Executive orders, and legislative reports to Congressional committees and the Bureau of the Budget; negotiate and settle, or recommend settlement of, admiralty claims, just compensation claims, tort claims, and claims referred to the Office for litigation; assist the Department of Justice in the trial, appeal and settlement of litigation; represent the Administration in public proceedings involving subsidy, charter and related matters before administrative agencies of the Government, and in State and Federal courts; and handle court litigation in actions involving enforcement or defense of the jurisdiction, general orders, and regulations of the Administration. The Office of the General Counsel has the following divisions: Division of Construction Contracts, Division of Operating Subsidy Contracts, Division of Legislation, Division of Litigation, and Division of Mortgage and Marine Insurance.

e. The Office of Budget and Management shall formulate, recommend and interpret budgetary policies and programs; collaborate with operating officials in the development of work programs and fiscal plans; develop and present budget requests and justifications, and apportionments; arrange for transfers of funds; maintain budgetary control of funds available; conduct analyses of status of all budgetary availabilities; review program performance in relation to agency's fiscal plans; conduct studies of management practices, organization, functions, authorities, procedures and work methods for the purpose of recommending measures for the improvement of operations; maintain a system for the issuance of the manual of orders and other directives; maintain programs for the control of forms, reporting requirements, and committee activities; provide graphics services; facilitate the production of publications and procurement of printing services; coordinate the management improvement program; conduct internal audits of financial activities and programs; and prepare progress and management reports to the Department of Commerce and others, as required. The Office of Budget and Management has the following divisions: Division of Budget, Division of Management, and Division of Internal Audits.

f. The Office of Program Planning shall plan and develop all major operational programs of the agency of a medium, extended, or long-range nature, generally extending beyond the 5-year stage; review and analyze projections of goals and program activities required to carry out the promotion and development of the U.S. merchant marine; develop realistic extended or long-range action programs designed to meet the normal peacetime missions of the agency in the major substantive areas of shipping, shipbuilding, subsidy policy, ship replacement, research and development objectives, etc.; develop and coordinate basic mobilization requirements and programs in these same areas, including emergency planning activities and the National Defense Executive Reserve Program; conduct liaison and planning activities with intergovernmental and international organizations concerned with shipping matters; and conduct economic studies and operations research activities for utilization in program, mobilization, and international planning, and for any other special study purpose of the broadest nature. The Office of Program Planning has the following divisions: Division of Planning and Economic Studies, Division of Operations Analysis, Division of International Activities and Special Studies, and Division of Emergency Planning.

g. The Office of Public Information shall issue or clear for issuance all information for the general public on shipping and on decisions and activities of the Administration, and prepare periodic and special reports, as assigned.

h. The Office of Personnel Management shall plan and administer personnel activities relating to recruitment, placement, compensation, promotion, training, separation, performance evaluation, incentive awards, employee relations and services, employee utilization, position classification and wage rate compensation programs. The Office of Personnel Management has the following divisions: Division of Classification and Wage Administration, and the Division of Employment.

i. The Office of Data Systems shall conduct automatic data processing feasibility studies, develop programs and systems for the application of computer techniques, and operate the electronic data processing equipment.

j. The Office of the Comptroller shall render financial advice and opinions; perform accounting functions, including maintenance of general accounts and related fiscal records, preparation of financial statements and reports, issuance of invoices, audit and certification of vouchers for payment; prescribe a uniform system of accounts for subsidized operators, agents, charterers, and other contractors; perform required external audits of contractors' accounts to determine compliance with applicable laws, regulations and contract provisions concerning costs and profits; maintain control records of statutory and contractual reserve funds; administer the marine and marine war risk insurance programs; take necessary action to effect collection of amounts due; negotiate and settle, or recommend settlement of, marine and war risk insurance claims, and general claims; and analyze financial statements and other data submitted by existing and prospective contractors to determine financial qualifications and limitations. The Office of the Comptroller has the following divisions: Division of Accounts, Division of External Audits and Financial Analysis, and Division of Insurance.

k. The Office of Maritime Promotion shall promote increased cargoes for U.S.-flag ships, in accordance with sections 212(b)(1) and 212(d) of the Merchant Marine Act, 1936, as amended; maintain surveillance of and administer cargo preference activities in accordance with section 901(b) of the 1936 Act (Public Law 664, 83d Congress), Public Resolution 17, 73d Congress, and Recommendation 7 in House Report No. 80, dated February 28, 1955; develop and promote domestic shipping; develop and promote ports and port facilities, pursuant to section 8 of the Merchant Marine Act, 1920, as amended; promote integrated transportation systems, including unitized and containerized cargoes; prepare reviews and analyses of trade data related to these general functions; prepare maritime statistical analyses and U.S. ship employment and utilization data. The Office of Maritime Promotion has the following divisions: Division of Ports and Systems; Division of Trade Studies; and Division of Cargo Promotion.

l. The Office of Property and Supply shall develop, recommend, and administer national policies, programs, and procedures for the conduct of property and supply management and office services activities, including the procurement, leasing, and disposal of real and personal property, conduct of ship and other inventories, maintenance of warehouses, marine terminals, and other facilities; provide advisory and supporting services on nonengineering aspects of research and development contracting activities; procure supplies, materials, equipment and services; conduct domestic freight and passenger traffic activities, and settle loss or damage claims arising from shipments on Government bills of lading; conduct material control and disposal activities, sales of ships, and supervise compliance with ship sales agreements and mortgages; conduct exchange of war-built ships with unsubsidized operators; secure allocations of the production capacity of private plants for the manufacture of components and materials required in the event of mobilization; and furnish office services to all components of the agency in Washington, D.C., including communications, records management, library, duplicating and property maintenance services. The Office of Property and Supply has the following divisions: Division of Purchase and Sales and Division of Office Services.

m. The Office of Ship Construction shall collect and analyze data on relative costs of shipbuilding in the United States and foreign countries; calculate and recommend the amount of construction-differential subsidy; develop preliminary designs establishing the basic characteristics of proposed ships; review and approve ship designs submitted by applicants for Government aid; recommend and, upon request, conduct research and development projects in ship design and construction; develop or approve contract plans and specifications for the construction, reconstruction, conversion, reconversion, reconditioning and betterment of ships; review, obtain approval and certification of national defense features by the Department of the Navy; prepare cost estimates, invitations to bid, and recommendations for the award of ship construction-type contracts; inspect ships during the course of work to assure conformance with approved plans and specifications; provide naval architectural and engineering services in connection with construction of small special purpose ships for other Government agencies; approve designs, supervise construction and undertake final acceptance of fishing vessels constructed under Public Law 86-516 as amended; perform expediting and scheduling activities to insure satisfactory delivery of components and materials to shipyards; maintain current records of commercial shipyard ways in the United States; develop requirements for mobilization ship construction programs; make recommendations for the allocation of ship construction contracts under Public Law 805, 84th Congress; and conduct trial, acceptance and guarantee surveys of ships. The Office of Ship Construction has the following divisions: Division of Ship Design, Division of Engineering, Division of Estimates, Division of Small Ships, Division of Production, and contains the Trial and Guarantee Survey Boards.

n. The Office of Research and Development shall manage research and development activities of the Maritime Administration, including planning, organizing, coordinating, executing or directing and controlling these activities for the purpose of improving the efficiency and effectiveness of the American merchant marine in meeting the needs of national defense and of the peacetime foreign and domestic commerce of the United States; in connection therewith, initiate, solicit, develop, and recommend programs and specific research and development projects; negotiate and administer contracts, and direct contract work in connection with such projects, including exploratory and feasibility studies, design, construction, and test operation of prototype components, systems, ships and test facilities, and associated supporting research; participate in and coordinate research and development activities of joint interest with other Government agencies and private organizations.

o. The Office of Ship Operations shall give national program direction for the operation of Maritime Administration-owned or acquired merchant ships, conduct of condition surveys of ships, maintenance of the national defense reserve fleets, including the ship preservation programs and other ship operations activities; provide safety engineering services; approve transfers of ships to foreign ownership, registry or flag; recommend rates for the transportation of Government-financed cargoes and for services of ships operated by, or for, the Maritime Administration; determine program requirements for, and allocate Government-owned oceangoing merchant shipping; recommend the reactivation, purchase, chartering or requisition of merchant ships for Government use, and be responsible for activities relating to the charter of such ships; recommend terms of and administer General Agency, Charter and Berth Agency agreements and contracts, and related orders; review and make recommendations, from an operating standpoint, on applications for new ship construction; recommend and, upon request, conduct research and development projects in ship operation fields; provide assistance to industry and other Government agencies in programs for the facilitation of shipping paperwork; develop plans for the manning of new or experimental type ships; and rec-

ommend terms of, and administer, contracts for ship repairs for the account of the Maritime Administration. The Office of Ship Operations has the following divisions: Division of Operating Agreements and Rates, Division of Operations, Division of Ship Repair and Maintenance, and Division of Ship Custody.

p. The Office of Government Aid shall process applications for construction-differential subsidy, operating-differential subsidy, Federal Ship Mortgage insurance, trade-in allowances, and other forms of Government aid to shipping; conduct negotiations with applicants, obtain comments of other offices, and prepare reports and recommendations for the award of Government aid contracts; administer all forms of Government aid contracts after their execution; coordinate the work of other organizational components in connection with such contracts; administer Construction Reserve Funds; approve with the concurrence of the Comptroller, actions relating to the administration of Special and Capital Reserve Funds of subsidized operators; collect, analyze, and evaluate costs of operating ships under United States and foreign registry; calculate and recommend operating-differential subsidy rates; and conduct studies to evaluate the efficiency and economy of operations of subsidized operators. Within this office are personnel responsible for the collection of maritime cost data and other technical maritime activities in foreign countries. The Office of Government Aid has the following divisions: Division of Subsidy Contracts, Division of Mortgage-Insurance Contracts, Division of Operating Costs, and Division of Subsidy Operations Examining.

q. The Office of Maritime Manpower shall advise the Administration regarding labor management relations and problems, particularly as they apply to seamen, longshoremen and shipyard workers, including the effects of technological changes on labor, of manning scales and crew costs on maritime subsidies, and of proposed labor legislation; make studies and reports of current labor situations to keep the Maritime Administration advised of problems and developments, potential areas of dispute, and trends; coordinate maritime labor questions with other agencies and work with them on matters of mutual interest; develop plans in cooperation with the Department of Labor to provide reserve maritime manpower for mobilization and other emergencies; obtain, analyze, and publish data for use of industry, labor, Government and the public concerning maritime employment, wages, hours, manning, working conditions, and manpower requirements; represent the Maritime Administrator on matters relating to the U.S. Merchant Marine Academy and process nominations for appointment to the Academy; administer a grant-in-aid program for the State maritime academies; determine need for and coordinate training programs for licensed and unlicensed personnel in maritime industries; issue merchant marine decorations and awards; arrange maritime training for foreign nationals sponsored by the Agency for International Development; and provide technical maritime training assistance to foreign countries under international cooperative programs. The Office of Maritime Manpower has the following divisions: Division of Labor Studies, Division of Manpower Development, and Division of Maritime Academies.

r. The U.S. Merchant Marine Academy, Kings Point, N.Y., shall develop and maintain programs for the training of U.S. citizens to become officers in the U.S. merchant marine.

SEC. 4. *Field organization.* .01 The primary structure of the field organization of the Maritime Administration consists of three Coast Districts, each headed by a Coast District Director, as specified below:

District	Headquarters location	Area representatives
Atlantic Coast District.	New York, N.Y.	Baltimore, Md.; Norfolk, Va.
Gulf Coast District.	New Orleans, La.	
Pacific Coast District.	San Francisco, Calif.	Los Angeles (San Pedro) Calif.; Portland, Oreg.; Seattle, Wash.

.02 The Coast District Directors shall be responsible for all field offices and programs of the Maritime Administration within their respective Coast Districts except ship construction and the U.S. Merchant Marine Academy, subject to national policies, determinations, procedures and directives of the appropriate office chief in Washington, D.C.

SEC. 5. *Savings provisions.* .03 All orders, determinations, rules, regulations, permissions, delegations, approvals, agreements, rulings, certificates, directives and other actions heretofore issued or taken by or relating to the Federal Maritime Board, Maritime Administration, Maritime Subsidy Board, National Shipping Authority and their predecessor agencies, and in effect on the date of this order shall, insofar as they relate to the functions referred to herein and are not inconsistent herewith, remain in full force and effect until hereafter suspended, amended or revoked under appropriate authority.

.04 All actions, proceedings, hearings, or investigations pending on the effective date of this order before the Maritime Administration or the Maritime Subsidy Board in respect to the functions referred to herein shall be continued before the Maritime Administration or the Maritime Subsidy Board, as the case may be, in accordance with the delegations made pursuant to this order.

Effective date: May 20, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-6411; Filed, June 10, 1966; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ISOPROPYL 4,4'-DICHLOROBENZILATE

Notice of Establishment of Temporary Tolerance

Notice is given that at the request of the Geigy Chemical Corp., Post Office Box 430, Yonkers, N.Y., 10702, a temporary tolerance of 5 parts per million is established for residues of the insecticide isopropyl 4,4'-dichlorobenzilate in or on apples and pears. The Commissioner of Food and Drugs has determined that this temporary tolerance will protect the public health.

A condition under which this temporary tolerance is established is that the insecticide will be used in accord with the terms of the experimental permit issued by the U.S. Department of Agriculture.

This temporary tolerance expires June 3, 1967.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a (j)), and delegated by him to the Commissioner (21 CFR 2.120; 31 F.R. 3008).

Dated: June 3, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6469; Filed, June 10, 1966; 8:50 a.m.]

UPJOHN CO.

Notice of Filing of Petition for Food Additive Lincomycin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition has been filed by the Upjohn Co., Kalamazoo, Mich., 49001, proposing the issuance of a regulation to provide for the safe use of lincomycin in chicken feed for growth promotion and feed efficiency.

Dated: June 6, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6470; Filed, June 10, 1966; 8:50 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

ACTING REGIONAL ADMINISTRATOR, REGION I (NEW YORK)

Designation

Anne Roberts, Deputy Regional Administrator, Region I (New York), is hereby designated to serve as Acting Regional Administrator, Region I (New York), during the present vacancy in the position of Regional Administrator, Region I, with all the power and authority of the Regional Administrator.

In the absence of Anne Roberts, the officers appointed to the following positions are hereby designated to serve as Acting Regional Administrator, Region I, with all the power and authority of the Regional Administrator, Region I, provided that no officer is authorized to serve as Acting Regional Administrator unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Regional Counsel.
2. Regional Director of Urban Renewal.
3. Deputy Regional Director of Community Facilities.
4. Deputy Regional Director of Urban Renewal.

This designation supersedes the designation effective May 21, 1966 (31 F.R. 7594, May 26, 1966).

(79 Stat. 670, 5 U.S.C. 624d(d))

Effective date. This designation shall be effective as of June 6, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-6471; Filed, June 10, 1966; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-47]

U.S. ARMY MATERIALS RESEARCH AGENCY

Notice of Issuance of Facility License Amendment

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 6 to Facility License No. R-65. The license, as previously issued, authorizes the U.S. Army Materials Research Agency ("the licensee") to operate the pool-type nuclear reactor ("the reactor") located at Watertown Arsenal, Watertown, Mass. The amendment authorizes the licensee to increase the steady state operating power level of the reactor from the presently authorized one megawatt thermal to a maximum of two megawatts thermal in accordance with the conditions and limitations contained in the application for license amendment dated March 4, 1966.

The amendment, as issued, is as set forth in the Notice of Proposed Issuance of Facility License Amendment published in the FEDERAL REGISTER on May 19, 1966, 31 F.R. 7300.

Dated at Bethesda, Md., this 4th day of June 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director, Division of Reactor Licensing.

[F.R. Doc. 66-6410; Filed, June 10, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16236; Order E-23777]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of June 1966.

Agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to specific commodity rates, Docket 16236, Agreement CAB 18683, R-15 through R-17.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated April 27, and May 16, 1966,[1] names additional rates under existing commodity descriptions as set forth in the attachment hereto.[2] The agreed rates reflect reductions ranging from 19.8 to 78.9 percent and are consistent with the present level of specific commodity rates within the applicable area.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered:

That Agreement CAB 18683, R-15 through R-17, be approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

The order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-6456; Filed, June 10, 1966; 8:49 a.m.]

[1] Received in the Board April 29, and May 23, 1966, respectively.

[2] Attachment filed as part of original document.

[Docket 17394]

SCANDINAVIAN AIRLINES SYSTEM

Notice of Prehearing Conference

Application for amendment of its foreign air carrier permit to add Seattle, Wash., as a point to be served on its polar route.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on June 15, 1966, at 10 a.m. (eastern daylight saving time), in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., June 8, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-6455; Filed, June 10, 1966; 8:49 a.m.]

[Docket 17205]

SUDFLUG, SUDDEUTSCHE FLUGGESELLSCHAFT mbH

Notice of Prehearing Conference

Application for inclusive tour authority.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on June 16, 1966, at 10 a.m. (eastern daylight saving time), in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Ross I. Newmann.

Advance exchange of information requests are to be filed on or before June 13, 1966.

Dated at Washington, D.C., June 8, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-6457; Filed, June 10, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16388, 16389; FCC 66M-802]

D. H. OVERMYER COMMUNICATIONS CO. AND MAXWELL ELECTRONICS CORP.

Order Scheduling Further Hearing Conference

In re applications of D. H. Overmyer Communications Co., Dallas, Tex., Docket No. 16388, File No. BPCT-3463; Maxwell Electronics Corp., Dallas, Tex., Docket No. 16389, File No. BPCT-3489; for construction permits.

It is ordered, This 7th day of June 1966, on the Hearing Examiner's own motion, that there will be a further hearing conference in this proceeding June 14, 1966, 2 p.m., in the Commission's offices, Washington, D.C.

Released: June 7, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6472; Filed, June 10, 1966; 8:50 a.m.]

[Docket No. 16476 etc.; FCC 66R-214]

ARTHUR A. CIRILLI ET AL.

Memorandum Opinion and Order Enlarging Issues

In re applications of Arthur A. Cirilli, Trustee in Bankruptcy (WIGL), Superior, Wis., Docket No. 16476, File No. BR-4080, BRRE-7740, for renewal of license of station WIGL; Quality Radio, Inc. (WAKX), Superior, Wis., Docket No. 16477, File No. BP-16497, for construction permit; Arthur A. Cirilli, Trustee in Bankruptcy (assignor), and D.L.K. Broadcasting Co., Inc. (assignee), Docket No. 16478, File No. BAL-5627, BALRE-1336, for assignment of license of station WIGL.

1. The Review Board has before it for consideration a petition to enlarge issues filed by Quality Radio, Inc. (WAKX) on March 21, 1966.[1] WAKX requests the addition of issues to determine (1) whether Arthur A. Cirilli, Trustee in Bankruptcy (WIGL) (Trustee) and D.L.K. Broadcasting Co., Inc. (DLK) have effectuated a premature transfer of control; (2) the financial qualifications of DLK; (3) whether DLK proposes a sale of the station, should the application of WIGL be granted; (4) a section 307(b) issue; (5) in view of the background of the Trustee and DLK whether the license of WIGL should be renewed [2]; (6) whether DLK possesses the requisite character qualifications to be a licensee.[3]

2. The facts surrounding the designation for consolidated hearing of the applications herein are set forth in the Commission's Memorandum Opinion and Order, 2 FCC 2d 692, adopted February 23, 1966. Briefly stated, the licensee of WIGL, Radio Superior, was adjudicated bankrupt on November 10, 1964, the day after the filing of the above-captioned renewal application (File Nos. BR-4080, BRRE-7740). Cirilli is the present Trustee in Bankruptcy.[4] On December 14, 1964, WAKX filed its application, by which it seeks a construction permit for the utilization of the frequency currently assigned to WIGL. Station WIGL was silent from March 1964 until July 26, 1965; at that time WIGL resumed broadcasting with DLK managing the station under an employment contract with the Trustee.[5] On October 29, 1965, the Trustee and DLK filed a joint application for assignment of license to DLK (File Nos. BAL-5627, BALRE-1336). The Commission, in designating the three above-mentioned applications for hearing, stated that for renewal purposes the qualifications of DLK would be compared with those of WAKX [6] and in the event DLK prevails the assignment application will be approved, and a renewal of license granted to that party.

PREMATURE TRANSFER OF CONTROL

3. WAKX's request for the addition of issues relating to a premature transfer of control of Station WIGL from the Trustee to DLK is based primarily [7] upon the provisions of several contracts which have been filed with the Commission.[8] On the basis of the provisions of these contracts WAKX argues that the issues must be enlarged to determine whether there has been a premature transfer of control. The first of these contracts is an "Employment Agreement" between the Trustee and DLK to run for a 1-year period; DLK would manage Station WIGL and retain all profits and absorb all loses; DLK agreed to furnish the Trustee a monthly operating statement showing profit and loss; and the agreement could be terminated by either party on 10 days' notice. A second agreement entitled "Memorandum Agreement" (No. 1), signed the same day, provides for the purchase of WIGL by DLK for the sum of $8,000 "to be paid to the said Trustee upon the approval of the Federal Communications Commission of the transfer of such license from the Trustee to the said Manager [DLK]". The third agreement is a "Memorandum Agreement" (No. 2) between (Auto Acceptance Loan Corporation) AALC and DLK by which AALC agrees to: enter into an agreement with the Trustee to underwrite all losses sustained by WIGL up to $8,000; pay the Trustee an additional $2,000 for his undertaking the operation of WIGL; and pay all legal and engineering expenses necessary to allow WIGL to resume operation. In return DLK agrees to repay the losses incurred by AALC up to $8,000 and to repay the $2,000 paid to the Trustee, both provisions for repayment are contingent upon the approval of the assignment by the FCC. In a fourth document AALC and the Trustee entered into the agreement mentioned in Memorandum Agreement (No. 2) above, in addition, the Trustee agreed to furnish copies of the monthly statement received from DLK "at the request" of AALC and confer with AALC as to the financial condition of WIGL. WAKX argues that the Trustee has not been active in the management of WIGL and, in fact, that DLK has incurred losses in excess of the $8,000 guarantee.

4. The principals of DLK are listed in the assignment application as Harry Kaminsky (50 percent), James Deegan (33⅓ percent), and Edward Kaminsky (16⅔ percent). James Deegan was named manager of WIGL when it resumed operations and was subsequently replaced by Tom Logey. The Kaminskys are also the majority and minority stockholders of AALC.

5. The Trustee and DLK oppose WAKX's request on the following grounds: that the facts alleged in Whitsitt's affidavit are not facts of general knowledge and that Whitsitt's affidavit amounts to no more than "merely writing down rumors"; that the contractual arrangements entered into by the Trustee and DLK were filed with the Commission on July 19, 1965 (before the designation of this proceeding for hearing); and that the Trustee has "maintained in all respects the supervision and responsibility required of a licensee." The opposition pleading is supported by affidavits of the Trustee and of Harry W. Kaminsky. The Trustee asserts that: he has received the agreed sums of $8,000 and $2,000 from DLK; at all times he has retained actual and financial control of WIGL, and DLK has been directly responsible to him; he "consented" to the employment of James Deegan as manager of WIGL and his dismissal when "it became apparent that a more stringent control of finances was necessary" [9]; Deegan's successor Tom Logey, reported at all times directly to the Trustee; WIGL's current accounts payable are $10,000 and accounts receivable are $1,500; WIGL again went silent on March 15, 1966, due to the injurious effects upon its reputation caused by its former owner's bankruptcy; and WIGL will resume operation upon the approval of the assignment of license to DLK. Kaminsky's affidavit contains the following additional information: AALC was interested in the continued operation of WIGL "by reason of its having a chattel mortgage upon the equipment and facilities of such station"; DLK borrowed the $8,000, advanced to the Trustee, from Walter Heller Co. of Chicago and AALC guaranteed the loan; aside from the $8,000 and the $2,000 sums mentioned above, only $7,500 paid to DLK by James Deegan in satisfaction of a portion of his stock subscription, was available for the operation of Station WIGL; the Trustee was consulted by the station manager on a daily basis regarding the station's financial obligation; AALC received monthly financial statements only to protect its mortgage interest; James Deegan's withdrawal as manager of WIGL was by mutual agreement of all interested parties; Tom Logey has never been an employee of AALC; Harry and Edward Kaminsky are each ⅓ owners of DLK; [10] and AALC holds no stock interest in DLK.

6. The Broadcast Bureau acknowledges the deficiency of WAKX's petition under § 1.229(c) of the rules insofar as it is dependent upon the affidavit of William H. Whitsitt. See note 7, supra. However, the Bureau suggests that there is adequate support for WAKX's request as a matter of public record and therefore issues regarding a premature transfer of control in violation of section 310(b) of the Communications Act should be added as to the Trustee and DLK. The Bureau contends that the arrangements as to management, financing and operation of WIGL by DLK prior to Commission consent are distinguishable from the acceptable employment contract because DLK was to bear all losses and receive all profits.[11]

7. In its reply, WAKX alleges these additional facts: on April 1, 1966, a Federal tax lien was filed against DLK, as employer of Station WIGL, for $810.42, representing delinquent social security and withholding taxes for the quarter ending December 31, 1965; as demonstrated by the tax lien, the Trustee and DLK directed the Trustee's independent accountant to consider DLK the employer; the affidavits filed with WIGL's opposition pleading indicate that DLK will absorb all losses incurred in the operation of WIGL despite the $8,000 limitation specified in the agreements between the parties; and the Trustee's control of funds was illusory in that the funds were controlled by DLK or AALC before the Trustee received them. WAKX asserts that the Trustee's statements as to his retention of control are meaningless in view of the circumstances, particularly considering Kaminsky's statement that DLK paid the bills of the station operation directly. Significance is also placed by WAKX on the absence of an affidavit by James Deegan.

8. The Board will enlarge the issues herein to determine whether DLK has engaged in an unauthorized transfer of control in violation of section 310(b) of the Communications Act. No issue will be added with respect to the actions of the Trustee. The Commission by its Memorandum Opinion and Order, supra, has determined that the Trustee's qualifications to be a licensee are not at issue in this proceeding; the Trustee's function is to dispose of the station for the benefit of creditors and not to continue as a licensee. In this connection it is noted that DLK is not only the prospective assignee of Station WIGL but is also presently employed as the manager of that station. See Twelve Seventy, Incorporated, FCC 66-225, released March 17, 1966.

9. Section 310(b) of the Communications Act requires prior Commission consent to a transfer of control of any station license. The term "control" as used in section 310(b) and related Commission rules embraces both de facto and de jure control. There is no exact formula by which "control" is presumed; such a determination must be made on the basis of the facts of each case. WHDH, Inc., FCC 64R-394, 3 RR 2d 579, review denied FCC 64-1067 (1964). The circumstances of the instant proceeding raise substantial questions in relation to de facto control of Station WIGL. Initially, these questions are raised by the unusual provisions of the agreement between the Trustee and DLK, by which DLK will absorb all losses and retain all profits from the operation of WIGL.[12] The Board also finds significance in that the entire purchase price has been prepaid and nothing remains to be paid upon approval of the transfer; that representations made in the affidavits of Cirilli and Kaminsky as to the source of the funds paid to the Trustee appear to be in conflict; and that losses in excess of the $8,000 guarantee were incurred by WIGL while DLK was managing that station in conjunction with DLK's agreement to absorb these additional losses. These facts raise questions as to what person or entity was responsible for management decisions (de facto control) made while Station WIGL was operating,[13] which should be answered in the hearing.

10. Since the matter discussed above may involve serious misconduct, the petitioner will be expected to proceed with the initial introduction of evidence concerning the unauthorized transfer of control issue which will be added. See D and E Broadcasting Co., 1 FCC 2d 78, 5 RR 2d 475 (1965). However, in view of the circumstances and the fact that the principal information concerning control of Station WIGL is peculiarly within the knowledge of DLK, it will have the burden of proof on this issue. See Elyria-Lorain Broadcasting Co., FCC 65-857, 6 RR 2d 191.

OTHER ISSUES REQUESTED

11. WAKX and the Bureau request the addition of a financial qualification issue as to DLK on the basis of the financial information contained in the assignment application and in view of the past experience of Station WIGL. The assignment application reflects estimated first-year operating expenses of $40,000, anticipated first-year revenues of $42,000, stock subscriptions totaling $30,000,[14] and a $25,000 note payable due to Walter E. Heller Co. of Chicago. The Bureau also points out that the agreement between DLK and AALC included in the assignment application reflects an unlisted contingent liability of $45,000 due AALC. Moreover, in view of the past financial difficulties of WIGL, under the management of Haig and DLK, both parties assert the addition of a financial qualification issue is warranted. In opposition, WIGL merely states that it will file a financial amendment "within a few days." [15]

---

[1] Other pleadings before the Board are: opposition, filed by Arthur A. Cirilli, Trustee and D.L.K. Broadcasting Co., Inc., on Apr. 18, 1966; comments filed by the Broadcast Bureau on Apr. 18, 1966; reply to the comments of the Bureau, filed by Arthur A. Cirilli, Trustee and D.L.K. Broadcasting Co., Inc., on Apr. 25, 1966; and reply, filed by Quality Radio, Inc. (WAKX) on Apr. 26, 1966.

[2] In conjunction with the request for this issue WAKX requests the deletion of existing Issue 2 "To determine, in view of the record of operation of Station WJPD, whether it would be in the public interest to grant the application of D.L.K. Broadcasting Co., Inc." Since James Deegan remains a shareholder in DLK, inquiry into the affairs of WJPD, of which he is licensee, remains relevant. See discussion of other aspects of this request, paragraphs 15 and 16, infra.

[3] WAKX also requests that the Board delete a presunrise condition, which the Commission specified as to this applicant in the designation order (2 FCC 2d 692, adopted Feb. 23, 1966). This request is the subject of a petition for reconsideration, which was filed by WAKX with the Commission on Mar. 30, 1966.

[4] The Commission first granted an involuntary assignment of license (BAL-5295) to Charles R. Larsen, the original Trustee in Bankruptcy. The Commission subsequently granted an assignment from Larsen to Cirilli.

[5] The station again went silent on Mar. 15, 1966, and has not resumed operation. The Trustee has stated that the station will not resume operation until after the approval of the assignment of license to DLK.

[6] James G. Haig, Radio Superior's sole stockholder, was convicted of mail fraud and fraud by radio in August 1965. The Commission held that Haig was no longer associated with WIGL, that he had no financial interest in this proceeding, and that Radio Superior having been adjudicated bankrupt "no public interest would be served by a hearing on the qualifications of Haig or his right to a renewal of a license."

[7] WAKX also bases its request on allegations supported solely by the affidavit of William H. Whitsitt, treasurer of WAKX, "based upon information and belief of the affiant." As noted in the opposition pleadings such an affidavit is defective under the provisions of § 1.229(c) of the rules which requires that petitions to enlarge be supported by affidavit of "person or persons having personal knowledge". Consequently, the Board will not consider those allegations which are unsupported by the Commission's records, not acknowledged by DLK, or not subject to official notice; the affidavit of William H. Whitsitt will be disallowed as improper under our rules.

[8] 5 undated contracts were filed by the Trustee on July 19, 1965. Copies of 2 of these contracts, memorandum agreements, were included in the assignment application (Docket No. 16478); the remaining 3 are associated with the license file of WIGL.

[9] WAKX cites this statement in its reply pleading and questions who made the decision to discharge Deegan and to hire Logey.

[10] The assignment application reflects the percentages of the Kaminskys' ownership as Harry—50 percent and Edward 16⅔ percent.

[11] The Trustee and DLK contend that this arrangement is reasonable in view of the circumstances surrounding the agreement, i.e., that the Trustee in Bankruptcy could provide no compensation to DLK for running the station other than that agreed upon.

[12] The fact that WIGL is presently silent does not resolve this question.

[13] E.g., the dismissal of James Deegan and the engagement of Tom Logey as general manager of Station WIGL.

[14] According to Kaminsky's affidavit James P. Deegan has paid $7,500 of his $10,000 subscription to the stock of DLK. The remaining $22,500 apparently remains unpaid.

[15] As of this date no such amendment has been filed.

12. The allegations made by WAKX and the Bureau, in the absence of any material and relevant response by WIGL, warrants the addition of a financial qualification issue. It should be noted that DLK's estimate of anticipated revenue is unsupported by evidence as to its source or likelihood; pursuant to the Commission's policy on financial qualifications such unsupported estimates cannot be considered as having probative value. Ultravision Broadcasting Co., 1 FCC 2d 544, 5 RR 2d 343 (1965); and Public Notice, 1 FCC 2d 550, 5 RR 2d 349 (1965).

13. The Board will deny WAKX's request for a trafficking issue (§ 1.597 of the rules) as this request is based solely upon the defective affidavit of William Whitsitt (dissussed in footnote 7, supra). Moreover, the Board can find no support for WAKX's contention that DLK intends to sell 49 percent of the stock if the Commission approves the assignment and the remaining 51 percent after the minimum 3-year period. On the contrary, Kaminsky states that neither he nor his brother, Edward, "intend or plan to reduce their present or proposed ownership of such stock [DLK] directly or indirectly at any time as of the date of this affidavit [April 16, 1966]."

14. Issue 1, as designated by the Commission, supra, reads:

> To determine whether a grant of the application of Quality Radio, Inc. [WAKX] would be in the public interest in light of the fact that it would reduce the number of stations presently assigned to Superior, Wis.

WAKX requests that the burden of Issue (1) be placed on DLK under section 307(d) of the Communications Act. Either cumulatively or alternatively WAKX also requests that Issue (1) be "revised substantially" to determine "in light of 307(b)(d)" whether the frequency 1320 kc should be retained at Superior. The Bureau opposes any modification or change of Issue (1) on grounds that the recitation regarding this request is "confusing as to the relief sought" and that the Bureau is "not certain of the relief being sought." Nor has the petitioner made clear why and how the issue is pertinent to this proceeding.

15. In large measure the Board is constrained to agree with the Bureau's characterization of WAKX's request.[36] In designating Issue (1) the Commission in its Memorandum Opinion and Order, supra, at paragraph 6, noted that a grant of WAKX's application for 990 kc would reduce the number of frequencies assigned to Superior from four to three. On the basis of this observation the Commission placed the burden on WAKX to show that the public interest would thus be served. Although WAKX has framed its request in a dual manner, the effect is to have the Board place on DLK the burden of demonstrating that the loss of 1320 kc in Superior will not be in the public interest, i.e., that the frequency could not better satisfy some undetermined public interest at some undetermined location other than Superior. The Commission has consistently refused to engage in such hypothetical section 307(b) determinations and the Board can find no reason for departing from this precedent. See WKYR, Inc., 37 FCC 132, 3 RR 2d 1, review denied FCC 64-984, released October 29, 1964, aff'd sub. nom. Allegany County Broadcasting Corp. v. FCC, 348 F. 2d 778 (1965).

16. The only remaining question raised by WAKX regards the designation of "Issue 3 [which] purports to compare the applications of DLK and WAKX."[37] WAKX advances two arguments to support its request for modification of Issues 2 and 3 to permit a determination of the qualifications of the former licensee and/or the Trustee in regard to the renewal application. WAKX asserts that it is Commission policy to consider the qualifications of the assignor before considering those of the assignee, citing Harry Wallerstein, Receiver, Television Co. of America, 1 FCC 2d 91, reconsideration denied 2 FCC 2d 31 (1965). The second argument advanced by WAKX is that the assignment application was not filed until July 26, 1965, 3 months after the "cut-off" date specified for its application, April 1, 1965. WAKX contends that the Commission erred in consolidating the assignment application in this proceeding. The Bureau opposes this request.

17. In designating this proceeding and consolidating the above-captioned applications the Commission thoroughly considered the effect of the April 1, 1965, "cut-off" date and the background of James S. Haig, the former licensee of Station WIGL. See Memorandum Opinion and Order, supra, at footnote 1 and paragraph 3. In effect, WAKX is asking the Board to reconsider the Commission's action in designating this proceeding and to "rule so as to undo" what the Commission has done; this the Board is precluded from doing "in the face of a clear record showing our thorough consideration of the particular question at the time of designation." Fidelity Radio, Inc., FCC 65-754, 6 RR 2d 140. For this reason WAKX's request for modification of Issues 2 and 3 will be denied.

Accordingly, it is ordered, This 6th day of June 1966, That petition to enlarge issues, etc., filed by Quality Radio, Inc. (WAKX), on March 21, 1966, is granted to the extent indicated herein, and is denied in all other respects; and that the issues in this proceeding are enlarged by the addition of the following:

To determine whether D.L.K. Broadcasting Co., Inc., or any shareholder thereof has been involved in an unauthorized transfer of control of Station WIGL in contravention of section 310(b) of the Communications Act of 1934, as amended, and the Commission's rules; and

To determine whether D.L.K. Broadcasting Co., Inc., is financially qualified to be a Commission licensee.

Released: June 7, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[38]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6473; Filed, June 10, 1966; 8:50 a.m.]

[Docket No. 16663; FCC 66M-816]

LAMAR LIFE BROADCASTING CO.

Order Continuing Prehearing Conference

In re applications of Lamar Life Broadcasting Co., Docket No. 16663, File No. BRCT-326, for renewal of license of television station WLBT and auxiliary services, Jackson, Miss.

It is ordered, This 8th day of June 1966, that the prehearing conference heretofore scheduled for June 21, 1966, in the above-entitled proceeding, is hereby continued to June 29, 1966, 9 a.m., in the Commission's offices, Washington, D.C.

Released: June 8, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6474; Filed, June 10, 1966; 8:50 a.m.]

[Docket Nos. 16667, 16668; FCC 66M-812]

LUNDE CORP. AND KASI IOWA, INC.

Order Scheduling Hearing

In re applications of Lunde Corp., Ames, Iowa, Docket No. 16667, File No. BPH-5016; Kasi Iowa, Inc., Ames, Iowa, Docket No. 16668, File No. BPH-5118; for construction permits.

It is ordered, This 6th day of June 1966 that Millard F. French shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 8, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 8, 1966, commencing at 9 a.m.; and, *It is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 8, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6475; Filed, June 10, 1966; 8:50 a.m.]

[Docket Nos. 16669, 16670; FCC 66M-815]

OLMSTEAD COUNTY BROADCASTING CO. AND NORTH CENTRAL VIDEO, INC.

Order Scheduling Hearing

In re applications of Olmstead County Broadcasting Co., Rochester, Minn., Docket No. 16669, File No. BPH-5145; North Central Video, Inc., Rochester, Minn., Docket No. 16670, File No. BPH-5192; for construction permits.

It is ordered, This 6th day of June 1966, that Isadore A. Honig shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 8, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 6, 1966, commencing at 9 a.m.: *And, it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 8, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6476; Filed, June 10, 1966; 8:50 a.m.]

[Docket Nos. 16679, 16680; FCC 66-503]

RKO GENERAL, INC. (KHJ-TV) AND FIDELITY TELEVISION, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of RKO General, Inc. (KHJ-TV), Los Angeles, Calif., Docket No. 16679, File No. BRCT-58, for renewal of broadcast license; Fidelity Television, Inc., Norwalk, Calif., Docket No. 16680; File No. BPCT-3655; for construction permit for new television broadcast station.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 2d day of June 1966;

1. The Commission has before it for consideration the above-captioned applications, one requesting a renewal of its license to operate on Channel 9, Los Angeles, Calif., and the other requesting a construction permit for a new television broadcast station to operate on Channel 9, Norwalk, Calif., a community located within 15 miles of Los Angeles.[1] Since the operation proposed by both of the applicants would result in mutually destructive interference, they are mutually exclusive and a hearing will be required to determine which application should be granted.

2. On January 11, 1966, RKO General, Inc. (RKO) filed a pleading requesting an inquiry into the bona fides of the application of Fidelity Television, Inc. (Fidelity). RKO asked the Commission to require Fidelity and its principals to submit written statements concerning the organizational plans of Fidelity. On February 14, 1966, Fidelity filed a "Statement in Response" which included affidavits from several of its stockholders concerning the organization of Fidelity. On March 1, 1966, RKO advised the Commission that in view of the affidavits supplied by Fidelity, RKO was withdrawing its request for an inquiry "• • • without prejudice to the right to make appropriate inquiry into the facts and circumstances surrounding the organization and changes in control effectuated by Fidelity Television, Inc., at any subsequent hearing."

3. Notwithstanding withdrawal by RKO of its request, since the question of bona fides ultimately relates to the qualifications of Fidelity to be a broadcast licensee, the Commission will consider the matter raised in RKO's petition. RKO argues that the filing by Fidelity of its application and its subsequent amendments changing the officers, directors and stockholders permits an inference that the application was filed to block the grant of RKO's renewal application and that as a consequence an inquiry was warranted into the bona fides of Fidelity's application. However, the Commission is of the view that the mere filing of amendments to Fidelity's application did not give rise to an inference that a strike application had been filed and does not raise any question as to Fidelity bona fides. Accordingly, any subsequent attempt to enlarge the scope of the issues in this proceeding with respect to this matter will have to be grounded on new or additional facts.

4. RKO General, Inc., is qualified to own and operate the proposed television broadcast station and Fidelity Television, Inc., is qualified to construct, own and operate the proposed television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is therefore unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.[2]

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of RKO General, Inc., and Fidelity Television, Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine which of the proposals would better serve the public interest.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, which of the applications should be granted.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this Order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such Rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: June 8, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6477; Filed, June 10, 1966; 8:51 a.m.]

[36] In this connection the Board notes WAKX's request that "in light of the evidence adduced under the foregoing issues" that a character qualification issue as to DLK be included. The Board notes the absence of any specific allegations to support this request. Moreover, support cannot be found in the allegations made in support of the other issues requested by WAKX. Therefore, WAKX's request for a character qualification issue will be denied.

[37] Issue 3 reads: "To determine in the event the foregoing issues are answered in the affirmative, which of the applications would better serve the public interest." Issue 2 reads: "To determine in view of the record of operation of Station WJPD, whether it would be in the public interest to grant the application of D.L.K. Broadcasting Co., Inc." None of the issues designated by the Commission, supra, put the qualifications of the Trustee or Haig, the former licensee in issue.

[38] Board Member Nelson abstaining.

[1] Sec. 73.607(b) provides: "A channel assigned to a community listed in the Table of Assignments is available upon application in any unlisted community which is located within 15 miles of the listed community."

[2] The Commission in its Policy Statement on Comparative Broadcast Hearings (FCC 65-689, released July 28, 1965, 30 F.R. 9660, 5 R.R. 2d 1901), indicated that it did not therein attempt to deal with "• • • the somewhat different problems raised where an applicant is contesting with a licensee seeking renewal of license." That remains our position. However, we have also, subsequently indicated (Seven (7) League Productions, Inc., et. al., 1 FCC 2d 1597-9) that the Policy Statement will govern the introduction of evidence where a renewal application is being contested. For example, as in regular comparative hearings, evidence relating to programming proposals and to character will not be entertained in the contested renewal proceeding unless first specifically put in issue by the Hearing Order or on subsequent enlargement of issues upon a threshold factual showing that a distinctive difference or deficiency exists and is worth exploring. We have not, however, reached any determinations as to weight to be accorded various factors of difference between the renewal applicant and the competing applicant, preferring instead to do so later upon the full, factual hearing record that is developed by competent evidence under the designated issues. According, parties in a contested renewal proceeding are free to urge any arguments they may deem applicable concerning the relative weight to be afforded the evidence bearing on the various comparative factors developed at hearing.

[Docket Nos. 16676, 16677; FCC 66-499]

ROYAL BROADCASTING CO. (KHAI) AND RADIO KHAI, INC.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Royal Broadcasting Co. (KHAI), Honolulu, Hawaii, Docket No. 16676, File No. BR-4120, has: 1090 kc, 5 kw, U, Class II; for renewal of license; In re application of Radio KHAI, Inc. (New), Honolulu, Hawaii, Docket No. 16677, File No. BP-16294, requests: 1090 kc, 5 kw, U, Class II; for construction permit.

1. The Commission has before it for consideration (a) the above-captioned application for renewal of license for Station KHAI, filed December 4, 1962; (b) the above-captioned application for construction permit for the facilities of Station KHAI, filed March 2, 1964;[1] (c) a "Petition To Deny", filed March 2, 1964, by Radio KHAI, Inc.; (d) Royal Broadcasting Co.'s (KHAI) "Opposition to Petition To Deny", filed March 27, 1964, and (e) Radio KHAI, Inc.'s "Reply to Opposition to Petition To Deny", filed May 1, 1964.

2. In order to fully understand the basis for the issues adopted herein, it is necessary to detail the background of this case. Station KHAI came into existence through an October 20, 1960, construction permit issued to Casey Broadcasting Associates (BP-13018). Three months later, before the station could be built, the Commission received an application for consent to the assignment of the permit to Robert Sherman (BAP-516). This was granted on April 5, 1961, and Sherman indicated by letter of April 17, 1961, that he had on that day consummated the assignment.

3. Sherman built the station and began equipment tests on December 1, 1961, filed an application for a license to cover the permit on December 20, 1961, and received program test authority eight days later. The Commission on April 6, 1962, granted an assignment of the permit from Robert Sherman as an individual to his wholly owned corporation, Royal Broadcasting Co., Inc. (BAP-579), and on June 12, 1962, granted a license to the station.

4. Royal Broadcasting filed the application for renewal of license, here under review (BR-4120), on December 4, 1962, after approximately 11 months of actual operation. On January 16, 1963, the staff addressed a letter to the renewal applicant noting that the station's balance sheet showed an excess of liabilities over assets of $4,418 and that there were in addition long-term debts of $106,700 and requested a statement as to the plans for liquidating the station's liabilities and financing its future operation. The letter further requested a statement regarding variance of the composite week programing from that proposed in Sherman's application for assignment from Casey Broadcasting (BAP-516).[2] The letter also requested information as to certain technical operating problems.

5. Action on the application for renewal was deferred on January 30, 1963, in view of the outstanding questions as to financial qualifications, technical operation and substantial variance from programing proposals. Within a week after the deferral of KHAI, the Commission received an application to assign the station to the Royal Hawaiian Radio Co., Inc. (BAL-4727). As justification for waiver of the 3-year rule, Sherman submitted a sworn statement (exhibit 1 of BAL-4727) indicating that a skin condition had forced him to leave Hawaii.[3] He stated that it soon developed that the station could not be properly operated with delegated management. He found the station had been grossly mismanaged and a number of employees had left. He stated as a consequence the station had never been able to build an audience or realize adequate advertising revenues and had in fact suffered a net cash loss in excess of $28,000 and a net accrual loss in excess of $58,000.

6. Sherman's reply to the staff's January 16, 1963, letter (see par. 4) was received March 5, and for the most part referred to the material contained in his assignment application (see par. 5). No definitive proposal to liquidate the station's liabilities and assure future operation was submitted except the suggestion that the assignment would resolve the financial problems of the station. By way of explanation, Sherman referred to his exhibit in the pending assignment application concerning the difficulties experienced by the licensee in obtaining competent management and employees (see par. 5), and asserted that: "the rapid turnover of employees, coupled with resulting financial difficulties, made it virtually impossible to adhere to its program commitments." He also stated that he had overcommitted himself initially with respect to the percentage of time which would be devoted to local live programing.

7. The substitute composite week program analysis that accompanied Sherman's reply to the staff's January 16, 1963, inquiry confirmed the existence of a substantial promise versus performance problem. For example he proposed 32.5 percent local live programing and was able to perform at the rate of 5.5 percent for the substitute composite week.

8. The assignee requested dismissal of the assignment application on July 9, 1963, indicating the contract to purchase KHAI had expired. Subsequently, the Commission made further inquiries into Robert Sherman's activities as a licensee of KHAI and addressed an August 1, 1963, "by direction" letter to him. This letter set forth three programing variances. The first, concerned substantial variance between the percentage of time proposed to be devoted to specified program categories and the percentage of time actually devoted.[4] The second variance related to a substantial difference between local live proposals and performance. The third programing concern expressed in the Commission's August 1 letter dealt with the proposal to broadcast a number of specifically titled programs and the failure to find these programs in the composite week logs. In light of Sherman's previous excuse of financial difficulty (see par. 6) he was again asked to submit information concerning liquidation of station liabilities.

9. On August 26, 1963, the Commission received a reply to its letter (see par. 8) in which Sherman again indicated financial distress as an excuse for programing promise versus performance problems. In this connection, he again urged resolution of station difficulties by assignment of license—this time to Lincoln Dellar, president of Radio KHAI, Inc. (see par. 11 below). He stated that while his net worth was listed as in excess of $850,000 as late as November 9, 1962,[5] this did not reflect his liquid position because of recent cash outlays, connected with medical as well as station expenses, failure to collect on certain notes receivable and sale of stock at a loss.

10. As to programing, Sherman, in his letter (see par. 9), again expressed personal difficulties, medical problems and absentee ownership as excuses. As to his failure to present the specifically titled programs and to generally perform as promised, Sherman indicated that for a time his program director felt he had "• • • a right to program the Radio Station in his own manner and make use of his own ideas." Sherman admitted this employee, in charge of programing,

[1] On Sept. 16, 1964, the Commission by Memorandum Opinion and Order released Sept. 22, 1964, accepted the application of Radio KHAI, Inc., for a construction permit to operate on 1060 kc, 5 kw, U, as a Class II station in Honolulu, Hawaii. As Royal Broadcasting presently operates KHAI on 1090 kc the applications are mutually exclusive. In the same order the Commission denied Royal Broadcasting Co.'s "Petition To Grant Renewal Without Hearing and Dismiss Application of KHAI, Inc."

[2] The logs for two of the composite weekdays were not forwarded to the Commission with the application for renewal and were apparently not included in the composite week analysis, and one of the logs that was submitted appeared to be misdated. These matters were brought to the applicant's attention in the above-mentioned staff letter of Jan. 16, 1963. The applicant was requested to prepare a new composite week analysis based upon a substitute composite week, which was specified in the letter.

[3] Submitted as an amendment to the application was a letter from Dr. Rees B. Rees, dated Feb. 26, 1962, reciting that Mr. Sherman had been treated by him for skin cancer and premalignant lesions. Dr. Rees stated he had advised Mr. Sherman against exposure to the sun, especially of the intensity found in Hawaii—and advised him against living there.

[4] The 1962 renewal application proposed that the same percentage of time be devoted to specified categories as was proposed in Sherman's original assignment application (BAP-516).

[5] Personal financial statement filed in connection with the renewal of license of station KHOE, Truckee, Calif.

was not receptive to advice or suggestions or his original proposals. Sherman stated that, "• • • the programs proposed to the FCC in the schedule prepared before 'on the air' experience were decided against by Mr. Ward [the program director] and the percentages of time proposed to be devoted to different types of programs and to local live programs were not achieved." In this connection, it should be noted that Sherman's application for assignment (BAL-4727) indicates that he exercised managerial control over the station for 4 days of the substitute composite week.

11. On September 23, 1963, Royal Broadcasting Co. (Robert Sherman) filed an application for consent to assignment of the license of KHAI to Radio KHAI, Inc., a wholly owned subsidiary of Sacramento Broadcasters, Inc. (BAL-4912). Assignor set forth as his reasons for wishing to assign the station as a personal health condition and the fact that the station had lost a great deal of money. He stated the liquid financial resources available to him were not sufficient to amortize the banking and contractual liabilities of Station KHAI, and waiver of the 3-year rule was requested. Several months later on January 21, 1964, the Commission received a letter from Robert Sherman indicating that there had been changes in the situation at KHAI. He stated that his new station manager was doing well and that he (Sherman) did not need to be in Hawaii to oversee the station. He also noted that he had secured new loan capital to service current financial obligations. Following this, on February 18, 1964, Sherman, by telegram, requested dismissal of the assignment application. His stated reasons for the request were "• • • advice of counsel that contract is illegal and basis of waiver of three year rule no longer exists." Ten days later the Commission notified the parties as to the dismissal.

12. Sherman submitted a statement on March 3, 1964, outlining his reasons for dismissing the assignment application (BAL-4912). He stated that after the application was filed, business began to improve and he discovered that he could satisfactorily conduct operations from the mainland. Accordingly, there was no longer a basis for waiver of the 3-year rule. As a further reason, Sherman said that his attorneys told him the contract with Lincoln Dellar was illegal because of preferential treatment of some creditors.

13. After Commission dismissal of the assignment application, Radio KHAI, Inc., simultaneously filed a Petition To Deny the Renewal of Royal Broadcasting and an application for a new construction permit requesting KHAI's operating assignment (Mar. 2, 1964).[6] Sherman, on March 27, 1964, filed an opposition to Dellar's Petition To Deny to which Dellar replied on May 1, 1964. Sherman's Petition To Grant Renewal Without Hearing, and Dismiss Application of Radio KHAI, Inc., as well as Dellar's Opposition were treated in a Memorandum Opinion and Order adopted September 16, 1964, FCC 64-852, accepting Dellar's application for construction permit for filing and dismissing Sherman's objections thereto.

14. Dellar's pleadings on behalf of Radio KHAI, Inc., allege that Sherman and Royal Broadcasting have misrepresented to the Commission the facts as to Sherman's health, i.e., that in October 1963, his health was no ban to his return to Hawaii. Radio KHAI, Inc., further alleges that Sherman failed to report to the Commission in his ownership report filed with the renewal application that 20 percent of the stock of Royal Broadcasting Co. was pledged to American Security Bank in Hawaii as security for a debt and that Sherman has failed to advise the Commission of liens against Royal.[7] Radio KHAI, Inc., further alleges that the true reason for Sherman's dismissal of the assignment application was that Radio KHAI, Inc., would not agree to an increase in price for the station. It further alleges that Sherman, by threatening to dismiss the assignment application unless Radio KHAI, Inc., would assume certain liabilities of Royal Broadcasting Co. which Radio KHAI, Inc., was not required to assume in the contract of sale, used the assignment application as a "bargaining tool" and that such action was an abuse and misuse of the Commission's processes. Radio KHAI, Inc., further alleges that in October 1963, Mr. Bill Mullin, describing himself as a C.P.A. from New York and a friend of Mr. Sherman's, in company with Mr. Sherman, asked Mr. Dellar (principal of Radio KHAI, Inc.) to agree to certain basic modifications of their agreement or the "deal would be scuttled." It is further alleged that Paul Dobins, a San Francisco attorney representing Mr. Sherman, delivered a "similar threat to cancel the deal" to John Hay, attorney for Radio KHAI, Inc. It is alleged that the demanded basic changes to the agreement included relieving Mr. Sherman of all postclosing warranties which would protect Mr. Sherman for all liability existing and threatened. Mr. Dellar for Radio KHAI, Inc., ultimately agreed to delete the postclosing warranties and substitute a provision for the seller (Sherman) to deliver an opinion of counsel stating that there were no liens of record against KHAI's property.

15. Radio KHAI, Inc., finally alleges it has knowledge that Royal and Sherman are deeply indebted to Radio Corp. of America, at least two California banks and others, that Radio KHAI, Inc., has been asked by creditors about those debts as to payment on them and that as Sherman and Royal demanded that Radio KHAI, Inc., assume such debts, Sherman and Royal cannot and will not pay their local creditors. The Commission has in its files copies of pleadings filed in a San Francisco court concerning Royal Broadcasting's and Mr. Sherman's alleged non-payment of a note and guaranty. The plaintiff is one of the above-mentioned California banks.

16. In reply to the allegations, Sherman and Royal Broadcasting Co. allege that any threats regarding dismissal of the assignment application were made by Radio KHAI, Inc. Sherman contends that after the filing of the assignment application business at KHAI improved, that it became obvious the station could be profitable without his personal supervision and that there was no longer a basis for the request for waiver of the 3-year rule. He alleges that upon his advising Mr. Dellar (President of Radio KHAI, Inc.) that he felt he should notify the Commission of the changed circumstances, Dellar threatened to file an application for the KHAI facilities and to notify the Commission of Sherman's negligence in his correspondence with the Commission. Sherman now urges that his failure to report to the Commission the fact that there was "an agreement, relating to a minority block of KHAI stock," was because Sherman misunderstood the advice of his counsel. Sherman further argues that the telegram to the Commission dismissing the assignment application was based upon the advice of counsel. Sherman alleges that Royal Broadcasting is operated at a profit and its debts are being reduced, although he does not state the amount of the profit nor the amount of reduction of debts. Royal admits the existence of an agreement by which the American Security Bank in Hawaii holds 40 percent of the stock of Royal Broadcasting and the fact that at one time Dorst & Co. temporarily held 20 percent of the shares of Royal Broadcasting but state that as the shares held by the bank and Dorst & Co. were not endorsed and Sherman retained voting and transfer rights to the shares held by Dorst & Co. he did not realize a legal pledge existed which should be reported to the Commission.

17. In its answer to Royal Broadcasting's reply, Radio KHAI, Inc., argues that the allegation of Royal that it threatened to "file on top of" Royal's renewal application is not true. Radio KHAI, Inc., urges that, despite Sherman's statement as to improved conditions at KHAI after July 1963, the station's financial condition is still perilous. In this connection, the Commission has in its files a letter of February 15, 1966, from a Royal Broadcasting creditor terminating a contract for "engineering, maintenance, and service." The creditor indicates that the cancellation was necessitated by Royal "• • • being continually delinquent in payments for both labor and material • • •."

18. The charges and countercharges narrated above are not susceptible to satisfactory proof by pleadings and require resolution through the hearing process. Radio KHAI, Inc., has made a threshold showing which requires adduction of evidence at a hearing as to certain of its allegations which are detailed below.

19. Since Royal Broadcasting and Sherman did not advise the Commission of the pledge of some 20 percent of Roy-

[6] Accepted for filing on Sept. 16, and considered ready and available for processing on Oct. 27, 1964, FCC 64-852, 64-853.

[7] Sherman filed this pledge agreement on Mar. 24, 1964, 20 days after its existence was brought out in Dellar's Petition To Deny.

al's stock to Dorst & Co., or the conditions surrounding such pledge, or of the pledge of 40 percent of Royal's stock to the American Security Bank in Hawaii, or the conditions under which such pledge was made, the facts regarding such pledges must be determined.

20. The contentions regarding misrepresentation to the Commission as to reasons for dismissal of the assignment application by Sherman in his telegram of February 18, and letter of March 3, 1964, must be considered with Royal and Sherman's other representations to the Commission with respect to that dismissal and Radio KHAI, Inc.'s allegations. Thus it is necessary to determine whether Sherman was candid in advising the Commission as to his reasons for dismissal of the application for assignment. Exploration of this matter will of course include a determination as to the reported improvement of the financial condition of Royal Broadcasting Co.

21. Sherman's financial condition has been the subject of Commission letters requesting statement of a plan for liquidating liabilities and financing future operations. Other than proposals to sell the station no plans have been submitted. Sherman had informed the Commission that the station has become profitable but there are conflicting allegations as to this. Accordingly, it becomes necessary to determine if Sherman and Royal are financially qualified to operate KHAI.

22. The Commission has made inquiry into KHAI's promise versus performance programing variances and on the basis of the licensee's response thereto, the licensee will be expected to come forward at the hearing with evidence on these matters. The evidence should relate not only to the programing representations made in his original assignment application (BAP-516), but to all subsequent programing representations. The extent of the licensee's supervision of his staff and programing should also be considered. We have not herein set out specified issues with respect to these matters but they may be fully explored by the parties under the general comparative issue.

23. In view of the conflicting charges regarding negotiations between Royal Broadcasting Co. and Radio KHAI, Inc., prior to dismissal of the assignment application, evidence should be adduced and a determination made as to whether there has been an abuse of the Commission's processes by Royal Broadcasting Co. or Radio KHAI, Inc., or both of them.

24. Since the above application for construction permit filed by Radio KHAI, Inc., and the application for renewal of license filed by Royal Broadcasting Co. are mutually exclusive, it will be necessary to determine which of the proposals, on a comparative basis, would best serve the public interest.[a] It should be understood that if determination of an issue does not prove to be a disqualification of one or other of the parties, evidence adduced will be weighed as a comparative factor.

25. Our action here today in effect disposed of the Petition To Deny filed by Radio KHAI, Inc. The matters set out in its pleading and the relief sought are considered in the issues we have adopted and inasmuch as the Petitioner has filed a mutually exclusive application he is a party to this proceeding.

26. It appearing, that, in view of the foregoing, the Commission is unable to make the finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

27. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether Royal Broadcasting Co. is financially qualified for a renewal of the broadcast license of Station KHAI, Honolulu, Hawaii.

2. To determine whether during the period from September 17, 1962, to date, Royal Broadcasting Co. or Robert Sherman had in effect certain agreements or pledges and whether they failed to file various reports with respect to these agreements or pledges as required by §§ 1.613 and 1.615 of the Commission's rules and regulations.

3. To determine, in light of all the facts and circumstances surrounding the assignment of license application (BAL-4912), whether Robert Sherman and Royal Broadcasting Co. or Lincoln Dellar and Radio KHAI, Inc., or both, abused the Commission processes.

4. To determine, which of the proposals would best serve the public interest.

5. To determine, in light of the evidence adduced pursuant to the foregoing issues, which, if either, of the applications should be granted.

28. *It is further ordered*, That, the burden of proof shall rest with the Renewal Applicant on issue 1 and with the party making the charges on issues 2 and 3.

29. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date for the hearing and present evidence on the issues specified in this order;

30. *It is further ordered*, That, the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: June 2, 1966.

Released: June 7, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6478; Filed, June 10, 1966; 8:51 a.m.]

[Docket Nos. 16676, 16677; FCC 66M-814]

ROYAL BROADCASTING CO. (KHAI) AND RADIO KHAI, INC.

Order Scheduling Hearing

In re applications of Royal Broadcasting Co. (KHAI), Honolulu, Hawaii, Docket No. 16676, File No. BR-4120, for renewal of license; Radio KHAI, Inc., Honolulu, Hawaii, Docket No. 16677, File No. BP-16294; for construction permit.

It is ordered, This 6th day of June 1966, that Sol Schildhause shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 13, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 12, 1966, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 8, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6479; Filed, June 10, 1966; 8:51 a.m.]

[a] The Commission in its Policy Statement on Comparative Broadcast Hearings (FCC 65-689, released July 28, 1965, 30 F.R. 9660, 5 R.R. 2d 1901), indicated that it did not therein attempt to deal with "* * * the somewhat different problems raised where an applicant is contesting with a licensee seeking renewal of license." That remains our position. However, we have also subsequently indicated (Seven (7) League Productions, Inc., et al., 1 FCC 2d 1597-9) that the Policy Statement will govern the introduction of evidence where a renewal application is being contested. For example, as in regular comparative hearings, evidence relating to programing proposals and to character will not be entertained in the contested renewal proceeding unless first specifically put in issue by the Hearing Order or on subsequent enlargement of issues upon a threshold factual showing that a distinctive difference or deficiency exists and is worth exploring. We have not, however, reached any determinations as to the weight to be accorded various factors of difference between the renewal applicant and the competing applicant, preferring instead to do so later upon the full, factual hearing record that is developed by competent evidence under the designated issues. Accordingly, parties in a contested renewal proceeding are free to urge any arguments they may deem applicable concerning the relative weight to be afforded the evidence bearing on the various comparative factors developed at hearing.

[Docket Nos. 16381, 16382; FCC 66M-805]

J. C. STALLINGS AND TEXAN BROADCASTING CO., INC.

Order Rescheduling Hearing

In re applications of J. C. Stallings, Nacogdoches, Tex., Docket No. 16381, File No. BPH-4709; Texan Broadcasting Co., Inc., Nacogdoches, Tex., Docket No. 16382, File No. BPH-4730; for construction permits.

All parties support further postponement of the hearing in this proceeding in order to work out the possibilities in a program under way to make additional facilities available and to permit avoidance of hearing here. *Accordingly, it is ordered*, This 7th day of June 1966, that the June 3 joint request by the applicants to continue the hearing is granted and the opening of the hearing is put off to July 15, 1966.

Released: June 7, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6480; Filed, June 10, 1966; 8:51 a.m.]

[Docket Nos. 16626-16628; FCC 66M-803]

VALPARAISO BROADCASTING CO. ET AL.

Order Regarding Procedural Dates

In re applications of William H. Wardle, Robert A. Jones, and F. Patrick Nugent, doing business as Valparaiso Broadcasting Co., Valparaiso, Ind., Docket No. 16626, File No. BPH-4147; Porter County Broadcasting Corp., Valparaiso, Ind., Docket No. 16627, File No. BPH-4972; Northwestern Indiana Radio Co., Inc., Valparaiso, Ind., Docket No. 16628, File No. BPH-5045; for construction permits.

The Hearing Examiner having under consideration the schedule of dates for this proceeding;

It appearing, that a schedule was agreed upon by counsel for the parties and the Hearing Examiner at a prehearing conference held on June 6, 1966, and consists of the following:

July 5—Exchange of engineering exhibits.
July 11—Exchange of lay exhibits.
July 13—Notification as to witnesses desired on engineering.
July 15—Notification as to non-engineering witnesses.
July 19—Hearing on engineering portions of case.
July 27—Hearing on lay portions of case.

It further appearing, that the date of hearing currently scheduled is July 13;

It is ordered, This 6th day of June 1966, that the date for commencement of hearing is changed from July 13 to July 19, 1966, and that the foregoing schedule will be observed.

Released: June 7, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6481; Filed, June 10, 1966; 8:51 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4339]

AMERICAN ELECTRIC POWER CO., INC.

Notice of Filing and Order for Hearing Regarding Acquisition by Holding Company of Common Stock of Nonassociate Company

JUNE 2, 1966.

Notice is hereby given that American Electric Power Co., Inc. ("American Electric"), 2 Broadway, New York, N.Y., 10008, a registered holding company, has filed an application with this Commission, pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935 ("Act"), regarding a proposal to purchase, pursuant to tenders, shares of the common stock of Michigan Gas & Electric Co. ("Michigan"), a nonassociate public utility company. All interested persons are referred to said application, which is summarized below, for a complete statement of the proposed transactions.

American Electric has 22 subsidiary companies variously engaged in the generation, transmission, and sale of electric energy or related businesses. The electric utility subsidiary companies comprise an integrated electric utility system, operating in the States of Michigan, Indiana, Ohio, West Virginia, Virginia, Kentucky, and Tennessee, and serving approximately 1,500,000 customers in an area having an estimated population of about 5,600,000 persons. At March 31, 1966, American Electric's consolidated utility plant (principally electric plant), carried at original cost, less related accumulated depreciation and depletion reserves, amounted to $1,635,835,000, and for the 12 months ended that date its consolidated operating revenues amounted to $456,148,000.

Michigan is engaged in the distribution of electricity to 21,400 retail customers in various communities and rural areas in the southwestern part of the State of Michigan, and also is engaged in the distribution, at retail, of natural gas and a small amount of manufactured gas to 28,777 customers in seven counties in that State. During 1965 Michigan purchased approximately 95 percent of its electric energy requirements from Indiana & Michigan Electric Company, a subsidiary company of American Electric, the balance being generated by three company-owned small hydroelectric plants. Michigan's natural gas requirements are purchased from a nonassociate company. At December 31, 1965, Michigan's utility plant, carried at its original cost, less related reserves for depreciation, amounted to $18,798,799. For the calendar year 1965, its gross electric and gas revenues amounted to $4,665,700 and $6,569,037, respectively. Its 1965 net income amounted to $6.07 per share of common stock, and the high and low bid prices for such stock in the over-the-counter market for the period January 1, 1966, through April 30, 1966, were $78 and $75, respectively.

Subject to obtaining the approval of this Commission, American Electric proposes to purchase for cash, at $100 per share, such numbers of the outstanding 204,362 shares of $10 par value common stock of Michigan as may be tendered. The tender offer, unless extended by American Electric, will terminate on June 6, 1966, at 5 p.m., New York time. The tender offer provides, among other things, that if a minimum of 103,000 shares of the stock is tendered, American Electric is obligated to purchase all tendered shares and, if a smaller amount is tendered, American Electric, at its option, may purchase all or none of such tendered shares.

American Electric has selected Kuhn, Loeb & Co. and First of Michigan Corp. as its agents to solicit tenders through dealers, and has agreed to pay the agents 25 cents for each share of Michigan common stock purchased and a fee for advisory and other services. It has also agreed to pay to any member of the National Association of Securities Dealers, Inc. (and certain other dealers), $1.10 for each share purchased accompanied by a transmittal letter bearing the dealer's name.

The application states that all fees, commissions, and expenses (including transfer taxes) incurred in connection with the proposed transactions will be paid by American Electric, in amounts to be supplied by amendment. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the acquisition by American Electric of Michigan's common stock. American Electric also states that as soon as feasible after the acquisition it will cause Michigan to dispose of its gas utility properties, and consents to the requested order of authorization being so conditioned.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to the proposed transactions; and that interested persons be afforded an opportunity to be heard in such hearing with respect to the proposed transactions;

It is ordered, That a hearing be held herein on June 22, 1966, at 10 a.m., at the Office of the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C., 20549. On such date the Hearing Room Clerk will advise as to the room in which the hearing will be held.

It is further ordered, That a Hearing Examiner, hereafter to be designated, shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to this Commission under section 18(c) of the Act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of the application and that, upon the basis thereof, the following matters and questions are pre-

sented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the proposed acquisition of Michigan's common stock by American Electric meets the standards of section 10 of the Act, and particularly the requirements of sections 10(b)(2) and 10(c)(2) thereof.

2. What terms and conditions, if any, the Commission should impose if the proposed acquisition is authorized.

3. Generally, whether the proposed transactions are in all respects compatible with the provisions and standards of the applicable sections of the Act and the Rules and Regulations promulgated thereunder.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this Notice and Order by registered mail to American Electric, Michigan, and the Public Service Commission of Michigan; that notice to all other persons shall be given by publication of this notice and order in the FEDERAL REGISTER; and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to the persons appearing on the mailing list of the Commission for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That any person desiring to participate in the hearing herein may, not later than June 20, 1966, make a request therefor in writing, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon American Electric at the above stated address, and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed contemporaneously with the request.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6444; Filed, June 10, 1966; 8:48 a.m.]

[812-1947]

ELECTRIC BOND & SHARE CO. ET AL.

Notice of Application for Order of Exemption

JUNE 7, 1966.

In the matter of Electric Bond & Share Co., 2 Rector Street, New York, N.Y., 10006; Escambia Chemical Corp., 261 Madison Avenue, New York, N.Y., 10016; and Cast Optics Corp. (a Delaware corporation), 2 Rector Street, New York, N.Y., 10006; (812-1947).

Notice is hereby given that Electric Bond & Share Co. ("Bond & Share"), a New York corporation and a registered closed-end non-diversified management investment company, Escambia Chemical Corp. ("Escambia"), a Delaware corporation which is a substantially wholly owned subsidiary of Bond & Share, and Cast Optics Corp. ("Cast Optics Delaware"), a Delaware corporation which is a newly organized wholly owned subsidiary of Escambia, have filed a joint application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting from the provisions of section 23(a) transactions incident to the consummation of a Plan and Agreement of Reorganization dated January 28, 1966 ("Plan"), among Bond & Share, Escambia, Cast Optics Corp. ("Cast Optics"), a New York corporation, and Cast Optics Delaware.

The Plan provides for the transfer to and acquisition by Cast Optics Delaware of substantially all of the properties and assets, including the business, goodwill and know-how, of Cast Optics (and the assumption by Cast Optics Delaware of certain of Cast Optics' liabilities) in exchange for shares of the common stock of Bond & Share to be delivered to Cast Optics by Escambia, such shares to be delivered initially at the closing and additional shares from time to time thereafter in accordance with and subject to the contingencies specified in the Plan. All interested persons are referred to the application filed with the Commission for a full statement of applicant's representations which are summarized below.

Consummation of the Plan will make Bond & Share the indirect owner of the Cast Optics business and assets through its ownership of Escambia stock and Escambia's ownership of all of Cast Optics Delaware's stock. Therefore, unless they are exempted by the Commission under section 6(c) of the Act, the proposed transactions would be prohibited by section 23(a) of the Act which provides, with certain exceptions not here relevant, that no registered closed-end investment company shall issue any of its securities for services or for property other than cash or securities.

Under section 6(c) of the Act the Commission may grant an exemptive order if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

The proposed acquisition also may involve the sale of common stock of Bond & Share at a price below the current net asset value of such stock within the meaning of section 23(b) of the Act, which, as here pertinent, prohibits such sale except with the consent of a majority of the common stockholders. Bond & Share believes that the value of Cast Optics is in excess of the aggregate net asset value of the common stock to be delivered. However, to make certain that the requirements of section 23(b) are being complied with, Bond & Share will submit the proposed acquisition to its shareholders for their approval or disapproval at the annual meeting to be held on June 22, 1966. If the shareholders do not approve the proposed acquisition by the requisite vote, Bond & Share will not carry out the transaction.

Cast Optics' principal business is the manufacture and sale of cast acrylic sheets, of which the basic raw material is methyl methacrylate monomer. Cast acrylic sheet has unusual physical characteristics, including impact resistance, weatherability, optical clarity and ease of forming and machining. It is used principally for outdoor signs, architectural and lighting purposes, military, industrial, marine and other glazing, and similar uses. In addition to manufacturing a broad line of chemical products, Escambia is now producing methyl methacrylate monomer.

Cast Optics' manufacturing operations, research facilities and executive offices are located in a leased 5-building complex of approximately 145,000 square feet in Hackensack, N.J. There are approximately 45 salaried and 245 hourly employees. Cast Optics' sales increased from approximately $13,000 in 1948 to $495,000 in 1955, $2,095,000 in 1960 and $5,600,000 in 1965.

There are shown below for Cast Optics the net sales, income before unusual and nonrecurring charges, the unusual and non-recurring charges net of related Federal income tax effect, and net income for each of the 5 years ended December 31, 1961, through 1965:

	Net sales	Net income before unusual and non-recurring charges	Unusual and non-recurring charges net of related tax effect	Net income
1961	$2,946,900	$199,000	$105,400	$93,600
1962	3,988,900	192,900	13,700	179,200
1963	4,271,100	209,000	12,400	196,600
1964	5,160,700	277,000	39,700	237,300
1965	5,598,600	360,300	72,500	287,800

If the net amount of nonrecurring charges for 1965 of $72,500 were eliminated, and if other adjustments are made to reflect proposed changes in accounting policies and anticipated reductions of certain expenses, the pro forma net income of Cast Optics for 1965 would be $447,835.

Escambia will deliver to Cast Optics at the closing under the Plan 157,597 shares of Bond & Share common stock, which is a derived figure based upon a negotiated initial payment of $6,000,000. In addition, Escambia will make 5 annual contingent payments in Bond & Share common stock based on future earnings of Cast Optics Delaware and not to exceed in the aggregate approximately $4,500,000 in the then market value of Bond & Share common stock, plus certain adjustments also payable in Bond & Share common stock. In no event may the shares delivered after the closing under the Plan exceed a total of $5,000,000 in market value determined as of the respective dates of delivery.

The contingent stock payments based on future earnings of Cast Optics Delaware will be made on March 1 of each of the years 1967-1971 and the dollar amounts thereof will be determined by applying fixed multipliers to the average cumulative adjusted net after-tax earnings of Cast Optics Delaware in excess of $300,000 during the years 1966-1970. Specifically, a dollar amount is first computed for each year as follows: Average net earnings for years that have elapsed, times the applicable fixed multipliers, times the number of years that have elapsed, divided by 5. From the amount thereby obtained, there is then subtracted the total of the dollar amounts which previously have formed the basis of the delivery of shares to Cast Optics under the formula and, to obtain the number of shares to be delivered on the then current March 1, the remaining dollar amount is divided by the average closing price of Bond & Share common stock on the New York Stock Exchange during the period January 1 through February 15 immediately preceding. The fixed multipliers are:

Five times net earnings from $300,000 to $400,000;
Six times net earnings from $400,000 to $500,000;
Seven times net earnings from $500,000 to $600,000;
Ten times net earnings over $600,000.

Bond & Share will deliver to Escambia from time to time, in exchange for shares of the common stock of Escambia, all shares of the common stock of Bond & Share required by Escambia for delivery to Cast Optics. Bond & Share already has reacquired and now holds in its treasury 390,357⅔ shares of its common stock, which it intends to use to the extent necessary for this purpose. The average cash cost to Bond & Share of these reacquired shares was $32.30 per share.

Cast Optics will retain sufficient assets to pay any unpaid balance of its 1965 and 1966 taxes and its legal and accounting fees incurred in connection with the transfer. Cast Optics Delaware will assume certain other liabilities of Cast Optics. The two principal officers and managers of Cast Optics, Messrs. William E. Chapman and Norman Germanow, have entered into 5-year employment agreements with Cast Optics Delaware which will become effective upon the consummation of the acquisition. The consummation of the Plan is subject to certain conditions, including the issuance by the Commission of the order requested by the application, the issuance by the Internal Revenue Service of satisfactory tax rulings and the shareholder approval mentioned above.

No finders' fee or other commission will be paid by Bond & Share, Escambia or Cast Optics Delaware in connection with the proposed acquisition. Neither Cast Optics nor any of its shareowners is an affiliated person, as defined in the Act, of Bond & Share.

Bond & Share has caused its management advisory subsidiary, EBS Management Consultants, Inc. (EBSMCI), to make an exhaustive study of the Cast Optics situation, the development and growth of the business, Cast Optics' relative position in the market, its financial position, a statistical comparison of it with other plastics companies, the prospects of the Cast Optics business for the future, and the relationship of the proposed acquisition price to current projected earnings of the business. In summary, the EBSMCI study concludes that, evaluated solely on its own merits, Cast Optics is an attractive acquisition under the terms of the Plan.

If the net income of Cast Optics as shown in its income statement for the year ended December 31, 1965, is divided by the 157,597 shares of Bond & Share common stock to be delivered initially under the Plan, a net income of $1.83 per share would result, and if the Cast Optics pro forma net income of $447,835 for such year were used, the net income per share would be $2.84. Bond & Share's corporate net income per share of its common stock for the same period was $1.57. The additional stock payments to be made after the closing under the Plan are dependent upon the earnings of Cast Optics Delaware during the period 1966-1970 and upon the then market value of Bond & Share common stock. If Cast Optics Delaware's average earnings over the 1966-1970 period are $870,000 or more, the maximum contingent payments of $4,500,000 (subject to adjustments) in market value of Bond & Share common stock would be required. If, however, the earnings of Cast Optics Delaware should remain at the approximately $450,000 pro forma level for 1965, the additional payments would amount to $800,000 in market value of Bond & Share common stock.

Notice is further given that any interested person may, not later than June 24, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at each of the addresses stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing thereon shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6445; Filed, June 10, 1966; 8:48 a.m.]

[File No. 14-1]

ELKTON CO.

Order Suspending Trading

JUNE 6, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 1 cent par value, of the Elkton Co. otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 7, 1966, through June 16, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6446; Filed, June 10, 1966; 8:48 a.m.]

[File No. 1-3782]

GREAT AMERICAN INDUSTRIES, INC.

Order Suspending Trading

JUNE 7, 1966.

The common stock, 10 cents par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, $10 par value, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 8, 1966, through June 17, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6447; Filed, June 10, 1966; 8:48 a.m.]

[01-3]

LEACH CORP.

Order Granting Application

JUNE 6, 1966.

Leach Corp., 405 Huntington Drive, San Marino, Calif., has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934 ("Act"), in which it requests an exemp-

tion from the registration requirements

declaring that applicant has ceased to be

by Rule 0-5 of the rules and regulations

proceeding will be redesignated, and Ap-

should be issued as hereinafter ordered

eants continue the acts or operations

tion from the registration requirements of section 12(g) of the Act.

The Commission on May 4, 1966, issued a public notice of the filing of the application, which set forth certain facts and considerations urged by the Company in support of the requested exemption and afforded interested persons an opportunity to request a hearing (see Release 34-7887 for a summary thereof). No such request for hearing having been filed and it appearing to the Commission that a hearing is not necessary or appropriate in the public interest; and

It further appearing to the Commission that by reason of the amount of trading interest in the securities of the Company and the nature and extent of the Company's activities, the granting of such exemption is not inconsistent with the public interest or protection of investors;

It is ordered, That Leach Corp. be and hereby is exempted from the provisions of section 12(g) of the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6448; Filed, June 10, 1966; 8:48 a.m.]

INDUSTRIAL REVENUE BONDS OF PINAL COUNTY DEVELOPMENT ASSOCIATION

Order Suspending Trading

JUNE 7, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5⅞ percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended, this order to be effective for the period June 8, 1966, through June 17, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6449; Filed, June 10, 1966; 8:48 a.m.]

[File No. 811-970]

PINNACLE INVESTMENT CORP.

Amended Notice of Filing of Application

JUNE 6, 1966.

Pinnacle Investment Corp. ("applicant"), Post Office Box 1742, Hickory, N.C., a management closed-end nondiversified investment company, has filed an application pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that applicant has ceased to be an investment company by reason of the exception contained in section 3(c)(1) of the Act.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

The Commission, on June 24, 1964, issued a notice of the filing of said application (Investment Company Act Release No. 3998). The notice, which is incorporated herein by reference, gave any interested person until July 10, 1964, at 5:30 p.m., to submit to the Commission in writing a request for a hearing on the matter, or request that he be notified if the Commission should order a hearing thereon. Further action on said application was deferred pending resolution of matters relating to applicant's indebtedness to the Small Business Administration.

Notice is given that the said notice is hereby amended to state as follows: On March 3, 1966, the Board of Directors of applicant and Hickory Spinners, Inc. ("Hickory"), approved a plan for cancellation of the stock of applicant held by Hickory, distribution of all of applicant's assets to Hickory, assumption of all the applicant's liabilities by Hickory and dissolution of applicant. On March 7, 1966, applicant satisfied and discharged its indebtedness to the Small Business Administration under a certain subordinated debenture in the principal amount of $150,000 and tendered its license as a small business investment company to the Small Business Administration for surrender. On March 10, 1966, the applicant filed Articles of Dissolution with the Secretary of State of the State of North Carolina. Thereafter the above plan of dissolution was consummated and on April 8, 1966, a Certificate of Completed Liquidation was filed with the Secretary of State.

Notice is further given that any interested person may, not later than June 27, 1966, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6450; Filed, June 10, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-10148, etc.]

GULF OIL CORP., ET AL.

Findings and Order

JUNE 3, 1966.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, substituting respondent, making successor co-respondent, redesignating proceedings, requiring filing of agreement and undertaking and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's Statement of General Policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

Skelly Oil Co. (Operator), Applicant in Docket No. CI61-244, proposes to continue the sale of natural gas heretofore authorized in said docket and made pursuant to Cyprus Mines Corp. (Operator) FPC Gas Rate Schedule No. 1. Said rate schedule will be redesignated as that of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI64-8. Accordingly, Applicant will be made a co-respondent in Docket No. RI64-8, the proceeding will be redesignated, and Applicant will be required to file an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding.

Jack Properties, Inc., Applicant in Docket Nos. CI66-985 and CI66-986, seeks permission and approval to abandon the sales of natural gas heretofore authorized in Docket Nos. G-8425 and G-8426, respectively, due to depletion. Said sales were authorized to be made by South Texas Oil & Gas Co. pursuant to its FPC Gas Rate Schedule Nos. 2 and 3, respectively. The presently effective rates under said rate schedules are in effect subject to refund in Docket Nos. G-17344 and G-17426,[1] respectively. Applicant, as successor in interest to South Texas Oil & Gas Co., seeks to be substituted as respondent in the rate proceedings.[2] Accordingly, Applicant will be substituted as respondent and the proceedings will be redesignated.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on June 2, 1966, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-10148, CI61-244, CI64-1325, CI64-1389, CI65-766, CI65-1159, and CI65-1205 should be amended as hereinafter ordered and conditioned.

(6) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to be respective Applicants herein relating to the abandonments hereinafter permitted and approved should be terminated.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Skelly Oil Co. (Operator) should be a co-respondent in the proceeding pending in Docket No. RI64-8, that said proceeding should be redesignated accordingly, and that Skelly Oil Co. (Operator) should be required to file an agreement and undertaking.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Jack Properties, Inc., should be substituted as respondent in the proceedings pending in Docket Nos. G-17344 and G-17426 and that the proceedings should be redesignated accordingly.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's Statement of General Policy 61-1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 7 and 10 in the attached tabulation.

(E) The certificates heretofore issued in Docket Nos. G-10148, CI64-1325, CI64-1389, and CI65-1159 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(F) The authorization granted in Docket No. G-10148, in paragraph (E) above does not relieve Applicant therein from any refund obligation in the rate suspension proceeding in Docket No. RI65-599 insofar as the proceeding pertains to the subject acreage.

(G) The certificates heretofore issued in Docket Nos. CI61-244, CI65-766, and CI65-1205 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(H) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, and as more fully described in the respective applications herein are granted.

(I) Applicant in Docket No. CI66-993 shall make new certificate and rate

[1] Consolidated with Docket No. AR64-2, et al.

[2] Applicant has heretofore submitted surety bonds, which have been accepted for filing, to assure the refund of any amounts collected in excess of the amounts determined to be just and reasonable in Docket Nos. G-17344 and G-17426.

schedule filings with the Commission for any sales of natural gas from the acreage from which sales are herein permitted to be abandoned.

(J) The abandonment herein permitted and approved in Docket No. CI66–972 does not relieve Applicant therein from any refund obligation in the rate suspension proceeding in Docket No. G–17286.

(K) The certificates heretofore issued in Docket Nos. G–6196, G–6197, G–8425, G–8426, G–9814, G–12023, G–12636, G–12645, G–12646, G–12647, G–12653, G–12752, G–16170, CI60–173, and CI63–1190 are terminated.

(L) Jack Properties, Inc., is substituted as respondent in the proceedings pending in Docket Nos. G–17344 and G–17426, the proceedings are redesignated accordingly,[3] and Applicant is not relieved of any refund obligations in said proceedings.

(M) Skelly Oil Co. (Operator) shall be a co-respondent in the proceeding pending in Docket No. RI64–8 and the proceeding is redesignated accordingly.[4]

(N) Within 30 days from the issuance of this order Skelly Oil Co. (Operator) shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI64–8 to assure the refund of any amount collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(O) Skelly Oil Co. (Operator) shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and Skelly's agreement and undertaking filed in Docket No. RI64–8 shall remain in full force and effect until discharged by the Commission.

(P) Within 30 days from the issuance of this order Applicant in Docket No. CI61–244 shall file with the Commission three copies of a list showing the producers from which it purchases gas and the per centum of the resale price to be received by each.

(Q) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
G–10149 D 4–18–66	Gulf Oil Corp. (partial abandonment).	Cities Service Gas Co., Rhodes Pool, Barber County, Kans.	Notice of cancellation 4–15–66.[1 2]	[5] 45	15
CI61–244 E 4–15–66	Skelly Oil Co. (Operator) (successor to Cyprus Mines Corp. (Operator)).	Lone Star Gas Co., Marlow Plant, Stephens County, Okla.	Cyprus Mines Corp. (Operator), FPC GRS No. 1.	221	------
			Supplement Nos. 1–2	221	1–2
			Notice of succession 4–13–66.	------	------
			Letter agreement 9–26–62.[4]	221	3
			Assignment 8–6–65.[5]	221	4
			Effective date: 8–6–65.	------	------
CI64–1325 D 4–4–66	Texaco, Inc. (Operator), et. al.	Lone Star Gas Co., Sho-Vel-Tum Field, Stephens County, Okla.	Amendatory agreement 3–10–66.[2 6]	332	2
CI64–1389 C 4–20–66 [7]	Anadarko Production Co.	Northern Natural Gas Co., Northwest Flats Field, Texas County, Okla.	Agreement 3–21–66.[8]	81	1
CI65–766 E 4–11–66	Irl A. Nichols (successor to GMC Oil & Gas Corp., et al.).	Michigan Wisconsin Pipe Line Co., Richmond Pool, Woodward and Dewey Counties, Okla.	GMC Oil & Gas Corp., et al., FPC GRS No. 2.	2	------
			Supplement No. 1.	2	1
			Notice of succession 3–30–66.	------	------
			Assignment 1–14–66.[9]	2	2
			Effective date: 2–1–66.	------	------
CI65–1159 C 4–4–66 [10]	Tenneco Oil Co., et al.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	Supplemental agreement 1–19–66.	176	4
			Supplemental agreement 3–21–66.[1]	176	5
CI65–1205 E 4–19–66	Union Texas Petroleum, a division of Allied Chemical Corp. (Operator), et al. (successor to Anschutz Oil Co., Inc. (Operator), et al.).	Cities Service Gas Co., Northeast Forest City Field, Barber County, Kans.	Anschutz Oil Co., Inc. (Operator), et al., FPC GRS No. 1.	86	------
			Notice of succession 4–13–66.	------	------
			Conveyance 10–27–65	[5] 86	1
			Effective date: 9–1–65.	------	------
CI66–790 (CI63–1190) B 2–28–66	C. H. Lyons, Sr., et al.	Trunkline Gas Co., West Merryville Field, Beauregard Parish, La.	Notice of cancellation 2–24–66.[1 2]	20	1
CI66–970 A 4–11–66	Blain M. Mead	Pennsylvania Gas Co., Mead and Pleasant Townships, Warren County, Pa.	Contract 3–28–66	1	------
			Letter agreement 4–20–66.[6]	------	------
CI66–972 B 4–8–66 (G–6196)	The British-American Oil Producing Co.	Texas Gas Transmission Corp., South Bayou Mallet Field, Acadia Parish, La.	Notice of cancellation 3–31–66.[1 2]	1	7
(G–9814)	do	Tennessee Gas Transmission Co.,[11] West Rock Island Field, Colorado County, Tex.	Notice of cancellation 3–31–66.[1 2]	[12] 16	3
(G–12023)	do	Mountain Fuel Supply Co., Potter Mountain Field, Sweetwater County, Wyo.	Notice of cancellation 3–31–66.[1 2]	20	3
(G–12646)	do	Champlin Oil & Refining Co.,[13] Munger Field, Oklahoma County, Okla.	Notice of cancellation 3–31–66.[1 2]	[14] 22	2
(G–12647)	do	do.[13]	Notice of cancellation 3–31–66.[1 2]	[14] 23	2
CI66–972 B 4–8–66 (G–12636)	do	do.[13]	Notice of cancellation 3–31–66.[1 2]	[14] 24	2
(G–12645)	do	do.[13]	Notice of cancellation 3–31–66.[1 2]	[14] 25	2
(G–12653)	do	do.[13]	Notice of cancellation 3–31–66.[1 2]	[14] 26	2
(G–12752)	do	Kansas-Nebraska Natural Gas Co., Inc., Walker Field, Logan County, Colo.	Notice of cancellation 3–31–66.[1 2]	27	1
CI66–973 (G–6197) B 4–8–66	do	Socony Mobil Oil Co., Inc. (formerly Magnolia Petroleum Co.), Cameron Field, Cameron Parish, La.	Notice of cancellation 3–31–66.[2 15]	2	2
CI66–981 A 4–12–66 [16]	Southern Minerals Corp.	Texas Eastern Transmission Corp., Gas Plant, Nueces County, Tex.	Contract 9–14–64	5	------
			Letter agreement 9–14–64.[17]	[5] 5	1
CI66–982 A 4–14–66 [7]	Anadarko Production Co.	Northern Natural Gas Co., acreage in Texas County, Okla.	Contract 3–21–66.[8]	119	------

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[3] Docket No. G–17344, Jack Properties, Inc.; Docket No. G–17426, Jack Properties, Inc.

[4] Cyprus Mines Corp. (Operator) and Skelly Oil Co. (Operator).

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
CI66–985 (G–8425) B 4–15–66 [18]	Jack Properties, Inc.	Tennessee Gas Transmission Co.,[11] Morales Field, Jackson County, Tex.	Notice of cancellation 4–13–66.[1 2]	[19] 2	6
CI66–986 (G–8426) B 4–15–66 [18]	do	Tennessee Gas Transmission Co.,[11] Tolson or Nursery Field, Victoria County, Tex.	Notice of cancellation 4–13–66.[1 2]	[19] 3	6
CI66–988 A 4–18–66 [10]	Shell Oil Co.	Panhandle Eastern Pipe Line Co., South Feldman Field, Hemphill County, Tex. and South Bishop Field, Ellis County, Okla.	Contract 1–20–66.	332	------
			Letter agreement 2–18–66.[5]	332	1
CI66–990 A 4–15–66 [7]	Frederic C. and Ferris F. Hamilton, d.b.a. Hamilton Brothers, Ltd.	Northern Natural Gas Co., acreage in Texas County, Okla.	Contract 2–10–66.[8]	22	------
CI66–993 (G–16170) B 4–18–66	W. V. Hardin	United Gas Pipe Line Co., Weesatche Field, Goliad County, Tex.	Notice of cancellation 4–12–66.[2 20]	1	4
CI66–995 A 4–18–66 [10]	Shell Oil Co.	Panhandle Eastern Pipe Line Co., Checkerboard Field, Hemphill County, Tex.	Contract 11–18–65	333	------
			Letter agreement 3–14–66.[6 21]	333	1
CI66–996 A 4–18–66 [7]	Midwest Oil Corp.	Arkansas Louisiana Gas Co., Centraboma Field, Coal County, Okla.	Contract 2–17–66 [22]	38	------
			Contract 10–22–65.[5]	38	1
CI66–997 A 4–18–66 [7]	Olive H. Daube and Carol Daube Sutton, d.b.a. the Daube Co.	Lone Star Gas Co., acreage in Jefferson County, Okla.	Contract 3–21–66.[8]	1	------
CI66–999 (CI60–173) B 4–15–66	Strata Drilling, Inc., (Operator), et al.	Panhandle Eastern Pipe Line Co., Childs Pool, Stafford County, Kans.	Notice of cancellation 4–13–66.[1 2]	1	1
CI66–1001 A 4–20–66 [10]	H. D. Bruns (Operator), et al.	Lone Star Gathering Co., Speary Field Area, Karnes County, Tex.	Ratified 12–22–65.[23]	2	------
			Contract 12–11–62.[5]	2	1

[1] Source of gas depleted.
[2] Effective date: Date of this order.
[3] Rate of 14.0 cents in effect subject to refund in Docket No. RI65–590. Last firm rate is 12.0 cents.
[4] Between Cyprus Mines and Lone Star establishing the attributable reserves.
[5] Assignment of interest from Cyprus Mines Corp. to Skelly Oil Co.
[6] Deletes 40 acres from a total of 60 acres; lease expired because of absence of production and reverted to lessor.
[7] July 1, 1967, moratorium date pursuant to Commission's Statement of General Policy 61–1, as amended.
[8] Effective date: Date of initial delivery (Applicant should advise the Commission as to such date).
[9] Assignment of interest to Applicant from GMC Oil & Gas Corp. and G. M. Close Co., Ltd.
[10] Jan. 1, 1968, moratorium date pursuant to Commission's Statement of General Policy 61–1, as amended.
[11] Now Tennessee Gas Pipeline Co., a division of Tenneco, Inc.
[12] Rate of 15.95016 cents in effect subject to refund in Docket No. G–17286.
[13] Now Champlin Petroleum Co.
[14] "(Operator), et al."
[15] Sales under 1 year contract executed Mar. 17, 1953, and continued until Aug. 15, 1956. Gas presently sold to Michigan Wisconsin Pipe Line Co. under British-American's FPC GRS No. 17.
[16] Certificate application requesting an unauthorized Lo-Vaca type sale where the gas is commingled with gas which is transported out of State of origin.
[17] Eliminates daily quantity after primary term and provides for indefinite take on an interruptible basis based upon buyer's option to take seller's option to sell at time surplus is requested or offered.
[18] Application submitted by Jack Properties, Inc., who is successor to South Texas Oil & Gas Co., the certificate holder in Docket Nos. G–8425 and G–8426.
[19] Rate of 15.11402 cents in effect subject to refund in Docket Nos. G–17344 and G–17426.
[20] Production of gas no longer economically feasible.
[21] B.t.u. adjustment provision made nonoperative until 2 years after date of first delivery.
[22] Ratifies basic contract between Doyle W. Cotton, Jr., seller, and Arkansas Louisiana, buyer, dated Oct. 22, 1965.
[23] Adopts terms of contract dated Dec. 11, 1962, between H. D. Bruns, et al., as seller and Lone Star Gathering Co., buyer.

[F.R. Doc. 66–6370; Filed, June 10, 1966; 8:45 a.m.]

[Project No. 2503]

DUKE POWER CO.

Order Extending Time for Filings and for Hearing

JUNE 3, 1966.

On May 31, 1966, interveners in this proceeding filed a joint motion seeking additional time in which to prepare for the hearing on the Duke Power Co.'s application for license for Project No. 2503, the Keowee Toxaway project, which by our order of May 12, 1966, was scheduled for July 12, 1966. A reply in opposition to motion was filed by Duke Power Co. on June 1, 1966.

The Commission finds: Good cause has been shown for granting an extension of time in this matter, as hereinafter provided.

The Commission orders: The times for the filings and the hearing prescribed by the Commission order issued May 12, 1966, in this matter are changed to conform with the following schedule:

(a) The date of the public hearing in the above-entitled matter, which was originally scheduled for July 12, 1966, is changed to August 16, 1966.

(b) The date by which the Commission staff and all other parties are to file their direct testimony is changed from June 24, 1966, to July 25, 1966.

(c) The date for the filing of motions to strike is changed from July 1, 1966, to August 1, 1966, and the date for the filing of replies to such motions is changed from July 8, 1966, to August 8, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66–6415; Filed, June 10, 1966; 8:45 a.m.]

[Docket No. CP66–391]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

JUNE 6, 1966.

Take notice that on May 26, 1966, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66–391 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of an additional daily contract quantity of 2,200 Mcf of natural gas to Interstate Power Co. (Interstate), an existing customer of Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Interstate has requested an additional daily contract quantity of 2,200 Mcf of gas, commencing October 1, 1966, to meet the increase in the firm requirements of the industrial customers which it serves in Clinton, Iowa. Applicant further states that its existing service agreements with Interstate, on file with the Commission, provide for peak day deliveries of 27,934 Mcf under Rate Schedule CD–1.

The application states that no additional facilities will be required for Applicant to make the proposed sale and delivery.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 1, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6416; Filed, June 10, 1966; 8:45 a.m.]

[Docket No. CP66-393]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

JUNE 6, 1966.

Take notice that on May 31, 1966, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66-393 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of an additional daily contract quantity of 444 Mcf of natural gas to United Cities Co. (United Cities), an existing customer of Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that United Cities has requested an additional Daily Contract Quantity of 444 Mcf of gas commencing December 1, 1966, to meet the firm requirements of the markets which it serves in Vandalia, Ill. The application further states that Applicant's existing service agreements with United Cities, on file with the Commission provide for a Maximum Daily Quantity of 3,200 Mcf under Rate Schedule G-1.

Applicant states that no additional facilities will be required to make the proposed sale and delivery.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 5, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6417; Filed, June 10, 1966; 8:45 a.m.]

[Docket No. CP66-392]

UNITED GAS PIPE LINE CO.

Notice of Application

JUNE 6, 1966.

Take notice that on May 26, 1966, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La., 71102, filed in Docket No. CP66-392 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and for the sale of natural gas to Columbian Carbon Co. (Columbian), Ouachita Parish, La., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct a positive meter station and appurtenant facilities near Milepost 10.0 on Applicant's 18-inch Jackson-Sterlington line located in Sec. 23, T. 19 N., R. 5 E., Ouachita Parish, La.

Applicant states that Columbian is presently operating a research plant in Ouachita Parish, La., and that Applicant has been informed by Columbian that its present supplier, Navarro Gas Production Co., is unable to furnish Columbian's entire natural gas requirements. Accordingly, Applicant proposes to furnish Columbian with a portion of its gas supply in a "take or pay" quantity of 300 Mcf per day. Applicant states that it will sell and deliver to Columbian approximately 328,500 Mcf of gas in the third year of proposed operation.

The total estimated cost of Applicant's proposed facilities is $5,220, which cost will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 1, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6418; Filed, June 10, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 7, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40522—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 152), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in Middle Atlantic and New England territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 27 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1361.

FSA No. 40523—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 153), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in southwestern territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 2 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1403.

FSA No. 40524—*Joint motor-rail rates—Middlewest Motor Freight.* Filed by Middlewest Motor Freight Bureau, agent (No. 369), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middlewest territory; between points in middlewest territory, on the one hand, and points in Central States and southwestern territories, on the other, between points in Central States, middlewest and southwestern territories, on the one hand, and points in Canada, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 69 to Middlewest Motor Freight Bureau, agent, tariff MF-ICC 417.

FSA No. 40525—*Joint motor-rail rates—Middlewest Motor Freight.* Filed by Middlewest Motor Freight Bureau, agent (No. 370), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Central States, middlewest and southwestern territories, on the one hand, and points in Central States and middlewest territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 69 to Middlewest Motor Freight Bureau, agent, tariff MF-ICC 417.

FSA No. 40526—*Joint motor-rail rates—Middlewest Motor Freight.* Filed by Middlewest Motor Freight Bureau, agent (No. 371), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middlewest territory; between points in middlewest territory, on the one hand, and points in Central States and southwestern territories, on the other, between points in Central States, middlewest and southwestern territories, on the one hand, and points in Canada, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 69 to Middlewest Motor Freight Bureau, agent, tariff MF-ICC 417.

FSA No. 40527—*Rice mill feed to points in Florida.* Filed by Southwestern Freight Bureau, agent (No. B-8862), for interested rail carriers. Rates on rice mill feed, in carloads, from points in Arkansas, Louisiana, and Texas, also New Orleans, La., and Memphis, Tenn., to specified points in Florida.

Grounds for relief—Unregulated motortruck competition.

Tariffs—Supplement 60 to Southwestern Freight Bureau, agent, tariff ICC 4539 and supplement 17 to Southern Freight Association, agent, tariff ICC S-423.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6407; Filed, June 10, 1966; 8:45 a.m.]

[Notice 193]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 7, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 1124 (Sub-No. 214 TA), filed June 2, 1966. Applicant: HERRIN TRANSPORTATION COMPANY, 2301 McKinney, Post Office Box 1440, Houston, Tex., 77001. Applicant's representative: O. P. Peck (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A and B explosives*, from U.S. Naval Ammunition Depot near Savanna, Okla., to Bossier City, La., and return, for 180 days. Supporting shipper: Applicant states the application will be supported by the Department of Defense; (MTMTS), Washington, D.C. Send protests to: John C. Redus, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex., 77061.

No. MC 30887 (Sub-No. 145 TA), filed May 31, 1966. Applicant: SHIPLEY TRANSFER, INC., Box 55, 49 Main Street, Reisterstown, Md., 21136. Applicant's representative: W. Wilson Corroum (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Latex*, in bulk, in tank vehicles, from Cheswold, Del., and Austell, Ga., to Fresno and Los Angeles, Calif., for 180 days. Supporting shipper: International Latex Corp., Playtex Park, Dover, Del., 19901. Send protests to: William L. Hughes, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 312 Appraisers' Stores Building, Baltimore, Md., 21202.

No. MC 49304 (Sub-No. 18 TA), filed May 31, 1966. Applicant: BOWMAN TRUCKING COMPANY, INC., Post Office Box 6, Stephens City, Va. Applicant's representative: James L. Bowman (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products* (except open hearth limestone), from points in Stonewall Magisterial District, Frederick County, Va., to points in Delaware, District of Columbia, Maryland, New Jersey (except transportation of such commodities in bulk to points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties, N.J.), North Carolina, Ohio, Pennsylvania, West Virginia, and points in the New York, N.Y., commercial zone as defined by the Commission, for 150 days. Supporting shipper: W. S. Frey Co., Inc., 257 East Market Street, York, Pa., 17403. Attention: John M. Junkin, vice president, sales. Send protests to: Robert D. Caldwell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1220, 12th and Constitution Avenue NW., Washington, D.C., 20423.

No. MC 66562 (Sub-No. 2179 TA), filed May 31, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: Elmer F. Slovacek, 105 West Madison Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between Chicago, Ill., and St. Louis, Mo., as follows: From Chicago, over U.S. Highway 66 or Interstate 55, however marked, to St. Louis, Mo., and return over the same route with authority to render service to and from the intermediate and/or off route points of Elwood, Wilmington, Braidwood, Gardner, Odell, Pontiac, Chenoa, Lexington, Towanda, Bloomington, Atlanta, Springfield, Divernon, Farmersville, and Litchfield, Ill., for 180 days. Supporting shipper: The application is supported by statements from 105 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 78786 (Sub-No. 265 TA), filed May 31, 1966. Applicant: PACIFIC MOTOR TRUCKING COMPANY, 9 Main Street, San Francisco, Calif., 94105. Applicant's representative: R. K. Booth (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, commodities requiring special equipment, class A and B explosives and household goods as defined by the Commission) in both directions, between Southern Pacific Co. Rail Stations in the State of Arizona, on the one hand, and stations on the lines of Southern Pacific Co. and its wholly owned rail subsidiaries (viz. Northwestern Pacific Railroad Co., Holton Interurban Railway Co., and San Diego & Eastern Railway Co.) in the States of California and Oregon, on the other hand, for 150 days. NOTE: Applicant proposes to traverse the State of Nevada for operating convenience only in the proposed operations between Arizona points, on the one hand, and California and Oregon points, on the other hand. Applicant intends to tack the sought authority to the following existing authority held by it: Item 102, Sheet No. 28 of Base Certificate in MC-78786 (El Paso, Texas-Glenbar, Arizona, route). Applicant proposes to interline traffic transported under the subject authority, if granted, with other connecting motor common carriers at the usual gateways (viz. El Paso, Tex.; Phoenix, Yuma, and Tucson, Ariz.; San Diego, Los Angeles, Bakersfield, Fresno, Stockton, San Francisco, Oakland, Sacramento, and Redding, Calif.; and Medford, Klamath Falls, Coos Bay, Roseburg, Eugene, Albany, Salem, and Portland, Oreg.). Supporting shippers: The application is supported by statements from 46 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: William R. Murdoch, District Supervisor, Bureau of Operations and Compliance, Inter-

state Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif., 94102.

No. MC 83539 (Sub-No. 186 TA), filed June 2, 1966. Applicant: C & H TRANSPORTATION CO., INC., Post Office Box 5976, 1935 West Commerce Street, Dallas, Tex., 75222. Applicant's representative: J. P. Welsh, Post Office Box 5976, Dallas, Tex., 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Guard rails*, highway, steel, from Los Angeles, Calif., to points in Texas, for 180 days. Supporting Shipper: Marwais Steel Co., 6466 Gayhart Street, Los Angeles 22, Calif., Mr. Dave Solotoff, transportation manager. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 94265 (Sub-No. 190 TA), filed May 31, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Military Highway, Norfolk, Va., 23502. Applicant's representative: R. Lee Bonney (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Madison, Wis., to Charleston, W. Va., for 180 days. Restriction: Service to Charleston, W. Va., to the delivery of traffic moving in vehicles with shipments destined to North Carolina and/or Virginia destinations. Supporting shipper: Oscar Mayer & Co., 910 Mayer Avenue, Madison, Wis. Send protests to: Robert W. Waldron, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 10–502 Federal Building, Richmond, Va., 23240.

No. MC 103993 (Sub-No. 255 TA), filed May 31, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind., 46515. Applicant's representative: Bill R. Privitt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial movements, from White Marsh, Md., to States East of the Mississippi River—including Louisiana, for 180 days. Supporting shipper: Coastal Trailer Corp., 1310 Chesapeake Avenue, Baltimore, Md., 21226. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 107002 (Sub-No. 313 TA), filed May 31, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss., 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plasticizer*, in bulk, in tank vehicles, from Aberdeen, Miss., to Memphis, Tenn., for 180 days. Supporting shipper: Monroe Manufacturing Co., Aberdeen, Miss. (Mr. Robert S. Allen). Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 108207 (Sub-No. 194 TA), filed June 2, 1966. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex., 75222. Applicant's representative: L. M. Molean (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cured, smoked, and pickled fish*, from Los Angeles, Calif., to New Orleans, La., for 150 days. Supporting shipper: Leo's Quality Foods, 1830–50 West Slauson Avenue, Los Angeles, Calif., 90047. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 109136 (Sub-No. 33 TA), filed May 31, 1966. Applicant: ORIOLE CHEMICAL CARRIERS, INC., 9722 Pulaski Highway, Baltimore, Md., 21220. Applicant's representative: Maxwell A. Howell, 1511 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid caustic potash*, in bulk, in tank vehicles, from the plantsite of Diamond Alkali Co. at Delaware City, Del., to points in New Jersey, Maryland, that part of Pennsylvania on and east of U.S. Highway 220, that part of Virginia on and east of a line beginning at the Virginia-North Carolina State line and extending along U.S. Highway 220 to and including Roanoke, Va., and thence along U.S. Highway 11 to the Virginia-West Virginia State line, that part of New York on, east, south, and west of a line beginning at the New York-Pennsylvania State line and extending along New York Highway 34 to Waverly, N.Y., thence along New York Highway 17 to Binghamton, N.Y., thence along New York Highway 7 to and including Troy, N.Y., thence along U.S. Highway 4 to junction U.S. Highway 9, thence along U.S. Highway 9 to junction U.S. Highway 6, thence along U.S. Highway 6 to the New York-Connecticut State line, and the District of Columbia, with no transportation for compensation on return except as otherwise authorized, for 180 days. Restriction: The operations herein sought may be limited to a transportation service to be performed under continuing contracts with Diamond Alkali Co., Cleveland, Ohio, and the Monsanto Co., St. Louis, Mo. Supporting shipper: Diamond Alkali Co., Union Commerce Building, Cleveland, Ohio, 44115. Send protests to: William L. Hughes, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 312 Appraisers' Stores Building, Baltimore, Md., 21202.

No. MC 115491 (Sub-No. 97 TA), filed May 31, 1966. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Post Office Drawer 67, Auburndale, Fla., 33823. Applicant's representative: George W. Clapp (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods*, (2) *frozen foods in mixed loads with canned goods*, and (3) *frozen foods and/or canned goods in mixed loads with agricultural commodities* as defined in section 203(b)(6) of the Interstate Commerce Act, from points in Copiah, Covington, Hinds, Madison, Rankin, and Union Counties, Miss., to points in Alabama, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Carolina, North Dakota, South Carolina, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Mississippi Federated Cooperatives, Post Office Box 449, Jackson, Miss., 39205. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1621, 51 Southwest 1st Avenue, Miami, Fla., 33130.

No. MC 116045 (Sub-No. 26 TA), filed May 31, 1966. Applicant: NEUMAN TRANSIT CO., INC., Post Office Box 38, East of Rawlins, Rawlins, Wyo. Applicant's representative: John P. Thompson, 450 Capitol Life Building, Denver 3, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitro-carbonitrate*, from Rawlins, Wyo., to Duval Corp. Mineral Park Mine Site, located off-highway approximately 13 miles northwest of Kingman, Ariz., for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo., 63166. Send protests to: Paul A. Naughton, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, D & S Building, 255 North Center Street, Casper, Wyo., 82601.

No. MC 116077 (Sub-No. 201 TA), filed June 3, 1966. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 9527, Houston, Tex., 77023. Applicant's representative: Ben Ditta (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in tank vehicles, having a prior movement by rail, from Jasper, Tex., to Toledo Bend Damsite, Tex., for 180 days. Supporting shipper: Massman-Johnson Construction Co., Mr. L. C. Schlumpberger, project engineer, Post Office Box 728, Jasper, Tex. Send protests to: John C. Redus, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex., 77061.

No. MC 117427 (Sub-No. 54 TA), filed June 2, 1966. Applicant: G. G. PARSONS TRUCKING CO., Post Office Box 1085, North Wilkesboro, N.C., 28659. Applicant's representative: Francis J. Ortman, National Press Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and millwork*, prefinished and unfinished, from Bowling Green and Galax, Va., to points in North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, and Indiana, for 180 days. Supporting shipper: T. W. Sommer Co., 3900 Sibley Memorial Highway, Saint Paul, Minn., 55111. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 119632 (Sub-No. 23 TA), filed June 1, 1966. Applicant: REED LINES, INC., 634 Ralston Avenue, Defiance, Ohio, 43512. Applicant's representatives: George, Greek, and A. Charles Tell, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint*, in drums and cans, and *empty metal drums*, between Harding (Luzerne County), Pa., on the one hand, and, on the other, Lagro and Wabash (Wabash County), Ind., for 180 days. Supporting shipper: The Celotex Corp., 120 North Florida Avenue, Tampa, Fla., 33602. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio, 43604.

No. MC 119890 (Sub-No. 2 TA), filed May 31, 1966. Applicant: CORDIE NAYLOR, Fayette, Mo. Applicant's representative: William Barton, 232A East High Street, Jefferson City, Mo., 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Logs, rough lumber, and wooden pallets*, from points in Sullivan, Adair, Grundy, Knox, Lewis, Livingston, Linn, Shelby, Marion, Macon, Monroe, Chariton, Randolph, Ray, Henry, Benton, Miller, Camden, Maries, Daviess, Caldwell, Ralls, Carroll, Howard, Audrain, Saline, Lafayette, Cooper, Montgomery, Boone, Callaway, Johnson, Pettis, Moniteau, Cole, Osage, and Morgan Counties, Mo., to points in Illinois, Iowa, and Arkansas, for 150 days. Supporting shippers: Clyde P. Janes, New Franklin, Mo.; Sullivan Lumber & Logs, Miami, Mo.; Welch Lumber Co., Huntsville, Mo.; Myers Bros. Lumber Co., Kirksville, Mo.; Marshall Lumber Manufacturing, Fayette, Mo.; Gant Lumber Co., Otterville, Mo.; S. J. Logue, Bucklin, Mo.; St. Clair Sawmill, Ethel, Mo.; Bobby Lightfoot Veneer & Box Co., Slater, Mo. Send protests to: B. J. Schreier, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 125023 (Sub-No. 12 TA), filed June 1, 1966. Applicant: NORMAN A. BAST and GEORGE F. CARTER, a partnership, doing business as SIGMA-4 EXPRESS, Post Office Box 182, Latrobe, Pa., 15650. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and *related advertising material moving therewith*, from Milwaukee, Wis., to Erie, Pa., and *empty malt beverage containers*, on return, for 180 days. Supporting shipper: Carney-Sperry Beer Distributors, Inc., 827 East Seventh Street, Erie, Pa., 16503. Send protests to: Frank L. Calvary, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa., 15222.

No. MC 125533 (Sub-No. 2 TA), filed May 31, 1966. Applicant GEORGE W. KUGLER, INC., 2800 East Waterloo Road, Post Office Box 6064, Ellet Station, Akron, Ohio, 44312. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Truss pipe of concrete or plastic construction*, and accessories, attachments, parts and fittings therefor, from Springfield, Ill., to points in Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: The Kyova Pipe Co., division of Ashland Oil & Refining Co., Springfield, Ill. Send protests to: G. J. Baccei, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 435 Federal Building, Cleveland, Ohio, 44114.

No. MC 126079 (Sub-No. 2 TA) (Correction), filed May 12, 1966, published FEDERAL REGISTER, issue of May 19, 1966, and republished as corrected this issue. Applicant: STOUT CORPORATION, 2240 North Provo Canyon Road, Post Office Box 186, Provo, Utah, 84601. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah, 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fabricated sections of steel storage tanks and field equipment used in the erection thereof:* From Provo, Utah, to points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Washington, and Wyoming, with no transportation for compensation on return except as otherwise authorized, (2) *tools, equipment, and surplus materials and supplies* used in the erection of steel storage tanks: Between points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Utah, Washington, and Wyoming, for 180 days. Supporting shipper: General American Transportation Corp., Orem Plant, Post Office Box 697, Provo, Utah, 84601. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah, 84111. NOTE: The purpose of this republication is to show that applicant seeks to conduct operations as a contract carrier in lieu of as a common carrier as published in previous issue, in error.

No. MC 126291 (Sub-No. 5 TA), filed June 2, 1966. Applicant: QUIRION TRANSPORT, INC., La Guadeloupe, Frontenac County, Quebec, Canada. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toboggans, sleds, sleighs, children's wagons, children's wagon wheels, children's wagon racks, wooden bench and table sets (picnic sets), wooden chairs, wooden stools, wooden tables, and children's shovels*, from ports of entry on the United States-Canada boundary line located at or near Jackman and Coburn Gore, Maine, Derby Line, Norton Mills and Highgate Springs, Vt., and Rouses Point, N.Y., to points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and Maine, for 180 days. Supporting shipper: Torpedo, Ltd., Lac Megantic, Quebec, Canada. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 14 Parkhurst Street, Lebanon, N.H., 03766.

No. MC 126928 (Sub-No. 2 TA), filed June 2, 1966. Applicant: HOWARD RASMUSEN, doing business as RASMUSEN TRUCK SERVICE, 121 North Oak Street, Alexandria, Minn., 56308. Applicant's representative: Robert H. Pappenfus, Alexandria, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from La Crosse, Wis., to Alexandria and Sauk Centre, Minn., and *empty malt beverage containers*, on return, for 150 days. Supporting shippers: Peterson Beverage Co., Alexandria, Minn.; Schneider Beverage Co., Sauk Centre, Minn. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 127856 (Sub-No. 1 TA), filed June 2, 1966. Applicant: JACK BLOSS TRUCKING, INC., Route No. 2, Salem, Wis., 53168. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand and gravel*, from the town of Antioch, Lake County, Ill., to Kenosha, Wis., for 180 days. Supporting shipper: Kenosha Materials, Inc., 919 50th Street, Kenosha, Wis., 53140, Mr. Curt Swigart, manager. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 128164 (Sub-No. 2 TA), filed June 2, 1966. Applicant: BUEL I. LOWDER, 2710 Highway 96 East, Pueblo, Colo., 81001. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives,

household goods, and commodities injurious or contaminating to other lading), between Pueblo, Colo., and Scott City, Kans., over Colorado and Kansas Highways 96, serving all intermediate points, for 180 days. Supporting shipper: The application is supported by statements from 43 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: District Supervisor Ruoff, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo., 80202.

No. MC 128246 (Sub-No. 1 TA), filed May 31, 1966. Applicant: JOE E. WEAVER, doing business as R & J TRANSPORT CO., 5133 South Maywood Avenue, Maywood, Calif., 90270. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass figures and displays*, from Venice and Alpine, Calif., to all points in the continental United States outside the State of California, and *return of damaged or rejected articles of fiberglass*, for 150 days. Supporting shippers: International Fiberglass Co., 4054 Glencoe Avenue, Venice, Calif., 90293; the Fiberglass Menagerie Co., Post Office Box 187, Alpine, Calif., 92001. Send protests to: W. J. Huetig, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 128259 (Sub-No. 1 TA), filed May 31, 1966. Applicant: FLOYD E. STOCK, Rural Route Delivery, Waterflow, N. Mex., 87421. Applicant's representative: Jack M. Morgan, Post Office Box 1612, Farmington, N. Mex., 87401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metals*, from points in San Juan County, N. Mex., to Phoenix, Ariz.; Vinton, Tex.; and Denver and Pueblo, Colo., for 180 days. Supporting shippers: Farmington Iron & Metal Co., T. L. Weems doing business as, Herrera Road, Farmington, N. Mex., 87401; L. L. Ripley, 1110 South Bowen Avenue, Farmington, N. Mex., 87401. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse Building, Albuquerque, N. Mex., 87101.

No. MC 128262 TA, filed May 31, 1966. Applicant: F & G TRUCKING COMPANY, INC., Rural Route No. 3, Fort Wayne, Ind. Applicant's representative: Thomas R. Chapman, 1700 Lincoln Bank Tower, Fort Wayne, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic malt beverages*, from Fort Wayne, Ind., to Elk Grove, Chicago Heights, and Elmhurst, Ill., for 180 days. Supporting shipper: Falstaff Brewing Corp., 1025 Grant, Fort Wayne, Ind. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 128263 TA, filed May 31, 1966. Applicant: DON TRIPP TRUCKING, Box 38, Lolo, Mont., 59847. Applicant's representative: Robert P. Ryan, 805 Midland Bank Building, Billings, Mont., 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: from points in Montana west of the Continental Divide, and from points in Glacier County, Mont., to points in Minnesota, Iowa, Douglas County, Nebr., Lake and Porter Counties, Ind., Jo Daviess, Stephenson, Carroll, Winnebago, Boone, McHenry, Lake, Ogle, De Kalb, Kane, Du Page, Cook, Will, Kendall, Grundy, La Salle, Lee, Bureau, Whiteside, Rock Island, and Henry Counties, Ill., Douglas, Burnett, Washburn, Barron, Polk, Chippewa, Dunn, St. Croix, Pierce, Pepin, Waushara, Marquette, Green Lake, Columbia, Outagamie, Winnebago, Sheboygan, Fond Du Lac, Dodge, Jefferson, Milwaukee, Walworth, Dane, Green, Eau Claire, Buffalo, Trempealeau, Jackson, La Crosse, Monroe, Juneau, Adams, Sauk, Richland, Vernon, Crawford, Grant, Iowa, Lafayette, Brown, Kewaunee, Manitowoc, Calumet, Washington, Ozaukee, Waukesha, Racine, Kenosha, and Rock Counties, Wis.; upon return, applicant proposes to transport *prepared roofing and prepared roofing rolls, building and roofing felt paper, asbestos felt roofing paper, asbestos and asphalt shingles and siding, roofing cement, roofing nails, and roof coatings*, from Minneapolis and St. Paul, Minn., to points in Montana, for 180 days. Supporting shippers: Montana Lumber Sales, Inc., Post Office Box 785, Missoula, Mont., 59801; Prentice Lumber Co., Inc., Post Office Box 59, Missoula, Mont., 59801; Lyman Lumber Co., Excelsior, Minn., 55331; Midway-Platt Co., 630 North Prior Avenue, St. Paul, Minn., 55104; Del Conner Lumber, Inc., Darby, Mont., 59829; The Ruberoid Co., South Bound Brook, N.J., 08880; The B. F. Nelson Manufacturing Co., 401 Main Street NE., Minneapolis, Minn., 55413. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, U.S. Post Office Building, Billings, Mont., 59101.

No. MC 128264 TA, filed June 1, 1966. Applicant: 4–A AIR FREIGHT CORPORATION, 5628 North Elston Avenue, Chicago, Ill. Applicant's representative: Frank J. McLoraine, 77 West Washington Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* having prior or subsequent movement by air, between Chicago, Ill., and points in Champaign County, Ill., for 180 days. Supporting shipper: F. J. Wilkerson, manager of materials, the Magnavox Co., Urbana, Ill. Send protests to: Andrew J. Montgomery, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 219 South Dearborn Street, Room 1086, U.S. Courthouse and Federal Office Building, Chicago, Ill., 60604.

No. MC 128271 TA, filed June 2, 1966. Applicant: JAMES W. BENOTTI, Highland Street, Wilton, N.H., 03086. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone*, from Lyndeboro, N.H., to points in Maine, Massachusetts, Rhode Island, Connecticut, New York, and New Jersey; and *crude rock*, from North Berwick, Maine, and Malden, Mass., to Lyndeboro, N.H., for 120 days. Supporting shipper: North Country Aggregates, Inc., Box 55, South Lyndeboro, N.H., 03082. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 14 Parkhurst Street, Lebanon, N.H., 03766.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–6408; Filed, June 10, 1966; 8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 8, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40528—Chlorine to Little Texas, La. Filed by Southwestern Freight Bureau, agent (No. B–8856), for interested rail carriers. Rates on chlorine, in tank carloads, from McIntosh, Ala., to Little Texas, La.

Grounds for relief—Market competition.

Tariff—Supplement 131 to Southwestern Freight Bureau, agent, tariff ICC 4469.

FSA No. 40529—Beet or cane sugar to Milwaukee, Wis. Filed by Trans-Continental Freight Bureau, agent (No. 431), for interested rail carriers. Rates on beet or cane sugar, in bulk, in covered hopper cars, in carloads, from points in California, to Milwaukee, Wis.

Grounds for relief—Market competition and rate relationship.

Tariff—Supplement 13 to Trans-Continental Freight Bureau, agent, tariff ICC 1738.

FSA No. 40530—Cooked cereal food preparations within official territory. Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2846), for interested rail carriers. Rates on cooked cereal food preparations, with or without other ingredients (prepared cereals ready for human consumption without further cooking), in carloads, from, to and between points in official (including, Illinois) territory.

Grounds for relief—Grouping and rate relationship.

Tariffs—Supplement 111 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C–375, and other schedules named in the application.

FSA No. 40531—Chlorine to Bogalusa, La. Filed by O. W. South, Jr., agent (No. A4899), for interested rail carriers. Rates on chlorine, in tank carloads, from McIntosh, Ala., to Bogalusa, La.

Grounds for relief—Market competition.

Tariff—Supplement 25 to Southern Freight Association, agent, tariff ICC S–600.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–6458; Filed, June 10, 1966; 8:49 a.m.]

[Notice 1362]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 8, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68650. By order of May 31, 1966, the Transfer Board on reconsideration, approved the transfer to Chadco Express, Inc., Malden, Mass., of a portion of the operating rights in the Certificate in No. MC–8022 (Sub-No. 1), issued April 16, 1963, to M. Korson & Co., Inc., Belmont, Mass., authorizing the transportation of: Household goods, over irregular routes, between Malden, Mass., on the one hand, and, on the other, points in Maine, Massachusetts, New Hampshire, New York, Connecticut, Pennsylvania, and Rhode Island except those in Providence County, R.I., on and east of Rhode Island Highway 5, between Malden, Mass., on the one hand, and, on the other, points in Vermont; and new furniture, over irregular routes, from Melrose, Mass., to points in Maine, Rhode Island, and Connecticut and points in a specified area in New Hampshire.

George C. O'Brien, 33 Broad Street, Boston, Mass., attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–6460; Filed, June 10, 1966; 8:49 a.m.]

TARIFF COMMISSION

[TC Publication 176; APTA–W–2]

CERTAIN GENERAL MOTORS CORP. EMPLOYEES

Report to the President on Petition for Adjustment Assistance

JUNE 8, 1966.

The Tariff Commission today reported to the President the results of its investigation No. APTA–W–2, conducted under section 302(e) of the Automotive Products Trade Act of 1965. The Commission's report was submitted to the President through the Automotive Agreement Adjustment Assistance Board.

The investigation was instituted upon receipt of a request on April 19, 1966, from the Automotive Assistance Committee of the Board. The Committee's request resulted from a petition for adjustment assistance filed with the Board by the International Union, United Auto Workers, on behalf of Local 1231, a group of workers employed by the General Motors Corp. at Fisher Body Plant No. 2 in Grand Rapids, Mich. The petition alleged that 1,100 workers were unemployed as a result of a decision of the General Motors Corp. to transfer the production of interior soft trim for the Chevy II and Chevelle series from the Grand Rapids plant to a new plant near Windsor, Ontario, and that the operation of the U.S.-Canadian automotive agreement was the primary factor causing such unemployment.

The Commission's entire report cannot be made public since much of the data it contains was received in confidence. Sections of the report that can be made public are reproduced below. In addition to the material printed below, the report contained extensive information concerning changes in employment at the Grand Rapids plant and the factors causing those changes.

Description of the automotive product concerned. Soft trim is the term used to describe collectively a variety of motor vehicle components, some of which are used as interior furnishings and some as exterior coverings (such as convertible tops). The articles are manufactured largely from nonrigid materials such as textiles, leather, plastic-coated fabric, and stiff paperboard. The motor-vehicle components ordinarily regarded as soft trim include the following: Front and rear door trim pads; rear quarter trim pads; headlinings; sunshades; center pillar trim; trunk linings; shelf compartments; upholstery for seat cushions, seat backs, and head, arm and footrests; cowl trim panels; convertible tops (and associated fabric components, such as back curtains and dust boots); spare tire covers; and vinyl tops (hardtop fabric).

The production of automotive soft trim involves two basic manufacturing operations: (1) Cutting, shaping, or otherwise forming the various materials, and (2) assembling the pieces of material into trim components by sewing, glueing, heat bonding, or other means.

Statistical data pertinent to determinations under sections 302(b) (2) and (3). The Tariff Commission obtained data representative of U.S. production, U.S. imports from Canada, U.S. exports to Canada, and Canadian production of soft trim for use as original equipment in the assembly of motor vehicles (table 1). These data indicate that U.S. production of soft trim has been substantially larger in recent months than in corresponding months of the 1964 model year. Similarly, U.S. imports of soft trim from Canada, U.S. exports of soft trim to Canada, and Canadian production of soft trim in recent months have all been appreciably larger than in the corresponding months of the 1964 model year. This growth in production and trade in soft trim has been generally evident during the past 5 model years.

The Tariff Commission requested the major U.S. and Canadian motor vehicle producers[1] to furnish information on their use of soft trim in the assembly of motor vehicles, and to distinguish between the soft trim obtained in the United States and that obtained in Canada. The data were reported on a value basis; no satisfactory direct measure of quantity could be devised because of the great variety of items which fall under the definition of soft trim. From these data, the Commission compiled the statistics presented in table 1.

Several companies found it necessary to estimate the data reported. No satisfactory indication of the degree of error embodied in these estimates is available. The trends shown by the statistics, however, are so strongly upward that even substantial errors in the estimates reported would be unlikely to reverse them.

By direction of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[1] U.S. and Canadian companies that produce only a relatively small number of motor vehicles were not requested to supply information; data respecting the use of soft trim by these companies could not affect the trends shown by the compiled data to a meaningful extent.

TABLE 1.—U.S. PRODUCTION, U.S. IMPORTS FROM CANADA, U.S. EXPORTS TO CANADA AND CANADIAN PRODUCTION OF SOFT TRIM FOR USE AS ORIGINAL EQUIPMENT IN THE ASSEMBLY OF MOTOR VEHICLES, MODEL YEARS [1] 1961–65, AND MONTHLY, DECEMBER 1963–MARCH 1964, AND DECEMBER 1965–MARCH 1966

[Value 1,000 U.S. dollars]

Period	U.S. production	U.S. imports from Canada [2]	U.S. exports to Canada	Canadian production
Model years: [1]				
1961	287,680	.....	276	14,241
1962	354,470	.....	[redacted]	16,866
1963	403,277	.....	1,502	21,626
1964	459,665	.....	1,379	26,490
1965	589,666	.....	1,722	29,576
December 1963–March 1964:				
December	43,997	.....	134	2,614
January	43,718	.....	126	2,872
February	37,618	.....	110	2,598
March	40,755	.....	132	2,538
December 1965–March 1966:				
December	55,034	.....	547	6,911
January	50,821	.....	663	5,909
February	47,860	.....	637	5,885
March	55,239	.....	667	6,866

[1] The model year begins about Aug. 1 of the year preceding that shown, and ends about July 31 of the year shown.

[2] Data on U.S. imports from Canada of soft trim cannot be made public without revealing the operations of individual concerns.

Source: Compiled by the U.S. Tariff Commission from data supplied by 8 motor vehicle producers.

Note.—The data reported by several companies were estimated. No indication of the probable error is available.

[F.R. Doc. 66-6451; Filed, June 10, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

	Page
EXECUTIVE ORDERS:	
11224 (superseded by EO 11285)	8211
11285	8211

5 CFR

	Page
213	7733, 7734, 7959, 8175
550	7881

7 CFR

	Page
15	8175
26	8113
28	7734
354	8113
401	8175
701	7735, 7814
728	7814
778	7997
811	7999
845	7815
893	7816
905	8114
908	7961, 8230
910	7962, 8045, 8231
911	7962, 8231
916	8176, 8177
917	7963, 8114, 8177, 8231, 8232
918	7735
944	8000
970	8178
1038	8115
1039	8116
1074	8000
1099	7963
1421	7964, 8000, 8003
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
905	7971
915	8181
994	8021
1001	7911, 8242
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131
1015	7911, 8242
1016	7911
1031	7831
1032	7831
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
97	8020

10 CFR

	Page
36	7959
40	7959

12 CFR

	Page
1	8060
204	8060
563	8004
571	8004

14 CFR

	Page
39	7735, 7881, 7882, 8045, 8046
71	7736, 7827, 8046, 8047, 8117, 8178, 8179
73	7736, 7827, 7882
75	7736, 7827, 8047
97	7883, 7893, 8010, 8048, 8118, 8217
PROPOSED RULES:	
21	8075
47	8077
71	7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242.
73	7977
75	7762, 8242
91	8026
93	8078

15 CFR

	Page
230	7737, 7819, 7968
372	8213
373	8213
374	8213
375	8213
376	8213
377	8213
379	8213
382	8213
385	8213
PROPOSED RULES:	
9	7833

16 CFR

	Page
13	7960, 7961, 8058–8060
15	7737, 7806, 8233
PROPOSED RULES:	
45	7757
57	8243
192	8244

17 CFR

	Page
211	7821
230	7738
239	7738
240	7740
250	8233
276	7821
PROPOSED RULES:	
270	7913

18 CFR

	Page
101	7897
141	7897
201	7897
260	7897

20 CFR

	Page
602	7966
PROPOSED RULES:	
405	7864

21 CFR

	Page
8	8216
120	7741
121	8008, 8009
130	8009

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
200	7743
221	7743

25 CFR

	Page
41	7744
42	7745

26 CFR

	Page
1	7789

31 CFR

	Page
128	8179
202	7899, 8234
203	7899, 8234
500	7745, 7899

32 CFR

	Page
1	7807
3	7807
4	7810
7	7811
8	7812
16	7814
30	7814
273	8007
502	7966
1250	8061

32A CFR

	Page
OIA (Ch. X):	
OI REG. 1	7745

33 CFR

	Page
203	7827
204	8129
208	7751
401	8062

36 CFR

	Page
221	8180
251	7899
261	7902

38 CFR

	Page
17	8064

39 CFR

	Page
13	7752
22	7752
25	7752
27	8234
41	8234
43	7752, 8235
46	8235
51	8236
52	8236
53	8236
55	8236
56	8236
58	8237
61	8237

41 CFR

	Page
1–3	8116
4–1	7819
4–6	7819
4–50	7902
8–1	7820
8–2	7820
9–12	8237
101–15	7752
101–17	8117

42 CFR

	Page
57	7755
76	7902

43 CFR

	Page
3120	7806
PUBLIC LAND ORDERS:	
662 (revoked by PLO 4035)	8240
829 (revoked in part by PLO 4028)	8238
1775 (revoked in part by PLO 4027)	8238
4023	7969
4024	7969
4025	7969
4026	8238
4027	8238
4028	8238
4029	8238
4030	8239
4031	8239
4032	8239
4034	8240
4035	8240
4036	8240
4037	8241
4038	8241
PROPOSED RULES:	
3130	8181
3140	8181
3150	8181
3160	8181
3180	8181

45 CFR

	Page
801	7755

46 CFR

	Page
202	8065
308	7970

47 CFR	Page
18	7821
21	7822
73	7904, 8067, 8069–8073
74	7822
91	7822
PROPOSED RULES:	
1	7837
21	7837
23	7837
73	7837, 7838, 8079–8081, 8132
74	7837, 8026
81	7837
87	7837
89	7837
91	7837
93	7837
95	7837
97	7837
49 CFR	
95	7806, 8064
PROPOSED RULES:	
31	8244
170	7841
193	7911
50 CFR	
32	7909, 8065
33	7756, 7910, 7970
PROPOSED RULES:	
401	8130

ROOM

DETROIT PUBLIC LIBRARY SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 1 6 1966

ROOM

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 114

Tuesday, June 14, 1966 • Washington, D.C.

Pages 8273–8331

Agencies in this issue—

The President
Air Force Department
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Commodity Credit Corporation
Consumer and Marketing Service
Employment Security Bureau
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Power Commission
Federal Reserve System
Interstate Commerce Commission
Labor Department
Land Management Bureau
Maritime Administration
Securities and Exchange Commission
Treasury Department
Veterans Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

114

Subscriptions Now Being Accepted

SLIP LAWS

89th Congress, 2d Session
1966

Separate prints of Public Laws, published immediately after enactment, with marginal annotations and legislative history references.

Subscription Price:

$12.00 per Session

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION

Flag Day and National Flag Week, 1966 ---- 8277

EXECUTIVE ORDER

Designating the Department of Commerce as the Department through which the United States shall participate in the Inter-American Cultural and Trade Center in Dade County, Florida ---- 8279

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT

See Commodity Credit Corporation; Consumer and Marketing Service.

AIR FORCE DEPARTMENT

Rules and Regulations

Procurement by negotiation; letter contract; correction ---- 8311

ARMY DEPARTMENT

See Engineers Corps.

CIVIL AERONAUTICS BOARD

Notices

Air Transport Association of America; agreements regarding containerized shipments; order ---- 8315

CIVIL SERVICE COMMISSION

Rules and Regulations

Excepted service; National Foundation on Arts and Humanities ---- 8281

COAST GUARD

Rules and Regulations

Shipping; dangerous cargoes; miscellaneous amendments ---- 8295

COMMERCE DEPARTMENT

See Maritime Administration.

COMMODITY CREDIT CORPORATION

Rules and Regulations

Grain sorghum loan and purchase program, 1966 and subsequent crops; correction ---- 8306

Notices

Jute bagging and bale ties used in wrapping cotton; specifications ---- 8314

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Lemons grown in California and Arizona; handling limitation ---- 8303

Plums grown in California; grades and sizes (6 documents) ---- 8303–8306

DEFENSE DEPARTMENT

See Air Force Department; Engineers Corps.

EMPLOYMENT SECURITY BUREAU

Rules and Regulations

Policies of U.S. Employment Service; miscellaneous amendments ---- 8281

ENGINEERS CORPS

Rules and Regulations

Bridges; South River, Md., et al ---- 8312

FEDERAL AVIATION AGENCY

Rules and Regulations

IFR altitudes; miscellaneous amendments ---- 8281

Standard instrument approach procedures; miscellaneous amendments ---- 8285

FEDERAL COMMUNICATIONS COMMISSION

Notices

Canadian broadcast stations; changes, proposed changes, and corrections in assignments ---- 8319

Hearings, etc.:

Bay Broadcasting Co. (2 documents) ---- 8318, 8319

Cascade Broadcasting Co. and Sunset Broadcasting Co. (KNDX–FM) ---- 8319

Santa Rosa Broadcasting Co., Inc. ---- 8319

WTCN Television, Inc. (WTCN–TV) et al ---- 8321

FEDERAL POWER COMMISSION

Notices

Northern Indiana Public Service Co.; application ---- 8322

FEDERAL RESERVE SYSTEM

Notices

Central Wisconsin Bankshares, Inc.; order denying petition for reconsideration and hearing ---- 8324

INTERIOR DEPARTMENT

See Land Management Bureau.

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Commercial zones; Davenport, Iowa-Rock Island and Moline, Ill ---- 8312

Notices

Fourth section application for relief ---- 8324

Motor carrier:

Temporary authority applications ---- 8324

Transfer proceedings (2 documents) ---- 8328, 8329

LABOR DEPARTMENT

See also Employment Security Bureau.

Rules and Regulations

Ethics and conduct of employees ---- 8306

LAND MANAGEMENT BUREAU

Rules and Regulations

Idaho; public land order withdrawing land for national forest administrative site and campgrounds ---- 8293

Notices

Alaska; withdrawal and reservation of lands ---- 8314

MARITIME ADMINISTRATION

Notices

Moore-McCormack Lines, Inc.; notice of application regarding the vessel "SS Robin Mowbray" ---- 8315

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:

Northeast Utilities Service Co. et al ---- 8322

Towne Mines Corp. and Compania Metalurgica Mexiciana ---- 8323

TREASURY DEPARTMENT

See also Coast Guard.

Notices

Termination of authority to qualify as surety or reinsurer on Federal bonds:

Provident Insurance Company of New York ---- 8314

Royal Exchange Assurance ---- 8314

VETERANS ADMINISTRATION

Rules and Regulations

Vocational rehabilitation and education; miscellaneous amendments ---- 8292

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATION:
3728 8277
EXECUTIVE ORDER:
11286 8279

5 CFR

213 8281

7 CFR

910 8303
917 (6 documents) 8303–8306
1421 8306

14 CFR

95 8281
97 8285

20 CFR

604 8281

29 CFR

0 8306

32 CFR

1003 8311

33 CFR

203 8312

38 CFR

21 8292

43 CFR

PUBLIC LAND ORDERS:
4033 8293

46 CFR

146 8295

49 CFR

170 8312

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3728

FLAG DAY AND NATIONAL FLAG WEEK, 1966

By the President of the United States of America

A Proclamation

On June 14, 1777, the Continental Congress adopted as the flag of the United States a banner of 13 stripes of alternating red and white, and 13 white stars on a blue field.

That banner was the symbol of a new nation with an intense love of freedom and a belief in the worth and dignity of the individual.

The design of our flag has changed from time to time to reflect the growth and expansion of our Nation—but the meaning behind the flag has not changed.

The American flag still stands for a Nation dedicated to the principles of liberty, justice, and equality under law.

It still symbolizes the heroism and sacrifice of Americans in defense of those principles.

It still symbolizes hope and promise to the oppressed peoples of the world.

The day on which our flag was adopted has a special significance for all of us. For this reason the Congress, by the Joint Resolution of August 3, 1949 (63 Stat. 492), designated June 14 of each year as Flag Day and requested the President to issue a proclamation calling for its observance. In order to further extend the opportunities of all Americans to observe and honor this historic occasion, the Congress by a joint resolution of June 9, 1966, has requested the President to issue annually a proclamation designating the week in which June 14 occurs as National Flag Week, and calling upon all citizens to display the Flag of the United States on those days.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning June 12, 1966, as National Flag Week.

I direct the appropriate Government officials to display the Flag of the United States on all Government buildings during that week; and I request the people of the United States to observe Flag Day and National Flag Week by flying the Stars and Stripes at their homes and other suitable places.

Let us remind ourselves on Flag Day and throughout National Flag Week that the rights and freedoms which we have so long enjoyed under our national flag must be nourished and protected. Let us resolve always to conduct ourselves, at home and abroad, in keeping with the lofty principles for which our flag stands—to the end that freedom and understanding will be encouraged among all people and all nations of the world.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this ninth day of June in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

[F.R. Doc. 66-6535; Filed, June 10, 1966; 2:24 p.m.]

Executive Order 11286

DESIGNATING THE DEPARTMENT OF COMMERCE AS THE DEPARTMENT THROUGH WHICH THE UNITED STATES SHALL PARTICIPATE IN THE INTER-AMERICAN CULTURAL AND TRADE CENTER IN DADE COUNTY, FLORIDA

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code and in conformity with the first section of the Act of February 19, 1966 (80 Stat. 5; Public Law 89-355), I hereby designate the Department of Commerce as the Department through which the United States shall, under that Act, participate in the Inter-American Cultural and Trade Center (Interama) in Dade County, Florida. In carrying out that function, the Department is authorized to exercise the authority vested in me by the first section of the Act of February 19, 1966.

LYNDON B. JOHNSON

THE WHITE HOUSE,
June 10, 1966.

[F.R. Doc. 66-6539; Filed, June 10, 1966; 3:04 p.m.]

Rules and Regulations

Title 20—EMPLOYEES' BENEFITS

Chapter V—Bureau of Employment Security, Department of Labor

PART 604—POLICIES OF U.S. EMPLOYMENT SERVICE

Miscellaneous Amendments

Pursuant to authority in section 12 of the Wagner-Peyser Act (29 U.S.C. 49k) and Reorganization Plan No. 2 of 1949 (3 CFR, 1949–53 Comp., p. 998), I hereby amend 20 CFR Part 604 as set forth below.

As these amendments provide only general statements of policy, notice of proposed rule making, public participation in their adoption, and delay in effective date are exempted from the requirements of section 4 of the Administrative Procedure Act (5 U.S.C. 1003). I do not believe such procedures will serve a useful purpose here. Accordingly, the amendments shall become effective immediately.

1. Paragraph (b) of § 604.1 is amended to read as follows:

§ 604.1 The placement process.

It is the policy of the U.S. Employment Service:

* * * * *

(b) To obtain from an applicant only that information which is necessary to determine his qualifications for employment and facilitate his placement on a job, and such additional information as the Secretary may require.

* * * * *

2. Paragraph (d) of § 604.8 is amended to read as follows:

§ 604.8 Service to minority groups.

It is the policy of the U.S. Employment Service:

* * * * *

(d) To identify the race, color, and national origin of an applicant on office records to the extent determined by the Secretary as needed to evaluate the adequacy of services.

* * * * *

3. A new paragraph (c) is added to § 604.17 to read as follows:

§ 604.17 Older workers.

It is the policy of the U.S. Employment Service:

* * * * *

(c) To identify the age of an applicant on office records to the extent determined by the Secretary as needed to evaluate the adequacy of services.

4. A new paragraph (e) is added to § 604.20 to read as follows:

§ 604.20 Service to women.

It is the policy of the U.S. Employment Service:

* * * * *

(e) To identify the sex of an applicant on office records to the extent determined by the Secretary to be needed to evaluate the adequacy of services.

(48 Stat. 117, as amended; 29 U.S.C. 49k)

Signed at Washington, D.C., this 3d day of June 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66-6490; Filed, June 13, 1966; 8:45 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

National Foundation on the Arts and the Humanities

Section 213.3182 is amended to show that eight positions in the National Endowment for the Humanities are excepted under Schedule A until December 31, 1967. Effective on publication in the FEDERAL REGISTER, subparagraphs (2) through (9) are added to paragraph (b) of § 213.3182 as set out below.

§ 213.3182 National Foundation on the Arts and the Humanities.

* * * * *

(b) *National Endowment for the Humanities.* * * *

(2) Director, Division of Educational Programs and Special Projects.
(3) Director of Planning and Analysis.
(4) Director, Division of Fellowships and Stipends.
(5) Director, Division of Research and Publications.
(6) Special Assistant to the Chairman.
(7) Program Officer, Division of Educational Programs and Special Projects.
(8) Program Officer, Division of Fellowships and Stipends.
(9) Program Officer, Division of Research and Publications.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6519; Filed, June 13, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7425; Amdt. 95-142]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 (New) of the Federal Aviation Regulations is amended, effective July 21, 1966, as follows:

1. By amending Subpart C as follows:

From, to, and MEA

Section 95.1001 *Direct routes—United States* is amended to delete:

Danville INT, Ala.; Huntsville, Ala., VOR; *2,900. *2,400—MOCA.
Enterprise, Ala., LF/RBN; Rutledge INT, Ala.; 2,100.
Todd INT, La.; Neptune INT, La.; *5,000. *4,000—MOCA.
Brookwood, Ala., VOR; Bessemer INT, Ala.; *2,800. *2,000—MOCA.
Dyersburg, Tenn., VOR; INT, 061° M rad, Memphis VOR and 181° M rad, Dyersburg VOR; *2,000. *1,800—MOCA.
Gulfport, Miss., VOR; Mouse INT, Miss.; *1,600. *1,500—MOCA.
Mouse INT, Miss.; Wiggins INT, Miss.; 2,500.
Hartselle INT, Ala.; Huntsville, Ala., VOR; *3,000. *2,500—MOCA.

Section 95.1001 *Direct routes—United States* is amended by adding:

Anniston, Ala., VOR; Lewis INT, Ala.; 3,000.
Harrison INT, Ga.; Norcross, Ga., VOR; 3,000.
Folsom INT, Ala.; Huntsville, Ala., VOR; *2,600. *2,400—MOCA.
Cairns, Ala., VOR; Crestview, Fla., VOR; *2,000. *1,600—MOCA.
Int, SE crs, Shreveport ILS, and 264° M rad, Barksdale VOR; Int, SE crs, Shreveport ILS, and 159° M rad, Shreveport VOR; *2,000. *1,300—MOCA.

From, to, and MEA

Allendale, S.C., VOR; Marlow INT, S.C.; 1,700.
Britton, Tex., VORTAC; Lucas INT, Tex.; 2,800.

Section 95.1001 *Direct routes—United States* is amended to read in part:

College Station, Tex., VOR; Int, CLL VOR 293, and ACT VOR 187; *3,900. *1,900—MOCA.
College Station, Tex., VOR; Tracy INT, Tex.; *2,700. *1,800—MOCA.
Wink, Tex., VOR via INK 090/MAF 190; Midland, Tex., VOR; 4,500.
Pirate INT, La.; Grande Isle, La., LF/RBN; *1,500. *1,400—MOCA.
Todd LF INT, La.; Neptune LF INT, La., MS 113 brg.; *5,000. *1,000—MOCA.

Section 95.6001 *VOR Federal airway 1* is amended to read in part:

*Clinch INT, Fla.; **Starfish INT, Fla.; ***2,000. *3,000—MRA. **3,000—MRA. ***1,100—MOCA.

Section 95.6002 *VOR Federal airway 2* is amended to read in part:

*Bozeman, Mont., VOR; Livingston, Mont., VOR; 10,000. *9,300—MCA Bozeman VOR, southeastbound.
Bismarck, N. Dak., VOR, via N alter.; Jamestown, N. Dak., VOR, via N alter.; *3,900. *3,400—MOCA.

Section 95.6003 *VOR Federal airway 3* is amended to read in part:

*Clinch INT, Fla., via E alter; **Starfish INT, Fla., via E alter; ***2,000. *3,000—MRA. **3,000—MRA. ***1,100—MOCA.

Section 95.6005 *VOR Federal airway 5* is amended to read in part:

Dublin, Ga., VOR; Rex, Ga., VOR; *2,500. *2,200—MOCA.
Rex, Ga., VOR; Crabapple INT, Ga.; 3,000.
Crabapple INT, Ga.; Tate INT, Ga.; 3,300.
Tate INT, Ga.; Ellijay INT, Ga.; *4,100. *3,900—MOCA.
Ellijay INT, Ga.; Chatsworth INT, Ga., 4,600.
Chatsworth INT, Ga.; Chattanooga, Tenn., VOR; 3,000.
Dublin, Ga., VOR via W alter.; Macon, Ga., VOR via W alter.; *2,000. *1,800—MOCA.
Macon, Ga., VOR, via W alter.; Loraine INT, Ga., via W alter.; *2,000. *1,900—MOCA.
Loraine INT, Ga., via W alter.; Rex, Ga., VOR via W alter.; *2,500. *2,200—MOCA.
Rex, Ga., VOR via W alter.; Int. 267° M rad Rex VOR, and 346° M rad Atlanta VOR via W alter.; 2,200.
Int. 267° M rad Rex VOR, and 346° M rad Atlanta VOR via W alter.; Harrison INT, Ga., via W alter.; 2,600.
Harrison INT, Ga., via W alter.; Cartersville INT, Ga., via W alter.; 3,300.
Cartersville INT, Ga., via W alter.; Dalton INT, Ga., via W alter.; *4,500. *4,000—MOCA.
Dalton INT, Ga., via W alter.; Chattanooga, Tenn., VOR via W alter.; 3,000.

Section 95.6006 *VOR Federal airway 6* is amended to read in part:

Iowa City, Iowa, VOR; Moscow INT, Iowa; *2,300. *2,100—MOCA.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

Birmingham, Ala., VOR via E alter.; Trimble INT, Ala., via E alter.; *2,500. *2,200—MOCA.
Trimble INT, Ala., via E alter.; Folsom INT, Ala., via E alter.; *2,800. *2,300—MOCA.
Folsom INT, Ala., via E alter.; Muscle Shoals, Ala., VOR via E alter.; *2,400. *2,000—MOCA.

From, to, and MEA

Section 95.6008 *VOR Federal airway 8* is amended to read in part:

Iowa City, Iowa, VOR; Moscow INT, Iowa; *2,300. *2,100—MOCA.

Section 95.6013 *VOR Federal airway 13* is amended to read in part:

Mason City, Iowa, VOR; Hope INT, Minn.; 3,000.

Section 95.6015 *VOR Federal airway 15* is amended to read in part:

Bismarck, N Dak., VOR; Minot, N. Dak., VOR; *4,000. *3,400—MOCA.
Houston, Tex., VOR; Silver INT, Tex.; 1,800.
Silver INT, Tex.; Magnolia INT, Tex.; *2,000. *1,600—MOCA.

Section 95.6017 *VOR Federal airway 17* is amended to read in part:

McAllen, Tex., VOR; McCook INT, Tex.; *1,700. *1,500—MOCA. MAA—9,000.

Section 95.6018 *VOR Federal airway 18* is amended to delete:

Tuscaloosa, Ala., VOR via S alter.; Brookwood, Ala., VOR via S alter.; *2,000. *1,700—MOCA.
Brookwood, Ala., VOR via S alter.; Anniston, Ala., VOR via S alter.; *3,000. *2,600—MOCA.
Anniston, Ala., VOR via N alter.; Heflin INT, Ala., via N alter.; 4,000.
Heflin INT, Ala., via N alter.; Chattahoochee INT, Ga., via N alter.; 2,700.
Chatahooche INT, Ga., via N alter.; Rex, Ga., VOR via N alter.; 2,200.
Rex, Ga., VOR via N alter.; Raytown INT, Ga., via N alter.; *2,500. *2,200—MOCA.
Raytown INT, Ga., via N alter.; Augusta, Ga., VOR via N alter.; 2,300.

Section 95.6018 *VOR Federal airway 18* is amended by adding:

Birmingham, Ala., VOR via S alter.; Graham INT, Ala., via S alter.; 4,000.
Graham INT, Ala., via S alter.; Atlanta, Ga., VOR via S alter.; 3,100.
Atlanta, Ga., VOR via S alter.; Godfrey INT, Ga., via S alter.; 2,500.
Godfrey INT, Ga., via S alter.; Sharon INT, Ga., via S alter.; *3,500. *1,700—MOCA.
Sharon INT, Ga., via S alter.; Augusta, Ga., VOR via S alter.; *2,000. *1,800—MOCA.

Section 95.6018 *VOR Federal airway 18* is amended to read in part:

Anniston, Ala., VOR; Heflin INT, Ala.; *3,500. *3,200—MOCA.
Heflin INT, Ala.; Temple INT, Ga.; *3,100. *2,900—MOCA.
Temple INT, Ga.; Chattahoochee INT, Ga.; 2,700.
Chattahoochee INT, Ga.; Rex, Ga., VOR; 2,200.
Rex, Ga., VOR; Raytown INT, Ga.; *2,500. *2,200—MOCA.
Raytown INT, Ga.; Augusta, Ga., VOR; *2,100. *1,600—MOCA.

Section 95.6020 *VOR Federal airway 20* is amended to read in part:

La Grange, Ga., VOR; Tyrone INT, Ga.; 2,500.
Tyrone INT, Ga.; Atlanta, Ga., VOR; *2,500. *2,100—MOCA.
Russell INT, Ga.; Anderson, S.C., VOR; *2,500. *2,200—MOCA.
Anderson, S.C., VOR; Spartanburg, S.C., VOR; *2,500. *2,200—MOCA.
Central INT, Ala., via N alter.; Miller INT, Ala., via N alter.; *3,500. *2,100—MOCA.
Miller INT, Ala., via N alter.; Newman INT, Ga., via N alter.; *5,000. *2,300—MOCA.

From, to, and MEA

Norcross, Ga., VOR, via N alter.; Homer INT, Ga., via N alter.; *2,700. *2,200—MOCA.
Homer INT, Ga., via N alter.; *4,000. *2,000—MOCA.
Elizabeth INT, Ga., via N alter.; Clemson INT, S.C., via N alter.; *4,500. *2,200—MOCA.
Clemson INT, S.C., via N alter.; Spartanburg, S.C., VOR, via N alter.; 3,300.

Section 95.6035 *VOR Federal airway 35* is amended to read in part:

Albany, Ga., VOR, via W alter.; Montezuma INT, Ga., via W alter.; *2,000. *1,800—MOCA.
Montezuma INT, Ga., via W alter.; Macon, Ga., VOR, via W alter.; *2,000. *1,900—MOCA.
Athens, Ga., VOR; Clemson INT, S.C.; *2,700. *2,200—MOCA.
Clemson INT, S.C.; Cleveland INT, S.C.; *3,400. *3,200—MOCA.
Cleveland INT, S.C.; Asheville, N.C., VOR; 6,000.
*Mitchell INT, N.C.; Roan Mountain INT, Tenn.; 8,500. *8,500—MCA Mitchell INT, northbound.
*Roan Mountain INT, Tenn.; Holston Mountain, Tenn., VOR; 6,000. *7,000—MCA Roan Mountain INT, southbound.
Weaverville INT, N.C.; via W alter.; *Unicoi INT, Tenn., via W alter.; **8,000. *6,500—MCA Unicoi INT, southbound. **7,500—MOCA.
Unicoi INT, Tenn., via W alter.; Holston Mountain, Tenn., VOR via W alter.; 6,000.

Section 95.6051 *VOR Federal airway 51* is amended to delete:

Dublin, Ga., VOR via W alter.; Macon, Ga., VOR via W alter.; *2,000. *1,800—MOCA.
Macon, Ga., VOR via W alter.; *Loraine INT, Ga., via W alter.; **2,000. *2,500—MRA. **1,900—MOCA.
Loraine INT, Ga., via W alter.; McDonough, Ga., VOR via W alter.; *2,500. *2,000—MOCA.
McDonough, Ga., VOR via W alter.; Kennesaw INT, Ga., via W alter.; 3,000.
Kennesaw INT, Ga., via W alter.; Dalton INT, Ga., via W alter.; 4,000.
Dalton INT, Ga., via W alter.; Chattanooga, Tenn., VOR via W alter.; 3,000.
Chattanooga, Tenn., VOR via W alter.; Dayton INT, Tenn., via W alter.; 3,500.
Dayton INT, Tenn., via W alter.; Crossville, Tenn., VOR via W alter.; 5,000.

Section 95.6051 *VOR Federal airway 51* is amended to read in part:

Dublin, Ga., VOR; Rex, Ga., VOR; *2,500. *2,200—MOCA.
Rex, Ga., VOR; Crabapple INT, Ga.; 3,000.
Crabapple INT, Ga.; Tate INT, Ga.; 3,300.
Tate INT, Ga.; Ellijay INT, Ga.; *4,100. *3,900—MOCA.

Section 95.6053 *VOR Federal airway 53* is amended to read in part:

*Mitchell INT, N.C. **Roan Mountain INT, Tenn.; 8,500. *8,500—MCA Mitchell INT, northbound. **7,000—MOA Roan Mountain INT, southbound.
Roan Mountain INT, Tenn.; Holston Mountain, Tenn., VOR; 6,000.

Section 95.6054 *VOR Federal airway 54* is amended to read in part:

Huntsville, Ala., VOR; Princeton INT, Ala.; *3,500. *3,300—MOCA.
Ft. Mill, S.C., VOR; Pinehurst, N.C., VOR; *2,200. *1,800—MOCA.

Section 95.6054 *VOR Federal airway 54* is amended to delete:

From, to, and MEA

Muscle Shoals, Ala., VOR via N alter.; Toney INT, Ala., via N alter.; *2,300. *2,100—MOCA.
Toney INT, Ala., via N alter.; *Haletown INT, Tenn., via N alter.; **4,600. *4,600—MRA. **4,000—MOCA.
Haletown INT, Tenn., via N alter.; Chattanooga, Tenn., VOR via N alter.; 4,000.

Section 95.6054 *VOR Federal airway 54* is amended by adding:

Muscle Shoals, Ala., VOR via N alter.; Huntsville, Ala., VOR via N alter.; 2,600.
Huntsville, Ala., VOR via N alter.; Market INT, Ala., via N alter.; *3,500. *3,300—MOCA.
Market INT, Ala., via N alter.; Chattanooga, Tenn., VOR via N alter.; 4,000.
Huntsville, Ala., VOR via S alter.; Adler INT, Ala., via S alter.; *3,500. *3,300—MOCA.
Adler INT, Ala., via S alter.; Chickamauga INT, Ga., via S alter.; 4,000.
Chickamauga INT, Ga., via S alter.; Chattanooga, Tenn., VOR via S alter.; 3,000.

Section 95.6055 *VOR Federal airway 55* is amended to read in part:

Pullman, Mich., VOR; Muskegon, Mich., VOR; *2,500. *2,000—MOCA.

Section 95.6057 *VOR Federal airway 57* is amended by adding:

Birmingham, Ala., VOR via E alter.; Hobbs INT, Ala., via E alter.; *3,000. *2,200—MOCA.
Hobbs INT, Ala., via E alter.; Decatur, Ala., VOR via E alter.; *2,600. *2,100—MOCA.

Section 95.6057 *VOR Federal airway 57* is amended to read in part:

Birmingham, Ala., VOR; Trimble INT, Ala., *2,500. *2,200—MOCA.
Trimble INT, Ala.; Folsom INT, Ala.; *2,800. *2,300—MOCA.
Folsom INT, Ala.; Hartselle INT, Ala.; *2,800. *1,900—MOCA.
Hartselle, INT, Ala.; Decatur, Ala., VOR; *2,100. *2,000—MOCA.
Decatur, Ala., VOR; Tanner INT, Ala.; *2,000. *1,600—MOCA.
Tanner INT, Ala.; Bethel INT, Tenn.; *2,100. *2,000—MOCA.

Section 95.6066 *VOR Federal airway 66* is amended by adding:

Fort Mill, S.C., VOR; Midland INT, N.C.; *2,200. *1,700—MOCA.
Midland INT, N.C.; Goldston INT, N.C.; *4,000. *2,200—MOCA.
Goldston INT, N.C.; Raleigh-Durham, N.C., VOR; *2,200. *2,000—MOCA.

Section 95.6066 *VOR Federal airway 66* is amended to read in part:

Brookwood, Ala., VOR; Helena INT, Ala.; *2,200. *2,000—MOCA.
Helena INT, Ala.; Chelsea INT, Ala.; *3,100. *2,600—MOCA.
Chelsea INT, Ala.; Graham INT, Ala.; 4,000.
Graham INT, Ala.; Atlanta, Ga., VOR; 3,100.
Atlanta, Ga., VOR; Rex, Ga., VOR; 2,200.
Rex, Ga., VOR; Conyers INT, Ga.; *2,500. *2,200—MOCA.
Conyers INT, Ga.; Athens, Ga., VOR; 3,000.

Section 95.6067 *VOR Federal airway 67* is amended to read in part:

Mason City, Iowa, VOR; via W alter.; Austin INT, Minn., via W alter.; 3,000.

Section 95.6074 *VOR Federal airway 74* is amended to read in part:

Ft. Smith, Ark., VOR via N alter.; Branch INT, Ark., via N alter.; *2,500. *2,000—MOCA.

From, to, and MEA

Branch INT, Ark., via N alter.; *College INT, Ark., via N alter.; **2,500. *3,300—MRA. **2,400—MOCA.

Section 95.6097 *VOR Federal airway 97* is amended by adding:

Albany, Ga., VOR via E alter.; Montezuma INT, Ga., via E alter.; *2,000. *1,800—MOCA.
Montezuma INT, Ga., via E alter.; Butler INT, Ga., via E alter.; *5,500. *1,800—MOCA.
Butler INT, Ga., via E alter.; Griffin INT, Ga., via E alter.; *4,000. *2,100—MOCA.
Griffin INT, Ga., via E alter.; Atlanta, Ga., VOR via E alter.; *2,600. *2,200—MOCA.
Atlanta, Ga., VOR via E alter.; Norcross, Ga., VOR via E alter.; 3,000.
Norcross, Ga., VOR via E alter.; Cumming INT, Ga., via E alter.; 2,700.
Cumming INT, Ga., via E alter.; College INT, Ga., via E alter.; *5,000. *4,100—MOCA.
College INT, Ga., via E alter.; Harris, Ga., VOR via E alter.; 6,000.
Harris, Ga., VOR via E alter.; Fontana INT, N.C., via E alter.; 7,800.
Fontana INT, N.C., via E alter.; *Kinzel INT, Tenn., via E alter.; **7,000. *6,000—MCA Kinzel INT, southbound. **6,800—MOCA.
Kinzel INT, Tenn., via E alter.; Knoxville, Tenn., VOR via E alter.; 4,000.

Section 95.6097 *VOR Federal airway 97* is amended to read in part:

Concord INT, Ga.; Brooks INT, Ga.; *2,500. *2,000—MOCA.
Brooks INT, Ga.; Atlanta, Ga., VOR; *2,500. *2,100—MOCA.

Section 95.6103 *VOR Federal airway 103* is amended to read in part:

Natural Well INT, Va.; Elkins, W. Va., VOR; 7,000.

Section 95.6107 *VOR Federal airway 107* is amended by adding:

Oakland, Calif., VOR; Commodore INT, Calif.; *5,000. *4,000—MOCA.
Commodore INT, Calif.; Point Reyes, Calif., VOR; 5,000.
Point Reyes, Calif., VOR; Bodega INT, Calif.; 5,000.

Section 95.6119 *VOR Federal airway 119* is amended to read in part:

Henderson, W. Va., VOR; *Reedsville INT, W. Va.; 2,700. *3,500—MRA.

Section 95.6137 *VOR Federal airway 137* is amended to delete:

Oakland, Calif., VOR; Commodore INT, Calif.; *5,000. *4,000—MOCA.
Commodore INT, Calif.; Point Reyes, Calif., VOR; 5,000.
Point Reyes, Calif., VOR; Bodega INT, Calif.; 5,000.

Section 95.6151 *VOR Federal airway 151* is amended to read in part:

Woonsocket INT, R.I.; Millbury INT, Mass.; *2,700. *2,000—MOCA.
Gardner, Mass., VOR; Keene, N.H., VOR; 3,600.
Keene, N.H., VOR; Sullivan INT, N.H.; 3,600.
Sullivan INT, N.H.; Lebanon, N.H., VOR; 4,500.

Section 95.6159 *VOR Federal airway 159* is amended to read in part:

Ocala, Fla., VOR via W alter.; Cross City, Fla., VOR via W alter.; *2,000. *1,300—MOCA.
Vero Beach, Fla., VOR via E alter.; Int. 341° M rad, Vero Beach VOR and 123° M rad, Orlando VOR via E alter.; *2,000. *1,600—MOCA.

From, to, and MEA

Int. 341° M rad, Vero Beach VOR and 123° M rad, Orlando VOR via E alter.; Orlando, Fla., VOR via E alter.; *2,000. *1,500—MOCA.

Section 95.6161 *VOR Federal airway 161* is amended to read in part:

Rochester, Minn., VOR; Pine Island INT, Minn.; *3,000. *2,500—MOCA.

Section 95.6176 *VOR Federal airway 176* is amended to read in part:

Holly Springs, Miss., VOR; *Guntown INT, Miss.; **2,200. *3,000—MRA. **1,900—MOCA.

Section 95.6181 *VOR Federal airway 181* is amended to read in part:

Fargo, N. Dak., VOR; Grand Forks, N. Dak., VOR; *2,600. *2,300—MOCA.
Fargo, N. Dak., VOR via E alter.; Grand Forks, N. Dak., VOR via E alter.; *2,600. *2,300—MOCA.

Section 95.6194 *VOR Federal airway 194* is amended to delete:

Ft. Mill, S.C., VOR via N alter.; Liberty, N.C., VOR via N alter.; *2,600. *2,300—MOCA.
Liberty, N.C., VOR via N alter.; Raleigh, N.C., VOR via N alter.; 2,500.

Section 95.6194 *VOR Federal airway 194* is amended to read in part:

Norcross, Ga., VOR; Homer INT, Ga.; *2,700. *2,200—MOCA.
Homer INT, Ga.; Anderson, S.C., VOR; *2,400. *2,000—MOCA.
Anderson, S.C., VOR; Charlotte, N.C., VOR; *3,000. *2,200—MOCA.
Charlotte, N.C., VOR; Liberty, N.C., VOR; 2,900.
Liberty, N.C., VOR; Raleigh-Durham, N.C., VOR; 2,500.
Raleigh-Durham, N.C., VOR; Rocky Mount, N.C., VOR; 2,000.
Clinton INT, La.; McComb, Miss., VOR; *2,000. *1,800—MOCA.

Section 95.6222 *VOR Federal airway 222* is amended to read in part:

Norcross, Ga., VOR; Cumming INT, Ga.; 2,700.
Cumming INT, Ga.; Toccoa, Ga., VOR; *4,000. *2,700—MOCA.

Section 95.6241 *VOR Federal airway 241* is amended by adding:

Columbus, Ga., VOR via E alter.; Geneva INT, Ga., via E alter.; *2,200. *1,600—MOCA.
Geneva INT, Ga., via E alter.; Pine Mountain INT, Ga., via E alter.; *3,500. *3,400—MOCA.
Pine Mountain INT, Ga., via E alter.; Brooks INT, Ga., via E alter.; *2,800. *2,300—MOCA.
Brooks INT, Ga., via E alter.; Atlanta, Ga., VOR via E alter.; *2,500. *2,100—MOCA.

Section 95.6241 *VOR Federal airway 241* is amended to read in part:

Columbus, Ga., VOR; Geneva INT, Ga.; *2,200. *1,600—MOCA.
Geneva INT, Ga.; Pine Mountain INT, Ga.; *3,500. *3,400—MOCA.
Pine Mountain INT, Ga.; Atlanta, Ga., VOR; *2,500. *2,200—MOCA.
Columbus, Ga., VOR via W alter.; Big Spring INT, Ga., via W alter.; *2,800. *2,300—MOCA.
Big Spring INT, Ga., via W alter.; Tyrone INT, Ga., via W alter.; *2,500. *2,200—MOCA.
Tyrone INT, Ga., via W alter.; Atlanta, Ga., VOR via W alter.; *2,500. *2,100—MOCA.
Edd INT, Ala., via W alter.; Midway INT, Ala., via W alter.; *3,000. *1,800—MOCA.

From, to, and MEA

Section 95.6243 *VOR Federal airway 243* is amended to read in part:

Yatesville INT, Ga.; Griffin INT, Ga.; 2,600.
Griffin INT, Ga.; Atlanta, Ga., VOR; *2,600. *2,200—MOCA.
Atlanta, Ga., VOR; Harrison INT, Ga.; 2,600.
Harrison INT, Ga.; Cartersville INT, Ga.; 3,300.
Cartersville INT, Ga.; Dalton INT, Ga.; *4,500. *4,000—MOCA.

Section 95.6244 *VOR Federal airway 244* is amended to read in part:

Woodward INT, Calif.; *Duckwall INT, Calif.; 8,000. *12,000—MCA Duckwall INT, eastbound.

Section 95.6251 *VOR Federal airway 251* is amended to read in part:

Montebello, Va., VOR; Crawford INT, Va.; 5,600.
Crawford INT, Va.; Front Royal, Va., VOR; 5,000.

Section 95.6267 *VOR Federal airway 267* is amended to read in part:

Norcross, Ga., VOR; Cumming INT, Ga.; 2,700.
Cumming INT, Ga.; College INT, Ga.; *5,000. *4,100—MOCA.

Section 95.6295 *VOR Federal airway 295* is amended to read in part:

Vero Beach, Fla., VOR via E alter.; Indian River INT, Fla., via E alter.; *2,000. *1,600—MOCA.

Section 95.6300 *VOR Federal airway 300* is amended to read in part:

United States-Canadian border; *Camp INT, Maine; 5,700. *7,000—MRA.

Section 95.6311 *VOR Federal airway 311* is added to read:

Norcross, Ga., VOR; Homer INT, Ga.; *2,700. *2,200—MOCA.
Homer INT, Ga.; Anderson, S.C., VOR; *2,400. *2,000—MOCA.
Anderson, S.C., VOR; Greenwood, S.C., VOR; *2,200. *2,100—MOCA.
Greenwood, S.C., VOR; Lexington INT, S.C.; *2,200. *2,100—MOCA.
Lexington INT, S.C.; Columbia, S.C., VOR; *2,200. *1,900—MOCA.

Section 95.6321 *VOR Federal airway 321* is added to read:

Atlanta, Ga., VOR; Graham INT, Ala.; 4,000.
Graham INT, Ala.; Gadsden, Ala., VOR; *4,000. *3,600—MOCA.
Gadsden, Ala., VOR; Huntsville, Ala., VOR; 3,000.

Section 95.6325 *VOR Federal airway 325* is added to read:

Gadsden, Ala., VOR; Folsom INT, Ala.; 3,000.
Folsom INT, Ala.; Muscle Shoals, Ala., VOR; *2,400. *2,000—MOCA.
Gadsden, Ala., VOR via N alter.; Hobbs INT, Ala., via N alter.; 3,000.
Hobbs INT, Ala., via N alter.; Decatur, Ala., VOR via N alter.; *2,600. *2,100—MOCA.
Decatur, Ala., VOR via N alter.; Muscle Shoals, Ala., VOR via N alter.; *2,400. *2,000—MOCA.

Section 95.6332 *VOR Federal airway 332* is added to read:

Bradford, Ill., VOR; Peotone, Ill., VOR; *2,600. *2,100—MOCA.
Peotone, Ill., VOR; Knox, Ind., VOR; *2,600. *2,100—MOCA.
Knox, Ind., VOR; South Bend, Ind., VOR; *2,500. *2,000—MOCA.

From, to, and MEA

Section 95.6454 *VOR Federal airway 454* is amended to read in part:

Columbus, Ga., VOR; Big Spring INT, Ga.; *2,800. *2,300—MOCA.
Big Spring INT, Ga.; Tyrone INT, Ga.; *2,500. *2,200—MOCA.
Tyrone INT, Ga.; Atlanta, Ga., VOR; *2,500. *2,100—MOCA.
Atlanta, Ga., VOR; Rex, Ga., VOR; 2,200.
Rex, Ga., VOR; Madison INT, Ga.; *2,500. *2,200—MOCA.
Madison INT, Ga.; Greenwood, S.C., VOR; *4,000. *2,100—MOCA.

Section 95.6463 *VOR Federal airway 463* is amended to read in part:

Anchorage, Alaska, VOR; *Alexander INT, Alaska; **2,000. *5,000—MCA Alexander INT, northwestbound. **1,000—MOCA. MAA—41,000.
Alexander INT, Alaska; Sevenmile INT, Alaska; *8,400. *5,000—MOCA. MAA—41,000.

Section 95.6477 *VOR Federal airway 477* is amended to read in part:

Houston, Tex., VOR via W alter.; Silver INT, Tex., via W alter.; 1,800.
Silver INT, Tex., via W alter.; Magnolia INT, Tex., via W alter.; *2,000. *1,500—MOCA.

Section 95.6492 *VOR Federal airway 492* is amended to read in part:

LaBelle, Fla., VOR via S alter.; Canal INT, Fla., via S alter.; *2,000. *1,300—MOCA.

Section 95.6507 *VOR Federal airway 507* is amended to delete:

Lovelock, Nev., VOR; Sod House, Nev., VOR; *10,000. *9,600—MOCA.

Section 95.6507 *VOR Federal airway 507* is amended by adding:

Reno, Nev., VOR; Nixon INT, Nev.; 10,000.
Nixon INT, Nev.; Sulphur INT, Nev.; *#12,000. *10,400—MOCA. #MEA is established with a gap in navigation signal coverage.
Sulphur INT, Nev.; Sod House, Nev., VOR; *10,000. *9,000—MOCA.

Section 95.7002 *Jet Route No. 2* is amended to read in part:

Fort Stockton, Tex., VORTAC; Junction, Tex., VORTAC; 18,000; 45,000.
Junction, Tex., VORTAC; San Antonio, Tex., VORTAC; 18,000; 45,000.

Section 95.7007 *Jet Route No. 7* is amended to delete:

Oakland, Calif., VORTAC; Red Bluff, Calif., VORTAC; 18,000; 45,000.
Red Bluff, Calif., VORTAC; Rome, Oreg., VORTAC; #23,000; 45,000. #MEA is established with a gap in navigation signal coverage.

Section 95.7007 *Jet Route No. 7* is amended by adding:

Reno, Nev., VORTAC; Rome, Oreg., VORTAC; #19,000; 45,000. #MEA is established with a gap in navigation signal coverage.

Section 95.7015 *Jet Route No. 15* is amended to read in part:

Austin, Tex., VORTAC; Junction, Tex., VORTAC; 18,000; 45,000.
Junction, Tex., VORTAC; Wink, Tex., VORTAC; 18,000; 45,000.

Section 95.7030 *Jet Route No. 30* is amended to read in part:

From, to, and MEA

Provo, Utah, VORTAC; Meeker, Colo., VOR TAC; 18,000; 45,000.
Meeker, Colo., VORTAC Denver, Colo., VORTAC; 18,000; 45,000.

Section 95.7053 *Jet Route No. 53* is amended to read in part:

Jacksonville, Fla., VORTAC; Augusta, Ga., VORTAC; 18,000; 45,000.

Section 95.7056 *Jet Route No. 56* is amended to read:

Salt Lake City, Utah, VORTAC; Meeker, Colo., VORTAC; 18,000; 45,000.
Meeker, Colo., VORTAC; Denver, Colo., VOR TAC; 18,000; 45,000.

Section 95.7086 *Jet Route No. 86* is amended to read in part:

Fort Stockton, Tex., VORTAC; Junction, Tex., VORTAC; 18,000; 45,000.

Section 95.7140 *Jet Route No. 140* is deleted:

Section 95.7518 *Jet Route No. 518* is added to read:

U.S. Canadian Border; Elwood City, Pa., VORTAC; 18,000; 45,000.
Elwood City, Pa., VORTAC; Westminster, Md., VOR; 18,000; 45,000.

Section 95.7563 *Jet Route No. 563* is amended to delete:

Plattsburgh, N.Y., VOR; U.S. Canadian Border; 18,000; 45,000.

Section 95.7563 *Jet Route No. 563* is amended by adding:

Albany, N.Y., VORTAC; U.S. Canadian Border; 18,000; 45,000.

2. By amending Subpart D as follows:

Section 95.8003 *VOR Federal airway changeover points:*

Airway segment: From; to—Changeover point: Distance; from

V–5 is amended to delete:
Dublin, Ga., VOR via W alter.; Macon, Ga., VOR via W alter.; 11; Dublin.
McDonough, Ga., VOR; Chattanooga, Tenn., VOR; 60; McDonough.
V–51 is amended to delete:
Dublin, Ga., VORTAC via W alter.; Macon, Ga., VORTAC via W alter.; 11; Dublin.
V–54 is amended by adding:
Muscle Shoals, Ala., VOR; Huntsville, Ala., VOR.; 25; Muscle Shoals.
V–57 is amended by adding:
Birmingham, Ala., VOR; Decatur, Ala., VOR; 34; Birmingham.
V–115 is amended by adding:
Birmingham, Ala., VOR; Chattanooga, Tenn., VOR; 59; Birmingham.
V–154 is amended to delete:
Macon, Ga., VORTAC; Dublin, Ga., VOR; 17; Macon.
V–156 is amended by adding:
Elkins, W. Va., VOR; Gordonsville, Va., VOR; 46; Elkins.
J–56 is amended to delete:
Salt Lake City, Utah, VORTAC; Kremmling, Colo., VORTAC; 80; Salt Lake City.

(Secs. 307 and 1110 of the Federal Aviation Act of 1958, 49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on June 7, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-6412; Filed, June 13, 1966; 8:45 a.m.]

[Reg. Docket No. 7387; Amdt. 484]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Thousand Oaks Int	Woodland Int	Direct	5000	T–dn¢	300–1	300–1	₡300–1
Twin Lakes Int	Woodland Int	Direct	5000	C–d*	900–1½	900–1½	900–1½
LAX VOR	BUR ILS LOM	Direct	4000	C–n*	900–2	900–2	900–2
GCE RBn	BUR ILS LOM	Direct	4500	S–dn–7	600–1	600–1	600–1
Woodland Int	BUR ILS LOM (final)	Direct	2800	A–dn	900–2	900–2	900–2

Radar available.
Procedure turn S side of crs 256° Outbnd, 076° Inbnd, 4000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2800′ at BUR ILS LOM.
Crs and distance, facility to airport, 076°—5.6 miles; LOM to LIM, 076°—0.4-mile LIM to airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at BUR ILS LIM, make immediate right-climbing turn direct to LOM, climb via 256° bearing, LOM to 4000′ within 10 miles of LOM, or when directed by ATC, (1) turn right, climb heading 105° to intercept and proceed via VNY, R 006° to El Monte Int at 4500′. Positive radar crs monitor required on alternate missed approach.
NOTE: ADF and VOR receivers required for execution of this approach.
AIR CARRIER NOTES: (1) Reduction in visibility by sliding scale not authorized below ¾ mile for takeoff, Runways 7, 15, 33, and for landing minimums. (2) Reduction in visibility by sliding scale not authorized for circling minimums.
₡Procedure requires use of both BVR ILS outer compass locator and inner compass locator.
₡200–½ authorized for takeoff on Runway 25 only.
*Manuevering E and NE of airport not authorized due to high terrain.
%N and southbound (270° clockwise through 240°) IFR departures—Must comply with published Burbank SID's.
MSA within 25 miles of facility: 000°–090°—8500′; 090°–180°—5100′; 180°–270°—4100′; 270°–360°—6000′.

City, Burbank; State, Calif.; Airport name, Lockheed Air Terminal; Elev., 775′; Fac. Class., LOM; Ident., BU; Procedure No. 1, Amdt. 1; Eff. date, 25 June 66; Sup. Amdt. No. Orig.; Dated, 13 Feb. 65

Chili Int	MFI H	Direct	3300	T–dn	300–1	300–1	200–½
Junction City Int	MFI H	Direct	3300	C–d	700–1	700–1	700–1½
				C–n	700–1½	700–1½	700–1½
				S–dn–8	700–1	700–1	700–1
				A–dn	NA	NA	NA

Procedure turn S side of crs, 213° Outbnd, 033° Inbnd, 3300′ within 10 miles.
Minimum altitude over facility on final approach crs, 1961′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MFI H, make right-climbing turn to 3300′, return to MFI H, hold SW on 213° magnetic bearing from H.
NOTE: Use Wausau, Wis., altimeter setting.
MSA within 25 miles of facility: 270°–180°—2000′; 180°–270°—2400′.

City, Marshfield; State, Wis.; Airport name, Marshfield Municipal; Elev., 1261′; Fac. Class., MH; Ident., MFI; Procedure No. 1 Amdt. Orig. Eff. date, 23 June 66

PROCEDURE CANCELLED, EFFECTIVE 23 JUNE 1966.

City, Rapid City; State, S. Dak.; Airport name, Rapid City Municipal; Elev., 3181′; Fac. Class., H–SAB; Ident., RAP; Procedure No. 1, Amdt. 1; Eff. date, 17 July 65; Sup. Amdt. No. Orig.; Dated, 23 Feb. 63

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Brighton Int	IRS RBn	Direct	2500	T-dn	300–1	300–1	200–½
Sherwood Int	IRS RBn	Direct	2500	C-dn	800–1	800–1	800–1½
Centerville Int	IRS RBn	Direct	2500	S-dn-20	800–1	800–1	800–1
				A-dn	NA	NA	NA
				VOR/ADF minimums—VOR and ADF receivers required:			
				C-dn	600–1	600–1	600–1½
				S-dn-20	600–1	600–1	600–1

Procedure turn N side of crs, 060° Outbnd, 240° Inbnd, 2500′ within 10 miles.
Minimum altitude over Burr Int on final approach crs, 1724′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of IRS RBn, make right turn, climb to 2500′ on crs, 060° and return to RBn.
NOTE: Use Battle Creek altimeter setting.
MSA within 25 miles of facility: 000°–360°—2400′.

City, Sturgis; State, Mich.; Airport name, Kirsch Municipal; Elev., 924′; Fac. Class., MHW; Ident., IRS; Procedure No. 1, Amdt. Orig.; Eff. date, 25 June 66

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
FIM VORTAC	Chatsworth Int	FIM, R 100°	5000	T-dn%	300–1	300–1	300–1
Sherwood Int	Chatsworth Int	VTU, R 057°	5000	C-dn	900–1½	900–1½	900–1½
Twin Lakes Int	Chatsworth Int	Direct	5000	C-nc	900–2	900–2	900–2
Chatsworth Int	VNY VOR (final)	Direct	3000	S-dn-7°	500–¾	500–¾	500–¾
				A-dn	900–2	900–2	900–2

Radar available.
Procedure turn not authorized.
Minimum altitude over facility on final approach crs, 3000′.
Crs and distance, facility to airport, 089°—6.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.3 miles after passing VNY VOR, turn right, climb to VNY VOR, then via R 255° to Susana Int at 4500′, or when directed by ATC, turn right, climb heading 105° to intercept and proceed via VNY, R 096° to El Monte Int at 4500′. Positive radar crs monitor required on alternate missed approach.
AIR CARRIER NOTES: Sliding scale prohibited below ¾ mile for takeoff on Runways 7, 15, 33 and for straight-in minimums. Sliding scale not authorized for circling minimums.
*500–1 required for 4-engine turbojet or when ALS inoperative.
%N and southbound (270° clockwise through 240°), IFR departures—Must comply with published Burbank SID's.
cManeuvering E and NE of airport not authorized due to high terrain.
#900–1½ authorized for takeoff on Runway 25 only.
MSA within 25 miles of facility: 000°–090°—8600′; 090°–180°—5100′; 180°–270°—4100′; 270°–360°—6100′.

City, Burbank; State, Calif.; Airport name, Lockheed Air Terminal; Elev., 778′; Fac. Class., L-BVOR; Ident., VNY; Procedure No. 1, Amdt. Orig.; Eff. date, 25 June 66

MKC VOR	Tracy Int (final)	Direct	2300	T-dn*	300–1	300–1	200–½
				C-dn%	600–1	600–1	700–1½
				S-dn-30	600–1	600–1	600–1
				A-dn	900–2	900–2	800–2

Radar available.
Procedure turn N side of crs, 102° Outbnd, 282° Inbnd, 2300′ within 10 miles of Tracy Int.
Minimum altitude over Tracy Int on final approach crs, 2300′.
Crs and distance, Tracy Int to airport, 282°—5.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing Tracy Int, make right turn, climbing to 2700′, intercept the STJ VOR, R 165° and proceed to Farley Int, or when directed by ATC, intercept STJ VOR, R 170°, proceed to New Market Int.
NOTES: (1) Authorized for military use only, except by prior arrangement. (2) Radar identification of Tracy Int authorized. (3) Runway lights installed on Runways 12–30.
CAUTION: Hills and towers with elevations to 1148′, adjacent to airport, W and NW.
%All circling approaches will be made to the E of airport.
*When 1293′ tower, 3 miles SW is not visible on takeoff, climb to 1800′ before turning toward tower.
MSA within 25 miles of facility: 090°–180°—3100′; 180°–090°—2400′.

City, Fort Leavenworth; State, Kans.; Airport name, Sherman AAF; Elev., 770′; Fac. Class., BVORTAC; Ident., MKC; Procedure No. 1, Amdt. Orig.; Eff. date, 25 June 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-d*	800–2	800–2	800–2
				T-n*	1200–3	1200–3	1200–3
				C-dn	1000–1	1000–1	1000–1½
				A-dn	NA	NA	NA
				The following minimums authorized when Gallup altimeter setting is received before commencing approach:			
				C-dn	900–1	900–1	900–1½

Procedure turn S side of crs, 218° Outbnd, 038° Inbnd, 8700′ within 10 miles.
Minimum altitude over facility on final approach crs, 7700′.
Crs and distance, facility to airport, 048°—4.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing GUP VOR, make a left-climbing turn to intercept R 035° and climb to 10,000′ within 30 miles of GUP VOR.
CAUTION: 7000′ terrain, 7 miles NE of airport.
*Takeoff: Runway 6 turn left; Runway 24 climb straight ahead to intercept GUP VOR, R 012°, then all departures except eastbound via V-291 climb on crs. Eastbound departures via V-291 proceed via R 012° to GUP VOR and climb in holding pattern SW on R 218° to recross GUP VOR at 9000′.
MSA within 25 miles of facility: 000°–180°—10,100′; 180°–270°—9300′; 270°–360°—10,200′.

City, Gallup; State, N. Mex.; Airport name, Senator Clarke Field; Elev., 6467′; Fac. Class., VOR; Ident., GUP; Procedure No. 1, Amdt. Orig.; Eff. date, 25 June 66

				T-dn	300–1	300–1	300–1
				C-dn	600–1	600–1	600–1½
				S-dn-7	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2
				If 2.5-mile DME Fix received, the following minimums apply:			
				S-dn-7	500–1	500–1	500–1

Radar available.
Procedure turn S side of crs, 262° Outbnd, 082° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1400′; over 2.5-mile DME Fix, 700′.
Crs and distance, facility to airport, 083°—4.5 miles; 2.5-mile DME Fix to airport, 083°—2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles of LAX VOR, turn left, climb via R 062° to 2000′ to Downey Int.
NOTES: (1) Final approach from holding pattern at LAX VOR not authorized. Procedure turn required. (2) When authorized by ATC, DME may be used at 10 miles at 4000′ from LAX, R 342° counterclockwise, R 276°, and at 2000′ between LAX, R 170° and R 276° to position aircraft for a straight-in approach with the elimination of procedure turn.
MSA within 25 miles of facility: 000°–090°—7200′; 090°–180°—2500′; 180°–270°—2400′; 270°–360°—5200′.

City, Hawthorne; State, Calif.; Airport name, Hawthorne; Elev., 64′; Fac. Class., H-BVORTAC; Ident., LAX; Procedure No. 2, Amdt. Orig.; Eff. date, 25 June 66

				T-dn*%	300–1	300–1	300–1
				C-d*	900–1	900–1	900–1½
				C-n*	900–2	900–2	900–2
				A-dn	1000–2	1000–2	1000–2
				If aircraft equipped to receive VOR and DME, the following minimums apply:			
				C-dn*	700–1	700–1	700–1½

Procedure turn S side of crs, 239° Outbnd, 059° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′; over 4-mile DME Fix, 900′.
Crs and distance, facility to airport, 059°—8.5 miles; 4-mile DME Fix, 059°—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.5 miles after passing HQM VOR, turn right, climb to 1600′ direct to HQM VOR.
%Takeoffs all runways: Climb direct to HQM VOR before proceeding on crs, V–27W northeastbound, climb visually to 400′ over airport, thence on crs.
*All maneuvering will be executed S of Runways 6–24.
MSA within 25 miles of facility: 340°–160°—2300′; 160°–250°—1100′; 250°–340°—1500′.

City, Hoquiam; State, Wash.; Airport name, Bowerman; Elev., 14′; Fac. Class., H-BVORTAC; Ident., HQM; Procedure No. 1, Amdt. 7; Eff. date, 23 June 66; Sup. Amdt. No. 6; Dated 26 Feb. 66

				T-dn	300–1	300–1	200–½
				C-dn	600–1	600–1	600–1½
				S-dn-32#	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 142° Outbnd, 322° Inbnd, 4600′ within 10 miles.
Minimum altitude over facility on final approach crs, 4300′.
Crs and distance, facility to airport, 322°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing RAP VOR, make a left-climbing turn to 4600′ on R 142° within 10 miles of RAP VOR.
NOTES: (1) Caution—Runways 1–19 unlighted. (2) When authorized by ATC, RAP DME may be used to position aircraft for straight-in approach at 5600′, between R 072° clockwise to R 238°, via 6-mile DME Arc with the elimination of procedure turn.
#400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. Reduction not authorized for nonstandard REIL.
MSA within 25 miles of the facility: 000°–090°—4300′; 090°–180°—4500′; 180°–270°—8300′; 270°–360°—6600′.

City, Rapid City; State, S. Dak.; Airport name, Rapid City Municipal; Elev., 3161′; Fac. Class., BVORTAC; Ident., RAP; Procedure No. 1, Amdt. 11; Eff. date, 23 June 66; Sup. Amdt. No. 10; Dated, 17 Feb. 66

PROCEDURE CANCELED, EFFECTIVE 23 JUNE 1966.

City, Rapid City; State, S. Dak.; Airport name, Rapid City Municipal; Elev., 3181′; Fac. Class., BVORTAC; Ident., RAP; Procedure No. 2, Amdt. 2; Eff. date, 17 July 65; Sup. Amdt. No. 1; Dated, 8 Feb. 64

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn#	300–1	300–1	200–½
				C-dn#	700–1	700–1	700–1¼
				S-dn–18°	700–1	700–1	700–1
				A-dn	NA	NA	NA

Procedure turn W side of crs, 012° Outbnd, 192° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1000′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of EUF VOR, turn right, climb to 3000′, return to EUF VOR and enter holding pattern on R 256°, EUF VOR.
NOTES: (1) Aircraft will cancel IFR with CSO APC or DHN FSS prior to landing and upon reaching visual flight conditions. (2) Aircraft will not take off without prior ATC approval.
*Reduction not authorized.
#Night takeoffs on Runway 18 and night landings on Runway 36 not authorized.
MSA within 25 miles of facility: 000°–360°—1900′.

City, Eufaula; State, Ala.; Airport name, Weedon Field; Elev., 278′; Fac. Class., L-BVOR; Ident., EUF; Procedure No. TerVOR-18, Amdt. Orig.; Eff. date, 23 June 66

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Bradford VOR	6-mile DME Fix, R 323°	Direct	3900	T-dn	300–1	300–1	200–½
12-mile DME Fix, R 323°	6-mile DME Fix, R 323° (final)	Direct	3000	C-dn	400–1	500–1	500–1½
				S-dn–14°	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn SW side of crs, 323° Outbnd, 143° Inbnd, 3900′ between 6- and 16-mile DME Fix, R 323°.
Minimum altitude over 6-mile DME Fix, R 323° on final approach crs, 3000′.
Crs and distance, 6-mile DME Fix, R 323° to 143°—4.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 2-mile DME Fix, R 323°, climb to 4000′ on R 143° of BFD VOR within 10 miles, return to BFD VOR. Hold SE, 1-minute right turns, 326° Inbnd.
NOTE: When authorized by ATC, DME may be used between R 286° clockwise to R 064° at 3000′ via 12-mile DME Arc, to position aircraft for straight-in with elimination of procedure turn.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–360°—3600′.

City, Bradford; State, Pa.; Airport name, Bradford-McKean County; Elev., 2143′; Fac. Class., LBVORTAC; Ident., BFD; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 25 June 66

FML VOR	CLT VOR	Direct	2300	T-dn	300–1	300–1	200–½
Bradley Int	CLT VOR	Direct	2900	C-dn	1000–1	1000–1	1000–1½
Weddington Int	CLT VOR	Direct	2300	A-dn	1000–2	1000–2	1000–2
Bethany Int	CLT VOR	Direct	2300	If Railroad 5-mile DME Fix received, the following minimums apply:*			
Waco Int	CLT VOR	Direct	2900	C-dn	600–1	600–1	600–1½
Stanley Int	CLT VOR	Direct	2900	S-dn–18°	600–1	600–1	600–1
Mount Holly Int	Railroad DME or Radar Fix, 5 miles (final).		1800	A-dn	800–2	800–2	800–2
				Radar Fix may be used in lieu of DME at 5 miles.*			

Radar available.
Procedure turn W side of crs, 005° Outbnd, 185° Inbnd, 2300′ within 10 miles.
Minimum altitude over Railroad 5-mile DME or Radar Fix on final approach crs, 1800′.
Crs and distance, Railroad 5-mile DME or Radar Fix to breakoff point, 185°—4.1 miles; breakoff point to runway, 178°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of CLT VOR, climb to 2300′ on CLT VOR, R 185° and proceed to FML VOR, or when directed by ATC, climb to 2300′, proceed to York Int via R 229°, CLT VOR.
%Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2300′; 180°–270°—2800′; 270°–360°—2900′.

City, Charlotte; State, N.C.; Airport name, Douglas Municipal; Elev., 748′; Fac. Class., L-BVORTAC; Ident., CLT; Procedure No. VOR/DME No. 1, Amdt. 3; Eff. date, 23 June 66; Sup. Amdt. No. 2; Dated, 6 Nov. 65

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Bradley Int	CLT VOR	Direct	2900	T-dn	300–1	300–1	200–½
Weddington Int	CLT VOR	Direct	2900	C-dn	600–1	600–1	600–1½
Bethany Int	CLT VOR	Direct	2900	S-dn–23%	600–1	600–1	600–1
Waco Int	CLT VOR	Direct	2900	A-dn	800–2	800–2	800–2
Stanley Int	CLT VOR	Direct	2900				

Radar available.
Procedure turn N side of crs, 060° Outbnd, 240° Inbnd, 2900′ within 10 miles of Parks Int.
Minimum altitude over Parks Int or 5-mile DME Fix on final approach crs 1800′.
Crs and distance, Parks Int or 5-mile DME Fix to airport, 240°—4.6 miles.
Breakoff point to end of runway, 230°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing Parks Int (or 0 mile of CLT VORTAC), climb to 2300′, proceed to York Int, via R 229° CLT VORTAC, or when directed by ATC, climb to 2300′, proceed to FML VOR via R 007°.
%Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2300′; 180°–270°—2500′; 270°–360°—2900′.

City, Charlotte; State, N.C.; Airport name, Douglas Municipal; Elev., 748′; Fac. Class., L-BVORTAC; Ident., CLT; Procedure No. VOR/DME No. 2, Amdt. 1; Eff. date 23 June 66; Sup. Amdt. No. Orig.; Dated, 17 July 65

FML VOR	Ross Int (final)	Direct	1800	T-dn	300–1	300–1	200–½
Bradley Int	CLT VOR	Direct	2900	C-dn	400–1	500–1	500–1½
Weddington Int	CLT VOR	Direct	2300	S-dn–36#	400–1	400–1	400–1
Bethany Int	CLT VOR	Direct	2300	A-dn	800–2	800–2	800–2
Waco Int	CLT VOR	Direct	2900				
Stanley Int	CLT VOR	Direct	2900				

Radar available.
Procedure turn E side of crs, 173° Outbnd, 353° Inbnd, 2200′ within 10 miles of Ross Int.
Minimum altitude over Ross Int or 5.5-miles DME Fix on final approach crs, 1800′.
Crs and distance, Ross Int or 5.5-miles DME Fix, 353°—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing Ross Int (or 0 mile of CLT VORTAC), climb to 3000′ on R 005° of CLT VOR within 20 miles, or when directed by ATC, climb to 3000′ on R 060° of CLT VORTAC within 20 miles.
#400–¾ (RVR, 4000′) authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2300′; 180°–270°—2800′; 270°–360°—2900′.

City, Charlotte; State, N.C.; Airport name, Douglas Municipal; Elev., 748′; Fac. Class., L-BVORTAC; Ident., CLT; Procedure No. VOR/DME No. 3, Amdt. 1; Eff. date, 23 June 66; Sup. Amdt. No. Orig.; Dated, 17 July 65

Bradley Int	CLT VOR	Direct	2900	T-dn	300–1	300–1	200–½
Weddington Int	CLT VOR	Direct	2300	C-dn	400–1	500–1	500–1½
Bethany Int	CLT VOR	Direct	2300	S-dn–8°	400–1	400–1	400–1
Waco Int	CLT VOR	Direct	2900	A-dn	800–2	800–2	800–2
Stanley Int	CLT VOR	Direct	2900				

Radar available.
Procedure turn W side of crs, 225° Outbnd, 045° Inbnd, 2300′ within 10 miles of Lake Int.
Minimum altitude over Lake Int or 5.5-DME Fix on final approach crs, 1700′.
Crs and distance, Lake Int or 5.5-mile DME Fix to airport, 045°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing Lake Int (or 0 mile of CLT VORTAC), turn right, climb to 3000′ on R 060° of CLT VORTAC within 20 miles, or when directed by ATC, climb to 3000′ on R 005° of CLT VOR within 20 miles.
*400–¾ (RVR, 4000′) authorized with operative high-intensity runway lights, except for 4-engine turbojets. 400–½ (RVR, 2400′) with operative ALS, except for 4-engine turbojets.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2300′; 180°–270°—2800′; 270°–360°—2900′.

City, Charlotte; State, N.C.; Airport name, Douglas Municipal; Elev., 748′; Fac. Class., L-BVORTAC; Ident., CLT; Procedure No. VOR/DME No. 4, Amdt. 1; Eff. date, 23 June 66; Sup. Amdt. No. Orig.; Dated 17 July 65

R 196°, DCA VOR clockwise	R 326°, DCA VOR	Via Radar	2500	LDIN	*1100–2	1100–2	1100–2
R 022°, DCA VOR counterclockwise	R 326°, DCA VOR	Via Radar	2500	Via River			
R 326°, 10-mile DME Fix	R 326°, 7-mile DME	Via R 326°	2000				

Radar available.
Procedure turn not authorized. Final approach crs, 146° Inbnd, from 7-NM DME Fix.
Minimum altitude over 7-mile DME Fix, 2000′; 5-NM DME Fix, 1400′; 4-NM DME Fix, 1100′.
Crs and distance, facility to airport not authorized. Breakoff point to runway not authorized.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2500′ direct to DCA VORTAC, thence direct to DCA RBn, hold S of Washington RBn on bearing, 181° Outbnd, 001° Inbnd, 1-minute left turns.
NOTE: When ceiling and visibility are at least 1100–2, arrival aircraft will visually follow the Potomac River when visual contact established.
*If visual contact not established at 4-NM DME Fix, continue descent to not below 915′ MSL.

City, Washington, D.C.; Airport name, Washington National; Elev., 15′; Fac. Class., VORTAC; Ident., DCA; Procedure No. VOR/DME No. 3, Amdt. 1; Eff. date, 26 June 66; Sup. Amdt. No. Orig.; Dated, 20 May 66

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Ventura VOR	ILS W crs	057°–16.9 miles	5000	T–dn%	300–1	300–1	#300–1
Saugus Int	LOM	Direct	5000	C–dn°	900–1½	900–1½	900–1½
				C–n°	900–2	900–2	900–2
Fillmore VOR	Woodland Int	Direct	5000	S–dn–7°°	300–¾	300–¾	300–¾
				A–dn	900–2	900–2	900–2
Int LAX VOR, R 276° and Lake Hughes VOR, R 170°	Woodland Int	Direct	5000				
Twin Lakes Int	Woodland Int	Direct	5000				
Woodland Int	LOM (final)	Direct	2800				

Radar available.
Procedure turn S side of crs, 266° Outbnd, 076° Inbnd, 4000′ within 10 miles of LOM. Beyond 10 miles not authorized.
Minimum altitude at glide slope interception Inbnd, 2800′.
Altitude of glide slope and distance to approach end of runway at OM, 2738′—6.1 miles; at MM, 1355′—1.8 miles; at inner compass locator, 924′—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make immediate right-climbing turn to 4000′ on W crs, BUR ILS within 10 miles W of LOM, or when directed by ATC, turn right, climb heading 108° to intercept and proceed via VNY, E 090° to El Monte Int at 4500′. Positive radar crs monitor required on alternate missed approach.
Other change: Deletes transition from Malibu Int.
CAUTION: High terrain, NE and E of airport.
AIR CARRIER NOTES: Sliding scale prohibited below ¾ mile for takeoff on Runways 7, 15, 33, and for straight-in landing minimums. Sliding scale not authorized for circling minimums.
NOTES: (1) Nonstandard installation. Localizer antenna at approach end of runway.
%N and southbound (270° clockwise through 240°) IFR departures—Must comply with published Burbank SID's.
#200–½ authorized for takeoff on Runway 25 only.
*Maneuvering NE and E of airport not authorized.
**For minimums of 300–¾, all components of ILS must be utilized. If glide slope not received, then minimums of 400–1 apply.

City, Burbank; State, Calif.; Airport name, Lockheed Air Terminal; Elev., 775′; Fac. Class., ILS; Ident., I–BUR; Procedure No. ILS–7, Amdt. 21; Eff. date, 25 June 66; Sup. Amdt. No. 20; Dated, 9 Oct. 65

MIA VOR	RBn (OM)	Direct	1500	T–dn#	300–1	300–1	200–½
BSY VOR	RBn (OM)	Direct	1500	C–dn	500–1	500–1	500–1½
Krome Int	RBn (OM) (final)	Direct	1300	S–dn–9L##	200–½	200–½	200–½
Rancho VHF Int	RBn (OM)	Direct	1600	A–dn	500–2	600–2	600–2
Bayshore VHF Int	RBn (OM)	Direct	1500				
PRR RBn	RBn (OM)	Direct	1600				

Radar available.
Procedure turn N side of crs, 267° Outbnd, 087° Inbnd, 1400′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1300′.
Altitude of glide slope and distance to approach end of runway at OM, 1228′—4.5 miles; at MM, 192′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, climb to 1500′ on E crs, ILS within 20 miles, or climb to 1500′ on crs of 087° from MF LOM within 20 miles.
NOTE: Holding pattern with 087° Inbnd crs, left turns may be used in lieu of procedure turn.
#RVR, 2400′ authorized, Runway 9L.
##RVR, 2400′. Descent below 209′ not authorized unless approach lights are visible.
*400–¾ (RVR, 4000′) required when glide slope not utilized. 400–½ (RVR, 2400′) authorized, except for 4-engine turbojet aircraft, with operative ALS.

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9′; Fac. Class., ILS; Ident., I–MFA; Procedure No. ILS–9L, Amdt. 5; Eff. date, 25 June 66; Sup. Amdt. No. 4; Dated, 29 Jan. 66

BSY VOR	LOM	Direct	1500	T–dn#	300–1	300–1	200–½
Oceanside Int	LOM (final)	Direct	1300	C–dn	500–1	500–1	500–1½
MIA VOR	LOM	Direct	1500	S–dn–27L##	200–½	200–½	200–½
PRR RBn	LOM	Direct	1500	A–dn	600–2	600–2	600–2
Golden Beach VHF Int	LOM	Direct	1500				
Dania VHF Int	LOM	Direct	1500				

Radar available.
Procedure turn S side of crs, 087° Outbnd, 267° Inbnd, 1400′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1300′.
Altitude of glide slope and distance to approach end of runway at OM, 1235′—4.4 miles; at MM, 204′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing LOM, climb to 1500′ on W crs of MIA localizer within 20 miles of MI LOM.
NOTES: (1) Holding pattern with 267° Inbnd crs to MI LOM, left turns may be used in lieu of procedure turn. (2) Oceanside Int may be used in lieu of procedure turn when authorized by Miami approach control.
#RVR, 2400′ authorized, Runway 27L.
##RVR, 2400′. Descent below 209′ not authorized unless approach lights are visible.
*500–¾ (RVR, 4000′) required when glide slope not utilized. Reduction not authorized.

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9′; Fac. Class., ILS; Ident., I–MIA; Procedure No. ILS–27L, Amdt. 5; Eff. date, 25 June 66; Sup. Amdt. No. 4; Dated, 2 Apr. 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
PIA VOR	Norwood Int	Direct	2300	T–dn	300–1	300–1	200–½
				C–dn	400–1	500–1	500–1½
				S–dn–12#	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn S side of crs, 303° Outbnd, 123° Inbnd, 2300′ within 10 miles of Norwood Int.
Minimum altitude over Norwood Int on final approach crs, 1300′.
Crs and distance, Norwood Int to airport, 123°—2.4 miles.
No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles after passing Norwood Int, climb to 1800′ and proceed to PIA VOR, or when directed by ATC, climb to 2400′ and proceed to Bradley Int.
NOTES: (1) Procedure approved for dual omniequipped aircraft only (back crs approach). (2) When authorized by ATC, PIA DME may be used to position aircraft for straight-in approach at 2300′ between R 160° clockwise to R 090°, via 7-mile DME Arc with the limination of procedure turn. (3) Final approach from Norwood holding pattern not authorized. Procedure turn required.
CAUTION: Unlighted high-tension towers, 2.4 miles NW of airport.
#400–¾ authorized with operative HIRL, except for 4-engine turbojets, reduction below ¾ not authorized.

City, Peoria; State, Ill.: Airport name, Greater Peoria; Elev., 659′; Fac. Class., ILS; Ident., I–PIA; Procedure No. ILS–12 (back crs); Amdt. 7; Eff. date, 25 June 66; Sup. Amdt. No. 6; Dated, 11 Dec. 65

SAT VOR	LOM	Direct	3000	T–dn°	300–1	300–1	200–½
				C–dn	400–1	500–1	500–1½
				S–dn–12#%	200–½	200–½	200–½
				A–dn	600–2	600–2	600–2

Radar available.
Procedure turn W side of NW crs, 303° Outbnd, 123° Inbnd, 3000′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2600′.
Altitude of glide slope and distance to approach end of runway at LOM, 2600′—5.9 miles; at MM, 1028′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn right, climb to 3000′ on SAT VOR, R 158° within 20 miles.
%RVR, 2400′, authorized for takeoff, Runway 12.
#500–¼ required when glide slope not utilized.
%RVR, 2400′. Descent below 1006′ not authorized unless ALS is visible.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 808′; Fac. Class., ILS; Ident., I–ANT; Procedure No. ILS–12, Amdt. 8; Eff. date, 25 June 66; Sup. Amdt. No. 7; Dated, 11 Jan. 64

6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 20 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
		Within:		Surveillance approach			
342°	007°	20 miles	7000	T–dn%	300–1	300–1	°300–1
007°	080°	30 miles	10,500	C–d#	900–1½	900–1½	900–1½
080°	210°	30 miles	5000	C–n#	900–2	900–2	900–2
210°	270°	30 miles	4000	S–dn–7°°	500–1	500–1	500–1
270°	342°	30 miles	6000	A–dn	900–2	900–2	900–2

Radar transitions and vectoring using Burbank Radar authorized in accordance with approved patterns.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make immediate right-climbing turn, climb on W crs, BUR ILS to 5000′ within 10 miles W of LOM, or when directed by ATC, turn right, climb heading 108° to intercept, and proceed via VNY, R 090° to El Monte Int at 4500′. Positive radar crs monitor required on alternate missed approach.
AIR CARRIER NOTE: Sliding scale below ¾ mile prohibited for takeoffs on Runways 7, 15, 33 and for straight-in landing minimums. Sliding scale not authorized for circling minimums.
#200–½ authorized for takeoff on Runway 25 only.
°°500–¼ authorized, except for 4-engine turbojet, with operative ALS.
*Maneuvering NE and E not authorized. High terrain.
%N and southbound (270° clockwise through 240°), IFR departures—Must comply with published Burbank SID's.
CAUTION: 2000′ terrain, 2.2 miles NE of airport, rising to 3126′ approximately 3.5 miles ENE of airport.

City, Burbank; State, Calif.; Airport name, Lockheed Air Terminal; Elev., 775′; Fac. Class. and Ident., Burbank Radar; Procedure No. 1, Amdt. 5; Eff. date, 25 June 66; Sup. Amdt. No. 4; Dated, 15 June 63

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition From—	Transition To—	Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums: Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				Surveillance approaches			
000°	360°	0–7 miles	1900	T-dn	300–1	300–1	200–½
000°	360°	7–15 miles	2300	C-dn-9 3 L and R, 21L 27, 33.	400–1	500–1	500–1½
000°	360°	15–30 miles	2800	S-dn 9 *3L, #3R, *21L, 27, 33.	400–1	400–1	400–1
				C-dn-21R	500–1	500–1	500–1½
				S-dn-21R##	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

NOTE: Radar control will provide 1000′ vertical clearance with a 3-mile radius of 1311′; tower, 6 miles SE; 4 towers, 1700′ to 1735′, 15 miles NE.
*400–½ authorized with operative ALS, 400–¼ authorized with HIRL, except for 4-engine turbojets.
#400–½ authorized with operative HIRL, except for 4-engine turbojets.
##500–¾ authorized with operative HIRL, except for 4-engine turbojets.

City, Detroit; State, Mich.; Airport name, Metropolitan-Wayne County; Elev., 639′; Fac. Class. and, Ident., Detroit Metropolitan Radar; Procedure No. 1, Amdt. Orig.; Eff. date, 25 June 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on May 18, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–6464; Filed, June 13, 1966; 8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' AFFAIRS

Chapter I—Veterans Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart D—Administration of Educational Benefits; 38 U.S.C. Chapters 34, 35, and 36

MISCELLANEOUS AMENDMENTS

1. Section 21.4136 is revised to read as follows:

§ 21.4136 Rates; educational assistance allowance; 38 U.S.C. Chapter 34.

(a) *Rates.* Educational assistance allowance is payable for periods commencing on or after June 1, 1966, at the following monthly rates.

Type of courses	Monthly rate: No dependents	One dependent	Two or more dependents
Institutional:			
Full time	$100	$125	$150
¾ time	75	95	115
½ time	50	65	75
Less than ½ but more than ¼ time	50	(1)	(1)
¼ time or less	25	(1)	(1)
Cooperative (full time only)	80	100	120
Correspondence	(2)	(2)	(2)

[1] See par. (b) of this section.
[2] Established charge for number of lessons completed by veteran and serviced by school—allowance paid quarterly.

(b) *Less than half time.* The monthly rate for an individual who is pursuing an institutional course on less than ½-time basis may not exceed the monthly rate of the cost of the course, computed on the total cost for tuition and fees which the school requires similarly circumstanced nonveterans enrolled in the same course to pay. "Cost of the course" does not include the cost of supplies which the student is required to purchase at his own expense.

(c) *Active duty.* The monthly rate for an individual who is eligible solely by reason of the provisions of § 21.1040(e)(2) and who is pursuing an institutional course while on active duty may not exceed the monthly rate of the cost of the course as specified in paragraph (b) of this section. Subject to this limitation, the rate will be:

Measurement	Rate
Full time	$100
¾ time	75
½ time	50
Less than ½ but more than ¼ time	50
¼ time or less	25

(d) *June 1966.* A veteran who commenced a course prior to June 1, 1966, will not be paid for any part of the month of June 1966, unless his course continues through June 30, 1966. (Sec. 12(a), Public Law 89–358; 80 Stat. 28)

(e) *Excessive absences.* When enrollment is in a course which does not lead to a standard college degree absences in excess of the maximum number allowable will cause a reduction in the educational assistance allowance payable for the month in which such absences occurred. The rate of reduction will be determined by the following table:

Days of scheduled attendance per week	Rate of reduction for each day of excessive absence
5 or more	1/25
4	1/20
3	1/15
2	1/10
1	1/5

(f) *Dependents.* The term "dependent" means a wife, child or dependent parent who meets the definitions of relationship specified in §§ 3.50, 3.51, 3.57, and 3.59 of this chapter. A child adopted outside the veteran's family is included only if the veteran is contributing to the child's support.

(g) *Two-veteran cases; dependents.* The payment of additional educational assistance allowance to a veteran for a wife who is also a veteran and for a child will not bar the payment of additional educational assistance allowance or additional subsistence allowance under § 21.133 to the wife for her husband and the same child. The husband of a female veteran may be considered a dependent only if he meets the requirements of § 3.51(a) of this chapter.

(38 U.S.C. 1682)

2. Immediately following § 21.4136, a cross reference is added to read as follows:

CROSS REFERENCE: Fractions of 1 cent. See § 3.112 of this chapter.

3. Section 21.4270 is revised to read as follows:

§ 21.4270 Measurement of courses.

Clock hours mentioned in this table mean clock hours per week.

Courses: Kind of school	Courses: Kind of course	Full time	¾ time	½ time	Less than ½, more than ⅓ time	⅓ time or less
(a) Trade or technical (includes college courses not leading to a standard degree).	Shop practice an integral part of course.	30 clock hours attendance with not more than 2½ hours rest period allowance.	22 to 30 clock hours attendance with not more than 2 hours rest period allowance.	15 to 22 clock hours attendance with not more than 1¼ hours rest period allowance.	8 to 15 clock hours attendance with not more than ¾ hour rest period allowance.	Less than 8 clock hours attendance.
	Theory and class instruction predominates.	25 clock hours net instruction.	18 to 25 clock hours net instruction.	12 to 18 clock hours net instruction.	7 to 12 clock hours net instruction.	Less than 7 clock hours net instruction.
(b) High school.	High school diploma or equivalent.[1]	25 clock hours net instruction.	18 to 25 clock hours net instruction.	12 to 18 clock hours net instruction.	7 to 12 clock hours net instruction.	Less than 7 clock hours net instruction.
(c) Collegiate undergraduate.	Standard collegiate courses including cooperative.[2]	14 semester hours or equivalent.	10 to 14 semester hours or equivalent.	7 to 10 semester hours or equivalent.	4 to 7 semester hours or equivalent.	Less than 4 semester hours or equivalent.
(d) Collegiate graduate.	Standard collegiate graduate courses including law.	As in par. (c) of this section or certified by responsible official of school.	As in par. (c) of this section or certified by responsible official of school.	As in par. (c) of this section or certified by responsible official of school.	As in par. (c) of this section or certified by responsible official of school.	As in par. (c) of this section or certified by responsible official of school.
(e) Professional (nonaccredited).	Law only.[3]	12 class sessions per week.	9 to 12 class sessions per week.	6 to 9 class sessions per week.	4 to 6 class sessions per week.	Less than 4 class sessions per week.
(f) Professional (accredited and equivalent).	Internships and residencies: Medical, dental, osteopathic.	As established by accrediting association.	Full time only.			
	Nursing, X-ray medical technology, medical records librarian, physical therapy.	25 clock hours or 14 semester hours, as appropriate.	18 to 26 clock hours or 10 to 14 semester hours, as appropriate.	12 to 18 clock hours or 7 to 10 semester hours, as appropriate.	7 to 12 clock hours or 4 to 7 semester hours, as appropriate.	Less than 7 clock hours or less than 4 semester hours, as appropriate.

[1] High school diploma courses available only under Chapter 34.
[2] Cooperative courses may be pursued on full-time basis only.
[3] 12 class sessions per week will consist of at least 600 minutes; 9 class sessions will consist of at least 450 minutes; and 6 class sessions will consist of at least 300 minutes. These required minutes pertain to net instruction, independent of supervised study, class breaks, or rest periods.

4. In § 21.4272(d), the introductory portion immediately preceding subparagraph (1) is amended and subparagraphs (4) and (5) are added; and in paragraph (f), subparagraphs (4) and (5) are added so that the added and amended material reads as follows:

§ 21.4272 Collegiate undergraduate; credit-hour basis.

• • • • • •

(d) Where the course is of less than a regular semester, term, or quarter duration, it will be measured as full, three-fourths, one-half, less than one-half but more than one-quarter, or one-quarter or less time according to the certification of the school. In making such certification, the school will state the number of credit hours for which the veteran or eligible person is registered including, the credit hour equivalent of noncredit courses, if any, required by the school and will be required to observe the following criteria:

• • • • • •

(4) Less than one-half but more than one-quarter time—less than 7 class sessions of attendance per week but not less than 4.

(5) One-quarter time or less—less than 4 class sessions per week.

• • • • • •

(f) • • •

(4) Less than one-half but more than one-quarter time—less than 6 hours credit but not less than 4 hours credit in addition to the noncredit deficiency courses.

(5) One-quarter time or less—less than 4 hours credit in addition to the noncredit deficiency courses.

• • • • • •

5. In § 21.4273, paragraph (a) and the introductory portion of paragraph (b) preceding subparagraph (1) are amended to read as follows:

§ 21.4273 Collegiate graduate.

(a) *In residence.* An accredited graduate or advanced professional course pursued in residence at an institution of higher learning will be assessed in accordance with § 21.4272 unless it is the established policy of the school to consider less than 14 semester hours or the equivalent as full-time enrollment, or the course includes research, thesis preparation, or a comparable prescribed activity beyond that normally required for the preparation of ordinary classroom assignments. In either case a responsible official of the school will certify that the veteran or eligible person is pursuing the course full, three-fourths, one-half, less than one-half but more than one-quarter, or one-quarter or less time.

(b) *In absentia.* A responsible official of the school will certify a program of research pursued by a veteran or eligible person in absentia as full, three-fourths, one-half, less than one-half but more than one-quarter, or one-quarter or less time, and the activity will be assessed by the Veterans Administration accordingly when:

• • • • • •

(72 Stat. 1114, 38 U.S.C. 210)

These VA Regulations are effective June 1, 1966.

Approved: June 3, 1966.

By direction of the Administrator.

[SEAL] CYRIL P. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 66–6452; Filed, June 13, 1966; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4033]

[Idaho 016893]

IDAHO

Withdrawal for National Forest Administrative Site and Campgrounds

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, for administrative site and campgrounds of the Department of Agriculture:

BOISE MERIDIAN

BITTERROOT NATIONAL FOREST

Elkhorn Bar Campground

T. 24 N., R. 12 E., unsurveyed,
A tract of land within the unsurveyed SE¼, sec. 1, more particularly described as: Beginning at a 2-inch iron pipe with a USDA, Forest Service brass cap set in the ground and marked corner No. 1 located on the west side of Elkhorn Creek, from which a 24-inch diameter Douglas-fir bears 21°30′ E., 34 feet distant; thence S. 67°00′ E., 131 feet to a 40-inch diameter ponderosa pine on the north bank of the Salmon River and east of the mouth of Elkhorn Creek which is cor-

north bank of the Salmon River which

E., 594.0 feet to a steel pipe set in the

09°00′ W., 481.8 feet to a steel peg set

ner No. 2; thence S. 72°56′ W., 569 feet along the north bank of the Salmon River to a ¾″ x 18″ iron pin set in the ground for corner No. 3; thence N. 73°39′ W., 277 feet along the north bank of the Salmon River to a ¾″ x 12″ pipe set in the ground for corner No. 4; thence N. 52°09′ W., 352 feet along the north bank of the Salmon River to a ¾″ x 12″ iron pin set in the ground for corner No. 5; thence N. 22°21′ W., 578 feet along a high bank above the Salmon River to a ¾″ x 12″ iron pin set in the ground for corner No. 6; thence N. 62°41′ E., 102 feet to a ¾″ x 12″ iron pin set in the ground for corner No. 7 at the toe of the slope; thence S. 31°49′ E., along the toe of the slope to a 12-inch diameter Douglas-fir which is corner No. 8; thence S. 41°47′ E., 404 feet along the toe of slope to a ¾″ x 14″ iron pin set in the ground for corner No. 9; thence S. 87°41′ E., 292 feet along the toe of slope to a 26-inch diameter ponderosa pine, which is corner No. 10; thence N. 65°35′ E., 273 feet to the point of beginning, corner No. 1.

Totaling 4.6 acres.

Fawn Creek Campground

T. 24 N., R. 13 E., unsurveyed,
A tract of land within the unsurveyed SW¼, sec. 15 and SE¼, sec. 16, more particularly described as: Beginning at a 38-inch diameter ponderosa pine tree at the toe of slope and east of Fawn Creek which is corner No. 1 from which a 38-inch diameter ponderosa pine tree bears N. 70° W., 90 feet distant and a 42-inch diameter ponderosa pine tree bears N. 16°30′ W., 79 feet distant; thence S. 69°49′ E., 407 feet along the toe of slope to an 8-inch diameter Douglas-fir tree which is corner No. 2; thence S. 80°30′ W., 279 feet along the north bank of the Salmon River to a 20-inch diameter Douglas-fir tree which is corner No. 3; thence N. 87°14′ W., 248 feet along the north bank of the Salmon River to an 18-inch diameter ponderosa pine tree which is corner No. 4; thence N. 64°05′ W., 277 feet along the north bank of the Salmon River to a 46-inch diameter Douglas-fir tree which is corner No. 5 and is west of Fawn Creek and from which U.S. Coast and Geodetic Survey Monument M316–1945 bears S. 64°05′ E., 90 feet distant; thence N. 77°59′ E., 413 feet to a point of beginning, corner No. 1.

Totaling 2.2 acres.

Dwyer Creek Campground

T. 24 N., R. 13 E., unsurveyed,
A tract of land within the unsurveyed NE¼, sec. 17, more particularly described as: Beginning at a 2-inch iron pipe with a USDA, Forest Service, brass cap set in the ground and marked corner No. 1 located west of Dwyer Creek from which a 26-inch diameter ponderosa pine bears N. 15°30′ W., 18 feet distant and a 28-inch diameter ponderosa pine bears S. 61°30′ W., 10 feet distant; thence S. 58°58′ W., 287 feet to a 28-inch diameter ponderosa pine tree which is corner No. 2 on the north bank of the Salmon River and west of the mouth of Dwyer Creek; thence N. 31°08′ W., 242 feet along the north bank of the Salmon River to a 20-inch diameter ponderosa pine tree which is corner No. 3; thence S. 80°58′ E., 376 feet to the point of beginning which is corner No. 1.

Totaling 0.8 acre.

Legend Creek Campground

T. 24 N., R. 14 E., unsurveyed,
A tract of land within the unsurveyed NE¼, sec. 29, more particularly described as: Beginning at a 2-inch iron pipe with a USDA, Forest Service, brass cap set in the ground and marked corner No. 1 which is west of Legend Creek from which a 10-inch diameter ponderosa pine tree bears S. 20°30′ E., 21 feet distant and a 14-inch diameter ponderosa pine tree bears S. 34°30′ W., 107 feet distant; thence S. 88°29′ E., 226 feet to a point on the north bank of the Salmon River and west of the mouth of Legend Creek which is corner No. 2; thence S. 44°11′ W., 296 feet along the north bank of the Salmon River to a point which is corner No. 3; thence S. 72°04′ W., 179 feet along the north bank of the Salmon River to a point which is corner No. 4; thence S. 72°39′ W., 285 feet along the north bank of the Salmon River to a point which is corner No. 5; thence N. 89°41′ E., 553 feet along the toe of slope to the point of beginning which is corner No. 1.

Totaling 1.7 acres.

Spindle Creek Campground

T. 24 N., R. 14 E., unsurveyed,
A tract of land within the unsurveyed S½, sec. 30, more particularly described as: Beginning at a 2-inch iron pipe with a USDA, Forest Service, brass cap set in the ground and marked corner No. 1, which is west of Spindle Creek from which a 28-inch diameter ponderosa pine tree bears N. 7° W., 84 feet distant and a 28-inch diameter ponderosa pine tree bears N. 31° E., 52 feet distant; thence S. 49°15′ E., 162 feet to a point on the north bank of the Salmon River and east of the mouth of Spindle Creek which is corner No. 2; thence S. 80°18′ W., 386 feet along the north bank of the Salmon River to a point which is corner No. 3; thence N. 56°22′ E., 309 feet along the toe of slope to the point of beginning which is corner No. 1.

Totaling 0.6 acre.

Lucky Creek Campground

T. 24 N., R. 14 E., unsurveyed,
A tract of land within the unsurveyed SW¼, sec. 30, more particularly described as: Beginning at an iron pipe 1¼″ x 36″ set in the ground as corner No. 1 which is west of Lucky Creek from which a 12-inch diameter Douglas-fir tree bears N. 71° E., 62 feet distant and a 26-inch diameter ponderosa pine tree bears S. 21°30′ E., 16 feet distant; thence S. 32°-10′ E., 187 feet to a point which is corner No. 2 on the north bank of the Salmon River and east of the mouth of Lucky Creek; thence S. 62°32′ W., 141 feet along the north bank of the Salmon River to a point which is corner No. 3; thence N. 72°36′ W., 140 feet along the north bank of the Salmon River to a point which is corner No. 4; thence N. 58°14′ W., 158 feet along the north bank of the Salmon River to a point which is corner No. 5; thence N. 71°30′ E., 309 feet along toe of slope to point of beginning which is corner No. 1.

Totaling 1.1 acres.

Corey Bar Campground

T. 25 N., R. 12 E., unsurveyed,
A tract of land within the unsurveyed NE¼, sec. 21, more particularly described as: Beginning at a 2-inch iron pipe with a USDA, Forest Service, brass cap set in the ground and marked corner No. 1 which is east of an unnamed gulch and from which a 24-inch diameter ponderosa pine tree bears N. 85° W., 96 feet distant and a 28-inch diameter ponderosa pine tree bears S. 19° E., 138 feet distant; thence S. 23°35′ E., 800 feet along the toe of slope to a point on the north bank of the Salmon River which is corner No. 2; thence N. 77°57′ W., 489 feet along the north bank of the Salmon River to a point which is corner No. 3; thence N. 65°50′ W., 225 feet along the north bank of the Salmon River to a point which is corner No. 4; thence N. 18°33′ W., 321 feet along the north bank of the Salmon River to a point which is corner No. 5; thence N. 63°11′ E., 521 feet along the toe of slope to point of beginning which is corner No. 1.

Totaling 7.2 acres.

Big Squaw Creek Campground

T. 25 N., R. 12 E., unsurveyed,
A tract of land within the unsurveyed SE¼, sec. 27, more particularly described as: Beginning at a ¾″ x 14″ iron pin set in the ground for corner No. 1 on the east side of an unnamed gulch from which a 22-inch diameter ponderosa pine tree bears N. 14° W., 52 feet distant and a rock outcrop bears S. 01° E., 117 feet distant; thence S. 26°51′ W., 182 feet to a 10-inch diameter ponderosa pine tree which is corner No. 2 on the north bank of the Salmon River east of the mouth of the unnamed gulch; thence N. 57°02′ W., 176 feet along the north bank of the Salmon River to a 12-inch diameter ponderosa pine tree which is corner No. 3; thence N. 38°17′ W., 436 feet along the north bank of the Salmon River to a 22-inch diameter ponderosa pine tree which is corner No. 4; thence N. 63°26′ E., 116 feet to a 36-inch diameter ponderosa pine tree which is corner No. 5; thence S. 50°22′ E., 514 feet along the toe of slope to point of beginning which is corner No. 1.

Totaling 2.1 acres.

Smith Gulch Campground

T. 25 N., R. 12 E., unsurveyed,
A tract of land within the unsurveyed NW¼, sec. 27, more particularly described as: Beginning at a ¾″ x 14″ iron pin set in the ground for corner No. 1 located west of Smith Gulch from which a 24-inch diameter ponderosa pine tree bears east, 38 feet distant; thence S. 03°15′ E., 246 feet to a 22″ diameter Douglas-fir tree on the north bank of the Salmon River and west of the mouth of Smith Gulch which is corner No. 2; thence N. 75°37′ W., 282 feet along the north bank of the Salmon River to a 26-inch diameter ponderosa pine tree which is corner No. 3; thence N. 42°46′ W., 272 feet along the north bank of the Salmon River to the southeast corner of a large, flat, square stone which is corner No. 4; thence S. 86°54′ E., 445 feet along the toe of slope to the point of beginning which is corner No. 1.

Totaling 1.7 acres.

Observation Point Campground

T. 27 N., R. 13 E., unsurveyed,
A tract of land within the unsurveyed NE¼, sec. 23, more particularly described as: Beginning at a flat rock marked FSM 1/X which is corner No. 1 located on the crest of a rocky slope from which a 4-inch diameter lodgepole pine tree marked M/W bears N. 65° W., 12 links distant and a 10-inch diameter lodgepole pine tree marked M/W bears S. 52° W., 73 links distant; thence N. 26° E., 343.2 feet along slope crest to flat rock marked "X" and a mound of stone which is corner No. 2; thence N. 41°00′ W., 108.9 feet to a steel pipe set in the ground which is corner No. 3; thence N. 71°00′ W., 310.2 feet to a steel pipe set in the ground which is corner No. 4; thence S. 34°00′ W., 653.4 feet to a steel pipe set in the ground for corner No. 5; thence, S. 55°00′ E., 594.0 feet to a steel pipe set in the ground for corner No. 6; thence N. 13°24′ E., 402.6 feet to the point of beginning which is corner No. 1.

Totaling 7.8 acres.

Kit Carson Administrative Site

T. 27 N., R. 15 E., unsurveyed,
A tract of land within the unsurveyed SE¼, sec. 5, sec. 4, more particularly described as: Beginning at blazed post on the north end of a cattle guard on the Nezperce Trail Road which is corner No. 1 from which the northeast corner of the Hells Half Acre bridge bears N. 80° W., 231 feet distant; thence N. 38°50′ W., 906.3 feet to a point which is corner No. 2 located north of the Nezperce Trail Road; thence S. 86°32′ W., 2,668.6 feet to a blazed post which is corner No. 3 from which the northwest corner of the Cayuse Creek bridge bears S. 20° W., 416 feet distant; thence S. 62°46′ W., 636.3 feet to a point which is corner No. 4; thence north 1,320.5 feet to a point which is corner No. 5; thence S. 61°15′ W., 1,057.4 feet to a point which is corner No. 6; thence S. 1,319.5 feet to a point which is corner No. 7; thence S. 56°38′ W., 1,239.3 feet to a point which is corner No. 8; thence S. 16°21′ E., 293.0 feet to a point which is corner No. 9; thence N. 74°59′ E., 2,523.0 feet to a point which is corner No. 10; thence N. 77°52′ E., 2,458.4 feet to a point which is corner No. 11; thence S. 84°49′ E., 792.8 feet to a point which is corner No. 12; thence N. 21°19′ E., 127.9 feet to the point of beginning which is corner No. 1.

Totaling 132.3 acres.

Raven Creek Campground

T. 28 N., R. 13 E., unsurveyed,
A tract of land within the unsurveyed NE¼, sec. 13, more particularly described as: Beginning at a 1½-inch pipe with a USDA, Forest Service, brass cap marked Raven Creek Recreation Area corner No. 1 set in the ground on the west side of road No. 223 and on the east bank of the Selway River from which a 14-inch diameter Douglas-fir tree marked M/W bears N. 52°00′ W., 11 links distant and a 6-inch diameter alpine fir marked M/W bears N. 69° E., 51 links distant; thence N. 68°00′ E., 270.6 feet to a steel peg set in the ground which is corner No. 2; thence N. 45°00′ E., 105.6 feet to a steel peg set in the ground which is corner No. 3; thence N. 12°00′ E., 171.6 feet to an angle iron peg set in the ground which is corner No. 4; thence N. 41°00′ W., 178.2 feet to a steel peg set in the ground which is corner No. 5; thence S. 89°00′ W., 369.6 feet to an iron peg set in the ground which is corner No. 6; thence S. 4°20′ W., 189.1 feet to the place of beginning which is corner No. 1.

Totaling 2.2 acres.

Indian Creek Campground

T. 28 N., R. 14 E., unsurveyed,
A tract of land within the unsurveyed SW¼, sec. 5 and SE¼, sec. 6, more particularly described as: Beginning at a 1½-inch pipe with a USDA, Forest Service, brass cap marked "Indian Creek Recreation Area, Corner No. 1" which is corner No. 1 from which a 16-inch diameter Douglas-fir tree marked M/W bears N. 35° W., 15 links distant, a 16-inch diameter Douglas-fir tree marked M/W bears S. 61° E., 27 links distant, 10-inch diameter Douglas-fir tree bears N. 72° E., 46 links distant and the junction of the east bank of the Selway River and the south bank of Indian Creek bears north 198 feet, thence S. 09°00′ W., 481.8 feet to a steel peg set in the ground on the east bank of the Selway River which is corner No. 2; thence S. 18°00′ E., 231 feet to a steel peg set in the ground on the east bank of the Selway River which is corner No. 3; thence S. 01°00′ W., 165 feet to a steel peg set in the ground on the east bank of the Selway River which is corner No. 4; thence S. 47°00′ E., 264 feet to a steel peg set in the ground which is corner No. 5; thence N., 87°00′ E., 171.6 feet to a steel peg set in the ground which is corner No. 6; thence N. 34°00′ E., 356.4 feet to a steel peg set in the ground which is corner No. 7; thence N. 20°00′ E., 620.4 feet to a steel peg set in the ground which is corner No. 8; thence N. 64°00′ W., 554.4 feet to the N.E. post of the Indian Creek bridge which is corner No. 9; thence S. 71°38′ W., 283.8 feet to the point of beginning which is corner No. 1.

Totaling 14.9 acres.

NEZPERCE NATIONAL FOREST

Table Meadows Camp

T. 30 N., R. 8 E.,
Unsurveyed, but which probably will be when surveyed; Sec. 18, NW¼NW¼SE¼SW¼, S½NW¼SE¼SW¼, NE¼SW¼SE¼SW¼, and NW¼SE¼SE¼SW¼.

Totaling 12.5 acres.

Sing Lee Camp

T. 29 N., R. 7 E.,
Unsurveyed, but which probably will be when surveyed: Sec. 5, SW¼NW¼NE¼NW¼, W½SW¼NE¼NW¼, E½E½NW¼NW¼, and NW¼NW¼SE¼NW¼.

Totaling 20.0 acres.

Selway Falls Camp

T. 31 N., R. 9 E.,
Unsurveyed, but which probably will be when surveyed: Sec. 11, E½SE¼NW¼NE¼, E½E½NW¼SE¼, and NE¼NE¼SW¼SE¼.

Totaling 17.5 acres.

Race Creek Camp

T. 31 N., R. 9 E.,
Unsurveyed, but which probably will be when surveyed: Sec. 12, N½SW¼NE¼NW¼ and NE¼SE¼NW¼NW¼.

Totaling 7.5 acres.

CLEARWATER NATIONAL FOREST

Moscow Bar Campground

T. 40 N., R. 8 E.,
Unsurveyed, but which probably will be when surveyed: Sec. 29, SE¼SE¼NE¼SW¼, E½NE¼SE¼SW¼, SW¼NE¼SE¼SW¼, NE¼SW¼SE¼SW¼, S½SW¼SE¼SW¼, SE¼SE¼SW¼, SW¼NW¼SE¼ and W½SW¼SE¼.

Totaling 57.50 acres.

The areas described aggregate 294.2 acres in Clearwater and Idaho Counties, Idaho.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 6, 1966.

[F.R. Doc. 66-6423; Filed, June 13, 1966; 8:45 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER N—DANGEROUS CARGOES

[CGFR 66-28]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Miscellaneous Amendments

Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER of February 10, 1966 (31 F.R. 2602–2614), and the Merchant Marine Council Public Hearing Agenda dated March 21, 1966 (CG–249), the Merchant Marine Council held a Public Hearing on March 21, 1966, for the purpose of receiving comments, views, and data. The proposals considered were identified as Items I to XII, inclusive. Item III contained proposals regarding dangerous cargoes (CG–249, III, pages 16 to 62, inclusive), and these proposals, as revised, are adopted and set forth in this document, with the exception of the vessel inspection regulations in Item IIIo (CG–249, III, pages 48 to 58, inclusive) regarding vessels specially suitable as vehicle carriers, which will be published in a separate document containing vessel inspection amendments. This document is the first of a series regarding proposals considered by the Merchant Marine Council at this public hearing.

The oral and written comments received were considered and changes based thereon were made in the proposals 46 CFR 146.02–11, Import shipments; 146.04–5, for rubber curing compounds; 146.06–15, information required on manifests; 146.07–1, for the applicability of regulations to vehicle carrying ocean-going vessels; and 146.27–30, Automobiles or other self-propelled vehicles offered for transportation with fuel tanks containing gasoline.

The Merchant Marine Council's recommendation to reject the proposal designated 46 CFR 146.29–35(e), to give the Captain of the Port authority to permit the use of power operated tools in holds containing military explosives except as noted otherwise in Item IIIn (CG–249, III, page 46), is adopted. The text of 46 CFR 146.29–35(e) is continued in effect without change in present practices and procedures.

The provisions of R.S. 4472, as amended (46 U.S.C. 170), require that the land and water regulations governing the transportation of dangerous articles or substances shall be as nearly parallel as practical. The provisions in 46 CFR 146.02–18 and 146.02–19 make the Dangerous Cargo Regulations applicable to all shipments of dangerous cargoes by vessels. The Interstate Commerce Commission in Change Order No. 72 has made changes in ICC regulations with

respect to definitions, descriptive names, classifications, specifications of containers, packing, marking, labeling, and certification for certain dangerous cargoes, which are now in effect for land transportation. Various amendments to the Dangerous Cargo Regulations in 46 CFR Part 146 have been included in this document in order that these regulations governing water transportation of certain dangerous cargoes will be as nearly parallel as practicable with the regulations of the Interstate Commerce Commission which govern the land transportation of the same commodities.

The amendments to 46 CFR Part 146, which were not described in the FEDERAL REGISTER of February 10, 1966 (31 F.R. 2603–2306), are considered to be interpretations of law, or revised requirements to agree with existing ICC regulations, or editorial in nature, and it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedure thereon, and effective date requirements thereof) is unnecessary with respect to such changes.

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, U.S. Code, and Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), and 167–14, dated November 26, 1954 (19 F.R. 8026), to promulgate regulations in accordance with the laws cited with the regulations below, the following amendments are prescribed and shall be effective July 1, 1966; however, the regulations in this document may be compiled with in lieu of existing requirements prior to that date.

Subpart 146.01—Preface

1. Section 146.01–1 is amended by changing the text to read as follows:

§ 146.01–1 Purpose of regulations.

The purpose of the regulations in this subchapter is to promote safety in the handling, stowage, storage, and transportation of explosives or other dangerous articles or substances, and combustible liquids, as defined herein, on board vessels on any navigable waters within the limits of the jurisdiction of the United States including its territories and possessions excepting only the Panama Canal Zone and to make more effective the provisions of the International Convention for the Safety of Life at Sea, 1960, relative to the carriage of dangerous goods.

2. Section 146.01–4 is amended by deleting all the present text and inserting in lieu thereof:

§ 146.01–4 Classifications.

(a) Explosives or other dangerous articles or substances and combustible liquids are classified in the regulations in this part according to their principal characteristics and properties. These classifications are set out below comparatively with the International Convention for the Safety of Life at Sea, 1960, classifications:

Solas 1960 classifications	*Coast Guard classifications*
Class 1—Explosives	Explosives: Class A—Dangerous explosives. Class B—Less dangerous explosives. Class C—Relatively safe explosives.
Class 2—Gases: Compressed, liquified, or dissolved under pressure.	Compressed gases.
Class 3—Inflammable liquids	Inflammable liquids and combustible liquids.
Class 4—Inflammable solids, substances which are spontaneously combustible or substances emitting inflammable gases when wet.	Inflammable solids.
Class 5—Oxidizing substances and organic peroxides.	Oxidizing materials.
Class 6—Poisonous (toxic) and infectious substances.	Poisons: Extremely dangerous poison, Class A. Less dangerous poison, Class B. Tear gas or irritating substances, Class C.
Class 7—Radioactive materials	Radioactive materials, Class D.
Class 8—Corrosives	Corrosive liquids.
Class 9—Miscellaneous dangerous substances	Hazardous articles.

(b) The classifications in column 1 may be used on dangerous cargo manifests, lists or stowage plans and other shipping documents to describe dangerous articles that are being offered to water carriers for transportation in export trade or that are imported for ultimate delivery within the same port area.

Subpart 146.02—General Regulations

3. Section 146.02–10 is amended by changing paragraph (b) to read as follows:

§ 146.02–10 Export shipments.

* * * * *

(b) Export shipments of explosives or other dangerous articles or combustible liquids (except commercial Class A explosives and radioactive materials, Groups I, II, and III) may be accepted for transportation when packed, marked, labeled and described in accordance with the regulations of the country of destination. The bill of lading or other shipping paper shall identify such shipments by the shipping name shown in the regulations in this part for the particular substance, and also shall certify that the packing, marking and labeling is in accordance with the foreign regulations and identify by title or otherwise such foreign regulations. Markings on export packages may be in the language of the country of destination. Labels shall be affixed or printed or stamped upon such export packages when offered for transportation in lots of one hundred (100) or less packages. Stowage on board a vessel shall be in accordance with the regulations in this part as applicable to the particular character of vessel.

4. Section 146.02–11 is amended by changing paragraphs (b) and (c) to read as follows:

§ 146.02–11 Import shipments.

* * * * *

(b) Import shipments of explosives or other dangerous articles (except commercial Class A explosives and radioactive materials, Groups I, II, and III) destined upon arrival at domestic ports for further transportation outside the port area, in original containers, by common, contract, or private carrier, must comply with the Interstate Commerce Commission regulations for the transportation of explosives or other dangerous articles in effect at the time of shipment. The importer shall furnish with the order to the foreign shipper, and also to the forwarding agent at the port of entry, full and complete information as to packing, marking, labeling and other requirements as prescribed by the Interstate Commerce Commission regulations (see § 146.05–14).

(c) Import shipments of explosives or other dangerous articles or combustible liquids (except commercial Class A explosives and radioactive materials, Groups I, II, and III) accepted for transportation in a foreign port in outside metal or wooden barrels or drums not exceeding 110 gallons capacity, wooden boxes not exceeding 300 pounds weight of box and contents, or fiberboard boxes not exceeding 65 pounds weight of box and contents, which upon arrival at domestic ports are not destined for transportation outside the port area in these original import containers by common, contract, or private carrier, may be carried on board vessels provided the shipper certified upon the bill of lading or other shipping paper that the packing, marking and labeling are in conformity with the regulations of the country of origin. If the country of origin has no regulations governing the transportation by vessel of the explosives and dangerous substances involved, containers of the type described above in this paragraph may be carried on board vessels, provided that the shipper shall certify that the container is so constructed as to maintain its complete integrity under all conditions likely to be encountered in transportation. The master of the vessel, before accepting such import shipments, shall satisfy himself that the containers are sufficiently strong to stand, without rupture or leakage of contents, all risks ordinarily incident to transportation. Stowage of import shipments on board vessels shall be in accordance with the provisions of the regulations in this part.

* * * * *

Subpart 146.03—Definitions of Words and Terms Contained Within The Regulations in This Subchapter

5. Section 146.03–36 is amended by changing paragraph (a)(1) to read as follows:

§ 146.03–36 Vessels defined.

For the purposes of the regulations in subchapter passenger carrying vessels or passenger vessels, barges and cargo vessels are defined as follows:

(a) *Passenger carrying vessels or passenger vessels.* (1) A passenger carrying vessel or a passenger vessel is any vessel which carriers passengers: *Provided*, That no vessel of the following classes shall be considered a passenger carrying vessel or a passenger vessel:

(i) Any vessel subject to any of the provisions of the International Convention for the Safety of Life at Sea, 1960, which neither carries nor is authorized to carry more than 12 passengers.

(ii) Any cargo vessel documented under the laws of the United States and not subject to that Convention which neither carriers nor is authorized to carry more than 16 persons in addition to the crew.

(iii) Any cargo vessel of any foreign nation that extends reciprocal privileges and not subject to that Convention which neither carries nor is authorized to carry more than 16 persons in addition to the crew.

* * * * *

Subpart 146.04—List of Explosives or Other Dangerous Articles Containing the Shipping Name or Description of Articles Subject to the Regulations in This Subchapter

§ 146.04–5 [Amended]

6. Section 146.04–5 is amended by adding, changing, or canceling certain items as follows:

Article	Classed as—	Label required [1]
Items added		
* * *	* * *	* * *
Igniters, rocket motor, class A explosives	Expl. A	
Igniters, rocket motor, class B explosives	Expl. B	
* * *	* * *	* * *
Para-quinone dioxime (see "Rubber curing compounds (solid)").		
* * *	* * *	* * *
Rocket engines (liquid), class B explosives	Expl. B	
Rocket motors, class A explosives	Expl. A	
Rocket motors, class B explosives	Expl. B	
* * *	* * *	* * *
*Rubber curing compounds (solid)	Has	
* * *	* * *	* * *
Items changed		
* * *	* * *	* * *
Automobiles, motorcycles, tractors, other self-propelled vehicles, or mechanized equipment, new or used, when offered for transportation without boxing or crating and containing gasoline, or other motor fuel within the fuel tank.	Has	
Automobiles, motorcycles, tractors, other self-propelled vehicles or mechanized equipment, new or used, with or without boxing or crating and containing no gasoline or other motor fuel within the motor or fuel tank. (See: "Automobiles, motorcycles, tractors, other self-propelled vehicles, or mechanized equipment, etc.")		
* * *	* * *	* * *
Guided missiles without warheads (see "Rocket motors, class A explosives" or "Rocket motors, class B explosives")		
* * *	* * *	* * *
Items canceled		
* * *	* * *	* * *
*Rocket ammunition without projectiles	Expl. B	
* * *	* * *	* * *

[1] Unless otherwise exempt by the provisions of the detailed regulations.

Subpart 146.05—Shipper's Requirements re: Packing, Marking, Labeling, and Shipping Papers

7. Section 146.05–11 is amended by changing paragraph (a), adding a new paragraph (d) and redesignating paragraph (d) as (e) as follows:

§ 146.05–11 Certification.

(a) The shipper offering for transportation by vessels subject to the regulations in this part any Class A, Class B or Class C explosive, and any inflammable liquid, inflammable solid, oxidizing material, corrosive liquid, compressed gas, or poison shall show the following certificate in the lower lefthand corner of the originating shipping paper over the written or stamped facsimile signature of the shipper or of his duly authorized agent:

This is to certify that the above articles are properly described by name, and are packed and marked and are in proper condition for transportation according to the regulations prescribed by the Interstate Commerce Commission.

* * * * *

(d) For export and import shipments of dangerous cargo not destined to be transported by land under the jurisdiction of the Interstate Commerce Commission as covered in §§ 146.02–10(b) and 146.02–11 (c) and (d), the shipper may certify on the bill of lading or other shipping paper that the dangerous articles are properly packed, marked, labeled and are in proper condition for transportation according to the regulations of the country of origin or destination as the case may be. The regulations must be identified by name.

(e) Detailed regulations in §§ 146.21–100 to 146.27–100 require specific certification for certain substances. When these substances are required to be certificated under paragraph (a), (b), or (c) of this section the certificate required by the detailed regulations shall be in addition thereto.

8. Section 146.05–12 is amended by changing paragraph (f)(5) to read as follows:

§ 146.05–12 Originating shipping order, transfer shipping paper.

* * * * *

(f) The minimum information required by this section to be shown upon an originating shipping order is as follows:

* * * * *

(5) Shipping name of each article, as shown in roman type in the commodity list herein. Further description not inconsistent with the shipping name may be shown. Unauthorized abbreviations shall not be used. See § 146.01–4. For other than domestic shipments, when the proper shipping name of a commodity is an "N.O.S." entry in the particular table, this term shall be qualified by the chemical name of the commodity in parentheses, e.g., "Corrosive liquid, N.O.S. (caprylyl chloride)."

* * * * *

9. Section 146.05–15 is amended by changing paragraph (e)(1) to read as follows:

§ 146.05–15 Marking and labeling applying to domestic shipments only.

* * * * *

(e) The marking of containers of Other Dangerous Articles of Substances shall be as follows:

(1) Each package containing inflammable liquids, inflammable solids, oxidizing materials, corrosive liquids, compressed gases; or poisons as defined herein shall be marked with the proper shipping name, as shown in the commodity list of the regulations in this part. For tank cars this marking shall appear on either the placards or commodity cards. For other than domestic shipments, when the proper shipping name of a commodity is an "N.O.S." entry in the particular table, this marking shall be qualified by the chemical name of the commodity in parentheses,

e.g., "Corrosive liquid, N.O.S. (caprylyl chloride)."

* * * * *

Subpart 146.06—Vessel's Requirements, re: Acceptance, Handling, Stowage, etc.

10. Section 146.06–15 is amended by changing paragraph (b) (3) and (5) as follows:

§ 146.06–15 Information required on manifests, lists, or stowage plans.

* * * * *

(b) This manifest, list or stowage plan shall show thereon the following information:

* * * * *

(3) True shipping name of the substance as given in the commodity list of the regulations in this part. For other than domestic shipments, when the shipping name of a commodity is an "N.O.S." entry in the particular table, this entry shall be qualified by the chemical name of the commodity in parentheses, e.g., "Corrosive liquid, N.O.S. (caprylyl chloride)."

* * * * *

(5) Classification of the substances in accordance with the regulations in this part (such as explosive, inflammable liquid, compressed gas, hazardous article, etc.). See § 146.01–4.

* * * * *

Subpart 146.07—Railroad Vehicles, Highway Vehicles, Vans or Portable Containers Loaded With Explosives or Other Dangerous Articles and Transported on Board Ocean Vessels

11. Section 146.07–1 is revised to read as follows:

§ 146.07–1 Applicability and definitions.

(a) The regulations in this subpart apply to railroad vehicles, highway vehicles, vans and portable containers in which are loaded any permitted explosives or other dangerous articles or substances, as defined in this part, when transported, carried, or conveyed on board any ocean-going vessel subject to the regulations in this part.

(b) For purposes of the regulations in this subpart the following definitions apply:

(1) A railroad vehicle is a cargo carrying body or tank permanently attached to an underframe and wheels (box car, tank car, etc.) which is loaded, stowed, and discharged as a unit. Tank car units shall be handled by "roll-on/roll-off" methods on vessels specially equipped for their securing or as provided in subparagraph (5) of this paragraph.

(2) A highway vehicle is a cargo carrying body or tank permanently attached to the chassis and wheels which is loaded, stowed and discharged as a unit. Tank vehicle units shall be handled by "roll-on/roll-off" methods on vessels specially equipped for their securing or as provided in subparagraph (6) of this paragraph.

(3) A van is a cargo carrying body other than a tank container which is designed and constructed to be removed from a chassis and wheels for water transportation. It is loaded and discharged by a "lift-on/lift-off" method.

(4) A portable container is a cargo carrying unit other than a "van" which is designed to be loaded or discharged by a "lift-on/lift-off" method. Portable containers shall be ICC specification portable containers (ICC–51, ICC–60) and/or shall be approved by the Commandant, U.S. Coast Guard.

(5) A trainship is a vessel other than a railroad car ferry or carfloat designed to transport railroad vehicles. If special loading and discharging gear is provided for the tank cars, which will not add additional stresses to the tank structure, they may be handled by this gear without the loading and discharging limitations of subparagraph (1) of this paragraph being applicable to this vessel.

(6) A trailership is a vessel other than a highway vehicle ferry or carfloat designed to transport highway vehicles. If special loading and discharging gear is provided for the tank vehicles, which will not add additional stresses to the tank structure, they may be handled by this gear without the loading and discharging limitations of subparagraph (2) of this paragraph being applicable to this vessel.

(7) A containership is a vessel designed to transport vans or portable containers.

12. Section 146.07–10 is amended by changing paragraph (a) to read as follows:

§ 146.07–10 Tank containers.

(a) Railroad or highway vehicles to which is attached a tank containing any explosives or other dangerous articles or substances shall not be offered or accepted for transportation on board any vessel unless such articles or substances are permitted by the regulations in this part to be carried on board a vessel in this manner, and provided there is compliance with the regulations in this subpart.

* * * * *

Subpart 146.20—Detailed Regulations Governing Explosives

§ 146.20–90 [Amended]

13. Section 146.20–90 is amended by changing the stowage and storage chart as follows:

A. Amend entry 6 by deleting the present text and insert in lieu thereof:

Explosive projectiles; bombs; torpedoes; mines; rifle or hand grenades (explosive); jet thrust units (jato), Class A; igniters, jet thrust, Class A; rocket motors, Class A; igniters, rocket motor, Class A.

B. Amend entry 8 by deleting the present text and insert in lieu thereof:

Ammunition for cannon with empty, inert-loaded or solid projectiles, or without projectiles; rocket ammunition with empty, inert-loaded or solid projectiles.

C. Amend entry 9 by deleting the present text and insert in lieu thereof:

Propellant explosives, Class B; jet thrust units (jato), Class B; igniters, jet thrust, Class B; rocket motors, Class B; igniters, rocket motor, Class B; starter cartridges, jet engine.

§ 146.20–100 [Amended]

14. Section 146.20–100 *Table A—Classification: Class A; dangerous explosives* is amended as follows:

A. Amend "Jet thrust units (jato), Class A explosives, etc." as follows:

(1) In column 1, after "Jet thrust units (jato), Class A explosives" insert the following:

Rocket motors, Class A explosives.

(2) In column 1, after "Igniters, jet thrust (jato), Class A explosives", add the following:

Igniters, rocket motor, Class A explosives.

(3) In column 2, delete "Jet thrust units are designed, etc." and insert in lieu thereof:

Jet thrust units are designed to be ignited by an electric igniter. They are used to assist airplanes to take off.
Rocket motors are devices containing a propelling charge and consisting of one or more continuous type combustion units closed at one end (closure may be an igniter with a thrust plate) and with one or more nozzles at the other end. (The rocket motor carries its own solid oxidizer-fuel combination.) The propelling charge consists of a mixture of chemicals which when ignited is capable of burning rapidly and producing considerable pressure and which will sustain a detonation.

(4) In column 2, delete "Devices consisting of, etc." and insert in lieu thereof:

Igniters are devices consisting of an electrically operated or remotely controlled ignition element and a charge of fastburning composition meeting the definition for Type I Class A explosives, assembled in a unit, for use in igniting the propelling charge of jet thrust units or rocket motors.

(5) In column 2, after "ICC regulations require that, etc." insert the following:

Jet thrust units or rocket motors may be packed in the same outside shipping container with their separately packaged igniters or igniter components when these containers are approved by the ICC or are of approved military specifications complying with § 146.02–8(a).

(6) In column 2, delete "Each outside package, etc." and insert in lieu thereof:

Each outside package must be plainly marked "JET THRUST UNIT, CLASS A EXPLOSIVES", "ROCKET MOTOR, CLASS A EXPLOSIVES", "IGNITERS, JET THRUST, CLASS A EXPLOSIVES", or "IGNITERS, ROCKET MOTOR, CLASS A EXPLOSIVES", as appropriate.

(7) In column 4, after "Wooden boxes or, etc." insert the following:

Wooden boxes, wooden crates, or other containers of approved military specifications complying with § 146.02–8(a).

(8) In column 4, delete "Jet thrust units (jato), etc." and insert in lieu thereof:

Jet thrust units; rocket motors; igniters, jet thrust, or rocket motor, Class A explosives, packed or prepared for shipment in any other manner must be approved by the Commandant, U.S. Coast Guard.

B. Amend "Rocket ammunition with explosive projectiles, etc." as follows:

(1) In column 2, delete "Rocket ammunition (including guided missiles), etc." and insert in lieu thereof:

Rocket ammunition (including guided missiles) is ammunition designed for launching from a tube, launcher, rails, trough or other launching device, in which the propellant material is a solid propellant explosive. It consists of an igniter, rocket motor, and a projectile (warhead) either fuzed or unfuzed, containing high explosives or chemicals. Rocket ammunition may be shipped completely assembled or may be shipped unassembled in one outside container.

§ 146.20–200 [Amended]

15. Section 146.20–200 *Table B—Classification: Class B; less dangerous explosives* is amended as follows:

A. Amend "Jet thrust units (jato), Class B explosives, etc." as follows;

(1) In column 1, after "Jet thrust units (jato), Class B explosives" insert the following:

Rocket motors, Class B explosives.

(2) In column 1, after "Igniters, jet thrust (jato), Class B explosives", add the following:

Igniters, rocket motor, Class B explosives.

(3) In column 2, delete all present text and insert in lieu thereof:

Jet thrust units (jato) are metal cylinders containing a mixture of chemicals capable of burning rapidly and producing considerable pressure. Jet thrust units are designed to be ignited by an electric igniter. They are used to assist airplanes to take off.
Rocket motors are devices containing a propelling charge and consisting of one or more continuous type combustion units, closed at one end (closure may be an igniter with a thrust plate) and with one or more nozzles at the other end. The propelling charge consists of a mixture of chemicals which when ignited is capable of burning rapidly and producing considerable pressure and which will not sustain a detonation. (The rocket motor carries its own solid oxidizer-fuel combination). Rocket motors are designed to be ignited by an electrically actuated device which may be an igniter, or by other means. They are used to propel or provide thrust for guided missiles, rockets, or spacecraft.
Igniters are devices consisting of an electrically operated or remotely controlled ignition element and a fast burning composition which functions by rapid burning rather than detonation, assembled in a unit, for use in igniting the propelling charge of jet thrust units, rocket motors, or rocket engines.
Jet thrust units or rocket motors may be packed in the same outside shipping container with their separately packaged igniters or igniter components when these containers are approved by the ICC or are of approved military specifications complying with § 146.02–8(a).
Igniters must not be shipped assembled in the units unless shipped by, for, or to the Departments of the Army, Navy, and Air Force of the United States Government.
Each outside package must be plainly marked "JET THRUST UNIT, CLASS B EXPLOSIVES," "ROCKET MOTOR, CLASS B EXPLOSIVES," "IGNITERS, JET THRUST, CLASS B EXPLOSIVES," "IGNITERS, ROCKET MOTOR, CLASS B EXPLOSIVES," as appropriate.

(4) In column 4, under "Outside containers" delete all text and insert in lieu thereof:

Wooden boxes or, wooden boxes fiberboard lined (ICC–14, 15A, 15E, 16A) not over 500 lb. gr. wt.
Wooden boxes, wooden crates, or other containers of approved military specifications complying with § 146.02–8(a).
Authorized only for igniters, Class B explosives: Wooden boxes (ICC–15B) not over 200 lb. gr. wt. Fiberboard boxes (ICC–23F) WIG, not over 75 lb. gr. wt.
Jet thrust units; rocket motors; igniters, jet thrust, or rocket motor, Class B explosives, packed or prepared for shipment in any other manner must be approved by the Commandant of the U.S. Coast Guard.

B. Amend "Rocket ammmunition with empty projectiles, etc." as follows:

(1) In column 1, delete "Rocket ammunition without projectiles".

(2) In column 2, delete all the present text and insert in lieu thereof:

Fixed ammunition which is fired from a tube, launcher, rails, trough, or other device as distinguished from cannon ammunition which is fired from a cannon, gun or mortar. It consists of an igniter, a rocket motor, and an empty projectile, inert-loaded projectile or solid projectile.
Each outside package must be plainly marked "ROCKET AMMUNITION WITH EMPTY PROJECTILES," "ROCKET AMMUNITION WITH INERT-LOADED PROJECTILES," or "ROCKET AMMUNITION WITH SOLID PROJECTILES" as appropriate..

C. Amend "Starter cartridges, jet engines, Class B explosives" as follows:

Starter cartridges, jet engine, consist of plastic or rubber cases, each containing a pressed cylindrical block of propellant explosive and having in the top of the case a small compartment that encloses an electrical squib, small amounts of black powder, and smokeless powder, which constitutes an igniter. It is used to activate a mechanical starter for jet engines.
Igniter wires must be short-circuited when packed for shipment.
Each outside package must be plainly marked "STARTER CARTRIDGES, JET ENGINE, CLASS B EXPLOSIVES."

Subpart 146.21—Detailed Regulations Governing Inflammable Liquids

16. Section 146.21–25 is amended by changing paragraphs (a) and (b) to read as follows:

§ 146.21–25 "Under deck" stowage.

(a) Stowage of inflammable liquids "Under deck" shall be in ventilated holds.

(b) Inflammable liquids that are permitted by the regulations in this subpart to be stowed in a cargo hold or a compartment on board a passenger vessel shall not be so stowed unless the compartment or hold authorized for such stowage is fitted with either an overhead water sprinkler system or fixed fire smothering system.

* * * * *

Subpart 146.22—Detailed Regulations Governing Inflammable Solids and Oxidizing Materials

17. Section 146.22–30 is amended by changing paragraph (c) (1) and (2) as follows:

§ 146.22–30 Authorization to load or discharge ammonium nitrate and ammonium nitrate fertilizers.

* * * * *

(c) (1) Ammonium nitrate and ammonium nitrate products (prills, crystals, grains or flakes) containing 90 percent or more ammonium nitrate by weight with no organic coating, including fertilizer grade, dynamite grade, nitrous oxide grade and technical grade, and ammonium nitrate phosphate (60 percent or more ammonium nitrate by weight) with no organic coating, packaged in multiwall paper bags or other nonrigid combustible containers, or rigid containers with combustible inside packings, shall be loaded or discharged at facilities removed from congested areas and/or those having high value or high hazard industrial facilities. A permit is required for this transaction.

(i) This facility shall conform with port security and local regulations and shall provide an abundance of water for fire fighting.

(ii) This facility shall be so located as to permit unrestricted passage to open water. The vessel shall be moored bow to seaward, and shall be maintained in a mobile status either by presence of tugs or readiness of engines. The vessel shall provide at the bow and stern a wire towing hawser having an eye splice and lowered to the water's edge.

(iii) The detailed requirements of § 146.22–100 pertaining to these products and other applicable sections of this part shall be strictly adhered to.

(2) Ammonium nitrate and ammonium nitrate products (prills, crystals, grains or flakes) containing 90 percent or more ammonium nitrate by weight with no organic coating, including fertilizer grade, dynamite grade, nitrous oxide grade, and technical grade, and ammonium nitrate phosphate (60 percent or more ammonium nitrate by weight) with no organic coating, packaged in ICC or nonspecification metal or fiber drums, barrels or kegs, wooden or fiberboard boxes with noncombustible inside packings, may be loaded or discharged at any waterfront facility which conforms to port security and local regulations. No permit is required for this transaction. These ICC or nonspecification containers may contain the ammonium nitrate products packaged in ICC approved plastic bags or the outside containers may have an inside ICC approved plastic liner.

* * * * *

18. Section 146.22–40 is amended by changing paragraph (b) to read as follows:

§ 146.22–40 Nitro carbo nitrate.

* * * * *

(b) Nitro carbo nitrate packaged in burlap bags, multiwall paper bags or

other nonrigid combustible containers or rigid containers with combustible inside packings shall be loaded or discharged at facilities so remotely situated from populous and congested areas and/or high value or high hazard industrial facilities that in the event of fire or explosion, loss of lives and property may be minimized. A permit authorizing such loading or discharging shall be obtained by the owner, agent, charterer, master or person in charge of the vessel from the Coast Guard District Commander or his authorized representative. Stowage shall be in conformity with § 146.22–30(f).

(1) This facility shall conform with port security and local regulations and shall provide an abundance of water for fire fighting.

(2) This facility shall be located as to permit unrestricted passage of open water. The vessel shall be moored bow to seaward, and shall be maintained in a mobile status either by presence of tugs or readiness of engines. The vessel shall provide at the bow and stern a wire towing hawser having an eye splice and lowered to the water's edge.

§ 146.22–100 [Amended]

19. Section 146.22–100 *Table E—Classification: Inflammable solids and oxidizing materials* is amended as follows:

A. Amend the following items as indicated:

1. Ammonium nitrate (*no organic coating*), etc.
2. Ammonium nitrate phosphate (*no organic coating*), etc.
3. Ammonium nitrate-carbonate mixtures, etc.
4. Ammonium nitrate mixed fertilizer, etc.

(1) In columns 4, 6, and 7, after "Wooden barrels or kegs" add the following:

Wooden or fiberboard boxes, WIC

(2) In column 4, wherever applicable, delete:

(see § 146.22–30(c)(2))

B. Amend the following items as indicated:

1. *Chlorates*, etc.
2. Phosphorus, white or yellow, in water, etc.
3. Sodium, metallic.

(1) In column 4, delete "Tank cars complying with ICC regulations" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).
Motor vehicle tank trucks complying with ICC regulations (trailerships and trainships only).

C. Amend the following items as indicated:

1. *Chlorates, wet*, etc.
2. Potassium nitrate mixed (fused), etc.
3. Rubber scrap, etc.

(1) In column 4, delete "Tank cars, etc." and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).

Subpart 146.23—Detailed Regulations Governing Corrosive Liquids

§ 146.23–100 [Amended]

20. Section 146.23–100 *Table F—Classification: Corrosive liquids* is amended as follows:

A. Amend the following items as indicated:

1. Acetyl chloride.
2. Alkaline corrosive battery fluid, etc.
3. Allyl trichlorosilane.
4. Amyl trichlorosilane.
5. Antimony pentachloride.
6. Benzoyl chloride.
7. Benzyl chloride.
8. Broiler compound liquid.
9. Bromine.
10. Butyl trichlorosilane.
11. Caustic potash, liquid, etc.
12. Chloracetyl chloride.
13. Chromyl chloride.
14. Cuprietheylene-diamine solution.
15. Cyclohexenyl trichlorosilane.
16. Cyclohexyl trichlorosilane.
17. Diethyl dichlorosilane.
18. Di iso octyl acid phosphate.
19. Dimethyl sulfate.
20. Diphenyl dichlorosilane.
21. Dodecyl trichlorosilane.
22. Electrolyte (acid) or corrosive battery fluid, etc.
23. Ethyl phenyl dichlorosilane.
24. Hexadecyl trichlorosilane.
25. Hexamethylene diamine solution.
26. Hexyl trichlorosilane.
27. Hydrazine anhydrous, etc.
28. Hydrobromic acid.
29. Hydrofluoric acid, anhydrous.
30. Monochloroacetic acid, liquid.
31. Nitrating (mixed) acid.
32. Nitric acid.
33. Nonyl trichlorosilane.
34. Octadecyl trichlorosilane.
35. Octyl trichlorosilane.
36. Phenyl trichlorosilane.
37. Phosphorus oxychloride.
38. Phosphorus trichloride.
39. Propyl trichlorosilane.
40. Pyro sulfuryl chloride, etc.
41. Sludge acid, etc.
42. Sodium aluminate, liquid.
43. Sodium chlorite solutions, etc.
44. Sulfur chloride (mono and di).
45. Sulfur trioxide, stabilized.
46. Sulfuric acid, etc.
47. Sulfuryl chloride.
48. Thionyl chloride.
49. Thiophosphoryl chloride.
50. Tin tetrachloride, anhydrous.
51. Titanium sulfate solution, etc.
52. Titanium tetrachloride.
53. Water treatment compound, liquid.

(1) In column 4, delete "Tank cars complying with ICC regulations" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).
Motor vehicle tank trucks complying with ICC regulations (trailerships and trainships only).

B. Amend "Antimony pentachloride solution" as follows:

(1) In column 4, delete "Tank cars complying with ICC regulations".

C. Amend the following items as indicated:

1. Chlorine trifluoride.
2. Flame retardant compound, liquid.
3. Fluosulfonic acid.

(1) In column 4, delete "Tank cars complying with ICC regulations" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).

D. Amend "Formic acid, etc." as follows:

(1) In column 4, delete "Tank cars complying with ICC regulations stenciled 'For Formic Acid Only'" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).

E. Amend "Hydrochlorid (muriatic) acid, etc." as follows:

(1) In column 4, delete "Tank cars complying with ICC regulations" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).

(2) In column 4, after "Portable tanks, rubber lined, etc." insert the following:

Motor vehicle tank trucks complying with ICC regulations (Trailerships and trainships only).

F. Amend "Hydrofluoric acid" as follows:

(1) In column 4, delete "Tank cars complying with ICC regulations" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships and trailerships only).

(2) In column 4, add the following:

Hydrofluoric acid of any strength except anhydrous: Motor vehicle tank trucks complying with ICC regulations (trainships and trailerships only).

G. Amend "Hydrogen peroxide, etc." as follows:

(1) In column 4, delete "Tank cars complying with ICC regulations" and "Highway vehicle cargo tanks" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).
Highway vehicle cargo tanks (trailerships and trainships only).

Subpart 146.24—Detailed Regulations Governing Compressed Gases

§ 146.24–100 [Amended]

21. Section 146.24–100 *Table G—Classification: Compressed gases* is amended as follows:

A. Amend the following items as indicated:

1. Aqua ammonia, etc.
2. Argon.
3. Chlorine, etc.
4. Crude nitrogen fertilizer solution.
5. Dichlorodifluoromethane.
6. Dichlorodifluoromethane-dichlorotetrafluoroethane mixture, etc.
7. Dichlorodifluoromethane and difluoroethane mixture, etc.
8. Dichlorodifluoromethane-monodfluorotrichloromethane mixture.
9. Fertilizer, ammoniating solution, etc.
10. Helium.
11. Hexafluoropropylene.
12. Monobromotrifluoromethane.
13. Monochlorodifluoromethane.
14. Monochlorotetrafluoroethane.

15. Nitrogen.
16. Nitrogen fertilizer solution.
17. Nitrosyl chloride.
18. Oxygen.

(1) In column 4, delete "Tank cars complying with ICC regulations" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).

B. Amend the following items as indicated:

1. Anhydrous ammonia, etc.
2. Carbon dioxide, etc.
3. Sulfur dioxide.

(1) In column 4, delete "Tank cars complying with ICC regulations" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).

(2) In column 4, delete "Tank motor vehicle, etc." and insert in lieu thereof:

Motor vehicle tank trucks complying with ICC regulations (trailerships and trainships only).

C. Amend the following items as indicated:

1. Aqua ammonia, etc.
2. Chlorine, etc.
3. Dichlorodifluoromethane.
4. Dichlorodifluoremethane-dichlorotetrafluoroethane mixture, etc.
5. Dichlorodifluoromethane - monofluorotrichloromethane mixture.
6. Hexafluoropropylene.
7. Monochlorodifluoromethane.

(1) In column 4, add the following:

Motor vehicle tank trucks complying with ICC regulations (trailerships and trainships only).

D. Amend "Nitrous oxide" as follows:

(1) In column 4, delete "Tank motor vehicles complying with ICC motor carrier regulations" and insert in lieu thereof:

Motor vehicle tank trucks complying with ICC regulations (trailerships and trainships only).

Subpart 146.25—Detailed Regulations Governing Poisonous Articles

§ 146.25–200 [Amended]

22. Section 146.25–200 *Table II—Classification: Class B; less dangerous poisons* is amended as follows:

A. Amend the following items as indicated:

1. Acetone cyanhydrin.
2. Alcohol, allyl, etc.
3. Aldrin mixtures, liquid, etc.
4. Aniline oil, liquid.
5. Arsenic acid, liquid.
6. Arsenic chloride (arsenous), liquid, etc.
7. Arsenical compounds or mixtures, N.O.S., liquid, etc.
8. Carbolic acid (phenol), liquid, etc.
9. Compounds, tree or weed killing, liquid.
10. Cyanide of potassium, liquid, etc.
11. Dinitrobenzol, liquid.
12. Dinitrophenol solutions.
13. Drugs, chemicals, medicines or cosmetics, N.O.S. (liquid), etc.
14. Insecticide, liquid.
15. Mercuric iodide solution.
16. Nicotine hydrochloride, etc.
17. Nitrobenzol, liquid, etc.
18. Nitroxylol.
19. Poisonous liquids, N.O.S.
20. Sodium arsenite (solution), liquid.

(1) In column 4, delete "Tank cars complying with ICC regulations" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).
Motor vehicle tank trucks complying with ICC regulations (trailerships and trainships only).

B. Amend the following terms as indicated:

1. Aldrin, etc.
2. Ammonium arsenate, solid.
3. Arsenic acid, solid, etc.
4. Arsenic bromide, solid, etc.
5. Arsenic sulfide (powder), solid.
6. Beryllium compounds, solid, N.O.S.
7. Bordeaux arsenites, solid, etc.
8. Carbolic acid (phenol), solid, etc.
9. Cocculus, solid (*fish berry*), etc.
10. Dinitrobenzol, solid, etc.
11. Drugs, chemicals, medicines or cosmetics, N.O.S. (solid).
12. Ferric arsenate, solid, etc.
13. Insecticide, dry, etc.
14. Lead arsenate, solid.
15. *Mercury compounds, solid*, etc.
16. Nicotine salicylate, etc.
17. Nitrochlorbensene, meta or para, solid, etc.
18. Poisonous solids, N.O.S.
19. Potassium arsenate, solid, etc.
20. Thallium salts, solid, etc.
21. Zinc arsenate, etc.

(1) In column 4, delete "Tank cars complying with ICC regulations", and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).

C. Amend "Motor fuel anti-knock compound" as follows:

(1) In column 4, delete "Tank cars complying with, etc." and insert in lieu thereof:

Authorized for stowage "Under deck away from heat."
Tank cars complying with ICC regulations (trainships only).
Motor vehicle tank trucks complying with ICC regulations (trailerships and trainships only).

D. Amend "Methyl bromide, liquid, etc." as follows:

(1) In column 4, delete "Tank cars complying with ICC regulations" and insert in lieu thereof:

Tank cars complying with ICC regulations (trainships only).

(2) In column 4, under "Authorized only for mixtures of methyl bromide and ethylene dibromide, etc." add the following:

Motor vehicle tank trucks complying with ICC regulations (trailerships and trainships only).

Subpart 146.26—Detailed Regulations Governing Combustible Liquids

23. Section 146.26–25 is amended by changing paragraph (a) to read as follows:

§ 146.26–25 "Under deck" stowage.

(a) Stowage of combustible liquids-cargo "Under deck" shall be in ventilated holds. The holds shall be fitted with either an overhead water sprinkler system or a fixed fire smothering system.

* * * * *

Subpart 146.27—Detailed Regulations Governing Hazardous Articles

24. Section 146.27–30 is amended by deleting all the present text and inserting in lieu thereof:

§ 146.27–30 Automobiles or other self-propelled vehicles offered for transportation with fuel in tanks.

(a) Automobiles or other self-propelled vehicles containing any fuel in the tanks may be accepted for transportation on board vessels inspected and certificated for ocean or unlimited coastwide voyages subject to the following conditions:

(1) Before and after loading, vehicles, shall be inspected for leaks. Vehicles showing signs of leakage shall not be accepted for transportation.

(2) Equipment used for handling vehicles shall be so designed that the fuel tank and fuel system are protected from stresses that might cause rupture or other damage incident to handling.

(3) Securing means shall be adequate to prevent the vehicles from coming adrift during the voyage.

(4) Vehicles containing fuel other than a flammable liquid or gas in the tanks, when stowed in the same hold or compartment with vehicles with fuel tanks containing flammable liquid or gas, shall also be subject to paragraph (b) of this section.

(5) Spaces exposed to carbon monoxide or other hazardous vapors from the exhausts of self-propelled vehicles shall have adequate ventilation. The concentration of carbon monoxide in the atmosphere shall be kept below 100 parts per million in the holds and intermediate decks where persons are working. When necessary, portable blowers of adequate size and location shall be utilized. Such portable blowers and their intakes shall not be located in any hold or compartment containing the vehicles.

(b) Automobiles or other self-propelled vehicles with fuel tanks containing flammable liquids or gas may be accepted for transportation on board vessels inspected and certificated for ocean or unlimited coastwise voyages, subject to the following additional conditions:

(1) Automobiles or other self-propelled vehicles stowed in a hold or compartment shall have battery cables disconnected and secured away from the battery terminals. Vehicles need not have battery cables disconnected if stowed on deck or if transported below decks in spaces designated as specially suitable for carriage of such vehicles by the Administration of the country in which the vessels are registered.

(2) The fuel tank shall not be over ¼ full.

(3) The stowage shall be on deck or in a ventilated cargo hold or compartment that is fitted with an overhead water sprinkler system or fixed fire smothering system.

(4) The hold or compartment in which the vehicles are stowed shall be equipped with a smoke or fire detecting system.

(5) Any electrical equipment in the hold or compartment except fixed explosion-proof lighting, shall be disconnected from its power supply at a location outside the compartment or hold during the time the vehicles are being handled or are stowed therein. Where the disconnecting means is a switch or circuit breaker, it shall be locked in the open position until the vehicles have been discharged. Vessels need not comply with this subparagraph if vehicles are being transported in spaces designated as specially suitable for carriage of such vehicles by the Administration of the country in which the vessels are registered.

(6) Portable electrical lights and hand flashlights used in the stowage area shall be of an approved explosion-proof type.

(7) Electrical connections for portable lights shall be made from outlets on the weather deck. Vessels need not comply with this subparagraph if vehicles are being transported in spaces designated as specially suitable for carriage of such vehicles by the Administration of the country in which the vessels are registered.

(8) No other cargo of a dangerous or hazardous nature shall be stowed in the same hold or compartment with vehicles with a flammable liquid or gas fuel in the tanks.

(9) Vehicles shall be so stowed as to allow for their inspection during transit.

(10) Two hand portable fire extinguishers of the dry chemical type of at least 15 pounds capacity shall be located in accessible locations in each hold or compartment in which automobiles are stowed.

(11) "No Smoking" signs shall be posted at each access opening to the hold or compartment.

(c) Vessels transporting automobiles or other self-propelled vehicles with empty fuel tanks shall comply with applicable requirements in § 146.27-100.

(d) Ferry vessels transporting automobiles or other self-propelled vehicles shall comply with applicable requirements of Subpart 146.08 of this part.

(e) Vessels in a service similar to ferry service but not over a designated ferry route may at the discretion of the Officer in Charge Marine Inspection, for the purposes of this section, be treated as ferry vessels covered under Subpart 146.08 of this part.

§ 146.27-100 [Amended]

25. Section 146.27-100 *Table K—Classification: Hazardous articles* is amended as follows:

A. Amend "Automobiles, etc." as follows:

(1) In column 1, delete "Automobiles, etc." and "Note 1 and Note 2" and insert in lieu thereof:

Automobiles, motorcycles, tractors, other self-propelled vehicles, or mechanized equipment, new or used, when offered for transportation without boxing or crating and containing gasoline, or other motor fuel within the fuel tank.

NOTE 1: This does not include motor vehicles having on board dangerous articles as lading. For regulations governing transportation of such vehicles, see §§ 146.08-1 to 146.08-55, inclusive.

NOTE 2. Automobiles, motorcycles, tractors, other self-propelled vehicles, or mechanized equipment, new or used, with or without boxing or crating and containing no gasoline or other motor fuel within the motor or fuel tank may be accepted for transportation on any type vessel without restriction, provided no dangerous articles other than those enumerated below are packed within the crate or vehicle:

(a) Two one-pint metal containers of retouching enamel, either hermetically sealed or closed with a secure friction cap.

(b) One tire repair kit containing a tube of cement of not more than 4 fluid ounces capacity, completely enclosed in an outer metal or fiberboard container.

(c) Charged electric storage batteries necessary for the normal operation of a vehicle or mechanized equipment in position within the battery holder, provided the terminals are disconnected and protected against short circuit, or if shipped outside the holder, then secured to prevent any movement of same. If a battery is packed within a boxed or crated vehicle, "This side up" marking shall be required on the outside of the shipping box or crate.

(d) Such brake fluid as is actually contained within the brake mechanism.

(e) Motor vehicles and mechanized equipment shipped by, for or to the Department of the Army, Navy or Air Force may also contain electrolyte (acid) or corrosive battery fluid in a sufficient quantity to activate the number of electric storage batteries necessary for operation of the military vehicles or equipment. It must be packed in approved inside containers, tightly and securely closed, packed in strong outside containers. Inside glass containers shall be cushioned on all sides with incombustible material in sufficient quantity to completely absorb the fluid contents in event of breakage. The outside container must be so blocked, braced or stayed within the vehicle or crate that it cannot change position during transit.

(f) Self-propelled vehicles or mobile agricultural machinery may be shipped with a container of electrolyte (acid) or corrosive battery fluid secured in a position to prevent damage and packaged as follows: Wooden boxes (ICC-15A, 15B, 15C, 16A, 19A) or Fiberboard boxes (ICC-12B, 12C) WIC, meeting the requirements of ICC regulations.

(2) In column 5, delete, "On deck in open" or "On deck protected, etc." to "may be utilized" and insert in lieu thereof:

"On deck in open" or "On deck protected," or if the vessel is provided with a compartment fitted with an overhead sprinkler system or fixed fire smothering system in any of the following locations such compartments may be utilized.

B. After "Rough ammoniate tankages, etc." add the following:

(1) In column 1, add:

Rubber curing compound, (solid) Paraquinone dioxime.

(2) In column 2, add:

Some of these compounds are easily ignited and burn rapidly.
The ease of ignition is increased when in dust form in the air. Care should be taken in handling to minimize dusting and spilling.

(3) In column 3, add:

No label required.

(4) In columns 4 and 5, add:

Stowage:
"On deck."
"Under deck."
Outside containers:
Tight, sift-proof drums, barrels or boxes.
Sift-proof multiwall paper bags.
Sift-proof lined burlap bags.

(5) In column 6, add:

Ferry stowage (AA)
Outside containers:
Tight, sift-proof drums, barrels or boxes.
Sift-proof multiwall paper bags.
Sift-proof lined burlap bags.
Covered vehicles loaded with the material in bulk may be transported provided the lading shows no sign of sifting.

(6) In column 7, add:

Ferry stowage (BB)
Outside containers:
Tight, sift-proof drums, barrels or boxes.
Sift-proof multiwall paper bags.
Sift-proof lined burlap bags.
Covered vehicles loaded with the material in bulk may be transported provided the lading shows no sign of sifting.

Subpart 146.29—Detailed Regulations Governing the Transportation of Military Explosives and Hazardous Munitions on Board Vessels

26. Section 146.29-39 is amended by adding paragraph (n) to read as follows:

§ 146.29-39 Handling and slinging of explosives.

* * * * * *

(n) Only safety hooks or hooks that have been moused by wire shall be utilized in loading or discharging drafts of military explosives or munitions.

27. Section 146.29-59 is amended by changing paragraph (d) (1) as follows:

§ 146.29-59 Stowage adjacent to other dangerous articles.

* * * * * *

(d) *Military vehicles with electrolyte.* * * *

(1) In glass or earthenware containers, not exceeding 160 ounces capacity (1 imperial gallon) in fiberboard cartons of a size to permit cushioning with an incombustible, absorbent material of a sufficient amount to absorb the contents of the container in event of breakage. The outside container shall consist of a wooden box (ICC-15A, 16B or Army Specification) in which 1, 2, 3, or 4 fiberboard cartons may be packed. Battery electrolyte may also be shipped in 1-gallon polyethylene bottles made and packaged in accordance with Military Specification 207B, Type IV, Class I. The outside containers shall carry the white (acid) label. No military ammunition shall be included within this package.

* * * * * *

(R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. Interpret or apply sec. 3, 69 Stat. 675; 50 U.S.C. 198; E.O. 11239, 30 F.R. 9671, 3 CFR 1965 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1964, 19 F.R. 8026)

Dated: June 7, 1966.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard, Acting Commandant.

[F.R. Doc. 66-6462; Filed, June 13, 1966; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 217, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 910.517 (Lemon Regulation 217; 31 F.R. 7962) are hereby amended to read as follows:

§ 910.517 Lemon Regulation 217.

* * * * *

(b) *Order.* (1) * * *

(ii) District 2: 395,250 cartons.

* * * * *

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6493; Filed, June 13, 1966; 8:45 a.m.]

[Plum Reg. 11]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Sizes

§ 917.382 Plum Regulation 11 (Nubiana).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 917, as amended; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011); and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; the provisions of this section should be made known to producers, handlers, and distributors of such plums as soon as practicable in order to effectuate the declared policy of the act; such provisions are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 26, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship from any shipping point during any day any package or container of Nubiana plums, except to the extent otherwise permitted under this paragraph, unless such plums are of a size that, when packed in a standard basket, they will pack at least a 3 x 4 x 4 standard pack.

(2) During each day of the aforesaid period, any handler may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than the size prescribed in subparagraph (1) of this paragraph if said quantity does not exceed twenty-five (25) percent of the number of the same type of packages or containers of such plums shipped by such handler which meet the size requirements of said subparagraph (1) of this paragraph: *Provided*, That all such smaller plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 4 standard pack.

(3) If any handler, during any day of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than the size prescribed in subparagraph (1) of this paragraph, the quantity of such undershipment may be shipped by such handler only from such shipping point.

(4) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520-1538 of this title; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6495; Filed, June 13, 1966; 8:45 a.m.]

[Plum Reg. 12]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Grade and Size

§ 917.383 Plum Regulation 12 (Late Tragedy).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 917, as amended; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found

that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C 1001–1011); and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; the provisions of this section should be made known to producers, handlers, and distributors of such plums as soon as practicable in order to effectuate the declared policy of the act; such provisions are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) The provisions of § 917.373 (Plum Regulation 2; 31 F.R. 7242) shall not apply to Late Tragedy plums during the period specified in subparagraph (2) of this paragraph.

(2) During the period beginning at 12:01 a.m., P.s.t., July 3, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Late Tragedy plums unless:

(i) Such plums grade at least U.S. No. 1, except that gum spots which do not cause serious damage shall not be considered as a grade defect with respect to such grade; and

(ii) Such plums are of a size that, when packed in a standard basket, they will pack at least a 5 x 6 standard pack.

(3) When used herein, "U.S. No. 1," "standard pack," and "serious damage" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520–1538 of this title; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6496; Filed, June 13, 1966; 8:46 a.m.]

[Plum Reg. 13]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Grade and Size

§ 917.384 Plum Regulation 13 (Late Santa Rosa, Improved Late Santa Rosa, and Casselman).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 917, as amended; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011); and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; the provisions of this section should be made known to producers, handlers, and distributors of such plums as soon as practicable in order to effectuate the declared policy of the act; such provisions are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) The provisions of § 917.373 (Plum Regulation 2; 31 F.R. 7242) shall not apply to Late Santa Rosa, Improved Late Santa Rosa, or Casselman plums during the period specified in subparagraph (2) of this paragraph.

(2) During the period beginning at 12:01 a.m., P.s.t., July 3, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Late Santa Rosa, Improved Late Santa Rosa, or Casselman plums, except to the extent otherwise permitted under this paragraph, unless:

(i) Such plums grade at least U.S. No. 1, except that healed cracks emanating from the stem end which do not cause serious damage shall not be considered as a grade defect with respect to such grade; and

(ii) Such plums are of a size that, when packed in a standard basket they will pack at least a 3 x 4 x 5 standard pack.

(3) During each day of the aforesaid period, any handler may ship from any shipping point a quantity of each such variety of plums, by number of packages or containers, which are of a size smaller than the size prescribed in subparagraph (2) of this paragraph if said quantity does not exceed fifty (50) percent of the number of the same type of packages or containers of such variety of plums shipped by such handler which meet the size requirements of said subparagraph (2) of this paragraph: *Provided*, That all such smaller plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 5 standard pack.

(4) If any handler, during any day of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be smaller than the size prescribed in subparagraph (3) of this paragraph, the quantity of such undershipment may be shipped by such handler only from such shipping point.

(5) When used herein, "U.S. No. 1," "standard pack," and "serious damage" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520–1538 of this title; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6497; Filed, June 13, 1966; 8:46 a.m.]

[Plum Reg. 14]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Sizes

§ 917.385 Plum Regulation 14 (Queen Ann).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 917, as amended; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011); and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; the provisions of this section should be made known to producers, handlers, and distributors of such plums as soon as practicable in order to effectuate the declared policy of the act; such provisions are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., July 3, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Queen Ann plums, except to the extent otherwise permitted under this paragraph, unless such plums are of a size that, when packed in a standard basket, they will pack at least a 3 x 4 x 4 standard pack.

(2) During each day of the aforesaid period, any handler may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than the size prescribed in subparagraph (1) of this paragraph if said quantity does not exceed fifty (50) percent of the number of the same type of packages or containers of such plums shipped by such handler which meet the size requirements of said subparagraph (1) of this paragraph: *Provided*, That all such smaller plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 4 standard pack.

(3) If any handler, during any day of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than the size prescribed in subparagraph (1) of this paragraph, the quantity of such undershipment may be shipped by such handler only from such shipping point.

(4) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520–1538 of this title; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6498; Filed, June 13, 1966; 8:46 a.m.]

[Plum Reg. 15]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Grade and Size

§ 917.386 Plum Regulation 15 (Kelsey).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 917, as amended; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011); and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; the provisions of this section should be made known to producers, handlers, and distributors of such plums as soon as practicable in order to effectuate the declared policy of the act; such provisions are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) The provisions of § 917.373 (Plum Regulation 2; 31 F.R. 7242) shall not apply to Kelsey plums during the period specified in subparagraph (2) of this paragraph.

(2) During the period beginning at 12:01 a.m., P.s.t., July 3, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Kelsey plums unless:

(i) Such plums grade at least U.S. No. 1, with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerance permitted by such grade; and

(ii) Such plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 4 standard pack.

(3) When used herein, "U.S. No. 1," "standard pack," and "serious damage" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520–1538 of this title; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6499; Filed, June 13, 1966; 8:46 a.m.]

[Plum Reg. 16]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Size

§ 917.387 Plum Regulation 16 (Standard).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 917, as amended; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011); and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; the provisions of this section should be made known to producers, handlers, and distributors of such plums as soon as practicable in order to effectuate the declared policy of the act; such provisions are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 31, 1966.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., July 10, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no handler shall ship any package or container of Standard plums unless such plums are of a size that, when packed in a standard basket, they will pack at least a 5 x 5 standard pack.

(2) When used herein, "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Fresh Plums and Prunes (§§ 51.1520–1538 of this title; 31 F.R. 6240, 7169); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6500; Filed, June 13, 1966; 8:46 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs., 1966 and Subsequent Crops Grain Sorghum Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops Grain Sorghum Loan and Purchase Program

Correction

In F.R. Doc. 66–6212, appearing at page 8000 of the issue for Tuesday, June 7, 1966, the following correction is made in § 1421.2571, in the matter preceding the first proviso of paragraph (b): The phrase reading "from the point for origin of such grain sorghum" should read "from the point of origin for such grain sorghum".

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 0—ETHICS AND CONDUCT OF DEPARTMENT OF LABOR EMPLOYEES

Pursuant to and in accordance with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 0 is added to Subtitle A of Title 29 of the Code of Federal Regulations, reading as follows:

Subpart A—General

Sec.
0.735–1 Purpose and scope.
0.735–2 Counseling service.
0.735–3 General.

Subpart B—Conduct

0.735–4 General.
0.735–5 Nondiscrimination.
0.735–6 Indebtedness.
0.735–7 Gambling, betting, and lotteries.
0.735–8 Misuse of official information.
0.735–9 Misuse of Federal property.
0.735–10 Partisan political activities.

Subpart C—Outside Interests, Employment, Business and Professional Activities

0.735–11 General.
0.735–12 Conflict-of-interest laws.
0.735–13 Clearance.

Subpart D—Gifts, Fees, Entertainment, and Favors

0.735–14 Acceptance of gratuities generally.
0.735–15 Payments, expenses, reimbursements, entertainments, etc., from non-Government sources.
0.735–16 Contributions and gifts to superiors.
0.735–17 Permissible gifts.

Subpart E—Statements of Employment and Financial Interests

0.735–18 Regular employees required to submit statements.
0.735–19 Supplementary statements, regular employees.
0.735–20 Special Government employees required to submit statements.
0.735–21 Review procedures.
0.735–22 Statements of top staff and certain other employees.
0.735–23 Confidentiality.
0.735–24 Review of files.
0.735–25 Interests of employees' relatives.
0.735–26 Information not known by employees.
0.735–27 Information not required.
0.735–28 Effect of employees' statements on other requirements.

Appendix A.

AUTHORITY: The provisions of this Part 0 issued under Executive order of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—General

§ 0.735–1 Purpose and scope.

(a) This part is designed to implement provisions of Executive Order 11222 of May 8, 1965, "Prescribing Standards of Ethical Conduct for Government Officers and Employees," and 5 CFR 735.101 et seq. It prescribes standards of conduct for employees of the Department of Labor relating to conflicts of interest arising out of outside employment, private business and professional activities, and financial interests. It sets forth requirements for the disclosure of such interests by Department employees. In addition, it states basic principles regarding employees' conduct on the job and the ethics of their relationship to the Department as their employer. The head of an administration, bureau, or office may with the approval of the Solicitor, adopt additional standards and procedures, not inconsistent with this part. Any such additional standards and procedures shall be furnished in writing to the employees affected. This part applies to all regular and special Government employees except to the extent otherwise indicated herein. For the purpose of this part:

(1) "Regular employee" means an officer or employee of the Department of Labor, but does not include a special Government employee.

(2) "Special Government employee" means an officer or employee of the Department of Labor who is retained, designated, appointed or employed to perform, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days, temporary duties either on a full-time or intermittent basis.

(3) "Employee" means a regular and a special Government employee.

(b) This part, among other things, reflects prohibitions and requirements imposed by the criminal and civil laws of the United States. However, the paraphrased restatements of criminal and civil statutes in no way constitute an interpretation or construction thereof that is binding upon the Federal Government. Moreover, this part does not purport to paraphrase or enumerate all restrictions or requirements imposed by statutes, Executive orders, regulations or otherwise upon Federal employees. The omission of a reference to any such restriction or requirement in no way alters the legal effect of that restriction or requirement.

§ 0.735–2 Counseling service.

(a) The Solicitor has been designated counselor to the Department in matters within the scope of the regulations in this part. Deputy counselors designated by the Solicitor will be available to consult with employees on questions relating to ethics, conduct, and conflict of interest. Employees are expected to familiarize themselves with the regulations in this part, the laws and regulations on which they are based, and the supplementary instructions issued by the administrations, bureaus, and offices in which they work. Attention of all employees is hereby directed to the statutes set forth in 5 CFR 735.210 (see Appendix A to this part). Attention of employees of the Office of Labor-Management and Welfare-Pension Reports is hereby directed to section 15(b) of the Welfare and Pension Plans Disclosure Act, which prohibits any Department employee from administering or enforcing the Act with respect to any employee organization in which he is a member or employer organization in which he has an interest. Employees who need clarification of the standards of conduct, and related laws, rules, and regulations should consult a deputy counselor.

(b) Each head of an administration, bureau, or office is responsible for assuring that his employees are furnished copies of the regulations in this part not later than 90 days after their approval by the Civil Service Commission. Each new employee shall be furnished such a copy no later than the time of his entrance on duty. The heads of administrations, bureaus, and offices shall assure that employees are advised of the times and places where counseling services are available and the names of the deputy counselors. They shall assure that the regulations in this part are brought to the attention of each employee at least annually and at such other times as circumstances warrant. The Assistant Secretary for Administration shall carry out these functions with regard to employees in the Office of the Secretary.

§ 0.735–3 General.

(a) Failure of an employee to comply with any of the standards of conduct set forth in this part shall be a basis for such disciplinary or other remedial action as may be appropriate to the particular case. Such remedial action may include, but is not limited to:

(1) Changes in assigned duties;

(2) Divestment by the employee of his conflicting interest;

(3) Disciplinary action; or

(4) Disqualification for a particular assignment.

(b) Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations.

(c) The head of an administration may delegate authority under §§ 0.735–8, 0.735–11, 0.735–15, and Subpart E of the regulations in this part. Delegations shall be at the highest practicable level. Delegations of final authority to employing bureaus or offices within such administrations shall be made to no individual lower than the head or acting head of such bureau or office.

Subpart B—Conduct

§ 0.735–4 General.

(a) The effectiveness of the Department of Labor in serving the public interest depends upon the extent to which the Department and its employees hold the public confidence. Employees are therefore required not only to observe the requirements of Federal laws, policies, orders, and regulations governing official conduct, they must also avoid any apparent conflict with these requirements. Each employee shall avoid situations in which his private interests conflict or raise a reasonable question of conflict with his public duties and responsibility. An employee shall avoid any action, whether or not specifically prohibited, which might result in or create the appearance of using public office for private gain, giving preferential treatment to any person, impeding Government efficiency or economy, losing complete independence or impartiality, making a Government decision outside of official channels, or affecting adversely the confidence of the public in the integrity of the Government.

(b) Employees must conduct themselves in such manner that the work of the Department is effectively accomplished. They must observe the requirements of courtesy, consideration and promptness in dealing with or serving the public and the clientele of the Department. Although it is the policy of the Department of Labor not to restrict or interfere with the private lives of its employees, each employee is expected to conduct himself at all times so that his actions will not bring discredit on the Department or the Federal service. Employees shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct or other conduct prejudicial to the Government.

§ 0.735–5 Nondiscrimination.

No employee in this Department while in the performance of his duty may discriminate against any other employee or applicant for employment because of race, color, religion, national origin, sex, or age.

§ 0.735–6 Indebtedness.

The Department of Labor considers the indebtedness of its employees to be essentially a matter of their own concern. The Department of Labor will not be placed in the position of acting as a collection agency or of determining the validity or amount of contested debts. Nevertheless, failure on the part of an employee without good reason and in a proper and timely manner to honor his just financial obligations, that is, debts acknowledged by him to be valid or reduced to judgment by a court or to make or to adhere to satisfactory arrangements for the settlement thereof may be the cause for disciplinary action. In this connection each employee has a special obligation to meet his responsibilities for payment of Federal, State, and local taxes. For the purpose of this section, "in a proper and timely manner" means in a manner which the Department determines does not, under the circumstances, reflect adversely on the Government as his employer.

§ 0.735–7 Gambling, betting, and lotteries.

An employee shall not participate, while on Government owned or leased property or while on duty for the Government, in any gambling activity, including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket. However this section does not preclude activities:

(a) Necessitated by an employee's law enforcement duties; or

(b) Under section 3 of Executive Order 10927 and similar agency-approved activities.

§ 0.735–8 Misuse of official information.

Employees may not, except with specific permission or as provided in § 0.735–11 in regard to teaching, lecturing, or writing, directly or indirectly use or allow the use of official information for private purposes or to further a private interest when such information has not been made available to the general public; nor may employees disclose official information in violation of any applicable law, Executive order, or regulation.

§ 0.735–9 Misuse of Federal property.

An employee shall not directly or indirectly use or allow the use of Government property, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve such property and shall obey all rules and regulations applicable to its use.

§ 0.735–10 Partisan political activities.

Employees are expected to observe the prohibitions on partisan political activities set forth in 18 U.S.C. Chap. 29 and section 9(a) of the Hatch Act. Explanations of the restrictions are set forth in the Employee Handbook, U.S. Civil Service Commission Pamphlet No. 20, and in the Federal Personnel Manual.

Subpart C—Outside Interests, Employment, Business and Professional Activities

§ 0.735–11 General.

(a) In the absence of restrictions made necessary by a Department employee's public responsibilities, he is entitled to the same rights and privileges as all other citizens. There is therefore no general prohibition against Department employees holding jobs, financial interests, or engaging in outside business or professional activities. Indeed, such outside activities as teaching, lecturing, and writing are generally to be encouraged since they frequently serve to enhance an employee's value to the Government as well as to increase the spread of knowledge in our society. The employing administration, bureau, or office, may however, impose reasonable restrictions upon such activities where appropriate and in accordance with § 0.735–1. In addition, an employee may not, whether for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request or when the head of his employing administration, bureau, or office gives written authorization for the use of nonpublic information on the basis that its use is in the public interest. In addition, an employee who is a Presidential appointee covered by section 401 of Executive Order 11222 of May 8, 1965, shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of his agency, or which draws substantially on official data or ideas which have not become part of the body of public information.

(b) No employee of the Department of Labor may accept any outside employment, engage in any outside business, professional, or other activity, or have financial interests if such employment, activity, or interests would be in substantial conflict with the interests of the Department or the Government, would interfere with the performance of official duties, would prevent a regular employee from rendering full-time service to the Department or require so much time that his efficiency is impaired, or if such employment, activity, or interests would bring discredit on the Department or the Government. In addition, no employee may engage, directly or indirectly, in a financial transaction as a result of, or relying primarily on, information obtained through his Government employment.

(c) No employee may use or appear to use his Government employment to coerce any person, enterprise, company, association, partnership, society, or other organization or instrumentality to provide financial benefit to himself or another person.

(d) No employee may engage in outside employment under a State or local government except in accordance with Title 5, Part 734, Code of Federal Regulations.

§ 0.735–12 Conflict-of-interest laws.

Sections 201 through 209 of Title 18, United States Code, include several restrictions with regard to a Federal employee's outside interests, employment, business and professional activities. These provisions include prohibitions against:

(a) Participation as a Government employee in matters affecting a personal financial interest, including those of a spouse, minor child, partner or organization with which he has a connection or is seeking employment.

(b) Activities in connection with contracts, claims, and other matters in which the Government is a party or has an interest. Receipt of compensation in connection with such matters.

(c) Receipt of compensation for performing Government work from sources other than the Government.

Employees who need guidance concerning the scope and application of these provisions and the exceptions thereto should consult a deputy counselor to the Department.

§ 0.735–13 Clearance.

(a) Any employee who is engaged or is planning to engage in outside activities which he believes might be in conflict with this subpart or the conflict-of-interest provision of Title 18, U.S. Code, or might reasonably be so regarded by others shall request clearance from the head of his administration, bureau, or office as to whether such activities are prohibited. The request shall be in writing and shall include, at a minimum the identity of the employee, a statement of the nature of the employment or activity, and the amount of time to be devoted to the employment or activity. The head of the employing administration, bureau, or office may grant clearance only when such clearance would be consistent with applicable laws, orders, and regulations. He shall consult fully with the Solicitor where appropriate. If clearance is not granted, the employee shall not commence or continue the outside employment or activity.

(b) The Secretary or his designee will handle requests for clearance by the heads of administrations, bureaus, offices, Presidential appointees, members of boards or commissions appointed by the Secretary, employees in the immediate Office of the Secretary. Clearance matters involving other employees in the Office of the Secretary will be handled by the head of the employing subdivision within such office which is not a part of a larger subdivision.

Subpart D—Gifts, Fees, Entertainment, and Favors

§ 0.735–14 Acceptance of gratuities generally.

No employee shall solicit, accept, or agree to accept any direct or indirect favor, gift, loan, free service, gratuity, entertainment or other item of economic value which could affect his impartiality or give that appearance, if he has reason to believe that the donor has or is seeking to obtain contractual or other business or financial relations with the Department, conducts operations or activities that are regulated by the Department, has interests that may be substantially affected by the performance or nonperformance of his official duties, or is attempting to reward or influence the employee's official actions. An employee shall not accept a gift, present, decoration, or other thing from a foreign Government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 114–115a. No regular Government employee may receive any salary or supplementation of salary from a private source as compensation for services to the Government.

§ 0.735–15 Payments, expenses, reimbursements, entertainment, etc., from non-Government sources.

(a) An employee may not without the written permission of the head of his employing administration, bureau, or office, or other person responsible for clearance of outside activities under § 0.735–13, accept from non-Government sources any payments, expenses, reimbursements, entertainment, or other item of economic value incident to training, attendance at meetings of any kind, or other activities if such training, meetings, or activities are attended or performed wholly or partially within periods when he is on duty or at such times as the Department pays any expenses incident thereto in whole or in part. Such authorization may not be granted where prohibited by law or this part and shall be limited to receipt of bona fide reimbursement for actual expenses of travel and other necessary subsistence for which no Government payment or reimbursement is made. However, an employee may not be reimbursed and payment may not be made on his behalf for excessive personal living expenses, gifts, entertainment or other personal benefits.

(b) Permission is not required for receipt of food and refreshments of nominal value on infrequent occasions in the ordinary course of a meeting or training situation in which the employee is properly in attendance.

§ 0.735–16 Contributions and gifts to superiors.

No employee may solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make a donation as a gift to an employee in a superior official position. This section does not prohibit voluntary gifts suitable to the occasion for employees retiring, leaving employment with the Department, or on occasions such as marriage, illness, etc.

§ 0.735–17 Permissible gifts.

(a) The prohibitions relating to gifts, fees, entertainment and favors do not preclude:

(1) Acceptance of unsolicited advertising or promotional material of nominal intrinsic value;

(2) Acceptance of an award for meritorious public contribution given by a charitable, religious, professional, social, fraternal, nonprofit educational, recreational, public service, or civic organization;

(3) Acceptance of gifts resulting from obvious family or personal relationships when the circumstances make clear that it is those relationships rather than the business of the persons concerned which are the motivating factor;

(4) Acceptance of loans from banks, or other financial institutions on customary terms to finance proper and usual activities;

(5) Acceptance of scholarships, fellowships, and similar forms of assistance which are incident to education or training pursued by an employee on his own time and his own initiative. However, such scholarships are subject to the general prohibitions set forth in § 0.735–14.

(b) Notwithstanding any of the exceptions provided in this subpart, employees are expected to avoid any conflict or apparent conflict between their private interests and those of the Department and to observe the other standards of conduct set forth in Subpart B of this part.

Subpart E—Statements of Employment and Financial Interests

§ 0.735–18 Regular employees required to submit statements.

The following regular employees are required to submit to the head of the employing administration, bureau, or office statements of employment and financial interests on forms furnished by the Department completed in accordance with instructions applicable thereto. Forms shall be submitted not later than 90 days after the effective date of the regulations in this part, if employed on or before that effective date or 30 days after his entrance on duty, but not earlier than 90 days after the effective date if appointed after the effective date:

(a) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended; except the Secretary of Labor who is subject to separate reporting requirements under section 401 of Executive Order 11222;

(b) Employees in Grade GS–16 or above of the General Schedule established by the Classification Act of 1949 as amended, or in comparable or higher positions not subject to that act;

(c) Employees in hearing examiner position as defined by § 930.202(c) of Civil Service Commission regulations (5 CFR 930.202(c));

(d) All executive or special assistants to the Secretary, Under Secretary, Assistant Secretaries or the Solicitor, Grades GS–13 and above; and

(e) Employees occupying the following positions, regardless of grade, unless otherwise indicated:

OFFICE OF THE SECRETARY

OFFICE OF ADMINISTRATIVE SERVICES

Director.
Chief, Division of Procurement and Contracting.

ASSISTANT ADMINISTRATIVE ASSISTANT SECRETARY

Director, Office of Employee Utilization and Development.
Executive Development Officer.
Supervisory Services Officer.
Chief, Division of Training.

OFFICE OF ORGANIZATION AND MANAGEMENT

Director.

OFFICE OF FINANCIAL MANAGEMENT AND DATA SYSTEMS

Director.
Chief, Data Systems Policy and Planning Staff.

OFFICE OF INFORMATION, PUBLICATIONS AND REPORTS

Deputy Director.
Chief, Visual Services.
Chief, Photographic Services.

OFFICE OF THE SOLICITOR

Deputy Solicitor.
All Associate Solicitors.
All Deputy Associate Solicitors.
All Regional Attorneys.

DIVISION OF LITIGATION

Counsel for Regional Litigation.
Chief Trial Attorney.

DIVISION OF INTERPRETATIONS AND OPINIONS

Counsel for Construction Wage Standards.

DIVISION OF WAGE DETERMINATIONS

Associate Administrator.
Deputy Associate Administrator.

BUREAU OF LABOR STATISTICS

Deputy Associate Commissioner for Administrative Management.
Chief, Division of Fiscal Management and Services.
Chief, Branch of Services and Records.
Chief, Division of Data Processing.

BUREAU OF LABOR STANDARDS

Regional Directors, Office of Occupational Safety.

BUREAU OF INTERNATIONAL LABOR AFFAIRS

DIVISION OF ADMINISTRATION AND MANAGEMENT

Director.
Administrative Officer.

DIVISION OF TRADE UNION EXCHANGE PROGRAMS

Chief.
Deputy Chief.
Labor Adviser.

DIVISION OF INTERNATIONAL EXHIBITIONS

Chief.
Deputy Chief.

DIVISION OF FOREIGN ECONOMIC POLICY

Chief.
International Economist grade GS–12 and above.

OFFICE OF PROGRAM DEVELOPMENT AND COORDINATION DIRECTOR

Director.

OFFICE OF COUNTRY PROGRAMS

American Republics Area Specialist.

WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS

Assistant Administrator for Planning and Management.
Assistant to the Administrator.
All Regional Directors.
All Deputy Regional Directors.
All Assistant Regional Directors.
All Assistants to the Regional Director.
All Directors of District Offices.
All Field Office Supervisors.
Director of the Puerto Rico Area Office.

LABOR MANAGEMENT SERVICES ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

The Administrator.
Deputy Administrator.
Director, Office of Administration and Management.

OFFICE OF LABOR-MANAGEMENT POLICY DEVELOPMENT

Director.
Chief, Division of Policy Development.
Chief, Division of Research and Analysis.

OFFICE OF EMPLOYEE MANAGEMENT RELATIONS SERVICE

Director.
Chief, Division of Industrial Relations Services.
Chief, Division of Federal Employee Management Relations.

OFFICE OF LABOR-MANAGEMENT AND WELFARE-PENSION REPORTS

Office of the Director: All professionals.
Division of Compliance Operations: All professionals.
Division of Reports and Analysis:
Director.
Deputy Director.
All Branch Chiefs.
All professionals, Branch of Financial Audit.
Supervisor and Assistant Supervisors, Disclosure Section.
Division of Technical Assistance: Director.

Division of Regulations and Administrative Rulings:
Director.
All branch Chiefs.
Chief, Section of Bonding.
Chief, Section of Rulings (Welfare and Pension Plans).
Field: All professionals.

BUREAU OF EMPLOYEES' COMPENSATION

Assistant Director for Administrative Management.
Assistant Director for Longshoremen's and Harbor Workers' Compensation.
Deputy Commissioners, District Offices.

MANPOWER ADMINISTRATION

OFFICE OF THE MANPOWER ADMINISTRATOR

All positions grade GS–14 and above.

OFFICE OF FINANCIAL AND MANAGEMENT SERVICES

Deputy Director.
Division of Contracting Services: All positions grade GS–13 and above.
Division of Finance:
Division Chief.
All auditor positions.
Division of Management Analysis: Division Chief.
Division of Administrative Services: Division Chief.

OFFICE OF MANPOWER POLICY, EVALUATION AND RESEARCH

Office of Manpower Research:
All Division Chiefs.
Labor Economists and Manpower Research Analysts, grades GS–14 and above.
Office of Special Programs:
Deputy Director.
All professional employees grades GS–13 and above.
Office of Evaluation: Division Chief.

NEIGHBORHOOD YOUTH CORPS

Office of Program Development: All program evaluators, grades GS–12 and above.
Office of Field Operations:
Assistant Director for Field Operations.
Deputy Assistant Director for Field Operations.
Regional Offices:
Regional Directors.
Deputy Regional Directors.
Field Representatives.
Contract Specialists.

BUREAU OF APPRENTICESHIP AND TRAINING

Chief, Division of Administrative Management.
Chief, Division of On-the-Job Training.
Assistant Administrator, Office of Industry Promotion.
All Regional Directors.

BUREAU OF EMPLOYMENT SECURITY

Executive Assistant.
Special Assistant for Program Policy and Planning.
Special Assistant for Federal-State Relationships.
Assistant Administrator for Manpower Operations.
Chief, Office of Field Administration.
Administration and Management Service
Office of Management Appraisal: Director.
Division of State Agency Audit and Management Appraisal:
Chief.
Branch of Financial Audit:
Chief.
Supervisory Auditors.
Auditors.
Division of Automatic Data Processing:
Chief.
Digital Computer Analysts.
Division of Federal Management and Administration:
Chief.
Office of Fiscal Policy and Management:
Director.
Financial Manager.
Chief, Division of State Budgets and Fiscal Standards.
Chief, Division of Appropriations and Federal Fiscal Activities.
Unemployment Insurance Service:
Assistant Director.
Chief, Systems Development Staff.
Systems Analysts.
Director, Office of Program Development and Legislation.
Director, Office of Federal Unemployment Insurance Programs and Training Allowances.
Director, Office of State Operations.
Chief, Division of Organization and Management.
U.S. Employment Service:
Office of the Director, Division of State Employment Service Administration:
Assistant Director.
Chief, Branch of Program Budget Requirements.
Office of Employment Service Activities:
Chief, Division of Youth Employment and Guidance Services.
Office of Manpower Analysis and Utilization:
Director.
Director, Division of Research and Publication.
Office of Manpower Training Operations:
Chief, Division of Training Program Development and Approval.
U.S. Employment Service for the District of Columbia:
Director.
Deputy Director.
Assistant Directors.
Managers, local service offices.
Assistant Managers, local service offices.
Chief, Administrative Services.
Assistant Chief, Administrative Services.
Veterans Employment Service:
Assistant Chief.
Office of Farm Labor Service:
Associate Director.
Law Enforcement Specialists.
Division of Domestic Activities:
Chief.
Chief, Branch of Domestic Compliance.
Division of Program Development and Evaluation:
Chief.
Chief, Branch of Budget and Management.
Chief, Division of Research and Wage Activities.
Chief, Division of Labor Contractor's Activities.
Regional Administrators.
Assistant Regional Administrators.

OFFICE OF FEDERAL CONTRACT COMPLIANCE

Office Director.
Assistant Director for Compliance Operations.
Assistant Director for Program Policy.

(f) Additions to, deletions from, and other amendments of the list of positions in paragraph (e) of this section may be made from time to time as necessary to carry out the purpose of the law, Executive Order 11222, and Part 735 of the Civil Service Commission regulations (5 CFR Part 735). Such amendments are effective upon actual notification to the incumbents. The amended list shall be submitted annually for publication in the FEDERAL REGISTER.

§ 0.735–19 Supplementary statements, regular employees.

Changes in, or additions to the information contained in the regular employee's statement of employment and financial interests shall be reported in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31. If there are no changes or additions in a quarter, a negative report is not required. However, a supplementary statement, negative or otherwise, is required as of September 30 each year.

§ 0.735–20 Special Government employees required to submit statements.

(a) Before an individual enters on duty as a special Government employee expert or consultant he is required to submit a statement of employment and financial interest to the head of the employing administration, bureau, or office, on a form furnished by the Department in accordance with the instructions applicable thereto. This requirement applies to all other special Government employee positions unless the head of the employing administration, bureau, or office determines prior to appointment that the duties of the position are of such a nature and at such a level of responsibility that the submission of the statement is not necessary to protect the integrity of the Government. For the purpose of this section, "consultant" and "expert" shall be given the meanings given those terms by Chapter 304 of the Federal Personnel Manual.

(b) Each special Government employee shall keep his statement of employment and financial interests current throughout his employment with the Department by the submission of supplementary statements.

§ 0.735–21 Review procedures.

(a) Except as provided in § 0.735–22, the head of each administration, bureau, or office, or designee, shall promptly review each initial and supplementary statement of employment and financial interests required by this part. No individual may enter on duty as a special Government employee if the head of the employment administration, bureau, or office determines that employment would be in conflict with the standards set forth in this part, or other applicable regulations, laws or orders.

(b) Before the head of an administration, bureau, or office disapproves a statement of employment and financial interest submitted by a regular or special Government employee, because it reveals a conflict or apparent conflict of interest such employee must be given an opportunity to explain the conflict or apparent conflict of interest. If, after adequate investigation, the head of the employing administration, bureau or office disapproves an employee's statement of employment and financial interests, he shall promptly notify the employee of the disapproval and recommend appropriate remedial action pursuant to § 0.735–3. If the employee is unwilling

or unable to take such action, the head of the employing administration, bureau or office shall forthwith transmit the employee's statement of employment and financial interest and other pertinent information to the Solicitor. The Solicitor shall review all such forms and recommend appropriate action on such statements of employment and financial interest to the Under Secretary. If the Under Secretary disapproves, the head of the employing administration, bureau or office shall initiate appropriate remedial action under § 0.735–3 and other applicable laws, order, and regulations. Pending any final determination with regard to an employee's statement of employment and financial interests, the head of the employing administration, bureau or office shall relieve the employee of any duties which appear to conflict with a private interest or activity and assign him other duties.

§ 0.735–22 Statements of top staff and certain other employees.

Statements of employment and financial interests submitted by the heads of administrations, bureaus, officers, Presidential appointees, members of boards or commissions appointed by the Secretary, the heads of subdivisions within the Office of the Secretary which are not a part of larger administrative subdivisions within such office, and employees in the immediate Office of the Secretary will be reviewed by the Secretary or the individual designated by him. Statements of employment and financial interests submitted by employees in the Office of the Secretary other than those specified above, will be reviewed by the head of the employing subdivision within such office which is not a part of a larger subdivision in accordance with § 0.735–21.

§ 0.735–23 Confidentiality.

The Department shall hold each statement of employment and financial interests and supplementary statements in confidence. Statements shall be kept in a special file maintained by the head of the administration, bureau, office, or other official responsible for review in such administrative subdivision of the Department where the individual is employed. No statement or copy thereof may be placed in an employee's personnel file. No individual may examine any statement or copy thereof without the approval of the Solicitor for good cause shown, except in fulfillment of responsibilities of his responsibilities under the regulations in this part. No information from a statement of employment and financial interests may be disclosed outside of the Department of Labor except as the Secretary, or the Civil Service Commission may determine for good cause shown.

§ 0.735–24 Review of files.

The Solicitor or his designee may from time to time examine the files containing statements of employment and financial interests and supplementary statements, including those approved by the heads of administrations, bureaus, or offices. He shall report any conflict discovered thereby to the appropriate Department official.

§ 0.735–25 Interests of employees' relatives.

For the purpose of the statements of employment and financial interests required by this subpart, the interest of a spouse, minor child, or other member of the employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations who are residents of the employee's household.

§ 0.735–26 Information not known by employees.

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

§ 0.735–27 Information not required.

This subpart does not require an employee to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interest in, a professional society or charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

§ 0.735–28 Effect of employees' statements on other requirements.

The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirements imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

This Part 0 was approved by the Civil Service Commission on April 1, 1966.

Effective date. This Part 0 shall become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 7th day of June 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

APPENDIX A

Attention of the employees of the Department of Labor is hereby directed to the following statutory provisions:

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. 312, the "Code of Ethics for Government Service".

(b) Chapter 11 of title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (2) the disclosure of confidential information (18 U.S.C. 1905).

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(h) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78c).

(i) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(p) The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 1181), and 18 U.S.C. 602, 603, 607, and 608.

[F.R. Doc. 66–6489; Filed, June 13, 1966; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER W—AIR FORCE PROCUREMENT INSTRUCTION

PART 1003—PROCUREMENT BY NEGOTIATION

Letter Contract

Correction

In F.R. Doc. 66–5879, appearing at page 7684 of the issue for Saturday, May 28, 1966, the following item should be inserted imediately above the item reading "Proposal cutoff *", in the Title and Date table of § 1003.408(c)(3)(x)(f):

Issuance of RFP.....

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Miscellaneous Amendments

1. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), paragraph (f)(11) of § 203.245 governing the operation of the highway bridge across South River at Riva, Md., and § 203.250 governing the operation of the highway bridge across an Inlet from Little Annemessex River at Crisfield, Md., are revoked effective on publication in the FEDERAL REGISTER since drawbridges are no longer in existence at these locations, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

. . . . . .

(f) Waterways discharging into Chesapeake Bay.

. . . .

(11) South River, Md.; Anne Arundel County highway bridge at Riva. [Revoked]

. . . . . .

§ 203.250 Inlet from Little Annemessex River, Md.; bridge (highway) at Crisfield, Md. [Revoked]

[Regs., May 26, 1966, 1507-32 (South River and Inlet From Little Annemessex River, Md.)—ENGCW-ON] (sec. 5, 28 Stat. 362; 33 U.S.C. 499)

2. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.560 is hereby amended with respect to paragraph (g), revising subparagraph (17) in its entirety effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.560 Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

. . . . . .

(g) Ohio River and Upper Mississippi River:

(17) St. Croix River, Wisconsin and Minnesota; The Soo line Railroad Co. bridge near Otisville, Minn. The draw need not be opened for the passage of vessels, and paragraphs (b) to (e), inclusive, of this section shall not apply to this bridge.

. . . . . .

[Regs., May 24, 1966; 1507-32 (St. Croix River, Wisconsin and Minnesota)—ENGCW-ON] (sec. 5, 28 Stat. 362; 33 U.S.C. 499)

3. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.640 governing the operation of bridges across Red River of the North, Minnesota and North Dakota is hereby amended to permit these bridges to remain in a closed position, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.640 Red River of the North, Minnesota and North Dakota; bridges.

. . . . . .

The draws of the drawbridges across the river need not be opened for the passage of vessels.

[Regs., May 24, 1966, 1507-32 (Red River of the North, Minnesota and North Dakota)—ENGCW-ON] (sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-6482; Filed, June 13, 1966; 8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[No. MC-C-329]

PART 170—COMMERCIAL ZONES

Davenport, Iowa; Rock Island and Moline, Ill.

At a session of the Interstate Commerce Commission, division 1, held at its office in Washington, D.C., on the 1st day of June A.D. 1966.

It appearing, that on September 8, 1960, the Commission, division 1, made and filed its report, 83 M.C.C. 441, and order in the above-entitled proceeding, establishing the limits of the zone adjacent to and commercially a part of Davenport, Iowa-Rock Island and Moline, Ill., within the meaning of section 203(b)(8) of the Interstate Commerce Act (49 U.S.C. 303(b)(8)), within which zone transportation by motor vehicle, in interstate or foreign commerce, is partially and conditionally exempt from regulation;

It further appearing, that by petition filed March 14, 1966, Caterpillar Tractor Co. seeks redefinition of the limits of the Davenport-Rock Island-Moline commercial zone so as to include therein a tract of land in Iowa immediately north of the present northern boundary formed by the Davenport Township-Sheridan Township line and adjacent to the eastern boundary of Mount Joy Airport;

It further appearing, that pursuant to section 4(a) of the Administrative Procedure Act (5 U.S.C. 1003(a)) notice of the filing of the petition was published in the FEDERAL REGISTER March 23, 1966 (31 F.R. 4849), stating that no oral hearing was contemplated and inviting parties to file representations supporting or opposing the proposed extension of the zone limits;

It further appearing, that no representations in opposition to the proposal have been filed, and that the economic and geographic data submitted by petitioner clearly establish that the involved tract is as an economic fact commercially a part of Davenport-Rock Island-Moline and should be included within the defined limits of those cities' commercial zone;

and good cause appearing therefor:

It is ordered, That said proceeding be, and it is hereby, reopened for further consideration.

It is further ordered, That the order entered in this proceeding September 8, 1960 (49 CFR 170.10) be, and it is hereby, vacated and set aside, and § 170.10 is hereby revised as follows:

§ 170.10 Davenport, Iowa; Rock Island and Moline, Ill.

For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zones adjacent to and commercially a part of Davenport, Iowa, Rock Island and Moline, Ill., in which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond such municipalities or zones, will be partially exempt from regulation under section 203(b)(8) of the act (49 U.S.C. 303(b)(8)) are hereby determined to be coextensive and to include and to be comprised of the following:

(a) All points within the corporate limits of the city of Davenport and the city of Bettendorf, and in Davenport Township, Iowa.

(b) All points north of Davenport Township within that portion of Sheridan Township, Iowa, bounded by a line as follows: Beginning at the points where U.S. Highway 61 crosses the Davenport-Sheridan Township line and extending northward along U.S. Highway 61 to the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Railroad Co., thence northwesterly along said right-of-way to its junction with the first east-west unnumbered highway, thence westerly approximately 0.25 mile to its junction with a north-south unnumbered highway, thence southerly along such unnumbered highway to the northeast corner of Mount Joy Airport, thence along the northern and western boundaries of said airport to the southwestern corner thereof, and thence south in a straight line to the northern boundary of Davenport Township.

(c)(1) That part of Iowa lying west of the municipal limits of Davenport south of Iowa Highway 22, north of the Mississippi River and east of the present western boundary of the Dewey Portland Cement Co., at Linwood, including points on such boundaries, and (2) that part of Iowa east of the municipal limits of Bettendorf, south of U.S. Highway 67, west of a private road running between U.S. Highway 67 and Riverside Power Plant of the Iowa-Illinois Gas & Electric Co., and north of the Mississippi River, including points on such boundaries.

(d) The municipalities of Carbon Cliff, Silvis, East Moline, Moline, Rock Island, and Milan, Ill., and that part of Illinois lying south or east of such municipalities, within a line as follows: Beginning at a point where Illinois Highway 84 crosses the southern municipal limits of Carbon Cliff and extending southerly along such highway to its junction with Colona Road, thence westerly along Colona Road to Bowlesburg Road, thence southerly on Bowlesburg Road to the southern boundary of Hampton Township, thence along the southern boundaries of Hampton and South Moline Townships to U.S. Highway 150, thence southerly along U.S. Highway 150 to the southern boundary of the Moline Airport, thence along the southern and western boundaries of the Moline Airport to Illinois Highway 92, and thence along Illinois Highway 92 to the corporate limits of Milan.

(e) All points in Illinois within one-half mile on each side of Rock Island County State Aid Route No. 9 extending southwesterly from the corporate limits of Milan for a distance of 1 mile, including points on such highway.

(49 Stat. 546, as amended; 49 U.S.C. 304. Interprets or applies 49 Stat. 543, as amended, 544, as amended; 49 U.S.C. 302, 303)

It is further ordered, That this order shall become effective July 18, 1966, and shall continue in effect until the further order of the Commission.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Division 1.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6506; Filed, June 13, 1966; 8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, 1965 Rev. Supp. No. 21]

PROVIDENT INSURANCE CO. OF NEW YORK

Termination of Authoriiy To Qualify as Surety on Federal Bonds

JUNE 8, 1966.

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to the Provident Insurance Co. of New York, New York, N.Y., under the provisions of the Act of Congress, approved July 30, 1947 (6 U.S.C. 6–13), to qualify as sole surety on recognizances, stipulations, bonds and undertakings permitted or required by the laws of the United States, is hereby terminated, upon the request of the company, effective December 31, 1965.

Bond-approving officers of the Government should, in instances where such action is necessary, secure new bonds with acceptable sureties in lieu of bonds executed by Provident Insurance Co. of New York.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 66–6503; Filed, June 13, 1966; 8:46 a.m.]

[Dept. Circ. 570, 1965 Rev. Supp. No. 20]

ROYAL EXCHANGE ASSURANCE

Termination of Authority To Qualify as Reinsurer of Federal Bonds

JUNE 8, 1966.

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to The Royal Exchange Assurance, London, England (U.S. Office, New York, N.Y.), under the provisions of Treasury Department Circular No. 297, dated July 5, 1922, as amended, 31 CFR Part 223, to qualify as an acceptable reinsuring company only, on recognizances, stipulations, bonds, and undertakings permitted or required by the laws of the United States is hereby terminated, upon the request of the Company, effective December 31, 1965.

Bond-approving officers of the Government should, in instances where such action is necessary, secure new reinsurance with acceptable sureties in lieu of the reinsurance on Federal bonds assumed by The Royal Exchange Assurance, pursuant to the Certificate of Authority issued the Company by the Secretary of the Treasury.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 66–6504; Filed, June 13, 1966; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 6, 1966.

The General Services Administration has filed an application, Serial Number Fairbanks 035266, for withdrawal of the lands described below, from all forms of appropriation under the public lands laws, including the mining laws, mineral leasing laws, grazing laws, and disposal of material under the Materials Act of 1947, as amended. The applicant desires the land to construct a Border Station.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the District and Land Office Manager, Bureau of Land Management, Department of the Interior, Post Office Box 1150, Fairbanks, Alaska, 99701.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior, who will determine whether or not the lands will be withdrawn as requested.

The determination of the Secretary of the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The land involved in the application is:

Unapproved U.S. Survey 4404, located on the Alaska Highway at the Alaska-Canadian border containing approximately 38.2 acres.

LYLE F. JONES,
Acting State Director.

[F.R. Doc. 66–6511; Filed, June 13, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

JUTE BAGGING AND BALE TIES USED IN WRAPPING COTTON

Notice of Specifications

Notice is hereby given that, beginning with the 1967 crop of cotton, when cotton tendered to Commodity Credit Corporation for price support is wrapped in jute bagging, the total weight of bale ties and buckles shall be 9 pounds per bale plus or minus one-half pound, and the bagging (1) must be new material which has been manufactured specifically for cotton bale covering and which meets the Physical Requirements for New Jute Bagging below or must be used bagging which meets the Physical Requirements for Jute Bagging Manufactured from Used Jute Bags (and Commonly Referred to as "Sugar Cloth Bagging") below, and (2) must meet the Other Requirements for All Bagging below:

PHYSICAL REQUIREMENTS FOR NEW JUTE BAGGING[1]

Length: 108 inches minimum for flat bales; 96 inches minimum for standard density bales; 112 inches maximum for flat or standard density bales.

Weight: 32 ounces per running yard of bagging (plus or minus 2 ounces) at 13.75 percent moisture content (not moisture regain). Bagging which is not more than 4 ounces per running yard heavier than this prescribed weight may be used for standard density bales if the bagging is 96 inches but not to exceed 100 inches in length.

Width: 47½ inches minimum, 50 inches maximum. Weft (Filling) Yarns: Minimum size of 40 pounds per spyndle (14,400 yards).

Warp Yarns: Equal to or larger than weft yarns but not less than 75 pounds per spyndle.

Number of Warp Yarns: Minimum of 41 per 12 inches.

Number of Weft (Filling) Yarns: Minimum of 25 per 12 inches.

PHYSICAL REQUIREMENTS FOR JUTE BAGGING MANUFACTURED FROM USED JUTE BAGS (AND COMMONLY REFERRED TO AS "SUGAR CLOTH BAGGING")[1]

Length: 108 inches minimum for flat bales; 96 inches minimum for standard density bales; 112 inches maximum for flat or standard density bales.

Weight: 32 ounces per running yard of bagging (plus or minus two ounces) at 13.75 percent moisture content (not moisture regain). Bagging which is not more than 4 ounces per running yard heavier than this prescribed weight may be used for standard density bales if the bagging is 96 inches but not to exceed 100 inches in length.

Width: 48 inches minimum, 52 inches maximum.

[1] The bagging must not contain any hard fibers, such as sisal.

The bagging must have been manufactured from good quality heavy jute bags previously used for products such as sugar, coffee, cocoa, etc., and must be clean, in sound condition, and of sufficient strength to adequately protect the cotton. The bags used in the manufacture of the bagging must not have been previously used as a container for any material which would leave a residue that would contaminate or adversely affect the cotton or contain any fibers which would adversely affect the cotton.

OTHER REQUIREMENTS FOR ALL BAGGING

Cotton wrapped in bagging to which any kind of salt or other corrosive or hygroscopic material has been added will not be eligible for tender to CCC.

TEST METHODS

The following testing methods will be used by Commodity Credit Corporation in determining whether jute bagging used to wrap cotton tendered for CCC loan beginning with the 1967-crop of cotton meets the above specifications. Each sample of bagging selected for testing will consist of one panel or sample strip (one-half pattern).

Length. The length of the sample will be measured directly using a measuring stick, steel tape, or other suitably graduated device.

The sample will be laid out flat on a smooth horizontal surface without stretch and the length of both selvages measured. The length of the sample will be the average of the two selvage measurements rounded to the nearest inch.

$$\text{Ounces per linear yard} = \frac{\text{weight of the simple in ounces} \times 36}{\text{length of the sample in inches}}$$

The weight will be calculated on the basis of 13.75 percent moisture content. Overlap in excess of 2½ inches at seams, ends, sides, and patches will be eliminated by trimming before the sample is weighed.

Warp rove size.[2] Ten warp ends spaced equally across the width of the sample will be removed, measured and cut to 1½ yards each for a total of 15 yards. The 15 yards of warp rove will be weighed in ounces and converted to pounds per spyndle by multiplying the weight in ounces by 60.[3]

Pounds per spyndle = weight in ounces × 60

Warp rove size will be calculated on the basis of 13.75 percent moisture content.

Weft rove size.[2] Slightly more than 15 yards of unbroken weft rove will be removed from the sample. Fifteen yards of weft rove will be obtained by winding on a measuring reel with the strands distributed so that there is no overlapping. The 15 yards of weft rove will be weighed in ounces and converted to pounds per spyndle by multiplying the weight in ounces by 60.[3]

Pounds per spyndle = weight in ounces × 60

Weft rove size will be calculated on the basis of 13.75 percent moisture content.

Signed at Washington, D.C., on June 9, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66–6518; Filed, June 13, 1966; 8:48 a.m.]

[2] Not applicable to jute bagging manufactured from used jute bags commonly referred to as "sugar cloth bagging".

[3] Additional tests will be made as may be necessary to obtain a value for the rove size that is representative of the sample.

Measurement will be made on the sample in equilibrium with standard atmospheric conditions as specified in A.S.T.M. D 1776–62T.

Width. The width of the sample will be measured directly using a measuring stick, steel tape, or other suitably graduated device, and will include the selvages.

The sample will be laid out flat on a smooth horizontal surface without stretch and the measurements made perpendicular to the selvages. Three width measurements will be taken on each sample. One measurement will be made at the center of the sample and two other measurements will be made approximately 12 inches in from each end of the sample. The average of the three measurements, rounded to the nearest one-half inch, will be the width.

Measurements will be made on the sample in equilibrium with standard atmospheric conditions as specified in A.S.T.M. D 1776–62T.

Warp yarn count.[2] The number of warp ends in the width of the sample, including the selvages, will be counted at each end of the sample. The average of the two counts divided by the width, as determined above, and multiplied by 12 will be the warp yarn count per 12 inches.

Weft yarn count.[2] The number of weft (filling) yarns over a measured length of 36 inches on each sample will be counted. The number counted divided by 3 will be the weft yarn count per 12 inches.

Weight. The ounces per linear yard of the sample will be calculated by multiplying the weight of the sample in ounces by 36 and dividing the result by the length of the sample in inches.

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket S–194]

MOORE-McCORMACK LINES, INC.

Notice of Application

Notice is hereby given that Moore-McCormack Lines, Inc., has filed application dated June 9, 1966, for written permission under section 805(a) of the Merchant Marine Act, 1936, as amended, to permit its owned vessel the SS *Robin Mowbray*, which is under extended time charter to States Marine Lines, Inc., for a period of about 9 to 12 months from September 4, 1965, to load a full cargo of pineapples from Hawaiian ports commencing on or about June 25, 1966, for discharge at U.S. Atlantic ports north of Hatteras.

Interested parties may inspect this application in the Office of Government Aid, Maritime Administration, Room 4077, GAO Building, 441 G Street NW., Washington, D.C.

Any person, firm or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) or submit a written statement with reference to the application must, before the close of business on June 20, 1966, make such submission or notify the Assistant Secretary, Maritime Subsidy Board/Maritime Administration in writing, in triplicate, and file petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief. Notwithstanding anything in § 201.78 of the rules of practice and procedure, Maritime Subsidy Board/Maritime Administration (46 CFR 201.78) petitions for leave to intervene received after the close of business June 20, 1966, will not be granted in this proceeding.

If no petitions for leave to intervene are received within the specified time, or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board/Maritime Administration will take such action as may be deemed appropriate.

In the event petitions are received from parties with standing to be heard on the application, a hearing will be held June 23, 1966, at 10 a.m., e.d.t., in Room 4519, General Accounting Office Building, 441 G Street NW., Washington, D.C. The purpose of the hearing will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or (b) would be prejudicial to the objects and policy of the Act.

Dated: June 10, 1966.

By order of the Maritime Subsidy Board/Maritime Administration.

JOHN M. O'CONNELL,
Assistant Secretary.

[F.R. Doc. 66–6542; Filed, June 13, 1966; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16080; Order No. E–23798]

AIR TRANSPORT ASSOCIATION OF AMERICA

Agreements Filed by Several Air Carriers Relative to Incentive Discounts for Containerized Shipments and Related Provisions

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 9th day of June 1966.

Pursuant to the provisions of section 412 of the Federal Aviation Act of 1958, the Air Transport Association of America (ATA) has filed two container agreements on behalf of certain air carriers for Board approval.

Following the Board's order suspending and setting for investigation the carriers' Unit-load tariffs,[1] American Airlines, Inc. (American), and The Flying Tiger Line, Inc. (Flying Tiger), requested authority from the Board to permit the carriers to hold discussions on containerization, for the reason that, inter alia, "it would be desirable for the

[1] Unit-load tariffs proposed by American Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., Docket 15910, Order E–21873, dated Mar. 5, 1966. These tariffs have since been withdrawn, and the investigation has been dismissed.

industry to reach agreement on a generally acceptable container program that could be put into effect at an early date." The Board approved the carriers' request and such discussions were ultimately authorized through January 31, 1966.[3]

As the result of several meetings, beginning on June 8, 1965, and concluding on January 11, 1966, the carriers have filed with the Board two container agreements.

Both agreements are applicable within the continental United States (the 48 contiguous States and the District of Columbia), and between the continental United States and Puerto Rico. Hawaii and Alaska are not included. The Type A agreement is further limited to sectors of over 1,000 miles operated with all-cargo aircraft, subject to the proviso that specific commodity rates conditioned on shipper loading and consignee unloading may be filed on shorter segments.

Agreement CAB No. 18600, covering Type A Containers, was filed on October 28, 1965, on behalf of Airlift International Airlines, Inc. (Airlift), American, Eastern Air Lines, Inc. (Eastern), Flying Tiger and United Air Lines, Inc. (United). These carriers propose to offer an incentive discount, representing ground handling and terminal savings to the carrier of $1.00 per 100 pounds to shippers of full pallet-loads,[4] subject to a minimum cubic capacity of 370 cubic feet and a minimum weight computed at 10 pounds per cubic foot (a minimum weight of 3,700 pounds), irrespective of whether the pallet is owned by the shipper or the carrier. A rental charge, computed at 2 cents per cubic foot, would also be assessed when the device is leased to the shipper by the carrier. Shipments under 1,000 miles are precluded in this agreement, as are some commodities.[5]

Agreement CAB No. 18600–A1, covering Type B, C, and D containers, was filed on February 10, 1966, on behalf of Airlift,[6] American, Delta Air Lines, Inc. (Delta), Flying Tiger, Trans World Airlines, Inc. (TWA), and United. This agreement covers three types of shipper-owned box-like containers, each specified as a maximum size with varying incentive discounts, as set forth in Table 1.[5a] When shipments are equal to or above a minimum density of 10 pounds per cubic foot, discounts would be offered for each 100 pounds, representative of ground handling and terminal savings, namely, $0.75 for the Type B container, $0.55 for Type C, and $0.35 for Type D. In addition, any poundage over the specified minimum of 10 pounds per cubic foot (LB/CFT) again with some commodity exclusions,[7] would be granted a further discount of 33⅓ percent on general commodity rate traffic, or 15 percent on specific commodity rate traffic.

Complaints and protests have been received from the Air Freight Forwarder Association, the Society of American Florists, and the California Grape and Tree Fruit League. In summary, the complaints variously allege that (1) the size of the Type A container is too large to be generally used by the air freight forwarder industry; (2) the proposed (Type A) incentive discount of $1.00 per 100 pounds will not cover the added costs to the forwarder who is expected to lease or purchase, load, pickup and deliver the container; (3) certain categories of cargo, principally perishables, including cut flowers and fruits, have been excluded for no apparent reason, with the resulting elimination of one of the most likely markets for any containerization program; (4) there is no showing that savings in ground handling and terminal costs would not accrue equally to perishables, or to shipments under 1,000 miles in length; and (5) containerized rates which exclude floral products and fresh fruits are unduly discriminatory in violation of section 404(b) of the Federal Aviation Act. It is the view of the California Grape and Tree Fruit League that the air carriers should encourage the participation of their industry in the experimental containerization program, particularly because of the enormous potential cost savings and revenue increases which the fresh fruit air movement holds for the air carriers. The carriers. The carriers in replying state that present rates on such products are at the lowest return possible, reflect technological developments and aircraft capacity, and that the schedule patterns and market segments covering the shippers' primary and secondary requirements presently allow shippers to take advantage of the best market price at the lowest possible transportation cost.

The Air Freight Forwarders Association also asks that approval of the Type A Container Agreement be withheld pending presentation to the Board by the air carriers of a more comprehensive proposal.

Upon consideration of the complaints and other relevant matters, the Board does not find Agreements CAB Nos. 18600 and 18600–A1 to be adverse to the public interest or in violation of the Act and has determined to approve them for an experimental period, subject to certain conditions. Accordingly, the complaints and protests of the Air Freight Forwarders Association, the Society of American Florists, and the California Grape and Tree Fruit League, to the extent not granted will be dismissed. To the extent that these complaints oppose the omission of smaller containers from the Type A agreement, the filing of the Type B/C/D Containers Agreement has answered this objection.

Exclusion of certain traffic. It appears to the Board that containerization incentives should be afforded all products, and that the exclusion of any product should be accompanied by forceful reasons therefor. In the absence of a contrary showing, it would appear that the carriers should realize cost savings from containerization of these items equivalent to the savings on other commodities. In these circumstances, the exclusion appears to be unreasonable and unwarranted. Since the carriers have not adequately justified the exclusion of the cut flowers, fresh fruits and other selected specific commodities, the Board will disapprove this provision.

Limitation of Type A agreement to all-cargo aircraft sectors of over 1,008 miles. The California Grape and Tree Fruit League protests this limitation. No reason for this limitation is given in the minutes of the carriers' meetings, and we note that no such limitation applies to the Type B/C/D containers. It would appear that the savings of ground handling expenses and terminal costs related to the use of containers would be realized irrespective of the length of haul of the shipment. On the basis of the matters before us, there is no valid reason to exclude the many markets of under 1,000 miles in length from the same container provisions as longer haul markets would enjoy. Therefore, we find such exclusion adverse to the public interest and will disapprove it.

[3] Order E–22190, dated May 20, 1965, Docket 16080. See also Order E–22276, dated June 7, 1965, and Order E–22398, dated July 1, 1965, regarding the participation of Alaska Airlines, Inc., Pan American World Airways, Inc., Seaboard World Airlines, Inc., and the air freight forwarders in the container discussions. Extensions of the container discussion terminal date were granted by the Board on Aug. 18, 1965 (Order E–22558); on Nov. 10, 1965 (Order E–22872); and on Jan. 10, 1966 (Order E–23104).

[4] American and United presently offer an "igloo" and a "hula hut," respectively. These devices are essentially a pallet with a metal or plastic hood matching the curved configuration of the main cabin of their jet freighter aircraft (see Table 1 and attachments thereto). Other carriers employ a base pallet, and confine the shape of the stacked cargo to the aircraft's interior dimensions. All of these devices represent Type A containers.

[5] Live animals, human remains, person effects moving on U.S. Government bill of lading (Type B/C/D only), and perishables are excluded from the proposed containerization discounts; perishables are defined as:

Fruits, fresh.
Vegetables, fresh.
Meat, fresh.
(Type A) Fish and Seafood fresh, frozen, not further processed.
(Type B/C/D) Fish and Seafood, fresh.
Hatching eggs.
Cut flowers.
Florist/Nursery stock, including decorative greens and rooted cuttings.

[6] Airlift joined the Agreement on Feb. 11, 1966.

[5a] Filed as part of the original document.

Density incentive discounts on Type B/C/D containers. On traffic moving at specific commodity rates, a density incentive discount of 15 percent has been proposed. This would apply where the density exceeds 10 pounds per cubic foot. A similar density incentive of 33⅓ percent has been proposed for traffic moving at general commodity rates. No data upon which to compare packaging or density of specific commodity traffic vs. general commodity traffic have been presented.

The record is clear that many specific commodity rates, such as those on magazines and phonograph records, are heavily weighted in favor of the density of such products and any additional discount on such rates might easily put such rates well below economic levels. In these circumstances, we are not prepared to approve an across-the-board 15 percent reduction of existing commodity rates provided only that an approved container is used and a minimal density requirement is met. This is not to say that the Board would not approve specific commodity rates and density incentive discounts applied thereto on containerized shipments, providing such proposals were adequately supported with the required economic justification and traffic data.

Rental charge and container detention. Type A carrier-owned containers will be assessed a pershipment rental charge of 2 cents per cubic foot, with a minimum charge of $7.40. No provisions as to the lease or trip period covered by the rental fee, free time for loading or unloading, or detention beyond such free time are included, as is done in connection with most present container offerings in the carriers' tariffs. It would appear that this is an area which clearly warrants additional consideration as well as initial tariff coverage.

Carrier-owned containers not covered by the Type B/C/D agreement. The omission of carrier-owned containers from the Type B/C/D agreement, coupled with a minimum density requirement of 10 LB/CFT on shipper-owned containers, warrants concern as to the carriers' proposed shipper-owned container program, particularly in the product-density range of today's traffic of less than 10 LB/CFT. A shipper of such products (assuming separately packed as if for shipment without the use of an additional outside carrier-owned container, and otherwise complying with all tests established by the "Bunyan" case),[8] would obviously have a substantial reason not to furnish his own container, and to avoid the 10 LB/CFT density minimum as well as the capital investment in a container and/or the expense of its return following the outbound movement.

The major carriers are each now engaged, in varying degrees, in the purchase, inventory, and sometimes gratuitous leasing to shippers of their carrier-owned containers, and were unable to agree during the course of their many meetings whether such practices should be included in the agreement,[9] or even if such practices constitute proper tariff material. It would appear that the carriers should give further consideration to including carrier-owned containers in the agreement. In addition, the Board believes that carriers' tariffs should include the terms, conditions, rules, etc. under which containerized shipments will be carried. Our conclusion to the contrary in the "Bunyan" case was based on the relatively narrow circumstances there present—and applied only where all the specific conditions were met.

Six month review by carriers. Only the Type B/C/D agreement contains a provision that the parties will review the container program within 6 months. Upon request, the Board will consider an extension of the carriers' discussion authority to permit the proposed review, subject to conditions as before. However, it seems obvious that any such review should encompass the Type A agreement as well.

Expiration date. We note that the proposals are, by their own terms, to expire in 1 year from the effective date of the first tariff filed under each agreement. The Board will condition its approval of the agreements to require that tariff filings under the agreements contain an expiration date consistent with the term of the agreement.

The agreements under consideration represent a beginning of an industry-wide container program, and, as far as they go, can be credited as a good start. However, any such program is far more complex than the agreements indicate, and many facets of a complete and coherent container program remain to be considered. For example, such areas or items as the following appear to warrant further study and, if possible, industry agreement consistent with the best interests of the carriers and the shipping public:

(a) Inclusion of Alaska and Hawaii within the scope of the agreements;

(b) Inclusion of all traffic under 10 LB/CFT density within unitization incentive discounts.

(c) Container specifications and industry registration of containers;

(d) Separate rating of containerized parts of shipments;

(e) Multilateral agreement for the interchange of pallets and containers;

(f) Third-party lessor or container pool; and

(g) Additional containers of less than 60 CFT.

As noted, there appear to be many facets of a container program in which the public interest may be well served by an industrywide approach thereto. These areas would include container specifications, interchangeability among carriers, and administrative matters. However, the Board is not prepared to conclude that the rate aspects need be dealt with on a concerted basis or that the carriers should indefinitely be authorized to discuss these matters.

The Board recognizes that the application of the containerization discounts herein approved may result in rates below certain minimum rates prescribed in outstanding Board orders. In the event that carriers desire to file tariffs to implement these agreements which will have such result, an appropriate petition to so modify the pertinent minimum rate order should be filed.

We shall expect the carriers to maintain factual data as to traffic and revenue under their container program, including carrier-owned containers not embraced by these agreements, and will direct our staff to work with the carriers in the development of appropriate reporting standards and requirements. Such information will be doubly valuable in support of any proposal to amend the agreements during the coming year or to extend them beyond the expiry date.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 412, and 414 thereof,

It is ordered, That:

1. Except as noted in paragraph 2 below, Agreements CAB No. 18600 and 18600–A1 are approved, provided that the parties thereto file the provisions thereof in tariffs marked to expire with expiry of the agreements; [8]

2. The exclusions applicable to (1) rates on live animals, human remains, and perishables in Agreements CAB No. 18600 and No. 18600–A1, (2) rates on personal effects moving on U.S.G.B.L. in Agreement CAB No. 18600–A1, (3) rates between points 1,000 miles or under in Agreement CAB No. 18600, and (4) rates indicated in section III C(4) of Agreement CAB No. 18600–A1, are disapproved; and

3. The complaints and protests in Docket 16080 of the Air Freight Forwarders Association, the Society of American Florists, and the California Grape and Tree Fruit League are dismissed, except to the extent granted herein.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66–6512; Filed, June 13, 1966; 8:47 a.m.]

[8] American Airlines, Inc. Enforcement Proceeding, 30 CAB 439 (1959) commonly referred to as the "Bunyan" case because of American's use of this term for its container.

[9] The Minutes of the carriers' Eighth Meeting on Dec. 2–3, 1965 (page 9 of Exhibit B attached thereto), reflect a proposed Exception dealing with the offering of carrier-owned containers. The final version of the agreement omits this and all other references to carrier-owned units.

[8] The tariffs shall include provisions for rental charges and container detention as cited on page 4.

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16678; FCC 66-501]

BAY BROADCASTING CO.

Order Designating Application for Hearing on Stated Issues

In re application of Bay Broadcasting Co., San Francisco, Calif., Docket No. 16678, File No. BPCT-3621; for construction permit for new television broadcast station.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 2d day of June, 1966;

1. The Commission has before it for consideration the above-captioned application of Bay Broadcasting Co. requesting a construction permit for a new television broadcast station to operate on Channel 38, San Francisco, Calif. There is also pending before the Commission the timely-filed application (BPCT-3562) of Reporter Broadcasting Co. requesting a construction permit for a new television broadcast station to operate on the same channel in San Francisco, Calif. The two applications are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The application of Reporter Broadcasting Co., however, is not sufficiently complete to enable a determination to be made as to whether the applicant is qualified to construct, own, and operate the proposed new station and the Commission has determined to afford the applicant an opportunity to amend its application prior to designation for hearing. The Commission has directed a letter to the applicant advising of the various deficiencies and affording the applicant thirty (30) days within which to submit amendments eliminating the deficiencies. If appropriate amendments are submitted within the specified time, the application will be designated for hearing and consolidated into this proceeding, but if appropriate amendments are not submitted within the time specified, the application will be dismissed.

2. The following matters are to be considered in connection with the issues specified below with respect to the application of Bay Broadcasting Co.:

Based on information contained in the application, cash of approximately $1,148,000 will be required for the construction and operation of the proposed station for the first year, consisting of down payment on equipment ($171,750), first year payments for equipment, including interest ($133,000), equipment from Westel Co. ($96,000), other items ($107,550), installation charges ($14,185), interest on 60-day note ($500),[1] and operating expenses ($625,000). To meet these costs, the applicant relies upon the availability of $10,000 in existing capital, $167,000 in stock subscriptions, $170,340 in promissory notes subscribed, $347,340 loan from Pacific National Bank of San Francisco, and revenues of $732,000 totalling $1,426,680. The funds upon which the applicant relies, however, do not appear to be available to it for the following reasons:

(1) No showing has been made as to the source of the alleged $10,000 in existing capital. The applicant has stated that 1,000 shares of stock were issued to cancel indebtedness incurred in meeting certain expenses in connection with this application and these 1,000 shares are the only shares of stock shown to be issued. It cannot be determined, therefore, that the alleged "existing capital" exists.

(2) None of the subscribers have shown current and liquid assets (as defined in section III, Paragraph 4(d), FCC Form 301) in excess of current liabilities in sufficient amount to meet their commitments to the applicant. In each case, the subscribers have failed to indicate the exchanges, if any, upon which their securities are listed. Moreover, there is no showing that Westel Co., subscriber to 7.4 percent of the applicant's stock and $50,490 in promissory notes, has the legal authority to purchase such stock or subscribe to such notes nor that the General Manager thereof has the authority to commit the company to such purchases. There is no showing that, in any event, Westel Co. is financially qualified to meet its commitments to the applicant.[2] Consequently, it cannot be determined that the funds upon which the applicant relies from stock subscriptions and subscriptions to promissory notes will be available to it.

(3) The letter from Pacific National Bank of San Francisco upon which the applicant relies as a commitment to lend funds is not an unconditional undertaking to lend funds, but is subject to several conditions which may or may not be met. For example, the loan is subject to the condition that the bank have first lien on all assets of the applicant, but equipment manufacturers traditionally require first liens on equipment supplied subject to deferred credit. Also, the loan is conditioned upon the applicant's securing money from the sale of stock or loans (subordinated to those of the bank) in amount equal to that which the bank will be called upon to lend. Consequently, it cannot be determined that the bank loan will be available to the applicant.

(4) The applicant estimates that it will receive $732,000 in revenues during its first year of operation and its operating costs for that period will be $625,000. In view of the fact that the applicant must rely upon revenues to meet its operating costs in the first year, the validity of its estimate is a critical factor in determining its ability to operate. The applicant, however, has not established the validity of its estimate of revenues as required by the Commission in Ultravision Broadcasting Company, FCC 65-581, 5 RR 2d 343. An issue will be specified, therefore, to determine the basis for the applicant's estimate of revenues and whether such estimate is reasonable.

3. The transmitter proposed by the applicant has not been type-accepted by the Commission. In the event of a grant of the application, therefore, such grant should be made subject to the condition that, prior to licensing, acceptable data shall be submitted for type-acceptance in accordance with the requirements of § 73.640 of the Commission's rules.

4. Except as indicated by the issues specified below, the applicant appears to be qualified to construct, own and operate the proposed television broadcast station. The application is, however, mutually exclusive with that of Reporter Broadcasting Co. in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is therefore unable to make the statutory finding that a grant of the application of Bay Broadcasting Co. would serve the public interest, convenience, and necessity, and is of the opinion that it must be designated for hearing on the issues set forth below:

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned application of Bay Broadcasting Co. is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine:

a. The source of $10,000 in "existing capital" upon which the applicant relies in part to meet its cost of construction and operation and the amount of "existing capital" which may be available to the applicant.

b. Whether the persons who have subscribed to stock and promissory notes have current and liquid assets (as defined in section III, Paragraph 4(d), FCC Form 301) in excess of current liabilities in sufficient amount to meet their commitments to the applicant.

c. Whether Westel Co., subscriber to 7.42 percent of the applicant's stock, has legal authority to subscribe to and purchase stock or subscribe to promissory notes in the applicant corporation and if so, whether the General Manager of Westel Co. has the authority to commit the company to such subscriptions and purchases.

d. If (c), above, is resolved in the affirmative, whether Westel Co. is financially qualified to meet its commitments to the applicant.

e. The terms and conditions upon which a loan will be available to the applicant from Pacific National Bank of San Francisco, and whether such terms and conditions can be met by the applicant.

f. The basis for the applicant's estimate of revenues in its first year of operation and whether such estimate is reasonable.

g. In the light of the evidence adduced pursuant to the foregoing, whether the applicant is financially qualified.

[1] The applicant also relies upon the availability of loans totalling $50,000 from Mr. Edward D. Keil ($30,000), Mrs. Helen Bashford Higbie ($10,000) and Mrs. Kathleen K. Rawlings ($10,000). The loan is to be repaid within 60 days after a construction permit is issued. Since the entire loan is to be repaid within the first year, neither the funds represented by the loan nor the obligation to repay the loan have been considered in computing funds required and funds available, except for the interest which must be paid. For the same reason, we need not decide whether these persons are financially qualified to make the loans.

[2] Westel Co., a joint venture owned 60 percent by Westel Associates (a corporation) and Westel, Inc. (40 percent), submitted a letter from the Bank of America stating that the bank has established a $400,000 line of credit for Westel Co. There is no showing as to how much of this may be available for the proposed use nor are terms of repayment and security required, if any, set forth.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience and necessity.

It is further ordered, That, in the event of a grant of the application, such grant shall be subject to the condition that, prior to licensing, the permittee shall submit acceptable data for type-acceptance of its proposed transmitter in accordance with the requirements of § 73.640 of the Commission's rules.

It is further ordered, That, in the event of a grant of the application, operation of the new station shall be in accordance with offset designators to be specified in a subsequent order.

It is further ordered, That, to avail itself of the opportunity to be heard, the applicant herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the provisions of section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules with respect to the notice of hearing shall be suspended until such time as the Commission, by subsequent order, shall direct.

Released: June 8, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6501; Filed, June 13, 1966; 8:46 a.m.]

[Docket No. 16678; FCC 66M-813]

BAY BROADCASTING CO.

Order Scheduling Hearing

In re application of Bay Broadcasting Co., San Francisco, Calif., Docket No. 16678, File No. BPCT-3621; for construction permit for new television broadcast station (Channel 38).

It is ordered, This 6th day of June 1966, that Charles J. Frederick shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 13, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 12, 1966, commencing at 9 a.m.: *And it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 8, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6513; Filed, June 13, 1966; 8:47 a.m.]

[Canadian Change List 212]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes and Corrections in Assignments

MAY 25, 1966.

Notification under the provisions of Part III, Section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph No. 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CHFI (now in operation with facilities notified on List No. 194).	Toronto, Ontario	*680 kilocycles* 1 kwD/10 kwN	DA-2	U	II	
CHSH (assignment of call letters—change in pattern from that notified in List No. 205).	St. Catharines, Ontario.	*1290 kilocycles* 1 kwD/05 kwN	*DA-1*	U	II	EIO 5-15-67.
New	Levis, Province of Quebec.	*1540 kilocycles* 0.25 kw	ND	U	IV	EIO 5-15-67.
CHIN (change of call letters from CHFI).	Toronto, Ontario	*1540 kilocycles* 50 kw	DA-D	D	II	
CKLM (FO: shown in List No. 206 should read 1570 kc/s 10 kw *DA-N*).	Montreal, Province of Quebec.	*1570 kilocycles* 50 kw	DA-2	U	III	EIO 2-15-67.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6514; Filed, June 13, 1966; 8:47 a.m.]

[Docket Nos. 15303, 15304; FCC 66M-817]

CASCADE BROADCASTING CO. AND SUNSET BROADCASTING CO. (KNDX-FM)

Order Continuing Hearing

In re applications of Cascade Broadcasting Co., Yakima, Wash., Docket No. 15303, File No. BPH-4072; David Zander Pugsley, trading as Sunset Broadcasting Co. (KNDX-FM), Yakima, Wash., Docket No. 15304, File No. BPH-4180; for construction permits.

The Hearing Examiner having under consideration the desirability of a further hearing conference in order to bring this proceeding to an early conclusion;

It appearing, that Sunset Broadcasting Co. has filed a petition requesting the dismissal of its application pursuant to § 1.568 of the rules; and

It further appearing, that the Broadcast Bureau filed comments which, while offering no objection to the relief requested, suggested the desirability of placing upon the record certain statements of both applicants regarding their joint petition for rule making; and

It further appearing, that the date of July 5 has been designated for further hearing and that this should be canceled and an earlier date set for a further conference;

It is ordered, This 8th day of June 1966, that the date of July 5, 1966, for hearing is canceled and a further conference will be held on June 16, 1966, at 2 p.m.

Released: June 8, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6515; Filed, June 13, 1966; 8:47 a.m.]

[Docket Nos. 16674, 16675; FCC 66-496]

SANTA ROSA BROADCASTING CO., INC., AND STATION WSRA

Order, Revocation Proceeding and Application Designated for Consolidated Hearing

In the matter of revocation of license of Santa Rosa Broadcasting Co., Inc., for standard broadcasting Station WSRA, Milton, Fla., Docket No. 16674; in re application of Santa Rosa Broadcasting Co., Inc., for construction permit to build a new FM broadcast station at Pensacola, Fla., Docket No. 16675, File No. BPH-4640; requests: 101.5 mc/s, No. 268, 50 kw, 428 ft.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 2d day of June 1966;

1. The Commission has before it for consideration (1) the outstanding license issued to Santa Rosa Broadcasting Co.,

Inc., to operate standard broadcast Station WSRA on the frequency of 1490 kc/s at Milton, Fla.; (2) the application of Santa Rosa Broadcasting Co., Inc., for construction permit to build a new FM broadcast station at Pensacola, Fla.; and (3) the Commission's field inquiry with respect to Santa Rosa Broadcasting Co., Inc., and the operations of Station WSRA.

2. Station WSRA is licensed for operation on 1490 kc/s with a power of 1 kw daytime (local sunrise to local sunset) and 250 watts at night. Average sunrise and sunset times as specified in the license for WSRA (in central standard time) are as follows:

January—6:45 a.m. to 5:15 p.m.
February—6:30 a.m. to 5:30 p.m.
March—6 a.m. to 6 p.m.
April—5:15 a.m. to 6:15 p.m.
May—5 a.m. to 6:30 p.m.
June—4:45 a.m. to 6:45 p.m.
July—5 a.m. to 7 p.m.
August—5:15 a.m. to 6:30 p.m.
September—5:30 a.m. to 6 p.m.
October—5:45 a.m. to 5:15 p.m.
November—6:15 a.m. to 4:45 p.m.
December—6:45 a.m. to 4:45 p.m.

3. Official notices of violation were issued following Commission inspections of Station WSRA on December 28, 1960 (10 violations of the Commission's rules cited), September 22, 1961 (12 violations cited), December 6, 1962 (4 violations cited), and September 1, 1965 (14 violations cited). Because of the violations revealed by the various inspections and information available to the Commission with respect to licensee's operation of Station WSRA as hereinafter specified, questions are raised as to whether from June 1960 until at least September 1, 1965, Station WSRA has been operated in compliance with the Communications Act of 1934, as amended, and the Commission's rules and regulations. Violations discovered during the above-mentioned inspections are set forth in Exhibit A of this order, which is attached hereto and made a part hereof.[1]

4. Following the inspection of September 1, 1965, an official notice of violation was issued for, among other things, "Repeatedly failing to reduce the station's output from 1,000 watts to 250 watts for nighttime operation as required by the station license." The dates of licensee's failure to comply with the terms of its license were identified in the notice of violation as "June 18, 19, 23, 30, July 7, 19, August 22 and others."

5. Analysis of the WSRA operating logs for the months of January 1965 through October 1965, inclusive, reveals that WSRA operated with daytime power after the times specified in the WSRA license for local sunset (only periods of over 5 minutes are noted) 1 day in January, 5 days in February, 3 days in March, 2 days in April, 6 days in May, 8 days in June, 8 days in July, 9 days in August, 6 days in September and 1 day in October, a total of 49 days, 7 of which occurred after the inspection of September 1, 1965, which resulted in the issuance of an official notice of violation on September 16. The specific days of failure to comply with the terms of license are set forth in Exhibit B attached hereto.[1]

6. Analysis of the WSRA operating logs for the months of January 1965 through October 1965 reveals also that WSRA operated with daytime power before the times specified in the WSRA license for local sunrise (only periods of over 5 minutes are noted) on 1 day in January, 2 days in March, 2 days in April, 22 days in August and 1 day in October. The specific dates of failure to comply with the terms of license are set forth in Exhibit B attached hereto.

7. Further analysis of the operating logs for the months May through August 1965, revealed numerous other technical discrepancies or violations in the operation of WSRA, including failure to make entries in the operating logs for considerable periods of time, between May and August 1965. The specific violations and the dates are identified in Exhibit C, which is attached hereto.[1]

8. Allegations have been made and denied during the course of the Commission's investigation that Frederick Davis, the president and majority stockholder of the licensee corporation:

(a) Failed to supervise adequately or to concern himself with the technical operation of WSRA or failed to take the necessary corrective action to operate WSRA in compliance with the requirements of the Communications Act and the rules promulgated thereunder;

(b) Director WSRA employees to maintain daytime power after local sunset in violation of the terms of the station's authorization whenever a special event such as a sports contest was broadcast after local sunset;

(c) Requested an employee (or employees) to provide false information or to make misrepresentations to the Commission's investigators regarding the unauthorized nighttime operation with daytime power;

(d) Directed employees to falsify entries in the WSRA operating logs for May through August 1965, inclusive, which were submitted upon request of the Commission's Engineer in Charge (Miami, Fla.), in that the employees were requested by Davis to fill in certain information or entries required by the rules which were not filled in at the recorded times of meter readings.

9. It has also been alleged and denied that although Mr. Davis was aware that the frequency monitor was inoperative or malfunctioning from approximately January 7, 1965, he failed to take the necessary action to correct the technical problem until after the Commission's inspection of September 1, 1965; and that, although for a period of time in June 1965, the needle of the frequency monitor became stuck at a deviation of minus nine cycles, frequency deviation readings were entered in the WSRA logs as though the meter were functioning.

10. For approximately 9 days prior to Thanksgiving Day, 1965, WSRA broadcast a "Turkey Shoot" contest in which turkeys were awarded as prizes to those listeners who correctly guessed the number of shots required to "kill" the turkey. It has been alleged and denied that the contest was conducted in such a manner that its outcome was predetermined in whole or in part through the control of the contest by the licensee. Questions have been raised as a result of the allegations and information available to the Commission with respect to the licensee's possible violation of section 509(a)(3) of the Communications Act.[2]

11. For a period of time immediately prior to Christmas, 1965, WSRA broadcast announcements regarding a contest in which it was stated that WSRA was to award three prizes to winning listeners who included WSRA's call letters in their home or yard Christmas decorations. The announcements identified the first prize as a cash award, second prize as an electric blanket, and third prize as a radio. It has been alleged that only two listeners entered the contest and that WSRA awarded the second and third prize but failed to award the first prize. It has also been alleged that when a request was made by a listener during the broadcast of a WSRA "Open Mike" program to furnish the name of the first prize winner of the Christmas contest, the WSRA announcer broadcast the name of a person who had not, in fact, been awarded the prize; that the name may have been fictitious and that the name was furnished to the announcer on duty by Mr. Davis who was present during the course of this broadcast.

12. In view of the allegations and information available to the Commission with respect to the repeated operation of WSRA in violation of the terms of its license, questions are raised as to whether the licensee's written response of September 24, 1965, to the Commission's official notice of violation, and in particular his response with respect to item 13 pertaining to the individual allegedly responsible for violations, contains misrepresentations or is lacking in candor.

13. It appears to the Commission that:

(a) The above-described violations of the Communications Act, and the rules thereunder, and the failure to operate substantially as set forth in the license for WSRA were, if they in fact occurred, willful and repeated.

(b) The above-described conditions, which have come to the attention of the Commission since the last renewal of license for WSRA would, if they in fact existed, warrant a refusal to grant a license on the original application.

(c) While many of the above matters have been denied, the allegations and denials and the information available to the Commission with respect to the nature and extent of the control or supervision exercised by the licensee over the operation of WSRA; the willful and repeated violations of the various sections of the Communications Act and rules thereunder; the alleged request by the licensee's president to an employee or employees to conceal or misrepresent certain facts to the Commission; the long-continued poor technical condition of the station; the alleged broadcast of a contest in which the outcome was in part prearranged or predetermined; the broadcast of a contest in which all of the prizes were not awarded and in which a fictitious name may have been announced as a winner of a prize which allegedly was not awarded; the allegations that the licensee's president directed certain employees to perform acts which may have been in violation of the Communications Act and the rules, raise serious questions, best resolved in a hearing, as to whether Santa Rosa Broadcasting Co., Inc., has the qualifications to be a broadcast licensee.

14. In addition to the above matters, on October 7, 1964, Santa Rosa Broadcasting Co., Inc., filed an application for construction permit to build a new FM broadcast station in Pensacola, Fla., which application is now pending before the Commission. The evidence to be submitted in the hearing on the revocation of license for WSRA would, to a substantial degree, be pertinent to a determination of whether Santa Rosa possesses the necessary qualifications to construct and operate the proposed FM broadcast station. Because of the serious questions raised as the result of the Commission's investigation into the operation of WSRA we are unable to make the statutory finding that a grant of the application in question would serve the public interest, convenience, and necessity. We find therefore that a hearing is required and that no questions exist except as to the matters set forth in the issues below.

15. Accordingly, in view of the matters above relating to Station WSRA, *It is ordered*, That, pursuant to the provisions of sections 312(a)(2), 312(a)(3), 312(a)(4), and 312(c) of the Communications Act of 1934, as amended, Santa Rosa Broadcasting Co., Inc., is directed to show cause why an order revoking the license of Station WSRA, Milton, Fla., should not be issued and to appear and give evidence with respect thereto at a hearing[3] to be held at Milton, Fla., at a time and place to be specified in a subsequent order; said time in no event to be less than thirty (30) days from the receipt of the order.

16. *It is further ordered*, That if the Hearing Examiner shall determine that the entire hearing record does not warrant an order for revocation of license, he shall make findings of fact as to whether any willful or repeated violations of the Communications Act, the rules thereunder or the terms of the license of Station WSRA, as above specified, have taken place within 1 year of the issuance of this order, and, if so, shall recommend to the Commission whether or not a forfeiture shall be issued in the amount of $10,000 or less, pursuant to section 503 of the Communications Act.

17. *It is further ordered*, That for the purpose above stated, this order is to be considered as a notice of apparent liability pursuant to section 503(b)(2) of the Communications Act.

18. *It is further ordered*, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned application for a construction permit to build a new FM station at Pensacola, Fla., is designated for a hearing, at Milton, Fla., at a time and place to be specified in a subsequent order upon the following issues:

1. To determine whether, in the light of the evidence adduced in the hearing for revocation of license of WSRA, the applicant is qualified to be a licensee or permittee of the Commission.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, whether a grant of the application would serve the public interest, convenience and necessity.

19. *It is further ordered*, That to avail itself of the opportunity to be heard, the applicant herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

20. *It is further ordered*, That the applicant herein shall, pursuant to section 311(a) of the Communications Act and § 1.594 of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

21. *It is further ordered*, That the proceeding for revocation of license of Station WSRA and the hearing regarding the above-captioned application for construction permit to build a new FM broadcast station in Pensacola, Fla., be consolidated in a joint proceeding.

22. *It is further ordered*, That the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission with respect to that portion of the proceeding relating to the revocation of license of WSRA. With respect to that portion of the proceeding relating to the application, the burden of proof will reside as provided by section 309(e) of the Act.

23. *It is further ordered*, That the Secretary of the Commission send copies of this order by certified mail—return receipt requested to Santa Rosa Broadcasting Co., Inc.

Released: June 8, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6516; Filed, June 13, 1966; 8:48 a.m.]

---

[1] Filed as part of the original document.

[2] Section 509(a)(3) of the Communications Act states, in pertinent part, as follows: "It shall be unlawful for any person, with intent to deceive the listening or viewing public • • • (3) [t]o engage in any artifice or scheme for the purpose of prearranging or predetermining in whole or in part the outcome of a purportedly bona fide contest of intellectual knowledge, intellectual skill, or chance."

[3] Section 1.91(c) of the Commission's rules provides that a licensee in order to avail itself of the opportunity to be heard shall, in person or by its attorney, file with the Commission within 30 days of the receipt of the order to show cause a written appearance stating that he will appear at the hearing and present evidence on the matters specified in the order. If the licensee fails to file an appearance within the time specified, the right to a hearing shall be deemed to have been waived. See § 1.92(a) of the Commission's rules. Where a hearing is waived, a written statement in mitigation or justification may be submitted within 30 days of the receipt of the order to show cause. See § 1.92(b) of the Commission's rules. In the event the right to a hearing is waived, the presiding officer (or the Chief Hearing Examiner if no presiding officer has been designated) will terminate the hearing proceeding and certify the case to the Commission. Thereupon the matter will be determined by the Commission in the regular course of business and an appropriate order will be entered. (See § 1.93(c) of the Commission's rules.)

[Docket Nos. 15841-15843; FCC 66M-821]

WTCN TELEVISION, INC. (WTCN-TV) ET AL.

Order Continuing Hearing

In re applications of WTCN Television, Inc. (WTCN-TV), Minneapolis, Minn., Docket No. 15841, File No. BPCT-2850; Midwest Radio-Television, Inc. (WCCO-TV), Minneapolis, Minn., Docket No. 15842, File No. BPCT-3292; United Television, Inc. (KMSP-TV), Minneapolis, Minn., Docket No. 15843, File No. BPCT-3293; for construction permits.

Pursuant to a hearing conference as of this date: *It is ordered*, This 8th day of June 1966, that the hearing now scheduled for June 20, 1966, be and the same is hereby scheduled for October 10, 1966, 10 a.m., in the Commission's offices, Washington, D.C.

Released: June 9, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6517; Filed, June 13, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. E-7296]

NORTHERN INDIANA PUBLIC SERVICE CO.

Notice of Application

JUNE 7, 1966.

Take notice that on May 31, 1966, Northern Indiana Public Service Co. (Applicant), filed an application with the Federal Power Commission seeking an order pursuant to section 203 of the Federal Power Act authorizing the acquisition of the electric facilities of the city of Nappanee, Elkhart County, Ind. (City).

Applicant is incorporated under the laws of the State of Indiana and domesticated only in that State with its principal place of business office at Hammond, Ind., and is engaged in the generation, transmission and distribution of electric energy to the public in 21 counties in northern Indiana.

The City is an incorporated municipality under the laws of the State of Indiana and, through the Nappanee Utilities Co., an Indiana corporation owned by the City, operates electric generating and distribution facilities within the City and in certain rural territory in Elkhart, Kosciusko, and Marshall Counties.

According to the application the Applicant proposes to purchase all of the electric facilities owned and operated by the City for a consideration of $1,401,496 pursuant to a sales agreement dated January 17, 1966. This sales agreement was approved by the voters of the City in an election held on May 3, 1966. Applicant represents that it proposes to continue to render electric distribution service in the areas now served by the City and that it will enlarge and improve such system after consolidation into the Applicant's own system.

According to the application, Applicant has the capacity and the ability to render more efficient service and upgrade and expand the system now owned by the City and that the customers in the areas now served by the City will get better service at the same or lower rates. The application also indicates that it is presently impracticable to continue service to the present and future customers of the City from the City's small existing steam plant.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 30, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6485; Filed, June 13, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 37-65]

NORTHEAST UTILITIES SERVICE CO. ET AL.

Notice of Proposed Organization and Conduct of Business of Subsidiary Service Company and Related Transactions

JUNE, 8, 1966.

In the matter of Northeast Utilities Service Co., Northeast Utilities, The Connecticut Light & Power Co., The Hartford Electric Light Co., Western Massachusetts Electric Co., 1 Constitution Plaza, Hartford, Conn., 06103; File No. 37-65.

Notice is hereby given that Northeast Utilities ("Northeast") (formerly known as Western Massachusetts Cos.) and three of its public-utility subsidiary companies, The Connecticut Light & Power Co. ("CL&P"), The Hartford Electric Light Co. ("Hartford") and Western Massachusetts Electric Co. ("WMECO"), and Northeast Utilities Service Co. ("Service Company"), a corporation recently organized under the laws of Connecticut, have filed a joint application-declaration and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), regarding the proposed organization and conduct of business of Service Company as a subsidiary service company of Northeast. The applicants-declarants have designated sections 6(a), 7, 9(a), 10, 12, and 13(b) of the Act and Rules 40(b), 42, 43(a), 44(a), 50, and 88 promulgated under the Act as applicable to the proposed transactions. All interested persons are referred to the said amended joint application-declaration, on file in the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

Northeast acquired more than 80 percent of the outstanding common stocks of CL&P and Hartford and proposes to register as a holding company pursuant to section 5 of the Act on or about June 30, 1966. CL&P and Hartford each furnish electric and gas utility service in the State of Connecticut and WMECO provides electric service in Western Massachusetts. CL&P, Hartford and WMECO together own 31.5 percent of the outstanding common stock of Yankee Atomic Electric Company, a nuclear electric generating company operating in Massachusetts, and 44.0 percent of the outstanding common stock of Connecticut Yankee Atomic Power Co., which is constructing a nuclear electric generating plant in Connecticut.

It is proposed that Service Company perform system management, system coordination, engineering and other professional services for associate companies and perform dispatching and related services for associate companies and two nonassociate electric utility companies, The United Illuminating Co. ("UI") and Holyoke Water Power Co. ("Holyoke"), whose facilities are interconnected with the Northeast system. In order to enable Service Company to carry on its first year of operations, it is proposed that CL&P, Hartford and WMECO transfer to Service Company 350 officers and employees with aggregate annual salaries and fringe benefit costs of approximately $4,753,000 and lease to Service Company certain buildings space and dispatching equipment at the aggregate annual cost thereof to the lessor companies of approximately $450,000. A portion of the office furniture and other equipment required by Service Company for its first year of operations will be purchased by such company from CL&P, Hartford and WMECO at the depreciated cost thereof for $250,000 cash. It is estimated that the total operating expenses of Service Company in its first year of operation will amount to approximately $6,096,000, and that such expenses will increase in succeeding years as additional functions are centralized in Service Company.

Service Company has authorized capital stock of 5,000 shares of common stock of $1 par value per share, and, in order to finance its requirements, it proposes to issue and sell to Northeast during the 5-year period commencing with the effective date of the Commission's order herein, and Northeast proposes to acquire, up to 1,001 shares of Service Company's common stock for cash at $1,000 per share and various amounts of its long-term unsecured notes for cash at the principal amount thereof. The notes, which will not exceed $3,000,000 aggregate principal amount at any one time outstanding, will mature 40 years from the date the first of such notes are issued, and will bear interest at a rate not more than one-quarter of one percent above the commercial bank prime rate on short-term loans in effect in Hartford, Conn. (Now 5½ percent per annum), such interest rate to be adjusted to conform with any change in the prime rate as of the date of announcement of any such change. The notes may be prepaid by Service Company at any time at the principal amount thereof. Applicants-declarants represent that Service Company will at all times maintain its aggregate capital at an amount approximately equal to the sum of 2 months' operating expenses plus the cost of its property less applicable reserves, prepayments and petty cash working funds. For the purpose of maintaining its total capital in accordance with the aforesaid formula, Service Company may acquire out of its capital outstanding shares of its common stock at the price per share at which such stock was issued, or prepay certain of its outstanding notes, or issue and sell to Northeast, and Northeast may acquire, additional amounts of such securities as aforesaid.

It is further proposed that officers and employees of Service Company may serve as officers and directors of associate companies and that the directors and officers of Service Company may be selected without regard to whether interlocking positions between Service Company and associate companies result; provided, however, that none of such officers or employees of Service Company will receive compensation from any company other than Service Company.

All services performed by Service Company for associate companies and UI and Holyoke will be rendered at the cost of such services to Service Company, including reasonable compensation for necessary capital as permitted by the terms of Rule 91 under the Act. Such service costs will be allocated among the aforesaid companies on the basis of benefits conferred and in accordance with the cost-allocation procedures set forth in the application-declaration.

The applicants-declarants represent that the transfer of the said 350 employees from CL&P, Hartford and WMECO to Service Company will not require the hiring by such associate companies of any new personnel as replacements, that no expenses will be transferred by Northeast to Service Company, and that Northeast will continue to bear all of its corporate, operating and fiscal expenses which initially will amount to approximately $805,700 per annum, including charges for services rendered by Service Company. The applicants-declarants anticipate that the centralization of functions in Service Company will result, by the end of the fifth year of its operation, in a significant reduction in the aggregate number of general and administrative personnel required by the Northeast system as a whole, as compared to the number which would otherwise be required by the system companies if they continued separate operation.

The applicants-declarants further represent that the proposed organization and conduct of business of Service Company will not of themselves be the cause of any application to any Federal or State regulatory body for an increase in the rates charged to consumers by any associate company. However, Service Company's charges to associate operating companies for services rendered will be included in the cost of service or plant accounts of such companies, as appropriate, in any future rate proceeding.

The Public Utilities Commission of Connecticut has approved the proposed lease of dispatching facilities to Service Company by CL&P and Hartford. The applicants-declarants state that no consent or approval of any other State commission or of any Federal commission, other than this Commission, is required in respect to the proposed transactions.

The applicants-declarants request that the said joint application-declaration, as amended, be granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule 24 promulgated under the Act, and subject further to the following terms and conditions to which the applicants-declarants have expressly consented:

1. No change in the organization of the Service Company, the type and character of the companies to be serviced, the method of allocating costs to associate companies, or in the scope or character of services to be rendered, shall be made unless and until Service Company shall first have given the Commission written notice of such proposed change not less than 60 days prior to the proposed effectiveness of any such change. If, upon the receipt of any such notice, the Commission within the 60-day period shall notify Service Company that a question exists as to whether the aforesaid proposed change is consistent with the provisions of section 13 of the Act, or of any rule, regulation or order thereunder, the proposed change shall not become effective unless and until Service Company shall have filed with the Commission an appropriate declaration with respect to such proposed change, and the Commission shall have permitted such declaration to become effective.

2. In the event that the operation of Service Company's cost-allocation method does not result in a fair and equitable allocation of its costs among the serviced associate companies, the Commission reserves the right to require, after notice and opportunity for hearing, prospective adjustments, and, to the extent that it appears feasible and equitable, retroactive adjustments of such cost allocations.

3. Jurisdiction is reserved by the Commission to take such further action as may be necessary or appropriate to carry out the provisions of section 13 of the Act and the rules, regulations and orders thereunder.

Notice is further given that any interested person may, not later than June 28, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the said joint application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective in the manner provided by Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rule as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-6401; Filed, June 13, 1966; 8:45 a.m.]

[812-1944]

TOWNE MINES CORP. AND COMPANIA METALURGICA MEXICANA

Notice of Filing of Application

JUNE 8, 1966.

Notice is hereby given that an application has been filed by Towne Mines Corp. ("Towne") and Compania Metalurgica Mexicana ("CMM"), 452 Fifth Avenue, New York, N.Y., for an order under section 3(b)(2) of the Investment Company Act of 1940 ("Act") declaring that Towne and CMM are primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities, through controlled companies conducting similar types of businesses.

Section 3(b)(2) of the Act excepts from the definition of an investment company contained in section 3(a)(3) any issuer which the Commission finds and by order declares to be primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities, either directly or through majority-owned subsidiaries or through controlled companies conducting similar types of businesses. All interested persons are referred to the application filed with the Commission for a full statement of the representations of Towne and CMM which are summarized below.

CMM was incorporated under the laws of New Jersey in 1890 and has been engaged in the mining business since its organization. Under a plan of reorganization entered into in 1923 pursuant to which American Smelting & Refining Co. ("ASARCO") agreed to put up new capital for a substantial equity interest in the reorganized enterprise, two Delaware corporations were set up, one of which ("New Company") took over the CMM properties and subsidiaries. ASARCO held a 30-percent interest in New Company and the other new Delaware corporation, which represented the former security holders of CMM and is the present Towne, had a 70-percent interest. In 1936, the New Company merged into CMM which thereupon succeeded to all of New Company's rights and obligations. ASARCO and Towne continued to hold, respectively, 30 percent and 70 percent interest in CMM. In 1965, CMM was recapitalized so that its authorized capital stock was changed to 800 shares of common stock, of which Towne owns 70 percent and ASARCO owns 30 percent.

In 1961, a new Mexican mining law and certain amendments to Mexican mining tax law became effective. These new laws imposed severe disadvantages upon corporations engaged in mining or metallurgical operations in Mexico which were not incorporated under the laws of Mexico and where 51 percent of the outstanding stock was not held by Mexican nationals. In 1964, CMM transferred substantially all of its assets to its Mexican wholly owned subsidiary, Compania Minera La Loteria, S.A. ("Loteria"). The capital stock of Loteria, which had consisted of 44,194 shares of one class, was changed to 22,539 shares of Series "A"

(51 percent of capital) and 21,655 shares of Series "B" (49 percent of capital), the rights of both classes being virtually identical except that Series "A" is entitled to elect four of Loteria's seven directors and may be held only by Mexican nationals or Mexican controlled corporations while Series "B" is entitled to elect the remaining three directors and may be held by foreigners or Mexicans alike. In December 1965 all of Loteria's Series "A" stock was transferred to Asarco Mexicana, S.A. ("Asarco-Mex"), a corporation in which ASARCO holds a 49-percent interest and which meets the aforementioned requirements of Mexican mining and mining tax law. The agreed purchase price was $5,550,000, payable $550,000 at the closing and $500,000 on December 1, 1966 and on each December 1 thereafter until paid in full, with unpaid installments bearing interest at the rate of 6 percent per annum.

The arrangements regarding control of Loteria are embodied in the charter of that company and in an Operating Agreement among CMM, Asarco-Mex and Loteria, pursuant to which Asarco-Mex manages the Loteria properties subject to certain controls. Three of the seven directors of Loteria presently in office were designated by CMM. Under the charter of Loteria the approval of six directors is necessary to carry out virtually every significant activity in which Loteria might engage, including the appointment or removal of the general manager and establishment of his remuneration and the approving, modifying, terminating, extending or renewing ore or smelter contracts. Since CMM does not have its own smelter, all of its concentrates must be sold pursuant to smelter contracts with the result that, since such contracts set the price and other terms of sale of the entire output of Loteria, they determine the basis of Loteria's revenue. Ore contracts are of equal significance since they govern the source of Loteria's raw materials. In addition, CMM has the right to appoint a representative who observes the operations of the mines and consults with Asarco-Mex. Currently this representative is the president and a director of both Towne and CMM.

As of December 31, 1965, CMM had total assets of $6,729,817. Of this amount cash and U.S. Treasury bills aggregated $964,107, notes receivable aggregated $5,000,000 representing the balance due on the purchase price of the 50 percent of the Loteria shares. The 49 percent interest in Loteria is carried at $99,948 for book purposes but has a fair value of over $5,000,000. As of December 31, 1965, Towne had total assets having a book value of $5,725,044 consisting of $34,154 in cash, time deposits of $887,500, interest in CMM of $4,800,000 and miscellaneous other assets of $3,390.

During the period 1961 to 1965, the dividends received from CMM have always exceeded 90 percent of the total gross income of Towne. For the same 5-year period, the income of CMM and its subsidiaries from mining operations has consistently approximated 90 percent or more of their total consolidated gross income.

Notice is further given that any interested person may not later than June 27, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–6492; Filed, June 13, 1966; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

CENTRAL WISCONSIN BANKSHARES, INC.

Order Denying Petition for Reconsideration and for Hearing

In the matter of the application of Central Wisconsin Bankshares, Inc., Wausau, Wis., for prior approval of acquisition of voting shares of Central National Bank of Stettin, Stettin, Wis., a proposed new bank.

This matter has come before the Board of Governors upon petition of Central Wisconsin Bankshares, Inc., Wausau, Wis., filed on March 31, 1966, for (1) reconsideration by the Board of its order of January 4, 1966, denying petitioner's application, pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956, for prior approval of acquisition of the voting shares of Central National Bank of Stettin, Stettin, Wis., a proposed new bank, and (2) for a hearing on said application. In connection with said petition, the Board has made the following findings:

(1) The Board's rules of procedure (12 CFR 262.2(f)(6)) provide with respect to bank holding company applications:

(6) After action by the Board on an application, the Board will not grant any request for reconsideration of its action, unless the request presents relevant facts that, for good cause shown, were not previously presented to the Board, or unless it otherwise appears to the Board that reconsideration would be appropriate.

(2) Applicant's petition for reconsideration does not present relevant facts or arguments that, for good cause shown, were not previously presented to or considered by the Board.

(3) The applicable statute does not require the Board to grant a hearing on petitioner's application as a matter of right. Further, such a hearing is not considered by the Board to be required in the public interest or otherwise warranted by the circumstances herein, Applicant having had ample opportunity to present all relevant facts and arguments. Accordingly,

It is ordered, That the petition for reconsideration and for a hearing on the application be and hereby is denied.

Dated at Washington, D.C., this 6th day of June 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 66–6488; Filed, June 13, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

JUNE 9, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40532—*Chlorine to Catawba, S.C.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2845), for interested rail carriers. Rates on chlorine, in tank carloads, from Wyandotte, Mich., to Catawba, S.C.

Grounds for relief—Market competition.

Tariff—Supplement 202 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C–102.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–6507; Filed, June 13, 1966; 8:47 a.m.]

[Notice 194]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 9, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that

protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 214 TA), filed June 6, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14287, Houston, Tex., 77021. Applicant's representative: Wray E. Hughes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Jet fuel*, in bulk, in tank vehicles, from Baton Rouge, La., to Dallas, Tex., for 90 days. Supporting shipper: Samuel Talvick, traffic manager, petroleum products, Domestic Transportation Department, Gulf Oil Corp., Post Office Drawer 2100, Houston, Tex., 77001. Send protests to: John C. Redus, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex., 77061.

No. MC 531 (Sub-No. 215 TA), filed June 7, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14287, Houston, Tex., 77021. Applicant's representative: Wray E. Hughes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mexican tequila*, in bulk, in tank vehicles, from port of entry, Tijuana, Mexico (San Ysidro, Calif.), to Hartford, Conn., for 150 days. Supporting shipper: Heublein, Inc., Mr. Henry J. Rogers, director of traffic, 330 New Park Avenue, Hartford, Conn., 06101. Send protests to: John C. Redus, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex., 77061.

No. MC 7156 (Sub-No. 2 TA), filed June 3, 1966. Applicant: WILLIAMS TRANSFER CO., Post Office Box 706, Eugene, Oreg. Applicant's representative: A. M. Bartzat (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and plywood*, from points in Lane County, Oreg., to docks at Coos Bay and Portland, Oreg., and to docks and treating plants in Clark and Cowlitz Counties, Wash., for 180 days. Supporting shippers: Cecil E. Wingard Lumber Co., Post Office Box 1172, Eugene, Oreg.; Johnson Forest Products Co., Star Route S, Junction City, Oreg.; Barker Willamette Lumber Co., Inc., Post Office Box 806, Eugene, Oreg.; Lane Plywood, Inc., Route 5, Box 66, Eugene, Oreg.; Jacobsen-Ruble Lumber Co., Post Office Box 100, Eugene, Oreg. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 30837 (Sub-No. 330 TA), filed June 6, 1966. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis., 53141. Applicant's representative: Albert P. Barber (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Seat cabs*, set up, for use on agricultural implements and machines, and construction and industrial machines, from Menomonee Falls, Wis., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Stolper Industries, Inc., Menomonee Falls, Wis., 53051, A. A. Ludwig, vice president, manufacturing. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 39973 (Sub-No. 2 TA), filed June 6, 1966. Applicant: STANDARD TRUCKING COMPANY, 336 East 16th Street, Post Office Box 1107, Charlotte, N.C., 28208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude methanol* in shipper owned cargo tanks or containers, loaded on flat bed trailers, from Earl (at or near Shelby), N.C., to Forster (at or near Spartanburg), S.C., for 180 days. Supporting shipper: Celanese Corp., 522 Fifth Avenue, New York, N.Y., 10036. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 83539 (Sub-No. 187 TA), filed June 3, 1966. Applicant: C & H TRANSPORTATION CO., INC., 1936 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's representative: J. P. Welsh (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel bomb body forgings*, from Fort Worth, Tex., to McKeesport, Pa., and from McKeesport, Pa., to Fort Worth, Tex., for 180 days. Supporting shipper: American Manufacturing Co. of Texas, Post Office Box 7037, Fort Worth 11, Tex., J. E. Lott, executive vice president. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 10173 (Sub-No. 8 TA), filed June 6, 1966. Applicant: MARVIN HAYES LINES, INC., Hayes Circle, Clarksville, Tenn., 37041. Applicant's representative: Charles H. Hudson, Jr., 417 Stahlman Building, Nashville, Tenn., 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and empty containers*, between Clarksville, Tenn., St. Louis and St. Joseph, Mo.; Peoria, Ill., and Milwaukee, Wis., for 180 days. Supporting shippers: Glenn Distributing Co., Post Office Box 312, Clarksville, Tenn., 37041; Ideal Distributing Co., East College Street, Clarksville, Tenn., 37041; Case Distributing Co., Post Office Box 1003, Clarksville, Tenn., 37040. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn., 37203.

No. MC 103926 (Sub-No. 18 TA), filed June 3, 1966. Applicant: W. T. MAYFIELD SONS TRUCKING CO., a corporation, 3881 Bankhead Highway, Post Office Box 2463, Station D, Atlanta, Ga., 30318. Applicant's representative: William H. Driskell (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal storage tanks and parts and accessories* when moving incidental thereto as part of the same shipment from Newnan, Ga., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, and Virginia, for 180 days. Supporting shipper: R. D. Cole Manufacturing Co., Newnan, Ga., 30263. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308.

No. MC 107496 (Sub-No. 487 TA), filed June 7, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third Street, Post Office Box 855, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand with additives*, in containers, and in bulk, in pneumatic trucks, from Troy Grove, Ill., to points in Michigan, Indiana, Ohio, and Wisconsin, for 180 days. Supporting shipper: The Arrowhead Co., Post Office Box 67, Chesterton, Ind. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 110093 (Sub-No. 1 TA), filed June 6, 1966. Applicant: MARCHESI TRANSPORTATION COMPANY, INC., 118 Pearl Street, Woburn, Mass. Applicant's representative: John F. Curley, 33 Broad Street, Boston, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hide fleshings, limed pieces, and chrome splits*, from Lebanon, N.H., to Woburn, Mass., for 150 days. Supporting shipper: E. Cummings Leather Co., Inc., Lebanon, N.H. Send protests to: James F. Martin, Jr., District Supervisor, Bureau of Opera-

tions and Compliance, Interstate Commerce Commission, 30 Federal Street, Boston, Mass., 02110.

No. MC 112184 (Sub-No. 23 TA), filed June 6, 1966. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, Route 87, Newbury, Ohio. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid concrete admixtures*, in bulk in tank vehicles, from Cleveland, Ohio, to points in Michigan, Indiana, Kentucky, West Virginia, Pennsylvania, New York, New Jersey, and Indiana, for 180 days. Supporting shipper: Master Builders, 2490 Lee Boulevard, Cleveland, Ohio, 44118. Send protests to: G. J. Baccei, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 435 Federal Building, Cleveland, Ohio, 44114.

No. MC 114533 (Sub-No. 140 TA), filed June 3, 1966. Applicant: B. D. C. CORPORATION, 4970 South Archer Avenue, Chicago, Ill., 60632. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business reports, records, and microfilm;* between St. Louis, Mo., on the one hand, and, on the other, Hutchinson, Kans., for 180 days. Supporting shipper: Mercantile Trust Co., St. Louis, Mo., 63166. Send protests to: Charles Kudelka, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 115162 (Sub-No. 132 TA), filed June 6, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala., 36401. Applicant's representative: Robert E. Tate, Suite 2025, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, of concrete or plastic construction and pipe fittings* (except commodities requiring the use of special equipment of special handling, and oilfield and pipeline pipe as defined in T. E. Mercer 46 MCC 845), from Springfield, Ill., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Oklahoma, Tennessee, Texas, and Iowa, for 180 days. Supporting shipper: Kyova Pipe Co., division of Ashland Oil & Refining Co., Springfield, Ill. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala., 35205.

No. MC 115826 (Sub-No. 145 TA), filed June 6, 1966. Applicant: W. J. DIGBY, INC., 1960 31st Street, Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Applicant's representative: John F. DeCock (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting, rugs, floor covering, textiles and textile products*, from points in Georgia and Tennessee to points in Colorado, Idaho, Utah, and Wyoming, for 180 days. Supporting shippers: The application is supported by statements from 50 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Herbert C. Ruoff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo., 80202.

No. MC 116063 (Sub-No. 93 TA), filed June 7, 1966. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., 2400 Cold Springs Road, Post Office Box 270, Fort Worth, Tex., 76111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar and blends of corn syrup and liquid sugar*, in bulk, in tank vehicles, from New Orleans, La., to Dothan, Luverne, Mobile, Birmingham, Tuscaloosa, Montgomery, and Bessemer, Ala.; Panama City, Marianna, Pensacola, and Pace, Fla.; Columbus, Ellisville, Gulfport, Jackson, Kosciusko, Lourel, Meridian, Hattiesburg, Tupelo, Crystal Springs, Starkville, and Picayune, Miss.; Memphis, Tenn.; Houston, Lufkin, and Dallas, Tex.; and Alma, Fort Smith, Little Rock, and Pine Bluff, Ark., for 180 days. Supporting shipper: R. E. Covey, general traffic manager, American Sugar Co., 120 Wall Street, New York, N.Y., 10005. Send protests to: Ralph Bezner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 816 T & P Building, Fort Worth, Tex., 76102.

No. MC 116544 (Sub-No. 80 TA), filed June 6, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Post Office Box 516, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods;* (2) *frozen foods in mixed loads with canned goods;* and (3) *frozen foods and/or canned goods in mixed loads with agricultural commodities* as defined in section 203(b)(6) of the Interstate Commerce Act, from points in Copiah, Hinds, Union, Covington, Rankin, and Madison Counties, Miss., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, Oklahoma, Texas, and Wisconsin, for 180 days. Supporting shipper: Mississippi Federated Cooperatives (AAL), Box 449, Jackson, Miss., 39205. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 119934 (Sub-No. 119 TA), filed June 3, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind., 46040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printing ink*, in bulk, in tank vehicles, from Orlando, Fla., to Sylacauga, Ala., for 180 days. Supporting shipper: Sun Chemical Corp., General Printing Ink Division, 750 Third Avenue, New York, N.Y., 10017. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 123067 (Sub-No. 46 TA), filed June 3, 1966. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C., 27102. Applicant's representative: Frank C. Philips, Post Office Box 612, Winston-Salem, N.C., 27102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Cheraw and Columbia, S.C., to points in North Carolina, for 150 days. Supporting shippers: Wanda Petroleum Co., Post Office Box 5312; Merritt-Holland Gas Co., 201 Red Cross Street, Wilmington, N.C., 28401; Modern Gas Co., Inc., 3514 Raeford Road, Fayetteville, N.C., 28304; Sandtane Gas Co., Inc., 327 South Aspen Street, Lincolnton, N.C., 28092; Carolina Propane Gas Service Co., Inc., Drawer 561, Lexington, N.C., 27292; Steele Rulane Service, Inc., Hickory, N.C., 28601; Piedmont Gas Service Co., Inc., Lexington, N.C., 27292. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 123393 (Sub-No. 133 TA), filed June 6, 1966. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale, Post Office Box 965 (Commercial Station), Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Fort Wayne, Ind., to points in Arkansas, Colorado, Florida, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, Oklahoma, Tennessee, and Wisconsin, for 180 days. Supporting shipper: Kingsford Packing Co., Inc., Post Office Box 2083, Station A, Fort Wayne, Ind. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 123393 (Sub-No. 134 TA), filed June 6, 1966. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale, Post Office Box 965, Commercial Station, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products, in straight or mixed loads with exempt agricultural commodities*, from the storage facilities utilized by the Ralston Purina Co. at Sedalia, Mo., and from the plantsite of the Ralston Purina Co. at California, Mo., to points in Alabama Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee (except Memphis), Vermont, Virginia, West Virginia, and Wisconsin, for 150 days. Supporting shipper: Ralston Purina Co., Checkerboard Square, St. Louis, Mo., 63199. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 124504 (Sub-No. 4 TA), filed June 3, 1966. Applicant: EDWARD JOHNSON, 371 Hancock Street, Brooklyn, N.Y. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Waste or scrap materials and metals and metal articles*, from New York, N.Y., and Stamford, Conn., to points in Bergen, Passaic, Hudson, Essex, Middlesex, Somerset, Hunterdon, Mercer, Morris, Union, and Warren Counties, N.J., from New York, N.Y., Jersey City and Newark, N.J., to Bridgeport, Danbury, and New Haven, Conn., for 180 days. Supporting shipper: Schiavone-Bonomo Corp., Foot of Jersey Avenue, Jersey City, N.J., 07302. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 124692 (Sub-No. 18 TA), filed June 7, 1966. Applicant: MYRON SAMMONS, Post Office Box 933, Missoula, Mont., 59801. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Montana west of the Continental Divide to points in Iowa, Illinois, and Wisconsin, for 180 days. Supporting shippers: White Pine Sash Co., Post Office Box 1247, Missoula, Mont., 59801; Plum Creek Lumber Co., Columbia Falls, Mont., 59912; Prentice Lumber Co., Inc., Post Office Box 59, Missoula, Mont., 59801; St. Regis Paper Co., Libby, Mont., 59923. Send protests to: Paul J. Lobane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, U.S. Post Office Building, Billings, Mont., 59101.

No. MC 125657 (Sub-No. 3 TA), filed June 7, 1966. Applicant: FLOYD DELBERT BAZE, doing business as BAZE TRUCKING, 4879 Martin Street, Mira Loma, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Travel trailers, campers and horse trailers*, by truckaway method, from points in Los Angeles, Orange, and Riverside Counties, Calif., to points in Oregon, Washington, Idaho, Nevada, Utah, Arizona, New Mexico, Colorado, Oklahoma, and Texas, and return of *refused or rejected shipments; horse trailers*, from Chickasha, Okla., to points in California, for 180 days. Supporting shippers: Santa Fe Trailers, 8130 San Fernando Road, Sun Valley, Calif.; Adams Trailer Manufacturing Co., 11310 Stewart Street, El Monte, Calif.; Denver Trailer Sales, 1746 South Broadway, Denver, Colo., 80210; Prewitt Trailers, 4298 Campbell Street, Glen Avon, Calif.; Johnson's Trailer Sales, 21104 Pacific Highway, Seattle, Wash., 98188; Gateway Trailer Center, Inc., Blake at Addison Avenue West, Twin Falls, Idaho, 83301; Vacation Industries, Inc., 136 West 168th Street, Gardena, Calif.; Grassfield Mobilhomes Co., 7207 Northwest 39th Expressway, Bethany, Okla., 73008; Robertson's Trailer Sales, Route 3, Caldwell, Idaho; Birch Bay Trailer Sales, Route 1, Box 106, Blaine, Wash.; York Trailer Sales, 722 North State Street, Orem, Utah; Bunn's Trailer Sales, Highways 99W and 18, McMinnville, Oreg.; Hastings Trailer Sales, Ltd., 2747 East Hastings Street, Vancouver, 6, B.C., Canada; Oasis Vacation Trailers, 10123 East Washington Street, Bellflower, Calif.; Wheel-Wright In Trailer Sales, 2992 South State Street, Salt Lake City, Utah; Richards Oldsmobile, Inc., 1150 North Third, Laramie, Wyo. Send protests to: W. J. Huetig, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 126327 (Sub-No. 3 TA), filed June 3, 1966. Applicant: GERALD SMITH AND JACK COLLIE, a partnership, doing business as C & S TRUCKING, 2501 South Alameda Street, Los Angeles, Calif., 90011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potato chips, corn chips, and puff chips*, from points in Los Angeles and Orange Counties, Calif., to Phoenix, Tempe, and Tucson, Ariz., *nut meats, peanut butter, and salad dressing*, from points in Los Angeles County, Calif., to Phoenix, Ariz., for 180 days. Supporting shippers: Tom McBirnie Sales, 2201 East Palm Lane, Phoenix, Ariz.; Bell Brand Foods, Ltd., Post Office Box 2420, Terminal Annex, Los Angeles, Calif., 90054; Khyber Food Products Co., Post Office Box 3824, 1220 Burt Place, Fullerton, Calif.; Paine & Co., 8107 Paramount Boulevard, Pico Rivera, Calif. Send protests to: John E. Nance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 127158 (Sub-No. 2 TA), filed June 6, 1966. Applicant: LIQUID FOOD CARRIER, INC., Post Office Box 10172, New Orleans, La., 70121. Applicant's representative: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La., 70130. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, from points in St. Bernard Parish, La., to Dothan, Luverne, Mobile, Birmingham, Tuscaloosa, Montgomery, and Bessemer, Ala., Panama City, Marianna, Pensacola, and Pace, Fla., Columbus, Ellisville, Gulfport, Jackson, Kosciusko, Laurel, Meridian, Hattiesburg, Tupelo, Crystal Springs, Starkville, and Picayune, Miss., Memphis, Tenn., Lufkin, Tex., and Alma, Fort Smith, Little Rock and Pine Bluff, Ark., for 180 days. Supporting shipper: American Sugar Co., 120 Wall Street, New York, N.Y., 10005. Send protests to: W. R. Atkins, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La., 70113.

No. MC 128192 (Sub-No. 1 TA), filed June 6, 1966. Applicant: DAVID W. MASSENBURG and C. L. DAVIS, a partnership, doing business as CHARLESTON REFRIGERATED DELIVERY CO., Meggett, S.C., 29460. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C., 29201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as defined in appendix 1 to the report of *Descriptions in Motor Carrier Certificates* 61 MCC 209 and 766, from Charleston, S.C., to points in Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, and Jasper Counties, S.C., for 150 days. Supporting shippers: The Rath Packing Co., Post Office Box 330, Waterloo, Iowa, 50704; John Morrell & Co., Sioux Falls, S. Dak. Send protests to: Arthur B. Abercrombie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 509 Federal Building, 901 Sumter Street, Columbia, S.C., 29201.

No. MC 128232 (Sub-No. 1 TA), filed June 6, 1966. Applicant: DORRIS CLOUSE, Licking, Mo. Applicant's representative: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products and pallets*, from points in Howell, Shannon, Texas, and Oregon Counties, Mo., to points in Illinois on and north of U.S. Highway 24 and points in Indiana on and north of U.S. Highway 24, for 180 days. Supporting shipper: William C. McVicker, Lumber and Pallets, Star Route, Mountain View, Mo. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 128277 TA, filed June 6, 1966. Applicant: WALDORF ICE CREAM CO., doing business as WALDORF DELIVERY, 1506 Industrial Parkway, Akron, Ohio. Applicant's representative: R. L. Sandberg (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream and related frozen desserts consisting principally of frozen novelties*, from Akron, Ohio, to points in Wayne, Washtenau, Oakland, and Macomb Counties, Mich., for 180 days. Supporting shipper: B. C. P. Distributors, 650 Mansfield Avenue, Pittsburgh, Pa. Send protests to: G. J. Baccei, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 435 Federal Building, Cleveland, Ohio, 44114.

No. MC 128278 TA, filed June 6, 1966. Applicant: LIBERTY TRANSFER COMPANY, INC., 1601 Cuba Street, Baltimore, Md., 21230. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Condiments, vegetable oils, butter and lard substitutes, related printed and advertising matter, packing supplies, and empty cartons*, from Bayonne, N.J., to Washington, D.C., serving the intermediate point of Baltimore, Md.: From Bayonne, N.J., over city streets to Newark, N.J., thence over U.S. Highway 1 to junction U.S. Highway 130, thence over U.S. Highway 130 to junction U.S. Highway 40 via the Delaware Memorial Bridge to Baltimore, Md. (formerly shown as via ferry between Pennville, N.J., and New Castle, Del.), and thence over U.S. Highway 1 to Washington, D.C.; and *damaged, rejected, or unsalable shipments of the above specified commodities, and empty drums*, from Washington, D.C., to Bayonne, N.J., serving the intermediate point of Baltimore, Md., (2) *canned goods*, from Bayonne, N.J., to Baltimore, Md., and Washington, D.C., with no transportation for compensation on return except as otherwise authorized, (3) *such merchandise* as is dealt in by wholesale and retail grocery and food business houses, between points in Bergen, Hudson, Essex, Passaic, Union, Middlesex, Morris, and Somerset Counties, N.J., on the one hand, and, on the other, New York, N.Y., and points in Westchester, Nassau, and Suffolk Counties, N.Y., (4) *canned and bottled foods*, from Bayonne, N.J., to points in Delaware, Maryland, Pennsylvania, and the District of Columbia within 125 miles of Bridgeton or Winslow, N.J., with no transportation for compensation on return except as otherwise authorized; from Bridgeton and Winslow, N.J., to points in Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia, within 125 miles of Bridgeton and Winslow; and *rejected shipments of canned and bottled foods*, from points in the immediately above specified destination territory to Bridgeton and Winslow, N.J., *commodities used or useful in canning and bottling of foods*, from New York, N.Y., Jersey City, N.J., Philadelphia, Pa., and Baltimore, Md., to Winslow and Bridgeton, N.J., with no transportation for compensation on return except as otherwise authorized, *spices, salt, sugar, and glass containers*, from Philadelphia, Pa., to Bridgeton, N.J., with no transportation for compensation on return except as otherwise authorized, *empty tin cans*, from Baltimore, Md., to Bridgeton, N.J., with no transportation except as otherwise authorized, *canned goods*, from Bridgeton, N.J., to Camden, N.J., New York, N.Y., Philadelphia, Allentown, Lancaster, Easton, Norristown, Pottstown, Pittston, and Chester, Pa., Wilmington, Del., and Baltimore, Md., with no transportation for compensation on return except as otherwise authorized, (5) *matches*, in mixed loads with canned and bottled foods, from Bayonne, N.J., to points in Delaware, Maryland, Pennsylvania, and the District of Columbia within 125 miles of Bridgeton or Winslow, N.J., for 180 days. Supporting shipper: Hunt Foods and Industries, Inc., 1645 West Valencia Drive, Fullerton, Calif. Send protests to: William L. Hughes, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 312 Appraisers' Stores Building, Baltimore, Md., 21202.

MOTOR CARRIERS OF PASSENGERS

No. MC 62296 (Sub-No. 5 TA), filed June 3, 1966. Applicant: WERNER BUS LINES, INC., Paradise Street and Chester Avenue, Phoenixville, Pa., 19460. Applicant's representative: Leonard Sugerman, 400 South Main Street, Phoenixville, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle, in charter operations, restricted to professional theatrical casts, between Valley Forge Music Fair, New Centerville, Pa.; Camden County Music Fair, Haddonfield, N.J.; Westbury Music Fair, Long Island, N.Y.; Painters Mill Music Fair, Owings Mills, Md.; Shady Grove Music Fair, Gaithersburg, Md; and Storrowton Music Fair, West Springfield, Mass., excluding the right of privilege of serving intermediate points, for 150 days. Supported by: Music Fair Enterprises, Inc., Bourse Building, Philadelphia, Pa., 19106. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 66810 (Sub-No. 18 TA), filed June 3, 1966. Applicant: PEORIA-ROCKFORD BUS COMPANY, 1034 South Seminary Street, Rockford, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Air express and air freight*, as well as *passengers and their baggage*, between Rockford, Ill., and O'Hare International Airport, Chicago, Ill., east bound: Starting at the Faust Hotel, corner of North Fourth Street and East State Street in the city of Rockford, Ill., thence in an easterly direction over and along East State Street and U.S. Highway 20 to its intersection with the Illinois Northwest Tollway (U.S. Interstate Route 90) at a point 7 miles east of Rockford, Ill., thence over and along Illinois Northwest Tollway (U.S. Interstate Route 90) in a southeasterly direction to the entrance of O'Hare International Airport, thence over and along O'Hare International Airport road in a westerly direction to the Airport Terminal Building; west bound: Starting at the O'Hare International Airport Terminal Building, over and along the Airport road in an easterly direction to the Tri-State Tollway (U.S. Interstate Route 294) thence over and along the Tri-State Tollway (U.S. Interstate Route 294) in a northerly direction to the Northwest Tollway (U.S. Interstate Route 90), thence over and along the Northwest Tollway (U.S. Interstate Route 90) in a northwesterly direction to its intersection with U.S. Highway 20 at a point 7 miles east of Rockford, Ill., thence over and along U.S. Highway 20 and East State Street in Rockford, Ill., in a westerly direction to East Jefferson Street, thence over and along East Jefferson Street in a northwesterly direction to North Fourth Street: thence over and along North Fourth Street in a southwesterly direction to the Faust Hotel at the corner of North Fourth Street and East State Street in Rockford, Ill., for 180 days. Supporting shippers: Sundstrand Aviation, 2421 11th Street, Rockford, Ill., 61101; Cotta Transmission Co., 2300 11th Street, Rockford, Ill., 61101; Behr Machinery & Equipment Corp., 1100 Seminary Street, Rockford, Ill., 61105. Send protests to: Andrew J. Montgomery, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 128274 TA, filed June 3, 1966. Applicant: PEORIA-ROCKFORD BUS COMPANY, 1034 South Seminary Street, Rockford, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Passengers* (only employees, agents, servants, officers, invitees and licensees of the Admiral Corporation at Harvard, Ill.), between Beloit, Wis., and Harvard, Ill., commencing at Beloit, thence northeast on Wisconsin Highway 15 to its intersection with U.S. Highway 14 at Darien; thence southeast on U.S. Highway 14 to Harvard, and returning in the reverse direction, serving all intermediate points, for 180 days. Supported by: Admiral Corp., Harvard Division, 308 South Division, Harvard, Ill., 60033. Send protests to: "Andrew J. Montgomery, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6508; Filed, June 13, 1966; 8:47 a.m.]

[Notice 1363]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 9, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will

postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68720. By order of June 7, 1966, the Transfer Board approved the transfer to Carriers, Inc., Sioux Falls, S. Dak., of certificates Nos. MC-111812 (Sub-No. 184) and MC-111812 (Sub-No. 189), issued November 5, 1962, and July 22, 1963, respectively, to Midwest Coast Transport, Inc., authorizing the transportation of general commodities, between Chicago, Ill., and Detroit, Mich., over regular routes and serving numerous intermediate and off-route points, as well as alternate routes for operating convenience only; and mining machinery and air compressors requiring special equipment, over irregular routes, between Michigan City, Ind., on the one hand, and, on the other, points in Illinois, Indiana, and Michigan. Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102, attorney for applicants.

No. MC-FC-68734. By order of June 7, 1966, the Transfer Board approved the transfer to Reddick Auto Express, Inc., Liverpool, N.Y., of the operating rights of Harold J. Reddick, doing business as Reddick Auto Express, Liverpool, N.Y., in certificate No. MC-2091 and certificate of registration No. MC-2091 (Sub-No. 2), issued March 22, 1961, and June 16, 1964, respectively, authorizing the transportation, over regular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Syracuse and Oswego, N.Y., serving all intermediate points, and the off-route point of Three Rivers, N.Y., and evidencing a right to engage in transportation in interstate or foreign commerce corresponding in scope to the certificate of public convenience and necessity No. 1840 issued March 20, 1940, and transferred to applicant April 6, 1948, by the New York Public Service Commission. Herbert M. Canter, Esq., 345 South Warrent Street, Syracuse, N.Y., 13202, attorney for applicants.

No. MC-FC-68814. By order of June 8, 1966, the Transfer Board approved the transfer to Joseph Dupont Trucking, Inc., Bristol, R.I., of the operating rights of Joseph DuPont, doing business as DuPont's Express, Bristol, R.I., in certificate No. MC-59353 and certificate of registration No. MC-59353 (Sub-No. 2), issued October 26, 1940, and March 24, 1965, respectively, authorizing under said certificate No. MC-59353 the transportation, over regular routes, the transportation of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Bristol, R.I., and Providence, R.I., and under said certificate of registration No. MC-59353 (Sub-No. 2), the transportation, over irregular routes, of general commodities, excluding valuables and dangerous articles, also explosives, between points in Rhode Island. Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905, representative for applicants.

No. MC-FC-68852. By order of June 8, 1966, the Transfer Board approved the transfer to William J. Bowman, doing business as California Delivery Service, Chatsworth, Calif., of the operating rights in certificate of registration in No. MC-99578 (Sub-No. 1), issued February 4, 1964, to Paul R. Kemp and Jack B. Kemp, a partnership, doing business as California Delivery Service, Los Angeles, Calif., corresponding to the grant of intrastate authority to transferor in certificate of public convenience and necessity granted in decision No. 51718, dated July 18, 1955, as amended, by the Public Utilities Commission of the State of California. Walter L. Williams, Jr., 458 South Spring Street, Los Angeles, Calif., 90013, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6509; Filed, June 13, 1966; 8:47 a.m.]

[Notice 1363-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 9, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68489. By order of June 8, 1966, division 3, acting as an appellate division approved the transfer to Nelson's Express, Inc., Millersburg, Pa., of the operating rights in certificate No. MC-67393, issued November 13, 1961, to Kulp Service, Inc., Souderton, Pa., authorizing the transportation of: General commodities, with the usual exceptions, between points in Pennsylvania within 10 miles of Shamokin, Pa., including Shamokin. John W. Frame, Post Office Box 626, Camp Hill, Pa., 17011, Representative for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6510; Filed, June 13, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR	Page
PROCLAMATION:	
3728	8277
EXECUTIVE ORDERS:	
11224 (superseded by EO 11285)	8211
11285	8211
11286	8279
5 CFR	
213	7733, 7734, 7959, 8175, 8281
550	7881
7 CFR	
15	8175
26	8113
28	7734
354	8113
401	8175
701	7735, 7814
728	7814
778	7997
811	7999
845	7815
893	7816
905	8114
908	7961, 8230
910	7962, 8045, 8231, 8303
911	7962, 8231
916	8176, 8177
917	7963, 8114, 8177, 8231, 8232, 8303–8306
918	7735
944	8000
970	8178
1038	8115
1039	8116
1074	8000
1099	7963
1421	7964, 8000, 8003, 8306
1483	7817
1486	7735

7 CFR—Continued

PROPOSED RULES:

	Page
51	7757
905	7971
915	8181
994	8021
1001	7911, 8242
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131
1015	7911, 8242
1016	7911
1031	7831
1032	7831
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
97	8020

10 CFR

	Page
36	7959
40	7959

12 CFR

	Page
1	8060
204	8060
563	8004
571	8004

14 CFR

	Page
39	7735, 7881, 7882, 8045, 8046
71	7736, 7827, 8046, 8047, 8117, 8178, 8179
73	7736, 7827, 7882
75	7736, 7827, 8047
95	8281
97	7883, 7893, 8010, 8048, 8118, 8217, 8285

PROPOSED RULES:

	Page
21	8075
47	8077
71	7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242
73	7977
75	7762, 8242
91	8026
93	8078

15 CFR

	Page
230	7737, 7819, 7968
372	8213
373	8213
374	8213
375	8213
376	8213
377	8213
379	8213
382	8213
385	8213

PROPOSED RULES:

	Page
9	7833

16 CFR

	Page
13	7960, 7961, 8058–8060
15	7737, 7806, 8233

PROPOSED RULES:

	Page
45	7757
57	8243
192	8244

17 CFR

	Page
211	7821
230	7738
239	7738

18 CFR

	Page
101	7897
141	7897
201	7897
260	7897

20 CFR

	Page
602	7966
604	8281

PROPOSED RULES:

	Page
405	7864

21 CFR

	Page
8	8216
120	7741
121	8008, 8009
130	8009

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
200	7743
221	7743

25 CFR

	Page
41	7744
42	7745

26 CFR

	Page
1	7789
240	7740
250	8233
276	7821

PROPOSED RULES:

	Page
270	7913

29 CFR

	Page
0	8306

31 CFR

	Page
128	8179
202	7899, 8234
203	7899, 8234
500	7745, 7899

32 CFR

	Page
1	7807
3	7807
4	7810
7	7811
8	7812
16	7814
30	7814
273	8007
502	7966
1003	8311
1250	8061

32A CFR

	Page
OIA (Ch. X):	
OI REG. 1	7745

33 CFR

	Page
203	7827, 8312
204	8129
208	7751
401	8062

36 CFR

	Page
221	8180
251	7899
261	7902

38 CFR

	Page
17	8064
21	8292

39 CFR

	Page
13	7752
22	7752
25	7752
27	8234
41	8234
43	7752, 8235
46	8235
51	8236
52	8236

39 CFR—Continued

	Page
53	8236
55	8236
56	8236
58	8237
61	8237

41 CFR

	Page
1-3	8116
4-1	7819
4-6	7819
4-50	7902
8-1	7820
8-2	7820
9-12	8237
101-15	7752
101-17	8117

42 CFR

	Page
57	7755
76	7902

43 CFR

	Page
3120	7806

PUBLIC LAND ORDERS:

	Page
662 (revoked by PLO 4035)	8240
829 (revoked in part by PLO 4028)	8238
1775 (revoked in part by PLO 4027)	8238
4023	7969
4024	7969
4025	7969
4026	8238
4027	8238
4028	8238
4029	8238
4030	8239
4031	8239
4032	8239
4033	8293
4034	8240
4035	8240
4036	8240
4037	8241
4038	8241

PROPOSED RULES:

	Page
3130	8181
3140	8181
3150	8181
3160	8181
3180	8181

45 CFR

	Page
801	7755

46 CFR

	Page
146	8295
202	8065
308	7970

47 CFR

	Page
18	7821
21	7822
73	7904, 8067, 8069–8073
74	7822
91	7822

PROPOSED RULES:

	Page
1	7837
21	7837
23	7837
73	7837, 7838, 8079–8081, 8132
74	7837, 8026
81	7837
87	7837
89	7837
91	7837
93	7837
95	7837
97	7837

49 CFR

	Page
95	7806, 8064
170	8312

PROPOSED RULES:

	Page
31	8244
170	7841
193	7911

50 CFR

	Page
32	7909, 8065
33	7756, 7910, 7970

PROPOSED RULES:

	Page
401	8130

SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 17 1966

SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 17 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 115

Wednesday, June 15, 1966 • Washington, D.C.

Pages 8333–8397

Agencies in this issue—

Agricultural Research Service
Agricultural Stabilization and Conservation Service
Agriculture Department
Air Force Department
Atomic Energy Commission
Census Bureau
Civil Aeronautics Board
Coast Guard
Commodity Credit Corporation
Equal Employment Opportunity Commission
Federal Aviation Agency
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Food and Drug Administration
Interstate Commerce Commission
Land Management Bureau
Social Security Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

5-Year Compilations of Presidential Documents

Supplements to Title 3 of the Code of Federal Regulations

The Supplements to Title 3 of the Code of Federal Regulations contain the full text of proclamations, Executive orders, reorganization plans, trade agreement letters, and certain administrative orders issued by the President and published in the Federal Register during the period June 2, 1938–December 31, 1963. Tabular finding aids and subject indexes are included. The individual volumes are priced as follows:

1938–1943 Compilation—$3.00
1943–1948 Compilation—$7.00
1949–1953 Compilation—$7.00
1954–1958 Compilation—$4.00
1959–1963 Compilation—$6.00

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL RESEARCH SERVICE
Rules and Regulations
Quarantine; importation of elm plants into California 8337

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE
Rules and Regulations
Farm marketing quotas and acreage allotments:
Cotton, upland, 1966 and succeeding crops; transfer of acreage affected by natural disaster 8337
Wheat, 1967–68 8337
Feed grain program, 1966–1969 8339

AGRICULTURE DEPARTMENT
See also Agricultural Research Service; Agricultural Stabilization and Conservation Service; Commodity Credit Corporation.
Notices
Meat import limitations 8379
Texas; extension of designation of areas for emergency loans 8379

AIR FORCE DEPARTMENT
Rules and Regulations
Procurement; miscellaneous amendments 8370
Notices
Buy American Act; secretarial finding of violation 8378

ATOMIC ENERGY COMMISSION
Notices
Consumers Power Co.; receipt of application for construction permit and utilization facility license 8381

CENSUS BUREAU
Notices
Federal Government agencies and their contractors and suppliers, 1965; report on shipments and receipts for work done 8380

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.:
Delta Air Lines, Inc 8381
Western Montana service investigation 8382

COAST GUARD
Notices
James River; closure to navigation during launching of "Ray" 8378

COMMERCE DEPARTMENT
See Census Bureau.

COMMODITY CREDIT CORPORATION
Rules and Regulations
Loan and purchase programs:
Cottonseed oil and meal, 1966 8348
Rice, 1966 and subsequent crops 8346

DEFENSE DEPARTMENT
See Air Force Department.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Rules and Regulations
Guidelines on discrimination because of religion 8370

FEDERAL AVIATION AGENCY
Rules and Regulations
Certification of pilots and flight instructors, and general operation and flight; civil aircraft of U.S. registry operated outside of U.S 8354
Control zones:
Alteration 8358
Designation 8358
Control zone and transition area; designation 8357
Control zone, control area extension, and transition area; alteration, revocation, and designation 8358
Enforcement procedures; warning notice of violation 8353
Medical standards and certification; miscellaneous amendments 8355
Standard instrument approach procedures; miscellaneous amendments 8359
Transition area; designation 8358
Proposed Rule Making
Control zones; alterations (2 documents) 8372
Control zones and transition areas:
Alterations 8373
Revocation, establishment, and alteration 8374
Restricted area and controlled airspace; alterations and designation 8375
Transition areas:
Alterations (2 documents) 8374, 8375
Designations (2 documents) 8373
Designation and revocation 8372

FEDERAL COMMUNICATIONS COMMISSION
Proposed Rule Making
Construction, marking, and lighting of antenna structures; extension of time for comments 8376
Notices
Hearings, etc.:
Boardman Broadcasting Co., Inc., and Daniel Enterprises, Inc 8382
Jupiter Associates, Inc., et al 8382
RKO General, Inc. (KHJ-TV) and Fidelity Television, Inc 8382
Santa Rosa Broadcasting Co., Inc 8383
State Gazette Broadcasting Co. and McQueen and Co., Inc 8383
WDIX, Inc., and Radio Orangeburg, Inc 8383

FEDERAL HOME LOAN BANK BOARD
Rules and Regulations
Federal Savings and Loan Insurance Corporation; definition of guaranteed loan 8353
Federal Savings and Loan System; operations; investments guaranteed under Foreign Assistance Act of 1961 8353

FEDERAL MARITIME COMMISSION
Notices
Academy Forwarding Corp.; revocation of license 8383
Hong Kong Ceiling Agreement; modification of order 8383

FEDERAL POWER COMMISSION
Proposed Rule Making
Recreational facilities at licensed projects; prohibition of discrimination 8376
Notices
Hearings, etc.:
Cities Service Oil Co. et al 8384
El Paso Natural Gas Co 8387
Georgia Power Co 8387
Oringderff, Alma, et al 8383
Texaco, Inc., et al (2 documents) 8385, 8386

FISH AND WILDLIFE SERVICE
Notices
Loan applications:
Ames, Crosby B 8378
Finlay, Lawrence 8379
Todd, Frank D 8379

(Continued on next page)

FEDERAL POWER COMMISSION—Continued
Notices
Hearings, etc.:
Pacific Gas and Electric Co. et al 8387
Public Service Co. of Colorado 8388
Southern California Edison Co. et al 8388
Southern Natural Gas Co. et al 8389
Texas Eastern Transmission Corp. et al 8389
Texas Gas Transmission Corp. et al 8390
Transcontinental Gas Pipe Line Corp. et al 8390
Union Texas Natural Gas Corp. et al 8391

FEDERAL RESERVE SYSTEM
Notices
Applications for approval of acquisition of shares by bank holding companies:
Bancorporation of Montana 8391
Bancshares of Florida, Inc. 8391
Bank of Virginia Co. 8392
Commerce Bancshares, Inc. 8392
Fidelity Bancorporation 8392
First Bancorporation of Texas, Inc. 8393
First Bancshares, Inc. 8393
First Bank Stock Corp. 8393
First Commerce Corp. 8394
First Lincoln Bancshares, Inc. 8394
First Union Bancorporation 8394
Hawkeye Bancorporation 8395
Mercantile Bancorporation Inc. 8395
Mercantile Bancshares Corp. 8396
Northwest Bancorporation 8396
Old Kent Bancorporation 8396
Peoples Bancorporation 8397
Southeastern Banking Corp. 8397
Southern Bancorporation 8397
Southwest Bancshares, Inc. 8398
Union Bancorporation 8398
United Bancorporation of Arizona 8398
United Bancshares, Inc. 8399
United Virginia Bankshares Inc. 8399
Valley Bancorporation 8399
Virginia National Bankshares, Inc. 8400
Wachovia Corp. 8400
Wisconsin Bankshares Corp. 8400

FEDERAL TRADE COMMISSION
Rules and Regulations
Prohibited trade practices:
Bonded Distributors, Inc., et al 8340
Cleveland Vibrator Co. et al 8340
Dixie Distributing Co., Inc., et al 8341
Fabric Distributors, Inc., et al 8341
Fabric Distributors, Inc., et al (2 documents) 8342
Fabric Distributors, Inc., et al (2 documents) 8343
Fabric Distributors, Inc., et al (2 documents) 8344
Fabric Distributors, Inc., et al (2 documents) 8345
Fabric Distributors, Inc., et al (2 documents)

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Color additives; FD&C Yellow No. 5 8369
Food additives; inorganic bromides 8369

Notices

Ciba Pharmaceutical Co.; withdrawal of approval of new-drug application 8380
Filing of petitions:
Food additives:
Atlas Chemical Industries, Inc 8380
Elanco Products Co.; withdrawal 8381
Pesticides:
Chevron Chemical Co 8380
FMC Corp 8381
Shell Chemical Co 8381
Upjohn Co 8381

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration; Social Security Administration.

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau.

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief 8395
Motor carrier:
Alternate route deviation notices 8393
Applications and certain other proceedings 8388
Temporary authority applications 8388
Transfer proceedings 8395

LAND MANAGEMENT BUREAU

Notices

New Mexico; opening of lands to entry and patenting 8379

SOCIAL SECURITY ADMINISTRATION

Rules and Regulations

Federal old-age, survivors, and disability insurance; miscellaneous amendments 8367

TREASURY DEPARTMENT

See Coast Guard.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

319 8337
722 8337
728 8337
775 8339
1421 8346
1443 8348

12 CFR

545 8353
561 8353

14 CFR

13 8353
61 8354
67 8355
71 (5 documents) 8357, 8358
91 8354
97 8359
PROPOSED RULES:
71 (10 documents) 8372–8375
73 8375

18 CFR

PROPOSED RULES:
8 8376

20 CFR

404 8367

21 CFR

8 8369
121 8369

29 CFR

1605 8370

32 CFR

1001 8370
1003 8371
1004 8371
1007 8371
1013 8371
1014 8371
1053 8371

47 CFR

PROPOSED RULES:
17 8376

Rules and Regulations

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 319—FOREIGN QUARANTINE NOTICES

Subpart—Nursery Stock, Plants, and Seeds

ADMINISTRATIVE INSTRUCTIONS CONCERNING IMPORTATION OF ELM PLANTS INTO CALIFORNIA

Pursuant to § 319.37–24 of the regulations relating to the importation of nursery stock, plants, and seeds (7 CFR 319.37–24), under the authority of sections 1, 5, and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 154, 159, 162), administrative instructions designated as § 319.37–24c are hereby adopted to read as follows:

§ 319.37–24c Administrative instructions concerning nonissuance of permits for importation of elm plants into California.

(a) In accordance with § 319.37–24 of the regulations supplemental to the quarantine relating to the importation of nursery stock, plants, and seeds into the United States, the Director of the Plant Quarantine Division has determined that the Chief of the California Bureau of Plant Quarantine has taken action to suppress the Dutch elm disease caused by the fungus Ceratocystis ulmi (Buisman) C. Moreau and has promulgated as Elm Tree Disease Quarantine Proclamation No. 21, as amended April 17, 1963, a plant quarantine prohibiting the entry into California in interstate commerce of propagative material (except seed) of elm (Ulmus spp.), and of the related genera Zelkova and Planera. Further, the Chief of the California Bureau of Plant Quarantine has requested that the U.S. Department of Agriculture cooperate in connection with such quarantine by prohibiting the importation into California, of propagative material of the designated genera, from the foreign countries which had been listed in the notice of quarantine concerning the Dutch elm disease (§ 319.70, revoked May 15, 1966, 31 F.R. 5745).

(b) Under authority conferred upon the Director of the Plant Quarantine Division by § 319.37–24, notice is hereby given that when destined for importation into the State of California, import permits will be refused for the importation of propagative material (except seed) of elm (Ulmus spp.) and of the related genera Zelkova and Planera from the continent of Europe and the Dominion of Canada and other foreign areas north of the United States, including Newfoundland, Labrador, St. Pierre, Miquelon, and islands adjacent thereto.

(Secs. 1, 5, 9, 37 Stat. 315, 316, 318, as amended; 7 U.S.C. 154, 159, 162; 7 CFR 319.37–24; 29 F.R. 16210, as amended, 30 F.R. 5801, as amended)

These administrative instructions shall become effective June 15, 1966.

The purpose of these administrative instructions is to cooperate with the State of California by prohibiting the importation, from foreign countries where the Dutch elm disease occurs, of host plants of the disease, in furtherance of action already taken by that State to suppress the disease that might be introduced with such plants. Therefore, the administrative instructions should be made effective promptly in order to accomplish their purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the administrative instructions are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 9th day of June 1966.

[SEAL] F. A. JOHNSTON,
Director,
Plant Quarantine Division.

[F.R. Doc. 66–6527; Filed, June 14, 1966; 8:45 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 3]

PART 722—COTTON

Subpart—Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton

TRANSFER OF COTTON ACREAGE AFFECTED BY NATURAL DISASTER

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purpose of this amendment is to designate States and counties that have been affected by a natural disaster within the meaning of section 344(n) of the act for the 1966 crop.

In order that determinations with respect to transfers of acreage for the 1966 crop may be made prior to the end of the cotton planting season, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure, and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with the Director, Office of the Federal Register.

Section 722.430(h) of the regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300, as amended) is amended by adding the following additional counties to the list of designated States and counties:

ARKANSAS	
Crittenden	Phillips
Mississippi	Poinsett
Monroe	
KENTUCKY	
Fulton	Hickman
LOUISIANA	
Caldwell	Ouachita
MISSISSIPPI	
Bolivar	Lafayette
Calhoun	Sunflower
Coahoma	Tunica
De Soto	Warren
Grenada	Washington
Issaquena	Yalobusha
TENNESSEE	
Gibson	Shelby
Lake	Tipton
Lauderdale	

(Secs. 344(n), 375; 78 Stat. 177, 52 Stat. 66, as amended; 7 U.S.C. 1344(n), 1375)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on June 10, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66–6578; Filed, June 14, 1966; 8:49 a.m.]

PART 728—WHEAT

Subpart—1967–68 Marketing Year

Sec.
728.451 Apportionment of the 1967 national acreage allotment for wheat among the several States.
728.452 Designation of States outside the commercial wheat-producing area for the 1967–68 marketing year.

AUTHORITY: §§ 728.451 and 728.452 issued under secs. 301, 334, 334a, 375, 377, 379b, 52 Stat. 38, as amended, 53, as amended, 66, as amended, 73 Stat. 393, 76 Stat. 621,626, as amended, 78 Stat. 178, 79 Stat. 1199; 7 U.S.C. 1301, 1334, 1334b, 1375, 1377, 1379b.

Basis and purpose. (a) The regulations contained in §§ 728.451 and 728.452 are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, to (1) apportion the national acreage allotment among the several States, and (2) to designate the commercial wheat producing area for the 1967–68 marketing year.

(b) Section 334(a) of the act, as amended, provides that the 1967 national acreage allotment for wheat (less

(1) a reserve of not to exceed 1 per centum thereof for apportionment to counties in addition to the county allotments made under section 334(b) of the act on the basis of relative needs of counties for additional allotment because of reclamation and other new areas coming into production of wheat, and less (2) a special reserve not in excess of 1 million acres for the purpose explained in the following paragraph) shall be apportioned by the Secretary among the several States on the basis of the preceding year's allotment for each such State, including all amounts allotted to the State, and including for 1967 the increased acreages in the State allotted for 1966 under section 335, adjusted to the extent deemed necessary by the Secretary to establish a fair and equitable apportionment base for each State, taking into consideration established crop rotation practices, estimated decrease in farm allotments because of loss of history, and other relevant factors.

A special reserve acreage of not in excess of 1 million acres is also provided for in addition to the national acreage reserve. Such special acreage reserve shall be made available to the States to make additional allotments to counties on the basis of relative needs of counties, as determined by the Secretary, for additional allotments to make adjustments in the allotments on old wheat farms (i.e., farms on which wheat has been seeded or regarded as seeded to one or more of the three crops immediately preceding the crop for which the allotment is established) on which the ratio of wheat acreage allotment to cropland on the farm is less than one-half the average ratio of wheat acreage allotment to cropland on old wheat farms in the county. Such adjustments shall not provide an allotment for any farm which would result in an allotment-cropland ratio for the farm in excess of one-half of such county average ratio and the total of such adjustments in any county shall not exceed the acreage made available therefor in the county. Such apportionment from the special acreage reserve shall be made only to counties where wheat is a major income-producing crop, only to farms on which there is limited opportunity for the production of an alternative income-producing crop, and only if an efficient farming operation on the farm requires the allotment of additional acreage from the special acreage reserve. For the purpose of making adjustments from the special acreage reserve, the cropland on the farm shall not include any land developed as cropland subsequent to the 1963 crop year. In determining the amount of the reserve, consideration was given to the acreage required for making such adjustments for the 1965 and 1966 crops. The acreage apportioned to farms for the 1965 program amounted to approximately 46,000 acres. Fewer additional farms were able to qualify for the reserve in 1966 and only 23,255 acres were used. Accordingly, it is determined that 20,000 acres will be adequate for the purpose of this special reserve for the 1967 crop.

The national reserve acreage needed for reclamation and other new areas coming into the production of wheat is determined to be 5,000 acres. This determination is based upon experience gained during past years and expected needs for the coming year.

The 1967 national wheat allotment was apportioned among the various States as follows:

To each 1966 State wheat allotment determined under section 334(a) of the act, as amended, and published in the FEDERAL REGISTER of July 9, 1965 (30 F.R. 8669) was added (1) the sum of increased acreages allotted to farms in each State in 1966 under section 335, (2) the sum of 1966 allotment acreage allocated to counties in each State from the 1966 national reserve for new areas coming into the wheat production and (3) the sum of 1966 allotment acreage allocated to counties in each State from the special national acreage reserve to increase allotments on eligible farms in designated counties where wheat is a major income-producing crop. The resulting preliminary apportionment bases for each State were (1) adjusted to reflect the net plus or minus change in 1966 wheat allotment resulting from the transfer of farms to other States for administrative purposes, and (2) were adjusted downward to the extent of the sum of 1966 wheat allotments removed from farms going out of agricultural production. Adjustment in State preliminary apportionment bases for established crop rotation practices were determined to be necessary only in the States of Oregon, Colorado, and Washington. The apportionment base for New Hampshire was adjusted to zero because there are no wheat farms in such State. Because wheat acreage history loss in 1964 and prior years is already reflected in each 1966 State allotment and section 334(a) of the act, as amended by the Agriculture Act of 1964 provided for full preservation of history in 1965, no adjustment of State preliminary apportionment bases was made because of wheat acreage history loss. The national wheat allotment of 59.3 million acres, less the national reserve and the special reserve, was distributed pro rata to States on the basis of each State's apportionment base determined in accordance with the foregoing.

(c) Section 334a of the act provides that if the acreage allotment for any State for any crop of wheat is 25,000 acres or less, the Secretary may designate such State as outside the commercial wheat producing area for the marketing year for such crop in order to promote efficient administration of the act and the Agricultural Act of 1949. From the standpoint of efficient and equitable administration of the marketing allocation program for the 1967–68 marketing year, it is considered desirable that wheat marketing certificates be made available to wheat producers in all States on precisely the same basis. Therefore, no State for which a State acreage allotment was determined will be designated outside the commercial wheat-producing area for the 1967–68 marketing year.

(d) The findings and determinations by the Secretary contained in §§ 728.451 and 728.452 have been made on the basis of the latest available statistics of the Federal Government as required by section 301(c) of the act.

(e) Since farmers need to know their 1967 farm acreage allotments as soon as possible in order to plan their 1967 seeding operations, and since farm acreage allotments cannot be determined until the national acreage allotment is apportioned among States and counties, it is hereby found that the apportionment and determinations herein shall become effective upon the date of the filing of this document with the Director, Office of the Federal Register.

§ 728.451 Apportionment of the 1967 national acreage allotment of wheat among the several States.

The national acreage allotment, less a national reserve of 5,000 acres and a special acreage reserve of 20,000 acres for additional allotments to counties, is hereby apportioned among the several States as follows:

State	Allotment (acres)
Alabama	71,824
Arizona	45,062
Arkansas	154,832
California	422,889
Colorado	2,667,134
Connecticut	364
Delaware	29,930
Florida	19,460
Georgia	142,284
Idaho	1,242,482
Illinois	1,868,763
Indiana	1,436,851
Iowa	159,301
Kansas	11,118,016
Kentucky	235,292
Louisiana	43,805
Maine	285
Maryland	180,862
Massachusetts	295
Michigan	1,242,611
Minnesota	1,061,568
Mississippi	61,447
Missouri	1,744,475
Montana	4,062,386
Nebraska	3,310,833
Nevada	17,505
New Hampshire	0
New Jersey	53,558
New Mexico	487,219
New York	347,012
North Carolina	451,815
North Dakota	7,619,201
Ohio	1,701,708
Oklahoma	5,114,213
Oregon	886,736
Pennsylvania	616,047
Rhode Island	184
South Carolina	203,555
South Dakota	2,877,432
Tennessee	216,694
Texas	4,257,579
Utah	310,051
Vermont	515
Virginia	309,466
Washington	2,061,676
West Virginia	31,631
Wisconsin	61,133
Wyoming	267,089
Total apportioned to States	59,275,000
Special acreage reserve	20,000
National reserve	5,000
Total national allotment	59,300,000

§ 728.452 Designation of States outside the commercial wheat-producing area for the 1967–68 marketing year.

No State for which a State acreage allotment was determined is designated as outside the commercial wheat producing area for the 1967–68 marketing year. Accordingly, the commercial wheat producing area for the 1967–68 marketing year shall consist of all States in the United States except New Hampshire, Alaska, and Hawaii.

Effective date. Upon filing with the Director, Office of the Federal Register.

Issued at Washington, D.C., this 10th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6528; Filed, June 14, 1966; 8:45 a.m.]

SUBCHAPTER C—SPECIAL PROGRAMS

PART 775—FEED GRAINS

Subpart—1966–69 Feed Grain Program Regulations

Sec.
775.401 General.
775.402 Definitions.
775.403 Administration.
775.404 Requirements for eligibility.
775.405 Maximum diversion acres.
775.406 Designation, use, and care of diverted acreage.
775.407 Farm conserving base.
775.408 Permitted acreage of feed grains.
775.409 Farm feed grain base.
775.410 County projected yields, farm projected yields, and diversion and price support payment rates.
775.411 Notice of base acreages, yields, and payment rates.
775.412 Appeals.
775.413 Intention to participate in the program.
775.414 Advance diversion payment.
775.415 Transfer of farm feed grain acreage affected by a natural disaster.
775.416 Determinations of compliance.
775.417 Final diversion payment and price support payment.
775.418 Division of diversion and price support payments.
775.419 Additional provisions relating to tenants and sharecroppers.
775.420 Successors-in-interest.
775.421 Scheme or device and fraudulent representation.
775.422 Setoffs and assignments.
775.423 Reconstitution of farms.
775.424 Performance based upon advice or action of county or State committee.
775.425 Supervisory authority of State committee.
775.426 Delegation of authority.
775.427 County projected yields and county rates.
775.428 Oats-rye diversion payment; substitution of feed grains for wheat and wheat for feed grains, oats and rye.
775.429 Malting barley exemption.

AUTHORITY: The provisions of this subpart issued under sec. 16(i), 79 Stat. 1190, 16 U.S.C. 590p(i); secs. 105(a) and 105(e), 77 Stat. 44, 79 Stat. 1188, 7 U.S.C. 1441 note; sec. 326, 76 Stat. 631, 77 Stat. 47, 79 Stat. 1192, 7 U.S.C. 1339a; secs. 706, 708, 79 Stat. 1210, 1211, 7 U.S.C. 1306; sec. 328, 76 Stat. 631, 79 Stat. 1206, 7 U.S.C. 1339c.

§ 775.401 General.

(a) The regulations in this subpart provide terms and conditions for the feed grain program for the 1966 through 1969 crops of feed grains respectively, under which diversion and price support payments are made to producers who divert acreage from the production of any such crop of barley, corn, grain sorghums and feed wheat (herein called "feed grains") to approved conservation uses, and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices, including summer fallow and idle land (herein called "conserving base"), by an equal amount, except to the extent that producers devote the diverted acreage to substitute crops in lieu of conservation uses. Payments will be made by the actual or constructive delivery of negotiable certificates which Commodity Credit Corporation (CCC) will redeem in feed grains, and cash advances will be made to producers who request the assistance of CCC in marketing certificates earned by them.

(b) If the operator of the farm elects to participate in the program, diversion and price support payments shall be made available to the producers on such farm only if such producers divert from the production of feed grains an acreage on the farm equal to the number of acres stated on Form ASCS–477, Intention to Participate and Payment Application (herein called "Form 477").

(c) The program is applicable throughout the United States, except in areas excluded by the Administrator, Agricultural Stabilization and Conservation Service (ASCS).

(d) A Feed Grain Program shall be in effect for the 1967 through 1969 crops of feed grains only if the Secretary determines that the total supply of feed grains will, in the absence of such program, likely be excessive, taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices of feed grains and to meet any national emergency.

§ 775.402 Definitions.

In the regulations in this subpart and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meaning assigned to them herein unless the content or subject matter otherwise requires.

(a) The following words or phrases shall have the meaning assigned to them in The Regulations Governing Reconstitution of Farms, Allotments and Bases, Part 719 of this chapter, as amended: "Acquired farm," "agency," "base period," "combination," "county," "community committee," "county committee," "county office," "county office manager," "cropland," "Department," "Deputy Administrator," "displaced owner," "division," "farm," "operator," "person," "reconstitution," "Representative of State committee," "Secretary," "soil bank contract," "State executive director," "State committee," and "subdivision."

(b) "Barley acreage" means:

(1) For 1959 and 1960—Any acreage devoted to barley for harvest as grain in 1959 and 1960 and any acreage of barley used for silage. It does not include barley used for hay, pasture, green manure, or as protective conservation cover, except where the county committee determines such acreage was seeded for harvest as grain, but harvesting was not carried out due to abnormal conditions over which the producer had no control.

(2) For current year—Any acreage of barley harvested as grain and any other acreage seeded to barley, excluding:

(i) Barley prevented from reaching maturity by being clipped and left on the land, destroyed by mechanical means or natural causes, or used for other than grain not later than the farm disposal date, unless the farm operator requests that it be classified as barley acreage,

(ii) Barley approved as a conservation use in Part 792 of this chapter, as amended,

(iii) Barley within the permitted acreage destroyed by mechanical means after farm disposal date and prior to harvest to the extent that no grain or forage crop remains, provided the operator requests reclassification in writing and the acreage is used to meet a deficiency in designated diverted acreage or conserving acreage,

(iv) Barley within the permitted acreage destroyed by natural causes after farm disposal date and prior to harvest to the extent that no grain or forage crop remains, if the operator requests reclassification in writing, and

(v) Barley within the permitted acreage which the county committee determines was planted in an unworkmanlike manner solely for price support payments and not for harvest.

(3) An acreage devoted to a mixture of crops is considered to be barley acreage if the county committee determines the combined wheat and barley content is 25 percent or more by weight at harvest, and such acreage meets the requirements of subparagraph (1) or (2) of this paragraph as being barley acreage, except that an acreage devoted to a mixture which includes wheat shall not be considered as barley acreage if the crop is considered as wheat acreage under the regulations pertaining to farm acreage allotments.

(c) "Corn acreage" means:

(1) For 1959 and 1960—Any acreage planted to field corn for harvest and any acreage of sweet corn harvested primarily for silage. It does not include:

(i) Close sown corn used for pasture or green manure,

(ii) Sweet corn harvested primarily for market even though the forage is used for silage,

(iii) Popcorn, irrespective of use, and

(iv) Corn not harvested but left on the land for wildlife feed on a farm consisting solely of Federal or State-owned land.

(2) For current year—Any acreage planted to field corn and any acreage of other corn, including sweet corn, popcorn, and crosses pastured or harvested

primarily for livestock or poultry feed, excluding:

(i) Close sown corn used for green manure,

(ii) Sweet corn or popcorn harvested primarily for human consumption, even though the forage is pastured or harvested,

(iii) Sweet corn planted for canning or freezing or popcorn planted for human consumption, from which no ears have been or will be harvested for human consumption because of adverse weather conditions, even though the forage is pastured or harvested,

(iv) Corn approved as a conservation use in Part 792 of this chapter as amended,

(v) Corn not harvested but left for wildlife feed on a farm consisting solely of Federal- or State-owned land,

(vi) Corn in excess of the permitted acreage, destroyed not later than the farm disposal date to the extent that no grain or forage crop remains,

(vii) Corn within the permitted acreage, destroyed by mechanical means or natural causes prior to harvest to the extent that no grain or forage crop remains, provided the operator requests reclassification in writing and the acreage is used to meet a deficiency in designated diverted acreage or conserving acreage, and

(viii) Corn within the permitted acreage which the county committee determines was planted in an unworkmanlike manner solely for price support payment and not for harvest.

(3) An acreage devoted to a mixture of crops is considered to be corn acreage if the county committee determines the feed grain content is 50 percent or more by weight at harvest, the predominant feed grain is corn and such acreage meets the requirements of subparagraph (1) or (2) of this paragraph as being corn acreage.

(d) "Grain sorghum acreage" means:

(1) For 1959 and 1960—Any acreage planted to grain sorghums of a feed grain or dual purpose variety for harvest as grain, silage or fodder and any acreage of sweet sorghums harvested for silage. It does not include sweet sorghums harvested for any purpose other than silage and grain sorghums not harvested but left on the land for wildlife feed on a farm consisting solely of Federal- or State-owned land.

(2) For current year—Any acreage planted to grain sorghums of a feed grain or dual purpose variety, including any cross involving a feed grain or dual purpose variety, and any acreage of sweet sorghums used for silage, excluding:

(i) Any sorghum-grass cross which, at all stages of growth, has most of the characteristics of the grass parent,

(ii) Sweet sorghums harvested for any purpose other than silage,

(iii) Sorghums approved as a conservation use in Part 792 of this chapter, as amended,

(iv) Grain sorghums not harvested but left on the land for wildlife feed on a farm consisting solely of Federal or State-owned land,

(v) Grain sorghums in excess of permitted acreage, destroyed not later than farm disposal date to the extent that no grain or forage crop remains,

(vi) Sorghums within permitted acreage, destroyed by mechanical means or natural causes prior to harvest to the extent that no grain or forage crop remains, provided the operator requests reclassification in writing and the acreage is used to meet a deficiency in designated diverted acreage or conserving acreage, and

(vii) Sorghums within the permitted acreage which the county committee determines was planted in an unworkmanlike manner solely for price support payment and not for harvest.

(3) An acreage devoted to a mixture of crops is considered to be grain sorghum acreage if the county committee determines the feed grain content is 50 percent or more by weight at harvest, the predominant feed grain is grain sorghums and such acreage meets the requirements of subparagraph (1) or (2) of this paragraph as being grain sorghum acreage.

(e) "Feed wheat acreage" means the average acreage of wheat produced on the farm during 1959, 1960, and 1961, pursuant to the exemption provided in section 335(f) of the Agricultural Adjustment Act of 1938, in excess of the small farm wheat base established under § 728.17 of the Regulations Pertaining to Farm Acreage Allotments, Small Farm Bases and Normal Yields for 1964 and Subsequent Crop Years (§ 728.17 of this chapter). Such acreage shall be credited to the commodity (barley, corn, or grain sorghums) with the largest base for the farm and shall lose its identity as feed wheat acreage. If there is no feed grain base for the farm, the acreage shall be credited to the predominant feed grain in the county.

(f) "Feed grain acreage" means the sum of the barley, corn, and grain sorghum acreages on the farm.

(g) "Total feed grain base" means the sum of the feed grain bases established for barley, corn, and grain sorghums for the farm, except that the barley base shall not be included in the total feed grain base for farms complying with the provisions of § 775.429.

(h) "Oats and rye acreage" means:

(1) For 1959 and 1960—Any acreage planted to oats or rye for harvest as grain in 1959 and 1960.

(2) For current year—Any acreage of oats or rye harvested as grain and any other acreage seeded to oats or rye, excluding:

(i) Oats or rye prevented from reaching maturity by being clipped and left on the land, destroyed by mechanical means or natural causes, or used for other than grain not later than the farm disposal date,

(ii) Oats or rye approved as a conservation use in Part 792 of this chapter, as amended,

(iii) Oats or rye within permitted acreage, destroyed by mechanical means after farm disposal date and prior to harvest to the extent that no grain or forage crop remains, provided the operator requests reclassification in writing and the acreage is used to meet a deficiency in designated diverted acreage or conserving acreage, and

(iv) Oats or rye within the permitted acreage destroyed by natural causes after farm disposal date and prior to harvest to the extent that no grain or forage crop remains, if the operator requests reclassification in writing.

(3) An acreage devoted to a mixture of crops which includes oats or rye planted for harvest as grain is considered to be oats and rye acreage except when considered as barley acreage under paragraph (b) of this section or when considered as wheat acreage under the regulations pertaining to farm acreage allotments.

(i) "Stated intention" means the total number of acres of the established total feed grain base for a farm which the operator of the farm intends to divert from the production of feed grains, as stated on Form 477.

(j) "Minimum diversion acres" means the smallest number of acres of the established total feed grain base for the farm which can be diverted from the production of feed grains as set forth in § 775.404(b)(2), in order for the farm to be eligible to participate in the program.

(k) "Conservation Reserve Program" (herein called CRP) means the program set forth in regulations issued pursuant to the Soil Bank Act, Part 750 of this chapter, as amended.

(l) "Cropland Conversion Program" (herein called CCP) means the program authorized under section 16 of the Soil Conservation and Domestic Allotment Act, as amended, under which farmers and ranchers enter into agreements providing for changes in cropping systems and land uses, Part 751 of this chapter, as amended.

(m) "Cropland Adjustment Program" (herein called CAP) means the program authorized under Title VI of the Food and Agriculture Act of 1965, Part 751 of this chapter, as amended.

(n) "Great Plains Conservation Program" means the program authorized by the Act of August 7, 1956, 70 Stat. 1115–1117 (16 U.S.C. 590p(b)), Part 601 of this title, as amended.

(o) "Wheat Diversion Program" means the program authorized by section 339 of the Agricultural Adjustment Act of 1938, as amended, under which producers divert acreage from the production of wheat, Part 728 of this chapter, as amended.

(p) "Upland Cotton Program" means the program authorized under Title IV of the Food and Agriculture Act of 1965, Part 722 of this chapter, as amended.

(q) "Price support payment" means that part of the price support for the current year's crop of corn, grain sorghums, and barley made available to producers through payments in kind as authorized in section 105(e) of the Agricultural Act of 1949, as amended.

(r) "Representative of the county committee" means a member of the county committee or an employee of the county committee.

(s) "Substitute crop" means any of the following crops which may be produced on the diverted acreage in lieu of conservation uses: Guar, castor beans, sunflower, safflower, plantago ovato, sesame, crambe, and mustard seed.

(t) "Farm disposal date" means the disposal date set forth for each commodity in Part 718 of this chapter, as amended.

(u) "Current year" means the calendar year in which the feed grain crop with respect to which payment may be made under this subpart would normally be harvested.

§ 775.403 Administration.

(a) The program will be administered under the general supervision of the Administrator, ASCS (Executive Vice President, CCC), and shall be carried out in the field by Agricultural Stabilization and Conservation State and county committees (herein called State and county committees) and ASCS commodity offices. Notices of base acreages, yields, and payment rates shall be mailed to producers. Applications for advance and final payments shall be approved by the county committee or by an authorized representative thereof.

(b) State and county committees, ASCS commodity offices and representatives and employees thereof do not have authority to modify or waive any of the provisions of the regulations in this subpart, as amended or supplemented.

§ 775.404 Requirements for eligibility.

(a) *General.* A person is eligible for the program if he is a producer on a farm which meets the requirements of paragraph (b) of this section and he fulfills the requirements of paragraph (c) of this section.

(b) *Farm requirements.* (1) A Form 477 must be filed for the farm by the operator in accordance with § 775.413.

(2) An acreage equal to at least 20 percent of the total feed grain base must be diverted from the production of feed grains. In the case of any farm which is participating in the CRP, CCP, or CAP, if the number of acres of nonconserving crops permitted is less than 20 percent of the total feed grain base, participation to the extent of such number of acres shall meet the minimum diversion acres requirement. Notwithstanding the provisions of the foregoing sentence, in the case of any farm which is participating in the CRP, CCP, or CAP, if the number of acres of nonconserving crops permitted is less than the total feed grain base, such number of acres shall, at the option of the farm operator filed not later than the final date specified in § 775.413(c) for filing Form 477, be deemed to be the total farm feed grain base for purposes of determining the minimum diversion acreage requirement and other participation requirements. The minimum diversion acreage requirement shall not apply if noncompliance with such provisions was caused solely by (i) an error made in good faith by producers in supplying data to the county committee, or (ii) an error, and the county committee determines that (a) producers on the farm were in no way responsible for the error, (b) the extent of the error was such that the producers would not reasonably be expected to question it, and (c) the producers in good faith complied with the program on the basis of the error.

(3) The acreage diverted from the production of feed grains as stated on Form 477 must be devoted to one or more approved conservation uses specified in Part 792 of this chapter, as amended, or to substitute crops and the operator must comply with the limitations on the use of such acreage also specified in such part.

(4) In addition to the acreage referred to in subparagraph (3) of this paragraph, an acreage equal to the conserving base established for the farm under Part 792 of this chapter, as amended, must be devoted to one or more of the conservation uses also specified in such part. Acreage designated as diverted under any other Federal acreage reduction program shall not be counted toward maintaining the conserving base unless authorized in the regulations governing such program or Part 792 of this chapter, as amended.

(5) Land owned by the Federal Government which has been leased subject to restrictions prohibiting the production of feed grains, or requiring the use of land for other purposes, or prohibiting the receipt of Federal payments for diversion of such acreage will not be eligible for participation in the program. Any other land owned by the Federal Government which is being occupied without a lease, permit or other right of possession or land in a national wildlife refuge shall not be eligible for participation in the program.

(6) Producers on a farm on which a new farm feed grain base is established for the current year shall not be eligible in that year for diversion payments under the program with respect to such farm but may earn price support payments by diverting the minimum acreage required in subparagraph (2) of this paragraph and complying with all other requirements of the program.

(c) *Producer eligibility requirements.* (1) The producer must be a person who as landowner, landlord, tenant or sharecropper shares in the barley, corn, or grain sorghums produced in the current year on a farm meeting the requirements of paragraph (b) of this section or would have shared in one or more of these commodities if feed grains had been produced on such farm in the current year on the acreage diverted under the program.

(2) On each other farm in which the producer has an interest, the acreage of feed grains shall not exceed the total feed grain base. The acreage of wheat shall also not exceed the wheat allotment on any farm in which the producer has an interest if there is substitution under § 775.428 on any farm in which he has an interest. For the purpose of this subparagraph (2), a producer shall not be considered as violating the foregoing requirements if he satisfies the county committee that he did not have control of the managerial operations of the other farm, that he has made a reasonable effort to encourage compliance with the requirements of this subparagraph and that it was through no fault of his own that such farm was not in compliance. In applying the provisions of this subparagraph (2), a landowner or landlord cannot escape responsibility for any feed grain base or wheat allotment being exceeded by leasing for cash or other consideration all or part of a farm. For purposes of this subparagraph (2), all persons or entities in each category listed below shall be considered as one producer and fully responsible for the actions of any person or entity in that category: (i) A partnership and any member of the partnership; (ii) a corporation and the majority stockholder of such corporation; (iii) an estate and an heir of the estate with over a 50 percent interest in the estate; (iv) a trust and a beneficiary of the trust with over a 50 percent interest in the trust; (v) minor children and the parent, guardian, or other person legally responsible for the minor unless the person legally responsible for the minor does not occupy the same household as the minor and shares no interest in the farming operations of the minor; (vi) husband and wife, except that the husband and wife may be considered as separate producers if the spouse receiving benefits under the program does not share to any degree in crops or proceeds thereof from the other farm, managerial control of the other farm is not shared by such spouse, and there have been no changes in the operations or managerial control of the other farm which would tend to defeat the purpose of the provisions of this subparagraph (2). Any executor, trust officer, or farm manager responsible for the management of a farm shall be considered as a producer on the farm when he receives a percentage of the farm income exceeding 10 percent of the crops or proceeds thereof for such management service.

(3) A minor will be eligible to participate in the program only if (i) the right of majority has been conferred on him by court proceedings; or (ii) a guardian has been appointed to manage his property and the applicable documents are signed by the guardian; or (iii) a bond is furnished under which a surety guarantees to protect ASCS from any loss incurred for which the minor would be liable had he been an adult. Notwithstanding the foregoing, payment may be made to a minor after December 31 of the current year upon a determination by the county committee that the minor has met the requirements of the program.

§ 775.405 Maximum diversion acres.

The maximum number of acres which may be diverted under the program (herein called maximum diversion acres) shall be the larger of (a) 25 acres, but not to exceed the total feed grain base for the farm or (b) 50 percent of the total feed grain base for the farm: *Provided*, That in the case of a farm which is participating in the CRP, CCP, or CAP, the total number of acres which may be diverted under this program, the wheat

diversion program, and the upland cotton program, plus the acreage of all nonconserving crops on the farm other than approved crops on diverted acreage, shall in no event exceed the smallest number of acres of nonconserving crops permitted under the CRP, CCP, and CAP.

§ 775.406 Designation, use, and care of diverted acreage.

The regulations governing the designation, use, and care of land diverted from the production of feed grains under this program and approved conservation uses thereon are set forth in Part 792 of this chapter, as amended.

§ 775.407 Farm conserving base.

The regulations governing the establishment and maintenance of the farm conserving base, Part 792 of this chapter, as amended, shall be applicable to the program.

§ 775.408 Permitted acreage of feed grains.

The acreage of feed grains on the farm shall not exceed the acreage determined by subtracting the stated intention from the total feed grain base established for the farm. Notwithstanding the foregoing, in the case of any farm participating in the CRP, CCP, or CAP, the acreage of feed grains and other nonconserving crops other than approved crops on acreage diverted under this program, the wheat diversion program, and the upland cotton program, plus the designated diverted acreages under such programs, shall not exceed the smallest number of acres of nonconserving crops permitted under the CRP, CCP, and CAP.

§ 775.409 Farm feed grain base.

(a) *How obtained.* The base acreage for each of the commodities—barley, corn and grain sorghums—shall be the average of the 1959 and 1960 acreages of the commodity produced on the farm, based upon information available to the county committee, as adjusted by the county committee to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop-rotation practices, types of soil, soil and water conservation measures, and topography, plus any feed wheat acreage credited as provided in § 775.402 (e). On farms with recognized history of irrigated and nonirrigated feed grain acreage in the base period for establishing yields, the base acreage for each applicable commodity shall be established separately for the irrigated acreage and for the nonirrigated acreage for the purpose of establishing a blended yield in accordance with § 775.410(b). Separate bases for irrigated acreage and for nonirrigated acreage shall not be established for farms where irrigation is used only in drier years. Commodity base acreages for farms determined as set forth in this paragraph shall be approved by a representative of the State committee.

(b) *Adjustment authorized by Administrator.* The Administrator, ASCS, may, upon unanimous request of the State committee, authorize the State committee to adjust any feed grain base for farms within the State to the extent necessary to establish fair and equitable feed grain bases within such State.

(c) *Final dates for establishing feed grain bases.* If the historical acreage from which feed grain bases are established has not been obtained for a farm and the operator or owner of the farm expects to participate in the program on the farm, such historical acreage must be furnished to the county office not later than the date for filing Form 477 as provided in § 775.413(c). If after such date the establishment of a feed grain base for any farm is necessary for the purpose of determining cross compliance with acreage requirements on farms other than the farm with respect to which payment is requested, a base shall be established for cross compliance purposes.

(d) *Farms with no 1959 and 1960 history.* A farm shall not qualify for payments under this program if there was no feed grain acreage on the farm in 1959 and 1960, unless (1) cropland on the farm was in the conservation reserve program or the great plains conservation program during one or both of the years 1959 and 1960 and either the conservation reserve program contract or the great plains conservation program contract is no longer in effect for all or part of such land, (2) one or more feed grains were grown in 1957 or 1958 and a feed grain base was established in accordance with § 775.212(c)(2) of the 1963 feed grain program regulations, or (3) a new farm base has been established in accordance with paragraph (e) of this section.

(e) *New farm base.* (1) The State committee shall determine a base (herein called "new farm base") for each eligible farm for which a feed grain base is requested in writing before March 1 of the current year. Each request shall be made by the farm operator or owner on a form prescribed by the county committee which shall contain statements as to location and identification of the farm, name and address of the farm operator and other data necessary to enable the State committee to determine whether the conditions of eligibility prescribed by subparagraph (2) of this paragraph have been met. Farms with a new farm base cannot qualify for a diversion payment under this program in the current year but may qualify for diversion and price support payments in succeeding years, and may qualify for a price support payment in the current year by meeting the requirements in § 775.404(b). Producers must meet the requirements in § 775.404(c) to qualify on such farms for payments under this program.

(2) Eligibility for a new farm base shall be conditioned upon the following:

(i) The farm does not otherwise qualify for a feed grain base for any commodity.

(ii) Neither the operator nor the owner of the farm covered by the application owns or operates any other farm in the United States for which a feed grain base will be established for the current year.

(iii) The type of soil and topography of the land on the farm for which a base is requested is suitable for the production of the commodity and the production of the commodity on the farm will not result in an undue erosion hazard under continuous production.

(iv) The operator has adequate equipment and other facilities readily available for the successful production of the crop on the farm.

(v) The operator expects to derive 50 percent or more of his livelihood in the current year from the production of agricultural commodities or products from the farm for which the feed grain base application is filed. In making this computation, no value will be allowed for the estimated return from the production of the requested base. However, in addition to the value of agricultural products sold from the farm, credit will be allowed for the estimated value of home gardens, livestock and livestock products, poultry, or other agricultural products produced for home consumption or other use on the farm. Where the farm operator is a partnership, each partner must expect to derive 50 percent or more of his livelihood in the current year from the production of agricultural commodities or products from the farm; where the farm operator is a corporation, it must have no major purpose other than operation or ownership of such farm, and the officers and general manager of the corporation must expect to derive 50 percent or more of their livelihood in the current year, including dividends and salaries, from the corporation.

(vi) The applicant has at least 2 years' experience in the last 5 years producing the commodity for which a base is requested.

(vii) In the case of a farm which includes land returned to agricultural production after being acquired by an agency having the right of eminent domain for which the total feed grain base was pooled pursuant to Part 719 of this chapter, at least 3 years have elapsed from the date the former owner was displaced from the acquired farm to the date the request for a new farm base is considered.

(3) In establishing a new farm base, the State committee shall take into consideration the tillable acres, crop-rotation practices, type of soil, topography and the farming system to be followed by the operator, including the equipment and other facilities available for the production of feed grain under such system, and shall limit the base to the feed grain acreage planned for the farm for the current year.

(4) If the feed grain acreage for the year a new farm base is established is less than 75 percent of the base, the total feed grain base for the succeeding year shall be limited to the prior year's feed grain acreage unless the requirements in § 775.404(b) were met in the prior year. Bases by commodities for the succeeding year shall be established in proportion to the acreage devoted to each feed grain in the prior year.

(5) The total new farm bases approved in a State in the current year shall not exceed 1 percent of the total feed grain base acreages for all farms in the State.

§ 775.410 County projected yields, farm projected yields, and diversion and price support payment rates.

(a) *County projected yields.* The county projected yields for barley, corn, and grain sorghums are found in § 775.427. Projected yields will be based on yields per harvested acre during the 3 consecutive years including and ending with the second year prior to the current year, adjusted for abnormal weather conditions affecting such yields, for trends in yields, and for any significant changes in production practices.

(b) *Projected farm yields.* Except as provided in § 775.412(b), the per acre projected farm yield for barley, corn, and grain sorghums shall be the county projected yield established for the commodity, adjusted to reflect the farm productivity for the commodity.

(c) *Minimum acre diversion payment rates.* The minimum acre diversion payment rate for a farm shall be 20 percent of the result obtained by multiplying the basic county support rate for the crop of the commodity for the year preceding the current year adjusted to reflect any change between the national average rates for such preceding year's crop and the current year's crop of the commodity (which are found in § 775.427) by the projected farm yield established for the commodity as provided in paragraph (b) of this section. Except as otherwise provided in paragraphs (d), (e), and (f) of this section, the minimum acre diversion payment rate shall apply to the minimum acreage required to be diverted under § 775.404(b)(2) for farms with a total feed grain base of 25 acres or less. Except as provided in paragraph (d) of this section, no diversion payment for minimum diversion shall be made for farms with total feed grain bases which exceed 25 acres.

(d) *Additional acre diversion payment rates.* The additional acre diversion payment rate for a farm shall be 50 percent of the result obtained by multiplying the basic county support rate for the crop of the commodity for the year preceding the current year adjusted to reflect any change between the national average rates for such preceding year's crop and the current year's crop of the commodity (which are found in § 775.427) by the projected farm yield established for the commodity as provided in paragraph (b) of this section. Except as otherwise provided in paragraphs (e) and (f) of this section, the additional acre diversion payment rate shall apply to acreage diverted for payment in excess of the minimum acreage required to be diverted under § 775.404(b)(2), or shall apply to a total of 22 acres on farms with total feed grain bases which are more than 25 but less than 74 acres when (1) the stated intention equals the maximum diversion acres, (2) no acreage is credited to feed grains for the current year, and (3) there is no substitution under § 775.428.

(e) *Diversion payment rates for land cash rented from governmental units.* The rate of diversion payment under the program with respect to land which is leased or rented on a cash-rent basis from the Federal, State, county or local government, or subdivisions thereof, if such land is not otherwise ineligible for participation in the program, shall be the smaller of (1) the average per acre payment rate for which the farm would have qualified if the exception for land cash-rented from a governmental unit were not in effect, or (2) one-half the average per acre payment determined in subparagraph (1) of this paragraph plus the actual cash rent per acre of the land, adjusted to take into account the quality of the acres actually diverted when compared with the total acres rented and the services performed and capital improvements made at the producer's expense which are in addition to rent.

(f) *Diversion payment rates for land devoted to substitute crops.* Notwithstanding any other provision of this section, the diversion payment rate per acre shall be (1) 50 percent of the payment rate otherwise applicable to the farm in the case of diverted acreage devoted to castor beans, guar, crambe, or sesame, (2) 30 percent of the payment rate otherwise applicable to the farm in the case of diverted acreage devoted to mustard seed or plantago ovato, and (3) 20 percent of the payment rate otherwise applicable to the farm in the case of diverted acreage devoted to sunflower. No diversion payment shall be made with respect to diverted acreage devoted to safflower.

(g) *Price support payment rates.* The per acre farm price support payment rate for barley, corn, and grain sorghums shall be determined by multiplying the projected farm yield established for the commodity as provided in paragraph (b) of this section by—

(1) *1966.* Barley, 20 cents; corn, 30 cents; and grain sorghums, 29.68 cents.

(2) *1967 through 1969.* (To be issued as an amendment to this subpart.)

§ 775.411 Notice of base acreages, yields and payment rates.

Each operator interested in the feed grain crop on a farm for which a feed grain base is established shall be notified in writing of the commodity base acreage, the established yield per acre, and the additional acre diversion payment rate, for barley, corn, and grain sorghums, as applicable, and the conserving base for the farm. Such notice will be on Form ASCS–477–1, Notice of Yields, Allotments, Base Acreages, and Rates (herein called Form 477–1).

§ 775.412 Appeals.

(a) A producer may obtain reconsideration and review of determinations made under this subpart in accordance with the appeal regulations, Part 780 of this chapter, as amended.

(b) To the extent that a producer proves the actual yields for the farm for each of the three consecutive years including and ending with the second year prior to the current year, either prior to receipt of Form 477–1 or pursuant to paragraph (a) of this section, the yields so proven shall be used in establishing yields: *Provided*, That the producer whose production records are used to prove yields on the farm shall be required to furnish production data for all other farms in the county or adjoining counties in which he had an interest in any of the years for which the yields are proven (unless there is conclusive evidence that the records presented are in fact for the specific farm), and such data shall be used in making determinations for such other farms in which the producer has an interest in the current year.

§ 775.413 Intention to participate in the program.

(a) *Who may file.* A Form 477 must be filed by the operator of an eligible farm if he wishes to participate in the program.

(b) *Where to file.* Form 477 shall be filed with the office of the county committee having jurisdiction over the county where the farm is located.

(c) *When to file.* Form 477 shall be filed within the period authorized by the Deputy Administrator. Notwithstanding the foregoing, the closing date may be extended by the county committee if the producers on the farm establish to the satisfaction of the county committee that they intended to participate in the program and their failure to file by such date was not due to the fault or negligence of the producers.

(d) *Contents.* The operator or owner shall provide on Form 477 the acreage which is intended to be diverted from the production of barley, corn, and grain sorghums for the farm for which the form is filed.

(e) *Withdrawal and revision.* The operator may withdraw Form 477 by filing a written notice of withdrawal of the form with the county committee. If Form 477 is withdrawn, the producers on the farm may, not later than the closing date file a new Form 477. If the farm is reconstituted or if a revised allotment or feed grain base notice is issued for any reason, the operator shall have 15 days after the mailing date of such notice of reconstitution or revised allotment or feed grain base to file a new Form 477.

§ 775.414 Advance diversion payment.

(a) *Requirements.* Before any payment is made to a producer, the producer must sign Form 477. All producers eligible to share in the advance or final payment shall execute Form 477 before advance payments are approved in order that proper division of payment may be determined. Producers may apply for an advance payment when Form 477 is filed for the farm.

(b) *Amount of advance payment.* The total advance payment to be made on a farm shall be one-half the estimated total diversion payment to be earned. Each producer's share of the advance payment for the farm shall be obtained by multiplying his percentage share of the diversion payment as specified on Form 477 by the total advance payment for the farm. If the amount of advance

payment made to any producer with respect to any farm is greater than the total payment actually earned by such producer under the program with respect to such farm, he shall refund such excess with interest as provided in § 775.417(i).

§ 775.415 Transfer of farm feed grain acreage affected by a natural disaster.

(a) *General authority.* Upon a determination for any year that because of a natural disaster a portion of the farm feed grain bases in a county cannot be timely planted or replanted in such year, a transfer of such acreage may be authorized in States and counties designated by the Deputy Administrator.

(b) *Application for transfer.* The owner or operator of a farm in a county designated for any year under paragraph (a) of this section may file a written application for transfer of feed grain acreage, within the total feed grain base, for such year to another farm in the same county or in an adjoining county in the same or another State if such acreage cannot be timely planted or replanted because of the natural disaster determined for such year. The application shall be filed with the county committee for the county in which the farm affected by such disaster is located. If the application involves a transfer to an adjoining county, the county committee for the adjoining county shall be consulted before action is taken by the county committee receiving the application.

(c) *Amount of transfer.* The acreage to be transferred shall not exceed the smaller of (1) the total feed grain base established less such acreage planted to feed grains and not destroyed by the natural disaster, or (2) the smallest permitted acreage of nonconserving crops under the CRP, CCP, or CAP, or (3) the acreage requested to be transferred.

(d) *County committee approval.* The county committee shall approve the transfer if it finds that the following conditions have been met:

(1) All or part of the total feed grain base for the farm from which the acreage is to be transferred could not timely be planted or replanted because of the natural disaster and planting was not prohibited by the lease in the case of lands owned by the Federal Government.

(2) One or more producers of feed grains on the farm from which the acreage is to be transferred will be a bona fide producer engaged in the production of feed grains on the farm to which the acreage is to be transferred and will share in the crop or in the proceeds therefrom. Such sharing shall be in the manner customary in the area in order to establish the status of such producer as a bona fide producer on the farm to which the acreage is to be transferred.

(e) *Cancellation of transfer.* If a transfer is approved under this section and it is later determined that the conditions in paragraph (d) of this section have not been met, the county committee, State committee or the Deputy Administrator may cancel such transfer. Action by the county committee to cancel a transfer shall be subject to the approval of the State committee or its representative.

(f) *Transferred acreage.* Transferred acreage which is planted shall be deemed planted on the farm from which transferred.

(g) *Closing date.* The closing date for filing application for transfer with the county committee shall be June 1 of the calendar year in which the crop is harvested.

§ 775.416 Determinations of compliance.

(a) Determination of the acreage devoted to feed grains and of the acreage designated as diverted acreage shall be made in accordance with Part 718 of this chapter, as amended.

(b) A representative of the county committee or the State committee or any authorized representative of the Secretary shall have the right at any reasonable time to enter a farm, concerning which representations have been made on any forms filed under the program, in order to measure the acreage planted to feed grains and the acreage which the operator designated as being devoted to approved conservation uses on the farm, to examine any records pertaining thereto, and otherwise to determine the accuracy of a producer's representation and the performance of his obligations under the program.

§ 775.417 Final diversion payment and price support payment.

(a) Payments of any amounts due the producers on a farm shall be made after the farm operator certifies that the farm is in compliance with the requirements of the program by signing Form 477, and the county committee determines that the producers and the farm are in compliance with such requirements. The signing of Form 477 by any producer after May 1 of the year following the current year shall not be approved by the county committee unless prior approval of the State committee is obtained.

(b) Except as otherwise provided herein and in Part 791 of this chapter, as amended, no diversion payment shall be made for a farm or to a producer when there is failure to comply fully with the regulations in this subpart.

(c) The total diverted acreage of feed grains shall be determined by subtracting the feed grain acreage on the farm from the total feed grain base. Except as provided in paragraph (d) of this section, the total acreage diverted from feed grains on which diversion payments shall be based shall be the smallest of:

(1) The stated intention.

(2) The total underplanted acreage of feed grains.

(3) The increased acreage devoted to approved conservation uses and substitute crops.

(4) The designated diverted acreage.

(5) If the farm is participating in the CRP, CCP, or CAP, the smallest number of acres of nonconserving crops permitted minus the acreage devoted to such crops other than approved crops on diverted acreage, and minus acreage diverted under the wheat diversion program and the upland cotton program.

(d) For farms with a total feed grain base of more than 25 acres, no diversion payment shall be made with respect to the minimum diversion acreage except as provided in § 775.410(d).

(e) Except as provided in § 775.410(d), the acreage at the additional diversion payment rate shall be computed in accordance with the following applicable provisions:

(1) Credit as minimum diversion acres to each commodity an acreage determined by multiplying the underplanted acreage of each commodity by the ratio of the minimum diversion acres for the farm to the total underplanted acreage of the commodities underplanted.

(2) After deducting the minimum diversion acres credited in subparagraph (1) of this paragraph from the underplanted acreage of each commodity, credit the total acreage upon which payment is based first to the underplanted commodity with the highest additional diversion payment, rate, then any balance to the underplanted commodity with the next highest additional diversion payment rate, and then any balance to the underplanted commodity with the lowest additional diversion payment rate.

(f) The balance of the total earned diversion payment due each eligible producer under the program shall be determined by multiplying the total earned diversion payment for the farm by the producer's share of such payment and subtracting therefrom the advance payment made to such producer.

(g) A farm shall be eligible for a price support payment if producers on the farm file a Form 477 for the current year and comply with all of the regulations in this subpart. The amount of the price support payment for each commodity shall be determined by multiplying the acreage of the commodity as defined in paragraphs (b), (c), and (d) of § 775.402 by the applicable price support payment rate per acre as determined in accordance with § 775.410(g): *Provided*, That the total acreage of feed grains upon which price support payments are made shall in no event exceed the smaller of the permitted acreage or 50 percent of the total feed grain base, and if the feed grain acreage is not less than 90 percent of this maximum acreage, the farm shall be credited with the maximum acreage for price support payment. For purposes of the preceding sentence, any acreage on the farm which the county committee determines was not planted to feed grains in the current year because of flood, drought, or other natural disaster shall, within the permitted acreage, be deemed feed grains in accordance with instructions issued by the Deputy Administrator provided such acreage is not subsequently planted to any other income-producing crop in the current year. For purposes of this paragraph, producers may have acreage devoted to soybeans considered as devoted to the production of feed grains. The total earned price support payment

due each eligible producer shall be determined by multiplying the total earned farm price support payment for the farm by the producer's share of such payment.

(h) Notwithstanding any other provision of the regulations in this subpart, if a producer declines, for personal reasons, to accept all or any part of his share of the payment computed for a farm in accordance with the provisions of this section, such payment or portion thereof shall not become available for any other producer on the farm.

(i) In the event it is determined that a producer is not entitled to any payment received, he shall refund such payment with interest at the rate of 6 percent per annum from the issue date of the payment to the date it is refunded.

§ 775.418 Division of diversion and price support payments.

(a) *General.* There shall be listed on Form 477 filed for the farm the name of each person on the farm who has an interest in the crop of barley, corn, or grain sorghums or would have had an interest had such crop(s) been produced on the acreage diverted under the program together with the share of the diversion payment and the share of the price support payment which such person is to receive. If such person refuses or fails to sign Form 477, the share of the payment to which he would otherwise be entitled shall be shown on the form. The sum of the percentage shares of the diversion payment shall equal 100 percent and the sum of the percentage shares of the price support payment shall also equal 100 percent.

(b) *Division of diversion payment.* Diversion payments made under this program shall be divided in such a way that all eligible producers will share in the payments on a fair and equitable basis. If producers whose names are listed on Form 477 agree to their respective percentage shares of the diversion payment and it is fair and equitable, the division of payment as determined shall be approved by a representative of the county committee subject to the provisions of §§ 775.419 and 775.420. The following factors should be considered in arriving at the division of the diversion payment:

(1) The basis on which producers would have shared in the production of the acreage of barley, corn, and grain sorghums diverted;

(2) The savings or benefits accruing to each producer as a result of not producing a feed grain on the acreage diverted;

(3) The respective contributions of each producer to the establishment and maintenance of the conservation use on the acreage designated as diverted from production; and

(4) The respective relationship of the diverted acreage and increased conservation acreage to the various ownership tracts comprising a farm.

If producers whose names are listed on Form 477 cannot agree on the division of the diversion payment among eligible producers on the farm, the county committee will determine the sharing of payments among such producers on a fair and equitable basis, based on the factors provided in this paragraph. Payments of amounts so determined shall be made to eligible producers upon their request.

(c) *Division of price support payment.* Each producer's share of the farm price support payment for a commodity shall be based on his share of the current year's crop of the commodity on the farm, or the proceeds thereof, except that the State committee may approve a different division which is fair and equitable where it is determined that the distribution of crop plantings is abnormal in relation to past history of the farming operation or is contrary to customary practice, and except as provided in § 775.420(d).

(d) *Refund of payments not properly divided.* Payments which producers receive to which they are not entitled, including diversion payments which the county committee determines are not fair and equitable based on the factors provided in this section, shall be refunded to the county committee. In the event of fraud, the producer shall be subject to the provisions of § 775.421.

§ 775.419 Additional provisions relating to tenants and sharecroppers.

(a) Form 477 for a farm shall not be approved for payment by the county committee if the county committee determines that:

(1) The landlord or operator has not afforded his tenants and sharecroppers, if any, an opportunity to participate in the program;

(2) The landlord or operator has, in anticipation of or because of participating in the program, reduced the number of tenants and sharecroppers on the farm (if a tenant or sharecropper leaves the farm voluntarily or for some reason other than being forced off the farm by the landlord or operator in anticipation of or because of participating in the program, the failure to replace such tenant or sharecropper shall not be considered as a reduction in anticipation of or because of participating in the program);

(3) There exists between the operator or landlord and any tenant or sharecropper, any lease, contract, agreement or understanding unfairly exacted or required by the operator or landlord which was entered into in anticipation of participating in the program, the effect of which is:

(i) To force the tenant or sharecropper to pay over to the landlord or operator any payment earned by him under the program;

(ii) To change the status of any tenant or sharecropper so as to deprive him of any payment or right which he would otherwise have had under the program;

(iii) To reduce the size of the tenant's or sharecropper's producer unit; or

(iv) To increase the rent to be paid by the tenant or decrease the share of the crop or its proceeds to be received by the sharecropper.

(4) Any other scheme or device has been adopted for the purpose of depriving any tenant or sharecropper of the payment to which he would otherwise be entitled to receive under this program.

(b) The provisions of paragraph (a) (2) of this section shall not apply to a cash tenant, standing-rent tenant, or a fixed-rent tenant unless such tenant was living on the farm in the year immediately preceding the current year or received 50 percent or more of his income in such year from the farm.

§ 775.420 Successors-in-interest.

(a) In the case of the death, incompetency, or disappearance of any producer whose name appears on Form 477, the diversion or price support payment due him shall be made to his successor, as determined in accordance with the regulations in Part 707 of this chapter, as amended.

(b) When any person who would have had an interest as producer (herein called "predecessor") in feed grains if they had been produced on the diverted acreage has been succeeded on the farm by another producer (herein called "successor") after Form 477 has been filed, the share of the advance and final diversion payment to which they are entitled shall be divided between them on such basis as the predecessor and successor agree is fair and equitable. If such persons are unable to agree to a division of the payments, the county committee shall determine the division of the payments taking into consideration the following, among other factors it deems pertinent:

(1) The respective interests which the predecessor and successor would have had in feed grains if they had been produced on the diverted acreage;

(2) The respective contributions to the diversion in acreage which have been made by the predecessor and by the successor; and

(3) The respective contributions of the predecessor and successor to the establishment and maintenance of the conservation uses on the designated diverted acreage.

(c) Notwithstanding the foregoing, if a tenant or sharecropper who would have had an interest in feed grains if they had been produced on the diverted acreage leaves a farm after Form 477 has been filed for the farm, but before the final diversion payment has been made and is not succeeded on the farm by another person, his name shall be included in Part IV of Form 477 and the division of payment to which he is entitled shall be determined as provided in § 775.418.

(d) The price support payment to the predecessor and successor shall be divided on such basis as they agree is fair and equitable. If such persons are unable to agree to a division of the price support payment, the price support payment shall be issued to the producer who has the interest in the crop at the time of harvest, and if the crop is completely destroyed prior to harvest, the price support payment shall be issued to the producer who had the interest at the time of destruction of the crop.

(e) In any case where any diversion or price support payment due any suc-

cessor producer has previously been paid to the producer who filed Form 477, such payment shall not be paid to the successor producer unless it is recovered from the producer to whom it has been paid or payment is authorized by the Deputy Administrator.

§ 775.421 Scheme or device and fraudulent representation.

(a) A producer who is determined by the State committee, or by the county committee with the approval of the State committee, to have adopted any scheme or device which tends to defeat the purpose of the program shall refund any payment received by him.

(b) The making of a fraudulent representation by a person in the payment documents or otherwise for the purpose of obtaining a payment from the county committee shall render the person liable, aside from any additional liability under criminal and civil frauds statutes, for a refund of the payments received by him with respect to which the fraudulent representation was made.

§ 775.422 Setoffs and assignments.

(a) *Producer indebtedness.* Setoffs against diversion and price support payments which a producer is eligible to receive shall be made as provided in the regulations issued by the Secretary governing setoffs and withholdings, Part 13 of this title (29 F.R. 9425), and any amendments thereto.

(b) *Assignments.* Diversion and price support payments may be assigned only to the Farmers Home Administration in accordance with instructions issued by the Deputy Administrator.

§ 775.423 Reconstitution of farms.

Farms shall be reconstituted and feed grain bases established therefor in accordance with the regulations governing reconstitution of farms, allotments, and bases, Part 719 of this chapter, and any amendments thereto. Yields for farms reconstituted for the current year after current year yields have been established shall be determined as follows:

(a) Combination: Multiply the commodity base by the yield for each parent farm, and divide the sum of the results for all parent farms by the sum of bases for the commodity on the parent farms.

(b) Division: Determine a yield in accordance with § 775.410. The weighted average yields for all the farms resulting from the division is limited to the yield for the parent farm, except for rounding.

(c) Any Form 477 filed for a farm before it is reconstituted for the current year shall be canceled and the farm operator notified of the cancellation. A corrected Form(s) 477 may be prepared for the farm(s) as properly constituted even though this action is necessary after the final date for filing Form 477 as specified in § 775.413(c).

§ 775.424 Performance based upon advice or action of county or State committee.

The provisions of Part 790 of this chapter relating to performance based upon action or advice of an authorized representative of the Secretary shall be applicable to this subpart.

§ 775.425 Supervisory authority of State committee.

The State committee may take any action required by the regulations in this subpart which has not been taken by the county committee. The State committee may also (a) correct, or require a county committee to correct, any action taken by such county committee which is not in accordance with the regulations of this subpart, or (b) require a county committee to withhold taking any action which is not in accordance with the regulations of this subpart.

§ 775.426 Delegation of authority.

No delegation herein to a State or county committee shall preclude the Administrator, ASCS, or his designee, from determining any question arising under the program or from reversing or modifying any determination made by a State or county committee.

§ 775.427 County projected yields and county rates.

NOTE: For text of this section, see 31 F.R. 315.

§ 775.428 Oats-rye diversion payment; substitution of feed grains for wheat and wheat for feed grains, oats and rye.

Oats-rye diversion payments and substitution of feed grains for wheat and wheat for feed grains and oats and rye shall be governed by the provisions of § 728.410 of the regulations governing the wheat diversion program (§ 728.410 of this chapter).

§ 775.429 Malting barley exemption.

(a) Notwithstanding any other provisions of this subpart, barley shall not be included in the feed grain program for a farm if (1) the current year's farm owner or operator planted an approved malting variety of barley during 1 or more of the 5 years immediately preceding the current year; (2) the operator has requested a malting barley exemption on Form 477 during the period specified in § 775.413(c); (3) barley only of an approved malting variety is planted on the farm for harvest in the current year; (4) an acreage of barley is not knowingly produced in excess of 110 per centum of the barley base for the farm; and (5) an acreage of other feed grains is not knowingly produced in excess of the total feed grain base for the farm (excluding barley). No diversion or price support payment shall be made for barley on such a farm. A barley producer on a farm in compliance with the provisions of this section shall not be eligible for price support loans with respect to barley unless such producer also complies with the provisions of § 775.404(c)(2). If the farm is participating in the feed grain program for the current year or the wheat diversion program for the current year, the conserving acreage requirements of § 775.404(b)(4) and of § 728.401 (b)(4) of this chapter of the regulations governing the wheat diversion program shall, for the purposes of determining compliance for the current year, be reduced to the extent the barley acreage for the current year exceeds the barley base as permitted by the provisions of this section. If the farm is participating in the feed grain program for the current year, the conserving acreage requirement of § 775.404(b)(4) shall, for purposes of determining compliance with the feed grain program for the current year, be increased to the extent the barley base for the current year is underplanted. A request for a malting barley exemption may not be withdrawn after the closing date for filing Form 477 except as provided in instructions issued by the Deputy Administrator. Producers who have requested a malting barley exemption (which is not withdrawn in accordance with the preceding sentence) shall be ineligible for feed grain diversion and price support payments on the farm if they fail to meet all the requirements of this section. The provisions of § 775.428 shall not be applicable to a farm with a malting barley exemption.

(b) Approved malting varieties are: Atlas, Barbless, Detzes, Dickson, Forrest, Hanna, Haisa II, Hannchen, Heines Hanna, Idaho Club, Kindred, Larker, Manchuria, Montcalm, Moravian, O.A.C. 21, Oderbrucker, Odessa, Parkland, Peroline, Traill, Trophy, White Winter, Winter Club, Winter Tennessee, and, in the Klamath Basin of California and Oregon, Firlbecks III.

(c) This section shall be applicable only in California, Colorado, Idaho, Illinois, Iowa, Michigan, Minnesota, Montana, Nebraska, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.

(The recordkeeping and reporting requirements of these regulations have been approved by, and subsequent recordkeeping and reporting requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 9, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-6529; Filed, June 14, 1966; 8:45 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs., 1966 and Subsequent Crops Rice Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops, Rice Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (31 F.R. 5941) issued by the Commodity Credit Corporation, which contain regulations of a general nature with respect to price support loan and purchase operations, are supplemented for the 1966 and subsequent crops of rice as follows:

Sec.
1421.2760 Purpose.
1421.2761 Availability.
1421.2762 Eligible rice.
1421.2763 Compliance requirements.
1421.2764 Determination of quality.
1421.2765 Determination of quantity.
1421.2766 Warehouse receipts.
1421.2767 Warehouse charges.
1421.2768 Fees and charges.
1421.2769 Inspection certificates.
1421.2770 Settlement.
1421.2771 Maturity of loans.
1421.2772 Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 62 Stat. 1051, as amended, 1054, sec. 302, 72 Stat. 988; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2760 Purpose.

This supplement contains program provisions which, together with (a) the annual crop year supplement, (b) the revised general regulations governing price support for the 1964 and subsequent crops, (c) the Cooperative Marketing Association eligibility requirements for price support in Part 1425 of this chapter, and (d) any amendments to such regulations, set forth the requirements with respect to price support for the 1966 and subsequent crops of rice.

§ 1421.2761 Availability.

A producer desiring price support must request a loan on or notify the ASCS county office of his intention to sell his eligible rice no later than the date(s) set forth in the applicable annual crop supplement to the regulations in this part.

§ 1421.2762 Eligible rice.

(a) *General.* To be eligible for price support, rice must meet the requirements of this section in addition to the other eligibility requirements of the program.

(1) *Eligible producer.* The rice must have been produced by an eligible producer.

(2) *Classes.* The rice must be one of the classes or varieties specified in (i) the applicable annual crop year supplement or (ii) the Official Standards of the United States for Rough Rice other than "Mixed Rough Rice."

(3) *Contamination and poisonous substances.* Rice must not be contaminated by rodents, birds, insects or other vermin or contain mercurial compounds or other substances poisonous to man or animals.

(b) *Grade requirements for loan.* In addition to the requirements of paragraph (a) of this section, rice at the time it is placed under loan must:

(1) Grade U.S. No. 5 or better (rice of special grades shall not be eligible) and

(2) Contain not more than 14 percent moisture.

§ 1421.2763 Compliance requirements.

An eligible producer shall be a producer on whose farm the rice acreage allotment established for the farm under Part 730 of this title has not been knowingly exceeded. If the farm is determined to be in compliance with the farm rice acreage allotment under the provisions of Parts 718 and 730 of this title, the farm rice acreage allotment will not be considered to have been knowingly exceeded. If a producer has an interest in a rice crop produced on more than one farm in the same county, he must also be entitled to receive a marketing certificate for each such farm in order to be eligible for price support. If a producer is engaged in the production of rice in more than one county (in the same State or in two or more States) and the requirements of Rice Marketing Quota Regulations of Part 730 of this title, and any amendments thereto, are applied to such multiple farming unit, he must be entitled to receive a marketing certificate for each such farm, wherever situated, in order to be eligible for price support on his rice.

§ 1421.2764 Determination of quality.

(a) *Quality.* The class or variety, grade, grading factors, milling yield, and all other quality factors shall be determined in accordance with the Official Standards of the United States for Rough Rice, whether or not such determinations are made on the basis of an official inspection.

(b) *Loans.* In the case of rice stored commingled in an approved warehouse loans will be made on the quality shown on the warehouse receipt, or supplemental certificate if applicable. In all other cases, loans will be made on the basis of quality shown on the Federal or Federal-State sample inspection certificate based on a representative sample of each lot of rice taken as authorized by the county committee.

§ 1421.2765 Determination of quantity.

(a) *In warehouse*—(1) *Commingled.* The amount of a loan on the quantity of eligible rice stored commingled in an approved warehouse shall be based on the weight specified on the warehouse receipt representing such rice which is pledged as security for the loan, or on the supplemental certificate, if applicable.

(2) *Identity preserved or modified commingled.* The amount of a loan on the quantity of eligible rice stored identity preserved or modified commingled in an approved warehouse shall be based on a percentage, as determined by the State committee, of the weight specified on the warehouse receipt representing such rice which is pledged as security for the loan, or on the supplemental certificate, if applicable. Such percentage shall not exceed 95 percent of the weight so specified. The State committee's determination shall be made on a statewide basis or for specified areas within the State. The county committee may lower such percentage on an individual basis when determined to be in the best interest of CCC.

(b) *On farm.* The quantity of rice placed under a farm-storage loan shall be determined in accordance with § 1421.67 and shall be expressed in whole units of 100 pounds.

(c) *Bagged or bulk.* In determining the quantity of bagged rice by weight, the gross weight, including bags, shall be used. When necessary to convert bagged rice to a bulk basis or bulk rice to a bagged basis, an adjustment of 0.6 pound for 100 pounds of gross weight shall be made as allowance for the weight of the bag.

§ 1421.2766 Warehouse receipts.

(a) *General.* A warehouse receipt representing rice to be placed under a warehouse storage loan, delivered in satisfaction of a farm storage loan or delivered for purchase, must meet the requirements of this section and the General Regulations Governing Price Support for 1964 and Subsequent Crops as amended or revised. A separate warehouse receipt must be submitted for each class or variety, grade, and milling yield of rice. Each warehouse receipt must carry an endorsement by the warehouseman in substantially the following form:

Warehouse charges through (applicable maturity date) including, but not limited to, receiving and loading out charges accrued or to accrue, and all other charges incident to the acquisition of the rice by CCC, on the rice represented by this warehouse receipt have been paid or otherwise provided for and a lien for such charges will not be claimed by the warehouseman from CCC or any subsequent holder of the warehouse receipt. If the rice represented by this warehouse receipt is to be loaded out in bags, the warehouseman agrees that any and all right, title and interest which he has in such bags shall pass with the rice when such rice is acquired under the price-support program or shall pass at the time the rice is loaded out if the rice is not in bags at the time of acquisition by CCC.

(b) *Entries.* Each warehouse receipt, inspection certificate or warehouseman's supplemental certificate properly identified with the warehouse receipt must be issued in accordance with the Uniform Rice Storage Agreement and must show:

(1) Whether the rice is stored in bulk or in bags,

(2) Whether the rice is to be delivered in bulk or in bags,

(3) Gross weight for bagged rice and net weight for bulk rice,

(4) Class or variety,

(5) Grade,

(6) Grading factors,

(7) Milling yield,

(8) Moisture,

(9) Method of storage (commingled, modified commingled or identity preserved), and

(10) Manner by which rice was received (truck or rail).

(c) *Supplemental certificate.* When required, the supplemental certificate shall be executed by the warehouseman for commingled rice, by the warehouseman and producer for modified-commingled rice and by the producer for identity-preserved rice.

§ 1421.2767 Warehouse charges.

(a) *Farm-stored loans and purchases.* CCC will assume receiving and warehouse storage charges on rice delivered to an approved warehouse after loan maturity date and acquired by CCC (1) in satisfaction of a farm storage loan or (2) through purchase, except that warehouse storage charges will be assumed by CCC only from and after the date of completion of deposit of such rice in the warehouse.

(b) *Warehouse-stored loans and purchases.* CCC will assume warehouse storage charges accruing on and after the day following the loan maturity date on rice which is in approved warehouse storage under loan and is acquired by CCC and on rice which is in approved warehouse storage on the loan maturity date and is purchased by CCC.

(c) *Refund of prepaid handling charges.* The receiving or the receiving and loading out charges on the rice referred to in paragraph (a) of this section and in § 1421.72(i) may not exceed 8 cents per hundredweight.

§ 1421.2768 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.60(b). In addition, a charge of $3.50 for each lot sampled will be made in connection with farm-stored loans and for each warehouse receipt for a modified-commingled and identity-preserved warehouse stored loan.

§ 1421.2769 Inspection certificates.

Except in the case of a loan on rice stored commingled in an approved warehouse, settlement with the producer on rice acquired by CCC will be based on the quality shown on the Federal or Federal-State sample inspection certificates. Such inspection certificates shall be dated not earlier than 30 days prior to the maturity date. The cost of Federal or Federal-State inspections as required by this section and § 1421.2770 shall be for the account of CCC.

§ 1421.2770 Settlement.

Settlement for eligible rice acquired by CCC under loan or by purchase will be made with the producer as provided in § 1421.72, the annual crop year supplement and this section. Where rice is placed under a farm storage loan in an area where a location differential is in effect and is delivered to CCC in satisfaction of the loan in an area where no differential is applicable, settlement for rice acquired by CCC will be made on the basis of the support rate for the area where the rice is delivered. Deliveries of rice shall be in accordance with instructions issued by the county office.

(a) *Commingled warehouse storage.* Settlement for eligible rice stored commingled in an approved warehouse and acquired by CCC under a loan or by purchase shall be made on the basis of the class or variety, and the grade, quality and quantity as shown on the warehouse receipt or supplemental certificate if applicable. Settlement shall also be made on such a basis (1) where an approved warehouse issues a commingled warehouse receipt for loan rice delivered into the warehouse from farm storage pursuant to instructions of the county office, (2) where an approved warehouse issues commingled warehouse receipts in exchange for warehouse receipts representing rice under identity-preserved or modified-commingled warehouse storage loan and (3) where CCC determines that a warehouseman failed to maintain the identity of rice covered by an identity-preserved warehouse-storage loan or modified-commingled warehouse storage loan. In the case of purchases, the producer shall, not later than the day following the final date for delivery or during such other period of time thereafter as may be specified by the county office, submit to the county office warehouse receipts under which an approved warehouse guarantees the class or variety, and the grade, quality and quantity of rice sold to CCC.

(b) *Modified commingled.* Settlement for eligible rice stored modified commingled in an approved warehouse and acquired by CCC under a loan or purchase shall be made on the basis of the class or variety, grade and quality shown on Federal or Federal-State sample inspection certificates and on the basis of the quantity shown on the warehouse receipt, or supplemental certificate, if applicable. The producer shall, within 10 days after the maturity date in the case of loans and at the time of sale under a purchase, furnish to the county office the applicable Federal or Federal-State sample inspection certificates.

(c) *Other storage.* Settlement for eligible rice acquired under loan or purchase not covered by paragraph (a) or (b) of this section shall be made on the basis of the class or variety, and of the grade and quality shown on Federal or Federal-State sample inspection certificates and on the basis of the quantity shown on official weight certificates. In the case of rice stored identity preserved in approved warehouse storage (1) if the rice was acquired by CCC under purchase, the producer shall furnish to the county office Federal or Federal-State sample inspection certificates at the time of sale, or (2) if the rice was acquired by CCC under a loan, the producer shall furnish such certificates within 10 days after the maturity date. In the case of rice stored in other than approved warehouse storage and acquired by CCC under a loan or by purchase, the producer shall furnish Federal or Federal-State sample inspection certificates at the time of delivery or sale. Official weight certificates required by this paragraph (c) shall be dated not earlier than 30 days prior to the applicable maturity date covering the rice.

(d) *Bagged or bulk rice*—(1) *Farm storage.* The weight of farm-stored bulk rice acquired by CCC on which settlement will be made shall be the net weight of the rice. The weight of farm-stored bagged rice acquired by CCC on which settlement will be made shall be the combined weight of the rice and the bags, and title to the bags will pass to CCC with the rice. CCC shall not otherwise pay any amount representing the value of the bags.

(2) *Warehouse-stored.* Rice in approved warehouse storage shall be acquired by CCC on a bagged or bulk basis in accordance with the manner in which the rice is to be loaded out by the warehouseman as indicated on the warehouse receipt. The quantity for settlement purposes shall be the net weight of the rice when acquired in bulk and the combined net weight of the rice and the bags when acquired in bags. Where the warehouse receipt indicates that rice will be loaded out in bags, title to the bags shall pass to CCC at the time of acquisition of the rice. CCC shall not otherwise pay any amount representing the value of the bags. In the event any person should successfully dispute the passing of title to the bags, the producer shall indemnify CCC for any loss sustained by reason thereof.

§ 1421.2771 Maturity of loans.

Loans will mature on demand but not later than the date specified in the annual crop year supplement to the regulations in this part.

§ 1421.2772 Support rates.

The basic support rate, premium and discounts and location differentials for use in making loans and purchases shall be set forth in the annual crop year supplement to the regulations in this part.

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 10, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-6579; Filed, June 14, 1966; 8:49 a.m.]

PART 1443—OILSEEDS

Subpart—Cottonseed Oil and Meal Purchase Program Regulations (1966)

Sec.

1443.2041 General statement.
1443.2042 Administration.
1443.2043 Crusher's participation in program.
1443.2044 Purchases of cottonseed by crusher.
1443.2045 Cooperative mills.
1443.2046 Tenders.
1443.2047 Purchases by CCC.
1443.2048 Information release.
1443.2049 Movement of cottonseed oil or meal.
1443.2050 Books and records.
1443.2051 Certification of independent price determination.
1443.2052 Parent company.
1443.2053 Benefits and contingent fees.
1443.2054 Nondiscrimination in employment.

AUTHORITY: The provisions of this subpart issued under secs. 4 and 5, 62 Stat. 1070, as amended, secs. 301, 401, 63 Stat. 1051, as amended, sec. 601, 70 Stat. 212, 15 U.S.C. 714b and 714c, and 7 U.S.C. 1447, 1421, 1446d.

§ 1443.2041 General statement.

As a part of the 1966 Cottonseed Price Support Program formulated by Commodity Credit Corporation (referred to in this subpart as "CCC") and the Agricultural Stabilization and Conservation Service (referred to in this subpart as "ASCS"), CCC will purchase cottonseed oil and, on a limited basis, cottonseed meal from cottonseed crushers participating in the program upon the terms and conditions stated in this subpart. Purchases of cottonseed meal on a more extended basis will not be made unless CCC subsequently announces that it will receive general tenders of meal under this subpart. No purchases will be made from crushers who do not participate in the program.

§ 1443.2042 Administration.

The program will be carried out by ASCS under the general supervision and direction of the Executive Vice President, CCC. Except as specifically provided otherwise, operations under this subpart will be administered by the New Orleans ASCS Commodity Office located at Wirth Building, 120 Marais Street, New Orleans, La., 70112 (referred to in this subpart as "the New Orleans office"). CCC contracting officers in the New Orleans office will execute contract documents on behalf of CCC. Officials in the New Orleans office do not have authority to waive or modify any provisions of this subpart.

§ 1443.2043 Crusher's participation in program.

(a) *Eligible crusher.* Any crusher who completes and forwards to the New Orleans office a signed original and copy of the 1966 Cottonseed Price Support Program Crusher Acceptance (Form CCC 912) not later than August 31, 1966, and complies with the other provisions of this subpart (such crusher is hereinafter referred to as a "participating crusher") will be eligible to make tenders hereunder to CCC, except that (1) no purchases will be made by CCC from any crusher debarred or suspended from contracting with CCC or from participating in programs financed by CCC, and (2), subject to approval of CCC, a crusher may file such acceptance form subsequent to August 31, 1966, but in such event he may tender only the cottonseed oil or meal equivalent of seed purchased subsequent to the date of filing the acceptance form. If a crusher operates more than one cottonseed crushing mill, he must file an acceptance form for each mill which he desires to have participate in the program, and each such mill shall be treated as a separate unit for the purpose of determining the rights and obligations of the crusher with respect to cottonseed purchased by and cottonseed oil or meal delivered from each such mill. A participating crusher may withdraw from the program at any time upon written notice to the New Orleans office and will not be obligated to pay the applicable minimum prices determined in accordance with § 1443.2044(a) for cottonseed purchased after withdrawl. CCC will not accept any tender submitted by a crusher after his withdrawal, and cottonseed purchased after his withdrawal will not be eligible cottonseed as defined in § 1443.2046(f).

(b) *Assurance.* The acceptance form will contain an assurance by the crusher that his participation in the program will be conducted, and his facilities operated, in compliance with all of the requirements imposed by, or pursuant to, the regulations governing nondiscrimination in federally assisted programs of the Department of Agriculture, Part 15 of this title, which effectuate Title VI of the Civil Rights Act of 1964.

§ 1443.2044 Purchases of cottonseed by crusher.

(a) *Price.* A participating crusher must pay for all 1966 crop cottonseed purchased from ginners not less than $52 per ton, net weight, basis grade (100), f.o.b. conveyance or carrier at the gin, and from producers not less than a season's weighted average of $48 per ton, gross weight, basis grade (100), and, in the case of purchases from both gins and producers, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than the basis grade (100). Cottonseed which is "below grade" or "off quality," as defined in Service and Regulatory Announcement No. A.M.S. 179, as amended, "Standards for Grades of Cottonseed Sold or Offered for Sale for Crushing Purposes Within the United States" (hereinafter referred to as "the Cottonseed Standards"), may be purchased at a price mutually agreeable to the crusher and the seller.

(b) *Grades.* Except as provided in subparagraphs (1), (2), and (3) of this paragraph, all 1966 crop cottonseed purchased by the crusher shall be graded by federally licensed cottonseed chemists in accordance with the Cottonseed Standards on the basis of samples drawn from the cottonseed by federally licensed cottonseed samplers or such other persons as are approved by CCC. The cost of sampling and grading cottonseed shall be borne by the crusher.

(1) Any crusher located in North Carolina, South Carolina, Georgia, the south Alabama counties of Montgomery, Dallas, Houston, and Barbour, or the San Joaquin Valley of California, may exclude the linters factor in determining the grade if such crusher did not have cottonseed from the 1965 crop graded in accordance with the Cottonseed Standards because of the linters factor.

(2) In the San Joaquin Valley of California and other areas designated by the Director, Oils and Peanut Policy Staff, ASCS, the grade of cottonseed acquired by the crusher from gins within one county may be determined on the basis of composite samples of such cottonseed. Samples constituting such composite samples shall be drawn and combined in accordance with methods specified by the Cotton Division, Consumer and Marketing Service, or the Executive Vice President, CCC.

(3) The crusher shall not be obligated to grade 1966 crop cottonseed in accordance with the Cottonseed Standards until the 20th business day following the date of publication of this subpart in the FEDERAL REGISTER.

(c) *Weight.* Purchases of cottonseed from ginners by crushers under this subpart shall be based upon weight at the crusher's mill after deduction of the weight of all foreign material in excess of 1 percent. Purchases of cottonseed from producers by crushers under this subpart shall be based upon the gross weight of the cottonseed as customarily determined by the crusher when making purchases of cottonseed from producers. The cost of weighing shall be borne by the crusher.

(d) *Receipts from certain gins.* Where a gin and crusher are under common control, direction or management, cottonseed received by the crusher from such gin shall not have been purchased from producers at less than a season's weighted average of $48 per ton, gross weight, basis grade (100), with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than the basis grade (100).

§ 1443.2045 Cooperative mills.

If the crusher is a cooperative oil mill, and if the marketing agreements between the crusher and its members provide for advances, the crusher may advance a part of the applicable minimum purchase price determined in accordance with the provisions of § 1443.2044 at the time each lot of cottonseed is purchased and pay the balance of the minimum price after completion of crushing of the 1966 crop cottonseed, but not later than December 30, 1967. Such balance shall be paid in cash unless the Executive Vice President, CCC has approved deferred payment thereof by issuance of revolving fund certificates or by other methods of retention of funds for capital purposes. The Executive Vice President will approve deferred payment only by crushers (a) which are organized under applicable State or Federal laws as an association of persons who are engaged in the production of agricultural commodities, or as an association of other associations of such persons, and (b) which he determines are operating on a financially sound basis. Any such crusher desiring approval to make deferred payment shall submit its application for approval to the Director, Procurement and Sales Division, ASCS, Washington, D.C., 20250, not later than the date of submission of its acceptance form, or such later date as CCC may for good cause approve. The application shall include a certified statement that the crusher meets the requirements of paragraph (a) of this section, and a complete and accurate statement of its current financial condition. The crusher shall also submit to CCC such other information regarding its financial condition as CCC may request.

§ 1443.2046 Tenders.

(a) *Tenders of oil by crusher.* A participating crusher may tender to CCC crude or once-refined cottonseed oil, or both, produced at his mill.

(b) *Announcement of purchase price of oil by CCC.* CCC may, at its option, at any time prior to 2 p.m., c.s.t., on any Wednesday of any given week, announce that it will purchase cottonseed oil at not more than specified prices within areas designated by CCC. Such prices will be determined by CCC after giving consideration to the criteria specified in § 1443.2047(b).

(c) *Tenders of meal.* A participating crusher may tender to CCC specific lots of cottonseed meal which he has reason to believe are unsuitable for feed use because of contamination by aflatoxin. CCC will not consider tenders of any other cottonseed meal unless it announces that it will consider such tenders from crushers located within localities designated by CCC in order to continue, insofar as practicable, the normal movement of both oil and meal into commercial channels. The price stated in all tenders of meal shall be on the basis of bulk 41 percent protein meal.

(d) *Submission of tenders.* Each tender shall be submitted to the New Orleans office. The tender may be made by letter transmitting a completed 1966 Cottonseed Price Support Program Crusher Tender Form (CCC Form 913) or by wire. If a tender is made by wire, a completed Crusher Tender Form shall promptly be mailed to the New Orleans office in confirmation, and the tender will not be accepted by CCC if it has not received the confirmation. Each tender must be signed by the crusher, by an employee of the crusher having authority to sign tenders for the crusher, or by a broker designated in writing to the New Orleans office by the crusher. The designation for a broker shall indicate that the broker, as an agent of the crusher, is authorized to submit such tenders on behalf of the crusher (see § 1443.2053(c)). Each tender shall state the tender date on which it is to be considered; the price at which the crusher tenders oil or meal to CCC; the quantity of oil or meal tendered; whether, in the case of oil, the crusher is tendering basis prime crude or prime bleachable summer yellow cottonseed oil or making a two-fold tender; the proposed delivery schedule meeting the requirements of § 1443.2047; and such other information as CCC may request for its consideration of the tender. A supplementary explanation and justification must accompany any tender contemplating delivery after August 31, 1967.

(e) *Time of tenders.* All tenders, including tenders made pursuant to an announcement by CCC under paragraph (b) of this section, shall be received at the New Orleans office not later than 4 p.m., c.s.t., on each Thursday (or on the next working day if Thursday is a holiday). No tender, or modification or withdrawal thereof, will be considered if received after the specified time on a particular tender date, unless received before acceptance is made of tenders received before such time and CCC determines that (1) such tender, modification, or withdrawal was delayed in transmission by mail or telegraph through no fault of the crusher, or (2) the modification is made for the purpose of correcting an error apparent on the face of the original tender or for the purpose of clarifying an ambiguity or supplying an omission therein, or (3) the modification is beneficial to CCC and not prejudicial to any other crusher. No tenders shall be made later than July 31, 1967.

(f) *Limitation on tenders.* Tenders of oil and meal by any crusher shall be made only against eligible cottonseed, which for the purposes of this subpart, is 1966 crop cottonseed produced in the United States and purchased by the crusher under the provisions of this subpart, other than below grade or off quality cottonseed and cottonseed purchased by the crusher prior to the date of receipt of his acceptance form by CCC if such date is after August 31, 1966. The quantity of oil or meal which the crusher tenders and CCC accepts shall not exceed the quantity thereof which could be produced from eligible cottonseed, based upon the 1965 crop outturn per ton of cottonseed in the crusher's area, as determined by CCC. Whenever CCC accepts a tender of either oil or meal, the cottonseed equivalent of either the oil or the meal covered by the tender (determined on the basis of the outturn, as provided above) shall be deducted from the quantity of eligible cottonseed against which the crusher may make future tenders. Whenever CCC accepts a single tender combining both oil and meal, such tender having been submitted for consideration on a joint basis, the cottonseed equivalent of the product which represents the greater quantity of cottonseed (determined on the basis of the outturn, as provided above) shall be deducted from the quantity of eligible cottonseed against which the crusher may make future tenders. Notwithstanding any other provisions of this paragraph, the crusher shall not tender any cottonseed oil or meal which, if accepted by CCC, would cause the total quantity of oil or meal tendered to and accepted by CCC and not yet delivered to CCC to exceed the smallest of (1) the quantities of oil or meal which have been or can be produced from eligible cottonseed acquired by the crusher up to the time of the tender, less, with respect to oil only, any quantities thereof which the crusher has sold or contracted to sell to other persons, or (2) the capacity of the mill to produce during a 60-day period of normal operation if such tender is made prior to December 30, 1966, or during a 45-day period of normal operation if such tender is made thereafter, or (3) the quantity of oil or meal which can be produced from the uncrushed eligible cottonseed which he has on hand as of the date of tender: *Provided*, That the crusher may make one or more tenders of oil or meal in excess of the quantity limits stipulated in subparagraph (2) or (3) of this paragraph, but in such event CCC will not accept a total quantity of oil or meal covered by such tender(s) which is in excess of the capacity of the mill to produce during a 15-day period of normal operation.

§ 1443.2047 Purchases by CCC.

(a) *Consideration of tenders.* As soon as possible after the final time for submission of tenders on each tender date, CCC will consider all tenders from participating crushers. If CCC determines (1) that the price stated in a tender is acceptable, (2) that, with respect to a tender of meal the crusher has reason to believe is contaminated, the meal is unsuitable for feed use because of contamination by aflatoxin, and (3) that the tender is otherwise acceptable under this subpart, CCC will accept the tender. If the price stated in any tender is not acceptable, CCC may, at its option, make a counteroffer. CCC will notify the crusher of acceptance or rejection of any tender, or make a counteroffer, by a wire filed not later than 4 p.m., c.s.t. on the next working day following the tender date. The crusher's acceptance of any counteroffer by CCC must be received by the New Orleans office within 2 business days after the date of filing of the wire containing CCC's counteroffer.

(b) *Price consideration.* The price stated in a tender, other than a tender in response to an announcement by CCC under § 1443.2046(b), will be acceptable to CCC if CCC determines that such price is not in excess of that price necessary to enable crushers within the crusher's generally competitive area to recover, as a group average, the minimum price which participating crushers are required to pay to ginners for cottonseed under this subpart plus such margin above such minimum price as CCC deems to be reasonable. In making such determination, and in determining the price at which CCC counteroffers, due consideration will be given to current market prices for cottonseed products (oil, meal, linters, and hulls), average product outturns within said area, and other relevant factors. The crusher shall cooperate with the Consumer and Marketing Service, USDA, in furnishing prices at which he sells cottonseed products in bulk on the wholesale market.

(c) *Contract of sale.* Each tender by the crusher and acceptance by CCC, or tender, as modified by counteroffer by CCC, and acceptance by the crusher, as the case may be, shall constitute a separate contract for the sale of the cottonseed oil or meal covered thereby in accordance with the terms and conditions of this subpart and in accordance with the applicable rules of the National Cottonseed Products Association (referred to in this subpart as "NCPA") in effect on the date of the tender, except to the extent that such rules are inconsistent with this subpart, and except as to periods specified in such rules for presentation of claims and the rules on arbitration.

(d) *Delivery.* Each lot of cottonseed oil or meal purchased by CCC shall be delivered by the crusher f.o.b. cars or trucks (CCC's option) made available without cost to the crusher at crusher's mill. The crusher shall deliver cottonseed oil or meal, as the case may be, crushed from 1966 crop cottonseed produced in the United States. Delivery shall be in car or truck lots in accordance with the delivery schedule specified in the tender or any modification thereof mutually agreed to by the crusher and the New Orleans office, and in accordance with shipping instructions issued by the New Orleans office. CCC shall not be obligated to accept the initial delivery of oil under any tender prior to the expiration of 15 business days after the date of CCC's acceptance of the tender or the crusher's acceptance of a counteroffer. CCC shall not be obligated to accept the initial delivery of meal under any tender prior to the expiration of 30 business days after the date of CCC's acceptance of the tender or the crusher's acceptance of a counteroffer. At least 10 percent of the quantity of oil shall be delivered within 30 days after the date of sale, at least 30 percent within 60 days after the date of sale and at least 60 percent within 90 days after the date of sale. In any event, delivery of either oil or meal covered by a tender shall be completed not later than 180 days after the date of sale. Meal shall be delivered in bulk, or, if requested by CCC, in new or used bags at such adjustment in the sales price to reflect the increased cost of delivery in bags as may be mutually agreed upon by the crusher and the New Orleans office. No delivery of oil or meal shall be made after August 31, 1967, unless the New Orleans office and the crusher agree upon a later date for delivery. Title to the cottonseed oil or meal shall pass to CCC upon delivery. In delivering oil under any contract of sale, a variation of one-half of 1 percent above or below the contract quantity will be accepted as a good delivery as to weight. In delivering meal under any contract of sale, a variation of 5 percent above or below the contract quantity will be accepted as good delivery as to weight: *Provided*, That the variation shall not exceed 2½ tons.

(e) *Grade of oil.* The cottonseed oil delivered by the crusher shall be basis prime crude cottonseed oil or prime bleachable summer yellow cottonseed oil (as specified in the tender), as defined in the rules of the NCPA: *Provided*, That if, on the basis of sampling and chemical analysis of cottonseed being crushed by the mill at the time for delivery, or because of other conditions inherent in the cottonseed which are not reflected in sampling and chemical analysis, it is shown to the satisfaction of the New Orleans office that basis prime crude cottonseed oil or prime bleachable summer yellow cottonseed oil cannot be produced, the crusher may deliver crude cottonseed oil of less than prime grade at the agreed sales price, or may deliver once-refined cottonseed oil of prime summer yellow or summer yellow grade at a price mutually agreed upon by the crusher and CCC. The agreed sale price of crude oil shall be adjusted in accordance with the crude oil settlement provisions of the rules of the NCPA.

(f) *Grade of meal and protein content.* The cottonseed meal delivered by the crusher shall be 41 percent protein cottonseed meal, prime quality, as defined in the rules of NCPA, except that (1) less than prime quality meal may be delivered at the agreed sales price less discounts determined in accordance with the rules of the NCPA if, on the basis of sampling and chemical analysis of cottonseed being crushed at the mill at the time for delivery, or because of other conditions inherent in the cottonseed which are not reflected in sampling and chemical analysis, it is shown to the satisfaction of the New Orleans office that prime quality meal cannot be produced, and (2) meal having less than 41 percent protein content may be delivered at market discounts agreed upon by the crusher and CCC, as applied against the sales price for 41 percent protein meal. Meal having in excess of 41 percent protein content may be delivered to CCC at no premium. In any event, however, meal which has been found or is known to be unsuitable for normal feed use because of residues of chemicals used as defoliants, herbicides, or which has become contaminated by aflatoxin because of the crusher's failure to exercise due care with respect to the cottonseed or meal, will be rejected to the crusher by CCC.

(g) *Provisional payment.* When oil or meal is delivered to CCC, the crusher may present to CCC for provisional payment an invoice, with shipping documents acceptable to CCC attached, for the value of the oil or meal based on origin weights and the agreed sales price.

(h) *Final settlement.* Final settlement for oil or meal delivered to CCC will be made upon the basis of the official analysis and the certified destination outturn weight of the oil or meal determined in accordance with the NCPA rules. The analysis and weighing of oil or meal delivered will be arranged for by CCC at its expense.

§ 1443.2048 Information release.

It is understood that CCC will make public the names, quantities, locations, and prices and such other information as it deems advisable with respect to all tenders under this subpart which have been accepted by CCC and transactions developing therefrom.

§ 1443.2049 Movement of cottonseed oil or meal.

CCC shall not be responsible for any loss or injury caused the crusher by failure of CCC to move cottonseed oil or meal promptly, and the crusher shall not be responsible for any failure to deliver or delay in delivery, where such failure or delay on the part of CCC or the crusher is due to any cause without such party's fault or negligence including, but not restricted to, acts of God or the public enemy, storms, floods, conflagrations, strikes, blockades, riots, embargoes, or priority, allocation, service, or other orders or directives issued by the Government, or difficulty in obtaining cars or trucks. Notwithstanding the foregoing provisions, if CCC fails for any reason to issue shipping instructions in accordance with the delivery schedule specified in the tender (or any modification mutually agreed to by the New Orleans office and the crusher), the crusher may have an official analysis or quality determination made of the quantity of oil or meal involved and shall not, after giving timely written notice to CCC accompanied by a copy of such official analysis or quality determination, be responsible for any loss or deterioration in quality subsequent to the date of such official analysis or quality determination except for any loss, deterioration or damage due to the fault or negligence of the crusher.

§ 1443.2050 Books and records.

Each crusher filing an acceptance form under this subpart shall keep accurate books, records, and accounts with respect to all purchases of cottonseed (including the name of seller, date of receipt, weight, and grade of each lot of cottonseed purchased) and all other transactions under this subpart for a period of at least 3 years from the last date any cottonseed oil or meal is delivered by the crusher under this subpart, and shall furnish CCC such information and reports relating thereto as CCC may from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. The crusher shall permit authorized employees of the U.S. Department of Agriculture, and the General Accounting Office, at any time during customary business hours to inspect, examine, audit and make copies of such books, records, and accounts.

§ 1443.2051 Certification of independent price determination.

(a) *Certification of crusher.* By submission of a tender under this subpart, the crusher certifies that:

(1) The prices in his tender have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other crusher or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in his tender have not been knowingly disclosed by the crusher and will not knowingly be disclosed by the crusher prior to acceptance, in the case of a tender, directly or indirectly to any other crusher or to any competitor; and

(3) No attempt has been made or will be made by the crusher to induce any other crusher to submit or not to submit a tender for the purpose of restricting competition.

(b) *Certification of person signing.* Each person signing the tender certifies that:

(1) He is the person in the crusher's organization responsible within that organization for the decision as to the prices being offered and that he has not participated, and will not participate, in any action contrary to paragraph (a) (1) through (3) of this section; or

(2) (i) He is not the person in the crusher's organization responsible within that organization for the decision as to

the prices being offered but that he has been authorized in writing to act as agent for the persons responsible to such decision in certifying that such persons have not participated, and will not participate, in any action contrary to paragraph (a) (1) through (3) of this section, and as their agent does hereby so certify; and (ii) he has not participated, and will not participate, in any action contrary to paragraph (a) (1) through (3) of this section.

(c) *Deleting or modification.* A tender will not be considered where paragraph (a)(1), (a)(3), or (b) of this section has been deleted or modified. Where paragraph (a)(2) of this section has been deleted or modified, the tender will not be considered unless the crusher furnishes with the tender a signed statement which sets forth in detail the circumstances of the disclosure and CCC determines that such disclosure was not made for the purpose of restricting competition.

§ 1443.2052 Parent company.

Each crusher submitting a tender under this subpart shall state whether the crusher is owned or controlled by a parent company and, if so, shall state the name and principal office address of the parent company in the spaces provided on the tender form. The crusher shall also insert in the space provided the Employer's Identification Number (E.I. No.) (Federal Social Security Number used on Employee's Quarterly Federal Tax Return, U.S. Treasury Department Form 941) of the crusher and the parent company (if any). For the purposes of this subpart, a parent company is defined as one which either owns or controls the activities and basic business policies of the participating crusher. To own another company means the parent company must own at least a majority (more than 50 percent) of the voting rights in that company. To control another company, such ownership is not required; if another company is able to formulate, determine or veto basic business policy decisions of the participating crusher, such other company is considered the parent company of the bidder. This control may be exercised through the use of dominant minority voting rights, use of proxy voting, contractual arrangements, or otherwise.

§ 1443.2053 Benefits and contingent fees.

(a) No Member of or Delegate to the Congress of the United States or Resident Commissioner, shall be admitted to any share or part of any contract resulting from tenders of cottonseed oil or meal under this subpart or to any benefit that may arise therefrom, but this provision shall not be construed to extend to such a contract if made with a corporation for its general benefit and shall not extend to any benefits that may accrue from such contract to a Member of or Delegate to the Congress or a Resident Commissioner in his capacity as a producer of cottonseed.

(b) By submitting a tender under this subpart the crusher warrants that no person or selling agency has been employed or retained to solicit or secure the contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee except bona fide employees or bona fide established commercial or selling agencies maintained by the crusher for the purpose of securing business. For breach or violation of this warranty, CCC shall have the right to annul the contract without liability, or in its discretion to deduct from the contract price of the cottonseed oil or meal the full amount of such commission, percentage, brokerage, or contingent fee.

(c) By submitting a tender under this subpart, the crusher further warrants that he has not employed or utilized any person, firm or organization which (1) furnished any information or service which might tend to prevent, limit, or restrict competition in the submission of tenders under this subpart, or (2) furnished any assistance to the crusher in the calculation of prices if such person, firm or organization has assisted or is assisting other persons submitting tenders under this subpart in the calculation of prices (other than prices specified in tenders made pursuant to CCC's offer to purchase oil under § 1443.2045(b)).

§ 1443.2054 Nondiscrimination in employment.

(a) During the performance of any contract of sale resulting from acceptance by CCC of a crusher's tender, the crusher agrees as follows:

(1) The crusher will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The crusher will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The crusher agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(2) The crusher will, in all solicitations or advertisements for employees placed by or on behalf of the crusher, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

(3) The crusher will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency Contracting Officer, advising the labor union or workers' representative of the crusher's commitments under this nondiscrimination clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The crusher will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The crusher will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the crusher's noncompliance with the nondiscrimination clause of this contract or with any of such rules, regulations, or orders, the contract may be canceled, terminated or suspended in whole or in part and the crusher may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in the said Executive order or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The crusher will include the provisions of subparagraphs (1) through (7) of this paragraph in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The crusher will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however,* That in the event the crusher becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the crusher may request the United States to enter into such litigation to protect the interests of the United States.

(b) The provisions of paragraph (a) of this section are not applicable to any such contract of sale having a total sales price not exceeding $100,000.

(Secs. 4 and 5, 62 Stat. 1070, as amended, secs. 301, 401, 63 Stat. 1051, as amended, sec. 601, 70 Stat. 212, 15 U.S.C. 714b and 714c, and 7 U.S.C. 1447, 1421, 1446d)

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 10, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-6580; Filed, June 14, 1966; 8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 19,947]

PART 545—OPERATIONS

Loans and Investments Guaranteed Under Foreign Assistance Act of 1961

JUNE 9, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 6277) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) to implement the authority contained in the Housing and Urban Development Act of 1965 and to authorize Federal savings and loan associations to invest in loans and interests in loans guaranteed by the President under section 224 of the Foreign Assistance Act of 1961, as amended, and for the purpose of effecting such amendment, hereby amends said Part 545 as hereinafter set forth, effective June 15, 1966.

Part 545, aforesaid, is hereby amended by adding, immediately after § 545.6–19, a new section, § 545.6–20, as follows:

§ 545.6–20 Loans and investments guaranteed under the Foreign Assistance Act of 1961.

(a) *General provisions.* Without regard to any other provision of this part except §§ 545.6–8 and 545.8–2, a Federal association may, if permitted by the terms of its charter, invest in loans, and interests in loans, payable in U.S. dollars and guaranteed by the President under section 224 of the Foreign Assistance Act of 1961, as amended, subject to the provisions of this section. The aggregate principal amount of such investment outstanding at any one time shall not exceed 1 percent of the assets of such association.

(b) *Loan agreement.* Each loan agreement shall specify what constitutes an event of default by the borrower and shall provide that upon any such default the entire amount of the outstanding principal indebtedness thereunder shall become immediately due and payable, at the option of the lender.

(c) *Contract of guaranty.* A loan may be made under this section only if the contract of guaranty by the President, acting through the Agency for International Development, (1) covers 100 percent of any loss of investment thereunder, except for any portion of such loss arising out of the fraud or misconduct of the investing association, and (2) provides that payment for any such loss shall be made by the guarantor in U.S. dollars within a specified reasonable time after the date of application for such payment by the investing association.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, inasmuch as the foregoing amendment relieves restriction, the Board hereby finds that postponement of the effective date under the provisions of § 508.14 of the general regulations of the Federal Home Loan Bank Board and section 4(c) of the Administrative Procedure Act is not required and the Board hereby provides that the said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-6562; Filed, June 14, 1966; 8:48 a.m.]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. FSLIC-2,631]

PART 561—DEFINITIONS

Guaranteed Loan

JUNE 9, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 6278) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 561.21 of the Rules and Regulations for Insurance of Accounts (12 CFR 561.21) in order to broaden the definition of guaranteed loan to include a loan guaranteed under section 224 of the Foreign Assistance Act of 1961, as amended, and for the purpose of effecting such amendment, hereby amends said § 561.21 to read as follows, effective June 15, 1966:

§ 561.21 Guaranteed loan.

The term "guaranteed loan" means a loan that is guaranteed, including a guarantee to repurchase, in whole or in part, or as to which a commitment to guarantee has been made under the provisions of the Servicemen's Readjustment Act of 1944, Chapter 37 of Title 38, United States Code, or section 224 of the Foreign Assistance Act of 1961, as amended.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, inasmuch as the foregoing amendment relieves restriction, the Board hereby finds that postponement of the effective date under the provisions of § 508.14 of the general regulations of the Federal Home Loan Bank Board and section 4(c) of the Administrative Procedure Act is not required and the Board hereby provides that the above said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-6563; Filed, June 14, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER B—PROCEDURAL RULES

[Docket No. 7430; Amdt. 13-4]

PART 13—ENFORCEMENT PROCEDURES

Warning Notice of Violation

The purpose of this amendment is to replace the references in § 13.11 to "a report * * * for the record" and "a letter of correction" by a reference to a "Warning Notice of Violation." New FAA Form 430-6 combines the Warning Notice and the report for the record. The conditions of issue, contents and effect of the Notice are the same as those of the letter of correction formerly used. The Notice is handled or sent to the addressee as the letter of correction used to be.

Since this amendment does not effect a substantive change, notice and public procedure thereon are not required.

In consideration of the foregoing, § 13.11 of Part 13 of the Federal Aviation Regulations (14 CFR 13.11) is amended, effective July 16, 1966, to read as follows:

§ 13.11 Warning notice of violation.

If, after his investigation, it appears to a field inspector that a violation of the Federal Aviation Act of 1958, or an order or regulation issued under it, was so minor and unintentional as not to require disciplinary or remedial action, he may, in accordance with Agency practice, issue a Warning Notice of Violation. A copy of the Warning Notice is given or sent to the addressee and suitable copies are retained for Agency records. The Warning Notice terminates the matter on which it is issued. The appropriate Regional or Area Flight Standards Office reviews each action under this section.

(Sec. 313(a), 1001, Federal Aviation Act of 1958 (49 U.S.C. 1354, 1481))

Issued in Washington, D.C., on June 9, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-6543; Filed, June 14, 1966; 8:46 a.m.]

SUBCHAPTER D—AIRMEN

[Docket No. 6831; Amdts. 61-22, 91-29]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

PART 91—GENERAL OPERATING AND FLIGHT RULES

Civil Aircraft of U.S. Registry Operated Outside U.S.

The purpose of these amendments is to prescribe rules applicable to civil aircraft of U.S. registry operated outside of the United States. The amendments were proposed in Notice 65–19 and published in the FEDERAL REGISTER on August 13, 1965 (30 F.R. 10116).

Two of the three public comments received on the Notice concurred with it. The third comment, made by a pilots organization, offered no serious objection but made several observations on difficulties that might be encountered by general aviation pilots while flying outside the United States. First, it was stated, these pilots might not be in a location where they could obtain mechanical help or parts promptly following Agency issuance of an Airworthiness Directive, or might not even be aware of its issuance. It must be observed that § 39.3 of Part 39 (Airworthiness Directives), which prohibits operation of a product to which an airworthiness directive applies, except in accordance with the requirements of that airworthiness directive, is not limited to operations in the United States, and compliance with this provision is necessary to retain the validity of an airworthiness certificate. In view of this provision, it is the aircraft operator's responsibility to observe these directives, that can be brought to the attention of persons affected in no more feasible manner than the customary publication. To emphasize this responsibility of the aircraft operator, the accompanying amendments, by an addition to § 91.163, call attention to the obligation to comply with Part 39. Second, this comment asserted that regulations in some foreign countries are difficult to obtain or, in a few cases, unrealistic for small aircraft, and as a result an operator might unwittingly violate some unknown or unrealistic regulation, until the International Civil Aviation Organization (ICAO) adopts uniform standards for general aviation aircraft. However, as stated in the notice, this country is obligated under the Chicago Convention to require the operators of civil aircraft of United States registry in a foreign country to comply with the rules and regulations relating to flight and maneuver of aircraft there in force. Also, compliance with Annex 2 to the Chicago Convention (Rules of the Air) will in most cases meet the requirements of foreign countries in this respect.

One of the comments concurring with the proposal pointed out that Parts 40, 41, and 42 of the Civil Air Regulations provided that, unless otherwise specified in the air carrier rules or the operations specifications of an air carrier, Parts 43 and 60 of the CAR's, Annex 2 (Rules of the Air) to the Chicago Convention, or air traffic rules of the foreign government and local airport rules, would be complied with, as applicable, except where any rule of the operating part (formerly Parts 40, 41, and 42—now Part 121 of the FAR's) was more restrictive and could be followed without violating the Annex 2 or foreign rules. It was requested that these provisions, formerly in Parts 40, 41, and 42, be incorporated in Part 121 at the same time that the proposed changes are made in Part 91. As stated in the preamble to the amendment adding Part 121 to the Federal Aviation Regulations, effective April 1, 1965 (29 F.R. 19186, Dec. 31, 1964), § 121.11 was rewritten to delete the reference to Part 91 and the requirement that certain certificate holders must comply with the ICAO rules when over the high seas. The deletion was made since the provisions simply repeated requirements now already contained in Part 91 that are applicable to all aircraft, including air carrier aircraft. Section 91.1, as now changed, continues to apply to air carrier aircraft, and to adopt the suggestion made in the comment would be to reintroduce into Part 121 matter that was intentionally deleted from that part.

As stated in the notice, these amendments complete the process of making the general operating and maintenance rules of Subparts A (except §§ 91.15(b), 91.17, 91.38, and 91.43) and C of Part 91 applicable to civil aircraft of U.S. registry operated outside of, as well as within, the United States. At the same time, these amendments implement compliance with the obligations of the United States under section 1102 of the Federal Aviation Act of 1958 and the Convention on International Civil Aviation (Chicago Convention).

Section 1102 of the Federal Aviation Act of 1958 requires the Administrator to exercise his powers and perform his duties under the Act, "consistently with any obligation assumed by the United States in any treaty, convention, or agreement that may be in force between the United States and any foreign country or foreign countries, and [to] take into consideration any applicable laws and requirements of foreign countries * * *."

As a party to the Chicago Convention, the United States has assumed certain obligations with regard to the airworthiness and operations of civil aircraft of U.S. registry outside of the United States. One purpose of the rules made by these amendments is to assure that the operation of civil aircraft of U.S. registry outside of the United States is in conformity with this country's obligations under the Chicago Convention.

Under Article 12 of the Convention the United States is obligated to adopt measures to insure that "every aircraft carrying its nationality mark, wherever such aircraft may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force," as well as to undertake "to insure the prosecution of all persons violating the regulations applicable." Article 12 also provides that the rules of flight over the high seas shall be those established under the Convention. Section 91.1(b) of the Federal Aviation Regulations (formerly § 60.1a of the Civil Air Regulations) presently requires aircraft of U.S. registry to comply with these rules (set forth in ICAO Annex 2). These amendments provide a regulatory requirement for these aircraft to comply with local flight rules when operating in foreign countries.

To accomplish these purposes, the following amendments are made:

1. *Aircraft operation within foreign countries.* Section 91.1 is revised to require each person operating a civil aircraft of U.S. registry in a foreign country to comply with the rules and regulations relating to the flight and maneuver of aircraft there in force. Section 91.1(b) (formerly § 60.1a of the Civil Air Regulations) has required each person operating an aircraft of U.S. registry in air commerce over the high seas to comply with Annex 2 (Rules of the Air) to the Chicago Convention. Since this country's obligation in this respect pertains only to civil aircraft of U.S. registry over the high seas, this requirement is revised to make it conform with the Convention.

2. *Airworthiness.* Sections 91.27 through 91.31 of Part 91 prescribe rules designed to assure that civil aircraft of U.S. registry are properly certificated and in an airworthy condition. Section 91.163(b) of Subpart C further is intended to assure the continued airworthiness of these aircraft by requiring maintenance, preventive maintenance, and alterations to be performed in accordance with that subpart and other applicable rules, including Part 43 of the Federal Aviation Regulations. These Part 91 rules in terms have been applicable only to civil aircraft of U.S. registry operating within the United States. However, it should be noted that under § 21.181(a) of the Federal Aviation Regulations the maintenance, preventive maintenance, and alteration requirements of Parts 91 and 43 must be complied with if an airworthiness certificate is to remain effective. To meet this country's responsibility under Articles 29 and 31 of the Chicago Convention, and to assure the continued airworthiness of civil aircraft of U.S. registry operated in foreign countries, §§ 91.27 through 91.31 and Subpart C of Part 91 are now made applicable to these aircraft operated outside of the United States.

3. *Other general operating rules.* Of the other rules of Subpart A of Part 91, four already have been applicable to operation of aircraft of U.S. registry outside of the United States. All of the rules of this subpart (other than §§ 91.15(b), 91.17, 91.38, and 91.43) are now being made applicable to operations outside of the United States, so as to make the same standards govern there as within the United States. However, in conformance with the obligations under the Chicago Convention, all of these rules apply only to civil aircraft of U.S. registry. Excepted from applicability are § 91.15(b) that requires parachute jumps

to be made in accordance with Part 105 of the Federal Aviation Regulations which in turn is applicable only within the United States, § 91.17 that prohibits towing anything by aircraft without a waiver issued by the Administrator, and §§ 91.43 and 91.38 that respectively provide special rules for foreign civil aircraft within the United States and certain airplanes operated in Alaska.

Two provisions of the general operating rules of Subpart A are made applicable only within the United States because of reference to waivers issued, or operating limitations imposed by the Administrator. Section 91.17 requires a certificate of waiver issued by the Administrator for towing anything with a civil aircraft. Section 91.39 concerns limitations on operation of restricted category civil aircraft. Paragraph (d) of that section prohibits operation over densely populated areas, in congested airways, and near busy airports where passenger transport operations are conducted, except in accordance with the terms and conditions of a certificate of waiver or special operating limitations issued by the Administrator. These waiver and special limitation provisions should apply only within the United States. Operations under these sections within foreign countries would be subject, of course, to any corresponding applicable rules there in force.

Paragraph (e) of § 91.39 (Restricted category civil aircraft; operating limitations) previously has referred to an application for a certificate of waiver under "this section." This provision, recodified from § 8.31–1 of Civil Aeronautics Manual 8, originally referred to waivers from the prohibitions in § 8.31 of Part 8 of the Civil Air Regulations, recodified as paragraph (c) of § 91.39 and subsequently amended and redesignated paragraph (d). This reference in paragraph (e) is changed to accurately relate to paragraph (d) and not to paragraphs (a), (b), and (c) of the section (under which waivers may not be sought).

4. *Airman competency.* Section 61.3 (a) prohibits a person from acting within the United States as pilot in command or in any other capacity as required pilot flight crewmember of a civil aircraft of U.S. registry unless he has in his personal possession a current pilot certificate issued to him under that Part. To meet this country's responsibility under Article 32 the phrase "within the United States" is deleted from the rule and thus the airman certificate requirements of Part 61 are made applicable to airmen operating civil aircraft of U.S. registry outside of the United States. At the same time, provision is made to allow the use of a current pilot certificate issued by the foreign country within which the aircraft is operated.

Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all relevant material presented.

In consideration of the foregoing, Parts 61 and 91 of the Federal Aviation Regulations are amended as follows, effective September 19, 1966:

1. By amending paragraph (a) of § 61.3 of Part 61 to read as follows:

§ 61.3 Certificates and ratings required.

(a) *Pilot certificate.* No person may act as a pilot in command or in any other capacity as a required pilot flight crewmember of a civil aircraft of U.S. registry unless he has in his personal possession a current pilot certificate issued to him under this part. However, when the aircraft is operated within a foreign country a current pilot certificate issued by the country in which the aircraft is operated may be used.

* * * * *

2. By amending § 91.1 of Part 91 to read as follows:

§ 91.1 Applicability.

(a) Except as provided in paragraph (b) of this section, this part describes rules governing the operation of aircraft (other than moored balloons, kites, unmanned rockets, and unmanned free balloons) within the United States.

(b) Each person operating a civil aircraft of U.S. registry outside of the United States shall—

(1) When over the high seas, comply with Annex 2 (Rules of the Air) to the Convention on International Civil Aviation;

(2) When within a foreign country, comply with the regulations relating to the flight and maneuver of aircraft there in force; and

(3) Except for §§ 91.15(b), 91.17, 91.38, and 91.43, comply with Subparts A and C of this part so far as they are not inconsistent with applicable regulations of the foreign country where the aircraft is operated or Annex 2 to the Convention on International Civil Aviation.

§ 91.15 [Amended]

3. By amending paragraph (b) of § 91.15 of Part 91 by adding the words "within the United States" after the word "aircraft".

§ 91.17 [Amended]

4. By amending paragraph (a) of § 91.17 of Part 91 by adding the words "within the United States" after the words "that aircraft".

§ 91.39 [Amended]

5. By amending § 91.39 of Part 91 as follows:

a. By adding the words "within the United States" after the words "civil aircraft" in paragraph (d).

b. By adding the words "paragraph (d) of" after the word "under" in paragraph (e).

6. By amending paragraph (a) of § 91.161 to read as follows:

§ 91.161 Applicability.

(a) This subpart prescribes rules governing the maintenance, preventive maintenance, and alteration of U.S. registered civil aircraft operating within or without the United States.

* * * * *

7. By amending paragraph (a) of § 91.163 to read as follows:

§ 91.163 General.

(a) The owner or operator of an aircraft is primarily responsible for maintaining that aircraft in an airworthy condition, including compliance with Part 39 of this chapter.

* * * * *

(Secs. 307(c), 313(a), 601–610, 1102, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, 1421–1430, 1502); Articles 12, 29, 31, 32(a), Convention of International Civil Aviation (61 Stat. 1180))

Issued in Washington, D.C., on June 7, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66–6522; Filed, June 14, 1966; 8:45 a.m.]

[Docket No. 7077; Amdt. 67–5]

PART 67—MEDICAL STANDARDS AND CERTIFICATION

Miscellaneous Amendments

The purpose of these amendments to Part 67 of the Federal Aviation Regulations is (1) to provide authorization for certain representatives of the Federal Air Surgeon within the Agency (the Chief, Aeromedical Certification Branch, Civil Aeromedical Institute, and Regional Flight Surgeons) to finally reconsider issuances and denials of medical certificates by aviation medical examiners, in certain situations; (2) to provide that a denial by such a representative in any of those situations is considered to be a denial by the Administrator for the purpose of review by the Civil Aeronautics Board; (3) to require the surrender, upon request, of a medical certificate whose issue is reversed, wholly or in part, upon reconsideration by the Federal Air Surgeon or such a representative; and (4) to state in the regulations that if an applicant for, or holder of, a medical certificate refuses to furnish additional medical information the Administrator may suspend, modify, or revoke a certificate, or refuse to issue it. Except for the scope of the first and second items mentioned, that is now made narrower than originally contemplated, these amendments were proposed in Notice 65–41 issued December 16, 1965 (30 F.R. 16084), for which the comment period was extended to March 23, 1966 by Notice 65–41A issued February 2, 1966 (31 F.R. 1312).

A number of the comments received on Notice 65–41 concurred in the proposals made. One of these comments (as well as several others that did not concur) displayed apprehension that delegation of authority to representatives of the Federal Air Surgeon to "finally reconsider" actions of aviation medical examiners would eliminate an applicant's recourse to petition for exemption from the rules. This apprehension is not well grounded, for Notice 65–41 is not concerned with the exemption procedure in any respect, either explicitly or implicitly. Both the notice and these amendments are concerned only with the administration of the rules in Part

67, not with the grant or denial of exemptions issued in accordance with rules specifically provided in the rule-making procedures of Part 11.

Some comments presented strong objections to the proposed delegation of authority to representatives of the Federal Air Surgeon within the Agency. One comment concurred in the proposal so far as it would apply to cases where the Federal Air Surgeon does not have authority in any event to consider special issue of medical certificates (cases excluded from § 67.19). It was asserted that the proposed amendments would improperly tend to shift the Federal Air Surgeon's authority to make important decisions in the medical certification area to Regional Flight Surgeons; abrogate the denial authority of the Federal Air Surgeon; and result in a lack of uniformity in the application of medical standards. The first and second assertions display needless apprehension, since the proposals would not affect the general policy making responsibility of the Federal Air Surgeon, and the delegation to his representatives would not deprive him of his own authority in the area.

The assertion that a lack of uniformity might result, in the application of medical standards in the certification process, has pointed out an item susceptible of controversy, with strong arguments on each side. As stated in Notice 65–41, the proposal was in keeping with the Agency's policy of decentralization, and would foster a lessening of the delays incident to geographic distances and needless duplication of activity. However, it is recognized that the assertion may have merit, in this highly specialized field of medicine where various individuals may conceivably have different interpretations of a given set of medical facts.

After careful consideration of all issues involved, the Agency has concluded that, in view of this argument against the proposed change, it is doubtful that the action would preserve the maintenance of uniformity in the application of medical standards, and its adoption in full is inappropriate at this time. Therefore, the Agency has dropped this proposed change so far as it pertains to cases in which the Federal Air Surgeon has authority under Part 67 to override a denial of a medical certificate. However, in certain areas listed in § 67.19(d), the regulations do not allow the Federal Air Surgeon to issue medical certificates specially to applicants with established inability to meet the applicable medical standards. In these areas the Federal Air Surgeon has no alternative but to confirm the denial action of his representatives, although he of course provides guidelines to aviation medical examiners for the application of the medical standards in all cases. The areas involved established medical history or clinical diagnosis of: (1) Myocardial infarction, or angina pectoris or other evidence of coronary heart disease that the Federal Air Surgeon finds may reasonably be expected to lead to myocardial infarction; (2) a character or behavior disorder that is severe enough to have repeatedly manifested itself by overt acts, a psychotic disorder, chronic alcoholism, drug addiction, epilepsy, or a disturbance of consciousness without satisfactory medical explanation of the cause; and (3) diabetes mellitus that requires insulin or any other hypoglycemic drug for control. In 1964, approximately 919 and in 1965 approximately 962 cases were referred to the Federal Air Surgeon for further review. Of these, 350 cases in 1964 and 316 cases in 1965, or about one-third of all of the cases so referred, involved denials of medical certificates in the areas described, and the Federal Air Surgeon routinely affirmed the denials, as required. The delegation of final Agency denial authority to representatives in these cases will spare the applicants, as well as the government, great expense and useless effort. These amendments therefore adopt the proposal made in Notice 65–41, to the extent indicated, and as a result greater and faster service will be provided to applicants. After an opportunity to evaluate operational experience under this limited delegation of authority, the Administrator may later delegate full authority to his representative at the Aeromedical Certification Branch, Oklahoma City, to finally reconsider all issuances and denials of medical certificates by aviation medical examiners.

It should be noted, in connection with this limited delegation of authority, that the Federal Air Surgeon and his representatives within the Agency not only retain authority to finally reconsider denials of medical certificates except in the situations listed above, but also have authority upon their own initiative to reconsider issuances of medical certificates by aviation medical examiners. In this manner, cases involving novel or important features may be inquired into by the highest medical authority of the Agency, even where certificates have been issued, as contemplated by subsection 314(b) of the Federal Aviation Act of 1958.

One comment asserted that any attempt by the Agency to reverse the issue of a medical certificate by an aviation medical examiner, without compliance with section 609 of the Federal Aviation Act of 1958, would be invalid, as well as undesirable. Several other comments also pointed out that the burden of proof is the Administrator's under section 609, whereas this burden is the applicant's under section 602 of the Act. Subsection 314(b) of the Act empowers the Administrator to "reconsider" either the denial or issuance of a medical certificate by an aviation medical examiner. It is the Agency's position that when the Administrator exercises that power to correct an error committed by a private person in the exercise of delegated authority (where the aviation medical examiner should have taken a different course of action based upon the information available to him when he issued the medical certificate) the airman must rely upon his rights under section 602 of the Act if he is dissatisfied. In such a case, a "reexamination" under section 609 of the Act is not necessary. The position of the Agency is clarified in these amendments by adding a provision in § 67.25(b) that any action taken by the Federal Air Surgeon or his authorized representative within the Agency under subsection 314(b) of the Act that reverses, wholly or in part, the issue of a medical certificate by an aviation medical examiner is the denial of a certificate by the Administrator under section 602 of the Act.

The proposal to require surrender, upon request, of a medical certificate whose issue is reversed or otherwise changed, upon reconsideration, was generally supported by the comments received. Two comments expressed concern that this would permit arbitrary deprival of a certificate legally issued. However, as stated in Notice 65–41, the obligation is imposed with respect to a certificate that has been found to have been issued to an applicant who in fact does not meet the applicable standards, and the Agency considers this a reasonable requirement in order to protect against the use of the certificate.

In each of these reconsideration provisions, the action taken by the Federal Air Surgeon or his representative within the Agency is described as one to "wholly or partly reverse" the issue of the medical certificate. This language is used in order to make clear that the provisions concern action taken that is adverse to the applicant. It would be clearly unreasonable to provide that action taken upon reconsideration that is advantageous to the applicant is the denial of a medical certificate.

Most of the comments received were not opposed to the proposal to require the applicant or certificate holder to furnish additional medical information. Some comments asserted this authority could be exercised improperly to delve into irrelevant matters. However, as is plain from the provision, the purpose is to obtain additional medical information needed to determine whether an applicant is eligible to hold a medical certificate.

Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and for the reasons stated in Notice 65–41, Part 67 of the Federal Aviation Regulations is amended as follows, effective July 16, 1966:

1. Paragraph (b) of § 67.25 is amended to read as follows:

§ 67.25 Delegation of authority.

* * * * *

(b) The authority of the Administrator, under subsection 314(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1355(b)), to reconsider the action of an aviation medical examiner is delegated to the Federal Air Surgeon, the Chief, Aeromedical Certification Branch, Civil Aeromedical Institute, and each Regional Flight Surgeon. Except where the applicant does not meet the standards of §§ 67.13 (d)(1), (e)(1), or (f)(1), 67.15 (d)(1), (e), or (f)(1), or 67.17 (d)(1), (e), or (f)(1), any action taken under this paragraph other than by the Federal Air Surgeon is subject to reconsideration by the Federal Air Surgeon. Unless an FAA official named in this paragraph wholly or partly, and on his own initiative, reverses a certificate issued by an aviation medical examiner, within 60 days after the date of issue, the certificate is considered to be affirmed as issued.

* * * * *

2. Section 67.27 is amended to read as follows:

§ 67.27 Denial of medical certificate.

(a) Any person who is denied a medical certificate by an aviation medical examiner may, within 30 days after the date of the denial, apply in writing and in duplicate to the Federal Air Surgeon, Attention: Chief, Aeromedical Certification Branch, Civil Aeromedical Institute, Federal Aviation Agency, Post Office Box 25082, Oklahoma City, Okla., 73125, for reconsideration of that denial. If he does not apply for reconsideration during the 30 day period after the date of the denial, he is considered to have withdrawn his application for a medical certificate.

(b) The denial of a medical certificate—

(1) By an aviation medical examiner is not a denial by the Administrator under section 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1422);

(2) By the Federal Air Surgeon is considered to be a denial by the Administrator under that section of the Act; and

(3) By the Chief, Aeromedical Certification Branch, Civil Aeromedical Institute, or a Regional Flight Surgeon is considered to be a denial by the Administrator under that section of the Act where the applicant does not meet the standards of §§ 67.13 (d)(1), (e)(1), or (f)(1), 67.15 (d)(1), (e), or (f)(1), or 67.17 (d)(1), (e), or (f)(1).

Any action taken under § 67.25(b) that wholly or partly reverses the issue of a medical certificate by an aviation medical examiner is the denial of a medical certificate under this paragraph (b).

(c) If the issue of a medical certificate is wholly or partly reversed upon reconsideration by the Federal Air Surgeon, the Chief, Aeromedical Certification Branch, Civil Aeromedical Institute, or a Regional Flight Surgeon, the person holding that certificate shall surrender it, upon request of the FAA.

3. Section 67.31 is amended to read as follows:

§ 67.31 Medical records.

Whenever the Administrator finds that additional medical information or history is necessary to determine whether an applicant for or the holder of a medical certificate meets the medical standards for it, he requests that person to furnish that information or authorize any clinic, hospital, doctor, or other person to release to the Administrator any available information or records concerning that history. If the applicant, or holder, refuses to provide the requested medical information or history or to authorize the release so requested, the Administrator may suspend, modify, or revoke any medical certificate that he holds or may, in the case of an applicant, refuse to issue a medical certificate to him.

(Secs. 303(d), 313(a), 314(b), 601, 602, 609, Federal Aviation Act of 1958 (49 U.S.C. 1344, 1354, 1355(b), 1421, 1422, 1429))

Issued in Washington, D.C., on June 9, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66–6544; Filed, June 14, 1966; 8:46 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65–CE–82]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone and Transition Area

On July 24, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 9276) stating that the Federal Aviation Agency proposed to designate controlled airspace in the Iron Mountain, Mich., terminal area. All comments received were favorable, and on September 29, 1965, a final rule was published in the FEDERAL REGISTER (30 F.R. 12385) which designated Iron Mountain, Mich., terminal airspace to be effective 0001, e.s.t., March 3, 1966, as follows:

IRON MOUNTAIN, MICH., CONTROL ZONE

Within a 5-mile radius of Ford Airport, Iron Mountain, Mich. (latitude 45°49'00" N., longitude 88°07'00" W.); within 2 miles each side of the Iron Mountain VOR 141 radial extending from the 5-mile radius zone to 8 miles SE of the VOR; within 2 miles each side of the Iron Mountain VOR 193° radial extending from the 5-mile radius zone to 8 miles S of the VOR; within 2 miles each side of the Iron Mountain VOR 307° radial, extending from the 5-mile radius zone to 8 miles NW of the VOR; and within 2 miles each side of the 181° bearing from Ford Airport, extending from the 5-mile radius zone to 8 miles S of the airport. This control zone shall be effective during the specific dates and time established in advance by a notice to airmen and continuously published in the Airman's Information Manual.

IRON MOUNTAIN, MICH., TRANSITION AREA

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Ford Airport, Iron Mountain, Mich. (latitude 45°49'00" N., longitude 88°07'00" W.); within 5 miles NE and 8 miles SW of the Iron Mountain VOR 141° radial, extending from the VOR to 12 miles SE of the VOR; within 5 miles W and 8 miles E of the Iron Mountain VOR 193° radial, extending from the VOR to 12 miles S of the VOR; within 5 miles NE and 8 miles SW of the Iron Mountain VOR 307° radial, extending from the VOR to 12 miles NW of the VOR; and within 5 miles W and 8 miles E of the 181° bearing from Ford Airport, extending from the airport to 12 miles S of the airport.

In addition to the terminal airspace, certain airways were designated on this facility in airspace docket No. 65–CE–92.

Subsequent to these actions, it was determined that the Iron Mountain, Mich., VOR would not meet instrument flight check requirements and on April 11 and 12, 1966, final rules were issued revoking the airways and terminal airspace predicated on this facility.

The Iron Mountain VOR has been modified and the facility will be commissioned on June 1, 1966.

The original 65–CE–82 docket provided airspace protection for VOR approach procedures from the southeast, south, northwest and an ADF restricted approach procedure from the south to Ford Airport. Due to restrictions on certain courses of the Iron Mountain, Mich., VOR, the VOR approach procedures from the south and northwest will not be established at this time. In lieu thereof, North Central Airlines will retain their restricted ADF approach procedure from the west.

Since all comments received at the time of the publication of the original notice of proposed rule making were favorable and, since the action being taken herein involves the designation of less controlled airspace than set forth in that notice, notice and public procedure thereon are considered unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., July 21, 1966, as hereinafter set forth.

(1) In § 71.171 (31 F.R. 2065) the following control zone is added:

IRON MOUNTAIN, MICH.

Within a 5-mile radius of Ford Airport, Iron Mountain, Mich. (latitude 45°49'00" N., longitude 88°07'00" W.); and within 2 miles each side of the Iron Mountain VOR 142° radial extending from the 5-mile radius zone to 8 miles SE of the VOR; and within 2 miles each side of the 182° bearing from Ford Airport, extending from the 5-mile radius zone to 8 miles S of the airport; and within 2 miles each side of the 276° bearing from Ford Airport, extending from the 5-mile radius zone to 8 miles W of the airport. This control zone shall be effective during the specific dates and times established in advance by a notice to airmen and continuously published in the Airman's Information Manual.

(2) In § 71.181 (31 F.R. 2149) the following transition area is added:

IRON MOUNTAIN, MICH.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Ford Airport, Iron Mountain, Mich. (latitude 45°49'00" N., longitude 88°07'00" W.); and within 5 miles NE and 8 miles SW of the Iron Mountain VOR 142° radial extending from the VOR to 12 miles SE of the VOR; and within 5 miles W and 8 miles E of the 182° bearing from Ford Airport, extending from the airport to 12 miles S of the airport; and within 5 miles N and 8 miles S of the 276° bearing from Ford Airport, extending from the airport to 12 miles W of the airport. (Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on June 2, 1966.

FRANCIS E. UNTI,
Acting Director, Central Region.

[F.R. Doc. 66–6545; Filed, June 14, 1966; 8:46 a.m.]

[Airspace Docket No. 66-AL-8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone, Revocation of Control Area Extension, and Designation of Transition Area

On April 20, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 6062) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Kenai, Alaska, terminal area by altering the control zone, revoking the control area extension, and designating a transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments, but no comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

1. In § 71.171 (31 F.R. 2104), the Kenai, Alaska, control zone is amended as follows:

KENAI, ALASKA

Within a 5-mile radius of the Kenai Municipal Airport (latitude 60°34'11" N., longitude 151°14'56" W.); and within 2 miles NW and 3 miles SE of the Kenai VOR 031° radial extending from the 5-mile radius zone to 8 miles NE of the VOR.

2. In § 71.165 (31 F.R. 2058), the Kenai, Alaska, control area extension is revoked.

3. In § 71.181 (31 F.R. 2149), the following transition area is added:

KENAI, ALASKA

That airspace extending upward from 1,200 feet above the surface within 12 miles each side of the 227° bearing from the Kenai, Alaska, RR extending from the southwest boundary of the Anchorage, Alaska, 1,200-foot transition area to 29 miles SW of the RR.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Anchorage, Alaska, on June 6, 1966.

GEORGE M. GARY,
Director, Alaskan Region.

[F.R. Doc. 66-6546; Filed, June 14, 1966; 8:46 a.m.]

[Airspace Docket No. 66-EA-6]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone

On page 3500 of the FEDERAL REGISTER for March 8, 1966, the Federal Aviation Agency published a proposed regulation which would designate a Jamestown, N.Y., control zone for Jamestown Municipal Airport.

Interested parties were given 45 days after publication in which to submit written data or views. The Aircraft Owners and Pilots Association objected to the proposed control zone extension beyond the VOR. As a result of further studies it was determined that an increase of the final instrument approach altitude to 2,800 feet MSL permitted a termination of the control zone extension at the VOR. This amendment to the original notice is minor in nature and notice and public procedure thereon are unnecessary.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., July 21, 1966 except as follows:

Under Item 1 of the proposal in the description of the control zone, delete the words, "to 7 miles east of the VOR" and insert in lieu thereof, "to the VOR".

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on June 1, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

Amend § 71.171 of Part 71 of the Federal Aviation Regulations which would designate a control zone for Jamestown, N.Y., described as follows:

Within a 5-mile radius of the center, 42°09'10" N., 79°15'30" W., of Jamestown Municipal Airport, Jamestown, N.Y.; within 2 miles each side of the Jamestown, N.Y., VOR 071° and 251° radials extending from the 5-mile radius zone to the VOR and within 2 miles each side of a 053° bearing from the Jamestown, N.Y., RBN (42°11'02" N., 79°-11'15" W.) extending from the 5-mile radius zone to 7 miles northeast of the RBN. This control zone shall be in effect 0700 to 2200 hours Monday through Friday, 0700 to 1700 hours Saturdays and 0900 to 2200 hours Sundays, local time.

[F.R. Doc. 66-6547; Filed, June 14, 1966; 8:46 a.m.]

[Airspace Docket No. 66-SW-19]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 29, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 6514) stating that the Federal Aviation Agency proposed to designate the La Grange, Tex., transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., July 21, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the La Grange, Tex., transition area is designated as follows:

LA GRANGE, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Rocky Creek Ranch Airport (latitude 29°55'30" N., longitude 96°48'12" W.) and within 2 miles each side of the Industry VOR 262° radial extending from the 5-mile radius area to the VOR.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Fort Worth, Tex., on June 8, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 66-6548; Filed, June 14, 1966; 8:47 a.m.]

[Airspace Docket No. 66-SW-31]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of thisamendment to Part 71 of the Federal Aviation Regulations is to alter the description of the Enid, Okla., control zone which refers to the Vance ILS outer marker compass locator. This action is necessary since the compass locator is to be decommissioned on July 1, 1966. Therefore, action is taken herein to substitute "OM" for "LOM" in the control zone description. Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedures hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as herein set forth.

In § 71.171 (31 F.R. 4589, 6264) the Enid., Okla., control zone is amended to read:

ENID, OKLA.

That airspace within a 5-mile radius of Vance AFB (latitude 36°20'20" N., longitude 97°55'00" W.); and within 2 miles W and 5 miles E of the Vance AFB ILS localizer S course extending from the 5-mile radius zone to the OM; and within 2 miles each side of the Vance AFB TACAN 185° radial, extending from the 5-mile radius zone to 8 miles S of the TACAN; and within 2 miles each side of the Vance VOR 134° radial, extending from the 5-mile radius zone NW to the VOR; and within 2 miles each side of the Vance AFB TACAN 348° radial, extending from the 5-mile radius zone to 7 miles N of the TACAN; and within 2 miles W and 3 miles E of the Vance AFB 17R-35L runway centerline, extending from the 5-mile radius zone to 6 miles N of Vance AFB; and within a 5-mile radius of Woodring Field (latitude 36°22'45" N., longitude 97°47'30" W.); and within 2 miles each side of the Woodring VOR 355° radial, extending from the 5-mile radius zone to 8 miles N of the VOR; and within 2 miles each side of the Woodring VOR 185° radial, extending from the 5-mile radius zone to 8 miles S of the VOR; and within 2 miles each side of the Woodring VOR 011° radial, extending from the 5-mile radius zone to 12 miles N of the VOR; and that airspace within 2 miles each side of the Woodring VOR 191° radial extending from the Woodring Field 5-mile radius zone to 12 miles S of the VOR. This control zone is effective during the dates and times published in the Airman's Information Manual.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Fort Worth, Tex., on June 8, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 66-6549; Filed, June 14, 1966; 8:47 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7406; Amdt. 485]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Gordonsville, Va., VOR	AOM RBn	Direct	3400	T-dn°	300-1	300-1	200-½
Wolftown Int	AOM RBn	Direct	3400	C-d	700-1	700-1	700-1½
Rockfish Int	AOM RBn	Direct	3600	C-n	700-2	700-2	700-2
				S-d-3	700-1	700-1	700-1
				S-n-3	700-2	700-2	700-2
				A-dn	800-2	800-2	800-2
				Minimums if OM received:			
				C-d	500-1	500-1	500-1½
				C-n	500-1½	500-1½	500-2
				S-dn-3	400-1	400-1	400-1

Procedure turn E side of crs, 207° Outbnd, 027° Inbnd, 3400' within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over MHW on final approach crs, 2300'; over OM, 1334'.
Crs and distance, MHW to airport, 027°—7.9 miles; OM to airport, 027°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.9 miles after passing AOM RBn, or 2.9 miles after passing OM, make immediate left-climbing turn to 3400', direct to AOM RBn. Hold SW, 027° Inbnd, 1-minute right turns.
CAUTION: 1164' obstruction, 2.5 miles NE of Runway 21.
*Runway 3 takeoffs: Make immediate left-climbing turn direct to AOM MHW, climb to 3400' in 1-minute right turn, NE shuttle, 207° bearing Inbnd, then proceed as cleared.
*Runway 21 takeoffs: Climb direct to AOM MHW, climb to 3400' in 1-minute right turn, NE shuttle, 207° bearing Inbnd, then proceed as cleared.
MSA within 25 miles of facility: 040°-220°—2900'; 220°-040°—4900'.

City, Charlottesville; State, Va.; Airport name, Charlottesville-Albemarle; Elev., 634'; Fac. Class., MHW; Ident., AOM; Procedure No. 1, Amdt. 2; Eff. date, 2 July 66; Sup. Amdt. No. 1; Dated, 31 July 65

Mentor Int	Cuyahoga County RBn	Direct	3000	T-dn	300-1	300-1	200-½
Fairport Int	Cuyahoga County RBn	Direct	3000	C-dn	500-1	500-1	500-1½
				S-dn-28	400-1	400-1	400-1
				A-dn	NA	NA	NA

Procedure turn NW side of crs, 054° Outbnd, 234° Inbnd, 3000' within 10 miles.
Minimum altitude over Kirtland Int on final approach crs, 1800'.
Crs and distance, facility to airport, 234°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of CUC turn left, climbing to 3000' on crs of 054°, within 10 miles return to CUC RBn.
Hold NE 1-minute right turns, 234° Inbnd.
MSA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2700'; 180°-270°—3000'; 270°-360°—1900'.

City, Cleveland; State, Ohio; Airport name, Cuyahoga County; Elev., 874'; Fac. Class., MHW; Ident., CUC; Procedure No. 1, Amdt. 1; Eff. date, 2 July 66; Sup. Amdt. No. Orig.; Dated, 15 Feb. 64

GJT VOR	GJT RBn	Direct	8100	T-dn%@	300-1	300-1	200-½
Mack Int	Loma Int	Direct	8000	C-d#	700-1	700-1	700-1½
Loma Int	GJT RBn (final)	Direct	8000	C-n#	700-2	700-2	700-2
Sharp Int	GJT RBn	Direct	8000	A-dn	1000-2	1000-2	1000-2
Salt Creek Int	GJT RBn	Direct	8000				

Procedure turn S side crs, 290° Outbnd, 110° Inbnd, 8000' within 10 miles.
Minimum altitude over facility on final approach crs, 7500'.
Crs and distance, facility to airport, 110°—9.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.4 miles after passing GJT RBn, make a right-climbing turn, proceed direct to GJT RBn, climb to 8000' on 290° bearing from RBn within 10 miles.
NOTE: REIL Runways 11 and 29.
%IFR departures must comply with terrain/obstruction avoidance restrictions included in Grand Junction SID's.
@1000-3 required for Runway 4.
#All maneuvering to S of airport; high terrain N.
MSA within 25 miles of facility: 000°-090°—11,400'; 090°-180°—12,000'; 180°-360°—11,000.

City, Grand Junction; State, Colo.; Airport name, Walker Field; Elev., 4857'; Fac. Class., MHW; Ident., GJT; Procedure No. 1, Amdt. 3; Eff. date, 2 July 66; Sup. Amdt. No. 2; Dated, 2 Apr. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Goodsprings Int	LAS RBn	Direct	6700	T-dn%	300-1	300-1	200-½
Kids Int	LAS RBn	Direct	5700	C-d	700-1	700-1	700-1½
Las Vegas VOR	LAS RBn	Direct	5700	C-n	700-2	700-2	700-2
BLD VOR	LAS RBn	Direct	6000	A-dn	800-2	800-2	800-2
Charleston Int	LAS RBn	Direct	7100				

Radar available.
Procedure turn E side of crs, 029° Outbnd, 209° Inbnd, 5700′ within 10 miles.
Minimum altitude over facility on final approach crs, 4600′.
Crs and distance, facility to airport, 196°—8.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.5 miles after passing LAS RBn, climb to 5700′ on 196° crs within 15 miles of LAS RBn.
NOTE: Final approach from holding pattern at LAS RBn not authorized. Procedure turn required.
%Takeoff all runways: IFR departures must comply with published LAS SID's, or as directed by ATC.
MSA within 25 miles of facility: 420°–110°—8500′; 110°–200°—6700′; 200°–290°—11,600′; 290°–020°—10,800′.

City, Las Vegas; State, Nev.; Airport name, McCarran Airport; Elev., 2171′; Fac. Class., H-SAB-Z; Ident., LAS; Procedure No. 1, Amdt. 2; Eff. date, 2 July 66; Sup. Amdt. No. 1; Dated, 4 Apr. 64

North Platte VOR	LBF RBn	Direct	4700	T-dn	300-1	300-1	*200-½
				VOR/ADF receivers required:			
				C-dn	500-1	500-1	500-1½
				S-dn-35	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 175° Outbnd, 355° Inbnd, 4700′ within 10 miles.
Minimum altitude over Moran Int on final approach crs, 3800′; over LBF RBn, 3230′.
Crs and distance, facility to airport, 355°—1.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.9 miles after passing LBF RBn, make right turn climbing to 4700′ on 175° bearing from LBF RBn within 15 miles, make right turn and return to LBF RBn.
NOTE: Approach from holding pattern at RBn not authorized. Procedure turn required.
CAUTION: 3627′ tower, 4.5 miles NNW of airport.
*AIR CARRIER NOTE: 300-1 required for takeoff on Runways 26 and 30.
MSA within 25 miles of facility: 000°–090°—4600′; 090°–180°—4200′; 180°–270°—4300′; 270°–360°—4700′.

City, North Platte; State, Nebr.; Airport name, Lee Bird Field (Municipal); Elev., 2779′; Fac. Class., H-SAB; Ident., LBF; Procedure No. 2, Amdt. Orig.; Eff. date, 2 July 66.

Stonewall Int	LOM (final)	Direct	1600	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-1R	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 186° Outbnd, 006° Inbnd, 1600′ within 10 miles. Beyond 10 miles not authorized.
Procedure turn must be authorized by ATC.
Minimum altitude over facility on final approach crs, 1600′.
Crs and distance, facility to airport, 006°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing DI LOM, proceed direct to Poolesville RBn. Hold N, 186° bearing, 006° Inbnd, 2800′, 1-minute right turns.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—1700′; 180°–360°—2500′.

City, Washington, D.C.; Airport name, Dulles International; Elev., 313′; Fac. Class., LOM; Ident., DI; Procedure No. 1, Amdt. 3; Eff. date, 2 July 66; Sup. Amdt. No. 2; Dated, 11 May 63

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn	300-1	300-1	200-½
				C-d	700-1	700-1	700-1½
				C-n	700-2	700-2	800-2
				S-dn-31R	500-1	500-1	500-1
				A-dn	NA	NA	NA

Procedure turn N side of crs, 115° Outbnd, 295° Inbnd, 1800′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 295°—4.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing MAW VOR, make right turn climbing to 1800′. Return to MAW VOR.
NOTE: Use Cape Girardeau, Mo., altimeter setting.
MSA within 25 miles of facility: 000°–270°—1800′; 270°–360°—2100′.

City, Malden; State, Mo.; Airport name, Malden Municipal; Elev., 295′; Fac. Class., L-BVOR; Ident., MAW; Procedure No. 1, Amdt. 2; Eff. date, 2 July 66; Sup. Amdt. No. 1; Dated, 14 Mar. 64

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn	800-1	800-1	*200-½
				C-dn	600-1	600-1	600-1½
				A-dn	800-2	800-2	800-2
				DME minimums; DME equipment required:			
				C-dn	500-1	500-1	500-1½

Procedure turn E side of crs, 198° Outbnd, 018° Inbnd, 4700′ within 10 miles.
Minimum altitude over facility on final approach crs, 4100′; over 2.5-mile DME Fix (R 018°), 3279′.
Crs and distance, facility to airport, 018°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing LBF VOR, climb to 4700′ on R 018° within 15 miles, make right turn and return to LBF VOR.
CAUTION: 3627′ tower, 4.5 miles NNW of airport.
NOTES: (1) Final approach from holding pattern at VOR not authorized. Procedure turn required. (2) When authorized by ATC, LBF VORTAC DME may be used via 6-mile DME Arc at 4700′ altitude between LBF VOR, R 050° clockwise to R 270° to position aircraft for straight-in approach with elimination of procedure turn.
*AIR CARRIER NOTE: 300-1 required for takeoff Runways 26 and 30.
MSA within 25 miles of facility: 000°–090°—4600′; 090°–180°—4200′; 180°–270°—4300′; 270-360°—4600′.

City, North Platte; State, Nebr.; Airport name, Lee Bird Field (Municipal); Elev., 2779′; Fac. Class., L-BVORTAC; Ident., LBF; Procedure No. 1, Amdt. 9; Eff. date, 2 July 66; Sup. Amdt. No. 8; Dated, 14 Oct. 65

SVM VOR	PTK VOR	Direct	2800	T-dn	300-1	300-1	200-½
FNT VOR	PTK VOR	Direct	2800	C-dn	500-1	500-1	500-1½
Russell Int	PTK VOR (final)	Direct	1900	A-dn*	800-2	800-2	*800-2

Procedure turn S side final approach crs, 275° Outbnd, 095° Inbnd, 2200′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 119°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles after passing PTK VOR, make climbing left turn to 3000′ and proceed to Dennis Int via SVM, R 060°, or when directed by ATC, make left turn to 2200′ and return to PTK VOR.
NOTES: (1) Radar available. (2) When authorized by ATC, DME may be used to position aircraft on final approach crs via 8-mile arc of PTK VORTAC between R 155° clockwise through R 035° at 2700′ with the elimination of procedure turn.
*Alternate minimums authorized only during hours of control zone operation or for air carrier with approved weather reporting service.
MSA within 25 miles of facility: 000°–090°—2500′; 090°–180°—2800′; 180°–270°—2600′; 270°–360°—2200′.

City Pontiac; State, Mich; Airport name, Pontiac Municipal; Elev., 980′; Fac. Class., L-BVORTAC; Ident., PTK; Procedure No. 1, Amdt. 10; Eff. date, 2 July 66; Sup. Amdt. No. 9; Dated, 12 Feb. 65

SVM VOR	Keego Int	Direct	2700	T-dn	300-1	300-1	200-½
PTK VOR	Keego Int	Direct	2700	C-dn	500-1	500-1	500-1½
Troy Int	Keego Int (final)	Direct	2400	S-dn-27	500-1	500-1	500-1
				A-dn*	800-2	800-2	800-2

Procedure turn N side of final approach crs, 115° Outbnd, 295° Inbnd, 2700′ within 10 miles of Keego Int.
Minimum altitude over Keego Int on final approach crs, 2400′.
Crs and distance, Keego Int to airport, 295°—4.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing Keego Int, make right turn to 3000′ and proceed to Dennis Int via SVM, R 030°. When authorized by ATC, DME may be used to position aircraft on final approach crs via 17-mile DME arc of PTK VORTAC between R 360° clockwise through R 235° at 2800′ with elimination of procedure turn.
*Alternate minimums authorized during hours of control zone operation or for air carrier with approved weather reporting service.
MSA within 25 miles of facility: 000–090°—2500′; 090°–180°—2800′; 180°–270°—2600′; 270°–360°—2300′.

City, Pontiac; State, Mich.; Airport name, Pontiac Municipal; Elev., 980′; Fac. Class., BVOR; Ident., PTK; Procedure No. 2, Amdt. 4; Eff. date, 2 July 66; Sup. Amdt. No. 3; Dated, 12 Feb. 66

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
FMN VORTAC	Aztec Int	Direct	9000	T-dn%	300-1	300-1	300-1
Aztec Int	Bondad FM (final)	Direct	8500	C-dn	600-1	600-1	600-1½
				S-dn-2	600-1	600-1	600-1
				A-dn*	1000-2	1000-2	1000-2

Procedure turn S side of crs, 214° Outbnd, 031° Inbnd, 9000′ within 10 miles of Bondad FM.
Minimum altitude over Bondad FM on final approach crs, 8500′.
Facility on airport. Crs and distance, Bondad FM to airport, 031°—5.4 miles; 6 miles, Bondad FM to VOR.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over DRO VOR, turn right, climb to 9500′ on DRO VOR, R 104° within 10 miles.
*Authorized when weather service is available (normally 1300Z to 0500Z).
%IFR departures: Turn right to intercept DRO VOR, R 104°. Climb on R 104° within 10 miles to sufficient altitude to cross DRO VOR at: 13,200′ northbound, V421; 7500′ southbound, V421; 8700′ eastbound, V211; 9600′ westbound, V211.
MSA within 25 miles of facility: 000°–090°—15,100′; 090°–270°—10,400′; 270°–360°—15,300′.

City, Durango; State, Colo.; Airport name, Durango-La Plata County Airport; Elev., 6684′; Fac. Class., L-BVOR; Ident., DRO; Procedure No. TerVOR-2, Amdt. Orig. Eff. date, 2 July 66

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn%--------	1000-1	1000-1	1000-2
				C-dn--------	1000-1	1000-1	1000-2
				A-dn*--------	1500-3	1500-3	1500-3

Procedure turn S side of crs, 104° Outbnd, 284° Inbnd, 9500′ within 10 miles.
All turns to be made to the S side of crs, high terrain to the N.
Minimum altitude over facility on final approach crs, 7700′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished when over DRO VOR, turn right, climb to 9500′ on R 104° within 10 miles.
NOTES: (1) Final approach from holding patterns at VOR not authorized; procedure turn required. (2) Communications with Denver center below 7600′ unreliable.
*Effective during the hours weather is available—normally 1300Z to 0500Z.
MSA: 000°–090°—15,100′; 090°–270°—10,400′; 270°–360°—15,300′.
%IFR departures: Turn right to intercept DRO VOR, R 104°, climb on R 104° within 10 miles to sufficient altitude to cross DRO VOR at: 13,200′ northbound, V421; 7500′ southbound, V421; 8700′ eastbound, V211; 9600′ westbound, V211.

City, Durango; State, Colo.; Airport name, Durango-La Plata County Airport; Elev., 6684′; Fac. Class., L-VOR; Ident., DRO; Procedure No. TerVOR, R 104°, Amdt. 8; Eff. date, 2 July 66; Sup. Amdt. No. 7; Dated, 2 May 66

				T-dn--------	300-1	300-1	200-½
				C-dn--------	500-1	500-1	500-1⅛
				S-dn-9#--------	500-1	500-1	500-1
				A-dn*--------	800-2	800-2	800-2
				With 5 mile DME Fix:			
				S-dn-9--------	400-1	400-1	400-1

Procedure turn S side of crs, 260° Outbnd, 080° Inbnd, 2100′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over 5-mile DME Fix, 2100′.
Minimum altitude over facility on final approach crs, 1140′; with DME, 1040′.
Crs and distance, breakoff point to end Runway 9, 090°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2100′ on R 100° within 15 miles, or when directed by ATC, turn left, climb to 2100′ on R 260° within 15 miles.
CAUTION: 1050′ tower, 2.5 miles S of VOR.
NOTE: When authorized by ATC, DME may be used within 10 miles at 2100′ to position aircraft for a straight-in approach with the elimination of the procedure turn.
*Alternate minimums authorized for air carriers only; provided such air carriers have approval of their arrangement for weather service at this airport. Weather service not available to the general public. Lighting available only on Runways 9–27.
#Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—2000′; 090°–270°—2100′; 270°–360°—2200′.

City, Greenwood; State, S.C.; Airport name, Greenwood County; Elev., 631′; Fac. Class., L-BVOR; Ident., GRD; Procedure No. TerVOR-9, Amdt. 4; Eff. date, 2 July 66; Sup. Amdt. No. 3; Dated, 1 May 65

				T-dn--------	300-1	300-1	200-½
				C-dn--------	500-1	500-1	500-1⅛
				S-dn-27#--------	500-1	500-1	500-1
				A-dn*--------	800-2	800-2	800-2
				With 5-mile DME Fix:			
				S-dn-27--------	400-1	400-1	400-1

Procedure turn N side of crs, 100° Outbnd, 280° Inbnd, 2100′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over 5-mile DME Fix, 2100′.
Minimum altitude over facility on final approach crs, 1140′, with DME, 1040′.
Crs and distance, breakoff point to end Runway 27, 270°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2100′ on R 260° within 15 miles.
CAUTION: 1050′ tower, 2.5 miles S of VOR.
NOTE: When authorized by ATC, DME may be used within 10 miles at 2100′ to position aircraft for a straight-in approach with the elimination of the procedure turn.
*Alternate minimums authorized for air carriers only; provided such air carriers have approval of their arrangement for weather service at this airport. Weather service not available to the general public. Lighting available only on Runways 9–27.
#Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–090°—2000′; 090°–270°—2100′; 270°–360°—2200′.

City, Greenwood; State, S.C.; Airport name, Greenwood County; Elev., 631′; Fac. Class., L-BVOR; Ident., GRD; Procedure No. TerVOR-27, Amdt. 3; Eff. date, 2 July 66; Sup. Amdt. No. 2; Dated, 1 May 65

LAS VOR--------	Pittman Int--------	Direct--------	6000	T-dn%--------	300-1	300-1	200-½
Gypsum Int--------	Fort Int--------	Direct--------	6500	C-dn--------	500-1	500-1	500-1⅛
Mead Int--------	Fort Int--------	Direct--------	6500	S-dn-25*--------	400-1	400-1	400-1
Fort Int--------	Hoover Int--------	Direct--------	5000	A-dn--------	800-2	800-2	800-2
Hoover Int--------	Pittman Int (final)--------	Direct--------	4300				
BLD VOR--------	Hoover Int--------	Direct--------	5000				

Radar available.
Procedure turn S side of crs, 079° Outbnd, 259° Inbnd, 5900′ within 10 miles of Pittman Int.
Minimum altitude over Pittman Int on final approach crs, 4300′.
Crs and distance, Pittman Int to airport, 259°—6 miles, VOR on airport. Breakoff point to runway, 1.1 miles—256°.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing Pittman Int, turn right, climb to 5000′ via LAS VOR, R 066° to Kids Int.
%Takeoff all runways—IFR departures must comply with published LAS SID's, or as directed by ATC.
*400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 030°–120°—6000′; 120°–210°—7300′; 210°–300°—12,100′; 300°–030°—9700′.

City, Las Vegas; State, Nev.; Airport name, McCarran Airport; Elev., 2171′; Fac. Class., H-BVORTAC; Ident., LAS; Procedure No. VOR-25, Amdt. 1; Eff. date, 2 July 66; Sup. Amdt. No. Orig.; Dated, 3 July 65

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Boulder VOR--------	Sloan Int--------	Direct--------	8000	T-dn%--------	300-1	300-1	200-½
Goodsprings Int--------	Sloan Int--------	Direct--------	8000	C-dn--------	500-1	500-1	500-1⅛
Crescent Int--------	Sloan Int--------	Direct--------	6100	A-dn--------	800-2	800-2	800-2
Sloan Int--------	Arden Int (final)--------	Direct--------	3900				

Radar available.
Procedure turn E side of crs, 166° Outbnd, 346° Inbnd, 8000′ within 10 miles of Sloan Int.
Minimum altitude over Sloan Int on final approach crs, 6100′; over Arden Int, 3900′. VOR on airport.
Crs and distance, Arden Int to VOR, 346°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing LAS VOR, turn right, climb to 5000′ on R 066° to Kids Int.
%Takeoff all runways: IFR departures must comply with published LAS SID's, or as directed by ATC.
MSA within 25 miles of facility: 030°–120°—6000′; 120°–210°—7300′; 210°–300°—12100′; 300°–030°—9700′.

City, Las Vegas; State, Nev.; Airport name, McCarran Airport; Elev., 2171′; Fac. Class., H-BVORTAC; Ident., LAS; Procedure No. VOR, R166°, Amdt. 4; Eff. date, 2 July 66; Sup. Amdt. No. 3; Dated 6 June 64

Hartsfield Int--------	MGR VOR--------	Direct--------	1800	T-dn--------	300-1	300-1	200-½
				C-dn--------	500-1	500-1	500-1⅛
				S-dn-4#--------	500-1	500-1	500-1
				A-dn*--------	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 229° Outbnd, 049° Inbnd, 1800′ within 10 miles.
Minimum altitude over facility on final approach crs, 800′.
Crs and distance, breakoff point to runway, 038°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MGR VOR, climb to 1800′ on R 049, MGR VOR within 10 miles, return to MGR VOR. Hold SW, 229° Outbnd, 049° Inbnd, 1-minute right turns.
NOTE: Night operation authorized only on Runways 4–22 and from sunset to 2200. Advance notice required for operation of runway lights after 2200.
*Authorized only for air carriers.
#Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–270°—1700′; 270°–360°—2600′.

City, Moultrie; State, Ga.; Airport name, Sunset; Elev., 294′; Fac. Class., L-BVOR; Ident., MGR; Procedure No. TerVOR-4, Amdt. 2; Eff. date, 2 July 66; Sup. Amdt. No. 1; Dated, 2 Apr. 66

Hartsfield Int--------	MGR VOR--------	Direct--------	2000	T-dn--------	300-1	300-1	200-½
				C-dn--------	500-1	500-1	500-1⅛
				A-dn*--------	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 270° Outbnd, 090° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 800′.
Crs and distance, breakoff point to end of runway, 098°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MGR VOR, turn right, climb to 1800′ on R 180° of MGR VOR within 10 miles, return to MGR VOR. Hold E, 090° Outbnd, 270° Inbnd, 1-minute right turns.
*Authorized not only for Air Carriers.
NOTE: Night operations authorized only on Runways 4–22 and from sunset to 2200. Advance notice required for operation of runway lights after 2200.
MSA within 25 miles of facility: 000°–270°—1700′; 270°–360°—2600′.

City, Moultrie; State, Ga; Airport name, Sunset; Elev., 294′; Fac. Class., L-BVOR; Ident., MGR; Procedure No. Ter VOR-10, Amdt. 3; Eff. date, 2 July 66; Sup. Amdt. No. 2; Dated, 27 June 64

Hartsfield Int--------	MGR VOR--------	Direct--------	1800	T-dn--------	300-1	300-1	200-½
				C-dn--------	700-1	700-1	700-1⅛
				S-dn-22#--------	700-1	700-1	700-1
				A-dn*--------	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 030° Outbnd, 210° Inbnd, 1800′ within 10 miles.
Minimum altitude over facility on final approach crs, 1000′.
Crs and distance, breakoff point to runway, 218°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MGR VOR, turn left, climb to 1800′ on R 180° of MGR VOR within 10 miles, return to MGR VOR. Hold NE, 030° Outbnd, 210° Inbnd, 1-minute right turns.
NOTE: Night operations authorized only on Runways 4–22 and from sunset to 2200. Advance notice required for operation of runway lights after 2200.
*Authorized only for air carriers.
#Reduction not authorized.
MSA within 25 miles of facility: 000°–270°—1700′; 270°–360°—2600′.

City, Moultrie; State, Ga.; Airport name, Sunset; Elev., 294′; Fac. Class., L-BVOR; Ident., MGR; Procedure No. Ter VOR-22, Amdt. 1; Eff. date, 2 July 66; Sup. Amdt. No. Orig.; Dated, 27 June 64

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
10-mile DME Fix, R 017°	5-mile DME Fix, R 017° (final)	Direct	1600	T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-21°	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Radar Fix may be used in lieu of DME Fix.
Procedure turn W side of crs, 017° Outbnd, 197° Inbnd, 1800′ within 10 miles.
Minimum altitude over 5-mile Fix on final approach crs, 1600′.
Crs and distance, breakoff point to approach end Runway 21, 216°—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of HOU VOR, climb to 2500′ on R 213° within 20 miles.
CAUTION: 1549′ tower, approximately 13 miles SW of HOU VOR; 1235′ tower, approximately 11 miles SSE of HOU VOR.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—2300′; 180°–270°—2600′; 270°–360°—1800′.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., H-BVORTAC; Ident., HOU; Procedure No. VOR/DME No. 2, Amdt. 9; Eff. date, 2 July 66; Sup. Amdt. No. 8; Dated, 4 June 66

10-mile DME Fix, R 231°	5-mile DME Fix, R 231° (final)	Direct	1600	T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-3**	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Radar Fix may be used in lieu of DME Fix.
Procedure turn S side of crs, 231° Outbnd, 051° Inbnd, 2500′ within 10 miles.
Minimum altitude over 5-mile DME Fix on final approach crs, 1600′.
Crs and distance, breakoff point to approach end Runway 3, 036°—0.8 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of HOU VOR, climb to 1600′ on R 036° within 20 miles.
CAUTION: 1549′ tower, approximately 13 miles SW of HOU VOR. 1235′ tower, approximately 11 miles SSE of HOU VOR.
*Descent below 2000′ not authorized until aircraft is Inbnd on final approach within 10 miles and descent below 1600′ not authorized until passing 5-mile DME Fix on final.
**400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
MSA within 25 miles of facility: 000°–090°—1600′; 090°–180°—2300′; 180°–270°—2600′; 270°–360°—1800′.

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Fac. Class., H-BVORTAC; Ident., HOU; Procedure No. VOR/DME–3, Amdt. 7; Eff. date, 2 July 66; Sup. Amdt. No. 6; Dated, 4 June 66

18.3-mile DME Fix, LAS, R 166°	8.4-mile DME Fix, LAS, R 166°	Direct	6100	T-dn%	300–1	300–1	200–½
8.4-mile DME Fix, LAS, R 166°	4-mile DME Fix, LAS, R 166° (final)	Direct	[illegible]	C-dn	500–1	500–1	500–1½
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn not authorized.
Minimum altitude over 18.3-mile DME Fix, LAS, R 166°, 9000′; over 8.4-mile DME Fix, LAS, R 166°, 6100′; over 4-mile DME Fix, LAS, R 166°, 3900′. VOR on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing LAS VOR, turn right, climb to 5000′ on R 066° to 12.9-mile DME Fix.
NOTE: When authorized by ATC, DME may be used from 15 to 19 miles at 8000′ altitude from LAS, R 211° counterclockwise to LAS, R 166° and from 15 to 19 miles at 7000′ altitude from LAS, R 030° clockwise to LAS, R 166° to position aircraft for a straight-in approach.
%Takeoff all runways: IFR departures must comply with published LAS SID's, or as directed by ATC.
MSA within 25 miles of facility: 030°–120°—6000′; 120°–210°—7300′; 210°–300°—12,100′; 300°–030°—9700′.

City, Las Vegas; State, Nev.; Airport name, McCarran Airport; Elev., 2171′; Fac. Class., H-BVORTAC; Ident., LAS; Procedure No. VOR/DME No. 1, Amdt. 5; Eff. date, 2 July 66; Sup. Amdt. No. 4; Dated, 6 June 64

PROCEDURE CANCELED, EFFECTIVE 2 JULY 1966.

City, Las Vegas; State, Nev.; Airport name, McCarran Airport; Elev., 2171′; Fac. Class., H-BVORTAC; Ident., LAS; Procedure No. VOR/DME No. 3, Amdt. Orig.; Eff. date, 3 Oct. 64

LAS VOR	7.6-mile DME Fix, R 079°	Direct	6000	T-dn%	300–1	300–1	200–½
30-mile DME Fix, R 079°	22-mile DME Fix, R 079°	Direct	6500	C-dn	500–1	500–1	500–1½
Mead Int	22-mile DME Fix, R 079°	Direct	6500	S-dn-25°	400–1	400–1	400–1
22-mile DME Fix, R 079°	13.6-mile DME Fix, R 079°	Direct	5000	A-dn	800–2	800–2	800–2
13.6-mile DME Fix, R 079°	7.6-mile DME Fix, R 079° (final)	Direct	4300				
BLD VOR	13.6-mile DME Fix, R 079°	Direct	5000				

Radar available.
Procedure turn not authorized.
Minimum altitude over 22-mile DME Fix, LAS, R 079°, 6500′; over 13.6-mile DME Fix, LAS, R 079°, 5000′; over 7.6-mile DME Fix, LAS, R 079°, 4300′.
Facility on airport. Breakoff point to runway, 1.1 miles—256°.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.6-mile DME Fix, R 079°, turn right, climb to 5000′ via LAS VOR, R 066° to Kids Int.
NOTE: When authorized by ATC, DME may be used at 15 miles at 8000′ altitude from LAS, R 030° clockwise to LAS, R-211° to position aircraft for a straight-in approach.
%Takeoff all runways—IFR departures must comply with published LAS SID's, or as directed by ATC.
*400–¾ authorized, except for 4-engine turbojet aircraft with operative high-intensity runway lights.
MSA within 25 miles of facility: 030°–120°—6000′; 120°–210°—7300′; 210°–300°—12,100′; 300°–030°—9700′.

City, Las Vegas; State, Nev.; Airport name, McCarran Airport; Elev., 2171′; Fac. Class., H-BVORTAC; Ident., LAS; Procedure No. VOR/DME No. 4, Amdt. 1; Eff. date, 2 July 66; Sup. Amdt. No. Orig.; Dated, 3 July 66

PROCEDURE CANCELED, EFFECTIVE 2 JULY 1966.

City, Yakutat; State, Alaska; Airport name, Yakutat; Elev., 37′; Fac. Class., BVORTAC; Ident., YAK; Procedure No. VOR/DME No. 2, Amdt. 2; Eff. date, 28 May 66; Sup. Amdt. No. 1; Dated, 28 Aug. 65

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
Gordonsville VOR	AOM RBn	Direct	3400	T-dn%	300–1	300–1	200–½
Wolftown Int	AOM RBn	Direct	3400	C-dn	500–1	500–1	500–1½
Rockfish Int	AOM RBn	Direct	3600	C-n	500–1½	500–1½	500–2
				S-dn-3#	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn E side of crs, 207° Outbnd, 027° Inbnd, 3400′ within 10 miles of AOM RBn.
Minimum altitude over AOM RBn on final approach crs, 2300′; over OM, 1334′.
Crs and distance, AOM RBn to airport, 027°—7.9 miles; OM to airport, 027°—3.9 miles.
No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.9 miles after passing AOM RBn, or 2.9 miles after passing the OM, make immediate left-climbing turn to 3400′ direct to AOM RBn. Hold SW, 027° Inbnd, 1-minute right turns.
CAUTION: 1164′ obstruction, 2.5 miles NE of Runway 21.
%Runway 3 takeoffs: Make immediate left-climbing turn direct to AOM RBn, climb to 3400′ in 1-minute right turns, NE shuttle, 207° bearing Inbnd, then proceed as cleared.
%Runway 21 takeoffs: Climb direct to AOM RBn, climb to 3400′ in 1-minute right turn, NE shuttle, 207° bearing Inbnd, then proceed as cleared.
#Reduction in visibility base on lighting aids not authorized.

City, Charlottesville; State, Va.; Airport name, Charlottesville-Albemarle; Elev., 634′; Fac. Class., ILS; Ident., I-CHO; Procedure No. ILS-3, Amdt. 4; Eff. date, 2 July 66; Sup. Amdt. No. 3; Dated, 19 Mar. 66

Willow DME Fix	Mack Int	Direct	12000	T-dn%@	300–1	300–1	200–½
Mack Int	Loma Int	Direct	8000	C-dn#	600–1½	600–2	600–2
Loma Int	GJT RBn (final)	Direct	8000	S-dn-11°	300–1	300–1	300–1
Sharp Int	GJT RBn	Direct	8000	A-dn	800–2	800–2	800–2
GJT VOR	GJT RBn	Direct	8100				
Salt Creek Int	GJT RBn	Direct	8000				

Procedure turn S side of crs, 290° Outbnd, 110° Inbnd, 8000′ within 10 miles of GJT RBn.
Minimum altitude over GJT RBn on final approach crs, 7700′.
Crs and distance, GJT RBn to airport, 110°—9.4 miles.
Minimum altitude at glide slope interception Inbnd, 7678′.
Minimum altitude and distance to approach end of runway at OM, 5924′—3.6 miles; at MM, 5058′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.6 mile of MM, make a right-climbing turn, climb to 8000′ on NW crs of ILS within 10 miles NW of GJT RBn.
NOTES: (1) No approach lights. (2) REIL Runways 11 and 29.
NOTE: Final approach from holding pattern not authorized. Procedure turn required.
*600–1 required without glide slope, 400–1 authorized if OM received, 300–¾ authorized, except for 4-engine turbojet aircraft with operative high-intensity runway lights.
#All maneuvering to S of airport: high terrain N.
%IFR departures must comply with terrain/obstruction avoidance restrictions included in Grand Junction SID's.
@1000–3 required for Runway 4.

City, Grand Junction; State, Colo.; Airport name, Walker Field; Elev., 4857′; Fac. Class., ILS; Ident., I-GJT; Procedure No. ILS–11, Amdt. 10; Eff. date, 2 July 66; Sup. Amdt. No. 18; Dated, 2 Apr. 66

6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
		Within: *Miles*		Surveillance approach			
250°--------	350°--------	30	2600	T-dn----------	300–1	300–1	200–½
250°--------	030°--------	30	2400	C-dn*---------	400–1	500–1	500–1½
030°--------	215°--------	30	2500	C-dn**--------	700–1	700–1	700–1½
215°--------	250°--------	30	2400	S-dn-$* ------	400–1	400–1	400–1
008°--------	360°--------	10	2600	S-dn-** ------	700–1	700–1	700–1
				A-dn----------	800–2	800–2	800–2

and including the area 4 miles E and 7 miles W of Runway 18–36 centerline extended 16 miles to the N; and the area 4 miles W and 7 miles E of Runways 18–36 centerline extended 16 miles to the S, minimum altitude 2000'.

Radar terminal area transition altitudes—all bearings are from the radar site with sector azimuths progressing clockwise.

Radar control will provide 1000' vertical clearance within a 3-mile radius of towers, 1746' and 1411'—9 miles ENE; 1550'—24 miles NE; 1260'—2.5 miles E; 1130'—9 miles E; 1120'—12 miles NW; and water tank, 1063'—4 miles SSE. Tower, 1167'—14 miles NNE.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runways 4 and 36: Climb to 2500' and proceed to New Baltimore Int. Hold N 1-minute right turns 186° inbnd. Runways 9, 18, 22, and 27: Climb to 3000' and proceed S to Union Int. Hold S, 1-minute right turns, 360° inbnd.

*Runways 4, 9, 18, 36.

**Runways 22 and 27.

$400–¾ authorized for Runways 18 and 36, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

$400–½ authorized for Runways 18 and 36, except for 4-engine turbojet aircraft, with operative ALS.

City, Covington; State, Ky.; Airport name, Greater Cincinnati; Elev., 890'; Fac. Class., and Ident., Cincinnati Radar; Procedure No. 1, Amdt. 6; Eff. date, 2 July 66; Sup. Amdt. No. 5; Dated, 27 Mar. 66

				Surveillance approach			
				T-dn----------	300–1	300–1	200–½
				C-dn----------	500–1	500–1	500–1½
				S-dn-Rwy 25*--	400–1	400–1	400–1
				S-dn-Rwy 19$--	500–1	500–1	500–1
				A-dn----------	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runways 19, 25: Turn left, climb via LAS, R 006° to 5000' at Kids Int.

*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

$500–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

City, Las Vegas; State, Nev.; Airport name, McCarran Airport; Elev., 2171'; Fac. Class., and Ident., Las Vegas Radar; Procedure No. 1, Amdt. 1; Eff. date, 2 July 66; Sup Amdt. No. Orig.; Dated, 2 Nov. 63

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on May 26, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–6465; Filed, June 14, 1966; 8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Regs. No. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950–____)

Miscellaneous Amendments

Subpart M of Regulations No. 4 of the Social Security Administration, as amended (20 CFR 404.1201 et seq.), are further amended as follows:

1. Section 404.1221 is amended to read as follows:

§ 404.1221 Rate and computation of contributions.

(a) *Contributions for calander years prior to 1966.* (1) The rates of taxes imposed on employees by section 1400 of the Internal Revenue Code of 1939 for the respective calendar years prior to 1955, and by section 3101 of the Internal Revenue Code of 1954 for the respective calendar years 1955 through 1965, are as follows:

For the calendar years:	*Percent*
1951 through 1953	1½
1954, 1955, and 1956	2
1957 and 1958	2¼
1959	2½
1960 and 1961	3
1962	3⅛
1963 through 1965	3⅝

(2) The rates of taxes imposed on employers by section 1410 of the Internal Revenue Code of 1939 for the respective calendar years prior to 1955, and by section 3111 of the Internal Revenue Code of 1954 for the respective calendar years 1955 through 1965, are as follows:

For the calendar years:	*Percent*
1951 through 1953	1½
1954, 1955, and 1956	2
1957 and 1958	2¼
1959	2½
1960 and 1961	3
1962	3⅛
1963 through 1965	3⅝

(b) *Contributions for calendar years after 1965.* (1) The rates of taxes imposed on employees by section 3101 of the Internal Revenue Code of 1954 for the respective calendar years are as follows:

For the calendar years	Percent		
	Old-age, survivors, and disability insurance	Hospital insurance	Total
1966	3.85	0.35	4.20
1967 and 1968	3.9	.50	4.40
1969 through 1972	4.4	.50	4.90
1973 through 1975	4.85	.55	5.40
1976 through 1979	4.85	.60	5.45
1980 through 1986	4.85	.70	5.55
1987 and subsequent years	4.85	.80	5.65

(2) The rates of taxes imposed on employers by section 3111 of the Internal Revenue Code of 1954 for the respective calendar years are as follows:

For the calendar years	Percent		
	Old-age, survivors, and disability insurance	Hospital insurance	Total
1966	3.85	0.35	4.20
1967 and 1968	3.9	.50	4.40
1969 through 1972	4.4	.50	4.90
1973 through 1975	4.85	.55	5.40
1976 through 1979	4.85	.60	5.45
1980 through 1986	4.85	.70	5.55
1987 and subsequent years	4.85	.80	5.65

(c) *Method of computation of contributions.* The contributions are computed by applying to the wages actually or constructively paid to an employee the rate in effect at the time such wages are actually or constructively paid.

Example: In 1966, A receives wages of $250 from his employer for services which he performed in 1965. The applicable rate is that for the calendar year 1966 (the year in which the wages were received) rather than the rate for the calendar year 1965 (the year in which the services were performed). Thus, the applicable rate is 4.20 percent (3.85 percent for old-age, survivors, and disability insurance, and 0.35 percent for hospital insurance).

2. Section 404.1230 is amended to read as follows:

§ 404.1230 Statements for employees.

Every State shall furnish or cause to be furnished to each individual performing services in employment as an employee in a coverage group included in an agreement, a written statement or statements, in a form suitable for retention by the employee, showing with respect to wages paid to the employee for such services on or after the effective date of the agreement: (a) The name, business address, and identification number of the State or political subdivision, as the case may be, in the employ of which such service was performed; (b) the name, address, and account number of the employee; (c) the period covered by the statement; (d) the total amount of wages subject to contributions under section 218 of the Social Security Act, as amended, paid during such period; and (e) if the State collects or causes to be collected contributions from individuals performing services in employment as employees in coverage groups included in the agreement, the amount of the employees' contributions with respect to such wages not in excess of the amount of the tax which would be imposed by the Federal Insurance Contributions Act if the services performed by such employees constituted employment as defined in such Act, and, with respect to calendar years after 1965, the proportion of the total amount of such contributions which is for financing the cost of hospital insurance benefits under part A of title XVIII of the Act. (See § 404.1221(b) for rates for calendar years after 1965.) If an adjustment of employees' contributions is made in accordance with § 404.1266, the amount set forth in paragraph (e) of this section shall be the adjusted amount of such contribution. If the State collects or causes to be collected employee's contributions from any individual performing services in employment as an employee in a coverage group included in an agreement, a statement (Internal Revenue Form W–2) furnished by a State or any political subdivision thereof in accordance with the provisions of section 1633 of the Internal Revenue Code of 1939 or section 6051 of the Internal Revenue Code of 1954 to such employee shall constitute the statement required for purposes of this section, if there is included in such statement all of the information required by this section. The statement shall be furnished to the employee not later than January 31 of the year following the calendar year covered by the statement, except that, if the employee leaves the employ of the State or of the political subdivision, so that he no longer performs services in employment as an employee in a coverage group included in an agreement, the final statement shall be furnished on the day on which the last payment of wages is made to the employee. (See § 404.1250(b) relating to the performance of services in more than one coverage group.)

3. Section 404.1250(c) is amended to read as follows:

§ 404.1250 Wage reports and contribution returns in general.

* * * * *

(c) *Contribution returns.* The State shall prepare a contribution return (Form OAR–S1) in duplicate, and attach the original of the return to the recapitulation report (Form OAR–S2), which is filed with the Department of Health, Education, and Welfare. At the same time the State shall file in quadruplicate a certificate of deposit (Form OAR–S11) with the Federal Reserve bank, or any branch thereof, serving the district in which the State is located, together with payment of the amount of contributions due and payable. Checks for such payment shall be made payable to the Treasurer of the United States. It is not necessary that any of the copies of Form OAR–S11 be signed by the depositing officer of the State. For the purposes of reports and returns under the Act, the quarters shall each be 3 calendar months as follows:

(1) January 1 to March 31, both dates inclusive;

(2) From April 1 to June 30, both dates inclusive;

(3) From July 1 to September 30, both dates inclusive; and

(4) From October 1 to December 31, both dates inclusive.

4. Section 404.1250a is amended to read as follows:

§ 404.1250a Wage reports and contribution returns for employees performing services in more than one coverage group.

(a) *Employee of State in more than one coverage group.* Where an individual performs services in employment as an employee of the State in more than one coverage group included in an agree-

ment, the aggregate wages paid to such employee by the State, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965 by the State, shall be reported in the report filed for only one such coverage group, in such manner as may be specified in the agreement.

(b) *Employee of political subdivision in more than one coverage group.* Where an individual performs services in employment as an employee of a political subdivision of the State in more than one coverage group included in an agreement, the aggregate wages paid to such employee by the political subdivision, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965 by the political subdivision, shall be reported in the report filed for only one such coverage group, in such manner as may be specified in the agreement.

(c) *Employee of State and of one or more political subdivisions.* Where an individual performs services in employment as an employee of the State in one or more coverage groups included in an agreement and as an employee of one or more political subdivisions of a State in one or more coverage groups included in an agreement and the State agreement does not provide for the computation of contributions pursuant to section 218 (e)(2) of the Act, the aggregate wages paid to such employee by the State, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965 by the State, shall be reported by the State in accordance with paragraph (a) of this section, and the aggregate wages paid to such employee by each political subdivision of the State, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965 by each political subdivision, shall be reported by each political subdivision, in accordance with paragraph (b) of this section.

(d) *Employee of more than one political subdivision.* Where an individual performs services in employment as an employee of one political subdivision in one or more coverage groups included in an agreement and as an employee of one or more other political subdivisions in one or more coverage groups included in an agreement and the State agreement does not provide for the computation of contributions pursuant to section 218 (e)(2) of the Act, the aggregate wages paid to such employee by each such political subdivision, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965 by each political subdivision, shall be reported by each such political subdivision in accordance with paragraph (b) of this section.

(e) *Employees performing services for more than one employer; section 218(e)(2) of the Act applicable—(1) Employee of State and one or more political subdivisions.* Where an agreement provides for the computation of contributions for any calendar year in accordance with section 218(e)(2) of the Act with respect to an individual who performs services in employment as an employee of the State in one or more coverage groups included in an agreement and as an employee of one or more political subdivisions of such State in one or more coverage groups included in an agreement, the aggregate wages paid to such employee by the State and the political subdivisions, not in excess of $4,200 paid in any such calendar year after 1956 and prior to 1959, not in excess of $4,800 paid in any such calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965, shall be reported. The wages shall be reported by the State and each such political subdivision in accordance with § 404.1255 for the calendar quarter in which paid until the maximum amount for each such calendar year has been reached. In determining when the maximum amount has been reached for any such calendar year, the State shall consider only the wages with respect to which it has been authorized by the agreement to compute the contributions in accordance with section 218(e)(2) of the Act.

(2) *Employee of more than one political subdivision.* Where an agreement provides for the computation of contributions for any calendar year in accordance with section 218(e)(2) of the Act with respect to an individual who performs services in employment as an employee of one political subdivision of the State in one or more coverage groups included in an agreement and as an employee of one or more other political subdivisions of the State in one or more coverage groups included in an agreement, the aggregate wages paid to such employee by such political subdivisions, not in excess of $4,200 paid in any such calendar year after 1956 and prior to 1959, not in excess of $4,800 paid in any such calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965, shall be reported. The wages shall be reported by each such political subdivision in accordance with § 404.1255 for the calendar quarter in which paid until the maximum amount for each such calendar year has been reached. In determining when the maximum amount has been reached for any such calendar year, the State shall consider only the wages with respect to which it has been authorized by the agreement to compute the contributions in accordance with section 218(e)(2) of the Act.

5. Section 404.1250b is amended to read as follows:

§ 404.1250b Filing of single wage report where individual is jointly employed by more than one employer.

Where the State and any of its political subdivisions or any two or more political subdivisions jointly employ any individuals to perform services in employment, the aggregate wages paid to such individuals by the State and any of its political subdivisions, or by any two or more political subdivisions, as the case may be, may, upon request by the State and with the approval of such request by the Secretary, be reported by an agent duly appointed to file such reports if:

(a) There is included in the agreement each of the coverage groups of employees of the State and its political subdivisions, or of two or more political subdivisions, as the case may be, of which such individuals are members;

(b) There is uniformity with respect to such coverage groups in the effective dates of coverage, in the services covered, and in the services excluded from coverage;

(c) There is filed by such agent one wage report for each calendar quarter on Form OAR–S3, which includes the aggregate of the wages paid to such individuals as employees of the State and as employees of any of its political subdivisions, or as employees of any two or more political subdivisions, as the case may be. In computing the aggregate wages to be reported, there shall be included in the wage report the wages (not in excess of $4,200 paid in any calendar year subsequent to 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965) paid or caused to be paid by the State and the wages (not in excess of $4,200 paid in any calendar year subsequent to 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965) paid or caused to be paid by each political subdivision of the State, or, if the individual is not employed by the State, the wages (not in excess of $4,200 paid in any calendar year subsequent to 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965) paid or caused to be paid by each political subdivision of the State by which such individual is employed. (For provisions relating to the furnishing of wage statements to employees see § 404.1230.)

(d) There is included on the wage report (Form OAR–S3) the name and identification number of the State and of each political subdivision of the State by which the individual is employed, or, if the individual is not employed by the State, the name and identification number of each such political subdivision, and the name and address and the identification number of the agent by which the wage reports are filed.

6. Section 404.1266 is amended by adding paragraph (c) thereto to read as follows:

§ 404.1266 Adjustment of employee contributions.

* * * * *

(c) *Credit or refund of self-employment tax.* An individual who properly reported self-employment income may, because of retroactive coverage under a State agreement of his services as an employee, pay in excess of the taxes due for a year or years. If he wishes to claim a refund of such overpayment on his self-employment income, he may do so by complying with the provisions of section 6511(d)(5) of the Internal Revenue Code of 1954, and the regulations issued pursuant thereto.

(Secs. 205, 218, 1102, 53 Stat. 1368, as amended; 64 Stat. 514, as amended, 49 Stat. 647, as amended; sec. 5, Reorg. Plan, No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.S. 405, 418, 1302)

7. *Effective date.* The foregoing amendments shall become effective on the date of publication in the FEDERAL REGISTER.

Dated: May 25, 1966.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: June 7, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-6591; Filed, June 14, 1966; 8:50 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart C—Listing of Color Additives for Food Use Subject to Certification

Subpart E—Listing of Color Additives for Drug Use Subject to Cerification

FD&C YELLOW No. 5; STAY OF EFFECTIVE DATE OF LISTING FOR FOOD AND DRUG USE SUBJECT TO CERTIFICATION

In the matter of listing FD&C Yellow No. 5 for food use (§ 8.275) and drug use (§ 8.4175):

Objections have been received that warrant giving further consideration to the order in the above-identified matter published in the FEDERAL REGISTER of February 22, 1966 (31 F.R. 3008). Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c)(1), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)(1), (d)), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008): *It is ordered*, That the effective date of § 8.275 and § 8.4175 be stayed pending a decision in this matter.

Until further notice, FD&C Yellow No. 5 will continue to be provisionally listed in § 8.501(a).

(Sec. 706 (b), (c)(1), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)(1), (d))

Dated: June 7, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6582; Filed, June 14, 1966; 8:49 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

Subpart D—Food Additives Permitted in Food for Human Consumption

INORGANIC BROMIDES; DENIAL OF INCREASE OF PESTICIDE TOLERANCES; ESTABLISHMENT OF FOOD ADDITIVE TOLERANCES

A petition (PP 4F0345) was filed with the Food and Drug Administration by the Dow Chemical Co., Post Office Box 512, Midland, Mich., 48640, on behalf of themselves; Great Lakes Chemical Corp., New York, N.Y., 10036; Frontier Chemical Co., Newark, N.J., 07105; and Michigan Chemical Co., St. Louis, Mich., 48880, proposing an increase from 50 parts per million to 125 parts per million in the established pesticide tolerances for residues of inorganic bromides resulting from methyl bromide fumigation of barley, corn, grain sorghum (milo), oats, rice, and rye.

Also, a petition (FAP 5H1508) was jointly filed by the same petitioners proposing that food additive tolerances be established at 325 parts per million on milled fractions of barley, corn, grain sorghum (milo), oats, rice, and rye; and at 125 parts per million on the milled fractions of wheat to cover carryover and concentration of inorganic bromide residues resulting from fumigation of the grains with methyl bromide.

A petition (FAP 1H0435) was also filed by the Dow Chemical Co. proposing food additive tolerances for residues of inorganic bromides resulting from fumigation with methyl bromide in dog food at 400 parts per million, in parmesan cheese and roquefort cheese at 325 parts per million, and in other processed foods at 125 parts per million.

The fumigant use of methyl bromide may result initially in residues of this chemical in the food. However, before the food is marketed, these residues rapidly convert from the highly toxic organic form of the pesticide to inorganic bromide residues which have comparatively low toxicity but which in high concentration in the diet are capable of causing the physiological sedative effects typical of inorganic bromide drugs.

After evaluating the data in these petitions and upon consideration of the pharmacology of inorganic bromides, the Commissioner of Food and Drugs has concluded (1) that the pesticide tolerances for grains in § 120.123 should not be increased but should be maintained at the established level of 50 parts per million; (2) that the food additive regulations should be amended to establish the additional safe tolerances for residues of inorganic bromides petitioned for, except that the tolerance requested for 325 parts per million on milled fractions of specified grains should be denied and a tolerance of 125 parts per million should be granted instead; and (3) that these actions will protect the public health.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Part 121 is amended in the following respects:

1. Section 121.270 is revised to read as follows:

§ 121.270 Inorganic bromides.

Tolerances are established for residues of inorganic bromides (calculated as Br) as follows:

400 parts per million for residues in or on dog food, resulting from fumigation with methyl bromide.

125 parts per million for residues in or on milled fractions for animal feed from barley, corn, grain sorghum (milo), oats, rice, rye, and wheat, resulting directly from fumigation with methyl bromide or from carryover and concentration of residues of inorganic bromides from fumigation of the grains with methyl bromide or ethylene dibromide.

90 parts per million for residues in or on dehydrated citrus pulp for cattle feed, resulting from carryover and concentration of residues in this feed item when present therein as a result of soil treatment with the nematocide 1,2-dibromo-3-chloropropane in the production of citrus fruits.

2. Section 121.1020 is amended by revising paragraphs (a), (b), and (w) to read as follows:

§ 121.1020 Inorganic bromides.

* * * * *

(a) When the food additive is present as a result of fumigation of the processed food with methyl bromide or from such fumigation in addition to the authorized use of methyl bromide, ethylene dibromide, or the nematocide 1,2-dibromo-3-chloropropane on the source raw agricultural commodity, as provided for in Part 120 of this chapter, the total residues of inorganic bromides (calculated as Br) shall not exceed the following levels:

325 parts per million in or on parmesan cheese and roquefort cheese.

250 parts per million in or on concentrated tomato products and dried figs.

125 parts per million in or on processed foods other than those listed in paragraph (b) of this section.

(b) When the food additive is present as the result of the use of a mixture of methyl bromide and ethylene dibromide as a fumigant, the residues of inorganic bromides (calculated as Br) shall not exceed the following levels:

400 parts per million in or on dried eggs and processed herbs and spices.
200 parts per million in or on oat flour.

• • • • •

(w) Where tolerances are established under sections 408 and 409 of the act on both the raw agricultural commodities and processed foods made therefrom, the total residues of inorganic bromides in or on the processed food shall not be greater than those designated in paragraphs (a) and (b) of this section, unless a higher level is established elsewhere in Part 120 of this chapter or in this Part 121.

3. Section 121.1133(c) is revised to read as follows:

§ 121.1133 Fumigants for grain-mill machinery.

• • • • •

(c) Residues of inorganic bromides (calculated as Br) in milled fractions derived from cereal grain from all fumigation sources including fumigation of grain-mill machinery, shall not exceed 125 parts per million, except that residues in oat flour shall not exceed 200 parts per million.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 408(d), 409(c)(1), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d), 348(c)(1))

Dated: June 7, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6583; Filed, June 14, 1966; 8:49 a.m.]

Title 29—LABOR

Chapter XIV—Equal Employment Opportunity Commission

PART 1605—GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION

By virtue of its authority under section 713(b) of the Civil Rights Act of 1964, 42 U.S.C. 2000e-12(b), the Equal Employment Opportunity Commission hereby amends Chapter XIV of Title 29 of the Code of Federal Regulations to add a new Part 1605, entitled "Guidelines on Discrimination Because of Religion." Because the provisions of the Administrative Procedure Act (5 U.S.C. 1003) requiring notice of proposed rule making, opportunity for public participation, and delay in effective date, are inapplicable to this interpretative rule it shall become effective immediately and shall be applicable with respect to cases presently before or hereafter filed with the Commission.

The new Part 1605 reads as follows:

§ 1605.1 Observance of Sabbath and religious holidays.

(a) (1) Several complaints filed with the Commission have raised the question whether it is discrimination on account of religion to discharge or to refuse to hire a person whose religious observances require that he take time off during the employer's regular workweek. These complaints arise in a variety of contexts, but typically involve employees who regularly observe Saturdays as the Sabbath or who observe certain special holidays during the year.

(2) The Commission believes that the duty not to discriminate on religious grounds includes an obligation on the part of the employer to accommodate to the reasonable religious needs of employees and, in some cases, prospective employees where such accommodation can be made without serious inconvenience to the conduct of the business.

(3) However, the Commission believes that an employer is free under Title VII to establish a normal workweek (including paid holidays) generally applicable to all employees, notwithstanding that this schedule may not operate with uniformity in its effect upon the religious observances of his employees. For example, an employer who is closed for business on Sunday does not discriminate merely because he requires that all his employees be available for work on Saturday. Likewise, an employer who closes his business on Christmas or Good Friday is not thereby obligated to give time off with pay to Jewish employees for Rosh Hashanah or Yom Kippur.

(b) While the question of what accommodation by the employer may reasonably be required must be decided on the peculiar facts of each case, the following guidelines may prove helpful:

(1) An employer may permit absences from work on religious holidays, with or without pay, but must treat all religions with substantial uniformity in this respect. However, the closing of a business on one religious holiday creates no obligation to permit time off from work on another.

(2) An employer, to the extent he can do so without serious inconvenience to the conduct of his business, should make a reasonable accommodation to the needs of his employees and applicants for employment in connection with special religious holiday observances.

(3) The employer may prescribe the normal work week and foreseeable overtime requirements, and, absent an intent on the part of the employer to discriminate on religious grounds, a job applicant or employee who accepted the job knowing or having reason to believe that such requirements would conflict with his religious obligations is not entitled to demand any alteration in such requirements to accommodate his religious needs.

(4) Where an employee has previously been employed on a schedule which does not conflict with his religious obligations, and it becomes necessary to alter his work schedule, the employer should attempt to achieve an accommodation so as to avoid a conflict. However, an employer is not compelled to make such an accommodation at the expense of serious inconvenience to the conduct of his business or disproportionate allocation of unfavorable work assignments to other employees.

Signed at Washington, D.C., this 9th day of June 1966.

LUTHER HOLCOMB,
Acting Chairman.

[F.R. Doc. 66-6541; Filed, June 14, 1966; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER W—AIR FORCE PROCUREMENT INSTRUCTION

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

Subchapter W is amended as follows:

PART 1001—GENERAL PROVISIONS

Subpart C—General Policies

In § 1001.363, the introductory material is revised and new paragraphs (f) and (g) are added, as follows:

§ 1001.363 Responsibility of procurement personnel to question procurements.

All procurement personnel will use the knowledge gained by daily contact with industry, commodities, markets, prices, and normal process of doing business to support the overall AF mission. This includes questioning any contemplated procurement action that appears inconsistent with this knowledge or wherever else in the judgment of the procuring personnel the Government could be better served by a change in the requirement. Procurement of items questioned will not be made until the matter is resolved by the principal staff officer responsible for the requiring activity and the director of procurement and production of the procuring activity. Questioning may include:

• • • • •

(f) Where the approval level of the requirement appears to be inconsistent with the sensitivity of the requirement from a standpoint of national interest.

(g) Where negotiations have been prolonged, or where the description of the item or delivery schedules have been changed, such that the requirement may no longer be valid.

PART 1003—PROCUREMENT BY NEGOTIATION

Subpart A—Use of Negotiation

§ 1003.101–51 [Deleted]

Section 1003.101–51 is deleted.

PART 1004—SPECIAL TYPES AND METHODS OF PROCUREMENT

Subpart C—Contracts for Preparation of Household Goods for Shipment, Government Storage and Related Services

A new Subpart C is added, as follows:

Sec.
1004.302 Procedure.
1004.302–50 BDO procedure.

AUTHORITY: The provisions of this Subpart C issued under sec. 8012, 70A Stat. 488, secs. 2301–2314, 70A Stat. 127–133, 10 U.S.C. 8012, 2301–2314.

§ 1004.302 Procedure.

§ 1004.302–50 BDO procedure.

The procedures established in this section provide for placement of blanket delivery orders (BDO's) against contracts for Preparation of Household Goods for Shipment, Government Storage, and Related Services and placement of calls against the BDO.

(a) Blanket Delivery Orders for a specified period in an estimated amount will be issued by a contracting officer in the base procurement office.

(b) Calls against the BDO's may be issued by: (1) An individual located in the base procurement office; (2) an individual designated in the BDO by title located outside the base procurement office; or (3) a contracting officer located in the transportation office.

(i) Individuals authorized to place calls, when in receipt of Special Orders authorizing movement of household goods and citing funds, will assume that funds have been committed for the packing and crating requirement incident to the movement of the individual named in the Special Orders.

(ii) The person placing oral calls will establish a control record at the beginning of each month indicating the call number, name of individual for whom services are to be performed, date of placement of call, Special Order Number, voucher number, date payment was made, amount and accumulated expenditures. In no event will the sequence of call numbers be interrupted. The accumulated expenditure will be brought forward to the control record for the next month. At the end of each month the amount column should be totalled for reporting purposes.

(iii) Calls will be numbered according to § 1003.605–3(c).

(iv) Prior to contacting the contractor to place a call, the individual authorized to place calls will be furnished a copy of the Special Order indicating the individual for whom services are to be ordered and a form letter in duplicate indicating date and place of pickup, estimated weight of household goods, special markings, destination, and any other information required incident to the services to be performed. On receipt of the above information, he will contact the contractor, establish a firm pickup date, and issue a call number from control records. This information will then be placed on a duplicate copy of the form letter and returned to the transportation officer who will use this information when preparing the Standard Form 1034. In addition, the transportation officer will keep the contracting officer informed of contractor performance on a daily basis to assure contractor compliance.

(v) Wherever possible, calls should be placed in the month in which services are to be performed. Services should be scheduled no more than 48 hours in advance if call is placed during the last two days of a month.

(c) Payment for services rendered may be on a consolidated monthly basis or at more frequent intervals as determined by the contracting officer. Payment vouchers should not reflect services performed in more than one month.

(d) The contractor's invoices for services will be directed to the transportation officer who will place upon them a certificate of services rendered. The transportation officer will then periodically (normally at the end of each month) prepare Standard Form 1034 setting forth each call number, individual for whom services were performed, special order number, the dollar amount, and citations of various funds set forth in the special orders with the total amount chargeable to each and add necessary special orders and vendors invoices and forward them to the contracting officer. The contracting officer will then certify Standard Form 1034 and forward the entire package to accounting and finance for payment.

(e) The transportation officer will be responsible for performing technical assistance and for notifying the contracting officer of noncompliance with contractual requirements.

Subpart X—Contract Vehicle Maintenance

§ 1004.2402 [Amended]

In § 1004.2402(e)(1), the two symbols "BPA" are changed to read "BDO."

Subpart Y, "Packing and Crating" is deleted since this material now appears in Subpart C of this part.

PART 1007—CONTRACT CLAUSES

Subpart D—Clauses for Cost-Reimbursement Type Research and Development Contracts

§ 1007.403–15 [Amended]

The heading of § 1007.403–15 is amended to read: Quality program.

Subpart NN—Special Clauses

§ 1007.4014 [Deleted]

Section 1007.4014 is deleted.

PART 1013—GOVERNMENT PROPERTY

Subpart C—Special Tooling

§ 1013.350 [Deleted]

Section 1013.350 is deleted.

PART 1014—INSPECTION AND ACCEPTANCE

Subpart A—Inspection

§§ 1014.105; 1014.106 [Deleted]

Sections 1014.105 and 1014.106 are deleted.

PART 1053—CONTRACTS; GENERAL

Subpart D—Administrative Requirements

In § 1053.404–2, paragraph (l) is revised to read as follows:

§ 1053.404–2 Definitions.

• • • • •

(l) *AFCMD Test Site Office (AFCMD TSO).* An AFCMD Test Site Office is a detachment of the Air Force Contract Management Division. The TSO is responsible for the administration of contracts being performed by contractors at an AF test site as required by any Government procurement or contract administration office.

• • • • •

(Sec. 8012, 70A Stat. 488, secs. 2301–2314, 70A Stat. 127–133, 10 U.S.C. 8012, 2301–2314) [AFPI Rev. No. 65, April 29, 1966; AFPC No. 10, April 28, 1966]

By order of the Secretary of the Air Force.

LUCIAN M. FERGUSON,
Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 66-6532; Filed, June 14, 1966; 8:46 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66–EA–20]

TRANSITION AREAS

Proposed Designation and Revocation

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot floor transition area over Auburn-Lewiston Municipal Airport, Auburn, Maine, and revoke the Lewiston-Auburn, Maine, transition area (31 F.R. 2213).

The Lewiston, Maine, radio beacon has been relocated to a position 43°59'13" N., 70°19'29" W. and been renamed the New Gloucester radio beacon. This relocation has required a revised instrument approach procedure to Auburn-Lewiston Municipal Airport which in turn requires alterations to the present Lewiston-Auburn, Maine, 700-foot floor transition area. However, this transition area will be renamed the Auburn, Maine, transition area.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Auburn-Lewiston, Maine, proposes the airspace actions hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the Lewiston-Auburn, Maine, transition area.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate an Auburn, Maine, 700-foot floor transition area described as follows: "That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 44°02'55" N., 70°17'00" W., of Auburn-Lewiston Municipal Airport, Auburn, Maine; within 2 miles each side of the 025° and 205° bearings of the New Gloucester, Maine, RBN extending from the 5-mile radius area to 8 miles southwest of the RBN; and within 2 miles each side of the 049° bearing of the New Gloucester RBN extending from the RBN to 12 miles NE of the RBN."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on June 1, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66–6550; Filed, June 14, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66–EA–22]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Calverton, N.Y., control zone (31 F.R. 2076).

The Peconic River Airport control tower's hours of operation have been changed to 0700–2330 local time, Monday through Saturday and 0800–1630 local time on Sundays. The control zone is altered to meet the revised tower operation.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Calverton, N.Y., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to change the Calverton, N.Y., control zone description by deleting, "This control zone is effective 0800–2400 hours, local time, Monday through Friday." and insert in lieu thereof, "This control zone is effective 0700–2330 hours, local time, Monday through Saturday and 0800–1630 hours, local time, Sunday."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on June 1, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66–6551; Filed, June 14, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66–EA–23]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Philadelphia, Pa., control zone (31 F.R. 2125).

With the establishment of a new instrument approach procedure to Runway 27 at Philadelphia International Airport, additional airspace protection will be required for the procedure.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Philadelphia, Pa., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to revise the Philadelphia, Pa., control zone by deleting the phrase, "to the OM" and insert in lieu thereof, "to the OM; and within 2 miles each side of the Philadelphia ILS localizer E course extending from the 5-mile radius zone to 5 miles east of the localizer."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on June 1, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66–6552; Filed, June 14, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66–EA–28]

CONTROL ZONE AND TRANSITION AREA

Proposed Alterations

The Federal Aviation Agency is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Cincinnati, Ohio, control zone (31 F.R. 2079) and transition area (31 F.R. 2171).

A new ILS instrument approach procedure for Cincinnati Municipal (Lunken Field) Airport, Cincinnati, Ohio, has been recently authorized. To provide airspace protection for the new procedure, it will be necessary to alter the existing control zone and transition area. The effect of the proposed alterations will delete the airspace previously required for the LFR approach procedure which will be canceled in the near future.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Cincinnati, Ohio, proposes the airspace actions hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Cincinnati, Ohio, control zone and insert in lieu thereof: "Within a 5-mile radius of the center, 39°06'14" N., 84°25'18" W., of Cincinnati Municipal (Lunken Field) Airport, Cincinnati, Ohio; and within 2 miles each side of the Cincinnati Municipal localizer course extending from the 5-mile radius zone to the Madeira, Ohio, RBN.".

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to amend the description of the Cincinnati, Ohio, transition area by deleting the phrase, "Within a 8-mile radius of the center 39°06'00" N., 84°25'15" W. of Cincinnati Municipal Lunken Airport; and within 2 miles each side of the Cincinnati RR northeast course extending from the 8-mile radius area to 8 miles northeast of the RR.", and insert in lieu thereof, "Within an 8-mile radius of the center, 39°06'14" N., 84°25'18" W., of Cincinnati Municipal (Lunken Field) Airport, Cincinnati, Ohio.".

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on June 1, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66–6553; Filed, June 14, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66–EA–32]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a part-time, 700-foot floor transition area over William M. Tuck Airport, South Boston, Va.

The establishment of a new instrument approach procedure to William M. Tuck Airport will require airspace protection for aircraft executing the procedure down to 700 feet above the surface and executing the departure procedure above 700 feet above the surface.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of South Boston, Va., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a South Boston, Va., 700-foot floor transition area described as follows: "Within a 5-mile radius of the center, 36°42'35" N., 78°50'55" W., of William M. Tuck Airport, South Boston, Va.; and within 2 miles each side of the South Boston, Va., VOR 076° radial extending from the 5-mile radius area to the VOR. This transition area shall be in effect sunrise to sunset, daily".

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on June 1, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc 66–6554; Filed, June 14, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66–EA–35]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Olean, N.Y., 700-foot floor part-time transition area (31 F.R. 2233).

The instrument approach procedure times of authorization for the Olean, N.Y., radio beacon have recently been altered from 0800 to sunset local time to 0700 to 2200 hours local time, daily. This modification requires a revision to the Olean Municipal Airport, Olean, N.Y., part-time transition area.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after

publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Olean, N.Y., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to revise the description of the Olean, N.Y., transition area by deleting the words, "from 0800 hours, local time, to sunset daily.", and insert in lieu thereof, "from 0700 to 2200 hours, local time, daily.".

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on June 1, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-6555; Filed, June 14, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-49]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to revise the Readington, N.J., 700-foot floor transition area (31 F.R. 2245).

Additional transition area airspace is necessary to preserve an altitude for aircraft departing on instrument flight plans from Newark, Morristown, Solberg-Hunterdon, Somerset, Kupper, and Mercer County N.J., airports that are cleared via the Solberg, New Jersey VOR 237° radial. This requirement is predicated upon rising terrain south of the Solberg VOR. Additionally, there has been a refinement of the Solberg-Hunterdon Airport geographic coordinates.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Readington, N.J., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulation so as to revise the description of the Readington, N.J., 700-foot floor transition area to be described as follows: "That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 40°34'55" N., 74°44'20" W., of Solberg-Hunterdon Airport, Readington, N.J., and within 5 miles east and 5 miles west of Solberg, N.J., VORTAC 227° radial extending from the 6-mile radius area to 14 miles southwest of the VORTAC excluding the portion that coincides with the New York, N.Y., transition area."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on June 1, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-6556; Filed, June 14, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SW-21]

CONTROL ZONES AND TRANSITION AREA

Proposed Revocation, Establishment and Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Killeen, Tex., terminal area.

The Killeen, Tex., control zone is presently designated as that airspace within a 5-mile radius of Robert Gray AAF, Killeen, Tex. (latitude 31°04'20" N., longitude 97°49'45" W.), within a 5-mile radius of Fort Hood AAF (latitude 31°08'15" N., longitude 97°42'50" W.), within 2 miles each side of the 339° bearing from the 5-mile radius zone to 7 miles N of the RBN, within 2 miles each side of the Hood VOR 271° radial extending from the 5-mile radius zone to the VOR, and within 2 miles each side of the Hood VOR 352° radial extending from the 5-mile radius zone to the VOR. The portion of this control zone within R-6302A, R-6302B, and R-6302C shall be used only after obtaining prior approval from appropriate authority. This control zone is effective during the dates and times established in advance by publication of special notices in the Airman's Information Manual.

The Killeen, Tex., transition area is designated as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Hood AAF (latitude 31°08'15" N., longitude 97°42'50" W.), within a 7-mile radius of Robert Gray AAF (latitude 31°04'20" N., longitude 97°49'45" W.), within 2 miles each side of the 339° bearing from the Gray RBN extending from the Robert Gray AAF 7-mile radius area to 8 miles N of the RBN, and within 8 miles W and 5 miles E of the Hood VOR 352° and 172° radials extending from 5 miles N to 12 miles S of the VOR; that airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 30°48'00" N., longitude 97°39'00" W.; to latitude 30°48'00 N., longitude 98°03'00" W.; to latitude 30°33'30" N., longitude 98°31'-30" W.; to latitude 31°13'00" N., longitude 98°38'00" W.; to latitude 31°23'31" N., longitude 97°47'45" W.; to latitude 31°22'33" N., longitude 97°42'45" W.; to latitude 31°20'48" N., longitude 97°40'-32" W.; to latitude 31°19'37" N., longitude 97°40'32" W.; to latitude 31°13'45" N., longitude 97°32'35" W.; to latitude 31°06'06" N., longitude 97°32'42" W.; to latitude 30°57'00" N., longitude 97°-36'00" W.; to point of beginning. The portions of this transition area within R-6302A, R-6302B, and R-6302C shall be used only after obtaining prior approval from appropriate authority.

The Federal Aviation Agency proposes to revoke the existing Killeen, Tex., control zone and establish the Killeen, Tex. (Fort Hood AAF) and (Robert Gray AAF), control zones as follows:

KILLEEN, TEX. (FORT HOOD AAF)

Within a 5-mile radius of Fort Hood AAF (latitude 31°08'15" N., longitude 97°42'50" W.), within 2 miles each side of the Hood VOR 352° radial (343° magnetic) extending from the 5-mile radius zone to the VOR, within a 3-mile radius of Killeen Municipal Airport (latitude 31°05'10" N., longitude 97°41'05" W.), and within 2 miles each side of the Hood VOR 219° (210° magnetic) radial extending from the 3-mile radius zone to 8 miles SW of the VOR.

KILLEEN, TEX. (ROBERT GRAY AAF)

Within a 5-mile radius of Robert Gray AAF (latitude 31°04'20" N., longitude 97°-49'45" W.), within 2 miles each side of the 341° bearing (332° magnetic) from the Gray RBN extending from the 5-mile radius zone to 8 miles N of the RBN, and within 2 miles each side of the Hood VOR 271° radial (262° magnetic) extending from the 5-mile radius zone to the VOR, excluding the portion within the Killeen, Tex. (Fort Hood AAF), control zone. This control zone is effective during the dates and times published in the Airman's Information Manual.

The Federal Aviation Agency proposes to alter the Killeen, Tex., transition area as follows:

KILLEEN, TEX.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Hood AAF (latitude 31°08'15" N., longitude 97°42'50" W.), within a 7-mile radius of Robert Gray AAF (latitude 31°04'20" N., longitude 97°49'45" W.); within 8 miles W and 5 miles E of the Hood VOR 352° and 172° radials (343° and 163° magnetic) extending from 5 miles N to 12 miles S of the VOR; that airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 30°48'00" N., longitude 97°39'00" W.; to latitude 30°48'00" N., longitude 98°03'00" W.; to latitude 30°33'30" N., longitude 98°-31'30" W.; to latitude 31°13'00" N., longitude 98°38'00" W.; to latitude 31°23'31" N., longitude 97°47'45" W.; to latitude 31°22'33" N., longitude 97°42'45" W.; to latitude 31°-20'48" N., longitude 97°40'32" W.; to latitude 31°19'37" N., longitude 97°40'32" W.; to latitude 31°13'45" N., longitude 97°32'35" W.; to latitude 31°06'06" N., longitude 97°-32'42" W.; to latitude 30°57'00" N., longitude 97°36'00" W.; to point of beginning.

Establishment of the control zones and alteration of the transition area proposed herein would provide protection for aircraft executing prescribed instrument approach and departure procedures at Fort Hood AAF, Robert Gray AAF, and the Killeen, Tex., Municipal Airport.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Post Office Box 1689, Forth Worth, Tex., 76101. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on June 8, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 66-6557; Filed, June 14, 1966; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SW-24]

TRANSITION AREAS

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the airspace associated with the El Dorado, Ark., and Shreveport, La., transition areas.

The El Dorado, Ark., transition area is presently designated as that airspace extending upward from 700 feet above the surface within 5 miles SE and 8 miles NW of the El Dorado VOR 059° radial, extending from the VOR to 12 miles NE; that airspace extending upward from 1,200 feet above the surface within 5 miles SE and 8 miles NW of the El Dorado VOR 059° and 239° radials, extending from 7 miles SW to 13 miles NE of the VOR, and within 5 miles each side of the El Dorado VOR 233° radial, extending from the El Dorado VOR to 23 miles SW of Goodwin Airport.

The description of the Shreveport, La., transition area states, in part, "excluding the portion within the El Dorado, Ark., transition area."

The Federal Aviation Agency proposes the following airspace actions:

1. Redesignate the El Dorado, Ark., transition area as that airspace extending upward from 700 feet above the surface within 5 miles SE and 8 miles NW of the El Dorado VORTAC 059° radial (052° magnetic), extending from the VORTAC to 12 miles NE, within 5 miles SE and 5 miles NW of the 239° radial (232° magnetic) extending from the VORTAC to 5 miles SW; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 33°20'30" N., longitude 92°51'30" W.; to latitude 33°30'00" N., longitude 92°51'30" W.; to latitude 33°30'00" N., longitude 92°30'00" W.; to latitude 32°44'00" N., longitude 92°-20'00" W.; to point of beginning.

2. Delete "excluding the portion within the El Dorado, Ark., transition area" from the description of the Shreveport, La., transition area.

Alteration of the El Dorado, Ark., transition area would provide airspace protection for aircraft executing the instrument approach for Goodwin Airport, El Dorado, Ark., as modified to permit use of specified DME orbits for final approach with elimination of procedure turn.

The change in the Shreveport transition area description would simplify the boundary designation between the Shreveport and El Dorado transition areas.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Post Office Box 1689, Fort Worth, Tex., 76101. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on June 8, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 66-6558; Filed, June 14, 1966; 8:47 a.m.]

[14 CFR Parts 71, 73]

[Airspace Docket No. 66-WE-23]

RESTRICTED AREA AND CONTROLLED AIRSPACE

Proposed Alteration and Designation

The Federal Aviation Agency (FAA) is considering amendments to Parts 71 and 73 of the Federal Aviation Regulations which would establish a restricted area near Fort Carson, Colo., alter the description of the continental control area to reflect the establishment of the restricted area, and make minor changes in the description of the existing Fort Carson, Colo., restricted area R-2601.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

The Department of the Army has submitted a request for the designation of additional restricted airspace at Fort Carson, Colo., to contain ground firing exercises to be performed by a division, training to meet operational readiness and combat efficiency. In addition, during summer periods, Fort Carson supports training encampments of selected reserve force units of the National Guard and the U.S. Army. The Army has advised that the influx of additional troop units severely limits the training capacity of Fort Carson. The Army also advises that land-use rights have been obtained for the property underlying the proposed restricted area. Under this proposal, the area would be designated on a continuous basis from the surface to 35,000 feet MSL and would be designated as joint use with the Denver ARTCC as the controlling agency. The FAA has determined that the requested airspace does not overlie any VFR flyways, would not interfere with any airways or jet routes, and would not affect terminal IFR procedures at Peterson Field, Colorado Springs, Colo., more than the existing Restricted Area R–2601 presently does.

The Coast and Geodetic Survey, in plotting the geographical coordinates of the proposed restricted area recommended minor changes in two of the coordinates to make it abut Colorado Highway No. 115. Likewise, a similar change appears in order in the description of the Fort Carson, Colo., Restricted Area R–2601 by deleting "longitude 104°51'40" W." wherever it appears and substituting "longitude 104°52'00" W." therefor.

The Federal Aviation Agency therefore proposes the airspace actions as hereinafter set forth.

a. R–2602 FORT CARSON, COLO.

Boundaries: Beginning at latitude 38°39'00" N., longitude 104°52'00" W.; to latitude 38°36'20" N., longitude 104°52'00" W.; to latitude 38°32'06" N., longitude 104°49'18" W.; to latitude 38°32'06" N., longitude 104°45'00" W.; to latitude 38°26'10" N., longitude 104°45'00" W.; to latitude 38°26'10" N., longitude 104°57'13" W.; to latitude 38°32'38" N., longitude 104°57'13" W.; thence northeast along Colorado Highway No. 115 to point of beginning.

Designated altitudes: Surface to 35,000 feet MSL.

Time of designation: Continuous.

Controlling agency: Federal Aviation Agency, Denver ARTC Center.

Using agency: Commanding General Fort Carson, Colo.

b. Alter the description of the Fort Carson, Colo., restricted area R–2601 by deleting "longitude 104°51'40" W." wherever it appears and substituting "longitude 104°52'00" W." therefor.

c. Add R–2602 to the list of restricted areas included within the continental control area.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 8, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–6559; Filed, June 14, 1966; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 17]

[Docket No. 16474]

CONSTRUCTION, MARKING AND LIGHTING OF ANTENNA STRUCTURES

Order Extending Time for Filing Reply Comments

1. On March 22, 1966, the Commission issued an order extending time for filing comments and reply comments in the above entitled matter.

2. On June 6, 1966, the American Telephone & Telegraph Co. filed a request for extension of time until July 5, 1966, for filing reply comments in this proceeding. The American Telephone & Telegraph Co. states that because most of the comments were filed on or about May 25, 1966, and because of the Memorial Day holiday, copies of all comments were not available for study until June 2, 1966. Since the last day for filing comments was June 4, 1966, American Telephone & Telegraph Co. states sufficient time was not available to study the comments and file reply comments.

3. In view of the importance of the subject rule making and the showing made by the petitioner for additional time, it appears that an extension to July 5, 1966, for filing reply comments would serve the public interest. Accordingly, it is ordered this 10th day of June 1966, that the time for filing reply comments is extended from June 4, 1966, to July 5, 1966.

4. This action is taken pursuant to authority contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.251(b) of the Commission's rules.

Released: June 10, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6571; Filed, June 14, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. R–304]

[18 CFR Part 8]

RECREATIONAL FACILITIES AT LICENSED PROJECTS

Prohibition of Discrimination

JUNE 8, 1966.

Implementation of rules in order No. 313.

1. Pursuant to section 4 of the Administrative Procedure Act, the Commission hereby gives notice that it proposes to adopt a rule prohibiting discrimination on account of race, creed, color, or national origin in connection with recreation facilities at licensed projects. The licensee would be required to post notices to this effect and to instruct its employees and any persons who lease or manage the recreation facilities that such discrimination is forbidden.

2. The courts have repeatedly held that a grant of the use of some part of the public domain to a private operator carries with it, as a matter of constitutional law, an obligation to operate the granted premises in a nondiscriminatory manner. This rule logically applies to the licensing by the Commission of non-Federal hydroelectric projects, and specifically to the recreation facilities provided at such projects. The Commission has already expressed its disapproval of such discrimination in a statement of general policy (18 CFR § 2.7(g), order No. 313, Dec. 27, 1965, 30 F.R. 16197) and intends by the proposed rule to provide a legally enforceable regulation under the Power Act to the same effect.

Section 10(a) of the Federal Power Act provides:

> That the project adopted * * * shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water-power development, and for other beneficial public uses, including recreational purposes * * *.

The Commission has a responsibility to insure that the fullest practicable use be made of the waterways on which projects are constructed. The national waterways are a resource which should be made as serviceable as possible to the entire public, for recreational purposes as well as hydroelectric power and navigation. The full potential of these recreational opportunities can be realized only if they are made accessible to all members of the public desiring to use them, without racial, religious, or ethnic discrimination, and if the public is fully aware that such discrimination will not be practiced. Other Federal agencies have prescribed regulations to the same effect. For example, the Corps of Engineers has issued a rule (36 CFR 311.20) reading:

> All project land and water areas which are open to the public shall be available for use and enjoyment by the public without regard to race, creed, color or national origin. No lessee or licensee of a project area under lease or license providing for a public or quasi-public use, including group camp activities, and no concessionaire of a lessee or licensee providing a service to the public, including facilities and accommodations shall discriminate against any person or persons because of race, creed, color or national origin in the conduct of its operations under the lease, license or concession agreement.

See also 50 CFR § 80.11(g) and 30 F.R. 7315 (June 3, 1965) (Bureau of Sport Fisheries and Wildlife, Department of the Interior); 36 CFR §§ 1.60, 2.28, 3.46, 5.7 (National Park Service).

3. Accordingly, it is proposed to amend Part 8 of Subchapter B, Chapter I of Title 18 of the Code of Federal Regulations, as follows:

a. Add a new § 8.3 to read:

§ 8.3 **Discrimination prohibited.**

(a) Every licensee maintaining recreation facilities for the use of the public at a licensed project, or employing or permitting any other person to maintain such facilities, shall permit, or require such other person to permit, equal and unobstructed use of such facilities to all members of the public without regard to race, color, religious creed, or national origin.

b. In § 8.2(a) add the following new sentence:

§ 8.2 Posting of project lands * * *

(a) * * * In addition, the licensee shall post at all such locations notice that the recreation facilities are open to all members of the public without regard to race, color, religious creed, or national origin.

c. Revise the title of Part 8 to read: "Part 8—Recreational Opportunities at Licensed Projects".

4. This amendment to the Commission's Regulations is proposed to be issued under the authority of the Federal Power Act, as amended, particularly sections 10(a) and 309 thereof (49 Stat. 842, 858; 16 U.S.C. 803(a), 825h), and of the U.S. Constitution.

5. Any person may submit to the Federal Power Commission, Washington, D.C., 20426, not later than July 15, 1966, data views, comments and suggestions in writing concerning the proposed amendments. An original and nine conformed copies of any such submission should be filed. The Commission will consider any such written submissions before acting on the proposed amendments.

By direction of the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6525; Filed, June 14, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 66-38]

"RAY (SS(N)653)"

Closing of James River to Navigation During Launching

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by Treasury Department Order 120 dated July 31, 1950 (15 F.R. 6521) and Executive Order 10173, as amended by Executive Orders 10277, 10352, and 11249, I hereby affirm for publication in the FEDERAL REGISTER the order of O. C. Rohnke, Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

SPECIAL NOTICE JAMES RIVER

Under the authority of Title II of the Espionage Act of June 15, 1917 (40 Stat. 220), as amended, and Executive Order 10173 as amended, I declare that from 10:30 a.m., e.d.t. until 2:30 p.m., e.d.t. Tuesday, June 21, 1966 the following area is a security zone and I order that it be closed to any person or vessel due to the launching of "RAY (SS(N) 653)":

The water of the James River, Norfolk-Newport News Harbor, Va., within the coordinates of latitude 36°50'34" N., longitude 76°26'53" W. at the shoreline of Newport News, thence southwesterly 500 yards to latitude 36°59'27" N., longitude 76°27'10" W., thence southeasterly to latitude 36°58'43" N., longitude 76°26'41" W. thence easterly to Newport News Shipbuilding Co., Pier 8 Light (USCG Light List No. 2736.5).

No person or vessel may remain in or enter this security zone.

The Captain of the Port, Norfolk-Newport News Area, Va., shall enforce this order.

The Captain of the Port may be assisted by employees and facilities of any State or political subdivision thereof or any Federal Agency.

For violation of this order Title II of the Espionage Act of June 15, 1917 (40 Stat. 220), as amended, provides:

"If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this title, or obstructs or interferes with the exercise of any power conferred by this title, the vessel, together with her tackle, apparel, furniture, and equipment shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be fined not more than $10,000 or imprisoned not more than 2 years, or both.

"If any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this title, or knowingly obstructs or interferes with the exercise of any power conferred by this title, he shall be punished by imprisonment for not more than 10 years and may, at the discretion of the court, be fined not more than $10,000."

Dated: June 7, 1966.

[SEAL] W. J. SMITH,
Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 66-6526; Filed, June 14, 1966; 8:45 a.m.]

DEPARTMENT OF DEFENSE

Department of the Air Force

BUY AMERICAN ACT

Secretarial Finding of Violation

Pursuant to the authority contained in section 3(b) of the Buy American Act (47 Stat. 1520; 41 U.S.C. 10b(b)), the Secretary of the Air Force has issued a finding, as follows:

(a) That, a Construction Contract AF 66(600)-1816, was awarded by the Base Procurement Office, Ramey Air Force Base, P.R., on a straight fixed price basis to the Hau & Curran Construction Co., Isabela, P.R., November 15, 1960. Said contract, as amended in the amount of $32,810.10, consisted of such work as necessary to replace water service connections, including service stops and service bases, for 196 buildings at Ramey Air Force Base. The contract contained a "Buy American Act" clause (41 U.S.C. 10) pursuant to Armed Services Procurement Regulation, section VI, Part 204.5.

(b) That on March 14, 1963, the contractor was notified by letter of several instances where installation of substandard pipe had been noted in connection with the above numbered contract.

(c) That the pipe in question was examined by the Federal Bureau of Investigation Laboratory and in its report of March 27, 1964, indicated that said pipe failed to conform to the contract specifications.

(d) That the contractor was further notified of the possibility that this pipe was not American made.

(e) That the pipe purchased for the initial contract work was inspected and found to be American made, and in compliance with the specification and was used in the performance of the contract prior to the amendments thereto.

(f) That, however, pipe installed by the Hau and Curran Construction Co. in performance of additional work under subsequent modifications to the contract was purchased from one Roses & Co., Inc., Arecibo, P.R., and that said purchase was made by the contractor with the full knowledge that the pipe was of foreign make and import and further, that said purchase occurred even though the contractor was advised of such foreign source of pipe manufacture by representatives of the selling agency.

(g) That invoice records presented by the General Manager of Roses & Co. during the investigation of this case confirm said purchase of foreign made pipe, and that the name of the foreign source of said pipe was further made available in writing to the Hau & Curran Construction Co., notwithstanding a verbal statement to the contrary by a partner of the firm.

In consideration of the above, the Secretary of the Air Force found that such actions reflect a violation of the Buy American Act.

By order of the Secretary of the Air Force.

LUCIAN M. FERGUSON,
Colonel, USAF, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 66-6533; Filed, June 14, 1966; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. B-384]

CROSBY B. AMES

Notice of Loan Application

Crosby B. Ames, Matinicus, Maine, 04851, has applied for a loan from the Fisheries Loan Fund to aid in financing the construction of a new 30-foot wood vessel to engage in the fishery for lobster.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised August 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

HAROLD E. CROWTHER,
Acting Director, Bureau of Commercial Fisheries.

JUNE 10, 1966.

[F.R. Doc. 66-6536; Filed, June 14, 1966; 8:46 a.m.]

[Docket No. A-390]

LAWRENCE FINLAY

Notice of Loan Application

Lawrence Finlay, Box 2296, Kodiak, Alaska, 99615, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 61.7-foot registered length wood vessel to engage in the fishery for Dungeness crab, king crab, and salmon.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised August 11, 1965) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

HAROLD E. CROWTHER,
Acting Director, Bureau of Commercial Fisheries.

JUNE 10, 1966.

[F.R. Doc. 66-6537; Filed, June 14, 1966; 8:46 a.m.]

[Docket No. G-364]

FRANK D. TODD

Notice of Loan Application

Frank D. Todd, 950 Broadway, Riviera Beach, Fla., 33404, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 30-foot wood vessel to engage in the fishery for mackerel, snappers, and groupers.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised August 11, 1966) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

HAROLD E. CROWTHER,
Acting Director, Bureau of Commercial Fisheries.

JUNE 10, 1966.

[F.R. Doc. 66-6538; Filed, June 14, 1966; 8:46 a.m.]

Bureau of Land Management

[NM Misc. No. 14]

NEW MEXICO

Order Opening Lands to Entry and Patenting

JUNE 7, 1966.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 5 N., R. 10 W.,
Sec. 6, lots 3, 5, 6, 7, SE¼NW¼ and E½SW¼;
Sec. 7;
Sec. 18, lots 1, 3, 4, E½ and E½W½;
Secs. 19 and 31.
T. 4 N., R. 11 W.,
Sec. 1;
Sec. 11, W½ and SE¼;
Sec. 12.
T. 5 N., R. 11 W.,
Secs. 1, 11, 13, 14, 23, 24, and 25;
Sec. 26, N½, NE¼SW¼, S½SW¼ and SE¼;
Sec. 27, E½;
Sec. 35.

The areas described aggregate 10,673.85 acres.

2. The lands are located approximately 35 miles south of the town of Grants and about 35 miles north of the village of Datil in Valencia County, N. Mex. The topography is rolling to mountainous. The soils are quite variable, from commonly deep, sandy loam to shallow and rocky.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby open to application, petition, location and selection. All valid applications received at or prior to 10 a.m. on July 20, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Chief, Division of Lands and Minerals Program Management and Land Office, Post Office Box 1449, Santa Fe, N. Mex., 87501.

MICHAEL T. SOLAN,
Chief, Division of Lands and Minerals, Program Management and Land Office.

[F.R. Doc. 66-6540; Filed, June 14, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

TEXAS

Extension of Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Texas, natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Texas	Original designation	Present extension
Burleson	30 F.R. 8861	30 F.R. 8861
Cameron	30 F.R. 9279-9280	
Floyd	30 F.R. 1294	
Hidalgo	30 F.R. 8861	
Motley	30 F.R. 8861	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 9th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6531; Filed, June 14, 1966; 8:45 a.m.]

Office of the Secretary

FRESH, CHILLED, OR FROZEN MEAT

Import Limitations

Public Law 88-482, approved August 22, 1964 (hereinafter referred to as the Act), provides for limiting the quantity of fresh, chilled or frozen cattle meat (TSUS 106.10) and fresh, chilled or frozen meat of goats and sheep, except lambs (TSUS 106.20), which may be imported into the United States in any calendar year. Such limitations are to be imposed when it is estimated by the Secretary of Agriculture that imports of such articles, in the absence of limitations during such calendar year, would equal or exceed 110 percent of the estimated quantity of such articles prescribed by section 2(a) of the Act.

In accordance with the requirements of the Act the following second quarterly estimates are published:

1. The estimated aggregate quantity of such articles which would, in the absence of limitations under the Act, be imported during calendar year 1966 is 800 million pounds.

2. The estimated quantity of such articles prescribed by section 2(a) of the Act during the calendar year 1966 is 890.1 million pounds.

Since the estimated quantity of imports does not equal or exceed 110 percent of the estimated quantity prescribed by section 2(a) of the Act, no limitations for the calendar year 1966 on the importation of fresh, chilled or frozen cattle meat (TSUS 106.10) and fresh, chilled or frozen meat of goats and sheep (106.20), are authorized to be imposed pursuant to Public Law 88-482 at this time.

Done at Washington, D.C., this 10th day of June 1966.

JOHN A. SCHNITTKER,
Under Secretary.

[F.R. Doc. 66-6581; Filed, June 14, 1966; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

FEDERAL GOVERNMENT AGENCIES AND THEIR CONTRACTORS AND SUPPLIERS IN 1965

Shipments and Receipts for Work Done; Notice of Determination

In conformance with Title 13, United States Code, sections 181, 224, and 225, and due notice having been published January 22, 1966 (31 F.R. 914), I have determined that data to be derived from a survey of manufacturers concerning their shipments to and/or receipts for services performed for the Federal Government or its contractors during 1965 are needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public and industry.

The survey will provide important information on the impact of Federal procurement on various industries and on the economy of States, Standard Metropolitan Statistical Areas, and other geographic regions. The data requested in this survey are not publicly available from nongovernmental or other governmental sources.

The survey will be conducted on a sample basis, covering selected industries, as a supplement to the Annual Survey of Manufactures.

The report form will be furnished to firms included in this survey and additional copies are available on request to the Director, Bureau of the Census, Washington, D.C., 20233.

I have, therefore, directed that this survey be conducted for the purpose of collecting the data hereinabove described.

Dated: May 26, 1966.

A. ROSS ECKLER,
Director,
Bureau of the Census.

[F.R. Doc. 66-6521; Filed, June 14, 1966; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ATLAS CHEMICAL INDUSTRIES, INC.

Notice of Filing of Petition for Food Additive Polysorbate 80

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6A2033) has been filed by Atlas Chemical Industries, Inc., Wilmington, Del., 19899, proposing an amendment to § 121.1009 *Polysorbate 80* to provide for the safe use of polysorbate 80 as a dispersing agent in gelatin desserts and in gelatin dessert mixes in an amount not to exceed 0.0125 percent of the finished food.

Dated: June 8, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6584; Filed, June 14, 1966; 8:50 a.m.]

CHEVRON CHEMICAL CO.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0492) has been filed by Chevron Chemical Co., Ortho Division, 940 Hensley Street, Richmond, Calif., 94801, proposing the establishment of tolerances for residues of the fungicide cis-N[(1, 1, 2, 2-tetrachloroethyl) thio]-4-cyclohexene-1, 2-dicarboximide in or on the raw agricultural commodities named:

50 parts per million in or on cherries (sour).
30 parts per million in or on apricots, nectarines, and peaches.
10 parts per million in or on tomatoes.
5 parts per million in or on cucumbers, melons, cherries (sweet), plums, and prunes.
0.1 part per million in or on cottonseed.

The analytical method proposed in the petition for determining residues of the fungicide is as follows: The sample is extracted with benzene and, after appropriate cleanup, is chromatographed by a thin layer procedure. The plate is sprayed with *N,N*-dimethyl-*p*-phenylenediamine to visualize the spots.

Dated: June 8, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6585; Filed, June 14, 1966; 8:50 a.m.]

[Docket No. FDC-D-90; NDA No. 12-169]

CIBA PHARMACEUTICAL CO.

Elipten Tablets; Notice of Withdrawal of Approval of New-Drug Application

Ciba Pharmaceutical Co., Summit, N.J., the applicant for and holder of new-drug application No. 12-169, as amended and supplemented, applying to the drug "Elipten (amino-glutethimide)," 125-milligram and 250-milligram tablets, having elected not to avail itself of the opportunity for a hearing as provided by section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) and the regulations appearing in Title 21, Code of Federal Regulations, Part 130, prior to such withdrawal:

The Commissioner of Food and Drugs, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)) and delegated to the Commissioner by the Secretary (21 CFR 2.120; 31 F.R. 3008), finds that:

1. New evidence of clinical experience, not contained in new-drug application No. 12-169 or not available to the Commissioner until after such application was permitted to become effective, together with the evidence available to the Commissioner when the application was permitted to become effective, shows that such drug is not shown to be safe for use under the conditions of use upon the basis of which the application was permitted to become effective.

2. New information before the Commissioner with respect to such drug, together with the evidence available to the Commissioner when the application was permitted to become effective, shows that there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof; namely, that it is an anticonvulsant which alone, or particularly as an adjunct, controls seizures in most forms of epilepsy.

3. The new-drug application contains untrue statements of material fact.

4. No finding is made at this time on point 4 of the Notice of Opportunity for a Hearing published in the FEDERAL REGISTER of February 16, 1966 (31 F.R. 2786), charging deliberate failure to submit reports, since the company has been offered an opportunity to present its views as to why the matter should not be referred to the Justice Department, in accordance with section 305 of the act (21 U.S.C. 335).

Wherefore, on the basis of the foregoing findings of fact, the approval of new-drug application No. 12-169 is withdrawn, effective on the date of signature of this document.

Dated: June 7, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-6586; Filed, June 14, 1966; 8:50 a.m.]

ELANCO PRODUCTS CO.

Notice of Withdrawal of Petitions for Food Additives Arsanilic Acid, Hygromycin B, Tylosin Phosphate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Elanco Products Co., a division of Eli Lilly & Co., Indianapolis, Ind., 46206, has withdrawn:

1. Its petition (FAP 3D1061) proposing that a regulation be amended to provide for the safe use of arsanilic acid with hygromycin B in chicken feed. The notice of filing was published in the FEDERAL REGISTER of June 5, 1963 (28 F.R. 5537).

2. Its petition (FAP 4D1475) proposing that a regulation be amended to provide for the safe use of tylosin phosphate in beef cattle feed for growth promotion and feed efficiency. The notice of filing was published in the FEDERAL REGISTER of September 11, 1964 (29 F.R. 12852).

The withdrawal of these petitions is without prejudice to a future filing.

Dated: June 7, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6587; Filed, June 14, 1966; 8:50 a.m.]

FMC CORP.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0488) has been filed by FMC Corp., Niagara Chemical Division, 100 Niagara Street, Middleport, N.Y., 14105, proposing the establishment of tolerances for residues of a fungicide which is a mixture of 5.2 parts by weight of ammoniates of [ethylenebis(dithiocarbamato)] zinc with 1 part by weight ethylenebis[dithiocarbamic acid] bimolecular and trimolecular cyclic anhydrosulfides and disulfides in or on the raw agricultural commodities named:

20 parts per million in or on cherries.
7 parts per million in or on apples, celery, cucumbers, melons, squash, and tomatoes.

The analytical method proposed in the petition for determining residues of the fungicide is that of Thomas E. Cullen published in Analytical Chemistry, vol. 36 (1964), pp. 221-224.

Dated: June 8, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6588; Filed, June 14, 1966; 8:50 a.m.]

SHELL CHEMICAL CO.

Notice of Filing of Petition Regarding Pesticide

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0491) has been filed by Shell Chemical Co., 1700 K Street NW., Washington, D.C., 20006, proposing the establishment of a tolerance of 0.25 part per million for residues of the insecticide dimethyl phosphate of 3-hydroxy-*N*-methyl-*cis*-crotonamide in or on the raw agricultural commodity soybeans.

The analytical method proposed in the petition for determining residues of the insecticide is an enzyme inhibition-spectrophotometric procedure with measurement of the absorbance at 540 millimicrons.

Dated: June 8, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6589; Filed, June 14, 1966; 8:50 a.m.]

UPJOHN CO.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0490) has been filed by The Upjohn Co., Kalamazoo, Mich., 49001, proposing the establishment of a tolerance for residues of the fungicide 2,6-dichloro-4-nitroaniline in or on the raw agricultural commodity cottonseed at 0.05 part per million.

The analytical methods proposed in the petition for determining residues of the fungicide are a colorimetric procedure based upon measurement at 464 millimicrons of the color developed by reaction of the fungicide with potassium hydroxide, and a gas-liquid chromatographic procedure with a microcoulometric detector.

Dated: June 8, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6590; Filed, June 14, 1966; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-255]

CONSUMERS POWER CO.

Notice of Receipt of Application for Construction Permit and Utilization Facility License

The Consumers Power Co., Jackson, Mich., has submitted an application dated June 2, 1966, for construction permit and license to construct and operate a 2200 megawatt (thermal) pressurized water type nuclear power reactor under section 104.b. of the Atomic Energy Act of 1954, as amended. The proposed location for the reactor, designated by the applicant as the Palisades Plant, is on a 487-acre site in Covert Township, Van Buren County, approximately 4½ miles south of South Haven, Mich., on the eastern shore of Lake Michigan. A copy of the application is available for public inspection in the AEC's Public Document Room, 1717 H Street NW., Washington, D.C.

Date of issuance: June 9, 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66-6520; Filed, June 14, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17400; Order E-23801]

DELTA AIR LINES ET AL.

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 9th day of June 1966.

Exclusion of travel pursuant to Government transportation requests from youth fare plans proposed by: Delta Air Lines, Inc., Trans World Airlines, Inc., American Airlines, Inc., United Air Lines, Inc., Braniff Airways, Inc., Docket 17400.

By tariff revision[1] marked to become effective June 12, 1966, Delta Air Lines, Inc. (Delta), has proposed a revision to its reserved-seat youth fare tariff. Subsequently Trans World Airlines, Inc. (Trans World), American Airlines, Inc. (American), United Air Lines, Inc. (United), and Braniff Airways, Inc. (Braniff), filed tariff revisions[2] by which they seek to revise their respective standby youth fare plans. All of the proposed revisions would exclude from the operation of these youth fare plans transportation pursuant to U.S. Government transportation requests, and both Braniff and United would also exclude transportation pursuant to state or other political subdivision transportation requests.

No complaints have been filed.

In the past the Board has held special reduced fares for the military to be law-

[1] Delta Air Lines, Inc., Local Youth Tariff No. 1, C.A.B. No. 97.

[2] Trans World Airlines, Inc., Local Standby Passenger Tariff No. 3, C.A.B. No. 155; American Airlines, Inc., Local and Joint Standby Tariff No. 6, C.A.B. No. 191. (Delta Air Lines, Inc., National Airlines, Inc., United Air Lines, Inc., and Western Air Lines, Inc., participated in joint tariffs under American's C.A.B. No. 191); United Air Lines, Inc., Local Standby Tariff No. USB-2, C.A.B. No. 226; Braniff Airways, Inc., Local Standby Tariff No. 3, C.A.B. No. 119.

ful[1] and has permitted the carriers to establish reduced fares for the personal travel of servicemen[2] and in limited circumstances for travel pursuant to Government transportation requests.[3] These special fares were not regarded as unlawful because of various justifying factors such as lower costs, promotion of traffic, competition, and the national interest. In the present situation the carriers have proposed to preclude youths traveling at Government expense from utilizing reduced fares which are available to all other youths between the ages of 12 and 22. The allegation that the carriers did not intend to make these fares available to youths traveling on Government transportation requests does not afford justification for the discrimination inherent in such a restriction. While as noted above there are many elements which have been found to justify lower fares for Government travel, no facts have been alleged, nor are we aware of any, which justify higher charges to the Government than to other users of scheduled air transportation.

Under these circumstances the Board has concluded that the proposed rule changes may be unjustly discriminatory, unduly preferential, unduly prejudicial, unjust, and unreasonable and should be investigated. In view of the seriousness of the discrimination involved and the absence of any apparent justification for this proposal, we have also concluded that the proposed rules should be suspended pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 404, and 1002 thereof,

It is ordered, That:

1. An investigation is instituted to determine whether the provisions of the exception to rule No. 3(A) appearing on 3d Revised Page 5 of American Airlines, Inc.'s C.A.B. No. 191, rule No. 2(B)(2) appearing on 2d Revised Page 4 of Braniff Airways, Inc.'s C.A.B. No. 119, the exception to rule No. 2(A) appearing on 2d Revised Page 5 of Delta Air Lines, Inc.'s C.A.B. No. 97, the exception to rule No. 2(B) appearing on 2d Revised Page 4 of Trans World Airlines, Inc.'s C.A.B. No. 155, and rule No. 2(B)(2) appearing on 6th Revised Page 5 of United Air Lines, Inc.'s C.A.B. No. 226 and rules, regulations, or practices affecting such provisions are, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and if found to be unlawful to determine and prescribe the lawful provisions and rules, regulations, and practices affecting such provisions;

2. Pending hearing and decision by the Board, the provisions described in ordering paragraph 1 are suspended (so far as applicable to interstate air transportation) to and including September 9, 1966, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceedings ordered herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order be filed with the aforesaid tariff and be served upon Delta Air Lines, Inc., Trans World Airlines, Inc., American Airlines, Inc., United Air Lines, Inc., and Braniff Airways, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[4]

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-6569; Filed, June 14, 1966; 8:48 a.m.]

[Docket 16987]

WESTERN MONTANA SERVICE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on June 30, 1966, at 10 a.m. (eastern daylight saving time), in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Richard A. Walsh.

Advance exchange of information requests are to be filed on or before June 24, 1966.

Dated at Washington, D.C., June 9, 1966.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 66-6570; Filed, June 14, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15190, 15191; FCC 66M-825]

BOARDMAN BROADCASTING CO., INC., AND DANIEL ENTERPRISES, INC.

Order Continuing Hearing

In re applications of Boardman Broadcasting Co., Inc., Boardman, Ohio, Docket No. 15190, File No. BP-14305; Daniel Enterprises, Inc., Warren, Ohio, Docket No. 15191, File No. BP-14886; for construction permits.

Under consideration is Broadcast Bureau's Petition for Continuance of Hearing, filed on June 2, 1966; and

It appearing that counsel for Bureau inadvertently consented to the hearing date now scheduled and that that date is in conflict with another scheduled hearing at which he is to participate as counsel; and

It further appearing that the other parties to the proceeding have no objection to grant of the relief requested;

It is ordered, This 9th day of June 1966, that the subject petition is granted and the hearing now scheduled for June 13, 1966, is continued to June 20, 1966.

Released: June 9, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6572; Filed, June 14, 1966; 8:48 a.m.]

[Docket Nos. 14755-14757; FCC 66M-827]

JUPITER ASSOCIATES, INC., ET AL.

Order Regarding Hearing Dates

In re applications of Jupiter Associates, Inc., Matawan, N.J., Docket No. 14755, File No. BP-14178; William S. Halpern and Louis N. Seltzer doing business as Somerset County Broadcasting Co., Somerville, N.J., Docket No. 14756, File No. BP-14234; Radio Elizabeth, Inc., Elizabeth, N.J., Docket No. 14757, File No. BP-14812; for construction permits.

Pursuant to an agreement among counsel at the evidentiary hearing of this date: *It is ordered*, This 9th day of June 1966, that the hearing will be resumed on July 5, 1966, 10 a.m., in the Commission's offices, Washington, D.C.; and, when the hearing recesses on the latter date, it will be resumed on July 11, 1966, 10 a.m.

Released: June 10, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6573; Filed, June 14, 1966; 8:49 a.m.]

[Docket Nos. 16679, 16680; FCC 66M-823]

RKO GENERAL, INC. (KHJ-TV) AND FIDELITY TELEVISION, INC.

Order Scheduling Hearing

In re applications of RKO General, Inc. (KHJ-TV), Los Angeles, Calif., Docket No. 16679, File No. BRCT-58, for renewal of broadcast license; Fidelity Television, Inc., Norwalk, Calif., Docket No. 16680, File No. BPCT-3655, for construction permit for new television broadcast station (Channel 9).

It is ordered, This 6th day of June 1966, that Thomas H. Donahue shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 19, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 11, 1966, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: June 9, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6574; Filed, June 14, 1966; 8:49 a.m.]

[1] Military-Tender Investigation, 28 C.A.B. 902, (1959).

[2] Order E-19376, Mar. 14, 1963.

[3] Order E-22929, Nov. 24, 1965; Order E-23194, Feb. 7, 1966.

[4] Dissenting opinion of Member, John G. Adams, filed as part of the original document.

[Docket Nos. 16674, 16675; FCC 66M-822]

SANTA ROSA BROADCASTING CO., INC.

Order Scheduling Hearing

In the matter of revocation of license of Santa Rosa Broadcasting Co., Inc., for standard broadcasting station WSRA, Milton, Fla., Docket No. 16674; in re application of Santa Rosa Broadcasting Co., Inc., Docket No. 16675, File No. BPH-4640; for construction permit to build a new FM broadcast station at Pensacola, Fla.

It is ordered, This 6th day of June 1966, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence at 10 a.m. on September 14, 1966, in Milton, Fla.: *And it is further ordered*, That a prehearing conference in the proceeding will be convened by the Presiding Officer at 9 a.m., on July 11, 1966, in Washington, D.C.

Released: June 9, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6575; Filed, June 14, 1966; 8:49 a.m.]

[Docket Nos. 16531, 16532; FCC 66M-829]

STATE GAZETTE BROADCASTING CO. AND McQUEEN & CO., INC.

Order Continuing Hearing

In re applications of State Gazette Broadcasting Co., Dyersburg, Tenn., Docket No. 16531, File No. BPH-4430; McQueen & Co., Inc., Dyersburg, Tenn., Docket No. 16532, File No. BPH-4480; for construction permits.

On the Examiner's own motion, and with the consent of all parties concerned: *It is ordered*, This 9th day of June, 1966, that the hearing presently scheduled for June 13, 1966, be, and the same is, hereby continued to June 21, 1966, at the same time and place.

Released: June 10, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6576; Filed, June 14, 1966; 8:49 a.m.]

[Docket Nos. 16623, 16624; FCC 66M-828]

WDIX, INC., AND RADIO ORANGEBURG, INC.

Order Continuing Hearing

In re applications of WDIX, Inc., Orangeburg, S.C., Docket No. 16623, File No. BPH-4554; Radio Orangeburg, Inc., Orangeburg, S.C., Docket No. 16624, File No. BPH-4642; for construction permits.

Pursuant to agreement of counsel arrived at during the prehearing conference in the above-styled proceeding held on this date: *It is ordered*, This 7th day of June 1966, that a further session of such conference will be held on July 18, 1966, at 10 a.m.

It is further ordered, That the hearing, presently scheduled to commence on July 14, 1966, be and it is hereby continued to a date to be fixed at the further prehearing conference.

Released: June 10, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6577; Filed, June 14, 1966; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License 735]

ACADEMY FORWARDING CORP.

Revocation of License

Whereas, by order to show cause served May 26, 1966, the Federal Maritime Commission ordered that Academy Forwarding Corp., 15 William Street, New York, N.Y., 10005, on or before June 3, 1966, either (1) submit a valid bond effective on or before June 12, 1966, or (2) show cause in writing or request a hearing to show cause why its license should not be suspended or revoked pursuant to section 44(d), Shipping Act, 1916; and

Whereas, Academy Forwarding Corp. has failed within the time allotted to comply with the Commission's order to show cause.

Now, therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in its order to show cause served May 26, 1966.

It is ordered, That the independent ocean freight forwarder license of Academy Forwarding Corp. be and is hereby revoked, effective 12:01 a.m., June 12, 1966.

It is further ordered, That Academy Forwarding Corp. return Independent Ocean Freight Forwarder License No. 735 to the Commission for cancellation.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on licensee.

JAMES E. MAZURE, *Director, Bureau of Domestic Regulation.*

[F.R. Doc. 66-6592; Filed, June 14, 1966; 8:50 a.m.]

[No. 66-29; Agreement 9431]

HONG KONG CEILING AGREEMENT

Modification of Order

States Marine Lines has indicated that it would prefer to be treated as an intervener, not a respondent, in this proceeding. New York Freight Bureau (Hong Kong) has urged that it be permitted to file an answering brief herein.

We find both positions to be well-taken.

Accordingly, it is ordered, That the following changes be made to the order to show cause, served April 28, 1966, as modified by notices served May 16 and June 2, 1966:

(1) Replies to affidavits of facts and memoranda of law shall be filed by Hearing Counsel, States Marine Lines, and interveners, if any, no later than close of business June 21, 1966.

(2) Answer of New York Freight Bureau (Hong Kong) shall be filed no later than close of business June 28, 1966.

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 66-6593; Filed, June 14, 1966; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI66-391 etc.]

ALMA ORINGDERFF ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates[1]

JUNE 3, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

[1] Does not consolidate for hearing or dispose of the several matters herein.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 14, 1966.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-391	Alma Oringderff (Operator), et al., Post Office Box 936, Perryton, Tex., 79070.	4	4	Natural Gas Pipeline Co. of America (Lips Morrow Field, Ochiltree County, Tex.) (R.R. District No. 10).	$4,450	5- 4-66	[2] 6- 4-66	11- 4-66	[3] 10.72	[4] [5] 11.61	
RI66-392	Cities Service Oil Co., Cities Service Bldg., Bartlesville, Okla., 74003.	53	6	Northern Natural Gas Co. (Panhandle Field, Carson and Gray Counties, Tex.) (R.R. District No. 10).	2,692	5- 9-66	[6] 6- 9-66	11- 9-66	[3] [7] 11.0	[4] [8] [9] 12.0768	
RI66-393	....do	90	12	Kansas-Nebraska Natural Gas Co., Inc. (Hugoton Field, Texas County, Okla.) (Panhandle Area).	919	5- 9-66	[6] 6- 9-66	11- 9-66	[3] [9] 11.0	[4] [9] [10] 12.0	
	....do	104	3	Panhandle Eastern Pipe Line Co. (Hugoton Field, Morton County, Kans.).	73	5- 9-66	[6] 6- 9-66	11- 9-66	[3] 12.0	[4] 13.0	
RI66-393	Cities Service Oil Co. (Operator), et al.	123	2	Panhandle Eastern Pipe Line Co. (Hugoton Field, Texas County, Okla.) (Panhandle Area).	231	5- 9-66	[6] 6- 9-66	11- 9-66	[3] 12.0	[4] 13.0	
	....do	139	4	Panhandle Eastern Pipe Line Co. (Hugoton Field, Seward, Stevens, Grant, and Morton Counties, Kans.).	40,550	5- 9-66	[6] 6- 9-66	11- 9-66	[3] 11.0	[4] 12.0	
RI66-394	Sinclair Oil & Gas Co., (Operator), et al., Post Office Box 521, Tulsa, Okla., 74102.	297	[10] 14	United Fuel Gas Co. (Lake Long Field, Lafourche Parish, La.) (South Louisiana).	68,155	5- 4-66	[6] 6- 4-66	11- 4-66	[14] 17.5	[11] [12] [13] 21.1	

[2] The stated effective date is the first day after expiration of the statutory notice.
[3] Periodic rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Subject to a downward B.t.u. adjustment.
[6] The stated effective date is the effective date requested by Respondent.
[7] Redetermined rate increase.
[8] Includes tax reimbursement.
[9] Settlement rate approved by Commission order issued Dec. 26, 1962, in Docket Nos. G-9510, et al.
[10] 5-step periodic rate increase.
[11] Renegotiated rate increase.
[12] Pressure base is 15.025 p.s.i.a.
[13] Includes 1.5 cents per Mcf tax reimbursement.
[14] Settlement rate approved by Commission order issued Dec. 30, 1963, in Docket Nos. G-9476, et al.
[15] Includes Letter Agreement dated Mar. 11, 1966, which provides for the price proposed, being the same as the price provided for in the 10th year of the contract.

Alma Oringderff (Operator), et al. (Oringderff), request that their proposed rate increase be permitted to become effective as of March 21, 1966, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Oringderff's rate filing and such request is denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 66-6483; Filed, June 14, 1966; 8:45 a.m.]

[Docket No. RI66-395]

CITIES SERVICE OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

JUNE 6, 1966.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 14, 1966.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-395	Cities Service Oil Co., (Operator), et al., Cities Service Bldg., Bartlesville, Okla., 74003.	107	[1]	Phillips Petroleum Co. [2] (Hugoton Field, Sherman County, Tex.) (R.R. District No. 10).	$20,295	5-9-66	[3] 6-9-66	[3] 6-10-66	[7] 11.0	[4] [5] [7] 11.099	RI65-298

[1] Phillips resells 50 percent of the subject gas to Michigan-Wisconsin Pipe Line Co. under its FPC Gas Rate Schedule No. 4 (Sherman Plant) at a rate of 16.22 cents plus tax reimbursement which is in effect subject to refund in Docket No. RI65-526, and 36 percent of the gas to El Paso Natural Gas Co. under its FPC Gas Rate Schedule No. 32 (Dumas Plant) at a rate of 19.76325 cents which is in effect subject to refund in Docket No. G-20408. 14 percent of the gas is used by Phillips at its Cactus Plant, Moore County, Tex.

The proposed rate increase of Cities Service Oil Co. (Operator), et al. (Cities Service), is for a wellhead sale of gas to Phillips Petroleum Co. (Phillips) who gathers and processes the gas. It resells the residue gas to Michigan Wisconsin Pipe Line Co. and El Paso Natural Gas Co. (El Paso) at rates of 15.22 cents, plus applicable tax reimbursement, and 19.76325 cents, respectively. Both rates are in effect subject to refund. Cities Service's proposed increased rate exceeds the area increased rate ceiling even though such ceiling is applicable to Phillips' resale rate, not Cities Service's rate. Since Phillips' resale rates are in effect subject to refund, we conclude that Cities Service's proposed rate should be suspended for one day from June 9, 1966, the proposed effective date.

[F.R. Doc. 66-6484; Filed, June 14, 1966; 8:45 a.m.]

[Docket Nos. RI66-397, etc.]

TEXACO, INC., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JUNE 7, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

[1] Does not consolidate for hearing or dispose of the several matters herein.

[2] The stated effective date is the effective date requested by Respondent.
[3] The suspension period is limited to 1 day.
[4] Tax reimbursement increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Includes tax reimbursement.
[7] Subject to 0.5-cent per Mcf reduction for sour gas.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 15, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-397	Texaco Inc., Post Office Box 2420, Tulsa, Okla., 74102.	242	4	Panhandle Eastern Pipe Line Co. (Hugoton Field, Stevens County, Kans.).	$540	5- 9-66	[1] 7-23-66	12-23-66	11.0	[2] [3] 12.0	
RI66-398	Cities Service Oil Co. (Operator), et al., Cities Service Bldg., Bartlesville, Okla., 73101.	167	13	Northern Natural Gas Co. (Intermediate Zone, Hugoton Field, Finney, Grant, Kearney, Haskell, Seward, and Morton Counties, Kans.).	73,900	5- 9-66	[4] 6- 9-66	11- 9-66	[5] [7] 11.0 [6] [8] 12.0	[3] [9] [10] 14.0 [3] [9] [10] 14.0	RI65-26.
	do	168	13	Northern Natural Gas Co. (Deep Zone, Hugoton Field, Finney, Grant, Kearney, Haskell, Seward, and Morton Counties, Kans.).	45,600	5- 9-66	[4] 6- 9-66	11- 9-66	[5] [7] 11.0 [6] [8] 12.0	[3] [9] [10] 16.0 [3] [9] [10] 16.0	RI65-26.
	do	170	13	Northern Natural Gas Co. (Intermediate Zone, Hugoton Area, Texas County, Okla.) (Panhandle Area).	5,580	5- 9-66	[4] 6- 9-66	11- 9-66	[6] [8] 12.0	[3] [9] [10] 14.0	RI65-26.
	do	171	13	Northern Natural Gas Co. (Deep Zone, Hugoton Field, Texas County, Okla.) (Panhandle Area).	111,520	5- 9-66	[4] 6- 9-66	11- 9-66	[6] [8] 12.0	[3] [9] [10] 16.0	RI65-26.
	do	125	8	Northern Natural Gas Co. (Hugoton Field, Haskell County, Kans.).	75,000	5- 9-66	[4] 6- 9-66	11- 9-66	[8] 12.0	[3] [9] [10] 13.5	
RI66-399	Cities Service Oil Co.	130	2	El Paso Natural Gas Co. (Beckham and Greer Counties, Okla.) (Oklahoma "Other" Area).	364	5- 9-66	[4] 6- 9-66	11- 9-66	12.0	[3] [9] 13.0	
RI66-400	Robert P. Wilson, et al., c/o McKee & Faris, 1411 National Bank of Tulsa Building, Tulsa, Okla.	2	[3] 4	Panhandle Eastern Pipe Line Co. (Hugoton Field, Grant County, Kans.).	14,000	5-10-66	[4] 6-11-66	11-11-66	11.0	[3] [9] 12.0	
RI66-401	Sun Oil Co., 1608 Walnut Street, Philadelphia, Pa., 19103. Attn.: Mr. C. E. Wehiler.	66	[10] 11	United Gas Pipe Line Co. (Pistol Ridge Field, Forrest, Lamar, and Pearl River Counties, Miss.).	[12]	5- 9-66	[4] 6- 9-66	11- 9-66	[11] 20.6	[9] [11] 22.0	
RI66-402	Amerada Petroleum Corp., Post Office Box 2040, Tulsa, Okla., 74102.	60	4	Transcontinental Gas Pipe Line Corp. (Tilden Field, McMullen County, Tex.) (R.R. District No. 1).	3,656	5-13-66	[4] 6-22-66	11-22-66	15.20	[9] [11] 16.2160	RI65-364.

[1] The stated effective date is the effective date requested by Respondent.
[2] Periodic rate increase.
[3] Pressure base is 14.65 p.s.i.a.
[4] Respondent filing to rate provided for initial pricing period under superseding contract.
[5] Subject to a downward B.t.u. adjustment.
[6] Present effective rate for Hoffman A and Smith K Units.
[7] Effective subject to refund in Docket No. RI65-26. (Present effective rate for acreage under Rate Schedule Nos. 167 and 168 other than Hoffman A and Smith Units.)
[8] Not applicable to acreage added under Supplement Nos. 1 and 3 (periodic escalation under such supplements not due until May 4, 1969).
[9] Pertains only to acreage covered by Supplement No. 5.
[10] Pressure base is 15.025 p.s.i.a.
[11] Price as provided by Opinion No. 445 issued Oct. 26, 1964, granting Sun a permanent certificate authorizing the subject sale in Docket No. G-8592.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 66-6486; Filed, June 14, 1966; 8:45 a.m.]

[Docket Nos. RI66-403, etc.]

TEXACO, INC., AND CHAMPLIN PETROLEUM CO.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

JUNE 7, 1966.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 15, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-403	Texaco, Inc., Post Office Box 52332, Houston, Tex., 77052, Attn.: Mr. R. C. Shields.	144	8	Phillips Petroleum Co.[2] (Hugoton Field, Hansford County, Tex.) (R.R. District No. 10).	$230	5-13-66	[3] 6-13-66	[4] 6-14-66	[5] [7] 10.1811	[3] [6] [7] 11.0182	RI66-82.
RI66-404	Champlin Petroleum Co., Post Office Box 9365, Fort Worth, Tex., 76107.	[9] 90	1	Panhandle Eastern Pipe Line Co. (Carthage Area, Texas County, Okla.) (Panhandle Area).	270	5-13-66	[10] 7- 1-66	[4] 7- 2-66	[7] 16.0	[6] [7] [11] 17.0	

[2] Phillips resells the gas under its FPC Gas Rate Schedule No. 4 to Michigan Wisconsin Pipe Line Co. at a present effective rate of 15.22 cents plus applicable tax reimbursement, which was made effective subject to refund in Docket No. RI65-526 on Dec. 10, 1965.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] The suspension period is limited to 1 day.
[5] Revenue-sharing rate increase.
[6] Pressure base is 14.65 p.s.i.a.
[7] Subject to a downward B.t.u. adjustment.
[8] Based on 162.267 percent of base rate of 7.1463 cents less 0.4466 cent adjustment for sour gas (162.267 percent equals Phillips' present rate of 15.22 cents divided by Phillips' base price of 9.3796 cents times 100). Total rate includes 0.1468 cent tax reimbursement.
[9] Based on 149.937 percent of base rate of 7.1463 cents less 0.4466 cent adjustment for sour gas (149.937 percent equals Phillips' previous rate of 14.0635 cents divided by Phillips' base price of 9.3796 cents times 100). Total rate includes 0.1366 cent tax reimbursement.
[10] Contract dated after Sept. 28, 1960, the date of issuance of General Policy Statement No. 61-1.
[11] The stated effective date is the effective date requested by Respondent.
[12] Periodic rate increase.

Texaco, Inc. (Texaco), requests a retroactive effective date of December 10, 1965, the date Phillips' related resale rate became effective subject to refund. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Texaco's rate filing and such request is denied.

Texaco's proposed revenue-sharing rate increase is for the sale of gas to Phillips Petroleum Co. (Phillips) from the Hugoton Field, Hansford County, Tex. (Railroad District No. 10). Phillips gathers the gas and processes it in its Sherman Gasoline Plant and resells the residue gas to Michigan Wisconsin Pipe Line Co. under its FPC Gas Rate Schedule No. 4 at a rate of 15.22 cents plus applicable tax reimbursement which is in effect subject to refund in Docket No. RI65-526. Texaco's proposed revenue-sharing increase is based on Phillips' resale rate. Texaco's proposed increased rate exceeds the area increased rate ceiling even though such ceiling is applicable to Phillips' resale rate, not Texaco's rate. Since Phillips' resale rate is in effect subject to refund, we conclude that Texaco's rate should be suspended for one day from June 13, 1966, the date of expiration of the statutory notice.

The contract related to the rate filing proposed by Champlin Petroleum Co. (Champlin) was executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, the proposed increased rate is above the applicable area ceiling for increased rates but below the initial service ceiling for the area involved. We believe, in this situation, Champlin's rate filing should be suspended for one day from July 1, 1966, the proposed effective date.

[F.R. Doc. 66-6487; Filed, June 14, 1966; 8:45 a.m.]

[Docket No. CP65-153]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

JUNE 7, 1966.

Take notice that on May 27, 1966, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP65-153 a petition to amend the order issued in said docket on March 10, 1965 (33 FPC 519), requesting the deletion therefrom of authorization to construct and operate the Fourway delivery point facilities in Moore County, Tex., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By order issued in the instant docket on March 10, 1965, Petitioner was granted authorization necessary to implement the purchase and receipt of natural gas from Colorado Interstate Gas Co. (Colorado) at two points situated, respectively, at the existing interconnection of Colorado's facilities with the facilities of Northern Natural Gas Co. (Northern) in Moore County, Tex. (Northern delivery point), and at the intersection of Colorado's facilities with the facilities of Petitioner in Moore County, Tex. (Fourway delivery point), for a limited term continuing through February 29, 1968. No additional facilities were required by either party at the existing Northern delivery point. At the Fourway delivery point, interconnecting and metering facilities were required and were authorized by the subject order.

Petitioner states that Colorado has made deliveries to Northern for Petitioner's account at the Northern delivery point as authorized by the subject order, but that deliveries have not been made at the Fourway delivery point and are not contemplated at such point. Petitioner further states that facilities authorized to be constructed and operated by both Petitioner and Colorado at such point have not been installed since operating experience has proved such additional delivery point, originally proposed to permit flexibility of operation, to be unnecessary. Accordingly, Petitioner requests that the subject order be amended so as to delete therefrom authorization to construct and operate the Fourway delivery point facilities which consist of a tap and side-gate valve.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 5, 1966.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6523; Filed, June 14, 1966; 8:46 a.m.]

[Project No. 2413]

GEORGIA POWER CO.

Notice of Application for License for Unconstructed Project

JUNE 7, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Georgia Power Co. (correspondence to: E. C. Hammond, Vice President and Secretary, Georgia Power Co., Post Office Box 4545, Atlanta, Ga., 30302) for license for unconstructed Project No. 2413, known as the Laurens Shoals Project, to be located on the Oconee River, in Putnam, Morgan, Oconee, Oglethorpe, Greene, and Hancock Counties, Ga.

The proposed Laurens Shoals Project will consist of: (1) A dam located at about river mile 173, about 120 feet high and approximately 3,700 feet long comprised of earth embankment sections, a concrete intake section and a concrete spillway section with four radial gates each 42 feet wide by 50 feet high; (2) a reservoir that at normal full pool elevation 435 feet has a gross capacity of approximately 470,000 acre-feet and a surface area of about 21,000 acres, extending approximately 29 miles upstream; (3) an outdoor-type powerhouse with a total installed capacity of 324,000 kw consisting of two conventional generating units rated at 54,000 kw each, and four reversible pump-turbine units each rated at 75,000 hp as a pump and 54,000 kw as a generator; (4) an excavated tailrace to make downstream Sinclair Reservoir of Project No. 1951 available as lower reservoir for pumped-storage operation of Project No. 2413; (5) a 230-kv substation with transformer capacity of 360,000 kva; and (6) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 25, 1966. The application is on

file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6524; Filed, June 14, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 195]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 10, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 110525 (Sub-No. 787 TA), filed June 7, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa., 19335. Applicant's representative: Edwin H. van Deusen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boron trifluoride gas*, in tube trailers, from Marcus Hook, Pa., to Baytown, Tex., for 150 days. Supporting shipper: Allied Chemical Corp., 40 Rector Street, New York, N.Y., 10006. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 111729 (Sub-No. 158 TA), filed June 7, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, DeBevoise Building, Bayside, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents and written instruments, including originals and copies of checks, drafts, notes, money orders, travelers checks and canceled bonds and accounting papers relating thereto, including originals and copies of cash letters, letters of transmittal, summary sheets, adding machine tapes, deposit records, withdrawal slips and debit and credit records* (except coin, currency, bullion and negotiable securities), (1) between Manchester, N.H., on the one hand, and, on the other, New York, N.Y.; and (2) between Evansville, Ind., on the one hand, and, on the other, points in Crawford, Edwards, Gallatin, Hamilton, Hopkins, Jasper, Marion, McCracken, Richland, Saline, Union, Wabash, Wayne, and White Counties, Ind.; and Crittendon, Daviess, Henderson, Hopkins, Livingston, Union, and Webster Counties, Ky., for 180 days. Supporting shippers: The Manchester National Bank, Manchester, N.H.; Old National Bank in Evansville, Evansville, Ind. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 114533 (Sub-No. 141 TA), filed June 7, 1966. Applicant: B. D. C. CORPORATION, 4970 South Archer Avenue, Chicago, Ill., 60632. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Papers used in the processing of data by computing machines, punch cards, magnetic encoded documents, magnetic tape, punch paper tape, printed reports and documents and office records*, between Chicago, Ill., on the one hand, and, on the other, Kenosha, Wis., and Greenwood, Ind., for 150 days. Supporting shipper: Maling Brothers, Inc., 1400 West Wrightwood Avenue, Chicago 14, Ill. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 115826 (Sub-No. 146 TA), filed June 7, 1966. Applicant: W. J. DIGBY, INC., 1960 31st Street, Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Applicant's representative: John F. DeCock (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods; and meat and packinghouse products* as defined by the Commission, from Colorado Springs, Colo., and Denver, Colo., to points in Arizona, for 180 days. Supporting shippers: Mapelli-Lindner-Sigman, Ltd., Post Office Box 5103, T. A., Denver, Colo., 80217; Shurtenda Steaks, Inc., 2452 West Second Avenue, Denver, Colo., 80223; Foster Frosty Foods, Inc., 1421 Oneida Street, Denver, Colo., 80220; Johnson Food Co., 201 Lee Street, Colorado Springs, Colo., 80907; and Arac Brand Meats, Inc., 240 Bryant Street, Denver, Colo., 80219. Send protests to: Herbert C. Ruoff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Office Building, Denver, Colo., 80202.

No. MC 119777 (Sub-No. 62 TA), filed June 7, 1966. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box 31, W. S. Highway 41 South, Madisonville, Ky., 42431. Applicant's representative: Fred F. Bradley, Suite 202-204, Court Square Office Building, 213 St. Clair Street, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood fiberboard, wood fiberboard faced or finished with decorative or protective materials and accessories and supplies used in the installation thereof* when moving with shipments of such wood fiberboard, from Chicago, Ill., to points in Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Walter Sawicki, traffic manager and sales manager, Prestile Manufacturing Co., 5850 West Ogden, Chicago, Ill., 60650. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky., 40202.

No. MC 119777 (Sub-No. 63 TA), filed June 7, 1966. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box 31, W. S. Highway 41 South, Madisonville, Ky., 42431. Applicant's representative: William G. Thomas (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Guard rail, guard rail posts, and accessories*, from Evansville, Ind., to points in Alabama, for 180 days. Supporting shipper: Barry T. Shapiro, vice president, Anderson "Safeway" Guard Rail Corp., Box 4499, Station A, Evansville, Ind., 47711. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky., 40202.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6564; Filed, June 14, 1966; 8:48 a.m.]

[Notice 934]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 10, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 107002 (Sub-No. 307), filed May 16, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006, and H. D. Miller, Jr., Post Office Box 1250, Jackson, Miss., 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer solutions, fertilizer ingredients and materials, and urea*, in bulk and in bags, from Lake Charles, La., to points in Texas, Oklahoma, Arkansas, and Mississippi.

HEARING: July 11, 1966, at the Federal Office Building, 701 Loyola Avenue, New Orleans, La., before Examiner Leo A. Riegel.

No. MC 117119 (Sub-No. 377), filed May 18, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, dessert topping*, in cans (aerated or nonaerated), *boxes, or fruit tins, coffee whitener*, in cartons, *plastic bottles*, for use in tea, coffee, cereals, and cooking and in dry form when shipped in small quantities not to exceed 10 percent of the truckload, and *bakery goods, such as eclairs and chocolate rolls*, in boxes, not to exceed 10 percent of the truckload, from Buffalo, N.Y., to Princeton, Charleston, Clarksburg, Huntington, and Parkersburg, W. Va., and Roanoke, Lynchburg, Salem, and Bristol, Va., and points in North Carolina, South Carolina, Kentucky, Georgia, Tennessee, Alabama, Florida, Louisiana, Mississippi, and Arkansas.

HEARING: June 30, 1966, at the Post Office Building, Ellicott and Swan Streets, Buffalo, N.Y., before Examiner Samuel Horwich.

No. MC 12975 (Republication), filed December 20, 1965, published FEDERAL REGISTER issues of January 20, 1966, and February 17, 1966, respectively, and republished, this issue. Applicant: ROBERT F. SEYBOLD, doing business as The Inside Edge, 911 Route 70, Marlton Pike, Erlton, Cherry Hill, N.J. Applicant's representative: William A. Goichman, 1332 Philadelphia National Bank Building, Philadelphia, Pa., 19107. By application filed December 20, 1965, applicant seeks a license authorizing operation in interstate or foreign commerce, as a broker at Cherry Hill, N.J., in arranging for the transportation, in interstate or foreign commerce, of passengers and their baggage, both individuals and groups, in charter operations in round-trip, all expense tours, beginning and ending in Cherry Hill, N.J., and extending to points in Pennsylvania, New York, and Vermont. An order of the Commission, Operating Rights Board No. 1, dated May 25, 1966, and served June 2, 1966, finds that operation by applicant at Cherry Hill, N.J., as a broker in arranging for transportation by motor vehicle, in interstate or foreign commerce, of *passengers and their baggage*, in all expense, round-trip tours, in special and charter operations beginning and ending in Cherry Hill, N.J., and extending to points in Pennsylvania, New York, and Vermont, will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon notice of the application as so published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings herein, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a license herein will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 22278 (Sub-No. 26) (Republication), filed July 29, 1965, published FEDERAL REGISTER issue of August 19, 1965, and republished, this issue. Applicant: TAKIN BROS. FREIGHT LINE, INC., Post Office Box 5000, Waterloo, Iowa. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. By application filed July 29, 1965, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over regular routes, transporting dairy products and bakery goods, serving Deerfield, Ill., as an off-route point in connection with applicant's authorized regular-route operations between Hudson, Iowa, and Chicago, Ill. A report of the Commission, Operating Rights Review Board No. 3, decided May 18, 1966, and served May 31, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, (1) of *butter* from Hudson, Iowa, to Deerfield, Ill., over irregular routes, and (2) serving Deerfield, Ill., as an off-route point in connection with applicant's authorized regular-route operations in the transportation of *frozen bakery goods* originating at Deerfield and destined to points other than those in the States of Colorado, Idaho, Montana, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming, restricted against the transportation of any shipments originating at or destined to Des Moines, Iowa, or Omaha, Nebr., that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and with the Commission's rules and regulations thereunder. Because members of the public who relied upon notice of the application as published in the FEDERAL REGISTER may have an interest which has been prejudiced by lack of notice, a notice of the authority actually granted herein will be published in the FEDERAL REGISTER, and any proper party in interest may file an appropriate pleading within a period of 30 days from the date of such publication.

No. MC 78118 (Sub-No. 14) (Republication), filed January 27, 1966, published FEDERAL REGISTER issue of February 17, 1966, and republished, this issue. Applicant: W. H. JOHNS, INC., 35 Witmer Road, Lancaster, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg Pa. By application filed January 27, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of glass containers, not exceeding 1 gallon in capacity, from the warehouse of Knox Glass, Inc., in Elk Township, Clarion County, Pa., to points in Virginia, North Carolina, South Carolina, Georgia, and Florida. An order of the Commission, Operating Rights Board No. 1, dated May 25, 1966, and served June 7, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *glass containers*, from the warehouse site of Knox Glass, Inc., in Elk Township, Clarion County, Pa., to points in Virginia, North Carolina, South Carolina, Georgia, and Florida; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 126745 (Sub-No. 15) (Republication), filed December 27, 1965, published FEDERAL REGISTER issue of January 27, 1966, and republished, this issue. Applicant: SOUTHERN COURIERS, INC., 222-17 Northern Boulevard, Bayside, N.Y., 11361. Applicant's representative: Ewell H. Muse, Jr., Suite 415, Perry-Brooks Building, Austin, Tex., 78701. By application filed December 27, 1965, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor

vehicle, over irregular routes, of the commodities and between the points indicated in the findings herein except that applicant requests that the proposed service be limited to shippers other than banks and banking institutions. An order of the Commission, Operating Rights Board No. 1, dated May 20, 1966, and served June 1, 1966, finds that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *business papers, records, and audit and accounting media*, between Nashville, Tenn., on the one hand, and, on the other, points in Blount, Colbert, Cullman, Etowah, Franklin, Jackson, Jefferson, Lauderdale, Lawrence, Limestone, Madison, Marshall, and Morgan Counties, Ala. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER, and any proper party in interest may file an appropriate pleading within a period of 30 days from the date of such publication.

NOTICE OF FILING OF PETITION

No. MC 78228 (Notice of filing of petition for waiver of Rule 1.101(e) and for leave to file petition seeking reopening of grandfather proceeding and for modification of certain authority), filed May 16, 1966. Petitioner: THE J. MILLER COMPANY, McKees Rocks, Pa. Petitioner's representative: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. Petitioner states that its present certificate, issued on August 10, 1949, in No. MC 78228, authorizes the transportation of: *Steel and steel products, nonferrous metals, machinery, supplies and lumber*, used by steel companies, over irregular routes, between points and places in Ohio, those in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along alternate U.S. Highway 20 to Genesee, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., and thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line. Between Ashland, Ky., on the one hand, and, on the other, points and places in Ohio, and those in the above-specified New York, Pennsylvania, and West Virginia areas. By the instant petition, petitioner prays that the Commission shall issue orders to take the following action: 1. Accept this petition for filing, and 2. reopen the grandfather applications in the name of petitioner at MC-78228, and thereafter issue to it a modified certificate, if any additional authority be required, to transport commodities included within the description of:

1. *Materials* used by steel mills, 2. *Iron* and *steel* and *iron and steel articles and products*, and 3. (a) *dies;* (b) *die parts, die checking fixtures, die models, hand jigs, tools, patterns, and templates*, when moving in connection with dies. As modified, petitioner's certificate would read: (1) *Machinery* and *materials* and *supplies* used by steel mills, (2) *iron and steel and iron and steel articles and products*, (3) *nonferrous metals*, and (4)(a) *dies;* (b) *die parts, die checking fixtures, die models, hand jigs, tools, patterns, and templates*, when moving in connection with dies, over irregular routes, between points in Ohio, those in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Genesee, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line. Between Ashland, Ky., on the one hand, and, on the other, points and places in Ohio, and those in the above-specified New York, Pennsylvania, and West Virginia areas. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 15473 (Sub-No. 23), filed May 19, 1966. Applicant: BEST TRUCK LINES, INC., 321 North Main, Post Office Box 60, Ottawa, Kans. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading). Regular routes: (1) Between St. Louis, Mo., and Deepwater, Mo.: From St. Louis, over U.S. Highway 50 to junction Missouri Highway 13, thence over Missouri Highway 13 to Deepwater, and return over the same route, serving the intermediate point of Clinton, Mo., and the off-route points of Harrisonville, Creighton, Montrose, Urich, La Due, Calhoun, Windsor, Green Ridge, and Garden City, Mo.; (2) between Kansas City, Mo., and Clinton, Mo.: From Kansas City, over U.S. Highway 50 to junction Missouri Highway 13, thence over Missouri Highway 13 to Clinton, and return over the same route, serving no intermediate points, but serving the off-route points of Calhoun, Creighton, Green Ridge, La Due, Whiteman Air Force Base, Urich, and Windsor, Mo.; (3) between Deepwater, Mo., and Sedalia, Mo.: From Deepwater, over Missouri Highway 52 to junction U.S. Highway 65, thence over U.S. Highway 65 to Sedalia, and return over the same route, serving the intermediate points of Clinton, Calhoun and Windsor, Mo., and the off-route points of Creighton, Garden City, Green Ridge, La Due, Whiteman Air Force Base, and Urich, Mo.; (4) between Harrisonville, Mo., and Sedalia, Mo.: From Harrisonville, over Missouri Highway 2 to junction Missouri Highway 13, thence over Missouri Highway 13 to junction U.S. Highway 50, thence over U.S. Highway 50 to Sedalia, and return over the same route, serving no intermediate points, but serving the off-route points of Calhoun, Clinton, Creighton, Deepwater, Green Ridge, La Due, Whiteman Air Force Base, Urich, and Windsor, Mo.

(5) Between Montrose, Mo., and Sedalia, Mo.: From Montrose, over Missouri Highway 52 to junction U.S. Highway 65, thence over U.S. Highway 65 to Sedalia, and return over the same route, serving the intermediate points of Clinton and Windsor, Mo., and the off-route points of Calhoun, Creighton, Garden City, Green Ridge, Harrisonville, La Due, Whiteman Air Force Base and Urich, Mo.; and (6) between Springfield, Mo., and Windsor, Mo.: From Springfield, over U.S. Highway 65 to junction Missouri Highway 52, thence over Missouri Highway 52 to Windsor, and return over the same route, serving no intermediate points, but serving the off-route point of Calhoun, Mo.; Irregular routes: (1) Between Urich, Mo., and points within 12 miles of Urich, on the one hand, and, on the other, points in Missouri; (2) between Clinton, Mo., and points within 20 miles of Clinton, on the one hand, and, on the other, points in Missouri; and (3) between St. Louis and Kansas City, Mo., on the one hand, and, on the other, points within the Whiteman Air Force Base missile complex and all intercontinental ballistic missile sites located in Vernon, Bates, Cass, Cedar, St. Clair, Henry, Johnson, Lafayette, Benton, Pettis, Saline, Morgan, Cooper, and Moniteau Counties, Mo. Restriction: No service shall be authorized between Kansas City, St. Louis, and Sedalia, Mo., nor between Kansas City and Harrisonville, Mo. NOTE: Application is directly related to MC-F-9381, published March 30, 1966. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 118318 (Sub-No. 13), filed May 19, 1966. Applicant: IDA-CAL FREIGHT LINES, INC., 1798 Floral Avenue, Post Office Box 422, Twin Falls, Idaho. Applicant's representative: Marvin Handler, 405 Montgomery Street, San Francisco, Calif., 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (A) *Explosives and general commodities*, not including livestock, household goods, articles of unusual value, or bulk petroleum or other bulk liquids, Regular routes: (1) Between Buhl and Twin Falls, Idaho over U.S. Highway 30, and (2) between Buhl and Castleford, Idaho, over unnumbered highway, and return over the same routes, serving all intermediate points in (1) and (2) above, Irregular routes: (1) Between points within a 50-mile radius of Twin Falls, Idaho, and (2) between points within a 50-mile radius of Twin Falls, Idaho, on the one hand, and, on the other, points in Idaho, and (B) *heavy hauling* (commodities of unusual weight and size requiring special equipment to load, unload, and transport), between points in Idaho. NOTE: This application is directly related to Docket No. MC-F-9428, published FEDERAL REGISTER issue June 2, 1966. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9433 (ADRIAN VAN DAALEN & JAY M. VAN DAALEN—PURCHASE—CAPITAL EXPRESS, INC.), published in the June 1, 1966, issue of the FEDERAL REGISTER, on page 7859. Prior publication supplemented to show *CAPITAL EXPRESS, INC. (A NEW CORPORATION)*, as assignee from ADRIAN VAN DAALEN & JAY M. VAN DAALEN.

No. MC-F-9442. Authority sought for control by OHIO FAST FREIGHT, INC., Post Office Box 808, 300 Liberty Road, Warren, Ohio, of IRON & STEEL TRANSPORT, INC., 2001 Shepler Church Road SW., Canton, Ohio, and for acquisition by ORIN S. NEIMAN, 300 Liberty Road, Warren, Ohio, of control of IRON & STEEL TRANSPORT, INC., through the acquisition by OHIO FAST FREIGHT, INC. Applicants' attorney: A. Charles Tell, 100 East Broad Street, Columbus, Ohio, 43215. Operating rights sought to be controlled: *Malt beverages*, and *empty containers*, as a *common carrier*, over irregular routes, from Fort Wayne, Ind., to Canton, Ohio; *iron and steel*, and *iron and steel articles*, which because of size, weight, or nature require the use of flat-bottom vehicles or vehicles with sides not in excess of 36 inches in height, from certain specified points in Ohio, to certain specified points in Pennsylvania, and those in New York on and west of New York Highway 14, except Rochester and Buffalo, N.Y.; *iron and steel eaves troughs, conductor pipe*, and *downspouting*, from certain specified points in Pennsylvania; *brick and other clay building materials*, from certain specified points in Ohio, to certain specified points in Pennsylvania; *iron, steel, manufactured iron and steel articles, motors, machinery*, and *machinery parts*, between certain specified points in Ohio, on the one hand, and, on the other Buffalo and Rochester, N.Y., all points in Indiana, points in Illinois in the Chicago, Ill., commercial zone as defined by the Commission, certain specified points in Pennsylvania, and West Virginia, and those in Michigan on and south of Michigan Highway 46, from the site of the plant of the Timkin Roller Bearing Co., approximately three-fourths of a mile south of Wooster, Ohio, to points in New York on and west of New York Highway 14, all points in Indiana, points in Illinois in the Chicago, Ill., commercial zone as defined by the Commission, certain specified points in Pennsylvania, and West Virginia, and those in Michigan on and south of Michigan Highway 46; and *damaged and rejected shipments of above-specified commodities*, from the above destination points, to the above designated origin points. OHIO FAST FREIGHT, INC. is authorized to operate as a *common carrier* in Ohio, West Virginia, Pennsylvania, New Jersey, Virginia, Maryland, New York, Illinois, Michigan, Connecticut, Indiana, Massachusetts, Delaware, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9444. Authority sought for control and merger by A. F. POSNIK AND COMPANY, 3601 Wyoming Avenue, Dearborn, Mich., 48120, of the operating rights and property of POSNIK, INC., 3601 Wyoming Avenue, Dearborn, Mich., 48120, and for acquisition by A. F. POSNIK, also of Dearborn, Mich., of control of such rights and property through the transaction. Applicants' attorney: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Operating rights sought to be controlled and merged: *Coal tar*, in bulk, in tank vehicles, as a *common carrier*, over irregular routes, from Toledo, Ohio, to points in Michigan, from Detroit, Mich., to points in Ohio, from Detroit, Mich., to points in Indiana; *coal tar pitch*, in dump vehicles, from Youngstown, Ohio, to Niagara Falls, N.Y. Restriction: The operations authorized herein are restricted against the transportation of shipments destined to points in Canada. A. F. POSNIK AND COMPANY is authorized to operate as a *common carrier* in Michigan, Indiana, and Ohio. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9445. Authority sought for purchase by INTERCITY EXPRESS, INC., Post Office Box 1055, Fort Dodge, Iowa, 50501, of the operating rights of SOUTHERN IOWA TRANSPORTATION, INC., 1301 South Madison Avenue, Ottumwa, Iowa, 52501, and for acquisition by AUSTIN MALLINGER, also of Fort Dodge, Iowa, of control of such rights through the purchase. Applicants' attorney: Russell H. Wilson, 3839 Merle Hay Road, Des Moines, Iowa, 50310. Operating rights sought to be transferred: *Brick* and *building blocks*, as a *common carrier*, over regular routes, from Ottumwa and What Cheer, Iowa, to Kirksville, Mo., serving no intermediate points; *candy*, from Ottumwa, Iowa, to Quincy, Ill., serving no intermediate points; *canned goods* and *vaults*, from Ottumwa, Iowa, to Omaha, Nebr., serving no intermediate points; *roofing* and *roofing materials*, from Ottumwa, Iowa, to La Salle, Ill., serving no intermediate points; *boilers* and *parts thereof*, from Kewanee, Ill., to Ottumwa, Iowa, serving no intermediate points; *canned milk*, from Amboy, Ill., to Ottumwa, Iowa, serving no intermediate points; *beer* and *beverages*, from Milwaukee, Wis., to Ottumwa and Oskaloosa, Iowa, serving no intermediate points, from Peoria, Ill., to Oskaloosa, Iowa, serving the intermediate point of Ottumwa, Iowa; *nonalcoholic beverages*, from Maywood, Ill., to Ottumwa, Iowa, serving no intermediate points; *canned goods, groceries, and grocery supplies, candy, clay, targets, nonalcoholic beverages, farm implements and parts, farm machinery and parts, binder twine, plaster of Paris, store fixtures*, and *lubricating oil*, in containers, from Chicago, Ill., to Ottumwa, Iowa, serving intermediate and off-route points within 30 miles of Ottumwa, restricted to traffic moving from Chicago.

Dairy products, livestock, empty bottles, empty beverage cases, empty oil containers, canning crates, and *agricultural commodities*, from Ottumwa, Iowa, to Chicago, Ill., serving intermediate and off-route points within 30 miles of Ottumwa, restricted to traffic moving to Chicago, Restriction: Service between Chicago and Ottumwa, as described immediately above, is restricted against the transportation of fresh meat and packinghouse products; *paper and paper articles*, from Ottumwa, Iowa, to Peoria, Ill., serving no intermediate points; *wire*, from Peoria, Ill., to Ottumwa, Iowa, serving no intermediate points; *canned goods*, and *dried foods*, in containers, over irregular routes, from certain specified points in Wisconsin, to certain specified points in Iowa, from certain specified points in Illinois, to certain specified points in Iowa; *steel mine cars*, from Ottumwa, Iowa, to mining districts in Illinois; *wire, sheet steel*, and *angle iron*, from Granite City, Ill., to Ottumwa, Iowa; *malt beverages*, from St. Paul, Minn., Milwaukee, and La Crosse, Wis., St. Louis and St. Joseph, Mo., South Bend, Ind., Chicago, Ill., and Omaha, Nebr., to Ottumwa, Iowa, from Peoria, Ill., to Albia, Iowa, from Milwaukee, Wis., to Chariton, Iowa; *carbonated beverages*, in containers, from Ottumwa, Iowa, to points in Arkansas, Illinois, Kansas, Nebraska, South Dakota, and Missouri; *new empty containers*, from Alton, Ill., to Ottumwa, Iowa.

Restriction: The authority granted herein is subject to the right of the Commission, which is hereby expressly reserved, to impose such terms, conditions, or limitations in the future as it may find

necessary in order to insure that carrier's operations shall conform to the provisions of section 210 of the Act; *and fresh meats* and *packinghouse products*, as a *contract carrier*, over regular routes, between Ottumwa, Iowa, and Chicago, Ill., between Ottumwa, Iowa, and Peoria, Ill., serving no intermediate points; *frozen food*, for other than human consumption, over irregular routes, from Ottumwa, Iowa, to points in Wisconsin on and south of Wisconsin Highway 64; *frozen animal food*, from Ottumwa, Iowa, to points in Wisconsin north of Wisconsin Highway 64, and points in the Upper Peninsula of Michigan; *used empty steel drums*, from North Chicago, Ill., to Ottumwa, Iowa. Restriction: The operations authorized in the three paragraphs next above are limited to a transportation service to be performed under a continuing contract, or contracts, with John Morrell & Co., Ottumwa, Iowa; *fresh meats* and *packinghouse products*, from Ottumwa, Iowa, to points in Illinois (with exceptions). Restriction: The authority granted herein is subject to the right of the Commission, which is hereby expressly reserved, to impose such terms, conditions, or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of section 210 of the Act. Vendee is authorized to operate as a *common carrier* in Iowa, Minnesota, Nebraska, and Wisconsin. Application has been filed for temporary authority under section 210a(b).

No. MC–F–9446. Authority sought for continuance in control by H. E. WEST, 506 Mamie Street, Hattiesburg, Miss., of PASCAGOULA DRAYAGE CO., 705 East Pine Street, Hattiesburg, Miss., 39401. Applicants' representative: W. N. Innis, 706 East Pine Street, Hattiesburg, Miss., 39401. Operating rights sought to be controlled: In pending Docket No. MC–127689, and (Sub-Numbers 1 and 2), covering the transportation of *fiberboard* and *fiberboard products* and *accessories and supplies* used in the installation thereof, as a common carrier, over irregular routes, from the plantsite and warehouse of Masonite Corp. at Laurel, Miss., to points in Alabama, Arkansas, Louisiana, and to Memphis, Tenn.; *wood sugar molasses*, and *wood sugar molasses blended with blackstrap molasses*, in bulk, from Laurel, Miss., to points in Alabama, Arkansas, Louisiana, and to Memphis, Tenn.; *wood sugar molasses*, and *wood sugar molasses blended with blackstrap molasses*, in bags, from Laurel, Miss., to points in Alabama and Louisiana; *blackstrap molasses* from New Orleans, La., and Mobile, Ala., to Laurel, Miss.; *damaged or salvaged merchandise*, except those commodities which because of size or weight require the use of special equipment, between Hattiesburg, Laurel, and Magee, Miss., and points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and the District of Columbia.

Food, cooked, cured, preserved, prepared, or frozen in containers, in barrels, or boxes, from certain specified points in Mississippi, to points in the United States (except Alaska and Hawaii); *exempt commodities*, on return, to points in Mississippi and Louisiana; *proprietary antifreeze or engine coolant preparations, or proprietary de-icing preparations*, or *antifreezing compound*, from Mapleton, Ill., to points in Mississippi; *feed*, animal, fish or poultry, prepared or *feed supplements* or *feed ingredients* without or containing antibiotics or vitamins, in containers in barrels or boxes, or in bulk, bags, barrels, boxes or pails, or in fused or pressed blocks, from Springfield, Mo., to points in Mississippi; *egg cases or carriers*, fibreboard, pulpboard or strawboard, knockdown or setup, empty or each containing not to exceed its equipment of fillers, from Memphis, Tenn., to certain specified points in Mississippi; *cartons*, egg case or egg carriers, molded pulp, nested, in boxes or in wrapped packages in boxes, fibreboard or paperboard, flat or folded flat in packages, from Dallas, Tex., to certain specified points in Mississippi; *feed ingredients*, from Chicago Heights, Ill., to certain specified points in Mississippi; *salt*, live stock, medicated in packages, or in blocks, from Durant, Okla., to points in Mississippi and Louisiana; *tires*, pneumatic, and *tire tubes*, from Atlanta, Ga., to New Albany and Canton, Miss.; and *potash*, in bags, from points in New Mexico to points in Louisiana and Mississippi. H. E. WEST holds no authority from this Commission. However, he also controls WEST BROTHERS, INC., 706 East Pine Street, Hattiesburg, Miss., 39401, which is authorized to operate as a *common carrier*, in Mississippi, Louisiana, Alabama, Arkansas, Florida, Georgia, Kentucky, North Carolina, South Carolina, and Tennessee. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–9447. Authority sought for control by PAUL W. WILLS, INC., 2400 Ships Channel, Whiskey Island, Cleveland 13, Ohio, of HAROLD W. STEWART, INC., 102 Andrus Road, Toledo, 5, Ohio, and for acquisition by PAUL W. WILLS, also of Cleveland 13, Ohio, of control of HAROLD W. STEWART, INC., through the acquisition by PAUL W. WILLS, INC. Applicant's attorney and representative: Paul F. Beery, 100 East Broad Street, Columbus, Ohio, 43215, and Lyman G. Rupp, 740 Edison Building, Toledo, Ohio, 43604. Operating rights sought to be controlled: *Such commodities* as are usually transported in dump trucks, as a *common carrier*, over irregular routes, between Monroe, Mich., and points in Michigan within 40 miles of Monroe, on the one hand, and, on the other, points in Ohio within 40 miles of Monroe; *spent catalyst* (clay), in bulk, in tank vehicles, from points in Lucas County, Ohio, to the international boundary between the United States and Canada, at Port Huron, Mich.; *pig iron*, in dump vehicles, from points in Lucas County, Ohio, to points in Indiana and Michigan; *salt*, in bulk, from points in Lucas County, Ohio, to points in Indiana and Michigan; *limestone*, in bulk, in dump vehicles, from points in Lucas County, Ohio, to points in Michigan; *sand*, in bulk, from points in Michigan to points in Ohio (with exceptions); and *lime and limestone products*, from River Rouge, Mich., to points in Indiana, Illinois, Iowa, Kentucky, Ohio, Missouri, New York, Pennsylvania, Wisconsin, and West Virginia. Restriction: The operations authorized herein are restricted against the transportation of lime and limestone products in bags, to points in Ohio. PAUL W. WILLS, INC., is authorized to operate as a *common carrier* in Michigan, Ohio, Delaware, Illinois, Indiana, Kentucky, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–9448. Authority sought for control and merger by MACHINERY TRANSPORTS, INC., Post Office Box 2115, East Peoria, Ill., of the operating rights and property of B–B–S TRANSPORTATION, INC., 513 North Market Street, Marion, Ill., and for acquisition by ANTHONY T. LaHOOD, also of East Peoria, Ill., of control of such rights and property through the transaction. Applicants' attorney: Max G. Morgan, 450 American National Building, Oklahoma City, Okla., 73102. Operating rights sought to be controlled and merged: *Heavy machinery*, as a *common carrier*, over irregular routes, between points in Williamson, Franklin, and Saline Counties, Ill., on the one hand, and, on the other, points in Kentucky, Indiana, Ohio, Missouri, Arkansas, Kansas, and Oklahoma. MACHINERY TRANSPORTS, INC., is authorized to operate as a *common carrier* in Illinois, Colorado, Kansas, Missouri, Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Wyoming, and Tennessee. Application has been filed for temporary authority under section 210a(b).

No. MC–F–9449. Authority sought for purchase by RAPID TRANSIT CO., INC., Route 12, Plainfield, Conn., of a portion of the operating rights of KAY'S TRUCKING, INC., 38 Sisson Avenue, Hartford, Conn., and for acquisition by RICHARD J. McCUSKER, DOROTHY McCUSKER, both of 58 Wayne Street, Norwich, Conn., ADAM J. ROJESKE, Scenic Drive, Uncasville, Conn., and LOUISE ROJESKE, 93 Ashland Street, Jewett City, Conn., of control of such rights through the purchase. Applicants' attorney and representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn., and Joseph R. Ress, 266 Pearl St., Hartford, Conn. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC–120883 (Sub-No. 1), covering the transportation of general commodities (with exceptions), as a common carrier, in intrastate commerce, between Glastonbury, East Hartford, Hartford, West Hartford, Bolton, Manchester, Hebron, Marlboro, East Hampton, and Portland, on the one hand, and, all points in Connecticut on the other hand. Vendee is authorized to operate as a *common carrier* in Connecticut, Massachusetts, Rhode Island, and Pennsylvania. Application has been filed for temporary authority under section 210a(b). NOTE: Docket No. MC–30464 (Sub-No. 1) is a matter directly related.

No. MC–F–9451. Authority sought for purchase by PIC-WALSH FREIGHT CO., 731 Campbell Avenue, St. Louis, Mo., of the operating of JAMES CARBONE TRUCKING SERVICE, INC., 901 North Vermillion Street, Streator, Ill., and for acquisition by JULIUS BLUMOFF, also of St. Louis, Mo., of control of such rights through the purchase. Applicants' attorneys: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Operating rights sought to be transferred: *Fertilizer* and *fertilizing materials*, in bulk, as a *common carrier*, over irregular routes, from Streator, Ill., and points within 2½ miles thereof, to points in Iowa, Michigan, Minnesota, Indiana, Missouri, and Wisconsin; *fertilizer* and *fertilizing materials*, in packages, from Streator, Ill., and points within 2½ miles thereof, to points in Iowa, Michigan, and Minnesota, points in Indiana (with exceptions), points in Missouri (with exceptions), and points in Wisconsin (with exceptions); *glass containers, caps, covers, tops, rings*, and *stoppers for glass containers*, and *fiberboard boxes*, from Streator, Ill., to points in Indiana on and south of U.S. Highway 40 through Terre Haute, Indianapolis, and Richmond, Ind., and those in Kentucky and Tennessee; and *cullet*, from points in Kentucky and Tennessee, to Streator, Ill. Vendee is authorized to operate as a *common carrier* in Missouri, Illinois, Ohio, Indiana, Arkansas, Tennessee, Iowa, Michigan, and Mississippi. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–6565; Filed, June 14, 1966; 8:48 a.m.]

[Notice 399]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 10, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 1733 (Deviation No. 1), LAKE SHORE MOTOR TRANSIT LINES, INC., 230 North State Street, St. Joseph, Mich., filed June 6, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Chicago, Ill., over Interstate Highway 80–90 to junction Indiana Highway 39, thence over Indiana Highway 39 to the Indiana-Michigan State line, thence over Michigan Highway M–239 to junction Interstate Highway 94 (also from Chicago over Interstate Highway 94 to junction Michigan Highway M–239), thence over Interstate Highway 94 to junction Interstate Highway 196, thence over Interstate Highway 196 to South Haven, Mich., and (2) from Kalamazoo, Mich., over Interstate Highway 94 to Benton Harbor, Mich., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Chicago, Ill., over U.S. Highway 12 to New Buffalo, Mich., thence over unnumbered highway (formerly U.S. Highway 12) to St. Joseph, Mich., thence over U.S. Highway 31 to South Haven, Mich., (2) from Chicago, Ill., over U.S. Highway 20 to junction Indiana Highway 212, thence over Indiana Highway 212 to junction U.S. Highway 12, thence over U.S. Highway 12 to New Buffalo, Mich., thence over unnumbered highway (formerly U.S. Highway 12) to St. Joseph, Mich., thence over U.S. Highway 31 to South Haven, Mich., and (3) from South Bend, Ind., over U.S. Highway 31 to Benton Harbor, Mich., thence over unnumbered highway (formerly U.S. Highway 12) to Kalamazoo, Mich., and return over the same routes.

No. MC 22278 (Deviation No. 6), TAKIN BROS. FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa, filed May 26, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Waterloo, Iowa, over U.S. Highway 63 to junction Iowa Highway 96, thence over Iowa Highway 96 to junction Iowa Highway 14, thence over Iowa Highway 14 to Marshalltown, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Waterloo, Iowa, over Iowa Highway 57 to junction Iowa Highway 14, thence over Iowa Highway 14 to Marshalltown, Iowa, and return over the same routes.

No. MC 22278 (Deviation No. 8), TAKIN BROS. FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa, filed May 26, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Mapleton, Iowa, over Iowa Highway 141 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 65 (at Colo, Iowa), thence over U.S. Highway 65 to Iowa Falls, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Mapleton, Iowa, over Iowa Highway 141 to junction U.S. Highway 75, thence over U.S. Highway 75 to Sioux City, Iowa, thence over U.S. Highway 20 to Iowa Falls, Iowa, and return over the same route.

No. MC 22278 (Deviation No. 9), TAKIN BROS. FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa, 50704, filed May 26, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Waterloo, Iowa, over U.S. Highway 218 to Waverly, Iowa, thence over Iowa Highway 3 to Hampton, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Waterloo, Iowa, over U.S. Highway 20 to junction U.S. Highway 65, thence over U.S. Highway 65 to Hampton, Iowa, and return over the same route.

No. MC 22278 (Deviation No. 10), TAKIN BROS. FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa, 50704, filed May 26, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Fairfield, Iowa, over U.S. Highway 34 to junction Iowa Highway 60, thence over Iowa Highway 60 to Des Moines, Iowa, thence over U.S. Highway 69 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction U.S. Highway 65, thence over U.S. Highway 65 to Mason City, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Fairfield, Iowa, over U.S. Highway 34 to junction U.S. Highway 218, thence over U.S. Highway 218 to junction U.S. Highway 18, thence over U.S. Highway 18 to Mason City, Iowa, and return over the same route.

No. MC 26739 (Deviation No. 24), CROUCH BROS., INC., Post Office Box 1059, St. Joseph, Mo., 64502, filed May 31, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over U.S. Highway 20 to junction Illinois Highway 64, thence over Illinois Highway 64 to junction Illinois Highway 84, thence over Illinois Highway 84 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Iowa Highway 57, thence over Iowa Highway 57 to junction Iowa

Highway 14, thence over Iowa Highway 14 to junction Iowa Highway 64, thence over Iowa Highway 64 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 35, thence over Interstate Highway 35 to junction U.S. Highway 34, thence over U.S. Highway 34 to junction U.S. Highway 169, thence over U.S. Highway 169 to Mount Ayr, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 66 to junction U.S. Highway 52, thence over U.S. Highway 52 to junction U.S. Highway 51, thence over U.S. Highway 51 to Mendota, Ill., thence over Illinois Highway 92 to Moline-Rock Island, Ill., thence over the Mississippi River to junction U.S. Highway 61, thence over U.S. Highway 61 to junction Iowa Highway 92, thence over Iowa Highway 92 to Washington, Iowa, thence over Iowa Highway 1 to Fairfield, Iowa, thence over U.S. Highway 34 to Ottumwa, Iowa, thence over U.S. Highway 63 to Bloomfield, Iowa, thence over Iowa Highway 2 to Bedford, Iowa, thence over Iowa Highway 148 to the Iowa-Missouri State line, thence over Missouri Highway 27 to junction U.S. Highway 71, thence over U.S. Highway 71 to Maryville, Mo., and return over the same route.

No. MC 26739 (Deviation No. 25), CROUCH BROS., INC., Post Office Box 1059, St. Joseph, Mo., 64502, filed May 31, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over U.S. Highway 30 to junction U.S. Highway 218, thence over U.S. Highway 218 to junction Iowa Highway 57, thence over Iowa Highway 57 to junction Iowa Highway 14, thence over Iowa Highway 14 to junction Iowa Highway 64, thence over Iowa Highway 64 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 35, thence over Interstate Highway 35 to junction U.S. Highway 34, thence over U.S. Highway 34 to Osceola, thence over U.S. Highway 69 to Leon, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 66 to junction U.S. Highway 52, thence over U.S. Highway 52 to junction U.S. Highway 51, thence over U.S. Highway 51 to Mendota, Ill., thence over Illinois Highway 92 to Moline-Rock Island, Ill., thence over the Mississippi River to junction U.S. Highway 61, thence over U.S. Highway 61 to junction Iowa Highway 92, thence over Iowa Highway 92 to Washington, Iowa, thence over Iowa Highway 1 to Fairfield, Iowa, thence over U.S. Highway 34 to Ottumwa, Iowa, thence over U.S. Highway 63 to Bloomfield, Iowa, thence over Iowa Highway 2 to Bedford, Iowa, thence over Iowa Highway 148 to the Iowa-Missouri State line, thence over Missouri Highway 27 to junction U.S. Highway 71, thence over U.S. Highway 71 to Maryville, Mo., and return over the same route.

No. MC 48958 (Deviation No. 14), ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver 16, Colo., filed June 6, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction Alternate U.S. Highway 285 (formerly U.S. Highway 285) and new U.S. Highway 285, about 5 miles south of Roswell, N. Mex., over new U.S. Highway 285 to Artesia, N. Mex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Albuquerque, N. Mex., over U.S. Highway 66 to Moriarty, N. Mex., thence over New Mexico Highway 41 to junction U.S. Highway 60, thence over U.S. Highway 60 to Vaughn, N. Mex., thence over U.S. Highway 285 to junction Alternate U.S. Highway 285 (formerly U.S. Highway 285) about 5 miles south of Roswell, N. Mex., thence over Alternate U.S. Highway 285 to Artesia, N. Mex., thence over U.S. Highway 285 to Carlsbad, N. Mex., thence over U.S. Highway 62 to El Paso, Tex., and return over the same route.

No. MC 59120 (Deviation No. 6), EAZOR EXPRESS, INC., Eazor Square, Pittsburgh, Pa., 15201, filed June 2, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Clarksburg, W. Va., over U.S. Highway 50 to junction West Virginia Highway 73, thence over West Virginia Highway 73 to Fairmont, W. Va., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: Between Clarksburg, W. Va., and Fairmont, W. Va., over U.S. Highway 19.

No. MC 108298 (Deviation No. 4), ELLIS TRUCKING CO., INC., 1600 Oliver Avenue, Indianapolis, Ind., 46207, filed May 31, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Cincinnati, Ohio, over Interstate Highway 75 to Saginaw, Mich., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Cincinnati, Ohio, over U.S. Highway 25 to Dayton, Ohio, (2) from Detroit, Mich., over U.S. Highway 25 to Findlay, Ohio, thence over U.S. Highway 68 to Springfield, Ohio, thence over Ohio Highway 440 (formerly U.S. Highway 40) to Brandt, Ohio, thence over Ohio Highway 201 to Dayton, Ohio, and (3) from Saginaw, Mich., over U.S. Highway 10 to Detroit, Mich., and return over the same routes.

No. MC 108298 (Deviation No. 5), ELLIS TRUCKING CO., INC., 1600 Oliver Avenue, Indianapolis, Ind., 46207, filed May 31, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Indianapolis, Ind., and Cincinnati, Ohio, over Interstate Highway 74, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Osgood, Ind., over U.S. Highway 421 to junction U.S. Highway 50, thence over U.S. Highway 50 to Cincinnati, Ohio, and (2) from Osgood, Ind., over U.S. Highway 421 to Indianapolis, Ind., and return over the same routes.

No. MC 108298 (Deviation No. 6), ELLIS TRUCKING CO., INC., 1600 Oliver Avenue, Indianapolis, Ind., 46207, filed June 3, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Indianapolis, Ind., and Marshall, Mich., over Interstate Highway 69, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Lansing, Mich., over U.S. Highway 27 to Fort Wayne, Ind., thence over U.S. Highway 24 to Huntington, Ind., thence over Indiana Highway 9 via Anderson, Ind., to junction U.S. Highway 36, thence over U.S. Highway 36 to Indianapolis, Ind., and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 316), GREYHOUND LINES, INC. (Western Division), Market and Fremont Streets, San Francisco, Calif., 94106, filed June 2, 1966. Carrier's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif., 94105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, over a deviation route as follows: From junction Business Route U.S. Highway 395 and U.S. Highway 395 (North Connell Junction, Wash.), over U.S. Highway 395 to junction Business Route U.S. Highway 395 (South Connell Junction, Wash.), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Ritzville, Wash., over unnumbered highway to junction U.S. Highway 395 (Ritzville Junction), thence over U.S. Highway 395 to junction Business Route U.S. Highway 395 (North Connell Junction), thence over Business Route U.S. Highway 395 to junction U.S. Highway 395 (South Connell Junction), thence over U.S. Highway 395 to Pasco, Wash., and return over the same route.

No. MC 1515 (Deviation No. 317), GREYHOUND LINES, INC. (Western Division), Market and Fremont Streets, San Francisco, Calif., 94106, filed June 6, 1966. Carrier's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif., 94105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes, as follows: (1) From junction unnumbered highway and Interstate Highway 15 (East Glendale Junction, Nev.), over Interstate Highway 15 to junction unnumbered highway (West Glendale Junction, Nev.), and (2) from Las Vegas, Nev., over Interstate Highway 15 to junction unnumbered highway (Jean, Nev.), and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From the Arizona-Nevada State line over Interstate Highway 15 to Mesquite, Nev., thence over U.S. Highway 91 to Glendale, Nev., thence over Interstate Highway 15 to the Nevada-California State line (connects with Arizona Route 17 and California Route 273), and return over the same route.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6566; Filed, June 14, 1966; 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 10, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40533—*Soda ash from Saltville, Va.* Filed by O. W. South, Jr., agent (No. A4900), for interested rail carriers. Rates on soda ash, in bulk, in covered hopper cars, in carloads, from Saltville, Va., to Lakeland and Tampa, Fla.

Grounds for relief—Carrier competition.

Tariff—Supplement 53 to Southern Freight Association, agent, tariff ICC S-517.

FSA No. 40534—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 572), for interested rail carriers. Rates on binders or covers, cloth or plastic, coal tar or coal tar pitch, mattresses, furniture, and related articles, in carloads, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Intrastate rates and maintenance of rates from and to points in other States not subject to the same competition.

Tariff—Supplement 52 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

AGGREGATE-OF-INTERMEDIATES

FSA No. 40535—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 573), for interested rail carriers. Rates on binders or covers, cloth or plastic, coal tar or coal tar pitch, mattresses, furniture, and related articles, in carloads, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 52 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6567; Filed, June 14, 1966; 8:48 a.m.]

[Notice 1364]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 10, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-35402. By order of June 2, 1966, the Transfer Board approved the lease to American Moving & Storage Co., Inc., 7020 Franklin Avenue, New Orleans, La., of certificate of registration No. MC-99526 (Sub-No. 1), issued May 18, 1965, to Louisiana Transportation Co., Inc., and acquired by Norton Glueck, New Orleans, La., 7020 Franklin Avenue, New Orleans, La., pursuant to No. MC-FC-68654, evidencing a right to engage in operations in interstate or foreign commerce, in the transportation of: Oilfield equipment, materials, and supplies; Irish and sweet potatoes; household goods, sugarcane; corn, lumber, potato crates, heavy building materials, rice, fresh and dehydrated vegetables, truck produce, fertilizers, feed, sacks, cotton, cottonseed, and syrup, between points in Louisiana.

No. MC-FC-68654. By order of June 2, 1966, the Transfer Board approved the transfer to Norton Glueck, 7020 Franklin Avenue, New Orleans, La., of the certificate of registration No. MC-99526 (Sub-No. 1), issued May 18, 1965, to Louisiana Transportation Co., Inc., Houma, La., evidencing a right to engage in operations in interstate or foreign commerce, in the transportation of: Oilfield equipment, materials, and supplies; Irish and sweet potatoes; household goods; sugarcane; corn; lumber; potato crates; heavy building materials; rice; fresh and dehydrated vegetables, truck produce, fertilizers, feed, sacks, cotton, cottonseed and syrup, from, to, and between all points in the State of Louisiana.

No. MC-FC-68803. By order of June 10, 1966, the Transfer Board approved the transfer to O. J. White Transfer & Storage, Inc., Morgantown, W. Va., of the operating rights in certificate No. MC-285, issued July 20, 1964, to Howard Smyth and Robert E. Smyth, a partnership, doing business as O. J. White Transfer & Storage Co., Morgantown, W. Va., authorizing the transportation of: Household goods, as defined by the Commission, between points in Monongalia County, W. Va., on the one hand, and, on the other, points in Indiana, Kentucky, Maryland, New York, Pennsylvania, Ohio, Michigan, New Jersey, North Carolina, Virginia, and the District of Columbia. Hale J. Preston, 174 Chancery Row, Morgantown, W. Va., 26505, attorney for applicants.

No. MC-FC-68858. By order of June 10, 1966, the Transfer Board approved the transfer to Charles Zambuto, doing business as F. & F. Trucking Co., Brooklyn, N.Y., of the operating rights in certificate No. MC-44324, issued April 4, 1960, to Charles Zambuto, Thomas Zambuto, and Ralph Nigro, a partnership, doing business as F. & F. Trucking Co., Brooklyn, N.Y., authorizing the transportation, over irregular routes, of general commodities, with certain exceptions, between points in Union, Passaic, Essex, Hudson, and Bergen Counties, N.J., on the one hand, and, on the other, New York, N.Y. Edward M. Alfano, 2 West 45th Street, New York, N.Y., 10036, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6568; Filed, June 14, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

Page

PROCLAMATION:
3728 ... 8277

EXECUTIVE ORDERS:
11224 (superseded by EO 11285) ... 8211
11285 ... 8211
11286 ... 8279

5 CFR

213 ... 7733, 7734, 7959, 8175, 8281
550 ... 7881

7 CFR

15 ... 8175
26 ... 8113
28 ... 7734
319 ... 8337
354 ... 8113
401 ... 8175
701 ... 7735, 7814
722 ... 8337
728 ... 7814, 8337
775 ... 8339
778 ... 7997
811 ... 7999
845 ... 7815
893 ... 7816
905 ... 8114
908 ... 7961, 8230
910 ... 7962, 8045, 8231, 8303
911 ... 7962, 8231
916 ... 8176, 8177
917 ... 7963, 8114, 8177, 8231, 8232, 8303–8306
918 ... 7735
944 ... 8000
970 ... 8178
1038 ... 8115
1039 ... 8116
1074 ... 8000
1099 ... 7963
1421 ... 7964, 8000, 8003, 8306, 8346
1443 ... 8348
1483 ... 7817
1486 ... 7735

PROPOSED RULES:
51 ... 7757
905 ... 7971
915 ... 8181
994 ... 8021
1001 ... 7911, 8242
1002 ... 7911
1003 ... 7911
1004 ... 7911
1005 ... 7911
1008 ... 7911
1009 ... 7911
1011 ... 7911
1012 ... 7911
1013 ... 7829, 7911, 8131
1015 ... 7911, 8242
1016 ... 7911
1031 ... 7831
1032 ... 7831
1033 ... 7911
1034 ... 7911
1035 ... 7911
1036 ... 7911
1038 ... 7831, 7971
1039 ... 7831, 7972
1040 ... 7911
1041 ... 7911

7 CFR—Continued

Page

PROPOSED RULES—Continued
1043 ... 7911
1044 ... 7831
1045 ... 7831
1046 ... 7911
1047 ... 7911
1048 ... 7911
1049 ... 7911
1051 ... 7831
1061 ... 7831
1062 ... 7831
1063 ... 7831
1064 ... 7831
1065 ... 7757
1066 ... 7757
1067 ... 7831
1068 ... 7757
1069 ... 7757
1070 ... 7831
1071 ... 7831
1073 ... 7831
1074 ... 7831
1075 ... 7757
1076 ... 7757
1078 ... 7831
1079 ... 7831
1090 ... 7911
1094 ... 7831
1096 ... 7831
1097 ... 7831
1098 ... 7911
1099 ... 7758, 7831
1101 ... 7911
1102 ... 7831
1103 ... 7831
1104 ... 7831
1106 ... 7831
1108 ... 7831
1120 ... 7831
1125 ... 7757
1126 ... 7831
1127 ... 7831
1128 ... 7831
1129 ... 7831
1130 ... 7831
1131 ... 7757
1132 ... 7831
1133 ... 7757, 7831
1134 ... 7757
1136 ... 7757
1137 ... 7757
1138 ... 7757

8 CFR

212 ... 8045
214 ... 8045
236 ... 8045

9 CFR

97 ... 8020

10 CFR

36 ... 7959
40 ... 7959

12 CFR

1 ... 8060
204 ... 8060
545 ... 8353
561 ... 8353
563 ... 8004
571 ... 8004

14 CFR

Page

13 ... 8353
39 ... 7735, 7881, 7882, 8045, 8046
61 ... 8354
67 ... 8355
71 ... 7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358.
73 ... 7736, 7827, 7882
75 ... 7736, 7827, 8047
91 ... 8354
95 ... 8281
97 ... 7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359.

PROPOSED RULES:
21 ... 8075
47 ... 8077
71 ... 7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375.
73 ... 7977, 8375
75 ... 7762, 8242
91 ... 8026
93 ... 8078

15 CFR

230 ... 7737, 7819, 7968
372 ... 8213
373 ... 8213
374 ... 8213
375 ... 8213
376 ... 8213
377 ... 8213
379 ... 8213
382 ... 8213
385 ... 8213

PROPOSED RULES:
9 ... 7833

16 CFR

13 ... 7960, 7961, 8058–8060
15 ... 7737, 7806, 8233

PROPOSED RULES:
45 ... 7757
57 ... 8243
192 ... 8244

17 CFR

211 ... 7821
230 ... 7738
239 ... 7738
240 ... 7740
250 ... 8233
276 ... 7821

PROPOSED RULES:
270 ... 7913

18 CFR

101 ... 7897
141 ... 7897
201 ... 7897
260 ... 7897

PROPOSED RULES:
8 ... 8376

20 CFR

404 ... 8367
602 ... 7966
604 ... 8281

PROPOSED RULES:
405 ... 7864

21 CFR

Page

8 ... 8216, 8369
120 ... 7741
121 ... 8008, 8009, 8369
130 ... 8009

22 CFR

41 ... 7741
42 ... 7741

24 CFR

200 ... 7743
221 ... 7743

25 CFR

41 ... 7744
42 ... 7745

26 CFR

1 ... 7789

29 CFR

0 ... 8306
1605 ... 8370

31 CFR

128 ... 8179
202 ... 7899, 8234
203 ... 7899, 8234
500 ... 7745, 7899

32 CFR

1 ... 7807
3 ... 7807
4 ... 7810
7 ... 7811
8 ... 7812
16 ... 7814
30 ... 7814
273 ... 8007
502 ... 7966
1001 ... 8370
1003 ... 8311, 8371
1004 ... 8371
1007 ... 8371
1013 ... 8371
1014 ... 8371
1053 ... 8371
1250 ... 8061

32A CFR

OIA (Ch. X):
OI REG. 1 ... 7745

33 CFR

203 ... 7827, 8312
204 ... 8129
208 ... 7751
401 ... 8062

36 CFR

Page

221 ... 8180
251 ... 7899
261 ... 7902

38 CFR

17 ... 8064
21 ... 8292

39 CFR

13 ... 7752
22 ... 7752
25 ... 7752
27 ... 8234
41 ... 8234
43 ... 7752, 8235
46 ... 8235
51 ... 8236
52 ... 8236
53 ... 8236
55 ... 8236
56 ... 8236
58 ... 8237
61 ... 8237

41 CFR

1–3 ... 8116
4–1 ... 7819
4–6 ... 7819
4–50 ... 7902
8–1 ... 7820
8–2 ... 7820
9–12 ... 8237
101–15 ... 7752
101–17 ... 8117

42 CFR

57 ... 7755
76 ... 7902

43 CFR

3120 ... 7806

PUBLIC LAND ORDERS:
662 (revoked by PLO 4035) ... 8240
829 (revoked in part by PLO 4028) ... 8238
1775 (revoked in part by PLO 4027) ... 8238
4023 ... 7969
4024 ... 7969
4025 ... 7969
4026 ... 8238
4027 ... 8238
4028 ... 8238
4029 ... 8238

43 CFR—Continued

Page

PUBLIC LAND ORDERS—Continued
4030 ... 8239
4031 ... 8239
4032 ... 8239
4033 ... 8293
4034 ... 8240
4035 ... 8240
4036 ... 8240
4037 ... 8241
4038 ... 8241

PROPOSED RULES:
3130 ... 8181
3140 ... 8181
3150 ... 8181
3160 ... 8181
3180 ... 8181

45 CFR

801 ... 7755

46 CFR

146 ... 8295
202 ... 8065
308 ... 7970

47 CFR

18 ... 7821
21 ... 7822
73 ... 7904, 8067, 8069–8073
74 ... 7822
91 ... 7822

PROPOSED RULES:
1 ... 7837
17 ... 8376
21 ... 7837
23 ... 7837
73 ... 7837, 7838, 8079–8081, 8132
74 ... 7837, 8026
81 ... 7837
87 ... 7837
89 ... 7837
91 ... 7837
93 ... 7837
95 ... 7837
97 ... 7837

49 CFR

95 ... 7806, 8064
170 ... 8312

PROPOSED RULES:
31 ... 8244
170 ... 7841
193 ... 7911

50 CFR

32 ... 7909, 8065
33 ... 7756, 7910, 7970

PROPOSED RULES:
401 ... 8130

R280
SOCIOLOGY & ECONOMICS
DETROIT PUBLIC LIBRARY JUN 20 1966

DETROIT PUBLIC LIBRARY JUN 20 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 116

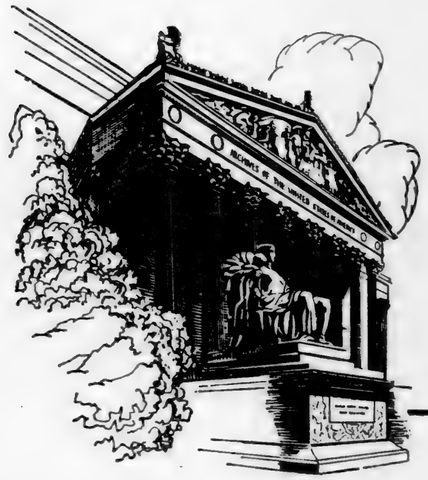
Thursday, June 16, 1966 • Washington, D.C.

Pages 8399–8485

Agencies in this issue—

Agriculture Department
Atomic Energy Commission
Civil Aeronautics Board
Consumer and Marketing Service
Engineers Corps
Farm Credit Administration
Federal Aviation Agency
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Foreign Assets Control Office
Interior Department
Interstate Commerce Commission
Land Management Bureau
National Aeronautics and Space Administration
Securities and Exchange Commission
State Department
Tariff Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

116

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 9—Animals and Animal Products (Revised)
$1.25

Title 15—Commerce and Foreign Trade (Revised)
$1.25

Title 32—National Defense (Parts 400–589)
(Pocket Supplement)
$0.65

Title 46—Shipping (Part 200–End) (Revised)
$1.75

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER
Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURE DEPARTMENT
See also Consumer and Marketing Service.
Notices
Designation and extension of areas for emergency loans:
Michigan 8473
Ohio 8473
Extra long staple cotton; determination of surplus supply 8472

ARMY DEPARTMENT
See Engineers Corps.

ATOMIC ENERGY COMMISSION
Rules and Regulations
General licenses respecting export to Southern Rhodesia; correction 8417
Notices
State of Alabama; proposed agreement for assumption of certain AEC regulatory authority 8473

CIVIL AERONAUTICS BOARD
Proposed Rule Making
Charter trips and special services 8438

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Fresh pears, plums and peaches grown in California; expenses and rate of assessment 8404
Milk in Puget Sound, Washington marketing area; handling 8405
Proposed Rule Making
Milk in north Texas marketing area; decision 8431
Oranges and grapefruit grown in Lower Rio Grande Valley in Texas; decision and referendum 8429
Notices
Cranberries grown in certain States; findings and determinations with respect to continuation of marketing agreement and order 8472

DEFENSE DEPARTMENT
See Engineers Corps.

ENGINEERS CORPS
Rules and Regulations
Lake Powell, Utah-Arizona and Flaming Gorge Lake, Wyoming-Utah; anchorage regulations 8403

FARM CREDIT ADMINISTRATION
Notices
Certain Deputy Governors; notice of basic compensation 8478

FEDERAL AVIATION AGENCY
Rules and Regulations
Airworthiness directives; Dowty Rotol propellers 8417
Jet routes; alteration 8418
Proposed Rule Making
Glider towing operations 8438
Lateral separation of aircraft over North Atlantic; termination of public hearing 8440

FEDERAL MARITIME COMMISSION
Notices
Agreements filed for approval:
Liverpool Liners Ltd., et al 8478
Marine Terminals Corp. (of Los Angeles) et al 8478
Diaz Wandembergh; reinstatement of surety bond 8478
Norway/North Atlantic Conference; order to show cause 8478

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Connecticut Light and Power Co 8480
Indiana and Michigan Electric Co 8480
Tennessee Gas Pipeline Co 8481
Washington Water Power Co 8481

FEDERAL TRADE COMMISSION
Rules and Regulations
Administrative opinions and rulings:
Legality of plan to display signs at newsstands calling attention to advertisements in magazines 8403
Sales promotion plan disapproved; lottery 8403

FISH AND WILDLIFE SERVICE
Notices
Kopun, Alois Sr.; notice of loan application 8472

FOREIGN ASSETS CONTROL OFFICE
Rules and Regulations
Foreign funds control regulations; correction 8404

INTERIOR DEPARTMENT
See also Fish and Wildlife Service; Land Management Bureau.
Proposed Rule Making
Board of Contract Appeals; miscellaneous amendments 8429

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section applications for relief 8469
Motor carrier:
Broker, water carrier and freight forwarder applications 8441
Transfer proceedings 8470

LAND MANAGEMENT BUREAU
Notices
California; proposal withdrawal and reservation of lands 8471
New Mexico:
Correction and termination of proposed withdrawal and reservation of lands 8471
Proposed classification of lands 8471
Utah; proposed withdrawal and reservation of lands 8471

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
Rules and Regulations
Standards of conduct 8418

SECURITIES AND EXCHANGE COMMISSION
Notices
Hearings, etc.:
Brown Fund of Hawaii, Ltd 8481
Continental Vending Machine Corp 8482
du Pont, E. I., de Nemours and Co 8482
United Security Life Insurance Co 8482

STATE DEPARTMENT
Notices
Certain foreign passports; validity 8470

TARIFF COMMISSION
Notices
Sheet glass; annual report to President 8483

TREASURY DEPARTMENT
See Foreign Assets Control Office.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

917 8404
1125 8405
PROPOSED RULES:
906 8429
1126 8431

10 CFR

36 8417

14 CFR

39 8417
75 8418
1200 8418
1204 8418
PROPOSED RULES:
61 8438
91 (2 documents) 8438, 8440
207 8438

16 CFR

15 (2 documents) 8403

31 CFR

520 8404

33 CFR

202 8403

43 CFR

PROPOSED RULES:
4 8429

Rules and Regulations

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Legality of Plan To Display Signs at Newsstands Calling Attention to Advertisements in Magazines

§ 15.56 **Legality of plan to display signs at newsstands calling attention to advertisements in magazines.**

(a) An advisory opinion by the Federal Trade Commission informed an advertising company that its plan for display on newsstands of signs relating to specific magazine advertisements will not subject the company itself or participants to adverse action by the Commission, if the plan is carried out as outlined in this section.

(b) It is proposed that the requesting company will arrange for the display of advertising promotional signs directly below or adjacent to copies of magazines on newsstands in high traffic areas, which will remain on the newsstand for the same period of time as the magazine. This sign will direct attention to an advertisement which appears in the magazine in question. The cost of the signs will be borne by the manufacturer or seller of the product advertised, who will also assume the cost of rental payments to the operators of the newsstands for the display of the signs. All payments are to be made through the requesting company, which will act as an intermediary between the advertisers and the newsstands. All signs will be of a uniform 3½ inches in height and of the same width as the magazine involved.

(c) It is understood, the Commission advised the requesting party, "that there will be no business relationship, direct or indirect, between you and the magazines involved, other than may be necessary to secure permission to refer to the magazines in your signs; it is further understood that you in no way participate in any price concessions, direct or indirect, made to your advertisers by the magazines as a result of your program."

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: June 15, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–6606; Filed, June 15, 1966; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Sales Promotion Plan Disapproved—Lottery

§ 15.57 **Sales promotion plan disapproved—Lottery.**

(a) An advertising company has been informed by the Federal Trade Commission that implementation of its proposed sales promotion plan would result in several law violations.

(b) The requesting party explained it would sell paper bags to retail grocery outlets for use in bagging customers' purchases. There would be no variation in price between customers purchasing the same quantity; however, purchase of different quantities would result in different prices. The bags would have advertising of products sold in the store, plus a serial number, printed on them. A drawing would be held periodically and the holder of the "lucky number" would win a prize. Advertiser-suppliers would pay the requesting company for the advertising and it would make the bags available to any grocery operator wishing to purchase them. Grocery store operators would provide the bags free to customers.

(c) In its advisory opinion the Commission raised the following objections to the plan:

(1) The fact is that competing purchasers of different quantities of the bags would be paying varying prices apparently arrived at on the sole basis of the quantity purchased rather than on differences in the cost of manufacture, sale or delivery of the bags. Unless the differences were cost or otherwise justified it is likely that implementation of the plan would be violative of section 2(a) of the amended Clayton Act.

(2) Advertiser-suppliers would be furnishing a service or facility within the meaning of section 2(e) of the same statute to those of their customers purchasing bags from the requesting party, and thus would be under an obligation to provide customers which compete with those buying the bags with a realistically available alternative. "The feasibility of participating advertiser-suppliers fulfilling this requirement is believed remote."

(3) The "lucky number" feature of the plan would constitute a lottery, since consideration (the customer's patronage), chance (the periodic drawing) and prize (the reward to the "lucky number" holder), make up all the essential elements of a lottery; hence an unfair trade practice violating section 5 of the FTC Act.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: June 15, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–6607; Filed, June 15, 1966; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

Lake Powell, Utah-Arizona, Flaming Gorge Lake, Wyoming-Utah

Pursuant to the provisions of section 1 of an Act of Congress approved April 22, 1940 (54 Stat. 150; 33 U.S.C. 180), §§ 202.127a and 202.127b are hereby prescribed designating special anchorage areas in Lake Powell, Utah-Arizona, and Flaming Gorge Lake, Wyoming-Utah, respectively, wherein vessels not more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor lights, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 202.127a **Lake Powell, Utah-Arizona.**

(a) *Castel Butte, Utah.* That portion of Lake Powell inclosed by the shore and a line connecting the following points, excluding a 300-foot-wide fairway extending in an east-west direction perpendicular to the launching ramp, as established by the Superintendent, Glen Canyon National Recreation Area:

Latitude	*Longitude*
"a" 37°43'45" N.	110°27'00" W.
"b" 37°42'30" N.	110°27'57" W.

(b) *Bullfrog Basin, Utah.* That portion of Lake Powell inclosed by the shore and a line connecting the following points, excluding a 300-foot-wide fairway, extending southeasterly from the launching ramp, as established by the Superintendent, Glen Canyon National Recreation Area:

Latitude	*Longitude*
"a" 37°29'17" N.	110°42'28" W.
"b" 37°28'44" N.	110°43'40" W.

(c) *Halls Crossing, Utah.* That portion of Lake Powell inclosed by the shore and a line connecting the following points, excluding a 300-foot-wide fairway, extending northwesterly from the launching ramp, as established by the Superintendent, Glen Canyon National Recreation Area:

Latitude	*Longitude*
"a" 37°28'24" N.	110°42'57" W.
"b" 37°28'00" N.	110°43'21" W.
"c" 37°27'46" N.	110°43'16" W.

(d) *Forbidding Canyon, Utah.* That portion of Lake Powell inclosed by the shore and a line connecting the following points, excluding a 75-foot-widé fairway extending northerly from the boat landing, as established by the Superintendent, Glen Canyon National Recreation Area:

Latitude	*Longitude*
"a" 37°06'55" N.	110°58'41" W.
"b" 37°06'38" N.	110°58'50" W.

(e) *Wahweap, Arizona-Utah.* That portion of Lake Powell inclosed by the shore and a line connecting the following points, excluding a 200-foot-wide fairway, extending northeasterly from the northerly launching ramp and a 300-foot-wide fairway extending easterly from the southerly launching ramp, as established by the Superintendent, Glen Canyon National Recreation Area:

Latitude	*Longitude*
"a" 37°00'21" N.	111°30'30" W.
"b" 37°00'40" N.	111°30'00" W.
"c" 36°59'10" N	111°28'48" W.
"d" 36°59'10" N.	111°29'24" W.

NOTE: Fixed moorings, piles, or stakes are prohibited. Single and fore-and-aft temporary moorings will be allowed. The anchoring of vessels and the placing of temporary moorings will be under the jurisdiction and at the discretion of the Superintendent, Glen Canyon National Recreation Area.

§ 202.127b Flaming Gorge Lake, Wyoming-Utah.

(a) *Buckboard Crossing, Wyo.* That portion of Flaming Gorge Lake inclosed by the shore and a line connecting the following points, excluding a 150-foot-wide fairway, extending southeasterly from the launching ramp, as established by the Superintendent, Flaming Gorge National Recreation Area:

Latitude	*Longitude*
"a" 41°14'50" N.	109°35'22" W.
"b" 41°14'37" N.	109°35'12" W.

(b) *Squaw Hollow, Wyo.* That portion of Flaming Gorge Lake inclosed by the shore and a line connecting the following points, excluding a 100-foot-wide fairway, extending southeasterly from the launching ramp, as established by the Superintendent, Flaming Gorge National Recreation Area:

Latitude	*Longitude*
"a" 41°09'55" N.	109°33'18" W.
"b" 41°09'48" N.	109°33'20" W.

(c) *Antelope Flat, Utah.* That portion of Flaming Gorge Lake inclosed by the shore and a line connecting the following points, excluding a 150-foot-wide fairway, extending southeasterly from the launching ramp to a point beyond the floating breakwater and then westerly, as established by the Superintendent, Flaming Gorge National Recreation Area:

Latitude	*Longitude*
"a" 40°57'46" N.	109°33'30" W.
"b" 40°57'37" N.	109°33'37" W.

(d) *Lucerne Valley, Utah.* That portion of Flaming Gorge Lake inclosed by the shore and a line connecting the following points, excluding a 300-foot-wide fairway extending southeasterly from the launching ramp, as established by the Superintendent, Flaming Gorge National Recreation Area:

Latitude	*Longitude*
"a" 40°59'07" N.	109°34'54" W.
"b" 40°58'54" N.	109°35'00" W.

NOTE: Fixed moorings, piles, or stakes are prohibited. Single and fore-and-aft temporary moorings will be allowed. The anchoring of vessels and the placing of temporary moorings will be under the jurisdiction and at the discretion of the Superintendent, Flaming Gorge National Recreation Area.

[Regs., May 31, 1966, 1507–32 (Lake Powell, Utah-Arizona, Flaming Gorge Lake, Wyoming-Utah)-ENGCW–ON] (Sec. 1, 54 Stat. 150; 33 U.S.C. 180)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66–6595; Filed, June 15, 1966; 8:45 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 520—FOREIGN FUNDS CONTROL REGULATIONS

Correction

In F.R. Doc. 66–5572 (31 F.R. 7333, 7625), § 520.205(g) is corrected as follows:

1. Page 7339, column 2, under heading, "Argentine, Republic of—Sinking Fund 4% Conversion Loan Due February 15, 1972": Delete line 5.

2. Page 7339, column 3, under heading, "Brazil, United States of—6¼% Bonds issued 1927 Due 1957": Change "6¼%" to "6½%".

3. Page 7340, column 3, under heading, "Mexican Funding Notes (coupon 1 and 2)": In line 5, change "$70.08" to "$70.00".

4. Page 7340, column 3, under heading, "Milan, City of—External Sinking Fund Gold 6½% Loan of 1927 Due 1952": In line 2 change "1187" to "1188".

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Expenses and Rate of Assessment

On May 28, 1966, notice of rule making was published in the FEDERAL REGISTER (31 F.R. 7703) regarding proposed expenses and the related rate of assessment for the fiscal period beginning March 1, 1966, and ending February 28, 1967, pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917, 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Control Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 917.205 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred during the fiscal period March 1, 1966, through February 28, 1967, will amount to $220,250.

(b) *Rate of assessment.* The rates of assessment for such fiscal period payable by each handler in accordance with § 917.37 is fixed as follows:

(1) Eight mills ($0.008) per standard western pear box of pears, or its equivalent in other containers or in bulk;

(2) Three cents ($0.03) per standard four-basket crate of plums, or its equivalent in other containers or in bulk;

(3) Three and one-half mills ($0.0035) per California peach box of peaches, or its equivalent in other containers or in bulk.

Terms used in the amended marketing agreement and this part shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and this part.

Sec. PAYMENTS
1125.80 Time and method of payment to producers and to cooperative associations.
1125.81 Location adjustments to producers and on nonpool milk.
1125.82 Producer butterfat differential.
1125.83 Producer-settlement fund.
1125.84 Payments to the producer-settlement fund.
1125.85 Payments out of the producer-settlement fund.
1125.86 Adjustments of accounts.
1125.87 Marketing services.
1125.88 Expense of administration.
1125.89 Termination of obligations.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION
1125.90 Effective time.
1125.91 Suspension or termination.
1125.92 Continuing obligation.
1125.93 Liquidation.

MISCELLANEOUS PROVISIONS
1125.100 Agents.
1125.101 Separability of provisions.

AUTHORITY: The provisions of this Part 1125 issued under secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

§ 1125.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Puget Sound, Wash., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held;

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 4 cents per hundredweight, or such amount not to exceed 4 cents per hundredweight as the Secretary may prescribe, with respect to (a) producer milk (including such handler's own production), (b) other source milk allocated to Class I pursuant to § 1125.46 (a) (3) and (6) and the corresponding steps of § 1125.46 (b) and (c) packaged Class I milk disposed of on routes within the marketing area from a partially regulated distributing plant which exceeds Class I milk received during the month at such plant from pool plants and other order plants.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) the relevant provisions of said amended marketing agreement and this part require that the rates of assessment fixed for a particular season be applicable to all fresh pears, plums, and peaches from the beginning of such fiscal period; and (2) the fiscal period began March 1, 1966, and the rates of assessment herein fixed will automatically apply to all pears, plums, and peaches beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 10, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6615; Filed, June 15, 1966; 8:46 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 125]

PART 1125—MILK IN PUGET SOUND, WASH., MARKETING AREA

Order Amending Order

DEFINITIONS

Sec.
1125.1 Act.
1125.2 Secretary.
1125.3 Department.
1125.4 Person.
1125.5 Cooperative association.
1125.6 Puget Sound, Wash., marketing area.
1125.7 Plant.
1125.8 Pool plant.
1125.9 Nonpool plant.
1125.10 Handler.
1125.11 Producer.
1125.12 Producer milk.
1125.13 Other source milk.
1125.14 Producer-handler.
1125.15 Fluid milk product.
1125.16 Route disposition.
1125.17 Base.
1125.18 Base milk and excess milk.
1125.19 Chicago butter price.

MARKET ADMINISTRATOR
1125.20 Designation.
1125.21 Powers.
1125.22 Duties.

REPORTS, RECORDS, AND FACILITIES
1125.30 Monthly reports of receipts and utilization.
1125.31 Payroll reports.
1125.32 Other reports.
1125.33 Records and facilities.
1125.34 Retention of records.
1125.35 Handler report to producers.

CLASSIFICATION
1125.40 Skim milk and butterfat to be classified.
1125.41 Classes of utilization.
1125.42 Shrinkage.
1125.43 Responsibility of handlers and reclassification of milk.
1125.44 Interplant movements.
1125.45 Computation of skim milk and butterfat in each class.
1125.46 Allocation of skim milk and butterfat classified.

MINIMUM PRICES
1125.50 Basic formula price.
1125.51 Class prices.
1125.52 Butterfat differentials to handlers.
1125.53 Location adjustments on Class I milk.
1125.54 Location adjustments on Class II milk.
1125.55 Use of equivalent prices.

DETERMINATION OF BASE
1125.60 Computation of producer bases.
1125.61 Base rules.

APPLICABILITY OF PROVISIONS
1125.65 Producer-handlers.
1125.66 Plants subject to other Federal orders.
Obligations of handler operating a partially regulated distributing plant.

DETERMINATION OF UNIFORM PRICES
1125.70 Computation of the net pool obligation of each pool handler.
1125.71 Computation of weighted average price for all milk.
1125.72 Computation of uniform prices for base milk and excess milk.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than July 1, 1966. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued December 2, 1965, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued May 10, 1966. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective July 1, 1966, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Puget Sound, Wash., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

DEFINITIONS

§ 1125.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 et seq.).

§ 1125.2 Secretary.

"Secretary" means the Secretary of Agriculture, or other officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

§ 1125.3 Department.

"Department" means the U.S. Department of Agriculture or such other Federal agency authorized to perform the price reporting functions specified in this part.

§ 1125.4 Person.

"Person" means any individual, partnership, corporation, association, or any other business unit.

§ 1125.5 Cooperative association.

"Cooperative association" means any cooperative marketing association of producers, duly organized as such under the laws of any State, which includes members who are producers as defined in § 1125.11 and which the Secretary determines, after application by the association:

(a) To be qualified under the standards set forth in the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";

(b) To have its entire organization and all of its activities under the control of its members; and

(c) To be currently engaged in making collective sale of or marketing milk or its products for its members.

§ 1125.6 Puget Sound, Wash., marketing area.

"Puget Sound, Wash., marketing area" (hereinafter called the "marketing area") means all territory geographically within the places listed below, including all territory wholly or partly therein occupied by government (municipal, State or Federal) reservations, facilities, installations or institutions:

WASHINGTON COUNTIES

Grays Harbor.
Island.
King.
Lewis (except the town of Vader).
Pacific (all territory north of township 11 N except Long Island and the North Beach Peninsula).
Pierce (except Fox, McNeil, and Anderson Islands and the peninsulas adjacent to Kitsap County).
San Juan.
Skagit.
Snohomish.
Thurston.
Whatcom.

"District 1" shall include that portion of the marketing area in Grays Harbor, King, Pierce, Snohomish, and Thurston Counties. "District 2" shall include Whatcom County. "District 3" shall include that portion of the marketing area in Lewis and Pacific Counties. "District 4" shall include Skagit and Island Counties. "District 5" shall include San Juan County.

§ 1125.7 Plant.

"Plant" means the land, buildings, surroundings, facilities and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment, which is maintained and operated primarily for the receiving, handling and/or processing of milk and milk products.

(a) The buildings, premises and facilities, including facilities for washing tanks, of a reload point used primarily as a location at which milk is transferred from one farm pickup tank truck to another or to an over-the-road tank truck, and approved for such use by an appropriate health authority, shall constitute a plant, unless all milk handled through such reload point during the month is moved to a single plant in the same district. Any reload point on the premises of a plant engaging in other operations shall constitute a part of the operations of such plant.

(b) The buildings, premises and storage facilities of a distribution point at which are stored en route in the course of disposition fluid milk products that have been processed and packaged in consumer-type packages at a distributing plant shall not constitute a plant. Operations of such a distribution point located on the premises of a nonpool plant or a supply plant shall not constitute a part of the operations of such plant. Fluid milk products moved through a distribution point shall be classified on the basis of disposition from the distributing plant at which processed and packaged, unless the following conditions are met, in which case such products may be classified on the basis of disposition from such distribution point:

(1) Such distribution point is located west of the Cascade Mountain Range;

(2) Fluid milk products are not received during the month at such distribution point from more than one plant; and

(3) The handler operating such distributing plant notifies the market administrator of his intent to report regularly on the basis of disposition from such distribution point.

§ 1125.8 Pool plant.

"Pool plant" means any plant, other than an other order plant or the plant of a producer-handler, approved by a health authority having jurisdiction in the marketing area for receiving, processing or packaging of milk qualified for distribution as Grade A milk, which meets the conditions of paragraph (a) or (b) of this section:

(a) Any such plant, hereinafter referred to as a "pool distributing plant", from which during the month route disposition of fluid milk products in the marketing area averages more than 110 pounds daily and is also 10 percent or more of receipts of Grade A milk at such plant; or

(b) Any other such plant (including any reload point constituting a plant), hereinafter referred to as a "pool supply plant", at which milk so qualified is received from dairy farmers or a cooperative association pursuant to § 1125.10(f), and which is:

(1) Located in the marketing area; or

(2) Located outside the marketing area, and from which is moved in fluid form as milk to a pool distributing plant at least the following applicable percentage of both the skim milk and butterfat in Grade A milk received from dairy farmers:

(i) During the months of October through December, 50 percent of such receipts during the month; or

(ii) During the months of January through September, 20 percent of such receipts during the month, except that any plant which shipped more than 50 percent of such receipts during the entire period of October through December immediately preceding shall be a pool plant for each of the months of January through September.

(3) Any plant which otherwise meets the requirements of this paragraph may withdraw from pool supply plant status for any month in the January–September period if the operator of the plant files with the market administrator, prior to the first day of such month, a written request for such withdrawal.

§ 1125.9 Nonpool plant.

"Nonpool plant" means any plant other than a pool plant. The following categories of nonpool plants are further defined as follows:

(a) "Other order plant" means a plant that is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act.

(b) "Producer-handler plant" means a plant operated by a producer-handler as defined in any order (including this part) issued pursuant to the Act.

(c) "Partially regulated distributing plant" means a nonpool plant that is neither an other order plant nor a producer-handler plant, from which during the month an average of more than 110 pounds daily of fluid milk products is disposed of on routes in the marketing area.

(d) "Unregulated supply plant" means a nonpool plant that is neither an other order plant nor a producer-handler plant, from which fluid milk products qualified for distribution as Grade A milk are moved to a pool plant during the month.

§ 1125.10 Handler.

"Handler" means any person in his capacity as:

(a) The operator of one or more pool plants;

(b) The operator of a partially regulated distributing plant;

(c) The operator of an other order plant from which fluid milk products are disposed of on a route in the marketing area;

(d) A producer-handler;

(e) Any cooperative association with respect to milk of its member producers caused to be diverted for the account of such cooperative association from a pool plant of another handler to a nonpool plant; or

(f) Any cooperative association with respect to milk of its member producers which is received from the farm for delivery to the pool plant of another handler in a tank truck owned and operated by, or under contract to, such cooperative association, if the cooperative association notified the market administrator and the operator of the pool plant to whom the milk is delivered, in writing prior to the first day of the month in which the milk is delivered, that it elects to be the handler for such milk. For purposes of location adjustments to producers such milk is considered to have been received from producers by the cooperative association at the location of the pool plant to which it is delivered.

§ 1125.11 Producer.

"Producer" means any person engaged in the production of milk of dairy cows:

(a) Who produces such milk in compliance with the Grade A inspection requirements of a duly constituted health authority;

(b) Whose milk during the month is received at a pool plant or is diverted from a pool plant to a nonpool plant purreceived at a pool plant by diversion from an other order plant and retains status as producer milk under the order by which such plant is regulated;

(c) Who is not a producer-handler as defined in any order (including this part) issued pursuant to the Act; and

(d) Who during the month has not disposed of on a route or to consumers at the farm an average of more than 110 pounds daily of fluid milk products.

§ 1125.12 Producer milk.

"Producer milk" or "milk received from producers" means skim milk and butterfat in milk produced by producers which is received for the account of a handler as follows:

(a) With respect to receipts at a pool plant, producer milk shall include:

(1) Milk received at such plant directly from producers;

(2) Milk diverted from such pool plant to a nonpool plant for the account of the operator of the pool plant, subject to the condition set forth in paragraph (c) of this section; and

(3) Milk received at such pool plant from a cooperative association in its capacity as a handler pursuant to § 1125.10(f), for all purposes other than those specified in paragraph (b)(2)(i) of this section;

(b) With respect to milk for which a cooperative association is a handler in a capacity other than as the operator of a pool plant, producer milk shall include:

(1) Milk diverted from the pool plant of another handler to a nonpool plant for the account of the cooperative association, subject to the condition set forth in paragraph (c) of this section; and

(2) Milk for which the cooperative association is a handler pursuant to § 1125.10(f) to the following extent:

(i) For purposes of reporting pursuant to §§ 1125.30(c) and 1125.31(a) and making payments to producers pursuant to § 1125.80(a); and

(ii) For all purposes, with respect to any such milk which is not delivered to the pool plant of another handler; and

(c) For purposes of location adjustments pursuant to §§ 1125.53, 1125.54 and 1125.81, milk diverted to a nonpool plant shall be priced at the location of the plant to which diverted.

§ 1125.13 Other source milk.

"Other source milk" means all skim milk and butterfat contained in:

(a) Receipts during the month of fluid milk products from any source (including all receipts in fluid form from a producer-handler or the plant of a producer-handler as defined under this or any other Federal order) except:

(1) Producer milk; and

(2) Receipts from other pool plants; and

(b) Nonfluid and residual products (including those processed at the plant) which are reprocessed in connection with, or converted to, a fluid milk product during the month. The skim milk component of such products shall be as follows:

suant to § 1125.12, unless such milk is

(1) A weight equal to the weight of the volume increase caused by nonfat milk solids in dry milk solids or condensed milk or skim milk products used for the fortification of, or as an additive to, fluid milk products; and

(2) The weight of a volume equivalent to the skim milk used to produce such product, with respect to other such products or uses.

§ 1125.14 Producer-handler.

"Producer-handler" means a person who is engaged in the production of milk and also operates a plant from which during the month an average of more than 110 pounds daily of fluid milk products is disposed of on a route(s) within the marketing area and who has been so designated by the market administrator upon his determination that all of the requirements of this section have been met, and that none of the conditions therein for cancellation of such designa-

tion exists. All designations shall remain in effect until cancelled pursuant to paragraph (c) of this section. The Department of Institutions, State of Washington, shall be a producer-handler exempt from the provisions of this section and §§ 1125.30 and 1125.32 with respect to milk of its own production and receipts from pool plants processed or received for consumption in State institutions and with respect to movements of milk to or from a pool plant.

(a) *Requirements for designation.* (1) The producer-handler has and exercises (in his capacity as a handler) complete and exclusive control over the operation and management of a plant at which he handles and processes milk received from his milk production resources and facilities (designated as such pursuant to paragraph (b)(1) of this section), the operation and management of which are under the complete and exclusive control of the producer-handler (in his capacity as a dairy farmer).

(2) The producer-handler neither receives at his designated milk production resources and facilities nor receives, handles, processes or distributes at or through any of his milk handling, processing or distributing resources and facilities (designated as such pursuant to paragraph (b)(2) of this section) fluid milk products derived from any source other than (i) his designated milk production resources and facilities, (ii) pool plants within the limitation specified in paragraph (c)(2) of this section, or (iii) nonfat milk solids which are used to fortify fluid milk products.

(3) The producer-handler is neither directly or indirectly associated with the business control or management of, nor has a financial interest in, another handler's operation; nor is any other handler so associated with the producer-handler's operation.

(4) Designation of any person as a producer-handler following a cancellation of his prior designation shall be preceded by performance in accordance with subparagraphs (1), (2), and (3) of this paragraph for a period of 1 month.

(b) *Resources and facilities.* Designation of a person as a producer-handler shall include the determination and designation of the milk production, handling, processing and distributing resources and facilities, all of which shall be deemed to constitute an integrated operation, as follows:

(1) As milk production resources and facilities: All resources and facilities (milking herd(s), buildings housing such herd(s), and the land on which such buildings are located) used for the production of milk:

(i) Which are directly, indirectly or partially owned, operated or controlled by the producer-handler;

(ii) In which the producer-handler in any way has an interest including any contractual arrangement; and

(iii) Which are directly, indirectly or partially owned, operated or controlled by any partner or stockholder of the producer-handler: *Provided*, That for purposes of this subparagraph any such milk production resources and facilities which the producer-handler proves to the satisfaction of the market administrator do not constitute an actual or potential source of milk supply for the producer-handler's operation as such shall not be considered a part of his milk production resources and facilities; and

(2) As milk handling, processing and distributing resources and facilities: All resources and facilities (including store outlets) used for handling, processing and distributing within the marketing area any fluid milk product:

(i) Which are directly, indirectly or partially owned, operated or controlled by the producer-handler; or

(ii) In which the producer-handler in any way has an interest, including any contractual arrangement, or with respect to which the producer-handler directly or indirectly exercises any degree of management or control.

(c) *Cancellation.* The designation as a producer-handler shall be cancelled under any of the conditions set forth in subparagraphs (1) and (2) of this paragraph, or upon determination by the market administrator that any of the requirements of subparagraphs (1), (2), and (3) of paragraph (a) of this section are not continuing to be met, such cancellation to be effective on the first day of the month following the month in which the requirements were not met, or the conditions for cancellation occurred.

(1) Milk from the designated milk production resources and facilities of the producer-handler is delivered in the name of another person as producer milk to another handler.

(2) The producer-handler handles fluid milk products derived from sources other than the designated milk production facilities and resources, with the exception of purchases from pool plants in the form of packaged fluid milk products, other than whole milk, which do not exceed a daily average during the month of 100 pounds.

(d) *Public announcement.* The market administrator shall publicly announce the name, plant location and farm location(s) of persons designated as producer-handlers, of those whose designations have been cancelled, and the effective dates of producer-handler status or loss of producer-handler status for each. Such announcements shall be controlling with respect to the accounting at plants of other handlers for milk received from any producer-handler.

(e) *Burden of establishing and maintaining producer-handler status.* The burden rests upon the handler who is designated as a producer-handler to establish through records required pursuant to § 1125.33 that the requirements set forth in paragraph (a) of this section have been and are continuing to be met, and that the conditions set forth in paragraph (c) of this section for cancellation of designation do not exist.

§ 1125.15 Fluid milk product.

"Fluid milk product" means the following, in fluid or frozen form:

(a) Milk, skim milk, skim milk drinks, buttermilk, flavored milk, and flavored milk drinks (including such products reconstituted or fortified with additional nonfat milk solids);

(b) Concentrated milk, skim milk, flavored milk, and flavored milk drinks; and

(c) Cream (sweet or sour) and any mixtures of cream and milk or skim milk (exclusive of ice cream and frozen dessert mixes, cocoa mixes, aerated cream products, and eggnog).

Fluid milk products shall not include those products commonly known as evaporated milk, condensed milk, and skim milk (plain or sweetened), yogurt, starter, or any milk or milk products sterilized and packaged in hermetically sealed metal or glass containers.

§ 1125.16 Route disposition.

"Route disposition" means any delivery of fluid milk products (including delivery at a plant, plant store, or eating place and delivery by a vendor or through a distribution point) except:

(a) A delivery to a plant;

(b) A delivery in bulk to a commercial food processing establishment pursuant to § 1125.41(b)(3); or

(c) A delivery to a military or other ocean transport vessel leaving the marketing area of fluid milk products which originated at a plant located outside the marketing area and were not received or processed at any pool plant.

§ 1125.17 Base.

"Base" means a quantity of milk, expressed in pounds per day or per month, computed pursuant to § 1125.60 (a) and (b), respectively.

§ 1125.18 Base milk and excess milk.

(a) "Base milk" means milk delivered by a producer during the month which is not in excess of:

(1) His daily base computed pursuant to § 1125.60(a) multiplied by the number of days of delivery in such month; or

(2) His monthly base computed pursuant to § 1125.60(b): *Provided*, That with respect to any producer with "every-other-day" delivery of milk the days of nondelivery shall be considered as days of delivery for the purposes of this section and of § 1125.60(a).

(b) "Excess milk" means milk delivered by a producer in excess of base milk.

§ 1125.19 Chicago butter price.

"Chicago butter price" means the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at Chicago as reported for the

month by the Department. If no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

Market Administrator

§ 1125.20 Designation.

The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be designated by, and shall be subject to removal at the discretion of, the Secretary.

§ 1125.21 Powers.

The market administrator shall have the following powers with respect to this part:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 1125.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by § 1125.88 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses (except those incurred under § 1125.87) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this part, and upon request by the Secretary surrender the same to such other person as the Secretary may designate;

(f) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(g) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk or butterfat for such handler depends;

(h) Publicly announce, at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the day upon which he is required to perform such acts, has not:

(1) Made reports pursuant to §§ 1125.30 through 1125.32; or

(2) Made one or more of the payments pursuant to §§ 1125.80 through 1125.88;

(i) On or before the 13th day after the end of each month, report to each cooperative association (or its duly designated agent) which so requests the class utilization (and within Class II, the utilization specified in § 1125.54(c)) of milk of its member producers which is received by each handler directly from farms or from the cooperative association pursuant to § 1125.10(f). For the purposes of this report, such milk shall be prorated to each class (and within Class II, to the utilization specified in § 1125.54(c)) in the proportion that the total receipts of milk from producers and from cooperative associations pursuant to § 1125.10(f) of such handler were used in each class;

(j) Notify handlers as follows:

(1) On or before the 13th day after the end of each month, each handler whose net pool obligation is computed pursuant to § 1125.70 of:

(i) The amounts and values of his producer milk in each class and the totals of such amounts and values;

(ii) The amount of any charge made pursuant to § 1125.70 (b), (c), (d), or (e);

(iii) The uniform prices for base milk and excess milk;

(iv) The amounts specified in § 1125.84 (b)(1), (2), and (3);

(v) The amount due such handler from the producer-settlement fund or the amount to be paid by such handler to the producer-settlement fund, as the case may be; and

(vi) The totals of the amounts required to be paid by such handler pursuant to §§ 1125.87 and 1125.88; and

(2) On or before the 22d day after the end of each month, each handler whose obligation is computed pursuant to § 1125.67, of any amount computed pursuant to § 1125.67(a) on the basis of information reported by such handler, the amount computed pursuant to § 1125.67 (b), and the amount due pursuant to § 1125.88 from such handler;

(k) Publicly announce by posting in a conspicuous place in his office and by such other means as he deems appropriate the prices determined for each month as follows:

(1) On or before the 5th day of each month the minimum price for Class I milk pursuant to § 1125.51(a) and the Class I butterfat differential pursuant to § 1125.52(a), both for the current month, and the minimum price for Class II milk pursuant to § 1125.51(b) and the Class II butterfat differential pursuant to § 1125.52(b), both for the preceding month; and

(2) On or before the 13th day of each month, the weighted average and uniform prices computed pursuant to §§ 1125.71 and 1125.72 and the butterfat differential computed pursuant to § 1125.82, each applicable to milk received during the preceding month;

(l) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information;

(m) Whenever required for the purpose of allocating receipts from other order plants pursuant to § 1125.46(a)(7) and the corresponding step of § 1125.46 (b), estimate and publicly announce the utilization (to the nearest whole percentage), in each class, during the month, of skim milk and butterfat, respectively, in producer milk of all handlers. Such estimate shall be based upon the most current available data and shall be final for such purpose;

(n) Report to the market administrator of the other order, as soon as possible after the report of receipts and utilization for the month is received from a handler who has received fluid milk products from an other order plant, the classification to which such receipts are allocated pursuant to § 1125.46 pursuant to such report, and thereafter any change in such allocation required to correct errors disclosed in verification of such report; and

(o) Furnish to each handler operating a pool plant who has shipped fluid milk products to an other order plant, the classification to which the skim milk and butterfat in such fluid milk products were allocated by the market administrator of the other order on the basis of the report of the receiving handler; and, as necessary, any changes in such classification arising in the verification of such report.

Reports, Records and Facilities

§ 1125.30 Monthly reports of receipts and utilization.

On or before the 8th day of each month each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, the following information for the preceding month:

(a) Each handler operating a pool plant(s) shall report separately for each pool plant:

(1) The quantities of skim milk and butterfat contained in:

(i) Milk received directly from producers, showing separately any milk of own-farm production;

(ii) Milk received from a cooperative association pursuant to § 1125.10(f);

(iii) Fluid milk products received from other pool plants; and

(iv) Other source milk;

(2) The utilization of all skim milk and butterfat required to be reported, including the quantities contained in fluid milk products on hand at the beginning and end of the month;

§ 1125.34 **Retention of records.**

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of 3 years to begin at the end of the month to which such books and records pertain: *Provided,* That if, within such 3-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c(15)(A) of the Act or a court action specified in such notice, that handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

§ 1125.35 **Handler report to producers.**

(a) In making payments to producers pursuant to § 1125.80, each handler, on or before the 19th day of each month, shall furnish each producer with a supporting statement in such form that it may be retained by the producer, which shall show for the preceding month:

(1) The identification of the handler and the producer;

(2) The total pounds of milk delivered by the producer and the average butterfat test thereof, the pounds of base and excess milk, and the pounds per shipment if such information is not furnished to the producer each day of delivery;

(3) The minimum rate(s) at which payment to the producer is required under the provisions of § 1125.80;

(4) The rate per hundredweight and amount of any premiums or payments above the minimum prices provided by the order;

(5) The amount or rate per hundredweight of each deduction claimed by the handler, together with a description of the respective deductions; and

(6) The net amount of payment to the producer.

(b) In making payment to a cooperative association in aggregate pursuant to § 1125.80(b) each handler upon request shall furnish to the cooperative association, with respect to each producer for whom such payment is made, any or all of the above information specified in paragraph (a) of this section.

CLASSIFICATION

§ 1125.40 **Skim milk and butterfat to be classified.**

All skim milk and butterfat received within the month by a handler which is required to be reported pursuant to § 1125.30 shall be classified by the market administrator pursuant to the provisions of §§ 1125.41 through 1125.46.

§ 1125.41 **Classes of utilization.**

Subject to the conditions set forth in §§ 1125.42, 1125.43, and 1125.44, the classes of utilization shall be as follows:

(a) *Class I milk.* Class I milk shall be all skim milk and butterfat:

(1) Disposed of in the form of a fluid milk product, subject to the following limitations and exceptions:

(i) Any products fortified with added nonfat milk solids shall be Class I in an amount equal only to the weight of an equal volume of a like unmodified product of the same butterfat content;

(ii) Fluid milk products in concentrated form shall be Class I in an amount equal to the skim milk and butterfat used to produce the quantity of such products disposed of; and

(iii) Products classified as Class II pursuant to paragraph (b) (3), (4), or (5) of this section are excepted;

(2) Contained in monthly inventory variation of fluid milk products; and

(3) Not specifically accounted for as Class II utilization.

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat:

(1) Used to produce evaporated milk in hermetically sealed containers, butter, nonfat dry milk solids, powdered whole milk, casein and cheese (other than cottage, "baker's," "pot," cream or neufchatel), including that contained in residual products resulting from the manufacture of butter and cheese;

(2) Used to produce products other than fluid milk products or those specified in subparagraph (1) of this paragraph;

(3) In fluid milk products disposed of in bulk to a commercial food processing establishment for use in food products which are processed for general distribution to the public for consumption off the premises;

(4) In fluid milk products disposed of for livestock feed;

(5) In fluid milk products dumped after such prior notice and opportunity for verification as may be required by the market administrator;

(6) In shrinkage at each pool plant as computed pursuant to § 1125.42(b)(1) but not to exceed the following amount:

(i) Two percent of receipts in producer milk pursuant to § 1125.12(a) (1) and (2); plus

(ii) One and one-half percent of receipts of fluid milk products in bulk from other pool plants; plus

(iii) One and one-half percent of receipts from a cooperative association in its capacity as a handler pursuant to § 1125.10(f), except that if the handler operating the pool plant files notice with the market administrator that he is purchasing such milk on the basis of farm weights and individual producer tests, the applicable percentage shall be 2 percent; plus

(iv) One and one-half percent of receipts of fluid milk products in bulk from an other order plant, exclusive of the quantity for which Class II utilization was requested by the operator of such plant and the handler; plus

(v) One and one-half percent of receipts of fluid milk products in bulk from unregulated supply plants, exclusive of the quantity for which Class II utilization was requested by the handler; less

(vi) One and one-half percent of fluid milk products disposed of in bulk to other plants, except, in the case of milk diverted to a nonpool plant, if the operator of the plant to which the milk is diverted purchases such milk on the basis of farm weights and individual producer tests, the applicable percentage shall be 2 percent;

(7) In shrinkage at each pool plant as computed pursuant to § 1125.42(b)(2); and

(8) In shrinkage resulting from milk for which a cooperative association is the handler pursuant to § 1125.10 (e) or (f) not being delivered to pool plants and nonpool plants, but not in excess of one-half percent of such receipts, exclusive of those for which farm weights and individual producer tests are used as the basis of receipt at the plant to which delivered.

§ 1125.42 **Shrinkage.**

The market administrator shall allocate shrinkage over a handler's receipts at each pool plant as follows:

(a) Compute the total shrinkage of skim milk and butterfat, respectively (after reducing the quantity transferred to any nonpool plant located on the same premises by a pro rata share of shrinkage in such nonpool plant based on the proportion that such transfers are of its total receipts); and

(b) Prorate the resulting amounts between:

(1) A quantity equal to 50 times the maximum that may be computed pursuant to § 1125.41(b)(6); and

(2) Skim milk and butterfat in other source milk in the form of bulk fluid milk products, exclusive of that specified in § 1125.41(b)(6) (iv) and (v).

§ 1125.43 **Responsibility of handlers and reclassification of milk.**

(a) All skim milk and butterfat shall be Class I milk unless the handler who first received such skim milk or butterfat proves that such skim milk and butterfat should be classified as Class II milk.

(b) The burden shall rest upon each handler to establish the sources of milk and milk products required to be reported by him pursuant to § 1125.30.

(c) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 1125.44 **Interplant movements.**

Skim milk and butterfat moved by transfer, and by diversion under paragraph (c) of this section, as fluid milk products from a pool plant shall be assigned (separately) to each class in the following manner:

(a) To a pool distributing plant: As Class I milk to the extent Class I milk is available at the transferee plant after computations pursuant to § 1125.46 (a)(7) and the corresponding step of § 1125.46(b), subject to the following provisions:

(1) In the event the quantity transferred exceeds the total of receipts from producers and other pool plants at the transferor plant, such excess shall be assigned last to the Class I milk available at the transferee plant;

(2) If more than one transferor plant is involved, the available Class I milk shall first be assigned to pool plants located in District 1 and the counties of Pierce, Kitsap, and Mason, and then in sequence to the plants at which the least location adjustment applies;

(3) If Class I milk is not available in amounts equal to the sum of the quantities to be assigned pursuant to subparagraph (2) of this paragraph to plants having the same location adjustments, the transferee handler may designate to which of such plants the available Class I milk shall be assigned;

(4) If receipts of skim milk or butterfat from a pool plant located in District 1 or in the counties of Kitsap, Mason, or Pierce are assigned to Class II milk at the transferee plant, they shall be allocated, as designated by the transferee handler, to the uses stated in § 1125.54(a) only to the extent that the quantity so assigned exceeds other Class II uses remaining at the transferee plant after computations pursuant to § 1125.46 (a)(7) and the corresponding step of § 1125.46(b);

(5) Notwithstanding the prior provisions of this paragraph, any such skim milk and butterfat transferred in bulk from a pool plant to a pool distributing plant in which facilities are maintained and used to receive milk or milk products required by applicable health authority regulations to be kept physically separate from Grade A milk shall be classified in accordance with the provisions of paragraph (b) of this section; and

(6) If the transferor plant received during the month other source milk to be allocated pursuant to § 1125.46(a) (6) and (7) and the corresponding steps of § 1125.46(b), the skim milk and butterfat so transferred up to the total of such receipts shall not be classified as Class I milk to a greater extent than would be applicable to a like quantity of such other source milk received at the transferee plant.

(b) To a pool supply plant as Class II milk, subject to the following conditions:

(1) The skim milk or butterfat so assigned to Class II milk shall be limited to the amount thereof remaining in Class II milk in the transferee plant after computations pursuant to § 1125.46 (a)(7) and the corresponding step of § 1125.46(b) for such plant, and any additional amounts of such skim milk or butterfat shall be assigned to Class I milk and credited to transfers from transferor plants in the sequence at which the least location adjustment applies;

(2) If more than one transferor plant is involved, the available Class II milk shall first be assigned to transferor plants located outside District 1 and Kitsap, Mason, and Pierce Counties;

(3) If Class II milk is not available in amounts equal to the sum of the quantities to be assigned pursuant to subparagraph (2) of this paragraph, the transferee handler may designate the plant(s) to which the available Class II milk shall be assigned; and

(4) If receipts of skim milk or butterfat from a pool plant located in District 1 or in the counties of Kitsap, Mason, or Pierce are assigned to Class II milk at the transferee plant, they shall be allocated, as designated by the transferee handler, to the uses stated in § 1125.54(a) only to the extent that the quantity so assigned exceeds other Class II uses remaining at the transferee plant after computations pursuant to § 1125.46(a)(7) and the corresponding step of § 1125.46(b).

(c) To a nonpool plant:

(1) Except as provided for in subparagraphs (3) and (4) of this paragraph, as Class I milk, if transferred or diverted to a nonpool plant located outside the marketing area, except that cream transferred to a nonpool plant so located shall be classified as Class II if such nonpool plant neither distributes fluid milk products on routes nor disposes of them to other nonpool plants, and the market administrator is permitted to audit the records of such nonpool plant for purposes of verification;

(2) As Class I milk, if transferred or diverted to a producer-handler as defined in any order (including this part) issued pursuant to the Act, or to the plant of such a producer-handler;

(3) As Class II milk, if transferred or diverted to a nonpool plant located in the marketing area or within any of the

(3) The aggregate quantities of base milk and excess milk received; and

(4) Such other information with respect to such receipts and utilization as the market administrator may prescribe.

(b) Each producer-handler shall report:

(1) The quantities of skim milk and butterfat contained in:

(i) Milk of own-farm production;

(ii) Receipts of fluid milk products from pool plants, showing separately receipts in packaged form and in bulk; and

(iii) Other source milk, showing separately any receipts from another dairy farmer; and

(2) As specified in paragraph (a) (2) and (4) of this section.

(c) Each cooperative association shall report with respect to milk for which it is the handler pursuant to either § 1125.10(e) or (f):

(1) The quantities of skim milk and butterfat received from producers;

(2) The utilization of skim milk and butterfat for which it is the handler pursuant to § 1125.10(e);

(3) The quantities of skim milk and butterfat delivered to each pool plant pursuant to § 1125.10(f); and

(4) As specified in paragraph (a) (3) and (4) of this section.

(d) Each handler who operates a partially regulated distributing plant shall report as specified in paragraph (a) (1), (2), and (4) of this section except that receipts from dairy farmers in Grade A milk shall be reported in lieu of those in producer milk. Such report shall include a separate statement showing the respective amounts of skim milk and butterfat disposed of on routes in the marketing area as Class I milk.

(e) Each handler who operates an other order plant with disposition of fluid milk products on routes in the marketing area shall report the quantities of skim milk and butterfat in such disposition.

§ 1125.31 **Payroll reports.**

On or before the 20th day of each month, handlers shall report to the market administrator as follows:

(a) Each handler with respect to each of his pool plants and each cooperative association which is a handler pursuant to § 1125.10 (e) or (f) shall submit his producer payroll for deliveries (other than his own-farm production) in the preceding month which shall show:

(1) The total pounds of base milk and the total pounds of excess milk received from each producer, the pounds of butterfat contained in such milk, and the number of days on which milk was delivered by such producer in such month;

(2) The amount of payment to each producer and cooperative association; and

(3) The nature and amount of any deductions or charges involved in such payments; and

(b) Each handler operating a partially regulated distributing plant who wishes computations pursuant to § 1125.67(a) to be considered in the computation of his obligation pursuant to § 1125.67 shall submit his payroll for deliveries of Grade A milk by dairy farmers which shall show:

(1) The total pounds of milk and the butterfat content thereof received from each dairy farmer;

(2) The amount of payment to each dairy farmer (or to a cooperative association on behalf of such dairy farmer); and

(3) The nature and amount of any deductions or charges involved in such payments.

§ 1125.32 **Other reports.**

At such time and in such manner as the market administrator may prescribe, each handler shall report to the market administrator such information in addition to that required under § 1125.30 as may be requested by the market administrator with respect to milk and milk products handled by him.

§ 1125.33 **Records and facilities.**

Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or to establish the correct data with respect to the information required to be reported pursuant to §§ 1125.14, 1125.30, 1125.31, and 1125.32 and payments required to be made pursuant to §§ 1125.80 through 1125.88.

counties of Kitsap, Mason, Clallam, Jefferson, and Pierce in the State of Washington, from which fluid milk products are not distributed on routes, subject to the following conditions:

(i) The transfer shall be classified as Class I milk unless the market administrator is permitted to audit the records of the nonpool plant for purposes of verification;

(ii) If such nonpool plant disposes of fluid milk products to any other nonpool plant distributing fluid milk products on routes, the transfer or diversion shall be classified as Class I milk up to the quantity of such disposition to the second nonpool plant; and

(iii) Milk classified as Class II shall be assigned to uses specified in § 1125.54(a) to the extent that such uses are available at such nonpool plant; and

(4) As follows, if transferred to an other order plant in excess of receipts from such plant in the same category as described in subdivision (i), (ii), or (iii) of this subparagraph:

(i) If transferred in packaged form, classification shall be in the classes to which allocated as a fluid milk product under the other order;

(ii) If transferred in bulk form, classification shall be in the classes to which allocated as a fluid milk product under the other order (including allocation under the conditions set forth in subdivision (iii) of this subparagraph);

(iii) If the operators of both the transferor and transferee plants so request in the reports of receipts and utilization filed with their respective market administrators, transfers in bulk form shall be classified as Class II to the extent of the Class II utilization (or comparable utilization under such other order) available for such assignment pursuant to the allocation provisions of the transferee order;

(iv) If information concerning the classification to which allocated under the other order is not available to the market administrator for purposes of establishing classification pursuant to this subparagraph, classification shall be as Class I, subject to adjustment when such information is available;

(v) For purposes of this subparagraph, if the transferee order provides for more than two classes of utilization, milk allocated to a class consisting primarily of fluid milk products shall be classified as Class I, and milk allocated to other classes shall be classified as Class II; and

(vi) If the form in which any fluid milk product is transferred to an other order plant is not defined as a fluid milk product under such other order, classification shall be in accordance with the provisions of § 1125.41.

§ 1125.45 Computation of skim milk and butterfat in each class.

For each month the market administrator shall correct for mathematical and other obvious errors the reports of receipts and utilization submitted pursuant to § 1125.30 (a) and (c) and compute the total pounds of skim milk and butterfat in each class. For the purposes of such computation, 0.06 percent shall be used as the butterfat content of skim milk where no specific tests are available. Such computations shall be as follows:

(a) If any other source milk not subject to allocation at such plant pursuant to § 1125.46(a) (2) through (4) was received at any pool plant of a handler, there will be computed for such handler the total pounds of skim milk and butterfat, respectively, in each class at all of his pool plants combined, exclusive of any classification based upon movements between such plants, and allocation pursuant to § 1125.46 and computation of obligation pursuant to § 1125.70 shall be based upon the combined utilization so computed. For purposes of assigning location adjustments pursuant to §§ 1125.53 and 1125.54 with respect to milk moved between such plants, the skim milk and butterfat subtracted from each class pursuant to § 1125.46(a) (2), (3), (4), (6), and (7) and the corresponding steps of § 1125.46 (b) will be assigned so far as possible to utilization (exclusive of such interplant movements) reported at the plant at which it was received, and thereafter in sequence to plants at which location adjustment for such class is the same or most nearly similar, and the applicable location adjustments will be determined on the basis of the classification resulting from the application of § 1125.44 (a) and (b) to the remaining utilization reported;

(b) If no fluid milk products to be allocated pursuant to § 1125.46(a) (6) or (7) were received at any pool plant of a handler, the total pounds of skim milk and butterfat, respectively, in each class will be computed for each pool plant of such handler, and allocation pursuant to § 1125.46 and computation of obligation pursuant to § 1125.70 shall be made separately for each pool plant of the handler; and

(c) There will be computed for each cooperative association reporting pursuant to § 1125.30(c) the pounds in each class of skim milk and butterfat, respectively, in producer milk pursuant to § 1125.12(b) (1) and (2)(ii). The amounts so determined shall be those used for computation pursuant to § 1125.46(c).

§ 1125.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1125.45, the market administrator shall determine the classification of producer milk for each handler at all his pool plants (or at each pool plant, when § 1125.45(b) applies) as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk classified as Class II pursuant to § 1125.41(b)(6);

(2) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in fluid milk products received in packaged form from other order plants as follows:

(i) From Class II milk, the lesser of the pounds remaining or 2 percent of such receipts; and

(ii) From Class I milk, the remainder of such receipts;

(3) Subtract in the order specified below, from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in each of the following:

(i) Other source milk in a form other than that of a fluid milk product;

(ii) Receipts of fluid milk products not qualified for disposition to consumers in fluid form, or which are from unidentified sources; and

(iii) Receipts of fluid milk products from a producer-handler, as defined under this or any other Federal order;

(iv) Subtract, if the total pounds of skim milk in all classes pursuant to § 1125.45 exceed the total pounds of skim milk reported pursuant to § 1125.30 (a)(1), from the remaining pounds of skim milk in each class, in series beginning with Class II, the amount determined by prorating such excess between the pounds of skim milk subtracted pursuant to subdivisions (i) through (iii) of this subparagraph and the remaining receipts;

(4) Subtract, in the order specified below, from the pounds of skim milk remaining in Class II, but not in excess of such quantity:

(i) Receipts of fluid milk products from unregulated supply plants for which the handler requests Class II utilization;

(ii) Remaining receipts of fluid milk products from unregulated supply plants which are in excess of the pounds of skim milk determined by multiplying the pounds of skim milk remaining in Class I milk by 1.25 and subtracting the sum of the pounds of skim milk in receipts of producer milk, receipts from pool plants of other handlers (and of the same handler, when § 1125.45(b) applies), and receipts in bulk from other order plants; and

(iii) Receipts of fluid milk products in bulk from an other order plant in excess of similar transfers to such plant, if Class II utilization was requested by the operator of such plant and the handler;

(5) Add to the remaining pounds of skim milk in Class II milk the pounds subtracted pursuant to subparagraph (1) of this paragraph;

(6) Subtract from the pounds of skim milk remaining in each class, pro rata to such quantities, the pounds of skim milk in receipts of fluid milk products from unregulated supply plants which were not subtracted pursuant to subparagraph (4) (i) and (ii) of this paragraph;

(7) Subtract from the pounds of skim milk remaining in each class, in the following order, the pounds of skim milk in receipts of fluid milk products in bulk from an other order plant(s), in excess in each case of similar transfers to the same plant, which were not subtracted pursuant to subparagraph (4) (iii) of this paragraph:

(i) In series beginning with Class II, the pounds determined by multiplying the pounds of such receipts by the larger

of the percentage of estimated Class II utilization of skim milk announced for the month by the market administrator pursuant to § 1125.22(m) or the percentage that Class II utilization remaining is of the total remaining utilization of skim milk of the handler; and

(ii) From Class I, the remaining pounds of such receipts;

(8) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received in fluid milk products from pool plants of other handlers (and of the same handler, when § 1125.45(b) applies) according to the classification assigned pursuant to § 1125.44;

(9) If the pounds of skim milk remaining in both classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class in series beginning with Class II. Any amount so subtracted shall be known as "overage";

(b) Butterfat shall be allocated in accordance with the procedure outlined for skim milk in paragraph (a) of this section; and

(c) Combine the amounts of skim milk and butterfat determined pursuant to paragraphs (a) and (b) of this section and § 1125.45(c) into one total for each class and determine the weighted average butterfat content of producer milk in each class.

Minimum Prices

§ 1125.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

§ 1125.51 Class prices.

Subject to the provisions of §§ 1125.52 through 1125.54, the minimum class prices per hundredweight of milk for the month shall be as follows:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.65: *Provided,* That the price for Class I milk for the months of April through June, inclusive, of any year except 1966 shall not be higher than the price computed pursuant to the above provisions of this paragraph for the month of March immediately preceding, and the price for Class I milk for any October through January period, inclusive, shall not be lower than the price computed pursuant to the provisions of this paragraph for the month of September immediately preceding: *And provided further,* That the Class I prices for the period from the effective date of this amended order through June 1966 shall not be less than the Class I price for April 1966.

(b) *Class II milk.* The price for Class II milk shall be the basic formula price for the month, but not to exceed the price computed as follows:

(1) Multiply the Chicago butter price by 4.2;

(2) Multiply by 8.2 the weighted average of carlot prices per pound for nonfat dry milk solids, spray process, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department; and

(3) From the sum of the results arrived at under subparagraphs (1) and (2) of this paragraph subtract 48 cents, and round to the nearest cent.

§ 1125.52 Butterfat differentials to handlers.

If the average butterfat content of Class I milk or Class II milk, computed pursuant to § 1125.46, differs from 3.5 percent, there shall be added to, or subtracted from, the applicable class price (§ 1125.51) for each one-tenth of 1 percent that the average butterfat content of such class is respectively above, or below, 3.5 percent, a butterfat differential computed as follows, rounded to the nearest one-tenth cent:

(a) *Class I milk.* Multiply the Chicago butter price for the preceding month by 0.125; and

(b) *Class II milk.* Multiply the Chicago butter price for the current month by 0.120.

§ 1125.53 Location adjustments on Class I milk.

The price of Class I milk at each plant shall be, regardless of point of disposition within or outside the marketing area, the Class I price pursuant to § 1125.51 less a location differential for such plant shown in the table below:

Plant location:	*Class I price differential (cents per hundredweight)*
District 1 or Kitsap, Mason or Pierce Counties	0
District 4	15
Districts 2, 3 and Kittitas County	20
District 5 and other locations outside the marketing area	40

§ 1125.54 Location adjustments on Class II milk.

In computing each handler's value of milk there shall be added with respect to each pool plant located in District 1 or in the counties of Kitsap, Mason or Pierce an amount of money computed as follows:

(a) Compute the sum (in pounds) of:

(1) The total utilization at such plant (including any disposition of skim milk and butterfat from such plant for similar uses at nonpool plants) of skim milk and butterfat, respectively, in the products or uses listed in §1125.41(b) (2) and (3); and

(2) The total quantity of skim milk and butterfat transferred to other pool plants and allocated to the uses specified in subparagraph (1) of this paragraph (as provided in § 1125.44 (a)(4) and (b)(4));

(b) Subtract from the amounts of skim milk and butterfat, respectively, resulting from paragraph (a) of this section, to the extent of such amounts, the amounts of skim milk and butterfat received at such plant from pool plants not located in District 1 or in the counties of Kitsap, Mason or Pierce, and assigned to Class II milk pursuant to § 1125.44; and

(c) Multiply by 25 cents per hundredweight the lesser of the following quantities:

(1) The sum of the net amounts of skim milk and butterfat resulting from paragraph (b) of this section; or

(2) The total amount of Class II milk pursuant to § 1125.46(c).

§ 1125.55 Use of equivalent prices.

If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

Determination of Base

§ 1125.60 Computation of producer bases.

Subject to the rules set forth in § 1125.61, the market administrator shall determine bases for producers in the manner provided in paragraphs (a) and (b) of this section:

(a) The daily base of each producer whose milk was received by a handler(s) on not less than one hundred twenty (120) days during the months of August through December, inclusive, shall be an amount computed by dividing such producer's total pounds of milk delivered in such 5-month period by the number of days from the date of his first delivery to the end of such 5-month period. The base so computed, which shall be recomputed each year, shall become effective on the first day of February next following and shall remain in effect through the month of January of the next succeeding year: *Provided,* That for any dairy farmer for whom information concerning deliveries during the base-earning period is available to the market administrator and who becomes a producer as a result of (1) the plant to which his milk was delivered during the base-earning period subsequently being qualified as a pool plant, or (2) cancellation of a producer-handler's designation as such, a daily base shall be computed pursuant to this paragraph.

(b) Any producer who is not eligible to receive a base computed pursuant to paragraph (a) of this section, shall have a monthly base computed by multiplying his deliveries to a handler(s) during the month by the appropriate monthly percentage in the following table:

January	70	July	55
February	70	August	60
March	65	September	60
April	55	October	65
May	45	November	70
June	50	December	70

§ 1125.61 Base rules.

The following rules shall be observed in the determination of bases:

(a) A base may be transferred upon written notice to the market administrator on or before the last day of the month of transfer, but under the following circumstances only: If a producer who earned a base pursuant to § 1125.60 (a) sells, leases or otherwise conveys his herd to another producer, the latter may receive the transferor's base, pursuant to the conveyance, and utilize such base for the remainder of the period for which such base is effective pursuant to § 1125.60(a), subject to the following conditions:

(1) Such base shall apply to deliveries of milk by the transferee producer from the same farm only;

(2) If such conveyance takes place subsequent to August 1 of any year, all milk delivered to a handler(s) between August 1 and the last day of the base-earning period as specified in § 1125.60 (a), inclusive, from the same farm (whether by the transferor or transferee producer) shall be utilized in computing the base of the transferee producer pursuant to § 1125.60(a);

(3) It is established to the satisfaction of the market administrator that the conveyance of the herd was bona fide and not for the purpose of evading any provision of this order; and

(4) Notwithstanding subparagraphs (1) and (2) of this paragraph, but in compliance with subparagraph (3) of this paragraph:

(i) A base, whether earned pursuant to § 1125.60(a) or received by transfer, may be transferred to a member of a baseholder's immediate family; and

(ii) In the case of a baseholder's death, a base earned pursuant to § 1125.60(a) by the baseholder or by a member of his immediate family may be further transferred to an outside party: *Provided*, That for purposes of this subparagraph a transfer to an estate shall not be considered as a transfer to an outside party.

(b) A producer who ceases deliveries to a pool plant for more than 45 days shall lose his base if computed pursuant to § 1125.60(a) and if he resumes deliveries to such a plant he shall be paid on a base determined pursuant to § 1125.60(b) until he can establish a new base in the manner provided in § 1125.60 (a).

(c) By notifying the market administrator in writing on or before the 15th day of any month, a producer holding a base established pursuant to § 1125.60(a) may relinquish such base by cancellation. Such producer's base shall be computed in the manner provided by § 1125.60(b) and shall be effective from the first day of the month in which notice is received by the market administrator until the close of the period, pursuant to § 1125.60(a), for which such base was computed.

(d) As soon as bases computed by the market administrator are allotted, notice of the amount of each producer's base shall be given by the market administrator to the handler receiving such producer's milk and the cooperative association of which the producer is a member. Each handler, following receipt of such notice, shall promptly post in a conspicuous place at each of his plants a list or lists showing the base of each producer whose milk is received at such plant.

(e) If a producer operates more than one farm he shall establish a separate base with respect to producer milk delivered from each such farm.

(f) Only producers as defined in § 1125.11 may establish or earn a base pursuant to the provisions of § 1125.60, and only one base shall be allotted with respect to milk produced by one or more persons where the land, buildings and equipment used are jointly owned or operated.

APPLICABILITY OF PROVISIONS

§ 1125.65 Producer-handlers.

Sections 1125.40 through 1125.46, 1125.50 through 1125.55, 1125.60, 1125.61, 1125.70 through 1125.72, and 1125.80 through 1125.89 shall not apply to a producer-handler.

§ 1125.66 Plants subject to other Federal orders.

Except for §§ 1125.30(e) and 1125.32 through 1125.34, the provisions of this part shall not apply to a handler with respect to the operation of plants described as follows:

(a) A distributing plant from which a lesser volume of fluid milk products is disposed of as route disposition in the Puget Sound marketing area than as route disposition in the marketing area of another marketing agreement or order issued pursuant to the Act and which is fully subject to the classification and pricing provisions of such other agreement or order; and

(b) Any supply plant for any portion of the period of January through September, inclusive, that producer milk at such plant is subject to the classification and pricing provisions of another order issued pursuant to the Act.

§ 1125.67 Obligations of handler operating a partially regulated distributing plant.

Each handler who operates a partially regulated distributing plant shall pay to the market administrator for the producer-settlement fund on or before the 25th day after the end of the month either of the amounts (at the handler's election) calculated pursuant to paragraph (a) or (b) of this section. If the handler fails to report pursuant to §§ 1125.30(d) and 1125.31(b) the information necessary to compute the amount specified in paragraph (a) of this section, he shall pay the amount computed pursuant to paragraph (b) of this section:

(a) An amount computed as follows:

(1) (i) The obligation that would have been computed pursuant to § 1125.70 at such plant shall be determined as though such plant were a pool plant. For purposes of such computation, receipts at such nonpool plant from a pool plant or an other order plant shall be assigned to the utilization at which classified at the pool plant or other order plant and transfers from such nonpool plant to a pool plant or an other order plant shall be classified as Class II milk if allocated to such class at the pool plant or other order plant and be valued at the weighted average price of the respective order if so allocated to Class I milk. There shall be included in the obligation so computed a charge in the amount specified in § 1125.70(e) and a credit in the amount specified in § 1125.84(b)(3) with respect to receipts from an unregulated supply plant, unless an obligation with respect to such plant is computed as specified in subdivision (ii) of this subparagraph.

(ii) If the operator of the partially regulated distributing plant so requests, and provides with his reports pursuant to §§ 1125.30(d) and 1125.31(b) similar reports with respect to the operations of any other nonpool plant which serves as a supply plant for such partially regulated distributing plant by shipments to such plant during the month equivalent to the requirements of § 1125.8(b)(2), with agreement of the operator of such plant that the market administrator may examine the books and records of such plant for purposes of verification of such reports, there will be added the amount of the obligation computed at such nonpool supply plant in the same manner and subject to the same conditions as for the partially regulated distributing plant.

(2) From this obligation there will be deducted the sum of (i) the gross payments made by such handler for Grade A milk received during the month from dairy farmers at such plant and like payments made by the operator of a supply plant(s) included in the computations pursuant to subparagraph (1) of this paragraph, and (ii) any payments to the producer-settlement fund of another order under which such plant is also a partially regulated distributing plant.

(b) An amount computed as follows:

(1) Determine the respective amounts of skim milk and butterfat disposed of as Class I milk on routes within the marketing area;

(2) Deduct the respective amounts of skim milk and butterfat received as Class I milk at the partially regulated distributing plant from pool plants and other order plants except that deducted under a similar provision of another order issued pursuant to the Act;

(3) Combine the amounts of skim milk and butterfat remaining into one total and determine the weighted average butterfat content; and

(4) From the value of such milk at the Class I price applicable at the location of the nonpool plant, subtract its value at the weighted average price applicable at such location (not to be less than the Class II price).

DETERMINATION OF UNIFORM PRICES

§ 1125.70 Computation of the net pool obligation of each pool handler.

The net pool obligation of each pool handler (for each pool plant, when § 1125.45(b) applies) during each month shall be a sum of money computed by the market administrator as follows:

(a) Multiply the quantity of producer milk in each class, as computed pursuant to § 1125.46(c), by the applicable class prices (adjusted pursuant to §§ 1125.52, 1125.53 and 1125.54) and add together the resulting amounts;

(b) Add the amount obtained from multiplying the pounds of overage deducted from each class pursuant to § 1125.46(a)(9) and the corresponding step of § 1125.46(b), by the applicable class prices. In case overage occurs in a nonpool plant located on the same premises as a pool plant, such overage shall be prorated between the quantity transferred from the pool plant and other source milk in such nonpool plant, and an amount equal to the value of overage allocated to the transferred quantity at the applicable class price shall also be added;

(c) Add or subtract, as the case may be, the amount necessary to correct errors as disclosed by the verification of reports of such handler of his receipts and utilization of skim milk and butterfat in previous months for which payment has not been made;

(d) Add an amount equal to the difference between the value at the Class I price applicable at the pool plant and the value at the Class II price, with respect to skim milk and butterfat in other source milk subtracted from Class I pursuant to § 1125.46(a)(3) and the corresponding step of § 1125.46(b); and

(e) Add an amount equal to the value at the Class I price, adjusted for location of the nearest nonpool plant(s) from which an equivalent volume was received, with respect to skim milk and butterfat subtracted from Class I pursuant to § 1125.46(a)(6) and the corresponding step of § 1125.46(b).

§ 1125.71 Computation of weighted average price for all milk.

For each month the market administrator shall compute the weighted average price for all milk of 3.5 percent butterfat content as follows:

(a) Combine into one total the values computed pursuant to § 1125.70 for all handlers who made the reports prescribed in § 1125.30 and who made the payments pursuant to § 1125.84 for the preceding month;

(b) Add the aggregate of the values of the location adjustments on base milk allowable pursuant to § 1125.81(a)(1) and on nonpool milk pursuant to § 1125.81(c);

(c) Deduct the aggregate of the values of the location adjustments on excess milk computed pursuant to § 1125.81(a)(2);

(d) Add an amount representing not less than one-half the unobligated cash balance in the producer-settlement fund;

(e) Subtract, if the average butterfat content of the milk specified in paragraph (f) of this section is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent, an amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to § 1125.82 and multiplying the resulting figure by the total hundredweight of such milk;

(f) Divide the resulting amount by the sum of the following for all handlers included in such computations:

(1) The total hundredweight of producer milk; and

(2) The total hundredweight for which a value is computed pursuant to § 1125.70(e); and

(g) Subtract not less than 4 cents but less than 5 cents from the price computed pursuant to paragraph (f) of this section. The result shall be known as the "weighted average price for all milk".

§ 1125.72 Computation of uniform prices for base milk and excess milk.

For each month the market administrator shall compute the uniform prices per hundredweight for base milk and excess milk of 3.5 percent butterfat content received from producers as follows:

(a) From the net amount computed pursuant to § 1125.71(a) through (e) subtract the following:

(1) The amount computed by multiplying the hundredweight of milk specified in § 1125.71(f)(2) by the weighted average price for all milk; and

(2) The amount computed by multiplying the hundredweight of excess milk by the Class II price for 3.5 percent milk, rounded to the nearest one-tenth cent: *Provided*, That if such result is greater than an amount computed by multiplying the hundredweight of base milk by the Class I price (for 3.5 percent milk) plus four cents, such amount in excess thereof shall be subtracted from the result obtained prior to this proviso;

(b) Divide the net amount obtained in paragraph (a) of this section by the total hundredweight of base milk and subtract not less than 4 cents but less than 5 cents. This result shall be known as the uniform price per hundredweight of base milk of 3.5 percent butterfat content; and

(c) Divide the amount obtained in paragraph (a)(2) of this section plus any amount subtracted pursuant to the proviso of paragraph (a)(2) of this section by the hundredweight of excess milk, and subtract any fractional part of 1 cent. This result shall be known as the uniform price per hundredweight of excess milk of 3.5 percent butterfat content.

PAYMENTS

§ 1125.80 Time and method of payment to producers and to cooperative associations.

(a) On or before the 19th day after the end of each month, each handler shall make payment to each producer for milk received from such producer during such month:

(1) At not less than the uniform price for base milk for the quantity of base milk received, adjusted by the butterfat differential computed pursuant to § 1125.82 and by any location adjustment applicable under § 1125.81; and

(2) At not less than the uniform price for excess milk for the quantity of excess milk received, adjusted by the butterfat differential computed pursuant to § 1125.82 and by any location adjustment applicable under § 1125.81: *Provided*, If by such date such handler has not received full payment for such month pursuant to § 1125.85, he shall not be deemed to be in violation of this paragraph if he reduces uniformly for all producers his payments per hundredweight pursuant to this paragraph by a total amount not in excess of the reduction in payment from the market administrator; however, the handler shall make such balance of payment uniformly to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payments is received from the market administrator.

(b) The payments required in paragraph (a) of this section shall be made, upon request, to a cooperative association qualified under § 1125.5, or to its duly authorized agent, with respect to milk received from each producer who has given such association authorization by contract or by other written instrument to collect the proceeds from the sale of his milk, and any payment made pursuant to this paragraph shall be made on or before the 17th day after the end of such month.

(c) On or before the 17th day after the end of each month, each handler shall pay to each cooperative association which operates a pool plant for skim milk and butterfat received from such cooperative association during such month an amount of money computed by multiplying the total pounds of such skim milk and butterfat in each class (pursuant to § 1125.44(a) or (b)) by the class price, taking into account any location adjustment, as provided by §§ 1125.53 and 1125.54, applicable at the pool plant of the cooperative association.

(d) On or before the 17th day after the end of each month, each handler who receives milk for which a cooperative association is the handler pursuant to § 1125.10(f) shall pay such cooperative association for such milk at not less than the weighted average price for all milk, adjusted by the differentials specified in §§ 1125.81(b) and 1125.82.

(e) None of the provisions of this section shall be construed to restrict any cooperative association qualified under section 8c(5)(F) of the Act from making payment for milk to its producers in accordance with such provision of the Act.

§ 1125.81 Location adjustments to producers and on nonpool milk.

(a) In making payments to producers pursuant to § 1125.80(a), subject to the application of § 1125.12(c), the following adjustments for location are applicable:

(1) Deduction may be made per hundredweight of base milk received from producers at respective plant locations at the same per hundredweight rates as specified for Class I milk in the table set forth in § 1125.53; and

(2) Twenty-five cents per hundredweight shall be added to the uniform price for excess milk received from producers at plants located in District 1 or in the counties of Kitsap, Mason, or Pierce.

(b) In making payments to a cooperative association pursuant to § 1125.80(d) deductions may be made at the rates specified in § 1125.53 for the location of the plant at which the milk was received from the cooperative association.

(c) For purposes of computations pursuant to §§ 1125.84 and 1125.85 the weighted average price for all milk shall be adjusted at the rates set forth in § 1125.53 applicable at the location of the nonpool plant from which the milk was received.

§ 1125.82 Producer butterfat differential.

In making payments pursuant to § 1125.80(a) for base milk and for excess milk and pursuant to § 1125.80(d) there shall be added to, or subtracted from, the respective uniform prices thereof or weighted average price, for each one-tenth of 1 percent that the average butterfat content of such milk is above or below 3.5 percent, a butterfat differential computed by the market administrator by multiplying the butterfat differential for Class I milk by the percentage of the butterfat contained in producer milk that is allocated to Class I, and by multiplying the remaining percentage of butterfat in producer milk by the butterfat differential for Class II milk, adding together the resulting amounts, and rounding to the nearest tenth of a cent.

§ 1125.83 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to §§ 1125.67 and 1125.84 and out of which he shall make all payments to handlers pursuant to § 1125.85.

§ 1125.84 Payments to the producer-settlement fund.

On or before the 15th day after the end of the month during which the milk was received, each handler shall pay to the market administrator the amount, if any, by which the total amount specified in paragraph (a) of this section exceeds the total amount specified in paragraph (b) of this section:

(a) The sum of:

(1) The net pool obligations computed pursuant to § 1125.70 for such handler; and

(2) For a cooperative association handler, the amount due from other handlers pursuant to § 1125.80(d);

(b) The sum of:

(1) The value of milk received by such handler from producers at the applicable uniform prices specified in § 1125.80 (a);

(2) The amount to be paid to cooperative associations pursuant to § 1125.80 (d); and

(3) The value at the weighted average price for all milk applicable at the location of the plant(s) from which received (not to be less than the value at the Class II price) adjusted for butterfat content by the producer butterfat differential, with respect to other source milk for which a value is computed pursuant to § 1125.70(e).

§ 1125.85 Payments out of the producer-settlement fund.

On or before the 17th day after the end of each month during which the milk was received, the market administrator shall pay to each handler the amount, if any, by which the amount computed pursuant to § 1125.84(b) exceeds the amount computed pursuant to § 1125.84(a), and less any unpaid obligations of such handler to the market administrator pursuant to §§ 1125.84, 1125.86, 1125.87, and 1125.88: *Provided*, That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

§ 1125.86 Adjustments of accounts.

Whenever verification by the market administrator of reports or payments of any handler discloses errors resulting in money due:

(a) The market administrator from such handler,

(b) Such handler from the market administrator, or

(c) Any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth in the provisions under which such error occurred following the 5th day after such notice.

§ 1125.87 Marketing services.

(a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers (other than with respect to milk of such handler's own production) pursuant to § 1125.80 (a), shall make a deduction of 5 cents per hundredweight of milk, or such amount not exceeding 5 cents per hundredweight as the Secretary may prescribe, with respect to the following:

(1) All milk received from producers at a plant not operated by a cooperative association;

(2) All milk received at a plant operated by a cooperative association from producers who are not members of such association; and

(3) All milk received at a plant operated by a cooperative association(s) from producers who are members thereof but for whom any of the services set forth below in this paragraph is not being performed by such association(s), as determined by the market administrator.

Such deduction shall be paid by the handler to the market administrator on or before the 15th day after the end of the month. Such moneys shall be expended by the market administrator for the verification of weights, sampling and testing of milk received from producers and in providing for market information to producers; such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of each producer:

(1) Who is a member of, or who has given written authorization for the rendering of marketing service and the taking of deduction therefor to, a cooperative association,

(2) Whose milk is received at a plant not operated by such association, and

(3) For whom the market administrator determines that such association is performing the services described in paragraph (a) of this section, each handler shall deduct, in lieu of the deduction specified under paragraph (a) of this section, from the payments made pursuant to § 1125.80(a) the amount per hundredweight on milk authorized by such producer and shall pay over, on or before the 15th day after the end of the month, such deduction to the association entitled to receive it under this paragraph.

§ 1125.88 Expense of administration.

As his pro rata share of the expense of administration of the order, each handler shall pay to the market administrator on or before the 15th day after the end of the month 4 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to (a) producer milk (including such handler's own production), (b) other source milk allocated to Class I pursuant to § 1125.46(a) (3) and (6) and the corresponding steps of § 1125.46(b), and (c) packaged Class I milk disposed of on routes within the marketing area from a partially regulated distributing plant which exceeds Class I milk received during the month at such plant from pool plants and other order plants.

§ 1125.89 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such 2-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last-known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this order to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said 2-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this order shall terminate 2 years after the end of the month during which the milk involved in the claims was received if an underpayment is claimed, or 2 years after the end of the month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c(15)(A) of the Act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

§ 1125.90 Effective time.

The provisions of this part or any amendment to this part shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 1125.91.

§ 1125.91 Suspension or termination.

The Secretary may suspend or terminate this part or any provision of this part whenever he finds this part or any provision of this part obstructs or does not tend to effectuate the declared policy of the Act. This part shall terminate in any event whenever the provisions of the Act authorizing it cease to be in effect.

§ 1125.92 Continuing obligations.

If, upon the suspension or termination of any or all provisions of this part, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 1125.93 Liquidation.

Upon the suspension or termination of the provisions of this part, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall if so directed by the Secretary liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expense of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 1125.100 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States, to act as his agent or representative in connection with any of the provisions of this part.

§ 1125.101 Separability of provisions.

If any provision of this part, or its application to any person or circumstances, is held invalid, the application of such provision and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

Effective date. July 1, 1966.

Signed at Washington, D.C., on June 13, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66-6633; Filed, June 15, 1966; 8:48 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 36—EXPORT AND IMPORT OF BYPRODUCT MATERIAL

General Licenses Respecting Exports to Southern Rhodesia; Correction

In F.R. Doc. 66-6156, appearing at page 7959, in the issue for Saturday, June 4, 1966, the eighth paragraph is amended to read as follows:

1. Section 36.21 of 10 CFR Part 36 is amended by designating the existing paragraph as (a) and adding "Southern Rhodesia or" between the words "except" and "countries" in redesignated paragraph (a) and by adding a new paragraph (b) to read as follows:

Dated at Washington, D.C., this 10th day of June 1966.

For the Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

[F.R. Doc. 66-6594; Filed, June 15, 1966; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7104; Amdt. 39-240]

PART 39—AIRWORTHINESS DIRECTIVES

Dowty Rotol Propellers

Amendment 39-215 (31 F.R. 4836), AD 66-9-2, requires rework of the lock support sleeve on Dowty Rotol propellers. Investigation, based upon a request for an extension of the compliance time, has shown that an increase from 100 to 200 hours' time in service may be granted to operators of these propellers without adversely affecting safety. Therefore, Amendment 39-215 is being amended to provide a 100-hour increase in the compliance time.

Since this amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-215 (31 F.R. 4836), AD 66-9-2, is amended by striking out the words "100 hours' time in service" from the compliance paragraph and inserting the words "200 hours' time in service" in place thereof.

This amendment becomes effective June 16, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on June 10, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-6596; Filed, June 15, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WA-5]

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Routes

On May 13, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 7085) stating that the Federal Aviation Agency was considering a proposal to realign Jet Routes Nos. 560 and 563 near the United States/Canadian border.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., July 21, 1966, as hereinafter set forth.

Section 75.100 (31 F.R. 2346) is amended as follows:

1. In Jet Route No. 560 the text is amended to read: "From Plattsburgh, N.Y., to Quebec, Quebec, Canada, excluding the airspace over Canada."

2. Jet Route No. 563 is amended to read: "Jet Route No. 563 (Albany, N.Y., to the United States/Canadian border). (Joins Canadian High Level Airway No. 563). From Albany, N.Y., via INT of Albany 008° and Sherbrooke, Quebec, Canada, 217° radials to Sherbrooke, Quebec, Canada, excluding the airspace over Canada."

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 14, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6655; Filed, June 15, 1966; 8:49 a.m.]

Chapter V—National Aeronautics and Space Administration

PART 1200—STANDARDS OF CONDUCT

PART 1204—ADMINISTRATIVE AUTHORITY AND POLICY

This part supersedes Subpart 7 to Part 1204.

Sec.

1200.735-1 Scope of part.
1200.735-2 Applicability.

Subpart A—General Provisions

1200.735-100 Ethical standards of conduct.
1200.735-101 Other general standards of conduct.

Subpart B—Acceptance of Gifts, Gratuities, or Entertainment

1200.735-200 Scope of subpart.
1200.735-201 Policy.
1200.735-202 Statutory prohibitions.

Subpart C—Outside Employment

1200.735-300 Scope of subpart.
1200.735-301 Definition.
1200.735-302 Policy.
1200.735-303 Guidelines and limitations.
1200.735-304 Distinction between official and nonofficial activities.
1200.735-305 Compensation, honorariums, travel expenses.
1200.735-306 Special conditions applicable to teaching.
1200.735-307 Special conditions applicable to writing and editing.
1200.735-308 Administrative approval.
1200.735-309 Related statutory provisions.
Appendix A—Procedures for permission to engage in outside employment.

Subpart D—Employment and Financial Interest and Investments

1200.735-400 Scope of subpart.
1200.735-401 General.
1200.735-402 Statutory prohibitions against acts affecting a personal financial interest.
1200.735-403 Waiver of statutory prohibition.
1200.735-404 Statement of employment and financial interests.
Appendix A—Waiver procedures.
Appendix B—Categories of financial interests exempted from the prohibition of 18 U.S.C. 208(a).
Appendix C—Procedures for filing financial interest statements.

Subpart E—Advisory Service and Enforcement

1200.735-500 Scope of subpart.
1200.735-501 Use of advisory service.
1200.735-502 Designation of counselors and statement of functions.
1200.735-503 Review, enforcement, reporting and investigating.

Subpart F—Standards of Conduct for Special Government Employees

1200.735-600 Scope of subpart.
1200.735-601 Definitions.
1200.735-602 Applicability.
1200.735-603 Application of conflict of interest statutes.
1200.735-604 Other statutes.
1200.735-605 Standards of ethical conduct.
1200.735-606 Statement of employment and financial interests.
1200.735-607 Advisory service.
1200.735-608 Review, enforcement, reporting and investigation.
Appendix A—Conflicts of interest statutes.
Appendix B—Categories of financial interests exempted from the prohibition of 18 U.S.C. 208(a).
Appendix C—Miscellaneous statutory provisions.

AUTHORITY: The provisions of this Part 1200 issued under E.O. 11222, of May 11, 1965, 30 F.R. 6469, 3 CFR 1965 Supp; 5 CFR 735.104.

§ 1200.735-1 Scope of part.

The provisions of this part prescribe regulations for the maintenance of the high ethical standards of conduct required of NASA employees, including special Government employees as they are covered by this part, in carrying out their duties and responsibilities.

§ 1200.735-2 Applicability.

(a) The provisions of Subparts A, B, C, and D of this part are applicable to:

(1) All regular officers and employees of NASA (referred to hereinafter as "employees"), but not special Government employees as defined in § 1200.735-601 (a), and

(2) All civilian and military personnel of other Government agencies detailed to NASA.

(b) The provisions of Subpart E of this part are applicable to:

(1) NASA employees except special Government employees as defined in § 1200.735-601(a), and

(2) Civilian and military personnel of other Government agencies regularly detailed to NASA; however, disciplinary action may be effected against such civilian or military personnel only by the parent military service or employing agency.

(c) The provisions of Subpart F of this part are applicable only to special Government employees.

Subpart A—General Provisions

§ 1200.735-100 Ethical standards of conduct.

Each NASA employee will refrain from any use of his official position which is motivated by, or has the appearance of being motivated by, the desire for private gain for himself or other persons. He must conduct himself in such a manner that there is not the slightest suggestion of the extracting of private advantage from his Government employment. Pursuant to this policy, each NASA employee will observe the following standards of conduct:

(a) He will not as a result of, or on the basis of, any information derived from his official position or from the official position of other NASA employees with whom he associates, engage, directly or indirectly, in any business transaction or arrangement, including the buying or selling of securities or recommending the purchase or sale of securities to other persons.

(b) He will exercise care in his personal financial activities to avoid any appearance of acting on the basis of information obtained in the course of performing his Government duties.

(c) If he acquires information in the course of performing his Government duties that is not generally available to those outside the Government, he will not use this information to further a private interest or for the special benefit of a business or other entity in which he has a financial or other interest.

(d) He will not use his Government position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to him or to other persons.

§ 1200.735-101 Other general standards of conduct.

(a) *Use of Government property.* An employee will not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property, including equipment, supplies, and other property entrusted or issued to him.

(b) *Indebtedness.* The indebtedness of NASA employees is considered to be essentially a matter of their own concern. NASA will not be placed in the position of acting as a collection agency or of determining the validity or amount of contested debts. Nevertheless, NASA employees are expected to honor in a proper and timely manner, debts which are acknowledged by the employee to be valid or which have been reduced to final judgment by a court, or to make or adhere to satisfactory arrangements for the settlement of such debts. Employees are also expected to meet their responsibilities for payment of Federal, State, and local taxes. For the purpose of this paragraph, "in a proper and timely manner" means in a manner which NASA determines does not, under the circumstances, reflect adversely on NASA as his employer.

(c) *Gambling, betting, and lotteries.* An employee while on Government-owned or leased property or while on duty for the Government will not participate in any gambling activity, including the operation of a gambling device, conducting a lottery or pool, participating in a game for money or property, or selling or purchasing a numbers slip or ticket. However, participation in federally sponsored fundraising activities conducted pursuant to Executive Order 10927 is not precluded.

(d) *General conduct prejudicial to the Government.* An employee will not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or any other conduct prejudicial to the Government.

(e) *Statutory prohibitions relating to gifts and decorations.* (1) An employee will not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make a donation as a gift to an employee in a superior official position (5 U.S.C. 113).

(2) An employee will not accept a gift, present, decoration or other items from a foreign government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 114-115a (see NMI 1030.1).

(f) *Miscellaneous statutory provisions.* Each employee will become acquainted with the statutory provisions which relate to his ethical and other conduct, among which the following are particularly relevant:

(1) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. B12, the "Code of Ethics for Government Service."

(2) Chapter 11 of title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned.

(3) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(4) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(5) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(6) The prohibitions against (i) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (ii) the disclosure of private or proprietary information (18 U.S.C. 1905).

(7) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(8) The prohibition against the misuse of a Government motor vehicle or aircraft (5 U.S.C. 78c).

(9) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(10) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(11) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(12) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(13) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(14) The prohibitions against (i) embezzlement of Government money or property (18 U.S.C. 641); (ii) failing to account for public money (18 U.S.C. 643); and (iii) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(15) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(16) The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 118i, and 18 U.S.C. 602, 603, 607, and 608). Such statutes are available for review in the appropriate installation counsel's office.

Subpart B—Acceptance of Gifts, Gratuities, or Entertainment

§ 1200.735-200 Scope of subpart.

This subpart establishes NASA policy with respect to the acceptance of gifts, gratuites, entertainment (including meals), favors, loans, or any other thing of monetary value by NASA employees.

§ 1200.735-201 Policy.

(a) It is NASA policy not to interfere in the private lives of NASA employees and their families. However, certain conduct involving acceptance of gifts, gratuities, entertainment (including meals), favors, loans or any other thing of monetary value, which does not fall within any specific statutory prohibition, must be regulated in view of the nature of the official duties of the employee and the special responsibilities that are assumed by a person who accepts Federal employment. Employees should avoid any actions, whether or not specifically prohibited by law or regulation, which might result in, or create the appearance of:

(1) Using public office for private gain;

(2) Giving preferential treatment to any organization or person;

(3) Impeding Government efficiency or economy;

(4) Losing independence or impartiality of action;

(5) Making a Government decision outside official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

(b) Except as provided in paragraph (d) of this section, the direct or indirect solicitation or acceptance by a NASA employee or his spouse or minor child of any gift, gratuity, entertainment (including meals), favors, loan, or any other thing of monetary value from any person, corporation, or group is forbidden if the employee has reason to believe that the person, corporation, or group:

(1) Has or is seeking to obtain contractual or other business or financial relationships with NASA; or

(2) Has interests which may be substantially affected by such employee's performance or nonperformance of his official duty; or

(3) Is in any way attempting to affect the employee's official action.

(c) There are certain exceptions to the foregoing general rule (paragraph (b) of this section) which are set forth in paragraph (d) of this section. The application of these exceptions will require the exercise of good judgment and common sense by NASA employees. In determining whether one or more of the exceptions apply, NASA employees shall be guided by the principle that situations having an appearance which might, whether justifiably or not, bring discredit to the Government or to NASA shall be avoided. If an employee finds that his acceptance of a meal, or of refreshments or entertainment pursuant to one of the exceptions under paragraph (d) of this section occurs other than infrequently, he should carefully reexamine the provisions of this subpart and consult with the Agency Counselor or a Deputy Counselor in accordance with Subpart E of this part. Each NASA employee will so govern his conduct in the light of this subpart, as to have no difficulty in justifying his actions if required to do so.

(d) The following are exceptions to the general rule set forth in paragraph (b) of this section:

(1) Acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour where the arrangements are consistent with the transaction of official business.

(2) Acceptance of modest entertainment, such as a meal or refreshments, in connection with attendance of widely attended gatherings sponsored by industrial, technical, or professional associations, or at public ceremonies or similar activities financed by nongovernmental sources where the NASA employee's participation on behalf of NASA is the result of an invitation addressed to him in his official capacity and approved as a part of his official duties, and the entertainment accepted is related to, and in keeping with, his official participation.

(3) Acceptance of gifts, favors, or entertainment, where there is an obvious family or personal relationship between the employee, or between his spouse, children or parents, and the donor, and where the circumstances make it clear that it is that relationship rather than the business of the persons concerned which is the motivating factor for the gift, favor, or enterainment.

(4) Purchase of articles at advantageous rates where such rates are offered to Government employees as a class.

(5) Acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans.

(6) Acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, or other items of nominal value.

(7) Acceptance of incidental transportation in kind from a private organization, provided it is furnished in connection with the performance of the employee's official duties and is of a type customarily provided by the private organization. (For further guidance concerning the acceptance of travel and related expenses, see Subpart C, § 1200.735–305.)

(e) A gift or gratuity the receipt of which is prohibited under this subpart will be returned to the donor. If return is not possible, the gift or gratuity will be turned over to a public or charitable institution and a report of such action, and the reasons why return was not feasible will be made to the employee's supervisor. When possible, the donor should also be informed of such action.

§ 1200.735–202 Statutory prohibitions.

The prohibitions set forth in paragraph (b) of § 1200.735–201 are to be construed as being in addition to and not in limitation of:

(a) The prohibitions of 18 U.S.C. 201, as amended, relating to the corrupt solicitation or receipt of, or arrangement to receive, anything of value in connection with an employee's performance of his official duty; and

(b) 18 U.S.C. 203, as amended, relating to the unlawful solicitation or receipt of, or agreement to receive, compensation for services rendered by an employee in connection with matters affecting the Government.

Subpart C—Outside Employment

§ 1200.735–300 Scope of subpart.

This subpart prescribes NASA policy and procedures regarding outside employment of NASA employees.

§ 1200.735–301 Definition.

As used in this subpart, the term "outside employment" means any work, service, or other outside activity performed by an employee other than in the performance of his official duties. It includes such activities as writing and editing, publishing, teaching, lecturing, consulting services, self-employment, and other work or services, with or without compensation.

§ 1200.735–302 Policy.

(a) NASA employees are permitted to engage in outside employment that is compatible with the full and proper discharge of the duties and responsibilities of their Government employment. Guidelines for determining compatibility are set forth in § 1200.735–303.

(b) NASA employees are encouraged to participate as private citizens in the affairs of their communities provided that the limitations prescribed below and by the regulations in this part are observed. Among these activities may be the following:

(1) Speaking, writing, editing, and teaching.

(2) Participation in the affairs of charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organizations, and the acceptance of awards from any such organizations.

(3) Participation in the activities of national, State, and local political parties not proscribed by law. In this connection employees should be particularly aware of those restrictions imposed on their activities by the Hatch Act (5 U.S.C. 118i).

§ 1200.735–303 Guidelines and limitations.

Outside employment is incompatible with the full and proper discharge of an employee's duties and responsibilities, and hence is prohibited, if:

(a) It would involve the violation of a Federal or State statute, a local ordinance, Executive order, or regulation to which the employee is subject.

(b) It would give rise to a real or apparent conflict of interest situation even though no violation of a specific statutory provision were involved.

(c) It would involve acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance might result in, or create the appearance of, a conflict of interest.

(d) It might bring discredit upon, or reasonably cause unfavorable criticism of, the Government or NASA or lead to relationships that might impair public confidence in the integrity of the Government or NASA.

(e) It would involve work with any contractor or subcontractor that is connected with any work being performed by that entity for NASA or would otherwise involve work for any person or organization which may be in a position to gain advantage in its dealings with the Government through the exercise of the employee's exercise of his official duties.

(f) It would identify NASA or its employee officially with any organization manufacturing, distributing, or advertising a product relating to work conducted by NASA, or would create the false impression that it is an official action of NASA, or represents an official point of view. In any permissible outside employment, care must be taken to insure that names and titles of NASA employees are not used to give the impression that the activity or product is officially endorsed or approved by NASA or is part of NASA activities.

(g) It would involve use of the employee's time during his official working hours.

(h) It would involve use by the employee of official facilities, e.g., office space, office machines or supplies, or the services of other employees during duty hours.

(i) It would be of such extent or nature as to interfere with the efficient performance of the employee's Government duties.

(j) It would involve use of information obtained as a result of Government employment that is not freely available to the general public in that it either has not been made available to the general public or would not be made available on request. However, written authorization for the use of nonpublic information may be given when the Director of the field installation or the Assistant Administrator for Administration, at NASA Headquarters, as appropriate, determines that such use would be in the public interest.

§ 1200.735–304 Distinction between official and nonofficial activities.

In applying the provisions of this subpart, particularly with regard to writing, speaking, or editing activities, NASA employees must distinguish between official and nonofficial activities. In connection with writing, speaking, or editing, an activity will normally be considered official if:

(a) It is the result of a request addressed to NASA to furnish a speaker, author, or editor or of an invitation addressed to an employee of NASA to perform these activities in his official capacity, rather than as a private individual;

(b) The activity is performed in conjunction with attendance at a meeting approved under the authority of the Federal Employees' Training Act, 5 U.S.C. 2318(b).

The fact that an activity was prepared for outside of duty hours or was performed after normal duty hours is not determinative of whether it is official or nonofficial.

§ 1200.735–305 Compensation, honorariums, travel expenses.

(a) An employee may accept compensation or an honorarium for permissible outside employment that is nonofficial in character unless otherwise prohibited by this subpart.

(b) (1) Except as provided in subparagraph (2) of this paragraph, travel expenses normally will be borne by the Government when official employment activities of NASA employees are involved, including attendance at meetings of nongovernmental organizations (see NASA Policy Directive 9710.2). Conversely, when nonofficial outside employment activities are involved, appropriated funds will not be utilized for travel or subsistence.

(2) Contributions and awards incident to training in non-Government facilities and travel, subsistence, and other expenses incident to attendance at meetings may be accepted by NASA employees, provided that such contributions, awards, and payments are made by nonprofit organizations pursuant to the Government Employees Training Act (5 U.S.C. 2318), and that the employee has obtained specific written authorization to accept the contribution or award.

§ 1200.735–306 Special conditions applicable to teaching.

Teaching or lecturing will not be undertaken for the purpose of instructing, directly or indirectly, any person or class of persons with a view to their special preparation for a Civil Service or Foreign Service examination (see Executive Order 9367).

§ 1200.735–307 Special conditions applicable to writing and editing.

(a) Subject to the conditions in this subpart applicable to outside employment, NASA employees may serve as editors, as editorial consultants, or on editorial boards and may contribute articles to publications issued by nonprofit organizations or by profit organizations involved in trade or news press publishing.

(b) Publications associated with organizations in the nonprofit category are those such as the National Geographic Society.

(c) The profit category of publications includes textbooks, handbooks, magazines, journals and newspapers. Editing activities for profit organizations should be carefully appraised. Under no circumstances should the activity involve approval or disapproval of advertising.

(d) Writing and editing, with or without pay, which pertain to the private interest of employees regarding hobbies, sports, or cultural activities are permitted unless there are actual or apparent conflicts with their officially assigned duties.

§ 1200.735–308 Administrative approval.

The provisions of this section will be observed with respect to all outside employment. Each employee must be alert to identify and to avoid any situation that would involve him in prohibited activity. Aside from avoiding prohibited outside employment, each employee must also obtain administrative approval in accordance with Appendix A to this subpart before engaging in outside employment of the following types:

(a) Writing or editing except those activities set out in § 1200.735–307(d).

(b) Speaking engagements except where the subject matter is unrelated to the subject matter of the employee's official duties.

(c) Teaching and lecturing.

(d) Regular self-employment.

(e) Consulting services.

(f) Holding State or local public office.

(g) Any other outside work concerning the propriety of which an employee is uncertain.

Prior administrative approval may be required for additional types of outside employment where, because of special considerations, such a requirement is considerable desirable for the protection of employees or NASA.

§ 1200.735–309 Related statutory provisions.

Several criminal statutory provisions restrict certain types of outside activities on the part of employees as follows:

(a) 18 U.S.C. 203 imposes criminal penalties upon an employee who, other than in the proper discharge of official duties, directly or indirectly receives or agrees to receive, or asks, demands, solicits, or seeks, any compensation for any service rendered or to be rendered either by himself or another in relation to any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest, before any department, agency, court-martial, officer, or any civil, military, or naval commission.

(b) (1) 18 U.S.C. 205 imposes criminal penalties upon an employee who other than in the proper discharge of his official duties—

(i) Acts as agent or attorney for prosecuting any claim against the United States or receives any gratuity, or any share of or interest in any such claim, in consideration of assistance in the prosecution of such claim, or

(ii) Acts as agent or attorney for anyone before any department, agency, court, court-martial, officer, or any civil, military, or naval commission in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest—

(2) Exceptions to the foregoing prohibition are as follows:

(i) If not inconsistent with the faithful performance of his duties, an employee may act, without compensation, as agent or attorney for any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings.

(ii) An employee may act with or without compensation, as agent or attorney for his parents, spouse, child, or any person for whom, or for any estate for which, he is serving as guardian, executor, administrator, trustee, or other personnel fiduciary except in those matters in which he has participated personally and substantially as a Government employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which are the subject of his official responsibility, provided that the Government official responsible for appointment to his position approves.

(c) (1) Under 18 U.S.C. 209 an employee is prohibited from receiving any salary, or any contribution to or supplementation of salary, as compensation for his services as an officer or employee of the Government, from any source other than Government of the United States except as may be contributed out of the treasury of any State, county or municipality.

(2) Exceptions to the prohibitions of 18 U.S.C. 209 are made for those employees continuing to participate in a bona fide pension, retirement, group life, health or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer. However, such financial interests may still violate 18 U.S.C. 208 unless waived. (See Subpart D of this part, Appendix B, paragraph 4.)

APPENDIX A—PROCEDURES FOR PERMISSION TO ENGAGE IN OUTSIDE EMPLOYMENT (See § 1200.735–308)

1. *Form and content of request.* A request for administrative approval of outside work shall be in writing and show:

a. Employee's name, occupational title, and Federal salary.

b. Nature of the activity: Full description of specific duties or services to be performed.

c. Name and business of person or organization for which the work will be done. (In the case of self-employment in a professional capacity serving a large number of individuals, instead of listing each client and the fees paid, the type of services to be rendered and estimate of the total number of clients anticipated during the next 6 months will be indicated.)

d. Estimated total time that will be devoted to the activity. (If on a continuing basis, the estimated time per year; if not, the anticipated ending date.)

e. Whether service can be performed entirely outside of usual duty hours; if not, estimated number of hours of absence from work that will be required.

f. Method or basis of compensation (e.g., whether fee basis, per diem, or per annum) and rate or amount of compensation estimated for a specified period.

2. *Routing.* The request for approval will be submitted (in duplicate) to the appropriate Official-in-Charge of the Headquarters Administrator, Program or Staff Office or to the Director of the Field Installation or to the persons designated to act for them. Employees will be notified in writing of the actions taken on their requests. All approved requests (or copies of such requests) and two copies of the notification of the approval action will be maintained in the local Personnel Office as follows:

a. A special file on outside employment, separated by title of types of employment.

b. A copy in the personnel folder of the employee concerned.

3. *Keeping record up to date.* When the fee or rate of compensation of an employee's approved outside work increases, or there is a change in the nature or scope of the duties or services performed or the nature of his employer's business, the employee will submit promptly a revised request. If the outside work is discontinued sooner than anticipated (not merely suspended temporarily), he will notify the officer who approved the request.

4. *Annual report.* Annually, the approving official will require a report from each person for whom outside work has been approved. The report will indicate:

a. Whether the anticipated work was actually performed for the person or organization named in the request for approval.

b. Actual amount of time spent on the activity.

c. Actual compensation received.

d. Whether any change is anticipated with respect to information supplied in accordance with paragraph 1 and on which the approval was based.

5. *Enforcement.* Failure to request administrative approval for outside work for which approval is required is ground for disciplinary action.

6. *Confidentiality of requests.* All requests will be treated as confidential and made available only to specifically authorized persons. In accordance with Civil Service Commission requirements, an appropriate record

will be made in the official personnel folder of an employee for whom a decision is made that a proposed teaching activity is not in conflict with Executive Order 9367.

Subpart D—Employment and Financial Interests and Investments

§ 1200.735–400 Scope of subpart.

This subpart prescribes policies and procedures for the avoidance of conflicting personal employment and financial interests in connection with an employee's Government position or in the discharge of his official responsibilities, and sets out the requirements for reporting financial interests and outside employment.

§ 1200.735–401 General.

(a) Employees are subject to two types of controls in connection with apparent or actual conflicting employment and financial interests. One is a criminal statute, 18 U.S.C. 208, which by its terms prohibits an employee's participation in certain activities where he has a conflicting personal financial interest. The other is a requirement under Executive Order 11222 that employees occupying certain Government positions must report all personal financial interests by filing a statement of employment and financial interests. The statute and the statement of employment and financial interests have the common objective of deterring the occurrence of conflicting financial interest situations: One by sanctions and the other by disclosure. But whereas the statute prohibits and punishes, the statement of employment and financial interests is intended to serve as an aid to the employee and those who review his statement in the avoidance of the conflicting situation through advice and counseling.

(b) The statement of employment and financial interests required under this subpart are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation, unless he obtains a waiver under procedures set out in this subpart.

§ 1200.735–402 Statutory prohibitions against acts affecting a personal financial interest.

(a) The provisions of 18 U.S.C. 208(a) prohibit any employee from participating personally and substantially in the course of his Government duties in any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in relation to which matter, to his knowledge, the following persons or organizations have a financial interest:

(1) The employee, or his spouse, minor child, or partners;

(2) A business or nonprofit organization in which the employee is serving as an officer, director, trustee, partner, or employee; or

(3) A person or business or nonprofit organization with whom or with which the employee is negotiating, or has any arrangement with, concerning prospective employment.

(b) The prohibitions in paragraph (a) of this section may be waived under certain circumstances which are set out in § 1200.735–403.

(c) Illustrative of the types of matters in which NASA employees commonly participate and which may fall within the prohibitions described in paragraph (a) of this section are the following:

(1) The negotiation, administration, or auditing of contracts or agreements;

(2) The selection or approval of contractors or known subcontractors under a NASA prime contract;

(3) The technical monitoring or direction of work under a contract;

(4) Participation on boards or committees of the type listed in § 1200.735–404(a)(4); or

(5) Project monitoring.

(d) Unless a waiver is granted pursuant to § 1200.735–403, no NASA employee or civilian or military personnel of other Government agencies regularly detailed to NASA will participate personally and substantially in the course of his Government duties in any specific matter of a type listed in paragraph (c) of this section, or in any other matter of a type referred to in paragraph (a) of this section if, to his knowledge, any of the persons or organizations identified in paragraph (a) of this section have a financial interest relating to that specific matter.

§ 1200.735–403 Waiver of statutory prohibition.

(a) The prohibition of 18 U.S.C 208(a) may be waived in connection with a specific matter of the type which comes under the statute if the employee makes a full disclosure in writing of the nature of the matter involved and of the financial interest relating thereto and receives, in advance of his participation in such matter, a written determination that such financial interest is not so substantial as to affect the integrity of his services and, therefore, that the employee may participate personally and substantially in that matter. The procedures set forth in Appendix A of this subpart will be followed in connection with granting a waiver as described in this section.

(b) The prohibition of 18 U.S.C. 208(a) also may be waived by general regulation applicable to all NASA employees so as to permit an employee and civilian and military personnel of other Government agencies regularly detailed to NASA to participate personally and substantially in a specific matter, notwithstanding the existence of a financial interest relating to that matter, where it has been determined that such a financial interest is too remote or too inconsequential to affect the integrity of a NASA employee's service in any matter in which he may act in his governmental capacity. Such a determination has been made by the Administrator with respect to the categories of financial interests set forth in Appendix B of this subpart.

§ 1200.735–404 Statement of employment and financial interests.

(a) The following categories and types of employees will file a statement of employment and financial interests containing the kind of information required by the Civil Service Commission on NASA Form 1270:

(1) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended, except the Administrator who is subject to separate reporting requirements under section 401 of Executive Order 11222.

(2) Employees in Grade GS–16 and above of the General Schedule established by the Classification Act of 1949, as amended, and those employees holding NASA excepted positions and comparable and higher positions not subject either to the Classification Act or section 203(b)(2) of the National Aeronautics and Space Act of 1958, as amended.

(3) Employees at the GS–13 level and above, unless otherwise exempted pursuant to paragraph (b) of this section, whose basic duties and responsibilities require the exercise of judgment in making or recommending a Government decision or in taking or recommending Government action in regard to:

(i) Contracting or procurement, including the evaluation or selection of contractors; the negotiation, approval, or award of contracts; the supervision of activities performed by contractors, including the administration, monitoring, audit, and inspection of contractors and contract activities; the initiation or approval of requests to procure supplies, equipment, or services, other than those common items available from NASA or GSA inventories;

(ii) Administering or monitoring grants or subsidies, including grants to educational institutions and other non-Federal organizations;

(iii) Auditing financial transactions;

(iv) Using or disposing of excess or surplus property (GS–12 and above);

(v) Establishing or enforcing safety standards and procedures; and

(4) All employees, regardless of grade, occupying or serving in the following positions or on the following Boards or Committees:

(i) Attorney-advisers and patent attorneys,

(ii) Patent-advisers,

(iii) Source Evaluation Boards or Committees,

(iv) Inventions and Contribution Board,

(v) Contract Adjustment Board,

(vi) Board of Contract Appeals,

(vii) Architect-Engineer Selection Boards, and

(viii) Site Selection Boards.

(5) Other employees identified by the Director of a Field Installation or, at Headquarters, by the Assistant Administrator for Administration as holding positions requiring the incumbent thereof to exercise judgment in making or recommending Government decisions or actions where such decisions or actions may have an economic impact on the interest of any non-Federal enterprise.

(b) An employee described in subparagraph (3) of paragraph (a) of this section may be exempted from the requirement for filing a statement of employment and financial interests when the Director of the Field Installation involved or, at Headquarters, the Assistant Administrator for Administration determines that the employee's duties are at such a level of responsibility and are subject to such a degree of supervision and review that the possibility of his becoming involved in a conflict of interest is remote.

(c) Procedures for filing statements of employment and financial interests are contained in Appendix C of this subpart.

(d) The following procedures will be followed with regard to the maintenance of statements of employment and financial interests. Each Field Installation Director, and for Headquarters, the Assistant Administrator for Administration will maintain on a current basis a master list of employees required to file statements under this subpart. It will be this official's responsibility to determine that the list includes all those employees falling within the criteria for reporting set forth in this subpart and that the requirement for filing statements is fully carried out on a timely basis. In the event of any question regarding the interpretation of these criteria, the official will consult the Agency Counselor of NASA directly.

(e) Employee statements will be given the same degree of confidential handling as security files. Statements forwarded to the appropriate personnel office in accordance with this subpart will be in sealed envelopes. Statements will be retained in a special locked cabinet or safe to which only the designated employees will have access. The head of the local personnel office will designate within his office one employee at a supervisory level who is authorized to open and examine statements for completeness. When a form is not complete, it shall be returned for proper completion. When a form is complete, it shall be promptly forwarded to a Deputy Counselor (Legal) for review pursuant to Subpart E. Statements will be retained in a special locked cabinet or safe to which only the designated employees will have access. Transmission of statements for legal review will be in a sealed envelope bearing the inscription "To Be Opened Only By (bearing the name of the individual authorized to review such statements)." Within each NASA legal office, procedures for limiting access to statements and for their safekeeping, as rigorous as those set forth for personnel offices, will be maintained. There will be no discussion or disclosure of the details of financial statements except as necessary to carry out the provisions of Subpart E. Information from a statement shall not be disclosed outside of NASA except as the Administrator or the Civil Service Commission shall determine for good cause shown.

(f) This subpart does not require an employee to include in a statement of employment and financial interests, or supplementary statement, any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic or political organization or a similar organization not conducted as a business enterprise. For the purpose of this subpart, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's financial interest statement.

APPENDIX A—WAIVER PROCEDURES (SEE § 1200.735–403)

1. Employees appointed under authority of section 203(b)(2)(A) ("NASA Excepted Positions") or section 203(b)(10) ("Alien Scientists") of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473(b)(2)(A) and 2473(b)(10); or under 10 U.S.C. 1581(a) ("P.L. 313 Scientists").

a. The employee will address a written request for a waiver to the Administrator. The request will describe the specific matter involved, the nature and extent of the employee's participation therein, and the exact nature and amount of the financial interest relating to the specific matter.

b. The employee, if stationed at NASA Headquarters, will forward his request to the Administrator via the Official-in-Charge of the Administrator, Program or Staff Office in which the employee is located. The official will transmit the request with his comments and recommendations on the proposed waiver to the Administrator.

c. The employee, if stationed at a NASA field installation, will forward his request to the Administrator via the Director of the Field Installation. The Director will transmit the request with his comments and recommendations on the proposed waiver to the Administrator.

d. The determination required by the statute will be made only by the Administrator or Deputy Administrator in the case of employees holding appointments under the statutes cited at paragraph 1 of this appendix.

2. All other employees:

a. *Headquarters.* (1) All other NASA employees and civilian and military personnel of other Government agencies regularly detailed to NASA, stationed at NASA Headquarters, will forward their requests for a waiver to the Official-in-Charge of the Administrator, Program or Staff Office in which the employee is located. The waiver request will contain the same information required in paragraph 1a of this appendix. The official will transmit the request with his comments and recommendations on the proposed waiver to the Assistant Administrator for Administration.

(2) The Assistant Administrator for Administration is authorized to make the determination required by the statute. This authority may not be redelegated.

b. *Field installations.* (1) All other NASA employees and civilian and military personnel of other Government agencies regularly detailed to NASA, stationed at a field installation will forward their requests for a waiver to the Director of the installation, via the head of the major organizational component in which the employee is located. The waiver request will contain the same information required in paragraph 1a of this Appendix. The head of the major organizational component will transmit the request to the Director of the field installation with his comments and recommendations on the proposed waiver.

(2) The Directors and Deputy or Associate Directors of NASA Field Installations are authorized to make the determination required by the statute. This authority may not be redelegated. An information copy of each such determination or of the disapproval of the employee's request will be forwarded to the Assistant Administrator for Administration, NASA Headquarters.

APPENDIX B—CATEGORIES OF FINANCIAL INTERESTS EXEMPTED FROM THE PROHIBITION OF 18 U.S.C. 208(a) (SEE § 1200.735–403)

1. The following exemptions apply to financial interests which are held directly by a NASA employee or his spouse or minor child, whether jointly or individually, or by a NASA employee and his partner or partners as joint assets of the partnership:

a. Ownership of bonds other than corporate bonds, regardless of the value of such interest. This exemption extends also to any financial interests that the organization whose bonds are so owned may have in other business entities.

b. Ownership of shares in a mutual fund, regardless of the value of such interest. This exemption extends also to any financial interests that the mutual fund may have in other business entities.

2. If a NASA employee or his spouse or minor child has a present beneficial interest or a vested remainder interest under a trust, the ownership under the trust of shares in a mutual fund will be exempt regardless of the value of such interest. This exemption extends also to any financial interests that the mutual fund may have in other business entities.

3. If a NASA employee is an officer, director, trustee, or employee of an educational institution, or if he is negotiating for, or has an arrangement concerning prospective employment with such an institution, a direct financial interest which the institution has in any matter will not itself be exempt, but any financial interests that the institution may have in the matter through its holdings of securities issued by business entities will be exempt, provided the NASA employee is not serving as a member of the investment committee of the institution or is not otherwise advising it on its investment portfolio.

4. If a NASA employee has continued to participate in a bona fide pension, retirement, group life, health or accident insurance plan, or other employee welfare or benefit plan that is maintained by a business or nonprofit organization of which he is a former employee, his financial interest in that organization will be exempt, except to the extent that the welfare or benefit plan is a profit-sharing or stock-bonus plan. This exemption extends also to any financial interests that the organization may have in other business activities.

APPENDIX C—PROCEDURES FOR FILING FINANCIAL INTEREST STATEMENTS (SEE § 1200.735–404)

1. Time and place:

a. Each employee required to file a statement under Subpart D will obtain NASA Form 1270 from the local personnel office and after completing the form will submit it to the local personnel officer as follows:

(1) Ninety days after the effective date of this part if employed on or before the effective date; or

(2) Thirty days after entrance on duty but not earlier than 90 days after the effective date of this part.

(3) Ten days after his position is specifically identified as one requiring the incumbent thereof to file a financial statement under § 1200.735–404(a)(5).

(4) After selection and at least 5 days before service on the boards or committees listed in § 1200.735–404(a)(4).

2. Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31. If there are no changes or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 each year.

3. Interests of employee's relatives: For purposes of this reporting requirement, the interest of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. "Members of an employee's immediate household" means those blood relations who are residents of the employee's household.

4. Information not known by employees: If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit the information in his behalf. The employee concerned should avoid gaining knowledge about such interests in order to prevent the possibility of invoking 18 U.S.C. 208.

Subpart E—Advisory Service and Enforcement

§ 1200.735–500 Scope of subpart.

This subpart (a) establishes an advisory service for employees for the purpose of interpreting and advising on questions arising under this part and (b) prescribes the types of remedial and disciplinary actions which may be taken to enforce the requirements of Subparts A, B, C, D, and E of this part.

§ 1200.735–501 Use of advisory service.

When questions or problems arise concerning matters covered by this part NASA employees will seek the advice and consultative services of the counselors designated in § 1200.735–502.

§ 1200.735–502 Designation of counselors and statement of functions.

(a) The General Counsel is designated as the Agency counselor. His functions consist of the following:

(1) Act as the principal point of contact with the Civil Service Commission on matters covered by this part; and

(2) Provide general guidance to Deputy Counselors for the purpose of achieving uniform interpretation of this part.

(b) Deputy Counselors:

(1) The following officials are designated as Deputy Counselors under this subpart:

(i) NASA Headquarters—

(a) The Director of Personnel, NASA;

(b) An Assistant General Counsel, as designated by the Agency Counselor; and

(c) The Headquarters Personnel Officer.

(ii) NASA field installations—

(a) The Chief Counsel, and

(b) The Personnel Officer.

(2) Functions of the Deputy Counselors:

(i) The Director of Personnel, NASA, will oversee the activities of the Deputy Counselors (Personnel officers) under the general guidance of the Agency Counselor.

(ii) Deputy Counselors (Legal) will be responsible for:

(a) Reviewing statements of employment and financial interests, filed pursuant to the provisions of Subparts D and E of this part, and

(b) Advising the Deputy Counselors (Personnel officers) on questions regarding the interpretation and application of statutes, Executive Orders, Court Decisions, the decisions of the Comptroller General, and other legal matters arising under this part.

(iii) Deputy Counselors (Personnel) will be responsible for:

(a) Counseling employees on all other problems and questions arising under this part which are not specifically within the responsibility of the Deputy Counselors (Legal), and

(b) Consulting, as necessary, with the Deputy Counselors (Legal) on questions and problems arising under this part.

(iv) Deputy Counselors may carry out their responsibilities through designated subordinates. The Deputy Counselors, however, shall retain ultimate responsibility for the functions assigned to them under this § 1200.735–502.

§ 1200.735–503 Review, enforcement, reporting, and investigating.

(a) Each statement of employment and financial interests submitted under this part shall be reviewed by the appropriate Deputy Counselor (Legal). If that review discloses a conflict of interest or apparent conflict of interest the employee shall be given an opportunity to explain the conflict or apparent conflict, and every effort shall be made to resolve the matter. If the matter cannot be resolved at a lower level, it shall be reported to the Agency Counselor. If the Agency Counselor decides that remedial action is necessary, he shall take such action immediately to end the conflict or apparent conflict of interest.

(b) NASA employees should consult with their Deputy Counselors with regard to any questions concerning this part. Resolution of problems disclosed by such consultations will be accomplished at the lowest possible supervisory level in the agency through counseling or by taking administrative action to eliminate real or apparent conflicts of interest. The services of the NASA Inspections Division will be requested by the Deputy Counselor, when necessary, to conduct investigations to ascertain all relevant facts.

(c) Any NASA employee receiving an allegation of a possible violation under the provisions of this Part 1200 on the part of any other NASA employee, or other Government employee detailed to NASA, shall, unless it is based on mere gossip or rumor, promptly report it directly to the Director of Inspections or his local representative, as provided for in NASA Management Manual Instruction 17–8–4.

(d) A violation of the regulations contained in this part may be cause for appropriate disciplinary action. All disciplinary or remedial action taken hereunder will be in conformance with applicable laws, Executive orders, Civil Service Commission regulations and NASA regulations. Appropriate disciplinary or remedial action includes, but is not limited to, divestiture by the employee of his conflicting interest, disqualification for particular assignments, reassignment, or disciplinary action.

(e) The employee concerned will have a reasonable opportunity during any investigation and at all levels of consideration of his problem to present in person and through documents his position on the matter.

Subpart F—Standards of Conduct for Special Government Employees

§ 1200.735–600 Scope of subpart.

This subpart:

(a) Provides guidance with respect to the application of the conflict of interest statutes to special Government employees (as defined in § 1200.735–601); it is of particular applicability to advisers, consultants and experts.

(b) Sets forth the standards of ethical conduct which, under Presidential Order and regulations of the Civil Service Commission, special Government employees are expected to observe.

§ 1200.735–601 Definitions.

(a) *Special Government employee.* A special Government employee is defined, under title 18 U.S. Code, section 202, and for the purposes of this subpart, as an officer or employee who is retained, designated, appointed, or employed to perform, with or without compensation, temporary duties, either on a full-time or intermittent basis, for not to exceed 130 days during any period of 365 consecutive days (see § 1200.735–602).

(b) *Particular matter.* The term "particular matter" is not defined in the statutes, but is used in context as follows: "• • • any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter."

(c) *Personally and substantially.* The term "personally and substantially" is not defined in the statutes, but is used in context as follows: "• • • personally and substantially, • • • through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise • • •".

(d) *Official responsibility.* The term "official responsibility" is defined by statute to mean the "direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government action." NASA advisers, consultants or experts will not normally

exercise official responsibility in connection with any matters.

§ 1200.735–602 Applicability.

(a) This subpart is applicable to all NASA employees who are classified as special Government employees. It is of particular applicability to NASA advisers, consultants and experts who normally fall within the definition of the term "special Government employee."

(b) To the extent that the conflict of interest statutes apply to a special Government employee, they apply to his activities on all days during the period of his NASA appointment, beginning with the date on which he takes an oath of office as a Government employee, whether he works on a full-time or intermittent basis. Similarly, the ethical standards prescribed in this subpart apply to the special Government employee during the full period of his appointment as an employee, and not merely on the days on which he performs services as an employee.

(c) NASA employees, including advisers, consultants and experts, who are appointed to serve for more than 130 days during a period of 365 consecutive days are not subject to this subpart, even though they may in fact work 130 days or less, but are subject to Subparts A through E of this part, prescribing standards of conduct for regular Government employees.

§ 1200.735–603 Application of conflict of interest statutes.

The so-called "conflict-of-interest" statutes (18 U.S. Code, sections 203, 205, 207, 208, and 209) are criminal statutes which provide for fines or imprisonment if they are violated. Their full text is set forth in Appendix A to this subpart. In summary, they apply to the special Government employee as follows:

(a) 18 U.S.C. 203 and 205 apply to the special Government employee in his capacity as a private individual while serving also as a Government employee. They provide that the special Government employee may not, except in the discharge of his Government duties:

(1) Represent anyone else before a court or any Government agency in relation to a "particular matter" (§ 1200.735–601(b)) involving a specific party or parties in which the United States is a party or has a direct and substantial interest and in which he has at any time participated "personally and substantially" (§ 1200.735–601(c)) either as a special or regular Government employee.

(2) Represent anyone else before a court or any Government agency in relation to a "particular matter" (§ 1200.735–601(b)) involving a specific party or parties which is pending within NASA, if he has served as a NASA employee for more than 60 days during the preceding 365 days. The special Government employee is bound by this restraint whether or not he has acted "personally and substantially" (§ 1200.735–601(c)) in relation to the "particular matter."

There are four exceptions from the application of one or both of the foregoing prohibitions, which are specified in the full text of section 205 (Appendix A of this subpart).

(b) 18 U.S.C. 207 applies to the special Government employee in his capacity as a private individual, after he has terminated his service as a Government employee. It provides that the former employee may not:

(1) At any time after his Government employment has ended, represent anyone else before a court or any Government agency in relation to a "particular matter" (§ 1200.735–601(b)) involving a specific party or parties, in which the United States is a party or has a direct and substantial interest and in which he participated "personally and substantially" (§ 1200.735–601(c)), either as a special or regular Government employee.

(2) Within 1 year after his Government employment has ended, appear personally before a court or any Government agency in relation to a "particular matter" (§ 1200.735–601(b)) involving a specific party or parties in which the United States is a party or has a direct and substantial interest, and which was under his "official responsibility" (§ 1200.735–601(d)) as a Government employee within a period of 1 year prior to the termination of such responsibility. The prohibition applies whether or not the special Government employee participated "personally and substantially" (§ 1200.735–601(c)) in the "particular matter" (§ 1200.735–601(b)) while he was employed.

(c) 18 U.S.C. 207(c) applies to the partner of a special Government employee. It provides that during the period of the special Government employee's appointment, his partner may not act as agent or attorney for anyone else in relation to a "particular matter" (§ 1200.735–601(b)) in which the United States is a party of has a direct and substantial interest, and in which the employee is participating or has participated "personally and substantially" (§ 1200.735–601(c)) as a special Government employee, or which is under the employee's "official responsibility" (§ 1200.735–601(d)).

(d) (1) 18 U.S.C. 208 applies to the special Government employee, when he is acting in his capacity as a Government employee. It provides that the special Government employee may not, in his governmental capacity, participate "personally and substantially" (§ 1200.735–601(c)) in any "particular matter" (§ 1200.735–601(b)) in relation to which matter, to his knowledge, he, his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest.

(2) The statute also provides for two types of exemptions to be granted from the foregoing prohibition, so as to permit a special Government employee to participate "personally and substantially" (§ 1200.735–601(c)) in a "particular matter" (§ 1200.735–601(b)), notwithstanding the existence of a conflicting financial interest which he holds directly or that is imputed to him. These exemptions are:

(i) In connection with specific matters, if the special Government employee's financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from him an ad hoc exemption from the application of the statutory prohibition may be granted, in advance of his acting in relation to that matter, by the NASA official responsible for his appointment as a special Government employee.

(ii) A general exemption, applicable to all NASA employees including special Government employees, of certain financial interests which have been determined to be too remote or too inconsequential to affect the integrity of an employee's services in any matter in which he may be called upon to participate may also be granted. The categories of financial interests which have been exempted by the Administrator under this general authority are set forth in Appendix B to this subpart.

(e) 18 U.S.C. 209, the fifth "conflict-of-interest" statute, does not apply to special Government employees.

§ 1200.735–604 Other statutes.

(a) There are many other criminal statutes which are especially aimed at regulating the conduct of Government employees and which, therefore, apply to special Government employees. Two such statutes which are closely related to the conflict-of-interest statutes are:

(1) *Bribery.* 18 U.S.C. 201 prohibits a Government employee from soliciting, receiving or agreeing to receive, directly or indirectly, anything of value for himself or others in connection with the performance of his official duties, or in return for committing or aiding in the commission of a fraud on the United States.

(2) *Disclosure of private or proprietary information.* 18 U.S.C. 1905 prohibits a Government employee from disclosing, in any manner and to any extent not authorized by law, any information coming to him in the course of his employment or official duties which concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses or expenditures of any person, business entity, or association.

(b) Regulations of the Civil Service Commission require that certain other statutes pertaining to the ethical and other conduct of special Government employees be brought to the attention of all such employees. These are listed in Appendix C to this subpart.

§ 1200.735–605 Standards of ethical conduct.

Under Presidential Order and regulations of the Civil Service Commission, certain additional standards of ethical conduct have been prescribed for all Government employees. Among these the following are applicable to special Government employees:

(a) *Use of Government employment.* A special Government employee may not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) *Use of inside information.* A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. In this context, "inside information" means information obtained as a result of his Government employment which has not been made available to the general public or would not be made available on request. However, nonpublic information may be used upon a written determination made by the Administrator that such use would be in the public interest.

(c) *Avoidance of actions which may appear coercive.* A special Government employee should not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

(d) *Acceptance of gifts, entertainment or favors.* (1) Except as provided in subparagraph (2) of this paragraph, a special Government employee should not solicit or receive from a person, organization or group having business with NASA, any gift, gratuity, entertainment (including meals), favors, loan, or other things of monetary value, for himself or for another person, particularly one with whom he has family, business or financial ties. This rule does not apply if the special Government employee is unaware of such business.

(2) The following are exceptions to the general rule set forth in subparagraph (1) of this paragraph:

(i) Receipt of salary, bonuses, or other compensation or emoluments from his non-Government employer or employers.

(ii) Acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon, dinner, or other meeting.

(iii) Acceptance of modest entertainment, such as a meal or refreshments, in connection with attendance at widely attended gatherings sponsored by industrial, technical, or professional associations, or at public ceremonies or similar activities financed by nongovernmental sources where the special Government employee's participation on behalf of NASA is the result of an invitation addressed to him in his official capacity and approved as a part of his official duties, and the entertainment accepted is related to, and in keeping with, his official participation.

(iv) Acceptance of gifts, favors or entertainment, where there is an obvious family or personal relationship between the employee, or between his spouse, children or parents, and the donor, and where the circumstances make it clear that it is that relationship rather than the business of the persons concerned which is the motivating factor for the gift, favor or entertainment.

(v) Acceptance of loans from banks or other financial institutions on customary terms, to finance proper and usual activities of employees, such as home mortgage loans.

(vi) Acceptance of unsolicited advertising or promotional material such as pens, pencils, note pads, calendars or other items of nominal value.

(vii) Acceptance of incidental transportation in kind from a private organization, provided it is furnished in connection with the performance of the special Government employee's official duties and is of a type customarily provided by the private organization.

§ 1200.735–600 Statement of employment and financial interests.

(a) Under Presidential Order and regulations of the Civil Service Commission, each special Government employee is required to submit a statement of his employment and financial interests at the time of his initial appointment except to the extent that such requirement has been waived by the Administrator, as specified in paragraph (f) of this section.

(b) The purpose of the statement of employment and financial interest is to assist the employee, and those who review his statement, in avoiding situations where a conflicting financial interest might exist. The statement will be treated by NASA as private information of the employee, and will be held in confidence. It will be reviewed only by those NASA employees who have been designated by the Administrator to make such a review. Information contained in the statement will not be disclosed outside NASA except as authorized by the Administrator or the Civil Service Commission for good cause shown.

(c) The submission of a statement of employment and financial interest is not intended to relieve the employee from complying with other applicable provisions of law, Executive order, or this subpart. In particular, the employee is not thereby permitted to participate in a matter where such participation is prohibited by 18 U.S.C. 208 (see §1200.735–603 (d)).

(d) If there is any change in the special Government employee's statement of employment and financial interests, he is required to submit a supplementary statement at the end of the calendar quarter in which the change occurred. If there are no changes or additions occurring in a quarter, a negative report is not required but a supplementary statement, negative or otherwise, is required to be submitted as of June 30 of each year during which the special Government employee's appointment continues.

(e) The statement of employment and financial interests will be filed on NASA Form 1271 (as prescribed by the Civil Service Commission) which describes the information to be furnished. The special Government employee is not required to submit any information relating to his connection with, or interest in, a professional society, fraternal, recreational, public service, civic, or political organization, or a similar organization not conducted as a business enterprise. In this connection, however, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed to be "business enterprises." Information relating to such institutions, where relevant, should therefore be included in a special Government employee's statement of employment and financial interests.

(f) The Administrator of NASA has determined that the following categories of special Government employees who are not consultants or experts as defined in Chapter 304 of the Federal Personnel Manual will not be required to file statements of financial interests and other employment because their duties are of a nature and at such a level of responsibility that the submission of a statement by them is not necessary to protect the integrity of the Government:

(1) Temporary and summer employees below the grade of GS–13.

(2) Employees participating in a management intern or other training program.

§ 1200.735–607 Advisory service.

Special Government employees who desire assistance or advice on interpreting the provisions of this subpart, or on other matters relating to the subject matter covered herein, are invited to consult the Agency Counselor (the NASA General Counsel) at Washington, D.C., or a Deputy Counselor (Legal) at a NASA field installation, or a Deputy Counselor (Personnel) (personnel officer at Headquarters or the field installation).

§ 1200.735–608 Review, enforcement, reporting, and investigation.

(a) Each statement of employment and financial interest submitted under this part shall be reviewed by the appropriate Deputy Counselor (Legal). If that review discloses a conflict of interest or apparent conflict of interest the employee shall be given an opportunity to explain the conflict or apparent conflict, and every effort shall be made to resolve the matter. If the matter cannot be resolved at a lower level, it shall be reported to the Agency Counselor. If the Agency Counselor decides that remedial action is necessary, he shall take such action immediately to end the conflict or apparent conflict of interest.

(b) NASA employees should consult with their Deputy Counselors with regard to any questions concerning this part. Resolution of problems disclosed by such consultations will be accomplished at the lowest possible supervisory level in the agency through counseling or by taking administrative action to eliminate real or apparent conflicts of interest. The services of the NASA Inspections Division will be requested by the Deputy Counselor, when necessary, to conduct investigations to ascertain all relevant facts.

(c) A violation of the regulations contained in this subpart may be cause for appropriate disciplinary action. All disciplinary or remedial action taken hereunder will be in conformance with applicable laws, Executive orders, Civil Service Commission regulations and NASA regulations. Appropriate disciplinary or remedial action includes, but is not limited to, divestiture by the employee of his conflicting interest, disqualification for particular assignments, reassignment, or disciplinary action.

(d) The special Government employee concerned will have a reasonable opportunity during any investigation and at all levels of consideration of his problem to present in person and through documents his position on the matter.

Appendix A—Conflicts of Interest Statutes (See § 1200.735–603)

18 U.S.C. 203. Compensation to Members of Congress, officers, and others in matters affecting the Government. (a) Whoever, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receives or agrees to receive, or asks, demands, solicits, or seeks, any compensation for any services rendered or to be rendered either by himself or another—

(1) At a time when he is a Member of Congress, Member of Congress Elect, Resident Commissioner, or Resident Commissioner Elect; or

(2) At a time when he is an officer or employee of the United States in the executive, legislative, or judicial branch of the Government, or in any agency of the United States, including the District of Columbia, in relation to any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest, before any department, agency, court-martial, officer, or any civil, military, or naval commission, or

(b) Whoever, knowingly, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly gives, promises, or offers any compensation for any such services rendered or to be rendered at a time when the person to whom the compensation is given, promised, or offered, is or was such a Member, Commissioner, officer or employee—

Shall be fined not more than $10,000 or imprisoned for not more than 2 years, or both; and shall be incapable of holding any office of honor, trust, or profit under the United States.

(c) A special Government employee shall be subject to subsection (a) only in relation to a particular matter involving a specific party or parties (1) in which he has at any time participated personally and substantially as a Government employee or as a special Government employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, or (2) which is pending in the department or agency of the Government in which he is serving: *Provided*, That clause (2) shall not apply in the case of a special Government employee who has served in such department or agency no more than 60 days during the immediately preceding period of 365 consecutive days.

18 U.S.C. 205. Activities of officers and employees in claims against and other matters affecting the Government. Whoever, being an officer or employee of the United States in the executive, legislative, or judicial branch of the Government or in any agency of the United States, including the District of Columbia, otherwise than in the proper discharge of his official duties—

(1) Acts as agent or attorney for prosecuting any claim against the United States, or receives any gratuity, or any share of or interest in any such claim in consideration of assistance in the prosecution of such claim, or

(2) Acts as agent or attorney for anyone before any department, agency, court, court-martial, officer, or any civil, military, or naval commission in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest—

Shall be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

A special Government employee shall be subject to the preceding paragraphs only in relation to a particular matter involving a specific party or parties (1) in which he has at any time participated personally and substantially as a Government employee or as a special Government employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, or (2) which is pending in the department or agency of the Government in which he is serving: *Provided*, That clause (2) shall not apply in the case of a special Government employee who has served in such department or agency no more than 60 days during the immediately preceding period of 365 consecutive days.

Nothing herein prevents an officer or employee, if not inconsistent with the faithful performance of his duties, from acting without compensation as agent or attorney for any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings.

Nothing herein or in section 203 prevents an officer or employee, including a special Government employee, from acting, with or without compensation, as agent or attorney for his parents, spouse, child, or any person for whom, or for any estate for which, he is serving as guardian, executor, administrator, trustee, or other personal fiduciary except in those matters in which he has participated personally and substantially as a Government employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which are the subject of his official responsibility, provided that the Government official responsible for appointment to his position approves.

Nothing herein or in section 203 prevents a special Government employee from acting as agent or attorney for another person in the performance of work under a grant by, or a contract with or for the benefit of, the United States provided that the head of the department or agency concerned with the grant or contract shall certify in writing that the national interest so requires.

Such certification shall be published in the Federal Register.

Nothing herein prevents an officer or employee from giving testimony under oath or from making statements required to be made under penalty for perjury or contempt.

18 U.S.C. 207. Disqualification of former officers and employees in matters connected with former duties or official responsibilities; disqualification of partners. (a) Whoever, having been an officer or employee of the executive branch of the U.S. Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, after his employment has ceased, knowingly acts as agent or attorney for anyone other than the United States in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the United States is a party or has a direct and substantial interest and in which he participated personally and substantially as an officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, while so employed, or

(b) Whoever, having been so employed, within 1 year after his employment has ceased, appears personally before any court or department or agency of the Government as agent, or attorney for, anyone other than the United States in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the United States is a party or directly and substantially interested, and which was under his official responsibility as an officer or employee of the Government at any time within a period of 1 year prior to the termination of such responsibility—

Shall be fined not more than $10,000 or imprisoned for not more than 2 years, or both: *Provided*, That nothing in subsection (a) or (b) prevents a former officer or employee, including a former special Government employee, with outstanding scientific or technological qualifications from acting as attorney or agent or appearing personally in connection with a particular matter in a scientific or technological field if the head of the department or agency concerned with the matter shall make a certification in writing, published in the Federal Register, that the national interest would be served by such action or appearance by the former officer or employee.

(c) Whoever, being a partner of an officer or employee of the executive branch of the U.S. Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, acts as agent or attorney for anyone other than the United States, in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest and in which such officer or employee of the Government or special Government employee participates or has participated personally and substantially as a Government employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, or which is the subject of his official responsibility—

Shall be fined not more than $5,000, or imprisoned not more than one year, or both.

A partner of a present or former officer or employee of the executive branch of the U.S. Government, of any independent agency of the United States, or of the District of Columbia or of a present or former special Government employee shall as such be subject to the provisions of sections 203, 205, and 207 of this title only as expressly provided in subsection (c) of this section.

18 U.S.C. 208. Acts affecting a personal financial interest. (a) Except as permitted by subsection (b) hereof, whoever, being an officer or employee of the executive branch of the U.S. Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, re-

quest for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest—

Shall be fined not more than $10,000, or imprisoned not more than 2 years, or both.

(b) Subsection (a) hereof shall not apply, (1) if the officer or employee first advises the Government official responsible for appointment to his position of the nature and circumstances of the judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by such official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such officer or employee, or (2) if, by general rule or regulation published in the FEDERAL REGISTER, the financial interest has been exempted from the requirements of clause (1) hereof as being too remote or too inconsequential to affect the integrity of Government officers' or employees' services.

APPENDIX B—CATEGORIES OF FINANCIAL INTEREST EXEMPTED FROM THE PROHIBITION OF 18 U.S.C. 208(a) (SEE § 1200.735–603)

1. The following exemptions apply to financial interests which are held directly by a NASA employee, including a special Government employee, or his spouse or minor child, whether jointly or individually, or by a NASA employee and his partner or partners as joint assets of the partnership:

a. Ownership of bonds other than corporate bonds, regardless of the value of such interest. This exemption extends also to any financial interests that the organization whose bonds are so owned may have in other business entities.

b. Ownership of shares in a mutual fund, regardless of the value of such interest. This exemption extends also to any financial interests that the mutual fund may have in other business entities.

2. If a NASA employee, including a special Government employee, or his spouse or minor child has a present beneficial interest or a vested remainder interest under a trust, the ownership under the trust of shares in a mutual fund will be exempt, regardless of the value of such interest. This exemption extends also to any financial interests that the mutual fund may have in other business entities.

3. If a NASA employee, including a special Government employee, is an officer, director, trustee, or employee of an educational institution, or if he is negotiating for, or has an arrangement concerning prospective employment with such an institution, a direct financial interest which the institution has in any matter will not itself be exempt, but any financial interests that the institution may have in the matter through its holdings or securities issued by business entities will exempt, provided the NASA employee is not serving as a member of the investment committee of the institution or is not otherwise advising it on its investment portfolio.

4. If a NASA employee, including a special Government employee, has continued to participate in a bona fide pension, retirement, group life, health or accident insurance plan, or other employee welfare or benefit plan that is maintained by a business or nonprofit organization of which he is a former employee, his financial interest in that organization will be exempt, except to the extent that the welfare or benefit plan is a profit-sharing or stock-bonus plan. This exemption extends also to any financial interests that the organization may have in other business entities.

APPENDIX C—MISCELLANEOUS STATUTORY PROVISIONS (see § 1200.735–604)

1. House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. B12, the "Code of Ethics for Government Service".

2. Chapter 11 of title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned.

3. The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

4. The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

5. The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

6. The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (2) the disclosure of private or proprietary information (18 U.S.C. 1905).

7. The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

8. The prohibition against the misuse of a Government motor vehicle or aircraft (5 U.S.C. 78(c)).

9. The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

10. The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

11. The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

12. The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

13. The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

14. The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

15. The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

16. The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 1181, and 18 U.S.C. 602, 603, 607, and 608).

This Part 1200 was approved by the Civil Service Commission on May 12, 1966.

Effective date. This Part 1200 shall become effective upon publication in the FEDERAL REGISTER.

JAMES E. WEBB,
Administrator.

[F.R. Doc. 66–6638; Filed, June 15, 1966; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[43 CFR Part 4]

BOARD OF CONTRACT APPEALS

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that it is proposed to amend §§ 4.1, 4.2, 4.3, 4.4, paragraph (d) of § 4.11, and Appendix I (Notice of Appeal) of Title 43 of the Code of Federal Regulations as set forth below. The purpose of these amendments is to (1) reflect the transfer of the Board to the Office of the Secretary; (2) indicate how Board members and alternate members are named; (3) state the procedures by which the Board reaches agreement upon a Board decision; (4) prescribe standards of conduct for Board members; (5) delineate the Board's authority and powers; and (6) make minor revisions in the rules of the Board.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the amendments to the Chairman, Board of Contract Appeals, Department of the Interior, Washington, D.C., 20240, within 15 days of the date of publication of this notice in the FEDERAL REGISTER.

1. To reflect the organizational transfer, § 4.1 is revised to read as follows:

§ 4.1 Purpose.

This part prescribes the functions and rules of the Board of Contract Appeals in its operation as a part of the Office of the Secretary of the Interior.

2. Section 4.2 is revised to read as follows:

§ 4.2 Membership.

(a) The Board of Contract Appeals (hereinafter referred to as the Board) consists of three members named by the Secretary of the Interior. The Secretary designates one Board member as Chairman and another Board member as Deputy Chairman. Alternate members are named by the Secretary to serve, when necessary, in place of, or in addition to regular members.

(b) The Chairman of the Board may direct that an appeal may be decided by a panel of any two members of the Board, but if they are unable to agree upon a decision the appeal will be decided by the full Board. When an appeal is considered by three members of the Board, the concurrence of two members shall be sufficient for a decision.

3. Section 4.3 is revoked and a new § 4.3 is added as follows:

§ 4.3 Standards of conduct.

No member of the Board shall consider an appeal if he has participated in the awarding or administration of the contract in question. There shall be no communication between any party to an appeal and a Board member of Board employee concerning the merits of the appeal, unless such communication is also formally served upon the other party to the appeal, or is made in the presence of the other party. The Board also shall exercise care to avoid receiving, except as part of the formally established appeal record, any information having a substantial bearing upon an appeal from persons who do not represent a party in the appeal, but nonetheless have an interest in the decision to be rendered.

4. Section 4.4 is revised to read as follows:

§ 4.4 Authority of Board.

(a) The Board exercises the authority of the Secretary in deciding appeals from findings of fact or decisions by contracting officers of any bureau or office of the Department of the Interior, wherever situated, or any field installation thereof. Decisions of the Board upon such contract appeals are final for the Department. The Board's authority, however, does not include the Secretary's special power granted by 16 U.S.C. sec. 832a(f) (1964) to modify, adjust, or cancel contracts, or to compromise or finally settle claims arising thereunder, upon such terms and conditions and in such manner as the Secretary (or his delegatee, the Bonneville Power Administrator) may deem necessary. The Board may, in its discretion, decide questions which are deemed necessary for the complete decision on the issue or issues involved in an appeal, including questions of law.

(b) The powers of the Board include, but are not limited to, authority to conduct hearings, dismiss proceedings, and to take official notice of facts within general knowledge; in addition, the Board may empower or approve the taking of depositions, service of written interrogatories, inspection of documents and admission of facts generally in accordance with the procedures covering such matters established by the Armed Services Board of Contract Appeals.

5. Section 4.11(d) is revised to read as follows:

§ 4.11 Conduct of hearing.

* * * * *

(d) The reporter's fees shall be borne by the bureau or office involved in the appeal. A copy of the transcript shall be made available to the appellant upon payment of a fee prescribed by the Director, Office of Management Operations, of the Department, pursuant to Part 2 of this subtitle, or in accordance with any contract for reporting that has been made for the benefit of the Department.

6. The address of the Board of Contract Appeals, as shown on Appendix I, which appears at the end of Part 4, is revised to read as follows:

Board of Contract Appeals, Office of the Secretary, Department of the Interior, Washington, D.C., 20240.

GEORGE E. ROBINSON,
Deputy Assistant Secretary for Administration.

JUNE 10, 1966.

[F.R. Doc. 66–6614; Filed, June 15, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 906]

[Docket No. AO–320–A1]

ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Decision and Referendum Order With Respect to Proposed Amendment of Marketing Agreement and Order

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Edinburg, Tex., on March 3, 1966, after notice thereof published in the FEDERAL REGISTER (31 F.R. 2552), on proposed amendment of the marketing agreement and Order No. 906 (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

On the basis of the evidence adduced at the hearing and the record thereof, the Administrator, Consumer and Marketing Service, on May 18, 1966, filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision in this proceeding. The notice of the filing of such recommended decision affording opportunity to file written exceptions thereto, was published in the FEDERAL REGISTER (F.R. Doc. 66–5640; 31 F.R. 7480). No exception was filed.

The material issues, findings and conclusions, rulings, and the general findings, of the recommended decision set forth in the FEDERAL REGISTER (F.R. Doc. 66–5640; 31 F.R. 7480) are hereby approved and adopted as the material

issues, findings and conclusions, rulings, and the general findings of this decision as if set forth in full herein.

Amendment of the marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement, as Amended, Regulating the Handling of Oranges and Grapefruit Grown in the Lower Rio Grande Valley in Texas" and "Order Amending the Order Regulating the Handling of Oranges and Grapefruit Grown in the Lower Rio Grande Valley in Texas," which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

Referendum order. Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), it is hereby directed that a referendum be conducted among the producers who, during the period August 1, 1965, through June 15, 1966 (which period is hereby determined to be a representative period for the purpose of such referendum), were engaged, in the counties of Cameron, Hidalgo, and Willacy in the State of Texas, in the production of oranges and grapefruit for market to ascertain whether such producers favor the issuance of the said annexed order amending Order No. 906 (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas.

W. J. Cremins and George B. Dever, Jr., Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, are hereby designated agents of the Secretary of Agriculture to conduct said referendum severally or jointly.

The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection With Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (30 F.R. 15414).

The ballots used in such referendum shall contain a summary describing the terms and conditions of the proposed amendment of the order.

Copies of the aforesaid annexed order and of the aforesaid referendum procedure may be examined in the Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Ballots to be cast in the referendum, and other necessary forms and instructions, may be obtained from any referendum agent or any appointee.

It is hereby ordered, That all of this decision and referendum order, except the annexed amended marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of the said marketing agreement are identical with those contained in the annexed order which will be published with this decision.

Dated: June 13, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending Order Regulating the Handling of Oranges and Grapefruit Grown in the Lower Rio Grande Valley in Texas

§ 906.0 **Findings and determinations.**

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of the order; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Edinburg, Tex., March 3, 1966, upon proposed amendment of the marketing agreement and to Order No. 906 (7 CFR Part 906) regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas. Upon the basis of the evidence adduced at such hearing and the record thereof, it is found that:

(1) The said order, as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order, as hereby amended, regulates the handling of oranges and grapefruit grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial or industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The said order, as hereby amended, is limited in its application to the smallest regional production area that is practicable consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of oranges or grapefruit grown in the production area which make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of oranges and grapefruit grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of oranges and grapefruit grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order as hereby amended as follows:

§ 906.19 **[Amended]**

1. Paragraph (b) of § 906.19 is amended by adding a sentence at the end thereof as follows: "Should a producer member or alternate member change his marketing affiliation during his term of office, he may continue to serve in such capacity during the remainder of such term."

2. The provisions of § 906.27 are amended to read as follows:

§ 906.27 **Alternate members.**

An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate, during such member's absence or when designated to do so by the member for whom he is an alternate. In the event both a member and his alternate are unable to attend a committee meeting, the committee members present may designate another alternate of the same classification (handler or producer, and to the exent practical, independent, or co-op) to serve in such member's place and stead. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor of such member is selected and has qualified.

3. Paragraph (a)(2) of § 906.35 is amended to read as follows:

§ 906.35 **Accounting.**

(a) • • •

(2) The committee, with the approval of the Secretary may carry over such excess into subsequent fiscal periods as a reserve: *Provided,* That funds already in the reserve do not equal approximately 1 fiscal period's expenses. Such reserve funds may be used for any expenses authorized pursuant to § 906.32 and for necessary expenses of liquidation in the event of termination of this part. Upon such termination, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate. To the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

• • • • •

4. The provisions of § 906.37 are amended to read as follows:

§ 906.37 **Research and development.**

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects, including paid advertising, designed to assist, improve, or promote the marketing, distribution, and consumption of fruit. Any such project for the promotion and advertising of fruit may utilize an identifying mark which shall be made available for use by all handlers in accordance with such terms and conditions as the committee, with the approval of the Secretary, may prescribe. The expenses of such projects shall be paid from funds collected pursuant to § 906.34.

[F.R. Doc. 66–6635; Filed, June 15, 1966; 8:48 a.m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and orders have been met.

[7 CFR Part 1126]

[Docket No. AO–231–A24]

MILK IN NORTH TEXAS MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Dallas, Tex., on January 27, 1966, pursuant to notice thereof issued on January 19, 1966 (31 F.R. 910).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on April 28, 1966 (31 F.R. 6631; F.R. Doc. 66–4833), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (31 F.R. 6631; F.R. Doc. 66–4833) are hereby approved and adopted and are set forth in full herein subject to the following modifications:

1. Under the subheading "1. *Definitions and other provisions relating to plants.*":

a. A new paragraph is added immediately following the 14th paragraph;

b. Two new paragraphs are added immediately following the 18th paragraph;

c. The 39th paragraph is deleted and a new paragraph is substituted therefor; and

d. Two new paragraphs are added immediately following the 40th paragraph.

2. Under the subheading "3. *Classification of sterilized cream.*", a new paragraph is added after the last paragraph.

The material issues on the record of the hearing relate to:

1. Definitions and other provisions relating to plants;

2. Interorder diversion of producer milk;

3. Classification of sterilized cream; and

4. Administrative expense.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Definitions and other provisions relating to plants.* The present pooling standards for distributing plants and cooperative association plants should be changed. Provisions relating to newly defined "partially regulated distributing plants" should be included in the order. Also, a new "plant" definition should be added and the present "distributing plant" definition should be modified.

The North Texas order now provides that a distributing plant shall be a pool plant in any month in which it sells fluid milk products on routes in the North Texas marketing area.[1] In the case of a plant operated by a cooperative association, the order provides that a plant not qualifying as a pool distributing plant or a pool supply plant shall be a pool plant if located in the marketing area and Grade A milk is received at the plant from dairy farmers and also is delivered directly from members' farms to pool plants of other handlers. For either type of plant, token performance by the plant operator is sufficient for the plant to qualify for pooling.

The North Texas Producers Association, whose members supply about 85 percent of the producer milk in the North Texas market, proposed a revision of the pooling standards for these types of plants. It recommended that a pool distributing plant should sell as fluid milk products at least 50 percent of its receipts of Grade A milk on routes, and at least 10 percent of such receipts on routes in the North Texas marketing area. For a plant operated by a cooperative association, producers proposed that 50 percent of the producer milk of members should be received at pool distributing plants of other handlers or be transferred to such plants from the association's plant.

These proposed pooling standards are reasonable and appropriate under current marketing conditions and should be adopted.

When a plant acquires pool plant status under the North Texas order, all milk received at the plant from producers is pooled and priced under the terms of the order. The returns to the producers are based on the overall utilization of all producer milk received during the month at all pool plants in the market. Essential to the operation of a marketwide pool is the establishment of minimum performance requirements to distinguish between those plants substantially engaged in serving the fluid needs of the market and those plants which do not serve the market in a way, or to a degree, that warrants their sharing (by being included in the market pool) in the market average utilization of Class I milk. Such distinction is necessary; otherwise, the proceeds from the higher priced Class I milk could be dissipated by including in the market pool additional quantities of milk which were acquired by handlers primarily for manufacturing purposes. Such dissipated proceeds could accrue to the benefit of producers supplying milk to handlers who do not regularly or dependably furnish the fluid milk needs of consumers in the North Texas market.

In this manner, the uniform price for the market could be depressed to the point that it would not serve its function of attracting an adequate supply of milk for the market's fluid needs without providing for a Class I price higher than otherwise would be necessary. Since they are generally passed on to the public, Class I price increases necessitated solely because of inadequate pooling standards would be contrary to the public interest. Therefore, if they are to share in the market pool funds, it is essential that plant operators perform marketing functions (i.e., deliver milk to the market in specified proportions) which contribute to providing adequate and dependable market supplies. The proper performance requirements for pool plants are essential provisions in a milk order if the order is to attain the statutory purpose of assuring adequate supplies of milk in the most economical manner and in a way that best serves the public interest.

The establishment of proper pooling standards is also essential to the determination of which distributing plants need not be subject to full regulation under the order. Some handlers may make only a very minor proportion of their total route sales in the defined marketing area. In other federally-regulated markets, it has been found that the objectives of an order may be achieved in most cases without applying full regulation to such persons.

The present pooling standards of the North Texas order cannot be relied upon to fulfill the purposes which performance requirements should serve. They have worked reasonably well in this market, though, because plants associated primarily with other markets or engaged primarily in the manufacturing of milk have not become pool plants under the order. However, revision of the pooling standards would give greater assurance that orderly marketing conditions will be maintained in this area. Pooling standards similar to those adopted herein have been incorporated in many other Federal orders. They have contributed generally to an adequate identification of those plants which are an integral part of the markets involved. This has assisted in assuring an adequate supply of pure and wholesome milk for consumers in these areas.

At the hearing a handler proposed that a distributing plant be fully regulated if the plant's route sales in the marketing area are 5 percent or more of its receipts. The handler contended that this pooling standard would provide greater competitive protection to fully regulated handlers than would the "10 percent" pooling requirement proposed by producers.

This should not be adopted. The 10 percent requirement is a reasonable standard for distinguishing between those distributing plants which are substantially engaged in supplying consumers in the North Texas market and

[1] Under certain conditions, a distributing plant selling packaged milk in the North Texas market and in another federally regulated market in the same month may be a pool plant under the other order. Further attention to this situation is unnecessary in considering the issue at hand.

those which do so to only a minor extent. As described later, provisions are proposed herein for pricing in-area route sales by the latter, or "fringe area," plants. These provisions should adequately equate the competitive position in the marketing area between fully regulated handlers and partially regulated fringe area handlers.

A distributing plant selling at least 50 percent of its receipts on routes is primarily in the fluid milk business. Such a percentage, then, represents a performance standard by which plants engaged significantly in supplying fluid milk to consumers may be identified. This performance requirement should be applied somewhat differently, though, in the case of distributing plants operated by the same handler. The order should provide that if two or more such plants each meet the 10 percent in-area sales requirement, the 50 percent requirement may be based on the combined receipts and route disposition of all such plants.

This provision was proposed at the hearing by a handler who operates a distributing plant at Dallas and another such plant at Fort Worth. The Dallas plant is a fluid milk operation with no manufacturing facilities. Fluid milk items are processed and packaged at the nearby Fort Worth plant, also. In addition, the handler manufactures products at the latter plant for distribution from both plants. The two plants have qualified as pool distributing plants since the inception of the order. Under the proposed pooling standards, however, the Fort Worth plant would not have qualified as a pool plant during six months of a recent 12-month period. During these 6 months less than 50 percent of its receipts were sold in the form of fluid milk products. The handler contended that if he were to insure pool plant status for this plant under the pooling standards proposed by the cooperative association he could not take full advantage of the costly specialized manufacturing equipment installed only in the Fort Worth plant.

This situation can be accommodated by use of the above-mentioned pooling provisions. Such performance requirements in this type of situation would be consistent with the purposes which pooling standards should serve. Under this arrangement a handler operating more than one distributing plant in the market would be afforded the opportunity of effecting economies available through specialization of plant operations. The handler's total operation, however, would be primarily engaged in supplying fluid milk to consumers.

There appears to be no reason to require that distributing plants qualifying for pool status in this manner qualify individually as pool plants for the preceding 12 months, as the handler suggested. Adequate association with the market can be based on current marketing practices without detriment to the regulatory scheme of the order.

A handler stated in his exceptions that the revised pooling standards should provide for the pooling of a distributing plant in a month in which it fails to meet certain of the pooling requirements if the plant were a pool plant in several of the preceding months. He claimed that this protection of a plant's pooling status would provide handlers who may be purchasing milk from such a plant an opportunity to make adjustments in their buying practices if desired. No evidence is contained in the record, however, which would support such a provision. This modification should not be adopted.

Pooling provisions were established in the North Texas order for plants operated by the major cooperative association in the market in conjunction with its supplying member milk to handlers. Customarily in this market, milk is moved from members' farms directly to pool distributing plants. Milk not needed by handlers is usually moved by the association to its plants for manufacturing. For this reason it is not practical for the association's plants to qualify for pool status on the basis of shipments from the plants to other pool plants. Nevertheless, the plants are essential to the service provided by the association in supplying daily milk requirements of handlers. Because of the part these plants play in the handling of reserve milk, it is necessary that they be allowed pool status. Then, when milk of members is moved to such plants rather than to processing plants, such farmers will maintain their producer status.

At the time the present pooling standards for such plants were adopted, distributing plants could obtain pool plant status on the basis of token in-area Class I sales. Because of this it was not practical to establish pooling standards for cooperative association plants significantly different from those for distributing plants. With the standards proposed herein for distributing plants, the basis for pooling association plants can be changed also. It is desirable that a standard of performance be provided to assure that such plants and the milk handled by them are substantially associated with the fluid milk requirements of the market. The 50 percent requirement with respect to deliveries of member milk to pool distributing plants of other handlers would provide such a standard.

As indicated, the required deliveries of milk by a cooperative association should be made to pool distributing plants other than its own. This was proposed by the proponent association which operates a pool distributing plant. No other such plant in the market is operated by a cooperative association. This provision would tend to assure that an association's balancing plant would be qualified for pooling only on the basis of a bona fide association with the Class I requirements of the market. This would not be the case if an association operating a pool distributing plant could qualify another plant merely on the basis of the deliveries of member milk from farms to its own distributing plant.

The order now requires that a cooperative association plant be located in the marketing area. With the establishment of pooling standards which require greater performance, this requirement is no longer necessary. Under most circumstances any plant, wherever located, should be allowed to become a pool plant if it meets the marketing performance standards for regulation which at any time are equal for all plants performing the same function.

A cooperative association urged in its exceptions that implementation of the proposed pooling standards for a cooperative association plant be delayed for at least 2 years. In conjunction with supplying handlers with member milk for Class I use, the association recently began operating a newly constructed manufacturing plant. The association claimed that inadequate experience in its total marketing operation left unknown whether or not it could operate satisfactorily under the proposed pooling standards during the periods of seasonally higher production.

Such a delay does not appear warranted, however. With the amendatory procedures necessarily involved, it is not expected that these provisions would be made effective before the end of the heavy production months in 1966. During this time the association will have had an opportunity to gain operational experience in a flush season. It then would be in a better position to adjust its total marketing operation in whatever way such experience suggests or propose amendments for consideration at a hearing.

The proposed pooling standards for distributing plants and cooperative association plants, as adopted herein, would not affect the present status of plants now regulated under the North Texas order.

The requirement that a pool distributing plant have at least 10 percent of its route sales in the marketing area would tend to keep to a minimum the amount of producer milk sold outside the area. It is likely, though, that some out-of-area sales would exist. Presently, all producer milk disposed of not only within the North Texas marketing area but outside this area is fully regulated and priced under the order. It is necessary that this arrangement be continued under the order. Otherwise, the effect of the order could be nullified, thereby jeopardizing the orderly marketing process.

If only his in-area sales were subject to classification, pricing and pooling, a regulated handler with Class I sales both inside and outside the marketing area could assign any value he chose to his outside sales. He thereby could reduce his average cost of all of his Class I milk below that of other regulated handlers having all, or substantially all, of their Class I sales within the marketing area. In short, unless all milk of such a handler is fully regulated under the order, he in effect will not be subject to effective price regulation. The absence of effective classification, pricing and pooling of such milk would disrupt orderly marketing conditions within the regulated marketing area and would lead to a complete breakdown of the order. If a regulated handler were free to value a portion of his milk at any price he chooses, it would be impossible to enforce uniform prices to all fully regulated handlers or a uniform basis of payments to the producers who supply the market. It is essential, therefore, that the order price all the producer milk received at a pool plant regardless of the point of disposition.

In conjunction with their proposed changes in pooling standards, the cooperative association proposed that provision be made for pricing fluid milk products sold on routes in the marketing area by distributing plants which do not qualify as pool plants under this or any other Federal order. This should be done. With the present pooling provisions there has been no need for this. However, the proposed changes in the pooling standards make such action necessary.

The order should be amended to provide that the unregulated distributor who disposes of fluid milk products on routes in the marketing area be accorded the following choices as a means of integrating his plant operations into the market's regulatory scheme:

(a) He should be allowed to show that payment for his total supply of milk from dairy farmers has been at least as much as if his plant were fully regulated. This amount may be paid entirely to his dairy farmers or may be paid in part to his dairy farmers and in part to the producer-settlement fund of the order;

(b) He may show that he has purchased Class I milk priced under some Federal order in an amount at least equivalent to his total Class I sales within the North Texas marketing area;

(c) He may make a payment to the producer-settlement fund on the quantity of Class I sales made in the marketing area at a rate equal to the difference between the Class I price and the uniform price under the order, both applicable at the location of the distributing plant; or

(d) Any combination of choices (b) and (c).

Distributing plants with route distribution in a regulated market may not meet the performance standards for regulation either because of insufficient route sales in the defined marketing area or because too large a proportion of the milk receipts are utilized for purposes other than route disposition. However, it is usually for the former reason that such plants fail to qualify. Distributing-type plants generally use a high proportion of their receipts in Class I disposition on routes.

Ideally, marketing area boundaries are drawn to encompass that territory where the same handlers compete with each other for route sales and to minimize overlapping sales areas with unregulated handlers. Improvements in refrigeration, transportation, and packaging, however, encourage expansion of sales areas to such an extent that it is often difficult to delineate an area which wholly accomplishes these objectives. Even if such a delineation were initially possible, it inevitably would be only a temporary situation.

Milk distributors are interested in selling milk. One way of expanding their businesses is to expand geographically. This presents no particular problem for the order program with respect to the fully regulated handler since he is required to pay for his producer milk receipts on a classified use basis at the specified minimum order prices regardless of where his milk is sold. For each additional unit of Class I sales he makes he must pay the Class I price, whether such sales are made inside or outside the marketing area. He cannot use milk bought at the lower surplus class price to expand his sales in either the regulated market or in other markets. He must report all receipts and utilization of milk and the payments made to producers, and maintain records which will substantiate such reports on audit. The butterfat tests upon which he pays producers likewise are subject to verification. He must pay his pro rata share of the cost of administering the order.

The operator of the unregulated distributing plant is in a substantially different situation. He is not required to purchase his milk on a classified use basis nor is he required to pay his dairy farmers any particular minimum price. Normally, he pays a "flat" price without regard to the manner in which he utilizes the milk. The flat price which such a dealer pays is usually at a level which, in relation to competitive conditions in his area of procurement, will obtain sufficient milk for his needs. The operator of the unregulated distributing plant who competes with fully regulated handlers for his milk supply is, in effect, in competition with the Federal order blend price. He usually may procure his supply for an equivalent price. This was described as generally being the case with respect to unregulated distributing plants located in some of the nearby areas surrounding the North Texas marketing area. The operator of the unregulated distributing plant thus is in a position to obtain his Class I milk for sale in the regulated market at a lower price than the handler who is fully regulated by the Federal order.

Order provisions are needed to minimize the price advantage which the operator of an unregulated distributing plant has on fluid milk sales in the regulated marketing area. The options which it is concluded should be accorded such a person, taken in combination, are designed to achieve this end.

If the operator of an unregulated distributing plant elects to show that he has complied with option (a) above, it will be clearly evident that he has paid at least as much for his Class I milk as a fully regulated handler, for in fact he has paid for all his milk as if he were fully regulated. Such an option accords him competitive parity with respect to his minimum class prices with regulated handlers. The regulated handler is required to pay for all his milk sold as Class I, whether inside or outside the marketing area, at the Class I price established by the order. The operator of the unregulated distributing plant would show that he has also paid at least the equivalent of the order Class I and Class II prices for milk utilized in these respective classes. This option provides a meaningful determination of actual pay prices of milk by such an operator for comparison with order values.

The above option has been provided previously in many of the Federal orders. Many operators of unregulated plants with route distribution in regulated markets have found that using this option is advantageous. When he is paying for his milk supply as much as he would if he were fully regulated, this option gives such an operator an opportunity to distribute milk in regulated areas without incurring any additional financial obligations on such milk as the result of the order. At the same time, the fact that he has paid full class prices for his milk will assure that the integrity of the regulatory plan has been protected.

Special provision should be made for an unregulated distributing plant which receives part (or all) of its milk supply from another plant which serves as a supply plant for the unregulated distributing plant. If performance of the supply plant in shipping to the unregulated distributing plant is equivalent to the performance of a regulated supply plant, the operator of the unregulated distributing plant should be permitted, at his election, to show that payments to dairy farmers at the supply plant are in accordance with order accounting and prices. If the necessary information and authority for audit are provided by the unregulated distributing plant, the operations of the supply plant may be included with those of the distributing plant to determine if the payments to dairy farmers are equivalent to payments which would be required under full regulation. Under this option, any amount by which such payments at both plants are less than under full regulation would be owed to the producer-settlement fund. This accords the same conditions to milk from a supply-type plant as is accorded milk received directly from dairy farmers at an unregulated distributing plant.

If the necessary information as to the supply plant is not provided, the obligation of the unregulated distributing plant under this option for milk from the supply plant should be computed in the same manner as the obligation of a regulated plant for a receipt of unregulated milk.

The second option—to purchase milk for his marketing area sales from a source fully regulated under a Federal order—also affords the operator of an unregulated distributing plant an opportunity to sell milk in the regulated area on a basis of competitive equity with respect to such sales.

The equivalent of the milk which he distributes in the marketing area would be fully priced Class I milk. Presumably, he would purchase it on the same basis as any other handler who purchases milk for Class I sales within the regulated market. Again, since the milk would be fully regulated under some Federal order, it would afford adequate protection to the regulatory plan.

Under certain conditions option (c) also would afford to the operator of an unregulated distributing plant competi-

tive equity with respect to his sales within the regulated marketing area, and would protect the integrity of the regulatory scheme. The rate of payment is the difference between the Class I price and the uniform price of the market for the month when the sale is made. This rate is a constant for all locations at a given butterfat test of milk. In essence, the option fixes a value of the sale at the Class I price and assumes payment to dairy farmers at the uniform price of the market. It also assumes that all milk purchased by such distributor is for Class I use, i.e., that he has no surplus, or reserve supply.

If the operator of an unregulated distributing plant actually pays as much as the blend price to his dairy farmers, and if the milk distributed in the regulated marketing area is not, in fact, surplus to his normal operations, the payment of a Class I price minus the market blend price on his sales in the marketing area usually will tend to protect the regulatory scheme. In the case of regular everyday distribution of about the same quantities of milk in a regulated area by the operator of an unregulated distributing plant, the supply of milk for such sales normally would be acquired on a regular basis and would not be milk surplus to other fluid operations.

The producer proposal to modify the "distributing plant" definition should be adopted. Under the present definition, only those distributing plants which are approved by a health authority having jurisdiction in the marketing area are allowed to be pool plants. Health approval should not be limited to only that given by local authorities. Distributing plants which are approved by any duly constituted State or municipal health authority, or which are acceptable to an agency of the State or Federal Government for the disposition of Grade A fluid milk products in the marketing area, should be allowed to be pool plants. This is consistent with the concept expressed earlier that any plant, wherever located, should be allowed to become a pool plant if it meets the performance requirements for regulation which at any time are equal for all plants performing the same function.

The proposed changes in the definitions of "distributing plant" and "pool plant" necessitate a conforming change in the "supply plant" definition. Under the present order provisions, a distributing plant and a pool distributing plant, as defined, are synonymous. This would not be the case under the order changes proposed herein. As the performance requirements are now written, a supply plant must make certain shipments of milk to distributing plants. The order should now provide, however, that such shipments must be made to a distributing plant which qualifies as a pool plant. This would assure that supply plants which are pooled under the order are performing the function of supplying milk for the fluid milk requirements of the market.

A producer proposal to add a new "plant" definition also should be adopted. "Plant" would mean the land, buildings, facilities, and equipment constituting a single operating unit or establishment at which milk or milk products are received, processed and/or packaged. Separate facilities used only as a reload point for transferring bulk milk from one tank truck to another should not be considered as a plant if the milk transferred can be identified as receipts from specific farmers until the milk is received at a plant. Also, a distribution point used for storing packaged fluid milk products en route in the course of disposition should not be a plant.

Various types of plants are defined by the order. There are no definitive standards, though, by which to determine for regulatory purposes what comprises a plant. This definition would assist in the administration of the order and, thus, in the integrity of the regulatory scheme.

Certain handlers and producer groups excepted to the "plant" definition as proposed in the recommended decision. Two main points were raised. First, exception was taken to the inclusion of the provision that any reloading operations on the premises of a plant engaging in other operations shall constitute a part of the operations of such plant. Second, exceptors believed that the determination of when a reload point is or is not a plant should be based primarily on the ability to maintain during the transfer process the identity of milk received from specific producers.

Upon further review of the record evidence, certain modifications suggested by the exceptions appear appropriate. It is concluded that with respect to defining a "plant" reload points should be treated as indicated in the above paragraph describing the proposed "plant" definition. Under this definition a determination must be made as to what land, buildings, facilities and equipment constitute a single operating unit for the handling of milk. If reloading facilities are determined to be a part of a single operating unit where other operations occur, these reloading facilities cannot be considered as a separate operating unit where only transfers of bulk milk between tank trucks take place. Reloading facilities which are separate in this respect may have nonplant status if identification of the receipts from specific farmers is possible throughout the course of moving the milk from farms to the processing plant by way of the reloading facilities.

The "nonpool plant" definition should be revised to include as one of the categories of such plants "partially regulated distributing plants". In addition, the "handler" definition should be changed to include the operators of such plants. Such handlers should be required to submit to the market administrator those reports which are necessary for determining their obligation under the order.

It is not necessary to include under the "handler" definition the operator of an unregulated supply plant, as the cooperative association proposed. Those who are "handlers" under the order normally are required to submit reports to the market administrator concerning their plant operations. Customarily, only occasional shipments of milk are made from unregulated supply plants to pool plants. Reports by the operators of the supply plants in these cases are not necessary inasmuch as any obligation on such milk applies to the regulated handler receiving the milk.

2. *Inter-order diversion of producer milk.* The order should be changed to allow milk from producers to be diverted for surplus disposal purposes from a North Texas pool plant to a plant regulated under another Federal order. The milk could be so diverted only if such persons are not designated as producers under the other order. The "producer" definition also should be revised to accommodate the reverse situation, i.e., exclude as producers those dairy farmers whose milk is diverted from other Federal order plants to North Texas pool plants.

These changes were proposed by the major cooperative association in the market. The association contended that they would allow more economical handling of milk not needed by local handlers for fluid use.

The order now provides for the classification of milk transferred from a North Texas pool plant to an other order plant. If the operators of both plants involved so request, such milk may be classified as Class II to the extent there is Class II utilization available in the transferee plant. No provision is made for the classification of milk diverted from a North Texas pool plant to an other order plant, however. In some cases the other order would designate such milk so diverted as producer milk under that order since the milk would have been received at the other order plant directly from farms. This is true under the North Texas order in the case of milk diverted to North Texas pool plants from other order plants.

There are occasions when it is more economical and efficient to move surplus milk directly from farms to manufacturing plants in other nearby markets than to plants in the market with which the milk is normally associated. Such times are usually in the spring months when milk production is seasonally high and exceeds handlers' fluid milk requirements. Manufacturing facilities in the local market are sometimes inadequate to handle the larger volumes of surplus milk. Orderly disposal of such milk would be promoted if the milk could be moved to other order plants. This assumes that the other order has complementary provisions which would exclude such milk from being producer milk under the other order. If such milk were to become producer milk and thereby pooled under the other order, the milk likely would cause a decrease in that order's Class I and blend prices.

Revision of the transfer provisions to provide for the classification of milk diverted to an other order plant would accommodate this situation. Such diversions would be possible, of course, only when the other order does not require such milk to be pooled under its provisions.

The North Texas order also should allow milk from other markets to be diverted to North Texas pool plants without the dairy farmers involved becoming producers under this order. The exclusion should be limited, however, to that milk which is designated for Class II use by both the handler diverting the milk and the operator of the North Texas pool plant to which the milk is diverted. The provisions for assignment of other order milk not so designated are designed to apply to inter-plant transfers rather than to farm-to-plant movements. When milk moved from the farm to a pool plant under this order is to share in the Class I sales of this market, it should be priced and pooled under the North Texas order as producer milk.

3. *Classification of sterilized cream.* Sterilized cream and sterilized cream products disposed of in hermetically sealed metal or glass containers should be classified as Class II milk rather than as Class I milk.

Such a change in the classification provisions of the North Texas order was proposed by the operator of a plant located at Springfield, Mo. This plant manufactures sterilized whipping cream from manufacturing grade milk. Under present order provisions, this product would be considered as Class I milk if sold in the North Texas marketing area. Proponent claimed that the product could not compete, at the higher classification, with non-dairy products of a similar nature.

Class I milk products are intended to include milk and milk products eligible for disposition in a form for which Grade A sources of milk are required. Products which may be made from manufacturing grade milk and sold in the marketing area should not be included as a Class I product.

A handler proposed in his exceptions that this classification change be applicable also to certain cream products packaged in paper containers. Because of the lack of any evidence concerning this particular matter, no action can be taken on the request on the basis of this record.

4. *Administrative expense.* The operator of a partially regulated distributing plant should be required to pay a pro rata share of the cost of administering the order. Also, a pool plant operator buying direct-delivered milk from a cooperative association which acts as the handler for such milk should be required to pay the administrative assessment applicable to such milk.

The Act provides that the cost of administering an order shall be financed through an assessment on handlers. Sufficient funds must be available for the market administrator to enable him to administer properly the terms of the order. A principal function of the market administrator is to verify the receipts and disposition of milk from all sources that becomes involved under the regulatory provisions of the order. Presently, an administrative assessment is to be paid by each handler with respect to his receipts of producer milk (including his own production) and other source milk, excluding that on which an assessment was made under another Federal order.

The market administrator, in administering the order as it would apply to the operator of a partially regulated distributing plant, must incur expenses in essentially the same manner as in applying the order to pool handlers. However, the order would not be applicable to such a plant operator to the same extent as fully regulated handlers. Hence, payment of the administrative assessment on his in-area sales would reasonably constitute his pro rata share of the expense of administering the order. Route disposition on which the assessment would apply should exclude that for which offsetting purchases of Class I milk priced under any Federal order have been made. An administrative assessment will already have been paid on such milk.

The order provides that a cooperative association may act as the handler for milk of members which is delivered directly from the farm to pool plants of other handlers. As the order is now written, an association acting in this capacity must pay the administrative assessment on such milk since it is the first handler to receive the milk from producers. Under current practice it is customary for the association to collect from the plant operator buying the milk an additional amount to cover the assessment. This procedure is cumbersome and unnecessary.

Most of the verification work which must be done by the market administrator involves the auditing of the receipts and utilization at pool plants. This is the case whether the plant operator buys his milk directly from producers or from a cooperative association acting as a handler. No plant of the association is involved in this particular circumstance. The association is acting as a handler only insofar as certain record-keeping is concerned. It is reasonable, therefore, that the administrative assessment be paid by the handler actually processing such milk.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the North Texas Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the North Texas Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of April 1966 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the North Texas marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on June 13, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] *Amending the Order Regulating the Handling of Milk in the North Texas Marketing Area*

§ 1126.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the North Texas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held; and

(4) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 4 cents per hundredweight or such amount not to exceed 4 cents per hundredweight as the Secretary may prescribe, with respect to:

(a) Receipts from producers (including such handler's own production);

(b) Receipts from cooperative associations in their capacity as a handler pursuant to § 1126.12 (c) and (d);

(c) Other source milk allocated to Class I pursuant to § 1126.46(a) (3) and (7) and the corresponding steps of § 1126.46(b); and

(d) Class I milk disposed of from a partially regulated distributing plant on routes in the marketing area that exceeds Class I milk received during the month at such plant from pool plants and other order plants.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the North Texas marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on April 28, 1966, and published in the FEDERAL REGISTER on May 4, 1966 (31 F.R. 6631; F.R. Doc. 66-4833), shall be and are the terms and provisions of this order and are set forth in full herein subject to the following revision: Section 1126.7 is changed.

1. The provision formerly contained in § 1126.7 is now contained in a new § 1126.19, and § 1126.7 is deleted. Section 1126.19 reads as follows:

§ 1126.19 Route.

"Route" means any delivery (including any delivery by a vendor or disposition at a plant store) of milk, skim milk, buttermilk, flavored milk, flavored milk drinks or cream other than a delivery in bulk form to a milk processing plant.

2. A new § 1126.7 is added and reads as follows:

§ 1126.7 Plant.

"Plant" means the land, buildings, facilities, and equipment constituting a single operating unit or establishment at which milk or milk products are received, processed and/or packaged. Separate facilities used only as a reload point for transferring bulk milk from one tank truck to another shall not be a plant under this definition if the milk transferred at such facilities can be identified as receipts from specific farmers until the milk is received at a plant. Facilities used only as a distribution point for storing fluid milk products in transit on routes shall not be a plant under this definition.

3. Section 1126.8 is revised to read as follows:

§ 1126.8 Distributing plant.

"Distributing plant" means a plant approved by any duly constituted State or municipal health authority, or acceptable to an agency of the State or Federal Government for the disposition of Grade A fluid milk products in the marketing area, at which milk products are received, processed and/or packaged, and from which fluid milk products are disposed of on routes in the marketing area.

4. In § 1126.9, the introductory text is revised to read as follows:

§ 1126.9 Supply plant.

"Supply plant" means any plant approved by the appropriate health authority to supply fluid milk for distribution as Grade A milk in the marketing area and from which milk is moved to a pool distributing plant as follows:

* * * * *

5. Section 1126.10 is revised to read as follows:

§ 1126.10 Pool plant.

"Pool plant" means:

(a) Any distributing plant, except a producer-handler plant or an other order plant, from which during the month:

(1) The disposition of fluid milk products on routes within the marketing area is 10 percent or more of the receipts of Grade A milk at such plant; and

(2) The total disposition of fluid milk products on routes is 50 percent or more of the receipts of Grade A milk at such plant, except that if two or more distributing plants operated by the same handler each meet the performance requirement of subparagraph (1) of this paragraph and total disposition of fluid milk products on routes of such plants is 50 percent or more of receipts of Grade A milk at such plants, each such plant shall be deemed to have met the requirement of this subparagraph;

(b) Any supply plant; or

(c) Any plant operated by a cooperative association which has been approved by any duly constituted state or municipal health authority and at which milk is received from dairy farmers holding permits or authorization from such health authority, and at least 50 percent or more of the producer milk of members of such cooperative association is physically received during the month at pool plants of other handlers described in paragraph (a) of this section or is transferred to such pool plants from the plant of the cooperative association.

6. In § 1126.11, a new paragraph (d) is added and reads as follows:

§ 1126.11 Nonpool plant.

* * * * *

(d) "Partially regulated distributing plant" means a nonpool plant that is neither an other order plant nor a producer-handler plant, from which fluid milk products labeled Grade A in consumer-type packages or dispenser units are distributed on routes (other than to pool plants) in the marketing area during the month.

§ 1126.12 [Amended]

7. In § 1126.12, the reference "the proviso in § 1126.53" in each of the paragraphs (c) and (d) is revised to read "§ 1126.53(b)" and a new paragraph (e) is added to read as follows:

(e) Any person in his capacity as the operator of a partially regulated distributing plant.

8. Section 1126.13 is revised to read as follows:

§ 1126.13 Producer.

(a) "Producer" means any person, except a producer-handler as defined in any order (including this part) issued pursuant to the Act, who produces milk approved for consumption as Grade A milk by any duly constituted State or municipal health authority, which milk is:

(1) Received at a pool plant; or

(2) Diverted by a handler for his account from a pool plant to a nonpool plant on any day during the months of January through July and on not more than half of the days of delivery during any other month. Such diverted milk shall be deemed to have been received by the diverting handler at a pool plant at the location of the plant from which it was diverted.

(b) "Producer" shall not include:

(1) Any person during periods of temporary degrading by any duly constituted State or municipal health authority if such health authority notifies the operator of the pool plant or the market administrator in writing of the effective date or dates of such action and subsequent reapproval;

(2) Any person with respect to milk produced by him which is diverted to a pool plant from an other order plant if the other order designates such person as a producer under that order and the handler under the other order diverting such milk and the operator of the pool plant each have requested Class II classification of such milk in the reports of receipts and utilization filed with their respective market administrators; and

(3) Any person with respect to milk produced by him which is diverted to an other order plant if such person is designated as a producer under the other order with respect to such milk.

9. In § 1126.30, a new paragraph (h) is added to read as follows:

§ 1126.30 Reports of receipts and utilization.

* * * * *

(h) Each handler operating a partially regulated distributing plant shall report as required in this section except that receipts of Grade A milk from dairy farmers shall be reported in lieu of receipts of producer milk. Such report shall include a separate statement showing the respective amounts of skim milk and butterfat disposed of as Class I milk on routes in the marketing area.

10. In § 1126.31, the introductory text is revised to read as follows:

§ 1126.31 Payroll reports.

On or before the 20th day of each month, each handler, except a handler making payments pursuant to § 1126.62 (b), shall submit to the market administrator his producer payroll (or, in the case of a handler making payments pursuant to § 1126.62(a), his payroll for dairy farmers delivering Grade A milk) for deliveries made in the preceding month which shall show:

* * * * *

11. Section 1126.41(a)(1) is revised to read as follows:

§ 1126.41 Classes of utilization.

* * * * *

(a) * * *

(1) Disposed of in the form of milk, skim milk, buttermilk, flavored milk drinks, cream (except sterilized cream and sterilized cream products disposed of in hermetically sealed metal or glass containers and cultured sour cream), and any mixture (except eggnog and bulk ice cream and frozen dairy product mixes) of cream and milk or skim milk: *Provided*, That when any fluid milk product is fortified with nonfat milk solids the amount of skim milk to be classified as Class I shall be only that amount equal to the weight of skim milk in an equal volume of an unfortified product of the same nature and butterfat content;

* * * * *

12. In § 1126.44(g), the introductory text and subparagraphs (2), (3), and (5) are revised to read as follows:

§ 1126.44 Transfers.

* * * * *

(g) As follows, if transferred, or diverted if such milk is not producer milk under the other order, to an other order plant, in excess of receipts from such plant in the same category, as described in subparagraph (1), (2), or (3) of this paragraph:

* * * * *

(2) If transferred or diverted in bulk form, classification shall be in the classes to which allocated as a fluid milk product under the other order (including allocation under the conditions set forth in subparagraph (3) of this paragraph);

(3) If the transferor or diverting handler and the operator of the other order plant so request in their reports of receipts and utilization filed with their respective market administrators, transfers and diversions in bulk form shall be classified as Class II to the extent of the Class II utilization (or comparable utilization under the other order) available for such assignment pursuant to the allocation provisions of the other order;

* * * * *

(5) For purposes of this paragraph, if the order to which the milk is transferred or diverted provides for more than two classes of utilization, milk allocated to a class consisting primarily of fluid milk products shall be classified as Class I, and milk allocated to other classes shall be classified as Class II; and

* * * * *

13. A new § 1126.62 is added and reads as follows:

§ 1126.62 Obligation of handler operating a partially regulated distributing plant.

Each handler who operates a partially regulated distributing plant shall pay to the market administrator for the producer-settlement fund on or before the 25th day after the end of the month either of the amounts (at the handler's election) calculated pursuant to paragraph (a) or (b) of this section. If the handler fails to report pursuant to §§ 1126.30 and 1126.31 the information necessary to compute the amount specified in paragraph (a) of this section, he shall pay the amount computed pursuant to paragraph (b) of this section:

(a) An amount computed as follows:

(1) (i) The obligation that would have been computed pursuant to § 1126.70 at such plant shall be determined as though such plant were a pool plant. For purposes of such computation, receipts at such nonpool plant from a pool plant or an other order plant shall be assigned to the utilization at which classified at the pool plant or other order plant and transfers from such nonpool plant to a pool plant or an other order plant shall be classified as Class II milk if allocated to such class at the pool plant or other order plant and be valued at the uniform price of the respective order if so allocated to Class I milk. There shall be included in the obligation so computed a charge in the amount specified in § 1126.70(e) and a credit in the amount specified in § 1126.93(b)(2) with respect to receipts from an unregulated supply plant, unless an obligation with respect to such plant is computed as specified in subdivision (ii) of this subparagraph.

(ii) If the operator of the partially regulated distributing plant so requests, and provides with his reports pursuant to §§ 1126.30 and 1126.31 similar reports with respect to the operations of any other nonpool plant which serves as a supply plant for such partially regulated distributing plant by shipments to such plant during the month equivalent to the requirements of § 1126.9, with agreement of the operator of such plant that the market administrator may examine the books and records of such plant for purposes of verification of such reports, there will be added the amount of the obligation computed at such nonpool supply plant in the same manner and subject to the same conditions as for the partially regulated distributing plant.

(2) From this obligation there will be deducted the sum of (i) the gross payments made by such handler for Grade A milk received during the month from dairy farmers at such plant and like payments made by the operator of a supply plant(s) included in the computations pursuant to subparagraph (1) of this paragraph, and (ii) any payments to the producer-settlement fund of another order under which such plant is also a partially regulated distributing plant.

(b) An amount computed as follows:

(1) Determine the respective amounts of skim milk and butterfat disposed of as Class I milk on routes (other than to pool plants) in the marketing area;

(2) Deduct the respective amounts of skim milk and butterfat received as Class I milk at the partially regulated distributing plant from pool plants and other order plants, except that deducted under a similar provision of another order issued pursuant to the Act;

(3) Combine the amounts of skim milk and butterfat remaining into one total and determine the weighted average butterfat content; and

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

(4) From the value of such milk at the Class I price applicable at the location of the nonpool plant, subtract its value at the uniform price applicable at such location (not to be less than the Class II price).

14. Section 1126.92 is revised to read as follows:

§ 1126.92 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to §§ 1126.62, 1126.93, and 1126.95, and out of which he shall make all payments to handlers pursuant to §§ 1126.94 and 1126.95.

15. Section 1126.97 is revised to read as follows:

§ 1126.97 Expense of administration.

As his pro rata share of the expense of administration of the order, each handler shall pay to the market administrator on or before the 15th day after the end of the month 4 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to:

(a) Receipts from producers (including such handler's own production);

(b) Receipts from cooperative associations in their capacity as a handler pursuant to § 1126.12 (c) and (d);

(c) Other source milk allocated to Class I pursuant to § 1126.46(a) (3) and (7) and the corresponding steps of § 1126.46(b); and

(d) Class I milk disposed of from a partially regulated distributing plant on routes in the marketing area that exceeds Class I milk received during the month at such plant from pool plants and other order plants.

[F.R. Doc. 66-6634; Filed, June 15, 1966; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 207]

[Economic Regs., Docket No. 16911]

CHARTER TRIPS AND SPECIAL SERVICES

Notice of Proposed Rule Making

JUNE 10, 1966.

Notice is hereby given that the Civil Aeronautics Board has under consideration an amendment to Part 207 of the Board's Economic Regulations (14 CFR Part 207) to eliminate the definitions of "Hawaiian charter trip," "transatlantic charter trip" and "transpacific charter trip" as set forth in § 207.1 and to apply to such charter trips the same definition of "point" now provided in § 207.1 for all other charter trips. The Board will also consider whether the above amendment should be made applicable to all U.S. certificated route carriers or whether favorable consideration should be given to those carriers certificated to serve the foreign and offshore areas involved, and whether special rules should be made applicable to large scale incentive charters operated by route carriers. The amendment would be pursuant to the authority of sections 204(a) and 401(e)(6) of the Federal Aviation Act of 1958 as amended (72 Stat. 743; 49 U.S.C. 1324; 72 Stat. 754, as amended by 76 Stat. 143; 49 U.S.C. 1371).

Interested persons are invited to submit ten (10) copies of written data and information as suggested in the attached Explanatory Statement, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C., 20428. All relevant data and information received on or before July 11, 1966, will be considered by the Board before taking action. In addition, all interested parties are invited to submit ten (10) copies of written data, views, or arguments pertaining solely to the communications previously filed by other interested parties. All relevant communications of this nature received on or before August 1, 1966, will be considered by the Board before taking action.

Copies of all such communications will be available for examination by interested persons in the Docket Section of the Board, Room 711, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., 20428.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

Explanatory statement. Pan American World Airways, Inc., has filed a petition with the Civil Aeronautics Board requesting the Board to institute a rule making proceeding to amend Part 207 of the Board's Economic Regulations, which contains the regulatory provisions governing the operation of charter trips and other special services performed by certificated route carriers. Pan American specifically requests that the Board eliminate the definitions of "Hawaiian charter trip", "transatlantic charter trip", and "transpacific charter trip" set forth in § 207.1 and apply to such charter trips the same definition of "point" now provided in § 207.1. It is further requested that the Board consider in such rule making proceeding whether the above amendments should be made applicable to all U.S. certificated route carriers or whether favorable consideration should be given to those carriers certificated to serve the foreign and offshore areas involved, and whether special rules should be made applicable to large scale incentive charters operated by route carriers.

In support of the above amendments, Pan American alleges that the broad definitions of "Hawaiian", "transatlantic" and "transpacific" charter trips adopted in 1965[1] place that carrier, certificated in each of those areas, at a serious competitive disadvantage with respect to other U.S. route carriers inasmuch as Pan American serves many fewer points within the United States than such carriers. Pan American further alleges that the current restrictions imposed by Part 207 leave all U.S. carriers, and particularly Pan American, at a serious competitive disadvantage vis-a-vis foreign air carriers, whose off-route charter authority is considerably broader than that of U.S. carriers. Pan American is particularly concerned with the adverse effect of the above regulatory situation on Pan American's ability to promote and provide large scale incentive charters. Consequently, and because the Board has refused to grant Pan American exemptions to provide incentive charters, it is alleged that Pan American has been forced to curtail its charter activities and to cancel a number of charters, doubtless in many cases to the benefit of foreign rather than other U.S. carriers.

In light of Pan American's petition, the Board has decided to institute a rule-making proceeding to determine whether the requested amendments should be effected. However, the Board does not have before it at the present time sufficient data to form an opinion on the question of whether there exists sufficient justification to remove the restrictions imposed by Part 207 on "Hawaiian", "transatlantic" and "transpacific" off-route charters. The Board is particularly concerned with whether the present rule has the effect of diverting charter traffic to foreign carriers, thus adversely affecting the U.S. balance-of-payments position.

In view of the foregoing, the Board hereby invites interested persons to submit views and pertinent data with respect to the amendments proposed by Pan American.

[F.R. Doc. 66-6637; Filed, June 15, 1966; 8:48 a.m.]

[1] Regulation No. ER-443, adopted on Sept. 2, 1965.

FEDERAL AVIATION AGENCY

[14 CFR Parts 61, 91]

[Docket No. 7495; Notice 66-23]

GLIDER TOWING OPERATIONS

Notice of Proposed Rule Making

The Federal Aviation Agency is considering amending Parts 61 and 91 of the Federal Aviation Regulations to provide general rules for conducting glider towing operations without obtaining certificates of waiver. These rules would contain in Part 61 the required qualifications for a pilot in command of a civil aircraft towing a glider, and in Part 91 requirements on towhitches, towlines, and notification of control towers or flight service stations, and a prohibition against unsafe intentional release of the towline by the towing aircraft pilot.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before September 14, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Section 91.17 of Part 91 of the Federal Aviation Regulations currently provides that no pilot of a civil aircraft may tow anything with that aircraft except in accordance with the terms of a certificate of waiver issued by the Administrator. Certificates of waiver are issued for glider towing operations and normally are routine in nature. Approval generally is based upon a determination that the proposed operations can be conducted without hazard to persons or property and upon a check of the towhitch and release mechanisms, the airworthiness condition of the towing aircraft, and the procedures for releasing the towline. Special requirements imposed generally are that only commercial pilots, or private pilots with at least 200 hours of flight time, may operate the towing aircraft; a thorough inspection of the aircraft, engine, and special equipment must be made before each day's operations; a planned course of action must be followed, with emphasis on selection of available emergency landing areas; and air traffic control and appropriate community officials must be notified before beginning operations. When other than routine glider towing operations are involved, the issuing inspector includes any additional special provisions he considers necessary. A showing of the towing pilot's skill in towing is not required normally, although it is sometimes required of private pilots.

The Soaring Society of America, Inc., has recommended that the standards for routine glider towing operations be placed in the regulations and the use of certificates of waiver discontinued for these operations. A number of reasons were stated by that Society in support of the recommendation. Although the Agency does not concur with some of these reasons there appears to be adequate justification to eliminate the administrative burden involved in the issue of individual certificates of waiver for routine glider towing operations. Since the special provisions imposed have been basically similar on the certificates of waiver issued to authorize routine glider towing operations, safety would not be adversely affected if the substance of these provisions and rules on qualifications for the pilot in command of the towing aircraft are made a part of the general rules of Parts 91 and 61 respectively. The regulatory approach would be more positive and would provide more standardization and uniformity of requirements governing glider towing operations, and would reduce the burden on the industry and the administrative workload of the Agency.

The proposed rules on qualifications of the pilot of a civil aircraft towing a glider would require that he hold at least a private pilot certificate. However, he must have at least 200 hours of logged flight time if he is only a private pilot. They also would require that he either (1) has made and logged at least 10 flights as pilot in command of an aircraft towing a glider, or (2) has either made and logged at least 3 flights, as sole manipulator of the controls of an aircraft towing a glider, while accompanied by a person acting as pilot in command who has made and logged the required 10 flights as pilot in command (that is, 10 flights as pilot in command either under a waiver, or after he has otherwise qualified in the manner provided), or has made and logged at least 3 flights, as sole manipulator of the controls of an aircraft, simulating glider towing flight procedures, while accompanied by a pilot who has the same qualifications as in the first alternative, and in addition made and logged at least 3 flights (as a pilot or observer) in a glider being towed by an aircraft. Unless he qualifies on the basis of experience of 10 flights towing a glider, he must also secure an endorsement in his pilot logbook from a person authorized to give flight instruction in gliders that he has been given instruction in (on the ground or in a glider) and found familiar with the techniques and procedures essential to the safe towing of gliders, including airspeed limitations, emergency procedures, signals used, and maximum angles of bank.

Receiving this instruction on the ground or in a glider from a person qualified to give flight instruction in gliders is considered an appropriate adjunct to the required flight experience, since it familiarizes the prospective towing pilot with aspects of the operation from the standpoint of the pilot of a glider being towed.

The proposed operating rules for glider towing operations would require a towhitch of a kind, and installed in a manner, approved by the Administrator; a towline with specified breaking strength that is considered appropriate by the Agency (or, if this strength is too great, safety links, in addition, at the point of attachment to the towing aircraft and glider); prior agreement by both pilots upon a course of action including takeoff and release signals, airspeed limitations, and emergency procedures; and notification of the control tower in operation (or FAA Flight Service Station serving the control zone if there is no such control tower) before conducting glider towing operations within a control zone. The proposed operating rules also would prohibit the intentional release of the towline by the pilot of the towing aircraft in a manner so as to endanger the life or property of another.

Certificates of waiver issued prior to the effective date of the amendment would terminate on that date, and glider-towing operations from that date would be governed by the new rules. Any glider towing operation conducted other than in accordance with these operating rules would need a certificate of waiver. However, a waiver would not be granted with respect to the experience and instruction requirements placed in Part 61. Any departure from those requirements would need an exemption.

In consideration of the foregoing, it is proposed to amend Parts 61 and 91 of the Federal Aviation Regulations as follows:

1. By adding a new § 61.38 to Part 61 to read as follows:

§ 61.38 Glider towing: experience and instruction requirements.

No person may act as pilot in command of an aircraft towing a glider unless he meets the following requirements:

(a) He must hold a current pilot certificate (other than a student pilot certificate) issued under this part.

(b) He must have had, and entered in his pilot logbook, at least 200 hours of flight time, if he holds a private pilot certificate.

(c) He must have—

(1) Secured an endorsement in his pilot logbook from a person authorized to give flight instruction in gliders that, on the ground or in a glider, he has been given instruction in, and found familiar with, the techniques and procedures essential to the safe towing of gliders, including airspeed limitations, emergency procedures, signals used, and maximum angles of bank; and

(2) Made and entered in his pilot logbook one of the following series of flights:

(i) At least three flights, as sole manipulator of the controls of an aircraft towing a glider, while accompanied by a pilot who has made and logged at least 10 flights as pilot in command of an aircraft towing a glider (pursuant to a certificate of waiver, or after he has otherwise qualified under this paragraph); or

(ii) At least three flights, as sole manipulator of the controls of an aircraft, simulating glider towing flight procedures, while accompanied by a pilot who has the qualifications required of an accompanying pilot in subdivision (i) of this subparagraph, and made and logged at least three flights as pilot or observer in a glider being towed by an aircraft.

However, a person who prior to (effective date of amendment) made, and entered in his pilot logbook, at least 10 flights as pilot in command of an aircraft towing a glider in accordance with the terms of a certificate of waiver need not comply with subparagraphs (1) and (2) of this paragraph.

2. By amending Part 91 as follows:

a. By amending § 91.17 to read as follows:

§ 91.17 Towing: gliders.

(a) Except when authorized under § 91.18, no person may operate a civil aircraft towing a glider unless the following conditions are met:

(1) The pilot of the towing aircraft must be qualified under § 61.38 of this chapter.

(2) The towing aircraft must be equipped with a towhitch of a kind, and installed in a manner, approved by the Administrator.

(3) The towline used must have a breaking strength not less than 80 percent of the maximum certificated operat-

ing weight of the glider being towed, and not more than twice this operating weight. However, the towline used may have a breaking strength more than twice the maximum certificated operating weight of the glider being towed if—

(i) A safety link is installed at the point of attachment of the towline to the glider, with a breaking strength not less than 80 percent of the maximum certificated operating weight of the glider being towed, and not greater than twice this operating weight; and

(ii) A safety link is installed at the point of attachment of the towline to the towing aircraft, with a breaking strength greater, but not more than 25 percent greater, than that of the safety link at the towed glider end of the towline, and not greater than twice the maximum certificated operating weight of the glider being towed.

(4) Before conducting any towing operation within a control zone, the pilot of the towing aircraft must notify—

(i) The control tower, if one is in operation within that control zone; or

(ii) The FAA Flight Service Station serving the control zone, if a control tower is not in operation within that control zone.

(5) Before each flight the pilots of the towing aircraft and the glider being towed must agree upon a general course of action including takeoff and release signals, airspeeds, and emergency procedures for each pilot.

(b) No pilot of a civil aircraft may intentionally release a tow line in a manner so as to endanger the life or property of another.

(c) Each certificate of waiver issued before (effective date of amendment) for towing a glider terminates upon (day before effective date).

b. By adding a new § 91.18 to read as follows:

§ 91.18 Towing: other than under § 91.17.

(a) No pilot of a civil aircraft may tow anything with that aircraft (other than under § 91.17) except in accordance with the terms of a certificate of waiver issued by the Administrator. However, a certificate of waiver is not issued to tow a glider unless the pilot of the towing aircraft is qualified under § 61.38 of this chapter.

(b) An application for a certificate of waiver under this section is made on a form and in a manner prescribed by the Administrator and must be submitted to the nearest Flight Standards District Office.

These amendments are proposed under the authority of sections 307(c), 313(a), and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, 1421).

Issued in Washington, D.C., on June 10, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F. R. Doc. 66-6597; Filed, June 15, 1966; 8:45 a.m.]

[14 CFR Part 91]

[Notice 66-7A]

LATERAL SEPARATION OF AIRCRAFT OVER NORTH ATLANTIC

Notice of Termination of Public Hearing

The public hearing in this matter was convened for the purpose of receiving evidence on the issue of the safety aspects of the 90-mile minimum separation standard in comparison with 120.

In view of the agreement between the United Kingdom, Canadian, and United States aviation authorities to adopt the 120-nautical-mile minimum standard lateral separation for aircraft transiting the North Atlantic, the Presiding Officer has recommended that the purpose of the hearing is now moot and that the public hearing be terminated.

It is so ordered.

Issued in Washington, D.C., on June 10, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-6598; Filed, June 15, 1966; 8:45 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice No. 935]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

JUNE 10, 1966.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

[1] Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, cute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

No MC–151 (Sub-No. 40), filed May 19, 1966. Applicant: LOVELACE TRUCK SERVICE, INC., 425 North Second Street, Terre Haute, Ind., 47808. Applicant's representative: R. W. Burgess, 8514 Midland, St. Louis, Mo., 63114. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities, in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Terre Haute, Ind., and Springfield, Ill., as follows: From Terre Haute, over U.S. Highway 150 to junction Illinois Highway 16, thence over Illinois Highway 16 to junction Illinois Highway 29 at Pana, Ill., thence over Illinois Highway 29 to Springfield, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 409 (Sub-No. 28), filed May 18, 1966. Applicant: O. E. POULSON, INC., Elm Creek, Nebr. Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals* in bulk, between points in Iowa, Nebraska, Colorado, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 504 (Sub-No. 88), filed May 18, 1966. Applicant: HARPER MOTOR LINES, INC., 213 Long Avenue, Elberton, Ga. Applicant's representative: Guy H. Postell, 1375 Peachtree Street NE., Suite 693, Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Georgia, Alabama, Tennessee, and Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 531 (Sub-No. 209), filed May 16, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except liquefied petroleum gases, liquid hydrogen, liquid oxygen, and liquid nitrogen), in bulk, in tank vehicles, from Geismar, La., and points within 15 miles thereof (except Baton Rouge and Plaquemine, La.), to points in California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New York, New Jersey, North Carolina, North Dakota, Oregon, Ohio, Pennsylvania, South Carolina, South Dakota, Rhode Island, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 531 (Sub-No. 210), filed May 17, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, chemicals* (except liquid nitrogen, liquid hydrogen, liquid oxygen, and except dry chemicals to points in Harris County, Tex.), *paint and paint materials*, in bulk, in tank vehicles, from points in California, Oregon, and Washington to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Michigan, Indiana, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Ohio, Florida, Pennsylvania, West Virginia, Virginia, North Carolina, South Carolina, Maryland, Delaware, New York, New Jersey, Vermont, Massachusetts, Connecticut, Rhode Island, New Hampshire, and Maine, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 531 (Sub-No. 211), filed May 18, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Lake Charles, La., and points within 5 miles thereof, to points in Arizona, California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 531 (Sub-No. 212), filed May 18, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except liquefied petroleum gases), in bulk, in tank vehicles, from Baton Rouge, La., to points in Alabama, South Carolina, Colorado, Florida, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, Tennessee, Texas, Utah, Wyoming, Arizona, Arkansas, California, Connecticut, Delaware, Idaho, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Virginia, Vermont, Wisconsin, Washington, and West Virginia, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 531 (Sub-No. 213), filed May 18, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except dry chemicals, liquid hydrogen, liquid nitrogen, and liquid oxygen, and liquefied petroleum gases), in bulk, in tank vehicles, from points in Brazoria, Galveston, Harris, and Jefferson Counties, Tex., to points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 623 (Sub-No. 86), filed May 19, 1966. Applicant: H. MESSICK, INC., Post Office Box 214, Joplin, Mo. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Explosives*, (1) from Mead, Nebr., to Kenvil, N.J., McAdory, Ala., and Tenino, Wash., and (2) from Shumaker, Ark., to Mead, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 906 (Sub-No. 82), filed May 19, 1966. Applicant: CONSOLIDATED FORWARDING CO., a corporation, 1300 North 10th Street, St. Louis, Mo. Applicant's representative: Thomas F. Kilroy, Suite 913, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles and damaged and rejected shipments*, in less than truckload shipments not exceeding 10,000 pounds per shipment, between points in Illinois, Indiana, Kansas, Missouri, Ohio, Oklahoma, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 1405 (Sub-No. 3), filed May 19, 1966. Applicant: EDWARD DUFF MURRAY, doing business as QUICK SERVICE TRANSFER COMPANY, 1056 Center Street, Chehalis, Wash., 98532. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Centralia and Chehalis, Wash., on the one hand, and, on the other, points in Lewis and Thurston Counties, Wash. NOTE: If a hearing is deemed necessary, applicant requests it be held at Olympia, Wash.

No. MC 1662 (Sub-No. 2), filed May 19, 1966. Applicant: FRIENDSHIP TRANSPORT, INC., 4220 West 122d Place, Alsip, Ill., 60658. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between Burns Harbor and Portage, Ind., Chicago Heights, Joliet, and Waukegan, Ill., and points in the Chicago, Ill., commercial zone as defined by the Commission, on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 1830 (Notice of filing of petition for modification of certificate), filed May 18, 1966. Petitioner: TARANTOLA TRUCKING CO., INC., Flemington, N.J. Petitioner's representative: Edward L. Nehez, 10 East 40th Street, New York, N.Y., 10016. Petitioner holds authority in MC 1830, in part, to transport general commodities, with the usual exceptions, as follows: "Between Flanders, N.J., and Ogdensburg, N.J., serving all intermediate points, and the off-route points of Augusta, Branchville, and Belvidere, N.J.: From Flanders over U.S. Highway 206 to junction unnumbered highway (near Augusta, N.J.), thence over unnumbered highway to Sussex, N.J., thence over New Jersey Highway 23 to junction unnumbered highway (north of Ogdensburg), and thence over unnumbered highway to Ogdensburg. Return from Ogdensburg over unnumbered highway via Sparta, N.J., to Newton, N.J., thence over New Jersey Highway 8 to Blairstown, N.J., thence over unnumbered highway to Bridgeville, N.J., thence over U.S. Highway 46 to Netcong, N.J., and thence over U.S. Highway 206 to Flanders." "Between Flanders, N.J., and Phillipsburg, serving all intermediate points: From Flanders over U.S. Highway 206 to Netcong, N.J., thence over U.S. Highway 46 to Hackettstown, N.J., thence over New Jersey Highway 24 to Phillipsburg; and return from Phillipsburg over U.S. Highway 22 to Whitehouse, N.J., thence over unnumbered highway to Flemington, N.J., thence over New Jersey Highway 30 to junction unnumbered highway (near High Bridge, N.J.), and thence over unnumbered highway via High Bridge, Califon, Middle Valley, Naughright, and Bartley, N.J., to Flanders."

By the instant petition, it is requested that the Commission modify the certificate as follows: "Between Flanders, N.J., and Ogdensburg, N.J., serving all intermediate points and the off-route points of Augusta, Branchville, and Belvidere, N.J.: From Flanders over U.S. Highway 206 to junction New Jersey Highway 565 near Augusta, N.J., thence over New Jersey Highway 565 to Sussex, N.J., thence over New Jersey Highway 23 to junction New Jersey Highway 517 north of Ogdensburg, thence over New Jersey Highway 517 to Ogdensburg, and return over the same route; from Flanders over U.S. Highway 206 to Netcong, N.J., thence over U.S. Highway 46 to Bridgeville, N.J., thence over N.J. Highway 519 to Hope, N.J., thence over New Jersey Highway 521 to Blairstown, N.J., thence over New Jersey Highway 94 to Newton, N.J., thence over Alternate New Jersey Highway 517 to Sparta, N.J., thence over New Jersey Highway 517 to Ogdensburg, and return over the same route." "Between Flanders, N.J., and Phillipsburg, N.J., serving all intermediate points: From Flanders over U.S. Highway 206 to Netcong, N.J., thence over U.S. Highway 46 to Hackettstown, N.J., thence over New Jersey Highway 57 to junction New Jersey Highway 24, thence over New Jersey Highway 24 to Phillipsburg, and return over the same route; from Flanders over unnumbered highway via Bartley and Naughright, N.J., to junction New Jersey Highway 513, thence over New Jersey Highway 513 to junction New Jersey Highway 69 near High Bridge, N.J., thence over New Jersey Highway 69 to Flemington, N.J., thence over New Jersey Highway 523 to Whitehouse, N.J., thence over U.S. Highway 22 to Phillipsburg, and return over the same route." Any interested person desiring to participate may file an original and six copies of his written representations, views, or arguments in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER. This petition is related to a form BMC 78 application in No. MC 1830 Sub 1, also published this issue of the FEDERAL REGISTER.

No. MC 1830 (Sub-No. 1), filed May 18, 1966. Applicant: TARANTOLA TRUCKING CO., INC., 55 Main Street, Flemington, N.J. Applicant's representative: Edward L. Nehez, 20 Duer Place, Wehawken, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Flanders and Ogdensburg, N.J.; (a) from Flanders over U.S. Highway 206 to Netcong, N.J., thence over U.S. Highway 46 to Bridgeville, N.J., thence over New Jersey Highway 519 to Hope, N.J., thence over New Jersey Highway 521 to Blairstown, N.J., thence over New Jersey Highway 94 to Newton, N.J., thence over Alternate New Jersey Highway 517 to Sparta, N.J., thence over New Jersey Highway 517 to Ogdensburg, and return over the same route; from Flanders over U.S. Highway 206 to Netcong, N.J., thence over U.S. Highway 46 to Bridgeville, N.J., thence over N.J. Highway 519 to Hope, N.J., thence over New Jersey Highway 521 to Blairstown, N.J., thence over New Jersey Highway 94 to Newton, N.J., thence over Alternate New Jersey Highway 517 to Sparta, N.J., thence over New Jersey Highway 517 to Ogdensburg, and return over the same route; from Flanders over unnumbered highway via Bartley, and Naughright, N.J., to junction New Jersey Highway 513, thence over New Jersey Highway 513 to junction New Jersey Highway 69 near High Bridge, N.J., thence over New Jersey Highway 69 to Flemington, N.J., thence over New Jersey Highway 523 to Whitehouse, N.J., thence over U.S. Highway 22 to Phillipsburg, (b) from Phillipsburg over New Jersey Highway 24 to junction New Jersey Highway 57, thence over New Jersey Highway 57 to Hackettstown, N.J., thence over U.S. Highway 46 to Netcong, N.J., thence over U.S. Highway 206 to Flanders, and return over the same routes, serving all intermediate points. NOTE: Applicant states it is presently authorized to operate over the above-described routes in the reverse direction. No authority is sought to serve new or additional points not presently served. Applicant proposes to tack the proposed authority herein with its existing authority to perform a through service. A petition has been filed for modification of the "grandfather" certificate in No. MC 1830 to include the above-described routes, also published this issue of the FEDERAL REGISTER. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2253 (Sub-No. 30), filed May 18, 1966. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods, beverages, and juices*, from points in Florida, to points in Georgia, South Carolina, and North Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 2452 (Sub-No. 7), filed May 13, 1966. Applicant: HAJEK TRUCKING CO., INC., 7635 West Lawndale Avenue, Summit, Ill. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), *including commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 2900 (Sub-No. 143), filed May 16, 1966. Applicant: RYDER TRUCK LINES, INC., Post Office Box 8418, Greensboro, N.C., 27410. Applicant's representative: Reagan Sayers, Century Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous hydrogen chloride*, in shipper-owned vehicles, from Fort Worth, Tex., to Monsanto, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 4484 (Sub-No. 31), filed May 13, 1966. Applicant: MOORE-FLESHER HAULING CO., INC., 100 Hafner Street, Pittsburgh, Pa., 15223. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa., 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steel mill materials, supplies and equipment, and building materials*, between Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 5697 (Sub-No. 6), filed May 19, 1966. Applicant: KENNETH HOLMSTROM, Varna, Ill. Applicant's representative: Robert T. Lawley, 306–308 Reisch Building, Springfield, Ill., 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, for account of Hiram Walker & Sons, Inc., from Hopedale, Ill., to Keokuk and Fort Madison, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 6894 (Sub-No. 15), filed May 19, 1966. Applicant: MELVIN TRUCKING CO., Spring City, Pa. Applicant's representative: Roland Rice, 1111 E Street NW., Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the plantsites of Jones & Laughlin Steel Corp. in Putnam County (near Hennepin), Ill., in connection with applicant's present regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 7381 (Sub-No. 12), filed May 13, 1966. Applicant: WEBB'S TRANSFER, INC., Johnson Avenue and County Street, Post Office Box 1189, Suffolk, Va. Applicant's representative: John C. Goddin, Insurance Building, 10 South 10th Street, Richmond, Va., 23219. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Philadelphia, Pa., and Richmond, Va., as follows: From Philadelphia, over U.S. Highway 13 (also over U.S. Highway 130) to junction U.S. Highway 40, thence over U.S. Highway 40 to Baltimore, Md., thence over Maryland Highway 3 to junction U.S. Highway 50, thence over U.S. Highway 50 to Washington, D.C., thence over Interstate Highway 95 to Richmond, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's presently authorized regular route operations. NOTE: Applicant states that the purpose of this application is to change its operation in part so as to obviate the necessity of gatewaying through Essex County, Va., at some point at least 1 mile southeast of U.S. Highway 360. Applicant further states that no extension or expansion of its authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 8948 (Sub-No. 68), filed May 17, 1966. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Los Angeles, Calif. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, other than ammunition, explosive, incendiary or gas, smoke or tear producing, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between San Bernardino, Calif., and Oklahoma City, Okla., from San Bernardino, over U.S. Highway 66 (Interstate Highway 15) to junction U.S. Highway 66 (Interstate Highway 40) at or near Barstow, Calif., thence over U.S. Highway 66 (Interstate Highway 40) to Oklahoma City, serving no intermediate points, as an alternate route for operating convenience only; (2) between Flagstaff, Ariz., and Phoenix, Ariz., from Flagstaff, over Arizona State Highway 79 (Interstate Highway 17) to junction Arizona State Highway 69 (Interstate Highway 17), thence over Arizona State Highway 69 (Interstate Highway 17) to Phoenix, serving no intermediate

points, and serving Flagstaff as a point of joinder only, as an alternate route for operating convenience only; and, (3) between Amarillo, Tex., and Las Cruces, N. Mex., from Amarillo, over U.S. Highway 60 to junction U.S. Highway 70, thence over U.S. Highway 70 to Las Cruces, serving no intermediate points, and serving Amarillo, as a point of joinder only, as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 8958 (Sub-No. 18), filed May 19, 1966. Applicant: THE YOUNGSTOWN CARTAGE CO., a corporation, 825 West Federal Street, Youngstown, Ohio. Applicant's representative: James M. Burtch, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Hawaii and Alaska). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 10872 (Sub-No. 43), filed May 16, 1966. Applicant: BE-MAC TRANSPORT COMPANY, INC., 7400 North Broadway, St. Louis, Mo., 63147. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), between Springfield, Ill., and junction U.S. Highways 54 and 48; from Springfield, Ill., over U.S. Highway 54 to junction with U.S. Highway 48, and return over the same route, serving no intermediate points, and serving the junction of U.S. Highways 54 and 48 for joinder purposes only, as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 14582 (Sub-No. 11), filed May 16, 1966. Applicant: ELFRINK TRUCK LINES, INC., Post Office Box 92, Advance, Mo. Applicant's representative: R. W. Burgess (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsite of the Hussmann Refrigerator Co., located at St. Charles Rock Road and Taussig Avenue, Bridgeton, Mo., as an off-route point in connection with applicant's authorized regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 16903 (Sub-No. 24), filed May 16, 1966. Applicant: MOON FREIGHT LINES, INC., 120 West Grimes Lane, Post Office Box 1275, Bloomington, Ind. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Stone and marble*, (1) from points in Union County, Ill., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Wisconsin, Maine and West Virginia, and Washington, D.C.; (2) from points in Burnet, Williamson, Travis, Llano, San Saba, and Jones Counties, Tex., to points in Louisiana, Mississippi, Alabama, Georgia, Florida, Oklahoma, Arkansas, Missouri, Kansas, Nebraska, Tennessee, Kentucky, Illinois, Indiana, Ohio, and Pennsylvania; (3) from points in Las Cruces County, N. Mex., to points in Louisiana, Mississippi, Alabama, Georgia, Florida, Oklahoma, Arkansas, Missouri, Kansas, Nebraska, Tennessee, Kentucky, Illinois, and Indiana; (4) from points in Etowah, Calhoun, and Talladega Counties, Ala., to points in Illinois, Arkansas, Connecticut, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Wisconsin, Maine and West Virginia, and Washington, D.C.; (5) from points in Sumner and Cowley Counties, Kans., to points in Missouri, Iowa, Illinois, Indiana, Wisconsin, Minnesota, Kentucky, Ohio, Pennsylvania, and Tennessee; (6) from points in Wyoming County, N.Y., to points in Michigan, Ohio, Indiana, Illinois, and Wisconsin; and (7) from points in Harford County, Md., to points in Illinois, Arkansas, Connecticut, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, North Carolina, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Wisconsin, Maine, and Alabama; and (B) *stone, marble and granite*, (1) from points in Monroe and Lawrence Counties, Ind., to points in Colorado; and (2) from points in Boulder, Larimer, Fremont, and Douglas Counties, Colo., to points in Minnesota, Iowa, Wisconsin, Illinois, Indiana, Kentucky, Missouri, Ohio, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 17002 (Sub-No. 35), filed May 19, 1966. Applicant: CASE DRIVEWAY, INC., 6001 U.S. Route 60, East Huntington, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, except those commodities which because of size or weight, require special equipment, and except those articles of iron and steel which are building materials, from Huntington, W. Va., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, and Texas, *refused and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Huntington, W. Va.

No. MC 18088 (Sub-No. 44), filed May 19, 1966. Applicant: FLOYD & BEASLEY TRANSFER COMPANY, INC., Post Office Drawer 8, Sycamore, Ala. Applicant's representative: John W. Cooper, 1301 City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Birmingham, Ala., and Charlotte, N.C.; from Birmingham over U.S. Highway 78 to Atlanta, Ga., thence over U.S. Highway 29 to Charlotte, (2) between Montgomery, Ala. and Charlotte, N.C.; from Montgomery over U.S. Highway 80 to junction U.S. Highway 29, thence over U.S. Highway 29 to Charlotte, and (3) between Eufaula, Ala., and Charlotte, N.C.; from Eufaula over U.S. Highway 431 to Columbus, Ga., thence over Alternate U.S. Highway 27 to junction Georgia Highway 85, thence over Georgia Highway 85 to Atlanta, Ga., thence over U.S. Highway 29 and Interstate Highway 85 to Charlotte, and return over the same routes, serving the intermediate point of Greenville, S.C., limited to traffic between Greenville and points in Alabama now authorized in MC 18088 and subs thereto, in (1), (2), and (3) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Birmingham and Montgomery, Ala.

No. MC 19553 (Sub-No. 26), filed May 16, 1966. Applicant: KNOX MOTOR SERVICE, INC., Post Office Box 359, Rockford, Ill. Applicant's representative: Robert M. Kaske (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Putnam County, Ill., on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, and Indiana. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 20793 (Sub-No. 40), filed May 19, 1966. Applicant: WAGNER TRUCKING CO., INC., Jobstown, N.J. Applicant's representative: G. Donald Bullock, Post Office Box 146, Wyncote, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick* (except firebrick), from Rocky Ridge, Frederick County, Md., to points in Massachusetts. NOTE: If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md.

No. MC 21170 (Sub-No. 226), filed May 13, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware and glass containers, with or without caps, covers or stoppers*, from Burlington, Wis., to points in Iowa, Nebraska, Minnesota and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 21170 (Sub-No. 233), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk, in tank vehicles), from points in Crawford, Franklin, and Hardin Counties, Iowa, to points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Nebraska, Ohio, Tennessee, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 21170 (Sub-No. 234), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and pineapples*, from Charleston, S.C., to points in Illinois, Indiana, Ohio, Michigan, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 21170 (Sub-No. 238), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield equipment, materials, and supplies), between Pueblo and Minnequa, Colo., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 21170 (Sub-No. 239), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Juices, beverages, preparations, drinks, and fruits* (other than citrus fruits and citrus juices), not frozen, from points in Florida on and south of Florida Highway 40, to points in Colorado, Iowa, Kansas (except Kansas City), Louisiana, Minnesota (except Minneapolis and St. Paul), Missouri (except St. Louis), Mississippi, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 21170 (Sub-No. 240), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 21227 (Sub-No. 6), filed May 19, 1966. Applicant: MIDLAND TRUCK LINES, INC., 311 Marion Street, St. Louis, Mo. Applicant's representative: G. F. Gunn, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractories and refractory supplies*, from points in Callaway, Montgomery, and Audrain Counties, Mo. (except Farber and Vandalia, Mo., and their commercial zones), to points in Illinois and Indiana on and south of U.S. Highway 40. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 21571 (Sub-No. 31), filed May 19, 1966. Applicant: SCHERER FREIGHT LINES, INC., 424 West Madison Street, Ottawa, Ill., 61350. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Tuscola, Ill., and Indianapolis, Ind., over U.S. Highway 36, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 22195 (Sub-No. 122), filed May 19, 1966. Applicant: DAN DUGAN TRANSPORT COMPANY, a corporation, Post Office Box 946, 41st and Grange Avenues, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, from the site of the pipeline terminal of the Mid-America Pipeline Co., at or near Vernon Center, Minn., to points in Iowa, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 22278 (Sub-No. 34), filed May 16, 1966. Applicant: TAKIN BROS. FREIGHT LINE, INC., Post Office Box 5000, 2125 Commercial Street, Waterloo, Iowa, 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Omaha, Nebr., on the one hand, and, on the other, Waterloo, Cedar Falls, Charles City, and Mason City, Iowa. NOTE: Applicant states the purpose of this application is to remove the general restriction in certificate No. MC 22278 which restricts the operating authority granted in section (A) against the transportation of traffic between Omaha, Nebr., on the one hand, and, on the other, Waterloo, Cedar Falls, Charles City, and Mason City, Iowa, which originates at and is destined to the points named. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 23625 (Sub-No. 6), filed May 19, 1966. Applicant: EASTERN TRANSPORTATION COMPANY, INC., East 132d Street and Cypress Avenue, Bronx 54, N.Y. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Refrigerators and freezers, automatic washers and dryers, waste disposal units, water heaters, air conditioners, and humidifiers, electric ranges and ovens and surface units*, from Hillside, N.J., to New York, N.Y., points in Westchester, Orange, Putnam, Dutchess, Nassau, Suffolk, Rockland, Sullivan, and Ulster Counties, N.Y., and Fairfield County, Conn., and (2) *refused, damaged, and returned shipments of the above-specified commodities*, from the destination points described above, to Hillside, N.J., limited to a transportation service to be performed under a continuing contract, or contracts, with Westinghouse Electric Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 25798 (Sub-No. 141), filed May 17, 1966. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. Applicant's representative: Harry Ross, 848 Warner Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed and feed ingredients and supplements thereto* (except in bulk in tank vehicles) from points in Lafourche Parish, La., to points in Alabama, Mississippi, Florida, Georgia, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 26739 (Sub-No. 55), filed May 18, 1966. Applicant: CROUCH BROS., INC., Post Office Box 1059, St. Joseph, Mo., 64502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products, and steel mill equipment, materials and supplies*, between points in Putnam County,

Ill., on the one hand, and, on the other, points in Illinois, Iowa, Kansas, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 30504 (Sub-No. 14), filed May 19, 1966. Applicant: TUCKER FREIGHT LINES, INC., 1415 South Olive Street, South Bend, Ind. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), *including commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Michigan, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 31321 (Sub-No. 7), filed May 19, 1966. Applicant: SOUTHWESTERN TRANSFER COMPANY, INC., 1730 Bassett Avenue, Post Office Box 1161, El Paso, Tex. Applicant's representative: Joe G. Fender, 2033 Norfolk Street, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield equipment, materials, and supplies), between Pueblo and Minnequa, Colo., on the one hand, and, on the other, points in Arizona, California, Utah, Texas, New Mexico, Nevada, Oklahoma, Kansas, Nebraska, and Colorado. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 31389 (Sub-No. 79), filed May 19, 1966. Applicant: McLEAN TRUCKING COMPANY, a corporation, Post Office Box 213, Winston-Salem, N.C. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials and supplies*, between Peoria and Spring Valley, Ill.; from Peoria over Illinois Highway 116 to Metamora, Ill., thence over Illinois Highway 89 to Spring Valley, and return over the same route, serving no intermediate points but serving points in Putnam County, Ill., as off-route points. NOTE: Applicant states it proposes to tack the requested authority at Spring Valley and Peoria with its existing regular-route authorities in MC 31389 to serve those points for the purpose of rendering through service in intrastate commerce. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 32948 (Sub-No. 13), filed May 17, 1966. Applicant: P. A. K. TRANSPORT, INC., 96 Laurel Street, Post Office Box 187, Newport, N.H., 03773. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Junk, salvage, scrap, waste, and reprocessed materials*, in dump and specially designed scrap trailers, between Claremont and Somersworth, N.H.; Waltham, Mass.; and St. Johnsbury, Vt., on the one hand, and, on the other, Newtown and Waterbury, Conn. NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit No. MC 21945 and subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.

No. MC 33500 (Sub-No. 16), filed May 19, 1966. Applicant: PYRAMID VAN LINES, INC., 9420 Sandusky Avenue, Cleveland, Ohio. Applicant's representatives: Paul F. Sullivan, Suite 913, Colorado Building, Washington, D.C., and Marvin Handler, 405 Montgomery Street, San Francisco, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in California, Washington, and Oregon, on the one hand, and, on the other, points in Texas, Colorado, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, and (2) between points in Texas, Colorado, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, and in all States east thereof. NOTE: Applicant states it presently holds authority to perform the proposed operations to a substantial extent by tacking or combining its present certificates. One of the purposes of the application, therefore, is to eliminate gateways. To the extent that applicant presently holds portions of the requested authority without the necessity for observing gateways, no duplicating authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 33640 (Sub-No. 3), filed May 19, 1966. Applicant: P. D. CARROLL TRUCKING COMPANY, a corporation, 1546 West Lake Street, Chicago, Ill., 60607. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), *including commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 36832 (Sub-No. 21), filed May 19, 1966. Applicant: AMERICAN TRANSIT LINES, INCORPORATED, 221 North La Salle Street, Chicago, Ill., 60601. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Burns Harbor and Portage, Ind., and Chicago, Chicago Heights, Joliet, and Waukegan, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 37473 (Sub-No. 25), filed May 19, 1966. Applicant: DETROIT-PITTSBURGH MOTOR FREIGHT, INC., 5324 Grant Avenue, Cleveland, Ohio, 44127. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 39167 (Sub-No. 7), filed May 19, 1966. Applicant: CHARLES J. ROGERS TRANSPORTATION COMPANY, a corporation, 2947 Greenfield Road, Melvindale, Mich. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steelmill materials, supplies, and equipment, and building materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 40025 (Sub-No. 3), filed May 19, 1966. Applicant: DUST MOTOR SERVICE OF INDIANA, INC., Riley and Dickey Roads, East Chicago, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in Michigan, Ohio, and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 40025 (Sub-No. 4), filed May 19, 1966. Applicant: DUST MOTOR SERVICE OF INDIANA, INC., Riley and Dickey Roads, East Chicago, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Chicago, Ill., to

points in Cook, De Kalb, Du Page, Grundy, Kane, Kankakee, Kendall, Lake, La Salle, Ogle, and Will Counties, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 41098 (Sub-No. 20), filed May 19, 1966. Applicant: GLOBAL VAN LINES, INC., 1 Global Way, Anaheim, Calif., 92803. Applicant's representative: Floyd L. Farano (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Body building gym equipment*, between points in Alameda County, Calif., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 44300 (Sub-No. 15), filed May 19, 1966. Applicant: HESS CARTAGE COMPANY, a corporation, 17065 Hess Avenue, Melvindale, Mich. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, steelmill materials, supplies, and equipment, and building materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 44932 (Sub-No. 16), filed May 19, 1966. Applicant: W. W. YOUNG & SON, INC., 11861 South Cottage Grove Avenue, Chicago, Ill. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Burns Harbor and Portage, Ind., Chicago Heights, Joliet, and Waukegan, Ill., and points in the Chicago, Ill., commercial zone as defined by the Commission, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 45194 (Sub-No. 9), filed May 19, 1966. Applicant: LATTAVO BROTHERS, INC., 1620 Cleveland Avenue SW., Canton, Ohio. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 45716 (Sub-No. 6), filed May 16, 1966. Applicant: WELSH BROS. MOTOR SERVICE, INC., 920 150th Street, Hammond, Ind. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), including commodities requiring special equipment, between points in Putnam County, Ill., on the one hand, and, on the other, points in Indiana, Illinois, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 49387 (Sub-No. 31), filed May 19, 1966. Applicant: ORSCHELN BROS. TRUCK LINES, INC., Highway 24 East, Moberly, Mo. Applicant's representative: G. F. Gunn, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, and (2) *materials and supplies used or useful in the manufacture and distribution of iron and steel articles*, from points in the destination States listed in (1) above to points in Putnam County, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 50069 (Sub-No. 359), filed May 18, 1966. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill., 60521. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resins, core binder resins, polyester resins, and paint primer*, in bulk, in tank vehicles, from Mount Clemens, Mich., and points within 5 miles thereof, to points in Illinois, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 51146 (Sub-No. 46), filed May 16, 1966. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, and dispensers; products produced or distributed by manufacturers and converters of paper and paper products; paper and paper products joined to or combined with plastics, synthetics, cloth, or other materials; materials, equipment, and supplies* used in the manufacture and distribution of the above described commodities; and *related premiums and advertising materials* when shipped with the above described commodities, between De Pere, Wis., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52458 (Sub-No. 208), filed May 16, 1966. Applicant: T. I. McCORMACK TRUCKING COMPANY, INC., U.S. Route 9, Woodbridge, N.J. Applicant's representative: Frank B. Hand, Jr., 921 17th Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquids*, in bulk, in tank vehicles (except petroleum and petroleum products) from points in South Carolina to points in Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 52458 (Sub-No. 209), filed May 19, 1966. Applicant: T. I. McCORMACK TRUCKING COMPANY, a corporation, U.S. Highway 9, Woodbridge, N.J. Applicant's representative: Frank B. Hand, Jr., 921 17th Street NW., Washington, D.C.. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquids*, in bulk, in tank vehicles (except petroleum and petroleum products) from points in South Carolina to points in Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 52579 (Sub-No. 53), filed May 19, 1966. Applicant: GILBERT CARRIER CORP., 441 Ninth Avenue, New York, N.Y. Applicant's representative: Irving Klein, 280 Broadway, New York, N.Y., 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are sold, used, and dealt in by chain or department stores*, in packages, in open containers, loose, unsecured containers, crated and uncrated, when moving in the same vehicle and at the same time with shipments of wearing apparel loose on hangers (not wearing apparel on hangers in cages, boxes, or cartons), between New York, N.Y., commercial zone, as

LINE, INC., 3708 Fire Street, Bettendorf, Iowa. Applicant's representative: Kenneth F. Dudley, Stanwood, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Omaha, Nebr., Applicant's representa-

defined by the Commission, on the one hand, and, on the other, points in Pennsylvania, Ohio, Illinois, Indiana, Tennessee, Kentucky, Wisconsin, Florida, Virginia, Michigan, Minnesota, Maryland, and Columbia, S.C., Atlanta and Chamblee, Ga. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 52587 (Sub-No. 10), filed May 19, 1966. Applicant: O. K. MOTOR SERVICE, INC., 2577 West Armitage Avenue, Chicago, Ill. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52673 (Sub-No. 24), filed May 19, 1966. Applicant: FRED OLSON MOTOR SERVICE COMPANY, a corporation, 6022 West State Street, Milwaukee, Wis. Applicant's representatives: Bernard G. Colby, Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between Burns Harbor and Portage, Ind., Chicago Heights, Joliet, and Waukegan, Ill., and points in the Chicago, Ill., commercial zone as defined by the Commission, on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 55896 (Sub-No. 26), filed May 19, 1966. Applicant: R. W. EXPRESS, INC., 4840 Wyoming Street, Dearborn, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, equipment, materials and supplies used in the manufacturing or processing of iron and steel and iron and steel articles*, between Chicago, Ill., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, North Dakota, South Dakota, Oklahoma, Texas, Wisconsin, Ohio, Kentucky, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 57311 (Sub-No. 7), filed May 19, 1966. Applicant: PUTNAM TRANSFER & STORAGE CO., 1502 Woodlawn Avenue, Zanesville, Ohio. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods as defined by the Commission, and commodities requiring special equipment), between points in Perry Township, Muskingum County, Ohio, on the one hand, and, on the other, points in Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 59570 (Sub-No. 33), filed May 13, 1966. Applicant: HECHT BROTHERS, INC., Lakewood Road, Toms River, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt mix sealer and concrete bonding compound*, in cans, in cartons, in mixed shipments with concrete mix, mortar mix, plaster mix, sand and sand products or gravel, from Pinewald, N.J., to points in Connecticut, Delaware, Maryland, Massachusetts, New York (except New York and points in Westchester County, N.Y.), Pennsylvania (except Philadelphia), Rhode Island, Virginia, and Washington, D.C., and *refused and rejected shipments*, on return. NOTE: Applicant states he presently holds authority to transport concrete mix, mortar mix, plaster mix, sand and sand products or gravel between points specified above. No duplication of authority requested. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 59570 (Sub-No. 34), filed May 19, 1966. Applicant: HECHT BROTHERS, INC., Lakewood Road, Toms River, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in dump and pneumatic vehicles, from points in New Jersey to points in New York, and *refused and rejected shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 61396 (Sub-No. 162), filed May 13, 1966. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer solutions*, in bulk, in tank vehicles, from the plantsite of Phillips Petroleum Co. at or near Audubon, Iowa, to points in Kansas, Missouri, Minnesota, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 61396 (Sub-No. 163), filed May 18, 1966. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank trucks, from the plantsite of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 61396 (Sub-No. 164), filed May 19, 1966. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, acids and chemicals* (except cryogenics), from points in Woodbury County, Iowa, to points in South Dakota, North Dakota, Minnesota, Nebraska, Kansas, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 61440 (Sub-No. 102), filed May 19, 1966. Applicant: LEE WAY MOTOR FREIGHT, INC., 300 West Reno, Oklahoma City, Okla. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between points in Putnam County, Ill., on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, Florida, Arizona, New Mexico, and California. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 77), filed May 19, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors and except those which because of size or weight require the use of special equipment), from Duluth, Minn.; ports of entry on the international boundary line between the United States and Canada, located in Maine; Houston, Tex.; and New Orleans, La.; to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant states that shipper is to be afforded storage-in-transit privileges. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 61592 (Sub-No. 78), filed May 19, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Tennessee, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Mississippi, Louisiana, Alabama, Georgia, and Florida, and (2) *materials and supplies used in the manufacture and distribution of iron and steel articles*, from the above-named destination States in (1) above to points in Putnam County, Ill. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 61592 (Sub-No. 79), filed May 19, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Logging and lumber industry machinery, including tractors and forklift trucks; agricultural machinery and agricultural implements, and parts thereof; and tractors;* from points in Mississippi and Louisiana to points in the United States, including Alaska, but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 61592 (Sub-No. 15), filed May 18, 1966. Applicant: FREDONIA EXPRESS, INC., Post Office Box 222, Fredonia, N.Y. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Dunkirk, Ind., to points in Chautauqua County, N.Y., and *pallets, platforms and skids*, and *damaged and returned glassware* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Indianapolis, Ind.

No. MC 65802 (Sub-No. 35), filed April 7, 1966. Applicant: LYNDEN TRANSFER, INC., Post Office Box 433, Lynden, Wash., 98264. Applicant's representative: Jack Goodman, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (A) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Lynden, Wash., and Seattle, Wash.: From Lynden over Washington Highway 1A to junction Alternate U.S. Highway 99 (formerly Washington Highway 1B), thence over Alternate U.S. Highway 99 to Bellingham, Wash., thence over U.S. Highway 99 to Seattle, and return over the same route, serving the intermediate and off-route points of Stanwood, Burlington, and Silvana, Wash., and those in Washington within 5 miles of Lynden, unrestricted, and serving the intermediate point of Bellingham, Wash., for joinder only; (2) between Bellingham, Wash., and the port of entry on the international boundary line between the United States and Canada, at or near Blaine, Wash.: From Bellingham over U.S. Highway 99 to port of entry at or near Blaine, and return over the same route, serving no intermediate points, and serving Bellingham for joinder only; (3) between Bellingham, Wash., and the port of entry on the international boundary line between the United States and Canada, at or near Sumas, Wash.: From Bellingham over Washington Highway 1 to junction Washington Highway 1A, thence over Washington Highway 1A to port of entry at or near Sumas, and return over the same route, serving no intermediate points, and serving Bellingham for joinder only; (4) between Everett, Wash., and the port of entry on the international boundary line between the United States and Canada, approximately 8 miles north of Oroville, Wash.: From Everett over U.S. Highway 2 to junction U.S. Highway 97, thence over U.S. Highway 97 to port of entry approximately 8 miles north of Oroville, and return over the same route, serving no intermediate points.

(5) Between junction U.S. Highways 2 and 97 (north of Wenatchee, Wash.), and Spokane, Wash.: From junction U.S. Highways 2 and 97, over U.S. Highway 2 to Spokane, and return over the same route, serving no intermediate points, and serving the termini for purpose of joinder only; (6) between Seattle, Wash., and the port of entry on the international boundary line between the United States and Canada, at or near Eastport, Idaho: From Seattle over U.S. Highway 10 to Coeur d'Alene, Idaho, thence over U.S. Highway 95 to port of entry at or near Eastport, and return over the same route, serving no intermediate points; and (7) between Spokane, Wash., and junction U.S. Highways 195 and 95 at or near Sandpoint, Idaho: From Spokane over U.S. Highway 195 to junction U.S. Highway 95 at or near Sandpoint, and return over the same route, serving no intermediate points, and serving the termini for purpose of joinder only, (B) *general commodities* (except those of unusual value, high explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Lynden, Wash., and Bellingham, Wash.: From Lynden over Washington Highway 1A to junction Alternate U.S. Highway 99, thence over Alternate U.S. Highway 99 via Laurel, Wash., to Bellingham, and return over the same route, serving all intermediate points. NOTE: With regard to (B) above: (1) Applicant states that the authority granted herein to the extent that it duplicates any authority heretofore granted to or now held by carrier shall not be construed as conferring more than one operating right, (2) applicant further states that service is restricted against the transportation of shipments moving in foreign commerce to, from or through points in Canada lying south of a straight line drawn east and west through Prince George, British Columbia, Canada. Application is to be handled concurrently with MC-F-9377. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 66462 (Sub-No. 9), filed May 19, 1966. Applicant: THE WILLETT COMPANY, a corporation, 700 South Desplaines Street, Chicago, Ill. Applicant's representative: Daniel J. Sweeney, 1 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles and products, articles used in the manufacture of iron and steel or iron and steel articles and products, steelmill materials, supplies and equipment, and building materials*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Wisconsin, Minnesota, Iowa, Missouri, and the commercial zones of Kansas City, Kans., Omaha, Nebr., Sioux Falls, S. Dak., Fargo, N. Dak., and Cincinnati and Toledo, Ohio. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 69224 (Sub-No. 36), filed May 17, 1966. Applicant: H & W MOTOR EXPRESS COMPANY, a corporation, 3000 Elm Street, Dubuque, Iowa, 52003. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Elk Grove Village, Ill., as an off-route point in connection with applicant's authorized regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 69833 (Sub-No. 85), filed May 19, 1966. Applicant: ASSOCIATED TRUCK LINES, INC., 15 Andre Street SE., Grand Rapids, Mich., 49507. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and products*, between points in the Chicago, Ill., commercial zone, Chicago Heights, Joliet, and Waukegan, Ill., Burns Harbor and Portage, Ind., on the one hand, and, on the other, points in Michigan, Ohio, Indiana, Illinois, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 71516 (Sub-No. 83), filed May 19, 1966. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue South, Birmingham, Ala. Applicant's representative: Robert E. Tate, Suite 2025–2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 71516 (Sub-No. 84), filed May 19, 1966. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue South, Birmingham, Ala. Applicant's representative: Robert E. Tate, Suite 2025–2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 19), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 20), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 21), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 22), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 23), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 24), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 25), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 26), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 27), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 28), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 29), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 30), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 31), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 32), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 33), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 34), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 35), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 36), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 37), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 38), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 39), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 40), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 41), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 42), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 43), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 44), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 45), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 46), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 47), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 48), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 72162 (Sub-No. 49), filed May 19, 1966. Applicant: CLARENCE L. WERNER, doing business as WERNER TRUCK LINE, Post Office Box 1235, Mandan, N. Dak. Applicant's representative: Clarence L. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite and storage facilities of Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Iowa, Missouri, Kansas, and Nebraska. NOTE:

transporting: *Iron and steel and iron and steel articles*, between points in Forrest County, Miss., and points in Montgomery County, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dayton, or Columbus, Ohio.

No. MC 71743 (Sub-No. 12), filed May 16, 1966. Applicant: BELLM FREIGHT LINES, INC., 1819 North 17th Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Bloomington and Lemont, Ill.; from Bloomington, Ill. over U.S. Highway 66 to the junction of Illinois 7, thence over Illinois Highway 7 to the junction of unnumbered highway, thence over unnumbered highway to Lemont, Ill., and return over the same route, serving all intermediate points and the off-route points of Joliet, Preston, Godley, and Gardner. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 72444 (Sub-No. 23), filed May 19, 1966. Applicant: AKRON-CHICAGO, INC., 1016 Triplett Boulevard, Akron, Ohio. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Ohio, Pennsylvania, those points in New York on and west of Interstate Highway 87, and those points in Indiana on and north of U.S. Highway 24. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 77424 (Sub-No. 25), filed May 19, 1966. Applicant: WENHAM TRANSPORTATION, INC., 3200 East 79th Street, Cleveland, Ohio, 44104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile parts*, from Buffalo and Lockport, N.Y., to Detroit, Flint, Pontiac, Lansing, Willow Run, Wayne, Wixom, and Woodhaven, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 77424 (Sub-No. 26), filed May 19, 1966. Applicant: WENHAM TRANSPORTATION, INC., 3200 East 79th Street, Cleveland, Ohio, 44104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, (1) from points in New York on and west of a line beginning at Oswego and extending along New York Highway 57 to Syracuse, N.Y., thence along U.S. Highway 11 to the New York-Pennsylvania State line, to points in Michigan (Southern Peninsula), Indiana, Illinois, and St. Louis, Mo., (2) from the Riverside Distribution Center of Michigan Fruit Canners located on Riverside Road, 2 miles west of Coloma, Mich., to points in New York and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 78182 (Sub-No. 4), filed May 19, 1966. Applicant: JOSEPH PESTRAK, MARY PESTRAK, and FRANK PESTRAK, a partnership, doing business as PERAWEL TRUCKING COMPANY, 56 North Logan Avenue, Trenton, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between New Brunswick, N.J., and Elizabeth, N.J., over U.S. Highway 1; and (2) between Bound Brook, N.J., and Newark, N.J., over U.S. Highway 22; serving no intermediate points, as alternate routes for operating convenience only, in connection with applicant's presently authorized regular route operations. NOTE: Applicant states that no authority is requested to serve any point or points not presently authorized. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Philadelphia, Pa.

No. MC 78611 (Sub-No. 4), filed May 19, 1966. Applicant: C.E.I. & EXPRESS, INC., 1245 South West Street, Indianapolis, Ind., 46225. Applicant's representative: Kirkwood Yockey, 501 Union Federal Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving points within 3 miles of Rushville, Ind. (except Rushville), Connersville, Ind. (except Connersville), and Brookville, Ind. (except Brookville), as intermediate and off-route points in connection with applicant's authorized regular route operations. NOTE: Applicant states this instant application is solely for the purpose of enabling applicant to "follow the traffic" and continue to serve its present customers at Rushville, Connersville, and Brookville, Ind., or on the immediate outskirts thereof, which are relocating within a 3-mile radius of each of said towns. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 78786 (Sub-No. 263), filed May 19, 1966. Applicant: PACIFIC MOTOR TRUCKING COMPANY, a corporation, 9 Main Street, San Francisco, Calif., 94105. Applicant's representative: John MacDonald Smith, 65 Market Street, San Francisco, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives*, between Hawthorne, Nev., and points within 10 miles thereof, on the one hand, and, on the other, Concord and Port Chicago, Calif. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 79540 (Sub-No. 4), filed May 19, 1966. Applicant: BENNY CRIMBLY, Post Office Box 276, Point Marion, Pa. Applicant's representative: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, sand and gravel, pulverized limestone, road building materials, clay, coal, coal byproducts and coal refuse*, from points in Fayette and Greene Counties, Pa., to points in Doddridge, Harrison, Marion, Monongalia, Preston, and Wetzel Counties, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 80428 (Sub-No. 55), filed May 5, 1966. Applicant: McBRIDE TRANSPORTATION, INC., Main & Nelson Streets, Goshen, N.Y. Applicant's representative: Robert H. Kannan, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and feed ingredients*, from (1) St. Albans, Vt., to points in Maine, New Hampshire, and St. Lawrence, Clinton, Essex, and Franklin Counties, N.Y.; (2) from Granite, Pa., to points in Maryland, West Virginia, Delaware, and Frederick, Clarke, Loudoun, Fairfax, Prince William, Stafford, King George, Westmoreland, Northumberland, and Accomack Counties, Va.; (3) from Manheim, Pa., to points in Maryland, Delaware, West Virginia, and Frederick, Clarke, Loudoun, Fairfax, Prince William, Stafford, King George, Westmoreland, Northumberland, and Accomack Counties, Va.; (4) from Greenville, Pa., to points in Ashtabula, Trumbull, Mahoning, Columbiana, Lake, Geauga, and Portage Counties, Ohio; Hancock, Brooke, Ohio, and Marshall Counties, W. Va.; Chautauqua, Cattaraugus, and Allegany Counties, N.Y.; (5) from North Franklin, Conn., to points in Massachusetts, Rhode Island, Dutchess and Columbia Counties, N.Y.; and (6) from Manchester, N.H., to points in Maine and Massachusetts; and *refused, rejected and returned commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 80428 (Sub-No. 56), filed May 19, 1966. Applicant: McBRIDE TRANSPORTATION, INC., Main and Nelson Streets, Goshen, N.Y. Applicant's representative: Robert H. Kannan, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed ingredient*, from Akron and Youngstown, Ohio, to Greenville, Pa., and *returned, refused, and rejected shipment* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 80428 (Sub-No. 57), filed May 19, 1966. Applicant: McBRIDE TRANSPORTATION, INC., Main and Nelson Streets, Goshen, N.Y. Applicant's representative: Robert H. Kannan, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perlite*, in bulk, from Buffalo, N.Y., to points in Ohio, Pennsylvania, New Jersey, Connecticut, Massachusetts, Vermont, and New Hampshire. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83217 (Sub-No. 25), filed May 19, 1966. Applicant: DAKOTA EXPRESS, INC., 110 North Reid, Post Office Box 533, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Sioux City, Iowa, Sioux Falls, S. Dak., and Spencer, Iowa, to points in Illinois. NOTE: Applicant states that it will transport exempt commodities, on return. No duplicating authority is sought herein. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 83217 (Sub-No. 26), filed May 19, 1966. Applicant: DAKOTA EXPRESS, INC., 110 North Reid, Post Office Box 533, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* from Duluth, Minn., to points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota. NOTE: Applicant states that it will transport exempt commodities, on return. No duplicating authority is sought herein. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 83745 (Sub-No. 4), filed May 19, 1966. Applicant: STEEL CITY TRANSPORT, INC., 3034 Chateau Street, Pittsburgh, Pa. Applicant's representative: James M. Burtch, 100 East Broad Street, Columbus, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products, and steelmill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 85451 (Sub-No. 11), filed May 19, 1966. Applicant: BLUEBONNET EXPRESS, INC., 5009 Rusk Street, Houston, Tex. Applicant's representative: David A. Sutherland, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), having a prior or subsequent movement by air (1) between airports located in Harris County, Tex., and points in Texas over the routes described as follows: (a) From Houston, Tex., over U.S. Highway 59 to the junction of U.S. Highway 59 and U.S. Highway 259, and thence over U.S. Highway 259 to Henderson, Tex., and return over the same route; (b) from Houston, Tex., over U.S. Highway 75, to Galveston, Tex., and return over the same route, (c) from Houston, Tex., over Texas Highway 225 to junction Texas Highway 146, and thence over Texas Highway 146 to the junction of U.S. Highway 75, and return over the same route, (d) from Houston, Tex., over Texas Highway 35 to the junction of Texas Highway 185, and return over the same route, (e) from Houston, Tex., over Texas Highway 288, to Freeport, Tex., and return over the same route, (f) from Houston, Tex., over U.S. Highway 59 to Goliad, Tex., and return over the same route, (g) from Houston, Tex., over U.S. Highway 90A to Shiner, Tex., and return over the same route, (h) from Houston, Tex., over U.S. Highway 90 to San Antonio, Tex., and return over the same route, (i) from Houston, Tex., over U.S. Highway 290 to Brenham, Tex., and return over the same route, (j) from Hempstead, Tex., over Texas Highway 6, to Bryan, Tex., and thence over U.S. Highway 190 to Herne, Tex., and return over the same route, (k) from Bryan, Tex., over Texas Highway 21, to Caldwell, Tex., and return over the same route.

(l) from Sealy, Tex., over Texas Highway 36, to Milano, Tex., and return over the same route, (m) from Columbus, Tex., over Texas Highway 71, to Austin, Tex., and return over the same route, (n) from Flatonia, Tex., over Texas Highway 95, to Yoakum, Tex., and return over the same route, (o) from Yoakum, Tex., over U.S. Highway 77A, to Refugio, Tex., and return over the same route, (p) from Cuero, Tex., over Texas Highway 72, to Kenedy, Tex., and return over the same route, (q) from Cuero, Tex., over Texas Highway 87, to Victoria, Tex., and thence over Texas Highway 185 to Port O'Connor, Tex., and return over the same route, (r) from Victoria, Tex., over Texas Highway 77 to the junction of U.S. Highway 77 and Texas Highway 9, and thence over Texas Highway 9 to Corpus Christi, Tex., and return over the same route, (s) from Stinson, Tex., over U.S. Highway 181, to Corpus Christi, Tex., and return over the same route, serving all intermediate points and points in the following counties as off-route points: Harris, Montgomery, Liberty, San Jacinto, Polk, Angelina, Nacogdoches, Rusk, Galveston, Brazoria, Fort Bend, Waller, Brazos, Grimes, Burleson, Washington, Austin, Colorado, Wharton, Matagorda, Victoria, Jackson, Lavaca, Fayette, Lee, Bastrop, Travis, Caldwell, Gonzales, Guadalupe, Karnes, De Witt, Goliad, Refugio, Aransas, San Petricio, Calhoun, Nueces, Burleson, Robertson, Milam, Sam Houston, Bexar, and Chambers Counties, Tex., and (2) between airports located in Bexar County, Tex., and points in Texas over the route described as follows: (a) From San Antonio, Tex., over U.S. Highway 90 to Houston, Tex., and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 86913 (Sub-No. 18), filed May 19, 1966. Applicant: EASTERN MOTOR LINES, INC., Post Office Box 649, Warrenton, N.C. Applicant's representative: Edward G. Villalon, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in Delaware, Florida, Georgia, Maryland, North Carolina, South Carolina, Tennessee, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 86913 (Sub-No. 19), filed May 18, 1966. Applicant: EASTERN MOTOR LINES, INC., Post Office Box 649, Warrenton, N.C. Applicant's representative: Edward G. Villalon, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer), from points in Ohio, New York, and those in Pennsylvania on and west of U.S. Highway 15 to points in Virginia and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 87720 (Sub-No. 51), filed May 19, 1966. Applicant: BASS TRANSPORTATION CO., INC., Star Route A, Old Croton Road, Flemington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic bottles, containers, and plastic tubes*, from Flemington, N.J., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia, and *rejected, returned or damaged shipments*, on return. Restriction: Under contract with Tenneco Chemicals, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 87861 (Sub-No. 7), filed May 18, 1966. Applicant: BELL DIAMOND EXPRESS, INC., 6901 North Michigan Road, Indianapolis, Ind., 46268. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except livestock, classes A and B explosives, and household goods as defined in *Practices of Motor Common Carriers of Household Goods*,

17 M.C.C. 467, and commodities of unusual value), between Hennepin, Ill., and points within 15 miles thereof, on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, Florida, West Virginia, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 88161 (Sub-No. 76), filed May 18, 1966. Applicant: INLAND TRANSPORTATION CO., INC., 6737 Corson Avenue South, Seattle, Wash. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Woodpulp*, in bales and rolls, from Cosmopolis, Wash., to Longview, Wash., and *fuel oil*, in bulk, in tank vehicles in Washington intrastate commerce on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 92983 (Sub-No. 524), filed May 16, 1966. Applicant: ELDON MILLER, INC., 531 Walnut Street, Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Oklahoma, to points in Colorado, Idaho, Minnesota, Montana, Utah, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 94265 (Sub-No. 180), filed May 18, 1966. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Cleveland, Ohio, to points in Texas, Illinois, Iowa, Nebraska, Minnesota, Missouri, Wisconsin, Kentucky, and Kansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 95084 (Sub-No. 50), filed May 16, 1966. Applicant: HOVE TRUCK LINE, a corporation, Stanhope, Iowa. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa, 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Iowa, Kansas, Minnesota, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 98088 (Sub-No. 16), filed May 19, 1966. Applicant: LINDLEY TRUCKING SERVICE, INC., 1701 Grand Avenue, Granite City, Ill., 62040. Applicant's representative: Eugene L. Cohn, 1 N. La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), *including commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Tennessee, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 105413 (Sub-No. 22), filed May 19, 1966. Applicant: PETROLEUM TRANSPORT SERVICE, INC., Highway 275, Council Bluffs, Iowa. Applicant's representative: Elnar Viren, 904 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, dry, liquid, and gaseous*, from Belmond, Waterloo, Sanborn, Jefferson, Carroll, and Council Bluffs, Iowa, to points in Nebraska, South Dakota, and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 105457 (Sub-No. 59), filed May 19, 1966. Applicant: THURSTON MOTOR LINES, INC., 601 Johnson Road, Charlotte, N.C. Applicant's representative: John C. Bradley, 608 Perpetual Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, high explosives, household goods, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Friendship, N.C., and Front Royal, Va.; from Friendship over North Carolina Highway 68 to junction U.S. Highway 220, thence over U.S. Highway 220 to Roanoke, Va., thence over U.S. Highway 11 to Strasburg, Va., thence over Virginia Highway 55 to Front Royal, and return over the same route, (2) between Greensboro, N.C., and Front Royal, Va.; from Greensboro over U.S. Highway 29 to Woods Mill, Va., thence over Virginia Highway 6 to junction Virginia Highway 151, thence over Virginia Highway 151 to junction U.S. Highway 250, thence over U.S. Highway 250 to Waynesboro, Va., thence over U.S. Highway 340 to Front Royal, and return over the same route (also from Greensboro, N.C., over U.S. Highway 220 to junction North Carolina Highway 68 and return over the same route), (3) between Roanoke, Va., and Lynchburg, Va.; from Roanoke over U.S. Highway 460 to Lynchburg and return over the same route, (4) between Staunton, Va., and Charlottesville, Va.; from Staunton over U.S. Highway 250 to Charlottesville and return over the same route.

(5) Between Charlotte, N.C., and Hickory, N.C.; from Charlotte over U.S. Highway 21 to Statesville, thence over U.S. Highways 60 and 70 to Hickory, and return over the same route (also, from junction of U.S. Highway 21 and North Carolina Highway 115 located approximately 3 miles north of Charlotte over North Carolina Highway 115 to junction Interstate Highway 40, thence over Interstate Highway 40 to Hickory, and return over the same route), and (6) between junction North Carolina Highway 68 and Guilford County Road 1541 (also referred to as Red Road) and carrier's terminal; from junction North Carolina Highway 68 and Guilford County Road 1541 over Guilford County Road 1541 to carrier's terminal, and return over the same route, serving all intermediate points on the above-described routes, and off-route points (a) in North Carolina west of U.S. Highway 29, and (b) in that part of Virginia on and west of a line beginning at the Potomac River near Point of Rocks, Md., and extending along U.S. Highway 15 to junction U.S. Highway 50 near Aldie, Va., thence along U.S. Highway 50 to Middleburg, Va., thence along Virginia Highway 626 to The Plains, Va., thence along Virginia Highway 245 to junction Virginia Highway 17, thence along Virginia Highway 17 to Warrenton, Va., thence along U.S. Highway 15 to the Virginia-North Carolina State line. Restriction: The proposed regular route operations in Virginia will be restricted to the transportation of traffic moving in carrier's service to, from, or through a point in North Carolina. NOTE: Applicant states it presently holds authority in its Sub 50 certificate to perform transportation between Charlotte, N.C., on the one hand, and, on the other, points in the North Carolina and Virginia territories covered by this application. In its Sub 43 certificate applicant holds authority to perform transportation between Roanoke Rapids, N.C., on the one hand, and, on the other, all points in North Carolina and Virginia. By this application, applicant does not seek to perform service at any point not now authorized to it. It does, however, seek (a) to convert certain irregular route authority, and (b) through the use thereof, to establish more convenient gateway points. If the application is granted in full, applicant will offer for cancellation all authority now issued to it in applicant's Sub 50 certificate. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 105733 (Sub-No. 40), filed May 18, 1966. Applicant: H. R. RITTER TRUCKING CO., INC., 928 East Hazelwood Avenue, Rahway, N.J. Applicant's representative: E. C. Smith, 26 Broadway, New York, N.Y., 10004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank- or hopper-type vehicles, from (1) Pawtucket, R.I., to points in Massachusetts, Connecticut, and New York; and (2) from Assonet, Mass., to points in New Hampshire, Vermont, Connecticut, New York, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 106400 (Sub-No. 65), filed May 19, 1966. Applicant: KAW TRANSPORT COMPANY, a corporation, 701 North Sterling Street, Sugar Creek, Mo., 64054. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, acids, and chemicals* (except cryogenic liquids) in bulk, in tank vehicles, from the plantsite of the Apple River Chemical Co. at or near Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106603 (Sub-No. 86), filed May 19, 1966. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street SW., Grand Rapids, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Minnesota, Arkansas, Nebraska, New York, Ohio, Oklahoma, Pennsylvania, South Dakota, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106644 (Sub-No. 69), filed May 19, 1966. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. Applicant's representative: Guy H. Postell, 1375 Peachtree Street NE., Atlanta, Ga., 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles, pipe, pipe fittings and accessories*, from Anniston, Birmingham, and Gadsden, Ala., to points in Michigan and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 106674 (Sub-No. 60), filed May 16, 1966. Applicant: SCHILLI MOTOR LINES, INC., Second and St. Clair Avenue, East St. Louis, Ill., 62201. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitro-carbo-nitrate*, from Central City, Ky., to points in Illinois, Indiana, Ohio, Missouri, and Tennessee. NOTE: Common control may be involved. Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 106914 (Sub-No. 21), filed May 19, 1966. Applicant: HAROLD FINE, doing business as AMERICAN CARTAGE COMPANY, 1575 Fairfield Avenue, Cleveland, Ohio, 44113. Applicant's representative: J. C. Schriner, 11615 Detroit Avenue, Cleveland, Ohio, 44102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles and steelmill supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, and Ohio. NOTE: Applicant states the authority requested by this application will not be tacked or joined to any authority held by applicant. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107002 (Sub-No. 308), filed May 16, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk*, having a prior or subsequent movement by water and *empty shipper or water carrier owned trailers* used in the service specified above, between Mobile, Ala., on the one hand, and, on the other, points in Alabama, Louisiana, Mississippi, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or New Orleans, La.

No. MC 107002 (Sub-No. 309), filed May 16, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium thiocyanate liquor*, from LeMoyne, Ala., to points in Ohio, Iowa, Illinois, Indiana, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Atlanta, Ga., or Birmingham, Ala.

No. MC 107002 (Sub-No. 312), filed May 19, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representatives: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., H. D. Miller, Jr., Post Office Box 1250, Jackson, Miss., 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Memphis, Tenn., to points in Kansas, Michigan, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 107010 (Sub-No. 24), filed May 19, 1966. Applicant: D & R BULK CARRIERS, INC., Post Office Box 106, Auburn, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, and fertilizer solutions*, in bulk, in tank vehicles, from the plantsite of Phillips Petroleum Co., located at or near Hoag, Nebr., to points in Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 107286 (Sub-No. 22), filed May 19, 1966. Applicant: M. PASCALE TRUCKING, INC., 8-10 Rice Street, South Attleboro, Mass., 02774. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, on vehicles equipped with mechanical loading and unloading devices, from Coeymans, N.Y., to points in New Jersey. NOTE: If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 107496 (Sub-No. 484), filed May 19, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand*, in bulk and in packages, from Minneapolis and St. Paul, Minn., to points in North Dakota and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 107496 (Sub-No. 486), filed May 19, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from Sugar Creek, Mo., to points in Nebraska, Iowa, Kansas, Missouri, Oklahoma, and Arkansas. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 107643 (Sub-No. 71), filed May 19, 1966. Applicant: ST. JOHNS MOTOR EXPRESS CO., a corporation, 10145 North Portland Road, Post Office Box 03159, Portland, Oreg., 97203. Applicant's representative: Earle V. White, Fifth Avenue Building, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, and chemical solutions*, in bulk, in tank vehicles, between points in California, on the one hand, and, on the other, points in Oregon. NOTE: Applicant states that it proposes to tack the foregoing authority to that heretofore issued in MC 107643 (A) and Subs 22, 31, and 60, in which it is authorized to operate in the States of Idaho, Montana, Oregon, Utah, Washington, and Wyoming. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or San Francisco, Calif.

No. MC 107643 (Sub-No. 72), filed May 19, 1966. Applicant: ST. JOHNS MOTOR EXPRESS CO., 10134 North, North Portland Road, Portland, Oreg., 97203. Applicant's representative: Earle

V. White, Fifth Avenue Building, Portland 1, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizers and fertilizer compounds*, (a) between points in that part of Idaho in and south of Adams, Valley, Lemhi, Clark, and Fremont Counties; (b) between points in that part of Idaho specified in (a) above, on the one hand, and, on the other, points in Idaho, Oregon, Montana, and that part of Washington on and east of U.S. Highway 97; and, (2) *liquid fertilizers and fertilizer compounds*, in bulk, in tank vehicles, between Kellogg, Idaho, on the one hand, and, on the other, points in that part of Idaho in and south of Adams, Valley, Lemhi, Clark, and Fremont Counties. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 107695 (Sub-No. 7), filed May 16, 1966. Applicant: B. A. FISHER, doing business as HI-BALL CONTRACTORS, Post Office Box 1117, Billings, Mont., 59103. Applicant's representative: Jerome Anderson, Suite 333, First National Bank Building, Billings, Mont., 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel products* (except machinery, materials, supplies, and equipment incidental to and used in the construction, development, operation and maintenance of facilities for the discovery, development and production of natural gas and petroleum and their products and byproducts), from the Pueblo, Colo., commercial zone to points in Idaho, Montana, Wyoming, North Dakota, South Dakota, Oregon, and Washington, and *rejected and contaminated shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 107698 (Sub-No. 43), filed May 18, 1966. Applicant: BONANZA, INC., Post Office Box 10526, Oklahoma City, Okla., 73110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Guymon, Okla., to points in Arizona, California, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 107757 (Sub-No. 24), filed May 18, 1966. Applicant: M. C. SLATER, INC., Post Office Box 369, Granite City, Ill. Applicant's representative: Eugene Cohn, 1 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), *including commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Michigan, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107757 (Sub-No. 25), filed May 19, 1966. Applicant: M. C. SLATER, INC., Post Office Box 369, Granite City, Ill. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between Burns Harbor and Portage, Ind., Chicago Heights, Joliet, and Waukegan, Ill., and points in the Chicago, Ill., commercial zone, on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Michigan, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108053 (Sub-No. 73), filed May 19, 1966. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., 1520 West 23d Street, Fremont, Nebr. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Guyman, Okla., to points in Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Washington, and Oregon. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 108228 (Sub-No. 30), filed May 12, 1966. Applicant: MILES TRUCKING CO., INC., Post Office Box 578, Plant City, Fla. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, and feed ingredients and supplements thereof* (except in bulk, in tank vehicles), from Woburn, Lawrence, and Boston, Mass., to points in Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 108449 (Sub-No. 236), filed May 19, 1966. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn., 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent silica gel catalyst*, in bulk, (1) between Mandan, N. Dak., and Chicago, Ill., (2) between Mandan, N. Dak., Superior, Wis, Minneapolis, Minn., and St. Paul, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 108460 (Sub-No. 18), filed May 17, 1966. Applicant: PETROLEUM CARRIERS COMPANY, a corporation, 5104 West 14th Street, Sioux Falls, S. Dak., 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid carbon dioxide*, from points in Codington County, S. Dak., to points in Minnesota, North Dakota, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 109326 (Sub-No. 90), filed May 13, 1966. Applicant: C & D TRANSPORTATION CO., INC., Post Office Box 1503, Mobile, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk or tank vehicles), in vehicles equipped with mechanical refrigeration, between points in Alabama on and south of U.S. Highway 80. NOTE: If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala.

No. MC 109382 (Sub-No. 14), filed May 16, 1966. Applicant: JONAS P. DONMOYER, INC., Ono, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and stone*, from points in Lebanon and Dauphin Counties, Pa., to points in Connecticut, Ohio, and New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109637 (Sub-No. 309), filed May 19, 1966. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville, Ky., 40211. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, from points in Boyd County, Ky., to points in Mason County, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 109677 (Sub-No. 29), filed May 19, 1966. Applicant: FORT EDWARD EXPRESS CO., INC., Route 9, Saratoga Road, Fort Edward, N.Y. Applicant's representative: Robert H. Kannan, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Albany, Rensselaer, and Comstock, N.Y., to points in Massachusetts and Vermont, and *refused and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 109689 (Sub-No. 175), filed May 19, 1966. Applicant: W. S. HATCH CO., a corporation, 643 South, 800 West, Woods Cross, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Copper concentrates*, in bulk, from the plantsite of Atlas Minerals located near Moab, Utah, to Inspiration, Ariz.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 110193 (Sub-No. 150), filed May 18, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos, Post Office Box 2628, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Fort Wayne, Ind., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110193 (Sub-No. 151), filed May 13, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos, Post Office Box 2628, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (not frozen but requiring vehicles mechanically equipped for temperature control), from Boston and points in Plymouth County, Mass., to points in Onondaga County, N.Y. NOTE: Applicant states that the purpose of this application is for tacking and joinder with its existing authority in MC 110193 (Sub-No. 25), wherein applicant is authorized to conduct operations over irregular routes in the States of Illinois, Indiana, New York, Ohio, Pennsylvania, and Michigan. If a hearing is deemed necessary, applicant requests it be held at South Bend, Ind.

No. MC 110563 (Sub-No. 39), filed May 16, 1966. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Sidney, Ohio. Applicant's representative: Joseph Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses* as defined in sections A and C of appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of George A. Hormel & Co., located at or near Bureau, Ill., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110878 (Sub-No. 30), filed May 19, 1966. Applicant: ARGO TRUCKING COMPANY, INC., Lower Heard Street, Elberton, Ga. Applicant's representative: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Granite and marble*, from (1) points in Georgia (except Elberton, Ga., and points within 15 miles thereof, and Tate, Ga., and points within 20 miles thereof), to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Kansas, Louisiana, Mississippi, Nevada, New Mexico, Oklahoma, Tennessee, Texas, and Utah, and (2) points in Georgia (except Canton, Ga., and points within 35 miles thereof, Elberton, Ga., and points within 15 miles thereof, and Tate, Ga., and points within 20 miles thereof), to points in Missouri, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 110878 (Sub-No. 31), filed May 19, 1966. Applicant: ARGO TRUCKING COMPANY, INC., Lower Heard Street, Elberton, Ga. Applicant's representative: Guy H. Postell, Suite 693, 1735 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slabs, concrete, building or roofing*, when moving on flatbed type vehicles, from Elberton, Ga., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Kansas, Louisiana, Mississippi, Nevada, New Mexico, Oklahoma, Tennessee, Texas, Utah, Washington, Oregon, Idaho, Montana, Wyoming, North Dakota, South Dakota, Nebraska, Missouri, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 110923 (Sub-No. 3), filed May 18, 1966. Applicant: ALBERT LIVEK, doing business as AL LIVEK'S TRUCKING SERVICE, 808 Harrison Street, Kewanee, Ill. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and grain and coal elevators*, from East Moline and Rock Island, Ill., to points in Indiana, Missouri, Nebraska, Wisconsin (except Racine, Kenosha, and Milwaukee Counties), and those in Iowa on and east of U.S. Highway 63. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110923 (Sub-No. 4), filed May 18, 1966. Applicant: ALBERT LIVEK, doing business as AL LIVEK'S TRUCKING SERVICE, 808 Harrison Street, Kewanee, Ill. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery, implements, and parts* as described in appendix 12 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except commodities the transportation of which, because of size or weight require the use of special equipment), and (2) *tractors, tractor parts and attachments* when moving in conjunction therewith and in the same vehicle with tractors, from Canton and Chicago, Ill., to points in Alabama, Delaware, Florida, Georgia, Indiana, Kentucky, Maryland, Michigan, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin (except points in Racine, Kenosha, and Milwaukee Counties), and points in Iowa on and east of U.S. Highway 63, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 217), filed May 16, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizers*, in bulk, from Eaton and Thorntown, Ind., to points in Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110988 (Sub-No. 218), filed May 17, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats and oils and blends thereof*, in bulk, in tank vehicles, from the plantsite of Missouri Beef Packers, Inc., located at or near Phelps City, Mo., to points in Alabama, Arkansas, Iowa, Indiana, Illinois, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Kans.

No. MC 110988 (Sub-No. 219), filed May 17, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, from points in Ste. Genevieve County, Mo., to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 111545 (Sub-No. 89), filed May 16, 1966. Applicant: HOME TRANSPORTATION COMPANY, INC., Post Office Box 6426, Station A, 1425 Franklin Road SE., Marietta, Ga. Applicant's representative: Robert E. Born, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers or equalizers for air, gas, or liquids;* (2) *machinery and equipment for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas, or liquids;* and (3) *parts, attachments, and accessories for use in the installation and operation of items in (1) and (2) above*, from the plant and warehouse facilities of the Trane Co. in Montgomery County, Tenn., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota,

Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111545 (Sub-No. 90), filed May 19, 1966. Applicant: HOME TRANSPORTATION COMPANY, INC., Post Office Box 6426, Station A, 1425 Franklin Road SE., Marietta, Ga. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which because of size or weight requires the use of special equipment, between Charlotte, N.C., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Michigan, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, and Wisconsin. Restriction: Service at Charlotte N.C., is to be restricted to joinder with applicant's otherwise authorized operations. NOTE: Applicant states that it proposes to tack this authority with its Sub 83 authority to serve points in North Carolina, South Carolina, and Virginia. Applicant further states that the purpose of this application is to substitute Charlotte, N.C., as a gateway to North Carolina, South Carolina, and Virginia, in lieu of operations via Chester, S.C. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111729 (Sub-No. 153), filed May 18, 1966. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Truck, tractor, and automotive parts, and catalogs and advertising matter shipped therewith*, from Cincinnati, Ohio, to points in Indiana, Kentucky, and West Virginia, and (2) *brass valves, pipe fittings, pipe connections, pipe joints, iron valves, plumbers oakum, solder paste, solder salts, solder flux, pads, tablets, and blank books, and advertising materials moving therewith*, (a) between Columbus, Ohio, on the one hand, and, on the other, points in Kentucky, Pennsylvania, and West Virginia, and (b) between Cleveland, Ohio, on the one hand, and, on the other, points in Pennsylvania. NOTE: Applicant is authorized to operate as a contract carrier in MC 112750, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 111729 (Sub-No. 155), filed May 18, 1966. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, Commonwealth Building, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records and audit, and accounting media of all kinds* (excluding cash letters), between Detroit, Mich., on the one hand, and, on the other, Buffalo, Dunkirk, and West Seneca, N.Y.; (2) *advertising and publicity material and merchandise samples*, limited to shipments not to exceed 75 pounds per shipment, between Detroit, Mich., on the one hand, and, on the other, points in New York and Ohio; and (3) *exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies (consisting of labels, envelopes, and packaging materials) and advertising literature* moving therewith (excluding motion picture film used primarily for commercial theater and television exhibition), between Detroit, Mich., on the one hand, and, on the other, points in Ohio (except points in Mahoning and Trumbull Counties, Ohio). NOTE: Carrier is also authorized to conduct operations as a contract carrier in Permit No. MC 112750 and subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 111729 (Sub-No. 156), filed May 18, 1966. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Exposed, unexposed, and processed microfilm and related materials*, (a) between Gary, Ind., on the one hand, and, on the other, points in Kankakee and Will Counties, Ill., (b) between Davenport, Iowa, on the one hand, and, on the other, points in Clinton, Des Moines, Dubuque, Jackson, Lee, and Muscatine Counties, Iowa, over routes in Illinois for operating convenience only, and (c) between Davenport, Iowa, on the one hand, and, on the other, points in Illinois on and west of U.S. Highway 51 and on and north of U.S. Highway 36, and (2) *checks and commercial papers*, between Chicago, Ill., and Lafayette, Ind. NOTE: Applicant holds contract carrier authority in MC 112750 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111812 (Sub-No. 347), filed May 18, 1966. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery products* (except in bulk in tank vehicles), and *advertising matter, premiums, and display materials* when shipped with requested commodities, (1) from Hackettstown, N.J., to Chicago, Ill., and (2) from Chicago, Ill., to points in Arizona, Nevada, California, Utah, and Oregon. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111956 (Sub-No. 13), filed May 19, 1966. Applicant: SUWAK TRUCKING COMPANY, a corporation, 1105 Fayette Street, Washington, Pa. Applicant's representative: Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives and household goods as defined by the Commission, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112049 (Sub-No. 15), filed May 19, 1966. Applicant: MCBRIDE'S EXPRESS, INC., 1901 Wabash, Mattoon, Ill., 61938. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., and points in Kentucky, Ohio, Tennessee, Georgia, Alabama, Florida, Mississippi, Louisiana, Arkansas, Texas, Kansas, Colorado, Missouri, Iowa, Michigan, Indiana, Minnesota, Wisconsin, Nebraska, North Dakota, South Dakota, Oklahoma, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield or Chicago, Ill.

No. MC 112617 (Sub-No. 234), filed May 19, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Huntington, W. Va., to Holland, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 112617 (Sub-No. 235), filed May 19, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. Applicant's representative: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities, oils, and chemicals*, in bulk, between points in Kentucky, on the one hand, and, on the other, points in California, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 112617 (Sub-No. 236), filed May 18, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box

5135, Cherokee Station, Louisville, Ky. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, and fertilizer ingredients* (except cryogenic liquids), in bulk, from the plantsite of Apple River Chemical Co. at Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112713 (Sub-No. 101), filed May 19, 1966. Applicant: YELLOW TRANSIT FREIGHT LINES, INC., Post Office Box 8462, 92d at State Line, Kansas City, Mo., 64114. Applicant's representative: John M. Records (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Ohio, Michigan, Indiana, Kentucky, Missouri, Kansas, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 48), filed May 18, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Weston, Mich., and points in Raisin Township, Lenawee County, Mich., to points in Illinois, Indiana, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 52), filed May 18, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk and bags, from Cordova and Keithsburg, Ill., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 53), filed May 18, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perlite and vermiculite*, in bulk, from De Kalb and Chicago, Ill., to points in Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 54), filed May 18, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, from Kankakee, Ill., to Cuba City, Marshfield, Wisconsin Rapids, and Brandon, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112822 (Sub-No. 68), filed May 19, 1966. Applicant: EARL BRAY, INC., Post Office Box 1191, Linwood and North Streets, Cushing, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Springdale, Ark., to points in Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 112822 (Sub-No. 69), filed May 19, 1966. Applicant: EARL BRAY, INC., Post Office Box 1191, Linwood and North Streets, Cushing, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Advertising matter, articles distributed by wholesale or retail suppliers*, marketers or distributors of petroleum products and *such commodities* as are used by wholesale or retail supplies, marketers, or distributors of petroleum products in the conduct of their businesses, when shipped in mixed loads with petroleum products (presently authorized), from Enid, Okla., to points in Kansas and points in Missouri south of U.S. Highway 36 and west of a line beginning at Macon, Mo., and extending along U.S. Highway 63 to Jefferson City, Mo., thence along U.S. Highway 54 to Camdenton, Mo., thence along Missouri Highway 5 to Lebanon, Mo., thence along U.S. Highway 66 to Springfield, Mo., thence along U.S. Highway 65 to the Missouri-Arkansas State line. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 112822 (Sub-No. 70), filed May 19, 1966. Applicant: EARL BRAY, INC., Post Office Box 1191, Linwood and North Streets, Cushing, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of the Chevron Chemical Co. at or near Sugar Creek, Mo., to points in Missouri, Kansas, Iowa, Nebraska, Oklahoma, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 113024 (Sub-No. 53), filed May 19, 1966. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, Smyrna, Del. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Adhesives, gums, plastics, latex compounds, napkins, resins, starches, flour, and materials and supplies used in the production, sale and distribution thereof, including packaging and empty containers* therefor (except commodities in bulk, in tank vehicles), for the account of International Latex Corp., (1) between Dover, Del., and points within 5 miles thereof, on the one hand, and, on the other, La Grange, Manchester, and Newnan, Ga., Lafayette, Ala., and Los Angeles, Calif., (2) between La Grange, Manchester, and Newnan, Ga., and Lafayette, Ala., (3) between Dover, Del., and points within 5 miles thereof, on the one hand, and, on the other, Cleveland, Ohio, Chicago, Ill., Baltimore, Md., port of entry on the international boundary line between the United States and Canada located at or near Alexandria Bay, N.Y., and points in New Jersey and New York within 50 miles of City Hall, New York, N.Y., (4) between Dover, Del., and points within 5 miles thereof, and Philadelphia, Pa., and (5) between Manchester, La Grange, and Newnan, Ga., and Lafayette, Ala., on the one hand, and, on the other, Los Angeles, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113024 (Sub-No. 54), filed May 19, 1966. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, Smyrna, Del. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Adhesives, flour, gums, latex, latex compounds, napkins, plastics, resins, starches, and materials and supplies used in the production, sale, and distribution thereof, including packaging and empty containers* (except commodities in bulk, in tank vehicles), between points in New Jersey and New York within 50 miles of City Hall, New York, N.Y., and Charlotte, N.C., Atlanta, Ga., Chicago, Ill., Cleveland, Ohio, and St. Louis, Mo., for the account of International Latex Corp., Dover, Del. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113325 (Sub-No. 103), filed May 16, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic plastics and resins*, in bulk, in tank vehicles, from Meredosia, Ill., to points in New Jersey, New York, Oklahoma, Massachusetts, Pennsylvania, and Texas (except points in Harris County). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113325 (Sub-No. 108), filed May 19, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001

South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Paul D. Borghesani, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup, unmixed (glucose), corn syrup and blends thereof, dextrine, starch, steepwater, corn oil, and corn flour*, from Lafayette, Ind., to points in the United States except points in Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113336 (Sub-No. 85), filed May 19, 1966. Applicant: PETROLEUM TRANSIT COMPANY, INC., Post Office Box 921, Lumberton, N.C. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oils*, in bulk, in tank vehicles, from St. Marys, W. Va., to points in Alabama, Georgia, and Florida. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113651 (Sub-No. 111), filed May 13, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Applicant's representative: Henry A. Dillon (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, from Fort Wayne, Ind., to points in Arkansas, Florida, Georgia, Iowa, Kansas, Missouri, Oklahoma, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113855 (Sub-No. 135), filed May 16, 1966. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sewage pumping stations*, from Leavenworth, Kans., to points in Washington, Oregon, Idaho, Utah, California, Nevada, Arizona, Montana, New Mexico, Colorado, Wyoming, North Dakota, South Dakota, and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 113855 (Sub-No. 136), filed May 16, 1966. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Attachments, accessories and parts for tractors* (not including truck tractors), *scrapers, motor graders, wagons, engines* (except aircraft and missile engines), *generators, engines and generators combined, welders, road rollers, compacters, and lift trucks*, from Du Page County, Ill., to points in Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, and points in Minnesota on the United States-Canada boundary line. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114194 (Sub-No. 134), filed May 19, 1966. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill., 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup, unmixed (glucose), corn syrup and blends thereof, starch, dextrine, steepwater, corn oil, and corn flour*, in bulk, from Lafayette, Ind., to points in the United States (except Alaska and Hawaii), and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 114211 (Sub-No. 98), filed May 12, 1966. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and agricultural implements and parts*, from Cedar Falls, Iowa, to points in the United States (excluding Alaska and Hawaii), and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114211 (Sub-No. 99), filed May 13, 1966. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mowers, farm machinery and agricultural implements, and parts for mowers, farm machinery and agricultural implements*, from Olathe, Kans., to points in the United States (excluding Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114334 (Sub-No. 4), filed May 19, 1966. Applicant: BUILDERS TRANSPORTATION COMPANY, a corporation, 3263 Tulane Road, Memphis, Tenn. Applicant's representative: Dale Woodall, 150 East Court Avenue, Memphis, Tenn., 38101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between Memphis, Tenn., and points in Tennessee, Arkansas, and Mississippi. NOTE: Applicant states that he will tack with existing authority, wherein he is authorized to conduct operations from Memphis, Tenn., to points in Arkansas, Kentucky, Mississippi, Missouri, Oklahoma, and Texas. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 114725 (Sub-No. 29), filed May 19, 1966. Applicant: WYNNE TRANSPORT SERVICE, INC., 1528 North 11th Street, Omaha, Nebr. Applicant's representative: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, and fertilizer ingredients*, in bulk in tank vehicles (except cryogenic liquids in bulk in tank vehicles), from the site of Apple River Chemical Co. at Niota, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115162 (Sub-No. 131), filed May 18, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala., 36401. Applicant's representative: Robert E. Tate, Suite 2025-2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Montgomery, Ala., to Martinsville, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 115554 (Sub-No. 7), filed May 19, 1966. Applicant: SCOTT'S TRANSPORTATION SERVICE, INCORPORATED, Post Office Box 1136, Cedar Rapids, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between points in Iowa on and east of U.S. Highway 69, on the one hand, and, on the other, points in Putnam County, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115821 (Sub-No. 10), filed May 18, 1966. Applicant: FRANK BEELMAN, JR., St. Libory, Ill. Applicant's representative: Ernest A. Brooks II, 1301–02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer ingredients*, in bulk, in dump vehicles, from points in the St. Louis, Mo., and East St. Louis, Ill., commercial zone and 5 miles thereof, and Chester, Cario, and Shawneetown, Ill., to points in Illinois, restricted to shipments having a prior movement by water. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 115841 (Sub-No. 291), filed May 19, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Connecticut, New York, and Pennsylvania, to points in Indiana.

NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115841 (Sub-No. 292), filed May 19, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lexington, N.C., to points in Alabama, Arkansas, Kentucky, Louisiana, Maine, Connecticut, Massachusetts, Mississippi, New Hampshire, Oklahoma, Rhode Island, Tennessee, Texas, Vermont, Ohio, Michigan, Indiana, and Illinois, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 116544 (Sub-No. 78), filed May 18, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Phelps City, Mo., to points in Minnesota, Wisconsin, Illinois on and north of U.S. Highway 36, and in Indiana that are included in the Chicago, Ill., commercial zone. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Kansas City, Mo.

No. MC 116544 (Sub-No. 79), filed May 18, 1966. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 and *dairy products* (except hides and commodities in bulk, in tank vehicles), from points in Cottonwood County, Minn., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 116763 (Sub-No. 87), filed May 13, 1966. Applicant: CARL SUBLER TRUCKING, INC., North West Street., Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods*, from Sandusky, Ohio, and points in the Lower Peninsula of Michigan (except points in Fennville, South Haven, and Berrien Counties, Mich.), to points in New York east of Interstate Highway 81; points in Pennsylvania east of U.S. Highway 220; and points in New Jersey; and Baltimore, Md., and Washington, D.C.; (2) *canned, prepared, or preserved foodstuffs* (except frozen foods and dairy products), from points in the Lower Peninsula of Michigan to points in Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee; and (3) *canned, prepared, or preserved foodstuffs* (except dairy products), from Covington, Ky., and Covington, Fremont, Ohio City, and Rockford, Ohio, to points in Alabama, Florida, Louisiana, Mississippi, and Tennessee. NOTE: Applicant states that no duplicating authority is requested. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 116763 (Sub-No. 88), filed May 13, 1966. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, paper products, paper articles, and printed materials including magazines*, (1) from points in Butler, Clark, Darke, Mercer, Miami, Montgomery, Shelby, and Warren Counties, Ohio, to points in Alabama, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee; and (2) from points in Butler, Clark, Darke, Mercer, Miami, Montgomery, Shelby, and Warren Counties, Ohio, to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117119 (Sub-No. 376), filed May 16, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed, and feed ingredients and supplements thereto* (except in bulk and in tank vehicles), from points in Lafourche Parish, La., to points in Missouri, Kansas, Oklahoma, Nebraska, Iowa, Minnesota, Wisconsin, Illinois, North Dakota, South Dakota, Texas, Arkansas, Arizona, California, New Mexico, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 117119 (Sub-No. 378), filed May 18, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Beverages*, carbonated or noncarbonated with or without vitamin C added, from points in Muskogee County, Okla., to points in Alabama, Arizona, Arkansas, California, Florida, Georgia, Idaho, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, Oregon, Tennessee, Texas, Utah, and Washington, and (2) *containers* used in the packaging of the commodities described in (1) above, from points in the above-named destination territories, to points in Muskogee County, Okla. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117119 (Sub-No. 380), filed May 19, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potato products*, from processing plants, storage locations and warehouses at or within a 5-mile radius of Nampa, Boise, and Burley, Idaho, and Ontario, Oreg., to points in California and Tucson, Phoenix, and Safford, Ariz., restricted to products packed by or for the Ore-Ida Foods, division of the H. J. Heinz Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 117136 (Sub-No. 22), filed May 19, 1966. Applicant: BUSY BEE, INC., 6805 Southeast, Milwaukie, Post Office Box 02103, Portland, Oreg. Applicant's representative: L. Bartsch, 419 Northwest, 23d Avenue, Portland, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from points in San Joaquin County, Calif., to points in Oregon. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 117416 (Sub-No. 21), filed May 16, 1966. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW., Knoxville, Tenn., 37921. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream cones, confectionery, and candy, in mixed loads with bakery goods*, (1) from Cincinnati, Ohio, to Miami, Jacksonville, and Tampa, Fla., and (2) from Macon, Ga., to Knoxville and Nashville, Tenn., Lexington and Louisville, Ky., and Huntington, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117439 (Sub-No. 20), filed May 19, 1966. Applicant: BULK TRANSPORT, INC., U.S. Highway 190, Post Office Box 89, Port Allen, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, from points in Alabama, to points in Mississippi, Tennessee, Florida, Georgia, Louisiana, Arkansas, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 117565 (Sub-No. 7), filed May 17, 1966. Applicant: MOTOR SERVICE COMPANY, INC., 235 South Fifth Street, Coshocton, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from Wauseon, Ohio, to points in the United States, including Alaska but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117565 (Sub-No. 8), filed May 17, 1966. Applicant: MOTOR SERVICE COMPANY, INC., 235 South Fifth Street, Coshocton, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Campbell County, Tenn., to points in the United States, including Alaska, but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117565 (Sub-No. 9), filed May 17, 1966. Applicant: MOTOR SERVICE COMPANY, INC., 235 South Fifth Street, Coshocton, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, and campers, designed for installation on pickup trucks, in initial movements, in truckaway service, from points in Mahoning County, Ohio, to points in the United States, including Alaska but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117565 (Sub-No. 10), filed May 17, 1966. Applicant: MOTOR SERVICE COMPANY, INC., 235 South Fifth Street, Coshocton, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Knox County, Ohio, to points in the United States, including Alaska but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117565 (Sub-No. 11), filed May 17, 1966. Applicant: MOTOR SERVICE COMPANY, INC., 235 South Fifth Street, Coshocton, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in driveaway or truckaway service, and (2) *truck type campers*, in initial movements, in driveaway or truckaway service, from points in Du Page County, Ill., to points in the United States, including Alaska but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117565 (Sub-No. 12), filed May 18, 1966. Applicant: MOTOR SERVICE COMPANY, INC., 235 South Fifth Street, Coshocton, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Carteret County, N.C., to points in the United States, including Alaska, but excluding Hawaii, and *rejected or returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117565 (Sub-No. 13), filed May 18, 1966. Applicant: MOTOR SERVICE COMPANY, INC., 235 South Fifth Street, Coshocton, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movement, from points in Sauk and Kenosha Counties, Wis., to points in the United States, including Alaska but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117565 (Sub-No. 14), filed May 18, 1966. Applicant: MOTOR SERVICE COMPANY, INC., 235 South Fifth Street, Coshocton, Ohio, 43812. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Caddo Parish, La., to points in the United States, including Alaska, but excluding Hawaii, and *damaged or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117565 (Sub-No. 15), filed May 18, 1966. Applicant: MOTOR SERVICE COMPANY, INC., 235 South Fifth Street, Coshocton, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Forsyth County, N.C., to points in the United States, including Alaska but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117815 (Sub-No. 111), filed May 19, 1966. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, and equipment, materials and supplies used in the manufacture and distribution of paper and paper products*, between Neenah and Menasha, Wis., on the one hand, and, on the other, points in Illinois, Iowa, Minnesota, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 118159 (Sub-No. 25), filed May 19, 1966. Applicant: EVERETT LOWRANCE, Post Office Box 10216, New Orleans, La. Applicant's representative: Albert A. Andrin, 29 South La Salle, Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities of Geo. A. Hormel & Co., at or near Bureau, Ill., to points in Alabama, Arkansas, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118159 (Sub-No. 26), filed May 19, 1966. Applicant: EVERETT LOWRANCE, 4916 Jefferson Highway, New Orleans, La., 70121. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Juices, beverages, or drinks* (other than citrus) not requiring refrigeration, and *canned citrus products*, from points in Florida, to points in Arkansas, Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, South Dakota, Wisconsin, Texas, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 118196 (Sub-No. 77), filed May 19, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oleomargarine, shortening, lard, tallow, vegetable oils, salad dressings, and table sauces* (except commodities in bulk, in tank vehicles), in temperature controlled vehicles, from points in Fresno County, Calif., to points in Oregon, Washington, Idaho, Utah, Nevada, Colorado, Montana, and Wyoming. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119170 (Sub-No. 9), filed May 19, 1966. Applicant: REEFER TRANSIT LINE, INC., 4005 South Packard Street, Chicago, Ill. Applicant's representative: R. W. Wigton, 710 Badgerow Building, Sioux City 1, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of Spencer Packing Co. located at or near Schuyler, Nebr., to points in Illinois, Kansas, Maine, Minnesota, Missouri, New Jersey, New York, Ohio, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119489 (Sub-No. 11), filed May 19, 1966. Applicant: PAUL ABLER, doing business as CENTRAL TRANSPORT COMPANY, Norfolk, Nebr. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *All commercial chemicals and fertilizers normally transported in bulk tanks* (special equipment), from points in Woodbury County, Iowa, to points in Nebraska, North Dakota, Colorado, Minnesota, Montana, South Dakota, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 119522 (Sub-No. 10), filed May 18, 1966. Applicant: MC LAIN TRUCKING, INC., 1242 North Jeferson, Muncie, Ind., 47305. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in Lower Peninsula of Michigan, Ohio, Kentucky, and Indiana. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119632 (Sub-No. 24), filed May 19, 1966. Applicant: REED LINES, INC., Box 285, Woodburn, Ind. Applicant's representative: John P. McMahon, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fixtures used in retail food stores, including but not limited to commercial type refrigerators, cooling rooms*, knocked down, *steel shelving*, knocked down, *cooling or freezing machines and checkout stands*, from the plantsite of Hussmann Refrigeration Co., a division of Pet Milk Co., in Bridgeton, Mo., to points in Illinois, Wisconsin, Michigan, Indiana, Ohio, Kentucky, Pennsylvania, West Virginia, New York, New Jersey, Virginia, Maryland, Massachusetts, Connecticut, and Rhode Island, and the District of Columbia, and *Materials and supplies* used in the manufacture of the commodities specified in (1) above, on return. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119767 (Sub-No. 175), filed May 19, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and/or preserved foodstuffs*, from points in Wisconsin (except Beaver Dam, Fox Lake, Ripon, and Rosendale), to points in Ohio, on and west of U.S. Highway 23, Lexington, Ky., and Scott City, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 176), filed May 16, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except in bulk, in tank vehicles), from Dubuque, Iowa, to points in Minnesota, Missouri, Indiana, Michigan, Ohio, and Illinois (except those points on and south of U.S. Highway 6). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 177), filed May 18, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis., 53150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from Ellsworth, Mich., to points in Illinois, Indiana, Iowa, Kentucky, Minnesota, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119777 (Sub-No. 61), filed May 16, 1966. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box 31, Madisonville, Ky. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from points in Wayne and Cabell Counties, W. Va., to points in Alabama, Florida, Georgia, Kansas, Louisiana, Maine, Michigan (north of Michigan Highway 21), Minnesota, Mississippi, Nebraska, New Hampshire, South Carolina, Texas, Vermont, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 119815 (Sub-No. 7), filed May 19, 1966. Applicant: INTERSTATE HIGHWAY EXPRESS, INC., 1518 L Street, Bedford, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Reinforced precast concrete forms or shapes, with or without natural or artificial facing*, from Bedford, Ind., to points in Illinois, Kentucky, Michigan, Missouri, Ohio, West Virginia, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 119815 (Sub-No. 7), filed May 19, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and food preparations*, from points in Ohio to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 119864 (Sub-No. 29), filed May 19, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass ware, glass containers, caps, covers, and stoppers, paper or fiberboard cartons*, from Lawrenceburg, Ind., to Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119864 (Sub-No. 30), filed May 19, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers, caps, covers and stoppers, paper or fiberboard cartons*, from Mundelein, Ill., to points in Indiana, Iowa, the Lower Peninsula of Michigan, Ohio, Wisconsin, St. Louis, Mo., and Louisville, Ky. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119864 (Sub-No. 31), filed May 19, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (granular bicarbonate of soda), restricted against shipments in bulk or liquid, from Barberton and Painesville, Ohio, to the plantsite or warehouse of Standard Brands, Inc., Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119864 (Sub-No. 32), filed May 19, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, foodstuffs and food preparations* (except shipment in liquid or bulk), traffic originating from the plantsite or warehouse of Standard Brands, Inc., at Chicago, Ill., to Navarro, and Youngstown, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119864 (Sub-No. 33), filed May 19, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (chloride with tri-calcium phosphate; ammonia chloride with tri-calcium; sodium acid phosphate), restricted against shipments in bulk or liquid, from Detroit and Trenton, Mich., to the plantsite or warehouse of Standard Brands, Inc., Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119864 (Sub-No. 35), filed May 19, 1966. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and food preparations and dairy products*, from points in Wisconsin, to points in Indiana, Ohio, and the Lower Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 119934 (Sub-No. 116), filed May 19, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from the rail-motor interchange facilities of New York Central Railroad Co. exclusive of team tracks and public facilities, at or near Indianapolis, Ind., to points in Indiana,

Kentucky, Illinois, and Ohio on and west of U.S. Highway 21, restricted to shipments having a prior movement by rail. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119934 (Sub-No. 118), filed May 19, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from the rail-motor interchange facilities of the New York Central Railroad Co. exclusive of team tracks and public facilities, at or near Jeffersonville, Ind., to points in Indiana, Kentucky, Tennessee, Ohio on and south of U.S. Highway 40, and Illinois on and south of U.S. Highway 36, restricted to shipments having a prior movement by rail. NOTE: Applicant has pending in No. MC 128161 an application for contract carrier authority, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 120398 (Sub-No. 5), filed May 19, 1966. Applicant: VALLEY EXPRESS, INC., Post Office Box 158, Schofield, Wis., 54476. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious to other lading), between Wittenberg, Wis., and Monico, Wis., over U.S. Highway 45, serving the intermediate points of Pelican Lake, Elcho, Summit Lake, and Deerbrook, Wis., and the off-route points of Kempster and Neva, Wis. NOTE: Applicant states that it seeks to tack the proposed authority to its present authority under MC 120398, in which it is authorized to operate in the State of Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 123067 (Sub-No. 45), filed May 19, 1966. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's representative: Frank C. Philips, Post Office Box 612, Winston-Salem, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cotton softener*, in bulk, in tank vehicles, from Chester, S.C., to points in Georgia, Alabama, North Carolina, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123372 (Sub-No. 9), filed May 16, 1966. Applicant: CARTAGE SERVICES, INC., 26380 Van Born Road, Dearborn Heights, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Detroit, Mich., to points in Ohio and Indiana, and Covington, Ky., and *empty beverage containers and cases* on return, under a continuing contract with Associated Brewing Co., Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 123503 (Sub-No. 2), filed May 19, 1966. Applicant: KRAUS TRANSPORT, LIMITED, 100 Bronoco Avenue, Toronto, Ontario, Canada. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y., 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough and dressed lumber*, between ports of entry on the United States-Canada boundary line, located in Michigan and New York, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin and Kings, Queens, Nassau, and Suffolk Counties, N.Y., and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 123639 (Sub-No. 92), filed May 18, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and canned goods*, from Delta, Colo., to points in Arizona, California, Nevada, and New Mexico. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 124160 (Sub-No. 3), filed May 19, 1966. Applicant: CLYDE REAVELEY, doing business as REAVELEY TRUCKING CO., 1330 Beck Street, Salt Lake City, Utah. Applicant's representative: Lon Rodney Kump, 716 Newhouse Building, Salt Lake City, Utah, 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke breeze* (calcinate) in pneumatic trailers, from Kemmerer, Wyo., to Pocatello, Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 124359 (Sub-No. 5), filed May 19, 1966. Applicant: WIL-HELEN, INC., 1409 16th Avenue, Greeley, Colo., 80631. Applicant's representative: Paul F. Sullivan, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Siding and materials and supplies used in the installation of siding*, (1) from Chicago, Ill., South Bend, Ind., and Ixonia, Wis., to points in Adams, Arapahoe, Bent, Boulder, Crowley, Denver, Douglas, El Paso, Elbert, Fremont, Jefferson, Kit Carson, Larimer, Las Animas, Logan, Mesa, Morgan, Otero, Pueblo, Sedgwick, Washington, Weld, and Yuma Counties, Colo., Lamar, Colo., points in Albany, Fremont, Goshen, Laramie, Natrona, Park, and Sheridan Counties, Wyo., Cheyenne, Kimball, Perkins, and Scottsbluff Counties, Nebr., and Rapid City, S. Dak., and (2) from Denver, Colo., to Cheyenne and Casper, Wyo., and points in Cheyenne, Kimball, Perkins, and Scottsbluff Counties, Nebr., restricted to service performed under a continuing contract(s) with Rocky Mountain Supply Co. NOTE: Applicant states it presently serves two concerns that are under common control with this shipper under its existing permits and here proposes to serve the named shipper and the affiliated shippers in straight and mixed loads. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 124511 (Sub-No. 7), filed May 19, 1966. Applicant: JOHN F. OLIVER, Post Office Box 223, Mexico, Mo. Applicant's representative: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractory products* from points in Audrain, Callaway, and Montgomery Counties, Mo., to points in Illinois, Indiana, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jefferson City or St. Louis, Mo.

No. MC 124569 (Sub-No. 10), filed May 19, 1966. Applicant: JOHN HUSZAR, JR., doing business as HUSZAR'S VEGETABLE FARM, Route 1, Box 204, Holden, La. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Root beer*, a soft drink in ½-gallon glass bottles, packed in paper boxes, six ½-gallon bottles per box, weighing 41 pounds per box, from Ponchatoula, La., to points in Florida, Tennessee, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 124692 (Sub-No. 17), filed May 19, 1966. Applicant: MYRON SAMMONS, Post Office Box 933, Missoula, Mont., 59801. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Montana west of the Continental Divide to points in Iowa, Illinois, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Missoula, Mont.

No. MC 124708 (Sub-No. 3), filed May 19, 1966. Applicant: MEAT PACKERS EXPRESS, INC., 605 South 14th, Lincoln, Nebr. Applicant's representative: Donald E. Leonard, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), from the plantsites of Farmbest, Inc., at Denison, Iowa, and Iowa Falls, Iowa, to points in California, Arizona, Nevada, Oregon, and Washington. NOTE: Applicant states

that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124774 (Sub-No. 39), filed May 16, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Omaha, Nebr., to points in Iowa, on and west of U.S. Highway 71 (except Sioux City, Iowa). NOTE: Applicant states it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 40), filed May 18, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in North Dakota to Norfolk, Nebr. NOTE: Applicant states it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 41), filed May 18, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, raw and manufactured (except meat, meat products, and dairy products), from points in Platte County, Nebr., to points in Alabama, Arizona, Florida, Georgia, Michigan, Minnesota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 44), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Tama County, Iowa, to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 48), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Salina, Kans., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 52), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Dawson and Kearney Counties, Nebr., to Norfolk, Nebr., restricted to traffic originating at Dawson and Kearney Counties, Nebr. Applicant intends to tack any authority granted with existing authority to serve Illinois (except Chicago and points in the Chicago commercial zone), Iowa, Michigan, Minnesota, and Wisconsin to eliminate present interline service. NOTE: Applicant states it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 53), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Omaha, Nebr., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 55), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Darr, Nebr., to points in Idaho, Nevada, Oregon, Utah, and Washington. NOTE: Applicant proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124954 (Sub-No. 4), filed May 18, 1966. Applicant: LESTER WILLS, doing business as WILLS TRUCK LINE, Post Office Box 91, Sibley, Iowa. Applicant's representative: R. W. Wigton, 710 Badgerow Building, Sioux City 1, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ale, beer, porter, and stout*, in containers, from Minneapolis, Minn., to Sioux City, Iowa, and (2) *beverages*, flavored or phosphated, nonalcoholic, in containers, from Shakopee, Minn., to Sioux City, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 125364 (Sub-No. 2), filed May 19, 1966. Applicant: CAREL TRUCKING CORP., Post Office Box 147, South Omaha Station, Omaha, Nebr. Applicant's representative: Donald E. Leonard, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* (except liquid commodities in bulk, in tank vehicles) as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from New York, N.Y., to points in Iowa and Nebraska limited to a transportation service to be performed, under a continuing contract, or contracts, with Glenwood Packing Co. of Glenwood, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Sioux City, Iowa.

No. MC 125677 (Sub-No. 5), filed May 19, 1966. Applicant: GEORGE R. STORM, doing business as STORM TRUCKING COMPANY, 9231 South Bishop Street, Chicago, Ill. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, quick or hydrated, in bulk, in tank vehicles, and in bags or packages, from Buffington, Ind., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Minnesota, Nebraska, North Dakota, New York, Ohio, Oklahoma, Pennsylvania, South Dakota, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 125708 (Sub-No. 54), filed May 4, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juices and vinegar*, from Alton, Ill., to points in Iowa, Arkansas, Colorado, and Tennessee. NOTE: Applicant holds contract carrier authority under MC 116434 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126039 (Sub-No. 4), filed May 19, 1966. Applicant: MORGAN TRANSPORTATION SYSTEM, INC., U.S. Highways 6 and 15, New Paris, Ind. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Chicago, Ill., to points in Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126079 (Sub-No. 3), filed May 19, 1966. Applicant: STOUT CORPORATION, 2240 North Provo Canyon Road, Post Office Box 186, Provo, Utah. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah, 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fabricated sections of steel storage tanks and field equipment used in the erection thereof*, from Provo, Utah, to points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Washington, and Wyoming, and (2) *tools, equipment, and surplus materials and supplies used in the erection of steel storage tanks*, between points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 126327 (Sub-No. 2), filed May 16, 1966. Applicant: GERALD SMITH and JACK COLLIE, a partnership, doing business as C & S TRUCKING, 2501 South Alameda Street, Los Angeles, Calif., 90011. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif., 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, between points in Alameda, Contra Costa, Los Angeles, Marin, Napa, Orange, Riverside, San Mateo, Santa Clara, Solano, and Sonoma Counties, Calif., Bernardino, San Francisco, on the one hand, and, on the other, points in Coconino, Maricopa, Mohave, Pima, Pinal, Santa Cruz, Yavapai, and Yuma Counties, Ariz. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 126736 (Sub-No. 49), filed May 19, 1966. Applicant: PETROLEUM CARRIER CORPORATION OF FLORIDA, 369 Margaret Street, Jacksonville, Fla. Applicant's representative: Martin Sack, 710 Atlantic Bank Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Jacksonville, Fla., to points in Georgia and South Carolina. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 127215 (Sub-No. 22), filed May 16, 1966. Applicant: KENDRICK CARTAGE CO., a corporation, Post Office Box 63, Salem, Ill. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Indiana, Michigan, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, and Florida. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127253 (Sub-No. 31), filed May 18, 1966. Applicant: GRACE LEE CORBETT, doing business as CORBETT TRANSPORT, Post Office Box 86, Lufkin, Tex. Applicant's representative: Ewell H. Muse, Jr., Perry Brooks Building, Suite 415, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank trucks, from El Dorado, Kans., to points in Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 127539 (Sub-No. 2), filed May 18, 1966. Applicant: PARKER REFRIGERATED SERVICE, INC., 1225 Puyallup Avenue, Tacoma, Wash. Applicant's representative: George R. LaBissoniere, 920 Logan Building, Seattle, Wash., 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between points in Washington and Oregon on the one hand, and, on the other, points in California. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 127568 (Sub-No. 4), filed May 19, 1966. Applicant: MID SOUTH DELIVERY SERVICE CO., a corporation, 3215 Tulane Road, Memphis, Tenn. Applicant's representative: Dale Woodall, 150 East Court Avenue, Memphis, Tenn., 38101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Kansas, Oklahoma, Texas, Iowa, Missouri, Arkansas, Kentucky, Tennessee, Mississippi, Louisiana, and Alabama. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127693 (Sub-No. 2), filed May 19, 1966. Applicant: TRI-STATE TRUCK LINE, INC., 670 Airport, Liberal, Kans. Applicant's representative: Edward C. Hastings, 330 Petroleum Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except petroleum and petroleum products, in bulk, in tank vehicles, and household goods as defined by the Commission), between Liberal, Kans., and Liberal, Kans., in a circuitous manner, as follows: From Liberal, over U.S. Highway 83 to junction Kansas Highway 51, thence over Kansas Highway 51 to Hugoton, Kans., thence over U.S. Highway 56 to Elkhart, Kans., thence over Oklahoma Highway 95 to junction U.S. Highway 64, thence over U.S. Highway 64 to Guymon, Okla., thence over U.S. Highway 54 to Liberal, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Liberal, Kans.

No. MC 127705 (Sub-No. 2), filed May 19, 1966. Applicant: KREVDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Dunkirk, Ind., to points in Chautauqua County, N.Y., and *pallets, platforms, and skids, and damaged and returned glassware*, on return. NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit No. MC 123934 and Subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 127821 (Sub-No. 2), filed May 19, 1966. Applicant: TRIAD TRUCKWAYS LIMITED, 185 Bay Street, Toronto, Ontario, Canada. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y., 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from the international boundary line between the United States and Canada located on the St. Lawrence River, to Alexandria Bay, N.Y., and *returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 127834 (Sub-No. 3), filed May 19, 1966. Applicant: CHEROKEE HAULING & RIGGING, INC., 509 Second Avenue South, Nashville, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles, materials, supplies and equipment used in the operation of a steelmill*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 127840 (Sub-No. 6), filed May 16, 1966. Applicant: MONTGOMERY TANK LINES, INC, 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, oils, and blends thereof*, in bulk, in tank vehicles, from the plantsite of Missouri Beef Packers, Inc., located at or near Phelps City, Mo., to points in Alabama, Arkansas, Iowa, Indiana, Illinois, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 127840 (Sub-No. 9), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile softeners*, in bulk, and *rejected shipments*, on return, from Clinton, Iowa, to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 10), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill., Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from points in Colorado, Kansas, Missouri, New Mexico, and Oklahoma, to points in Cherokee and Crawford Counties, Kans. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 11), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile softener*, in bulk, from Clinton, Iowa, to points in the United States (excluding Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 12), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from points in Iowa, to points in Illinois, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 13), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank and hopper type vehicles, from Utica, Ill., to points in Iowa and Minnesota. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 14), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North LaSalle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from Pomeroy, Kans., to points in Colorado, Kansas, Missouri, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 16), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and feed ingredients*, in bulk, in tank- or hopper-type vehicles, from Chicago and Chicago Heights, Ill., to points in Illinois, Indiana, Iowa, Minnesota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 17), filed May 18, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, oils, and blends thereof*, in bulk, in tank vehicles, from Belleville, Kans., and points within 15 miles thereof, to points in Arkansas, Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, and Wyoming. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 20), filed May 19, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie Street, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wines*, in bulk, from Yonkers, N.Y., and points within 10 miles thereof, to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Louisiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127840 (Sub-No. 21), filed May 19, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie Street, Chicago, Ill. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrup, sweetners, and blends* thereof, in bulk, in tank vehicles, from Edinburg, Ind., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127931 (Sub-No. 1) (Amendment), filed March 7, 1966, published FEDERAL REGISTER issue of March 31, 1966, amended June 3, 1966, and republished as amended this issue. Applicant: EDWARD T. COX, 1306 West Bermijo, Colorado Springs, Colo. Applicant's representative: Peter J. Crouse, 730 Equitable Building, Denver, Colo., 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motion picture advertising materials and motion picture film*, all under contract with motion picture exhibitors, between points in the city and county of Denver, El Paso and Pueblo Counties, Colo. NOTE: The purpose of this republication is to redescribe the commodity description. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 127952 (Sub-No. 2), filed May 17, 1966. Applicant: BLACKBURN TRUCK LINES, INC., 8735 Juniper Street, Los Angeles, Calif., 90002. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif., 90027. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal cans, can ends, used pallets, and fiberboard and paper liners, separators, and wrap arounds*, between points in Alameda, Los Angeles, Orange, San Bernardino, San Francisco, Santa Clara, and Stanislaus Counties, Calif., on the one hand, and, on the other, points in Maricopa, Pima, and Yuma Counties, Ariz., and, (2) *fiberboard cans*, set up, between points in Los Angeles County, Calif., on the one hand, and, on the other, Phoenix, Ariz. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 128007 (Sub-No. 3), filed May 19, 1966. Applicant: HOFER, INC., Post Office Box 583, Pittsburg, Kans. Applicant's representative: John E. Janders, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay pipe, clay pipe allied products*, from Lehigh, Iowa, to points in Missouri, Arkansas, Illinois, Kansas, Nebraska, Iowa, Indiana, Minnesota, North Dakota, South Dakota, Wisconsin, New Mexico, Texas, Oklahoma, Wyoming, Louisiana, Mississippi, Alabama, Georgia, North Carolina, South Carolina, Tennessee, Florida, Colorado, Kentucky, and Michigan, and (2) *materials and supplies* used in the manufacture and distribution of clay pipe, clay pipe allied products, from the destination States named in (1) above, to Lehigh, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128140 (Sub-No. 1), filed May 19, 1966. Applicant: ARLO MILLER, doing business as M & N TRUCK LINE, 431 Adams Street, Afton, Wyo. Applicant's representative: Bartley G. McDonough, 755 Windsor Street, Salt Lake City, Utah, 84102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline and fuel oil*, in bulk, in tank vehicles, from Woods Cross and Salt Lake City, Utah, to points in

Lincoln County, Wyo., and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 128205 (Sub-No. 1), filed May 19, 1966. Applicant: BULKMATIC TRANSPORT COMPANY, a corporation, 4141 North George Street, Schiller Park, Ill. Applicant's representative: Irving Stillerman, 120 West Madison Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slag*, in bulk, in tank or hopper type vehicles, from Gary, Ind., to points in Illinois, Iowa, Ohio, Michigan, Wisconsin, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128207 (Sub-No. 1), filed May 19, 1966. Applicant: JOHN W. HOOGLAND and JOANNE C. HOOGLAND, a partnership, doing business as CITY EXPRESS, Post Office Box 305, Seward, Alaska. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value) between points within a 10-mile radius of Seward, Alaska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Anchorage, Alaska.

No. MC 128213, filed May 17, 1966. Applicant: T. LINDSAY, INC., 74 Illinois Avenue, Paterson, N.J. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bicycles, trunks, and duffle bags*, between Milford, Pa., on the one hand, and, on the other, points in New Jersey. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 128223, filed May 18, 1966. Applicant: CLEBERG TRUCKING CO., INC. Oracle Star Route 12A, Tucson, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings*, complete, knocked down, or in sections and in connection therewith *component parts thereof and equipment and materials* incidental to the erection and completion of such buildings, from Tucson, Ariz., to points in California and New Mexico, and *materials and supplies* used in the manufacture of prefabricated buildings on return. NOTE: Applicant holds contract carrier authority in MC 125987 Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 128226, filed May 13, 1966. Applicant: PAUL J. BURNSIDE, doing business as MERCHANTS DELIVERY SYSTEMS, 549 West Central Park Avenue, Anaheim, Calif. Applicant's representative: Donald Murchison, Suite 211, Allen Paris Building, 211 South Beverly Drive, Beverly Hills, Calif., 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, class A explosives, commodities in bulk, in tank, or dump-type vehicles, and those requiring special equipment or special handling) any or all of which have had or will have a prior or subsequent movement by a freight forwarder, or certificated air carrier, between points in Los Angeles and Orange Counties, Calif. NOTE: If hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 128229, filed May 13, 1966. Applicant: DOROTHY M. SOUTH, 2100 Hillendale Road, Hagerstown, Md. Applicant's representative: William B. Dulany, 123 East Main Street, Westminster, Md., 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) between Baltimore and Cumberland, Md., on the one hand, and, on the other, points in Adams, Franklin, Fulton, Bedford, and York Counties, Pa., Jefferson and Berkley Counties, W. Va., and Frederick County, Va., (2) between Newark, N.J., and New York City, N.Y., on the one hand, and, on the other, points in Baltimore, Howard, Carroll, Frederick, Washington, Allegheny, and Garrett Counties, and Baltimore City, Md., Adams, Franklin, Fulton, Bedford, and York Counties, Pa., Jefferson and Berkley Counties, W. Va., and Frederick County, Va., and (3) between Pittsburgh, Latrobe, and Philadelphia, Pa., on the one hand, and, on the other, points in Maryland, Jefferson, and Berkley Counties, W. Va., and Frederick County, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128231, filed May 18, 1966. Applicant: JAY SMITH PRODUCE, INC., Post Office Box 233, Springdale, Ark. Applicant's representative: Nancy Pyeatt, Woodward Building, Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen poultry, frozen poultry with dressing, and frozen precooked poultry products*, from the plantsites and storage facilities of Tyson's Foods, Inc., in Springdale, Rogers, and Lincoln, Ark., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming, limited to transportation service to be performed under continuing contract with Tyson's Foods, Inc., of Springdale, Ark. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 128233, filed May 18, 1966. Applicant: OLIE M. ERICKSEN, Rural Delivery No. 1, Beaver Falls, Pa. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap metals*, from points in Connecticut, Illinois, Maryland, Massachusetts, New Jersey, New York, Ohio, Rhode Island, and Wisconsin, to points in the township of Pymatuning, Mercer County, Pa., and (2) *processed scrap metals, including ingot, soot, and turnings*, from points in the township of Pymatuning, Mercer County, Pa., to Baltimore, Md., Philadelphia, Pa., and points in Illinois, Massachusetts, New Jersey, New York, Ohio, and Wisconsin. NOTE: Applicant states the proposed operation will be restricted to a service to be performed under a continuing contract or contracts with Stainless & Alloy Corp. of America and Mercer Alloys Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128236 (Sub-No. 1), filed May 19, 1966. Applicant: L & M TRUCKING COMPANY, INC., Box 271, Remington, Ind. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel castings, stampings, and metal forms*, unfinished, from the plants or warehouses of Remington Forge, Inc., at Remington, Ind., and points within 5 miles thereof, to points in Indiana, Illinois, Wisconsin, Iowa, Ohio, and Michigan (and to ports of the international boundary for export in foreign commerce). NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 128242, filed May 17, 1966. Applicant: DAVID BILLETT, INC., Post Office Box 208, Mount Vernon, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel sheet, strip, bar, pipe, coil, rod, and plate*, between Mamaroneck and Mount Vernon, N.Y., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Union, and Passaic Counties, N.J., and Fairfield and New Haven Counties, Conn., and New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128248 (Sub-No. 1), filed May 19, 1966. Applicant: ROUNTREE TRANSPORT, INC., 3580 Southwest 46th Avenue, Fort Lauderdale, Fla. Applicant's representative: John T. Bond, 1955 Northwest 17th Avenue, Miami, Fla. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, materials, and supplies used in the installation, maintenance, and repair of such equipment*, between Fort Lauderdale, Fla., on the one hand, and, on the other, points in Broward, Dade, and Palm Beach Counties, Fla., for the account of Western Electric Co., Inc. NOTE: Applicant holds common carrier authority in MC 120153, Sub 3 as a second proviso carrier. NOTE: If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 128252 (Sub-No. 1), filed May 19, 1966. Applicant: DAVID MARCUS, doing business as MARCUS TRUCKING, 1625 Emmons Avenue, Brooklyn, N.Y. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric lamps, fixtures and parts* used in the manufacture of lamps and fixtures, (1) from piers and wharves in the New York, N.Y., commercial zone, to premises of Mobilite, Inc., at Great Neck, N.Y., and (2) from premises of Mobilite, Inc., at Great Neck, N.Y., to freight forwarders and consolidators in the New York, N.Y., commercial zone and points in New Jersey and Fairfield County, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128253, filed May 19, 1966. Applicant: DEAN'S MOVING AND DELIVERY, INC., 120 West Mulberry Street, Springfield, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel cylinder hydraulic parts*, from Cascade Corp., Springfield, Ohio, to Hyster Co., Danville, Ill. NOTE: Applicant holds common carrier authority under MC 120624, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128256, filed May 19, 1966. Applicant: O. W. BLOSSER, doing business as BLOSSER TRUCKING, 215 North Main Street, Middlebury, Ind., 46540. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from Neopit, Wis., Big Fork, Minn., Newbury, Mich., and the international boundary line between the United States and Canada at Detroit, Mich., and Sault Ste. Marie, Mich., to points in Indiana, and (2) *lumber and wooden trusses, pallets, boxes, crates, and mattress frames*, from points in Elkhart County, Ind., to points in Michigan and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 128257, filed May 18, 1966. Applicant: WALTER C. BATES, Falls Village, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough and finished lumber*, from Falls Village, Norfolk, Kent, and Danbury, Conn., to points in Rhode Island, Massachusetts, Maine, New Hampshire, Vermont, and points in New York on and east of Interstate Highway 81. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 128259, filed May 18, 1966. Applicant: FLOYD E. STOCK, Rural Route Delivery, Waterflow, N. Mex. Applicant's representative: Jack Morgan, 205 First National Bank Building, Post Office Box 1612, Farmington, N. Mex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, from points in San Juan County, N. Mex., to Phoenix, Ariz., Vinton, Tex., and Denver and Pueblo, Colo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 128265, filed May 19, 1966. Applicant: HENRY O. SMITH, 911 West Morton Street, Dennison, Tex. Applicant's representative: Paul F. Beery, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Vaults*, from Columbus, Ohio, to points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming; and *rejected, returned, and damaged shipments*, on return. NOTE: Applicant states that service is to be performed under a contract with the Clark Grave Vault Co., Columbus, Ohio. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128266, filed May 19, 1966. Applicant: CARL G. WILLIAMS, doing business as ILIAMNA TRANSPORTATION CO., Iliamna, Alaska. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Alaska located on and within a line beginning at Kamishak Bay on the Cook Inlet and extending to the southeast end of Kulik Lake, thence along the southern shore of Kulik Lake and Battle Lake and extending along the Alagnak River to Kvichak Bay, thence along the shore of Kvichak Bay to the mouth of the Nushagak River, thence along the Nushagak River to its confluence with the Mulchatna River, thence along the Mulchatna River to Turquoise Lake, thence along the north shore of Turquoise Lake, thence along a line extending due east from the eastern end of Turquoise Lake, to Trading Bay on the Cook Inlet. NOTE: If a hearing is deemed necessary, applicant requests it be held at Anchorage, Alaska.

No. MC 128267, (Sub-No. 1), filed May 19, 1966. Applicant: FLIGHT-LINE AIR FREIGHT, INC., 166–68 West Building, Washington National Airport, Washington, D.C. Applicant's representative: Harry C. Ames, Jr., Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Washington National Airport and Gravelly Point, Va., on the one hand, and, on the other, Harrisonburg, Staunton, Lexington, Buena Vista, Lynchburg, Charlottesville, and Waynesboro, Va., restricted to traffic having a prior or subsequent movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128267 (Sub-No. 1), filed May 19, 1966. Applicant: FLIGHT-LINE AIR FREIGHT, INC., 166–68 West Building, Washington National Airport, Washington, D.C. Applicant's representative: Harry C. Ames, Jr., Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities, in bulk, and those requiring special equipment) (1) between Baltimore, Md., and Washington National Airport, Gravelly Point, Va., (2) between Baltimore, Md., and Dulles International Airport, Chantilly, Va., (3) between Washington, D.C., and Friendship International Airport, Anne Arundel County, Md., restricted to traffic having a prior or subsequent movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128268, filed May 19, 1966. Applicant: CONTAINER OPERATIONS, INC., Building 195 F, Export Street, Port Newark, N.J. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Essex, Union, Hudson, Somerset, Middlesex, Morris, Bergen, Passaic, and Sussex Counties, N.J., and Richmond, Brooklyn, Queens, Kings, Manhattan, Bronx, Nassau, Rockland, Westchester, and Orange Counties, N.Y.; restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128272, filed May 19, 1966. Applicant: RIVERSIDE MOTOR LINES, INC., Post Office Box 8295, Station A, Greenville, S.C. Applicant's representative: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick and tile*, from Augusta, Ga., to points in South Carolina. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 128273, filed May 19, 1966. Applicant: MIDWESTERN EXPRESS, INC., Fort Scott, Kans. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forest products and lumber products*, between Denison, Tex., on the one hand, and, on the other, points in Kansas, Oklahoma, Nebraska, Iowa, Missouri, South Dakota, North Dakota, Colorado, Illinois, Minnesota, Arkansas, and Louisiana. NOTE: Applicant states that it will transport exempt commodities, when shipped in mixed shipments of forest products and/or lumber products. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

MOTOR CARRIERS OF PASSENGERS

No. MC 228 (Sub-No. 53), filed May 18, 1966. Applicant: HUDSON TRANSIT LINES, INC., doing business as SHORT LINE, 17 Franklin Turnpike, Mahwah, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers in the same vehicle with passengers*, (1) between Rutherford, N.J., and Milford, Pa., from junction New Jersey Highways 17 and 3 in Rutherford, over New Jersey Highway 3 and access roads to junction U.S. Highway 46 in Clifton, N.J., thence over U.S. Highway 46 and access roads to junction Interstate Highway 80 in Parsippany-Troy Hills, N.J., thence over Interstate Highway 80 and access roads to junction New Jersey Highway 15, thence over New Jersey Highway 15 to junction U.S. Highway 206, thence over U.S. Highway 206 to junction U.S. Highway 209 and thence over U.S. Highway 209 to Milford, and return over the same route, serving all intermediate points. Applicant states it is presently authorized to serve the above routes but subject to the following restriction: Between Rutherford, N.J., and Milford, Pa., serving no intermediate points, (2) between Denville, N.J., and Augusta, N.J., from junction Interstate Highway 80 and access roadways leading to and from U.S. Highway 46, thence over access roadways to their junction with U.S. Highway 46, thence over U.S. Highway 46 to junction U.S. Highway 206, thence over U.S. Highway 206 to junction New Jersey Highway 15, and return over the same route, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 228 (Sub-No. 54), filed May 18, 1966. Applicant: HUDSON TRANSIT LINES, INC., 17 Franklin Turnpike, Mahwah, N.J. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between Millbrook, N.Y., and New York, N.Y., serving all intermediate points: From Millbrook, N.Y., over U.S. Highway 44 to junction New York Highway 82, thence over New York Highway 82 to junction U.S. Highway 9, thence over U.S. Highway 9 to junction access roadways leading to and from Interstate 84, thence over access roadways to their junction with Interstate 84, thence over Interstate 84 to junction County Highway 10, thence over County Highway 10 to junction access roadways leading to and from Thomas E. Dewey Thruway, thence over access roadways to junction Thomas E. Dewey Thruway, thence over Thomas E. Dewey Thruway to junction access roadways leading to and from Garden State Parkway near Spring Valley, N.Y., thence over access roadways to junction Garden State Parkway, thence over Garden State Parkway to junction access roadways leading to and from Interstate 80, thence over access roadways to their junction with Interstate 80, thence over Interstate 80 to junction Interstate 95, thence over Interstate 95 to New York, N.Y., and return over the same route. Also: From junction New York Highway 376 and New York Highway 82 at Hopewell Junction, N.Y., thence over New York Highway 376 to junction New York Highway 52, thence over New York Highway 52 to junction New York Highway 82 near Fishkill, N.Y., and return over the same route. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 14071 (Sub-No. 2), filed May 13, 1966. Applicant: LEBANON BUS CO., a corporation, 539 East Cumberland Street, Lebanon, Pa., 17042. Applicant's representative: James W. Hagar, Commerce Building, Post Office Box 432, Harrisburg, Pa., 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, from points in Lebanon County, Pa., within 15 miles of Elstonville, Pa., to points in the United States, except Hawaii, and return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 3647 (Sub-No. 386), filed May 16, 1966. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. Applicant's representative: Richard Fryling, Public Service Coordinated Transport (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, and newspapers*, in the same vehicle with passengers, between Darby, Pa., and Williamstown, Monroe Township, N.J., from Darby over U.S. Highway 13 Bypass McDade Boulevard) (also over U.S. Highway 13); to Chester, Pa., thence through Chester and across the Chester-Bridgeport Delaware River Ferry to Bridgeport, Logan Township, N.J., thence over U.S. Highway 322 to junction New Jersey Highway 42, Williamstown, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 3647 (Sub-No. 387), filed May 18, 1966. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. Applicant's representative: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between Little Falls Township, N.J., and New York, N.Y.; from junction East Main Street and Browertown Road, Little Falls Township, N.J., over Browerton Road and access roads to U.S. Highway 46, thence over U.S. Highway 46 to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction Interstate Highway 495, thence over Interstate Highway 495 and through the Lincoln Tunnel, to New York, N.Y., serving all intermediate points except those within the limits of the town of Secaucus, N.J. NOTE: Applicant states that it intends to tack the above route to its existing interstate routes. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 61016 (Sub-No. 30), filed May 18, 1966. Applicant: PETER PAN BUS LINES, INC., 144 Bridge Street, Springfield, Mass. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, between Sturbridge, Mass., and Charlton, Mass., as follows: From Sturbridge, over Massachusetts Highway 131 to Southbridge, Mass., thence over Massachusetts Highway 169 to Charlton, and return over the same route, serving all intermediate points. NOTE: Applicant states that it intends to tack the proposed authority to that presently held, in which it is authorized to operate in the States of Connecticut, Florida, Louisiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.

No. MC 113430 (Sub-No. 14), filed May 19, 1966. Applicant: PROVIDENCE ARROW LINE, INC., 625 Eighth Avenue, New York, N.Y. Applicant's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between junction Interstate Highway 95 and Cross Westchester Expressway at Interchange No. 13, and New York, N.Y., over Interstate Highway 95, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 113430 (Sub-No. 15), filed May 19, 1966. Applicant: PROVIDENCE ARROW LINE, INC., 625 Eighth Avenue, New York, N.Y. Applicant's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between Peekskill and Sodom, N.Y.; from Peekskill over U.S. Highway 6 to junction U.S. Highway 202 and New York Highway 22 at or near Sodom, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Hartford, Conn.

No. MC 124651 (Sub-No. 3), filed May 17, 1966. Applicant: GEORGE LANICH, PAUL LANICH, and MARY LANICH, a partnership, doing business as LANICH BUS LINES, Box 57, Kent, Indiana County, Pa. Applicant's representative: Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter service and special operations, beginning and ending at points in Loyalhanna Township and the Borough of Avonmore, Westmoreland County, the Borough of Elderton, Armstrong County, and points in Indiana County, Pa., and extending to points in the United States, including Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 128206 (Sub-No. 1), filed May 17, 1966. Applicant: FRANK FLORIO, doing business as FRANK'S SCHOOL TRANSPORTATION, 408 East 88th Street, New York, N.Y. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers (children and supervisory personnel)*, in seasonal operations, between July 1 and August 31, between the Borough of Manhattan, N.Y., on the one hand, and, on the other, Champions Day Camp, Inc., at Northern Valley Swim Club, 302 Orangeburg Road, Old Tappan, Bergen County, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128209, filed May 16, 1966. Applicant: VOIGT BUS SERVICE, INC., Route No. 3, St. Cloud, Minn. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round-trip charter operations beginning and ending at points in Crow Wing, Mille Lacs, Morrison, Todd, Douglas, Stearns, Benton, Sherburne, Anoka, and Wright Counties, Minn., and extending to points in the United States, including Alaska, but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128261, filed May 19, 1966. Applicant: GREATER PORTLAND TRANSPORTATION COMPANY, a corporation, 117 St. John Street, Portland, Maine. Applicant's representative: Neal Holland, 225 Franklin Street, Boston, Mass., 02110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers in special operations in round-trip, sightseeing, or pleasure tours designed for leisurely travel as distinguished from expeditious point-to-point transportation, beginning and ending at points in Cumberland, York, Oxford, Androscoggin, Sagadahoc, Kennebec, and Lincoln Counties, Maine, and extending to points in New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Maine, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 1768 (Sub-No. 1), filed May 19, 1966. Applicant: INLAND FREIGHTWAYS, INC., Foot of John Hay Avenue., Kearny, N.J. Applicant's representative: James J. Farrell, 201 Montague Place, South Orange, N.J., 07079. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from points in New York within 30 miles of New York, N.Y., to points in Hudson County, N.J. NOTE: Applicant states that the above operations are limited to shipments having a subsequent transportation by freight forwarder or freight consolidator.

No. MC 104675 (Sub-No. 25), filed May 16, 1966. Applicant: FRONTIER DELIVERY, INC., 620 Elk Street, Buffalo, N.Y., 14210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oil*, in bulk, in tank trailers, from Buffalo, N.Y., to Marietta, Pa., and *damaged, refused or rejected shipments*, on return.

No. MC 109612 (Sub-No. 12), filed May 19, 1966. Applicant: LEE MOTOR LINES, INC., Post Office Box 728, Muncie, Ind., 47305. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, 1 gallon or less in capacity, restricted to returned and rejected shipments which had a prior movement, from Winchester, Ind., from Racine, and Oconomowoc, Wis., to Gurnee, Ill. NOTE: Applicant is authorized to operate as a contract carrier in MC 115066, therefore, dual operations may be involved.

No. MC 111103 (Sub-No. 19), filed May 19, 1966. Applicant: PROTECTIVE MOTOR SERVICE CO., INC., 725–29 Broad Street, Philadelphia, Pa., 19147. Applicant's representative Morris Cheston, 1035 Land Title Building, Philadelphia, Pa., 19110. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, reports and records, checks and audit and accounting media*, between Lancaster, Pa., on the one hand, and, on the other, points in Howard County, Md., and Spotsylvania and Frederick Counties, Va.

No. MC 117765 (Sub-No. 44), filed May 19, 1966. Applicant: HAHN TRUCK LINE, INC., 5800 North Eastern, Oklahoma City, Okla., 73111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock equipment; namely, stock waterers, mineral feeders, and cattle oilers*, uncrated, and *insecticides and oil*, in containers, from Emmetsburg, Iowa, to points in Kansas, Missouri, Nebraska, Oklahoma, and Texas. NOTE: Applicant states it proposed to transport exempt commodities, on return.

No. MC 124328 (Sub-No. 24), filed May 19, 1966. Applicant: BRINK'S, INCORPORATED, 234 East 24th Street, Chicago, Ill., 60616. Applicant's representative: Francis D. Partlan (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Federal reserve notes* (new, unfit, and those in circulation), between Seattle, Wash.; Portland, Oreg.; San Francisco and Los Angeles, Calif.; Helena, Mont.; Salt Lake City, Utah; Denver, Colo.; El Paso, San Antonio, Houston, and Dallas, Tex.; Oklahoma City, Okla.; Omaha, Nebr.; Minneapolis, Minn.; Chicago, Ill.; St. Louis and Kansas City, Mo.; Little Rock, Ark.; New Orleans, La.; Memphis and Nashville, Tenn.; Louisville, Ky.; Birmingham, Ala.; Atlanta, Ga.; Jacksonville, Fla.; Charlotte, N.C.; Richmond, Va.; Baltimore, Md.; Cincinnati and Cleveland, Ohio; Pittsburgh and Philadelphia, Pa.; Detroit, Mich.; Buffalo and New York, N.Y.; Boston, Mass.; and Washington, D.C. NOTE: Common control may be involved.

No. MC 127890 (Sub-No. 2), filed May 19, 1966. Applicant: GOVER BROS. CONSTRUCTION CO., INC., 261 Millbury Avenue, Millbury, Mass. Applicant's representative: Arthur A. Wentzell, 539 Hartford Turnpike, Shrewsbury, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock salt*, in bulk, in dump vehicles, from Worcester, Mass., to points in Rhode Island, and points in Windham County, Conn.

APPLICATION OF BROKERAGE LICENSE

No. MC 12996, filed May 2, 1966. Applicant: WESTOURS, INC., Fifth at Seneca, IBM Building, Room 900, Seattle, Wash. For a license (BMC 5) to engage in operations as a *broker* at Seattle, Wash., in arranging for the transportation of passengers and their baggage, in the same vehicle with passengers, both as individuals and in groups, in round-trip and one-way charter and special operations, between points in the United States.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6561; Filed, June 15, 1966; 8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 13, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of

practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40536—*Clay to points in official and western trunkline territories.* Filed by O. W. South, Jr., agent (No. A4901), for interested rail carriers. Rates on clay, kaolin, or pyrophyllite, in carloads, from specified points in Mississippi, to points in Connecticut, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin.

Grounds for relief—Market competition.

Tariff—Supplement 219 to Southern Freight Association, agent, tariff ICC S-40.

FSA No. 40537—*TOFC rates—Tyler, Tex., to New York, N.Y.* Filed by Southwestern Freight Bureau, agent (No. B-8852), for interested rail carriers. Rates on machinery or machine parts, in trailerloads, from Tyler, Tex., to New York, N.Y.

Grounds for relief—Motor-water-truck competition.

Tariff—Supplement 22 to Southwestern Freight Bureau, agent, tariff ICC 4669.

FSA No. 40538—*Substituted service—Rocky Mountain.* Filed by Rocky Mountain Motor Tariff Bureau, Inc., agent (No. 15), for interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between Denver, Colo., Kansas City, Mo.-Kans., Appleton, Green Bay, and Wausau, Wis., on the one hand, and interchange points in California, Idaho, Montana, Nevada, Oregon, Utah, and Washington, on the other.

Grounds for relief—Motortruck competition.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6630; Filed, June 15, 1966; 8:48 a.m.]

[Notice 1365]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 13, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68731. By order of June 9, 1966, the Transfer Board approved the transfer to Vincent E. Dreesen, Hartington, Nebr., of the certificate in No. MC-43094, issued December 13, 1951, to Rudy A. Thoene, Hartington, Nebr., authorizing the transportation, over regular routes, of: livestock, agricultural commodities, feed, coal, lumber, and farm supplies, between specified points in South Dakota, Nebraska, and Iowa.

No. MC-FC-68804. By order of June 9, 1966, the Transfer Board approved the transfer to Lucien O. Plette, doing business as Lucien Plette's Transportation, Brooklyn, Conn., of the operating rights in permit No. MC-89182, issued August 21, 1964, to W. F. Pakulis, doing business as W. F. Pakulis Transportation, Brooklyn, Conn., authorizing the transportation of: Such merchandise as is dealt in by retail department stores, from Putnam, Conn., to points and places in Massachusetts and Rhode Island within 25 miles of Putnam; and returned (new or used), damaged, rejected, or repossessed shipments of the above-specified commodities, from points and places in the above-specified destination territory to Putnam. Reubin Kaminsky, 410 Asylum Street, Hartford, Conn., attorney for applicants.

No. MC-FC-68805. By order of June 10, 1966, the Transfer Board approved the transfer to Charles D. Becker, doing business as Pleasant Hill Transfer, Pleasant Hill, Mo., of the operating rights in certificate No. MC-59703, issued to Vernon W. Kester and Charles D. Becker, doing business as Pleasant Hill Transfer, Pleasant Hill, Mo., authorizing the transportation, of: General commodities, with the usual exceptions, and commodities of a general commodity nature, including household goods, between specified points in Kansas and Missouri. Thomas P. Rose, Jefferson Building, Jefferson City, Mo., attorney for applicants.

No. MC-FC-68809. By order of June 9, 1966, the Transfer Board approved the transfer to Elmer Rock, Inc., Clay, Pa., of certificates in Nos. MC-109875, MC-109875 (Sub-No. 1), MC-109875 (Sub-No. 3), MC-109875 (Sub-No. 4), MC-109875 (Sub-No. 5), MC-109875 (Sub-No. 6), MC-109875 (Sub-No. 8), and MC-109875 (Sub-No. 9), issued April 22, 1949, May 27, 1954, January 8, 1960, February 2, 1961, October 10, 1961, February 19, 1963, October 24, 1963, and December 30, 1964, respectively, to Elmer H. Rock, Clay, Pa., authorizing the transportation of: Frozen fruits, frozen poultry, tomato plants, empty containers used in transporting fresh vegetables, frozen fruits and vegetables, frozen vegetables, and frozen bakery products, from either specified points, specified points and places or points and places in Pennsylvania, Georgia, New Jersey, Maryland, Delaware, Indiana, and Michigan to, either specified points, specified points and places, or points and places, in Pennsylvania, Connecticut, Delaware, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. Norman E. Dettra, Jr., Berks Title Building, 607 Washington Street, Reading, Pa., representative for applicants.

No. MC-FC-68810. By order of June 10, 1966, the Transfer Board approved the transfer to Jack H. Gee, doing business as Glen Lake Truck Lines, Glen Arbor, Mich., of certificate in No. MC-99962 (Sub-No. 2), issued July 15, 1965, to Gary Groesser and Robert Groesser, a partnership, doing business as Glen Lake Truck Lines, Glen Arbor, Mich., authorizing the transportation, over irregular routes, of: General Commodities, with the usual exceptions, between Traverse City, Mich., on the one hand, and, on the other, Burdichsville, Cedar, Empire, Glen Arbor, Glen Haven, and Maple City, Mich.

No. MC-FC-68826. By order of June 10, 1966, the Transfer Board approved the transfer to Francis Lavern Earley, Strathroy, Ontario, Canada, of the operating rights of Northern Transfer Co., a corporation, Roscommon, Mich., in certificate No. MC-126781, issued April 12, 1966, authorizing the transportation, over irregular routes, of lumber, between the port of entry located on the United States- Canada boundary line at or near Port Huron, Mich., on the one hand, and, on the other, points in Michigan. Wilhelmina Boersma, 1600 First Federal Building, Detroit, Mich., 48226, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6631; Filed, June 15, 1966; 8:48 a.m.]

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice 245]

CERTAIN FOREIGN PASSPORTS

Validity

Yugoslavia is added to the list of countries which have entered into agreements with the Government of the United States whereby their passports are recognized as valid for the return of the bearer to the country of the foreign issuing authority for a period of at least 6 months beyond the expiration date specified in the passport.

This notice amends Public Notice 238 of November 17, 1964 (29 F.R. 16097).

PHILIP B. HEYMANN, *Acting Administrator, Bureau of Security and Consular Affairs.*

JUNE 2, 1966.

[F.R. Doc. 66-6623; Filed, June 15, 1966; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 9, 1966.

The Bureau of Reclamation, Department of the Interior, has filed an application, Serial Number Riverside 07752, for the withdrawal of the lands described below from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, subject to valid existing rights. The applicant desires the land for the construction of dike and flood control works, Coachella Rehabilitation and Betterment Project, All-American Canal System, California.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 Eighth Street, Box 723, Riverside, Calif., 92502.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's need, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

CALIFORNIA

SAN BERNARDINO MERIDIAN

Coachella Rehabilitation and Betterment Project

T. 6 S., R. 7 E.,
Sec. 32, NE¼.
T. 7 S., R. 7 E.,
Sec. 10, N½NE¼, SE¼NE¼, NE¼SE¼.

The areas described aggregate 320 acres, more or less.

WALTER HOLMES, *Acting Manager.*

[F.R. Doc. 66-6610; Filed, June 15, 1966; 8:46 a.m.]

[New Mexico 0559044]

NEW MEXICO

Correction and Termination of Notice of Proposed Withdrawal and Reservation of Lands

JUNE 8, 1966.

The Notice of Proposed Withdrawal and Reservation of lands of the Bureau of Land Management for protection of scientific studies involving vegetation, ecology, plant succession and other factors under study in connection with research projects undertaken by the New Mexico State University published in the FEDERAL REGISTER issue of February 15, 1966 (31 F.R. 2733), is hereby corrected in the following respect:

The land description N½SW¼ Sec. 8, T. 20 S., R. 1 W., is corrected to read N½NW¼ and the description T. 21 S. R. 3 E., is corrected to read T. 21 S., R. 2 E.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions or objections, in connection with the proposed withdrawal of the above described lands may present their views in writing to the Chief, Division of Lands and Minerals Program Management and Land Office, Bureau of Land Management, Post Office Box 1449, Santa Fe, N. Mex., 87501.

At 10 a.m. on July 8, 1966, Secs. 6, 7, and 18, T. 21 S., R. 3 E., NMPM shall be relieved of the segregative effect of the application New Mexico 0559044, pursuant to the regulations in 43 CFR Part 2311.

MICHAEL T. SOLAN, *Chief, Division of Lands and Minerals, Program Management and Land Office.*

[F.R. Doc. 66-6611; Filed, June 15, 1966; 8:46 a.m.]

[New Mexico 0500260]

NEW MEXICO

Notice of Proposed Classification of Lands

JUNE 10, 1966.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the lands described below for disposal through exchange under the provisions of section 10 of the Act of June 20, 1910 (36 Stat. 563), as amended by the Act of Congress approved June 15, 1926 (44 Stat. 746). The offered lands are State-owned lands lying within the Carson National Forest, and the acquisition of the lands will result in better overall administration of the forest. The selected lands are scattered parcels of land which are more suitable for grazing, and their elimination will facilitate the land adjustment program of the Bureau of Land Management. The proposed classification of these lands for State exchange will not preclude the issuance of rights-of-way pursuant to 43 CFR Subpart 2234. Information concerning the lands, including the record of public discussions, is available for inspection and study in the following Bureau of Land Management offices: Roswell District Office, 1902 South Main Street, Roswell, N. Mex.; Las Cruces District Office, 1705 North Seventh Street, Las Cruces, N. Mex.; and Albuquerque District Office, 1304 Fourth Street NW., Albuquerque, N. Mex. For a period of 60 days from the date of this publication interested parties may submit comments to the State Director, Post Office Box 1449, Santa Fe, N. Mex., 87501.

The lands affected by this proposal are located in Grant, Lincoln, Chavez, Otero, and Lea Counties, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 19 S., R. 10 W.,
Sec. 19, lots 3, 4, SE¼NE¼, E½SW¼ and SE¼;
Sec. 20, S½NE¼.
T. 19 S., R. 11 W.,
Sec. 23, S½;
Sec. 24, W½SW¼;
Sec. 26, W½NW¼.
T. 20 S., R. 11 W.,
Sec. 1, lot 4, SW¼NW¼ and W½SW¼;
Sec. 12, NE¼.
T. 16 S., R. 19 W.,
Sec. 14, SW¼ and NE¼SE¼;
Sec. 15, NW¼;
Sec. 21, E½E½, SE¼SW¼ and W½SE¼;
Sec. 22, N½NE¼ and W½;
Sec. 23, N½NW¼ and N½S½;
Sec. 24, N½SW¼;
Sec. 28, W½E½ and NW¼.
T. 7 S., R. 17 E.,
Sec. 26, N½N½NW¼NW¼SW¼, NE¼SW¼NW¼SW¼, S½SW¼NW¼SW¼, E½NW¼SW¼, SW¼SW¼, E½SW¼ and SE¼;
Sec. 35.
T. 20 S., R. 17 E.,
Sec. 22.
T. 21 S., R. 17 E.,
Sec. 31, lots 1, 2, 3, 5, 6, 7, 8, 9, E½ and E½W½.
T. 19 S., R. 18 E.,
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼ and SE¼.
T. 14 S., R. 24 E.,
Sec. 24, SW¼SE¼.
T. 15 S., R. 24 E.,
Sec. 3, W½SW¼;
Sec. 10, NW¼NW¼.
T. 14 S., R. 25 E.,
Sec. 15, N½SE¼.
T. 15 S., R. 25 E.,
Sec. 4, NW¼SW¼.
T. 15 S., R. 26 E.,
Sec. 1, lot 1;
Sec. 3, SE¼NE¼.
T. 26 S., R. 32 E.,
Sec. 25, SW¼SW¼.

The areas described aggregate 6501.63 acres.

RICHARD M. KERR, *Acting State Director.*

[F.R. Doc. 66-6612; Filed, June 15, 1966; 8:46 a.m.]

[Utah 0149649]

UTAH

Notice of Proposed Withdrawal and Reservation of Lands

U.S. Forest Service, Department of Agriculture, has filed application, Utah 0149649, for the withdrawal of the lands

described below from all forms of appropriation.

The applicant desires the land for a public rest stop and picnic area on the Ashley National Forest, adjacent to Utah State Highway 44.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 11505, Salt Lake City, Utah, 84111.

The Department's regulations (43 CFR 2311.1–3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Forest Service.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

T. 2 N., R. 20 E.,
Sec. 29, W½SW¼NE¼, E½SE¼NW¼.

The area described contains 40 acres.

R. D. NIELSON,
State Director.

[F.R. Doc. 66–6613; Filed, June 15, 1966; 8:46 a.m.]

Fish and Wildlife Service

[Docket No. A–389]

ALOIS KOPUN, SR.

Notice of Loan Application

Alois Kopun, Sr., Box 73, Kodiak, Alaska, 99615, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 42-foot vessel to engage in the fishery for halibut, Dungeness crab, and king crab.

Notice is hereby given pursuant to the provisions of Public Law 89–85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised August 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

HAROLD E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

JUNE 13, 1966.

[F.R. Doc. 66–6625; Filed, June 15, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

CRANBERRIES GROWN IN CERTAIN STATES

Findings and Determinations With Respect to Continuation of Marketing Agreement and Order

Pursuant to the applicable provisions of the Marketing Agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), notice was given in the FEDERAL REGISTER on May 5, 1966 (31 F.R. 6745), that a referendum would be conducted among the growers who, during the period August 1, 1965, through April 30, 1966 (which period was determined to be a representative period for the purpose of such referendum), had been engaged, in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, in the production of cranberries for market to determine whether such growers favor continuation of the Marketing Agreement, as amended, and Order No. 929, as amended.

Upon the basis of the results of the aforesaid referendum, which was conducted during the period May 23 through May 31, 1966, it is hereby found and determined that the termination of the marketing agreement and order, regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, is not favored by the requisite majority of such growers.

Dated: June 13, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66–6636; Filed, June 15, 1966; 8:48 a.m.]

Office of the Secretary

EXTRA LONG STAPLE COTTON

Determination of Surplus Supply

Section 3, P.L. 88–638 (7 U.S.C. 1852a) provides that "Notwithstanding any other provision of law, the Commodity Credit Corporation, in order to encourage exports of extra long staple cotton which is in surplus supply at competitive world prices, is directed to offer for sale, whenever extra long staple cotton is in surplus supply, any extra long staple cotton owned by it (except stocks released from the stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act, as amended) at prices not in excess of the prices at which cotton of comparable quality is being offered by other exporting countries, on condition that such cotton be exported or that an equal quantity of extra long staple cotton will be exported within the period specified by the Secretary of Agriculture. The Commodity Credit Corporation may accept bids in excess of the maximum prices specified herein but shall not reject bids at such maximum prices unless a higher bid is received for the same cotton. The Secretary of Agriculture shall make a determination of the amount, if any, of extra long staple cotton which is in surplus supply for the 1964–65 marketing year not later than 30 days after the effective date of this section and for each succeeding marketing year not later than 30 days prior to the beginning of each such marketing year. Extra long staple cotton shall be deemed to be in surplus supply whenever the Secretary of Agriculture determines that the total supply of such cotton (under the formula for determining the 'total supply' of cotton specified in section 301(b)(16)(C) of the Agricultural Adjustment Act of 1938, as amended, but not including cotton released from such stockpile) is in excess of estimated domestic consumption and estimated exports of such cotton excluding estimated exports made under the authority of this section, plus an allowance for carryover equal to 50 per centum of such estimated consumption and exports. Exports hereunder shall be excluded in making any determination with respect to national marketing quotas under the Agricultural Adjustment Act of 1938, as amended. Nothing herein shall preclude the Corporation from accepting bids which may be made at higher than world prices."

The latest available information and statistics for extra long staple cotton for the 1966–67 marketing year are as follows:

	Bales
A. Total supply of extra long staple cotton:	
1. Estimated carryover August 1, 1966 (excluding cotton released from the stockpile)	205,000
2. Estimated production	90,000
3. Estimated imports	85,600
4. Total supply	380,600
B. Disappearance plus allowance for carryover:	
1. Estimated domestic consumption	155,000
2. Estimated exports (excluding exports which cannot be taken into account in this determination)	0
3. Total estimated consumption and exports	155,000
4. Allowance for a carryover (155,000 times 50 percent)	77,500
5. Estimated domestic consumption and exports plus allowance for carryover	232,500
C. Surplus supply determination:	
1. Total supply	380,600
2. Estimated domestic consumption and exports plus allowance for carryover	232,500
3. Surplus supply for the 1966–67 marketing year (380,600 minus 232,500)	148,100

Pursuant to the provisions of P.L. 88–638, the surplus supply of extra long staple cotton for the 1966–67 marketing year is hereby determined to be 148,100 bales.

(Sec. 3, 78 Stat. 1038; 7 U.S.C. 1852a)

Signed at Washington, D.C., on June 10, 1966.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 66–6616; Filed, June 15, 1966; 8:46 a.m.]

MICHIGAN

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Michigan, a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MICHIGAN

Allegan.	Muskegon.
Berrien.	Newaygo.
Cass.	Osceola.
Mason.	Van Buren.

It has also been determined that in the hereinafter-named counties in the State of Michigan, the above-mentioned natural disaster has caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Michigan	Original designation	Present extension
Benzie	30 F.R. 11735	
Grand Traverse	30 F.R. 11735	
Kent	30 F.R. 5713	30 F.R. 11735
Leelanau	30 F.R. 11735	
Manistee	30 F.R. 11735	
Mecosta	30 F.R. 11735	
Oceana	30 F.R. 11735	
Ottawa	30 F.R. 5713	30 F.R. 11735

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 10th day of June 1966.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 66–6617; Filed, June 15, 1966; 8:47 a.m.]

OHIO

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Ohio a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

OHIO

Adams.	Huron.
Brown.	Licking.
Clark.	Madison.
Clermont.	Monroe.
Clinton.	Montgomery.
Erie.	Muskingum.
Fairfield.	Noble.
Franklin.	Portage.
Greene.	Richland.
Hamilton.	Scioto.
Highland.	Warren.

It has also been determined that in the hereinafter-named counties in the State of Ohio the above-mentioned natural disaster has caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Ohio	Original designation	Present extension
Athens	29 F.R. 13538	30 F.R. 11775
Belmont	30 F.R. 11775	
Champaign	30 F.R. 653	30 F.R. 13547
Delaware	30 F.R. 5911	30 F.R. 11775
Gallia	30 F.R. 653	30 F.R. 11775
Guernsey	30 F.R. 11775	
Hocking	29 F.R. 13538	30 F.R. 11775
Jackson	30 F.R. 653	30 F.R. 11775
Lawrence	30 F.R. 653	30 F.R. 11775
Meigs	30 F.R. 653	30 F.R. 11775
Morrow	30 F.R. 5911	30 F.R. 11775
Vinton	30 F.R. 653	30 F.R. 11775
Washington	30 F.R. 11775	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 10th day of June 1966.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 66–6618; Filed, June 15, 1966; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

STATE OF ALABAMA

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Alabama for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A resume, prepared by the State of Alabama and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. A copy of the program, including proposed Alabama regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C., 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; April 3, 1965, 30 F.R. 4352; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Washington, D.C., this 27th day of May 1966.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

PROPOSED AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF ALABAMA FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Alabama is authorized under Act Number 582, Regular Session, 1963, to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Alabama certified on April 25, 1966, that the State of Alabama (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on ------ that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

ART. II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ART. III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ART. V. The Commission will use its best efforts to cooperate with the State and other agreement states in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ART. VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on October 1, 1966, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at Montgomery, State of Alabama, in triplicate, this day of ------.

For the United States Atomic Energy Commission.

------ ------.

For the State of Alabama.

GEORGE C. WALLACE,
Governor.

POLICIES AND PROCEDURES FOR THE CONTROL OF RADIATION

FOREWORD

The 1963 Regular Session of the Legislature of the State of Alabama enacted a Radiation Control Law which authorizes the Governor of Alabama to enter into an agreement with the U.S. Atomic Energy Commission for the purpose of assuming from the Commission certain regulatory functions for the use of byproduct material, source material, and special nuclear material in quantities not sufficient to form a critical mass. Among other provisions, the Radiation Control Law authorizes the State:

(1) To institute and maintain a regulatory program for all sources of ionizing radiation so as to provide for (a) compatibility with the standards and regulatory programs of the Federal Government, (b) a single, effective system of regulation within the State, and (c) a system consonant insofar as possible with those of other states; and

(2) To institute and maintain a program to permit development and utilization of sources of ionizing radiation for peaceful purposes consistent with the health and safety of the public.

Act 582, Regular Session, 1963, establishes the State Board of Health as the state radiation control agency for regulating, licensing, and inspecting sources and uses of radioactive materials including radium and accelerator produced isotopes, and machines and devices producing ionizing radiation. A Radiation Advisory Board of Health consisting of nine members appointed by the Governor was established under the provisions of this Act to advise the State Board of Health in carrying out the provisions of the law.

In this narrative a chronology outlining the development of the present system of radiation protection and control in Alabama will be presented along with plans, practices, and policies which will be undertaken by the Agency.

History. The Alabama State Department of Public Health became initially involved in limited control and study of the uses of ionizing radiation in 1953 when the Bureau of Sanitation made a study of fluoroscopic shoe fitting machines in Alabama. The possession or use of these machines is now prohibited by regulations adopted by the State Board of Health.

In 1957, the State of Alabama, Water Improvement Commission, which is housed within the Alabama State Department of Public Health, became interested in the levels of radioactivity in the streams of the State. Accordingly, plans were made, equipment purchased, and stream sampling stations were established throughout the State. During the summer of 1958, samples were collected from these sampling stations and analyzed for gross alpha and beta activity. This activity has continued since that time. In 1964, this activity was taken over and expanded by the newly formed Division of Radiological Health—an organizational division of the Bureau of Sanitation.

In 1963, a physical survey was conducted of all known dental X-ray units in the State; and, when necessary, filtration and collimation were added to bring them into compliance with the recommendations of the American Academy of Oral Roentgenology. A total of 945 dental X-ray units were surveyed. Currently, all dental X-ray units which are registered with the Agency are in compliance with the recommendations for filtration and collimation of the American Academy of Oral Roentgenology.

The Jefferson County Board of Health organized a radiological health program in 1962 and initiated a physical survey of all medical X-ray units during the same year. Since this time, a program has been in progress to bring all of the medical X-ray units in Jefferson County into compliance with the recommendations contained in National Bureau of Standards Handbook 76. Presently, over 98 percent of the 340 units in Jefferson County are in compliance with these recommendations.

In 1964, all X-ray units in the State were registered. Units were located by letters to all members of the healing arts profession listed in the roster of the Medical Association of the State of Alabama and to selected industries as shown in the Directory of Industries published by the Alabama State Chamber of Commerce. Following registration, the Division of Radiological Health performed a physical survey of the medical X-ray units in Alabama, except those in Jefferson County which had been previously surveyed. A total of 828 radiographic and 439 fluoroscopic units were inspected. Letters were written to the owners of deficient units requesting that the deficiencies noted in the survey be corrected. On May 19, 1965, the State Board of Health adopted rules and regulations governing the use of X-rays in the healing arts.

A radium leak testing program was conducted jointly by personnel of the Alabama State Department of Public Health and the Jefferson County Board of Health in Jefferson County during 1964. This program revealed that 4 of the 10 radium facilities in Jefferson County had leaking or contaminated sources. The following year personnel of the Alabama State Department of Public Health extended this leak testing program to all counties in the State. Of the additional 30 facilities, a total of 13 were found to have leaking or contaminated sources of radium. All owners of leaking or contaminated sources of radium voluntarily disposed of the leaking radium or had it reencapsulated.

Shortly after its establishment in 1963, the Division of Radiological Health became interested in Project Dribble. This project was a joint undertaking of the U.S. Department of Defense and the U.S. Atomic Energy Commission in which a 5 kiloton nuclear device was detonated in a salt dome located near Hattiesburg, Miss. The Division was concerned with the possibility that the detonation might vent and thus spread radioactive fallout in Alabama. Although the U.S. Public Health Service was responsible for off-site monitoring during this project, the Division of Radiological Health established a sampling program to determine the quantity of radioactive materials present in the air, in milk from samples collected throughout the State, and in the streams of the State both prior to and following the detonation. No venting occurred following the detonation but valuable experience was gained by laboratory personnel.

Members of the staff of the Alabama State Department of Public Health have accompanied members of the AEC staff on their inspections of licensees within the State for many years. Within the last 3 years, Alabama personnel have accompanied AEC inspectors on 81 percent of the inspections within the State. During this period they have become familiar with the inspection of licensees of radioactive materials. Also during this period, staff members have accompanied AEC personnel on investigations of incidents involving radioactive materials in Alabama. Further experience was gained when on several occasions staff members were requested to locate lost radium needles.

Program description. The State Board of Health was designated by Act 582, Regular Session, 1963, as the State Radiation Control Agency in Alabama and has the authority for regulating, licensing, and inspecting sources and uses of radioactive materials and machines and devices producing ionizing radiation. The radiation control program will be carried out by the Division of Radiological Health—an organizational division of the Bureau of Sanitation. Through an understanding with the Agency, medical X-ray registration and inspection activities may be conducted at the county level; however, licensing and inspection of radioactive materials will be conducted exclusively by the Agency.

The Agency is responsible for responding to emergency situations and is adequately staffed with qualified personnel. Emergency supplies and equipment to carry out this responsibility are available. Communications within the Agency and with county health departments have been established. Arrangements will be made with the State Highway Patrol to provide prompt notification of any transportation accident involving radioactive materials.

Licensing and registration. The radiation control program of the State of Alabama will regulate all sources of ionizing radiation including radium, accelerator-produced nuclides in non-exempt quantities, and machine-produced radiation such as medical and dental X-ray units. All X-ray units have been registered with the Agency. Specific licenses will be issued to authorize the possession and use of radioactive materials, including radium and accelerator-produced nuclides, in quantities not exempted or generally licensed by the Agency. Criteria for the possession of byproduct, source, and special nuclear materials will be compatible with those established by the U.S. Atomic Energy Commission.

The licensing program will be essentially the same as that presently used by the U.S. Atomic Energy Commission. The Agency will utilize applicable criteria contained in Atomic Energy Commission publications as general guides in the evaluation of license applications. The director and assistant director of the Division of Radiological Health will evaluate all license applications. Other individuals will assist in this function as they acquire competence through experience and training. Prelicensing visits will be made when determined necessary. For routine applications, both medical and nonmedical, the State Health Officer will issue specific licenses on behalf of the State Board of Health.

A Medical Advisory Committee will advise the State Board of Health through the State Health Officer on nonroutine medical uses of radioactive materials. This Committee currently consists of four radiologists and an internist who are experienced in the medical use of radioisotopes.

Inspections. Staff personnel will conduct inspections of licensees and registrants to determine compliance with regulations promulgated by the Agency and to determine the adequacy of the radiation protection program. Inspections will be performed under the supervision of the assistant director of the Division of Radiological Health. A radiation physicist and two radiation specialists will perform inspections of radiation producing machines. Three radiation physicists assigned to the radioactive materials program will perform all materials inspections. Inspection personnel are qualified by training in the field of radiological health to perform these inspections. Materials inspections will be compatible with those now performed by the Division of Compliance of the U.S. Atomic Energy Commission.

Staff members will be kept current on developments in the field of radioactive materials by continued training in appropriate courses conducted by the USAEC and USPHS. The following frequency for the inspection of licensees in Alabama is proposed but may be either increased or decreased depending upon individual circumstances and the experience of the Agency.

Industrial radiographers—once each 6 months.

Operations involving waste disposal—once each 6 months.

Academic—once each 12 months.

Medical and hospital—once each 12 months.

Other categories—depending on the hazards associated with the program.

It is anticipated that all specific licensees will be inspected at least once each calendar year. The inspections may be announced or unannounced, except prelicensing evaluations will be scheduled.

Before the termination of each inspection, the inspector will confer with the licensee to discuss the results of his inspection, presenting oral recommendations or suggestions if indicated. The inspector will submit in writing comprehensive reports to the Director of the Division of Radiological Health relating facts and circumstances observed during the inspection. The report will enumerate violations, if any, and include recommendations. Recommendations made by field personnel will be subject to the critical review of senior staff members of the Division of Radiological Health. The licensee will be notified of the results of the inspection, including any indicated recommendations, by letter from the Agency as soon as practical.

Enforcement. If during the course of an inspection only minor items of noncompliance such as failure to label, improper signs, etc., are noted and the licensee agrees to correct the items of noncompliance at the time of the inspection, these items of noncompliance will be reviewed during the course of the next inspection.

If items of noncompliance of a more serious nature are found, the licensee will be required to correct such items within a specified period of time. The licensee will be required to inform the Agency in writing within thirty days, or less if specified, of the corrective action taken and the date the corrective action was completed. Follow-up inspections may be conducted by the Agency or the matter may be reviewed at the next regular inspection of the licensee to insure that adequate corrective action has been accomplished. In certain cases, items of noncompliance may be enforced by administrative procedures such as amending the license.

Under the provisions of Act Number 582 of the Alabama Law, Regular Session, 1963, the Agency has authority to initiate immediate legal action against a licensee who is in violation of the rules and regulations issued under the provisions of this Act. If in the opinion of the Agency a person is engaged in or is about to engage in any act or practice in violation of the provisions of this Act or rules and regulations issued thereunder, the State's Attorney General at the request of the Agency may make application for a court order enjoining such acts or practices or direct compliance with the rules and regulations promulgated under the provisions of this Act.

If the Agency should determine that an emergency exists, it has the authority to impound or order the impounding of any source of ionizing radiation in the possession of any person who is not equipped to observe or who fails to observe the provisions of the the Act or any rules or regulations issued thereunder.

It is proposed that full legal measures will be employed only in those instances where there is continued noncompliance after notice, willful negligence on the part of the licensee, or where a serious potential hazard exists. Provisions of the Act provide for appropriate punishment of any violations of the Act or rules and regulations promulgated under the provisions of the Act.

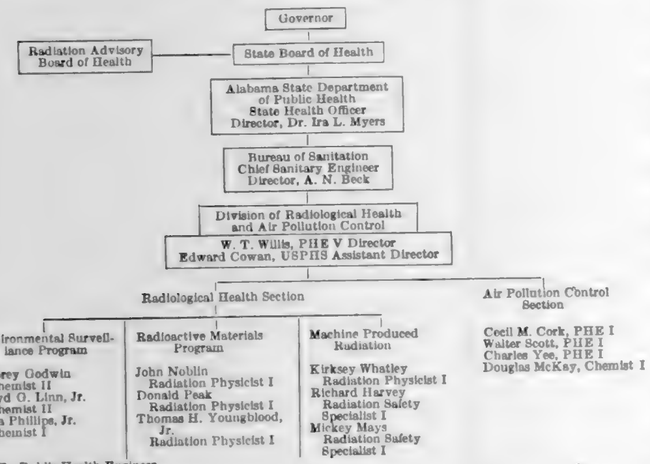
Act Number 582 duly authorizes representatives of the Agency to enter at all reasonable times upon any private or public property for the purpose of determining whether or not there is compliance with or violations of the provisions of this Act or rules and regulations issued thereunder.

Hearings. Act Number 582 provides for a hearing on the record upon the request by

any person whose interest may be affected by the issuance or modification of rules and regulations relating to the control of sources of ionizing radiation or for granting or suspending, revoking or amending a license or for determining compliance with rules and regulations of the Agency. Whenever the Agency finds that an emergency exists requiring immediate action to protect the public health and safety, the Agency may without notice or hearing issue a regulation or order reciting the existence of such emergency and requiring that such action be taken as is necessary to meet the emergency. Such regulation or order shall become effective immediately. However, anyone aggrieved by such order shall on application to the Agency be afforded a hearing within thirty days. On the basis of such hearing, the emergency regulation or order shall be continued, modified, or revoked within thirty days after such hearing.

Any final order entered in any proceeding shall be subject to judicial review by the Circuit Court of Montgomery County in the manner prescribed for taking appeals from orders of the Alabama Public Service Commission as provided in Code 1960, Title 48, section 79 and following.

ORGANIZATIONAL CHART



PHE—Public Health Engineer.

ALABAMA RADIATION CONTROL PERSONNEL

The Division of Radiological Health is an existing organizational unit of the Bureau of Sanitation, Alabama State Department of Public Health. Technical personnel engaged in the existing programs of the Division are listed below; also, listed below are personnel of the air pollution program who will be used in radiological health in emergency and unusual situations where additional personnel are needed.

Bureau of Sanitation—Chief, Arthur N. Beck, B.S., M.S.

Division of Radiological Health—Director, W. T. Willis, B.S., M.S.; Assistant Director, J. Edward Cowan, B.S., M.P.H.; Radiation Physicist I: John Noblin, B.S., Donald W. Peak, A.B., Kirksey E. Whatley, B.S., Thomas H. Youngblood, Jr., B.S.; Chemist II: Aubrey V. Godwin, B.S., Lloyd G. Linn, Jr., B.S.; Chemist I, Alva Phillips, B.S.; Radiation Safety Specialist: Richard E. Harvey, R. X-Ray Technician, Mickey T. Mays, R. X-Ray Technician.

Air Pollution Program—Director, W. T. Willis, B.S., M.S.; Public Health Engineer I: Charles Yee, B.S., Cecil M. Cork, B.S., Walter E. Scott, B.S.; Chemist I, Douglas McKay, BS.

Education and Experience of staff members:

WILLIAM THOMAS WILLIS

EDUCATION AND TRAINING

B.S. Civil Engineering, Alabama Polytechnic Institute, 1948.
S.M. Sanitary Engineering, Harvard University, 1952.

U.S. Public Health Service Courses:
One week—Detection and Control of Radioactive Pollutants in Water.
Two weeks—Sanitary Engineering Aspects of Nuclear Energy Course.
Two weeks—Basic Radiological Health Course.
One week—Medical X-Ray Protection Course.
Two weeks—Occupational Radiation Protection.
One week—Engineering Management of Radiation Accidents.
One week—Civil Defense Training Course for Food and Drug Officials.
Two weeks—Reactor Safety and Hazards Evaluation.
One week—Community Air Pollution.
One week—Measurement of Airborne Radioactivity.
One week—Elements of Air Quality Management.
One week—Control of Particulate Emissions.
One week—Control of Gaseous Emissions.
One week—Meteorological Aspects of Air Pollution.
Atomic Energy Commission Courses:
Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.

EXPERIENCE

Seventeen years total experience in Sanitary Engineering, Alabama State Department of Public Health. Fifteen years in stream pollution control. Two years as Director of Division of Radiological Health, responsibilities for directing and administrating a comprehensive program in radiation control involving the medical and industrial x-ray field, radioactive materials regulatory program, environmental surveillance and the environmental health laboratory.

JAMES EDWARD COWAN

EDUCATION AND TECHNICAL TRAINING

B.A., Science, Western Carolina College, 1949.
M.S. P.H., Sanitary Science, University of North Carolina, 1950.
M.P.H., Radiation Health, University of Pittsburgh, 1961.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Reactor Safety and Hazards Evaluation.
Two weeks—Radionuclide Protection.
One week—Medical X-Ray Protection.
One week—Management of Nuclear Emergencies.
Two weeks—Medical Aspects of Radiological Health.
One week—Radium Hazards and Control.
Atomic Energy Commission Courses:
Two weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.
One week—Dose and Dosimetric Determinations, ANL, Chicago.
Other Training:
Three weeks—Presbyterian Hospital, X-Ray Department, Pittsburgh.
Five weeks—Westinghouse Testing Reactor, Health Physics Department, Pittsburgh.
One week—Radiological Monitors Instructor Course—FCDA, Austin, Texas.

EXPERIENCE

Regular Corps, U.S. Public Health Service; 12 years generalized public health experience in local, State, and Federal agencies; 2 years, Radiation Control Program, Division of Occupational Health and Radiation Control, Texas State Department of Health; 2 years, Division of Radiological Health, Alabama State Department of Health, experienced in licensing, inspection, and other aspects of radiological health.

CECIL MERRITT CORK

EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, Auburn University, 1964.
U.S. Public Health Service Courses:
One week—Community Air Pollution.
One week—Elements of Air Quality Management.
One week—Control of Particulate Emissions.
One week—Source Sampling for Atmospheric Survey.
One week—Combustion Evaluation—Sources and Control Devices.
One week—Design of Air Pollutant Sampling Trains.
Two weeks—Atmospheric Survey.
One week—Control of Gaseous Emissions.

EXPERIENCE

One year, Public Health Engineer I, Division of Radiological Health, Alabama State Department of Public Health. Has accompanied Radiation Physicists on radium surveys.

AUBREY V. GODWIN

EDUCATION AND TECHNICAL TRAINING

A.A., Chemistry, Southwest Mississippi Junior College, 1958.
B.A., Chemistry, University of Mississippi, 1961.
Educational Leave, Mr. Godwin is presently on educational leave attending the University of Michigan where he will receive an MPH degree in 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.

Two weeks—Occupational Radiation Protection.
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.
Two weeks—Radiochemical Analysis and Instrumentation, On-the-job training, Southeastern Radiological Health Laboratory, Montgomery.
Other Training:
Two weeks—C.B.R. Refresher Course, Fort McClellan.
One week—Civil Defense for Food and Drug Officials, Montgomery.

EXPERIENCE

Two and one-half years experience as Chemist, Water Quality Surveillance, Alabama State Department of Public Health; Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included broad experience in chemical preparation of samples, and operation of counting equipment, including a 400-channel gamma spectrometer. For seven months, served as Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory. Concurrently, 3 years in C.R.B., Army National Guard.

RICHARD E. HARVEY

EDUCATION AND TECHNICAL TRAINING

Registered X-ray Technician. Two years X-ray technician course. Norwood Clinic, Birmingham, Alabama.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Radium Hazards and Control.
Two weeks—Medical X-Ray Protection.
One week—Radiological Health for X-Ray Technologist.

EXPERIENCE

Six months experience with medical X-ray program, Division of Radiological Health.

LLOYD G. LINN, JR.

EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Birmingham Southern College, 1963.
U.S. Public Health Service Courses:
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.
Two weeks—Basic Radiological Health.
One week—Measurement of Airborne Radioactivity.
Two weeks—Analysis of Radionuclides in Water.
Two weeks—Radiochemical Analysis and Instrumentation, On-the-job training, Southeastern Radiological Health Laboratory, Montgomery.
Two weeks—Chemical Analyses for Water Quality.
One week—Pesticide Residue Analysis of Foods.
Other Training:
Infrared Spectroscopy, ACS Short Course School, 150th Annual ACS National Convention, Atlantic City.
RCA Course in Nuclear Instrumentation.
One week—Gas Chromatography.

EXPERIENCE

One year, 4 months experience as chemist, water quality surveillance, Alabama State Department of Public Health. Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included all phases of sample preparation and radioanalysis. Serving as Acting Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory while Mr. Godwin is on educational leave.

MICKEY T. MAYS

EDUCATION AND TECHNICAL TRAINING

Registered X-Ray Technician. Air Force Medical Service School, Gunter Air Force Base, Montgomery, Alabama.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Medical X-ray Protection.

EXPERIENCE

Four years as X-ray technician, Maxwell Air Force Base, Montgomery, Alabama.

DOUGLAS L. MCKAY

EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Florence State College, 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Analysis of Atmospheric Organics.

EXPERIENCE

Three months, chemist, Jefferson County Health Department, Birmingham, Alabama. Three months, chemist, Alabama State Department of Public Health, Montgomery, Alabama.

JOHN W. NOBLIN

EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1962.
U.S. Public Health Service Courses:
One week—Radium Hazards and Control.
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.
One week—Measurement of Airborne Radioactivity.
One week—Radionuclide Analysis by Gamma Spectroscopy.
U.S. Atomic Energy Commission Courses:
Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.
Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.
Other Training:
One week—Radiological Defense Officer Course.

EXPERIENCE

Two years experience as Radiation Physicist, Division of Radiological Health. Experienced in survey and inspection techniques of radioactive materials. Planned and conducted statewide onsite survey of all radium facilities in Alabama.

DONALD W. PEAK

EDUCATION AND TECHNICAL TRAINING

A.B. in Physics and Mathematics, Huntingdon College.
One and one-half years graduate study, Nuclear Science, Auburn University.
Educational Leave, Mr. Peak is presently on educational leave attending North Carolina State College where he will receive an M.S. degree in Radiation Protection and Safety in 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Radium Hazards and Control.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.

EXPERIENCE

Ten months experience with Division of Radiological Health, Alabama State Department of Public Health. Experience includes work in the Alabama state-wide radium survey.

ALVA PHILLIPS, JR.

EDUCATION AND TECHNICAL TRAINING

B.S., Engineering Technology, Troy State College, 1965.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.

EXPERIENCE

Three months, Chemist, Division of Radiological Health.

WALTER E. SCOTT

EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, University of Alabama, 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Elements of Air Quality Management.
One week—Source Sampling for Atmospheric Pollutants.
One week—Design of Pollutant Sampling Trains.

EXPERIENCE

Three months, Engineer, Air Pollution Control Program.

KIRKSEY E. WHATLEY

EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1965.
U.S. Public Health Service Course:
Two weeks—Basic Radiological Health.

EXPERIENCE

Two months, Division of Radiological Health.

CHARLES K. YEE

EDUCATION AND TECHNICAL TRAINING

B.S., Chemical Engineering, Auburn University, 1963.
U.S. Public Health Service Courses:
One week—Meteorological Aspects of Air Pollution.
One week—Elements of Air Quality Management.
One week—Combustion Evaluation—Sources and Control Devices.
One week—Analysis of Atmospheric Inorganic.
Two weeks—Analysis of Atmospheric Organic.

EXPERIENCE

Nine months Public Health Engineer I, Environmental Health Laboratory, Alabama State Departent of Public Health.

THOMAS H. YOUNGBLOOD, JR.

EDUCATION AND TECHNICAL TRAINING

B.S. in Science, Troy State College, 1965.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.
One week—Radium Hazards and Control.
U.S. Atomic Energy Commission:
Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.

EXPERIENCE

Nine months, Division of Radiological Health, Alabama State Department of Public Health. Worked with state-wide radium survey program.

[F.R. Doc. 66-6021; Filed, June 1, 1966; 8:46 a.m.]

FARM CREDIT ADMINISTRATION

CERTAIN DEPUTY GOVERNORS

Notice of Basic Compensation

As provided in section 5(d) of the Farm Credit Act of 1953, as amended (sec. 302(a), 75 Stat. 793; 12 U.S.C. 636d(d)), the Federal Farm Credit Board has fixed the per annum salary of the Deputy Governors of the Farm Credit Administration who are also Service Directors; viz, Deputy Governor and Director of Cooperative Bank Service, Deputy Governor and Director of Short-Term Credit Service, and Deputy Governor and Director of Land Bank Service, effective July 3, 1966, at the maximum scheduled rate of the General Schedule of the Classification Act of 1949, as now or hereafter amended.

The rates fixed and this publication of such action are in conformity with section 309 of the Government Employees Salary Reform Act of 1964 (Public Law 88-426, 78 Stat. 433).

R. B. TOOTELL,
Governor,
Farm Credit Administration.

[F.R. Doc. 66-6632; Filed, June 15, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 743]

DIAZ WANDEMBERGH

Reinstatement of Surety Bond

Notice is hereby given that John E. Diaz, doing business as Diaz Wandembergh, 5435 Northwest 36th Street, Miami Springs, Fla., 33166, has complied with the Commission's order to show cause dated June 2, 1966, and published in the FEDERAL REGISTER (31 F.R. 8095), by reinstating his surety bond on file with the Commission.

Dated: June 10, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6626; Filed, June 15, 1966; 8:47 a.m.]

LIVERPOOL LINERS, LTD., ET AL.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Thomas K. Roche, Haight, Gardner, Poor & Havens, 80 Broad Street, New York, N.Y., 10004.

Agreement 9555, between Liverpool Liners Limited, Swedish Chicago Line (Joint Service operating under approved Agreement 8036), and Fjell-Oranje Lines (Joint Service operating under an approved Agreement 7763), proposes the establishment in the trade between U.S. Great Lakes, St. Lawrence River and Seaway ports and ports of Liverpool, Manchester, the Bristol Channel, Eire, Northern Ireland, Glasgow, and other ports on the West Coast of the United Kingdom, of a joint service to operate under the trade name of "Fjell/Oranje/Swedish Chicago Lines-Great Lakes U.K. West Coast Joint Service" under the terms and conditions set forth therein. Agreement 9555, if approved, will cancel and supersede Agreement 8077, as amended.

Dated: June 13, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6627; Filed, June 15, 1966; 8:47 a.m.]

MARINE TERMINALS CORP. (OF LOS ANGELES) ET AL.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

William R. Daly, Port of San Diego, 3165 Pacific Highway, San Diego, Calif.

Agreement No. T-1962 between Marine Terminals Corp. (of Los Angeles), San Diego Terminal & Warehouse Co., Crescent Wharf & Warehouse Co. provides for the creation of an association to be known as the San Diego Terminal Operators. The stated purpose of the agreement is to promote fair and honorable business practices among terminal operators in the Port of San Diego; to more adequately serve the interest of the shipping public; to encourage just and reasonable, and as far as practicable, uniform rates, rules and regulations; and to provide for the publication of a tariff or tariffs.

Dated: June 13, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6628; Filed, June 15, 1966; 8:47 a.m.]

[Docket No. 66-38]

NORWAY/NORTH ATLANTIC CONFERENCE

Order To Show Cause

Agreement 5300, originally approved June 25, 1936, between the member lines of the Norway/North Atlantic Conference, covers the trade from Norway to U.S. North Atlantic ports.

Section 15 of the Shipping Act, 1916, reads in pertinent part, as follows: "The Commission shall disapprove any such agreement, after notice and hearing, on a finding of inadequate policing of the obligations under it * * *." General Order 7 (46 CFR 528) was adopted to implement section 15, as amended by Public Law 87-346, 75 Stat. 763-4, effective October 3, 1961. In this connection the order provides that:

§ 528.1 *Scope and purpose.* * * * The Commission shall disapprove an agreement thereunder if, after notice and hearing, it finds inadequate policing of the obligations of the agreement. This amendment makes it necessary that provision for self-policing be included in certain section 15 agreements and that the Commission be informed of the manner in which such provision is being carried out. The requirements set forth below are to aid the Commission in determining the existence and adequacy of self-policing systems, in accordance with the statutory objective.

§ 528.2 *General requirements; section 15 agreements.* Conference agreements and other rate-fixing agreements between common carriers by water in the foreign and domestic off-shore commerce of the United States, whether or not previously approved, shall contain a provision describing the method or system used by the parties in policing the obligations under the agreement, including the procedure for handling complaints and the functions and authority of every person having responsibility for administering the system. In the case of agreements previously approved under section 15 which do not meet these requirements, the parties shall file for approval an amendment which complies with the requirements * * *.

§ 528.3 *Reporting requirements.* Twice each year, once during the month of January and once during the month of July, there shall be filed with the Commission by the conferences and carriers subject to these rules, or by any person to whom they have delegated the self-policing authority, a report showing the nature of each complaint received during the preceding 6-month period; the action taken on the complaint or on the volition of any person responsible for policing; and with respect to violations found, the nature thereof and the penalty or other sanction imposed. The names of the parties involved in complaints or in action taken on the volition of the person responsible for policing may be omitted from these reports.

The basic agreement, as approved by the Federal Maritime Board on June 25, 1936, does not contain a self-policing provision which conforms to the requirements outlined in § 528.2 above.

On November 24, 1964, a form letter (Attachment 1),[1] was addressed to all conferences and rate-fixing agreements, including the subject Conference, which had not filed self-policing reports due in July 1964, covering the period from January through June 1964, pursuant to the requirements of § 528.3 of General Order 7. No report was filed in response to our letter.

By letter dated April 28, 1965 (Attachment 2),[1] the Conference was requested to modify Agreement 5300 to conform to the requirements of General Order 7. No response has been received to this letter and no action has been taken in this matter by the Conference.

Section 15 of the Shipping Act, 1916, further provides, in pertinent part, that:

No such agreement shall be approved, nor shall continued approval be permitted * * * in respect to any conference agreement, which fails to provide reasonable and equal terms and conditions for admission and readmission to conference membership of other qualified carriers in the trade, or fails to provide that any member may withdraw from membership upon reasonable notice without penalty for such withdrawal.

General Order 9 was adopted to implement section 2 of Public Law 87-346, effective October 3, 1961. The order provides that:

§ 523.1 *Statement of policy.* (a) * * * No conference agreement shall be approved, nor shall continued approval be permitted for any agreement, which fails to provide reasonable and equal terms and conditions for admission and readmission to conference membership of other qualified carriers in the trade, or fails to provide that any member may withdraw from membership upon reasonable notice without penalty for such withdrawal.

(b) It is the responsibility of the Federal Maritime Commission under the Shipping Act, 1916, to determine that all conference agreements contain reasonable and equal terms and conditions for admission and readmission to conference membership of qualified carriers according to the requirements set forth in paragraph (a) of this section.

§ 523.2 *Provisions of conference agreements.* In effectuation of the policy set forth in § 523.1, conference agreements, whether in effect on October 3, 1961, or initiated after that date, shall contain provisions substantially as follows:

[1] Filed as part of the original document.

(a) Any common carrier by water which has been regularly engaged as a common carrier in the trade covered by this agreement, or who furnishes evidence of ability and intention in good faith to institute and maintain such a common carrier service between ports within the scope of this agreement, and who evidences an ability and intention in good faith to abide by all the terms and conditions of this agreement, may hereafter become a party to this agreement by affixing its signature thereto.

NOTE: The above provision will not preclude the conference from imposing legitimate conditions on membership, including but not necessarily limited to, the payment of an admission fee, payment of any outstanding financial obligations arising from prior membership, or the posting of a security bond on deposit. All such conditions must be made expressed terms of the conference agreement, filed with and approved by the Commission pursuant to section 15 of the Shipping Act, 1916.

(b) Every application for membership shall be acted upon promptly.

(c) No carrier which has complied with the conditions set forth in paragraph (a) of this section shall be denied admission or readmission to membership.

(d) Prompt notice of admission to membership shall be furnished to the Federal Maritime Commission and no admission shall be effective prior to the postmark date of such notice.

(e) Advice of any denial of admission to membership, together with a statement of the reasons therefor, shall be furnished promptly to the Federal Maritime Commission.

(f) Any party may withdraw from the conference without penalty by giving at least 30 days' written notice of intention to withdraw to the conference: *Provided, however,* That action taken by the conference to compel the payment of outstanding financial obligations by the resigning member shall not be construed as a penalty for withdrawal.

(g) Notice of withdrawal of any party shall be furnished promptly to the Federal Maritime Commission.

(h) No party may be expelled against its will from this conference except for failure to maintain a common carrier service between the ports within the scope of this agreement (said failure to be determined according to the minimum sailing requirements set forth in this agreement) or for failure to abide by all the terms and conditions of this agreement.

(i) No expulsion shall become effective until a detailed statement setting forth the reason or reasons therefor has been furnished the expelled member and a copy of such notification submitted to the Federal Maritime Commission.

By letter dated November 5, 1964 (Attachment 3)[1] the conference was advised of the requirement of General Order 9 that all existing conference agreements be modified to comply therewith and filed with the Commission by July 20, 1964. No response to the letter has been received.

Although the Conference was again reminded by letter of April 28, 1965 (Attachment 2), of their failure to comply with General Order 9, the letter was ignored.

Agreement 5300 between the members of the Norway/North Atlantic Conference does not comport with that provision of section 15 of the Shipping Act, 1916, which was the subject of the Commission's General Order 9, in the following respects:

(1) The agreement does not contain a condition for the admission of a common carrier who furnishes evidence of ability and intention in good faith to abide by all terms and conditions of this agreement (§ 523.2(a)).

(2) "Just and reasonable cause" for denial of admission to membership does not meet the requirements of General Order 9 (§ 523.2(c)).

(3) The agreement fails to provide that "prompt" notice of admission to membership shall be furnished the Commission (§ 523.2(d)).

(4) The agreement does not provide that notice of withdrawal of any party shall be furnished "promptly" to the Commission (§ 523.2(g)).

(5) There are no provisions in the agreement for expulsion of parties thereto (§ 523.2 (h) and (i)).

Section 15 of the Shipping Act, 1916, further provides, in pertinent part, that:

The Commission shall disapprove any such agreement, after notice and hearing, on a finding * * * of failure or refusal to adopt and maintain reasonable procedures for promptly and fairly hearing and considering shippers' requests and complaints.

General Order 14 was adopted to implement section 2 of Public Law 87-346, effective October 3, 1961. The general order, as promulgated, provided, as follows:

§ 527.3 *Filing of procedures.* Within 60 days from the effective date of this part, each ratemaking group operating under an approved section 15 agreement shall file with the Commission a statement outlining in complete detail its procedures for the disposition of shippers' requests and complaints. In January of each year thereafter, each of the above shall file a report covering all changes made in these procedures during the past year, and, in the event the procedures have continued unchanged, the report shall so state.[2]

§ 527.4 *Reports.* By January 31, April 30, July 31, and October 31 of each year, each conference and each other body with rate-fixing authority under an approved agreement shall file with the Commission a report covering all shippers' requests and complaints received during the preceding calendar quarter or pending at the beginning of such calendar quarter. The first such report shall be filed by October 31, 1965. All such reports shall include the following information for each request or complaint:

(a) Date request or complaint was received.

(b) Identity of the person or firm submitting the request or complaint.

(c) Nature of request or complaint; i.e., rate reduction, rate establishment, classification, overcharge, undercharge, measurement, etc.

(d) If final action was taken, date and nature thereof.

(e) If final action was not taken, an identification of the request or complaint as "pending."

(f) If denied, the reason.

§ 527.5 *Resident representative.* Conferences and other ratemaking groups domiciled outside the United States shall designate a resident representative in the United States with whom shippers situated in the

[2] The concluding sentence of this section was deleted effective May 21, 1966.

United States may lodge their requests and complaints. The resident representative shall maintain for a period of 2 years a complete record of requests and complaints filed with him by shippers and consignees situated in the United States and its territories. Conferences and other ratemaking groups subject to this section may satisfy the reporting requirements of § 527.4 by reporting those requests and complaints filed with the resident agent appointed pursuant to the provisions of this section. Appointment of the resident representative shall be made by September 9, 1965.

§ 527.6 *Tariff provision.* Tariffs issued by or on behalf of conferences and other ratemaking groups shall contain full instructions as to where and by what method shippers may file their requests and complaints, together with a sample of the rate request form, if one is used, or, in lieu thereof, a statement as to what supporting information is considered necessary for processing the request or complaint through conference channels. Appropriate tariff provision shall be accomplished within 90 days from the effective date of this part.[2]

On June 9, 1965, all conferences and ratemaking agreements were mailed a copy of General Order 14 which became effective July 9, 1965. This Conference has made no effort to comply with General Order 14. The Conference was further advised by letter of January 11, 1966 (Attachment 4),[1] of those requirements of General Order 14 with which the Conference should comply, but no response has been received to this letter.

The issues raised herein do not involve any disputed issues of fact which necessitate an evidentiary hearing and require a prompt determination by the Commission.

Now, therefore, pursuant to sections 15 and 22 of the Shipping Act, 1916,

It is ordered, That the Norway/North Atlantic Conference and the member lines thereof show cause why Agreement 5300, as amended, should not be disapproved by the Commission pursuant to section 15 of the Shipping Act, 1916, because of the Conference's failure to comply with the requirements of section 15 of the Shipping Act, 1916, and the Conference's failure to comply with the Commission's General Order 7, issued July 30, 1963, the Commission's General Order 9, issued April 21, 1964, and the Commission's General Order 14, issued June 8, 1965. This proceeding shall be limited to the submission of affidavits and memoranda and oral argument. The affidavits of fact and memoranda of law shall be filed by respondents no later than close of business July 14, 1966, replies thereto shall be filed by Hearing Counsel and interveners, if any, no later than close of business July 28, 1966. An original and 15 copies of affidavits of fact, memoranda of law, and replies to be filed with the Secretary, Federal Maritime Commission, Washington, D.C., 20573. Copies of any paper filed with the Secretary should also be served upon all parties hereto. Oral argument will be heard at a date and time to be announced in Room 114, 1321 H Street NW., Washington, D.C.

It is further ordered, That the Norway/North Atlantic Conference and its member lines as indicated in Attachment 5, are hereby made respondents in this proceeding.

It is further ordered, That this order be published in the FEDERAL REGISTER and a copy of such order be served upon each respondent.

Persons other than respondents and Hearing Counsel who desire to become a party to this proceeding shall file a petition for leave to intervene in accordance with Rule 5(1) (46 CFR 502.72) of the Commission's rules of practice and procedure, no later than close of business June 30, 1966, with copy to Respondent Conference.

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

ATTACHMENT 5

Norway/North Atlantic Conference, Wilh. Wilhelmsen, Roald Amundsens Gate 5, Oslo, Norway.
Den Norske Amerikalinje A/S (Norwegian America Line), 24 State Street, New York, N.Y., 10004.
Moore-McCormack Lines, Inc., 2 Broadway, New York, N.Y., 10004.
Wilhelmsen Line—Joint Service, c/o Barber Steamship Lines, Inc., 17 Battery Place, New York, N.Y., 10004.

[F.R. Doc. 66-6629; Filed, June 15, 1966; 8:48 a.m.]

[1] Filed as part of the original document.

[2] Effective May 21, 1966, the following sentence was added to this section: "All changes made in such instructions shall be published in said tariffs, supplements thereto, or reissues thereof, in accordance with the tariff filing requirements of section 18(b) of the Shipping Act, 1916."

FEDERAL POWER COMMISSION

[Project No. 2576]

CONNECTICUT LIGHT & POWER CO.

Notice of Application for License for Constructed Project

JUNE 8, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by the Connecticut Light & Power Co. (correspondence to: Vincent J. Hayes, Vice President, the Connecticut Light & Power Co., Post Office Box 2010, Hartford, Conn., 06101) for license for constructed Project No. 2576, known as the Shepang project, located on the Housatonic and Shepang Rivers, in the region of New Milford, Southberry, Newton, Roxbury Falls, Brookfield, and Bridgewater, in the counties of Fairfield, New Haven, and Litchfield, Conn.

The existing Shepang project consists of: (1) A concrete gravity dam 147 feet high and 1,412 feet long of three sections comprising an ogee spillway 293 feet long topped by five taintor gates 35 by 28 feet and two bays of flashboards 35 by 23 feet, an intake section about 100 feet long with a 25-foot steel penstock 77 feet long, and flanking nonflow sections about 268 and 751 feet long at the south and north banks, respectively; (2) a reservoir, Lake Lillinonah, at elevation 198.3 feet U.S.G.S. datum, about 13 miles long with a surface area of 1,870 acres and a total capacity of 74,000 acre-feet with a 3-foot drawdown of 5,400 a.f.; (3) a brick powerhouse with a vertical generating unit rated at 37,200 kw; (4) a switchyard with outdoor transformer, 13.8–69 kv; (5) appurtenant facilities; and (6) recreational facilities to be included in a supplement to the application for license.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 2, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6599; Filed, June 15, 1966; 8:45 a.m.]

[Project No. 2579]

INDIANA & MICHIGAN ELECTRIC CO.

Notice of Application for License for Constructed Project

JUNE 8, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Indiana & Michigan Electric Co. (correspondence to: H. B. Cohn, Vice President, Indiana & Michigan Electric Co., Post Office Box 7, Church Street Station, New York, N.Y., 10008), for license for constructed Project No. 2579, known as the Twin Branch project, located on St. Joseph River, in St. Joseph and Elkhart Counties, Ind., in the vicinity of Mishawaka, Osceola, and Elkhart.

The existing project consists of: (1) A 402-foot long concrete-topped timber crib dam 28 feet high in three sections: North and South overflow sections, topped with flashboards 5 feet long and 5 feet high, about 103 and 101 feet long; and a center tainter gate section about 198 feet long with seven gates 25 x 11 feet; (2) a fish chute about 5 feet wide and 48 feet long in the South section; (3) a reservoir, at elevation 717.4 feet at high water, about 8 miles long with an area of 1,100 acres and about 1 foot of drawdown; (4) a powerhouse with six generating units of 1,760 kw, 1,500 kw, and four at 1,000 kw each totaling 7,260 kw; and (5) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 2, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6600; Filed, June 15, 1966; 8:45 a.m.]

[Docket No. CP66-394]

TENNESSEE GAS PIPELINE CO.

Notice of Application

JUNE 9, 1966.

Take notice that on May 31, 1966, Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Applicant), Post Office Box 2511, Houston, Tex., 77001, filed in Docket No. CP66-394 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon natural gas service to Louisville Gas & Electric Co. (Louisville) effective September 1, 1967, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that its contract with Louisville, dated January 1, 1955, provides for termination on September 1, 1967, on written notice from one party to the other and that Louisville has notified Applicant of its intention to terminate the contract. Applicant further states that Louisville is to obtain its gas supply from Texas Gas Transmission Corp. The facilities proposed to be abandoned consist of a metering station on Applicant's main transmission line.

The application states that upon abandonment of service to Louisville the pipeline capacity associated with such service (26,520 Mcf of gas per day) will become unallocated capacity on Applicant's pipeline system.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 7, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6601; Filed, June 15, 1966; 8:45 a.m.]

[Project 2544]

WASHINGTON WATER POWER CO.

Notice of Application for License for Constructed Project

JUNE 9, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by the Washington Water Power Co., on its own behalf as lessee and operator, and Lee W. Cagle, as owner (correspondence to: R. D. Yeomans, Secretary, the Washington Water Power Co., Post Office Drawer 1445, Spokane, Wash., 99210), for a license for constructed Project No. 2544, known as the Meyers Falls Project, located on Colville River, Stevens County, Wash., in the vicinity of Kettle Falls.

The existing project consists of: (1) A dam about 303 feet long including a timber and concrete buttress type spillway section about 106 feet long (maximum height about 25 feet) with earth-fill sections at each end; (2) a forebay, with normal pool elevation 196 feet; (3) a concrete intake structure; (4) a 4-foot diameter steel penstock about 325 feet long; (5) a powerhouse containing a 500 hp turbine connected to a 300 kw generator and a 1,100 hp turbine connected to a 900 kw generator; (6) a 11/13 kv substation; and (7) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 2, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6602; Filed, June 15, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1940]

BROWN FUND OF HAWAII, LTD.

Notice of Filing of Application

JUNE 10, 1966.

Notice is hereby given that the Brown Fund of Hawaii, Ltd. ("Brown Fund"), 1147 Bethel Street, Honolulu, Hawaii, a Hawaiian corporation registered under the Investment Company Act of 1940 ("Act") as an open-end diversified investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares at net asset value, without sales charge, for substantially all the assets of the Profit Sharing Plan ("Plan") of Murrayair, Ltd., which are held by Bishop Trust Co., Ltd. ("Trustee"), pursuant to a profit sharing trust agreement ("Trust"). Murrayair, Ltd., is a Hawaiian corporation engaged in the sale and maintenance of aircraft as well as crop dusting. The shares of Brown Fund are offered to the public at a price which includes a sales commission in addition to the net asset value of such shares. All interested persons are referred to the application filed with the Commission for a statement of the representations made therein, which are summarized below.

The assets of the Trust consist substantially of stocks with a market value at March 15, 1966 of $88,073 and U.S. Treasury bills in the face amount of $15,000. Trustee proposes, pursuant to its authority under the Trust as well as pursuant to a written direction of the Administrative Committee of the Plan, to sell to the Brown Fund, at current market prices, the stocks referred to above, and listed in the application. With the proceeds of such sale, together with cash obtained from the sale of U.S. Treasury bills, Trustee proposes to purchase, at net asset value, shares of the Brown Fund having the value of $101,000 (to the nearest whole share). If the total assets of Trust, at current market prices, are less than $101,000, all such assets will be sold to Brown Fund for cash and the proceeds used to purchase shares of Brown Fund at net asset value.

All of the securities to be acquired by Brown Fund are permissible investments under its stated investment policy and their acquisition has been authorized by the board of directors of Brown Fund. As of December 31, 1965, the net assets of Brown Fund were $2,386,935. The Trust is part of a plan qualified under section 401 of the Internal Revenue Code and Trust is not an investment company under the Act by virtue of section 3(c)(13) thereof.

No officer or shareholder of Murrayair is an affiliated person of Brown Fund or of the Brown Management Co., the investment adviser of Brown Fund and the principal underwriter of its shares. There is no connection between Brown Fund and Murrayair or Trust, except that George I. Brown, secretary and a director of Brown Fund, is a director of Trustee.

Notice is further given that any interested person may, not later than June 29, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Brown Fund at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At

any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–6619; Filed, June 15, 1966; 8:47 a.m.]

[File No. 1–3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

JUNE 10, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 11, 1966, through June 20, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–6620; Filed, June 15, 1966; 8:47 a.m.]

[812–1950]

E. I. DU PONT DE NEMOURS & CO.

Notice of Filing of Application

JUNE 10, 1966.

Notice is hereby given that E. I. du Pont de Nemours & Co. ("applicant"), 1007 Market Street, Wilmington, Del., 19898, a Delaware corporation, 29 percent of the common stock of which is owned by Christiana Securities Co. ("Christiana"), a registered closed-end investment company, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act"). Applicant seeks an order exempting from the provisions of section 17(a) of the Act a proposed transaction whereby applicant and its wholly owned subsidiary, Du Pont de Nemours (France), S.A., would sell their 50 percent ownership of Dekachimie, S.A. ("Dekachimie"), to Etablissements Kuhlmann ("Kuhlmann"). Dekachimie was incorporated in France in 1961 by applicant and Kuhlmann for the manufacture and sale of toluene diisocyanates ("TDI").

Under the Act, Kuhlmann is an affiliated person of Dekachimie, which in turn is an affiliated person of a registered investment company, Christiana. Section 17 of the Act, as here pertinent, makes it unlawful for Kuhlmann to purchase securities from applicant and its subsidiary, which are presumed to be controlled by such registered investment company, unless the transaction is exempted by the Commission. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

At the time of the proposed transaction, applicant's total cash investment in Dekachimie will be $3.9 million. This represents a $2 million investment in 1961 when Dekachimie was organized, $600,000 in 1964, $200,000 in advances, and a $1.1 million additional investment to be made in connection with the proposed transaction with Kuhlmann. Kuhlmann's total cash investment in Dekachimie will be $4.9 million. This represents a $3.6 million investment when Dekachimie was organized and $1.3 million in advances. Applicant's proceeds of the sale will be $2.4 million and it will receive no compensation for the patent rights and technical information transferred to Dekachimie at the time of its organization and which were then valued at $1 million.

Payment by Kuhlmann will be made in six equal annual installments, beginning June 30, 1967, or at a faster rate at Kuhlmann's option and will be in cash, or at Kuhlmann's option, partly or wholly in the form of shares of Kuhlmann's common stock. Valuation of Kuhlmann's stock for this purpose will be fair market value at the time such stock is delivered as indicated by trading prices in the open market. Kuhlmann will further relieve applicant of all responsibility for Dekachimie's present and future liabilities and applicant's joint guarantee with Kuhlmann of certain notes in the amount of $2.5 million.

Pursuant to an agreement between Kuhlmann and applicant, Kuhlmann has responsibility for the management of Dekachimie. The Dekachimie TDI plant was completed at a total cost of $9.5 million and commercial scale manufacturing operations began in December 1964. In 1965, the first full year of operation, sales totaled 10 million pounds of TDI for $4.2 million. Total stated capital as of December 31, 1965, was $7.2 million. Dekachimie has operated at a loss since organization.

Applicant has decided that it is unwilling to undertake continued support of Dekachimie and has advised Kuhlmann of its desire to withdraw from the venture either through sale of its equity or liquidation of the company. Applicant's decision is based upon its view that the financial outlook for Dekachimie is uncertain because of deteriorating prices for TDI and higher manufacturing costs and its belief that Dekachimie's cash flow over the next few years will not be sufficient to meet the interest and maturities payable on present borrowings and believes additional stockholder contributions may be required. Kuhlmann, however, is interested in continuing the Dekachimie operation and is opposed to liquidating the venture.

Notice is further given that any interested person may, not later than June 29, 1966, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–6621; Filed, June 15, 1966; 8:47 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

JUNE 10, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value, of United Security Life Insurance Co., Birmingham, Ala., otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 12, 1966, through June 21, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–6622; Filed, June 15, 1966; 8:47 a.m.]

TARIFF COMMISSION

SHEET GLASS

Annual Report to the President

JUNE 10, 1966.

The U.S. Tariff Commission, in a report sent to the President today on recent developments in the trade in sheet glass, observed that the apparent U.S. consumption of such glass was slightly smaller in 1965 than in 1964. U.S. production, shipments by U.S. producers, and employment in the U.S. production of sheet glass were virtually unchanged from 1964. Imports of sheet glass were significantly smaller in 1965 than in 1964.

Prices of sheet glass, which were subject to selective declines during late 1964 and the first half of 1965, advanced moderately during early 1966. The prices prevailing on May 1, 1966, however, were still generally lower than those on November 1, 1964.

The smallest domestic sheet glass concern came under new ownership early in 1966, and the new owner closed the plant shortly thereafter.

During 1965, one domestic producer converted one of its two sheet glass furnaces to the production of float glass. Another began construction of a new sheet glass plant in California early in 1966.

The Commission's report was submitted to the President in accordance with section 351(d)(1) of the Trade Expansion Act of 1962, which provides that—

> So long as any increase in, or imposition of, any duty or other import restriction pursuant to this section or pursuant to section 7 of the Trade Agreements Extension Act of 1951 remains in effect, the Tariff Commission shall keep under review developments with respect to the industry concerned, and shall make annual reports to the President concerning such developments.

Under the escape-clause procedure of the Trade Agreements Extension Act of 1951, the President increased the rates of duty applicable to sheet glass in June 1962. The report submitted today is the third annual report involving sheet glass since the President's action; it focuses on developments that have occurred since the Commission submitted its report to the President on June 11, 1965, under section 351(d)(2) of the Trade Expansion Act.

Copies of the Commission's report are available upon request as long as the limited supply lasts. Requests should be addressed to the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., 20436.

By direction of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 66–6624; Filed, June 15, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR — Page

PROCLAMATION:
3728 — 8277

EXECUTIVE ORDERS:
11224 (superseded by EO 11285) — 8211
11285 — 8211
11286 — 8279

5 CFR
213 — 7733, 7734, 7959, 8175, 8281
550 — 7881

7 CFR
15 — 8175
26 — 8113
28 — 7734
319 — 8337
354 — 8113
401 — 8175
701 — 7735, 7814
722 — 8337
728 — 7814, 8337
775 — 8339
778 — 7997
811 — 7999
845 — 7815
893 — 7816
905 — 8114
908 — 7961, 8230
910 — 7962, 8045, 8231, 8303
911 — 7962, 8231
916 — 8176, 8177
917 — 7963, 8114, 8177, 8231, 8232, 8303–8306, 8404.
918 — 7735
944 — 8000
970 — 8178
1038 — 8115
1039 — 8116
1074 — 8000
1099 — 7963
1125 — 8405
1421 — 7964, 8000, 8003, 8306, 8348
1443 — 8348
1483 — 7817
1486 — 7735

PROPOSED RULES:
51 — 7757
905 — 7971
906 — 8429
915 — 8181
994 — 8021
1001 — 7911, 8242
1002 — 7911
1003 — 7911
1004 — 7911
1005 — 7911
1008 — 7911
1009 — 7911
1011 — 7911
1012 — 7911
1013 — 7829, 7911, 8131
1015 — 7911, 8242
1016 — 7911
1031 — 7831
1032 — 7831
1033 — 7911
1034 — 7911
1035 — 7911
1036 — 7911
1038 — 7831, 7971
1039 — 7831, 7972
1040 — 7911
1041 — 7911
1043 — 7831
1044 — 7831
1045 — 7831
1046 — 7911
1047 — 7911
1048 — 7911
1049 — 7911
1051 — 7831
1061 — 7831
1062 — 7831
1063 — 7831
1064 — 7831
1065 — 7757
1066 — 7757
1067 — 7831
1068 — 7757
1069 — 7757
1070 — 7831
1071 — 7831
1073 — 7831
1074 — 7831
1075 — 7757
1076 — 7757
1078 — 7831
1079 — 7831
1090 — 7911
1094 — 7831
1096 — 7831
1097 — 7831
1098 — 7911
1099 — 7758, 7831
1101 — 7911
1102 — 7831
1103 — 7831
1104 — 7831
1106 — 7831
1108 — 7831
1120 — 7831
1125 — 7757

7 CFR—Continued

PROPOSED RULES—Continued

	Page
1126	7831, 8431
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

212	8045
214	8045
226	8045

9 CFR

97	8020

10 CFR

36	7959, 8417
40	7959

12 CFR

1	8060
204	8060
545	8353
561	8353
563	8004
571	8004

14 CFR

13	8353
39	7735, 7881, 7882, 8045, 8046, 8417
61	8354
67	8355
71	7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358.
73	7736, 7827, 7882
75	7736, 7827, 8047, 8418
91	8354
95	8281
97	7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359.
1200	8418
1204	8418

PROPOSED RULES:

21	8075
47	8077
61	8438
71	7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375.
73	7977, 8375
75	7762, 8242
91	8026, 8438, 8440
93	8078
207	8438

15 CFR

230	7737, 7819, 7968
372	8213
373	8213
374	8213
375	8213
376	8213
377	8213
379	8213
382	8213
385	8213

PROPOSED RULES:

9	7833

16 CFR

13	7960, 7961, 8058–8060
15	7737, 7806, 8233, 8403

PROPOSED RULES:

45	7757
57	8243
192	8244

17 CFR

211	7821
230	7738
239	7738
240	7740
250	8233
276	7821

PROPOSED RULES:

270	7913

18 CFR

101	7897
141	7897
201	7897
260	7897

PROPOSED RULES:

8	8376

20 CFR

404	8367
602	7966
604	8281

PROPOSED RULES:

405	7864

21 CFR

8	8216, 8369
120	7741
121	8008, 8009, 8369
130	8009

22 CFR

41	7741
42	7741

24 CFR

200	7743
221	7743

25 CFR

41	7744
42	7745

26 CFR

1	7789

29 CFR

0	8306
1605	8370

31 CFR

128	8179
202	7899, 8234
203	7899, 8234
500	7745, 7899
520	8404

32 CFR

1	7807
3	7807
4	7810
7	7811
8	7812
16	7814
30	7814
273	8007
502	7966
1001	8370
1003	8311, 8371
1004	8371
1007	8371
1013	8371
1014	8371

32 CFR—Continued

1053	8371
1250	8061

32A CFR

OIA (Ch. X):

OI REG. 1	7745

33 CFR

202	8403
203	7827, 8312
204	8129
208	7751
401	8062

36 CFR

221	8180
251	7899
261	7902

38 CFR

17	8064
21	8292

39 CFR

13	7752
22	7752
25	7752
27	8234
41	8234
43	7752, 8235
46	8235
51	8236
52	8236
53	8236
55	8236
56	8236
58	8237
61	8237

41 CFR

1–3	8116
4–1	7819
4–6	7819
4–50	7902
8–1	7820
8–2	7820
9–12	8237
101–15	7752
101–17	8117

42 CFR

57	7755
76	7902

43 CFR

3120	7806

PUBLIC LAND ORDERS:

662 (revoked by PLO 4035)	8240
829 (revoked in part by PLO 4028)	8238
1775 (revoked in part by PLO 4027)	8238
4023	7969
4024	7969
4025	7969
4026	8238
4027	8238
4028	8238
4029	8238
4030	8239
4031	8239
4032	8239
4033	8293
4034	8240
4035	8240
4036	8240
4037	8241
4038	8241

43 CFR—Continued

PROPOSED RULES:

4	8429
3130	8181
3140	8181
3150	8181
3160	8181
3180	8181

45 CFR

801	7755

46 CFR

146	8295
202	8065
308	7970

47 CFR

18	7821
21	7822
73	7904, 8067, 8069–8073
74	7822
91	7822

PROPOSED RULES:

1	7837
17	8376
21	7837
23	7837
73	7837, 7838, 8079–8081, 8132
74	7837, 8026
81	7837
87	7837
89	7837
91	7837
93	7837

47 CFR—Continued

PROPOSED RULES—Continued

95	7837
97	7837

49 CFR

95	7806, 8064
170	8312

PROPOSED RULES:

31	8244
170	7841
193	7911

50 CFR

32	7909, 8065
33	7756, 7910, 7970

PROPOSED RULES:

401	8130

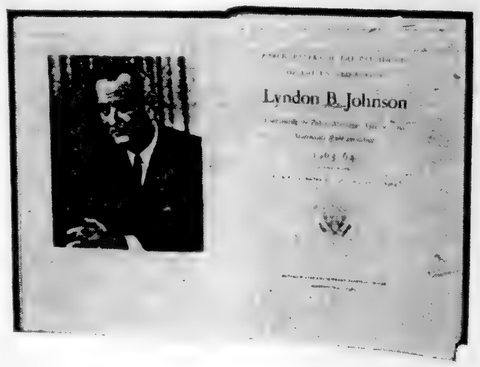
PUBLIC PAPERS OF THE PRESIDENTS OF THE UNITED STATES

Now available

Lyndon B. Johnson
1963-64

Book I (November 22, 1963 to June 30, 1964)
Price $6.75

Book II (July 1, 1964 to December 31, 1964)
Price $7.00



Contents

- Messages to the Congress
- Public speeches and letters
- The President's news conferences
- Radio and television reports to the American people
- Remarks to informal groups

Published by

Office of the Federal Register
National Archives and Records Service
General Services Administration

Order from

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

Prior volumes

Prior volumes covering most of the Truman administration and all of the Eisenhower and Kennedy years are available at comparable prices from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

DETROIT PUBLIC LIBRARY JUN 20 1966

SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 20 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 117

Friday, June 17, 1966 • Washington, D.C.

Pages 8487–8516

Agencies in this issue—

Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Delaware River Basin Commission
Federal Aviation Agency
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
Foreign Assets Control Office
International Commerce Bureau
Interstate Commerce Commission
Maritime Administration
National Park Service
Treasury Department
Wage and Hour Division

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

117

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 26—Internal Revenue (Part 1)
(§§ 1.1201–1.6000) (Revised)
$1.25

Title 49—Transportation (Parts 71–90) (Revised)
$2.25

Title 49—Transportation (Parts 91–164) (Revised)
$1.50

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER
Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURE DEPARTMENT
See Consumer and Marketing Service.

ATOMIC ENERGY COMMISSION
Notices
Commonwealth Edison Co.; application for construction permit and facility license 8503

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.:
British Overseas Airways Corp. 8503
Exclusion of Government transportation requests from youth fare plans 8503
Reopened supplemental air service proceeding 8503

CIVIL SERVICE COMMISSION
Rules and Regulations
Federal employees health benefits; open season 8491

COMMERCE DEPARTMENT
See International Commerce Bureau; Maritime Administration.

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Peaches grown in California; grades and sizes 8491
Proposed Rule Making
Milk in northwestern Ohio marketing area; hearing 8496
Notices
Telfair County Stockyards et al.; posted stockyards 8501

DELAWARE RIVER BASIN COMMISSION
Notices
Comprehensive Plan; hearing 8503

FEDERAL AVIATION AGENCY
Rules and Regulations
Control zone; alteration 8492
Federal airways; alteration; correction 8492
Transition area; alteration 8492
Proposed Rule Making
Airworthiness directives; Boeing Model 727 airplanes (2 documents) 8498
Transition area; designation 8498

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Arkansas Louisiana Gas Co. 8507
Kerr McGee Corp. et al 8506
Pan American Petroleum Corp. et al 8507
Petroleum Corporation of Texas et al 8504
Texaco, Inc., et al 8504
Trunkline Gas Co 8508

FEDERAL RESERVE SYSTEM
Notices
General Bancshares Corp.; applications for approval of acquisitions of shares of banks 8508

FEDERAL TRADE COMMISSION
Rules and Regulations
Administrative opinions and rulings:
Disapproval of private group advertising review board 8492
Foreign origin; toy balloons 8492

FOOD AND DRUG ADMINISTRATION
Rules and Regulations
Lemonade, frozen concentrate; identity standards 8493
Proposed Rule Making
Bread; optional ingredient 8497
Lemonade, frozen concentrate; identity standard 8497
Notices
Lemonade, frozen concentrate; extension of temporary permits to cover market testing 8502

FOREIGN ASSETS CONTROL OFFICE
Notices
Organization 8500

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration.

INTERIOR DEPARTMENT
See National Park Service.

INTERNATIONAL COMMERCE BUREAU
Notices
Woodham Trading, Ltd.; order temporarily denying export privileges 8501

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section applications for relief 8510
Frankfort & Cincinnati Railroad Co.; rerouting of traffic 8514
Motor carrier:
Broker, water carrier, and freight forwarder applications; correction 8514
Temporary authority applications 8511
Transfer proceedings 8513

LABOR DEPARTMENT
See Wage and Hour Division.

MARITIME ADMINISTRATION
Rules and Regulations
Information and procedure required under operating-differential subsidy agreements; miscellaneous amendments; cancellation 8494
Minimum-wage, minimum manning, and reasonable working conditions; suspension 8494
Notices
American Export Isbrandtsen Lines, Inc.; application 8502

NATIONAL PARK SERVICE
Notices
Park superintendents et al.; authority delegation 8500

TREASURY DEPARTMENT
See also Foreign Assets Control Office.
Notices
Merchants Indemnity Corporation of New York and Merchants Fire Assurance Corporation of New York; termination of authority to qualify as sureties on Federal bonds 8500

WAGE AND HOUR DIVISION
Notices
Certificates authorizing employment:
Learners at special minimum rates 8509
Students working outside school hours in retail or service establishments at special minimum rates 8508

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

890 8491

7 CFR

917 8491

PROPOSED RULES:

1041 8496

14 CFR

71 (3 documents) 8492

PROPOSED RULES:

39 (2 documents) 8498

71 8498

16 CFR

15 (2 documents) 8492

21 CFR

27 8493

PROPOSED RULES:

17 8497

27 8497

46 CFR

262 8494

281 8494

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 890—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Open Season

On April 26, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 6318) stating that the Civil Service Commission was considering an open season under the Federal Employees Health Benefits Program to be held during the period November 14 through November 30, 1966, with changes to be effective the first day of the first pay period after January 1, 1967.

Relatively few comments were received by the Commission and the majority of those indicated approval of the open season. After consideration of the objections, the Commission has determined that the proposed rules should be adopted. Therefore:

It is ordered, That, effective on the date of publication, Part 890 of Chapter I of Title 5, Code of Federal Regulations, is amended to read as follows:

Section 890.301(d)(2) is amended to read as follows:

§ 890.301 Opportunities to register to enroll and change enrollment.

* * * * *

(d) *Open season.* * * *

(2) During the period November 14 to November 30, 1966, an employee who is not registered to be enrolled may register to be enrolled, and any enrolled employee or annuitant may change his enrollment from one plan or option to another, or from self alone to self and family, or both.

* * * * *

Section 890.306(c) (1) and (2) is amended to read as follows:

§ 890.306 Effective dates.

* * * * *

(c) *Open season.* (1) The effective date of a change in enrollment under § 890.301(d)(2) is the first day of the first pay period beginning on or after January 1, 1967.

(2) The effective date of a new enrollment under § 890.301(d)(2) is the first day of the first pay period beginning on or after January 1, 1967, which follows a pay period during any part of which the employee or annuitant is in pay or annuity status.

* * * * *

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6659; Filed, June 16, 1966; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Peach Reg. 1]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Grades and Sizes

§ 917.388 Peach Regulation 1.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 917, as amended; 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Peach Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of peaches, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 18, 1966. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop and adequate information thereon was not available to the Peach Commodity Committee until May 18, 1966; recommendation as to the need for, and the extent of, regulation of shipments of such peaches was made at the meeting of said committee on May 18, 1966, after consideration of all available information relative to the supply and demand conditions for such peaches, at which time the recommendation and supporting information were submitted to the Department; necessary supplemental data for consideration in connection with the specifications of the provisions were not available until June 13, 1966; shipments of the current crop of such peaches are expected to begin on or about June 18, 1966, and this section should be applicable to all shipments of such peaches in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 18, 1966, and ending at 12:01 a.m., P.s.t., November 1, 1966, no shipper shall ship:

(i) Any package or container of peaches unless such peaches meet the requirements of the U.S. No. 1 grade: *Provided*, That with respect to ripe peaches, a tolerance of 10 percent, by count, for bruises not causing serious damage is allowed in addition to the tolerances provided for such U.S. No. 1 grade;

(ii) Any package or container of peaches unless at least 85 percent, by count, of such peaches are well matured (as such term is defined in subparagraph (2) of this paragraph);

(iii) Any lot of packages or containers of peaches if more than three (3) percent, by count, of the peaches in such lot are immature;

(iv) Any package or container of peaches unless at least 85 percent of the peaches contained in such package or container measure not less than 2⅜ inches in diameter: *Provided*, That peaches (*a*) when packed in a 12B California peach box, which are of the size that will pack, in accordance with the requirements prescribed for a standard pack, 65 peaches in said box, or (*b*) when packed in either a No. 26 standard lug box or a No. 27 standard lug box, which are of the size that will pack, in accordance with the requirements prescribed for a standard pack, not more than 80 peaches in the respective lug box, shall be deemed to meet the said minimum diameter requirement: *And provided further*, That for the purpose of determining whether ripe peaches meet the said standard pack requirements, such peaches may be fairly tightly packed rather than tightly packed.

(2) Peaches which are "well matured" means peaches which, at the time of picking, (i) have shoulders and sutures well filled out and smooth; (ii) have skin which is at least very light green to yellowish green in color; (iii) have flesh that is yellow or straw color with only a small portion usually next to the skin being greenish yellow or greenish straw color; (iv) have flesh which shows some juiciness; and (v) yield very slightly to moderate pressure at the suture or tip.

(3) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as given to the respective term in said amended marketing agreement and order; "U.S. No. 1," "bruises," "defects,"

"damage," "serious damage," "standard pack," "tightly packed," and "fairly tightly packed" shall have the same meaning as when used in the U.S. Standards for Peaches (§§ 51.1210–1223 of this title); "No. 26 standard lug box" and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California; "No. 12B California peach box" shall have the same meaning as set forth in section 828.25 of the Agricultural Code of California; and "diameter" shall mean the distance through the widest portion of the cross section of a peach at right angles to a line running from the stem to the blossom end.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 15, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–6700; Filed, June 16, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65–SO–59]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway; Correction

On May 25, 1966, F.R. Doc. No. 66–5688 was published in the FEDERAL REGISTER (31 F.R. 7507) amending, in part, § 71.123 of the Federal Aviation Regulations effective July 21, 1966. This document inadvertently deleted VOR Federal airway No. 51 west alternate segment designated between Chattanooga, Tenn., and Crossville, Tenn. Accordingly, action is taken herein to retain this west alternate airway segment so as to provide airway continuity between Chattanooga and Crossville.

Since there is an immediate and continuing requirement for this airway segment that would be inadvertently revoked, and since this action is in the interest of public safety and convenience, the Administrator finds that notice and public procedure hereon are unnecessary and the effective date of the final rule as initially adopted may be retained.

In consideration of the foregoing, effective immediately, F.R. Doc. No. 66–5688 (31 F.R. 7507) is altered as follows:

Item 1.e. is amended to read: In V–51 all between "Dublin, Ga.;" and "Highway, Tenn.;" is deleted and "Rex, Ga.; Crossville, Tenn., including an W alternate from INT Rex 345° and Chattanooga, Tenn., 118° radials to Crossville, via Chattanooga;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on June 10, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–6640; Filed, June 16, 1966; 8:45 a.m.]

[Airspace Docket No. 66–CE–24]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On April 6, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5456) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the vicinity of Butte, Mont.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., August 18, 1966, as hereinafter set forth:

§ 71.181 (31 F.R. 2149) the Butte, Mont., transition area is amended to read:

BUTTE, MONT.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Butte, Mont., VOR 115° radial extending from a 5-mile radius circle centered on Silver Bow County Airport, Butte, Mont. (latitude 45°57'15" N., longitude 112°29'50" W.) to the VOR; and that airspace extending upward from 1,200 feet above the surface within 5 miles SW and 8 miles NE of the Butte VOR 325° radial extending from the VOR to 12 miles NW of the VOR; within 10 miles E and 7 miles W of the Butte VOR 002° and 182° radials, extending from 20 miles N to 11 miles S of the VOR; and within 10 miles N and 7 miles S of the Whitehall, Mont., VOR 096° and 276° radials, extending from 20 miles E to 19 miles W of the VOR.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on June 7, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66–6641; Filed, June 16, 1966; 8:45 a.m.]

[Airspace Docket No. 66–WE–42]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of this amendment is to redesignate the Burbank, Calif., control zone due to the decommissioning of the Glendale radio beacon on or about June 23, 1966. No change is made in the presently designated airspace.

Since this change is editorial in nature, public notice and procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth:

In § 71.171 (31 F.R. 2075) the Burbank, Calif., control zone is amended as follows:

BURBANK, CALIF.

Within a 5-mile radius of Lockheed Air Terminal, Burbank, Calif. (latitude 34°-12'15" N., longitude 118°21'30" W.), and within 2 miles each side of the Van Nuys, Calif., VOR 112° radial extending from the 5-mile radius zone to 17.5 miles SE of the VOR, excluding the portion W of a line from latitude 34°16'00" N., longitude 118°25'55" W., to latitude 34°09'25" N., longitude 118°-25'40" W., and the portion within a 1-mile radius of Whiteman Airpark, Pacoima, Calif., latitude 34°15'35" N., longitude 118°24'45" W.

(Sec. 307(a), Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348))

Issued in Los Angeles, Calif., on June 9, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66–6642; Filed, June 16, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Foreign Origin—Toy Balloons

§ 15.58 Foreign origin—Toy balloons.

(a) The Commission was requested to furnish an advisory opinion concerning the labeling as to origin of toy balloons mounted on display cards. The balloons were to be imported from England mounted on 8- by 16-inch display cards, with either 36 or 72 balloons to a card, which will sell for 5 cents or 10 cents per balloon. The card is to be clearly marked as "Made in England," but the individual balloons will not be so marked.

(b) The Commission advised that if the display card is clearly marked "Made in England," no real purpose would be served by requiring each individual balloon to be similarly marked so long as the balloons are not removed from the card prior to sale.

(38 Stat. 717, as amended; 15 U.S.C. 41–58.)

Issued: June 16, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–6608; Filed, June 16, 1966; 8:48 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Disapproval of Private Group Advertising Review Board

§ 15.59 Disapproval of private group advertising review board.

(a) The Federal Trade Commission announced an advisory opinion disapproving a proposed private group advertising review board to control advertising practices in a particular locality.

(b) The requesting party stated that the review board is to consist of not more than 20 representatives of business and trade groups in the area, and its function is to consider complaints of violations of advertising standards established by the organization representing such business and trade groups.

(c) Hearings on such complaints are proposed to be held by a panel of seven or more members of the review board, none of whom shall be in direct competition with the advertiser. This procedure is to be invoked only after other efforts to correct the practice have been exhausted. Decisions on the merits of each case will be made by the panel and shall be considered as setting precedent for succeeding panels. Where an advertiser has been cited by a panel for violating the standards and fails to comply within a specified time, a letter is to be sent to local media requesting them to require the advertiser to comply with the decisions of the panel.

(d) Although expressing sympathy with the laudable motives of the requesting party, the Commission advised that "approval cannot be given the proposed Advertising Review Board in its present form. Long ago the courts recognized that voluntary action to end abuses and to foster fair competitive opportunities were in the public interest and could be even more effective than legal processes. However, the law has also long recognized that this right of businessmen to police themselves is not without limitations and is certainly not a license for private groups to employ illegal methods in the pursuit of desirable objectives."

(e) The Commission pointed out that "absolute regulation of all advertising practices down to and including the determination of individual rights and the imposition of a penalty in the form of interference with the individual's right to advertise • • • is the ultimate authority which can only be exercised pursuant to legislative grant and subject to proper judicial review.

(f) "Were a private group to assert this power for itself it would mean that the judicial process of interpretation and enforcement would be carried on without the carefully developed safeguards which the law normally imposes upon the process. Unlike the government agency and the courts, the only restrictions private bodies are subject to are those restrictions they see fit to impose upon themselves."

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: June 16, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66–6609; Filed, June 16, 1966; 8:48 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

Frozen Concentrate for Lemonade and Colored Lemonade; Identity Standards

In the matter of amending the definition and standard of identity for frozen concentrate for lemonade (21 CFR 27.101) with respect to heat treatment of the lemon juice ingredient and labeling requirements pertaining to lemon oil; and amending the definition and standard of identity for colored lemonade (21 CFR 27.102) with respect to permitted colorings and labeling therefor:

A notice of proposed rule making in the above-identified matter, on the initiative of the Commissioner of Food and Drugs, was published in the FEDERAL REGISTER of November 13, 1964 (29 F.R. 15264).

Comments were received in response to the proposal, and those from consumers favored adopting the proposed amendments. Those from representatives of the producing industry favored the proposals relative to heat-treating the lemon juice ingredients and providing for use of suitable color additives; they recommended editorial revision of the paragraph describing the lemon juice ingredients to include specific references to lemon pulp; and they expressed opposition to having the standards include any requirements for labeling to show when the flavoring lemon oil or coloring ingredients (except artificial colorings) are used.

The suggested editorial revisions as to lemon pulp have been adopted.

In the matter of requiring label declaration of the flavoring lemon oil, it is concluded, on the basis of comments from industry and other relevant information (notably facts adduced by testimony at a public hearing and prior rulings made in regard to the use of citrus fruit oils in other standardized citrus juice products), that the presence of lemon oil is a fundamental characteristic of frozen concentrate for lemonade and that it is within the province of good manufacturing practice to adjust the lemon oil content of the product by the removal or addition of lemon oil or concentrated lemon oil to compensate for flavor lost during concentration of the juice and for flavor changes resulting from geographic or seasonal variations in the flavor of the fruit used. It is concluded that such use of lemon oil helps to achieve a product of more uniform quality in the interest of consumers and that there is not a sound basis for requiring that the presence of lemon oil be declared on the label of frozen concentrate for lemonade.

It is further concluded that it will promote the interest of consumers to have the standards require label declaration of colorings used either by common name or by the terms "coloring," or by "artificially colored," where appropriate.

Therefore, based on the comments received and other relevant information, it is concluded that it will promote honesty and fair dealing in the interest of consumers to amend the standards of identity for frozen concentrate for lemonade and for colored lemonade as set forth below. Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008): *It is ordered*, That Part 27 be amended as follows:

1. Section 27.101 is amended by revising the section heading and paragraphs (a) and (b) and by deleting paragraphs (d) and (e). As revised, the affected portions read as follows:

§ 27.101 Frozen concentrate for lemonade; identity.

(a) Frozen concentrate for lemonade is the frozen food prepared from one or both of the lemon juice ingredients specified in paragraph (b) of this section, together with one of the sweetening ingredients specified in paragraph (c) of this section. Water may be added. The product contains not less than 48.0 percent by weight of soluble solids taken as the sucrose value determined by refractometer and corrected for acidity as given in "Refractometric Determination of Soluble Solids in Citrus Juices," by Stevens and Baier, Industrial and Engineering Chemistry, Analytical Edition, volume 11, page 447 (1939). When the product is diluted according to directions for making lemonade, which shall appear on the label, the acidity of the lemonade, calculated as anhydrous citric acid, shall be not less than 0.70 gram per 100 milliliters, and the soluble solids, measured as described for the concentrate, shall be not less than 10.5 percent by weight.

(b) The lemon juice ingredients referred to in paragraph (a) of this section are:

(1) Lemon juice or frozen lemon juice or a mixture of these.

(2) Concentrated lemon juice or frozen concentrated lemon juice or a mixture of these.

For the purposes of this section, lemon juice is the undiluted juice expressed from mature lemons of an acid variety; and concentrated lemon juice is lemon juice from which part of the water has

been removed. In the preparation of the lemon juice ingredients, the lemon oil content may be adjusted by the addition of lemon oil or concentrated lemon oil in accordance with good manufacturing practice, and the lemon pulp in the juice as expressed may be left in the juice or may be separated. Lemon pulp that has been separated, which may have been preserved by freezing, may be added in preparing frozen concentrate for lemonade, provided that the amount of pulp added does not raise the proportion of pulp in the finished food to a level in excess of that which would be present by using lemon juice ingredients from which pulp has not been separated. The lemon juice ingredients may be treated by heat, either before or after the other ingredients are added, to reduce the enzymatic activity and the number of viable micro-organisms.

* * * * *

(d) [Deleted]
(e) [Deleted]

2. Section 27.102 is amended by changing paragraphs (a) and (b)(3). As amended, the section reads as follows:

§ 27.102 Frozen concentrate for colored lemonade; identity; label statement of optional ingredients.

(a) Frozen concentrate for colored lemonade conforms to the definition and standard of identity prescribed for frozen concentrate for lemonade by § 27.101, except that it is colored with a safe and suitable fruit juice, vegetable juice, or any such juice in concentrated form, or with any other color additive ingredient suitable for use in food, including artificial coloring, used in conformity with regulations established pursuant to section 706 of the Federal Food, Drug, and Cosmetic Act.

(b) (1) The name of the food is "Frozen concentrate for _____ lemonade," the blank being filled in with the word describing the color; for example, "Frozen concentrate for pink lemonade."

(2) If artificial coloring is used, the label shall bear the statement "artificially colored."

(3) If the color additive ingredient used is not an artificial coloring, the label shall bear the statement "coloring added" or, in lieu of this statement, the label shall bear the statement "_____ added as coloring" or "colored with _____," the blank being filled in with the common name of the color additive ingredient used; for example, "colored with grape juice."

Stays of effective date were announced in the FEDERAL REGISTER of June 26, 1959 (24 F.R. 5216), for §§ 27.101(e)(1) and 27.102(b)(3). This order, upon becoming effective, will delete § 27.101(e)(1) and will end the stay of effective date on § 27.102(b)(3).

Any person who will be adversely affected by the foregoing order may at any time within 30 days following the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

Effective date. This order shall become effective 180 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919; 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: June 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6671; Filed, June 16, 1966; 8:48 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER C—REGULATIONS AFFECTING SUBSIDIZED VESSELS AND OPERATORS

[General Order 15, Amdt. 1]

PART 262—MINIMUM-WAGE, MINIMUM-MANNING, AND REASONABLE WORKING CONDITIONS

Suspension

In F.R. Doc. 66-4712 appearing in the FEDERAL REGISTER issue of April 28, 1966 (31 F.R. 6427), notice was given that the Maritime Administrator/Maritime Subsidy Board were considering a proposal to suspend that working condition requirement contained in 46 CFR §§ 262.31-262.33 applicable to all licensed officers, unlicensed personnel, and radio officers on subsidized ships, that "no cash allowance in lieu of vacation shall be made." Comments were invited thereon and a hearing was held on May 19, 1966.

In view of no adverse comments or objections, part 262 is hereby amended by adding a new section 262.34 *Suspension* under the center heading "Reasonable Working Conditions" reading as follows:

§ 262.34 Suspension.

(a) In order to make available an increased number of qualified officers and unlicensed personnel to meet the higher levels of manpower demand associated with the current level of shipping activity, each officer and seaman may, at his option, in accordance with the terms of paragraph (b) of this section, waive time off for accrued vacations but receive accrued vacation pay while on active duty status.

(b) Subject to the following stated conditions, the Maritime Administrator/Maritime Subsidy Board suspends until such time that conditions warrant otherwise, the working condition requirement contained in §§ 262.31-262.33 of this part:

(1) In each instance the union must certify to the operator that qualified personnel are not otherwise available;

(2) Such suspension of said working condition requirement is deemed temporary;

(3) The working condition requirement contained in §§ 262.31-262.33 will be returned to its former status when, in the opinion of the Maritime Administrator/Maritime Subsidy Board, conditions so warrant; and

(4) The election to accept a proffered cash allowance in lieu of time off shall be optional with the crew member.

By order of the Maritime Subsidy Board and the Acting Maritime Administrator.

Dated: June 15, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-6676; Filed, June 16, 1966; 8:48 a.m.]

[General Order 99]

PART 281—INFORMATION AND PROCEDURE REQUIRED UNDER OPERATING-DIFFERENTIAL SUBSIDY AGREEMENTS

Miscellaneous Amendments; Cancellation

In F.R. Doc. 64-2262, notice that the Maritime Subsidy Board proposed to revise the heading of this part to read as set forth above and to add a new § 281.7 appeared in the FEDERAL REGISTER issue of March 7, 1964 (29 F.R. 3158).

Notice is hereby given that the Maritime Subsidy Board has taken action to the effect that the proposals as published aforesaid are thereby canceled.

In accordance with the said cancellation (1) General Order 99, which was assigned to the proposed new text but was not published in final form, will be reserved and reassigned; (2) the heading of Part 281 will continue to read "Information and Procedure Required Under Operating-Differential Subsidy Agreements;" and (3) the proposed new § 281.7 *Policy regarding repairs performed foreign, etc.*, which was inadvertently incorporated into 46 CFR Part 281, is hereby nullified.

By Order of the Maritime Subsidy Board.

Dated: June 14, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-6675; Filed, June 16, 1966; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1041]

[Docket No. AO–72–A29]

MILK IN NORTHWESTERN OHIO MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Holiday Inn, Route 120 at Ohio Turnpike Exit 5, Stony Ridge Ohio, beginning at 10 a.m., local time, on July 6, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Northwestern Ohio marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposal relative to a redefinition of the marketing area raises the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by: The Northwestern Cooperative Sales Association:

Proposal No. 1. Revise § 1041.6, *Northwestern Ohio marketing area*, to include the Ohio counties of Ottawa, Erie, and Huron and the unregulated portion of Sandusky County.

Proposal No. 2. Revise paragraph (a) of § 1041.13 by the addition of a phrase to read as follows:

§ 1041.13 Pool plant.

* * * * *

(a) A distributing plant with route disposition during the month or in 5 of the previous 6 months of not less than 50 percent of the total Grade A milk received at such plant from dairy farmers (excluding any such milk received by diversion from a plant at which such milk is fully subject to pricing and pooling under the terms and provisions of another order issued pursuant to the Act) and pool supply plants, and with at least 15 percent of such route disposition made within the marketing area during the month.

* * * * *

Proposal No. 3. Revise the first sentence of § 1041.18, *Route disposition*, to read as follows: "Route disposition means distribution of Class I milk in package form by a handler to retail or wholesale outlets, which include vending machines, dock sales, and custom packaging."

Proposal No. 4. Amend § 1041.15, *Producer milk*, as follows:

A. Revise paragraph (b) so as to provide that milk diverted pursuant to this paragraph shall be deemed to have been received at the location of the plant from which it is diverted; and

B. Revise paragraph (c)(3) by adding a proviso to read as follows: "*Provided*, That with respect to milk diverted to a nonpool plant which is located in excess of 150 miles from the City Hall in Toledo, Ohio, the milk shall be deemed to have been received by such diverting handler at the location of the nonpool plant to which diverted."

Proposal No. 5. Review Class I prices (§ 1041.51) to set the appropriate level.

Proposal No. 6. Revise § 1041.53, *Location adjustments to handlers*, to provide that no location adjustment credit shall apply to plants located within the marketing area, and that Mansfield, Marion, Lima, and Toledo, Ohio, be established as basing points for computing location credits for plants located outside the marketing area.

Proposal No. 7. Add a definition of "transfer station" and make such other changes as necessary to provide that milk which is moved to the marketing area through a transfer station located in excess of 150 miles from Toledo, Ohio, would be priced at the location of the transfer station.

Proposal No. 8. Revise paragraph (a)(1) of § 1041.80 to read as follows:

§ 1041.80 Time and method of payment.

(a) * * *

(1) On or before the last day of each month for milk received during the first 15 days of the month from such producer, at not less than the price computed as follows:

(i) The uniform price for the preceding month, minus 75 cents; and

(ii) Plus or minus any amount by which the Class I price differential, however adjusted, for the current month, respectively, is greater or less than the differential for the preceding month.

* * * * *

Proposal No. 9. Revise the payment date pursuant to § 1041.80(a)(2) to specify the 15th instead of the 17th day of the month, and advance the dates specified in §§ 1041.27 (j)(2) and (k), 1041.30 and 1041.31(b) as necessary to conform to this revision.

Proposal No. 10. Revise § 1041.80(c) to provide that in the case of cooperative association members, the information handlers are required to furnish producers pursuant to this paragraph shall be provided not later than the date provided in § 1041.30 for handlers' reports to the market administrator.

Proposed by: The Page Dairy Company:

Proposal No. 11. Revise § 1041.16 to read as follows:

§ 1041.16 Fluid milk product.

"Fluid milk product" means milk, skim milk, flavored milk, flavored milk drinks, buttermilk, and mixtures of milk and cream or skim milk (not cultured) containing less than 6 percent butterfat, but not including the following: Frozen cream, aerated cream products, eggnog, sterilized milk products in hermetically sealed containers, ice cream, and frozen dessert mixes and milk shake mix.

Proposal No. 12. Revise § 1041.51 to read, in part, as follows:

§ 1041.51 Class prices.

Subject to the provisions of § 1041.52, the minimum class prices per hundredweight of milk for the month shall be as follows:

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.25, and plus or minus a "supply-demand adjustment" of not more than 24 cents computed as follows:

(1) Divide the aggregate pounds of producer milk in Class I milk (adjusted to eliminate duplications due to interhandler transfers) for the second, third, and fourth months preceding by the aggregate pounds of producer milk receipts for the same months, multiply the result by 100 and round to the nearest whole number. The result shall be known as the "current utilization percentage";

(2) For each full percentage point that the current utilization percentage is above the applicable maximum standard utilization percentage listed below, increase the Class I price differential by 2 cents; and for each full percentage point that the current utilization percentage is below the applicable minimum standard utilization percentage listed below, decrease such differential by 2 cents.

* * * * *

The schedule of "standard utilization percentages" for each month for inclusion under paragraph (b) of this proposal is to be compiled from the past experience in the Northwestern Ohio, and the former Toledo and North Central Ohio orders.

Proposed by: The Dairy Division, Consumer and Marketing Service:

Proposal No. 13. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Fred W. Issler, 312 Davis Building, 151 Michigan Street, Toledo, Ohio, 43624, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250 or may be there inspected.

Signed at Washington, D.C., on June 13, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66–6653; Filed, June 16, 1966; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 17]

BREAD

Optional Use of Propylene Glycol Mono- and Diesters of Fats and Fatty Acids

Notice is given that a petition has been filed by the Rath Packing Co., Post Office Box 330, Waterloo, Iowa, 50704, proposing that the standard of identity for bread (21 CFR 17.1) be amended to list propylene glycol mono- and diesters of fats and fatty acids as an optional ingredient for use in or in conjunction with shortening.

Grounds set forth in the petition to support the proposed amendment are that the subject emulsifier is of lower cost than some of those now permitted by the bread standard, and its use would aid in the production of bread of at least equal quality to bread produced with permitted emulsifiers.

Accordingly, it is proposed that § 17.1 (a)(1) be revised to read as follows:

§ 17.1 Bread, white bread, and rolls, white rolls, or buns, white buns; identity; label statement of optional ingredients.

(a) * * *

(1) Shortening, in which or in conjunction with which may be used lecithin, hydroxylated lecithin complying with the provisions of § 121.1027 of this chapter, mono- and diglycerides of fat-forming fatty acids, diacetyl tartaric acid esters of mono- and diglycerides of fat-forming fatty acids, propylene glycol mono- and diesters of fat-forming fatty acids complying with the provisions of § 121.1113 of this chapter, or a combination of two or more of these. The total weight of mono- and diglycerides or mono- and diglycerides and propylene glycol mono- and diesters used, including diacetyl tartaric esters of mono- and diglycerides of fat-forming fatty acids, does not exceed 20 percent by weight of the combination of such a preparation and the shortening, and the total amount of monoglyceride or monoglyceride and propylene glycol monoesters does not exceed 8 percent by weight of the combination; but if purified or concentrated monoglyceride is used, the amount of such preparation does not exceed 10 percent by weight of the combination of such preparation and shortening. For the purposes of this section, the optional ingredients lecithin and hydroxylated lecithin may include related phosphatides derived from the corn oil or soybean oil from which such ingredients were obtained.

* * * * *

Because of cross-references, adoption of the proposed amendment to the standard for bread (§ 17.1) would have the effect of making the subject substance a permitted ingredient of enriched bread, milk bread, raisin bread, and whole wheat bread (§§ 17.2–17.5).

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: June 10, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66–6670; Filed, June 16, 1966; 8:47 a.m.]

[21 CFR Part 27]

FROZEN CONCENTRATE FOR ARTIFICIALLY SWEETENED LEMONADE

Definition and Standard of Identity

Notice is given that a joint petition has been filed by Libby, McNeill, and Libby, 200 South Michigan Avenue, Chicago, Ill., 60604, and the ReaLemon Division of The Borden Co., 350 Madison Avenue, New York, N.Y., 10017, proposing that a definition and standard of identity for frozen concentrate for artificially sweetened lemonade be established providing for mandatory use of saccharins and/or cyclamates as artificial sweeteners, and mandatory use of thickening and dispersing agents without required label declaration.

1. The petitioners' proposed definition and standard of identity reads as follows:

§ 27._____ Frozen concentrate for artificially sweetened lemonade; identity; label statement of optional ingredients.

(a) Frozen concentrate for artificially sweetened lemonade is the frozen food prepared from one or both of the lemon juice ingredients specified in paragraph (b) of this section, an artificial sweetening ingredient as specified in paragraph (c) of this section, together with one or more of the thickening agents as specified in paragraph (d) of this section and one or more of the dispersing agents as specified in paragraph (e) of this section. Water may be added and it may contain the optional ingredients specified in paragraph (f) of this section. When the product is diluted according to directions for making artificially sweetened lemonade, which directions shall appear on the label, the acidity of the reconstituted food, calculated as anhydrous citric acid, shall be not less than 0.70 gram per 100 milliliters.

(b) The lemon juice ingredients referred to in paragraph (a) of this section are:

(1) Lemon juice, frozen lemon juice, or a mixture of both.

(2) Concentrated lemon juice or frozen concentrated lemon juice, or a mixture of both.

For the purposes of this section, lemon juice is the undiluted juice expressed from mature lemons of an acid variety; and concentrated lemon juice is lemon juice from which part of the water has been removed. The lemon juice and concentrated lemon juice may be treated by heat to reduce microbiological and enzymatic activity.

(c) The artificial sweetening ingredients referred to in paragraph (a) of this section are saccharin, sodium saccharin, sodium cyclamate, calcium cyclamate, or any combination of these.

(d) The thickening agents referred to in paragraph (a) of this section are propylene glycol alginate, carboxymethylcellulose, sodium carboxymethylcellulose, methylcellulose, tragacanth, karaya gum, carob bean gum, and acacia, and such other thickening agents as are approved for use in foods pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act.

(e) The dispersing agents referred to in paragraph (a) of this section are brominated vegetable oil and such other dispersing agents as are approved for use in foods pursuant to section 409 of the act.

(f) The optional ingredients referred to in paragraph (a) of this section are lemon oil or concentrated lemon oil, or both.

(g) (1) If the optional ingredient specified in paragraph (f) is used, the label shall bear the statement "_____ added" or "with added _____," the blank being filled in with the word "flavoring" or with the name "lemon oil" or "concentrated lemon oil," or where both are used, with the names "lemon oil and concentrated lemon oil."

(2) Wherever the name of the food appears on the label so conspicuously so

as to be easily seen under customary conditions of purchase, the statement specified in subparagraph (1) of this paragraph shall conspicuously precede or follow the name without intervening written, printed, or graphic matter.

(3) The name of the product is frozen concentrate for artificially sweetened lemonade and, wherever the name of the food appears on the label, the words "artificially sweetened" shall be of the same size and style of type as the word "lemonade."

2. After receipt of the petition, holders of temporary marketing permits (21 CFR 10.5) for the subject food have written and taken exception to the mandatory use of thickening and dispersing agents. Therefore, the Commissioner, on his own initiative, proposes that the use of thickening and dispersing agents be made optional. Further, he proposes that such ingredients when used shall be declared on the label by their common names.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding the proposals published herein. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, within 30 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: June 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6672; Filed, June 16, 1966; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7436]

AIRWORTHINESS DIRECTIVES

Boeing Model 727 Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Boeing Model 727 airplanes. There have been leaks between the control valve and the brake housing of the pneumatic brake system on the subject airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed AD would require modification of the pneumatic brake system on the subject airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before July 18, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BOEING. Applies to Model 727 Series airplanes listed in Boeing Service Bulletin No. 29-22, dated February 21, 1966.

Compliance required within the next 700 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent failure of the pneumatic brake system due to leaks between the control valve and the brake housing, modify the pneumatic brake system line installation in accordance with Boeing Service Bulletin No. 29-22, dated February 21, 1966, or later FAA-approved revision, or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Issued in Washington, D.C., on June 10, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-6644; Filed, June 16, 1966; 8:45 a.m.]

[14 CFR Part 39]

[Docket No. 7437]

AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Boeing Model 727 Series airplanes. There have been inoperative column actuated horizontal stabilizer trim system brakes on the subject airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed AD would require modification of the stabilizer trim system brake on Boeing Model 727 Series airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before July 18, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BOEING. Applies to Model 727 Series airplanes.

Compliance required within the next 2,500 hours' time in service after the effective date of this AD unless already accomplished.

Modify stabilizer trim system brake, Boeing P/N 10-60822-1, Western Gear P/N 4472R155, Western Gear Serial Numbers 101 through 225, in accordance with paragraph (2) of Western Gear Service Bulletin "Flight Controls—Stabilizer Brake Assembly Western Gear P/N 4472R155 Install Additional Spacers Under Pawls."

Issued in Washington, D.C., on June 10, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-6645; Filed, June 16, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-WE-25]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would accomplish the following airspace actions:

1. Designate the Hugo, Colo., transition area as that airspace SW of Hugo VOR extending upward from 8,500 feet MSL bounded on the N by the S edge of V-108S, on the W by the E edge of V-81, on the S by the N edge of V-210, on the E by the W edge of V-169, and that airspace SE of Hugo VOR bounded on the W by the E edge of V-169, on the S by the N edge of V-10 and on the NE by the SW edge of V-263, excluding the airspace within Federal airways and the Pueblo and Colorado Springs, Colo., transition areas.

2. Amend the Sidney, Nebr., transition area by adding "and that airspace SW of Sidney VOR extending upward from 8,500 feet MSL bounded on the N by the S edge of V-138, on the NW by the SE edge of V-207, on the SW by the NE edge of V-132, and on the SE by the NW edge of V-172 and on the E by the W edge of V-169, excluding the airspace within Federal airways."

3. Revoke Colorado Springs, Colo., control area extension.

All of the proposed transition areas are currently being utilized by IFR flights based at Denver, Colo. The areas east of Pueblo are also used by military training flights based at Colorado Springs, Colo. The areas are within radar coverage of the Denver Center and the Center is providing traffic advisory service to pilots as controller workload permits. Establishment of these areas as controlled airspace will provide for efficient and expeditious handling of IFR aircraft.

It is planned that, at a future date, the floors of adjacent airways will be raised to 1,200 feet or more above the surface.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A Public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on June 9, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-6646; Filed, June 16, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

STATEMENT OF ORGANIZATION

The Statement of Organization for the Office of Foreign Assets Control published pursuant to the Administrative Procedure Act is being corrected to include a reference to the Transaction Control Regulations administered by the Office. As amended the Statement reads:

STATEMENT OF ORGANIZATION

OFFICE OF FOREIGN ASSETS CONTROL

The Office of Foreign Assets Control is established under Treasury Department Order No. 128 of December 14, 1950, as amended on October 15, 1962. The Office of Foreign Assets Control is headed by a Director who reports to the Assistant Secretary for International Affairs through the Assistant to the Secretary (National Security Affairs).

The Office administers controls over the assets in the United States of, and financial transactions by, China (except Formosa), North Korea, North Viet-Nam, Cuba, and their nationals for the purpose of preventing transactions which would be inimical to the interests of the United States. Controls are also administered over the assets remaining blocked under World War II controls of Czechoslovakia, Hungary, East Germany, Estonia, Latvia, Lithuania, and their nationals, and also with respect to certain scheduled securities. In addition, the Office administers the Transaction Control Regulations which prohibit persons in the United States from engaging in certain transactions involving the shipment of certain strategic merchandise from foreign countries to Russia or other Communist countries.

The controls are administered through a system of licenses, rulings and other documents (see 31 CFR Ch. V) pursuant to powers of the President under section 5(b) of the Trading With the Enemy Act, as amended, and any proclamations, orders, regulations, or rulings that have been or may be issued thereunder. The Office of Foreign Assets Control is represented in the field by the Federal Reserve Bank of New York.

The Director of the Office of Foreign Assets Control has been delegated by the Secretary of the Treasury power to exercise and perform all authority, duties, and functions which the Secretary is authorized or required to exercise or perform under sections 3 and 5(b) of the Trading With the Enemy Act, as amended, and any proclamations, orders, regulations, or rulings that have been or may be issued thereunder.

Authority to take final licensing action on certain applications for specific licenses authorizing certain types of transactions prohibited by the regulations is delegated to the Federal Reserve Bank of New York, subject to policies and procedures prescribed by the Office of Foreign Assets Control.

The public may in general secure any information or make submittals, requests, or petitions with respect to any Office of Foreign Assets Control matters by communicating through correspondence or telephone or by coming in person or sending a representative, either to the central office in Washington or to the Federal Reserve Bank of New York.

Correspondence with the central office should be directed to "Foreign Assets Control, U.S. Treasury Department, Washington, D.C., 20220." Personal inquiries to the central office should be made to the Main Treasury Building, Washington, D.C., 20220. All correspondence or inquiries to the Federal Reserve Bank of New York should be addressed as follows: Foreign Assets Control Division, Federal Reserve Bank of New York, 33 Liberty Street, New York, N.Y., 10045.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 66-6657; Filed, June 16, 1966; 8:46 a.m.]

Office of the Secretary

[Dept. Circ. 570, 1965 Rev. Supp. No. 22]

MERCHANTS INDEMNITY CORPORATION OF NEW YORK AND MERCHANTS FIRE ASSURANCE CORPORATION OF NEW YORK

Termination of Authority To Qualify as Sureties on Federal Bonds

Notice is hereby given that the Certificates of Authority issued by the Secretary of the Treasury to Merchants Indemnity Corp. of New York, of New York, N.Y., and Merchants Fire Assurance Corp. of New York, of New York, N.Y. (New York corporations, with administrative offices in Baltimore, Md.), under the provisions of the Act of Congress approved July 30, 1947 (6 U.S.C. 6-13), to qualify as sole sureties on recognizances, stipulations, bonds, and undertakings permitted or required by the laws of the United States, are hereby terminated as of January 1, 1966, the effective date of the mergers for accounting purposes.

Pursuant to Agreement of Merger effective 12:00:30 a.m. on January 1, 1966, approved by the Acting Deputy Superintendent of Insurance of the State of New York on January 4, 1966, the Merchants Indemnity Corp. of New York was merged into Merchants Fire Assurance Corp. of New York, the surviving company. Pursuant to Articles of Merger effective 12:01 a.m. on January 1, 1966, approved by the Acting Deputy Superintendent of Insurance of the State of New York on January 4, 1966, and by the State Department of Assessment and Taxation of Maryland on January 5, 1966, the Merchants Fire Assurance Corp. of New York was merged into United States Fidelity & Guaranty Co., the surviving company. United States Fidelity & Guaranty Co., a Maryland corporation which holds a Certificate of Authority from the Secretary of the Treasury as an acceptable surety on Federal bonds, acquired all the assets and assumed all the liabilities of the merged companies. Copies of the Agreement of Merger and Articles of Merger are on file in the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington, D.C., 20226.

No action need be taken by bond-approving officers, by reason of the mergers, with respect to any bonds or other obligations in favor of the United States or in which the United States has an interest, direct or indirect, issued on or before January 1, 1966, by Merchants Indemnity Corp. of New York or Merchants Fire Assurance Corp. of New York, pursuant to Certificates of Authority issued the companies by the Secretary of the Treasury.

Dated: June 13, 1966.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 66-6658; Filed, June 16, 1966; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

National Park Service

[Order 3]

NATIONAL CAPITAL REGION, WASHINGTON, D.C.; PARK SUPERINTENDENTS AND CERTAIN REGIONAL OFFICIALS

Delegation of Authority

SECTION 1. The National Park Service superintendents in the National Capital Region whose positions are allocated to Civil Service grade GS-14 and above, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following:

(a) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500 and (3) payment of the full amount of the damages is offered.

(b) Acceptance of lands when jurisdiction over properties administered by other agencies within the District of Columbia is being transferred to the National Park Service under authority of the Act of May 20, 1932, as amended (40 U.S.C., sec. 122).

(c) Disposition of lands or interests therein.

SEC. 2. The superintendents whose positions are allocated to Civil Service grades GS-13, and GS-12, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Approval of contracts for construction, supplies, or services in excess of $50,000, provided that construction contracts will be entered into only with the advice and consent of the Design and Construction Planning and Service Center Chief.

(b) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $500 and (3) payment of the full amount of the damages is offered.

(c) Issuance of revocable special use permits having a term of more than 3 years.

(d) Acceptance of lands when jurisdiction over properties administered by other agencies within the District of Columbia is being transferred to the National Park Service under authority of the Act of May 20, 1932, as amended (40 U.S.C., Sec. 122).

(e) Disposition of lands or interests therein.

SEC. 3. *Associate Regional Director and Assistant Regional Directors.* The Associate Regional Director and Assistant Regional Directors may exercise all the authority of the Regional Director with respect to any matter which may come before them.

SEC. 4. *Regional Chief, Division of Property Management and General Services and Regional Procurement Officer.* The Regional Chief, Division of Property Management and General Services, may execute, administer, and approve contracts not in excess of $200,000 for construction, supplies, equipment, and services; provided that construction contracts will be entered into only with the advice and consent of the Design and Construction Planning and Service Center Chief. The Regional Procurement Officer may execute and approve contracts not in excess of $50,000 for supplies, equipment and services. This authority may be exercised by these officers on behalf of any office or area for which the National Capital Region Office serves as the field finance office.

SEC. 5. *Redelegation.* A superintendent may, in writing, redelegate to any officer or employee the authority delegated to him by this order. Each redelegation shall be published in the FEDERAL REGISTER.

SEC. 6. *Revocation.* This order supersedes National Capital Region Order No. 2, as amended, however, redelegations based thereon are continued in effect to the extent that they are not in conflict with this order.

(National Park Service Order No. 34 (31 F.R. 4255); 39 Stat. 535, 16 U.S.C., sec. 2)

T. SUTTON JETT,
Regional Director,
National Capital Region.

MAY 16, 1966.

[F.R. Doc. 66-6661; Filed, June 16, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

TELFAIR COUNTY STOCKYARD ET AL.

Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, as amended (7 U.S.C. 202), and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

Name, location of stockyard, and date of posting

GEORGIA

Telfair County Stockyard, McRae, Apr. 29, 1966.

KENTUCKY

Breckinridge Co. Livestock Center, Inc., Irvington, Feb. 8, 1966.

LOUISIANA

Voiron Stockyard, Inc., Thibodaux, May 3, 1966.

MINNESOTA

Porter Livestock Auction Company, Porter, Apr. 6, 1966.

NEW MEXICO

Co-Op Sales Ring, Aztec, Mar. 28, 1966.

NEW YORK

Chatham Area Auction Co-Operative, Inc., Chatham, May 26, 1966.

WISCONSIN

Beetown Livestock Market, Beetown, May 27, 1966.

Done at Washington, D.C., this 10th day of June 1966.

CHARLES G. CLEVELAND,
Chief, Registrations, Bonds and Reports Branch, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 66-6654; Filed, June 16, 1966; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File 23(66)-16]

WOODHAM TRADING, LTD., AND GLOVET TRADERS, LTD.

Order Temporarily Denying Export Privileges

In the matter of Woodham Trading, Ltd., and Glovet Traders, Ltd., 13 Upper Berkeley Street, London W.1., England, File 23(66)-16; respondents.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce; U.S. Department of Commerce, pursuant to the provisions of § 382.11 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations), has applied to the Compliance Commissioner for an order temporarily denying all export privileges to the above-named respondents. The Compliance Commissioner has reviewed the application and the evidence presented in support thereof and has submitted his report, together with his recommendation that the application be granted and that a temporary denial order be issued for 60 days.

The evidence and recommendation of the Compliance Commissioner have been considered. On the evidence presented, there is reasonable basis to believe that the respondents are engaged in the import-export business and deal in automotive spare parts and equipment, and also other commodities; that the respondents share office space and facilities at the same address in London, England; that G. M. Hammerson is a director in both of the respondent firms; and that respondents participate together in some phases of business transactions; and that by reason of their close connection and affiliation, and the interlocking directorship, the two firms are related to one another in a business sense. There is also reasonable basis to believe that respondent Woodham Trading, Ltd., purchased substantial quantities of automotive spare parts and equipment from the United States and that after it received said spare parts in London it reexported quantities of said parts and equipment to Cuba with knowledge that said reexportations were in violation of the U.S. Export Regulations. There is also reasonable basis to believe that respondent Glovet Traders, Ltd., in connection with an export control document, and for the purpose of effecting an exportation from the United States, made false and misleading statements to the Office of Export Control. Further, there is reasonable basis to believe that said respondents will continue their conduct in contravention of the Export Control Act and Regulations unless U.S. export privileges are temporarily denied. I find that an order temporarily denying export privileges to the respondents is reasonably

necessary for the protection of the public interest and national security.

Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondents appear or participate in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondents, their successors, assigns, partners, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) as a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to their agents and employees and to any successor and to any person, firm, corporation, or business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall take effect forthwith and shall remain in effect for a period of 60 days from the date hereof, unless it is hereafter extended, amended, modified, or vacated in accordance with the provisions of the U.S. Export Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with respondents or any related party, or whereby the respondents or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, transshipment, reexportation, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served upon the respondents.

VII. In accordance with the provisions of § 382.11(c) of the Export Regulations, the respondents or any related party may move at any time to vacate or modify this temporary denial order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request an oral hearing thereon which, if requested, shall be held before the Compliance Commissioner in Washington, D.C., at the earliest convenient date.

This order shall become effective forthwith.

Dated: June 10, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 66-6666; Filed, June 16, 1966; 8:47 a.m.]

Maritime Administration

AMERICAN EXPORT ISBRANDTSEN LINES, INC.

Notice of Application

Notice is hereby given that American Export Isbrandtsen Lines, Inc., has applied for amendment of its Operating-Differential Subsidy Agreement, Contract No. FMB-87 so as to permit it to make privilege calls at a port or ports in the Virgin Islands with its passenger ships SSs "Independence," "Constitution," and "Atlantic" while on voyages between U.S. Atlantic ports and the Mediterranean on Trade Route No. 10.

Any person, firm, or corporation having any interest in such application and desiring a hearing under section 605(c) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1175, should by the close of business on June 24, 1966 notify the Secretary, Maritime Subsidy Board in writing in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board.

In the event a hearing is ordered to be held on the application under section 605(c), the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route, or line served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of U.S. registry in such service route or line is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Date: June 14, 1966.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-6677; Filed, June 16, 1966; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

FROZEN CONCENTRATE FOR ARTIFICIALLY SWEETENED LEMONADE

Extension of Temporary Permits To Cover Market Testing

Pursuant to § 10.5(j) of Title 21 of the Code of Federal Regulations, concerning temporary permits to facilitate market testing of foods deviating from the requirements of standards of identity established under the authority of section 401 of the Federal Food, Drug, and Cosmetic Act, notice is given that the temporary permits held by:

1. Libby, McNeill, & Libby, Chicago, Ill., as published in the FEDERAL REGISTER of July 1, 1965 (30 F.R. 8418);

2. ReaLemon Co., Chicago, Ill., a Division of The Borden Co., New York, N.Y., as published in the FEDERAL REGISTER of June 4, 1965 (30 F.R. 7403);

3. Topco Associates, Inc., San Francisco, Calif., as published in the FEDERAL REGISTER of May 25, 1965 (30 F.R. 7020); and

4. Ventura Coastal Corp., Ventura, Calif., as published in the FEDERAL REGISTER of August 12, 1965 (30 F.R. 10063), to cover interstate marketing tests of frozen concentrate for artificially sweetened lemonade deviating from the standard of identity for frozen concentrate for lemonade (21 CFR 27.101) are extended to September 1, 1966. The permitted ingredients and labeling requirements are continued the same in each case as specified in the above-cited notices.

Dated: June 10, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6673; Filed, June 16, 1966; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-254]

COMMONWEALTH EDISON CO.

Notice of Application for Construction Permit and Facility License

Please take notice that Commonwealth Edison Co., 72 West Adams Street, Chicago, Ill., 60690, pursuant to section 140b of the Atomic Energy Act of 1954, as amended, has filed an application dated May 31, 1966, for a construction permit and facility license to authorize construction and operation of a single cycle, forced circulation, boiling water nuclear reactor at Commonwealth Edison Co.'s Quad-Cities Station located near Cordova in Rock Island County, Ill.

The proposed reactor, designated by the applicant as the Quad-Cities Unit 1, will have a design capacity of approximately 2,600 thermal megawatts but will be operated initially at approximately 2,300 thermal megawatts with a net electrical output of 715 megawatts.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 10th day of June 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66-6639; Filed, June 16, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 17391]

BRITISH OVERSEAS AIRWAYS CORP.

Notice of Prehearing Conference

Application seeking amendment of its foreign air carrier permit by the addition of a new route segment 7: "Between the terminal point London, England, and the terminal points New York, N.Y., and San Francisco, Calif., and beyond New York, N.Y., and San Francisco, Calif., to Honolulu, Hawaii, American Samoa, Fiji, Australia, and New Zealand."

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on June 22, 1966, at 10 a.m., e.d.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C, before Examiner Richard A. Walsh.

Dated at Washington, D.C., June 13, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-6667; Filed, June 16, 1966; 8:47 a.m.]

[Docket 17400]

EXCLUSION OF GOVERNMENT TRANSPORTATION REQUESTS FROM YOUTH FARE PLANS

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on June 30, 1966, at 10 a.m., e.d.s.t., in Room 211, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Milton H. Shapiro.

In order to facilitate the conduct of the conference interested parties are instructed to submit to the examiner and other parties on or before June 24, 1966, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., June 13, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-6668; Filed, June 16, 1966; 8:47 a.m.]

[Docket 13795 etc.]

REOPENED SUPPLEMENTAL AIR SERVICE PROCEEDING

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on June 27, 1966, at 10 a.m., e.d.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., June 14, 1966.

[SEAL] ROBERT L. PARK,
Hearing Examiner.

[F.R. Doc. 66-6669; Filed, June 16, 1966; 8:47 a.m.]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on June 22, 1966. The hearing will take place in Room 1306 of the State Office Building in Philadelphia, Pa., beginning at 2 p.m. The hearing will be on proposals to amend the Comprehensive Plan so as to include the following projects:

1. *Lower Pottsgrove Township Authority.* A comprehensive sewerage system to serve Lower Pottsgrove Township and a portion of Upper Pottsgrove Township, Montgomery County, Pa. Interceptor sewers, pumping stations, and a treatment plant will be developed to treat an average daily flow of 800,000 gallons. Treated effluent will discharge to Sprogel's Run, a tributary of the Schuylkill River.

2. *Borough of Bally Municipal Authority.* A new sewage treatment plant in the Borough of Bally, Berks County, Pa. Secondary treatment will be provided to an average daily flow of about 200,000 gallons. Discharge of treated effluent will be to the Northwest Branch of Perkiomen Creek.

3. *Borough of Quakertown.* A project to provide additions and improvements to the existing sewage treatment works in the Borough of Quakertown, Bucks County, Pa. The new facilities will provide secondary treatment for an average daily flow of 1.5 million gallons. Discharge of the treated effluent will be through an existing outfall sewer to the Tohickon Creek.

4. *Beaver Meadows Municipal Authority.* A new sewage treatment plant in the Borough of Beaver Meadows, Carbon County, Pa. Secondary treatment will be provided to an average daily flow of about 178,000 gallons. Treated effluent will discharge to Beaver Creek, a tributary of the Lehigh River.

5. *Borough of Wind Gap.* A preliminary proposal to develop sewage collection and treatment facilities for the Borough of Wind Gap, Northampton County, Pa. Secondary treatment will be provided for an average daily flow of approximately 250,000 gallons. Treated effluent will discharge to a tributary of Little Bushkill Creek.

6. *Borough of Bristol.* A new well to be used for public water supply purposes in the Borough of Bristol and portions of Bristol Township, Bucks County, Pa. Designated as Edgely Well No. 4, the new facility is expected to yield about 500 gallons per minute.

7. *Philadelphia Suburban Water Co.* A project to develop two new wells to be used for public water supply purposes in Montgomery County, Pa. The Crooked Lane Well is located in Upper Merion Township and is expected to yield 1,000 gallons per minute. The Cedar Grove Well is located in Whitemarsh Township and is expected to yield 250 gallons per minute.

8. *Langhorne Spring Water Co.* A new well for public water supply purposes in the company's franchise area in Bucks County, Pa. Designated as M-14, the new facility is located in Middletown Township and is expected to yield 253 gallons per minute.

9. *Norristown Water Co.* A project to increase the capacity of the company's filter plant in the Borough of Norristown, Montgomery County, Pa. The capacity of the plant will be increased by a margin of 6 million gallons a day which will be withdrawn from the Schuylkill River.

Documents relating to the above projects may be examined at the Commission's offices. All persons wishing to testify are requested to register in ad-

vance with the Secretary to the Commission.

W. BRINTON WHITALL,
Secretary.

JUNE 10, 1966.

[F.R. Doc. 66-6660; Filed, June 16, 1966; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI66-406 etc.]

TEXACO INC. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JUNE 8, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 27, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date [1] unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-406...	Texaco Inc., Post Office Box 2420, Tulsa, Okla., 74102.	112	[3] 5	Northern Natural Gas Co. (Hugoton Field, Stevens County, Kans.).	$323	5-20-66	[2] 6-20-66	11-20-66	[6] 11.0	[4] [5] 12.0	
	do	72	8	Northern Natural Gas Co. (Hugoton Field, Haskell County, Kans.).	1,480	5-20-66	[2] 6-20-66	11-20-66	[6] 11.0	[4] [5] 12.0	
RI66-407...	Jonnell Gas, Inc., D-205 Petroleum Center, 900 Northeast Loop Expressway, San Antonio, Tex.	3	6	Tennessee Gas Pipeline Co. (Northeast Lopeno Field, Zapata County, Tex.) (R.R. District No. 4).	180	5-20-66	[7] 6-23-66	11-23-66	[6] 16.5	[4] [8] 18.0	

[1] Includes Letter Agreement dated Feb. 3, 1966, which provides for increased rate.
[2] The stated effective date is the first day after expiration of the statutory notice.
[3] Redetermined rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Subject to a downward B.t.u. adjustment.
[6] The stated effective date is the effective date requested by Respondent.
[7] Periodic rate increase.
[8] Being collected subject to a 15-cent refund floor as provided in the temporary certificate issued in Docket No. C166-883.

Texaco Inc. (Texaco) requests retroactive effective dates of March 11, 1966, and March 7, 1966, for Supplement Nos. 5 and 8 to its FPC Gas Rate Schedule Nos. 112 and 72, respectively. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Texaco's rate filings and such request is denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

[F.R. Doc. 66-6603; Filed, June 16, 1966; 8:45 a.m.]

[Docket Nos. G-8156 etc.]

PETROLEUM CORPORATION OF TEXAS ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1a]

JUNE 9, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 29, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certifiactes of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.
[1a] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
C166-1177 A 5-26-66	John J. McDonnell, et al., c/o Denzil Prather, agent, 1814 Seventh St., Parkersburg, W. Va., 26102.	Consolidated Gas Supply Corp., Union and Murphy Districts, Ritchie County, W. Va.	25.0	15.325
C166-1178 A 5-26-66	Glenn W. Roberts, Elizabeth, W. Va., 26143.	Consolidated Gas Supply Corp., Lee District, Calhoun County, W. Va.	25.0	15.325
C166-1179 A 5-26-66	Bush & Williams, et al., Box 158, Taylorsville, Miss., 39168.	Consolidated Gas Supply Corp., Troy District, Gilmer County, W. Va.	25.0	15.325
C166-1180 A 5-26-66	M. D. Carey, et al., 204 Alden Ave., Marietta, Ohio, 45750.	Consolidated Gas Supply Corp., Doddridge Grant District, County, W. Va.	25.0	15.325
C166-1181 A 5-26-66	Market Oil & Gas Co., c/o Clarence Powell, agent, West Union, W. Va., 26456.	Consolidated Gas Supply Corp., New Milton District, Doddridge County, W. Va.	25.0	15.325
C166-1182 A 5-26-66	Dillon Oil Company, c/o Dion W. Hardman, agent, 4001 Jefferson St., Parkersburg, W. Va., 26102.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
C166-1183 A 5-26-66	D. A. Dorward, et al., 41 North Chesterfield Rd., Columbus, Ohio, 43213.	Consolidated Gas Supply Corp., Lee District, Calhoun County, W. Va.	25.0	15.325
C166-1184 A 5-26-66	Gibson Oil Co., First National Bank Bldg., Room No. 523, Marietta, Ohio, 45750.	Consolidated Gas Supply Corp., Grant District, Ritchie County, W. Va.	[10] 27.0	15.325
C166-1185 A 5-26-66	Bud Kelley, Hrs. No. 1, c/o David E. Barr, agent, Granisville, W. Va., 26578.	Consolidated Gas Supply Corp., Sherman District, Calhoun County, W. Va.	25.0	15.325
C166-1186 A 5-26-66	Robert W. Adams, Suite 1420, 1700 Broadway, Denver, Colo., 80202.	Consolidated Gas Supply Corp., Clear Fork District, Mingo County, W. Va.	[10] 27.0	15.325
C166-1187 A 5-26-66	George W. Miller, et al., Tanner. W. Va., 26179.	Consolidated Gas Supply Corp., De Kalb District, Gilmer County, W. Va.	25.0	15.325
C166-1188 A 5-26-66	Geosonic Corp., et al., Post Office Box 22166, Houston, Tex., 77027.	Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va.	25.0	15.325
C166-1189 A 5-26-66	MacTay Investment Co., et al., Box 305, Casper, Wyo., 82601.	Consolidated Gas Supply Corp., Skin Creek District, Lewis County, W. Va.	25.0	15.325
C166-1190 A 5-26-66	Sunset International Petroleum Corp., 8920 Wilshire Blvd., Beverly Hills, Calif., 90211.	Consolidated Gas Supply Corp., Warren District, Upshur County, W. Va.	25.0	15.325
C166-1191 A 5-26-66	Stydahar Oil & Gas Co., et al., 165 Franklin Rd., Glencoe, Ill.	Consolidated Gas Supply Corp., Elk District, Barbour County, W. Va.	25.0	15.325
C166-1192 A 5-26-66	Skookum Development Co., c/o Willard E. Ferrell, Esq., Post Office Box 5036, Philadelphia, Pa., 19104.	Consolidated Gas Supply Corp., Union District, Ritchie County, W. Va.	25.0	15.325
C166-1193 A 5-26-66	Golden Well No. 1, c/o L. I. Kisling, Jr., Route 3, Salem, W. Va., 26426.	Consolidated Gas Supply Corp., Greenbrier District, Doddridge County, W. Va.	25.0	15.325
C166-1194 A 5-26-66	O. A. Newbrough and Dale Wolfe, c/o O. A. Newbrough, agent, 1001 Fox Ave., Harrisville, W. Va., 26362.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
C166-1195 A 5-26-66	Burgel Drilling Co., et al., Box 1844, Parkersburg, W. Va., 26101.	do	23.0	14.325
C166-1196 A 5-26-66	J & J Enterprises, Inc., Avonmore, Pa., 15618.	Consolidated Gas Supply Corp., Warren District, Upshur County, W. Va.	25.0	15.325
C166-1197 A 5-26-66	Bower-Longfellow, et al., c/o C. O. Bower, agent, Grantsville, W. Va., 26147.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
C166-1198 A 5-26-66	Crump Oil Co., Post Office Box 722, Memphis, Tenn., 38101.	Consolidated Gas Supply Corp., Union District, Barbour County, W. Va.	25.0	15.325
C166-1199 A 5-26-66	Mann Drilling Co. et al., Box 86, Clarksburg, W. Va., 26301.	Consolidated Gas Supply Corp., Central District, County, W. Va.	25.0	15.325
C166-1200 A 5-26-66	J & J Enterprises, Inc., 518 Allegheny Ave., Avonmore, Pa., 15618.	Consolidated Gas Supply Corp., Doddridge Union District, Barbour County, W. Va.	25.0	15.325

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-8156 E 5-4-66	Petroleum Corp. of Texas (successor to Shell Oil Co.), Post Office Box 752, Breckenridge, Tex., 76024.	United Gas Pipe Line Co., North McFadden Field, Victoria County, Tex.	15.6	14.65
G-14548 C 5-27-66	American Petrofina Co. of Texas, c/o Walker W. Smith, Jr., 2100 Dallas Power & Light Bldg., Dallas, Tex., 75221.	El Paso Natural Gas Co., Blanco Pictured Cliffs Field, Rio Arriba and San Juan Counties, N. Mex.	12.0	15.025
G-20368 E 5-12-66	William C. Russell, Operator (successor to White Sands Oil & Gas Co.) 1775 Broadway, New York, N.Y., 10019.	El Paso Natural Gas Co., Fulcher Kutz Pictured Cliffs Field, San Juan County, N. Mex.	12.0	15.025
C162-702 C 5-2-66	Mobil Oil Corp., 150 South Main St., Findlay, Ohio, 45840.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[3] 17.72	14.65
C164-167 3-4-66 [4]	N. V. Duncan Drilling Co. (Operator), et al. (successor to Mapsea Petroleum Co. (Operator), et al.), 1616 Local Federal Bldg., Oklahoma City, Okla., 73102.	Arkansas Louisiana Gas Co., Northeast Ames Field, Major County, Okla.	15.0	14.65
C164-647 C 5-26-66	George L. Yaste, d.b.a. Oil States Sales Co., 4401 Centre Ave., Pittsburgh, Pa., 15213.	Equitable Gas Co., Union District, Ritchie County, W. Va.	25.0	15.325
C165-628 E 5-23-66 [4]	Potash Co. of America, Post Office Box 31, Carlsbad, N. Mex., 88220.	Natural Gas Pipeline Co. of America, Indian Basin Area, Eddy County, N. Mex.	[9] 16.098	14.65
C166-129 C 5-31-66	Joseph E. Seagram & Sons, Inc. (d.b.a. Texas Pacific Oil Co., Inc.), 1600 Texas Bank Tower, Dallas, Tex., 75221.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
C166-357 C 5-31-66	American Petrofina Co. of Texas.	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	13.0	15.025
C166-859 C 5-27-66	Phillips Petroleum Co., Bartlesville, Okla., 74003.	Panhandle Eastern Pipe Line Co., McQuiddy Ranch Area, Hemphill County, Tex.	[7] 17.0	14.65
C166-696 A 1-20-66	Cities Service Oil Co. (successor to Landmark Oil, Inc.), Cities Service Bldg., Bartlesville, Okla., 74003.	El Paso Natural Gas Co., Merchant Unit, Reagan County, Tex.	11.0	14.65
C166-1151 B 5-16-66	The Gerhig Co. of Arkansas (Operator), et al., 1010 Union Oil Center Bldg., Shreveport, La., 71101.	Rio Sabine, Inc., Simpson Lake Field, Caddo Parish, La.	(5)	.....
C166-1167 A 5-25-66	Union Texas Petroleum, a division of Allied Chemical Corp., et al., Post Office Box 2120, Houston, Tex., 77001.	Transcontinental Gas Pipe Line Corp., Leleux Field, Vermilion Parish, La.	20.625	15.025
C166-1168 A 5-26-66	J. B. Myers Oil Properties, 405 Wilson Bldg., Corpus Christi, Tex., 78401.	Landa Oil Co., Orange Grove Field, Jim Wells County, Tex.	10.5	14.65
C166-1172 A 5-26-66	Lock 3 Oil, Coal & Dock Co. and Crown Coal & Coke Co., c/o C. Allen Tennant, agent, 415 Porter Bldg., Pittsburgh, Pa.	Consolidated Gas Supply Corp., Warren District, Upshur County, W. Va.	25.0	15.325
C166-1173 A 5-26-66	Allegheny Land & Mineral Co., 818 Professional Bldg., Clarksburg, W. Va., 26301.	Consolidated Gas Supply Corp., McClellan District, Doddridge County, and Wirt District, Ritchie County, W. Va.	25.0	15.325
C166-1174 A 5-26-66	Rex Drilling Co., et al., Clarksburg, W. Va., 26301.	Consolidated Gas Supply Corp., Grant District, Doddridge County, W. Va.	25.0	15.325
C166-1175 A 5-26-66	C. L. Kingsbury, et al., 2 Kingsbury Dr., Huntington, W. Va., 25705.	Consolidated Gas Supply Corp., Washington District, Calhoun County, W. Va.	25.0	15.325
C166-1176 A 5-26-66	Petroleum Resources, Inc., Post Office Box 605, Weston, W. Va., 26452.	Consolidated Gas Supply Corp., Collins Settlement District, Lewis County, W. Va.	25.0	15.325

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.
See footnotes at end of table.

Docket No. and Date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66-1201 ..... A 5-26-66	E. B. Clark Drilling Co., et al., 503 City National Bldg., Wichita Falls, Tex., 76301.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	25.0	15.325
CI66-1202 ..... A 5-26-66	Delta Petroleum Co., et al., c/o James N. Ryan, attorney-in-fact, Post Office Box 2051, Clarksburg, W. Va., 26301.	Consolidated Gas Supply Corp., Center District, Gilmer County, W. Va.	25.0	15.325
CI66-1203 ..... A 5-26-66	Winnie Fae Morris, et al., 429 Penn Ave., Harrisville, W. Va., 26362.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
CI66-1204 ..... A 5-26-66	Cumberland Gas Co., Box 2386, Charleston, W. Va., 25328.	Consolidated Gas Supply Corp., Union Pleasant District, Clay County, W. Va.	25.0	15.325
CI66-1205 ..... A 5-26-66	Lewis E. Smith, Box 356, Grantsville, W. Va., 26147.	Consolidated Gas Supply Corp., Lee District, Calhoun County, W. Va.	25.0	15.325
CI66-1206 ..... A 5-26-66	E. B. Clark Drilling Co., et al..	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	25.0	15.325
CI66-1207 ..... A 5-27-66	Robbins Petroleum Corp., Operator, Post Office Box 2347, Longview, Tex., 75601.	Lone Star Gas Co., North Henderson Area, Rusk County, Tex.	14.0	14.65
CI66-1208 ..... A 5-27-66	Robbins Petroleum Corp., operator.	Lone Star Gas Co., North Henderson Area, Rusk County, Tex.	16.56	14.65
CI66-1209 ..... B 5-26-66	C. M. and V. W. Frost, et al, 2610 Tennessee Bldg., Houston, Tex., 77002.	Glenn H. McCarthy, Fig Ridge Field, Chambers County, Tex.	(1)	.....
CI66-1210 ..... A 5-27-66	Placid Oil Co., 2500 First National Bank Bldg., Dallas, Tex., 75202.	Texas Gas Transmission Corp., Howell Area, La Fourche Parish, La.	20.625	15.025
CI66-1211 ..... A 5-16-66	Durbin Bond, 403 Union National Bank Bldg., Little Rock, Ark., 72201.	Cities Service Gas Co., South Bishop Area, Ellis County, Okla.	17.0	14.65
CI66-1212 ..... A 5-31-66	Woods Petroleum Corp., 4900 North Santa Fe, Oklahoma City, Okla., 73118.	Panhandle Eastern Pipe Line Co., Southeast Arnett Field, Ellis County, Okla.	17.0	14.65
CI66-1213 ..... A 5-31-66	J. Gregory Merrion and Robert L. Bayless, Post Office Box 507, Farmington, N. Mex., 87401.	El Paso Natural Gas Co., Chacra and South Blanco Pictured Cliffs Field, Rio Arriba County, N. Mex.	12.0	15.025
CI66-1214 ..... B 5-31-66	Mabee Petroleum Corp. and the Estate of Lottie E. Mabee (successors to J. E. Mabee Co.), 1916 First National Bldg., Tulsa, Okla., 74101.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Depleted	.....
CI66-1215 ..... A 5-31-66	Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co., Post Office Box 747, Dallas, Tex., 75221.	Natural Gas Pipeline Co. of America, North Farnsworth Area, Ochiltree County, Tex.	17.0	14.65
CI66-1216 ..... A 5-31-66	Harper-Smith & Associates, Inc., Post Office Drawer S, Boca Raton, Fla., 33432.	Lone Star Gathering Co., Belitz Field, De Witt County, Tex.	15.0	14.65
CI66-1217 ..... A 5-31-66	Robbins Petroleum Corp., Operator.	Lone Star Gas Co., Pone Area, Rusk County, Tex.	16.56	14.65
CI66-1218 ..... A 5-27-66	Philadelphia Oil Co., 420 Boulevard of the Allies, Pittsburgh, Pa., 15219.	Equitable Gas Co., De Kalb and Glenville Districts, Gilmer County and Cove District, Doodridge County, W. Va.	25.0	15.325
CI66-1219 ..... A 5-27-66	Maxwell D. Simmons, Operator, Inc., Post Office Box 1013, Longview, Tex., 75601.	Lone Star Gas Co., Danville Area, Rusk County, Tex.	16.56	14.65
CI66-1220 ..... A 5-27-66	B. Reagan McLemore, et al., Suite 821, First National Bank Bldg., Longview, Tex., 75601.	Lone Star Gas Co., Danville Area, Gregg County, Tex.	16.56	14.65

[1] Rate in effect subject to refund in Docket No. RI65-377. Applicant has filed to be substituted as respondent therein.
[2] Successor in interest to Haynes & V-T Drilling Co. White Sands Oil & Gas Co. made no certificate filing for subject sale.
[3] Includes 0.72 cent per Mcf upward B.t.u. adjustment.
[4] Amendment to certificate filed to reflect change in Operator.
[5] Amendment to certificate filed to reflect acquisition of "et al" party's interest. Potash has acquired the interest of J. B. Cummings which was previously covered under Applicant's certificate in said docket.
[6] Revised rate in compliance with the Commission order issued Nov. 3, 1965, accepting offers of settlement and issuing certificates (15.5 cents plus applicable State and local taxes as per Opinion No. 468).
[7] Subject to upward and downward B.t.u. adjustment.
[8] Predecessor made no certificate or rate filing.
[9] Declined in pressure.
[10] Includes 2.0 cents per Mcf gathering and transportation charge.
[11] Contract expired.

[F.R. Doc. 66-6604; Filed, June 16, 1966; 8:45 a.m.]

[Docket Nos. RI66-408, etc.]

KERR McGEE CORP. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

JUNE 8, 1966.

Kerr McGee Corp. (Operator), et al., Docket No. RI66-408; Hall Jones Oil Corp. (Operator), et al., Docket No. RI66-409; Viersen & Cochran (Operator), et al., Docket No. RI66-405.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 27, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-408	Kerr-McGee Corp. (Operator), et al., Kerr-McGee Bldg., Oklahoma City, Okla., 74004.	10	5	Phillips Petroleum Co.[3] (Hugoton Field, Texas County, Okla. Panhandle Area and Sherman County, Tex.). (R.R. District No. 10).	$3,115	5-9-66	[2] 6-12-66	[4] 6-13-66	6.3066	[5] [6] 7.1463	
RI66-409	Hall-Jones Oil Corp. (Operator), et al., Liberty National Bank Bldg., Oklahoma City, Okla., 73102.	[7] 2	1	Cities Service Gas Co. (Eureka Field, Grant County, Okla.) (Oklahoma "Other" Area).	650	5-20-66	[2] 6-20-66	[4] 6-21-66	[8] 13.0	[8] [9] 14.0	
RI66-405	Viersen & Cochran (Operator), et al., Post Office Box 280, Okmulgee, Okla., 74447.	[7] 5	1	Arkansas Louisiam Gas Co. (East Medford Field, Grant County, Okla.) (Oklahoma "Other" Area).	550	5-20-66	[2] 6-20-66	[4] 6-21-66	11.0	[5] [10] 12.0	

[1] Phillips gathers and processes the gas in its Sherman Gasoline Plant and resells the residue gas to Michigan Wisconsin Pipe Line Co. under its FPC Gas Rate Schedule No. 4 at a present effective rate of 15.22 cents per Mcf plus applicable tax reimbursement, which is subject to refund in Docket No. RI65-526.
[2] The stated effective date is the effective date requested by Respondent.
[3] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Contract dated after Sept. 28, 1960, the date of issuance of general policy statement No. 61-1.
[7] Subject to a downward B.t.u. adjustment.

Kerr-McGee Corp. (Operator), et al., (Kerr-McGee) proposes a periodic increase in rate from 6.3066 cents to 7.1463 cents at 14.65 p.s.i.a. for the wellhead sale of gas to Phillips Petroleum Co. (Phillips) in the Oklahoma Panhandle Area and Texas Railroad District No. 10. The increased rate ceiling in both areas is 11.0 cents per Mcf. Phillips gathers and processes the gas in its Sherman Gasoline Plant and resells the residue gas to Michigan Wisconsin Pipe Line Co. Phillips' resale of the gas is made under its FPC Gas Rate Schedule No. 4 at a current rate of 15.22 cents plus applicable tax reimbursement. Such rate is being collected subject to refund in Docket No. RI65-526. The proposed increase is not related to any corresponding increase by Phillips. Although Kerr-McGee's proposed rate does not exceed the area increased rate ceilings of 11.0 cents per Mcf as set forth in the Commission's statement of general policy No. 61-1, as amended, the sale related thereto is considered to be for nonpipeline quality gas. We consider the increased rate ceiling to be applicable in this case at the outlet of the processing plant which is the point of delivery to the pipeline company. Under the circumstances, we believe that Kerr-McGee's proposed rate increase should be suspended for 1 day from June 12, 1966, the proposed effective date.

The contracts related to the rate filings proposed by Hall-Jones Oil Corp. (Operator), et al. (Hall-Jones) and Vierson & Cochran (Operator), et al. (Vierson & Cochran), were executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed increased rates are above the applicable area ceiling for increased rates but below the initial service ceiling for the areas involved. We believe, in this situation, Hall-Jones and Vierson & Carson's rate filings should be suspended for 1 day from June 20, 1966, the proposed effective date.

[F.R. Doc. 66-6605; Filed, June 16, 1966; 8:45 a.m.]

[Docket Nos. G-4438, CP66-395]

ARKANSAS LOUISIANA GAS CO.

Notice of Application and of Petition To Amend

JUNE 10, 1966.

Take notice that on May 31, 1966, Arkansas Louisiana Gas Co. (Applicant), Post Office Box 1734, Shreveport, La., 71102, filed in Docket No. CP66-395 an application pursuant to section 7(b) of the Natural Gas Act requesting permission and approval to abandon a portion of its natural gas service to Southwest Gas Producing Co., Inc. (Southwest), under Applicant's FPC Gas Rate Schedule No. 3 and requesting that the certificate issued on October 18, 1956, in Docket No. G-4438 and amended on April 9, 1963, and January 4, 1966, be amended further to reflect the deletion of several wells from its service agreement with Southwest, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that at the present time a number of wells are committed to the sale of natural gas to Southwest including 14 wells in Lincoln Parish, La., which are the subject of the instant application. Applicant further states that the purpose of the instant application is to enable Applicant to receive into its own system for utilization in the conduct of its business as a natural gas utility the gas from these wells which heretofore has gone to Southwest under Rate Schedule XFS-3.

Applicant proposes to continue to sell and deliver gas to Southwest under Applicant's Rate Schedule XFS-3 from other wells covered by the contract which are not connected to Applicant's gathering system. Applicant states that an appropriate filing is contemporaneously being made to change its Rate Schedule XFS-3 to reflect the changed circumstances contemplated by the instant application.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 7, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on the application filed in Docket No. CP66-395 if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6647; Filed, June 16, 1966; 8:45 a.m.]

[Docket Nos. G-6832 etc.]

PAN AMERICAN PETROLEUM CORP. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates; Correction

JUNE 2, 1966.

Pan American Petroleum Corp. et al., Docket Nos. G-6832 etc.; Natural Gas & Oil Corp. (successor to Mississippi River Corp.), Docket Nos. CI66-1056 through CI66-1070.

In the Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates, issued May 11, 1966, and published in the FEDERAL REGISTER May 19, 1966 (F.R. Doc. 66-31, FR-7295), change filing code "A&E 5-2-66" to read "E-5-2-66" after Docket Nos. CI66-1056, CI66-1057, CI66-1058, CI66-1059, CI66-1060, CI66-1061, CI66-1062, CI66-1063, CI66-1064, CI66-

1065, CI66–1066, CI66–1067, CI66–1068, CI66–1069, and CI66–1070.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6648; Filed, June 16, 1966; 8:45 a.m.]

[Docket No. CP66–131]

TRUNKLINE GAS CO.

Notice of Petition To Amend

JUNE 10, 1966.

Take notice that on June 1, 1966, Trunkline Gas Co. (Petitioner), Post Office Box 1642, Houston, Tex., 77001, filed in Docket No. CP66–131 a petition to amend the certificate of public convenience and necessity issued in said docket on February 11, 1966, so as to authorize increases in the contract demands of 11 of its resale customers in the aggregate of 4,101 Mcf of gas per day, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that subsequent to the issuance of the order in the instant docket 11 of its existing resale customers requested increased contract demands commencing during 1966 so as to meet their requirements for the 1966–1967 heating season. Petitioner further states that such requests for increased contract quantities are as follows:

	Present authorization Mcf	Proposed increase Mcf	Proposed contract demand Mcf
Flora, Ill.	3,800	200	4,000
Hickman, Ky.	1,600	1,300	2,900
Louisville, Ill.	630	320	950
McLeansboro, Ill.	2,350	250	2,600
Newbern, Tenn.	1,025	275	1,300
Troy, Tenn.	425	75	500
United Cities Gas Co.	3,800	200	4,000
Vienna, Ill.	1,000	300	1,300
Wickliffe, Ky.	644	156	800
Central Illinois Electric & Gas Co.:			
Sidney, Ill.	1,200	550	1,750
St. Joseph, Ill.	675	175	850
Illinois Power Co., Ogden, Ill.	700	300	1,000

Petitioner states that no additional facilities will be needed to provide such increased contract quantities and that no change in rates nor in the terms upon which service is rendered is proposed in conjunction with the requested amendment.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 7, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–6649; Filed, June 16, 1966; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

GENERAL BANCSHARES CORP.

Notice of Applications for Approval of Acquisitions of Shares of Banks

Notice is hereby given that applications have been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842), by General Bancshares Corp., which is a bank holding company located in St. Louis, Mo., for the prior approval of the Board of the acquisitions by Applicant of 80 percent or more of the voting shares of each of First National Bank in St. Louis, and St. Louis Union Trust Co., both of St. Louis, Mo.

In determining whether to approve these acquisitions, the Board is required by the Bank Holding Company Act to take into consideration the following factors in each case: (1) The financial history and condition of the company and the banks concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisitions may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 10th day of June 1966.

By order of the Board of Governors.

[SEAL] KENNETH A. KENYON,
Assistant Secretary.

[F.R. Doc. 66–6650; Filed, June 16, 1966; 8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), the Administrative Order No. 579 (28 F.R. 11524), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the statutory minimum of $1.25 an hour.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below $1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is less, in occupations of the same general classes in which the establishment employed full-time students at wages below $1.00 an hour in the base period.

W. T. Grant Co., variety stores; Dover, Del. (6–9–66 to 6–8–67); No. 877, Jacksonville, Fla. (5–19–66 to 5–18–67); 420 Main Street, Johnstown, Pa. (5–27–66 to 5–26–67).

S. S. Kresge Co., variety stores; No. 303, Arlington Heights, Ill. (6–6–66 to 6–5–67); No. 90, Jacksonville, Ill. (6–7–66 to 6–6–67); No. 4058, Springfield, Ill. (5–2–66 to 5–1–67); 103 East Sixth Street, Fremont, Nebr. (6–10–66 to 6–9–67); No. 704, Dallas, Tex. (5–13–66 to 5–12–67).

M.F.A. Central Cooperative, food store; Morgan & Lafayette Streets, Marshall, Mo.; 5–2–66 to 5–1–67.

G. C. Murphy Co., variety stores; No. 449, Vandalia, Ill. (6–1–66 to 5–31–67); No. 457, Flora, Ill. (6–1–66 to 5–31–67).

Rhea's, Inc., bakery store; 536 Smithfield Street, Pittsburgh, Pa.; 6–10–66 to 6–9–67.

Richards Brothers, food store; Mountain Grove, Mo.; 3–30–66 to 3–29–67.

Rudyard Co-Op Co., food store; Pickford, Mich.; 5–24–66 to 5–23–67.

Suttons Food Mart, food store; 1313 West 21st Street, Topeka, Kans.; 4–2–66 to 4–1–67.

T. G. & Y. Stores Co., variety store; No. 231, Mobile, Ala.; 5–1–66 to 4–30–67.

Woods Super Market, food store; Buffalo, Mo.; 5–3–66 to 5–2–67.

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates of not less than 85 percent of the minimum applicable under section 6 of the act in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

Beecher Plaza IGA Foodliner, food store; 1373 West Coldwater Road, Flint, Mich.; carry-out boys, stock clerk; 10 percent for each month; 5–9–66 to 5–8–67.

W. T. Grant Co., variety stores for the occupations of sales clerk, stock clerk, office clerk, and cashier, except as otherwise indicated: No. 941, Cape Girardeau, Mo. (sales clerk, stock clerk, porter, between 0.0 percent and 8.6 percent, 5–20–66 to 5–19–67); No. 142, Ballwin, Mo. (sales clerk, office clerk, stock clerk, between 4.3 percent and 10 percent, 5–12–66 to 5–11–67); No. 888, Lancaster, Ohio (between 0.5 percent and 10 percent, 6–1–66 to 5–31–67); No. 214, South Norfolk, Va. (between 8.0 percent and 10 percent, 6–1–66 to 5–31–67).

S. S. Kresge Co., variety stores for the occupations of sales clerk, stock clerk, office clerk, except as otherwise indicated: 7325 West Colfax Avenue, Lakewood, Colo. (between 3.1 percent and 6.0 percent, 6–8–66 to 6–7–67); No. 4018, Dubuque, Iowa (sales clerk, between 8.3 percent and 10 percent, 5–3–66 to 5–2–67); No. 4550, Muscatine, Iowa (checkout clerk, stock clerk, sales clerk, between 2.6 percent and 9.9 percent, 6–9–66 to 6–8–67); 2100 North Snelling Avenue, St. Paul, Minn. (sales clerk, 10 percent for each month, 6–9–66 to 6–8–67); No. 4069, Casper, Wyo. (between 3.1 percent and 6.0 percent, 5–17–66 to 5–16–67).

L. & G. Hardware Co., hardware store; 31280 Groesbeck Highway, Fraser, Mich.; stock clerk; between 1.8 percent and 10 percent; 5–20–66 to 5–19–67.

McCrory-McLellan-Green Stores, Inc., variety store; Northampton Road, Hadley, Mass.; sales clerk, stock clerk, office clerk; between 6.6 percent and 10 percent; 6–9–66 to 6–8–67.

Morgan & Lindsey, Inc., variety stores; No. 3120, Baton Rouge, La. (sales clerk, stock clerk, office clerk, between 8.3 percent and 10 percent, 5–12–66 to 5–11–67); No. 3036, Pascagoula, Miss. (stock clerk, sales clerk, between 0.0 percent and 10 percent, 5–4–66 to 5–3–67).

G. C. Murphy Co., variety store; No. 5430, San Antonio, Tex.; sales clerk, stock clerk, office clerk, janitorial; 10 percent for each month; 5–4–66 to 5–3–67.

Ramey Super Market, food store; No. 4, Springfield, Mo.; baggers, carry-out; 10 percent for each month; 5–17–66 to 5–16–67.

Raylass Department Stores, Inc., variety store; 1123–5 Broadway, Columbus, Ga.; stock clerk, sales clerk, clerical, janitorial, marker; 10 percent for each month; 6–10–66 to 6–9–67.

Sunshine Department Store, department store; 32 Hawthorne Plaza, Mableton, Ga.; sales clerk; between 7.7 percent and 10 percent; 6–8–66 to 6–7–67.

Sterling Stores Co., Inc., variety store; 5030 Park Avenue, Memphis, Tenn.; sales clerk, stock clerk, janitorial; 10 percent for each month; 5–1–66 to 4–30–67.

T. G. & Y. Stores Co., variety store; No. 314, Atchison, Kans.; sales clerk, office clerk, stock clerk; between 4.2 percent and 10 percent; 6–1–66 to 5–31–67.

The following certificates were issued to establishments under paragraph (k) of § 519.6 of 29 CFR Part 519. These certificates supplement certificates issued pursuant to other paragraphs of that section, but do not authorize the employment of full-time students at rates below the applicable statutory minimum in additional occupations. The certificates contain limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees. The additional allowances apply to the specified months and vary from month to month between the minimum and maximum figures indicated.

W. T. Grant Co., variety store; Dover, Del.; between 1.3 percent and 1.5 percent for the months of June through October; 6–9–66 to 10–31–66.

Seifert's Fairfield, Inc., apparel store; 54–56 Burlington Street, Fairfield, Iowa; 5 percent for the months of June through May; 6–1–66 to 5–31–67.

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 10th day of June 1966.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 66–6651; Filed, June 16, 1966; 8:46 a.m.]

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Barad Lingerie Co., Salem, Mo.; effective 5–23–66 to 5–22–67 (ladies' cotton sleepwear).

Bur-Mac Corp., 240 Collins Industrial Drive, Athens, Ga.; effective 6–16–66 to 6–15–67 (men's and boys' slacks).

Camp Hill Sportswear Co., Inc., Camp Hill, Ala.; effective 5–25–66 to 5–24–67. Learners may not be employed at special minimum wage rates in the manufacture of skirts (ladies' slacks and shirts).

Decaturville Sportswear Co., Inc., Decaturville, Tenn.; effective 5–30–66 to 5–29–67. Learners may not be employed at special minimum wages in the production of skirts (ladies' surfers, capris, pedal pushers, etc.).

Don Juan Manufacturing Corp., 113 Grubb Street, Hertford, N.C.; effective 6–6–66 to 6–5–67 (men's and boys' shirts).

Eagle Pass Manufacturing Co., 368 Alice Avenue, Eagle Pass, Tex.; effective 6–4–66 to 6–3–67 (men's and boys' work clothing and slacks).

Freeland Sportswear Co., Inc., 246–250 Centre Street, Freeland, Pa.; effective 5–25–66 to 5–24–67 (men's outerwear jackets).

Hartselle Manufacturing Co., Inc., Hartselle, Ala.; effective 6–11–66 to 6–10–67 (men's work pants).

Hy-Grade Pants Co., Inc., 403 South Main, Taylor, Pa.; effective 5–28–66 to 5–27–67 (men's and boys' pants).

Leco Manufacturing Corp., Mountain City, Tenn.; effective 6–4–66 to 6–3–67 (ladies' and children's night gowns and pajamas).

Linda Lane Garment Co., Inc., 106 Bluff Street and 204 North Main, Excelsior Springs, Mo.; effective 5–24–66 to 5–23–67 (ladies', nurses' and maids' uniforms).

The H. D. Lee Co., Inc., Jasper, Ga.; effective 5–24–66 to 5–23–67 (men's and boys' slacks).

Mode O'Day Co., Plant No. 2, 2955 South Main Street, Salt Lake City, Utah, effective 6–3–66 to 6–2–67 (women's dresses).

Stone Manufacturing Co., 1500 Poinsett Highway, Greenville, S.C.; effective 5–27–66 to 5–26–67 (ladies' and children's cotton slips and playwear).

Renmar Manufacturing Corp., 301 Ann Street, Parkersburg, W. Va.; effective 6–3–66 to 6–2–67 (infants', children's and juniors' playwear).

Sweet-Orr & Co., Inc., Dawsonville, Ga.; effective 5–28–66 to 5–27–67 (boys' uniform shirts).

Van Heusen Corp., Patton, Pa.; effective 6–2–66 to 6–1–67 (men's dress and sport shirts).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Angelica Uniform Co., Winfield, Mo.; effective 6–5–66 to 6–4–67; 10 learners (men's washable service apparel).

Lyons Garment Co., Inc., 364 North Thomas Street, Athens, Ga.; effective 5–25–66 to 5–24–67; 10 learners (men's and boys' pants).

Paramount Sportswear Corp., 271 Pleasant Street, Fall River, Mass.; effective 5–25–66 to 5–24–67; 10 learners (children's clothing).

Fred Ronald Manufacturing Co., Inc., 1715 North Eighth Street, Neodesha, Kans.; effective 5–31–66 to 5–30–67; 10 learners (boys' shirts).

Tamaqua Garment Co., 137 West Broad Street, Tamaqua, Pa.; effective 5–25–66 to 5–24–67; 10 learners (women's dresses).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Bur-Mac Corp., 240 Collins Industrial Drive, Athens, Ga.; effective 6–6–66 to 12–5–66; 20 learners (men's and boys' slacks).

Center Hill Shirt Corp., Bailey, Miss.; effective 6–6–66 to 12–5–66; 100 learners (boys' sport shirts).

Dickson-Jenkins Manufacturing Co., 202–208 St. Louis Avenue, Fort Worth, Tex.; effective 6–6–66 to 12–5–66; 15 learners (western pants, work pants, and casual pants).

Formflex of Arizona, Inc., 1120 West Watkins Road, Phoenix, Ariz.; effective 6-3-66 to 12-2-66; 15 learners (girdles).

Grifton Clothing Co., Highway 118 East, Grifton, N.C.; effective 6-6-66 to 12-5-66; 25 learners (boys' and girls' outerwear jackets).

Panola Inc. of Batesville, Highway 6 West, Batesville, Miss.; effective 5-29-66 to 11-28-66; 85 learners (women's girdles).

Rector Garment Co., Inc., Rector, Ark.; effective 5-23-66 to 11-22-66; 25 learners (men's trousers).

Renmar Manufacturing Corp., 301 Ann Street, Parkersburg, W. Va.; effective 6-3-66 to 12-2-66; 30 learners (infants', children's and juniors' playwear).

Ruth Originals Corp., 2029 Asheville Highway, Hendersonville, N.C.; effective 6-3-66 to 12-2-66; 15 learners (children's dresses).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

Good Luck Glove Co., Main Street, Rosiclare, Ill.; effective 5-30-66 to 11-8-66; 20 additional learners for plant expansion purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Selma Hosiery Co., Post Office Box 151, Dillon, S.C.; effective 6-2-66 to 6-1-67; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Russell Hosiery Mills, Inc., Box 128, Star N.C.; effective 5-27-66 to 5-26-67; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Arrow Co., Plant No. 2, Jackson Street, Eveleth, Minn.; effective 6-15-66 to 6-14-67; 5 learners for normal labor turnover purposes (men's pajamas).

Mode O'Day Co., 840 12th Street NW., Mason City, Iowa; effective 6-6-66 to 6-5-67; 5 learners for normal labor turnover purposes (ladies' slips and sleepwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico and the Virgin Islands to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods and the number of learners authorized to be employed, are indicated.

Beatrice Needle Craft, Inc., Malecon Road Plant, Post Office Box 88, Mayaguez, P.R.; effective 5-23-66 to 5-22-67; 22 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres).

El Finale, Inc., Apartado 992, Caguas, P.R.; effective 5-23-66 to 11-22-66; 17 learners for plant expansion purposes in the occupations of: (1) machine stitching, for a learning period of 480 hours at the rates of 80 cents an hour for the first 240 hours and 92 cents an hour for the remaining 240 hours; and (2) die and clicker machine operating, for a learning period of 160 hours at the rate of 80 cents an hour (fabric and leather gloves).

Samson, Ltd., Christiansted Postal Annex, St. Croix, U.S. Virgin Islands; effective 5-25-66 to 11-24-66; 21 learners for plant expansion purposes in the occupation of button machine operating, button machine inspecting; each for a learning period of 320 hours at the rate of 95 cents an hour for the first 160 hours and $1.10 an hour for the remaining 160 hours (Polyester buttons).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 10th day of June 1966.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 66-6652; Filed, June 16, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 14, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40539—*Ferro alloys from Woodstock, Tenn.* Filed by O. W. South, Jr., agent (No. A4902), for interested rail carriers. Rates on ferro-silicon, ferrochrome, ferro manganese, or silico-manganese, in carloads, from Woodstock, Tenn., to Mingo Jct., and Relief, Ohio, also Graham, W. Va.

Grounds for relief—Market competition.

Tariff—Supplement 80 to Southern Freight Association, agent, tariff ICC S-308.

FSA No. 40540—*Watermelons to Chicago, Ill.* Filed by O. W. South, Jr., agent (No. A4904), for interested rail carriers. Rates on watermelons, in bulk, in carloads, from points in southern territory, to Chicago, Ill., and points taking same rates.

Grounds for relief—Carrier competition.

Tariffs—Supplements 146 and 101 to Southern Freight Association, agent, tariffs ICC 1629 and S-75, respectively.

FSA No. 40541—*Vermiculite from Kearney, S.C.* Filed by O. W. South, Jr., agent (No. A4903), for interested rail carriers. Rates on vermiculite, broken, crushed or ground, dried or not dried, not expanded, in carloads, from Kearney, S.C., to New Haven, Conn., Burlington, N.J., and Harlem River, N.Y.

Grounds for relief—Market competition.

Tariff—Supplement 3 to Southern Freight Association, agent, tariff ICC S-623.

FSA No. 40542—*Fluorspar to Pittsburgh, Pa., District.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2847), for interested rail carriers. Rates on Fluorspar, in carloads, from Rosiclare, Junction and Shawneetown, Ill., Marion and Mexico, Ky., to points in the Pittsburgh, Pa., District.

Grounds for relief—Truck-barge-truck and market competition.

Tariffs—Supplement 1 to Baltimore & Ohio Railroad Co. tariff ICC 24857 and supplement 74 to Illinois Central Railroad Co. tariff ICC A-11788.

FSA No. 40543—*Roofing granules to Cincinnati, Ohio.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2848), for interested rail carriers. Rates on roofing granules, in carloads, from Advance, Gladhill, and Watsontown, Pa., also Texas, Md., to Cincinnati, Ohio.

Grounds for relief—Market competition.

Tariff—Supplement 81 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-454.

FSA No. 40544—*Petroleum and petroleum products to Barmac, N.C.*—Filed by Southwestern Freight Bureau, agent (No. B-8855), for interested rail carriers. Rates on petroleum, petroleum products and related articles, in carloads, from points in southwestern territory, also Kansas, to Barmac, N.C.

Grounds for relief—Market competition.

Tariff—Supplement 129 to Southwestern Freight Bureau, agent, tariff ICC 4486.

FSA No. 40545—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 574), for interested rail carriers. Rates on tape, cotton friction, other than insulating tape, in carloads, from, to and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Intrastate rates and maintenance of rates from and to points in other States not subject to the same competition.

Tariff—Supplement 53 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

FSA No. 40547—*Soybean cake or meal from points in Arkansas.* Filed by Southwestern Freight Bureau, agent (No. B-8868), for interested rail carriers. Rates on soybean cake or meal, in carloads, from points in Arkansas, to points in southern territory.

Grounds for relief—Market competition.

Tariffs—Supplements 12 and 10 to Southwestern Freight Bureau, agent, tariffs ICC 4634 and 4673, respectively.

AGGREGATE-OF-INTERMEDIATES

FSA No. 40546—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 575), for interested rail carriers. Rates on tape, cotton friction, other than insulating tape, in carloads, from, to and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 53 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6662; Filed, June 16, 1966; 8:47 a.m.]

[Notice 196]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 14, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 21086 (Sub-No. 1 TA), filed June 8, 1966. Applicant: L. J. NICHOLS AND SON, INC., 180 Mill Road, Newark, Del. Applicant's representative: Barbara W. Nichols (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Treated or untreated wood, ties, poles, lumber, and piling*, from Newport, Del., to New York, N.Y., for 180 days. Supporting shipper: Koppers Co., Inc., Pittsburgh, Pa., 15219 (W. J. Keneski, Manager—Traffic Services Section). Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 207 Post Office Building, Salisbury, Md., 21801.

No. MC 42710 (Sub-No. 7 TA), filed June 9, 1966. Applicant: BENJAMIN A. RYDER, JAMES B. RYDER, JOSEPH B. RYDER, AND JOHN H. RYDER, a partnership, doing business as BEN'S TRANSFER & STORAGE, Second and Valley Streets, Baker, Oreg. Applicant's representative: Earle V. White, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from Wing, Oreg., to points in Washington, Idaho, Montana, and that part of Nevada in and north of the counties of Douglas, Lyon, Churchill, Lander, Eureka, and White Pine, for 180 days. Supporting shipper: Chemical Lime Co., Post Office Box 711, Baker, Oreg. Send protests to: S. F. Martin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 58813 (Sub-No. 80 TA), filed June 8, 1966. Applicant: SELMAN'S EXPRESS, INC., 460 West 35th Street, New York, N.Y. Applicant's representative: Solomon Granett, 1740 Broadway, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, on hangers only, from Leighton, Ala., Norlina, N.C., and Miami, Fla., to points in the New York, N.Y., commercial zone, and *materials and supplies* used in the manufacture of wearing apparel, over irregular routes, from points in the New York, N.Y., commercial zone to Leighton, Ala., Norlina, N.C., and Miami, Fla., for 150 days. Supporting shippers: Warren Industries, Inc., Norlina, N.C.; Leighton Manufacturing, Inc., Leighton, Ala.; Westgate Fashions, Inc., 1370 Broadway, New York, N.Y. Send protests to: Paul W. Assenza, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 99610 (Sub-No. 5 TA), filed June 10, 1966. Applicant: ROSS NEELY EXPRESS, INC., 3601 Fifth Avenue North, Post Office Box 2290, Birmingham, Ala. Applicant's representative: John W. Cooper, 1301 City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (with usual exceptions), serving the plantsite of MacMillan, Bloedel & Powell River, Ltd., near Pine Hill, Ala., as an off-route point in connection with applicants presently authorized operation over Alabama Highway 5 and U.S. Highway 43, for 180 days. Supporting shipper: MacMillan, Bloedel & Powell River, Ltd., 1190 West Pender Street, Vancouver 1, Canada. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala., 35205.

No. MC 100449 (Sub-No. 10 TA), filed June 10, 1966. Applicant: FRANCIS MALLINGER, doing business as MALLINGER TRUCK LINES, Otho, Iowa. Applicant's representative: William A. Landau, Motorways, Inc., Des Moines, Iowa, 50316. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay sewer pipe and sewer pipe fittings*, with or without prepared joints, from Pittsburg, Kans., to points in Iowa, Illinois, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, for 150 days. Supporting shipper: W. S. Dickey Clay Manufacturing Co., Post Office Box 13125, Kansas City, Mo., 64199. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 103993 (Sub-No. 258 TA), filed June 8, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind., 46515. Applicant's representative: Bill R. Privitt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, and *campers* designed for installation on pickup trucks, in initial movements, in truckaway service, from points in Mahoning County, Ohio, to points in Wisconsin, Illinois, Tennessee, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Delaware, New Jersey, Indiana, Ohio, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, Kentucky, Michigan, Louisiana, for 180 days. Supporting shipper: Go-Tag-A-Long Manufacturing, Inc., 240 High Street, Washingtonville, Ohio, 44490. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 107107 (Sub-No. 369 TA), filed June 9, 1966. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th Street, Post Office Box 458, Allapattah Station, Miami, Fla., 33142. Applicant's representative: Ford W. Sewell (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from Lemont, Ill., to points in Florida, for 180 days. Supporting shipper: South Chicago Packing Co., 9229 South Baltimore Avenue, Chicago, Ill., 60617. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1621, 51 Southwest First Avenue, Miami, Fla., 33130.

No. MC 107527 (Sub-No. 43 TA), filed June 8, 1966. Applicant: POST TRANSPORTATION COMPANY, 3152 East 26th Street, Los Angeles, Calif., 90023. Applicant's representative: R. Sherman Kirk-

sey (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Contaminated residue acid*, of no commercial value, in bulk, in tank vehicles, from Torrance, Calif., to Garfield, Utah, for 150 days. Supporting shipper: Stauffer Chemical Co., 636 California Street, San Francisco, Calif., 94119. Send protests to: W. J. Huetig, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 108068 (Sub-No. 55 TA), filed June 10, 1966. Applicant: U. S. A. C. TRANSPORT, INC., 25200 West Six Mile Road, Detroit, Mich., 48240. Office: Rural Route No. 2, Big Oak Acres, Dover, Del. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radio-controlled aircraft*, fully or partially assembled, and *parts and equipment* for aircraft described above when moving with a shipment of aircraft described above, between El Paso, Tex., on the one hand, and, on the other, Travis Air Force Base and Oakland Army Terminal, Calif., for 180 days. Supporting shipper: Northrop Ventura, 1515 Rancho Conejo Boulevard, Newbury Park, Calif., 91320. Send protests to: Gerald J. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1110 Broderick Tower, 10 Witherell, Detroit, Mich., 48226.

No. MC 114897 (Sub-No. 69 TA), filed June 9, 1966. Applicant: WHITFIELD TANK LINES, INC., 300–316 North Clark Road, Post Office Drawer 9897, El Paso, Tex., 79989. Applicant's representative: J. P. Rose (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid silicate of soda*, in bulk, in tank vehicles, from Dallas, Tex., to Albuquerque and Molybdenum, N. Mex., for 180 days. Supporting shippers: E. E. Bracken, manager—truck transportation, Diamond Alkali Co., Union Commerce Building, Cleveland, Ohio, 44115; Harold Tait, Resident Manager, Van Waters & Rogers, Inc., Post Office Box 6176, Station B, Albuquerque, N. Mex., 87107. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse Building, Albuquerque, N. Mex., 87101.

No. MC 115524 (Sub-No. 9 TA), filed June 9, 1966. Applicant: WILLIAM P. BURSCH, doing business as BURSCH TRUCKING, 4130 Edith Boulevard NE., Albuquerque, N. Mex., 87107. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) from points in Taos, Colfax, and Santa Fe Counties, N. Mex., to points in Texas, Oklahoma, and Kansas; (2) from points in Las Animas, Rio Grande, Archuleta, and Conejos Counties, Colo., to points in New Mexico, Texas, Oklahoma, and Kansas; and (3) from points in Jasper and Harris Counties, Tex., to points in New Mexico, for 180 days. Supporting shipper: Robert R. Nazelrod, General Manager, Road Runner Lumber Sales Co., Post Office Box 4095, Santa Fe, N. Mex., 87501. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Court House Building, Albuquerque, N. Mex., 87101.

No. MC 117574 (Sub-No. 153 TA), filed June 9, 1966. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Mt. Route No. 3, Carlisle, Pa., 17013. Applicant's representative: H. M. Keen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, lined or unlined* (except iron or steel, brass or bronze), *pipe fittings, couplings and connections* (except commodities which because of size or weight require the use of special equipment), from Springfield, Ill., to points in Ohio, Kentucky, West Virginia, Pennsylvania, New York, Maryland, New Jersey, Delaware, Virginia, North Carolina, Maine, New Hampshire, Massachusetts, Vermont, Connecticut, Rhode Island, and the District of Columbia, for 180 days. Supporting shipper: Kyova Pipe Co., division of Ashland Oil & Refining Co., Springfield, Ill. Send protests to: Robert W. Ritenour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 218 Central Industrial Building, 100 North Cameron Street, Harrisburg, Pa., 17101.

No. MC 119602 (Sub-No. 5 TA), filed June 9, 1966. Applicant: ALLEN A. BORDELON, 500 Tulane Drive NE., Albuquerque, N. Mex., 87108. Applicant's representative: Herbert M. Boyle, 946 Metropolitan Building, Denver, Colo., 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Waste paper* (scrap IBM cards), from points in New Mexico to Denver, Colo., for 120 days. Supporting shipper: Joseph Goodman, Friedman & Son, Inc., 2345 Walnut Street, Denver, Colo., 80205. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse Building, Albuquerque, N. Mex., 87101.

No. MC 124105 (Sub-No. 20 TA), filed June 9, 1966. Applicant: BAGGETT BULK TRANSPORT, INC., 2 South 32d Street, Birmingham, Ala., 35223. Applicant's representative: T. C. Sinclair (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bulk cement*, from Dan, Ga., to Claussen-Lawrence Construction Co. jobsites in Aiken County, S.C., for 180 days. Supporting shipper: United States Steel Corp., Eastern District Traffic Office, 100 Park Avenue, New York, N.Y. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala., 35205.

No. MC 126247 (Sub-No. 1 TA), filed June 8, 1966. Applicant: HERMAN C. JENKINS, doing business as J & H TRUCKING CO., 4010 West Fourth Avenue, Gary, Ind. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, in dump trailers, from Chicago, Ill., to Relief, Masury, Middletown, Youngstown, and Cleveland, Ohio; and Pittsburgh, Midland, Monessen, Duquesne, Homestead, Farrell, and Aliquippa, Pa., for 150 days. Supporting shipper: Marblehead Lime Co., Division of General Dynamics Corp., 300 West Washington Boulevard, Chicago, Ill., 60606.

No. MC 127186 (Sub-No. 1 TA), filed June 9, 1966. Applicant: PAUL P. LANIER, Box 492, Ironton, Ohio, 45638. Applicant's representative: Earl N. Merwin, 85 East Gay Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Expanded plastic in high cube closed van equipment*, from Hamilton Township, Lawrence County, Ohio, to points in Florida, Louisiana, and Mississippi, under a continuing contract with Dow Chemical Co. of Midland, Mich., for 180 days. Supporting shipper: The Dow Chemical Co., Hanging Rock Plant, Ironton, Ohio, 45638. Send protests to: A. J. Stevens, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 236 New Post Office Building, Columbus, Ohio, 43215.

No. MC 128294 TA, filed June 8, 1966. Applicant: NITEHAWK EXPRESS, INC., 2334 University Avenue, St. Paul, Minn., 55114. Applicant's representative: Joseph J. Dudley, E–1506 First National Bank Building, St. Paul, Minn., 55101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mounted, mechanical sweet corn pickers, tractors, and high dump carts*, between Green Giant Co. plantsites at Blue Earth, Cokato, Glencoe, Le Sueur, Montgomery, and Winsted, Minn., and points in Turner, Lincoln, Yankton, Clay, and Union Counties, S. Dak., and points in Kossuth, Winnebago, Hancock, Humboldt, Webster, and Wright Counties, Iowa, for 180 days. Supporting shipper: Green Giant Co., Le Sueur, Minn., 56058. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 128297 TA, filed June 10, 1966. Applicant: S & T MOTORS, INC., 6831 South Kostner Avenue, Chicago, Ill., 60629. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* except commodities in bulk, having a prior or subsequent movement by water, between Chicago, Ill., on the one hand, and, on the other, points in Cook, Du Page, Kane, Kankakee, Lake, and Will Counties, Ill., for 150 days. Supporting shipper: Alltransport, Inc., 327 South La Salle Street, Chicago, Ill., 60604. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

MOTOR CARRIERS OF PASSENGERS

No. MC 107583 (Sub-No. 36 TA), filed June 8, 1966. Applicant: SALEM TRANSPORTATION CO., INC., 1222 Jerome Avenue, Bronx, N.Y., 10452. Applicant's representative: George H. Rosen, 265 Broadway, New York, N.Y., 12701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, (1) between La Guardia Airport and John F. Kennedy International Airport, New York, N.Y., on the one hand, and, on the other, Philadelphia International Airport, Philadelphia, Pa., McGuire Air Force Base, N.J., Wrightstown, N.J., and points and places in the townships of New Hanover, North Hanover, and Pemberton, in Burlington County, N.J., (2) between Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, McGuire Air Force Base, N.J., Wrightstown, N.J., and points and places in the townships of New Hanover, North Hanover, and Pemberton, in Burlington County, N.J., (3) between McGuire Air Force Base, N.J., and Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., (4) between La Guardia Airport and John F. Kennedy International Airport, New York, N.Y., on the one hand, and, on the other, Philadelphia, Pa., for 150 days. NOTE: The applicant proposes to transport air line crews in charter movements between the airports indicated; and also between such airports and points in the cities of New York, N.Y., and Philadelphia, Pa., where such crews may originate or terminate, prior or subsequent to an air trip, or where such crews may be located for rest periods; restricted to to movements of air line crews not exceeding 11 passengers besides the driver in any one vehicle. Supported by: Pan American World Airways, Inc., Pan Am Building, Attention: Richard S. Kane, New York, N.Y.; Pan American World Airways, Inc., Philadelphia International Airport, Attention: Anthony T. Kozera, Philadelphia, Pa.; Seaboard World Airlines, Inc., Attention: Ronald Grieff, Supervisor, McGuire Air Force Base, N.J.; Trans Caribbean Airways, Attention: Beanford Heape, Station Manager, McGuire Air Force Base, N.J.; Airlift International, Inc., Attention: Halbert E. Eldridge, Station Manager, McGuire Air Force Base, N.J. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 119843 (Sub-No. 6 TA), filed June 9, 1966. Applicant: JACK AUSTIN ROESCH, doing business as ROESCH TRANSPORTATION CO., 24644 Ninth Street, San Bernardino, Calif. Applicant's representatives: Murchison & Stebbins, Suite 211, Allen Paris Building, 211 South Beverly Drive, Beverly Hills, Calif., 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, beginning and ending at points in Riverside, San Bernardino, and Orange Counties, Calif., and extending to points in Arizona, New Mexico, Nevada, Utah, Washington, Oregon, Idaho, Montana, Wyoming, and Colorado, for 180 days. Supporting shippers: Riverside Tour Club, 3837 Seventh Street, Riverside, Calif., 92501; Ellis Social & Educational Club, 884 North Seventh Street, Banning, Calif.; Loma Linda Organic Garden Club, Loma Linda, Calif.; Mrs. Joseph Y. Larsen, 366 Seville Lane, Costa Mesa, Calif.; Sun City Travel Club, Sun City, Calif. Send protests to: John E. Nance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66–6663; Filed, June 16, 1966; 8:47 a.m.]

[Notice 1366]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 14, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68670. By order of June 10, 1966, the Transfer Board approved the transfer to K. J. Stainbrook, Meadville, Pa., of the operating rights of Bernard D. Stainbrook and Clint H. Stainbrook, a partnership, doing business as C. H. Stainbrook and Son, Cochranton, Pa., in certificate No. MC–5220, issued March 15, 1941, authorizing the transportation, over irregular routes, of household goods, between Meadville, Pa., on the one hand, and, on the other, points in Ohio, New York, and West Virginia. Stuart A. Culbertson, Meadville, Pa., 16335, attorney for applicants.

No. MC–FC–68773. By order of June 10, 1966, the Transfer Board approved the transfer to Howard Hess and Larry Hess, a partnership, doing business as Howard Hess & Son, Nez Perce, Idaho, of the operating rights in certificate No. MC–126073, issued December 15, 1964, to Delmer W. Storey, doing business as D. W. Storey Construction Co., Lewiston, Idaho, authorizing transportation, over irregular routes, of sand, gravel, dirt, and processed asphalt road mix between points in Nez Perce County, Idaho, on the one hand, and, on the other, points in Columbia, Garfield, and Asotin Counties, Wash. Donald A. Ericson, 708 Old National Bank Building, Spokane, Wash., 99201, attorney for applicants.

No. MC–FC–68775. By order of June 10, 1966, the Transfer Board approved the transfer to Adam Meyer, Inc., Bethlehem, Pa., of the operating rights in certificates Nos. MC–61763 and MC–61763 (Sub-No. 1), issued June 14, 1954, and April 4, 1962, respectively, to Robert H. Pursell, doing business as Adam Meyer, Bethlehem, Pa., authorizing the transportation, over irregular routes, of household goods, between Bethlehem, Pa., and points in Northampton and Lehigh Counties, Pa., on the one hand, and, on the other, points in New Jersey, New York, Delaware, Maryland, District of Columbia, Virginia, New Hampshire, West Virginia, Ohio, Rhode Island, Massachusetts, Connecticut, and Pennsylvania. Robert H. Holland, 65 East Elizabeth Avenue, Bethlehem, Pa., 18018, attorney for applicants.

No. MC–FC–68796. By order of June 10, 1966, the Transfer Board approved the transfer to James R. Waller, doing business as Waller Truck Co., Richmond, Mo., of certificate in No. MC–4504, issued October 5, 1953, to Thomas M. Brown, doing business as Clay Ray Truck Line, Excelsior Springs, Mo., authorizing the transportation of: General commodities, with the usual exceptions, between Camden, Mo., and Kansas City, Kans., serving specified off-route points, and from Camden to Kansas City and return over a specified route. Joseph R. Nacy, 117 West High Street, Jefferson City, Mo., attorney for applicants.

No. MC–FC–68806. By order of June 10, 1966, the Transfer Board approved the transfer to Joe La Porte, doing business as La Porte Bus Lines, New Iberia, La., of the operating rights originally issued in No. MC–1501 to the Greyhound Corp., and acquired pursuant to No. MC–F–8531 by Greyhound Lines, Inc., and assigned No. MC–1515 (Sub-No. 6), authorizing the transportation of: Passengers and their baggage, between specified highway junctions in Louisiana. L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington, D.C., 20006, attorney for applicants.

No. MC–FC–68819. By order of June 9, 1966, the Transfer Board approved the transfer to Marsh Motor Haulage, Inc., Elizabeth, N.J., of the operating rights in certificate No. MC–119751, issued November 2, 1960, to G & D Lumber Trucking Corp., Port Newark, N.J., authorizing the transportation of: Wooden boxes, crates, shooks, and lumber from Newark, N.J., to points in Connecticut, New Jersey, New York, and Pennsylvania, and lumber, wooden boxes, and box-making equipment and materials, between points in Essex and Union Counties, N.J., on the one hand, and, on the other, points in Pennsylvania and New York within 100 miles of Newark, N.J. Charles J. Wil-

liams, 1060 Broad Street, Newark, N.J., 07102, attorney for applicants.

No. MC-FC-68822. By order of June 13, 1966, the Transfer Board approved the transfer to Kramer Trucking Co., Inc., Rutherford, N.J., of the operating rights in certificate No. MC-45915, issued September 3, 1940, to Franklin Moving Vans, Inc., Jersey City, N.J., authorizing the transportation of household goods, over irregular routes, between points and places in Hudson, Bergen, and Essex Counties, N.J., on the one hand, and, on the other, points and places in New York and Pennsylvania. George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306, counsel for applicants.

No. MC-FC-68835. By order of June 13, 1966, the Transfer Board approved the transfer to Essex Van & Storage, Inc., Baltimore, Md., of certificate No. MC-2043, issued April 30, 1962, to Ace Van Lines, Inc., New Carlisle, Ind., and authorizing the transportation of household goods, over irregular routes, between points in Elkhart and St. Joseph Counties, Ind., on the one hand, and, on the other, points in Indiana, Illinois, Michigan, Ohio, and Pennsylvania; also, household goods, as defined by the Commission, between points in Kosciusko, Lagrange, La Porte, Marshall, Noble, Porter, and Starke Counties, Ind., on the one hand, and, on the other, points in Indiana, Illinois, Michigan, Ohio, Pennsylvania and those in that part of West Virginia on and north of a line beginning at the Pennsylvania-West Virginia State line and extending through Bellton and St. Joseph, W. Va., to the Ohio River. William L. Carney, 105 East Jennings Avenue, South Bend, Ind., 46614, representative for applicants.

No. MC-FC-68845. By order of June 10, 1966, the Transfer Board approved the transfer to Peter Viverito, doing business as Peter's Express, New York, N.Y., of permit in No. MC-123121 (Sub-No. 1), issued August 1, 1961, to J. P. McLaughlin Trucking Service, Inc., Newark, N.J., authorizing the transportation of: Advertising matter, from Union, N.J., to New York, N.Y. George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6664; Filed, June 16, 1966; 8:47 a.m.]

[3d Rev. S.O. 562, Pfahler's ICC Order 207]

FRANKFORT & CINCINNATI RAILROAD CO.

Rerouting and Diversion of Traffic

In the opinion of R. D. Pfahler, agent, the Frankfort & Cincinnati Railroad Co. is unable to transport traffic routed over its line because of work stoppage and having placed an embargo on all freight destined to stations on its line from Halley, Ky., to Paris, Ky., inclusive.

It is ordered, That:

(a) Rerouting traffic: Because of work stoppage and having placed an embargo, the Frankfort & Cincinnati Railroad Co., being unable to transport traffic in accordance with shippers' routing, is hereby authorized to reroute or divert such traffic over any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 12:01 a.m., June 16, 1966.

(g) Expiration date: This order shall expire at 11:59 p.m., July 31, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 13, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-6665; Filed, June 16, 1966; 8:47 a.m.]

[Notice 931]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

Correction

In F.R. Doc. 66-6304 appearing in the issue for Thursday, June 9, 1966, at page 8147, the last sentence for application No. MC 67200 (Sub-No. 23) on page 8151 should read "If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., and Boston, Mass.".

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

	Page
PROCLAMATION:	
3728	8277
EXECUTIVE ORDERS:	
11224 (superseded by EO 11285)	8211
11285	8211
11286	8279

5 CFR

	Page
213	7733, 7734, 7959, 8175, 8281
550	7881
890	8491

7 CFR

	Page
15	8175
26	8113
28	7734
319	8337
354	8113
401	8175
701	7735, 7814
722	8337
728	7814, 8337
775	8339
778	7997
811	7999
845	7815
893	7816
905	8114
908	7961, 8230
910	7962, 8045, 8231, 8303
911	7962, 8231
916	8176, 8177
917	7963, 8114, 8177, 8231, 8232, 8303–8306, 8404, 8491.
918	7735
944	8000
970	8178
1038	8115
1039	8116
1074	8000
1099	7963
1125	8405
1421	7964, 8000, 8003, 8306, 8346
1443	8348
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
905	7971
906	8429
915	8181
994	8021
1001	7911, 8242
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131
1015	7911, 8242
1016	7911
1031	7831
1032	7831
1033	7911
1034	7911

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911, 8496
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831, 8431
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
97	8020

10 CFR

	Page
36	7959, 8417
40	7959

12 CFR

	Page
1	8060
204	8060
545	8353
561	8353
563	8004
571	8004

14 CFR

	Page
13	8353
39	7735, 7881, 7882, 8045, 8046, 8417
61	8354
67	8355
71	7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492.
73	7736, 7827, 7882
75	7736, 7827, 8047, 8418
91	8354
95	8281
97	7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359.
1200	8418
1204	8418
PROPOSED RULES:	
21	8075
39	8498
47	8077
61	8438
71	7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498
73	7977, 8375
75	7762, 8242
91	8026, 8438, 8440
93	8078
207	8438

15 CFR

	Page
230	7737, 7819, 7968
372	8213
373	8213
374	8213
375	8213
376	8213
377	8213
379	8213
382	8213
385	8213
PROPOSED RULES:	
9	7833

16 CFR

	Page
13	7960, 7961, 8058–8060
15	7737, 7806, 8233, 8403, 8492
PROPOSED RULES:	
45	7757
57	8243
192	8244

17 CFR

	Page
211	7821
230	7738
239	7738
240	7740
250	8233
276	7821
PROPOSED RULES:	
270	7913

18 CFR — Page

101 7897
141 7897
201 7897
260 7897
PROPOSED RULES:
8 8376

20 CFR

404 8367
602 7966
604 8281
PROPOSED RULES:
405 7864

21 CFR

8 8216, 8369
27 8493
120 7741
121 8008, 8009, 8369
130 8009
PROPOSED RULES:
17 8497
27 8497

22 CFR

41 7741
42 7741

24 CFR

200 7743
221 7743

25 CFR

41 7744
42 7745

26 CFR

1 7789

29 CFR

0 8306
1605 8370

31 CFR

128 8179
202 7899, 8234
203 7899, 8234
500 7745, 7899
520 8404

32 CFR

1 7807
3 7807
4 7810
7 7811
8 7812
16 7814
30 7814
273 8007
502 7966
1001 8370
1003 8311, 8371
1004 8371
1007 8371

32 CFR—Continued — Page

1013 8371
1014 8371
1053 8371
1250 8061

32A CFR

OIA (Ch. X):
OI REG. 1 7745

33 CFR

202 8403
203 7827, 8312
204 8129
208 7751
401 8062

36 CFR

221 8180
251 7899
261 7902

38 CFR

17 8064
21 8292

39 CFR

13 7752
22 7752
25 7752
27 8234
41 8234
43 7752, 8235
46 8235
51 8236
52 8236
53 8236
55 8236
56 8236
58 8237
61 8237

41 CFR

1-3 8116
4-1 7819
4-6 7819
4-50 7902
8-1 7820
8-2 7820
9-12 8237
101-15 7752
101-17 8117

42 CFR

57 7755
76 7902

43 CFR

3120 7806
PUBLIC LAND ORDERS:
662 (revoked by PLO 4033) 8240
829 (revoked in part by PLO 4028) 8238
1775 (revoked in part by PLO 4027) 8238
4023 7969
4024 7969
4025 7969

43 CFR—Continued — Page

PUBLIC LAND ORDERS—Continued
4026 8238
4027 8238
4028 8238
4029 8238
4030 8239
4031 8239
4032 8239
4033 8293
4034 8240
4035 8240
4036 8240
4037 8241
4038 8241
PROPOSED RULES:
4 8429
3130 8181
3140 8181
3150 8181
3160 8181
3180 8181

45 CFR

801 7755

46 CFR

146 8295
202 8065
262 8494
281 8494
308 7970

47 CFR

18 7821
21 7822
73 7904, 8067, 8069-8073
74 7822
91 7822
PROPOSED RULES:
1 7837
17 8376
21 7837
23 7837
73 7837, 7838, 8079-8081, 8132
74 7837, 8026
81 7837
87 7837
89 7837
91 7837
93 7837
95 7837
97 7837

49 CFR

95 7806, 8064
170 8312
PROPOSED RULES:
31 8244
170 7841
193 7911

50 CFR

32 7909, 8065
33 7756, 7910, 7970
PROPOSED RULES:
401 8130

DETROIT PUBLIC LIBRARY JUN 20 1966 ROOM SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 20 1966 RECM

FEDERAL REGISTER

VOLUME 31 • NUMBER 118

Saturday, June 18, 1966 • Washington, D.C.

Pages 8517–8561

(Part II begins on page 8555)

Agencies in this issue—

The President
Agricultural Stabilization and Conservation Service
Agriculture Department
Atomic Energy Commission
Civil Service Commission
Coast Guard
Comptroller of the Currency
Consumer and Marketing Service
Education Office
Federal Housing Administration
Federal Maritime Commission
Federal Trade Commission
Food and Drug Administration
General Services Administration
Housing and Urban Development Department
Interstate Commerce Commission
Maritime Administration
National Security Council
Social Security Administration
Special Representative for Trade Negotiations Office

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

No. 118—Pt. I——1

118

PART 1

Now Available

LIST OF CFR SECTIONS AFFECTED

1949–1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

Price $6.75

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

Rules and Regulations

Standards of conduct for the Executive Office of the President... 8556

EXECUTIVE AGENCIES

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Sugar or liquid sugar; importation into continental United States... 8536

Proposed Rule Making

Sugar-containing products or mixtures; importation... 8541

AGRICULTURE DEPARTMENT

See also Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

Rules and Regulations

Employee responsibilities and conduct... 8528

ATOMIC ENERGY COMMISSION

Notices

Lockheed-Georgia Co.; application for and proposed issuance of facility export license... 8548

CIVIL SERVICE COMMISSION

Rules and Regulations

Excepted service:
- Health, Education, and Welfare Department... 8527
- Miscellaneous amendments... 8527

COAST GUARD

Rules and Regulations

Boating accidents; reporting... 8539

COMMERCE DEPARTMENT

See Maritime Administration.

COMPTROLLER OF THE CURRENCY

Rules and Regulations

Investment securities regulation; Alaska State Housing Authority revenue bonds... 8521

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Handling limitations:
- Lemons grown in California and Arizona... 8538
- Valencia oranges grown in Arizona and designated part of California... 8538

Limes grown in Florida; container regulation... 8539

Mushrooms; U.S. standards for grades... 8535

Proposed Rule Making

Canned ripe olives; proposed standards for grades... 8542

Milk in Inland Empire marketing area; decision... 8542

EDUCATION OFFICE

Proposed Rule Making

Financial assistance for construction of higher education facilities; basic criteria for determining priorities... 8544

Notices

Construction of noncommercial educational television broadcast facilities; acceptance for filing of application for Federal financial assistance... 8547

FEDERAL HOUSING ADMINISTRATION

Rules and Regulations

Miscellaneous amendments to chapter... 8539

FEDERAL MARITIME COMMISSION

Notices

Fenton Co.; revocation of license... 8549

FEDERAL TRADE COMMISSION

Rules and Regulations

Administrative opinions and rulings:
- Advertising of diamonds as "clear, pure color"... 8521
- Improper use of terms such as "gold filled" or "rolled gold plate"... 8521

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Dietary supplements and vitamin and mineral-fortified foods; definitions and standards of identity... 8525

Food; exemptions from labeling requirements... 8524

Food for special dietary uses... 8521

Regulations for enforcement of Federal Food, Drug, and Cosmetic Act; imports and exports; editorial changes... 8521

Notices

Elanco Products Co.; filing of petition regarding pesticide... 8547

Velsicol Chemical Corp.; notice of withdrawal of petition regarding pesticide dicamba... 8547

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Surplus real property disposal; interest rates in credit sales... 8540

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Education Office; Food and Drug Administration; Social Security Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See also Federal Housing Administration.

Notices

Regional Director of Administration, Region I (New York); redelegation of authority... 8548

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section application for relief... 8549

Motor carrier:
- Temporary authority applications... 8549
- Transfer proceedings... 8550

MARITIME ADMINISTRATION

Notices

Moore-McCormack Lines, Inc.; notice of application for approval of certain cruises... 8547

NATIONAL SECURITY COUNCIL

Rules and Regulations

Employee responsibilities and conduct; supersedure of regulations... 8540

SOCIAL SECURITY ADMINISTRATION

Notices

Cyprus; notice of finding regarding foreign social insurance or pension system... 8548

SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Rules and Regulations

Standards of employee conduct; supersedure of regulations... 8540

TREASURY DEPARTMENT

See Coast Guard; Comptroller of the Currency.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

CHAPTER V:
100 8556

5 CFR

213 (2 documents) 8527
302 8527

7 CFR

0 8528
51 8535
817 8536
908 8538
910 8538
911 8539

PROPOSED RULES:
52 8542
817 8541
1133 8542

12 CFR

1 8521

16 CFR

15 (2 documents) 8521

21 CFR

1 (2 documents) 8521
5 8524
80 8525
125 8521

24 CFR

203 8539
207 8539
220 8539

32 CFR

2000 8540

41 CFR

101–47 8540

45 CFR

PROPOSED RULES:
170 8544

46 CFR

173 8539

48 CFR

203 8540

Rules and Regulations

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 1—INVESTMENT SECURITIES REGULATION

Alaska State Housing Authority Revenue Bonds

§ 1.173 Alaska State Housing Authority Revenue Bonds.

(a) *Request.* The Comptroller of the Currency has been requested to rule that the $4,735,000 Alaska State Housing Authority State Building Lease Revenue Bonds are eligible for purchase, dealing in, underwriting and unlimited holding by National Banks pursuant to paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Alaska State Housing Authority is a public corporate authority created by and existing under the laws of the State of Alaska. Pursuant to Alaska law, the Authority is empowered, inter alia, to provide for acquisition, construction, and financing of public building projects, to issue bonds to raise funds for such purposes, and to enter into leases to the State for the use of space in such projects.

(2) The Alaska State Housing Authority State Building Lease Revenue Bonds are general obligations of the Authority supported by its full faith and credit. All of the Authority's resources, which are sufficient to justify faith and credit, are available for payment of principal and interest on the bonds. The Authority's resources include the right, pursuant to a noncancellable lease to the State of Alaska for the use of space in certain public building projects, to receive and collect net rental payments from the State in amounts sufficient to meet the Authority's annual bond interest and principal payments. The State's lease rental obligation is not limited to payment from any particular source of revenue and shall remain in effect for the duration of the bonds.

(c) *Ruling.* It is our conclusion that the $4,735,000 Alaska State Housing Authority State Building Lease Revenue Bonds are public securities as defined in § 1.3 (c), (d), and (e) of the Investment Securities Regulation issued pursuant to paragraph Seventh of 12 U.S.C. 24 and are, therefore, eligible for purchase, dealing in, underwriting and unlimited holding by National Banks.

Dated: June 14, 1966.

[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 66-6695; Filed, June 17, 1966; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Advertising of Diamonds as "Clear, Pure Color"

§ 15.60 Advertising of diamonds as "clear, pure color".

The Federal Trade Commission has advised a jewelry firm proposing to advertise diamonds as "clear, pure color" that a substantial segment of the purchasing public would understand the claim to mean a top grade white (or colorless) diamond, and that it should not be used to describe a diamond which shows any color when viewed under normal, north daylight or its equivalent.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: June 17, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-6691; Filed, June 17, 1966; 8:46 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Improper Use of Terms Such as "Gold Filled" or "Rolled Gold Plate"

§ 15.61 Improper use of terms such as "gold filled" or "rolled gold plate".

(a) The Federal Trade Commission has informed a marketer of jewelry that it would be improper to use terms such as "gold filled" or "rolled gold plate" in describing gold filled jewelry articles which are electroplated with nickel and finished with either gold flash or gold electroplate.

(b) The Commission said that a purchaser of such an article would not get the type of performance expected from gold filled articles because points of wear would expose the coating of white nickel at a very early stage and the ornamental value would be seriously reduced.

(c) "Being electroplated with nickel," the Commission said, the "gold filled material would not serve its function and a person buying the article on that basis would not get what he had been led to believe he was getting. In fact, Rule 22 (b)(4) of the Trade Practice Rules for the Jewelry Industry specifically contemplates that the surface coating, not the inner portion, be made of 'gold filled' or 'rolled gold plate'."

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: June 17, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-6692; Filed, June 17, 1966; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 1—REGULATIONS FOR ENFORCEMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT

Imports and Exports; Editorial Changes

Effective upon publication in the FEDERAL REGISTER, the following editorial changes are made in Part 1 of Title 21:

1. In § 1.315(b), the portion that reads "The term 'chief of district' means the chief of" is changed to read "The term 'district director' means the director of".

2. The term "chief of district" is changed to read "district director" in §§ 1.316 (twice), 1.318 (a) and (b), 1.320 (a), (b), and (c), and 1.321(b).

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: June 13, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6682; Filed, June 17, 1966; 8:45 a.m.]

PART 1—REGULATIONS FOR ENFORCEMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 125—FOOD FOR SPECIAL DIETARY USES

Dietary Foods

In the matter of revising the regulations for food for special dietary uses:

The numerous comments received in response to a notice of proposed rule making in the above-identified matter published on the initiative of the Commissioner of Food and Drugs in the FEDERAL REGISTER of June 20, 1962 (27 F.R. 5815), have been evaluated, in addition to other pertinent information, and it is concluded that the regulations for food

for special dietary uses should be revised as set forth below.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 403(j), 701(e), 52 Stat. 1048, 1055, as amended; 21 U.S.C. 343(j), 371(e)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Title 21 is amended by deleting § 1.11 and by revising Part 125 to read as follows:

Sec.

125.1 Definitions and interpretations of terms.
125.2 General label statements; dietary properties; value; placement.
125.3 Label statements relating to vitamins and minerals.
125.4 Label statements relating to infant food.
125.5 Label statements relating to food for use in reducing, maintaining, or gaining body weight.
125.6 Label statements relating to food for use in the diets of diabetics.
125.7 Label statements relating to hypoallergenic food.
125.8 Label statements relating to food for use as a means of regulating the intake of sodium.

AUTHORITY: The provisions of this Part 125 issued under secs. 403, 701, 52 Stat. 1047, as amended, 1055, as amended; 21 U.S.C. 343, 371.

CROSS REFERENCES: For other regulations in this chapter concerning special dietary foods, see §§ 3.9, 3.32, 3.42, 5.5, and Part 80.

§ 125.1 Definitions and interpretations of terms.

For the purposes of the regulations in this part, the definitions and interpretations of terms contained in section 201 of the Federal Food, Drug, and Cosmetic Act shall be applicable to such terms in these regulations, in addition to the following:

(a) The term "special dietary use" as applied to food used by man means a particular use for which an article purports to be or is represented, including but not limited to the following uses:

(1) Supplying a special dietary need that exists by reason of a physical, physiological, or other condition, including but not limited to the conditions of convalescence, pregnancy, lactation, allergic hypersensitivity to food, underweight, overweight, diabetes mellitus, or the need to control the intake of sodium. Except as otherwise provided by § 5.5 of this chapter, the use of an artificial sweetener in a food shall be considered to be a use for reducing or maintaining body weight or for use in the diets of diabetics.

(2) Supplying a special dietary need for infants or children.

(3) Supplying a vitamin, mineral, or other dietary property to supplement a diet.

(4) Supplying a special dietary need by reason of being a food for use as the sole item of the diet.

(b) (1) The term "recommended dietary allowance" means the following daily amounts of the following vitamins and minerals:

Vitamins and Minerals	Units of measurement	Adult, or child 6 years of age or older	Child under 6 years of [illegible]	Infant (up to 12 months of age)
Vitamin A	U.S.P. units	5,000	2,500	1,500
Vitamin D	do	400	400	400
Vitamin E	International units	30	15	5
Ascorbic acid (vitamin C)	Milligrams	70	50	30
Thiamine (vitamin B_1)	do	1.2	0.6	0.4
Riboflavin (vitamin B_2)	do	1.7	1	0.6
Niacin or nicotinamide	do	22	11	6
Vitamin B_6	do	2	1	0.4
Folic acid	do	0.05	0.05	0.05
Pantothenic acid	do	10	5	5
Vitamin B_{12}	Micrograms	5	2.5	2.5
Calcium	Milligrams	800	800	700
Phosphorus	do	800	800	700
Magnesium	do	300	300	200
Iron	do	15	10	8
Iodine	do	0.15	0.08	0.08
Copper	do	2	1	1

Recommended dietary allowances for nutrients are established by the National Academy of Sciences-National Research Council, and published in Publication 1146 as a report of the Food and Nutrition Board. Recommended dietary allowances represent daily nutrient intakes judged to be adequate for maintenance of good nutrition in the population of the United States and are for the planning of food supplies and guides for interpretation of food consumption records of groups of people. For six vitamins and two minerals, values are tabulated for a range of age groups from infancy to old age. For those nutrients for which recommended dietary allowances have not been established, scientific information with respect to requirements is presented in text discussion. For the three age groups designated in this paragraph (b)(1), a single value for each nutrient tabulated by the National Academy of Sciences-National Research Council has been selected by the Food and Drug Administration, for the purposes of this part. Also, for those nutrients for which recommended dietary allowances are not fully established, single values for the age groups indicated have been selected by the Food and Drug Administration, based upon the information presented in the text of Publication 1146.

(2) In the case of a pregnant or lactating woman, the recommended dietary allowances for vitamins and minerals are the same as those for an adult as set forth in subparagraph (1) of this paragraph, except for vitamin A, which is 8,000 U.S.P. units; ascorbic acid, which is 100 milligrams; iron, which is 20 milligrams; and calcium and phosphorus, which are 1,300 milligrams each.

(3) In the case of a child 9 to 18 years of age, the recommended dietary allowances for vitamins and minerals are the same as for an adult as set forth in subparagraph (1) of this paragraph, except for ascorbic acid, which is 80 milligrams; thiamine, which is 1.4 milligrams; riboflavin, which is 2.0 milligrams; and calcium and phosphorus, which are 1,400 milligrams each.

(c) The term "artificial sweetener" means a sweetening substance not used in normal metabolism as a source of calories.

(d) The term "infant" means a person not more than 12 months of age.

(e) The term "serving" means that quantity of a food reasonably suitable for or practicable of consumption as a part of a meal by an adult male engaged in moderate physical activity, or, if the article purports to be or is represented for infant feeding, by an infant. A label statement regarding a serving, as used in this part, shall be in terms of a convenient unit of such food or a convenient unit of measure that can be readily understood by purchasers of such food; for example, a serving may be expressed in terms of slices, cookies, and wafers, or in terms of ounces, fluid ounces, teaspoonfuls, tablespoonfuls, or cupfuls. A teaspoonful shall be considered to mean 5 milliliters (approximately $\frac{1}{6}$ fluid ounce) in volume; a tablespoonful shall be considered to mean 15 milliliters (approximately $\frac{1}{2}$ fluid ounce) in volume; and a cupful shall be considered to mean 240 milliliters (approximately 8 fluid ounces) in volume.

(f) The term "diabetic" means a person having diabetes mellitus.

§ 125.2 General label statements; dietary properties; value; placement.

If a food purports to be or is represented for any special dietary use, the main panel of its label shall bear a conspicuous statement of usefulness of the food limited to a listing of the dietary properties upon which such use is based. Such statement shall show the presence or absence of any substance, any alteration of the quantity or character of any constituent, and any other special dietary property of such food upon which such use is based. The label of the food shall not bear any statement concerning the dietary properties of the food if such properties in such food are of no significant value or need in human nutrition, taking into account the role in the diet of the particular food and dietary property, since such statements would be misleading within the meaning of sections 403(a) and 201(n) of the act by implying that such dietary properties are significant or necessary for special dietary use in human nutrition. The label shall not bear any statement that any of the recommended dietary allowances are sufficient for the treatment of any disease resulting from a deficiency of such vitamins or minerals, nor shall any labeling or other promotional matter for the food contain any statements inconsistent with this paragraph since such statements would be misleading and in violation of the act.

§ 125.3 Label statements relating to vitamins and minerals.

(a) If a food purports to be or is represented for special dietary use by reason of its vitamin or mineral property, the label shall bear a statement of the proportion or percentage of the recommended dietary allowance of such vitamins and minerals, as set forth in § 125.1(b), supplied by such food when consumed in a specified quantity during a period of 1 day. If such purported or represented special dietary use is for persons wthin two or more age groups for which the recommended dietary allowance is set forth, such statement shall include such proportion or percentage for each age group, but if such use is for persons irrespective of age groups, such statement may be limited to the proportion or percentage of the recommended dietary allowance set forth for adults. The quantity specified in this paragraph shall be a quantity reasonably suitable for and practicable of consumption within 1 day. When such proportion or percentage is a whole number and a fraction or a whole number and a decimal, it may be expressed as the whole number and the fraction or decimal disregarded. In no case shall the quantity so declared be more than 100 percent of the recommended dietary allowance for any nutrient.

(b) The requirements of this section shall not apply to fluid milk of cows, fluid (skimmed) milk of cows, fluid lowfat milk of cows, or dry whole milk of cows, that purports to be or is represented for special dietary use by reason of its content of vitamin D, if its declared content of vitamin D is 400 U.S.P. units per quart or reconstituted quart; and to evaporated milk with increased vitamin D content as prescribed in the definition and standard of identity for evaporated milk in § 18.520 of this chapter.

(c) The requirements of this section shall not apply to iodized salt when the declared iodine is not less than 0.005 percent nor more than 0.015 percent by weight.

§ 125.4 Label statements relating to infant food.

(a) If a food purports to be or is represented for special dietary use for infants, the label shall bear, in case such food is fabricated from two or more ingredients, the common or usual name of each ingredient, including spices, flavoring, and coloring.

(b) If such food, or any ingredient thereof consists in whole or in part of plant or animal matter and the name of such food or ingredient does not clearly reveal the specific plant or animal which is its source, such name shall be so qualified as to reveal clearly the specific plant or animal that is such source.

(c) If such use of the food is by reason of its simulation of human milk or its suitability as a complete or partial substitute for human milk, the label shall also bear:

(1) A statement of the percent by weight of moisture, protein, fat, available carbohydrate, and crude fiber contained in such food.

(2) A statement of the number of available calories supplied by a specified quantity of such food as customarily or usually prepared for consumption.

(3) A statement of the amount of each added vitamin or mineral supplied by a specified quantity of such food as customarily or usually prepared for consumption.

(4) If a quantity which supplies 100 available calories of such food as customarily or usually prepared for consumption contains less than 1.8 grams of protein, or if the protein quality is less than 70 percent of that of casein, the statement: "This product should not be used as the sole source of protein of the infant diet."

(5) If a quantity which supplies 100 available calories of such food as customarily or usually prepared for consumption contains less than the following amounts of vitamins and iron, a statement that an additional quantity of such vitamin(s) or iron, as the case may be, should be supplied from other sources.

Vitamin D	50 U.S.P. units.
Vitamin B_1	0.05 mg.
Ascorbic acid (vitamin C)	3.75 mg.
Iron	1.0 mg.

(d) The provisions of paragraph (c) of this section shall not apply to cow's milk or evaporated milk except with respect to vitamin D under paragraph (c)(5) of this section.

(e) A food which purports to be or is represented for special dietary use solely as a food for infants by reason of its simulation of human milk or its suitability as a complete or partial substitute for human milk, and which complies with the provisions of this section, shall be exempt from the provisions of §§ 125.3 and 125.5(a).

§ 125.5 Label statements relating to food for use in reducing, maintaining, or gaining body weight.

(a) The label of a food which purports to be or is represented for special dietary use by reason of its use as a means of regulating the intake of protein, fat, carbohydrate, or calories, for the purpose of reducing, maintaining, or gaining body weight, shall bear a statement of the quantity in grams of protein, fat, and available carbohydrate and a statement of the number of available calories in a specified serving of such food; and, if such use is for the purpose of reducing or maintaining body weight, the statement "For calorie restricted diets."

(b) If a food purports to be or is represented for special dietary use by reason of the presence of an artificial sweetener for the purpose of reducing or maintaining body weight, such food shall conform to the following label requirements (see § 5.5 of this chapter for exemptions from the requirements of this paragraph):

(1) If the artificial sweetener is the only sweetening ingredient added to such food, the label shall bear in type of uniform size and prominence, the statement, "Artificially sweetened," or "Artificial sweetener added," whichever more properly describes the article, immediately before or after the name of such food.

(2) If one or more nutritive sweeteners are also added to such food, the label shall bear in type of uniform size and prominence, the statement: "Artificial and nutritive sweeteners added," or "Artificial sweetener and _____ added," the blank to be filled in by the name(s) of the nutritive sweetener(s) added.

(3) The label shall bear, wherever the common or usual name of the artificial sweetener appears on the label, and in juxtaposition therewith and in type of the same size, the word "Nonnutritive."

(4) The label shall bear a statement of comparison between the caloric content of a specified serving of the artificially sweetened article and the caloric content of an equivalent serving of the same food made with an amount of added sugar equivalent in sweetness to the amount of the artificial sweetener(s) used in the artificially sweetened article. For the purposes of this section, 1 gram of cyclamic acid or of a cyclamic acid salt, such as sodium or calcium cyclamate, is equivalent in sweetness to 30 grams of sugar, and 1 gram of saccharin or of a saccharin salt is equivalent in sweetness to 300 grams of sugar. If the comparison required by this subparagraph shows that use of an artificial sweetener does not result in a significant caloric reduction of an article (taking into account, where applicable, the role in the diet of the particular food involved), the artificial sweetener shall not be used, because such use and label declaration concerning such use would be misleading within the meaning of sections 403(a) and 201(n) of the act. For a food which is of caloric importance in the ordinary diet, a reduction of less than 50 percent in calories resulting from the use of an artificial sweetener shall be considered to be insignificant, in which event the food should not be offered for use as a food for special dietary use based on its caloric content.

(5) The label shall bear the statements supplying the information required by paragraph (a) of this section.

(c) If a food purports to be or is represented for special dietary use by reason of being an artificial sweetener for the purpose of reducing or maintaining body weight, the label shall bear:

(1) The statement "Artificial sweetener," in type of uniform size and prominence, immediately before or after the name of the food.

(2) A statement that the article is nonnutritive.

(3) If it is in tablet, capsule, pill, or similar unit form, a statement of the amount of the artificial sweetener in each such unit; or, if it is in powder or liquid form, a statement of the amount of artificial sweetener in a specified serving.

(4) The statement

"_____ (weight, volume, or number of unit(s)), _____ is as sweet (whichever more properly applies) as _____ teaspoonful(s) of sugar." (number)

(d) If a food purports to be or is represented for special dietary use by reason of the presence of any constituent which is not utilized in normal metabolism as a source of calories (other than an artificial sweetener) for the purpose of reducing or maintaining body weight, the label shall bear a statement of the percent by weight of such constituent and, in juxtaposition with the name of such constituent, the word "Nonnutritive." If such constituent is fibrous plant matter, it shall be considered to be crude fiber and its percent expressed as such. For a food which is of caloric importance in the ordinary diet, a reduction of less than 50 percent in calories resulting from the use of such constituent shall be considered to be insignificant.

(e) If a food purports to be or is represented for special dietary use by reason of being "lower in calories," the label shall bear a statement of comparison between the caloric content of a specified serving of the article and the caloric content of an equivalent serving of the food with which the article is compared.

(f) If a food purports to be or is represented for special dietary use by reason of its low calorie content, its label shall bear the statement "Low calorie." For the purpose of this paragraph a food described as "low calorie" shall be considered to mean a food containing not more than 15 calories in a serving and not more than 30 calories in the average total daily intake of the food.

§ 125.6 Label statements relating to food for use in the diets of diabetics.

If a food purports to be or is represented for special dietary use as a food for use in the diets of diabetics, the label shall bear:

(a) In type of uniform size and prominence, the statement "For the diets of diabetics," immediately before or after the name of such food.

(b) A statement of the quantity in grams of protein, fat, carbohydrate, and available calories in 100 grams of such food and a statement of the number of available calories in a specified serving of such food.

(c) If such food contains any added artificial sweetener, the statements supplying the information required by § 125.5(b) (1), (2), and (3).

(d) If such food contains any added constitutuent which is not utilized in normal metabolism as a source of calories (other than an artificial sweetener), a statement of the percent by weight of such constituent, and, in juxtaposition with the name of such constituent, the word "Nonnutritive." If such constituent is fibrous plant matter, it shall be considered to be crude fiber and its presence expressed as such.

§ 125.7 Label statements relating to hypoallergenic food.

If a food purports to be or is represented for special dietary use by reason of the decrease or absence of any allergenic property, or by reason of being offered as food suitable as a substitute for another food having an allergenic property, the label shall bear:

(a) The common or usual name and the quantity or proportion of each ingredient, including spices, flavoring, and coloring, in case the food is fabricated from two or more ingredients.

(b) A qualification of the name of the food, or the name of each ingredient thereof, in case the food is fabricated from two or more ingredients, to reveal clearly the specific plant or animal that is the source of such food or of such ingredient, if such food or such ingredient consists in whole or in part of plant or animal matter and such name does not reveal clearly the specific plant or animal that is such a source.

(c) An informative statement of the nature and effect of any treatment or processing of the food or any ingredient thereof, if the changed allergenic property results from such treatment or processing.

§ 125.8 Label statements relating to food for use as a means of regulating the intake of sodium.

If a food purports to be or is represented for special dietary use by man by reason of its use as a means of regulating the intake of sodium or salt (sodium chloride), the label shall bear a statement of the number of milligrams of sodium in 100 grams of such food and a statement of the number of milligrams of sodium in a specified serving of such food. The number of milligrams of sodium shall be declared as the nearest multiple of 5 milligrams, as determined by appropriate analysis, except that if such food contains not more than 10 milligrams of sodium in 100 grams of the food and not more than 10 milligrams of sodium in a specified serving of the food, the label shall bear a statement to that effect.

Any person who will be adversely affected by the foregoing order may at any time within 30 days following the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in six copies. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective 180 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 403(j), 701, 52 Stat. 1048, 1055, as amended; 21 U.S.C. 343(j), 371)

Dated: June 14, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-6685; Filed, June 17, 1966; 8:45 a.m.]

PART 5—FOOD; EXEMPTIONS FROM LABELING REQUIREMENTS

Certain Foods With Added Artificial Sweetener Not Intended for Special Dietary Use

With reference to the revision of the regulations for food for special dietary uses (21 CFR Part 125) published elsewhere in this issue of the FEDERAL REGISTER, the Commissioner of Food and Drugs has concluded that certain foods with added artificial sweetener not intended for special dietary use can be exempted from certain labeling requirements, as set forth below. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 403(i), 701(a), 52 Stat. 1048, 1055; 21 U.S.C. 343(i), 371(a)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Part 5 is amended by adding thereto the following new section:

§ 5.5 Certain foods with added artificial sweetener not intended for special dietary use.

(a) A food, or class of food, to which an artificial sweetener has been added and which does not purport to be and is not represented as a food, or class of food, for special dietary use including the diets of diabetics shall be exempt from the requirements of § 125.5 of this chapter if:

(1) It cannot be prepared in a way to achieve its intended characteristics without the addition of the artificial sweetener as a substitute for sugar or other natural sweetener.

(2) As consumed, its caloric content is not less than 90 percent of the same food, or class of food, sweetened with natural substances only.

(3) Its label lists the nonnutritive artificial sweetener as an ingredient, and no other representations, direct or implied, are made for such food, or class of food, based on the nonnutritive value of the added artificial sweetener.

(4) An interested person desiring that such an exemption be made effective for such food, or class of food, has submitted an application for such an exemption to the Commissioner of Food and Drugs, supplying: Full information concerning the addition of the artificial sweetener; the proposed label and labeling for such food, or class of food; the reasons why he believes such food, or class of food, should be subject to this exemption; a sample of such food, or class of food; and, upon request, any other information concerning such food, or class of food, which the Commissioner deems necessary in order to reach a decision.

(5) Such an exemption has been made effective by the Commissioner. When the Commissioner makes effective an exemption for food, or class of food, in accordance with the provisions of this section, such food, or class of food, will be listed in this section.

(b) The provisions of paragraph (a) (4) and (5) of this section shall not apply to a poultry product subject to the provisions of the Poultry Products Inspection Act or to a meat product subject to the provisions of the Meat Inspection Act, provided that authorization to produce and market such food has been granted by the U.S. Department of Agriculture.

Notice and public procedure are unnecessary prerequisites to the promulgation of this order, and I so find, since the statute provides for such labeling exemptions under certain conditions.

Effective date. This order shall become effective 180 days following its date of publication in the FEDERAL REGISTER.

(Secs. 403(i), 701(a), 52 Stat. 1048, 1055; 21 U.S.C. 343(i), 371(a))

Dated: June 14, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-6686; Filed, June 17, 1966; 8:45 a.m.]

PART 80—DIETARY SUPPLEMENTS AND VITAMIN AND MINERAL-FORTIFIED FOODS

In association with the revision of the regulations for foods for special dietary uses (21 CFR Part 125), published elsewhere in this issue of the FEDERAL REGISTER, which is acting on a notice of proposed rule making published in the FEDERAL REGISTER of June 20, 1962 (27 F.R. 5815), the Commissioner of Food and Drugs has concluded that definitions and standards of identity should be promulgated for dietary supplements and vitamin and mineral-fortified foods as set forth below.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, as amended, 1055, as amended; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Title 21 is amended by adding thereto the following new Part 80:

Sec.
80.1 Dietary supplements of vitamins and minerals; identity; label statements.
80.2 Vitamin and mineral-fortified foods; identity; label statements.

AUTHORITY: The provisions of this Part 80 issued under secs. 401, 701, 52 Stat. 1046, as amended, 1055, as amended; 21 U.S.C. 341, 371.

CROSS REFERENCES: For other regulations in this chapter concerning dietary foods see §§ 3.9, 3.32, 3.42, and 5.5 and Part 125.

§ 80.1 Dietary supplements of vitamins and minerals; identity; label statements.

(a) The dietary supplements for which definitions and standards of identity are prescribed by this section are prepared in tablet, capsule, pill, wafer, or similar uniform units, or in powder or liquid form, and purport to be or are represented for special dietary use by man to supplement his diet by increasing the total dietary intake of one or more of the essential vitamins and minerals specified in paragraph (b) (1) of this section.

(b) (1) The dietary supplements contain one or more of the following vitamins and minerals within the limits specified in units reasonably suitable for and practicable of consumption in a period of 1 day, and which provide for 1 day no less than the following minimum quantities nor more than the following maximum quantities:

TABLE 1—MULTIVITAMIN SUPPLEMENTS

Ingredients	Unit of measure	Minimum	Maximum
Required			
Vitamin A	U.S.P. units	1,250	5,000
Vitamin D	do	200	400
Ascorbic acid (vitamin C)	Milligrams	25	70
Thiamine (vitamin B_1)	do	0.35	1.4
Riboflavin (vitamin B_2)	do	0.5	2
Niacin or niacinamide	do	5.5	22
Optional			
Vitamin E	International units	10	80
Vitamin B_6	Milligrams	0.5	2
Folic acid	do	0.03	0.1
Panthothenic acid	do	2.5	10
Vitamin B_{12}	Micrograms	2	5

TABLE 2—MINERAL SUPPLEMENTS

Ingredients	Unit of measure	Minimum	Maximum
Required			
Calcium	Milligrams	350	1,400
Iron	do	5	20
Optional			
Phosphorus	do	350	1,400
Magnesium	do	75	300
Copper	do	0.5	2
Iodine	do	0.04	0.15

(2) The dietary supplements which purport to be or are represented for use as food for an infant, or for a child under 6 years of age, conform to the requirements of subparagraph (1) of this paragraph, except that the maximum for each of the vitamins and for each of the minerals, with the exception of vitamin D, is one-half of that specified in subparagraph (1) of this paragraph. The maximum for vitamin D for use as a food for any individual is 400 U.S.P. units.

(3) The dietary supplements which purport to be or are represented for use by a pregnant or lactating woman conform to the requirements of subparagraph (1) of this paragraph, except that the maximum for vitamin A is 8,000 U.S.P. units and for ascorbic acid is 100 milligrams.

(c) The vitamins and minerals of the dietary supplements may be supplied by any suitable synthetic or natural substances which are not food additives as defined by section 201(s) of the Federal Food, Drug, and Cosmetic Act, or if they are food additives as so defined, they are used in conformity with regulations established pursuant to section 409 of the act.

(d) Suitable substances may be used as preservatives, stabilizers, flavors, colors, carriers, bases, vehicles, or to facilitate preparation of the vitamin and mineral substances, and the dietary supplements are so prepared that such substances do not exceed the minimum quantity required to establish their intended physical or technical effect, and the biological availability of the vitamins and minerals is not impaired by the presence of such substances; however, such substances shall not be food additives as defined by section 201(s) of the act, or if they are food additives as so defined, they are used in conformity with regulations established pursuant to section 409 of the act.

(e) The name of the dietary supplement shall appear conspicuously on the main panel of the label. The name of a dietary supplement which contains all of the vitamins listed as required ingredients in paragraph (b) (1) of this section is "Multivitamin supplement," the name of a dietary supplement which contains both of the minerals listed as required in paragraph (b) (1) of this section is "Mineral supplement," and the name of a dietary supplement which provides all of the required vitamins and minerals listed in paragraph (b) (1) of this section is "Multivitamin and mineral supplement." A dietary supplement which provides less than all of the required vitamins and minerals listed in paragraph (b) (1) of this section shall be designated as "Vitamin _____ supplement" or "_____ mineral supplement," or "Vitamin _____ and _____ mineral supplement," as the case may be, the blanks to be filled with the name(s) of the vitamins and/or minerals which the supplement is represented to contain.

(f) Immediately following the name on the main panel of the label of each dietary supplement, the following statement shall appear in prominent type:

Vitamins and minerals are supplied in abundant amounts by the foods we eat. The Food and Nutrition Board of the National Research Council recommends that dietary needs be satisfied by foods. Except for persons with special medical needs, there is no scientific basis for recommending routine use of dietary supplements.

Any statement in the label or labeling inconsistent with this statement shall be misleading and shall cause the product to be deemed misbranded.

(g) Immediately following the statement required by paragraph (f) of this

section, the label shall bear a statement listing each of the vitamins and/or minerals supplied by the specified daily quantity of the dietary supplement as prescribed in paragraph (b)(1) of this section, together with a statement of the quantity of the dietary supplement to be taken daily and the frequency and time of ingestion.

(h) The label of the dietary supplement shall name the ingredients which are used, as prescribed in paragraph (c) of this section, and shall disclose the source of these ingredients if the source is not clearly indicated by the name. No other ingredients shall be identified by name except as specifically prescribed by paragraphs (i) and (j) of this section.

(i) If a chemical preservative, flavoring, or coloring is used, the label shall bear the statement: "_____ added as a preservative," the blank to be filled in by the name of the chemical preservative; "contains added _____," the blank to be filled in with the word "flavoring," "artificial flavoring," or "artificial coloring," whichever applies.

(j) When the dietary supplement is in powder or liquid form, the label shall name the ingredients of the vehicle, carrier, or base, and if the vehicle contains alcohol, the label shall state the percent by volume of alcohol present.

(k) The dietary supplement shall bear on its outside wrapper or container, as well as on the label of its immediate container, the statement: "Expiration date: _____," the blank to be filled in by the month and year. The expiration date shall be the date selected by the manufacturer, packer, or distributor of the food on the basis of tests or other information showing that the food, until that date, under the conditions of handling and storage prescribed by directions appearing on its label, or, in the absence of such prescribed directions, under customary or usual conditions of handling and storage, will contain not less than the quantity of each vitamin as set forth on its label.

(l) In addition to the requirements of this part, the dietary supplements shall bear the label statements required by Part 125 of this chapter.

§ 80.2 Vitamin and mineral-fortified foods; identity; label statements.

Definitions and standards of identity are established for vitamin and mineral-fortified foods as follows:

(a) The Food and Drug Administration endorses and adopts the "Statement of General Policy in regard to the Addition of Specific Nutrients to Foods" adopted jointly (May 1961) by the Food and Nutrition Board, National Research Council-National Academy of Sciences, and by the Council on Foods and Nutrition, American Medical Association, which reads in part as follows:

The principle of the addition of specific nutrients to certain foods is endorsed, with defined limitations, for the purpose of maintaining good nutrition in all segments of the population at all economic levels. The requirements which should be met for the addition of a particular nutrient to a given food include acceptable evidence that the supplemented food would be physiologically or economically advantageous for a significant segment of the consumer population, assurance that the food item concerned would be an effective vehicle of distribution for the nutrient to be added, and evidence that such addition would not be prejudicial to the achievement of a diet good in other respects.

The desirability of meeting nutritional needs by the use of an adequate variety of foods as far as practicable is emphasized strongly. To that end, research and education are encouraged to insure the proper choice and preparation of foods and to improve food production, processing, storage, and distribution so as to retain their essential nutrients.

Foods suitable as vehicles for the distribution of additional nutrients are those which have a diminished nutritive content as a result of loss in refining or other processing or those which are widely and regularly consumed. The nutrients added to such foods should be the kinds and quantities associated with the class of foods involved. The addition of other than normally occurring levels of nutrients to these foods may be favored when properly qualified judgment indicates that the addition will be advantageous to public health and when other methods for effecting the desired purpose appear to be less feasible.

Scientific evaluation of the desirability of restoring an essential nutrient or nutrients to the diet is necessary whenever technologic or economic changes lead to a nutritionally significant reduction in the intake of a nutrient or nutrients.

Such reduction might result either from a marked decrease in the consumption of an important food or from a considerable increase in the consumption of foods of diminished nutritive quality. Similar evaluation is desirable, with the limitations defined above (first paragraph of this policy statement), whenever advances in nutritional science and in food technology make possible the preparation of nutrient-enriched products which are likely to make important contributions to good nutrition.

(b) Pursuant to the statement of policy in paragraph (a) of this section, definitions and standards of identity are established in this section for classes of human foods (other than vitamin and/or mineral supplements and other than foods for which definitions and standards of identity have been established separately under section 401 of the act) to which foods one or more vitamins and minerals have been added. Such foods purport to be or are represented as "fortified" or by similar term, and are also subject to the requirements of the regulations for foods for special dietary uses in Part 125 of this chapter.

(c) Vitamins and/or minerals which are added to foods to improve nutritive value are limited to the particular vitamins and minerals, in the quantities, with the restrictions, and in the foods indicated, as follows:

TABLE—1

Class of food	Added vitamins and minerals	Levels permitted: Minimum	Levels permitted: Maximum	Size portions	Other restrictions
Alimentary pastes	Thiamine (vitamin B_1)	1.0 mg.	1.25 mg.	4 oz. (prior to cooking by boiling in water).	Fortification permitted only for those nutrients where processing has resulted in more than 25 percent loss in potency of natural grain, for the particular nutrient(s) involved.
	Riboflavin (vitamin B_2)	0.425 mg.	0.55 mg.		
	Niacin or niacinamide	6.75 mg.	8.5 mg.		
	Iron	3.25 mg.	4.12 mg.		
Fluid milk, powdered whole milk, powdered whole milk product (all when purport to be or are represented for beverage purposes).	Vitamin D	100 U.S.P. units.	100 U.S.P. units.	8 fluid oz.	
Fluid skim milk, fluid low fat milk (all when purport to be or are represented for beverage purposes).	Vitamin A and Vitamin D.	1,000 U.S.P. units. 100 U.S.P. units.	1,000 U.S.P. units. 100 U.S.P. units.	8 fluid oz. 8 fluid oz.	If fortification occurs, both vitamins A and D must be added in the quantities indicated.
Fruit juices, fruit drinks, fruit nectars, fruit drink bases (not including articles supplying flavoring and/or sweetening only).	Ascorbic acid (vitamin C).	30 mg.	60 mg.	4 fluid oz.	Fortification permitted only if a 4 oz. portion, produced under good manufacturing practices, supplies less than 30 mg. ascorbic acid.
Infant fruit products	Ascorbic acid (vitamin C).	30 mg.	60 mg.	4 oz.	Do.
Processed cereals (including breakfast cereals and infant cereals).	Thiamine (vitamin B_1).	0.55 mg.	0.9 mg.	8 oz.	If any nutrient is added, then fortification with all other listed nutrients is required where processing has resulted in more than 25% loss in potency of natural grain.
	Riboflavin (vitamin B_2).	0.35 mg.	0.8 mg.		
	Niacin or niacinamide.	5.0 mg.	7.9 mg.		
	Iron	4.0 mg.	6.25 mg.		
Salt	Iodine	0.006%	0.015%		

TABLE—2

Class of food	Added vitamins and minerals	Levels required	Size portions	Other restrictions
Infant formulas	Vitamin A	1600 U.S.P. units.	Final food, for total daily intake of article.	Article must provide all nutrients listed in the quantities indicated.
	Vitamin D	400 U.S.P. units.		
	Thiamine (vitamin B_1)	0.4 mg.		
	Riboflavin (vitamin B_2)	0.6 mg.		
	Ascorbic acid (vitamin C)	30 mg.		
	Vitamin B_6	0.4 mg.		
	Niacin or niacinamide	6 mg.		
	Iron	8 mg.		
	Calcium	700 mg.		
	Phosphorus	700 mg.		
	Iodine	0.08 mg.		

(d) The definitions and standards of identity prescribed by this section pertain solely to the added vitamins and minerals and not otherwise to the compositional identity of the foods and classes of food listed in paragraph (c) of this section, to which the vitamins and minerals are added.

(e) Except for vitamin and mineral supplements, and foods for which definitions and standards of identity have been established separately, the addition of vitamins and/or minerals to foods shall be limited as listed in paragraph (c) of this section, both as to the food permitted to be fortified and the nutrients and quantities permitted to be added, subject to amendment of paragraph (c) of this section in accordance with section 701(e) of the act, to add, delete, or change foods, nutrients, or quantities, except that no amendment for the addition of specific nutrients to food adopted herein shall be permitted that is not in accord with the statement of policy in paragraph (a) of this section and section 401 of the act and regulations promulgated thereunder.

(f) The vitamins and minerals added to the foods or classes of foods as listed in paragraph (c) of this section may be supplied by any optional synthetic or natural substances which are suitable for their intended purposes and which are not food additives as defined by section 201(s) of the act, or if they are food additives as so defined, they are used in conformity with regulations established pursuant to section 409 of the act, provided that only one such substance shall be added as a source of any one such vitamin or mineral.

(g) The name of each food to which vitamins and/or minerals have been added shall be immediately preceded or followed by the statement "Fortified with _____," the blank to be filled in by the name or names of the vitamins and minerals added to such food.

(h) The labels of each food to which vitamins and/or minerals have been added shall also bear the information required by the regulations issued under Part 125 of this chapter for food for special dietary uses.

(i) The food to which vitamins and/or minerals have been added shall be considered to be not in conformity with this definition and standard of identity, if its labeling or advertising bears any statements, vignettes, or other printed or graphic matter that represents, suggests, or implies:

(1) That the food is adequate or effective for the treatment, prevention, or mitigation of any disease, condition, or symptom, whether or not clinical or subclinical, by reason of the presence of vitamin(s) and mineral(s) added to such food.

(2) That a diet of ordinary foods will not supply adequate amounts of vitamins and minerals.

(3) That significant segments of the population of the United States are suffering or are in danger of suffering from a dietary deficiency of vitamins or minerals.

(4) That a dietary deficiency or threatened dietary deficiency of vitamins and/or minerals is or may be due to loss of nutritive value of food by reason of the soil on which the food is grown, or the storage, transportation, processing, and cooking of food.

Any person who will be adversely affected by the foregoing order may at any time within 30 days following the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in six copies. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective 180 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, as amended, 1055, as amended; 21 U.S.C. 341, 371)

Dated: June 14, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-6687; Filed, June 17, 1966; 8:45 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that two additional positions of Confidential Assistant to the Special Assistant to the Secretary (for Civil Rights) are excepted under Schedule C and that the positions of Special Assistant on Federal-State Problems and Special Assistant, Office of the Assistant Secretary for Federal-State Relations, are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, section 213.3316 is amended as set out below.

§ 213.3316 Department of Health, Education, and Welfare.

(a) *Office of the Secretary.* * * *

(30) Three Confidential Assistants to the Special Assistant to the Secretary (for Civil Rights).

* * * * * *

(d) *Office of the Assistant Secretary for Federal-State Relations.* * * *

(2) [Revoked]

(3) [Revoked]

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6737; Filed, June 17, 1966; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

PART 302—EMPLOYMENT IN EXCEPTED SERVICE

Miscellaneous Amendments

1. Section 213.3210 is amended to show that effective December 31, 1966, the positions of Deputy U.S. Marshals, Supervisory Deputy U.S. Marshals, and Chief Deputy U.S. Marshals, will no longer be excepted under Schedule B. Effective December 31, 1966, paragraph (a) of § 213.3210 is revoked.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

2. Section 302.102 is amended to prescribe the conditions under which the Commission may authorize agencies to fill excepted positions in the same manner as competitive positions, and the conditions under which persons so appointed may acquire a competitive status. Effective upon publication in the FEDERAL REGISTER, paragraph (b) of § 302.102 is amended and a new paragraph (c) is added as set out below.

§ 302.102 **Method of filling positions and status of incumbents.**

* * * * *

(b) Except as authorized under paragraph (c) of this section, a person appointed to an excepted position does not acquire a competitive status by reason of the appointment.

(c) Upon a finding by the Commission that in a particular situation the action will be in the interest of good administration, the Commission may authorize an agency to make appointments to specified positions in the excepted service in the same manner as to positions in the competitive service. Persons given career-conditional or career appointments pursuant to a specific authorization by the Commission under this paragraph may acquire a competitive status as provided in Part 315 of this chapter.

(Sec. 11, 58 Stat. 390; 5 U.S.C. 860; R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6702; Filed, June 17, 1966; 8:46 a.m.]

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 0—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Pursuant to and in accordance with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 0 is added to Title 7 of the Code of Federal Regulations, reading as follows:

Subpart A—General Provisions

Sec.
0.735–1 Purpose.
0.735–2 Definitions.
0.735–3 Remedial action.

Subpart B—Conduct and Responsibilities of Employees

0.735–11 Prohibited conduct—general.
0.735–12 Prohibitions upon employees serving abroad.
0.735–13 Gifts, entertainment, and favors.
0.735–14 Outside employment and activities—general.
0.735–15 Employment by foreign interests.
0.735–16 Serving as consultant or advisor.
0.735–17 Teaching, lecturing, and writing.
0.735–18 Activities of Department employees with relation to general or specialized farm organizations.
0.735–19 Indebtedness.
0.735–20 Political activity.
0.735–21 Requirement to furnish information.
0.735–22 Safeguarding information.
0.735–23 Use of vehicles.
0.735–24 Financial interests.
0.735–25 Miscellaneous provisions.
0.735–26 Miscellaneous statutory provisions.

Subpart C—Counseling and Advisory Service

Sec.
0.735–31 Counseling and advisory service.

Subpart D—Conflicts of Interest

0.735–41 Conflicts of interest.

Subpart E—Statements of Employment and Financial Interests

0.735–51 Employees required to submit statements.
0.735–52 Exceptions.
0.735–53 Identification of employees required to submit statements.
0.735–54 Time and place for submission of employees' statements.
0.735–55 Supplementary statements.
0.735–56 Interests of employee relatives.
0.735–57 Information prohibited.
0.735–58 Information not known by employee.
0.735–59 Types of interests to be reported.
0.735–60 Effect of employees' statements.
0.735–61 Specific provisions for special Government employees.
0.735–62 Review of statements and determination of conflicting interests.
0.735–63 Disposition of conflicting interests.
0.735–64 Protection of reports.
0.735–65 Agency implementation.

AUTHORITY: The provisions of this Part 0 issued under Executive Order 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—General Provisions

§ 0.735–1 **Purpose.**

The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by Government employees and special Government employees is essential to assure the proper performance of the Government business and the maintenance of confidence by citizens in their Government. The confidence of citizens in their Government is influenced not only by the manner in which employees serve the public but in the way they conduct themselves in the eyes of the public. The avoidance of misconduct and conflicts of interests on the part of Government employees and special Government employees through informed judgment is indispensable to the maintenance of these standards. To accord with these concepts, this part sets forth the regulations for employees of the U.S. Department of Agriculture, prescribing standards of conduct and responsibilities, and the reporting of employment and financial interests.

§ 0.735–2 **Definitions.**

In this part:

(a) "Agency" means an independent subagency of the U.S. Department of Agriculture.

(b) "Agency Head" is the Administrator or Chief Executive Officer of an agency.

(c) "Conflict of interest" means the situation that exists when there is a conflict, or appearance of conflict, between the interest of an employee and the performance of his Government duties.

(d) "Employee" means a regular officer or employee of the Department of Agriculture including excepted and WOC employees and includes a special Government employee unless otherwise provided.

(e) "Special Government employee" means an officer or employee of the Department of Agriculture who is retained, designated, appointed, or employed to perform temporary duties either on a full-time or intermittent basis, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days.

(f) "The Executive Order" means Executive order 11222 of May 8, 1965.

§ 0.735–3 **Remedial action.**

(a) A violation of this part by an employee may be cause for remedial action. Remedial action may include, but is not limited to:

(1) Changes in assigned duties;

(2) Divestment by the employee of his conflicting interest;

(3) Disciplinary action which may be in addition to any penalty prescribed by law; or

(4) Disqualification for a particular assignment.

(b) Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations.

Subpart B—Conduct and Responsibilities of Employees

§ 0.735–11 **Prohibited conduct—general.**

Employees are specifically prohibited from:

(a) Betting or participating in lotteries or any other form of gambling, even for a worthy cause on Government-owned or leased premises or while on duty for the Government.

(b) Consuming intoxicating beverages in Government-owned or leased property, or transporting such beverages in Government-owned vehicles, or using such beverages while on duty or after duty to the extent that it adversely affects performance of official duties, or results in embarrassment to the Department. 5 U.S.C. 640 states that a person who habitually uses intoxicating beverages to excess may not be retained in his position.

(c) Engaging in criminal, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

(d) Lending funds at usurious interest rates.

(e) Being absent from duty without authorization.

(f) Quarreling or provoking of other employees and making unwarranted criticism or accusations against other employees or supervisor.

(g) Refusing to give testimony or respond to questions made in connection with official inquiries or investigations.

(h) Giving or using information acquired through their official position prior to its release to the general public, to advance the interests of themselves, their families, associates, friends, or those of other persons. However, this subparagraph does not prohibit an em-

ployee from teaching, lecturing, and writing as authorized in § 0.735–17.

(i) Engaging in any personal business transaction or private arrangement for profit which accrues from or is based on their official positions or authority, or on official information prior to its release to the general public.

(j) Monitoring or recording or authorizing or permitting others under their administrative control to monitor or record telephone conversations for the purpose of taking a verbatim transcript of the conversation in whole or in part, except when adequate notice is given to, and agreement received from, all participants of the conversation. The monitoring and/or recording shall be terminated as soon as the agreed upon portion of the telephone conversation is completed.

(k) Utilizing a mechanical or electronic device to overhear or record non-telephone conversations, unless such recording or monitoring is authorized by the speaker.

(l) Soliciting contributions from other employees for a gift to a superior.

(m) An employee in a superior official position may not accept a gift presented as a contribution from employees receiving less salary than himself.

(n) Making a donation as a gift to a superior. (5 U.S.C. 113)

(o) Accepting a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided in 5 U.S.C. 114–115a. The prohibition does not extend to exchange of souvenirs or presents of token value between employees and foreign officials. Any gifts which cannot be graciously refused will be turned over to the Department of State or the nearest embassy.

(p) Using either directly or indirectly, or allowing the use of Government-owned or leased property, facilities or services for other than officially approved purposes. Employees have a positive duty to conserve and protect Government property.

(q) Investigating or conducting any regulatory work directly affecting any corporation, company, firm, association, or organization in which he has a financial or other interest.

(r) Coercing, or giving the appearance of coercing any person, corporation, company, firm, association, or organization to provide financial benefit to himself or another.

§ 0.735–12 **Prohibitions upon employees serving abroad.**

An employee on foreign assignment may not:

(a) Violate Department of State regulations governing the post to which he is assigned.

(b) Sell his personal car or other property for a profit when such profit accrues from import privileges granted him by reason of his official status.

(c) Engage in political activities in the country of assignment.

(d) Violate the laws of the country in which he is assigned.

(e) Have an interest in any business enterprise or engage in any profession in any country to which assigned.

(f) Speculate in real estate, bonds, shares, stocks, and local currencies.

§ 0.735–13 **Gifts, entertainment, and favors.**

(a) Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, unusual discount, loan, or any other thing of monetary value from a person who:

(1) Has or is seeking to obtain contractual or other business or financial relations with his agency, or with the Department.

(2) Conducts operations or activities that are regulated by the Department.

(3) Has interests that may be substantially affected by the performance or nonperformance of his official duty.

(b) The restrictions set forth in paragraph (a) of this section shall not be interpreted as prohibiting:

(1) Acceptance of any of the usual courtesies normal in an obvious family or personal relationship (such as those between the parents, children, or spouse of the employee) when the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors.

(2) Acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans.

(3) Acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other things of nominal value.

(4) The exchange of usual social courtesies which are wholly free of any embarrassing or improper implications.

(c) An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of:

(1) Using public office for private gains;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality;

(5) Making a Government decision outside of official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Federal Government.

§ 0.735–14 **Outside employment and activities—general.**

No employee of the Department shall perform or be engaged in any work or activity on his own behalf or for private individuals, firms, companies, organizations or institutions:

(a) If the outside work or activity would prevent the employee from rendering full-time service to the Department;

(b) If the efficiency of the employee may be impaired by the performance of the outside duties; that is where the outside duties are of such onerous or fatiguing nature as to injure his health or to prevent him from doing his best work during his official hours;

(c) An employee shall not engage in outside employment under a State or local government except in accordance with Part 734 of the Civil Service regulations (5 CFR Part 734);

(d) If the work or activity to be done in a private capacity may be construed by the public to be the official acts of the Department, or of a nature closely paralleling the work of the Department.

(e) If the business connections to be established or property interest to be acquired may result in a conflict between the private interest of the employee and his official duty;

(f) If the doing of such work or activity may involve the use of information secured as the result of employment in the Department and to the detriment of the public service;

(g) If such employment or activity may tend to bring criticism on the Department or cause embarrassment;

(h) If the work or activity relates to a written discussion of policies or official work of the Department unless it has been cleared with the Office of Information;

(i) If the work or activity by the employee gives the appearance of, or the granting of, permission to use his name in the advertising of organizations commercializing the results of research conducted by this Department, irrespective of any merits which such enterprises may appear to possess;

(j) If the work or activity involves participation in a commercially sponsored broadcast except as authorized by the Director of Information.

§ 0.735–15 **Employment by foreign interests.**

No employee, whether in a duty status, or annual leave, or leave without pay, shall accept employment, with or without pay, from any foreign government, corporation, partnership, or individual without the prior authorization of the Secretary. Such requests shall be directed to the attention of the Director of Personnel.

§ 0.735–16 **Serving as consultant or advisor.**

No employee except a special Government employee shall accept compensation for services as consultant or advisor to any organization or enterprise, public or private, in any manner which draws upon the experience, competence or professional standing acquired or enhanced by or through his position in this Department unless he has received permission from his Agency Head. A special Government employee shall not use his employment with the Department for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another.

§ 0.735–17 Teaching, lecturing, and writing.

It is the policy of the Department to grant permission to employees to teach or lecture when such duties will not interfere with the effective discharge of the employee's official duties provided:

(a) Prior authorization is obtained from the Agency Head.

(b) Such teaching, lecturing, or writing is not performed at, or for, any educational institution that discriminates because of race, creed, color or national origin in the admission or in subsequent treatment of students.

(c) Such teaching, or lecturing, or writing is not dependent on information obtained as a result of his employment with the Department, except when that information has been made available to the general public or when the agency head gives specific authorization for the use of nonpublic information that is in the public interest.

(d) Such teaching, lecturing, or writing is not otherwise incompatible with the provisions of the regulations in this part.

(e) No officer or employee shall directly or indirectly instruct, or be concerned in any manner in the instruction of any persons or classes of persons with a view to their special preparation for the examinations of the Civil Service Commission or a Board of Examiners for the Foreign Service of the Department of State.

§ 0.735–18 Activities of Department employees with relation to general or specialized farm organizations.

(a) Department employees shall refrain from participating actively in meetings and in other activities concerned with the establishment of general or specialized farm organizations, or with recruiting members for existing organizations such as the national, regional, State, and local organizations of the National Grange, the American Farm Bureau Federation, the Farmers' Union, the National Association of Soil Conservation Districts, the National Rural Electric Cooperative Association, the National Council of Farmer Cooperatives and Breed and Commodity Organizations. This is a necessary corollary of the equally long-established policy of the Department that it shall deal fairly with all organizations and deal with each upon the same basis. As a continuation of this policy, it should be understood by employees of the Department that it is not permissible for any of them to:

(1) Participate in establishing any general or specialized farm organization.

(2) Act as organizer for any such organization, or hold any other office therein.

(3) Act as financial or business agent for any such organization.

(4) Participate in any way in any membership campaign or other activity designed to recruit members for any such organization.

(5) Accept the use of free office space or contributions for salary or traveling expense from any such organization.

(6) Advocate that any particular general or specialized organization of farmers is better adapted for carrying out the work of this Department than any individual citizen, group of citizens, or organizations.

(7) Advocate that the responsibilities of any agency of this Department or any other Federal agency should be carried out through any particular general or specialized organization of farmers.

(8) Advocate or recommend that any State or local agency should carry out its responsibilities through any particular general or specialized organization of farmers.

(9) Approve contracts for the Department with any cooperative or other commercial organization whenever such cooperative or other commercial organization deducts or checks off from payments due farmers, membership dues of such farmers to any general or specialized organization of farmers, except as it is determined that current authorization for such deduction has been knowingly filed by such individual farmers with the cooperative or other commercial organization.

(b) The restrictions set forth in paragraph (a) of this section do not:

(1) Apply to FHA County Committeemen.

(2) Apply to specialized organizations of farmers such as cow testing associations and similar groups.

(3) Prohibit employees from participating in the organization of groups that are needed in carrying out Federally authorized programs, for example, an REA cooperative, and similar groups determined by the appropriate Agency Head to be essential in effectuating Federally authorized programs.

(c) If any violations of any of the provisions of this section should occur, full information with reference thereto should at once be submitted to the Office of the Inspector General by the head of the agency in which the person violating any of these provisions is employed.

§ 0.735–19 Indebtedness.

(a) Employees who fail to pay their just financial obligations in a timely and proper manner without adequate reason, will be subject to such disciplinary action as the head of the agency or his designee considers appropriate. For the purpose of this section, "just financial obligations" are those acknowledged by the employee or reduced to judgment by a court. A "proper and timely manner" means in a manner which the head of the agency or his designee determines does not, under the circumstances, reflect adversely on the Department as his employer.

(b) In cases where a legal judgment exists against the employee, the employee concerned will be required to satisfy the judgment within a reasonable period of time unless he can arrange to have it modified or set aside.

(c) When an employee is the subject of a complaint for failure to pay taxes or other debts that are the subject of a final administrative determination by a unit of the Federal, State or local government, he shall be advised of the complaint and told to make payment arrangements satisfactory with that unit of government.

(d) When an employee is the subject of a letter of complaint from a creditor who does not hold a legal judgment, the Agency Head or his designee shall determine whether the employee acknowledges the debt and call the provisions of his section to the employee's attention. Subsequent action, if any, will be taken in accord with the facts of the case and the provisions of this section.

§ 0.735–20 Political activity.

(a) A Federal employee other than an officer exempted by section 9(a) of the Hatch Act may not take an active part in political management or in a political campaign. He may not solicit or receive any assessment, subscription, or contribution for any political purpose from an officer or employee of the Government. Whatever the employee may not do directly, he may not do indirectly or through an agent, officer, or employee chosen by him or subject to his control. The Civil Service Commission exercises jurisdiction and investigates cases of alleged prohibited political activities by employees in the competitive service. The Department has comparable jurisdiction in cases affecting employees in the excepted service. Generally speaking, special Government employees are prohibited from engaging in the aforementioned activities only on those days when they are in a pay status. If in doubt of the propriety of a contemplated political activity consult your supervisor or refer the question with a full statement of facts to the Office of Personnel for advice.

(b) Allegations, of, or evidence relating to prohibited political activity, shall be reported to the Director of Personnel.

§ 0.735–21 Requirement to furnish information.

(a) Employees are required under § 5.3 of Civil Service Rule V (5 CFR 5.3) to give the Civil Service Commission and its authorized representatives all information and testimony in regard to matters arising under laws, rules, and regulations administered by the Commission.

(b) Employees are obligated to give information to authorized representatives of the Department when called upon if the inquiry relates to official matters and the information is obtained in the course of employment or as a result of relationships incident to such employment. Failure to respond to requests for information or to appear as a witness in an official proceeding may result in disciplinary penalty.

§ 0.735–22 Safeguarding information.

(a) Classified defense information and restricted information shall be safeguarded and released in accordance with the provisions of applicable directives, statutes, or regulations. For further information consult the Records Security Regulations, USDA.

(b) Unauthorized, premature disclosure of information which might influence or affect the market value of any product of the soil grown within the United States, or of information which by law or rule of the Department is required to be withheld from publication until a fixed time is punishable by fine and imprisonment.

(c) Administratively Confidential or FOR OFFICIAL USE ONLY material shall not be examined by, released to, nor discussed with any person except in the performance of official duties and as prescribed by Title 1, Chapter 9, Administrative Regulations, U.S. Department of Agriculture.

(d) The subject matter of public hearings with respect to the proposed issuance of an order, regulation or other administrative determination prior to issuance by the Secretary of the order, regulation, or other administrative determination shall not be discussed with any interested person or with any representative of an interested person without written permission of the Secretary. However, this shall not preclude an employee who has been assigned to or has supervision over a proceeding from discussing with interested persons or their representatives matters of procedure in connection with such proceeding.

(e) Official mail shall be safeguarded from indiscriminate publication. It is prohibited to use or to quote in whole or in part any letters referred from the White House to this Department.

(f) Information concerning inventions and patent applications may be revealed only for official purposes. Employee inventors and employees who handle or obtain information concerning inventions of employee inventors or concerning any other inventions in which the Department may have an interest shall not reveal such information prior to the issuance of the patent.

(g) The release of any list of names of employees of the Department for political purposes or for purposes of commercial solicitation is prohibited.

(h) It is prohibited to release lists of names of farmers, businessmen, or firms that may be available in the Department directly or indirectly to any person, firm, or association unless the furnishing of such list is consistent with the public interest. If authorized for issuance it should be clearly indicated that the list of names does not imply the Department's endorsement of firms to the possible detriment of others or that the list include all dealers in a certain line.

§ 0.735–23 Use of vehicles.

(a) An employee who wilfully uses or authorizes the use of a Government-owned or leased passenger motor vehicle or aircraft for other than official purposes is subject to suspension for 30 days or removal from office in accordance with 5 U.S.C. 78(c)(2).

(b) An employee who wilfully uses or authorizes the use of a Government-owned or leased motor vehicle other than passenger carrying, is subject to disciplinary action up to and including removal.

(c) Employees shall not store Government-owned or leased motor vehicles in or near their private residences or use such vehicles for transportation between their residences and places of employment unless such storage or use shall have been specifically authorized by the Secretary or another official to whom such authority has been delegated.

§ 0.735–24 Financial interests.

(a) An employee may not have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his responsibilities and duties as a Federal employee.

(b) An employee may not engage in, directly or indirectly, a financial transaction relying upon information obtained through his employment.

(c) This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government provided it is not prohibited by law, Executive Order 11222, 5 CFR Part 735, or this part.

§ 0.735–25 Miscellaneous provisions.

(a) Employees must observe designated duty hours and be punctual in reporting for work and returning from lunch periods. Tardiness can result in employees being placed in a nonpay status or in a charge against annual or compensatory leave in multiples of 1 hour or remedial action.

(b) Employees normally must obtain advance authorization for absence from duty. Where absence from duty results from illness or an emergency, employees are required to notify their supervisor or other appropriate person as soon as possible. When an employee fails to properly notify his supervisor absence may be charged as an unauthorized absence. It also may result in remedial action.

(c) Sick leave is to be used by employees only when they are incapacitated from duty because of sickness or injury, when they need to obtain medical, dental, or optical examination or treatment, when they are subject to quarantine imposed by local health authorities, or when they are required to give care to a member of their immediate family who has a contagious disease.

(d) Agency officials have the authority to transfer and reassign employees within their respective jurisdictions whenever necessary to meet operational needs. Employees have an obligation to the Department to accept transfers and changes in assignment. Failure to accept a transfer or reassignment may result in the separation of the employee.

(e) Any money, property, or other thing of value received by or coming into custody of an employee in connection with the discharge of his duties must be accounted for, deposited or otherwise disposed of in accordance with established procedures.

(f) Personal property offered for sale by the Department may be purchased by employees only when the sale of such property is based upon competitive bids, provided that no purchase may be made, either directly or indirectly, by the employee who was formerly accountable for the property, who formerly used the property, or who was in any way connected with its condemnation, declaration as excess, or sale, except:

(1) Surplus perishable products may be sold to employees at the best price obtainable in quantities not exceeding the needs of their immediate households.

(2) Special clothing and other articles of personal equipment purchased for the exclusive use of and fitted to an individual employee may, when not otherwise usable by the Department and in all respects surplus to the needs of the Government, be sold to such employee at the best price obtainable in the event of his separation from the Service or permanent assignment to duties not requiring such clothing or equipment.

(g) An employee shall not take any action which might prejudice the Government's interest in a criminal or civil case.

(h) Except as authorized by the Director of Personnel employees may not solicit, make collections or canvass for the sale of any article or distribute literature or advertising matter in any space occupied by the Department. Employees may not solicit money nor sell tickets to persons outside the Government for the benefit of any organization of the Department of Agriculture. No publication of any such organization shall contain any commercial advertising whatsoever and the cost of such publications must be fully paid by the organization or association.

(i) An employee shall not at any time conduct himself in a manner that might cause embarrassment to or criticism of the Department or interfere with the efficient performance of his duties.

(j) An employee concerned in any way with the administration of acts regulating trading in commodities for future delivery, programs for the purchase or sale of commodities, price support programs, commodity loan programs, or other programs which directly affect market prices of agricultural commodities shall not, directly or indirectly, speculate in any agricultural commodity.

(k) No employee of the Department shall participate directly or indirectly in any transaction concerning the purchase or sale of corporate stocks or bonds, commodities, or other property for speculative purposes if such action might tend to interfere with the proper and impartial performance of his duties or bring discredit upon the Department. Employees are not prohibited by this paragraph from making bona fide investments.

§ 0.735–26 Miscellaneous statutory provisions.

The attention of each employee is directed to the following statutory provisions:

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. B12, the "Code of Ethics for Government Service."

(b) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibitions against:

(1) The disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and

(2) The disclosure of confidential information (18 U.S.C. 1905).

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(h) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78(c)).

(i) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibitions against:

(1) Embezzlement of Government money or property (18 U.S.C. 641);

(2) Failing to account for public money (18 U.S.C. 643); and

(3) Embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(p) The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 1181), and 18 U.S.C. 602, 603, 607, and 608.

(q) The provision relating to the denial of right to petition Congress (5 U.S.C. 652d).

(r) The prohibitions against:

(1) The publication of data and information obtained pursuant to the Commodity Exchange Act which would disclose the business transactions of any person, trade secrets or customer names (7 U.S.C. 12).

(2) The use of or revealing information relative to formulas of products acquired by the Secretary incident to the registration of economic poisons, with intent to defraud (7 U.S.C. 135f(c)).

(3) The unauthorized release of information, in the Packers and Stockyards Act (7 U.S.C. 222).

(4) The release of information in an employee's possession concerning cotton standards, estimates, tests, and analyses unless authorized by the Secretary (7 U.S.C. 472).

(5) The release of information acquired from parties to any marketing agreement, and handlers subject to marketing agreement orders, except as authorized by the Secretary for the purposes of suit or administrative hearings (7 U.S.C. 608d(2)).

(6) The unauthorized prediction as to cotton prices in a governmental publication (12 U.S.C. 1141j(d)).

(7) The making of false statements or reports, or wilfully overvaluing land, property or security to influence action in connection with agricultural loans (18 U.S.C. 1014).

(8) The wilfull disclosure of official information which might influence of affect the market value of crops prior to authorized publication. An employee acquiring by reason of his employment, information as to the market value of agricultural crops, which information is required to be withheld, is prohibited from speculating in such product (18 U.S.C. 1902).

(s) Limitations on the use or availability of information furnished in connection with marketing agreements and orders (7 U.S.C. 610(i)).

(t) The availability of information furnished in connection with marketing agreements and orders, applicable to marketing agreements for anti-hog-cholera serum and hog-cholera virus is restricted (7 U.S.C. 855).

(u) Information furnished in connection with collection of peanut statistics shall be used only for statistical purposes for which supplied. No publication shall be made where the data furnished by any establishment can be identified (7 U.S.C. 955).

(v) Information with respect to individual operations of processor, producer, or laborer will not be made public in connection with recommendations with respect to producer-processor and producer-labor contracts (7 U.S.C. 1159).

(w) Information furnished in connection with the establishment and adjustment of farm marketing quotas shall be disclosed only as authorized by the Secretary for the purpose of suit or administrative hearing (7 U.S.C. 1373(c)).

(x) Prohibitions against:

(1) A person licensed to inspect or grade grain, or employed by the Department to carry out the provisions of the Grain Standards Act being financially or otherwise interested in a grain elevator or employed by a grain elevator or warehouse (7 U.S.C. 81).

(2) Persons administering the Sugar Act of 1948, from investing or speculating in sugar or liquid sugar, contracts relating thereto, or stock or membership interests of any association or corporation engaged in sugar production (7 U.S.C. 1157).

(3) Persons administering activities concerned with cotton option contracts and commodity benefits as provided by the Agriculture Adjustment Act speculating in agricultural commodities or products to which such contracts or benefits apply, or in contracts relating thereto, or in the stock or membership interests of any association or corporation handling such commodities or products (7 U.S.C. 610(g)).

(4) An officer or employee being the beneficiary of or receiving any fee, commission or gift for or in connection with any transaction or business under the Consolidated Farmers Home Administration Act of 1961, other than such salary, fee or compensation as he may receive as an officer or employee. Members of a FHA County Committee making any certification with respect to a loan to purchase any land in which they or any person related to them have (7 U.S.C. 1986).

(5) The making of false statements in connection with activities of the Commodity Credit Corporation or embezzlement or conversion of anything of value belonging or pledged to the Corporation, or conspiring to commit such acts (15 U.S.C. 714m).

(6) The acceptance of any fee, gift, or other consideration for compromise, adjustment, or cancellation of farm indebtedness (18 U.S.C. 217).

(7) The embezzlement of money or property of the Federal Crop Insurance Corporation and the Farmers Home Administration, and of pledged or entrusted property (18 U.S.C. 657).

(8) The conversion of property mortgaged or pledged to the Farmers Home Administration and the Federal Crop Insurance Corporation, with intent to defraud (18 U.S.C. 658).

(9) The making of false entries, or participation in any benefit through any transaction in connection with Departmental activities concerned with agricultural loans (18 U.S.C. 1006).

(10) Speculation in agricultural commodities to which the Federal Crop Insurance Act applies or to contracts relating thereto, or stock or membership interests of corporations or associations handling such commodities by any person administering such law (18 U.S.C. 1903).

(11) The compilation or issuance of false crop reports (18 U.S.C. 2072).

(12) The acceptance of money or other things of value given with intent to influence a decision in connection with examination of animals, meats, and meat products by inspectors or other employees, or when received from a person or firm engaged in interstate or foreign commerce given for any purpose whatever (21 U.S.C. 90).

(13) Any person using to his own advantage or improperly revealing information concerning trade secrets acquired under the Poultry Products Inspection Act (21 U.S.C. 458).

(y) This part does not purport to paraphrase or enumerate all restrictions imposed on employees. The omission of a restriction in no way relieves an employee of the legal effect of such restrictions.

Subpart C—Counseling and Advisory Service

§ 0.735–31 Counseling and advisory service.

(a) In accord with the Executive order, the Executive Assistant to the Secretary is designated to serve as the Department Counselor and designee to the Commission on matters covered by the regulations in this part. He shall be responsible for coordination of the Department's counseling service and for assuring that counseling and interpretations on questions of conflicts or apparent conflict of interest and other matters discussed in the regulations in this part are available to Deputy Counselors here and after designated.

(b) The Deputy Counselors for the Department will be the Director of Personnel and those employees with employment authority who are so designated to be Deputy Counselors by the Agency Heads.

(c) All employees are to be notified of the availability of counseling and by whom this service is provided. Initial notification must be made within 90 days after Commission approval of this part (the Department's regulations), and periodically thereafter. A new employee or special Government employee appointed after this notification must be notified at the time of his entrance on duty.

(d) Each new employee shall be furnished at the time of hire a copy of the regulations in this part. Current employees shall be furnished a copy of these regulations within 90 days following issuance. Subsequent changes to these regulations will be furnished employees upon issuance. Each employee shall be reminded of the regulations in this part semiannually.

Subpart D—Conflict of Interest

§ 0.735–41 Conflicts of interest.

(a) This deals with statutory provisions of conflict of interest as contained in Title 18, U.S. Code. In this part the term "special Government employee" is as defined in 0.735–2(e).

(b) Employees cannot:

(1) Represent another, except in the performance of official duties, before a court or Government agency in a matter in which the United States is a party or has an interest, whether the representation is for pay or not.

(2) Participate in a governmental capacity in any matter in which he, his spouse, minor child, outside business associate, or person with whom he is negotiating for employment has a financial interest.

(3) Represent, after his Government employment has ended, anyone other than the United States in a matter in which the United States is a party or has an interest, if he participated personally and substantially in the matter for the Government at any time during his employment. This is a permanent bar.

(4) For 1 year after termination of Government employment, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility at any time during the last year of his Government service. Official responsibility means the direct administrative or operating authority to take official action. This applies whether the authority was intermediate or final and whether exercised personally or through subordinates, if it was to decide Government's action.

(5) Receive any supplementation of salary for Government services from a private source.

(6) Directly or indirectly solicit, accept or agree to accept for himself or for another, anything of value to influence his performance of official duty or make opportunity for the commission of any fraud on the United States.

(c) The restrictions imposed by paragraph (b) of this section do not prevent an officer or employee, if not inconsistent with the faithful performance of his duties, from acting without compensation as agent or attorney for any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings.

(d) Special Government employees as defined in paragraph (a) of this section cannot:

(1) Act as attorney or agent or represent anyone, except in the discharge of official duties, before a court or Government agency in a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government.

(2) Represent anyone except in the performance of official duties, in a matter pending before the agency in which he serves, unless he has served there no more than 60 days during the past 365 days, whether or not he has ever participated in the matter personally and substantially for the Government.

(3) Participate for the Government in any matter in which he, his spouse, minor child, outside business associate, or person with whom he is negotiating for employment has a financial interest.

(4) After the termination of Government employment, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest, and in which he participated personally and substantially for the Government.

(5) For 1 year after termination of Government employment represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest, and which was within the boundaries of his official responsibility during the last year of his Government service.

(e) The restriction on employees against receipt of salary from a private source for Government work does not apply to special Government employees.

Subpart E—Statements of Employment and Financial Interest

§ 0.735–51 Employees required to submit statements.

Except as provided in § 0.735–52 the following employees shall submit statements of employment and financial interests in accordance with this part:

(a) Employees of the Immediate Office of the Secretary and Presidential appointees, their assistants, and members of office staff.

(b) Schedule C employees, their assistants, and members of office staff.

(c) Employees paid at a level of the Federal Executive Salary Schedule established by the Classification Act of 1964, as amended.

(d) The administrative and secretarial staffs of employees in paragraph (c) of this section.

(e) Employees in grade GS–16 or above under the General Schedule established by the Classification Act of 1949, as amended, or in comparable or higher positions not subject to that Act.

(f) Employees in Hearing Examiner's positions as defined in the Administrative Procedures Act.

(g) Employees whose basic duties and responsibilities require the incumbent to exercise judgment in making or recommending a Government decision or in taking or recommending a Government action in regard to:

(1) Contracting or procurement, including the appraisal or selection of contractors; the negotiation or approval of contracts; the supervision of activities performed by contractors; the inspection of materials for acceptability; the procurement of materials, services, supplies, or equipment; the proposal, acceptance, obligation, or settlement of payments or claims or negotiations in connection therewith;

(2) Administering or monitoring grants or subsidies, including grants for research and development;

(3) Audit of financial transactions;

(4) Regulating or auditing private or other non-Federal enterprise, such as inspectors and graders in regulatory and grading services, and auditors and investigators of the Office of the Inspector General (grade GS–11 and above);

(5) Use and disposal of excess or surplus property (grade GS–12 and above);

(6) Establishment and enforcement of safety standards and procedures systems (grade GS–11 and above); and

(7) Activities (regardless of grade) where the decision or action which may have a financial impact on a non-Federal enterprise.

(h) Employees who, in the judgment of the Agency Head, must report employment and financial interests in order to carry out the purpose of law, the Executive order, the regulations in this part, and Agency regulations issued under § 0.735–65.

§ 0.735–52 Exceptions.

(a) A statement of employment and financial interests is not required from a Presidential appointee covered by section 401(a) of the Executive order. Such appointees are subject to separate reporting requirements under section 401 of the Executive order.

(b) Employees described in paragraphs (a), (b), (d), and (g) of § 0.735–51 may be excluded from the reporting requirement when the Department counselor determines that the duties of a position are at such a level of responsibility that the submission of a statement of employment and financial interests by the incumbent is not necessary be-

cause of the degree of supervision and review over the incumbent and the remote and inconsequential effects on the integrity of the Government. Exceptions will be considered by the Department counselor at the request of the Agency Head.

§ 0.735–53 Identification of employees required to submit statements.

For control and reporting purposes, those employees required to submit statements shall be specifically identified in the personnel records system.

§ 0.735–54 Time and place for submission of employees' statements.

(a) An employee required to submit a statement of employment and financial interests under the regulations in this part shall submit that statement to the personnel officer designated by the Agency Head not later than 90 days after the effective date of this part if employed on or before that effective date; or 30 days after his entrance on duty, but not earlier than 90 days after the effective date, if appointed after the effective date.

(b) Statements of employment and financial interests executed by officials of the immediate staff and offices of the Office of the Secretary, Agency heads and deputies, Schedule C employees, consultants and advisers shall be referred directly to the Director of Personnel for his determination.

(c) Deputy Counselors are responsible for insuring that employees subject to the reporting and requirements of the regulations in this part are notified of the reporting requirements.

§ 0.735–55 Supplementary statements.

(a) Changes in or additions to the information contained in the last submitted statement of employment and financial interests are to be reported in supplementary statements at the end of each quarter in which the changes occur. If an interest or obligation is added and disposed of during a quarter, it must be reported at the end of the quarter in which it occurred. Quarters end March 31, June 30, September 30, and December 31. If there are no changes or additions in the quarter a negative report is not required. However, an annual report on March 31, negative or otherwise is required.

§ 0.735–56 Interests of employee relatives.

(a) The financial interest of a spouse, minor child or other member of an employee's immediate household shall be reported to the same extent as financial interest of the reporting employee. A "other member" of the immediate household means blood relations who are residents of the employee's household.

(b) The employment of such persons need not be reported unless such person is engaged in an activity, which if held by the employee, would place him in a conflict or apparent conflict of interest situation.

§ 0.735–57 Information prohibited.

The regulations in this part do not require an employee to submit any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in employee's statement of employment and financial interest.

§ 0.735–58 Information not known by employee.

If any information required to be included on a statement of employment and financial interest, or supplement thereto, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall ask such person to furnish the information in his behalf.

§ 0.735–59 Types of interests to be reported.

The financial statements shall include the following:

(a) A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations and educational or other institutions with which the employee is connected as an employee, officer, owner, director, trustee, partner, advisor, or consultant, or in which he has any continuing financial interest through a pension or retirement plan, shared income or otherwise as a result of any current or prior employment or business or professional associations, or in which he has any financial interest through the ownership of stock, bonds, securities, or other arrangements including trusts. Shares in Credit Union, Building and Loan Associations or deposits in Savings and Loan Associations need not be reported.

(b) A list of the names of his creditors other than those to whom he may be indebted by reason of a mortgage on property which he occupies as a personal residence (not a farm) or to whom he may be indebted for current and ordinary household and living expenses such as household furnishings, automobile, education, vacation, and similar expenses.

(c) A list of interests in real property or rights in land other than property which the employee occupies as a personal residence.

(d) The interest and obligations as listed above of a spouse, minor child, or other member of the immediate household.

§ 0.735–60 Effect of employees' statements.

The statements of employment and financial interests and supplementary statements required under this part are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, the Executive order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation in prohibited by law, the Executive order, or the regulations in this part.

§ 0.735–61 Specific provisions for special Government employees.

(a) Except as provided in paragraph (b) of this section, each special Government employee shall submit a statement of employment and financial interests which reports:

(1) All other employment; and

(2) The financial interests of the special Government employee which relate either directly or indirectly to the duties and responsibilities of the special Government employee with the Department.

(b) An Agency Head may waive the requirement in paragraph (a) of this section for the submission of a statement of employment and financial interests in the case of a special Government employee who is not a consultant or expert when the Agency Head finds that the duties of the position held by that special Government employee are of a nature and at such a level of responsibility that the submission of the statement by the incumbent is not necessary to protect the integrity of the Government. For the purpose of this paragraph, "consultant" and "expert" have the meanings given those terms by Chapter 304 of the Federal Personnel Manual but do not include:

(1) A physician, dentist, or allied medical specialist whose services are procured to provide care and service to patients; or

(2) A veterinarian whose services are procured to provide care and service to animals.

(c) A statement of employment and financial interests required to be submitted under this section shall be submitted to the Agency Head of the agency in which the special Government employee is to serve not later than the time of employment. Each special Government employee shall keep his statement of employment and financial interests current throughout his employment with the Department by the submission of supplementary statements.

§ 0.735–62 Review of statements and determination of conflicting interests.

(a) The Agency Head, or his designee, shall promptly review each statement of employment and financial interests submitted under § 0.735–54(a) and supplementary statement for the purpose of disclosing a conflict of interest or apparent conflict of interest.

(b) In any case in which the review raises a question as to whether a conflict exists, the matter will be resolved promptly at the lowest possible level. The employee shall be provided an opportunity to explain the conflict or appearance of conflict of interest. When the conflict or appearance of conflict is not so resolved, the case shall be referred through succeeding levels to the Director of Personnel for a ruling. The Director of Personnel shall seek the advice of the Office of the General Counsel prior to ruling on the case. Any case that cannot be resolved by the Director of Personnel shall be submitted to the Secretary through the Department counselor for final determination.

§ 0.735–63 Disposition of conflicting interests.

(a) Upon being advised that an interest, indebtedness or employment is in conflict with his official duties and that remedial action is required, the employee will take immediate action to end the conflict of interest and advise the responsible officials of action taken in this respect.

(b) An employee who believes the remedial action will cause undue hardship may request a review and modification by forwarding to the Director of Personnel through the head of his agency a written statement setting forth all the facts and circumstances with the reasons for the request for a modification.

§ 0.735–64 Protection of reports.

(a) The statements of employment and financial interests, and supplements thereto, required by or pursuant to the regulations in this part shall be held in confidence and afforded adequate physical security. No information as to the contents thereof shall be disclosed except to the head of the employing agency and such other persons as may be designated custodians or reviewers of such reports unless specific authorization has been obtained from the Department Counselor.

(b) Information from a statement of employment and financial interests shall not be disclosed outside of the Department except as the Civil Service Commission or the Secretary of Agriculture may determine for good cause shown.

(c) Reports shall be separately maintained by the officials designated as custodians for such reports and shall not be made a part of the official personnel folders.

§ 0.735–65 Agency implementation.

Agencies of the Department may issue such additional regulations as are necessary and consistent with the regulations in this part, following approval of the Director of Personnel. Such agency regulations shall be furnished to employees in the same manner as the regulations in this part.

This Part 0 was approved by the Civil Service Commission on March 31, 1966.

Effective date. This Part 0 shall become effective upon publication in the FEDERAL REGISTER and supersedes Chapter 735, Department Personnel Manual, U.S. Department of Agriculture.

JOSEPH M. ROBERTSON,
Assistant Secretary for Administration.

JUNE 14, 1966.

[F.R. Doc. 66–6708; Filed, June 17, 1966; 8:47 a.m.]

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

Subpart—U.S. Standards for Grades of Mushrooms [1]

On March 22, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4806) regarding a proposed revision of U.S. Standards for Grades of Mushrooms (7 CFR 51.3385–51.3398).

Statement of considerations leading to the issuance of the grade standards. Revision of the U.S. Standards for mushrooms was undertaken at the request of representatives of the mushroom industry. The proposed standards published in March 1966, incorporated recommendations by industry members which would bring the standards more nearly in line with current marketing practices.

Following publication in the FEDERAL REGISTER, the proposal was distributed to mushroom industry members and organizations for their comments. No comments were received and no change is made from the text of the published proposal.

A new grade, U.S. No. 2 is added to the standards. Tolerances for open veils are provided in both grades at destination, and also at shipping point in the U.S. No. 2 grade. The number of size classifications is reduced from four to two.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following U.S. Standards for Grades of Mushrooms are hereby promulgated pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

GRADES

Sec.
51.3385 U.S. No. 1.
51.3386 U.S. No. 2.

UNCLASSIFIED

51.3387 Unclassified.

APPLICATION OF TOLERANCES

51.3388 Application of tolerances.

DEFINITIONS

51.3389 Similar varietal characteristics.
51.3390 Mature.
51.3391 Fairly well shaped.
51.3392 Well trimmed.
51.3393 Open veils.
51.3394 Spots.
51.3395 Damage.
51.3396 Length of stem.
51.3397 Diameter.

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

METRIC CONVERSION TABLE

51.3398 Metric conversion table.

AUTHORITY: The provisions of this subpart issued under sections 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624.

GRADES

§ 51.3385 U.S. No. 1.

"U.S. No. 1" consists of fresh mushrooms of similar varietal characteristics which are mature, at least fairly well shaped, well trimmed, free from open veils, disease, spots, insect injury, and decay, and from damage by any cause.

(a) *Size.* Size is specified in terms of diameter and unless otherwise specified meets the requirements of one of the following size classifications:

(1) Small to medium—up to 1⅝ inches in diameter;

(2) Large—over 1⅝ inches in diameter.

(b) *Tolerances.* In order to allow for variations incident to proper grading and handling the following tolerances, by weight, are provided as specified:

(1) *At shipping point.*[2] 5 percent for mushrooms in any lot which fail to meet the requirements of this grade, but not more than one-fifth of this amount or 1 percent shall be allowed for mushrooms affected by disease, spots, or decay.

(2) *En route or at destination.* 10 percent for mushrooms in any lot which have open veils. 5 percent for mushrooms in any lot which fail to meet the remaining requirements of this grade, but not more than one-fifth of this latter amount or 1 percent shall be allowed for mushrooms affected by disease, spots, or decay.

(3) *For off-size.* Ten percent for mushrooms in any lot which fail to meet the specified size requirements.

§ 51.3386 U.S. No. 2.

"U.S. No. 2". The requirements for this grade are the same as for U.S. No. 1 except for a greater tolerance for open veils and a larger tolerance for defects.

(a) *Size.* Size is specified in terms of diameter and unless otherwise specified meets the requirements of one of the following size classifications:

(1) Small to medium—up to 1⅝ inches in diameter;

(2) Large—over 1⅝ inches in diameter.

(b) *Tolerances.* In order to allow for variations incident to proper grading and handling the following tolerances, by weight, are provided as specified:

(1) *At shipping points.*[2] Ten percent for mushrooms in any lot which have open veils. Ten percent for mushrooms in any lot which fail to meet the remaining requirements of this grade, but not more than one-tenth of this latter

[2] Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment or, in the case of shipments from outside the continental United States, the port of entry into the United States.

amount or 1 percent shall be allowed for mushrooms affected by disease, spots, or decay.

(2) *En route or at destination.* 25 percent for mushrooms in any lot which have open veils. 10 percent for mushrooms in any lot which fail to meet the remaining requirements of this grade, but not more than one-tenth of this latter amount or 1 percent shall be allowed for mushrooms affected by disease, spots, or decay.

(3) *For off-size.* 10 percent for mushrooms in any lot which fail to meet the specified size requirements.

UNCLASSIFIED

§ 51.3387 Unclassified.

"Unclassified" consists of mushrooms which have not been classified in accordance with either of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

APPLICATION OF TOLERANCES

§ 51.3388 Application of tolerances.

The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations:

(a) For a tolerance of 10 percent or more, individual packages in any lot shall have not more than one and one-half times the tolerance specified: *Provided*, That the average for the entire lot is within the tolerance specified for the grade.

(b) For a tolerance of less than 10 percent, individual packages in any lot shall have not more than double the tolerance specified, except that at least one defective and one off-size specimen may be permitted in any package: *Provided*, That the average for the entire lot is within the tolerance specified for the grade.

DEFINITIONS

§ 51.3389 Similar varietal characteristics.

"Similar varietal characteristics" means that the mushrooms are of the same general color. For example, white and brown mushrooms shall not be mixed in the same container.

§ 51.3390 Mature.

"Mature" means that the mushroom is firm and well developed; the veil area may be stretched but not broken.

§ 51.3391 Fairly well shaped.

"Fairly well shaped" means that the mushroom cap is not flattened, scalloped, indented or otherwise deformed to an extent which materially detracts from the appearance or marketing quality.

§ 51.3392 Well trimmed.

"Well trimmed" means that the stems are smoothly cut, free from rough fleshy butts, the flared portion of the butt is removed and the remaining portion of the stem does not exceed the depth of the cap.

§ 51.3393 Open veils.

"Open veils" means that the cap has expanded to the extent that the protective covering or "veils" joining the margin of the cap to the stem have broken and exposed the gills or underside of the cap.

§ 51.3394 Spots.

"Spots" means pitted or discolored areas.

§ 51.3395 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects which materially detracts from the appearance, or the edible or marketing quality of the individual mushroom or of the mushrooms in the lot. The following specific defects shall be considered as damage:

(a) Discoloration when the color of the cap or stem materially affects the appearance or marketing quality of the mushrooms.

(b) Dirt when any amount is embedded in the cap or stem.

§ 51.3396 Length of stem.

"Length of stem" means the greatest distance as measured from the point of attachment of the "veils" on the stem to the butt.

§ 51.3397 Diameter.

"Diameter" means the greatest dimension of the cap measured at right angles to the stem.

METRIC CONVERSION TABLE

§ 51.3398 Metric conversion table.

METRIC CONVERSION TABLE

Inches	*Millimeters (mm)*
⅛ equals	3.2
¼ equals	6.4
⅜ equals	9.5
½ equals	12.7
⅝ equals	15.9
¾ equals	19.1
⅞ equals	22.2
1 equals	25.4
1¼ equals	31.8
1½ equals	38.1
1¾ equals	44.5
2 equals	50.8
3 equals	76.2
4 equals	101.6

The U.S. Standards for Grades of Mushrooms contained in this subpart shall become effective July 15, 1966, and will thereupon supersede the U.S. Standards for Mushrooms which have been in effect since October 1, 1928.

Dated: June 15, 1966.

ROY W. LENNARTSON,
Acting Deputy Administrator,
Marketing Services.

[F.R. Doc. 66-6699; Filed, June 17, 1966; 8:46 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

PART 817—REQUIREMENTS RELATING TO BRINGING OR IMPORTING SUGAR OR LIQUID SUGAR INTO CONTINENTAL UNITED STATES

Miscellaneous Amendments

Basis and purpose and bases and considerations. This amendment is issued pursuant to authority vested in the Secretary of Agriculture, by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), and as further amended by Public Law 89-331, approved November 8, 1965 (79 Stat. 1271). The purpose of this amendment is to provide the procedural requirements governing the importation of sugar-containing products or mixtures.

Section 206 of the Act provides in substance as follows. If the Secretary determines that the prospective importation or bringing into the continental United States, Hawaii, or Puerto Rico of any sugar-containing product or mixture will substantially interfere with the attainment of the objectives of the Act, he may limit the quantity of such product or mixture to be brought or imported from any country or area to an annual quantity not less than the average imports of such products or mixture from any such country during the most recent 3 consecutive years for which reliable data are available. In the event there are no reliable data available which cover the importation of such product or mixture for three consecutive years, the Secretary may limit annually the importation of such product or mixture from any country to not less than 100 tons raw value, of sugar content in such sugar-containing product or mixture.

In determining whether the actual or prospective importation of a sugar-containing product or mixture will or will not substantially interfere with attainment of the objectives of the Act, the Secretary shall take into consideration the criteria specified in section 206 of the Act, and such determination shall be made in conformance with the rule making requirements of section 4 of the Administrative Procedure Act.

This amendment and regulation provide that the Secretary will make determinations provided for in section 206 of the Act upon his own initiative or upon the written petition by an interested person if the Secretary has reason to believe that the petition will be supported by substantive information and that a substantial interference with attainment of the objectives of the Act may be involved. In making such determinations the Secretary will conform to the rule making requirement of section 4 of the Administrative Procedure Act (5 U.S.C. 1003).

A determination when made may cover one or more sugar-containing products or mixtures or a group of similar sugar-containing products or mixtures and will

be set forth in paragraph (c) to be added to § 817.10 of this part, with the basis and purposes accompanying the determination.

Effective date. Since this amendment establishes rules of procedure and is not a substantive rule, the notice, public procedure and effective date requirements of the Administrative Procedure Act are inapplicable and unnecessary and this amendment shall become effective when filed for public inspection in the Office of the Federal Register.

Pursuant to the provisions of section 403 of the Act (60 Stat. 932), § 817.1 is hereby amended and § 817.10 is added to Part 817, Chapter VIII, Title 7 as follows:

1. Paragraph (a) of § 817.1 is hereby amended to read:

§ 817.1 Purpose and persons affected.

(a) Under authority contained in the Act as amended (61 Stat. 922, as amended) and subject to the provisions contained in Part 811 of this chapter, the regulations in this part establish the procedures applicable to (1) importing or bringing sugar and liquid sugar into the continental United States from all domestic offshore areas and foreign countries, (2) importing or bringing sugar and liquid sugar in a sugar-containing product or mixture into the United States, Hawaii, or Puerto Rico and (3) reporting the applicable evaluation provided for in Part 810 of this chapter and the subsequent processing and movement of imported sugar and liquid sugar.

* * * * *

2. The table of contents of Part 817 is amended by deleting "817.10 [Reserved]" and inserting in lieu thereof "817.10 *Sugar-containing products and mixtures*", and a new § 817.10 is added to read as follows:

§ 817.10 Sugar-containing products and mixtures.

(a) The importation or bringing into the continental United States, Hawaii, or Puerto Rico of any sugar-containing product or mixture shall not be subject to any import limitations pursuant to the provisions of this part unless and until the Secretary has made effective a determination that the prospective importation of such sugar-containing product or mixture will substantially interfere with the attainment of the objectives of the Act. A proceeding to make a determination required by this section as well as any amendment or repeal thereof will be instituted by the Secretary either upon the Secretary's own initiative, or upon the written petition of an interested person if the Secretary has reasonable grounds to believe, on the basis of information accompanying the petition and other information available to him, that there may be a substantial interference with attainment of the objectives of the Act. Petitions should be submitted to the Director, Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250. A proceeding to make a determination that the importation or bringing into the continental United States, Hawaii, or Puerto Rico of a sugar-containing product or mixture will or will not substantially interfere with the attainment of the objectives of the Act, or an amendment or repeal of such a determination, shall be instituted by publishing a notice of the proposed rule making, and affording interested persons an opportunity to submit written data, views, and arguments and to submit the same orally if provision is made therefor in the notice. The determination shall be published in the FEDERAL REGISTER. A determination may pertain to one or more sugar-containing products or mixtures or a group of similar sugar-containing products or mixtures. In making a determination that the bringing in or importing of a sugar-containing product or mixture will or will not substantially interfere with the attainment of the objectives of the Act, the Secretary shall give consideration to (1) the total sugar content of the product or mixture in relation to other ingredients therein or to the sugar content of other products or mixtures for similar use; (2) the costs of the mixture in relation to the costs of its ingredients for use in the continental United States, Hawaii, or Puerto Rico; (3) the present or prospective volume of importations relative to past importations of the product or mixture; (4) the type of packaging; (5) whether it will be marketed to the ultimate consumer in the identical form in which it is imported or the extent to which it is to be further subjected to processing or mixing with similar or other ingredients; and (6) other pertinent information. Information relating to the above-listed factors should accompany any petition to the Secretary to institute a proceeding as provided in this section or shall be furnished by persons having such information upon request by the Secretary.

(b) (1) If the Secretary has determined pursuant to paragraph (a) of this section that the prospective importation or bringing into the continental United States, Hawaii, or Puerto Rico of a sugar-containing product or mixture will substantially interfere with the attainment of the objectives of the Act, a total quantity of such sugar-containing product or mixture shall not be brought or imported into the continental United States, Hawaii, or Puerto Rico in any one year from any one country or area in excess of the quantity which the Secretary determines will not so interfere but not less than (1) the average annual importations of the product or mixture from the country or area during the most recent 3 years for which reliable data are available; or (2) 100 short tons, raw value, of sugar content of the product or mixture from any one country or area in the event that no reliable data of quantities imported or brought in from the country or area for 3 consecutive years are available. Persons having information or data of quantities of a sugar-containing product or mixture imported or brought in during a recent 3-year period from a country or area may submit such information or data to the Director, Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250, for consideration of its reliability for use.

(2) Any sugar-containing product or mixture as to which the Secretary has determined that the actual or prospective importation or bringing thereof into the continental United States, Hawaii, or Puerto Rico will substantially interfere with the attainment of the objectives of the Act, shall not be imported or brought into the continental United States, Hawaii, or Puerto Rico until a release directed to the Collector of Customs has been obtained by the importer from the Department of Agriculture. If the release of the product is permissible within the limitations provided in subparagraph (1) of this paragraph, it will be issued upon application to the Sugar Quota Group, Policy and Program Appraisal Division, ASCS, U.S. Department of Agriculture, Washington, D.C., 20250, in triplicate on a prescribed form designated as Form SU-9A. Applications will be available from the above-mentioned source and at all customhouses, and will be in the following form:

8-S.R. 817
Form SU-9A
(date) Form approved

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Washington, D.C. 20250
Budget Bureau No.

Application for Release of a Sugar-Containing Product or Mixture Subject to an Import Limitation Pursuant to Section 206 of the Sugar Act as Amended

(Submit in triplicate)

I, _____
(Name of importer)
of _____
(Address)
hereby make application to bring in or import at _____ _____
(Port of entry) (Quantity)
pounds (or gallons) of a sugar-containing product or mixture from _____
(Country or area)
identified as _____ within
(Name or description of product)
the import limitation for this product specified in § 817.10(c)( ) of Sugar Regulation 817.

This product is to be used _____
(Explanation of use)

_____

I hereby certify that the product for which this application is being made consists of the ingredients in the following percentages: sugar _____ percent, _____ percent, _____ percent, Other _____ percent.

Date _____
Signed _____
Title _____

_____

_____

The Collector of Customs is hereby authorized to release _____ pounds or gallons of the product identified in this appli-

cation. The quantity authorized is within the limitation established for this product in § 817.10(c)( ) of Sugar Regulation 817. (7 CFR 817.10)

Date _____

Signed _____
(Head, Sugar Quota Group)

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; sec. 206; 61 Stat. 927, as amended by P.L. 89-331, 79 Stat. 1277)

Effective date. This amendment shall become effective when filed for public inspection in the Office of the Federal Register.

Signed at Washington, D.C., this 15th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6697; Filed, June 15, 1966; 3:59 p.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 166]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.466 Valencia Orange Regulation 166.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 16, 1966.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., June 19, 1966, and ending at 12:01 a.m., P.s.t., June 26, 1966, are hereby fixed as follows:

(i) District 1: 250,000 cartons;

(ii) District 2: 250,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 17, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6778; Filed, June 17, 1966; 11:30 a.m.]

[Lemon Reg. 219]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.519 Lemon Regulation 219.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 14, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., June 19, 1966, and ending at 12:01 a.m., P.s.t., June 26, 1966, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 358,050 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "Carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 16, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6731; Filed, June 17, 1966; 8:47 a.m.]

[Lime Reg. 8, Amdt. 2]

PART 911—LIMES GROWN IN FLORIDA

Container Regulation

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of limes in that it permits the handling of limes in containers that are not now permitted to be used for such handling.

It is, therefore, ordered that paragraph (b)(1) of § 911.310 (Lime Regulation 8, as amended; 29 F.R. 8461, 30 F.R. 2521) is further amended by redesignating subdivision (iv) thereof as subdivision (vi) and adding new subdivisions (iv) and (v) reading as follows:

(iv) Containers with inside dimensions of 12 x 9⅝ x 5¼ inches: *Provided,* That any such container shall contain not less than 10 pounds nor more than 12 pounds net weight of limes.

(v) Containers with inside dimensions of 11 x 16¾ x 5¾ inches: *Provided,* That any such container shall contain not less than 20 pounds nor more than 22 pounds net weight of limes.

(c) The provisions of this amendment shall become effective at 12:01 a.m., e.s.t., June 20, 1966.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 17, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6779; Filed, June 17, 1966; 11:30 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER C—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

Subpart B—Contract Rights and Obligations

SUBCHAPTER D—RENTAL HOUSING INSURANCE

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart B—Contract rights and obligations

SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

Subpart D—Contract Rights and Obligations—Projects

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

Section 203.405 is amended to read as follows:

§ 203.405 Debenture interest rate.

Debentures shall bear interest from the date of issue, payable semiannually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date the mortgage was endorsed for insurance, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate (percent)	On or after—	Prior to—
4½	Jan. 1, 1964	Jan. 1, 1966
4¾	Jan. 1, 1966	July 1, 1966
4¾	July 1, 1966	

Section 203.479 is amended to read as follows:

§ 203.479 Debenture interest rate.

Debentures shall bear interest from the date of issue, payable semiannually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date the loan was endorsed for insurance, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate (percent)	On or after—	Prior to—
4½	Jan. 1, 1964	Jan. 1, 1966
4¾	Jan. 1, 1966	July 1, 1966
4¾	July 1, 1966	

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

In § 207.259 paragraph (e)(6) is amended to read as follows:

§ 207.259 Insurance benefits.

* * * * * *

(e) *Issuance of debentures.* * * *

(6) Bear interest from the date of issue, payable semiannually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date of initial insurance endorsement of the mortgage, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate (percent)	On or after—	Prior to—
4½	Jan. 1, 1964	Jan. 1, 1966
4¾	Jan. 1, 1966	July 1, 1966
4¾	July 1, 1966	

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

Section 220.830 is amended to read as follows:

§ 220.830 Debenture interest rate.

Debentures shall bear interest from the date of issue, payable semiannually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date the loan was endorsed for insurance, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate (percent)	On or after—	Prior to—
4½	Jan. 1, 1964	Jan. 1, 1966
4¾	Jan. 1, 1966	July 1, 1966
4¾	July 1, 1966	

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

Issued at Washington, D.C., June 13, 1966.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 66-6656; Filed, June 16, 1966; 8:46 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER S—NUMBERING OF UNDOCUMENTED VESSELS, STATISTICS ON NUMBERING, AND "BOATING ACCIDENT REPORTS" AND ACCIDENT STATISTICS

[CGFR 66-30]

PART 173—BOATING ACCIDENTS, REPORTS, AND STATISTICAL INFORMATION

Subpart 173.01—Boating Accidents

REPORTING BOATING ACCIDENTS

The Coast Guard is charged with the responsibility for the general superin-

tendence of the administration and enforcement of the Federal Boating Act of 1958, as amended (46 U.S.C. 527–527h), and the Motorboat Act of April 25, 1940, as amended (46 U.S.C. 526–526u). These laws apply primarily to recreational boating on the navigable waters of the United States and the high seas under the jurisdiction of the United States.

The statutory requirements governing the reporting of boating accidents are in section 13 of the Motorboat Act of 1940, as amended by the Federal Boating Act of 1958 (46 U.S.C. 526l), and the reporting of marine casualties is in R.S. 4450, as amended (46 U.S.C. 239), and certain other related laws. These provisions place specific duties on the Coast Guard when certain casualties occur on Coast Guard inspected vessels or accidents occur as a result of casualties Federal Boating Act of 1958, the various States (currently 47) have assumed certain responsibilities and receive reports of boating accidents involving various vessels depending on State regulation. Where a boating accident occurs and it is not reportable to the State, or where there is no Coast Guard approved State Boating Act, the provisions regarding boating accidents, reports, and statistical information in 46 CFR Part 173 apply. The amendments in this document to 46 CFR 173.01–1(a) and 173.01–5(b) describe the vessels subject to the Federal Boating Act and requirements concerning boating accidents and therefore required to submit accident reports. These amendments were described generally in the notice of proposed rule making published in the FEDERAL REGISTER of February 10, 1966 (31 F.R. 2602–2614), and the complete text was set forth in the Merchant Marine Council Public Hearing Agenda dated March 21, 1966 (CG–249). The Merchant Marine Council held a public hearing on March 21, 1966, for the purpose of receiving comments, views, and data with respect to various proposals identified as Items I to XII, inclusive. Item Ib contained the proposals regarding boating accidents, reports, and statistical information (CG–249, I, page 9), and in accordance with the Merchant Marine Council's recommendations the proposals published in the agenda are adopted. This document is the second of a series regarding proposals considered by the Merchant Marine Council at this public hearing.

The amendments to §§ 173.01–1(a) and 173.01–5(b) shall be effective October 1, 1966; however, the regulations in this document may be complied with in lieu of existing requirements prior to that date.

By virtue of the authority transferred to me as Commandant, U.S. Coast Guard, by Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521) and 167–32 dated September 23, 1958 (23 F.R. 7605), I hereby promulgate the following amendments to §§ 173.01–1(a) and 173.01–5(b) pursuant to section 7 of the Federal Boating Act of 1958:

1. Section 173.01–1(a) is amended to read as follows:

§ 173.01–1 General.

(a) The provisions of this subpart shall apply (1) to all uninspected numbered vessels and (2) to all other uninspected vessels used for pleasure or recreational purposes. All other uninspected vessels shall be subject to the requirements contained in Part 136 of this chapter.

* * * * *

2. Section 173.01–5(b) is amended to read as follows:

§ 173.01–5 Reportable boating accidents.

* * * * *

(b) For the purpose of this subpart a "boating accident" means a collision, accident, or other casualty involving (1) an uninspected numbered vessel or (2) any other uninspected vessel used for pleasure or recreational purposes.

* * * * *

(Secs. 13, 17, 54 Stat. 166, as amended, secs. 7, 10, 72 Stat. 1757; 46 U.S.C. 526l, 526p, 527d, 527g)

Dated: June 14, 1966.

[SEAL] W. J. SMITH,
Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 66–6694; Filed, June 17, 1966; 8:46 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER H—UTILIZATION AND DISPOSAL

PART 101–47—UTILIZATION AND DISPOSAL OF REAL PROPERTY

Subpart 101–47.3—Surplus Real Property Disposal

INTEREST RATES IN CREDIT SALES

Section 101–47.304–4(a) is revised to change the interest rates provided for therein, as follows:

§ 101–47.304–4 Invitation for offers.

* * * * *

(a) Where the disposal agency has determined that the sale of specific property on credit terms is justified, the invitation shall provide for submission of offers on the following terms:

(1) Offers to purchase of less than $2,500 shall be for cash.

(2) Where the purchase price is $2,500 or more but less than $10,000, a downpayment shall be required of not less than 25 percent cash, balance 8 years or less, evidenced by purchaser's note, payable in equal quarter-annual installments (together with interest on unpaid balances at an annual rate of 5½ percent) secured by purchase money mortgage or deed of trust on the property, whichever the Government determines to be appropriate.

(3) Where the purchase price is $10,000 or more, a downpayment shall be required of not less than 20 percent cash, balance 10 years or less, evidenced by purchaser's note, payable in equal quarter-annual installments (together with interest on unpaid balances at an annual rate of 5½ percent) secured by a purchase money mortgage or deed of trust on the property, whichever the Government determines to be appropriate.

(4) Credit sales negotiated with a State, the Commonwealth of Puerto Rico, the Virgin Islands, political subdivisions thereof, or tax-supported agencies therein, pursuant to section 203(e)(3)(H) of the Act, shall provide for interest on the unpaid balances at an annual rate of 4¾ percent rather than the 5½ percent provided in subparagraphs (2) and (3) of this paragraph.

* * * * *

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This amendment is effective as of the date of publication in the FEDERAL REGISTER. However, the new interest rates prescribed in the amendment shall not be applied to any credit sales which have been publicly announced or otherwise committed for sale at previously prescribed rates.

Dated: June 10, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66–6703; Filed, June 17, 1966; 8:46 a.m.]

Title 48—TRADE AGREEMENTS AND ADJUSTMENT ASSISTANCE PROGRAMS

Chapter II—Office of the Special Representative for Trade Negotiations

PART 203—STANDARDS OF EMPLOYEE CONDUCT

Supersedure of Regulations

NOTE: For supersedure of the regulations of the Office of the Special Representative for Trade Negotiations on Standards of Employee Conduct (31 F.R. 5009) by the Standards of Conduct of the Executive Office of the President, see Title 3, Chapter V, Part 100, in Part II of this issue, *infra*.

Title 32—NATIONAL DEFENSE

Chapter XX—National Security Council

PART 2000—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Supersedure of Regulations

NOTE: For supersedure of the regulations of the National Security Council on Employee Responsibilities and Conduct (31 F.R. 4281) by the Standards of Conduct of the Executive Office of the President, see Title 3, Chapter V, Part 100, in Part II of this issue, *infra*.

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 817]

IMPORTATION OF SUGAR-CONTAINING PRODUCTS OR MIXTURES

Notice of Proposed Rule Making

Notice is hereby given that the Secretary of Agriculture pursuant to authority vested in him by the Sugar Act of 1948 as amended (61 Stat. 922, as amended), and as further amended by Public Law 89–331, approved November 8, 1965 (79 Stat. 1271), is considering amendment of Sugar Regulation 817 (7 CFR 817.1–817.12; 30 F.R. 15316), to provide for a determination limiting the importation of certain sugar-containing products or mixtures as hereinafter described to become effective as promptly as possible after publication of the amendment in the FEDERAL REGISTER.

In accordance with the rule making requirements of the Administrative Procedure Act (60 Stat. 237), all persons who desire to submit written data, views, or arguments for consideration in connection with the proposed regulation may file the same in duplicate with the Director, Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250, not later than 15 days after this notice is filed for public inspection in the Office of the Federal Register. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

The proposed amendment is set forth in form and language appropriate for issuance, if adopted by the Secretary as follows:

Basis and purpose and bases and considerations. The purpose of this amendment is to provide for a determination pursuant to section 206 of the Sugar Act of 1948, as amended (61 Stat. 927 as amended by Public Law 89–331, 79 Stat. 1277), hereinafter referred to as the Act, which will limit the importation of certain mixtures containing sugar and butterfat or sugar and flour.

Section 206 of the Act provides in substance as follows. If the Secretary determines that the prospective importation or bringing into the continental United States, Hawaii or Puerto Rico of any sugar-containing product or mixture will substantially interfere with the attainment of the objectives of the Act, he may limit the quantity of such product or mixture to be brought or imported from any country or area to an annual quantity not less than the average imports of such product or mixture from any such country during the most recent 3 consecutive years for which reliable data are available. In the event there are no reliable data available which cover the importation of such product or mixture for 3 consecutive years, the Secretary may limit annually the importation of such product or mixture from any country to not less than one hundred short tons, raw value, of sugar content in such sugar-containing product or mixture.

In determining whether the actual or prospective importation of a sugar-containing product or mixture will or will not substantially interfere with attainment of the objectives of the Act, the Secretary shall take into consideration the criteria specified in section 206 of the Act, and such determination shall be made in conformance with the rule making requirements of section 4 of the Administrative Procedure Act.

During January and February of this year preliminary data indicated that the importation of mixtures (or products) consisting of about 56 percent sugar and about 44 percent butterfat are sharply increasing. These data indicate that about 2.5 million pounds were imported during those 2 months in comparison with 3.5 million pounds in calendar year 1965. The price of world market sugar in relation to the price of sugar imported from foreign countries within the quota system, embodied in the Sugar Act, has a marked influence on the imports of these mixtures. Imports of these mixtures amounted to 2.5 million pounds in 1961 and to 4 million pounds in 1962. During this period, the "quota premium" price for raw sugar in the U.S. market averaged about 2.5 cents per pound above the world market price. However, the world market price for sugar rose rapidly in early 1963 and the average for April was about three-tenths of a cent per pound above the U.S. price, on a comparable basis. Although imports of these sugar-butterfat mixtures (or products) in 1963 amounted to about 3.3 million pounds, the entire quantity was imported in the first half of the year. In 1964, none of these mixtures was imported into the United States. It is significant that during the period February 1963–June 1964 the average of world prices of sugar exceeded prices of U.S. quota sugar by about 1.5 cents per pound. However, in 1965 world sugar prices were at extremely low levels—averaging about 3.5 cents per pound below U.S. market prices. Under these circumstances, imports of sugar-butterfat mixtures were again resumed and reached a total of 3.5 million pounds. With world market prices continuing at low levels, imports of these mixtures during January and February of this year have spurted to an estimated 2.5 million pounds. Indications are that in the absence of limitations on the importation of mixtures (or products) in this category, total imports in 1966 will rise far above those of any previous year. Accordingly, it is essential that the imports be limited promptly. Since foreign country quotas are based on a percentage of U.S. sugar requirements, it is evident that any displacement of quota sugar by the quota free importation of low priced world sugar in these products affects the level of requirements and accordingly reduces the quotas of foreign countries. These mixtures are being imported for commercial use generally by ice cream manufacturers and bakeries and replace quota sugar. These sugar-containing products or mixtures are being imported under various trade names—the most common ones being "Junex" and "Grapex". Although there are no data available indicating that products or mixtures containing sugar and flour within the above description are currently being imported, inquiries received by the Department regarding the prospective importation of products in this category warrant the limitations herein provided because importation of such mixtures will have the same adverse effect as will the importation of sugar and butterfat. The average imports of a mixture of sugar and butterfat from two countries for the years 1963, 1964, and 1965 contained a sugar equivalent in excess of 100 short tons, raw value: Such imports from Australia were 1,846,630 pounds and from Denmark 350,000 pounds.

The determination to place limitations on the imports of these mixtures is based upon the total sugar content of the mixture in relation to other ingredients, the cost of the sugar in the mixture in relation to the cost of sugar in the United States, the present and prospective volume of importations in relation to past importations, the fact that such mixtures or products are not being marketed to the retail consumer in the identical form in which imported, and that such mixtures or products are subject to further processing or mixing with similar or other ingredients. In addition, recognition has also been given to the fact that Australia voluntarily agreed to limit its shipments to the United States to 2,240,000 pounds in each of the years 1964 and 1965. Accordingly, the annual limitation for Australia has been set at that quantity.

Pursuant to the provisions of section 403 of the Act (61 Stat. 932), paragraph (c)(1) of § 817.10 is added to Part 817, Chapter VIII, Title 7 to read as follows:

§ 817.10 Sugar-containing products and mixtures.

* * * * *

(c)(1) It is hereby determined that prospective importation into the continental United States, Hawaii, or Puerto

Rico of sugar-containing products or mixtures described herein will substantially interfere with the attainment of the objectives of the Act and shall be subject to the import limitations as provided in this paragraph (c)(1) of this § 817.10: The products or mixtures (i) contain more than one-quarter sugar, by weight, (ii) contain other ingredients consisting principally of either butterfat or flour; and (iii) either are to be further subjected to processing or mixing with similar, or other ingredients, or are not suitable for marketing to the retail consumer in the identical form and package in which imported. The total quantity of all of such products or mixtures which may be imported during any calendar year from Australia shall not exceed 2,240,000 pounds; from Denmark 350,000 pounds; and from any other country, the sugar equivalent of 100 short tons, raw value (187,000 pounds of sugar, refined basis): *Provided, however*, That if the total importations of such products or mixtures from any one country for the period January 1, 1966, through the effective date of this amendment exceeds such prescribed limitations, the limitations for the calendar year 1966 shall be increased to the total of such importations. None of the described products or mixtures shall be imported except pursuant to the procedural requirements contained in paragraph (b)(2) of this § 817.10.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; sec. 206; 61 Stat. 927, as amended by P.L. 89-331, 79 Stat. 1277)

Signed at Washington, D.C., this 14th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6696; Filed, June 15, 1966; 3:59 p.m.]

Consumer and Marketing Service

[7 CFR Part 52]

CANNED RIPE OLIVES

Proposed Standards for Grades [1]

Notice is hereby given that the U.S. Department of Agriculture is considering amendments to the U.S. Standards for Grades of Canned Ripe Olives (7 CFR 52.3751-52.3766) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624).

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendments should file the same in duplicate, not later than 60 days after publication hereof in the FEDERAL REGISTER, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250. All written submissions made pursuant to this notice will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Statement of consideration leading to the proposed amendments. The current U.S. Standards for Grades of Canned Ripe Olives have been in effect since 1959. Recent changes in the production and marketing structure for this product have prompted the Olive Administrative Committee and the California Olive Association to request less restrictive allowances for major blemishes and serious wrinkles in U.S. Grade C Canned Ripe Olives.

The proposed amendments are:

In § 52.3763, (e) (1) (ii) and (3) (ii) would be changed to read:

§ 52.3763 **Absence of defects.**

* * * * * *

(e) *(C) Classification.* * * *

(1) *Whole; pitted; halved.* * * *

(ii) Not more than a total of 30 percent, by count, of the olives or units may possess major blemishes and serious wrinkles and may be mutilated olives: *Provided*, That not more that 25 percent, by count, of the olives or units may possess major blemishes and serious wrinkles and not more than 10 percent, by count, of the olives may be mutilated.

* * * * * *

(3) *Broken pitted.* * * *

(ii) Not more than 20 percent, by weight, of the drained olives may be pieces affected by major blemishes.

* * * * * *

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624)

Dated: June 15, 1966.

ROY W. LENNARTSON,
Acting Deputy Administrator, Marketing Services.

[F.R. Doc. 66-6701; Filed, June 17, 1966; 8:46 a.m.]

[7 CFR Part 1133]

[Docket No. AO 275-A13]

MILK IN INLAND EMPIRE MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Spokane, Wash., on May 17, 1966, pursuant to notice thereof issued on May 9, 1966 (31 F.R. 6986).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on May 27, 1966 (31 F.R. 7831; F.R. Doc. 66-6045), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto. No exceptions were filed.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (31 F.R. 7831; F.R. Doc. 66-6045) are hereby approved and adopted and are set forth in full herein.

The material issues on the record of the hearing relate to:

1. Diversion of producer milk; and
2. Need for emergency action.

Finding and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Diversion of producer milk.* The present diversion provisions should be revised to increase the amount of milk which may be diverted from 25 percent to 35 percent of the total producer milk delivered to pool plants, including eligible diversions, during each of the months of April, May, June and July.

The provisions of the present order which permit two or more cooperative associations to have their allowable diversions computed on the basis of the combined deliveries of milk by their member producers if each association has filed in writing with the market administrator a request for such computation, should be continued.

Previous to August 1, 1965, the order permitted unlimited diversions during the months of December through June. Official notice is taken of suspension orders issued by the Assistant Secretary on July 8, 1964, and by the Under Secretary on June 17, 1965, which permitted unlimited diversions of producer milk for the months of July 1964 and July 1965, respectively.

Presently, producer milk may be diverted in an amount limited to 15 percent of the total producer milk delivered to pool plants, including eligible diversions, in each of the months of September, October, and November and 25 percent in all other months of the year.

Receipts of producer milk in the Inland Empire marketing area have increased 543,000 pounds per month or approximately 3.7 percent during the first 4 months of 1966 in comparison to producer receipts during this same period 1 year ago. Class I use of producer milk decreased 293,500 pounds per month or about 2.7 percent during the first 4 months of 1966 in comparison to Class I use of like receipts 1 year ago.

The association stated that it had conducted a survey of its producers to obtain an estimate of its member producer's production during the coming months. On the basis of this survey of expected production and the trend in Class I use, the cooperative believes that an increase in the diversion percentage from 25 percent to 35 percent is necessary for the needs of the association.

The proponent cooperative association estimated that its producer receipts during the month of May 1966 would be 300,000 pounds greater than its producer receipts in April of this year. It further estimated that its producer receipts in June 1966 would be about 6,500,000 pounds, an increase of almost 600,000 pounds over its receipts for the month of April. This would be 800,000 pounds or 14 percent greater than its receipts in June of 1965.

Pool plants in the Inland Empire marketing area have limited manufacturing facilities for utilizing producer milk in Class III uses. Producer milk which is in excess of handlers' fluid milk needs and the capacity of manufacturing facilities of the pool plants must be disposed of to nonpool plants for manufacturing. During the period of January 1964 through April 1966, about 40 percent of the producer milk classified as Class III was manufactured in pool plants. The remaining 60 percent of the producer milk receiving a Class III classification was moved to nonpool plants having manufacturing facilities.

The amount of milk moved to nonpool plants during the period of January 1964 through April 1966 averaged 1,500,000 pounds per month. These movements varied from a low of 390,000 pounds in March 1965 to a high of 3,750,000 pounds in June of 1964.

The milk which is in excess of the needs of the pool plants may be moved to nonpool plants either by diversion or by transfer. The movement of producer milk to nonpool plants by means of interplant transfers is much more costly and inefficient than the movement of such milk by diversions. In most instances the interplant transfers require that milk be transported from the farm to pool plants located in Spokane and then moved to nonpool plants located outside the marketing area. Frequently the farms are located closer to the manufacturing plant. Thus diversion not only saves the cost of receiving and reloading the milk at a pool plant but it usually results in greatly reduced hauling costs.

The cooperative association which requested the increase in the percentage of milk which may be diverted handles most of the reserve supplies of milk for the market. In April 1966, this association diverted 2,222,396 pounds of milk which amounted to 92 percent of the producer milk moved to nonpool plants for Class III use.

The proponent cooperative association diverted 14, 25, 39, and 22 percent of its total member milk for the months of April, May, June, and July 1965, respectively. The combined diversions of the proponent cooperative association and the other association supplying the market for the months of April, May, June, and July 1965 amounted to 10, 21, 32, and 16 percent, respectively, of their total member milk. The combined diversions of the two cooperative associations for April 1966 amounted to 22 percent of their combined deliveries, which is more than twice the percentage diverted 1 year ago.

It is evident from the percentage of milk which was diverted during the past year and from the large increase in diversions for the month of April 1966 over those of 1 year ago that the present diversions permitted by the order will be inadequate for the months of June and July of this year. If present trends continue, the present provisions will be inadequate in future years to accommodate the market situation during the entire period of flush production. Therefore, the diversion percentages should be increased to 35 percent during each of the months of April, May, June, and July.

The need for diverting excess milk received at a pool plant which receives its entire milk supply from nonmember producers is similar to that of the cooperative associations. Thus the percentage of diversions which are permitted a cooperative association are equally applicable in the case of a pool plant. Accordingly, proprietary handlers should be permitted to divert up to 35 percent of the milk received at and diverted from such pool plant during each of the months of April, May, June, and July from producers who are not members of a cooperative association which is diverting milk of its member producers during such month.

The other cooperative association supplying the market offered no testimony at the hearing, but filed a brief supporting the requested increase in the percentage of milk which might be diverted. No testimony was received at the hearing in opposition to increasing the percentage of producer milk which may be diverted.

2. *Need for emergency action.* The proponent cooperative association stated that amendatory action was definitely needed to increase the amount of allowable diversions permitted during the months of June and July 1966. Testimony given on behalf of the association indicated that the present diversion limitation of 25 percent for the month of May 1966 would not be adequate. The representative of the association stated, however, that the cooperative would be able to remain within the diversion limit for May of this year by moving milk from producers which would be in excess of the diversion limits by use of interplant transfers.

Although proponents claimed that an emergency marketing condition existed, such condition is not sufficiently grave to warrant the omission of a recommended decision. Relief for the months of June and July will not be delayed by issuance of a recommended decision in this matter.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Inland Empire Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Inland Empire Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of April 1966 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be further amended, regulating the handling of milk in the Inland Empire marketing area, is approved or favored by producers as defined under the terms of the order, as amended and as hereby proposed to be further amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on June 15, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[1] Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

Order[1] Amending the Order Regulating the Handling of Milk in the Inland Empire Marketing Area

§ 1133.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Inland Empire marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Inland Empire marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on May 27, 1966, and published in the FEDERAL REGISTER on June 2, 1966 (31 F.R. 7831; F.R. Doc. 66-6045), shall be and are the terms and provisions of this order, and are set forth in full herein.

Revise § 1133.12(c) (1) and (2) to read as follows:

§ 1133.12 Producer milk.

* * * * *

(c) * * *

(1) A cooperative association may divert for its account, pursuant to paragraph (b)(1) of this section, the milk of any member producer eligible for diversion. The total quantity of milk so diverted, however, may not exceed 15 percent in the months of September, October, and November, 25 percent in the months of December, January, February, March, and August, and 35 percent in the months of April, May, June, and July, of its total member milk received at all pool plants and diverted therefrom during the month. Two or more cooperative associations may have their allowable diversions computed on the basis of the combined deliveries of milk by their member producers if each association has filed in writing with the market administrator a request for such computation;

(2) A handler operating a pool plant may divert for his account, pursuant to paragraph (a)(2) of this section, milk of any producer eligible for diversion, other than a member of a cooperative association which diverts milk pursuant to subparagraph (1) of this paragraph. The total quantity of milk so diverted, however, may not exceed 15 percent in the months of September, October, and November, 25 percent in the months of December, January, February, March, and August, and 35 percent in the months of April, May, June, and July, of the milk received at and diverted from such pool plant during the month from producers who are not members of a cooperative association which diverts milk pursuant to subparagraph (1) of this paragraph;

* * * * *

[F.R. Doc. 66-6689; Filed, June 17, 1966; 8:45 a.m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 170]

FINANCIAL ASSISTANCE FOR CONSTRUCTION OF HIGHER EDUCATION FACILITIES

Basic Criteria for Determining Priorities

Notice is hereby given in accordance with section 4 of the Administrative Procedures Act (5 U.S.C. 1003) that the regulations set forth below in tentative form as § 170.15 of Title 45 of the Code of Federal Regulations are proposed to be prescribed by the Commissioner of Education with the approval of the Secretary of Health, Education, and Welfare.

States desiring to participate under Title I of the Higher Education Facilities Act of 1963 (P.L. 88-204), as amended, must submit a State plan to the Commissioner of Education through a "State Commission" designated or established pursuant to section 105 of the Act. Among the provisions required in the State plan, as enumerated in section 105 of the Act, are objective standards and methods for determining (1) relative priorities of eligible projects for the construction of academic facilities submitted by institutions of higher education in the State and (2) in the absence of a uniform statewide Federal share established under such plan, the Federal share of the cost of each such project. These objective standards and methods for making the foregoing determinations, as set forth in a State plan, must be consistent with the basic criteria prescribed in regulations by the Commissioner.

The following regulations are proposed to be issued to replace criteria currently set forth in § 170.15 of Title 45 of the Code of Federal Regulations. Since, in order to properly assess these proposed regulations, they must be read along with the regulations (45 CFR 170.16) dealing with the criteria for standards and methods to determine Federal shares of eligible projects, this latter section of the regulations is reproduced here for the purposes of convenience.

§ 170.15 Criteria for standards and methods to determine relative priorities of eligible projects.

(a) The State plan shall set forth separately the standards and methods for determining the relative priorities of eligible projects for the construction of academic facilities (1) for public community colleges and public technical institutes and (2) for institutions of higher education other than public community colleges and public technical institutes. The standards and methods set forth for each of the two categories of eligible projects shall provide separately for new institutions or new branch campuses and for established institutions or campuses. Unless otherwise defined in the State plan, a new institution or branch campus (as distinguished from an established institution or branch campus) shall be one which was not in operation and admitting students as of the fourth fall term preceding the date of application for assistance under Title I.

(b) The standards for determining relative priorities for established institutions or branch campuses shall include each of the following, each of which shall be assigned at least the indicated percentage of the total weight assigned to all standards for established institutions or branch campuses:

(1) One or more standards dealing with the planned for and reasonably expected numerical and/or percentage increase in full-time equivalent undergraduate student enrollment at the campus at which the facilities are to be constructed, between the opening of the fall term which opened preceding the closing date for which the application is being considered and the opening of the fourth fall term thereafter (at least 25 percent of total weight for applications under section 103 of the Act, and 15 percent of total weight for applications under section 104 of the Act, with priority advantage given to higher numerical and/or percentage increases).

(2) One or more standards dealing with the amount and/or percentage by which the construction of the project for which a Title I grant is requested will increase the square feet of assignable area in instructional and library facilities at the campus at which the facilities are to be constructed (at least 10 percent of total weight for applications under either section of the Act, with priority advantage given to higher numerical and/or percentage increases).

(3) A standard dealing with the percentage of the total assignable area in the proposed project which is represented by assignable area in instructional and library facilities (at least 5 percent of total weight for applications under either section of the Act, with priority advantage given to higher percentages).

(4) One or more standards designed to favor projects which will be for predominantly undergraduate purposes (at least 10 percent of total weight, for applications under section 104 of the Act only.

(5) One or more standards dealing with the degree to which applicant institutions or branch campuses are utilizing their existing academic facilities, including a specific standard dealing with the capacity/enrollment ratio (at least 10 percent of total weight for applications under either section of the Act, including at least 5 percent of total weight devoted to capacity/enrollment ratio so as to give priority advantage to lower ratios).

(c) The standards for determining relative priorities for new institutions or branch campuses shall include each of the following, each of which shall be assigned at least the indicated percentage of the total weight assigned to all standards for new institutions or branch campuses:

(1) A standard dealing with the planned for and reasonably expected numerical increase in full-time equivalent undergraduate student enrollment at the campus at which the facilities are to be constructed, between the opening of the fall term which opened preceding the closing date for which the application is being considered and the opening of the fourth fall term thereafter (at least 30 percent of total weight for applications under section 103 of the Act, and 20 percent of total weight for applications under section 104 of the Act, with priority advantage given to higher numerical increases).

(2) A standard dealing with the amount by which the construction of the project for which a Title I grant is requested will increase the square feet of assignable area in instructional and library facilities at the campus at which the facilities are to be constructed (at least 10 percent of total weight for applications under either section of the Act, with priority advantage given to higher numerical increases).

(3) A standard dealing with the percentage of the total assignable area in the proposed project which is represented by assignable area in instructional and library facilities (at least 10 percent of total weight for applications under either section of the Act, with priority advantage given to higher percentages).

(4) One or more standards designed to favor projects which will be for predominantly undergraduate purposes (at least 10 percent of total weight for applications under section 104 of the Act only).

(d) The State plan may include additional standards for determining relative priorities which are not inconsistent with the standards set forth in paragraphs (b) and (c) of this section and which will carry out the purposes of the Act.

(e) The methods for application of the standards for determining relative priorities shall provide for the assignment of point scores for each standard applied, such that the potential score for each project will be the same whether the project is for a new institution or branch campus or for an established institution or branch campus. The assignment of points for each standard may be by any one of the following methods or by similar objective methods, a different one of which may be used in connection with each standard:

(1) Applications may be ranked according to relative performance for the standard, and assigned a point score for relative rank (e.g., 10 points for placement in the highest 10 percent, 9 points for placement in the second highest 10 percent, 8 points for placement in the third highest 10 percent, etc.).

(2) Applications may be compared to a scoring table for the standard, and assigned points accordingly (e.g., for numerical increase in full-time equivalent undergraduate enrollment, a scoring table might provide for 10 points for an increase of 1,000 or more, 8 points for an increase of 800-999, 6 points for an increase of 600-799, etc.).

(3) Applications may be compared to a fixed requirement for the standard, and assigned points if they meet the requirement or denied points if they do not. This type of scoring should be used where comparison against the standard involves a "yes"—"no" decision (e.g., Is the proposed project located in a geographic area of the State in which an unfilled need for creation or expansion of undergraduate enrollment capacity has been documented in a statewide study? If "yes," award 5 points, if "no," award 0 points).

(4) In connection with the standard dealing with the capacity/enrollment ratio, State plans may provide separate scoring scales for applications for different sizes or different educational or functional types of institutions or branch campuses if such scales are supported by objective normative data based on recent research and analysis.

(f) The methods for application of the standards shall provide for determination of relative priorities on the basis of the total of the points earned by each application for each applicable standard and shall specify factors to be applied in determining which application shall receive the higher priority in the case of identical scores.

(g) The standards and methods for determining relative priorities must be developed on the basis of information which is to be submitted on the application form prescribed by the Commissioner, or required by the State commission to be submitted on supplemental State forms to accompany the application, or contained in published reports or publications readily available to the State commission and to all institutions within the State. Whenever supplemental forms or definitions, or data in published reports or publications are to be used in connection with optional State plan standards, the State plan shall include a section setting forth such definitions and supplementary data sources and an appendix illustrating the supplemental State forms.

(h) In no event shall an institution's readiness to admit out-of-State students be considered as a priority factor adverse to such institution and in no event may the nature of the control or sponsorship of the institution, or the fact that construction of the project has commenced, or that part of the cost of a project has been incurred before or under a contract entered into prior to the date of application, or that financial assistance for construction of the facilities has been requested or awarded under this program or other Federal programs, be considered as a priority factor either in favor of, or adverse to, an institution.

§ 170.16 Criteria for standards and methods to determine Federal shares of eligible projects.

(a) Unless the Federal share is specified in the State plan as a uniform percentage of the costs eligible for Federal financial participation, the State plan shall prescribe the standards and methods in accordance with which the State commission shall determine the Federal share of such costs, but in no event may the Federal share of a project for a public community college or a public technical institute exceed 40 percent, or the Federal share of a project with respect to an institution of higher education other than a public community college or public technical institute exceed 33⅓ percent, of such costs.

(b) Standards and methods for determining the Federal share pursuant to paragraph (a) of this section: (1) Must be objective and simple to apply; (2) may involve the use only of data which are to be submitted on the application form prescribed by the Commissioner, required by the State commission to be submitted on supplemental State forms to accompany the application, or contained in reports or publications readily available to the State commission and the institutions of higher education in the State; (3) must be such as will enable an applicant to calculate in advance (on the assumption that sufficient funds will be available to cover all applications) the Federal share of the estimated eligible project development cost which

the State commission will certify to the Commissioner if it recommends the project for a Federal grant; (4) must be consistent with criteria published by the Commissioner with respect to the determination of relative priorities among projects and be promotive of the purposes of the Act.

Prior to the official adoption of the proposed amendments of the regulations consideration will be given to any written data, views, or arguments pertaining thereto which are filed with the Commissioner of Education (Attention: Associate Commissioner for Higher Education), U.S. Department of Health, Education, and Welfare, Office of Education, Washington, D.C., 20202, within the period of 20 days from the date of publication of this notice in the FEDERAL REGISTER.

Dated: May 27, 1966.

[SEAL] HAROLD HOWE II,
U.S. Commissioner of Education.

Approved: June 10, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-6680; Filed, June 17, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF COMMERCE

Maritime Administration

MOORE-McCORMACK LINES, INC.

Notice of Application for Approval of Certain Cruises

Notice is hereby given that Moore-McCormack Lines, Inc. acting pursuant to Public Law 87-45, has applied to the Maritime Administration for approval of the following listed cruises:

Ship	Commences 1967	Terminates 1967	Itinerary
Argentina	Jan. 5	Jan. 12	Port Everglades, San Juan, St. Thomas, Port Everglades, Baltimore.
Do	Jan. 13	Jan. 23	Baltimore, Barbados, St. Thomas, San Juan, Baltimore, New York.
Brasil	Jan. 27	Feb. 6	New York, San Juan, St. Thomas, Guadeloupe, New York.
Argentina	Apr. 7	Apr. 15	New York, Norfolk, Bermuda, Norfolk.
Brasil	Apr. 13	Apr. 23	New York, Savannah, Nassau, San Juan, St. Thomas, Savannah.
Argentina	Apr. 16	Apr. 20	Norfolk, Bermuda, Norfolk, Baltimore.
Do	Apr. 21	Apr. 28	Baltimore, San Juan, St. Thomas, Baltimore.
Brasil	Apr. 24	Apr. 30	Savannah, Kingston, Discovery Bay, Savannah.
Argentina	Apr. 29	May 11	Baltimore, San Juan, St. Thomas, Martinique, Trinidad, Curacao, Baltimore.
Brasil	May 1	May 5	Savannah, Charleston, Bermuda, Charleston.
Do	May 6	May 9	Charleston, Bermuda, New York.
Argentina	May 12	May 16	Baltimore, Bermuda, Baltimore.
Do	May 17	May 22	Baltimore, Bermuda, Baltimore.
Do	May 23	May 30	Baltimore, San Juan, St. Thomas, Baltimore, New York.
Do	Aug. 11	Aug. 23	New York, Gaspe, Quebec, Montreal, New York.
Brasil	Aug. 31	Sept. 12	New York, Gaspe, Quebec, Montreal, New York.
Argentina	Oct. 2	Oct. 10	New York, San Juan, St. Thomas, New York.
Brasil	Oct. 19	Nov. 2	New York, San Juan, St. Thomas, Trinidad, Barbados, Martinique, Bermuda, New York.
Do	Nov. 3	Nov. 9	New York, San Juan, St. Thomas, New York.
Do	Nov. 10	Nov. 23	New York, San Juan, St. Thomas, Guadeloupe, Barbados, Trinidad, Curacao, New York.
Do	Nov. 24	Nov. 30	New York, Nassau, New York.
Do	Dec. 1	Dec. 7	New York, San Juan, St. Thomas, New York.
Do	Dec. 8	Dec. 18	New York, Barbados, St. Thomas, San Juan, New York.
		1968	
Argentina	Dec. 20	Jan. 6	New York, Port Everglades, Cristobal, Kingston, Curacao, Barbados, St. Thomas, San Juan, Port Everglades.

Any person, firm, or corporation having any interest, within the meaning of Public Law 87-45, in the foregoing who desires to offer data, views, or arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C., 20235, by close of business on June 30, 1966. In the event an opportunity to present oral argument is also desired, specific reason for such request should be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

By order of the Maritime Subsidy Board.

Dated: June 14, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-6678; Filed, June 17, 1966; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ELANCO PRODUCTS CO.

Notice of Filing of Petition Regarding Pesticide

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0493) has been filed by Elanco Products Co., 740 South Alabama Street, Indianapolis, Ind., 46206, proposing the establishment of a tolerance for residues of the herbicide trifluralin (α,α,α-trifluoro-2,6-dinitro-*N*,*N*-dipropyl-*p*-toluidine) in or on the raw agricultural commodity sugar beets at 0.05 part per million.

The analytical method proposed in the petition for determining residues of trifluralin is a gas chromatographic technique.

Dated: June 13, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6683; Filed, June 17, 1966; 8:45 a.m.]

VELSICOL CHEMICAL CORP.

Notice of Withdrawal of Petition Regarding Pesticide Dicamba

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), the following notice is issued:

In accordance with § 120.8 *Withdrawal of petitions without prejudice* of the pesticide regulations, Velsicol Chemical Corp., 341 East Ohio Street, Chicago, Ill., 60611, has withdrawn its petition (PP 6F0466), notice of which was published in the FEDERAL REGISTER of March 9, 1966 (31 F.R. 4151), proposing the establishment of a tolerance of 35 parts per million for residues of the herbicide dicamba (3,6-dichloro-o-anisic acid) in or on pasture and rangeland grasses, grass hay, and pasture and hay from barley, oats, and wheat.

The withdrawal of this petition is without prejudice to a future filing.

Dated: June 13, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6684; Filed, June 17, 1966; 8:45 a.m.]

Office of Education

FEDERAL FINANCIAL ASSISTANCE IN CONSTRUCTION OF NONCOMMERCIAL EDUCATIONAL TELEVISION BROADCAST FACILITIES

Notice of Acceptance for Filing Application

Notice is hereby given that effective with this publication the following described applications, for Federal financial assistance in the construction of noncommercial educational television broadcast facilities are accepted for filing in accordance with 45 CFR 60.7:

Kentucky State Board of Education, State Office Building, Frankfort, Ky., File No. 143, for the establishment of a new noncommercial educational television station on Channel 38 in Morehead, Ky.

Kentucky State Board of Education, State Office Building, Frankfort, Ky., File No. 144, for the establishment of a new noncommercial educational television station on Channel 35 in Hazard, Ky.

Ohio University, Athens, Ohio, File No. 145, to improve the facilities of noncommercial educational television station WOUB, Channel 20, Athens, Ohio.

Any interested person may, pursuant to 45 CFR 60.8, within 30 calendar days from the date of this publication, file comments regarding the above applications with the Chief, Educational Television Facilities Branch, U.S. Office of Education, Washington, D.C., 20202.

(76 Stat. 64, 47 U.S.C. 390)

RAYMOND J. STANLEY,
Chief, Educational Television Facilities Branch, U.S. Office of Education.

[F.R. Doc. 66-6681; Filed, June 17, 1966; 8:45 a.m.]

Social Security Administration

CYPRUS

Notice of Finding Regarding Foreign Social Insurance or Pension System

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death; and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has approved a finding that, beginning October 1964, Cyprus has a social insurance or pension system of general application which pays periodic benefits on account of old age, retirement, or death, and under which citizens of the United States, not citizens of Cyprus, who leave Cyprus, are permitted to receive such benefits or their actuarial equivalent at the full rate without qualification or restriction while outside that country.

Accordingly, it is hereby determined and found that Cyprus has in effect, beginning with October 1964, a social insurance or pension system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

This revises the finding published in the FEDERAL REGISTER of April 28, 1961 (26 F.R. 3653).

Dated: June 3, 1966.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: June 10, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-6707; Filed, June 17, 1966; 8:47 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

REGIONAL DIRECTOR OF ADMINISTRATION, REGION I (NEW YORK)

Redelegation of Authority To Execute Legends on Bonds, Notes, or Other Obligations

The Regional Director of Administration, Region I (New York), Department of Housing and Urban Development, is hereby authorized within such Region to execute, on behalf of the Secretary of Housing and Urban Development, any legend appearing on any bond, note, or other obligation being acquired by the Federal Government from a local public agency on account of a loan to such local public agency pursuant to Title I of the Housing Act of 1949, as amended (42 U.S.C. 1450 et seq.), which legend indicates the Federal Government's acceptance of the delivery of the particular bond, note, or other obligation and its payment therefor on the date specified in the particular legend.

This redelegation supersedes the redelegation effective March 7, 1955 (20 F.R. 1545, Mar. 12, 1955).

(79 Stat. 670, 5 U.S.C. 624(d); Secretary's Delegation effective Mar. 22, 1966 (31 F.R. 4814))

Effective date: This redelegation of authority shall be effective as of May 13, 1966.

MELVIN STEIN,
Acting Regional Administrator, Region I.

[F.R. Doc. 66-6690; Filed, June 17, 1966; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-256]

LOCKHEED-GEORGIA CO.

Notice of Application for and Proposed Issuance of Facility Export License

Please take notice that Lockheed-Georgia Co., a division of Lockheed Aircraft Corp., Marietta, Ga., 30060, has submitted an application dated June 2, 1966, for a license to authorize the sale of a 10 kilowatt pool type heterogeneous research reactor to the Comision Nacional de Energia Atomica, Montevideo, Uruguay.

The reactor was shipped to South America in 1960 under AEC sponsorship for exhibition purposes. The reactor has been exhibited in various countries of South America and since completion of the exhibition tour has been stored in Montevideo, Uruguay.

Upon finding that the reactor proposed for sale is within the scope of the Agreement for Cooperation between the Government of the United States of America and the International Atomic Energy Agency, and unless within 15 days after the publication of this notice in the FEDERAL REGISTER, a request for a formal hearing is filed with the U.S. Atomic Energy Commission by the applicant or an intervener as provided by the Commission's rules of practice (10 CFR, Ch. I, Part 2), the Commission proposes to issue to Lockheed-Georgia Co., a division of Lockheed Aircraft Corp., a facility export license on Form AEC-250 containing the authority set forth in the text below authorizing the sale of the reactor described in the application.

Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10, Chapter I, Code of Federal Regulations, the Commission has found that:

(a) The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, Code of Federal Regulations, and

(b) The reactor proposed to be sold is a utilization facility as defined in said Act and regulations.

In its review of applications solely to authorize the export of production or utilization facilities, the Commission does not evaluate the health and safety characteristics of the facility to be exported.

A copy of the application, dated June 2, 1966, is on file in the Atomic Energy Commission's Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 9th day of June 1966.

For the Atomic Energy Commission.

JAMES R. MASON,
Acting Director, Division of State and Licensee Relations.

PROPOSED EXPORT LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations of the U.S. Atomic Energy Commission issued pursuant thereto, and in reliance on statements and representations heretofore made, Lockheed-Georgia Co., a division of Lockheed Aircraft Corp., Marietta, Ga., 30060, is authorized to export a 10 kilowatt pool type heterogeneous research reactor to the Comision National de Energia Atomica, Montevideo, Uruguay, subject to the terms and provisions herein.

Neither this license nor any right under this license shall be assigned or otherwise transferred in violation of the provisions of the Atomic Energy Act of 1954.

This license is subject to the right of recapture or control reserved by section 108 of the Atomic Energy Act of 1954, as amended, and to all other provisions of said Act, now or hereafter in effect and to all valid rules and regulations of the U.S. Atomic Energy Commission. This license is effective as of the date of issuance and shall expire on December 31, 1966.

For the Atomic Energy Commission.

[F.R. Doc. 66-6674; Filed, June 17, 1966; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 424]

FENTON CO.

Revocation of License

Whereas, William Philip Mulry doing business as Fenton Co., 11 Broadway, New York, N.Y., 10004, has ceased to operate as an independent ocean freight forwarder; and

Whereas, William Philip Mulry doing business as Fenton Co., has returned his Independent Ocean Freight Forwarder License No. 424 to the Commission for cancellation.

Now, therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Amended), § 6.03;

It is ordered, That the Independent Ocean Freight Forwarder License No. 424 of William Philip Mulry doing business as Fenton Co., be and is hereby revoked, effective this date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

JAMES E. MAZURE,
Director, Bureau of Domestic Regulation.

[F.R. Doc. 66-6698; Filed, June 17, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

JUNE 15, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40548—*Beet or cane sugar to points in Illinois and Indiana.* Filed by Trans-Continental Freight Bureau, agent (No. 432), for interested rail carriers. Rates on beet or cane sugar, in bulk, in carloads, from points in Minnesota, Montana, North Dakota, and Washington, to Chicago, Ill., and points taking same rates in Illinois and Indiana.

Grounds for relief—Market competition, and restoration of rate relationship.

Tariffs—Supplements 14 and 2 to Trans-Continental Freight Bureau, agent, tariffs ICC 1738 and 1741, respectively, also supplement 103 to V. P. Brown, agent, tariff ICC 18.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6704; Filed, June 17, 1966; 8:46 a.m.]

[Notice 197]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 15, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 102616 (Sub-No. 803 TA), filed June 10, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Applicant's representative: S. E. Smith (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, dry, in bulk, from the Flexi-Flo terminal facilities of the New York Central System at North Bergen, N.J., to Darby, Pa., restricted to traffic having a prior movement by rail, for 180 days. Supporting shipper: Koppers Company, Inc., Pittsburgh, Pa., 15219. Send protests to: Robert W. Ritenour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 218 Central Industrial Building, 100 North Cameron Street, Harrisburg, Pa., 17101.

No. MC 107496 (Sub-No. 488 TA), filed June 10, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third Street, Post Office Box 855, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from Des Moines, Irvington, and Mason City, Iowa, to points in Minnesota, for 180 days. Supporting shipper: Tuloma Gas Products Co., Post Office Box 566, Tulsa, Okla., 74102. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 111729 (Sub-No. 159 TA), filed June 10, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, DeBevoise Building, Bayside, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ophthalmic goods and commercial papers* (excluding plant removals), between Cleveland, Ohio, and Grand Rapids, Mich., (2) *dentures, articulators, impressions, models, bites, and products relating to restorative dentistry*, (a) between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., and points in Nassau and Suffolk Counties, N.Y., (b) between Charleston, W. Va., on the one hand, and, on the other, points in Kentucky, Ohio, and Pennsylvania, (3) *advertising media, including layouts, copy, art work, tear sheets, and photos and accompanying documents*, between points in Hartford County, Conn., and New York, N.Y., (4) *exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies, including labels, envelopes, and packaging materials, and advertising literature moving therewith* (excluding motion picture film used primarily for commercial theater and television exhibition), between Boston, Mass., on the one hand, and, on the other, Lewiston and Portland, Maine, and Concord, Laconia, and Nashua, N.H., (5) *oil samples, small hardware, advertising materials, maps, promotion items limited to shipments not to exceed 50 pounds per shipment*, between points in Middlesex County, N.J., on the one hand, and, on the other, points in Hartford and New London Counties, Conn.; Baltimore, Md.; and Philadelphia, Pa., (6) *oil samples and accompanying documents*, between LaGuardia and John F. Kennedy Airports, N.Y., and Newark Airport, N.J., on the one hand, and, on the other, points in Connecticut, (7) *business papers, records, and audit and accounting media of all kinds* (excluding plant removals), between points in Middlesex County, N.J., on the one hand, and, on the other, points in Hartford and New London Counties, Conn.; Baltimore, Md.; and Philadelphia, Pa., for 180 days. Supporting shippers: Cole National Corp., 5777 Grant Avenue, Cleveland, Ohio, 44105; A. J. DePietro, D.D.S., 1524 South Broad Street, Philadelphia, Pa.; Tincher Dental Laboratory, 221½ Hale Street, Charleston, W. Va., 25329; Cun-

ningham & Walsh, Inc., 260 Madison Avenue, New York, N.Y., 10016; Photographic Film Division, % Dynacolor Corp., 1999 Mount Read Boulevard, Rochester, N.Y., 14601; Hess Oil & Chemical Corp., State Street, Perth Amboy, N.J., 08862; Oneglia & Gervasini Construction Co., Inc., Post Office Box 907, Torrington, Conn., 06791. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 116410 (Sub-No. 8 TA), filed June 13, 1966. Applicant: R. W. BRADSHAW, doing business as R. W. BRADSHAW TRANSFER, Post Office Box 203, Oak Street, Winchester, Tenn., 37398. Applicant's representative: Harold Seligman, 1808 West End Building, 12th Floor, Nashville, Tenn., 37203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, from points in Franklin, Moore, and Coffee Counties, Tenn., to points in Arkansas, Texas, and Oklahoma, and *rejected and damaged shipments* on return, for 180 days. Supporting shippers: Jack Daniel Distillery, Lynchburg, Tenn.; Lyon, Inc., Huntland, Tenn.; Hat Corp. of Tennessee, Winchester, Tenn.; Wilson Athletic Goods Manufacturing Co., Inc., Tullahoma, Tenn. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn., 37203.

No. MC 117439 (Sub-No. 21 TA), filed June 13, 1966. Applicant: BULK TRANSPORT, INC., U.S. Highway 190, Post Office Box 89, Port Allen, La., 70767. Applicant's representative: J. W. Stanard, Raymond Building, Baton Rouge, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, in tank vehicles, from Longview, Ala., to points on Interstate Highway 59 between Enterprise and Heidelberg, Miss., for 150 days. Supporting shipper: United States Gypsum Co., 2098 Piedmont Road NE., Atlanta, Ga., 30305. Send protests to: William R. Atkins, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commisison, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La., 70113.

No. MC 117439 (Sub-No. 22 TA), filed June 13, 1966. Applicant: BULK TRANSPORT, INC., U.S. Highway 190, Post Office Box 89, Port Allen, La. Applicant's representative: J. W. Stanard, Raymond Building, Baton Rouge, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, in tank vehicles, from Morgan City, La., to points on Interstate Highway 55 between McComb and Hazlehurst, Miss., for 150 days. Supporting shipper: United States Gypsum Co., 2098 Piedmont Road NE., Atlanta, Ga., 30305. Send protests to: William R. Atkins, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La., 70113.

No. MC 124183 (Sub-No. 9 TA), filed June 10, 1966. Applicant: GARRISON TRANSPORT, INC., 409 East Ninth Street, Fowler, Ind. Applicant's representative: Robert C. Smith, 620 Illinois Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware and glass containers*, with or without caps, covers, or stoppers, from Mundelein, Ill., to Terre Haute, Ind., and *damaged or rejected shipments*, on return, for 150 days. Supporting shipper: Ball Brothers Co., Inc., Muncie, Ind. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 127431 (Sub-No. 5 TA), filed June 10, 1966. Applicant: CAROLINA-VIRGINIA COURIERS, INC., 222-17 Northern Boulevard, Bayside, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies* (consisting of labels, envelopes, and packaging materials) and *advertising literature moving therewith* (excluding motion picture film used primarily for commercial theater and television exhibition), (2) *business papers, records, meter cards, meter books, and audit and accounting media of all kinds* (excluding plant removals), between Charlotte, N.C., on the one hand, and, on the other, points in South Carolina, for 180 days. Supporting shippers: Colorcraft of Charlotte, Inc., 2513 Distribution Street, Post Office Box 2048, Charlotte, N.C., 28201; Perfect Photo, Inc., 3030 South Boulevard, Charlotte, N.C., 28209; Piedmont Natural Gas Co., Inc., Post Office Box 1968, Charlotte, N.C., 28201. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 127524 (Sub-No. 1 TA), filed June 10, 1966. Applicant: QUADREL BROS. TRUCKING CO., INC., 1603 Hart Street, Rahway, N.J. Applicant representative: Charles Trayford, 220 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polyvinyl chloride (resins and compounds)* in bulk, in hopper type trailers, from Flexi-Flo Terminal, N.Y.; Central System, North Bergen, N.J., to Rockaway, N.J., restricted to shipments having a prior movement by rail, for 150 days. Supporting shipper: Ethyl Corp., Box 341, Baton Rouge, La., 70821. Send protests to: Walter J. Grossmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Room 363, Newark, N.J., 07102.

No. MC 128260 (Sub-No. 1 TA) (Correction), filed June 2, 1966, published FEDERAL REGISTER, issue of June 11, 1966, and republished this issue to show correct docket number. Applicant: JAMES W. BENOTTI, Highland Street, Wilton, N.H., 03086. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone*, from Lyndeboro, N.H., to points in Maine, Massachusetts, Rhode Island, Connecticut, New York, and New Jersey; and *crude rock*, from North Berwick, Maine, and Malden, Mass., to Lyndeboro, N.H., for 120 days. Supporting shipper: North Country Aggregates, Inc., Box 55, South Lyndeboro, N.H., 03082. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 14 Parkhurst Street, Lebanon, N.H., 03766. NOTE: The purpose of this republication is to show the correct docket number assigned thereto, in lieu of MC 128271 TA, which was in error.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6705; Filed, June 17, 1966; 8:47 a.m.]

[Notice 1367]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 15, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68772. By order of June 14, 1966, the Transfer Board approved the acquisition of control, through purchase of capital stock, by Robert J. Massongill, Redlands, Calif., of California Educational Tours, a corporation, Redlands, Calif., which holds licenses Nos. MC-12827, MC-12827 (Sub-No. 1), and MC-12827 (Sub-No. 2), issued November 7, 1963, August 24, 1964, and March 16, 1965, respectively, authorizing it to engage in operations as a broker in connection with the transportation of passengers and their baggage, in round-trip tours, beginning and ending at points in San Bernardino, Kern, Fresno, Contra Costa, San Mateo, Santa Clara, San Diego, Los Angeles, and Orange Counties, Calif., and extending to points in the United States (except Alaska and Hawaii). Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif., 90212, attorney for applicants.

No. MC-FC-68784. By order of June 14, 1966, the Transfer Board approved the transfer to Robert Morrill, Creighton, Nebr., of the certificate in No. MC-65856, issued December 9, 1940, in the name of E. S. Pavlik, Verdigre, Nebr., authorizing the transportation of general commodities, except those of unusual value, and except dangerous explosives, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities requiring special equipment, and those injurious or contaminating to other lading, over irregular routes, between Verdigre, Nebr., and Sioux City, Iowa, with service authorized to and from intermediate and off-route points within 30 miles of Verdigre; also, livestock and agricultural products, over irregular routes, between Verdigre, Nebr., and points and places in Nebraska within 30 miles of Verdigre, on the one hand, and, on the other, Sioux City, Iowa, and Yanktown, S. Dak.

No. MC-FC-68820. By order of June 14, 1966, the Transfer Board approved the transfer to Wallace Van & Storage Corp., Princeton, W. Va., of certificate in No. MC-70268 issued May 15, 1956, in the name of Paris F. Wallace and Virginia B. Wallace, a partnership, doing business as Wallace Van & Storage Co., Bluefield, W. Va., authorizing the transportation of: Household goods, over irregular routes, in Mercer County, W. Va., on the one hand, and, on the other, points in Virginia, Ohio, Kentucky, and the District of Columbia; household goods as defined by the Commission, between points in Mercer County, W. Va., on the one hand, and, on the other, points in Florida, Georgia, Illinois, Indiana, Maryland, Michigan, New York, North Carolina, South Carolina, Pennsylvania, Tennessee, and West Virginia; and, new furniture, pianos, and refrigerators, between Bluefield, W. Va., on the one hand, and, on the other, points in Bland, Buchanan, and Tazewell Counties, Va. Joseph C. Shaffer, Jr., Shaffer & Griffith, 1422 Main Street, Princeton, W. Va., attorney for applicants.

No. MC-FC-68821. By order of June 14, 1966, the Transfer Board approved the transfer to Wallace Van & Storage Corp., of certificate in No. MC-93816 (Sub-No. 1) issued June 22, 1956, in the name of C. O. Wallace, doing business as Princeton Transfer & Storage Co., Princeton, W. Va., authorizing the transportation of: Household goods, over irregular routes, between Princeton, W. Va., on the one hand, and, on the other, points in Virginia, North Carolina, Kentucky, West Virginia, Maryland, and the District of Columbia; also, household goods between points in Mercer and McDowell Counties, W. Va., and those in Tazewell, Bland, and Buchanan Counties, Va., on the one hand, and, on the other, points in West Virginia and Virginia. Joseph C. Shaffer, Shaffer & Griffith, 1422 Main Street, Princeton, W. Va., attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6706; Filed, June 17, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR — Page

PROCLAMATION:
3728 — 8277

EXECUTIVE ORDERS:
11224 (superseded by EO 11285) — 8211
11285 — 8211
11286 — 8279

CHAPTER V:
100 — 8556

5 CFR

213 — 7733, 7734, 7959, 8175, 8281, 8527
302 — 8527
550 — 7881
890 — 8491

7 CFR

0 — 8528
15 — 8175
26 — 8113
28 — 7734
51 — 8535
319 — 8337
354 — 8113
401 — 8175
701 — 7735, 7814
722 — 8337
728 — 7814, 8337
775 — 8339
778 — 7997
811 — 7999
817 — 8536
845 — 7815
893 — 7816
905 — 8114
908 — 7961, 8230, 8538
910 — 7962, 8045, 8231, 8303, 8538
911 — 7962, 8231, 8539
916 — 8176, 8177
917 — 7963, 8114, 8177, 8231, 8232, 8303-8306, 8404, 8491.
918 — 7735
944 — 8000
970 — 8178
1038 — 8115
1039 — 8116
1074 — 8000
1099 — 7963
1125 — 8405
1421 — 7964, 8000, 8003, 8306, 8346
1443 — 8348
1483 — 7817
1486 — 7735

PROPOSED RULES:
51 — 7757
52 — 8542
817 — 8541
905 — 7971
906 — 8429
915 — 8181
994 — 8021
1001 — 7911, 8242
1002 — 7911
1003 — 7911
1004 — 7911
1005 — 7911
1008 — 7911
1009 — 7911
1011 — 7911
1012 — 7911
1013 — 7829, 7911, 8131
1015 — 7911, 8242
1016 — 7911
1031 — 7831
1032 — 7831
1033 — 7911
1034 — 7911
1035 — 7911
1036 — 7911
1038 — 7831, 7971
1039 — 7831, 7972
1040 — 7911
1041 — 7911, 8496
1043 — 7911
1044 — 7831
1045 — 7831
1046 — 7911
1047 — 7911
1048 — 7911
1049 — 7911
1051 — 7831
1061 — 7831
1062 — 7831
1063 — 7831
1064 — 7831
1065 — 7757
1066 — 7757
1067 — 7831
1068 — 7757
1069 — 7757
1070 — 7831
1071 — 7831
1073 — 7831
1074 — 7831
1075 — 7757
1076 — 7757
1078 — 7831
1079 — 7831
1090 — 7911
1094 — 7831
1096 — 7831

7 CFR—Continued Page

PROPOSED RULES—Continued

1097 7831
1098 7911
1099 7758, 7831
1101 7911
1102 7831
1103 7831
1104 7831
1106 7831
1108 7831
1120 7831
1125 7757
1126 7831, 8431
1127 7831
1128 7831
1129 7831
1130 7831
1131 7757
1132 7831
1133 7757, 7831, 8542
1134 7757
1136 7757
1137 7757
1138 7757

8 CFR

212 8045
214 8045
236 8045

9 CFR

97 8020

10 CFR

36 7959, 8417
40 7959

12 CFR

1 8060, 8521
204 8060
545 8353
561 8353
563 8004
571 8004

14 CFR

13 8353
39 7735, 7881, 7882, 8045, 8046, 8417
61 8354
67 8355
71 7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492.
73 7736, 7827, 7882
75 7736, 7827, 8047, 8418
91 8354
95 8281
97 7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359.
1200 8418
1204 8418

PROPOSED RULES:

21 8075
39 8498
47 8077
61 8438
71 7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498
73 7977, 8375
75 7762, 8242
91 8026, 8438, 8440
93 8078
207 8438

15 CFR Page

230 7737, 7819, 7968
372 8213
373 8213
374 8213
375 8213
376 8213
377 8213
379 8213
382 8213
385 8213

PROPOSED RULES:

9 7833

16 CFR

13 7960, 7961, 8058–8060
15 7737, 7806, 8233, 8403, 8492, 8521

PROPOSED RULES:

45 7757
57 8243
192 8244

17 CFR

211 7821
230 7738
239 7738
240 7740
250 8233
276 7821

PROPOSED RULES:

270 7913

18 CFR

101 7897
141 7897
201 7897
260 7897

PROPOSED RULES:

8 8376

20 CFR

404 8367
602 7966
604 8281

PROPOSED RULES:

405 7864

21 CFR

1 8521
5 8524
8 8216, 8369
27 8493
80 8525
120 7741
121 8008, 8009, 8369
125 8521
130 8009

PROPOSED RULES:

17 8497
27 8497

22 CFR

41 7741
42 7741

24 CFR

200 7743
203 8539
207 8539
220 8539
221 7743

25 CFR

41 7744
42 7745

26 CFR

1 7789

29 CFR Page

0 8306
1605 8370

31 CFR

128 8179
202 7899, 8234
203 7899, 8234
500 7745, 7899
520 8404

32 CFR

1 7807
3 7807
4 7810
7 7811
8 7812
16 7814
30 7814
273 8007
502 7966
1001 8370
1003 8311, 8371
1004 8371
1007 8371
1013 8371
1014 8371
1053 8371
1250 8061
2000 8540

32A CFR

OIA (Ch. X):

OI REG. 1 7745

33 CFR

202 8403
203 7827, 8312
204 8129
208 7751
401 8062

36 CFR

221 8180
251 7899
261 7902

38 CFR

17 8064
21 8292

39 CFR

13 7752
22 7752
25 7752
27 8234
41 8234
43 7752, 8235
46 8235
51 8236
52 8236
53 8236
55 8236
56 8236
58 8237
61 8237

41 CFR

1–3 8116
4–1 7819
4–6 7819
4–50 7902
8–1 7820
8–2 7820
9–12 8237
101–15 7752
101–17 8117
101–47 8540

42 CFR Page

57 7755
76 7902

43 CFR

3120 7806

PUBLIC LAND ORDERS:

662 (revoked by PLO 4035) 8240
829 (revoked in part by PLO 4028) 8238
1775 (revoked in part by PLO 4027) 8238
4023 7969
4024 7969
4025 7969
4026 8238
4027 8238
4028 8238
4029 8238
4030 8239
4031 8239
4032 8239
4033 8293
4034 8240
4035 8240
4036 8240
4037 8241
4038 8241

43 CFR—Continued Page

PROPOSED RULES:

4 8429
3130 8181
3140 8181
3150 8181
3160 8181
3180 8181

45 CFR

801 7755

PROPOSED RULES:

170 8544

46 CFR

146 8295
173 8539
202 8065
262 8494
281 8494
308 7970

47 CFR

18 7821
21 7822
73 7904, 8067, 8069–8073
74 7822
91 7822

PROPOSED RULES:

1 7837
17 8376

47 CFR—Continued Page

PROPOSED RULES—Continued

21 7837
23 7837
73 7837, 7838, 8079–8081, 8132
74 7837, 8026
81 7837
87 7837
89 7837
91 7837
93 7837
95 7837
97 7837

48 CFR

203 8540

49 CFR

95 7806, 8064
170 8312

PROPOSED RULES:

31 8244
170 7841
193 7911

50 CFR

32 7909, 8065
33 7756, 7910, 7970

PROPOSED RULES:

401 8130

V
O
L

31

118

118

PART 2

FEDERAL REGISTER

VOLUME 31 • NUMBER 118

Saturday, June 18, 1966 • Washington, D.C.

PART II

Executive Office of the President



Title 3—THE PRESIDENT

Chapter V—Executive Office of the President

PART 100—STANDARDS OF CONDUCT

Pursuant to and in conformity with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Chapter V is added to Title 3 of the Code of Federal Regulations, consisting of Part 100, reading as follows:

Subpart A—General Standards

Sec.
100.735–1 Purpose and scope.
100.735–2 Definitions.
100.735–3 Special Government employees.
100.735–4 General standards of conduct.
100.735–5 Responsibilities of employees.
100.735–6 Interpretation and advisory service; counseling.
100.735–7 Disciplinary action.
100.735–8 Conflicts of interest.
100.735–9 Disqualification because of private financial interests.
100.735–10 Additional prohibitions—regular employees.
100.735–11 Additional prohibitions—special Government employees.
100.735–12 Exemptions and exceptions from prohibitions of conflict of interest statutes.
100.375–13 Salary of employees payable only by United States.
100.735–14 Gifts, entertainment, and favors.
100.735–15 Outside employment.
100.735–16 Financial interests.
100.735–17 Use of Government property.
100.735–18 Misuse of information.
100.735–19 Indebtedness.
100.735–20 Gambling, betting, and lotteries.
100.735–21 General conduct prejudicial to the Government.
100.735–22 Miscellaneous statutory provisions.
100.735–23 Conduct and responsibilities of special Government employees.
100.735–24 Reporting of employment and financial interests—regular employees.
100.735–25 Reporting of employment and financial interests—special Government employees.
100.735–26 Reviewing statements of financial interests.
100.735–27 Supplemental regulations or instructions.

Subpart B—Special Procedures; Counsel to the President

100.735–31 Members of part-time committees, boards, and commissions.
100.735–32 Special delegation of authority to the Counsel to the President.

AUTHORITY: The provisions of this Part 100 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—General Standards

§ 100.735–1 Purpose and scope.

(a) The maintenance of the highest standards of honesty, integrity, impartiality, and conduct by regular employees and special Government employees is essential to assure the proper performance of Government business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of regular employees and special Government employees through informed judgment is indispensable to the maintenance of these standards.

(b) This part is intended to foster the foregoing concepts. It is issued in compliance with the requirements of Executive Order No. 11222 of May 8, 1965, and is based upon the provisions of that order, the regulations of the Civil Service Commission issued thereunder (Part 735 of this title), and the statutes cited elsewhere in this part.

(c) This part, among other things, reflects prohibitions and requirements imposed by the criminal and civil laws of the United States. However, the paraphrased restatements of criminal and civil statutes contained in this part are designed for informational purposes only and in no way constitute an interpretation or construction thereof that is binding upon the Federal Government. Moreover, this part does not purport to paraphrase or enumerate all restrictions or requirements imposed by statutes, Executive orders, regulations or otherwise upon Federal employees and former Federal employees. The omission of a reference to any such restriction or requirement in no way alters the legal effect of that restriction or requirement and any such restriction or requirement, as the case may be, continues to be applicable to employees and former employees in accordance with its own terms. Furthermore, attorneys employed by an agency are subject to the canons of professional ethics of the American Bar Association.

§ 100.735–2 Definitions.

In this subpart:

(a) "Agency" means the following agencies in the Executive Office of the President: The White House Office, the Council of Economic Advisers, the National Security Council, the National Aeronautics and Space Council, the Office of Science and Technology, and the Office of the Special Representative for Trade Negotiations, and any committee, board, commission, or similar group established in the Executive Office of the President.

(b) "Agency head" means the President for the White House Office, the Chairman of the Council of Economic Advisers for the Council of Economic Advisers, the Executive Secretary of the National Security Council for the National Security Council, the Executive Secretary of the National Aeronautics and Space Council for the National Aeronautics and Space Council, the Director of the Office of Science and Technology for the Office of Science and Technology, and the Special Representative for Trade Negotiations for the Office of the Special Representative for Trade Negotiations, and the Chairman or comparable member of any committee, board, commission, or similar group established by the President.

(c) "Employee" or "regular employee" means an officer or employee of an agency but does not include a special Government employee.

(d) "Special Government employee" means an officer or employee of an agency who is retained, designated, appointed, or employed to perform, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days, temporary duties, either on a full-time or intermittent basis.

(e) The term "person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

§ 100.735–3 Special Government employees.

Except where specifically provided otherwise, or where limited in terms or by the context to regular employees, all provisions of this subpart relating to employees are applicable also to special Government employees.

§ 100.735–4 General standards of conduct.

(a) All employees shall conduct themselves on the job in such a manner that the work of their agency is efficiently accomplished and courtesy, consideration, and promptness are observed in dealings with the Congress, the public, and other governmental agencies.

(b) All employees shall conduct themselves off the job in such a manner as not to reflect adversely upon their agency or the Federal service.

(c) In all circumstances employees shall conduct themselves so as to exemplify the highest standards of integrity. An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of:

(1) Using public office for private gain;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality;

(5) Making a Government decision outside official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

§ 100.735–5 Responsibilities of employees.

(a) The Executive Clerk for the White House Office and the Counselor for each other agency shall distribute copies of this subpart to each employee and special Government employee within 30 days after the effective date thereof. In the case of a new employee or special Government employee entering on duty after the date of such distribution, a copy shall be furnished at the time of his entrance on duty. All employees and special Government employees shall familiarize themselves with the contents of this subpart.

(b) Copies of Executive Order 11222, regulations, and statutes referred to in § 100.735–1, together with various explanatory materials, are available for inspection in the office of the Executive Clerk for the White House Office and the Counselor for each other agency at any time during regular business hours. Employees are encouraged to consult these basic materials in any case of doubt as to the proper application or interpretation of the provisions of this subpart.

(c) Attention of all employees is directed to House Concurrent Resolution 175, 85th Congress, 2d session, 72 Stat. B12, the "Code of Ethics for Government Service", which is attached to this subpart as Appendix A.

§ 100.735–6 Interpretation and advisory service; counseling.

(a) The agency head shall appoint a Counselor for the agency who shall serve also as the agency's designee to the Civil Service Commission on matters covered by this part. Communications between the Counselor and an employee shall be confidential, except as otherwise determined by the agency head.

(b) The Counselor for the agency shall notify all employees and special Government employees of the availability of counseling services, and of how and where such services are available. Such notification shall be made within 90 days after the effective date of this subpart, and periodically thereafter. In the case of a new employee or special Government employee appointed after the date of such notification, notification shall be given at the time of his entrance on duty.

§ 100.735–7 Disciplinary action.

(a) A violation of any provision of this subpart by an employee may be cause for appropriate disciplinary action which may be in addition to any penalties prescribed by law. (As to remedial action in cases where an employee's financial interests result in a conflict or apparent conflict of interest, see § 100.735–26.)

(b) Any disciplinary or remedial action taken pursuant to this subpart shall be effected in accordance with any applicable laws, Executive orders, and regulations.

§ 100.735–8 Conflicts of interest.

(a) A conflict of interest may exist whenever an employee has a substantial personal or private interest in a matter which involves his duties and responsibilities as an employee. The maintenance of public confidence in Government clearly demands that an employee take no action which would constitute the use of his official position to advance his personal or private interests. It is equally important that each employee avoid becoming involved in situations which present the possibility, or even the appearance, that his official position might be used to his private advantage.

(b) Neither the pertinent statutes nor the standards of conduct prescribed in this subpart are to be regarded as entirely comprehensive. Each employee must, in each instance involving a personal or private interest in a matter which also involves his duties and responsibilities as an employee, make certain that his actions do not have the effect or the appearance of the use of his official position for the furtherance of his own interests or those of his family or his business associates.

(c) The principal statutory provisions relating to bribery, graft, and conflicts of interest are contained in Chapter 11 of the Criminal Code, 18 U.S.C. 201–224. Severe penalties are provided for violations, including variously fine, imprisonment, dismissal from office, and disqualification from holding any office of honor, trust, or profit under the United States.

§ 100.735–9 Disqualification because of private financial interests.

(a) Unless authorized to do so as provided hereafter in this section, no employee shall participate personally and substantially as a Government employee in a particular matter in which, to his knowledge, he has a financial interest (18 U.S.C. 208).

(1) For the purposes of this section—

(i) An employee participates personally and substantially in a particular matter through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise;

(ii) A particular matter is a judicial or other proceeding, application, request for ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter; and

(iii) A financial interest is the interest of the employee himself or his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment.

(b) An employee who has a financial interest (other than a financial interest exempted under paragraph (c) of this section) in a particular matter which is within the scope of his official duties shall make a full disclosure of that interest to the Counselor for the agency in writing. He shall not participate in such matter unless and until he receives a written determination by the agency head pursuant to section 208 of Title 18, United States Code, that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect of him. If the agency head does not make such a determination, he shall direct such remedial action as may be appropriate under the provisions of § 100.735–26.

(c) The financial interests described in this paragraph are hereby exempted, pursuant to the provisions of section 208 of Title 18, United States Code, from the restrictions of paragraph (a) of this section and of section 208 of Title 18 as being too remote or inconsequential to affect the integrity of an employee's services in a matter:

(1) Stocks, bonds, policies, properties, or interests in a mutual fund, investment company, trust, bank, or insurance company, as to which the employee has no managerial control or directorship. In the case of a mutual fund or investment company, this exemption applies only where the assets of the fund or company are diversified; it does not apply where the fund or company advertises that it specializes in a particular industry or commodity.

(2) Interest in an investment club, provided that the fair value of the interest involved does not exceed $5,000, and that the interest does not exceed one-fourth of the total assets of the investment club.

§ 100.735–10 Additional prohibitions—regular employees.

(a) In addition to the disqualification described in § 100.735–9, a regular employee is subject to the following major prohibitions:

(1) He may not, except in the discharge of his official duties, represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest. This prohibition applies both to paid and unpaid representation of another (18 U.S.C. 203 and 205).

(2) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)).

(3) He may not, for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U.S.C. 207(b)). (This temporary restraint is permanent if the matter is one in which he participated personally and substantially. See subparagraph (2) of this paragraph.)

(4) He may not receive any salary, or supplementation of his Government salary, from a private source as compensation for his services to the Government (18 U.S.C. 209). (See § 100.735–13.)

(b) Exemptions or exceptions from the prohibitions described in paragraph (a) of this section are permitted under certain circumstances. For the method of obtaining such exemptions or exceptions, see paragraph (d) of § 100.735–12.

§ 100.735–11 Additional prohibitions—special Government employees.

(a) In addition to the disqualification described in § 100.735–9, a special Government employee is subject to the following major prohibitions:

(1) He may not, except in the discharge of his official duties—

(i) Represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest and in which he has at any time participated personally and substantially for the Government (18 U.S.C. 203 and 205), or

(ii) Represent anyone else in a matter pending before his agency unless he served there no more than 60 days during the previous 365 (18 U.S.C. 203 and 205). He is bound by this restraint despite the fact that the matter is not one in which he has ever participated personally and substantially.

(2) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)).

(3) He may not, for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U.S.C. 207(b)). (This temporary restraint is permanent if the matter is one in which he participated personally and substantially. See subparagraph (2) of this paragraph.)

(b) Exemptions or exceptions from the prohibitions described in paragraph (a) of this section are permitted under certain circumstances; for the method of obtaining such exemptions or exceptions, see paragraph (d) of § 100.735–12.

§ 100.735–12 Exemptions and exceptions from prohibitions of conflict of interest statutes.

(a) Nothing in this subpart shall be deemed to prohibit an employee, if it is not otherwise inconsistent with the faithful performance of his duties, from acting without compensation as agent or attorney for any person in a disciplinary, loyalty, or other Federal personnel administration proceeding involving such person.

(b) Nothing in this subpart shall be deemed to prohibit an employee from acting, with or without compensation, as agent or attorney for his parents, spouse, child, or any person for whom, or for any estate for which, he is serving as guardian, executor, administrator, trustee, or other personal fiduciary, except in those matters in which he has participated personally and substantially as a Government employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which are the subject of his official responsibility, as defined in section 202(b) of Title 18 of the United States Code, provided that the agency head approves.

(c) Nothing in this subpart shall be deemed to prohibit an employee from giving testimony under oath or from making statements required to be made under penalty for perjury or contempt.

(d) In addition to the exemptions and exceptions described in this section and in § 100.735–9, the conflict of interest statutes permit certain exemptions and exceptions in specific circumstances. The procedure for effecting such exemptions or exceptions is as follows:

(1) Any regular employee or special Government employee who desires approval or certification of his activities as provided for by section 205 of Title 18, U.S. Code, shall make application therefor in writing to the Counselor for the agency.

(2) A former employee, including a former special Government employee, who desires certification with regard to his activities under section 207 of Title 18, U.S. Code, shall make application therefor in writing to the Counselor for the agency.

(3) The Counselor for the agency shall report promptly to the agency head all matters reported to him under this subpart which require consideration of approvals, certifications, or determinations provided for in sections 205, 207, or 208 of Title 18, U.S. Code.

§ 100.735–13 Salary of employees payable only by United States.

(a) No employee, other than a special Government employee or an employee serving without compensation, shall receive any salary, or any contribution to or supplementation of salary, as compensation for his services as an employee, from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality (18 U.S.C. 209).

(b) Nothing in this subpart shall be deemed to prohibit an employee from continuing to participate in a bona fide pension, retirement, group life, health, or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer, nor from accepting contributions, awards, or other expenses under the terms of the Government Employees Training Act, 5 U.S.C. 2301–2319.

§ 100.735–14 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from a person who:

(1) Has, or is seeking to obtain, contractual or other business or financial relations with his agency;

(2) Conducts operations or activities which are regulated by his agency; or

(3) Has interests which may be substantially affected by the performance or nonperformance of his official duty.

(b) Notwithstanding paragraph (a) of this section, an employee may:

(1) Accept a gift, gratuity, favor, entertainment, loan, or other thing of monetary value from a friend, parent, spouse, child, or other close relative when the circumstances make it clear that the family or personal relationships involved are the motivating factors;

(2) Accept food or refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour where an employee may properly be in attendance;

(3) Accept loans from banks or other financial institutions on customary terms to finance proper or usual activities of employees, such as home mortgage loans; and

(4) Accept unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, or other items of nominal intrinsic value.

(c) An employee shall not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make a donation as a gift to an employee in a superior official position (5 U.S.C. 113).

(d) The Constitution (Art. 1, sec. 9, par. 8) prohibits acceptance from foreign governments, except with the consent of Congress, of any emolument, office, or title. The Congress has provided that, except in the case of certain specified military decorations, all such presents, decorations, and other things shall be tendered to the Department of State to hold pending action by the Congress (5 U.S.C. 114–115a). Any such gift or thing which cannot appropriately be refused shall be submitted to the Counselor for transmittal to the State Department.

§ 100.735–15 Outside employment.

(a) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of the duties and responsibilities of his Government employment. Incompatible activities include, but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, a conflict of interest; or

(2) Outside employment which tends to impair the employee's mental or physical capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) Within the limitations imposed by this section, employees are encouraged to engage in teaching, lecturing, and writing. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the agency head gives written authorization for the use of nonpublic information on the basis that the use is in the public interest. In addition, an employee who is a Presidential appointee covered by section 401(a) of Executive Order No. 11222 of May 8, 1965, shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of

his agency, or which draws substantially on official data or ideas which have not become part of the body of public information.

(c) An employee shall not engage in outside employment under a State or local government, except in accordance with applicable regulations of the Civil Service Commission (Title 5, Ch. I, Pt. 734 of the Code of Federal Regulations).

(d) This section does not preclude an employee from:

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this subpart and for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits.

(2) Participation in the activities of national or State political parties not proscribed by law. (See par. (o) of § 100.735–22 regarding proscribed political activities.)

(3) Participation in the affairs of, or acceptance of an award for a meritorious public contribution or achievement given by, a charitable, religious, professional, social, fraternal, nonprofit educational or recreational, public service, or civic organization.

(e) An employee who intends to engage in outside employment shall obtain the approval, through his official superior, of his agency head. A record of each approval under this paragraph shall be filed in the employee's official personnel folder.

(f) This section does not apply to special Government employees, who are subject to the provisions of § 100.735–23.

§ 100.735–16 Financial interests.

(a) An employee may not have financial interests which—

(1) Establish a substantial personal or private interest in a matter which involves his duties and responsibilities as an employee (an employee may not have financial interests, except as permitted by § 100.735–9(c) or authorized pursuant to § 100.735–12(d)); or

(2) Are entered into in reliance upon, or as a result of, information obtained through his employment; or

(3) Result from active and continuous trading (as distinguished from the making of bona fide investments) which is conducted on such a scale as to interfere with the proper performance of his duties.

(b) Aside from the restrictions prescribed or cited in this subpart, employees are free to engage in lawful financial transactions to the same extent as private citizens. Employees should be aware that the financial interests of their wives or minor children and blood relatives who are full-time residents of their households may be regarded, for the purposes of this section, as financial interests of the employees themselves.

(c) This section does not apply to special Government employees, who are subject to the provisions of § 100.735–23.

§ 100.735–17 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property including equipment, supplies, and other property entrusted or issued to him.

§ 100.735–18 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in paragraph (b) of § 100.735–15, directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public.

§ 100.735–19 Indebtedness.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee, or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which his agency determines does not, under the circumstances, reflect adversely on the Government as his employer. In the event of dispute between an employee and an alleged creditor, this section does not require an agency to determine the validity or amount of the disputed debt.

§ 100.735–20 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or leased property or while on duty for the Government, in any gambling activity, including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket.

§ 100.735–21 General conduct prejudicial to the Government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

§ 100.735–22 Miscellaneous statutory provisions.

Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of his agency and of the Government. In particular, attention of employees is directed to the following statutory provisions:

(a) Chapter 11 of Title 18, U.S. Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned (see §§ 100.735–9, 100.735–10, and 100.735–11).

(b) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(c) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(d) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(e) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783) and (2) the disclosure of confidential information (18 U.S.C. 1905).

(f) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(g) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78(c)).

(h) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(i) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(j) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(k) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(l) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(m) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(n) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(o) The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 118i), and 18 U.S.C. 602, 603, 607, and 608.

§ 100.735–23 Conduct and responsibilities of special Government employees.

(a) A special Government employee shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person whether by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purposes of this section, "inside information" means information obtained under Government authority which has not become part of the body of public information.

(c) A special Government employee who engages in teaching, lecturing, or writing, whether for or without compensation, shall not for such purposes make use of information obtained as a result

of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the agency head gives written authorization for the use of nonpublic information on the basis that such use is in the public interest.

(d) A special Government employee shall not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

(e) Except as provided in paragraph (f) of this section, a special Government employee, while so employed or in connection with his employment, shall not receive or solicit from a person having business with his agency anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(f) Notwithstanding paragraph (e) of this section, a special Government employee shall be allowed the same latitude as is authorized for regular Government employees by paragraph (b) of § 100.735–14.

(g) Attention of special Government employees is directed to the provisions of § 100.735–3, making the provisions of this subpart generally applicable to their activities.

§ 100.735–24 Reporting of employment and financial interests—regular employees.

(a) Not later than 90 days after the effective date of this subpart, an employee designated in paragraph (d) of this section shall submit to his agency head a statement, on a form made available in the office of the Executive Clerk for the White House Office and the Counselor for each other agency, setting forth the following information:

(1) A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions with or in which he, his spouse, minor child or other member of his immediate household has—

(i) Any connection as an employee, officer, owner, director, member, trustee, partner, adviser or consultant; or

(ii) Any continuing financial interest, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or

(iii) Any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

(2) A list of the names of his creditors and the creditors of his spouse, minor child or other member of his immediate household, other than those creditors to whom they may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom they may be indebted for current and ordinary household and living expenses such as those incurred for household furnishings, an automobile, education, vacations, or the like.

(3) A list of his interests and those of his spouse, minor child or other member of his immediate household in real property or rights in lands, other than property which he occupies as a personal residence.

(b) For the purpose of this section "member of his immediate household" means a full-time resident of the employee's household who is related to him by blood.

(c) Each employee designated in paragraph (d) of this section who enters on duty after the effective date of this subpart shall submit such statement not later than 30 days after the date of his entrance on duty, but not earlier than 90 days after the effective date of this subpart.

(d) Statements of employment and financial interests are required of the following:

(1) Employees listed in the Federal Executive Salary Schedule, except a Presidential appointee required to file a statement of financial interests under section 401 of Executive Order No. 11222 of May 8, 1965.

(2) Employees in classified positions of grade GS–13 or above, or the equivalent thereof.

(e) Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31. If there are no changes or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 each year.

(f) If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit the information in his behalf.

(g) Paragraph (a) of this section does not require an employee to submit any information relating to his connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

(h) Each agency shall hold each statement of employment and financial interests in confidence. An agency may not disclose information from a statement except as the Civil Service Commission or the agency head may determine for good cause shown.

(i) The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

(j) This section does not apply to special Government employees, who are subject to the provisions of § 100.735–25.

§ 100.735–25 Reporting of employment and financial interests—special Government employees.

(a) A special Government employee shall submit to the agency head a statement of employment and financial interests which reports (1) all current Federal Government employment, (2) the names of all corporations, companies, firms, State or local governmental organizations, research organizations, and educational or other institutions in or for which he is an employee, officer, member, owner, trustee, director, adviser, or consultant, with or without compensation, (3) the names of all corporations in which he holds stocks or bonds, and (4) the names of all partnerships in which he is engaged.

(b) A statement required under this section shall be submitted at the time of employment. Changes in, or additions to, the information contained in such statement (except changes in employment) shall be reported in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31. If there are no changes or additions in a quarter, a negative report is not required. However, changes in employment shall be reported immediately as they may occur.

§ 100.735–26 Reviewing statements of financial interests.

(a) A designee of the agency head shall review the statements required by §§ 100.735–24 and 100.735–25 to determine whether there exists a conflict, or appearance of conflict, between the interests of the employee or special Government employee concerned and the performance of his service for the Government. If the designee determines that such a conflict or appearance of conflict exists, he shall provide the employee with an opportunity to explain the conflict or appearance of conflict. If he concludes that remedial action should be taken, he shall refer the statement to the agency head, through the Counselor for the agency designated pursuant to § 100.735–6, with his recommendation for such action. The agency head, after consideration of the employee's explanation and such investigation as he deems appropriate, shall direct appropriate remedial action if he deems it necessary.

(b) Remedial action pursuant to paragraph (a) of this section may include, but is not limited to:

(1) Changes in assigned duties.

(2) Divestment by the employee of his conflicting interest.

(3) Disqualification for a particular action.

(4) Exemption pursuant to paragraph (b) of § 100.735–9 or paragraph (d) of § 100.735–12.

(5) Disciplinary action.

§ 100.735–27 Supplemental regulations or instructions.

An agency head may issue supplemental and implementing regulations or instructions not inconsistent with this subpart as necessary to carry out the full purpose and intent of Executive Order 11222 and this subpart as may be required by the particular circumstances of his agency. Such regulations or instructions may include, but are not limited to, delegations of any authority allowed by law pertaining to the functions placed upon the agency head by this subpart. Such regulations or instructions must be made available to employees and special Government employees in the same manner as this subpart (see § 100.735–5).

Subpart B—Special Procedures; Counsel to the President

§ 100.735–31 Members of part-time committees, boards, and commissions.

(a) This section applies to each part-time member of a committee, board, or commission appointed by the President (referred to in this section as a Member).

(b) When the Counsel to the President determines that the functions and responsibilities of a committee, board, or commission are such that consistent with the policy and purpose of Executive Order 11222 the Members thereof should submit statements of employment and financial interests, he shall request each Member thereof to submit such a statement to the Chairman of the Civil Service Commission.

(c) A statement of employment and financial interests required under this section shall be submitted not later than 30 days after the Member's receipt of the request therefor from the Counsel to the President, and shall be kept up to date by submission of amended statements of any changes in, or additions to, the information required to be included in the original statement, on a quarterly basis. The statement shall be submitted in the format prescribed by the Chairman of the Civil Service Commission.

(d) The Chairman of the Civil Service Commission shall review each statement of employment and financial interests and any amendment thereto submitted under this section and shall report to the Counsel to the President any information contained in a statement which may indicate a conflict between the financial interests of the Member concerned and the performance of his services for the Government.

§ 100.735–32 Special delegation of authority to the Counsel to the President.

The authority of the President under sections 205 and 208(b) of Title 18, United States Code, to permit certain actions by an officer or employee of the Government, including a special Government employee, for appointment to whose position the President is responsible, reserved to the President by section 505 (c) of Executive Order 11222, is delegated to the Counsel to the President.

Effective date. This part shall be effective upon publication in the FEDERAL REGISTER. This part supersedes (1) the regulations of the National Security Council on Employee Responsibilities and Conduct, 32 CFR Part 2000, 31 F.R. 4281–4282, and (2) the regulations of the Office of the Special Representative for Trade Negotiations on Standards of Employee Conduct, 48 CFR Part 203, 31 F.R. 5009–5014.

LYNDON B. JOHNSON

THE WHITE HOUSE,
June 17, 1966.

[F.R. Doc. 66–6772; Filed, June 17, 1966; 10:53 a.m.]

DETROIT PUBLIC LIBRARY JUN 23 1966

SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 23 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 119

Tuesday, June 21, 1966 • Washington, D.C.

Pages 8563–8614

Agencies in this issue—

The President
Agricultural Research Service
Agriculture Department
Atomic Energy Commission
Civil Service Commission
Consumer and Marketing Service
Customs Bureau
Emergency Planning Office
Engineers Corps
Federal Aviation Agency
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Foreign Assets Control Office
General Services Administration
Geological Survey
Interstate Commerce Commission
Maritime Administration
Public Health Service
Securities and Exchange Commission
Tariff Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES * 1934 *

119

Latest Edition

Guide to Record Retention Requirements

[Revised as of January 1, 1966]

This useful reference tool is designed to keep industry and the general public informed concerning published requirements in laws and regulations relating to records-retention. It contains over 900 digests detailing the retention periods for the many types of records required to be kept under Federal laws and rules.

The "Guide" tells the user (1) what records must be kept, (2) who must keep them, and (3) how long they must be kept. Each digest also includes a reference to the full text of the basic law or regulation governing such retention.

The booklet's index, numbering over 2,000 items, lists for ready reference the categories of persons, companies, and products affected by Federal record-retention requirements.

Price: 40 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION

Citizenship Day and Constitution Week, 1966 8571
Father's Day, 1966 8569
Gas Industry Week 8567

EXECUTIVE AGENCIES

AGRICULTURAL RESEARCH SERVICE

Rules and Regulations

Quarantine; white-fringed beetles; regulated areas 8586

AGRICULTURE DEPARTMENT

See also Agricultural Research Service; Consumer and Marketing Service.

Rules and Regulations

Nondiscrimination; admissions as to facts and documents 8586

Notices

Extensions of designations of areas for emergency loans:
California 8602
Nevada 8602

ARMY DEPARTMENT

See Engineers Corps.

ATOMIC ENERGY COMMISSION

Proposed Rule Making

Licensing of byproduct material; exemption of tritium contained in glow lamps 8595

CIVIL SERVICE COMMISSION

Rules and Regulations

Pay administration; authority of Federal department 8585

COMMERCE DEPARTMENT

See Maritime Administration.

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Avocados grown in South Florida; shipments limitation 8592
Lemons grown in California and Arizona; handling limitation 8591

Notices

Peanuts, 1966:
Expenses and rate of assessment 8600
Quality and indemnification 8600

CUSTOMS BUREAU

Notices

Ice skate blades from Japan; antidumping proceeding 8599

DEFENSE DEPARTMENT

See Engineers Corps.

EMERGENCY PLANNING OFFICE

Notices

Kansas; major disaster notice 8607

ENGINEERS CORPS

Rules and Regulations

Bridges; Lake Worth, Fla 8573

FEDERAL AVIATION AGENCY

Rules and Regulations

Control zones; alterations (2 documents) 8575
Repair stations; miscellaneous amendments 8585
Standard instrument approach procedures; miscellaneous amendments 8576
Transition areas; designations (2 documents) 8575

Proposed Rule Making

Control zone and transition area; alteration 8597
Transition areas; designations (3 documents) 8596, 8597

FEDERAL MARITIME COMMISSION

Notices

Agreements filed for approval:
Portnica Shipping Co., Inc., and Seatrain Lines, Inc 8603
Seaway Forwarding Co., et al 8603
Alaska Steamship Co.; general increase in rates; expansion of investigation 8603

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Champlin Petroleum Co 8604
Lake Shore Pipe Line Co 8605
Lands withdrawn in Project 412 8606
Lone Star Gas Co 8606
Pacific Gas and Electric Co 8607

FEDERAL RESERVE SYSTEM

Notices

First at Orlando Corp.; application for approval of acquisition of shares of bank 8607

FEDERAL TRADE COMMISSION

Rules and Regulations

Administrative opinions and rulings; suppliers and grocery chain exhibition, in-store promotion 8585

FISH AND WILDLIFE SERVICE

Notices

Loan applications:
Bidle, Arthur Walter 8599
Bundrant, Charles H., and Donald J. Arndt 8599

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Food additives; amprolium 8573

Proposed Rule Making

Catsup; withdrawal of petition and termination of proceedings 8594

FOREIGN ASSETS CONTROL OFFICE

Rules and Regulations

Foreign assets control; specially designated nationals 8586

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Labor; notice to bidders regarding preaward equal opportunity compliance reviews 8592

GEOLOGICAL SURVEY

Notices

Phosphate land classifications:
Idaho 8599
Wyoming 8599

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration; Public Health Service.

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Geological Survey.

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Fees; services performed in connection with licensing and related activities 8573

Notices

Motor carrier:
Temporary authority applications 8609
Transfer proceedings 8612

MARITIME ADMINISTRATION

Notices

List of foreign flag vessels arriving in North Vietnam on or after Jan. 25, 1966 8602

PUBLIC HEALTH SERVICE

Proposed Rule Making

Biological products; miscellaneous amendments 8594

(Continued on next page)

CONTENTS

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
American South African Investment Co., Ltd., and Newmont Mining Corp. 8607
Consolidated Natural Gas Service Co., Inc., and Consolidated Natural Gas Co. 8608
Eazor Express, Inc. 8609
Ohio Edison Co. 8609

TARIFF COMMISSION

Notices

Cotton typewriter ribbon cloth; investigation and hearing 8609

TREASURY DEPARTMENT

See Customs Bureau; Foreign Assets Control Office.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATIONS:
3729 8567
3730 8569
3731 8571

5 CFR

550 8585

7 CFR

15 8586
301 8586
910 8591
915 8592

10 CFR

PROPOSED RULES:
30 8595
32 8595

14 CFR

71 (4 documents) 8575
97 8576
145 8585
PROPOSED RULES:
71 (4 documents) 8596, 8597

16 CFR

15 8585

21 CFR

121 8573
PROPOSED RULES:
53 8594

31 CFR

500 8586

33 CFR

203 8573

41 CFR

1–12 8592

42 CFR

PROPOSED RULES:
73 8594

49 CFR

6 8573

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3729

GAS INDUSTRY WEEK

By the President of the United States of America

A Proclamation

The abundant life and well-being of millions of Americans are directly related to the bounty of natural resources with which this Nation has been so generously endowed.

The depths of our American continent have yielded up great treasures of mineral resources, and enormous industries have developed to guarantee a maximum of public benefit from this mineral wealth.

It has been one hundred and fifty years since the first gas company was founded in Baltimore, Maryland, on June 13, 1816. Since that early beginning this dynamic industry has become the sixth largest industry in the United States. It has developed an intricate web of underground pipelines extending three quarters of a million miles and delivering the heat, light, and power benefits of the American gas industry to its thirty-six and a half million customers.

To call public attention to the contributions which the gas industry has made toward the health and well-being of our people, the Eighty-ninth Congress, by Senate Joint Resolution 160, has designated the period beginning June 13 and ending June 19, 1966, as Gas Industry Week, and has requested the President to issue a proclamation calling for its appropriate observance.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, invite the governments of States and communities and all citizens to join during Gas Industry Week in recognition of the contributions of the American gas industry to the security, health, and well-being of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fifteenth day of June in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-6799; Filed, June 17, 1966; 2:27 p.m.]

Proclamation 3730

FATHER'S DAY, 1966

By the President of the United States of America

A Proclamation

The third Sunday in June has for many years been observed as Father's Day. It is most appropriate that the Congress, by enactment of Senate Joint Resolution 161, has now given official recognition to this well-established tradition.

In the homes of our Nation, we look to the fathers to provide the strength and stability which characterize the successful family.

If the father's responsibilities are many, his rewards are also great—the love, appreciation, and respect of children and spouse. It is the desire to acknowledge publicly these feelings we have for the fathers of our Nation that has inspired the Congress to call for the formal observance of Father's Day.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, in consonance with Senate Joint Resolution 161 of the Eighty-ninth Congress, request the appropriate Government officials to arrange for the display of the flag on all Government buildings on Father's Day, Sunday, June 19, 1966.

I invite State and local governments to cooperate in the observance of that day; and I urge all our people to give public and private expression to the love and gratitude which they bear for their fathers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fifteenth day of June in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-6798; Filed, June 17, 1966; 2:27 p.m.]

Proclamation 3731

CITIZENSHIP DAY AND CONSTITUTION WEEK, 1966

By the President of the United States of America

A Proclamation

For one hundred and seventy-nine years the Constitution of the United States has symbolized the right of people to govern themselves.

Our Constitution, upon which our government is based, did not spring forth in a single moment of inspiration. Rather, it was the culmination of man's long struggle for freedom, justice, equality, and recognition of the dignity of man. It reflects the wisdom of the Old and New Testaments, the democratic principles of ancient Greece, the justness of the Roman law, the concept of constitutional liberty as guaranteed to Englishmen by the Magna Charta, and the dedication that caused our Founding Fathers to forsake the security of civilization to seek liberty, justice, and opportunity in the wilderness of the New World.

The Constitution and its ideals of justice, liberty, and opportunity for all, must be constantly cherished and nurtured. In this ever-shrinking world, it is important that every American understand our system of Government, cherish the fundamentals of freedom, and be always ready to defend our heritage for which so many have given so much. We must all rededicate ourselves, in every generation, to the great ideals that inspired the formation and adoption of our Constitution as the charter of a free people.

To assure appropriate commemoration of the formation and signing, on September 17, 1787, of the Constitution and to pay special recognition to all persons who, by coming of age or by naturalization, shall have attained the status of citizenship during each year, the Congress enacted the Joint Resolution of February 29, 1952 (66 Stat. 9), designating September 17 of each year as "Citizenship Day." Later, the Congress enacted the Joint Resolution of August 2, 1956 (70 Stat. 932), requesting the President to designate the week beginning September 17 of each year as "Constitution Week."

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, call upon the appropriate officials of the Government to display the flag of the United States on all Government buildings on Citizenship Day, September 17, 1966; and I urge Federal, State, and local officials, as well as all religious, civic, educational, and other organizations, to hold appropriate ceremonies on that day to inspire all our citizens to pledge themselves anew to the service of their country and to the support and defense of the Constitution.

I also designate the period beginning September 17 and ending September 23, 1966, as Constitution Week; and I urge the people of the United States to observe that week with appropriate ceremonies and activities in their schools and churches and in other suitable places to the end that our citizens may have a better understanding of the Constitution and of the rights and responsibilities of United States Citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixteenth day of June in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-6800; Filed, June 17, 1966; 2:27 p.m.]

Rules and Regulations

Rules and Regulations

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

Subpart D—Food Additives Permitted in Food for Human Consumption

AMPROLIUM

1. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 5D1544) filed by Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J., 07065, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of amprolium in drinking water for laying chickens and for turkeys. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.210 is amended by revising table 2 of paragraph (c) and by changing paragraph (d)(3) to read as follows:

§ 121.210 Amprolium.

* * * * * *

(c) * * *

TABLE 2—AMPROLIUM IN DRINKING WATER

Principal ingredient	Quantity	Limitations	Indications for use
Amprolium	0.009%-0.024%	For chickens and turkeys: Administer at the 0.012% level in drinking water as soon as coccidiosis is diagnosed and continue for from 3 to 5 days (in severe outbreaks, give amprolium at the 0.024% level); continue with 0.009% amprolium-medicated water for an additional 1 to 2 weeks; no other source of drinking water should be available to the birds during this time; as sole source of amprolium.	Treatment of coccidiosis.

(d) * * *

(3) Adequate directions and warnings for use, including a statement that amprolium medicated feed and drinking water are not to be used simultaneously.

2. Based upon an evaluation of the data before him and proceeding under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), the Commissioner has further concluded that a tolerance limitation is required to assure that eggs from birds treated in accordance with § 121.210 are safe for human consumption. Therefore, § 121.1022(c) is amended to read as follows:

§ 121.1022 Amprolium.

* * * * * *

(c) In eggs as follows:

8 parts per million in egg yolks.

4 parts per million in whole eggs.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 409(c)(1), (4), 72 Stat. 1786; 21 U.S.C. 348(c)(1), (4))

Dated: June 14, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6748; Filed, June 20, 1966; 8:49 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Lake Worth (IWW), Fla.

Pursuant to the provisions of Section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.439b governing the operation of the Singer Island bridge across the Intracoastal Waterway in Lake Worth at Riviera Beach, Florida, is hereby amended with respect to paragraphs (a) and (b) effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.439b Lake Worth (Intracoastal Waterway), Fla.; Singer Island bridge at Riviera Beach.

(a) The owner of or agency controlling the bridge shall not be required to open the drawspan between the hours of 8 a.m. and 6 p.m., daily, except on the hour and half-hour when the bridge shall be opened to allow all accumulated vessels to pass, and except as otherwise provided in paragraph (b) of this section.

(b) The drawspan shall be opened to allow the passage of a vessel in distress, a cruise boat operating on regular schedule, a commercial tow, or a vessel owned and operated by the United States at any time upon sounding by the vessel of four blasts of a whistle or horn.

* * * * * *

((Regs., June 8, 1966, 1507-32 (Lake Worth (IWW) Fla.)-ENGCW-ON) (Sec. 5, 28 Stat. 362; 33 U.S.C. 499))

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-6710; Filed, June 20, 1966; 8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. 246]

PART 6—FEES

Services Performed in Connection With Licensing and Related Activities

At a General Session of the Interstate Commerce Commission, held at its Office in Washington, D.C., on the 6th day of June 1966.

It appearing, that the Commission, on October 8, 1965, issued a notice of proposed rule making in this proceeding, under authority of the Independent Offices Appropriations Act of 1952 (5 U.S.C. 140), Budget Bureau Circular No. A-25 of September 23, 1959, and section 4 of the Administrative Procedure Act (5 U.S.C. 1003) for the purpose of determining (1) whether a schedule of fees for various activities of the Commission should be established, (2) whether a tentative schedule of fees which accompanied the said notice is reasonable, and, if not, what fees would be reasonable, and (3) whether fees for other special services should be charged;

It further appearing, that the said notice of proposed rule making invited the representations of all interested parties setting forth their views with respect to the tentative fees and the questions set forth above; and that notice to all interested parties was given through publication of the said notice in the FEDERAL REGISTER of October 20, 1965 (30 F.R. 13332);

And it further appearing, that various parties submitted their views and suggestions on the proposed fees and that the Commission has considered such representations and, on the date hereof, has made and filed its report setting forth its conclusions and findings and its reasons therefor, which report is hereby referred to and made a part hereof:

It is ordered, That the fees and regulations pertaining thereto set forth in appendix III to the said reports be, and they are hereby, prescribed for application as set forth therein and in the said report;

It is further ordered, That Part 6 of Chapter I of Title 49 of the Code of Federal Regulations be, and it is hereby, amended as follows:

(1) The title of Part 6 is revised to read "Fees".

(2) The title of § 6.1 is revised to read "Fees for copying, certification, and services in connection therewith".

(3) Section 6.2, containing the regulations and schedule of fees set forth in appendix III to the said report, is added;

It is further ordered, That this order shall become effective on July 22, 1966, and shall remain in effect until modified or revoked in whole or in part by further order of the Commission;

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Interstate Commerce Commission, Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

(65 Stat. 290, 5 U.S.C. 140)

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

REGULATIONS AND SCHEDULE OF FILING FEES ADOPTED AND CODIFIED AS 49 CFR 6.2

§ 6.2 Filing fees.

(a) *Manner of payment.* All filing fees will be payable at the time and place the application, petition, or notice is tendered for filing. Fees will be payable to the Interstate Commerce Commission by check or money order.

(b) *Fees not refundable.* Fees will be assessed for every filing in the types of proceedings listed in the schedule of fees contained in paragraph (d) of this section. After the application, petition, or notice has been accepted for filing by the Commission, the filing fee will not be refunded regardless of whether the application, petition, or notice is granted or approved, denied, dismissed, or withdrawn. If an application, petition, or notice is rejected by the Commission as incomplete or for some other reason, the fee will be returned.

(c) *Related or consolidated proceedings.* (1) Separate fees need not be paid on related applications filed by the same applicant which would be the subject of one proceeding, such as a single petition for modification of more than one certificate or permit held by the same person; a related plan of track relocation, joint use, purchase of trackage rights, and issuance of securities; a section 5 motor common carrier acquisition application combined with a related section 207 application for a certificate of public convenience and necessity; or the like. In such instances, the only fee to be assessed will be that applicable to the embraced proceeding which carries the highest filing fee as listed in paragraph (d) of this section.

(2) Separate fees will be assessed for the filing of temporary authority applications as provided in paragraph (d) (7) of this section, regardless of whether such applications are related to an application for corresponding permanent authority.

(3) The Commission may reject concurrently filed applications, petitions, or notices asserted to be related and refund the filing fee if, in its judgment, they embrace two or more severable matters which should be the subject of separate proceedings.

(d) *Schedule of filing fees.*[1]

PART I. APPLICATION FOR OPERATING AUTHORITY OR EXEMPTIONS

Type of proceeding	*Fee*
(1) An application for a certificate authorizing the construction, extension, acquisition, or operation of lines of railroad. Section 1(18)–(20)	$200
(2) A motor carrier exemption application. Section 204a(4a)	200
(3) An application for motor common carrier authority. Section 206	200
(4) An application for motor contract carrier authority. Section 209	200
(5) A petition to renew authority to transport explosives under section 206 or 209	5
(6) A petition to modify permits of motor carriers. Section 209	50
(7) An application for motor carrier temporary authority; provided, that no fee will be assessed for an application for emergency temporary authority as defined in 49 CFR § 240.1(b)(1). Section 210 a(a)	40
(8) An application for a broker's license. Section 211	200
(9) A water carrier exemption application. Section 302 or 303	200
(10) An application for water common carrier authority. Section 309 (a)	200
(11) An application for water contract carrier authority. Section 309(f)	200
(12) An application for water carrier temporary authority. Section 311 (a)	40
(13) An application for freight forwarder authority. Section 410	200
(14) A petition to remove or alter an operating restriction contained in a certificate or permit	200
(15) An application for authority to deviate from authorized regular route. 49 CFR § 211	10

PART II. APPLICATIONS TO DISCONTINUE TRANSPORTATION SERVICE

Type of proceeding	*Fee*
(16) An application for authority to abandon all or a portion of a line of railroad or the operation thereof. Section 1(18)	$200
(17) Notice or petition to discontinue train or ferry service. Section 13a	200

PART III. APPLICATIONS TO ENTER UPON A PARTICULAR FINANCIAL TRANSACTION OR JOINT ARRANGEMENT

(18) An application for use of terminal facilities. Section 3(5)	$125
(19) An application for the pooling or division of traffic. Section 5(1)	100
(20) An application of two or more carries to consolidate or merge their properties or franchises, or any part thereof, into one corporation for the ownership, management and operation of the properties theretofore in separate ownership. Section 5(2)	200
(21) An application of a noncarrier to acquire control of two or more carriers through ownership of stock or otherwise. Section 5(2)	200
(22) An application to acquire trackage rights over, joint ownership in, or joint use of, any railroad lines owned and operated by any other carriers and terminals incidental thereto. Section 5(2)	200
(23) An application of a carrier or carriers to purchase, lease or contract to operate the properties of another, or to acquire control of another by purchase of stock or otherwise. Section 5(2)	200
(24) An application for a determination of fact of competition. Section 5(15)	100
(25) An application for approval of, or to amend, a rate association agreement. Section 5a	200
(26) All application for authority to hold a position as officer or director. Section 20a(12)	10
(27) An application to issue securities. Section 20a, 20b, or 214	200
(28) An application for temporary authority to operate a motor or water carrier. Section 210a(b) or 311(b)	40
(29) An application for transfer of a certificate or permit. Section 212(b), 312 or 410(g)	50
(30) An application for approval of a motor vehicle rental contract. 49 CFR § 207.6(b)	10

PART IV. OTHER PROCEEDINGS

(31) An application for relief from the long-and-short-haul provisions. Section 4	100
(32) An application for approval of a specific released value rate. Section 20(11), 219, 413	125
(33) An application for special permission for waiver of tariff-publishing requirements or for short-notice, except applications to postpone the effectiveness of suspended schedules, when carrier or agent is requested to do so, in order to afford the Commission more time for disposition of the proceeding or to postpone the scheduled effective date of protested schedules or those for which a fourth-section application has been filed, in order to afford the Boards more time within which to process the protests or applications	15
(34) An application for extension of time for removal of flues on locomotives	25

[F.R. Doc. 66-6743; Filed, June 20, 1966; 8:48 a.m.]

[1] Statutory references are to the Interstate Commerce Act. The proceedings for which fees are assessed are arranged in four major categories and, within those categories, in order of the pertinent statutory provision.

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 66-CE-21]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 15, 1966, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5839) stating that the Federal Aviation Agency proposed to designate controlled airspace in the Huntingburg, Ind., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

The airport coordinates recited in the supplement notice of proposed rule making have been changed slightly in this final rule. Since this change is minor in nature and imposes no additional burden on anyone, it is being incorporated in the rule without notice and public procedure.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the following transition area is added:

HUNTINGBURG, IND.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Huntingburg Airport (latitude 38°15'05" N., longitude 86°67'20" W.), and within 2 miles each side of the 247° bearing from the Huntingburg Airport extending from the 6-mile radius area to 8 miles southwest of the airport.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on June 10, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc 66-6712; Filed, June 20, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-25]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 7, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5497) stating that the Federal Aviation Agency proposed to designate controlled airspace in the Wolf Point, Mont., terminal area.

Interested parties were afforded an opportunity to participate in the rule making through the submission of comments. The one comment received was favorable.

The airport coordinates recited in the notice of proposed rule making have been changed slightly in this final rule. Since this change is minor in nature and imposes no additional burden on anyone, it is being incorporated in the rule without notice and public procedure.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the following transition area is added:

WOLF POINT, MONT.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Wolf Point Airport (latitude 48°05'40" N., longitude 105°34'45" W.), and within 2 miles each side of the 314° bearing from Wolf Point Airport extending from the 5-mile radius area to 10½ miles NW of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles NE and 8 miles SW of the 314° bearing from Wolf Point Airport, extending from the airport to the arc of a 35-mile radius circle centered on Glasgow, Mont., AFB (latitude 48°25'00" N., longitude 106°31'40" W.); and 5 miles each side of the 280° bearing from Wolf Point Airport extending from the airport to the arc of a 35-mile radius circle centered on Glasgow AFB.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on June 10, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-6713; Filed, June 20, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SO-46]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Jackson, Miss., control zone.

The Jackson, Miss., control zone is described in § 71.171 (31 F.R. 2065, 3285). An extension thereto is predicated on the Jackson VORTAC 157° and 159° radials.

Because of a 1-degree change in the VOR/DME instrument approach procedure to Thompson Field from the 159° radial to the 160° radial, it is necessary to alter the control zone.

Since this amendment is minor in nature and imposes no additional burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (31 F.R. 2065) the Jackson, Miss., control zone (31 F.R. 3285) is amended as follows:

The portion "within 2 miles each side of the Jackson VORTAC 157° and 160° radials, extending from the Allen C. Thompson Field 5-mile radius zone to 1 mile SE of the VORTAC; within 2 miles each side of the Jackson VORTAC 157° and 159° radials, extending from the Allen C. Thompson Field 5-mile radius zone to 20 miles SE of the VORTAC" is deleted and "within 2 miles each side of the Jackson VORTAC 157° and 160° radials extending from 1 mile SE to 20 miles SE of the VORTAC" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a))

Issued in East Point, Ga., on June 10, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-6714; Filed, June 20, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SW-30]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the Gallup, N. Mex., control zone. After commissioning of the Gallup, N. Mex., VORTAC, a subsequent flight check of this newly established facility revealed that the final approach radial from the VORTAC to the airport was 062° (048° magnetic) rather than 061° as was initially computed. Reference to the 061° radial is included in the present description of the Gallup, N. Mex., control zone. Action is being taken herein to change this description to include radial 062° rather than 061°.

The airspace affected by this change lies between the VORTAC and the perimeter of the 5-mile radius zone—a distance of less than one-half mile. This alteration is of such minute dimensions that depiction on the appropriate aeronautical sectional chart would not be discernable. The amount of airspace affected by this alteration will not be increased. As this amendment is minor in nature, notice and public procedures hereon are unnecessary and the amendment may be made effective immediately.

Consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as herein set forth.

In § 71.171 (31 F.R. 3088) the Gallup, N. Mex., control zone is amended to read:

GALLUP, N. MEX.

That airspace within a 5-mile radius of the Senator Clarke Field (latitude 35°30'35" N., longitude 108°47'00" W.), within 2 miles each side of the Gallup VORTAC 232° and 062° radials, extending from the 5-mile radius zone to 6.5 miles SW of the VORTAC. This control zone in effective during the dates and times published in the Airman's Information Manual.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Fort Worth, Tex., on June 10, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 66-6715; Filed, June 20, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7413; Amdt. 486]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following low or medium frequency range procedures prescribed in § 97.11(a) to read:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots

PROCEDURE CANCELED, EFFECTIVE 9 JULY 1966.

City, Cincinnati; State, Ohio; Airport name, Cincinnati Municipal Lunken Field; Elev., 488'; Fac. Class., SABRAZ; Ident., LUK; Procedure No. 1, Amdt. 9; Eff. date, 24 Apr. 65; Sup. Amdt. No. 8; Dated, 15 June 65

2. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
BPT VOR	LOM	Direct	1400	T-dn	300–1	300–1	200–½
Mitchell Int	LOM (final)	Direct	1400	C-dn	400–1	500–1	500–1½
				S-dn-11	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn S side NW crs, 294° Outbnd, 114° Inbnd, 1500' within 10 miles.
Minimum altitude over LOM on final approach crs, 1400'.
Crs and distance, LOM to airport, 114°—4.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing LOM, climb to 1500' on crs of 114° within 20 miles.
MSA within 25 miles of facility: 000°–090°—2100'; 090°–180°—2000'; 180°–270°—1400'; 270°–360°—1700'.

City, Beaumont; State, Tex.; Airport name, Jefferson County; Elev., 19'; Fac. Class., LOM; Ident., BP; Procedure No. 1, Amdt. 6; Eff. date, 9 July 66; Sup. Amdt. No. 5; Dated, 16 May 66

Mason Int	Madeira RBn (final)	Direct	2700	T-dn#	600–1	600–1	600–1
Hamilton Int	Madeira RBn	Direct	2700	C-dn	800–1	800–1	800–1½
Alexandria Int	Madeira RBn	Direct	2700	S-dn	700–1	700–1	700–1
CVG VOR	Madeira RBn	Direct	2700	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn S side of crs, 021° Outbnd, 201° Inbnd within 10 miles of Madeira RBn.
Minimum altitude over facility on final approach crs, 2700'; over OM, 1500'.
Crs and distance, facility to airport, 201°—7.2 miles; OM to airport, 201°—3.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.2 miles after passing MDE RBn, climb to 2700' to California Int, on heading 201° to intercept CVG R 105°.
Proceed to California Int. Hold E, 1-minute left turns, 285° Inbnd.
#300–1 takeoff authorized Runways 2R and 6. 400–1 takeoff authorized Runways 20L and 24.
MSA within 25 miles of facility: 000°–090°—2600'; 090°–180°—2200'; 180°–270°—2800'; 270°–360°—2200'.

City, Cincinnati, State, Ohio; Airport name, Cincinnati Municipal Lunken Field; Elev., 488'; Fac. Class., MHW; Ident., MDE; Procedure No. 1, Amdt. Orig.; Eff. date, 9 July 66

PROCEDURE CANCELED, EFFECTIVE 9 JULY 1966.

City, Goshen; State, Ind.; Airport name, Goshen Municipal; Elev., 825'; Fac. Class., SABH; Ident., GSH; Procedure No. 1, Amdt. Orig.; Eff. date, 26 Oct. 63

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
RAL VOR	Highgrove Int	Direct	4200	T-dn%	300–1	300–1	200–½
Sierra Int	Highgrove Int	Direct	4200	C-dn	800–1	800–1	800–1½
Highgrove Int	Colton RBn/Int	Direct	4200	A-dn	800–2	800–2	800–2
Colton RBn/Int	LOM (final)	Direct	2800	If Dixon Int received, the following minimums apply. ADF and VOR equipment required:			
Moreno Int	Colton RBn	Direct	4200	C-dn	500–1	500–1	500–1½
ONT VOR	RAL VOR	Direct	4200	S-dn-25	400–1	400–1	400–1

Procedure turn not authorized. Radar available.
Minimum altitude over Colton RBn on final approach crs, 4200'; over LOM, 2800'.
Crs and distance, facility to airport, 255°—5.9 miles; Dixon Int to airport, 255°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing LOM, climb to 3000' on crs of 255° within 14 miles of LOM.
MSA within 25 miles of facility: 000°–090°—11,300'; 090°–180°—6700'; 180°–270°—6100'; 270°–360°—11,100'.
%N and eastbound (278° through 105° clockwise) IFR departures must comply with published Ontario SID's.

City, Ontario; State, Calif.; Airport name, Ontario International; Elev., 952'; Fac. Class., LOM; Ident., ON; Procedure No. 1, Amdt 22; Eff. date, 9 July 66; Sup. Amdt. No. 21; Dated, 18 June 66

PAE VOR	BF LOM	Direct	2200	T-dn	300–1	300–1	200–½
SEA VOR	BF LOM	Direct	2200	C-d	800–1	800–1	800–1½
Burton VHF Int	BF LOM	Direct	2200	C-n	800–2	800–2	800–2
Lofall VHF Int	BF LOM	Direct	2200	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn S side of crs, 308° Outbnd, 128° Inbnd, 2200' within 10 miles.
Minimum altitude over facility on final approach crs, 2200'; over LMM, 1200'.
Crs and distance, facility to airport, 128°—6.4 miles; LMM to airport, 128°—1.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.4 miles after passing BF LOM, climb straight ahead to intercept the 000° bearing from SE LOM, thence turn right, climb to 2000' direct to SE LOM.
CAUTION: Obstructions to 600', 1.8 and 2.8 miles SW through W and E through SE of airport.
MSA within 25 miles of facility: 000°–090°—5000'; 090°–180°—4300'; 180°–270°—6100'; 270°–360°—6100'.

City, Seattle; State, Wash.; Airport name, King County (Boeing Field); Elev., 17'; Fac. Class., LOM; Ident., BF; Procedure No. 1, Amdt. 6; Eff. date, 9 July 66; Sup. Amdt. No. 5; Dated, 14 Aug. 65

Millbury Int	OR LOM	Direct	2400	T-dn#	300–1	300–1	200–½
Putnam VOR	Sutton Int	Direct	2400	C-dn	600–1	600–1	600–1½
Boston VOR	Sutton Int	Direct	3000	S-dn-33	500–1	500–1	500–1
Sutton Int	OR LOM (final)	Direct	2100	A-dn	800–2	800–2	800–2

Procedure turn E side of crs, 152° Outbnd, 332° Inbnd, 2400' within 10 miles.
Minimum altitude over facility on final approach crs, 2100'.
Crs and distance, facility to airport, 332°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.4 miles after passing OR LOM, or at the LMM, make an immediate left-climbing turn to 2400' direct to OR LOM. Hold SE of OR LOM, 332° Inbnd, 1-minute right turns.
CAUTION: 1063' radio tower, 1.9 miles NNW of airport, 1145' lighted obstruction, 0.7 mile W of approach end of Runway 11.
Departure procedures: Departure Runway 33—Execute left-climbing turn as soon as practicable after takeoff to 300° magnetic heading, climbing to 2000' before proceeding northeastbound. Departure Runway 2—Climb to 2000' on a magnetic heading of 020° before making a left turn.
#300–1 required for takeoffs on Runway 29.
MSA within 25 miles of facility: 000°–090°—3800'; 090°–180°—2800'; 180°–270°—2500'; 270°–360°—3500'.

City, Worcester; State, Mass.; Airport name, Worcester Municipal; Elev., 1009'; Fac. Class., LOM; Ident., OR; Procedure No. 1, Amdt. 9; Eff. date, 9 July 66; Sup. Amdt. No. 8; Dated, 7 Aug. 65

3. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-35	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn E side crs, 172° Outbnd, 352° Inbnd, 3500' within 10 miles.
Minimum altitude over facility on final approach crs, 2600'.
Crs and distance, facility to airport, 352°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing CDS VOR, climb to 3500' on R 352° within 20 miles.
MSA within 25 miles of facility: 000°–360°—3600'.

City, Childress; State, Tex.; Airport name, Municipal; Elev., 1952'; Fac. Class., BVOR; Ident., CDS; Procedure No. 1, Amdt. 5; Eff. date, 9 July 66; Sup. Amdt. No. 4; Dated, 20 July 63

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
R 076° clockwise	R 286°	Via 6 mile DME Arc.	3000	T-dn	300–1	300–1	200–½
				C-dn	600–1	600–1	600–1½
5-mile DME Fix, R 205°	RST VOR (final)	Direct	3000	C-n	600–2	600–2	600–2
				S-d-2	600–1	600–1	600–1
				S-n-2	600–2	600–2	600–2
				A-dn	800–2	800–2	800–2
				DME minimums; DME equipment required:			
				C-dn	400–1	500–1	500–1½
				S-dn-2	400–1	400–1	400–1

Procedure turn E side of crs, 206° Outbnd, 025° Inbnd, 3000′ within 10 miles.
Minimum altitude over facility on final approach crs, 3000′; over 5-mile DME Fix, R 025°, 1910′.
Crs and distance, facility to airport, 025°—8.1 miles; 5-mile DME Fix, R 025° to airport, 025°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.1 miles after passing RST VOR, turn right, climb to 3000′ on R 076°, RST within 20 miles, or when directed by ATC, turn right, climb to 3000′, proceed direct to EST VOR.
MSA within 25 miles of facility: 000°–090°—2700′; 090°–180°—3700′; 180°–270°—3300′; 270°–360°—2400′.

City, Rochester; State, Minn.; Airport name, Rochester Municipal; Elev., 1310′; Fac. Class., L-BVOR-DME; Ident., RST; Procedure No. 1, Amdt. 4; Eff. date, 9 July 66; Sup. Amdt. No. 3; Dated, 23 Oct. 65

Bergheim Int	SAT VOR (final)	Direct	2600	T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-17	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 355° Outbnd, 175° Inbnd, 2600′ within 10 miles.
Minimum altitude over facility on final approach crs, 2600′; over Mud Int or 4.1-mile DME Fix, R 175° on final 1500′.
Crs and distance, SAT VOR to airport, 175°—6.3 miles; Mud Int to airport, 175°—2.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.3 miles after passing VOR, turn left, climb to 3000′ on R 158° within 20 miles or, when directed by ATC, turn left and climb, via SAT ILS, NE crs, to 3000′ within 20 miles, or climb via R 174° to 2500′ within 20 miles.
Radar Fix may be used in lieu of DME Fix.
#Descent below 1600′ not authorized if position over Mud Int or 4.1-mile DME Fix, R 175° not determined.
MSA within 25 miles of facility: 000°–360°—3100′.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 808′; Fac. Class., H-BVORTAC; Ident., SAT; Procedure No. 1, Amdt. 14; Eff. date, 9 July 66; Sup. Amdt. No. 13; Dated, 4 Sept. 65

				T-dn%	400–1	400–1	400–1
				C-dn	700–1	700–1	700–1½
				S-dn-13	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

Procedure turn N side of crs, 302° Outbnd, 122° Inbnd, 7000′ within 10 miles. Not authorized beyond 10 miles.
Minimum altitude over facility on final approach crs, 5600′.
Crs and distance, facility to airport, 122°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles after passing VOR, climb to 8000′ on R 122° within 20 miles.
NOTE: All turns to be made on N side of crs; high terrain to the S.
MSA within 25 miles of facility: 000°–090°—8800′; 090°–270°—14,500′; 270°–360°—9000′.
%Southeastbound (V19) IFR departures: Climb on R 296° within 10 miles so as to cross SHR VOR at least 8300′.

City, Sheridan; State, Wyo.; Airport name, Sheridan County; Elev., 4021′; Fac. Class., BVORTAC; Ident., SHR; Procedure No. 1, Amdt. 5; Eff. date, 9 July 66; Sup. Amdt. No. 4; Dated, 11 Apr. 66

PROCEDURE CANCELED, EFFECTIVE 9 JULY 1966.

City, Sheridan; State, Wyo.; Airport name, Sheridan County; Elev., 4021′; Fac. Class., BVORTAC; Ident., SHR; Procedure No. 2, Amdt. 2; Eff. date, 11 Apr. 64; Sup. Amdt. No. 1; Dated, 22 Feb. 64

				T-dn	300–1	300–1	200–½
				C-dn	900–1	900–1	900–1½
				A-dn	NA	NA	NA
				DME minimums; *DME equipment required: If 8-mile DME Fix received on final R 319°, the following minimums apply:			
				C-dn*	600–1	600–1	600–1½

Radar available.
Procedure turn E side of crs, 127° Outbnd, 307° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′; over 8-mile DME Fix on final, 900′.
Crs and distance, facility to airport, 319°—9.3 miles, 8-mile DME Fix, R 319° to airport 319°—1.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.3 miles after passing CRP VOR, climb to 2000′ and proceed to Sinton Int via CRP VOR, R 319° and ALI VOR, R 035°, or when directed by ATC, turn right, climb to 1600′ on 10-mile DME Arc to CRP, R 350° and proceed to CRP VOR via R 350°.
NOTE: Procedure not entirely within controlled airspace.
MSA within 25 miles of facility: 000°–090°—1500′; 090°–180°—1500′; 180°–270°—2100′; 270°–360°—1500′.

City, Sinton; State, Tex.; Airport name, Sinton; Elev., 49′; Fac Class., BVORTAC; Ident., CRP; Procedure No. 1, Amdt. Orig.; Eff. date, 9 July 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn%	300–1	300–1	200–½
				C-dn	900–1	900–1	900–1½
				A-dn	1200–2	1200–2	1200–2

Procedure turn N side of crs, 098° Outbnd, 278° Inbnd, 8500′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 6900′.
Crs and distance, facility to airport, 294°—2.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 miles after passing TPH VOR, make climbing turn to the right, climb to 8000′ on R 098° within 10 miles.
%Takeoff all runways: Unless otherwise directed by ATC, climb S of the TPH VOR, continue climb S of the TPH VOR on R 181° within 20 miles to minimum crossing altitude required for direction of flight. All turns W of crs.

Direction of flight	MCA feet
E, V–244	7500
W, V–244	8000

MSA within 25 miles of facility: 000°–090°—10,500′; 090°–180°—10,500′; 180°–270°—10,200′; 270°–360°—10,400′.

City, Tonopah; State, Nev.; Airport name, Tonopah; Elev., 5426′; Fac. Class., L-BVOTAC; Ident., TPH; Procedure No. 1, Amdt. 4; Eff. date, 9 July 66; Sup. Amdt. No. 3; Dated, 9 Oct. 65

4. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Austin Int	AUM VOR	Direct	2700	T-dn%	300–1	300–1	200–½
RST VOR	AUM VOR	Direct	2700	C-dn	600–1	600–1	600–1½
				S-dn-17	600–1	600–1	600–1
				A-dn	NA	NA	NA
				Dual VOR minimums; dual VOR receivers required:			
				C-dn	500–1	500–1	500–1½
				S-dn-17	800–1	800–1	800–1

Procedure turn E side of crs, 345° Outbnd, 165° Inbnd, 2500′ within 10 miles.
Minimum altitude over Sergeant Int on final approach crs, 1837′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of AUM VOR, climb to 3000′ on R 165° within 10 miles. Return to VOR, hold on R 345°, 1-minute right turns.
NOTE: Use Rochester, Minn., altimeter setting.
MSA within 25 miles of facility: 000°–090°—2900′; 090°–180°—3800′; 180°–270°—3900′; 270°–360°—3100′.
%For W or southwestbound aircraft when weather is below 1700–2, flight below 3400′ beyond 5.5 miles from airport is prohibited between R 235° and R 272°, inclusive of the AUM VOR. Restriction due to 2860′ tower 9.8 miles W-SW of airport.

City, Austin; State, Minn.; Airport name, Austin Municipal; Elev., 1237′; Fac. Class., BVOR (State-owned); Ident., AUM; Procedure No. TerVOR-17, Amdt. 5; Eff. date 9 July 66; Sup. Amdt. No. 4; Dated, 1 Jan. 66

Austin Int	AUM VOR	Direct	3000	T-dn%	300–1	300–1	200–½
RST VOR	AUM VOR	Direct	3000	C-dn	600–1	600–1	600–1½
				S-dn-35	600–1	600–1	600–1
				A-dn	NA	NA	NA
				Dual VOR minimums; dual VOR receivers required:			
				C-dn	500–1	500–1	500–1½
				S-dn-35	800–1	800–1	800–1

Procedure turn E side of crs, 170° Outbnd, 350° Inbnd, 3000′ within 10 miles.
Minimum altitude over London Int on final approach 1837′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of the AUM VOR, climb to 3000′ on R 350° within 10 miles. Return to VOR and hold on R 170°, 1-minute right turns.
NOTE: Use Rochester, Minn., altimeter setting.
%For W or southwestbound aircraft when weather is below 1700–2, flight below 3400′ beyond 5.5 miles from airport is prohibited between R 235° and R 272°, inclusive of the AUM VOR. Restriction due to 2600′ tower, 9.5 miles W-SW of airport.
MSA within 25 miles of facility: 000°–090°—2900′; 090°–180°—3800′; 180°–270°—3900′; 270°–360°—3100′.

City, Austin; State, Minn.; Airport name, Austin Municipal; Elev., 1237′; Fac. Class., BVOR (State-owned); Ident., AUM; Procedure No. TerVOR-35, Amdt. 5; Eff. date, 9 July 1966; Sup. Amdt. No. 4; Dated, 1 Jan. 66

5. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
PROCEDURE CANCELED, EFFECTIVE 9 JULY 1966.							
City, Rochester; State, Minn.; Airport name, Rochester Municipal; Elev., 1310'; Fac. Class., BVOR-DME; Ident., RST; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 23 Oct. 65; Sup. Amdt. No. Orig.; Dated, 23 June 62							
RST VOR	13-mile DME Fix, R 024°	Direct	2800	T-dn	300–1	300–1	200–½
19-mile DME Fix, R 024°	13-mile DME Fix, R 024° (final)	Direct via 19-mile DME arc.	2500	C-dn	400–1	500–1	500–1½
R 286° clockwise	R 099°		2800	S-dn-20	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn W side of crs, 024° Outbnd, 204° Inbnd, 2800' between 13- and 23-mile DME Fix, R 024°.
Minimum altitude over 13-mile DME Fix, R 024° on final approach crs, 2500'.
Crs and distance, 13-mile DME Fix, R 024° to airport, 204°—4 miles.
If visual contact only not established upon descent to authorized landing minimums or if landing not accomplished at 9-mile DME Fix, R 024°, climb to 3000' on R 024° direct to RST VOR.
MSA within 25 miles of facility: 000°–090°—2700'; 090°–180°—3700'; 180°–270°—3300'; 270°–360°—2400'.

City, Rochester; State, Minn.; Airport name, Rochester Municipal; Elev., 1310'; Fac. Class., L-BVOR-DME; Ident., RST; Procedure No. VOR/DME No. 2, Amdt. 3; Eff. date, 9 July 66; Sup. Amdt. No. 2; Dated, 23 Oct. 65

10-mile DME Fix, R 080°	SHR VORTAC	Direct	7600	T-dn%	400–1	400–1	400–1
10-mile DME Fix, R 136°	SHR VORTAC	Direct	7600	C-dn	700–1	700–1	700–1½
10-mile DME Fix, R 311°	10-mile DME Fix, R 296°	10-mile Arc	7000	S-dn-13	500–1	500–1	500–1
10-mile DME Fix, R 296°	SHR VORTAC (final)	Direct	5600	A-dn	800–2	800–2	800–2

Procedure turn N side of crs, 296° Outbnd, 116° Inbnd, 7600' within 10 miles (all turns to be made on the N side of the crs, high terrain to the S).
Minimum altitude over facility on final approach crs, 5600'; over 2.5-mile DME Fix, R 122°, 4700'.
Crs and distance, 2.5-mile DME Fix, R 122° to airport, 122°—2.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 4.9-mile DME Fix, R 122°, climb to 8000' on R 122° within 20 miles of SHR VORTAC.
MSA within 25 miles of facility: 000°–090°—6800'; 090°–270°—14,500'; 270°–360°—9900'.
%Southeastbound (V19) IFR departures: Climb on R 296° within 10 miles so as to cross SHR VOR at least 5300'.

City, Sheridan; State, Wyo.; Airport name, Sheridan County; Elev., 4021'; Fac. Class., BVORTAC; Ident., SHR; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 9 July 66; Sup. Amdt. No. Orig.; Dated, 11 Sept. 65

10-mile DME Fix, R 296°	SHR VORTAC	Direct	7100	T-dn%	400–1	400–1	400–1
10-mile DME Fix, R 311°	SHR VORTAC	Direct	7100	C-dn	700–1	700–1	700–1½
18-mile DME Fix, R 123°	12-mile DME Fix, R 123° (final)	Direct	5900	S-dn-31	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

Procedure turn E side of crs, 123° Outbnd, 303° Inbnd, 7100' between 12- and 22-mile DME Fix, R 123°.
Minimum altitude over 12-mile DME Fix, R 123°, 5900'; over 9-mile DME Fix, R 123°, 4900'.
Crs and distance, 9-mile DME Fix to airport, 303°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 6-mile DME Fix, R 123°, climb straight ahead to SHR VOR and climb to 8000' on R 296° within 20 miles.
NOTE: When authorized by ATC, DME may be used between 18 and 20 miles at 8000' from R 089° clockwise to R 126° to position aircraft for straight-in approach with the elimination of the procedure turn.
MSA within 25 miles of facility: 000°–090°—6800'; 090°–270°—14,500'; 270°–360°—9900'.
%Southeastbound (V19) IFR departures: Climb on R 296° within 10 miles so as to cross SHR VOR at least 5300'.
Runway 23: Right or left turn within 1 mile after takeoff. High terrain SW.

City, Sheridan; State, Wyo.; Airport name, Sheridan County; Elev., 4021'; Fac. Class., BVORTAC; Ident., SHR; Procedure No. VOR/DME No. 2, Amdt. 1; Eff. date, 9 July 66; Sup. Amdt. No. Orig.; Dated, 11 Sept. 65

PROCEDURE CANCELED, EFFECTIVE 9 JULY 1966.

City, Sinton; State, Tex.; Airport name, Sinton; Elev., 40'; Fac. Class., BVORTAC; Ident., CRP; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 10 Apr. 65; Sup. Amdt. No. Orig.; Dated, 6 Mar. 65

6. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Albuquerque VOR	LOM	Direct	8000	T-dn**	200–1	200–1	200–½
Aden Int	LOM	Direct	8000	C-dn	400–1	500–1	500–1½
Coyote Int	LOM	Direct	10,000	S-dn-36%*	200–½	200–½	200–½
Sandoval Int	LOM	Direct	7000	A-dn	600–2	600–2	600–2
Dalies Int	LOM	Direct	7000				
Bean Int	LOM	Direct	10,800				
Valencia Int	S crs, ILS	061°—5.8 miles	7000				

Radar available.
Procedure turn W side S crs, 170° Outbnd, 350° Inbnd, 7000' within 10 miles.
Minimum altitude at glide slope interception Inbnd, 7000'.
Altitude of glide slope and distance to approach end of runway at OM, 6400'—3.7 miles; at MM, 5530'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn left, climb to 8000' direct to ABQ VOR.
CAUTION: Terrain exceeding 8000' E of ILS localiser—all turns to be made W of localiser crs.
%400–¾ required when glide slope not utilised. 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
*RVR, 2400'. Descent below 5552' not authorized unless approach lights are visible.
**RVR, 2400' authorized Runway 35.

City, Albuquerque; State, N Mex.; Airport name, Albuquerque Sunport/Kirtland AFB; Elev., 5352'; Fac. Class., ILS; Ident., I-ABQ ;Procedure No. ILS-35, Amdt. 27; Eff. date, 9 July 66; Sup. Amdt. No. 26; Dated, 21 Nov. 64

Bangor VORTAC	BG LOM	Direct	2300	T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				S-dn-33	200–½	200–½	200–½
				A-dn	600–2	600–2	600–2
				With glide slope inoperative:			
				S-dn-33*	400–1	400–1	400–1

Radar available.
Procedure turn S side of crs, 153° Outbnd, 333° Inbnd, 2300' within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2000'.
Altitude of glide slope and distance to approach end of runway at OM 1906', 5.9 miles; at MM, 396'—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing BG LOM, make left-climbing turn to 2200' direct to BG LOM. Hold SE of BG LOM left turns, 1-minute, 333° Inbnd.
CAUTION: 527' standpipe (6.5 mile NE of approach end Runway 33). 632' antenna, 2.5 miles NE, 920' antenna located 0.8 mile NE of LOM.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. 400–½ authorized, except for 4-engine turbojet aircraft, with operative ALS.

City, Bangor; State, Maine; Airport name, Dow AFB; Elev., 192'; Fac. Class., ILS; Ident., I-BGR; Procedure No. ILS-33, Amdt. 1; Eff. date, 9 July 66; Sup. Amdt. No. Orig.; Dated, 15 Feb. 66

Beaumont VOR	LOM	Direct	1400	T-dn%	300–1	300–1	200–½
Marsh Int	LOM	Direct	1400	C-dn	400–1	500–1	500–1½
Mitchell Int	LOM (final)	Direct	1400	S-dn-11*¶	200–½	200–½	200–½
				A-dn	600–2	600–2	600–2

Procedure turn S side of NW crs, 294° Outbnd, 114° Inbnd, 1500' within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1400'.
Altitude of glide slope and distance to approach end of runway at OM, 1223'—4.8 miles; at MM, 202'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 1500' on SE crs, ILS within 20 miles, or when directed by ATC, turn left, climb to 1500' on R 088°, BPT VOR.
%2400' RVR authorized Runway 11.
*2400' RVR. Descent below 216' not authorized unless approach lights are visible.
¶400–¾ required when glide slope not utilized.

City, Beaumont; State, Tex.; Airport name, Jefferson County; Elev., 16'; Fac. Class., ILS; Ident., I-BPT; Procedure No. ILS-11, Amdt. 8; Eff. date, 9 July 66; Sup. Amdt. No. 7; Dated, 16 May 64

Louisville VOR	SD LOM	Direct	2100	T-dn¢	300–1	300–1	200–½
Bourbon Int	SD LOM	Direct	2500	C-dn	600–1	600–1	600–1½
Bethany Int	SD LOM	Direct	2300	S-dn-1*¢	200–½	200–½	200–½
Corydon Int	SD LOM	Direct	2300	A-dn	600–2	600–2	600–2
Harbor Int	SD LOM	Direct	2300				
Sellersburg Int	SD LOM	Direct	3000				
New Albany	SD LOM	Direct	2600				

Radar avialable.
Procedure turn W side of final approach crs, 190° Outbnd, 010° Inbnd, 2100' within 10 miles of SDF RBn (LOM).
Minimum altitude at glide slope interception Inbnd, 2100'.
Altitude of glide slope and distance to approach end of runway at OM, 1870'—4.8 miles; at MM, 665'—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make a left-climbing turn to 2500' on heading 270°, intercept R 283° LOU VOR and proceed to Corydon Int. Hold W, 1-minute right turns, 103° Inbnd.
Alternate missed approach: Climb to 2200' on N crs of ILS to Harbor Int. Hold N, 1-minute left turns, 190° Inbnd.
CAUTION: 1060' tower, 4 miles N and 760' tower, 2 miles N of Standiford Field.
*400–¾ (RVR, 4000'), required when glide slope not utilised. 400–½ (RVR, 2400') authorised with operative ALS, except for 4-engine turbojets.
¢RVR 2000' authorized for 4-engine turbojets. RVR 1800' authorized for all other aircraft. Descent below 607' not authorized unless approach lights visible.

City, Louisville; State, Ky.; Airport name, Standiford Field; Elev., 947'; Fac. Class., ILS; Ident., I-SDF; Procedure No. ILS-1, Amdt. 24; Eff. date, 9 July 66; Sup. Amdt. No. 23; Dated, 10 Apr. 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
SAT VOR	Wetmore Int	Via R 143° 4.8 miles.	2500	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
Bracken Int#	Wetmore Int (final)#	Direct	1800	S-dn-21°°	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of NE crs, 032° Outbnd, 212° Inbnd, 2500′ within 10 miles of Wetmore Int.
No glide slope. No outer marker.
Minimum altitude over Wetmore Int, 1800′ #
Crs and distance, Wetmore Int to Runway 21, 212°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 miles after passing Wetmore Int, turn left, climb to 3000′ via R 158° within 20 miles, or when directed by ATC, turn right and climb to 2800′ via R 353° within 20 miles.
#Maintain 2500′ until SW of Bracken Int on final approach.
°°400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

City, San Antonio; State, Tex.; Airport name, International; Elev., 808′; Fac. Class., ILS; Ident., I-SAT; Procedure No. ILS-21 (back crs), Amdt. 16; Eff. date, 9 July 66; Sup. Amdt. No. 15; Dated, 5 Sept. 64

PAE VOR	BF LOM	Direct	2200	T-dn	300-1	300-1	200-½
SEA VOR	BF LOM	Direct	2200	C-d	800-1	800-1	800-1½
Burton VHF Int	BF LOM	Direct	2200	C-n	800-2	800-2	800-2
Lofall VHF Int	BF LOM	Direct	2200	S-dn-13°	400-¾	400-¾	400-¾
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 308° Outbnd, 128° Inbnd, 2200′ within 10 miles.
Minimum altitude at glide slope intercept Inbnd, 2200′.
Altitude of glide slope and distance to approach end of runway at OM, 2115′—6.4 miles; at MM, 500′—1.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.4 miles after passing BF LOM or 1.6 miles after passing FI LMM, climb straight ahead to intercept R 024° SEA VOR, thence turn left, climb to 3100′ to Sammamish Int via R 024° SEA VOR or, when directed by ATC, climb straight ahead to intercept the 000° bearing from SE LOM, thence turn right, climb to 2000′ direct to SE LOM.
CAUTION: Localizer usable only 45° on either side of front crs. False crs indications possible in other areas. Obstructions to 600′ 1.8 to 2.3 miles SW through W and E through SE of airport.
*Circling minimums authorized when glide slope inoperative. MM altitude, 1000′.
*AIR CARRIER NOTE: Sliding scale not authorized for landing.

City, Seattle; State, Wash.; Airport name, King County (Boeing Field); Elev., 17′; Fac. Class., ILS; Ident., I-BFI; Procedure No. ILS-13, Amdt. 8; Eff. date, 9 July 66; Sup. Amdt. No. 7; Dated, 14 Aug. 65

Millbury Int	OR LOM	Direct	2400	T-dn#	300-1	300-1	200-½
Putnam VOR	Sutton Int	Direct	2400	C-dn	600-1	600-1	600-1½
Sutton Int	OR LOM (final)	Direct	2400	S-dn-33°	200-½	200-½	200-½
Boston VOR	Sutton Int	Direct	3000	A-dn	800-2	800-2	800-2
				Without glide slope: S-dn-33°	300-¾	300-¾	300-¾

Procedure turn E side of crs, 152° Outbnd, 332° Inbnd, 2400′ within 10 miles.
Minimum altitude at glide slope intercept Inbnd, 2400′.
Altitude of glide slope and distance to approach end of Runway at OM, 2343′—4 miles; at MM, 1226′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums of if landing not accomplished within 3.4 miles after passing OR LOM, or at the LMM, make an immediate left-climbing turn to 2400′ direct to OR LOM.
Hold SE of OR LOM, 332° Inbnd, 1-minute right turns.
CAUTION: 1863′ radio tower, 1.9 miles NNW of airport; 1148′ lighted obstruction, 0.7 mile W of approach end Runway 11.
*Missed approach point is the LMM.
400-1 required when LMM is inoperative.
#300-1 required for takeoffs on Runway 29.
Departure procedures: Departure Runway 33—Execute left-climbing turn as soon as practicable after takeoff to 300° magnetic heading climbing to 2000′ before proceeding northeastbound. Departure Runway 2—Climb to 2000′ on a magnetic heading of 020° before making a left turn.

City, Worcester; State, Mass.; Airport name, Worcester Municipal; Elev., 1009′; Fac. Class., ILS; Ident., I-ORH; Procedure No. ILS-33, Amdt. 9; Eff. date, 9 July 66; Sup. Amdt. No. 8; Dated, 7 Aug. 65

7. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and limiting distances				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine more than 65 knots
		Within:		Surveillance approach			
000°	360°	7 miles	2000	T-dn	300-1	300-1	#200-½
000°	210°	15 miles	2200	C-dn	400-1	500-1	500-1½
210°	360°	18 miles	2600	S-dn-30L°	400-1	400-1	400-1
				S-dn-12R°°	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar control must provide 3-mile horizontal or 1000′ vertical separation from the following obstructions:

Obstruction	MSL (feet)	Location
Tower	1054	15 miles N.
Tower	2049	9 miles NW.
Tower	1120	7 miles W.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3000′ on NW crs ILS, 305° within 20 miles or, when directed by ATC, turn right, climb to 2500′, proceed direct to VOR.
#All aircraft are restricted to 300-1 minimums for takeoff on Runways 3-21, 16L-34R, and 12L-30R.
*400-½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
°°400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

City, Austin; State, Tex.; Airport name, Robert Mueller Municipal; Elev., 631′; Fac. Class. and Ident., Austin Radar; Procedure No. 1, Amdt. 5; Eff. date, 9 July 66; Sup. Amdt. No. 4; Dated, 26 Dec. 64

		Within:		T-dn	300-1	300-1	200-½
000°	360°	40 miles	4000	C-dn	500-1	500-1	500-1½
000°	360°	30 miles	3000	Precision approach			
000°	360°	15 miles	2300	S-dn-15 and 33	200-½	200-½	200-½
000°	360°	10 miles	2000	A-dn	600-2	600-2	600-2
				Surveillance approach			
				S-dn-15 and 33	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 15: Make right-climbing turn to 2000′ direct BGR VOR. Hold S of BGR VOR, 1-minute left turns, 020° Inbnd. Runway 33: Climb to 2000′ direct BGR VOR. Hold S of BGR VOR, 1-minute left turns, 020° Inbnd.
NOTE: Standard clearance of 1000′ within 3 miles must be provided over a 1749′ antenna, 12 miles SW of airport.
CAUTION: 327′ standpipe, 0.5 mile NE of approach end Runway 33; 632′ antenna, 2.5 miles NE of airport; 920′ antenna, 5.9 miles SE of airport.

City, Bangor; State, Maine; Airport name, Dow AFB; Elev., 192′; Fac. Class. and Ident., Dow Radar; Procedure No. 1, Amdt. 2; Eff. date, 9 July 66; Sup. Amdt. No. 1; Dated, 31 Aug. 63

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes														Ceiling and visibility minimums			
From	To	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
															Precision approach		
030	150	10	4000	------	------	------	------	------	------	------	------	------	------	T-dn	300-1	300-1	200-½
150	030	20	2700	------	------	------	------	------	------	------	------	------	------	C-d	1000-1	1000-1	1000-1½
														C-n	1000-2	1000-2	1000-2
														S-dn-17	200-½	200-½	200-½
														S-dn-35	300-¾	300-¾	300-¾
														A-dn	1000-2	1000-2	1000-2
															Surveillance approach		
														S-d-17*	800-1	800-1	800-1
														S-n-17*	800-2	800-2	800-2
														S-d-35*	700-1	700-1	700-1
														S-n-35*	700-2	700-2	700-2

Radar terminal transition altitudes: All bearings are from radar site within sector azimuths progressing clockwise.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 17: Climb to 2600' proceed direct to Whitesburg RBn and enter holding pattern. Runway 35: Turn left, climb to 2600', proceed direct to FTS RBn and enter holding pattern.

NOTES: Authorized for military use only, except by prior arrangement.

CAUTION: High terrain 1.7 miles E of airport with tower elevation, 1371'. Due terrain and towers in maneuvering areas, radar guidance will not be discontinued until the aircraft has either landed or climbed to designated altitude and crs on missed approach.

*Reduction not authorized.

City, Redstone Arsenal; State, Ala.; Airport name, Redstone AFB; Elev., 682'; Fac. Class. and Ident., Redstone Radar; Procedure No. 1, Amdt. 8; Eff. date, 9 July 66; Sup Amdt. No. 5; Dated 4 June 66

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
					Surveillance approach		
000°	360°	Within: 20 miles	5500	T-dn	300-1	300-1	200-½
				C-dn	900-2	900-2	900-2½
				A-dn	900-2	900-2	900-2½

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000', turn right, proceed direct to SZ LOM. Weather service 0700-2300 local time. Alternate minimums not authorized when weather not available.

City, Renton; State, Wash.; Airport name, Renton Municipal; Elev., 29'; Fac. Class. and Ident., Seattle-Tacoma Radar; Procedure No. 1, Amdt. Orig.; Eff. date, 9 July 66

					Surveillance approach		
000°	360°	Within: 20 miles	5500	T-dn	300-1	300-1	200-½
				C-dn	800-2	800-2	800-2½
				A-dn	800-2	800-2	800-2½

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2100' direct to BF LOM.

CAUTION: Obstructions to 600', 1.8 and 2.3 miles SW through W and E through SE of airport.

City, Seattle; State, Wash.; Airport name, King County Airport (Boeing Field); Elev., 17'; Fac. Class. and Ident., Seattle-Takoma Radar; Procedure No. 1, Amdt. Orig.; Eff. date, 9 July 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on June 2, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-6466; Filed, June 20, 1966; 8:45 a.m.]

SUBCHAPTER H—SCHOOLS AND OTHER CERTIFICATED AGENCIES

[Docket No. 7443; Amdt. 145-5]

PART 145—REPAIR STATIONS

Miscellaneous Amendments

The purpose of these amendments to Part 145 of the Federal Aviation Regulations is to remove the implication that repair stations are inspected annually; to clarify the requirements concerning the use of employment summaries and rosters; and to clarify the performance standards insofar as they reference the specifications of the Radio Technical Commission for Aeronautics and Part 9 of the regulations of the Federal Communications Commission.

Section 145.23 presently states that formal inspections of repair stations are normally made once a year. However, the Agency has determined that annual inspections are not necessary for all repair stations. Therefore, it is considered appropriate to remove the implications that annual inspections are required or are in fact made by the Agency. Under the amended rule, as under the present rule, the Administrator retains the authority to inspect repair stations at any time.

Under the present provisions of § 145.11(a), an applicant for a repair station certificate is required to submit copies of employment summaries for certain of its personnel with the application. In addition, under § 145.43, the repair station is required to provide employment summaries on the same personnel and to send such summaries along with a roster of its personnel to the Administrator for evaluation and thereafter to keep them subject to inspection by the Administrator. The Agency has now determined that since repair stations must provide employment summaries and rosters under § 145.43 and keep them for inspection by the Agency, there is no need for the applicants for repair station certificates to submit such summaries with their applications or for the submission of such summaries and rosters to the Administrator for evaluation. For this reason, the provisions of § 145.11(a)(1) have been deleted and the requirements of § 145.43(d) have been amended to require only that repair stations shall keep the required roster and employment summaries subject to inspection by the Administrator upon his request.

Finally, § 145.57(b) refers repair stations with radio ratings to Part 9 of the regulations of the Federal Communications Commission in connection with radio transmitter frequency tolerances. However, the manufacturers specifications or instructions which such repair stations are required to use take into consideration the tolerances established under the FCC regulations in showing the maximum frequency deviations applicable to their equipment. Therefore, the Agency considers the subject reference to Part 9 unnecessary and confusing and it has been deleted. In addition to the foregoing, domestic repair stations with radio ratings are required to use test apparatus, shop equipment, performance standards, test methods, alterations, and calibrations that conform to, among other, FAA accepted specifications of the Radio Technical Commission for Aeronautics and accepted good practices of the aircraft radio industry. Since the specifications of the RTCA are also accepted good practices of the industry, the reference to such specification is redundant and has been deleted from the section.

Since the amendments set forth herein involve Agency procedure or are minor changes of an editorial nature and since they impose no additional burden on any person, notice and public procedure hereon are unnecessary and they may be made effective on less than 30 days' notice.

In consideration of the foregoing, Part 145 of the Federal Aviation Regulations is amended effective June 21, 1966, as follows:

§ 145.11 [Amended]

1. Section 145.11(a) is amended by striking out subparagraph (1).

2. Section 145.23 is amended to read as follows:

§ 145.23 Inspection.

Each certificated repair station shall allow the Administrator to inspect it, at any time, to determine its compliance with this part. The inspections cover the adequacy of the repair stations inspection system, records, and its general ability to comply with this part. After such an inspection is made, the repair station is notified, in writing, of any defects found during the inspection.

3. Section 145.43(d) is amended to read as follows:

§ 145.43 Records of supervisory and inspection personnel.

* * * * *

(d) The station shall keep the roster and employment summaries required by this section, subject to inspection by the Administrator upon his request.

* * * * *

§ 145.57 [Amended]

4. Section 145.57(b) is amended by striking out the words "FAA accepted specifications of the Radio Technical Commission for Aeronautics," following the words "approved specifications"; and by striking out the last sentence.

(Secs. 313(a), 601, 607, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1427))

The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued in Washington, D.C., on June 15, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-6720; Filed, June 20, 1966; 8:46 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 550—PAY ADMINISTRATION (GENERAL)

Subpart C—Allotments and Assignments From Federal Employees

AUTHORITY OF FEDERAL DEPARTMENT

Section 550.302(c) is amended to authorize allotments for contributions to the Department of Defense Overseas Combined Federal Campaign under a special agreement which contains necessary exceptions to the regular allotment regulations. Paragraph (c) of § 550.302 is amended as set out below.

§ 550.302 Authority of Federal Department.

* * * * *

(c) Subject to the provisions of paragraphs (a) and (b) of this section, allotments for the payment of dues to an employee organization as authorized by § 550.304(a)(5) and allotments for charitable contributions to a Combined Federal Campaign as authorized by § 550.304(a)(6) may be permitted only in accordance with instructions published by the Civil Service Commission in the Federal Personnel Manual. However, allotments for contributions to the Department of Defense Overseas Combined Federal Campaign may be permitted in accordance with a special agreement between the Commission and the Department of Defense which may contain any necessary exceptions to the provisions in this subpart.

(Sec. 6, 75 Stat. 664; 5 U.S.C. 3076; E.O. 10982; 27 F.R. 3, 3 CFR, 1962 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6688; Filed, June 20, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Suppliers and Grocery Chain Exhibition, In-Store Promotion

§ 15.62 Suppliers and grocery chain exhibition, in-store promotion.

(a) The landlord of an exhibition building has been advised by the Federal Trade Commission that a proposed promotional plan in which suppliers and a grocery chain would lease exhibition display space with the chain also pro-

viding in-store promotion of suppliers' displayed products would probably result in violation of Commission administered statutes.

(b) According to the proposed plan, part of the exhibit in the building would be displays provided and maintained by manufacturers, processors, and distributors of food products and grocery store items. These exhibitors, the suppliers, may give away samples, take orders for "off premise" delivery, and sell at retail. The grocery chain's contract with the landlord would provide that the chain would conduct 1-week, chain-wide, in-store promotions of the exhibitors' products; that exhibitors may be required to furnish the chain with materials for the promotion; that the landlord and the chain would cooperate in setting up the exhibitors' displays; and that the chain would have the right to approve only exhibitors whose products are sold in its stores.

(c) The Commission advised the landlord that implementation of the plan probably would result in violation of sections 2 (d) and (e) of the Robinson-Patman Amendment to the Clayton Act and section 5 of the FTC Act unless promotional payments or services were made available to the exhibitor-suppliers' competing customers on proportionally equal terms.

(d) The 2 (d) and (e) aspects, the Commission said, stem from the fact that exhibitor-suppliers would be vulnerable to a charge that they were illegally discriminating between their customers in according promotional benefits. The section 5 aspects involve questions as to whether the chain and the landlord would be inducing a violation of section 2(d) by participating exhibitor-suppliers.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: June 20, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–6693; Filed, June 20, 1966; 8:45 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

Specially Designated Nationals

The Office of Foreign Assets Control, on May 5, 1964, at the time North Viet-Nam was added to the list of "designated foreign countries" in the Foreign Assets Control Regulations, found that the so-called "National Liberation Front of South Viet-Nam", the Viet Cong and the so-called "National Liberation Front of South Viet-Nam Red Cross (Liberation Red Cross)" act for or on behalf of the authorities excercising control over North Viet-Nam. The Office of Foreign Assets Control has therefore since that date regarded these organizations as "specially designated nationals" within the meaning of the Foreign Assets Control Regulations.

Section 500.306 of the Regulations is amended to publish this determination in the Regulations and thereby give constructive notice of such determination to all interested persons.

Section 500.306 is hereby amended by the addition of paragraph (b) to read as follows:

§ 500.306 Specially designated nationals.

* * * * *

(b) The following organizations or associations of persons have been determined to be "specially designated nationals" of North Viet-Nam:

The so-called "National Liberation Front of South Viet-Nam."
The Viet Cong.
The so-called "National Liberation Front of South Viet-Nam Red Cross" also called "The Liberation Red Cross".

[SEAL] MARGARET W. SCHWARTZ, *Director, Office of Foreign Assets Control.*

[F.R. Doc. 66–6820; Filed, June 17, 1966; 4:21 p.m.]

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 15—NONDISCRIMINATION

Admissions as to Facts and Documents

Subpart C, Part 15, Subtitle A, Title 7, CFR, is hereby amended by adding the following new § 15.124.

§ 15.124 Admissions as to facts and documents.

Not later than 15 days prior to the scheduled date of the hearing except for good cause shown, or prior to such earlier date as the hearing officer may order, any party may serve upon an opposing party a written request for the admission of the genuineness and authenticity of any relevant documents described in and exhibited with the request, or for the admission of the truth of any relevant matters of fact stated in the request. Each of the matters of which an admission is requested shall be deemed admitted, unless within a period designated in the request (not less than 10 days after service thereof, or within such further time as the hearing officer may allow upon motion and notice) the party to whom the request is directed serves upon the requesting party a sworn statement either denying specifically the matters of which an admission is requested or setting forth in detail the reasons why he cannot truthfully either admit or deny such matters. Copies of requests for admission and answers thereto shall be served on all parties. Any admission made by a party to such request is only for the purposes of the pending proceeding, or any proceeding or action instituted for the enforcement of any order entered therein, and shall not constitute an admission by him for any other purpose or be used against him in any other proceeding or action.

(Sec. 602, 78 Stat. 252; § 15.9(d) of Subpart A to 7 CFR Part 15; laws referred to in Appendix to Subpart A, 7 CFR Part 15)

Effective date. This amendment shall become effective upon publication in the FEDERAL REGISTER.

Dated: June 15, 1966.

ORVILLE L. FREEMAN, *Secretary of Agriculture.*

[F.R. Doc. 66–6732; Filed, June 20, 1966; 8:47 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 618, 6th Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—White-Fringed Beetle

REGULATED AREAS

Pursuant to the authority contained in § 301.72–2 of the regulations supplemental to the white-fringed beetle quarantine (7 CFR 301.72–2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the administrative instructions appearing as 7 CFR 301.72–2a are hereby revised to read as follows:

§ 301.72–2a Administrative instructions designating regulated areas under the white-fringed beetle quarantine and regulations.

The following counties, parishes and other minor civil divisions, or parts thereof, in the quarantined States listed below, are designated as white-fringed beetle regulated areas within the meaning of the provisions in this subpart:

ALABAMA

(a) *Generally infested area.*

Autauga County. That portion of the county lying within Tps. 17, 18, 19, and 20 N., R. 15 E.; and those portions of secs. 2 and 3, T. 16 N., R. 16 E., lying north of the Alabama River; and secs. 23, 24, 25, 26, 35, and 36, T. 20 N., R. 15 E.

Baldwin County. The entire county.

Bibb County. Secs. 21 and 29, and those portions of secs. 9, 16, 17, 19, 20, and 30, T. 21 S., R. 6 W., lying within Bibb County; secs. 7, 18, and 19, T. 22 S., R. 5 W.; secs. 11, 12, 13, 14, 23, and 24, T. 22 S., R. 6 W.; secs. 23, 24, 25, 26, 35, and 36, T. 23 N., R. 9 E.; and secs. 19, 20, 29, 30, 31, and 32, T. 23 N., R. 10 E.

Blount County. That portion of the county lying west of the east line of R. 1 E., and that portion of the county lying south of the north line of T. 12 S.

Butler County. That portion of the county lying in the south ½ of T. 7 N., R. 13 E., and that area lying within the corporate limits of the city of Georgiana.

Calhoun County. The entire county

Chilton County. The entire county.

Choctaw County. The entire county.

Clarke County. That portion of Clarke County lying south of the south line of the N½ of T. 9 N.

Coffee County. That part of the county lying south of the north line of T. 5 N.

Conecuh County. The entire county.

Covington County. The entire county.

Crenshaw County. That portion of the county lying south of the north line of T. 7 N.; secs. 3, 4, 5, and 6, T. 8 N., R. 18 E., including all of the town of Luverne; secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 N., R. 18 E.

Cullman County. That portion of the county lying in secs. 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 S., R. 3 W.

Dale County. That part of the W½ T. 4 N., R. 26 E. lying in Dale County, and secs. 25 and 36, T. 4 N., R. 25 E.; secs. 1 and 12, T. 3 N., R. 23 E.; and all the area within the corporate limits of Ozark and Ariton.

Dallas County. Tps. 13, 14, 15, 16, and 17 N., Rs. 10 and 11 E.; N½ of T. 15 N., Rs. 7, 8, and 9 E.; and that portion of the N½ T. 15 N., R. 6 E. lying in Dallas County; T. 16 N., Rs. 7, 8, and 9 E.

Elmore County. Secs. 11, 12, 13, 14, 23, and 24, T. 18 N., R. 21 E.; and that part of secs. 7, 18, and 19, T. 18 N., R. 22 E. lying west of the Tallapoosa River; secs. 10, 11, 14, and 15 T. 19 N., R. 20 E.; secs. 20 and 21, T. 18 N., R. 19 E.; and that portion of the county lying west of the Coosa and/or Alabama Rivers.

Escambia County. The entire county.

Etowah County. That portion of the county south of the north line of T. 11 S. in Rs. 6 and 7 E., including all of the corporate limits of the city of Gadsden.

Geneva County. The entire county.

Houston County. All of Houston County lying west of the west line of R. 29 E. and R. 9 W.

Jefferson County. The entire county.

Lawrence County. Secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 6 S., R. 7 W., Secs. 25 and 36, T. 6 S., R. 8 W., E½ T. 7 S., R. 8 W., and W⅔ T. 7 S., R. 7 W.

Lee County. That portion of the county lying in the west ⅓ of R. 27 E. and that portion of the county lying west of the east line of R. 26 E.

Lowndes County. S½ T. 12 N., R. 15 E.; SW¼ T. 12 N., R. 16 E.; and Tps. 13 and 14 N., Rs. 12 and 13 E.

Macon County. N½ T. 16 N., R's. 23, 24, 25 E., and that portion of the county lying north of the south line of T. 17 N., R's. 23, 24, and 25 E.

Madison County. T. 2 S., R. 1 W.; that portion of the county lying south of the north line of T. 3 S.; and the southern ½ of T. 2 S., R's. 1, 2, and 3 E.

Marshall County. That portion of the county lying south of the north line of T. 8 S.

Mobile County. The entire county.

Monroe County. The entire county.

Montgomery County. That portion of the county lying north of the south line of T. 15 N.

Morgan County. Those portions of the county lying within secs. 30, 31, and 32, T. 5 S., R. 1 E.; secs. 25, 26, 27, 34, 35, and 36, T. 5 S., R. 1 W.; secs. 5, 6, 7, 8, 17, and 18, T. 6 S., R. 1 E.; and NE¼ T. 6 S., R. 1 W.; secs. 19, 30, and 31, T. 6 S., R. 2 W.; SE¼ and secs. 31, 32, and 33, T. 6 S., R. 3 W.; SW¼ and secs. 7, 8, 9, 16, 17, 18, 34, 35, and 36, T. 6 S., R. 4 W.; secs. 6, 7, 18, 19, 30, and 31, T. 7 S., R. 2 W.; secs. 25, 26, 35, and 36, T. 6 S., R. 5 W.; T. 7 S., R. 3 W.; and T. 7 S., R. 4 W.

Perry County. E½ T. 19 N., R. 7 E.; T. 19 N., R. 8 E.; secs. 31, 32, 33, 34, 35, and 36, T. 20 N., R. 8 E.; secs. 34, 35, and 36, T. 20 N., R. 7 E.

St. Clair County. The entire county.

Shelby County. The entire county.

Sumter County. Those portions of Tps. 16 and 17 N., R. 1 W. lying in Sumter County; Tps. 16 and 17 N., R. 2 W.; and that portion of the county lying west of the east line of R. 3 W., and south of the north line of T. 19 N.

Talladega County. That portion of the county lying east of the west line of R. 5 E., and north of the south line of T. 18 S., and secs. 2, 3, 4, 5, and 6, T. 19 S., R. 5 E., and all of the area lying within the corporate limits of the city of Sylacauga.

Tallapoosa County. Secs. 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, and 21, T. 21 N., R. 23 E., including all of the town of Dadeville; that portion of the county lying south of the north line of T. 18 N., R. 22 E., and the south ½ of T. 19 N., Rs. 22 and 23 E. lying in Tallapoosa County; and all of the area lying within the corporate limits of the city of Alexander City.

Tuscaloosa County. That portion of the county lying in Tps. 21 and 22 S., located east of the west line of R. 10 W., and that portion lying within T. 20 S., Rs. 5 and 6 W., and that portion lying within T. 24 N., R. 3 E.; and T. 20 S., R. 7 W.

Walker County. That portion of the county lying east of the west line of R. 5 W.; secs. 31, 32, 33, and 34, T. 13 S., R. 7 W.; secs. 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, and 22, T. 14 S., R. 7 W.; secs. 19, 20, 29, 30, 31, and 32, T. 13 S., R. 9 W.; secs. 24, 25, and 36, T. 13 S., R. 10 W.; and all of the area lying within the corporate limits of the cities of Parrish and Cordova.

Washington County. The entire county.

Wilcox County. Secs. 18 and 19, T. 12 N., R. 11 E.; N½ T. 10 N., Rs. 6, 7, 8, 9, 10, and 11 E.; T. 11 N., Rs. 8, 9, 10, and 11 E.; T. 12 N., Rs. 9 and 10 E.; that part of T. 12 N., R. 8 E., and portions of T. 13 N., Rs. 8 and 9 E., lying east of the Alabama River and south of Pine Barren Creek; S½ T. 11 N., Rs. 6 and 7 E., and all of the area within the corporate limits of Pine Hill.

(b) *Suppressive area.*

Bullock County. That portion of the county lying within sec. 4, T. 14 N., R. 26 E.

Chambers County. Secs. 7, 8, 9, 16, 17, 18, 19, 20, and 21, T. 22 N., R. 26 E.; secs. 18 and 19, T. 22 N., R. 27 E.; secs. 3, 4, 5, 6, 7, 8, 9, and 10, T. 23 N., R. 27 E.; and secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 24 N., R. 27 E.

Clay County. All of the areas lying within the corporate limits of the cities of Ashland and Lineville and T. 21 S., R. 7 E.

Colbert County. All of the area lying within the corporate limits of the cities of Sheffield and Tuscumbia.

De Kalb County.—That portion of the county lying in secs. 4, 5, 8, and 9, T. 7 S., R. 9 E.; that portion of the county lying in T. 4 S., R. 8 E. and secs. 1, 2, 3, 9, 10, 11, and 12, T. 5 S., R. 8 E.

Franklin County. All of the area lying within the corporate limits of the city of Russellville.

Greene County. Secs. 31, 32, 33, 34, and 35, T. 24 N., R. 3 E. and secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, T. 23 N., R. 3 E.

Henry County. All of the area lying within the corporate limits of the city of Headland.

Jackson County. All of the area lying within the corporate limits of the cities of Scottsboro and Stevenson.

Lauderdale County. All of the area lying within the corporate limits of the cities of Scottsboro and Stevenson.

Lauderdale County. All the area lying within the corporate limits of the city of Florence and secs. 29, 30, 31, and 32, T. 1 S., R. 15 W.; secs. 1, 2, 11, and 12, T. 2 S., R. 15 W. and secs. 5 and 6, T. 2 S., R. 14 W.

Limestone County. Secs. 19, 20, 21, 28, 29, 30, 31, 32, and 33, T. 1 S., R. 4 W.; secs. 31, 32, 33, and 34, T. 2 S., R. 4 W.; secs. 3, 4, 5, 6, 7, 8, 9, and 10, T. 3 S., R. 4 W.

Marengo County. Secs. 28, 29, 30, 31, 32, and 33, T. 16 N., R. 3 E.; and secs. 4, 5, 6, 7, 8, and 9, T. 15 N., R. 3 E.

Marion County. Secs. 27, 28, 29, 32, 33, and 34, T. 12 S., R. 13 W.; secs. 3, 4, and 5, T. 13 S., R. 13 W.

Randolph County. Secs. 33, 34, and 35, T. 19 S., R. 11 E.; secs. 2, 3, 4, 9, 10, and 11, T. 20 S., R. 11 E. and secs. 10, 11, 12, 13, 14, 15, 22, 23, and 24, T. 18 S., R. 10 E.

Russell County. That portion of the county lying within secs. 25, 26, 27, 34, 35, and 36, T. 15 N., R. 26 E.; and secs. 1, 2, and 3, T. 14 N., R. 26 E.

Winston County. All of the area lying within the corporate limits of the town of Haleyville and secs. 12, 13, 24, and 25, T. 11 S., R. 7 W.; secs. 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, and 30, T. 11 S., R. 6 W.

ARKANSAS

(a) *Generally infested area.*

None.

(b) *Suppressive area.*

Craighead County. Secs. 11, 12, 13, 14, 23, 24, 25, and 36, T. 14 N., R. 3 E.; secs. 1, 2, and 3, T. 13 N., R. 4 E.; secs. 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 34, 35, and 36, T. 14 N., R. 4 E., including all of the town of Jonesboro.

Greene County. Secs. 1, 2, 11, and 12, T. 16 N., R. 5 E.; secs. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 17 N., R. 5 E.; secs. 4, 5, 6, 7, 8, and 9, T. 16 N., R. 6 E.; secs. 28, 29, 30, 31, 32, and 33, T. 17 N., R. 6 E., including all of the town of Paragould.

Mississippi County. Secs. 2, 3, 9, 10, 11, 13, 14, 15, 16, 17, 20, 21, 22, 23, and that portion of secs. 4 and 8 lying outside of the Blytheville Air Force Base, T. 15 N., R. 11 E.; secs. 8, 17, and 18, T. 15 N., R. 12 E., including all of the town of Blytheville lying outside of the Blytheville Air Force Base.

Poinsett County. Secs. 2, 3, 4, 9, 10, and 11, T. 11 N., R. 7 E.; secs. 33, 34, and 35, T. 12 N., R. 7 E., including all of the town of Lepanto.

St. Francis County. Secs. 3, 4, 5, and 6, T. 4 N., R. 3 E.; secs. 16, 17, 20, 21, 22, 26, 27, 28, 29, 31, 32, 33, 34, and 35, T. 5 N., R. 3 E., including all of the town of Forrest City.

FLORIDA

(a) *Generally infested area.*

Bay County. Tps. 1 and 2 S., R. 12 W.; and that area bounded by a line beginning at the northwest corner of sec. 1, T. 3 S., R. 14 W.; thence east along the northern line of T. 3 S. to the eastern line of R. 13 W.; thence south along this line to East Bay; thence westerly along the East Bay shoreline to the DuPont Bridge and along the St. Andrews Bay shoreline to the Hathaway Bridge; thence northerly and easterly along the North Bay shoreline to the point of beginning.

Calhoun County. That portion of the county lying east of the Chipola River and Tps. 1 N. and 1 S., R. 9 W. west of Chipola River and Tps. 1 N. and 1 S., R. 10 W.

Escambia County. The entire county.

Gadsden County. The entire county.

Gulf County. The entire county.

Holmes County. The entire county.

Jackson County. The entire county.

Jefferson County. Secs. 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, and 16, T. 1 S., R. 4 E.; and secs. 23, 24, 25, 26, 34, and 35, T. 1 N., R. 4 E.

Leon County. An area bounded by a line beginning at the west boundary of secs. 26 and 23, T. 1 N., R. 2 W. and extending north to the Ochlockonee River; thence north and east along the Ochlockonee River to the Georgia State line; thence east along the State line to its intersection with the east range line of R. 1 E.; thence south along said line to its intersection with the south line of T. 3 N.; thence west along said line to its intersection with the east line of R. 1 W.; thence south along said line to the south boundary of sec. 7, T. 1 N., R. 1 E.; thence east along the south boundary lines of secs. 7, 8, 9, 10, 11, and 12, T. 1 N., R. 1 E. to the east range line of R. 1 E.; thence south along said range line to its intersection with the south township line of T. 1 S.; thence west along said line to its intersection with the west range line of R. 1 W.; thence north along said line to the southeast corner of sec. 25, T. 1 N., R. 2 W.; thence west along the south boundary lines of secs. 25 and 26, T. 1 N., R. 2 W. to the point of beginning.

Liberty County. The entire county.

Okaloosa County. The entire county.

Santa Rosa County. The entire county.

Walton County. That part of the county lying north of the south line of T. 3 N.

Washington County. The entire county.

(b) *Suppressive area.*

None.

GEORGIA

(a) *Generally infested area.*

Baldwin County. The entire county, excluding Cooper Georgia Militia District 322.

Ben Hill County. That portion of the county in Fitzgerald Georgia Militia District 1537 and Ashton Georgia Militia District 1659.

Bibb County. The entire county.

Bulloch County. That portion of the county lying within Georgia Militia Districts Numbers 45, 48, 1209, 1575, and 1716.

Burke County. That portion of the county lying within Georgia Militia Districts Numbers 60, 61, 62, 63, 64, 67, and 70.

Candler County. The entire county.

Clayton County. Georgia Militia Districts 548, 1446, and that portion of Georgia Militia District 1644 excluding the Atlanta General Depot.

Cobb County. That portion of the county lying within the corporate limits of the city of Marietta and Dobbins Air Force Base and that area beginning at the intersection of Poplar Creek and U.S. Highway 41 and extending northwest along said highway, including an area 1 mile on each side of Highway 41, to the intersection with Georgia Highway 5.

Coffee County. That portion of the county lying within Douglas Georgia Militia District 748, Broxton Militia District 1127, and that portion of Ambrose Georgia Militia District 1556 lying north of Georgia Highway 32.

Coweta County. That area included within a circle having a 2-mile radius and center at the Newnan town square.

Crawford County. The lower half of the county lying southeast of U.S. Highway 80 and the adjoining area within a circle having a radius of 1½ miles with center at the intersection of U.S. Highways 80 and 341 at Roberta.

Crisp County. That portion of the county lying within Cordele Georgia Militia District 1451; that portion of Listonia Georgia Militia District lying north of U.S. Highway 280; and that area within a circle having a 2-mile radius with the center at the intersection of Cedar Creek and the Albany and Northern Railroad.

Decatur County. That portion of the county lying within Recovery Georgia Militia District 1325, Faceville Georgia Militia District 914, and West Bainbridge Georgia Militia District 1805; that portion of Pine Hill Georgia Militia District 1188 lying south of U.S. Highway 84; that portion of Bainbridge Georgia Militia District 513 west of State Highway 309; and all that area lying within the corporate limits of the city of Bainbridge.

Dodge County. That area within a circle having a radius of 5 miles with the center at the intersection of U.S. Highways 341 and 23 at Eastman.

Dooly County. The entire county.

Emanuel County. That portion of the county lying within Georgia Militia Districts Numbers 49 and 53.

Fulton County. That area within the corporate limits of the city of East Point; that portion of the city of Atlanta bounded by a line beginning at the intersection of Simpson Street and Ashby Street extending eastward along Simpson Street to its intersection with U.S. Express Highway 41 (Northside Drive), thence southward along said highway to its intersection with Whitehall Street, thence eastward along Whitehall Street to its intersection with the Southern Railroad, thence southward along said railroad to its intersection with the Atlanta and West Point Railroad, thence westward along said railroad to its intersection with Stewart Avenue, thence northward along Stewart Avenue to its intersection with Glenn Street, thence westward along Glenn Street to its intersection with Gordon Street, thence westward along Gordon Street to its intersection with Ashby Street, thence northward along Ashby Street to the point of beginning; and that portion of the city of Atlanta bounded by a line beginning at the intersection of Northside Drive and the Southern Railroad, extending northeastward along said railroad to its intersection with Peachtree Street, thence southeastward along Peachtree Street to its intersection with West Peachtree Street, thence south along West Peachtree Street to its intersection with 10th Street, thence westward along 10th Street to its intersection with Hemphill Avenue, thence northwest along Hemphill Avenue to its intersection with Northside Drive, thence northward along along Northside Drive to the point of beginning, including the remaining portion of Georgia Militia District 469.

Greene County. That portion of the county lying within Georgia Militia Districts Numbers Siloam 142, Greensboro 143, Oakland 146, Penfield 148, and Walkers 163.

Gwinnett County. That portion of the county within a circle having a 3-mile radius with the center at the county courthouse in Lawrenceville.

Hancock County. That portion of the county lying within Georgia Militia Districts Numbers 101, 116, and 117, and that area within a circle having a radius of 1½ miles from the courthouse at Sparta, Ga., as the center point.

Houston County. The entire county.

Irwin County. The entire county.

Jasper County. The entire county.

Jefferson County. That portion of the county lying south of the Savannah and Atlanta Railroad and all of Georgia Militia District 77.

Johnson County. That portion of the county lying within Georgia Militia Districts Numbers 1201, including the city of Wrightsville, Moores Chapel 1820, Spann 1405, and Brays 1301.

Lamar County. That portion of the county within Georgia Militia District, Milner 540; and that portion of the county between Milner and Barnesville bounded on the west by Central of Georgia Railroad and the east by Georgia Highway 36; and that portion of the county within a circle having a 2-mile radius, with the center at the intersection of U.S. Highway 41 and Georgia Highway 36 in Barnesville.

Laurens County. That portion of the county lying within Georgia Militia Districts Numbers 52, 86, 341, 342, 345, 391, 1309, 1681, 1412, 1720, and 1338.

Lowndes County. That portion of the county lying within the corporate limits of the city of Valdosta.

Macon County. All of the area lying north of Toteover Creek and east of the Flint River; and that area included within the corporate limits of the city of Oglethorpe and that portion of the county included within a circle having a 1½-mile radius, with the center at the intersection of the Atlantic Coast Line Railroad and Georgia Highway 90 in Ideal; and that portion of the county lying within Garden Valley Georgia Militia District 814.

Meriwether County. All of the area in Georgia Militia District 669, and that portion of the county lying within the corporate city limits of Manchester.

Monroe County. That portion of the county within Georgia Militia Districts Numbers 480 and 557.

Montgomery County. The entire county.

Muscogee County. That portion of the corporate limits of Columbus south of Bull Creek between Cussetta road and Chattahoochee River; and that portion of the county beginning at Fortson Road and Harris County line, extending east and south thence east again along Harris County line to a point due north of Pierce Chapel and Blackmond Road junction, thence south from this point to and south along Blackmond Road to the junction with Hancock Road, thence west along Hancock Road to the junction with U.S. Highway 27, thence southwest along U.S. Highway 27 to the junction of Fortson Road, thence north on Fortson Road to the point of beginning.

Newton County. That area included within a circle having a 1-mile radius and center at the Porterdale High School, including all of the town of Porterdale; all of the area in the city of Covington; and that area included within a circle having a radius of 1 mile with the center at High Point Church on Georgia Highway 36.

Oglethorpe County. That portion of the county lying within Georgia Militia Districts Numbers Wolfskin 227, Lexington 229, and Crawford 1303.

Peach County. The entire county.

Pike County. That portion of the county within Georgia Militia Districts Numbers, Zebulon 580, Springs 581, and Molena 1465.

Putnam County. All of Ashbank Georgia Militia District 389 and that portion of Eatonton Georgia Militia District 368 lying east of U.S. Highway 129, including all of the town of Eatonton.

Richmond County. That portion of the county lying north of Butler Creek.

Screven County. That portion of the county within a circle having a 4-mile radius and center at the Screven County courthouse in Sylvania, including all of the city of Sylvania.

Seminole County. All of the area in Georgia Militia Districts 1046 and 1430, and all of the area within the corporate limits of the town of Donalsonville.

Sumter County. That portion of the county lying within Georgia Militia Districts Numbers 789 and 687 and that portion of the county included within a circle having a 1½-mile radius with the center at the intersection of Georgia Highway 308 and Georgia Highway 49; that portion within the corporate limits of De Soto; and that portion of Georgia Militia District 993 lying west of the Central of Georgia Railroad.

Talbot County. All of the area in Georgia Militia Districts 681, 685, 689, 894, 902, and 904.

Taylor County. That area bounded by a line beginning at a point where U.S. Highway 19 intersects Flint River, and extending south and east along said river to its intersection with the Macon County line, thence south and west along the Taylor-Macon County line to its intersection with Whitewater Creek, thence northwest along Whitewater Creek to the mouth of Black Creek, thence due north on a line projected from said point to its intersection with Patsiliga Creek, a distance of 3 miles, thence east along Patsiliga Creek to its intersection with U.S. Highway 19, thence north along said highway to the point of beginning.

Toombs County. The entire county.

Treutlen County. That portion of the county lying within Georgia Militia Districts Numbers Soperton 1386 and Lohair 1221.

Troup County. All of the area in Georgia Militia Districts 655, 656, and 700.

Turner County. An area 2 miles wide with U.S. Highway 41 and State Highway 7 as centerline, beginning at the north and northwest boundaries of Ashburn Georgia Militia District 1624 and extending south to a line ½ mile south of Sycamore, including all of the towns of Ashburn and Sycamore.

An area 1 mile wide with Georgia Highway 32 as centerline beginning at Hat Creek and exending east to Culley Branch.

An area 1 mile wide with State Highway 159 as centerline and extending northeastward along State Highway 159 from Deep Creek for a distance of 2 miles, including the town of Amboy.

Twiggs County. All of the county east of U.S. Highway 23.

Upson County. That portion of the county within a circle having a 4-mile radius, with the center at the county courthouse in Thomaston.

Washington County. All of Washington County excluding Georgia Militia Districts 88, 90, 96, and 99.

Wheeler County. That area included within a circle having a 2-mile radius with the center at the intersection of U.S. Highway 280 and State Highway 126 at Alamo; and an area 2 miles wide beginning at the east corporate limits of Alamo and extending east and southeast for 6 miles along State Highway 126 with said highway as a centerline.

Wilkinson County. That portion of the county consisting of Turkey Creek Georgia Militia District 353.

Worth County. That portion of the county lying within Georgia Militia Districts 1590 and 1806; that portion of 1428 lying south of U.S. Highway 82; and that portion of the county lying within the corporate limits of the cities of Sylvester and Sumner.

(b) *Suppressive area.*

Berrien County. That area included within the corporate limits of the city of Nashville.

Bleckley County. That portion of the county lying within a circle having a 2-mile radius with the center at the intersection of U.S. Highway 23 and Georgia Highway 26 at Cochran; and that portion of Manning Georgia Militia District 1573, north and east of Rocky Creek.

Calhoun County. All of the area in Georgia Militia District 626.

Colquitt County. That portion of the county lying within Georgia Militia Districts Numbers Norman Park 1665, Moultrie 1151, and Warrior 1184.

Harris County. That portion of the county within Georgia Militia District Waverly Hall 934.

McDuffie County. That portion of the county bounded on the south by Brier Creek, on the west by Sweetwater Creek, on the north by the Georgia Railroad, and on the east by Headstall Creek.

Pulaski County. That portion of the county within Georgia Militia District Hawkinsville 542.

Randolph County. That area bounded on the north, east, south, and west by lines parallel to and ½ mile beyond the Cuthbert city limits, including all the city of Cuthbert.

Schley County. That portion of La Crosse Georgia Militia District 882, north and east of U.S. Highway 19 and north of Georgia Highway 271.

Warren County. That portion of the county lying within a circle having a radius of one mile with the county courthouse at Warrenton as the center.

Webster County. That portion of the county lying within the corporate limits of the town of Weston.

LOUISIANA

(a) *Generally infested area.*

Jefferson Parish. That portion of the parish lying north of the south line of T. 15 S.

Orleans Parish. All of Orleans Parish, including the city of New Orleans.

Plaquemines Parish. T. 18 S., R. 27 E.; and all that portion of the parish lying north of the south line of T. 16 S.

Saint Bernard Parish. The entire parish.

Saint Tammany Parish. The entire parish.

Tangipahoa Parish. The entire parish.

Washington Parish. The entire parish.

(b) *Suppressive area.*

Acadia Parish. T. 7 S., Rs. 1 E. and 1 W.; secs. 13, 21, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36, 43, T. 9 S., R. 1 E.; and that portion of sec. 14, T. 9 S., R. 1 E. lying south of Bayou Wikoff; and those portions of secs. 20, 29, 30, 31, and 44, T. 9 S., R. 1 E., lying south and east of Bayou Plaquemine Brule; secs. 3, 4, 5, 6, 7, 8, and 37, T. 10 S., R. 1 E.; secs. 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 S., R. 2 E.

East Baton Rouge Parish. All that portion of the parish lying within T. 7 S., Rs. 1 and 2 E., and 1 W.; that portion of the parish lying within T. 6 S., Rs. 1 E. and 1 W., south and west of U.S. Highway 190 (Airline Highway).

Iberia Parish. That portion of the parish known as Avery Island, including secs. 37, 38, 39, 53, 55, 56, T. 13 S., R. 5 E., and secs. 36, 55, 56, 57, 58, 59, and 60, T. 13 S., R. 6 E.

Lafayette Parish. Secs. 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 9 S., R. 3 E.; secs. 17, 18, 19, 20, 28, 29, 30, 31, 32, and 33, T. 9 S., R. 4 E., and that portion of the parish lying in T. 10 S., R. 5 E.

Livingston Parish. All that portion of the parish lying within T. 6 S.

Ouachita Parish. That portion of the parish lying within the corporate limits of the city of West Monroe.

St. Charles Parish. That portion of the parish lying between U.S. Highway 61 and the Mississippi River.

St. James Parish. That portion of the parish lying between U.S. Highway 61 and the Mississippi River.

St. John the Baptist Parish. All that portion of the parish lying between U.S. Highway 61 and the Mississippi River and all of secs. 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 54, 55, 56, 59, 60, 61, and 62, T. 11 S., R. 7 E.

St. Landry Parish. That portion of the parish lying west of State Highways 95 and 758, and U.S. Highway 190.

Union Parish. Secs. 19, 20, 29, 30, 31, and 32, T. 21 N., R. 1 E.; and secs. 24, 25, and 36, T. 21 N., R. 1 W.

MISSISSIPPI

(a) *Generally infested area.*

Amite County. W½ T. 1 N., R. 2 E.; SW¼ T. 2 N., R. 2 E.; T. 3 N., R. 2 E.; NE¼ T. 3 N., R. 6 E.; and SE¼ T. 4 N., R. 6 E.

Clarke County. The entire county.

Copiah County. That portion of the county lying east of the west line of R. 3 W., and R. 7 E.

Covington County. The entire county.

De Soto County. That portion of T. 1 S., Rs. 5, 6, 7, and 8 W. lying in De Soto County; W½ T. 3 S., R. 7 W.; and E½ T. 3 S., R. 8 W.

Forrest County. The entire county.

George County. The entire county.

Greene County. The entire county.

Hancock County. The entire county.

Harrison County. The entire county.

Hinds County. That portion of S½ T. 3 N., R. 1 E. lying in Hinds County; S½ T. 3 N., Rs. 1, 2, and 3 W.; secs. 2, 3, 4, 9, 10, and 11, T. 7 N., R. 1 W.; secs. 3, 4, 5, 8, 9, 10, 15, 16, and 17, T. 4 N., R. 3 W.; T. 6 N., Rs. 2 and 3 W.; and that portion of Hinds County lying west of Pearl River bounded on the north by the south line of T. 7 N., on the west by the east line of R. 2 W., and on the south by the north line of T. 3 N.

Jackson County. The entire county.

Jasper County. The entire county.

Jefferson Davis County. The entire county.

Jones County. The entire county.

Kemper County. Sec. 36, T. 9 N., R. 17 E.; and sec. 31, T. 9 N., R. 18 E.

Lamar County. The entire county.

Lauderdale County. The entire county.

Lawrence County. The entire county.

Leake County. The entire county.

Lincoln County. Tps. 6 and 7 N., R. 9 E.; E½ T. 6 N., R. 6 E.; N½ and secs. 17, 18, 19, 20, 29, 30, 31, and 32, T. 6 N., R. 7 E.; E½ T. 7 N., R. 7 E.; and T. 7 N., R. 8 E.; E½ T. 8 N., R. 7 E.; and that portion of T. 8 N., R. 8 E. lying in Lincoln County.

Marion County. The entire county.

Neshoba County. N½ T. 10 N., Rs. 11 and 12 E.; T. 11 N., Rs. 11 and 12 E.; S½ T. 12 N., R. 11 E.; secs. 7, 8, 17, 18, 19, and 20, T. 10 N., R. 10 E.; E½ T. 9 N., R. 12 E.; T. 9 N., R. 13 E.; and that portion of the corporate limits of the city of Union lying in Neshoba County.

Newton County. The entire county.

Pearl River County. The entire county.

Perry County. The entire county.

Pike County. The entire county.

Rankin County. T. 3 N., R. 5 E.; T. 8 N., Rs. 2 and 3 E.; T. 5 N., R. 3 E.; and that portion of the county lying east of the Pearl River bounded on the north by the south line of T. 7 N., on the east by the west line of R. 3 E., and on the south by the north line of T. 3 N.

Scott County. The entire county.

Simpson County. The entire county.

Smith County. The entire county.

Stone County. The entire county.

Walthall County. The entire county.

Wayne County. The entire county.

Wilkinson County. T. 1 N., R. 1 E. and S½ T. 2 N., R. 1 E.

(b) *Suppressive area.*

Adams County. That portion of the city of Natchez bounded by a line beginning at the intersection of Lower Woodville Road and the corporate limits of the city of Natchez and extending westward along the corporate limits of the city of Natchez to its intersection with the Natchez Southern Railroad, thence northeastward along said railroad to its junction with the Mississippi Central Railroad, thence southeastward along the Mississippi Central Railroad to its intersection with Homochitto Street, thence southward along said street to its junction with Lower Woodville Road, thence southwestward along said road to the point of beginning.

Attala County. Secs. 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, and 26, T. 15 N., R. 6 E.; secs. 18, 19, and 30, T. 15 N., R. 7 E.; secs. 1, 2, 3, and 4, T. 13 N., R. 7 E.; T. 14 N., R. 7 E.; sec. 6, T. 13 N., R. 8 E.; secs. 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 30, and 31, T. 14 N., R. 8 E.; secs. 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, T. 15 N., R. 8 E.; N½ T. 15 N., R. 9 E.; and S½ T. 16 N., R. 9 E.

Benton County. S½ T. 5 S., R. 1 E.

Carroll County. Secs. 13, 14, 15, 22, 23, and 24, T. 17 N., R. 5 E.

Choctaw County. SE¼ T. 17 N., R. 8 E.; SW¼ T. 17 N., R. 9 E.; and secs. 19, 20, 29, and 30, T. 17 N., R. 11 E.

Grenada County. Sec. 14 and E½ sec. 15, T. 21 N., R. 5 E.; and secs. 26, 27, 34, and 35, T. 23 N., R. 4 E.

Holmes County. Secs. 2, 3, 10, 11, 14, and 15, T. 12 N., R. 3 E.; secs. 17, 18, 19, and 20, T. 13 N., R. 4 E.; secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, and 23, T. 14 N., R. 4 E.

Itawamba County. Secs. 23, 24, 25, 26, 35, and 36, T. 9 S., R. 8 E.; secs. 19, 20, 29, 30, 31, and 32, T. 9 S., R. 9 E.

Kemper County. Secs. 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36, T. 11 N., R. 16 E.; secs. 4, 5, and 6, T. 9 N., R. 18 E.; and SW¼ T. 10 N., R. 18 E.

Lafayette County. Secs. 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 8 S., R. 3 W.; secs. 13, 24, 25, and 36, T. 8 S., R. 4 W.; secs. 3, 4, 5, and 6, T. 9 S., R. 3 W.; and sec. 1, T. 9 S., R. 4 W.

Lee County. E½ Tps. 9 and 10 S., R. 5 E., including all of the corporate limits of the city of Tupelo; and Tps. 9 and 10 S., R. 6 E.

Marshall County. SW¼ T. 3 S., R. 2 W.; SE¼ T. 3 S., R. 3 W.; NW¼ T. 4 S., R. 2 W.; and NE¼ T. 4 S., R. 3 W.

Montgomery County. Secs. 23, 24, 25, 26, 35, and 36, T. 19 N., R. 5 E.; and sec. 23, T. 21 N., R. 5 E.; and N½ T. 18 N., R. 7 E.

Oktibbeha County. Secs. 5 and 6, T. 19 N., R. 12 E.; secs. 31 and 32, T. 20 N., R. 12 E.; secs. 25, 26, 27, 28, 33, 34, 35, and 36, T. 19 N., R. 14 E.; and secs. 1, 2, 3, 4, 9, 10, 11, and 12, T. 18 N., R. 14 E.

Panola County. S½ T. 7 S., R. 7 W.; and N½ T. 8 S., R 7 W.

Prentiss County. Secs. 2, 3, 4, 5, 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, and 23, T. 5 S., R. 7 E.

Quitman County. Secs. 1, 2, and 3, T. 27 N., R. 10 W.; and secs. 25, 26, 27, 34, 35, and 36, T. 28 N., R. 10 W.

Tate County. W½ T. 5 S., R. 7 W., including all of the corporate limits of the city of Coldwater.

Tippah County. NE¼ T. 3 S., R. 3 E.; and NW¼ T. 3 S., R. 4 E.

Warren County. Those portions of Tps. 15 and 16 N., R. 3 E. lying in Warren County; and W½ T. 16 N., R. 4 E.

Webster County. That portion of the county lying east of the west line of R. 10 E.; NE¼ T. 19 N., R. 9 E.; and SE¼ T. 20 N., R. 9 E.

Winston County. Secs. 3 and 4, T. 14 N., R. 12 E.; and secs. 21, 22, 27, 28, 33, and 34, T. 15 N., R. 12 E.

An area ½ mile wide with State Highway 25 as centerline beginning at the Winston and Attala County line and extending northeastward along said highway to its intersection with Tallahoga Creek.

W½ T. 14 N., R. 14 E.

Yalobusha County. Secs. 28, 29, 30, 31, 32, 33, T. 10 S., R. 4 W., secs. 4, 5, 6, 7, 8, and 9, T. 11 S., R. 4 W.

Yazoo County. That portion of T. 12 N., R. 3 E. lying in Yazoo County.

NORTH CAROLINA

(a) *Generally infested area.*

Anson County. That area bounded by a line beginning at a point northwest of Burnsville where the Union-Anson County line joins Rocky River, thence in an easterly direction along said river to its intersection with U.S. Highway 52, thence south along said highway to its intersection with State Highway 109, thence southwest along said highway to its intersection with State Secondary Road 1121, thence northwest along said road to its junction with State Secondary Road 1228, thence southwest along said road to its junction with State Secondary Road 1230, thence northwest along said road to its intersection with the Anson-Union County line, thence north along said county line to the point of beginning, excluding all of the towns of Ansonville and Wadesboro.

That area bounded by a line beginning at a point northeast of Wadesboro where the Atlantic Coast Line Railroad junctions with the Seaboard Air Line Railroad, thence east along the Seaboard Air Line Railroad to its intersection with State Secondary Road 1703, thence north along said road to its junction with State Secondary Road 1704, thence northeast along said road to its junction with State Secondary Road 1741, thence east along said road to its junction with State Secondary Road 1744, thence southwest along said road to its intersection with Smith Creek, thence east along said creek to its junction with the Pee Dee River, thence south along said river to its intersection with the Seaboard Air Line Railroad, thence west along said railroad to its intersection with State Highway 145, thence southwest along said highway to its intersection with Jones Creek, thence west along said creek to its intersection with State Secondary Road 1812, thence northwest along said road to its junction with State Secondary Road 1811, thence west along said road to its intersection with the Atlantic Coast Line Railroad, thence northwest along said railroad to the point of beginning.

Lenoir County. All that area included within the municipal and suburban boundary lines of the city of Kinston.

New Hanover County. That area bounded by a line beginning at a point where the Atlantic Coast Line Railroad crosses the Northeast Cape Fear River, thence south along said railroad to its junction with State Highway 132, thence southeast and south along said highway to its junction with U.S. Highway 421, thence northwest along said highway to its junction with the city limits of the city of Wilmington, thence along said city limits west and north to its junction with the Cape Fear River, thence north along said river to its junction with the Northeast Cape Fear River, thence north and east along the Northeast Cape Fear River to its junction with the Atlantic Coast Line Railroad, the point of beginning.

Pender County. That portion of the county lying west of the Northeast Cape Fear River.

Wayne County. That area included within the municipal and suburban boundary lines of the city of Goldsboro.

That area included within the municipal and suburban boundary lines of the city of Mount Olive.

(b) *Suppressive area.*

Cumberland County. That area included within a circle having a 4½-mile radius and center at the Atlantic Coast Line Railroad depot in Hope Mills, including all of the town of Hope Mills and all of the communities of Cumberland and Roslin.

Duplin County. That area included within the corporate limits of the town of Warsaw; and an area 2 miles wide beginning at a line projected northeast and southwest along and beyond the north corporate limits of Warsaw and extending northwesterly along U.S. Highway 117 with said highway as a centerline for a distance of 3 miles.

Edgecombe County. That portion of the city of Rocky Mount lying in Edgecombe County.

Harnett County. An area 1 mile wide bounded on the north by the Harnett-Wake County line and extending south along U.S. Highway 401 with said highway as a centerline for a distance of 5 miles.

Johnston County. That area bounded by a line beginning at a point where Fifth Street junctions with Brogden Road, in the city of Smithfield, thence north along said street to its intersection with Caswell Street, thence west to the end of said street, following a projected line to Smithfield city limits, thence east, south and west along said city limits to its intersection with Brogden Road, thence north along said road to the point of beginning.

Jones County. An area 2 miles wide beginning at a line projected due east and due west at the Atlantic Coast Line siding at Ravenswood, approximately 1½ miles south of the Atlantic Coast Line Railroad depot in Pollocksville, and extending southerly with said railroad as a centerline for a distance of 3 miles.

Nash County. That portion of the city of Rocky Mount lying in Nash County.

Onslow County. That area included within the corporate limits of the city of Jacksonville.

Robeson County. That area included within a circle having a 5-mile radius and center at the Robeson County Courthouse in Lumberton, including all of the city of Lumberton.

That area beginning at a point where the Hoke-Robeson County line junctions with the Cumberland-Hoke-Robeson County line, extending southeast along the Cumberland-Robeson County line to its junction with the Cumberland-Robeson-Bladen County line, thence southeast along the Bladen-Robeson County line to its intersection with State Secondary Road 1006, thence west along said road to its junction with Interstate Highway 95, thence north along said highway to its intersection with Big Marsh Swamp, thence west along the Big Marsh Swamp to to the Hoke-Robeson County line, thence northeast along said county line to the point of beginning, including all of the towns of St. Pauls, Lumber Bridge, and Parkton.

Scotland County. That area bounded by a line beginning at a point where Big Shoe Heel Creek intersects with State Secondary Road 1323, thence southeast along said road to the Scotland-Robeson County line, thence southwest along said county line to its intersection with Big Shoe Heel Creek, thence northwest along said creek to the point of beginning.

That area bounded by a line beginning at the intersection of U.S. Highway 401 and State Secondary Road 1328 and extending southeast along said road to its intersection with State Secondary Road 1433, thence southwest along said road to its intersection with the corporate limits of the city of Laurinburg, thence northwest along said corporate city limits to its intersection with U.S. Highway 401, thence northeast along said highway to the point of beginning.

Union County. That area bounded by a line beginning at a point where State Secondary Road 1002 intersects the corporate limits of the town of Wingate, thence northeast along said road to its intersection with Gourdvine Creek, thence north along said creek to its junction with Richardson Creek, thence northeast along said creek to its intersection with the Anson-Union County line, thence south along said county line to its intersection with State Secondary Road 1903, thence west along said road to its intersection with State Secondary Road 1947, thence southwest along said road to its intersection with State Secondary Road 1945, thence southwest along said road to its intersection with State Secondary Road 1008, thence northwest along said road to its junction with State Secondary Road 1758, thence north along said road to its intersection with the corporate limits of the town of Wingate, thence west, north, east and south around said corporate limits to the point of beginning.

That area included within the corporate limits of the city of Monroe.

Wake County. An area 4 miles wide bounded on the east by a line projected due north and due south for 2 miles on each side of the point of intersection of U.S. Highway 401 and the Norfolk Southern Railway, approximately 1½ miles east of the Norfolk Southern Railway Depot in Fuquay Springs, and extending westerly and southwesterly along U.S. Highway 401 with said highway as a centerline to the Wake-Harnett County line, including all of the town of Fuquay Springs.

SOUTH CAROLINA

(a) *Generally infested area.*

None.

(b) *Suppressive area.*

Calhoun County. That area bounded by a line beginning at the junction of a dirt road and State Secondary Highway 129, said junction being 0.5 mile northwest of the junction of said highway and State Secondary Highway 326, thence 1.1 miles southeast along State Secondary Highway 129 to its junction with a dirt road, thence 0.75 mile southwest along said dirt road to its junction with a second dirt road, thence 1.75 miles south and southwest along said second dirt road to its junction with State Primary Highway 267, thence 0.8 mile northwest along said highway to its junction with a dirt road, thence 0.4 mile southwest along said dirt road to its intersection with an unnamed branch, thence northwest along said branch to its intersection with State Primary Highway 33, thence 0.4 mile northeast along said highway to its junction with State Primary Highway 267, thence 0.2 mile north along said highway to its junction with a dirt road, thence 1.2 miles northeast along said dirt road to the point of beginning.

TENNESSEE

(a) *Generally infested area.*

Franklin County. That area contained within the following bounds: Beginning at the Dry Creek Bridge on State Highway 50 (Winchester-Lynchburg Road), thence southeast along Dry Creek to the L&N Railroad Bridge, thence west in a straight line to the southwest corner of the Francis Sisk property, thence north 0.3 mile along the west boundary of the Francis Sisk property, thence west 0.65 mile along a gravel road, thence north 0.5 mile along a gravel road to its intersection with State Highway 50 at the Broadview Baptist Church, thence east along State Highway 50 to Shasteen Road, thence north 0.6 mile along Shasteen Road to Old Farm Road, thence east to a point 0.15 mile north of the bridge on Matthew Branch Road, thence due east along a straight line to Dry Creek, thence southeast along Dry Creek to the starting point.

Hardeman County. Civil Districts 1, 2, 8, and 9; that part of Civil District 3 lying east of Pleasant Run Creek and north of Marshall Creek; that part of Civil District 6 lying west of GM&O Railroad; and that part of Civil District 7 lying south of the Hatchie River.

Lawrence County. Civil District 8.

Madison County. Civil District 5.

Shelby County. The entire county.

Tipton County. Civil Districts 5, 6, and 7; and that area within the corporate limits of the town of Mason.

(b) *Suppressive area.*

None.

VIRGINIA

(a) *Generally infested area.*

None.

(b) *Suppressive area.*

City of Norfolk. That portion of the city bounded by a line beginning at a point where Broad Creek intersects the Norfolk-Southern Railroad and extending eastward along the north and east bank of Broad Creek to Pebble Lane, thence east along Pebble Lane to U.S. Route 13, thence south along U.S. Route 13 to the Eastern Branch of the Elizabeth River, thence west and north along said river branch to the point of beginning.

That portion of the city bounded by a line beginning at a point where the U.S. Route 13 intersects the south bank of Broad Creek and extending southeast along said creek and contiguous Lake Taylor to Interstate Route 64, thence south along said route to U.S. Route 58, thence west along said route to Broad Creek, thence north along said creek to the point of beginning.

City of Virginia Beach. That portion of the city bounded by a line beginning at the intersection of U.S. Route 58 and London Bridge Creek and extending eastward along said route to its intersection with U.S. Route 58B, thence east along U.S. Route 58B to Birdneck Road, thence south on Birdneck Road to its junction with Bells Road, thence extending northwestward along a line projected from said junction to the intersection of Potters Road and London Bridge Creek, thence north along the west bank of London Bridge Creek to the point of beginning.

That portion of the city bounded by a line beginning at a point 500 feet north of the intersection of U.S. Route 58 and the Norfolk-Virginia Beach city limits and extending due east to North Plaza Terrace Street, thence south along said street to its intersection with Windsor Street, thence west along said street to its junction with Wakefield Drive, thence south along said drive to its intersection with Fourth Street, thence west along said street to its junction with Zimmerman Avenue, thence south along said street to its junction with 14th Street, thence due west along a projected line to the Eastern Branch of the Elizabeth River, thence westward along the northern bank of said river branch to the Norfolk city limits, thence northward along the Norfolk city limits to the point of beginning.

That portion of the city bounded by a line beginning at a point where Virginia Beach-Norfolk city limits intersect the Norfolk-Southern Railroad, said point being 0.4 mile north of the Water Works Road, thence northward along said city limits one-half mile, thence extending along a line projected due east to Bayside Road, thence southeast along said road to State Route 166, thence southwest along said State Route and U.S. Route 13 to the Virginia Beach-Norfolk city limits, thence north along said city limits to the point of beginning.

That portion of the city bounded by a line beginning at a point where the Eastern Branch of the Elizabeth River intersects the Virginia Beach-Chesapeake city limits and extending eastward along the south bank of said river branch to a point one-fourth mile east of U.S. Route 13, thence extending along a line projected due south to its intersection with Indian River Road, thence northwest along said road to the Virginia Beach-Chesapeake city limits, thence northeast along said city limits to the point of beginning.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee; 29 F.R. 16210, as amended, 30 F.R. 5801, as amended; 7 CFR 301.72–2. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161)

These administrative instructions shall become effective June 21, 1966, when they shall supersede P.P.C. 618, 5th Rev., 7 CFR 301.72–2a, effective March 20, 1965.

The Director of the Plant Pest Control Division has determined that infestations of the white-fringed beetle exist or are likely to exist in the counties, parishes and other minor civil divisions, or parts thereof, listed above, or that it is necessary to regulate such localities because of their proximity to infestation or their inseparability for quarantine purposes from infested localities. Therefore, such counties, parishes and other minor civil divisions, or parts thereof, are designated as white-fringed beetle regulated areas.

The purpose of this revision is to add to the regulated areas for the first time parts of the following counties and parishes: Lawrence, Clay, Greene, Lauderdale, Randolph, and Winston, in Alabama; Lowndes, Webster, and Worth, in Georgia; Iberia, Ouachita, and St. Landry, in Louisiana; Benton, Marshall, Panola, and Tippah, in Mississippi; and Franklin in Tennessee. It also extends the areas in 40 already-regulated counties and parishes. Of these, 10 counties are in Alabama, 5 counties in Florida, 8 counties in Georgia, 2 parishes in Louisiana, 13 counties in Mississippi, and 1 county each in North Carolina and Tennessee.

Inasmuch as this revision imposes restrictions necessary to prevent the spread of white-fringed beetles, it should be made effective promptly to accomplish its purposes in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making this revision effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 16th day of June 1966.

[SEAL] D. R. SHEPHERD,
Acting Director,
Plant Pest Control Division.

[F.R. Doc. 66–6751; Filed, June 20, 1966; 8:49 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 218, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recom-

mendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.518 (Lemon Regulation 218, 31 F.R. 8231) are hereby amended to read as follows:

§ 910.518 Lemon Regulation 218.

* * * * *

(b) *Order.* (1) * * *

(ii) District 2: 381,300 cartons.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 16, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6730; Filed, June 20, 1966; 8:47 a.m.]

[Avocado Order 8, Amdt. 1]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Limitation of Shipments

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective, as hereinafter set forth, in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation of such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter set forth. A reasonable determination as to the quality and the time of maturity of avocados must await the development of the crop; a determination as to the stage of maturity of the varieties of avocados covered by this amendment was made at the meeting of the Avocado Administrative Committee on June 15, 1966. After consideration of all available information relative to the growing conditions prevailing during the current season, recommendations and supporting information for such maturity regulations were submitted to the Department; such meeting was held to consider recommendation for such regulation after giving due notice thereof, and interested parties were afforded opportunity to submit their views at this meeting; the provisions hereof are identical with the aforesaid recommendations of the committee, except as to the effective time thereof, and information concerning such provisions has been disseminated among the handlers of avocados; and compliance with the provisions hereof will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) It is, therefore, ordered that the provisions of paragraph (b) of § 915.308 (31 F.R. 7394) are hereby amended by revising in Table I certain dates and minimum weights and diameters applicable to the K–5, Dr. DuPuis No. 2, and Hardee varieties of avocados, so that after such revision the portion of such Table I relating to such varieties reads as follows:

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
K–5	6–22–66	12 oz. (2¾/₁₆ in.)	7– 4–66	10 oz. (2¾/₁₆ in.)	7–25–66		
Dr. DuPuis No. 2	6–22–66	18 oz. (3⅛/₁₆ in.)	7– 4–66	16 oz. (3⅛/₁₆ in.)	7–25–66	14 oz. (3⅜/₁₆ in.)	8– 8–66
Hardee	6–27–66	14 oz. (3⅜/₁₆ in.)	7–11–66	11 oz. (2¾/₁₆ in.)	8– 1–66		

(c) The provisions of this amendment shall become effective at 12:01 a.m., e.s.t., June 22, 1966.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 17, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-6832; Filed, June 20, 1966; 8:49 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1–12—LABOR

Subpart 1–12.8—Equal Opportunity in Employment

NOTICE OF PREAWARD COMPLIANCE REVIEWS; BIDDER'S MAILING LIST APPLICATION

This amendment prescribes a notice regarding preaward equal employment opportunity compliance reviews for inclusion in the invitation for bids for each formerly advertised supply contract which may result in an award of $1 million or more, as required by the May 3, 1966, order of the Office of Federal Contract Compliance, Department of Labor (31 F.R. 6881). The amendment also revises the mandatory use date for the January 1966 edition of Standard Form 129, Bidder's Mailing List Application.

The table of contents for Part 1–12 is amended to include the following entry:

Sec.
1–12.803–6 Notice to bidders regarding preaward equal opportunity compliance reviews.

Section 1–12.803 is amended by adding a new § 1–12.803–6 which reads as follows:

§ 1–12.803 Basic requirements.

* * * * *

§ 1–12.803–6 Notice to bidders regarding preaward equal opportunity compliance reviews.

(a) The following notice shall be included in the invitation for bids for each formally advertised supply contract which may result in an award of $1 million or more:

PREAWARD EQUAL OPPORTUNITY COMPLIANCE REVIEWS

Where the bid of the apparent low responsible bidder is in the amount of $1 million or more, the bidder and his known first-tier subcontractors which will be awarded subcontracts of $1 million or more will be subject to full, preaward equal opportunity compliance reviews before the award of the contract for the purpose of determining whether the bidder and his subcontractors are able to comply with the provisions of the Equal Opportunity clause.

(b) The procedure set forth in paragraph (a) of this § 1–12.803–6 shall not apply to any contract when it is determined in writing by the head of the agency that such contract is essential to the national security and that its award without following such procedure is necessary to the national security. A signed copy of such determination shall be furnished within 30 days to the Director, Office of Federal Contract Compliance, Department of Labor, Washington, D.C., 20210.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Required use of Standard Form 129 (January 1966 edition). The revision of the Federal Procurement Regulations (31 F.R. 5199, March 31, 1966) prescribed the January 1966 edition of Standard Form 129, Bidder's Mailing List Application. The date for mandatory use of the form is hereby revised from June 30, 1966, to September 30, 1966.

Effective date. This regulation is effective on publication in the FEDERAL REGISTER.

Dated: June 16, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66-6835; Filed, June 20, 1966; 9:20 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 53]

CATSUP

Notice of Withdrawal of Petition and Termination of Proposed Rulemaking

In the matter of amending the definition and standard of identity for catsup (21 CFR 53.10) to remove the provision limiting the proportion of corn sirup and glucose sirup permitted to be added as ingredients for seasoning catsup:

A notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of December 10, 1964 (29 F.R. 16934), based on a petition filed by Corn Industries Research Foundation, Inc., 1001 Connecticut Avenue NW., Washington, D.C., 20036.

Notice is given that the petitioner has withdrawn its petition and that the rulemaking procedure in this matter is terminated. The withdrawal of this petition is without prejudice to a future filing.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008).

Dated: June 14, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6749; Filed, June 20, 1966; 8:49 a.m.]

Public Health Service

[42 CFR Part 73]

BIOLOGICAL PRODUCTS

Notice of Proposed Rule Making

Notice is hereby given that the Surgeon General proposes to amend several provisions of Part 73 of the Public Health Service regulations by providing, in addition to some minor revisions, for (1) additional standards for products stored in unlabeled final containers, (2) the permissible moisture content for four products, (3) the type of protective final containers required for Measles Virus Vaccine, Live, Attenuated, and (4) a labeling statement relating to safety of liquid Poliovirus Vaccine, Live, Oral.

Notice is also given that it is proposed to make any amendments that are adopted effective 30 days after publication in the FEDERAL REGISTER.

Inquiries may be addressed, and data, views, and arguments may be presented by interested parties, in writing, in triplicate, to the Surgeon General, Public Health Service, Washington, D.C., 20201. All relevant material received not later than 30 days after publication of this notice in the FEDERAL REGISTER will be considered.

1. Amend § 73.36(h) of Part 73 by adding the phrase "Except as otherwise provided in the regulations of this part" at the beginning of the fifth sentence and by adding a new sentence at the end thereof. As thus amended § 73.36(h) will read as follows:

§ 73.36 Physical establishment, equipment, animals and care.

* * * * *

(h) *Containers and closures.* All final containers and closures shall be made of material that will not hasten the deterioration of the product or otherwise render it less suitable for the intended use. All final containers and closures shall be clean and free of surface solids, leachable contaminants and other materials that will hasten the deterioration of the product or otherwise render it less suitable for the intended use. After filling, sealing shall be performed in a manner that will maintain the integrity of the product during the dating period. In addition, final containers and closures for products intended for use by injection shall be sterile and free from pyrogens. Except as otherwise provided in the regulations of this part, final containers for products intended for use by injection shall be colorless and sufficiently transparent to permit visual examination of the contents under normal light. As soon as possible after filling, final containers shall be labeled as prescribed in § 73.50 et seq., except that final containers may be stored without such prescribed labeling provided they are stored in a sealed receptacle labeled both inside and outside with at least the proper name of the product, the filling lot number, and date of filling.

2. Amend the first sentence of § 73.38 by inserting "(Human)" after "Packed Red Blood Cells" and after "Single Donor Plasma," and by changing the word "extracts" to "Products". As thus amended, § 73.38 shall read as follows:

§ 73.38 Retention samples.

Manufacturers shall retain for a period of at least 6 months after the expiration date, a quantity of representative material of each lot of each product, sufficient for examination and testing for safety and potency, except Whole Blood (Human), Antihemophilic Plasma, Packed Red Blood Cells (Human), Single Donor Plasma (Human), Normal Human Plasma and Allergenic Products prepared to physician's prescription. Samples so retained shall be selected at random from either final container material, or from bulk and final containers, provided they include at least one final container as a final package, or package-equivalent of such filling of each lot of the product as intended for distribution. Such sample material shall be stored at temperatures and under conditions which will maintain the identity and integrity of the product. Samples retained as required in this section shall be in addition to samples of specific products required to be submitted to the Division of Biologics Standards. Exceptions may be authorized by the Director, Division of Biologics Standards, when the lot yields relatively few final containers and when such lots are prepared by the same method in large numbers and in close succession.

3. Amend § 73.74(a)(2) by including a specific authorization for moisture content and other volatile substances of 1½ percent for BCG Vaccine, 2 percent for Measles Virus Vaccine, Live, Attenuated and Antihemophilic Factor (Human), and 3 percent for Modified Plasma (Bovine).

4. Amend § 73.74(b)(1) by inserting a comma and "Radio-Iodinated (I^{125}) Serum Albumin (Human)" immediately preceding "and Radio-Iodinated (I^{131}) Serum Albumin (Human)".

As thus amended, § 73.74 (a)(2) and (b)(1) will read as follows:

§ 73.74 Purity.

* * * * *

(a) *Test for residual moisture.* * * *

(2) *Test results; standard to be met.* The residual moisture and other volatile substances shall not exceed 1 percent except that for BCG Vaccine they shall not exceed 1½ percent, for Measles Virus Vaccine, Live, Attenuated and Antihemophilic Factor (Human), they shall not exceed 2 percent, and for Modified Plasma (Bovine), Thrombin, Fibrinogen, Streptokinase, Streptokinase-Streptodornase, and Anti-Influenza Virus Serum for the Hemagglutination Inhibition Test, they shall not exceed 3 percent.

(b) *Test for pyrogenic substances.* * * *

(1) *Test dose.* The test dose for each rabbit shall be at least 3 milliliters per kilogram of body weight of the rabbit and also shall be at least equivalent proportionately, on a body weight basis, to the maximum single human dose recommended, except that: (i) Regardless of the human dose recommended, the test dose per kilogram of body weight of each rabbit shall be, at least 1 milliliter for immune globulins derived from human blood, at least 3 milliliters for Normal Human Plasma, and at least 30 milligrams for Fibrinogen (Human); (ii) for Streptokinase, Streptokinase-Streptodornase, Radio-Iodinated (I^{125}) and Radio-Iodinated (I^{131}) Serum Albumin (Human), the test dose shall be at least equivalent proportionately on a body weight basis to the maximum single human dose recommended.

* * * * *

5. Amend § 73.81 by deleting "Antipneumococcic Serum (Types I, II, V, VII, and VIII);" adding "Diphtheria Toxin for Schick Test;" immediately preceding "Diphtheria Antitoxin;" adding "Scarlet Fever Streptococcus Toxin;" immediately preceding "Scarlet Fever Streptococcus Antitoxin;" and adding "Thrombin;" immediately preceding "Tuberculin, Old;". As thus amended, § 73.81 shall read as follows:

§ 73.81 Standard preparations.

Standard preparations made available by the Director, Division of Biologics Standards, shall be applied in testing for potency all forms of Diphtheria Toxin for Schick Test; Diphtheria Antitoxin; Tetanus Antitoxin; Botulism Antitoxin, Type A; Botulism Antitoxin, Type B; Histolyticus Antitoxin; Oedematiens Antitoxin; Perfringens Antitoxin; Sordelli Antitoxin; Vibrion Septique Antitoxin; Staphylococcus Antitoxin; Scarlet Fever Streptococcus Toxin; Scarlet Fever Streptococcus Antitoxin; Dysentery Antitoxin (Shiga); Anti-Hemophilus Influenzae Type B Serum; Antirabies Serum; Pertussis Vaccine; Thrombin; Tuberculin, Old; and Tuberculin, Purified Protein Derivative.

6. Amend § 73.116(e) to read as follows:

§ 73.116 General requirements.

* * * * *

(e) *Labeling.* Labeling shall comply with the requirements of §§ 73.50 to 73.55 inclusive. In addition the label or a package enclosure shall include the identification and source of the virus or viruses were propagated, stabilizers and tissue medium on which the virus or viruses were propagated, stabilizers and preservatives, if any, and the type and calculated maximum amount of antibiotics. The final container label shall bear a statement indicating that liquid vaccine is not safe for use for more than 7 days after opening the container.

* * * * *

7. Amend § 73.140(c)(1) by inserting "and spinal cord" between "brain" and the comma following immediately thereafter in the last sentence (of the fine print paragraph). As thus amended, the fine print paragraph will read as follows:

§ 73.140 The product.

* * * * *

(c) *Neurovirulence safety test of the virus seed strain in monkeys—The test.* * * *

Samples of each of the five lots of vaccine shall be tested in measles susceptible monkeys. Immediately prior to initiation of a test each monkey shall have been shown to be serologically negative for neutralizing antibodies by means of a tissue culture neutralization test with undiluted serum from each monkey tested at approximately 100 $TCID_{50}$ of Edmonston strain measles virus, or negative for measles virus antibodies as demonstrated by tests of equal sensitivity. Each lot of vaccine shall be tested in 10 monkeys by the intracerebral inoculation of 0.5 ml. into the thalamic region of each hemisphere and an inoculation of 0.25 ml. intracisternally. The combined dose of measles virus inoculated into the central nervous system of each monkey shall be no less than the equivalent of 1,000 $TCID_{50}$ of the NIH standard (§ 73.141(d)). The monkeys shall be observed for 17 to 21 days and symptoms of paralysis as well as other evidence of neurological disorders shall be recorded. The test must be repeated if more than 20 percent of a group of monkeys die from nonspecific causes. Animals which die within the first 48 hours of initiation of the test may be replaced. At the end of the observation period each surviving monkey shall (a) be bled and the serum tested for evidence of serum antibody conversion to measles virus and (b) be autopsied and histopathological sections prepared of appropriate areas of the brain and spinal cord, and the sections examined microscopically for evidence of central nervous systems involvement.

* * * * *

8. Amend § 73.144 by redesignating paragraph (f) as paragraph (h), by adding a sentence to paragraph (e) and by adding new paragraphs (f) and (g) relating to "Dried vaccine" and "Photochemical deterioration; protection" respectively. As thus amended paragraphs (e), (f), and (g) will read as follows:

§ 73.144 General requirements.

* * * * *

(e) *Labeling.* Labeling shall be in compliance with §§ 73.50 to 73.55, inclusive, and the label or a package enclosure shall state the identification and source of the virus contained in the vaccine and the tissue medium in which the virus was propagated. Single dose container labeling for vaccine which is not protected against photochemical deterioration shall include a statement cautioning against exposure to sunlight.

(f) *Dried vaccine.* Measles Vaccine, Live, Attenuated, may be dried immediately after completion of processing to final bulk material and stored in the dried state, provided its residual moisture and other volatile substances content is not in excess of 2 percent, as provided in § 73.74(a).

(g) *Photochemical deterioration; protection.* Vaccine in multiple dose final containers shall be protected against photochemical deterioration. Such containers may be colored, or outside coloring or protective covering may be used for this purpose, provided (1) the method used is shown to provide the required protection, and (2) visible examination of the contents is not precluded. Vaccine in single dose container may be protected in the same manner provided the same conditions are met.

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply sec. 351, 58 Stat. 702, 42 U.S.C. 262)

Dated: May 31, 1966.

[SEAL] WILLIAM H. STEWART,
Surgeon General.

Approved: June 14, 1966.

WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 66-6750; Filed, June 20, 1966; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Parts 30, 32]

LICENSING OF BYPRODUCT MATERIAL

Proposed Exemption of Tritium Contained in Glow Lamps

By letter dated January 24, 1966, General Electric Co. filed a petition with the Atomic Energy Commission requesting exemption from licensing requirements for glow lamps containing up to 10 microcuries of tritium per lamp, or if such exemption is not feasible, that such glow lamps be included as items generally licensed pursuant to § 31.3, 10 CFR Part 31.

The Commission has given careful consideration to the petition and is considering a finding that exemption from licensing requirements for the receipt, possession, use, transfer, export, ownership and acquisition of glow lamps containing up to 10 microcuries of tritium will not constitute an unreasonable risk to the common defense and security and to the health and safety of the public. The proposed amendment to Part 30 which follows would accomplish this exemption by adding a subparagraph (7) to existing § 30.15(a), 10 CFR Part 30.

The exemption would not apply to the manufacture or import for sale or distribution of the glow lamps. Certain criteria for the issuance of a specific license to conduct such activities and certain reporting and quality control requirements are set forth in §§ 32.14, 32.15, 32.16, and 32.110, 10 CFR Part 32, "Specific Licenses to Manufacture, Distribute, or Import Exempted and Generally Licensed Items Containing Byproduct Material." As discussed below, the hazard represented by a defective tritium glow lamp is so small that it is not considered necessary to impose all of the quality control requirements appropriate for the manufacture of the other items exempted by § 30.15, 10 CFR Part 30. Therefore, § 32.15, 10 CFR Part 32, would be amended to except glow lamps containing tritium from the requirement of § 32.15(c) that each device be visually inspected.

Spark gap and electronic tubes, containing limited quantities of certain isotopes other than tritium, are presently distributed under general license pursuant to § 31.3(b), 10 CFR Part 31. Spark gap and electronic tubes, including glow lamps, containing tritium are

being distributed as generally licensed quantities pursuant to §§ 31.4 and 31.100, 10 CFR Part 31. Under the general license a recipient may possess only 2,500 microcuries at any one time.

Glow lamps consist basically of two metallic elements spaced a short distance apart in a glass envelope, and immersed in an inert gas or gas mixture, at low pressure. They are used in a wide variety of applications which include general appliances such as coffee makers and waffle-irons, indicator lights in instruments of many kinds, elements in electronic circuits and computers. Glow lamps, in general, require an ionized atmosphere in order to start quickly. In ambient light, sufficient energy is absorbed to provide partial ionization of the fill-gas. However, when the glow lamp is operated in the dark, or in areas of reduced light, starting time is increased. In order to reduce the "dark effect" on starting time, radioactive materials have been added to produce continuous ionization of the fill-gas.

There does not appear to be any significant hazard associated with the possession and use of glow lamps containing 10 microcuries of tritium per lamp. Since tritium emits only a very low energy beta particle which is completely shielded by the walls of the lamp, there is no external radiation hazard, regardless of the number of lamps which may be present. The petitioner states that the combination of small lamp size and the thickness of the glass wall of the lamp makes the lamp difficult to accidentally break or crush. Tritium is contained in the lamps as a gas which in the event of breakage, would be rapidly dispersed into the air. Further, only a very small percentage of the relatively inert tritium gas which might be inhaled into the lungs is retained in the body. It would take more than 1,000 times as much tritium gas as tritium oxide to produce a comparable radiation dose. In view of this, and the small quantity of tritium gas to be incorporated into any lamp, it is difficult to conceive of any circumstance in which a significant internal exposure could be received. For example, it has been calculated that in order to deliver to a child a dose approximating the 100 millirem per year received from natural background, it would be necessary to release into a room of ordinary size and ventilation the maximum amount of tritium proposed for several million lamps. Glow lamps have relatively long useful lives, approaching the useful lives of the devices in which they are used. Much of the tritium would decay during the life of the lamp, or within the bulb after disposal as trash. None of the components of glow lamps are economically recoverable and contamination of scrap and reprocessed material is not a significant consideration. If the maximum amount of tritium were incorporated into every glow lamp manufactured (approximately 40 million per year), the total amount of tritium used annually could approach 400 curies. This quantity may be compared to the natural production of approximately 8 million curies per year of tritium in the atmosphere by cosmic radiation.

An exemption for glow lamps containing tritium would be consistent with the consumer product criteria published in the FEDERAL REGISTER on March 16, 1965 (30 F.R. 3462), which sets out the essential terms of the Commission's policy with respect to the approval of the use of byproduct material and source material in products intended for use by the general public without the imposition of regulatory controls on the user.

The Commission has determined that the glow lamps are items intended for use by the general public. Accordingly, pursuant to § 150.15(a)(6) of 10 CFR Part 150, "Exemptions and Continued Regulatory Authority in Agreement States Under Section 274", the transfer of their possession or control by the manufacturer, processor, or producer is subject to the Commission's licensing and regulatory requirements even if the product is manufactured pursuant to an agreement State[1] license. A manufacturer, processor or producer of glow lamps containing tritium when located in an agreement State would be required to file an application with the Commission for a specific license authorizing the transfer of such lamps. The application should meet the criteria of § 32.14 (b), (c), and (d), 10 CFR Part 32.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, notice is hereby given that adoption of the following amendments to 10 CFR Parts 30 and 32 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 60 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

1. Section 30.15(a) of 10 CFR Part 30 is amended to add a new subparagraph (7) to read as follows:

§ 30.15 Certain items containing tritium or promethium 147.

(a) Except for persons who apply tritium or promethium 147 to, or persons who incorporate tritium or promethium 147 into, the following products, or persons who import for sale or distribution the following products containing tritium or promethium 147, any person is exempt from the requirements for a license set forth in section 81 of the Act and from the regulations in Parts 20 and 30–36 of this chapter to the extent that such person receives, possesses, uses, transfers, exports, owns, or acquires the following products:

* * * * *

(7) Glow lamps containing not more than 10 microcuries of tritium per lamp.

* * * * *

2. Section 32.15(c) of 10 CFR Part 32 is amended to read as follows:

§ 32.15 Same; quality control.

* * * * *

(c) Visually inspect each device, except glow lamps containing tritium, in production lots and reject any device which has an observable physical defect that could affect containment of the tritium or promethium 147.

(Sec. 81, 68 Stat. 935; 42 U.S.C. 2111; sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 10th day of June 1966.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 66-6709; Filed, June 20, 1966; 8:45 a.m.]

[1] A State to which the Commission has transferred certain regulatory authority over radioactive material by formal agreement, pursuant to sec. 274 of the Atomic Energy Act of 1954, as amended.

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66-EA-31]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a part-time 700-foot floor transition area over Lawrenceville Municipal Airport, Lawrenceville, Va.

The establishment of a new instrument approach procedure to Lawrenceville Municipal Airport requires the designation of airspace for protection to aircraft executing the approach procedure down to 700 feet above the surface and departing aircraft above 700 feet above the surface.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Lawrenceville, Va., proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Lawrenceville, Va., transition area described as follows:

LAWRENCEVILLE, VA.

That airspace extending upward from 700 feet above the surface within a 4-mile radius of the center, 36°46'20" N., 77°47'45" W., of Lawrenceville Municipal Airport, Lawrenceville, Va.; and within 2 miles each side of the Lawrenceville, Va., VOR 118° radial extending from the 4-mile radius area to the VOR. This transition area shall be in effect from sunrise to sunset daily.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on June 3, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-6716; Filed, June 20, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-30]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a part-time 700-foot floor transition area over Kellam Field, Weirwood, Va.

The establishment of a new instrument approach procedure to Kellam Field will require airspace protection for aircraft executing the approach procedure down to 700 feet above the surface and departing aircraft above 700 feet above the surface.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Weirwood, Va., proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Weirwood, Va., transition area described as follows:

WEIRWOOD, VIRGINIA

That airspace extending upward from 700 feet above the surface within a 4-mile radius of the center, 37°27'30" N., 75°52'45" W., of Kellam Field, Weirwood, Va.; and within 2 miles each side of the Cape Charles, Va., VOR 041° radial extending from the 4-mile radius area to the VOR. This transition area shall be in effect from sunrise to sunset, daily.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on June 3, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-6717; Filed, June 20, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SO-47]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate the Cross City, Fla., transition area.

The Cross City, Fla., transition area would be designated as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Cross City Airport and within 2 miles each side of the 122° T (121° M) radial of the Cross City, Fla., VOR extending from the 8-mile radius area to 8 miles southeast of the VOR.

The proposed transition area is needed for the protection of aircraft executing the prescribed VOR instrument approach and missed approach procedures and for departing IFR aircraft until reaching the floor of controlled airspace associated with VOR airways in that area.

The procedure turn altitude would be changed to 1,700 feet for the prescribed VOR instrument approach procedure in conjunction with the action proposed herein, but operational complexities would not be increased nor would the present landing minimums be affected.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Miami Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 2014, AMF Branch, Miami, Fla., 33159. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348(a).

Issued in East Point, Ga., on June 13, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-6718; Filed, June 20, 1966; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SW-29]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations, which would alter controlled airspace in the Corpus Christi, Tex., terminal area.

The Corpus Christi NAS, Tex., control zone is presently designated as that airspace within a 5-mile radius of NAS Corpus Christi (latitude 27°41'30" N., longitude 97°17'15" W.); within 2 miles each side of the Navy Corpus VOR 010° radial, extending from the 5-mile radius zone to 1 mile N of the VOR; within 2 miles each side of the Navy Corpus RBN 315° bearing, extending from the 5-mile radius zone to the RBN.

The Corpus Christi, Tex., transition area is presently designated as that airspace extending upward from 700 feet above the surface within a 6-mile radius of the Corpus Christi International Airport (latitude 27°46'20" N., longitude 97°30'20" W.); within a 7-mile radius of NAS Corpus Christi (latitude 27°41'-30" N., longitude 97°17'15" W.); within 2 miles each side of the Corpus Christi VORTAC 020° radial, extending from the VORTAC to 8 miles NE; within 2 miles each side of the Corpus Christi ILS localizer NW course, extending from the International Airport 6-mile radius area to 8 miles NW of the OM; within 2 miles each side of the Corpus Christi RBN 048° bearing, extending from the International Airport 6-mile radius area to 8 miles NE of the RBN; within 2 miles each side of the Navy Corpus RBN 135° bearing, extending from the NAS Corpus Christi 7-mile radius area to 8 miles SE

of the RBN; and within 2 miles each side of the Navy Corpus TACAN 139° radial, extending from the NAS Corpus Christi 7-mile radius area to 12 miles SE of the TACAN; that airspace extending upward from 1,200 feet above the surface bounded on the N by the SW boundary of V–163, latitude 28°07'00 N., and the N boundary of V–20; on the NE and E by a line extending from the N boundary of V–20 through latitude 28°42'00'' N., longitude 96°26'00'' W., to latitude 28°37'15'' N., longitude 96°17'15'' W.; thence to latitude 28°14'00'' N., longitude 96°46'00'' W.; thence S along longitude 96°46'00'' W., to 3 nautical miles from the shoreline; thence SW 3 nautical miles from and parallel to the shoreline to latitude 27°49'00'' N., to latitude 27°45'30'' N., longitude 96°51'00'' W.; to latitude 27°-28'20'' N., longitude 96°45'30'' W.; to latitude 27°14'30'' N., longitude 96°55'-30'' W.; to latitude 27°23'00'' N., longitude 97°06'00'' W.; thence SW to a point 3 nautical miles from the shoreline at latitude 27°11'20'' N., thence to latitude 26°50'00'' N., longitude 97°51'00'' W.; and bounded on the S and W by a line extending from latitude 26°50'00'' N., longitude 97°51'00'' W.; to latitude 26°-51'00'' N., longitude 97°58'30'' W.; to latitude 27°24'00'' N., longitude 98°15'-30'' W.; to latitude 27°24'00'' N., longitude 98°27'00'' W.; to latitude 28°07'-00'' N., longitude 98°27'00'' W., through latitude 28°27'00'' N., longitude 98°14'-00'' W., to the SW boundary of V–163; and that airspace extending upward from 4,500 feet MSL bounded on the E by longitude 98°27'00'' W., on the S by latitude 27°24'00'' N., on the W by the arc of a 35-mile radius circle centered on latitude 27°35'22'' N., longitude 99°29'-54'' W.; and on the N by a line extending from the intersection of the 35-mile radius arc and latitude 27°39'10'' N., to latitude 27°44'00'' N., longitude 98°-27'00'' W.

The Federal Aviation Agency proposes to alter the controlled airspace in the Corpus Christi, Tex., terminal area as follows:

1. Redesignate the Corpus Christi NAS, Tex., control zone as that airspace within a 5-mile radius of NAS Corpus Christi (latitude 27°41'30'' N., longitude 97°-17'15'' W.); within 2 miles each side of the Navy Corpus VOR 010° (001° magnetic) radial, extending from the 5-mile radius zone to the VOR; within 2 miles each side of the Navy Corpus RBN 315° bearing (306° magnetic), extending from the 5-mile radius zone to the RBN; within 2 miles each side of the Navy Corpus TACAN 139° radial (130° magnetic), extending from the 5-mile radius zone to 6 miles SE of the TACAN; and within 2 miles each side of the Navy Corpus TACAN 313° radial (304° magnetic), extending from the 5-mile radius zone to 6 miles NW of the TACAN.

2. Redesignate the portion of the Corpus Christi, Tex., transition area extending upward from 700 feet above the surface as that airspace within a 6-mile radius of the Corpus Christi International Airport (latitude 27°46'20'' N., longitude 97°30'20'' W.); within a 7-mile radius of NAS Corpus Christi (latitude 27°41'30'' N., longitude 97°17'15'' W.); within a 4-mile radius of the Sinton Airport (latitude 28°02'25'' N., longitude 97°32'34'' W.); within 2 miles each side of the Corpus Christi VORTAC 328° radial (319° magnetic), extending from the 4-mile radius area to the VORTAC; within 2 miles each side of the Corpus Christi ILS localizer SE course, extending from the 6-mile radius area to 13 miles SE of the airport; within 2 miles each side of the Corpus Christi ILS localizer NW course, extending from the International Airport 6-mile radius area to 8 miles NW of the OM; within 2 miles each side of the Corpus Christi RBN 048° bearing (039° magnetic), extending from the International Airport 6-mile radius area to 8 miles NE of the RBN; within 2 miles each side of the Navy Corpus RBN 135° bearing (126° magnetic), extending from the NAS Corpus Christi 7-mile radius area to 8 miles SE of the RBN; and within 2 miles each side of the Navy Corpus TACAN 139° radial (130° magnetic), extending from the NAS Corpus Christi 7-mile radius area to 12 miles SE of the TACAN.

Alteration of the Corpus Christi NAS, Tex., control zone and the Corpus Christi, Tex., transition area will provide protection for aircraft executing prescribed instrument approach/departure procedures at Corpus Christi NAS and Sinton Airport, respectively.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Post Office Box 1689, Fort Worth, Tex., 76101. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Forth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on June 10, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 66–6719; Filed, June 20, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[Antidumping—ATS 643.3–m]

ICE SKATE BLADES FROM JAPAN

Antidumping Proceeding Notice

JUNE 13, 1966.

On March 22, 1966, the Commissioner of Customs received information in proper form pursuant to the provisions of § 14.6(b) of the Customs Regulations indicating a possibility that ice skate blades imported from Japan are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Ordinarily, merchandise is considered to be sold at less than fair value when the net, f.o.b. factory price for exportation to the United States is less than the net, f.o.b. factory price to purchasers in the home market, or, where appropriate, to purchasers in other countries, after due allowance is made, for differences in quantity and circumstances of sale.

A summary of the information received is as follows:

The information received, as set forth hereunder, tends to indicate that the prices for home consumption are higher than the prices for the merchandise sold for exportation to the United States.

Information before the Bureau reveals that imports of subject merchandise into the United States have rapidly increased while prices of such imports have radically declined. The average of such prices is said to be less than the cost of manufacturing the blades.

In order to establish the validity of the information the Bureau of Customs is instituting an inquiry pursuant to the provisions of § 14.6(d)(1)(ii), (2), and (3) of the Customs Regulations.

The information was submitted by Arco Skates, Tye-Dee Corp., Marathon, N.Y.

This notice is published pursuant to § 14.6(d)(1)(i) of the Customs Regulations (19 CFR 14.6(d)(1)(i)).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66–6736; Filed, June 20, 1966; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. G–367]

ARTHUR WALTER BIDLE

Notice of Loan Application

Arthur Walter Bidle, 1863 Royal Palm Avenue, Fort Myers, Fla., 33901, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 61.6-foot registered length wood vessel to engage in the fishery for shrimp.

Notice is hereby given pursuant to the provisions of Public Law 89–85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised August 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

HAROLD E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

JUNE 16, 1966.

[F.R. Doc. 66–6746; Filed, June 20, 1966; 8:48 a.m.]

[Docket No. A–391]

CHARLES H. BUNDRANT AND DONALD J. ARNDT

Notice of Loan Application

Charles H. Bundrant and Donald J. Arndt, Box 1513, Kodiak, Alaska, 99615, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 54.5-foot registered length wood vessel to engage in the fishery for king crab.

Notice is hereby given pursuant to the provisions of Public Law 89–85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

HAROLD E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

JUNE 16, 1966.

[F.R. Doc. 66–6754; Filed, June 20, 1966; 8:49 a.m.]

[Idaho No. 26]

IDAHO

Phosphate Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563; May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

BOISE MERIDIAN, IDAHO

NONPHOSPHATE LANDS

T. 3 S., R. 45 E.,
Sec. 1, lots 1 to 3, inclusive, SE¼NE¼.
T. 3 S., R. 46 E.,
Sec. 6, lots 1 to 4, inclusive, S½N½, N½SW¼, SE¼SW¼, SE¼.

[Wyoming No. 12]

WYOMING

Phosphate Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

SIXTH PRINCIPAL MERIDIAN, WYO.

RECLASSIFIED PHOSPHATE LANDS FROM NONPHOSPHATE LANDS

Prior classification of the following lands as nonphosphate lands is hereby revoked and the lands are reclassified as phosphate lands:

T. 42 N., R. 117 W., unsurveyed,
Sec. 31, S½;
Sec. 32, S½SW¼.

The area described aggregates about 391 acres.

Dated: June 14, 1966.

R. H. LYDDAN,
Acting Director.

[F.R. Doc. 66–6754; Filed, June 20, 1966; 8:49 a.m.]

The area described aggregates about 747 acres.

Dated: June 14, 1966.

R. H. LYDDAN,
Acting Director.

[F.R. Doc. 66-6755; Filed, June 20, 1966; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[Marketing Agreement 146]

PEANUTS; 1966 CROP YEAR

Budget of Expenses of Administrative Committee and Rate of Assessment

Pursuant to Marketing Agreement No. 146, regulating the quality of domestically produced peanuts, and upon recommendation of the Peanut Administrative Committee established pursuant to such agreement and other information, it is hereby found and determined that the expenses of said Committee and the rate of assessment applicable to peanuts produced in 1966 and for the crop year beginning July 1, 1966, shall be as hereinafter set forth.

The expenses and rate of assessment are, under the agreement, on a crop year basis and will automatically be applicable to all assessable peanuts from the beginning of such crop year. The handlers of peanuts who will be affected hereby have signed the marketing agreement authorizing approval of expenses that may be incurred and the imposition of assessments, they are represented on the Committee which has submitted the recommendation with respect to such expenses and assessment for approval; handlers have had knowledge of the changes in their industry-wide discussions during the most recent three months.

Upon consideration of the Committee's recommendation and other available information it is hereby found as follows with respect to such expenses and rate of assessment for the crop year beginning July 1, 1966:

(a) *Administrative expenses.* The budget of expenses for the Committee for the crop year beginning July 1, 1966, shall be in the total amount of $150,000, such amount being reasonable and likely to be incurred for the maintenance and functioning of the Committee, and for such purposes as the Secretary may, pursuant to the provisions of the marketing agreement, determine to be appropriate.

(b) *Indemnification expenses.* Expenses of the Committee for indemnification payments, pursuant to the Terms and Conditions of Indemnification Applicable to 1966 Crop Peanuts, effective July 1, 1966, are estimated at, but may exceed, $860,000.

(c) *Rates of assessment.* Each handler shall pay to the Peanut Administrative Committee, in accordance with Section 48 of the Agreement, an assessment at the rate of $1.20 per net ton of farmers stock peanuts received or acquired other than those described in section 31 (c) and (d) ($0.20 for administrative expenses and $1.00 for indemnification expenses).

(d) *Indemnification reserve.* Monetary additions to the indemnification reserve, established in the 1965 crop year pursuant to section 48 of the marketing agreement, shall continue. That portion of the total assessment funds accrued from the $1.00 rate and not expended in providing indemnification on 1966 crop peanuts shall be placed in such reserve and shall be available to pay indemnification expenses on subsequent crops.

Dated: June 16, 1966.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 66-6752; Filed, June 20, 1966; 8:49 a.m.]

[Marketing Agreement 146]

PEANUTS; 1966 CROP

Incoming and Outgoing Quality Regulations and Indemnification

Pursuant to the provisions of sections 31, 32, 34, and 36 of the marketing agreement regulating the quality of domestically produced peanuts heretofore entered into between the Secretary of Agriculture and various handlers of peanuts (30 F.R. 9402) and upon recommendation of the Peanut Administrative Committee established pursuant to such agreement and other information it is hereby found that the appended "Incoming Quality Regulation," "Outgoing Quality Regulation," and the "Terms and Conditions of Indemnification Applicable to 1966 Crop Peanuts," which modify or are in addition to the provisions of sections 31, 32, and 36 of said agreement will tend to effectuate the objectives of the Agricultural Marketing Agreement Act of 1937, as amended, and of such agreement and should be issued.

The Peanut Administrative Committee has recommended that the appended "Incoming Quality Regulation," "Outgoing Quality Regulation," and the "Terms and Conditions of Indemnification Applicable to 1966 Crop Peanuts" be issued so as to implement and effectuate the provisions of the aforementioned sections of the marketing agreement. The 1966 peanut crop year begins July 1 and procedures and regulations for operations under the agreement should be established and be made effective on that date. The handlers of peanuts who will be affected hereby have signed the marketing agreement authorizing the issuance hereof, they are represented on the Committee which has prepared and recommended these quality regulations and terms and conditions of indemnification for approval; handlers have had knowledge of the substantive changes in their industry-wide discussions during the most recent three months.

Upon consideration of the Committee recommendation and other available information the appended "Incoming Quality Regulation," "Outgoing Quality Regulation," and the "Terms and Conditions of Indemnification Applicable to 1966 Crop Peanuts" are hereby approved this 16th day of June 1966 to become effective July 1, 1966.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

INCOMING QUALITY REGULATION

The following modify or are in addition to the peanut marketing agreement restrictions of section 31 on handler receipts or acquisitions of 1966 crop peanuts:

(a) *Moisture.* No handler shall receive or acquire peanuts containing more than 10 percent moisture: *Provided,* That peanuts of a higher moisture content may be received and dried to not more than 10 percent moisture prior to storing or milling. On farmers stock, such moisture determinations shall be rounded to the nearest whole number; on shelled peanuts, the determinations shall be carried to the hundredths place and shall not be rounded to the nearest whole number.

(b) *Damage.* For the purpose of determining damage, other than concealed damage, on farmers stock peanuts, all percentage determinations shall be rounded to the nearest whole number.

(c) *Loose shelled kernels.* Handlers may separate from the loose shelled kernels received with farmers stock peanuts, those sizes of whole kernels which ride screens with the following slot openings: Runner—$16/64$ x $3/4$ inch; Spanish and Valencia—$15/64$ x $3/4$ inch; Virginia—$15/64$ x 1 inch. If so separated, those loose shelled kernels which do not ride such screens, shall be held separate and apart from other peanuts and disposed of as oil stock or by otherwise removing them from human consumption outlets. If the whole kernels are not separated, the entire amount of loose shelled kernels shall be so held and so delivered or disposed of. The whole kernels which ride the screens may be included with shelled peanuts prepared by the handler. For the purpose of this regulation, the term "loose shelled kernels" means peanut kernels or portions of kernels completely free of their hulls and found in deliveries of farmers stock peanuts.

(d) *Seed peanuts.* Peanuts residual from those shelled and disposed of for seed purposes may be acquired by handlers if the seed sheller has signed the marketing agreement. If such peanuts have been shelled by a producer or seed sheller who has not signed the marketing agreement, the peanuts may be acquired only upon the condition that they are held and milled separate and apart from other receipts or acquisitions of the handler until inspected and certified without having been washed, blanched or cleaned with plastic pellets as meeting the requirements of U.S. No. 1 peanuts of the United States standards for grades of shelled peanuts and if they fail shall be disposed of by sale to the Commodity Credit Corporation, by sale for oil stock, by crushing, or by otherwise removing them from human consumption outlets.

(e) *Oil stock.* Handlers who are crushers may acquire as oil stock peanuts of a lower quality than Segregation 1 or grades or sizes of shelled peanuts or cleaned inshell peanuts which fail to meet the requirements for human consumption. The provision of section 31 of the marketing agreement restricting such acquisitions to handlers who are crushers is hereby modified to authorize all handlers to act as accumulators and acquire Segregation 3 farmers stock peanuts for the sole purpose of delivery to crushers: *Provided,* That all such acquisitions shall be held separate and apart from Segregation 1 peanuts

acquired for milling or from edible grades of shelled or milled peanuts and shall be disposed of only by crushing or by delivery to crushers and the consequent production of oil and meal.

OUTGOING QUALITY REGULATION

The following modify or are in addition to the peanut marketing agreement restrictions of section 32 on handler disposition of peanuts for human consumption and supersede those previously in effect (30 F.R. 9407, 11648, 16027; 31 F.R. 5330).

(a) *Shelled peanuts.* No handler shall ship or otherwise dispose of shelled peanuts for human consumption, which contain more than (1) 1.25 percent damaged kernels, other than minor defects; (2) 2 percent damage and minor defects combined; (3) 9 percent moisture in the Southeastern and Southwestern areas, or 10 percent moisture in the Virginia-Carolina area; (4) 0.10 percent foreign material in peanuts of U.S. grade, other than U.S. splits, or 0.20 percent foreign material in U.S. splits and edible quality peanuts not of U.S. grade. Fall through in such peanuts shall not exceed 4 percent except that fall through consisting of either split and broken kernels or whole kernels shall not exceed 3 percent and fall through of whole kernels in Runners, Spanish or Virginia "with splits" shall not exceed 2 percent. The term "fall through" as used herein, shall mean sound split and broken kernels and whole kernels which pass through specified screens. Screens used for determining fall through in peanuts covered by this subparagraph (a) shall be as follows:

Grade and type	Screen openings	
	Split and broken kernels	Whole kernels
Virginia	$17/64$ inch round	$15/64$ x 1 inch slot.
Runners	$17/64$ inch round	$15/64$ x $3/4$ inch slot.
Spanish and Valencia	$15/64$ inch round	$13/64$ x $3/4$ inch slot.

(Runners, Spanish or Virginia "with splits" means shelled peanuts which do not contain more than (a) 15 percent splits, (b) for Runners or Spanish 2 percent whole kernels which will pass through a $15/64$ x $3/4$ slot screen and for Virginias a $15/64$ x 1 slot screen, and (c) otherwise meet the specifications of U.S. No. 1 grade).

(b) *Cleaned inshell peanuts.* No handler shall ship or otherwise dispose of inshell peanuts for human consumption with more than 2 percent peanuts with damaged kernels nor more than 10 percent moisture nor 0.50 percent foreign material.

(c) *All edible peanuts.* No handler shall ship or otherwise dispose of either *shelled* or *cleaned inshell* peanuts for human consumption if mold is present on more than 1 percent of the kernels unless he has had such peanuts analyzed chemically by a USDA laboratory which found them wholesome relative to aflatoxin.

(d) *Identification.* Each lot of shelled or cleaned inshell peanuts shipped or otherwise disposed of for human consumption shall be identified by positive lot identification procedures. For the purpose of this regulation, "positive lot identification" of a lot of shelled or inshell peanuts is a means of relating the inspection certificate to the lot covered so that there can be no doubt that the peanuts delivered are the same ones described on the inspection certificate. Such procedure on bagged peanuts shall consist of attaching a lot numbered tag bearing the official stamp of the Federal or Federal-State Inspection Service to each filled bag in the lot. The tag shall be sewed (machine sewed if shelled peanuts) into closure of the bag except that in plastic bags the tag shall be inserted prior to sealing so that the official stamp is visible. Any peanuts moved in bulk shall have their lot identity maintained by sealing the conveyance or by other means acceptable to the Federal or Federal-State inspectors and to the Committee. All such lots of shelled or cleaned inshell peanuts shall be handled, stored, and shipped under positive lot identification procedures.

(e) *Reinspection.* Whenever the Committee has reason to believe that peanuts may have been damaged or deteriorated while in storage, the Committee may reject the then effective inspection certificate and may require the owner of the peanuts to have a reinspection to establish whether or not such peanuts may be disposed of for human consumption.

(f) *Interplant transfer.* Until such time as procedures permitting interplant or cold storage movement are established by the Committee, no handler shall so move, beyond the surveillance of the on-premise Federal-State inspector, cleaned inshell or shelled peanuts which have been bagged and tagged for handling under positive lot identification, unless such peanuts have been inspected and certified as meeting the outgoing quality regulation. However, any handler may transfer peanuts not so prepared from one plant owned by him to another of his plants or to commercial storage, without having such peanuts inspected and certified as meeting quality requirements, but such transfer shall be only to points within the same production area and ownership shall have been retained by the handler. Upon any transferred peanuts being disposed of for human consumption, they shall meet all the requirements applicable to such peanuts.

(g) *Loose shelled kernels, sheller oil stock and pickouts.* (1) No handler may dispose of loose shelled kernels (other than the whole kernels separated from them pursuant to paragraph (c) of the Incoming Quality Regulation), sheller oil stock, and pickouts (residue) from milled peanuts except by sale to the Commodity Credit Corporation of those qualities acceptable to it, by sale for oil stock, by crushing, or by otherwise removing them from human consumption outlets. For the purpose of this regulation: the term "loose shelled kernels," means peanut kernels or portions of kernels completely free of their hulls, either as found in deliveries of farmers stock peanuts or those which fail to ride the screens in removing whole kernels; the term "sheller oil stock," means accumulations of peanut kernels or portions of kernels, other than loose shelled kernels or pickouts, which are not eligible for shipment as edible peanuts or sale to the Commodity Credit Corporation and the inshell peanuts removed from farmers stock peanuts by such devices as gravity separators and such other peanut material commonly referred to as oil stock; and the term "pickouts," means those peanuts removed at the picking table, by electronic equipment, or otherwise during the milling process.

(2) All loose shelled kernels, sheller oil stock, and pickouts shall be kept separate and apart from other milled peanuts that are to be shipped into edible channels or delivered to the Commodity Credit Corporation. Each such category of peanuts shall be bagged separately in suitable new or clean, sound used bags or placed in bulk containers acceptable to the Committee. Such peanuts shall be inspected by Federal or Federal-State inspectors in lots of not more than 100,000 pounds and a certification made as to moisture and foreign material content.

(3) All peanuts of non-edible quality described in paragraph (g) (1) shall be identified, in a manner acceptable to the Committee, with a red tag, sewed into the closure of each bag, or if in bulk stored or disposed of under lot identification procedures. Such peanuts may be disposed of only by crushing into oil and meal or destroyed, unless other disposition is authorized by the Committee and all dispositions shall be reported to the Committee on such forms and at such times as it prescribes. Such peanuts shall be deemed to be "restricted" peanuts and the meal produced therefrom shall be used or disposed of as fertilizer or other non-feed use. To prevent use of restricted meal for feed, handlers shall either denature or restrict its sale to licensed or registered U.S. fertilizer manufacturers or to exporters who will export such meal for non-feed use. However, peanuts other than pickouts and meal from peanuts other than pickouts in specifically identified lots of not more than 50 tons each, may be sampled by Federal or Federal-State inspectors, or by the area association if authorized by the Committee, and tested for aflatoxin by laboratories approved or operated by Consumer and Marketing Service, at handler's or crusher's expense, and if such meet Committee standards, the meal may be disposed of for feed use.

(4) Notwithstanding any other provision of this regulation or of the Incoming Quality Regulation, a handler may transfer such "restricted" peanuts to another plant within his own organization or transfer or sell such peanuts to another handler or crusher for crushing. Sales or transfer of restricted peanuts to persons not handlers under the agreement shall be made only on the condition that they agree to comply with the terms of this paragraph (g) including the reporting requirements.

TERMS AND CONDITIONS OF INDEMNIFICATION APPLICABLE TO 1966 CROP PEANUTS

For the purpose of paying indemnities pursuant to § 36 of the peanut marketing agreement effective July 12, 1965, each handler shall promptly notify, or arrange for the buyer to notify, the manager, Peanut Administrative Committee of any lot of cleaned inshell or shelled peanuts, milled to the outgoing quality requirements and into one of the categories listed in the final paragraph of these terms and conditions, on which the buyer, including or user division of a handler, has withheld usage due to a finding as to aflatoxin content. If such a lot of peanuts has been inspected and certified as meeting the quality requirements of the agreement, and any regulation issued pursuant thereto, and the lot identification has been maintained, the Committee shall promptly request an aflatoxin determination on such a lot by the Consumer and Marketing Service, USDA. If the determination by the Committee indicates the lot is high in aflatoxin and that reduction to safe levels should not be expected of the buyer, and such determination is confirmed by the Consumer and Marketing Service, the lot may be rejected to the handler.

In an effort to make such rejected peanuts suitable for human consumption, the Committee and the Consumer and Marketing Service shall, prior to disposition for crushing, determine if any lot so rejected is suitable for remilling.

If the Committee and the Consumer and Marketing Service conclude that any such lot is not suitable for remilling, the lot shall be declared for indemnification and shall be disposed of by delivery to the Committee at such point as it may designate. The indemnification payment for peanuts not suitable for remilling shall be the sales contract (including transfer) price established to the satisfaction of, and acceptable to the Committee, plus actual costs of any necessary temporary storage and of trans-

portation (excluding demurrage) from the handler's plant or storage to the point within the Continental United States where the rejection occurred and from such point to a delivery point specified by the Committee. Such payment shall be made to the handler as soon as practicable after delivery of the peanuts to the Committee. The salvage value for peanuts declared for indemnification shall be paid to, and retained by, the Committee to offset indemnification expenses.

If it is determined that the lot should be remilled, expenses shall be paid by the Committee on those lots which, on the basis of the inspection occurring prior to shipment, contained not more than 1 percent damaged kernels other than minor defects. Lots with damage in excess of 1 percent shall be remilled without reimbursement, for milling, freight, or other costs, from the Committee.

The indemnification payment on peanuts declared for remilling, and which contain not more than 1 percent damaged kernels other than minor defects, shall be the aforementioned sales contract price, on the weight of peanuts removed in the remilling process, plus the aforementioned temporary storage and transportation costs and an allowance for remilling of 1 cent per pound on the original weight. Payment shall be made to the handler receiving the rejected lot as soon as practicable after receipt of such evidence of remilling and clearance of the lot for human consumption as the Committee may require.

Remilling may occur on the premises of any handler signatory to the marketing agreement or such other plant as the Committee may determine. If a suitable reduction in the aflatoxin content is not achieved on any remilled lot, the Committee shall accept delivery of such lot for indemnification.

Claims for indemnification on peanuts of the 1966 crop shall be filed with the Committee at least 30 days prior to December 31, 1967.

So that all rejections shall be on a common basis, each handler shall include, directly or by reference, in his sales contract the following provisions: "Should buyer find peanuts subject to indemnification under this contract to be so high in aflatoxin as to provide possible cause for rejection, he shall promptly notify the seller and the Manager, Peanut Administrative Committee, Atlanta, Ga. Upon a determination of the Peanut Administrative Committee, confirmed by the Consumer and Marketing Service, authorizing rejection, such peanuts, and title thereto, if passed to the buyer, shall be returned to the seller. Seller shall not be obligated to replace any peanuts so rejected but shall not be precluded from replacing such peanuts if he so elects."

Should any handler enter into any sales contract which fixes the level of aflatoxin at which rejection may be made and hence conflicts with these terms and conditions, the handler doing so will be ineligible for indemnification payments with respect to any claim filed with the Committee on 1966 crop peanuts on or after the filing date of a claim under such contract, except upon the Committee finding that acceptance of such contract was inadvertent; and for purposes of this provision a claim shall be deemed to be filed when notice of possible rejection is first given to the Committee.

Categories eligible for indemnification are the following:

Cleaned inshell peanuts:
(1) U.S. Jumbos
(2) U.S. Fancy Handpicks
(3) Valencia—Roasting Stock [1]

U.S. Grade shelled peanuts:
(1) U.S. No. 1
(2) U.S. Splits
(3) U.S. Virginia Extra-Large
(4) U.S. Virginia Medium

Shelled peanuts "with splits":
(1) Runners with splits meeting outgoing quality requirements.
(2) Spanish with splits meeting outgoing quality requirements.
(3) Virginias with splits meeting outgoing quality requirements.

[1] Inshell peanuts with not more than 25 percent having shells damaged by discoloration, which are cracked or broken, or both.

[F.R. Doc. 66-6753; Filed, June 20, 1966; 8:49 a.m.]

Office of the Secretary

CALIFORNIA

Extension of Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of California natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

California	Original designation	Present extension
Butte	31 F.R. 542	30 F.R. 8801
Imperial	29 F.R. 7612	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 16th day of June, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6733; Filed, June 20, 1966; 8:47 a.m.]

NEVADA

Extension of Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Nevada natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Nevada	*Original designation*
Clark	31 F.R. 719
Nye	31 F.R. 719

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 15th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-6734; Filed, June 20, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Report No. 5]

LIST OF FOREIGN FLAG VESSELS ARRIVING IN NORTH VIETNAM ON OR AFTER JAN. 25, 1966

SECTION 1. The President has approved a policy of denying U.S. Government-financed cargoes shipped from the United States to foreign flag vessels which called at North Vietnam ports on or after January 25, 1966.

The Maritime Administration is making available to the appropriate U.S. Government Departments the following list of such vessels which arrived in North Vietnam ports on or after January 25, 1966, based on information received through June 13, 1966. This list does not include vessels under the registration of countries, including the Soviet Union and Communist China, which normally do not have vessels calling at U.S. ports.

FLAG OF REGISTRY

Name of Ship	*Gross Tonnage*
British:	
Ardtara	5,795
Greenford	2,964
*Isabel Erica	7,105
Milford	1,889
Santa Granda	7,229
Shienfoon	7,127
Shirley Christine	6,724
Wakasa Bay	7,044
Cypriot:	
*Acme	7,173
Amon	7,229
Greek:	
Agenor	7,139
Alkon	7,150
Polish:	
*Beniowski	10,443
*Djakarta	6,915
*Hanka Sawicka	6,944
*Jozef Conrad	8,730
*Kochanowski	8,231
*Stefan Okrezja	6,620

SEC. 2. Vessels which called at North Vietnam on or after January 25, 1966, may reacquire eligibility to carry U.S. Government-financed cargoes from the United States if the persons who control the vessels give satisfactory certification and assurance.

(a) That such vessels will not, thenceforth, be employed in the North Vietnam trade so long as it remains the policy of the U.S. Government to discourage such trade and;

*Added to Rept. No. 4, appearing in the FEDERAL REGISTER issue of Apr. 21, 1966.

(b) That no other vessels under their control will thenceforth be employed in the North Vietnam trade, except as provided in paragraph (c) and;

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to January 25, 1966, requiring their employment in the North Vietnam trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

By order of the Deputy Maritime Administrator.

Date: June 16, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-6801; Filed, June 20, 1966; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 66-22]

ALASKA STEAMSHIP CO.

General Increase in Rates in the Yukon River Area of Alaska; Notice of Suspension and Expansion of Investigation

It appearing, that by order dated March 31, 1966, the Commission entered into an investigation concerning the lawfulness of specified Alaska Steamship Co. tariff schedules;

It further appearing, that the Alaska Rivers Navigation Co. (Alaska Rivers) has filed with the Federal Maritime Commission a new tariff designated Tariff No. 11-A, FMC-F No. 22, effective June 20, 1966, applicable only in connection with Alaska Steamship Company, naming increased rates between Seattle, Wash., on the one hand and points along the Yukon River in Alaska, on the other;

It further appearing, that the full percentage of increase published in the Alaska Rivers' tariff accrues in its entirety to Alaska Steamship Co.;

It further appearing, that the Commission is of the opinion that said tariff should be made the subject of a public investigation and hearing to determine whether the new rates, charges, classifications, rules, regulations, and practices named therein are unjust, unreasonable, or otherwise unlawful under the Shipping Act, 1916, or the Intercoastal Shipping Act, 1933;

It further appearing, that the effective date of certain tariff provisions should be suspended pending such investigation;

Now, therefore, it is ordered, That, this proceeding be, and it is hereby, expanded to include an investigation into and a hearing concerning the aforementioned tariff with a view to making such findings and orders in the premises as the facts and circumstances shall warrant;

It is further ordered, That Alaska Rivers Navigation Co. be, and it is hereby made a respondent in this proceeding;

It is further ordered, That all increased rates and charges in the said tariff be, and they are hereby suspended and that the use thereof be deferred to and including October 19, 1966, unless otherwise authorized by the Commission, and that the rates, charges, and/or practices heretofore in effect, and which were to be changed by the suspended matter, shall remain in effect during the period of suspension except that the suspension herein ordered shall not be applicable to the following tariff provisions:

Rule 15 (Minimum Charge).
Item 65 (Cans, empty, set-up).
Item 70 (Cans, salmon).
Item 75 (Can ends or tops).
Item 115 (Fish, canned).
Item 120 (Fish, dried or salted).
Item 165 (Salt, common).

It is further ordered, That no change shall be made in the matter hereby suspended nor the matter which is continued in effect as a result of such suspension until the period of suspension has expired, or until this investigation and suspension proceeding has been disposed of unless otherwise authorized by the Commission;

It is further ordered, That there shall be filed immediately with the Commission by Alaska Rivers Navigation Co. a consecutively numbered supplement to the aforesaid tariff, which supplement shall bear no effective date, shall reproduce the portion of this order wherein the suspended matter is described, and shall state that the tariff is suspended and may not be used until the 20th day of October 1966, unless otherwise authorized by the Commission; and that the tariff matter heretofore in effect, and which were to be changed by the suspended matter shall remain in effect during the period of suspension, and neither the matter suspended, nor the matter which is continued in effect as a result of such suspension, may be changed until the period of suspension has expired, or until this investigation and suspension proceeding has been disposed of, unless otherwise authorized by the Commission;

It is further ordered, That copies of this order shall be filed with the said tariff schedules in the Bureau of Domestic Regulation of the Federal Maritime Commission;

It is further ordered, That (I) a copy of this order shall forthwith be served upon all respondents, protestants and interveners herein; (II) the said respondents, protestants and interveners be duly notified of the time and place of the hearing herein ordered; and (III) this order and notice of the said hearing be published in the FEDERAL REGISTER.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(1) (46 CFR 502.72) with copy to respondents.

By the Commission June 14, 1966.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-6738; Filed, June 20, 1966; 8:47 a.m.]

PORTNICA SHIPPING COMPANY, INC., AND SEATRAIN LINES, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Harvey M. Flitter, Assistant Traffic Manager, Seatrain Lines, Inc., 595 River Road, Edgewater, N.J., 07020.

Agreement 9556, between Portnica Shipping Co., Inc. and Seatrain Lines, Inc., covers the establishment of a through billing arrangement for the movement of controlled temperature cargo from Central America, South America, the Caribbean, European, Mediterranean, and Australian ports to East Coast ports of the United States with transshipment at San Juan, P.R., in accordance with the terms and conditions set forth in the agreement.

Dated: June 16, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6739; Filed, June 20, 1966; 8:47 a.m.]

SEAWAY FORWARDING CO. ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following freight forwarder cooperative working agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice

in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working agreements under which the parties may perform freight forwarding services for each other. Forwarding and service fees are to be agreed upon on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

Seaway Forwarding Co., Cleveland, Ohio, and Coastal Forwarders, Charleston, S.C. — FF-3036
Morris Friedman & Co., Philadelphia Pa., and Amerford International Corp., Jamaica, N.Y. — FF-3037
Fred P. Gaskell Co., Norfolk, Va., and Pitt & Scott Corp., New York, N.Y. — FF-3038
Mohegan International Corp., New York, N.Y., and Seaway Forwarding Co., Cleveland, Ohio — FF-0341
Cobal International, Inc., New York, N.Y., and John M. Brining, Mobile, Ala. — FF-3042
Oceanic Forwarding Co., San Francisco, Calif., and M. G. Otero Co., Inc., Los Angeles, Calif. — FF-3043
Oceanic Forwarding Co., San Francisco, Calif., and Magnolia Forwarding Co., New Orleans, La. — FF-3046
M. G. Maher & Co., Inc., New Orleans, La., and F. X. Coughlin Co., Detroit, Mich. — FF-3047

Agreement No. FF-3039 between Penson Forwarding Co., New York, N.Y. (Branches) and C. J. Tower & Sons of Buffalo, Inc., Buffalo, N.Y., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage will be retained by the originating forwarder.

Agreement No. FF-3040 between Export Enterprises, Inc., Philadelphia, Pa., and Hammond, Snyder & Co., Baltimore, Md., is a cooperative working arrangement whereunder ocean freight compensation is to be retained by the originating forwarder. The basic fee for passing shipper's export declaration will be $3.00 each. Other forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services rendered or to be performed.

Agreement No. FF-3045 between C. S. Greene & Co., Inc., Chicago, Ill., and Dingelstedt & Co., New York, N.Y., is a cooperative working arrangement whereunder forwarding and service fees are passing shipper's export declaration only $3.50; passing shipper's export declaration, ordering freight to pier, issuing bills of lading for direct release $7.50; passing shipper's export declaration; ordering freight to pier; issuing bills of lading, and preparation consular invoice $11.50. Special services remain subject to negotiation and agreement on each transaction. Ocean freight compensation is to be retained by the originating forwarder.

Dated: June 16, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-6740; Filed, June 20, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI62-233, etc.[1]]

CHAMPLIN PETROLEUM CO.

Order Accepting Offer of Settlement, Requiring Notices of Change, Severing and Terminating Proceedings, and Requiring Refunds

JUNE 10, 1966.

On April 12, 1966, Champlin Petroleum Co. (Champlin) filed an offer of settlement pursuant to § 1.18(e) of the Commission's rules of practice and procedure, and consistent with the provisions of the Second and Seventh Amendments to the Statement of General Policy No. 61-1 (18 CFR 2.56).[2] The proposal involves proposed rate increases for 17 sales of natural gas made by Champlin to natural gas pipeline companies in fields located in the States of Kansas, Oklahoma, and Texas. Each of the proposed increased rates were suspended by order of the Commission, and placed in effect, subject to refund, after the statutory suspension period by Champlin filing a motion and appropriate refund assurance in accordance with section 4 of the Natural Gas Act.

Champlin proposes to:

(1) Delete all periodic price increase provisions from the subject rate schedules.[3]

(2) Extend the term to April 12, 1971, of any contract involved herein which has a remaining term of less than 5 years from April 12, 1966.[4]

(3) Reduce rates in Texas Railroad Commission District Nos. 2, 4, and 6 to a settlement rate of 15.0 cents per Mcf. The sales in Kansas and Oklahoma (Other) will continue at the currently effective 12.0-cent-per-Mcf rate with no reduction in rate.

(4) Reserve the right to file for any contractually authorized increases in tax reimbursement.

Approval of Champlin's offer of settlement will result in an estimated refund of monies collected subject to refund of $343,000, including interest, through February 28, 1966.

We believe that Champlin's settlement proposal is in the public interest and shall approve the same. However, we desire to make it clear that acceptance of Champlin's offer of settlement shall not be construed as approval of any future increased rate that may be filed in accordance with its reservation of the right to file increases to cover future tax increases, and is without prejudice to any findings or order of the Commission in any future proceeding involving Champlin's rates and rate schedules. Additionally, for all of the reasons set forth in Humble Oil & Refining Co., Docket Nos. G-9287, et al., 32 FPC 49, we shall require Champlin to deposit the refund monies in a special escrow account or to commingle the retained refunds with its general assets pending future order of the Commission.

The Commission finds: The proposed settlement of the above-designated proceedings, on the basis described herein, as more fully set forth in the offer of settlement filed with the Commission by Champlin on April 1, 1966, is consistent with the Second and Seventh Amendments to the Statement of General Policy No. 61-1, as amended, 18 CFR 2.56, and approval thereof as made effective and hereinafter ordered is in the public interest and is appropriate to carry out the provisions of the Natural Gas Act.

The Commission orders:

(A) The offer of settlement filed with the Commission by Champlin on April 1, 1966, is approved in accordance with the provisions of this order.

(B) Champlin shall file, within 30 days from the date of issuance of this order, notices of change in rates under its FPC Gas Rate Schedules to reflect the settlement rates and executed contract amendments in accordance with the terms of its settlement proposal, as approved herein. The notices of change and the contractual amendments shall be submitted in accordance with Part 154 of the Commission's regulations under the Natural Gas Act.

(C) Champlin shall compute the difference between the rates collected subject to refund and the settlement rates for the sales for which it proposes to make refunds with applicable interest to February 28, 1966, and shall within 45 days from the date of issuance of this order submit a report to the Commission, with a copy to its jurisdictional pipeline purchasers, setting out the amount of refunds (showing separately the principal and applicable interest), the bases used for such determination, the period covered, and 10 days thereafter shall submit to the Commission a copy of a letter from its jurisdictional pipeline purchasers agreeing to the correctness of such amounts.

[1] The other dockets involved in Champlin's proposal are set forth in the appendix hereto.

[2] The 50 percent signatory interest of Socony Mobil Oil Co. in sales under Champlin's FPC Gas Rate Schedule No. 27, which is involved in Doc. No. RI65-196, is not included in this settlement. Socony has filed a certificate application in Doc. No. CI66-1037 and a rate schedule to cover its interest in this sale, as well as a motion to be made a respondent in Doc. No. RI65-196. Action has not yet been taken on these filings.

[3] Favored nation and other indeterminate rate provisions were previously deleted from these contracts in accordance with the Commission order issued June 27, 1960, in Doc. No. G-9277 et al., 23 FPC 861.

[4] This is applicable to Champlin's FPC Gas Rate Schedule Nos. 2, 9, and 53.

(D) Champlin shall retain the amounts shown in the report required under paragraph (C) above, subject to further action of the Commission directing the disposition of those amounts.

(E) Champlin may deposit the retained refunds in a special escrow account, and shall tender for filing within 60 days of the date of issuance of this order an executed Escrow Agreement, conditioned as set out below, accompanied by a certificate showing service of a copy thereof upon its jurisdictional pipeline customers. Unless notified to the contrary by the Secretary within 30 days from the date of filing thereof, the Escrow Agreement shall be deemed to be satisfactory and to have been accepted for filing. The Escrow Agreement shall be entered into between Champlin and any bank or trust company used as a depository of funds of the U.S. Government and the Agreement shall be conditioned as follows:

(1) Champlin, the bank or trust company, and the successors and assigns of each, shall be held and formally bound unto the Federal Power Commission for the use and benefit of those entitled thereto, with respect to all amounts and the interest thereon deposited in the special escrow account, subject to such agreement, and such bank or trust company shall be bound to pay over to such person or persons as may be identified and designated by final order of the Commission and in such manner as may be therein specified, all or any portion of such deposits and the interest thereon.

(2) The bank or trust company may invest and reinvest such deposits in any short-term indebtedness of the United States or any agency thereof or in any form of obligation guaranteed by the United States which is, respectively, payable within 120 days as the said bank or trust company in the exercise of its sound discretion may select.

(3) Such bank or trust company shall be liable only for such interest as the invested funds described in paragraph (2) above will earn and no other interest may be collected from it.

(4) Such bank or trust company shall be entitled to such compensation as is fair, reasonable and customary for its services as such, which compensation shall be paid out of the escrow account to such bank or trust company. Said bank or trust company shall likewise be entitled to reimbursement for its reasonable expenses necessarily incurred in the administration of this escrow account, which reimbursement shall be paid out of the escrow account.

(5) Such bank or trust company shall report to the Secretary quarterly, certifying the amount deposited in the bank or trust company for the quarterly period.

(F) If Champlin elects to commingle the retained refunds with its general assets and use them for business purposes, it shall notify the Secretary of the Commission of its intention so to do within 60 days of the issuance of this order, and shall pay interest on such monies at the rate of 5½ percent per annum from the date of issuance of this order to the date on which they are paid over to the person or persons ultimately determined to be entitled thereto by final order or orders of the Commission.

(G) Upon notification by the Secretary of the Commission that Champlin has complied with the terms and conditions of this order, the settlement rates set forth in the appendix shall be effective as of the date of issuance of this order; the proceedings in Docket Nos. RI62-233 (only insofar as RI62-233 pertains to Rate Schedule No. 42), RI62-242, RI63-206, RI63-214, RI64-200, RI64-375 (only insofar as RI64-375 pertains to Rate Schedule Nos. 4, 17, and 21), RI65-196 (except for the 50 percent interest of Socony Mobil Oil Co., Inc., as covered under Champlin's Rate Schedule No. 27), RI65-197, and RI65-198 shall terminate; Docket Nos. RI64-375, RI65-196 (except for the 50 percent interest of Socony Mobil Oil Co., Inc., as covered under Champlin's Rate Schedule No. 27), and RI65-198 shall be severed from the Area Rate Proceeding, Docket No. AR64-2; and Docket Nos. RI62-242, RI62-233, and RI63-214, shall be severed from the Area Rate Proceeding, Docket No. AR 64-1, all without further order of the Commission.

(H) The acceptance by the Commission of Champlin's offer of settlement is without prejudice to any findings or determinations that may be made in any proceeding now pending, or hereafter instituted by or against Champlin and is without prejudice to claims or contentions which may be made by Champlin, the Commission staff, or any affected party hereto, in any proceedings.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

APPENDIX A

Rate schedule and supplement No.	Purchaser	Rate increase docket No.	Effective date	Rates* Approved	Rates* Suspended	Rates* Settlement
Texas RRC District 1						
4-10	Tennessee Gas Transmission Co.	RI 64-375	6-1-64	14.6	15.6	15.0
17-4	do	RI 64-375	6-1-64	14.6	15.6	15.0
21-4	do	RI 64-375	6-1-64	14.6	15.6	15.0
Texas RRC District 4						
5-11	Tennessee Gas Transmission Co.	RI 65-196	4-1-65	14.6	15.6	15.0
6-5	do	RI 65-197	4-1-65	14.6	15.6	15.0
7-5	do	RI 65-197	4-1-65	14.6	15.6	15.0
8-6	do	RI 65-196	4-1-65	14.6	15.6	15.0
9-7	do	RI 65-198	4-1-65	14.6	15.6	15.0
27-4	Texas Eastern Transmission Corp.	RI 65-196	4-1-65	14.6	15.6	15.0
Texas RRC District 6						
2-7	Texas Eastern Transmission Corp.	RI 64-200[2]	4-1-64	14.6	15.6	15.0
3-6	Tennessee Gas Transmission Co.	RI 65-196	4-1-65	14.4248	15.4248	15.0
18-4	do	RI 65-196	4-1-65	14.4248	15.4248	15.0
22-4	do	RI 65-196	4-1-65	14.4248	15.4248	15.0
Oklahoma (other)						
53-5	Cities Service Gas Co.	RI 63-206	6-1-63	11.0	12.0	12.0
Kansas						
41-12	Northern Natural Gas Co.	RI 62-242	6-1-62	11.0	12.0	12.0
42-5	do	RI 62-233	6-1-62	11.0	12.0	12.0
44-4	do	RI 63-214	6-1-63	11.0	12.0	12.0

*All rates are at a 14.65 p.s.i.a. pressure base.

[F.R. Doc. 66-6679; Filed, June 20, 1966; 8:45 a.m.]

[Docket No. CP66-402]

LAKE SHORE PIPE LINE CO.

Notice of Application

JUNE 10, 1966.

Take notice that on June 7, 1966, Lake Shore Pipe Line Co. (Applicant), 1717 East Ninth Street, Cleveland, Ohio, 44114, filed in Docket No. CP66-402 an application pursuant to section 7(b) of the Natural Gas Act requesting permission and approval to abandon by sale certain of its pipeline facilities to the East Ohio Gas Co. (East Ohio) and to discontinue the operation of these facilities and the service now performed with them, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell and transfer approximately 31.81 miles of transmission pipeline, all located in the State of Ohio, to its only jurisdictional customer, East Ohio, an affiliate in the Consolidated Natural Gas Co. system. Applicant states that the facilities it intends to transfer to East Ohio have become closely integrated with the facilities and distribution operations of East Ohio and can now be more efficiently operated as a part of East Ohio's distribution facilities.

The application states that no discontinuance of service to ultimate consumers is contemplated. East Ohio will continue to receive the same volumes of

natural gas now sold at wholesale by Applicant.

Applicant states that the proposed transfer will result in a simplification of the Consolidated Natural Gas Co.'s system and in economies of operation and reduced regulatory expenses.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 10, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6721; Filed, June 20, 1966; 8:46 a.m.]

LANDS WITHDRAWN IN PROJECT NO. 412

Order Vacating Withdrawal

JUNE 14, 1966.

Application has been filed by Left Hand Ditch Co. (Applicant) of Longmont, Colo., for vacation of the power withdrawal made pursuant to an application filed on April 26, 1923, for preliminary permit for proposed Project No. 412 insofar as the withdrawal pertains to the W½NE¼ sec. 9 and the NE¼NW¼ sec. 10, T. 1 N., R. 73 W., Sixth Principal Meridian, Colorado.

Applicant proposes to use the aforedescribed lands in connection with the construction of a dam and reservoir on Left Hand Creek to provide water storage for irrigation purposes only. The dam would be approximately 40 feet high creating a reservoir of about 1,400 acre-feet capacity. The reservoir would occupy the same site as that proposed in the application for preliminary permit.

Our records show the total withdrawal under the application for Project No. 412 covered the lands shown on the Attachment hereto, embracing 1,306 acres, which includes the land described in the subject application. The lands withdrawn for Project No. 412 are located on Left Hand Creek and South St. Vrain Creek and, with the exception of the lands described in sec. 7, T. 1 N., R. 72 W., and sec. 12, T. 1 N., R. 73 W., are within the Roosevelt National Forest.

A preliminary permit for Project No. 412 was issued August 7, 1924, for a period of 24 months. The period of the permit was extended 1 year. The permit expired on August 7, 1927, no application for license having been filed under the permit. The preliminary permit proposed a project consisting of project works designed to develop power to operate a process smelter plant to be located near mining operations and to furnish energy for the mines. At the present time mining activities in the area have decreased.

Left Hand Creek has no flow during the months of December, January, and February, and the flow during November and March is less than 6 cfs, based on records from a stream gaging station located approximately 15 miles downstream from the once-proposed Project No. 412, taken during the median year 1929–30. Based on a Commission staff computation of the more extensive stream flow recordings of neighboring drainage basins having similar water sources, the yearly flow of Left Hand Creek averages approximately 8 cfs. Utilizing all of available flow would develop only about 390 kilowatts of power at each of the three powerhouses proposed in Project No. 412.

In the event of increased activity in the area of the power withdrawal, either of a commercial or recreational nature, existing power supply is now located within a distance of from 3 to 4 miles and this renders development of a small capacity power project such as Project No. 412 economically infeasible.

In the circumstances, the withdrawal of all of the lands pursuant to the application for Project No. 412 should be vacated for the reason that the withdrawal no longer serves a useful purpose.

The Commission orders: The aforementioned withdrawal of the lands described on the Attachment hereto, is hereby vacated.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 1 N., R. 72 W.,
Sec. 7, lots 4, 5, 6, 8, 9 (excepting patented mineral lands).
T. 1 N., R. 73 W.,
Sec. 5, lots 7, 9, NE¼SW¼;
Sec. 9, W½NE¼;
Sec. 10, N½NE¼, SE¼NE¼, NE¼NW¼ (excepting patented mineral land);
Sec. 11, S½N½, NW¼SE¼ (excepting patented mineral lands);
Sec. 12, S½N½, N½SE¼ (excepting patented mineral lands).
T. 2 N., R. 73 W.,
Sec. 26, SE¼SE¼;
Sec. 34, S½SE¼;
Sec. 35, N½NE¼, E½NW¼, NE¼SW¼, SW¼SW¼.

[F.R. Doc. 66-6722; Filed, June 20, 1966; 8:46 a.m.]

[Docket No. CP66-401]

LONE STAR GAS CO.

Notice of Application

JUNE 14, 1966.

Take notice that on June 6, 1966, Lone Star Gas Co. (Applicant), 301 South Harwood Street, Dallas, Tex., 75201, filed in Docket No. CP66-401 an application pursuant to section 7(c) of the Natural Gas Act and § 157.7(c) of the regulations under the Act for a certificate of public convenience and necessity authorizing the construction during the calendar year 1966 and the operation of transportation facilities for the purpose of making direct sales of natural gas, as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to utilize the facilities for direct sales of natural gas to consumers for oil field operations located in areas outside of the franchise area of any local distributor. The application further states that the maximum delivery to any one customer would not exceed 100,000 Mcf of natural gas per year and the gas will not be sold for boiler fuel purposes, as defined by § 157.7(c)(9) of the Commission's regulations under the Natural Gas Act.

Applicant estimates that it will meet approximately 20 requests for direct sales during the calendar year 1966 under the authority requested by the application.

The total estimated cost of the transportation facilities which are proposed to be constructed will not exceed $20,000 and will be financed from cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 13, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6723; Filed, June 20, 1966; 8:46 a.m.]

[Docket No. E-7298]

PACIFIC GAS & ELECTRIC CO.

Notice of Application

JUNE 14, 1966.

Take notice that on June 7, 1966, an application was filed with the Federal Power Commission pursuant to section 203 of the Federal Power Act by Pacific Gas & Electric Co. (Applicant), a corporation organized and existing under the laws of the State of California and authorized to do business in that State only, with its principal place of business at San Francisco, Calif., seeking an order authorizing Applicant to acquire and to merge or consolidate with its own facilities all the electric facilities of Indian Valley Light & Power Co., which has its principal place of business at Greenville, Plumas County, Calif. Cecil J. McIntyre, Kenneth D. McIntyre, and Doris E. Scruggs, as individuals and as a copartnership, do business under the name of Indian Valley Light & Power Co. (Indian Valley). Applicant is engaged in furnishing electric and gas service throughout most of northern and central California, including 47 of California's 58 counties. Indian Valley is engaged in furnishing retail electric service for domestic, commercial, industrial, and municipal purposes in Plumas County only and the electric facilities which Applicant seeks to acquire are located in Plumas County. Indian Valley does not generate any electric energy and purchases all its electric supplies at wholesale from Applicant. Under the terms of the agreement between Indian Valley and Applicant, dated January 13, 1966, as amended May 9, 1966, Applicant proposes to purchase Indian Valley's electric facilities for $590,000 payable in cash. Applicant's electric service area is adjacent to the electric service area of Indian Valley in Plumas County and upon consummation of the proposed transaction Indian Valley's facilities will become part of Applicant's interconnected and integrated electric system serving northern and central California. Applicant represents that under the rates it proposes to make effective most of the present customers of Indian Valley will receive rates lower than they are now receiving and the remainder of such customers will receive no increase in rates.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 8, 1966, file with the Federal Power Commission, Washington, D.C., 20426, a petition or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6724; Filed, June 20, 1966; 8:46 a.m.]

OFFICE OF EMERGENCY PLANNING

KANSAS

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, and Public Law 87-296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated June 10, 1966, reading in part as follows:

I have determined the damage in various areas of Kansas adversely affected by tornadoes and severe storms occurring on or about June 8, 1966, to be of sufficient severity and magnitude to warrant assistance by the Federal Government to supplement State and local efforts.

I do hereby determine the following areas in the State of Kansas to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of June 10, 1966:

The counties of:
Riley.
Shawnee.

Dated: June 14, 1966.

FARRIS BRYANT,
Director,
Office of Emergency Planning.

[F.R. Doc. 66-6711; Filed, June 20, 1966; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

FIRST AT ORLANDO CORP.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that the Board of Governors of the Federal Reserve System has received an application by First At Orlando Corp., Orlando, Fla., pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), for the Board's prior approval of action to become a bank holding company through acquisition by First At Orlando Corp. of 80 percent or more of the voting shares of each of the following banks: The First National Bank at Orlando, Orlando, Fla.; College Park National Bank at Orlando, Orlando, Fla.; South Orlando National Bank, Orlando, Fla.; The Plaza National Bank at Orlando, Orlando, Fla.; and First National Bank at Pine Hills, Pine Hills (Post Office Orlando), Fla.

In determining whether to approve this application, the Board is required by said Act to take into consideration the following factors: (1) The financial history and condition of the company and the banks concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 15th day of June 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-6725; Filed, June 20, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-2568, 7-2572]

AMERICAN SOUTH AFRICAN INVESTMENT CO., LTD., AND NEWMONT MINING CORP.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JUNE 13, 1966.

In the matter of applications of the Philadelphia - Baltimore - Washington Stock Exchange, for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

American South African Investment Co., Ltd	File 7-2568
Newmont Mining Corp	File 7-2572

Upon receipt of a request, on or before June 28, 1966, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit

his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6726; Filed, June 20, 1966; 8:46 a.m.]

[File No. 37-62]

CONSOLIDATED NATURAL GAS SERVICE CO., INC., AND CONSOLIDATED NATURAL GAS CO.

Notice of Filing of Request for Permanent Authorization of Organization and Conduct of Business of Subsidiary Service Company and Related Transactions

JUNE 15, 1966.

In the matter of Consolidated Natural Gas Service Co., Inc., (formerly Con-Gas Service Corp.), Consolidated Natural Gas Co., 30 Rockefeller Plaza, New York, N.Y., 10020; File No. 37-62.

Notice is hereby given that Consolidated Natural Gas Co. ("Consolidated"), a registered holding company, and Consolidated Natural Gas Service Co., Inc. ("Service Company"), a wholly owned subsidiary service company of Consolidated, have filed a further amendment to their joint application-declaration pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7 and 13(b) of the Act and Rule 88 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the said amended joint application-declaration, on file in the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

On March 8, 1962, the Commission granted temporary authorization, effective as of January 1, 1962, for the organization and conduct of business of Service Company and related transactions until September 9, 1963 (Holding Company Act Release No. 14592). By supplemental orders dated July 30, 1963, August 12, 1964, November 24, 1964, June 4, 1965, and June 7, 1966, such temporary authorization was successively extended by the Commission to August 31, 1966, unless on or prior to such date the Commission shall further continue such authorization (Holding Company Act Release Nos. 14919, 15112, 15151, 15254, and 15496). On September 17, 1963, the Commission further modified its order dated March 8, 1962, and authorized Service Company to perform certain data-processing services for nonassociate persons as an accommodation on a reciprocal basis at prices not less than the charges to associate companies for comparable services (Holding Company Act Release No. 14939). The applicants-declarants now request that the aforesaid orders be made permanent, subject to such terms and conditions as the Commission deems necessary and appropriate.

Service Company commenced operations effective as of January 1, 1962, and since that date has performed system supervisory, coordination and planning services and other professional services for associate companies at cost, distributed in accordance with the cost allocation procedures set forth in the said amended joint application-declaration. In 1965, Service Company incurred total costs of $7,306,000 in performing services for associate companies. Of such costs, $288,000, or 3.9 percent, was charged to Consolidated and $7,018,000, or 96.1 percent, was charged to associate operating companies. Included in such costs were expenses of $1,064,000 in respect of the servicing functions which were transferred from Consolidated to Service Company pursuant to the terms of the Commission's order dated March 8, 1962. In addition to the aforesaid charges from Service Company, Consolidated paid directly salaries and other expenses which amounted to $752,000 in 1965 exclusive of interest.

To finance anticipated capital expenditures, Service Company proposes to issue and sell to Consolidated for cash at the principal amount thereof, and Consolidated proposes to acquire, up to $2,000,000 principal amount of additional long-term unsecured notes during the 5-year period commencing with the effective date of the Commission's order herein. Such notes will mature 25 years from the date of issuance thereof and will bear interest at a rate substantially equal to the effective cost of money obtained by Consolidated through its most recent sale of debentures. Said notes may be prepaid at any time without premium. Service Company states that it has maintained, and will continue to maintain, its aggregate capital at an amount equivalent approximately to the sum of the depreciated cost of its fixed assets, plus prepaid expenses and 2 months' operating expenses.

The applicants-declarants state that the organization and conduct of business of Service Company have not and will not of themselves be the cause of requesting any increase in the present rates of any associate operating company, but that Service Company's charges for services rendered will be reflected in the cost of utility service in any subsequent rate proceeding. It is also stated that no State commission and no Federal commission, other than this Commission, has jurisdiction with respect to the proposed transactions.

Service Company has agreed to the imposition of the following terms and conditions in the Commission's order granting and permitting the said application-declaration, as amended, to become effective:

1. No change in the organization of Service Company, the type and character of the companies to be serviced, the method of allocating costs to associate companies, or in the scope or character of services to be rendered, shall be made unless and until Service Company shall first have given the Commission written notice of such proposed change not less than 60 days prior to the proposed effectiveness of any such change. If, upon the receipt of any such notice, the Commission within the 60-day period shall notify Service Company that a question exists as to whether the aforesaid proposed change is consistent with the provisions of section 13 of the Act, or of any rule, regulation or order thereunder, the proposed change shall not become effective unless and until Service Company shall have filed with the Commission an appropriate declaration with respect to such proposed change, and the Commission shall have permitted such declaration to become effective.

2. In the event that the operation of Service Company's cost allocation plan does not result in a fair and equitable allocation of its costs among the serviced associate companies, the Commission reserves the right to require, after notice and opportunity for hearing, prospective adjustments, and, to the extent that it appears feasible and equitable, retroactive adjustments of such cost allocations.

3. Jurisdiction is reserved by the Commission to take such further action as may be necessary or appropriate to carry out the provisions of section 13 of the Act and the rules, regulations and orders thereunder.

Notice is further given that any interested person may, not later than July 5, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the said joint application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective in the manner provided by Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rule as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6727; Filed, June 20, 1966; 8:46 a.m.]

[File 7-2571]

EAZOR EXPRESS, INC.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

JUNE 13, 1966.

In the matter of application of the Pittsburgh Stock Exchange, for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

Eazor Express, Inc.---------- File 7-2571

Upon receipt of a request, on or before June 28, 1966, from any interested person, the commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6728; Filed, June 20, 1966; 8:47 a.m.]

[File No. 70-4392]

OHIO EDISON CO.

Notice of Issuance of First Mortgage Bonds for Sinking Fund Purposes

JUNE 15, 1966.

Notice is hereby given that Ohio Edison Co. ("Ohio Edison"), 47 North Main Street, Akron, Ohio, 44308, a registered holding company and a public-utility company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 thereof as applicable to the proposed transaction. All interested persons are referred to said declaration, which is summarized below, for a complete statement of the proposed transaction.

Ohio Edison proposes, from time to time prior to January 1, 1971, to issue a total of $29,362,200 principal amount of its First Mortgage Bonds 3¼ percent Series of 1955 due 1985, under the provisions of its Twelfth Supplemental Indenture dated as of May 1, 1955, to its Indenture of Mortgage and Deed of Trust to Bankers Trust Co., as Trustee, dated as of August 1, 1930, and to surrender such bonds to the Trustee in accordance with the sinking fund provisions. The bonds are to be identical with those authorized by the Commission on May 16, 1961 (Holding Company Act Release No. 14441), and are to be issued on the basis of property additions. Ohio Edison estimates that after the proposed issue of bonds unfunded net property additions will amount to approximately $142,240,000 as of December 31, 1965.

It is stated that the issuance of the bonds is subject to authorization by the Public Utilities Commission of Ohio and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. The fees and expenses to be paid in connection with the proposed transaction are estimated at $6,700 including counsel fees of $500 and Trustee's fees of $6,000.

Notice is further given that any interested person may, not later than July 6, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6729; Filed, June 20, 1966; 8:47 a.m.]

TARIFF COMMISSION

[TA I-A-8]

COTTON TYPEWRITER RIBBON CLOTH

Notice of Investigation and Hearing

Investigation instituted. On June 15, 1966, the U.S. Tariff Commission, on its own motion, instituted an investigation in connection with the preparation of advice to the President, pursuant to section 351(d)(2) of the Trade Expansion Act of 1962, with respect to cotton typewriter ribbon cloth of the kinds described in items 922.01-922.05 in part 2A of the Appendix to the Tariff Schedules of the United States.

In 1960 increased duties were imposed by Presidential proclamation upon imports of cotton typewriter ribbon cloth following an escape-clause investigation by the Tariff Commission under section 7 of the Trade Agreements Extension Act of 1951. The Commission's function under section 351(d)(2) is to advise the President of its judgment of the probable economic effect on the domestic industry concerned of the reduction or termination of increased import restrictions imposed under the escape-clause procedure.

Public hearing ordered. A public hearing in connection with the aforementioned investigation will be held beginning at 10 a.m. e.d.s.t. on September 12, 1966, in the Hearing Room, Tariff Commission Building, 8th and E Streets NW., Washington, D.C. Interested parties desiring to appear and to be heard at the hearing should notify the Secretary of the Commission, in writing, at least 3 days in advance of the date set for the hearing.

Issued: June 16, 1966.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 66-6735; Filed, June 20, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 198]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 16, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

in connection with applicant's regular-

of cash letters, letters of transmittal,

(same address as above). Authority

a *common carrier*, by motor vehicle,

Send protests to: Joseph H. Ambs, District Supervisor, Bureau of Operations

MOTOR CARRIERS OF PROPERTY

No. MC 40844 (Sub-No. 3 TA), filed June 13, 1966. Applicant: HARLEY P. KRUSE, 1118 Walnut Street, Harlan, Iowa. Applicant's representative: Clyde E. Herring, 15th and H Streets NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients* (except the transportation of the same in tank vehicles), from Harlan, Iowa, to Omaha, Nebr., and return, for 180 days. Supporting shippers: Mid-America Milling Co., 34th and Grover Streets, Omaha, Nebr., 68101; Farm Service Coop Elevator, Harlan, Iowa; Doster Feed Service, Harlan, Iowa; Western Iowa Pork, Harlan, Iowa; Squealer Feed Co., Harlan, Iowa. Send protests to: Keith P. Kohrs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 705 Federal Office Building, Omaha, Nebr., 68106.

No. MC 43785 (Sub-No. 6 TA), filed June 13, 1966. Applicant: MERCER TRUCKING COMPANY, INC., 318 South Asbury Street, Moscow, Idaho, 83843. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Box shook*, between Greenacres, Wash., on the one hand, and points in Oregon on and west of U.S. Highways 26 and 97, and points in Idaho, on the other, for 180 days. Supporting shipper: Quiki-Box Manufacturing Co., Inc., North 1201 Barker Road, Greenacres, Wash., 99016. Send protests to: L. C. Taylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 401 U.S. Post Office, Spokane, Wash., 99201.

No. MC 52926 (Sub-No. 5 TA), filed June 13, 1966. Applicant: GREEN TRANSFER & STORAGE CO., 2425 North West 23d Place, Portland, Oreg., 97210. Applicant's representative: N. P. Trudeau (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Coos Bay, Eugene, Brownsville, Corvallis, Independence, Albany, St. Helens, Veneta, Oreg., and Stevenson, Wash., to port docks at Vancouver, Wash., and port docks at Portland, Oreg., for 150 days. Supporting shippers: Oregon Lumber Export Co., Board of Trade Building, Portland, Oreg., 97204; Patrick Lumber Co., Terminal Sales Building, Portland, Oreg. Send protests to: S. F. Martin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 64600 (Sub-No. 31 TA), filed June 13, 1966. Applicant: WILSON TRUCKING CORPORATION, 203 New Hope Road, Post Office Box 340, Waynesboro, Va., 22980. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk), serving Claremont, Va., as an off-route point in connection with applicant's regular-route authority, between Richmond, Va., and Norfolk, Va., for 180 days. Supporting shipper: Ry Traub Organization, Post Office Drawer 471, Claremont, Va., 23899. Send protests to: George S. Hales, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 215 Campbell Avenue SW., Roanoke, Va., 24011.

No. MC 106398 (Sub-No. 333 TA), filed May 26, 1966. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Box 8096 (Dawson Station), Tulsa, Okla., 74141. Applicant's representative: O. L. Thee, Sr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from White Marsh, Md., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Coastal Trailer Corp., Lowell S. Stanley, president, 3110 Chesapeake Avenue, Baltimore, Md., 21226. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla., 73102.

No. MC 106904 (Sub-No. 9 TA), filed June 13, 1966. Applicant: JEFF A. ROBERTSON, doing business as TOPEKA MOTOR FREIGHT, 4490 Lower Silver Lake Road, Topeka, Kans., 66618. Applicant's representative: Jeff A. Robertson, First National Bank Building, Topeka, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from Kansas City, Mo., to Seneca, Kans., from Kansas City over U.S. Highway 40 to Topeka, Kans., thence over U.S. Highway 75 to Fairview, Kans., and thence over U.S. Highway 36 to Seneca, and return over the same route, serving no intermediate points, for 150 days. Supporting shippers: Sears, Roebuck & Co., ITCO Corp., and Townley Metal & Hardware Co., all of Kansas City, Mo.; mayor and secretary-manager of chamber of commerce, also 10 retail merchants of Seneca, Kans. Send protests to: I. C. Peterson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 234 Federal Building, Topeka, Kans., 66603.

No. MC 111729 (Sub-No. 160 TA), filed June 13, 1966. Aplicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, DeBevoise Building, Bayside, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments, including originals and copies of checks, drafts, notes, money orders, travelers checks, and canceled bonds and accounting papers relating thereto, including originals and copies of cash letters, letters of transmittal, summary sheets, adding machine tapes, deposit records, withdrawal slips, and debit and credit records* (except coin, currency, bullion, and negotiable securities), (1) between Minneapolis, Minn., on the one hand, and, on the other, points in Minnesota, on and south of Route 55, and on and west of Route 15, (2) between Minneapolis, Minn., on the one hand, and, on the other, points in South Dakota, (3) between points in South Dakota, on the one hand, and, on the other, points in Minnesota, on and south of Route 55, and on and west of Route 15, for 180 days. Supporting shippers: Federal Reserve Bank of Minneapolis, Minneapolis, Minn., 55440; First National Bank of the Black Hills, Drawer 2048, Rapid City, S. Dak.; The First National Bank of Marshall, Marshall, Minn., 56258; Northwest Bancoporation, Northwestern Bank Building, Minneapolis, Minn., 55440; Northwestern National Bank, Sioux Falls, S. Dak. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 116325 (Sub-No. 48 TA), filed June 13, 1966. Applicant: JENNINGS BOND, doing business as BOND ENTERPRISES, Post Office Box No. 8, Lutesville, Mo., 63762. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, cement, or concrete filled, with walled plastic construction, and fittings and accessories*, from Springfield, Ill., to points in Minnesota, North Dakota, South Dakota, Nebraska, Wyoming, Colorado, New Mexico, Arizona, Ohio, Indiana, Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, Missouri, Iowa, Wisconsin, Kansas, Oklahoma, Texas, Oregon, Utah, Nevada, Montana, Idaho, California, and Washington, for 180 days. Supporting shipper: Kyova Pipe Co., Division of Ashland Oil & Refining Co., Springfield, Ill. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 3248–B, 1520 Market Street, St. Louis, Mo., 63103.

No. MC 119211 (Sub-No. 8 TA), filed June 13, 1966. Applicant: MAU TRUCKING, INC., Early, Iowa. Applicant's representative: Max Harding, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from Sioux City, Iowa, to points in Minnesota, Nebraska, and South Dakota, for 180 days. Supporting shipper: Kent Feeds, Inc., Muscatine, Iowa, 52761. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 304 Post Office Building, Sioux City, Iowa, 51101.

No. MC 124078 (Sub-No. 233 TA), filed June 13, 1966. Applicant: SCHWERMANN TRUCKING CO, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Asheville, N.C., to points in Carter, Greene, Hawkins, Johnson, Sullivan, Unicoi, and Washington Counties, Tenn., Banks, Elbert, Fannin, Franklin, Gilmer, Habersham, Hart, Lumpkin, Rabun, Stephens, Towns, Union, and White Counties Ga.; and Abbeville, Anderson, Cherokee, Chester, Fairfield, Greenville, Greenwood, Laurens, Newberry, Oconee, Pickens, Spartanburg, Union, and York Counties, S.C., for 150 days. Supporting shipper: Ideal Cement Co., traffic department, Denver, Colo., 80202, Albert S. Bonney, assistant traffic manager. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 124105 (Sub-No. 21 TA), June 13, 1966. Applicant: BAGGETT BULK TRANSPORT, INC., 2 South 32d Street, Birmingham, Ala., 35223. Applicant's representative: H. E. Durden (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the plantsite of Alpha Portland Cement Co., Birmingham, Ala., to points in Alabama, Georgia, North Carolina, South Carolina, Florida, Louisiana, Mississippi, and Tennessee, for 180 days. Supporting shipper: Alpha Portland Cement Co., Alpha Building, Easton, Pa. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala., 35205.

No. MC 124657 (Sub-No. 3 TA), filed June 13, 1966. Applicant: MINNESOTA TRUCKING, INC., 266 Third Avenue Southeast, St. Paul, Minn., 55112. Applicant's representative: Will S. Tomljanovich, Fisher Nut Building, 2327 Wycliff Street, St. Paul, Minn., 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Farm implements, parts and attachments* (other than farm tractors or self-propelled farm machinery), from Hopkins, Minn., to points in Colorado, Idaho, Oregon, Utah, Washington, and Wyoming, under a continuing contract with Farmhand Division, Daffin Corp., Hopkins, Minn., for 180 days. Supporting shipper: Daffin Corp., Hopkins, Minn. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 127451 (Sub-No. 2 TA), filed June 13, 1966. Applicant: A. D. GAVIN, E. P. GAVIN, and R. G. PEEL, a partnership, doing business as PEEL AND GAVIN TRUCKING CO., 6057 Braemar Street, South Burnaby, British Columbia, Canada. Applicant's representative: J. Stewart Black, 1322 Laburnum Street, Vancouver 9, British Columbia, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between the port of entry on the international boundary line between the United States and Canada at Blaine, Wash., and points in Whatcom, Snohomish, King, and Pierce Counties, Wash., for 150 days. Supporting shipper: B. C. Wedge Co., Ltd., 353 Johnson Street, New Westminster, British Columbia. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash., 98101.

No. MC 127539 (Sub-No. 3 TA), filed June 13, 1966. Applicant: PARKER REFRIGERATED SERVICE, INC., 1225 Puyallup Avenue, Tacoma, Wash., 98421. Applicant's representative: George LaBissoniere, 920 Logan Building, Seattle, Wash., 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry and frozen potato products* when moving with frozen fruits and vegetables, from Warden, Othello, Quincy, Moses Lake, and Pasco, Wash., to points in California, for 180 days. Supporting shippers: Chef-Reddy Foods Corp., Post Office Box 878, Othello, Wash., 99344; Frozen Foods, Inc., 1200 North Broadway, Othello, Wash., 99344; Northwest Cold Pack Co., Northern Life Tower, Seattle, Wash., 98101; Pacific National Foods, Inc., 2716 Western Avenue, Seattle, Wash., 98121; Pronto Foods, Inc., Post Office Box 1029, Moses Lake, Wash., 98837; Yoshino-Western, Inc., Post Office Box 867, Quincy, Wash., 98848. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash., 98101.

No. MC 128217 (Sub-No. 1 TA), filed June 13, 1966. Application: REINHART MAYER, doing business as MAYER TRUCK LINE, 1203 South Riverside Drive, Jamestown, N. Dak. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *Steel fence posts, nails, reinforcing steel, reinforcing rods, steel roofing and siding, steel wire fencing, netting and fabrics, steel wire coils, barbed wire, steel roofing and siding accessories, and steel flat sheets:* (1) From Broadview, Chicago, Chicago Heights, Granite City, and Sterling, Ill., and Duluth and Minneapolis, Minn., to points in Montana, North Dakota, and South Dakota; and (2) from Jamestown, N. Dak., to points in Montana and South Dakota. Restriction: Traffic from Broadview, Chicago, and Chicago Heights, Ill., to South Dakota is restricted to shipments moving in combination loads with shipments originating at Jamestown, N. Dak., and destined to points in South Dakota, (B) *asphalt, asphalt roof shingles, roofing and accessories*, from Phillipsburg, Kans., to points in North Dakota, for 180 days. Supporting shipper: LeFevre Sales, Inc., Post Office Box 389, Jamestown, N. Dak. Send protests to: Joseph H. Ambs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1621 South University Drive, Room 213, Fargo, N. Dak., 58102.

No. MC128268 (Sub-No. 1 TA), filed June 13, 1966. Applicant: CONTAINER OPERATIONS, INC., Building 195–F, Export Street, Port Newark, N.J. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Essex, Union, Hudson, Somerset, Middlesex, Morris, Bergen, Passaic, and Sussex Counties, N.J., and points in Richmond, Brooklyn, Queens, Kings, Manhattan, Bronx, Nassau, Rockland, Westchester, and Orange Counties, N.Y., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments over irregular routes, for 180 days. Supporting shippers: Express Forwarding & Storage Co., Inc., 17 Battery Place, New York, N.Y., 10004 (Attention: Jerome Slater, Vice President); Container Transport International, Inc., 17 Battery Place, New York, N.Y., 10004 (Attention: Jerome Slater, Vice President). Send protests to: Robert S. H. Vance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J., 07102.

No. MC 128305 TA, filed June 13, 1966. Applicant: STALCUP TRUCKING, INC., 795 Teakwood, Coos Bay, Oreg. Applicant's representative: J. M. Stalcup (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, from Powers, Myrtle Point, and Coquille, all in Coos County, Oreg., to Coos Bay, Oreg., for 150 days. Supporting shipper: Georgia-Pacific Corp., Post Office Box 610, Coquille, Oreg. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

MOTOR CARRIERS OF PASSENGERS

No. MC 2284 (Sub-No. 23 TA), filed June 13, 1966. Applicant: BOULEVARD TRANSIT LINES, INC., 53 Kennedy Boulevard, Bayonne, N.J., 07002. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, in special operations, between the New York Naval Shipyard and points in Kings County, N.Y., on the one hand, and, on the other, the Philadelphia Naval Shipyard, Philadelphia, Pa., for 150 days. Supported by: Various residents of Kings County, N.Y., employed at Philadelphia Naval Shipyard, care of Bowes & Millner,

1060 Broad Street, Fifth Floor, Newark, N.J., 07102. Send protests to: Walter J. Grossmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Room 363, Newark, N.J., 07102.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6741; Filed, June 20, 1966; 8:48 a.m.]

[Notice 1368]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 16, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68882. By order of June 16, 1966, the Transfer Board approved the transfer to Despatch Moving & Storage Co., Inc., New York, N.Y., of certificate No. MC-92193, issued November 7, 1956, to Edward Beermann, doing business as Despatch Moving & Storage Co., and Despatch Express Co., New York, N.Y., authorizing the transportation over irregular routes of: Household goods as defined by the Commission between New York, N.Y., and points in Westchester County, N.Y., on the one hand, and, on the other, points in Connecticut, New York, New Jersey, and Pennsylvania; also, between New York, N.Y., and points in Westchester County, N.Y., on the one hand, and, on the other, points in Delaware, Maryland, Rhode Island, and the District of Columbia. Lloyd D. Feld, 551 Fifth Avenue, New York, N.Y., 10017; attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6742; Filed, June 20, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

	Page
PROCLAMATION:	
3728	8277
3729	8567
3730	8569
3731	8571
EXECUTIVE ORDERS:	
11224 (superseded by EO 11285)	8211
11285	8211
11286	8279
CHAPTER V:	
100	8556

5 CFR

	Page
213	7733, 7734, 7959, 8175, 8281, 8527
302	8527
550	7881, 8585
890	8491

7 CFR

	Page
0	8528
15	8175, 8586
26	8113
28	7734
51	8535
301	8586
319	8337
354	8113
401	8175
701	7735, 7814
722	8337
728	7814, 8337
775	8339
778	7997
811	7999
817	8536
845	7815
893	7816
905	8114
908	7961, 8230, 8538
910	7962, 8045, 8231, 8303, 8538, 8591
911	7962, 8231, 8539
915	8592
916	8176, 8177
917	7963, 8114, 8177, 8231, 8232, 8303–8306, 8404, 8491.
918	7735
944	8000
970	8178
1038	8115
1039	8116
1074	8000
1099	7963
1125	8405
1421	7964, 8000, 8003, 8306, 8346
1443	8348
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
52	8542
817	8541
905	7971
906	8429
915	8181
994	8021
1001	7911, 8242
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131
1015	7911, 8242
1016	7911
1031	7831
1032	7831
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911, 8496
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831, 8431
1127	7831
1128	7831

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831, 8542
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
97	8020

10 CFR

	Page
36	7959, 8417
40	7959
PROPOSED RULES:	
30	8595
32	8595

12 CFR

	Page
1	8060, 8521
204	8060
545	8353
561	8353
563	8004
571	8004

14 CFR

	Page
13	8353
39	7735, 7881, 7882, 8045, 8046, 8417
61	8354
67	8355
71	7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492, 8575.
73	7736, 7827, 7882
75	7736, 7827, 8047, 8418
91	8354
95	8281
97	7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359, 8576.
145	8585
1200	8418
1204	8418
PROPOSED RULES:	
21	8075
39	8498
47	8077
61	8438
71	7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498, 8596, 8597.
73	7977, 8375
75	7762, 8242
91	8026, 8438, 8440
93	8078
207	8438

15 CFR

	Page
230	7737, 7819, 7968
372	8213
373	8213
374	8213
375	8213
376	8213
377	8213
379	8213
382	8213
385	8213
PROPOSED RULES:	
9	7833

16 CFR

	Page
13	7960, 7961, 8058–8060
15	7737, 7806, 8233, 8403, 8492, 8521, 8585
PROPOSED RULES:	
45	7757
57	8243
192	8244

17 CFR

	Page
211	7821
230	7738
239	7738
240	7740
250	8233
276	7821
PROPOSED RULES:	
270	7913

18 CFR

	Page
101	7897
141	7897
201	7897
260	7897
PROPOSED RULES:	
8	8376

20 CFR

	Page
404	8367
602	7966
604	8281
PROPOSED RULES:	
405	7864

21 CFR

	Page
1	8521
5	8524
8	8216, 8369
27	8493
80	8525
120	7741
121	8008, 8009, 8369, 8573
125	8521
130	8009
PROPOSED RULES:	
17	8497
27	8497
53	8594

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
200	7743
203	8539
207	8539
220	8539
221	7743

25 CFR

	Page
41	7744
42	7745

26 CFR

	Page
1	7789

29 CFR

	Page
0	8306
1605	8370

31 CFR

	Page
128	8179
202	7899, 8234
203	7899, 8234
500	7745, 7899, 8586
520	8404

32 CFR

	Page
1	7807
3	7807
4	7810
7	7811
8	7812
16	7814
30	7814
273	8007
502	7966
1001	8370
1003	8311, 8371
1004	8371
1007	8371
1013	8371
1014	8371
1053	8371
1250	8061
2000	8540

32A CFR

	Page
OIA (Ch. X):	
OI REG. 1	7745

33 CFR

	Page
202	8403
203	7827, 8312, 8573
204	8129
208	7751
401	8062

36 CFR

	Page
221	8180
251	7899
261	7902

38 CFR

	Page
17	8064
21	8292

39 CFR

	Page
13	7752
22	7752
25	7752
27	8234
41	8234
43	7752, 8235
46	8235
51	8236
52	8236
53	8236
55	8236
56	8236
58	8237
61	8237

41 CFR

	Page
1–3	8116
1–12	8592
4–1	7819
4–6	7819
4–50	7902
8–1	7820
8–2	7820
9–12	8237
101–15	7752
101–17	8117
101–47	8540

42 CFR

	Page
57	7755
76	7902
PROPOSED RULES:	
73	8594

43 CFR

	Page
3120	7806
PUBLIC LAND ORDERS:	
662 (revoked by PLO 4035)	8240
829 (revoked in part by PLO 4028)	8238
1775 (revoked in part by PLO 4027)	8238
4023	7969
4024	7969
4025	7969
4026	8238
4027	8238
4028	8238
4029	8238
4030	8239
4031	8239
4032	8239
4033	8293
4034	8240
4035	8240
4036	8240
4037	8241
4038	8241
PROPOSED RULES:	
4	8429
3130	8181
3140	8181
3150	8181
3160	8181
3180	8181

45 CFR

	Page
801	7755
PROPOSED RULES:	
170	8544

46 CFR

	Page
146	8295
173	8539
202	8065
262	8494
281	8494
308	7970

47 CFR

	Page
18	7821
21	7822
73	7904, 8067, 8069–8073
74	7822
91	7822
PROPOSED RULES:	
1	7837
17	8376
21	7837
23	7837
73	7837, 7838, 8079–8081, 8132
74	7837, 8026
81	7837
87	7837
89	7837
91	7837
93	7837
95	7837
97	7837

48 CFR

	Page
203	8540

49 CFR

	Page
6	8573
95	7806, 8064
170	8312
PROPOSED RULES:	
31	8244
170	7841
193	7911

50 CFR

	Page
32	7909, 8065
33	7756, 7910, 7970
PROPOSED RULES:	
401	8130

DETROIT PUBLIC LIBRARY JUN 2 3 1966

SOCIOLOGY & ECONOMICS

FEDERAL

120

PART 1

DETROIT PUBLIC LIBRARY JUN 2 3 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 120

Wednesday, June 22, 1966 • Washington, D.C.

Pages 8615–8672

(Part II begins on page 8667)

Agencies in this issue—

Agricultural Stabilization and Conservation Service
Agriculture Department
Atomic Energy Commission
Budget Bureau
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Defense Department
Economic Opportunity Office
Federal Aviation Agency
Federal Communications Commission
Federal Power Commission
Federal Trade Commission
General Services Administration
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Mines Bureau
National Park Service
Securities and Exchange Commission
Small Business Administration
Social Security Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

How To Find U.S. Statutes and U.S. Code Citations

[Revised Edition—1965]

This pamphlet contains typical legal references which require further citing. The official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been included. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

This revised edition contains illustrations of principal finding aids and reflects the changes made in the new master table of statutes set out in the 1964 edition of the United States Code.

Price: 10 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

[Published by the Committee on the Judiciary, House of Representatives]

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE
Rules and Regulations
Rice; 1966 rate of penalty 8619
Upland cotton; transfer of acreage affected by natural disaster 8619

AGRICULTURE DEPARTMENT
See also Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.
Notices
Emergency loans:
Kansas 8647
Ohio 8647
Texas 8647

ATOMIC ENERGY COMMISSION
Notices
University of New Mexico; proposed issuance of construction permit 8647

BUDGET BUREAU
Notices
Report on utilization and advisory committees during 1965; notice of availability 8648

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.:
International Air Transport Association 8648
Western Montana service investigation 8648

CIVIL SERVICE COMMISSION
Rules and Regulations
Excepted service:
Commerce Department 8619
Health, Education, and Welfare Department 8619
Mississippi; voting rights program (2 documents) 8623
Notices
Deputy Commissioner of Education; manpower shortage 8648

COMMODITY CREDIT CORPORATION
Notices
1965-crop loan cotton; notice of acquisition by CCC 8642
Sales of certain commodities; June sales list 8643

CONSUMER AND MARKETING SERVICE
Proposed Rule Making
Milk in central Illinois and suburban St. Louis marketing areas; decision 8634

CUSTOMS BUREAU
Notices
Thiourea from West Germany; antidumping proceeding notice 8641

DEFENSE DEPARTMENT
Rules and Regulations
Standards of conduct; implementing regulations 8621

ECONOMIC OPPORTUNITY OFFICE
Rules and Regulations
Community action programs; criteria for grants exceeding 90 percent of program costs 8623

FEDERAL AVIATION AGENCY
Rules and Regulations
Control zone, control area extension and transition area; alteration, revocation and designation 8620
Control zone and transition areas; designation and alteration 8620
Federal airways; alteration 8621
Transition area and control area extension; designation and revocation 8620
Proposed Rule Making
Control zone and transition area:
Proposed alteration and designation 8637
Proposed designation 8636
Notices
Manila, Republic of the Philippines; notice of consolidation, closing, and establishment 8649

FEDERAL COMMUNICATIONS COMMISSION
Rules and Regulations
Aviation services:
Application for aircraft radio station licenses 8627
Use of emergency frequency by additional aeronautical ground stations 8626
Expanded use of UHF channels 8623
Radio broadcast services; miscellaneous amendments 8625
Proposed Rule Making
FM broadcast stations; table of assignments:
Glens Falls, N.Y. 8638
Rochester, Minn. 8639
Standard broadcast stations; calculating radiation 8637
Test of mobile secondary frequency sharing; final action deferred 8640
Notices
Hearings, etc.:
American Telephone and Telegraph Co., et al. (3 documents) 8649, 8651
Brown Broadcasting Co., and Dixie Broadcasting Corp 8651
Island Broadcasting System (WRIV), Inc 8651
Kentucky Central Television, Inc 8652
Lamar Life Broadcasting Co 8649
TeleSystems Corp 8654
Tri-State Broadcasters, Inc., Emmet Radio Corp 8654
Washington Broadcasting Co., and WOL, Inc 8649
WUST, Inc. (WUST) et al 8649

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Michigan Wisconsin Pipe Line Co 8655
Town of Preston, Iowa and Northern Natural Gas Co 8655
Town of Sabula, Iowa and Northern Natural Gas Co 8656

FEDERAL TRADE COMMISSION
Rules and Regulations
Administrative opinions and rulings:
Disclosure of terms and conditions in guarantee advertising 8621
Pledge of adherence to FTC trade practice rules as a condition to membership in trade association 8621

GENERAL SERVICES ADMINISTRATION
Rules and Regulations
Special and directed sources of supply; use of aluminum 8621

INTERIOR DEPARTMENT
See Land Management Bureau; Mines Bureau; National Park Service.

INTERNAL REVENUE SERVICE
Notices
Assistant Commissioner (Compliance) et al.; delegations of authority 8641

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section applications for relief 8658
Motor carrier:
Alternate route deviation notices 8658
Applications and certain other proceedings (2 documents) 8660, 8661
Transfer proceedings 8662
Intrastate applications 8661

(Continued on next page)

LAND MANAGEMENT BUREAU

Notices

Colorado; proposed withdrawal and reservation of lands 8641
Oregon; proposed classification of public lands 8642

MINES BUREAU

Proposed Rule Making

Methane-Monitoring systems; procedures for investigation, tests, and certification 8630

NATIONAL PARK SERVICE

Notices

Signal Mountain Lodge, Inc.; Grand Teton National Park; notice of intention to negotiate concession contract 8642

SECURITIES AND EXCHANGE COMMISSION

Notices

Elkton Co.; order suspending trading 8656

SMALL BUSINESS ADMINISTRATION

Notices

Assistant Regional Director for Disaster Loans, New Orleans; delegation of authority 8657
Declaration of disaster areas:
Florida 8657
Kansas 8656
Oklahoma 8656
Loan specialist assigned to all financial assistance division programs; delegation of authority 8658

SOCIAL SECURITY ADMINISTRATION

Proposed Rule Making

Conditions for coverage of services of independent laboratories 8668

TREASURY DEPARTMENT

See Customs Bureau; Internal Revenue Service.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

213 (2 documents) 8619

7 CFR

722 8619
730 8619
PROPOSED RULES:
1032 8634
1050 8634

14 CFR

71 (4 documents) 8620, 8621
PROPOSED RULES:
71 (2 documents) 8636, 8637

16 CFR

15 (2 documents) 8621

20 CFR

PROPOSED RULES:
405 8668

30 CFR

PROPOSED RULES:
27 8630

32 CFR

40 8621

41 CFR

1–5 8621

45 CFR

801 (2 documents) 8623
1030 8623

47 CFR

73 (2 documents) 8623, 8625
87 (2 documents) 8627, 8628
PROPOSED RULES:
73 (3 documents) 8637–8639
89 8640
91 8640
93 8640

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3214 is amended to show that the positions of Special Assistant for Traffic Safety Program Planning, the Special Assistant for Traffic Safety Research Coordination, and the Special Assistant for Traffic Safety Research Testing and Demonstration, in the Office of the Under Secretary for Transportation, are excepted under Schedule B. Effective on publication in the FEDERAL REGISTER, a new paragraph (c) is added as set out below.

§ 213.3214 **Department of Commerce.**

* * * * * *

(c) *Office of the Under Secretary for Transportation.* (1) Special Assistant for Traffic Safety Program Planning.

(2) Special Assistant for Traffic Safety Research Coordination.

(3) Special Assistant for Traffic Safety Research Testing and Demonstration.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6829; Filed, June 21, 1966; 8:51 a.m.]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that the position of Deputy Assistant Secretary for Science and Population is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (6) is added to paragraph (h) as set out below.

§ 213.3316 **Department of Health, Education, and Welfare.**

* * * * * *

(h) *Office of the Assistant Secretary for Health and Scientific Affairs.* * * *

(6) One Deputy Assistant Secretary for Science and Population.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6830; Filed, June 21, 1966; 8:51 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 4]

PART 722—COTTON

Subpart—Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton

TRANSFER OF COTTON ACREAGE AFFECTED BY NATURAL DISASTER

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purpose of this amendment is to designate States and counties that have been affected by a natural disaster within the meaning of section 344(n) of the act for the 1966 crop.

In order that determinations with respect to transfers of acreage for the 1966 crop may be made prior to the end of the cotton planting season, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure, and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with the Director, Office of the Federal Register.

Section 722.430(h) of the regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300, as amended) is amended by adding the following additional counties to the list of designated States and counties:

ARKANSAS	
St. Francis	Lee
TENNESSEE	
Fayette	Madison
Haywood	

(Secs. 344(n), 375; 78 Stat. 177, 52 Stat. 66, as amended; 7 U.S.C. 1344(n), 1375)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on June 16, 1966.

ROLAND F. BALLOU,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-6774; Filed, June 21, 1966; 8:46 a.m.]

[Amdt. 7]

PART 730—RICE

Subpart—Rice Marketing Quota Regulations for 1964 and Subsequent Crop Years

1966 RATE OF PENALTY

The amendment herein is issued under and in accordance with the provisions of the Agricultural Adjustment Act of 1938, as amended.

The purpose of this amendment is to announce the rate of penalty applicable to excess rice produced in the 1966 crop year.

Under the Act, the penalty rate per pound on the farm marketing excess is equal to 65 per centum of the parity price per pound for rice as of June 15 of the calendar year in which the crop is produced.

Since rice will shortly be harvested in some parts of the rice-producing areas and since the rate of penalty is essential in computing the amount of penalty on any excess rice production, it is important that this amendment be issued and made effective as soon as possible. In addition, calculation of the rate of penalty is a mathematical determination. Accordingly, it is hereby found that compliance with the notice, public procedure, and effective date provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is unnecessary and contrary to the public interest, and this amendment shall become effective as provided herein.

Section 730.1573 is amended by adding at the end thereof the following sentence: "The rate of penalty applicable to the 1966 crop of rice shall be 4.43 cents per pound. This is 65 per centum of the parity price as of June 15, 1966, which is determined to be 6.83 cents per pound."

Effective date. Date of publication in the FEDERAL REGISTER.

(Secs. 356, 375, 52 Stat. 62, as amended, 66, as amended; 7 U.S.C. 1356, 1375)

Signed at Washington, D.C., on June 16, 1966.

ROLAND F. BALLOU,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-6775; Filed, June 21, 1966; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 66-WE-32]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone, Designation of Transition Area, and Alteration of Transition Area

On May 10, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 6873) stating that the Federal Aviation Agency proposed to designate a control zone and a transition area at Hillsboro, Oreg.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

In § 71.171 (31 F.R. 2065) the following control zone is added:

HILLSBORO, OREG.

Within a 5-mile radius of Hillsboro Airport (latitude 45°32'15" N., longitude 122° 56'30" W.), and within 2 miles each side of the Newberg, Oreg., VORTAC 007° radial, extending from the 5-mile radius zone to 8 miles S of the airport. This control zone will be effective during the time established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

In § 71.181 (31 F.R. 2149) the following transition area is added:

HILLSBORO, OREG.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hillsboro Airport (latitude 45°32'15" N., longitude 122°56'30" W.), and within 2 miles of each side of the Newberg, Oreg., VORTAC 007° and 187° radials, extending from the 5-mile radius area to 1 mile S of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 15 miles SE and 10 miles NW of the Newberg VORTAC 024° and 204° radials, extending from 12 miles NE to 27 miles SW of the VORTAC.

In § 71.181 (31 F.R. 2242) the Portland, Oreg., transition area is amended by deleting "and within 2 miles each side of the Newberg, Oreg., VORTAC 007° radial, extending from the 23-mile radius area to the VORTAC."

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on June 14, 1966.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 66-6802; Filed, June 21, 1966; 8:48 a.m.]

[Airspace Docket No. 65-PC-5]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone, Revocation of Control Area Extension, and Designation of Transition Area

On March 17, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4520) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the controlled airspace in the vicinity of Kwajalein Island, Marshall Islands.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

1. In § 71.165 (31 F.R. 2055) the Kwajalein Island control area extension is revoked.

2. In § 71.171 (31 F.R. 2065) the Kwajalein Island control zone is amended to read:

KWAJALEIN ISLAND, MARSHALL ISLANDS

Within a 5-mile radius of the Kwajalein Island AAF (latitude 08°43' N., longitude 167°44' E.); within 2 miles each side of the Kwajalein TACAN 248° radial, extending from the 5-mile radius zone to 6 miles W of the TACAN; within 2 miles each side of the 008° bearing from the Kwajalein RBN, extending from the 5-mile radius zone to 12 miles N of the RBN; and within 2 miles each side of the 078° bearing from the Kwajalein RBN, extending from the 5-mile radius zone to 8 miles E of the RBN.

3. In § 71.181 (31 F.R. 2149) the following transition area is added:

KWAJALEIN ISLAND, MARSHALL ISLANDS

That airspace extending upward from 700 feet above the surface within a 12-nmi radius of the Kwajalein TACAN; and that airspace extending upward from 1,200 feet above the surface within a 100-nmi radius of the Kwajalein TACAN.

(Secs. 307(a) and 1110 of the Federal Aviation Act of 1958; 49 U.S.C. 1348 and 1510, and Executive Order 10854; 24 F.R. 9565)

Issued in Washington, D.C., on June 16, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6803; Filed, June 21, 1966; 8:48 a.m.]

[Airspace Docket No. 65-AL-19]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area, and Revocation of Control Area Extension

On March 30, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5132) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would designate a transition area in the vicinity of Cordova, Alaska.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Comments were received from the AOPA stating that one or both of the control zone extensions could be reduced in length and still comply with current criteria for control zone extensions. However, our review of the control zone extension to the southwest indicates that this extension just meets existing criteria and cannot be reduced in length. The extension to the southeast could be reduced by approximately 1 mile. However, it would be necessary to replace this portion of the extension with a 700-foot floor transition area which, in turn, would be located within a 1,200-foot floor transition area. We feel that the uncontrolled airspace to be gained from these measures is negligible, and would be almost indiscernible on aeronautical charts.

Although not mentioned in the notice, action is taken herein to revoke the Cordova control area extension. This action will reduce the size of presently designated controlled airspace and raise, in part, the floor of the controlled airspace from 700 to 1,200 feet above the surface. Therefore, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., August 18, 1966, as hereinafter set forth.

1. In § 71.165 (31 F.R. 2055) the Cordova, Alaska, control area extension is revoked.

2. In § 71.181 (31 F.R. 2149) the following transition area is added:

CORDOVA, ALASKA

That airspace extending upward from 700 feet above the surface within 5 miles NW and 8 miles SE of the Cordova RR SW course, extending from 8 miles SW of the Cordova RR to 13 miles SW of the INT of the SW course of the Cordova RR and the E course of the Hinchinbrook RR; and that airspace extending upward from 1,200 feet above the surface within 5 miles NE and 8 miles SW of the Cordova RR SE course, extending from 13 miles SE of the Cordova RR to 13 miles SE of the INT of the SE course of the Cordova RR and the E course of the Hinchinbrook RR; within 8 miles N and 5 miles S of the Hinchinbrook RR E and W courses, extending from 7 miles W to 13 miles E of the Hinchinbrook RR.

(Secs. 307(a) and 1110 of the Federal Aviation Act of 1958; 49 U.S.C. 1348 and 1510, and Executive Order 10854; 24 F.R. 9565)

Issued in Washington, D.C., on June 16, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6804; Filed, June 21, 1966; 8:49 a.m.]

[Airspace Docket No. 65-SW-29]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On April 29, 1966, Federal Register Document No. 66-4688 was published in the FEDERAL REGISTER (31 F.R. 6484) and, in part, amended V-16 and V-198. These actions are effective June 23, 1966. The south alternate airway to V-16 between Tucson, Ariz., and Cochise, Ariz., was inadvertently omitted from the document. In addition, a recomputation of airway mileages determined that the distance between Hudspeth, Tex., and the INT of Hudspeth 109° and Fort Stockton, Tex., 284° radials should be 67 nautical miles instead of 66 nautical miles. Corrective action is taken herein.

Since these actions are minor in nature and will not affect the general public, notice and public procedure hereon are unnecessary and they may be made effective immediately.

In consideration of the foregoing, Federal Register Document No. 66-4688, Items 6 and 44 are amended effective immediately as hereinafter set forth.

1. Item 6 is amended as follows:

In V-16 "Cochise, Ariz.;" is deleted and "Cochise, Ariz., including an S alternate via INT Tucson 122° and Cochise 257° radials;" is substituted therefor.

2. Item 44 is amended as follows:

In V-198 "12 AGL Hudspeth; 29 mi. 12 AGL, 37 mi. 82 MSL," is deleted and "12 AGL Hudspeth; 29 mi. 12 AGL, 38 mi. 82 MSL," is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 16, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6805; Filed, June 21, 1966; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Disclosure of Terms and Conditions in Guarantee Advertising

§ 15.63 Disclosure of terms and conditions in guarantee advertising.

(a) A television station has been advised by the Federal Trade Commission that it would be improper in commercials it produces for local automobile dealers to mention the manufacturer's guarantee but to refer viewers to the manufacturer's national advertising for a description of the guarantee's terms.

(b) "In brief," the Commission's advisory opinion stated, "the law requires that when a guarantee is mentioned in the advertising of a product all the material terms and conditions of the guarantee must be clearly and conspicuously disclosed in the same advertisement. The objective is to avoid the possibility of a reader or hearer being misled by concluding, erroneously, that the guarantee is broader or affords more protection than is in fact the case, and, obviously, this objective is not attained by a mere reference in the advertisement to the fact that one may ascertain the terms and conditions of the guarantee by looking elsewhere.

(c) "The Commission is aware of the fact that the advertising of automobile guarantees may present complications because of the numerous conditions which the guarantees contain. But this factor alone makes the disclosure all the more important in order to avoid deception of consumers."

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: June 21, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-6744; Filed, June 21, 1966; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Pledge of Adherence to FTC Trade Practice Rules as a Condition to Membership in Trade Association

§ 15.64 Pledge of adherence to FTC trade practice rules as a condition to membership in trade association.

(a) A trade association proposing to require applicants for membership to certify to it that they are following the Federal Trade Commission's trade practice rules for the industry involved, as a condition of membership, has been advised by the Commission that this would not be illegal.

(b) The association informed the FTC it is aware of the fact that it is not authorized to enforce the law, but that it feels those who do not observe the rules are not operating their businesses in a manner which is strictly in the public interest and therefore should not be eligible for membership. It stated that it contemplates no enforcement program beyond requiring the pledge and referral of appropriate cases to the Commission.

(c) "On the basis of the information you have presented," the FTC's advisory opinion said, "the Commission has concluded that the inclusion of this pledge on the application for membership would not, in and of itself, appear to violate any of the laws administered by the Commission. This, of course, assumes that the pledge will be required of all applicants alike."

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: June 21, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-6745; Filed, June 21, 1966; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

PART 40—STANDARDS OF CONDUCT

Implementing Regulations

The following § 40.735-16 is to be added to Part 40, published at 31 F.R. 4989:

§ 40.735-16 Implementing regulations.

The military departments and Defense agencies shall issue implementing regulations not inconsistent with this part. Two copies of such implementing regulations of the military departments and Defense agencies will be submitted to the General Counsel, DoD, for approval prior to publication. Implementing regulations of the military departments, after approval, may be submitted for publication in the FEDERAL REGISTER.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

[F.R. Doc. 66-6795; Filed, June 21, 1966; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1-5—SPECIAL AND DIRECTED SOURCES OF SUPPLY

Subpart 1-5.10—Use of Excess Aluminum

This amendment prescribes policies and procedures for implementing the Government Use Program regarding the purchase of excess aluminum in the Government stockpile by Government contractors, subcontractors, and suppliers. These policies and procedures are set forth in a new Subpart 1-5.10 and are mandatorily applicable to all civilian executive agencies. They replace the permissive procedures previously prescribed in FPR Temporary Regulation No. 3, February 21, 1966 (31 F.R. 3271).

Part 1–5 is amended by adding a new Subpart 1–5.10 reading as follows:

Subpart 1–5.10—Use of Excess Aluminum

Sec.
1–5.1000 Scope.
1–5.1001 Use of excess aluminum in National Stockpile.
1–5.1001–1 Government Use Program.
1–5.1001–2 Contract clause.
1–5.1001–3 Contract clause for construction contracts.

AUTHORITY: The provisions of this Subpart 1–5.10 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

§ 1–5.1000 Scope.

This subpart sets forth policies and procedures regarding the use of excess aluminum in the National Stockpile.

§ 1–5.1001 Use of excess aluminum in National Stockpile.

§ 1–5.1001–1 Government Use Program.

(a) It has been determined to be in the public interest to establish a Government Use Program requiring, to the maximum practicable extent, purchase of excess aluminum in the Government stockpile by Government contractors, directly or through subcontractors or suppliers, equal in weight to the weight of aluminum products as defined in § 1–5.1001–2 purchased by the Government or used in the production of items delivered under Government contracts. In implementation of this Program, all contracts in the categories listed below shall contain the clause in § 1–5.1001–2, or in the case of construction contracts, the clause as modified in § 1–5.1001–3:

(1) Purchases in the amount of $500 or more of aluminum products as defined in § 1–5.1001–2.

(2) Purchases of supplies or construction in the amount of $25,000 or more where the aluminum products used in the production of items delivered under the contract or in the production of items incorporated in construction performed under the contract are estimated by the contracting officer to approximate 10,000 pounds or more.

(b) These provisions do not apply to procurements of supplies or construction effected by procuring activities located outside, for use outside, the United States, its possessions, and Puerto Rico. These provisions are applicable to new procurements that are effected by amendments to an existing contract. In such cases, only the new procurement portion of the total contract is considered in determining whether the clause is required and, if required, the extent of its applicability. All contracts entered into including this clause shall be reported to:

Director, Industry Materials Division, Defense Materials Service, General Services Administration, Washington, D.C., 20405.

Such reports shall include the name of the contractor, the contract number, the delivery period, and the estimated amount of aluminum which will be required to fulfill the contract.

§ 1–5.1001–2 Contract clause.

REQUIRED SOURCE FOR ALUMINUM INGOT

(a) As used in this clause (i) the term "aluminum products" means aluminum or aluminum alloy in its last commercial form delivered by the producer, mill, or foundry as an end item under this contract, or used to produce an end item under this contract, such as by way of example (but not limited to) wrought aluminum products; forgings and castings; rolled bar, rod, structural shapes, and bare wire; aluminum conductor steel reinforced and bare aluminum cable; insulated or covered wire or cable; extruded bar, rod, shapes and tube (extruded, drawn and welded tube); sheet, strip and plate; pig or ingot; granular or shot; slab; foil; and powder, flake or paste; and (ii) the term "supplier" includes vendors, materialmen, warehousemen, distributors or manufacturers of aluminum products or other items containing aluminum in any form.

(b) Except as provided in (c), below, the Contractor (or subcontractor or supplier, where applicable) shall purchase from the General Services Administration (GSA) a quantity of aluminum pig or ingot equal in weight to the gross weight of aluminum products constituting, or used in the production of, the items to be delivered under this contract. Such purchase shall be in accordance with the terms and conditions of sale prescribed therefor by GSA. Each order placed with GSA pursuant to this clause shall state that it is placed in accordance therewith and shall be sent to:

Director, Industry Materials Division, Defense Materials Service, General Services Administration, Washington, D.C., 20405.

Aluminum purchased pursuant to this clause may be used in any manner the Contractor desires and need not be earmarked in any way after delivery to the Contractor, nor physically incorporated in the items to be delivered hereunder.

(c) To the extent the Contractor (or subcontractor or supplier, where applicable) places subcontracts or purchase orders for aluminum products or for items other than aluminum products and containing aluminum in any form, he is not required with respect to such subcontracts or purchase orders to purchase aluminum from the GSA. However, he agrees to incorporate this clause, except paragraph (d):

(i) In any such subcontract or purchase order for aluminum products in the total amount of $500 or more; or

(ii) In any such subcontract or purchase order in the total amount of $25,000 or more for any items containing aluminum in any form where the quantity of aluminum products used in the production of such items is estimated to be 10,000 pounds or more.

(d) The Contractor shall furnish to the GSA calendar quarter summaries (within 30 days following the close of the applicable quarter) of all subcontracts and purchase orders placed by him pursuant to (c) (i) above that will identify (i) each aluminum product supplier involved, (ii) the quantity (by weight) of aluminum products, and (iii) the contract number applicable to specific quantities. The requirements of this paragraph (d) are applicable only to the prime Contractor and not to any subcontractor or other supplier hereunder. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) The requirements of this clause are not intended to preclude basic agreements or other arrangements between the parties to any contracts (subcontracts or purchase orders) subject to this clause that will permit reference in such contracts to the applicability of the requirements of this clause, without the need for physically incorporating this clause in its entirety in each affected subcontract or purchase order.

(f) In placing subcontracts and purchase orders subject to the clause, the Contractor and all subcontractors and suppliers are authorized and encouraged to consolidate aluminum product purchases hereunder with other defense rated order purchases (ACM, DO, or DX) and other identifiable Government orders so as to apply the requirements of this clause to the total purchase. Otherwise, it is required either that aluminum product purchases subject to this clause be separately made, or, if consolidated with other aluminum product purchases, that the quantities (by weights) of aluminum products subject to this clause be separately set forth in the purchase document and identified as subject to this clause.

(g) Required purchases of aluminum from GSA by Contractors, subcontractors, or suppliers, shall be made within 90 days from the date (i) of final delivery pursuant to a contract, subcontract, or purchase order containing the requirements of this clause, or (ii) when the Contractor, subcontractor, or supplier, has completed deliveries of aluminum products aggregating 100,000 pounds, whichever is earlier: *Provided, however,* That any Contractor, subcontractor, or supplier, may defer required purchases of aluminum for the purpose of consolidating purchases to meet the requirement of two or more contracts, subcontracts, or purchase orders containing this clause until 90 days after the aggregate purchase requirements of such contracts, subcontracts, or purchase orders equal the minimum order quantities established by GSA (approximately 10,000 pounds or more). Successive consolidated purchases thereafter may be made at any time within 90-day intervals. The 90-day limitations may be extended upon approval in writing by the GSA.

(h) Certain producers of aluminum have entered into contracts with GSA effective as of November 1, 1965, under which they have made long term commitments to purchase certain minimum and maximum quantities of aluminum from that Agency. The obligations of such producers under this clause shall be governed by the provisions of those contracts to the extent of any inconsistency.

(i) All purchases made pursuant to this clause, other than from GSA, which are rated (ACM, DO, or DX) in accordance with DMS Regulation 1, NPA Order M–5A and BDSA Regulation 2, are subject to the provisions of those regulations concerning the maintenance of records, rights of inspection and audit, and the penalty provisions contained therein for willful compliance.

§ 1–5.1001–3 Contract clause for construction contracts.

The clause contained in § 1–5.1001–2 shall be modified by deletion of paragraph (c) thereof and substitution of the following paragraph in all contracts for construction:

(c) To the extent the Contractor or subcontractor or supplier, where applicable, places subcontracts or purchase orders for aluminum products, or for items other than aluminum products and containing aluminum in any form, or for construction where the subcontractor is to furnish materials containing aluminum in any form, he is not required with respect to such subcontracts or purchase orders to purchase aluminum from the GSA. However, he agrees to incorporate this clause, except paragraph (d):

(i) In any such subcontract or purchase order for aluminum products in the total amount of $500 or more; or

(ii) In any such subcontract or purchase order in the total amount of $25,000 or more for any items containing aluminum in any form where the quantity of aluminum products used in the production of such items is estimated to be 10,000 pounds or more; or

(iii) Construction, where the materials are to be supplied by the subcontractor and the total value of such materials containing aluminum (in any form) is estimated to be $25,000 or more, and where the quantity of aluminum products used in the production of such items is estimated to be 10,000 pounds or more.

Effect on other issuances. This amendment supersedes FPR Temporary Regulation No. 3, February 21, 1966 (31 F.R. 3271).

Effective date. This amendment is effective July 2, 1966, but may be observed earlier.

Dated: June 15, 1966.

LAWSON B. KNOTT, JR.,
Administrator of General Services.

[F.R. Doc. 66–6834; Filed, June 21, 1966; 8:51 a.m.]

Title 45—PUBLIC WELFARE

Chapter VIII—Civil Service Commission

PART 801—VOTING RIGHTS PROGRAM

Appendix A; Mississippi

Appendix A to Part 801 is amended as set out below to show, under the heading "Dates, Times, and Places for Filing," one additional place for filing in Mississippi:

MISSISSIPPI

County; Place for filing; Beginning date.
• • • • •
Humphreys; (1) Belzoni—Post Office Building; October 1, 1965; (2) Louise—Post Office Building; June 21, 1966.

(Secs. 7 and 9 of the Voting Rights Act of 1965; P.L. 89–110)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–6893; Filed, June 20, 1966; 5:09 p.m.]

PART 801—VOTING RIGHTS PROGRAM

Appendix A; Mississippi

Appendix A to Part 801 is amended as set out below to show, under the heading "Dates, Times, and Places for Filing," one additional place for filing in Jackson, Miss., and to include all places for filing in Hinds County in one place.

MISSISSIPPI

County, Place for Filing; Beginning Date.
• • • • •
Hinds; (1) Jackson—301 Building, 301 North Lamar Street; November 8, 1965, through January 2, 1966; (2) Jackson—Post Office Building, 245 East Capitol Street; January 3, 1966; (3) Jackson—848 Lynch Street; June 22, 1966; (4) Raymond—U.S. Post Office; November 8, 1965.

(Secs. 7 and 9 of the Voting Rights Act of 1965; P.L. 89–110)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–6919; Filed, June 21, 1966; 11:16 a.m.]

Chapter X—Office of Economic Opportunity

PART 1030—COMMUNITY ACTION PROGRAMS

Criteria for Grants Exceeding 90 Percent of Program Costs

Section 1030.10 of Chapter X of Title 45 of the Code of Federal Regulations is amended to read as follows:

§ 1030.10 Criteria for grants exceeding 90 percent of program costs.

(a) *Purpose.* Under section 208(a) of the Economic Opportunity Act, grants authorized under sections 204 and 205 may exceed 90 percent of the costs referred to in those sections if the Director determines that assistance in excess of 90 percent is required in furtherance of the purposes of the Act. Such a determination is required to be pursuant to objective criteria adopted and promulgated by the Director. The purpose of this section is to establish criteria for making grants in excess of 90 percent of program costs.

(b) *General.* Assistance granted under sections 204 and 205 will exceed 90 percent of the costs referred to in those sections if the Director determines that both of the following criteria are satisfied:

(1) The per capita income of the community to be served by the program, or of any county within such community, is less than $750 per annum; and

(2) A reasonable effort to raise 10 percent of the program cost from non-Federal sources, both public and private, has been made without success.

(c) *Determination of per capita income.* The per capita income of a community will be determined from such evidence as may be available. Data on per capita incomes for 1959, as indicated by the 1960 census for counties and for many other areas, may be obtained from the Office of Economic Opportunity. In the absence of other evidence, this census data will be accepted as establishing the present level of per capita income for the areas for which it is available.

(d) *Determination of inability to raise local share.* A determination that the applicant has made a reasonable effort to raise the 10 percent non-Federal share will be made upon the basis of facts submitted by the applicant and any other information available to OEO.

(e) *Portion of program costs to be borne by Office of Economic Opportunity.* In cases in which assistance is granted which exceeds 90 percent of program costs, the portion of costs borne by the Office of Economic Opportunity will depend upon the amount which can feasibly be raised from non-Federal sources. In the case of a multicounty program, such portion will in no event exceed the sum of (1) the costs attributable directly to operations in counties having per capita incomes under $750 per annum, and (2) 90 percent of all other costs of the program.

(78 Stat. 519; 42 U.S.C. 2788)

Effective date. Date of signature.

Dated: June 8, 1966.

SARGENT SHRIVER,
Director,
Office of Economic Opportunity.

[F.R. Doc. 66–6773; Filed, June 21, 1966; 8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 14229; FCC 66–521]

PART 73—RADIO BROADCAST SERVICES

Expanded Use of UHF Television Channels

Sixth report and order. In the matter of fostering expanded use of UHF television channels (Gary and Richmond, Ind.; Owenton, Ky.; Flint, Mich.; Kennewick, Wash.; Durham and Raleigh, N.C.); Docket No. 14229, RM–824, RM–821, RM–894, RM–843, RM–879, RM–827.

1. On February 9, 1966, the Commission adopted the fifth report and memorandum opinion and order in this proceeding, with a revised assignment plan for UHF television broadcast channels (2 F.C.C. 2d 527, 6 R.R. 2d 1643, 31 F.R. 2932). At the same time, we adopted a further notice of proposed rule making in this docket (FCC 66–138) in which among other things[1] we proposed changes or additions to the new table of assignments in response to petitions which were filed after the adoption of the new table in the fourth report and order. As we indicated in both the fifth report and this further notice, although the requested assignments initially appeared to be merited, in 10 cases the requested assignment was: (1) Opposed, (2) a second (or third) new assignment for the community involved, or (3) in a place where available channels are relatively scarce. Therefore, we did not act on these 9 petitions (10 requested changes) in the fifth report but instead incorporated the proposals in the aforesaid further notice so as to invite comments on the merits thereof. In this

[1] As stated therein, the principal purpose of this further notice was to "focus attention on, and invite comments concerning, certain types of situations where use of the high UHF channels for other than 'community' types of stations may be particularly appropriate."

document we dispose of six of the nine petitions (making seven changes), leaving Gastonia, N.C., Monroe, N.C., and Palm Springs, Calif., for a separate document, soon to be released.

2. Although we have tried in each case to provide the community with a suitable channel, in some instances we have not assigned the particular channel requested due to its incompatability with the revised pattern of assignments adopted in the fifth report because it was inconsistent with our objective of selecting the most efficient assignment in terms of its impact on remaining available assignments. We are making these assignments on the basis that they will be put to prompt use. Otherwise they may be withdrawn from the table in order to restore maximum flexibility to meet future demands for channels.

3. *Gary, Ind.* (*RM–824*). General Media Television, Inc., has filed comments in response to our proposal to assign Channel *50 reserved and Channel 56 unreserved to Gary. General states that it originally planned for Channel 50 when this channel was assigned to Gary on an unreserved basis prior to our fourth report and order, and that inasmuch as it has expended significant sums of money for legal and engineering fees and related matters and also in view of certain competitive advantages in Channel 50 in preference to Channel 56, it requests that we reverse the assignments proposed in our further notice so that Channel 50 would be available on an unreserved basis for Gary. However, the St. John School Township of Lake County, Ind., having originally applied for a channel at Gary on April 25, 1965, has indicated that it intends to provide cultural, educational and in-school programing to the Lake County area of Northern Indiana, and on April 15, 1966, was issued a construction permit (BPET–228) for a new educational TV station at St. John, Ind., to operate on Channel 50. Channel 50 is available for use at St. John under the 15-mile rule contained in § 73.607 of the rules.

4. We find no public interest basis for changing the assignment at Gary which was adopted in the fifth report, particularly in view of the aforesaid plans and construction permit for the education station on this channel. We are adding the Channel 56 assignment (unreserved) as proposed.

5. *Richmond, Ind.* (*RM–821*). This industrial city of 44,149[1] has not had a television channel assignment and on July 16, 1965, a petition was filed by Mr. Ben Karns indicating that the city needs a UHF facility, which he would make application for and promptly put into operation. We agree that such an assignment is warranted. However, the assignment of Channel 19, which was specified by the petitioner, was based on a pattern of assignments which was extensively altered in the assignment plan adopted in the fifth report and we proposed the assignment of Channel 43. Because of this and the fact that there were no opposition comments to our proposal to assign Channel 43 to Richmond, we are assigning this channel, in accordance with the further notice.

6. *Owenton, Ky.* (*RM–894*). We have proposed the assignment of Channel *52 on a reserved basis to Owenton, in response to a petition filed by The Kentucky Authority for Educational Television on December 20, 1965. Petitioner has pointed out that this assignment will provide adequate area coverage and at the same time eliminate site location spacing conflicts with a proposed Channel *46 facility at Lexington, Ky. Inasmuch as the State of Kentucky has now appropriated funds for a State educational network, petitioner's representations indicate that it is prepared to proceed with construction. There is no opposition to or conflict with the proposal and so we are assigning the channel as proposed.

7. *Flint, Mich.* (*RM–843*). Midway Television, Inc., filed a petition on August 25, 1965, requesting the assignment of Channel 15 for Flint. We agree that Flint, a major city with a population of 196,940, merits a second commercial assignment and have proposed Channel 66, the lowest channel possible under our new Table. In its comments Midway urges "* * * in view of the apparent lack of interest in educational television in Flint at this time that Channel 66 be assigned and reserved for educational use and Channel 31 be released for commercial use". Although no other comments have been filed, there is indicated interest and intent on the part of the Flint City schools, which filed for HEW Title III funds, to undertake an educational television station in Flint. There is nothing in the record here to convince us that Channel 66 would not be satisfactory as a commercial facility for Flint and it is our view that the public interest would not be served by shifting the educational assignment to the higher channel in this case.[2]

8. *Kennewick, Wash.* (*RM–879*). Apple Valley Broadcasting, Inc. (Apple Valley), filed a petition on November 4, 1965, requesting the assignment of a suitable available UHF channel for Kennewick, stating that it has an application pending for a construction permit (BPCT–3648) for a third UHF channel (35) at Yakima, and as in the case of the other two Yakima stations, wishes to establish a "satellite" station in the tri-cities (Kennewick, Pasco and Richland) area.[3] This request is opposed by Cascade Broadcasting Co. (Cascade), which is the licensee of Station KEPR–TV, Pasco as well as other area broadcast facilities including KIMA–TV (and AM), Yakima (of which KEPR–TV, Pasco, is a satellite).

9. Cascade's position is that petitioner's request is in reality a request for a third assignment for the tri-cities, inasmuch as Station KEPR–TV and Station KNDU–TV are operating (as satellites) at Pasco and Richland, respectively, and the three cities are integrated (and thus presumably one market) in terms of geography, industry, agriculture and business. The thrust of the Cascade argument is that based on both past experience[4] and present competitive factors, the tri-cities area is not large enough to support three UHF television stations, and thus the introduction of a third UHF station to the tri-cities market "would threaten the continued existence of KEPR–TV." Moreover, Cascade contends that the competition is not fair; that with the transportation of programs from distant stations into the tri-cities by CATV systems and translators, and a choice, in some instances between two or more time segments of a broadcast week for a particular program (due to the unique time factor in the Pacific Northwest which leads to a lack of uniformity in the scheduling of network and syndicated films), the public in the tri-cities area "is provided with a choice of programs unparalleled in Spokane, Seattle, Tacoma, or Portland."[5]

10. Petitioner's answer to the economic argument is that since the two stations already operating in the tri-cities area are satellites of commonly owned Yakima stations, the operation of a third station, whether as a satellite of a Yakima station or otherwise, could have no significant effect on the continued operation of the tri-city satellites. As to alleged competition from translators, petitioner observes that Cascade makes no claim that the translators adequately serve the tri-cities area as they (Cascade) have stated, that they are located approximately 45 miles southwest of the tri-cities and that "there have been reports of reception from the * * * translators as far as 40 to 50 miles from the transmitter site." (Quote and emphasis supplied by petitioner.) Petitioner also points out that CATV is no substitute for off-the-air, free television service, and states that the requested assignment will provide a third full-time network service, and furthermore, the assignment of Channel 42 to Kennewick would have no appreciable effect on the assignment of other UHF channels to other communities in this area.

11. It is our view that Kennewick, with a population of 14,244, should have a first television assignment, based on the indicated interest and intent of petitioner to establish a station here. Although the competitor opposing the request has established the point that this would in effect be a third assignment for the tri-cities area, we have stated before in similar situations that it is not our function to place artificial restraints upon competition unless the overall public interest will be adversely affected thereby. We do not find that Cascade has made such a showing in this case. As to the CATV audience-dilution argument (which Cascade also interposed on the proposal for a third UHF assignment for Yakima), we have stated (fifth report and order) that "* * * the existence or nonexistence of CATV service cannot be the basis of regular TV channel allocations, since as we have emphasized * * *, this service should be a supplement to, rather than a replacement for, the regular broadcast service available to all * * *." Furthermore, the documental "failures" which occurred in two cities in 1960 and 1961 and in Kennewick-Pasco in 1958 have little if any relevancy, and in any event are not of decisional significance, in the current proceeding.

12. *Raleigh and Durham, N.C.* (*RM–827*). Crescent Broadcasting Co. requests the assignment of Channel 22 to Raleigh in place of Channel 28 which is presently assigned there, with a show cause order for the modification of its construction permit (BPCT–3493) in accordance therewith. Petitioner points out that it operates on Channel 22 in other cities and that the assignment of this channel to Raleigh would permit certain economies and efficiencies in the operation of a station for which it has a construction permit (BPCT–3493), thereby benefitting the public through the resulting enhancement and improvement of the proposed broadcast service there. Petitioner indicated in its comments that there might be some difficulty (though not as a result of its proposal) with respect to allocations for Martinsville and Danville, Va. However, this is no longer a problem, since Channel 65 can be assigned to Martinsville (in response to the request for a channel there, RM–897, Docket 16622—notice of proposed rule making adopted May 4, 1966), and thus Channel 44 can be left in Danville (instead of switching it to Martinsville, as had been suggested in the aforesaid comments).

13. As to the concommitantly necessary change substituting Channel 28 for 22 at Durham, there is no opposition to the within proposal and this would not interfere with any existing authorizations or the overall assignment plan. Hence, the requested switch in channels is granted, and the petitioner's construction permit is modified to specify operation on Channel 22 in place of Channel 28 at Raleigh.

14. In view of the foregoing, pursuant to the authority contained in sections 4(i), 303 (c), (f), and (r) of the Communications Act of 1934, as amended: *It is ordered*, Effective July 25, 1966, that the Table of Television Assignments contained in § 73.606 of the Commission rules and regulations is amended as to the communities named herein, to read as follows:

City	*Channel*
Gary, Ind.	*50, 56
Richmond, Ind.	43
Owenton, Ky.	*52
Flint, Mich.	12–, *31, 66
Kennewick, Wash.	42
Raleigh, N.C.	5, 22, *34
Durham, N.C.	11+, 28

15. *It is further ordered*, That, the construction permit of Crescent Broadcasting Co. for a new television station at Raleigh, N.C., is modified to specify Channel 22 instead of Channel 28, subject to the following conditions:

(a) That the permittee or licensee shall advise the Commission, in writing by July 25, 1966, of its acceptance of the modification of its authorization;

(b) That the permittee or licensee shall submit to the Commission by August 25, 1966, all necessary information for the preparation of a modified authorization to construct and operate on the newly specified channel with transmitting facilities meeting all requirements of the Commission's rules and regulations for operation on that channel;

(c) That construction looking to a change to the newly specified channel is not to commence until specifically authorized by the Commission after the information in (b) above is submitted; and

(d) That upon completion of construction of the new facilities in accordance with the terms of the modified authorization, proof of performance measurement data adequate to demonstrate compliance with the applicable technical performance requirements of the rules and of the type normally required to be furnished in an application for a television license shall be submitted, in triplicate, at least ten (10) days prior to the date on which it is desired to begin program operation. Program operation on the newly specified channel shall not be commenced until specifically authorized by the Commission after its evaluation of such data.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: June 14, 1966.

Released: June 15, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6784; Filed, June 21, 1966; 8:47 a.m.]

[1] All population figures—1960 U.S. Census.

[2] As we stated in the further notice, we have proposed therein the most efficient assignment and (where pertinent) applied the principle of distributing high and low assignments in the same community on an equitable basis as between reserved and nonreserved channels.

[3] This application, which was filed on Oct. 19, 1965, is presently pending along with two other applications for this channel. (As one of its arguments in this proceeding, Apple Valley states that with that channel (Channel 35, Yakima) and Channel 42 at Kennewick it would be able to achieve competitive equality with the stations at Yakima and their tri-cities satellites.

[4] Cascade states that "the following failures can be documented in the area which this rule making is concerned": KTRX, Kennewick-Pasco (Ch. 31) began Jan. 28, 1958, quit Nov. 5, 1958; KNBS, Walla Walla (Ch. 22) began Jan. 3, 1960, quit Dec. 14, 1960; KBAS, Ephrata (Ch. 16) began Feb. 15, 1956, quit Nov. 30, 1961.

[5] Cascade states that the "same-day protection" against duplication of programing to local stations by CATV systems will only reduce and not eliminate the unfair competition which they offer to its Station KEPR–TV.

[Docket No. 14185, etc.; FCC 66–538]

PART 73—RADIO BROADCAST SERVICES

Revision of FM Broadcast Rules, etc.

In the matter of revision of FM broadcast rules, particularly as to allocation and technical standards, Docket No. 14185: Petition of FM Unlimited, Inc., for changes in FM station assignment rules, RM–94; and amendment of § 73.202, *Table of Assignments*, FM Broadcast Stations (Blue Island, Des Plaines, Elmwood Park, Lansing, and Skokie, Ill.; Valparaiso, Ind., RM–509.

In re applications of Radio Skokie Valley, Inc. (WRSV), File No. BLH–1916, for license to cover construction permit authorizing a new Class A FM Broadcast Station at Skokie, Ill.; and the News-Sun Broadcasting Co., Waukegan, Ill., Docket No. 13292, File No. BPH–2543; Walter A. Hotz and Charles W. Kline doing business as Radio America, Chicago, Ill., Docket No. 13709, File No. BPH–2858; and Edward Walter Piszczek and Jerome K. Westerfield, Des Plaines, Ill., Docket No. 13940, File No. BPH–3201; for construction permits (FM).

In the matter of amendment of § 73.202, *Table of Assignments*, FM Broadcast Stations (Chicago and Skokie, Ill., Docket No. 15771.

1. The Commission has under consideration; (a) Its notice of proposed rule making and order to show cause, FCC 64–1203, issued in this proceeding on December 28, 1964 (29 F.R. 19261), and the comments filed therein and (b) petition for reconsideration and counter-proposal filed by Lake Broadcasting Co., Inc., licensee of Station WWCA, Gary, Ind., directed against our decision in a memorandum opinion and order, FCC 64–1202, issued on December 29, 1964 (30 F.R. 12), in Docket 14185 et al., and comments and opposition thereto.[1]

2. In our notice in Docket 15771 we invited comments on a proposal to substitute Channel 270 for 252A at Skokie, Ill., and to delete Channel 270 at Chicago, Ill., with a view to eliminating the mutual interference situation between Station WRSV on Channel 252A at Skokie and Stations WHFC[2] and WFMT in Chicago on the second adjacent Channels 250 and 254, respectively. It was also proposed to limit the facilities of WRSV on Channel 270 to a power of 20 kilowatts and antenna height of 130 feet above average terrain (its present height) in the direction of Waukegan

[1] Comments in support of the Lake petition for reconsideration were filed late by Music Time, Inc., and an opposition to the Lake petition was also filed late by the News-Sun Broadcasting Co. In view of the relevance of these pleadings and the importance of this proceeding to the stations involved and the general public in the Chicago area, we are accepting and considering these late filings herein.

[2] This call sign has since been changed to WSDM, but we will use the WHFC call sign for clarity in this document.

and Milwaukee in order to afford the same or better protection to stations located in those cities on Channels 272A and 271, respectively. We also ordered the licensee of WRSV to show cause why its outstanding authorization should not be modified to specify operation on Channel 270 in lieu of 252A with the facilities outlined above. The changes proposed were made subject to the outcome of an appeal which was taken by Carol Music, Inc., the licensee of Station WCLM on Channel 270 at Chicago to the U.S. Court of Appeals for the District of Columbia. This case, No. 19,089, has since been dismissed by the court and on June 6, 1966, the Supreme Court denied a petition for a writ of certiorari.

3. L and P Broadcasting Corp., licensee of Station WHFC on Channel 250 in Chicago, supports the Commission's proposal and the show cause order to WRSV. L and P states that it receives interference from WRSV to in excess of 44,000 persons within its 1 mv/m contour, that it is only about 10 miles distant from WRSV whereas the present separation requirement for stations two channels removed is 40 miles, and that the proposal would eliminate both the interference to WHFC and to WRSV. Likewise, it points out that the mutual interference between WRSV and WFMT, operating on Channel 254 in Chicago, at a distance of only 13 miles, will also be eliminated.[2] Radio Skokie Valley, Inc., licensee of WRSV, supports the proposal and states that it will accept a modification of its license to specify operation on Channel 270 with the facilities limited to those proposed or the equivalent thereof. WRSV also states that it may have to seek another location but that it will comply with the interference consideration and facility limitation in the notice. WRSV states further that since its previous attempts at securing Channel 294 have been resolved against it, a move to Channel 270 seems to be the only reasonable solution to the handicaps under which it has operated due to the interference it has suffered.

4. In the December 29, 1964 memorandum opinion and order in Docket No. 14185 et al., the Commission assigned Channel 294 to Waukegan, Ill., and denied this assignment to all the other communities seeking it including Skokie. It pointed out that this assignment would also, under the "25 mile rule," be available upon application to the community of Des Plaines and that in a separate notice of proposed rule making we were attempting to solve the Skokie-Chicago interference problem by proposing to assign Channel 270 to Skokie and deleting it from Chicago. While other actions were taken in this memorandum opinion and order, these actions are the only ones germane to the Lake petition for reconsideration. Lake seeks the assignment of Channel 270 to Gary, Ind., and the assignment of Channel 294 to Skokie (as a substitute for Channel 252A) and the substitution of Channel 280A or 296A to Kankakee, Ill., for Channel 272A, presently authorized to Station WTAS at Crete, under the "25 mile rule." Channel 270 could be assigned to Gary at standard Class B spacings. Lake concedes that Channel 294 at Skokie would be short-spaced to Channel 292A at Lansing, Ill. (33 miles instead of 40 miles required), but urges that this is better than the resulting short spacings on Channel 270 at Skokie. Channel 294 would of course under the Lake counterproposal not be available to either Waukegan or Des Plaines. This proposal is summarized as follows:

City	Channel No.	
	Present	Proposed
Skokie, Ill.	252A	294
Kankakee (Crete), Ill.	272A	280A or 296A
Gary, Ind.	----	270

5. In support of its counterproposal, Lake submits that Gary, with a population of 178,320, does not have an FM assignment, that it appears to be the largest city without such an assignment, and that no other channel can be assigned to Gary in conformance with the required spacings. While Lake concedes that Gary receives a number of FM services from Chicago, it urges that section 307(b) of the Act requires that both reception and transmission facilities must be equitably distributed among the several States and communities. Since Skokie's needs, it alleges, can be met by either Channel 270 or 294, Lake urges that the point at issue is whether Gary needs its first FM channel before Waukegan its second or Des Plaines its first. Waukegan has a population of 55,719 and has a Class A FM assignment and a daytime-only AM station. Des Plaines has a population of 34,886 and has neither an AM nor FM station. Music Time, Inc., licensee of Station WMKE on Channel 271 in Milwaukee, Wis., supports the Lake counterproposal since the proposed use of Channel 270 at Skokie would result in short-spacing to its station whereas the use of this channel at Gary would meet the required minimum spacing. Music Time further contends that Gary needs an FM assignment and that its proposal would be a more efficient allocation. Finally it states that the relative needs of Skokie, Waukegan, and Des Plaines can best be determined in a decision as to where Channel 294 should be allocated.

6. In its opposition to the Lake counterproposal and petition for reconsideration, The News-Sun Broadcasting Co., applicant for a new FM station on Channel 294 at Waukegan, BPH-2543, contends that this party does not have any legal standing to participate in any reconsideration of the memorandum opinion and order issued on December 29, 1964, since it did not participate in the lengthy and comprehensive rule making proceeding. It urges that the counterproposal offered by Lake can only be treated as a new proposal since it did not file either comments or reply comments in the previous proceeding relating to the assignment of Channel 294 to Waukegan and the proposal to assign Channel 270 to Skokie, nor did it file any additional comments as required by § 1.415(d) of the rules. News-Sun also argues that to consider anew a decision the Commission has made after several years of uncertainty concerning FM service in the Waukegan area and to initiate a new proceeding would be unfair, disruptive, and contrary to the public interest. It urges that the Commission should deny the proposal forthwith without consideration of the substantive matter of the respective needs of Waukegan and Gary.

7. In reply Lake asserts that it was a party to the proceeding in Docket 14185 in that it filed comments in connection with the second further notice noting that no channels were available to Gary under the spacings proposed and urging that an assignment was needed at Gary even at substandard spacings. Lake further argues that the disposition of Channel 294 was not made until the memorandum opinion and order of December 29, 1964, in which decision it was announced that Channel 270 would likely be available as a solution to the Skokie problem. Lake states that its request for Channel 270 does not necessarily determine where Channel 294 is to go and that its request was timely filed. It thus contends that it had a right to file the pleadings that it did at the time that they were filed.

8. Before going into the merits of the Commission's decision of December 29, 1964, and its proposal in the subject notice, as well as the counterproposal of Lake Broadcasting, it is necessary to determine whether or not Lake is within its rights in petitioning for reconsideration of our decision. We are of the view that it is. Lake did participate in the previous proceeding in Docket 14185 in which the basic assignment principals and the table of assignments were adopted. Further, disposition of the assignment of Channel 294 and first notice of the probable availability of Channel 270 were first made in the December 29, 1964, memorandum opinion and order. Thus we believe that Lake is a party in interest in this proceeding and its proposal and request for reconsideration will be considered on their merits.

Conclusions. 9. After careful consideration of all the comments and reply comments filed in the proceeding concerning the proposal to assign Channel 270 to Skokie and in the Lake petition for reconsideration and counterproposal and the comments directed thereto, we have concluded that the decision to assign Channel 294 to Waukegan (with its availability to Des Plaines under the "25 mile rule") and the proposal to substitute Channel 270 for 252A at Skokie to eliminate a serious mutual interference problem involving three stations and the general public affected thereby, would best serve the public interest. These decisions would make the new assignment (Channel 294) at standard spacings and would shift Channel 270 from Chicago, where it is presently short-spaced, to Skokie,[2a] where it would be assigned under conditions which would assure no more impact on adjacent-channel short-spaced stations in Waukegan and Milwaukee than the former use. The Lake proposal would make possible the assignment of Channel 270 at standard spacings but if the serious Skokie interference problem is to be resolved, it would require a new assignment on Channel 294, at short spacing. This we have not done since the adoption of the new FM standards and the table of assignments in September 1963.[4] We do not believe that we should deviate from our minimum separation rules except upon a showing of the most compelling public interest requirement.[5] We find no such showing in the Lake request. While Gary is quite large and normally would deserve an FM assignment, it does have two AM stations, one of which is an unlimited time operation. It also has an educational FM station in operation. Nearby Hammond (about 8 miles) has an unlimited time AM station and a Class B FM station. Thus, Gary does have local aural service and its local needs can additionally be met by the Hammond FM station. Our reasons for providing for a Class B assignment for Waukegan (or Des Plaines) and for the proposed change in assignments for Skokie are spelled out in the December 29, 1964, memorandum opinion and order and need not be repeated here.

10. Authority for the adoption of the rule amendments contained herein is contained in sections 4(i), 303, and 307 (b) of the Communications Act of 1934, as amended.

11. In view of the foregoing: *It is ordered*, That the petition for reconsideration and counterproposal filed by Lake Broadcasting Co., Inc., is denied.

12. *It is further ordered*, That effective July 25, 1966, § 73.202 of the Commission's rules and regulations, the FM table of assignments, is amended to read, with respect to the communities named below, as follows:

City	Channel No.
Chicago, Ill.	226, 230, 234, 238, 242, 246, 250
Skokie, Ill.	254, 258, 262, 266, 278, 282, 298, 270

13. *It is further ordered*, That pursuant to authority contained in section 316 of the Communications Act of 1934, as amended, the outstanding authorization of Radio Skokie Valley, Inc., for operation of Station WRSV is modified to specify operation on Channel 270 in lieu of 252A subject to the following conditions:

(a) The licensee shall inform the Commission by July 15, 1966, of its acceptance of this modification.

(b) The licensee shall submit to the Commission by July 15, 1966, all the technical information normally necessary for the issuance of a construction permit for operation on Channel 270, including any changes in antenna and transmission line.

(c) The licensee may continue to operate on Channel 252A until upon its request, the Commission authorizes interim operation on Channel 270, following which the licensee shall submit (within 30 days) the measurement data normally required of an applicant for an FM broadcast station license.

(d) The licensee shall specify facilities of 20 kilowatts ERP and antenna height of 130 feet above average terrain in the direction of WEFA, Waukegan, Ill., and WMKE, Milwaukee, Wis., or the equivalent of these facilities in the event a new site is selected.

(e) No operations shall commence on Channel 270 until WCLM ceases operation on that channel.

14. *It is further ordered*, That this proceeding (Docket No. 15771) is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: June 15, 1966.

Released: June 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[6]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6785; Filed, June 21, 1966; 8:47 a.m.]

[FCC 66-523]

PART 87—AVIATION SERVICES

Application for Aircraft Radio Station Licenses

Order. In the matter of amendment of Part 87 of the Commission's rules to facilitate the use of newly installed type accepted equipment in private aircraft radio stations.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 14th day of June 1966, the Commission considered the above-captioned matter.

1. It has come to the attention of the Commission that standard radio installations aboard new aircraft often do not suit the needs of the purchaser. Such a purchaser may take delivery of the aircraft and then purchase additional or replacement radio equipment. Similarly, owners of older aircraft may want to update their equipment or may be required to replace old equipment to meet FCC requirements, such as type acceptance. In these instances, the purchase and installation of new equipment may take very little time because aircraft radio equipment, in general, is available from the shelf and is designed for interchangeability. Often there is insufficient time for the purchaser to obtain a regular authorization or special temporary authority before he flies the aircraft.

2. In the interest of aviation safety, the immediate use of such radio equipment should be permitted, under certain conditions, and an appropriate amendment of Part 87 is set forth below. This amendment will allow use of newly installed equipment in a licensed private aircraft radio station for a period of 30 days from the date of installation, provided: (1) An application for station license (FCC Form 404) to include the newly installed transmitting equipment has been mailed to or filed with the Commission, (2) operation is limited to the frequencies available in § 87.201, of this part, and (3) the newly installed transmitting equipment is type accepted for use in the aviation services. This procedure is available only when a valid private aircraft radio station license is outstanding.

3. The amendments adopted herein are procedural in nature, and, therefore, the prior notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act are not applicable.

4. In view of the foregoing: *It is ordered*, Pursuant to sections 4(i), 301, 303(r), and 308(a)(3) of the Communications Act of 1934, as amended, that Part 87 of the Commission's rules is amended as set forth below, effective June 24, 1966.

(Secs. 4, 301, 303, 308, 48 Stat. 1066, 1081, 1082, 1084, as amended; 47 U.S.C. 154, 301, 303, 308)

Adopted: June 14, 1966.

Released: June 15, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

A new paragraph (d) is added to § 87.29 to read as follows:

§ 87.29 Application for aircraft radio station licenses.

* * * * *

(d) A private aircraft radio station may be operated with newly installed transmitting equipment other than that specified in the station authorization for a period of thirty (30) days from the date of installation provided: (1) An application for station license (FCC Form 404)

[2] This party appears to have the distances reversed since the distance from WRSV to WFMT is about 10.6 miles and that between WRSV and WHFC is about 13.5 miles.

[2a] In Docket No. 14743, the Commission ordered Carol Music to cease operation in 60 days after judicial affirmance of the decision, in the event a court review is sought.

[4] See memorandum opinion and order, RM-674, FCC 65-387 issued May 7, 1965.

[5] The shift of Channel 270 from Chicago to Skokie, while short-spaced in both locations, is made pursuant to par. 14 of the third report, memorandum opinion and order, FCC 63-735, issued in Docket 14185, on Aug. 1, 1963 (23 R.R. 1801), and par. 5 of the third further notice of proposed rule making, FCC 64-70, issued in the same docket on Feb. 3, 1964. These decisions concern policies we have adopted providing for changes in assignments for existing stations which result in improved spacing situations and in better serving the public interest. Our action herein is similar to that taken in Docket 15969, when, following deletion of an FM station at Red Bank, N.J., we reassigned the channel to the nearby community of Eatontown for use by another station involved in a serious interference problem. See report and order in that Docket, FCC 65-723 vol. 1 (2d) FCC 739, 5 R.R. 2d 1762.

[6] Commissioner Cox absent.

[1] Commissioner Wadsworth abstaining from voting.

to include the newly installed transmitting equipment has been mailed to or filed with the Commission, (2) operation is limited to the frequencies available in § 87.201, and (3) the newly installed transmitting equipment is type accepted for use in the aviation services.

[F.R. Doc. 66-6786; Filed, June 21, 1966; 8:47 a.m.]

[Docket No. 16239; FCC 66-524]

PART 87—AVIATION SERVICES

Use of Emergency Frequency by Additional Aeronautical Ground Stations

Report and order. In the matter of amendment of Part 87—Aviation Services—to provide for the use of 121.5 Mc/s by additional aeronautical ground stations; Docket No. 16239.

1. The Commission on October 13, 1965, adopted a notice of proposed rule making in the above entitled matter (FCC 65-926) which made provision for the filing of comments and was duly published in the FEDERAL REGISTER on October 20, 1965 (30 F.R. 13331).

2. The notice proposed to amend various sections of Part 87—Aviation Services to allow the use of 121.5 Mc/s by aeronautical advisory, multicom, flight test, instructional, and search and rescue mobile stations. This frequency is a universal simplex emergency and distress frequency made available in the Aviation Services to provide a clear channel between aircraft in distress or conditions of emergency and certain ground stations. Prior to the amendment adopted herein, the rules made 121.5 Mc/s available on the ground to aeronautical enroute and airdrome control stations only.

3. Comments were filed by Aeronautical Radio, Inc. (ARINC), Aircraft Owners and Pilots Association (AOPA), Air Transport Association (ATA), Federal Aviation Agency (FAA), National Pilots Association (NPA), Plateau Natural Gas Co., and United States Steel Corp. Representatives of general aviation favored the proposal. FAA and representatives of the airlines are opposed to a rule which would allow a general expansion of the availability of 121.5 Mc/s on the ground.

4. FAA is generally opposed to extending the licensing privileges of the emergency channel 121.5 Mc/s to the various classes of stations included in the notice of proposed rule making. Their objections are as follows:

(a) Many of the stations are not staffed with personnel who have the training and capability to handle emergency situations.

(b) Many of the stations do not have adequate facilities (direction finder equipment, interphone circuits, etc.), to provide even the most basic assistance.

(c) The availability of an unused air/ground channel, even though intended for emergency use only, could lead to its misuse.

(d) The licensing of the additional air/ground emergency channel could lead to exploitation for commercial purposes. This would be done through the various advertising media inferring availability of emergency service without the assurance that this exists or that continuous guard (even during hours of operation) is maintained.

(e) Multiple installations of 121.5 Mc/s in the same geographical area could lead to confusion and interference in an emergency situation. In fact, the FAA is reducing the number of emergency channels in areas having multiple facilities. This is being accomplished to avoid unnecessary duplication without derogation of emergency coverage.

FAA recommends that the rules permit the licensing of 121.5 Mc/s at those locations where emergency service from Government stations is not available and then only on a case-by-case basis with prior coordination with the FAA.

5. ARINC and ATA joint comments urge the Commission not to adopt the rule making as proposed. ARINC/ATA objections may be summarized as follows: (a) Under the proposal it would be possible, at one airport, for one or more FCC licensees, in addition to the FAA, to be authorized the use of 121.5 Mc/s. This situation would raise doubt, in the event of emergency or distress transmissions by an aircraft, as to whether it should be answered by an FCC licensee or the FAA. This situation would undoubtedly result in confusion and, at least potentially, could impede the instantaneous response which is normally given to emergency or distress communications. (b) With increases in the number of stations operating on 121.5 Mc/s the total use will increase. There would be a general broadening in nature of communications handled which would require additional policing of the use of 121.5 Mc/s to assure the primary objectives for which the frequency was assigned is not defeated. In that regard, it would be necessary to establish which branch of Government would effect the policing action.

6. ARINC and ATA close their comment by recognizing there may be situations where issuance of license authority to permit use of 121.5 Mc/s may be justified. It is suggested that the Commission consider such situations on a case-by-case basis, after coordination with FAA, and grant authorizations as an exception to the rules. In order to minimize the inconvenience of proceeding on a case-by-case basis, ARINC and ATA recommend that authority to act in matters of this nature be delegated to the Safety and Special Radio Services Bureau.

7. United States Steel favors the extended coverage on the ground of 121.5 Mc/s. It favors, however, a more limited extension than that proposed. United States Steel feels that it should be extended only to aeronautical advisory and search and rescue stations at this time. It proposes a trial period of 1 year and if there is still a need to further extend coverage of 121.5 Mc/s, additional services should be considered.

8. AOPA, NPA, and Plateau Natural Gas Co. favor the proposal. In general, they feel the proposal should provide additional assurance that an aircraft in difficulty may be able to reach someone on the ground for assistance. These commentaries contained no apprehensions about the expansion of 121.5 Mc/s on the ground provided controls were retained to assure proper use of the frequency.

9. The purpose of the extension of the capability for ground stations to respond to emergencies on the emergency frequency is not to supplant or hinder the FAA in responding to emergency calls. Rather it is to provide a service where none exists or in areas that have marginal service. In order to guard against the situations described by FAA, ARINC and ATA, the rules, as proposed in the notice, have been modified to require a showing of need for the frequency 121.5 Mc/s before it will be authorized. This should provide the Commission with sufficient control to avoid the problems anticipated by FAA, ARINC and ATA. It will also allow for sufficient expansion to meet the needs of general aviation.

10. The use of 121.5 Mc/s will remain the same. Any attempt to misuse the channel will be met with vigorous enforcement action. The Commission does not intend to allow its licensees to operate in a manner not in the best interest of aviation safety.

11. The modification to require a showing of need parallels the FAA comment which recommended that 121.5 Mc/s be permitted at those locations where emergency service from Government stations is not available and then only on a case-by-case basis with prior coordination with the Federal Aviation Agency. Under the showing of need certainly a sine qua non would be to establish that emergency service from a Government station is not available.

12. Authority for the amendments adopted herein is contained in section 303 (b), (c), and (r) of the Communications Act of 1934, as amended.

13. In view of the foregoing: *It is ordered*, Effective July 25, 1966, that Part 87 is amended as set forth below.

14. *It is further ordered*, That the proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: June 14, 1966.

Released: June 15, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

Part 87 is amended as follows:

1. Section 87.253 is amended to read as follows:

§ 87.253 Frequencies available.

(a) 122.8 and 123.0 megacycles, 6A3 emission: For communications with private aircraft stations.

(b) 121.5 megacycles: This is a universal simplex emergency and distress frequency for air-ground communications and will not be assigned unless (1) a showing is made establishing a need for such service and (2) a regular aeronautical advisory frequency is assigned and available for use to accommodate normal communications needs.

2. Section 87.271 is amended to read as follows:

§ 87.271 Frequencies available.

(a) 122.9 megacycles, 6A3 emission: This frequency is available on the condition that no harmful interference is caused to the aeronautical advisory service.

(b) 121.5 megacycles: This is a universal simplex emergency and distress frequency for air-ground communications and will not be assigned unless (1) a showing is made establishing a need for such services and (2) the regular aeronautical multicom frequency is assigned and available for use to accommodate normal communications needs.

3. In § 87.331 a new paragraph (d) is added to read as follows:

§ 87.331 Frequencies available.

* * * * * *

(d) 121.5 megacycles: This is a universal simplex emergency and distress frequency for air-ground communications and will not be assigned unless (1) a showing is made establishing a need for such services and (2) a regular flight test frequency is assigned and available for use to accommodate normal communications needs.

4. Section 87.341 is amended to read as follows:

§ 87.341 Frequencies available.

(a) The frequencies 123.1, 123.3 and 123.5 Mc/s are available for assignment to ground and aircraft instructional stations on the basis that interference is not caused to flight test stations. Normally, one frequency will be assigned to each station at a fixed location; mobile stations will be assigned all these frequencies.

(b) 121.5 megacycles: This is a universal simplex emergency and distress frequency for air-ground communications and will not be assigned unless (1) a showing is made establishing a need for such services and (2) a regular instructional frequency is assigned and available for use to accommodate normal communications needs.

5. Section 87.441 is amended to read as follows:

§ 87.441 Frequencies available.

(a) The frequency 121.6 megacycles is available for use by aeronautical search and rescue mobile stations.

(b) 121.5 megacycles: This is a universal simplex emergency and distress frequency for air-ground communications and will not be assigned unless (1) a showing is made establishing a need for such services and (2) the regular search and rescue mobile frequency is assigned and available for use to accommodate normal communications needs.

[F.R. Doc. 66-6787; Filed, June 21, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Mines

[30 CFR Part 27]

[Bureau of Mines Schedule 32A]

METHANE-MONITORING SYSTEMS

Procedures for Investigation, Tests, and Certification

On pages 89–92 of the FEDERAL REGISTER of January 5, 1966, there was published under proposed rule making a notice and text of proposed revision of the regulations of Part 27 of Subchapter D of Chapter I, Title 30, Code of Federal Regulations, prescribing procedures for testing and certifying methane-monitoring systems, and components thereof, to be incorported in permissible or approved equipment that is used in gassy mines and tunnels.

Interested persons were given 30 days in which to comment, make suggestions, or offer objections concerning the proposed revision. As a result of consideration of suggestions and a detailed review of the proposed revision, it has been decided to again publish in an amended form to offer interested persons an opportunity to make further comments.

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003), notice is hereby given that under authority contained in section 5 of the Act of May 16, 1910 (36 Stat. 370; 30 U.S.C. sec. 7), as amended, and section 212(a) of the Act of July 16, 1952 (66 Stat. 709; 30 U.S.C. 482(a)), it is proposed to revise the regulations issued as Part 27 of Chapter I, Title 30, Code of Federal Regulations. The current regulations were adopted on November 23, 1961 (26 F.R. 10969).

The purposes of the proposed revision are to: (1) Update the regulations to reflect technological advancements in the design and construction of methane-monitoring systems, (2) redefine the requirements for a power-shutoff device to operate at the machine to be controlled or by deenergizing the trailing cable, (3) remove the requirement for a 2-minute delay before energizing of a cable(s) to a machine(s) controlled by a methane-monitoring system after a shutdown caused by methane detection, (4) remove the requirement for reserve electrical capacity to operate independently for approximately 4 hours when power is not on the machine which it controls, and (5) incorporate the fees, which were adopted when published in the March 23, 1965, issue of the FEDERAL REGISTER (30 F.R. 3752).

In accordance with the policy of the Department of the Interior, interested persons may submit written comments, suggestions, or objections with respect to the proposed revision of the regulations to the Director, Bureau of Mines, Interior Building, Washington, D.C., 20240, within 30 days after the date of publication in the FEDERAL REGISTER.

WALTER R. HIBBARD, Jr.,
Director, Bureau of Mines.

JUNE 3, 1966.

Part 27 of Chapter I of Title 30 would read as follows:

Subpart A—General Provisions

Sec.	
27.1	Purpose.
27.2	Definitions.
27.3	Consultation.
27.4	Applications.
27.5	Letter of certification.
27.6	Certification of components.
27.7	Certification plate or label.
27.8	Fees.
27.9	Date for conducting tests.
27.10	Conduct of investigations, tests, and demonstrations.
27.11	Extension of certification.
27.12	Withdrawal of certification.

Subpart B—Construction and Design Requirements

27.20	Quality of material, workmanship, and design.
27.21	Methane-monitoring system.
27.22	Methane detector component.
27.23	Automatic warning device.
27.24	Power-shutoff component.

Subpart C—Test Requirements

27.30	Inspection.
27.31	Testing methods.
27.32	Tests to determine performance of the system.
27.33	Tests to determine explosion-proof construction.
27.34	Test for intrinsic safety.
27.35	Tests to determine life of critical components and subassemblies.
27.36	Test for adequacy of electrical insulation and clearances.
27.37	Tests to determine adequacy of safety devices for bulbs.
27.38	Tests to determine adequacy of windows and lenses.
27.39	Tests to determine resistance to vibration.
27.40	Test to determine resistance to dust.
27.41	Test to determine resistance to moisture.

AUTHORITY: The provisions of this Part 27 issued under sec. 5, 36 Stat. 370, as amended, and sec. 212(a), 66 Stat. 709; 30 U.S.C. 7, 482(a). Interpret or apply secs. 2, 3, 36 Stat. 370, as amended, and secs. 201, 209, 66 Stat. 692, 703; 30 U.S.C. 3, 5, 471, 479.

Subpart A—General Provisions

§ 27.1 Purpose.

The regulations in this part set forth the requirements for methane-monitoring systems or components thereof to procure certification for their incorporation in or with permissible equipment that is used in gassy mines and tunnels; procedures for applying for such certification; and fees.

§ 27.2 Definitions.

As used in this part:

(a) "Bureau" means the Bureau of Mines of the U.S. Department of the Interior.

(b) "Applicant" means an individual, partnership, company, corporation, association, or other organization that designs, manufactures, or assembles and that seeks certification or preliminary testing of a methane-monitoring system or component.

(c) "Methane-monitoring system" means a complete assembly of one or more methane detectors and all other components required for measuring and signalling the presence of methane in the atmosphere of a mine, tunnel, or other underground workings, and shall include a power-shutoff component.

(d) "Methane detector" means a component for a methane-monitoring system that functions in a gassy mine, tunnel, or other underground workings to sample the atmosphere continuously and responds to the presence of methane.

(e) "Power-shutoff component" means a component of a methane-monitoring system, such as a relay, switch, or switching mechanism, that will cause a control circuit to deenergize a machine, equipment, or power circuit when actuated by the methane detector.

(f) "Flammable mixture" means a mixture of a gas, such as methane, natural gas, or similar hydrocarbon gas with normal air, that can be ignited.

(g) "Gassy mine or tunnel" means a mine, tunnel, or other underground workings in which a flammable mixture has been ignited, or has been found with a permissible flame safety lamp, or has been determined by chemical analysis to contain 0.25 percent or more (by volume) of methane in any open workings when tested at a point not less than 12 inches from the roof, face, or rib.

(h) "Letter of certification" means a formal document issued by the Bureau stating that a methane-monitoring system or subassembly or component thereof: (1) Has met the requirements of this part, and (2) is certified for incorporation in or with permissible or approved equipment that is used in gassy mines and tunnels.

(i) "Component" means a part of a methane-monitoring system that is essential to its operation as a certified methane-monitoring system.

(j) "Explosion proof" means that a component or group of components (subassembly) is so constructed and protected by an enclosure with or without a flame arrester(s) that, if a flammable mixture of gas is ignited within the enclosure, it will withstand the resultant pressure without damage to the enclosure and/or flame arrester(s). Also the enclosure and/or flame arrester(s) shall prevent the discharge of flame from within either the enclosure or the flame arrester, or the ignition of any flammable mixture that surrounds the enclosure and/or flame arrester.[1]

(k) "Normal operation" means that performance of each component as well as of the entire assembly of the methane-monitoring system is in conformance the functions for which it was designed and for which it was tested by the Bureau.

(l) "Flame arrester" means a device so constructed that it will prevent propagation of flame or explosion from within the unit of which it is part to a surrounding flammable mixture.

(m) "Intrinsically safe equipment and circuitry" means equipment and circuitry that are incapable of releasing enough electrical or thermal energy under normal or abnormal conditions to cause ignition of a flammable mixture of the most easily ignitable composition.

(n) "Fail safe" means that the circuitry of a methane-monitoring system shall be so designed that electrical failure of a component which is critical in the Bureau's opinion will result in deenergizing the methane-monitoring system and the machine or equipment of which it is a part.

§ 27.3 Consultation.

By appointment, applicants or their representatives may visit the Bureau's Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa., 15213, to discuss with qualified Bureau personnel proposed methane-monitoring systems to be submitted in accordance with the regulations of this part. No charge is made for such consultation and no written report thereof will be made to the applicant.

§ 27.4 Applications.

(a) No investigation or testing for certification will be undertaken by the Bureau except pursuant to a written application, in duplicate, accompanied by all drawings, specifications, descriptions, and related materials and also a check, bank draft, or money order, payable to the Bureau of Mines, to cover the fees. The application and all related matters and correspondence concerning it shall be addressed to the Bureau of Mines, 4800 Forbes Avenue, Pittsburgh, Pa., 15213, Attention: Electrical-Mechanical Testing.

(b) Drawings, specifications, and descriptions shall be adequate in detail to identify fully all components and subassemblies that are submitted for investigation, and shall include wiring and block diagrams. All drawings shall include title, number, and date; any revision dates and the purpose of each revision shall also be shown on the drawing.

(c) For a complete investigation leading to certification, the applicant shall furnish all necessary components and material to the Bureau. The Bureau reserves the right to require more than one of each component, subassembly, or assembly for the investigation. Spare parts and expendable components, subject to wear in normal operation, shall be supplied by the applicant to permit continuous operation during test periods. The applicant shall furnish special tools necessary to assemble or disassemble any component or subassembly for inspection or test.

(d) The applicant shall submit a plan of inspection of components at the place of manufacture or assembly. The applicant shall furnish to the Bureau a copy of any factory-inspection form or equivalent with the application. The form shall direct attention to the points that must be checked to make certain that all components or subassemblies of the complete assembly are in proper condition, complete in all respects, and in agreement with the drawings, specifications, and descriptions filed with the Bureau.

(e) The applicant shall furnish to the Bureau complete instructions for operating the assembly and servicing components. After completion of the Bureau's investigation, and before certification, if any revision of the instructions is required, a revised copy thereof shall be submitted to the Bureau for inclusion with the drawings and specifications.

§ 27.5 Letter of certification.

(a) Upon completion of investigation of a methane-monitoring system, or component or subassembly thereof, the Bureau will issue to the applicant either a letter of certification or a written notice of disapproval, as the case may require. If a letter of certification is issued, no test data or detailed results of tests will accompany it. If a notice of disapproval is issued, it will be accompanied by details of the defects, with a view to possible correction. The Bureau will not disclose, except to the applicant or his authorized representative, any information because of which a notice of disapproval has been issued.

(b) A letter of certification will be accompanied by an appropriate cautionary statement specifying the conditions to be observed for operating and maintaining the device(s) and to preserve its certified status.

§ 27.6 Certification of components.

In accordance with § 27.4, manufacturers of components may apply to the Bureau to issue a letter of certification. To qualify for certification, electrical components shall conform to the prescribed inspection and test requirements and the construction thereof shall be adequately covered by specifications officially recorded and filed with the Bureau. Letters of certification may be cited to fabricators of equipment intended for use in a certified methane-monitoring system as evidence that further inspection and test of the components will not be required.

§ 27.7 Certification plate or label.

A certified methane-monitoring system or component thereof shall be identified with a certification plate or label which is attached to the system or component in a manner acceptable to the Bureau. The method of attachment shall not impair the explosion-proof characteristics of any enclosure. The plate or label shall be of serviceable material, acceptable to the Bureau, and shall contain the following inscription with spaces for appropriate identification of the system or component and assigned certificate number:

Manufacturer's Name_____
Description _____
(Name)
Model or Type No._____
Certified as complying with the applicable requirements of Schedule 32A.
Certificate No._____

§ 27.8 Fees.

(a) Detailed inspection—each assembled component	$60
(b) Explosion testing—each explosion-proof enclosure	70
(c) Each series of tests to determine adequacy of design, materials, and/or construction	105
(d) Tests to determine safe operation and performance of a complete methane-monitoring system	200
(e) Tests to determine intrinsic safety	105
(f) Final examination and recording of drawings and specifications requisite to issuing a letter of certification	110
(g) Examining and recording drawings and specifications requisite to issuing an extension of certification, each 4 hours or fraction thereof	35
(h) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Bureau of Mines, 4800 Forbes Avenue, Pittsburgh, Pennsylvania, 15213, Attention: Electrical-Mechanical Testing. A deposit of $200 shall be paid in advance when such tests have been authorized. The fees charged shall depend on the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, on the same device, as directed by the applicant	

If an applicant is unable to determine the exact fee that should be submitted with his application, the information will be provided upon request addressed to the Bureau of Mines, 4800 Forbes Avenue, Pittsburgh, Pa., 15213, Attention: Electrical-Mechanical Testing. Any surplus from a fee submitted in excess of requirements will be refunded to the applicant upon completion or termination of the investigation or tests.

§ 27.9 Date for conducting tests.

The application, payment of necessary fees, and submission of required material will determine the order of precedence for testing when more than one application is pending. The applicant will be notified of the date on which tests will begin.

NOTE: If an assembly, subassembly, or component fails to meet any of the requirements, testing of it may be suspended and other items may be tested. However, if the

[1] Explosion-proof components or subassemblies shall be constructed in accordance with the requirements of Part 18 of this subchapter.

cause of failure is corrected, testing will be resumed after completing such other test work as may be in progress.

§ 27.10 Conduct of investigations, tests, and demonstrations.

The Bureau shall hold as confidential and shall not disclose principles or patentable features, nor shall it disclose any details of drawings, specifications, or related materials. The conduct of all investigations, tests, and demonstrations shall be under the sole direction and control of the Bureau, and any other persons shall be present only as observers, except as noted in paragraph (b) of this section.

(a) Prior to the issuance of a letter of certification, only Bureau personnel, representatives of the applicant, and such other persons as are mutually agreed upon may observe the investigations or tests.

(b) When requested by the Bureau, the applicant shall provide assistance in assembling or disassembling components, subassemblies, or assemblies for testing, preparing components, subassemblies, or assemblies for testing, and operating the system during the tests.

(c) After the issuance of a letter of certification, the Bureau may conduct such public demonstrations and tests of the certified methane-monitoring system or components as it deems appropriate.

§ 27.11 Extension of certification.

If an applicant desires to change any feature of a certified system or component, he shall first obtain the Bureau's approval of the change, pursuant to the following procedure:

(a) Application shall be made as for an original certification, requesting that the existing certification be extended to cover the proposed changes. The application shall include complete drawings, specifications, and related data, showing the changes in detail.

(b) The application will be examined by the Bureau to determine whether inspection and testing of the modified system or component or of a part will be required. The Bureau will inform the applicant whether testing is required; the component or components and related material to be submitted for that purpose; and the fee for testing.

(c) If the proposed modification meets the requirements of this part, a formal extension of certification will be issued, accompanied by a list of revised drawings and specifications which the Bureau has added to those already on file.

§ 27.12 Withdrawal of certification.

The Bureau reserves the right to rescind for cause any certification issued under this part.

Subpart B—Construction and Design Requirements

§ 27.20 Quality of material, workmanship, and design.

(a) The Bureau will test only equipment that, in its opinion, is constructed of suitable materials, is of good workmanship, is based on sound engineering principles, and is safe for its intended use. Since all possible designs, arrangements, or combinations of components cannot be foreseen, the Bureau reserves the right to modify the construction and design requirements of components or subassemblies and the tests to obtain the degree of protection intended by the tests described in Subpart C of this part.

(b) Unless otherwise noted, the requirements stated in this part shall apply to explosion-proof enclosures and intrinsically safe circuits.

(c) All components, subassemblies, and assemblies shall be designed and constructed in a manner that will not create an explosion or fire hazard.

(d) All assemblies or enclosures—explosion-proof or intrinsically safe—shall be so designed that the temperatures of the external surfaces, during continuous operation, do not exceed 150° C. (302° F.) at any point.

(e) Lenses or globes shall be protected against damage by guards or by location.

(f) If the Bureau determines that an explosion hazard can be created by breakage of a bulb having an incandescent filament, the bulb mounting shall be so constructed that the bulb will be ejected if the bulb glass enclosing the filament is broken.

NOTE: Other methods that provide equivalent protection against explosion hazards from incandescent filaments may be considered satisfactory at the discretion of the Bureau.

§ 27.21 Methane-monitoring system.

(a) A methane-monitoring system shall be so designed that any machine or equipment, which is controlled by the system, cannot be operated unless the electrical components of the methane-monitoring system are functioning normally.

(b) A methane-monitoring system shall be rugged in construction so that its operation will not be affected by vibration or physical shock, such as normally encountered in mining operations.

(c) Insulating materials that give off flammable or explosive gases when decomposed shall not be used within enclosures where they might be subjected to destructive electrical action.

(d) An enclosure shall be equipped with a lock, seal, or acceptable equivalent when the Bureau deems such protection necessary for safety.

(e) A component or subassembly of a methane-monitoring system shall be constructed as a package unit or otherwise in a manner acceptable to the Bureau. Such components or subassemblies shall be readily replaceable or removable without creating an ignition hazard.

(f) The complete system shall "fail safe" in a manner acceptable to the Bureau.

§ 27.22 Methane detector component.

(a) A methane detector component shall be suitably constructed for incorporation in or with permissible and approved equipment that is operated in gassy mines and tunnels.

(b) A methane detector shall include:

(1) A method of continuous sampling of the atmosphere in which it functions.

(2) A method for actuating a warning device which shall function automatically at a methane content of the mine atmosphere between 1.0 to 1.5 volume percent. The warning device shall also function automatically at all higher concentrations of methane in the mine atmosphere.

(3) A method for actuating a power-shutoff component, which shall function automatically when the methane content of the mine atmosphere is 2.0 volume percent and at all higher concentrations of methane.

(4) A suitable filter on the sampling intake to prevent dust and moisture from entering and interfering with normal operation.

NOTE: This requirement for the methane detector may be waived if the design is such as to preclude the need of a filter.

(c) A methane detector may provide means for sampling at more than one point; provided, the methane detector shall separately detect the methane in the atmosphere at each sampling point with, in the Bureau's opinion, sufficient frequency.

§ 27.23 Automatic warning device.

(a) An automatic warning device shall be suitably constructed for incorporation in or with permissible and approved equipment that is operated in gassy mines and tunnels.

(b) An automatic warning device shall include an alarm signal (audible or colored light), which shall be made to function automatically at a methane content of the mine atmosphere between 1.0 to 1.5 volume percent and at all higher concentrations of methane.

(c) It is recommended that the automatic warning device be supplemented by a meter calibrated in volume percent of methane.

§ 27.24 Power-shutoff component.

(a) A power-shutoff component shall be suitably constructed for incorporation in or with permissible and approved equipment that is operated in gassy mines and tunnels.

(b) The power-shutoff component shall include:

(1) A means which shall be made to function automatically to deenergize the machine or equipment when actuated by the methane detector at a methane concentration of 2.0 volume percent and at all higher concentrations in the mine atmosphere.

(i) For an electric-powered machine or equipment energized by means of a trailing cable, the power-shutoff component shall, when actuated by the methane detector, cause a control circuit to shut down the machine or equipment on which it is installed; or it shall cause a control circuit to deenergize both the machine or equipment and the trailing cable.

NOTE: It is not necessary that power be controlled both at the machine and at the outby end of the trailing cable.

(ii) For a battery-powered machine or equipment, the methane-monitor power-shutoff component shall, when actuated by the methane detector, cause a control circuit to deenergize the machine or equipment as near as possible to the battery terminals.

(iii) For a diesel-powered machine or equipment, the power-shutoff component, when actuated by the methane detector, shall shut down the prime mover and deenergize all electrical components of the machine or equipment. Batteries are to be disconnected as near as possible to the battery terminals. Headlights which are approved under part 20 of this subchapter (Schedule 10, or any revision thereof) are specifically exempted from this requirement.

(2) An arrangement for testing the power-shutoff characteristic to determine whether the power-shutoff component is functioning properly.

Subpart C—Test Requirements

§ 27.30 Inspection.

A detailed inspection shall be made by the Bureau of the equipment and all components and functions related to safety in operation, which shall include:

(a) Examining materials, workmanship, and design to determine conformance with paragraph (a) of § 27.20.

(b) Comparing components and subassemblies with the drawings and specifications to verify conformance with the requirements of this part.

§ 27.31 Testing methods.

A methane-monitoring system shall be tested by the Bureau to determine its functional performance, and its explosion-proof and other safety characteristics. Since all possible designs, arrangements, or combinations cannot be foreseen, the Bureau reserves the right to make any tests or to place any limitations on equipment, or components or subassemblies thereof, not specifically covered herein, to determine and assure the safety of such equipment with regard to explosion and fire hazards.

§ 27.32 Tests to determine performance of the system.

(a) *Laboratory tests for reliability and durability.* Five hundred successful consecutive tests[2] for gas detection, alarm action, and power shutoff in natural gas-air mixtures[3] shall be conducted to demonstrate acceptable performance as to reliability and durability of a methane-monitoring system. The tests shall be conducted as follows:

(1) The methane detector component shall be placed in a test gallery into which natural gas shall be made to enter at various rates with sufficient turbulence for proper mixing with the air in the gallery. To comply with the requirements of this test, the detector shall provide an impulse to actuate an alarm at a predetermined percentage of gas and also provide an impulse to actuate a power shutoff at a second predetermined percentage of gas. (See §§ 27.21, 27.22, 27.23, and 27.24.)[4]

(b) *Field tests.* The Bureau reserves the right to conduct tests, similar to those stated in paragraph (a) of this section, in underground workings to verify reliability and durability of a methane-monitoring system installed in connection with a piece of mining equipment.

§ 27.33 Tests to determine explosion-proof construction.

Any assembly, subassembly, or component which, in the opinion of the Bureau, requires explosion-proof construction shall be tested in accordance with the procedures stated in Part 18 of this subchapter.

§ 27.34 Test for intrinsic safety.

Assemblies, subassemblies, or components that are designed for intrinsic safety shall be tested by introducing into the circuit(s) thereof a circuit-interrupting device which produces an electric spark from the current in the circuit. The circuit-interrupting device shall be placed in a gallery containing various flammable natural gas-air mixtures. To meet the requirements of this test, the spark shall not ignite the flammable mixture. For this test the circuit-interrupting device shall be operated not less than 100 times at 125 percent of the normal operating voltage of the particular circuit.

§ 27.35 Tests to determine life of critical components and subassemblies.

Replaceable components may be subjected to appropriate life tests at the discretion of the Bureau.

§ 27.36 Test for adequacy of electrical insulation and clearances.

The Bureau shall examine, and test in a manner it deems suitable, electrical insulation and clearances between electrical conductors to determine adequacy for the intended service.

§ 27.37 Tests to determine adequacy of safety devices for bulbs.

The glass envelope of bulbs with the filament incandescent at normal operating voltage shall be broken in flammable methane-air or natural gas-air mixtures in a gallery to determine that the safety device will prevent ignition of the flammable mixtures.

§ 27.38 Tests to determine adequacy of windows and lenses.

Impact tests. A 4-pound cylindrical weight with a one-inch diameter hemispherical striking surface will be dropped (free fall) to strike the window or lens in its mounting or the equivalent thereof at or near the center. At least three out of four samples shall withstand the impact according to the following table:

Overall lens diameter (inches)	*Height of fall (inches)*
Less than 4	6
4 to 5	9
5 to 6	15
Greater than 6	24

Lenses or windows of smaller diameter than 1 inch may be tested by alternate methods at the discretion of the Bureau.

§ 27.39 Tests to determine resistance to vibration.

(a) *Laboratory tests for reliability and durability.* Components, subassemblies, or assemblies that are to be mounted on permissible and approved equipment shall be subjected to two separate vibration tests, each of one-hour duration. The first test shall be conducted at a frequency of 30 cycles per second with a total movement per cycle of 1/16 inch. The second test shall be conducted at a frequency of 15 cycles per second with a total movement per cycle of 1/8 inch. Components, subassemblies, and assemblies shall be secured to the vibration testing equipment in their normal operating positions (with shock mounts, if regularly provided with shock mounts). Each component, subassembly and assembly shall function normally during and after each vibration test.

NOTE: The vibrating equipment is designed to impart a circular motion in a plane inclined 45° to the vertical or horizontal.

(b) *Field tests.* The Bureau reserves the right to conduct tests to determine resistance to vibration in underground workings to verify the reliability and durability of a methane-monitoring system or component(s) thereof where installed in connection with a piece of mining equipment.

§ 27.40 Test to determine resistance to dust.

Components, subassemblies, or assemblies, the normal functioning of which might be affected by dust, such as coal or rock dust, shall be tested in an atmosphere containing an average concentration (50 million minus 40 micron particles per cubic foot) of such dust(s) for a continuous period of 4 hours. The component, subassembly, or assembly shall function normally after being subjected to this test.

NOTE: Dust measurements, when necessary, shall be made by impinger sampling and light-field counting technique.

§ 27.41 Test to determine resistance to moisture.

Components, subassemblies, or assemblies, the normal functioning of which might be affected by moisture, shall be tested in atmospheres of high relative humidity (80 percent or more at 65°–75° F.) for continuous operating and idle periods of 4 hours each. The component or subassembly or assembly shall function normally after being subjected to those tests.

[F.R. Doc. 66-6764; Filed, June 21, 1966; 8:45 a.m.]

[2] Normal replacements and adjustments shall not constitute a failure.

[3] Investigation has shown that, for practical purposes, natural gas (containing a high percentage of methane) is a satisfactory substitute for pure methane in these tests.

[4] At the option of the Bureau, these tests will be conducted with dust or moisture added to the atmosphere within the gallery.

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1032, 1050]

[Docket Nos. AO-355, AO-313-A8]

MILK IN CENTRAL ILLINOIS AND SUBURBAN ST. LOUIS MARKETING AREAS

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Peoria and Springfield, Ill., on October 6–8 and 11–13, 1965, pursuant to notice thereof issued on September 10, 1965 (30 F.R. 11761).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs on April 26, 1966 (31 F.R. 6497; F.R. Doc. 66-4720), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (31 F.R. 6497; F.R. Doc. 66-4720) are hereby approved and adopted and are set forth in full herein subject to the following modifications:

1. The first paragraph under issue 4—(a)(3)(ii) "Milk diverted to unregulated plants" is revised.

2. The 4th through the 8th paragraphs are deleted and a new paragraph is added thereafter.

3. The 9th paragraph is revised and three new paragraphs are added immediately thereafter.

4. The 10th through the 12th paragraphs are deleted.

5. The 14th through the 16th paragraphs are deleted.

The material issues of the record relate to:

1. Whether the handling of milk produced for sale in the proposed new area to be regulated is in the current of interstate commerce or directly burdens, obstructs, or affects interstate commerce in milk or its products.

2. Whether marketing conditions show the need for the issuance of a milk marketing agreement or order for all or part of the proposed new area to be regulated which will tend to effectuate the declared policy of the Act.

3. If an order is issued for any or all of the proposed new area to be regulated, what its provisions should be with respect to:

(a) The scope of regulation;

(b) The classification and allocation of milk;

(c) The determination and level of class prices;

(d) Distribution of proceeds to producers; and

(e) Administrative provisions.

4. With respect to the Suburban St. Louis order; revision of order provisions to properly reflect marketing conditions in the presently regulated territory and territory proposed to be added to the marketing area, and coordination with provisions of an order which may be issued for a Central Illinois marketing area, including:

(a) The scope of regulation:

(1) Marketing area;

(2) Pool plant provisions; and

(3) Producer milk, including:

(i) Milk received at pool plant;

(ii) Milk diverted to nonpool plants not regulated by another order;

(iii) Milk diverted to plants regulated by another order; and

(iv) Milk diverted to other pool plants.

(4) Other definitions, including handler, fluid milk product, and such definitions as necessary to conform with needed changes in other order provisions.

(b) The classification and allocation of milk, including:

(1) Revision of shrinkage provisions;

(2) Disposition of fluid milk products as animal feed and dumped; and

(3) Surplus disposal area.

(c) The determination and level of class prices and butterfat differentials.

(d) Application of location adjustments to:

(1) Milk received from producer farms at pool plants;

(2) Milk diverted to nonpool plants not regulated by any order;

(3) Milk diverted to plants regulated by another order;

(4) Milk diverted between pool plants; and

(5) Milk transferred between plants.

(e) Administrative provisions and conforming changes.

This decision deals only with the issues under the Suburban St. Louis order of milk diverted to nonpool plants not regulated by another order and the appropriate location pricing of such milk (Issues No. 4 (a)(3)(ii) and (d)(2)). All of the remaining material issues with respect to the proposed Central Illinois and Suburban St. Louis orders will be considered in a further decision on the record.

Findings and conclusions. The following findings and conclusions on material issues 4 (a)(3)(ii) and (d)(2) are based on evidence presented at the hearing and the record thereof:

Milk diverted to unregulated plants. The order should be amended to provide that the milk of a producer may be diverted to an unregulated plant for not more than 8 days' production of producer milk by such producer during each of the months of July through April. For the months of May and June, diversion of a producer's milk to an unregulated plant should be permitted on any day during the month. For pricing purposes, milk diverted less than 50 miles from a pool plant to a plant not regulated by any order should be considered as received at the pool plant from which diverted. Milk diverted 50 miles or more should be priced as received at the unregulated plant.

The handling of the reserve milk of a pool plant may require diversion of producer milk to an unregulated plant for the purpose of manufacturing into Class II products. Such diversion of a producer's milk, pursuant to § 1032.14 (b), may now be made on any number of days in the months of February through August; and in any other month, for not more days of production by such producer than his milk is physically received at pool plants. Within these specified limits, milk diverted to an unregulated plant is treated as part of the regular supply for the market, and as such it qualifies for pooling.

Producer associations, however, expressed concern that considerable quantities of milk are sometimes qualified under the diversion provision merely for the advantage of receiving the uniform price, and do not represent regular milk supply for fluid needs. Also, concern was expressed that price advantage is enjoyed by certain groups of producers who receive the marketing area uniform price for milk diverted to distant plants. For example, a dairy farmer at some distance from the market may qualify as a producer by delivering for a few days to a base zone pool plant, and then continue to receive the base zone price while his milk is diverted to an unregulated plant closer to his farm.

The testimony of one handler showed that shifting of dairy farmers' deliveries between his pool and nonpool plants resulted at times in the pool carrying a greater burden of Class II use than the nonpool operation. While diverted to a nonpool plant for manufacturing, the milk of the dairy farmers nevertheless participated in the market pool utilization.

The various proposals on the record would provide limitation of diversion of producer milk either in terms of the number of days of production of a producer, or as a percentage of the total of producer milk received at a pool plant. Either of such methods of limiting diversion is practical and has been used in Federal milk orders. The recommended decision proposed that diversions be expressed in terms of percentages of producer milk physically received at a pool plant.

Exceptions filed by eight cooperative associations indicated that diversion based on a number of days of production of a producer's milk would be preferable to the percentage basis of diversion provided in the recommended decision. They stated that diversion of producer milk should be limited to eight days' production during ten months of the year with unlimited diversion being allowed during the months of May and June. A handler's exception likewise supported unlimited diversion during the months of May and June. This handler also took exception to the percentage method of expressing diversion limits and indicated a desire for a limit of 12 production days during other months.

After a review of the record and exceptions, it is concluded that diversion of eight days of production of a producer's milk should be permitted in all months except May and June and that diversions in May and June be unlimited. In May and June, peak milk production requires more diversion of producer milk than in other months.

Diversion of eight days of production closely approximates, on an individual producer basis, the higher of the two percentage limits in the recommended decision, which was 35 percent of producer milk physically received at pool plants. Diversion of eight days of production is approximately 36.4 percent of the milk which would be delivered for the remaining 22 days of a 30-day month to pool plants. The more liberal percentage limit of 40 percent suggested by the handler's exceptions is not adopted.

Additional flexibility in handling of reserve milk is afforded by present order provisions which allow diversion of milk between pool plants. This enables certain pool plant operators lacking manufacturing facilities to divert reserve milk to pool plants which do have such manufacturing facilities.

It is necessary that the order contain the above described limitations on the amount of milk which may be diverted temporarily while it is not needed in the market for Class I purposes. The provisions adopted herein will provide adequate opportunity to dispose of market reserves in an economical manner and yet not encourage the accumulation of unneeded reserves which would burden the market pool.

Location pricing of diverted milk. The order should be modified with respect to the location at which milk diverted to an unregulated plant is deemed to be received for purposes of pricing. The order now provides that the milk is deemed to be received at the pool plant from which diverted.

Cooperative association representatives claimed that inequitable advantage was being obtained by distant producers when their milk was diverted from a plant in the marketing area to an unregulated plant near the location of the producer. In such case, the producer receives the marketing area price although his milk is delivered to a plant which is at an appreciable distance from the market. The marketing area uniform price is intended to represent the value of milk delivered to plants in the market. The higher level of uniform price in this market at points distant from the market compensates for the cost of moving milk to the market.

A producer delivering his milk to an outlying pool plant at some distance from the market does not incur the cost of moving his milk to the marketing area, and the uniform price to this producer is adjusted accordingly by the location differentials. Similarly a producer in the same location whose milk is diverted to a nearby unregulated plant should receive a comparable price. Otherwise, if this producer received the marketing area price for this diverted milk the market pool would be in effect paying such producer for moving his milk to market when actually it is not so delivered.

To preclude this the order should provide that milk diverted more than 50 miles from a pool plant should be priced at the location of the plant to which diverted. When milk is moved for diversion to an unregulated plant more than 50 miles from the pool plant there are many instances where there could be an appreciable saving in transportation. On the other hand, such pricing is not necessary in the case of milk diverted shorter distances, since there would be little change, if any, in the hauling charge. It is concluded, therefore, that milk diverted less than 50 miles from the plant from which diverted should continue to be priced at the pool plant from which diverted.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order (Part 1032) and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Suburban St. Louis Marketing Area," and "Order Amending the Order Regulating the Handling of Milk in the Suburban St. Louis Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of February 1966 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Suburban St. Louis marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on June 16, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Suburban St. Louis Marketing Area

§ 1032.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Suburban St. Louis marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Suburban St. Louis marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on April 26, 1966, and published in the FEDERAL REGISTER on April 29, 1966 (31 F.R. 6497; F.R. Doc. 66-4720), shall be and are the terms and provisions of this order, and are set forth in full herein subject to the following revisions:

Index of changes. 1. Changes are made in § 1032.14(b)(2).

2. In § 1032.14(b) redesignation of subparagraph (3) as (4), (4) as (5), (5) as (6) is rescinded.

3. In § 1032.14(6), the inclusion of a new subparagraph (3) is rescinded.

4. In § 1032.14(b), the new subparagraph (7) to be added is changed and redesignated (6).

Section 1032.14(b) (2), (4), and (5) are revised and a new subparagraph (6) is added to read as follows:

§ 1032.14 Producer milk.

* * * * *

(b) * * *

(2) Milk of a producer diverted from a pool plant to a nonpool plant(s) at which the handling of milk is not fully subject to the pricing and pooling provisions of another order issued pursuant to the Act on any day during the months of May and June and in any other month for not more than eight days of production of producer milk by such producer;

* * * * *

(4) Milk diverted for the account of a handler in his capacity as operator of a pool plant shall be deemed to have been received at the pool plant from which diverted, except as provided in subparagraph (6) of this paragraph;

(5) Milk diverted for the account of a cooperative association shall be deemed to have been received by the cooperative association at a pool plant at the location of the pool plant from which diverted, except as provided in subparagraph (6) of this paragraph; and

(6) For pricing purposes milk diverted pursuant to subparagraph (2) of this paragraph, to a plant located more than 50 miles (by the shortest highway distance as determined by the market administrator) from the pool plant from which diverted, shall be deemed to be received by the diverting handler at the location of the plant to which diverted.

[F.R. Doc. 66-6780; Filed, June 21, 1966; 8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-PC-6]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the controlled airspace in the vicinity of Johnston Island AFB, Johnston Atoll as follows:

1. The Johnston Island control zone would be designated within a 5-mile radius of the Johnston Island AFB, Johnston Atoll (latitude 16°44'19" N., longitude 169°31'12" W.); within 2 miles each side of the extended centerline of runway 05, extending from the 5-mile radius zone to 6.5 miles northeast of the Johnston Island radio beacon, and within 2 miles each side of the 241° True bearing from the Johnston Island radio beacon, extending from the 5-mile radius zone to 12 miles southwest of the radio beacon.

2. The Johnston Island transition area would be designated as that airspace extending upward from 1,200 feet above the surface within a 100 nmi radius of the Johnston Island radio beacon.

The proposed control zone and transition area would provide controlled airspace for aircraft executing prescribed holding patterns, and instrument approach and departure procedures at Johnston Island AFB. Additionally, the transition area would provide controlled airspace for the orderly transition of aircraft arriving and departing under instrument flight rules conditions on random routes between the terminal and the oceanic control area.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Pacific Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 4009, Honolulu, Hawaii, 96812. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510, and Executive Order 10854; 24 F.R. 9565).

Issued in Washington, D.C., on June 16, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6806; Filed, June 21, 1966; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 63-SO-57]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the vicinity of Fort Myers, Fla.

To implement the provisions of CAR Amendments 60-21/60-29 in the Fort Myers, Fla., terminal area, the Federal Aviation Agency has under consideration the following amendments to Part 71:

1. The Fort Myers control zone would be redesignated as that airspace within a 5-mile radius of Page Field, Fort Myers, Fla. (latitude 26°35'10" N., longitude 81°51'50" W.); within 2 miles each side of the Fort Myers VORTAC 215° True radial, extending from the 5-mile radius zone to 8 miles southwest of the VORTAC; and within 2 miles each side of the 042° and 222° True bearings from the Fort Myers RBN, extending from the 5-mile radius zone to 8 miles southwest of the RBN.

2. The Fort Myers transition area would be designated as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Page Field, Fort Myers, Fla.; and that airspace extending upward from 1,200 feet above the surface within a 20-mile radius of the Fort Myers VORTAC; the airspace northeast of Fort Myers extending from the 20-mile radius area bounded on the west by V-7, on the northeast by V-97, and on the southeast by V-225; and that airspace east of Fort Myers extending from the 20-mile radius area bounded on the northwest by V-225, on the east by V-157W, and on the southwest by V-7.

The amended control zone and proposed transition area would provide controlled airspace for aircraft executing prescribed instrument approaches, missed approaches, holding and departure procedures.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on June 16, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6807; Filed, June 21, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16222; FCC 66-520]

STANDARD BROADCAST SERVICE

Proposed Standard Method for Calculating Radiation for Use in Evaluating Interference, Coverage and Overlap of Mutually Prohibited Contours

Memorandum opinion and order. In the matter of amendment of Part 73 of the Commission rules to specify, in lieu of the existing MEOV concept, a standard method for calculating radiation for use in evaluating interference, coverage, and overlap of mutually prohibited contours in the Standard Broadcast Service.

1. The Commission released a notice of proposed rule making in this proceeding on October 8, 1965 (FCC 65-908), published October 14, 1965, in the FEDERAL REGISTER (30 F.R. 13079), on a proposal looking toward revision of § 73.150 of the standard (AM) broadcast rules to require the calculation of proposed radiation patterns for directional antenna systems by a standardized method. As stated in the notice, the Commission's proposal would apply only to applications tendered for filing after implementing rules become effective. Comments were invited on the proposal by January 14, 1966, and by January 31, 1966, for reply comments. In response to requests of parties, the Commission ordered an extension of time for filing comments on January 13, 1966, so that comments are now due by July 14, 1966, and by August 15, 1966, for reply comments.

2. Before the Commission for consideration is a "Petition for Modification of Notice of Proposed Rule Making and for Interim Suspension of Consideration of Pending Applications for Class II-A Standard Broadcast Facilities," filed by Columbia Broadcasting System (CBS) on October 29, 1965, herein.[1] The petition requests modification of our proposal to standardize a method for predicting directional antenna performance to the extent of extending its proposed application to pending Class II-A standard broadcast applications. Suspension of all hearings and action on such applica-

[1] The petition was also filed by CBS in Docket Nos. 15812-15813, 15998-16000, and 16109-16115. Hearings are in progress in these proceedings on conflicting applications for Class II-A stations on Class I-A frequencies upon which CBS operates Class I-A stations, in each of which CBS has been designated a party.

tions is also requested pending the conclusion of this proceeding and revision of the rules for calculating radiation patterns along the lines we have proposed herein. Alternatively, CBS requests that all construction permits granted for Class II–A stations be conditioned on showings that the directional antennas proposed will afford the required interference protection to cochannel Class I–A stations when determined in accordance with the new rules adopted in this proceeding for predicting directional antenna performance.

3. A supporting statement was filed by WGN, Inc., which operates a Class I–A station (WGN) on 720 kc, Chicago, Ill., and has also been made a party to the proceeding in Docket Nos. 16109–16115, wherein conflicting applications for Class II–A stations on 720 kc have been consolidated for hearing with others seeking to operate on 780 kc, upon which CBS operates a Class I–A station (WBBM), Chicago. Opposing statements were filed by six applicants for Class II–A stations on Class I–A frequencies occupied by CBS and WGN. The Class II–A opponents include: Nebraska Rural Radio Association, Lexington, Nebr., and Town & Farm Co., Inc., Grand Island, Nebr., whose conflicting applications for Class II–A stations on 880 kc, upon which CBS operates a Class I–A station (WCBS), New York, N.Y., are under consideration in Docket Nos. 15812–15813; Emerald Broadcasting Corp., Eugene, Oreg., one of the Class II–A applicants for 1120 kc in Docket Nos. 15998–16000, upon which CBS operates a Class I–A station (KMOX), St. Louis, Mo.; and Circle L, Inc., Reno, Nev., and 780, Inc., Las Vegas, Nev., whose conflicting applications for Class II–A stations on 780 kc are among those consolidated for hearing in Docket Nos. 16109–16115.

4. We have considered the CBS petition and related pleadings and remain of the view that our proposal for calculating performance of directional antenna proposals by a uniform method (comments were invited on alternative methods) should not be made more extensive in application than proposed. Neither CBS nor WGN in its supporting pleading persuade us that justifiable reason exists for recasting our proposal to apply to Class II–A applications filed or granted before a decision is reached on the proposal and new rules in the matter become effective.

5. The filing of applications for one Class II–A station on 13 of the 25 I–A clear channels was made possible by our actions of 1961 and 1962 in the Clear Channel proceeding in Docket No. 6741.[1] On reconsideration in the noted 1962 decision, paragraphs 78 and 79, we gave consideration to whether directional antenna performance of proposed Class II–A facilities should be determined by existing rules and procedures or by other methods, such as those put forward in a 1957 Report of our Office of Chief Engineer on "Suppression Performance of Directional Antenna Systems in the Standard Broadcast Band," cited as T.R.R. 1.2.7., and from which CBS and WGN now state our proposal herein stems. It was then our decision that, based on the limited data available, there was no assurance that any significant increase in accuracy would result from the use of other theories, such as advanced in T.R.R. 1.2.7., for calculating directional antenna patterns, and that the data acquired and conclusions reached in that report did not form a sufficient basis for changing the rules.

6. Having now proposed a standardized basis for the calculation of radiation patterns, it is apparent from the CBS and WGN pleadings that they construe such action to mean that we have had a change in view since considering the matter in our 1962 decision and that we now anticipate that some standardized method of calculation will result in a more accurate determination of interference or the absence thereof. The main thrust of their argument for applying a standardized method of calculation of radiation patterns to pending Class II–A applications also centers on such claim. It is an error to so construe our Notice of Proposed Rule Making. Since we are not proposing to change Figures I, I–A, II, 6 or 6–A, and considering the fact that proof-of-performances will still be necessary, it is obvious that the degree of accuracy in predicting the nighttime signal strength at any distant point will not be changed. Nor should our proposed rule making be construed as reflecting our view that an authorized nighttime operation, designed, adjusted and maintained in conformance with our present rules, results in interference according to our rules.

7. We view our proposal as another measure designed to improve the efficiency and orderliness of the administration of our application processing rules and procedures for standard broadcast stations. At present, no uniform method for calculating proposed directional antenna patterns is required, necessitating ad hoc determination by the Commission as to the reasonableness of the method used for each directional antenna proposal. If a standard, "reasonable," theoretical method for calculating such patterns along the alternative lines proposed should be found feasible and made part of the rules, it would have value, in our view, in (1) increasing the probability that proposals which come before us are susceptible to licensing without the necessity of modification; (2) eliminating the necessity in some cases of conducting an adjudicatory proceeding to determine whether the proposed limits of radiation can be achieved; and (3) enabling the Commission to calculate nighttime limitations more expeditiously by electronic computer.

8. These objectives constitute worthy reasons, in our view, for considering the proposal in rule making and in making it applicable to standard broadcast applications tendered for filing after such time as new rules for calculating directional antenna patterns become effective. We cannot agree, however, that retroactive application of any adopted standardized method of calculating directional antenna radiation patterns is necessary in order to protect the interests of existing stations or the public from injury. Further, we believe it would be most inequitable to applicants having applications on file, and in hearing in some cases, to change existing ground rules and procedures upon which they have relied in the preparation of their directional antenna proposals as a consequence of our 1962 decision in the clear channel proceeding, Docket No. 6741.

9. Even more important, we believe it would disserve the public interest by delaying unnecessarily the disposition of processing and hearings on Class II–A applications and the establishment of additional broadcast outlets and nighttime primary service to the public in areas presently without it. Our proposal has not yet been given extensive study, and it will be several months before we will have an opportunity to evaluate it in light of the comments, data and alternative technical proposals which appear likely to be submitted for consideration. It may well be that, after full consideration of the matter, we may adopt a standard method for calculating radiation patterns which is substantially different from those upon which we have invited comment or, in light of other considerations, make no changes whatsoever in existing rules and procedures for calculating radiation patterns.

10. In view of the above, we believe limitation of the applicability of our proposal, as proposed in the notice of rule making, is appropriate and clearly warranted in the public interest, and that the alternative requests of CBS to include pending Class II–A applications within the scope of the proposal's application and to require them to comply with any new rules which may be adopted for calculating directional antenna patterns must be denied.

11. *Accordingly, it is ordered*, This 14th day of June 1966, that the petition of Columbia Broadcasting System, insofar as it relates to the above-entitled rule making proceeding is denied.

Released: June 15, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6788; Filed, June 21, 1966; 8:47 a.m.]

[1] Report and order adopted Sept. 13, 1961, FCC 61-1106, 31 FCC 565, 21 R.R. 1801; and memorandum opinion and order, adopted Nov. 21, 1962, FCC 62-1214, 24 R.R. 1505.

[47 CFR Part 73]

[Docket No. 16714; FCC 66-540]

FM BROADCAST STATIONS

Table of Assignments; Glens Falls, N.Y.

In the matter of amendment of § 73.202, *Table of Assignments, FM Broadcast Stations* (Glens Falls, N.Y.); Docket No. 16714, RM-963.

1. Notice is hereby given on proposed rule making in the above-entitled matter.

2. On April 15, 1966, the Commission released a report and order in Docket No. 16331, FCC 66-326 (31 F.R. 6053), which, among other things, assigned Channel 240A to Glens Falls, N.Y., in response to a petition for rule making filed by Normandy Broadcasting Co., licensee of Station WWSC (AM), Glens Falls, N.Y. At that time two applications were on file for Channel 272A (assigned to Saratoga Springs and available to Glens Falls under the "25 mile rule"), one from Normandy and the second from Olean Broadcasting Corp., licensee of Station WBZA (AM), Glens Falls, N.Y.[1] The stated purpose of the petition was to eliminate the need for a comparative hearing for Channel 272A. In its decision of April 15, 1966, the Commission assigned Channel 240A to Glens Falls as requested and pointed out that since Glens Falls would now be listed in the Table of Assignments, Channel 272A would no longer be available for use at Glens Falls under § 73.203(b). We stated that we believed it more important to provide each of these communities (Glens Falls and Saratoga Springs) with an FM assignment than to eliminate the required comparative hearing. Since then, both applicants have amended their applications (BPH-4804 and 4838) to specify Channel 240A, now available at Glens Falls.

3. On May 18, 1966, Olean Broadcasting Corp., one of the applicants for Channel 240A at Glens Falls, filed a petition for reconsideration of the report and order in Docket No. 16331, insofar as RM-861 is concerned, requesting the addition of Channel 296A to Glens Falls. Since this is a new request and was not part of the Docket 16331 proceeding, it will be considered as a new petition for rule making herein. Olean urges that the objectives of the former rule making to eliminate the burden of a comparative hearing and to provide FM service to the Glens Falls area at an early date were not achieved. It points out that Glens Falls has a population of 18,580 and that its county (Warren) has a population of 44,002. Olean submits that there are a number of other sizeable communities within a 3-mile radius of Glens Falls, which together with Glens Falls, have a combined population of 36,000 people. At the present time there are no FM stations serving the area and only one nighttime aural service. As to the technical feasibility of Channel 296A, Olean states that this assignment meets all the required spacings to assignments and stations and that sites are available from which the required separation can be met to the proposed sites in pending applications for Channel 293 at Albany, N.Y. On May 27, 1966, Normandy Broadcasting Corp. filed a statement in support of the Olean request.

4. We are of the view that the subject proposal merits the institution of rule making in order that all interested parties may submit their views and relevant data. Comments are therefore invited on the following.

City	Channel No.	
	Present	Proposed
Glens Falls, N.Y.	240A	240A, 296A

5. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

6. Pursuant to applicable procedures set out in § 1.415 of the Commission's rule, interested parties may file comments on or before July 15, 1966, and reply comments on or before July 25, 1966. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

7. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all written comments, replies, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: June 15, 1966.

Released: June 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6789; Filed, June 21, 1966; 8:47 a.m.]

[1] WWSC (Class IV) and WBZA (daytime) are the only radio stations in Glens Falls.

[2] Commissioner Lee dissenting.

[47 CFR Part 73]

[Docket No. 16715; FCC 66-541]

FM BROADCAST STATIONS

Table of Assignments; Rochester, Minn.

In the matter of amendment of § 73.202, *Table of Assignments, FM Broadcast Stations* (Rochester, Minn.); Docket No. 16715, RM-965.

1. The Commission has before it for consideration a joint petition requesting rule making filed on May 19, 1966, by Olmsted County Broadcasting Co., licensee of Station KOLM(AM), Rochester, Minn., and North Central Video, Inc., licensee of Station KWEB(AM), Rochester, Minn., to add Channel 269A to Rochester by amending § 73.202 of the rules as follows:

City	Channel No.	
	Present	Proposed
Rochester, Minn.	244A, 248, 296	244A, 248, 269A, 296

2. Rochester has a population of 40,663 (1960 U.S. Census) and its county has a population of 65,532. It has three AM stations, two of which are daytime-only stations and the third is a Class IV station. The two Class C FM assignments are in operation. Two applications have been filed by the petitioners for the remaining Class A channel (244A). These applications, BPH-5145 and 5192, are mutually exclusive and must be designated for comparative hearing, unless an additional assignment is made to the city as requested by petitioners. Petitioners state that the two remaining AM stations without an FM outlet would like "to contribute to the general diversity of program sources for their community," that they are anxious to avoid a lengthy and expensive comparative hearing, and that the proposed additional assignment will meet all the minimum mileage requirements of the rules. With respect to the city of Rochester, petitioners submit that its population has increased 17.5 percent in the last 5 years, that approximately 450,000 persons visit it each year, a large portion of this number attributable to Mayo Clinic, and that it is a very important industrial, medical, educational, and cultural center. For the above stated reasons, petitioner urges that the addition of another FM channel to the city of Rochester would serve the public interest.[1]

3. We believe that petitioners have made a sufficient showing to support the issuance of a notice of proposed rule making on their request. Comments are therefore invited on the proposal set forth in paragraph 1, above, which would add Channel 269A to Rochester, Minn. Interested parties are invited to comment on the extent to which the proposed assignment would affect possible alternative uses of this and adjacent channels in this general area.

4. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

5. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before July 22, 1966, and reply comments on or before August 5, 1966. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

6. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all written comments, replies, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: June 15, 1966.

Released: June 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6790; Filed, June 21, 1966; 8:48 a.m.]

[1] In a supplement to their petition filed June 13, 1966, petitioners assert that a special 1965 census showed Rochester to have a population of nearly 48,000, and that its growth is continuing.

[2] Commissioner Cox absent.

[47 CFR Parts 89, 91, 93]

[FCC 66-529]

TEST OF MOBILE SECONDARY FREQUENCY SHARING

Final Action Deferred

JUNE 16, 1966.

As one possible means of affording relief to the ever increasing demands for radiocommunication by the land mobile radio services, the Commission entertained the idea that expanding the concept of inter-service sharing of frequencies by the principle of secondary assignment might offer great promise in relieving the acute problem of frequency congestion. To explore the feasibility of this idea, the Commission, on May 10, 1965, adopted rules in Docket 15399 to conduct, in the State of California, an experiment to test the concept of sharing land mobile frequencies which might not be heavily used in particular geographical areas by certain services other than those to which the frequencies are allocated on a primary basis. However, no applications for participation in the test were filed.

The Commission's staff informally conferred with representatives of land mobile radio users to ascertain the cause of the negative response. Information received indicated that some of the conditions governing the test program were too restrictive. The Commission concluded that some changes were warranted to make the test more attractive to prospective participants and issued a notice of proposed rule making (Docket 16259) to relax certain of the limitations and requirements governing operation under the secondary frequency assignment plan. The major changes were as follows:

1. Applicants would be permitted to use both the primary and secondary frequencies, instead of being limited to use of the secondary frequency only.

2. Removal of the present restriction of only one secondary frequency assignment per applicant, to permit an applicant as many secondary assignments as he has primary ones.

3. The present requirement of 90 days operation on the primary frequency would be dropped.

4. For the first time, applicants in Texas and a 100-mile area around Chicago, Illinois, would be eligible to participate.

The comments filed have been reviewed. Although most of them supported the proposed relaxations, only one or two of those who commented indicated clear willingness to participate in the test. On the other hand, it was suggested that the test not be initiated until after the Advisory Committee for the Land Mobile Radio Services, which is considering various possible alternative sharing plans, completes its work.

The Frequency Utilization and Administration Standing Committee of the ACLMRS is charged, in part, with the responsibility of studying and recommending alternative plans for allocation of frequencies in the land mobile radio services. Information received from the ACLMRS indicates that the report of the Standing Committee is near completion and will be available for informal preliminary study within the next several months. The final report is expected to be submitted to the Commission by the Executive Committee of the ACLMRS prior to the scheduled expiration of the Advisory Committee in March 1967. As soon as the final report on this matter is received from the Executive Committee, further action in the pending proceeding will be resumed.

In view of the foregoing, the Commission has decided to defer final action concerning a possible test in Docket 16259 until after the ACLMRS submits its report and recommendations on the subject of sharing frequencies allocated to the land mobile services.

Adopted: June 15, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-6823; Filed, June 21, 1966; 8:50 a.m.]

[1] Commissioner Cox absent.

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[Antidumping—ATS 643.3-G]

THIOUREA FROM WEST GERMANY

Antidumping Proceeding Notice

JUNE 16, 1966.

On May 11, 1966, the Commissioner of Customs received information in proper form pursuant to the provisions of § 14.6 (b) of the Customs Regulations indicating a possibility that thiourea imported from West Germany, manufactured by Degussa, A.G., Frankfurt/Main, West Germany, is being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Thiourea is a chemical intermediate used in the manufacture of photographic chemicals, pharmaceuticals, textile chemicals, etc.

Ordinarily, merchandise is considered to be sold at less than fair value when the net, f.o.b. factory price for exportation to the United States is less than the net, f.o.b. factory price to purchasers in the home market, or, where appropriate, to purchasers in other countries, after due allowance is made for differences in quantity and circumstances of sale.

A summary of the information received is as follows:

Based on documentation furnished by the complainant the alleged price for home consumption in West Germany is about 60 percent higher than the price for export to the United States.

In order to establish the validity of the information, the Bureau of Customs is instituting an inquiry pursuant to the provisions of § 14.6(d) (1) (ii), (2), and (3) of the Customs Regulations.

The information was submitted by the Elco Corp., Cleveland, Ohio.

This notice is published pursuant to § 14.6(d) (1) (i) of the Customs Regulations (19 CFR 14.6(d) (1) (i)).

[SEAL] LESTER D. JOHNSON, *Commissioner of Customs.*

[F.R. Doc. 66-6796; Filed, June 21, 1966; 8:48 a.m.]

Internal Revenue Service

[Order 97 (Rev. 2)]

ASSISTANT COMMISSIONER (COMPLIANCE) ET AL.

Delegation of Authority With Respect to Closing Agreements Concerning Internal Revenue Tax Liability

Pursuant to authority granted to the Commissioner of Internal Revenue by 26 CFR 301.7121-1(a):

1. The Assistant Commissioner (Compliance) is hereby authorized to enter into a written agreement with any person relating to the internal revenue tax liability for alcohol, tobacco, and firearms taxes, other than the manufacturers excise tax on firearms arising from application of sections 4181 and 4182 of the Internal Revenue Code, of such person (or of the person or estate for whom he acts) in respect of any prospective transactions or completed transactions affecting returns to be filed.

2. The Assistant Commissioner (Technical) is hereby authorized to enter into a written agreement with any person relating to the internal revenue tax liability, other than for those taxes covered by delegation to the Assistant Commissioner (Compliance) in paragraph 1, of such person (or of the person or estate for whom he acts) in respect of any prospective transactions or completed transactions affecting returns to be filed.

3. The Assistant Commissioner (Compliance) is hereby authorized to enter into a written agreement with any person relating to the internal revenue tax liability of such person (or of the person or estate for whom he acts) for a taxable period or periods ended prior to the date of agreement and related specific issues affecting other taxable periods.

4. Regional Commissioners, Assistant Regional Commissioners (Appellate), Chiefs, and Associate Chiefs, Appellate Branch Offices, are hereby authorized in cases under their jurisdiction and in cases in which a closing agreement has been recommended for approval by the office of a District Director (but excluding cases docketed before the Tax Court of the United States) to enter into a written agreement with any person relating to the internal revenue tax liability of such person (or of the person or estate for whom he acts) for a taxable period or periods ended prior to the date of agreement and related specific items affecting other taxable periods.

5. Regional Commissioners, Assistant Regional Commissioners (Appellate), Chiefs, and Associate Chiefs, Appellate Branch Offices, are hereby authorized in cases under their jurisdiction docketed in the Tax Court of the United States to enter into written agreements but only in respect to related specific items affecting other taxable periods.

6. The Director of International Operations is hereby authorized to enter into a written agreement with any person relating to the internal revenue tax liability of such person (or of the person or estate for whom he acts) to provide for the mitigation of economic double taxation under section 3 of Revenue Procedure 64-54, C.B. 1964-2, 1008.

7. District Directors of Internal Revenue are hereby authorized in cases under their jurisdiction to enter into a written agreement with any person to provide that the internal revenue tax liability of such person (or of the person or estate for whom he acts) with respect to the taxability of earnings from a deposit or account of the type described in Revenue Procedure 64-24, C.B. 1964-1 (Part 1), 693, opened prior to November 15, 1962, will be determined on the basis that earnings on such deposits or accounts are not includible in gross income until maturity or termination, whichever occurs earlier, and that the full amount of earnings on the deposit or account will constitute gross income in the year the plan matures, is assigned, or is terminated, whichever occurs first.

8. Authority delegated in this order may not be redelegated.

9. Delegation Order No. 97 (Rev. 1), issued August 23, 1965, is hereby superseded.

Date of issue: June 15, 1966.

Effective date: July 1, 1966.

[SEAL] SHELDON S. COHEN, *Commissioner.*

[F.R. Doc. 66-6797; Filed, June 21, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

The U.S. Forest Service of the Department of Agriculture has filed an application, Serial Number Colorado 0128263, for the withdrawal from location and entry under the General Mining Laws, subject to existing valid claims, certain public lands in the sections and townships described below.

The applicant desires the land to develop a public recreation area in the Uncompahgre National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the Land Office Manager, Bureau of Land Management, Department of the Interior, Colorado Land Office, Room 15019, Federal Building, 1961 Stout Street, Denver, Colorado, 80202.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands affected are:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

UNCOMPAHGRE NATIONAL FOREST

T. 42 N., R. 9 W.,
In sections 22 and 23.

Lands proposed to be withdrawn in the above-designated areas aggregate approximately 148 acres.

W. F. MEEK,
Manager, Land Office, Denver, Colo.

[F.R. Doc. 66-6762; Filed, June 21, 1966; 8:45 a.m.]

[Oregon 018617]

OREGON

Notice of Proposed Classification of Public Lands

Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify the public lands within the area described below, together with any lands therein that may become public lands in the future, for retention for multiple use management. Publication of this notice segregates the described public lands from appropriation under homestead and allotment laws (43 U.S.C. Ch. 7 and 25 U.S.C. 331) and from sale under sec. 2455 of the Revised Statutes (43 U.S.C. 1171), except that the authorized officer may on his own motion classify lands and offer them for sale under this section.

Publication will not alter the applicability of the public land laws governing the use of lands under lease, license or permit, or governing the disposal of their mineral or vegetative resources.

For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, 4th and Park, Post Office Box 1139, Coos Bay, Oreg., 97420.

The public lands proposed for classification are located within the following described area and are shown on maps on file in the Coos Bay District Office, Bureau of Land Management, Fourth and Park, Coos Bay, Oreg., and the Land Office, Bureau of Land Management, 729 Northeast Oregon, Portland, Oreg.

WILLAMETTE MERIDIAN, OREGON

DOUGLAS COUNTY

T. 20 S., R. 9 W.,
Secs. 22, 26, 28, 30, and 34.
T. 20 S., R. 10 W.,
Secs. 3 and 34.
T. 20 S., R. 11 W.,
Secs. 1, 2, and 3.
T. 21 S., R. 7 W.,
Sec. 30.
T. 21 S., R. 9 W.,
Secs. 2, 4, and 6.
T. 21 S., R. 11 W.,
Secs. 1, 2, 14, 15, 20, 22, 29, 30, 31, and 32.
T. 22 S., R. 8 W.,
Secs. 24 and 28.
T. 22 S., R. 9 W.,
Secs. 6, 8, 22, 28, and 34.
T. 23 S., R. 8 W.,
Secs. 14 and 22.
T. 23 S., R. 9 W.,
Secs. 2 and 18.
T. 25 S., R. 9 W.,
Sec. 34.
T. 26 S., R. 8 W.,
Secs. 10, 20, 22, 30, 32 and 34.
T. 26 S., R. 9 W.,
Secs. 2, 10, 12 and 14.
T. 27 S., R. 8 W.,
Secs. 2 and 4.

COOS COUNTY

T. 25 S., R. 12 W.,
Secs. 34 and 35.
T. 26 S., R. 9 W.,
Sec. 32.
T. 26 S., R. 10 W.,
Secs. 20 and 32.
T. 26 S., R. 11 W.,
Secs. 6 and 8.
T. 26 S., R. 12 W.,
Secs. 2 and 4.
T. 26 S., R. 14 W.,
Sec. 28.
T. 27 S., R. 9 W.,
Secs. 4, 6, 8 and 18.
T. 27 S., R. 10 W.,
Secs. 12, 30, 32 and 34.
T. 27 S., R. 11 W.,
Secs. 24 and 26.
T. 28 S., R. 9 W.,
Sec. 4.
T. 28 S., R. 10 W.,
Secs. 4, 6, 12, 14 and 24.
T. 28 S., R. 11 W.,
Secs. 18, 32 and 34.
T. 28 S., R. 12 W.,
Sec. 36.
T. 29 S., R. 10 W.,
Secs. 8, 18, 24, and 28.
T. 29 S., R. 11 W.,
Secs. 4, 6, 8, 18, and 22.
T. 29 S., R. 12 W.,
Secs. 12, 24, 26, and 35.
T. 29 S., R. 13 W.,
Sec. 27.
T. 30 S., R. 11 W.,
Secs. 4, 6, 8, 12, 14, 24, and 26.
T. 30 S., R. 12 W.,
Secs. 5, 6, and 12.
T. 30 S., R. 13 W.,
Secs. 1, 7, 10, 17, 18, 20, 21, 23, 26, and 35.
T. 30 S., R. 14 W.,
Sec. 12.
T. 30 S., R. 15 W.,
Sec. 12.
T. 31 S., R. 13 W.,
Sec. 2.

The public lands in the areas described aggregate 14,902 acres.

A public hearing on the proposed classification will be held on September 6, 1966, at 10:30 a.m. at the Bureau of Land Management District Office, 4th and Park, Coos Bay, Oreg.

B. T. VLADIMIROFF,
Acting State Director.

[F.R. Doc. 66-6763; Filed, June 21, 1966; 8:45 a.m.]

National Park Service

SIGNAL MOUNTAIN LODGE, INC.; GRAND TETON NATIONAL PARK

Notice of Intention To Negotiate Concession Contract

Pursuant to the provisions of section 5, Public Law 89-249, public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Signal Mountain Lodge, Inc., authorizing it to provide concession facilities and services for the public in Grand Teton National Park for a period from date of execution of the contract through December 31, 1971, with the proviso that if the construction and improvement program called for in the contract is satisfactorily completed within the prescribed time, the contract shall automatically be extended for a further period of 5 years. Before doing so, however, and before granting a new contract, pursuant to the Act cited above, the Secretary hereby gives public notice of his intention in the matter and will consider and evaluate all proposals received as a result of this notice.

Interested parties should contact the Director of the National Park Service, Washington, D.C., 20240, for information as to the requirements of the proposed contract.

Dated: June 16, 1966.

THOMAS FLYNN,
Acting Assistant Director, National Park Service.

[F.R. Doc. 66-6765; Filed, June 21, 1966; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

1965-CROP LOAN COTTON

Notice of Acquisition by CCC

All outstanding loans on cotton under Commodity Credit Corporation's 1965 Cotton Loan Program mature on August 1, 1966, unless Commodity Credit Corporation makes demand for payment at an earlier date. Notice is hereby given that if the borrower or a purchaser of his equity does not redeem the cotton securing any such outstanding loan before the close of business on August 1, 1966, and if Commodity Credit Corporation has not made demand for payment at an earlier date, Commodity Credit Corporation will, pursuant to the provisions of the loan agreement covering such loan, acquire title to such cotton at the close of business on August 1, 1966, and title thereto shall, without a sale thereof, vest in Commodity Credit Corporation at such time. As provided in the loan agreement, Commodity Credit Corporation will not pay for any market value which such cotton may have in excess of the loan value of the cotton plus applicable charges and interest. If the warehouse receipts representing any such cotton are sent to a local bank at the request of the producer or a purchaser of his equity, the loan value of the cotton, plus charges and interest, must be paid at the local bank not later than the close of business on August 1, 1966. Any repayment made by mail must be received by Commodity Credit Corporation or by the local bank not later than the close of business on August 1, 1966.

Notwithstanding the foregoing provisions, Commodity Credit Corporation does not elect to acquire any cotton on which there is a basis for a claim against the borrower under the terms of the loan agreement, and in all such cases title to the cotton shall not so vest in Commodity Credit Corporation.

Signed at Washington, D.C., on June 16, 1966.

ROLAND F. BALLOU,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 66-6776; Filed, June 21, 1966; 8:45 a.m.]

SALES OF CERTAIN COMMODITIES

June 1966 CCC Monthly Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The prices at which Commodity Credit Corporation commodity holdings are available for sale during June 1966 are as announced by the U.S. Department of Agriculture. The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, rye, rice, grain sorghum, dry beans, peanuts, flax, and linseed oil.

Pea, red kidney and pink beans are being added to the Sales List for June. As in past years, the minimum sales price will be not less than 105 percent of the current support price plus reasonable carrying charges. Any beans remaining unsold after a reasonable period will be made available for domestic donation outlets.

Export Commodity Certificates (Form CCC-341) issued after May 31 in connection with exports of private stocks of upland cotton under the CCC Export Credit Sales Program may also be exchanged for rights in the CCC upland cotton certificate pools. The cotton obtained from the pools need not be exported.

Cheddar cheese, butter, and nonfat dry milk are withdrawn from sale because supplies are temporarily exhausted. If supplies become available during the month, they will be offered for domestic and export sale as indicated under the Dairy Products section of the list.

Corn, oats, barley, or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

In the following listing of commodities and sales prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality, and available quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commondities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-3) for June 1966 are 5 percent for U.S. bank obligations and 6 percent for foreign bank obligations, without regard to credit periods involved up to a maximum of 36 months. Commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks, are available for export sale under the CCC Export Credit Sales Program as provided under specific commodity listings. Commodities from private stocks now eligible for financing under the CCC Export Credit Sales Program include wheat, wheat flour, bulgur, corn, corn meal, grain sorghum, upland and extra long staple cotton, tobacco, milled and brown rice, cottonseed oil, soybean oil, and dairy products.

Information on commodities available under Title IV, P.L. 480, private trade agreements, and current information on interest rates and other phases of the program may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250.

The following commodities are currently available for barter: Cotton (upland and extra long staple), tobacco, wheat, corn, and grain sorghum. (In addition, free market stocks of cottonseed and soybean oils are eligible for barter programing.) This list is subject to change from time to time.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C., 20250, with respect to all commodities or—for specified commodities—within the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offerer to meet contract obligations of the type contemplated in this announcement. If a prospective offerer is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offerer will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to U.S. Government agencies, with only minor exceptions will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or reexportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Com-

munist China, North Korea and the coast ports under Announcement GR-261 or grain sorghum as CCC may designate will be

by pooled certificates under a feed grain program. The minimum price at which bar-

Markup in-

A. Announcement GR-368 (revised Mar. 1, 1965), feed grain export payment-in-kind

munist China, North Korea and the Communist-controlled area of Viet Nam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule Section 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

SALES PRICE OR METHOD OF SALE

WHEAT, BULK

Unrestricted use.

A. *Storable.* All classes of wheat in CCC inventory are available for sale at market price but not below 106 percent of the 1965 support price for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

B. *Nonstorable.* At not less than market price, as determined by CCC.

C. *Markup and examples (dollars per bushel—in store).*

Markup in-store received by—		Examples—Agricultural Act of 1949; stat. minimum
Truck	Rail or barge	
$0.18¼	$0.15¼	Minneapolis—No. 1 DNS ($1.58) 108 percent+$0.15¼; $1.86¼. Portland—No. 1 SW ($1.44) 108 percent+$0.15¼; $1.71¼. Kansas City—No. 1 HW ($1.43) 108 percent+$0.15¼; $1.70¾. Chicago—No. 1 RW ($1.49) 108 percent+$0.15¼; $1.78¼.

D. *Availability information.* For information on the disposition of nonstorable wheat, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales will be made pursuant to the following announcements:

A. Announcement GR–345 (revised Aug. 25, 1964), as amended for export under the wheat export payment-in-kind program. When hard winter wheat is delivered on the west coast by CCC to cover sales under GR–345, evidence of export must show exportation from west coast ports. Hard Red Winter wheat exports through Pacific northwest ports will not be eligible for Title I, P.L. 480 sales. HRW wheat exports through California ports are eligible for Title I, P.L. 480 sales.

B. Announcement GR–346 (revised Sept. 8, 1964), as amended for export as flour.

C. Announcement GR–261 (Revision 2, Jan. 9, 1961), as amended and supplemented for export as wheat and under Announcement GR–262 (Revision 2, Jan. 9, 1961, as amended), for export as flour for application under arrangements for barter and approved CCC credit sales only at prices determined daily. HW wheat will not be sold through west coast ports under Announcement GR–261 or GR–262.

D. *Available:* Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

CORN, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of corn as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The price at which corn shall be valued for such dispositions shall be the market price as determined by CCC, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable corn as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price support rate[1] (published loan rate plus 20 cents per bushel) for the class, grade, and quality of the corn, plus the markup shown in C of this unrestricted use section.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store[1] basis No. 2 Yellow Corn 14 percent M.T. 2 percent F.M.).*

Markup in-store received by—	Examples
Truck	
$0.16¼	Feed grain program domestic PIK certificate minimums: McLean County, Ill. ($1.06+$0.03 +$0.16¼); $1.25¼. Agricultural Act of 1949 stat. minimums: McLean County, Ill. ($1.06+$0.20 +$0.03); 105 percent +$0.16¼; $1.52¾.

D. *Availability information.* For information on CCC corn sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of corn from other locations, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS Grain Offices shown at the end of this sales list.

Export.

Sales for barter and credit are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price support rate plus the markup referred to in C of the unrestricted use section for corn. Sales will be made pursuant to the following announcements:

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to approved CCC barter and credit sales.

C. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS Grain Offices.

GRAIN SORGHUM (BULK)

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of grain sorghum as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, as determined by CCC, but not less than the payment-in-kind formula price for such redemption. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable grain sorghum as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price-support rate[2] (published loan rate plus 35 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per hundredweight in-store[1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.31½	$0.25¾	Feed grain program domestic PIK certificate minimums: Hale County, Tex. ($1.63+$0.31½); $1.94½. Kansas City, Mo. (ex-rail) ($1.93+ $0.25¾); $2.18¾. Agricultural Act of 1949; stat. minimums: Hale County, Tex. ($1.63+$0.35); 105 percent +$0.31½; $2.39½. Kansas City, Mo. (ex-rail) ($1.93+ $0.36); 105 percent and $0.25¾; $2.65¾.

D. *Availability information.* For information on CCC grain sorghum sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of grain sorghum from other locations, contact the Kansas City, Evanston, Portland, or Minneapolis ASCS grain offices shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price support rate plus the markup referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcements:

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to arrangements for barter, approved CCC credit and other designated sales.

C. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

BARLEY, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of barley as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which barley shall be valued for such dispositions shall be market price, as determined by CCC, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the barley, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable barley as CCC may designate as general sales will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price-support rate[2] (published loan rate plus 16 cents per bushel) for the class, grade, and quality of the barley, plus the markup shown in C of this unrestricted use section, applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store[1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.17¾	$0.15¼	Feed grain program domestic PIK certificate minimums: Cass County, N. Dak. ($0.76+$0.16); $0.17¾; $0.93¾. Minneapolis, Minn. (ex-rail) ($0.99+ $0.15¼); $1.14¼. Agricultural Act of 1949; statutory minimums: Cass County, N. Dak. ($0.76+$0.16); 105 percent +$0.17¾; $1.14¼. Minneapolis, Minn. (ex-rail) ($0.99+ $0.16); 105 percent +$0.15¼; $1.36¼.

D. *Availability information.* For information on CCC barley sales from bin sites, contact ASCS State or county offices. For information on the disposition of barley from other locations, contact the Kansas City, Evanston, Minneapolis, or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for barley. Sales will be made pursuant to the following announcements except that barley will not be sold for applications to Title I, or Title IV, P.L. 480 purchase authorizations or for barter.

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit sales.

C. *Available.* Kansas City, Evanston, and Minneapolis ASCS grain offices.

OATS, BULK

Unrestricted use.

A. Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1965 price-support rate[2] for the class, grade, and quality of the oats plus the markup shown in B below.

B. *Markups and examples (dollars per bushel in-store[1] basis No. 2 HWO).*

Markup in-store received by—	Examples—Agricultural Act of 1949; Stat. minimum
Truck	
$0.16¾	Redwood County, Minn. ($0.86+$0.03 quality differential); 105 percent +$0.16¾; $0.78¾.

C. *Nonstorable.* At not less than the market price as determined by CCC.

D. *Availability information.* Sales at bin sites are made through the ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcements except that oats will not be sold for applications to Title I, or Title IV, P.L. 480 purchase authorizations or for barter.

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for applications to approved CCC credit and other designated sales.

C. *Available.* Kansas City, Evanston, Minneapolis, and Portland ASCS grain offices.

RYE, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent[2] of the applicable 1965 price-support rate for the class, grade, and quality of the grain plus the markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store[1] No. 2 or better).*

Markup in-store received by—		Examples—Agricultural Act of 1949; Stat. minimum
Truck	Rail or barge	
$0.18½	$0.15¼	Rollete County, N. Dak. ($0.91); 105 percent +$0.18½; $1.14½. Minneapolis, Minn. (ex-rail) ($1.24); 105 percent +$0.15¼; $1.46¼.

C. *Nonstorable.* At not less than market price as determined by CCC.

D. *Availability information.* Sales at bin sites are made through ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcements except that rye will not be sold for applications to Title I, or Title IV, P.L. 480 purchase authorizations or for barter.

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit and other designated sales.

C. *Available.* Evanston, Kansas City, Portland, and Minneapolis ASCS grain offices.

RICE, ROUGH

Unrestricted use.

Market price but not less than 1965 loan rate plus 5 percent plus 44 cents per hundredweight, basis in store.

Export.

As milled or brown under Announcement GR–369, Revision III, rice export program—payment-in-kind, and under GR–379, Revision I, for approved credit sales.

Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

COTTON, UPLAND

Unrestricted use.

A. Competitive bid under the terms and conditions of Announcement NO–C–16, as amended (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price support programs will be sold at the highest price offered but in no event at less than the higher of (a) 105 percent of the current loan rate for such cotton, plus reasonable carrying charges, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO–C–26 (Disposition of Upland Cotton—for Exchange of PIK Certificates or Rights in the Certificate Pool for Upland Cotton), as amended. Upland cotton may be acquired at its domestic market price which shall be the highest price offered but not less than the minimum price determined by CCC.

C. Competitive offers under the terms and conditions of Announcement NO–C–31 (Disposition of Upland Cotton—In Redemption of Payment-In-Kind Certificates or Rights in Certificate Pools, In Redemption of Export Commodity Certificates, Against the "Shortfall," and Under Barter Transactions), as amended. No cotton will be delivered prior to August 1, 1966. Cotton may be acquired at its current market price for delivery after August 1, 1966, which shall be the highest price offered but not less than the minimum determined by CCC, and in no event at less than the loan rate for such cotton at time of delivery.

Export.

A. *CCC sales for export.* Competitive bid under the terms and conditions of Announcements CN–EX–25 (Cotton Export Program—Sales—1964–66 Marketing Years) and NO–C–29 (Sale of Upland Cotton—Cotton Export Program—1964–66 Marketing Years), as amended.

B. *CCC credit sales and barter.* Competitive bid under the terms and conditions of Announcement CN–EX–23 (Purchase of Upland Cotton for Export under the Export Credit Sales Program), Announcement CN–EX–24 (Acquisition of Upland Cotton for Export under the Barter Program), and Announcement NO–C–28 (Sale of Upland Cotton CCC Credit and Barter Programs—1964–66 Marketing Years), as amended.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

A. Competitive bid under the terms and conditions of Announcements NO–C–6 (revised July 22, 1960), as amended, and NO–C–10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support

price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.

Export.

A. *CCC sales for export.* Competitive bid under the terms and conditions of Announcements CN–EX–20 (Foreign-Grown Extra Long Staple Cotton Export Program) and NO–C–23 (Sale of Foreign-Grown Extra Long Staple Cotton).

Competitive bid under the terms and conditions of Announcements CN–EX–22 (Extra Long Staple Cotton Export Program) and NO–C–27 (Sale of Extra Long Staple Cotton), as amended.

B. *CCC credit sales and barter.* Competitive bid under the terms and conditions of Announcement CN–EX–26 (Purchase of Extra Long Staple Cotton for Export under the Export Credit Sales Program), Announcement CN–EX–27 (Acquisition of Extra Long Staple Cotton for Export under the Barter Program), and Announcement NO–C–27 (Sale of Extra Long Staple Cotton), as amended.

Availability information. Sale of cotton will be made by the New Orleans ASCS Commodity Office and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from that office.

PEANUTS, SHELLED

A. *Domestic crushing or export.*

1. Shelled peanuts of less than U.S. No. 1 grades may be purchased for foreign or domestic crushing.

2. U.S. Medium—Virginia type—for export.

3. Terms and conditions of sales appear in CCC Peanut Announcement 1 (revised) January 4, 1962, Amendments 1 thru 4, Supplement 1 and in the lot list and Appendix 1 thereto.

B. When stocks of any of the above categories are available in their area of responsibility, weekly lot lists are issued by the following:

GFA Peanut Association, Camilla, Ga.
Peanut Growers Cooperative Marketing Association, Franklin, Va.
Southwestern Peanut Growers' Association, Gorman, Tex.

All sales are made on the basis of competitive bids each Wednesday, by the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C., to which all bids are submitted.

DRY EDIBLE BEANS (BAGGED)

Domestic market price but not less than the following minimum price per hundredweight for U.S. No. 1 f.o.b. indicated points of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1966 price-support differentials.

Class	Price per hundredweight	Area of production
Pea	$7.40	Michigan.
Red Kidney	9.08	Do.
Pink	7.97	Do.

FLAXSEED, BULK

Unrestricted use.

A. *Storable.* Market price but not less than the applicable 1966 support price for the class, grade, and quality of flaxseed plus 14½ cents per bushel, and plus the respective markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store*[1]*).*

Markup per bushel received by—		Examples of minimum prices (ex-rail or barge)		
Truck	Rail or barge	Terminal	Class and grade	Price
Cents $0.20	*Cents* $0.15½	Minneapolis	No. 1	$3.45

C. *Nonstorable.* At not less than market price as determined by CCC.

D. *Available.* Through the Minneapolis Grain Merchandising ASCS Office.

Export.

A. Announcement PS–GR–4, Revision 1, dispositions of flaxseed, as designated by CCC, will be in redemption of export commodity certificates at the domestic market price as determined by CCC.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit sales. Such sales will be at the domestic market price as determined by CCC less the applicable export payment allowance. The flaxseed to be exported shall be No. 2 grade, or better.

C. *Available.* Through the Minneapolis Grain Merchandising ASCS Office.

LINSEED OIL, RAW (BULK)

Export.

Under Announcement PS–GR–4, Revision 1, dispositions of raw linseed oil, as designated by CCC, will be in redemption of export commodity certificates at the domestic market price as determined by CCC.

Available. Through the Minneapolis ASCS Commodity Office.

DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK

Unrestricted use.

Announced prices, under MP–14: Spray process, U.S. Extra Grade, 18.60 cents per pound.

Export.

Competitive bid, under MP–10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter and approved CCC credit.

Any nonfat dry milk offered but not sold under the invitation to bid issued pursuant to MP–10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

BUTTER

Unrestricted use.

Announced prices, under MP–14: 65.0 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 64.25 cents per pound—Washington, Oregon, and California. All other States 64.0 cents per pound.

Export.

Competitive bid under Announcement MP–10, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter and CCC credit.

Any butter offered but not sold under the invitation to bid issued pursuant to MP–10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

CHEDDAR CHEESE (STANDARD MOISTURE BASIS)

Unrestricted use.

Announced prices, under MP–14: 44.5 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 43.5 cents per pound.

Export.

Competitive bid under Announcement MP–10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under MP–10. Sales under this announcement may be made for application to CCC credit.

Any cheese offered but not sold under the invitation to bid issued pursuant to MP–10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

FOOTNOTES

[1] The formula price delivery basis for bin site sales will be f.o.b.

[2] To compute, multiply applicable support price by 1.05 round product up to nearest whole cent and add amount shown in the appropriate table and any applicable freight and handling charges.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Kansas City ASCS Commodity Office, 8930 Ward Parkway (P.O. Box 205), Kansas City, Mo., 64141. Telephone: Emerson 1–0860.

Alabama, Alaska, Arkansas, Colorado, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming.

Branch Office—Evanston ASCS Branch Office, 2201 Howard Street, Evanston, Ill., 60202. Telephone: Long Distance—University 9–0600 (Evanston Exchange). Local—Rogers Park 1–5000 (Chicago, Ill.).

Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn., 55415. Telephone: 334–2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg., 97205. Telephone: 226–3361.

Idaho, Nevada, Oregon, Utah, and Washington (domestic and export sales), Arizona and California (export sales only).

Branch Office—Berkeley ASCS Branch Office, 2020 Milvia Street, Berkeley, Calif., 94704. Telephone: Thornwall 1–5121.

Arizona and California (domestic sales only).

PROCESSED COMMODITIES OFFICE—(ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn., 55435. Telephone: 334–3200.

COTTON OFFICES—(ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La., 70112. Telephone: 527–7766.

GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reidinger, 80 Lafayette Street, New York, N.Y., 10013. Telephone: 264–8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif., 94111. Telephone: 556–6185.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply Sec. 407, 63 Stat. 1066; Sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; Secs. 303, 306, and 307, 76 Stat. 614–617; 7 U.S.C. 1441 (note))

Signed at Washington, D.C., on June 16, 1966.

ROLAND F. BALLOU,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 66–6777; Filed, June 21, 1966; 8:46 a.m.]

Office of the Secretary

KANSAS

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Kansas natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

KANSAS

Leavenworth.	Riley.
Pottawatomie.	Shawnee.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loans assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 16th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–6781; Filed, June 21, 1966; 8:47 a.m.]

OHIO

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Ohio a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

OHIO

Perry.	Morgan.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 16th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–6782; Filed, June 21, 1966; 8:47 a.m.]

TEXAS

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Texas natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

TEXAS

Orange.

It has also been determined that in the hereinafter-named counties in the State of Texas the above-mentioned natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Texas	*Original Designation*
Aransas	30 F.R. 11112
Delta	30 F.R. 11534
Hardin	30 F.R. 9498
Jefferson	30 F.R. 9498
Lamar	30 F.R. 13021
Matagorda	30 F.R. 9687
Nueces	30 F.R. 11112
San Patricio	30 F.R. 11112
Starr	30 F.R. 9498
Wharton	30 F.R. 11112
Willacy	30 F.R. 8861
Zapata	30 F.R. 9498

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 16th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–6783; Filed, June 21, 1966; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50–252]

UNIVERSITY OF NEW MEXICO

Notice of Proposed Issuance of Construction Permit

Please take notice that the Atomic Energy Commission ("the Commission") is considering the issuance of a construction permit substantially as set forth below to the University of New Mexico which would authorize the University to receive, possess, and construct the Model AGN–201, Serial No. 112, nuclear reactor which is covered by Facility License No. R–30 and presently located on the campus of the University of California at Berkeley, Calif. The reactor is to be disassembled by the University of California, transferred from its present location at Berkeley, Calif., to Albuquerque, N. Mex., and constructed on the campus of the University of New Mexico in Albuquerque, N. Mex.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this construction permit may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's "Rules of Practice," 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued. If no request for hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue the construction permit fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER.

For further details with respect to this proposed issuance, see (1) the application, dated April 4, 1966, and the amendments thereto, dated May 19, 1966, and June 9, 1966, and (2) a related Safety Evaluation prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the Safety Evaluation may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 17th day of June 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director, Division of Reactor Licensing.

PROPOSED CONSTRUCTION PERMIT

The Atomic Energy Commission (hereinafter "the Commission") having found that:

a. The application for license, dated April 4, 1966, as amended May 19, 1966, and June 9, 1966, complies with the requirements of the Atomic Energy Act of 1954, as amended (hereinafter "the Act"), and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

b. There is reasonable assurance that the Model AGN-201, Serial No. 112, nuclear reactor can be constructed at the designated location without endangering the health and safety of the public;

c. The University of New Mexico is financially and technically qualified to receive, possess, and construct the reactor at the location as described in the application;

d. The University of New Mexico is a nonprofit educational institution and will use the reactor for the conduct of educational activities and is therefore exempt from the financial protection requirement of subsection 170a of the Act; and

e. Issuance of the proposed construction permit will not be inimical to the common defense and security or to the health and safety of the public. Construction Permit No. CPRR———, effective as of the date of issuance, is hereby issued as follows:

1. This license applies to the Model AGN-201, Serial No. 112, nuclear reactor (hereinafter "the reactor"), formerly owned and operated by the University of California on its campus at Berkeley, Calif., under Facility License No. R-30, Docket No. 50-84, which is described in the University of New Mexico application for license dated April 4, 1966, and the amendments thereto dated May 19, 1966, and June 9, 1966 (hereinafter "the application").

2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses The University of New Mexico:

A. Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10, Chapter 1, CFR, Part 50, "Licensing of Production and Utilization Facilities," to receive, possess, and construct, but not to operate, the reactor at the designated location on the University's campus in Albuquerque, N. Mex., in accordance with the procedures and limitations described in the application and this construction permit;

B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material," to receive, possess, and store at the designated location, but not to separate, such byproduct material as may be contained in the reactor.

3. This permit shall be deemed to contain and be subject to the conditions specified in section 30.34 of Part 30, section 50.55 of Part 50, and section 70.32 of Part 70 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. The earliest date for the completion of the construction of the reactor is July 1, 1966, and the latest date for the completion of the construction of the reactor is September 1, 1966.

B. The construction of the reactor at the new location on the campus of The University of New Mexico shall be accomplished in accordance with the procedures described in the application.

C. This construction permit is contingent upon the execution of an indemnity agreement as required by section 170 of the Act.

4. Upon completion of the construction of the reactor at the designated location in accordance with the terms and conditions of this permit, and upon finding that the reactor will operate in conformity with the provisions of the Act and the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license to operate the reactor would not be in accordance with the provisions of the Act, the Commission will issue a Class 104 license to The University of New Mexico pursuant to section 104c of the Act, which license shall expire twenty (20) years after the date of this construction permit.

For the Atomic Energy Commission.

Date of issuance:

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66-6873; Filed, June 21, 1966; 8:51 a.m.]

BUREAU OF THE BUDGET

REPORT ON UTILIZATION OF ADVISORY COMMITTEES BY BUREAU OF THE BUDGET DURING FISCAL YEAR 1965

Notice of Availability

In compliance with the provisions of Executive Order No. 11007, dated February 26, 1962,[1] the Bureau of the Budget has prepared a report containing a list of all advisory committees utilized by the Bureau during the fiscal year 1965, including the names and affiliations of their members, a description of the function of each committee, and a statement of the dates of its meetings.

This report is available at the Office of the Administrative Assistant to the Director, Bureau of the Budget, Executive Office Building, Washington, D.C.

WILLIAM D. CAREY,
Assistant Director.

[F.R. Doc. 66-6828; Filed, June 21, 1966; 8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 15353; Order E-23831]

INTERNATIONAL AIR TRANSPORT ASSN.

Agreement Relating to Fare Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of June 1966.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 1-2 of the International Air Transport Association (IATA), and adopted by mail votes. The agreements have been assigned the above designated C.A.B. agreement numbers.

The agreements would permit the common-rating of certain fares between (1) Salonika and the United States with the present applicable fares between Athens and the United States, and (2) Butare and the United States with the present applicable fares between Bujumbura and the United States. The agreements are consistent with the present practice of common-rating other fares within these areas.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find Resolution JT12(Mail 454)001m incorporated in Agreement C.A.B. 18898 and Resolution JT12(Mail 457)001m incorporated in Agreement C.A.B. 18959 to be adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Agreements C.A.B. 18898 and 18959 are approved.

Any air carrier party to the agreements, or any interested persons, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-6809; Filed, June 21, 1966; 8:49 a.m.]

[Docket 16987]

WESTERN MONTANA SERVICE INVESTIGATION

Notice of Postponement of Prehearing Conference

Notice is given herewith that the prehearing conference in the above-entitled proceeding, heretofore assigned to be held on June 30, 1966, is hereby postponed and will now be held before the undersigned Examiner on July 6, 1966, at 10 a.m. (e.d.s.t.) in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., June 15, 1966.

[SEAL] RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 66-6810; Filed, June 21, 1966; 8:49 a.m.]

CIVIL SERVICE COMMISSION

DEPUTY COMMISSIONER OF EDUCATION

Manpower Shortage

Under the provisions of section 7(b) of the Administrative Expenses Act of 1946, as amended, relating to the payment of travel and transportation expenses of appointees, the Civil Service Commission has found, effective June 10, 1966, that there is a manpower shortage for the position of Deputy Commissioner of Education, GS-1720-18, in the Office of Education.

This finding terminates when the position is filled.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6831; Filed, June 21, 1966; 8:51 a.m.]

[1] 3 CFR, 1959-1963 Comp., p. 573; 27 F.R. 1875.

It is ordered, This 13th day of June 1966 that, barring unforeseen contingencies which may require rearrangement of the schedule, it is expected that the Respondents' witnesses will be called in the following order for cross-examination at the hearings beginning July 18, 1966:

Name	Bell exhibit No.	Oral testimony (transcript pages)
J. H. Moller	14	338-350
Paul W. McCracken	10	156A-178
C. W. Buek	12	179-208
Robert R. Nathan	16	209-232
F. J. McDiarmid	11	236-244
G. L. Levy	13	245-257
A. M. Massie	15	258-273
Irwin Friend	18	274-290
Walter A. Morton	17	291-318
Alexander Sachs	22	319-335
Albert J. Bergfeld	19	
J. J. Scanlon	20	351-392
William O. Baker	21	135-156
Ben S. Gilmer	31	110-134
Robert F. Wentworth	3	
D. A. Debbie	4	
A. M. Walker	2	
Knut Sandbeck	1, 1A	
G. L. Bach	5	
George Terborgh	6	
Richard Walker	7	
Arthur R. Tebbutt	8	
John I. Boggs	9	

It is further ordered, That the parties to this proceeding shall notify Commission counsel and counsel for the Respondents, on or before July 13, of the identity of the witnesses that they intend to cross-examine and the estimated time which will be required for such examination.[1]

Released: June 13, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6791; Filed, June 21, 1966; 8:48 a.m.]

[Docket No. 16663; FCC 66M-844]

LAMAR LIFE BROADCASTING CO.

Order Continuing Prehearing Conference

In re applications of Lamar Life Broadcasting Co., Docket No. 16663, File No. BRCT-326; for renewal of license of television station WLBT and auxiliary services, Jackson, Miss.

Because of a conflict in the Hearing Examiner's schedule: *It is ordered,* This 15th day of June 1966, that the prehearing conference heretofore scheduled for June 29, 1966, be and the same is hereby rescheduled for July 6, 1966, 9 a.m., in the Commission's offices, Washington, D.C.

Released: June 15, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6792; Filed, June 21, 1966; 8:48 a.m.]

[Docket No. 16533; FCC 66M-835]

WASHINGTON BROADCASTING CO. AND WOL, INC.

Order Scheduling Hearing

In re application of Washington Broadcasting Co. (Assignor) and WOL, Inc. (Assignee), Docket No. 16533, File Nos. BAL-5418, BALH-780, BALRE-1237; for assignment of licenses of stations WOL AM and FM, Washington, D.C.

Pursuant to a hearing conference on June 13, 1966: *It is ordered,* This 14th day of June 1966, that the hearing herein will convene on July 7, 1966, 10 a.m., in the Commission's offices, Washington, D.C., and continue through and including July 8, July 11 and 12, and when the hearing recesses on the latter date, it will be resumed on July 25, 1966, 10 a.m.;

It is further ordered, that WOL, Inc., will exchange its exhibits relating to the new added issue No. 4 (programing) on or before July 18, 1966.

Released: June 14, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6793; Filed, June 21, 1966; 8:48 a.m.]

FEDERAL AVIATION AGENCY

MANILA, REPUBLIC OF THE PHILIPPINES

Notice of Consolidation, Closing, and Establishment

Notice is hereby given that on or about June 30, 1966, the Flight Inspection District Office at Manila, Republic of the Philippines, and the Secondary Aircraft Maintenance Base at Manila, Republic of the Philippines, will be closed and consolidated with the Tokyo Flight Inspection Group at Tokyo, Japan. Services to the aviation public of Taiwan, Hong Kong, and Southeast Asia other than the Republic of the Philippines, will be rendered by the Tokyo Flight Inspection Group. The aviation public of the Republic of the Philippines will be served by the Honolulu Flight Inspection Group. On or about July 1, 1966, the Avionics Maintenance and Calibration Unit at Manila, Republic of the Philippines, will be established to perform the avionics maintenance services formerly rendered by the Secondary Aircraft Maintenance Base at Manila, Republic of the Philippines.

PHILLIP M. SWATEK,
Director, Pacific Region.

[F.R. Doc. 66-6756; Filed, June 21, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16258; FCC 66M-833]

AMERICAN TELEPHONE & TELEGRAPH CO. ET AL.

Order Scheduling Hearing

In the matter of American Telephone & Telegraph Co. and the Associated Bell System Cos., Docket No. 16258; charges for interstate and foreign communication service.

The Telephone Committee having under consideration the matter of notifying all participants in this proceeding of the proposed schedule for cross-examination at the hearings beginning July 18, 1966; and

It appearing that counsel for the Respondents has proposed a convenient order of presentation of witnesses;

[1] It is expected that, during the course of the proceeding, each of the parties will delete from its cross-examination such matters as have been covered by any preceding cross-examination, so as to eliminate duplication of effort.

At the commencement of the hearing, Commission counsel will have available a list indicating the order in which counsel for the parties will undertake cross-examination.

[Docket Nos. 16706-16708; FCC 66-526]

WUST, INC., ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of WUST, Inc. (WUST), Bethesda, Md., Docket No. 16706, File No. BP-14357; has: 1120kc, 250w, Day; requests: 1120kc, 5kw, 1kw (CH), Day; for construction permit; Atlantic Broadcasting Co. (WUST), Bethesda, Md., Docket No. 16707, File No. BR-1513; has: 1120kc, 250w, Day; for renewal of license; Bethesda-Chevy Chase Broadcasters, Inc., Bethesda, Md., Docket No. 16708, File No. BP-16319; requests: 1120kc, 250w, Day; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 14th day of June 1966;

1. The Commission has before it the above-captioned and described applications. The application of Bethesda-Chevy Chase Broadcasters, Inc. (Broadcasters), requests authority to construct and operate on the frequency assigned to Station WUST and is therefore mutually exclusive with the applications for

renewal of the WUST license and for an increase in power of WUST.

2. The application to increase power of WUST (BP–14357) was filed in 1960 prior to a change in name of the corporate licensee to the Atlantic Broadcasting Co. Action was withheld on the application pending the conclusion of the Clear Channel proceeding (Docket No. 6741), 31 FCC 545, 21 R.R. 1801 (1961). Section 73.25(a)(5)(ii) of the Commission's rules adopted at the conclusion of that proceeding provides for the operation of daytime-only stations on 1120 kilocycles within the continental United States where the station would operate with facilities authorized as of October 30, 1961. However, the Commission has determined that favorable action on the application to increase power of the Bethesda station would not prejudice future consideration of the use of the clear channel frequencies. Therefore, the Commission will, on its own motion, waive the provisions of § 73.25(a)(5)(ii) of the rules to permit consideration of the application in a hearing proceeding and will afford the Atlantic Broadcasting Co. an opportunity to amend the application to reflect the change in corporate name.

3. Examination of the WUST application indicates that the proposed 5 mv/m contour penetrates the geographic boundaries of Washington, D.C. Bethesda has a population of 56,527 (1960 Census) while the population of Washington, 763,959, is over twice that of Bethesda. Accordingly, pursuant to the Commission's policy statement on Section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities, released on December 27, 1965, 2 FCC 2d 190, 6 R.R. 2d 1901, it is presumed that the proposal is intended to serve Washington. Therefore, appropriate issues will be specified to determine whether the proposal would realistically provide a local transmission service for Bethesda or for Washington and to determine whether, if the proposal is realistically a proposal for Washington, the proposal meets the technical provisions of the Rules for a station assigned to Washington.[1]

4. Station WUST is operated to serve the Negro population of Washington, D.C., and its environs while the program service proposed by Broadcasters does not appear to be similarly specialized. Therefore, evidence on programing will be received and considered under the standard comparative issue.

5. On the basis of the information on file, it cannot be determined that Broadcasters are financially qualified. Examination of the application indicates the following:

(a) Estimated initial expenditures will total a minimum of $115,736 comprised of the down payment on equipment, $7,096, miscellaneous, $8,640, and working capital (1 year), $100,000. The initial capital of $50,000 is not adequate to meet those commitments. Accordingly, it appears that Broadcasters must rely, in part, on revenues to meet fixed charges and operating expenses during the first year. Therefore, Broadcasters will be afforded an opportunity to show the basis for its estimate of annual revenue.

(b) James Douglas Bailey, John Elbridge Parker, Ralph L. Creel, Abraham W. Danish, Jerome E. Korpek, B. Francis Saul, and C. Thomas Clagett, Jr., indicate that they will purchase stock with funds secured through loans. However, the loan agreements submitted do not indicate the interest payable, the terms of repayment or the security.

6. It appears that, except as indicated in paragraph 5, above, the applicants are qualified to construct, own, and operate the facilities proposed. Upon due consideration of the above-captioned applications, the Commission finds that, pursuant to section 309(e) of the Communications Act of 1934, as amended, a hearing is necessary and that the said applications must be designated for hearing in a consolidated proceeding on the issues set forth below.

7. *Accordingly, it is ordered,* That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above captioned applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed operation of Bethesda-Chevy Chase Broadcasters, Inc., and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WUST and the availability of other primary service to such areas and populations.

3. To determine, with respect to the application of Bethesda-Chevy Chase Broadcasters, Inc.:

(a) The basis for the applicant's estimated revenues for the first year of operation.

(b) The interest, terms of repayment and security in connection with the loans proposed to be secured by James Douglas Bailey, John Elbridge Parker, Ralph L. Creel, Abraham W. Danish, Jerome E. Korpek, B. Francis Saul, and C. Thomas Clagett, Jr.

(c) Whether, in view of the evidence adduced with respect to Items 3–a and 3–b, Bethesda-Chevy Chase Broadcasters, Inc., is financially qualified to construct and operate the proposed station in that it has or will have sufficient funds for the construction and operation of such station for at least one year.

4. To determine whether the proposed operation of Station WUST will realistically provide a local transmission facility for its specified station location or for another larger community, in the light of all the relevant evidence, including, but not necessarily limited to, the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programing needs.

(b) The extent to which the needs of the specified station location are being met by existing standard broadcast stations.

(c) The extent to which the applicant's program proposal will meet the specific, unsatisfied programing needs of its specified station location.

(d) The extent to which the projected sources of the applicant's advertising revenues within its specified station location are adequate to support its proposal, as compared with its projected sources from all other areas.

5. To determine, in the event it is concluded pursuant to the foregoing issue (4) that the WUST proposal will not realistically provide a local transmission service for its specified station location, whether such proposal meets all of the technical provisions of the rules, including §§ 73.30, 73.31, and 73.188(b) (1) and (2), for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will realistically provide a local transmission service.

6. To determine which of the proposals would better serve the public interest.

7. To determine, in the light of the evidence adduced pursuant to the foregoing issues and in the event it is determined any of the applications should be granted, whether either or both of the WUST applications should be granted or whether the application of Bethesda-Chevy Chase Broadcasters, Inc., should be granted.

8. *It is further ordered,* That the Atlantic Broadcasting Co. shall, on or before the date specified for the pre-hearing conference or such further time as the Examiner shall allow, amend the application for increase in power of WUST (File No. BP–14357) to reflect the change in corporate name.

9. *It is further ordered,* That the Examiner is hereby authorized to accept the amendment permitted by this order without requiring compliance with § 1.522(b) of the Commission's rules.

10. *It is further ordered,* That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

11. *It is further ordered,* That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: June 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6794; Filed, June 21, 1966; 8:48 a.m.]

[1] Charles W. Jobbins, et al., 2 FCC 2d 197, 6 R.R. 2d 574, Monroeville Broadcasting Co., et al., 2 FCC 2d 200, 6 R.R. 2d 697, Jupiter Associates, Inc., et al., 2 FCC 2d 203, 6 R.R. 2d 578.

[Docket No. 16258; FCC 66M–850]

AMERICAN TELEPHONE & TELEGRAPH CO. ET AL.

Memorandum Opinion and Order

In the matter of American Telephone & Telegraph Co. and the Associated Bell System Cos., Docket No. 16258; charges for interstate and foreign communication service.

1. The Commission's memorandum opinion and order of December 22, 1965 (FCC 65–1143, 2 FCC 2d 142), established a two-stage procedure specifying certain issues for hearing in this proceeding in Phase 1, and leaving all other matters for Phase 2. In that opinion and order, it was further provided, with respect to Phase 1, as follows:

> After opportunity for cross-examination and presentation of evidence by the parties and the Commission's staff pertinent to the foregoing matters, the Commission will consider what interim actions, if any, may be warranted in light of the record as it then stands, i.e., accepting for this purpose respondents' claimed net investment and expenses as derived from their books without adjustment, and, if the circumstances require, issuing such orders as it finds appropriate.

Respondents' initial presentation of evidence on this matter was originally to have been made by April 4, 1966.

2. Subsequently, the Telephone Committee, by its memorandum opinion and order following prehearing conference, February 11, 1966, established a series of procedural dates under which Respondents' direct presentation was to be filed and served by May 31, 1966, rather than April 4, 1966. At the request of Respondents, the date has now been further extended, by an order of May 31, 1966 (FCC 66M–756), to July 29, 1966, to allow additional time for them to prepare and submit evidence with respect to rate-making principles.

3. Paragraph 3 of the Commission's order of October 27, 1965 (FCC 65–959, 30 F.R. 13885), initiating this proceeding, called upon Respondents to justify the inclusion in its rate base of telephone plant under construction, cash working capital and material and supplies, and to justify the reasonableness of all other items of its claimed rate base, expenses, taxes and reserves, upon which it relies in determining its operating results. Respondents have included evidence with respect to rate base, including cash working capital, telephone plant under construction, and materials and supplies, in their submission of evidence in Phase 1 as of this date. However, it is not clear whether Respondents intend to offer any further evidence to justify the inclusion of those three items in the rate base, or net investment. In any event, the additional time provided by the extensions which have been granted will afford opportunity for filing of such additional submissions as Respondents may deem necessary and make it feasible for the Commission to deal with the entire matter of net investment in any interim orders it may issue, including appropriate adjustments.

Accordingly, it is ordered, This 17th day of June 1966, that, on or before July 29, 1966, Respondents shall submit their complete justification for inclusion in their rate base of claimed amounts of telephone plant under construction, cash working capital, and material and supplies, as well as the reasonableness of all other items of rate base claimed in their presentation with respect to Phase 1.

Released: June 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6819; Filed, June 21, 1966; 8:50 a.m.]

[Docket No. 16258; FCC 66M–851]

AMERICAN TELEPHONE & TELEGRAPH CO. ET AL.

Memorandum Opinion and Order

In the matter of American Telephone & Telegraph Co. and the Associated Bell System Cos., Docket No. 16258; charges for interstate and foreign communication service.

1. The initial hearing sessions were held June 7 through 9, 1966, for the receipt of oral testimony from certain of Respondents' witnesses. At the same time all of its extensive written presentation on Phase 1 of this proceeding was identified for the record.

2. A major portion of Respondents' presentation dealt with the claimed rate of return, an issue which we consider to be one of the most vital to this proceeding. The testimony offered by Respondents suggests that they share our view as to its importance and the desirability of completing the evidential record with respect thereto as soon as practicable. We have, therefore, considered procedural steps to take to bring this about.

3. Cross-examination on Respondents' rate of return witnesses begins July 18, 1966, and will continue at least until all rate of return witnesses have been examined. These include all who testified orally June 7 through 9, 1966, and, in addition, Albert J. Bergfeld on Bell Exhibit No. 19. Orderly and expeditious procedure dictates that, at the conclusion of such cross-examination, we receive, at an early date, all other evidence to be presented on rate of return.

4. In our judgment, cross-examination of Respondents' rate of return witnesses should be completed by mid-August, 1966. It would be desirable, therefore, that the testimony of all other witnesses on this subject be filed and distributed by September 15, 1966. Such testimony would be identified for the record at a session for cross-examination thereon beginning October 10, 1966.

Accordingly, it is ordered, This 17th day of June 1966, that, on or before September 15, 1966, all parties to this proceeding and the Commission Staff shall file with the Committee, the Hearing Examiner, and the Cooperating Commissioners, and serve on all other parties, in written form, all testimony and exhibits which they propose to introduce into the record on the issue of rate of return; and that all such witnesses shall be available and subject to cross-examination at hearing sessions to begin October 10, 1966.

It is further ordered, That, should any witness wish to present an oral summary of his direct testimony at the time of his cross-examination, he shall prepare the summary in writing and it shall be submitted with the written testimony to be filed and distributed on or before September 15, 1966.

Released: June 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6821; Filed, June 21, 1966; 8:50 a.m.]

[Docket Nos. 16465, 16466; FCC 66M–847]

BROWN BROADCASTING CO., INC., AND DIXIE BROADCASTING CORP.

Order Scheduling Conference

In re applications of Brown Broadcasting Co., Inc., Jacksonville, N.C., Docket No. 16465, File No. BP–16700; Dixie Broadcasting Corp., Aurora, N.C., Docket No. 16466, File No. BP–17036; for construction permits.

At the oral request of counsel for Dixie Broadcasting Corp. and with the agreement of counsel for all the other parties: *It is ordered,* This 15th day of June 1966, that a further prehearing conference herein will be held on June 22, 1966, at 2 p.m., at the Commission's offices, Washington, D.C.

Released: June 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6822; Filed, June 21, 1966; 8:50 a.m.]

[Docket No. 16709; FCC 66–527]

ISLAND BROADCASTING SYSTEM (WRIV), INC.

Order Designating Application for Hearing on Stated Issues

In re application of Island Broadcasting System (WRIV), Inc., Riverhead, N.Y., Docket No. 16709, File No. BPCT–3475.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 14th day of June 1966.

1. The Commission has before it for consideration the above-captioned application, requesting a construction permit for a new television broadcast station to operate on Channel 55, Riverhead, N.Y.

2. With respect to the issues set forth below the following considerations are pertinent:

(a) Island Broadcasting System's application indicates that approximately $361,614[1] will be needed for the initial construction and first year's operating expenses of the proposed station. To meet the cash requirements, the applicant relies upon the availability of the following: A $150,000 bank loan from Bankers Trust Co. of New York; $201,750 in equipment credit; and $200,000 in first year's revenues. With respect to the bank loan, however, the letter from Bankers Trust Co. is not an unconditional commitment to lend funds. Also, on the basis of the information furnished it does not appear that the estimate of first year's revenues is reasonable. Moreover, even if the availability of the bank loan and revenues are conceded there would still be a deficiency of approximately $12,000. In view of the foregoing, it cannot be determined that the applicant has sufficient funds to construct the station as proposed and therefore financial issues are specified.

(b) On January 12, 1965, LIT Enterprises Corp. filed an objection to the grant of the original application which requested Channel 75, in Center Moriches, N.Y. LIT alleged that the applicant had no intent to serve Center Moriches and that its real interest was in serving Riverhead. On June 8, 1965, the Commission released the new table of assignments[2] for UHF channels, which deleted Channel 75 from Patchogue. As a result, the applicant on July 7, 1965, amended its application to specify Channel 55 in Riverhead, N.Y. Since no objection has been filed by LIT Enterprises, presumably it has no objection to the present application. In view of this, LIT Enterprises' "Objection to Application" will be dismissed as moot.

3. In view of the foregoing, it appears that, except as indicated above, the applicant is qualified to construct, own and operate the proposed new television broadcast station. Upon consideration of the above-captioned application, the Commission finds that, pursuant to section 309(e) of the Communications Act of 1934, as amended, a hearing is necessary and that this application must be designated for hearing on the issues set forth below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned application of Island Broadcasting System (WRIV), Inc., is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

(a) To determine whether the proposed bank loan from Bankers Trust Co. of New York will be available.

(b) To determine whether the applicant's estimate of revenues is reasonable, and if so, whether additional funds will be available to meet the first year cash requirement of $361,614.

(c) To determine whether in view of the evidence adduced pursuant to (a) and (b), the applicant is financially qualified.

(d) To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest.

It is further ordered, That LIT Enterprises Corp.'s "Objection to Application" is dismissed as moot.

It is further ordered, That, to avail itself of the opportunity to be heard, the applicant herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: June 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6824; Filed, June 21, 1966; 8:50 a.m.]

[Docket Nos. 16700, 16701; FCC 66-516]

KENTUCKY CENTRAL TELEVISION INC. AND WBLG-TV, INC.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing of Stated Issues

In re applications of Kentucky Central Television, Inc., Lexington, Ky., Docket No. 16700, File No. BPCT-3569; WBLG-TV, Inc., Lexington, Ky., Docket No. 16701, File No. BPCT-3642; for construction permit for new television broadcast station.

1. The Commission has before it for consideration: (a) The above-captioned application (BPCT-3569) of Kentucky Central Television, Inc. (Kentucky Central); (b) the above-captioned application (BPCT-3642) of WBLG-TV, Inc. (WBLG-TV); (c) a "Petition To Deny" filed January 14, 1966, by WBLG-TV, Inc., directed against (a) above;[1] (d) an "Opposition to Petition To Deny" filed January 27, 1966, by Kentucky Central, directed against (c) above; and (e) a "Reply to Opposition to Petition To Deny" filed February 11, 1966, by WBLG-TV, Inc., directed against (d) above.

2. On May 17, 1965, Kentucky Central filed Application BPCT-3569 for a construction permit for a new television broadcast station to operate on Channel 62, Lexington, Ky. On October 8, 1965, WBLG-TV, licensee of Standard Broadcast Station WBLG, Lexington, Ky., filed Application BPCT-3642 for the same facility. The following communications mass media services are within the predicted Grade B contours of the proposed television station. Television Stations: WKYT-TV, Channel 27, Lexington, Ky.; and WLEX-TV, Channel 18, Lexington. Aural Broadcast Stations: WBLG, Lexington, Ky.; WBKY, Lexington; WLAP-AM and FM, Lexington, WVLK-AM and FM, Lexington; WCYN, Cynthiana; WHIR, Danville; WSTL, Eminencee; WFKY, Frankfort; WAXU, Georgetown; WRVG-FM, Georgetown; WHBN, Harrodsburg; WIRV, Irvine; WLBN, Lebanon; WPHN, Liberty; WMST, Mount Sterling; WRVK, Mount Vernon; WNVL, Nicholasville; WEKY, Richmond; WCND, Shelbyville; WRSL, Stanford; and WWKY, Winchester. Daily Newspapers: Lexington Herald-Leader; Danville Advocate-Messenger; Frankfort State Journal; Paris Enterprise; Richmond Register; and Winchester Sun.[2]

3. On the merits, WBLG-TV's sole contention is that in view of the many business interests of Garvice D. Kincaid, Chairman of the Board of Kentucky Central, and his associates in the area, the Commission should either deny Kentucky Central's application or specify an "economic dominance" issue as to whether a grant of its application would be in the public interest.[3]

4. In support of its request that the Commission either deny or specify an issue on economic dominance, WBLG-TV alleges that Kentucky Central's principals have substantial interest throughout the State of Kentucky engaged in the insurance, banking, and small loan business, all interrelated, with substantial concentration in the area to be served by the proposed television station: that Kentucky Central's principals already control two broadcast facilities in Lexington which devote substantial portions of their broadcast week to promoting the related interests of Kentucky Central; that these interests receive preferential treatment; and that the proposed television station will also be used to promote these interests. This allegedly will have the effect of enabling Kentucky Central to enhance its "* * * extensive and farflung empire of finance, banking, loans and insurance companies * * *" in Kentucky to the detriment of its competitors.

5. With respect to the alleged substantial interests of Garvice Kincaid and his associates in the area, it appears from the applicant's pleadings, which have not been rebutted, that Kentucky Central has the following insurance, bank, small loan, broadcast, and miscellaneous interests within its proposed predicted Grade B contour.

Insurance: Kentucky Central Life Insurance Co.—354 employees; it also controls four insurance agencies which employ 14 persons. Banks: Kentucky Central apparently has interests in 12 banks having deposits of $79,700,000 and which employ 216 persons. However, it also appears that there are 92 other banks in the area, which have total deposits of $678,100,000. Small Loan Companies: Kentucky Central appears to control 35 small loan companies in the area which employ 180 people, but there are 66 other small loan companies in the same area. Broadcast Interests: The principals of Kentucky Central have interests in aural Broadcast Station WVLK-AM and FM, Lexington, which hires 30 people. As indicated in paragraph two above, however, there are 21 other standard broadcast stations serving the same area. Other Business Interests: The pleadings disclose that Kentucky Central and its principals also have interests in five miscellaneous fields, employing a total of 201 persons. The largest of these is the Cardinal Corp. which operates the Phoenix Hotel in Lexington which has 180 employees.

6. On the basis of the above, we do not believe it has been shown, nor that it can be shown, that the interests of Kentucky Central and its principals represent such a substantial force in the economic life of Lexington that would require an issue on economic dominance. Although WBLG-TV relies upon "* * * well established Commission precedents such as Travelers Broadcasting Service Corp., 12 R.R. 689 (1956), and Midland Broadcasting Co., 3 R.R. 1961 (1948) * * *" in requesting an economic dominance issue, the facts of those cases were quite different from those present here.

7. In Midland Broadcasting Co. which involved the "company town" of Midland, Mich., the Commission preferred a newspaper owner over the Dow Manufacturing Co. which the Commission found would "* * * necessarily dominate the life of most of the inhabitants of the community." It is significant to note, however, that in Midland, the Dow Co. employed 90 percent of a population of 10,329. Also, that Midland had no broadcast station of its own and only one daytime primary service. Lexington, Ky., has a population of 73,000. Out of this Kentucky Central employs 995 persons. The area in question is also presently served by 2 television stations, 6 newspapers and 23 aural broadcast stations of which only 2 WVLK-AM and FM, are controlled by Garvice Kincaid. In Travelers, where the Commission added an issue on economic dominance, Travelers Insurance Co.'s individual assets were the largest of all of the Hartford insurance companies, i.e., 28.5 percent, but it was ultimately held that the evidence did not sustain the charge of economic dominance. Even though it is apparent that Kentucky Central is active in many different businesses in Lexington, nothing has been shown that would indicate a dominance, in any of them, to the extent evidenced in the Midland and Travelers cases.[4]

8. With respect to the time purchased by related business interests on Kincaid's broadcast stations in Lexington (WVLK-AM and FM), it appears that out of a combined total of 295 broadcast hours per week, 56 hours or 19 percent are purchased by Kentucky Central and its related interests.[5] Although WBLG-TV has alleged "preferential treatment" nothing has been shown to substantiate this contention. Moreover, Kentucky Central has submitted an affidavit from the General Manager of Station WVLK-AM and FM which indicates that "* * * the businesses in which Mr. Kincaid has an interest * * * pay the same rates as other advertisers"; that "* * * most of such advertising is placed in less attractive advertising availabilities"; and that "* * * these stations [WVLK-AM and FM] have never refused to carry advertising because a competitive business was involved". Although WBLG-TV alleges that the proposed television station will also be used to promote Mr. Kincaid's interests, Kentucky Central's application indicates that it estimates that five spot announcements per day will be devoted to their insurance business, and that it is aware of no specific plans to carry advertising of its other business interests on the proposed station. Even though WBLG-TV contends that these advertising plans will result in Kentucky Central's affording itself "preferential treatment vis-a-vis its competitors", we have not been shown how this could be accomplished on the basis of the advertising plans now proposed. Moreover, the past record of WVLK-AM and FM does not disclose such a practice. Therefore, we do not believe that an economic dominance issue is warranted and WBLG-TV's "Petition To Deny" will be denied. However, this matter can be explored under the standard comparative issue.[6]

9. With respect to WBLG-TV, Inc.'s, application, the following considerations are relevant:

(a) Its application indicates that $1,107,359[7] will be needed for the initial construction and first year's operating expenses. To meet the cash requirements, the applicant relies upon the availability of the following: A $500,000 loan from Reeves Broadcasting Corp.; $10,000 in existing capital; $190,000 in stock subscriptions from Reeves Broadcasting and Roy B. White, Jr.; and $500,000 in revenues. The applicant has established the availability of the loan and the $95,000 stock subscription from Reeves Broadcasting. With respect to the remaining $95,000 stock subscription of Roy B. White, Jr., however, since his balance sheet does not fully disclose the nature of his stocks and bonds, i.e., on what exchange they are listed, cash or market value, etc., we are unable to determine whether or not Mr. White will be able to meet his commitments. Furthermore, although the applicant estimates first year revenues to be $500,000, it has not submitted any evidentiary showing as to their availability. Therefore, the applicant has shown cash available in the amount of $605,000, to meet an estimated requirement of $1,107,359. Accordingly, financial issues are specified.

(b) It appears that WBLG-TV, Inc., proposes to locate its main studio outside of the corporate limits of Lexington, and therefore, it requests a waiver of § 73.613 of the Commission's rules. However, since no justification for waiver has been submitted, an issue is specified to determine whether circumstances exist that warrant a waiver of this section.

10. With respect to both applications, it should be noted that offset designators have not been provided. These will be furnished in a subsequent order by the Commission, and therefore, a grant of either of these applications will be made subject to the condition that operation of the station will be in accordance with offset designators which will be specified subsequently.

11. In view of the foregoing, it appears that no substantial or material questions of fact have been presented by the petitioner, and except as indicated by the issues set forth below, each of the applicants is qualified to construct, own and operate the proposed new television brodacast station. The applications are, however mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is, therefore, unable to make the statutory find-

[1] Down payment to RCA—$63,114; first year's payments to RCA—$51,000; building $15,000; other $32,500; and estimated cost of operation—$200,000 (this includes the cost of operation for its Standard Broadcast Station WRIV, Riverhead).

[2] Fourth report and order in Docket No. 14229, FCC 65-504.

[1] Although the petition to deny does not meet the filing requirements of § 1.580 of the Commission's rules, the Commission, on its own motion, is waiving this section.

[2] Editor and Publisher International Yearbook, 1965 edition.

[3] The economic dominance question was originally raised by WLEX-TV, Inc., which subsequently withdrew its petition. However, WBLG-TV, Inc., in its "Petition To Deny" stated that rather than burden the record with repetition, it would adopt the representations made in paragraphs 18-40 of WLEX-TV's petition, all of which are based upon matters of which official notice can be taken.

[4] See also Hershey Broadcasting Co., Inc., FCC 62-222, 22 R.R. 1071. Reconsideration denied FCC 62-558, 22 R.R. 1072. In Hershey, the Commission also added an issue on economic dominance, but this case is also distinguishable. In Hershey, the Hershey Estate owned and operated the town of Hershey, providing recreation facilities, utilities and employing 3,605 persons from a total population of 6,815.

[5] BR 1953, granted July 15, 1964. BRH 1244, granted July 20, 1961.

[6] Policy statement on comparative broadcast hearings, 1 FCC 2d 393, 5 R.R. 2d 1901.

[7] Down payment to RCA—$192,000; first year's payments to RCA—$186,659; land acquisition—$6,600; building remodeling, etc.—$170,000; miscellaneous expenses—$125,000; and estimated cost of operation—$427,000.

ing that a grant of the applications would serve the public interest, convenience and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of Kentucky Central Television, Inc., and WBLG-TV, Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine with respect to WBLG-TV, Inc's. application.

(a) Whether Roy B. White, Jr., has sufficient liquid assets to meet his $95,000 stock commitment.

(b) Whether its $500,000 estimate of revenues is reasonable.

(c) Whether, in view of the evidence adduced pursuant to (a) and (b), the applicant is financially qualified.

(d) Whether circumstances exist which would warrant a waiver of section 73.613 of the Commission's rules.

2. To determine which of the proposals would better serve the public interest.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

It is further ordered, That WBLG-TV, Inc's. petition to deny is hereby denied.

It is further ordered, That a grant of either of the applications be made subject to the following condition:

That operation of the station be in accordance with offset designators to be specified in a subsequent order.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: June 14, 1966.

Released: June 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6825; Filed, June 21, 1966; 8:50 a.m.]

[Docket No. 16666; FCC 66M-848]

TELESYSTEMS CORP.

Order After Prehearing Conference Continuing Hearing

In the matter of cease and desist order to be directed against TeleSystems Corp., owner and operator of a community antenna television system at Springfield Township, Pa., Docket No. 16666.

The Hearing Examiner having under consideration the record of the prehearing conference in the above-entitled proceeding held June 15, 1966, and a motion filed the same day by the respondent, TeleSystems Corp., to which the other parties have orally expressed their consent, requesting that the date for commencement of the hearing be changed from June 24 (as agreed upon tentatively during the prehearing conference) and from June 28 (the date scheduled in the order of the Chief Hearing Examiner) to July 1, 1966, so as to effect compliance with the provisions of section 312(c) of the Communications Act of 1934, as amended;[1]

It is ordered, This 16th day of June 1966, That the agreements, concessions and procedural arrangements established during the prehearing conference, except with regard to those matters pertaining to the date set therein for convening the hearing, are hereby approved and the transcript of the prehearing conference is incorporated by reference herein with the same force and effect as if set forth verbatim; and

It is ordered further, That the respondent's motion for the extension of the hearing date to July 1 is hereby granted and that the hearing will convene at 10 a.m., Friday, July 1, 1966, at the Commission's offices, Washington, D.C.

Released: June 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6826; Filed, June 21, 1966; 8:50 a.m.]

[Docket Nos. 16698, 16699; FCC 66-518]

TRI-STATE BROADCASTERS, INC., AND EMMET RADIO CORP.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Tri-State Broadcasters, Inc., Sioux Center, Iowa, Docket No. 16698, File No. BP-16461, requests: 1070 kc, 500 w, day; Emmet Radio Corp., Estherville, Iowa, Docket No. 16699, File No. BP-16718, requests: 1070 kc, 250 w, DA, day; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 14th day of June 1966;

1. The Commission has before it for consideration the above-captioned applications which are mutually exclusive in that simultaneous operation of the proposals would result in mutually destructive interference.

2. Neither of the applicants have received approval of the Federal Aviation Agency for the construction of their radio towers. Thus, an issue will be included in this order to determine whether the tower height and location proposed by each of the applicants would constitute a menace to air navigation.

3. An examination of the Emmet Radio Corp. application indicates that a total of $95,456 is needed to construct and operate the proposed station for a period of 1 year without revenues. The applicant has available $8,000 from stock subscriptions; manufacturer's credit of $16,500; and a loan commitment of $40,000 for a total of $64,500. However, this amount falls short of the applicant's own estimate ($95,456) of the amount needed to construct ($43,456) and operate ($52,000) the proposed station for 1 year without revenues. Accordingly, a financial issue will be specified.

4. Tri-State has estimated that $50,868 will be needed to construct ($22,868) and operate ($28,000) its proposed station for a period of 1 year without revenues. The applicant proposes to raise $15,000 through the purchase of its capital stock, in equal amounts, by its three principals. However, only one of the subscribers, Russell Vande Brake, appears to have sufficient cash and/or liquid assets available to meet his commitment. In addition, the applicant relies on an equipment manufacturer's credit of $10,244 and a loan from Mr. Brake in the amount of $6,000. However, no firm letter from the manufacturer extending credit has been filed. These potential sources of capital total only $31,244, leaving the applicant at least $19,624 short of establishing basic financial qualification.

5. The Commission finds that, except as indicated by the issues specified below, the applicants are qualified to construct, own and operate as proposed, but in view of the foregoing, the Commission is unable to find that a grant of either of the aforementioned applications would serve the public interest, convenience and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding upon the issues set forth below.

6. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

[1] The statutory requirement is, in effect, that hearings on show cause orders are not to be convened before the expiration of 30 days from receipt of such orders by the respondents. In the present instance, the docket shows that respondent received the order on May 31. During the prehearing conference respondent tentatively waived this requirement and agreed to go to hearing on June 24. However, subsequently respondent determined to stand on its statutory right.

1. To determine the areas and populations which would receive primary service from each of the proposals and the availability of other primary service to such areas and populations.

2. To determine whether there is a reasonable possibility that either or both of the tower heights and locations proposed by the respective applicants would constitute a menace to air navigation.

3. To determine whether Emmet Radio Corp. has sufficient funds available in excess of $64,500 to construct and operate its proposed station for 1 year without revenues and thus demonstrate its financial qualification.

4. To determine, with respect to the application of Tri-State Broadcasters, Inc.:

(a) Whether Gerrit Vanden Bosch and Albert Vanden Bosch have sufficient cash and/or liquid assets available to meet their respective $5,000 stock purchase commitments.

(b) To determine whether a firm commitment of at least $10,244 credit is available to Tri-State Broadcasters, Inc., from its designated equipment manufacturer.

(c) To determine, assuming (a) and (b), above, are answered in the affirmative, whether Tri-State Broadcasters, Inc., has sufficient funds available in excess of $31,244 to construct and operate its proposed station for 1 year without revenues and thus demonstrate its financial qualification.

5. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

6. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

7. *It is further ordered*, That the Federal Aviation Agency is made a party to the proceeding.

8. *It is further ordered*, That in the event of a grant of either of the above applications, the construction permit shall contain the following condition:

Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 73.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

9. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

10. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: June 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6827; Filed, June 21, 1966; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-208]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Petition To Amend Order

JUNE 15, 1966.

Take notice that on June 2, 1966, Michigan Wisconsin Pipe Line Co. (Petitioner), One Woodward Avenue, Detroit, Mich., filed in Docket No. CP66-208 a petition to amend the order of the Commission issued in said docket on May 24, 1966, which order authorized Petitioner, inter alia, to sell and deliver additional natural gas to certain existing customers. By the instant filing, Petitioner requests that the order issued in the instant docket be amended so as to authorize deliveries of revised volumes of gas to certain named customers under various rate schedules and that the Commission accept, concurrently, the corresponding service agreements for filing effective September 1, 1966, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that since the preparation of the application in the instant docket, all of its customers have reviewed their requirements in the light of their actual residential, commercial, and industrial growth and operations experience during this past winter. Petitioner further states that as a result of such review, certain of its customers have requested a modification in their Maximum Daily Quantity entitlement of gas and/or a change in rate schedule under which service will be rendered.

The petition to amend states that the requested MDQ modifications result in a net aggregate increase of 27,189 Mcf of gas per day which can be served from a portion of Petitioner's unallocated volume of 52,000 Mcf of gas per day.

The requested modifications in MDQ, together with the requested changes in rate schedule under which the service will be rendered, are stated to be:

Company	Rate schedule changes	Original nomination	Revised nomination	Increase or (decrease)
Allerton Gas Co.		625	680	55
City of Bloomfield, Iowa		1,550	1,600	50
Keokuk Gas Service Co.		10,900	11,500	600
Michigan Gas & Electric Co.		57,500	59,750	2,250
Michigan Gas Utilities Co.		68,000	75,000	7,000
Town of Morning Sun, Iowa		489	585	96
Town of Winfield, Iowa		613	800	187
Wisconsin Natural Gas Co.		178,000	188,000	10,000
Wisconsin Public Service Corp.		157,000	161,000	4,000
City of Bethany, Mo.	SGS-1	1,639		(49)
	ACQ-1		1,490	
Wisconsin Gas Co.	ACQ-1	400,000	454,000	3,000
	MDQ-1		9,000	
Wisconsin Fuel & Light Co.	ACQ-1	44,300	40,900	
	MDQ-1		3,400	
Wisconsin Michigan Power Co.	ACQ-1	44,000	42,000	
	MDQ-1		2,000	

Protests or petitioners to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before July 11, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6759; Filed, June 21, 1966; 8:45 a.m.]

[Docket No. CP66-396]

TOWN OF PRESTON, IOWA AND NORTHERN NATURAL GAS CO.

Notice of Application

JUNE 15, 1966.

Take notice that on June 3, 1966, the town of Preston, Iowa (Applicant), filed in Docket No. CP66-396 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Northern Natural Gas Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant is located approximately six miles south of Respondent's existing Savanna branchline in Jackson County, Iowa.

Applicant proposes that Respondent construct the necessary lateral branchline in accordance with the branchline extension policy fixed for Respondent in Opinion No. 324 issued July 31, 1959 (22 FPC 164). Applicant further proposes to construct a distribution system of intermediate pressure design to provide natural gas service to residential and commercial establishments, to schools, and to an interruptible industrial customer for cooking, water heating, space heating, and other associated uses.

The total estimated volumes of natural gas involved to meet Applicant's annual

and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	29,970	89,440	96,950
Peak day (Mcf)	224	293	358

The total estimated cost of Applicant's proposed distribution system is $136,030, which cost will be financed by means of gas revenue bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 11, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6760; Filed, June 21, 1966; 8:45 a.m.]

[Docket No. CP66-397]

TOWN OF SABULA, IOWA AND NORTHERN NATURAL GAS CO.

Notice of Application

JUNE 15, 1966.

Take notice that on June 3, 1966, the the town of Sabula, Iowa (Applicant), filed in Docket No. CP66-397 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Northern Natural Gas Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant is located on the eastern border of Iowa, approximately 1 mile south of the terminus of Respondent's existing Savanna branchline in Jackson County, Iowa.

Applicant proposes that Respondent construct the necessary lateral branchline in accordance with the branchline extension policy fixed for Respondent in Opinion No. 324 issued July 31, 1959 (22 FPC 164). Applicant further proposes to construct a distribution system of intermediate pressure design to provide natural gas service to residential and commercial establishments, to schools, and to an interruptible industrial customer, for cooking water heating, space-heating, and other associated uses.

The total estimated volumes of natural gas involved to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	26,090	83,500	89,300
Peak day (Mcf)	197	261	313

The total estimated cost of Applicant's proposed distribution system is $117,640, which cost will be financed by means of Gas Revenue Bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 11, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6761; Filed, June 21, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 14-1]

ELKTON CO.

Order Suspending Trading

JUNE 16, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 1 cent par value, of the Elkton Co. otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 17, 1966, through June 26, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-6766; Filed, June 21, 1966; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 579]

OKLAHOMA

Declaration of Disaster Area

Whereas, it has been reported that during the month of June 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Garfield County in the State of Oklahoma;

Whereas, the small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property, situated in the aforesaid county and areas adjacent thereto, suffered damage or destruction resulting from a tornado and accompanying conditions occurring on or about June 5, 1966.

OFFICE

Small Business Administration Regional Office, Third and Robinson Streets, Oklahoma City, Okla., 73102.

2. A temporary office will be established in Enid, Okla., address to be announced locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to December 31, 1966.

Dated: June 7, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-6767; Filed, June 21, 1966; 8:45 a.m.]

[Declaration of Disaster Area 580]

KANSAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of June 1966, because of the effects of certain disasters, damage resulted to residences and business property located in the State of Kansas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property, situated in the aforesaid State, suffered damage or destruction resulting from tornadoes and accompanying conditions occurring on or about June 8, 1966.

OFFICES

Small Business Administration, Regional Office, 911 Walnut Street, Kansas City, Mo., 64106.

Small Business Administration, Regional Office, 120 South Market Street, Wichita, Kans., 67202.

2. A temporary office will be established in Topeka, Kans., address to be announced locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to December 31, 1966.

Dated: June 9, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-6768; Filed, June 21, 1966; 8:46 a.m.]

[Declaration of Disaster Area 581]

FLORIDA

Declaration of Disaster Area

Whereas, it has been reported that during the month of June 1966, because of the effects of certain disasters, damage resulted to residences and business property located in the State of Florida;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property, situated in the aforesaid State, suffered damage or destruction resulting from Hurricane Alma, including winds and flooding caused by heavy rains and high tides, and accompanying conditions occurring on or about June 8, 1966.

OFFICES

Small Business Administration, Regional Office, 51 Southwest First Avenue, Miami, Fla., 33130.

Small Business Administration, Regional Office, 47 West Forsyth Street, Jacksonville, Fla., 32202.

2. A temporary office will be established in Pinellas County at the Pinellas Industrial Park, address to be announced locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to December 31, 1966.

Dated: June 10, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-6769; Filed, June 21, 1966; 8:46 a.m.]

[Delegation of Authority 30-6 (Rev. 1), Southwestern Area, Dallas, Tex., Disaster 7]

ASSISTANT REGIONAL DIRECTOR FOR DISASTER LOANS, NEW ORLEANS; DISASTER FIELD OFFICE, NEW ORLEANS, LA.

Delegation of Authority To Conduct Program Activities in Connection With Disaster Loans

I. Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Rev. 10), 30 F.R. 972, dated January 29, 1965, Amendment 1, 30 F.R. 2742, dated March 3, 1965, Amendment 2, 30 F.R. 11984, dated September 18, 1965, Amendment 3, 30 F.R. 12434, dated September 29, 1965, and Amendment 4, the following authority is hereby redelegated to the Assistant Regional Director for Disaster Loans, State of Louisiana, New Orleans, La.:

A. *Financial assistance (disaster loans only).* 1. To approve disaster loans not exceeding $350,000. (SBA share.)

2. To decline disaster loans of any amount.

3. To disburse approved loans.

4. To enter into disaster loan participation agreement with banks.

5. To execute Loan Authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), *Administrator*
By ----------
(Name)
Assistant Regional Director.
(City)

6. To cancel, reinstate, modify, and amend authorizations for disaster loans.

7. To extend disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.**

10. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all disaster loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain, and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

*c. To take final action on an offer of compromise of any claim provided such claim is in concurrence with the majority recommendation of the appropriate Field Office Claims Review Committee on claims not in excess of $5,000 (including CPC advances but excluding interest) or the unanimous recommendation of said committee on claims in excess of $5,000 but not exceeding $100,000 (including CPC advances but excluding interest).**

11. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the original disaster declaration, or extension thereof, has expired.

B. [Reserved.]

C. [Reserved.]

D. *Administration.* 1. To advertise regarding the public sale of (a) collateral in connection with the liquidation of loans, and (b) acquired property.**

2. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. Attorneys in foreclosure cases.

3. To (a) purchase all office supplies and expendable equipment, including all desk top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

4. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

E. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the agency in accordance with Small Business Administration standards and policies.

II. The specific authority delegated in subsections I.A.9, I.A.10.c., and I.D.1., herein cannot be redelegated. These are indicated by asterisks (**). The specific authority in the remaining subsections may be redelegated to appropriate subordinate positions within Disaster Field Office.

III. All authority delegated herein may be exercised by any Small Business Administration employee designated as acting Assistant Regional Director.

IV. All authority previously delegated is hereby rescinded without prejudice to actions taken under such previous delegations of authority prior to the date hereof.

Effective date: June 1, 1966.

ROBERT E. WEST,
Area Administrator,
Southwestern Area.

[F.R. Doc. 66-6770; Filed, June 21, 1966; 8:46 a.m.]

CERTAIN LOAN SPECIALISTS ASSIGNED TO ALL FINANCIAL ASSISTANCE DIVISION PROGRAMS

[Delegation of Authority 30, Philadelphia, Pa., Region, Rev. 1, Amdt. 1]

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Philadelphia, Pa., 30 F.R. 3254, as amended: Delegation of Authority No. 30, Revision I, 30 F.R. 13889 is hereby amended to add the following authority to Item I.G.:

G. *To Loan Specialists GS–9 and Above Assigned to All Financial Assistance Division Programs in All Offices of This Region.* Final authority to approve the following actions concerning current direct or participation loans:

1. Use of the cash surrender value of life insurance to pay the premium on the policy.

2. Release of dividends of life insurance or consent to application against premiums.

3. Minor modifications in the authorization.

4. Extension of disbursement period.

5. Extension of initial principal payments.

6. Adjustment of interest payment dates.

7. Release of hazard insurance checks not in excess of $200 and endorse such checks on behalf of the agency where SBA is named as joint loss payee.

Effective date: May 11, 1966.

WILLIAM T. GENNETTI,
Regional Director, Philadelphia Regional Office, Small Business Administration.

[F.R. Doc. 66–6771; Filed, June 21, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 17, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40549—*Sulphuric acid to points in southern territory.* Filed by O. W. South, Jr., agent (No. A4905), for interested rail carriers. Rates on sulphuric acid, in tank carloads, from LeMoyne, Ala., Copperhill and Tyner, Tenn., to specified points in southern territory.

Grounds for relief—Rate relationship.

Tariff—Supplement 151 to Southern Freight Association, agent, tariff ICC S–162.

FSA No. 40550—*Lumber and related articles to points in Kansas.* Filed by Southwestern Freight Bureau, agent (No. B–8869), for interested rail carriers. Rates on lumber and related articles, in carloads, from points in southwestern territory, also points in Kansas, Illinois, Indiana, Mississippi, Tennessee, and Old Rock, Mo.-Kans., to points in Kansas on the GCW Ry.

Grounds for relief—Carrier competition.

Tariff—Supplement 19 to Southwestern Freight Bureau, agent, tariff ICC 4641.

FSA No. 40551—*Peat from points in Colorado.* Filed by Southwestern Freight Bureau, agent (No. B–8866), for interested rail carriers. Rates on peat, n.o.i.b.n., ground or unground, in carloads, from Kobe, Leadville, and Malta, Colo., to points in southwestern and western trunkline territories.

Grounds for relief—Market competition.

Tariffs—Supplement 5 to Southwestern Freight Bureau, agent, tariff ICC 4682 and supplement 18 to Western Trunk Line Committee, agent, tariff ICC A–4603.

FSA No. 40552—*Chlorine to New Orleans, La.* Filed by O. W. South, Jr., agent (No. A4906), for interested rail carriers. Rates on chlorine, in tank carloads, from McIntosh, Ala., to New Orleans, La.

Grounds for relief—Market competition.

Tariff—Supplement 26 to Southern Freight Association, agent, tariff ICC S–600.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–6812, Filed, June 21, 1966; 8:49 a.m.]

[Notice 400]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 17, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 1187 (Deviation No. 5), CUSHMAN MOTOR DELIVERY COMPANY, INC., 1480 West Kinzie Street, Chicago, Ill., 60622, filed June 10, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Indianapolis, Ind., and junction U.S. Highway 52 and Interstate Highway 74, southeast of Miamitown, Ohio, over Interstate Highway 74, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: from Chicago, Ill., over U.S. Highway 41 to junction U.S. Highway 52, thence over U.S. Highway 52 to Cincinnati, Ohio, and return over the same route.

No. MC 10343 (Deviation No. 11), CHURCHILL TRUCK LINES, INC., U.S. Highway 36 West, Chillicothe, Mo., 64601, filed June 13, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., over Interstate Highway 70 to junction Interstate Highway 270 (west of St. Louis, Mo.), thence over Interstate Highway 270 to junction Interstate Highway 55 (east of St. Louis, Mo.), thence over Interstate Highway 55 to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Kansas City, Mo., over U.S. Highway 69 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction U.S. Highway 24, thence over U.S. Highway 24 to Quincy, Ill., (2) from Quincy, Ill., over U.S. Highway 24 to junction U.S. Highway 61, thence over U.S. Highway 61 to Burlington, Iowa, (3) from Quincy, Ill., over Illinois Highway 61 to junction Illinois Highway 94, thence over Illinois Highway 94 to junction Illinois Highway 9, thence over Illinois Highway 9 to Dallas City, Ill., thence over unnumbered highway via Lomax and Carman, Ill., to Gulfport, Ill., thence over U.S. Highway 34 to Burlington, Iowa, and (4) from Burlington, Iowa, over U.S. Highway 34 to Chicago, Ill., and return over the same routes.

No. MC 22278 (Deviation No. 11), TAKIN BROS. FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa, 50704, filed June 10, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Fairfield, Iowa, over U.S. Highway 34 to junction U.S. Highway 63, thence over U.S. Highway 63 to Waterloo, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows:

From Fairfield, Iowa, over U.S. Highway 34 to junction U.S. Highway 218, thence over U.S. Highway 218 to Waterloo, Iowa, and return over the same route.

No. MC 29250 (Deviation No. 5), NEW ENGLAND TRANSPORTATION COMPANY, 402 Congress Street, Boston, Mass., filed June 13, 1966. Carrier's representative: George E. Gill, 54 Meadow Street, New Haven, Conn., 06506. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From the northern terminus of Interstate Highway 91 at Springfield, Mass., over Interstate Highway 91 to the southern terminus at New Haven, Conn., and (2) from the northern terminus of Interstate Highway 95 at Boston, Mass., over Interstate Highway 95 to junction U.S. Highway 1, at Groton, Conn., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Boston, Mass., over Massachusetts Highway 9 to Worcester, Mass., thence over Massachusetts Highway 12 to junction U.S. Highway 20, at Auburn, Mass., thence over U.S. Highway 20 via Sturbridge and Palmer, Mass., to Springfield, Mass., thence over U.S. Highway 5 via Hartford, Conn., to New Haven, Conn., thence over U.S. Highway 1 via Milford, Conn., and Port Chester, N.Y., to New York, N.Y., (2) from Springfield, Mass., over Alternate U.S. Highway 5 to Hartford, Conn., (3) from Boston, Mass., over U.S. Highway 1 via Dedham and North Attleboro, Mass., to Providence and Wickford, R.I., and Pawcatuck, Groton, Waterford, and Old Saybrook, Conn., to New Haven, Conn., (4) from junction U.S. Highway 1 and Alternate U.S. Highway 1, at Wickford, R.I., over Alternate U.S. Highway 1 to junction U.S. Highway 1 at Wakefield, R.I., (5) from junction U.S. Highway 1 and Rhode Island Highway 3 at Providence, R.I., over Rhode Island Highway 3 via West Warwick, Coventry, and Hopkinton, R.I., to junction U.S. Highway 1 at Westerly, R.I., (6) from junction Rhode Island Highways 2 and 3, at West Warwick, R.I., over Rhode Island Highway 2 to junction U.S. Highway 1 at Charlestown, R.I., (7) from junction U.S. Highway 1 and Connecticut Highway 2, at Pawcatuck, Conn., over Connecticut Highway 2 to junction Connecticut Highway 95 (formerly Connecticut Highway 84), and (8) from junction Rhode Island Highway 3 and Rhode Island Highway 95 (formerly Rhode Island Highway 84), at Hopkinton, R.I., over Rhode Island Highway 95 to the Rhode Island-Connecticut State line, thence over Connecticut Highway 95 (formerly Connecticut Highway 84) to Groton, Conn., and return over the same routes.

No. MC 30204 (Deviation No. 12), HEMINGWAY TRANSPORT, INC., 438 Dartmouth Street, New Bedford, Mass., 02740, filed June 9, 1966. Carrier's representative: C. B. Jackson, 1301 North Boulevard, Richmond, Va., 23230. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between the Delaware Memorial Bridge Interchange No. 1 and the George Washington Bridge Interchange No. 18, over the New Jersey Turnpike, utilizing all necessary interchanges as follows: (1) Between Interchange No. 1 and Interchange No. 2, (2) between Interchange No. 2 and Interchange No. 3, (3) between Interchange No. 3 and Interchange No. 4, (4) between Interchange No. 4 and Interchange No. 5, (5) between Interchange No. 5 and Interchange No. 6, (6) between Interchange No. 6 and Interchange No. 7, (7) between Interchange No. 7 and Interchange No. 8, (8) between Interchange No. 8 and Interchange No. 9, (9) between Interchange No. 9 and Interchange No. 10, (10) between Interchange No. 10 and Interchange No. 11, (11) between Interchange No. 11 and Interchange No. 12, (12) between Interchange No. 12 and Interchange No. 13, (13) between Interchange No. 13 and Interchange No. 14, (14) between Interchange No. 14 and Interchange No. 15, (15) between Interchange No. 15 and Interchange No. 16, (16) between Interchange No. 16 and Interchange No. 17, and (17) between Interchange No. 17 and Interchange No. 18, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Richmond, Va., over U.S. Highway 1 via Baltimore, Md., to New York, N.Y. (also from Baltimore, Md., over U.S. Highway 40 to junction U.S. Highway 13, thence over U.S. Highway 13 to Philadelphia, Pa., thence over U.S. Highway 1 to New York) (also from Baltimore, Md., over U.S. Highway 40 to junction U.S. Highway 130, thence over U.S. Highway 130 to junction U.S. Highway 1, thence over U.S. Highway 1 to New York, N.Y.), and return over the same routes.

No. MC 32838 (Deviation No. 1), SCHERFF'S TRUCK LINE, INC., 305 East Main Street, California, Mo. 65018, filed June 6, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From National City, Ill., over Interstate Highway 70 to Kansas City, Kans., and return over the same route, for operating convenience only. The notice indicates that that carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Rosebud, Mo., over Missouri Highway 28 to junction U.S. Highway 63, thence over U.S. Highway 63 to junction U.S. Highway 50, thence over U.S. Highway 50 to Kansas City, Kans., and (2) from Jefferson City, Mo., over U.S. Highway 50 via Rosebud, Mo., to junction U.S. Highway 66 at or near Gray Summit, Mo., thence over U.S. Highway 66 to East St. Louis, Ill., and thence over city streets to National City, Ill., and return over the same routes.

No. MC 105120 (Deviation No. 1), M.A.T. LINES, INC., Crompton Road, Osceola, Ark., 72370, filed June 6, 1966. Carrier's representative: James N. Clay III, 340 Sterick Building, Memphis, Tenn. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction Interstate Highway 55 and unnumbered highway (formerly U.S. Highway 61) over Interstate Highway 55 to junction combined U.S. Highways 61 and 63, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Memphis, Tenn., over U.S. Highway 70 to West Memphis, Ark., thence over U.S. Highway 61 to junction unnumbered highway (formerly U.S. Highway 61), thence over unnumbered highway via Jerico and Clarkedale, to Turrell, Ark., thence over unnumbered highway (formerly U.S. Highway 63) to junction U.S. Highway 63, thence over U.S. Highway 63 to Marked Tree, Ark., and return over the same route.

No. MC 108298 (Deviation No. 7), ELLIS TRUCKING CO., INC., 1600 Oliver Avenue, Indianapolis, Ind., 46207, filed June 6, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Marshall, Mich., and Detroit, Mich., over Interstate Highway 94, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Detroit, Mich., over U.S. Highway 12 (formerly U.S. Highway 112) to Ypsilanti, Mich., thence over Michigan Highway 17 to Ann Arbor, Mich., thence over unnumbered highway (formerly U.S. Highway 12) to Battle Creek, Mich., and return over the same route.

MOTOR CARRIER OF PASSENGERS

No. MC 113430 (Sub-No. 1) (Deviation No. 1), PROVIDENCE ARROW LINE, INC., 625 Eighth Avenue, New York, N.Y., 14301, filed June 13, 1966. Carrier's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue NW., Washington, D.C., 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, over deviation routes as follows: (1) From junction U.S. Highway 6 and Interstate Highway 84 at or near Southbury, Conn., over Interstate Highway 84 to Waterbury, Conn., (2) from Waterbury, Conn., over Interstate Highway 84 to New Britain, Conn., (3) from New Britain, Conn., over Interstate Highway 84 to Hartford, Conn., and (4) from Hartford, Conn., over Interstate Highway 84 to junction U.S. Highways 6 and 44, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: from junction combined U.S.

Highways 6 and 202 and Interstate Highway 84 over combined U.S. Highways 6 and 202 to junction Alternate U.S. Highway 6, thence over Alternate U.S. Highway 6 to Waterbury, Conn., thence over Alternate U.S. Highway 6 to junction Connecticut Highway 10 at Milldale, Conn., thence over Connecticut Highway 10 to junction Connecticut Highway 72, thence over Connecticut Highway 72 to New Britain, Conn., thence over Connecticut Highway 175 to Newington, Conn., thence over Connecticut Highway 176 to Hartford, Conn., thence over U.S. Highway 44 to junction Interstate Highway 84, and return over the same route.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6813; Filed, June 21, 1966; 8:49 a.m.]

[Notice 936]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 17, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 111401 (Sub-No. 184) (Amendment), filed December 1, 1965, published in FEDERAL REGISTER, issue of December 23, 1965, amended January 17, 1966, further amended June 9, 1966, and republished as amended, this issue. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla., 73701. Applicant's representative: Alvin J. Meiklejohn, Jr., 526 Denham Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, petroleum, and petroleum products*, in bulk, from Beaumont, Orange, and Port Neches, Tex., and points within 10 miles thereof, to points in the United States (except Alaska and Hawaii). NOTE: The purpose of this republication is to more clearly set forth the proposed operation.

HEARING: Remains as assigned, July 5, 1966, at the Federal Building and U.S. Courthouse, 515 Rusk Avenue, Houston, Tex., before Examiner Charles B. Heinemann.

No. MC 107286 (Sub-No. 18) (Republication), filed January 5, 1966, published FEDERAL REGISTER issues of January 27, 1966, and February 25, 1966, respectively, and republished this issue. Applicant: M. PASCALE TRUCKING, INC., 8-10 Rice Street, South Attleboro, Mass., 02774. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905. By application filed January 5, 1966, and amended February 2, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of brick and tile, in vehicles equipped with mechanical loading and unloading devices, between Attleboro, Mass., and points in Massachusetts and Rhode Island. An order of the Commission, Operating Rights Board No. 1, dated May 26, 1966, and served June 8, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of brick and tile, between Attleboro, Mass., on the one hand, and, on the other, points in Massachusetts and Rhode Island, except Providence, R.I., and points within 12 miles thereof, that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 112617 (Sub-No. 205) (Republication), filed September 27, 1965, published FEDERAL REGISTER issue of October 14, 1965, and republished, this issue. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. Applicant's representative: Leonard A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. By application filed September 27, 1965, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of starch and blends, mixtures, and products thereof, in bulk, from Louisville, Ky., to the destinations and subject to the restriction indicated below, and except coloring syrup from Louisville to Chicago, Ill., Indianapolis, Ind., New Orleans, La., Atlanta, Ga., and Chattanooga and Humboldt, Tenn. An order of the Commission, Operating Rights Board No. 1, dated May 31, 1966, and served June 15, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce as a common carrier by motor vehicle, over irregular routes of *adhesive products*, in bulk, from the plantsite of Findley Adhesives, Inc., at Louisville, Ky., to points in Arkansas, Illinois, Indiana, Kentucky, Mississippi, Ohio, Tennessee, Virginia, and West Virginia (except dry adhesive products, to points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone); that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 126628 (Republication), filed October 5, 1964, published FEDERAL REGISTER issue of October 21, 1964, and republished, this issue. Applicant: CONNOLLY TRANSPORTS LIMITED, Rural Route No. 5, London, Ontario, Canada. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. By application filed October 5, 1964, as amended, applicant seeks a permit authorizing operation, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of face and decorative brick and ceramic tile, except refractory brick and refractory tile from points and places in Ohio, except those points and places within the commercial zone of Portsmouth and Ironton, including Portsmouth and Ironton, and those points in Michigan bounded by Michigan Highway No. 59 on the north, U.S. Highway No. 23 on the west, and Interstate Highway No. 94 on the south, including points and places on this indicated highway, to points of entry on the international boundary line between the United States and Canada located on the St. Clair and Detroit Rivers and at the Niagara frontier; restricted to the transportation of shipments from points in the United States to points in Canada. The application was referred to Examiner James O'D. Moran for hearing and the recommendation of an appropriate order thereon. Hearing was held on January 24, 1966, at Detroit, Mich. A report and order of the Commission, served May 6, 1966, which became effective June 6, 1966, finds the proposed operations to be those of a common carrier by motor vehicle and that the present and future public convenience and necessity require operation by applicant, in foreign commerce, as a common carrier by motor vehicle, over

irregular routes, of *face and decorative* brick (except refractory brick), from Dearborn, Mich., to ports of entry on or adjacent to the international boundary line between the United States and Canada located on or near the St. Clair and Detroit Rivers, restricted to traffic destined to points in the Province of Ontario, Canada, that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The examiner further finds that an appropriate certificate should be issued after the lapse of 30 days from the date of republication in the FEDERAL REGISTER, provided no protests or petitions for further proceedings are received during such period; and further subject to the condition that there be received from applicant a sworn statement showing that it has obtained complementary authority from the Canadian authorities, subject, however, to the right of the Commission, to give further consideration (1) to the designation of specific ports of entry if such action is required, or (2) to the entry of an order denying the application, in the event that complementary authority is not issued within a reasonable time.

APPLICATION FOR CERTIFICATE OR PERMIT WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATION UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 30464 (Sub-No. 1) filed June 9, 1966. Applicant: RAPID TRANSIT CO., INC., Route 12, Plainfield, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn., 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Connecticut. NOTE: Applicant states the tacking points will be Hartford and New Haven, Conn., and service will be performed through these points to all points in the western one-half of the State of Connecticut. This application is directly related to Docket MC-F-9449, published in the FEDERAL REGISTER issue of June 15, 1966. If a hearing is deemed necessary, applicant requests it be held at Hartford or New Haven, Conn.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

MOTOR CARRIERS OF PROPERTY

No. MC-F-9452. Authority sought for purchase by WESTERN LINES, INC., Post Office Box 1145, Houston 1, Tex., of the operating rights of ROY FRANK DANCE, doing business as DANCE'S TRUCK LINE, Arcadia, La., and for acquisition by J. L. LINKENHOGER, also of Houston 1, Tex., of control of such rights through the purchase. Applicants' attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Operating rights sought to be transferred: *Rough and dressed lumber*, as a *contract carrier*, over irregular routes, from certain specified points in Texas, Arkansas, and Mississippi, to Arcadia, La., with restriction; *finished lumber*, from Ada and Heflin, La., to certain specified points in Texas, Arkansas, and Mississippi, with restriction; from Danville and Hunt, La., to certain specified points in Texas, Arkansas, Shelby County, Tenn., and certain specified points in Mississippi, with restriction; *rough or dressed lumber*, from Ada and Heflin, La., to certain specified points in Texas, with restriction; from Danville and Hunt, La., to certain specified points in Texas, with restriction; and *wooden farm implement parts*, from Arcadia, La., to Memphis, Tenn., with restriction. Vendee is authorized to operate as a *common carrier* in Texas, Arkansas, Louisiana, Oklahoma, and New Mexico; and as a *contract carrier* in Arkansas, Kansas, Oklahoma, New Mexico, Texas, Louisiana, Missouri, Iowa, and Nebraska. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6814; Filed, June 21, 1966; 8:49 a.m.]

[Notice 938]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 17, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the Special Rules of Procedure for Hearing outlined below:

Special Rules of Procedure for Hearing

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 118196 (Sub-No. 66), filed March 28, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., U.S. Highway 71 North, Post Office Box 613, Carthage, Mo., 64836. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Frozen foods, from Kansas City, Kans., to points in Colorado, Utah, and Wyoming.

HEARING: July 18, 1966, at the Pickwick Motor Inn, McGee and 10th, Kansas City, Mo., before Examiner Henry A. Cockrum.

No. MC 123639 (Sub-No. 89), filed May 18, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Kans., to points in Colorado, Utah, and Wyoming.

HEARING: July 18, 1966, at the Pickwick Motor Inn, McGee and 10th, Kansas City, Mo., before Examiner Henry A. Cockrum.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6815; Filed, June 21, 1966; 8:50 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JUNE 17, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant

to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. C-160, Case No. 3, filed April 29, 1966. Applicant: ALVAN MOTOR FREIGHT, INC., 1015 West Paterson Street, Kalamazoo, Mich. Applicant's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities*, as follows: (1) Between Kalamazoo and New Buffalo via Red Arrow Highway (formerly designated U.S. 12) to junction with Business Route I-94 near Benton Harbor, thence via Business Route I-94 to junction with Red Arrow Highway south of St. Joseph and thence via Red Arrow Highway to New Buffalo; (2) between Kalamazoo and Sturgis via U.S. 131 and Business Route U.S. 131 to junction U.S. 12 near White Pigeon (formerly designated U.S. 112) and thence via U.S. 12 to Sturgis. (This described route presently authorized as alternate route only with no intermediate points.) (3) Between junction U.S. 12 and U.S. 131 near White Pigeon and Michiana via U.S. 12 and Business Route U.S. 12; (4) between Mendon and Niles via M-80; (5) between junction M-40 with M-43 (near Paw Paw) and Niles via M-40; (6) between Paw Paw and junction M-119 with U.S. 12 via M-119; (7) between Marcellus and junction M-216 with U.S. 131 via M-216; (8) between South Haven and Niles via M-140; (9) between junction M-140 with M-62 and Edwardsburg via M-62; (10) between South Haven and junction U.S. 31 with U.S. 33 via Blue Star Highway to junction U.S. 33 (near Benton Harbor) and thence via U.S. 33 to junction U.S. 31; (11) between South Haven and Bertrand near Niles via U.S. 31; (12) between Kalamazoo and junction I-94 with U.S. 12 via I-94; (13) between Three Rivers and Centreville via M-86; (14) between Constantine and Centreville via St. Joseph County Road 124; (15) between Centreville and junction St. Joseph County Road 133 with U.S. 12 via St. Joseph County Road 133; (16) Authority is sought to serve all intermediate points and the following described off-route points: (a) Off-route points in Berrien County—Bainbridge Center, Naomi, Eau Claire, Millburg, Spinks Corner, Pearl Grange, Hinchman, Derby, Riverside, Sodus, Vineland, Sawyer, Jericho, Baroda, Snow, Glendora, New Troy, Buchanan, and Dayton, (b) off-route points in Van Buren County—Sister Lakes, Almena, McDonald, Toquin, Mattawan, and Keeler; (c) off-route points in Cass County—Glenwood, Nicholsville, Wakelee, Volinia, Penn, Dailey, Brownsville, Williamsville, and Calvin Center; (d) off-route points in St. Joseph County—Flowerfield, Chamberlain, Parkville, and Florence.

HEARING: July 18, 19, 20, 21, 22, 1966, 10 a.m., Offices of the Commission, Lewis Cass Building, South Walnut Street, Lansing, Mich. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich., 48913, and should not be directed to the Interstate Commerce Commission.

State Docket No. L-3404, Case No. 3, filed May 13, 1966. Applicant: BOUMA CARTAGE COMPANY, 146 Pleasant Street, SW., Grand Rapids, Mich. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *household goods, store fixtures, and office furniture*, between all points in the State of Michigan.

HEARING: July 15, 1966, 9:30 a.m., Offices of the Commission, Michigan Public Service Commission, Lewis Cass Building, South Walnut Street, Lansing, Mich. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich., 48913, and should not be directed to the Interstate Commerce Commission.

State Docket No. 9838, filed May 31, 1966. Applicant: KAVANAUGH MOTOR FREIGHT, West California Avenue, Ruston, La. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities*, along Louisiana Highway No. 15, between Monroe, La., and Winnsboro, La., serving no intermediate points. Along Louisiana Highway No. 3 to intersection with Louisiana Highway No. 157, between Shreveport, La., and Springhill, La., serving no intermediate points.

HEARING: Not set. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Louisiana Public Service Commission, Baton Rouge, La., and should not be directed to the Interstate Commerce Commission.

State Docket No. M-11679, filed April 26, 1966. Applicant: EUGENE E. WASKOWIAK, doing business as GENE'S TRANSFER, Ravenna, Nebr., 68869. Applicant's representative: Moller R. Johnson, 110 West Genoa Street, Ravenna, Nebr., 68869. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *commodities generally*, except those requiring special equipment. Route or territory authorized: Route No. 1: Between Ravenna and Grand Island, Nebr., via Nebr.-2, serving the intermediate point of Cairo, Nebr. Route No. 2: Between Pleasanton and Ravenna, Nebr., via Nebr.-10 to its junction with Nebr.-2, thence Nebr.-2 to Ravenna, serving the off-route point of Poole. Interstate commerce operation arises out of interline arrangements at Grand Island, Nebr.

HEARING: To be determined after publication in the FEDERAL REGISTER. Hearing had been set, but continued after applicant advised of this action. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Nebraska State Railroad Commission, Motor Transportation Department, State Capitol Building, Lincoln 9, Nebr., and should not be directed to the Interstate Commerce Commission.

State Docket No. M—11683, filed May 18, 1966. Applicant: WAVERLY TRANSFER, INC., Waverly, Nebr. Applicant's representative: Donald E. Leonard Box 2028, 605 South 14th, Lincoln, Nebr. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *commodities generally*, except those requiring special equipment, between points within a 50-mile radius of Waverly, Nebr.; and between points within said radial area, on the one hand, and, on the other, all points in Nebraska, over irregular routes.

HEARING: To be assigned after publication in FEDERAL REGISTER. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Nebraska State Railway Commission, Motor Transportation Department, State Capitol Building, Lincoln 9, Nebr.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6817; Filed, June 21, 1966; 8:50 a.m.]

[Notice 1369]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 17, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-67974. By order of June 16, 1966, the Transfer Board approved the transfer to Marc Blackburn, doing business as Blackburn Trucking Service, Bowling Green, Ky., of the certificate in No. MC-117208, issued October 24, 1958, to James Aubrey Breedlove, doing business as Breedlove Trucking Service, Bowling Green, Ky., authorizing the transportation of building brick, from Nashville, Tenn., to Bowling Green, Ky., serving intermediate points on U.S. Highway 31W. Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky., attorney for applicants.

No. MC-FC-68491. By order of June 15, 1966, the Transfer Board approved the transfer to Eggleston Transportation, Inc., Corinth, N.Y., of the operating rights in certificates Nos. MC-270 and MC-270 (Sub-No. 1), and certificate of registration No. MC-270 (Sub-No. 3), issued to Lester Eggleston, doing business as Eggleston Transportation, Corinth, N.Y., covering the transportation of general commodities, between points in New York. Loren N. Brown, 215 Main Street, Corinth, N.Y., attorney for applicants.

No. MC-FC-68730. By order of June 15, 1966, the Transfer Board approved the transfer to Vola Moving & Trucking Co., a corporation, Atlantic City, N.J., of certificate in No. MC-15102, issued April 8, 1943, to Eldredge Storage, a corporation, Atlantic City, N.J., authorizing the transportation of: Household goods as defined by the Commission in 17 M.C.C. 467, over irregular routes, between Atlantic City, N.J., and points and places within 15 miles of Atlantic City on the one hand, and, on the other, points and places in Delaware, Maryland, New York, Pennsylvania, and the District of Columbia. Morris J. Winokur, 1920 Two Penn Center Plaza, Philadelphia, Pa., 19102, attorney for applicants.

No. MC-FC-68776. By order of June 15, 1966, the Transfer Board approved the transfer to Lloyd Schoenheit Truck & Tractor Service, Inc., a Delaware corporation, Grayville, Ill., of the operating rights in certificates Nos. MC-112837 and MC-112837 (Sub-No. 2), issued August 4, 1955, and November 29, 1960, respectively, to Lloyd Schoenheit Truck & Tractor Service, Inc., an Illinois corporation, Grayville, Ill., authorizing the transportation, over irregular routes, of oil field machinery and certain related items between points in Illinois, Indiana, Kentucky, Missouri, Iowa, and Kansas. Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill., 62707, attorney for applicants.

No. MC-FC-68825. By order of June 15, 1966, the Transfer Board approved the transfer to Cecil Stanton, doing business as Millard & Gray Transfer, Des Moines, Iowa, of the operating rights of Mrs. Dora Millard, doing business as Millard & Gray Transfer, Des Moines, Iowa, in certificate No. MC-61515, issued October 3, 1940, authorizing the transfer of household goods, over irregular routes, between points in Iowa, on the one hand, and, on the other, points in Nebraska, Minnesota, Illinois, and Kansas. Robert E. Dreher, 212 Equitable Building, Des Moines, Iowa, 50309, attorney for applicants.

No. MC-FC-68828. By order of June 16, 1966, the Transfer Board approved the transfer to Harold Johansen, Milford, Conn., of that portion of the operating rights of Stratford Bus Line, Inc., Stratford, Conn., in certificate No. MC-23558, issued August 13, 1956, authorizing the transportation, over regular routes, of passengers and their baggage, and newspapers, express, and mail in the same vehicle with passengers, between Bridgeport, Conn., and Rye Beach, N.Y. Thomas W. Murrett, 410 Asylum Street, Hartford, Conn., 06103, and Ronald M. Stark, 75 Broad Street, Milford, Conn., 06460, attorneys for applicants.

No. MC-FC-68830. By order of June 15, 1966, the Transfer Board approved the transfer to Margolies Van Co., Inc., New York, N.Y., of the operating rights in certificate No. MC-46384 (Sub-No. 1), issued September 10, 1959, to Frances Margolies, doing business as Margolies Van Co., New York, N.Y., authorizing the transportation of: Baggage, in seasonal operations between June 1 and September 30, inclusive of each, between New York, N.Y., points in Nassau County, N.Y., points in Union, Essex, and Hudson Counties, N.J., points in Bergen County, N.J., on and south of Bergen County Highway 502, and points in Passaic County, N.J., west of Pompton Lake and the Ramapo and Pompton Rivers, on the one hand, and, on the other, Camp Kennebrook, Camp Ta-Go-La, and Camp Roosevelt in or near Monticello, N.Y., Camp Sequoia in or near Rock Hill, N.Y., Camp Delmont in or near Livingston Manor, N.Y., and Camp Lake-Vu in or near New Brunswick, N.J. William D. Traub, 10 East 40th Street, New York, N.Y., 10016, representative for applicants.

No. MC-FC-68831. By order of June 15, 1966, the Transfer Board approved the transfer to Ben H. Schuster and Adolph Konrath, doing business as Schuster & Konrath, Menomonee Falls, Wis., of the operating rights in permit No. MC-17702, issued July 24, 1952, to Howard C. Reingruber, doing business as Howard's Cartage, Germantown, Wis., authorizing the transportation of: Processed milk, orange juice, and dairy machinery and parts, between Germantown, Wis., and Chicago, Ill. William C. Dineen, 710 North Plankinton Avenue, Milwaukee, Wis., 53203, attorney for applicants.

No. MC-FC-68838. By order of June 15, 1966, the Transfer Board approved the transfer to Joseph F. Perrotti, doing business as Exchange Transportation Co., 200 Exchange Street, Malden, Mass., of certificate of registration No. MC-121165 (Sub-No. 1), issued January 28, 1964, to David A. Perrotti, doing business as Exchange Transportation Co., Malden, Mass., corresponding to the grant of intrastate authority to transferor in Common Carrier Certificate No. 6108, dated December 5, 1961, issued by the Department of Public Utilities of the Commonwealth of Massachusetts.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6818; Filed, June 21, 1966; 8:50 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

Page

PROCLAMATION:
- 3728 — 8277
- 3729 — 8567
- 3730 — 8569
- 3731 — 8571

EXECUTIVE ORDERS:
- 11224 (superseded by EO 11285) — 8211
- 11285 — 8211
- 11286 — 8279

CHAPTER V:
- 100 — 8556

5 CFR

- 213 — 7733, 7734, 7959, 8175, 8281, 8527, 8619
- 302 — 8527
- 550 — 7881, 8585
- 890 — 8491

7 CFR

- 0 — 8528
- 15 — 8175, 8586
- 26 — 8113
- 28 — 7734
- 51 — 8535
- 301 — 8586
- 319 — 8337
- 354 — 8113
- 401 — 8175
- 701 — 7735, 7814
- 722 — 8337, 8619
- 728 — 7814, 8337
- 730 — 8619
- 775 — 8339
- 778 — 7997
- 811 — 7999
- 817 — 8536
- 845 — 7815
- 893 — 7816
- 905 — 8114
- 908 — 7961, 8230, 8538
- 910 — 7962, 8045, 8231, 8303, 8538, 8591
- 911 — 7962, 8231, 8539
- 915 — 8592
- 916 — 8176, 8177
- 917 — 7963, 8114, 8177, 8231, 8232, 8303–8306, 8404, 8491.
- 918 — 7735
- 944 — 8000
- 970 — 8178
- 1038 — 8115
- 1039 — 8116
- 1074 — 8000
- 1099 — 7963
- 1125 — 8405
- 1421 — 7964, 8000, 8003, 8306, 8346
- 1443 — 8348
- 1483 — 7817
- 1486 — 7735

PROPOSED RULES:
- 51 — 7757
- 52 — 8542
- 817 — 8541
- 905 — 7971
- 906 — 8429
- 915 — 8181
- 994 — 8021
- 1001 — 7911, 8242
- 1002 — 7911
- 1003 — 7911

7 CFR—Continued

Page

PROPOSED RULES—Continued
- 1004 — 7911
- 1005 — 7911
- 1008 — 7911
- 1009 — 7911
- 1011 — 7911
- 1012 — 7911
- 1013 — 7829, 7911, 8131
- 1015 — 7911, 8242
- 1016 — 7911
- 1031 — 7831
- 1032 — 7831, 8634
- 1033 — 7911
- 1034 — 7911
- 1035 — 7911
- 1036 — 7911
- 1038 — 7831, 7971
- 1039 — 7831, 7972
- 1040 — 7911
- 1041 — 7911, 8496
- 1043 — 7911
- 1044 — 7831
- 1045 — 7831
- 1046 — 7911
- 1047 — 7911
- 1048 — 7911
- 1049 — 7911
- 1050 — 8634
- 1051 — 7831
- 1061 — 7831
- 1062 — 7831
- 1063 — 7831
- 1064 — 7831
- 1065 — 7757
- 1066 — 7757
- 1067 — 7831
- 1068 — 7757
- 1069 — 7757
- 1070 — 7831
- 1071 — 7831
- 1073 — 7831
- 1074 — 7831
- 1075 — 7757
- 1076 — 7757
- 1078 — 7831
- 1079 — 7831
- 1090 — 7911
- 1094 — 7831
- 1096 — 7831
- 1097 — 7831
- 1098 — 7911
- 1099 — 7758, 7831
- 1101 — 7911
- 1102 — 7831
- 1103 — 7831
- 1104 — 7831
- 1106 — 7831
- 1108 — 7831
- 1120 — 7831
- 1125 — 7757
- 1126 — 7831, 8431
- 1127 — 7831
- 1128 — 7831
- 1129 — 7831
- 1130 — 7831
- 1131 — 7757
- 1132 — 7831
- 1133 — 7757, 7831, 8542
- 1134 — 7757
- 1136 — 7757
- 1137 — 7757
- 1138 — 7757

8 CFR

Page

- 212 — 8045
- 214 — 8045
- 236 — 8045

9 CFR

- 97 — 8020

10 CFR

- 36 — 7959, 8417
- 40 — 7959

PROPOSED RULES:
- 30 — 8595
- 32 — 8595

12 CFR

- 1 — 8060, 8521
- 204 — 8060
- 545 — 8353
- 561 — 8353
- 563 — 8004
- 571 — 8004

14 CFR

- 13 — 8353
- 39 — 7735, 7881, 7882, 8045, 8046, 8417
- 61 — 8354
- 67 — 8355
- 71 — 7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492, 8575, 8620, 8621
- 73 — 7736, 7827, 7882
- 75 — 7736, 7827, 8047, 8418
- 91 — 8354
- 95 — 8281
- 97 — 7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359, 8576.
- 145 — 8585
- 1200 — 8418
- 1204 — 8418

PROPOSED RULES:
- 21 — 8075
- 39 — 8498
- 47 — 8077
- 61 — 8438
- 71 — 7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498, 8596, 8597, 8636, 8637.
- 73 — 7977, 8375
- 75 — 7762, 8242
- 91 — 8026, 8438, 8440
- 93 — 8078
- 207 — 8438

15 CFR

- 230 — 7737, 7819, 7968
- 372 — 8213
- 373 — 8213
- 374 — 8213
- 375 — 8213
- 376 — 8213
- 377 — 8213
- 379 — 8213
- 382 — 8213
- 385 — 8213

PROPOSED RULES:
- 9 — 7833

16 CFR

Page

- 13 — 7960, 7961, 8058–8060
- 15 — 7737, 7806, 8233, 8403, 8492, 8521, 8585, 8621.

PROPOSED RULES:
- 45 — 7757
- 57 — 8243
- 192 — 8244

17 CFR

- 211 — 7821
- 230 — 7738
- 239 — 7738
- 240 — 7740
- 250 — 8233
- 276 — 7821

PROPOSED RULES:
- 270 — 7913

18 CFR

- 101 — 7897
- 141 — 7897
- 201 — 7897
- 260 — 7897

PROPOSED RULES:
- 8 — 8376

20 CFR

- 404 — 8367
- 602 — 7966
- 604 — 8281

PROPOSED RULES:
- 405 — 7864, 8668

21 CFR

- 1 — 8521
- 5 — 8524
- 8 — 8216, 8369
- 27 — 8493
- 80 — 8525
- 120 — 7741
- 121 — 8008, 8009, 8369, 8573
- 125 — 8521
- 130 — 8009

PROPOSED RULES:
- 17 — 8497
- 27 — 8497
- 53 — 8594

22 CFR

- 41 — 7741
- 42 — 7741

24 CFR

- 200 — 7743
- 203 — 8539
- 207 — 8539
- 220 — 8539
- 221 — 7743

25 CFR

- 41 — 7744
- 42 — 7745

26 CFR

- 1 — 7789

29 CFR

- 0 — 8306
- 1605 — 8370

30 CFR

PROPOSED RULES:
- 27 — 8630

31 CFR

- 128 — 8179
- 202 — 7899, 8234
- 203 — 7899, 8234
- 500 — 7745, 7899, 8586
- 520 — 8404

32 CFR

Page

- 1 — 7807
- 3 — 7807
- 4 — 7810
- 7 — 7811
- 8 — 7812
- 16 — 7814
- 30 — 7814
- 40 — 8621
- 273 — 8007
- 502 — 7966
- 1001 — 8370
- 1003 — 8311, 8371
- 1004 — 8371
- 1007 — 8371
- 1013 — 8371
- 1014 — 8371
- 1053 — 8371
- 1250 — 8061
- 2000 — 8540

32A CFR

OIA (Ch. X):
- OI REG. 1 — 7745

33 CFR

- 202 — 8403
- 203 — 7827, 8312, 8573
- 204 — 8129
- 208 — 7751
- 401 — 8062

36 CFR

- 221 — 8180
- 251 — 7899
- 261 — 7902

38 CFR

- 17 — 8064
- 21 — 8292

39 CFR

- 13 — 7752
- 22 — 7752
- 25 — 7752
- 27 — 8234
- 41 — 8234
- 43 — 7752, 8235
- 46 — 8235
- 51 — 8236
- 52 — 8236
- 53 — 8236
- 55 — 8236
- 56 — 8236
- 58 — 8237
- 61 — 8237

41 CFR

- 1–3 — 8116
- 1–5 — 8621
- 1–12 — 8592
- 4–1 — 7819
- 4–6 — 7819
- 4–50 — 7902
- 8–1 — 7820
- 8–2 — 7820
- 9–12 — 8237
- 101–15 — 7752
- 101–17 — 8117
- 101–47 — 8540

42 CFR

- 57 — 7755
- 76 — 7902

PROPOSED RULES:
- 73 — 8594

43 CFR

- 3120 — 7806

PUBLIC LAND ORDERS:
- 662 (revoked by PLO 4035) — 8240
- 829 (revoked in part by PLO 4028) — 8238

43 CFR—Continued

Page

PUBLIC LAND ORDERS—Continued
- 1775 (revoked in part by PLO 4027) — 8238
- 4023 — 7969
- 4024 — 7969
- 4025 — 7969
- 4026 — 8238
- 4027 — 8238
- 4028 — 8238
- 4029 — 8238
- 4030 — 8239
- 4031 — 8239
- 4032 — 8239
- 4033 — 8293
- 4034 — 8240
- 4035 — 8240
- 4036 — 8240
- 4037 — 8241
- 4038 — 8241

PROPOSED RULES:
- 4 — 8429
- 3130 — 8181
- 3140 — 8181
- 3150 — 8181
- 3160 — 8181
- 3180 — 8181

45 CFR

- 801 — 7755, 8623
- 1030 — 8623

PROPOSED RULES:
- 170 — 8544

46 CFR

- 146 — 8295
- 173 — 8539
- 202 — 8065
- 262 — 8494
- 281 — 8494
- 308 — 7970

47 CFR

- 18 — 7821
- 21 — 7822
- 73 — 7904, 8067, 8069–8073, 8623, 8625
- 74 — 7822
- 87 — 8627, 8628
- 91 — 7822

PROPOSED RULES:
- 1 — 7837
- 17 — 8376
- 21 — 7837
- 23 — 7837
- 73 — 7837, 7838, 8079–8081, 8132, 8637–8639
- 74 — 7837, 8026
- 81 — 7837
- 87 — 7837
- 89 — 7837, 8640
- 91 — 7837, 8640
- 93 — 7837, 8640
- 95 — 7837
- 97 — 7837

48 CFR

- 203 — 8540

49 CFR

- 6 — 8573
- 95 — 7806, 8064
- 170 — 8312

PROPOSED RULES:
- 31 — 8244
- 170 — 7841
- 193 — 7911

50 CFR

- 32 — 7909, 8065
- 33 — 7756, 7910, 7970

PROPOSED RULES:
- 401 — 8130

VOL

31

12

120

PART 2

FEDERAL REGISTER

VOLUME 31 • NUMBER 120

Wednesday, June 22, 1966 • Washington, D.C.

PART II

Department of Health, Education, and Welfare
Social Security Administration

•

Conditions for Coverage of Services of Independent Laboratories

Notice of Proposed Rule Making



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 405]

CONDITIONS FOR COVERAGE OF SERVICES OF INDEPENDENT LABORATORIES

Notice of Proposed Rule Making

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations (§ 405.1301 et seq.) relate to conditions which independent laboratories are required to meet in order for the services of such laboratories to be reimbursable under Title XVIII—Health Insurance for the Aged, of the Social Security Act. These conditions are intended to provide assurance of the quality and adequacy of the services and facilities of participating independent laboratories.

Prior to the final adoption of the proposed regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C., 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed Federal Health Insurance for the Aged regulations are to be issued under the authority contained in section 1102, 1861(s) (10) and (11), 1864, and 1871, 49 Stat. 647, as amended, 79 Stat. 314–316, 79 Stat. 326; 42 U.S.C. 1302, 1395 et seq.

Dated: June 13, 1966.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: June 16, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

Chapter III, Title 20, is amended by adding thereto Subpart M of new Part 405 (Regulations 5) to read as follows:

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED (1965–)

Subpart M—Conditions for Coverage of Services of Independent Laboratories

§ 405.1301 Conditions for coverage of services of independent laboratories; general.

(a) *Introduction.* The Conditions for Coverage of Services of Independent Laboratories and related policies set forth herein, state the specific requirements that must be met by an independent laboratory in order for its services to qualify for reimbursement under the supplementary medical insurance part of the Health Insurance for the Aged program.

(b) *Definition of independent laboratory.* An independent laboratory performing diagnostic tests is one which is independent both of the attending physician's office and of a hospital which meets the conditions of participation in the program. Services furnished by out-of-hospital laboratories under the direction of a physician, such as a pathologist or radiologist, are considered to be subject to the conditions where the physician holds himself out to the general public and/or other physicians as being available primarily for the performance of diagnostic X-ray and/or other laboratory services. Section 1861(s) of the Act, which includes the provision for the coverage in the medical insurance program of diagnostic tests performed in an independent laboratory, provides that, as a condition for coverage of such tests, an independent laboratory, in any State in which State or local law provides for licensing laboratories, is licensed pursuant to such law or be approved by the agency of the State or locality responsible for such licensure as meeting the standards established for licensing. As a further condition, the statute requires that the independent laboratory meet such standards as the Secretary finds necessary to assure the health and safety of individuals with respect to whom these tests are performed.

(c) *State agency certification.* The law makes provision for the designation of State health agencies, or other State agencies, to assist the Secretary in determining whether there is compliance with the conditions for coverage of services of independent laboratories. The designated State agencies will certify to the Secretary those laboratories which meet the conditions. Services provided in a laboratory that is found to be in substantial compliance with the conditions relating to health and safety and which meet the statutory licensure requirement would be reimbursable under the medical insurance program.

§ 405.1302 Conditions for coverage of services; general.

The services of an independent laboratory will be reimbursable under the program only if the laboratory meets the statutory requirement of section 1861 (s) (10) of the Act and there has been a finding of substantial compliance on the part of the laboratory with all the other conditions. These additional conditions (established in the interest of health and safety) are requirements which are essential to the maintenance of quality of care and the adequacy of the services and facilities which the laboratory provides. Variation in the type and size of laboratories and the nature and scope of services offered will be reflected in differences in the details of organization, staffing, and facilities. However, the test will be whether there is substantial compliance with each of the conditions.

§ 405.1303 Standards; general.

As a basis for a determination as to whether or not there is substantial compliance with the prescribed conditions in the case of any particular independent laboratory, a series of standards, almost all interpreted by explanatory factors, is listed under each condition. Reference to these standards will enable the State agency surveying a facility to document the activities of the laboratory, to establish the nature and extent of its deficiencies, if any, and to assess the facility's need for improvement in relation to the prescribed conditions. In substance, the application of the standards, together with the explanatory factors, will indicate the extent and degree to which an independent laboratory is complying with each condition.

§ 405.1304 State agencies.

(a) Under the Health Insurance for the Aged Act, State agencies, operating under an agreement with the Secretary, will be used by the Secretary in determining whether independent laboratories meet the conditions. Pursuant to this agreement, State agencies will certify to the Secretary findings as to whether independent laboratories are in substantial compliance with the conditions. Such certifications will include findings as to whether each of the conditions is substantially met. The Secretary, on the basis of such certification from the State agency, will determine whether or not the level of facilities and services of the laboratory represent the required achievement of substantial compliance with the conditions.

(b) Any payment for diagnostic tests of the type described in section 1861(s) (3) of the Act performed in a laboratory which is independent of a physician's office or a hospital, if made prior to a determination that the laboratory is in compliance with the conditions set forth in this subpart, is not to be considered as establishing the compliance of such laboratory with such conditions.

§ 405.1305 Principles for the evaluation of independent laboratories to determine whether they are in substantial compliance with the conditions.

Independent laboratories will be considered in substantial compliance with the conditions upon acceptance by the Secretary of findings, adequately documented and certified to by the State agency, showing that:

(a) The laboratory meets the specific statutory requirement of section 1861 (s) (10) of the Act and is found to be operating in accordance with all the conditions with no significant deficiencies, or

(b) The laboratory meets the specific statutory requirements of section 1861 (s) (10) of the Act but is found to have deficiences with respect to one or more conditions, but

(1) It is making reasonable plans and efforts to correct the deficiencies, and

(2) Notwithstanding the deficiences, it is rendering adequate service without hazard to the health and safety of individuals being served, taking into account special procedures or precautionary measures which have been or are being instituted.

§ 405.1306 Time limitations on certification of substantial compliance.

(a) All initial certifications by the State agency to the effect that an independent laboratory is in substantial compliance with the conditions will be for a period of 1 year, beginning with July 1, 1966, or, if later, with the date on which the laboratory is first found to be in substantial compliance with the conditions. State agencies may visit or resurvey laboratories where necessary to ascertain continued compliance or to accommodate to periodic or cyclical survey programs. A State may, at any time, find and certify to the Secretary that a laboratory is no longer in compliance.

(b) If a laboratory is certified by the State agency as in substantial compliance under the provisions of § 405.1305(b), the following information will be incorporated into the finding and into the notice to the laboratory of the coverage of its services under the medical insurance program:

(1) A statement of the deficiencies which were found, and

(2) A description of progress which has been made and further action which is being taken to remove the deficiencies, and

(3) A scheduled time for a resurvey of the laboratory to be conducted not later than the ninth month (or earlier, depending on the nature of the deficiencies) of the period of certification.

§ 405.1307 Certification of noncompliance.

The State agency will certify that a laboratory is not in compliance with the conditions or, where a determination of compliance has been made, that a laboratory is no longer in compliance where:

(a) The laboratory is not in compliance with the statutory requirement of section 1861(s)(10) of the Act; or

(b) The laboratory has deficiencies of such character as to seriously limit the capacity of the laboratory to render adequate service or to place health and safety of individuals in jeopardy, and the State agency concludes after discussion with the laboratory that there is no early prospect of such significant improvement as to establish substantial compliance, or

(c) After a previous period or part thereof for which the laboratory was certified with a finding of significant deficiencies, there is a lack of progress toward a removal of deficiencies which the State agency finds are adverse to the health and safety of individuals being served.

§ 405.1308 Criteria for determining substantial compliance.

Findings made by a State agency as to whether an independent laboratory is in substantial compliance with the conditions require a thorough evaluation of the laboratory. The State evaluation will take into consideration:

(a) The degree to which each standard, as well as the total set of standards relating to a condition, is met;

(b) When there is a deficiency, whether the deficiency creates a serious hazard to health and safety; and

(c) Whether the laboratory is making reasonable plans and efforts to correct the deficiency within a reasonable period.

§ 405.1309 Documentation of findings.

The findings of the State agency with respect to each of the conditions should be adequately documented. Where the State agency certifies to the Secretary that a laboratory is not in compliance with the conditions, such documentation should include a report of any discussions concerning the deficiencies, a report of the laboratory's responses with respect to such discussions, and the State agency's assessment of the prospects for such improvements as to enable the laboratory to achieve substantial compliance with the conditions.

§ 405.1310 Condition—compliance with State and local laws.

The laboratory is in conformity with all applicable State and local laws.

(a) *Standard. Licensure.* The laboratory, in any State in which State or applicable local law provides for the licensing of laboratories (1) is licensed pursuant to such law, or (2) is approved, by the agency of the State or locality responsible for licensing laboratories, as meeting the standards established for such licensing.

(b) *Standard. Licensed staff.* The director and the staff of the laboratory are licensed or registered in accordance with applicable laws.

(c) *Standard. Fire and safety.* The laboratory is in conformity with laws relating to fire and safety, and to other relevant matters.

§ 405.1311 Clinical laboratory; defined.

A clinical laboratory is an independent laboratory (as previously defined, see § 405.1301) where microbiological, serological, chemical, hematological, biophysical, cytological, immunohematology or pathological examinations are performed on materials derived from the human body, to provide information for the diagnosis, prevention or treatment of a disease or assessment of a medical condition.

§ 405.1312 Condition—clinical laboratory; laboratory director.

The clinical laboratory is under the direction of a qualified person.

(a) *Standard. Administration.* The laboratory has a director who administers the technical and scientific operation of the laboratory including the reporting of findings of laboratory tests. The factors explaining the standard are as follows:

(1) The director serves the laboratory full-time, or on a regular part-time basis. If he serves on a regular part-time basis, (i) he does not individually serve as director of more than two laboratories (hospital or independent) or, (ii) he provides an associate, qualified under the standard in paragraph (b) of this section to serve as assistant director in each laboratory. Such assistant director does not serve more than two laboratories.

(2) Commensurate with the laboratory workload, the director spends an adequate amount of time daily in the laboratory to direct and supervise the technical performance of the staff.

(3) The director is responsible for the proper performance of all tests made in the laboratory.

(4) The director is responsible for the employment of qualified laboratory personnel and their in-service training.

(5) If the director is to be continuously absent for more than 1 month, arrangements are made for a qualified substitute director.

(b) *Standard. Laboratory director—qualification.* The laboratory director meets one of the following requirements:

(1) He is a physician certified in anatomical and/or clinical pathology by the American Board of Pathology or the American Osteopathic Board of Pathology or possesses qualifications which are equivalent to those required for such certification.

(2) He is a physician who (i) is certified by the American Board of Pathology or the American Osteopathic Board of Pathology in at least one of the laboratory specialties, or (ii) is certified by the American Board of Microbiology, the American Board of Clinical Chemistry, or other national accrediting board acceptable to the Secretary in one of the laboratory specialties, or (iii) subsequent to graduation has had 4 or more years of general laboratory training and experience of which at least two were spent acquiring proficiency in one of the laboratory specialties in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

(3) He holds an earned degree of doctor of science or doctor of philosophy from an accredited institution with a chemical, physical, or biological science as his major subject ("accredited," as used herein, refers to accreditation by a nationally recognized accrediting agency or association, as determined by the U.S. Commissioner of Education) and (i) is certified by the American Board of Microbiology, the American Board of Clinical Chemistry, or other national accrediting board acceptable to the Secretary in one of the laboratory specialties, or (ii) subsequent to graduation, has had 4 or more years of general clinical laboratory training and experience, of which at least 2 years were spent acquiring proficiency in one of the laboratory specialties in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical

laboratory personnel, in a clinical laboratory acceptable to that State.

(4) For the period ending June 30, 1971, an exception to the requirements in subparagraphs (1), (2), or (3) of this paragraph may be made if (i) the director was responsible for the direction of a clinical laboratory on January 1, 1966, and (ii) the State agency has evidence of successful participation of the laboratory which he directs, in a State or State approved proficiency testing program covering the specialties or subspecialties in which the laboratory performs tests, and (iii) the director holds at least a bachelor's degree from an accredited institution with a chemical, physical, or biological science as his major subject and subsequent to graduation has had at least 6 years of pertinent clinical laboratory experience.

§ 405.1313 Condition—clinical laboratory; supervision.

The clinical laboratory is supervised by qualified personnel.

(a) *Standard. Supervision.* The laboratory has one or more supervisors who, under the general direction of the laboratory director, supervise technical personnel and reporting of findings, perform tests requiring special scientific skills, and, in the absence of the director, are held responsible for the proper performance of all laboratory procedures. The factors explaining the standard are as follows:

(1) Depending upon the size and functions of the laboratory, the laboratory director may also serve as the laboratory supervisor.

(2) The supervisor serves the laboratory on a regular full-time basis.

(3) The supervisor supervises and performs tests only in those laboratory specialties or subspecialties in which he is qualified by education, training, and experience.

(b) *Standard. Supervisor—qualification.* The laboratory supervisor meets one of the following requirements:

(1) He (i) is a physician or has earned a doctoral degree from an accredited institution with a chemical, physical, or biological science as his major subject, and (ii) subsequent to graduation has had at least 2 years' experience in one of the laboratory specialties in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

(2) He holds a degree of master of arts or master of science from an accredited institution with a major in one of the chemical, physical, or biological sciences and subsequent to graduation, has had at least 4 years of pertinent laboratory experience of which not less than 2 years has been spent working in the designated laboratory specialty in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

(3) He holds a degree of bachelor of arts or bachelor of science from an accredited institution with a major in one of the chemical, physical, or biological sciences, and, subsequent to graduation (i) has had at least 6 years of pertinent laboratory experience of which not less than 2 years has been spent working in the designated laboratory specialty in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State; and (ii) has successfully completed pertinent courses in an accredited college or university which, when combined with the foregoing experience, will provide technical and professional knowledge comparable to that of subparagraph (2) of this paragraph.

(4) He is registered as a clinical laboratory technologist by the American Society of Clinical Pathologists, MT (ASCP), the National Registry of Microbiologists, or other professionally sponsored national registry acceptable to the Secretary which maintains standards equivalent to the foregoing, and (i) has had at least 6 years of pertinent laboratory experience of which not less than 2 years has been spent working in the designated laboratory specialty in a clinical laboratory—with a director at the doctoral level—of a hospital, university, health department, or medical research institution, or in the case of a State which regulates clinical laboratory acceptable to that State; and (ii) has successfully completed pertinent courses in an accredited college or university which, when combined with the foregoing experience, will provide a technical and professional knowledge comparable to that of subparagraph (2) of this paragraph.

§ 405.1314 Condition—clinical laboratory; tests performed.

The clinical laboratory performs only those laboratory tests and procedures that are within the specialties in which the laboratory director or supervisors are qualified.

(a) *Standard. Procedures and tests—competency.* The laboratory performs only those laboratory procedures and tests that are within the specialties or subspecialties in which the laboratory director or supervisors are qualified. The factors explaining the standard are as follows:

(1) If the laboratory director or supervisor is a pathologist certified in both anatomical and clinical pathology by the American Board of Pathology or the American Osteopathic Board of Pathology or possesses qualifications which are equivalent to those required for certification, the laboratory may perform laboratory procedures and tests in all specialties.

(2) If neither the director nor supervisor has the qualifications described in subparagraph (1) of this paragraph and the laboratory performs tests in the specialty of microbiology, including the subspecialties of bacteriology, serology, virology, mycology and parasitology, the laboratory engages the services of a qualified director or supervisor, as defined previously, who (i) holds an earned doctoral or master's degree in microbiology from an accredited institution or is a physician and (ii) subsequent to graduation has had at least 4 years' experience in clinical microbiology.

(3) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of immunohematology, including the subspecialties of blood groupings and RH typing, it engages the services of a qualified director or supervisor, as defined previously, who is a physician with at least 2 years' experience in clinical hematology subsequent to graduation.

(4) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of hematology, including gross and microscopic examination of the blood, it employs a qualified director or supervisor, as defined previously, who holds a master's or bachelor's degree in biology, immunology, or microbiology from an accredited institution and subsequent to graduation has had at least 4 years' experience in hematology.

(5) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of clinical chemistry, it engages the services of a qualified director or supervisor, as defined previously, who (i) holds an earned doctoral or master's degree in chemistry or biochemistry from an accredited institution or is a physician, and (ii) subsequent to graduation has had at least 4 years' experience in clinical chemistry.

(6) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of tissue pathology, it engages the services of a pathologist who is certified in anatomical pathology by the American Board of Pathology or the American Osteopathic Board of Pathology or possesses qualifications which are equivalent to those required for certification.

(7) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of exfoliative cytology, it engages the services of a physician who: (i) is certified by the American Board of Pathology or the American Osteopathic Board of Pathology, or possesses qualifications which are equivalent to those required for certification or (ii) is a member of the American Society of Cytology.

(8) The laboratory whose director qualifies under § 405.1312(b)(4), may perform tests in the laboratory specialties in which such director is specifically qualified by training and experience. It performs tests in other laboratory specialties only if the director or supervisor meets the appropriate requirements of subparagraphs (1)–(7) of this paragraph.

§ 405.1315 Condition—clinical laboratory; technical personnel.

The clinical laboratory has a sufficient number of properly qualified technical personnel for the volume and diversity of tests performed.

(a) *Standard. Technologist—duties.* The laboratory employs a sufficient number of clinical laboratory technologists to proficiently perform under general supervision the clinical laboratory tests which require the exercise of independent judgment. The factors explaining the standard are as follows:

(1) The clinical laboratory technologists perform tests which require the exercise of independent judgment and responsibility, with minimal supervision by the director or supervisors, in only those specialties or subspecialties in which they are qualified by education, training, and experience.

(2) With respect to specialties in which the clinical laboratory technologist is not qualified by education, training, or experience, he functions only under direct supervision and performs only tests which require limited technical skill and responsibility.

(3) Clinical laboratory technologists are in sufficient number to adequately supervise the work of technicians and trainees.

(b) *Standard. Technologists—qualifications.* Each clinical laboratory technologist possesses a current license as a clinical laboratory technologist issued by the State, if such licensing exists, and meets one of the following requirements:

(1) He holds a degree of bachelor of arts or bachelor of science from an accredited institution with a major in one of the chemical, physical, or biological sciences and (i) has been employed for at least 1 year as a clinical laboratory technician or trainee in a clinical laboratory—with a director at the doctoral level—of a hospital, health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State; or (ii) has successfully completed at least 1 year of clinical laboratory internship as part of his college curriculum.

(2) He is registered by (i) the American Society of Clinical Pathologists as a medical technologist, MT(ASCP), or as a clinical laboratory specialist or, (ii) the National Registry of Microbiologists or, (iii) other professionally sponsored national registry acceptable to the Secretary which maintains standards equivalent to (i) and (ii) above.

(c) *Standard. Technician—duties.* Clinical laboratory technicians are employed in sufficient number to meet the workload demands of the laboratory and they function only under direct supervision of a clinical laboratory technologist. The factors explaining the standard are as follows:

(1) Each clinical laboratory technician performs only those laboratory procedures which require limited technical skill and responsibility and a minimal exercise of independent judgment.

(2) No one with lesser qualifications than a clinical laboratory technician performs laboratory procedures, although manual and clerical supplemental services may be rendered by others.

(3) No clinical laboratory technician performs tests in the absence of a clinical laboratory technologist.

(d) *Standard. Technician—qualifications.* Each clinical laboratory technician possesses a current license as a clinical laboratory technician issued by the State, if such licensing exists, and meets one of the following requirements:

(1) He has successfully completed 60 semester hours in an accredited college including the following courses: general chemistry, 1 year; biology or microbiology, 1 year.

(2) He is a high school graduate and subsequent to graduation has served 2 years as a technician trainee in a clinical laboratory with a director at the doctoral level or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

(e) *Standard. Collection of specimens.* No person other than a licensed physician or one otherwise authorized by law manipulates a patient for the collection of specimens except that qualified technical personnel of the laboratory may collect blood or remove stomach contents and collect material for smears and culture under the direction or upon the written request of a licensed physician.

(f) *Standard. Personnel policies.* There are written personnel policies, practices, and procedures that adequately support sound laboratory practice. The factors explaining the standard are as follows:

(1) Current employee records are maintained and include a résumé of each employee's training and experience.

(2) Files contain evidence of adequate health supervision of employees, such as results of preemployment and periodic physical examinations, including chest X-rays, and records of all illnesses and accidents occurring on duty.

(3) Work assignments are consistent with qualifications.

(4) There is a program for employee orientation.

§ 405.1316 Condition—clinical laboratory; records, equipment, and facilities.

The clinical laboratory maintains records, equipment, and facilities which are adequate and appropriate for the services offered.

(a) *Standard. Laboratory management.* Space, facilities, and equipment are adequate to properly perform the services offered by the laboratory. The factors explaining the standard are as follows:

(1) There is an adequate quality control program in effect including the use, where applicable, of reference or control sera and other biological samples, concurrent calibrating standards, and control charts recording standard readings.

(2) All equipment is in good working order, routinely checked and precise in terms of calibration.

(3) Workbench space is ample, well-lighted and convenient to sink, water, gas, suction and electrical outlets as necessary.

(4) The laboratory is properly ventilated.

(5) Notebooks of appropriate current laboratory methods are available.

(6) Adequate fire precautions are observed.

(7) There is freedom from unnecessary physical, chemical, and biological hazards.

(b) *Standard. Sterilization.* Syringes, needles, lancets or other blood letting devices capable of transmitting infection from one person to another are not reused unless they are sterilized prior to each use after first having been wrapped or covered in a manner which will insure that they remain sterile until the next use. The factor explaining the standard is as follows:

Each sterilizing cycle contains an indicator device which assures proper sterilization.

(c) *Standard. Examination and reports.* The laboratory examines specimens only at the request of a licensed physician, dentist, or other person authorized by law to use the findings of laboratory examinations and reports only to those authorized by law to receive such results. The factors explaining the standard are as follows:

(1) If the patient is sent to the laboratory, a written request for the desired laboratory procedures is obtained from a person authorized by law to use findings of laboratory examinations.

(2) If only a specimen is sent, it is accompanied by a written request.

(3) If the laboratory receives reference specimens from another laboratory, it may report back to the laboratory submitting the specimens.

(d) *Standard. Specimens — records.* The laboratory maintains a record indicating the daily accession of specimens each of which is numbered or otherwise appropriately identified. The factor explaining the standard is as follows:

Records contain the following information:

(1) The laboratory number or other identification of the specimen.

(2) The name and other identification of the person from whom the specimen was taken.

(3) The name of the licensed physician or other authorized person or clinical laboratory who submitted the specimen.

(4) The date the specimen was collected by the physician or other authorized person.

(5) The date the specimen was received in the laboratory.

(6) The condition of unsatisfactory specimens when received (e.g., broken, leaked, hemolyzed or turbid, etc.).

(7) The type of test performed.

(8) The result of the laboratory test or cross reference to results and the date of reporting.

(e) *Standard. Laboratory report and record.* The original laboratory report is sent promptly to the licensed physician or other authorized person who requested the test and a suitable record of each test result is preserved by the laboratory in accordance with the State's statutes of limitations. The factors explaining the standard are as follows:

(1) The laboratory director is responsible for the laboratory report.

(2) Duplicate copies or a suitable record of laboratory reports are filed in the laboratory in a manner which permits ready identification and accessibility.

(3) Tissue pathology reports utilize acceptable terminology of a recognized system of disease nomenclature.

(4) The results of laboratory tests or procedures or transcript thereof are not sent to the patient concerned except with the written consent of the physician or other authorized person who requested the test.

§ 405.1317 Radiology and/or nuclear medical isotope laboratories; defined.

A radiology and/or nuclear medical isotope laboratory is any independent laboratory (as previously defined, see § 405.1301) where ionizing radiation is used for diagnostic purposes. The term nuclear medical isotope laboratory refers to laboratories in which radioactive isotopes are applied to, injected in, or ingested by patients for diagnostic purposes.

§ 405.1318 Condition—radiology and/or nuclear medical isotope laboratory; direction of laboratory and interpretation of procedures.

The radiology and/or nuclear medical isotope laboratory is directed by a qualified physician and provides for the interpretation of procedure results.

(a) *Standard. Administration.* The laboratory has a director who administers the technical and scientific operation of the laboratory. The factors explaining the standard are as follows:

(1) The director serves the laboratory fulltime, or he may serve the laboratory on a regular part-time basis. If he serves on a regular part-time basis, (i) he does not individually serve as director of more than two laboratories or, (ii) he provides a qualified associate to serve as assistant director in each laboratory. Such assistant director does not serve more than two laboratories.

(2) The director is responsible for assuring that all roentgenologic and/or radioisotope procedures are properly performed and that the operation of radiographic equipment and use of radioactive materials are limited to qualified personnel.

(3) The director spends an adequate amount of time each week in the laboratory to direct and supervise the technical performance of the staff.

(4) If the director is not fulltime, or if the size of staff makes it necessary, the director designates a supervisor whom he deems qualified for this position to supervise laboratory personnel and perform procedures requiring special skills. The supervisor works under the general direction of the director.

(5) The director is ultimately responsible for the employment of personnel who are qualified for the positions for which they are hired and for assuring that they comply with applicable Federal and State standards pertaining to personnel who conduct procedures involving the use of ionizing radiation for diagnostic purposes.

(6) If the director is to be continuously absent for more than 1 month, arrangements are made for a qualified substitute director.

(b) *Standard. Director — qualification.* The director is a physician licensed to practice medicine in the State and is qualified by training and experience in the use of X-rays and/or radioactive materials for diagnostic purposes.

(c) *Standard. Technologists and associated personnel.* The number of radiologic and/or nuclear medical technologists and associated personnel employed as well as their training and experience, is adequate for the workload, considering the complexities of the radiologic procedures and the amount of time necessary for their execution. The factor explaining the standard is as follows:

Technologists employed by the laboratory are certified by the American Registry of Radiologic Technologists, or registered by the Registry of Medical Technologists (ASCP) as nuclear medical technologists, or meet equivalent requirements.

(d) *Standard. Interpretation of procedures.* The laboratory provides for the interpretation of the results of each roentgenological and/or radioisotope procedure. This interpretation is made by a physician qualified in the field. The factor explaining the standard is as follows:

The interpretation of the results of each procedure is made only by a physician who is licensed to practice medicine in that State and has the appropriate specialized knowledge needed to arrive at the interpretation.

(e) *Standard. Fluoroscopic examinations.* Fluoroscopic examinations of patients are performed only by physicians whose training and experience are adequate to interpret the findings of the procedure. The factor explaining the standard is as follows:

Fluoroscopic procedures are not conducted by technologists.

(f) *Standard. Report of diagnostic procedure.* A signed report is made by a physician qualified in the field for each diagnostic roentgenologic and/or isotope procedure, and is transmitted to the referring physician. Records are maintained of all such reports. The factors explaining the standard are as follows:

(1) Records contain a concise statement of the referring physician's reason for requesting the procedure.

(2) Copies of reports and radiographs are preserved or microfilmed in accordance with the State's statutes of limitations.

(g) *Standard. Personnel policies.* There are written personnel policies, practices, and procedures that adequately support sound laboratory practice. The factors explaining the standard are as follows:

(1) Current employee records are maintained and include a résumé of each employee's training and experience.

(2) Files contain evidence of adequate health supervision of employees such as results of preemployment and periodic physical examinations, including chest X-rays, and records of all illnesses and accidents occurring on duty.

(3) Work assignments are consistent with qualifications.

(4) There is a program for employee orientation.

§ 405.1319 Condition—radiology and/or nuclear medical isotope laboratory; standards for safety.

The laboratory meets professionally approved standards for safety.

Standard. Safety program. There is in effect a strict control program to reduce radiation and other hazards associated with the technical operations of the laboratory. The factors explaining the standards are as follows:

(a) Proper safety precautions are maintained against fire and explosion hazards, electrical hazards, and radiation hazards.

(b) Periodic inspections are made by local or State health authorities, or by other qualified individuals, and hazards so identified are promptly corrected. Records are maintained of such current inspections.

(c) Personnel monitoring is used for those radiation workers whose exposures are likely to exceed 25 mR per week.

(d) Radiation barriers and shielding are adequate to limit radiation exposures of personnel and the environs within acceptable limits.

(e) Restrictions of X-ray beam size is attained through proper and regular use of the appropriate limiting cone or the proper setting of the variable aperture collimator in radiographic procedures.

(f) Appropriate filtration of the X-ray beam is used.

(g) Only shockproof equipment is used.

(h) All electrical equipment is grounded.

(i) With fluoroscopes, attention is paid to modern safety design and good operating procedures; records are maintained of the exposure rate at the panel or table top of all fluoroscopes.

(j) Radioactive materials are stored and used in accordance with the provisions of applicable Federal or State standards and conditions of licensure.

(k) The space and equipment are adequate for the volume and diversity of procedures done by the laboratory.

[F.R. Doc. 66-6021; Filed, June 21, 1966; 11:41 a.m.]

DETROIT PUBLIC RARY JUN 2 8 1966 SOCIOLOGY & ECONOMICS

VOL 31 120

DETROIT PUBLIC RARY JUN 2 3 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 121

Thursday, June 23, 1966 • Washington, D.C.

Pages 8673–8740

Agencies in this issue—

Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Food and Drug Administration
Interior Department
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
National Bureau of Standards
Securities and Exchange Commission
Small Business Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

121

Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 32—National Defense (Parts 1–39)
(Revised)
$2.50

Title 33—Navigation and Navigable Waters
(Pocket Supplement)
$0.75

[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE
Rules and Regulations
Wheat, 1967–68 marketing year; editorial changes 8678

AGRICULTURE DEPARTMENT
See Agricultural Stabilization and Conservation Service.

ARMY DEPARTMENT
See Engineers Corps.

ATOMIC ENERGY COMMISSION
Notices
Atomic Disposal Co., Inc.; amendment of byproduct and source material license 8707
State of Alabama; proposed agreement for assumption of certain AEC regulatory authority 8702

CIVIL AERONAUTICS BOARD
Notices
Leeward Islands Air Transport Service, Ltd.; prehearing conference 8698

CIVIL SERVICE COMMISSION
Rules and Regulations
Federal employees health benefits program; miscellaneous amendments 8678
Retirement; prohibition on payments of annuities 8677
Notices
Microbiologists in Washington, D.C., metropolitan area; manpower shortage 8698

COMMERCE DEPARTMENT
See National Bureau of Standards.

DEFENSE DEPARTMENT
See Engineers Corps.

ENGINEERS CORPS
Rules and Regulations
Anchorages; Morro Bay Harbor, Calif 8690

FEDERAL AVIATION AGENCY
Rules and Regulations
Federal airways; alteration; correction 8679
Transition areas; alterations (2 documents) 8679
Proposed Rule Making
Control area and reporting point; revocation 8694

FEDERAL COMMUNICATIONS COMMISSION
Notices
Hearings, etc.:
Cirilli, Arthur A., et al 8736
Haddox Enterprises, Inc 8737
Microwave Communications, Inc., et al 8737
Sam Rosenberg Auto Sales 8737
Sports Network, Inc., and American Telephone and Telegraph Co 8737
T.V. Broadcasters, Inc., and Tri-City Broadcasting Co., Inc 8735
WMGS, Inc. (WMGS) and Ohio Radio, Inc 8737

FEDERAL MARITIME COMMISSION
Notices
Alaska Steamship Co.; general increase; correction 8737

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Burlington Bank & Trust Co. et al 8699
Chandeleur Pipe Line Co 8701
Detroit Edison Co. and Consumers Power Co 8701
Hill & Meeker, et al 8700
Regester, H. W., et al 8702
Tennessee Gas Pipeline Co 8702

FISH AND WILDLIFE SERVICE
Rules and Regulations
Hunting big game at Chincoteague National Wildlife Refuge, Virginia 8693
Proposed Rule Making
Hunting and/or fishing in wildlife refuge areas:
Erie, Pa 8694
Eufaula, Alabama and Georgia 8694
Notices
Humphries, Chester R.; loan application 8698

FOOD AND DRUG ADMINISTRATION
Notices
Nalco Chemical Co.; filing of petition for food additive 8735

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration.

INTERIOR DEPARTMENT
See also Fish and Wildlife Service; Land Management Bureau.
Rules and Regulations
Nondiscrimination in federally assisted programs of the Department; rules for proceedings 8690
Notices
Hope, Alvin C.; statement of changes in financial interests 8698

INTERNAL REVENUE SERVICE
Rules and Regulations
Income taxes; miscellaneous amendments 8680

INTERSTATE COMMERCE COMMISSION
Proposed Rule Making
Passenger transportation in special operations; service list 8696
Notices
Fourth section applications for relief 8732
Motor carrier:
Broker, water carrier, and freight forwarder applications 8710
Temporary authority applications 8732
Transfer proceedings 8735

LAND MANAGEMENT BUREAU
Rules and Regulations
Public land orders:
Alaska:
Exclusion of lands from Chugach and Tongass national forests 8693
Partial revocation of previous order 8692
Idaho; withdrawal for civil works, Asotin Dam and Reservoir Project 8692
Notices
Idaho; filing of protraction diagrams 8698
Proposed withdrawal and reservation of lands:
California (2 documents) 8697
Colorado 8697

NATIONAL BUREAU OF STANDARDS
Rules and Regulations
Electricity; frequency measurement on cavity wavemeters 8679
Standard reference materials; radioactivity standards 8680

(Continued on next page)

SECURITIES AND EXCHANGE

The regulatory material appearing herein is published daily, 5 days a week, by the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

CONTENTS

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:

American Electric Power Co., Inc ---- 8707
American Gas Co ---- 8707
First Equity Security Life Insurance Company Segregated Investment Account ---- 8708
Great American Industries, Inc. ---- 8709
Mississippi Power Co ---- 8709
North American Investment Corp ---- 8709
Pennzoil Co. et al ---- 8710
Pinal County Development Association ---- 8710

SMALL BUSINESS ADMINISTRATION

Proposed Rule Making

Small business investment companies; long term loans and enforcement ---- 8695

TREASURY DEPARTMENT

See Internal Revenue Service.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

831 ---- 8677
890 ---- 8678

7 CFR

728 ---- 8678

13 CFR

PROPOSED RULES:

107 ---- 8695

14 CFR

71 (3 documents) ---- 8679

PROPOSED RULES:

71 ---- 8694

15 CFR

201 ---- 8679
230 ---- 8680

26 CFR

1 ---- 8680

33 CFR

202 ---- 8690

43 CFR

17a ---- 8690

PUBLIC LAND ORDERS:

3943 (revoked in part by PLO 4039) ---- 8692
4039 ---- 8692
4040 ---- 8692
4041 ---- 8693

49 CFR

PROPOSED RULES:

178 ---- 8696

50 CFR

32 ---- 8693

PROPOSED RULES:

32 (2 documents) ---- 8694
33 ---- 8694

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 831—RETIREMENT

Subpart A—Administration and General Provisions

Subpart K—Prohibition on Payments of Annuities

MISCELLANEOUS AMENDMENTS

Part 831 is amended by adding Subpart K to prescribe the procedures applicable in determining whether payment of an annuity under the Civil Service Retirement Act is prohibited by the Hiss Act. Also § 831.107(a) is amended to provide an exception in recognition of Subpart K. The amendments to Part 831 are set out below.

§ 831.107 Appeals.

(a) Except as provided in Subpart K of this part, a department, agency, or individual whose rights or interest under the Civil Service Retirement Act are adversely affected by a final action or order of the Bureau of Retirement and Insurance may appeal to the Commission's Board of Appeals and Review from the action or order, as provided in this section.

* * * * * *

(Sec. 16, 70 Stat. 758; 5 U.S.C. 2266)

Subpart K—Prohibition on Payments of Annuities

Sec.
831.1101 Scope.
831.1102 Definitions.
831.1103 Computation of time.
831.1104 Notice.
831.1105 Answer; request for hearing.
831.1106 Hearing.
831.1107 Powers of presiding officer.
831.1108 Witnesses.
831.1109 Evidence.
831.1110 Initial decision.
831.1111 Appeal and review.
831.1112 Final decision.

AUTHORITY: The provisions of this Subpart K issued under sec. 16, 70 Stat. 758; 5 U.S.C. 2266.

§ 831.1101 Scope.

This subpart prescribes the procedures to be followed in determining whether payment of an annuity under the Civil Service Retirement Act is prohibited by the Act of September 1, 1954, as amended, 5 U.S.C. 2281–2288.

§ 831.1102 Definitions.

As used in this subpart:

(a) "Act" means the Act of September 1, 1954, as amended, 75 Stat. 640–649; 5 U.S.C. 2281–2288, popularly known as the "Hiss Act";

(b) "Annuitant" means an individual who, on the basis of his service, or as a survivor annuitant, has met all the requirements of the Civil Service Retirement Act for title to an annuity and has filed claim therefor.

§ 831.1103 Computation of time.

In computing a period of time prescribed by this subpart, the day of the action or event after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included unless it is a Saturday, a Sunday, or a legal holiday in which event the period runs until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday.

§ 831.1104 Notice.

When the Director, Bureau of Retirement and Insurance determines that the Act appears to prohibit payment of annuity, he shall notify the annuitant in writing of his intention to withhold payment of the annuity. The notice shall set forth the reasons for this determination. The notice may be served by registered or certified mail and shall inform the annuitant that he is entitled to submit an answer and request a hearing.

§ 831.1105 Answer; request for hearing.

(a) The annuitant has 30 calendar days from the day he receives the notice within which to submit an answer and to request a hearing. The Director, Bureau of Retirement and Insurance, may extend this time limit for good cause shown. If the annuitant answers, he shall specifically admit, deny, or explain each fact alleged in the notice, unless he states that he is without knowledge. If a hearing is desired, the annuitant must file a specific request therefor with or as a part of his answer.

(b) An annuitant who fails to answer or to request a hearing within the time permitted under paragraph (a) of this section is considered to have waived his right to answer or to a hearing. If an annuitant neither answers nor requests a hearing within the time permitted, or answers but fails to request a hearing, the Director, Bureau of Retirement and Insurance, shall decide the case on the basis of the administrative record, including the notice and any documents, affidavits, or other relevant evidence. The decision of the Director, Bureau of Retirement and Insurance, shall (1) be served on the annuitant or his counsel by certified or registered mail; (2) include a statement of findings and conclusions, with the reasons therefor; and (3) become the final decision of the Commission unless the case is appealed or reviewed pursuant to § 831.1111.

§ 831.1106 Hearing.

(a) The Commission's hearing examiner shall preside at any hearing held pursuant to this subpart, unless the Commission designates another presiding officer. The presiding officer shall fix the time and place of the hearing after giving due consideration to the convenience of the annuitant. The hearing is open to the public unless otherwise ordered by the Commission or the presiding officer.

(b) The hearing shall be recorded by an official reporter designated by the Commission. The Commission shall furnish to the annuitant, without charge, a copy of the transcript of the hearing.

§ 831.1107 Powers of presiding officer.

The presiding officer may:

(a) Administer oaths and affirmations;

(b) Rule upon offers of proof and receive relevant evidence;

(c) Fix the time and place of hearing;

(d) Regulate the course of the hearing;

(e) Exclude any person from the hearing for contumacious conduct or misbehavior that obstructs the hearing;

(f) Hold conferences for simplification of the issues, or for any other purpose;

(g) Dispose of procedural requests or similar matters;

(h) Authorize the filing of briefs and set the time for filing;

(i) Make initial decisions; and

(j) Take any other action in the course of the proceeding consistent with the purposes of this subpart.

§ 831.1108 Witnesses.

(a) Witnesses shall testify under oath or affirmation and shall be subject to cross-examination.

(b) Each party is responsible for securing the attendance of his witnesses. The Commission has no power of subpena in these cases.

§ 831.1109 Evidence.

(a) Rules of evidence are not strictly applied, but the presiding officer shall exclude irrelevant or unduly repetitious evidence.

(b) Each exhibit of a documentary character shall be submitted to the presiding officer, duly marked, and made a part of the record. An exhibit does not become evidence unless received in evidence by the presiding officer.

§ 831.1110 Initial decision.

(a) Upon completion of a hearing pursuant to § 831.1106, the presiding officer shall make and file an initial decision, a copy of which shall be served on each party or counsel by certified or registered mail.

(b) The initial decision shall include a statement of findings and conclusions, with the reasons therefor, and shall be based upon a consideration of the entire record.

(c) The initial decision shall become the final decision of the Commission unless the case is appealed or reviewed pursuant to § 831.1111.

§ 831.1111 Appeal and review.

(a) An appeal from an initial decision, or a decision of the Director, Bureau of Retirement and Insurance under § 831.1105(b), may be made to the Commission, with service on the other party, within 30 calendar days from the date of the decision. An appeal shall be in writing and shall state plainly and concisely the grounds for the appeal, with a specific reference to the record when issues of fact are raised. The other party may file an opposition to the appeal within 15 days after service on him. On notice to the parties, the Commission may extend the time limits prescribed in this paragraph.

(b) Within 30 calendar days from the date of an initial decision or a decision of the Director, Bureau of Retirement and Insurance the Commission, on its own motion, may direct that the record be certified to it for review.

§ 831.1112 Final decision.

(a) On appeal from or review of an initial decision or a decision of the Director, Bureau of Retirement and Insurance, the Commission shall decide the case on the record. The record shall include the notice, answer, transcript of testimony and exhibits, briefs, the initial decision or the decision of the Director, Bureau of Retirement and Insurance, the papers filed in connection with the appeal and opposition to the appeal and all other papers, requests and exceptions filed in the proceeding.

(b) The Commission may adopt, modify, or set aside the findings, conclusions, or order of the presiding officer or the Director, Bureau of Retirement and Insurance.

(c) The final decision of the Commission shall be in writing and include a statement of findings and conclusions, the reasons or basis therefor, and an appropriate order, and shall be served on the parties.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6811; Filed, June 22, 1966; 8:45 a.m.]

PART 890—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Miscellaneous Amendments

On November 16, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 14329) stating that the Civil Service Commission proposed to amend Part 890 of Title 5 of the Code of Federal Regulations as set forth therein, and that it was proposed to make the amendments effective January 1, 1966. Interested persons were allowed 30 days from the date of publication in which to submit written comments, suggestions, and objections.

Several comments were received, of which some raised sufficient question that it was necessary to postpone the proposed effective date. In the meantime the Commission has proposed a change in regulations to provide an open season. For this reason the amendments to paragraph (d) of § 890.301 and to paragraph (c) of § 890.306 proposed on November 16, 1965, have been dropped. An amendment to § 890.205 has been added to meet the objection of a carrier who feared that the proposed amendments to § 890.202 might be construed so as to produce an unfavorable, and unintended, result on carriers.

The Commission has given full and careful consideration to the objections to the proposed amendment of § 890.201 and to proposed alternatives, and has determined that to avoid hardship to employees who suffer unforeseen injury or illness while in transition between plans and at the same time avoid creating undue administrative problems or appreciable additional liability to carriers, the proposed revision of § 890.201(b)(1), modified as set out below, is desirable. Therefore:

It is ordered, That effective on the date of publication in the FEDERAL REGISTER for all amendments except that to § 890.201(b)(1), and effective January 1, 1967, for the amendment to § 890.201(b)(1), Part 890 of Chapter I of Title 5, Code of Federal Regulations is amended as follows:

1. Section 890.201(b)(1) is amended to read as follows:

§ 890.201 Minimum standards for health benefits plans.

* * * * *

(b) To be qualified to be approved by the Commission, a health benefits plan shall not:

(1) Deny a covered person a benefit provided by the plan for a service performed on or after the effective date of coverage solely because of a preexisting physical or mental condition, or require a waiting period for any covered person for benefits which it provides. This subparagraph does not preclude a plan (i) offering benefits for dentistry or cosmetic surgery, or both, limited to conditions arising after the effective date of coverage, or (ii) with the approval of the Commission, limiting benefits for services performed for a person who, on the effective date of enrollment or change of enrollment, is confined in a hospital or other institution so long as the person is continuously confined therein, but benefits for persons hospitalized on the effective date of enrollment may not be limited (*a*) if the enrollment or change is because of discontinuance of his former health benefits plan, in whole or in part, or pursuant to an order of the Bureau of Retirement and Insurance, or (*b*) if the services are provided for injuries suffered in an accident which occurred, or for an illness first diagnosed or treated, after the date his employing office received a registration to change the covering enrollment from one plan or option to another. In this subparagraph "continuously confined" means one or more periods of confinement without a break of 31 consecutive days between actual confinements except that a carrier, by agreement with the Commission, may provide that a shorter break terminates a continuous confinement.

* * * * *

§ 890.202 [Amended]

2. Section 890.202 is amended by striking "The Commission shall approve a health benefits plan only when the carrier of the plan meets", and inserting instead "The carrier of an approved health benefits plan must meet", and by striking the words "agree to" in paragraphs (c), (d), (e), and (f).

§ 890.205 [Amended]

3. Section 890.205 is amended by inserting "or carrier" before the final period in paragraph (a) and by striking "of a plan" in paragraphs (b) and (e).

§ 890.301 [Amended]

4. Section 890.301(k) is amended by inserting in the final sentence, after "enrollments", "upon termination of the plan in which enrolled".

5. Paragraph (r) of § 890.301 is revoked.

§ 890.303 [Amended]

6. Section 890.303(b) is amended by striking "full-time, or part-time with a regular tour of duty" and "(3),".

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6836; Filed, June 22, 1966; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 728—WHEAT

Subpart—1967–68 Marketing Year

EDITORIAL CHANGES

In F.R. Doc. 66-6040, appearing at pages 7814 and 7815 of the issue of Thursday, June 2, 1966, §§ 728.301, 728.302, and 728.303 are redesignated §§ 728.448, 728.449, and 728.450, respectively. Sections 728.301, 728.302, and 728.303, appearing at 30 F.R. 5467 remain in effect.

Issued at Washington, D.C., this 16th day of June 1966.

ROLAND F. BALLOU,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-6872; Filed, June 22, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65-SO-87]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Goldsboro, N.C., transition area.

The Goldsboro, N.C., transition area is described in § 71.181 (31 F.R. 2149). A portion of the 1,200-foot transition area is designated as "* * * thence clockwise along the 15-mile radius circle to the W boundary of V-1W, thence SW 4 NM NW of and parallel to the direct radials between the Myrtle Beach, S.C., VOR and the Kinston, N.C., VOR * * *."

Because of a change in V-213 airway radial, it is necessary to redesignate this portion on the Kinston, N.C., VORTAC 214° radial.

A portion of the 2,700-foot transition area is designated as "* * * on the N by a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 090° radial, on the E by the W boundary of V-213 * * *."

Because of a typographical error in the original description and a change in V-213 airway radial, it is necessary to redesignate this portion on the Fayetteville, N.C., VOR 098° radial and the Kinston, N.C., VORTAC 214° radial.

Since these changes are either less restrictive or editorial in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., August 18, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the Goldsboro, N.C., 1,200- and 2,700-foot transition areas are amended to read:

GOLDSBORO, N.C

Including that airspace extending upward from 1,200 feet above the surface bounded on the N by the arc of a 55-mile radius circle centered at latitude 35°57'44" N., longitude 78°24'44" W., on the E by a line extending along the W boundary of V-1 until intercepting an arc of a 15-mile radius circle centered at the Kinston VOR, thence clockwise along the 15-mile radius circle to a line 4 NM NW of and parallel to the Kinston, N.C., VORTAC 214° radial, thence SW along this line to 4 NM S of the Fayetteville, N.C., VOR 098° radial, on the S by a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 098° radial, on the W by a line extending along longitude 78°30'00" W., and on the NW by a line extending through latitude 35°30'00" N., longitude 78°30'00" W. and latitude 36°38'15" N., longitude 77°19'35" W.; including that airspace extending upward from 2,700 feet MSL bounded on the N by a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 098° radial, on the E by a line 4 NM NW of and parallel to the Kinston, N.C., VORTAC 214° radial, on the S by a line extending from latitude 34°17'45" N., longitude 78°25'30" W., to latitude 34°18'30" N., longitude 79°00'00" W., on the W by a line extending from latitude 34°18'30" N., longitude 79°00'00" W., to the intersection of the S boundary of V-525 and longitude 78°30'00" W.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)))

Issued in East Point, Ga., on June 15, 1966.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 66-6842; Filed, June 22, 1966; 8:45 a.m.]

[Airspace Docket No. 65-SO-88]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Wilmington, N.C., transition area.

The Wilmington, N.C., transition area is described in § 71.181 (31 F.R. 2149). A portion of the 1,200-foot transition area is designated as "* * * thence NW via a line extending through latitude 33°58'-30" N., longitude 78°10'45" W. and the intersection of a line 5 miles S of and parallel to the Wilmington, N.C., VORTAC 272° radial and longitude 78°-25'30" W., to a line 4 NM E of and parallel to the direct radials between the Myrtle Beach, S.C., and the Kinston, N.C., VOR's, thence NE 4 NM E of and parallel to the direct radials between the Myrtle Beach, S.C., and Kinston, N.C., VOR's * * *."

Because of the altering of the Myrtle Beach, S.C., transition area and the realigning of V-213, it is necessary to alter this portion of the Wilmington, N.C., transition area to provide compatibility with the Myrtle Beach transition area by releasing a portion of the 1,200-foot transition area.

Since this amendment is less restrictive in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., August 18, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the Wilmington, N.C., transition area is amended to read:

WILMINGTON, N.C.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the New Hanover County Airport (latitude 34°16'15" N., longitude 77°54'05" W.); within 2 miles each side of the ILS localizer SE course, extending from the 6-mile radius area to 8 miles SE of the LOM; within 2 miles each side of the Wilmington, N.C., VORTAC 017° radial, extending from the 6-mile radius area to 8 miles NE of the VORTAC; and that airspace extending upward from 1,200 feet above the surface bounded by a line extending S along the E boundary of V-229 from the arc of a 55-mile radius circle centered at latitude 36°57'44" N., longitude 76°24'44" W. to the arc of a 60-mile radius circle centered at latitude 34°54'30" N., longitude 76°53'00" W., thence clockwise along this arc to the W boundary of the Cherry Point, N.C., transition area, thence SW and counterclockwise along the boundaries of the Cherry Point transition area, R-5306A, R-5306B, R-5306C, and R-5306B to a point 3 NM from the shoreline, thence SW 3 NM equidistant from the shoreline to a line extending through latitude 33°58'30" N., longitude 77°51'00" W., and latitude 33°58'30" N., longitude 78°10'45" W., thence W along this line to latitude 33°-58'30" N., longitude 78°10'45" W., thence NW to the intersection of a line extending from latitude 34°18'40" N., longitude 79°11'-00" W., through latitude 34°17'45" N., longitude 78°25'30" W. and the E boundary of V-213, thence NE along the E boundary of V-213 to the E boundary of V-1W, thence NE along the E boundary of V-1W to its intersection with a 15-mile radius circle centered at the Kinston, N.C., VORTAC, thence counterclockwise along this 15-mile radius arc to its intersection with the E boundary of V-213, thence NE along the E boundary of V-213 to its intersection with a 55-mile radius circle centered at latitude 36°57'44" N., longitude 76°24'44" W., thence counterclockwise along the 55-mile radius arc to the point of beginning; and within 5 miles each side of the Wilmington, N.C., localizer SE course, extending from the LOM to 12 miles SE of the LOM.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on June 15, 1966.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 66-6843; Filed, June 22, 1966; 8:45 a.m.]

[Airspace Docket No. 65-CE-92]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

Correction

In F.R. Doc. 66-6310 appearing in the issue for Thursday, June 9, 1966, at page 8117, delete the second sentence in the first paragraph.

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER A—TEST FEE SCHEDULES

PART 201—ELECTRICITY

Frequency Measurement on Cavity Wavemeters

Under the provisions of 15 U.S.C. 275(a) and 277, § 201.930 of the test fee

schedules of the National Bureau of Standards, Department of Commerce, pertaining to Part 201—Electricity—is amended as provided herein, and is effective upon publication in the FEDERAL REGISTER.

Section 201.930(c) is amended for frequency measurements on fixed or variable cavity wavemeters to extend the former range of 2.6 to 75 GHz upwards to 90 GHz to read as follows:

§ 201.930 Frequency measurement on cavity wavemeters.

* * * * *

(c) Frequency measurements are made on fixed or variable cavity wavemeters having standard type waveguide terminals in the frequency range of 2.6 to 90 GHz.

* * * * *

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: June 13, 1966.

A. V. ASTIN,
Director.

[F.R. Doc. 66-6839; Filed, June 22, 1966; 8:45 a.m.]

SUBCHAPTER B—STANDARD REFERENCE MATERIALS

PART 230—STANDARD REFERENCE MATERIALS

Subpart D—Standards of Certified Properties and Purity

RADIOACTIVITY STANDARDS

Under the provisions of 15 U.S.C. 275a and 277, the following amendment relating to standard reference materials issued by the National Bureau of Standards is effective upon publication in the FEDERAL REGISTER. The amendment renews and revises standard reference material 4997–C.

The following amends Title 15 CFR Part 230.

Section 230.8–5 *Radioactivity standards* (b)(5) *Point-source gamma-ray standards* is amended to renew and revise standard 4997–C as follows:

Sample No.	Radionuclide	Approximate emission rate at time of calibration	Price
4997–D...	Manganese-54	6×10^4 γ/s (6–66)	$53.00

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: June 9, 1966.

A. V. ASTIN,
Director.

[F.R. Doc. 66-6840; Filed, June 22, 1966; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6886]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Miscellaneous Amendments

On April 27, 1965, notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 5841) with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under sections 801, 802, 804, 805, 809, 812, 815, and 817 of the Internal Revenue Code of 1954 (relating to life insurance companies) to reflect the changes made by section 3 of the Act of October 10, 1962 (Public Law 87–790, 76 Stat. 808), section 3 of the Act of October 23, 1962 (Public Law 87–858, 76 Stat. 1134), and section 7(g) of the Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 829). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments as proposed are hereby adopted, subject to the changes set forth below:

PARAGRAPH 1. Paragraph (a)(2)(ii) of section 1.801–8, as set forth in paragraph 3 of the notice of proposed rule making is changed.

PAR. 2. Paragraph (g) of section 1.801–8, as set forth in paragraph 3 of the notice of proposed rule making is changed.

PAR. 3. The historical note under § 1.802, as set forth in paragraph 4 of the notice of proposed rule making is changed.

PAR. 4. Section 1.802–2, as set forth in paragraph 5 of the notice of proposed rule making is changed.

PAR. 5. In addition, this Treasury decision amends § 1.817–1, paragraph (a) of § 1.817–2, paragraph (a)(1) of § 1.817–3, and paragraphs (a) and (b) of § 1.817–4 of the regulations.

Because the changes made by paragraph 5 of this Treasury decision merely conform the regulations to reflect the amendment to section 802, made by the Act of October 23, 1962, it is hereby found that it is unnecessary, with respect to such changes to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: June 20, 1966.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 801, 802, 804, 805, 809, 812, 815, and 817 of the Internal Revenue Code of 1954 (Public Law 87–790, 76 Stat. 808), section 3 of the Act of October 23, 1962 (Public Law 87–858, 76 Stat. 1134), and section 7(g) of the Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 829), such regulations are amended as follows:

PARAGRAPH 1. Section 1.801 is amended by revising section 801(g) and the historical note. This amended provision and historical note read as follows:

§ 1.801 Statutory provisions; life insurance companies; definition of life insurance company.

SEC. 801. *Definition of life insurance company.* * * *

(g) *Contracts with reserves based on segregated asset accounts*—(1) *Definitions.*

(A) *Annuity contracts include variable annuity contracts.* For purposes of this part, an "annuity contract" includes a contract which provides for the payment of a variable annuity computed on the basis of recognized mortality tables and the investment experience of the company issuing the contract.

(B) *Contracts with reserves based on a segregated asset account.* For purposes of this part, a "contract with reserves based on a segregated asset account" is a contract—

(i) Which provides for the allocation of all or part of the amounts received under the contract to an account which, pursuant to State law or regulation, is segregated from the general asset accounts of the company,

(ii) Which provides for the payment of annuities, and

(iii) Under which the amounts paid in, or the amount paid as annuities, reflect the investment return and the market value of the segregated asset account.

If a contract ceases to reflect current investment return and current market value, such contract shall not be considered as meeting the requirements of clause (iii) after such cessation.

(2) *Life insurance reserves.* For purposes of subsection (b)(1)(A) of this section, the reflection of the investment return and the market value of the segregated asset account shall be considered an assumed rate of interest.

(3) *Separate accounting.* For purposes of this part, a life insurance company which issues contracts with reserves based on segregated asset accounts shall separately account for the various income, exclusion, deduction, asset, reserve, and other liability items properly attributable to such segregated asset accounts. For such items as are not accounted for directly, separate accounting shall be made—

(A) In accordance with the method regularly employed by such company, if such method is reasonable, and

(B) In all other cases, in accordance with regulations prescribed by the Secretary or his delegate.

(4) *Investment yield*—(A) *In general.* For purposes of this part, the policy and other contract liability requirements, and the life insurance company's share of investment yield, shall be separately computed—

(i) With respect to the items separately accounted for in accordance with paragraph (3), and

(ii) Excluding the items taken into account under clause (i).

(B) *Capital gains and losses.* If, without regard to subparagraph (A), the net short-term capital gain exceeds the net long-term capital loss, such excess shall be allocated between clauses (i) and (ii) of subparagraph (A) in proportion to the respective contributions to such excess of the items taken into account under each such clause.

(5) *Policy and other contract liability requirements.* For purposes of this part—

(A) With respect to life insurance reserves based on segregated asset accounts, the adjusted reserves rate and the current earnings rate for purposes of section 805(b), and the rate of interest assumed by the taxpayer for purposes of sections 805(c) and 809(a)(2), shall be a rate equal to the current earnings rate determined under section 805(b)(2) with respect to the items separately accounted for in accordance with paragraph (3) reduced by the percentage obtained by dividing—

(i) Any amount retained with respect to such reserves by the life insurance company from gross investment income (as defined in section 804(b)) on segregated assets, to the extent such retained amount exceeds the deductions allowable under section 804(c) which are attributable to such reserves, by

(ii) The means of such reserves; and

(B) With respect to reserves based on segregated asset accounts other than life insurance reserves, an amount equal to the product of—

(i) The rate of interest assumed as defined in subparagraph (A), and

(ii) The means of such reserves,

shall be included as interest paid within the meaning of section 805(e)(1).

(6) *Increases and decreases in reserves.* For purposes of subsections (a) and (b) of section 810, the sum of the items described in section 810(c) taken into account as of the close of the taxable year shall, under regulations prescribed by the Secretary or his delegate, be adjusted—

(A) By subtracting therefrom an amount equal to the sum of the amounts added from time to time (for the taxable year) to the reserves separately accounted for in accordance with paragraph (3) by reason of appreciation in value of assets (whether or not the assets have been disposed of), and

(B) By adding thereto an amount equal to the sum of the amounts subtracted from time to time (for the taxable year) from such reserves by reason of depreciation in value of assets (whether or not the assets have been disposed of).

The deduction allowable for items described in paragraphs (1) and (7) of section 809(d) with respect to segregated asset accounts shall be reduced to the extent that the amount of such items is increased for the taxable year by appreciation (or increased to the extent that the amount of such items is decreased for the taxable year by depreciation) not reflected in adjustments under the preceding sentence.

(7) *Basis of assets held for qualified pension plan contracts.* In the case of contracts described in subparagraph (A), (B), (C), or (D) of section 805(d)(1), the basis of each asset in a segregated asset account shall (in addition to all other adjustments to basis) be—

(A) Increased by the amount of any appreciation in value, and

(B) Decreased by the amount of any depreciation in value,

to the extent that such appreciation and depreciation are from time to time reflected in the increases and decreases in reserves or other items in paragraph (6) with respect to such contracts.

(8) *Additional separate computations.* Under regulations prescribed by the Secretary or his delegate, such additional separate computations shall be made, with respect to the items separately accounted for in accordance with paragraph (3), as may be necessary to carry out the purposes of this subsection and this part.

[Sec. 801 as amended by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 36); sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 112); sec. 3, Act of October 23, 1962 (Public Law 87–858, 76 Stat. 1134)]

PAR. 2. Section 1.801–2 is amended to read as follows:

§ 1.801–2 Taxable years affected.

Section 1.801–1 is applicable only to taxable years beginning after December 31, 1953, and before January 1, 1955, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, before amendments. Sections 1.801–3 through 1.801–7 are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112). Section 1.801–8 is applicable only to taxable years beginning after December 31, 1961, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and section 3 of the Act of October 23, 1962 (76 Stat. 1134).

PAR. 3. There is inserted immediately after § 1.801–7 the following new section:

§ 1.801–8 Contracts with reserves based on segregated asset accounts.

(a) *Definitions*—(1) *Annuity contracts include variable annuity contracts.* Section 801(g)(1)(A) provides that for purposes of part I, subchapter L, chapter 1 of the Code, an annuity contract includes a contract which provides for the payment of a variable annuity computed on the basis of recognized mortality tables and the investment experience of the company issuing such a contract. A variable annuity differs from the ordinary or fixed dollar annuity in that the annuity benefits payable under a variable annuity contract vary with the insurance company's investment experience with respect to such contracts while the annuity benefits paid under a fixed dollar annuity contract are guaranteed irrespective of the company's actual investment earnings.

(2) *Contracts with reserves based on a segregated asset account.* (i) For purposes of part I, section 801(g)(1)(B) defines the term "contract with reserves based on a segregated asset account" as a contract (individual or group)—

(a) Which provides for the allocation of all or part of the amounts received under the contract to an account which, pursuant to State law or regulation, is segregated from the general asset accounts of the company,

(b) Which provides for the payment of annuities, and

(c) Under which the amounts paid in, or the amount paid as annuities, reflect the investment return and the market value of the segregated asset account.

(ii) The term "contract with reserves based on a segregated asset account" includes a contract such as a variable annuity contract, which reflects the investment return and the market value of the segregated asset account, even though such contract provides for the payment of an annuity computed on the basis of recognized mortality tables, but the term includes such contract only for the period during which it satisfies the requirements of section 801(g)(1)(B) and subdivision (i) of this subparagraph. However, such term does not include a pension contract written on the basis of the so-called new-money concept. Thus, for example, such term does not include a pension contract whereby reserves are credited on the basis of the company's new high yield investments. Furthermore, such term does not include a contract which during the taxable year contains a right to participate in the divisible surplus of the company where such right merely reflects the company's investment return. Nevertheless, the term does include a contract which meets the requirements of section 801(g)(1)(B) and of this subparagraph even if part of the amounts received are, for example, allocated to reserves under provisions of the contract which are written on the basis of the new-money concept. However, such reserves do not qualify as a segregated asset account referred to in section 801(g) and this section.

(iii) If at any time during the taxable year a contract otherwise satisfying the requirements of section 801(g)(1)(B) and subdivision (i) of this subparagraph ceases to reflect current investment return and current market value, such contract shall not be considered as meeting the requirements of section 801(g)(1)(B)(iii) and subdivision (i)(c) of this subparagraph after such cessation. Thus, a contract with reserves based on a segregated asset account includes a contract under which the reflection of investment return and market value terminates at the beginning of the annuity payments, but only for the period prior to such termination. For example, if the purchaser of a variable annuity contract which meets such requirements elects an option which provides for the payment of a fixed dollar annuity, then such contract shall be considered as satisfying such requirements only for the period prior to the time such contract ceases to reflect current investment return and current market value. Furthermore, a group annuity contract which satisfies the requirements of section 801(g)(1)(B) and subdivision (i) of this subparagraph shall be considered as continuing to meet such requirements even though a certificate holder under the group contract elects an option which provides for the payment of a fixed dollar annuity. However, the annuity attributable to such certificate holder shall not be considered as satisfying such re-

quirements as of the time such annuity ceases to reflect current investment return and current market value. On the other hand, a group annuity contract which does not reflect current market value shall not be considered as satisfying such requirements even though a certificate holder under the group contract elects an option which provides for the payment of a variable annuity. However, the variable annuity attributable to such certificate holder shall be considered as satisfying such requirements as of the time such variable annuity commences to reflect current investment return and current market value.

(b) *Life insurance reserves.* Section 801(g)(2) provides that for purposes of section 801(b)(1)(A), the reflection of the investment return and the market value of the segregated asset account shall be considered an assumed rate of interest. Thus, the reserves held with respect to contracts described in section 801(g)(1) and paragraph (a) of this section shall qualify as life insurance reserves within the meaning of section 801(b)(1) and paragraph (a) of § 1.801–4 provided such reserves are required by law (as defined in paragraph (b) of § 1.801–5) and are set aside to mature or liquidate, either by payment or reinsurance, future unaccrued claims arising from such contracts with reserves based on segregated asset accounts involving, at the time with respect to which the reserve is computed, life, health, or accident contingencies. Accordingly, a company issuing contracts with reserves based on segregated asset accounts shall qualify as a life insurance company for Federal income tax purposes if it satisfies the requirements of section 801(a) (relating to the definition of a life insurance company) and paragraph (b) of § 1.801–3.

(c) *Separate accounting.* (1) For purposes of part I, section 801(g)(3) provides that a life insurance company (as defined in section 801(a) and paragraph (b) of § 1.801–3) which issues contracts with reserves based on segregated asset accounts (as defined in section 801(g)(1)(B) and paragraph (a)(2) of this section) shall separately account for each and every income, exclusion, deduction, asset, reserve, and other liability item which is properly attributable to such segregated asset accounts. In those cases where such items are not directly accounted for, separate accounting shall be made—

(i) According to the method regularly employed by the company, if such method is reasonable, and

(ii) In all other cases in a manner which, in the opinion of the district director, is reasonable.

A method of separate accounting for such items as are not accounted for directly will be deemed "regularly employed" by a life insurance company if the method was consistently followed in prior taxable years, or if, in the case of a company which has never before issued contracts with reserves based on segregated asset accounts, the company initiates in the first taxable year for which it issues such contracts a reasonable method of separate accounting for such items and consistently follows such method thereafter. Ordinarily, a company regularly employs a method of accounting in accordance with the statute of the State, Territory, or the District of Columbia, in which it operates.

(2) Every life insurance company issuing contracts with reserves based on segregated asset accounts shall keep such permanent records and other data relating to such contracts as is necessary to enable the district director to determine the correctness of the application of the rules prescribed in section 801(g) and this section and to ascertain the accuracy of the computations involved.

(d) *Investment yield.* (1) For purposes of part I, section 801(g)(4)(A) provides that the policy and other contract liability requirements (as determined under section 805), and the life insurance company's share of investment yield (as determined under sections 804(a) or 809(b)), shall be separately computed—

(i) With respect to the items separately accounted for in accordance with section 801(g)(3) and paragraph (c) of this section, and

(ii) Excluding the items taken into account under subdivision (i) of this subparagraph.

Thus, for purposes of determining both taxable investment income and gain or loss from operations, a life insurance company shall separately compute the life insurance company's share of the investment yield on the assets in its segregated asset account without regard to the policy and other contract liability requirements of, and the investment income attributable to, contracts with reserves that are not based on the segregated asset account. Such separate computations shall be made after any allocation required under section 801(g)(4)(B) and subparagraph (2) of this paragraph.

(2) (i) Section 801(g)(4)(B) provides that if the net short-term capital gain (as defined in section 1222(5)) exceeds the net long-term capital loss (as defined in section 1222(8)), determined without regard to any separate computations under section 801(g)(4)(A) and subparagraph (1) of this paragraph, then such excess shall be allocated between section 801(g)(4)(A) (i) and (ii) and subparagraph (1) (i) and (ii) of this paragraph. Such allocation shall be in proportion to the respective contributions to such excess of the items taken into account under each such section and subparagraph. The allocation under this subparagraph shall be made before the separate computations prescribed by section 801(g)(4)(A) and subparagraph (1) of this paragraph.

(ii) The operation of the allocation required under section 801(g)(4)(B) and subdivision (i) of this subparagraph may be illustrated by the following examples:

Example (1). For the taxable year 1962, T, a life insurance company which issues regular life insurance and annuity contracts and contracts with reserves based on segregated asset accounts, had (without regard to section 801(g)(4)(A)) realized short-term capital gains of $10,000 and short-term capital losses of $10,000 attributable to its general asset accounts and realized short-term capital gains of $12,000 attributable to its segregated asset accounts. For the taxable year 1962, the excess of the net short-term capital gain ($10,000+$12,000−$10,000, or $12,000) over the net long-term capital loss (0) was $12,000. Of the excess of $12,000, 100 percent was contributed by the segregated asset accounts. Applying the provisions of section 801(g)(4)(B), T would allocate the entire $12,000 to its segregated asset accounts for such taxable year.

Example (2). The facts are the same as in example (1), except that for the taxable year 1962, T had (without regard to section 801(g)(4)(A)) realized short-term capital losses of $8,000 attributable to its general asset accounts and realized long-term capital gains of $1,000 and long-term capital losses of $5,000 attributable to its segregated asset accounts. For the taxable year 1962, the excess of the net short-term capital gain ($10,000+$12,000−$8,000, or $14,000) over the net long-term capital loss ($5,000−$1,000, or $4,000) was $10,000. Of the excess of $10,000, the general asset accounts contributed 20 percent ($2,000 ($10,000−$8,000) ÷$10,000) and the segregated asset accounts contributed 80 percent ($8,000 ($12,000 −$4,000) ÷$10,000). Applying the provisions of section 801(g)(4)(B), T would allocate $2,000 ($10,000×20 percent) to its general asset accounts and $8,000 ($10,000×80 percent) to its segregated asset accounts for such taxable year.

Example (3). W is a life insurance company which issues regular life insurance and annuity contracts and contracts with reserves based on either of two segregated asset accounts, Separate Account C or Separate Account D. For the taxable year 1962, W had (without regard to section 801(g)(4)(A)) realized short-term capital gains of $16,000 and long-term capital losses of $15,000 attributable to its general asset accounts, long-term capital gains of $12,000 and short-term capital losses of $6,000 attributable to Separate Account C and long-term capital gains of $7,000 and short-term capital losses of $5,000 attributable to Separate Account D. For the taxable year 1962, the excess of the net short-term capital gain ($16,000−$6,000−$5,000) over the net long-term capital loss (0) was $5,000. Of the $5,000 excess, 20 percent ($16,000−$15,000) ÷$5,000) was contributed by the general asset accounts, leaving 80 percent as the amount contributed by the segregated asset accounts. Applying the provisions of section 801(g)(4)(B) W would allocate $1,000 (20 percent of $5,000) to the general asset accounts, leaving $4,000 (80 percent of $5,000) to be allocated among the segregated asset accounts, Separate Account C and Separate Account D. W would allocate $3,000 of the $4,000 to Separate Account C computed as follows:

$$\$3{,}000=\frac{(\$4{,}000)\times(\$12{,}000-\$6{,}000)}{(\$12{,}000-\$6{,}000)+(\$7{,}000-\$5{,}000)}$$

W would allocate $1,000 of the $4,000 to Separate Account D computed as follows:

$$\$1{,}000=\frac{(\$4{,}000)\times(\$7{,}000-\$5{,}000)}{(\$12{,}000-\$6{,}000)+(\$7{,}000-\$5{,}000)}$$

(e) *Policy and other contract liability requirements.* (1) For purposes of part I, section 801(g)(5)(A) provides that with respect to life insurance reserves based on segregated asset accounts (as defined in section 801(g)(1)(B) and paragraph (a)(2) of this section), the adjusted reserves rate and the current earnings rate for purposes of section 805(b), and the rate of interest assumed by the taxpayer for purposes of sections 805(c) and 809(a)(2), shall be a rate equal to the current earnings rate determined under section 805(b)(2) and paragraph (a)(2) of § 1.805–5 with respect to the items separately accounted for in accordance with section 801(g)(3), reduced by the percentage obtained by dividing—

(i) Any amount retained with respect to all of the reserves based on a segregated asset account by the life insurance company from gross investment income (as defined in section 804(b) and paragraph (a) of § 1.804–3) on segregated assets, to the extent such retained amount exceeds the deductions allowable under section 804(c) which are attributable to such reserves, by

(ii) The means of such reserves.

(2) For purposes of part I, section 801(g)(5)(B) provides that with respect to reserves based on segregated asset accounts other than life insurance reserves, there shall be included as interest paid within the meaning of section 805(e)(1) and paragraph (b)(1) of § 1.805–8, an amount equal to the product of the means of such reserves multiplied by the rate of interest assumed as defined in section 801(g)(5)(A) and subparagraph (1) of this paragraph.

(3) For purposes of this paragraph, any change in the rate of interest assumed by the taxpayer in calculating the reserve on a contract with reserves based on a segregated asset account for any taxable year beginning after December 31, 1961, which is attributable to an increase or decrease in the current earnings rate, shall not be treated as a change of basis in computing reserves for purposes of section 806(b) (relating to certain changes in reserves) or section 810(d)(1) (relating to adjustment for change in computing reserves).

(4) The provisions of section 801(g)(3) through (5) may be illustrated by the following example. For purposes of this example, it is assumed that all computations have been carried out to a sufficient number of decimal places to insure substantial accuracy and to eliminate any significant error in the resulting tax liability.

Example. The books of R, a life insurance company, discloses the following facts with respect to items of investment yield, deductions, assets, and reserves for the taxable year 1962:

(a) *Excerpts from Company Financial Statements.*

(i) Investment yield	Company regular account	Separate account A	Separate account B
Interest wholly tax-exempt	$100,000	$3,000	$1,000
Interest—other	10,000,000	8,000	15,000
Dividends received	200,000	25,000	27,000
Other items of investment yield	100,000	2,000	1,000
Gross investment income	10,400,000	38,000	44,000
Less deductions (sec. 804(c))	1,000,000	4,000	4,400
Investment yield	9,400,000	34,000	39,600
(2) Assets and reserves:			
(i) Assets:			
Jan. 1, 1962	190,000,000		
Dec. 31, 1962	210,000,000	1,600,000	1,800,000
Mean	200,000,000	800,000	900,000
(ii) Life insurance reserves:			
Jan. 1, 1962	152,000,000		
Dec. 31, 1962	168,000,000	1,600,000	1,640,000
Mean	160,000,000	800,000	820,000
(iii) Reserves based on segregated asset accounts other than life insurance reserves:			
Jan. 1, 1962			120,000
Dec. 31, 1962			60,000
Mean			

(b) *Additional facts.* In addition to the facts assumed in (a) above, assume the following: The company retained with respect to reserves based upon segregated asset accounts a total of $4,720 from gross investment income on Separate Account A and $5,720 from gross investment income on Separate Account B. With respect to the Company Regular Account computed without regard to the items in either of the separate accounts, the policy and other contract liability requirement is $6,580,000 and the required interest is $5,640,000. There are no items of interest paid with respect to the separate accounts other than those computed under section 801(g)(5)(B). Based on these facts, the current earnings rate (sec. 805(b)); adjusted reserves rate (sec. 805(b)); and rate of interest assumed (secs. 805(c) and 809(a)(2)); and the policy and other contract liability requirements are determined for each of the Separate Accounts A and B (and the policy and other contract liability requirements for the Company Regular Account) as set forth in items (c) through (1) below.

(c) *Separate Account A.* The current earnings rate determined under section 805(b)(2) with respect to the items separately accounted for under Separate Account A, prior to the reduction provided for under section 801(g)(5)(A), is 4.25 percent (the investment yield, $34,000, divided by the mean of the assets, $800,000). The company retained with respect to such reserves from gross investment income on Separate Account A a total of $4,720. The company had deductions allowable under section 804(c) with respect to such account of $4,000. Accordingly, for purposes of section 801(g)(5)(A)(1), the amount retained by the company was $720 (the total amount retained of $4,720 less the deductions allowable under section 804(c) of $4,000). The reduction percentage for purposes of section 801(g)(5)(A) is 0.09 percent (the amount retained of $720 divided by the mean of the life insurance reserves of $800,000). Therefore, the adjusted reserves rate and the current earnings rate for purposes of section 805(b), and the rate of interest assumed for purposes of section 805(c) and 809(a)(2) is equal to 4.16 percent (the current earnings rate of 4.25 percent less the reduction percentage of 0.09 percent).

The policy and other contract liability requirements with respect to Separate Account A is determined as follows: For purposes of section 805(a)(1) and (2), the amount is $33,280 (the mean of the life insurance reserves, $800,000, multiplied by the current earnings rate, as determined under section 801(g)(5)(A), 4.16 percent). Thus, the policy and other contract liability requirement for Separate Account A is $33,280.

(d) *Separate Account B.* The current earnings rate determined under section 805(b)(2) with respect to the items separately accounted for under Separate Account B, prior to the reduction provided for under section 801(g)(5)(A), is 4.40 percent (the investment yield, $39,600 divided by the mean of the assets, $900,000). The company retained with respect to such reserves from gross investment income on Separate Account B a total of $5,720. The company had deductions allowable under section 804(c) with respect to such account of $4,400. Accordingly, for purposes of section 801(g)(5)(A)(1) the amount retained by the company was $1,320 (the total amount retained of $5,720 less the deductions allowable under section 804(c) of $4,400). The reduction percentage for purposes of section 801(g)(5)(A) is 0.15 percent (the amount retained of $1,320 divided by the mean of the reserves based on Separate Account B of $880,000 ($820,000 plus $60,000)). Therefore, the adjusted reserves rate and the current earnings rate for purposes of section 805(b), and the rate of interest assumed for purposes of section 805(c) and 809(a)(2) is equal to 4.25 percent (the current earnings rate of 4.40 percent less the reduction percentage of 0.15 percent).

With respect to reserves based on segregated asset accounts other than life insurance reserves, Separate Account B had such reserves at December 31, 1962, of $120,000. The mean of such reserves was $60,000. The rate of interest assumed with respect to such reserves is 4.25 percent, as computed above. Accordingly, there shall be included as interest paid within the meaning of section 805(e)(1) the amount of $2,550 (the mean of such reserves, $60,000 multiplied by the rate of interest assumed of 4.25 percent).

The policy and other contract liability requirements with respect to Separate Account B is determined as follows:

(1) For purposes of section 805(a)(1) and (2), the amount is $34,850 (the mean of the life insurance reserves, $820,000, multiplied by the current earnings rate, as determined under section 801(g)(5)(A), 4.25 percent).

(2) For purposes of section 805(a)(3), the amount is $2,550 (the mean of the reserves based on Separate Account B other than life insurance reserves, $60,000, multiplied by the rate of interest assumed, as determined under section 801(g)(5)(A), 4.25 percent). It has been assumed that there was no other interest paid on Separate Account B within the meaning of section 805(e). If there was other interest paid with respect to Separate Account B that met the requirements of section 805(e), however, then such interest would be included under section 805(a)(3). Thus, the policy and other contract liability requirement for Separate Account B is $37,400 ($34,850+$2,550).

(e) *Company Regular Account.* The policy and other contract liability requirement with respect to the Company Regular Account is $6,580,000 (this amount is determined by the company in the manner provided by section 805 (and the regulations thereunder) without regard to either Separate Account A or Separate Account B).

(f) *Policyholders' share and company's share of investment yield—section 804.* The policyholders' and company's share of investment yield and taxable investment income are computed as follows:

(1) *Company Regular Account:*		
Policyholders' share of investment yield.	70%	($6,580,000÷$9,400,000).
Company's share of investment yield (100% less 70%).	30%.	
(2) *Separate Account A:*		
Policyholders' share of investment yield.	97.8824%	($33,280÷$34,000).
Company's share of investment yield (100% less 97.8824%).	2.1176%.	
(3) *Separate Account B:*		
Policyholders' share of investment yield.	94.444%	($37,400÷$39,600).
Company's share of investment yield (100% less 94.444%).	5.556%.	

(g) *The company's share of investment yield under section 804 is determined as follows:*

Investment yield (from item (a)(1))	Company regular account (30 percent times each amount in item (a)(1))	Separate account A (2.1176 percent times each amount in item (a)(1))	Separate account B (5.556 percent times each amount in item (a)(1))
Interest wholly tax-exempt	$30,000	$63.53	$55.56
Interest—other	3,000,000	169.41	833.40
Dividends received	60,000	529.40	1,500.12
Other items of gross investment income	30,000	42.35	55.56
	3,120,000	804.69	2,444.64
Less deductions	300,000	84.70	244.46
Investment yield	2,820,000	719.99	2,200.18

(h) *Taxable investment income.* The company's taxable investment income (without regard to any excess of net long-term capital gain over net short-term capital loss) is determined as follows:

Life insurance company's share of investment yield ($2,820,000+$719.99+$2,200.18)		$2,822,920.17
Less:		
Company's share of interest wholly tax-exempt ($30,000+$63.53+$55.56)	$30,119.09	
85 percent of company's share of dividends received (but not to exceed 85% of taxable investment income computed without regard to this deduction) (85%×$62,029.52) ($60,000+$529.40+$1,500.12)	52,725.09	
Small business deduction (10% of investment yield, $9,473,600, not to exceed $25,000)	25,000.00	107,844.18
Taxable investment income		2,715,075.99

(i) *Required interest—section 809(a)(2)—*

(1) *Separate Account A.* The rate of interest assumed by the company, with respect to Separate Account A is 4.16 percent (see (c) above). The required interest for purposes of section 809(a)(2) is determined as follows:

Life insurance reserves: 4.16% (rate assumed) times $800,000 (mean of life insurance reserves)	$33,280.00

(2) *Separate Account B.* The rate of interest assumed by the company with respect to Separate Account B is 4.25 percent (see (d) above). The required interest for purposes of section 809(a)(2) is determined as follows:

(i) Life insurance reserves: 4.25% (rate assumed) times $820,000 (mean of life insurance reserves)	$34,850.00
(ii) Other section 810(c) reserves: 4.25% (rate assumed) times $60,000 (mean of reserves other than life insurance reserves)	$2,550.00
	$37,400.00

(3) *Company Regular Account.* The required interest with respect to the Company Regular Account is $5,640,000 (this amount is assumed for purposes of this example, but it would be determined by the company in the manner provided by section 809 without regard to either Separate Account A or Separate Account B).

(j) *Policyholders' share and company's share of investment yield—section 809.* The policyholders' share and the company's share of investment yield for purposes of section 809 is determined as follows:

(1) *Company Regular Account:*		
Policyholders' share of investment yield	60%	($5,640,000÷$9,400,000).
Company's share of investment yield (100 percent—60%).	40%.	
(2) *Separate Account A:*		
Policyholders' share of investment yield	97.8824%	($33,280÷$34,000).
Company's share of investment yield (100%—97.8824 percent).	2.1176%.	
(3) *Separate Account B:*		
Policyholders' share of investment yield	94.444%	($37,400÷$39,600).
Company's share of investment yield (100%—94.444%).	5.556%.	

(k) *The company's share of investment yield under section 809 is determined as follows:*

Investment yield (from item (a)(1))	Company regular account (40 percent times each amount in item (a)(1))	Separate account A (2.1176 percent times each amount in item (a)(1))	Separate account B (5.556 percent times each amount in item (a)(1))
Interest wholly tax-exempt	$40,000	$63.53	$55.56
Interest—other	4,000,000	169.41	833.40
Dividends received	80,000	529.40	1,500.12
Other items of gross investment income	40,000	42.35	55.56
	4,160,000	804.69	2,444.64
Less deductions	400,000	84.70	244.46
Investment yield	3,760,000	719.99	2,200.18

(l) *Deductions under section 809(d)(8).* For purposes of section 809(d)(8), the life insurance company's share of each of such items is determined as follows:

(1) Wholly tax-exempt interest ($40,000+$63.53+$55.56)	$40,119.09
(2) Dividends received 85%×$82,029.52 ($80,000+$529.40+$1,500.12) (it is assumed for purposes of this example that this amount does not exceed 85% of the gain from operations as computed under sec. 809(d)(8)(B))	69,725.09

(f) *Increases and decreases in reserves.* (1) Section 801(g)(6) provides that for purposes of section 810 (a) and (b) (relating to adjustments for increases or decreases in certain reserves), the sum of the items described in section 810(c) and paragraph (b) of § 1.810–2 taken into account as of the close of the taxable year shall be adjusted—

(i) By subtracting therefrom the sum of any amounts added from time to time (for the taxable year) to the reserves separately accounted for in accordance with section 801(g)(3) and paragraph (c) of this section by reason of realized or unrealized appreciation in value of the assets held in relation thereto, and

(ii) By adding thereto the sum of any amounts subtracted from time to time (for the taxable year) from such reserves by reason of realized or unrealized depreciation in the value of such assets.

(2) The provisions of subparagraph (1) of this paragraph may be illustrated by the following example:

Example. Company M, a life insurance company issuing only contracts with reserves based on segregated asset accounts as defined in section 801(g)(1)(B) and paragraph (a)(2) of this section (other than contracts described in section 805(d)(1)(A), (B), (C), or (D)), increased its life insurance reserves held with respect to such contracts during the taxable year 1962 by $275,000. Of the total increase in the reserves, $100,000 was attributable to premium receipts, $50,000 to dividends and interest, $100,000 to unrealized appreciation in the value of the assets held in relation to such reserves, and $25,000 to realized capital gains on the sale of such assets. As of the close of the taxable year

1962, the reserves held by company M with respect to all such contracts amounted to $1,275,000. However, under section 801(g)(6) and this subparagraph, this amount must be reduced by the $100,000 unrealized asset value appreciation and the $25,000 of realized capital gains. Accordingly, for purposes of section 810 (a) and (b), the amount of these reserves which is to be taken into account as of the close of the taxable year 1962 under section 810(c) is $1,150,000 ($1,275,000 less $125,000). However, for purposes of section 810 (a) and (b), the amount of these reserves which is to be taken into account as of the beginning of the taxable year 1963 under section 810(c) is $1,275,000 (the amount as of the close of the taxable year 1962 before reduction of $125,000 for unrealized appreciation and realized capital gains).

(3) (i) Under section 801(g)(6), the deduction allowable for items described in section 809(d) (1) and (7) (relating to death benefits and assumption reinsurance, respectively) with respect to segregated asset accounts shall be reduced to the extent that the amount of such items is increased for the taxable year by appreciation (or shall be increased to the extent that the amount of such items is decreased for the taxable year by depreciation) not reflected in adjustments required to be made under subparagraph (1) of this paragraph.

(ii) The provisions of this subparagraph may be illustrated by the following example:

Example. On June 30, 1962, X, a life insurance company, reinsured a portion of its insurance contracts with reserves based on segregated asset accounts with Y, a life insurance company, under an agreement whereby Y agreed to assume and become solely liable under the contracts reinsured. The reserves on the contracts reinsured by X were $90,000, of which $10,000 was attributable to unrealized appreciation in the value of the assets held in relation to such reserves. However, no amounts had been added to the reserves by reason of the unrealized appreciation of $10,000 and consequently, the $10,000 was not reflected in adjustments to reserves under section 809(g)(6) or subparagraph (1) of this paragraph. Under the reinsurance agreement, X made a payment of $90,000 in cash to Y for assuming such contracts. Applying the provisions of section 809(d)(7), and assuming no other such reinsurance transactions by X during the taxable year, X would have an allowable deduction of $90,000 as a result of this payment on June 30, 1962. However, applying the provisions of section 801(g)(6) and this subparagraph, the actual deduction allowed would be $80,000 ($90,000 less $10,000). See section 806(a) and § 1.806–3 for the adjustments in reserves and assets to be made by X and Y as a result of this transaction. For the treatment by Y of this $90,000 payment, see section 809(c)(1) and paragraph (a)(1)(i) of § 1.809–4.

(g) *Basis of assets held for certain pension plan contracts.* Section 801(g)(7) provides that in the case of contracts described in section 805(d)(1)(A), (B), (C), or (D) (relating to the definition of pension plan reserves), the basis of each asset in a segregated asset account shall (in addition to all other adjustments to basis) be (i) increased by the amount of any appreciation in value, and (ii) decreased by the amount of any depreciation in value; but only to the extent that such appreciation and depreciation are reflected in the increases and decreases in reserves, or other items described in section 801(g)(6), with respect to such contracts. Thus, there shall be no capital gains tax payable by a life insurance company on appreciation realized on assets in a segregated asset account to the extent such appreciation has been reflected in reserves, or other items described in section 801(g)(6), for contracts described in section 805(d)(1)(A), (B), (C), or (D), based on segregated asset accounts.

(h) *Additional separate computations.* [Reserved for regulations to be issued under section 801(g)(8).]

PAR. 4. Section 1.802 is amended by revising section 802(a)(2) and the historical note. This amended provision and historical note read as follows:

§ 1.802 Statutory provisions; life insurance companies; tax imposed; life insurance company taxable income defined.

SEC. 802. *Tax imposed*—(a) *Tax imposed*—(1) *In general.* * * *

(2) *Alternative tax in case of capital gains.* If for any taxable year beginning after December 31, 1961, the net long-term capital gain of any life insurance company exceeds the net short-term capital loss, then, in lieu of the tax imposed by paragraph (1), there is hereby imposed a tax (if such tax is less than the tax imposed by such paragraph) which shall consist of the sum of—

(A) A partial tax, computed as provided by paragraph (1), on the life insurance company taxable income determined by reducing the taxable investment income, and the gain from operations, by the amount of such excess, and

(B) An amount equal to 25 percent of such excess.

* * * * *

[Sec. 802 as amended by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 38); sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 115); sec. 3, Act of October 23, 1962 (Pub. Law 87–858, 76 Stat. 1134); sec. 235(c)(1), Rev. Act 1964 (78 Stat. 126)]

PAR. 5. Section 1.802–2 is amended to read as follows:

§ 1.802–2 Taxable years affected.

Section 1.802(b)–1 is applicable only to taxable years beginning after December 31, 1953, and before January 1, 1955, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, before amendments. Sections 1.802–3 through 1.802–5 (other than paragraph (f)(2) of § 1.802–3), except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and section 235(c)(1) of the Revenue Act of 1964 (78 Stat. 126). [Paragraph (f)(2) of § 1.802–3 is applicable only to taxable years beginning after December 31, 1961, and all reference to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112), section 3 of the Act of October 23, 1962 (76 Stat. 1134) and section 235(c)(1) of the Revenue Act of 1964 (78 Stat. 126).

PAR. 6. Paragraph (f) of § 1.802–3 is amended to read as follows:

§ 1.802–3 Tax imposed on life insurance companies.

* * * * * *

(f) *Tax imposed in case of certain capital gains*—(1) *Taxable years beginning after December 31, 1958, and before January 1, 1962.* For taxable years beginning after December 31, 1958, and before January 1, 1962, if the net long-term capital gain (as defined in section 1222(7)) of any life insurance company exceeds its net short-term capital loss (as defined in section 1222(6)), section 802(a)(2) imposes a separate tax equal to 25 percent of such excess. This separate 25 percent tax rate applies whether or not there is life insurance company taxable income, taxable investment income, or a gain or loss from operations for the taxable year. For taxable years beginning after December 31, 1958, and before January 1, 1962, only the excess (if any) of net short-term capital gain (as defined in section 1222(5)) over net long-term capital loss (as defined in section 1222(8)) shall be taken into account in computing taxable investment income and gain or loss from operations. See sections 804(b) and 809(b). Except as modified by section 817 (rules relating to certain gains and losses), the general rules of the Code relating to gains and losses (such as the rules for determining the amount, characterization, and treatment thereof) shall apply with respect to life insurance companies.

(2) *Alternative tax in case of capital gains for taxable years beginning after December 31, 1961.* For taxable years beginning after December 31, 1961, if the net long-term capital gain (as defined in section 1222(7)) of any life insurance company exceeds its net short-term capital loss (as defined in section 1222(6)), section 802(a)(2) imposes an alternative tax in lieu of the tax imposed by section 802(a)(1), if and only if such alternative tax is less than the tax imposed by section 802(a)(1). The alternative tax is the sum of (i) a partial tax, computed as provided by section 802(a)(1), on the life insurance company taxable income determined by reducing the taxable investment income, and the gain from operations, by the amount of the excess of its net long-term capital gain over its net short-term capital loss, and (ii) an amount equal to 25 percent of such excess. In the computation of the partial tax, the deductions provided by sections 170 (as modified by section 809(e)(3)), 243, 244, 245 (as modified by sections 804(a)(5) and 809(d)(8)(B)), and the limitation provided by section 809(f), shall not be recomputed as a result of the reduction of taxable investment income, and gain from operations, by the amount of such excess. Except as modified by section 817 (rules relating to certain gains and losses), the general rules of the Code relating to gains and losses (such as the rules for determining the amount, characteriza-

tion, and treatment thereof) shall apply with respect to life insurance companies.

PAR. 7. Section 1.804 is amended by revising section 804(a)(2) and the historical note. This amended provision and historical note read as follows:

§ 1.804 Statutory provisions; life insurance companies; taxable investment income.

SEC. 804. *Taxable investment income.*—(a) *In general*—(1) *Exclusion of policyholders' share of investment yield.* • • •

(2) *Taxable investment income defined.* For purposes of this part, the taxable investment income for any taxable year shall be an amount (not less than zero) equal to the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss plus the sum of the life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), reduced by—

(A) The sum of—

(i) The life insurance company's share of interest which under section 103 is excluded from gross income,

(ii) The deduction for partially tax-exempt interest provided by section 242 (as modified by paragraph (3)) computed with respect to the life insurance company's share of such interest, and

(iii) The deductions for dividends received provided by sections 243, 244, 245 (as modified by paragraph (5)) computed with respect to the life insurance company's share of the dividends received; and

(B) The small business deduction provided by paragraph (4).

For purposes of the preceding sentence, the life insurance company's share of any item shall be that percentage which, when added to the percentage obtained under the second sentence of paragraph (1), equals 100 percent.

• • • • •

[Sec. 804 as added by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 41); amended by sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 115); sec. 3, Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134)]

PAR. 8. Section 1.804-1 is amended to read as follows:

§ 1.804-1 Taxable years affected.

Sections 1.804-2 through 1.804-4 (other than paragraph (d)(1)(ii) of § 1.804-2) are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112). Paragraph (d)(1)(ii) of § 1.804-2 is applicable only to taxable years beginning after December 31, 1961, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and section 3 of the Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134).

PAR. 9. Paragraph (d)(1) of § 1.804-2 is amended to read as follows:

§ 1.804-2 Taxable investment income.

• • • • •

(d) *Taxable investment income of a life insurance company*—(1) *Definition.* (i) *Taxable years beginning after December 31, 1957, and before January 1, 1962.* For taxable years beginning after December 31, 1957, and before January 1, 1962, section 804(a)(2) defines the term "taxable investment income", for purposes of part I, subchapter L, chapter 1 of the Code, as an amount (not less than zero) equal to the sum of the life insurance company's share (as determined in paragraph (c) of this section) of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), reduced by the sum of—

(*a*) The life insurance company's share of interest which under section 103 is excluded from gross income,

(*b*) The deduction for partially tax-exempt interest provided by section 242 (as modified by section 804(a)(3) and subparagraph (2)(i) of this paragraph) computed with respect to the life insurance company's share of such interest,

(*c*) The deductions for dividends received provided by sections 243, 244, and 245 (as modified by section 804(a)(5) and subparagraph (2)(ii) of this paragraph) computed with respect to the life insurance company's share of the dividends received, and

(*d*) The small business deduction provided by section 804(a)(4). For purposes of part I, such small business deduction shall be an amount equal to 10 percent of the investment yield for the taxable year (but not to exceed $25,000).

(ii) *Taxable years beginning after December 31, 1961.* For taxable years beginning after December 31, 1961, section 804(a)(2) defines the term "taxable investment income", for purposes of part I, as an amount (not less than zero) equal to the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss, plus the sum of the life insurance company's share (as determined under paragraph (c) of this section) of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), reduced by the sum of the items specified in subdivision (i) (*a*) through (*d*) of this subparagraph.

PAR. 10. Section 1.805 is amended by revising section 805(d)(1) and the historical note. This amended provision and historical note read as follows:

§ 1.805 Statutory provisions; life insurance companies; policy and other contract liability requirements.

SEC. 805. *Policy and other contract liability requirements.*

• • • • •

(d) *Pension plan reserves*—(1) *Pension plan reserves defined.* • • •

(A) • • •

(B) Purchased under contracts entered into under plans which (as of the time the contracts were entered into) were deemed to be plans described in section 403(a), or plans meeting the requirements of section 165(a) (3), (4), (5), and (6) of the Internal Revenue Code of 1939;

(C) Provided for employees of the life insurance company under a plan which, for the taxable year, meets the requirements of section 401(a) (3), (4), (5), (6), (7), and (8)); or

• • • • •

[Sec. 805 as amended by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 43); sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 118); sec. 7, Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 828)]

PAR. 11. Section 1.805-3 is amended to read as follows:

§ 1.805-3 Taxable years affected.

Sections 1.805-1 and 1.805-2 are applicable only to taxable years beginning after December 31, 1953, and before January 1, 1955, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, before amendments. Sections 1.805-4 through 1.805-8, except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and the Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 809).

PAR. 12. Paragraph (b) of § 1.805-7 is amended by revising subparagraphs (2) and (3). These amended provisions read as follows:

§ 1.805-7 Pension plan reserves.

• • • • •

(b) *Pension plan reserves defined.* • • •

(2) Purchased under contracts entered into under plans which (as of the time the contracts were entered into) were deemed to be plans—

(i) Meeting the requirements of section 165(a) (3), (4), (5), and (6) of the Internal Revenue Code of 1939, for taxable years beginning before January 1, 1954, and ending before August 17, 1954, or

(ii) Described in section 403(a) of the Internal Revenue Code of 1954;

(3) Provided for employees of the life insurance company under a plan which for the taxable year—

(i) Meets the requirements of section 401(a) (3), (4), (5), and (6), of the Internal Revenue Code of 1954 before amendment, if such taxable year begins before January 1, 1963, and

(ii) Meets the requirements of section 401(a) (3), (4), (5), (6), (7), and (8) of the Internal Revenue Code of 1954 as amended by section 2 of the Self-Employed Individuals Tax Retirement Act of 1962 (76 Stat. 809), if such taxable year begins after December 31, 1962. (For purposes of subparagraph (3) of this paragraph, the term "employees" includes full-time life insurance salesmen treated as employees under section 7701 (a)(20)); or

PAR. 13. Section 1.809 is amended by revising section 809(b) (1) and (2), by revising the heading and first sentence of section 809(d)(6), by revising section 809(f)(2), and by revising the historical note. These amended provisions and historical note read as follows:

§ 1.809 Statutory provisions; life insurance companies; in general.

SEC. 809. *In general.* • • •

(b) *Gain and loss from operations*—(1) *Gain from operations defined.* For purposes of this part, the term "gain from operations" means the amount by which the sum of the following exceeds the deductions provided by subsection (d);

(A) The life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received);

(B) The amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss; and

(C) The sum of the items referred to in subsection (c).

(2) *Loss from operations defined.* For purposes of this part, the term "loss from operations" means the amount by which the sum of the deductions provided by subsection (d) exceeds the sum of—

(A) The life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received);

(B) The amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss; and

(C) The sum of the items referred to in subsection (c).

• • • • •

(d) *Deductions.* For purposes of subsections (b) (1) and (2), there shall be allowed the following deductions:

• • • • •

(6) *Certain accident and health insurance and group life insurance.* An amount equal to 2 percent of the premiums for the taxable year attributable to accident and health insurance contracts (other than those to which paragraph (5) applies) and group life insurance contracts. The deduction under this paragraph for the taxable year and all preceding taxable years shall not exceed an amount equal to 50 percent of the premiums for the taxable year attributable to such contracts.

• • • • •

(f) *Limitation on certain deductions.* • • •

(2) *Application of limitation.* The limitation provided by paragraph (1) shall apply first to the amount of the deduction under subsection (d)(3), then to the amount of the deduction under subsection (d)(6), and finally to the amount of the deduction under subsection (d)(5).

• • • • •

[Sec. 809 as added by sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 121); amended by sec. 2, Act of June 27, 1961 (Public Law 87-59, 75 Stat. 120); sec. 3, Act of October 10, 1962 (Public Law 87-790, 76 Stat. 808); sec. 3, Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134)]

PAR. 14. Section 1.809-1 is amended to read as follows:

§ 1.809-1 Taxable years affected.

Sections 1.809-2 through 1.809-8, except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112), the Act of June 27, 1961 (75 Stat. 120), the Act of October 10, 1962 (76 Stat. 808), and the Act of October 23, 1962 (76 Stat. 1134).

PAR. 15. Paragraph (a) of § 1.809-2 is amended to read as follows:

§ 1.809-2 Exclusion of share of investment yield set aside for policyholders.

(a) *In general.* Section 809 provides the rules for determining the gain or loss from operations of a life insurance company, which amount is necessary to determine life insurance company taxable income. In order to determine gain or loss from operations, a life insurance company must first determine the share of each and every item of its investment yield (as defined in section 804(c) and paragraph (a) of § 1.804-4) set aside for policyholders (as computed under section 809(a)(1) and paragraph (b) of this section), as this share is excluded from gain or loss from operations (as defined in section 809(b) (1) and (2) and paragraphs (a) and (b) of § 1.809-3, respectively). The life insurance company shall then add its share of each and every item of its investment yield to the sum of the items comprising gross amount (as described in section 809(c) and paragraph (a) of § 1.809-4). In addition, the life insurance company shall, for taxable years beginning after December 31, 1961, add the amount (if any) by which its net long-term capital gain exceeds its net short-term loss. From the sum so computed (which includes the capital gains item only for taxable years beginning after December 31, 1961) there shall then be subtracted the deductions provided in section 809(d) and paragraph (a) of § 1.809-5. The amount thus obtained is the gain or loss from operations for the taxable year.

PAR. 16. Paragraphs (a) and (b) of § 1.809-3 are amended to read as follows:

§ 1.809-3 Gain and loss from operations defined.

(a) *Gain from operations.* For purposes of part I, subchapter L, chapter 1 of the Code, section 809(b)(1) defines the term "gain from operations" as the excess of the sum of (1) the life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), (2) the items of gross amount taken into account under section 809(c) and paragraph (a) of § 1.809-4, and (3) for taxable years beginning after December 31, 1961, the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss, over the sum of the deductions provided by section 809(d) and § 1.809-5.

(b) *Loss from operations.* For purposes of part I, section 809(b)(2) defines the term "loss from operations" as the excess of the sum of the deductions provided by section 809(d) and § 1.809-5 over the sum of (1) the life insurance company's share of each and every item of investment yield (including tax-exempt interest, partially tax-exempt interest, and dividends received), (2) the items of gross amount taken into account under section 809(c) and paragraph (a) of § 1.809-4, and (3) for taxable years beginning after December 31, 1961, the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss.

PAR. 17. Section 1.809-4 is amended by revising paragraph (a), and by revising paragraph (b) and the heading thereof. These amended provisions read as follows:

§ 1.809-4 Gross amount.

(a) *Items taken into account.* For purposes of determining gain or loss from operations under section 809(b) (1) and (2), respectively, section 809(c) specifies three categories of items which shall be taken into account. Such items are in addition to the life insurance company's share of the investment yield (as determined under section 809(a)(1) and paragraph (c) of § 1.809-2), and the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss (such capital gains item is included in determining gain or loss from operations only for taxable years beginning after December 31, 1961). The additional three categories of items taken into account are:

• • • • •

(b) *Treatment of net long-term capital gains.* For taxable years beginning before January 1, 1962, any net long-term capital gains (as defined in section 1222(7)) from the sale or exchange of a capital asset (or any gain considered to be from the sale or exchange of a capital asset under applicable law) shall be excluded from the determination of gain or loss from operations of a life insurance company. On the other hand, with respect to taxable years beginning after December 31, 1961, the amount (if any) by which the net long-term capital gain exceeds the net short-term capital loss (as defined in section 1222(6)) shall be taken into account in determining gain or loss from operations under section 809. However, for any taxable year beginning after December 31, 1958, the excess of net short-term capital gain (as defined in section 1222(5)) over net long-term capital loss (as defined in section 1222 (8)) is included in computing investment yield (as defined in section 804(c)) and, to that extent, is taken into account in determining gain or loss from operations under section 809.

PAR. 18. Section 1.809-5 is amended by revising the heading of paragraph (a)(6) and by revising paragraph (a)(6)(i). These amended provisions read as follows:

§ 1.809-5 Deduction.

(a) *Deductions allowed.* Section 809 (d) provides the following deductions for purposes of determining gain or loss from operations under section 809(b) (1) and (2), respectively:

• • • • •

(6) *Certain accident and health insurance and group life insurance.* (i) For taxable years beginning before January 1, 1963, an amount equal to two percent of the premiums for the taxable year attributable to group life insurance contracts, group accident and health in-

surance contracts, or group accident and health insurance contracts with a life feature. For taxable years beginning after December 31, 1962, the deduction shall be an amount equal to two percent of the premiums for the taxable year attributable to group life insurance contracts, accident and health insurance contracts (other than those to which section 809(d)(5) applies), or accident and health insurance contracts with a life feature (other than those to which section 809(d)(5) applies). For purposes of section 809(d)(6) and this subparagraph, the term "premiums" means the net amount of the premiums and other consideration attributable to such contracts taken into account under section 809(c)(1). The deduction allowed by section 809(d)(6) and this subparagraph for the taxable year and all preceding taxable years shall not exceed 50 percent of the net amount of the premiums attributable to such contracts for the taxable year. For example, assume that premiums attributable to group life insurance and group accident and health insurance contracts are $103,000 for the taxable year 1962. Assume further that there are $3,000 of return premiums attributable to such contracts for the taxable year. Under the provisions of section 809(d)(6) and this subparagraph, a deduction (determined without regard to section 809(f) of $2,000 (2 percent of $100,000 ($103,000—$3,000)) is allowed. Assuming that the company continues to receive net premiums of $100,000 attributable to such contracts for 15 years, the cumulative amount of these deductions is $30,000 ($2,000 for 15 years). If, in the sixteenth year, net premiums attributable to such contracts amount to $60,000, no deduction shall be allowed under section 809(d)(6) and this subparagraph since the cumulative amount of these deductions ($30,000) equals 50 percent of the current year's premiums ($60,000) from such contracts.

PAR. 19. Paragraphs (b) and (c) of § 1.809–7 are amended to read as follows:

§ 1.809–7 Limitation on certain deductions.

* * * * *

(b) *Application of limitation.* Section 809(f)(2) provides a priority system for applying the limitation contained in section 809(f)(1) and paragraph (a) of this section. Under this priority system, the limitation shall be applied in the following order—

(1) For taxable years beginning before January 1, 1962:

(i) First to the amount of the deduction under section 809(d)(6) (relating to group life, accident, and health insurance);

(ii) Then to the amount of the deduction under section 809(d)(5) (relating to certain nonparticipating contracts); and

(iii) Finally to the amount of the deduction under section 809(d)(3) (relating to dividends to policyholders).

(2) For taxable years beginning after December 31, 1961, the limitation shall be applied in the following order:

(i) First to the amount of the deduction under section 809(d)(3);

(ii) Then to the amount of the deduction under section 809(d)(6); and

(iii) Finally to the amount of the deduction under section 809(d)(5).

Thus, for taxable years beginning after December 31, 1961, the limitation and priority system would operate first to disallow a deduction under section 809(d)(5), then a deduction under section 809(d)(6), and finally a deduction under section 809(d)(3). For purposes of applying the 50 percent limitation contained in section 809(d)(6) with respect to a taxable year beginning after December 31, 1961, the amount of the deductions for taxable years beginning before January 1, 1962, shall be determined by applying the priority system contained in subparagraph (1) of this paragraph.

(c) *Illustration of principles.* The operation of the limitation and priority system provided by section 809(f) and this section may be illustrated by the following examples:

Example (1). Assume the following facts with respect to M, a life insurance company, for the taxable year 1958:

Gain from operations computed without regard to the deductions under sec. 809(d)(3), (5), and (6)	$100,000,000
Taxable investment income	83,000,000
Tentative deduction for group life, accident, and health insurance under sec. 809(d)(6)	4,000,000
Tentative deduction for certain nonparticipating contracts under sec. 809(d)(5)	6,000,000
Tentative deduction for dividends to policyholders under sec. 809(d)(3)	10,000,000

In order to determine the limitation on the deductions under section 809(d)(3), (5), and (6), M would make up the following schedule:

(1) Statutory amount provided under sec. 809(f)(1)		$250,000
(2) Gain from operations computed without regard to the deductions under sec. 809(d)(3), (5), and (6)	$100,000,000	
(3) Taxable investment income	83,000,000	
(4) Excess of item (2) over item (3)		17,000,000
(5) Limitation on deductions under sec. 809(d)(3), (5), and (6) (item (1) plus item (4))		17,250,000

Since the total tentative deductions under section 809(d)(3), (5), and (6) ($20,000,000) exceeds the limitation on such deductions ($17,250,000), M would make up the following schedule to determine the application of the priority system:

(6) Maximum possible deduction under sec. 809(d)(3), (5), and (6) (item (5))	$17,250,000
(7) Deduction for group life, accident, and health insurance under sec. 809(d)(6) (not in excess of item (6))	4,000,000
(8) Maximum possible deduction under sec. 809(d)(5) (item (6) less item (7))	13,250,000
(9) Deduction for certain nonparticipating contracts under sec. 809(d)(5) (not in excess of item (8))	6,000,000
(10) Maximum possible deduction under sec. 809(d)(3) (item (8) less item (9))	7,250,000
(11) Deduction for dividends to policyholders under sec. 809(d)(3) (not in excess of item (10))	7,250,000

Thus, as a result of the application of the limitation and priority system for the taxable year 1958, M shall be allowed a deduction of $4,000,000 under section 809(d)(6), $6,000,000 under section 809(d)(5), and only $7,250,000 of the $10,000,000 tentative deduction under section 809(d)(3).

Example (2). The facts are the same as in example (1), except that the taxable year is 1962. Since the total tentative deductions under section 809(d)(3), (5), and (6) ($20,000,000) exceeds the limitation on such deductions ($17,250,000), M would make up the following schedule to determine the application of the priority system:

(1) Maximum possible deductions under sec. 809(d)(3), (5), and (6) (item (5) in example (1))	$17,250,000
(2) Deduction for dividends to policyholders under sec. 809(d)(3) (not in excess of item (1))	10,000,000
(3) Maximum possible deduction under sec. 809(d)(6) (item (1) less item (2))	7,250,000
(4) Deduction for certain accident, health, and group life insurance under sec. 809(d)(6) (not in excess of item (3))	4,000,000
(5) Maximum possible deduction under sec. 809(d)(5) (item (4) less item (5))	3,250,000
(6) Deduction for certain nonparticipating contracts under sec. 809(d)(5) (not in excess of item (5))	3,250,000

Thus, as a result of the application of the limitation and priority system for the taxable year 1962, M shall be allowed a deduction of $10,000,000 under section 809(d)(3), $4,000,000 under section 809(d)(6), and only $3,250,000 of the $6,000,000 tentative deduction under section 809(d)(5).

PAR. 20. Section 1.812 is amended by revising section 812(e)(2)(B) and the historical note. This amended provision and historical note read as follows:

§ 1.812 Statutory provisions; life insurance companies; operations loss deduction.

SEC. 812. *Operations loss deduction.* * * *

(e) *Rules relating to new companies.* * * *

(2) *Limitations on 8-year carryover.* * * *

(B) *Nonqualified corporation defined.* For purposes of subparagraph (A), the term "nonqualified corporation" means any corporation connected through stock ownership with any other corporation (except a corporation taxable under part II or part III of this subchapter), if either of such corporations possesses at least 50 percent of the voting power of all classes of stock of the other such corporation. For purposes of subparagraph (A), a corporation shall be treated as becoming a nonqualified corporation at any time at which it becomes a party to a reorganization (other than a reorganization which is not described in any subparagraph of section 368(a)(1) other than subparagraphs (E) and (F) thereof).

* * * * *

[Sec. 812 as added by sec. 2, Life Insurance Company Tax Act 1955 (70 Stat. 45); amended by sec. 2, Life Insurance Company Income Tax Act 1959 (73 Stat. 127); sec. 3, Act of October 23, 1962 (Public Law 87–858, 76 Stat. 1134)]

PAR. 21. Section 1.812–1 is amended to read as follows:

§ 1.812–1 Taxable years affected.

Sections 1.812–2 through 1.812–8, except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and the Act of October 23, 1962 (76 Stat. 1134).

PAR. 22. Paragraph (b)(2) of § 1.812–6 is amended to read as follows:

§ 1.812–6 Rules relating to new companies.

* * * * *

(b) *Limitations on 8-year carryover.* * * *

(2) Section 812(e)(2)(B) defines the term "nonqualified corporation" for purposes of section 812(e)(2)(A) as any corporation connected through stock ownership with any other corporation (except a corporation taxable under part II or part III, subchapter L, chapter 1 of the Code) where either of such corporations possesses at least 50 percent of the total combined voting power of all classes of stock entitled to vote of the other corporation. Such definition shall apply with respect to all taxable years beginning after December 31, 1954, except that in the case of a nonqualified corporation, as defined in section 812(e)(2)(B) prior to its amendment by section 3(d) of the Act of October 23, 1962 (76 Stat. 1137), a loss from operations for a taxable year beginning in 1955 shall not be an operations loss carryover to the taxable year 1961, and there shall be no reduction in the portion of such loss from operations which may be carried to the taxable year 1962 or 1963 by reason of an offset (as defined in section 812(d) and paragraph (a) of § 1.812–5) with respect to the taxable year 1961. For purposes of the first sentence of this subparagraph, a corporation shall be treated as becoming a nonqualified corporation at any time it becomes a party to a reorganization other than a reorganization described in section 368(a)(1)(E) or (F).

PAR. 23. Section 1.815 is amended by revising sections 815(c)(2)(C) and (3)(B) and by revising the historical note. These amended provisions and historical note read as follows:

§ 1.815 Statutory provisions; life insurance companies; distributions to shareholders.

SEC. 815. *Distribution to shareholders*—

* * * * *

(c) *Policyholders surplus account.* * * *

(2) *Additions to account.* * * *

(C) The deduction for accident and health insurance and group life insurance contracts provided by section 809(d)(6) (as limited by section 809(f)).

(3) *Subtractions from account.* * * *

(B) The amount (determined without regard to section 802(a)(3)) by which the tax imposed for the taxable year by section 802(a) is increased by reason of section 802(b)(3).

* * * * *

[Sec. 815 as added by sec. 2, Life Insurance Company Income Tax Act of 1959 (73 Stat. 129); amended by sec. 3, Act of October 10, 1962 (Public Law 87–790, 76 Stat. 808); sec. 3(b), Act of October 23, 1962 (Public Law 87–858, 76 Stat. 1136)]

PAR. 24. Section 1.815–1 is amended to read as follows:

§ 1.815–1 Taxable years affected.

Sections 1.815–2 through 1.815–6, except as otherwise provided therein, are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112), the Act of October 10, 1962 (76 Stat. 808), and the Act of October 23, 1962 (76 Stat. 1134).

PAR. 25. Paragraphs (b)(3) and (c)(1)(ii) of § 1.815–4 are amended to read as follows:

§ 1.815–4 Policyholders surplus account.

* * * * *

(b) *Additions to policyholders surplus account.* * * *

(3) The deduction allowed or allowable under section 809(d)(6) (as limited by section 809(f)) for taxable years beginning before January 1, 1963, for group life and group accident and health insurance contracts, and for taxable years beginning after December 31, 1962, for accident and health insurance and group life insurance contracts.

(c) *Subtractions from policyholders surplus account.* (1) * * *

(ii) The amount (determined without regard to section 802(a)(3)) by which the tax imposed for taxable years beginning before January 1, 1962, by section 802(a)(1), and for taxable years beginning after December 31, 1961, by section 802(a), is increased by reason of section 802(b)(3).

PAR. 26. Section 1.817–1, paragraph (a) of § 1.817–2, paragraph (a)(1) of § 1.817–3, and paragraphs (a) and (b) of § 1.817–4 are amended to read as follows:

§ 1.817–1 Taxable years affected.

Except as otherwise provided therein, §§ 1.817–2 through 1.817–4 are applicable only to taxable years beginning after December 31, 1957, and all references to sections of part I, subchapter L, chapter 1 of the Code are to the Internal Revenue Code of 1954, as amended by the Life Insurance Company Income Tax Act of 1959 (73 Stat. 112) and section 3 of the Act of October 23, 1962 (76 Stat. 1134).

§ 1.817–2 Treatment of capital gains and losses.

(a) *In general.* For taxable years beginning after December 31, 1958, and before January 1, 1962, if the net long-term capital gain (as defined in section 1222(7)) of any life insurance company exceeds its net short-term capital loss (as defined in section 1222(6)), section 802(a)(2) prior to its amendment by section 3 of the Act of October 23, 1962 (76 Stat. 1134), imposes a separate tax equal to 25 percent of such excess. For taxable years beginning after December 31, 1961, if the net long-term capital gain of any life insurance company exceeds its net short-term capital loss, section 802(a)(2) imposes an alternative tax in lieu of the tax imposed by section 802(a)(1), if and only if such alternative tax is less than the tax imposed by section 802(a)(1). Except as modified by section 817 (rules relating to certain gains and losses), the general rules of the Code relating to gains and losses, such as subchapter O (relating to gain or loss on disposition of property), subchapter P (relating to capital gains and losses), etc., shall apply with respect to life insurance companies.

* * * * *

§ 1.817–3 Gain on property held on December 31, 1958, and certain substituted property acquired after 1958.

(a) *Limitation on gain recognized on property held on December 31, 1958.* (1) Section 817(b)(1) limits the amount of gain that shall be recognized on the sale or other disposition of property other than insurance and annuity contracts (and contracts supplementary thereto) and property described in section 1221(1) (relating to stock in trade or inventory-type property) if:

(i) The property was held (or treated as held within the meaning of paragraph (c)(1) of this section) by a life insurance company on December 31, 1958;

(ii) The taxpayer has been a life insurance company at all times on and after December 31, 1958, including the date of the sale or other disposition of the property; and

(iii) The fair market value of the property on December 31, 1958, exceeds the adjusted basis for determining gain as of such date:

The gain on the sale or other disposition of such property shall be limited to an amount (but not less than zero) equal to the amount by which the gain (determined without regard to section 817(b)(1)) exceeds the difference between fair market value of such property on December 31, 1958, and the adjusted basis for determining gain as of such date. Accordingly, the tax imposed un-

der section 802(a) shall apply with respect to the amount of gain so limited. In addition, in the case of a stock life insurance company, the amount of such gain shall be taken into account under section 815(b)(2)(A)(ii) for purposes of determining the amount to be added to the shareholders surplus account (as defined in section 815(b) and § 1.815–3) for the taxable year. Furthermore, the amount of the gain (determined without regard to section 817(b)(1) and this paragraph) which is not taken into account under section 802(a) and under paragraph (f) of § 1.802–3 by reason of the application of section 817(b)(1) shall be included in other accounts (as defined in § 1.815–5) by such a company for the taxable year.

* * * * *

§ 1.817–4 Special rules.

(a) *Limitation on capital loss carryovers.* Section 817(c) provides that a net capital loss (as defined in section 1222(10)) for any taxable year beginning before January 1, 1959, shall not be taken into account. For any taxable year beginning after December 31, 1958, the provisions of part II, subchapter P, chapter 1 of the Code (relating to the treatment of capital losses) shall be applicable to life insurance companies for purposes of determining the tax imposed by section 802(a) and § 1.802–3 (relating to the imposition of tax in case of capital gains).

(b) *Gain on transactions occurring prior to January 1, 1959.* For purposes of part I, subchapter L, chapter 1 of the Code, section 817(d) provides that—

(1) There shall be excluded from tax any gain from the sale or exchange of a capital asset, and any gain considered as gain from sale or exchange of a capital asset, which results from sales or other dispositions of property prior to January 1, 1959; and

(2) Any gain after December 31, 1958, resulting from the sale or other disposition of property prior to January 1, 1959, which, but for this subparagraph would be taken into account under section 1231, shall not be taken into account under section 1231.

For example, if a life insurance company makes an installment sale of a capital asset prior to January 1, 1959, and payments are received after such date, any capital gain attributable to such sale shall not be taken into account for purposes of section 802(a). Furthermore, any gain referred to in subparagraphs (1) and (2) and the preceding sentence shall not be taken into account in determining the excess of the net short-term capital gain over the net long-term capital loss (and for taxable years beginning after December 31, 1961, the excess of the net long-term capital gain over the net short-term capital loss) for purposes of computing taxable investment income under section 804(a)(2) or gain or loss from operations under section 809(b).

* * * * * *

(Sec. 7805, Internal Revenue Code of 1954, 68A Stat. 917, 26 U.S.C. 7805)

[F.R. Doc. 66–6879; Filed, June 22, 1966; 8:48 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

Morro Bay Harbor, Calif.

Pursuant to the provisions of section 1 of an Act of Congress approved April 22, 1940 (54 Stat. 150; 33 U.S.C. 180), § 202.–125 governing the use and navigation of special anchorage areas in Morrow Bay Harbor, Calif., is hereby amended in its entirety redesignating the boundaries of the areas, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 202.125 Morro Bay Harbor, Calif.

(a) *Area A–1.* Opposite the City of Morrow Bay, beginning 50 feet west of the intersection of the west channel line and the prolongation of the center line of Seventh Street; thence in a generally southeasterly direction and parallel to the channel line for a distance of 450 yards; thence 166° and parallel to the revetment for a distance of 1,025 yards; thence 270° for a distance of 200 yards; thence 346° for a distance of about 1,425 yards to meet the prolongation of the center line of Seventh Street; and thence to the point of beginning.

(b) *Area A–2.* Beginning at a point 322° and 150 feet from the high water line on the most westerly part of Fairbanks Point; thence continuing on this bearing for a distance of 1,346 feet; thence 52° for a distance of 450 feet and thence generally southeasterly parallel to and 150 feet from the mean high water line to the point of beginning.

NOTE: Moorings and boating activities will be allowed in these areas conforming to applicable City of Morro Bay ordinances and regulations adopted pursuant thereto.

[Regs., June 10, 1966, 1507–32 (Morro Bay, Calif.)–ENGCW–ON] (sec. 1, 54 Stat. 150; 33 U.S.C. 180)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66–6841; Filed, June 22, 1966; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

PART 17a—RULES FOR PROCEEDINGS UNDER TITLE VI, CIVIL RIGHTS ACT OF 1964

Part 17a, reading as follows, is added to Subtitle A of 43 CFR:

Sec.
17a.1 Purpose.

PROCEEDINGS PRIOR TO HEARING

17a.2 Notice of hearing or opportunity for hearing.
17a.3 Answer to notice.
17a.4 Request for hearing.
17a.5 Failure to request a hearing; failure both to request a hearing and to answer.
17a.6 Who presides.
17a.7 Authority of presiding officer.
17a.8 Testimony and cross-examination.
17a.9 Exhibits.
17a.10 Affidavits.
17a.11 Depositions.
17a.12 Admissions as to facts and documents.
17a.13 Evidence.
17a.14 Offer of proof.
17a.15 Briefs; proposed findings and conclusions.

THE RECORD

17a.16 Official transcript.
17a.17 Record for decision; record to be public.

DECISIONS

17a.18 Notification of right to file exceptions.
17a.19 Final review by Secretary.

GENERAL PROVISIONS

17a.20 Service—how made.
17a.21 Date of service.
17a.22 Certificate of service.
17a.23 Service on all parties.
17a.24 Extension of time or postponement.
17a.25 Computation of time.
17a.26 Parties.
17a.27 Complainants not parties.
17a.28 Suspension of rules.

AUTHORITY: The provisions of this Part 17a are issued under 43 CFR 17.8 and R.S. 161, 5 U.S.C. 22.

§ 17a.1 Purpose.

Section 17.8 of this title provides for a formal proceeding looking to the suspension or termination of, or the refusal to grant or continue, Federal financial assistance for failure of an applicant or a recipient to comply with the regulation in Part 17 of this title on Nondiscrimination in Federally-Assisted Programs of the Department of the Interior—Effectuation of the Civil Rights Act of 1964. This Part 17a comprises rules of procedure for such proceedings which supplement § 17.8 of this title. The definitions set forth in § 17.12 of this title apply also to this Part 17a.

PROCEEDINGS PRIOR TO HEARING

§ 17a.2 Notice of hearing or opportunity for hearing.

A proceeding is initiated, as provided in § 17.8 of this title, by mailing to an applicant or recipient a notice of hearing fixing a date therefor or a notice of an opportunity for a hearing. Such a notice advises him of the action proposed to be taken, the specific provision of Part 17 of this title under which the proposed action is to be taken, and the matters of fact or law asserted as the basis of the action.

§ 17a.3 Answer to notice.

The applicant or recipient may file an answer to the notice within 20 days after service thereof. The answer shall admit or deny specifically and in detail each allegation of the notice, unless the applicant or recipient is without knowledge, in which case his answer should so state, and the statement will be deemed a denial. Allegations of fact in the notice not denied or controverted by answer shall be deemed admitted. Matters alleged as affirmative defenses shall be separately stated and numbered. Failure of the applicant or recipient to file an answer within the 20-day period following service of the notice may be deemed a confession of all matters of fact recited in the notice.

§ 17a.4 Request for hearing.

Within 20 days after service of a notice of opportunity for hearing which does not fix a date for hearing the respondent, either in his answer or in a separate document, may request a hearing.

§ 17a.5 Failure to request a hearing; failure both to request a hearing and to answer.

The failure of the applicant or recipient to request a hearing shall be deemed a waiver of hearing and consent to submission of the case to the presiding officer for decision on the written record. The failure of an applicant or recipient to file an answer and to request a hearing shall be deemed a waiver of all right to participate in the proceedings and to constitute his consent to the making of a decision on the basis of such information as is available.

PRESIDING OFFICER

§ 17a.6 Who presides.

Either a hearing examiner designated in accordance with the provisions of section 11 of the Administrative Procedure Act or the head of the bureau or office administering the Federal financial assistance involved will be the presiding officer in each proceeding.

§ 17a.7 Authority of presiding officer.

The presiding officer may:

(a) Arrange and issue notice of the date, time and place of hearings, or, upon due notice to the parties, change the date, time and place of hearings previously set;

(b) Hold conferences to settle, simplify, or fix the issues in a proceeding or to consider other matters that may aid in the expeditious disposition of the proceeding;

(c) Require parties to state their position with respect to the various issues in the proceeding;

(d) Administer oaths and affirmations;

(e) Rule on motions and other procedural matters;

(f) Regulate the course of the hearing and the conduct of persons therein;

(g) Examine witnesses and direct witnesses to testify;

(h) Receive, rule on, exclude or limit evidence;

(i) Fix the time for filing motions, briefs, or other matters; and

(j) Take any action authorized by the rules in this part or in conformance with the provisions of the Administrative Procedure Act (5 U.S.C. 1001–1011).

HEARING PROCEDURES

§ 17a.8 Testimony and cross-examination.

Testimony at the hearing shall be given under oath or affirmation. The presiding officer may require or permit that the direct testimony of any witness be prepared in writing and served on all parties in advance of the hearing. Such testimony may be adopted by the witness at the hearing and filed as part of the record thereof. Unless authorized by the presiding officer, a witness will not be permitted to read prepared testimony into the record. A witness may be cross-examined on any matter material to the proceeding without regard to the scope of his direct examination.

§ 17a.9 Exhibits.

Each exhibit should have a brief title endorsed upon it or attached to it stating what it purports to show. Exhibits comprising statistical compilations and calculations should show the sources of the information used and the statistical methods employed. Proposed exhibits shall be exchanged prior to the hearing, if the presiding officer so requires, and proposed exhibits not so exchanged may be denied admission in evidence. The authenticity of all proposed exhibits exchanged prior to hearing will be deemed admitted unless written objection thereto is filed prior to the hearing or unless good cause is shown at the hearing for failure to file such written objection.

§ 17a.10 Affidavits.

An affidavit is not inadmissible as such. Unless the presiding officer fixes another time, affidavits shall be filed and served on the parties not later than 15 days prior to the hearing.

§ 17a.11 Depositions.

The presiding officer may authorize the testimony of any witness to be taken by deposition.

§ 17a.12 Admissions as to facts and documents.

Not later than 15 days prior to the scheduled date of the hearing, any party may serve upon an opposing party a written request for the admission of the genuineness and authenticity of any relevant documents described in and exhibited with the request, or for the admission of the truth of any relevant matters of fact stated in the request. Each of the matters in respect of which an admission is requested shall be deemed admitted, unless, within a period designated in the request (not less than 10 days after service thereof) or within such further time as the presiding officer may allow upon motion and notice, the party to whom the request is directed serves upon the requesting party a sworn statement either denying specifically the matters in respect of which an admission is requested or setting forth in detail the reasons why he cannot truthfully either admit or deny such matters. Copies of requests for admission and answers thereto shall be served on all parties. Any admission made by a party to such request is only for the purposes of the pending proceeding or any proceeding or action instituted for the enforcement of any order entered in the pending proceeding and shall not constitute an admission by him for any other purpose or be used against him in any other proceeding or action.

§ 17a.13 Evidence.

Technical rules of evidence shall not apply to a hearing, but the presiding officer shall seek to obtain the production of the most credible evidence available and may exclude irrelevant, immaterial, or repetitious evidence. Objections to evidence shall be timely and briefly state the ground relied upon.

§ 17a.14 Offer of proof.

If the presiding officer sustains an objection to the admission of evidence, the party affected my submit for the record as an offer of proof a summary written statement of the substance of the excluded evidence, and the objecting party may make an offer of proof in rebuttal.

§ 17a.15 Briefs; proposed findings and conclusions.

At the conclusion of a hearing, the presiding officer shall fix the time for filing briefs, which may contain proposed findings of fact and conclusions of law, and, if reply briefs are permitted, he shall fix the time for filing such briefs.

THE RECORD

§ 17a.16 Official transcript.

A transcript shall be made of the oral evidence given in a hearing. Transcripts of testimony in hearings will be supplied by the official reporter to the parties and to the public at rates not to exceed the maximum rates fixed by contract between the Department and the reporter. Upon notice to all parties, the presiding officer may authorize corrections to the transcript which involve matters of substance.

§ 17a.17 Record for decision; record to be public.

The transcript of testimony, exhibits, and all papers and requests filed in the proceedings, shall constitute the exclusive record for decision and may be inspected and copied.

DECISIONS

§ 17a.18 Notification of right to file exceptions.

The provisions of § 17.9 of this title govern the making of decisions by hearing examiners and heads of bureaus or offices. A hearing examiner shall, in any initial decision made by him, specifically inform the applicant or recipient of his right under § 17.9 to file exceptions with the head of a bureau or office. In instances in which the record is certified to the head of a bureau or office or he reviews the decision of a hearing examiner, the head of the bureau or office shall give the applicant or recipient a notice of certification or notice of review which specifically informs the applicant or recipient that, within a stated period, which shall not be less than 30 days after service of the notice, he may file briefs

or other written statements of his contentions.

§ 17a.19 Final review by Secretary.

Paragraph (c) of § 17.9 of this title requires that a final decision of the head of a bureau or office which provides for the imposition of any sanction be promptly transmitted to the Secretary, who may approve or vacate any such decision or remit or mitigate any sanction imposed. The head of a bureau or office shall notify the applicant or recipient of the date upon which he submits such a decision to the Secretary. The applicant or recipient shall have 20 days following service upon him of such notice to submit to the Secretary exceptions to the decision and supporting briefs or memoranda suggesting remission or mitigation of the sanctions proposed. The bureau or office shall have 10 days after the filing of the exceptions and briefs in which to reply.

GENERAL PROVISIONS

§ 17a.20 Service—how made.

Service shall be made by personal delivery of one copy to each person to be served or by mailing by first-class mail, properly addressed with postage prepaid. When a party has appeared by attorney or other representative, service upon such attorney or representative will be deemed service upon the party.

§ 17a.21 Date of service.

The date of service shall be the day when the matter is deposited in the U.S. mail or is delivered in person.

§ 17a.22 Certificate of service.

The original of every document filed and required to be served upon parties to a proceeding shall be endorsed with a certificate of service signed by the party making service or by his attorney or representatives, stating that such service has been made, the date of service, and the manner of service, whether by mail or personal delivery.

§ 17a.23 Service on all parties.

A hearing examiner and the head of a bureau or office shall file and serve on all parties copies of any notices that he may issue and copies of any correspondence that he may have with a party. Each party shall serve on all other parties copies of all documents (such as pleadings, motions, briefs) which the party files with the hearing examiner or the head of the bureau or office.

§ 17a.24 Extension of time or postponement.

A request for extension of time should be made to a hearing examiner or the head of a bureau or office with respect to matters pending before him. Such a request shall be served on all parties and set forth the reasons for the request. Extensions may be granted upon a showing of good cause by the applicant. From the designation of a hearing examiner as presiding officer until the issuance of his decision, such requests should be addressed to him.

§ 17a.25 Computation of time.

In computing any period of time under the rules in this part, the period begins with the day following the act or event and includes the last day of the period unless it is a Saturday, Sunday, or Federal legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or Federal legal holiday. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays, and Federal legal holidays shall be excluded from the computation.

§ 17a.26 Parties.

An applicant or recipient to whom a notice of hearing or a notice of an opportunity for hearing has been mailed shall be a party to the proceeding, as shall the bureau or office administering the Federal financial assistance with which the proceeding is concerned. An individual who is a party may appear in person or by counsel in any proceeding. Individuals also may appear in a representative capacity as provided in the regulations on Practice Before the Department of the Interior in Part 1 of this title.

§ 17a.27 Complainants not parties.

A person submitting a complaint pursuant to paragraph (b) of § 17.6 of this title is not a party to the proceedings governed by this part.

§ 17a.28 Suspension of rules.

Upon notice to all parties, the head of a bureau or office or the hearing examiner may, with respect to matters pending before him, modify or waive any rule in this part if he determines that no party will be unduly prejudiced and the ends of justice will thereby be served.

Part 17a shall become effective upon publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

JUNE 17, 1966.

[F.R. Doc. 66-6862; Filed, June 22, 1966; 8:47 a.m.]

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4039]

[Fairbanks 031915]

ALASKA

Partial Revocation of Public Land Order No. 3943

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831) it is ordered as follows:

1. Public Land Order No. 3943 of March 2, 1966, so far as it withdrew in Tract 1, Richardson Clear Creek Area, lands in excess of one-quarter mile of Clear Creek or certain of its channels is hereby revoked.

2. Until 10 a.m. on September 16, 1966, the State of Alaska shall have a preferred right to select the lands as provided by the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the lands shall be open to the operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on September 16, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Manager, Fairbanks District and Land Office, Fairbanks, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 17, 1966.

[F.R. Doc. 66-6855; Filed, June 22, 1966; 8:46 a.m.]

[Public Land Order 4040]

[Idaho 016816]

IDAHO

Withdrawal for Civil Works, Asotin Dam and Reservoir Project

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for use of the Corps of Engineers, Department of the Army, for the proposed Asotin Dam and Reservoir Project:

BOISE MERIDIAN

T. 32 N., R. 5 W.,
Sec. 11, NE¼NW¼;
Sec. 15, lots 2, 3, and NW¼SE¼;
Sec. 29, lot 1;
Sec. 34, lot 3.

The areas described aggregate 191.50 acres in Nez Perce County.

2. Pending authorization of the project, this withdrawal does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws, subject to the conditions that such use or disposition will be consistent with the purposes for which the lands are withdrawn.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 17, 1966.

[F.R. Doc. 66-6856; Filed, June 22, 1966; 8:46 a.m.]

[Public Land Order 4041]

[Anchorage 067694]

ALASKA

Exclusion of Lands From Chugach and Tongass National Forests

By virtue of the authority vested in the President by Chapter 2, section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The following described tracts of public land in Alaska, occupied as homesites, are hereby excluded from the Chugach and Tongass National Forests and restored, subject to valid existing rights, and the provisions of existing withdrawals, for purchase as homesites under section 10 of the act of May 14, 1898 (30 Stat. 409), as amended by the act of May 26, 1934 (48 Stat. 809; 48 U.S.C. 461):

CHUGACH NATIONAL FOREST

U.S. SURVEY 3306

Latitude 60°30'10" N., longitude 149°48'00" W.,
(a) Lot 16 (Homesite No. 154, Slaughter Creek Group), 1.34 acres.
(b) Lot 12a (Homesite No. 167, Slaughter Creek Group), 1.59 acres.
(c) Lot 13a (Homesite No. 194, Slaughter Creek Group), 2.46 acres.

TONGASS NATIONAL FOREST

U.S. SURVEY 3590

Latitude 59°33' N., longitude 139°44' W.,
Lot C (Homesite No. 1149, Yakutat Homesite Group), 0.50 acre.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 17, 1966.

[F.R. Doc. 66-6857; Filed, June 22, 1966; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Chincoteague National Wildlife Refuge, Va.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; big game; for individual wildlife refuge areas.

VIRGINIA

CHINCOTEAGUE NATIONAL WILDLIFE REFUGE

Public hunting of Sika deer on the Chincoteague National Wildlife Refuge, Va., is permitted only on the area designated by signs as open to hunting. This open area, comprising 8,496 acres, is delineated on maps available at refuge headquarters, Chincoteague, Va., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of Sika deer subject to the following conditions:

(1) Sika deer and free ranging goats may be taken during the following open seasons: Archery hunt only—October 12 through October 15, 1966; Shotgun and archery hunt—October 19 through October 22, 1966.

(2) Bag limits: Sika deer—one per license year, either sex. Goats—no limit.

(3) A hunter may not continue to hunt goats after he has taken a deer.

(4) Weapons: Archers must use broadhead arrows with blades at least ⅞" wide and bows capable of propelling any arrow in their possession 125 yards. Archers must not have firearms in their possession during the 4-day bow hunt, October 12–15. Shotguns, 20 gauge or larger, not capable of holding more than three shells will be permitted during the shotgun hunt. Rifle-shotgun combinations will not be permitted. Possession of any firearm or ammunition not stipulated in these regulations is prohibited on the refuge.

(5) Dogs are prohibited.

(6) Hunting hours: 6 a.m. to 5:15 p.m. Possession of loaded weapons before or after legal hunting hours is prohibited.

(7) All hunters must check out and successful hunters must have their deer tagged at the check station before leaving the refuge. Check out must be no later than 6:15 p.m.

(8) Carrying loaded firearms in or shooting from a vehicle is prohibited.

(9) Shooting within 100 yards of the public beach road or the deer check station is prohibited.

(10) Camping and fires are prohibited.

(11) During the second hunt, October 19–22, all hunters must furnish and wear red, yellow, or orange caps, hats, vests, shirts, or coats while on the hunting area.

(12) All hunters under 18 years old must be accompanied by an adult.

(13) Three hundred permits per day will be issued for the 4-day shotgun hunt, October 19–22. Permits will be issued on a first received, first issued basis from September 1 through September 30, 1966. Permit applications must be by mail or in person. All hunters must exhibit their hunting license, deer tag, permit, game, and vehicle contents to Federal and State officers upon request.

(14) All hunters must enter and leave the refuge by the toll bridge operated by the Chincoteague-Assateague Bridge and Beach Authority. Entering and leaving the refuge by boat is prohibited.

(15) Preseason scouting will be permitted on the refuge from sunrise to sunset on the 3 days preceding each hunt, October 9–11 and October 16–18, 1966.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 22, 1966.

W. L. TOWNS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 66-6852; Filed, June 22, 1966; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 32]

EUFAULA NATIONAL WILDLIFE REFUGE, ALABAMA AND GEORGIA

Hunting

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222, 16 U.S.C. 715), the Migratory Bird Hunting Stamp Act of 1934, as amended (48 Stat. 451; 16 U.S.C. 718d), and the Fish and Wildlife Coordination Act, as amended (48 Stat. 401; 16 U.S.C. 661), it is proposed to amend 50 CFR 32.11 by the addition of Eufaula National Wildlife Refuge, Alabama and Georgia, to the list of areas open to the hunting of migratory game birds, as legislatively permitted.

It has been determined that the regulated hunting of migratory game birds may be permitted as designated on Eufaula National Wildlife Refuge without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 32.11 is amended by the addition of the following area as one where hunting of migratory game birds is authorized:

§ 32.11 List of open areas; migratory game birds.

* * * * *

ALABAMA

Eufaula National Wildlife Refuge.

* * * * *

GEORGIA

Eufaula National Wildlife Refuge.

* * * * *

JOHN S. GOTTSCHALK,
Director.

JUNE 16, 1966.

[F.R. Doc. 66-6853; Filed, June 22, 1966; 8:46 a.m.]

[50 CFR Parts 32, 33]

ERIE NATIONAL WILDLIFE REFUGE, PA.

Hunting and Fishing

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the Migratory Bird Hunting Stamp Act of 1934, as amended (48 Stat. 451; 16 U.S.C. 718d), it is proposed to amend 50 CFR 32.11, 32.21, 32.31, and 33.4 by the addition of Erie National Wildlife Refuge, Pa., to the list of areas open to the hunting of migratory game birds, upland game, and big game and to the list of areas open to sport fishing.

It has been determined that sport fishing and the regulated hunting of upland game, big game, and migratory game birds may be permitted as designated on Erie National Wildlife Refuge, Pa., without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 32.11 is amended by the addition of the following area as one where hunting of migratory game birds is authorized.

§ 32.11 List of open areas; migratory game birds.

* * * * *

PENNSYLVANIA

Erie National Wildlife Refuge.

* * * * *

2. Section 32.21 is amended by the addition of the following area as one where hunting of upland game is authorized:

§ 32.21 List of open areas; upland game.

* * * * *

PENNSYLVANIA

Erie National Wildlife Refuge.

* * * * *

3. Section 32.31 is amended by the addition of the following area as one where hunting of big game is authorized:

§ 32.31 List of open areas; big game.

* * * * *

PENNSYLVANIA

Erie National Wildlife Refuge.

* * * * *

4. Section 33.4 is amended by the addition of the following area as one where sport fishing is authorized:

§ 33.4 List of open areas; sport fishing.

* * * * *

PENNSYLVANIA

Erie National Wildlife Refuge.

* * * * *

JOHN S. GOTTSCHALK,
Director.

JUNE 16, 1966.

[F.R. Doc. 66-6854; Filed, June 22, 1966; 8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66-WA-8]

CONTROL AREA AND REPORTING POINT

Proposed Revocation

The Federal Aviation Agency has under consideration a proposal to amend Part 71 of the Federal Aviation Regulations with respect to controlled airspace in the vicinity of North Bend, Oreg.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency is considering the revocation of Control 1420 which extends from 20 miles southwest of the North Bend VOR to the eastern boundary of the Oakland, Calif., Oceanic Control Area. It has been determined that this offshore control area is no longer required for air traffic control purposes. The latest peak day en route traffic survey showed only one aircraft movement utilized Control 1420. Therefore, it appears that the retention of this control area is unjustified as a continued assignment of controlled airspace. In addition, it is also proposed to revoke the Gateway Pine reporting point.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on June 17, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6845; Filed, June 22, 1966; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 107]

SMALL BUSINESS INVESTMENT COMPANIES

Long-Term Loans and Enforcement

Notice is hereby given that pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, it is proposed to amend, as set forth below, Part 107 of Subchapter B, Chapter I, of Title 13 of the Code of Federal Regulations, as revised in 29 F.R. 16946-16961, and amended in 30 F.R. 534, 1187, 2652, 2653, 2654, 3635, 3856, 7597, 7651, 8775, 8900, 11960, 13005, 14095, 14850, 14851, and 31 F.R. 2815, 4954 and 4954-4955, by amending § 107.650 and adding a new § 107.903. Prior to final adoption of such amendment, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in triplicate, to the Investment Division, Small Business Administration, Washington, D.C., 20416, within a period of fifteen (15) days of the date of this notice in the FEDERAL REGISTER.

Information. Under § 107.650(b), funds disbursed by a licensee pursuant to a 5-year commitment may, notwithstanding the minimum maturity requirements of §§ 107.503 and 107.602, be repayable as follows: (1) Funds advanced during the first 2 years may have a common maturity date coinciding with the termination date of the 5-year commitment; and (2) funds subsequently advanced during the commitment period may be for a period of 3 years from respective dates of disbursement.

A licensee's commitment to advance funds up to a stipulated maximum amount, to be disbursed at the request of a small business concern, constitutes a form of financing which may be of considerable value to such concern. In some cases, the commitment may be used as a basis for establishing needed lines of credit. In addition, the privilege of drawing down funds, as required by the small business concern, insures against its being compelled to accept amounts in excess of its needs at any given time. This affords it an opportunity to keep its overall financing costs down to a necessary minimum.

The proposed amendment removes from § 107.650(b) the fixed requirement that disbursements must be made pursuant to a 5-year commitment, i.e., a commitment kept "open" for a period of 5 years. Under the amendment, the repayment provisions would apply to all situations where a licensee enters into a commitment, whether for a period of 5 years or for a lesser period, to finance a small business concern up to a stipulated maximum amount, disbursement thereof to be made at the request of such concern. This revision relieves an existing restriction under present § 107.650(b), and imposes no additional burdens or requirements on Licensees or other parties.

The revised provisions of § 107.650(b) will authorize disbursements to be repaid as follows: (1) Funds advanced during the first 2 years of the commitment period may become due and payable 5 years after the date of the commitment; and (2) funds subsequently advanced during the commitment period may be for a period of 3 years from respective dates of disbursement. In other words, the debt obligation for each disbursement made to the small business concern will mature at least 5 years after the date of the commitment.

The proposed amendment also adds a new § 107.903 declaring, in substantial part, that the following acts constitute violations of the regulations: (1) Nonperformance by a licensee of any terms of a debenture, loan agreement, note, or other document or agreement relating to its indebtedness on account of funds advanced by SBA; and (2) any false statement, misrepresentation, or failure to state a material fact in any document filed with SBA pursuant to the provisions of the Act or regulations.

The interpretative rules embodied in new § 107.903 clarify the underlying requirements intrinsic to faithful performance by a licensee of its obligations toward SBA in connection with loans and other similar agreements consummated with SBA, and licensee's applications, reports, or other documents submitted to SBA.

It is proposed to amend the Regulations Governing Small Business Investment Companies as follows:

1. By amending paragraph (b) of § 107.650 so that it would read as follows:

§ 107.650 Commitments.

* * * * *

(b) *Repayment period as to funds advanced pursuant to licensee's commitment.* (1) Where a licensee enters into a commitment to finance an eligible small business concern up to a stipulated maximum amount, disbursement of the whole or any part thereof to be made on the request of such concern in accordance with the conditions of the commitment, it shall be lawful (notwithstanding the maturity provisions of §§ 107.503 and 107.602) to provide for repayment as follows: (i) Any funds advanced during the first 2 years of the commitment period may become due and payable 5 years after date of the commitment; and (ii) any funds subsequently advanced during the commitment period may be for a period of 3 years from respective dates of disbursement.

(2) Repayment of each advance made shall not be required at an annual average rate in excess of the principal amount thereof divided by the number of years of the applicable repayment period.

* * * * *

2. By adding a new § 107.903, which would read as follows:

§ 107.903 Violations based on false filings and non-performance of agreements with SBA.

The following shall constitute a violation of the regulations in this part:

(a) Nonperformance by a licensee of any of the terms, conditions, or requirements of any debenture, loan agreement, note, or other document or agreement relating to its indebtedness to SBA on account of § 107.301 or § 107.402 funds.

(b) Any false statement knowingly made, or misrepresentation or failure to state a material fact necessary in order to make the statement not misleading in the light of the circumstances

under which the statement was made, in any document submitted by a licensee to SBA pursuant to applicable provisions of the Act or regulations.

Dated: June 10, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-6871; Filed, June 22, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 178]

[Ex Parte No. MC-29 (Sub-No. 1)]

OPERATIONS OF BROKERS OF PASSENGER TRANSPORTATION

Special Procedure and Service List

JUNE 16, 1966.

Notice to the parties. On May 13, 1966, the Commission served an order (31 F.R. 7288) in the above-entitled proceeding, which included a service list of those parties who notified the Commission that they desire to participate in this proceeding. The following name was inadvertently omitted from that list, and should be included as a party of record:

Frank Daniels, Counsel for Michaud Bus Lines, Inc., 15 Court Square, Boston, Mass., 02108.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6885; Filed, June 22, 1966; 8:49 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

JUNE 16, 1966.

Notice of an application Serial No. Sacramento 047049, for withdrawal and reservation of lands was published as FEDERAL REGISTER Document No. 57-7081 on pages 6995 and 6996 of the issue for August 30, 1957. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Subpart 2311, such lands will be at 10 a.m., on July 18, 1966, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

MOUNT DIABLO MERIDIAN

ADMINISTRATIVE SITE

American Camp Addition

T. 3 N., R. 15 E.,
Sec. 30, S½ lot 2, lot 3, SW¼SW¼NE¼, SE¼NW¼, NE¼SW¼, and NW¼NW¼SE¼.

A strip of land 200 feet on each side of the centerline of the Sonora Pass Highway Project 38-H, State of California Route 108 through the following legal subdivisions:

T. 3 N., R. 17 E.,
Sec. 30, SE¼NE¼NE¼.

CAMPGROUNDS

Eagle Meadow Road

T. 5 N., R. 19 E.,
Sec. 4, W½SW¼SE¼ and E½SE¼SW¼.

Lumsden

T. 1 S., R. 18 E.,
Sec. 24, N½NE¼SE¼.

The areas described aggregate approximately 236.48 acres.

R. J. LITTEN,
Chief, Lands Adjudication Section, Sacramento Land Office.

[F.R. Doc. 66-6874; Filed, June 22, 1966; 8:48 a.m.]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 16, 1966.

The U.S. Department of the Navy, Southwest Division, Naval Facilities Engineering Command, has filed an application, Serial Number Riverside 07692, for the withdrawal of lands described below from all forms of appropriation under the public land laws, the mining and mineral leasing laws, as well as for disposal of material under the Act of July 21, 1947 (61 Stat. 681; 30 U.S.C. 601-604) as amended, subject to valid existing rights. The applicant desires the land for a U.S. Navy Electronics Laboratory for research and development work.

For period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 Eighth Street, Box 723, Riverside, Calif., 92502.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands need for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SAN BERNARDINO MERIDIAN, CALIFORNIA

NAVY ELECTRONICS LABORATORY, SAN DIEGO, CALIFORNIA

All that portion of "Fort Rosecrans Military Reservation and the Naval Fuel Depot," located within Point Loma in the County of San Diego, State of California, as shown on Miscellaneous Map No. 129, filed in the Office of the County Recorder of said County of San Diego, April 16, 1934, more particularly described as follows:

Beginning at a point on the southerly boundary line of the Cabrillo National Monument as described in Presidential Proclamation No. 3273 of the FEDERAL REGISTER of the United States in Volume 24, No. 25 dated February 5, 1959, which said point bears S. 60°21'52" W., 360.36 feet from Old Lighthouse as shown on said Miscellaneous Map No. 129, the coordinates of which said Old Lighthouse are south 28,687.80 and west 16,850.10 (Old Town Coordinate Grid System) said point of beginning being shown on city of San Diego Engineer's drawing 8722-D and identified thereon as "Station 1," having coordinates of south 28,865.94 and west 17,163.23 (Old Town Coordinate Grid System); thence S. 0°28'33" E., 410.00 feet; thence S. 8°09'35" E., 356.67 feet; thence S. 3°20'11" E., 1116.07 feet to a point shown on city of San Diego Engineer's drawing 8722-D and identified thereon as "G" and having coordinates of south 30,743.16 and west 17,044.25 (Old Town Coordinate Grid System); thence N. 82°28'52" W., 848.21 feet to a point shown on city of San Diego Engineer's drawing 8722-D and identified thereon as "F" and having coordinates of south 30,632.17 and west 17,885.17 (Old Town Coordinate Grid System); thence N. 82°28'52" W. on a prolongation of the aforementioned line to an intersection with the ordinary high water mark of the Pacific Ocean; thence Northerly along said ordinary high water mark to an intersection with the southerly boundary line of the Cabrillo National Monument which said boundary line bears S. 89°-31'35" W. from the point of beginning: Thence N. 89°31'35" E., along said southerly boundary to a point shown on city of San Diego Engineer's drawing 8722-D and identified thereon as "E" and having coordinates of south 28,873.45 and west 18,071.55 (Old Town Coordinate Grid System); thence N. 89°31'35" E., 908.35 feet along said boundary line of the Cabrillo National Monument to the point of beginning.

The above described area aggregates 42.85 acres, more or less.

HALL H. MCCLAIN,
Manager.

[F.R. Doc. 66-6858; Filed, June 22, 1966; 8:46 a.m.]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 17, 1966.

The U.S. Forest Service of the Department of Agriculture has filed an application, Serial Number Colorado 0128265, for the withdrawal from location and entry under the General Mining Laws, subject to existing valid claims, certain public lands in the sections and townships described below.

The applicant desires the land to develop a public recreation area in the Routt National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the Land Office Manager, Bureau of Land Management, Department of the Interior, Colorado Land Office, Room 15019, Federal Building, 1961 Stout Street, Denver, Colo., 80202.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands affected are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

ROUTT NATIONAL FOREST

T. 6 N., R. 77 W.,
In Secs. 26 and 35.

Lands proposed to be withdrawn in the above designated areas aggregate approximately 120 acres.

W. F. MEEK,
Manager, Land Office,
Denver, Colo.

[F.R. Doc. 66-6859; Filed, June 22, 1966; 8:46 a.m.]

IDAHO

Notice of Filing of Idaho Protraction Diagrams

JUNE 15, 1966.

Notice is hereby given that effective at and after 10 a.m. on July 21, 1966, the following protraction diagrams are officially filed of record in the Idaho Land Office, Room 327, Federal Building, Boise, Idaho, 83701. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the lands for all authorized uses. Until this date and time the diagrams have been placed in open files and are available to the public for information only.

IDAHO PROTRACTION DIAGRAMS

Nos. 67, 73, 76, 77, 104

BOISE MERIDIAN

Approved May 11, 1966

No. 73

T. 13 N., Rs. 14 and 15 E.
T. 14 N., Rs. 13, 14 and 15 E.

No. 76

T. 12 N., Rs. 13, 14 and 15 E.
T. 13 N., R. 13 E.

No. 104

Ts. 14 and 15 S., R. 44 E.

BOISE MERIDIAN

Approved May 17, 1966

No. 67

T. 14 N., Rs. 10, 11 and 12 E.
T. 15 N., Rs. 11 and 12 E.

No. 77

T. 12 N., R. 12 E.
T. 13 N., Rs. 10, 11 and 12 E.

Copies of these diagrams are for sale at one dollar ($1.00) each by the Cadastral Engineering Office, Bureau of Land Management, Post Office Box 2237, Boise, Idaho, 83701.

ORVAL G. HADLEY,
Manager, Land Office, Boise, Idaho.

[F.R. Doc. 66-6860; Filed, June 22, 1966; 8:47 a.m.]

Fish and Wildlife Service

[Docket No. G-366]

CHESTER R. HUMPHRIES

Notice of Loan Application

Chester R. Humphries, 216 Lagoon Drive, Russell Park, Fort Myers, Fla., 33901, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 61.6-foot registered length wood vessel to engage in the fishery for shrimp.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

HAROLD E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

JUNE 20, 1966.

[F.R. Doc. 66-6875; Filed, June 22, 1966; 8:48 a.m.]

Office of the Secretary

ALVIN C. HOPE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of May 1, 1966.

Dated: June 14, 1966.

ALVIN C. HOPE.

[F.R. Doc. 66-6861; Filed, June 22, 1966; 8:47 a.m.]

CIVIL SERVICE COMMISSION

MICROBIOLOGIST IN WASHINGTON, D.C., METROPOLITAN AREA

Manpower Shortage

Positions for which there is determined to be a manpower shortage.

Under the provisions of section 7(b) of the Administrative Expenses Act of 1946, as amended, relating to the payment of travel and transportation expenses of appointees, the Civil Service Commission has found, effective June 9, 1966, that there is a manpower shortage in the Washington, D.C., Metropolitan Area for the positions of Microbiologists, GS-403-5, 7, and 9.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6877; Filed, June 22, 1966; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 17403]

LEEWARD ISLANDS AIR TRANSPORT SERVICES, LTD.

Notice of Prehearing Conference

Application for a foreign air carrier permit to engage in foreign air transportation for the carriage of persons, property, and mail: "Between the coterminal points Antigua, B.W.I., Barbuda, B.W.I., Montserrat, B.W.I., St. Kitts, B.W.I., Nevis, B.W.I., Anguilla, B.W.I. and British Virgin Islands, the intermediate point St. Maarten, N.W.I., and the coterminal points St. Croix, Virgin Islands, St. Thomas, Virgin Islands, San Juan, Puerto Rico, and beyond to Santo Domingo, Dominican Republic" together with authority to engage in charter trips in foreign air transportation subject to the terms, conditions and limitations prescribed in Part 212 of the Board's economic regulations.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on June 28, 1966, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., June 17, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-6876; Filed, June 22, 1966; 8:48 a.m.]

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI61-222 ..... A 8-12-60; E 3-30-66	H. F. Sears [1] (successor to Sunset International Petroleum Corp.), 624 Amarillo Petroleum Bldg., Amarillo, Tex., 79101.	El Paso Natural Gas Co., acreage in Ochiltree County, Tex.	17.0	14.65
CI62-90 ..... C 6-3-66	Sam K. Vinson, Post Office Box 280, Ozmulgee, Okla., 74447.	Michigan Wisconsin Pipe Line Co., acreage in Major County, Okla.	19.5	14.65
CI63-20 ..... D 6-6-66	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001.	Arkansas Louisiana Gas Co., Arkoma Area, Latimer County, Ark.	Assigned	.....
CI65-306 ..... C 4-18-66	Rodman Oil Co., Post Office Box 3830, Odessa, Tex., 79760.	Northern Natural Gas Co., East Cowan Canyon Field, Crockett County, Tex.	16.0	14.65
CI66-183 ..... C & D 5-23-66	George P. Hill, Independent Executor of the Estate of Houston Hill, deceased (formerly George P. and Houston Hill), 1528 Fort Worth National Bldg., Fort Worth, Tex.	Panhandle Eastern Pipe Line Co., Mocane-Laverne Field, Beaver County, Okla.	17.0	14.65
CI66-728 ..... A 2-15-66	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif., 90017.	Northern Natural Gas Co., Denton Field, Sutton County, Tex.	16.0	14.65
CI66-1047 ..... A 4-29-66	Atlee Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex., 75202.	El Paso Natural Gas Co., Esmont Gas Pool, Lea County, N. Mex.	12.5	14.65
CI66-1161 ..... B 5-20-66	T. F. Hunter Estate, 1112 First Wichita National Bank Bldg., Wichita Falls, Tex., 76301.	Lone Star Gas Co., East Panhandle Field, Collingsworth County, Tex.	(7)	
CI66-1164 ..... A 5-16-66 [2]	J. Arthur Seidl, et al., c/o Lucille Seidl, attorney-in-fact, Shylersburg, Pa., 16257.	United Natural Gas Co., Knox and Paint Townships, Clarion County, Pa.	24.51	15.325
CI66-1169 ..... A 5-23-66	J. W. Baton, Post Office Box 1214, Kilgore, Tex., 75662.	Lone Star Gas Co., Danville (Henderson) Field, Rusk and Gregg Counties, Tex.	14.0	14.65
CI66-1221 ..... A 5-25-66	Thelma Bauerdorf and Commercial Security Trustees under will of George F. Bauerdorf, deceased, c/o Marcia J. LaPine, agent, Suite 211, 9363 Wilshire Blvd., Beverly Hills, Calif., 90210.	Mississippi River Transmission Corp., Caney Creek Field, Lincoln Parish, La.	[3] 11.57	15.025
CI66-1222 ..... B 6-2-66	Ralph A. Johnston, Trustee of William G. Johnston, c/o Vinson, Elkins, Weems & Searls, 2100 First City National Bank Bldg., Houston, Tex., 77002.	Natural Gas Pipeline Co. of America, Fairbanks Area, Harris County, Tex.	[3]	
CI66-1223 ..... A 5-31-66	Frank Conrad, et al., 1104 Campus Hills Blvd., Rockford, Ill., 61103.	Equitable Gas Co., Glenville District, Gilmer County, W. Va.	25.0	15.325
CI66-1224 ..... B 5-31-66	Columbian Fuel Corp., 401 Dewey Ave., Bartlesville, Okla., 74004.	Consolidated Gas Supply Corp., acreage in Boone County, W. Va.	[3]	
CI66-1225 ..... A 5-31-66	A. L. Mitchell, Trustee, Post Office Box 6, Winfield, W. Va., 25213.	Kentucky West Virginia Gas Co., Brushy Fork of Blaine Creek, Lawrence County, Ky.	17.0	15.325
CI66-1226 ..... B 6-3-66	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla., 74102.	Cities Service Gas Co., Rhodes Field, Barber County, Kans.	Depleted	
CI66-1227 ..... A 6-3-66	Texas Inc., Post Office Box 2332, Houston, Tex., 77002.	United Fuel Gas Co., West Delta Block 79 Field, Offshore Louisiana.	17.0	15.025
CI66-1228 ..... A 5-27-66	Trice Production Co. (Operator), et al., Post Office Tower 2202, Longview, Tex., 75601.	Lone Star Gas Co., Pone Field, Rusk County, Tex.	16.44	14.65
CI66-1229 ..... A 5-31-66	Hammond Producing Co., 304 4th Ave., Warren, Pa.	Pennsylvania Gas Co., Sheffield Township, Warren County, Pa.	[3] 32.0 [3] 28.0	14.73 14.73

plications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

FEDERAL POWER COMMISSION

[Docket Nos. G-2661, etc.]

BURLINGTON BANK & TRUST CO., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

JUNE 15, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 7, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications filed herein if no protest or petition to intervene is filed within the time required herein, or if the Commission on its own review of the matter finds that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-2661 ..... E 5-16-66	Burlington Bank & Trust Co., Trustee (successor to H. E. Troville, deceased), 222 North Main St., Burlington, Iowa, 52601.	Colorado Interstate Gas Co., Hugoton Field, Kearny County, Kans.	18.0	14.65
G-13535 ..... D 5-31-66	Mobil Oil Corp., Post Office Box 2444, Houston, Tex., 77001.	Arkansas Louisiana Gas Co., Colquitt Field, Claiborne Parish, La.	Assigned	.....

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66-1230 A 5-31-66	W. B. Boyd, trustee, Prestonsburg, Ky., 41653.	Kentucky-West Virginia Gas Co., Prater Creek, Floyd County, Ky.	12.0	15.225
CI66-1231 A 5-31-66	Forest Chemical Co., c/o Charles F. McNeal, treasurer, Sheffield, Pa., 16347.	Pennsylvania Gas Co., Cherry Grove Township, Warren County, Pa.	[12] 32.0 [13] 28.0	14.73 14.73
CI66-1232 B 6-1-66	Okmar Oil Co., Post Office Box 548, Marietta, Ohio, 45750.	Penova Interests, Miller Tract, Calhoun, and Ritchie Counties, W. Va.	Uneconomical	------
CI66-1233 A 6-2-66	RMW Lease, a partnership, c/o H. R. Holden, attorney-in-fact, Ronning & Bailey, 312 Juliana St., Parkersburg, W. Va., 26102.	Pennsoil Co., Murphy District, Ritchie County, W. Va.	12.0	15.325
CI66-1234 A 6-6-66	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla., 74102.	Panhandle Eastern Pipe Line Co., South Bishop Field, Ellis County, Okla.	[14] 18.156	14.65
CI66-1235 A 6-7-66	An-Son Corp., 3814 North Santa Fe, Oklahoma City, Okla., 73118.	Northern Natural Gas Co., Northeast Holland Field, Beaver County, Okla.	17.0	14.65
CI66-1236 (G-7214) F 5-31-66	John E. Huff (successor to Standard Oil Co. of Texas), 1010 San Jacinto Bldg., Houston, Tex., 77002.	Texas Eastern Transmission Corp., Adams Ranch Field, Jasper County, Tex.	16.0	14.65
CI66-1237 B 6-6-66	F. Julius Fohs, et al., 1077 San Jacinto Bldg., Houston, Tex., 77002.	Texas Eastern Transmission Corp., South Range Field, Karnes and Goliad Counties, Tex.	Depleted	------
CI66-1238 A 6-6-66	Bowers Drilling Co., Inc., 1434 Wichita Plaza, Wichita, Kans., 67202.	Cities Service Gas Co., I. L. S. Pool, Barber County, Kans.	14.0	14.65
CI66-1239 A 6-6-66	Banquete Gas Co., a division of Crestmont Oil & Gas Co., 2622 Mission St., San Marino, Calif.	United Gas Pipe Line Co., Wildcat Field, Wharton County, Tex.	15.0	14.65
CI66-1242 A 5-27-66	Payne Producing Co., Post Office Box 60005, Corpus Christi, Tex., 78401.	United Gas Pipe Line Co., West Calallen Field, Nueces County, Tex.	[15] 13.1664	14.65
CI66-1243 A 6-2-66	Alco Oil & Gas Corp., Post Office Box 2027, OCS, Lafayette, La., 70505.	Tennessee Gas Pipeline, a division of Tenneco, Inc.,[16] South Crowley Field, Acadia Parish, La.	[17] 20.0	15.02
CI66-1244 A 6-7-66	Bluho Oil & Gas Co., c/o Stanley Young, agent, 45 Congress St., Salem, Mass., 01971.	Carnegie Natural Gas Co., Union District, Ritchie County, W. Va.	20.0	15.325
CI66-1245 A 6-6-66	W. A. Moncrief, Petroleum Bldg., Ninth at Commerce, Fort Worth, Tex., 76102.	Arkansas Louisiana Gas Co., Excelsior Field, Marion County, Tex.	12.8	14.65
CI66-1246 (C162-7) F 6-3-66	P. F. Beeler (successor to Oklahoma Natural Gas Co.), Post Office Box 1016, Albuquerque, N. Mex., 87103.	Northern Natural Gas Co., Council Grove Formation, Beaver County, Okla.	18.0	14.65
CI66-1247 A 6-6-66	E. C. Sidwell (Operator), et al., Post Office Box 2475, Pampa, Tex., 79065.	El Paso Natural Gas Co., acreage in Beaver County, Okla.	17.0	14.65
CI66-1248 (G-17888) F 6-6-66	E. C. Sidwell (Operator), et al. (successor to Shell Oil Co.).	do	[18] 19.5	14.65

[1] Formerly Socony Mobil Oil Co., Inc.
[2] Original application for certificate filed by Nichols Petroleum, Ltd., partnership.
[3] Application for certificate filed by Applicant (H. F. Sears) to continue service previously rendered by Sunset International Petroleum Corp., pursuant to temporary authorization.
[4] By letter filed June 2, 1966, Applicant advised willingness to accept a permanent certificate conditioned similarly to the certificates issued under Opinion Nos. 390 and 390-A.
[5] Successor in interest to Sunac Petroleum Corp. (successor to Nichols Petroleum, Ltd., partnership).
[6] Amendment to add and delete acreage and request for change in name of certificate holder.
[7] Change of Purchaser.
[8] This is a June 7, 1954, sale.
[9] Includes 1 cent per Mcf tax reimbursement.
[10] Well covered by subject contract has ceased to produce and lease has lapsed by its own terms.
[11] The requirements of the contract for the sale of a limited quantity of gas have been satisfied.
[12] Six winter months.
[13] Six summer months.
[14] Includes 1.156 cents upward B.t.u. adjustment.
[15] Includes 0.1664 cent Mcf tax reimbursement.
[16] Formerly Tennessee Gas Transmission Co.
[17] Includes 1.5 cents per Mcf tax reimbursement.
[18] Effective rate subject to refund in Docket No. RI65-632.

[F.R. Doc. 66-6757; Filed, June 22, 1966; 8:45 a.m.]

[Docket No. RI66-410]

HILL & MEEKER ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

JUNE 15, 1966.

On May 16, 1966,[1] Hill & Meeker (Operator) et al. (Hill & Meeker)[2] tendered for filing a proposed change in their presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is designated as follows:

[1] Amended by notice of change filed May 31, 1966, to reflect tax reimbursement.
[2] Address is: 1220 Vaughn Building, Midland, Tex., 79701, Attention: Mr. Joe S. Hill.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-410	Hill & Meeker (Operator), et al., 1220 Vaughn Bldg., Midland, Tex., 79701, Attn.: Mr. Joe S. Hill.	[3] 1	2	El Paso Natural Gas Co. (Pecos Valley Devonian Field, Pecos County, Tex.), (R.R. District No. 8) (Permian Basin Area).	$443	[4] 5-16-66	[5] 6-16-66	11-16-66	[6] 15.6488	[7] [8] 16.6584	[10].

[3] Basic contract dated Sept. 16, 1960.
[4] Amended by notice of change filed May 31, 1966, to reflect tax reimbursement.
[5] The stated effective date is the first day after expiration of the statutory notice.
[6] Periodic rate increase.
[7] Pressure base is 14.65 p.s.i.a.
[8] Base rate of 16.5 cents per Mcf plus 0.1584 cent per Mcf tax reimbursement.
[9] Base rate of 15.5 cents per Mcf plus 0.1488 cent per Mcf tax reimbursement.
[10] Rate in effect subject to refund in Docket No. RI61-317 which is consolidated in order to show cause issued Aug. 5, 1965, in Docket Nos. AR 61-1, et al.

Hill & Meeker request that their proposed rate increase be permitted to become effective as of August 1, 1964, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Hill & Meeker's rate filing and such request is denied.

Hill & Meeker proposes a periodic and partial tax reimbursement increase from 15.6488 cents to 16.6584 cents per Mcf, amounting to $443 annually, for a sale of "old" gas-well gas to El Paso Natural Gas Co. in the Permian Basin Area of Texas. The proposed increased rate exceeds the applicable area base rate of 14.5 cents per Mcf prescribed by Opinion No. 468.

The contract involved was executed on September 16, 1960, and thus covers a sale of "old" gas under Opinion No. 468. Such contract contains quality provisions which do not conform to the quality standards prescribed in Opinion No. 468, as amended. Hill & Meeker have not filed a rate schedule quality statement for the subject sale since they are not Respondents in the Permian Basin Opinion.[11] Hill & Meeker are Respondents in the "Order To Show Cause" issued August 5, 1965, in Docket No. AR61-1, et al.

Since Hill & Meeker's proposed rate increase exceeds the applicable area base rate of 14.5 cents per Mcf prescribed by Opinion Nos. 468 and 468-A, we conclude that such rate should be suspended as ordered herein for 5 months from June 16, 1966, the expiration date of the statutory notice.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 2 to Hill & Meeker's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Hill & Meeker's FPC Gas Rate Shedule No. 1.

(B) Pending such hearing and decision thereon, Supplement No. 2 to Hill & Meeker's FPC Gas Rate Schedule No. 1 is hereby suspended and the use thereof deferred until November 16, 1966, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 3, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[11] No Permian Basin sales were on file with the Commission by Respondents when Docket No. AR61-1, et al., was ordered by the Commission.

[F.R. Doc. 66-6758; Filed, June 22, 1966; 8:45 a.m.]

[Docket No. CP64-37]

CHANDELEUR PIPE LINE CO.

Notice of Petition To Amend

JUNE 16, 1966.

Take notice that on June 6, 1966, Chandeleur Pipe Line Co. (Petitioner), Starks Building, Fourth and Walnut Streets, Louisville, Ky., 40201, filed in Docket No. CP64-37 a petition to amend the order issued in said docket on December 16, 1963 (30 FPC 1515), which order authorized Petitioner to construct and operate approximately 72 miles of 12-inch pipeline, together with related measuring and regulating facilities, for the transportation of natural gas in interstate commerce. By the instant filing, Petitioner seeks authority to increase the volumes of gas authorized to be transported from the Main Pass Block 41 gas field located on the Outer Continental Shelf in the Gulf of Mexico to a point on shore at a refinery and related facilities near Pascagoula, Miss., for Petitioner's sole customer and 100 percent owner, Standard Oil Co., incorporated in Kentucky (Kyso), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that the facilities authorized in the instant docket have been used for the transportation of approximately 50,000 Mcf of natural gas on a maximum day and approximately 30,000 Mcf of natural gas on an average day from the Main Pass Block 41 gas field.

Petitioner states that Kyso has begun construction of a $22 million ammonia fertilizer plant and a multi-million-dollar paraxylene plant at its refinery at Pascagoula, Miss., and that the ammonia fertilizer plant will be completed in early 1967 and the paraxylene plant in mid-1967. Petitioner further states that on or about April 1, 1967, Kyso will commence to increase its purchases and, in the latter part of 1967 when both additions are operating at design capacity, will purchase a total average day volume of 85,000 Mcf and that on the same date, the maximum daily quantity will be approximately 112,000 Mcf.

The petition to amend states that Petitioner requires no new facilities to increase its maximum daily flow to 112,000 Mcf and accordingly its cost of service per Mcf will be reduced by the increased flows. Kyso and Petitioner have therefore agreed to amend their contract (Petitioner's FPC Gas Rate Schedule T-1), effective January 1, 1968, when it is expected that both the ammonia plant and the paraxylene plant will be on stream, to provide for a rate of 2.85 cents per Mcf transported instead of the initial and current rate of 8.10 cents per Mcf transported.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 13, 1966.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-6846; Filed, June 22, 1966; 8:45 a.m.]

[Docket No. E-7234]

DETROIT EDISON CO. AND CONSUMERS POWER CO.

Order Continuing Proceedings

JUNE 16, 1966.

Upon consideration of the joint request by Respondent companies and Commis-

sion staff filed June 8, 1966, the respective dates for service of prepared testimony and further hearing in this proceeding are continued for a period of 45 days. The continuance of 60 days as requested by Respondents and staff is denied.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6847; Filed, June 22, 1966; 8:45 a.m.]

[Docket Nos. CS66-135 etc.]

H. W. REGESTER ET AL.

Notice of Applications for "Small Producer" Certificates [1]

JUNE 16, 1966.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 8, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket Nos.	Date filed	Name of applicant
CS66-135	5-23-66	H. W. Regester, Post Office Box 543, Corsicana, Tex., 75111.
CS66-136	5-24-66	E. B. Clark (Operator), et al., 503 City National Bank Bldg., Wichita Falls, Tex., 76301.
CS66-137	5-18-66	Ryan Consolidated Petroleum Corp., c/o Ray Ormand, President, 710 First National Bank Bldg., Odessa, Tex., 79760.
CS66-138	5- 6-66	Bruce Walkup, 30th Floor, 650 California St., San Francisco, Calif., 94108.
CS66-139	5-31-66	Mrs. Thomas Cassidy, 16 Cliffview Dr., Norwalk, Conn., 06850.

[F.R. Doc. 66-6848; Filed, June 22, 1966; 8:46 a.m.]

[Docket No. CP66-398]

TENNESSEE GAS PIPELINE CO.

Notice of Application

JUNE 16, 1966.

Take notice that on June 6, 1966, Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Applicant), Post Office Box 2511, Houston, Tex., 77001, filed in Docket No. CP66-398 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing an increase in contract demand service to United Fuel Gas Co. (United Fuel) of 25,500 Mcf per day of natural gas on a long term basis, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to render the aforementioned contract demand service through the use of its authorized pipeline capacity and, when appropriate, through utilization of a transportation agreement between Texas Gas Transmission Corp. (Texas Gas) and Applicant.[1]

Applicant states that the increased service to United Fuel on a long term basis can be accomplished initially (from Nov. 1, 1966, to Sept. 1, 1967) through utilization of available surplus gas supplemented when appropriate by the transportation service furnished by Texas Gas. Applicant further states that from and after September 1, 1967, it will have available sufficient unallocated capacity to assign to the proposed additional service to United Fuel.

Applicant is now serving United Fuel under the terms of a Gas Sales Contract dated May 16, 1963, which provides for the sale and delivery of 534,000 Mcf of natural gas per day.

Applicant currently has pending before the Commission its application in Docket No. CP66-303 filed on March 24, 1966 (31 F.R. 5672) wherein it is requesting a temporary and permanent certificate of public convenience and necessity authorizing the construction and operation of 14.18 miles of 36-inch O.D. loop pipeline on the Delta-Portland portion of its mainline system. Applicant states that its application in Docket No. CP66-303 will, on a temporary basis, supplement and effectuate its proposal in the instant docket.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 11, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6849; Filed, June 22, 1966; 8:46 a.m.]

[1] The application by Texas Gas to render transportation service for Applicant was filed on May 13, 1966, in Docket No. CP66-364 (31 F.R. 7648).

ATOMIC ENERGY COMMISSION

STATE OF ALABAMA

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Alabama for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A resume, prepared by the State of Alabama and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. A copy of the program, including proposed Alabama regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C., 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; April 3, 1965, 30 F.R. 4352; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Washington, D.C., this 27th day of May 1966.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

PROPOSED AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF ALABAMA FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Alabama is authorized under Act Number 582, Regular Session, 1963, to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Alabama certified on April 25, 1966, that the State of Alabama (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on _____ that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

ART. II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ART. III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ART. V. The Commission will use its best efforts to cooperate with the State and other agreement states in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ART. VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on October 1, 1966, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at Montgomery, State of Alabama, in triplicate, this day of _____.

For the United States Atomic Energy Commission.

_____.

For the State of Alabama.

GEORGE C. WALLACE,
Governor.

POLICIES AND PROCEDURES FOR THE CONTROL OF RADIATION

FOREWORD

The 1963 Regular Session of the Legislature of the State of Alabama enacted a Radiation Control Law which authorizes the Governor of Alabama to enter into an agreement with the U.S. Atomic Energy Commission for the purpose of assuming from the Commission certain regulatory functions for the use of byproduct material, source material, and special nuclear material in quantities not sufficient to form a critical mass. Among other provisions, the Radiation Control Law authorizes the State:

(1) To institute and maintain a regulatory program for all sources of ionizing radiation so as to provide for (a) compatibility with the standards and regulatory programs of the Federal Government, (b) a single, effective system of regulation within the State, and (c) a system consonant insofar as possible with those of other states; and

(2) To institute and maintain a program to permit development and utilization of sources of ionizing radiation for peaceful purposes consistent with the health and safety of the public.

Act 582, Regular Session, 1963, establishes the State Board of Health as the state radiation control agency for regulating, licensing, and inspecting sources and uses of radioactive materials including radium and accelerator produced isotopes, and machines and devices producing ionizing radiation. A Radiation Advisory Board of Health consisting of nine members appointed by the Governor was established under the provisions of this Act to advise the State Board of Health in carrying out the provisions of the law.

In this narrative a chronology outlining the development of the present system of radiation protection and control in Alabama will be presented along with plans, practices, and policies which will be undertaken by the Agency.

History. The Alabama State Department of Public Health became initially involved in limited control and study of the uses of ionizing radiation in 1953 when the Bureau of Sanitation made a study of fluoroscopic shoe fitting machines in Alabama. The possession or use of these machines is now prohibited by regulations adopted by the State Board of Health.

In 1957, the State of Alabama, Water Improvement Commission, which is housed within the Alabama State Department of Public Health, became interested in the levels of radioactivity in the streams of the State. Accordingly, plans were made, equipment purchased, and stream sampling stations were established throughout the State. During the summer of 1958, samples were collected from these sampling stations and analyzed for gross alpha and beta activity. This activity has continued since that time. In 1964, this activity was taken over and expanded by the newly formed Division of Radiological Health—an organizational division of the Bureau of Sanitation.

In 1963, a physical survey was conducted of all known dental X-ray units in the State; and, when necessary, filtration and collimation were added to bring them into compliance with the recommendations of the American Academy of Oral Roentgenology. A total of 945 dental X-ray units were surveyed. Currently, all dental X-ray units which are registered with the Agency are in compliance with the recommendations for filtration and collimation of the American Academy of Oral Roentgenology.

The Jefferson County Board of Health organized a radiological health program in 1962 and initiated a physical survey of all medical X-ray units during the same year. Since this time, a program has been in progress to bring all of the medical X-ray units in Jefferson County into compliance with the recommendations contained in National Bureau of Standards Handbook 76. Presently, over 98 percent of the 340 units in Jefferson County are in compliance with these recommendations.

In 1964, all X-ray units in the State were registered. Units were located by letters to all members of the healing arts profession listed in the roster of the Medical Association of the State of Alabama and to selected industries as shown in the Directory of Industries published by the Alabama State Chamber of Commerce. Following registration, the Division of Radiological Health performed a physical survey of the medical X-ray units in Alabama, except those in Jefferson County which had been previously surveyed. A total of 828 radiographic and 439 fluoroscopic units were inspected. Letters were written to the owners of deficient units requesting that the deficiencies noted in the survey be corrected. On May 19, 1965, the State Board of Health adopted rules and regulations governing the use of X-rays in the healing arts.

A radium leak testing program was conducted jointly by personnel of the Alabama State Department of Public Health and the Jefferson County Board of Health in Jefferson County during 1964. This program revealed that 4 of the 10 radium facilities in Jefferson County had leaking or contaminated sources. The following year personnel of the Alabama State Department of Public Health extended this leak testing program to all counties in the State. Of the additional 30 facilities, a total of 13 were found to have leaking or contaminated sources of radium. All owners of leaking or contaminated sources of radium voluntarily disposed of the leaking radium or had it reencapsulated.

Shortly after its establishment in 1963, the Division of Radiological Health became interested in Project Dribble. This project was a joint undertaking of the U.S. Department of Defense and the U.S. Atomic Energy Commission in which a 5 kiloton nuclear device was detonated in a salt dome located near Hattiesburg, Miss. The Division was concerned with the possibility that the detonation might vent and thus spread radioactive fallout in Alabama. Although the U.S. Public Health Service was responsible for off-site monitoring during this project, the Division of Radiological Health established a sampling program to determine the quantity of radioactive materials present in the air, in milk from samples collected throughout the State, and in the streams of the State both prior to and following the detonation. No venting occurred following the detonation but valuable experience was gained by laboratory personnel.

Members of the staff of the Alabama State Department of Public Health have accompanied members of the AEC staff on their inspections of licensees within the State for many years. Within the last 3 years, Alabama personnel have accompanied AEC inspectors on 81 percent of the inspections within the State. During this period they have become familiar with the inspection of licensees of radioactive materials. Also during this period, staff members have accompanied AEC personnel on investigations of incidents involving radioactive materials in Alabama. Further experience was gained when on several occasions staff members were requested to locate lost radium needles.

Program description. The State Board of Health was designated by Act 582, Regular Session, 1963, as the State Radiation Control Agency in Alabama and has the authority for regulating, licensing, and inspecting sources and uses of radioactive materials and machines and devices producing ionizing radiation. The radiation control program will be carried out by the Division of Radiological Health—an organizational division of the Bureau of Sanitation. Through an understanding with the Agency, medical X-ray registration and inspection activities may be conducted at the county level; however, licensing and inspection of radioactive materials will be conducted exclusively by the Agency.

The Agency is responsible for responding to emergency situations and is adequately staffed with qualified personnel. Emergency supplies and equipment to carry out this responsibility are available. Communications within the Agency and with county health departments have been established. Arrangements will be made with the State Highway Patrol to provide prompt notification of any transportation accident involving radioactive materials.

Licensing and registration. The radiation control program of the State of Alabama will regulate all sources of ionizing radiation including radium, accelerator-produced nuclides in non-exempt quantities, and machine-produced radiation such as medical and dental X-ray units. All X-ray units have been registered with the Agency. Specific licenses will be issued to authorize the possession and use of radioactive materials, including radium and accelerator-produced nuclides, in quantities not exempted or generally licensed by the Agency. Criteria for the possession of byproduct, source, and special nuclear materials will be compatible with those established by the U.S. Atomic Energy Commission.

The licensing program will be essentially the same as that presently used by the U.S. Atomic Energy Commission. The Agency will utilize applicable criteria contained in Atomic Energy Commission publications as general guides in the evaluation of license applications. The director and assistant director of the Division of Radiological Health will evaluate all license applications. Other individuals will assist in this function as they acquire competence through experience and training. Prelicensing visits will be made when determined necessary. For routine applications, both medical and nonmedical, the State Health Officer will issue specific licenses on behalf of the State Board of Health.

A Medical Advisory Committee will advise the State Board of Health through the State Health Officer on nonroutine medical uses of radioactive materials. This Committee currently consists of four radiologists and an internist who are experienced in the medical use of radioisotopes.

Inspections. Staff personnel will conduct inspections of licensees and registrants to determine compliance with regulations promulgated by the Agency and to determine the adequacy of the radiation protection program. Inspections will be performed under the supervision of the assistant director of the Division of Radiological Health. A radiation physicist and two radiation specialists will perform inspections of radiation producing machines. Three radiation physicists assigned to the radioactive materials program will perform all materials inspections. Inspection personnel are qualified by training in the field of radiological health to perform these inspections. Materials inspections will be compatible with those now performed by the Division of Compliance of the U.S. Atomic Energy Commission.

Staff members will be kept current on developments in the field of radioactive materials by continued training in appropriate courses conducted by the USAEC and USPHS. The following frequency for the inspection of licensees in Alabama is proposed but may be either increased or decreased depending upon individual circumstances and the experience of the Agency.

Industrial radiographers—once each 6 months.

Operations involving waste disposal—once each 6 months.

Academic—once each 12 months.

Medical and hospital—once each 12 months.

Other categories—depending on the hazards associated with the program.

It is anticipated that all specific licensees will be inspected at least once each calendar year. The inspections may be announced or unannounced, except prelicensing evaluations will be scheduled.

Before the termination of each inspection, the inspector will confer with the licensee to discuss the results of his inspection, presenting oral recommendations or suggestions if indicated. The inspector will submit in writing comprehensive reports to the Director of the Division of Radiological Health relating facts and circumstances observed during the inspection. The report will enumerate violations, if any, and include recommendations. Recommendations made by field personnel will be subject to the critical review of senior staff members of the Division of Radiological Health. The licensee will be notified of the results of the inspection, including any indicated recommendations, by letter from the Agency as soon as practical.

Enforcement. If during the course of an inspection only minor items of noncompliance such as failure to label, improper signs, etc., are noted and the licensee agrees to correct the items of noncompliance at the time of the inspection, these items of noncompliance will be reviewed during the course of the next inspection.

If items of noncompliance of a more serious nature are found, the licensee will be required to correct such items within a specified period of time. The licensee will be required to inform the Agency in writing within thirty days, or less if specified, of the corrective action taken and the date the corrective action was completed. Follow-up inspections may be conducted by the Agency or the matter may be reviewed at the next regular inspection of the licensee to insure that adequate corrective action has been accomplished. In certain cases, items of noncompliance may be enforced by administrative procedures such as amending the license.

Under the provisions of Act Number 582 of the Alabama Law, Regular Session, 1963, the Agency has authority to initiate immediate legal action against a licensee who is in violation of the rules and regulations issued under the provisions of this Act. If in the opinion of the Agency a person is engaged in or is about to engage in any act or practice in violation of the provisions of this Act or rules and regulations issued thereunder, the State's Attorney General at the request of the Agency may make application for a court order enjoining such acts or practices or direct compliance with the rules and regulations promulgated under the provisions of this Act.

If the Agency should determine that an emergency exists, it has the authority to impound or order the impounding of any source of ionizing radiation in the possession of any person who is not equipped to observe or who fails to observe the provisions of the Act or any rules or regulations issued thereunder.

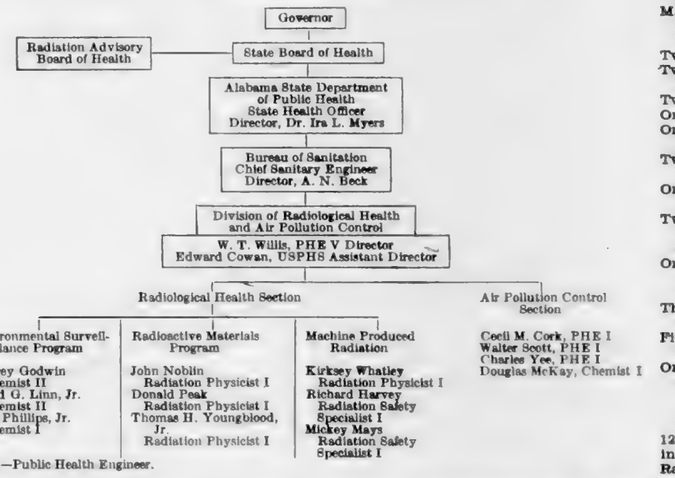
It is proposed that full legal measures will be employed only in those instances where there is continued noncompliance after notice, willful negligence on the part of the licensee, or where a serious potential hazard exists. Provisions of the Act provide for appropriate punishment of any violations of the Act or rules and regulations promulgated under the provisions of the Act.

Act Number 582 duly authorizes representatives of the Agency to enter at all reasonable times upon any private or public property for the purpose of determining whether or not there is compliance with or violations of the provisions of this Act or rules and regulations issued thereunder.

Hearings. Act Number 582 provides for a hearing on the record upon the request by any person whose interest may be affected by the issuance or modification of rules and regulations relating to the control of sources of ionizing radiation or for granting or suspending, revoking or amending a license or for determining compliance with rules and regulations of the Agency. Whenever the Agency finds that an emergency exists requiring immediate action to protect the public health and safety, the Agency may without notice or hearing issue a regulation or order reciting the existence of such emergency and requiring that such action be taken as is necessary to meet the emergency. Such regulation or order shall become effective immediately. However, anyone aggrieved by such order shall on application to the Agency be afforded a hearing within thirty days. On the basis of such hearing, the emergency regulation or order shall be continued, modified, or revoked within thirty days after such hearing.

Any final order entered in any proceeding shall be subject to judicial review by the Circuit Court of Montgomery County in the manner prescribed for taking appeals from orders of the Alabama Public Service Commission as provided in Code 1960, Title 48, section 79 and following.

ORGANIZATIONAL CHART



PHE—Public Health Engineer.

ALABAMA RADIATION CONTROL PERSONNEL

The Division of Radiological Health is an existing organizational unit of the Bureau of Sanitation, Alabama State Department of Public Health. Technical personnel engaged in the existing programs of the Division are listed below; also, listed below are personnel of the air pollution program who will be used in radiological health in emergency and unusual situations where additional personnel are needed.

Bureau of Sanitation—Chief, Arthur N. Beck, B.S., M.S.

Division of Radiological Health—Director, W. T. Willis, B.S., M.S.; Assistant Director, J. Edward Cowan, B.S., M.P.H.; Radiation Physicist I: John Noblin, B.S., Donald W. Peak, A.B., Kirksey E. Whatley, B.S., Thomas H. Youngblood, Jr., B.S.; Chemist II: Aubrey V. Godwin, B.S., Lloyd G. Linn, Jr., B.S.; Chemist I, Alva Phillips, B.S.; Radiation Safety Specialist: Richard E. Harvey, R. X-Ray Technician, Mickey T. Mays, R. X-Ray Technician.

Air Pollution Program—Director, W. T. Willis, B.S., M.S.; Public Health Engineer I: Charles Yee, B.S., Cecil M. Cork, B.S., Walter E. Scott, B.S.; Chemist I, Douglas McKay, BS.

Education and Experience of staff members:

WILLIAM THOMAS WILLIS

EDUCATION AND TRAINING

B.S. Civil Engineering, Alabama Polytechnic Institute, 1948.
S.M. Sanitary Engineering, Harvard University, 1952.
U.S. Public Health Service Courses:
One week—Detection and Control of Radioactive Pollutants in Water.
Two weeks—Sanitary Engineering Aspects of Nuclear Energy Course.
Two weeks—Basic Radiological Health Course.
One week—Medical X-Ray Protection Course.
Two weeks—Occupational Radiation Protection.
One week—Engineering Management of Radiation Accidents.
One week—Civil Defense Training Course for Food and Drug Officials.
Two weeks—Reactor Safety and Hazards Evaluation.
One week—Community Air Pollution.
One week—Measurement of Airborne Radioactivity.
One week—Elements of Air Quality Management.
One week—Control of Particulate Emissions.
One week—Control of Gaseous Emissions.
One week—Meteorological Aspects of Air Pollution.
Atomic Energy Commission Courses:
Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.

EXPERIENCE

Seventeen years total experience in Sanitary Engineering, Alabama State Department of Public Health. Fifteen years in stream pollution control. Two years as Director of Division of Radiological Health, responsibilities for directing and administrating a comprehensive program in radiation control involving the medical and industrial x-ray field, radioactive materials regulatory program, environmental surveillance and the environmental health laboratory.

JAMES EDWARD COWAN

EDUCATION AND TECHNICAL TRAINING

B.A., Science, Western Carolina College, 1949.
M.S. P.H., Sanitary Science, University of North Carolina, 1950.
M.P.H., Radiation Health, University of Pittsburgh, 1961.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Reactor Safety and Hazards Evaluation.
Two weeks—Radionuclide Protection.
One week—Medical X-Ray Protection.
One week—Management of Nuclear Emergencies.
Two weeks—Medical Aspects of Radiological Health.
One week—Radium Hazards and Control.
Atomic Energy Commission Courses:
Two weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.
One week—Dose and Dosimetric Determinations, ANL, Chicago.
Other Training:
Three weeks—Presbyterian Hospital, X-Ray Department, Pittsburgh.
Five weeks—Westinghouse Testing Reactor, Health Physics Department, Pittsburgh.
One week—Radiological Monitors Instructor Course—PCDA, Austin, Texas.

EXPERIENCE

Regular Corps, U.S. Public Health Service; 12 years generalized public health experience in local, State, and Federal agencies; 2 years, Radiation Control Program, Division of Occupational Health and Radiation Control, Texas State Department of Health; 2 years, Division of Radiological Health, Alabama State Department of Health, experienced in licensing, inspection, and other aspects of radiological health.

CECIL MERRITT CORK

EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, Auburn University, 1964.
U.S. Public Health Service Courses:
One week—Community Air Pollution.
One week—Elements of Air Quality Management.
One week—Control of Particulate Emissions.
One week—Source Sampling for Atmospheric Survey.
One week—Combustion Evaluation—Sources and Control Devices.
One week—Design of Air Pollutant Sampling Trains.
Two weeks—Atmospheric Survey.
One week—Control of Gaseous Emissions.

EXPERIENCE

One year, Public Health Engineer I, Division of Radiological Health, Alabama State Department of Public Health. Has accompanied Radiation Physicists on radium surveys.

AUBREY V. GODWIN

EDUCATION AND TECHNICAL TRAINING

A.A., Chemistry, Southwest Mississippi Junior College, 1958.
B.A., Chemistry, University of Mississippi, 1961.
Educational Leave. Mr. Godwin is presently on educational leave attending the University of Michigan where he will receive an MPH degree in 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.
Two weeks—Radiochemical Analysis and Instrumentation. On-the-job training, Southeastern Radiological Health Laboratory, Montgomery.
Other Training:
Two weeks—C.B.R. Refresher Course, Fort McClellan.
One week—Civil Defense for Food and Drug Officials, Montgomery.

EXPERIENCE

Two and one-half years experience as Chemist, Water Quality Surveillance, Alabama State Department of Public Health; Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included broad experience in chemical preparation of samples, and operation of counting equipment, including a 400-channel gamma spectrometer. For seven months, served as Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory. Concurrently, 3 years in C.R.B., Army National Guard.

RICHARD E. HARVEY

EDUCATION AND TECHNICAL TRAINING

Registered X-ray Technician. Two years X-ray technician course. Norwood Clinic, Birmingham, Alabama.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Radium Hazards and Control.
Two weeks—Medical X-Ray Protection.
One week—Radiological Health for X-Ray Technologist.

EXPERIENCE

Six months experience with medical X-ray program, Division of Radiological Health.

LLOYD G. LINN, Jr.

EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Birmingham Southern College, 1963.
U.S. Public Health Service Courses:
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.
Two weeks—Basic Radiological Health.
One week—Measurement of Airborne Radioactivity.
Two weeks—Analysis of Radionuclides in Water.
Two weeks—Radiochemical Analysis and Instrumentation, On-the-job training, Southeastern Radiological Health Laboratory, Montgomery.
Two weeks—Chemical Analyses for Water Quality.
One week—Pesticide Residue Analysis of Foods.
Other Training:
Infrared Spectroscopy, ACS Short Course School, 150th Annual ACS National Convention, Atlantic City.
RCA Course in Nuclear Instrumentation.
One week—Gas Chromatography.

EXPERIENCE

One year, 4 months experience as chemist, water quality surveillance, Alabama State Department of Public Health. Two years experience in all aspects of radiochemistry, Division of Radiological Health, Alabama State Department of Public Health. Duties have included all phases of sample preparation and radioanalysis. Serving as Acting Chief Chemist with responsibilities for the operation of the Division's Environmental Radiation Laboratory while Mr. Godwin is on educational leave.

MICKEY T. MAYS

EDUCATION AND TECHNICAL TRAINING

Registered X-Ray Technician. Air Force Medical Service School, Gunter Air Force Base, Montgomery, Alabama.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Medical X-ray Protection.

EXPERIENCE

Four years as X-ray technician, Maxwell Air Force Base, Montgomery, Alabama.

DOUGLAS L. MCKAY

EDUCATION AND TECHNICAL TRAINING

B.S., Chemistry, Florence State College, 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Analysis of Atmospheric Organics.

EXPERIENCE

Three months, chemist, Jefferson County Health Department, Birmingham, Alabama. Three months, chemist, Alabama State Department of Public Health, Montgomery, Alabama.

JOHN W. NOBLIN

EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1962.
U.S. Public Health Service Courses:
One week—Radium Hazards and Control.
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.
One week—Measurement of Airborne Radioactivity.
One week—Radionuclide Analysis by Gamma Spectroscopy.
U.S. Atomic Energy Commission Courses:
Three weeks—Orientation Course in AEC Regulatory Practices and Procedures, Bethesda.
Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.
Other Training:
One week—Radiological Defense Officer Course.

EXPERIENCE

Two years experience as Radiation Physicist, Division of Radiological Health. Experienced in survey and inspection techniques of radioactive materials. Planned and conducted statewide onsite survey of all radium facilities in Alabama.

DONALD W. PEAK

EDUCATION AND TECHNICAL TRAINING

A.B. in Physics and Mathematics, Huntingdon College.
One and one-half years graduate study, Nuclear Science, Auburn University.
Educational Leave. Mr. Peak is presently on educational leave attending North Carolina State College where he will receive an M.S. degree in Radiation Protection and Safety in 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Radium Hazards and Control.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.

EXPERIENCE

Ten months experience with Division of Radiological Health, Alabama State Department of Public Health. Experience includes work in the Alabama state-wide radium survey.

ALVA PHILLIPS, JR.

EDUCATION AND TECHNICAL TRAINING

B.S., Engineering Technology, Troy State College, 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Radionuclide Analysis by Gamma Spectroscopy.

EXPERIENCE

Three months, Chemist, Division of Radiological Health.

WALTER E. SCOTT

EDUCATION AND TECHNICAL TRAINING

B.S., Civil Engineering, University of Alabama, 1966.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
One week—Elements of Air Quality Management.
One week—Source Sampling for Atmospheric Pollutants.
One week—Design of Pollutant Sampling Trains.

EXPERIENCE

Three months, Engineer, Air Pollution Control Program.

KIRKSEY E. WHATLEY

EDUCATION AND TECHNICAL TRAINING

B.S., Mathematics, Troy State College, 1965.
U.S. Public Health Service Course:
Two weeks—Basic Radiological Health.

EXPERIENCE

Two months, Division of Radiological Health.

CHARLES K. YEE

EDUCATION AND TECHNICAL TRAINING

B.S., Chemical Engineering, Auburn University, 1963.
U.S. Public Health Service Courses:
One week—Meteorological Aspects of Air Pollution.
One week—Elements of Air Quality Management.
One week—Combustion Evaluation—Sources and Control Devices.
One week—Analysis of Atmospheric Inorganic.
Two weeks—Analysis of Atmospheric Organic.

EXPERIENCE

Nine months Public Health Engineer I, Environmental Health Laboratory, Alabama State Departent of Public Health.

THOMAS H. YOUNGBLOOD, Jr.

EDUCATION AND TECHNICAL TRAINING

B.S. in Science, Troy State College, 1965.
U.S. Public Health Service Courses:
Two weeks—Basic Radiological Health.
Two weeks—Occupational Radiation Protection.
Two weeks—Medical X-ray Protection.
One week—Radium Hazards and Control.
U.S. Atomic Energy Commission:
Ten weeks—Health Physics, Institute of Nuclear Studies, Oak Ridge.

EXPERIENCE

Nine months, Division of Radiological Health, Alabama State Department of Public Health. Worked with state-wide radium survey program.

[F.R. Doc. 66-6021; Filed, June 1, 1966; 8:46 a.m.]

[Docket No. 27-40]

ATOMIC DISPOSAL CO., INC.

Notice of Amendment of Byproduct and Source Material License

Please take notice that the Atomic Energy Commission has issued Amendment No. 1 to License No. 12-11286-1, held by Atomic Disposal Company, Inc. This amendment provides for a change in the designation of individuals authorized to conduct operations for Atomic Disposal Company, Inc.

The persons who will conduct operations for the licensee are Mr. Carl J. Collica, Dr. Robert K. Clark, Dr. Louis Chandler, and Dr. Walter Moos. Drs. Clark, Chandler, and Moos have each had several years of training and experience in the radiation field and have demonstrated their competency to conduct the operations authorized in the license. Mr. Collica has been previously authorized to conduct operations for the licensee. The Commission has determined that these individuals are qualified to conduct operations for Atomic Disposal Company, Inc.

The Commission has determined that prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's regulations (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order. Petitions to intervene or requests for public hearing may be filed with the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545.

For further details with respect to this amendment see the application dated May 3, 1966, which is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

The text of the amendment is attached to this notice.

For the Atomic Energy Commission.

Dated at Bethesda, Md., June 16, 1966.

LYALL JOHNSON,
Acting Director,
Division of Materials Licensing.

[License No. 12-11286-1, Amdt. 1]

License No. 12-11286-1 is amended as follows:

Condition 2. is amended to read:

2. Operations shall be conducted by Carl J. Collica, Dr. Robert K. Clark, Dr. Louis Chandler, or Dr. Walter S. Moos.

Date of issuance: June 16, 1966.

For the Atomic Energy Commission.

LYALL JOHNSON,
Acting Director,
Division of Materials Licensing.

[F.R. Doc. 66-6838; Filed, June 22, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4389]

AMERICAN ELECTRIC POWER CO., INC.

Order Postponing Hearing

JUNE 17, 1966.

These proceedings relate to an application filed by American Electric Power Co., Inc., 2 Broadway, New York, N.Y., 10008, pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935, regarding a proposal to purchase, pursuant to tenders, shares of the common stock of Michigan Gas & Electric Co. By order of June 2, 1966 (Release 35-15492), a hearing was scheduled for June 22, 1966, upon said application.

Counsel for the applicant company has requested a postponement of the hearing to June 28, 1966. Counsel for Michigan Gas & Electric Co. has requested a postponement until July 6, 1966. The Division of Corporate Regulation opposes any extension beyond the date requested by the applicant company. It appearing appropriate to grant a brief postponement.

It is ordered, That the hearing herein is postponed to June 29, 1966, at the same hour and place.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-6863; Filed, June 22, 1966; 8:47 a.m.]

[File No. 54-240]

AMERICAN GAS CO.

Notice of Filing and Order for Hearing

JUNE 15, 1966.

Notice is hereby given that American Gas Co. ("American"), 546 South 24th Avenue, Omaha, Nebr., 68105, a registered holding company and a gas utility company, has filed with this Commission a plan, and amendments thereto ("plan"), pursuant to section 11(e) of the Public Utility Holding Company Act of 1935 ("Act"). The plan, which is in two parts, proposes the liquidation and dissolution of American, and various steps incident thereto, including, in Part I, the sale by American of all of its gas utility properties and other assets, except the common stock of its gas utility subsidiary company, American Gas Co. of Wisconsin, Inc. ("Wisconsin"). All interested persons are referred to the plan, which is summarized below, for a complete statement of the proposed transactions.

American, an Iowa corporation, is engaged in the sale at retail of natural gas to approximately 2,748 customers in seven communities located in southwest Iowa and northwest Missouri. American Gas Pipeline Co. ("Pipeline Company"), a wholly owned subsidiary company of American, owns and operates 1.1 miles of gas transmission line through which American receives its gas supply for one of its distribution areas. Wisconsin is engaged in the sale of natural gas at retail in 18 communities in north-central Wisconsin. Wisconsin was organized in 1960 by American which now owns 88 percent of its outstanding common stock, the remainder being owned by the State of Wisconsin Investment Board. American purchases part of its gas requirements from Northern Natural Gas Co. ("Northern Natural"), a gas pipe line company which also distributes natural gas at retail in various communities in the State of Iowa, among other states.

As of March 31, 1966, American's assets, per books, exclusive of current assets and deferred charges, consisted of (i) $1,990,087 representing its utility plant and other property at original cost, less related depreciation reserve, and (ii) $1,590,500 and $30,000 representing its investments, at cost, in the common stocks of Wisconsin and Pipeline Company, respectively. Current liabilities totaling $585,661, including $434,000 of notes payable to banks, exceeded current assets by $340,626. At the same date American had outstanding $700,000 principal amount of 6½ percent First Mortgage Bonds, Series A, due 1985 ("Bonds"), held by the State of Wisconsin Investment Board, and $2,300,000 principal amount of 6½ percent Sinking Fund Subordinated Debentures, due 1978 ("Debentures"), publicly held except for $58,100 principal amount held by American. American's corporate gross income for the calendar year 1965 amounted to $59,577, and after deduction of interest charges of $197,328 and other income deductions of $18,753, its net loss amounted to $156,504.

American states that the standards of section 11(b)(1) of the Act do not permit the retention within its holding-company system of its own gas utility properties along with those of Wisconsin.

Part I of the plan provides for the sale by American to Northern Natural of substantially all its properties and assets, including the common stock of Pipeline Company but not including American's holdings of 88 percent of the outstanding common stock of Wisconsin. The purchase price, to be paid in cash, will be $2,170,000, plus amounts to be determined for various miscellaneous assets, including inventory of pipe and supplies, appliances, receivables, and certain property additions. The net proceeds from the sale will be used by American (1) to prepay and retire its Bonds at the outstanding principal amount of $700,000 plus accrued interest; (2) to deposit in an escrow account $42,000 representing the redemption premium on the Bonds as of September 30, 1966, pending a determination under Part II of the plan as to whether the redemption premium is payable; (3) to pay its short-term notes to banks in aggregate amounts which will not exceed $570,000 plus accrued interest; and (4) to pay, or provide for, operating and other expenses estimated at $165,000, including expenses incurred in connection with the plan. The balance of the proceeds of the sale will be used as provided in Part II of the plan.

American has requested consideration and approval of Part I of the plan at the earliest possible date and prior to Commission action with respect to Part II of the plan. Part I of the plan is subject to approval by the Commission under section 11(e) and other applicable provisions of the Act, and, at the request of American, it is to be enforced in an appropriate District Court of the United States, as provided in section 11(e) of the Act.

American proposes in Part II of the plan (1) to pay such amount, if any, as may be determined to be due as a redemption premium on the Bonds; (2) to satisfy the claims of the holders of its Debentures, partly in cash and partly with shares of common stock of Wisconsin; (3) to distribute, pro rata to its stockholders, any remaining cash and shares of the common stock of Wisconsin; and (4) to dissolve American.

Further details regarding Part II of the plan, including the amount of cash to be paid and the number of shares of Wisconsin common stock to be delivered to the holders of the Debentures, will be filed at a later date by amendment to the plan. Public notice of such later filing and of a hearing to be held on Part II of the plan will be given to all interested persons, who will be afforded an opportunity to be heard with respect thereto.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to Part I of the plan, and that interested persons be afforded an opportunity to be heard at such hearing with respect to the matters proposed in Part I of the plan:

It is ordered, That a hearing be held with respect to Part I of the plan on July 14, 1966, at 10 a.m., at the Office of the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C., 20549. On such date the Hearing Room Clerk will advise as to the room in which the hearing will be held.

It is further ordered, That a Hearing Examiner, hereafter to be designated, shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18(c) of the Act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of Part I of the plan and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the consideration to be received by American for its utility properties and other assets to be sold is reasonable, and whether competitive conditions have been maintained in effecting such sale;

2. Whether Part I of the plan, as filed or as it may be modified or amended, is necessary to effectuate the provisions of section 11(b) of the Act and fair and equitable to the persons affected thereby;

3. Whether, in general, the transactions proposed in Part I of the plan satisfy the applicable provisions of the Act.

It is further ordered, That the Secretary of the Commission shall serve notice of such hearing by mailing a copy of this notice and order by certified mail to American, Wisconsin, the Federal Power Commission, the Iowa State Commerce Commission, the Missouri Public Service Commission, and the Wisconsin Public Service Commission; that American mail a copy of this notice and order to the Omaha National Bank, the Continental Illinois National Bank & Trust Co. of Chicago, the State of Wisconsin Investment Board, and to all holders of record of the common stock of American, at least 20 days prior to the date herein fixed as the date for hearing; and that notice to all other persons be given by a general release of the Commission and by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That any person desiring to participate at the hearing on Part I of the plan may, not later than July 11, 1966, make a request therefor in writing, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by Part I of the plan which he desires to controvert. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon American at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6864; Filed, June 22, 1966; 8:47 a.m.]

[811-1314]

FIRST EQUITY SECURITY LIFE INSURANCE CO. SEGREGATED INVESTMENT ACCOUNT

Notice of Application

JUNE 17, 1966.

Notice is hereby given that First Equity Security Life Insurance Co. Segregated Investment Account ("Applicant"), 321 Citizens Bank Building, Anderson, Ind., an Indiana Corporation and a management open-end diversified investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

On May 7, 1965, a Notification of Registration on Form N-8A was filed by Applicant pursuant to section 8(a) of the Act. Pursuant to extensions granted by the Commission, Applicant has not filed a registration statement on Form N-8B-1.

Applicant was established by First Equity Security Life Insurance Co. ("Life Insurance Company"), in anticipation of the offering by the Life Insurance Company of certain variable annuity options in connection with certain of its policies. The policies made clear that such options would be offered and become available only if and when all applicable State and Federal requirements had been met and that there was no assurance that such requirements would be met.

Sufficient funds have not been raised to enable Life Insurance Company to meet the minimum capital and surplus requirements under Indiana insurance laws for a company proposing to issue variable annuity contracts on a segregated investment account plan, and it appears unlikely that such funds will be raised. The Life Insurance Company has therefore suspended the variable annuity contract program and directed that the necessary steps be taken to deregister the Applicant. The Board of Managers of Applicant has agreed to such deregistration.

The Applicant represents that no variable annuity options have been exercised and that it has not transacted any business other than to receive a bank certificate of deposit for $100,000 from Life Insurance Company, which certificate has since been withdrawn. At present the Applicant has no assets or liabilities.

With respect to the outstanding policies, Applicant states that notices will be sent to policy holders indicating that the variable annuity options are not available.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than July 7, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6865; Filed, June 22, 1966; 8:47 a.m.]

[File No. 1-3782]

GREAT AMERICAN INDUSTRIES, INC.

Order Suspending Trading

JUNE 17, 1966.

The common stock, 10-cent par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, $10 par value, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 18, 1966, through June 27, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6866; Filed, June 22, 1966; 8:47 a.m.]

[File No. 70-4394]

MISSISSIPPI POWER CO.

Notice of Filing Regarding Proposed Issue and Sale of Bonds

JUNE 17, 1966.

Notice is hereby given that Mississippi Power Co. ("Mississippi"), 2500 14th Street, Gulfport, Miss., 39501, an electric utility subsidiary company of the Southern Co., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Mississippi proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, $10,000,000 principal amount of First Mortgage Bonds, ____ percent Series due August 1, 1996. The interest rate (which will be a multiple of one-eighth of 1 percent and the price, exclusive of accrued interest (which will be not less than 99 percent nor more than 102¾ percent of the principal amount thereof), will be determined by the competitive bidding. The bonds will be issued under a mortgage and deed of trust dated as of September 1, 1941, between Mississippi and Morgan Guaranty Trust Co. of New York, successor to Guaranty Trust Co. of New York, as Trustee, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated August 1, 1966.

The net proceeds received from the issue and sale of the bonds will be used by Mississippi (1) to finance, in part, its 1966 construction program estimated at $22,313,000, (2) to pay outstanding short-term bank notes incurred for such purpose, and (3) for other corporate purposes.

No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. The fees and expenses to be incurred in connection with the transaction will be supplied by amendment.

Notice is further given that any interested person may, not later than July 18, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6867; Filed, June 22, 1966; 8:47 a.m.]

[811-65]

NORTH AMERICAN INVESTMENT CORP.

Notice of Application

JUNE 17, 1966.

Notice is hereby given that North American Investment Corp. ("Applicant"), 3333 California Street, San Francisco, Calif., 94120, a California corporation and a management closed-end diversified investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant was merged into the Fund American Companies (formerly Fireman's Fund Insurance Co.) pursuant to an Agreement of Merger dated October 15, 1965, which Agreement was approved by the Board of Directors and shareholders of Applicant on December 7, 1965. Applicant represents that the merger was made effective on January 4, 1966, when appropriate filings with the Secretary of the State of California were made. Under the terms of the merger, Applicant's shareholders, other than dissenters, received shares of the Fund American Companies for their shares of Applicant.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than July 12, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6868; Filed, June 22, 1966; 8:47 a.m.]

[File No. 70-4393]

PENNZOIL CO., ET AL.

Notice of Proposed Intercompany Transaction Between Holding Company and Wholly Owned Subsidiaries

JUNE 17, 1966.

Notice is hereby given that Pennzoil Co. ("Pennzoil"), 900 Southwest Tower, Houston, Tex., 77002, a registered holding company, and its wholly owned nonutility subsidiary companies, Pennzoil del Caribe, S.A. ("Caribe"), Pennzoil de Quebec Limitee ("Quebec"), Kenreco, Inc. ("Kenreco"), and Pennzoil of Libya, Inc. ("Libya"), have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), proposing certain transactions between Pennzoil and each of such subsidiary companies. The application-declaration designates sections 6, 7, 9, 10, and 12 of the Act and Rules 43, 45, and 46 thereunder, as applicable to the proposed transactions. All interested persons are referred to said application-declaration, which is summarized below, for a complete description of the proposed transactions.

It is proposed that (1) Pennzoil advance on open account, without interest, to Caribe amounts which, together with advances on open account presently outstanding (i.e., $4,107 at March 31, 1966), will not exceed $400,000 at any one time during 1966; (2) Pennzoil advance on open account, without interest, to Quebec amounts which, together with advances on open account presently outstanding (i.e., $71,266 at March 31, 1966), will not exceed $250,000 during 1966; (3) Kenreco, which is wholly owned by Pennzoil and inactive, be dissolved and its net assets of approximately $24,500 be distributed to Pennzoil; and (4) Libya declare a dividend in the amount of $120,000 out of capital surplus and pay such amount to Pennzoil. The proceeds of the proposed open account advances will be used by Caribe and Quebec in their current oil and gas exploration and development programs in the Republic of Colombia and Canada, respectively.

No fees, commissions, and expenses are anticipated in connection with the proposed transactions except minor incidental expenses. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than July 7, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Pennzoil Co. at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6869; Filed, June 22, 1966; 8:47 a.m.]

PINAL COUNTY DEVELOPMENT ASSN.

Order Suspending Trading in Industrial Revenue Bonds

JUNE 17, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5⅞ percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended. This order to be effective for the period June 18, 1966, through June 27, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-6870; Filed, June 22, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 937]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

JUNE 17, 1966.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR 1.247, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 409 (Sub-No. 29), filed May 19, 1966. Applicant: O. E. POULSON, INC., Elm Creek, Nebr. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *All commercial chemicals and fertilizers normally transported in bulk tanks* (special equipment) from points in Woodbury County, Iowa, to points in Nebraska, South Dakota, North Dakota, Minnesota, Wisconsin, Wyoming, Montana, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 623 (Sub-No. 84), filed May 19, 1966. Applicant: H. MESSICK, INC., Post Office Box 214, Joplin, Mo. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Smokeless powder* (propellant explosives, class B), from Radford, Va., to Virginia, Minn., and Mead, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 623 (Sub-No. 85), filed May 19, 1966. Applicant: H. MESSICK, INC., Post Office Box 214, Joplin, Mo. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Explosives*, from Hastings, Nebr., to Shumaker, Ark. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 1042 (Sub-No. 6), filed May 19, 1966. Applicant: C. P. T. FREIGHT, INC., 2600 Calumet Avenue, Hammond, Ind. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and *bricks, blocks, slabs, tile, and related articles*, between Burns Harbor and Portage, Ind., Chicago Heights, Joliet, and Waukegan, Ill., points in the Chicago, Ill., commercial zone as defined by the Commission, and points in Kankakee and Will Counties, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 1187 (Sub-No. 27), filed May 19, 1966. Applicant: CUSHMAN MOTOR DELIVERY COMPANY, a corporation, 1480 West Kinzie Street, Chicago, Ill., 60622. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from Burns Harbor and Portage, Ind., Chicago, Chicago Heights, Joliet, and Waukegan, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 1641 (Sub-No. 70), filed May 19, 1966. Applicant: PEAKE TRANSPORT SERVICE, INC., Box 366, Chester, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of Chevron Chemical Co., located at or near Sugar Creek, Mo., to points in Nebraska, Iowa, Kansas, Missouri, Oklahoma, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 1662 (Sub-No. 1), filed May 16, 1966. Applicant: FRIENDSHIP TRANSPORT, INC., 4220 West 122d Place, Alsip, Ill., 60658. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk) including commodities requiring special equipment, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 2392 (Sub-No. 50), filed May 19, 1966. Applicant: WHELLER TRANSPORT SERVICE, INC., Post Office Box 432, Genoa, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial chemicals, feed, urea, fertilizer, and fertilizer ingredients, including but not limited to anhydrous ammonia*, in bulk, from points in Woodbury County, Iowa, including the Port Neal Industrial District, located south of Sioux City, Iowa, to points in Colorado, Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Minneapolis, Minn.

No. MC 3005 (Sub-No. 9), filed May 18, 1966. Applicant: CHICAGO-KANSAS CITY FREIGHT LINE, INC., 1048 North Monroe, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those contaminating or injurious to other lading) (1) between Bloomington, Ill., and Indianapolis, Ind.; from Bloomington over U.S. Highway 150 to junction U.S. Highway 136, thence over both U.S. Highway 136 and U.S. Highway 150 to Danville, Ill., thence over U.S. Highway 136 and Interstate Highway 74 to Indianapolis, Ind., and return over the same route serving all intermediate points. (2) Between Springfield, Ill., and Indianapolis, Ind.; from Springfield, Ill., over U.S. Highway 36 to Indianapolis, Ind., and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 8575 (Sub-No. 4), filed May 19, 1966. Applicant: FERGUSON VAN LINES, INC., 5225 Madison Road, Cincinnati, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in Alabama, Arizona, Arkansas, California, Colorado, the District of Columbia, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: The applicant states that it does not intend to tack any authority the Commission may grant on this application to authority held by it under MC 8575. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 8575 (Sub-No. 5), filed May 19, 1966. Applicant: FERGUSON VAN LINES, INC., 5225 Madison Road, Cincinnati, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Connecticut, Delaware, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 8600 (Sub-No. 20), filed May 19, 1966. Applicant: WERNER TRANSPORTATION COMPANY, a corporation, 2601 32d Avenue South, Minneapolis, Minn. Applicant's representative: Robert E. Farley, 544 Minnesota Building, St. Paul, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Fairmont, Mankato, Albert Lea, Worthington, and Winnebago, Minn., to points in Ohio, Indiana, and the Lower Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 8948 (Sub-No. 69), filed May 17, 1966. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Los Angeles, Calif. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) serving the terminal site of Cooper-Jarrett, Inc., on Frontage Road (formerly old U.S. Highway 66) and now parallel to

[1] Copies of Special Rule 1.247, as amended, can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

new U.S. Highway 66 and Interstate Highway 55 approximately one-half mile west of County Line Road, in an unincorporated portion of Du Page County, Ill., as an off-route point in connection with applicant's present operations, for the purpose of interchanging traffic at said terminal site. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 10761 (Sub-No. 194), filed May 18, 1966. Applicant: TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich., 48209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 11207 (Sub-No. 248), filed May 19, 1966. Applicant: DEATON, INC., Birmingham, Ala. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and composition board, including flakeboard and particleboard*, from the plantsite of the Georgia-Pacific Corp. at or near Louisville and Gloster, Miss., to points in Alabama, Florida, Georgia, Arkansas, North Carolina, South Carolina, Tennessee, Louisiana, Texas, Oklahoma, Kansas, Missouri, Iowa, Wisconsin, Michigan, Maine, Illinois, Indiana, Ohio, Kentucky, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 13569 (Sub-No. 18) (Amendment), filed May 10, 1966, published FEDERAL REGISTER, issue of June 3, 1966, amended June 10 and republished as amended, this issue. Applicant: THE LAKE SHORE MOTOR FREIGHT COMPANY, a corporation, 1200 South State Street, Girard, Ohio. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and steelmill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: The purpose of this republication is to show the application has been amended to include the destination States of Delaware, Maryland, New Jersey, and New York. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Pittsburgh, Pa., or Chicago, Ill.

No. MC 16961 (Sub-No. 2), filed May 19, 1966. Applicant: COLUMBIA TRANSPORTATION CO., a corporation, 1000 Congress Street, Portland, Maine. Applicant's representative: Francis P. Barrett, Professional Building, East Milton (Boston), Mass., 02186. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, from Southboro, Mass., to Portland, Lewiston, and Bangor, Maine, and *empty containers, salvage, returned or rejected merchandise, order forms, company records and advertising matter*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Maine.

No. MC 20207 (Sub-No. 38), filed May 19, 1966. Applicant: CONTINENTAL TRANSPORTATION LINES, INC., Continental Square Graham Street, McKees Rocks, Pa., 15136. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment) between the plantsite of the Crane Co. in Somerset, Pa., and the plantsite of the Crane Co. in Trenton, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 21060 (Sub-No. 7), filed May 19, 1966. Applicant: IOWA PARCEL SERVICE, INC., 214 15th Street, Des Moines, Iowa. Applicant's representative: Homer E. Bradshaw, Fifth Floor, Central National Building, Des Moines, Iowa, 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) between Omaha, Nebr., and its commercial zone and Moline, Ill., and its commercial zone, on the one hand, and, on the other, points in Iowa. Service shall be limited to parcels, packages or articles weighing 60 pounds or less and no service shall be performed in the transportation of any parcels, packages or articles weighing in the aggregate more than 120 pounds from one consignor at one location to one consignee at one location on any one date. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 21170 (Sub-No. 235), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, preserved, or prepared, from points in Vanderburgh and Marion County, Ind., to points in Missouri and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 21170 (Sub-No. 236), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Christian, Morgan, and Madison Counties, Ill., to points in Missouri and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 21170 (Sub-No. 237), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, preserved or prepared, from points in Berkeley County, W. Va., and Frederick County, Va., to points in Arkansas, Missouri, and Kansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 21170 (Sub-No. 241), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Juices, beverages and drinks* (other than citrus, not requiring refrigeration), from points in Florida on and south of Florida Highway 40, to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Wisconsin, Idaho, Nevada, and Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 21170 (Sub-No. 242), filed May 19, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* (except in bulk or tank vehicles), from Guymon, Okla., and points within 10 miles thereof to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, Missouri, Iowa, Arkansas, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 29555 (Sub-No. 47), filed May 19, 1966. Applicant: BRIGGS TRANSPORTATION CO., a corporation, 2360 West County Road C, St. Paul 13, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, except those requiring temperature control, and those injurious or contaminating to other lading), to serve the site of the Spector Freight System, Inc., terminal to be constructed on property located on Minnesota Highway 49 in Eagan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55, as an off-route point in connection with applicant's regular route operation, for the purpose of interchanging traffic at said terminal site. NOTE: If a hearing is deemed necessary, applicant requests it be held at (1) Minneapolis, Minn., (2) Chicago, Ill.

No. MC 30022 (Sub-No. 85), filed May 19, 1966. Applicant: Paul S. Crebbs, Ninth Street, Northumberland, Pa. Applicant's representative: Richard V. Zug, 1418 Packard Building, Philadelphia, Pa., 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *New furniture*, between Lewisburg and Wilkes-Barre, Pa.; from Lewisburg over the Susquehanna River bridge, thence over Pennsylvania Highway 147 to Northumberland, thence over U.S. Highway 11 to Kingston, thence over the Susquehanna River bridge to Wilkes-Barre, Pa., and return over the same route serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 30504 (Sub-No. 13), filed May 19, 1966. Applicant: TUCKER FREIGHT LINES, INC., 1415 South Olive Street, South Bend, Ind. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between Burns Harbor and Portage, Ind., Chicago Heights, Joliet, and Waukegan, Ill., and points in the Chicago, Ill., commercial zone as defined by the Commission, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 35334 (Sub-No. 63), filed May 19, 1966. Applicant: COOPER-JARRETT, INC., 23 South Essex Avenue, Orange, N.J. Applicant's representative: William Biederman, 280 Broadway, New York, N.Y., 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, not including those requiring refrigeration, and those injurious or contaminating to other lading), serving the terminal site of Cooper-Jarrett, Inc., on Frontage Road, formerly old U.S. Highway 66, and now parallel with U.S. Highway 66 and Interstate Highway 55, approximately one-half mile west of County Line Road, in an unincorporated portion of Du Page County, Ill., as an off-route point in connection with applicant's present regular authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 35358 (Sub-No. 18) (Clarification), filed May 2, 1966, published in FEDERAL REGISTER issue May 26, 1966, amended June 9, 1966, and republished as amended this issue. Applicant: BERGER TRANSFER AND STORAGE, INC., 3720 Maclester Drive NE., Minneapolis, Minn. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Uncrated furniture and furniture parts*, between Audubon, Iowa, and points in Kansas, Nebraska, Missouri, Minnesota, North Dakota, and South Dakota. NOTE: The purpose of this republication is to clarify the commodity description. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 38383 (Sub-No. 20), filed May 18, 1966. Applicant: THE GLENN CARTAGE COMPANY, a corporation, 1115 South State Street, Girard, Ohio. Applicant's representative: Henry M. Reinerth (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and steel mill supplies, materials, and equipment* used in the manufacture of iron and steel, and iron and steel articles, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Pennsylvania, Minnesota, Mississippi, Missouri, Nebraska, New York, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 41849 (Sub-No. 27), filed May 19, 1966. Applicant: KEIGHTLEY BROS., INC., 1601 South 39th Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer ingredients*, in bulk, in dump vehicles, from points in the St. Louis, Mo., East St. Louis, Ill., commercial zone and 5 miles thereof, and Chester, Cairo, and Shawneetown, Ill., to points in Illinois, restricted to shipments having a prior movement by water. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 43421 (Sub-No. 34), filed May 19, 1966. Applicant: DOHRN TRANSFER COMPANY, a corporation, 512 26th Avenue, Rock Island, Ill., 61202. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 46280 (Sub-No. 62), filed May 19, 1966. Applicant: DARLING FREIGHT, INC., 4000 Division Avenue South, Grand Rapids, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), between the plantsite of Hussmann Refrigerator Co. located at Taussig Road and St. Charles Rock Road, St. Louis County, Mo., on the one hand, and, on the other, Traverse City, Mich., and points in that part of Michigan on and south of a line beginning at Ludington, Mich., and extending along U.S. Highway 10 to junction Michigan Highway 20, thence along Michigan Highway 20 to Bay City, Mich., and on and west of a line beginning at Bay City and extending along U.S. Highway 23 to Flint, Mich., thence along Michigan Highway 78 to Lansing, Mich., thence along U.S. Highway 127 to the Michigan-Ohio State line, and points in that part of Michigan north of a line extending from Frankfort, Mich., over Michigan Highway 115 to junction U.S. Highway 31, thence over U.S. Highway 31 to Traverse City and points north of U.S. Highway 31 on the peninsula extending into Grand Traverse Bay on which Old Mission, Mich., is located. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 49387 (Sub-No. 30), filed May 18, 1966. Applicant: ORSCHELN BROS. TRUCK LINES, INC., Highway 24 East, Moberly, Mo. Applicant's representative: G. F. Gunn, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, medicines, toilet preparations, surgical dressings, swabs, absorbent cotton, and*

advertising matter, and store display racks or stands when moving at the same time and in the same vehicle with the above described commodities, from Jefferson City, Mo., to Monticello, Ind., Perth Amboy, N.J., and Clinton, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 50069 (Sub-No. 360), filed June 3, 1966. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill., 60521. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from the plantsite of the Glidden Co. at or near Huron, Ohio, to points in Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, New York, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 52460 (Sub-No. 83), filed June 6, 1966. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla., 74107. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Sugar Creek, Mo., to points in Nebraska, Iowa, Kansas, Missouri, Oklahoma, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., Tulsa, Okla., or Oklahoma City, Okla.

No. MC 55896 (Sub-No. 27), filed May 19, 1966. Applicant: R. W. EXPRESS, INC., 4840 Wyoming Avenue, Dearborn, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, North Dakota, South Dakota, Ohio, Oklahoma, Tennessee, Texas, Kentucky, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 58813 (Sub-No. 79), filed May 19, 1966. Applicant: SELMAN'S EXPRESS, INC., 460 West 35th Street, New York, N.Y. Applicant's representative: Solomon Granett, 1740 Broadway, New York, N.Y., 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, on hangers only, from Hails, Tenn., to points in the New York, N.Y., commercial zone and Philadelphia, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 59120 (Sub-No. 25), filed May 19, 1966. Applicant: EAZOR EXPRESS, INCORPORATED, Eazor Square, Pittsburgh, Pa., 15201. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from Burns Harbor and Portage, Ind., Chicago, Chicago Heights, Joliet, and Waukegan, Ill., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 59367 (Sub-No. 46), filed June 8, 1966. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa, 50501. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50316. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials, and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Colorado, Iowa, Kansas, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59728 (Sub-No. 16), filed May 19, 1966. Applicant: MORRISON MOTOR FREIGHT, INC., 1100 East Jenkins Boulevard, Akron, Ohio. Applicant's representative: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving the plantsite of Hussmann Refrigerator Co. located at St. Charles Rock Road and Taussig Road, Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular route authority. NOTE: Applicant states that Hussmann Refrigerator Co. is in the process of relocating its plant and facilities from within the city of St. Louis, Mo., to the above plantsite and has requested carriers presently serving it in St. Louis, Mo., to request authority as above so as to be able to continue service at its new facility. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 61231 (Sub-No. 21), filed June 8, 1966. Applicant: ALKIRE TRUCK LINES, INC., Livestock Exchange Building, 16th and Genesee, Kansas City, Mo., 64102. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Putnam County, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 69) (Amendment), filed March 2, 1966, published in FEDERAL REGISTER, issue of March 31, 1966, amended May 23, 1966, and republished as amended, this issue. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (not including tractors with vehicle beds, bed frames or fifth wheels), and *attachments and parts thereof* when moving incidental to and in the same vehicle with said tractors; and (2) *agricultural machinery and implements, and attachments and parts thereof* when moving incidental to and in the same vehicle with said tractors, from Houston, Tex.; New Orleans, La.; Portland, Oreg.; Seattle, Wash.; and Anchorage, Alaska, to points in Oregon, Washington, Idaho, Utah, Wyoming, and Montana. NOTE: The purpose of this republication is to add additional origin territory. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 61592 (Sub-No. 74), filed May 18, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors and those which because of size or weight require the use of special equipment), from Cleveland, Ohio, and ports of entry on the international boundary line between the United States and Canada, located in Maine, to points in Pennsylvania, New York, West Virginia, Maryland, Ohio, Delaware, and New Jersey, and the District of Columbia. NOTE: Applicant states that the shipper is to be afforded storage-in-transit privileges. If a hearing is deemed necessary, applicant requests that it be held at Pittsburgh, Pa.

No. MC 64114 (Sub-No. 32), filed May 17, 1966. Applicant: NORTHEASTERN TRUCKING CO., a corporation, 2508 Starita Road, Post Office Box 1493, Charlotte, N.C., 28201. Applicant's representative: Harry Ross, 848 Warner Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, poultry, fish, food and feed ingredients, and supplements* thereto (except in bulk, in tank vehicles) from points in Lafourche Parrish, La., to points in Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, Virginia, Tennessee, Kentucky, Ohio, Indiana, West Virginia, Maryland, Pennsylvania, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 64600 (Sub-No. 28) (Amendment), filed April 29, 1966, published in FEDERAL REGISTER issue of May 26, 1966, amended and republished, this issue. Applicant: WILSON TRUCKING CORPORATION, Broad Street, Box 340, Waynesboro, Va. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except in bulk), between Washington, D.C., and Cape Charles, Va., from Washington, D.C., over U.S. Highway 50 to Salisbury, Md., thence over U.S. Highway 13, to Cape Charles, Va., and return over the same route, serving the Washington, D.C., commercial zone and points on that portion of U.S. Highway 13 extending from the Maryland-Virginia State line to Cape Charles, Va. NOTE: The purpose of this republication is to more clearly set forth the proposed operation. Applicant states that no service may be rendered at points in Maryland other than those in the Washington, D.C., commercial zone. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 64994 (Sub-No. 78) filed May 19, 1966. Applicant: HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C., 27102. Applicant's representative: Frank C. Philips (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared frozen foods* (other than in bulk), from Crozet, Va., to points in Ohio, Indiana, those in Michigan on and south of Michigan Highway 21, and points in the Chicago, Ill., commercial zone; and *commodities used or useful in the manufacture, packing and shipping of prepared frozen foods*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 65897 (Sub-No. 5), filed May 12, 1966. Applicant: RELIANCE TRUCKING CO., INC., 254 New Circle Road NE., Post Office Box 678, Lexington, Ky. Applicant's representative: George M. Catlett, Suite 703–706, McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving La Grange, Ky., and points within 5 miles thereof, as off-route points in connection with applicant's regular route authority at Louisville, Ky. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 67485 (Sub-No. 4), filed May 17, 1966. Applicant: TEXAS FILM SERVICE, INC., 518 South Main Avenue, San Antonio, Tex. Applicant's representative: David A. Sutherlund, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), having a prior or subsequent movement by air, between airports located in Dallas, Tarrant, Bexar, and Harris Counties, Tex., and points in Texas over the routes described as follows: (1) From Dallas, Tex., over U.S. Highway 77 (and/or Interstate Highway 35E) to Waco, Tex., and thence over U.S. Highway 81 (and/or Interstate Highway 35) to San Antonio, Tex., and return over the same route, (2) from Temple, Tex., over Texas Highway 95, to Taylor, Tex., and thence over U.S. Highway 79, to junction U.S. Highway 79 and U.S. Highway 81, and return over the same route, (3) from Austin, Tex., over U.S. Highway 183, to Gonzales, Tex., and return over the same route, (4) from Luling, Tex., over Texas Highway 80, to San Marcos, Tex., and return over the same route, (5) from San Antonio, Tex., over U.S. Highway 90 (and/or Interstate Highway 10), to Houston, Tex., and return over the same route, (6) from San Antonio, Tex., over U.S. Highway 87, to Nixon, Tex., thence over Texas Highway 80 to junction Texas Highways 80 and 97, and thence over Texas Highway 97 to Gonzales, Tex., and return over the same route, and (7) from Seguin, Tex., over Texas Highway 123, to Stockdale, Tex., and return over the same route, serving all intermediate points and points in the following counties as off-route points: Dallas, Tarrant, Ellis, Hill, McLennan, Falls, Bell, Williamson, Travis, Hays, Caldwell, Guadalupe, Bexar, Wilson, Gonzales, Lavaca, Fayette, Colorado, Austin, Waller, and Harris Counties, Tex. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Antonio, Tex.

No. MC 69224 (Sub-No. 37), filed May 17, 1966. Applicant: H & W MOTOR EXPRESS COMPANY, a corporation, 3000 Elm Street, Dubuque, Iowa, 52003. Applicant's representative: David Axelrod, 39 South LaSalle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Carol Stream, Ill., as an off-route point in connection with applicant's authorized regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 69833 (Sub-No. 84), filed May 19, 1966. Applicant: ASSOCIATED TRUCK LINES, INC., 15 Andre Street SE., Grand Rapids, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk (not including scrap metals in bulk), and commodities requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Indiana, Michigan, Ohio, Illinois, Kentucky, Pennsylvania, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 71516 (Sub-No. 82), filed May 19, 1966. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue South, Birmingham, Ala. Applicant's representative: Robert E. Tate, Suite 2025–2028, City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and iron and steelmill products, equipment, materials, and supplies, including those used in the manufacture of iron and steel articles and used in the maintenance of steel plants*, between points in Putnam County, Ill., and Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 76032 (Sub-No. 208), filed June 13, 1966. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo., 80223. Applicant's representative: Ken Wolford (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between points in Putnam County, Ill., on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, Florida, Colorado, New Mexico, Arizona, Nevada, Utah, and California. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 78228 (Sub-No. 12) (Correction), filed May 19, 1966, published in FEDERAL REGISTER issues of May 5, 1966, and May 19, 1966, respectively, and republished as corrected, this issue. Applicant: THE J. MILLER COMPANY, a corporation, 147 Nichol Avenue, McKees Rocks, Pa. Applicant's representative: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives and household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: The purpose of this republication is to include the State of Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 78400 (Sub-No. 25), filed May 16, 1966. Applicant: BEAUFORT TRANSFER COMPANY, a corporation, Post Office Box 102, Gerald, Mo., 63037. Applicant's representative: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo., 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) between Belle, Mo., and Lamar, Mo.: From Belle over Missouri Highway 28 to junction U.S. Highway 63, thence over U.S. Highway 63 to junction U.S. Highway 66 (Interstate Route 44), thence over U.S. Highway 66 (Interstate Route 44) to junction U.S. Highway 71, thence over U.S. Highway 71 to junction U.S. Highway 160, thence over U.S. Highway 160 to Lamar and return over the same routes, serving no intermediate or off-route points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 78786 (Sub-No. 264), filed May 19, 1966. Applicant: PACIFIC MOTOR TRUCKING COMPANY, a corporation, 9 Main Street, San Francisco, Calif., 94105. Applicant's representative: John MacDonald Smith (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except household goods as defined by the Commission, commodities in bulk, those injurious or contaminating to other lading and those requiring special equipment, between (1) Arcata and Santa Ana, Calif., over U.S. Highway 101, and (2) between Sacramento and Calexico, Calif., over U.S. Highway 99, and return over the same routes, serving all intermediate and off-route points in Alameda, Amador, Butte, Calaveras, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Marin, Mendocino, Merced, Monterey, Napa, Nevada, Orange, Placer, Riverside, Sacramento, San Benito, San Bernardino, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Tulare, Ventura, Yolo, and Yuba Counties, Calif., in (1) and (2) above, which are stations on the rail lines of Southern Pacific Co. and its wholly owned subsidiaries: Northwestern Pacific Railroad Co., Petaluma & Santa Rosa Railroad Co., Visalia Electric Railroad Co., Holton Inter-Urban Railroad Co., and San Diego & Arizona Eastern Railway Co. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, San Francisco, Calif., or Portland, Oreg.

No. MC 80428 (Sub-No. 58), filed May 19, 1966. Applicant: McBRIDE TRANSPORTATION, INC., Main and Nelson Streets, Goshen, N.Y. Applicant's representative: Robert H. Kannan, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, *urea*, dry, from Olean, N.Y., to points in Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the ports of entry on the international boundary line between the United States and Canada, located in New York, *and refused, rejected and returned commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 82841 (Sub-No. 18), filed May 30, 1966. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Pipe, tubing, and electric light poles*, and (b) *materials, equipment, and supplies used in installation and maintenance of electric light poles when moving with such light poles*, from points in Douglas County, Nebr. (except Omaha, Nebr., and points in its commercial zone) to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, and (2) *irrigation systems and parts thereof*, from points in Douglas County, Nebr. (except Omaha, Nebr., and points in its commercial zone), to points in Kentucky, Tennessee, and Florida, restricted against handling of commodities which by reason of size or weight require the use of special equipment or those which fall within the so-called Mercer description. NOTE: Applicant states the proposed operation could be tacked at Valley or Waterloo, Nebr., so as to transport agricultural machinery and parts, and contractors equipment and supplies, from Colorado and Kansas. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., Kansas City, Mo., Minneapolis, Minn., or Denver, Colo.

No. MC 87511 (Sub-No. 11), filed May 16, 1966. Applicant: SAIA MOTOR FREIGHT LINE, INC., Post Office Box 10157, Station One, Houma, La. Applicant's representative: Harold D. Miller, Jr., Suite 700, Petroleum Building, Post Office Box 1250, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), (1) between Houston, Tex., and Lafayette, La., over U.S. Highway 90, (2) between Houston, Tex., and New Orleans, La., over Interstate Highway 10, (3) between Ragley and Baton Rouge, La., over U.S. Highway 190, (4) between junction U.S. Highways 190 and 71 near Krotz Springs, and Shreveport, La., over U.S. Highway 71, (5) between Iowa and Alexandria, La., over U.S. Highway 165, (6) between Lake Charles and Shreveport, La., over U.S. Highway 171, (7) between Lake Charles and New Iberia, La.; from Lake Charles over Louisiana Highway 14 to junction Louisiana Highway 83, thence over Louisiana Highway 83 to New Iberia, (8) between Midland, La., and junction Louisiana Highways 14 and 91 at or near Gueydan, La., over Louisiana Highway 91, (9) between Crowley, La., and junction Louisiana Highways 13 and 14 at or near Kaplan, La., over Louisiana Highway 13, (10) between Rayne, and Kaplan, La., over Louisiana Highway 35, (11) between Lafayette, La., and junction U.S. Highway 167 and Louisiana Highway 14 at or near Abbeville, La., over U.S. Highway 167.

(12) Between junction U.S. Highway 90 and Louisiana Highway 89 and junction Louisiana Highways 14 and 339; from junction U.S. Highway 90 and Louisiana Highway 89 over Louisiana Highway 89 to Youngsville, thence over Louisiana Highway 339 to junction Louisiana Highways 14 and 339 at or near Erath, (13) between junction U.S. Highway 90 and Louisiana Highway 315 near Houma, and Theriot, La., over Louisiana Highway 315, (14) between Houma, and Dulac, La., over Louisiana Highway 57, (15) between junction Louisiana Highways 24 and 56 and Chauvin, La., over Louisiana Highway 56, (16) between junction Louisiana Highways 24 and 55 at or near Bourg, La., and the southern terminus of Louisiana Highway 55, over Louisiana Highway 55 to its southern terminus, (17) between Centerville and Salt Point, La., over Louisiana Highway 317, (18) between Baldwin and Cypremort Point, La.; from Baldwin over Louisiana Highway 83 to Louisa, thence over Louisiana Highway 319 to Cypremort Point, (19) between junction U.S. Highway 90 and Louisiana Highway 318 and junction Louisiana Highways 83 and 318, over Louisiana Highway 318, (20) between junction Louisiana Highways 14 and 329 at or near New Iberia and Avery Island, La., over Louisiana Highway 329, (21) between Crowley and Turkey Creek, La., over Louisiana Highway 13, (22) between

Opelousas and Meeker, La., over U.S. Highway 167, (23) between junction U.S. Highway 190 and Louisiana Highway 371 and Mimou, La.; from junction U.S. Highway 190 and Louisiana Highway 371 at or near Basile over Louisiana Highway 371 to its joinder with Louisiana Highway 104, thence over Louisiana Highway 104 to Mimou, (24) between Crowley and Opelousas, La.; from Crowley over Louisiana Highway 35 to Church Point, thence over Louisiana Highway 182 to Opelousas, (25) between Lafayette and Opelousas, La., over U.S. Highway 167.

(26) Between New Iberia and Opelousas, La., over Louisiana Highway 31, (27) between Cade, La., and junction Louisiana Highways 31 and 92, over Louisiana Highway 92, (28) between junction U.S. Highway 90 and Louisiana Highway 94 near Lafayette and Breaux Bridge, La., over Louisiana Highway 94, (29) between junction U.S. Highway 167 and Louisiana Highway 93 near Grand Coteau and junction Louisiana Highways 93 and 31 near Arnaudville, La., over Louisiana Highway 93, (30) between Baton Rouge and New Orleans, La., over U.S. Highway 61, (31) between Baton Rouge and Slidell, La., over U.S. Highway 190, (32) between junction U.S. Highways 61 and 51 at or near Laplace, La., and the Mississippi-Louisiana State line, over U.S. Highway 51, (33) between junction U.S. Highway 61 and Interstate Highway 55 at or near Laplace, La., and the Mississippi-Louisiana State line, over Interstate Highway 55, (34) between Denham Springs and Amite, La., over Louisiana Highway 16, (35) between Ponchatoula, La., and junction U.S. Highway 190 and Louisiana Highway 22 at or near Chinchuha, La., over Louisiana Highway 22, (36) between New Orleans, La., and junction Pontchartrain Causeway and U.S. Highway 190, over Pontchartrain Causeway, (37) between New Orleans and Venice, La., over Louisiana Highway 23, (38) between New Orleans and Bohemia, La., over Louisiana Highway 39, (39) between Donaldsonville and New Orleans, La., over Louisiana Highway 18 (commonly known as the Old River Road), (40) between Baton Rouge and New Orleans, La.; from Baton Rouge over Louisiana Highway 30 to Louisiana Highway 44 at or near Burnside, thence over Louisiana Highway 44 to its joinder or merger with Louisiana Highway 48, thence over Louisiana Highway 48 to New Orleans.

(41) between Port Allen and Grand Isle, La.; from Port Allen over Louisiana Highway 1 to White Castle, thence over Louisiana Highway 996 to junction Louisiana Highway 70, thence over Louisiana Highway 70 to junction Louisiana Highway 1 at or near Paincourtville, thence over Louisiana Highway 1 to Grand Isle, (42) between Paincourtville and Golden Meadow, La.; from Paintcourtville over Louisiana Highway 70 to junction Louisiana Highway 308, thence over Louisiana Highway 308 to Golden Meadow, (43) between Schriever, La., and junction Louisiana Highways 24 and 1 at or near Cut Off, La., over Louisiana Highway 24, (44) between Donner and Thibodaux, La., over Louisiana Highway 20, (45) between Geismar, La., and junction U.S. Highway 61 and Louisiana Highway 73 at or near Prairieville, La., over Louisiana Highway 73, (46) between Thibodaux and Vacherie, La., over Louisiana Highway 20, (47) between junction Louisiana Highways 24 and 311 at or near Schriever, La., and junction Louisiana Highway 311 and U.S. Highway 90, over Louisiana Highway 311, (48) between Central, La., and junction Louisiana Highways 309 and 1 at or near Brule, La., over Louisiana Highway 309, (49) between New Iberia and Loreauville, La., over Louisiana Highway 86, (50) between Kaplan and Forked Island, La., over Louisiana Highway 35, (51) between Abbeville, and Intracoastal City, La.; from Abbeville over Louisiana Highway 82 to Esther, thence over Louisiana Highway 333 to Intracoastal City.

(52) Between Ville Platte and Tate Cove, La., over Louisiana Highway 29, (53) between Oakdale and Elizabeth, La., over Louisiana Highway 10, (54) between Jefferson Island, La., and junction Louisiana Highway 14 and unnumbered road running between Jefferson Island and Louisiana Highway 14; over unnumbered road, (55) between junction Louisiana Highways 55 and 665 at or near Montegut and the terminus of Louisiana Highway 665, over Louisiana Highway 665, (56) between New Iberia and Weeks Island, La., over Louisiana Highway 83, and return over the same routes, serving all intermediate points in (1) through (56) above, (57) between Beaumont, Tex., and Ragley, La.; from Beaumont over Texas Highway 12 to the Texas-Louisiana State line, thence over Louisiana Highway 12 to Ragley, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, (58) between Beaumont, Tex., and De Ridder, La.; from Beaumont over Texas Highway 12 to the Texas-Louisiana State line, thence over Louisiana Highway 12 to De Quincy, thence over Louisiana Highway 27 to De Ridder, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, (59) between junction U.S. Highway 190 and Louisiana Highway 1 at or near Erwinville, and Alexandria, La., over Louisiana Highway 1, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, and (60) between Alexandria and Shreveport, La., over Louisiana Highway 1, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: Applicant states it seeks authority to join or connect all routes at their point of joinder or junction. Serve points within 20 miles of Baton Rouge and New Orleans, La., and Houston, Beaumont, and Orange, Tex., 10 miles of Lake Charles, Lafayette, Shreveport, Alexandria, New Iberia, Houma, and Morgan City, La. Serve the plantsite of Columbia Carbon Co. at or near Carboco, La., the plantsite of Calcasieu Paper Co. at or near Elizabeth, La., as off-route points in connection with the operations proposed above. Restriction: Service to and from points in Texas is limited to traffic moving to, from, or through points in Louisiana. If a hearing is deemed necessary, applicant requests it be held at Lafayette, Baton Rouge, and New Orleans, La., and Houston, Tex.

No. MC 89716 (Sub-No. 39), filed May 19, 1966. Applicant: DICK JONES TRUCKING, a corporation, Post Office Box 965, Powell, Wyo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay, diatomaceous earth, drilling mud conditioners*, in bulk and in packages, from Belle Fourche, S. Dak., and points in South Dakota and Wyoming within 20 miles thereof, to points in Wyoming, and *empty containers, contaminated or rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont., or Denver, Colo.

No. MC 92983 (Sub-No. 527), filed May 19, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, in bulk, from points in Arizona, to points in Iowa, Kansas, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 528), filed May 19, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cider, juices, vinegar, and wines*, in bulk, from points in California, to points in Arkansas, Kansas, Missouri, Nebraska, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 529), filed May 17, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugars and syrups, including blends and products thereof*, in bulk, from points in Colorado and Wyoming, to points in Kansas, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 95084 (Sub-No. 51), filed May 17, 1966. Applicant: HOVE TRUCK LINE, a corporation, Stanhope, Iowa. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa, 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between points in Iowa, Kansas, Montana, Nebraska, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 97726 (Sub-No. 5), filed May 19, 1966. Applicant: AAA MOTOR LINES, INC., Post Office Box 1328, Dothan, Ala. Applicant's representative: William Addams, Room 620, 1776 Peach-

tree Street NW., Atlanta, Ga., 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, and commodities requiring special equipment), between Montgomery, Ala., and Eufaula, Ala., from Montgomery over U.S. Highway 231 to its intersection with U.S. Highway 82 (approximately 19 miles south of Montgomery), thence over U.S. Highway 82 to its intersection with U.S. Highway 431 (approximately 2 miles north of Eufaula), thence over U.S. Highway 431 to Eufaula, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 103341 (Sub-No. 8), filed May 13, 1966. Applicant: YOUNGBLOOD VAN & STORAGE CO., INC., 3908 Hamilton Road, Columbus, Ga. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Dade, Catoosa, Whitfield, Murray, Fannin, Union, Towns, Rabun, Walker, Chattooga, Gordon, Gilmer, Lumpkin, White, Habersham, Pickens, Dawson, Stephens, Floyd, Bartow, Cherokee, Forsyth, Hall, Banks, Franklin, Hart, Polk, Paulding, Cobb, Fulton, Gwinnett, Barrow, Jackson, Madison, Elbert, Haralson, Carroll, Douglas, De Kalb, Walton, Oconee, Clarke, Oglethorpe, Heard, Coweta, Fayette, Henry, Rockdale, Newton, Morgan, Greene, Troup, Meriwether, Harris, Talbot, Taylor, Chattahoochee, Marion, Stewart, Webster, Schley, Macon, Muscogee, Treutlen, Candler, Bulloch, Effingham, Chatham, Bryan, Evans, Liberty, Long, McIntosh, Tattnall, Toombs, Montgomery, Wheeler, Telfair, Jeff Davis, Appling, Wayne, Coffee, Bacon, Berrien, Atkinson, Ware, Pierce, Cook, Thomas, Brooks, Lowndes, Lanier, Clinch, Echols, Brantley, and Glynn Counties, Ga.; Lauderdale, Limestone, Madison, Jackson, Colbert, Lawrence, Morgan, Marshall, De Kalb, Franklin, Marion, Winston, Cullman, Blount, Etowah, Cherokee, Lamar, Fayette, Walker, Jefferson, Saint Clair, Calhoun, Cleburne, Pickens, Tuscaloosa, Shelby, Talladega, Bibb, Chilton, Coosa, Clay, Randolph, Tallapoosa, Chambers, Autauga, Elmore, Lee, Lowndes, Montgomery, Macon, Russell, Bullock, Butler, Crenshaw, Pike, and Barbour Counties, Ala.; Jasper and Beaufort Counties, S.C.; and Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Columbia, Union, Baker, Nassau, and Duval Counties, Fla.; restricted to shipments having a prior or subsequent movement in containers beyond said counties, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 103880 (Sub-No. 373), filed May 19, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio, 44306. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank or hopper vehicles, from Henry, Ill., to points in Delaware, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103880 (Sub-No. 374), filed May 19, 1966. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio, 44306. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics and plastic materials*, in bulk, in tank or hopper type vehicles, from the plantsite of Rexall Drug & Chemical Co. located approximately 4 miles southeast of Channahon, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103993 (Sub-No. 256), filed May 19, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian, Indianapolis, Ind., 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Montgomery County, Ohio, to points in the United States (except Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 103993 (Sub-No. 257), filed May 19, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages with hitchball connector, in initial movements, from points in Delaware County, Pa., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 105407 (Sub-No. 14), filed May 19, 1966. Applicant: HANNIBAL-QUINCY TRUCK LINES, INC., 2816 Market Street, Hannibal, Mo. Applicant's representative: G. M. Rebman, Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk and those requiring special equipment), serving the plantsite of Hussmann Refrigerator Co. located at St. Charles Rock Road and Taussig Road, Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular-route authority. NOTE: Applicant states Hussmann Refrigerator Co. is in the process of relocating its plants and facilities from within the city of St. Louis, Mo., to the above plantsite and has requested carriers presently serving it in St. Louis, Mo., to request authority as above so as to be able to continue service at its new facility. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 106373 (Sub-No. 32), filed May 19, 1966. Applicant: THE SERVICE TRANSPORT CO., a corporation, 11910 Harvard Avenue, Cleveland, Ohio, 44105. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steelmill materials, supplies and equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106398 (Sub-No. 332), filed June 2, 1966. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla., 74115. Applicant's representative: O. L. Thee (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from White Marsh, Md., to points in the United States, except Alaska and Hawaii. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 106904 (Sub-No. 8), filed May 16, 1966. Applicant: JEFF A. ROBERTSON, doing business as TOPEKA MOTOR FREIGHT, 4490 Lower Silver Lake Road, Topeka, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) from Clay Center, Kans., to Longford, Kans., from Clay Center over Kansas Highway 15 to junction unnumbered highway and thence over unnumbered highway to Longford, and return over the same route, and (2) from Junction City, Kans., to Longford, Kans., from Junction City over Kansas Highway 18 to junction Kansas Highway 15, thence over Kansas Highway 15 to junction unnumbered highway and thence over unnumbered highway to Longford, and return over the same route, serving intermediate and off-route points within 20 miles of Longford, Kans., except Abilene, Kans., and those on and south of Kansas Highway 18, in connection with 1 and 2 above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC 107002 (Sub-No. 310), filed May 16, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal fats, animal oils, and vegetable oils, including products and blends of such commodities*, in bulk, in tank vehicles, from Chicago, Ill., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Mississippi, Nebraska, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (2) *vegetable oils*, in bulk, in tank vehicles, from points in Illinois, Iowa, Missouri, Tennessee, and Wisconsin, to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107002 (Sub-No. 311), filed May 16, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals, petroleum products, vegetable and animal oils, fats, products, and blends thereof*, in bulk, from points in Louisiana and Texas, to points in California, Oregon, and Washington, (2) *chemicals, petroleum products, vegetable and animal oils, fats, products and blends thereof, wines, juices and juice concentrates, vinegar and vinegar stock, fruits and vegetables in brine or water*, in bulk, from points in California, Oregon, and Washington, to points in Alabama, Arkansas, Florida, Georgia, Illinois, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, South Carolina, Texas, and West Virginia, and (3) *chemicals*, in bulk, from points in West Virginia, to points in California, Colorado, Kansas, Missouri, Nebraska, Oklahoma, Oregon, and Washington. NOTE: If a hearing is deemed necessary applicant requests it be held at Houston, Tex., and San Francisco, Calif.

No. MC 107107 (Sub-No. 368), filed June 2, 1966. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th Street, Post Office Box 458, Allapattah Station, Miami, Fla., 33142. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as set forth in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Lemont, Ill., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina. NOTE: Applicant states that the authority sought is to be restricted to shipments originating at Lemont, Ill., and its commercial zone. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107496 (Sub-No. 483), filed May 19, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, in bulk, from points in St. Francois County, Mo., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Mississippi, Ohio, Oklahoma, Pennsylvania, and Texas. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 107496 (Sub-No. 485), filed May 19, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic plastics and resins*, in bulk, in tank vehicles or hopper type vehicles, from the plantsite of Rexall Drug & Chemical Co. located approximately 4 miles southeast of Channahon, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108067 (Sub-No. 12), filed May 19, 1966. Applicant: AL ZEFFIRO TRANSFER AND STORAGE, INC., Eighth Street and Meldon Avenue, Donora, Pa. Applicant's representative: Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives and household goods as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108068 (Sub-No. 56), filed June 9, 1966. Applicant: U.S.A.C. TRANSPORT, INC., 25220 West Six Mile Road, Detroit, Mich., 48240. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radio-controlled aircraft*, fully or partially assembled, and *parts and equipment for aircraft* described above when moving with a shipment of aircraft described above, between El Paso, Tex., on the one hand, and, on the other, Travis Air Force Base and Oakland Army Terminal, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Washington, D.C.

No. MC 108207 (Sub-No. 195), filed May 25, 1966. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Dallas, Tex., 75207. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex., 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite of American Home Foods at or near La Porte, Ind., to points in Arkansas, Mississippi, Louisiana, Oklahoma, Texas, and Memphis, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 108428 (Sub-No. 20), filed May 19, 1966. Applicant: DINO D'AGATA, 3240 South 61st Street, Philadelphia, Pa. Applicant's representative: G. Donald Bullock, Box 103, Wyncote, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Philadelphia, Pa., to Lancaster, Pa. NOTE: Applicant states it intends to tack the rights sought with that part of its present authority in MC 108428 which authorizes the transportation of malt beverages from New York, N.Y., to Philadelphia, Pa. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 109397 (Sub-No. 142), filed May 25, 1966. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo., 64802. Applicant's representative: Max G. Morgan, 450 American National Building, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives, blasting materials, blasting supplies, and blasting agents*, between Frederickson, Wash., and points within 5 miles thereof, on the one hand, and, on

the other, points in Washington, Oregon, Idaho, Nevada, California, Utah, Colorado, Montana, Wyoming, Arizona, and New Mexico. NOTE: Applicant states that under its base certificate it holds authority to transport the involved commodities between points in Missouri, Oklahoma, Kansas, Texas, Nebraska, Arkansas, and New Mexico. Thus, the base certificate could be tacked with the instant authority in New Mexico and through service rendered between points in Frederickson, Wash., and points within 5 miles thereof, on the one hand, and, on the other, points in Missouri, Oklahoma, Kansas, Texas, Nebraska, and Arkansas. Additionally, applicant holds authority under its Sub 71 to transport the involved commodities between Louviers, Colo., and points within 5 miles thereof, on the one hand, and, on the other, points in Texas, New Mexico, Arizona, Wyoming, Montana, Oklahoma, Nebraska, South Dakota, California, Utah, Idaho, Nevada, Kansas, and Du Pont, Wash. Thus, by tacking at Louviers, Colo., applicant could render through service between Frederickson, Wash., and points within 5 miles thereof, on the one hand, and, on the other, points in Missouri, Oklahoma, Kansas, Texas, Nebraska, Arkansas, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or St. Louis, Mo.

No. MC 110053 (Sub-No. 6), filed May 19, 1966. Applicant: ILLINOIS STATE MOTOR SERVICE, INC., 1800 West 31st Street, Chicago, Ill. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), *including commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111397 (Sub-No. 75), filed May 16, 1966. Applicant: DAVIS TRANSPORT, INC., 1345 South Fourth Street, Paducah, Ky. Applicant's representative: Herbert S. Melton, Jr., Suite 234, Katterjohn Building, Box 1284, Avondale Station, Paducah, Ky., 42001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, in bulk, from the plantsite of Missouri Lime Co. at or near St. Genevieve, Mo., to points in Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 111611 (Sub-No. 19), filed May 18, 1966. Applicant: NOERR MOTOR FREIGHT, INC., 205 Washington Avenue, Lewistown, Pa. Applicant's representative: John E. Fullerton, 407 North Front Street, Harrisburg, Pa., 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rayon, rayon yarn, rayon fiber, rayon yarn products, rayon waste, synthetic yarn, synthetic fiber, synthetic staple fiber, synthetic fiber products*, from Lewistown, Pa., to points in Georgia, and *empty containers* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111729 (Sub-No. 151), filed May 16, 1966. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Advertising media, including layouts, copy, art work, tear sheets and photos, and accompanying documents*, between points in New Haven County, Conn., on the one hand, and, on the other, New York, N.Y., (2) *bottled oil samples and hardware*, limited to movements not exceeding 50 pounds per shipment, (a) between Philadelphia, Pa., and Baltimore, Md., and (b) between Perth Amboy, N.J., on the one hand, and, on the other, Marcy, Rensselaer, Rochester, Rome, Syracuse, and Utica, N.Y., and (3) *business papers, records, checks, and audit and accounting media* (except cash letters), (a) between Philadelphia, Pa., and Baltimore, Md., (b) between Perth Amboy, N.J., on the one hand, and, on the other, Marcy, Rensselaer, Rochester, Rome, Syracuse, and Utica, N.Y., (c) between points in Hartford County, Conn., on the one hand, and, on the other, New York, N.Y., and points in Essex County, N.J., and Berkshire, Franklin, Hampshire, Hampton, and Norfolk Counties, Mass., and (d) between points in New Haven County, Conn., on the one hand, and, on the other, points in Berkshire, Franklin, Hampshire, and Hampton Counties, Mass. NOTE: Applicant holds contract carrier authority in MC 112750 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y.

No. MC 111729 (Sub-No. 152), filed May 18, 1966. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Drugs, narcotics, and pharmaceuticals*, between Cleveland, Ohio, on the one hand, and, on the other, points in the Lower Peninsula of Michigan (except points in Wayne County), and (2) *business papers, records, checks, recordak film, and audit and accounting media of all kinds* (except cash letters), (a) between Belpre, Ohio, on the one hand, and, on the other points in Cabell, Harrison, Marie, Mason, Pleasants, Tyler, Wayne, and Wood Counties, W. Va., (b) between Erie, Pa., on the one hand, and, on the other, points in Ashtabula County, Ohio, and Chautauqua County, N.Y., (c) between Dayton, Ohio, on the one hand, and, on the other, Lexington and Louisville, Ky., (d) between Louisville, Ky., and Indianapolis, Ind., and (e) between Cleveland, Ohio, and Buffalo, N.Y. NOTE: Applicant is authorized to operate as a contract carrier in MC 112750, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 111729 (Sub-No. 154), filed May 18, 1966. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies (consisting of labels, envelopes and packaging materials), and advertising literature shipped therewith* (except motion picture film used primarily for commercial theatre and television exhibition), between Alexandria, Va., on the one hand, and, on the other, points in Frederick and Wicomico Counties, Md., (2) *checks, business papers, records and audit and accounting media of all kinds* (except cash letters), between Philadelphia, Pa., on the one hand, and, on the other, points in New Castle County, Del., and points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, and Warren Counties, N.J., and (3) *dentures, articulators, impressions, models, bites, and products relating to restorative dentistry*, between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., and points in Nassau and Suffolk Counties, N.Y. NOTE: Applicant is authorized to operate as a contract carrier in MC 112750, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111941 (Sub-No. 9), filed May 19, 1966. Applicant: PIERCETON TRUCKING COMPANY, INC., Laketon, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast and prestressed concrete and materials and supplies used in the erection thereof*, from Indianapolis, Ind., to points in Illinois, Iowa, Ohio, Michigan, Kentucky, West Virginia, Missouri, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 112697 (Sub-No. 13), filed May 18, 1966. Applicant: SAMUEL A. BRASFIELD, doing business as B & S ENTERPRISES, 1727 Osborn Drive, Memphis, Tenn., 38127. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, in bags and dry bulk, seasonal between March 1 and June 15 inclusive, (1) from Memphis, Tenn., to points in Arkansas, Mississippi, and Alabama, and Tennessee west of Tennessee Highway 13, (2) from points in Alabama to points in Arkansas, Mississippi, and Tennessee west of Tennessee Highway 13, and (3) from points in Arkansas to points in Mississippi, Alabama, and Tennessee west of Tennessee Highway 13. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 112801 (Sub-No. 50), filed May 18, 1966. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, acids, and chemicals*, in bulk and in bags, from the plantsite of Terra Chemicals International, Inc., at Port Neal, Iowa, to points in Colorado, Illinois, Iowa, Kansas, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 113265 (Sub-No. 4), filed May 19, 1966. Applicant: ATLANTA-ASHEVILLE MOTOR EXPRESS, INC., 1268 Caroline Street NE., Atlanta, Ga. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission and liquid commodities in bulk, in tank vehicles), between Lake Junaluska and Franklin, N.C.; from Lake Junaluska, over U.S. Highway 19 to Ranger, N.C., thence over U.S. Highway 64 to Ducktown, Tenn., thence over Tennessee Highway 68 to the Tennessee-Georgia State line, thence over Georgia Highway 5 to Blue Ridge, Ga., thence over U.S. Highway 76 to junction Georgia Highway 69, thence over Georgia Highway 69 to the Georgia-North Carolina State line, thence over North Carolina Highway 69 to Hayesville, N.C., thence over U.S. Highway 64 to Franklin, and return over the same route, serving the intermediate points of Copperhill, Tenn., and Blue Ridge, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Asheville, N.C., or Atlanta, Ga.

No. MC 113325 (Sub-No. 109), filed May 18, 1966. Applicant: SLAY TRANSPORTATION CO., a corporation, 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caustic soda*, in bulk, in tank vehicles, from the site of Kentucky Asphalt Sales Terminal near Louisville, Ky., to points in Indiana and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 113624 (Sub-No. 30), filed May 19, 1966. Applicant: WARD TRANSPORT, INC., Post Office Box 133, Pueblo, Colo. Applicant's representative: Martin F. Jones, 420 Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, acids, and chemicals, in bulk and in bags*, from the plantsite of Terra Chemicals International, Inc., at Port Neal, Iowa, to points in Colorado, Illinois, Iowa, Kansas, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 113651 (Sub-No. 112), filed May 16, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides, and commodities in bulk, in tank vehicles), from points in York County, Nebr., to points in Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 113651 (Sub-No. 113), filed May 16, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, frozen foods, food products, and chewing gum*, from points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, and Pennsylvania, to points in Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113651 (Sub-No. 114), filed May 16, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen, and in bulk), from Cambridge, Md., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113651 (Sub-No. 115), filed May 19, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in North Carolina, to points in Ohio, Indiana, Illinois, Iowa, Wisconsin, Minnesota, Pennsylvania, New York, New Jersey, West Virginia, Virginia, Delaware, Maryland, Kentucky, Tennessee, Missouri, Kansas, Oklahoma, Arkansas, Texas, Nebraska, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, Maine, Massachusetts, Rhode Island, Vermont, New Hampshire, Connecticut, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113651 (Sub-No. 116), filed May 19, 1966. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from points in La Porte and St. Joseph Counties, Ind., to points in Kentucky, Tennessee, Louisiana, Mississippi, Georgia, Alabama, Florida, Virginia, West Virginia, North Carolina, and South Carolina, restricted to traffic originating in La Porte and St. Joseph Counties, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113843 (Sub-No. 118), filed May 17, 1966. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass., 02210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk, in tank vehicles), from North East, Pa., and points in New York located on and west of a line beginning at Cape Vincent, N.Y., and extending along New York Highway 12E to Watertown, N.Y., thence along U.S. Highway 11 to the New York-Pennsylvania State line, to points in Maine, New Hampshire, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 113855 (Sub-No. 137), filed June 10, 1966. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn., 55901. Applicant's representative: Michael E. Miller, 502 First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, steelmill material and supplies, and equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States on and west of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, except Texas, Oklahoma, Alaska, and Hawaii. NOTE: Applicant states that no duplicate authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Chicago, Ill., or Pittsburgh, Pa.

No. MC 113974 (Sub-No. 19), filed June 6, 1966. Applicant: PITTSBURGH & NEW ENGLAND TRUCKING CO., a corporation, 211 Washington Avenue, Dravosburg, Pa., 15034. Applicant's representative: W. H. Schlottman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel; iron and steel*

articles; steelmill supplies, equipment, and materials; and building materials, between Chicago, Ill., and points in its commercial zone, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114111 (Sub-No. 100), filed May 16, 1966. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, tubing, conduit, valves or fittings, compound, joint sealer, bonding cement, primer, coating, thinner and accessories* used in the installation of such products, from points in Mayes County, Okla., to points in Kansas, Colorado, Wyoming, Nebraska, North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, Missouri, Illinois, Indiana, and Michigan. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114211 (Sub-No. 102), filed May 19, 1966. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except oilfield equipment, materials, and supplies) between Pueblo and Minnequa, Colo., on the one hand, and, on the other, points in North Dakota, South Dakota, Kansas, Oklahoma, Arkansas, Texas, Michigan, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, and Louisiana. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114211 (Sub-No. 103), filed May 19, 1966. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel, and iron and steel articles*, from Putnam County, Ill., to points in the United States (except Alaska and Hawaii), (2) *articles used in the manufacture of iron and steel or iron and steel articles, and commodities used in the maintenance of steel plants, and rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114284 (Sub-No. 30) (Correction), filed April 22, 1966, published FEDERAL REGISTER issue of May 12, 1966, corrected May 24, 1966, and republished, as corrected, this issue. Applicant: FOX - SMYTHE TRANSPORTATION CO., a corporation, Post Office Box 82307, Stockyard Station, Oklahoma City, Okla. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, articles distributed by meat packinghouses, and such commodities as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers*, as described in sections A, B, C, and D, appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from "Guymon," Okla., to points in Arizona, California, Iowa, Nebraska, New Mexico, South Dakota, and Texas. The purpose of this republication is to show the correct spelling of the origin point of "Guymon," Okla. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115311 (Sub-No. 58), filed June 9, 1966. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 589, Americus, Ga. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement and lime*, from Atlanta, Ga., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 115331 (Sub-No. 197), filed May 16, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile softener*, in bulk, from Clinton, Iowa, to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115331 (Sub-No. 198), filed May 16, 1966. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo., 63101. Applicant's representative: Thomas F. Kilroy, Colorado Building, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, except in dump vehicles, from Chicago, Ill., to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115668 (Sub-No. 12), filed May 19, 1966. Applicant: WYLLIS B. HERRICK, doing business as W. B. HERRICK, Rural Route No. 2, Kendallville, Ind. Applicant's representative: William L. Carney, 105 East Jennings, South Bend, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electric stoves and appliances, kitchen cabinets, counter tops, sinks, shower bath doors, faucets and plumbing*, from Kendallville, Ind., to points in Allegan, Barry, Eaton, Ingham, Livingston, Oakland (south of Michigan Highway 59 and west of U.S. Highway 24), Wayne (west of U.S. Highway 24), Van Buren, Berrien, Kalamazoo, Cass, St. Joseph, Calhoun, Branch, Jackson, Hillsdale, Washtenaw, Lenawee, and Monroe Counties, Mich.; and Mercer, Auglaize, Hardin, Wyandot, Crawford, Huron, Erie, Ottawa, Sandusky, Seneca, Hancock, Wood, Lucas, Fulton, Henry, Putnam, Allen, Van Wert, Paulding, Defiance, and Williams Counties, Ohio; and *returned or rejected commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 115826 (Sub-No. 141), filed May 18, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Sidney, Nebr., to points in Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 115840 (Sub-No. 26), filed May 19, 1966. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and articles used in the manufacture of iron and steel or iron and steel articles, and commodities used in the production and maintenance of steel plants*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Lower Peninsula of Michigan, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115841 (Sub-No. 293), filed May 19, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Delaware, Maryland, and Virginia to points in Kentucky, Tennessee, Arkansas, Louisiana, Mississippi, and Alabama. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 116014 (Sub-No. 25), filed May 16, 1966. Applicant: OLIVER TRUCKING CO., INC., North Bloomfield Road, Winchester, Ky. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard*, from Louisburg, N.C., and points within 5 miles thereof, to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, and points in Arkansas, Iowa, Louisiana, Missouri, Minnesota, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116273 (Sub-No. 71), filed May 17, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile softeners*, in bulk, from Clinton, Iowa, to points in the United States (except Alaska and Hawaii), and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 379), filed May 18, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, articles distributed by meat packinghouses and such commodities as are used by meat packers in the conduct of their business* when destined to and for use by meat packers (except hides and commodities in bulk), from Guymon, Okla., to points in Arizona, Arkansas, California, Colorado, Idaho, Louisiana, Mississippi, Nevada, New Mexico, Oregon, Texas, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117119 (Sub-No. 381), filed June 9, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: A. Alvis Layne, 948 Pennsylvania Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products, and commodities used by* packinghouses, as defined by the Commission in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *frozen foods*, (1) between Sharpsburg, Iowa, and points within 12 miles thereof, on the one hand, and, on the other, Omaha, Nebr.; (2) between Sharpsburg, Iowa, and points within 12 miles thereof, on the one hand, and, on the other, Hopkins and St. Joseph, Mo.; (3) between Hopkins, Mo., and St. Joseph, Mo.; and (4) between Omaha, Nebr., and St. Joseph, Mo. NOTE: Applicant presently holds regular route authority in MC 117119 (Sub-No. 346) and the purpose of this application is to convert the regular route authority to irregular route authority, and if the application is granted applicant requests that the regular route certificate in MC 117119 (Sub-No. 346) be canceled. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 150), filed May 17, 1966. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Mail Route No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Transmission towers and electrical equipment*, from points in Iowa, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Pennsylvania, Virginia, West Virginia, Ohio, Indiana, Illinois, Michigan, North Carolina, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 151), filed May 17, 1966. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Mail Route No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers or equalizers* for air, gas, or liquids, (2) *machinery and equipment* for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas, or liquids, and (3) *parts, attachments, and accessories* for use in the installation and operation of items named in (1) and (2) above, from Clarksville, Tenn., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Pennsylvania, Virginia, West Virginia, Ohio, Indiana, Illinois, Michigan, North Carolina, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 152), filed May 17, 1966. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Motor Route No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Tractors (experimental and show display), machinery, and equipment (farm and industrial)*, which at the time of movement are being transported for purposes of display and experiment, and not for sale, and *incidental paraphernalia*, moving in the same vehicle at the same time, and *rejected shipments* of the commodities specified, between points in Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Tennessee, Kentucky, West Virginia, Virginia, Illinois, Wisconsin, Michigan, Indiana, Ohio, Pennsylvania, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117765 (Sub-No. 45), filed May 19, 1966. Applicant: HAHN TRUCK LINE, INC., 5800 North Eastern, Oklahoma City, Okla., 73111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages*, carbonated and noncarbonated, in containers, from Muskogee, Okla., to points in Arkansas, Colorado, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, and Texas, and *containers used in the packaging of the commodities described above and exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 117765 (Sub-No. 46), filed May 19, 1966. Applicant: HAHN TRUCK LINE, INC., 5800 North Eastern, Oklahoma City, Okla., 73111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bags, from points in Haskell County, Okla., to points in Colorado, Kansas, and Texas, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 118292 (Sub-No. 15), filed May 19, 1966. Applicant: BALLENTINE PRODUCE, INC., Alma, Ark. Applicant's representative: Lester M. Bridgeman, Woodward Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Fort Smith, Ark., and Stilwell, Okla., to points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Missouri, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming, and Arkansas. NOTE: Applicant holds contract carrier authority in MC 118434, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 118535 (Sub-No. 25), filed June 10, 1966. Applicant: JIM TIONA, JR., 803 West Ohio Street, Post Office Box 127, Butler, Mo. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, 1103 Grand Avenue, Kansas City, Mo., 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonia nitrate, urea, fertilizer, fertilizer materials, and fertilizer ingredients* (other than liquid), from the plantsite and storage facilities of Terra Chemical International, Inc., at or near Fort Neal, Iowa (approximately 6 miles south of Sioux City, Iowa), to points in Arkansas, Colorado, Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Des Moines, Iowa.

No. MC 118803 (Sub-No. 2), filed June 8, 1966. Applicant: ATLANTIC TRUCK LINES, INC., 119 Ellison Street, Paterson, N.J., 07505. Applicant's representative:

Arthur H. Priest, 71-23 Austin Street, Forest Hills, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Air-conditioning and heating ducts, pipes, elbows, fittings, vents, dampers, flues, grills, registers, rain carrying gutters, downspouts, eaves, valleys, elbows and fittings, and roof ventilators* (except in bulk, in tank vehicles), from Hauppauge, Suffolk County, N.Y., and Long Island City, N.Y., to points in Arkansas, Kansas, Louisiana, Nebraska, Oklahoma, Texas, and points in Missouri (except those in Audrain, Callaway, Crawford, Franklin, Gasconade, Jefferson, Lincoln, Monroe, Montgomery, Perry, Pike, Ralls, St. Charles, St. Francois, St. Louis, St. Louis City, Ste. Genevieve, Warren, and Washington Counties); and *returned shipments* of the above-described commodities, on return. NOTE: Applicant states that the proposed operations are limited to a transportation service to be performed under continuing contract or contracts with L. Bieler & Sons, Inc., and National Elbow & Fitting Corp., both of Hauppauge, Suffolk County, N.Y., and Long Island City, N.Y. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 118928 (Sub-No. 1), filed May 16, 1966. Applicant: STANLEY S. DOBSON, Alsey, Ill. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill., 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay sewer pipe, sewer pipe fittings with asphaltic and plain joints, plastic joints, clay flue lining, clay wall coping, clay drain tile, clay liner plates—lubricant for sewer pipe joints*, from Whitehall, Ill., to points in Indiana, Iowa, Missouri, and Wisconsin. NOTE: Applicant proposes to transport *empty containers, empty pallets and skids, and damaged, rejected, or overshipped material* on return. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 119226 (Sub-No. 54), filed May 16, 1966. Applicant: LIQUID TRANSPORT CORP., 3901 Madison Avenue, Indianapolis, Ind., 46227. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar and syrups, and blends, mixtures and products thereof*, from Louisville, Ky., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Tennesee, Virginia, West Virginia, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Louisville, Ky.

No. MC 119493 (Sub-No. 24), filed May 18, 1966. Applicant: MONKEM COMPANY, INC., Post Office Box 1196, Joplin, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, in bag and in bulk, between Mount Vernon, Mo., and points within 5 miles thereof, and points in Indiana, Michigan, and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Tulsa, Okla.

No. MC 119577 (Sub-No. 11), filed May 19, 1966. Applicant: OTTAWA CARTAGE, INC., Post Office Box 458, Ottawa, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, and household goods, as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 120398 (Sub-No. 4), filed May 19, 1966. Applicant: VALLEY EXPRESS, INC., Post Office Box 158, Schofield, Wis., 54476. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Wausau, Wis., and the site of State Public Welfare Department of Correctional Institutes, Wisconsin School for Boys located 1½ miles east of U.S. Highway 51 near Irma, Lincoln County, Wis. NOTE: Applicant states it seeks to tack proposed authority to authority registered under MC 120398. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 120543 (Sub-No. 48), filed May 18, 1966. Applicant: FLORIDA REFRIGERATED SERVICE, INC., U.S. 301 North, Dade City, Fla. Applicant's representative: Lawrence D. Fay, 1205 Universal Marion Building, Post Office Box 1086, Jacksonville, Fla., 32201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Juices, beverages and drinks*, other than citrus juices and citrus beverages and drinks, not requiring refrigeration, from points in Florida to ports of entry on the international boundary line between the United States and Canada located in the States of Minnesota, Michigan, New York, Vermont, New Hampshire, and Maine, restricted to traffic having an ultimate destination at points in the Provinces of Quebec or Ontario. NOTE: Applicant states it proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 121495 (Sub-No. 3), filed May 19, 1966. Applicant: ENGLEWOOD TRANSIT COMPANY, a corporation, 1125 West 46th Avenue, Denver, Colo. Applicant's representative: Edward C. Hastings, 330 Petroleum Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Colorado. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 123639 (Sub-No. 90), filed May 18, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from Kankakee, Ill., to points in Missouri. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 123639 (Sub-No. 93), filed May 19, 1966. Applicant: J. B. MONTGOMERY, INC., 3150 Brighton Boulevard, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Great Falls, Mont., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Nebraska, Ohio, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Great Falls, Mont.

No. MC 124078 (Sub-No. 226) (Amendment) filed May 16, 1966, published FEDERAL REGISTER issue of June 3, 1966, and republished as amended this issue. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy flour*, in bulk, from Decatur, Ill., to points in Indiana. NOTE: The purpose of this republication is to show change of origin point from Danville, Ill., to Decatur, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124078 (Sub-No. 229), filed May 19, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Asheville, N.C., to points in Carter, Greene, Hawkins, Johnson, Sullivan, Unicoi, and Washington Counties, Tenn., Banks, Elbert, Fannin, Franklin, Gilmer, Hobersham, Hart, Lumpkin, Rabun, Stephens, Towns, Union, and White Counties, Ga., and Abbeville, Anderson, Cherokee, Chester, Fairfield, Greenville, Greenwood, Laurens, Newberry, Oconee, Pickens, Spartanburg, Union, and York Counties, S.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 124245 (Sub-No. 5), filed May 19, 1966. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tutt Street, South Bend, Ind. Applicant's representative: Wm. L. Carney, 105 East Jennings Avenue, South Bend, Ind., 44604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lafayette, Ind., to points in Indiana, Illinois, Michigan, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124245 (Sub-No. 6), filed May 19, 1966. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tutt Street, South Bend, Ind. Applicant's representative: William L. Carney, 105 East Jennings, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, and (2) *potatoes and potato products*, when moving in mixed loads with frozen foods, from Detroit, Mich., to points in Illinois, Indiana, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 124245 (Sub-No. 7), filed May 19, 1966. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tutt Street, South Bend, Ind. Applicant's representative: William L. Carney, Middle West Traffic Service, 105 East Jennings, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite of American Home Foods at or near La Porte, Ind., to points in Illinois, Michigan, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124245 (Sub-No. 8), filed May 19, 1966. Applicant: ALBERT V. MEILSTRUP, doing business as ACE REFRIGERATED TRUCKING SERVICE, 219 East Tutt Street, South Bend, Ind. Applicant's representative: William L. Carney, Middle West Traffic Service, 105 East Jennings, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of George A. Hormel Co. at or near Bureau, Ill., to points in Indiana and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124669 (Sub-No. 20) (Amendment), filed May 6, 1966, published in FEDERAL REGISTER issue of May 26, 1966, amended June 9, 1966, and republished as amended this issue. Applicant: TRANSPORT INC., OF SOUTH DAKOTA, 1012 West 41st Street, Sioux Falls, S. Dak. Applicant's representative: Ronald B. Pitsenbarger, Post Office Box 396, Moorhead, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, as defined in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from the sites of the terminal outlets of Kaneb Pipeline Co. located at or near Aberdeen, Mitchell, and Wolsey, S. Dak., to the sites of the terminal outlets of Kaneb Pipeline Co. located at or near Geneva and Norfolk, Nebr. NOTE: The purpose of this republication is to correct the name of the applicant. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 124692 (Sub-No. 19), filed June 3, 1966. Applicant: MYRON SAMMONS, Post Office Box 933, Missoula, Mont. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and steelmill materials, supplies, and equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Idaho, Montana, Oregon, Washington, and Wyoming, and those points in Utah in and north of Tooele, Utah, Duchesne and Uintah Counties, Utah. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 124774 (Sub-No. 42), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Gordon, Nebr., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Washington, D.C., and its commercial zone. NOTE: Applicant proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 43), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Darr, Nebr., to Baltimore, Md., Boston, Mass., New York, N.Y., Philadelphia, Pa., and Washington, D.C., and their respective commercial zones. NOTE: Applicant proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 45), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Tama County, Iowa, to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Washington, D.C., and its commercial zone, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 46), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Tama County, Iowa, to points in Florida. NOTE: Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 47), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Bureau, Ill., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming. NOTE: Applicant states that it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 49), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Gordon, Nebr., to Chicago, Ill., and points in its commercial zone, and *exempt commodities*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 50), filed May 19, 1966. Applicant: CARAVELLE EX-

PRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Guymon, Okla., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming. NOTE: Applicant states it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 51), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, raw and manufactured, from points in Nebraska on and west of U.S. Highway 81 (except Scottsbluff) to points in Kansas, Montana, Oklahoma, North Dakota, and South Dakota. NOTE: Applicant states it will transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124774 (Sub-No. 54), filed May 19, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Darr, Nebr., to Chicago, Ill., and its commercial zone. NOTE: Applicant proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 125216 (Sub-No. 1), filed May 19, 1966. Applicant: OWENS TRUCKMEN, INC., 183 Concord Street, Brooklyn, N.Y. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Elevators and escalators, and parts, cabs, materials, supplies, equipment, tools, and accessories used or useful in installation and repair of elevators and escalators*, from Long Island City, N.Y., to points in New Jersey, Connecticut, and New York, under a contract with Staley Elevator Co., Inc., Long Island City, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 125364 (Sub-No. 3), Applicant: CAREL TRUCKING CORP., Post Office Box 147, South Omaha Station, Omaha, Nebr. Applicant's representative: Donald E. Leonard, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and dairy products*, as prescribed in sections A and B of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles) from Sioux City, Iowa, to New York, N.Y., under continuing contract with Sioux Quality Packers, Inc., Sioux City, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Sioux City, Iowa.

No. MC 125777 (Sub-No. 100), filed May 19, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in dump vehicles, from Dubuque, Iowa to points in Illinois, Wisconsin, and Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126622 (Sub-No. 2), filed May 16, 1966. Applicant: PIERRE LAROCHELLA, Woburn, Frontenac County, Quebec, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, and *lumber*, from ports of entry on the international boundary line between the United States and Canada at or near Jackman and Coburn Gore, Maine, Pittsburgh, N.H., Norton, Derby Line, North Troy, Richford, and Highgate Springs, Vt., and Rouses Point, N.Y., to points in Maine, Massachusetts, Vermont, New Hampshire, and New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Augusta, Maine.

No. MC 126844 (Sub-No. 2), filed May 25, 1966. Applicant: R.D.S. TRUCKING CO., INC., 583 North Main Road, Vineland, N.J., 08360. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Food and food products* (except frozen foods) and *advertising and premium* or promotional items in mixed loads with food and food products, from points in Cumberland County, N.J., to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Tennessee, and West Virginia, and (2) *olive oil*, from New Orleans, La., to points in New Jersey. NOTE: Applicant states it does not seek duplicate authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126899 (Sub-No. 22), filed May 30, 1966. Applicant: USHER TRANSPORT, INC., 1415 South Third Street, Paducah, Ky. Applicant's representative: George M. Catlett, Suite 703-706, McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from points in Marion, Ralls, and St. Genevieve Counties, Mo.; Adams County, Ill., and Independence County, Ark., to Marshall County, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Louisville, Ky.

No. MC 127033 (Sub-No. 8), filed May 19, 1966. Applicant: C & B TRUCKING CO., INC., Post Office Box 192, Chester, S.C. Applicant's representative: Henry P. Willimon, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Poultry byproducts*, from points in York County, S.C., to Charleston, Georgetown, Beaufort, and Port Royal, S.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 127093 (Sub-No. 3) (Amendment), filed April 22, 1966, published in FEDERAL REGISTER, issue of May 12, 1966, amended June 1, 1966, and republished as amended, this issue. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson, Iron Mountain, Mich. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boards, building, wall, and/or insulating, and parts, materials, and accessories* incidental thereto; (2) *manufactured and/or composition boards, and parts and accessories* incidental thereto; and (3) *roofing and/or insulating materials, and parts and accessories* incidental thereto; between the plantsite of the Celotex Corp. at L'Anse, Mich., and warehouses owned or leased by the Celotex Corp. in the Upper Peninsula of Michigan, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, New Hampshire, Rhode Island, Vermont, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin, and the District of Columbia; and *materials and supplies* used in the manufacture of items specified in (1), (2), and (3) above, and *refused, rejected or damaged shipments*, on return. NOTE: The purpose of this republication is to expand the territorial description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127705 (Sub-No. 3), filed May 19, 1966. Applicant: KREVDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and prepared powdered milk (instant breakfast)*, from Princeville, Rochelle, and Mendota, Ill.; Austin, Muncie, Portland, Tipton, and Warren, Ind.; Caro, Eau Claire, Fennville, Hartford, Paw Paw, and Traverse City, Mich.; Belgrim, Brillion, Cambria, Cedar Grove, Clyman, Eagle River, Green Bay, Janesville, Manitowoc, Morkesan, New Richmond, Sheboygan, Random Lake, Galesville, Bear Creek, Columbus, Fall River, and Sun Prairie, Wis.; to Detroit and Grand Rapids, Mich.; Cleveland, Dayton, and Columbus, Ohio; St. Louis, Mo.; Pittsburgh, Pa.; and Chicago, Ill. NOTE: Applicant is authorized to operate as a contract carrier in MC 123934, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127705 (Sub-No. 4), filed May 19, 1966. Applicant: KREVDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and prepared powdered milk (instant breakfast)*, from Alton, Angola, Brockport, Dundee, Fairport, Fredonia, Holcomb, Lawtons, Lyndonville, Mount Morris, North Collins, Phelps, South Dayton, Sterling, Westfield, and Williamson, N.Y., to Detroit and Grand Rapids, Mich.; Sheboygan, Wis.; and Pittsburgh, Pa. NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit No. MC 123934 and Subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127705 (Sub-No. 5), filed May 19, 1966. Applicant: KREVDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Gas City, Ind., to Columbia, Mo. NOTE: Applicant holds contract carrier authority under MC 123934 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 128007 (Sub-No. 4), filed May 19, 1966. Applicant: HOFER, INC., 4032 Parkview Drive, Post Office Box 583, Pittsburg, Kans. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay pipe and clay pipe allied products*, from Pittsburg, Kans., to points in Missouri, Arkansas, Illinois, Kansas, Nebraska, Iowa, Indiana, Minnesota, North Dakota, South Dakota, Wisconsin, New Mexico, Texas, Oklahoma, Wyoming, Louisiana, Mississippi, Alabama, Georgia, North Carolina, South Carolina, Tennessee, Florida, Colorado, Kentucky, and Michigan; and *materials and supplies* used in the manufacture and distribution of clay pipe and clay pipe allied products, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128007 (Sub-No. 5), filed May 19, 1966. Applicant: HOFER, INC., Post Office Box 583, Pittsburg, Kans. Applicant's representative: John E. Jandera (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay pipe, clay pipe allied products*, from St. Louis, Mo., on the one hand, and, on the other, points in Arkansas, Illinois, Kansas, Nebraska, Iowa, Indiana, Minnesota, North Dakota, South Dakota, Wisconsin, New Mexico, Texas, Oklahoma, Wyoming, Louisiana, Mississippi, Alabama, Georgia, North Carolina, South Carolina, Tennessee, Florida, Colorado, Kentucky, and Michigan, and (2) *materials and supplies* used in the manufacture and distribution of clay pipe, clay pipe allied products, from the destination States named in (1) above, to St. Louis, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128052 (Amendment), filed March 21, 1966, published FEDERAL REGISTER issue of April 14, 1966, amended March 24, 1966, and republished, as amended, this issue. Applicant: OLIVEIRA TRUCKING COMPANY, INCORPORATED, 252 Elm Street, Blackstone, Mass. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, abrasive, filtering and foundry, in bulk, from Holliston, Mass., and points in Providence County, R.I., to points in Connecticut, Maine, Massachusetts, New Hampshire, New York, and Vermont. NOTE: The purpose of this republication is to show (a) the restriction to movements of sand only when transported in bulk, and (b) the complete removal of "clay and clay mixtures, foundry or furnace" from the application. If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 128068 (Sub-No. 1), filed May 19, 1966. Applicant: R. H. EUBANK AND JACK B. EUBANK, doing business as J. O. EUBANK & SON, Seventh and Olive Streets, Charleston, Ill. Applicant's representative: Robert T. Lawley, 306-308 Reisch Building, Springfield, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Joliet, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin *and rejected or damaged shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 128131 (Sub-No. 1), filed May 19, 1966. Applicant: ROBERT R. GREENE, 433 Lewis Drive, Gallipolis, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Limestone, blacktop, sand and gravel*, from points in Jackson and Gallia Counties, Ohio, to points in Jackson, Mason, Putnam, Roane, and Kanawha Counties, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128194, filed May 9, 1966. Applicant: BACON TRANSPORT COMPANY, a corporation, Refinery and Industrial Road, Post Office Box 1134, Ardmore, Okla. Applicant's representative: Arthur L. Claussen, 303 New England Building, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Industrial asphalt*, (1) from Augusta and El Dorado, Kans., to Kansas City, Mo. (commercial zone), from Augusta, over U.S. Highway 54 to the east Wichita entrance of Interstate Highway 35 (Kansas Turnpike), thence over Interstate Highway 35 to junction Interstate Highway 70, thence over Interstate Highway 70 to Kansas City, Mo., commercial zone, serving no intermediate points; and (2) from El Dorado, over Kansas Highway 196 to the east Wichita entrance of Interstate Highway 35 (Kansas Turnpike), thence over Interstate Highway 35 to junction Interstate Highway 70, thence over Interstate Highway 70 to Kansas City, Mo., commercial zone, then return over the same route, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Topeka, Kans.

No. MC 128221, filed May 19, 1966. Applicant: PROBART N. MEDLICOTT, Box 622, Montvale, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by garden nursery and pet supply businesses, and materials, equipment, and supplies used in the conduct of such business*, under contract with Valley Feed & Supply Co., Inc., of Spring Valley, N.Y. (excluding commodities in bulk or those requiring special equipment), between Spring Valley, N.Y., Moonachie, Newark, and Vernon, N.J.; Wellington, Ohio; Hampstead, Md.; Manchester, N.H.; Boston, Mass.; Hartford, Conn.; Portland, Maine; Philadelphia and Pittsburgh, Pa.; Detroit, Mich.; Richmond and Norfolk, Va.; Quincy, Fla.; Elizabeth City, N.C.; Spartansburg, S.C.; Indianapolis, Ind.; Thief River Falls, Minn.; and Atlanta, Ga.; on the one hand, and, on the other, points on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128222, filed May 19, 1966. Applicant: SIMON P. NEWLIN, JR., doing business as S. P. NEWLIN, Route 5, Winchester, Va. Applicant representative: Eston H. Alt, Post Office Box 81, Winchester, Va., 22601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Masonry building blocks*

and masonry construction material when transported with building blocks, from (1) the plantsite of Virginia Supreme Corp., Winchester, Va., to points in Maryland, Pennsylvania, West Virginia, and the District of Columbia within 150 miles of Winchester, Va.; and, (2) the plantsite of Virginia Supreme Corp. at Hagerstown and Frederick, Md., to Winchester, Va. NOTE: Applicant states that the above operation is restricted to a continuing contract with Virginia Supreme Corp. of Hagerstown, Md. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128225, filed May 19, 1966. Applicant: J. A. YOUNG, doing business as J. A. YOUNG TRUCK RENTAL, 218 Crutchfield Avenue, Nashville, Tenn. Applicant's representatives: Frank C. Ingraham, Suite 1220, Stahlman Building, Nashville, Tenn., 37201, and Charles H. Hudson, Jr., 417 Stahlman Building, Nashville, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tool, office supply, and display trailers and shipper's property usually contained therein*, between points in Tennessee, North Carolina, South Carolina, Virginia, Kentucky, Missouri, Arkansas, Mississippi, Alabama, Georgia, Oklahoma, Louisiana, Texas, Ohio, and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 128237 (Sub-No. 1), filed May 13, 1966. Applicant: MERRITT MOVING & STORAGE, INC., 1111 Dunn Avenue, Cheyenne, Wyo. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo., 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, in specially designed containers, restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization, between points in Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 128245, filed May 19, 1966. Applicant: BOBBY SMITH, doing business as BOBBY SMITH TRUCKING COMPANY, 113 South Line Street, Weatherford, Tex. Applicant's representative: James W. Hightower, Wynnewood Professional Building, Dallas 24, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except commodities in bulk, in tank vehicles), from the ports of entry on the international boundary line between the United States and Canada located in Montana, to points in California, and *damaged and rejected shipments* of the above-described commodities, and *bananas*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 128247 (Sub-No. 1), filed May 19, 1966. Applicant: BURSAL TRANSPORT, INC., Rural Route 1, Bunker Hill, Ind. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles, and dross*, from the plant or warehouses of Continental Steel Corp. at Kokomo, Ind., to points in Illinois, Michigan, Wisconsin, Missouri, Iowa, Ohio, Pennsylvania, Virginia, West Virginia, Kentucky, and Tennessee, (2) *machinery, machinery parts, mill rolls, iron and steel; ingots, iron and steel; carrier shipping reels, cleaning compounds and lubricants*, from points in Illinois, Michigan, Wisconsin, Missouri, Iowa, Ohio, Pennsylvania, Virginia, West Virginia, Kentucky, and Tennessee, to the plant or warehouses of Continental Steel Corp. at Kokomo, Ind., (3) *lime and quick lime*, from Chicago, Ill., St. Louis, Mo., and Woodville, Ohio, to the plants or warehouses of Continental Steel Corp., at Kokomo, Ind., (4) *dolomite*, from Chicago, Ill., to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., (5) *refractory products*, from Chicago, Ill., Woodville, Ohio, and Pittsburgh, Pa., to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., (6) *ingot molds and stools and fence posts*, from Chicago Heights, Ill., to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind., and (7) *sand, clay, and hadite*, from points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Kentucky, Tennessee, Ohio, Pennsylvania, New Jersey, Maryland, Delaware, Virginia, West Virginia, North Carolina, and the District of Columbia, to the plants or warehouses of Continental Steel Corp. at Kokomo, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 128251, filed May 19, 1966. Applicant: INTERIOR TRUCK LINE, INC., Post Office Box 532, Henderson, Ky. Applicant's representative: George M. Catlett, 703–706 McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, in tank, or hopper trucks), between Henderson, Ky., and Evansville, Ind., over U.S. Highway 41, and return over the same route, serving no intermediate points, restricted to shipments having an immediately prior or immediately subsequent movement by rail. NOTE: If a hearing is deemed necessary, applicant requests it be held at Evansville, Ind.

No. MC 128255, filed May 19, 1966. Applicant: C. A. BATTLE & SONS CONTRACT CARRIERS, INCORPORATED, Post Office Box 246, Comfort, N.C. Applicant's representative: Donald P. Brock, Trenton, N.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Used rubber tires*, from Newark, N.J., to Comfort, N.C., and (2) *new tires and rubber retreading materials*, from Akron, Ohio, and Stamford, Conn., to Comfort, N.C., under individual contract with C. A. Battle & Sons, a partnership, of Comfort, N.C. NOTE: Applicant states it proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Trenton, N.C., or New Bern, N.C.

No. MC 128258, filed May 18, 1966. Applicant: BILLY R. HALLUM, doing business as MID-SOUTH FARM EQUIPMENT TRANSPORTS, 1934 Florida Street, Memphis, Tenn. Applicant's representative: James N. Clay III, 340 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements, farm machinery, and incidental component parts and attachments thereof*, from Portageville, Mo.; Osceola, Jonesboro, West Memphis, Forrest City, and Carlisle, Ark.; Clarksdale, Greenville, Tupelo, and Greenwood, Miss.; and Brownsville, Tenn.; to points in the United States, except Alaska and Hawaii, and *articles used in the manufacture of agricultural implements and farm machinery*, from points in the United States, except Alaska and Hawaii, to Portageville, Mo.; Osceola, Jonesboro, West Memphis, Forrest City, and Carlisle, Ark.; Clarksdale, Greenville, Tupelo, and Greenwood, Miss.; and Brownsville, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 128260, filed May 19, 1966. Applicant: JAMES W. BENOTTI, Highland Street, Wilton, N.H. Applicant's representative: Frank J. Weiner, 536 Granite Street, Braintree, Mass., 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Crushed stone*, from Lyndeboro, N.H., to points in Maine, Vermont, Massachusetts, Rhode Island, Connecticut, New York, and New Jersey, and (2) *Crude rock*, from North Berwick, Maine, and Malden, Mass., to Lyndeboro, N.H. NOTE: If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 128270, filed May 19, 1966. Applicant: REDIEHS INTERSTATE, INC., 8055 South Howard Avenue, La Grange, Ill. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), *including commodities requiring special equipment*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas,

Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Texas, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128283, filed May 19, 1966. Applicant: FRANK OTTO AND DAVE PETERSON, a partnership, doing business as D & D SHIPPERS, 4275 Dallas Court, Fremont, Calif. Applicant's representative: Gordon W. Nelson, 1260 A Street, Suite 2, Hayward, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Office partitions, and elevated flooring*, from points in Ohio to points in California. NOTE: Applicant proposes to transport exempt commodities on return. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 128285, filed May 19, 1966. Applicant: MELLOW EQUIPMENT CO., INC., 9001 North Denver, Post Office Box 17063, Portland, Oreg., 97217. Applicant's representative: Earl V. White, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Lumber, plywood, pressedboard, fiberboard and wooden fencing*, between points in Washington, Oregon, California, Idaho, and Nevada, (2) *laminated wood products, timbers, trusses and beams*, fabricated or not fabricated and hardware and fittings required in the installation thereof, from points in Pierce County, Wash., to points in Oregon and California, under contract with and for the account of Tumac Lumber Co., Inc., Portland, Oreg., and (B) (1) *Prefabricated wooden buildings, wooden cabinets and doors*, from Portland, Oreg., to points in Oregon, Washington, Idaho, Montana, California and Nevada, (2) *wooden doors*, from points in Snohomish, King, and Pierce Counties, Wash., to Portland, Oreg., and (3) *lumber, plywood, and pressed-board*, from points in Washington, Oregon, California, and Idaho, to Portland, Oreg., under contract with and for the account of Western Shell Homes Corp., Portland, Oreg. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 128287, filed May 19, 1966. Applicant: CLARENCE O. TRIPP, 4607 North Avenue West, Missoula, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and building materials*, between points in Montana and points in Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Missoula, Mont.

No. MC 128288, filed May 19, 1966. Applicant: JOSEPH MICHAEL WINTERS, doing business as WINTERS GARAGE, Cresaptown, Md. Applicant's representative: John F. Somerville, Jr., No. 2 Law Building, Courthouse Square, Keyser, W. Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled vehicles*, between points in Maryland, West Virginia, and Pennsylvania. NOTE: If a hearing is deemed neccessary, applicant requests it be held at Cumberland, Md.

No. MC 128289, filed May 17, 1966. Applicant: RONART, INC., 46–21 65th Place, Woodside 77, N.Y. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y., 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Staples and stapling machines*, from Carlstadt, N.J., to New York, N.Y., and points in the towns of Hempstead and North Hempstead, N.Y., restricted to operations for Bostitch-Eastern, Inc. only, under a continuing written contract. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128291, filed May 19, 1966. Applicant: SERVICE TRANSPORT COMPANY, a corporation, 7602 North Loop, Post Office Box 2005, Houston, Tex., 77001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, between points in Texas on and north of U.S. Highway 66; points in Oklahoma north of U.S. Highway 66 and west of U.S. Highway 283; and points in Kansas west of U.S. Highway 283 and south of U.S. Highway 50. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 128292, filed May 19, 1966. Applicant: RINSON, INC., 3065 Morse Road, Columbus, Ohio. Applicant's representative: Robert N. Krier, 88 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities, as by reason of their size or weight* require the use of special equipment, from the plantsite of Liftmaster, Inc., Columbus, Ohio, to points in Missouri, Iowa, Minnesota, Kentucky, West Virginia, Virginia, Maryland, Wisconsin, Michigan, Illinois, Indiana, Pennsylvania, New York, New Jersey, the District of Columbia, Delaware, Connecticut, Rhode Island, Vermont, New Hampshire, Massachusetts, Maine, North Carolina, South Carolina, Georgia, Florida, Mississippi, Alabama, and Texas, and damaged or rejected shipments on return. NOTE: Applicant states it proposes to conduct operations under the continuing contract with Liftmaster, Inc. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128302, filed June 2, 1966. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, a corporation, Route 87, Newbury, Ohio. Applicant's representative: A. Charles Tell, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, between the plantsite of The Glidden Co., Macco Chemical Division, Sprowl Road, Huron, Ohio, on the one hand, and, on the other, points in Pennsylvania, New York, West Virginia, Kentucky, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, Kansas, Missouri, Tennessee, Georgia, Louisiana, and Texas. NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit No. 112814 and Subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128302 (Sub-No. 1), filed June 3, 1966. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, a corporation, Route 87, Newbury, Ohio. Applicant's representative: A. Charles Tell, Columbus Center, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid concrete admixtures*, in bulk, in tank vehicles, from Cleveland, Ohio, to points in the United States (except points in Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming). NOTE: Applicant is also authorized to conduct operations as a common carrier in permit No. MC 112814 and Subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128304, filed June 9, 1966. Applicant: I. T. L. INC., Scottsbluff, Nebr. Applicant's representative: Donald E. Leonard, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale and retail grocery businesses* under continuing contract with Associated Grocers of Nebraska Cooperative, Inc., Gering, Nebr., between points in Colorado, Nebraska, South Dakota, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Denver, Colo.

No. MC 128310, filed May 19, 1966. Applicant: DAIRY DISPATCH CORP., 100 Hudson Street, New York, N.Y., 10013. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y., 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Dairy products*, moving in temperature-controlled vehicles, between points in the New York, N.Y., commercial zone, on the one hand, and, on the other, points in Bergen, Essex, Hudson, Union, and Passaic Counties, N.J., and points in Nassau, Suffolk, and Westchester Counties, N.Y., and New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

MOTOR CARRIERS OF PASSENGERS

No. MC 1940 (Sub-No. 41), filed May 19, 1966. Applicant: TRAILWAYS OF NEW ENGLAND, INC., 1200 Eye Street NW., Washington, D.C. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers*

and their baggage, and express, and newspapers in the same vehicle with passengers, between Littleton, and Colebrook, N.H.; from Littleton over New Hampshire Highway 116 to junction U.S. Highway 3, thence over U.S. Highway 3 to Colebrook and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 2239 (Sub-No. 2), filed May 12, 1966. Applicant: SALT LAKE TRANSPORTATION CO., a corporation, 346 West South Temple Street, Salt Lake City, Utah. Applicant's representative: Wood R. Worsley, 701 Continental Bank Building, Salt Lake City, Utah, 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express* in the same or separate vehicles, between Salt Lake City, Utah, and Brighton, Utah, as follows: From Salt Lake City, over Alternate U.S. Highway 40 to junction Utah Highway 171 and unnumbered Utah Highway near Parley's Canyon, thence over unnumbered Utah Highway to junction Utah Highway 152 at Big Cottonwood Canyon, thence over Utah Highway 152 to Brighton, and return over the same route, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 3647 (Sub-No. 388), filed June 9, 1966. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J., 07040. Applicant's representative: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers in one-way and/or round-trip charter operations, from points in Westchester County, N.Y., to points in the United States, except Hawaii, and return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Westchester County, N.Y.

No. MC 66810 (Sub-No. 19), filed June 2, 1966. Applicant: PEORIA-ROCKFORD BUS COMPANY, a corporation, 1034 South Seminary Street, Rockford, Ill. Applicant's representative: Louis R. Gentili, 38 South Dearborn Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, air express, and air freight*, in the same vehicle with passengers, between Rockford, Ill., and O'Hare International Airport, Chicago, Ill.; (1) from the Faust Hotel, corner of North Fourth Street and East State Street in the City of Rockford, Ill., thence in an easterly direction over East State Street and U.S. Highway 20 to junction Illinois Northwest Tollway (Interstate Highway 90) at a point 7 miles east of Rockford, thence over Illinois Northwest Tollway (Interstate Highway 90) in a southeasterly direction to the entrance of O'Hare International Airport, thence over the O'Hare International Airport Road in a westerly direction to the Airport Terminal Building, and (2) from the O'Hare International Airport Terminal Building, over the Airport road in an easterly direction to the Tri-State Tollway (Interstate Highway 294), thence over the Tri-State Tollway (Interstate Highway 294 in a northerly direction to the Northwest Tollway (Interstate Highway 90), thence over the Northwest Tollway (Interstate Highway 90) in a northwesterly direction to junction U.S. Highway 20 at a point 7 miles east of Rockford, thence over U.S. Highway 20 and East State Street in Rockford, in a westerly direction to East Jefferson Street, thence over East Jefferson Street in a northwesterly direction to North Fourth Street, thence over North Fourth Street in a southwesterly direction to the Faust Hotel at the corner of North Fourth Street and East State Street in Rockford, Ill. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Rockford, or Chicago, Ill.

No. MC 110373 (Sub-No. 12), filed May 19, 1966. Applicant: NORTHEAST COACH LINES, a corporation, 730 Madison Avenue, Paterson, N.J. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, mail, and newspapers* in the same vehicle with passengers, (1) between Rockaway, N.J., and Port Jervis, N.Y.; from Rockaway over New Jersey Highway 15 to junction U.S. Highway 206, thence over U.S. Highway 206 to junction U.S. Highway 209 at Milford, Pa., thence over U.S. Highway 209 to Port Jervis, N.Y., and (2) between Montague, N.J. and Port Jervis, N.Y.: From Montague over New Jersey Highway 521 to junction U.S. Highway 6, thence over U.S. Highway 6 to Port Jervis, and return over the same routes, serving all intermediate points in (1) and (2) above, applicant proposes to join the proposed authority between Rockaway, N.J., and Port Jervis, N.Y., and Milford, Pa., to its existing authority at New Jersey Highway 15 at Rockaway, N.J., in order to provide passenger service between points on the proposed route and New York, N.Y. For this purpose, applicant requests that its existing restriction on New Jersey Highway 15 be modified to permit joinder of the proposed route at Rockaway, N.J., with applicant's existing route at the same point. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 113430 (Sub-No. 16), filed May 19, 1966. Applicant: PROVIDENCE ARROW LINE, INC., 625 Eighth Avenue, New York, N.Y. Applicant's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue, NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between Milldale, Conn., and Hartford, Conn.: From the intersection of U.S. Highway 6A and Connecticut Highway 10 at Milldale, Conn., over U.S. Highway 6A to junction of Interstate Highway 91, thence over Interstate Highway 91 to Hartford, Conn., serving the intermediate point of Meriden, Conn., restricted against traffic moving to or from New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 116165 (Sub-No. 3), filed May 19, 1966. Applicant: MURRAY HILL LIMOUSINE SERVICE LTD., 1380 Barre Street, Montreal, Canada. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter operations, beginning and ending at ports of entry on the international boundary line between the United States and Canada, located in Michigan, New York, Vermont, New Hampshire, and Maine, and extending to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Plattsburgh, N.Y.

No. MC 120781 (Sub-No. 3), filed May 19, 1966. Applicant: SUNFLOWER STAGES, INC., Box 683, Emporia, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, baggage of passengers, express, mail, and newspapers*, between Topeka, Kans., on the one hand, and, on the other, Osage City and Emporia, Kans., serving all intermediate points (a) from Topeka, Kans., over U.S. Highway 75 to junction U.S. Highway 56, thence over U.S. Highway 56 to junction Kansas Highway 31, and thence over Kansas Highway 31 to Osage City, and return over the same route, (b) from Topeka, Kans., over U.S. Highway 75 to junction U.S. Highway 56, thence over U.S. Highway 56 to junction Kansas Highway 99, thence over Kansas Highway 99 to Emporia, Kans., and return over the same route. NOTE: If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC 128099 (Amendment), filed April 8, 1966, published FEDERAL REGISTER issue of April 28, 1966, amended May 31, 1966, and republished as amended, this issue. Applicant: ALMO BUS LINES, INC., 2350 Fourth Avenue, Yuma, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, package express, newspapers, and mail*, in the same vehicle with passengers, between Yuma and Parker, Ariz.; from Yuma north over U.S. Business Highway 80 to Winterhaven, Calif., thence east over U.S. Highway 80 to junction U.S. Highway 95, thence over U.S. Highway 95 to junction U.S. Highways 60 and 70 at Quartzsite, Ariz., thence over U.S. Highways 60, 70, and 95, to Blythe, Calif., thence east over U.S. Highways 60, 70, and 95, to junction unnumbered highway at Erhenberg, Ariz., thence north over unnumbered highway through Poston, Ariz., to Parker, and return over the same route, serving all intermediate points. NOTE: The purpose of this republication is to broaden the destination points. If a hearing is deemed necessary, applicant requests it be held at Yuma, Ariz.

No. MC 128212, filed May 16, 1966. Applicant: CREST TRANSIT CORP., 38 Lyncrest Avenue, New City, N.Y. Applicant's representative: Robert E. Goldstein, 8 West 40th Street, New York, N.Y., 10018. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between junction U.S. Highway 202 and New York Highway 45 and New York, N.Y.; from junction U.S. Highway 202 and New York Highway 45 at Mount Ivy, N.Y. south on New York Highway 45 to Maple Avenue, thence west on Maple Avenue to New York Highway 306, thence south on New York Highway 306 to Second Street, thence west on Second Street to Saddle River Road, thence south on Saddle River Road to East Allendale Avenue, thence east on East Allendale Avenue to East Saddle River Road, thence south on East Saddle River Road to Lower Cross Road, thence west on Lower Cross Road to West Saddle River Road, thence south on West Saddle River Road to Race Track Road, thence west on Race Track Road to New York Highway 17, thence over New York Highway 17 to New York Highway 80, thence over New York Highway 80 to George Washington Bridge Plaza to New York City, and return over the same route, serving all intermediate points except between Lake Street and Saddle River Road in upper Saddle River and Saddle River Road and East Allendale Avenue, and (2) between junction New York Highway 45 and Eckerson Road and Maple Avenue and New York Highway 306; from junction New York Highway 45 and Eckerson Road at Hillcrest, N.Y., west on Eckerson Road to Union Avenue, thence south on Union Avenue to Myrtle Avenue, thence south on Myrtle Avenue to Maple Avenue, thence west on Maple Avenue to New York Highway 306, and return over the same route, and as an alternate route. The operations in (1) and (2) above shall be restricted against the transportation of passengers between the junction of Race Track Road at New York Highway 17, at or near Waldwick, N.Y., on the one hand, and, on the other, New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128274 (Sub-No. 1), filed June 2, 1966. Applicant: PEORIA-ROCKFORD BUS COMPANY, a corporation, 1034 South Seminary Street, Rockford, Ill. Applicant's representative: Louis R. Gentili, 38 South Dearborn Street, Chicago, Ill., 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Passengers*, from Beloit, Wis., to Harvard, Ill., from Beloit, thence northeast on Wisconsin Highway 15 to junction U.S. Highway 14 at Darien, thence southeast on U.S. Highway 14, to Harvard, and return over the same route, serving all intermediate points. NOTE: Applicant states that these passengers are employees, agents, servants, officers, invitees and licensees of Admiral Corp. at Harvard, Ill. Common control may be involved. Applicant is also authorized to conduct operation as a common carrier in permit No. MC 66810 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Rockford, or Chicago, Ill.

APPLICATIONS FOR BROKERAGE LICENSES

No. MC 12997, filed May 16, 1966. Applicant: WILMA CASEY, doing business as WILMA CASEY TRAVEL SERVICE, 1107 Jackson Street, Tower Building, Anderson, Ind. Applicant's representative: Robert R. Robbins, 618 Anderson Bank Building, Anderson, Ind., 46016. For a license (BMC 5) to engage in operations as a *broker*, at Anderson, Ind., for the transportation of passengers and their baggage, in charter operations, beginning and ending at points in Indiana, and extending to points in the United States, including ports of entry on the international boundary line between the United States and Canada and the United States and Mexico.

No. MC 12998, filed May 20, 1966. Applicant: SEYMOUR TRANSPORTATION, INC., 120 New Market Square, Boston, Mass. Applicant's representative: John F. Curley, 33 Broad Street, Boston, Mass., 02109. For a license (BMC 4) to engage in operations as a *broker* at Boston, Mass., in arranging transportation by motor vehicle in interstate or foreign commerce, of *general commodities* (except classes A and B explosives, household goods, commodities requiring special equipment), between points in Massachusetts on the one hand, and, on the other, points in the United States, except Alaska and Hawaii.

No. MC 13000, filed May 25, 1966. Applicant: WILLIAM KATZ, doing business as ATLAS TRAVEL SERVICE, Kaufmann's Department Store, 400 Fifth Avenue, Pittsburgh, Pa., 15219. Applicant's representative: Marcus Aaron II, 20th Floor, Frick Building, Pittsburgh, Pa., 15219. For a license (BMC 5) to engage in operations as a *broker*, at Pittsburgh, Pa., in arranging for the transportation of passengers and their baggage, as individuals and groups, between points in Allegheny, Westmoreland, Armstrong, Butler, Beaver, Washington, and Fayette Counties, Pa., and points in the United States outside Pennsylvania, and return, without assuming custody of such passengers and baggage.

No. MC 130000, filed May 26, 1966. Applicant: RALPH WILLIAM BOYER, 26 South Market Street, Frederick, Md. Applicant's representative: W. N. Harrell Smith, 1001 Connecticut Avenue NW., Washington, D.C., 20036. For a license (BMC 5) to engage in operations as a *broker*, at Frederick, Md., for the transportation of passengers and their baggage, in all-expense tours, as individuals and groups, in common or contract carriers in foreign and interstate commerce (except Alaska and Hawaii) between Frederick, Md., and points in the United States.

No. MC 130001, filed May 27, 1966. Applicant: VALUE VACATIONS INC., 13455 Ventura Boulevard, Sherman Oaks, Calif., 91403. For a license (BMC 5) to engage in operations as a *broker* at Sherman Oaks, Calif., in arranging for the transportation, in interstate or foreign commerce, of *passengers and their baggage*, as individuals or in groups, in special and charter operations, in all-expense tours, beginning at Los Angeles, Calif., and extending to points in the United States.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 9115 (Sub-No. 55), filed June 6, 1966. Applicant: OREGON NEVADA CALIFORNIA FAST FREIGHT, INC., 2800 West Bayshore Road, Palo Alto, Calif., 94303. Applicant's representative: C. J. Boddington (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Kelso, Wash., and Astoria, Oreg., as follows: From Kelso over U.S. Highway 830 via Longview, Wash., to junction Washington Highway 833, thence over Washington Highway 833 and toll bridge to junction U.S. Highway 30 approximately 1 mile west of Rainier, Oreg., thence over U.S. Highway 30 to Astoria, and return over the same route, serving no intermediate points, with service at Kelso for purposes of joinder only, as an alternate route for operating convenience only, in connection with applicant's regular route operations in MC 9115 (Sub-No. 50).

No. MC 11740 (Sub-No. 4), filed June 1, 1966. Applicant: BLUE & GRAY TRANSPORTATION CO., INCORPORATED, 1111 Commerce Road, Richmond, Va., 23224. Applicant's representative: L. N. Lewis (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment), serving Claremont, Va., as an off-route point in connection with applicant authorized regular route authority between Richmond and Norfolk, Va., extending over U.S. Highway 1 to junction Virginia Highway 10, thence over Virginia Highway 10 to Suffolk, Va., thence over U.S. Highway 58 to Norfolk.

No. MC 47323 (Sub-No. 20), filed May 18, 1966. Applicant: ANDERSON TRUCKING CO., a corporation, Rural Delivery No. 4, Mercer, Pa., 16137. Applicant's representative: William W. Knox, 23 West Tenth Street, Erie, Pa.,

16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, in dump vehicles, from points in Ross County, Ohio, to points in Mercer County, Pa., and *rejected and refused shipments*, on return.

No. MC 48958 (Sub-No. 91), filed May 19, 1966. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo., 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, household goods as defined by the Commission and those injurious or contaminating to other lading), between Taos and Tres Piedras, N. Mex., over U.S. Highway 64, and return over the same route, serving all intermediate points. NOTE: Applicant states it intends to tack this authority with authorized regular route authority at Taos and Tres Piedras, N. Mex.

No. MC 52709 (Sub-No. 286), filed June 2, 1966. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., 80216. Applicant's representative: Eugene Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Albuquerque, N. Mex., and Kansas City, Mo.: From Albuquerque over Interstate Highway 40 (U.S. Highway 66) to junction U.S. Highway 54 at or near Santa Rosa, N. Mex., thence over U.S. Highway 54 to junction Kansas Highway 61, thence over Kansas Highway 61 to junction U.S. Highway 50, thence over U.S. Highway 50 to Kansas City, and return over the same route, as an alternate route for operating convenience only, with no service at intermediate points and service at Albuquerque only for the purpose of joinder with applicant's existing route; (2) between Albuquerque, N. Mex., and Kansas City, Mo.: From Albuquerque over Interstate Highway 40 (U.S. Highway 66) to junction U.S. Highway 54 at or near Santa Rosa, N. Mex.; thence over U.S. Highway 54 to junction Interstate Highway 35 at or near Wichita, Kans.; thence over Interstate Highway 35 to Kansas City (also over Interstate Highway 35W and Kansas Turnpike to junction Interstate Highway 70, thence over Interstate Highway 70 to Kansas City); and return over the same route, as an alternate route for operating convenience only, with no service at intermediate points and service at Albuquerque only for the purpose of joinder with applicant's existing routes; and (3) between Santa Fe, N. Mex., and Kansas City, Mo.; from Santa Fe over Interstate Highway 25 (U.S. Highway 85) to junction U.S. Highway 56 at or near Springer, N. Mex., thence over U.S. Highway 56 to junction U.S. Highway 270 at or near Hugoton, Kans., thence over U.S. Highway 270 to junction U.S. Highway 83 about 10 miles north of Liberal, Kans., thence over U.S. Highway 83 to junction with U.S. Highway 160, thence over U.S. Highway 160 to junction U.S. Highway 54 at or near Plains, Kans., thence over U.S. Highway 54 to junction Interstate Highway 35 at or near Wichita, Kans., thence over Interstate Highway 35 to Kansas City (also over Interstate Highway 35W and Kansas Turnpike to junction Interstate Highway 70, thence over Interstate Highway 70 to Kansas City); and return over the same route, as an alternate route for operating convenience only, with no service at intermediate points and service at Santa Fe only for the purpose of joinder with applicant's existing routes. NOTE: Common control may be involved.

No. MC 119890 (Sub-No. 3), filed May 20, 1966. Applicant: CORDIE NAYLOR, Fayette, Mo., 65248. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Logs, rough lumber, and wooden pallets*, from points in Sullivan, Adair, Grundy, Knox, Lewis, Livingston, Linn, Shelby, Marion, Macon, Monroe, Chariton, Randolph, Ray, Henry, Benton, Miller, Camden, Maries, Daviess, Caldwell, Ralls, Carroll, Howard, Audrain, Saline, Lafayette, Cooper, Montgomery, Boone, Callaway, Johnson, Pettis, Moniteau, Cole, Osage, and Morgan Counties, Mo., to points in Illinois, Iowa, and Arkansas.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Sub-No. 106), filed May 19, 1966. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, and newspapers*, in the same vehicle with passengers, between junction U.S. Highway 41 and Georgia Highway 247 and Tarversville, Ga., from Junction U.S. Highway 41 and Georgia Highway 247, over Georgia Highway 247 to junction Georgia Highway 96, thence over Georgia Highway 96 to Tarversville, and return over the same route, serving all intermediate points.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-6816; Filed, June 22, 1966; 8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 20, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40553—*Joint motor-rail rates—Central and Southern*. Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 109), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in Central States territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 42 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF-ICC 309.

FSA No. 40554—*Substituted service—B&O for Killion Motor Express, Inc.* Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 110), for interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between East St. Louis, Ill., and Jeffersonville, Ind., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief—Motortruck competition.

Tariff—Supplement 4 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF-ICC 318.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-6882; Filed, June 22, 1966; 8:49 a.m.]

[Notice 199]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 20, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and 6 copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 475 (Sub-No. 2 TA), filed June 15, 1966. Applicant: EUGENE WYMORE, doing business as WYMORE TRANSFER CO., 16th and Main Streets, Oregon City, Oreg. Applicant's representatives: White & Southwell, Fifth Avenue Building, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Paper, paper products, papermill supplies, machinery, and equipment*, between Portland, Oreg., and Wauna, Oreg., over U.S. Highway 30, serving no intermediate points, for 180 days. Supporting shipper: Crown Zellerbach Corp., 1 Bush Street, San Francisco, Calif., 94119. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 5470 (Sub-No. 19 TA), filed June 15, 1966. Applicant: ERSKINE & SONS, INC., Rural Delivery No. 5, Post Office Box 146, Mercer, Pa., 16137. Applicant's representative: Theodore Polydoroff, 917 Munsey Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt, in bags and in bulk, and in mixed shipments in bags and in bulk*, from New Kensington, Pa., to points in Ohio, West Virginia, Virginia, Maryland, and New York, for 180 days. Supporting shipper: Diamond Crystal Salt Co., St. Clair, Mich., 48079. Send protests to: Gasper Piovarchy, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa., 15222.

No. MC 7640 (Sub-No. 22 TA), filed June 15, 1966. Applicant: BARNES TRUCK LINE, INC., 506 Mayo Street, Wilson, N.C., 27895. Applicant's representative: Roy Barnes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements, and agricultural machinery parts*, from Tarboro, N.C., to points in Arkansas, Illinois, Michigan, Wisconsin, Minnesota, Iowa, District of Columbia, Missouri, Kansas, Nebraska, Oklahoma, Texas, South Dakota, and Louisiana; *materials and supplies used in the manufacture of agricultural machinery, agricultural implements, and agricultural machinery parts*, from the above specified destination points and points in Ohio, to Tarboro, N.C., for 150 days. Supporting shipper: Long Manufacturing Co., Inc., Tarboro, N.C., 27886. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 10885, Cameron Village Station, Raleigh, N.C., 27605.

No. MC 29120 (Sub-No. 89 TA), filed June 16, 1966. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Post Office Box 756, Sioux Falls, S. Dak., 57101. Applicant's representative: E. J. Dwyer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and liquid commodities in bulk in tank vehicles), from West Fargo, N. Dak., to Elgin, Ill., for 180 days. Supporting shipper: Siouxland Dressed Beef Co., West Fargo, N. Dak. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak., 57501.

No. MC 32562 (Sub-No. 24 TA), filed June 15, 1966. Applicant: POINT EXPRESS, INC., 3535 Seventh Avenue, Post Office Box 10185, Station C, Charleston, W. Va., 25312. Applicant's representative: Lowell Bays (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, fiberboard boxes, wooden, and plastic bottle carriers, shipping devices and accessories therefor, and closures for glass containers*, from Huntington, W. Va., to Louisville, Ky., and *refused or rejected shipments*, on return movements, for 180 days. Supporting shipper: Owens-Illinois, Inc., Glass Container Division, Toledo, Ohio, 43601, Attention: G. C. Turner, Manager, Common Motor Carrier Transportation. Send protests to: H. R. White, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 3202 Federal Office Building, Charleston, W. Va., 25301.

No. MC 66562 (Sub-No. 2180 TA), filed June 15, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: James C. Ingwersen, Railway Express Agency, Inc., 1815 Egbert Avenue, San Francisco, Calif., 94124. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities moving in express service*, between Los Angeles, Calif., and Phoenix, Ariz., over Interstate Highway 10 and U.S. Highways 60 and 70, and return over the same route, serving no intermediate points, for 150 days. Restrictions: (1) The service to be performed by the applicant shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc., (2) shipments transported by applicant shall be limited to those on through bills of lading or express receipts, (3) such further specific conditions as the Commission, in the future, may find necessary to impose in order to restrict applicant's operations to a service which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc. Supporting shippers: The application is supported by statements from 31 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 93980 (Sub-No. 42 TA), filed June 15, 1966. Applicant: VANCE TRUCKING COMPANY, INCORPORATED, Box 119 (Raleigh Road), Henderson, N.C., 27536. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrought iron pipe and steel pipe*, from the plantsites and warehouses of A. M. Byers Co., at Ambridge and Pittsburgh, Pa., to Atlanta, Savannah, Macon, Athens, Valdosta, Doraville, Albany, Augusta, Brunswick, Gainesville, and Marietta, Ga., for 180 days. Supporting shipper: A. M. Byers Co., Post Office Box 269, Ambridge, Pa., 15003. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 10885, Cameron, Village Station, Raleigh, N.C., 27605.

No. MC 103926 (Sub-No. 18 TA) (Amendment), filed June 3, 1966, published FEDERAL REGISTER, issue of June 14, 1966, and republished as amended this issue. Applicant: W. T. MAYFIELD SONS TRUCKING CO., a corporation, 3881 Bankhead Highway, Post Office Box 2463, Station D, Atlanta, Ga., 30318. Applicant's representative: William H. Driskell (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal storage tanks and parts and accessories* when moving incidental thereto as part of the same shipment, requiring special equipment and handling, from Newnan, Ga., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, and Virginia, for 180 days. Supporting shipper: R. D. Cole Manufacturing Co., Newnan, Ga., 30263. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308. NOTE: The purpose of this republication is to add "requiring special equipment and handling" to the commodity description.

No. MC 106398 (Sub-No. 334 TA), filed June 15, 1966. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Box 8096, Dawson Station, Tulsa, Okla., 74141. Applicant's representative: O. L. Thee, Sr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Shelby County, Tenn., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: The Commodore Corp., 2410 Dodge Street, Suite 3000, Omaha, Nebr., 68131. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General

Building, 210 Northwest Sixth, Oklahoma City, Okla.

No. MC 118196 (Sub-No. 78 TA), filed June 15, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo., 64836. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and articles distributed by meat packinghouses*, as described in section A and C of appendix I to the report in the *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), from Great Falls, Mont., to points in Minnesota, Wisconsin, Michigan, Illinois, Indiana, Ohio, and Iowa, for 150 days. Supporting shipper: Needham Packing Corp., Post Office Box 2381, Great Falls, Mont. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 118196 (Sub-No. 79 TA), filed June 15, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo., 64836. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Copiah, Union, Madison, Covington, Hinds, and Rankin Counties, Miss., to Texas, Oklahoma, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Tennessee, and Arkansas, for 180 days. Supporting shipper: Mississippi Federated Cooperatives (AAL), Post Office Box 449, Jackson, Miss., 39205. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 119934 (Sub-No. 120 TA), filed June 15, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind., 46040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent phosphoric acid*, in bulk, in tank vehicles, from Holland, Oscoda, Port Huron, and Belding, Mich., to points in Indiana, and Ohio, for 180 days. Supporting shipper: Mobil Chemical Co., a division of Mobil Oil Corp., 401 East Main Street, Richmond, Va. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 119934 (Sub-No. 121 TA), filed June 15, 1966. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind., 46040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent phosphoric acid*, in bulk, in tank vehicles, from Spencerville and Van Wert, Ohio, to Dubuque and Esterville, Iowa; East St. Louis, Ill.; and Fort Wayne, Ind., for 180 days. Supporting shipper: Mobil Chemical Co., a division of Mobil Oil Corp., 401 East Main Street, Richmond, Va. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 123061 (Sub-No. 32 TA), filed June 15, 1966. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah, 84104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, between points in California, Nevada, Utah, and Idaho, for 180 days. Supporting shippers: Utah Lumber Co., Post Office Box 2398, Salt Lake City, Utah, 84110; Forest Products Sales, 3140 South Main Street, Salt Lake City, Utah, 84115. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah, 84111.

No. MC 126835 (Sub-No. 7 TA), filed June 15, 1966. Applicant: EDGAR BISCHOFF, doing business as CASKET DISTRIBUTORS, Rural Route No. 5, Brookville, Ind. Applicant's representative: Jack B. Josselson, Atlas Bank Building, Cincinnati, Ohio, 45202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Caskets, casket displays and funeral supplies when moving with caskets*, from Nashville, Tenn., to Philadelphia, and Pittsburgh, Pa.; Baltimore, Md.; and, Albany, Buffalo, and Rochester, N.Y., for 150 days. Supporting shipper: National Casket Co., Inc., 60 Massachusetts Avenue, Boston, Mass., 02115. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 126844 (Sub-No. 3 TA), filed June 14, 1966. Applicant: R. D. S. TRUCKING CO., INC., 583 North Main Road, Vineland, N.J., 08360. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and food products* (except frozen foods) *and advertising and premium or promotional items in mixed loads with food and food products*, from points in Cumberland County, N.J., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, for 180 days. Supporting shippers: Minot Food Packers, Bridgeton, N.J.; Southern Jersey Shippers Association, Bridgeton, N.J.; P. J. Ritter Co., Bridgeton, N.J.; Venice Maid Co., Inc., Vineland, N.J. Send protests to: Raymond T. Jones, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 410 Post Office Building, Trenton, N.J., 08608.

No. MC 128276 TA, filed June 14, 1966. Applicant: ROY POWELL, 1822 Marshall Road, Baltimore, Md., 21222. Applicant's representative: Donald E. Freeman, 172 East Green Street, Post Office Box 880, Westminster, Md., 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobiles*, in truckaway and driveaway operations, between Baltimore and Glen Burnie, Md., on the one hand, and, on the other, Manheim and Hatfield, Pa., Bordentown, N.J., New York, N.Y., and Fredericksburg, Va., for 180 days. Supporting shippers: Ellison Motors, Inc., 205 Ritchie Highway SE., Glen Burnie, Md.; Nationwide Motor Sales Corp., 1108 N. Ritchie Highway, Glen Burnie, Md., 21061; H & H Motors, 4001 East Monument Street, Baltimore, Md., 21205; Schaefer & Strohminger, Inc., Fleet and Eaton Streets, Baltimore, Md.; Maryland Auto Sales, 3200 East Fayette Street, Baltimore, Md., 21224. Send protests to: William L. Hughes, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 312 Appraisers' Stores Building, Baltimore, Md., 21202.

No. MC 128289 (Sub-No. 1 TA), filed June 15, 1966. Applicant: RONART, INC., 46-21 65th Place, Woodside 77, N.Y. Applicant's representative: Morris Honig, 150 Broadway, New York 38, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Staples and stapling machines*, from Carlstadt, N.J., to New York, N.Y., and all points in the towns of Hempstead and North Hempstead (Nassau County), N.Y., for 180 days. Supporting shipper: Bostitch, Inc., Bostitch Eastern, Inc., 130 Commerce Road, Carlstadt, N.J., 07072. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 128311 TA, filed June 15, 1966. Applicant: GARLAND H. CRISTIAN AND BENNIE HORN, a partnership, R.F.D. No. 2, Rogersville, Mo. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wooden crate bottoms and crate materials*, from Springfield and West Plains, Mo., to Newton, Iowa, for 180 days. Supporting shipper: Cloud Oak Flooring Co., Inc., 1912 North Weller, Springfield, Mo. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

MOTOR CARRIERS OF PASSENGERS

No. MC 128026 (Sub-No. 1 TA), filed June 15, 1966. Applicant: EARL W. SWOPE AND JACK W. SWOPE, a partnership, doing business as SWOPE FARM AND LIVESTOCK COMPANY, Cimarron, N. Mex. Applicant's representative: William Federici, Post Office Box 2307, Santa Fe, N. Mex., 87501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* (Boy Scouts) *and their baggage*, between Trinidad, Colo., and Philmont Scout Ranch southwest of Cimarron, N. Mex., for 180 days. Supported by: Joseph J. Davis, Director of Camping, Philmont Scout Ranch, Cimarron, N. Mex., 87714. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse Building, Albuquerque, N. Mex., 87101.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6883; Filed, June 22, 1966; 8:49 a.m.]

[Notice 1370]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 20, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68811. By order of June 16, 1966, the Transfer Board approved the transfer to White Truck Line, Inc., Atlanta, Ga., of the operating rights in certificate Nos. MC-98499 (Sub-No. 3) and MC-98499 (Sub-No. 5) and the certificate of registration in No. MC-98499 (Sub-No. 2), issued December 3, 1964, January 12, 1965, and August 24, 1964, respectively, to White Truck Line, Inc., Atlanta, Ga., authorizing transportation, under the certificates, of: General Commodities, with the usual exceptions, between Atlanta, Ga., on the one hand, and, on the other, Jefferson and Peachtree City, Ga., and the sites of Tucker-Stone Mountain Industrial District and Stone Mountain Industrial Park, De Kalb County, Ga., over irregular routes, and, between Atlanta, Ga., and Rex, Ga., serving all intermediate points, over regular routes; and transportation under the certificate of registration corresponding to certificate of public convenience and necessity Nos. 1016 dated February 9, 1955, 2312 and 2831 dated October 30, 1952, and 2538 dated September 25, 1952, issued by the Georgia Public Service Commission. Guy H. Postell, 1375 Peachtree Street NE., Suite 693, Atlanta, Ga., 30309, attorney for applicants.

No. MC-FC-68832. By order of June 16, 1966, the Transfer Board approved the transfer to Auto Fast Freight Inc., San Bernadino, Calif., of the certificate of registration No. MC-96739 (Sub-No. 1) issued to Desert Transfer & Storage, a corporation, Indio, Calif., evidencing a right to engage in operations in interstate or foreign commerce, in the transportation of: General commodities, between points in California. Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif., 90212, attorney for applicants.

No. MC-FC-68833. By order of June 16, 1966, the Transfer Board approved the transfer to M. & G. Transportation Co., Inc., Gloucester, Va., the operating rights in certificate No. MC-61620, issued January 24, 1962, to C. Douglas Thomas, doing business as M. & G. Transportation, Cobbs Creek, Va., authorizing the transportation of: General commodities, and certain specified commodities, between points in Maryland, Pennsylvania, Virginia, West Virginia, and the District of Columbia. Jno. C. Goddin, 10 South 10th Street, Richmond, 19, Va., attorney for applicants.

No. MC-FC-68834. By order of June 16, 1966, the Transfer Board approved the transfer to A. Girodano Trucking Corp., Union, N.J., a portion of the operating rights in certificate No. MC-66645 issued to Sea Shore Express Co., Inc., Newark, N.J., authorizing the transportation of: General commodities, except household goods as defined by the Commission, between specified points in New York and New Jersey. Bert Collins, 140 Cedar Street, New York, N.Y., 16006, representative for applicants.

No. MC-FC-68851. By order of June 16, 1966, the Transfer Board approved the transfer to Florence M. Bonsall, doing business as J. Colton Bonsall, Collingswood, N.J., of the operating rights of J. Colton Bonsall, Florence M. Bonsall, Executrix, Collingswood, N.J., in certificate No. MC-72367, issued by the Commission June 29, 1959, authorizing the transportation, over irregular routes, of brick, from Reading, Pa., to Atlantic City, N.J., and points in Camden, N.J., concrete pipe, from Pottstown, Pa., to points in Camden County, N.J., and steel, from Philadelphia, Pa., to points in New Jersey, Delaware, and Maryland. James H. Sweeney, 902 Spruce Avenue, Oaklyn, N.J., 08107, representative for applicants.

No. MC-FC-68853. By order of June 16, 1966, the Transfer Board approved the transfer to Huntington Westford, Inc., Westford, N.Y., of that portion of the operating rights of Claude S. Reed, Inc., Manchester, Md., in permit No. MC-108080, issued July 27, 1965, authorizing the transportation, over irregular routes, of silos and parts and accessories thereof, from Falconer, N.Y., to points in that part of Pennsylvania on and west of U.S. Highway 11, points in Allegany and Garrett Counties, Md., and points in Ashtabula, Geauga, Trumbull, Mahoning, Portage, and Lake Counties, Ohio, as restricted. Warren G. Farrington, Box 254, Oneonta, N.Y., 13820, attorney for transferee. Donald E. Freeman, 172 East Green Street, Westminster, Md., 21157, representative for transferor.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6884; Filed, June 22, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

NALCO CHEMICAL CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6H2036) has been filed by Nalco Chemical Co., 6216 West 66th Place, Chicago, Ill., 60638, proposing an amendment to § 121.2505 *Slimicides* to provide for the safe use of methylenebisthiocyanate to control slime in the manufacture of paper and paperboard.

Dated: June 15, 1966.

J. K. KIRK, *Assistant Commissioner for Operations.*

[F.R. Doc. 66-6881; Filed, June 22, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16702, 16703; FCC 66-518]

T.V. BROADCASTERS, INC., AND TRI-CITY BROADCASTING CO., INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of T.V. Broadcasters, Inc., Vineland, N.J., Docket No. 16702, File No. BPCT-3539; Tri-City Broadcasting Co., Inc., Vineland, N.J., Docket No. 16703, File No. BPCT-3716; for construction permit for new television broadcast station.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 14th day of June 1966;

1. The Commission has before it for consideration the above-captioned ap-

plications, each requesting a construction permit for a new television broadcast station to operate on Channel 65, Vineland, N.J. Since the operation proposed by both of the applicants would result in mutually destructive interference, they are mutually exclusive and a hearing will be required to determine which application should be granted.

2. With respect to the issues set forth below the following considerations are pertinent:

(a) T.V. Broadcasters, Inc.'s application indicates that cash in the amount of $236,905[1] will be needed for initial construction and first year's operating expenses. To meet the cash requirements, the applicant relies upon the availability of $3,980 in existing capital, $149,000 in loans from seven stockholders and deferred credit from RCA. With respect to the loans from the stockholders, no balance sheets have been submitted to show their ability to meet their commitments. Also, no letter of deferred credit has been submitted from RCA. However, even if the availability of the $149,000 and the deferred credit were conceded, the applicant would still have to show the availability of an additional $83,925 to satisfy the standards of Ultravision Broadcasting Co., FCC 65–581, 5 R.R. 2d 343. Accordingly, financial issues are specified. The Commission notes that although the application indicates that T.V. Broadcasters anticipates first year revenues of $134,400 nothing has been submitted to indicate either the basis for this estimate or a reliance on any part of it to help meet first year expenses.

(b) Tri-City Broadcasting Co., Inc.'s, application indicates that cash in the amount of $309,020[2] will be needed for initial construction and first year's operating expenses. To meet the cash requirements, the applicant relies upon the availability of a $1,000 in subscription agreements and a $200,000 bank loan from the Farmers and Merchants National Bank. Although the applicant has established the availability of $201,000, it has not shown where the remaining $108,000 will come from, and therefore financial issues are also specified against Tri-City. It is noted that although Tri-City's application indicates that it anticipates first year's revenues of $150,000, it also has not submitted anything to indicate either the basis for this estimate or a reliance on any part of it to help meet first year's expenses.

3. Except as indicated by the issues set forth below, each of the applicants is qualified to construct, own, and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is therefore unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of T.V. Broadcasters, Inc., and Tri-City Broadcasting Co., Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine with respect to T.V. Broadcasters, Inc.'s application:

(a) Whether deferred credit will be available from RCA.

(b) Whether the loans from the stockholders in the amount of $149,000 will be available.

(c) Whether, in the event issue (b) is answered in the affirmative, additional funds will be available to meet the cash required figure of $236,905.

(d) Whether in view of the evidence adduced pursuant to (a), (b), and (c), the applicant is financially qualified.

2. To determine with respect to Tri-City Broadcasting Co., Inc.'s application:

(a) Whether in view of the cash required figure of $309,020 and the availability of only $201,000, an additional $108,020 will be available.

(b) Whether in view of the evidence adduced pursuant to (a) the applicant is financially qualified.

3. To determine which of the proposals would better serve the public interest.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which, if either, of the applications should be granted.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: June 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6886; Filed, June 22, 1966; 8:49 a.m.]

[1] Down payment to RCA—$49,707; first year's payments to RCA—$48,290; land—$3,000; miscellaneous fees—$7,102; repayment of bank loan including interest—$30,996; and estimated cost of operation $97,810.

[2] Down payment to RCA—$58,556; first year's payments to RCA—$57,464; buildings—$10,000; miscellaneous—$5,000; repayment of bank loan—$53,000; and first year's operating expense—$125,000.

[Docket Nos. 16476–16478; FCC 66M–857]

ARTHUR A. CIRILLI ET AL.

Order Following Second Further Prehearing Conference

In re applications of Arthur A. Cirilli, trustee in bankruptcy (WIGL), Superior, Wis., Docket No. 16476, File No. BR–4080, BRRE–7740; for renewal of license of station WIGL; Quality Radio, Inc. (WAKX), Superior, Wis., Docket No. 16477, File No. BP–16497; for construction permit; Arthur A. Cirilli, trustee in bankruptcy (Assignor), and D.L.K. Broadcasting Co., Inc. (Assignee), Docket No. 16478, File No. BAL–5627, BALRE–1336; for assignment of license of station WIGL.

Pursuant to procedural agreements reached at the further prehearing conference held this date: *It is ordered*, This 17th day of June 1966, as follows:

(1) The proposed written exhibits of the applicants on Issues 1 and 2 and the two additional unnumbered issues specified in the memorandum opinion and order of the Review Board (FCC 66R–214) released June 7, 1966, shall be exchanged by July 26, 1966;

(2) The proposed written exhibits of the applicants on Issue 3 (the standard comparative issue) shall be exchanged by August 10, 1966;

(3) Lists of proposed witnesses and the issues on which they each will testify shall be exchanged by the applicants by July 26, and August 10, 1966, to the extent that such information is not indicated by the proposed written exhibits exchanged on these dates.

(4) Notification as to witnesses required to be present at the hearing for cross-examination on testimony set forth in proposed written exhibits shall be given to counsel concerned by August 29, 1966;

(5) The hearing heretofore scheduled to commence on June 21, 1966 is postponed to September 7, 1966; and

(6) A further prehearing conference will be held on June 29, 1966, at 9 a.m., in the offices of the Commission at Washington, D.C.

Released: June 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6887; Filed, June 22, 1966; 8:49 a.m.]

[Docket No. 16636; FCC 66M–860]

HADDOX ENTERPRISES, INC.

Postponement of Hearing

In re application of Haddox Enterprises, Inc., Columbia, Miss., Docket No. 16636, File No. BPH–4532; for construction permit.

Pursuant to agreement reached at the prehearing conference held this date: *It is ordered*, This 17th day of June 1966, that the hearing heretofore scheduled for July 12, 1966, is postponed to July 13, 1966, at 10 a.m., in the offices of the Commission at Washington, D.C., in order to resolve a conflict in hearing commitments of counsel.

Released: June 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6888; Filed, June 22, 1966; 8:49 a.m.]

[Docket Nos. 16509–16519; FCC 66M–861]

MICROWAVE COMMUNICATIONS, INC., ET AL.

Order Regarding Procedural Dates

In re applications of Microwave Communications, Inc., et al., Docket No. 16509, File No. 4615–C1–P–64, Docket Nos. 16510, 16511, 16512, 16513, 16514, 16515, 16516, 16517, 16518, 16519; for construction permits to establish new facilities in the Domestic Public Point-to-Point Microwave Radio Service at Chicago, Ill., St. Louis, Mo., and intermediate points.

By letter dated and delivered June 16, 1966, counsel for Microwave Communications, Inc., requests a 2-month extension of the procedural dates now in effect (see FCC 66M–743). The request is not opposed by counsel for the other parties.

Accordingly, it is ordered, This 17th day of June 1966, that Microwave's letter-request is granted, and the several procedural dates are extended as follows:

Applicant to furnish its direct written case to other parties and Hearing Examiner by August 22, 1966.

Petitioners to furnish their direct written cases to applicant and Hearing Examiner by September 12, 1966.

Receipt of notification of witnesses for cross-examination by September 22, 1966.

Hearing (rescheduled from July 26, see FCC 66M–743), October 4, 1966.

Released: June 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6889; Filed, June 22, 1966; 8:49 a.m.]

[Docket No. 16600; FCC 66M–852]

ROSENBERG AUTO SALES

Order Continuing Hearing

In the matter of Sam Rosenberg, doing business as Sam Rosenberg Auto Sales, Ridgefield, N.J., and Fairview, N.J., Docket No. 16600; order to show cause why the licenses for radio stations KBI–8988, WB2RKV and KEV–688 in the Citizens, Amateur and Business Radio Services, respectively, should not be revoked.

The Hearing Examiner having for consideration the informal request of counsel for the Safety and Special Radio Services Bureau for a 1-week continuance in the commencement of hearing; the request following a conversation with, and at the behest of, the licensee:

It is ordered, This 16th day of June 1966, that the date for hearing herein is continued to June 27, 1966, commencing at 10 a.m. in the offices of the Commission at Washington, D.C.

Released: June 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6890; Filed, June 22, 1966; 8:49 a.m.]

[Docket No. 16043; FCC 66M–856]

SPORTS NETWORK, INC., AND AMERICAN TELEPHONE & TELEGRAPH CO.

Statement and Order After Prehearing Conference

Sports Network, Inc., New York, N.Y., Complainant, vs. American Telephone & Telegraph Co., New York, N.Y., Defendant, Docket No. 16043.

At today's prehearing conference the following schedule was agreed upon:

Receipt of complainant's direct written case and names of its witnesses to testify orally by October 11, 1966.

Receipt of notification of witnesses desired for cross-examination by October 18, 1966.

Hearing, October 25, 1966 (rescheduled from July 12, 1966).

So ordered, This 16th day of June 1966.

Released: June 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6891; Filed, June 22, 1966; 8:49 a.m.]

[Docket Nos. 16290, 16291; FCC 66M–868]

WMGS, INC., AND OHIO RADIO, INC.

Order Continuing Hearing Conference

In re applications of WMGS, Inc. (WMGS), Bowling Green, Ohio, Docket No. 16290, File No. BR–3097; for renewal of license; Ohio Radio, Inc., Bowling Green, Ohio, Docket No. 16291, File No. BP–16423; for construction permit.

Counsel for WMGS, Inc., has informally advised the Hearing Examiner that the applicants are filing in the near future a pleading seeking dismissal of one of the applications;

Accordingly, it is ordered, This 20th day of June 1966, that the hearing conference now scheduled for June 27, 1966, be and the same is hereby continued without date.

Released: June 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6892; Filed, June 22, 1966; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 66–22; 3d Supp. Order]

ALASKA STEAMSHIP CO.

General Increase in Peninsula and Bering Sea Areas of Alaska (1966); Correction

In the order in this proceeding served June 15, 1966, change "First Supplemental Order" to read "Second Supplemental Order"; and change the title to conform with the title shown in the original order served April 11, 1966.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66–6878; Filed, June 22, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

Page

PROCLAMATION:
3728 8277
3729 8567
3730 8569
3731 8571
EXECUTIVE ORDERS:
11224 (superseded by EO 11285) 8211
11285 8211
11286 8279
CHAPTER V:
100 8556

5 CFR

213 7733, 7734, 7959, 8175, 8281, 8527, 8619
302 8527
550 7881, 8585
831 8677
890 8491, 8678

7 CFR

0 8528
15 8175, 8586
26 8113
28 7734
51 8535
301 8586
319 8337
354 8113
401 8175
701 7735, 7814
722 8337, 8619
728 7814, 8337, 8678
730 8619
775 8339
778 7997
811 7999
817 8536
845 7815
893 7816
905 8114
908 7961, 8230, 8538
910 7962, 8045, 8231, 8303, 8538, 8591
911 7962, 8231, 8539
915 8592
916 8176, 8177
917 7963, 8114, 8177, 8231, 8232, 8303–8306, 8404, 8491.
918 7735
944 8000
970 8178
1038 8115
1039 8116
1074 8000
1099 7963
1125 8405
1421 7964, 8000, 8003, 8306, 8346
1443 8348
1483 7817
1486 7735
PROPOSED RULES:
51 7757
52 8542
817 8541
905 7971
906 8429
915 8181
994 8021
1001 7911, 8242

7 CFR—Continued

Page

PROPOSED RULES—Continued
1002 7911
1003 7911
1004 7911
1005 7911
1008 7911
1009 7911
1011 7911
1012 7911
1013 7829, 7911, 8131
1015 7911, 8242
1016 7911
1031 7831
1032 7831, 8634
1033 7911
1034 7911
1035 7911
1036 7911
1038 7831, 7971
1039 7831, 7972
1040 7911
1041 7911, 8496
1043 7911
1044 7831
1045 7831
1046 7911
1047 7911
1048 7911
1049 7911
1050 8634
1051 7831
1061 7831
1062 7831
1063 7831
1064 7831
1065 7757
1066 7757
1067 7831
1068 7757
1069 7757
1070 7831
1071 7831
1073 7831
1074 7831
1075 7757
1076 7757
1078 7831
1079 7831
1090 7911
1094 7831
1096 7831
1097 7831
1098 7911
1099 7758, 7831
1101 7911
1102 7831
1103 7831
1104 7831
1106 7831
1108 7831
1120 7831
1125 7757
1126 7831, 8431
1127 7831
1128 7831
1129 7831
1130 7831
1131 7757
1132 7831
1133 7757, 7831, 8542
1134 7757

7 CFR—Continued

Page

PROPOSED RULES—Continued
1136 7757
1137 7757
1138 7757

8 CFR

212 8045
214 8045
236 8045

9 CFR

97 8020

10 CFR

36 7959, 8417
40 7959
PROPOSED RULES:
30 8595
32 8595

12 CFR

1 8060, 8521
204 8060
545 8353
561 8353
563 8004
571 8004

13 CFR

PROPOSED RULES:
107 8695

14 CFR

13 8353
39 7735, 7881, 7882, 8045, 8046, 8417
61 8354
67 8355
71 7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492, 8575, 8620, 8621, 8679.
73 7736, 7827, 7882
75 7736, 7827, 8047, 8418
91 8354
95 8281
97 7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359, 8576.
145 8585
1200 8418
1204 8418
PROPOSED RULES:
21 8075
39 8498
47 8077
61 8438
71 7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498, 8596, 8597, 8636, 8637, 8694.
73 7977, 8375
75 7762, 8242
91 8026, 8438, 8440
93 8078
207 8438

15 CFR

201 8679
230 7737, 7819, 7968, 8680

15 CFR—Continued

Page

372 8213
373 8213
374 8213
375 8213
376 8213
377 8213
379 8213
382 8213
385 8213
PROPOSED RULES:
9 7833

16 CFR

13 7960, 7961, 8058–8060
15 7737, 7806, 8233, 8403, 8492, 8521, 8585, 8621.
PROPOSED RULES:
45 7757
57 8243
192 8244

17 CFR

211 7821
230 7738
239 7738
240 7740
250 8233
276 7821
PROPOSED RULES:
270 7913

18 CFR

101 7897
141 7897
201 7897
260 7897
PROPOSED RULES:
8 8376

20 CFR

404 8367
602 7966
604 8281
PROPOSED RULES:
405 7864, 8668

21 CFR

1 8521
5 8524
8 8216, 8369
27 8493
80 8525
120 7741
121 8008, 8009, 8369, 8573
125 8521
130 8009
PROPOSED RULES:
17 8497
27 8497
53 8594

22 CFR

41 7741
42 7741

24 CFR

200 7743
203 8539
207 8539
220 8539
221 7743

25 CFR

41 7744
42 7745

26 CFR

1 7789, 8680

29 CFR

Page

0 8306
1605 8370

30 CFR

PROPOSED RULES:
27 8630

31 CFR

128 8179
202 7899, 8234
203 7899, 8234
500 7745, 7899, 8586
520 8404

32 CFR

1 7807
3 7807
4 7810
7 7811
8 7812
16 7814
30 7814
40 8621
273 8007
502 7966
1001 8370
1003 8311, 8371
1004 8371
1007 8371
1013 8371
1014 8371
1053 8371
1250 8061
2000 8540

32A CFR

OIA (Ch. X):
OI REG. 1 7745

33 CFR

202 8403, 8690
203 7827, 8312, 8573
204 8129
208 7751
401 8062

36 CFR

221 8180
251 7899
261 7902

38 CFR

17 8064
21 8292

39 CFR

13 7752
22 7752
25 7752
27 8234
41 8234
43 7752, 8235
46 8235
51 8236
52 8236
53 8236
55 8236
56 8236
58 8237
61 8237

41 CFR

1–3 8116
1–5 8621
1–12 8592
4–1 7819
4–6 7819
4–50 7902
8–1 7820

41 CFR—Continued

Page

8–2 7820
9–12 8237
101–15 7752
101–17 8117
101–47 8540

42 CFR

57 7755
76 7902
PROPOSED RULES:
73 8594

43 CFR

17a 8690
3120 7806
PUBLIC LAND ORDERS:
662 (revoked by PLO 4035) 8240
829 (revoked in part by PLO 4028) 8238
1775 (revoked in part by PLO 4027) 8238
3943 (revoked in part by PLO 4039) 8692
4023 7969
4024 7969
4025 7969
4026 8238
4027 8238
4028 8238
4029 8238
4030 8239
4031 8239
4032 8239
4033 8293
4034 8240
4035 8240
4036 8240
4037 8241
4038 8241
4039 8692
4040 8692
4041 8693
PROPOSED RULES:
4 8429
3130 8181
3140 8181
3150 8181
3160 8181
3180 8181

45 CFR

801 7755, 8623
1030 8623
PROPOSED RULES:
170 8544

46 CFR

146 8295
173 8539
202 8065
262 8494
281 8494
308 7970

47 CFR

18 7821
21 7822
73 7904, 8067, 8069–8073, 8623, 8625
74 7822
87 8627, 8628
91 7822
PROPOSED RULES:
1 7837
17 8376
21 7837
23 7837
73 7837, 7838, 8079–8081, 8132, 8637–8639

47 CFR—Continued Page

PROPOSED RULES—Continued

74 ..... 7837, 8026
81 7837
87 7837
89 ..... 7837, 8640
91 ..... 7837, 8640
93 ..... 7837, 8640
95 7837
97 7837

48 CFR

203 8540

49 CFR

6 8573
95 ..... 7806, 8064
170 8312

PROPOSED RULES:

31 8244
170 7841
178 8696
193 7911

50 CFR

32 ..... 7909, 8065, 8693
33 ..... 7756, 7910, 7970

PROPOSED RULES:

32 8694
33 8694
401 8130

DETROIT PUBLIC LIBRARY JUN 2 8 1966 SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 2 8 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 122

Friday, June 24, 1966 • Washington, D.C.

Pages 8741–8849

Agencies in this issue—

Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Commerce Department
Federal Aviation Agency
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Housing and Urban Development Department
Internal Revenue Service
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Securities and Exchange Commission
Small Business Administration
Veterans Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

122

Just Released

LIST OF CFR SECTIONS AFFECTED

January–May 1966

(Codification Guide)

The List of CFR Sections Affected is published monthly on a cumulative basis. It lists by number the titles, parts, and sections of the Code of Federal Regulations amended or otherwise affected by documents published in the FEDERAL REGISTER during 1966. Entries indicate the exact nature of all changes effected. This cumulative list of CFR sections affected is supplemented by the current lists of CFR parts affected which are carried in each daily FEDERAL REGISTER.

Individually priced: 15 cents a copy

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

Note to subscribers: The January–May 1966 List of CFR Sections Affected was mailed free of charge to FR subscribers on June 22, 1966.

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Domestic beet sugar producing area; proportionate shares for farms, 1966 crop 8770
Wheat; farm acreage allotments, yields, diversion and certificate programs for 1966 through 1969 8758
Upland cotton, 1967 crop; results of referenda for out-of-county transfers of allotments 8758

Proposed Rule Making

Flue-cured tobacco; notice of determinations 8819

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service.

ATOMIC ENERGY COMMISSION

Notices

Curators of the University of Missouri; issuance of construction permit amendment 8838
Regents of the University of California; issuance of order authorizing dismantling and transfer of facility 8838

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:

Baggage liability rules case 8839
British Eagle International Airlines, Ltd 8839
Condor Flugdienst G.m.b.H 8839
Miami-Key West service investigation 8839
Nippon Express U.S.A., Inc 8839

CIVIL SERVICE COMMISSION

Rules and Regulations

Excepted service:

Army Department (2 documents) 8746
National Advisory Commission on Health Manpower 8746

COMMERCE DEPARTMENT

See also International Commerce Bureau.

Notices

Department of Commerce personnel; personal property claims 8837

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directives; Grumman Model G–73 Series airplane 8746
Control zone and transition area; alteration (2 documents) 8749, 8750
Federal airways; alteration (2 documents) 8747, 8750
Federal airways, control zone, transition area and reporting points; redescription 8747
Standard instrument approach procedures; miscellaneous amendments 8751
Transition area; designation (2 documents) 8749, 8750

Proposed Rule Making

Airworthiness directives; Boeing Model 707 and 720 Series airplanes 8833
Transition area; proposed alteration 8834

FEDERAL COMMUNICATIONS COMMISSION

Notices

Hearings, etc.:

Communications Satellite Corp 8839
Island Broadcasting System (WRIV), Inc 8840
Sherman, Gordon and Omicron Television Corp 8840
Trend Radio, Inc., and James Broadcasting Co., Inc 8840

FEDERAL HOME LOAN BANK BOARD

Rules and Regulations

Board rulings:

Cash 8777
Certificates of deposit 8775
Liquidity requirement; deposits 8772

Definitions:

Cash 8776
Slow loans 8776

Members of banks; liquidity 8771

Operations:

Bonus accounts 8774
Cash and Government obligations 8775
Distribution of earnings at variable rates 8775
Required amounts and maintenance of Federal insurance reserve 8776

Statements of policy:

Advances to meet net withdrawals 8774
Continued inclusion of time deposits as cash (3 documents) 8773, 8776, 8777
Federal home loan credit for member institutions located in California and Nevada 8773
Institutions failing to meet requirements of insurance regulation 8777
Removal of credit restrictions 8773
Supplemental statement of policy on advances 8772

FEDERAL MARITIME COMMISSION

Rules and Regulations

Filing of tariffs by terminal operators; compliance 8815

Proposed Rule Making

Filing project rates; proposed special permission requirements 8834

FEDERAL POWER COMMISSION

Rules and Regulations

Hydroelectric license applications; exhibit relating to protection and enhancement of fish and wildlife resources 8779

Notices

Hearings, etc.:

Hall-Jones No. 4, et al 8840
Lumar Gas Corp 8841
Northern Natural Gas Co 8842
Northern Natural Gas Pipeline Co., et al 8842
Secretary of the Army and Atlantic Seaboard Corp 8843
Texas Eastern Transmission Corp 8843
Town of Artesia, Mississippi and Southern Natural Gas Co 8844

FISH AND WILDLIFE SERVICE

Rules and Regulations

Migratory game bird hunting seasons for Puerto Rico and Virgin Islands 8817
Montezuma National Wildlife Refuge, New York; hunting 8817

Proposed Rule Making

Use of artificial lights on refuges 8819

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Rules and Regulations

Standards of conduct 8781

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau.

INTERNAL REVENUE SERVICE

Rules and Regulations

Treatment of employee stock options and purchase plans 8785

INTERNATIONAL COMMERCE BUREAU

Notices

Overseas Chinese Radio and Television Institute and Kuala Lumpur Branch; order denying export privileges for an indefinite period 8836
Tokyo Seidensha Co., Ltd., et al.; order temporary denying export privileges 8837

(Continued on next page)

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Car service; distribution of boxcars (3 documents) 8816

Notices

Fourth section applications for relief 8845

Motor carrier:
- Temporary authority applications 8845
- Transfer proceedings (2 documents) 8846

LAND MANAGEMENT BUREAU

Notices

Arizona; opening of public lands 8836

SECURITIES AND EXCHANGE COMMISSION

Notices

Nuveen Tax-Exempt Bond Fund, Series 12; application for order of exemption 8844

SMALL BUSINESS ADMINISTRATION

Notices

Manager of Disaster Branch Office, Topeka, Kansas; delegations relating to financial assistance functions 8844

TREASURY DEPARTMENT

See Internal Revenue Service.

VETERANS ADMINISTRATION

Rules and Regulations

Loan guaranty; miscellaneous amendments 8745

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

213 (3 documents) 8746

7 CFR

722 8758
728 8758
850 8770
PROPOSED RULES:
725 8819

12 CFR

523 8771
530 8772
531 (5 documents) 8772–8774
545 (3 documents) 8774, 8775
555 8775
556 8776
561 (2 documents) 8776
563 8776
570 8777
571 (2 documents) 8777

14 CFR

39 8746
71 (7 documents) 8747, 8749, 8750
97 8751
PROPOSED RULES:
39 8833
71 8834

18 CFR

4 8779

24 CFR

0 8781

26 CFR

1 8785
301 8785

38 CFR

36 8745

46 CFR

533 8815
PROPOSED RULES:
531 8834

49 CFR

95 (3 documents) 8816

50 CFR

10 8817
32 8817
PROPOSED RULES:
26 8819

Rules and Regulations

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 36—LOAN GUARANTY

Miscellaneous Amendments

1. In Part 36, § 36.4390 and the center title immediately preceding the section are revised to read as follows:

FEDERALLY ASSISTED CONSTRUCTION CONTRACTS—NONDISCRIMINATION IN EMPLOYMENT—EXECUTIVE ORDER 11246

§ 36.4390 Purpose.

Sections 36.4390 through 36.4393 are promulgated to achieve the aims of the applicable provisions of Executive Order 11246 and the regulations of the Secretary of Labor with respect to federally assisted construction contracts.

2. In § 36.4391, paragraph (a) and those portions of paragraphs (b) and (c) immediately preceding subparagraph (1) and paragraph (c)(4) are amended to read as follows:

§ 36.4391 Applicability.

(a) For the purposes of the home loan guaranty and insurance and direct loan programs of the Veterans Administration, the term "applicant for Federal assistance" or "applicant" in Part III of Executive Order 11246, shall mean the builder, sponsor or developer of land to be improved by such builder, sponsor or developer for the purpose of constructing housing thereon for sale to eligible veterans with financing which is to be guaranteed or insured or made under the provisions of 38 U.S.C. Chapter 37, or the builder, sponsor or developer of housing to be constructed for sale to eligible veterans with financing which is to be guaranteed or insured or made under the provisions of 38 U.S.C. Chapter 37.

(b) The provisions of Executive Order 11246 and the rules and regulations of the Secretary of Labor are applicable to:

* * * * *

(c) The provisions of Executive Order 11246 and the rules and regulations of the Secretary of Labor are not applicable to:

* * * * *

(4) Any other contract or subcontract which is exempted or excepted by the regulations of the Secretary of Labor.

3. Section 36.4392 is revised to read as follows:

§ 36.4392 Certification requirements.

In any case in which §§ 36.4390 through 36.4393 are applicable, as set forth in § 36.4391, no action will be taken by the Veterans' Administration on any request for appraisal relating to proposed construction, site approval of land to be improved by a builder, sponsor or developer for the construction of housing thereon, or for a direct loan fund reservation commitment unless the builder, sponsor or developer has furnished the Veterans' Administration a signed certification in form as follows:

To induce the Veterans' Administration to act on any request submitted by or on behalf of the undersigned for site approval of land to be improved for the construction of housing thereon to be financed with loans guaranteed, insured or made by the Veterans' Administration, or for establishment by the Veterans' Administration of reasonable value relating to proposed construction or for direct loan fund reservation commitments, the undersigned hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work or modification thereof, as defined in the rules and regulations of the Secretary of Labor relating to the land or housing included in its request to the Veterans' Administration the following equal opportunity clause:

"During the performance of this contract the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: Employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the contractor's commitments under section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order 11246 of Sept. 24, 1965, and of the rules, regulations and relevant orders of the Secretary of Labor.

(5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.

(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however,* That in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Except in special cases and in subcontracts for the performance of construction work at the site of construction, the clause is not required to be inserted in subcontracts below the second tier. Subcontracts may incorporate by reference the equal opportunity clause.

The undersigned further agrees that it will be bound by the above equal opportunity clause in any federally assisted construction work which it performs itself other than through the permanent work force directly employed by an agency of Government.

The undersigned agrees that it will cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance. The undersigned further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to Part II, Subpart D of Executive Order 11246 and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon the contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of Executive Order 11246.

(P.L. 1753, 800, 2, 20 Stat. 403, as amended;

(5) One Deputy Under Secretary of

Wing Station 270 left and right, P/N 106327.

Petitions, signed by many residents of

KUKAKLEK, ALASKA

In addition, the undersigned agrees that if it fails or refuses to comply with these undertakings such failure or refusal shall be a proper basis for cancellation by the Veterans' Administration of any outstanding master certificates of reasonable value or individual certificates of reasonable value relating to proposed construction, except in respect to cases in which an eligible veteran has contracted to purchase a property included on such certificates, and for the rejection of future requests submitted by the undersigned or on his behalf for site approval, appraisal services, and direct loan fund reservation commitments until satisfactory assurance of future compliance has been received from the undersigned, and for referral of the case to the Department of Justice for appropriate legal proceedings.

4. In § 36.4393, paragraph (f) is amended to read as follows:

§ 36.4393 Complaint and hearing procedure.

* * * * *

(f) Failure or refusal to comply and give satisfactory assurances of future compliance with the equal employment opportunity requirements shall be proper basis for applying sanctions. The sanctions shall be applied in accordance with the provisions of Executive Order 11246, and the regulations of the Secretary of Labor.

* * * * *

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective upon publication in the FEDERAL REGISTER.

Approved: June 20, 1966

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 66-6924; Filed, June 23, 1966; 8:47 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

National Advisory Commission on Health Manpower

Section 213.3188 is added to show that positions on the staff of the National Advisory Commission on Health Manpower are excepted under Schedule A. Effective on publication in the FEDERAL REGISTER, a new § 213.3188 is added as set out below.

§ 213.3188 National Advisory Commission on Health Manpower.

(a) Until September 30, 1967, all positions on the staff of the Commission.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6928; Filed, June 23, 1966; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Department of the Army

Section 213.3307 is amended to show that the position of Director of Facilities, Office of the Assistant Secretary of the Army (Installations and Logistics) is excepted under Schedule C and that the position of Deputy to the Assistant Secretary (Installations and Logistics)—Installations, is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3307 is amended by revoking subparagraph (2) and adding a new subparagraph (17) as set out below.

§ 213.3307 Department of the Army.

(a) *Office of the Secretary.* * * *

(2) [Revoked]

* * * * * *

(17) One Director of Facilities, Office of the Assistant Secretary of the Army (Installations and Logistics).

* * * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6926; Filed, June 23, 1966; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

Department of the Army

Section 213.3307 is amended to show that the position of Deputy Under Secretary—Manpower is excepted under Schedule C in lieu of the position of Deputy Under Secretary (Manpower and Reserve Forces) and that the position of Deputy Under Secretary for Personnel Management is no longer excepted under Schedule C. Section 213.3307 is also amended to show that the title of the Deputy for International Affairs to the Under Secretary is changed to Deputy Under Secretary—International Affairs, and that the titles of his Assistant and Confidential Assistant are correspondingly amended. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3307 is amended as set out below.

§ 213.3307 Department of the Army.

(a) *Office of the Secretary.* * * *

(5) One Deputy Under Secretary of the Army—International Affairs.

* * * * * *

(7) One Deputy Under Secretary of the Army—Manpower.

(8) One Confidential Assistant to the Deputy Under Secretary of the Army—International Affairs.

* * * * * *

(10) One Assistant to the Deputy Under Secretary of the Army—International Affairs.

(11) [Revoked]

* * * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-6927; Filed, June 23, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 7448; Amdt. 39-250]

PART 39—AIRWORTHINESS DIRECTIVES

Grumman Model G-73 Series Airplanes

There have been cracks in the aileron hinge brackets on Grumman Model G-73 Series airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require inspection of the aileron hinge brackets and replacement if necessary on the subject airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

GRUMMAN. Applies to Model G-73 Series airplanes.

Compliance required within the next 10 hours' time in service after the effective date of this AD, unless already accomplished within the last 100 hours' time in service, and thereafter at intervals not to exceed 200 hours' time in service from the last inspection.

To detect cracks or corrosion in the aileron hinge brackets, accomplish the following:

(a) Remove both ailerons, remove paint from aileron hinge brackets, P/N 106326 at Wing Station 270 left and right, P/N 106327 at Wing Station 317 left and right, and P/N 106325 at Wing Station 368 left and right, (6 per airplane), and inspect each bracket for cracks or corrosion using a dye penetrant in conjunction with a glass of at least 10-power, or an FAA-approved equivalent.

(b) If a crack or corrosion is found, replace the part before further flight with a part of the same part number that has been inspected in accordance with paragraph (a) and found free of cracks or corrosion, or with an equivalent part approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This amendment becomes effective July 4, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 20, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-6899; Filed, June 23, 1966; 8:45 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-AL-10]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Redescription of Federal Airway, Control Zone, Transition Area, and Reporting Point

On July 8, 1965, a Notice of Proposed Rulemaking was published in the FEDERAL REGISTER (30 F.R. 8636) stating that the Federal Aviation Agency proposed to revoke Red Federal airway No. 99, the Iliamna, Alaska, Transition Area and Control Zone, and the Kukaklek, Alaska, Transition Area. In addition, Kakaklek Intersection (a low altitude reporting point) was proposed to be redescribed as the intersection of the NE course of the King Salmon, Alaska, R.R. and a bearing of 145° from the Big Mountain, Alaska, radio beacon. Since spelling of the intersection name is incorrect, action was proposed to correct the name to Kukaklek Intersection.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments. Northern Consolidated Airlines submitted comments objecting to the revocation of the controlled airspace associated with the Iliamna R.R. This air carrier holds a Civil Aeronautics Board Certificate of Convenience and Necessity for scheduled operations between Anchorage, Alaska, and King Salmon, Alaska, with intermediate point Iliamna, Alaska. Northern Consolidated Airlines stated that revocation of the controlled airspace would materially affect IFR operation into the Iliamna Airport. They further stated that villages in addition to Iliamna which would be affected are Nondalton, Port Alsworth, Pedro Bay, Pile Bay, and Kakhonak since these points are served from Iliamna by air taxi operators. Iliamna and the other villages in the area are served by air transportation only—there are no highways or railroads to these communities. Petitions, signed by many residents of some of these communities, were received protesting any reduction in services to the aviation community.

Subsequent to publication of the Notice of Proposed Rule Making, informal comments from users of low and medium frequency navigational aids in Alaska indicated the desirability of converting the MRL (loop) radio ranges to radio beacons to provide a usable automatic direction finding (ADF) capability. The low frequency radio navigational aid at Iliamna is an MRL-type radio range.

Further study of the proposal of this docket has been conducted and due consideration has been given to comments received. As a result, it has been determined that the Iliamna radio navigational aid and the associated control airspace are necessary to assure safety and regularity in air commerce. However, since it is planned to convert the Iliamna radio range to a radio beacon, as requested by the users, it is necessary to redescribe the associated airway and control airspace based upon the radio beacon. That action is taken herein.

Redescription of the Kukaklek Intersection as proposed would provide a more usable intersection than that presently described. Action is therefore taken herein to redescribe the Kukaklek Intersection as proposed. Action is also taken to correct the spelling of this intersection.

Redescriptions provided herein, but not previously proposed, can be effected without placing a burden on any person. Therefore, further notice and public procedure are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

1. In § 71.107 (31 F.R. 2007), Red Federal Airways are amended as follows:

R-99 From the INT of the NE course of the King Salmon, Alaska, R.R. and a bearing 196° from the Iliamna, Alaska, RBN via the Iliamna RBN to the INT of a bearing 121° from the Iliamna RBN and the W. course of the Homer, Alaska, R.R.

2. In § 71.171 (31 F.R. 2100), the Iliamna, Alaska, Control Zone is amended as follows:

ILIAMNA, ALASKA

Within a 5-mile radius of the Iliamna Airport (latitude 59°45'06" N., longitude 154°-54'38" W.) and within 2 miles each side of a bearing 196° from the Iliamna RBN, extending from the 5-mile radius zone to a point 12 miles S of the RBN, from 0545 to 2145 hours, local time, daily.

3. In § 71.181 (31 F.R. 2202), the Iliamna, Alaska, Transition Area is amended as follows:

ILIAMNA, ALASKA

That airspace extending upward from 1,200 feet above the surface within 6 miles W. and 8 miles E. of the 016° and 196° bearings from the Iliamna RBN, extending from 7 miles N. to 13 miles S. of the RBN.

4. In § 71.181 (31 F.R. 2209), the Kukaklek, Alaska, Transition Area is amended as follows:

KUKAKLEK, ALASKA

That airspace extending upward from 1,200 feet above the surface within 9 miles SE. and 6 miles NW. of the 056° and 236° bearings from the INT of the NE. course of the King Salmon, Alaska, R.R. and a bearing of 145° from the Big Mountain, Alaska, RBN, extending from 8 miles NE. to 19 miles SW. of the INT.

5. In § 71.211 (31 F.R. 2289), Alaskan low altitude reporting points are amended as follows:

Iliamna, Alaska, R.R. is deleted and Iliamna, Alaska, RBN is added. Kakaklek INT is deleted and Kukaklek INT: INT NE. course King Salmon, Alaska, R.R. 145° bearing Big Mountain, Alaska, RBN is added.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Anchorage, Alaska, on June 15, 1966.

GEORGE M. GARY,
Director, Alaskan Region.

[F.R. Doc. 66-6900; Filed, June 23, 1966; 8:45 a.m.]

[Airspace Docket No. 65-EA-106]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On March 5, 1966, a Notice of Proposed Rulemaking was published in the FEDERAL REGISTER (31 F.R. 3467) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of segments of Federal airways in the Cleveland, Ohio, flight advisory area.

Interested persons were afforded an opportunity to participate in the rulemaking through submission of comments. Due consideration was given to all comments received. The Air Transport Association of America concurred in the actions proposed, provided that where cardinal altitudes could be preserved, the minimum en route altitudes be established at no more than 1,500 feet above the terrain. This was done on those airway segments within transition areas. No other comments were received.

Subsequent to publication of the Notice, V-5 was realigned between Cincinnati, Ohio, and Appleton, Ohio. Such alignment is reflected herein.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 2473, 3231, 4839, 5055, 5057, 5285, 5287, 5408, 6297, 6484) is amended as follows:

1. In V-4 all between "to Louisville;" and "Elkins, W. Va.," is deleted and "12 AGL Lexington, Ky., including a 12 AGL N alternate via INT Louisville 081° and Lexington 303° radials and also a 12 AGL S alternate via INT Louisville 114° and Lexington 251° radials; 12 AGL Newcombe, Ky.; 12 AGL Charleston, W. Va.;" is substituted therefor.

2. In V–5 all after "Nashville 117° radials;" is deleted and "12 AGL Bowling Green, Ky.; 12 AGL New Hope, Ky., including a 12 AGL E alternate from Nashville to New Hope via INT Nashville 029° and New Hope 202° radials; 12 AGL Louisville, Ky.; 12 AGL Cincinnati, Ohio; 12 AGL Appleton, Ohio, including a 12 AGL E alternate; 12 AGL Mansfield, Ohio, 12 AGL Cleveland, Ohio; 12 AGL London, Ont., Canada. The airspace within Canada is excluded." is substituted therefor.

3. In V–6 all between "12 AGL Waterville;" and "12 AGL Selinsgrove, Pa.;" is deleted and "12 AGL Cleveland, Ohio; 12 AGL Youngstown, Ohio; 12 AGL Clarion, Pa.; 12 AGL Philipsburg, Pa.;" is substituted therefore.

4. In V–7 all between "12 AGL Nashville, Tenn.;" and "12 AGL Evansville, Ind.;" is deleted and "12 AGL Central City, Ky.;" is substituted therefor.

5. In V–8 all between "12 AGL Findlay, Ohio;" and "12 AGL Martinsburg, W. Va.;" is deleted and "12 AGL Briggs, Ohio; 12 AGL INT Briggs 126° and Allegheny, Pa., 286° radials; 12 AGL Allegheny; 12 AGL Indian Head, Pa.;" is substituted therefor.

6. In V–10 all after "12 AGL Carleton, Mich.;" is deleted and "12 AGL INT Jefferson, Ohio, 279° and Youngstown, Ohio, 320° radials; 12 AGL Youngstown, The airspace within Canada is excluded." is substituted therefor.

7. In V–12 all between "12 AGL Dayton, Ohio;" and "12 AGL Harrisburg, Pa.," is deleted and "12 AGL Appleton, Ohio, including a 12 AGL N alternate from Dayton to Appleton via INT Dayton 068° and Rosewood, Ohio, 083° radials; 12 AGL Newcomerstown, Ohio; 12 AGL Wheeling, W. Va.; 12 AGL Allegheny, Pa.; 12 AGL Johnstown, Pa.;" is substituted therefor.

8. In V–14 all between "12 AGL Findlay;" and "12 AGL Dunkirk, N.Y.;" is deleted and "12 AGL Attica, Ohio; 12 AGL Cleveland, Ohio; 12 AGL Jefferson, Ohio; 12 AGL Erie, Pa., including a 12 AGL N alternate from Cleveland to Erie via INT Cleveland 049° and Jefferson 279° radials;" is substituted therefor.

9. In V–30 all between "12 AGL Waterville, Ohio;" and "12 AGL Selinsgrove, Pa.;" is deleted and "12 AGL Attica, Ohio; 12 AGL Akron, Ohio; 12 AGL INT Akron 092° and Clarion, Pa., 265° radials; 12 AGL Clarion; 12 AGL Philipsburg, Pa.;" is substituted therefor.

10. In V–35 all between "Holston Mountain 203° radials;" and "12 AGL Tyrone, Pa.;" is deleted and "12 AGL Blackford, Va.; 12 AGL Charleston, W. Va., including a 12 AGL E alternate via Bluefield, W. Va.; 12 AGL INT Charleston 051° and Elkins, W. Va., 264° radials; 12 AGL Clarksburg, W. Va.; 12 AGL Morgantown, W. Va.; 12 AGL Indian Head, Pa.; 12 AGL Johnstown, Pa.;" is substituted therefor.

11. In V–37 all after "12 AGL Morgantown, W. Va.;" is deleted and "12 AGL Allegheny, Pa.; 12 AGL INT Allegheny 325° and Ellwood City, Pa., 183° radials; 12 AGL Ellwood City; 12 AGL Erie, Pa.; 12 AGL Toronto, Ont., Canada. The airspace within Canada is excluded." is substituted therefor.

12. In V–38 all between "12 AGL Findlay, Ohio;" and "12 AGL Elkins, W. Va." is deleted and "12 AGL INT Findlay 131° and Appleton, Ohio, 312° radials; 12 AGL Appleton; 12 AGL Zanesville, Ohio; 12 AGL Parkersburg, W. Va.;" is substituted therefor.

13. V–40 is amended to read as follows:

V–40 From Cleveland, Ohio, 12 AGL Briggs, Ohio; 12 AGL Imperial, Pa.

14. V–41 is amended to read as follows:

V–41 From Imperial, Pa., 12 AGL INT Imperial 326° and Youngstown, Ohio, 177° radials; 12 AGL Youngstown.

15. In V–42 all after "4 mi. W. of centerline);" is deleted and "12 AGL Cleveland, Ohio; 12 AGL Akron, Ohio, including a 12 AGL E alternate from Windsor, Ont., Canada, to INT Strongville, Ohio, 162° and Akron 289° radials via INT Windsor 134° and Strongville 342° radials and Strongville. The airspace within Canada is excluded." is substituted therefor.

16. V–43 is amended to read as follows:

V–43 From Appleton, Ohio, 12 AGL Tiverton, Ohio; 12 AGL Briggs, Ohio; 12 AGL Youngstown, Ohio; 12 AGL Erie, Pa.

17. In V–44 all between "12 AGL Falmouth, Ky.;" and "12 AGL Martinsburg, W. Va.;" is deleted and "12 AGL York, Ky.; 12 AGL Parkersburg, W. Va.; 12 AGL Morgantown, W. Va.;" is substituted therefor.

18. In V–45 all between "Greensboro, N.C." and "From Waterville, Ohio," is deleted and "12 AGL INT Greensboro 334° and Hickory, N.C., 049° radials; 12 AGL Pulaski, Va.; 12 AGL Bluefield, W. Va.; 12 AGL Charleston, W. Va." is substituted therefor.

19. In V–51 all between "Highway, Tenn.;" and "12 AGL Nabb, Ind.;" is deleted and "12 AGL Louisville, Ky., including a 12 AGL E alternate and also a 12 AGL W alternate from Highway to Louisville via INT Highway 333° and New Hope, Ky., 165° radials and New Hope;" is substituted therefor.

20. In V–53 all between "Holston Mountain, Tenn.;" and "12 AGL INT Louisville 333°" is deleted and "12 AGL Whitesburg, Ky.; 12 AGL Lexington, Ky.; 12 AGL Louisville, Ky.;" is substituted therefor.

21. In V–57 all after "Graham, Tenn.;" is deleted and "12 AGL Bowling Green, Ky. From Lexington, Ky., 12 AGL Falmouth, Ky.; 12 AGL INT Richmond, Ind., 142° and Cincinnati, Ohio, 022° radials;" is substituted therefor.

22. V–59 is amended to read as follows:

V–59 From Pulaski, Va., 12 AGL Beckley, W. Va.; 12 AGL Parkersburg, W. Va.; 12 AGL Newcomerstown, Ohio.

23. In V–72 "From Akron, Ohio, via Youngstown, Ohio; Tideout, Pa.;" is deleted and "From Akron, Ohio, 12 AGL Youngstown, Ohio; 12 AGL Tideout, Pa.;" is substituted therefor.

24. V–75 is amended to read as follows:

V–75 From Morgantown, W. Va., 12 AGL INT Morgantown 319° and Wheeling, W. Va., 149° radials; 12 AGL Wheeling; 12 AGL Briggs, Ohio; 12 AGL Cleveland, Ohio.

25. In V–92 all after "12 AGL Waterville, Ohio;" is deleted and "12 AGL Attica, Ohio; 12 AGL Mansfield, Ohio; 12 AGL Briggs, Ohio; 12 AGL Wheeling, W. Va.; 12 AGL Grantsville, Md.; 12 AGL Front Royal, Va." is substituted therefor.

26. In V–97 all between "Knoxville;" and "12 AGL Shelbyville, Ind.," is deleted and "12 AGL London, Ky., including a 12 AGL E alternate via INT Knoxville 013° and London 141° radials; 12 AGL Lexington, Ky., including a 12 AGL W alternate; 12 AGL Cincinnati, Ohio, including a 12 AGL W alternate via INT Lexington 327° and Cincinnati 192° radials, and also a 12 AGL E alternate from London to Cincinnati via INT London 004° and Lexington 107° radials and Falmouth, Ky.;" is substituted therefor.

27. In V–98 all before "London" is deleted and "From INT Litchfield, Mich., 126° and Carleton, Mich., 249° radials; 12 AGL Carleton; 12 AGL Windsor, Ont., Canada;" is substituted therefor.

28. In V–103 all between "12 AGL Clarksburg, W. Va.;" and "12 AGL INT Akron 312°;" is deleted and "12 AGL INT Clarksburg 354° and Imperial, Pa., 193° radials; 12 AGL Imperial; 12 AGL Akron, Ohio;" is substituted therefor.

29. In V–106 all before "12 AGL INT Ravine, Pa., 279°" is deleted and "From Charleston, W. Va., 12 AGL INT Charleston 051° and Elkins, W. Va., 264° radials; 12 AGL Clarksburg, W. Va.; 12 AGL Morgantown, W. Va.; 12 AGL Indian Head, Pa.; 12 AGL Johnstown, Pa.;" is substituted therefor.

30. In V–115 all between "Knoxville;" and "12 AGL Jamestown, N.Y.;" is deleted and "12 AGL Whitesburg, Ky.; 12 AGL Charleston, W. Va.; 12 AGL Parkersburg, W. Va.; 12 AGL INT Parkersburg 067° and Allegheny, Pa., 215° radials; 12 AGL Allegheny. From Ellwood City, Pa.; 12 AGL Tidioute, Pa.;" is substituted therefor.

31. In V–119 all before "12 AGL Wellsville, N.Y.;" is deleted and "From Newcombe, Ky., 12 AGL Henderson, W. Va.; 12 AGL Parkersburg, W. Va.; 12 AGL Bellaire, Ohio; 12 AGL Wheeling, W. Va.; 12 AGL Imperial, Pa.; 12 AGL Clarion, Pa.; 12 AGL Bradford, Pa.;" is substituted therefor.

32. In V–126 all between "Waterville, Ohio;" and "12 AGL Bradford, Pa.;" is deleted and "12 AGL Cleveland, Ohio; 12 AGL Jefferson, Ohio; 12 AGL Erie, Pa.;" is substituted therefor.

33. In V–128 all after "12 AGL Cincinnati;" is deleted and "12 AGL York, Ky., including a 12 AGL N alternate and also a 12 AGL S alternate via INT Cincinnati 120° and York 271° radials; 12 AGL Charleston, W. Va." is substituted therefor.

34. In V–133 all between "Hickory, N.C.;" and "12 AGL INT Sandusky 342°" is deleted and "12 AGL Charleston, W. Va.; 12 AGL Zanesville, Ohio; 12 AGL Tiverton, Ohio; 12 AGL Mansfield, Ohio; 12 AGL Sandusky, Ohio;" is substituted therefor.

35. In V–140 all between "12 AGL Dyersburg, Tenn.;" and "12 AGL Cliffdale, Va.;" is deleted and "12 AGL Nashville, Tenn., including a 12 AGL S alternate from Dyersburg to Nashville via INT Dyersburg 115° and Graham, Tenn., 270° radials; and Graham; 12 AGL Highway, Tenn., including a 12 AGL S alternate; 12 AGL London, Ky., including a 12 AGL N alternate from Nashville to London via INT Nashville 044° and London 258° radials; 12 AGL Whitesburg, Ky.; 12 AGL Bluefield, W. Va.;" is substituted therefor.

36. In V–144 all between "12 AGL Fort Wayne, Ind.;" and "12 AGL Kessel, W. Va.;" is deleted and "12 AGL Findlay, Ohio; 12 AGL INT Findlay 131° and Appleton, Ohio, 312° radials; 12 AGL Appleton; 12 AGL Zanesville, Ohio; 12 AGL Morgantown, W. Va.;" is substituted therefor.

37. In V–174 all before "12 AGL Elkins, W. Va.;" is deleted and "From York, Ky., 12 AGL Henderson, W. Va.;" is substituted therefor.

38. V–178 is amended to read as follows:

V–178 From Farmington, Mo., 12 AGL Paducah, Ky., including a 12 AGL S alternate; 12 AGL Central City, Ky.; 12 AGL New Hope, Ky.; 12 AGL Lexington, Ky.

39. V–184 is amended to read as follows:

V–184 From Erie, Pa., 12 AGL Tidioute, Pa.; 12 AGL INT Tidioute 154° and Philipsburg, Pa., 296° radials; 12 AGL Philipsburg.

40. In V–188 all before "12 AGL Slate Run, Pa.;" is deleted and "From Carleton, Mich., 12 AGL Jefferson, Ohio; 12 AGL Tidioute, Pa.;" is substituted therefor.

41. In V–210 all between "INT Fort Wayne, Ind., 187° radials;" and "12 AGL INT Carrolltown 114°" is deleted and "12 AGL Rosewood, Ohio; 12 AGL Tiverton, Ohio; 12 AGL Imperial, Pa.; 12 AGL INT Imperial 074° and Carrolltown, Pa., 276° radials; 12 AGL Carrolltown;" is substituted therefor.

42. In V–214 all after "Rosewood, Ohio, 202° radials," is deleted and "From Columbus, Ohio, Port Columbus Airport ILS localizer, 12 AGL Zanesville, Ohio; 12 AGL Bellaire, Ohio; 12 AGL Allegheny, Pa." is substituted therefor.

43. In V–221 all after "12 AGL INT Salem 083° and Erie, Pa., 290° radials;" is deleted and "12 AGL Erie. The airspace within Canada is excluded." is substituted therefor.

44. V–224 is amended to read as follows:

V–224 From Carleton, Mich., 12 AGL INT Carleton 062° and Windsor, Ont., Canada, 100° radials. The airspace within Canada is excluded.

45. V–226 all before "12 AGL Williamsport, Pa.;" is deleted and "From Ellwood City, Pa., 12 AGL Clarion, Pa.; 12 AGL Keating, Pa.;" is substituted therefor.

46. In V–232 all before "12 AGL Milton, Pa.;" is deleted and "From Sandusky, Ohio, 12 AGL INT Sandusky 061° and Chardon, Ohio, 281° radials; 12 AGL Chardon; 12 AGL Franklin, Pa.; 12 AGL Keating, Pa.;" is substituted therefor.

47. In V–243 all after "Chattanooga;" is deleted and "12 AGL Bowling Green, Ky.; 12 AGL Scotland, Ind." is substituted therefor.

48. V–246 is amended to read as follows:

V–246 From Rosewood, Ohio, 12 AGL Mansfield, Ohio; 12 AGL INT Cleveland, Ohio, 138° and Tiverton, Ohio, 017° radials.

49. In V–276 all before "12 AGL INT Tyrone 096°" is deleted and "From Briggs, Ohio, 12 AGL Ellwood City, Pa.; 12 AGL Tyrone, Pa.;" is substituted therefor.

50. V–279 is amended to read as follows:

V–279 From the Columbus, Ohio, RBN 12 AGL Findlay, Ohio.

51. In V–297 all before "12 AGL INT Strongsville 304°" is deleted and "From Johnstown, Pa., 12 AGL Ellwood City, Pa.; 12 AGL Akron, Ohio; 12 AGL Strongsville, Ohio;" is substituted therefor.

52. In V–310 all before "INT Holston Mountain 104°" is deleted and "From Louisville, Ky., 12 AGL London, Ky.; 12 AGL Holston Mountain, Tenn.;" is substituted therefor.

53. V–427 is amended to read as follows:

V–427 From Newcomerstown, Ohio, 12 AGL Briggs, Ohio.

54. V–435 is amended to read as follows:

V–435 From Rosewood, Ohio, 12 AGL Attica, Ohio.

55. V–443 is amended to read as follows:

V–443 From Bellaire, Ohio, 12 AGL Newcomerstown, Ohio, 12 AGL Tiverton, Ohio; 12 AGL Cleveland, Ohio, including a 12 AGL E alternate via INT Tiverton 017° and Cleveland 138° radials; 12 AGL INT Cleveland 049° and Aylmer, Ont., Canada, 205° radials; 12 AGL Aylmer. This airspace within Canada is excluded.

56. In V–474 all before "12 AGL INT St. Thomas 088°" is deleted and "From Bellaire, Ohio, 12 AGL Indian Head, Pa.; 12 AGL St. Thomas, Pa.;" is substituted therefor.

57. V–478 is amended to read as follows:

V–478 From Falmouth, Ky., 12 AGL Newcombe, Ky.; 12 AGL Beckley, W. Va.

58. V–493 is amended to read as follows:

V–493 From Highway, Tenn., 12 AGL Lexington, Ky.; 12 AGL York, Ky.; 12 AGL Appleton, Ohio; 12 AGL Waterville, Ohio; 12 AGL Carleton, Mich.

59. V–502 is amended to read as follows:

V–502 From Louisville, Ky., 12 AGL Falmouth, Ky.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 17, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6901; Filed, June 23, 1966; 8:45 a.m.]

[Airspace Docket No. 66–CE–5]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On April 26, 1966, a Supplemental Notice of Proposed Rule Making was published in the FEDERAL REGISTER (31 F.R. 6319) stating that the Federal Aviation Agency proposed to alter controlled airspace in the Salina, Kans., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t. August 18, 1966, as hereinafter set forth.

(1) In § 71.171 (31 F.R. 2065) the Salina, Kans., control zone is amended to read:

SALINA, KANS.

Within a 5-mile radius of Salina Municipal Airport, latitude 38°49'10" N., longitude 97°34'00" W., and within a 5-mile radius of Schilling Airport (formerly Schilling AFB) latitude 38°47'30" N., longitude 97°38'45" W., and within 2 miles each side of the 188° radial of the Salina, Kans., VORTAC, extending from the 5-mile radius to the VORTAC.

(2) In § 71.181 (31 F.R. 2149) the transition area is amended to read:

SALINA, KANS.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Salina VORTAC 006° radial, extending from the VORTAC to 8 miles N of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 8 miles SW and 5 miles NE of the 321° and 141° radials of the Salina, Kans., VORTAC, extending to points 12 miles NW and 5 miles SE, and the airspace north of VOR Federal Airway No. 4 within a 14-mile radius of the VORTAC.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 14, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66-6902; Filed, June 23, 1966; 8:45 a.m.]

[Airspace Docket No. 66–CE–26]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 19, 1966, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (31 F.R. 5972) stating that the Federal Aviation Agency proposed to designate controlled airspace in the Fergus Falls, Minn., terminal area.

Interested persons were afforded an opportunity to participate in the rule-

making through the submission of comments. Of the two comments received, one was favorable and the other offered no objection to the proposal.

The Einar Michelson Municipal Airport coordinates recited in the Notice of Proposed Rule Making have been changed slightly in this final rule. Since this change is minor in nature and imposes no additional burden on anyone, it is being incorporated in the rule without notice and public procedure.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the following transition area is added:

FERGUS FALLS, MINN.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Einar Michelson Municipal Airport (latitude 46°17'10" N., longitude 96°09'35" W.), and within 2 miles each side of the 187° bearing from Einar Michelson Municipal Airport, extending from the 5-mile radius area to 8 miles S of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles W and 8 miles E of the 187° and 007° bearings from Einar Michelson Municipal Airport extending from 12 miles S of the airport to the S edge of V-2.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 14, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66-6903; Filed, June 23, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-27]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 15, 1966, a Notice of Proposed Rulemaking was published in the FEDERAL REGISTER (31 F.R. 5839) stating that the Federal Aviation Agency proposed to designate controlled airspace in the vicinity of Sheboygan, Wis.

Interested persons were afforded an opportunity to participate in the rulemaking through submission of comments. The one comment received was favorable.

Since the publication of the above described Notice, it has been determined that the coordinates of the Sheboygan County Memorial Airport as set forth in the description of the transition area were incorrect. The correct coordinates are being included in the description set forth herein. Since this correction is minor in nature and imposes no additional burden on any person, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t, August 18, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the following transition area is added:

SHEBOYGAN, WIS.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Sheboygan County Memorial Airport (latitude 43°46'05" N., longitude 87°51'05" W.); and within 5 miles E and 8 miles W of the 021° bearing from Sheboygan County Memorial Airport, extending from the airport to 12 miles N of the airport.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 14, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66-6904; Filed June 23, 1966; 8:45 a.m.]

[Airspace Docket No. 65-CE-130]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On December 21, 1965, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (30 F.R. 15759) stating in part that the Federal Aviation Agency was considering raising the floor of the segment of V-63 from Springfield, Mo., to Burlington, Iowa, to 1,200 feet above the surface (AGL). In Federal Register Document No. 66-4763, published in the FEDERAL REGISTER on May 3, 1966 (31 F.R. 6582) the 1,200 feet AGL floor for the segment of V-63 from Quincy, Ill., to Burlington, Iowa, was inadvertently omitted. Corrective action is taken herein.

Since the action is editorial in nature in that the rule is amended to conform to the Notice and the original intent, the Administrator has determined that notice and public procedure hereon are unnecessary and it may be made effective immediately.

In consideration of the foregoing, in Federal Register Document 66-4763, Item 11 is amended effective immediately as hereinafter set forth.

Item 11 is amended as follows: In V-63 "Burlington, Iowa." is deleted and "12 AGL Burlington, Iowa." is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 17, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-6905; Filed June 23, 1966; 8:46 a.m.]

[Airspace Docket No. 65-CE-154]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On January 22, 1966, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (31 F.R. 912) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the vicinity of Worthington, Minn. Subsequent to the publication of that Notice, a new special VOR approach procedure was published. As a result thereof, a Supplemental Notice of Proposed Rule Making was published on April 15, 1966, in the FEDERAL REGISTER (31 F.R. 5838) making the necessary changes in the proposed alteration of the existing control zone and transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

Subsequent to the publication of the Notice and the Supplemental Notice, it was discovered that there was an error in the coordinates of the Worthington Municipal Airport as they were set forth in the two descriptions. Therefore, the coordinates are corrected in the descriptions contained herein. Since this change is minor in nature and imposes no additional burden on any person, notice and public procedure thereon are considered unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

(1) In § 71.171 (31 F.R. 2065) the Worthington, Minn., control zone is amended to read:

WORTHINGTON, MINN.

Within a 5-mile radius of Worthington Municipal Airport (latitude 43°39'10" N., longitude 95°34'50" W.); and within 2 miles each side of the Worthington VOR 358° radial, extending from the 5-mile radius zone to 7 miles N of the VOR; and within 2 miles each side of the Worthington VOR 189° radial, extending from the 5-mile radius zone to 7 miles S of the VOR. This control zone shall be effective during the specific dates and/or times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

(2) In § 71.181 (31 F.R. 2149) the Worthington, Minn., transition area is amended to read:

WORTHINGTON, MINN.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Worthington Municipal Airport (latitude 43°39'10" N., longitude 95°34'50" W.); and within 5 miles E and 8 miles W of the Worthington VOR 358° radial, extending from the VOR to 13 miles N of the VOR; and within 2 miles each side of the Worthington VOR 189° radial, extending from the 6-mile radius area to 8 miles S of the VOR; and that airspace extending upward from 1,200 feet above the surface within 5 miles W and 8 miles E of the Worthington VOR 189° radial, extending from the VOR to 12 miles S of the VOR; and within 5 miles each side of the Worthington VOR 178° radial, extending from the VOR to the S boundary of V-120.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 14, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66-6906; Filed, June 23, 1966; 8:46 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7629; Amdt. 457]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
EUG VOR	LOM	Direct	2100	T-dn%	800-1	800-1	800-1½
CVO VOR	LOM	Direct	2200	C-dn	800-1	800-1	800-1⅛
				S-dn-16	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 329° Outbnd, 149° Inbnd, 2100' within 10 miles. Not authorized beyond 10 miles. (Final approach from holding pattern at EU LOM not authorized, procedure turn required.)
Minimum altitude over facility on final approach crs, 1900'.
Crs and distance, facility to airport, 159°—3.7 miles.
NOTE: All turns to be made on the E side of the crs; high terrain to W.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing EU LOM, turn right and climb direct to EU LOM, thence continue to 2100' on crs, 329° Outbnd, 149° Inbnd within 10 miles of EU LOM, or when directed by ATC, turn right, climb to 3000' on R 280°, EUG VOR within 10 miles.
CAUTION: High terrain E and W.
%Takeoffs all runways: Climb on the Eugene VORTAC 355° radial within 10 miles to cross the VORTAC, southbound, V-23, 900'; westbound, 251° radial, 1000'.
MSA within 25 miles of facility: 000°-090°—4500'; 090°-180°—4200'; 180°-270°—4500'; 270°-360°—5100'.

City, Eugene; State, Oreg.; Airport name, Mahlon Sweet Field; Elev., 368'; Fac. Class., LOM; Ident., EU; Procedure No. 1, Amdt. 16; Eff. date, 16 July 66; Sup. Amdt. No. 15; Dated, 12 June 65

Fort Wayne VOR	LOM	Direct	2100	T-dn	800-1	800-1	800-1½
Whitely Int	LOM	Direct	2200	C-dn	400-1	500-1	500-1⅛
New Haven Int	LOM	Direct	2200	S-dn-31	400-1	400-1	400-1
Rock Creek Int	LOM	Direct	2200	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn E side SE crs, 135° Outbnd, 315° Inbnd, 2100' within 10 miles.
Minimum altitude over LOM on final approach crs, 1900'.
Crs and distance, LOM to approach end of Runway 31, 315°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.8 miles after passing LOM, climb to 2600' on crs of 315° and proceed to Whitely Int westbound on R 281° FWA VOR, or when directed by ATC, climb to 2600' on 315° crs and proceed direct to Wolfake VOR.
NOTE: Reduction below ¾ mile not authorized.
MSA: 000°-270°—2200'; 270°-360°—2700'.

City, Fort Wayne; State, Ind.; Airport name, Baer Field; Elev., 801'; Fac. Class., LOM; Ident., FW; Procedure No. 1, Amdt. 11; Eff. date, 16 July 66; Sup. Amdt. No. 10; Dated, 23 May 64

PROCEDURE CANCELED, EFFECTIVE 16 JULY 1966.

City, Imperial; State, Nebr.; Airport name, Imperial Municipal; Elev., 3270'; Fac. Class., BH; Ident., IML; Procedure No. 1, Amdt. 2; Eff. date, 13 Mar. 65; Sup. Amdt. No. 1; Dated, 12 Jan. 63

Paterson RBn	AR LOM	Direct	2000	T-dn	300-1	300-1	200-½
Paterson RBn	Allan Int#	Direct	2000	C-dn*	900-1	900-1	900-1½
Allan Int	AR LOM (final)#	Direct	2000	S-dn-22	900-1	900-1	900-1
				A-dn	1000-2	1000-2	1000-2
				The following minimums apply to turbojet aircraft when circling W of Runways 4-22 centerlines extended:*			
				C-dn*	900-2	900-2	900-2

Radar available.
Procedure turn W side of crs, 037° Outbnd, 217° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 2000'.
Crs and distance, facility to airport, 217°—5.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing LOM, climb to 3000' on crs, 217°, make right turn, proceed direct to Chatham RBn, hold NE, 1-minute right turns, Inbnd crs, 341°.
CAUTION: Building, 596'—2.2 miles N of airport.
#Authorized only for aircraft with dual ADF's operating simultaneously.
MSA within 25 miles of facility: 000°-090°—2000'; 090°-180°—2600'; 180°-270°—1600'; 270°-360°—2500'.

City, Newark; State, N.J.; Airport name, Newark; Elev., 18'; Fac. Class., LOM; Ident., AR; Procedure No. 2, Amdt. 7; Eff. date, 16 July 66; Sup. Amdt. No. 6; Dated, 5 Feb. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Warrington Int	ING RBn	Direct	2200	T-dn	300–1	NA	NA
Pottstown VOR	ING RBn	Direct	2300	C-dn	600–1	NA	NA
Fraser Int	ING RBn (final)	Direct	1200	A-dn	NA	NA	NA

Radar authorized.
Procedure turn N side of crs, 241° Outbnd, 061° Inbnd, 2200′ within 10 miles.
Minimum altitude over facility on final approach crs, 1200′.
Crs and distance, facility to airport, 061°—0.8 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.8 mile after passing ING RBn, climb on crs, 061° to 1400′ within 5 miles, then make left-climbing turn returning to ING RBn at 2200′. Hold SW, 1-minute left turns, Inbnd crs, 061°.
MSA within 25 miles of the facility: 000°–090°—2000′; 090°–180°—2400′; 180°–360°—2000′.

City, Philadelphia (Ambler); State, Pa.; Airport name, Wings Field; Elev., 330′; Fac. Class., MIW; Ident., ING; Procedure No. 1, Amdt. 4; Eff. date, 16 July 66; Sup. Amdt. No. 3; Dated, 12 Mar. 66

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
China Int	BPT VOR (final)	Direct	1500	T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 248° Outbnd, 068° Inbnd, 1500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 057°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing BPT VOR, climb to 1500′ on R 068° within 20 miles, or when directed by ATC, climb to 1500′ on R 051° within 20 miles.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—2000′; 180°–270°—1400′; 270°–360°—1700′.

City, Beaumont; State, Tex.; Airport name, Jefferson County; Elev., 16′; Fac. Class., BVOR; Ident., BPT; Procedure No. 1, Amdt. 7; Eff. date, 16 July 66; Sup. Amdt. No. 6; Dated, 16 May 64

				T-dn*	300–1	300–1	200–½
				C-dn	1000–3	1000–3	1000–3
				A-dn	1000–3	1000–3	1000–3
				If aircraft equipped to receive DME and Bishop DME Fix received, the following minimums are authorized:			
				C-dn	400–1	500–1	500–1½
				S-dn	400–1	400–1	500–1½

Procedure turn N side of crs, 021° Outbnd, 201° Inbnd, 7400′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 7400′; over Bishop DME Fix, 6300′.
Crs and distance, facility to airport, 201°—13.2 miles; facility to Bishop DME Fix, 201°—8 miles; Bishop DME Fix to Runway 21—5.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 10 miles after passing CPR VOR, climb to 8000′ on R 201° CPR VOR within 20 miles or, when directed by ATC, turn right, climb to 8000′ direct to VOR.
MSA within 25 miles of facility: 000°–090°—8300′; 090°–180°—10,300′; 180°–270°—10,000′; 270°–360°—8200′.
*Southeastbound, 134° through 156°, IFR departures: On V 19 cross Deer Creek Int at or above 9000′; on V 85 cross Mountain Int at or above 10,000′.

City, Casper; State, Wyo.; Airport name, Casper Air Terminal; Elev., 5348′; Fac. Class., BVORTAC; Ident., CPR; Procedure No. 1, Amdt. 7; Eff. date, 16 July 66; Sup. Amdt. No. 6; Dated, 19 June 65

R 277°, EAU VOR clockwise	R 077, EAU VOR	Via 6-mile DME Arc.	2800	T-dn*	300–1	300–1	200–½
R 067°, EAU VOR counterclockwise	R 007, EAU VOR	Via 6-mile DME Arc.	2800	C-dn	500–1	600–1	600–1½
6-mile DME Fix, R 007°	EAU VORTAC (final)	Direct	2000	A-dn	800–2	800–2	800–2

Procedure turn W side of crs, 007° Outbnd, 187° Inbnd, 2800′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 187°—2.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 miles after passing EAU VOR, climb to 3000′ on R 254° within 10 miles.
NOTE: Final approach from holding pattern at the VOR not authorized. Procedure turn required.
*When weather is less than 1000–1, aircraft departing Runway 14, make left-climbing turn to 2000′ on R 103°, EAU VOR and aircraft departing Runway 22 make right-climbing turn to 2000′ on R 235° prior to departing southbound due to 1350′ tower, 2.2 miles SE and 1847′ tower, 3.6 miles SSE of airport.
MSA within 25 miles of facility: 000°–090°—2500′; 090°–180°—3600′; 180°–270°—2800′; 270°–360°—2800′.

City, Eau Claire, State, Wis., Airport name, Eau Claire Municipal; Elev., 868′; Fac. Class., L-BVORTAC; Ident., EAU; Procedure No. 1, Amdt. 12; Eff. date, 16 July 66; Sup. Amdt. No. 11; Dated, 13 Nov. 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Gerry Int	Jamestown VOR	Direct	3600	T-dn	300–1	300–1	200–½
				C-d	600–1	600–1	600–1½
				C-n	600–2	600–2	600–2
				S-d–25#	600–1	600–1	600–1
				S-n–25#	600–2	600–2	600–2
				A-dn	NA	NA	NA

Procedure turn N side of crs, 078° Outbnd, 258° Inbnd, 3600′ within 10 miles.
Minimum altitude over facility on final approach crs, 2800′.
Crs and distance, facility to airport, 258°—6.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.1 miles after passing VOR, make a right-climbing turn to 3600′ and return to Jamestown VOR. Hold E on R 078° 1-minute right turns, 258° Inbnd.
#Reduction in visibility minimums not authorized for REIL.
MSA within 25 miles of facility: 000°–360°—3500′.

City, Jamestown; State, N.Y.; Airport name, Jamestown Municipal; Elev., 1723′; Fac. Class., L-BVOR; Ident., JHW; Procedure No. 1, Amdt. 3; Eff. date, 16 July 66; Sup. Amdt. No. 2; Dated, 10 Oct. 64

				T-d	300–1	300–1	NA
				C-d	500–1	500–1	NA
				C-n	600–1	600–1	NA

Procedure turn S side of crs, 066° Outbnd, 246° Inbnd, 2700′ within 10 miles. Nonstandard due to high towers to N. All turns to the S side of crs.
Minimum altitude over facility on final approach crs, 1700′.
Crs and distance, facility to airport, 251°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1 mile after passing VOR, make left-climbing turn to 2700′ and proceed to JFN VOR. Hold NE, 1-minute left turns, 246° Inbnd.
CAUTION: Unlighted transmission poles, 40′ high, 80′ from approach end of Runway 27.
NOTES: (1) Weather service not available. (2) Nonstandard holding. All turns to the S side of crs due to high towers to N.
MSA within 25 miles of facility: 090°–180°—2800′; 180°–090°—2300′.

City, Jefferson; State, Ohio; Airport name, Ashtabula-Jefferson; Elev., 935′; Fac. Class., L-BVORTAC Ident., JFN; Procedure No. 1, Amdt. 2; Eff. date, 16 July 66; Sup Amdt. No. 1; Dated, 18 Apr. 64

KG LFR	AKN VORTAC	Direct	1700	T-dn	300–1	300–1	200–½
10-mile DME Fix, R 291°	AKN VORTAC (final)	Direct	700	T-dn–29*	300–1	300–1	300–1
				C-dn*	500–1	500–1	500–1½
				S-dn–11*#	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 291° Outbnd, 111° Inbnd, 1700′ within 10 miles.
Minimum altitude over facility on final approach crs, 700′.
Crs and distance, facility to airport, 111°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing AKN VORTAC, climb on R 111° to 3000′ within 15 miles, or when directed by ATC, right turn, climb on R 165°. AKN VORTAC to 2000′ within 15 miles.
NOTE: When authorized by ATC, DME may be used within 15 miles to position aircraft for final approach at 3000′ in all directions with the elimination of a procedure turn.
*CAUTION: Radio towers, 262′ 0.5 mile and 185′ 1.1 miles W of airport.
#500–½ authorized with operative ALS except 4-engine turbojets.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—2000′; 180°–270°—1500′; 270°–360°—1500′.

City, King Salmon; State, Alaska; Airport name, King Salmon FAA; Elev., 58′; Fac. Class., H-BVORTAC; Ident., AKN; Procedure No. 1, Amdt. 5; Eff. date, 16 July 66; Sup. Amdt. No. 4; Dated, 26 Mar. 66

R 040° PIR VOR clockwise	R 095° PIR VOR	Via 6-mile DME Arc.	3600	T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
6-mile DME Fix, R 076°	PIR VOR (final)	Direct	3200	C-n	400–1½	500–1½	500–2
				S-dn–28$	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn N side of crs, 076° Outbnd, 256° Inbnd, 3500′ within 10 miles.
Minimum altitude over facility on final approach crs, 3200′.
Crs and distance, facility to airport, 256°—4.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing PIR VOR, climb to 4000′ on R 242°, PIR VOR within 20 miles.
$Reduction not authorized for nonstandard REIL.
MSA within 25 miles of facility: 000°–360°—3400′.

City, Pierre; State, S. Dak.; Airport name, Pierre Municipal; Elev., 1742′; Fac. Class., L-BVORTAC; Ident., PIR; Procedure No. 1, Amdt. 9; Eff. date, 16 July 66; Sup. Amdt. No. 8; Dated, 19 Feb. 66

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
Mount Holly Int	MGY VOR	Direct	2700	T-dn	300-1	300-1	200-1
Dayton VOR	MGY VOR	Via DAY VOR R 163°.	3000	C-dn	700-1	700-1	700-1½
				A-dn	NA	NA	NA
Camden Int	MGY VOR	Direct	2700				
Mount Holly Int	5-mile Radar Fix on R 146°	Via CVG R 055° and MGY R 146°.	2700				
5-mile Radar Fix on R 146°	MGY VOR (final)	Direct	1700				

Radar available.
Procedure turn E side of crs, 146° Outbnd, 326° Inbnd, 2700′ within 10 miles.
Minimum altitude over 5-mile Radar Fix on R 146° on final 1800′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished after passing MGY VOR, make climbing right turn to 2700′, hold SE on R 146° MGY VOR, 1-minute right turns.
MSA within 25 miles of facility: 000°–270°—2600′; 270°–360°—3100′.

City, Dayton; State, Ohio; Airport name, Montgomery County; Elev., 960′; Fac. Class., T-VORW; Ident., MGY; Procedure No. Ter VOR R 146°, Amdt. 5; Eff. date, 16 July 66; Sup. Amdt. No. 4; Dated, 11 June 66

10-mile DME Fix, R 152°	EUG VOR	Direct	3300	T-dn*	300-1	300-1	200-1
10-mile DME Fix, R 167°	EUG VOR	Direct	3000	C-dn	800-1	800-1	800-1½
10-mile DME Fix, R 204°	EUG VOR	Direct	3000	A-dn	800-2	800-2	800-2
				If aircraft equipped to receive VOR and ADF simultaneously or equipped with DME and Junction City Int identified the following minimums apply:*			
				C-dn	500-1	500-1	500-1½
				S-dn-16#‡	400-1	400-1	400-1

Procedure turn W side of crs, 347° Outbnd, 167° Inbnd, 2600′ within 10 miles.
Final approach from holding pattern at EUG VOR not authorized, procedure turn required.
Minimum altitude over Junction City Int on final approach crs, 1200′.
Crs and distance, Junction City Int to airport 167°—3.8 miles; breakoff point to approach end of Runway 16, 159°—0.6 mile (LMM).
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing EUG VOR, turn right, climb to 2600′ on R 347°, within 10 miles, or when directed by ATC, turn right and climb to 3000′ on R 250°, EUG VOR within 10 miles of EUG VOR.
CAUTION: High terrain E and W.
NOTE: When authorized by ATC, DME may be used between R 326°, EUG VOR clockwise to R 010°, EUG VOR within 10 miles at 2300′ to position aircraft for straight-in approach with elimination of the procedure turn.
*If Junction City Int not identified, authorized minimum over EUG VOR is 1200′.
#400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
‡400-½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
◇Takeoffs all runways. Climb on the Eugene VORTAC 355° radial within 10 miles to cross the VORTAC, southbound V23 900′; westbound 251° radial 1000′.
MSA within 25 miles of facility: 000°–090°—4500′; 090°–180°—4800′; 180°–270°—3800′; 270°–360°—4500′.

City, Eugene; State, Oreg.; Airport name, Mahlon Sweet Field; Elev., 365′; Fac. Class., L-BVORTAC; Ident., EUG; Procedure No. VOR-16, Amdt. 9; Eff. date, 16 July 66; Sup. Amdt. No. 8; Dated, 27 May 65

CSG VOR	LSF VOR	Direct	2200	T-dn	300-1	300-1	200-1
LGC VOR	LSF VOR	Direct	3000	C-dn	800-1	800-1	800-1½
EUF VOR	LSF VOR	Direct	3000	S-dn-14#	800-1	800-1	800-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 330° Outbnd, 150° Inbnd, 2200′ within 10 miles of CS LOM.
Minimum altitude over CS LOM on final approach crs, 2100′.
Crs and distance, CS LOM to Runway 14, 150°—6.9 miles.
Crs and distance, breakoff point to Runway 14, 143°—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of LSF VOR, turn right, climb to 3000′ on R 207°, LSF VOR within 15 miles, or when directed by ATC, turn right, climb to 3200′ and proceed to Flat Rock Int via 024° bearing from AWS RBn.
CAUTION: Jump towers, 880′ 1.5 miles NE, R-300° E and SE of Lawson AAF.
NOTES: (1) Authorized for military use only except by prior arrangement. (2) This procedure to be utilized only by aircraft having operating VOR and ADF receivers.
#Reduction not authorized.
MSA within 25 miles of facility: 000°–090°—1800′; 090°–180°—3300′; 180°–270°—1500′; 270°–360°—2200′.

City, Fort Benning; State, Ga.; Airport name, Lawson AAF; Elev., 232′; Fac. Class., VOR; Ident., LSF; Procedure No. TerVOR-14, Amdt. 4; Eff. date, 16 July 66; Sup. Amdt. No. 3; Dated, 14 Aug. 65

HRL VOR	MFE VOR	Direct	2000	T-dn	300-1	300-1	200-1
				C-dn	500-1	500-1	500-1½
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 086° Outbnd, 266° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 606′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing MFE VOR, turn right, climb to 1700′ on R 312° within 10 miles.
CAUTION: 257′ water tower, 0.9 mile N of airport; 398′ radio tower, 2.5 miles ENE of airport; 270′ tower, 1.6 miles N of airport.
MSA within 25 miles of facility within United States: 000°–090°—2100′; 090°–270°—1500′; 270°–360°—1700′.

City, McAllen; State, Tex.; Airport name, Miller International; Elev., 109′; Fac. Class., L-BVOR; Ident., MFE; Procedure No. TerVOR (R 086), Amdt. 4; Eff. date, 16 July 66; Sup. Amdt. No. 3; Dated, 9 Mar. 63

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
Geneseo VOR	Rush Int	Direct	2600	T-dn	300-1	300-1	200-½
Rush Int	5-mile Radar or DME Fix R 177° (final).	Direct	1200	C-dn	500-1	500-1	500-1½
				S-dn	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn E side of crs, 177° Outbnd, 357° Inbnd, 2300′ within 10 miles.
Facility on airport.
Minimum altitude over 5-mile Radar or DME Fix, R 177° on final approach crs, 1200′.
Crs and distance, breakoff point to approach end of Runway 1, 007°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of ROCVOR, make left-climbing turn to 3000′, intercept R 206° of Rochester VOR, proceed to Spencerport Int. Hold W, 1-minute left turns, 118° Inbnd.
NOTE: When authorized by ATC, DME may be used throughout 360° at 2600′, via 11-mile DME Arc, to position aircraft for straight-in, with elimination of procedure turn.
CAUTION: Tower, 890′, 2.3 miles N; Tower, 946′, 2.5 miles SW of airport.
AIR CARRIER NOTE: Takeoff on Runway 30 not authorized.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—3800′; 180°–270°—3100′; 270°–360°—2000′.

City, Rochester; State, N.Y.; Airport name, Rochester-Monroe County; Elev., 560′; Fac. Class., L-BVORTAC; Ident., ROC; Procedure No. TerVOR-1, Amdt. 10; Eff. date, 16 July 66; Sup. Amdt. No. 9; Dated, 3 July 65

Geneseo VOR	Scottsville Int	Direct	2600	T-dn	300-1	300-1	200-½
Linwood Int	Scottsville Int	Direct	2600	C-dn	700-1	700-1	700-1½
Scottsville Int	5-mile Radar or DME Fix, R 223° (final).	Direct	1400	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn E side of crs, 223° Outbnd, 043° Inbnd, 2400′ within 10 miles.
Minimum altitude over 5-mile Radar or DME Fix, R 223° on final approach crs, 1400′.
Facility on airport; breakoff point to runway, 040°—0.26 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of the Rochester VOR, make left-climbing turn to 3000′, intercept R 296° of Rochester VOR, proceed to Spencerport Int. Hold W, 1-minute left turns, 118° Inbnd.
NOTE: When authorized by ATC, DME may be used throughout 360° at 2600′, via 11-mile DME Arc, to position aircraft for straight-in, with elimination of procedure turn.
CAUTION: Tower 946′, 2.5 miles SW; Tower, 890′ 2.3 miles N of airport
AIR CARRIER NOTE: Takeoff on Runway 12 and landing on Runway 30 not authorized.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—3800′; 180°–270°—3100′; 270°–360°—2000′.

City, Rochester; State, N.Y.; Airport name, Rochester-Monroe County; Elev., 560′; Fac. Class., L-BVORTAC; Ident., ROC; Procedure No. Ter VOR-4, Amdt. 2; Eff. date, 16 July 66; Sup. Amdt. No. 1; Dated, 12 June 65

				T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-10*	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 289° Outbnd, 109° Inbnd, 1900′ within 10 miles.
Minimum altitude over 5-mile Radar or DME Fix, R 289° final approach crs, 1100′.
Facility on airport.
Crs and distance, breakoff point to approach end Runway 10, 097°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of Rochester VOR, climb to 3000′ on R 109°, turn right intercept R 134°, proceed Outbnd to Fishers Int. Hold SE, 1-minute left turns, 314° Inbnd.
NOTE: When authorized by ATC, DME may be used throughout 360° at 2600′, via 11-mile DME Arc to position aircraft for straight-in with elimination of procedure turn.
CAUTION: Tower, 890′, 2.3 miles N; tower 946′, 2.5 miles SW of airport.
AIR CARRIER NOTE: Takeoff on Runway 12 and landing on Runway 30 not authorized.
*400-¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—3800′; 180°–270°—3100′; 270°–360°—2000′.

City, Rochester; State, N.Y.; Airport name, Rochester-Monroe County; Elev., 560′; Fac. Class., L-BVORTAC; Indent., ROC; Procedure No. Ter VOR-10, Amdt. 5; Eff. date, 16 July 66; Sup. Amdt. No. 4; Dated, 3 July 65

				T-dn	300-1	300-1	200-½
				C-dn	800-1	800-1	800-1½
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 035° Outbnd, 215° Inbnd, 2200′ within 10 miles.
Minimum altitude over 5-mile Radar or DME Fix, R 035° on final approach crs, 1300′.
Facility on airport, Breakoff point to runway, 220°—0.8 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of Rochester VOR, make right-climbing turn to 3000′, intercept R 298° of Rochester VOR, proceed to Spencerport Int. Hold W, 1-minute left turns, 118° Inbnd.
NOTE: When authorized by ATC, DME may be used throughout 360° at 2600′, via 11-mile DME Arc, to position aircraft for straight-in with elimination of procedure turn.
CAUTION: Tower 890′, 2.3 miles N of airport; Tower, 946′, 2.5 miles SW of airport.
AIR CARRIER NOTE: Takeoff on Runway 12 and landing on Runway 30 not authorized.
MSA within 25 miles of facility: 000°–090°—2100′; 090°–180°—3800′; 180°–270°—3100′; 270°–360°—2000′.

City, Rochester; State, N.Y.; Airport name, Rochester-Monroe County; Elev., 560′; Fac. Class., LBVORTAC; Ident., ROC; Procedure No. Ter VOR-22, Amdt. 3; Eff. date, 16 July 66; Sup. Amdt. No. 2; Dated, 25 Dec. 65

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
MC LFR	MCG VORTAC	Direct	3000	T-dn	300-1	300-1	200-½
4-mile DME Fix, R 345°	2-mile DME Fix, R 345°	Direct	900	C-dn	400-1	500-1	500-1½
				S-dn-15	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 345° Outbnd, 165° Inbnd, 3000′ within 10 miles of 4-mile DME Fix.
Minimum altitude over 4-mile DME Fix, 1100′; over 2-mile DME Fix, *900′; over facility on final approach crs, 747′.
Crs and distance, breakoff point to approach end of Runway 15, 155°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of the MCG VORTAC, turn left, climb to 3000′ on R 100° within 15 miles.
CAUTION: Mountainous terrain all quadrants. Terrain 1266′, 3.1 miles S of airport.
NOTE: When authorized by ATC, DME may be used to position aircraft for final approach at 3500′ between radials 325° clockwise to 200° and from 200° clockwise to 325° at 5200′ within 15 miles with the elimination of a procedure turn.
*If 2-mile DME Fix not received, ceiling minimum becomes 600′.
MSA within 25 miles of facility: 000°–090°—3000′; 090°–180°—3000′; 180°–270°—5200′; 270°–360°—6300′.

City, McGrath; State, Alaska; Airport name, McGrath FAA; Elev., 337′; Fac. Class., H-BVORTAC; Ident., MCG; Procedure No. VOR/DME 1, Amdt. 2; Eff. date, 16 July 66; Sup. Amdt. No. 1; Dated, 14 May 66

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
CPR VOR	LOM	Direct	8000	T-dn⅝	300-1	300-1	200-½
Henning Int	LOM	Direct	8000	C-dn	500-1	500-1	500-1½
Alcova Int	LOM	Direct	8000	S-dn-7@	200-½	200-½	200-½
Glenrock Int	Evansville Int	Direct	8000	A-dn	600-2	600-2	600-2
Evansville Int	LOM	Direct	8000				
Airport Int	LOM	Direct	8000				
Oil Field Int	LOM	Direct	8000				
Lockett Int	LOM (final)	Direct	6700				
Pipeline VHF/DME Int							

Procedure turn S side of W crs, 254° Outbnd, 074° Inbnd, 8000′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 6700′.
Altitude of glide slope and distance to approach end of runway at OM, 6980′—3.9 miles; at MM, 5848′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.6 mile after passing MM, climb to 8000′ on E crs of ILS within 15 miles of LOM, or, when directed by ATC, turn left, proceed direct to CPR VOR, climbing to 8000′.
NOTES: (1) Glide slope unusable beyond 1 mile W of LOM and above 7000′ due to moderate-to-severe roughness. (2) When authorized by ATC, DME may be used from 21 miles to 25 miles at 7700′ between CPR Radial 204° clockwise to Radial 338° to position aircraft over Pipeline DME Fix for final approach with elimination of procedure turn.
*Final approach from holding pattern not authorized. Procedure turn required.
@Southeastbound (134° through 156°) IFR departures: On V–19 cross Deer Creek Int at or above 9000′, on V–85 cross Mountain Int at or above 10,000′.
@@500–1 required when glide slope inoperative.

City, Casper; State, Wyo.; Airport name, Casper Air Terminal; Elev., 5348′; Fac. Class., ILS; Ident., I-CPR; Procedure No. ILS–7, Amdt. 13; Eff. date, 16 July 66; Sup. Amdt. No. 12; Dated, 18 Sept. 65

10-mile DME Fix, R 182°	LOM	Direct	3200	T-dn⅝	300-1	300-1	200-½
EUG VOR	LOM	Direct	2100	C-dn	500-1	500-1	500-1½
12-mile DME Fix and N crs EUG localizer*	LOM (final)	Direct	1300	S-dn-16	200-½	200-½	200-½
				A-dn	600-2	600-2	600-2
10-mile DME Fix, R 167°	LOM	Direct	3000				
10-mile DME Fix, R 204°	LOM	Direct	3000				
CVO VOR 135 R and N crs EUG localizer	LOM (final)	Direct	**2200				

Procedure turn E side of crs, 339° Outbnd, 159° Inbnd, 2100′ within 10 miles. Not authorized beyond 10 miles. (Final approach from holding pattern at EU LOM not authorized, procedure turn required.)
Minimum altitude at glide slope interception Inbnd, 1500′.
Altitude of glide slope and distance to approach end of runway at LOM, 1480′—3.7 miles; at LMM, 570′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn right and climb to 2100′ on N crs, Eugene ILS localizer within 10 miles of LOM, or when directed by ATC, turn right and climb to 3000′ on R 230° EUG VOR within 10 miles of EUG VOR.
CAUTION: High terrain E and W.
NOTE: When authorized by ATC, DME may be used between R 336°, EUG VOR clockwise to R 010°, EUG VOR within 12 miles at 2300′ to position aircraft for straight-in approach with elimination of the procedure turn.
*Glide slope altitude at 12-mile DME Fix, 3700′.
**Descent on glide slope authorized.
⅝Takeoffs all runways: Climb on the Eugene VORTAC 355° radial within 10 miles to cross the VORTAC, southbound V–23, 9000′; westbound 251° radial, 1000′.

City, Eugene; State, Oreg.; Airport name, Mahlon Sweet Field; Elev., 365′; Fac. Class., ILS; Ident., I-EUG; Procedure No. ILS–16, Amdt. 18; Eff. date, 16 July 66; Sup. Amdt. No. 17; Dated, 1 May 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Whitely Int	LOM	Direct	2200	T-dn	300-1	300-1	200-½
New Haven Int	LOM	Direct	2200	C-dn	400-1	500-1	500-1½
Rock Creek Int	LOM	Direct	2200	S-dn-31°	200-½	200-½	200-½
Fort Wayne VOR	LOM	Direct	2100	A-dn	600-2	600-2	600-2

Radar available.
Procedure turn E side of SE crs, 135° Outbnd, 315° Inbnd, 2100′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2100′.
Altitude of glide slope and distance to approach end of runway at OM, 2045′—3.8 miles; at MM, 1075′—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2600′ on NW crs, ILS and proceed to Whitely Int westbound on R 281° FWA VOR, or as directed by ATC, climb on NW crs, ILS to 2600′ and proceed direct to Wolflake VOR.
NOTE: When authorized by ATC, DME may be used to position aircraft on final approach crs at 2600′ via 10-mile DME Arc, 068° clockwise to 233° from FWA VOR, with the elimination of the procedure turn.
*400–¾ required when glide slope not utilized, reduction below ¾ mile not authorized.

City, Fort Wayne; State, Ind.; Airport name, Bair Field; Elev., 801′; Fac. Class., ILS; Ident., I-FWA; Procedure No. ILS–31, Amdt. 12; Eff. date, 16 July 66; Sup. Amdt. No. 11; Dated, 17 Oct. 64

Paterson RBn	Allan Int	Direct	2000	T-dn⅝	300-1	300-1	200-½
Allan Int	AR LOM (final)	Direct	2000	C-dn#	600-1	600-1	600-1½
				S-dn-22°¢	200-½	200-½	200-½
				A-dn#	900-2	600-2	600-2
				The following minimums apply to turbojet aircraft when circling W of Runways 4/22 centerlines extended:#			
				C-dn	900-2	900-2	900-2
				A-dn	900-2	900-2	900-2

Radar available.
Procedure turn W side NE crs, 037° Outbnd, 217° Inbnd, 2000′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2000′.
Altitude of glide slope and distance to approach end of runway at OM, 1936′—5.8 miles; at MM, 237′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing LOM, climb to 2000′ straight ahead on SW crs of Newark ILS to Amboy VHF Int, then turn right and proceed direct to Kilmer VHF Int at 2000′. Hold SW Kilmer Int right turns, 1-minute, 069° Inbnd.
CAUTION: (1) Building, 598′, 2.2 miles N of Airport. (2) 50′ hangar row, 200′ E of approach light lane between MM and end of Runway 22. (3) Procedure turn accomplished over Teterboro MM. Teterboro OM and Newark OM at approximately same geographic location and signals are simultaneously keyed to indicate one OM serving two ILS systems.
*600–1 required when glide slope inoperative.
⅝RVR, 2000′ authorized Runways 4 and 22.
#RVR, 2000′. Descent below 218′ not authorized unless approach lights are visible.

City, Newark; State, N.J.; Airport name, Newark; Elev., 18′; Fac. Class., ILS; Ident., I-ARK; Procedure No. ILS–22, Amdt. 12; Eff. date, 16 July 66; Sup. Amdt. No. 11; Dated, 5 Feb. 66

6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELED, EFFECTIVE 16 JULY 1966.

City, Detroit; State, Mich.; Airport name, Willow Run; Elev., 716′; Fac. Class. and Ident., Willow Run Radar; Procedure No. 1, Amdt. 13; Eff. date, 3 July 65; Sup. Amdt. No. 12; Dated, 10 Oct. 64

PROCEDURE CANCELED, EFFECTIVE 16 JULY 1966.

City, Washington, D.C.; Airport name, National; Elev., 15′; Fac. Class. and Ident., Washington Radar; Procedure No. 2 (river approach), Amdt. Orig.; Eff. date, 20 May 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on June 9, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-6560; Filed, June 23, 1966; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1967 Crop of Upland Cotton; Acreage Allotments and Marketing Quotas

RESULTS OF REFERENDA FOR OUT-OF-COUNTY TRANSFERS OF ALLOTMENTS

Basis and purpose. Section 722.462 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purpose of § 722.462 is to announce the results of the several referenda for out-of-county transfers of allotments held under section 344a(b)(i) of the act (7 U.S.C. 1344b(b)(ii) and § 722.461 (31 F.R. 6580).

Since the only purpose of § 722.462 is to announce the referenda results, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is unnecessary. Accordingly, § 722.462 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.462 Result of the county referenda on transfer of allotments by sale or lease across county lines within a State.

(a) *Period when referenda held.* The county referenda were held in those counties designated in § 722.461 (31 F.R. 6580) by mail ballot during the period May 16–25, 1966 in accordance with § 722.461 and the referenda regulations in Part 717 of this chapter (§ 717.18, 31 F.R. 6533).

(b) *Results of referenda.* The results of the referenda held in those counties designated in § 722.461 during the period May 16–25, 1966, are based on data for each county furnished to the Deputy Administrator in accordance with § 717.13 of this chapter of the Regulations governing the holding of referenda on marketing quotas (28 F.R. 13249). Two-thirds or more of the producers of cotton voting in each county referendum in the counties listed in the table in this paragraph voted to permit the transfer of allotments by sale or lease to farms outside the county. Accordingly, it is hereby determined and proclaimed by the Secretary that transfers of allotments by sale or lease from the following counties to other counties within the same State to take effect during 1967, 1968 and 1969 may be approved subject to the requirements of section 344a of the act:

ALABAMA	
Pike.	
ARKANSAS	
Columbia.	Montgomery.
Crawford.	Newton.
Fulton.	Perry.
Hot Spring.	Scott.
Howard.	
CALIFORNIA	
Los Angeles.	San Benito.
FLORIDA	
Gilchrist.	Levy.
Leon.	Union.
GEORGIA	
Brantley.	Echols.
Bryan.	Gwinnett.
Clinch.	Pierce.
Dodge.	Taylor.
LOUISIANA	
Iberia.	Union.
MISSISSIPPI	
Amite.	Lauderdale.
Jefferson.	Newton.
MISSOURI	
Cape Girardeau.	
NEVADA	
Clark.	
NEW MEXICO	
Grant.	
NORTH CAROLINA	
Carteret.	
OKLAHOMA	
Beaver.	Kay.
Craig.	Noble.
Grant.	
SOUTH CAROLINA	
Jasper.	
TENNESSEE	
Cannon.	Moore.
Coffee	Perry.
Loudon.	Polk.
TEXAS	
Angelina.	Franklin.
Burnet.	Harris.
Chambers.	Kendall.
Comal.	LaSalle.
Crockett.	Lavaca.
Dallam.	Pecos.
Dimmit.	Polk.
Eastland.	Reagan.
Erath.	

Less than two-thirds of the producers of cotton voting in each county referendum in those counties designated in § 722.461 and not listed above in this paragraph voted to permit the transfer of allotments by sale or lease to farms outside the county. Accordingly, it is hereby determined and proclaimed by the Secretary that transfers of allotments by sale or lease from such counties to other counties shall not be approved under section 344a of the act unless the required approval is obtained in a future referendum.

(c) *Availability of data.* In addition to the data available for public inspection in the county committee and State committee offices regarding these referenda as provided in §§ 717.11 and 717.12 of this chapter of the regulations governing the holding of referenda on marketing quotas (28 F.R. 13249, as amended), copies of the State summaries on Form MQ–8 and the following information are available for public inspection in the office of the Director, Policy and Program Appraisal Division, ASCS, Washington, D.C.:

(1) The number of eligible producers of the 1966 crop of cotton who voted in each county.

(2) The number of such producers who voted to permit the transfer of allotments by sale or lease to farms outside the county during 1967, 1968 and 1969.

(3) The percentage of producers who voted to permit such transfers.

(Sec. 344a, 79 Stat. 1197, 7 U.S.C. 1344b)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on June 20, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–6963; Filed, June 23, 1966; 8:51 a.m.]

PART 728—WHEAT

Subpart—Regulations Pertaining to Farm Acreage Allotments, Yields, Wheat Diversion and Wheat Certificate Programs for Crop Years 1966–1969

GENERAL

Sec.
728.309 Basis and purpose.
728.310 Definitions.
728.311 Extent of calculations.
728.312 Forms and instructions.
728.313 Supervision, review and approval by State committees.

ALLOTMENTS AND YIELDS

728.314 Method of apportioning county allotments for 1967 and subsequent crops.
728.315 Determination of preliminary allotments for old farms for 1967 and subsequent crops.
728.316 Determination of acreage allotments for old farms.
728.317 Determination of preliminary allotments for new farms for 1967 and subsequent crops.
728.318 Determination of acreage allotments for new farms.
728.319 Projected farm yield.
728.320 Farms removed from agricultural production because of acquisition by Federal, State, or other agency having the right of eminent domain.
728.321 Farms divided or combined.
728.322 Temporary release and reapportionment of allotments determined for farms acquired by an agency having the right of eminent domain.
728.323 Mailing of farm allotment notices.
728.324 [Reserved]
728.325 Special national acreage reserve.
728.326 Transfer of farm wheat acreage affected by a natural disaster.
728.327 Data for old wheat farms.
728.328 Determination of 1966 farm allotments.

WHEAT DIVERSION PROGRAM

728.400 Wheat diversion program—general.
728.401 Requirements for eligibility.
728.402 Designation, use, and care of diverted acreage.
728.403 Approved conservation uses for diverted acreage.
728.404 Farm conserving base.
728.405 Permitted acreage of wheat.
728.406 Determination of payment rates.
728.407 Maximum diverted acres.
728.408 Notice of payment rate, projected yield, and conserving base.
728.409 Intention to participate in the program.
728.410 Oats-rye diversion payment; substitution of feed grains for wheat and wheat for feed grains, oats and rye.
728.411 Advance payment.
728.412 Determination of compliance.
728.413 Diversion payment.
728.414 Division of payment.
728.415 [Reserved]
728.416 County projected yields and county rates used in determining diversion payment for the 1966 crop of wheat.
728.417 Establishment of 1966 projected farm yields.

WHEAT CERTIFICATE PROGRAM

728.500 Wheat certificate program—general.
728.501 Requirements for eligibility.
728.502 Issuance of certificates.
728.503 Purchase of certificates by Commodity Credit Corporation.
728.504 Division of certificates between producers.
728.505 Storage of excess wheat.
728.506 Depletion of stored excess wheat.

MISCELLANEOUS PROVISIONS

728.507 Additional provisions and requirements relative to tenants and sharecroppers.
728.508 Successors-in-interest.
728.509 Scheme or device and fraudulent representation.
728.510 Setoffs and assignments.
728.511 Appeals.
728.512 Performance in reliance on advice or action of a representative of a county or State committee.
728.513 Delegation of authority.

AUTHORITY: The provisions of this subpart issued under secs. 301, 331–339, 362, 372–379, 379a through 379j, 52 Stat. 38, as amended, 52–55, as amended, 62, as amended, 65–66, as amended, 76 Stat. 626–629, 631, 79 Stat. 1192, 1206, 1210, 1211; secs. 106, 112, 70 Stat. 191, 195; secs. 326, 776 Stat. 631, 77 Stat. 47, 79 Stat. 1192; sec. 327, 76 Stat. 631; sec. 328, 76 Stat. 631, 79 Stat. 1206; sec. 706, 708, 79 Stat. 1210, 1211; 7 U.S.C. 1301, 1305, 1306, 1331–1339, 1339a, 1339b, 1339c, 1362, 1372–1379, 1379a–1379j, 1824, 1836.

GENERAL

§ 728.309 Basis and purpose.

(a) The regulations in this subpart are issued pursuant to and in accordance with the provisions of the Agricultural Adjustment Act of 1938, as amended. They provide the terms and conditions for (1) the establishment of farm wheat acreage allotments for the 1967, 1968, and 1969 crop years, (2) the establishment of projected farm wheat yields for the 1966, 1967, 1968, and 1969 crop years, (3) the wheat diversion program for the 1966, 1967, 1968, and 1969 crop years; and (4) the wheat certificate program for the 1966, 1967, 1968, and 1969 crop years.

(b)(1) For 1966 and preceding years, farm wheat acreage allotments have been established from farm wheat bases determined on the basis of past acreages of wheat, tillable acres, crop-rotation practices, type of soil and topography. For 1967 and subsequent years, under the authority of Public Law 89–321, wheat acreage allotments will be established for each old farm on the basis of past acreages of wheat and the farm acreage allotment for the prior year. For this purpose, the prior year wheat allotments are considered to reasonably reflect past acreages of wheat, including the reductions for overplanting applicable to 1964 and prior years. For regular rotation farms, the prior year final wheat allotment will be adopted as the preliminary allotment for the current year. For odd and even rotation farms, the allotment for the prior year will be adjusted by a rotation factor which will reflect past acreages of wheat on the farm under the rotation pattern. After adjustment, the prior year allotment will be adopted as the preliminary allotment for the current year except, in a case where the prior year allotment is zero, (i) the 1965 wheat base acreage will be adjusted by the 1966 county allotment proration factor before being adopted as the 1967 preliminary allotment, and (ii) for 1968 and subsequent years, the final wheat acreage allotment for the second year preceding the current year will be adjusted by the prior year county allotment proration factor before being adopted as the current year preliminary allotment. The foregoing adjustments are made for the purpose of providing comparable treatment for odd and even rotation farms with a low year of zero with other odd and even rotation farms and regular rotation farms which received reduced allotments in the zero year of the rotation on the farm to which the adjustment is applied. A preliminary allotment may be adjusted upward to make it comparable to preliminary allotments established for other farms that are similar with respect to crop-rotation practices and cropland available for wheat production. Odd and even rotation farms which overplanted a zero 1964 allotment will be subject to an adjustment to reduce the 1967 preliminary allotment comparable to the reduction already applied to farms that overplanted a 1964 allotment of more than zero. The terms and conditions for accepting applications and approving allotments for new wheat farms are not changed. In accordance with Public Law 89–321, no reduction will be made in a future farm allotment for overplanting an allotment in any of the years 1966 through 1969, inclusive, in which a voluntary diversion or certificate program is in effect.

(2) Except in the case where land is acquired under the right of eminent domain (in which case the farm allotments may be pooled pursuant to section 378 of the Act), if the county committee determines that a farm will be devoted to nonagricultural uses in the current year, a zero allotment will be determined for the farm for the current year, because the land in the farm will not be used for agricultural purposes and therefore will not be considered to be a farm for such year.

(3) The counties listed in § 728.325 in which farms shall be eligible for additional allotment from the 1967 special national acreage reserve authorized in section 334(a) of the Act have been determined to be counties where wheat is a major income-producing crop, as required by the statute. The counties so listed are counties in which wheat accounts for 50 per centum or more of the total farm income from crops in the county and includes also, upon recommendation of the State committee, any county in which wheat accounts for 40 per centum or more of the total farm income from crops in the county if such a county borders on a county in the 50 per centum or more farm income category.

(c) The programs authorized in this subpart are applicable in the commercial wheat-producing area, which will be announced for each of the years 1967 through 1969 at the time State wheat acreage allotments are announced.

(d) Marketing quotas will not be in effect for the 1966 through 1969 marketing years and the regulations in this subpart insofar as the 1966 through 1969 crops of wheat are concerned relate solely to loans, grants, and benefits, and are therefore exempted from the notice, public procedure and effective date provisions of section 4 of the Administrative Procedure Act. Wheat producers need to know the provisions of these regulations in order to adjust their farm wheat acreage allotments to comply with the wheat diversion or other conservation programs under applicable laws, and accordingly it is necessary that the regulations in this subpart be made effective upon the date of their publication in the FEDERAL REGISTER.

§ 728.310 Definitions.

As used in the regulations in this subpart and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings assigned to them herein, unless the context or subject matter otherwise requires. The following words or phrases are defined in Part 718 or Part 719 of this chapter and shall have the meanings assigned to them by such regulations: "Allotment, closing date, combination, community committee, county, county committee, county office manager, cropland, crop year, current year, Department, Deputy Administrator, Director, division, farm, farm number, Federally-owned land, landlord, operator, person, preceding year, producer, reconstitution, representative of the State committee, Secretary, sharecropper, State committee, State executive director, tenant."

(a) "Acreage indicated by cropland" means the number of acres computed by multiplying the cropland acreage for a farm by the ratio of the allotment determined pursuant to § 728.315 for all farms in the community to the cropland acreage for all farms in the community.

(b) "Act" means the Agricultural Adjustment Act of 1938, and any amendments or supplements thereto, including the amendments and supplements enacted by sections 326, 327, and 328 of the Food and Agriculture Act of 1962, as amended, and sections 501–517, 706 and 708 of the Food and Agriculture Act of 1965.

(c) "Commercial wheat-producing area" means all States in the United

States excluding States for which the wheat acreage allotment for the current year will be 25,000 acres or less and which are designated by the Secretary as being outside the commercial wheat-producing area for the current year. For 1966, all States in the United States except Alaska and Hawaii have been designated as the commercial wheat-producing area.

(d) "Community" means the community established by the State committee for purpose of the selection of community and county committeemen as provided in Part 7 of this title.

(e) "New farm" means any farm for which a wheat allotment is requested for the current year other than an old farm.

(f) "Odd and even crop rotation" means the practice carried out by wheat producers of alternating the number of acres devoted to the production of wheat for harvest as grain from year to year in a set pattern of acres of wheat; e.g., 1964—60 acres; 1965—40 acres; 1966—60 acres; 1967—40 acres, etc.

(g) "Old farm" means a farm for which an allotment was properly established for the preceding year.

(h) "Farm projected yield" means the yield determined for the farm under § 728.319.

(i) "Wheat acreage" means any acreage planted to wheat and any acreage of volunteer wheat which reaches maturity with a yield of 3 bushels per acre or more, excluding any acreage of:

(1) A mixture of wheat and other grains which contains less than 25 percent wheat by weight at harvest, except the acreage of emmer, spelt, einkorn, Polish wheat, and poulard wheat containing more than 10 percent wheat shall be considered wheat acreage.

(2) Wheat in excess of the allotment on a wildlife refuge farm consisting solely of Federal or State-owned land, provided the wheat is not harvested but is left on land for wildlife feed.

(3) Wheat approved as a conservation use on the diverted acreage as provided under the regulations governing the conserving base and designated diverted acreage, Part 792 of this chapter.

(4) Wheat within the permitted acreage computed under § 728.405, destroyed by mechanical means after farm disposal date and prior to harvest to the extent that no grain or forage crop remains, provided the operator requests reclassification in writing and the acreage is used: (i) To meet a deficiency in designated diverted acreage or conserving acreage, or (ii) for the purpose of removing stored excess wheat.

(5) Wheat within the farm permitted acreage destroyed by natural causes after farm disposal date and prior to harvest to extent that no grain or forage crop remains, if the operator requests a reclassification in writing.

(6) Wheat utilized as pasture, to the extent that the wheat will not mature as grain, or harvested for hay or green chop, or destroyed or disposed of by any means, prior to the farm disposal date.

Notwithstanding any other provision of this paragraph (i), wheat acreage planted for harvest but excluded under subparagraph (6) of this paragraph which has not been designated within the total intention as diverted under any land diversion program, or used for the purpose of removing stored excess wheat, may be credited as wheat acreage if a written request is signed by the farm operator, or if it is determined at time of final compliance that all or any portion of such excluded wheat acreage, if credited as wheat acreage, would earn additional wheat marketing certificates or would be advantageous to the producers on the farm under the substitution provision for the farm. "Wheat acreage" also includes an acreage of volunteer wheat, within the farm permitted acreage, which was intended for harvest but which, prior to reaching maturity, was destroyed by natural causes.

(j) "Farm disposal date" means the date as listed in Part 718 of this chapter, Determination of Acreage and Performance, by which the excess acreage of wheat on the farm must be utilized, destroyed, or disposed of in a prescribed manner.

(k) "National allocation percentage" means the percentage which the Secretary has determined will result in marketing certificates being issued to producers equal to the amount of wheat he estimates will be used during the current year for food products for consumption in the United States. For 1966, this percentage is 45.

(l) "Farm wheat marketing allocation" means the number of bushels obtained by multiplying the current farm acreage allotment by the current farm projected yield and multiplying the resulting number of bushels by the national allocation percentage.

(m) "Wheat history acreage" for any year prior to 1965 means the wheat acreage as defined in § 728.10 of the regulations relating to the 1964 and subsequent crops of wheat, and for 1965 means the 1965 farm base acreage determined under § 728.15a.

(n) "Wheat history acreage" for 1966 and subsequent crops means:

(1) For any old farm in any year in which a voluntary diversion and certificate program is in effect, the farm allotment as determined under § 728.316 except that, if there has been a failure to receive planting credit for 75 percent or more of the farm allotment for three successive years beginning with 1966, the wheat history acreage for the third year shall be the average of the farm allotment and the wheat acreage credited as planted in the third year.

(2) For any new farm for which a wheat acreage allotment was determined, the determined allotment will be the wheat history acreage unless the acreage credited as planted is less than 75 percent of the allotment, in which case the acreage credited as planted shall be the wheat history acreage.

(o) "Cropland Adjustment Program" (herein called CAP) means the program formulated under Title VI of the Food and Agriculture Act of 1965, Part 751 of this chapter.

(p) "Cropland Conversion Program" (herein called CCP) means the program formulated under section 16 of the Soil Conservation and Domestic Allotment Act, as amended, Part 751 of this chapter.

(q) "Conservation Reserve Program" (herein called CRP) means the program formulated under the Soil Bank Act, Part 750 of this chapter, as amended.

(r) "Upland Cotton Program" means the program formulated under Title IV of the Food and Agriculture Act of 1965, Part 722 of this chapter, as amended.

(s) "Feed Grain Program" means the program formulated under Title III of the Food and Agriculture Act of 1965.

(t) "Substitute crop" means any of the following crops which may be produced on the diverted acreage in lieu of conservation uses: Guar, castor beans, sunflower, safflower, plantago ovato, sesame, crambe, and mustard seed.

§ 728.311 Extent of calculations.

Acreages shall be expressed in acres and tenths rounded to the nearest tenth, yields in whole bushels and rounded to the nearest whole bushel, and monetary amounts in dollars and cents for all program purposes.

§ 728.312 Forms and instructions.

The Director shall cause to be prepared and issued such forms as are necessary, and shall cause to be prepared such instructions with respect to internal management as are necessary for carrying out the regulations in this subpart. The forms and instructions shall be issued by the Deputy Administrator.

§ 728.313 Supervision, review and approval by State committees.

State committees shall have overall responsibility for the administration of the regulations in this subpart in their respective States. The State committee may take any action required by these regulations which has not been taken by a county committee. The State committee may also (a) correct, or require a county committee to correct, any action taken by such county committee which is not in accordance with the regulations in this subpart, or (b) require a county committee to withhold taking any action which is not in accordance with the regulations of this subpart. All acreage allotments and yields shall be approved by a representative of the State committee and no official notice thereof shall be mailed until approved by such representative.

Allotments and Yields

§ 728.314 Method of apportioning county allotments for 1967 and subsequent crops.

The county acreage allotment, less a reserve for appeals, corrections, and missed farms, shall be apportioned to old farms in the county pro rata on the basis of the farm preliminary allotment determined under § 728.315.

§ 728.315 Determination of preliminary allotments for old farms for 1967 and subsequent crops.

(a) *Basis for determination.* The county committee shall determine for each old farm a preliminary allotment for the current year as provided in this section in order to reflect past acreage of wheat and the farm acreage allotment for the immediately preceding year, adjusted as provided in paragraphs (b), (c), and (d) of this section.

(b) *Preliminary allotment.* The preliminary allotment for each old farm shall be as follows:

(1) For a regular rotation farm, the allotment established for the preceding year.

(2) For an established odd and even crop-rotation farm, the allotment established for the preceding year, adjusted upward or downward by application of an adjustment factor determined under § 728.15a(b)(2) of the regulations for 1964 and subsequent crops of wheat. Where a changed odd and even rotation is established for 1967 or a subsequent crop year, the adjustment factor for the year to which the change first applies shall be determined by dividing the revised preliminary allotment for that year (allotment requested divided by county adjustment factor) by the residual obtained by subtracting such revised preliminary allotment from the sum of the preceding year final allotment and the current year preliminary allotment that would have been computed had there been no rotation change. Conversely, the adjustment factor for the year following the year to which the change first applies shall be determined by dividing the residual determined as provided above by the revised preliminary allotment for such year. If the low year allotment for any farm is zero, the high year preliminary allotment for such farm (1) for 1967 will be the 1965 farm wheat base multiplied by the 1966 county proration factor used to apportion the county wheat allotment among old wheat farms, and (ii) for 1968 and subsequent years will be the farm wheat allotment for the second year preceding the current year multiplied by the county proration factor used in apportioning the county wheat allotment among old wheat farms in the year immediately preceding the current year. If there was wheat acreage in 1964 on a farm with a zero allotment for such year, the preliminary allotment for 1967 shall be further reduced by 7 percent.

(3) For an odd and even crop-rotation farm which the county committee determines should be changed to a regular rotation in the current year because of past or prospective changes in crop-rotation practices, the preliminary allotment shall be the average of the allotment for the preceding year and the preliminary allotment for the current year determined as provided in subparagraph (2) of this paragraph, but not in excess of the preliminary allotment initially determined for the farm.

(c) *Limitations.* Except for cases where the land is acquired under the right of eminent domain, if the county committee determines that all the land in the farm will be devoted to nonagricultural uses in the current year, the land shall not be considered a farm for the purposes of the regulations in this subpart and a zero allotment shall be established.

(d) *Adjustments.* The preliminary allotment determined for a farm under paragraphs (a), (b), and (c) of this section, may be adjusted as provided under this paragraph (d).

(1) The country committee may adjust upward the preliminary allotment for a farm when it determines an adjustment is necessary to obtain a preliminary allotment which is fair and equitable when compared with preliminary allotments established for other farms which are similar with respect to crop-rotation practices and cropland available for the production of wheat.

(2) The preliminary allotment may be adjusted downward to reflect a reduction in the tillable acreage on the farm.

(3) The preliminary allotment shall not be adjusted upward for the sole purpose of offsetting the effects of exceeding the farm allotment in a prior year.

§ 728.316 Determination of acreage allotments for old farms.

The current year's county acreage allotment, less a reserve for appeals, corrections of errors, and missed farms, shall be apportioned by the county committee pro rata among all old farms within the county on the basis of the preliminary allotments determined under § 728.315.

§ 728.317 Determination of preliminary allotments for new farms for 1967 and subsequent crops.

(a) The county committee shall determine a recommended preliminary allotment for each eligible new farm for 1967 and any subsequent crop for which an acreage allotment is requested in writing prior to July 1 of the year immediately preceding the current year in the winter wheat area, and prior to March 1 of the current year in the spring wheat area. The spring wheat area shall include any area where spring wheat is normally grown, even though winter wheat is also grown in such area. Each request for such allotment shall be made by the owner or operator on Form MQ-25, Application for New Farm Allotment, which shall contain statements as to location and identification of the farm, name and address of the farm operator and other data necessary to enable the county committee to determine whether the conditions of eligibility prescribed by paragraph (b) of this section have been met.

(b) Eligibility for a new farm allotment shall be conditioned upon the following:

(1) The application for a new farm allotment is filed by the farm operator or farm owner at the office of the county committee on or before the applicable closing date.

(2) Neither the operator nor the owner of the farm covered by the application owns or operates any other farm in the United States for which a wheat allotment will be established for the current year.

(3) The available land, type of soil and topography of the land on the farm for which the wheat allotment is requested is suitable for the production of wheat and the production of wheat on the farm ordinarily will not result in an undue erosion hazard under continuous production.

(4) The operator owns or otherwise has readily available adequate equipment and the other facilities of production necessary to the successful production of wheat on the farm.

(5) The operator expects to obtain during the current year more than 50 percent of his income from the production of agricultural commodities or products from the farm for which the new farm allotment application is filed. In making this computation of income from the farm, no value will be allowed for the estimated return from the production of the requested allotment. However, in addition to the value of agricultural products sold from the farm, credit will be allowed for the estimated value of home gardens, livestock and livestock products, poultry, or other agricultural products produced for home consumption or other use on the farm. Where the farm operator is a partnership, each partner must expect to obtain during the current year more than 50 percent of his income from the agricultural commodities or products from the farm; where the farm operator is a corporation, it must have no major purpose other than operation or ownership, as applicable, of such farm, and the officers and general manager of the corporation must expect to obtain more than 50 percent of their income, including dividends and salaries, from the corporation.

(6) A farm which includes land acquired by an agency having the right of eminent domain for which the entire wheat allotment was pooled pursuant to Part 719 of this chapter which is subsequently returned to agricultural production shall not be eligible for a new farm wheat allotment for a period of 3 years from the date the former owner was displaced from the acquired farm.

(7) A farm which includes land for which a zero old farm wheat allotment is in effect because the owner of a parent farm did not designate any wheat allotment for such farm in making a reconstitution pursuant to Part 719 of this chapter shall not be eligible for a new farm allotment for 3 years beginning with the year in which the reconstitution becomes effective.

(c) In determining the preliminary allotment for each new farm, the county committee shall take into consideration the tillable acres, crop-rotation practices, and the farming system to be followed by the operator, including the equipment and other facilities available for the production of wheat under such system: *Provided*, That the preliminary allotment so established shall not exceed the wheat acreage for the farm for the current year under the planned crop-rotation system.

§ 728.318 Determination of acreage allotments for new farms.

(a) *Computation.* The State committee shall determine a wheat acreage allotment for the current year for each

new farm by multiplying the preliminary allotment so established or as revised by the State committee by the smaller of (1) the factor determined under § 728.316, or (2) the factor obtained by dividing the State reserve for new farms by the sum of the preliminary allotments determined for all new farms in the State under § 728.317. The sum of all new farm acreage allotments in the State shall not exceed the State reserve set aside for new farms.

(b) *Reduction for underplanting.* The allotment determined under this section for a new farm shall be reduced to the wheat acreage on the farm when it is found that such acreage is less than 75 percent of the allotment. The acreage regained as a result of such reductions in each county shall be transferred to the reserve for appeals, corrections of errors, and missed farms.

(c) *Cancellation of new farm allotment.* Any new farm allotment established under this section shall be void as of the date issued if the State committee determines that the applicant knowingly furnished false, incomplete, or inaccurate information to obtain the allotment.

§ 728.319 Projected farm yield.

(a) *Farms for which yields will be determined.* The county committee shall determine projected farm wheat yields for old wheat allotment farms based upon the yield per harvested acre of wheat on the farm during the 3 years immediately preceding the year in which such projected yields are determined, adjusted for abnormal weather conditions affecting such yields, for trends in yields, and for any significant changes in production practices.

(b) *Farm yields weighted to county projected yield.* The average of the projected yields initially determined for all farms in the county, weighted by the allotment determined for such farms, shall be adjusted if necessary to equal the projected county yield for the then current year less a reserve for appeals and corrections of errors.

(c) *Yields based on reliable records.* Where reliable records of the actual yield in bushels per harvested acre for each of the 3 years immediately preceding the year in which the yield is determined are available to the county committee, the projected yield per harvested acre of wheat for the farm shall be not less than the average of such yields.

(d) *Yield reserve.* Increased yields approved by the county committee under paragraphs (a) and (c) of this section shall not exceed the established county yield reserve for appeals and corrections. Increased yields provided for in paragraph (c) of this section, approved by a representative of the State committee, may be in excess of the established county yield reserve if the remaining reserve balance is inadequate to satisfy the approved increase.

(e) *Yield for new wheat allotment farm.* The county committee shall determine a projected wheat yield for each new wheat allotment farm, taking into consideration the yields approved for old wheat farms which are comparable with respect to type of soil, topography, moisture conditions, and current production practices. New wheat allotment farm yields may be in excess of the county yield reserve.

§ 728.320 Farms removed from agricultural production because of acquisition by Federal, State, or other agency having the right of eminent domain.

The wheat acreage allotment determined for a farm shall, if the farm was acquired in 1954 or thereafter for any purpose other than for the continued production of allotment crops, by any Federal, State, or other agency having the right of eminent domain, become available for use in providing allotments for other farms owned by the owner so displaced, and such apportionment shall be made in accordance with Part 719 of this chapter.

§ 728.321 Farms divided or combined.

The wheat acreage allotment, yield, and related data determined for a farm shall, if there is a division or combination, be apportioned in accordance with Part 719 of this chapter.

§ 728.322 Temporary release and reapportionment of allotments determined for farms acquired by an agency having the right of eminent domain.

The displaced owner of a farm removed from agricultural production under § 728.320 may, not later than November 15 of the year immediately preceding the year for which the farm acreage allotments are established in the winter wheat area and prior to April 15 of the year for which the allotments are established in the spring wheat area, release in writing to the county committee for one year at a time, all or part of the acreage for the farm in a pool under § 719.12 of this chapter, for reapportionment by the county committee to other wheat allotment farms in the county. The county committee may reapportion, not later than December 1 of the year immediately preceding the year for which the allotments were established in the winter wheat area and not later than May 1 of the year for which the allotments were established in the spring wheat area, the released acreage or any part thereof to other wheat allotment farms in the county for which a verbal or written application for allotment increase is filed in amounts it determines to be fair and reasonable on the basis of the past acreage of wheat, land, labor, equipment available for the production of wheat, crop-rotation practices, and soil and other physical facilities affecting the production of wheat. In no event can such reapportionment be made after the normal date for seeding wheat in the area has passed. The allotment acreage released shall for future allotment purposes be considered to have remained in the pool as though it had not been released therefrom. The acreage reapportioned to a farm under this section shall automatically be reduced, where applicable, so as not to exceed the acreage by which the final wheat acreage on the farm determined pursuant to Part 718 of this chapter exceeds the allotment for the farm prior to being increased by reapportionment of acreage under this section.

§ 728.323 Mailing of farm allotment notices.

Notice of the farm acreage allotment and other related determinations shall be mailed on a form prescribed by the Administrator by the county committee to the operator of the farm and, if so determined by the State committee, to each other producer indicated by the records of the county committee as having an interest in the wheat crop on the farm in the current year. Such notice shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by the county committeeman or by an employee of the county office. Insofar as practicable, all notices in the county shall be mailed on the same date.

§ 728.324 [Reserved]

§ 728.325 Special national acreage reserve.

(a) If the allotment established under § 728.316 for any old wheat farm in a county designated in paragraph (b) of this section is less than one-half of the county average ratio of allotment to cropland, such allotment may be adjusted if the county committee, with the approval of a State committee representative, determines that:

(1) There is only limited opportunity on the farm for the production of an alternative income-producing crop,

(2) An efficient farming operation on the farm requires an increase in the present wheat allotment established for the farm, and

(3) The farm operator expects to obtain during the current year more than 50 percent of his income from farming operations, excluding the estimated return from the requested allotment increase.

To receive consideration for an adjustment in a farm wheat allotment under this section, the farm owner or operator must file an application for increased wheat allotment (Form MQ-37) in the county office not later than 30 days from the date of the mailing of the original notice of allotment for the farm for such year. Notwithstanding any other provision of this section, in no case shall the allotment for any farm be increased hereunder so as to be in excess of one-half of the county average ratio of allotment to cropland, or for the purpose of restoring farm allotment acreage lost because of the overplanting of a previous year's allotment, and the total of the increases for all farms in the county shall not exceed the additional acreage apportioned to the county from the special national acreage reserve provided for by section 334(a) of the Act, as amended. A farm which has a wheat acreage allotment of less than one-half of the county average ratio of allotment to cropland because the owner of a parent farm did not designate sufficient allotment for such farm in making a reconstitution pursuant to Part 719 of this chapter shall not be eligible for increased allotment under this section unless all farms resulting from the reconstitution have allotments of less than one-half of the county average ratio of allotment to cropland. For the purpose of making the increases hereunder, the cropland on the farm shall not include any land developed as cropland subsequent to the 1963 crop year.

(b) The following counties shall be considered eligible for participation in the special national acreage reserve:

COLORADO

Adams.
Arapahoe.
Archuleta.
Baca.
Bent.
Boulder.
Cheyenne.
Crowley.
Dolores.
Douglas.
Elbert.
El Paso.
Huerfano.
Jefferson.
Kiowa.
Kit Carson.
La Plata.
Larimer.
Las Animas.
Lincoln.
Logan.
Moffat.
Montezuma.
Morgan.
Phillips.
Prowers.
Pueblo.
Rio Blanco.
Routt.
San Miguel.
Sedgwick.
Washington.
Weld.
Yuma.

IDAHO

Bannock.
Bear Lake.
Benewah.
Camas.
Caribou.
Clearwater.
Franklin.
Fremont.
Idaho.
Kootenai.
Latah.
Lewis.
Madison.
Nez Perce.
Oneida.
Power.
Teton.

KANSAS

All counties.

MINNESOTA

Kittson.
Marshall.
West Polk.
Norman.
Clay.
Wilkin.

MONTANA

Big Horn.
Blaine.
Broadwater.
Carbon.
Carter.
Cascade.
Chouteau.
Custer.
Daniels.
Dawson.
Fallon.
Fergus.
Flathead.
Gallatin.
Garfield.
Glacier.
Golden Valley.
Hill.
Jefferson.
Judith Basin.
Lake.
Lewis and Clark.
Liberty.
McCone.
Madison.
Meagher.
Mineral.
Missoula.
Musselshell.
Park.
Petroleum.
Phillips.
Pondera.
Powder River.
Prairie.
Richland.
Roosevelt.
Rosebud.
Sanders.
Sheridan.
Stillwater.
Sweet Grass.
Teton.
Toole.
Treasure.
Valley.
Wheatland.
Wibaux.
Yellowstone.

NEBRASKA

Adams.
Banner.
Box Butte.
Chase.
Cheyenne.
Clay.
Dawes.
Deuel.
Dundy.
Fillmore.
Franklin.
Frontier.
Furnas.
Garden.
Gosper.
Harlan.
Hayes.
Hitchcock.
Jefferson.
Kearney.
Keith.
Kimball.
Morrill.
Nuckolls.

NEBRASKA—Continued

Perkins.
Phelps.
Red Willow.
Saline.
Sheridan.
Sioux.
Thayer.
Webster.

NEW MEXICO

Colfax.
Curry.
Harding.
Quay.
Roosevelt.
Union.

NORTH DAKOTA

All counties.

OREGON

Baker.
Gilliam.
Jefferson.
Lake.
Morrow.
Sherman.
Umatilla.
Union.
Wallowa.
Wheeler.
Wasco.

OKLAHOMA

Alfalfa.
Beaver.
Beckham.
Blaine.
Caddo.
Canadian.
Cimarron.
Comanche.
Cotton.
Craig.
Custer.
Delaware.
Dewey.
Ellis.
Garfield.
Grady.
Grant.
Greer.
Harmon.
Harper.
Jackson.
Kay.
Kingfisher.
Kiowa.
Logan.
Major.
Mayes.
Noble.
Nowata.
Oklahoma.
Osage.
Ottawa.
Pawnee.
Payne.
Roger Mills.
Rogers.
Texas.
Tillman.
Washington.
Washita.
Woods.
Woodward.

SOUTH DAKOTA

Beadle.
Bennett.
Brown.
Brule.
Buffalo.
Butte.
Campbell.
Corson.
Custer.
Dewey.
Edmunds.
Fall River.
Faulk.
Haakon.
Hand.
Harding.
Hughes.
Hyde.
Jackson.
Jones.
Lawrence.
Lyman.
McPherson.
Meade.
Mellette.
Pennington.
Perkins.
Potter.
Shannon.
Spink.
Stanley.
Sully.
Todd.
Trip.
Walworth.
Washabaugh.
Ziebach.

TEXAS

Archer.
Armstrong.
Baylor.
Callahan.
Carson.
Dallam.
Deaf Smith.
Foard.
Gray.
Hansford.
Hardeman.
Hartley.
Hemphill.
Hutchinson.
Lipscomb.
Moore.
Ochiltree.
Oldham.
Potter.
Randall.
Roberts.
Sherman.
Shackelford.
Stephens.
Taylor.
Throckmorton.
Wichita.
Wilbarger.
Young.

UTAH

Box Elder.
Cache.
Juab.
Rich.
Salt Lake.
San Juan.
Tooele.

WASHINGTON

Adams.
Asotin.
Benton.
Chelan.
Columbia.
Douglas.
Ferry.
Franklin.
Grant.
Garfield.
Klickitat.
Lincoln.
Okanogan.
Spokane.
Stevens.
Walla Walla.
Whitman.
Yakima.

WYOMING

Campbell.
Carbon.
Laramie.
Platte.
Sheridan.

(c) Cancellation of adjustment: Any allotment increase approved under this section shall be void as of the date the producer was notified of the adjustment if the State committee determines that the applicant knowingly furnished false, incomplete, or inaccurate information to obtain the increased allotment.

§ 728.326 Transfer of farm wheat acreage affected by a natural disaster.

(a) *General authority.* Upon a determination for any year that because of a natural disaster a portion of the farm allotments in a county cannot be timely planted or replanted in such year, a transfer of such wheat acreage (permission to plant an acreage of the farm allotment on another farm) may be authorized under section 334(k) of the Act. For any year in which a natural disaster within the meaning of section 334(k) of the Act occurs, the necessary determination and designation of affected States and counties and closing date for filing applications for transfer will be published later.

(b) *Application for transfer.* The owner or operator of a farm in a county designated for any year pursuant to paragraph (a) of this section may file a written application for transfer of wheat acreage, within the farm wheat allotment, for such year to another farm in the same county or in an adjoining county in the same or another State if such acreage cannot be timely planted or replanted because of the natural disaster determined for such year. The application shall be filed with the county committee for the county in which the farm affected by such disaster is located. If the application involves a transfer to an adjoining county, the county committee for the adjoining county shall be consulted before action is taken by the county committee receiving the application.

(c) *Amount of transfer.* The acreage to be transferred shall not exceed the smallest of (1) the farm allotment established less such acreage planted to wheat and not destroyed by the natural disaster, or (2) the smallest permitted acreage of nonconserving crops under the Conservation Reserve Program, Cropland Conversion Program, or the Cropland Adjustment Program, or (3) the acreage requested to be transferred.

(d) *County committee approval.* The county committee shall approve the transfer if it finds that the following conditions have been met:

(1) All or part of the farm allotment for the farm from which the acreage is to be transferred could not timely be planted or replanted because of the natural disaster and planting was not prohibited by the lease in the case of lands owned by the Federal Government.

(2) One or more producers of wheat on the farm from which the acreage is to be transferred will be a bona fide producer engaged in the production of wheat on the farm to which the acreage is to be transferred and will share in the crop or in the proceeds of the wheat. Such sharing shall be in the manner customary in the area in order to establish the status of such producer as a bona fide producer on the farm to which the acreage is to be transferred.

(e) *Cancellation of transfer.* If a transfer is approved under this section and it is later determined that the conditions in paragraph (d) of this section have not been met, the county committee, State committee or the Deputy Administrator may cancel such transfer. Action by the county committee to cancel a transfer shall be subject to the approval of the State committee or its representative.

(f) *Wheat acreage deemed planted on farm from which transferred.* The wheat acreage shall be deemed to be planted on the farm from which it was transferred for purposes of participation in the programs in this subpart, and for acreage history credits and other purposes under the Act.

(g) *Closing date.* The closing date for filing application for transfer with the county committee shall be December 15 of the calendar year immediately preceding the calendar year in which the crop is harvested in the winter wheat area and June 1 of the calendar year in which the crop is harvested in the spring wheat area.

(h) *Designated States and counties affected by natural disaster.* (States and counties will be designated by amendments to this section.)

§ 728.327 Data for old wheat farms.

(a) *Reports by producers.* If requested by the county office manager, the owner, operator, or any other interested person shall furnish any required information regarding the farm in which he has an interest to the ASCS county office of the county in which the farm is regarded as located if the farm is an old wheat farm.

(b) *Other available information.* Information not so furnished shall be determined or appraised by the county committee on the basis of records in the county office, available production and sales records, or other available information.

§ 728.328 Determination of 1966 farm allotments.

The 1966 farm allotment shall be determined as provided in §§ 728.15a through 728.24.

Wheat Diversion Program

§ 728.400 Wheat diversion program—general.

(a) Under the wheat diversion program for 1966 through 1969, diversion payments are made to producers who divert acreage from the production of wheat to approved conservation uses and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops and practices, including summer fallow and idle land (herein called "conserving base") by an equal amount, except to the extent that producers devote the diverted acreage to substitute crops in lieu of conservation uses.

(b) If the operator of the farm elects to participate in the program, diversion payments and wheat marketing certificates shall be made available to the producers on such farm only if such producers divert from the production of wheat an acreage on the farm equal to the number of acres stated on Form ASCS–477, Intention to Participate and Payment Application (herein called "Form ASCS–477").

(c) For the wheat diversion program and in all instructions, forms, and documents in connection therewith, the words and phrases defined in § 728.310 shall have the meanings assigned to them therein unless the context or subject matter otherwise requires, except that "current year" shall mean the calendar year in which the crop of wheat with respect to which payment would be made under this subpart would normally be harvested.

§ 728.401 Requirements for eligibility.

(a) *General.* A person is eligible for the wheat diversion program if he is a producer on a farm which meets the requirements of paragraph (b) of this section and he fulfills the requirements of paragraph (c) of this section.

(b) *Farm requirements.* (1) An Intention to Participate and Payment Application (herein called Form ASCS–477) must be filed for the farm by the operator in accordance with § 728.409.

(2) A minimum acreage on the farm shall be diverted from the production of wheat equal to the number of acres determined by multiplying the farm wheat acreage allotment by the national diversion factor. This factor is determined by dividing (i) the number of acres by which 55 million acres exceeds the national allotment by (ii) the national allotment. For 1966, the diversion factor has been determined to be 15 percent. In the case of any farm which is participating in the CRP, CCP, or CAP, if the number of acres of nonconserving crops permitted is less than the minimum acreage otherwise required for participation in the program, participation to the extent of such number of acres shall meet the minimum diversion acres requirement.

(3) An acreage equivalent in area to the acreage diverted from the production of wheat must be devoted to one or more of the approved conservation uses specified in Part 792 of this chapter, as amended, and the producer must comply with the limitations on use of such acreage specified in Part 792 of this chapter.

(4) In addition to the acreage referred to in subparagraph (3) of this paragraph, an acreage equal to the conserving base established for the farm under Part 792 of this chapter, as amended, must be devoted to one or more of the conservation ses also specified in such part. Acreage designated as diverted under any other Federal acreage reduction program shall not be more of the conservation uses also specicounted toward maintaining the conserving base unless authorized in the regulations governing such program or Part 792 of this chapter, as amended.

(5) Land owned by the Federal Government which has been leased subject to restrictions prohibiting the production of wheat or requiring the use of land for other purposes, or prohibiting the receipt of Federal payments for diversion of such acreage will not be eligible for participation in the program. Any other land owned by the Federal Government which is being occupied without a lease, permit or other right of possession, or land in a National wildlife refuge shall not be eligible for participation in the program.

(6) Producers on a farm on which a new farm wheat allotment is established shall not be eligible for diversion payments under the program with respect to such farm but may earn marketing certificates by diverting the minimum acreage required in subparagraph (2) of this paragraph and complying with all other requirements of the program.

(c) *Producer requirements.* (1) The producer must be a person who would have had an interest as a producer in the acreage diverted from wheat if wheat had been produced thereon.

(2) (i) The producer shall not knowingly exceed the allotment for the farm for any commodity.

(ii) On each other farm in which the producer has an interest, the acreage of wheat shall not exceed the wheat allotment. The feed grains shall also not exceed the feed grain base on any farm in which the producer has an interest if there is substitution under § 728.410 on any farm in which he has an interest. For the purpose of this subdivision (ii) of this subparagraph, a producer shall not be considered as violating the foregoing requirements if he satisfies the county committee that he did not have control of the managerial operations of the other farm, that he has made a reasonable effort to encourage compliance with the requirements of this subparagraph and that it was through no fault of his own that such farm was not in compliance. In applying the provisions of this subdivision (ii), a landowner or landlord cannot escape responsibility for any wheat allotment being exceeded by leasing for cash or other consideration all or part of a farm. For purposes of this subdivision (ii), all persons or entities in each category listed below shall be considered as one producer and fully responsible for the actions of any person or entity in that category: (a) A partnership and any member of the partnership; (b) a corporation and the majority stockholder of such corporation; (c) an estate and an heir of the estate with over a 50-percent interest in the estate; (d) a trust and a beneficiary of the trust with over a 50 percent interest in the trust; (e) minor children and the parent, guardian, or other person legally responsible for the minor unless they do not occupy the same household and share no interest in the farming operations of the minor; and (f) husband and wife, except that the husband and wife may be considered as separate producers if the spouse receiving benefits under the program does not share to any degree in crops or proceeds thereof from the other farm, managerial control of the other farm is not shared by the spouse, and there have been no changes in the operations or managerial control of the other farm which would tend to defeat the purpose of the provisions of this subdivision (ii). Any executor, trust officer, or farm manager responsible for the management of a farm shall be considered as a producer on the farm when he receives a percentage of the farm income exceeding 10 percent of the crops or proceeds thereof for such management services. For the purposes of this subdivision (ii), a producer shall be deemed not to have exceeded the farm wheat allotment for the program year if the acreage in excess of the allotment does not exceed 50 percent of the allotment, an amount of wheat is stored as required under the provisions of § 728.505 of the regulations governing the farm wheat certificate program, as amended, and the farm is eligible for wheat marketing certificates. If there is unauthorized depletion of the stored excess wheat, the producer shall pay the amount provided in § 728.506. (Compliance with the farm acreage allotments, other than wheat, on any other farm for any crop in which the producer has a share is not required.)

(3) A minor will be eligible to participate in the program only if (i) the right of majority has been conferred on him by court proceedings; or (ii) a guardian has been appointed to manage his property and the applicable documents are signed by the guardian; or (iii) a bond is furnished under which a surety guarantees to protect ASCS from any loss incurred for which the minor would be liable had he been an adult. Notwithstanding the foregoing, payment may be made to a minor after December 31 of the current year upon a determination by the county committee that the minor has met the requirements of the program.

§ 728.402 Designation, use, and care of diverted acreage.

The regulations governing the designation, use, and care of land diverted from the production of wheat are set forth in Part 792 of this chapter, as amended.

§ 728.403 Approved conservation uses for diverted acreage.

The approved conservation uses for designated diverted acreage are set forth in Part 792 of this chapter, as amended.

§ 728.404 Farm conserving base.

The regulations governing the establishment and maintenance of the farm conserving base, Part 792 of this chapter, as amended, shall be applicable to the program.

§ 728.405 Permitted acreage of wheat.

The acreage of wheat planted on the farm for harvest in the current year shall not exceed the farm acreage allotment minus the number of acres which the producer agrees to divert from the production of wheat in excess of the required minimum diversion. Notwithstanding the foregoing, in the case of any farm participating in the CRP, CCP, or CAP, the acreage of wheat and other nonconserving crops other than approved crops on acreage diverted under this program, the upland cotton program, and the feed grain program, plus the designated diverted acreages under such programs, shall not exceed the smallest number of acres of nonconserving crops permitted under the CRP, CCP, or CAP.

§ 728.406 Determination of payment rates.

(a) The diversion payment rate per acre for the farm shall be obtained by multiplying the county diversion payment rate per bushel by the farm projected yield determined under § 728.319. No payment shall be made with respect to the minimum diversion acreage as determined under § 728.401(b)(2), and the county diversion payment rate per bushel for any additional diversion eligible for payment shall be 40 percent of the rates specified in § 728.416.

(b) Notwithstanding any other provision of this section, the diversion payment rate per acre shall be (1) 50 percent of the payment rate otherwise applicable to the farm in the case of diverted acreage devoted to castor beans, guar, crambe, or sesame, (2) 30 percent of the payment rate otherwise applicable to the farm in the case of diverted acreage devoted to mustard seed or plantago ovato, and (3) 20 percent of the payment rate otherwise applicable to the farm in the case of diverted acreage devoted to sunflower. No diversion payment shall be made with respect to diverted acreage devoted to safflower.

(c) The rate of diversion payment under the program with respect to land which is leased or rented on a cash-rent basis from the Federal, State, county or local government, or subdivisions thereof, if such land is not otherwise ineligible for participation in the program, shall be the smaller of (1) the average per acre payment rate for which the farm would have qualified if this provision for land cash rented from a governmental unit were not in effect, or (2) one-half the average per acre payment determined under subparagraph (1) of this paragraph plus the actual cash rent per acre of the land adjusted to take into account the quality of the acres actually diverted when compared with the total acres rented and the services performed and capital improvements made at the producer's expense which are in addition to rent: *Provided*, That for purposes of computing a payment rate under subparagraph (1) of this paragraph, the rate for a farm participating in this program and the feed grain program shall be the average rate for which the farm would have qualified under both of these programs.

§ 728.407 Maximum diverted acres.

(a) The maximum number of acres which may be diverted from wheat on a farm shall be the larger of (1) the sum of the required minimum diversion determined in § 728.401(b)(2) and 50 percent of the farm allotment, or (2) 25 acres, but not to exceed the sum of the farm allotment and the required minimum diversion: *Provided*, That in the case of a farm which is participating in the CRP, CCP, or CAP, the total number of acres which may be diverted under this program, the upland cotton program, and the feed grain program, plus the acreage of all nonconserving crops on the farm other than approved crops on diverted acreage, shall in no event exceed the smallest number of acres of nonconserving crops permitted under the CRP, CCP, and CAP.

(b) Notwithstanding any other provision of this section, producers who only plant spring wheat shall be eligible to divert only the required minimum diversion determined in § 728.401(b)(2) unless such producers establish to the satisfaction of the county committee, in accordance with instructions issued by the Deputy Administrator, that they have made irrevocable plans for growing less than their wheat allotment.

§ 728.408 Notice of payment rate, projected yield, and conserving base

Each operator on a farm for which a wheat allotment is established will be notified in writing on Form ASCS–477–1 of the wheat allotment, farm projected yield, diversion payment rate, and conserving base. A copy of the ASCS–477–1 will be furnished upon request to each owner interested in the wheat crop on the farm.

§ 728.409 Intention to participate in the program.

(a) *Who may file.* A Form ASCS–477 must be filed by the operator of an eligible farm if he wishes to participate in the program.

(b) *Where to file.* Form ASCS–477 shall be filed with the office of the county committee for the county where the farm is located.

(c) *When to file.* Form ASCS–477 shall be filed not later than the date established by the Deputy Administrator, ASCS. Notwithstanding the foregoing, the closing date may be extended by the county committee if the producers on the farm establish to the satisfaction

of the county committee that they intended to participate in the program and their failure to file by such date was not due to the fault or negligence of the producers.

(d) *Contents.* The operator or owner shall provide on Form ASCS–477 the following information: The acreage which is intended to be diverted from the production of wheat for the farm for which the form is filed and the names of the producers entitled to share in diversion payments and the proportionate share of each. The operator shall also indicate if he intends to produce excess wheat or if he requests the establishment of an oats-rye base.

(e) *Withdrawal and revision.* The operator may withdraw Form ASCS–477 by filing a written notice of withdrawal of the form with the county committee on or before the closing date established under paragraph (c) of this section. If Form ASCS–477 is withdrawn, the producers on the farm may, not later than the closing date, file a new Form ASCS–477. If the farm is reconstituted or if a revised allotment or feed grain base notice is issued for any reason, the operator shall have 15 days after the mailing date of such notice of reconstitution or revised allotment or feed grain base to file a new Form ASCS–477.

§ 728.410 Oats-rye diversion payment; substitution of feed grains for wheat and wheat for feed grains, oats and rye.

Notwithstanding any other provision of the regulations in this subpart and Part 775 of this chapter, the following provisions shall be applicable:

(a) *Oats-rye diversion payment.* (1) On a farm participating in the wheat diversion program, an oats-rye base shall be established for the farm upon request of the farm operator. All the regulations governing the feed grain program shall apply separately for the purpose of determining eligibility for the oats-rye diversion payment except as otherwise provided herein. The preliminary oats-rye base determined for the farm shall be the average of the 1959 and 1960 acreage of oats and rye planted for harvest as grain, as adjusted in accordance with instructions issued by the Deputy Administrator to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop-rotation practices, types of soil, soil and water conservation measures, and topography. The final oats-rye base shall be determined by multiplying the preliminary oats-rye base by the State wheat unit reduction factor that is applicable. For 1966, the State wheat unit reduction factors are: 90 percent for the States of Montana, North Dakota, Minnesota, South Dakota, and Iowa; 80 percent for the States of Washington, Oregon, Idaho, California, Wyoming, Colorado, Utah, Nevada, Arizona, and New Mexico; 70 percent for the States of Nebraska, Kansas, Oklahoma, Texas, and Missouri; and 85 percent for all other States.

(2) The minimum diversion acreage requirement in § 775.404(b)(2) of this chapter shall apply separately to the total feed grain base and to the oats-rye base, and the maximum diversion acreage of oats and rye shall be 50 percent of the oats-rye base or 25 acres, whichever is greater: *Provided*, That the total acreage eligible for diversion from feed grains and oats and rye shall not exceed 50 percent of the combined feed grain and oats-rye bases or 25 acres, whichever is greater.

(3) The permitted acreage of oats and rye shall be the oats-rye base minus the stated intention for diversion of oats and rye. The permitted acreage of feed grains may be devoted to oats and rye and if any of the permitted acreage of feed grains is so devoted to oats and rye, payment for diversion for oats and rye and feed grains shall be made as provided in paragraph (c) of this section.

(4) The oats and rye rate of payment for additional diversion will be 25 percent of the farm diversion payment rate established for wheat under § 728.406.

(5) Price support payments shall not be made for oats and rye.

(6) The oats-rye base shall not be in effect if the total feed grain acreage exceeds the permitted acreage of feed grains.

(7) Upon request of the operator at any time, the oats-rye base shall not be in effect for the farm.

(b) *Substitution.* Feed grain acreage in excess of the permitted acreage of feed grains shall be considered as wheat acreage, wheat acreage in excess of the permitted acreage of wheat shall be considered as feed grain acreage or oats and rye acreage, and oats and rye acreage in excess of the permitted acreage of oats and rye shall be considered as wheat acreage and feed grain acreage: *Provided*, That if an oats-rye base is in effect for the farm, feed grain acreage in excess of the permitted acreage of feed grains shall not be considered as wheat acreage.

(c) *Diversion payment under substitution.* If the combined acreage of feed grains and oats and rye exceeds the sum of the permitted acreages of feed grains and oats and rye or if the acreage of wheat exceeds the permitted acreage of wheat, payment for diversion shall be made for the crops actually underplanted without regard to the stated intention for each commodity for a number of acres not to exceed the total acreage otherwise eligible for payment. If more than one commodity is actually underplanted, the total acreage otherwise eligible for payment shall be credited first to the commodity with the largest applicable payment rate to the extent of the actual underplanted acreage of such commodity, and the remaining acreage, if any, otherwise eligible for payment shall be credited to other commodities in high to low payment rate order to the extent of the actual underplanting of such commodities: *Provided*, That total diversion payment for barley, corn, and grain sorghums shall not be made for an acreage in excess of the total actual underplanted acreage of such crops.

(d) *Applicability.* This section shall be applicable only if the farm is in total compliance with all the requirements of the regulations governing this program and with all the requirements of the regulations governing the feed grain program with the exception that the acreage of wheat, feed grains, or oats-rye may exceed the permitted acreage for the crop in accordance with an approved substitution under the terms of paragraph (b) of this section. The provisions of this section are not applicable if excess wheat produced on the farm is stored under the provisions of § 728.505, or the farm is complying with the malting barley exemption, § 775.429 of the regulations governing the feed grain program, Part 775 of this chapter.

§ 728.411 Advance payment.

Advance payment shall not be made available to participants in the wheat diversion program.

§ 728.412 Determination of compliance.

(a) Determination of the acreage of wheat and the acreage designated as diverted acreage shall be made in accordance with Part 718 of this chapter, as amended.

(b) A representative of the county or State committee or any authorized representative of the Secretary shall have the right at any reasonable time to enter a farm, concerning which representations have been made on any forms filed under the program in order to measure the acreage of wheat and the acreage which the operator designates as devoted to approved conservation uses on the farm, to examine any records pertaining thereto, and otherwise to determine the accuracy of a producer's representations and the performance of his obligations under the program.

§ 728.413 Diversion payment.

(a) Payments of any amounts due the producers on a farm shall be made after the farm operator certifies that the farm is in compliance with the requirements of the program by signing the appropriate space on Form ASCS–477 and the county committee determines that the producers and the farm are in compliance with such requirements. The signing of Form ASCS–477 by any producer or by the farm operator after May 1 of the year following the current year shall not be approved by the county committee unless prior approval of the State committee is obtained.

(b) Except as otherwise provided herein and in Part 791 of this chapter, as amended, no payment shall be made for a farm or to a producer when there is failure to comply fully with the requirements in this subpart. The total diverted acreage of wheat on the farm shall be determined by subtracting (1) the current year's wheat acreage on the farm, as defined in § 728.310, from (2) the sum of the current year's farm acreage allotment and the farm minimum diversion acreage determined under § 728.401(b)(2). The total diverted acreage on which payment shall be based shall be the smallest of:

(1) The total diverted acreage of wheat on the farm determined as provided above minus the minimum required diversion.

(2) The stated intention for diversion in excess of the minimum required diversion.

(3) The increased acreage devoted to approved conservation uses and substitute crops.

(4) The designated diverted acreage.

(5) If the farm is participating in the CRP, CCP, or CAP, the smallest number of acres of nonconserving crops permitted minus the acreage devoted to such crops other than approved crops on diverted acreage, and minus acreage diverted under the upland cotton program and the feed grain program.

(c) The amount of the earned diversion payment for the farm shall be computed by multiplying the total diverted acreage on which payment is based by the payment rate determined in accordance with § 728.406.

(d) The amount of the total earned diversion payment due each eligible producer under the program shall be determined by multiplying the total earned diversion payment for the farm by the producer's share of such payment.

(e) Notwithstanding any other provision of this subpart, if a producer declines, for personal reasons, to accept all or any part of his share of the payment computed for a farm in accordance with the provisions of this section, such payment or portion thereof shall not become available for any other producer on the farm.

(f) Diversion payments will be made by the issuance of negotiable Commodity Credit Corporation (CCC) sight drafts which may be redeemed in cash.

(g) In the event it is determined that a producer is not entitled to any payment received, he shall refund such payment with interest at the rate of 6 percent per annum from the issue date of the payment to the date it is refunded.

§ 728.414 Division of payment.

(a) Payments made under this program for acreage diverted shall be divided in such a way that all eligible producers will share in the payments on a fair and equitable basis. The names of all persons on the farm who would have had an interest as producers in the acreage of wheat diverted shall be entered on Form ASCS–477. If all such producers agree to their respective percentage shares of the payment and certify that their shares of the payment are fair and equitable, the division of payment so determined shall be approved by a representative of the county committee, subject to the provisions of §§ 728.507 and 728.508.

(b) The following factors should be given consideration in arriving at the division of the diversion payment:

(1) The basis on which producers would have shared in the production of the acreage of wheat diverted if wheat had been produced thereon;

(2) The savings or benefits accruing to each producer as a result of not producing the acreage of wheat diverted;

(3) The respective contributions of each producer to the establishment and maintenance of the conservation use on the acreage designated as diverted from production; and

(4) The respective relationship of the diverted acreage and increased conservation acreage to the various ownership tracts comprising a farm.

(c) In those cases where a person who would have had an interest as a producer in the acreage of wheat diverted refuses or fails to sign an application for payment, the share of the payment to which he would otherwise be entitled shall be shown on Form ASCS–477. Payment shall not be made for the farm until the sum of the percentage shares equals 100 percent.

(d) If producers whose names are listed on Form ASCS–477 cannot agree on the division of the payment among eligible producers on the farm, the county committee will determine the division of payments among such producers on a fair and equitable basis in accordance with the factors provided in this section. Payments of amounts so determined shall be made to eligible producers upon their request.

§ 728.415 [Reserved]

§ 728.416 County projected yields and county rates used in determining diversion payment for the 1966 crop of wheat.

NOTE: For text of section, see 31 F.R. 181.

§ 728.417 Establishment of 1966 projected farm yields.

NOTE: For text of section, see 31 F.R. 193.

WHEAT CERTIFICATE PROGRAM

§ 728.500 Wheat certificate program—general.

(a) Under the wheat certificate program for 1966 through 1969, wheat marketing certificates are issued to producers who participate in the wheat diversion program to the extent provided herein. Domestic marketing certificates shall be issued for the wheat marketing allocation, representing wheat used for food products for consumption in the United States. Export marketing certificates shall be issued to eligible producers at the end of the marketing year on a pro rata basis if the total net proceeds from the sale of export marketing certificates during the marketing year exceeds the total amount of wheat export subsidies paid to exporters.

(b) For the wheat certificate program and in all instructions, forms, and documents in connection therewith, the words and phrases defined in § 728.310 shall have the meanings assigned to them therein unless the context or subject matter otherwise requires, except that "current year" shall mean the calendar year in which the marketing year with respect to which marketing certificates may be issued under this subpart begins.

§ 728.501 Requirements for eligibility.

(a) General: Any person who will share in the current year's crop of wheat or the proceeds thereof on a wheat farm which meets the requirements of paragraph (b) of this section and who meets the requirements of § 728.401(c)(2) and (3) shall receive marketing certificates in an amount and manner specified in §§ 728.502 and 728.504.

(b) Farm requirements: A farm shall be eligible for wheat marketing certificates if producers on the farm file a Form ASCS–477 for the current year and comply with all of the regulations governing the wheat diversion program and this program. Notwithstanding the foregoing provisions of this paragraph, a producer on a wheat farm on which the acreage of wheat exceeds the farm allotment shall be eligible for wheat marketing certificates if (1) the operator files a Form ASCS–477 under the provisions of § 728.409 and indicates thereon his intention to produce excess wheat; (2) the acreage of wheat does not exceed the allotment by more than 50 percent; (3) an amount of wheat is stored as required under the provisions of § 728.505; (4) the producer meets the cross-compliance requirements of § 728.401(c); and (5) an acreage of cropland equal to the minimum diversion requirement determined under § 728.401(b) is devoted to one or more of the conservation uses specified in § 728.403 and the limitations on use of such acreage specified in § 728.402 are complied with and an acreage of cropland equal to the conserving base established for the farm under § 728.404 is devoted to one or more of the conservation uses specified in such section: *Provided*, That to the extent that such reduction may be necessary in order to produce the acreage of wheat in excess of the farm wheat acreage allotment permitted by subparagraph (2) of this paragraph for a farm otherwise meeting the requirements of this sentence, the acreages otherwise required to be devoted to conservation uses under subparagraph (5) of this paragraph may be reduced, first from the acreage required to be devoted to the uses specified in § 728.404 and then from the acreage required to be devoted to the uses specified in § 728.403. No producer shall be eligible to receive wheat marketing certificates with respect to any farm for any marketing year in which a marketing quota penalty is assessed for any commodity on such farm.

(c) Except as otherwise provided herein and in Part 791 of this chapter, as amended, no wheat marketing certificates shall be issued when there is a failure to comply fully with the regulations of this subpart.

§ 728.502 Issuance of certificates.

(a) *Domestic marketing certificates*—(1) *Compliance requirements.* Issuance of domestic marketing certificates due the producers on a farm shall be made after the farm operator certifies that the farm is in compliance with the requirements of § 728.501 by signing Form ASCS–477 and the county committee determines that the producers and farms are in compliance with such requirements.

(2) *Amount of domestic marketing certificates.* The number of bushels for which domestic marketing certificates shall be issued to producers on an eligible farm shall be computed on Form ASCS–477 and shall be a number of

bushels which is equal to the smaller of (i) the farm wheat marketing allocation as determined under § 728.310(j) or (ii) the current year's wheat acreage as defined under § 728.310(i) multiplied by the projected yield determined under § 728.319 plus the amount of wheat stored under the provisions of §§ 728.107 and 728.505 which is released from storage during the marketing year on account of underplanting or underproduction. An acreage on the farm not planted to wheat because of drought, flood, or other natural disaster shall be deemed to be an actual acreage of wheat planted for harvest for the purposes of this section in accordance with instructions issued by the Deputy Administrator, provided such acreage is not subsequently planted to any other income-producing crops during such year. Producers on any farm who have planted not less than 90 percent of the acreage of wheat required to be planted in order to earn the full amount of marketing certificates for which the farm is eligible shall be deemed to have planted the entire acreage required to be planted for that purpose.

(3) *Value of domestic marketing certificates.* The face value per bushel of domestic marketing certificates shall be the amount by which the level of price support for wheat accompanied by domestic marketing certificates exceeds the level of price support for wheat not accompanied by certificates (noncertificate wheat).

(b) *Export marketing certificates.* Export marketing certificates shall be issued at the end of the marketing year on a pro rata basis to eligible producers. The value per bushel of export marketing certificates shall be an average of the total net proceeds from the sale of export marketing certificates during the marketing year after deducting the total amount of wheat export subsidies paid to exporters.

§ 728.503 Purchase of certificates by Commodity Credit Corporation.

Domestic or export certificates, legally held by any person, will be purchased by Commodity Credit Corporation at any time at face value.

§ 728.504 Division of certificates between producers.

(a) Wheat marketing certificates issued under § 728.502 shall be divided among producers on an eligible farm on the same basis as such producers share in the current year's wheat crop produced on the farm, or the proceeds therefrom, except that the State committee may approve a different division which is fair and equitable where it is determined that the distribution of crop plantings is abnormal in relation to past history of the farming operation, or is contrary to customary practice and except as provided in § 728.508.

(b) Certificates which producers receive, to which they are not entitled, shall be returned to the county committee or, if not returned, the value thereof shall be paid to the Commodity Credit Corporation.

§ 728.505 Storage of excess wheat.

(a) *Amount.* The amount of wheat required to be stored for the purpose of § 728.501(b) shall be an amount equal to twice the projected yield of wheat per acre established for the farm multiplied by the number of acres of such crop of wheat on the farm in excess of the farm acreage allotment for such crop unless a producer on the farm files an application for downward adjustment of excess within 60 days after the date the notice provided in paragraph (b) of this section is mailed from the county office. If the total actual production for the excess farm is established to the satisfaction of the county committee, the amount of wheat required to be stored shall be such actual production less the actual production of the farm wheat acreage allotment based upon the average yield per acre for the entire wheat acreage on the farm: *Provided*, That the amount of wheat required to be stored shall not be larger than the amount by which the actual production so established exceeds the normal production of the farm wheat acreage allotment.

(b) *Notice of excess.* As soon as practicable following the wheat disposal date provided in Part 718 of this chapter, as amended, producers on farms for which a timely intention to produce excess wheat was filed under § 728.501(b) and on which the wheat acreage exceeds the allotment by not more than 50 percent shall be notified of the amount of initial excess determined for such farms and of the storage requirements of this section.

(c) *Application.* Application for storage of excess wheat shall be filed in writing by any producer sharing in the wheat crop within 60 days after the date the notice of paragraph (b) of this section is mailed from the county office. In the case of farm storage, the producer shall be required to pay a service fee in an amount determined by the county committee to be sufficient to cover the cost of initial inspection and subsequent reinspections.

(d) *Storage requirements.* The wheat stored shall be equal to or better than the average quality of wheat produced on the excess farm. Excess wheat may be stored either (1) in an elevator or warehouse duly licensed and authorized to issue warehouse receipts under Federal or State laws, hereinafter referred to as "licensed storage": *Provided*, That if a State has no elevator or warehouse licensing law, warehouse receipts may be accepted from elevators or warehouses in such State unless the county committee and the State executive director determine that the elevators or warehouses are unreliable, such storage also to be referred to as "licensed storage," or (2) in any other place adapted to the storage of wheat, hereinafter referred to as "nonlicensed storage." In the case of licensed warehouse storage the producer shall remain liable for all warehouse storage charges, and in the case of unlicensed storage shall be responsible for maintaining quality and quantity.

(e) *Security for nonlicensed storage.* A corporate surety bond of indemnity in an amount not less than 150 percent of the value of certificates issued with respect to the excess farm in the year of excess, shall be executed and filed with the county office manager prior to the issuance of any marketing certificates for the farm. Each bond shall be subject to the conditions that the full amount computed under § 728.506 shall be paid at the time of the depleting of any amount stored which is not authorized under § 728.506 and if at any time any producer on the farm prevents the inspection of wheat so stored the entire amount computed under § 728.506 shall be paid. The principal amount of the bond shall not be reduced or the bond released until the entire amount of stored excess wheat is released as authorized by the county committee in § 728.506.

(f) *Security for licensed storage.* In the case where the total excess is stored in licensed warehouse storage, the warehouse receipt, properly endorsed, shall be deposited with the county office manager to be held in escrow. No bond is required.

(g) *Substitution.* Unlicensed or licensed stored wheat of any year's crop may be substituted for excess wheat in farm or warehouse storage provided that (1) prior approval for such substitution is obtained from the county committee, (2) the wheat to be used for substitution is in storage in accordance with the provisions of this section and is of equal or better quality than the excess wheat in storage, and (3) if unlicensed storage wheat is substituted for licensed storage wheat, the service fee provided for under paragraph (c) of this section is collected and a bond of indemnity has been filed in accordance with paragraph (e) of this section.

(h) *Commingling.* In the case of licensed storage, commingling of wheat shall be permissible. In the case of unlicensed storage, stored excess wheat may be commingled with excess wheat from another farm if the producers sharing in the excess wheat in storage are the same.

§ 728.506 Depletion of stored excess wheat.

(a) *Unauthorized.* Subject to the provisions of paragraph (b) of this section, at the time and to the extent of any depletion in the amount of wheat stored under § 728.505 except depletion under paragraphs (c) and (d) of this section or depletion resulting from some cause beyond the control of the producer, the producer shall pay an amount to the ASCS county office equal to one and one-half times the value of the wheat marketing certificates issued with respect to the farm for the year in which the wheat on the acreage in excess of the allotment was produced. If a producer having an interest in the excess wheat in storage no longer shares in the wheat crop on any farm in years subsequent to the year the stored excess was produced, such producer shall be relieved of paying the amount otherwise required to be paid

under this paragraph provided the right, title, and interest in his share of the excess wheat remaining in storage is delivered to the Secretary in accordance with paragraph (b) of this section.

(b) *Delivery to the Secretary.* The producer may be relieved of any further obligations with respect to wheat stored in a licensed warehouse by transferring his right, title, and interest with respect to the stored wheat to the Secretary by delivery of the warehouse receipt covering the amount of wheat stored to the ASCS county office in accordance with instructions issued by the Deputy Administrator. Such a producer shall be relieved of any further liability for warehouse storage charges.

(c) *Underplanting.* Whenever the wheat acreage of the then current crop of wheat on the farm is less than the farm acreage allotment and the conditions of paragraph (e) of this section are met, the total amount of wheat from any previous crops required to be stored under § 728.505 for such farm shall be reduced by that amount which is equal to the normal production of the number of acres by which the farm acreage allotment exceeds the wheat acreage: *Provided*, That if a producer having an interest in the excess wheat in storage no longer shares in the wheat crop on the farm, such producer may obtain the release of his share of the stored excess wheat by underplanting on any other farm in which he shares in the wheat crop. The amount so released shall be limited to the normal production of the underplanted acres multiplied by his percent share of wheat crop on the underplanted farm. For the purpose of this paragraph the acreage, if any, diverted from the production of wheat under the conservation reserve program, cropland conversion program, great plains conservation program, cropland adjustment program, or wheat diversion programs, or considered as planted to wheat for the purpose of receiving certificates under § 728.502(b), shall be considered wheat acreage. The acreage considered to be diverted from the production of wheat under a conservation reserve program contract shall be the acreage placed in the conservation reserve at the regular rate, not to exceed the amount by which the wheat acreage allotment for the farm exceeds the wheat acreage determined for such farm: *Provided*, That in the event the farm also has one or more other commodity allotments and the acreage placed in the conservation reserve at the regular rate is less than the sum of the amount by which each allotment (after release and before reapportionment, where applicable) exceeds the actual acreage determined for each such allotment crop on the farm, the acreage placed in the conservation reserve at the regular rate shall be prorated and credited to each allotment commodity. If the acreage placed in the conservation reserve at the regular rate is equal to or is in excess of the sum of the amount by which each allotment (after release and before reapportionment, where applicable) exceeds the actual acreage determined for each allotment crop on the farm, no excess wheat may be removed from storage. The acreage diverted from wheat in order to carry out a great plains conservation program contract shall be determined by the county committee after consultation with the producer and the work unit conservationist. A producer shall not be entitled to remove excess wheat from storage under this paragraph by underplanting the allotment on Government-owned land under a lease restricting the production of wheat.

(d) *Underproduction.* Whenever the actual production of the wheat acreage is less than the normal production of the farm acreage allotment and the conditions of paragraph (e) of this section are met, the total amount of wheat from any previous crops required to be stored under this § 728.506 for such farm shall be reduced by that amount which together with the actual production of the then current crop will equal the normal production of the farm acreage allotment, less the normal production of the underplanted acreage for the farm which was or could have been determined under paragraph (c) of this section: *Provided*, That if a producer having an interest in the excess wheat in storage, no longer shares in the wheat crop on the farm, such producer may obtain the release of his share of the stored excess wheat by underproduction on any other farm on which he shares in the wheat crop to the extent of such determined underproduction, multiplied by his percent share of the wheat crop on the underproduced farm. For purposes of this paragraph, any acreage considered to be diverted from the production of wheat under the conservation reserve, cropland adjustment, cropland conversion, great plains conservation, wheat diversion, and wheat certificate programs shall be deemed to have produced the normal production of wheat when determining the actual production for the farm.

(e) *Conditions of release.* Release of stored excess wheat by the county committee under paragraphs (c) and (d) of this section is subject to the following conditions: (1) A producer having an interest in the excess wheat files a written request for release of stored excess on or before December 31 of the year of harvest in which the underplanting or underproduction occurred, (2) in the case of underproduction the producer shall establish actual production to the satisfaction of the county committee and if the county committee determines a farm and warehouse visit is necessary to verify production, the producer shall also be required to remit a service fee to cover cost of such visit, and (3) the required amount of excess wheat is in the storage at the time of application.

MISCELLANEOUS PROVISIONS

§ 728.507 Additional provisions and requirements relative to tenants and sharecroppers

(a) Form ASCS–477 shall not be approved by the county committee or diversion payments made or wheat marketing certificates issued for any individual farm if the county committee determines that:

(1) The landlord or operator has not afforded his tenants and sharecroppers, if any, an opportunity to participate in the program;

(2) The landlord or operator has, in anticipation of or because of participating in the program, reduced the number of tenants and sharecroppers on the farm (if a tenant or sharecropper leaves the farm voluntarily, or for some reason other than being forced off the farm by the landlord or operator in anticipation of or because of participating in the program, the failure to replace such tenant or sharecropper shall not be considered as a reduction in anticipation of or because of participating in the program);

(3) There exists between the operator or landlord and any tenant or sharecropper any lease, contract, agreement or understanding unfairly exacted or required by the operator or landlord which was entered into in anticipation of participating in the program, the effect of which is:

(i) To force the tenant or sharecropper to pay over to the landlord or operator any payment earned by him under the program;

(ii) To change the status of any tenant or sharecropper so as to deprive him of any payment or right which he would otherwise have had under the program;

(iii) To reduce the size of the tenant's or sharecropper's producer unit; of

(iv) To inorease the rent to be paid by the tenant or decrease the share of the crop or its proceeds to be received by the sharecropper.

(4) Any other scheme or device has been adopted for the purpose of depriving any tenant or sharecropper of the payment to which he would otherwise be entitled to receive under this program.

(b) The provisions of paragraph (a)(2) of this section shall not apply to a cash tenant, standing-rent tenant, or a fixed-rent tenant unless such tenant was living on the farm in the year immediately preceding the current year or received 50 percent or more of his income in such year from the farm.

(c) If any of the conditions set forth in paragraph (a) of this section are discovered after Form ASCS–477 is approved, the farm shall be ineligible for diversion payments and wheat marketing certificates except as provided herein and in Part 791 of this chapter, as amended.

§ 728.508 Successors-in-interest.

(a) In the case of the death, incompetency, or disappearance of any producer who is entitled to a diversion payment or wheat marketing certificates, the payment and marketing certificates due him shall be made to his successor, as determined in accordance with the regulations in Part 707 of this chapter, and any amendments thereto.

(b) When any person who would have had an interest as producer (herein called "predecessor") leaves the farm after Form ASCS–477 has been filed and is succeeded on the farm by another pro-

ducer (herein called "successor"), their share of the diversion payment shall be

of wheat marketing certificates which a producer is eligible to receive shall be

Chapter VIII—Agricultural Stabilization and Conservation Service

the acreage has not been timely reported in accordance with paragraph (e) of

credit is given in the formula to land history, the 1966-crop farm base for a

(Sec. 403, 61 Stat. 923; 7 U.S.C. 1153. secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132, P.L. 89–311)

ducer (herein called "successor"), their share of the diversion payment shall be divided on a fair and equitable basis. If such persons are unable to agree to a division of the payment, the county committee shall determine the division, taking into consideration factors it deems pertinent. Notwithstanding the foregoing, if a tenant or sharecropper who would have had a share in the diversion payment leaves a farm after Form ASCS–477 has been filed for the farm, but before the final payment has been made and is not succeeded on the farm by another person, his name shall be included on Form ASCS–477 and the division of payment to which he is entitled shall be determined as provided in § 728.414.

(c) Notwithstanding any other provision of this subpart, if any person who has or would have an interest as producer of wheat on the farm (herein called "predecessor") leaves the farm after Form ASCS–477 has been filed and is succeeded on the farm by another producer (herein called "successor"), their share of the marketing certificates shall be divided on such basis as they agree is fair and equitable. If such persons are unable to agree to a division of the marketing certificates, the marketing certificates shall be issued to the producer who has the interest in the wheat crop at the time of harvest, and if the wheat crop is completely destroyed prior to harvest, the certificates shall be issued to the producer who has the interest at the time of destruction of the crop. However, if the marketing certificates are issued to the predecessor prior to notification to the county committee of such change of producers, marketing certificates shall not be issued to the successor unless such certificates are returned to the county committee, or if not returned, the value thereof is paid to Commodity Credit Corporation.

§ 728.509 Scheme or device and fraudulent representation.

(a) A producer who is determined by the State committee, or the county committee with the approval of the State committee, to have adopted any scheme or device which tends to defeat the purposes of the program shall not be entitled to receive diversion payments or wheat marketing certificates and shall refund any diversion payment received by him and return any certificates received by him, or pay the value thereof to the Commodity Credit Corporation.

(b) The making of a fraudulent representation by a person in the program documents or otherwise for the purpose of obtaining diversion payments or wheat marketing certificates shall render the person liable, aside from any additional liability under criminal and civil frauds statutes, for a refund or return of the diversion payments and certificates received by him with respect to which the fraudulent representation was made.

§ 728.510 Setoffs and assignments.

(a) *Producer indebtedness.* Setoffs against diversion payments and the value of wheat marketing certificates which a producer is eligible to receive shall be made as provided in the regulations issued by the Secretary governing setoffs and withholdings, Part 13 of this title (29 F.R. 9425), and any amendments thereto.

(b) *Assignments.* The right to receive wheat marketing certificates and diversion payments under the regulations in this subpart may be assigned only to the Farmers Home Administration in accordance with instructions issued by the Deputy Administrator.

§ 728.511 Appeals.

(a) A producer may obtain reconsideration and review of determinations made under this subpart in accordance with the appeal regulations, Part 780 of this chapter, as amended.

(b) To the extent that a producer proves the actual yields for the farm for each of the 3 years immediately preceding the year in which the projected yield is determined, either prior to receipt of notice under § 728.408 or pursuant to paragraph (a) of this section, the yields so proven shall be used in establishing the yields: *Provided*, That the producer whose production records are used to prove yields on the farm shall be required to furnish production data for all other farms in the county or adjoining counties in which he had an interest in any of the years for which the yields are proven (unless there is conclusive evidence that the records presented are in fact for the specific farm), and such data shall be used in making determinations for such other farms in which the producer has an interest in the current year.

§ 728.512 Performance in reliance on advice or action of a representative of a county or State committee.

The provisions of Part 790 of this chapter relating to performance based upon action or advice of an authorized representative of the Secretary shall be applicable to this subpart.

§ 728.513 Delegation of authority.

No delegation herein to a State or county committee shall preclude the Administrator, ASCS, or his designee, from determining any question arising under the program or from reversing or modifying any determination made by a State or county committee.

(The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

Effective date. Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 20, 1966.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66–6964; Filed, June 23, 1966; 8:51 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[§ 850.172, Amdt. 2; § 850.174, Amdt. 2; § 850.184, Amdt. 1]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Proportionate Shares for Farms, 1966 Crop

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended, §§ 850.172 (30 F.R. 15403; 31 F.R. 2648); 850.174 (30 F.R. 15403; 31 F.R. 5816) and 850.184 (30 F.R. 15403), are amended as follows:

1. In § 850.172, paragraph (e) is amended by changing the date for Arizona from May 25, 1966, to July 1, 1966, by amending paragraph (f), and by adding a new paragraph (g) as follows:

§ 850.172 Requests for shares.

* * * * *

(e) *Effective closing dates.*

State	Closing Date
Arizona	July 1, 1966

* * * * *

(f) *Exceptions to closing date.* A request may be accepted after the effective closing date for consideration with respect to available acreage, if the State committee determines that the person requesting a share was prevented from filing by such date due to illness or other reason beyond his control. Requests may be accepted generally by the State committee after the effective closing date if the total acreage requested by such date by old producers is less than the acreage available for distribution (area allotment less set asides pursuant to § 850.173) to old producers within the allotment area.

(g) *Establishing shares to coincide with requested or planted acreages.* (1) If the total acreage requested in an allotment area does not exceed the area allotment at the expiration of a reasonable time for the acceptance of requests generally following the closing date, the shares for both old and new producers in the allotment area may be established by the State committee so as to coincide with the requested acreages without carrying out the detailed procedure otherwise required under §§ 850.174, 850.176, 850.177, 850.178, and 850.180.

(2) If, after shares have been established and notices thereof furnished producers, it is determined by the State committee that the total acreage planted in any State does not exceed the allocation for the State, the proportionate shares for both old and new producer farms in such State may be revised by the State committee so as to coincide with the planted acreage on the farm: *Provided*, That if the county or State committee determines for a farm that the acreage has not been timely reported in accordance with paragraph (e) of § 850.186, as required under Part 817 of this chapter, or was knowingly incorrectly reported by the farm operator and either such committee determines that the planted acres exceed the proportionate share for the farm, a proportionate share shall not be established to coincide with the planted acreage. A general notice (individually mailed) shall be furnished producers informing them that the proportionate shares for their farms have been revised to coincide with their respective planted acreages.

2. In § 850.174, paragraphs (b)(2) and (c)(2) are revised to read as follows:

§ 850.174 Establishment of farm bases.

* * * * *

(b) *Farm history area.* * * *

(2) *Reconstituted farms.* The 1966-crop farm base for any old-producer farm with an accredited acreage record in the base period which is constituted differently than for the 1965 crop shall be determined by applying the 1965-crop formula to the accredited acreage record of such reconstituted farm during the base period. If a 1965-crop new-producer farm is subdivided, the 1966-crop farm base for each subdivision shall be the pro rata share of the 1965-crop share initially established for the farm, as adjusted by appeal, determined on the basis of the ratio of the suitable cropland for the production of sugarbeets in each subdivison. If all or a part of a 1965-crop new-producer farm is combined with all or a part of another 1965-crop new-producer farm, the 1966-crop farm base for the combined farm shall be the sum of the 1965-crop shares initially established for the farms as adjusted by appeals, or portions thereof determined on the basis of the ratio of suitable cropland for the production of sugarbeets in each subdivision. If all or a part of a 1965 new-producer farm is combined with all or a part of a farm having an accredited acreage record during the base period, a base shall be determined with respect to the land of the 1965 new-producer farm in accordance with the foregoing provisions of this subparagraph (2), and the 1966-crop farm base for the combined farm shall be the sum of the bases as determined for the component parts. If a 1965 new-producer farm is combined with land not having a record of sugarbeet production in the base period, the 1966-crop farm base for the combined farm shall be the 1965-crop share initially established for the 1965 new-producer farm as adjusted by appeal.

* * * * *

(c) *Personal history area.* * * *

(2) *Reconstituted farms.* The 1966-crop farm base for any farm which is constituted differently than the operator's 1965 farm shall be determined by applying the 1965-crop formula to the accredited acreage record, except that in the Mendota, California, locality by applying the 1965-crop formula to the 1963, 1964, and 1965-crop acreage records. For any allotment area wherein no credit is given in the formula to land history, the 1966-crop farm base for a farm operated by a person for whose 1965-crop farm a share was established shall be the 1965-crop share initially established as adjusted by appeal, notwithstanding the fact that the farm operated in 1966 is constituted differently than the farm operated by such person in 1965.

* * * * *

3. Paragraph (b) of § 850.184 is amended by adding the following at the end of subparagraphs (1) and (2):

§ 850.184 Redetermination of shares for reconstituted farms.

* * * * *

(b) *Non-reserve acreage farms.* * * *

(1) *Farm subdivided before planting.* * * * When a farm for which a 1965-crop new-producer farm share was established is subdivided, the 1966-crop share shall be prorated to the subdivisions on the basis of the ratio of suitable cropland for the production of sugarbeets in each subdivision. The established share for any such subdivision constituted as a separate farm shall be its portion of the 1966 share so determined.

(2) *Combined before planting.* * * * When a farm for which a 1965-crop new-producer share was established or part of such farm is combined with another farm prior to planting, the 1966-crop share established for the farm for which a 1965-crop new-producer share was established, or the portion determined for the part of such farm pursuant to subparagraph (1) of this paragraph shall be added to the share, if any, of the other component parts of the farm, as determined pursuant to this section and §§ 850.178 and 850.180 to establish a share for the combined farm: *Provided*, However, that if the farm for which a 1965-crop new-producer share was established or part thereof is combined with a 1966-crop new-producer farm the 1966-crop new-producer share shall be canceled and not included in the total share for the combined farm.

* * * * *

Statement of bases and considerations. This amendment extends the closing date for receiving requests for proportionate shares in Arizona from May 25, 1966, to July 1, 1966.

To eliminate much of the detail work involved in establishing shares, this amendment provides that each farm's share may be established at the requested acreage level in any allotment area wherein the total acreage requested does not exceed that available for distribution.

This amendment also makes provision for the method of establishing 1966-crop farm bases and redetermination of shares in certain cases when farms are constituted differently in 1966 than in 1965.

Accordingly, I hereby find and conclude that this amendment will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 923; 7 U.S.C. 1153. secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132, P.L. 89–311)

Effective date. Date of publication.

Signed at Washington, D.C., on June 16, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–6920; Filed, June 23, 1966; 8:47 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 19,994]

PART 523—MEMBERS OF BANKS

Holdings of Cash and Obligations of the United States by Members

JUNE 20, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 7354) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 523.12 of the regulations for the Federal Home Loan Bank System (12 CFR 523.12) to reduce the required liquidity for member institutions, and for the purpose of effecting such amendment, hereby amends said § 523.12 to read as follows, effective July 1, 1966.

§ 523.12 Holdings of cash and obligations of the United States by members.

No member insurance company shall make or purchase any loan, other than loans on the company's insurance policies, at any time when the aggregate of its cash and obligations of the United States is not at least equal to 7 percent of its policy reserve required by state law, and no other member shall make or purchase any loan, other than advances on the sole security of its withdrawable accounts, at any time when its cash and obligations of the United States are not at least equal to 7 percent of the obligation of the member on withdrawable accounts: *Provided*, That, until November 1, 1966, the foregoing figure of 7 percent may be reduced, but not below 6 percent, by the percentage that the maximum amount of net cash withdrawals from the opening of business on June 27, 1966, to the date of calculation is of the obligations of the member on withdrawable accounts at the opening of business on June 27, 1966. For the purposes of this section:

(a) A loan shall be deemed to have been made as of the date of the note or bond evidencing the same, and a loan shall be deemed to have been purchased as of the date of payment therefor;

(b) The term "cash" means cash on hand, unpledged deposits in a Federal Home Loan Bank or State bank perform-

ing similar reserve functions, and unpledged demand deposits in domestic banks, not under the control or in the possession of appropriate supervisory authority.

(c) The term "obligations of the United States" shall mean all unpledged evidences of indebtedness issued by the United States and all unpledged evidences of indebtedness issued by any agency or instrumentality of the United States which are by statute fully guaranteed as to principal and interest by the United States.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-6944; Filed, June 23, 1966; 8:49 a.m.]

[No. 19,996]

PART 530—BOARD RULINGS

Liquidity Requirement; Deposits

JUNE 20, 1966.

Whereas, by Federal Home Loan Bank Board Resolution No. 19,994 this Board has amended § 523.12 of the regulations for the Federal Home Loan Bank System (12 CFR 523.12) to eliminate time deposits, other than time deposits in Federal Home Loan Banks and State banks performing similar reserve functions, from the definition of cash; and

Whereas said proposed amendment requires the rescission of § 530.1 of the regulations for the Federal Home Loan Bank System (12 CFR 530.1);

It is hereby resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of the rescission hereinafter set forth, and for the purpose of effecting such rescission, hereby rescinds § 530.1 of the regulations for the Federal Home Loan Bank System (12 CFR 530.1), effective July 1, 1966.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-6945; Filed, June 23, 1966; 8:49 a.m.]

[No. 19,997]

PART 531—STATEMENTS OF POLICY

JUNE 20, 1966.

Resolved that, the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and codifying its supplemental statement of policy on advances adopted by the Board on May 16, 1966, and duly published in the FEDERAL REGISTER on May 20, 1966 (31 F.R. 7360), and for the purpose of effecting such revision and such codification hereby amends the regulations for the Federal Home Loan Bank System (12 CFR, Chapter V, Subchapter B) by adding at the end of said Subchapter B a new part, Part 531, to read as follows:

Sec.
531.1 [Reserved]
531.2 [Reserved]
531.3 Supplemental statement of policy on advances.

AUTHORITY: The provisions of this Part 531 issued under sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.

§ 531.1 [Reserved]

§ 531.2 [Reserved]

§ 531.3 Supplemental statement of policy on advances.

(a) The conditions prevailing in the economy and the savings and credit markets dictate policy responses by both the Federal Home Loan Bank System and all its member institutions. The objectives of the System remain unchanged, and the capacity of the System to achieve those objectives remain unquestioned. Nevertheless, the achievement of the objectives requires changes in procedure as economic conditions change.

(b) In the light of the current situation, the attention of the Federal home loan banks and their members is directed to the following major policy items:

(1) Advances for withdrawals may be made only on a 30-day basis, and may be renewed on a 30-day basis only to the extent that application of net savings receipts during such 30-day periods is insufficient for the repayment of the advances. In those cases where a Federal home loan bank is of the opinion that the administration of the preceding requirement would be simplified if a 90-day note were used, the bank may make withdrawal advances on 90-day notes, provided the note requires, or refers to a written agreement which requires, the member to repay at 30-day intervals that amount of the note which equals its gain in net savings during such 30-day interval. Such notes may be renewed on the same basis, to the extent that the recovery of savings, excluding any dividends credited, has not provided funds for repaying the advance.

(2) Member institutions should carefully regulate and control their outstanding commitments, including undisbursed loan proceeds, to levels not exceeding the total of the previous calendar 4 months loan repayments plus or minus their realized savings gains or losses for the same past 4 months. Moreover, if the judgment of the board of directors of an individual member institution indicates a probable reduction in the coming period of loan repayments, or a reduction in savings inflow, such judgments should promptly be reflected in a working down of such outstanding commitments. Insofar as maturing expansion advances are concerned, member institutions with operations which are sound and which conform to outstanding policy directives governing the extension of advances can employ the proceeds from repayments on principal, income on earning assets, and proceeds from sales of loans or participations for lending in the mortgage market. For such institutions, repayment of maturing expansion advances will not be required out of these sources of funds. For all future commitments executed from this date forward management cannot expect the advance window to be ever open if management itself has failed to gear its commitment level to its actual cash flows. The extension of expansion credit is not appropriate merely because a member is below the 17½ percent ceiling.

(3) Expansion advances are not to be used as permanent additions to capital. Repayments should be obtained as feasible, particularly from continuous borrowers and those with high ratios of advances to savings. Such advances are to be utilized only for seasonal needs and to cover commitment requirements that have been maintained at realistic levels but where unexpected, adverse, reduced cash flows have developed. In addition, each Bank will, of course, make a case-by-case determination of a member's qualifications and the advisibility of the amount of rollover of payments due on maturing expansion advances, giving due consideration to the member's compliance with policy directives, the member's net savings inflow, and relevant market conditions. Expansion advances or renewals should not be made unless the member is managing his cash flows so as to meet existing commitments. In no event, shall credit be extended in conflict with outstanding limitations based on scheduled items, or other restrictions.

(4) All loan officers of all regional banks are expected to examine each advance application in prudent detail. Previously established lines of credit certainly do not preclude such examination, nor acceptance, rejection or modification of the proposed loan application. This is especially true of expansion advances. Particular attention shall be given to the precise purposes of the proposed advance and the type of properties and transactions for which the funds are sought. Generally, such advances should not be employed to finance highly speculative ventures which would contribute to excesses in the housing inventory; to finance commercial, industrial or other residential property; or to refinance existing mortgages on all types of property in substantial volume.

(c) The Board will institute a reporting procedure to test the conformance of expansion advances to the foregoing principles.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-6946; Filed, June 23, 1966; 8:49 a.m.]

[No. 19,998]

PART 531—STATEMENTS OF POLICY

Federal Home Loan Bank Credit for Member Institutions Located in California and Nevada

JUNE 20, 1966.

Resolved that, the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and codifying its policy statement on Federal Home Loan Bank credit for member institutions located in California and Nevada, adopted by the Board on May 16, 1966, and duly published in the FEDERAL REGISTER on May 20, 1966 (31 F.R. 7361), and for the purpose of effecting such revision and such codification, hereby amends Part 531 of the regulations for the Federal Home Loan Bank System (12 CFR Part 531) by adding at the end of said Part 531 a new section, § 531.4, to read as follows:

§ 531.4 Federal Home Loan Bank credit for member institutions located in California and Nevada.

(a) The Federal Home Loan Bank Board has reviewed present conditions in the market in which savings and loan association operate, their recent earnings, and their prospective yield on home mortgages. The Board has determined that associations in California and Nevada will not be restricted from obtaining advances for purposes other than meeting withdrawals merely because of (1) payment of dividends or interest at an annual rate of 5 percent on regular savings from July 1, 1966, if—

(i) Dividends or interest will not be compounded more frequently than quarterly, and

(ii) The funds are on hand at the close of the dividend or interest period,

and (2) offering a 3-year bonus plan at an aggregate rate not exceeding 5½ percent, if in a minimum amount of not less than $5,000 and in at least $1,000 multiples above such amount.

(b) This policy, however, does not apply to institutions which are presently restricted from obtaining advances under Federal Home Loan Bank Board Resolution No. 19,333, dated August 6, 1965, and published in the FEDERAL REGISTER on August 13, 1965 (30 F.R. 10124), as modified.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F. R. Doc. 66-6947; Filed, June 23, 1966; 8:49 a.m.]

[No. 19,999]

PART 531—STATEMENTS OF POLICY

Removal of Credit Restrictions—California

JUNE 20, 1966.

Resolved that, the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of stating and codifying its policy on the removal of credit restrictions imposed on certain institutions, and for the purpose of effecting such statement and such codification, hereby amends Part 531 of the regulations for the Federal Home Loan Bank System (12 CFR Part 531) by adding at the end of said Part 531 a new section, § 531.5, to read as follows:

§ 531.5 Removal of credit restrictions—California.

(a) Federal Home Loan Bank Board Resolution No. 19,333, dated August 6, 1965, provides that institutions which remain restricted as to advances as of July 1, 1965, or become restricted thereafter, will continue to be restricted for a period of from 6 months to 1 year after coming into conformity with the Board's requirements.

(b) The Board finds that, as a result of its Statement of Policy contained in Federal Home Loan Bank Board Resolution No. 19,898, dated May 16, 1966, as amended (§ 531.3), those institutions in California whose dividend rate was increased to 5 percent effective on dates prior to July 1, 1966, will, to that extent, come into conformity with Board requirements on July 1, 1966. The Board has determined that, if such institutions otherwise comply with all conditions of Resolution No. 19,898, the period of continuing restriction referred to in Resolution No. 19,333 for such institutions shall terminate on January 1, 1967.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-6948; Filed, June 23, 1966; 8:49 a.m.]

[No. 20,000]

PART 531—STATEMENTS OF POLICY

Continued Inclusion of Time Deposits as Cash

JUNE 20, 1966.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and codifying its statement of policy relating to the continued inclusion of time deposits as cash adopted by the Board on May 16, 1966, and duly published in the FEDERAL REGISTER on May 20, 1966 (31 F.R. 7362), and for the purpose of effecting such revision and such codification, hereby amends Part 531 of the regulations for the Federal Home Loan Bank System (12 CFR Part 531) by adding, immediately after § 531.5, a new section, § 531.6, to read as follows:

§ 531.6 Continued inclusions of time deposits as cash.

(a) Under § 523.12(b) of this chapter of the regulations for the Federal Home Loan Bank System, "cash" is defined as cash on hand, unpledged deposits in a Federal Home Loan Bank or a State bank performing similar reserve functions, and unpledged demand deposits in banks not in the possession of appropriate supervisory authorities.

(b) Members of the Federal Home Loan Bank System had, under a former ruling of the Board, been permitted to count time deposits open account and time certificates of deposit as cash within specified limits.

(c) In the circumstances, the Board has determined, as a matter of policy, to allow time deposits open account and time certificates of deposits to be counted as cash according to the following schedule and extent:

(1) Time certificates of deposit made or renewed prior to May 20, 1966, may be counted as cash until July 1, 1967, or their expiration date (or first alternative maturity after September 30, 1966), whichever is earlier;

(2) Time certificates of deposit renewed between May 20, 1966, and September 30, 1966, for a period not in excess of ninety days may be counted as cash until the expiration of such renewal period;

(3) Time deposits open account subject to a notice period of not more than 30 days may be counted as cash until July 1, 1968; and

(4) No time deposit open account or deposit evidenced by a certificate of deposit shall be considered as cash unless (i) the association itself made the deposit in question, (ii) the deposit, together with all other time deposits of the association in the same bank, does not exceed the greater of one-fourth of one percent of such bank's total deposits as of the bank's last published statement of condition or $10,000, and (iii) no consideration was received from a third party in connection with the making of the deposit.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-6949; Filed, June 23, 1966; 8:49 a.m.]

[No. 20,001]

PART 531—STATEMENTS OF POLICY

Advances To Meet Net Withdrawals

JUNE 20, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 7361) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of revising and codifying its statement of policy concerning advances to meet net withdrawals, adopted by the Board on May 16, 1966, and for the purpose of effecting such revision and such codification, hereby amends Part 531 of the regulations for the Federal Home Loan Bank System (12 CFR Part 531) by adding, immediately after § 531.6, a new section, § 531.7, to read as follows:

§ 531.7 Advances to meet net withdrawals.

(a) Amendments to §§ 523.12 and 545.8–2 of this chapter of the regulations for the Federal Home Loan Bank System and the rules and regulations for the Federal Savings and Loan System, respectively, permit members of the Bank System and Federal associations, respectively, to make or purchase loans until November 1, 1966, at a time when the institution's cash and obligations of the United States are reduced below 7 percent, but not below 6 percent, of the institution's obligation on withdrawable accounts. Such reduction may be as great as but no greater than net cash withdrawals at their maximum point in the period beginning June 27.

(b) The Federal Home Loan Bank Board has determined that a uniform procedure is necessary among the Federal Home Loan Banks with respect to making advances to Member institutions to meet net withdrawals and, therefore, directs each Federal Home Loan Bank not to make any advances after June 27, 1966, to meet net withdrawals of less than 1 percent of the obligation of any member on withdrawable accounts, as of June 27, 1966. Each Federal Home Loan Bank is directed to make withdrawal advances only to the extent necessary to meet net withdrawals in excess of the 1 percent absorbed by the institution. On November 1, 1966, a Bank may make advances in the amount necessary to restore a member's liquidity to the regulatory requirement of 7 percent then operative, less any net savings increase (in excess of dividends credited and of repayments of withdrawal advances subsequent to June 27) subsequent to the date of the lowest level of savings for the period from June 27 to November 1.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6950; Filed, June 23, 1966; 8:50 a.m.]

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 19,991]

PART 545—OPERATIONS

Bonus Accounts

JUNE 20, 1966.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment of § 545.3 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.3) as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends said § 545.3, as follows, effective June 27, 1966.

Paragraph (b) of § 545.3, aforesaid, is hereby amended to read as follows:

§ 545.3 Bonus on monthly-payment and fixed-balance accounts.

* * * * *

(b) *Fixed-balance accounts.* The board of directors of a Federal association which has a charter in a form not inconsistent with the provisions of this section and which has bylaws which include the provisions of paragraph (e) of § 544.6 of this chapter may determine that, in addition to other earnings distributed on savings accounts, such association shall distribute a bonus on accounts of $1,000 or such greater minimum amount which is an integral multiple of $1,000 as may be determined in accordance with and subject to the provisions of this paragraph.

(1) Each such account shall be evidenced by a separate certificate issued in the determined amount or a greater amount which is an integral multiple of $1,000;

(2) Each such certificate shall be in the form prescribed pursuant to paragraph (b) of § 545.2 and shall also bear on its face the words "A bonus is distributable on the amount of this certificate as provided in, and subject to, paragraph (b) of § 545.3 of the rules and regulations for the Federal Savings and Loan System for which purpose the beginning of the qualifying period of 36 months is _____ (Date)";

(3) While such a certificate remains outstanding, earnings, other than the bonus, shall be distributed at the regular distribution dates and the bonus on the amount maintained continuously for 36 months shall be distributed upon expiration of such period. Thereafter, earnings thereon, including any bonus, shall be distributed at the regular distribution dates;

(4) While such a certificate remains outstanding, prior to the expiration of the 36-month qualifying period, a reserve for the bonus shall be maintained and appropriate credits and debits shall be made to such reserve as of the dates the Federal association regularly distributes earnings on its savings accounts.

(5) A Federal association may offer more than one bonus plan pursuant to this paragraph at any one time, but the board of directors may not fix a bonus rate in excess of one-half percent per annum for any such plan;

(6) Each member who holds a savings account at the date of determination with a balance of not less than the determined amount for a particular bonus plan adopted pursuant to this paragraph shall have the right for a reasonable period of time, which period shall be fixed by resolution of the board of directors and shall be not less than 3 months after the date of mailing, posting, or publishing of the written notice required by subparagraph (7) of this paragraph, to exchange all or any qualified portion of such savings account for one or more separate certificates issued pursuant to the provisions of this paragraph and dated as of the date of exchange;

(7) The written notice of a particular bonus plan shall set forth the plan adopted. Such Federal association shall give such notice within not more than 30 days after the effective date of adoption of the plan by at least one of the following means:

(i) Mailing postage prepaid to each member described in subparagraph (6) of this paragraph at the last address appearing on the books of such Federal association;

(ii) Posting in a conspicuous place in each of the offices of the association for so long as the association continues to offer the plan; or

(iii) Publishing in a newspaper printed in the English language and of general circulation in the city or county in which each office of the association is located;

(8) The board of directors of such Federal association may by resolution:

(i) Fix the maximum dollar amount which may be held by any one account holder at any one time pursuant to this paragraph, which maximum shall be applicable alike to each holder;

(ii) Discontinue the issuance of certificates pursuant to the provisions of this paragraph except to the extent that holders of savings accounts may exchange all or a qualified portion of their accounts in accordance with subparagraph (6) of this paragraph;

(iii) Reduce the rate or discontinue the distribution of any bonus on outstanding certificates issued under any bonus plan adopted pursuant to this paragraph by giving at least 30 days' written notice mailed to all holders of such certificates, but no such reduction or discontinuance shall be effective as to any certificate prior to the date as of which a bonus is next distributable on such certificate; and

(iv) Determine that if the association adopts a bonus plan pursuant to this paragraph which provides for a higher bonus rate than is provided by any existing bonus plan subject to this paragraph, the bonus on any account subject to such existing bonus plan shall be computed at the higher bonus rate from the date of adoption of such higher-rate bonus plan if such existing bonus account meets the minimum amount required to qualify for the higher-rate bonus plan, and

(9) No bonus shall be distributed under this paragraph on any savings account on which a bonus is being distributed under any other provision of the association's charter or of this part.

* * * * * *

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, as the foregoing amendment is designed to permit Federal savings and loan associations to adjust their operations as of the beginning of the next quarterly dividend period to changed economic conditions emerging during the current quarterly period, the Board hereby finds that notice and public procedure on the said amendment are impracticable under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) and section 4(a) of the Administrative Procedure Act.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6951; Filed, June 23, 1966; 8:50 a.m.]

[No. 19,992]

PART 545—OPERATIONS

Distribution of Earnings at Variable Rates

JUNE 20, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 7355) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 545.3–1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.3–1) providing for the distribution of earnings by Federal savings and loan associations at variable rates, and for the purpose of effecting such amendment, hereby amends said § 545.3–1 as hereinafter set forth, effective July 1, 1966.

Subparagraph (2) of paragraph (b), and paragraph (g) of § 545.3–1, aforesaid, are hereby amended to read as follows:

§ 545.3–1 Distribution of earnings at variable rates.

* * * * *

(b) *Eligibility requirements.* * * *

(2) *Accounts evidenced by separate certificates.* A savings account which is evidenced by a separate certificate, as provided in paragraph (c) of this section, issued and dated on or after the date of such resolution, may receive earnings on the amount of such certificate at a rate higher than the regular rate, but not in excess of—

(i) 4¾ percent per annum if such account is maintained at not less than $1,000 for a continuous period of not less than 6 months commencing on the date of such certificate; and

(ii) 5 percent per annum if such account is maintained at not less than $1,000 for a continuous period of not less than 6 months, commencing on the date of such certificate, and, unless otherwise approved by the Board, in a Federal association which, as of December 31, 1965, distributed earnings on its savings accounts at a per annum rate of 4¾ percent or more.

No such certificate shall be issued pursuant to this subparagraph (2) for any amount that is not an integral multiple of $1,000. If such savings account is evidenced by more than one separate certificate, the provisions of this subparagraph (2) shall be as fully applicable to each such certificate as if each such certificate evidenced a separate savings account.

* * * * *

(g) *Exception.* No Federal association may make or provide for any distribution of earnings pursuant to this section at any time unless its regular rate is 5 percent per annum or less.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6952; Filed, June 23, 1966; 8:50 a.m.]

[No. 19,993]

PART 545—OPERATIONS

Cash and Government Obligations

JUNE 20, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 7355) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 545.8–2 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.8–2) to reduce the required liquidity for Federal savings and loan associations, and for the purpose of effecting such amendment, hereby amends said § 545.8–2 to read as follows, effective July 1, 1966.

§ 545.8–2 Cash and Government obligations.

A Federal association shall not make or purchase any loan, other than advances on the sole security of its savings accounts, at any time when its cash and obligations of the United States are not at least equal to 7 percent of the association's capital: *Provided*, That, until November 1, 1966, the foregoing figure of 7 percent may be reduced, but not below 6 percent, by the percentage that the maximum amount of net cash withdrawals from the opening of business on June 27, 1966, to the date of calculation is of the obligations of the member on withdrawable accounts at the opening of business on June 27, 1966. For the purposes of this section:

(a) A loan shall be deemed to have been made as of the date of the note or bond evidencing the same, and a loan shall be deemed to have been purchased as of the date of payment therefor;

(b) The term "cash" means cash on hand, unpledged deposits in a Federal Home Loan Bank or State bank performing similar reserve functions, and unpledged demand deposits in domestic banks, not under the control or in the possession of appropriate supervisory authority.

(c) The term "obligations of the United States" means all unpledged evidences of indebtedness issued by the United States and all unpledged evidences of indebtedness issued by any agency or instrumentality of the United States which are by statute fully guaranteed as to principal and interest by the United States.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6953; Filed, June 23, 1966; 8:50 a.m.]

[No. 19,995]

PART 555—BOARD RULINGS

Certificates of Deposit

JUNE 20, 1966.

Whereas by Federal Home Loan Bank Board Resolution No. 19,993 this Board has amended § 545.8–2 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.8–2) to eliminate time deposits, other than time deposits in Federal Home Loan Banks and State banks performing similar reserve functions, from the definition of cash; and

Whereas said proposed amendment requires the rescission of § 555.10 of the rules and regulations for the Federal Savings and Loan System (12 CFR 555.10);

It is hereby resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisibility of the rescission hereinafter set forth, and for the purpose of effecting such rescission, hereby rescinds § 555.10 of the rules and regulations for the Federal Savings and Loan System (12 CFR 555.10), effective July 1, 1966.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6954; Filed, June 23, 1966; 8:50 a.m.]

PART 563—OPERATIONS

Cash and Government Obligations

JUNE 20, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 7355) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 563.8–2 of the rules and regulations for the Federal Savings and Loan System (12 CFR 563.8–2) to reduce the required liquidity for Federal savings and loan associations, and for the purpose of effecting such amendment, hereby amends said § 563.8–2 to read as follows, effective July 1, 1966.

§ 563.8–2 Cash and Government obligations.

A Federal association shall not make or purchase any loan, other than advances on the sole security of its savings accounts, at any time when its cash and obligations of the United States are not at least equal to 7 percent of the association's capital: *Provided*, That, until November 1, 1966, the foregoing figure of 7 percent may be reduced, but not below 6 percent, by the percentage that the maximum amount of net cash withdrawals from the opening of business on June 27, 1966, to the date of calculation is of the obligations of the member on withdrawable accounts at the opening of business on June 27, 1966. For the purposes of this section:

(a) A loan shall be deemed to have been made as of the date of the note or bond evidencing the same, and a loan shall be deemed to have been purchased as of the date of payment therefor;

(b) The term "cash" means cash on hand, unpledged deposits in a Federal Home Loan Bank or State bank performing similar reserve functions, and unpledged demand deposits in domestic banks, not under the control or in the possession of appropriate supervisory authority.

(c) The term "obligations of the United States" means all unpledged evidences of indebtedness issued by the United States and all unpledged evidences of indebtedness issued by any agency or instrumentality of the United States which are by statute fully guaranteed as to principal and interest by the United States.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6955; Filed, June 23, 1966; 8:50 a.m.]

[No. 20,002]

PART 556—STATEMENTS OF POLICY

JUNE 20, 1966.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and codifying its statement of policy relating to the continued inclusion of time deposits as cash adopted by the Board on May 16, 1966, and duly published in the FEDERAL REGISTER on May 20, 1966 (31 F.R. 7362), and for the purpose of effecting such revision and such codification hereby amends the rules and regulations for the Federal Savings and Loan System (12 CFR, Chapter V, Subchapter C) by adding at the end of said Subchapter C a new part, Part 556 to read as follows:

§ 556.1 Continued inclusion of time deposits as cash.

(a) Under § 545.8–2(b) of this chapter of the rules and regulations for the Federal Savings and Loan System, "cash" is defined as cash on hand, unpledged deposits in a Federal Home Loan Bank or a State bank performing similar reserve functions, and unpledged demand deposits in banks not in the possession of appropriate supervisory authorities.

(b) Federal savings and loan associations had, under a former ruling of the Board, been permitted to count time deposits open account and time certificates of deposit as cash within specified limits.

(c) In the circumstances, the Board has determined, as a matter of policy, to allow time deposits open account and time certificates of deposits to be counted as cash according to the following schedule and extent:

(1) Time certificates of deposit made or renewed prior to May 20, 1966, may be counted as cash until July 1, 1967, or their expiration date (or first alternative maturity after September 30, 1966), whichever is earlier;

(2) Time certificates of deposit renewed between May 20, 1966, and September 30, 1966, for a period not in excess of ninety days may be counted as cash until the expiration of such renewal period;

(3) Time deposits open account subject to a notice period of not more than 30 days may be counted as cash until July 1, 1968; and

(4) No time deposit open account or deposit evidenced by a certificate of deposit shall be considered as cash unless (i) the association itself made the deposit in question, (ii) the deposit, together with all other time deposits of the association in the same bank, does not exceed the greater of one-fourth of 1 percent of such bank's total deposits as of the bank's last published statement of condition or $10,000, and (iii) no consideration was received from a third party in connection with the making of the deposit.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6955; Filed, June 23, 1966; 8:51 a.m.]

[No. FSLIC–2,632]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 561—DEFINITIONS

Slow Loans

JUNE 9, 1966.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment of § 561.16 of the Rules and Regulations for Insurance of Accounts (12 CFR 561.16) as hereinafter set forth, to provide specific treatment for advances by insured associations for real estate taxes, insurance premiums and similar purposes, and for the purpose of effecting such amendment, hereby amends said § 561.16, as follows, effective June 30, 1966.

Paragraph (e) of § 561.16 of the Rules and Regulations for Insurance of Accounts is hereby amended to read as follows:

§ 561.16 Slow loans.

* * * * *

(e) Any loan or land contract that has been modified or refinanced within the preceding 12 months while contractually delinquent, except a mortgage loan or land contract (1) more than 2 years old and less than 30 days (1 month) contractually delinquent at the time of the modification or refinancing and not previously modified or refinanced subsequent to January 1, 1964, or (2) modified or refinanced to provide for payment of real estate taxes, other governmental assessments, hazard insurance premiums, or water or sewer rent or charges, if provision is made for repayment within the succeeding 12 months of the funds so advanced.

* * * * *

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, as the foregoing amendment is designed to provide more appropriate treatment, commencing in this accounting period, for loans modified or refinanced for the payment of real estate taxes, other governmental assessments, hazard insurance premiums or water or sewer rent or charges, the Board hereby finds that notice and public procedure on the said amendment are unnecessary under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) and section 4(a) of the Administrative Procedure Act, and, for the same reason, the Board hereby finds that postponement of the effective date under the provisions of § 508.14 of the general regulations of the Federal Home Loan Bank Board and section 4(c) of the Administrative Procedure Act is not required and the Board hereby provides that the above said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6956; Filed, June 23, 1966; 8:51 a.m.]

[No. FSLIC–2,644]

PART 561—DEFINITIONS

Cash

JUNE 20, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 7356) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 561.18 of of the Rules and Regulations for Insurance of Accounts (12 CFR 561.18) and for the purpose of effecting such amendment, hereby amends said § 561.18 to read as follows, effective July 1, 1966:

§ 561.18 Cash.

The term "cash" means cash on hand, unpledged deposits in a Federal Home Loan Bank or State bank performing similar reserve functions, and unpledged demand deposits in domestic banks, not under the control or in the possession of appropriate supervisory authority.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6957; Filed, June 23, 1966; 8:51 a.m.]

[No. FSLIC–2,643]

PART 563—OPERATIONS

Required Amounts and Maintenance of Federal Insurance Reserve

JUNE 20, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 7356) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amending § 563.13 of the Rules and Regulations for Insurance of Accounts (12 CFR 563.13) and for the purpose of effecting such amendment, hereby amends said § 563.13 as follows, effective July 1, 1966:

1. Paragraph (a) of § 563.13 of the Rules and Regulations for Insurance of Accounts is hereby amended by revoking subparagraph (3).

2. Subparagraph (1) of paragraph (b) of § 563.13 of the Rules and Regulations for Insurance of Accounts is hereby amended to read as follows:

(b) *Semiannual credits.* (1) An insured institution shall not be required to make any credit to its Federal insurance reserve account under this paragraph at any time when its adjusted net worth is at least 10 percent of its specified assets at the close of the semiannual period.

3. Paragraph (b) of § 563.13 of the Rules and Regulations for Insurance of Accounts is hereby amended by revoking subparagraph (5).

4. Paragraph (b) of § 563.13 of the Rules and Regulations for Insurance of Accounts is hereby amended by adding, immediately after subparagraph (4), a new subparagraph, subparagraph (5), to read as follows:

(5) During the three semiannual periods commencing on and after July 1, 1966, the 10 percent of net income semiannual credit requirement in subparagraphs (2) and (3) of this paragraph shall be 5 percent of net income.

5. Paragraph (c) of § 563.13 of the Rules and Regulations for Insurance of Accounts is hereby amended to read as follows:

(c) *Limitations on payment of dividends or interest.* Any insured institution which has failed to meet the requirements of this section shall not declare, pay or advertise dividends or interest for the semiannual period subsequent to the immediately succeeding semiannual period, in excess of the amount approved by the Corporation, unless, in such immediately succeeding semiannual period, the institution has credited to its Federal insurance reserve account an amount equal to the total deficiency in required credits under paragraph (b) of this section plus the required credits thereunder for such period, and is in conformity with paragraph (a) of this section requirements at the end of such period.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that the Board hereby finds that it is desirable to have the effective date coincide with the beginning of the semiannual period utilized by the majority in number of insured institutions subject to the regulation and therefore finds that the regulation shall become effective as hereinabove noted.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6958; Filed, June 23, 1966; 8:51 a.m.]

[No. FSLIC–2,645]

PART 570—BOARD RULINGS

Cash

JUNE 20, 1966.

Whereas, by Federal Home Loan Bank Board Resolution No. FSLIC–2,644 this Board has amended § 561.18 of the Rules and Regulations for Insurance of Accounts (12 CFR 561.18) to eliminate time deposits, other than time deposits in Federal Home Loan Banks and State banks performing similar reserve functions, from the definition of cash; and

Whereas said proposed amendment requires the rescission of § 570.1 of the Rules and Regulations for Insurance of Accounts (12 CFR 570.1);

It is hereby resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of the rescission hereinafter set forth, and for the purpose of effecting such rescission, hereby rescinds § 570.1 of the Rules and Regulations for Insurance of Accounts (12 CFR 570.1), effective July 1, 1966.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6959; Filed, June 23, 1966; 8:51 a.m.]

[No. FSLIC–2,646]

PART 571—STATEMENTS OF POLICY

Continued Inclusion of Time Deposits As Cash

JUNE 20, 1966.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and codifying its statement of policy relating to the continued inclusion of time deposits as cash adopted by the Board on May 16, 1966, and duly published in the FEDERAL REGISTER on May 20, 1966 (31 F.R. 7362), and for the purpose of effecting such revision and such codification, hereby amends Part 571 of the rules and regulations for the Federal Savings and Loan Insurance Corporation (12 CFR Part 571) by adding, immediately after § 571.1 a new section, § 571.2, to read as follows:

§ 571.2 Continued inclusion of time deposits as cash.

(a) Under § 561.18 of this chapter of the Rules and Regulations for Insurance of Accounts, "cash" is defined as cash on hand, unpledged deposits in a Federal Home Loan Bank or a State bank performing similar reserve functions, and unpledged demand deposits in banks not in the possession of appropriate supervisory authorities.

(b) Insured institutions had, under a former ruling of the Board, been permitted to count time deposits open account and time certificates of deposit as cash within specified limits.

(c) In the circumstances, the Board has determined, as a matter of policy, to allow time deposit open account and time certificates of deposits to be counted as cash according to the following schedule and extent:

(1) Time certificates of deposit made or renewed prior to May 20, 1966, may be counted as cash until July 1, 1967, or their expiration date (or first alternative maturity after September 30, 1966), whichever is earlier;

(2) Time certificates of deposit renewed between May 20, 1966, and September 30, 1966, for a period not in excess of ninety days may be counted as cash until the expiration of such renewal period;

(3) Time deposits open account subject to a notice period of not more than 30 days may be counted as cash until July 1, 1968; and

(4) No time deposit open account or deposit evidenced by a certificate of deposit shall be considered as cash unless (i) the association itself made the deposit in question, (ii) the deposit, together with all other time deposits of the association in the same bank, does not exceed the greater of one-fourth of one percent of such bank's total deposits as of the bank's last published statement of condition or $10,000, and (iii) no consideration was received from a third party in connection with the making of the deposit.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3, of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66–6960; Filed, June 23, 1966; 8:51 a.m.]

[No. FSLIC–2647]

PART 571—STATEMENTS OF POLICY

Procedure and Policy Concerning Institutions Failing To Meet Requirements of Insurance Regulation 563.13

JUNE 20, 1966.

Resolved that, the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and codifying its statement of procedure and policy concerning institutions failing to meet requirements of Insurance Regulation 563.13 adopted by the Board on February 23, 1966, and duly published in the FEDERAL REGISTER on March 1, 1966 (31 F.R 3229), and for the purpose of effecting such revision and such codification, hereby amends Part 571 of the Rules and Regulations for Insurance of Accounts (12 CFR Part 571) by adding, immediately after § 571.2, a new section, § 571.3, to read as follows:

§ 571.3 Procedure and policy concerning institutions failing to meet requirements of Insurance Regulation 563.13.

Insurance Regulation 563.13 provides, among other things, that when an insured institution fails to make the required transfers to its reserves, such institution may not declare, advertise, or pay dividends, in the semiannual period subsequent to the immediately succeeding semiannual period, in

excess of an amount approved by the Federal Savings and Loan Insurance Corporation. This provision of the regulation requires a review of those cases involving a failure to comply with the requirements of the regulation and a determination as to the course of action to be followed in each case. This statement of Board policy establishes the procedure to be followed in such cases and states the guidelines to be used in evaluating such institutions and recommending a specific course of action in each such case.

I. Procedure. The following procedure shall apply in all cases in which an institution has failed to meet the requirements of Insurance Regulation 563.13 for its most recent semiannual period. The appropriate supervisory agent for the Board shall give the board of directors of the institution written notice of the determination of a deficiency and the amount thereof within sixty (60) days after the institution has filed its semiannual report for that period. The written notice shall also contain such supervisory requests and recommendations for corrective action as may be appropriate to the situation and shall contain advice that until such time as the institution receives written notice of the Corporation's determination as to the amount of dividend or interest to be declared, advertised, or paid, the institution should not declare, advertise, or pay any dividends or interest for or during the semiannual period in which it may be subject to limitation by the Corporation.

The institution shall have fifteen (15) days from the date of the written notice from the supervisory agent in which to submit evidence of compliance with supervisory requests or recommendations or to submit any memoranda or other material relevant to the Board's determination as to the amount of dividend or interest to be declared, advertised, or paid.

The supervisory agent, after evaluation of the institution on the basis of the determinative factors set forth in the latter part of this statement and consideration of any corrective action taken and of any material submitted by the institution, shall make his recommendation of action to be taken. This recommendation, together with all relevant supporting data, shall be transmitted to the appropriate regional supervisor of the Board's Office of Examinations and Supervision.

The regional supervisor shall review the supervisory agent's evaluation and recommendation and any material submitted by the institution and shall make an independent evaluation sufficient to support his own recommendation of action to be taken. The evaluation, recommendations, and any supporting data shall be transmitted to the Director, Office of Examinations and Supervision, who will submit to the Board a recommendation for appropriate action.

The Board shall reach a decision as to the appropriate action to be taken, and written notice thereof shall be sent to the institution by the appropriate supervisory agent at least thirty (30) days before the end of the current semiannual period. If additional information is found necessary as to an association's operations or the conditions on which approval of a particular rate or amount of dividends or interest might be warranted, the association shall be so notified in a similar manner.

The institution shall have the right to submit to the Supervisory Agent a written petition for reconsideration, within fifteen (15) days from the date of the written notice of the Board's decision. If the institution decides to petition for reconsideration, it may submit with the petition additional memoranda or other relevant material for consideration by the Board. The Supervisory Agent shall make his recommendation with respect to the matter and transmit it, together with the petition and any relevant supporting data, to his Regional Supervisor, who will make his own recommendation. The petition, recommendations, and any relevant supporting data shall be transmitted to the Director, Office of Examinations and Supervision, who will submit to the Board his own recommendation for appropriate action. The Supervisory Agent shall promptly notify the institution, in writing, of the action taken by the Board on the petition for reconsideration.

In cases where an institution has completely cured its deficiency, or where it has a relatively minor deficiency, scheduled items of less than 4 percent of specified assets, moderate expense ratios, and a dividend or interest rate not above that paid in the two preceding semiannual periods or not above that paid by a majority (in number) in its standard metropolitan statistical area (or community if not in a standard metropolitan statistical area), and if the Supervisory Agent has recommended that the dividend or interest rate not be adjusted, the appropriate Regional Supervisor, if he concurs in such recommendation, has the authority, delegated by the Board, to determine that rate adjustment is not required.

If the Supervisory Agent so recommends, and the Regional Supervisor concurs in such recommendation, the Regional Supervisor is authorized to determine that rate adjustment is not required in the case of any institution which at any semiannual closing on or after June 30, 1966, fails to meet the semiannual credit requirements of paragraph (b) of Insurance Regulation 563.13, if the total credits made by such institution during that semiannual period would have met the credit requirements of paragraph (b) of Insurance Regulation 563.13 as amended effective July 1, 1966.

II. Evaluation—A. *Basic policy.* In the evaluation of insured institutions which have failed to meet the requirements of Insurance Regulation 563.13 and in making recommendations for specific courses of action to be employed, all parties will be guided by the principle embodied in section 403(b) of Title IV of the National Housing Act, namely, that the Federal Savings and Loan Insurance Corporation has the right and the duty to require insured institutions to establish and maintain adequate reserves before paying dividends.

The fact that an adjustment in dividend rate might place an institution below the level paid by others does not, in and of itself, constitute adequate grounds for not recommending an adjustment.

No dividend, either cash or stock, on permanent reserve or guarantee stock should be declared by an institution which fails to meet its reserve requirements.

B. *Principal determinative factors.* It is not possible or feasible to identify or to state categorically or inflexibly all of the criteria or considerations which anyone could or would use in all instances in making a determination as to the need for a specific course of action. Many varied factors must be considered, separately and in context, and in the light of operations of each individual institution. However, the following areas of operation by an insured institution should be of paramount concern, and essential facts and information with respect thereto should in large measure constitute the basis for recommending a specific course of action.

1. *Minimum adjustment for institution which could have met requirement.* An institution which, after having been advised that it could have met the regulatory requirement by transfer from an existing eligible source, failed to take such action shall be considered for adjustment of its rate to a point at least 0.10 percent below the rate last paid by the institution.

2. *Extent of failure.* An institution which failed by only a minor extent to make the required transfer would obviously be a likely candidate for more favorable consideration. However, such a minor failure may not always, of itself, establish valid grounds for a favorable recommendation. In any event, a major effort should be made to secure correction of the cause of minor failures, so as to avoid further deterioration.

3. *Soundness of operation.* It is the view of the Board that soundly operated institutions will meet changing demand-supply conditions by making timely and necessary adjustments in operating policies and practices. An above-average amount of scheduled items, in many institutions, is a reflection of the failure to adjust lending to more moderate rates of overall growth or demand for housing. Consequently, scheduled items are considered to be an important factor in evaluating the soundness of operations.

An institution's ratio of scheduled items to total assets as compared to national averages must be an important factor in any evaluation. The accumulation of an above-average amount of scheduled items should raise serious doubt as to the advisability of permitting unrestricted competition for additional funds.

It is recognized that there may be special situations peculiar to a few areas, and these should be covered by qualitative comment. However, weak or deteriorating economic conditions are not of themselves a valid reason for recommending against dividend rate adjustment, since such conditions strongly suggest that an institution may not be able to employ funds it receives in a sound, economical manner.

4. *Economy of operation.* The less economical an institution's operation, the less able it is to comply with the reserve regulation and the more likely it is to accumulate scheduled items by the adoption of unsound policies and practices.

The ratio of expenses to average total assets as compared to a national average, with allowance for size and age, is an important factor in the evaluation of an institution's economy of operation.

It is recognized that during the three-year period following insurance of accounts an institution having less than $5 million in savings may have special problems with respect to its expense ratio, and these factors should be covered by qualitative comments.

5. *Dividend rate practices.* Dividend rate practices are considered to be a major factor in an evaluation since a high dividend rate can preclude adequate reserve allocations, thus running counter to the basic principle that an insured institution has an obligation to provide reserves satisfactory to the Insurance Corporation before paying dividends. Furthermore, there is a close association between high dividend rates and higher than average scheduled items.

An institution which fails to make its required reserve allocations in the two semiannual periods following an increase in dividend rate will not be awarded any significant degree of consideration for rate continuance, since the increased rate will be regarded as a substantial contributory factor in the inability to make the required allocations.

If an institution is paying a dividend at a rate above that paid by a majority in its standard metropolitan statistical area, or community (if not in a standard metropolitan statistical area), it is the Board's view that such institution should be considered most seriously for rate adjustment.

6. *Other considerations.* While the condition and operations of an institution as measured by the factors set out above would generally be determinative for the purposes of this program, the identification of those matters should not be construed as excluding the consideration of other matters, separately or in context with one or more of the factors stated above, which also may be indicative of the need for limiting an institution's pursuit of additional funds.

Among other considerations to which careful attention should be given are heavy promotional activity, rapid growth, pursuit of high-yield assets, large ratios of construction loans accompanied by high foreclosure rates or scheduled items, and weak or declining reserve positions.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-6961; Filed, June 23, 1966; 8:51 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER B—REGULATIONS UNDER THE FEDERAL POWER ACT

[Docket No. R-303; Order 323]

PART 4—LICENSES, PERMITS, AND DETERMINATION OF PROJECT COSTS

Hydroelectric License Applications; Exhibit Relating to Protection and Enhancement of Fish and Wildlife Resources

JUNE 17, 1966.

On April 19, 1966, the Commission issued a notice of proposed rule making in this proceeding (31 F.R. 6379, Apr. 27, 1966), wherein it proposed to amend Part 4, Regulations Under the Federal Power Act (18 CFR 4.41) to provide that an exhibit setting forth matters related to the conservation and enhancement of fish and wildlife resources affected by the project be filed as part of license applications for proposed projects of more than 2,000 horsepower installed capacity, and constructed projects for which a new license is sought under section 15 of the Federal Power Act.

The exhibit will help expedite the processing of applications by identifying potential problems with respect to fish and wildlife resources and suggesting possible solutions thereto upon the filing of an application. It will also facilitate the Commission's compliance with the requirements of the Fish and Wildlife Coordination Act (16 U.S.C. secs. 661–666c) for consultation with the U.S. Fish and Wildlife Service, Department of the Interior and appropriate State fish and wildlife agencies on the conservation and enhancement of fish and wildlife resources affected by a project.

We received 32 responses to the notice: 23 of these[1] expressed unqualified approval of the proposed rule, and 1 opposed its adoption as unnecessarily duplicative of existing requirements.[2] The balance,[3] while generally supporting the rule, expressed certain reservations and suggested various modifications which we shall deal with below.

The Southern California Edison Co., as well as the Montana Power Co., point to the possible duplication in Exhibit S of materials already required in Exhibit R. Although the subject of recreational facilities may relate to fish and wildlife, the problems relating to fish and wildlife obviously go far beyond those involved in a recreational plan and should be dealt with separately. Moreover, the conservation and enhancement of fish and wildlife is considered separately in legislation on this subject (16 U.S.C. 661–666c). We shall, however, provide that matters covered in Exhibit R need only be included in Exhibit S by reference.

Colorado Wildlife Federation, Inc., indicated its support for the rule so long as it is supplemental to the Fish and Wildlife Coordination Act and not in lieu of it. In this regard, we wish to make clear that the requirement for Exhibit S is not intended to supersede the provisions of the Coordination Act. It will, however, facilitate the Commission's compliance with those provisions. The Colorado Federation also suggested the addition of language to include areas affected by the project as well as those within the project boundary, in the preparation of Exhibit S. It is not our intention to exclude from consideration in the preparation of Exhibit S, fish and wildlife resources affected by the project which are outside of the project boundary, e.g. hatcheries and releases for downstream fish resources. We are modifying the language of the proposed amendment to clarify this point.

The Puget Sound Power & Light Co. objects to the portion of the proposed rule which would require an applicant to consider the enhancement of fish and wildlife resources, in addition to conservation, in the preparation of Exhibit S, asserting that (1) it is contrary to the established policy of providing solely for the conservation of fish and wildlife resources; (2) it shifts the responsibility for enhancement from the public in general to ratepayers of the licensee thereby imposing on them a financial burden for a function not properly chargeable to them; and (3) it would be difficult for a licensee to determine in advance the extent to which it would have to pay for the improvement of fish and wildlife resources. We do not agree that an applicant should limit itself to the consideration of conservation of existing fish and wildlife resources in the preparation of Exhibit S. While our prime objective is, of course, the conservation of fish and wildlife resources which may be affected by a hydroelectric project, it would indeed be shortsighted to overlook opportunities which may present themselves for enhancing such resources or to fail to require potential licensees to give consideration to these matters in the course of preparing their applications. In response to its second contention, where the enhancement of fish and wildlife resources is feasible in connection with the conservation of such resources, the licensee may be required to bear necessary costs therefor as it does all other reasonable costs associated with the project as licensed by the Commission under section 10(a) of the Federal Power Act. As for determining in advance the cost for improving fish and wildlife resources, we are providing in the rule that Applicants furnish cost estimates, as part of the exhibit, with respect to all improvements proposed by the applicant. These estimates would not necessarily include those improvements which may be prescribed during the term of the license.

The State of California-Resources Agency, Department of Fish and Game in its comment on the proposed rule has made several suggestions, one of which also raises the subject of enhancement of fish and wildlife resources. Contrary to the position of Puget Sound Power & Light Co., it urges that the matter of enhancement be emphasized. It cites as an example the Yuba River Project (FPC Project No. 2246) which incorporates features which will rehabilitate a significant salmon run. We believe that the language of the rule adopted will satisfactorily alert applicants to the importance of giving consideration to enhancement of fish and wildlife resources in developing the exhibit. California makes another suggestion similar to that made by the Colorado Wildlife Federation, with respect to the affect of a project upon fish and wildlife resources outside of the project area. As stated above, we have adopted this suggestion.

[1] (1) State of New Hampshire, Fish and Game Department; (2) State of Montana, Department of Fish and Game; (3) State of Minnesota, Department of Conservation; (4) State of Idaho, Fish and Game Department; (5) International Association of Game, Fish and Conservation Commissioners; (6) Wildlife Management Institute; (7) Medical College of South Carolina; (8) Federated Sportsmen's Clubs of New Hampshire, Inc.; (9) City of Seattle, Department of Lighting; (10) Department of the Interior; (11) Arizona Game Protective Association; (12) Oklahoma Resorts, Inc.; (13) Pennsylvania Power & Light Co.; (14) The High Rock Lake Association; (15) Sport Fishing Institute; (16) City of Tacoma, Wash., Department of Public Utilities; (17) Director, Marine Biological Laboratory, Woods Hole, Mass.; (18) State of Alabama, Department of Conservation; (19) Massachusetts Wildlife Federation; (20) Commonwealth of Pennsylvania, Department of Forests and Waters; (21) South Carolina Wildlife Federation; (22) State of North Carolina Wildlife Resources Commission; and (23) The Wilderness Society.

[2] The Montana Power Co.

[3] The Izaak Walton League of America; (2) Colorado Wildlife Federation, Inc.; (3) Puget Sound Power & Light Co.; (4) State of California Resources Agency, Department of Fish and Game; (5) Southern California Edison Co.; (6) Pacific Power & Light Co.; (7) Forest Service, U.S. Department of Agriculture; and (8) State of Colorado Department of Game, Fish and Parks.

The California Department in its comments suggests that the potential applicants be required as part of the Exhibit S report to set forth detailed proposals considered necessary by the Department of the Interior or appropriate state fish and wildlife agencies as well as by the applicant itself. We do not believe it would be appropriate to thus convert the proposed Exhibit S to a joint proposal by the potential applicant and the appropriate Federal and State agencies or to require such applicant to include initially plans to which it does not subscribe. We have provided that the exhibit is to be prepared on the basis of studies made by the applicant after consultation and in cooperation with the appropriate Federal and State authorities and that the report contain a specific statement of the nature of this consultation and cooperation. In addition, the Exhibit S submitted by the applicant will be referred to the appropriate Federal and State agencies for their own comment pursuant to the provisions of the Fish and Wildlife Coordination Act and our rules and regulations (18 CFR 1.37, 4.31) thereby bringing the views of all concerned before the Commission for consideration. We believe that such a procedure rather than one requiring the applicants to speak for the agencies will provide the most appropriate way for achieving best results in this difficult area.

The California Department also contends that the rule as proposed leaves doubt as to whether the applicant is fully responsible for the necessary study costs and suggests a clarifying change of appropriate language to make clear that the applicant is responsible for conducting or having conducted the studies upon which the exhibit must be based. We do not believe that any hard and fast rule should be adopted on this subject. The rule places an obligation upon the applicant to insure that the exhibit is based on adequate studies and an applicant may make equitable arrangements with fish and wildlife agencies to prepare appropriate studies for it, if they are willing to make such studies. In other cases, however, the applicant may retain fish and wildlife staff or consultants to help it develop plans for this aspect of its potential project and the fish and wildlife agencies may see fit to make independent studies. We believe we would not encourage the most comprehensive planning if we attempted to prescribe a single mode of arrangement by rule.

In addition, the California Department urges that the requirement for Exhibit S be made applicable to minor projects. We believe that there may be merit to this suggestion, however, before making any determination thereon we shall solicit additional comments in a supplementary rule making proceeding, while adopting the rule with respect to major license projects at this time.

The Forest Service, in addition to suggesting that the rule not be limited in applicability to the project area, a suggestion with which we have already indicated our concurrence, recommends that consultation with the Forest Service be required where National Forest land is involved and suggests additional language to effect this. We believe that such consultation would serve a useful purpose and we shall amend the proposed rule accordingly.

State of Colorado, Department of Game, Fish and Parks in its comments proposes that the rule be made applicable to projects of 1,000 horsepower or more. As indicated above, we shall consider this matter in a supplementary rule making proceeding. The Colorado Department further proposes that an applicant transmit a complete set of plans, included in the Exhibit S, to the State Fish and Wildlife agency 1 year prior to a hearing upon the application. Such a requirement, in our view, would not be feasible. The rule as proposed requires applicant to consult with State agencies in the preparation of the exhibit. Such consultation, presumably, would take place well in advance of the filing of an application and a considerable period of time before a hearing, if any, would be held upon the application. Moreover, it should be noted that this Commission, upon the filing of the application would submit the Exhibit S to the appropriate State agencies for recommendations pursuant to the Fish and Wildlife Coordination Act and our rules. We have already indicated our agreement with another suggestion by the Colorado Department with respect to the applicability of Exhibit S outside of project areas.

The Izaak Walton League of America suggests that the proposed Rule be broadened to include a requirement for detailed information about project effects on outdoor recreation resources in general. The impact of a project upon the general recreation resources of an area would more appropriately be considered by an applicant in the preparation of Exhibit R which deals with the development of recreational resources. Exhibit S is intended to apply solely to fish and wildlife resources.

In its comment the Pacific Power & Light Co. recommends that it be made clear that Exhibit S contain the specific plan for conservation, including functional designs, if such plan and designs have been prepared. We believe this is made clear by the rule. However, Pacific's primary concern seems to be that a solution of all of the fish and wildlife problems may not be available prior to the filing of an application for license. The rule contemplates a reasonable attempt to solve such problems prior to the filing of the application. As for the company's suggestion that, where a preliminary permit has been issued, Exhibit S include the results of the work required to be done with regard to conservation issues by the preliminary permit, we do not believe that any distinction is required, with respect to Exhibit S, between those applicants holding preliminary permits and those who do not. In both instances the Commission would be equally concerned with the substance of the exhibit prepared in accordance with the rule.

The Commission finds: The amendment of §§ 4.31, 4.41, and 4.50 is necessary and appropriate for the purposes of carrying out the provisions of the Federal Power Act.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 4(e), 9, 10(a), 10(i), and 309 thereof (41 Stat. 1065, 1068; 49 Stat. 858; 16 U.S.C. 797(e), 802, 803, 825h), orders:

(A) Part 4, Subchapter B, Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

(1) Section 4.41 is amended by adding a new Exhibit S to read as follows:

§ 4.41 **Required exhibits.**

* * * * *

Exhibit S. A report on the effect, if any, of the project upon the fish and wildlife resources in the project area or in other areas affected by the project and proposals for measures considered necessary to conserve and, if practicable, to enhance fish and wildlife resources affected by the project. The exhibit shall include functional design drawings of any fish ladders proposed to be constructed in compliance with section 18 of the Federal Power Act, such other facilities or developments as may be necessary for the protection, conservation, improvement and mitigation of losses of fish and wildlife resources in accordance with section 10(a) of the Act, and cost estimates for such facilities and developments. The Applicant shall prepare this exhibit on the basis of studies made after consultation and in cooperation with the U.S. Fish and Wildlife Service, Department of the Interior, and appropriate state fish and wildlife agencies and in the case of public lands, advise Federal Agencies having jurisdictional responsibilities therefor of its proposed plans. The exhibit shall include a statement on the nature and extent of applicant's consultation and cooperation with the above agencies. To the extent those aspects of fish and wildlife related to recreation are covered in Exhibit R, a specific reference to Exhibit R will suffice.

(2) In order to provide an exception to the requirement for an Exhibit S with respect to applications for certain constructed projects, § 4.50 is amended by adding the following new paragraph:

§ 4.50 **Contents.**

* * * * *

Exhibit S. This exhibit shall not be required for license applications on constructed projects, except with respect to applications for licenses under section 15 of the Federal Power Act.

(Secs. 4(e), 9, 10(a), 10(i), 41 Stat. 1065, 1068; sec. 309, 49 Stat. 858; 16 U.S.C. 797(e) 802, 803, 825h)

§ 4.31 [Amended]

(3) In order to conform § 4.31, *Acceptance for Filing or Rejection of Applications,* to the amendment of § 4.41 prescribed in subparagraph (1), and Order 260–A, 28 F.R. 4092, as amended by Order 292, 30 F.R. 523, the third sentence of § 4.31 is amended deleting "and O," and inserting in lieu thereof "O, R, and S,".

(B) These amendments shall become effective August 1, 1966.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66–6909; Filed, June 23, 1966; 8:46 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Subtitle A—Office of the Secretary, Department of Housing and Urban Development

PART 0—STANDARDS OF CONDUCT

Pursuant to and in accordance with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 0 is added to Subtitle A of Title 24 of the Code of Federal Regulations, reading as follows:

Subpart A—General Provisions

Sec.
0.735–101 Purpose.
0.735–102 Definitions.
0.735–103 Interpretation and advisory service.
0.735–104 Notification to employees and special Government employees.
0.735–105 Remedial action.
0.735–106 Interest of employee's or special Government employee's relatives.

Subpart B—Conduct and Responsibilities of Employees

0.735–201 Basic principle.
0.735–202 Gifts, entertainment, and favors.
0.735–203 Outside activity.
0.735–204 Financial interests.
0.735–205 Personal real estate transactions.
0.735–206 Use of inside information.
0.735–207 Intermediaries and product recommendations.
0.735–208 Membership in organizations.
0.735–209 Use of Government property.
0.735–210 Indebtedness.
0.735–211 Gambling, betting, and lotteries.
0.735–212 General conduct; and conduct prejudicial to the Government.

Subpart C—Conduct and Responsibilities of Special Government Employees

0.735–301 Use of Government employment.
0.735–302 Use of inside information.
0.735–303 Coercion.
0.735–304 Gifts, entertainment, and favors.
0.735–305 Applicability of other provisions.

Subpart D—Miscellaneous Statutory Provisions

0.735–401 Applicable statutory provisions.

Subpart E—Statements of Employment and Financial Interests

0.735–501 Submission of statements.
0.735–502 Supplementary statements.
0.735–503 Information not known by employees.
0.735–504 Information prohibited.
0.735–505 Review of statements.
0.735–506 Confidentiality of statements.
0.735–507 Effect of employee's statements on other requirements.
0.735–508 Specific provisions for special Government employees.

Appendix—List of Positions Subject to Subpart E.

AUTHORITY: The provisions of this Part 0 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—General Provisions

§ 0.735–101 Purpose.

The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by Government employees and special Government employees is essential to assure the proper performance of the Government business and the maintenance of public confidence. The avoidance of misconduct and conflicts of interest on the part of Government employees and special Government employees through informed judgment is indispensable to the maintenance of these standards. To accord with these concepts, this part sets forth the Department's regulations prescribing standards of conduct and responsibilities, and governing statements of employment and financial interests for employees and special Government employees.

§ 0.735–102 Definitions.

(a) "Department" means the Department of Housing and Urban Development.

(b) "Employee" means an officer or employee of the Department, but does not include a special Government employee.

(c) "Special Government employee" means an officer or employee of the Department appointed to serve with or without compensation, for not more than 130 consecutive days during any period of 365 days, on a full-time, part-time, or intermittent basis, and who is retained, designated, appointed, or employed as a special Government employee under the provisions of section 202 of Title 18 of the United States Code.

(d) "Person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

(e) "Outside employment" means all gainful employment other than the performance of official duties. It includes, but is not limited to, working for another employer, the management or operation of a private business for profit (including personally owned businesses, partnerships, corporations, and other business entities), and other self-employment.

§ 0.735–103 Interpretation and advisory service.

(a) *Department counselor.* The General Counsel is designated Counselor for the Department and shall serve as the Department's designee to the Civil Service Commission on matters covered by this part. He shall be responsible for coordinating the Department's counseling services and for assuring that counseling and interpretations on questions of conflicts of interest and other matters covered by this part are available to designated deputy counselors. He may form ad hoc committees to evaluate the effectiveness of the standards, or to consider any new or unusual question arising from their application.

(b) *Deputy counselors.* Such deputy counselors as may be required shall be designated to give authoritative advice and guidance to current and prospective employees and special Government employees on questions of conflicts of interest and on other matters covered by this part.

§ 0.735–104 Notification to employees and special Government employees.

The provisions of this part and all revisions thereof shall be brought to the attention of and made available to:

(a) Each employee and special Government employee at the time of issuance and at least annually thereafter;

(b) Each new employee and special Government employee at the time of employment.

§ 0.735–105 Remedial action.

A violation of this part by an employee or special Government employee may be cause for remedial or disciplinary action. Such action may include, but is not limited to:

(a) Changes in assigned duties;

(b) Divestment by the employee or special Government employee of his conflicting interest;

(c) Disciplinary action, including separation, which may be in addition to any penalty prescribed by law; or

(d) Disqualification for a particular assignment.

Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations.

§ 0.735–106 Interests of employee's or special Government employee's relatives.

For the purposes of this part, the interest of a spouse, minor child, or a blood relative who is a full-time resident of an employee's or special Government employee's immediate household is considered to be an interest of the employee or special Government employee.

Subpart B—Conduct and Responsibilities of Employees

§ 0.735–201 Basic principle.

(a) Each employee must realize that the Government's basic and controlling purpose in employing him is the public interest, rather than his private or personal interest, and that he can never have a right of tenure that transcends the public good. He can properly be a Government employee only as long as it remains in the public interest for him to be one. Public trust and confidence in the integrity of the Government are paramount.

(b)(1) This basic principle applies with special force and effect in the Department of Housing and Urban Development, which deals directly with important segments of the public, and whose success depends upon public trust and confidence in its actions. The official actions of the Department often have a direct bearing upon the financial and other interests of individuals, firms, and institutions with which it does business. Furthermore, the effective accomplish-

ment of the Department's mission is significantly dependent upon a public image that engenders confidence in the Department's integrity. Accordingly, the avoidance of any involvement that tends to damage that image is a responsibility of exceptional importance for all employees who participate in or influence official operating determinations that affect the interests of those with whom the Department does business.

(2) If there is knowledge of an employee's involvement in or association with circumstances reasonably construed to reduce public confidence in the acts or determinations of the Department, such knowledge may be sufficient cause for the initiation of action adverse to the employee. Employees, therefore, are alerted to the gravity with which the Department will view any such involvement, especially if it has to do with conflicts of interest or the compromise of integrity—whether real or only apparent.

§ 0.735–202 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:

(1) Has, or is seeking to obtain, contractual or other business or financial relations with the Department;

(2) Conducts operations or activities that are regulated by the Department; or

(3) Has interests that may be substantially affected by the performance or nonperformance of the employee's official duty.

(b) The prohibitions of paragraph (a) of this section do not apply to:

(1) The acceptance of customary business services from banks or other financial institutions if such services are obtained under terms and conditions available to the general public;

(2) Obvious family or personal relationships, such as those between the employee and his parents, children, or spouse, when the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors;

(3) The acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour where an employee may properly be in attendance;

(4) The acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other items of nominal intrinsic value.

(c) An employee shall avoid any action, whether or not specifically prohibited by the regulations in this part, which might result in, or create the appearance of:

(1) Using public office for private gain;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality; or

(5) Making a Government decision outside official channels.

(d) An employee shall not solicit contributions from another employee for a gift, or make a donation as a gift, when such gift is for an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself.

(e) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by law.

§ 0.735–203 Outside activity.

(a) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of his duties and responsibilities as an employee of the Department. Incompatible activities include but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, a conflict of interest;

(2) Employment which tends to impair his mental or physical capacity to perform his official duties and responsibilities in an acceptable manner;

(3) Activities that may be construed by the public to be the official acts of the Department;

(4) Activities that establish relationships or property interests that may result in a conflict between his private interests and his official duties; and

(5) Employment that may involve the use of information secured as a result of employment in the Department to the detriment of the Department or the public interest, or that may give preferential treatment to any person, corporation, public agency, or group.

(b) An employee shall not receive any salary or anything of monetary value from a private source as compensation for his services to the Government (18 U.S.C. 209).

(c) Full-time employees and part-time employees with a regularly scheduled tour of duty must obtain the prior approval of a designated personnel officer before engaging in outside employment in the following categories:

(1) Employment related to or similar to the substantive programs conducted by any part of the Department. This includes but is not limited to the broad fields of real estate, mortgage lending, property insurance, construction, construction financing, and land and real estate planning.

(2) Employment in the same professional field as that of the individual's official position.

(3) Employment with any person, firm, or other private organization having business either directly or indirectly with the Department.

(4) Employment by State, local, or other governmental body.

(d) No full-time employee or part-time employee with a regularly scheduled tour of duty shall maintain a publicly listed place of business without the prior approval of a designated personnel officer.

(e) Except for employees subject to the requirements of Subpart E of this part, approvals required by paragraphs (c) and (d) of this section shall be requested on Form HUD–843, Request for Authorization to Engage in Outside Employment and/or Statement of Financial Interests. All pertinent facts regarding the proposed employment, such as the name of the employer, the nature of the work to be performed, and the amount of time involved, shall be set forth.

(f) (1) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, Executive order, or this part. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his employment by the Department, except when that information has been made available to the general public or will be made available on request, or when the Secretary or his designee gives written authorization for the use of nonpublic information on the basis that the use is in the public interest.

(2) An employee may use his name and title in connection with articles for publication which bear upon his work in the Department only if he obtains the approval of a designated personnel officer.

(g) This section does not preclude an employee from:

(1) Accepting bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this part for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment or other personal benefits.

(2) Participating in the affairs of or accepting an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

(3) Participating in the activities of National or State political parties not proscribed by law.

§ 0.735–204 Financial interests.

(a) An employee shall not:

(1) Have a direct or indirect financial interest that conflicts, or appears to conflict, with his official duties and responsibilities.

(2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his employment by the Department.

(3) Acquire securities issued by the Federal National Mortgage Association.

(4) Acquire ownership of stock or other interest in a rental project financed with an FHA insured mortgage as long as the insurance is in force.

(5) Acquire ownership of FHA debentures or certificates of claim.

(6) Acquire interest in a cooperative or condominium housing project financed under the National Housing Act if the interest is not for obtaining a home for himself or his family.

(7) Be an officer or director of any organization which is an FHA approved mortgagee or lending institution or which services mortgages or other securities for the Department. An employee may hold stock or shares in such organizations provided his official duties are such that the holding will not create or tend to create a conflict of interest. The prohibitions of this paragraph do not apply to Federal Credit Unions that have been approved as Title I lending institutions.

(8) Participate directly or indirectly in any real estate activities for speculative purposes as distinguished from bona fide investment purposes.

(b) This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Department so long as it is not prohibited by law, Executive Order 11222, or this part.

§ 0.735–205 Personal real estate transactions.

(a) Because the operations of the Department are directly related to individual real estate transactions, all Department employees must exercise the utmost care in the handling of their personal real estate activities. Employees must therefore report to a designated personnel officer the following types of personal real estate transactions (if the transaction involves FHA mortgage insurance, the report shall be filed at the time the application for such insurance is filed; other types of transactions shall be reported at the time of consummation of the transaction):

(1) Any purchase or sale of real property in which an employee has an interest.

(2) Any Title I property improvement loan obtained by the employee or in which he has a financial interest. In such case the employee must report the name of the lending institution and a description of the improvements being financed.

(3) Any interest in a cooperative or condominium housing project financed under the National Housing Act if it involves a home for himself or his family.

(b) In addition to the reporting requirements of paragraph (a) of this section, employees shall report all real estate holdings other than those held as personal residences.

(c) Except for employees subject to the requirements of Subpart E of this part, reports required by paragraphs (a) and (b) of this section shall be filed on Form HUD–843, Request for Authorization to Engage in Outside Employment and/or Statement of Financial Interests.

§ 0.735–206 Use of inside information.

Except as provided in § 0.735–203(f), no employee shall give or use inside information acquired by means of his position to advance any private interest, particularly the private interests of himself, his family, associates, or friends. For the purpose of this section "inside information" means information obtained under Government authority but which has not become part of the body of public information.

§ 0.735–207 Intermediaries and product recommendations.

No employee shall recommend or suggest the use of any particular or identified nongovernmental intermediary to deal with the Department nor shall he recommend any device or product tested by or for, or used by, the Department, except as required by his official duties.

§ 0.735–208 Membership in organizations.

(a) An employee may not, in his official capacity as an officer or employee of the Department, serve as a member of a non-Federal or private organization except where express statutory authority exists, or statutory language necessarily implies such authority. However, an employee may serve in an individual capacity as a member of a non-Federal or private organization, provided that:

(1) His membership does not violate the restrictions noted in § 0.735–203; and

(2) His official title or organization connection is not shown on any listing or presented in any activity of the organization in such a manner as to imply that he is acting in his official capacity.

(b) An employee may be designated to serve as a liaison representative of the Department to a non-Federal or private organization provided that:

(1) The activity relates to the work of the Department.

(2) The employee does not participate by vote in the policy determinations of the organization.

(3) The Department is in no way bound by any vote or action taken by the organization.

§ 0.735–209 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of Department property of any kind, including property leased to the Department, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property, including equipment, supplies, and other property entrusted or issued to him.

§ 0.735–210 Indebtedness.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law, such as Federal, State, and local taxes. For the purpose of this section, "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which the Department determines does not, under the circumstances, reflect adversely on the Government as his employer. In the event of a dispute between an employee and an alleged creditor, this section does not require the Department to determine the validity or the amount of the disputed debt.

§ 0.735–211 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or leased property or while on duty for the Department, in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a number slip or ticket.

§ 0.735–212 General conduct; and conduct prejudicial to the Government.

(a) Each employee shall conduct himself in a manner that facilitates the effective accomplishment of the work of the Department, observing at all times the requirements of courtesy, consideration, and promptness in dealing with the public and with persons or firms having business with the Department;

(b) An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

Subpart C—Conduct and Responsibilities of Special Government Employees

§ 0.735–301 Use of Government employment.

A special Government employee shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

§ 0.735–302 Use of inside information.

(a) A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purpose of this section, "inside information" means information obtained under Government authority which has not become part of the body of public information.

(b) Special Government employees may teach, lecture, or write in a manner consistent with the provisions of § 0.735–203(f).

§ 0.735–303 Coercion.

A special Government employee shall not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

§ 0.735–304 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, a special Government

employee, while so employed or in con-

(n) The prohibitions against (1) em- shall be designated "Supplementary".

fidence and retained in limited access

Director, Low-Income Housing Demonstration Staff, Office of Program Policy.

Director, Division of Public Facilities Grants.

employee, while so employed or in connection with his employment, shall not receive or solicit from a person having business with the Department anything of monetary value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) The exceptions of § 0.735–202(b), which are applicable to employees, are also applicable to special Government employees.

§ 0.735–305 Applicability of other provisions.

(a) Each special Government employee is subject to the provisions of §§ 0.735–201, 0.735–208 through 0.735–212, and 0.735–508.

(b) Each special Government employee shall acquaint himself with each statute listed in Subpart D of this part.

Subpart D—Miscellaneous Statutory Provisions

§ 0.735–401 Applicable statutory provisions.

Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of the Department and of the Government. The attention of each employee is directed to the following statutory provisions:

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. B12, the "Code of Ethics for Government Service".

(b) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (2) the disclosure of confidential information (18 U.S.C. 1905).

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C 640).

(h) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78(c)).

(i) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(p) The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 118i), and 18 U.S.C. 602, 603, 607, and 608.

Subpart E—Statements of Employment and Financial Interests

§ 0.735–501 Submission of statements.

(a) Not later than 90 days after the effective date of this part, each employee occupying a position designated in the Appendix shall submit to the reviewing official specified in § 0.735–505, Form HUD–844, Statement of Employment and Financial Interests.

(b) Each employee who enters on duty after the effective date of this part in a position designated in the Appendix shall submit to the reviewing official specified in § 0.735–505 a statement not later than 30 days after his entrance on duty or 90 days after the effective date of this part, whichever is later.

(c) Additions to, deletions from, and other amendments of the list of positions in the Appendix may be made from time to time as necessary to carry out the purpose of the law, Executive Order 11222, and Part 735 of the Civil Service Commission Regulations (5 CFR Part 735). Such amendments are effective upon actual notification to the incumbents. The amended list shall be submitted at least annually for publication in the FEDERAL REGISTER.

§ 0.735–502 Supplementary statements.

(a) Changes in, or additions to, the information contained in an employee's statement shall be reported to the appropriate reviewing official in a supplementary statement at the end of the quarter in which the change occurs. Interim memoranda reports shall be filed if required to meet the prior approval provisions of § 0.735–203 (c) and (d), or the requirements of § 0.735–205(a) concerning the timely reporting of real estate transactions. Financial interests or employment acquired during a quarter, but disposed of or terminated before the end of such quarter, shall constitute changes or additions to be reported at the end of such quarter. Quarters end March 31, June 30, September 30, and December 31. If there are no changes or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 of each year.

(b) A supplementary statement shall be submitted on Form HUD–844, and shall be designated "Supplementary". A supplementary statement shall furnish all information required by an initial statement and by appropriate notation, shall indicate any changes in, or additions to the information set out in the employee's initial statement or last supplementary statement.

§ 0.735–503 Information not known by employees.

If any information required to be included on a statement or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

§ 0.735–504 Information prohibited.

This subpart does not require an employee to report information relating to his connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement.

§ 0.735–505 Review of statements.

(a) Employees reporting directly to the Secretary shall submit their statements directly to the Secretary for review; employees reporting directly to the Under Secretary shall submit their statements directly to the Under Secretary for review.

(b) Employees reporting directly to Assistant Secretaries shall submit their statements directly to the appropriate Assistant Secretary for review; employees reporting directly to the General Counsel shall submit their statements directly to the General Counsel for review.

(c) Employees not included in paragraph (a) or (b) of this section shall submit their statements directly to the appropriate Deputy Counselor.

(d) When a statement submitted under paragraph (b) or (c) of this section, or information from other sources, indicates a conflict between the interest of an employee and the performance of his official duties, and when the conflict or appearance of conflict cannot be resolved by the reviewing official, he shall report the information concerning the conflict or appearance of conflict to the Secretary through the Counselor. The employee concerned shall be given an opportunity to explain the conflict or appearance of conflict before any required remedial action is initiated.

§ 0.735–506 Confidentiality of statements.

After the review process has been completed, the statements submitted under § 0.735–505 shall be promptly forwarded to the personnel office having custody of the employee's official personnel file. The statements shall be held in confidence and retained in limited access files. Information from a statement may not be disclosed except as the Secretary or his designee, or the Civil Service Commission may determine for good cause shown.

§ 0.735–507 Effect of employee's statements on other requirements.

The statements and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order or regulation.

§ 0.735–508 Specific provisions for special Government employees.

(a) Except as provided in paragraph (c) of this section, each special Government employee shall submit to the reviewing official specified in § 0.735–505, Form HUD–844–A, Statement of Employment and Financial Interests, not later than the time of his employment. He shall keep his statement current throughout his employment with the Department by the submission of supplementary statements.

(b) The provisions of §§ 0.735–503, 0.735–504, 0.735–506, and 0.735–507 are applicable to a special Government employee who is required to file a statement.

(c) The Secretary or his designee may waive the provisions of this section in the case of a special Government employee who is not a consultant or an expert when it is determined that the duties of the position held by the special Government employee are of a nature and at such level of responsibility that the submission of a statement is not necessary to protect the integrity of the Government. For the purpose of this paragraph, "consultant" and "expert" have the meanings given those terms by Chapter 304 of the Federal Personnel Manual.

This part was approved by the Civil Service Commission on May 17, 1966.

Effective date. This part shall be effective as of June 24, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

APPENDIX—LIST OF POSITIONS SUBJECT TO SUBPART E

Officers and employees in the following positions are subject to the provisions of Subpart E of this part:

(a) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended, except the Secretary, who is subject to separate reporting requirements under section 401 of Executive Order 11222;

(b) Employees in grade GS–16 or above of the General Schedule established by the Classification Act of 1949, as amended, or in comparable or higher positions not subject to that Act; and

(c) Employees in the following positions:

OFFICE OF THE SECRETARY

Departmental:
Administrative Assistant to the Secretary.
Director, Low-Income Housing Demonstration Staff, Office of Program Policy.
Director, Division of Research Development, Office of Program Policy.
Director, Equal Opportunity Standards and Regulations Staff.
Deputy Director, Compliance Division.
Field Supervisory Investigators, Compliance Division.
Director, Audit Division, Office of Administration.
Deputy Director, Audit Division, Office of Administration.
Field Supervisory Auditors, Audit Division, Office of Administration.
Director, Division of Finance and Accounts, Office of Administration.
Deputy Director, Division of Finance and Accounts, Office of Administration.
Director, Division of General Services, Office of Administration.
Director, Property Management and Procurement Branch, Division of General Services, Office of Administration.
Field:
Deputy Regional Administrator.
Regional Director of Administration.
Director, Division of Community Facilities.
Deputy Director, Division of Community Facilities.
Director, Division of Urban Renewal.
Deputy Director, Division of Urban Renewal.
Director, Northwest Operations.
Deputy Director, Northwest Operations.
Regional Counsel.
Chief, Real Estate Disposition, Division of Urban Renewal.
Chief, Real Estate Acquisition, Division of Urban Renewal.

ASSISTANT SECRETARY FOR MORTGAGE CREDIT AND FEDERAL HOUSING COMMISSIONER

Federal Housing Administration

Departmental:
Director of Compliance Coordination.
Director of Examination and Audit.
Director, Audit Division.
Director, Division of General Services.
Deputy Director, Division of General Services.
Chief, Procurement and Property Section, Division of General Services.
Director, Community Disposition Staff.
Deputy Director, Community Disposition Staff.
Field Office Director, Community Disposition Staff.
Field:
Multifamily Housing Representative.
Director, Insuring Office.
Deputy Director, Insuring Office.
Assistant Director (Chief of Operations).
Chief Underwriter.
State Director (New York).
Assistant State Director.

Federal National Mortgage Association

Departmental:
Vice President.
Loan Manager.
Secretary-Treasurer.
Controller.
Director of Examination and Audit.
Field:
Agency Manager.
Assistant Agency Manager.

ASSISTANT SECRETARY FOR METROPOLITAN DEVELOPMENT

Departmental:
Director, Urban Planning Assistance Branch, Office of Planning Standards and Coordination.
Director, Division of Academic Facilities, Office of Technical Services.
Land and Facilities Development Administration:
Director, Division of Senior Citizens Housing.
Director, Division of Public Facilities Grants.
Director, Division of Public Facilities Loans.
Director, Division of Land Development.
Director, Division of College Housing.
Director, Finance Standards Staff.
Deputy Director, Finance Standards Staff.
Urban Transportation Administration:
Positions at GS–15.

URBAN RENEWAL ADMINISTRATION

Departmental:
Director, Demonstration Program Branch.
Deputy Assistant Commissioner, Rehabilitation and Codes.

PUBLIC HOUSING ADMINISTRATION

Departmental:
Director, Office Services Branch.
Financing Officer.
Field:
Regional Director.

[F.R. Doc. 66–6930; Filed, June 23, 1966; 8:48 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

[T.D. 6887]

SUBCHAPTER A—INCOME TAX

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

SUBCHAPTER F—PROCEDURE AND ADMINISTRATION

PART 301—PROCEDURE AND ADMINISTRATION

Treatment of Employee Stock Options and Purchase Plans

On December 19, 1964, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under sections 402, 421 through 425, 691, 1012, 1014, 6039, 6071, and 6091 of the Internal Revenue Code of 1954, and the Procedure and Administration Regulations (26 CFR Part 301) under sections 6652 and 6678 of the Internal Revenue Code of 1954, in order to conform to section 221 of the Revenue Act of 1964 (78 Stat. 63), was published in the FEDERAL REGISTER (29 F.R. 18063). Paragraphs (e)(1) and (f)(3) of § 1.423–2, as set forth in paragraph 7 of the appendix to the notice of proposed rule making, are hereby withdrawn. After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed (except pars. (e)(1) and (f)(3) of § 1.423–2) is hereby adopted, subject to the changes set forth below:

PARAGRAPH 1. Section 1.421–1(g) as set forth in paragraph 5 of the notice of proposed rule making is revised.

PAR. 2. Section 1.421–7, as set forth in paragrapl. 7 of the notice of proposed rule making, is changed by revising paragraphs (c)(2), (d), (e)(1), and (h)(2), (3), and (4).

PAR. 3. Section 1.421–8, as set forth in paragraph 7 of the notice of proposed rule making, is changed by revising para-

graph (b)(1) and by adding new paragraphs (d) and (e).

PAR. 4. Section 1.422–1 as set forth in paragraph 7 of the notice of proposed rule making, is changed by revising paragraph (b)(2) and example (2) of paragraph (b)(3).

PAR. 5. Section 1.422–2, as set forth in paragraph 7 of the notice of proposed rule making, is changed by revising paragraphs (a)(1) (i) and (ii), (b) (1), (2), and (3), (e)(2)(ii), (f)(1)(iii), and (f)(3)(i), by adding examples (8) and (9) to paragraph (f)(4) and by revising paragraph (h)(1)(i).

PAR. 6. Section 1.423–2, as set forth in paragraph 7 of the notice of proposed rule making, is changed by revising paragraphs (c) (1), (3), and (4), (e)(1) and (f)(3).

PAR. 7. Section 1.424–2, as set forth in paragraph 7 of the notice of proposed rule making, is changed by revising paragraphs (a)(2)(iv), (a)(4), (b)(1)(iii), and paragraph (d)(3) (i) and (ii).

PAR. 8. Section 1.425–1, as set forth in paragraph 7 of the notice of proposed rule making, is changed by revising paragraph (c)(2), by adding a new example (6) to paragraph (c)(3) and by revising paragraphs (e)(5)(iii) and (e)(6).

PAR. 9. Section 1.691(c)–1, as set forth in paragraph 8 in the notice of proposed rule making, is changed by revising paragraph (c)(1).

PAR. 10. Section 1.6039–1, as set forth in paragraph 12 of the notice of proposed rule making, is changed by revising paragraphs (a), (b)(1), (b)(2), (b)(5), (c)(1), and (d).

PAR. 11. Section 1.6039–2, as set forth in paragraph 12 of the notice of proposed rule making, is changed by revising paragraph (a).

PAR. 12. Paragraph (c) of § 1.6071–1, as set forth in paragraph 13 of the notice of proposed rule making, is changed by adding new subparagraph (14).

PAR. 13. Paragraph (b) of § 1.6091–1, as set forth in paragraph 14 of the notice of proposed rule making, is changed by adding new subparagraph (14).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: June 20, 1966.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 402, 421 through 425, 691, 1012, 1014, 6039, 6071, and 6091 of the Internal Revenue Code of 1954, and the Procedure and Administration Regulations (26 CFR Part 301) under sections 6652, and 6678 of the Internal Revenue Code of 1954, to section 221 of the Revenue Act of 1964 (78 Stat. 63), such regulations are amended as follows:

PARAGRAPH 1. Section 1.402(a) is amended by revising section 402(a)(3)(B) and by adding a historical note. These amended and added provisions read as follows:

§ 1.402(a) Statutory provisions; taxability of beneficiary of employees' trust; exempt trust.

Sec. 402. Taxability of beneficiary of employees' trust—(a) *Taxability of beneficiary of exempt trust.* * * *

(3) *Definitions.* * * *

(B) The term "securities of the employer or subsidiary corporation (as defined in subsections (e) and (f) of section 425) of the corporation" include securities of a parent employer corporation.

* * * * * *

[Sec. 402(a) as amended by sec. 4(c), Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 825); sec. 221(c)(1), Rev. Act 1964 (78 Stat. 75)]

PAR. 2. Paragraph (b)(1)(ii) of § 1.402(a)–1 is amended to read as follows:

§ 1.402(a)–1 Taxability of beneficiary under a trust which meets the requirements of section 401(a).

* * * * * *

(b) *Distributions including securities of the employer corporation*—(1) *In general.* * * *

(ii) For purposes of section 402(a) and of this section, the term "securities" means only shares of stock and bonds or debentures issued by a corporation with interest coupons or in registered form, and the term "securities of the employer corporation" includes securities of a parent or subsidiary corporation (as defined in subsections (e) and (f) of section 425) of the employer corporation.

* * * * * *

PAR. 3. The center heading "Miscellaneous Provisions" which immediately precedes § 1.421 is revised to read as follows:

CERTAIN STOCK OPTIONS

PAR. 4. Section 1.421 is amended by revising the heading thereof, by revising section 421 (including the heading), and by revising the historical note at the end thereof. These amended provisions and historical note read as follows:

§ 1.421 Statutory provisions; general rules.

SEC. 421. *General rules*—(a) *Effect of qualifying transfer.* If a share of stock is transferred to an individual in a transfer in respect of which the requirements of section 422(a), 423(a), or 424(a) are met—

(1) Except as provided in section 422(c)(1), no income shall result at the time of the transfer of such share to the individual upon his exercise of the option with respect to such share;

(2) No deduction under section 162 (relating to trade or business expenses) shall be allowable at any time to the employer corporation, a parent or subsidiary corporation of such corporation, or a corporation issuing or assuming a stock option in a transaction to which section 425(a) applies, with respect to the share so transferred; and

(3) No amount other than the price paid under the option shall be considered as received by any of such corporations for the share so transferred.

(b) *Effect of disqualifying disposition.* If the transfer of a share of stock to an individual pursuant to his exercise of an option would otherwise meet the requirements of section 422(a), 423(a), or 424(a) except that there is a failure to meet any of the holding period requirements of section 422(a)(1), 423(a)(1), or 424(a)(1), then any increase in the income of such individual or deduction from the income of his employer corporation for the taxable year in which such exercise occurred attributable to such disposition, shall be treated as an increase in income or a deduction from income in the taxable year of such individual or of such employer corporation in which such disposition occurred.

(c) *Exercise by estate*—(1) *In general.* If an option to which this part applies is exercised after the death of the employee by the estate of the decedent, or by a person who acquired the right to exercise such option by bequest or inheritance or by reason of the death of the decedent, the provisions of subsection (a) shall apply to the same extent as if the option had been exercised by the decedent, except that—

(A) The holding period and employment requirements of sections 422(a), 423(a), and 424(a) shall not apply, and

(B) Any transfer by the estate of stock acquired shall be considered a disposition of such stock for purposes of sections 423(c) and 424(c)(1).

(2) *Deduction for estate tax.* If an amount is required to be included under section 422(c)(1), 423(c), or 424(c)(1) in gross income of the estate of the deceased employee or of a person described in paragraph (1), there shall be allowed to the estate or such person a deduction with respect to the estate tax attributable to the inclusion in the taxable estate of the deceased employee of the net value for estate tax purposes of the option. For this purpose, the deduction shall be determined under section 691(c) as if the option acquired from the deceased employee were an item of gross income in respect of the decedent under section 691 and as if the amount includible in gross income under section 422(c)(1), 423(c), or 424(c)(1) were an amount included in gross income under section 691 in respect of such item of gross income.

(3) *Basis of shares acquired.* In the case of a share of stock acquired by the exercise of an option to which paragraph (1) applies—

(A) The basis of such share shall include so much of the basis of the option as is attributable to such share; except that the basis of such share shall be reduced by the excess (if any) of (i) the amount which would have been includible in gross income under section 422(c)(1), 423(c), or 424(c)(1) if the employee had exercised the option on the date of his death and had held the share acquired pursuant to such exercise at the time of his death, over (ii) the amount which is includible in gross income under such section; and

(B) The last sentence of sections 422(c)(1), 423(c), and 424(c)(1) shall apply only to the extent that the amount includible in gross income under such sections exceeds so much of the basis of the option as is attributable to such share.

[Sec. 421 as amended by sec. 1, Act of February 11, 1958 (Pub. Law 85–320, 72 Stat. 4); sections 25 and 26, Technical Amendments Act 1958 (72 Stat. 1623, 1624); sec. 221(a), Rev. Act. 1964 (78 Stat. 63)]

PAR. 5. Section 1.421–1 is amended by revising the heading thereof, and by adding a new paragraph (g) at the end thereof. These revised and added provisions read as follows:

§ 1.421–1 Effective dates and meaning and use of certain terms.

* * * * * *

(g) *Effective dates.* Sections 1.421–1 through 1.421–5 are applicable only to options granted after February 26, 1945, and before January 1, 1964, and all references therein to sections of the Code are to the Internal Revenue Code of 1954, before the amendments made by section 221 of the Revenue Act of 1964 (78 Stat. 63). Section 1.421–6 is applicable only to options granted on or after February 26, 1945, and all references to sections of the Code are to the Internal Revenue Code of 1954, as amended. Sections 1.421–7 and 1.421–8 are applicable only to options granted after December 31, 1963, and all references therein to sections of the Code are to the Internal Revenue Code of 1954, as amended.

PAR. 6. Section 1.421–6 is amended by revising paragraphs (a)(1), (d)(7), and (f) thereof. These amended provisions read as follows:

§ 1.421–6 Options to which section 421 does not apply.

(a) *Scope of section.* (1) If an employer or other person grants to an employee or other person for any reason connected with the employment of such employee an option to purchase stock of the employer or other property, and if section 421 is not applicable, then this section shall apply. This section will apply, for example, when an option is not a qualified or restricted stock option at the time it is granted or an option granted under an employee stock purchase plan, or when an option is modified so that it no longer qualifies as such an option, or when there is a disqualifying disposition of stock acquired by the exercise of such an option so that section 421 does not apply. When an option is granted for any reason connected with the employment of an employee, this section applies, if section 421 does not apply, irrespective of whether the option is granted by the employer, by a parent or subsidiary of the employer, by a stockholder of any of such corporations, or by any other person, and irrespective of whether the option is granted to the employee, to a member of his family, or to any other person, and irrespective of whether the option is to purchase the stock of the employer, the stock of the parent or subsidiary of the employer, the stock of any other corporation, or to purchase any other property. In addition, § 1.61–15 makes the rules of this section applicable in determining the time when certain other options result in the realization of income and the amount of such income.

* * * * * *

(d) *Options without a readily ascertainable fair market value.* * * *

(7) Notwithstanding the other provisions of this paragraph, if this section is applicable because of a disqualifying disposition of stock acquired by the exercise of a qualified or restricted stock option, or acquired by the exercise of an option granted under an employee stock purchase plan, the taxable year of the employee for which he is required to include in his gross income the compensation resulting from such option is determined under section 421(b) and paragraph (b) of § 1.421–8 (or, in the case of taxable years ending before January 1, 1964, under section 421(f) and paragraph (e) of § 1.421–5), and, in the case of a disqualifying disposition of a share of stock acquired by the exercise of a qualified stock option, the amount of such compensation shall be subject to the limitation provided by section 422(c)(4) and paragraph (b) of § 1.422–1.

* * * * * *

(f) *Deductions.* If the employer grants an option to which this section applies, the employer of the employee in connection with whose employment the option is granted is considered to have paid compensation to such employee at the same time and in the same amount as such employee is considered under paragraph (c) or (d) of this section to have realized compensation. The deductibility of the amount considered so paid is determined under section 162 or other provision of the Code which is applicable to such a payment. Whether such amount may be deducted in the taxable year considered so paid, or whether such amount is a capital expenditure which is not deductible or which may be amortized, depends upon the nature of the transaction involved and the facts and circumstances of each case. If this section is applicable because of a disqualifying disposition of stock acquired by the exercise of a qualified or restricted stock option, or acquired by the exercise of an option granted under an employee stock purchase plan, the employer's taxable year for which such compensation is deductible is determined under section 421(b) and paragraph (b) of § 1.421–8 (or, in the case of taxable years ending before January 1, 1964, under section 421(f) and paragraph (e) of § 1.421–5).

PAR. 7. There are inserted immediately after § 1.421–6 the following new sections:

§ 1.421–7 Meaning and use of certain terms.

(a) *Option.* (1) For purposes of sections 421 through 425, the term "option" includes the right or privilege of an individual to purchase stock from a corporation by virtue of an offer of the corporation continuing for a stated period of time, whether or not irrevocable, to sell such stock at a price determined under paragraph (e) of this section, such individual being under no obligation to purchase. Such right or privilege, when granted, must be evidenced in writing. The individual who has such right or privilege is referred to as the optionee and the corporation offering to sell stock under such an arrangement is referred to as the optionor. While no particular form of words is necessary, the written option should express, among other things, an offer to sell at the option price and the period of time during which the offer shall remain open.

(2) An option may be granted as part of or in conjunction with an employee stock purchase plan or subscription contract. See section 423.

(3) An arrangement between a corporation and an employee may involve more than one option. For example, if a corporation on June 1, 1964, grants to an employee the right to purchase 1,000 shares of its stock on or after June 1, 1965, another 1,000 shares on or after June 1, 1966, and a further 1,000 shares on or after June 1, 1967, all shares to be purchased before June 1, 1968, provided the employee at the time of exercise of any of the purchase rights is employed by the corporation, such an arrangement will be construed as the grant to the employee on June 1, 1964, of three options, each for the purchase of 1,000 shares. However, if a corporation grants to an employee on January 1, 1965, the right to purchase 1,000 shares of its stock at $65 per share during 1965, or at $75 per share during 1966, or at $85 per share during 1967, such an arrangement will be construed as the grant to the employee on January 1, 1965, of but one option for the purchase of 1,000 shares, which ceases to be outstanding when fully exercised at the price in effect at the time of exercise.

(b) *Statutory options.* (1) The term "statutory option", used for purposes of convenience hereinafter in this section and in §§ 1.421–8 through 1.425–1, means a qualified stock option, as defined by section 422(b) and § 1.422–2; an option granted under an employee stock purchase plan, as defined by section 423(b) and § 1.423–2; and a restricted stock option, as defined in section 424(b) and § 1.424–2.

(2) An option may qualify as a statutory option only if the option is not transferable (other than by will or by the laws of descent and distribution) by the individual to whom it is granted, and is exercisable, during the lifetime of such individual, only by him. See sections 422(b)(6), 423(b)(9), and 424(b)(2). Accordingly, an option which is transferable by the individual to whom it is granted during his lifetime, or is exercisable during such individual's lifetime by another person, is not a statutory option. However, in case the option or the plan under which the option was granted contains a provision permitting the individual to whom the option was granted to designate the person who may exercise the option after his death, neither such provision, nor a designation pursuant to such provision, disqualifies the option as a statutory option.

(3)(i) The determination of whether an option is a statutory option is made as of the date such option is granted. An option which is a statutory option when granted does not lose its character as such an option by reason of subsequent events, and an option which is not a statutory option when granted does not become such an option by reason of subsequent events. See, however, paragraph (e) of § 1.425–1, relating to modification, extension, or renewal of an option.

(ii) The application of this subparagraph may be illustrated by the following examples:

Example (1). S–1 Corporation is a subsidiary of S Corporation which, in turn, is a subsidiary of P Corporation. On June 1, 1964, P grants to an employee of P a statutory option to purchase a share of stock of S–1. On January 1, 1965, S sells a portion of the S–1 stock which it owns to an unre-

lated corporation and, as of that date, S–1 ceases to be a subsidiary of S. On May 1, 1965, while still employed by P, the employee exercises his option to purchase a share of S–1 stock. Section 421 applies to such exercise.

Example (2). Assume P grants an option to an employee under the same facts as in example (1) above, except that on June 1, 1964, S–1 is not a subsidiary of either S or P. Such option is not a statutory option on June 1, 1964. On January 1, 1965, S purchases from an unrelated corporation a sufficient number of shares of S–1 stock to make S–1, as of that date, a subsidiary of S. On May 1, 1965, while still employed by P, the employee exercises his option to purchase a share of S–1 stock. The employee has not exercised a statutory option.

(c) *Time and date of granting option.* (1) For purposes of sections 421 through 425, the words "the date of the granting of the option" and "the time such option is granted", and similar phrases refer to the date or time when the corporation completes the corporate action constituting an offer of stock for sale to an individual under the terms and conditions of a statutory option. Ordinarily, if the corporate action contemplates an immediate offer of stock for sale to an individual or to a class including such individual, or contemplates a particular date on which such offer is to be made, the time or date of the granting of the option is the time or date of such corporate action if the offer is to be made immediately, or the date contemplated as the date of the offer, as the case may be. However, an unreasonable delay in the giving of notice of such offer to the individual or to the class will be taken into account as indicating that the corporation contemplated that the offer was to be made at the subsequent date on which such notice is given.

(2) If the corporation imposes conditions on the granting of an option (as distinguished from conditions governing the exercise of the option), such conditions shall be given effect in accordance with the intent of the corporation. However, under section 425(1), if the grant of an option is subject to approval by stockholders, the date of grant of the option shall be determined as if the option had not been subject to such approval. A condition which does not require corporate action, such as the approval of, or registration with, some regulatory or governmental agency, for example, a stock exchange or the Securities and Exchange Commission, is ordinarily considered a condition upon the exercise of the option unless the corporate action clearly indicates that the option is not to be granted until such condition is satisfied. If an option is granted to an individual upon the condition that such individual will become an employee of the corporation granting the option or of a related corporation, such option is not granted prior to the date the individual becomes such an employee.

(3) In general, conditions imposed upon the exercise of an option will not operate to make ineffective the granting of the option. For example, on June 1, 1964, the A Corporation grants to X, an employee, an option to purchase 5,000 shares of the corporation's stock, exercisable by X on or after June 1, 1965, provided he is employed by the corporation on June 1, 1965, and provided that A's profits during the fiscal year preceding the year of exercise exceed $200,000. Such an option is granted to X on June 1, 1964, and will be treated as outstanding as of such date.

(d) *Stock and voting stock.* For purposes of sections 421 through 425, the term "stock" means capital stock of any class, including voting or nonvoting common or preferred stock. Except as otherwise provided, the term includes both treasury stock and stock of original issue. Special classes of stock authorized to be issued to and held by employees are within the scope of the term "stock" as used in such sections, provided such stock otherwise possesses the rights and characteristics of capital stock. For purposes of determining what constitutes voting stock in ascertaining whether a plan has been approved by stockholders or whether the limitations pertaining to voting power contained in sections 422(b)(7), 423(b)(3) and 424(b)(3) and the regulations thereunder have been met, stock which does not have voting rights until the happening of an event, such as the default in the payment of dividends on preferred stock, is not voting stock until the happening of the specified event. Moreover, stock which does not possess a general voting power, and may vote only on particular questions, is not voting stock. However, if such stock is entitled to vote on whether a stock option plan is to be adopted, it is voting stock for the purpose of ascertaining whether the plan has been approved by the shareholders.

(e) *Option price.* (1) For purposes of sections 421 through 425, the term "option price" or "price paid under the option" means the consideration in money or other property which, pursuant to the terms of the option, is the price at which the stock subject to the option is purchased. The term "option price" does not include amounts paid as interest under a deferred payment arrangement or treated as unstated interest under section 483 and the regulations thereunder. Thus, for example, section 483 is applicable in determining whether the pricing requirements of section 422(b)(4), 423(b)(6), 424(b)(1), or 424(c) are met and is applicable in determining the basis of any stock acquired pursuant to the exercise of a statutory option. However, with respect to statutory options granted prior to January 1, 1965, the determination of whether the applicable pricing requirements are met shall be made without regard to section 483, but section 483 shall be taken into consideration in determining basis for purposes of determining gain or loss.

(2) In the case of a statutory option, any reasonable valuation method may be used for the purpose of determining whether at the time the option is granted the option price satisfies the pricing requirements of section 422(b)(4) (relating to qualified stock options), section 423(b)(6) (relating to employee stock purchase plans), or section 424(b)(1) (relating to restricted stock options), whichever is applicable, with respect to the stock subject to the option. Such methods include the valuation methods described in § 20.2031–2 of this chapter (Estate Tax Regulations).

(f) *Exercise.* For purposes of sections 421 through 425, the term "exercise", when used in reference to an option, means the act of acceptance by the optionee of the offer to sell contained in the option. In general, the time of exercise is the time when there is a sale or a contract to sell between the corporation and the individual. A promise to pay the option price does not constitute an exercise of the option unless the optionee is subject to personal liability on such promise. An agreement or undertaking by the employee to make payments under an employee stock purchase plan does not constitute the exercise of an option so long as the payments made remain subject to withdrawal by the employee.

(g) *Transfer.* For purposes of sections 421 through 425, the term "transfer", when used in reference to the transfer to an individual of a share of stock pursuant to his exercise of a statutory option, means the transfer of ownership of such share, or the transfer of substantially all the rights of ownership. Such transfer must, within a reasonable time, be evidenced on the books of the corporation.

(h) *Employment relationship.* (1) Section 421 is applicable to the exercise of a statutory option only if at the time the option is granted, the optionee is an employee of the corporation granting the option, or a related corporation of such corporation, unless the option has been assumed or a new option has been issued in its place under section 425(a). In case of such an assumption or issuance, the optionee must, at the time of such assumption or issuance, be an employee of the corporation so assuming or issuing the option, or a related corporation of such corporation. The determination of whether the optionee is an employee at the time the option is granted (or at the time of the assumption or issuance under section 425(a)) will be made in accordance with the rules contained in section 3401(c) and the regulations thereunder. As to the granting of an option conditioned upon employment, see paragraph (c)(2) of this section. A statutory option must be granted for a reason connected with the individual's employment by the corporation or by its related corporation.

(2) In order to qualify for the special tax treatment of section 421, in addition to meeting the requirements of subparagraph (1) of this paragraph, an individual exercising a qualified stock option or an option granted under an employee stock purchase plan must, at all times during the period beginning with the date of the granting of such option and ending at the time of such exercise or on the day 3 months before the date of such exercise, be an employee of either the corporation granting such option, a related corporation of such corporation, or a corporation or a related corporation of such corporation issuing or assuming a stock option in a transaction to which section 425(a) applies. For this purpose, the employment relationship in respect of an option granted in accordance with the requirements of subparagraph (1) of this paragraph will be treated as continuing intact while the individual is on military or sick leave if the period of such leave does not exceed 90 days, or, if longer, so long as the individual's right to reemployment with the corporation granting the option (or a related corporation of such corporation, or a corporation or a related corporation of such corporation issuing or assuming a stock option in a transaction to which sec. 425(a) applies) is guaranteed either by statute or by contract. Where the period of military or sick leave exceeds 90 days and where the individual's right to reemployment is not guaranteed either by statute or by contract, the employment relationship will be deemed to have terminated on the 91st day of such leave.

(3) For purposes of determining whether an individual meets the requirements of this paragraph, the term "employer corporation", as used in section 425 (e) and (f), shall be read as "grantor corporation" or "corporation issuing or assuming a stock option in a transaction to which section 425(a) is applicable", as the case may be. For purposes of the employment requirement, a corporation employing an optionee is considered a related corporation if it was a parent or subsidiary of the corporation granting or assuming the option during the entire portion of the requisite period of employment during which it was the employer of such optionee.

(4) The application of this paragraph may be illustrated by the following examples:

Example (1). On June 1, 1964, X Corporation granted a statutory option to A, an employee of X Corporation, to purchase a share of X stock. On February 1, 1965, X sold the plant where A was employed to M Corporation, an unrelated corporation, and A was employed by M. If A exercises his statutory option on June 1, 1965, section 421 is not applicable to such exercise, because on June 1, 1965, A is not employed by the corporation which granted the option or by a related corporation of such corporation, nor was he employed by any of such corporations within 3 months before June 1, 1965.

Example (2). Assume the facts to be the same as in example (1), except that when A was employed by M Corporation, the option to purchase X stock was terminated and was replaced by an option to buy M stock in such circumstances that M Corporation is treated as a corporation issuing an option under section 425(a). If A exercises the option to purchase the share of M stock on June 1, 1965, section 421 is applicable for A is then employed by a corporation which issued an option under section 425(a).

Example (3). E is an employee of P Corporation. On June 1, 1964, P grants E a statutory option to purchase a share of P stock. On June 1, 1965, P acquires 100 percent of the stock of S Corporation; on such date S becomes a subsidiary of P. On July 1, 1965, E ceases to be employed by P and becomes employed by S. On October 10, 1965, while still employed by S, E exercises his option to buy P stock. Since E was at all times during the requisite period of employment an employee of either P, the corporation granting the option, or S, a subsidiary of the grantor during the period in which such corporation was E's employer, section 421 is applicable to the exercise of the option.

Example (4). Assume the same facts as in example (3) except assume that at the time E became an employee of S Corporation, S assumed E's option to purchase P stock under section 425(a). Section 421 is applicable to E's exercise of his option to buy P stock.

Example (5). M Corporation grants a qualified stock option to E, an employee of such corporation. E is an officer in a reserve Air Force unit. E goes on military leave with his unit for 3 weeks. Regardless of whether E is an employee of M within the meaning of section 3401(c) and the regulations thereunder during such 3-week period, E's employment relationship with M is treated as uninterrupted during the period of E's military leave.

Example (6). Assume the same facts as in example (5) and assume further that E's active duty status is extended indefinitely, but that E has an employment contract with M which provides that upon the termination of any military duty E may be required to serve, E will be entitled to reemployment with M or a parent or subsidiary of M. E exercises his M option while on active military duty. Irrespective of whether E is an employee of M within the meaning of section 3401(c) and the regulations thereunder at the time of such exercise or within 3 months before such exercise, section 421 can apply to such exercise.

Example (7). X Corporation grants a qualified stock option to A, an employee of X Corporation, whose employment contract provides that in the event of illness, A's right to reemployment with X, or a parent or subsidiary of X, will continue for 1 year after the time A becomes unable to perform his duties for X. A falls ill for 90 days. For purposes of section 422(a)(3), A's employment relationship with X will be treated as uninterrupted during the 90-day period. If A's incapacity extends beyond 90 days, then, for purposes of section 422(a)(2), A's employment relationship with X will be treated as continuing uninterrupted until A's reemployment rights terminate. Under section 422(a)(2), A has 3 months in which to exercise his qualified stock option after his employment relationship with X (and its parent and subsidiary corporation) is terminated.

(i) *Related corporation.* The term "related corporation", used for purposes of convenience in this section and §§ 1.425–8 through 1.425–1, means a corporation which is a parent or subsidiary corporation (as defined by section 425 (e) and (f) and the regulations thereunder)

§ 1.421–8 General rules.

(a) *Effect of qualifying transfer.* (1) If a share of stock is transferred to an individual pursuant to his exercise of a statutory option, and if the requirements of section 422(a) (relating to qualified stock options), section 423(a) (relating to employee stock purchase plans), or section 424(a) (relating to restricted stock options), whichever is applicable, are met, then—

(i) Except as provided in section 422(c)(1) (relating to exercise of option when price is less than value of stock), and paragraph (e)(2) of § 1.422–2, no income shall result at the time of the transfer of such share to the individual upon his exercise of the option with respect to such share;

(ii) No deduction under section 162 or the regulations thereunder (relating to trade or business expenses) shall be allowable at any time to the employer corporation, a related corporation of such corporation, or a corporation issuing or assuming a stock option in a transaction to which section 425(a) and paragraph (a) of § 1.425–1 (relating to corporate reorganizations, liquidations, etc.) applies, with respect to the share so transferred; and

(iii) No amount other than the price paid under the option shall be considered as received by any of such corporations for the share so transferred.

(2) For the purpose of this paragraph, each share of stock transferred pursuant to a statutory option is treated separately. For example, if an individual, while employed by a corporation granting him a statutory option, exercises the option with respect to part of the stock covered by the option, and if such individual exercises the balance of the option more than three months after leaving such employment, the application of section 421 to the stock obtained upon the earlier exercise of the option is not affected by the fact that the income taxes of the employer and the individual with respect to the stock obtained upon the later exercise of the option are not determined under section 421.

(b) *Effect of disqualifying disposition.* (1) The disposition of a share of stock, acquired by the exercise of a statutory option before the expiration of the applicable holding period as determined under section 422(a)(1), 423(a)(1), or 424(a)(1), makes section 421 inapplicable to the transfer of such share. The income attributable to such transfer shall be treated by the individual as income received in the taxable year in which such disposition occurs. Similarly, a deduction under section 162 attributable to the transfer of the share of stock pursuant to the exercise of the option shall be allowable for the taxable year in which such disposition occurs to the employer corporation, its parent or subsidiary corporation or a corporation issuing or assuming a stock option in a transaction to which section 425(a) applies. In such cases, no amount shall be treated as income, and no amount shall be allowed as a deduction, for any taxable year other than the taxable year in which the disposition occurs. If the stock was transferred pursuant to the exercise of the option in a taxable year other than the taxable year of the disposition, the amount of the deduction shall be determined as if the employee had been paid compensation at the time provided in paragraph (d) of § 1.421–6.

(2) Section 421 is not made inapplicable by a transfer before the expiration of the applicable holding period as determined under section 422(a)(1), 423(a)(1), or 424(a)(1), if such transfer is not a disposition of the stock as defined in section 425(c) and paragraph (c) of § 1.425–1, for example, a transfer from the decedent to his estate or a transfer by bequest or inheritance. Similarly, a disposition by the executor, administrator, heir, or legatee is not a disposition by

the decedent. In case a statutory option is exercised by the estate of the individual to whom the option was granted, or by a person who acquired the option by bequest or inheritance or by reason of the death of such individual, see paragraph (c) of this section.

(3) For special rules relating to a disqualifying disposition of a share of stock acquired by the exercise of a qualified stock option, see paragraph (b) of § 1.422–1.

(c) *Exercise by estate.* (1) If a statutory option is exercised by the estate of the individual to whom the option was granted, or by any person who acquired such option by bequest or inheritance or by reason of the death of such individual, section 421(a) applies to such exercise in the same manner as if such option had been exercised by such deceased individual. Consequently, except as provided by section 422(c)(1) and paragraph (e)(2) of § 1.422–2, neither the estate nor such person is required to include any amount in gross income as a result of a transfer of stock pursuant to such exercise of the option. Nor does section 421(a) become inapplicable if such executor, administrator, or person disposes of the stock so acquired before the expiration of the applicable holding period as determined under section 422(a)(1), 423(a)(1), or 424(a)(1). This special rule does not affect the applicability of section 1222, relating to what constitutes a short-term and long-term capital gain or loss. The executor, administrator, or such person need not exercise the option within three months after the death of the individual to whom the option was granted for section 421(a) to be applicable. However, the exercise of the option must be pursuant to the terms of the option, and any change in the terms of the option is subject to the rules of paragraph (e) of § 1.425–1, relating to the modification, extension, or renewal of the option. Section 421(a) is applicable even though such executor, administrator, or person is not employed by the corporation granting the option, or a related corporation, either when the option is exercised or at any time. However, section 421(a) is not applicable to an exercise of the option by the estate or by such person, unless the individual to whom the option was granted met the employment requirements of section 422(a)(2), 423(a)(2), or 424(a)(2), whichever is applicable, either at the time of his death or within three months before such time. If the option is exercised by a person other than the executor or administrator, or other than a person who acquired the option by bequest or inheritance or by reason of the death of such deceased individual, section 421(a) is not applicable to the exercise. For example, if the option is sold by the estate, section 421(a) does not apply to an exercise of the option by such buyer; but if the option is distributed by the administrator to an heir as part of the estate, section 421(a) is applicable to an exercise of the option by such heir.

(2) Any transfer by the estate, whether a sale, a distribution of assets, or otherwise, of the stock acquired by its exercise of the option under this paragraph is a disposition of the stock. Therefore, if section 423(c), or 424(c)(1) is applicable, the estate must include an amount as compensation in its gross income. Similarly, if section 423(c) or 424(c)(1) is applicable in case of an exercise of the option under this paragraph by a person who acquired the option by bequest or inheritance or by reason of the death of the individual to whom the option was granted, there must be included in the gross income of such person an amount as compensation, either when such person disposes of the stock, or when he dies owning the stock.

(3)(i) If, under section 422(c)(1), 423(c), or 424(c)(1), an amount is required to be included in the gross income of the estate or of such person, the estate or such person shall be allowed a deduction as a result of the inclusion of the value of the option in the estate of the individual to whom the option was granted. Such deduction shall be computed under section 691(c) by treating the option as an item of gross income in respect of a decedent under section 691 and by treating the amount required to be included in gross income under section 422(c)(1), 423(c), or 424(c)(1), as an amount included in gross income under section 691 in respect of such item of gross income. No such deduction shall be allowable with respect to any amount other than an amount includible under section 422(c)(1), 423(c), or 424(c)(1). For the rules relating to the computation of a deduction under section 691(c), see § 1.691(c)–1.

(ii) The application of subdivision (i) may be illustrated by the following example:

Example. On June 1, 1964, E was granted an option under an employee stock purchase plan to purchase for $85 one share of the stock of his employer. On such day, the fair market value of such stock was $100 per share. E died on February 1, 1966, without having exercised such option. The option was, however, exercisable by his estate, and for purposes of the estate tax was valued at $30. On March 1, 1966, the estate exercised the option, and on March 15, 1966, sold for $150 the share of stock so acquired. For its taxable year including March 15, 1966, the estate is required by sections 421(c)(1)(B) and 423(c) to include in its gross income as compensation the amount of $15. During such taxable year, no amounts of income were properly paid, credited, or distributable to the beneficiaries of the estate. However, under section 421(c)(2), the estate is entitled to a deduction determined in the following manner. E's estate includes no other items of income in respect of a decedent referred to in section 691(a), and no deductions referred to in section 691(b), so that the value for estate tax purposes of the option, $30, is also the net value of all items of income in respect of the decedent. The estate tax attributable to the inclusion of the option in the estate of E is $10. Since $15, the amount includible in gross income by reason of sections 421(c)(1)(B) and 423(c), is less than the value for estate tax purposes of the option, only 15/30 of the estate tax attributable to the inclusion of the option in the estate is deductible; that is, 15/30 of $10, or $5. No deduction under section 421(c)(2) is allowable with respect to any capital gain.

(4)(i) In the case of an employee dying before January 1, 1957, the basis of any share of stock acquired by the exercise of a restricted stock option under this paragraph, determined under section 1011, shall be increased by an amount equal to the amount includible as compensation in his gross income under section 424(c)(1). The basis of the share shall not be increased by reason of the inclusion of the value of the restricted stock option in the estate for estate tax purposes

(ii)(a) In the case of an employee dying after December 31, 1956, the basis of any share of stock acquired by the exercise of an option under this paragraph, determined under section 1011, shall be increased by an amount equal to the portion of the basis of the option attributable to such share. For example, if a statutory option to acquire 10 shares of stock has a basis of $100, the basis of one share acquired by a partial exercise of the option, determined under section 1011, would be increased by 1/10th of $100, or $10. The option acquires a basis, determined under section 1014(a), only if the transfer of the share pursuant to the exercise of such option qualifies for the special tax treatment provided by section 421(a). To the extent the option is so exercised, in whole or in part, it will acquire a basis equal to its fair market value at the date of the employee's death or, if an election is made under section 2032, its value at its applicable valuation date. In certain cases, the basis of the share is subject to the adjustments provided b, (b) and (c) of this subdivision, but such adjustments are only applicable in the case of an option which is subject to section 422(c)(1), 423(c), or 424(c)(1).

(b) If the amount which would have been includible in gross income under section 422(c)(1), 423(c), or 424(c)(1) had the employee exercised the option on the date of his death and held the share at the time of his death exceeds the amount which is includible in gross income under such section, the basis of the share, determined under (a) of this subdivision, shall be reduced by such excess. For example, if $15 would have been includible in the gross income of the employee had he exercised the option and held such share at the time of his death, and only $10 is includible under section 422(c)(1), 423(c), or 424(c)(1), the basis of the share, determined under (a) of this subdivision, would be reduced by $5. For purposes of determining the amount which would have been includible in gross income under section 422(c)(1), 423(c), or 424(c)(1), if the employee had exercised the option and held such share at the time of his death, the amount which would have been paid for the share shall be computed as if the option had been exercised on the date the employee died.

(c) If the amount includible in gross income under section 422(c)(1), 423(c), or 424(c)(1), exceeds the portion of the basis of the option attributable to the share, the basis of the share, determined under (a) of this subdivision, shall be increased by such excess. Thus, if $15 is includible in gross income under such section, and the basis of the option with respect to the share is $10, the basis of the share, determined under (a) of this subdivision, will be increased by $5.

(iii) If a statutory option is not exercised by the estate of the individual to whom the option was granted, or by the person who acquired such option by bequest or inheritance or by reason of the death of such individual, the option shall be considered to be property which constitutes a right to receive an item of income in respect of a decedent to which the rules of sections 691 and 1014(c) apply.

(iv) The application of this subparagraph may be illustrated by the following examples:

Example (1). On June 1, 1955, the X Corporation granted to E, an employee, a restricted stock option to purchase a share of X Corporation's stock for $85. The fair market value of the X Corporation stock on such date was $100 per share. On June 1, 1958, E died. The fair market value of X Corporation stock on such date exceeded $100 per share and the fair market value of the option on the applicable valuation date was $35. On August 1, 1964, the estate of E exercised the option and sold the share of X Corporation stock at a time when the fair market value of the share was $90. The estate is required by section 424(c)(1) to include $5 in its gross income as compensation. Since E died before January 1, 1957, the basis of the share is $90 (the $85 paid for the stock plus the $5 includible in gross income as compensation), and the basis of the share is not increased by reason of the inclusion of the value of the option in the estate of E (see section 1014(d) (as in effect with respect to taxable years ending before January 1, 1957)). Thus, no gain or loss is realized on the disposition of the share since the basis of the share is equal to the sale price.

Example (2). On June 1, 1964, the X Corporation granted to E, an employee, an option under its employee stock purchase plan to purchase a share of X Corporation stock for $85. The fair market value of X Corporation stock on such date was $100 per share. On June 1, 1966, E died. The fair market value of X Corporation stock on such date exceeded $100 per share and the fair market value of the option on the applicable valuation date was $35. On August 1, 1966, the estate of E exercised the option and sold the share of X Corporation stock at a time when the fair market value of the share was $120. The basis of the share is $120 (the $85 paid for the stock plus the $35 basis of the option). When the share is sold for $120, the estate is required to include $15 in its gross income as compensation. Since $15 would have been includible in E's gross income if he had exercised the option and held such share at the time of his death, subdivision (ii)(b) of this subparagraph does not apply. Moreover, since the $15 includible in the gross income of the estate does not exceed the basis of the option ($35), subdivision (ii)(c) of this subparagraph does not apply. Since the basis of the stock and the sale price are the same, no gain or loss is realized by the estate on the disposition of the share.

Example (3). Assume the same facts as in example (2), except that the fair market value of the share of stock at the time of its sale was $90. The basis of the share, determined under subdivision (ii)(a) of this subparagraph, is $120 (the $85 paid for the stock plus the $35 basis of the option). When the share is sold for $90, the estate is required to include $5 in its gross income as compensation. If the employee had exercised the option and held the share at the time of his death, $15 would have been includible in gross income as compensation for the taxable year ending with his death. Since such amount exceeds by $10 the amount which the estate is required to include in its gross income, subdivision (ii)(b) of this subparagraph applies, and the basis of the share ($120), determined under subdivision (ii)(a) of this subparagraph is reduced by $10. Accordingly, the basis is $110, and a capital loss of $20 is realized on the disposition of the share.

Example (4). Assume the same facts as in example (2), except that the fair market value of the option on the applicable valuation date was $5, and that the fair market value of X Corporation stock on the date the employee died did not exceed $100. The basis of the share, determined under subdivision (ii)(a) of this subparagraph, is $90 (the $85 paid for the stock plus the $5 basis of the option). When the share is sold for $120, the estate is required to include $15 in its gross income as compensation. Since such amount exceeds by $10 the basis of the option, subdivision (ii)(c) of this subparagraph applies, and the basis of the share ($90), determined under subdivision (ii)(a) of this subparagraph, is increased by $10. Accordingly, the basis is $100 and a capital gain of $20 is realized on the disposition of the share.

Example (5). Assume the same facts as in example (2), except that on June 1, 1966, the date the employee died, the fair market value of X Corporation stock was $98, and that on June 1, 1967, the alternate valuation date, the fair market value of the stock had declined substantially, and the fair market value of the option was $5. On August 1, 1967, the estate of E exercised the option and sold the share when its fair market value was $92. The basis of the share, determined under subdivision (ii)(a) of this subparagraph, is $90 (the $85 paid for the stock plus the $5 basis of the option). When the share is sold for $92, the estate is required to include $7 in its gross income as compensation. Since $13 would have been includible in E's gross income if he had exercised the option and held such share at the time of his death, subdivision (ii)(b) of this subparagraph applies, and the basis of the share ($120), determined under subdivision (ii)(a) of this subparagraph, is reduced by $6 to $84. Furthermore, since the $7 that the estate is required to include in its gross income when the share is sold for $92 exceeds by $2 the basis of the option, subdivision (ii)(c) of this subparagraph applies, and the basis of the share ($84), determined under subdivision (ii)(a) and (ii)(b) of this subparagraph, is increased by $2. Accordingly, the basis is $86 and a capital gain of $6 is realized on the disposition of the share.

(d) *Exercise by deceased employee during lifetime.* If a statutory option is exercised by an individual to whom the option was granted and the individual dies before the expiration of the applicable holding period as determined under section 422(a)(1), 423(a)(1), or 424(a)(1), section 421(a) does not become inapplicable if the executor or administrator of the estate of such individual, or any person who acquired such stock by bequest or inheritance or by reason of the death of such individual, disposes of such stock before the expiration of such applicable holding period. This rule does not affect the applicability of section 1222, relating to what constitutes a short-term and long-term capital gain or loss.

(e) *Incorporation by reference.* Any requirement that an option expressly contain or state a prescribed limitation or term will be considered met if such limitation or term is set forth in a statutory option plan and is incorporated by reference by the option. Thus, if a statutory option plan expressly provides that no option granted thereunder shall be exercisable after five years from the date of grant, and if an option granted thereunder expressly provides that the option is granted subject to the terms and limitations of such plan, the option will be regarded as being, by its terms, not exercisable after the expiration of 5 years from the date such option is granted.

§ 1.422 Statutory provisions; qualified stock options.

Sec. 422. *Qualified stock options.*—(a) *In general.* Subject to the provisions of subsection (c)(1), section 421(a) shall apply with respect to the transfer of a share of stock to an individual pursuant to his exercise of a qualified stock option if—

(1) No disposition of such share is made by such individual within the 3-year period beginning on the day after the day of the transfer of such share, and

(2) At all times during the period beginning with the date of the granting of the option and ending on the day 3 months before the date of such exercise, such individual was an employee of either the corporation granting such option, a parent or subsidiary corporation of such corporation, or a corporation or a parent or subsidiary corporation of such corporation issuing or assuming a stock option in a transaction to which section 425(a) applies.

(b) *Qualified stock option.* For purposes of this part, the term "qualified stock option" means an option granted to an individual after December 31, 1963 (other than a restricted stock option granted pursuant to a contract described in section 424(c)(3)(A)), for any reason connected with his employment by a corporation, if granted by the employer corporation or its parent or subsidiary corporation, to purchase stock of any of such corporations, but only if—

(1) The option is granted pursuant to a plan which includes the aggregate number of shares which may be issued under options, and the employees (or class of employees) eligible to receive options, and which is approved by the stockholders of the granting corporation within 12 months before or after the date such plan is adopted;

(2) Such option is granted within 10 years from the date such plan is adopted, or the date such plan is approved by the stockholders, whichever is earlier;

(3) Such option by its terms is not exercisable after the expiration of 5 years from the date such option is granted;

(4) Except as provided in subsection (c)(1), the option price is not less than the fair market value of the stock at the time such option is granted;

(5) Such option by its terms is not exercisable while there is outstanding (within the meaning of subsection (c)(2)) any qualified stock option (or restricted stock option) which was granted, before the granting of such option, to such individual to purchase stock in his employer corporation or in a corporation which (at the time of the granting of such option) is a parent or subsidiary corporation of the employer corporation, or in a predecessor corporation of any of such corporations;

(6) Such option by its terms is not transferable by such individual otherwise than by will or the laws of descent and distribu-

tion, and is exercisable, during his lifetime, only by him; and

(7) Such individual, immediately after such option is granted, does not own stock possessing more than 5 percent of the total combined voting power or value of all classes of stock of the employer corporation or of its parent or subsidiary corporation; except that if the equity capital of such corporation or corporations (determined at the time the option is granted) is less than $2,000,000, then, for purposes of applying the limitation of this paragraph, there shall be added to such 5 percent the percentage (not higher than 5 percent) which bears the same ratio to 5 percent as the difference between such equity capital and $2,000,000 bears to $1,000,000.

(c) *Special rules*—(1) *Exercise of option when price is less than value of stock.* If a share of stock is transferred pursuant to the exercise by an individual of an option which fails to qualify as a qualified stock option under subsection (b) because there was a failure in an attempt, made in good faith, to meet the requirement of subsection (b)(4), the requirement of subsection (b)(4) shall be considered to have been met, but there shall be included as compensation (and not as gain upon the sale or exchange of a capital asset) in his gross income for the taxable year in which such option is exercised, an amount equal to the lesser of—

(A) 150 percent of the difference between the option price and the fair market value of the share at the time the option was granted, or

(B) The difference between the option price and the fair market value of the share at the time of such exercise.

The basis of the share acquired shall be increased by an amount equal to the amount included in his gross income under this paragraph in the taxable year in which the exercise occurred.

(2) *Certain options treated as outstanding.* For purposes of subsection (b)(5)—

(A) Any restricted stock option which is not terminated before January 1, 1965, and

(B) Any qualified stock option granted after December 31, 1963,

shall be treated as outstanding until such option is exercised in full or expires by reason of the lapse of time. For purposes of the preceding sentence, a restricted stock option granted before January 1, 1964, shall not be treated as outstanding for any period before the first day on which (under the terms of such option) it may be exercised.

(3) *Options granted to certain shareholders.* For purposes of subsection (b)(7)—

(A) The term "equity capital" means—

(i) In the case of one corporation, the sum of its money and other property (in an amount equal to the adjusted basis of such property for determining gain), less the amount of its indebtedness (other than indebtedness to shareholders), and

(ii) In the case of a group of corporations consisting of a parent and its subsidiary corporations, the sum of the equity capital of each of such corporations adjusted, under regulations prescribed by the Secretary or his delegate, to eliminate the effect of intercorporate ownership and transactions among such corporations;

(B) The rules of section 425(d) shall apply in determining the stock ownership of the individual; and

(C) Stock which the individual may purchase under outstanding options shall be treated as stock owned by such individual.

If an individual is granted an option which permits him to purchase stock in excess of the limitation of subsection (b)(7) (determined by applying the rules of this paragraph), such option shall be treated as meeting the requirement of subsection (b)(7) to the extent that such individual could, if the option were fully exercised at the time of grant, purchase stock under such option without exceeding such limitation. The portion of such option which is treated as meeting the requirement of subsection (b)(7) shall be deemed to be that portion of the option which is first exercised.

(4) *Certain disqualifying dispositions where amount realized is less than value at exercise.* If—

(A) An individual who has acquired a share of stock by the exercise of a qualified stock option makes a disposition of such share within the 3-year period described in subsection (a)(1), and

(B) Such disposition is a sale or exchange with respect to which a loss (if sustained) would be recognized to such individual,

then the amount which is includible in the gross income of such individual, and the amount which is deductible from the income of his employer corporation, as compensation attributable to the exercise of such option shall not exceed the excess (if any) of the amount realized on such sale or exchange over the adjusted basis of such share.

(5) *Certain transfers by insolvent individuals.* If an insolvent individual holds a share of stock acquired pursuant to his exercise of a qualified stock option, and if such share is transferred to a trustee, receiver, or other similar fiduciary, in any proceeding under the Bankruptcy Act or any other similar insolvency proceeding, neither such transfer nor any other transfer of such share for the benefit of his creditors in such proceeding, shall constitute a "disposition of such share" for purposes of subsection (a)(1).

(6) *Application of subsection (b)(5) where options are for stock of same class in same corporation.* The requirement of subsection (b)(5) shall be considered to have been met in the case of any option (referred to in this paragraph as "new option") granted to an individual if—

(A) The new option and all outstanding options referred to in subsection (b)(5) are to purchase stock of the same class in the same corporation, and

(B) The new option by its terms is not exercisable while there is outstanding (within the meaning of paragraph (2)) any qualified stock option (or restricted stock option) which was granted, before the granting of the new option, to such individual to purchase stock in such corporation at a price (determined as of the date of grant of the new option) higher than the option price of the new option.

[Sec. 422 as added by sec. 221(a), Rev. Act 1964 (78 Stat. 63)]

§ 1.422–1 Qualified stock options—general rules.

(a) *Applicability of section 421(a).* (1)(i) Subject to the provisions of section 422(c)(1), the special rules of income tax treatment provided in section 421(a) are applicable with respect to the transfer of a share of stock to an individual pursuant to his exercise of a qualified stock option provided that the following conditions are satisfied—

(*a*) The individual must make no disposition of such share before the expiration of the 3-year period beginning on the day after the day of the transfer of such share, and

(*b*) At all times during the period beginning with the date of the granting of the option and ending on the day 3 months before the date of such exercise, the individual was an employee of either the corporation granting the option, a related corporation of such corporation, or a corporation or a related corporation of such corporation issuing or assuming a stock option in a transaction to which section 425(a) applies.

(ii) For rules relating to the requisite employment relationship, see paragraph (h) of § 1.421–7.

(2)(i) An exception to the holding period requirement of section 422(a)(1) is provided with respect to certain transfers by insolvent individuals. If an insolvent individual holds a share of stock acquired pursuant to his exercise of a qualified stock option, and if such share is transferred to a trustee, receiver, or other similar fiduciary in any proceeding under the Bankruptcy Act or any other similar insolvency proceeding (such as an assignment for the benefit of creditors, a composition, etc.), neither such transfer, nor any other transfer of such share for the benefit of the insolvent individual's creditors in such proceeding shall constitute a disposition of such share for the purpose of section 422(a)(1). For the purpose of this subparagraph, an individual is an insolvent only if his liabilities exceed his assets, or if he is unable to satisfy his liabilities as they become due.

(ii) Notwithstanding that a transfer by the trustee or other fiduciary is not treated as a disposition for the purpose of section 422(a)(1), such transfer may constitute a sale or exchange for purposes of recognizing capital gain or loss with respect to the share so transferred. For example, if the trustee transfers the share to a creditor in the insolvency proceeding in complete or partial satisfaction of such creditor's claim against the insolvent individual, capital gain or loss must be recognized by the insolvent individual to the extent of the difference between the fair market value of the share on the date of such transfer and the adjusted basis of such share. To the extent any transfer by the trustee or other fiduciary (other than a transfer back to the insolvent individual) is not for the exclusive benefit of the creditors in such insolvency proceeding, such transfer will be treated as a disposition for purposes of section 422(a)(1). Similarly, if the trustee or other fiduciary transfers the share back to the insolvent individual, any subsequent disposition of the share which is not made in respect of the insolvency proceeding and for the exclusive benefit of the creditors in such proceeding will be treated as a disposition for purposes of section 422(a)(1).

(b) *Failure to satisfy holding period.* (1) The special tax treatment of section 421(a) is not applicable with respect to the transfer of a share of stock pursuant to the exercise of a qualified stock option if the individual disposes of the share before the expiration of the 3-year period beginning on the day after the day of the transfer of such share to him. For general rules relating to the effect of such a disqualifying disposition, see section 421(b) and paragraph (b) of § 1.421–8. For definition of the term "disposition", see section 425(c) and paragraph (c) of § 1.425–1.

(2) If an individual who has acquired a share of stock by the exercise of a qualified stock option makes a disqualifying disposition of such share, and if such disposition is a sale or exchange with respect to which a loss (if sustained) would be recognized to the individual, then, under section 422(c)(4), the amount includible in the gross income of such individual, and deductible from the income of his employer corporation, its parent or subsidiary corporation or a corporation issuing on assuming an option in a transaction to which section 425(a) applies, as compensation attributable to the exercise of such option, shall not exceed the excess (if any) of the amount realized on such sale or exchange over the adjusted basis of such share. Thus, the limitation does not apply when the disqualifying disposition is a sale described in section 1091 (relating to loss from wash sales of stock or securities), a gift, or a sale described in section 267(a)(1) (relating to sales between related persons), since a loss sustained in any such transaction would not be recognized. Subject to the limitation provided by section 422(c)(4) and this subparagraph, the amount of compensation attributable to the exercise of the option is determined under § 1.421–6 and paragraph (b) of § 1.421–8.

(3) The application of this paragraph may be illustrated by the following examples:

Example (1). On June 1, 1964, X Corporation grants a qualified stock option to A, an employee of X Corporation, entitling A to purchase one share of X Corporation stock. On June 1, 1965, A exercises his option and the share of X Corporation stock is transferred to him on June 10, 1965. In order to meet the 3-year holding period requirement of section 422(a)(1), A must not dispose of the share acquired by exercise of his qualified stock option before June 11, 1968.

Example (2). Assume the same facts as in example (1) and assume further that the option price was $100, the fair market value of X Corporation stock on June 1, 1964, and that the fair market value of X Corporation stock was $200 on June 1, 1965, the date of exercise. A makes a disposition by selling his share on June 1, 1967, for $250. Under § 1.421–6 (relating to options to which sec. 421 does not apply) the amount of compensation attributable to A's exercise is $100 (the difference between the fair market value of the share at the date of exercise, $200, and the amount paid for the share, $100). Because the amount realized, $250, is greater than the value of the stock at exercise, section 422(c)(4) does not apply and thus does not affect the amount includible as compensation in A's gross income and deductible by X. A must include, in his gross income for the taxable year in which the sale occurred $100 as compensation and $50 as capital gain ($250, the amount realized from the sale, less A's basis of $200, the $100 paid for the share plus the $100 increase in basis resulting from the inclusion of that amount in A's gross income as compensation attributable to the exercise of the option). For its taxable year in which the disqualifying disposition occurs, X Corporation is allowed a deduction of $100 for compensation attributable to A's exercise of the qualified stock option.

Example (3). Assume the same facts as in example (2), except that A sells the share for $150. Under section 422(c)(4), A must include only $50 (the excess of the amount realized on such sale, $150, over the adjusted basis of the share, $100) in his gross income as compensation attributable to the exercise of his qualified stock option instead of the $100 which otherwise would have been includible as compensation under § 1.421–6. A realizes no capital gain or loss as a result of the sale, since his basis for the share is $150 (the $100 which he paid for the share, plus the $50 increase in basis resulting from the inclusion of that amount in A's gross income as compensation attributable to the exercise of the option). For its taxable year in which the disqualifying disposition occurs, X Corporation is allowed a deduction of $50 for compensation attributable to A's exercise of the qualified stock option.

Example (4). Assume the same facts as in example (2), except that A sells the share for $50. The limitation of section 422(c)(4) applies and A is not required to include any amount in gross income as compensation attributable to the exercise of his qualified stock option. A is allowed a capital loss of $50 (the difference between the amount realized on the sale, $50, and the adjusted basis of the share, $100). X Corporation is not allowed any deduction for compensation attributable to A's exercise of the qualified stock option and disqualifying disposition.

Example (5). Assume the same facts as in example (3) except that A sells the share to his son for $150. Under section 267, a loss sustained in such a sale would not be recognized. Therefore, the limitation of section 422(c)(4) does not apply. Accordingly, under § 1.421–6, A must include $100 (the difference between the fair market value of the share at the date of exercise, $200, and the amount paid for the share, $100) in his gross income as compensation attributable to the exercise of his qualified stock option in the taxable year in which the disqualifying disposition occurred. A will recognize no capital gain or loss on the transaction. X Corporation will be allowed a $100 deduction for compensation paid to A in its taxable year in which the disqualifying disposition occurred.

Example (6). Assume the same facts as in example (3) except assume that, as a result of the failure of a good-faith attempt to set the option price at the fair market value of X Corporation stock on the date of grant, the option price was set at $90 instead of $100. Under section 422(c)(1), A includes $15 (the lesser of 150 percent of the difference between the option price, $90, and the fair market value of the share at grant, $100; or the difference between the option price, $90, and the fair market value of the share at exercise, $200) in his gross income as compensation in the year of exercise. Under section 421(a)(2), X Corporation is allowed no deduction at such time. Upon his sale of the share, A will include $45 (the excess of the amount realized on such sale, $150, over the adjusted basis of the share, $105 ($90, the option price, plus $15, the amount included in A's gross income as compensation at exercise)) in his gross income as compensation attributable to his exercise in the taxable year in which the disqualifying disposition occurs. A will have no capital gain or loss as a result of such sale. Under section 422(c)(4), X Corporation will be allowed a deduction of $45 as compensation attributable to A's exercise, in the taxable year of A's disqualifying disposition.

§ 1.422–2 Qualified stock options defined.

(a) *Qualified stock option defined.* (1)(i) The term "qualified stock option" means an option which meets the requirements of section 422(b) (1) through (7) and this section. Section 422(b)(1) requires that a qualified stock option be granted pursuant to a plan which meets certain requirements. See paragraph (b) of this section. However, options granted after December 31, 1963, and before January 1, 1965, need not be granted under an option plan to be qualified stock options. See paragraph (b)(4) of this section. Section 422(b)(2) provides that in order for an option to be a qualified stock option it must be granted within 10 years of the adoption of the plan or the date of stockholder approval, whichever is earlier. In order to grant qualified stock options after the expiration of such 10-year period, a new plan must be adopted and approved. See paragraph (c) of this section. A new plan may retain all of the terms of the old plan or may include new terms. Paragraphs (3) through (6) of section 422(b) establish certain requirements which must be met by the terms of a qualified stock option. An option which, when granted, does not by its terms meet these requirements cannot be a qualified stock option. See paragraphs (d) through (g) of this section. However, if the terms of an option granted after December 31, 1963, are amended before January 1, 1965, to permit the option to satisfy the requirements of section 422(b)(3), (4), or (5), such amendment will be given retroactive effect. See paragraphs (d)(2), (e)(3), and (f)(3)(ii) of this section. In addition, if the terms of an option are amended at any time to permit such option to meet the requirement of section 422(b)(6), such amendment will be given retroactive effect. See section 425(h)(3)(B) and paragraph (e)(5)(ii) of § 1.425–1. Section 422(b)(7) bars the grant of a qualified stock option to any employee whose stock ownership exceeds the limits provided by such section. To the extent the grant of an option entitles the employee to purchase stock in excess of such limitation, the option cannot be a qualified stock option. See paragraph (h) of this section.

(ii) The determination of whether a particular option is a qualified stock option is made at the time such option is granted. Accordingly, except as is otherwise specifically provided by sections 421 through 425 and the regulations thereunder, events subsequent to the grant of an option cannot affect the status of the option. For example, an option which is granted to an employee whose stock ownership exceeds the limitation provided by section 422(b)(7) is not a qualified stock option when granted and can never become a qualified stock option, irrespective of whether the individual's stock ownership is within such limitation at the time such option is exercised.

(2) Section 422 and this section do not apply to an option which is a restricted stock option.

(b) *Option plan.* (1) A qualified stock option granted after December 31, 1964, must be granted pursuant to a plan which is approved by the stockholders of the granting corporation within 12 months before or after the date the plan is adopted. The approval of the stock-

holders must comply with all applicable provisions of the corporate charter and bylaws, and the law of the State of incorporation and must represent the express consent of stockholders holding at least a majority of the voting stock of the corporation voting in person or by proxy at a duly held stockholders' meeting. Thus, if neither the charter, bylaws or applicable State law prescribes the degree of stockholder approval required for the granting of qualified options, the approval of stockholders holding a majority of the voting stock of the corporation voting at a duly held meeting will suffice. However, if the applicable law requires that stockholders holding two-thirds of the voting stock must approve the granting of such options, such two-thirds requirement must be met.

(2) The plan required by section 422 must be approved within 12 months before or after the date the plan is adopted. Ordinarily, a plan is adopted when approved by the board of directors and the date of such board action will be the reference point for determining whether stockholder approval comes within the 12-month period. However, if the board's action is subject to a condition, such as shareholder approval, or the happening of a particular event, the plan is adopted on the date the condition is met or the event occurs, unless the board's resolution fixes the date of approval as the date of the board's action.

(3) The plan as adopted and approved must designate the aggregate number of shares which may be issued under the plan and the employees or class of employees eligible to receive options under the plan. A plan which merely provides that the number of shares which may be issued under options shall not exceed a stated percentage of the shares outstanding at the time of each offering or grant under the plan will not satisfy the requirement that the plan state the aggregate number of shares which may be issued under options. However, the maximum number of shares which may be issued under the plan may be stated in terms of a percentage of either the authorized, issued or outstanding shares at the date of the adoption of the plan. The requirement that the plan as adopted and approved must indicate the class of employees (or the employees) eligible to receive options will be considered satisfied by a general designation of the class of employees eligible to receive options under the plan. Thus, such designations as "key employees of the grantor corporation", "all salaried employees of the grantor corporation and its subsidiaries, including subsidiaries which become such after adoption of the plan" or "all employees of the corporation" will meet this requirement. Moreover, this requirement will be considered satisfied although the board of directors or another group is given authority to select the particular employees who are to receive options from a described class and to determine the number of shares to be optioned to each such employee. The provisions relating to the aggregate number of shares to be issued under the plan and the class of employees (or the employees) eligible to receive options under the plan, are the only provisions of a stock option plan which require stockholder approval for purposes of section 422(b)(1). Any increase in the aggregate number of shares which may be issued under the plan (other than an increase merely reflecting a change in capitalization such as a stock dividend or stock split-up), or change in the designation of the employees or class of employees eligible to receive options under the plan will be considered as the adoption of a new plan requiring stockholder approval within the prescribed 12-month period. Any other changes in the terms of a qualified stock option plan may be made without such changes being considered the adoption of a new plan. An option intended by the grantor corporation to be a qualified option will be treated as having been issued pursuant to a plan notwithstanding that the terms of the option conflict with certain terms of the plan unless such option is issued to an employee not eligible to receive options under the plan or options have been issued on stock in excess of the aggregate number of shares which may be issued under the plan. A stock option plan which otherwise meets the requirements of section 422(b)(1) and this paragraph may be availed of for the granting of qualified stock options although the adoption and approval of such plan occurred before January 1, 1964.

(4) In the case of an option granted after December 31, 1963, and before January 1, 1965, section 422(b)(1) and (2), and this paragraph do not apply. Thus, an option granted during the calendar year 1964, which meets the requirements of section 422(b)(3) through (7), will be a qualified stock option irrespective of whether such option is granted pursuant to a plan; or, if granted pursuant to a plan, irrespective of whether such option was granted within 10 years from the date such plan was adopted or approved by shareholders, and irrespective of whether such plan specifies the employees or class of employees to whom options may be granted or the number of shares which may be granted under options.

(c) *Duration of plan.* A qualified stock option must be granted within 10 years from the date the option plan (required by section 422(b)(1) and paragraph (b) of this section) is adopted, or the date such plan is approved by the stockholders, whichever is earlier. Thus, a plan for the granting of qualified stock options expires 10 years after the adoption or approval of such plan, whichever is earlier. This is equally true whether the adoption or approval occurred before January 1, 1964 (as in the case of a restricted stock option plan which met the requirement of section 422(b)(1) when adopted and approved), or after such date. For example, a restricted stock option plan which was adopted June 1, 1956, and approved August 1, 1956, and which otherwise met the requirements of section 422(b)(1) and paragraph (b) of this section may be availed of for the granting of qualified stock options only through May 31, 1966, after which date the plan will expire for purposes of section 422(b)(1) and (2).

(d) *Period for exercising options.* (1) A qualified stock option by its terms must not be exercisable after the expiration of 5 years from the date the option is granted. Except as provided by subparagraph (2) of this paragraph, an option which does not contain such a provision when granted cannot be a qualified stock option.

(2) An exception to the requirement of section 422(b)(3) and this paragraph is provided in the case of options granted after December 31, 1963, and before January 1, 1965. If, at the time of grant, such an option did not contain the provision required by section 422(b)(3) and this paragraph, the option may be amended before January 1, 1965, to add such a provision and such amendment will not be treated as a modification under section 425(h)(1) or § 1.425-1. Furthermore, the amendment will be considered as retroactive to the date of grant of the option and will in no way affect such grant.

(e) *Option price.* (1) In general, the option price of a qualified stock option must not be less than the fair market value of the stock subject to the option at the time the option is granted. For general rules relating to the option price see paragraph (e) of § 1.421-7. For rules relating to the determination of when an option is granted, see paragraph (c) of § 1.421-7. The option price may be determined in any manner so long as the minimum price possible under the terms of the option cannot (except as provided by section 422(c)(1) and subparagraph (2) of this paragraph) be less than the fair market value of the stock at the date of grant.

(2)(i) Under section 422(c)(1), if a share of stock is transferred to an individual pursuant to his exercise of an option which fails to qualify as a qualified stock option because there was a failure of an attempt, made in good faith, to meet the requirements of section 422(b)(4) and subparagraph (1) of this paragraph, the requirements of such section and subparagraph shall be considered to have been met. However, in such a case there shall be included as compensation (and not as gain upon the sale or exchange of a capital asset) in the gross income of the individual for his taxable year in which such option is exercised, an amount equal to the lesser of—(*a*) 150 percent of the difference between the option price and the fair market value of the stock at the time the option was granted, or (*b*) the difference between the option price and the fair market value of the stock at the time of such exercise. The basis of the stock acquired shall be increased by an amount equal to the amount included in the gross income of the individual.

(ii) Whether there was a good-faith attempt to set the option price at not less than the fair market value of the stock subject to the option at the time the option was granted depends on the facts and circumstances surrounding the case. For example, in the case of a publicly held stock which was actively traded in an established market at the time the option was granted, determining the fair market value of such stock by any reasonable method using market quotations would establish that a good-faith attempt to meet the requirements of section 422(b)(4) and this paragraph was made. On the other hand, in the case of a stock which is not publicly traded, if it is shown, for example, that the fair market value of the stock at the date of grant was based upon an average of the fair market values as of such date set forth in the opinions of completely independent and well-qualified experts, such a showing will establish that there was a good-faith attempt to meet the requirements of section 422(b)(4) and this paragraph. However, amounts treated as unstated interest under section 483 and the regulations thereunder, if attributable to the exercise of options granted after December 31, 1964, and amounts paid as interest under a deferred payment arrangement are not includible as part of the "option price". See paragraph (e)(1) of § 1.421-7. In the case of an option granted after July 1, 1966, an attempt to set the option price at not less than fair market value will not be regarded as made in good faith where an adjustment of the option price to allow for the application of section 483 results in the option price being lower than the fair market value on which the option price was based.

(3) A further exception to the requirement of section 422(b)(4) and subparagraph (1) of this paragraph is provided in the case of options granted after December 31, 1963, and before January 1, 1965. An amendment to the terms of such an option made before January 1, 1965, to satisfy the requirements of section 422(b)(4) and subparagraph (1) of this paragraph will not be considered a modification for purposes of section 425(h) and § 1.425-1. Furthermore, the amendment will be considered as retroactive to the date of grant of the option, and will in no way affect such grant.

(f) *Prior outstanding options.* (1)(i) Section 422(b)(5) provides that a qualified stock option must, by its terms, not be exercisable while there is outstanding any qualified or restricted stock option which was granted, before the granting of the new qualified stock option, to the individual to purchase stock in his employer corporation, or in a corporation which, at the time of the granting of the new qualified stock option, is a parent or subsidiary corporation of the employer corporation, or a predecessor corporation of any of such corporations. Thus, in general, under section 422(b)(5), a qualified stock option must not be exercisable until all qualified and restricted stock options which were previously granted to the individual by the grantor corporation, or by related or predecessor corporations, have been exercised in full or have expired solely by reason of the lapse of time. The limitation of section 422(b)(5) applies irrespective of whether the transfer of stock pursuant to such prior outstanding restricted or qualified stock options can qualify for the special tax treatment of section 421. The exercisability of a qualified stock option is not affected by options which are not qualified or restricted stock options.

(ii) If the new qualified stock option being granted to the individual, and all the outstanding qualified and restricted stock options previously granted to the individual, are to purchase stock of the same class in the same corporation, section 422(c)(6) provides that the requirement of section 422(b)(5) will be considered to have been met if the new option by its terms is not exercisable while there is outstanding (within the meaning of section 422(c)(2)) any such previously granted option with an option price (determined as of the date of grant of the new option) higher than the option price of the new option. Thus, a qualified stock option to which section 422(c)(6) applies may be exercisable without regard to a prior outstanding option to purchase stock of the same class in the same corporation, if the option price payable under such prior outstanding option is not greater than the price of the new option.

(iii) The restriction imposed by section 422(b)(5) (or sec. 422(c)(6)(B)) must be set forth in the terms of the option unless the individual in fact has no prior outstanding qualified or restricted stock options (or restricted stock options previously granted which will become outstanding at a future time) to purchase stock of the grantor corporation, a related corporation, or a predecessor corporation of any of such corporations, at the time the new qualified stock option is granted. An option which incorporates by reference the provision of a plan containing the restrictions required by section 422(b)(5) (or 422(c)(6)(B)) will be treated as an option which by its terms sets forth such restrictions. Except as provided by this subdivision, if an option is granted which does not contain the restriction imposed by section 422(b)(5), either expressly or by incorporation by reference, such option cannot be a qualified stock option, irrespective of whether such restriction is in fact complied with at the time the option is exercised, and irrespective of whether the plan under which the option is granted contains the restriction required by section 422(b)(5). If the terms of an option granted after December 31, 1963, and before January 1, 1965, are amended before January 1, 1965, to satisfy the requirements of this subdivision, the amendment will not be considered a modification for purposes of section 425(h) and § 1.425-1, the amendment will be considered as retroactive to the date of grant of the option, and the amended option will be treated as an outstanding qualified stock option as of the date of the original grant.

(2) For purposes of section 422(b)(5) and this paragraph, the term "predecessor corporation" means a corporation which was a party to a transaction described in section 425(a) (irrespective of whether a substitution or assumption under such section was in fact effected) with the grantor corporation, or a corporation which, at the time the new qualified stock option is granted, is a related corporation of the grantor corporation, or a predecessor corporation of any of such corporations.

(3)(i) Except as is otherwise provided by this subparagraph, for purposes of section 422(b)(5), a qualified or restricted stock option is treated as outstanding according to its original terms until such option is exercised in full or expires by reason of the lapse of time. Thus, for example, if an option outstanding according to its terms for 5 years is revised to shorten to 1 year the period during which it may be exercised, such option is treated as outstanding for 5 years from the original date of grant for purposes of section 422(b)(5), notwithstanding the revision. If any portion of such an option is not exercised, such portion will be treated as outstanding until the expiration of the maximum period for which such portion, according to the terms of the option when granted, could have been exercised under any circumstances. A qualified or restricted stock option previously held by an individual and replaced in a transaction to which section 425(a) applies will not thereafter be treated as outstanding. However, if a qualified or restricted stock option is modified and under section 425(h) such modification is considered as the granting of a new option (even though for other purposes only one option is regarded as being in existence), the original qualified or restricted stock option continues for the purposes of section 422(b)(5) to be outstanding, and may prevent an exercise of the new qualified or restricted stock option until the original option has, by its original terms, expired.

(ii) A restricted stock option granted before January 1, 1964, will not be treated as outstanding for any period before the first day on which (under the terms of such option) it may be exercised. If such an option is exercisable in installments, each installment will be treated as a separate option for purposes of this rule, with each installment becoming outstanding as of the first day it becomes exercisable under the terms of the option. However, this special rule does not affect the date on which the option is treated as granted. Thus, such a restricted stock option affects the exercise of a qualified stock option granted subsequent to the grant of such a restricted stock option to the extent the qualified stock option is not exercised before the restricted stock option becomes outstanding. See example (7) under subparagraph (4) of this paragraph.

(iii) A restricted stock option terminated before January 1, 1965, will not be treated as outstanding irrespective of the reason for which such option was terminated. If, under this subdivision, the number of shares subject to a restricted stock option is reduced, such option will be treated as outstanding for purposes of section 422(b)(5) only with respect to such reduced number of shares.

(4) The application of this paragraph

not exercise any of his qualified stock options

granted to F by N Corporation to purchase

(h) *Options granted to certain shareholders.* (1)(i) In general, an option is

being transferred pursuant to the exercise of a qualified stock option under the

stock ownership; and no reduction is required to be made in respect of amounts

(4) The application of this paragraph may be illustrated by the following examples:

Example (1). S Corporation is a subsidiary of P Corporation. In 1963 E was an employee of S Corporation and was granted a restricted stock option by S to buy S stock. In June of 1964 E left S and became an employee of X Corporation, where he was granted a qualified stock option to purchase X stock. X Corporation is neither a related nor predecessor corporation of P or S. On June 1, 1965, E leaves X to become an employee of P Corporation, and on such date E is granted a qualified stock option by P to purchase P stock. E's restricted stock option to buy S stock was not cancelled during 1964, and both his restricted stock option on S stock and his qualified stock option on X stock are outstanding on June 1, 1965, when E is granted a qualified stock option to purchase P stock. In order to meet the requirement of section 422(b)(5), E's qualified stock option on P stock must, by its terms, not be exercisable until E's restricted stock option on S stock is exercised in full or expires solely by reason of the lapse of time.

Example (2). E is an employee of P Corporation. E holds a restricted stock option granted June 1, 1963, and a qualified stock option granted June 1, 1965. Both options were granted to him by P to purchase P stock. E has been granted no other qualified or restricted stock options by P, a related corporation, or a predecessor corporation of any of such corporations. The price payable under E's restricted stock option as of June 1, 1965, is $100; the option price of E's qualified stock option is $90. On June 1, 1966, P grants another qualified stock option to E to purchase P stock at $95. Under section 422(b)(5) and (c)(6), neither of E's qualified stock options may be exercisable until E's restricted stock option is exercised in full or expires solely by reason of the lapse of time. Assuming the restricted stock option is fully exercised on June 1, 1967, E will be free to exercise either his 1965 or 1966 qualified stock option.

Example (3). Assume the same facts as in example (2). On November 30, 1964, P cancels E's restricted stock option and in exchange therefor issues a qualified stock option to E in place of the cancelled restricted stock option. For purposes of section 422(b)(5), E's restricted stock option is treated as terminated and no longer outstanding as of such date, and will not affect the exercise of E's 1964, 1965, or 1966 qualified stock options. The qualified stock option issued in place of E's restricted stock option will be treated as outstanding for purposes of section 422(b)(5) as of November 30, 1964.

Example (4). Assume the same facts as in example (3) except assume that the cancellation of the restricted stock option takes place on November 30, 1965, and that the new option is a qualified stock option as of such date. Assume further that the option prices are as follows:

Restricted stock option	$100
Qualified stock option (granted June 1, 1965)	90
Qualified stock option (granted November 30, 1965, upon cancellation of restricted stock option)	85
Qualified stock option (granted June 1, 1966)	95

and that each qualified stock option runs 5 years from grant, and that the restricted stock option, according to its terms when granted, would have expired solely by reason of the lapse of time at the close of business on May 31, 1969. Under section 422 (b)(5), and (c)(2) and (6), E's restricted stock option is treated as outstanding according to its original terms when granted, and E cannot exercise any of his qualified stock options until June 1, 1969 (the first day after the expiration of the original period for which E's restricted stock option was granted). On June 1, 1969, E's June 1, 1965, qualified stock option will be fully exercisable. E's November 30, 1965, qualified stock option will not be exercisable until after the full exercise or expiration of E's June 1, 1965, qualified stock option. The exercise of E's June 1, 1966, qualified stock option is barred only by E's restricted stock option. Thus, upon the expiration of E's restricted stock option, E is free to exercise either his June 1965 qualified stock option, or his June 1966 qualified stock option, while the exercise of his November 1965 qualified stock option must await the full exercise or expiration of his June 1965 qualified stock option.

Example (5). Assume the same facts as in example (4). On June 1, 1968, P Corporation sells all of its assets to M Corporation, and on such date E becomes an employee of M Corporation. Assume further that M Corporation substitutes new options to purchase M stock for the P options held by E, in a transaction to which section 425(a) applies. For purposes of section 422(b)(5), each M Corporation option received by E in substitution of a P Corporation option will be treated as outstanding to the same extent and in the same manner as the P option which it replaces. Thus, none of the M options received by E in substitution for his qualified stock options on P stock may be exercisable before June 1, 1969, and the M option issued in substitution for E's November 1965, qualified stock option may be exercisable only after the full exercise or expiration of the M option issued in substitution for E's June 1, 1965, option on P stock. If, in 1969, E is granted another qualified stock option by M Corporation, such qualified stock option will be subject to the qualified stock options granted by M to E in 1968 in substitution for E's qualified stock options to purchase P stock. The qualified stock options to purchase P stock which were replaced by M in the transaction to which section 425(a) applied will not be treated as outstanding for any purpose under section 422(b)(5).

Example (6). Assume the same facts as in example (5) except assume that M does not effect a substitution or assumption of E's P Corporation qualified stock options under section 425(a). Although P is neither a parent nor subsidiary of M, for purposes of section 422(b)(5), P is a predecessor corporation of M Corporation. Accordingly, any qualified stock options granted to E by M (or its parent or subsidiary corporations, or a predecessor corporation of any of such corporations) must, by their terms, not be exercisable until the expiration of the option periods for all of E's qualified and restricted stock options granted to E by P Corporation. Section 422(c)(6) cannot apply to permit E to exercise his M options before the expiration of the option periods of his P options because not all of E's qualified and restricted stock options which are outstanding (within the meaning of section 422(c)(2)) are to purchase stock of the same class in the same corporation.

Example (7). F is an employee of N Corporation. Prior to January 1, 1964, N granted a restricted stock option to F to purchase 100 shares of N Corporation stock at a price of $100 per share. The option is exercisable in installments as follows: 20 shares on or after June 1, 1965; another 40 shares on or after June 1, 1967; and the last 40 shares on or after June 1, 1969. Under section 422(c)(2), each installment of F's restricted stock option will be treated as becoming outstanding as of the first day on which such installment may be exercised. Thus, under the facts given, any qualified stock options granted to F by N Corporation to purchase N stock at less than $100 per share will be affected by F's restricted stock option as follows: Before June 1, 1965, F may exercise such qualified stock options without regard to his restricted stock option; between May 31, 1965, and June 1, 1967, F may exercise such qualified stock options only after the full exercise of the first installment of his restricted stock option; between May 31, 1967, and June 1, 1969, F may exercise such qualified stock options only after the full exercise of the first and second installments of his restricted stock option; after May 31, 1969, F may exercise such qualified stock options only after the full exercise or expiration of all installments of his restricted stock option.

Example (8). F is an employee of N Corporation. On January 1, 1966, N grants F a qualified option to purchase 100 shares of N Corporation stock at a price of $100 a share at any time prior to January 1, 1971. The stock is then selling at $100 a share. On January 1, 1967, when the stock was selling at $95 a share, N modified the option to permit F to exercise the option at any time prior to January 1, 1972. Under section 425(h) N's modification is treated as the granting of a new option to F. Although for other purposes F, after the modification, has one option to purchase 100 shares of N Corporation stock at a price of $100 a share at any time prior to January 1, 1972, for purposes of section 422(b)(5), F is regarded as having two options, an "original" option to purchase 100 shares at $100 a share prior to January 1, 1971, and a modified option to purchase 100 shares at $100 a share prior to January 1, 1972. If the terms of the modified option include the language of section 422(c)(6)(B), so that section 422(b)(5) does not apply, the modified option will be exercisable immediately as there is no prior outstanding option to purchase stock at a higher price.

Example (9). F is an employee of N Corporation. On January 1, 1966, N grants F a qualified option to purchase 100 shares of N Corporation stock at a price of $100 a share at any time prior to January 1, 1971. The stock is then selling at $100 a share. On January 1, 1967, when the stock was selling at $95 a share, N modified the option to permit F to purchase 100 shares of N Corporation stock at a price of $95 a share and to exercise the option at any time prior to January 1, 1972. Under section 425(h) N's modification is treated as the granting of a new option to F. Although for other purposes F, after the modification, has one option to purchase 100 shares of N Corporation at a price of $95 a share at any time prior to January 1, 1972, for purposes of section 422(b)(5), F is regarded as having two options. Thus, F may not exercise the modified option until January 1, 1971, as until that date, the original option is regarded as outstanding. If the option period had not been extended, F would never have been able to exercise the modified option because of the limitation of section 422(b)(5) and the existence, for the purposes of that section, of a prior outstanding option having the same expiration date as the new option.

(g) *Restriction on transferability.* A qualified stock option must, by its terms, not be transferable by the individual to whom it is granted otherwise than by will or the laws of descent and distribution, and must be exercisable, during the lifetime of such individual, only by him. For general rules relating to the restriction on transferability required by section 422(b)(6), see paragraph (b)(2) of § 1.421-7. For a limited exception to the requirement of section 422(b)(6), see section 425(h)(3).

(h) *Options granted to certain shareholders.* (1)(i) In general, an option is not a qualified stock option to the extent that, immediately after such option is granted, the optionee owns stock possessing more than 5 percent of the total combined voting power or value of all classes of stock of the employer corporation, or a related corporation of such corporation. Section 422(c)(3) provides that, in applying the limitation of section 422(b)(7), the rules of section 425(d) (relating to attribution of stock ownership) shall apply in determining the stock ownership of the individual, and stock which the individual may purchase under outstanding options (whether or not such options qualify for the special tax treatment afforded by section 421(a)) shall be treated as stock owned by the individual. An option is outstanding for purposes of sections 422(b)(7) and 422(c)(3) although under its terms it may be exercised only in installments or after the expiration of a fixed period of time. The rules of section 422(c)(2) which are applied in determining whether an option is outstanding for purposes of section 422(b)(5) do not apply with respect to section 422(b)(7) and paragraph (c)(3).

(ii) The determination of the percentage of the total combined voting power or value of all classes of stock of his employer corporation (or a related corporation of such corporation) that is owned by the individual is made by comparing the voting power or value of the shares owned (or treated as owned) by the individual to the aggregate voting power or value of all shares actually issued and outstanding immediately after the grant of the option to such individual. The aggregate voting power or value of all shares actually issued and outstanding immediately after the grant of the option does not include the voting power or value of treasury shares or shares authorized for issue under outstanding options held by the individual or any other person.

(2) If an individual is granted an option which permits him to purchase stock in excess of the limitation of section 422(b)(7) (determined by applying the rules of section 422(c)(3) and this paragraph), such option shall be treated as meeting the requirement of section 422(b)(7) to the extent that such individual could, if the option were exercised in full at the time of grant, purchase stock under such option without exceeding such limitation. If shares in excess of the number allowable under section 422(b)(7) are transferred to the individual under an option, such shares will not be treated as transferred pursuant to the exercise of a qualified stock option, irrespective of whether the stock ownership of the individual at the time of such transfer exceeds the limitation of section 422(b)(7). The shares purchased under an option described in this subparagraph which will be treated as shares transferred pursuant to the exercise of a qualified stock option will be the first shares acquired under the option. If more shares are acquired in any one exercise of the option than can qualify as being transferred pursuant to the exercise of a qualified stock option under the rules of section 422(b)(7) and this paragraph, the individual must designate which shares are to be treated as having been transferred pursuant to the exercise of a qualified stock option.

(3)(i) If at the time the option is granted the combined equity capital of the employer corporation and its related corporations does not exceed $2,000,000, the 5-percent limitation of section 422(b)(7) is increased by adding to such 5 percent the percentage (not higher than 5 percent) which bears the same ratio to 5 percent as the difference between such combined equity capital and $2,000,000 bears to $1,000,000. Thus, if the employer corporation and its related corporations have combined equity capital of $1,000,000 or less, an employee may be granted a qualified stock option so long as the value or voting power of the stock owned (or treated as owned) by such employee does not exceed 10 percent of the total combined voting power or value of all classes of stock of any of such corporations.

(ii)(a) Section 422(c)(3) provides that the term "equity capital" means, in the case of one corporation, the sum of its money and other property (in an amount equal to the adjusted basis of such property for determining gain), less the amount of its indebtedness (other than indebtedness to shareholders). In the case of a group of corporations consisting of a parent and its subsidiary corporations, the term "equity capital" means the sum of the equity capital of each of such corporations adjusted in the manner provided by (b) of this subdivision.

(b) In determining the equity capital of a corporation which is a member of a group of corporations consisting of a parent and its subsidiary corporations, the following adjustments shall be made:

(i) The sum of the money and other property (in an amount equal to the adjusted basis of such property for determining gain) of such corporation shall be reduced by the amount included in the equity capital of such corporation in respect of: stock owned by such corporation in any other corporation in the group; cash, property, or services due such corporation by any other corporation in the group; inventory owned by such corporation, to the extent the adjusted basis (for determining gain) of such inventory includes profits realized by any other corporation in the group; and fixed assets owned by such corporation, to the extent the adjusted basis (for determining gain) of such fixed assets includes profits realized by any other corporation in the group; and

(ii) The total indebtedness of such corporation which is taken into account in determining its equity capital shall be reduced by the amount of such indebtedness which is owed to any other corporation in the group.

In making the reductions required by this subdivision, no adjustments shall be made to reflect any minority interest in intercompany profits, indebtedness, or stock ownership; and no reduction is required to be made in respect of amounts representing profits in the inventory or fixed assets of a corporation arising from intercompany transactions which occurred before such corporation became a member of the group.

(4) The application of this paragraph may be illustrated by the following examples:

Example (1). E, an employee of M Corporation, owns 6,000 shares of the common stock of M Corporation, the only class of M stock outstanding. M has 100,000 shares of its common stock outstanding. M's equity capital (as defined by section 422(c)(3) and this paragraph) exceeds $2,000,000. Since E owns 6 percent of the combined voting power or value of all classes of M Corporation stock, M cannot grant a qualified stock option to E. Any option granted to E which purports to be a qualified stock option will be treated as a compensatory option, and as such, subject to the rules of § 1.421-6 of the regulations. If E's father and brother each owned 3,000 shares of M stock, and E owned no M stock in his own name, the result in this case would be the same, since under section 425(d) a person is treated as owning stock held by his father and his brother. Similarly, the result would be the same if, instead of actually owning 6,000 shares, E merely held an option on 6,000 shares of M stock, irrespective of whether the transfer of stock under such option could qualify for the special tax treatment of section 421, since section 422(c)(3)(C) provides that stock which the individual may purchase under outstanding options shall be treated as stock owned by such individual.

Example (2). Assume the same facts as in example (1) and assume further that M is a subsidiary corporation of P Corporation. Irrespective of whether E owns any P stock, and irrespective of the amount of P's equity capital or number of P shares outstanding, E cannot receive a qualified stock option from P. This results from E's ownership of more than 5 percent of the total combined voting power of all classes of stock of a subsidiary of P Corporation, i.e., M Corporation. Thus, an individual who owns (or is treated as owning) stock in excess of the limitation of section 422(b)(7), in any corporation in a group of corporations, consisting of a parent and its subsidiary corporations, cannot receive a qualified stock option from any corporation in the group.

Example (3). F is an employee of R Corporation. R's equity capital is in excess of $2,000,000. R has only one class of stock, of which 100,000 shares are issued and outstanding. Assuming F owns no stock in R or in any parent or subsidiary of R for purposes of section 422(b)(7), R can grant a qualified stock option to F for 5,000 shares, since immediately after the grant of the option F will be treated as owning 5,000 shares of a total of 100,000 shares actually issued and outstanding at such time. The 5,000 shares which F will be treated as owning by reason of section 422(c)(3)(C) will not be added to the 100,000 shares actually issued and outstanding immediately after the grant for purposes of determining whether F's stock ownership exceeds the limitation of section 422(b)(7).

Example (4). Assume the same facts as in example (3) and assume further that on June 1, 1968, R grants F an option, purporting to be a qualified stock option, for 5,200 shares at an option price of $100 per share, the fair market value of R stock on such date. This option will only be a qualified stock option to the extent of 5,000 shares. Assume R transfers 5,000 shares to F pursuant to F's partial exercise of the option. Such transfer

can qualify for the special tax treatment of section 421. However, no further transfer of shares pursuant to an exercise of this option can qualify for the special tax treatment of section 421, since the option was not a qualified stock option when granted to the extent it covered more than 5,000 shares. This is true although F's stock ownership immediately after the transfer of the 5,000 shares to him does not exceed the 5-percent limitation of section 422(b)(7), since F owns only 5,200 shares (5,000 shares outright, plus 200 shares by reason of section 422(c)(3)(C)) of a total 105,000 shares actually issued and outstanding (the 100,000 shares issued and outstanding when the option was granted to F, plus an additional 5,000 shares issued and outstanding as a result of F's exercise).

Example (5). E is an employee of P Corporation. P owns 60 percent in value of the stock of S Corporation, and P and S have combined equity capital (as defined by section 422(c)(3)(A)(ii) and subparagraph (3) of this paragraph) of $1,600,000. Since the combined equity capital of P and S is less than $2,000,000, there may be added to the 5-percent limitation of section 422(b)(7) the additional percentage which bears the same proportion to 5 percent as the difference between the combined equity capital of P and S and $2,000,000 ($2,000,000 minus $1,600,000, or $400,000) bears to $1,000,000. Accordingly, there may be added to the 5-percent limitation of section 422(b)(7) an additional 2 percent ($400,000 is to $1,000,000, as 2 percent is to 5 percent), resulting in a limitation of 7 percent (5 percent plus 2 percent) for purposes of section 422(b)(7). Thus, an option which otherwise meets the requirements of section 422(b) and which is granted to E by P or S to purchase the stock of either of such corporations will meet the requirement of section 422(b)(7) to the extent that, immediately after such option is granted, E will not own (or be treated as owning) stock in either P or S possessing more than 7 percent of the total combined voting power or value of all classes of the stock of either of such corporations which is actually issued and outstanding at such time. If, at the time the option is granted, E owns stock possessing more than 7 percent of the total combined voting power or value of the stock of either P or S, the option could not qualify as a qualified stock option, irrespective of which corporation's stock was the subject of the option.

§ 1.423 Statutory provisions; employee stock purchase plans.

Sec. 423. *Employee stock purchase plans*—(a) *General rule.* Section 421(a) shall apply with respect to the transfer of a share of stock to an individual pursuant to his exercise of an option granted after December 31, 1963 (other than a restricted stock option granted pursuant to a plan described in section 424(c)(3)(B)), under an employee stock purchase plan (as defined in subsection (b)) if—

(1) No disposition of such share is made by him within 2 years after the date of the granting of the option nor within 6 months after the transfer of such share to him; and

(2) At all times during the period beginning with the date of the granting of the option and ending on the day 3 months before the date of such exercise, he is an employee of the corporation granting such option, a parent or subsidiary corporation of such corporation, or a corporation or a parent or subsidiary corporation of such corporation issuing or assuming a stock option in a transaction to which section 425(a) applies.

(b) *Employee stock purchase plan.* For purposes of this part, the term "employee stock purchase plan" means a plan which meets the following requirements:

(1) The plan provides that options are to be granted only to employees of the employer corporation or of its parent or subsidiary corporation to purchase stock in any such corporation;

(2) Such plan is approved by the stockholders of the granting corporation within 12 months before or after the date such plan is adopted;

(3) Under the terms of the plan, no employee can be granted an option if such employee, immediately after the option is granted, owns stock possessing 5 percent or more of the total combined voting power or value of all classes of stock of the employer corporation or of its parent or subsidiary corporation. For purposes of this paragraph, the rules of section 425(d) shall apply in determining the stock ownership of an individual, and stock which the employee may purchase under outstanding options shall be treated as stock owned by the employee;

(4) Under the terms of the plan, options are to be granted to all employees of any corporation whose employees are granted any of such options by reason of their employment by such corporation, except that there may be excluded—

(A) Employees who have been employed less than 2 years,

(B) Employees whose customary employment is 20 hours or less per week,

(C) Employees whose customary employment is for not more than 5 months in any calendar year, and

(D) Officers, persons whose principal duties consist of supervising the work of other employees, or highly compensated employees;

(5) Under the terms of the plan, all employees granted such options shall have the same rights and privileges, except that the amount of stock which may be purchased by any employee under such option may bear a uniform relationship to the total compensation, or the basic or regular rate of compensation, of employees, and the plan may provide that no employee may purchase more than a maximum amount of stock fixed under the plan;

(6) Under the terms of the plan, the option price is not less than the lesser of—

(A) An amount equal to 85 percent of the fair market value of the stock at the time such option is granted, or

(B) An amount which under the terms of the option may not be less than 85 percent of the fair market value of the stock at the time such option is exercised;

(7) Under the terms of the plan, such option cannot be exercised after the expiration of—

(A) Five years from the date such option is granted if, under the terms of such plan, the option price is to be not less than 85 percent of the fair market value of such stock at the time of the exercise of the option, or

(B) 27 months from the date such option is granted, if the option price is not determinable in the manner described in subparagraph (A);

(8) Under the terms of the plan, no employee may be granted an option which permits his rights to purchase stock under all such plans of his employer corporation and its parent and subsidiary corporations to accrue at a rate which exceeds $25,000 of fair market value of such stock (determined at the time such option is granted) for each calendar year in which such option is outstanding at any time. For purposes of this paragraph—

(A) The right to purchase stock under an option accrues when the option (or any portion thereof) first becomes exercisable during the calendar year;

(B) The right to purchase stock under an option accrues at the rate provided in the option, but in no case may such rate exceed $25,000 of fair market value of such stock (determined at the time such option is granted) for any one calendar year; and

(C) A right to purchase stock which has accrued under one option granted pursuant to the plan may not be carried over to any other option; and

(9) Under the terms of the plan, such option is not transferable by such individual otherwise than by will or the laws of descent and distribution, and is exercisable, during his lifetime, only by him.

For purposes of paragraphs (3) to (9), inclusive, where additional terms are contained in an offering made under a plan, such additional terms shall, with respect to options exercised under such offering, be treated as a part of the terms of such plan.

(c) *Special rule where option price is between 85 percent and 100 percent of value of stock.* If the option price of a share of stock acquired by an individual pursuant to a transfer to which subsection (a) applies was less than 100 percent of the fair market value of such share at the time such option was granted, then, in the event of any disposition of such share by him which meets the holding period requirements of subsection (a), or in the event of his death (whenever occurring) while owning such share, there shall be included as compensation (and not as gain upon the sale or exchange of a capital asset) in his gross income, for the taxable year in which falls the date of such disposition or for the taxable year closing with his death, whichever applies, an amount equal to the lesser of—

(1) The excess of the fair market value of the share at the time of such disposition or death over the amount paid for the share under the option, or

(2) The excess of the fair market value of the share at the time the option was granted over the option price.

If the option price is not fixed or determinable at the time the option is granted, then for purposes of this subsection, the option price shall be determined as if the option were exercised at such time. In the case of the disposition of such share by the individual, the basis of the share in his hands at the time of such disposition shall be increased by an amount equal to the amount so includible in his gross income.

[Sec. 423 as added by sec. 221(a), Rev. Act 1964 (78 Stat. 63)]

§ 1.423–1 Applicability of section 421(a).

(a) *General rule.* Subject to the provisions of section 423(c) and paragraph (k) of this section, the special rules of income tax treatment provided in section 421(a) apply with respect to the transfer of a share of stock to an individual pursuant to his exercise of an option granted after December 31, 1963, under an employee stock purchase plan provided that the following conditions are satisfied—

(1) The individual must make no disposition of such share within 2 years from the date of the granting of the option, nor within 6 months after the transfer of such share to him; and

(2) At all times during the period beginning with the date of the granting of the option and ending on the day three months before the date of such exercise, the individual must be an employee of either the corporation granting the option, a related corporation of such corporation, or a corporation or a related corporation of such corporation issuing or assuming a stock option in a transaction to which section 425(a) applies.

(b) *Cross-references.* For rules relating to the employment relationship, see paragraph (h) of § 1.421–7. For rules relating to the effect of a disqualifying disposition, see section 421(b) and paragraph (b) of § 1.421–8. For definition of the term "disposition", see section 425(c) and paragraph (c) of § 1.425–1.

§ 1.425–2 Employee stock purchase plan defined.

(a) *In general.* (1) The term "employee stock purchase plan" means a plan which meets the requirements of paragraphs (1) through (9) of section 423(b). If the terms of the plan do not satisfy the requirements of paragraphs (3) through (9) of section 423(b), such requirements may be satisfied by the terms of an offering made under such plan. However, in such a case, such requirements will be treated as satisfied only with respect to options exercised under such offering.

(2) The determination of whether a particular option is an option granted under an employee stock purchase plan is made at the time such option is granted. If the terms of an option are inconsistent with the terms of the employee stock purchase plan or an offering under such a plan, the option will not be treated as granted under an employee stock purchase plan. If such an option is granted to an employee who is entitled to the grant of an option under the terms of the plan or offering, and such employee is not granted an option under such offering which qualifies as an option granted under an employee stock purchase plan, such offering will not meet the requirements of section 423(b)(4). Accordingly, none of the options granted under such offering will be eligible for the special tax treatment of section 423(b)(4). If such an option is granted to an individual who is not entitled to the grant of an option under the terms of the plan or offering, such option will not be treated as an option granted under an employee stock purchase plan, and the grant of the option will not disqualify the plan or the options granted under such plan or offering. For example, an option granted to an individual who is ineligible to receive an option under an employee stock purchase plan by reason of his ownership of 5 percent or more of the voting power or value of the stock of the grantor corporation (or a related corporation of such corporation), will not be treated as an option granted under an employee stock purchase plan, and the grant of such an option will not disqualify options granted under such plan from the special tax treatment of section 421. If all the options granted under an offering do not give the respective optionees the same rights and privileges, none of the options granted under such offering will be treated as having been granted under an employee stock purchase plan. If, at the time an option is granted, it qualifies as an option granted under an employee stock purchase plan, but the terms of the option are not in fact met, the option will not qualify for the special tax treatment of section 421. However, the failure of such an option to qualify for the special tax treatment of section 421, will not disqualify other options granted under the plan.

(b) *Options restricted to employees.* An employee stock purchase plan must provide that options are to be granted only to employees of the employer corporation or of its related corporations to purchase stock in any such corporation. If such a provision is not included in the terms of the plan, the plan will not be an employee stock purchase plan and options granted under such plan will not qualify for the special tax treatment of section 421. For rules relating to the employment requirement, see paragraph (h) of § 1.421–7.

(c) *Stockholder approval.* (1) An employee stock purchase plan must be approved by the stockholders of the granting corporation within 12 months before or after the date such plan is adopted. The approval of the stockholders must comply with all applicable provisions of the corporate charter and bylaws, and the law of the State of incorporation and must represent the express consent of stockholders holding at least a majority of the voting stock of the corporation voting in person or by proxy at a duly held stockholders' meeting. Thus, if neither the charter, bylaws or applicable State law prescribes the degree of stockholder approval required for the granting of qualified options, the approval of stockholders holding a majority of the voting stock of the corporation voting at a duly held meeting will suffice. However, if the applicable State law requires that stockholders holding two-thirds of the voting stock must approve the granting of such options, such two-thirds requirement must be met.

(2) The plan required by section 423 must be approved within 12 months before or after the date the plan is adopted. Ordinarily, a plan is adopted when approved by the board of directors and the date of such board action will be the reference point for determining whether stockholder approval comes within the 12-month period.

(3) The plan as adopted and approved must designate the aggregate number of shares which may be issued under the plan, and the corporations or class of corporations whose employees will be offered options under such plan. A plan which merely provides that the number of shares which may be issued under options shall not exceed a stated percentage of the shares outstanding at the time of each offering or grant under the plan will not satisfy the requirement that the plan state the aggregate number of shares which may be issued under options. However, the maximum number of shares which may be issued under the plan may be stated in terms of a percentage of either the authorized, issued or outstanding shares at the date of the adoption of the plan. The provisions relating to the aggregate number of shares to be issued under the plan and the employees (or class of employees) eligible to receive options under the plan, are the only provisions of a stock option plan which require stockholder approval for purposes of section 423(b)(1).

(4) Any increase in the aggregate number of shares which may be issued under the plan (other than an increase merely reflecting a change in capitalization such as a stock dividend or stock split-up) will be treated as the adoption of a new plan requiring approval of the stockholders within 12 months of such adoption. Similarly, a change in the designation of corporations whose employees may be offered options under the plan will be treated as the adoption of a new plan requiring stockholder approval unless the plan provides that designations of participating corporations may be made from time to time from among a group consisting of the grantor corporation and its parent or subsidiary corporations. The group from among which such changes and designations are permitted without additional stockholder approval may include corporations having become parents or subsidiaries of the grantor after the adoption and approval of the plan. Any other changes in the terms of an employee stock purchase plan may be made without such changes being considered the adoption of a new plan.

(5) A plan which otherwise meets the requirements of section 423(b) and this section may be used as an employee stock purchase plan although the adoption and approval of such plan occurred before January 1, 1964.

(d) *Options granted to certain shareholders.* (1) An employee stock purchase plan must by its terms provide that no employee can be granted an option if such employee, imediately after the option is granted, owns stock possessing 5 percent or more of the total combined voting power or value of all classes of stock of the employer corporation or its parent or subsidiary corporation. In determining whether the stock ownership of an employee equals or exceeds this 5 percent limit, the rules of section 425(d) (relating to attribution of stock ownership) shall apply, and stock which the employee may purchase under outstanding options (whether or not such options qualify for the special tax treatment afforded by section 421(a)) shall be treated as stock owned by the employee. An option is outstanding for purposes of section 423(b)(3) although under its terms it may be exercised only in installments or after the expiration of a fixed period of time. If an option is granted to an individual whose stock ownership (as determined under this paragraph for purposes of section 423(b)(3)) exceeds the limitation of section 423(b)(3), no portion of such option will be treated as having been granted under an employee stock purchase plan.

(2) The determination of the percentage of the total combined voting power or value of all classes of stock of his employer corporation (or a related corporation of such corporation) that is owned by the individual is made by comparing the voting power or value

of the shares owned (or treated as owned) by the individual to the aggregate voting power or value of all shares actually issued and outstanding immediately after the grant of the option to such individual. The aggregate voting power or value of all shares actually issued and outstanding immediately after the grant of the option does not include the voting power or value of treasury shares or shares authorized for issue under outstanding options held by the individual or any other person.

(3) The application of this paragraph may be illustrated by the following examples:

Example (1). E, an employee of M Corporation, owns 6,000 shares of the common stock of M Corporation, the only class of M stock outstanding. M has 100,000 shares of its common stock outstanding. Since E owns 6 percent of the combined voting power or value of all classes of M Corporation stock, M cannot grant an option to E under M's employee stock purchase plan. If E's father and brother each owned 3,000 shares of M stock and E owned no M stock in his own name, the result in this case would be the same, since under section 425(d) a person is treated as owning stock held by his father and his brother. Similarly, the result would be the same if, instead of actually owning 6,000 shares, E merely held an option on 6,000 shares of M stock, irrespective of whether the transfer of stock under such option could qualify for the special tax treatment of section 421, since section 423(b)(3) provides that stock which the employee may purchase under outstanding options shall be treated as stock owned by such employee.

Example (2). Assume the same facts as in example (1) and assume further that M is a subsidiary corporation of P Corporation. Irrespective of whether E owns any P stock, E cannot receive an option from P under P's employee stock purchase plan since he owns 5 percent of the total combined voting power of all classes of stock of a subsidiary of P Corporation, i.e., M Corporation. Thus, an individual who owns (or is treated as owning) stock in excess of the limitation of section 423(b)(3), in any corporation in a group of corporations, consisting of a parent and its subsidiary corporations, cannot receive an option under an employee stock purchase plan from any corporation in the group.

Example (3). F is an employee of R Corporation. R has only one class of stock, of which 100,000 shares are issued and outstanding. Assuming F owns no stock in R or in any parent or subsidiary of R for purposes of section 423(b)(3), R can grant an option to F under its employee stock purchase plan for 4,999 shares, since immediately after the grant of the option, F would not own 5 percent or more of the combined voting power or value of all classes of R stock actually issued and outstanding at such time. The 4,999 shares which F would be treated as owning under section 423(b)(3) would not be added to the 100,000 shares actually issued and outstanding immediately after the grant for purposes of determining whether F's stock ownership exceeds the limitation of section 423(b)(3).

Example (4). Assume the same facts as in example (3) and assume further than on June 1, 1965, R grants F an option, purportedly under its employee stock purchase plan, for 5,000 shares. No portion of this option will be treated as granted under an employee stock purchase plan.

(e) *Employees covered by plan.* (1) [Reserved]

(2) For purposes of section 423(b)(3) the existence of the employment relationship between an individual and the corporation participating under the plan will be determined under paragraph (h) of § 1.421-7 (relating to employment relationship).

(3) The application of this paragraph may be illustrated by the following examples:

Example (1). M Corporation has a stock purchase plan which meets all the requirements of section 423(b) except that by its terms, options are not required to be granted to employees whose weekly rate of pay is less than $100. As a matter of corporate practice, M grants options under its plan to all employees, irrespective of their weekly rate of pay. M's plan is not an employee stock purchase plan.

Example (2). Assume the same facts as in example (1) and assume further that the first offering under M's plan provides by its terms that options will be granted to all employees of M Corporation. With respect to options exercised under such offering the terms of such offering will be treated as part of the terms of M's plan. Accordingly, stock transferred pursuant to options exercised under such offering will be treated as stock transferred pursuant to the exercise of options granted under an employee stock purchase plan for purposes of section 421.

(f) *Equal rights and privileges.* (1) An employee stock purchase plan must, by its terms, provide that all employees granted options under such plan shall have the same rights and privileges; however, a plan will not fail to satisfy this requirement merely because the amount of stock which may be purchased by any employee under such plan is determined on the basis of a uniform relationship to the total compensation, or the basic or regular rate of compensation of employees, or because the plan provides that no employee may purchase more than a maximum amount of stock fixed under the plan. Thus, the provisions applying to one option under an offering (such as the provisions relating to the method of payment for the stock and the determination of the purchase price per share) must apply to all other options under such offering in the same manner. If all the options granted under a plan or offering do not, by their terms, give the respective optionees the same rights and privileges, none of such options shall be treated as having been granted under an employee stock purchase plan for purposes of section 421.

(2) The requirements of section 423(b)(5) and this paragraph do not prevent the maximum amount of stock which an employee may purchase from being determined on the basis of a uniform relationship to the total compensation, or the basic or regular rate of compensation, of all employees. For example, if an employee stock purchase plan provides that the maximum amount of stock which each employee may purchase under the offering is one share for each $100 of annual gross pay, options granted under such offering will be treated as meeting the requirement of section 423(b)(5). However, such a provision must not exclude employees from participation under the plan or offering. For example, a plan which provides for the grant of options based on one share for each $100 of annual gross pay in excess of $10,000 will not meet the requirements of section 423(b)(5).

(3) [Reserved]

(g) *Option price.* (1) An employee stock purchase plan must, by its terms, provide that the option price will not be less than the lesser of—

(i) An amount equal to 85 percent of the fair market value of the stock at the time such option is granted, or

(ii) An amount which under the terms of the option may not be less than 85 percent of the fair market value of the stock at the time such option is exercised.

For definition of the term "option price", and general rules relating to such term, see paragraph (e) of § 1.421-7. For rules relating to the determination of when an option is granted, see paragraph (c) of § 1.421-7. Any option which does not meet the minimum pricing requirements of section 423(b)(6) and this paragraph will not be treated as granted under an employee stock purchase plan irrespective of whether the plan itself or the offering satisfies such requirements. If such an option is granted to an employee who is entitled to the grant of an option under the terms of the plan or offering, and such employee is not granted an option under such offering which qualifies as an option granted under an employee stock purchase plan, such offering will not meet the requirements of section 423(b)(4). Accordingly, none of the options granted under such offering will be eligible for the special tax treatment of section 423(b)(4).

(2) The option price may be stated either as a percentage or as a dollar amount. If the option price is stated as a dollar amount, the requirement of section 423(b)(6) and this paragraph can only be met by a plan or offering in which the price is fixed at not less than 85 percent of the fair market value of the stock at the time the option is granted. If the fixed price is less than 85 percent of the fair market value of the stock at grant, the option cannot meet the requirement of section 423(b)(6) even if a decline in the fair market value of the stock results in such fixed price being not less than 85 percent of the fair market value of the stock at the time the option is exercised, since such a result was not certain to occur under the terms of the option.

(3) The application of this paragraph may be illustrated by the following examples:

Example (1). M Corporation has an employee stock purchase plan which provides that the option price will be 85 percent of the fair market value of the stock at grant, or 85 percent of the stock at exercise, whichever amount is the lesser. Upon the exercise of an option issued under M's plan, M agrees to accept an amount which is less than the minimum amount allowable under the terms of such plan. Notwithstanding that the option was issued under an employee stock purchase plan, the transfer of stock pursuant to the exercise of such option does not satisfy the requirement of section 423(b)(6) and cannot qualify for the special tax treatment of section 421.

Example (2). Assume the same facts as in example (1) and assume further that at the time of grant, the fair market value of M Corporation stock is $100 per share and that the option price is set at 85 percent of the fair market value of M stock at exercise, but not less than $80 per share. The option satisfies the requirement of section 422(b)(6), and can qualify for the special tax treatment of section 421.

Example (3). Assume the same facts as in example (2), except assume that the option price is set at 85 percent of the fair market value of M stock at exercise, but not more than $80 per share. This option cannot satisfy the requirement of section 423(b)(6) irrespective of whether, at the time the option is exercised, 85 percent of the fair market value of M stock is $80 or less.

(h) *Option period.* An employee stock purchase plan must, by its terms, provide that options granted under such plan cannot be exercised after the expiration of 27 months from the date of grant unless, under the terms of such plan, the option price is to be not less than 85 percent of the fair market value of the stock at the time of the exercise of the option. If the option price is to be not less than 85 percent of the fair market value of the stock at the time the option is exercised, then the option period provided under the plan must not exceed 5 years from the date of grant. If the requirement of section 423(b)(7) is not met by the terms of the plan or offering, options issued under such plan or offering will not be treated as options granted under an employee stock purchase plan irrespective of whether such options, by their terms, are exercisable beyond the period allowable under section 423(b)(7) and this paragraph. An option which provides that the option price is to be not less than 85 percent of the fair market value of the stock at exercise may have an option period of 5 years irrespective of whether the fair market value of the stock at exercise is more or less than the fair market value of such stock at grant. However, if the option provides that the option price is to be 85 percent of the fair market value of the stock at exercise, but not more than some other fixed amount, then irrespective of the price paid on exercise, the option period must not be more than 27 months.

(i) *Restriction on amount of optioned stock.* (1) Under section 423(b)(8), an employee stock purchase plan must, by its terms, provide that no employee may be permitted to purchase stock under all the employee stock purchase plans of his employer corporation and its related corporations at a rate which exceeds $25,000 in fair market value of such stock (determined at the time the option is granted) for each calendar year in which any such option granted to such individual is outstanding at any time. In applying the limitation of section 423(b)(8)—

(i) The right to purchase stock under an option is deemed to accrue when the option (or any portion thereof) first becomes exercisable during the calendar year;

(ii) The right to purchase stock under an option accrues at the rate provided in the option, but in no case may such rate exceed $25,000 of fair market value of such stock (determined at the time such option is granted) for any one calendar year; and

(iii) A right to purchase stock which has accrued under one option granted pursuant to the plan may not be carried over to any other option.

If an option is granted under an employee stock purchase plan which satisfies the requirement of section 423(b)(8), but such option gives the optionee the right to buy stock in excess of the maximum rate allowable under such section and this paragraph, no portion of such option will be treated as having been granted under an employee stock purchase plan. Furthermore, if the option was granted to an employee entitled to the grant of an option under the terms of the plan or offering, and such employee is not granted an option under such offering which qualifies as an option granted under an employee stock purchase plan, such offering will not meet the requirements of section 423(b)(4). Accordingly, none of the options granted under such offering will be eligible for the special tax treatment of section 421.

(2) The limitation of section 423(b)(8) and this paragraph applies only to options granted under employee stock purchase plans and does not limit the amount of stock which an employee may purchase under qualified stock options (as defined in section 422(b)), restricted stock options (as defined in section 424(b)), or any other stock options (except those to which section 423 applies). Stock purchased under options to which section 423 does not apply will not limit the amount which an employee may purchase under an employee stock purchase plan, except for purposes of the 5-percent stock ownership provision of section 423(b)(3).

(3) Under the limitation of section 423(b)(8), an individual may purchase up to $25,000 of stock (based on the fair market value of such stock at the time the option was granted) in each calendar year during which an option granted to such individual under an employee stock purchase plan is outstanding. Alternatively, an individual may purchase more than $25,000 of stock (based on the fair market value of such stock at the time the option was granted) in a calendar year, so long as the total amount of stock which he purchases does not exceed $25,000 in fair market value of such stock (determined at the time the option was granted) for each calendar year in which the option was outstanding. If in any calendar year the individual holds two or more outstanding options granted under employee stock purchase plans of his employer corporation, or a related corporation of such corporation, his purchases of stock attributable to such year under all such options must not exceed $25,000 in fair market value of such stock (determined at the time such options were granted). Under an employee stock purchase plan, an individual may not purchase stock in anticipation that the option will be outstanding for some future year. Thus, the individual may purchase only the amount of stock which does not exceed the limitation of section 423(b)(8) for the year of the purchase and for preceding years during which the option was outstanding. Thus, the amount of stock which may be purchased under an option depends on the number of years in which the option is actually outstanding. The amount of stock which may be purchased under an employee stock purchase plan may not be increased by reason of the failure to grant an option in an earlier year under such plan, or by reason of the failure to exercise an earlier option. For example, if an option is granted to an individual and expires without having been exercised at all, the failure to exercise the option does not increase the amount of stock which such individual may be permitted to purchase under an option granted in a year following the year of such expiration. If an option granted under an employee stock purchase plan is outstanding in more than one calendar year, stock purchased pursuant to the exercise of such an option will be applied first, to the extent allowable under section 423(b)(8) and this paragraph, against the $25,000 limitation for the earliest year in which such option was outstanding, then, against the $25,000 limitation for each succeeding year, in order. For example, if an individual purchases $60,000 in fair market value of stock (determined at the time the option was granted) by the exercise of an option granted under an employee stock purchase plan of his employer corporation, and if such option was outstanding in 3 calendar years, then $25,000 in fair market value of such stock (determined at the time the option was granted) will be attributed to the first calendar year in which such option was outstanding, another $25,000 in fair market value of such stock will be attributed to the second calendar year in which such option was outstanding, and the remaining $10,000 in fair market value of such stock will be attributed to the last calendar year in which such option was outstanding. Thus, the individual may receive a right under another option granted under such employee stock purchase plan (or under an employee stock purchase plan of a parent or subsidiary corporation of his employer corporation) entitling him to purchase another $15,000 in fair market value of such stock (determined as of the date such option is granted) for such last calendar year.

(4) The application of section 423(b)(8) and this paragraph may be illustrated by the following examples:

Example (1). Assume that P Corporation maintains an employee stock purchase plan and that E is employed by P. On June 1, 1964, P grants E an option under the plan to purchase a total of 750 shares of P stock at $85 per share. On such date, the fair market value of P stock is $100 per share. The option provides that it cannot be exercised after May 31, 1966. Under section 423(b)(8), the option must not permit E to purchase more than 250 shares of P stock during the calendar year 1964, since 250 shares are equal to $25,000 in fair market value of P stock determined at the time of grant. During the

calendar year 1965, E may purchase under such option an amount of P stock equal to the difference between $50,000 in fair market value of P stock (determined at the time the option was granted) and the fair market value of P stock (determined at the time of grant of the option) purchased during 1964. During the calendar year 1966, E may purchase an amount of P stock equal to the difference between $75,000 in fair market value of such stock (determined at the time of grant of the option) and the total amount of the fair market value of such stock (determined at the time of grant of the option) purchased under such option during the calendar years 1964 and 1965. E may purchase $25,000 of stock for the year 1964 and $25,000 of stock for the year 1966, although the option was outstanding for only a part of each of such years. However, E may not be granted another option under an employee stock purchase plan of P or a related corporation to purchase stock of any of such corporations during the calendar years 1964, 1965, and 1966, so long as the option granted June 1, 1964, is outstanding. If this option permitted E to purchase only $15,000 of P's stock for each year it is outstanding, then E could be granted another option by P, or by a related corporation, in 1964, permitting him to purchase an additional $10,000 of stock for each year it is outstanding.

Example (2). Assume the same facts as in example (1), and assume further that the option granted to E in 1964 is terminated in 1965 without any part of such option having been exercised, and that subsequent to such termination and during 1965, E is granted another option under P's employee stock purchase plan. Under such option, E may be permitted to purchase $25,000 of stock for 1965. On the other hand, if, in 1966, E exercised the option granted to him in 1964 and purchased 600 shares of P stock, 500 shares, the maximum amount of stock which could have been purchased in 1965 under the option, is treated as having been purchased for the years 1964 and 1965. Thus, only 100 shares of the stock are treated as having been purchased for 1966, and E may be permitted under the new option to purchase for 1966 stock having a fair market value of $15,000 at the time the new option is granted.

(j) *Restriction on transferability.* An employee stock purchase plan must, by its terms, provide that options granted under such plan are not transferable by the optionee otherwise than by will or the laws of descent and distribution, and must be exercisable, during his lifetime, only by him. For general rules relating to the restriction on transferability required by section 423(b)(9), see paragraph (b)(2) of § 1.421–7. For a limited exception to the requirement of section 423(b)(9), see section 425(h)(3).

(k) *Special rule where option price is between 85 percent and 100 percent of value of stock.* (1)(i) If all the conditions necessary for the application of section 421(a) exist, section 423(c) provides additional rules which are applicable in cases where, at the time the option is granted, the option price per share is less than 100 percent (but not less than 85 percent) of the fair market value of such share. In such case, upon the disposition of such share by the individual after the expiration of the 2-year and the 6-month holding periods, or upon his death while owning such share (whether occurring before or after the expiration of such periods), there shall be included in the individual's gross income as compensation (and not as gain upon the sale or exchange of a capital asset) the lesser of—

(*a*) The amount, if any, by which the price paid under the option was exceeded by the fair market value of the share at the time the option was granted, or

(*b*) The amount, if any, by which the price paid under the option was exceeded by the fair market value of the share at the time of such disposition or death.

For purposes of applying the rules of section 423(c) and this paragraph, if the option price is not fixed or determinable at the time the option is granted, the option price will be computed as if the option had been exercised at such time. The amount of compensation resulting from the application of section 423(c) and this paragraph shall be included in the individual's gross income for the taxable year in which the disposition occurs, or for the taxable year closing with his death, whichever event results in the application of section 423(c).

(ii) The application of the special rules provided in section 423(c) shall not affect the rules provided in section 421(a) with respect to the individual exercising the option, the employer corporation, or its parent or subsidiary corporation. Thus, notwithstanding the inclusion of an amount as compensation in the gross income of an individual, as provided in section 423(c), no income results to the individual at the time the stock is transferred to him, and no deduction under section 162 is allowable at any time to the employer corporation or its parent or subsidiary with respect to such amount.

(iii) If, during his lifetime, the individual exercises an option granted under an employee stock purchase plan, but such individual dies before the stock is transferred to him pursuant to his exercise of the option, the transfer of such stock to the individual's executor, administrator, heir, or legatee is deemed, for the purpose of sections 421 and 423, to be a transfer of the stock to the individual exercising the option and a further transfer by reason of death from such individual to his executor, administrator, heir, or legatee.

(2) If the special rules provided in section 423(c) are applicable to the disposition of a share of stock by an individual, the basis of such share in the individual's hands at the time of such disposition, determined under section 1011, shall be increased by an amount equal to the amount includible as compensation in his gross income under section 423(c). However, the basis of a share of stock acquired after the death of an employee by the exercise of an option granted to such employee under an employee stock purchase plan shall be determined in accordance with the rules of section 421(c) and paragraph (c) of § 1.421–8. If the special rules provided in section 423(c) are applicable to a share of stock upon the death of an individual, the basis of such share in the hands of the estate or the person receiving the stock by bequest or inheritance shall be determined under section 1014, and shall not be increased by reason of the inclusion upon the decedent's death of any amount in his gross income under section 423(c). See example (9) of this paragraph with respect to the determination of basis of the share in the hands of a surviving joint owner.

(3) The application of this paragraph may be illustrated by the following examples:

Example (1). On June 1, 1964, the X Corporation grants to E, an employee, an option under X's employee stock purchase plan to purchase a share of X Corporation's stock for $85. The fair market value of the X Corporation stock on such date is $100 per share. On June 1, 1965, E exercises the option and on that date the X Corporation transfers the share of stock to E. On January 1, 1967, E sells the share for $150, its fair market value on that date. E makes his income tax return on the basis of the calendar year. The income tax consequences to E and X Corporations are as follows: (i) compensation in the amount of $15 is includible in E's gross income for 1967, the year of the disposition of the share. The $15 represents the difference between the option price ($85) and the fair market value of the share on the date the option was granted ($100), since such value is less than the fair market value of the share on the date of disposition ($150). For the purpose of computing E's gain or loss on the sale of the share, E's cost basis of $85 is increased by $15, the amount includible in E's gross income as compensation. Thus, E's basis for the share is $100. Since the share was sold for $150, E realizes a gain of $50, which is treated as long-term capital gain; (ii) the X Corporation is entitled to no deduction under section 162 at any time with respect to the share transferred to E.

Example (2). Assume the same facts as in example (1), except assume that E sells the share of X Corporation stock on January 1, 1968, for $75, its fair market value on that date. Since $75 is less than the option price ($85), no amount in respect of the sale is includible as compensation in E's gross income for 1968. E's basis for determining gain or loss on the sale is $85. Since E sold the share for $75, E realized a loss of $10 on the sale, which loss is treated as a long-term capital loss.

Example (3). Assume the same facts as in example (1), except assume that the option provides that the option price shall be 90 percent of the fair market value of the stock on the day the option is exercised. On June 1, 1965, when the option is exercised, the fair market value of the stock is $120 per share so that E pays $108 for the share of the stock. Compensation in the amount of $10 is includible in E's gross income for 1967, the year of the disposition of the share. This is determined in the following manner: The excess of the fair market value of the stock at the time of the disposition ($150) over the price paid for the share ($108) is $42; and the excess of the fair market value of the stock at the time the option was granted ($100) over the option price, computed as if the option had been exercised at such time ($90), is $10. Accordingly, $10, the lesser, is includible in gross income. In this situation, E's cost basis of $108 is increased by $10, the amount includible in E's gross income as compensation. Thus, E's basis for the share is $118. Since the share was sold for $150, E realizes a gain of $32, which is treated as long-term capital gain.

Example (4). Assume the same facts as in example (1), except assume that instead of selling the share on January 1, 1967, E makes a gift of the share on that day. In such case, $15 is includible as compensation in E's gross income for 1967. E's cost basis of $85 is increased by $15, the amount includible in E's gross income as compensation. Thus, E's basis for the share is $100, which becomes the donee's basis, as of the time of the gift, for determining gain or loss.

Example (5). Assume the same facts as in example (2) except assume that instead of selling the share on January 1, 1968, E makes a gift of the share on that date. Since the fair market value of the share on that day ($75) is less than the option price ($85), no amount in respect of the disposition by way of gift is includible as compensation in E's gross income for 1968. E's basis for the share is $85, which becomes the donee's basis, as of the time of the gift, for the purpose of determining gain. The donee's basis for the purpose of determining loss, determined under section 1015(a), is $75 (fair market value of the share at the date of gift).

Example (6). Assume the same facts as in example (1), except assume that after acquiring the share of stock on June 1, 1965, E dies on August 1, 1966, at which time the share has a fair market value of $150. Compensation in the amount of $15 is includible in E's gross income for the taxable year closing with his death, such $15 being the difference between the option price ($85) and the fair market value of the share when the option was granted ($100), since such value is less than the fair market value at date of death ($150). The basis of the share in the hands of E's estate is determined under section 1014 without regard to the $15 includible in the decedent's gross income.

Example (7). Assume the same facts as in example (6), except assume that E dies on August 1, 1965, at which time the share has a fair market value of $150. Although E's death occurred within six months after the transfer of the share to him, the income tax consequences are the same as in example (6).

Example (8). Assume the same facts as in example (1), except assume that the share of stock was issued in the names of E and his wife jointly with right of survivorship, and that E and his wife sold the share on June 15, 1966, for $150, its fair market value on that date. Compensation in the amount of $15 is includible in E's gross income for 1966, the year of the disposition of the share. The basis of the share in the hands of E and his wife for the purpose of determining gain or loss on the sale is $100, that is, the cost of $85 increased by the amount of $15 includible as compensation in E's gross income. The gain of $50 on the sale is treated as long-term capital gain, and is divided equally between E and his wife.

Example (9). Assume the same facts as in example (1), except assume that the share of stock was issued in the names of E and his wife jointly with right of survivorship, and that E predeceased his wife on August 1, 1966, at which time the share had a fair market value of $150. Compensation in the amount of $15 is includible in E's gross income for the taxable year closing with his death. See example (6). The basis of the share in the hands of E's wife as survivor is determined under section 1014 without regard to the $15 includible in the decedent's gross income.

Example (10). Assume the same facts as in example (9), except assume that E's wife predeceased him on July 1, 1966. Section 423(c) does not apply in respect of her death. Upon the subsequent death of E on August 1, 1966, the income tax consequences in respect of E's taxable year closing with the date of his death, and in respect of the basis of the share in the hands of his estate, are the same as in example (6). If E had sold the share on July 15, 1966 (after the death of his wife), for $150, its fair market value at that time, the income tax consequences would be the same as in example (1).

§ 1.424 Statutory provisions; restricted stock options.

Sec. 424. *Restricted stock options*—(a) *In general.* Section 421(a) shall apply with respect to the transfer of a share of stock to an individual pursuant to his exercise after 1949 of a restricted stock option, if—

(1) No disposition of such share is made by him within 2 years from the date of the granting of the option nor within 6 months after the transfer of such share to him, and

(2) At the time he exercises such option—

(A) He is an employee of either the corporation granting such option, a parent or subsidiary corporation of such corporation, or a corporation or a parent or subsidiary corporation of such corporation issuing or assuming a stock option in a transaction to which section 425(a) applies, or

(B) He ceased to be an employee of such corporations within the 3-month period preceding the time of exercise.

(b) *Restricted stock option.* For purposes of this part, the term "restricted stock option" means an option granted after February 26, 1945, and before January 1, 1964 (or, if it meets the requirements of subsection (c)(3), an option granted after December 31, 1963), to an individual, for any reason connected with his employment by a corporation, if granted by the employer corporation or its parent or subsidiary corporation, to purchase stock of any of such corporations, but only if—

(1) At the time such option is granted—

(A) The option price is at least 85 percent of the fair market value at such time of the stock subject to the option, or

(B) In the case of a variable price option, the option price (computed as if the option had been exercised when granted) is at least 85 percent of the fair market value of the stock at the time such option is granted;

(2) Such option by its terms is not transferable by such individual otherwise than by will or the laws of descent and distribution, and is exercisable, during his lifetime, only by him;

(3) Such individual, at the time the option is granted, does not own stock possessing more than 10 percent of the total combined voting power of all classes of stock of the employer corporation or of its parent or subsidiary corporation. This paragraph shall not apply if at the time such option is granted the option price is at least 110 percent of the fair market value of the stock subject to the option, and such option either by its terms is not exercisable after the expiration of 5 years from the date such option is granted or is exercised within one year after August 16, 1954. For purposes of this paragraph, the provisions of section 425(d) shall apply in determining the stock ownership of an individual; and

(4) Such option by its terms is not exercisable after the expiration of 10 years from the date such option is granted, if such option has been granted on or after June 22, 1954.

(c) *Special rules*—(1) *Options under which option price is between 85 percent and 95 percent of value of stock.* If no disposition of a share of stock acquired by an individual on his exercise after 1949 of a restricted stock option is made by him within 2 years from the date of the granting of the option nor within 6 months after the transfer of such share to him, but, at the time the restricted stock option was granted, the option price (computed under subsection (b)(1)) was less than 95 percent of the fair market value at such time of such share, then, in the event of any disposition of such share by him, or in the event of his death (whenever occurring) while owning such share, there shall be included as compensation (and not as gain upon the sale or exchange of a capital asset) in his gross income, for the taxable year in which falls the date of such disposition or for the taxable year closing with his death, whichever applies—

(A) In the case of a share of stock acquired under an option qualifying under subsection (b)(1)(A), an amount equal to the amount (if any) by which the option price is exceeded by the lesser of—

(i) The fair market value of the share at the time of such disposition or death, or

(ii) The fair market value of the share at the time the option was granted; or

(B) In the case of stock acquired under an option qualifying under subsection (b)(1)(B), an amount equal to the lesser of—

(i) The excess of the fair market value of the share at the time of such disposition or death over the price paid under the option, or

(ii) The excess of the fair market value of the share at the time the option was granted over the option price (computed as if the option had been exercised at such time).

In the case of a disposition of such share by the individual, the basis of the share in his hands at the time of such disposition shall be increased by an amount equal to the amount so includible in his gross income.

(2) *Variable price option.* For purposes of subsection (b)(1), the term "variable price option" means an option under which the purchase price of the stock is fixed or determinable under a formula in which the only variable is the fair market value of the stock at any time during a period of 6 months which includes the time the option is exercised; except that in the case of options granted after September 30, 1958, such term does not include any such option in which such formula provides for determining such price by reference to the fair market value of the stock at any time before the option is exercised if such value may be greater than the average fair market value of the stock during the calendar month in which the option is exercised.

(3) *Certain options granted after December 31, 1963.* For purposes of subsection (b), an option granted after December 31, 1963, meets the requirements of this paragraph if granted pursuant to—

(A) A binding written contract entered into before January 1, 1964, or

(B) A written plan adopted and approved before January 1, 1964, which (as of January 1, 1964, and as of the date of the granting of the option)—

(i) Met the requirements of paragraphs (4) and (5) of section 423(b), or

(ii) Was being administered in a way which did not discriminate in favor of officers, persons whose principal duties consist of supervising the work of other employees, or highly compensated employees.

[Sec. 424 as added by sec. 221(a), Rev. Act 1964 (78 Stat. 63)]

§ 1.424–1 Applicability of section 421(a).

(a) *In general.* (1) Subject to the provisions of section 424(c), the special rules of income tax treatment provided in section 421(a) apply with respect to the transfer of a share of stock to an individual pursuant to his exercise after 1949 of a restricted stock option provided that—

(i) The individual makes no disposition of such share within 2 years from the date of the granting of the option, nor within 6 months after the transfer of such share to him; and

(ii) At the time he exercised such option—

(a) The individual is an employee of either the corporation granting the option, a related corporation of such corporation, or a corporation or a related corporation of such corporation issuing or assuming a stock option in a transaction to which section 425(a) applies, or

(b) The individual ceased to be an employee of such corporations within the 3-month period preceding the time of such exercise.

(2) For general rules relating to the employment relationship, see paragraph (h) of § 1.421–7. For rules relating to the employment relationship when there has been a transaction described in section 425(a) (relating to corporate reorganizations, liquidations, etc.) see § 1.425–1. For rules relating to the effect of a disqualifying disposition, see section 421(b) and paragraph (b) of § 1.421–8. For definition of the term "disposition", see section 425(c) and paragraph (c) of § 1.425–1.

(b) *Examples.* The application of this section may be illustrated by the following examples:

Example (1). On June 1, 1958, X Corporation grants a restricted stock option to A, an employee of X Corporation, to purchase a share of X stock. A continues to be employed by X Corporation until February 1, 1964, when X sells the plant where A is employed to M Corporation, an unrelated corporation. On such date, A becomes employed by M. A continues to be employed by M Corporation until June 1, 1964, when A exercises his option on X Corporation. Section 421 is not applicable to this exercise, because on June 1, 1964, A was not employed by the corporation which granted the option or by a related corporation of such corporation, nor was he employed by any of such corporations within three months before June 1, 1964.

Example (2). Assume the facts to be the same as in example (1), except that when A was employed by M Corporation, the option to purchase X stock was terminated, and was replaced by an option to buy M stock in such circumstances that M Corporation is treated as a corporation issuing an option under section 425(a). If A exercises the option to purchase the share of M stock on June 1, 1964, section 421 is applicable, for A is then employed by a corporation which issued an option under section 425(a).

Example (3). Assume that P Corporation owns all of the stock of S Corporation and grants a restricted stock option to E, an employee of S Corporation. If E exercises the option, section 421 is applicable since E is employed by a corporation which is a subsidiary of the corporation which granted the restricted stock option.

§ 1.424–2 Restricted stock option.

(a) *Restricted stock option defined.* (1) A "restricted stock option" is an option granted after February 26, 1945, and before January 1, 1964 (or, if it meets the requirements of section 424(c)(3), an option granted after December 31, 1963), to an individual, for any reason connected with his employment by a corporation, if granted by the employer corporation or a related corporation, to purchase stock of any such corporations, but, except in the case of options described in subparagraph (2) of this paragraph, only if—

(i) At the time such option is granted the option price is at least 85 percent of the fair market value at such time of the stock subject to the option;

(ii) Such option by its terms is not transferable by such individual otherwise than by will or by the laws of descent and distribution, and is exercisable, during his lifetime, only by him;

(iii) Such individual, at the time the option is granted, does not own stock possessing more than 10 percent of the total combined voting power of all classes of stock either of the employer corporation or of its parent or subsidiary corporation; and

(iv) In the case of options granted after June 21, 1954, such option by its terms is not exercisable after the expiration of ten years from the date on which such option was granted.

For purposes of applying the rule of subdivision (i) of this subparagraph to a variable price option (as defined by section 424(c)(2) and paragraph (c) of this section) under which the option price is determined by a formula described in paragraph (c) of this section, the option price shall, notwithstanding any provision of the option, be computed as if such option is exercised on the day when it is granted. For example, if on June 15, 1959, an option is granted providing that the option price shall be $10 under the average fair market value of the stock during the month in which the option is exercised or the average fair market value of the stock during the preceding month, whichever is lower, and if on June 15, 1959, the value of the stock subject to the option is $100 a share, to determine if the option meets the requirement of subdivision (i) of this subparagraph, it is necessary to determine the average fair market value of the stock during the months of May and June 1959. If such lower average fair market value is $95 or more, the option meets the requirement of subdivision (i) of this subparagraph.

(2) Regardless of the extent to which the individual to whom the option is granted owns stock of either the employer corporation, or of a related corporation, an option is a restricted stock option if—

(i) Such option is granted after February 26, 1945, to such individual, for any reason connected with his employment by a corporation, if granted by the employer corporation or a related corporation, to purchase stock of any of such corporations;

(ii) At the time such option is granted the option price is at least 110 percent of the fair market value at such time of the stock subject to the option;

(iii) Such option by its terms is not transferable by such individual otherwise than by will or by the laws of descent and distribution, and is exercisable, during his lifetime, only by him; and

(iv) Such option by its terms is not exercisable after the expiration of 5 years from the date on which such option was granted or is exercised within 1 year after August 16, 1954.

(3) In determining the amount of stock owned by an individual for the purpose of applying the 10 percent test of section 424(b)(3), the rules of section 425(d) (relating to attribution of stock ownership) shall apply. See § 1.425–1.

(4) For general rules relating to the employment relationship, see paragraph (h) of § 1.421–7. For general rules relating to the restriction on transferability required by section 424(b)(2) and this paragraph, see paragraph (b)(2) of § 1.421–7. For modification of certain options so as to conform to the requirement of section 424(b)(2), see section 425(h)(3).

(b) *Special rule where option price is between 85 percent and 95 percent of value of stock.* (1)(i) If all the conditions necessary for the application of section 421(a) exist, section 424(c)(1) provides additional rules which are applicable in cases where, at the time the restricted stock option is granted, the option price per share is less than 95 percent (but not less than 85 percent) of the fair market value of such share. In such case, upon the disposition of such share by the individual after the expiration of the 2-year and the 6-month holding periods, or upon his death while owning such share (whether occurring before or after the expiration of such periods), there shall be included in the individual's gross income as compensation (and not as gain upon the sale or exchange of a capital asset) an amount determined in the following manner. If, at the time the option was granted, the option price was fixed or determinable, and was at least 85 percent of the fair market value of the stock subject to such option, such amount shall be the amount, if any, by which the option price is exceeded by the lesser of the fair market value of the share at the time the option was granted or the fair market value of the share at the time of such disposition or death. However, in the case of a variable price option (as defined by section 424(c)(2) and paragraph (c) of this section) under which the option price (computed as if the option had been exercised when granted) at the time the option was granted was at least 85 percent of the fair market value of the stock subject to such option, such amount shall be whichever of the following amounts is the lesser:

(a) The excess of the fair market value of the share at the time of such disposition or death over the price paid under the option, or

(b) The excess of the fair market value of the share at the time the option was granted over the option price, computed as if the option had been exercised at such time.

The amount of such compensation shall be included in the individual's gross income for the taxable year in which the disposition occurs or for the taxable year closing with his death, whichever event results in the application of section 424(c)(1) and this paragraph.

(ii) The application of the special rules provided in section 424(c) shall not affect the rules provided in section 421(a) with respect to the individual exercising the option, the employer corporation, or a related corporation. Thus, notwithstanding the inclusion of an amount as compensation in the gross income of an individual, as provided in section 424(c)(1), no income results to the individual at the time the stock is transferred to him, and no deduction under section 162 is allowable at any time to the employer corporation or a related corporation with respect to such amount.

(iii) If the individual exercises a restricted stock option during his lifetime and dies before the stock is transferred to him pursuant to his exercise of the option, the transfer of such stock to the individual's executor, administrator, heir, or legatee is deemed, for the purpose of section 421, to be a transfer of the stock to the individual exercising the option and a further transfer by reason of death from such individual to his executor, administrator, heir, or legatee.

(2) If the special rules provided in section 424(c) are applicable to the disposition of a share of stock by an individual, the basis of such share in the individual's hands at the time of such disposition, determined under section 1011, shall be increased by an amount equal to the amount includible as compensation in his gross income under section 424(c)(1). However, in the case of a share of stock acquired by the exercise of a restricted stock option after the death of the employee to whom the option was granted, the basis of such share shall be determined in accordance with the rules of section 421(c) and paragraph (c) of § 1.421–8. If the special rules provided in section 424(c)(1) are applicable to a share of stock upon the death of an individual, the basis of such share in the hands of the estate or the person receiving the stock by bequest or inheritance shall be determined under section 1014, and shall not be increased by reason of the inclusion upon the decedent's death of any amount in his gross income under section 424(c)(1). See example (9) of this paragraph with respect to the determination of basis of the share in the hands of a surviving joint owner.

(3) The application of this paragraph may be illustrated by the following examples:

Example (1). On June 1, 1959, the X Corporation grants to E, an employee, a restricted stock option to purchase a share of X Corporation's stock for $85. The fair market value of the X Corporation stock on such date is $100 per share. On June 1, 1965, E exercises the option and on that date the X Corporation transfers the share of stock to E. On January 1, 1967, E sells the share for $150, its fair market value on that date. E makes his income tax return on the basis of the calendar year. The income tax consequences to E and X Corporation are as follows: (i) Compensation in the amount of $15 is includible in E's gross income for 1967, the year of the disposition of the share. The $15 represents the difference between the option price ($85) and the fair market value of the share on the date the option was granted ($100), since such value is less than the fair market value of the share on the date of disposition ($150). For the purpose of computing E's gain or loss on the sale of the share, E's cost basis of $85 is increased by $15, the amount includible in E's gross income as compensation. Thus, E's basis for the share is $100. Since the share which is treated as long-term capital gain; was sold for $150, E realizes a gain of $50, (ii) the X Corporation is entitled to no deduction under section 162 at any time with respect to the share transferred to E.

Example (2). Assume the same facts as in example (1), except assume that E sells the share of X Corporation stock on January 1, 1968, for $75, its fair market value on that date. Since $75 is less than the option price ($85), no amount in respect of the sale is includible as compensation in E's gross income for 1968. E's basis for determining gain or loss on the sale is $85. Since E sold the share for $75, E realized a loss of $10 on the sale, which loss is treated as a long-term capital loss.

Example (3). Assume the same facts as in example (1), except assume that the option provides that the option price shall be 90 percent of the fair market value of the stock on the day the option is exercised. On June 1, 1965, when the option is exercised, the fair market value of the stock is $120 per share so that E pays $108 for the share of stock. Compensation in the amount of $10 is includible in E's gross income for 1967, the year of the disposition of the share. This is determined in the following manner. The excess of the fair market value of the stock at the time of the disposition ($150) over the price paid for the share ($108) is $42; and the excess of the fair market value of the stock at the time the option was granted ($100) over the option price, computed as if the option had been exercised at such time ($90), is $10. Accordingly, $10, the lesser, is includible in gross income. In this situation, E's cost basis of $108 is increased by $10, the amount includible in E's gross income as compensation. Thus, E's basis for the share is $118. Since the share was sold for $150, E realizes a gain of $32, which is treated as long-term capital gain.

Example (4). Assume the same facts as in example (1), except assume that instead of selling the share on January 1, 1967, E makes a gift of the share on that day. In such case, $15 is includible as compensation in E's gross income for 1967. E's cost basis of $85 is increased by $15, the amount includible in E's gross income as compensation. Thus, E's basis for the share is $100, which becomes the donee's basis, as of the time of the gift, for determining gain or loss.

Example (5). Assume the same facts as in example (2) except assume that instead of selling the share on January 1, 1968, E makes a gift of the share on that date. Since the fair market value of the share on that day ($75) is less than the option price ($85), no amount in respect of the disposition by way of gift is includible as compensation in E's gross income for 1968. E's basis for the share is $85, which becomes the donee's basis, as of the time of the gift, for the purpose of determining gain. The donee's basis for the purpose of determining loss, determined under section 1015(a), is $75 (fair market value of the share at the date of gift).

Example (6). Assume the same facts as in example (1), except assume that after acquiring the share of stock on June 1, 1965, E dies on August 1, 1966, at which time the share has a fair market value of $150. Compensation in the amount of $15 is includible in E's gross income for the taxable year closing with his death, such $15 being the difference between the option price ($85) and the fair market value of the share when the option was granted ($100), since such value is less than the fair market value at date of death ($150). The basis of the share in the hands of E's estate is determined under section 1014 without regard to the $15 includible in the decedent's gross income.

Example (7). Assume the same facts as in example (6), except assume that E dies on August 1, 1965, at which time the share has a fair market value of $150. Although E's death occurred within six months after the transfer of the share to him, the income tax consequences are the same as in example (6).

Example (8). Assume the same facts as in example (1), except assume that the share of stock was issued in the names of E and his wife jointly with right of survivorship, and that E and his wife sold the share on June 15, 1966, for $150, its fair market value on that date. Compensation in the amount of $15 is includible in E's gross income for 1966, the year of the disposition of the share. The basis of the share in the hands of E and his wife for the purpose of determining gain or loss on the sale is $100, that is, the cost of $85 increased by the amount of $15 includible as compensation in E's gross income. The gain of $50 on the sale is treated as long-term capital gain, and is divided equally between E and his wife.

Example (9). Assume the same facts as in example (1), except assume that the share of stock was issued in the names of E and his wife jointly with right of survivorship, and that E predeceased his wife on August 1, 1966, at which time the share had a fair market value of $150. Compensation in the amount of $15 is includible in E's gross income for the taxable year closing with his death. See example (6). The basis of the share in the hands of E's wife as survivor is determined under section 1014 without regard to the $15 includible in the decedent's gross income.

Example (10). Assume the same facts as in example (9), except assume that E's wife predeceased him on July 1, 1966. Section 424(c) does not apply in respect of her death. Upon the subsequent death of E on August 1, 1966, the income tax consequences in respect of E's taxable year closing with the date of his death, and in respect of the basis of the share in the hands of his estate, are the same as in example (6). If E had sold the share on July 15, 1966 (after the death of his wife), for $150, its fair market value at that time, the income tax consequences would be the same as in example (1).

(c) *Variable price option defined.* (1) For purposes of section 424 and this section, the term "variable price option" means an option under which the option price is determined by a formula in which the only variable is the fair market value of the stock at any time during a period of six consecutive months which includes the day on which such option is exercised. Except as provided in subparagraph (2) of this paragraph, such formula may provide for determining such price by reference to such value on any particular day in such 6-month period, or by reference to an average value of the stock over either the whole of such 6-month period or over any shorter period included in such 6-month period. Such 6-month period may begin with, end with, or in any other manner span the day on which such option is exercised. Such formula may also depend upon factors other than such value of the stock, but such other factors must not be variable and must be fixed in the option when granted. For example, such formula may provide that the option price shall be 85 percent of the value of the stock on the day the option is exercised, but such price shall not be less than $85, nor more than $110. Another

example of a formula which meets the requirements of this paragraph is a provision that the option price shall be 95 percent of the fair market value of the stock on the day the option is exercised but not more than $95. However, the requirements of this paragraph are not met by a formula which provides that if the profits of the employer for the year do not exceed $100,000, the option price shall be $15 under the fair market value of the stock the option is exercised, but if such profits exceed $100,000, the option price shall be $20 under such value of the stock. For an example of how to determine whether an option which contains a formula meeting the requirements of this paragraph also meets the requirement that the option price must be at least 85 percent of the fair market value of the stock at the time the option is granted, see paragraph (a)(1) of § 1.424–2.

(2) In the case of an option granted after September 30, 1958, the term "variable price option" does not include any option in which the formula provides for determining the option price by reference to the fair market value of the stock at any time before the option is exercised if such value may be greater than the average fair market value of the stock during the calendar month in which the option is exercised. Whether an option meets the requirement of this paragraph shall be determined solely by reference to the terms of the option, and the circumstances existing at the time the option is granted or exercised are immaterial. Thus, an option, granted after September 30, 1958, and containing a pricing formula which takes into consideration the value of the stock at any time before the option is exercised, is subject to the new limitation and does not meet the requirement of this paragraph, even though the option price is not actually based upon such prior fair market value either at the time the option is exercised or at the time the option price is computed as if it were exercised for the purpose of applying the 85 percent test of section 424(b)(1). For example, a formula which provides that the option price is to be 45 percent of the fair market value of the stock 30 days before the date on which the option is exercised, but not more than $85, will not qualify under this paragraph since under this formula the price may be determinable by reference to a higher prior value. On the other hand, a formula which provides that the option price is to be 90 percent of the average value of the stock during the month the option is exercised or the average value of the stock during the preceding month, whichever is lower, will qualify. In the case of an option granted after September 30, 1958, the only way that a formula which provides for determining the option price by reference to the fair market value of the stock at a time before the option is exercised can come within the requirement of this paragraph is to provide that the option price is to be determined by reference to such fair market value only if such fair market value is not greater than the average fair market value of the stock during the month in which the option is exercised. If under the terms of an option the price is to be determined by reference to the fair market value of the stock at a time before the option is exercised, whether such value is higher or lower than the average fair market value of the stock during the month the option is exercised, such option will not be considered a restricted stock option since the option price may be based upon the prior value of the stock when such value exceeds the average fair market value of the stock during the month the option is exercised. However, if an option provides for determining the option price by reference to a prior fair market value of the stock only when such value is lower than such average value of the stock, such option can qualify as a restricted stock option. The average fair market value of the stock during the month in which the option is exercised means such value during the calendar month the option is exercised and not merely during a 30- or 31-day period including the time the option is exercised. To compute the average fair market value of the stock for the month, it will be necessary to ascertain the fair market value of the stock for each day during the month, including those days which are not business days. In ascertaining the fair market value of the stock for each day, the generally accepted principles for ascertaining such value will be applied.

(d) *Certain options granted after December 31, 1963.* (1) In general, the term "restricted stock option" means only a stock option which is granted after February 26, 1945, and before January 1, 1964, and which meets the requirements of section 424(b) and paragraph (a) of this section. However, section 424(c)(3) provides that if an option is granted after December 31, 1963, and such option meets the requirements of section 424(b) and this section, the option will be treated as a restricted stock option, provided such option is granted pursuant to—

(i) A binding written contract entered into before January 1, 1964, or

(ii) A written plan adopted and approved before January 1, 1964, which (as of January 1, 1964, and as of the date of the granting of the option)—

(*a*) Met the requirements of section 423(b)(4) and (5) and paragraphs (e) and (f) of § 1.423–2 (relating to employees covered by the plan, and equal rights and privileges, respectively), or

(*b*) Was being administered in a way which did not discriminate in favor of officers, persons whose principal duties consist of supervising the work of other employees, or highly compensated employees.

In determining whether an option is granted pursuant to a plan described in subdivision (ii) of this subparagraph, the terms of any written offering that was made on or before January 1, 1964, will be treated as a part of the terms of the plan.

(2) For purposes of section 424(c)(3)(A) and this paragraph, a binding written contract means only a written contract under which the employee has an enforceable right to compel the grant or modification (as defined by section 425(h) and paragraph (e) of § 1.425–1) of a restricted stock option, or to obtain damages upon the breach of such contract. A contract which provides that the individual's right to a restricted stock option is contingent upon the happening of an event (including the passage of time) may satisfy the requirements of section 424(c)(3)(A). However, if the event itself, or the determination of whether the event has occurred, rests with the board of directors or any other individual or group (other than an arbitrator), the contract will not be treated as giving the employee an enforceable right for purposes of section 424(c)(3)(A) or this paragraph.

(3) (i) For purposes of applying section 424(c)(3)(B) with respect to options granted after December 31, 1963, and before October 1, 1967, the adoption and approval of a plan required by such section and this paragraph will be deemed to have occurred if the plan was adopted and approved on or before December 31, 1963, in the manner required by the applicable law of the State of incorporation. Thus, an option granted within such period pursuant to a restricted stock option plan which was not approved by the stockholders of the grantor corporation, but which was adopted by an authorized executive committee and approved by the board of directors of the grantor corporation before January 1, 1964, will meet the requirements of section 424(c)(3)(B) relating to adoption and approval, provided that the granting of options pursuant to such a plan is not contrary to the applicable State law. However, with respect to options granted on or after October 1, 1967, the approval required by section 424(c)(3)(B) must comply with all applicable provisions of the corporate charter and bylaws and the law of the State of incorporation and must represent the express consent of stockholders holding at least a majority of the voting stock of the corporation voting in person or by proxy at a duly held stockholders' meeting. The plan as adopted and approved must designate the aggregate number of shares which may be issued under the plan, and the corporations or class of corporations whose employees may be offered options under such plan. A plan which merely provides that the number of shares which may be issued under options shall not exceed a stated percentage of the shares outstanding at the time of each offering or grant under the plan will not satisfy the requirement that the plan state the aggregate number of shares which may be issued under options. However, the maximum number of shares which may be issued under the plan may be stated in terms of a percentage of either the authorized, issued or outstanding shares at the date of the adoption of the plan. Any increase in the aggregate number of shares which may be issued under the plan (other than an increase merely reflecting a change in capitalization such as a stock dividend or stock split-up) will be treated as the adoption of a new plan requiring stockholder approval. Similarly, a change in the designation of corporations whose employees may be offered options under the plan will be treated as the adoption of a new plan requiring stockholder approval unless the plan provides that designations of participating corporations may be made from time to time from among a group consisting of the grantor corporation and its parent or subsidiary corporations. The group from among which such changes and designations are permitted without additional stockholder approval may include corporations having become parents or subsidiaries of the grantor after the adoption and approval of the plan. Any other changes in the terms of a restricted stock option plan may be made without such changes being considered the adoption of a new plan.

(ii) A plan may qualify under section 424(c)(3)(B)(ii) and paragraph (1)(ii)(*b*) of this paragraph even though coverage thereunder is limited to employees who have either reached a designated age or have been employed for a designated number of years, or who are employed in certain designated departments or are in other classifications, provided that the effect of coverage of such employees does not discriminate in favor of officers, persons whose principal duties consist of supervising the work of other employees, or highly compensated employees. Furthermore, a plan (which is not otherwise discriminatory) will not be considered discriminatory merely because options are granted only to full-time employees (rather than employees working 20 hours per week or more), or because employees with less than 6 months employment per taxable year are omitted (rather than employees whose annual employment is for not more than 5 months per taxable year).

(4) An option issued or assumed in a transaction to which section 425(a) applies is treated as a continuation of the option previously held by such individual. Accordingly, if the option previously held by the individual was a restricted stock option (whether or not such restricted stock option was granted before, on, or after December 31, 1963), the option received in the transaction to which section 425(a) applies will be treated as a restricted stock option irrespective of whether such option meets the requirements of section 424(c)(3).

§ 1.425 Statutory provisions; definitions and special rules.

Sec. 425. *Definitions and special rules*—(a) *Corporate reorganizations, liquidations, etc.* For purposes of this part, the term "issuing or assuming a stock option in a transaction to which section 425(a) applies" means a substitution of a new option for the old option, or an assumption of the old option, by an employer corporation, or a parent or subsidiary of such corporation, by reason of a corporate merger, consolidation, acquisition of property or stock, separation, reorganization, or liquidation, if—

(1) The excess of the aggregate fair market value of the shares subject to the option immediately after the substitution or assumption over the aggregate option price of such shares is not more than the excess of the aggregate fair market value of all shares subject to the option immediately before such substitution or assumption over the aggregate option price of such shares, and

(2) The new option or the assumption of the old option does not give the employee additional benefits which he did not have under the old option.

For purposes of this subsection, the parent-subsidiary relationship shall be determined at the time of any such transaction under this subsection.

(b) *Acquisition of new stock.* For purposes of this part, if stock is received by an individual in a distribution to which section 305, 354, 355, 356, or 1036 (or so much of section 1031 as relates to section 1036) applies, and such distribution was made with respect to stock transferred to him upon his exercise of the option, such stock shall be considered as having been transferred to him on his exercise of such option. A similar rule shall be applied in the case of a series of such distributions.

(c) *Disposition*—(1) *In general.* Except as provided in paragraph (2), for purposes of this part, the term "disposition" includes a sale, exchange, gift, or a transfer of legal title, but does not include—

(A) A transfer from a decedent to an estate or a transfer by bequest or inheritance;

(B) An exchange to which section 354, 355, 356, or 1036 (or so much of section 1031 as relates to section 1036) applies; or

(C) A mere pledge or hypothecation.

(2) *Joint tenancy.* The acquisition of a share of stock in the name of the employee and another jointly with the right of survivorship or a subsequent transfer of a share of stock into such joint ownership shall not be deemed a disposition, but a termination of such joint tenancy (except to the extent such employee acquires ownership of such stock) shall be treated as a disposition by him occurring at the time such joint tenancy is terminated.

(d) *Attribution of stock ownership.* For purposes of this part, in applying the percentage limitations of sections 422(b)(7), 423(b)(3), and 424(b)(3)—

(1) The individual with respect to whom such limitation is being determined shall be considered as owning the stock owned, directly or indirectly, by or for his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants; and

(2) Stock owned, directly or indirectly, by or for a corporation, partnership, estate, or trust, shall be considered as being owned proportionately by or for its shareholders, partners, or beneficiaries.

(e) *Parent corporation.* For purposes of this part, the term "parent corporation" means any corporation (other than the employer corporation) in an unbroken chain of corporations ending with the employer corporation if, at the time of the granting of the option, each of the corporations other than the employer corporation owns stock possessing 50 percent or more of the total combined voting power of all classes of stock in one of the other corporations in such chain.

(f) *Subsidiary corporation.* For purposes of this part, the term "subsidiary corporation" means any corporation (other than the employer corporation) in an unbroken chain of corporations beginning with the employer corporation if, at the time of the granting of the option, each of the corporations other than the last corporation in the unbroken chain owns stock possessing 50 percent or more of the total combined voting power of all classes of stock in one of the other corporations in such chain.

(g) *Special rule for applying subsections (e) and (f).* In applying subsections (e) and (f) for purposes of section 422(a)(2), 423(a)(2), and 424(a)(2), there shall be substituted for the term "employer corporation" wherever it appears in subsections (e) and (f) the term "grantor corporation", or the term "corporation issuing or assuming a stock option in a transaction to which section 425(a) applies", as the case may be.

(h) *Modification, extension, or renewal of option*—(1) *In general.* For purposes of this part, if the terms of any option to purchase stock are modified, extended, or renewed, such modification, extension, or renewal shall be considered as the granting of a new option.

(2) *Special rules for sections 423 and 424 options.* (A) In the case of the transfer of stock pursuant to the exercise of an option to which section 423 or 424 applies and which has been so modified, extended, or renewed, then, except as provided in subparagraph (B), the fair market value of such stock at the time of the granting of such option shall be considered as whichever of the following is the highest:

(i) The fair market value of such stock on the date of the original granting of the option,

(ii) The fair market value of such stock on the date of the making of such modification, extension, or renewal, or

(iii) The fair market value of such stock at the time of the making of any intervening modification, extension, or renewal.

(B) Subparagraph (A) shall not apply with respect to a modification, extension, or renewal of a restricted stock option before January 1, 1964 (or after December 31, 1963, if made pursuant to a binding written contract entered into before January 1, 1964), if the aggregate of the monthly average fair market values of the stock subject to the option for the 12 consecutive calendar months before the date of the modification, extension, or renewal, divided by 12, is an amount less than 80 percent of the fair market value of such stock on the date of the original granting of the option or the date of the making of any intervening modification, extension, or renewal, whichever is the highest.

(3) *Definition of modification.* The term "modification" means any change in the terms of the option which gives the employee additional benefits under the option, but such term shall not include a change in the terms of the option—

(A) Attributable to the issuance or assumption of an option under subsection (a);

(B) To permit the option to qualify under sections 422(b)(6), 423(b)(9), and 424(b)(2); or

(C) In the case of an option not immediately exercisable in full, to accelerate the time at which the option may be exercised.

If a restricted stock option is exercisable after the expiration of 10 years from the date such option is granted, subparagraph (B) shall not apply unless the terms of the option are also changed to make it not exercisable after the expiration of such period.

(i) *Stockholder approval.* For purposes of this part, if the grant of an option is subject to approval by stockholders, the date of grant of the option shall be determined as if the option had not been subject to such approval.

(j) *Cross references.* For provisions requiring the reporting of certain acts with respect to a qualified stock option, options granted under employer stock purchase plans, or a restricted stock option, see section 6039.

[Sec. 425 as added by sec. 221(a), Rev. Act 1964 (78 Stat. 63)]

§ 1.425–1 Definitions and special rules applicable to statutory options.

(a) *Corporate reorganizations, liquidations, etc.* (1) (i) The term "issuing or assuming a stock option in a transaction to which section 425(a) applies" means, for purposes of sections 421 through 425, a substitution of a new option for an old option, or an assumption of such old option, by an employer corporation, or a related corporation of such corporation, by reason of a corporate transaction (as defined by subdivision (ii) of this subparagraph), if—

(*a*) The excess of the aggregate fair market value of the shares subject to the option immediately after the substitution or assumption over the aggregate option price of such shares is not more than the excess of the aggregate fair market value of all shares subject to the option immediately before such substitution or assumption over the aggregate option price of such shares, and

(*b*) The new option or the assumption of the old option does not give the employee additional benefits which he did not have under the old option.

(ii) For purposes of this section, the term "corporate transaction" means any merger of a corporation into another corporation, any consolidation of two or more corporations into another corporation, any purchase or acquisition of property or stock by any corporation, any separation of a corporation (including a spin-off or other distribution of stock or property by a corporation), any reorganization of a corporation (whether or not such reorganization comes within the definition of such term in section 368), or any partial or complete liquidation by a corporation, if such action by such corporation results in a significant number of employees being transferred to a new employer or discharged, or in the creation or severance of a parent-subsidiary relationship.

(2) (i) A change in the terms of an option attributable to the issuance or assumption of an option by reason of a corporate transaction (as defined under section 425 (a) and subparagraph (1) (ii) of this paragraph) is not a modification of such option. See section 425(h) (3) and paragraph (e) of this section. Thus, section 425(a), in effect, provides rules under which a new employer, or a parent or subsidiary of a new employer, may by reason of a corporate transaction assume a statutory option granted by the former employer or parent or subsidiary thereof, or issue a new statutory option in place of the option granted by the former employer or parent or subsidiary thereof, without having such assumption or substitution being considered as a modification of the option. For example, section 425(a) may apply where there is a merger of X Corporation into Y Corporation and Y Corporation wishes to employ the employees of X Corporation and to assume statutory options which had been granted to them by their former employer, X Corporation. Another example is where X Corporation forms a new subsidiary, Y Corporation, and transfers to it certain assets and employees, and where Y Corporation wishes to grant to such employees a statutory option to purchase its stock in place of the statutory option which they had to purchase stock of X Corporation.

(ii) Section 425(a) also provides rules under which a new parent or subsidiary corporation of the employer corporation may by reason of a corporate transaction assume a statutory option granted by the employer or parent or subsidiary thereof, or issue a new statutory option in place of the option granted by the employer or parent or subsidiary thereof, without having such assumption or substitution considered a modification of the option. Section 425(a) may apply, for example, where X Corporation acquires a new subsidiary, Y Corporation, by purchase of stock and desires to grant to the employees of Y Corporation a statutory option to buy stock of X Corporation in place of a statutory option which they have to purchase the stock of Y Corporation.

(iii) Section 425(a) applies only when the assumption or substitution occurs by reason of a corporate transaction as defined in this paragraph. Thus, section 425(a) may apply where as a result of a corporate transaction a statutory option can no longer be exercised, or if exercised, section 421 would not apply (see the first example in subdivision (i) of this subparagraph). Moreover, section 425(a) may apply in any case where the reason for the assumption or substitution grows out of a corporate transaction even though there could have been a valid exercise under section 421 of the original option (see the second example in subdivision (i) of this subparagraph and the example in subdivision (ii) of this subparagraph). However, a corporation which has issued an option may not substitute a new option for such option under section 425(a). See, however, paragraph (e) of this section.

(3) For section 425(a) to apply, it is not necessary to show that the corporation assuming or substituting the option is under any obligation to do so. In fact, section 425(a) may apply where the option which is being assumed or replaced expressly provides that it will terminate upon the occurrence of certain corporate transactions. However, section 425(a) cannot be applied to revive a statutory option which, for reasons not related to the corporate transaction, expires before it can properly be assumed or replaced under section 425(a). For section 425(a) to apply, the assumed or substituted option must qualify as a statutory option.

(4) (i) Section 425(a) does not apply if the terms of the assumed or substituted option confer on the employee more favorable benefits than he had under the old option. Section 425(a) can apply to a corporate transaction only if, on a share by share comparison, the ratio of the option price to the fair market value of the stock subject to the option immediately after the substitution or assumption is no more favorable to the optionee than the ratio of the option price to the fair market value of the stock subject to the old option immediately before such substitution or assumption. The number of shares subject to an option issued or assumed may be adjusted to compensate for any change in the aggregate spread between the aggregate option price and the aggregate fair market value of the stock subject to the option immediately after the substitution or assumption as compared to the aggregate spread between the option price and the aggregate fair market value of the stock subject to the option immediately before such substitution or assumption. Such an adjustment will not prevent section 425(a) from applying to such substitution or assumption.

(ii) The application of this subparagraph may be illustrated by the following examples:

Example (1). On June 1, 1965, P Corporation acquires 100 percent of the stock of S Corporation and on such date S becomes a subsidiary of P Corporation. Also on such date, P Corporation substitutes a qualified stock option to purchase P stock for a qualified stock option to purchase S stock held by E, an employee of S. Assume that E's S option had 3 years to run on the date of the substitution. If the P option granted to E in substitution for his S option runs for more than 3 years from the date of the substitution, section 425(a) cannot apply, since the effect of such an option would be to give E an additional benefit which he did not enjoy under his S option.

Example (2). E is an employee of S Corporation. E holds a qualified stock option which was granted to him by S to purchase 60 shares of S stock at $12 per share. On June 1, 1967, S Corporation is merged into P Corporation, and on such date P substitutes a qualified stock option to purchase P stock for E's qualified stock option to purchase S stock. Immediately before the substitution, the fair market value of S stock was $32 per share; immediately after the substitution, the fair market value of P stock is $24 per share. The new option entitles E to buy P stock at $9 per share. Since on a share by share comparison the ratio of the new option price ($9 per share) to the fair market value of P stock immediately after the substitution ($24 per share) is not more favorable to E than the ratio of the old option price ($12 per share) to the fair market value of S stock immediately before the substitution ($32 per share) (9/24=12/32) the requirement of subparagraph (4)(1) of this paragraph is met. The number of shares subject to E's option to purchase P stock is set at 80. Since the excess of the aggregate fair market value over the aggregate option price of the stock subject to E's new option to purchase P stock, $1,200 (80 x $24 minus 80 x $9), is not greater than the excess of the aggregate fair market value over the aggregate option price of the stock subject to E's old option to purchase S stock, $1,200 (60×$32 minus 60×$12), the requirement of subparagraph (1)(i)(a) of this paragraph is met. Thus, section 425(a) may apply to the substitution.

Example (3). Assume the same facts as in example (2), except assume that the fair market value of S stock immediately before the substitution was $8 per share and that the option price was $10 per share, and that the fair market value of P stock immediately after the substitution is $12 per share. P sets the new option price at $15 per share. Since on a share by share comparison the ratio of the new option price ($15 per share) to the fair market value of P stock immediately after the substitution ($12 per share) is not more favorable to E than the ratio of the old option price ($10 per share) to the fair market value of S stock immediately before the substitution ($8 per share) (15/12=10/8), the requirement of subparagraph (4)(1) of this paragraph is met. Assume further that the number of shares subject to E's P option is set at 20 as compared to 60 shares under E's old option to buy S stock. Immediately after the substitution, 2 shares of P stock are worth $24, which is what 3 shares of S stock were worth immediately before the substitution (2×$12=3×$8). Thus, to completely replace E's S option, E should have received an option to purchase 40 shares of P stock, i.e., 2 shares of P for each 3 shares of S which E could have purchased under his old option (3/3=40/60). Since E's new option covers 20 shares of P stock, it is clear that P has replaced only ⅓ of E's stock option. The portion of E's stock option which was not replaced by P is an outstanding stock option to purchase stock of a predecessor corporation of P Corporation for purposes of section 422(b)(5) and (c)(2).

(5) For the purpose of applying section 425(a), the assumption or substitution shall be considered to occur at the time that the optionee would, except for section 425(a), be considered to have been granted the option which the employer corporation, or parent or subsidiary thereof, is issuing or assuming. An assumption or substitution which occurs by reason of a corporate transaction may occur before or after the corporate transaction.

(6) In order to have a substitution of an option under section 425(a) the optionee must, in connection with the corporate transaction, lose his rights under the old option. There cannot be a substitution of a new option for an old option within the meaning of section 425 (a) if it is contemplated that the optionee may exercise both the old option and the new option. It is not necessary, however, to have a complete substitution of a new option for the old option. However, if the old option was a qualified or restricted stock option, any portion of such option which is not substituted or assumed in a transaction to which section 425(a) applies will be treated as an outstanding option to purchase stock of a predecessor corporation of the new employer or grantor corporation. See section 422 (b)(5) and (c)(2) and paragraph (f) of § 1.422–2. For example, assume that X Corporation forms a new corporation, Y Corporation, by a transfer of certain assets and distributes the stock of Y Corporation to the shareholders of X Corporation. Assume further that E, an employee of X Corporation, is thereafter an employee of both X Corporation and Y Corporation. Y Corporation wishes to substitute an option to purchase some of its stock for the statutory option which E has, entitling him to purchase 100 shares of the stock of X Corporation. The option to purchase the stock of X Corporation, at $50 a share, was granted when the stock had a fair market value of $50 a share, and the stock was worth $100 a share just before the distribution of the new corporation's stock to the shareholders of X Corporation. The stock of X Corporation and of Y Corporation is worth $50 a share just after such distribution, which also is the time of the substitution. On these facts an option to purchase 200 shares of stock of Y Corporation at $25 a share could be given to the employee in complete substitution for the old option. It would also be permissible to give the employee an option to purchase 100 shares of stock of Y Corporation at $25 a share in substitution for his right to purchase 50 of the shares covered by the old option. However, if the option to purchase X stock was a qualified or restricted stock option, then to the extent the old option is not assumed or a new option issued in substitution therefor in a transaction to which section 425(a) applies, such old option will be treated as an outstanding option under section 422(c)(2) for purposes of section 422(b)(5). See paragraph (f) of § 1.422–2.

(7) Any reasonable methods may be used to determine the fair market value of the stock subject to the option immediately before the assumption or substitution and the fair market value of the stock subject to the option immediately after the assumption or substitution. Such methods include the valuation methods described in § 20.2031–2 of this chapter (the Estate Tax Regulations). In the case of stock listed on a stock exchange, the fair market value may be based on the last sale before and the first sale after the assumption or substitution if such sales clearly reflect the fair market value of the stock, or may be based upon an average selling price during a longer period, such as the day or week before, and the day or week after, the assumption or substitution. If the stocks are not listed, or if they are newly issued, it will be reasonable to base the determination on experience over even longer periods. In the case of a merger, consolidation, or other reorganization which is arrived at by arm's-length negotiations, the fair market value of the stocks subject to the option before and after the assumption or substitution may be based upon the values assigned to the stock for purposes of the reorganization. For example, if in the case of a merger the parties treat each share of the merged company as being equal in value to a share of the surviving company, it will be reasonable to assume that the stocks are of equal value so that the substituted option may permit the employee to purchase at the same price one share of the surviving company for each share he could have purchased of the merged company.

(8) For the purpose of applying section 425(a) and this paragraph, the determination of whether the parent-subsidiary relationship exists shall be based upon circumstances existing immediately after the corporate transaction.

(b) *Acquisition of new stock.* (1) Section 425(b) provides that the rules provided by sections 421 through 425 which are applicable with respect to stock transferred to an individual upon his exercise of an option, shall likewise be applicable with respect to stock acquired by a distribution or an exchange to which section 305, 354, 355, 356, or 1036 (or so much of section 1031 as relates to section 1036) applies. Stock so acquired shall, for purposes of sections 421 through 425, be considered as having been transferred to the individual upon his exercise of the option. A similar rule shall be applied in the case of a series of such acquisitions. With respect to such acquisitions, section 425(b) does not make inapplicable any of the provisions of section 305, 354, 355, 356, or 1036 (or so much of section 1031 as relates to section 1036).

(2) The application of this paragraph may be illustrated by the following example:

Example. If, with respect to stock transferred pursuant to the timely exercise of a statutory option, there is a distribution of new stock to which section 305(a) is applicable, and if there is a disposition of such new stock before the expiration of the applicable holding period required with respect to the stock originally acquired pursuant to the exercise of such option, such disposition makes section 421 inapplicable to the transfer of the original stock pursuant to the exercise of the option to the extent that the disposition effects a reduction of the individual's total interest in the old and new stock. However, if the new stock, as well as the old stock, is not disposed of before the expiration of the holding period required with respect to the original stock acquired pursuant to the exercise of the option, the special tax treatment provided by section 421 is applicable to both the original shares and the shares acquired by virtue of the distribution to which section 305(a) applies.

(c) *Disposition of stock.* (1) For purposes of sections 421 through 425, the term "disposition" includes a sale, exchange, gift, or any transfer of legal title, but does not include—

(i) A transfer from a decedent to his estate or a transfer by bequest or inheritance; or

(ii) An exchange to which is applicable section 354, 355, 356, or 1036 (or so much of section 1031 as relates to section 1036); or

(iii) A mere pledge or hypothecation. However, a disposition of the stock pursuant to a pledge or hypothecation is a disposition by the individual, even though the making of the pledge or hypothecation is not such a disposition.

(2) A share of stock acquired by an individual pursuant to the exercise of a statutory option is not considered disposed of by the individual if such share is taken in the name of the individual and another person jointly with right of survivorship, or is subsequently transferred into such joint ownership, or is retransferred from such joint ownership to the sole ownership of the individual. However, any termination of such joint ownership (other than a termination effected by the death of a joint owner) is a disposition of such share, except to the extent the individual reacquires ownership of the share. For example, if such individual and his joint owner transfer such share to another person, the individual has made a disposition of such share. Likewise, if a share of stock held in the joint names of such individual and another person is transferred to the name of such other person, there is a disposition of such share by the individual. If an individual exercises a statutory option and a share of stock is trans-

ferred to another or is transferred to such individual in his name as trustee for another, the individual has made a disposition of such share. However, a termination of joint ownership resulting from the death of one of the owners is not a disposition of such share. For determination of basis in the hands of the survivor where joint ownership is terminated by the death of one of the owners, see section 1014.

(3) The application of this paragraph may be illustrated by the following examples:

Example (1). On June 1, 1964, the X Corporation grants to **E**, an employee, a qualified stock option to purchase 100 shares of X Corporation stock at $100 per share, the fair market value of X Corporation stock on that date. On June 1, 1965, while employed by X Corporation, E exercises the option in full and pays X Corporation $10,000, and on that day X Corporation transfers to E 100 shares of its stock having a fair market value of $12,000. Before June 1, 1968, E makes no disposition of the 100 shares so purchased. E realizes no income on June 1, 1965, with respect to the transfer to him of the 100 shares of X Corporation stock. X Corporation is not entitled to any deduction at any time with respect to its transfer to E of the stock. E's basis for such 100 shares is $10,000.

Example (2). Assume the same facts as in example (1), except assume that on August 1, 1968, three years and two months after the transfer of the shares to him, E sells the 100 shares of X Corporation stock for $13,000 which is the fair market value of the stock on that date. For the taxable year in which the sale occurs, E realizes a gain of $3,000 ($13,000 minus E's basis of $10,000), which is treated as long-term capital gain.

Example (3). Assume the same facts as in example (2), except assume that on August 1, 1968, E makes a gift of the 100 shares of Y Corporation stock to his son. Such disposition results in no realization of gain to E either for the taxable year in which the option is exercised or the taxable year in which the gift is made. E's basis of $10,000 becomes the donee's basis for determining gain or loss.

Example (4). Assume the same facts as in example (1), except assume that on May 1, 1968, two years and 11 months after the transfer of the shares to him, E sells the 100 shares of X Corporation stock for $13,000. The special rules of section 421(a) are not applicable to the transfer of the stock by X Corporation to E, because disposition of the stock was made by E within three years from the date the shares were transferred to him.

Example (5). Assume the same facts as in example (1), except assume that E dies on September 1, 1965, owning the 100 shares of X Corporation stock acquired by him pursuant to his exercise on June 1, 1965, of the qualified stock option. On the date of death, the fair market value of the stock is $12,500. No income is realized by E by reason of the transfer of the 100 shares to his estate. If the stock is valued as of the date of E's death for estate tax purposes, the basis of the 100 shares in the hands of the executor is $12,500.

Example (6). Assume the same facts as in example (1), except assume that on June 1, 1965, when the option is exercised by E the 100 shares are transferred by X to E and his wife W, as joint owners with right of survivorship, and that E dies on July 1, 1965. Neither the transfer into joint ownership nor the termination of such joint ownership by E's death is a disposition. Because E has made no disqualifying disposition of the shares, section 421(a) is applicable and E realizes no income at death with respect to the shares even though he held the stock less than 3 years after the transfer of the shares to him pursuant to his exercise of a qualified stock option. See paragraph (b)(2) of § 1.421–8.

(d) *Attribution of stock ownership.* Section 425(d) provides that in determining the amount of stock owned by an individual for purposes of applying the percentage limitations of section 422(b)(7), 423(b)(3), and 424(b)(3), stock of the employer corporation or of a related corporation which is owned (directly or indirectly) by or for such individual's brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants, shall be considered as owned by such individual. Also, for such purpose, if a domestic or foreign corporation, partnership, estate, or trust owns (directly or indirectly) stock of the employer corporation or of its parent or subsidiary, such stock shall be considered as being owned proportionately by or for the shareholders, partners, or beneficiaries of the corporation, partnership, estate, or trust.

(e) *Modification, extension, or renewal of option.* (1) Section 425(h) provides the rules for determining whether a share of stock transferred to an individual upon his exercise of an option, after the terms thereof have been modified, extended, or renewed, is transferred pursuant to the exercise of a statutory option. Such rules and the rules of this section are applicable to modifications, extensions, or renewals (or to changes which are not treated as modifications) of an option in any taxable year of the optionee which begins after December 31, 1963, except that section 425(h)(1) and this paragraph shall not apply to any change made before January 1, 1965, in the terms of an option granted after December 31, 1963, to permit such option to meet the requirements of section 422(b)(3), (4), or (5), and the regulations thereunder. See paragraphs (d), (e), and (f), of § 1.422–2, relating to period for exercising options, option price, and prior outstanding options, respectively, in the case of qualified stock options.

(2) Any modification, extension, or renewal of the terms of an option to purchase stock shall be considered as the granting of a new option.

(3) Except as otherwise provided in subparagraph (4) of this paragraph, in case of a modification, extension, or renewal of an option, the highest of the following values shall be considered to be the fair market value of the stock at the time of the granting of such option for purposes of applying the rules of sections 423(b)(6), and 424(b)(1)—

(i) The fair market value on the date of the original granting of the option,

(ii) The fair market value on the date of the making of such modification, extension, or renewal, or

(iii) The fair market value at the time of the making of any intervening modification, extension, or renewal.

(4)(i) In the case of a modification, extension, or renewal of a restricted stock option before January 1, 1964 (or after December 31, 1963, if made pursuant to a binding written contract entered into before January 1, 1964), the rules of subparagraph (3) of this paragraph do not apply if the aggregate of the monthly average fair market values of the stock subject to the option for the 12 consecutive calendar months preceding the month in which the modification, extension, or renewal occurs, divided by 12, is an amount less than 80 percent of the fair market value of such stock on the date of the original granting of the option or the date of the making of any intervening modification, extension, or renewal, whichever is the highest. In such case, any modification, extension, or renewal of the option is treated as the granting of a new option but only the fair market value of the stock subject to the option at the time of the modification, extension, or renewal is considered in determining whether the option is a restricted stock option. In the case of stocks listed on a stock exchange, the average fair market value of the stock for any month may be determined by adding the highest and lowest quoted selling prices during such month and dividing the sum by two. The method used for determining the average fair market value of the stock for any month must be used for all twelve months, except where it is shown that such method cannot be used for any month or does not clearly reflect the average fair market value of the stock for any such month.

(ii) The application of subdivision (i) of this subparagraph may be illustrated by the following example:

Example. On June 1, 1962, a restricted stock option was granted to purchase before July 1, 1965, a share of stock for $85. The fair market value of such stock on June 1, 1962, was $100. On June 15, 1963, when the fair market value of the stock is $60, such option is extended so that it is exercisable at any time before July 1, 1966, at $55 a share. The average fair market value of the stock subject to the option for each of the 12 calendar months preceding June 1963, is as follows:

1962		1963	
June	$100	January	$90
July	90	February	80
August	80	March	70
September	70	April	60
October	80	May	60
November	80		
December	90		

The aggregate of such values is $950. When this sum is divided by 12, the result is $79.17, which is an amount less than 80 percent of the fair market value of the stock ($100) when the option was granted. Accordingly, when the option is extended on June 15, 1963, the option price could have been reduced as low as $51 (85 percent of the fair market value of the stock on such day) without disqualifying the option as a restricted stock option. If the aggregate fair market values of the stock so ascertained had amounted to $960 or more, the rules of subparagraph (3) of this paragraph would have been applicable with the result that any reduction in the option price would have disqualified the option as a restricted stock option.

(5)(i) The time or date when an option is modified, extended, or renewed

shall be determined, insofar as applicable, in accordance with the rules governing determination of the time or date of granting an option provided in paragraph (c) of § 1.421–7. For purposes of sections 421 through 425, the term "modification" means any change in the terms of the option which gives the optionee additional benefits under the option. For example, a change in the terms of the option, which shortens the period during which the option is exercisable, is not a modification. However, a change which provides more favorable terms for the payment for the stock purchased under the option, is a modification. Where an option is amended solely to increase the number of shares subject to the option, such increase shall not be considered as a modification of the option, but shall be treated as the grant of a new option for the additional shares.

(ii)(*a*) A change in the number or price of the shares of stock subject to an option merely to reflect a stock dividend, or stock split-up, is not a modification of the option.

(*b*) A change in the number or price of the shares of stock subject to an option to reflect a corporate transaction (as defined by paragraph (a)(1)(ii) of this section) is not a modification of the option provided that the excess of the aggregate fair market value (determined immediately after such corporate transaction) of the shares subject to the option immediately after such change over the aggregate new option price of such shares is not more than the excess of the aggregate fair market value of the shares subject to the option immediately before the transaction over the aggregate former option price of such shares, and provided that the option after such change does not give the employee additional benefits which he did not have before such change. The ratio of the option price immediately after the change to the fair market value of the stock subject to the option immediately after the corporate transaction must not be more favorable to the optionee on a share by share comparison than the ratio of the old option price to the fair market value of the stock subject to the option immediately before such transaction. A reduction in the option price of an option, other than as specifically provided for in this section, is a modification of such option.

(*c*) The application of (*b*) of this subdivision may be illustrated by the following example:

Example. E, an employee of P Corporation, holds a qualified stock option granted to him by P to buy 90 shares of P stock at $36 per share. P Corporation is a party to a corporate transaction (as defined by paragraph (a)(1)(ii) of this section) which results in a decline in the fair market value of P stock. Immediately before such transaction the fair market value of P stock was $64 per share. Immediately after such transaction, the fair market value of P stock is $48 per share. Two weeks after such transaction, P proposes to amend E's option in order to reflect the decline in the fair market value of P stock attributable to the transaction. At such time, the fair market value of P stock is $50 per share. However, since the change was not made at the time of the transaction, the fair market value of P stock at the time of the change is irrelevant for purposes of determining whether the change comes under the rule of (*b*) of this subdivision. P changes the terms of E's option to lower the option price to $27 per share and to increase the number of shares subject to the option to 120. No other terms of the option are changed. The aggregate fair market value (determined immediately after the corporate transaction) of the shares subject to the option immediately after the change is $5,760 ($48 x 120). The aggregate option price of the shares subject to the option immediately after the change is $3,240 ($27 x 120). Thus, the excess of such fair market value over such option price is $2,520 ($5,760—$3,240). The aggregate fair market value of the stock subject to the option immediately before the corporate transaction is $5,760 ($64 x 90). The aggregate option price for the stock subject to the option immediately before the change is $3,240 ($36 x 90). Thus, the excess of such fair market value over such option price is $2,520 ($5,760—$3,240). Accordingly, the excess after the change does not exceed the excess before the corporate transaction. Moreover, the ratio of the option price immediately after the change ($27 per share) to the fair market value of P stock immediately after the transaction ($48 per share) is not more favorable to E on a share by share comparison than the ratio of the old option price ($36 per share) to the fair market value of P stock immediately before the transaction ($64) (27/48=36/64). For purposes of section 425(h), the changes made do not confer additional benefits on E which he did not have before the change. Accordingly, the changes do not constitute a modification of E's option.

(iii) Any change in the terms of an option for the purpose of qualifying the option as a statutory option grants additional benefits and, therefore, is a modification. However, if the terms of an option are changed to provide that the optionee cannot transfer the option except by will or by the laws of descent and distribution in order to meet the requirements of section 422(b)(6), 423(b)(9), or 424(b)(2), such change is not a modification, provided that in any case where the purpose of the change is to meet the requirements of section 424(b)(2) the option is at the same time changed so that it is not exercisable after the expiration of ten years from the date the option was granted. Where an option is not immediately exercisable in full, a change in the terms of such option to accelerate the time at which the option (or any portion thereof) may be exercised is not a modification for purposes of section 425(h) and this section. A modification results where an option is revised to insert the language required by section 422(c)(6)(B).

(iv) An extension of an option refers to the granting by the corporation to the optionee of an additional period of time within which to exercise the option beyond the time originally prescribed. A renewal of an option is the granting by the corporation of the same rights or privileges contained in the original option on the same terms and conditions. The rules of this paragraph apply as well to successive modifications, extensions, and renewals.

(6) A statutory option may, as a result of a modification, extension, or renewal, thereafter cease to be a statutory option, or any option may, by modification, extension, or renewal, thereafter become a statutory option. Moreover, a qualified option after a modification may not be exercisable in accordance with its terms because of the requirements of section 422(b)(5) and section 422(c)(6). See paragraph (f)(3)(i) of § 1.422–2 and examples (8) and (9) of paragraph (f)(4) of § 1.422–2.

(7) The application of this paragraph may be illustrated by the following examples:

Example (1). On June 1, 1964, the X Corporation grants to an employee an option under X's employee stock purchase plan to purchase 100 shares of the stock of X Corporation at $90 per share, such option to be exercised on or before June 1, 1966. At the time the option is granted, the fair market value of the X Corporation stock is $100 per share. On February 1, 1965, before the employee exercises the option, X Corporation modifies the option to provide that the price at which the employee may purchase the stock shall be $80 per share. On February 1, 1965, the fair market value of the X Corporation stock is $90 per share. Under section 425(h), the X Corporation is deemed to have granted an option to the employee on February 1, 1965. Such option shall be treated as an option to purchase at $80 per share 100 shares of stock having a fair market value of $100 per share, that is, the higher of the fair market value of the stock on June 1, 1964, or on February 1, 1965. The exercise of such option by the employee after February 1, 1965, is not the exercise of a statutory option.

Example (2). On June 1, 1964, the X Corporation grants to an employee an option under X's employee stock purchase plan to purchase 100 shares of X Corporation stock at $90 per share, exercisable after December 31, 1965, and on or before June 1, 1966. On June 1, 1964, the fair market value of X Corporation's stock is $100 per share. On February 1, 1965, X Corporation modifies the option to provide that the option shall be exercisable on or before September 1, 1966. On February 1, 1965, the fair market value of X Corporation stock is $110 per share. Under section 425(h), X Corporation is deemed to have granted an option to the employee on February 1, 1965, to purchase at $90 per share 100 shares of stock having a fair market value of $110 per share, that is, the higher of the fair market value of the stock on June 1, 1964, or on February 1, 1965. The exercise of such option by the employee is not the exercise of a statutory option.

Example (3). The facts are the same as in example (1), except that the employee exercised the option to the extent of 50 shares on January 15, 1965, before the date of the modification of the option. Any exercise of the option after February 1, 1965, the date of the modification, is not the exercise of a statutory option. See example (1) in this subparagraph. The exercise of the option on January 15, 1965, pursuant to which 50 shares were acquired, is the exercise of a statutory option.

Example (4). On June 1, 1964, the X Corporation grants to an employee an option to purchase 100 shares of the stock of X Corporation at $80 per share, such option to be exercised on or before June 1, 1966. At the time the option is granted, the fair market value of the X Corporation stock is $100 per share. On February 1, 1965, before the employee exercises the option, the X Corporation modifies the option to provide that the number of shares of stock which the em-

ployee may purchase at $80 per share will be 250. On February 1, 1965, the fair market value of X Corporation stock is $80 per share. Under these facts, the X Corporation has granted two options, one option (not a statutory option) with respect to 100 shares having been granted on June 1, 1964, and the other option (a qualified stock option) with respect to the additional 150 shares having been granted on February 1, 1965. In the absence of facts identifying which option is exercised first, the employee will be deemed to have exercised the options in the order in which they were granted.

PAR. 8. Section 1.691(c) is amended by revising section 691(c)(2)(B) and by adding a historical note. These amended and added provisions read as follows:

§ 1.691(c) Statutory provisions; recipients of income in respect of decedents; deduction for estate tax.

Sec. 691. *Recipients of income in respect of decedents.* * * *

(c) *Deduction for estate tax.* * * *

(2) *Method of computing deduction.* * * *

(B) The net value for estate tax purposes of all the items described in subsection (a)(1) shall be the excess of the value for estate tax purposes of all the items described in subsection (a)(1) over the deductions from the gross estate in respect of claims which represent the deductions and credit described in subsection (b). Such net value shall be determined with respect to the provisions of section 421(c)(2), relating to the deduction for estate tax with respect to stock options to which part II of subchapter D applies.

* * * * *

[Sec. 691(c) as amended by sec. 221(c)(2), Rev. Act 1964 (78 Stat. 75)]

PAR. 9. Paragraph (c)(1) and example (1) of paragraph (d) of § 1.691(c)–1 are amended to read as follows:

§ 1.691(c)–1 Deduction for estate tax attributable to income in respect of a decedent.

* * * * *

(c) *Amounts deemed to be income in respect of a decedent.* * * *

(1) The value for estate tax purposes of stock options in respect of which amounts are includible in gross income under section 421(b) (prior to amendment by section 221(a) of the Revenue Act of 1964), in the case of taxable years ending before January 1, 1964, or under section 422(c)(1), 423(c), or 424(c)(1), whichever is applicable, in the case of taxable years ending after December 31, 1963. See section 421(d)(6) (prior to amendment by sec. 221(a) of the Revenue Act of 1964), in the case of taxable years ending before January 1, 1964, and section 421(c)(2), in the case of taxable years ending after December 31, 1963.

(d) *Examples.* * * *

Example (1). X, an attorney who kept his books by use of the cash receipts and disbursements method, was entitled at the date of his death to a fee for services rendered in a case not completed at the time of his death, which fee was valued in his estate at $1,000, and to accrued bond interest, which was valued in his estate at $500. In all, $1,500 was included in his gross estate in respect of income described in section 691(a)(1). There were deducted as claims against his estate $150 for business expenses for which his estate was liable and $50 for taxes accrued on certain property which he owned. In all, $200 was deducted for claims which represent amounts described in section 691(b) which are allowable as deductions to his estate or to the beneficiaries of his estate. His gross estate was $185,000 and, considering deductions of $15,000 and an exemption of $60,000, his taxable estate amounted to $110,000. The estate tax on this amount is $23,700 from which is subtracted a $75 credit for State death taxes leaving an estate tax liability of $23,625. In the year following the closing of X's estate, the fee in the amount of $1,200 was collected by X's son, who was the sole beneficiary of the estate. This amount was included under section 691(a)(1)(C) in the son's gross income. The son may deduct, in computing his taxable income for such year, $260 on account of the estate tax attributable to such income, computed as follows:

(i) (1) Value of income described in section 691(a)(1) included in computing gross estate	$1,500
(ii) Deductions in computing gross estate for claims representing deductions described in section 691(b)	200
(iii) Net value of items described in section 691(a)(1)	1,300
(2) (i) Estate tax	23,625
(ii) Less: Estate tax computed without including $1,300 (item (1)(iii)) in gross estate	23,235
(iii) Portion of estate tax attributable to net value of items described in section 691(a)(1)	390
(3) (i) Value in gross estate of items described in section 691(a)(1) received in taxable year (fee)	1,000
(ii) Value in gross estate of all income items described in section 691(a)(1) (item (1)(i))	1,500
(iii) Part of estate tax deductible on account of receipt of $1,200 fee (1,000/1,500 of $390)	260

Although $1,200 was later collected as the fee, only the $1,000 actually included in the gross estate is used in the above computations. However, to avoid distortion, section 691(c) provides that if the value included in the gross estate is greater than the amount finally collected, only the amount collected shall be used in the above computations. Thus, if the amount collected as the fee were only $500, the estate tax deductible on the receipt of such amount would be 500/1,500 of $390, or $130. With respect to taxable years ending before January 1, 1964, see paragraph (d)(3) of § 1.421–5 for a similar example involving a restricted stock option. With respect to taxable years ending after December 31, 1963, see paragraph (c)(3) of § 1.421–8 for a similar example involving a stock option subject to the provisions of part II of subchapter D.

* * * * *

PAR. 10. Paragraph (d) of § 1.1012–1 is amended to read as follows:

§ 1.1012–1 Basis of property—cost.

* * * * *

(d) *Special rules.* For special rules for determining the basis for gain or loss in the case of vessels acquired through the Maritime Commission (or its successor), see sections 510 and 511 of the Merchant Marine Act of 1936 (46 U.S.C. 1160, 1161). For special rules for determining the unadjusted basis of property recovered in respect of war losses, see section 1336. For special rules with respect to taxable years beginning before January 1, 1964, for determining the basis for gain or loss in the case of a disposition of a share of stock acquired pursuant to the timely exercise of a restricted stock option where the option price was between 85 percent and 95 percent of the fair market value of the stock at the time the option was granted, see paragraph (b) of § 1.421–5. See sections 423(c)(1) or 424(c)(1), whichever is applicable, for special rules with respect to taxable years ending after December 31, 1963 for determining the basis for gain or loss in the case of the disposition of a share of stock acquired pursuant to the timely exercise of a stock option described in such sections. See section 422(c)(1) for special rule with respect to taxable years ending after December 31, 1963, for determining the basis for gain or loss in the case of an exercise of a qualified stock option.

PAR. 11. Paragraph (c) of § 1.1014–1 is amended to read as follows:

§ 1.1014–1 Basis of property acquired from a decedent.

* * * * *

(c) *Property to which section 1014 does not apply.* Section 1014 shall have no application to the following classes of property:

(1) Property which constitutes a right to receive an item of income in respect of a decedent under section 691; and

(2) Restricted stock options described in section 421 which the employee has not exercised at death if the employee died before January 1, 1957. In the case of employees dying after December 31, 1956, see paragraph (d)(4) of § 1.421–5. In the case of employees dying in a taxable year ending after December 31, 1963, see paragraph (c)(4) of § 1.421–8 with respect to an option described in part II of subchapter D.

PAR. 12. There are inserted immediately after § 1.6038–2 the following new sections:

§ 1.6039 Statutory provisions; returns required in connection with certain stock options.

Sec. 6039. *Information required in connection with certain options*—(a) *Requirement of reporting.* Every corporation—

(1) Which in any calendar year transfers a share of stock to any person pursuant to such person's exercise of a qualified stock option or a restricted stock option, or

(2) Which in any calendar year records (or has by its agent recorded) a transfer of the legal title of a share of stock—

(A) Acquired by the transferor pursuant to his exercise of an option described in section 423(c) (relating to special rule where option price is between 85 percent and 100 percent of value of stock), or

(B) Acquired by the transferor pursuant to his exercise of a restricted stock option described in section 424(c)(1) (relating to options under which option price is between 85 percent and 95 percent of value of stock),

shall, for such calendar year, make a return at such time and in such manner, and setting forth such information, as the Secretary or his delegate may by regulations prescribe. For purposes of the preceding sentence, any option which a corporation treats as a qualified stock option, a restricted stock option, or an option granted under an employee stock purchase plan, shall be deemed to be such an option. A return is required by reason of a transfer described in paragraph (2) of a share only with respect to the first transfer of such share by the person who exercised the option.

(b) *Statements to be furnished to persons with respect to whom information is furnished.* Every corporation making a return under subsection (a) shall furnish to each person whose name is set forth in such return a written statement setting forth such information as the Secretary or his delegate may by regulations prescribe. The written statement required under the preceding sentence shall be furnished to the person on or before January 31 of the year following the calendar year for which the return under subsection (a) was made.

(c) *Identification of stock.* Any corporation which transfers any share of stock pursuant to the exercise of an option described in subsection (a)(2) shall identify such stock in a manner adequate to carry out the purposes of this section.

(d) *Cross references.* For definition of—

(1) The term "qualified stock option", see section 422(b).

(2) The term "employee stock purchase plan", see section 423(b).

(3) The term "restricted stock option", see section 424(b).

[Sec. 6039 as added by sec. 221(b)(1), Rev. Act 1964 (78 Stat. 73)]

§ 1.6039–1 Information returns required of corporations with respect to certain stock option transactions occurring on or after January 1, 1964.

(a) *Requirement of return under section 6039(a)(1).* Every corporation which transfers stock to any person pursuant to such person's exercise on or after January 1, 1964, of a qualified stock option described in section 422(b), or a restricted stock option described in section 424(b), shall make, for each calendar year in which such a transfer occurs, an information return on Form 3921 with respect to each transfer made during such year. The return shall include the following information:

(1) The name, address and employer identification number of the corporation transferring the stock;

(2) The name, address, and identifying number of the person to whom the share or shares of stock were transferred;

(3) The name and address of the corporation the stock of which is the subject of the option (if other than the corporation transferring the stock);

(4) The date the option was granted;

(5) The date the shares were transferred to the person exercising the option;

(6) The fair market value of the stock at the time the option was exercised;

(7) The number of shares of stock transferred pursuant to the option;

(8) The type of option under which the transferred shares were acquired; and

(9) Such other information as may be required by the return or by the instructions issued with respect thereto.

(b) *Requirement of return under section 6039(a)(2).* (1) Every corporation which records, or has by its agent recorded, a transfer of the title to stock acquired by the transferor pursuant to his exercise on or after January 1, 1964, of—

(i) An option granted under an employee stock purchase plan which meets the requirements of section 423(b), and with respect to which the special rule of section 423(c) applied, or

(ii) A restricted stock option which meets the requirements of section 424(b), and with respect to which the special rule of section 424(c)(1) applies,

shall make, for each calendar year in which such a recorded transfer of title to such stock occurs, an information return on Form 3922 with respect to each transfer containing the information required by subparagraph (2) of this paragraph.

(2) The return required by subparagraph (1) of this paragraph shall contain the following information:

(i) The name and address of the corporation whose stock is being transferred;

(ii) The name, address, and identifying number of the transferor;

(iii) The date such stock was transferred to the transferor;

(iv) The number of shares to which title is being transferred; and

(v) The type of option under which the transferred shares were acquired.

(3) If the return required by this paragraph is made by the authorized "transfer agent" of the corporation, it shall be deemed to have been made by the corporation. The term "transfer agent", as used in this paragraph, means any designee authorized to keep the stock ownership records of a corporation and to record a transfer of title of the stock of such corporation on behalf of such corporation.

(4) Where a corporation is required by this paragraph to make an information return for the calendar year, such return will only have to supply information relating to the first recorded transfer of title to the share or shares of stock. Thus, for example, if the owner has record title to a share or shares of stock transferred to a recognized broker or financial institution and the stock is subsequently sold by such broker or institution (on behalf of the owner) the corporation is only required to report information relating to the transfer of record title to the broker or financial institution. Similarly, a return is required when a share of stock is transferred by the optionee to himself and another person (or persons) as joint tenants, tenants by the entireties or tenants in common. However, when stock is originally issued to the optionee and another person (or persons) as joint tenants, or as tenants by the entirety, and a stock certificate was not previously actually issued to the optionee as a sole owner, the return required by this paragraph shall be made (at such time and in such manner as is provided by this section with respect to a transfer by the optionee) in respect of the first transfer of the title to such stock by the optionee.

(5) Every corporation which transfers any share of stock pursuant to the exercise of an option described in this paragraph shall identify such stock in a manner sufficient to enable the accurate reporting of the transfer of record title to such shares. Such identification may be accomplished by assigning to the certificates of stock issued pursuant to the exercise of such options a special serial number, or color.

(c) *Time, place, and manner of filing.* (1) The returns on Forms 3921 and 3922 required by section 6039(a)(1) and (2) and paragraphs (a) and (b) of this section shall be filed as attachments to a summary report on Form 4067 which must be signed by the person required to file the returns or its duly authorized agent. With respect to returns on Form 3921, the summary report on Form 4067 shall indicate the number of returns filed, the number of shares transferred pursuant to exercise of options, the dates on which the options exercised were offered or granted, the fair market value of shares subject to option on such dates, the method by which such value was determined, the type of options under which the transferred shares were acquired, and such other information as may be required by the form or by the instructions issued with respect thereto. With respect to returns on Form 3922, the summary report on Form 4067 shall indicate the number of returns filed, the number of shares transferred, the type of options under which the transferred shares were acquired and such other information as may be required by the form or by the instructions issued with respect thereto. The summary report on Form 4067 and the attached returns on Forms 3921 and 3922 required for any calendar year shall be filed on or before February 28 of the following year with any of the Internal Revenue Service Centers.

(2) If a return is made by the authorized "transfer agent" of the corporation, as described in paragraph (b)(3) of this section, it shall be filed with the district director for the district where the income tax return of the principal corporation is filed after the close of the calendar year for which the return is required, but on or before February 28th of the following calendar year.

(3) For provisions relating to the extension of time for filing the returns required by this section, see § 1.6081–1.

(4) For provisions relating to the time for performance of an act when the last day prescribed for performance falls on Saturday, Sunday, or a legal holiday, see § 301.7503–1 of this chapter (Regulations on Procedure and Administration).

(d) *Stock to which this section applies.* The rules of this section shall apply to any full share of stock acquired pursuant to the exercise of any qualified or restricted stock option, or any option granted under an employee stock purchase plan, irrespective of whether the transfer of stock pursuant to such exercise qualified for the special tax treatment of section 421 and the regulations thereunder. In addition, the rules of paragraph (b) of this section shall apply to any full shares of stock received in respect of stock which was originally acquired pursuant to the exercise of an option described in the preceding sen-

tence. See section 425(b). For definitions of the terms "exercise" and "transfer" see paragraphs (f) and (g) of § 1.421–7. A return is required under paragraph (b) of this section irrespective of whether the transfer of title constitutes a disposition of such stock as defined by section 425(c).

§ 1.6039–2 Statements to persons with respect to whom information is furnished.

(a) *Requirement and form of statement.* Every corporation required to make a return on Form 3921 or 3922 under section 6039(a) and § 1.6039–1 shall furnish to each person whose identifying number is (or should be) shown on such return a written statement containing the information required to be shown on such return. This requirement may be met by furnishing a copy of the appropriate return to such person. A statement shall be considered to be furnished to a person within the meaning of this section if it is mailed to such person at his last known address.

(b) *Time for furnishing statements—*(1) *In general.* Each statement required by this section to be furnished to any person for a calendar year shall be furnished to such person on or before January 31 of the year following the year for which the statement is required.

(2) *Extension of time.* For good cause shown upon written application of the corporation required to furnish statements under this section, the district director may grant an extension of time not exceeding 30 days in which to furnish such statements. The application shall be addressed to the district director with whom the income tax returns of the applicant-corporation are filed and shall contain a full recital of the reasons for requesting the extension to aid the district director in determining the period of the extension, if any, which will be granted. Such a request in the form of a letter to the district director signed by the applicant (or its agent) will suffice as an application. The application shall be filed on or before the date prescribed in subparagraph (1) of this paragraph for furnishing the statements required by this section.

(3) *Last day for furnishing statement.* For provisions relating to the time for performance of an act when the last day prescribed for performance falls on Saturday, Sunday, or a legal holiday, see § 301.7503–1 of this chapter (Regulations on Procedure and Administration).

(c) *Penalty.* For provisions relating to the penalty provided for failure to furnish a statement under this section, see § 301.6678–1 of this chapter (Regulations on Procedure and Administration).

PAR. 13. Paragraph (c) of § 1.6071–1 is amended to read as follows:

§ 1.6071–1 Time for filing returns and other documents.

* * * * *

(c) *Time for filing certain information returns.* (1) For provisions relating to the time for filing returns of partnership income, see paragraph (e)(2) of § 1.6031–1.

(2) For provisions relating to the time for filing information returns by banks with respect to common trust funds, see § 1.6032–1.

(3) For provisions relating to the time for filing information returns with respect to payments of patronage dividends, see paragraph (b) of § 1.6044–1, and paragraph (d) of § 1.6044–2 (relating to returns for calendar years after 1962).

(4) For provisions relating to the time for filing returns by trusts claiming charitable deductions under section 642 (c), see paragraph (c) of § 1.6034–1.

(5) For provisions relating to the time for filing information returns by officers, directors, and shareholders of foreign personal holding companies, see §§ 1.6035–1 and 1.6035–2.

(6) For provisions relating to the time for filing information returns with respect to certain stock option transactions, see paragraph (c) of § 1.6039–1.

(7) For provisions relating to the time for filing information returns by persons making certain payments, see § 1.6041–6.

(8) For provisions relating to the time for filing information returns regarding payments of dividends, see paragraph (d) of § 1.6042–1, and paragraph (c) of § 1.6042–2 (relating to returns for calendar years after 1962).

(9) For provisions relating to the time for filing information returns by corporations with respect to contemplated dissolution or liquidations, see paragraph (a) of § 1.6043–1.

(10) For provisions relating to the time for filing information returns by corporations with respect to distributions in liquidation, see paragraph (a) of § 1.6043–2.

(11) For provisions relating to the time for filing information returns with respect to payments of patronage dividends, see paragraph (b) of § 1.6044–1, and paragraph (d) of § 1.6044–2 (relating to returns for calendar years after 1962).

(12) For provisions relating to the time for filing information returns with respect to formation or reorganization of foreign corporations, see § 1.6046–1.

(13) For provisions relating to the time for filing information returns regarding certain payments of interest, see paragraph (b) of § 1.6049–1.

(14) For provisions relating to the time for filing information returns with respect to payment of wages in the form of group-term life insurance, see paragraph (b) of § 1.6052–1.

PAR. 14. Paragraph (b) of § 1.6091–1 is amended to read as follows:

§ 1.6091–1 Place for filing returns or other documents.

* * * * *

(b) *Place for filing certain information returns.* (1) For the place for filing returns of partnership income, see paragraph (e)(1) of § 1.6031–1.

(2) For the place for filing information returns by banks with respect to common trust funds, see § 1.6032–1.

(3) For the place for filing information returns by certain organizations exempt from taxation under section 501(a), see paragraph (e) of § 1.6033–1.

(4) For the place for filing information returns by trusts claiming charitable deductions under section 642(c), see paragraph (c) of § 1.6034–1.

(5) For the place for filing information returns by officers, directors, and shareholders of foreign personal holding companies, see paragraph (d) of § 1.6035–1 and paragraph (d) of § 1.6035–2.

(6) For the place for filing information returns relating to certain stock option transactions, see paragraph (c) of § 1.6039–1.

(7) For the place for filing returns of information reporting certain payments on Forms 1099 and 1096, see § 1.6041–6.

(8) For the place for filing returns of information regarding payments of dividends, see paragraph (d) of § 1.6042–1 and paragraph (c) of § 1.6042–2 (relating to returns for calendar years after 1962).

(9) For the place for filing information returns by corporations relating to contemplated dissolution or liquidation, see paragraph (a) of § 1.6043–1.

(10) For the place for filing information returns by corporations relating to distributions in liquidation, see paragraph (a) of § 1.6043–2.

(11) For the place for filing returns of information regarding payments of patronage dividends, see paragraph (b) of § 1.6044–1, and paragraph (d) of § 1.6044–2 (relating to returns for calendar years after 1962).

(12) For the place for filing information returns relating to formation or reorganization of foreign corporations, see paragraph (e) of § 1.6046–1.

(13) For the place for filing information returns regarding certain payments of interest, see paragraph (c) of § 1.6049–1.

(14) For the place for filing information returns with respect to payment of wages in the form of group-term life insurance, see paragraph (b) of § 1.6052–1.

PAR. 15. Section 301.6652 is amended by revising section 6652(a), and by adding a historical note. These amended and added provisions read as follows:

§ 301.6652 Statutory provisions; failure to file certain information returns.

Sec. 6652. *Failure to file certain information returns—*(a) *Returns relating to payments of dividends, etc., and certain transfers of stock.* In the case of each failure—

(1) To file a statement of the aggregate amount of payments to another person required by section 6042(a)(1) (relating to payments of dividends aggregating $10 or more), section 6044(a)(1) (relating to payments of patronage dividends aggregating $10 or more), or section 6049(a)(1) (relating to payments of interest aggregating $10 or more),

(2) To make a return required by section 6039(a) (relating to reporting information in connection with certain options) with respect to a transfer of stock or a transfer of legal title to stock, or

(3) To make a return required by section 6052(a) (relating to reporting payment of wages in the form of group-term life insurance) with respect to group-term life insurance on the life of an employee, on the date prescribed therefor (determined with regard to any extension of time for filing), unless it is shown that such failure is due to reasonable cause and not to willful neglect, there shall be paid (upon notice and demand by the Secretary or his delegate and in the same manner as tax), by the person failing to file a statement referred to in paragraph (1) or failing to make a return referred to in paragraph (2) or (3), $10 for each such failure, but the total amount imposed on the delinquent person for all such failures during any calendar year shall not exceed $25,000.

* * * * *

[Sec. 6652 as amended by sec. 85, Technical Amendments Act 1958 (72 Stat. 1664); sec. 19(d), Rev. Act 1962 (76 Stat. 1057); sec. 221(b)(2), Rev. Act 1964 (78 Stat. 74)]

PAR. 16. The last sentence of paragraph (a)(1) of § 301.6652–1 is revised, and paragraphs (c), (d) and (e) of § 301.6652–1 are deleted, and new paragraphs (c), (d), (e), (f) and (g) are added thereto. These revised and added provisions read as follows:

§ 301.6652–1 Failure to file certain information returns.

(a) *Returns with respect to payments made in calendar years after 1962—*(1) *Payments of dividends, interest, or patronage dividends aggregating $10 or more.* In the case of each failure to file a statement required by—

(i) Section 6042(a)(1), relating to information returns with respect to payments of dividends aggregating $10 or more in a calendar year, in effect with respect to payments made after December 31, 1962,

(ii) Section 6044(a)(1), relating to information returns with respect to certain payments by cooperatives aggregating $10 or more in a calendar year, in effect with respect to payments made on or after the first day of the first taxable year of the cooperative beginning after December 31, 1962, with respect to patronage occurring on or after such first day, or

(iii) Section 6049(a)(1), relating to information returns with respect to payments of interest aggregating $10 or more in a calendar year, in effect with respect to payments made after December 31, 1962, and the regulations under such section, within the time prescribed for filing such statement (determined with regard to any extension of time for filing), there shall be paid by the person failing to so file the statement $10 for each such statement not so filed. However, the total amount imposed on the delinquent person for all such failures under section 6652(a) and this section during any calendar year shall not exceed $25,000.

* * * * *

(c) *Returns with respect to reporting payments of wages in the form of group-term life insurance provided in a calendar year after December 31, 1963.* In the case of each failure to file a return required by section 6052(a), relating to reporting payment of wages in the form of group-term life insurance provided for any employee on his life in a calendar year after December 31, 1963, and the regulations under such section, within the time prescribed for filing such return (determined with regard to any extension of time for filing), there shall be paid by the person failing to so file such return $10 for each such return not so filed. However, the total amount imposed on the delinquent person for all such failures under section 6652(a) and this section during any calendar year shall not exceed $25,000.

(d) *Returns with respect to transfer of stock or record title thereto pursuant to options exercised on or after January 1, 1964.* In the case of each failure to file a statement of the transfer of stock or of record title thereto as required by section 6039(a) and the regulations under such section within the time prescribed for filing such statement (determined with regard to any extension of time for filing), there shall be paid by the person failing to so file such statement, $10 for each such statement not so filed. However, the total amount imposed on the delinquent corporation for all such failures under section 6652(a) and this section during any calendar year shall not exceed $25,000.

(e) *Manner of payment.* The penalty imposed under section 6652 and this section on any person shall be paid in the same manner as tax upon the issuance of a notice and demand therefor.

(f) *Showing of reasonable cause.* The penalty imposed by section 6652 shall not apply with respect to a failure to file a statement within the time prescribed if it is established to the satisfaction of the district director or the director of the regional service center that such failure was due to reasonable cause and not to willful neglect. An affirmative showing of reasonable cause must be made in the form of a written statement, containing a declaration that it is made under the penalties of perjury, setting forth all the facts alleged as a reasonable cause.

(g) *Alcohol and tobacco taxes.* For penalties for failure to file certain information returns with respect to alcohol and tobacco taxes, see, generally, subtitle E of the Code.

PAR. 17. Section 301.6678 is amended by revising section 6678 and by adding a historical note. These amended and added provisions read as follows:

§ 301.6678 Statutory provisions; failure to furnish certain statements.

Sec. 6678. *Failure to furnish certain statements.* In the case of each failure to furnish a statement under section 6039(b), 6042(c), 6044(e), 6049(c) and 6052(b) on the date prescribed therefor to a person with respect to whom a return has been made under section 6039(a), 6042(a)(1), 6044(a)(1), 6049(a)(1), or 6052(a), respectively, unless it is shown that such failure is due to reasonable cause and not to willful neglect, there shall be paid (upon notice and demand by the Secretary or his delegate and in the same manner as tax), by the person failing to so furnish the statement, $10 for each such statement not so furnished, but the total amount imposed on the delinquent person for all such failures during any calendar year shall not exceed $25,000.

[Sec. 6678 as added by sec. 19(e), Rev. Act 1962 (76 Stat. 1058) and as amended by secs. 204(c)(2), 221(b)(3), Rev. Act 1964 (78 Stat. 37, 75)]

PAR. 18. Paragraph (a) of § 301.6678–1 is amended by adding thereto new subparagraphs (4) and (5). These added provisions read as follows:

§ 301.6678–1 Failure to furnish statements.

(a) *In general.* * * *

(4) Under section 6039(b) and § 1.6039–2 to a person with respect to whom a return has been made under section 6039(a), relating to information returns with respect to certain stock option transactions occurring in a calendar year, or

(5) Under section 6052(b) and § 1.6052–2 to a person with respect to whom a return has been made under section 6052(a), relating to information returns with respect to payment of wages in the form of group-term life insurance provided for an employee on his life.

* * * * *

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[F.R. Doc. 66–6923; Filed, June 23, 1966; 8:47 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 15; Amdt. 1]

PART 533—FILING OF TARIFFS BY TERMINAL OPERATORS

Compliance

On October 5, 1965, the Federal Maritime Commission published in the FEDERAL REGISTER final rules governing the filing of tariffs by terminal operators (30 F.R. 12681). The rules provided that terminal operators were required to comply with the rules within 180 days from the effective date of the rules. Thereafter, certain railroads which operate terminal facilities petitioned the U.S. Court of Appeals for the District of Columbia Circuit to review the rules, alleging inter alia that the rules were invalid because the Commission was attempting to exercise jurisdiction committed by Congress to the Interstate Commerce Commission. The railroads apparently construed the Commission's notice promulgating the rules as evidence of an intent by the Commission to regulate the regulations and practices of terminal facilities insofar as cargo carried to or from piers by railroads is concerned, and since the Interstate Commerce Commission regulates the rates, regulations and practices of terminal facilities utilized by and for rail traffic, the railroads anticipated the exercise of concurrent jurisdiction by the two agencies, something they assert is prohibited by section 33 of the Shipping Act, 1933.

Following the filing of the petition to review in the court of appeals, we postponed the effective date of the rules until the court disposed of the review suit (31 F.R. 2429). On March 9, 1966, the railroads, the Federal Maritime Commission, and the United States moved the court of appeals to stay all proceedings in the case until May 16,

1966, in order to allow the Interstate Commerce Commission opportunity to consider the problems raised by the case and determine whether or not it should intervene. On March 18, 1966, the court granted the motion to stay. Subsequently, we proposed certain changes in the rules and in our opinion promulgating the rules to the Interstate Commerce Commission in order to satisfy the objection of that Commission. The Interstate Commerce Commission agreed that the changes satisfied their objection, and, accordingly, we moved the court of appeals on May 18, 1966, for leave to amend the rules. On June 13, 1966 the court granted the motion—

conditioned upon (1) the Commission's issuance of the amended order within 15 days from the date of this order and (2) the Commission's agreement to stay the effectiveness of its order pending final disposition of this case in this court. * * *

We accept those conditions.

In promulgating the rules in question, the Federal Maritime Commission did not intend to decide the question of whether it has jurisdiction over regulations and practices of railroad-operated terminals insofar as cargo carried to or from the piers by railroads is concerned. In promulgating the rules, the Federal Maritime Commission is simply requiring that railroad-operated terminals which handle cargo delivered by modes of transportation other than rail, file with this Commission all separately stated terminal rates and rules and regulations affecting those rates.

A reading of our opinion promulgating the rules under review indicates to us that it is susceptible of an interpretation that we asserted jurisdiction to regulate regulations and practices relating to rail traffic.

The following portion of our opinion provides the basis for that interpretation:

Specific charges for marine terminal services performed in connection with cargo moving on common carriers by water, however, are subject to Federal Maritime Commission jurisdiction. If the function is of a marine terminal nature, no matter what the identity of the person performing such function, it is subject to Federal Maritime Commission jurisdiction. If the Commission were to regulate only the services performed by railroad marine terminals in connection with truck traffic, and not regulate identical services performed for rail traffic, the door would be open to discrimination by railroads against truck cargo in favor of their own rail cargo.

We hereby strike the foregoing quotation from our previous opinion.

Additionally, we think that any burden on the railroads resulting from duplication of tariff filings will be greatly minimized by the following change. We are allowing terminal operators who file tariffs with the Interstate Commerce Commission to file with us copies of those tariffs rather than requiring them to prepare new tariffs for filing only with us. Many of the railroads have been following this procedure in the past even though there have not been any formal requirements relating to tariff filings with this Commission.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003) and sections 17, 21, and 43 of the Shipping Act, 1916 (46 U.S.C. 816, 820, and 841a), § 533.5 of Title 46, CFR, is hereby amended by the addition of the following sentence:

§ 533.5 Compliance with this part and other terminal tariff filing requirements.

* * * Terminal Operators who file tariffs with the Interstate Commerce Commission pursuant to statute or rule of that Commission may satisfy the requirements of this part by filing with the Federal Maritime Commission a copy of any such tariff filed with the Interstate Commerce Commission.

The Commission is of the opinion that the notice and public procedure afforded by section 4(a) of the Administrative Procedure Act (5 U.S.C. 1003) are unnecessary in this instance, as this amendment clarifies the intent of the original order and relieves restrictions imposed by the rules as originally issued. In accordance with our notice issued previously and as recited above, the effective date of these rules is postponed pending disposition by the Court of Appeals of the review suit now pending.

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 66-6929; Filed, June 23, 1966; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 983-A]

PART 95—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 20th day of June A.D. 1966.

Upon further consideration of Service Order No. 983 (31 F.R. 6060, 7469) and good cause appearing therefor:

It is ordered, That:

Section 95.983 *Distribution of Boxcars*, be and it is ordered vacated and set aside.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That this order shall become effective at 11:59 p.m., June 21, 1966; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of the order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6932; Filed, June 23, 1966; 8:48 a.m.]

[Rev. S.O. 985-A]

PART 95—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 20th day of June A.D. 1966.

Upon further consideration of Revised Service Order No. 985 (31 F.R. 7468, 8064) and good cause appearing therefor:

It is ordered, That:

Section 95.985 *Distribution of boxcars*, be and it is ordered vacated and set aside.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That this order shall become effective at 11:59 p.m., June 21, 1966; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of the order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6933; Filed, June 23, 1966; 8:48 a.m.]

[S.O. 986]

PART 95—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 21st day of June A.D., 1966.

It appearing, that there is presently a shortage of boxcars to meet current requirements on the railroads named in paragraph (a) herein; that forthcoming grain harvests will further greatly deplete an inadequate supply of boxcars; that prompt and uninterrupted movement of grains from farms to terminals is essential to prevent spoilage and consequent great economic loss; that continued movement of grains from terminals to markets and to ports is essential for the national economy and to enable the nation to meet its foreign aid commitments; that these railroads must also continue to furnish boxcars to shippers of other commodities in order to prevent the closing of industries and unemployment of their personnel; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of boxcars owned by these railroads are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 95.986 Service Order 986.

(a) Distribution of boxcars; application:

(1) This section shall apply to boxcars owned by the railroads listed below:

Chicago & North Western Railway Co.,
Chicago, Milwaukee, St. Paul & Pacific Railroad Co.,
Great Northern Railway Co.,
Northern Pacific Railway Co.,
Soo Line Railroad Co.,
Union Pacific Railroad Co.

(2) The term "boxcars" as used in this section means plain unequipped boxcars of fifty feet six inches or less inside length.

(3) The provisions of this section shall apply to intrastate, interstate, and foreign commerce.

(b) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Withdraw all boxcars described in paragraph (a) of this section from distribution and return to owners empty except as otherwise provided in subparagraphs (2), (3), (4), and (5) of this paragraph.

(2) Boxcars defined in paragraph (a) of this section available empty at a station other than a junction with the owner may be loaded to stations on or via the owner, or to any station which is closer to the owner than the point where loaded.

(3) Boxcars defined in paragraph (a) of this section available empty at a junction with the owner must be delivered to the owner at that junction, either loaded or empty.

(4) Boxcars defined in paragraph (a) of this section may not be backhauled, or held empty more than 24 hours awaiting placement for loading for the purpose of obtaining a load as authorized in subparagraphs (2) and (3) of this paragraph.

(5) A carrier named in paragraph (a) of this section will handle boxcars of other carriers named in that section under the provisions of subparagraphs (1), (2), (3), and (4) of this paragraph and of paragraph (c) of this section.

(c) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any boxcar defined in paragraph (a) of this section for movement contrary to the provisions of paragraph (b) of this section.

(d) Effective date: This section shall become effective at 12:01 a.m., July 1, 1966.

(e) Expiration date: This section shall expire at 11:59 p.m., July 31, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6934; Filed, June 23, 1966; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 10—MIGRATORY BIRDS

Hunting Seasons for Puerto Rico and Virgin Islands

On page 7479 of the FEDERAL REGISTER of May 24, 1966, there was published a notice of proposed rule making to issue regulations governing the hunting of doves and pigeons in Puerto Rico and the Virgin Islands.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed regulations.

No objections have been received and the proposed regulations are hereby adopted without change and are set forth below.

§ 10.52 Migratory game bird hunting seasons for Puerto Rico and the Virgin Islands.

Subject to the applicable provisions of the preceding sections of this part, the open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed as follows:

(a) *Puerto Rico.*

	Doves (all species) (singly or in the aggregate)	Pigeons (all species) (singly or in the aggregate)
Daily bag limit	15	8 [1]
Possession limit	15	8 [1]
Open season dates	July 2 to Sept. 18, 1966.	July 2 to Sept. 18, 1966.
Shooting hours	One-half hour before sunrise until sunset.	

[1] On Mona Island the daily bag and possession limit on pigeons is 15, singly or in the aggregate of all species.

(b) *Virgin Islands.*

	Doves (all species) (singly or in the aggregate)	Pigeons [1] (red-neck only)
Daily bag limit	10	5
Possession limit	10	10
Open season dates	July 15 to Sept. 1, 1966.	July 15 to Sept. 1, 1966.
Shooting hours	One-half hour before sunrise until sunset.	

[1] Closed season on all species of pigeons except those known locally as red-neck pigeons.

Effective date. These regulations shall be effective as of June 27, 1966.

JOHN S. GOTTSCHALK, *Director, Bureau of Sport Fisheries and Wildlife.*

JUNE 24, 1966.

[F.R. Doc. 66-6887; Filed, June 23, 1966; 8:45 a.m.]

SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM

PART 32—HUNTING

Montezuma National Wildlife Refuge, New York

On page 7061 of the FEDERAL REGISTER of May 13, 1966, there was published a notice of a proposed amendment to § 32.11 and 32.21 of Title 50, Code of Federal Regulations. The purpose of this amendment is to provide for public hunting of migratory game birds and upland game on Montezuma National Wildlife Refuge, N.Y., as legislatively permitted.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received. The proposed amendment is hereby adopted without change.

Since this amendment benefits the public by relieving existing restrictions on hunting, it shall become effective upon publication in the FEDERAL REGISTER. (Sec. 10, 45 Stat. 1224; 16 U.S.C. 715i and sec. 4, 48 Stat. 451, as amended, 16 U.S.C. 718d.)

1. Section 32.11 is amended by the addition of the following area as one where hunting of migratory game birds is authorized:

§ 32.11 List of open areas; migratory game birds.

* * * * *

NEW YORK

MONTEZUMA NATIONAL WILDLIFE REFUGE

• • • • • •

2. Section 32.21 is amended by the addition of the following area as one where hunting of upland game is authorized:

§ 32.21 List of open areas; upland game.

• • • • • •

NEW YORK

MONTEZUMA NATIONAL WILDLIFE REFUGE

• • • • • •

JOHN S. GOTTSCHALK,
Director.

JUNE 16, 1966.

[F.R. Doc. 66-6916; Filed, June 23, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 26]

RESTRICTED OR PROHIBITED ACTS

Use of Artificial Lights on Refuges

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and other acts (R.S. 161, as amended, sec. 2, 33 Stat. 614, as amended, sec. 5, 43 Stat. 651, secs. 4, 2, 48 Stat. 402, as amended 1270, sec. 4, 76 Stat. 654; 5 U.S.C. 22, 16 U.S.C. 685, 725, 690d, 664; 16 U.S.C. 460k.), it is proposed to amend 50 CFR 26.11 as set forth below. The purpose of this amendment is to allow the use of spotlights for the hunting of certain species such as raccoons and opossums on areas within the National Wildlife Refuge System. It has been determined that this use will aid in the proper control of these animals on areas where they interfere with the management of migratory birds.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 26.11 is amended to read as follows:

§ 26.11 Artificial lights.

No person shall use or direct the rays of a spotlight or other artificial light, or automotive headlights for the purpose of spotting, locating or taking any animal within the boundaries of any wildlife refuge area or along rights-of-way for public or private roads within a wildlife refuge area, except under the provisions of this subchapter.

JOHN S. GOTTSCHALK,
Director.

JUNE 20, 1966.

[F.R. Doc. 66-6917; Filed, June 23, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 725]

FLUE-CURED TOBACCO

Notice of Determinations To Be Made With Respect to Regulations Pertaining to Farm Acreage Allotments and Farm Marketing Quotas for the 1966–67 and Subsequent Marketing Years

Pursuant to the authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended and supplemented, the Department is preparing to revise and consolidate the regulations for the establishing of farm acreage allotments and marketing quotas, the issuance of marketing cards, the identification of marketings of tobacco, the collection and refund of penalties, and the records and reports incident thereto for flue-cured tobacco on an acreage-poundage basis. The revised regulations will apply to the 1966–67 and subsequent marketing years, except that regulations issued for flue-cured tobacco on an acreage-poundage basis contained in Part 724 of this chapter shall remain in full force and effect with respect to the establishment of acreage allotments and farm marketing quotas for the 1966–67 marketing year.

The purpose of revising the regulations is to separate the regulations pertaining to flue-cured tobacco, which are on an acreage-poundage basis, from the regulations for other kinds of tobacco, which are on an acreage basis. This revision will involve the use of a separate part for flue-cured tobacco. Changes are also being made in provisions for the issuance of marketing cards and in the provisions relating to records and reports in order to facilitate the automated procedure being adopted. Other changes are for clarification purposes.

Prior to the issuance of the proposed regulations, any data, views or recommendations pertaining thereto which are submitted to the Director, Farmer Programs Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250, will be given consideration, provided such submissions are postmarked not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

It is proposed that the regulations be as follows:

PART 725—FLUE-CURED TOBACCO

Subpart—Flue-Cured Tobacco, 1966–67 and Subsequent Marketing Years

GENERAL

Sec.
725.50 Basis and purpose.
725.51 Definitions.
725.52 Location of farm for administrative purposes.
725.53 Extent of determinations, computations, and rule for rounding fractions.
725.54 Supervisory authority of ASC State Committee.
725.55 Instructions and forms.

ACREAGE ALLOTMENTS, HISTORY ACREAGE AND YIELDS FOR OLD FARMS

725.56 Determination of preliminary farm acreage allotments.
725.57 Determination of preliminary farm yields.
725.58 Determination of effective farm acreage allotments.
725.59 Determination of farm yields.
725.60 Determination of effective farm marketing quotas.
725.61 Determination of undermarketings and overmarketings for farms with Conservation Reserve contracts, Cropland Conversion Program agreements, or land covered by a Cropland Adjustment Program agreement.
725.62 Determination of undermarketings and overmarketings for allotments while in eminent domain pool.
725.63 Determination of allotments and yields for divided farms.
725.64 Determination of allotments and yields for combined farms.
725.65 Determination of undermarketings and overmarketings for reconstituted farms.
725.66 Correction of errors and adjusting inequities in acreage allotments for old farms.
725.67 Time for making reduction of acreage allotment for violation of the marketing quota regulations.
725.68 Allotments and yields for farms acquired under right of eminent domain.
725.69 Determination of acreage allotments for new farms.
725.70 Approval of allotments and marketing quotas, and notices to farm operators.
725.71 Application for review.
725.72 Lease and transfer of tobacco marketing quotas.
725.73 Determining tobacco history acreages.
725.74 Transfer of farm marketing quotas.
725.75–725.84 (Reserved).
725.85 Identification of kinds of tobacco.
725.86 Disposition of tobacco produced on excess acres.
725.87 Issuance of marketing cards.

MARKETING AND OTHER DISPOSITION OF TOBACCO AND PENALTIES

Sec
725.88 Debt stamping and replacing marketing cards.
725.89 Invalid cards.
725.90 Misuse of marketing card.
725.91 Identification of producer marketings.
725.92 Rate of penalty.
725.93 Persons to pay penalty.
725.94 Penalties considered to be due from warehouseman, dealers, buyers, and others excluding producer.
725.95 Producers penalties; false identification; failure to account; cancelled allotments.
725.96 Payment of penalty.
725.97 Request for return of penalty.
725.98 Producers' records and reports.
725.99 Warehouseman's records and reports.
725.100 Dealers' records and reports.
725.101 Dealers exempt from regular records and reports.
725.102 Records and reports of truckers and persons redrying, prizing or stemming tobacco and storage firms.
725.103 Separate records and reports from persons engaged in more than one business.
725.104 Failure to keep records and make reports or making false report or record.
725.105 Duties of Flue-Cured Tobacco Cooperative Stabilization Corporation (Record Center).
725.106 Examination of records and reports.
725.107 Length of time records and reports are to be kept.
725.108 Information confidential.
725.109 Determination of discount varieties.

Authority: §§ 725.50 to 725.109, inclusive, issued under sections 301, 313, 314, 316, 317, 363, 372–375, 377, 378, 52 Stat. 38, as amended, 45, as amended, 48, as amended, 75 Stat. 469, as amended, 79 Stat. 66, 52 Stat. 63, as amended, 65–66, as amended, section 401, 63 Stat. 1054, as amended, sections 106, 112, 125, 70 Stat. 191, 195, 198, as amended, section 16(e), 76 Stat. 606; 7 U.S.C. 1301, 1313, 1314, 1314b, 1314c, 1363, 1372–1375, 1377, 1378, 1421, 1813, 1824, 1836, 16 U.S.C. 590p(e).

§ 725.50 Basis and purpose.

The regulations contained in §§ 725.50 through 725.109 are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), and are applicable to flue-cured tobacco for the 1966-67 and subsequent marketing years. They govern the establishment of farm acreage allotments and marketing quotas, the issuance of marketing cards, the identification of marketings of tobacco, the collection and refund of penalties, and the keeping of records and making of reports incident thereto, except that the provisions of Part 724 of this chapter shall continue to apply to the establishment of farm acreage allotments and marketing quotas for the 1966 crop of flue-cured tobacco. The applicability of the regulations for any marketing year subsequent to the 1966-67 marketing year is contingent upon the proclamation of a national marketing quota for such year pursuant to section 312(a) of the Act.

§ 725.51 Definitions.

As used in this subpart and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires. References contained herein to other parts of this chapter or title shall be construed as references to such parts and any amendments now in effect or later issued.

The following words or phrases are defined in Parts 718 or 719 of this chapter and shall have the meanings assigned to them by such regulations: "County committee", "County office manager", "community committee", "current year", "Department", "Deputy Administrator", "Director", "farm", "Federally-owned land", "operator", "person", "preceding year", "producer", "representative of the county committee", "representative of the State committee", "Secretary", "State committee", and "State executive director".

(a) *Act.* The Agricultural Adjustment Act of 1938, as amended.

(b) *Auction sale.* A marketing of tobacco by a sale at public auction through a warehouse in the regular course of business, including sale of all lots or baskets of tobacco at public auction in sequence at a given time.

(c) *Base period.* The 5 calendar years immediately preceding the year for which farm acreage allotments are currently being established.

(d) *Buyers corrections account.* The warehouse account of tobacco purchased at auction by the buyer, but not delivered to the buyer, or any tobacco returned by the buyer because of rejection by the buyer, lost ticket, or any other valid reason, which is turned back to the warehouseman and supported by an adjustment invoice from the buyer. This account shall include the pounds and amounts deducted resulting from short baskets and short weights, and pounds and amounts added resulting from long baskets and long weights, which buyers debit or credit to the warehouseman and support with adjustment invoices.

(e) *Community average yield.* The average yield in the community as determined by averaging the yields per acre for the 3 highest years of the 5 years 1959 to 1963, inclusive, except that if the yield for any of the 3 highest years is less than 80 percent of the average for the 3 years then that year or years shall be eliminated and the average of the remaining years shall be the community average yield.

(f) *Current year.* The calendar year for which acreage allotments are being established, or tobacco history acreage and yields are being determined, or the farm is being considered under the provisions of the marketing quota program.

(g) *Dealer or buyer.* A person who engages to any extent in acquiring or selling tobacco in the form normally marketed by producers.

(h) *Director.* The Director, or Acting Director, Farmer Programs Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(i) *Effective farm acreage allotment.* The allotment determined under § 725.58.

(j) *Effective farm marketing quota.* The quota determined under § 725.60.

(k) *Excess tobacco for a farm.* The excess tobacco on a farm for the current year shall be the quantity of tobacco marketed in the current marketing year after 110 percent of the effective farm marketing quota has been marketed.

(l) *Farm acreage allotment.* The acreage determined by multiplying the preliminary farm acreage allotment by the national acreage factor.

(m) *Farm marketing quota.* The pounds determined by multiplying the farm acreage allotment by the farm yield.

(n) *Farm yield*—(1) *Old farm.* The farm yield for an old farm is that yield determined as provided in § 725.59.

(2) *New farm.* The farm yield for a new farm is that yield determined as provided in § 725.59.

(o) *Floor sweepings.* Scraps or leaves of tobacco which accumulate on the warehouse floor in the regular course of business.

(p) *Leaf account tobacco.* All tobacco purchased or otherwise acquired by or for the account of a warehouse, including floor sweepings and tobacco from the buyers corrections account, and sales and resales of such tobacco.

(q) *Market.* The disposition of tobacco in raw or processed form by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos. "Marketing" and "marketed" shall have corresponding meanings to the term "market."

(r) *Marketing recorder or field assistant.* Any employee of the United States Department of Agriculture, or any employee of an Agricultural Stabilization and Conservation Service (ASCS) county office, whose duties involve the preparation and handling of the records and reports pertaining to the identification of marketings of tobacco, and shall include any other person authorized on MQ–78, Warehouse Organization and Authorization to Issue Memoranda of Sale, to perform such duties in the absence of a marketing recorder.

(s) *Marketing year.* The period beginning July 1 of the year in which the tobacco is produced and ending June 30 of the following year.

(t) *New farm.* A farm for which a tobacco allotment is established in the current year and for which there is no tobacco history acreage in the base period.

(u) *Nonauction sale.* Any first marketing of tobacco other than by a sale at auction.

(v) *Old farm.* A farm on which there is tobacco history acreage in one or more years of the base period.

(w) *Overmarketings.* The pounds by which the pounds marketed exceed the effective farm marketing quota.

(x) *Pound.* That amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight.

(y) *Preceding year.* The calendar year immediately preceding the year for which the allotments and quotas are established, or the marketing year preceding the marketing year for which the allotments and quotas are established.

(z) *Preliminary farm acreage allotment.* The preceding year's farm acreage allotment for a farm which has tobacco history acreage in the base period.

(aa) *Preliminary farm yield.* The yield determined for a farm as provided in § 725.57.

(bb) *Resale.* The disposition by sale, barter, exchange, or gift inter vivos, of tobacco which has been marketed previously.

(cc) *Sale day.* The period at the end of which the warehouseman bills to buyers the tobacco purchased by them during such period.

(dd) *Scrap tobacco.* The residue which accumulates in the course of preparing tobacco for market, consisting chiefly of portions of tobacco leaves and leaves of poor quality.

(ee) *Suspended sale.* Any first marketing of tobacco at auction for which the sale is not identified by a marketing card by the end of the sale day on which such marketing occurred.

(ff) *Tobacco.* Flue-cured tobacco, types 11, 12, 13, and 14, as classified in Service and Regulatory Announcement No. 118 (Part 30 of this title) of the former Bureau of Agricultural Economics of the U.S. Department of Agriculture.

(gg) *Tobacco available for marketing.* All tobacco produced on a farm which has not been marketed and which has not been disposed of so that it cannot be marketed.

(hh) *Trucker.* A person who engages in the business of trucking or hauling tobacco for producers to a point where it may be marketed or otherwise disposed of in the form and in the condition in which it is usually marketed by producers.

(ii) *Undermarketings.* The pounds by which the effective farm marketing quota is more than the pounds marketed.

(jj) *Warehouseman.* A person who engages in the business of holding sales of tobacco at public auction.

§ 725.52 Location of farm for administrative purposes.

(a) *County.* The location of a farm in a county for administrative purposes shall be as provided in Part 719 of this chapter.

(b) *Community.* (1) A farm that is geographically located entirely within one community shall be assigned to that community.

(2) A farm that is geographically located in one county and in more than one community shall be assigned to the community (i) where the principal dwelling is located, or (ii) where the largest amount of cropland is located, if there is no such dwelling.

(3) A farm that is geographically located in more than one county and in more than one community shall be assigned to the community in the county in which the farm is located for administrative purposes under Part 719 of this chapter in which the principal dwelling is located, or if the principal dwelling is not located in such county, or there is no such dwelling, to the community in such county having the largest amount of cropland.

§ 725.53 Extent of determinations, computations, and rule for rounding fractions.

(a) *General.* If rounding is prescribed herein, computations shall be carried to two decimal places beyond the number of decimal places required, and digits of 50 or less beyond the required number of decimal places shall be dropped; if 51 or more, the last required decimal place shall be increased by 1.

(b) *Allotments.* Farm acreage allotments shall be determined in hundredths and any allotment of less than 0.01 acre shall be increased to 0.01 acre. For example, 2.5536 equals 2.55; 2.5550 equals 2.55; 2.5551 equals 2.56; 2.5582 equals 2.56; and 0.0001 equals 0.01.

(c) *Yields.* Yields shall be determined in whole pounds. For example, 2006.50 equals 2006; and 2006.51 equals 2007.

§ 725.54 Supervisory authority of ASC State committee.

The State committee may take any action required by these regulations which has not been taken by a county committee. The State committee may also (a) correct, or require a county committee to correct, any action taken by a county committee which is not in accordance with these regulations, or (b) require a county committee to withhold taking any action which is not in accordance with these regulations.

§ 725.55 Instructions and forms.

The Director shall cause to be prepared and issued such forms as are necessary, and shall cause to be prepared such instructions with respect to internal management as are necessary for carrying out the regulations in this part. The forms and instructions shall be approved by and the instructions shall be issued by the Deputy Administrator.

§ 725.56 Determination of preliminary farm acreage allotments.

(a) *Farms with history acreage in base period.* A preliminary farm acreage allotment shall be determined for each farm which has tobacco history acreage, as defined and explained in § 725.73 of this part, in the base period, except that no preliminary farm acreage allotment shall be established for such farm in the current year if the county committee determines that the farm is devoted to commercial or residential development or other nonagricultural purposes, was not and could not have been acquired under the right of eminent domain by the persons or agency that acquired it, and is retired from agricultural production: *Provided*, That this paragraph shall not preclude the determination of a preliminary farm acreage allotment for (1) an old farm that is returned to agricultural production if the allotment for the retired land was not allocated to other land contained in the farm of which the retired land was a part, or (2) a farm for which an acreage allotment may be determined under the provisions of § 725.68.

(b) *Preliminary farm acreage allotment.* The preliminary farm acreage allotment for the current year for a farm which qualifies for a preliminary farm acreage allotment under paragraph (a) of this section shall be the same as the farm acreage allotment (prior to reduction for violation, prior to adjustment for lease and transfer, and prior to adjustment for undermarketings or overmarketings) established for such farm for the immediately preceding year.

§ 725.57 Determination of preliminary farm yields.

(a) *Old farms.* The preliminary farm yield for an old farm shall be the same preliminary farm yield as was in effect for such farm in the immediately preceding year. Preliminary farm yields required to be established for farms reconstituted under § 725.63, using yield data for base years 1959–63, shall be determined as follows:

(1) An average yield per acre for each farm for each year of the period 1959 through 1963 shall be determined by dividing the total pounds of flue-cured tobacco produced on such farm by the total acreage of flue-cured tobacco harvested from such farm for each respective year.

(2) A simple average of the yields per acre for each farm for the three highest years of the five consecutive crop years beginning with the 1959 crop year shall be determined. If flue-cured tobacco was not produced for at least 3 years of the 5-year period, the average of the yields for the years in which tobacco was produced shall be determined. The provisions of subparagraph (4) of this paragraph shall be applied to the simple average of such yields.

(3) If no flue-cured tobacco was produced on the farm in the 5-year period (1959–63) but the farm is eligible for an allotment because it has tobacco history acreage in the 5-year period (1960–64), a preliminary farm yield for the farm shall be determined by the county committee taking into consideration (i) the soil and other physical factors affecting the production of tobacco on the farm, and (ii) the preliminary farm yields determined for other farms in the community on which the soil and other physical factors affecting the production of tobacco are similar. If no flue-cured tobacco was produced in the community in the 5-year period 1959–63, the preliminary farm yield shall be appraised on the basis of the soil and other physical factors affecting the production of tobacco on the farm and the preliminary farm yields for similar farms outside the community.

(4) If the simple average of the yields for the farm as determined under subparagraph (2) of this paragraph is (i) as much as 80 percent but not more than 120 percent of the community average yield, the preliminary farm yield shall be the simple average of such yields; (ii) more than 120 percent of the community average yield, the preliminary farm yield shall be the sum of 50 percent of the average of the 3 highest years and 50 percent of the national average yield

goal (1854 pounds) but not less than 120 percent of the community average yield or more than the average of the 3 highest years for the farm; or (iii) less than 80 percent of the community average yield, the preliminary farm yield shall be 80 percent of the community average yield.

(b) *New farms.* The preliminary farm yield for a new farm shall be determined by dividing the farm yield determined in accordance with § 725.59(b) for such farm by the national yield factor applicable for the year in which the new farm allotment was established.

§ 725.58 Determination of effective farm acreage allotments.

The effective farm acreage allotment for the current year shall be determined by multiplying the preliminary farm acreage allotment for such year by the national acreage factor for the current year, adjusted as follows:

(a) *Upward adjustment.* The farm acreage allotment shall be adjusted upward by adding (1) the acreage obtained by dividing the pounds undermarketed in the preceding marketing year, not to exceed 100 percent of the farm marketing quota established for the preceding marketing year (plus pounds leased and transferred to the farm in such year) by the farm yield for the current year, and (2) the acreage obtained by dividing the pounds leased and transferred to the farm in the current year by the current year's farm yield for the lessee farm.

(b) *Downward adjustment.* The farm acreage allotment, after adjustment under paragraph (a), if any, shall be adjusted downward by subtracting (1) the acreage computed by dividing the pounds overmarketed in the preceding marketing year plus additional pounds overmarketed in any prior marketing year for which a reduction in quota has not been made, by the farm yield for the current year, (2) the acreage reduced for violation of the tobacco marketing quota regulations for a prior year, and (3) the acreage computed by dividing the pounds leased and transferred from the farm for the current year by the current year's farm yield for the lessor farm.

§ 725.59 Determination of farm yields.

(a) *Old farms.* The farm yield for an old farm shall be determined by multiplying the preliminary farm yield for the farm by the national yield factor for the current year.

(b) *New farms.* The farm yield for a new farm shall be that yield, not to exceed the community average yield, which the county committee determines for the farm taking into consideration (1) the soil and other physical factors affecting the production of tobacco on the farm, and (2) the farm yields determined for other farms on which the soil and other physical factors affecting the production of tobacco are similar.

§ 725.60 Determination of effective farm marketing quotas.

The effective farm marketing quota for a farm for the current year shall be the farm marketing quota determined by multiplying the farm acreage allotment for the current year by the farm yield established for the current year, adjusted as follows:

(a) *Upward adjustment.* The farm marketing quota shall be adjusted upward by adding (1) the pounds undermarketed in the preceding marketing year, not to exceed 100 percent of the farm marketing quota for the preceding marketing year, plus pounds leased and transferred to the farm in such year, and (2) the pounds leased and transferred to the farm for the current year.

(b) *Downward adjustment.* The farm marketing quota, after adjustment, if any, under paragraph (a) of this section, shall be adjusted downward by subtracting (1) the pounds overmarketed in the preceding marketing year plus additional pounds overmarketed in any prior marketing year for which a reduction in quota has not been made, (2) the pounds reduced for violation of the tobacco marketing quota regulations for a prior year, and (3) the pounds leased and transferred from the farm for the current year.

§ 725.61 Determination of undermarketings and overmarketings for farms with conservation reserve contracts, cropland conversion program agreements, or land covered by a cropland adjustment program agreement.

The farm marketing quota established for a farm, all of which is under a conservation reserve contract or cropland conversion program agreement, or land covered by a cropland adjustment program agreement, including the tobacco acreage, shall be considered as zero for the purpose of determining undermarketings and overmarketings for such farm. For a farm, a part of which is under a conservation reserve contract or cropland conversion program agreement with the permitted acres less than the allotment, the marketing quota determined by multiplying that part of the allotment equal to the permitted acres by the farm yield shall be considered the farm marketing quota for the farm for the purpose of determining undermarketings and overmarketings. Permitted acres as used in this section means the total number of acres which could be devoted to nonconserving or soil bank base crops under the terms of the conservation reserve contract or cropland conversion program agreement.

§ 725.62 Determination of undermarketings and overmarketings for allotments while in eminent domain pool.

The farm marketing quota established for an allotment which is in the eminent domain pool for the current year shall be considered as zero for the purpose of determining undermarketings and overmarketings.

§ 725.63 Determination of allotments and yields for divided farms.

(a) *Allotments.* Farm acreage allotments for divided farms shall be divided pursuant to the provisions of Part 719 of this chapter. History acreages and other basic data for the base period shall be apportioned among the divided tracts as provided in Part 719 of this chapter, except as provided in paragraphs (b) and (c) of this section.

(b) *Preliminary farm yields.* (1) Where contribution method is used. Where a tract is separated from the parent farm and the tobacco acreage allotment is divided by the contribution method, the preliminary farm yield shall be determined as follows:

(i) Where a preliminary farm yield was established for the tract prior to the time the tract became part of the parent farm such yield shall be the preliminary farm yield for the tract.

(ii) Where the tract is one for which a preliminary farm yield has never been established and one which was not a separate farm in one or more years of the period 1959 through 1963, the preliminary farm yield shall be the same as the preliminary farm yield for the parent farm.

(iii) Where the tract is (*a*) one for which a preliminary farm yield has never been established, and (*b*) one which was a separate farm in one or more years of the period 1959 through 1963, the preliminary farm yield shall be determined in accordance with procedure in § 725.57, using the community average yield for the community in which the tract is located under the provisions of § 725.52. In determining the preliminary farm yield, the yield per acre for the parent farm shall be used for those years of the period 1959 through 1963 the tract was part of the parent farm and the yield per acre for the tract when it was a separate farm shall be used in the remaining years.

(2) Where the contribution method is not used. When a farm is divided and the allotments are divided by any method other than the contribution method, the preliminary farm yield for such tract shall be the same as the preliminary farm yield established for the parent farm.

(c) *Farm yield.* The farm yield for a tract separated from a parent farm by division shall be determined by multiplying the preliminary farm yield by the national yield factor for the current year.

§ 725.64 Determination of allotments and yields for combined farms.

(a) *Allotments.* Farm acreage allotments and history acreages and other basic data for combined farms shall be computed for the base period in accordance with Part 719 of this chapter, except as provided in paragraph (b) of this section.

(b) *Yields.* The farm yield for a combined farm shall be the weighted average of the farm yields established for the parent farms. The preliminary farm yield for the combined farm shall be determined by dividing the farm yield for the combined farm by the national yield factor for the current year.

§ 725.65 Determination of undermarketings and overmarketings for reconstituted farms.

(a) *Divisions.* Undermarketings and overmarketing of the parent farms shall be apportioned among the divided tracts in the same ratio as the marketing quotas are established for the divided tracts.

(b) *Combinations.* Undermarketings of the parent farm shall be the total undermarketings of the combined farms and overmarketings of the parent farm shall be the total overmarketings of the combined farms.

§ 725.66 Correction of errors and adjusting inequities in acreage allotments for old farms.

(a) *General.* Notwithstanding the limitations contained in any other section of this subpart, the farm acreage allotment established for an old farm may be increased to correct an error or adjust an inequity if the county committee determines, with the approval of a representative of the State committee, that the increase is necessary to establish an allotment for such farm which is fair and equitable in relation to the allotments for other old farms in the community in which the farm is located.

(b) *Basis for adjustment.* Acreage increases to adjust inequities in acreage allotments shall be made on the basis of the past acreage of tobacco, making due allowances for drought, flood, hail, other abnormal weather conditions, plant bed, and other diseases; land, labor and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. Not to exceed 1 percent of the national acreage allotment minus that part of the national reserve set aside for establishing new farm allotments shall be made available for adjusting inequities and correction of errors.

(c) *CR, CCP, and CAP farms.* The allotment for a farm under a conservation reserve contract or a farm under a cropland conversion program agreement, or land under a cropland adjustment program agreement shall be given the same consideration under this section as the allotments for other old farms.

(d) *Approved acreage.* Acreage approved for a farm under this section becomes a part of the farm acreage allotment. The farm marketing quota for such farm shall be adjusted by multiplying the adjusted farm acreage allotment by the farm yield.

§ 725.67 Time for making reduction of acreage allotment for violation of the marketing quota regulations.

Any reduction in the farm acreage allotment for a farm for the current year required for any of the reasons provided in § 725.98 shall be made no later than April 1 of the current year. If the reduction is not made by such date for the current year, the reduction shall be in the farm acreage allotment next established for the farm, but no later than by April 1 in the subsequent year: *Provided*, That no reduction shall be made in the acreage allotment for any farm for a violation if the acreage allotment for such farm for any prior year was reduced on account of the same violation.

§ 725.68 Allotments and yields for farms acquired under right of eminent domain.

(a) *Allotments and marketing quotas.* The determination of allotments for farms acquired by an agency having the right of eminent domain, the transfer of such allotments to a pool, and reallocation from the pool shall be administered as provided in Part 719 of this chapter. Where all or a part of an allotment is pooled, all or a proportionate part of the farm marketing quota shall be pooled.

(b) *Yields for receiving farms.* The farm yield for a farm to which pooled acreage allotment and marketing quota are transferred shall be determined by dividing the farm marketing quota (including the transferred farm marketing quota) by the farm acreage allotment (including the transferred farm acreage allotment). The preliminary farm yield shall be determined by dividing the farm yield by the national yield factor for the current year.

(c) *Undermarketings and overmarketings.* Undermarketings of the farm acquired by eminent domain shall be added to the marketing quota of the receiving farm and overmarketings of the acquired farm shall be subtracted from the marketing quota of the receiving farm.

(d) *Release and reapportionment.* The displaced owner of a farm may, not later than April 1 of the current year, release in writing to the county committee for the current year all or part of the acreage for the farm in a pool under Part 719 of this chapter for reapportionment for the current year by the county committee to other farms in the county having allotments for flue-cured tobacco. The marketing quota for the pooled acreage shall be adjusted downward by the amount determined by multiplying the acreage released by the farm yield for the farm acquired by eminent domain. The county committee may reapportion, not later than May 1 of the current year, the released acreage or any part of it to other farms in the county on the basis of past acreage of tobacco, land, labor, and equipment available for the production of tobacco, crop rotation practices, and soil and other physical factors affecting the production of tobacco. The marketing quota for the farm to which released acreage is reapportioned shall be adjusted upward by multiplying the reapportioned acreage by the farm yield for such farm. The allotment acreage reapportioned shall not, for purposes of establishing future farm allotments, be regarded as planted on the farm to which the allotment was reapportioned.

§ 725.69 Determination of acreage allotments for new farms.

(a) *Basis.* The acreage allotment, other than an allotment made under § 725.68, for a new farm shall be that acreage which the county committee, with approval of the State committee, determines is fair and reasonable for the farm taking into consideration the past tobacco experience of the farm operator, the land, labor and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco: *Provided*, That the acreage allotment so determined shall not exceed 50 percent of the average of the acreage allotments established for two or more but not more than five old tobacco farms which are similar with respect to land, labor and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco.

(b) *Conditions.* Notwithstanding any other provision of this section, a tobacco acreage allotment shall not be established for any new farm unless each of the following conditions has been met:

(1) The farm shall be operated by the owner thereof. A person who owns only part of a farm cannot be considered the owner of the farm except that both husband and wife shall be considered the owner of the farm if the farm is jointly owned by such husband and wife.

(2) The farm covered by the application shall be the only farm in the United States owned or operated by the farm operator for which a burley, flue-cured, fire-cured, dark air-cured, Virginia sun-cured, Maryland, cigar-filler (type 41); cigar-binder (types 51 and 52), or cigar-filler and binder (types 42, 43, 44, 53, 54, and 55) tobacco acreage allotment is established for the current year.

(3) The farm shall not have an allotment for the current year for any of the kinds of tobacco listed in subparagraph (2) of this paragraph, other than the allotment requested in the application.

(4) The available land, type of soil, topography of the land on the farm for which the allotment is requested is suitable for the production of flue-cured tobacco requested in the application and the production of flue-cured tobacco on the farm ordinarily will not result in an undue erosion hazard under continuous production.

(5) The operator shall own, or otherwise have readily available, adequate equipment and the other facilities of production (including irrigation water) necessary to the successful production of flue-cured tobacco.

(6) The operator will obtain, during the current year, more than 50 percent of his income from the production of agricultural commodities or products from the farm for which the new farm allotment application is filed. In making this computation of income from the farm, no value will be allowed for the estimated return from the production of the requested allotment. However, in addition to the value of agricultural products sold from the farm, credit will be allowed for the estimated value of home gardens, livestock and livestock products, poultry, or other agricultural products produced for home consumption or other use on the farm. Where the farm operator is a partnership, each partner must obtain, during the current year, more

than 50 percent of his income from agricultural commodities or products from the farm. Where the farm operator is a corporation, it must have no major corporate purpose other than operation and ownership, where applicable, of such farm, and the officers and general manager of the corporation must obtain more than 50 percent of their income, including dividends and salary, from the corporation.

(7) The farm operator shall have had experience in producing, harvesting and marketing flue-cured tobacco either as a sharecropper, tenant, or farm operator during at least two of the 5 years immediately preceding the year for which the new farm allotment is requested. The production of flue-cured tobacco on a farm for which no farm acreage allotment for such kind of tobacco was established shall not be deemed as experience in growing tobacco for this purpose.

(8) A written application is filed by the farm operator at the office of the county committee on or before February 15 of the calendar year for which the application is made.

(9) The farm shall not include land returned to agricultural production after being acquired by an agency having the right of eminent domain if the entire tobacco allotment for the land was pooled pursuant to Part 719 of this chapter until after a date 5 years from the date the former owner was displaced from the land acquired by eminent domain.

(10) A farm which includes land which has no tobacco acreage allotment because the owner did not designate a tobacco allotment for such land when the parent farm was reconstituted pursuant to Part 719 of this chapter, shall not be eligible for a new farm tobacco allotment for a period of 5 years beginning with the year in which the farm reconstitution becomes effective.

(c) *Downward adjustment.* The acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring the total of such allotments within the total acreage available for allotments to all new farms.

(d) *Basis for cancellation.* Any improperly established new farm allotment is subject to cancellation as further provided in this subpart.

§ 725.70 Approval of allotments and marketing quotas, and notices to farm operators.

(a) *Review by State committee.* All farm acreage allotments, yields, and marketing quotas shall be determined by the county committee of the county in which the farm is located and shall be reviewed by a representative of the State committee. The State committee may revise or require revision of any determination made under these regulations. All acreage allotments, yields, and marketing quotas shall be approved by a representative of the State committee, and no official notice of acreage allotment and marketing quota shall be mailed to a farm operator until such allotment and marketing quota has been so approved, except that revised notices without such prior approval may be mailed in cases (1) resulting from reconstitutions that do not involve the use of additional acreage or marketing quota, or (2) of allotment reductions due to failure to return marketing cards where a satisfactory report of disposition of tobacco is not otherwise furnished.

(b) *Notice to farm operator.* An official notice of the effective farm acreage allotment and effective farm marketing quota shall be mailed to the operator of each farm shown by the records of the county committee to be entitled to an allotment. The notice to the operator of the farm shall constitute notice to all persons who as operator, landlord, tenant, or sharecropper are interested in the farm for which the allotment is established. All such notices shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by a county committeeman or an employee of the county office. Insofar as practical, all notices shall be mailed in time to be received prior to the date of any tobacco marketing quota referendum. A copy of such notice containing thereon the date of mailing shall be maintained for not less than 30 days in a conspicuous place in the county office and shall thereafter be kept available for public inspection in the office of the county committee. A copy of such notice certified as true and correct shall be furnished without charge to any person interested in the farm for which the allotment is established.

(c) *Mailing notices.* If the records of the county committee indicate that the acreage allotment and marketing quota established for any farm may be changed because of (1) a violation of the marketing quota regulations for prior marketing year, (2) removal of the farm from agricultural production, (3) division of the farm, or (4) combination of the farm, the mailing of the notices may be delayed: *Provided*, That the notice of allotment and marketing quota for any farm shall be mailed no later than April 1 of the current year.

(d) *Allotment erroneous notice.* If the official written notice of the farm acreage allotment and marketing quota issued for any farm erroneously stated an acreage allotment larger than the correct effective farm acreage allotment, the acreage allotment shown on the erroneous notice shall be deemed to be the tobacco acreage allotment for the farm for the current marketing year only, if the county committee determines (with approval of the State executive director) that (1) the error was not so gross as to place the operator on notice thereof, and (2) that the operator, relying upon such notice and acting in good faith, planted an acreage of tobacco in excess of the correct effective farm acreage allotment.

(e) *Marketing quota erroneous notice.* If the official notice of acreage allotment and marketing quota issued for a farm erroneously stated a marketing quota larger than the correct effective farm marketing quota, the marketing quota shown on the erroneous notice shall be deemed to be the marketing quota and the basis for marketing quota penalty computation for the farm for the current marketing year only, if the county committee determines (with approval of the State executive director) that (1) the error was not so gross as to place the operator on notice thereof and he relied on such notice acting in good faith, and (2) the farm operator was not notified of the correct farm marketing quota prior to harvest.

Undermarketings and overmarketings for farms for which the erroneous notice of marketing quota is applied shall be determined based on the correct effective farm marketing quota for the farm.

§ 725.71 Application for review.

(a) *If marketing quotas are in effect.* Any producer who is dissatisfied with the farm acreage allotment and farm marketing quota established for his farm, may within 15 days after mailing of the official notice of the farm acreage allotment and marketing quota, file application in writing with the ASCS county office to have such allotment and quota reviewed by a review committee. The procedure governing the review of farm acreage allotments and marketing quotas is contained in Part 711 of this chapter, which is available at the ASCS county office.

(b) *If marketing quotas are not in effect.* Any producer who is dissatisfied with the farm acreage allotment may request reconsideration of such allotment in accordance with Part 780 of this chapter, Appeal Regulations, and amendments thereto, which are available in the ASCS county office.

§ 725.72 Lease and transfer of tobacco marketing quotas.

(a) *Farms eligible.* For the 1966, 1967, 1968, and 1969 crop years, notwithstanding the provisions of §§ 725.51 through 725.71, but subject to the limitations provided in this section, the owner and operator (acting together if different persons) of any farm for which an old farm tobacco acreage allotment is established for the current year, may lease and transfer all or any part of the farm marketing quota established for such farm to any other owner or operator of a farm in the same county with a current year's allotment (old or new farm) for flue-cured tobacco for use on such farm. Such lease and transfer of marketing quotas shall be recognized and considered valid by the county committee subject to the conditions set forth in this section.

(b) *Annual agreement.* Any lease shall be made on an annual basis and on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree.

(c) *Filing an approval of lease.* The lease and transfer of an effective farm marketing quota or any part thereof shall not be effective until a copy of the lease, determined by the county committee to be in compliance with the provisions of this section, is filed with the county committee not later than April 1 of the current year.

(d) *Marketing quota basis for lease and transfer.* Marketing quota, pound for pound, shall be the basis for lease and transfer under the acreage-poundage program. The maximum marketing quota that may be leased and transferred to a lessee farm shall be limited to that number of pounds obtained by multiplying five (5.00) acres by the current year's farm yield for the lessee farm: *Provided*, That the total acreage allotted to a lessee farm after lease and transfer (the sum of its own allotment and the upward adjustment in acreage for lease and transfer) shall not exceed 50 per centum of the cropland acreage in the lessee farm. The maximum marketing quota that may be leased and transferred from a farm shall be limited to the effective farm marketing quota for the lessor farm.

(e) *Adjustment of acreage allotment.* The acreage allotment for a farm involved in a lease and transfer agreement shall be adjusted as follows:

(1) The acreage allotment for the lessee farm shall be adjusted upward by the number of acres obtained by dividing the pounds leased and transferred to the farm by the current year's farm yield for the lessee farm.

(2) The acreage allotment for the lessor farm shall be adjusted downward by the number of acres obtained by dividing the pounds leased and transferred from the farm by the current year's yield for the lessor farm.

(f) *Allotment acreage considered fully planted.* For purpose of establishing allotments for subsequent years, the tobacco acreage computed for pounds leased and transferred from a lessor farm shall be considered to have been planted on the lessor farm.

(g) *Marketing quota for a new farm.* Marketing quota established for a new farm shall not be leased or transferred.

(h) *CR, CCP, and CAP farms.* Marketing quotas shall not be leased and transferred to or from any farm under a conservation reserve contract or cropland conversion program agreement, or from a farm for which the allotment is covered by a cropland adjustment program agreement, which would result in acreage allotments in excess of the total number of acres which could be devoted to nonconserving or soil bank base crops under the terms of such contract or agreement, less, in the case of a lessee farm, the tobacco allotment acreage for such farm without regard to the lease and transfer. For possible effects of a lease and transfer agreement on such conservation reserve contract or cropland conversion program agreement, or cropland adjustment agreement, the regulations issued with respect to the conservation reserve program, cropland conversion program, and cropland adjustment program are applicable.

(i) *Pooled allotments.* Marketing quotas established for allotments in a pool, including allotments which have been released to the county committee and reapportioned to other farms, shall not be eligible for lease and transfer.

(j) *No subleasing.* Any leased marketing quota shall not be subleased to another farm.

(k) *Revised notices.* A revised notice showing the effective farm acreage allotment and effective farm marketing quota after lease and transfer shall be issued by the county committee to each of the operators of all farms involved in the lease and transfer agreement.

(l) *Violations.* If consideration of a violation is pending which may result in an allotment reduction for a farm for the current year, the county committee shall delay approval of any lease and transfer until the violation is cleared or the allotment reduction is made. However, if the allotment reduction in such a case cannot be made effective for the current crop year before April 1 the lease may be approved by the county committee. In any case, if, after a lease and transfer of a tobacco marketing quota has been approved by the county committee, it is determined that the allotment for the farm from which or to which the marketing quota is leased is to be reduced for a violation, the allotment reduction for such farm shall be delayed until the following year.

(m) *Zero allotment and zero marketing quota farms.* If the effective farm acreage allotment and effective farm marketing quota for a farm for the current year are reduced to zero for violation of the tobacco marketing quota regulations, no marketing quota for flue-cured tobacco may be leased to such farm for the current year.

(n) *Approval after review period.* No lease shall be approved by the county committee for any farm involved in a lease and transfer agreement until the time for filing an application for review, as shown on the original notice for the farm, has expired. If an application for review is filed for a farm involved in a lease and transfer agreement, such agreement shall not be approved by the county committee until the allotment for such farm is finally determined pursuant to part 711 of this chapter.

(o) *Marketing quota after lease and transfer approval.* The acreage allotment and marketing quota finally determined (after lease and transfer) for a farm under the provisions of this section shall be the allotment and marketing quota for such farm for the current year only for the purposes of determining (1) excess acreage, (2) the amount of penalty to be collected on marketings of excess tobacco, (3) eligibility for price support, (4) undermarketings and overmarketings, and (5) the percentage reduction in allotment and quota for violation of the tobacco marketing quota regulations. The percentage reduction determined as applicable when the violation occurred shall be applied to the allotment being reduced prior to any lease and transfer.

(p) *Dissolution of leasing agreement.* An agreement to lease and transfer may be dissolved at the request of all parties to the leasing agreement by so notifying the county committee in writing not later than April 1 of the current year. In such a case, an official notice of the effective farm acreage allotment and effective farm marketing quota, disregarding lease and transfer, shall be issued by the county committee to each of the operators involved in the leasing agreement. If the request to dissolve the lease is made after April 1 of the current year, the acreage allotment and marketing quota resulting from the lease and transfer shall remain in effect.

(q) *Reconstitutions after lease and transfer.* Allotments for reconstituted farms shall be divided or combined in accordance with Part 719 of this chapter. For this purpose, the farm acreage allotment being divided or combined for a farm in the current year shall be the allotment after lease and transfer has been made. For the following year, that part of the acreage allotment computed for pounds leased shall revert to the farm from which it was transferred. Notwithstanding the above, in the case of division, the county committee may allocate, under Part 719 of this chapter, the leased quota involved to the tracts involved in the division as the farm operators interested in such tracts agree in writing.

§ 725.73 Determining tobacco history acreages.

Tobacco history acreage shall be determined for each farm for which a tobacco farm acreage allotment has been established for the current year.

(a) *Farm acreage allotment fully preserved.* The farm acreage allotment is fully preserved as tobacco history acreage for the current year if:

(1) (i) In the current year or either of the two preceding years the sum of (*a*) the final tobacco acreage as determined under Part 718 of this chapter, (*b*) the acreage computed for pounds leased and transferred from the farm under lease and transfer provisions, (*c*) the acreage regarded as planted to tobacco under the provisions of the Soil Bank Act, the cropland conversion program established under subsection 16(e) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590p(e)), and as 75 per centum of the farm acreage allotment (after adjustment for overmarketings and reduction for violation of marketing quota regulations). If the erroneous notice of allotment is applicable, the correct allotment shall be used to determine whether the 75 per centum provision was met; or (ii) in the current year or either of the two preceding years the farm acreage allotment is or was in the eminant domain allotment pool; or

(2) The farm consists of federally owned land for which a restrictive lease is in effect prohibiting the production of tobacco. (Federally owned land as used in this section means land owned by the Federal Government or any Department, bureau, or agency thereof, or by any corporation all of the stock of which owned by the Federal Government.)

(b) *Computed history acreage.* If the farm acreage allotment is not fully preserved as tobacco history acreage under paragraph (a) of this section, the tobacco history acreage shall be the sum of the acreage (not to exceed the farm acreage allotment) as follows:

(1) Final tobacco acreage.

(2) Acreage regarded as planted to tobacco under the provisions of the Soil

Bank Act, the cropland conversion program, and other diversion programs.

(3) Acreage computed for pounds leased and transferred from the farm.

(c) *Adjustment of tobacco history acreage for abnormal weather or disease.* If the county committee determines (with the approval of a representative of the State committee) that for any year the sum of the final acreage, the acreage computed for pounds leased and transferred from the farm under the lease and transfer provisions, and the acreage regarded as planted to tobacco under the Soil Bank Act, the cropland conversion program, and other diversion programs is less than 75 per centum of the farm acreage allotment (after any reduction for violation of the marketing quota regulations and adjustment for overmarketings) because of abnormal weather or disease, the tobacco history acreage for such year shall be adjusted to become the smaller of (1) the farm acreage allotment, or (2) the sum of the (i) final tobacco acreage for the farm, (ii) the acreage computed for pounds leased and transferred from the farm, (iii) the acreage regarded as planted to tobacco under the Soil Bank Act, the cropland conversion program, and other diversion programs, and (iv) the additional acreage which the county committee determines (with the approval if a representative of the State committee) would have been included in the final acreage except for abnormal weather or disease. Any adjustment in tobacco history acreages because of abnormal weather or disease shall not be considered as acreage devoted to tobacco in determining whether or not 75 percent of the farm acreage allotment is planted. No adjustment for abnormal weather or disease shall be made unless the farm operator requests such an adjustment in writing to the county committee no later than October 1 of the crop year involved.

(d) *Zero allotment farms.* Any acreage planted to tobacco on a farm for which a farm acreage allotment of zero was established shall not be credited with any tobacco history acreage.

(e) *Allotments in eminent domain pool.* The farm acreage allotments in the eminent domain pool, as provided in Part 719 of this chapter, shall be considered fully planted during the years in the pool, including any year in which the pooled allotment is released by the displaced owner to the county committee for reapportionment to other farms in the county. The tobacco history acreage shall be the same as the pooled allotment.

(f) *All history acreage is restored history acreage.* A farm shall be considered to have no tobacco history acreage during the base period and shall not be considered an old farm if the only tobacco history acreage computed for the farm during the base period consists of tobacco history acreage restored for reduction of the farm acreage allotment for violation of the tobacco marketing quota regulations.

(g) *Tobacco history acreage for new farms.* The tobacco history acreage for a farm for the year it received an allotment as a new farm shall be the same as the new farm allotment if as much as 75 percent of the allotment is planted in such year. If less than 75 percent of the new farm allotment is planted, the tobacco history acreage shall be the same as the planted acreage. No adjustment for abnormal weather or disease shall be made in the tobacco history acreage for a farm for the year it was a new farm.

§ 725.74 Transfer of farm marketing quotas.

There shall be no transfer of farm marketing quotas except as provided in § 725.72 and Part 719 of this chapter.

§ 725.75–725.84 [Reserved]

§ 725.85 Identification of kinds of tobacco.

(a) *Similar tobacco.* Any tobacco that has similar appearance and growth characteristics while growing in a field on a farm, or any cured tobacco that has the same characteristics and corresponding qualities, colors and lengths, of flue-cured tobacco shall be considered flue-cured tobacco without regard to any factors of historical or geographical nature which cannot be determined by examination of the tobacco.

(b) *Discovering and identifying similar tobacco.* For the purpose of discovering and identifying tobacco subject to marketing quotas, the term "tobacco" with respect to any farm located in an area in which one or more of a kind and type of tobacco classified in Service and Regulatory Announcement No. 118 (Part 30 of this title) of the former Bureau of Agricultural Economics of the U.S. Department of Agriculture, is normally produced shall include all acreage of tobacco on a farm unless the county committee with the approval of the State committee (1) determines all or part of such acreage should not be considered as flue-cured tobacco under paragraph (a) of this section, or (2) determines from satisfactory proof furnished by the operator of the farm that a part or all of the production of such acreage has been certified by the Consumer and Marketing Service, U.S. Department of Agriculture, under the Tobacco Inspection Act (7 U.S.C. 511), and regulations issued pursuant thereto, as a kind of tobacco not subject to marketing quotas.

§ 725.86 Disposition of tobacco produced on excess acres.

Disposition of tobacco produced on excess acreage prior to harvest shall be subject to the provisions of Part 718 of the chapter.

§ 725.87 Issuance of marketing cards.

(a) *General.* A marketing card (MQ–76) shall be issued for the current marketing year for each farm having tobacco available for marketing. Cards shall be issued in the name of the farm operator except that (1) cards issued for tobacco grown for experimental purposes only shall be issued in the name of the experiment station, and (2) cards issued to a successor-in-interest shall be issued in the name of the successor-in-interest.

(b) *Person authorized to issue marketing cards.* The county office manager shall be responsible for the issuance of marketing cards.

(c) *Rights of producers and successors-in-interest.* (1) Each producer having a share in the tobacco available for marketing from a farm shall be entitled to the use of the marketing card for marketing his proportionate share.

(2) Any person who succeeds, other than as a dealer, in whole or in part to the share of a producer in the tobacco available for marketing from a farm, shall, to the extent of such succession, have the same rights to the use of the marketing card and bear the same liability for penalties as the original producer.

(d) *Farms not eligible for price support.* The marketing card issued for a farm shall have the notation "No Price Support" where either of the following conditions exist:

(1) The farm is determined not to be in compliance with the tobacco allotment therefor under the provisions of Part 718 of this chapter.

(2) Tobacco is produced on land owned by the Federal Government in violation of a lease restricting the production of tobacco, even though the allotment for the farm is not exceeded.

(e) *Cards for tobacco grown by publicly-owned experiment stations.* A marketing card shall be issued to identify tobacco grown for experimental purposes by or for publicly-owned experiment stations.

(f) *Farm quota data entered on marketing card and supplemental card.* (1) Any marketing card issued to market tobacco shall show when issued, in the spaces provided on the reverse side, (i) the pounds computed by multiplying 10 percent times the effective farm marketing quota, and (ii) the pounds computed by multiplying 110 percent times the effective farm marketing quota.

(2) Where the farm operator requests it, a supplemental marketing card bearing the same name and identification as shown on the original marketing card may be issued for a farm upon return to the county office of an original marketing card or a supplemental marketing card. The pounds computed as 10 percent of the effective farm marketing quota and pounds computed as 110 percent of the effective farm marketing quota shall be entered in the spaces provided on reverse side of the marketing card and the balance of 110 percent of quota from prior marketing card shall be shown in the first space on the card.

(3) Two or more marketing cards may be issued for a farm if the farm operator so requests in writing and specifies in writing the number of pounds to be assigned to each card. In such cases, (i) each marketing card shall show 10 percent of the assigned quota in the space "10 percent of quota", and (ii) each marketing card shall show the assigned quota in the space "110 percent of quota".

§ 725.88 Debt stamping and replacing marketing cards.

(a) *Stamping to show indebtedness.* (1) If any producer on a farm is indebted to the United States and such indebtedness is listed on the county debt record, the face of the marketing card issued for the farm shall bear the notation "U.S. Debt" followed by the amount of indebtedness. The name of the indebted producer, if different from the farm operator, shall be recorded directly under the debt notation. A notation showing indebtedness to the United States shall constitute notice to any warehouseman or loan organization that, subject to prior liens, the net proceeds from any price support loan due the debtor shall be paid to the United States to the extent of the indebtedness shown. The acceptance and use of a marketing card bearing a notice and information of indebtedness to the United States shall not constitute a waiver by the producer of any right to contest the validity of such indebtedness by appropriate administrative appeal or legal action and the producer may reject price support from which such indebtedness would be deductible. As debt collections are made, the amount of the debt shown on the card shall be revised to show the debt balance, and the tobacco sale bill shall show the amount collected.

(2) Any marketing card may be marked for the purpose of notifying warehousemen or loan organizations that the tobacco being marketed pursuant to such card is subject to a lien held by the United States.

(b) *Replacing, exchanging, or issuing additional marketing cards.* Subject to the approval of the county office manager, two or more marketing cards may be issued for any farm. Upon the return to the ASCS county office of a marketing card which has been used in its entirety and before the marketing of tobacco from the farm has been completed, a new marketing card bearing the same name, information and identification as the used card shall be issued for the farm. A new marketing card shall be issued to replace a card which has been determined by the county office manager who issued the card to have been lost, destroyed, or stolen.

§ 725.89 Invalid cards.

(a) *Reasons for being invalid.* A marketing card shall be invalid under any one of the following conditions:

(1) It is not issued or delivered in the form and manner prescribed.

(2) An entry is omitted or is incorrect.

(3) It is lost, destroyed, stolen, or becomes illegible.

(4) Any erasure or alteration has been made and not properly initialed by the county office manager or a marketing recorder.

(b) *Validating invalid cards.* If any entry is not made on a marketing card as required, either through omission or incorrect entry, and the proper entry is made and initialed by the county office manager who issued the card, or by a marketing recorder, then such card shall become valid.

(c) *Returning invalid cards.* In the event any marketing card becomes invalid (other than by loss, destruction, or theft, or by omission, alteration, or incorrect entry, which has not been corrected by the county office manager who issued the card, or by a marketing recorder), the farm operator, or the person having the card in his possession, shall return it to the ASCS county office at which it was issued.

§ 725.90 Misuse of marketing card.

Any information which causes a marketing recorder, a member of a State, county, or community committee, or an employee of an ASCS State or county office to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm, shall be reported immediately by such person to the ASCS county or State office.

§ 725.91 Identification of marketings.

(a) *Identification of producer marketings.* Each auction and nonauction marketing of tobacco from a farm in the current year shall be identified by a marketing card, Form MQ–76, issued for the farm. The reverse side of the marketing card shall show in pounds (1) 10 percent of quota, (2) 110 percent of quota, and (3) balance of 110 percent of quota after each sale. Also, each producer sale, auction or nonauction, shall be recorded on a uniform tobacco sale bill.

(b) *Other persons authorized to act as marketing recorder.* (1) A warehouseman or his representative who has been authorized to act as a marketing recorder during the current year on MQ–78—Tobacco, Warehouse Organization and Authorization to Issue Memoranda of Sale, may so act if the marketing recorder is not available at the warehouse.

(2) Any warehouseman or dealer who engages in the business of acquiring scrap tobacco from farmers, and who has been authorized to act as a marketing recorder, may record sales on MQ–76 covering a purchase of scrap tobacco.

(c) *Withdrawal of approval to act as marketing recorder.* The authorization on MQ–78 for a person to perform duties of a marketing recorder may be withdrawn by the State executive director if such action is determined to be necessary in order to properly enforce the regulations in this subpart.

(d) *Verification of penalty by warehousemen or dealers.* Each sale of tobacco by a producer which is subject to penalty and which has been recorded by a marketing recorder shall be verified by a warehouseman or dealer to determine whether the amount of penalty shown to be due has been correctly computed. Such warehouseman or dealer shall not be relieved of any liability for the amount of penalty due because of any error which may occur in computing the penalty and recording the sale.

(e) *Check register.* The serial number of the tobacco sale bill(s) shall be recorded by the warehouseman on the check register or check stub for the check written covering the auction sale of tobacco by a producer.

(f) *Identification of dealer marketings of resale tobacco.* Each auction and nonauction marketing of resale tobacco in the current year shall be identified by a dealer identification card, Form MQ–79–2, issued to the dealer.

(g) *Separate display on auction warehouse floor.* Any warehouseman upon whose floor more than one kind of tobacco is offered for sale at public auction shall for each different kind of tobacco:

(1) Display it in separate areas on the auction warehouse floor.

(2) Identify each basket by a distinguishably different basket ticket clearly showing the kind of tobacco.

(3) Make and keep records that will insure a separate accounting and reporting of each of such kinds of tobacco sold at auction over the warehouse floor.

§ 725.92 Rate of penalty.

(a) *Basic rate.* The basic penalty rate shall be equal to seventy-five (75%) percent of the average market price for the immediately preceding marketing year as determined by the Crop Reporting Board, Statistical Reporting Service, United States Department of Agriculture. The rate of penalty will be determined for each marketing year and announced by the regulations in this subpart or amendment thereto.

(b) *Average market price.* The average market price as determined by the Crop Reporting Board for the marketing years specified was:

AVERAGE MARKET PRICE

Marketing Year:	*Cents per pound*
1965–66	64.6

(c) *Rate of penalty per pound.* The penalty per pound upon marketings of excess tobacco subject to marketing quotas during the marketing years specified shall be:

RATE OF PENALTY

Marketing Year:	*Cents per pound*
1966–67	48

§ 725.93 Persons to pay penalty.

The persons to pay the penalty due on any marketing of tobacco subject to penalty shall be determined as follows:

(a) *Auction sale.* The penalty due on marketings by a producer through an auction sale shall be paid by the warehouseman who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) *Non-auction sale.* The penalty due on tobacco acquired directly from a producer, other than at an auction sale, shall be paid by the person acquiring the tobacco who may deduct an amount equivalent to the penalty from the price paid to the producer in the case of a sale.

(c) *Marketings outside the United States.* The penalty due on marketings by a producer directly to any person outside the United States shall be paid by the producer.

§ 725.94 Penalties considered to be due from warehousemen, dealers, buyers and others excluding the producer.

Any marketings of tobacco under any one of the following conditions shall be considered to be a marketing of excess tobacco.

(a) *Auction sale without marketing card.* Any first marketing of tobacco at an auction sale by a producer which is not identified by a valid marketing card at the time of marketing shall be considered to be a marketing of excess tobacco and the penalty thereon shall be collected and remitted by the warehouseman.

(b) *Nonauction sale.* Any nonauction sale of tobacco which:

(1) is not identified by a valid marketing card and recorded on MQ–79, Dealer's Report, not later than the end of the calendar week in which the tobacco was purchased; or,

(2) if purchased prior to the opening of the local auction market for the current year, is not identified by a valid marketing card and recorded on MQ–79 not later than the end of the calendar week which includes the first sale day of the local auction markets, shall be considered a marketing of excess tobacco. The penalty thereon shall be collected by the purchaser of such tobacco, and remitted with MQ–79.

(c) *Leaf account tobacco.* If part or all of any marketing of leaf account tobacco (including floor sweepings and tobacco from the buyers corrections account), when added to prior leaf account resales, is in excess of prior leaf account purchases, such marketing shall be considered to be a marketing of excess tobacco unless and until such warehouseman furnishes proof acceptable to the State committee showing that such marketing is not a marketing of excess tobacco. Floor sweepings which the State executive director determines have been properly identified and reported by the warehouseman shall be considered acceptable proof that such marketings are not marketings of excess tobacco provided the amount thereof for the warehouse does not exceed the floor sweepings limitation of 1.10 percent of producers' tied sales and 0.17 percent of producers' untied sales for the season.

(d) *Dealer's tobacco.* The part or all of any marketing of tobacco by a dealer which such dealer represents to be a resale, which, when added to prior resales by such dealer as shown on Form MQ–79 presented to the warehouseman by the dealer, is in excess of total prior purchases shown on such Form MQ–79, shall be considered to be a marketing of excess tobacco. The penalty thereon shall be withheld by the warehouseman from the proceeds due the dealer and immediately transmitted by the warehouseman to a marketing recorder.

(e) *Resales not reported.* Any resale of tobacco which is required to be reported by a warehouseman or dealer, but which is not so reported within the time and in the manner required, shall be considered to be a marketing of excess tobacco, unless and until such warehouseman or dealer furnishes a report of such resale which is acceptable to the State executive director. The penalty thereon shall be paid by the warehouseman or dealer who fails to make the report as required.

(f) *Marketings falsely identified by a person other than the producer.* If any marketing of tobacco by a person other than the producer is identified by a marketing card other than the marketing card issued for the farm on which such tobacco was produced, such marketing shall be presumed, subject to rebuttal, to be a marketing of excess tobacco. The penalty thereon shall be paid by such person.

§ 725.95 Producers penalties; false identification; failure to account; cancelled allotments.

(a) *Penalties for false identification or failure to account.* If any producer falsely identifies or fails to account for the disposition of any tobacco produced on a farm, penalty at the full rate shall be due on the larger of: (1) the actual marketings above 110 percent of the effective farm marketing quota, or (2) the amount of tobacco equal to 25 percent of the effective farm marketing quota plus the amount determined by multiplying the farm yield times the number of acres harvested in excess of the farm acreage allotment.

(b) *Cancelled allotment.* If part or all of the tobacco produced on a farm has been marketed and the allotment for the farm is cancelled, any penalty due on the marketings shall be paid by the producers.

§ 725.96 Payment of penalty.

(a) *Date due.* Penalties shall become due at the time the tobacco is marketed, except that in the case of false identification or failure to account for disposition of tobacco, the penalty shall be due on the date of such false identification or failure to account for disposition. The penalty shall be paid by remitting the amount due to the ASCS State office not later than the end of the calendar week in which the tobacco becomes subject to penalty. A draft, money order, or check drawn payable to the Agricultural Stabilization and Conservation Service may be used to pay any penalty, but any such draft or check shall be received subject to payment at par.

(b) *Auction sale—net proceeds.* If the penalty due on any auction sale of tobacco by a producer is in excess of the net proceeds of such sale (gross amount for all lots included in the sale less usual warehouse charges), the amount of the net proceeds accompanied by a copy of the warehouse bill covering such sale may be remitted as the full penalty due. Usual warehouse charges shall not include (1) advances to producers, (2) charges for hauling, or (3) any other charges not usually incurred by producers in marketing tobacco through a warehouse.

(c) *Nonauction sale.* Nonauction sales of excess tobacco shall be subject to the full rate of penalty and shall be paid in full even though the penalty may exceed the proceeds for the sale of tobacco.

§ 725.97 Request for return of penalty.

Any producer of tobacco and any other person who bore the burden of the payment of any penalty after the marketing of all tobacco available for marketing from the farm, may request the return of the amount of such penalty which is in excess of the amount required to be paid. Such request shall be filed on Form MQ–85, Farm Record and Account, with the ASCS county office within 2 years after the payment of the penalty. Approval of return of penalty to producers shall be by the county committee, subject to the approval of the State executive director.

§ 725.98 Producers' records and reports.

(a) *Failure to file reports or filing false reports.* If any producer on a farm files an incomplete or incorrect report, fails to file a report, or files or aids or acquiesces in the filing of any false report with respect to (1) the acreage of tobacco grown on the farm, or (2) the amount of tobacco produced on, or marketed from the farm, the tobacco allotment next established for any such farm shall be reduced except that such reduction for any such farm shall not be made if it is established to the satisfaction of the county and State committees that (i) the failure to file, filing of, or aiding or acquiescing in the filing of, such report was not intentional on the part of any producer on the farm, and that no producer on the farm could reasonably have been expected to know that the report was false: *Provided,* That the failure to file or the filing of or aiding or acquiescing in the filing of the report will be construed as intentional unless a correct report is filed and any penalty is paid in full, or (ii) no person connected with the farm for the year for which the allotment is being established caused, aided, or acquiesced in the filing of the false report or failure to file a report.

(b) *Report of tobacco grown for experimental purposes.* For farms on which tobacco is being grown for experimental purposes only, the director of a publicly owned agricultural experiment station shall furnish the ASCS State office, prior to the beginning of the harvesting of tobacco from any farm on which experimental tobacco is being grown, a report for each current year showing the following information:

(1) Name and address of the publicly owned agricultural experimental station.

(2) Name of the owner, and name of the operator if different from the owner, of each farm on which tobacco is grown for experimental purposes only.

(3) The amount of acreage of tobacco grown on each farm for experimental purposes only.

(4) A certification signed by the Director of the publicly owned agricultural experiment station to the effect that such acreage of tobacco was grown on each farm for experimental purposes only, the tobacco was grown under his direction, and the acreage on each plot

was considered necessary for carrying out the experiment.

(c) *Harvesting second crop tobacco from same acreage.* If, in the same calendar year more than one crop of tobacco was grown from (1) the same tobacco plants, or (2) different tobacco plants, and is harvested for marketing from the same acreage of a farm, the acreage allotment next established for such farm shall be reduced by an amount equivalent to the acreage from which more than one crop of tobacco was so grown and harvested.

(d) *Cancellation of new farm allotment.* Any new farm allotment approved under this subpart which was determined by the county committee on the basis of incorrect information knowingly furnished the county committee by the applicant for the new farm allotment shall be cancelled by the county committee as of the date the allotment was established.

(e) *False identification.* If tobacco was marketed or was permitted to be marketed in any marketing year as having been produced on the acreage allotment for any farm which, in fact, was produced on a different farm, the acreage allotments next established for both such farms and kind of tobacco shall be reduced, except that such reduction for any such farm shall not be made if it is established to the satisfaction of the county and State committees that (1) no person on such farm intentionally participated in such marketing or could have reasonably been expected to have prevented such marketing: *Provided:* That the marketing shall be construed as intentional, unless all tobacco from the farm is accounted for and payment of all additional penalty is made, or (2) no person connected with such farm for the year for which the allotment is being established caused, aided, or acquiesced in such marketing.

(f) *Report on marketing card.* The operator of each farm on which tobacco is produced shall return to the ASCS county office each marketing card issued for the farm whenever marketings from the farm are completed, and, in no event, later than 20 days, in the year of issuance of the card, after the close of the tobacco auction markets for the locality in which the farm is located. Failure to return the marketing card within 15 days after written request by certified mail from the county office manager shall constitute failure to account for disposition of all tobacco marketed from the farm unless disposition of tobacco marketed from the farm is otherwise accounted for to the satisfaction of the county committee. Upon failure to satisfactorily account to the county committee for disposition of Flue-cured tobacco marketed from the farm the allotment next established for such farm shall be reduced, except that such reduction for any such farm shall not be made if it is established to the satisfaction of the county committee and a representative of the State committee, that (1) the failure to furnish such proof of disposition was unintentional and no producer on such farm could reasonably have been expected to furnish such proof of disposition: *Provided,* That such failure will be construed as intentional unless such proof of disposition is furnished and payment of all additional penalty is made; or (2) no person connected with such farm for the year for which the allotment is being established, caused, aided, or acquiesced in the failure to furnish such proof.

(g) *Report of production and disposition.* In addition to any other reports which may be required by this subpart, the operator on each farm or any producer on the farm (even though the harvested acreage does not exceed the acreage allotment or even though no allotment was established for the farm) shall, upon written request by certified mail from the State executive director, within 15 days after deposit of such request in the United States mail, addressed to such person at his last known address, furnish the Secretary on MQ–108, Report of Production and Disposition, a written report of the acreage, production and disposition of all tobacco produced on the farm by sending the same to the ASCS State office showing, as to the farm at the time of filing such report, (1) the number of fields (patches or areas) from which tobacco was harvested from the farm, (2) the total pounds of tobacco produced, (3) the amount of tobacco on hand and its location, (4) as to each lot of tobacco marketed, the name and address of the warehouseman, dealer, or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price paid and the date of the marketings, and (5) the complete details as to any tobacco disposed of other than by sale. Failure to file the MQ–108 as requested, the filing of a false MQ–108, or the filing of an MQ–108 which is found by the State committee to be incomplete or incorrect, shall constitute failure of the producer to account for disposition of tobacco produced on the farm and the allotment next established for such farm shall be reduced, except that such reduction for any such farm shall not be made if it is established to the satisfaction of the county and State committees that (1) failure to furnish such proof of disposition was unintentional and no producer on such farm could reasonably have been expected to furnish such proof of disposition: *Provide,* that such failure will be construed as intentional and unless such proof of disposition is furnished and payment of all additional penalty is made, or (ii) no person connected with such farm for the year for which the allotment is being established caused, aided, or acquiesced in the failure to furnish such proof.

(h) *Amount of allotment reduction.* The amount of reduction in the allotment for the current year for a violation described in paragraph (a), (e), (f), or (g) of this section shall be that percentage which the amount of tobacco involved in the violation is of the respective farm marketing quota for the farm for the year in which the violation occurred. Where the amount of tobacco involved in the violation(s) equals or exceeds the amount of the farm marketing quota, the amount of reduction shall be 100 percent and no deduction will be made in subsequent years for the violation(s). The quantity of tobacco in violation shall be the amount of tobacco as determined by the county committee. If the actual quantity of tobacco is known, such quantity shall be determined by the county committee to be the amount of tobacco involved in the violation. If the actual quantity of tobacco is not known, the county committee shall determine the quantity in violation in the following manner: The yield per acre and the total production of tobacco on the farm shall be determined by taking into consideration the condition of the crop during production, if known, and the actual yield per acre of tobacco on other farms in the locality in which the soil and other physical factors affecting the production of tobacco are similar: *Provided,* that the determination of the total production of tobacco on the farm shall not exceed the harvested acreage of tobacco on the farm multiplied by the average actual yield on farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar. The yield per acre as so determined by the county committee shall be deemed to be the actual production per acre. Where the actual quantity of tobacco produced on acreage not included in a report of acreage is not known, such quantity shall be determined by the county committee to be the quantity resulting from multiplying the yield per acre for the farm, determined as aforesaid, by the acreage not shown on a report of acreage. Where the amount of tobacco produced on, or marketed from a farm is not known, such quantities shall be determined by the county committee to be the quantity of tobacco remaining after deducting from the total production on the farm, as determined aforesaid, the quantity of tobacco for which proof of production and marketing has been furnished. The acreage reductions required under this section shall be in addition to any other adjustments made under these regulations and any amendments thereto later issued.

(i) *Allotment reductions for combined farms.* If the farm involved in the violation is combined with another farm prior to the reduction, the reduction shall be applied as heretofore provided in this section to that portion of the allotment for which a reduction is required.

(j) *Allotment reduction for divided farms.* If the farm involved in the violation has been divided prior to the reduction, the reduction shall be applied as heretofore provided in this section to the allotments for the divided farms required to be reduced. Allotment reductions are applicable, except under paragraph (c) of this section, unless the violating producer has no interest in the current tobacco crop.

§ 725.99 Warehouseman's records and reports.

(a) *Record of marketing—(1) Auction sale.* Each warehouseman shall keep such records as will enable him to furnish

the ASC State office with respect to each auction sale of tobacco made at his warehouse the following information:

(i) The name of the operator of the farm on which the tobacco was produced and the name of the seller, in the case of a sale by a producer, and in the case of a resale, the name of the seller.

(ii) Date of sale.

(iii) Number of pounds sold.

(iv) Amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer; and, in addition, with respect to each individual basket or lot of tobacco constituting the auction sale, the following information:

(v) Name of purchaser.

(vi) Number of pounds sold.

(vii) Gross sale price.

(2) *Separate account records.* Records of all purchases and resales of tobacco by the warehouseman shall be maintained to show a separate account for:

(i) Non-auction sales by farmers of tobacco purchased by or on behalf of the warehouseman.

(ii) Purchases and resales of leaf account tobacco. The resale record shall include data for leaf account floor sweeping tobacco.

(3) *Buyers corrections account.* Each warehouseman shall keep such records as will enable him to furnish a weekly report on Form MQ–79 to the ASC State office showing the total pounds and amounts of the debits (for returned baskets, short baskets and short weights of tobacco) and the credits (for long baskets and long weights of tobacco) to the Buyers Corrections Account. Where the warehouseman returns to the seller tobacco debited to the Buyers correction account, the warehouseman shall prepare an adjustment invoice to the seller. This invoice shall be the basis for a credit entry for the warehouse in the Buyers Corrections Account and a corresponding purchase (debit entry) in the case of a dealer on his MQ–79, Dealer's Report. Any balancing figure reflected on the warehouseman's summary of bill-outs shall not be included in the Buyers Corrections Account.

(4) *Uniform tobacco sale bill and daily warehouse sales summary.* Each warehouseman shall use uniform tobacco sale bills furnished by Flue-cured Tobacco Cooperative Stabilization Corporation, Raleigh, N.C. (hereinafter referred to as "Record Center"). The warehouseman shall not weigh in any tobacco for sale unless a card (MQ–76 for producers, MQ–79–2 for dealers) is furnished the weighman. In the "Buyer and Grade" space on the tobacco sale bill (i) the left column shall show non-auction purchases by the warehouse and tobacco grade for tobacco consigned to price support, and (ii) the right column shall show the symbol for tobacco bought by private buyers. At the end of each sale day, the tobacco sale bills shall be sorted in numerical order, and on the top of such bills an executed Form MQ–80, Daily Warehouse Sales Summary, shall be placed. A copy of the tobacco sale bills and a copy of the executed MQ–80 shall be furnished the marketing recorder for the Record Center. Tobacco sale bills for suspended sales shall be sent in by the marketing recorder when the sale is cleared from suspension.

(5) Any warehouseman or any other person who grades tobacco for farmers shall maintain records which will enable him to furnish the ASCS State office the name of the farm operator and the approximate amount of scrap tobacco obtained from the grading of tobacco from each farm.

(6) Any warehouseman or any other person who provides tobacco curing space or stripping space for farmers shall maintain records which will enable him to furnish the ASCS State office the name of the farm operator and the approximate amount of scrap tobacco obtained from each farm resulting from providing such space.

(7) In the case of resales for dealers, the name of the dealer making each resale, and in the case of resales for the warehouse, the word "Resale" shall be clearly shown on each tobacco sale bill covering such tobacco.

(b) *Identification of producer sales of tobacco.*—(1) *Tobacco Sale Bill.* The farm serial number on the marketing card identifying the tobacco to be marketed at auction shall be recorded by the warehouseman on the tobacco sale bill at the time the tobacco is weighed in and the warehouseman shall retain the marketing card where tobacco is to be sold at auction until the producer has been paid for the sale of the tobacco or the tobacco is removed from the warehouse by the producer. The warehouseman shall be responsible for the safekeeping and proper use of the marketing card during his retention of it. A separate tobacco sale bill shall be executed to cover any tobacco which represents more than 110 percent of the effective farm marketing quota and the notation, "No Price Support" shall be shown on such tobacco sale bill. The sale of such tobacco shall be considered a separate sale. The letters, "NA" shall be shown on each line of a tobacco sale bill on which there is recorded tobacco purchased by or for the warehouse at nonauction sale and there shall be recorded on all such tobacco sale bills the farm serial number on the marketing card identifying the tobacco marketed at the time the tobacco is purchased at nonauction sale. A copy of the tobacco sale bill bearing the letters, "NA" shall be furnished the producer for any lot or basket of such tobacco purchased by the warehouseman.

(c) *Marketing card.* Each marketing of tobacco from a farm shall be identified by a marketing card issued for the farm. The card shall be executed as follows:

(1) *Auction Sale.* A marketing card used to cover an auction shall show on the reverse side the poundage balance of the "110 percent of quota". The tobacco sale bill shall show the pounds on which penalty is due, and the amount of the penalty.

(2) *Nonauction sale to a warehouseman at the warehouse.* A marketing card used to cover a nonauction sale of tobacco to a warehouseman shall show on the reverse side the poundage balance of the "110 percent of quota". If the tobacco sale bill includes both an auction sale and a nonauction sale such combined pounds shall be used to compute and reflect the balance of the "110 percent of quota". The tobacco sale bill shall show the pounds on which penalty is due and the amount of the penalty.

(3) *Nonauction sale (country purchase) to a warehouseman.* A marketing card used to cover a nonauction sale (country purchase) at the farm shall show on the reverse side the poundage balance of the "110 percent of quota". The tobacco sale bill shall show the actual weight of the tobacco, the pounds on which penalty is due, and the amount of the penalty. Each warehouseman shall record each nonauction purchase of tobacco made by him on MQ–79.

(d) *Suspended sale record.* Any tobacco sale bill covering first marketing of farm tobacco for which a valid marketing card was not presented shall be given to a marketing recorder who shall stamp such bills, "Suspended", or if a marketing recorder is not available, the auction warehouseman may stamp such bills, "Suspended" and deliver them to a marketing recorder when one is available. Such tobacco sale bills shall be made available to the Record Center after the sale is cleared.

(e) *Warehouseman's entries or other dealer's report.* Each warehouseman shall record, or have the dealer record, on MQ–79, the total purchases and resales made by each such dealer or other warehouseman during each sale day at the warehouse. If any tobacco resold by the dealer is tobacco bought by him and carried over by him from a crop produced prior to the current crop, the entry on MQ–79 shall clearly show such fact.

(f) *Record and report of warehouseman's leaf account purchases and resales not on his floor.* Each warehouseman shall keep a record and make reports on MQ–79, Dealer's Report, showing:

(1) All nonauction purchases of tobacco, except nonauction purchases at his warehouse which are reported on MQ–30.

(2) All purchases and resales of tobacco at public auction through warehouses other than his own.

(3) All purchases of tobacco from dealers other than warehousemen and resales of tobacco to dealers other than warehousemen.

Form MQ–79 shall be prepared and a copy, including copies of tobacco sale bills for all nonauction purchases, forwarded to the ASCS State office not later than the end of the calendar week in which such tobacco was purchased or resold: *Provided:* That, if tobacco is purchased prior to the opening of the local auction market, an MQ–79 shall be prepared and a copy, together with copies of tobacco sale bills for all nonauction purchases, forwarded to the ASCS State office not later than the end of the calendar week which would include the first sale day of the local auction markets. A remittance for all penalties shown by the entries on MQ–79 to be due shall be forwarded to the ASCS State office with the original copy of MQ–79.

(g) *Daily Warehouse Sales Summary.* Each warehouseman shall prepare at the end of each sale day a report on MQ–80, Daily Warehouse Sales Summary, showing for each sale day:

(1) For each manufacturer, buyer, order buyer and Flue-Cured Stabilization (pool), pounds of tobacco purchased at auction (consigned in the case of the pool), and the total of all such pounds.

(2) For each dealer subject to reporting purchases and resales on MQ–79, as originally billed, the total pounds of tobacco purchased at auction, and the total of all of such pounds.

(3) The sum of the total pounds for subparagraphs (1) and (2).

(4) The total pounds purchased at auction for the leaf account.

(5) The total pounds purchased at nonauction at the warehouse for the leaf account.

(6) The sum of the total pounds for subparagraphs (4) and (5).

(7) The sum of the totals for subparagraphs (2), (3), and (6) of this paragraph.

(8) For each warehouse sale of excess tobacco from a farm, the applicable farm number with daily remittance of the penalty due.

(9) For each dealer, at time of settlement having excess resale tobacco, the applicable dealer number with daily remittance of the penalty due.

(10) As to the information required to be entered on MQ–80, Daily Warehouse Sales Summary, by the marketing recorder, the warehouseman shall keep and make available such records as will enable the marketing recorder to enter thereon: (i) The total number of tobacco sale bills for the sale day, and (ii) The sum of pounds sold shown on the tobacco sale bills.

§ 725.100 Dealer's record and reports.

Each dealer, except as provided in § 725.101, shall keep the records and make the reports as provided by this section.

(a) *Record of marketing.* Each dealer shall keep such records as will enable him to furnish the ASCS State office with respect to each lot of tobacco purchased by him the following information:

(1) (i) The name of the warehouse through which the tobacco was purchased in the case of a warehouse sale, (ii) the name of the operator of the farm on which the tobacco was produced, and the name of the seller in the case of a nonauction sale, including the records and reports for farm scrap tobacco, and (iii) the name of the seller in the case of nonauction purchases from warehousemen and dealers.

(2) Date of purchase.

(3) Number of pounds purchased.

(4) Amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer, and as to each lot of tobacco sold by him the following information:

(5) Name of the warehouse through which the tobacco was sold in the case of a warehouse sale, and the name of the purchaser if other than an auction warehouse sale.

(6) Date of sale.

(7) Number of pounds sold.

(8) In the event of a resale of tobacco bought by him and carried over from a crop produced prior to the current crop, the fact that such tobacco was so bought and carried over.

(b) *Nonauction sale (country purchase) to a dealer.* Each purchase of tobacco from a producer shall be identified by a marketing card issued for the farm on which the tobacco was produced. The reverse side of the marketing card shall show the poundage balance of the "110 percent of quota". The tobacco sale bill shall show the actual weight of the tobacco, the pounds on which penalty is due, and the amount of the penalty. The dealer shall record each nonauction purchase of tobacco made by him on MQ–79.

(c) *Record and report of purchases and resales.* (1) Except as provided in subparagraph (2) of this paragraph, each dealer shall keep a record and make reports on MQ–79, showing all purchases and resales of tobacco made by or for the dealer, and in the event of purchase or resale of tobacco bought from a crop produced prior to the current crop, the fact that such tobacco was bought by him and carried over from a crop produced prior to the current crop.

(2) Form MQ–79 shall be prepared and a copy, together with copies of tobacco sale bills for all nonauction purchases, forwarded to the ASCS State office not later than the end of the calendar week which would include the first sale day of the local auction markets; (ii) if tobacco is resold in a State other than where produced, and the auction markets at such location open earlier than those where the tobacco would normally be sold at auction by farmers, reports shall be prepared and forwarded, together with copies of tobacco sale bills for all nonauction purchases, not later than the end of the calendar week which would include the first sale day of the local auction market where the resale takes place.

(d) *Daily report to warehouseman for buyers corrections account of tobacco received.* Notwithstanding the provisions of § 725.101, any dealer, buyer, or any other person receiving tobacco from or through a warehouseman at an auction sale or otherwise, which is not invoiced to him or which is incorrectly invoiced to him by the warehouseman, shall furnish the warehouseman on a daily sales basis an adjustment invoice or buyers settlement sheet. Such reports shall be furnished daily, if practicable; otherwise they shall be furnished at the end of each week.

§ 725.101 Dealers exempt from regular records and reports.

Any dealer or buyer who acquires tobacco only at auction sales and resells, in the form in which tobacco ordinarily is sold by farmers, five percent or less of any such tobacco shall not be subject to the requirements of § 725.100.

§ 725.102 Records and reports of truckers, persons redrying, prizing, or stemming tobacco, and storage firms.

(a) Each trucker shall keep such records as will enable him to furnish the ASCS State office a report with respect to each lot of tobacco received by him showing:

(1) The name and address of the producer.

(2) The date of receipt of the tobacco.

(3) The number of pounds received.

(4) The name and address of the person to whom it was delivered.

(b) Each person engaged in the business of redrying, prizing, or stemming tobacco for producers and storage farms handling producer tobacco shall keep such records as will enable him to furnish the director a report showing:

(1) The information required above for truckers, and, in addition:

(2) The purpose for which the tobacco was received.

(3) The amount of advance made by him on the tobacco.

(4) The disposition of the tobacco.

(5) Person to whom delivered and pounds involved.

§ 725.103 Separate records and reports from persons engaged in more than one business.

Any person who is required to keep any record or make any report as a warehouseman, processor, dealer, buyer, trucker, or as a person engaged in the business of sorting, redrying, prizing, stemming, packing, or otherwise processing tobacco for producers, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged to the same extent for each such business as if he were engaged in no other business.

§ 725.104 Failure to keep records and make reports or making false report or record.

(a) *Failure to keep records or make reports.* Under the provisions of section 373(a) of the act, any warehouseman, processor, buyer, dealer, trucker, or person engaged in the business of sorting, redrying, prizing, stemming, packing, or otherwise processing tobacco for producers who fails to make any report or keep any record as required, or who makes any false report or record, is guilty of a misdemeanor, and upon con-

viction shall be subject of a fine or not more than $500 for each offense. In addition, any tobacco warehouseman, dealer, or buyer who fails, upon being requested to do so, to remedy a violation by submitting complete reports and keeping accurate records shall be subject to an additional fine, not to exceed $5,000.

(b) *False representations.* The penalties designated in paragraph (a) of this section are in addition to penalties prescribed by other criminal statutes including U.S. Code, Title 18, section 1001, which provides for a fine of not more than $10,000 or imprisonment for not more than 5 years, or both, for a person convicted of knowingly and willingly committing such acts as making a false acreage report, altering a marketing card, or falsely identifying tobacco.

(c) *Failure to obtain producer's marketing card or dealer identification card.* The failure of (1) any dealer or warehouseman to obtain a producer's marketing card, MQ–76, to identify a sale of producer tobacco and (2) any dealer or warehouseman who fails to obtain a dealer identification card, MQ–79–2, to cover a resale of tobacco, shall constitute a failure to make a report.

§ 725.105 Duties of Flue-Cured Tobacco Cooperative Stabilization Corporation.

Numerous record keeping and reporting provisions required of these regulations are the responsibility of the Flue-Cured Tobacco Cooperative Stabilization Corporation (also referred to as Record Center). The duties of the Record Center are set forth in writing in an initial memorandum of agreement, dated March 1966, between Record Center and Agricultural Stabilization and Conservation Service.

§ 725.106 Examination of records and reports.

For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, any warehouseman, processor, dealer, buyer, trucker, or person engaged in the business of sorting, redrying, prizing, stemming, packing, or otherwise processing tobacco for producers, shall make available at one place for examination by representatives of the State executive director and by employees of the Office of the Inspector General, and of the Farmer Programs Division and Producer Associations Division of the Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, upon written request by the State executive director, all such books, papers, records, basket tickets, tobacco sale bills, buyer adjustment invoices, accounts, cancelled checks, check registers, check stubs, correspondence, contracts, documents, and memorandas as the State executive director or the Director has reason to believe are relevant and are within the control of such person.

§ 725.107 Length of time records and reports are to be kept.

Records required to be kept and copies of the reports required to be made by any person under this subpart shall be on a marketing year basis and shall be retained by him for 2 years after the end of the marketing year. Records shall be kept for such longer period of time as may be requested in writing by the State executive director, or the Director.

§ 725.108 Information confidential.

All data reported to or acquired by the Secretary pursuant to the provisions of this subpart shall be kept confidential by all officers and employees of the U.S. Department of Agriculture, and by all members of county and community committees, and all ASCS county office employees and only such data so reported or acquired, as the Deputy Administrator deems relevant shall be disclosed by them, and then only in a suit or administrative hearing under Title III of the act.

§ 725.109 Determination of discount varieties.

(a) *Definition.* "Discount variety" means any of the flue-cured tobacco seed varieties designated as Coker 139, Coker 140, Coker 316, Reams 64, or Dixie Bright 244, or a mixture or strain of such seed varieties, or any breeding line of flue-cured tobacco seed varieties, including, but not limited to, 187-Golden Wilt (also designated by such names as No-Name, XYZ, Mortgage Lifter, Super XYZ), having the quality and chemical characteristics of the seed varieties designated as Coker 139, Coker 140, Coker 316, Reams 64, or Dixie Bright 244: *Provided*, That where there is growing in a field off-type plants of not more than 2 percent, such off-type plants shall not be considered in determining the flue-cured tobacco variety being produced. Flue-cured tobacco which is not determined to be discount variety shall be considered as "acceptable variety". Any breeding line of flue-cured tobacco identified as having appearance and growth characteristics similar to Coker 139, Coker 140, Coker 316, Reams 64, or Dixie Bright 244, shall be considered to have the quality characteristics of Coker 139, Coker 140, Coker 316, Reams 64, or Dixie Bright 244.

(b) *Producer's report.* (1) For each farm on which flue-cured tobacco is produced in the current year, the farm operator or any producer on the farm shall file with the county office a report on MQ–32, Certification of Flue-Cured Tobacco Varieties Planted, showing whether or not discount variety tobacco was planted on the farm.

(2) If the farm operator or any producer on a farm certifies on MQ–32 that there was not planted on the farm any discount variety of flue-cured tobacco, all of the flue-cured tobacco produced on such farm shall be determined by the county committee to be acceptable variety tobacco, unless a subsequent determination is made by the county committee or State committee that tobacco produced on the farm is discount variety tobacco. If the farm operator or any producer thereon has executed and filed a report with the county office on MQ–32, which shows there was not planted on such farm(s) in the current year, any of the discount varieties of flue-cured tobacco, and the operator or a producer on the farm wishes to change the MQ–32 to show there was planted on such farm(s) a discount variety, he may, at any time prior to the issuance of a marketing card for the farm, be permitted to file a new MQ–32 which shall supersede and replace the first MQ–32.

(3) If the farm operator or any producer on a farm certifies on MQ–32 that there was planted on the farm any discount variety of flue-cured tobacco, all of the flue-cured tobacco produced on such farm shall be determined by the county committee to be discount variety tobacco, unless a subsequent determination is made by the county committee, or State committee, that tobacco produced on the farm is acceptable variety tobacco.

(c) *Right to examine growing varieties.* To assist in making a determination as to whether discount variety tobacco is being produced on a farm, the farm operator or any producer on the farm shall allow any member of the county committee or State committee, or any employee of the ASCS State office, or any employee of the Department of Agriculture designated by the State executive director, as a person qualified to examine and identify seed varieties of flue-cured tobacco, to enter upon the farm (1) to examine the appearance and growth characteristics of flue-cured tobacco plants on the farm, (2) to take and remove from the farm samples of flue-cured tobacco growing on or harvested from the farm, (3) to designate representative flue-cured tobacco plants on the farm to be allowed to go to flower, and (4) to take photographs of representative flue-cured tobacco plants.

(d) *Failure to file report or permit examination.* If the operator of a farm on which flue-cured tobacco is being produced in the current year fails or refuses, within 7 days after a request of the county committee on MQ–34–1, Notice of Action Required Regarding Determination of Seed Varieties of Flue-Cured Tobacco, (1) to file a report on MQ–32, showing whether or not there was planted any of the discount varieties of flue-cured tobacco on such farm, or (2) to permit examination of flue-cured tobacco plants in each field or area on the farm, or (3) to permit, not to exceed 50 representative plants to go to flower in each field or area on the farm, or (4) to permit the taking of photographs of flue-cured tobacco in each field or area on the farm, or (5) to permit the taking and removal of green or cured leaf samples of flue-cured tobacco from the farm, all flue-cured tobacco produced on such farm shall be determined by the county committee to be discount variety tobacco, unless the county committee finds that failure to comply with the request was due to circumstances beyond the control of the farm operator.

(e) *Notice to farm operator.* In any case where the county committee determines that discount variety tobacco is being or was produced on a farm, the farm operator shall be given written notice by certified mail of such determination on MQ–34–2, Notice of Determination of Discount Variety Flue-Cured Tobacco. The notice to the farm operator shall constitute notice to all persons who as owner, operator, landlord, tenant, or sharecropper, are interested in the tobacco being grown on the farm.

(f) *Producer's right of appeal.* Any producer on a farm who believes that the discount variety determination for his farm by the county committee is not correct, may file an appeal with the county committee asking it to reconsider such determination. The request for appeal and facts constituting a basis for such reconsideration must be submitted in writing and postmarked or delivered to the county committee within 7 days after the date of mailing of the notice on MQ–34–2. The request for appeal must be signed by the person making the appeal. If the appellant believes that the county committee's determination on his appeal is not correct, he may appeal to the State committee within 7 days after the date of mailing of the notice of the decision of the county committee. The decision of the State committee shall be final.

(g) *State committee decision final.* Any discount variety determination by the county committee may be reviewed by the State committee, whose decision shall be final.

(h) *Issuance of Marketing Cards—*(1) *Notation on Card.* If a farm is determined to have discount variety tobacco available for marketing and the farm is eligible for price support, the county office manager shall issue MQ–76, bearing the notation "Discount Variety—Limited Price Support". If the farm is determined to have discount variety tobacco but it is not eligible for price support, the county office manager shall issue MQ–76, bearing the notation "Discount Variety—No price Support".

(2) *Exchange of cards.* (i) Where an MQ–76, bearing the notation "Discount Variety—Limited Price Support" is issued for a farm, the card may be exchanged at the county office for an MQ–76 without the notation, or (ii) where an MQ–76, bearing the notation "Discount Variety—No Price Support" is issued for a farm the card may be exchanged at the county office for an MQ–76 with the notation "No Price Support": *Provided*, That the farm operator establishes to the satisfaction of the county committee that there has been no commingling or substitution of discount variety tobacco produced on the farm or on any other farm operated by him, and that all discount variety tobacco has been marketed or satisfactorily disposed of, or accounted for.

(3) *Cards for publicly-owned experiment stations.* MQ–76 issued to identify marketings of tobacco grown for experimental purposes by or for publicly owned experiment stations shall bear the notation "Discount Variety—Limited Price Support" if such tobacco is determined to be discount variety tobacco.

(i) *Identification of flue-cured leaf account tobacco as acceptable variety and reports on MQ–79–1, Flue-Cured.* Whenever the Director determines there is a significant amount of discount variety tobacco available for marketing in any marketing year he may cause to be initiated the provisions of this paragraph. In addition, the Director may terminate any action initiated hereunder when he determines no discount variety of flue-cured tobacco remains available for sale during the remainder of the current marketing season. Notification to warehousemen of action required under this paragraph shall be by the State executive director.

(1) *Warehouseman.* (i) Each warehouseman who offers for auction sale any leaf account flue-cured tobacco on a warehouse floor other than his own, and who requests the other warehouseman to identify such tobacco as being "acceptable variety", shall either (*a*) execute MQ–79–1 (Flue-Cured), Dealer's Certification—Resale Tobacco, or (*b*) have the eligibility of such tobacco to be so identified determined by the State executive director or his representative.

(ii) Each warehouseman who is participating in the Commodity Credit Corporation price support program, and who identifies resale tobacco with a "certified" basket ticket indicating that such tobacco, by virtue of an executed MQ–79–1 (Flue-Cured), is of an acceptable variety, shall at the time the tobacco is weighed in have such tobacco covered by an executed MQ–79–1, unless the eligibility of such tobacco to be identified as being of an acceptable variety, is determined by the State executive director or his representative.

(iii) Each executed MQ–79–1 (Flue-Cured) shall show the following information with respect to each lot of resale tobacco:

(*a*) Crop year.

(*b*) Name and address of warehouse where the tobacco is being offered for sale.

(*c*) Tobacco sale bill number and date.

(*d*) Date, signature of dealer and current address, and dealer identification number.

(2) *Dealer.* (i) Each dealer or any other person who offers for auction sale any resale flue-cured tobacco on a warehouse floor which is participating in the Commodity Credit Corporation price support program and on which floor eligible resale flue-cured tobacco is identified with a "certified" basket ticket, and who requests the warehouseman to identify his tobacco as being of an "acceptable variety", shall either (*a*) execute MQ–79–1 (Flue-Cured), Dealer's Certification—Resale Tobacco, or (*b*) have the eligibility of such tobacco to be so identified determined by the State executive director or his representative.

(ii) Each executed MQ–79–1 (Flue-Cured) shall show the following information with respect to resale tobacco:

(*a*) Crop year.

(*b*) Name and address of warehouse where the tobacco is being offered for sale.

(*c*) Date, signature of dealer and current address, and dealer identification number.

(*d*) Tobacco sale bill number and date.

(iii) Each dealer or any other person who acquires acceptable variety tobacco in a manner which would make it ineligible for certification on MQ–79–1, or who has on hand both discount variety tobacco and acceptable variety tobacco, and desires to dispose of acceptable variety tobacco prior to disposing of the discount variety tobacco, may apply in writing to the State executive director for a special authorization to have the acceptable variety tobacco certified when offered for auction sale.

(iv) If any dealer fails to timely file MQ–79, Dealer's Report or if there is substantial indication that a dealer has executed a false certification on MQ–79–1, the State executive director may notify such dealer and all auction warehouses participating in the Commodity Credit Corporation price support program that certification by such dealer on MQ–79–1 shall not be accepted for the purpose of identifying tobacco offered for auction sale by such dealer as being of acceptable variety until further notice.

NOTE: The recordkeeping and reporting requirements of these regulations have been approved by and subsequent requirements shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Signed at Washington, D.C., on June 20, 1966.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66–6962; Filed June 23, 1966; 8:51 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7449]

AIRWORTHINESS DIRECTIVES

Boeing Model 707 and 720 Series Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to certain Boeing Model 707 and 720 Series airplanes. There have been explosions of fuel vapors in the fuel tanks of Boeing Model 707 airplanes suspected to have resulted from ignition through the fuel tank vent outlet. Since this condition is likely to exist or develop in other airplanes having the same vent outlet design, the proposed AD would require installation of a flame suppression system in the fuel tank vent outlet system or the installation of an auxiliary vent tube with a flame arrester to the vent system surge tank on certain Boeing Model 707 and 720 Series airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before September 22, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BOEING. Applies to Model 707 and 720 Series airplanes, except 707-300B and -300C Series.

Compliance required within the next 6,000 hours' time in service after the effective date of this AD unless already accomplished.

To prevent explosion of fuel vapors in the fuel tanks as a result of lightning-induced ignition at the fuel tank vent outlet, accomplish one of the following or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region—

(a) Install a flame and explosion suppression system in the fuel tank vent outlet system approved by the Chief, Aircraft Engineering Division, FAA Western Region, that would prevent flame propagation through the vent system following ignition of vapor by lightning at the vent outlet; or

(b) Provide an auxiliary vent tube, with flame arrester, to the vent system surge tank approved by the Chief, Aircraft Engineering Division, FAA Western Region, that would provide, during flight, continuous airflow inward through the existing vent outlet and outward through the protected auxiliary tube.

Issued in Washington, D.C., on June 20, 1966.

C. W. WALKER,
Director,
Flight Standards Service.

[F.R. Doc. 66-6907; Filed, June 23, 1966; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-WE-41]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the transition area in the Eugene, Oreg. terminal area as follows:

That airspace extending upward from 700 feet above the surface within 2 miles E and 8 miles W of the Eugene VORTAC 007° radial, extending from the VORTAC to 14 miles N of the VORTAC; within 2 miles SE and 3 miles NW of the Eugene VORTAC 030° radial, extending from the VORTAC to 13 miles NE of the VORTAC; within 2 miles each side of the Eugene VORTAC 224° radial, extending from the VORTAC to 11 miles SW of the VORTAC; within 2 miles each side of the Eugene VORTAC 187° and 172° radials, extending from the VORTAC to 9 miles S of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 16 miles W and 10 miles E of the Eugene VORTAC 015° and 195° radials, extending from 26 miles N to 12 miles S of the VORTAC; within 6 miles E and 9 miles W of the Eugene VORTAC 172° radial, extending from the VORTAC to 39 miles S of the VORTAC; within 5 miles each side of the Eugene VORTAC 271° radial, extending from the VORTAC to V-27; and that airspace SW of Eugene bounded on the SE by the NW edge of V-121, on the NW by the SE edge of V-287, and on the N by a line 5 miles S of and parallel to the Eugene VORTAC 271° radial.

The proposed 700-foot floor transition area would provide controlled airspace protection for aircraft executing prescribed instrument approach and departure procedures at Mahlon Sweet Airport.

The 1,200-foot floor transition area would encompass the holding procedures at the Eugene VORTAC and Curtin intersection. It would also provide controlled airspace protection for aircraft transitioning via Eugene VORTAC 271° radial to intercept V-27.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments, as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, California, on June 16, 1966.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 66-6908; Filed, June 23, 1966; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 531]

[Docket No. 65-37]

FILING PROJECT RATES

Proposed Special Permission Requirements

On October 27, 1965, the Federal Maritime Commission published in the FEDERAL REGISTER (30 F.R. 13653) proposed rules for the purpose of establishing provisions which would require a common carrier by water in the domestic offshore trades to file with the Federal Maritime Commission an application for special permission before establishing project rates in its tariff(s). Comments were received from various interested parties. The Commission has considered the comments received, and in the light thereof hereby publishes its revised proposed rules in accordance with the provisions of section 4, Administrative Procedure Act (5 USC 1003), section 2 of the Intercoastal Shipping Act, 1933 (46 USC 844), and section 43 of the Shipping Act, 1916 (46 USC 841a).

Sections 531.0 and 531.7 of Title 46, CFR, would be amended by the addition of new paragraphs, § 531.0(n) and § 531.7(e), as follows:

§ 531.0 Definitions.

* * * * *

(n) "Project Rate": A reduced rate on the materials and equipment to be employed by the shipper or consignee in the construction or development of a certain named facility used in manufacturing processes, the exploitation of natural resources (including agriculture), or other productive enterprises or service facility. The materials and equipment to which project rates apply may not be shipped for the purpose of resale.

§ 531.7 Commodity rates.

* * * * *

(e) (1) *Project rates.* Publications containing project rates will not be accepted for filing unless they comply in all respects with the provisions of this tariff circular or unless special permission for appropriate rule relief has been granted under § 531.14.

(2) Application for special permission to file such publications shall include:

(i) A recitation of the economic justification for the project rates and a demonstration that the rates would meet at least out-of-pocket costs and pay a share of the voyage costs (see note);

(ii) A certification that all carriers having tariffs on file with this Commission covering service between the involved ports have been served a copy of the application, including the names of the competitors so served;

(iii) A specimen of the proposed tariff, tariff page, or supplement which shall include (*a*) a list of the commodities to be transported under the project rates; (*b*) a statement that the bill of lading used to move cargo under the project rates will be claused "All materials included in this bill of lading are of a wholly proprietary nature and may not be resold at destination or otherwise placed in commercial channels for resale;" and (*c*) a date upon which the project rates will expire (See § 531.4(f)); and

(iv) A list of the tariff circular rules sought to be waived.

NOTE: Information submitted pursuant to paragraph (1) will not be used as a determining factor in granting the application for rule relief but will be utilized for the purpose of staff evaluation of the effect of the proposed project rates.

Interested parties may participate in this rulemaking proceeding by submitting an original and 15 copies of written statements, data, views, or arguments pertaining thereto to the Secretary, Federal Maritime Commisison, Washington, D.C., 20573, on or before the close of business July 26, 1966.

The Federal Maritime Commission, Bureau of Compliance, Office of Hearing Counsel shall participate in this proceeding and shall file Reply to Comments on or before August 15, by serving an original and 15 copies on the Federal Maritime Commission and one copy on each party who filed written comments. Answers to Hearing Counsel's replies shall be submitted to the Federal Maritime Commission on or before August 30, 1966.

By order of the Federal Maritime Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-6970; Filed, June 23, 1966; 8:52 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Phoenix 060872]

ARIZONA

Order Providing for Opening of Lands

JUNE 17, 1966.

1. Pursuant to the Act of June 14, 1926 (44 Stat. 741; U.S.C. 869), as amended by the Act of June 4, 1954 (68 Stat. 173), as amended, the following described lands have been reconveyed to the United States:

GILA AND SALT RIVER MERIDIAN

T. 5 S., R. 10 E.,
Sec. 6, lots 1, 2 and S½NE¼.

The area described aggregates 165.63 acres.

2. The lands are located 1 mile east of Florence, Ariz., and contain rights-of-way for a canal and a flood control earth dam. These tracts are level to gently rolling and there are some low granite hills along the east boundary. These lands will be open to the operation of the public land laws, including the mining and mineral leasing laws.

3. This order shall become effective at 10 a.m. on July 23, 1966.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 3022 Federal Building, Phoenix, Ariz., 85025.

FRED J. WEILER,
State Director.

[F.R. Doc. 66-6925; Filed, June 23, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 23(65)-53]

OVERSEAS CHINESE RADIO AND TELEVISION INSTITUTE AND KUALA LUMPUR BRANCH

Order Denying Export Privileges for an Indefinite Period

In the matter of Overseas Chinese Radio and Television Institute, 352 Geyland Road, Singapore 1; Kuala Lumpur Branch, 56 Yew Road, Kuala Lumpur, Malaysia, respondent; File No. 23(65)-53.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above-named respondent all export privileges for an indefinite period because the said respondent failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested, without good cause being shown. This application was made pursuant to § 382.15 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations).

In accordance with the usual practice, the application for an Indefinite Denial Order was referred to the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commissioner and the evidence in support of the application have been considered.

The evidence presented shows that the respondent, Overseas Chinese Radio and Television Institute trades in electrical and electronic equipments and has places of business in Singapore and Kuala Lampur, Malaysia; that Yap Yee Tze is manager and principal official of said firm; that the firm purchased and received from a supplier in Singapore substantial quantities of U.S.-origin electronic equipment and accessories of a strategic nature. The aforesaid Investigations Division is conducting an investigation into the disposition by said respondent of said commodities. It is impracticable to subpoena the respondent, and relevant and material interrogatories and request to furnish certain specific documents relating to its disposition of said commodities were served on it pursuant to § 382.15 of the Export Regulations. Said respondent has failed to furnish answers to said interrogatories or to furnish the documents requested, as required by said section and it has not shown good cause for such failure. I find that an order denying export privileges to said respondent for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended.

Accordingly, it is hereby ordered,

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondent, its successors, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to its agents and employees, including Yap Yee Tze. Such denial of export privileges shall also extend to any person, firm, corporation, or business organization with which the respondent now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall remain in effect until the respondent provides responsive answers, written information, and documents in response to the interrogatories heretofore served upon it or gives adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondent or any related party, or whereby the respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondent.

VII. In accordance with the provisions of § 382.15 of the Export Regulations, the respondent may move at any time to vacate or modify this Indefinite Denial Order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C., 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

This order shall become effective forthwith.

Dated: June 17, 1966.

RAUER H. MEYER,
Director,
Office of Export Control.

[F.R. Doc. 66-6894; Filed, June 23, 1966; 8:45 a. m.]

[File No. 23(66)-17]

TOKYO SEIDENSHA CO., LTD. ET AL.

Order Temporarily Denying Export Privileges

In the matter of Tokyo Seidensha Company, Ltd., 564-7 Chome, Ebaramachi, Shinagawa-Ku, and 8-11 Koyama 6-Chome, Shinagawa-Ku, and 1395 Hara-machi, Meguro-Ku, all of Tokyo, Japan; respondent; File No. 23(66)-17.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, United States Department of Commerce, pursuant to the provisions of § 382.11 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations), has applied to the Compliance Commissioner for an order temporarily denying all export privileges to the above-named respondent. The Compliance Commissioner has reviewed the application and the evidence presented in support thereof and has submitted his report, together with his recommendation that the application be granted and that a temporary denial order be issued for 60 days.

The evidence and recommendation of the Compliance Commissioner have been considered. The evidence presented shows that respondent is a joint stock company with a place of business in Tokyo, Japan; that the company is engaged in importing telecommunication and microwave equipment, and also measuring and analyzing instruments and accessories; that the company has received in the recent past substantial quantities of U.S.-origin electronic equipment of a strategic nature; that said equipment was exported from the United States under validated licenses for ultimate use in Japan. The evidence presented further shows that the respondent has not satisfactorily accounted for its disposition of said commodities in accordance with the conditions under which they were exported or that said disposition has been in accordance with the provisions of the U.S. Export Regulations. Further, the evidence shows that respondent has on order additional substantial quantities of commodities of a similar nature, which in the ordinary course of events will be delivered to it. On the evidence presented there is reasonable basis to believe that the respondent has not disposed of the commodities in accordance with the conditions under which they were exported and in accordance with the provisions of the U.S. Export Regulations. There is also reasonable basis to believe that if the respondent receives the additional commodities which it has on order it may dispose of them in contravention of the U.S. Export Regulations. I find that an order temporarily denying export privileges to the respondent is reasonably necessary for the protection of the public interest and national security.

Accordingly, it is hereby ordered,

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondent, its successors, assigns, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to its agents and employees and to any successor and to any person, firm, corporation, or business organization with which it now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall take effect forthwith and shall remain in effect for a period of 60 days from the date hereof, unless it is hereafter extended, amended, modified, or vacated in accordance with the provisions of the United States Export Regulations.

V. No person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with respondent or any related party, or whereby the respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for the respondent or any related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served upon the respondent.

VII. In accordance with the provisions of § 382.11 of the Export Regulations, the respondent or any related party may move at any time to vacate or modify this temporary denial order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request an oral hearing thereon which, if requested, shall be held before the Compliance Commissioner in Washington, D.C., at the earliest convenient date.

This order shall become effective forthwith.

Dated: June 17, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 66-6895; Filed, June 23, 1966; 8:45 a.m.]

Office of the Secretary

[Dept. Order No. 9]

PERSONAL PROPERTY CLAIMS OF DEPARTMENT OF COMMERCE PERSONNEL

Delegation of Authority

The following order was issued by the Secretary of Commerce on June 10, 1966.

SECTION 1. *Purpose.* The purpose of this order is to delegate authority to settle and pay claims against the United States for not more than $6,500 made by a member of the uniformed services under the jurisdiction of the Department of Commerce or by a civilian officer or employee of the Department of Com-

merce, for damage to, or loss of, personal property incident to his service.

SEC. 2. *Definitions.* For purposes of this order:

a. "Agency" means the Department of Commerce, but does not include any contractor with the United States;

b. "Uniformed service" means the commissioned officers of the Environmental Science Services Administration; and

c. "Settle" means consider, ascertain, adjust, determine, and dispose of any claim, whether by full or partial allowance or disallowance.

SEC. 3. *Legal authority.* The Act of August 31, 1964, Public Law 88–558, 78 Stat. 767, as amended (31 U.S.C. 240 et seq.) provides that subject to any policies which the President may prescribe, and under such regulations as the Secretary may prescribe, the Secretary or his designee may settle and pay a claim arising after the effective date of the Act (August 31, 1964) against the United States for not more than $6,500, made by a member of the uniformed services under the jurisdiction of the Department or by a civilian officer or employee of the Department or his survivors, for damage to, or loss of, personal property incident to his service.

SEC. 4. *Delegation of authority.* .01 Subject to the provisions of section 5 of this order, the following officials are hereby delegated authority to settle and pay claims under Public Law 88–558 and any amendments thereto:

a. Heads of primary operating units;

b. Assistant Secretary for Administration for the Office of the Secretary and for constituent operating units reporting to the Under Secretary for Transportation;

c. Director, Office of Administration, under the Assistant Secretary and Director of Economic Development for constituent operating units reporting to him;

d. Director, Office of Administration (DIB), for that office and the Office of Publications and Information (DIB); and

e. Secretarial Officers for constituent operating units reporting to those officials that may be established in the future.

.02 The authority delegated herein may be redelegated to one or more employees who shall be designated as claims officers.

SEC. 5. *Administrative policy.* The general purpose of the authority provided by the statute is to make possible administrative settlement and payment of meritorious claims, in lieu of settlement and payment of claims by private relief bills. The general purpose, more specifically, is to make it possible for Government agencies, subject to the requirements contained in the statute, to reimburse employees, not for any and all damage to, or loss of, personal property which they may experience, but only for unusual and unforeseen loss of or damage to personal property which is not covered by insurance, indemnity, or other contracts and which is sustained by employees, through no fault of their own, as an incident of their employment under circumstances in which it is only fair that the Government as their employer should make up the loss.

SEC. 6. *Administration.* .01 The General Counsel and the Assistant Secretary for Administration jointly shall issue such implementing instructions as they may deem necessary for the proper administration of this authority.

.02 No claim shall be settled without prior review for legal sufficiency by the General Counsel of the Department of Commerce or his designee.

.03 The Assistant Secretary for Administration shall prepare, as required by law, a departmental report on claims settled for each fiscal year for submission by the Secretary of Commerce.

Effective date: June 10, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66–6898; Filed, June 23, 1966; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50–84]

REGENTS OF UNIVERSITY OF CALIFORNIA

Notice of Issuance of Order Authorizing Dismantling and Transfer of Facility

Please take notice that the Atomic Energy Commission has issued an order authorizing the University of California to dismantle the Model AGN–201, Serial No. 112, nuclear reactor located on the University of California campus at Berkeley, Calif., and covered by AEC Facility License No. R–30 and transfer the dismantled facility to The University of New Mexico at Albuquerque, N. Mex.

Copies of the Commission's order, the application dated April 26, 1966, and the amendment thereto dated May 12, 1966, submitted by the University of California and a related safety evaluation prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the safety evaluation may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

For the Atomic Energy Commission.

Dated at Bethesda, Md., this 17th day of June 1966.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66–6896; Filed, June 23, 1966; 8:45 a.m.]

[Docket No. 50–186]

CURATORS OF UNIVERSITY OF MISSOURI

Notice of Issuance of Construction Permit Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 1 to Construction Permit No. CPRR–68. The Construction Permit authorizes the Curators of the University of Missouri to construct a 10,000 kilowatt (thermal) heterogeneous, light water-cooled and moderated pressurized tank research reactor located on the campus at Columbia, Mo. The amendment authorizes the insertion of single fuel assemblies into various reactor core positions and in-pool storage positions for fitting test purposes, as described in the application amendment dated May 12, 1966.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for amendment dated May 12, 1966, and (2) the Safety Evaluation prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 9th day of June 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[Construction Permit CPRR–68 Amdt. No. 1]

The Commission has found that:

(1) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Ch. 1, CFR;

(2) Testing of the reactor fuel assemblies in accordance with the permit, as amended, will not be inimical to the common defense and security or to the health and safety of the public.

(3) Prior public notice of proposed issuance of the amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated.

Construction Permit No. CPRR–68, issued to The Curators of the University of Missouri, is amended by adding a new subparagraph C to paragraph 3 as follows:

"C. The University of Missouri is authorized during construction of the facility to insert not more than a single fuel assembly at any one time into various reactor core positions and in-pool storage positions for fitting test purposes, as described in the application amendment dated May 12, 1966."

This amendment is effective as of the date of issuance.

Date of issuance: June 9, 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66–6897; Filed, June 23, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 15529]

BAGGAGE LIABILITY RULES CASE

Notice of Oral Argument

Oral argument limited to the following matters: (1) The lawful minimum limitation of liability for loss of, damage to, or delay in delivery of any personal property, including baggage, whether checked or not; and (2) appropriate means of giving notice of liability rules to the public, including the affixing of a notice on the ticket envelope and the posting of signs at ticket counters or other locations. See order E–23764, dated June 2, 1966.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be heard on July 20, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., June 17, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66–6939; Filed, June 23, 1966; 8:49 a.m.]

[Docket 17286]

BRITISH EAGLE INTERNATIONAL AIRLINES LTD.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on July 13, 1966, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Leslie G. Donahue.

In order to facilitate conduct of the conference interested parties are instructed to submit to the examiner and other parties on or before July 7, 1966, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., June 20, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66–6940; Filed, June 23, 1966; 8:49 a.m.]

[Docket 17233]

CONDOR FLUGDIENST G.m.b.H.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on July 12, 1966, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Edward S. Stodola.

Advance exchange of information requests are to be filed on or before July 1, 1966.

Dated at Washington, D.C., June 20, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66–6941; Filed, June 23, 1966; 8:49 a.m.]

[Docket 17358]

MIAMI-KEY WEST SERVICE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on July 12, 1966, at 10 a.m., e.d.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner James S. Keith.

In order to facilitate conduct of the conference interested parties are instructed to submit to the examiner and other parties on or before July 6, 1966, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., June 20, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66–6942; Filed, June 23, 1966; 8:49 a.m.]

[Docket 17378]

NIPPON EXPRESS U.S.A., INC.

Notice of Prehearing Conference

Application for a foreign air carrier permit as a foreign air freight forwarder between points in the United States and Japan.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on July 14, 1966, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Advance exchange of information requests are to be filed on or before July 8, 1966.

Dated at Washington, D.C., June 20, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66–6943; Filed, June 23, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16070; FCC 66M–849]

COMMUNICATIONS SATELLITE CORP.

Order Continuing Conference

In the matter of Communications Satellite Corporation, Docket No. 16070; charges, practices, classifications, rates, and regulations for and in connection with the leasing of voice grade and television channels to common carriers authorized by the Federal Communications Commission, between Andover, Maine, and a communications-satellite in connection with the establishment of communication paths between points in the United States and Europe for the transmission and reception of voice, record, data, telephoto, facsimile, television, and other signals.

It is ordered, This 16th day of June, 1966, by the Hearing Examiner on his own motion, that:

(1) The further prehearing conference in this matter now scheduled for June 21, 1966 is rescheduled to commence at 10 a.m., July 20, 1966, in the Commission's offices in Washington, D.C.,

(2) That future pleadings in this matter be in the more formal of the manners prescribed by the Commission's rules and that any motions involving changing of dates be specific as to actual calendar dates sought,

(3) The following letter-type pleadings are dismissed:

(a) A letter received by the Commission on June 2, 1966 from counsel for Communications Satellite Corporation requesting an extension of time for filing comments[1] and a postponement of the date for a prehearing conference, and

(b) All responses thereto filed by the other parties.

Released: June 16, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–6965; Filed, June 23, 1966; 8:52 a.m.]

[1] The Hearing Examiner never conceived of his "Notice" released May 26, 1966, as mandatory. It was intentionally not in the form of an order. Unless the Hearing Examiner's jurisdiction is expressly urged in the future he will expect the parties to police their own gentlemen's agreements. In any event, Comsat's letter was untimely filed for relief by June 10, 1966, for the parties had until the close of business on June 13, 1966, to reply to the letter.

[Docket No. 16709; FCC 66M-878]

ISLAND BROADCASTING SYSTEM (WRIV), INC.

Order Scheduling Hearing

In re application of Island Broadcasting System (WRIV), Inc., Riverhead, N.Y., Docket No. 16709, File No. BPCT-3475; for construction permit (Channel 55).

It is ordered, This 20th day of June 1966, that Forest L. McClenning shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 20, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 19, 1966, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: June 21, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6966; Filed, June 23, 1966; 8:52 a.m.]

[Docket Nos. 16536, 16537; FCC 66M-875]

GORDON SHERMAN AND OMICRON TELEVISION CORP.

Order Continuing Hearing

In re applications of Gordon Sherman, Orlando, Fla., Docket No. 16536, File No. BPCT-3529; Omicron Television Corp., Orlando, Fla., Docket No. 16537, File No. BPCT-3596; for construction permit for new television broadcast station (Channel 35).

The Hearing Examiner having under consideration a request by letter, hand delivered this date, from counsel for Gordon Sherman and concurred in by counsel for Omicron Television Corp. for an indefinite postponement of the procedural steps in the above-entitled matter, and

It appearing, that the Chief of the Hearing Division of the Broadcast Bureau having informed the Hearing Examiner that the Bureau would agree to a reasonable postponement, and

It further appearing, that the competing applicants may merge and thus obviate the necessity for a hearing,

It is ordered, This 20th day of June 1966, that the date for the exchange of exhibits (which were to have been exchanged on June 15, 1966) is changed to July 7, 1966 and the date of the hearing is changed from June 22, 1966 to July 12, 1966 to commence at 10 a.m., in the Commission's offices in Washington, D.C.

Released: June 21, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-6967; Filed, June 23, 1966; 8:52 a.m.]

[Docket Nos. 16712, 16713; FCC 66-536]

TREND RADIO, INC., AND JAMES BROADCASTING CO., INC.

Order Designating Applications for Consolidated Hearing of Stated Issues

In re applications of Trend Radio, Inc., Jamestown, N.Y., Docket No. 16712, File No. BPCT-3665; James Broadcasting Co., Inc., Jamestown, N.Y., Docket No. 16713, File No. BPCT-3694; for construction permits for new television Broadcast station.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 15th day of June 1966;

1. The Commission has before it for consideration the above-captioned applications, each requesting a construction permit for a new television broadcast station to operate on Channel 26, Jamestown, N.Y. Since the operation proposed by both of the applicants would result in mutually destructive interference, they are mutually exclusive and a hearing will be required to determine which application should be granted.

2. Since FAA approval has not been obtained for James Broadcasting Co., Inc.'s, proposed antenna structure, an air menace issue has been specified.

3. Trend Radio, Inc., proposes to locate its main studio outside of the corporate limits of Jamestown, and has requested a waiver of § 73.613(a) of the Commission's rules. We believe that adequate justification has been shown for a waiver and therefore, no issue is specified. In the event that this application is granted, § 73.613(a) of the rules will be waived.

4. Except as indicated by the issues set forth below, each of the applicants is qualified to construct, own and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is, therefore, unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of Trend Radio, Inc., and James Broadcasting Company, Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine with respect to James Broadcasting Co., Inc.'s, application whether its proposed antenna structure would constitute a menace to air navigation.

2. To determine which of the proposals would better serve the public interest.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and §1.594(a) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: June 21, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary

[F.R. Doc. 66-6968; Filed, June 23, 1966; 8:52 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI66-411, etc.]

HALL-JONES NO. 4 ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1a]

JUNE 16, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

[1] Concurring statement of Commissioner Bartley filed as part of the original document. Commissioner Cox absent.

[1a] Does not consolidate for hearing or dispose of the several matters herein.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 3, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

Appendix A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-411	Hall-Jones No. 4, et al., c/o Mosteller, Andrews & Mosburg, Attn: Lewis G. Mosburg, Jr., Esq., 18th Floor, United Founders Tower, Oklahoma City, Okla., 73112.	1	2	Panhandle Eastern Pipe Line Co. (Putnam City Field, Dewey County, Okla.) (Oklahoma "Other" Area).	$16,105	5-23-66	[2] 6-23-66	11-23-66	15.0	[3] [4] 17.0	
RI66-412	Ethyle Moorhead, Hugoton, Kans., 67951.	1	3	Panhandle Eastern Pipe Line Co. (Hugoton Field, Stevens County, Kans.).	1,330	5-26-66	[2] 6-26-66	11-26-66	[5] 11.0	[4] [6] 12.0	
RI66-413	Brooks Hall (Operator), et al., Liberty National Bank Bldg., Oklahoma City, Okla., 73102.	1	5	Panhandle Eastern Pipe Line Co. (Major and Dewey Counties, Okla.) (Oklahoma "Other" Area).	2,901	5-23-66	[7] 6-23-66	11-23-66	[7] 15.0	[3] [7] 17.0	
RI66-414	D. J. Harrison, 2106 Gulf Bldg., Houston, Tex., 77002.	2	2	Union Texas Petroleum, a division of Allied Chemical Corp.[8] (South Mayes Field, Chambers County, Tex.) (R.R. District No. 3).	[9] 4,092	5-26-66	[7] 7-30-66	12-30-66	[10] [11] 14.0	[4] [11] [12] 15.5	

[2] The stated effective date is the effective date requested by Respondent.
[3] Respondent is filing from permanent certificate rate to initial contract rate.
[4] Pressure base is 14.65 p.s.i.a.
[5] Periodic rate increase.
[6] For gas produced above the base of the Chase Group.
[7] Subject to an upward and downward B.t.u. adjustment.
[8] Successor to Texas Gas Corp. Buyer resells gas involved to Texas Eastern Transmission Corp. under Buyer's FPC Gas Rate Schedule No. 66 at a rate of 14.3875 cents, effective subject to refund in Docket No. RI62-250. Buyer contractually due but not filed for periodic increase to 15.1 cents plus tax reimbursement.
[9] Gas currently not requiring compression.
[10] Subject to a 3.0 cents per Mcf deduction by Buyer for gas requiring compression.
[11] Subject to downward B.t.u. adjustment for gas below 1000 B.t.u.'s.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

[F.R. Doc. 66-6850; Filed, June 23, 1966; 8:45 a.m.]

[Docket No. CP66-412]

LUMAR GAS CORP.

Notice of Application

JUNE 17, 1966.

Take notice that on June 10, 1966, Lumar Gas Corp. (Applicant), 1215 Chamber of Commerce Building, Houston, Texas, 77002, filed in Docket No. CP66-412 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant, as a gatherer of natural gas, to operate natural gas gathering facilities and to sell natural gas to Texas Eastern Transmission Corporation (Texas Eastern), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant purchases gas from producers in several Texas fields which Applicant transports through its own gathering facilities and sells and delivers gas to Texas Eastern for use as compressor fuel at various points along Texas Eastern's pipeline as it traverses the State of Texas. Applicant states that it did not seek Commission authorization prior to initiation of these sales because it believed that such direct sales for compressor fuel use were not subject to the Commission's jurisdiction. By letter dated December 28, 1965, the Commission requested that Applicant file the instant application in light of the decision in California v. Lo-Vaca Gathering Co., 379 U.S. 366.

The following table identifies the current sources of Applicant's gas supplies for this service:

Field	County	Producer-suppliers
Appling	Calhoun	Joe Bialock. Claire-Bent-Stoddard. Doris Day Melcher, Martin Melcher, Gordon McRae, Marvin Miller, David Miller, Ross Hunter, Art Labee, Rosenthal, Cook & Green, Phoenix Enterprises—Operator—Ben Novak, John Alexander and Clifford B. Renegar. Appell Petroleum Co., Ownership disputed—Claimants consist of Peggy Sue Harrell, Horace Tucker, David Davidson, Roy T. Walker.
Midway	San Patricio	Humble Oil & Refining Co.
South Lucky	Matagorda	R. L. Kirkwood, Harold R. Billingsley, Kirkwood & Morgan, Inc., Paul J. Moore, Robert W. Luker, J. L. Farb, and Royce M. Jones.
Nada Gyp Hill	Colorado Brooks	A. N. Wadsworth, Jr. Carri Oil, a partnership composed of William E. Carl and Jeff Carr, General Crude Oil Co. and J. V. McCullough.

The producers deliver gas to Applicant at a central point in each field.

The facilities over which the transportation by Applicant is accomplished are as follows:

(1) A 2-inch meter station, Gyp Hill Field, Brooks County, Tex.,

(2) 12,500 feet of 3-inch pipeline extending from the East Midway Field, San Patricio County, Tex.,

(3) 35,820 feet of 6-inch pipeline extending from the Appling Field, Jackson County, Tex.,

(4) 35,510 feet of 6-inch pipeline extending from the South Lucky Field, Matagorda County, Tex., and

(5) A 4-inch meter station, Nada Field, Colorado County, Tex.

Applicant states that no communities nor main line industrial customers are served by it along these pipelines and that it does not own or operate any compressor stations, gasoline plants, dehydration plants, gas storage projects or other major facilities appurtenant to said pipelines.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 18, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its

own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6910; Filed, June 23, 1966; 8:46 a.m.]

[Docket No. CP66-405]

NORTHERN NATURAL GAS CO.

Notice of Application

JUNE 17, 1966.

Take notice that on June 7, 1966, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr., 68102, filed in Docket No. CP66-405 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the transportation of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate 2,800 feet of 4-inch pipeline and to transport approximately 5,500 Mcf per day of additional natural gas for use as fuel and shrinkage in its hydrocarbon extraction plant located near Hobbs, N. Mex. Applicant also proposes to modify the Hobbs Extraction Plant and to install minor piping in the Hobbs Yard. Applicant states that the yard piping will be installed under the provisions of paragraph 2.55 of the Commission's rules of practice and procedure.

Applicant states that its present hydrocarbon extraction facilities consist of an ambient temperature absorption process which extracts certain volumes of propane, butane and natural gasoline and that the present facilities have a capacity to process 220,000 Mcf of natural gas per day.

Applicant proposes to modify the present extraction facilities by installing a refrigerated absorption process. Applicant states that, although the proposed modifications to the extraction facilities will not increase the capacity of the plant to process volumes in excess of 220,000 Mcf of gas per day, the modifications will increase the amount of hydrocarbons removed, thereby increasing the volumes of fuel and shrinkage by approximately 5,500 Mcf of gas per day.

The total estimated cost of construction for Applicant's proposed project is $3,031,310, which cost will be financed out of cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act ($ 157.10) on or before July 15, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6911; Filed, June 23, 1966; 8:46 a.m.]

[Docket Nos. CP66-307 etc.]

NORTHERN NATURAL GAS PIPELINE CO., ET AL

Order Consolidating Applications Noticing Intervention and Setting Date of Hearing

JUNE 17, 1966.

Northern Natural Gas Pipeline Co., Docket No. CP66-307; Northern Natural Gas Co., Docket No. CP66-308; Sinclair Oil and Gas Co. (Operator), et al., Docket No. CI66-410.

On April 7, 1966, the Commission issued a notice of application in Docket No. CP66-308 filed by Northern Natural Gas Co. (Northern) on March 25, 1966, pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities to receive into its system an initial delivery of 5,000 Mcf of gas per day (which will increase up to 40,000 Mcf per day by July 1, 1969) at the outlet of the Sinclair-Skelly (Eldorado Gas Plant) located in Schleicher County, Tex.

In a companion application, Docket No. CP66-307, filed on March 25, 1966, Northern Natural Gas Pipeline Co. (Pipeline) seeks authority to transport for Northern up to 5,000 Mcf per day of the gas to be received by Northern from the Eldorado Gas Plant. Pipeline would receive the gas from Northern at a point on Pipeline's existing 8-inch line and redeliver like volumes to Northern at an existing interconnection of facilities at Northern's Eldorado Compressor Station.

On November 15, 1965, Sinclair Oil & Gas Co. (Sinclair) filed an application in Docket No. CI66-410 pursuant to section 7(c) of the Natural Gas Act for authority to sell residue gas to Northern pursuant to a Residue Gas Purchase Contract dated October 29, 1965, between Sinclair and Skelly Oil Co. as seller and Northern as buyer. Sinclair is the operator and owner of a 50 percent interest in the Eldorado Plant from which gas will be delivered to Northern. Skelly Oil Co. (Skelly), the owner of the remaining 50 percent plant interest has authorized Sinclair to make all necessary filings with the Federal Power Commission to cover its interest.

The application of Sinclair indicates that, initially, the applicant will process only gas well gas produced or purchased from the Eldorado and Fort McKavitt Fields, Schleicher County, Tex. The contract provides that the delivery point for all residue gas purchased and sold under the contract shall be at the point of connection to Northern's facilities at the outlet of the Eldorado Plant, Schleicher County, Tex. Although Sinclair's application states that Sinclair will not own or operate any pipelines in connection with the proposed sale to Northern and will not construct or operate additional facilities to render the service proposed herein subject to the jurisdiction of the Commission, it appears from exhibits submitted in connection with the application that an 11-mile line will be necessary to connect the source of the gas in the Eldorado Field with the Eldorado Gas Production Plant.

We are consequently requiring Sinclair to amend its application to request authorization for the construction and operation of any facilities necessary to transport gas produced and purchased from other producers in the Eldorado Field to the Eldorado Processing Plant, from which plant gas will be sold to Northern in interstate commerce.

On December 22, 1965, Brooks Gas Corporation (Brooks) filed a petition to intervene in Docket No. CI66-410. Brooks alleges that it was authorized by the Commission to construct a gathering system in Docket No. CI63-708 in the Eldorado (Velrex Field) from which it transports gas to its Mertzon Plant by means of a 15-mile line and delivers the residue gas to Northern at the plant tailgate. The petitioner submits, inter alia, "that the construction and operation of the gathering and transportation lines by Sinclair as proposed will be a needless duplication of petitioners' facilities in the Eldorado Velrex Field as well as the transmission line operated by the Brooks Pipeline Co." In short, Brooks contends that the Sinclair proposal is not required by the public convenience and necessity.

An answer to the petition of Brooks was filed by Sinclair on January 6, 1966, which argues that Brooks fails to show an interest which would be directly affected by Sinclair's proposal. In a supplement to its petition filed on April 18, 1966, Brooks alleges that its "gathering system is the only existing gathering system in the Velrex Eldorado Area and presently serves all producers in both fields". In light of certain maps attached to its supplement of April 18, 1966, showing the location of the fields involved, Brooks contends that it should be permitted to intervene and be a party to the proceeding in Docket No. CI66-410.

On April 28, 1966, Sinclair filed a supplement to its answer to the petition for leave to intervene by Brooks. Finally, on May 5, 1966, Brooks filed an additional petition to intervene in the two related dockets, No. CP66-307 and CP66-308, and also moves to consolidate these dockets with Docket No. CI66-410.

The Commission finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the matters in Docket Nos. CP66-307, CP66-308, and CI66-410 be consolidated for hearing and decision.

(2) It is desirable to allow Brooks Gas Corp. to become an intervener in these proceedings in order that it may establish the facts involved from which the nature and validity of its alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) The above-captioned matters are hereby consolidated for the purpose of hearing and decision.

(B) Brooks Gas Corp. is hereby permitted to become an intervener in these proceedings subject to the rules and regulations of this Commission: *Provided, however,* That the participation of such intervener shall be limited to matters affecting asserted rights and interests as specifically set forth in its petition for leave to intervene: *And provided, further,* That the admission of such intervener shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in these proceedings.

(C) As a condition to the acceptance and hearing by the Commission of Sinclair's application in Docket No. CI66-410 the applicant shall amend its application for a certificate prior to hearing so as to specifically request authorization for the construction and operation of any facilities necessary to transport gas produced and purchased from other producers in the Eldorado Field to the Eldorado Processing Plant.

(D) Protests or petitions to intervene in the above-captioned dockets may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 11, 1966.

(E) A public hearing on the issues presented by the above-captioned applications will be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., commencing at 10 a.m., d.s.t., October 10, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6912; Filed, June 23, 1966; 8:46 a.m.]

[Docket No. CP66-179]

SECRETARY OF THE ARMY, AND ATLANTIC SEABOARD CORP.

Order Permitting Intervention and Setting Date for Hearing

JUNE 17, 1966.

On December 3, 1965, the Secretary of the Army, Applicant, filed in Docket No. CP66-179 an application pursuant to section 7(a) of the Natural Gas Act for an order directing Atlantic Seaboard Corp., Respondent, to sell up to 288 Mcf of natural gas per day to Applicant through an existing connection at Vint Hill Farms Station, Va. Notice of the application was published in the FEDERAL REGISTER on April 27, 1966 (31 F.R. 6385). On May 18, 1966, a petition for leave to intervene in Docket No. CP66-179 was filed by Virginia Gas Distribution Corp., Intervenor.

The Commission finds:

(1) The participation of Virginia Gas Distribution Corp. in this proceeding may be in the public interest.

(2) This proceeding will be expedited by providing for service of testimony by the Applicant, the Respondent, and the Intervenor prior to the commencement of hearing.

The Commission orders:

(A) Virginia Gas Distribution Corp. is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission. *Provided, however,* That the participation of such intervenor shall be limited to matters affecting the asserted rights and interests specifically set forth in such intervenor's petition to intervene: *And provided, further,* That the intervention of such intervenor shall not be construed as recognition by the Commission that such intervenor might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(B) Applicant, the Secretary of the Army, shall file with the Commission its direct testimony and exhibits on or before July 18, 1966.

(C) Respondent, Atlantic Seaboard Corp., and Intervenor, Virginia Gas Distribution Corp., shall file their testimony and exhibits on or before August 15, 1966.

(D) Hearing, including cross-examination of witnesses, shall commence before a hearing examiner of the Commission designated by the Chief Examiner at 10 a.m. (e.d.s.t.), on September 12, 1966, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., 20426.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6913; Filed, June 23, 1966; 8:46 a.m.]

[Docket No. CP66-399]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Application

JUNE 17, 1966.

Take notice that on June 6, 1966, Texas Eastern Transmission Corp. (Applicant), P.O. Box 2521, Houston, Tex., 77001, filed in Docket No. CP66-399 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to include the provisions of the change proposed in Article 13 of the General Terms and Conditions of Applicant's FPC Gas Tariff, Second Revised Volume No. 1, filed with the Commission on May 6, 1966, in the rendition of ACQ natural gas service to Applicant's customers, as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the proposed change in Article 13 of the General Terms and Conditions relates to those cases where a buyer purchases ACQ natural gas and operates an integrated system in two of Applicant's rate zones. It permits the taking of such ACQ volumes in either rate zone upon mutual consent, provided that Applicant's ability to meet its other system requirements is not impaired thereby. Applicant states that the proposal will have no effect on the level of its rates.

No new facilities will be required.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 11, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6914; Filed, June 23, 1966; 8:46 a.m.]

[Docket No. CP66-403]

TOWN OF ARTESIA, MISS., AND SOUTHERN NATURAL GAS CO.

Notice of Application

JUNE 17, 1966.

Take notice that on June 7, 1966, the town of Artesia, Miss. (Applicant), filed in Docket No. CP66-403 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Southern Natural Gas Co. (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the proposed physical connection will consist of a metering and regulator station installed by Respondent at a point in Lowndes County, Miss., approximately ¾ mile east of the corporate limits of Artesia, Miss. Applicant further states that the proposed connection is to deliver natural gas from Respondent's 8-inch lateral pipeline originating in northern Noxubee County, Miss., and terminating at West Point, Clay County, Miss., to Applicant's 3-inch pipeline.

Applicant proposes to construct a distribution system together with automatic regulators and odorizers and approximately 0.833 mile of 3-inch high pressure transmission pipeline.

The total estimated volumes of natural gas involved to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	8,902	10,943	12,728
Peak day (Mcf)	110	134	155

The total estimated cost of Applicant's proposed construction is $87,000, which cost will be financed through the issuance of Natural Gas System Revenue Bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 15, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6915; Filed, June 23, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1961]

NUVEEN TAX-EXEMPT BOND FUND, SERIES 12

Notice of Application for Order of Exemption

JUNE 20, 1966.

Notice is hereby given that Nuveen Tax-Exempt Bond Fund, Series 12 ("applicant"), 135 South La Salle Street, Chicago, Ill., 60603, a unit investment trust registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting applicant from compliance with the provisions of section 14(a) of the Act. In substance, section 14(a) of the Act provides that no registered investment company shall make a public offering of securities of which it is the issuer unless it has a net worth of at least $100,000. All interested persons are referred to the application on file with the Commission for a statement of applicant's representations which are summarized below.

Applicant is one of a series of 12 similar funds, named "Nuveen Tax-Exempt Bond Fund," organized pursuant to a Trust Indenture and Agreement between John Nuveen & Co. as Sponsor and United States Trust Company of New York as Trustee. Under the Trust Agreement the Sponsor will deposit with the Trustee $7,500,000 principal amount of municipal bonds and will receive in exchange therefor certificates for 75,000 units of undivided interest in the trust. It is proposed to offer such units for sale to the public and for this purpose a registration statement under the Securities Act of 1933 has been filed and has not yet become effective. The Trust Agreement provides in substance that no additional bonds will be deposited during the life of the Trust and no additional units will be issued. The proceeds of bonds which may be sold, redeemed, or matured will be distributed to unit holders. Units may be redeemed by the holders at their current net asset value. The Trust may be terminated by 100 percent agreement of the unit holders of the applicant, or, in the event that the value of the bonds shall fall below $1,500,000 upon direction of the Sponsor to the Trustee.

In connection with the requested exemption the Sponsor has agreed to refund the original price including sales load paid by purchasers for units, if within 90 days after the registration becomes effective, the net worth of the Trust shall be reduced to less than $100,000 or if the Trust is terminated. Applicant further represents that at the present time the Sponsor maintains a market for the units of the Nuveen Tax-Exempt Bond Funds with which it is similarly connected, and continually offers to purchase such units at prices which exceed the redemption price for such units by amounts which depend upon general market conditions and that as of the date of this application, partly as a result of these activities, no unit of any of the previous Nuveen Tax-Exempt Bond Funds has ever been redeemed. It is the Sponsor's intention to maintain a market for the units of the applicant and to continuously offer to purchase such units at prices in excess of the redemption price as set forth in the Trust Agreement, although the Sponsor is not obligated to do so.

Notice is further given that any interested person may, not later than July 6, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after such date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-6918; Filed, June 23, 1966; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30—Kansas City Regional Office Disaster 1]

MANAGER OF DISASTER BRANCH OFFICE, TOPEKA, KANS.

Delegations Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, F.R. 3252; as amended by 30 F.R. 13556; 30 F.R. 14062; and 30 F.R. 7537; there is hereby redelegated to the Manager of the Topeka, Kans., Disaster Branch Office the following authority:

A. Financial Assistance. 1. To approve and decline disaster loans in an amount not exceeding $100,000.

2. To execute loan authorizations for Washington, area, and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator
By _____
Manager, Disaster Branch Office

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as acting manager of the disaster branch office.

Effective date: June 15, 1966.

C. I. MOYER,
Regional Director,
Kansas City Regional Office.

[F.R. Doc. 66-6922; Filed, June 23, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 21, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40555—*Liquid caustic soda from Ceico, Ohio.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2849), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, from Ceico, Ohio, to specified points in New Jersey.

Grounds for relief—Market competition.

Tariff—Supplement 153 to Traffic Executive Association-Eastern Railroads, agent, tariff I.C.C. C-383.

FSA No. 40556—*Cement and related articles from Rock Island, Ill.* Filed by Western Trunk Line Committee, agent (No. A-2455), for interested rail carriers. Rates on cement and related articles, in carloads, from Rock Island, Ill., to points in western trunkline territory.

Grounds for relief—Market competition.

Tariff—Supplement 209 to Western Trunk Line Committee, agent, tariff I.C.C. A-4308.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-6935; Filed, June 23, 1966; 8:48 a.m.]

[Notice 200]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 21, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC-67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 43685 (Sub-No. 6 TA) (CORRECTION), filed June 13, 1966, published recent issue of FEDERAL REGISTER, and republished as corrected this issue. Applicant: MERCER TRUCKING COMPANY, INC., 318 South Asbury Street, Moscow, Idaho, 83843. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Box shook*, between Greenacres, Wash., on the one hand, and, points in Oregon on and west of U.S. Highways 26 and 97, and points in Idaho, on the other, for 180 days. Supporting shipper: Quiki-Box Manufacturing Co., Inc., North 1201 Barker Road, Greenacres, Wash., 99016. Send protests to: L. C. Taylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 401 U.S. Post Office, Spokane, Wash., 99201. NOTE: The purpose of this republication is to show the correct docket assigned thereto, in lieu of No. MC 43785 (Sub-No. 6 TA), which was in error.

No. MC 73688 (Sub-No. 14 TA), filed June 16, 1966. Applicant: SOUTHERN TRUCKING CORPORATION, 546 Weakley Street, Memphis, Tenn., 38107. Applicant's representative: Charles H. Hudson, Jr., 412 Stahlman Building, Nashville, Tenn., 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bituminous fiber pipe and fiber pipe fittings and accessories*, from Birmingham, Ala., and points in its commercial zone, to points in Texas, for 180 days. Supporting shipper: Brown Co., Bermico Division, Post Office Box 3800-G Fairview Station, Birmingham 8, Ala. Send protests to: William W. Garland, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 390 Federal Office Building, 167 North Main, Memphis, Tenn.

No. MC 107403 (Sub-No. 683 TA), filed June 16, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa., 19050. Application's representative: C. W. Zook (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Jennite* (a liquid coal tar product), in bulk, in tank vehicles, from Toledo, Ohio, to Jackson, Mich., for 150 days. Supporting shipper: Asphalt Seal Coating Co., of Jackson, 5054 Browns Lake Road, Jackson, Mich., 49203. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 107496 (Sub-No. 489 TA), filed June 16, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third Street, Post Office Box 855, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrochloric acid*, in bulk, from points in Boulder County, Colo., to points in Nebraska and Wyoming, for 180 days. Supporting shipper: Arapahoe Chemicals, 2855 Walnut Street, Post Office Box 511, Boulder, Colo., 80302. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 107541 (Sub-No. 22 TA), filed June 16, 1966. Applicant: MAGEE TRUCK SERVICE, INC., Post Office Box 67, Klickitat, Wash. Applicant's representative: Herman E. Schmutzer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laminated wood products, timbers, trusses, and beams*, fabricated and not fabricated, and *connecting hardware items*, from plantsite of Woodlam, Inc., and Ericson Laminating, Inc., at Tacoma, Wash., to points in Oregon, California, Arizona, Nevada, Utah, Montana, Idaho, Colorado, Wyoming, New Mexico, and export in Washington, for 180 days. *Supporting shippers:* Davidson Lumber Sales, 145 West Central Avenue, Salt Lake City, Utah; Woodlam, Inc., 1476

Thorne Road, Tacoma, Wash., 98421; Associated Wood & Glu-Lam, Inc., 1220 Sixth Street, Berkeley, Calif.; United Structures, Inc., 1401 Middle Harbor Road, Oakland, Calif. *Send protests to:* S. P. Martin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Mulnomah Building, Portland, Oreg., 97204.

No. MC 112696 (Sub-No. 35 TA), filed June 16, 1966. Applicant: HARTMANS, INCORPORATED, 833 Chicago Avenue, Post Office Box 898, Harrisonburg, Va., 22801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen and prepared foods and dairy products, meat and equipment and supplies used or useful in the preparation and serving of foods in restaurants and commissaries*, between the plantsites of Frank G. Shattuck Co. in New York, N.Y., on the one hand, and, on the other, food facilities operated by Frank G. Shattuck Co. in Philadelphia, Pa., for 180 days. *Supporting shipper:* Frank G. Shattuck Co., Post Office Box 270, Winchester, Va., 22601. *Send protests to:* George S. Hales, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 215 Campbell Avenue SW., Roanoke, Va., 24011.

No. MC 124796 (Sub-No. 18 TA), filed June 17, 1966. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 7236 East Slauson Avenue, Los Angeles, Calif., 90022. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Upholstery or carpet tacking rims or strips and nails; adhesive cement; iron or steel doors and hardware therefor; mechanic handtools; advertising materials and racks or stands therefor*, from Industry, Calif., to points in Alabama, Arizona, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, and Wisconsin, for 180 days. *Supporting shipper:* Roberts Consolidated Industries, Inc., 600 North Baldwin Park Boulevard, City of Industry, Calif., 91747. *Send protests to:* John E. Nance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 128105 (Sub-No. 1 TA), filed June 17, 1966. Applicant: FRANK R. GIVIGLIANO, 301 Willow Street, Trinidad, Colo., 81082. Applicant's representative: Joseph F. Nigro, 400 Denver Hilton Office Building, Denver, Colo., 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, wines, processed produce not otherwise exempt, and manufactured food products* in containers or cans, from points in California to Raton, N. Mex.; from Saint Helena, Calif., to Trinidad, Colo., and from Omaha, Nebr., St. Louis, Mo., Detroit, Mich., and Kansas City, Mo., to Trinidad, Colo., for 180 days. *Supporting shippers:* Fred Malouff, Trinidad Wholesale Liquor, 416 North Commercial, Trinidad, Colo., 81082; Tal Micheliza, M & M Distributing Co., 651 West Main, Trinidad, Colo., 81082; Fred Bergamo, Keeps Wholesale, 240 South First Street, Raton, N. Mex., 87740. *Send protests to:* Herbert C. Ruoff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building—1961 Stout Street, Denver, Colo., 80202.

No. MC 128312 (Sub-No. 1 TA), filed June 16, 1966. Applicant: SIDNEY SCHWARTZ, doing business as SCHWARTZ TRUCKING COMPANY, 344 West Broadway, New York, N.Y. Applicant's representative: Zelby & Burstein, 160 Broadway, New York, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Record changers and component parts thereof*, between points in the New York, N.Y., commercial zone, on the one hand, and, on the other, Blauvelt, Farmingdale, and Port Washington, N.Y., under continuing contract, with shippers named below, for 180 days. *Supporting shippers:* Harben Electronic Corp., Yennicock Avenue, Port Washington, Long Island, N.Y.; Benjamin Electronic Sound Corp., 40 Smith Street, Farmingdale, N.Y., 11736; BSR (U.S.A.) Limited, Route 303, Blauvelt, N.Y., 10913. *Send protests to:* Paul W. Assenza, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

MOTOR CARRIERS OF PASSENGERS

No. MC 9598 (Sub-No. 6 TA), filed June 16, 1966. Applicant: UNION STREET RAILWAY COMPANY, 935 Purchase Street, New Bedford, Mass., 02740. Applicant's representative: Neal Holland, 225 Franklin Street, Boston, Mass., 02110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, in round trip, sight-seeing and pleasure tours, beginning and ending in New Bedford, Mass., and extending to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia, for 180 days. *Supported by:* 17 individual letters. *Send protests to:* Gerald H. Curry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 187 Westminster Street, Providence, R.I., 02903.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6936; Filed, June 23, 1966; 8:48 a.m.]

[Notice 1371]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 21, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68443. By order of June 7, 1966, Division 3, acting as an Appellate Division, approved the transfer to Wm. O'Donell, Inc., Elkhorn, Wis., of a portion of the operating rights in certificates Nos. MC-119974 and MC-119974 (Sub-No. 2), issued July 11, 1961, and September 14, 1961, respectively, to L.C.L. Transit Co., a corporation, Green Bay, Wis., authorizing the transportation, as modified, to restrict the transportation, in bulk, in tank vehicles, of: Automobile oils and greases, cheese, asphalt, asbestos, and magnesia products, dairy products, dairy byproducts, prepared foods, meat products, meat byproducts, spices, and materials, supplies, and equipment, used in the production of the various commodities, between points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Wisconsin. William C. Dineen, 710 North Plankinton Avenue, Milwaukee, Wis., 53203, attorney for transferee. Adolph E. Solie, 1025 Seminole Highway, Madison, Wis., 53711, attorney for transferor.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6937; Filed, June 23, 1966; 8:48 a.m.]

[Notice 1371-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 21, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68513. By supplemented order of June 17, 1966, the Transfer Board approved the transfer to Wilson's Truck Lines, Ltd., Toronto, Ontario, Canada, of permit in No. MC-125607 (Sub-No. 1), issued April 22, 1966, to Wilson's Transport, Ltd., Toronto, Ontario, Canada, authorizing the transportation of: Paper mill materials and supplies, between Parchment, Mich., and Kalamazoo, Mich., on the one hand, and, on the other, the port of entry on the United States-Canada boundary line, at or near Sault Ste. Marie, Mich. Clarence D. Todd, 1825 Jefferson Place NW., Washington, D.C., 20036, attorney for applicants.

No. MC-FC-68855. By order of June 17, 1966, the Transfer Board approved the transfer to Frank A. Castelbuono and Aida Castelbuono, a partnership, doing business as Scanlo Movers, New York, N.Y., of the operating rights of Schwalm's Express Co., Inc., in certificates Nos. MC-93512 and MC-93512 (Sub-No. 1), issued May 10, 1949, and July 28, 1949, respectively, authorizing the transportation, over irregular routes, of household goods, as defined, between New York, N.Y., on the one hand, and, on the other, points in New Jersey, Pennsylvania, and Connecticut, and New York. Alvin Altman, 1776 Broadway, New York, N.Y., 10019, attorney for applicants.

No. MC-FC-68862. By order of June 17, 1966, the Transfer Board approved the transfer to Diehl Moving & Storage, Inc., Albany, N.Y., of the operating rights in certificate No. MC-30050, issued May 8, 1941, to Abe Ruskin, doing business as Ruskin the Mover, Benning-New York and Vermont within 50 miles ton, Vt., authorizing the transportation of: Household goods, between points in of Bennington, Vt., on the one hand, and, on the other, points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. John J. Brady, Jr., 75 State Street, Albany, N.Y., 12207, attorney for applicants.

No. MC-FC-68865. By order of June 17, 1966, the Transfer Board approved the transfer to Robert L. Braasch, Box 3, Rising City, Nebr., 68658, of the operating rights in certificate No. MC-73062, issued September 29, 1961, to Clyde Jones, Rising City, Nebr., 68658, authorizing the transporation of: Household goods, used farm machinery, and livestock, between Rising City, Nebr., and points within 10 miles of Rising City, on the one hand, and, on the other, points in Iowa and Missouri.

No. MC-FC-68866. By order of June 17, 1966, the Transfer Board approved the transfer to Niagara Limousine Service, Inc., Niagara Falls, N.Y., of the operating rights in certificate No. MC-117631, issued April 23, 1959, to Robert M. Tonner, doing business as Holiday Tours, Niagara Falls, N.Y., authorizing the transportation of: Passengers and their baggage, subject to certain restrictions, between Niagara and Niagara Falls, N.Y., on the one hand, and, on the other, the United States-Canadian boundary line at or near Niagara Falls, N.Y. V. Sumner Carroll, 44 Falls Street, Niagara Falls, N. Y., 14303, attorney for applicants.

No. MC-FC-68867. By order of June 17, 1966, the Transfer Board approved the transfer to Troina Trucking Company, Inc., Nutley, N.J., of the operating rights in permit No. MC-125049 (Sub-No. 1), issued by the Commission August 11, 1964, to Frank Troina, doing business as Troina Trucking Co., Nutley, N.J., authorizing the transportation of: Automobile parts, tools, and display materials in connection therewith, from Clifton, N.J., to New York, N.Y., points in specified counties in New York, and Philadelphia, and King of Prussia, Pa. Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102, attorney for applicants.

No. MC-FC-68868. By order of June 17, 1966, the Transfer Board approved the transfer to Glen Marcellus, Liberal, Kans., of the operating rights of Clifford Earl Hale, doing business as Hale's House & Tank Moving Co., Borger, Tex., in certificate No. MC-113782, issued January 10, 1963, authorizing the transportation, over irregular routes, of houses and other buildings, except those prefabricated, between points in Colorado, Kansas, Oklahoma, Texas, and New Mexico, within 200 miles of Keyes, Okla., including Keyes. H. Hobble, Jr., 419 North Kansas, Liberal, Kans., 67901, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6938; Filed, June 23, 1966; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR	Page
PROCLAMATION:	
3728	8277
3729	8567
3730	8569
3731	8571
EXECUTIVE ORDERS:	
11224 (superseded by EO 11285)	8211
11285	8211
11286	8279
CHAPTER V:	
100	8556
5 CFR	
213	7733, 7734, 7959, 8175, 8281, 8527, 8619, 8746.
302	8527
550	7881, 8585
831	8677
890	8491, 8678
7 CFR	
0	8528
15	8175, 8586
26	8113
28	7734
51	8535
301	8586
319	8337
354	8113
401	8175
701	7735, 7814
722	8337, 8619, 8758
728	7814, 8337, 8678, 8758
730	8619
775	8339
778	7997
811	7999
817	8536
845	7815
850	8770
893	7816
905	8114
908	7961, 8230, 8538
910	7962, 8045, 8231, 8303, 8538, 8591
911	7962, 8231, 8539
915	8592
916	8176, 8177
917	7963, 8114, 8177, 8231, 8232, 8303–8306, 8404, 8491.
918	7735
944	8000
970	8178
1038	8115
1039	8116
1074	8000
1099	7963
1125	8405
1421	7964, 8000, 8003, 8306, 8346
1443	8348
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
52	8542
725	8819
817	8541
905	7971
906	8429
915	8181
994	8021
1001	7911, 8242
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131
1015	7911, 8242
1016	7911
1031	7831
1032	7831, 8634
1033	7911

7 CFR—Continued Page

PROPOSED RULES—Continued

1034 7911
1035 7911
1036 7911
1038 7831, 7971
1039 7831, 7972
1040 7911
1041 7911, 8496
1043 7911
1044 7831
1045 7831
1046 7911
1047 7911
1048 7911
1049 7911
1050 8634
1051 7831
1061 7831
1062 7831
1063 7831
1064 7831
1065 7757
1066 7757
1067 7831
1068 7757
1069 7757
1070 7831
1071 7831
1073 7831
1074 7831
1075 7757
1076 7757
1078 7831
1079 7831
1090 7911
1094 7831
1096 7831
1097 7831
1098 7911
1099 7758, 7831
1101 7911
1102 7831
1103 7831
1104 7831
1106 7831
1108 7831
1120 7831
1125 7757
1126 7831, 8431
1127 7831
1128 7831
1129 7831
1130 7831
1131 7757
1132 7831
1133 7757, 7831, 8542
1134 7757
1136 7757
1137 7757
1138 7757

8 CFR

212 8045
214 8045
236 8045

9 CFR

97 8020

10 CFR

36 7959, 8417
40 7959

PROPOSED RULES:

30 8595
32 8595

12 CFR Page

1 8060, 8521
204 8060
523 8771
530 8772
531 8772–8774
545 8353, 8774, 8775
555 8775
556 8776
561 8353, 8776
563 8004, 8776
570 8777
571 8004, 8777

13 CFR

PROPOSED RULES:

107 8695

14 CFR

13 8353
39 7735, 7881, 7882, 8045, 8046, 8417, 8746
61 8354
67 8355
71 7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492, 8575, 8620, 8621, 8679, 8747, 8749, 8750.
73 7736, 7827, 7882
75 7736, 7827, 8047, 8418
91 8354
95 8281
97 7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359, 8576, 8751.
145 8585
1200 8418
1204 8418

PROPOSED RULES:

21 8075
39 8498, 8833
47 8077
61 8438
71 7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498, 8596, 8597, 8636, 8637, 8694, 8834
73 7977, 8375
75 7762, 8242
91 8026, 8438, 8440
93 8078
207 8438

15 CFR

201 8679
230 7737, 7819, 7968, 8680
372 8213
373 8213
374 8213
375 8213
376 8213
377 8213
379 8213
382 8213
385 8213

PROPOSED RULES:

9 7833

16 CFR

13 7960, 7961, 8058–8060
15 7737, 7806, 8233, 8403, 8492, 8521, 8585, 8621.

PROPOSED RULES:

45 7757
57 8243
192 8244

17 CFR Page

211 7821
230 7738
239 7738
240 7740
250 8233
276 7821

PROPOSED RULES:

270 7913

18 CFR

4 8779
101 7897
141 7897
201 7897
260 7897

PROPOSED RULES:

8 8376

20 CFR

404 8367
602 7966
604 8281

PROPOSED RULES:

405 7864, 8668

21 CFR

1 8521
5 8524
8 8216, 8369
27 8493
80 8525
120 7741
121 8008, 8009, 8369, 8573
125 8521
130 8009

PROPOSED RULES:

17 8497
27 8497
53 8594

22 CFR

41 7741
42 7741

24 CFR

0 8781
200 7743
203 8539
207 8539
220 8539
221 7743

25 CFR

41 7744
42 7745

26 CFR

1 7789, 8680, 8785
301 8785

29 CFR

0 8306
1605 8370

30 CFR

PROPOSED RULES:

27 8630

31 CFR

128 8179
202 7899, 8234
203 7899, 8234
500 7745, 7899, 8586
520 8404

32 CFR Page

1 7807
3 7807
4 7810
7 7811
8 7812
16 7814
30 7814
40 8621
273 8007
502 7966
1001 8370
1003 8311, 8371
1004 8371
1007 8371
1013 8371
1014 8371
1053 8371
1250 8061
2000 8540

32A CFR

OIA (Ch. X):

OI REG. 1 7745

33 CFR

202 8403, 8690
203 7827, 8312, 8573
204 8129
208 7751
401 8062

36 CFR

221 8180
251 7899
261 7902

38 CFR

17 8064
21 8292
36 8745

39 CFR

13 7752
22 7752
25 7752
27 8234
41 8234
43 7752, 8235
46 8235
51 8236
52 8236
53 8236
55 8236
56 8236
58 8237
61 8237

41 CFR Page

1-3 8116
1-5 8621
1-12 8592
4-1 7819
4-6 7819
4-50 7902
8-1 7820
8-2 7820
9-12 8237
101-15 7752
101-17 8117
101-47 8540

42 CFR

57 7755
76 7902

PROPOSED RULES:

73 8594

43 CFR

17a 8690
3120 7806

PUBLIC LAND ORDERS:

662 (revoked by PLO 4035) 8240
829 (revoked in part by PLO 4028) 8238
1775 (revoked in part by PLO 4027) 8238
3943 (revoked in part by PLO 4039) 8692
4023 7969
4024 7969
4025 7969
4026 8238
4027 8238
4028 8238
4029 8238
4030 8239
4031 8239
4032 8239
4033 8293
4034 8240
4035 8240
4036 8240
4037 8241
4038 8241
4039 8692
4040 8692
4041 8693

PROPOSED RULES:

4 8429
3130 8181
3140 8181
3150 8181
3160 8181
3180 8181

45 CFR Page

801 7755, 8623
1030 8623

PROPOSED RULES:

170 8544

46 CFR

146 8295
173 8539
202 8065
262 8494
281 8494
308 7970
533 8815

PROPOSED RULES:

531 8834

47 CFR

18 7821
21 7822
73 7904, 8067, 8069–8073, 8623, 8625
74 7822
87 8627, 8628
91 7822

PROPOSED RULES:

1 7837
17 8376
21 7837
23 7837
73 7837, 7838, 8079–8081, 8132, 8637–8639
74 7837, 8026
81 7837
87 7837
89 7837, 8640
91 7837, 8640
93 7837, 8640
95 7837
97 7837

48 CFR

203 8540

49 CFR

6 8573
95 7806, 8064, 8816
170 8312

PROPOSED RULES:

31 8244
170 7841
178 8696
193 7911

50 CFR

10 8817
32 7909, 8065, 8693, 8817
33 7756, 7910, 7970

PROPOSED RULES:

26 8819
32 8694
33 8694
401 8130

DETROIT PUBLIC LIBRARY JUN 2 2 1966

SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUN 2 3 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 123

Saturday, June 25, 1966 • Washington, D.C.

Pages 8851–8901

Agencies in this issue—

The President
Agricultural Research Service
Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
Foreign Assets Control Office
Geological Survey
Interstate Commerce Commission
Land Management Bureau
Saline Water Office
Securities and Exchange Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

123

Subscriptions Now Being Accepted

SLIP LAWS

89th Congress, 2d Session
1966

Separate prints of Public Laws, published immediately after enactment, with marginal annotations and legislative history references.

Subscription Price:

$12.00 per Session

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

REORGANIZATION PLAN

Public Health Service; Reorganization Plan No. 3 of 1966 8855

EXECUTIVE AGENCIES

AGRICULTURAL RESEARCH SERVICE

Rules and Regulations

Quarantine, domestic; dealer-carrier and compliance agreements 8857

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Sugarcane, Hawaii; fair and reasonable prices, 1966 crop 8857

Proposed Rule Making

Wheat processor marketing certificates 8878

AGRICULTURE DEPARTMENT

See Agricultural Research Service; Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service.

ATOMIC ENERGY COMMISSION

Rules and Regulations

Organization, delegations, and general information; miscellaneous amendments 8866

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:

Eastern Air Lines, Inc 8885
Island Mail, Inc 8886

CIVIL SERVICE COMMISSION

Rules and Regulations

Excepted service; Civil Aeronautics Board 8857

COMMODITY CREDIT CORPORATION

Rules and Regulations

Cotton loan program; 1966 crop supplement 8860

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Fruit grown in Arizona and California; handling limitations:

Lemons 8860
Oranges, Valencia 8859

CUSTOMS BUREAU

Notices

Thiourea from Japan; antidumping proceeding 8883

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directives; Boeing Model 707 and 720 Series airplanes (2 documents) 8870
Control zone; alteration 8871
Control zone and transition area; designation and alteration 8871
Federal airway, control zone, transition area, and reporting point; alteration 8870

Proposed Rule Making

Transition area; designation 8879

FEDERAL COMMUNICATIONS COMMISSION

Proposed Rule Making

Frequency bands; reallocation and access; termination of proceedings 8880
Subscription television service; extension of time for submission of technical data 8882

Notices

Hearings, etc.:

American Colonial Broadcasting Corp. et al 8886
Jackson TV Cable Co 8887
Kentucky Central Television, Inc., and WBLG-TV, Inc 8887
Semo Broadcasting Corp. and Sikeston Community Broadcasting Co 8887
Sudbury, Jones T., and Northwest Tennessee Broadcasting Co., Inc 8887
T.V. Broadcasters, Inc., and Tri-City Broadcasting Co., Inc 8887
Trend Radio, Inc., and James Broadcasting Co., Inc 8887
Tri-State Broadcasters, Inc., and Emmet Radio Corp 8887
WUST, Inc. (WUST) et al 8888

FEDERAL MARITIME COMMISSION

Notices

Presto Shipping Agency, Inc.; show cause order 8888

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:

Board of Light and Power, City of Marquette, Mich 8893
Edible Herring Products, Inc 8893
Manufacturers Light and Heat Co 8894
Montana-Dakota Utilities Co 8894
Northern Natural Gas Co 8894
Northern Utilities, Inc 8895
Orange and Rockland Utilities, Inc 8895
Texaco, Inc., et al 8888
Transcontinental Gas Pipe Line Corp 8896
Valley Gas Transmission, Inc 8896
Vici Public Works Authority and Panhandle Eastern Pipeline Co 8896

FEDERAL RESERVE SYSTEM

Notices

First Montana Bank Corp.; order denying application 8896

FEDERAL TRADE COMMISSION

Rules and Regulations

Administrative opinions and rulings:

Broadcast of suppliers' commercials in retail stores conditionally approved 8871
Magazine publisher's promotional allowance program approved 8871

Proposed Rule Making

Watches 8882

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Drugs:

Penicillin-streptomycin-neomycin in oil 8876
Sterile neomycin sulfate and polymyxin B sulfate solution 8876

Food additives:

Amprolium 8874
Emulsifiers and/or surface-active agents 8875

Oleomargarine, margarine; effective date of identity standard 8873

Notices

Filing of petitions:

Food additives:

Chas. Pfizer & Co., Inc 8885
Freiberg Corp.; withdrawal 8884
Kureha Chemical Industry Co., Ltd.; withdrawal 8885
Olin 8884
Pennsylvania Industrial Chemical Corp.; withdrawal 8885
Seymour Foods Co 8885

Pesticides:

American Cyanamid Co 8884
Ciba Corp 8884
E. I. Du Pont de Nemours & Co., Inc 8884

FOREIGN ASSETS CONTROL OFFICE

Notices

Certain Chinese-type foodstuffs; importation directly from Taiwan 8883

GEOLOGICAL SURVEY

Notices

Wyoming:

Coal land classification 8883
Phosphate land classification 8883

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

(*Continued on next page*)

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

CONTENTS

INTERIOR DEPARTMENT

See Geological Survey; Land Management Bureau; Saline Water Office.

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Car service; railroads authorized to operate over trackage of Union Pacific Railroad:
- Atchison, Topeka and Santa Fe Railway Co. 8872
- Chicago, Rock Island and Pacific Railroad Co. 8872

Control or consolidation of motor carriers or their properties; computation and deduction of gross operating revenues 8872

Proposed Rule Making

Minneapolis-St. Paul commercial zone; redefinition of limits 8882

Notices

Motor carrier transfer proceedings 8897

Soo Line Railroad Co.; rerouting and diversion of traffic 8898

LAND MANAGEMENT BUREAU

Rules and Regulations

Public domain leasing; lease bond 8873

Notices

Florida; filing of plat of survey 8883

SALINE WATER OFFICE

Notices

Redelegation of authority to act as contracting officer 8884

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
- Continental Vending Machine Corp. 8897
- United Security Life Insurance Co. 8897

TREASURY DEPARTMENT

See Customs Bureau; Foreign Assets Control Office.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
- Reorganization Plan No. 3 of 1966 8855

5 CFR
- 213 8857

7 CFR
- 301 8857
- 876 8857
- 908 8859
- 910 8860
- 1427 8860

PROPOSED RULES:
- 777 8878

10 CFR
- 1 8866

14 CFR
- 39 (2 documents) 8870
- 71 (3 documents) 8870, 8871

PROPOSED RULES:
- 71 8879

16 CFR
- 15 (2 documents) 8871

PROPOSED RULES:
- 170 8882
- 174 8882

21 CFR
- 45 8873
- 121 (2 documents) 8874, 8875
- 146a 8876
- 148i 8876

43 CFR
- 3140 8873
- 3150 8873
- 3160 8873

47 CFR

PROPOSED RULES:
- 2 8880
- 21 8880
- 73 8882
- 87 8880
- 89 8880
- 91 8880
- 93 8880

49 CFR
- 95 (2 documents) 8872
- 180 8872

PROPOSED RULES:
- 170 8882

Presidential Documents

Title 3—THE PRESIDENT

Reorganization Plan No. 3 of 1966

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 25, 1966, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.[1]

PUBLIC HEALTH SERVICE

SECTION 1. *Transfer of functions.* (a) Except as otherwise provided in subsection (b) of this section, there are hereby transferred to the Secretary of Health, Education, and Welfare (hereinafter referred to as the Secretary) all functions of the Public Health Service, of the Surgeon General of the Public Health Service, and of all other officers and employees of the Public Health Service, and all functions of all agencies of or in the Public Health Service.

(b) This section shall not apply to the functions vested by law in any advisory council, board, or committee of or in the Public Health Service which is established by law or is required by law to be established.

SEC. 2. *Performance of transferred functions.* The Secretary may from time to time make such provisions as he shall deem appropriate authorizing the performance of any of the functions transferred to him by the provisions of this reorganization plan by any officer, employee, or agency of the Public Health Service or of the Department of Health, Education, and Welfare.

SEC. 3. *Abolitions.* (a) The following agencies of the Public Health Service are hereby abolished:

(1) The Bureau of Medical Services, including the office of Chief of the Bureau of Medical Services.

(2) The Bureau of State Services, including the office of Chief of the Bureau of State Services.

(3) The agency designated as the National Institutes of Health (42 U.S.C. 203), including the office of Director of the National Institutes of Health (42 U.S.C. 206(b)) but excluding the several research Institutes in the agency designated as the National Institutes of Health.

(4) The agency designated as the Office of the Surgeon General (42 U.S.C. 203(1)), together with the office held by the Deputy Surgeon General (42 U.S.C. 206(a)).

(b) The Secretary shall make such provisions as he shall deem necessary respecting the winding up of any outstanding affairs of the agencies abolished by the provisions of this section.

SEC. 4. *Incidental transfers.* As he may deem necessary in order to carry out the provisions of this reorganization plan, the Secretary may from time to time effect transfers within the Department of Health, Education, and Welfare of any of the records, property, personnel and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the Department which relate to functions affected by this reorganization plan.

[F.R. Doc. 66-6969; Filed, June 24, 1966; 8:45 a.m.]

[1] Effective June 25, 1966, under the provisions of section 6 of the Act; published pursuant to section 11 of the Act (63 Stat. 203; 5 U.S.C. 133z).

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Civil Aeronautics Board

Section 213.3340 is amended to show that the position of Special Assistant to the Chairman of the Board is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3340 is revoked.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–7036; Filed, June 24, 1966; 8:51 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

Dealer-Carrier and Compliance Agreements

Subpart—Gypsy Moth and Brown-Tail Moth; Subpart—Japanese Beetle; Subpart—Pink Bollworm; Subpart—Mexican Fruit Fly; Subpart—White-Fringed Beetle; Subpart—Khapra Beetle; Subpart—European Chafer; Subpart—Mediterranean Fruit Fly; Subpart—Soybean Cyst Nematode; Subpart—Witchweed; Subpart—Imported Fire Ant:

Pursuant to the provisions of sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161, 162), and section 106 of the Federal Plant Pest Act (7 U.S.C. 150ee), Part 301 of Chapter III, Title 7, Code of Federal Regulations, is hereby amended by changing the phrase "dealer-carrier agreement" to read "compliance agreement" wherever such phrase appears in said part.

The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment changes the name of the document executed by certain persons wherein such persons agree to comply with specified conditions pertaining to regulated articles; and makes no substantive change in the quarantines or regulations. Such amendment makes the name more descriptive of the contents of said document. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found that notice and other public procedure regarding the amendment are unnecessary, and good cause is found for making the amendment effective less than 30 days after the publication thereof in the FEDERAL REGISTER.

(Secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended, 30 F.R. 5801, as amended)

Done at Hyattsville, Md., this 21st day of June 1966.

[SEAL] D. R. SHEPHERD,
Acting Director, Plant Pest Control Division.

[F.R. Doc. 66–6998; Filed, June 24, 1966; 8:47 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER I—DETERMINATION OF PRICES

[Sugar Determination 876.18]

PART 876—SUGARCANE; HAWAII

Fair and Reasonable Prices for 1966 Crop

Pursuant to the provisions of section 301(c)(2) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation and due consideration of the evidence obtained at the public hearing held in Hilo, Hawaii, on December 2, 1965, the following determination is hereby issued:

§ 876.18 Fair and reasonable prices for the 1966 crop of Hawaiian sugarcane.

A producer of sugarcane in Hawaii who is also a processor of sugarcane (herein referred to as "processor") shall have paid, or contracted to pay, for sugarcane of the 1966 crop grown by other producers and processed by him, or shall have processed sugarcane of other producers under a toll agreement, in accordance with the following requirements:

(a) *Toll agreements.* (1) The rate for processing sugarcane under a toll agreement at Olokele Sugar Co., Ltd., and Kekaha Sugar Co., Ltd., shall be not more than the rate provided in the agreement between the producer and the processor applicable to the prior crop.

(2) (i) The rate for processing sugarcane delivered by a producer under a toll agreement to those processors listed below shall be not more than that established for each such processor.

Processor	Rate for processing (percentage of gross proceeds from sugar and molasses)	Delivery point for sugarcane
Puna Sugar Co., Ltd.	34	Mill.
Kohala Sugar Co.	34	Do.
Laupahoehoe Sugar Co.	45	Loaded in trucks.
Mauna Kea Sugar Co., Inc.	45	Do.
Pepeekeo Sugar Co.	45	Do.
Paauhau Sugar Co., Ltd.	45	Do.
Hawaiian Agricultural Co.	45	Do.
Hutchinson Sugar Co., Ltd.	45	Do.

(ii) The gross proceeds from sugar and molasses shall be determined in accordance with the Standard Sugar Marketing Contract and the Standard Molasses Marketing Contract entered into by the producer, or his agent, with the California and Hawaiian Sugar Refining Corp., Ltd. (a cooperative agriculture marketing association herein referred to as C & H): *Provided*, That the gross proceeds so determined to be applicable to the sugar and molasses recovered from the sugarcane of the producer shall be converted to dollars per hundredweight of sugar, raw value basis, for the purpose of applying the rate for processing.

(iii) The applicable rate for processing established in this subparagraph for sugarcane of the producer shall cover (*a*) all transporting, handling, and processing costs applicable to the producers' sugarcane from the delivery point specified herein until the raw sugar and molasses recovered therefrom leaves the bulk sugar bin or the molasses tank of the processor, except those costs incurred for insuring such raw sugar and molasses while stored therein; (*b*) the cost of insuring such sugarcane against loss by fire to the same extent that sugarcane of the processor is insured; (*c*) the costs of weighing, sampling, and taring such sugarcane; (*d*) the cost of general weed and rodent control other than in the sugarcane fields of producers and alongside the roads adjacent thereto; and (*e*) the cost of all research and experimental work applicable to the production and processing of such sugarcane.

(iv) The sugarcane received from producers shall be handled and processed by the processor in a manner which is no less favorable than the handling and processing of the sugarcane of the processor. The processor, in acting as agent for the producer, shall handle and deliver to C & H the raw sugar and molasses recovered from the sugarcane of the producer in a manner which is no less favorable than the handling and delivery to C & H of the raw sugar and molasses

recovered from the sugarcane of the processor. The processor shall promptly transmit to the producer the amount of gross proceeds received for the sugar and molasses recovered from the sugarcane of the producer, less the applicable processing rate, and less the expenses paid by the processor, as agent for the producer, pursuant to the toll agreement. Handling and delivery expenses shall be limited to those direct expenses paid by the processor as agent for the producer, but shall not include overhead charges of the processor.

(b) *Purchase agreements.* (1) The price for sugarcane under adherent planter agreements shall be not less than the price determined in accordance with the agreement between the processor and the producer applicable to the prior crop.

(2) The price for the producers' share of sugarcane under cultivation contracts at Laupahoehoe Sugar Co. shall be not less than the price determined in accordance with the agreement between the processor and the producer applicable to the prior crop.

(3) The price for sugarcane under independent grower purchase agreements shall be not less than the price determined in accordance with the agreement between the processor and the producer applicable to the prior crop: *Provided*, That the items of expense which may be deducted in computing net returns for the 1966 crop shall be limited to the same items as for the 1965 crop, except that if the processor incurs handling and delivery expenses otherwise allowable under the agreement and which are incurred under abnormal conditions which the "State Executive Director" (i.e., the person employed to be responsible for the day-to-day operations of the Hawaii Agricultural Stabilization and Conservation Service State Office, or any employee in such office acting on behalf of such person), determines justify the incurrence of such expenses, such expenses also may be deducted.

(c) *Sugarcane weight and quality determination.* The determination of the net weight and quality of the sugarcane received from the producer, and the allocation of sugar and molasses recoveries to the producer shall be made in accordance with the methods customarily used by the processor; methods which have been approved by the Experiment Station of the Hawaiian Sugar Planters Association; or methods agreed upon between the processor and the producer, which will reflect the true weight and quality of sugarcane and the quantities of sugar and molasses recovered from the sugarcane of the producer.

(d) *Overhead charges for services furnished to producers.* If the processor, at the producer's request, furnishes labor, materials, or services used in producing, harvesting, or transporting the producer's sugarcane, or transports the producer's sugar or molasses from the mill to the port in the processor's own equipment, the processor may charge in addition to the direct costs of such labor, materials, or services, the applicable overhead expenses. If equipment is charged at standard or budgeted rates which include repair and maintenance charges, and such rates are applied equally to both the processors' and producer's producing, harvesting, and transporting operation, and if the standard or budgeted rates are adjusted periodically to reflect current conditions, such rates shall be considered as the direct costs for use of equipment. Charges for applicable overhead expenses shall be based on estimated current budgets and adjusted after the end of the calendar year so as not to exceed the actual costs for such year. In addition, the processor may also charge a profit not to exceed 5 percent of the sum of the direct and overhead charges for such labor, materials, or services. Overhead expenses shall be limited to those which are properly apportionable under generally accepted accounting principles, as approved by the "State Executive Director."

(e) *Reporting requirements.* The processor shall submit to the "State Executive Director" a certified statement of the gross proceeds and handling and delivery expenses paid under (1) purchase agreements providing for payment for sugarcane based upon net returns from sugar and molasses, and (2) toll and agency agreements providing for the deduction of handling and delivery expenses on sugar and molasses from the gross proceeds obtained therefrom.

(f) *Subterfuge.* The processor shall not reduce returns to the producer below those determined in accordance with the requirements herein through any subterfuge or device whatsoever.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination establishes the fair and reasonable rate requirements which must be met, as one of the conditions for payment under the act, by a producer who processes sugarcane of the 1966 crop grown by other producers.

(b) *Requirements of the act.* Section 301(c)(2) of the act provides, as a condition for payment, that the producer on the farm who is also, directly or indirectly a processor of sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

(c) *Public hearing—Puna Sugar Co.* The representative of this company recommended a processing rate of not less than 37½ percent and continuation of the profit charge allowed on services furnished to producers. He stated that growers received higher returns in 1965 than in 1964; that the charges to growers in 1965 for harvesting, hauling, and road maintenance show a favorable long term trend; that processing costs reveal a similar favorable long term trend and that for 1965 such costs are estimated to be 47 cents per ton of sugar less than in 1964. The witness presented average cost data for 5-year periods showing processing rates ranging from 36.55 to 38.71 percent, and stated that while the data for four 5-year periods show a slight downward trend in the processing rates, account should be taken of the fact that individual year cost ratios for the last 4 years indicate a trend toward higher processing fees. The witness stated that a 5-percent profit was charged growers on the services of outside contractors since the processor furnished supervision for such services. Final cost data for 1965, submitted in a supplemental brief indicated that charges to growers for harvesting, hauling, and road maintenance increased $0.89 per ton of sugar over 1964.

The representative of independent producers at Puna recommended a processing rate of 30 percent for the 1966 crop, the disallowance of the 5-percent profit charge on services furnished to producers by the company, and a change in the delivery point from "mill" to "loaded in trucks." The witness stated that growers suffered a loss of $4.89 per ton of sugar in 1965. He submitted estimated producing and processing costs for the 1965 crop supporting a processing rate of 30 percent.

Kohala Sugar Co. The representative of Kohala recommended a processing rate of 35 percent, and continuation of the other provisions of the 1965 determination. The witness stated that near normal rainfall in 1963 and 1964 resulted in a record crop in 1965, but that another moisture shortage in the critical growing months of May through September 1965 will affect the yields of the 1966 and 1967 crops; that costs have steadily increased; and that under the favorable conditions in 1965 the company will receive a very modest return for its efforts. The witness submitted average producing and processing costs for the 5-year period 1961–65 which indicated a processing rate of 40 percent.

A representative of producers at Kohala recommended a processing rate of 30 percent for the 1966 crop. The witness stated that the number of independent producers at Kohala continues to decrease; that every year the processor requests an increase in the processing rate; and that growers rely on the Department to set a fair processing rate.

C. Brewer & Co. (representing Mauna Kea, Pepeekeo, Paahau, Hawaiian Agricultural, and Hutchinson Sugar Cos.). The representative of these companies recommended a processing rate of 48 percent for the 1966 crop, and continuation of the profit charge on services furnished producers. The witness stated that Hilo Sugar Co. was merged with Onomea Sugar Co. on July 26, 1965, and renamed Mauna Kea Sugar Co., Inc. He submitted producing and processing cost data for the 5-year period 1961–65 and also for 1965 that indicated processing rates of 47.71 percent and 48.84 percent, respectively. The witness stated that rainfall in 1965 was below normal in some of the lower areas and above normal in the same areas at higher elevations; that no change is planned in the method of calculating charges for labor, materials, and services; and that the 5-percent profit allowance was not charged on services furnished by outside contractors.

The representative of producers at the Hawaiian Agricultural Co. recommended the disallowance of the 5-percent profit charge on services and materials furnished to producers by the company. He stated that in 1965 growers suffered losses averaging 24 cents per ton of sugar. No recommendation was made with respect to a processing rate for 1966.

The representative of producers at Mauna Kea and Pepeekeo Sugar Cos. recommended a processing rate of 37 percent and the disallowance of the 5-percent profit charge allowed on services and materials furnished to producers by the company. The witness said that producers' losses in 1965 averaged $9.22 per ton of sugar. He submitted producing and processing cost data indicating a processing rate of 37 percent.

Laupahoehoe Sugar Co. The representative of this company recommended a processing rate of not less than 50 percent for the 1966 crop, and continuation of the profit charges on services and materials furnished producers by the company. The witness stated that the new and enlarged processing facilities at the Ookala mill site are expected to be completed and ready for operation in the early part of 1966; and that when this new factory is in full operation the present Papaaloa mill will be closed. He said that during the time the Papaaloa mill is in operation each grower's sugarcane will be processed separately, but when the new mill is in full operation the processor proposes to use the core sampling system to determine sugar and molasses credits for independent producers under tolling agreements, and to determine net cane for coproducer cultivation contracts, and requested approval of this method by the Department. The witness submitted producing and processing cost data indicating a processing rate of 50 percent.

(d) *1966 price determination.* This determination continues the provisions of the 1965 determination, except that the rate the processor may charge for processing sugarcane of independent producers is decreased by 2 percentage points—from 36 to 34—at Puna Sugar Co., and increased by 1 percentage point—from 33 to 34—at Kohala Sugar Co.

The recommendations of producers and processors for changes in the processing rates have been studied and fully considered. All pertinent factors have been taken into account and the estimated costs of producing and processing independent producers sugarcane, based upon prospective price, production, and yield conditions for the 1966 crop, have been analyzed. This study indicates that the change in processing rates stated above for Puna and Kohala Sugar Cos., are equitable and that changes in producing and processing costs have not been sufficient to warrant an adjustment in the processing rates for other processors.

The processing rate for Puna was increased from 30 to 33 percent in 1956, and in 1959 was increased to 36 percent. Puna had suffered substantial losses in the 5-year period preceding 1956 and was then engaged in modernizing its processing facilities in an attempt to place its operations on a sufficiently sound basis to warrant its continued operation. Despite a substantial investment in plant improvements during the years 1957 through 1959, losses continued through 1960. Since that time, efficiencies resulting from the capital improvement program have been realized, and the company has operated at a profit. The 36 percent processing charge when instituted was needed to encourage the processor to continue operations which in turn would preserve the investment of approximately 600 independent producers served by the mill. That charge also represented an equitable rate in recognition of the relative costs sustained by the two parties. Producers' operations have also improved in recent years but not to the same extent as the processor's. The processor's costs now represent a smaller percentage of the total, and the cost sharing ratio indicates that a processing rate of 34 percent is now equitable for this processor.

Analysis of the producers' costs and the processor's costs at Kohala reveals a gradual increase in the processor's share of total costs. The cost sharing ratio indicates a processing rate of 34 percent. Although this will reduce the producers' income, they will still have profits above the average for all independent producers.

The adjustment in the processing rates for those processors who accept delivery of sugarcane at the mill will provide more uniform rates among all processors. A processing rate closely approximating 34 percent would also be applicable to the other processors collectively if their delivery point for producers' sugarcane were at the mill rather than loaded in trucks in the field where the 45 percent rate is applicable.

One processor requested approval of a method of core sampling sugarcane, which it proposed to use upon completion of the new processing facility in 1966, for determining sugar and molasses recoveries from sugarcane of independent producers under tolling agreements, and for determining net sugarcane of coproducers under cultivation contracts. This method may be used in 1966 if approved by the Experiment Station of the Hawaiian Sugar Planters Association, or is agreed upon between the processor and producers.

After consideration of all pertinent factors this determination is considered to be fair and reasonable. Accordingly, I hereby find and conclude that the foregoing determination will effectuate the price provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Supp. 1153. sec. 301, 61 Stat. 929, as amended; 7 U.S.C. Supp. 1131)

Effective date. This determination shall become effective when published in the FEDERAL REGISTER and is applicable to the 1966 crop of Hawaiian sugarcane.

Signed at Washington, D.C., on June 21, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-7037; Filed, June 24, 1966, 8:51 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 167]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.467 Valencia Orange Regulation 167.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated

among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 23, 1966.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., June 26, 1966, and ending at 12:01 a.m., P.s.t., July 3, 1966, are hereby fixed as follows:

(i) District 1: 250,000 cartons;

(ii) District 2: 250,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated June 24, 1966.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-7089; Filed, June 24, 1966; 11:34 a.m.]

[Lemon Reg. 220]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.520 Lemon Regulation 220.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 21, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., June 26, 1966, and ending at 12:01 a.m., P.s.t., July 3, 1966, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 325,500 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 23, 1966.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-7063; Filed, June 24, 1966; 8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1427—COTTON

Subpart—1966-Crop Supplement to Cotton Loan Program Regulations

The Cotton Loan Program Regulations issued by Commodity Credit Corporation and containing the regulations of a general nature with respect to loan operations for cotton are supplemented for 1966-crop cotton as follows:

Sec.
1427.1505 Purpose.
1427.1506 Schedule of base loan rates for eligible 1966-crop upland cotton by warehouse location.
1427.1507 Schedule of premiums and discounts for grade and staple length of eligible 1966-crop upland cotton.
1427.1508 Schedule of premiums and discounts for micronaire readings on 1966-crop upland cotton.
1427.1509 Schedule of loan rates for eligible qualities of 1966-crop American-Egyptian extra long staple cotton.

AUTHORITY: The provisions of this subpart issued under sections 4, 5, 62 Stat. 1070, as amended; sections 101, 103, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1444, 1421.

§ 1427.1505 Purpose.

This subpart is for the purpose of announcing that loans will be available on upland and extra long staple cotton of the 1966-crop under the terms and conditions stated in the Cotton Loan Program Regulations issued by Commodity Credit Corporation and contained in this Part 1427. This subpart also contains schedules to be used in determining loan rates on 1966-crop cotton.

§ 1427.1506 Schedule of base loan rates for eligible 1966-crop upland cotton by warehouse location.

ALABAMA

City	County	Basis middling white inch loan rate
Abbeville	Henry	21.20
Akron	Hale	21.20
Albertville	Marshall	21.25
Alexander City	Tallapoosa	21.30
Aliceville	Pickens	21.15
Altoona	Etowah	21.30
Andalusia	Covington	21.20
Anniston	Calhoun	21.30
Arab	Marshall	21.25
Ardmore	Limestone	21.20
Ashford	Houston	21.20
Ashland	Clay	21.30
Athens	Limestone	21.20
Atmore	Escambia	21.15
Attalla	Etowah	21.30
Auburn	Lee	21.30
Banks	Pike	21.20
Bankston	Fayette	21.20
Belk	do	21.20
Belle Mina	Limestone	21.20
Berry	Fayette	21.20
Bessemer	Jefferson	21.20
Birmingham	do	21.20
Blountsville	Blount	21.25
Boaz	Marshall	21.25
Boligee	Greene	21.15
Brantley	Crenshaw	21.20
Do	Dallas	21.20
Brent	Bibb	21.30
Brewton	Escambia	21.15
Bridgeport	Jackson	21.30
Browntown	do	21.20
Brundidge	Pike	21.30
Butler	Choctaw	21.15
Camden	Wilcox	21.15
Camp Hill	Tallapoosa	21.30
Carbon Hill	Walker	21.20
Carrollton	Pickens	21.15
Centre	Cherokee	21.30
Centreville	Bibb	21.20
Chavies	De Kalb	21.25
Childersburg	Talladega	21.30
Clanton	Chilton	21.20
Clayton	Barbour	21.25
Cullo	do	21.25
Collinsville	De Kalb	21.25
Columbia	Houston	21.30
Columbiana	Shelby	21.25
Cooper	Chilton	21.20
Cordova	Walker	21.20
Cottonwood	Houston	21.20
Courtland	Lawrence	21.20
Crossville	De Kalb	21.25
Cullman	Cullman	21.30
Dadeville	Tallapoosa	21.30
Dancy	Pickens	21.15

ALABAMA

City	County	Basis middling white inch loan rate
Deatsville	Elmore	21.25
Decatur	Morgan	21.20
Demopolis	Marengo	21.15
Detroit	Lamar	21.15
Dothan	Houston	21.20
Dozier	Crenshaw	21.20
Dutton	Jackson	21.20
Eclectic	Elmore	21.25
Elba	Coffee	21.20
Elkmont	Limestone	21.20
Enterprise	Coffee	21.20
Ethelsville	Pickens	21.15
Eufaula	Barbour	21.25
Eutaw	Greene	21.15
Evergreen	Conecuh	21.15
Fackler	Jackson	21.20
Fadette	Geneva	21.20
Fairsdale	Marengo	21.15
Fayette	Fayette	21.20
Flat Rock	Jackson	21.20
Florala	Covington	21.20
Florence	Lauderdale	21.20
Fort Deposit	Lowndes	21.20
Fort Payne	De Kalb	21.25
Frisco City	Monroe	21.15
Fyffe	De Kalb	21.25
Gadsden	Etowah	21.30
Gantt	Covington	21.20
Geneva	Geneva	21.20
Georgiana	Butler	21.20
Geraldine	De Kalb	21.25
Glen Allen	Fayette	21.20
Good Water	Coosa	21.25
Goodway	Monroe	21.15
Gordo	Pickens	21.15
Goshen	Pike	21.20
Greensboro	Hale	21.20
Greenville	Butler	21.20
Grove Hill	Clarke	21.15
Guin	Marion	21.15
Guntersville	Marshall	21.25
Hackleburg	Marion	21.15
Haleyville	Winston	21.20
Hamilton	Marion	21.15
Hanceville	Cullman	21.20
Hartford	Geneva	21.20
Hartselle	Morgan	21.20
Havana Junction	Hale	21.20
Headland	Henry	21.20
Heflin	Cleburne	21.30
Henagar	De Kalb	21.25
Hodges	Franklin	21.15
Hodgesville	Houston	21.20
Hollywood	Jackson	21.20
Huntsville	Madison	21.20
Hurtsboro	Russell	21.30
Ider	De Kalb	21.25
Jacksonville	Calhoun	21.30
Jasper	Walker	21.20
Jemison	Chilton	21.20
Kennedy	Lamar	21.15
Lafayette	Chambers	21.30
Larkinsville	Jackson	21.20
Leighton	Colbert	21.15
Lester	Limestone	21.20
Linden	Marengo	21.15
Lineville	Clay	21.30
Livingston	Sumter	21.15
Lockhart	Covington	21.20
Louisville	Barbour	21.25
Luverne	Crenshaw	21.20
McCullough	Escambia	21.15
McKenzie	Butler	21.20
Madison	Madison	21.20
Malvern	Geneva	21.20
Maplesville	Chilton	21.20
Marion	Perry	21.20
Millers Ferry	Wilcox	21.15
Millport	Lamar	21.15
Mobile	Mobile	21.15
Monroeville	Monroe	21.15
Montevallo	Shelby	21.25
Montgomery	Montgomery	21.20
Moores Bridge	Tuscaloosa	21.20
Moores Valley	Wilcox	21.15
Moulton	Lawrence	21.20
Moundville	Hale	21.30
Newbern	do	21.20
New Brockton	Coffee	21.20
New Hope	Madison	21.20
Newville	Henry	21.30
Northport	Tuscaloosa	21.20
Notasulga	Macon	21.25
Oakman	Walker	21.20
Oneonta	Blount	21.25
Opelika	Lee	21.30
Opp	Covington	21.20
Ozark	Dale	21.20
Panola	Sumter	21.15
Pell City	St. Clair	21.25
Peterman	Monroe	21.15

ALABAMA—Continued

City	County	Basis middling white inch loan rate
Phil Campbell	Franklin	21.15
Pickensville	Pickens	21.15
Pinckard	Dale	21.20
Pine Hill	Wilcox	21.15
Pisgah	Jackson	21.20
Pollard	Escambia	21.15
Prattville	Autauga	21.20
Ralph	Tuscaloosa	21.20
Red Bay	Franklin	21.15
Red Level	Covington	21.20
Reform	Pickens	21.15
Repton	Conecuh	21.15
Roanoke	Randolph	21.30
Rogersville	Lauderdale	21.15
Russellville	Franklin	21.15
Samantha	Tuscaloosa	21.20
Samson	Geneva	21.20
Scottsboro	Jackson	21.20
Section	do	21.20
Selma	Dallas	21.20
Sheffield	Colbert	21.15
Slocomb	Geneva	21.20
Stevenson	Jackson	21.20
Stewart	Hale	21.20
Sulligent	Lamar	21.15
Sweet Water	Marengo	21.15
Sylacauga	Talladega	21.30
Sylvania	De Kalb	21.25
Talladega	Talladega	21.30
Tallassee	Elmore	21.25
Thomasville	Clarke	21.15
Thorsby	Chilton	21.20
Troy	Pike	21.20
Tuscaloosa	Tuscaloosa	21.20
Tuscumbia	Colbert	21.15
Tuskegee	Macon	21.25
Union Springs	Bullock	21.25
Uniontown	Perry	21.20
Vernon	Lamar	21.15
Vina	Franklin	21.15
Wadley	Randolph	21.30
Warrior	Jefferson	21.20
Webb	Houston	21.20
Wetumpka	Elmore	21.25
Wilsonville	Shelby	21.25
Winfield	Marion	21.15
Woodville	Jackson	21.20
York	Sumter	21.15

ARIZONA

Amado	Santa Cruz	20.60
Buckeye	Maricopa	20.60
Casa Grande	Pinal	20.60
Chandler	Maricopa	20.60
Coolidge	Pinal	20.60
Eloy	do	20.60
Gilbert	Maricopa	20.60
Litchfield Park	do	20.60
McMicken	do	20.60
Marana	Pima	20.60
Phoenix	Maricopa	20.60
Picacho	Pinal	20.60
Safford	Graham	20.75
Sahuarita	Pima	20.60
Willcox	Cochise	20.75
Yuma	Yuma	20.60

ARKANSAS

Arkadelphia	Clark	21.10
Ashdown	Little River	21.05
Batesville	Independence	21.10
Blytheville	Mississippi	21.10
Boughton	Nevada	21.05
Bradley	Lafayette	21.05
Brinkley	Monroe	21.10
Camden	Ouachita	21.05
Clarendon	Monroe	21.10
Conway	Faulkner	21.10
Cotton Plant	Woodruff	21.10
Dardanelle	Yell	21.10
Dell	Mississippi	21.10
Dumas	Desha	21.10
Earle	Crittenden	21.10
England	Lonoke	21.10
Eudora	Chicot	21.10
Evadale	Mississippi	21.10
Fordyce	Dallas	21.10
Forrest City	St. Francis	21.05
Fort Smith	Sebastian	21.10
Gurdon	Clark	21.10
Harrisburg	Poinsett	21.10
Helena	Phillips	21.10
Hope	Hempstead	21.05
Hughes	St. Francis	21.10
Hulbert	Crittenden	21.10

ARKANSAS—Continued

City	County	Basis middling white inch loan rate
Jacksonville	Pulaski	21.10
Jonesboro	Craighead	21.10
Junction City	Union	21.05
Leachville	Mississippi	21.10
Lepanto	Poinsett	21.10
Little Rock	Pulaski	21.10
Lonoke	Lonoke	21.10
McCrory	Woodruff	21.10
McGehee	Desha	21.10
Magnolia	Columbia	21.05
Malvern	Hot Springs	21.10
Marianna	Lee	21.10
Marked Tree	Poinsett	21.10
Marvell	Phillips	21.10
Morrilton	Conway	21.10
Nashville	Howard	21.05
Newport	Jackson	21.10
North Little Rock	Pulaski	21.10
Osceola	Mississippi	21.10
Paragould	Greene	21.10
Pine Bluff	Jefferson	21.10
Portland	Ashley	21.10
Prescott	Nevada	21.05
Russellville	Pope	21.10
Searcy	White	21.10
Sparkman	Dallas	21.05
Trumann	Poinsett	21.10
Waldo	Columbia	21.05
Walnut Ridge	Lawrence	21.10
Warren	Bradley	21.10
West Helena	Phillips	21.10
West Memphis	Crittenden	21.10
Wilson	Mississippi	21.10
Wynne	Cross	21.10

CALIFORNIA

Arvin	Kern	20.60
Bakersfield	do	20.60
Brawley	Imperial	20.60
Buttonwillow	Kern	20.60
Calico	do	20.60
Caruthers	Fresno	20.60
Chowchilla	Madera	20.60
Coalinga	Fresno	20.60
Corcoran	Kings	20.60
El Centro	Imperial	20.60
Firebaugh	Fresno	20.60
Five Points	do	20.60
Fresno	do	20.60
Hanford	Kings	20.60
Helm	Fresno	20.60
Huron	do	20.60
Imperial	Imperial	20.60
Kerman	Fresno	20.60
Kingsburg	do	20.60
Locke	Sacramento	20.60
Los Angeles	Los Angeles	20.60
McFarland	Kern	20.60
Madera	Madera	20.60
Milpitas	Santa Clara	20.60
Oakland	Alameda	20.60
Pinedale	Fresno	20.60
Pond	Kern	20.60
Reedley	Fresno	20.60
Richmond	Contra Costa	20.60
San Diego	San Diego	20.60
San Francisco	San Francisco	20.60
San Joaquin	Fresno	20.60
San Jose	Santa Clara	20.60
San Pedro	Los Angeles	20.60
Selma	Fresno	20.60
Stockton	San Joaquin	20.60
Stratford	Kings	20.60
Tipton	Tulare	20.60
Tranquility	Fresno	20.60
Tulare	Tulare	20.60
Visalia	do	20.60

FLORIDA

Graceville	Jackson	21.20
Jay	Santa Rosa	21.15
Malone	Jackson	21.20
Pensacola	Escambia	21.15

GEORGIA

Abbeville	Wilcox	21.30
Adairsville	Bartow	21.35
Adel	Cook	21.20
Adrian	Emanuel	21.35
Alamo	Wheeler	21.30
Albany	Dougherty	21.30
Allentown	Wilkinson	21.35

GEORGIA—Continued

City	County	Basis middling white inch loan rate
Alma	Bacon	21.30
Alvaton	Meriwether	21.35
Ambrose	Coffee	21.30
Americus	Sumter	21.30
Arabi	Crisp	21.30
Arlington	Calhoun	21.30
Ashburn	Turner	21.45
Athens	Clarke	21.35
Atlanta	Fulton	21.45
Augusta	Richmond	21.20
Bainbridge	Decatur	21.35
Barnesville	Lamar	21.35
Bartow	Jefferson	21.30
Baxley	Appling	21.30
Bellville	Evans	21.45
Bishop	Oconee	21.20
Blackshear	Pierce	21.20
Blakely	Early	21.45
Braselton	Jackson	21.30
Bronwood	Terrell	21.30
Brookfield	Tift	21.35
Brooklet	Bulloch	21.20
Brunswick	Glynn	21.35
Buchanan	Haralson	21.35
Buena Vista	Marion	21.35
Buford	Gwinnett	21.35
Butler	Taylor	21.30
Byromville	Dooly	21.35
Byron	Houston	21.35
Cadwell	Laurens	21.20
Cairo	Grady	21.35
Calhoun	Gordon	21.20
Camilla	Mitchell	21.45
Canon	Franklin	21.20
Carnegie	Randolph	21.35
Carrollton	Carroll	21.35
Cartersville	Bartow	21.35
Cary	Bleckley	21.35
Cedartown	Polk	21.35
Centerville	Houston	21.35
Chamblee	De Kalb	21.35
Chauncey	Dodge	21.35
Chester	....do	21.30
Claxton	Evans	21.35
Cochran	Bleckley	21.20
Coleman	Randolph	21.20
Colquitt	Miller	21.35
Columbus	Muscogee	21.45
Comer	Madison	21.45
Commerce	Jackson	21.35
Concord	Pike	21.35
Conyers	Rockdale	21.30
Cordele	Crisp	21.30
Coverdale	Turner	21.35
Covington	Newton	21.35
Culloden	Monroe	21.20
Cuthbert	Randolph	21.35
Dallas	Paulding	21.35
Dalton	Whitfield	21.35
Davisboro	Washington	21.30
Dawson	Terrell	21.30
De Soto	Sumter	21.35
Dexter	Laurens	21.20
Doerun	Colquitt	21.20
Donalsonville	Seminole	21.30
Douglas	Coffee	21.35
Douglasville	Douglas	21.35
Dublin	Laurens	21.35
Dudley	....do	21.35
Eastman	Dodge	21.35
East Point	Fulton	21.35
Eatonton	Putnam	21.20
Edison	Calhoun	21.45
Elberton	Elbert	21.35
Elko	Houston	21.35
Ellaville	Schley	21.35
Emburn	Fulton	21.35
Farrar	Jasper	21.35
Fayetteville	Fayette	21.30
Findlay	Dooly	21.30
Fitzgerald	Ben Hill	21.35
Forsyth	Monroe	21.20
Fort Gaines	Clay	21.35
Fort Valley	Peach	21.35
Franklinton	Bibb	21.20
Fupston	Colquitt	21.45
Gainesville	Hall	21.35
Garfield	Emanuel	21.35
Gay	Meriwether	21.30
Glennville	Tattnall	21.35
Grantville	Coweta	21.35
Graymont	Emanuel	21.45
Greensboro	Greene	21.35
Greenville	Meriwether	21.35
Gresston	Dodge	21.35
Griffin	Spalding	21.35
Haralson	Coweta	21.35
Harrison	Washington	21.20
Hartsfield	Colquitt	21.45
Hartwell	Hart	21.35
Hawkinsville	Pulaski	

GEORGIA—Continued

City	County	Basis middling white inch loan rate
Hazlehurst	Jeff Davis	21.30
Hogansville	Troup	21.35
Hollonville	Pike	21.35
Ideal	Macon	21.35
Jackson	Butts	21.35
Jefferson	Jackson	21.45
Jeffersonville	Twiggs	21.35
Jesup	Wayne	21.30
Jonesboro	Clayton	21.35
Kelly	Jasper	21.35
Kingston	Bartow	21.35
Kite	Johnson	21.35
LaFayette	Walker	21.35
La Grange	Troup	21.35
Lavonia	Franklin	21.45
Lawrenceville	Gwinnett	21.35
Leary	Calhoun	21.20
Leesburg	Lee	21.30
Lenox	Cook	21.20
Leslie	Sumter	21.30
Lilly	Dooly	21.30
Lincolnton	Lincoln	21.45
Locust Grove	Henry	21.35
Loganville	Walton	21.35
Louisville	Jefferson	21.35
Lumpkin	Stewart	21.30
Luthersville	Meriwether	21.35
Lyerly	Chattooga	21.35
Lyons	Toombs	21.30
McDonough	Henry	21.35
McRae	Telfair	21.30
Macon	Bibb	21.35
Madison	Morgan	21.35
Manchester	Meriwether	21.35
Mansfield	Newton	21.35
Marietta	Cobb	21.35
Marshallville	Macon	21.35
Meansville	Pike	21.35
Meigs	Thomas	21.20
Metter	Candler	21.35
Midville	Burke	21.35
Milan	Telfair	21.30
Milledgeville	Baldwin	21.35
Millen	Jenkins	21.35
Milstead	Rockdale	21.35
Monroe	Walton	21.35
Montezuma	Macon	21.35
Monticello	Jasper	21.35
Montrose	Laurens	21.35
Moreland	Coweta	21.35
Morven	Brooks	21.20
Moultrie	Colquitt	21.35
Newborn	Newton	21.35
Newman	Coweta	21.20
Norman Park	Colquitt	21.30
Ochlochnee	Thomas	21.30
Ocilla	Irwin	21.35
Oglethorpe	Macon	21.30
Omega	Tift	21.35
Orchard Hill	Spalding	21.35
Palmetto	Fulton	21.30
Parrott	Terrell	21.20
Pelham	Mitchell	21.35
Perry	Houston	21.30
Pinehurst	Dooly	21.35
Pinelog	Bartow	21.35
Pine Mountain	Harris	21.30
Pineview	Wilcox	21.35
Pitts	....do	21.30
Plains	Sumter	21.30
Portal	Bulloch	21.30
Poulan	Worth	21.35
Pulaski	Candler	21.20
Quitman	Brooks	21.30
Rebecca	Turner	21.35
Red Oak	Fulton	21.35
Rentz	Laurens	21.35
Reynolds	Taylor	21.35
Rhine	Dodge	21.30
Richland	Stewart	21.35
Roberta	Crawford	21.30
Rochelle	Wilcox	21.35
Rockmart	Polk	21.35
Rocky Ford	Screven	21.35
Rome	Floyd	21.45
Royston	Franklin	21.35
Rutledge	Morgan	21.35
Sandersville	Washington	21.30
Sasser	Terrell	21.35
Savannah	Chatham	21.30
Scotland	Telfair	21.35
Senoia	Coweta	21.35
Shady Dale	Jasper	21.35
Sharpsburg	Coweta	21.20
Shellman	Randolph	21.30
Shingler	Worth	21.35
Social Circle	Walton	21.35
Soperton	Treutlen	21.35
Sparta	Hancock	21.35
Statesboro	Bulloch	

GEORGIA—Continued

City	County	Basis middling white inch loan rate
Summit	Emanuel	21.35
Swainsboro	....do	21.35
Sycamore	Turner	21.30
Sylvania	Screven	21.35
Sylvester	Worth	21.30
Tallapoosa	Haralson	21.35
Taylorsville	Bartow	21.35
Temple	Carroll	21.35
Tennille	Washington	21.35
Thomaston	Upson	21.35
Thomson	McDuffie	21.45
Tifton	Tift	21.30
Tignall	Wilkes	21.45
Tocoa	Stephens	21.45
Turin	Coweta	21.35
Twin City	Emanuel	21.35
Tyrone	Fayette	21.35
Unadilla	Dooly	21.30
Uvalda	Montgomery	21.30
Valdosta	Lowndes	21.30
Vidalia	Toombs	21.30
Vienna	Dooly	21.30
Villa Rica	Carroll	21.35
Wadley	Jefferson	21.35
Warrenton	Warren	21.45
Warwick	Worth	21.30
Washington	Wilkes	21.45
Watkinsville	Oconee	21.45
Waynesboro	Burke	21.35
West Point	Troup	21.36
Williamson	Pike	21.35
Winder	Barrow	21.45
Woodbury	Meriwether	21.35
Woodland	Talbot	21.35
Wrens	Jefferson	21.35
Wrightsville	Johnson	21.35
Yatesville	Upson	21.35
Zebulon	Pike	21.35

ILLINOIS

City	County	Basis middling white inch loan rate
Cairo	Alexander	21.10

LOUISIANA

City	Parish	Basis middling white inch loan rate
Alexandria	Rapides	21.05
Arcadia	Bienville	21.05
Bernice	Union	21.05
Bryceland	Bienville	21.05
Bunkie	Avoyelles	21.05
Chatham	Jackson	21.05
Chenneyville	Rapides	21.05
Choudrant	Lincoln	21.10
Coushatta	Red River	21.05
Delhi	Richland	21.10
Dubach	Lincoln	21.05
Eunice	St. Landry	21.05
Farmerville	Union	21.10
Ferriday	Concordia	21.10
Franklinton	Washington	21.05
Gibsland	Bienville	21.10
Gretna	Jefferson	21.05
Haynesville	Claiborne	21.05
Homer	....do	21.05
Jonesboro	Jackson	21.05
Lake Charles	Calcasieu	21.10
Lake Providence	East Carroll	21.05
Leesville	Vernon	21.05
Logansport	De Soto	21.05
Mansfield	....do	21.05
Marion	Union	21.10
Minden	Webster	21.05
Monroe	Ouachita	21.10
Natchitoches	Natchitoches	21.05
Newellton	Tensas	21.10
New Orleans	Orleans	21.10
Oak Grove	West Carroll	21.10
Opelousas	St. Landry	21.05
Plain Dealing	Bossier	21.05
Port Allen	West Baton Rouge	21.06
Rayville	Richland	21.10
Ringgold	Bienville	21.05
Ruston	Lincoln	21.10
Shreveport	Caddo	21.05
Springhill	Webster	21.05
Tallulah	Madison	21.10
Westwego	Jefferson	21.10
Winnsboro	Franklin	21.10

MISSISSIPPI

City	County	Basis middling white inch loan rate
Aberdeen	Monroe	21.15
Amory	....do	21.15
Batesville	Panola	21.15
Belmont	Tishomingo	21.15
Belzoni	Humphreys	21.10
Booneville	Prentiss	21.15
Brookhaven	Lincoln	21.10
Canton	Madison	21.15
Carthage	Leake	21.15
Clarksdale	Coahoma	21.10
Cleveland	Bolivar	21.10
Coffeeville	Yalobusha	21.10
Columbia	Marion	21.10
Columbus	Lowndes	21.15
Como	Panola	21.15
Corinth	Alcorn	21.15
Crystal Springs	Copiah	21.10
Drew	Sunflower	21.10
Durant	Holmes	21.15
Flora	Madison	21.10
Forest	Scott	21.10
Gloster	Amite	21.10
Goodman	Holmes	21.15
Greenville	Washington	21.10
Greenwood	Leflore	21.10
Grenada	Grenada	21.15
Gulfport	Harrison	21.10
Hattiesburg	Forrest	21.10
Hollandale	Washington	21.10
Holly Springs	Marshall	21.15
Houston	Chickasaw	21.15
Indianola	Sunflower	21.10
Inverness	....do	21.10
Itta Bena	Leflore	21.10
Jackson	Hinds	21.10
Kosciusko	Attala	21.15
Laurel	Jones	21.10
Leland	Washington	21.10
Lexington	Holmes	21.10
Liberty	Amite	21.10
Louisville	Winston	21.15
McComb	Pike	21.10
Macon	Noxubee	21.15
Magee	Simpson	21.10
Magnolia	Pike	21.10
Marks	Quitman	21.10
Meridian	Lauderdale	21.15
Mount Olive	Covington	21.10
Natchez	Adams	21.10
New Albany	Union	21.15
Newton	Newton	21.10
Okolona	Chickasaw	21.15
Oxford	Lafayette	21.15
Philadelphia	Neshoba	21.15
Pontotoc	Pontotoc	21.15
Port Gibson	Claiborne	21.10
Prentiss	Jefferson Davis	21.10
Quitman	Clarke	21.10
Ripley	Tippah	21.15
Rolling Fork	Sharkey	21.10
Rosedale	Bolivar	21.10
Ruleville	Sunflower	21.10
Shaw	Bolivar	21.10
Shelby	....do	21.10
Shuqualak	Noxubee	21.15
Sledge	Quitman	21.10
Summit	Pike	21.10
Tunica	Tunica	21.10
Tupelo	Lee	21.15
Tutwiler	Tallahatchie	21.10
Tylertown	Walthall	21.10
Union	Newton	21.15
Vicksburg	Warren	21.10
Water Valley	Yalobusha	21.15
Wesson	Copiah	21.10
West Point	Clay	21.15
Yazoo City	Yazoo	21.10

MISSOURI

City	County	Basis middling white inch loan rate
Arbyrd	Dunklin	21.10
Caruthersville	Pemiscot	21.10
Charleston	Mississippi	21.10
Gideon	New Madrid	21.10
Hayti	Pemiscot	21.10
Kennett	Dunklin	21.10
Lilbourn	New Madrid	21.10
Malden	Dunklin	21.10
Neosho	Newton	21.05
Portageville	New Madrid	21.10
Sikeston	Scott	21.10

NEVADA

City	County	Basis middling white inch loan rate
Arden	Clark	20.60
Animas	Hidalgo	20.80
Artesia	Eddy	20.90
Carlsbad	....do	20.90
Deming	Luna	20.85
Hobbs	Lea	20.95
Las Cruces	Dona Ana	20.90
Lordsburg	Hidalgo	20.80
Lovington	Lea	20.95
Mesquite	Dona Ana	20.90
Roswell	Chaves	20.90
Socorro	Socorro	20.90

NORTH CAROLINA

City	County	Basis middling white inch loan rate
Avondale	Rutherford	21.50
Battleboro	Nash	21.45
Benson	Johnston	21.45
Bessemer City	Gaston	21.50
Bethel	Pitt	21.45
Bladenboro	Bladen	21.45
Bostic	Rutherford	21.50
Butner	Granville	21.45
Candor	Montgomery	21.50
Carthage	Moore	21.50
Charlotte	Mecklenburg	21.50
Cherryville	Gaston	21.50
Clayton	Johnston	21.45
Clinton	Sampson	21.45
Columbus	Polk	21.50
Concord	Cabarrus	21.50
Conway	Northampton	21.45
Dallas	Gaston	21.50
Dunn	Harnett	21.45
Durham	Durham	21.50
Edenton	Chowan	21.45
Elizabeth City	Pasquotank	21.45
Enfield	Halifax	21.45
Farmville	Pitt	21.45
Fayetteville	Cumberland	21.45
Forest City	Rutherford	21.50
Franklinton	Franklin	21.45
Gastonia	Gaston	21.50
Gibson	Scotland	21.45
Godwin	Cumberland	21.45
Goldsboro	Wayne	21.45
Greensboro	Guilford	21.50
Greenville	Pitt	21.45
Gumberry	Northampton	21.45
Harris	Rutherford	21.50
Henderson	Vance	21.45
Hickory	Catawba	21.50
High Point	Guilford	21.50
Hope Mills	Cumberland	21.45
Jackson	Northampton	21.45
Kings Mountain	Cleveland	21.50
Kinston	Lenoir	21.45
La Grange	....do	21.45
Laurel Hill	Scotland	21.45
Laurinburg	....do	21.45
Lewiston	Bertie	21.45
Lilesville	Anson	21.50
Lincolnton	Lincoln	21.50
Littleton	Halifax	21.45
Louisburg	Franklin	21.45
Lumberton	Robeson	21.45
Marshville	Union	21.50
Matthews	Mecklenburg	21.50
Marion	Robeson	21.45
Monroe	Union	21.50
Mooresville	Iredell	21.50
Morven	Anson	21.50
Mount Gilead	Montgomery	21.50
Mount Olive	Wayne	21.45
Murfreesboro	Hertford	21.45
Nashville	Nash	21.45
Newton	Catawba	21.50
Norlina	Warren	21.45
Parkton	Robeson	21.45
Pates	....do	21.45
Pembroke	....do	21.45
Pikeville	Wayne	21.45
Pinetops	Edgecombe	21.45
Raeford	Hoke	21.45
Raleigh	Wake	21.45
Ranlo	Gaston	21.50
Red Springs	Robeson	21.45
Reidsville	Rockingham	21.50
Rich Square	Northampton	21.45
Roanoke Rapids	Halifax	21.45
Rockingham	Richmond	21.50
Rocky Mount	Edgecombe	21.45

NORTH CAROLINA—Continued

City	County	Basis middling white inch loan rate
Rowland	Robeson	21.45
Rutherfordton	Rutherford	21.50
Saint Pauls	Robeson	21.45
Salisburry	Rowan	21.50
Sanford	Lee	21.45
Scotland Neck	Halifax	21.45
Seaboard	Northampton	21.45
Selma	Johnston	21.45
Severn	Northampton	21.45
Shelby	Cleveland	21.50
Smithfield	Johnston	21.45
Southern Pines	Moore	21.50
Spring Hope	Nash	21.45
Stantonsburg	Wilson	21.45
Statesville	Iredell	21.50
Tarboro	Edgecombe	21.45
Wadesboro	Anson	21.50
Wagram	Scotland	21.45
Wake Forest	Wake	21.45
Warrenton	Warren	21.45
Washington	Beaufort	21.45
Weldon	Halifax	21.45
Williamston	Martin	21.45
Wilmington	New Hanover	21.45
Wilson	Wilson	21.45
Wingate	Union	21.50
Woodland	Northampton	21.45

OKLAHOMA

City	County	Basis middling white inch loan rate
Ada	Pontotoc	21.05
Altus	Jackson	21.00
Anadarko	Caddo	21.00
Ardmore	Carter	21.05
Carnegie	Caddo	21.00
Carter	Beckham	21.00
Chandler	Lincoln	21.00
Chickasha	Grady	21.00
Clinton	Custer	21.00
Cushing	Payne	21.05
Durant	Bryan	21.05
Eakly	Caddo	21.00
Elk City	Beckham	21.00
Enid	Garfield	21.00
Erick	Beckham	21.00
Foss	Washita	21.00
Frederick	Tillman	21.00
Guthrie	Logan	21.00
Hobart	Kiowa	21.00
Hugo	Choctaw	21.05
Idabel	McCurtain	21.05
Konawa	Seminole	21.05
Lawton	Comanche	21.00
Lone Wolf	Kiowa	21.00
McAlester	Pittsburg	21.05
Mangum	Greer	21.00
Marlow	Stephens	21.00
Mountain View	Kiowa	21.00
Muskogee	Muskogee	21.05
Oklahoma City	Oklahoma	21.00
Pauls Valley	Garvin	21.00
Purcell	McClain	21.00
Ryan	Jefferson	21.00
Sentinel	Washita	21.00
Shawnee	Pottawatomie	21.05
Snyder	Kiowa	21.00
Stroud	Lincoln	21.05
Tipton	Tillman	21.00
Waurika	Jefferson	21.00
Weleetka	Okfuskee	21.05
Wynne Wood	Garvin	21.00

SOUTH CAROLINA

City	County	Basis middling white inch loan rate
Abbeville	Abbeville	21.50
Aiken	Aiken	21.50
Allendale	Allendale	21.45
Anderson	Anderson	21.50
Andrews	Georgetown	21.45
Angelus	Chesterfield	21.50
Ashwood	Lee	21.45
Atkins	....do	21.45
Bamberg	Bamberg	21.45
Barnwell	Barnwell	21.45
Batesburg	Lexington	21.50
Belton	Anderson	21.50
Bennettsville	Marlboro	21.45
Bethune	Kershaw	21.50
Bishopville	Lee	21.45
Blacksburg	Cherokee	21.50
Blackstock	Fairfield	21.50

SOUTH CAROLINA—Continued

City	County	Basis middling white inch loan rate
Blackville	Barnwell	21.45
Blair	Fairfield	21.50
Blaney	Kershaw	21.50
Blenheim	Marlboro	21.45
Bowman	Orangeburg	21.45
Boykin	Kershaw	21.50
Branchville	Orangeburg	21.45
Branson	Hampton	21.45
Calhoun Falls	Abbeville	21.50
Camden	Kershaw	21.50
Cameron	Calhoun	21.45
Campobello	Spartanburg	21.50
Carlisle	Union	21.50
Cartersville	Florence	21.45
Catawba	York	21.50
Cateechee	Pickens	21.45
Centenary	Marion	21.50
Central	Pickens	21.50
Chappells	Newberry	21.50
Charleston	Charleston	21.45
Cheraw	Chesterfield	21.50
Chesnee	Spartanburg	21.50
Chester	Chester	21.50
Chesterfield	Chesterfield	21.50
Clinton	Laurens	21.50
Clio	Marlboro	21.50
Clover	York	21.50
Columbia	Richland	21.50
Conestee	Greenville	21.50
Cope	Orangeburg	21.45
Cordova	do	21.50
Cowpens	Spartanburg	21.45
Crockettville	Hampton	21.50
Cross Anchor	Spartanburg	21.50
Cross Hill	Laurens	21.50
Dalzell	Sumter	21.45
Darlington	Darlington	21.45
Davis Station	Clarendon	21.45
Denmark	Bamberg	21.45
Dillon	Dillon	21.45
Drake	Marlboro	21.50
Due West	Abbeville	21.45
Dunbar	Marlboro	21.45
Duncan	Barnwell	21.50
Easley	Spartanburg	21.50
Edgefield	Edgefield	21.50
Ehrhardt	Bamberg	21.45
Elko	Barnwell	21.45
Ellenton	Aiken	21.50
Elliott	Lee	21.45
Elloree	Orangeburg	21.50
Enoree	Spartanburg	21.45
Estill	Hampton	21.50
Eureka	Aiken	21.45
Eutawville	Orangeburg	21.45
Fairfax	Allendale	21.50
Fairforest	Spartanburg	21.50
Fairmont	do	21.50
Filbert	York	21.50
Fingerville	Spartanburg	21.45
Florence	Florence	21.50
Fountain Inn	Greenville	21.50
Gaffney	Cherokee	21.45
Garnett	Hampton	21.50
Gray Court	Laurens	21.45
Greeleyville	Williamsburg	21.50
Greenville	Greenville	21.50
Greenwood	Greenwood	21.50
Greer	Greenville	21.45
Hamer	Dillon	21.45
Hampton	Hampton	21.45
Hartsville	Darlington	21.50
Heath Springs	Lancaster	21.50
Hemingway	Williamsburg	21.50
Hickory Grove	York	21.45
Holly Hill	Orangeburg	21.50
Honea Path	Anderson	21.50
Inman	Spartanburg	21.50
Iva	Anderson	21.50
Jefferson	Chesterfield	21.50
Jenkinsville	Fairfield	21.45
Johnsonville	Florence	21.50
Johnston	Edgefield	21.50
Jonesville	Union	21.50
Kershaw	Kershaw	21.50
Kings Creek	Cherokee	21.45
Kingstree	Williamsburg	21.45
Kline	Barnwell	21.45
Kollock	Marlboro	21.45
Lake City	Florence	21.45
Lake View	Dillon	21.45
Lamar	Darlington	21.50
Lancaster	Lancaster	21.50
Landrum	Spartanburg	21.50
Lanford	Laurens	21.45
Latta	Dillon	21.50
Laurens	Laurens	21.50
Lesslie	Lexington	21.45
Lester	Marlboro	21.50
Liberty	Pickens	21.50

SOUTH CAROLINA—Continued

City	County	Basis middling white inch loan rate
Little Rock	Dillon	21.45
Lowrys	Chester	21.50
Lugoff	Kershaw	21.50
Lyman	Hampton	21.45
Lynchburg	Lee	21.45
McBee	Chesterfield	21.50
McColl	Marlboro	21.45
McCormick	McCormick	21.50
Manning	Clarendon	21.45
Marion	Marion	21.45
Mauldin	Greenville	21.50
Mayesville	Sumter	21.45
Mount Carmel	McCormick	21.50
Mount Croghan	Chesterfield	21.50
Mountville	Laurens	21.45
Mullins	Marion	21.45
Neeses	Orangeburg	21.50
Newberry	Newberry	21.50
Newry	Oconee	21.45
New Zion	Clarendon	21.50
Ninety Six	Greenwood	21.50
Norris	Pickens	21.50
North	Orangeburg	21.45
Norway	do	21.45
Olanta	Florence	21.45
Olar	Bamberg	21.45
Orangeburg	Orangeburg	21.45
Oswego	Sumter	21.50
Owings	Laurens	21.50
Pageland	Chesterfield	21.45
Pamplico	Florence	21.50
Parksville	McCormick	21.50
Patrick	Chesterfield	21.50
Pelzer	Anderson	21.50
Pendleton	do	21.50
Pickens	Pickens	21.50
Piedmont	Greenville	21.45
Pinewood	Sumter	21.50
Plum Branch	McCormick	21.50
Pomaria	Newberry	21.50
Princeton	Laurens	21.50
Prosperity	Newberry	21.50
Remini	Clarendon	21.45
Richburg	Chester	21.50
Ridge Spring	Saluda	21.50
Ridgeway	Fairfield	21.50
Rock Hill	York	21.50
Roebuck	Spartanburg	21.45
Rowesville	Orangeburg	21.50
Salley	Aiken	21.50
Saluda	Saluda	21.50
Sandy Springs	Anderson	21.50
Sardinia	Clarendon	21.45
Scotia	Hampton	21.50
Seigling	Allendale	21.45
Sellers	Marion	21.45
Seneca	Oconee	21.50
Sharon	York	21.50
Silver	Clarendon	21.45
Simpsonville	Greenville	21.50
Six Mile	Pickens	21.50
Smoaks	Colleton	21.45
Smyrna	York	21.50
Spartanburg	Spartanburg	21.50
Springfield	Orangeburg	21.45
Starr	Anderson	21.50
Saint Matthews	Calhoun	21.45
Summerton	Clarendon	21.45
Sumter	Sumter	21.45
Swansea	Lexington	21.50
Syracuse	Darlington	21.45
Tatum	Marlboro	21.45
Timmonsville	Florence	21.45
Trenton	Edgefield	21.50
Turbeville	Clarendon	21.45
Union	Union	21.50
Vance	Orangeburg	21.45
Van Wyck	Lancaster	21.50
Wagener	Aiken	21.50
Walhalla	Oconee	21.45
Wallace	Hampton	21.45
Walterboro	Colleton	21.50
Waterloo	Laurens	21.50
Wattsville	do	21.45
Wedgefield	Sumter	21.50
Wellford	Spartanburg	21.50
Westminister	Oconee	21.50
West Union	do	21.50
Whitmire	Newberry	21.50
Whitney	Spartanburg	21.50
Williamston	Anderson	21.45
Williston	Barnwell	21.50
Windsor	Aiken	21.50
Winnsboro	Fairfield	21.45
Wisacky	Lee	21.45
Wolfton	Orangeburg	21.50
Woodruff	Spartanburg	21.50
York	York	

TENNESSEE

City	County	Basis middling white inch loan rate
Brownsville	Haywood	21.15
Chattanooga	Hamilton	21.30
Covington	Tipton	21.15
Decherd	Franklin	21.20
Dyersburg	Dyer	21.15
Elora	Lincoln	21.20
Fayetteville	do	21.20
Five Points	Lawrence	21.15
Halls	Lauderdale	21.15
Henderson	Chester	21.15
Humboldt	Gibson	21.15
Jackson	Madison	21.15
Knoxville	Knox	21.30
Lawrenceburg	Lawrence	21.15
Loretto	do	21.15
Memphis	Shelby	21.15
Milan	Gibson	21.15
Murfreesboro	Rutherford	21.20
Ripley	Lauderdale	21.15
Shelbyville	Bedford	21.20
South Pittsburg	Marion	21.25
Tiptonville	Lake	21.15
Winchester	Franklin	21.20

TEXAS

City	County	Basis middling white inch loan rate
Abernathy	Hale	20.95
Abilene	Taylor	21.00
Ackerly	Dawson	20.95
Afton	Dickens	21.00
Aiken	Floyd	20.95
Alba	Wood	21.05
Alvarado	Johnson	21.00
Amarillo	Potter	20.95
Amherst	Lamb	20.95
Anson	Jones	21.00
Anton	Hockley	20.95
Aspermont	Stonewall	21.00
Athens	Henderson	21.05
Atlanta	Cass	21.00
Austin	Travis	21.00
Austonio	Houston	21.05
Avery	Bailey	20.95
Baileyboro	Pecos	20.95
Bakersfield	Runnels	21.00
Ballinger	Reeves	20.95
Balmorhea	Navarro	21.00
Barry	Bell	21.00
Bartlett	Matagorda	21.00
Bay City	Jefferson	21.05
Beaumont	Panola	21.05
Beckville	Bell	21.00
Belton	Burnett	21.00
Bertram	Howard	20.95
Big Spring	Cochran	20.95
Bledsoe	Cass	21.05
Bloomburg	Red River	21.05
Bogata	Fannin	21.05
Bonham	Parmer	21.05
Bovina	McCulloch	20.95
Brady	Stephens	21.00
Breckenridge	Washington	21.00
Brenham	Lubbock	21.00
Broadview	Waller	20.95
Brookshire	Terry	20.95
Brownfield	Cameron	21.00
Brownsville	Brown	21.00
Brownwood	Brazos	21.00
Bryan	Bailey	20.95
Bula	Washington	21.00
Burton	Hill	21.00
Bynum	Harrison	21.00
Caldwell	Robertson	21.00
Clavert	Milam	21.00
Cameron	El Paso	20.90
Canutillo	Panola	21.05
Carthage	Collin	21.00
Celina	Shelby	21.05
Center	Jefferson	21.05
Chalson	Washington	21.00
Chappell Hill	Childress	21.00
Childress	Hardeman	21.00
Chillicothe	Red River	21.00
Clarksville	Johnson	21.00
Cleburne	Hockley	20.95
Cobb	Coleman	21.00
Coleman	Mitchell	21.00
Colorado City	Hunt	21.05
Commerce	Delta	21.05
Cooper	Nueces	21.00
Corpus Christi	Navarro	21.00
Corsicana	Houston	21.00
Crockett	Crosby	20.95
Crosbyton	De Witt	21.00
Cuero	Hopkins	21.05
Cumby	Morris	21.05
Daingerfield		

TEXAS—Continued

City	County	Basis middling white inch loan rate
Dallas	Dallas	21.00
Dean	Clay	21.00
Do	Hockley	20.95
Do	Leon	21.00
Decatur	Wise	21.00
Dell City	Hudspeth	20.90
Denison	Grayson	21.05
Denton	Denton	21.00
Denver City	Yoakum	20.95
Deport	Lamar	21.05
Dimmitt	Castro	20.95
Dublin	Erath	21.00
Eden	Concho	21.00
Edgewood	Van Zandt	21.05
Edna	Jackson	21.00
El Campo	Wharton	21.00
Elgin	Bastrop	21.00
Elkhart	Anderson	21.00
El Paso	El Paso	20.90
Elysian Fields	Harrison	21.05
Emhouse	Navarro	21.00
Engelman Gardens	Hidalgo	20.95
Enloe	Delta	21.05
Ennis	Ellis	21.00
Enochs	Bailey	20.95
Fabens	El Paso	20.90
Fairfield	Freestone	21.00
Farwell	Parmer	20.95
Fauna	Harris	21.05
Floydada	Floyd	21.00
Forney	Kaufman	21.05
Fort Hancock	Hudspeth	20.90
Fort Stockton	Pecos	20.95
Fort Worth	Tarrant	21.00
Frisco	Collin	21.00
Gainesville	Cooke	21.05
Galveston	Galveston	21.00
Ganado	Jackson	21.00
Garland	Dallas	21.05
Gary	Panola	21.05
Gatesville	Coryell	21.00
Gilmer	Upshur	21.05
Gonzales	Gonzales	21.00
Grand Saline	Van Zandt	21.05
Grandview	Johnson	21.00
Granger	Williamson	21.00
Grapeland	Houston	21.00
Grassland	Lynn	20.95
Groenville	Hunt	21.05
Hale Center	Hale	20.95
Halletsville	Lavaca	21.00
Hamilton	Hamilton	21.00
Hamlin	Jones	21.00
Harlingen	Cameron	20.95
Hart	Castro	20.95
Haskell	Haskell	21.00
Hearne	Robertson	21.00
Hebron	Denton	21.00
Hedley	Donley	21.00
Henderson	Rusk	21.05
Hillsboro	Hill	21.00
Hoban	Reeves	20.95
Honey Grove	Fannin	21.05
Houston	Harris	21.06
Hubbard	Hill	21.00
Hughes Springs	Cass	21.05
Huntsville	Walker	21.00
Hutto	Williamson	21.00
Irene	Hill	21.00
Jacksonville	Cherokee	21.05
Jarrell	Williamson	21.00
Jayton	Kent	21.00
Jefferson	Marion	21.06
Jewett	Leon	21.00
Kaufman	Kaufman	21.06
Kenedy	Karnes	21.00
Kerens	Navarro	21.00
Killeen	Bell	21.00
Knox City	Knox	21.00
Krum	Denton	21.00
Ladonia	Fannin	21.05
La Grange	Fayette	21.00
Lamesa	Dawson	20.95
Levelland	Hockley	20.95
Lindale	Smith	21.06
Littlefield	Lamb	20.95
Lobo	Culberson	20.90

TEXAS—Continued

City	County	Basis middling white inch loan rate
Lockhart	Caldwell	21.00
Lockney	Floyd	20.95
Longview	Gregg	21.05
Loraine	Mitchell	21.00
Lorenzo	Crosby	20.95
Lovelady	Houston	21.00
Lubbock	Lubbock	20.95
Lueders	Jones	21.00
McAdoo	Dickens	21.00
McCamey	Upton	20.95
McGregor	McLennan	21.00
McKinney	Collin	21.05
McLean	Gray	21.00
Madisonville	Madison	21.00
Marfa	Presidio	20.90
Marlin	Falls	21.00
Marshall	Harrison	21.05
Mart	McLennan	21.00
Maypearl	Ellis	21.00
Meadow	Terry	20.95
Memphis	Hall	21.00
Mercedes	Hidalgo	20.95
Meretа	Tom Green	21.00
Merkel	Taylor	21.00
Mexia	Limestone	21.00
Midland	Midland	20.95
Midlothian	Ellis	21.00
Mineola	Wood	21.05
Monahans	Ward	20.95
Morton	Cochran	20.95
Mount Pleasant	Titus	21.05
Muleshoe	Bailey	20.95
Munday	Knox	21.00
Nacogdoches	Nacogdoches	21.05
Naples	Morris	21.05
Navasota	Grimes	21.00
Needville	Fort Bend	21.05
New Boston	Bowie	21.05
New Braunfels	Comal	21.00
Nocona	Montague	21.00
Norton	Runnels	21.00
O'Brien	Haskell	21.00
O'Donnell	Lynn	20.95
Old Glory	Stonewall	21.00
Olton	Lamb	20.95
Omaha	Morris	21.05
Paducah	Cottle	21.00
Palestine	Anderson	21.00
Paris	Lamar	21.05
Patricia	Dawson	20.95
Peacock	Stonewall	21.00
Pecos	Reeves	20.95
Petersburg	Hale	20.95
Pettit	Hockley	20.95
Pilot Point	Denton	21.00
Pittsburg	Camp	21.05
Plains	Yoakum	20.95
Plainview	Hale	20.95
Plano	Collin	21.06
Port Arthur	Jefferson	21.05
Post	Garza	20.95
Presidio	Presidio	20.90
Princeton	Collin	21.05
Pyote	Ward	20.95
Quanah	Hardeman	21.00
Quitaque	Briscoe	20.95
Quitman	Wood	21.05
Ralls	Crosby	20.95
Raymondville	Willacy	20.95
Rice	Navarro	21.00
Roans Prairie	Grimes	21.00
Roaring Springs	Motley	21.00
Robstown	Nueces	21.00
Roby	Fisher	21.00
Rochelle	McCulloch	21.00
Rochester	Haskell	21.00
Rockwall	Rockwall	21.05
Roscoe	Nolan	21.00
Rosebud	Falls	21.00
Rosenberg	Fort Bend	21.06
Rotan	Fisher	21.00
Rowlett	Dallas	21.06
Royse City	Rockwall	21.06
Rule	Haskell	21.00
Salado	Bell	21.00
San Angelo	Tom Green	21.00
San Antonio	Bexar	21.00

TEXAS—Continued

City	County	Basis middling white inch loan rate
San Augustine	San Augustine	21.05
San Marcos	Hays	21.00
Saragosa	Reeves	20.95
Schulenburg	Fayette	21.00
Seagraves	Gaines	20.95
Seguin	Guadalupe	21.00
Seymour	Baylor	21.00
Shallowater	Lubbock	20.95
Shamrock	Wheeler	21.00
Sherman	Grayson	21.05
Shiner	Lavaca	21.00
Shiro	Grimes	21.00
Silverton	Briscoe	20.95
Slaton	Lubbock	20.95
Snyder	Scurry	21.00
Southton	Bexar	21.00
Spade	Lamb	20.95
Do	Mitchell	21.00
Spur	Dickens	21.00
Stamford	Jones	21.00
Stanton	Martin	20.95
Streetman	Freestone	21.00
Sudan	Lamb	20.95
Sugar Land	Fort Bend	21.05
Sulphur Springs	Hopkins	21.05
Sweetwater	Nolan	20.95
Swenson	Stonewall	21.00
Taft	San Patricio	21.00
Tahoka	Lynn	20.95
Tarzan	Martin	20.95
Tatum	Rusk	21.06
Taylor	Williamson	21.00
Teague	Freestone	21.00
Temple	Bell	21.00
Tenaha	Shelby	21.05
Terrell	Kaufman	21.05
Texarkana	Bowie	21.06
Texas City	Galveston	21.06
Timpson	Shelby	21.05
Tornillo	El Paso	20.90
Troup	Smith	21.05
Tulia	Swisher	20.95
Turkey	Hall	20.95
Twitty	Wheeler	21.00
Tyler	Smith	21.05
Valley Mills	Bosque	21.00
Van Horn	Culberson	20.90
Venus	Johnson	21.00
Vernon	Wilbarger	21.00
Victoria	Victoria	21.00
Waco	McLennan	21.00
Wall	Tom Green	21.00
Waxahachie	Ellis	21.00
Wellington	Collingsworth	21.00
Wesisco	Hidalgo	20.95
West	McLennan	21.00
Whiteface	Cochran	20.95
Whitewright	Grayson	21.05
Wichita Falls	Wichita	21.00
Wills Point	Van Zandt	21.05
Wilson	Lynn	20.95
Winnsboro	Wood	21.06
Winters	Runnels	21.00
Wolfe City	Hunt	21.05
Wolfforth	Lubbock	20.95
Yoakum	Lavaca	21.00
Yorktown	De Witt	21.00
Ysleta	El Paso	20.90

VIRGINIA

Boykins	Southampton	21.45
Brodnax	Brunswick	21.45
Kenbridge	Lunenburg	21.45
Norfolk	Norfolk	21.45

§ 1427.1507 Schedule of premiums and discounts for grade and staple length of eligible 1966-crop upland cotton.

[Basis: 1-inch Middling]

Grade	Staple length (inches)													
	13/16	7/8	15/16	29/32	1	1 1/32	1 1/16	1 3/32	1 1/8	1 5/32	1 3/16	1 7/32	1 1/4 and longer
White	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.
GM and better	−225	−185	−135	−90	−30	+55	+155	+245	+310	+395	+440	+530	+720	+865
SM	−235	−190	−145	−95	−35	+45	+145	+235	+300	+375	+425	+510	+695	+845
MID plus	−260	−215	−165	−120	−60	+25	+120	+200	+265	+350	+400	+475	+665	+810
MID	−280	−235	−185	−140	−80	Base	+95	+180	+240	+325	+375	+435	+625	+755
SLM plus	−360	−310	−265	−220	−170	−100	−15	+55	+115	+175	+220	+280	+450	+555
SLM	−410	−360	−315	−280	−220	−165	−85	−15	+40	+105	+145	+200	+345	+445
LM plus	−500	−445	−405	−370	−315	−265	−205	−165	−130	−100	−85	−50	−20	+15
LM	−540	−495	−455	−420	−370	−315	−265	−225	−200	−170	−160	−135	−105	−75
SGO plus	−555	−515	−580	−540	−505	−445	−405	−390	−375	−360	−360	−360	−360	−360
SGO	−710	−675	−645	−600	−560	−505	−475	−455	−445	−435	−435	−435	−435	−435
GO plus	−790	−755	−725	−685	−660	−620	−585	−575	−575	−565	−565	−565	−565	−565
GO	−840	−805	−780	−740	−710	−675	−645	−635	−635	−625	−625	−625	−625	−625
Light spotted														
GM	−325	−275	−235	−185	−135	−70	+20	+80	+125	+185	+210	+290	+540	+675
SM	−340	−290	−245	−200	−150	−85	+5	+65	+105	+165	+195	+265	+470	+595
MID	−405	−355	−320	−275	−225	−160	−90	−35	‖	+55	+85	+130	+285	+375
SLM	−525	−470	−435	−390	−345	−300	−255	−225	−210	−180	−170	−160	−125	−95
LM	−665	−620	−585	−545	−515	−475	−450	−425	−425	−405	−405	−405	−405	−405
Spotted														
GM	−500	−450	−415	−370	−330	−285	−225	−195	−170	−130	−130	−115	−95	−75
SM	−515	−470	−430	−385	−345	−300	−245	−215	−190	−150	−150	−135	−115	−95
MID	−580	−535	−500	−450	−415	−375	−330	−305	−290	−280	−275	−270	−270	−285
SLM	−700	−645	−610	−565	−535	−505	−465	−455	−450	−450	−450	−450	−450	−450
LM	−810	−760	−725	−695	−665	−625	−600	−595	−595	−595	−595	−595	−595	−595
Tinged														
GM	−700	−660	−635	−600	−575	−545	−530	−530	−525	−525	−525	−525	−525	−525
SM	−715	−680	−650	−615	−595	−565	−550	−545	−540	−540	−540	−540	−540	−540
MID	−780	−740	−710	−675	−655	−625	−615	−615	−615	−615	−615	−615	−615	−615
SLM	−885	−850	−810	−775	−745	−720	−710	−710	−710	−710	−710	−710	−710	−710
LM	−1,000	−965	−935	−900	−875	−860	−840	−835	−835	−835	−835	−835	−835	−835
Yellow stained														
GM	−855	−820	−790	−765	−745	−720	−710	−710	−710	−710	−710	−710	−710	−710
SM	−875	−835	−810	−785	−760	−735	−725	−725	−725	−725	−725	−725	−725	−725
MID	−935	−895	−870	−840	−815	−795	−786	−785	−785	−785	−785	−785	−785	−785
Light gray														
GM	−340	−295	−255	−205	−160	−90	−10	+45	+85	+155	+200	+255	+435	+540
SM	−390	−345	−305	−260	−210	−155	−80	−25	+10	+75	+110	+170	+320	+420
MID	−510	−470	−430	−385	−345	−290	−245	−205	−190	−160	−150	−125	−95	−65
SLM	−675	−635	−600	−550	−515	−470	−430	−420	−415	−400	−400	−400	−400	−400
Gray														
GM	−470	−425	−385	−340	−285	−230	−170	−140	−115	−80	−55	+5	+160	+260
SM	−535	−490	−450	−405	−350	−300	−245	−225	−210	−185	−175	−150	−120	−90
MID	−690	−655	−620	−570	−535	−485	−445	−435	−430	−415	−415	−415	−415	−415
SLM	−830	−800	−765	−725	−690	−645	−615	−605	−600	−585	−585	−585	−585	−585

Grade symbols: GM, Good Middling; SM, Strict Middling; MID, Middling; SLM, Strict Low Middling; LM, Low Middling; SGO, Strict Good Ordinary; GO, Good Ordinary.

§ 1427.1508 Schedule of premiums and discounts for micronaire readings on 1966-crop upland cotton.

Micronaire reading	*Points per pound*
5.3 and above	Discount of 100.
5.0 through 5.2	Discount of 20.
3.5 through 4.9	Premium of 20.
3.3 through 3.4	Discount of 30.
3.0 through 3.2	Discount of 90.
2.7 through 2.9	Discount of 175.
2.6 and less	Discount of 300.

§ 1427.1509 Schedule of loan rates for eligible qualities of 1966-crop American-Egyptian extra long staple cotton.

[In cents per pound, net weight]

Grade	Staple length (inches)					
	1 3/4		1 31/32		1 1/2 and longer	
	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas
1	50.30	50.70	51.10	51.50	51.45	51.85
2	49.90	50.30	50.85	51.25	51.15	51.55
3	49.55	49.95	50.30	50.70	50.60	51.00
4	48.60	49.00	49.25	49.65	49.45	49.85
5	45.45	45.85	46.20	46.60	46.35	46.75
6	41.45	41.85	41.90	42.30	42.05	42.45
7	37.70	38.10	38.20	38.60	38.30	38.70
8	34.60	35.00	35.00	35.40	35.20	35.60
9	31.80	32.20	32.25	32.65	32.45	32.85

Effective date. This subpart shall become effective upon filing with the FEDERAL REGISTER for publication.

Signed at Washington, D.C., on June 16, 1966.

ROLAND F. BALLOU,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66-6833; Filed, June 24, 1966; 8:45 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 1—STATEMENT OF ORGANIZATION, DELEGATIONS, AND GENERAL INFORMATION

Miscellaneous Amendments

Notice is hereby given of the amendment of the Statement of Organization, Delegations and General Information of the U.S. Atomic Energy Commission, 10 CFR Part 1, published in the FEDERAL REGISTER on December 29, 1961 (26 F.R. 12729–12745), as amended.

The present amendment sets out a number of miscellaneous changes principally in the Divisions reporting to the General Manager.

Because this amendment relates to matters of internal management, general notice of proposed rule making and public procedure thereon are unnecessary.

Pursuant to the Atomic Energy Act of 1954, as amended, the Administrative Procedure Act of 1946, and 1 CFR 17.2, the following amendments of 10 CFR Part 1 are published as a document subject to codification to be effective upon publication in the FEDERAL REGISTER.

1. In § 1.5, paragraph (b)(1)(i) is amended to read as follows:

§ 1.5 Delegation and redelegation of authority.

• • • • •

(b) • • •

(1) • • •

(i) Any individual action involving estimated costs in excess of $5,000,000.

• • • • •

2. In § 1.10, paragraph (d) the first sentence is amended. As amended, paragraph (d) reads as follows:

§ 1.10 The Commission.

• • • • •

(d) The Commission appoints the General Manager, the Director of Regulation, the General Counsel, the Director of the Division of Inspection, the Director of the Division of Military Application, the directors of other program

divisions established under section 25a of the Act, 42 U.S.C. 2035(a); the hearing examiners, the Board of Contract Appeals, the panel from which members of atomic safety and licensing boards are selected, and members of individual boards selected from the panel. Appointments of the Deputy General Manager, Assistant General Managers, Directors of Headquarters Offices and Divisions and Deputies thereof, all Field Office Managers and significant changes in the organization of the Commission, are submitted to the Commission for approval.

• • • • •

3. In § 1.15, paragraph (a) is amended to read as follows:

§ 1.15 Office of Hearing Examiners.

(a) The Office of Hearing Examiners consists of the Chief Hearing Examiner and other hearing examiners appointed by and for, and responsible to, the Commission, pursuant to section 11 of the Administrative Procedure Act of 1946, 5 U.S.C. 1010, for (1) the conduct of hearings, and the issuance of orders and decisions with respect thereto, in licensing cases, and in patent licensing matters under section 153 of the Act, 42 U.S.C. 2183; (2) proceedings under the Civil Rights Act of 1964, Title VI "Nondiscrimination of Federally Assisted Programs" (P.L. 88-352, 42 U.S.C. 2000(d)); (3) service as chairman of atomic safety and licensing boards as authorized under 10 CFR 1 and 2; and (4) the performance of such other administrative and professional duties as may be assigned by the Commission not inconsistent with the duties and responsibilities of a hearing examiner under the Administrative Procedure Act of 1946.

• • • • •

4. In § 1.16, paragraph (a), subparagraphs (9), (15), and (16) are amended. Paragraph (a) now reads as follows:

§ 1.16 Office of the Secretary.

(a) The Secretary (1) assists the Commission in the planning and scheduling of the Commission's Agenda and Regulatory Calendar; coordinates and attends all Commission meetings, AEC–MLC conferences and other meetings attended by the Commission; (2) prepares Minutes and other records of Commission meetings, records, decisions, or other actions taken by the Commission at these meetings, and provides background information on and interpretations of these decisions to the staff; (3) notifies designated divisions or offices of actions required to implement Commission decisions, directives, and requests; (4) provides guidance to AEC staff on the preparation and scheduling of Commission papers; (5) provides administrative services for the AEC office facilities located at 1717 H Street NW., Washington, D.C.; (6) reviews all proposed Commission papers for staff coordination, adequacy, and completeness, relationship with existing Commission policy, and form of presentation; (7) processes and circulates documents to the Commission for decision or information; (8) prepares an official history of the AEC; (9) maintains direct administrative liaison with the General Advisory Committee, the Military Liaison Committee, the Advisory Committee on Reactor Safeguards, hearing examiners, Board of Contract Appeals, and atomic safety and licensing boards and the panel from which their members are chosen, and assists the Commission in maintaining an effective relationship with other advisory committees; (10) maintains the official records of the Commission; (11) serves as custodian of the official seal of the Commission, with authority to use or make available said seal whenever necessary and proper; (12) assists the Commission in scheduling Commission review of regulatory matters as appropriate; issues all orders and other promulgations of the Commission in such matters; and assures the proper notification of parties and appropriate public officials; (13) signs all notices of rule making and notices of proposed rule making approved by the Commission for public issuance, and maintains the official Commission record of rule-making action; (14) receives for the Commission all requests for intervention in regulatory proceedings; (15) develops and maintains the official docket of the Commission in adjudicatory matters before the Commission, Board of Contract Appeals, hearing examiners and atomic safety and licensing boards, and appropriately processes all their issuances; (16) established dockets and official files for all contract appeals, licensing, and rule-making activities of the Commission; (17) administers the Commission's Public Document Room; and (18) transmits to the FEDERAL REGISTER all documents requiring publication therein.

• • • • •

5. Section 1.20 is amended as follows: The last sentence of paragraphs (d) and (e) are amended; paragraph (g) is amended; and new paragraphs (j), (k), (l), (m), (n), and (o) are added. The amended and added paragraphs read as follows:

§ 1.20 Office of the General Manager.

• • • • •

(d) Contract actions involving estimated costs for the contract period in excess of $10,000,000, or the selection of a new cost-type contractor to operate a Government-owned facility shall be subject to Commission approval. A modification to an existing contract which has the effect of bringing the total amount of the contract in excess of $10,000,000, will be brought to the attention of the Commission for its information. All contractual matters of a new or unusual nature, or matters likely to provoke unusual public interest, are brought to the Commission's attention prior to approval.

(e) The General Manager discharges delegated functions through such officers, employees, and agencies of the Commission as he may designate and may exercise the statutory authorities of the Commission in the discharge of those functions. Any authority delegated may, within the discretion of the General Manager be redelegated with or without authority to make successive redelegations and under such terms, conditions, and limitations as he may deem appropriate, except that the authority to designate which facilities, installations, and real property will be subject to the prohibitions of Part 160 of this chapter may not be redelegated.

• • • • •

(g) Offices and Divisions reporting to the General Manager, either directly or through an appropriate Assistant General Manager are: Office of the Comptroller, Office of the Special Assistant for Disarmament, Office of the Director of Congressional Relations, Division of Contracts, Division of Plans and Reports, Division of Inspection, Division of Public Information, Division of Operational Safety, Division of Industrial Participation, Division of Production, Division of Operations Analysis and Forecasting, Division of Labor Relations, Division of Raw Materials, Division of Construction, Division of Operational Safety, Office of Economic Impact and Conversion, Division of Research, Division of Reactor Development and Technology, Division of Naval Reactors, Division of Space Nuclear Systems, Division of Biology and Medicine, Division of Isotopes Development, Division of Peaceful Nuclear Explosives, Division of Military Application, Division of Headquarters Services, Division of Personnel, Division of Classification, Division of Security, Division of Nuclear Materials Management, Division of Technical Information, Division of Intelligence, Division of International Affairs, and Division of Nuclear Education and Training.

• • • • •

(j) The General Manager is authorized to make the determinations (pursuant to Pts. 30, 40, 50, and 70) that exemptions of individual AEC prime contractors and subcontractors from AEC licensing requirements are authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the work under it can be accomplished without undue risk to the public health and safety. Such determinations are made with advice of the General Counsel and after consultation, as appropriate, with the Director of Regulation.

(k) The Deputy General Manager performs the administrative and executive functions assigned by the General Manager except those functions for which redelegation of authority is expressly prohibited by statute, and is authorized to act in the stead of the General Manager during his absence. He is authorized, without power of redelegation, to exercise the settlement authority described in § 1.5(d).

(l) The Assistant General Manager provides assistance to the General Manager in review and development of AEC management policies and proposals for staff actions, reviews and recommends resolution of conflicting staff recommendations and positions; participates in the continuous review of the AEC program as a whole to assure development of sound policies and standards; assists

the General Manager and the Deputy General Manager in the supervision of the Headquarters divisions and offices reporting directly to the Office of the General Manager; and supervises the administrative services and administrative support for the Office of the General Manager. In addition, he is responsible for liaison with the Executive Office of the President and other Government agencies on behalf of the General Manager, coordinates for the General Manager matters relating to NATO, and carries out other duties as may be assigned by the General Manager. He is authorized, without power of redelegation, to exercise the settlement authority described in § 1.5(d).

(m) The Executive Assistant to the General Manager provides executive assistance to the General Manager and his immediate staff.

(n) The Assistant to the General Manager is the AEC liaison representative with Federal agencies, interagency committees and others as assigned by the General Manager. He serves as the AEC Employment Policy Officer, Contracts Compliance Officer, and Civil Rights Coordinator; and undertakes such other projects as may be assigned by the General Manager.

(o) Other Assistant General Managers are each assigned separate responsibilities for a major functional area composed of separate but related programs, as described in this Part.

6. Section 1.41 is amended to read as follows:

§ 1.41 Office of the Director of Congressional Relations.

The Office of the Director of Congressional Relations (a) plans and directs the receipt, control, and handling of all congressional inquiries addressed to the Commission; (b) with respect to congressional matters, deals with Members of Congress, congressional committees, and staff representatives of other Government agencies and private industries; (c) coordinates for the Commission the discharge of the Commission's responsibilities to the Congress generally, and to the Joint Committee on Atomic Energy in particular; and (d) maintains close liaison with congressional committees and individual Congressmen in order to ascertain their views regarding the policies, procedures, and plans for the Commission in both technical and administrative fields.

7. Section 1.44 is amended by adding new paragraph (c) to read as follows:

§ 1.44 Division of Public Information.

* * * * *

(c) For purposes of carrying out assigned functions, the Director, Division of Public Information, has contract authority as described in § 1.5(b), except that the financial limitation on individual transactions stated in § 1.5(b)(1)(i) is $25,000.

8. Section 1.83 is redesignated as § 1.46 and reads as follows:

§ 1.46 Division of Intelligence.

The Division of Intelligence directs the intelligence functions of the AEC.

9. Section 1.50, paragraph (b) is amended to read as follows:

§ 1.50 Office of the Assistant General Manager for Plans and Production.

* * * * *

(b) The Assistant General Manager for Plans and Production is authorized and directed by the General Manager to exercise contract authority as described in § 1.5(b) with respect to the procurement of source material and the operation of the Grand Junction Office except that such authority is limited to $10,000,000 under § 1.5(b)(1)(i).

* * * * *

10. In § 1.52, the first sentence of paragraph (c) is amended. Paragraph (c) now reads as follows:

§ 1.52 Division of Raw Materials.

* * * * *

(c) The Director, Division of Raw Materials, is authorized and directed to exercise contract authority as described in § 1.5(b) with respect to the procurement of source material and the operation of the Grand Junction Office except that such authority is limited to $10,000,000 under § 1.5(b)(1)(i). Within the scope of his functions, he is responsible for assuring that adequate provisions are made for the health and safety of Government and contractor personnel, and of the general public, and for further assuring that these functions are executed in a manner that protects Government and contractor personnel and the general public against atomic energy induced radiation and all other health and safety hazards arising from the performance of these functions.

§ 1.54 [Deleted]

11. Section 1.54 is deleted.

12. Section 1.60, paragraph (b) is amended to read as follows:

§ 1.60 Office of the Assistant General Manager for Research and Development.

* * * * *

(b) Develops policies, standards, and procedures and provides AEC-wide services relating to the functions and responsibilities assigned to the Divisions of Research, Biology and Medicine, Isotopes Development, Nuclear Education and Training, and Peaceful Nuclear Explosives.

* * * * *

13. Section 1.63 is revised to read as follows:

§ 1.63 Division of Peaceful Nuclear Explosives.

The Division of Peaceful Nuclear Explosives (a) develops and administers research development and engineering programs and policies for utilizing nuclear explosives for peaceful purposes (Plowshare Program); (b) evaluates proposals involving peaceful use of nuclear detonations and recommends action to the Assistant General Manager for Research and Development; (c) approves initiation and implementation of specific projects; (d) conducts activities to promote the further development of applications of peaceful nuclear explosives; (e) establishes technical characteristics and requirements for nuclear explosives devices for peaceful purposes; (f) gives program direction to the Lawrence Radiation Laboratory, other AEC laboratories, and the Operations Offices with respect to Plowshare program, and (g) assures in carrying out the above functions and responsibilities, that adequate provision is made for the health and safety of Government and contractor personnel and of the general public.

14. Sections 1.66, 1.67, 1.68, and 1.69 are added reading as follows:

§ 1.66 Office of the Assistant General Manager for Reactors.

(a) The Assistant General Manager for Reactors (1) plans, directs and administers policies and programs for the development, improvement and safety of nuclear reactors, isotopic power systems and associated technology, equipment, processes, materials, and facilities; (2) furnishes technical direction for, reviews and coordinates reactor research and development programs of the AEC multiprogram laboratories; and (3) directs and coordinates for the General Manager the Divisions engaged in carrying out these functions.

(b) For the purpose of the naval reactor and the space nuclear propulsion programs, the Assistant General Manager for Reactors has contract authority as described in § 1.5(b).

§ 1.67 Division of Reactor Development and Technology.

(a) The Division of Reactor Development and Technology conducts programs for research and development of reactor technology for the improvement of nuclear reactors including civilian and assigned military reactors, advanced reactor technology and advanced nuclear systems (including systems for nuclear auxiliary power, both reactor and isotopic systems) for use on land and sea, the safety of reactors and nuclear systems, and the improvement of equipment, processes, materials, and facilities associated with assigned functions.

(b) Within the scope of its functions the Division is responsible for assuring that adequate provision is made for the health and safety of Government and contractor personnel and of the general public against atomic energy induced radiation and all other health and safety hazards arising from the performance of these functions.

§ 1.68 Division of Naval Reactors.

(a) The Division of Naval Reactors directs and administers programs for the development of reactors for naval ship propulsion; maintains liaison with the Department of the Navy in carrying out approved naval reactor programs; directs assigned civilian power reactor projects, including the Shippingport Pressurized Water Reactor; and supervises the Pittsburgh and Schenectady Naval Reactors Offices.

(b) For the purposes of carrying out assigned functions, the Director has contract authority as described in § 1.5(b).

(c) The Director is authorized to make the determinations, where appropriate, pursuant to Parts 30, 40, 50, and 70 with respect to contracts under his authority: That exemptions of individual AEC prime contractors and subcontractors from AEC licensing requirements are authorized by law; and that, under the terms of a contract or subcontract, there is adequate assurance that the work under it can be accomplished without undue risk to public health and safety. These determinations must be made with the advise of the General Counsel and after consultation, as appropriate, with the Director of Regulation. The authority in this paragraph (c) may not be redelegated.

(d) Within the scope of its functions the Division is responsible for assuring that adequate provision is made for the health and safety of Government and contractor personnel and of the general public, and for the protection of Government property, and to assure that the functions are executed in a manner which protects Government and contractor personnel and the general public against atomic energy-induced radiation and all other health and safety hazards arising from the performance of assigned functions.

§ 1.69 Division of Space Nuclear Systems.

(a) The Division of Space Nuclear Systems develops, directs, and supervises programs for space nuclear research and development, including field office supervision of:

(1) The Space Nuclear Propulsion Office, which directs and administers the joint AEC-National Aeronautics and Space Administration (NASA) programs for development, research, planning, and test of space nuclear rocket and isotopic propulsion systems.

(2) The Space Electric Power Office, which directs and administers programs for development of space reactor and isotopic electric power systems, including systems for nuclear auxiliary power, space-directed advanced reactor concepts, and related advanced research and development.

(b) For the purposes of carrying out assigned functions, the Manager, Space Nuclear Propulsion Office, has contract authority as described in § 1.5(b), except that the financial limitation on individual transactions stated in § 1.5(b)(1)(i) is $1,000,000. The authority is subject to such other limitations as may be imposed by NASA when the transactions involve use of NASA funds, or jointly by AEC and NASA.

(c) The Division assures that adequate provision is made for the health and safety of Government and contractor personnel and the general public against the hazards of atomic energy-induced radiation and all other health and safety hazards arising from the performance of assigned functions.

15. Section 1.70, paragraph (c) is amended to read as follows:

§ 1.70 Office of the Assistant General Manager for International Activities.

* * * * *

(c) Is authorized and directed to exercise contract authority as described in § 1.5(b) with respect to contracts and grants associated with the authorized responsibilities of the Division of International Affairs not to exceed $300,000 for each such action.

§ 1.72 [Revoked]

16. Section 1.72 is revoked.

17. Section 1.80 is amended to read as follows:

§ 1.80 Office of the Assistant General Manager for Administration.

(a) The Assistant General Manager for Administration develops policies, standards, and procedures, and provides AEC-wide services relating to the functions and responsibilities assigned to the Divisions of (1) Classification, (2) Nuclear Materials Management, (3) Security, (4) Headquarters Services, (5) Personnel, and (6) Technical Information.

(b) The Assistant General Manager for Administration is authorized and directed to exercise contract authority as described in § 1.5(b) with respect to the assigned responsibilities of the Division of Technical Information not to exceed $300,000 for each such action, and the Division of Headquarters Services, not to exceed $100,000 for each such action.

18. Section 1.82, paragraphs (a) (4) and (5) and (b) are revised. As amended § 1.82 reads as follows:

§ 1.82 Division of Technical Information.

(a) The Division of Technical Information (1) administers AEC programs for the dissemination of classified and unclassified scientific information; (2) administers the operation of the Technical Information Extension at Oak Ridge, Tenn., which provides central AEC publishing, reference, document collection, and standard and special distribution services; (3) develops AEC-wide policies, standards and procedures for technical information services, and appraises the technical information programs of operations offices; (4) reviews and approves or otherwise disposes of requests for foreign transmission of (i) classified documents pursuant to Civil Uses Agreements for Cooperation and (ii) Official Use Only documents; and (5) plans, coordinates, and administers programs for international and domestic technical conferences and exhibits, including demonstrations and displays.

(b) The Director, Division of Technical Information, is authorized and directed to: (1) Exercise contract authority as described in § 1.5(b) with respect to contracts for the purpose of carrying out activities associated with his assigned responsibilities for conferences and exhibits, not to exceed $300,000 for each such action; and (2) act as the representative of the AEC in all matters relating to contracts made under his authority or assigned to him.

19. Section 1.90, paragraph (b) is amended to read as follows:

§ 1.90 Office of the Assistant General Manager for Operations.

* * * * *

(b) The Assistant General Manager for Operations develops policies, standards and procedures, and provides AEC-wide services relating to the functions and responsibilities assigned to the Divisions of (1) Contracts, (2) Operational Safety, (3) Construction, (4) Labor Relations, and (5) the Office of Economic Impact and Conversion.

* * * * *

20. Section 1.95 is added as follows:

§ 1.95 The Office of Economic Impact and Conversion.

(a) The Office of Economic Impact and Conversion conducts, coordinates and evaluates the AEC's management planning activities designed to deal with the economic impact of program cutbacks, including identification and analyses for resolution of administrative and operational problems involved with economic adjustments and program transfers.

(b) The Office is responsible for analysis and evaluation of existing and projected AEC programs concerning feasibility utilization of existing facilities and development and location of new facilities, with special reference to the economic impact of cutbacks, in order to alleviate the effects of reduced operations.

21. The unnumbered heading reading "Offices Reporting to the Division of Reactor Development" preceding § 1.225 is amended to read as follows:

OFFICES REPORTING TO THE DIVISION OF NAVAL REACTORS

22. Section 1.225 paragraph (a) is amended by substitution for the words, "Manager, Naval Reactors, Division of Reactor Development," the words "Director, Division of Naval Reactors." As amended, paragraph (a) reads as follows:

§ 1.225 Pittsburgh Naval Reactors Office.

(a) The Pittsburgh Naval Reactors Office, under the direction of a Manager reporting to the Director, Division of Naval Reactors, is responsible (1) for developing and improving naval nuclear propulsion plants, reactor cores and associated equipment, processes, materials, and facilities; (2) for the operations of prototype plants and the Shippingport reactor; (3) for AEC-wide procurement, production, and distribution of zirconium and hafnium; (4) for procuring naval prototype and naval shipboard cores; and (5) for supervising related research and development, engineering, and construction programs.

* * * * *

23. Section 1.226 paragraph (a) is amended by substitution for the words, "Manager, Naval Reactors, Division of Reactor Development" the words, "Director, Division of Naval Reactors." As amended, paragraph (a) reads as follows:

§ 1.226 Schenectady Naval Reactors Office.

(a) The Schenectady Naval Reactors Office, under the direction of a Manager reporting to the Director, Division of Naval Reactors, is responsible (1) for developing and improving Naval nuclear propulsion plants, reactor cores and associated equipment, processes, materials, and facilities; (2) for operating prototype plants; (3) for conducting related research and development; (4) for procuring cores for prototype and shipboard plants; and (5) for supervising related engineering and construction programs.

24. Section 1.243 is added as follows:

§ 1.243 Board of Contract Appeals.

The Board of Contract Appeals, consisting of a chairman, vice chairman, and additional members, all appointed by the Commission, acts for the Commission in considering and finally deciding contract appeals, as prescribed by Commission regulations published as 10 CFR Part 3, "Rules of Procedure in Contract Appeals."

(Sec. 161, 68 Stat. 948, as amended, 42 U.S.C. 2201; sec. 3, 60 Stat. 238, 5 U.S.C. 1002)

Dated at Washington, D.C., this 22d day of June 1966.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 66-7011; Filed, June 24, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 5030; Amdt. 39-251]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707 and 720 Series Airplanes

Amendment 766 (29 F.R. 9665), AD 64-17-1, requires a periodic resistance check on the fuel dump chute switches and replacement with switches incorporating a sealed receptacle on Boeing Model 707 and 720 Series airplanes. Subsequent to the issuance of Amendment 766, the Agency has determined that compliance with the AD may be accomplished in accordance with the manufacturer's service bulletin or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Since this amendment provides an alternative means of compliance, and imposes no additional burden on any person, notice and public procedure here are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 766 (29 F.R. 9665), AD 64-17-1, is amended by amending paragraph (b) to read as follows:

(b) Within the next 2,500 hours' time in service after August 17, 1964, replace limit switches on each fuel dump chute that do not incorporate a sealed receptacle with improved switches incorporating a sealed receptacle and replace the switch pigtail type wires with new wires and a mating sealed connector, in accordance with Boeing Service Bulletin No. 1877, or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective June 25, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 21, 1966.

James F. Rudolph,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-6972; Filed, June 24, 1966; 8:45 a.m.]

[Docket No. 7263; Amdt. 39-253]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707 and 720 Series Airplanes

Amendment 39-243 (31 F.R. 7675), requires inspection of the vertical fin rear spar attachment fittings and repair or replacement if cracks are found on Boeing Model 707 and 720 Series airplanes. Subsequent to the issuance of Amendment 39-243, the Agency has determined that the compliance times of paragraphs (e) and (f) are not the same as those in Amendment 39-220 (31 F.R. 5482), AD 66-10-1, as amended by Amendment 39-228 (31 F.R. 6353) (the AD that is being superseded by Amendment 39-243). Therefore, Amendment 39-243 is being amended to specify the correct compliance times.

Since this amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-243 (31 F.R. 7675), is amended by striking out the words "within the next 50 hours' time in service after April 7, 1966" from paragraphs (e) and (f) and inserting the words "within the next 50 hours' time in service after April 16, 1966" in place thereof.

This amendment becomes effective June 27, 1966.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on June 24, 1966.

C. W. Walker,
Director, Flight Standards Service.

[F.R. Doc. 66-7087; Filed, June 24, 1966; 11:25 a.m.]

[Airspace Docket No. 66-AL-14]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Federal Airway, Control Zone, Transition Area and Reporting Point

Aniak, Alaska, L/F radio range will be converted to a nondirectional radio beacon on August 18, 1966. Therefore, it is necessary to amend Part 71 of the Federal Aviation Regulations by substituting Aniak radio beacon for Aniak radio range wherever it appears in the description of controlled airspace.

Since these amendments are editorial in nature and will neither assign nor reassign additional controlled airspace, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

1. In § 71.107 (31 F.R. 2007), R-39 is amended by deleting "Aniak, Alaska, R.R.;" and substituting therefor "Aniak, Alaska, RBN;".

2. In § 71.171 (31 F.R. 2065), the Aniak, Alaska, control zone is amended by deleting "and within 2 miles each side of the Aniak R.R. southwest and southeast courses, extending from the 5-mile radius zone to 14 miles southwest and 8 miles southeast of the R.R.," and substituting therefor "and within 2 miles each side of the 230° and 140° bearings from the Aniak RBN, extending from the 5-mile radius zone to 14 miles SW and 8 miles SE of the RBN,".

3. In § 71.181 (31 F.R. 2149), the Aniak, Alaska, transition area is amended by deleting "R.R." wherever it appears and substituting therefor "RBN".

4. In § 71.211 (31 F.R. 2289), "Aniak, Alaska, R.R." is deleted and "Aniak, Alaska, RBN" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 20, 1966.

T. McCormack,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 66-6973; Filed, June 24, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SW-36]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the El Paso, Tex., control zone which refers to Biggs AAF. This action is necessary since there has been a delay in the formal naming of this military facility. Accordingly, action is taken herein to substitute geographical coordinates in the control zone description in lieu of reference to the name of the military facility. Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedures hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as herein set forth.

In § 71.171 (31 F.R. 7171) the El Paso, Tex., control zone is amended to read:

El Paso, Tex.

That airspace bounded by a line beginning at latitude 31°45'15" N., longitude 106°26'30" W.; thence clockwise along the arc of a 5-mile radius circle centered at the El Paso International Airport (latitude 31°48'35" N., longitude 106°22'55" W.) to latitude 31°52'10" N., longitude 106°26'00" W.; to latitude 31°56'20" N., longitude 106°26'00" W.; thence clockwise along the arc of a 7-mile radius circle centered at latitude 31°50'55" N., longitude 106°22'45" W.; to latitude 31°47'30" N., longitude 106°16'45" W.; thence clockwise along the arc of a 6-mile radius circle centered at the El Paso International Airport; to latitude 31°43'15" N., longitude 106°22'20" W.; thence via the United States/Mexican Border to point of beginning.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on June 16, 1966.

Henry L. Newman,
Director, Southwest Region.

[F.R. Doc. 66-6974; Filed, June 24, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SO-29]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone and Alteration of Transition Area

On May 12, 1966, a Notice of Proposed Rule Making was published in the Federal Register (31 F.R. 6987) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would designate a part-time control zone and alter the transition area at Greenville, Miss.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective August 18, 1966, as hereinafter set forth.

In § 71.171 (31 F.R. 2065) the following control zone is added:

Greenville, Miss.

Within a 5-mile radius of the Greenville Municipal Airport (latitude 33°29'05" N., longitude 90°59'06" W.); within 2 miles each side of the Greenville VOR 358° radial extending from the 5-mile radius zone to 8.5 miles N of the VOR, effective from 0700 to 2000 hours, local time, daily.

In § 71.181 (31 F.R. 2149) the Greenville, Miss., transition area is amended to read:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Greenville Municipal Airport (latitude 33°29'05" N., longitude 90°59'06" W.); within 2 miles each side of the Greenville VOR 358° radial, extending from the 8-mile radius area to 8 miles N of the VOR; and that airspace extending upward from 1,200 feet above the surface within 8 miles W and 5 miles E of the Greenville VOR 178° and 358° radials extending from 12 miles N to 4 miles S of the VOR.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on June 16, 1966.

James G. Rogers,
Director, Southern Region.

[F.R. Doc. 66-6975; Filed, June 24, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Broadcast of Suppliers' Commercials in Retail Stores Conditionally Approved

§ 15.65 Broadcast of suppliers' commercials in retail stores conditionally approved.

(a) In an advisory opinion the Federal Trade Commission has given conditional approval to the proposal of a promotional concern to arrange for the broadcast of suppliers' commercials in retail stores.

(b) The concern presently provides—for a monthly charge—retailers with a tape player unit, necessary speakers and tapes for retailer controlled in-store background music.

(c) The concern proposes to add on the tapes commercial messages of various manufacturers who supply products sold by retailers. The commercials will play at timed intervals. The concern will solicit various manufacturers for the commercials on a contract basis, record the messages, retain all money paid by suppliers for the service, and offer the background music, commercial tapes and equipment free of charge to all retailers on a nondiscriminatory basis in particular classifications of retailers in each geographic area in which the promoter markets his service.

(d) The Commission said the issue here "is whether this particular program is likely to result in the discriminatory furnishing of services or facilities by the manufacturers who might participate. The answer is wholly dependent upon the manner in which it is administered."

(e) The Commission pointed out that the proposal as submitted would not be subject to objection if (1) all customers entitled to participate are notified of the program's availability, (2) the selection of trade areas and the definition of the same, in fact, include all customers competing in the distribution of the products of all participating manufacturers, and (3) the classification of retailers chosen to participate, such as food stores, does not exclude any retailers in another classification who in fact compete in the distribution of the products of the participating manufacturers.

(f) "Simply stated," the Commission said, "the law in this area requires a seller to treat his customers with fairness, whether in respect to the prices he charges, the allowances he pays, or the services he furnishes. This objective cannot be achieved by resort to mechanical formulas, but only by constant attention to the prevailing facts in any given situation. What may look fair on the drawing board may be found unfair in the market and, if so, the market must prevail." With the reservations above as to actual market conditions, it is the Commission's opinion that this proposal is not otherwise subject to objection.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: June 24, 1966.

By direction of the Commission.

[SEAL] Joseph W. Shea,
Secretary.

[F.R. Doc. 66-6994; Filed, June 24, 1966; 8:47 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Magazine Publisher's Promotional Allowance Program Approved

§ 15.66 Magazine publisher's promotional allowance program approved.

(a) In an advisory opinion the Federal Trade Commission approved a promotional allowance program proposed by the publisher of a magazine.

(b) The publisher intends to grant newsstand operators an allowance of 10 cents per copy sold upon their certification that the magazine in question was displayed flat on a magazine stand or full cover vertical in a rack at each checkout position. The publisher will communicate this offer to magazine retailers by printing the display offer on an inner page of the magazine with an appropriate and conspicuous notice or "slug"

on the outside cover alerting the retailer to the availability of the plan, details of which may be found on a page specified.

(c) "Since it appears," the Commission advised, "that all newsstand operators handling your publication would be alerted to the availability of the display allowance by reason of the conspicuousness of the 'slug,' it is our opinon that your promotional program, so long as it is implemented as described, complies with the requirements of section 2(d), amended Clayton Act, and newsstand operators receiving payments thereunder would not be liable to a charge of violating the law. In reaching this conclusion the Commission has assumed that the promotional allowance offer will be repeated in like manner from time to time so that its availability will be made known to newsstand operators who begin selling your magazine subsequent to the date of the initial offer."

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: June 24, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-6995; Filed, June 24, 1966; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 948; Amdt. 5]

PART 95—CAR SERVICE

Chicago, Rock Island & Pacific Railroad Co. Authorized To Operate Over Trackage of Union Pacific Railroad

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 22d day of June A.D. 1966.

Upon further consideration of Service Order No. 948 (29 F.R. 564, 5757, 18426; 30 F.R. 8269, 16005), and good cause appearing therefor:

It is ordered, That § 95.948 *Service Order No. 948* (The Chicago, Rock Island & Pacific Railroad Co. authorized to operate over trackage of Union Pacific Railroad), be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1966.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That copies of this order and direction shall be served upon the State Corporation Commission of Kansas and upon the Association of American Railroads, Car Service Division as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7030; Filed, June 24, 1966; 8:50 a.m.]

[S.O. 949; Amdt. 5]

PART 95—CAR SERVICE

Atchison, Topeka & Santa Fe Railway Co. Authorized To Operate Over Trackage of Union Pacific Railroad

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 22d day of June A.D. 1966.

Upon further consideration of Service Order No. 949 (29 F.R. 564, 5757, 18427, 30 F.R. 8269, 30 F.R. 16006) and good cause appearing therefor:

It is ordered, That § 95.949 *Service Order No. 949* (The Atchison, Topeka & Santa Fe Railway Co. authorized to operate over trackage of Union Pacific Railroad), be, and is is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1966.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That copies of this order and direction shall be served upon the State Corporation Commission of Kansas and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7031; Filed, June 24, 1966; 8:50 a.m.]

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[No. 34630]

PART 180—CONTROL OR CONSOLIDATION OF MOTOR CARRIERS OR THEIR PROPERTIES

Computation and Deduction of Gross Operating Revenues

Order. At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 8th day of June 1966.

Public Law No. 89–93 (79 Stat. 284), approved July 27, 1965, amended section 5(10) of the Interstate Commerce Act so as to make gross operating revenues, instead of the number of vehicles owned or operated, the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such subparagraph. The amendment applies with respect to agreements entered into on and after September 25, 1965.

On September 30, 1965, an order was published in the FEDERAL REGISTER (30 F.R. 12467) revoking rules for computing the number of motor vehicles (49 CFR 180.2–180.3), and prescribing new rules for computing gross operating revenues of motor carriers involved in unifications, § 180.3 revised, and certain minor procedural matters related thereto, as therein set forth. It was impracticable to give notice of proposed rule making or to delay the effective date of the new rules, but interested persons were given 30 days in which to submit written views or comments pertinent to the new rules.

Written views and arguments were submitted by Mr. Edward M. Alfano, 2 West 45th Street, New York 36, N.Y., questioning the inclusion of intrastate motor carrier operating revenues, and urging that the rules be amended to exclude such revenues from "the aggregate gross operating revenues of such carriers," within the meaning of section 5(10), as amended.

By petition dated March 7, 1966, Charlton Transport (Quebec) Ltd., 325 Norman Street, Ville St. Pierre, Quebec City, Quebec, Canada, seeks leave to make representations and requests amendment or clarification of said rules, asking the Commission not to include in the computation operating revenues derived (1) from transportation in Canada and (2) from international transportation between the boundary of the United States and Canada and the port of entry on the United States side of the boundary where traffic is turned over to a connecting carrier for transportation within the United States.

After careful consideration of all such statements and requests and of § 180.3, as revised, which describes the circumstances under which the aggregate gross operating revenues of motor carriers shall be deemed to exceed the standard established in section 5(10), unless otherwise shown:

It is ordered, That Part 180 of Title 49 of the Code of Federal Regulations be, and it is hereby, amended as follows:

1. In § 180.3, paragraph (a) is revised by deleting the words in parenthesis. As amended, § 180.3 reads as follows:

§ 180.3 Computation of gross operating revenues of carriers involved in unifications.

The aggregate gross operating revenues of the carriers involved in unifications under the provisions of section 5 of the Interstate Commerce Act, as amended, shall be deemed to have exceeded $300,000 for the period of 12 consecutive months ending not more than 6 months preceding the date of the agreement of the parties covering the transaction, unless otherwise shown, under each of the following circumstances:

(a) At the end of the preceding calendar year the carriers involved in the transaction filed reports with the Commission, as required by section 220 of the act, showing annual gross operating revenues from motor carrier operations totaling more than $300,000, and none of the carriers has sold or otherwise disposed of any portion of its operating rights subsequent to the end of the preceding calendar year;

(b) A carrier involved in the transaction filed a quarterly report or reports for subsequent quarters, and a reasonable estimate of its annual gross operating revenues and the reported annual gross operating revenues of the other carriers involved in the transaction for the preceding calendar year aggregates more than $300,000; or

(c) A reasonable estimate of the annual gross operating revenues of any carrier which sold or otherwise disposed of any portion of its operating rights or which began new operations or extended existing operations subsequent to the end of the preceding calendar year and the reported annual gross operating revenues of the other carriers involved in the transaction for the preceding calendar year aggregates more than $300,000.

NOTE: The foregoing § 180.3 shall apply only with respect to agreements entered into on or after September 25, 1965. In the case of agreements entered into before May 1, 1966, and before May 1 of each succeeding year, the preceding calendar year shall mean the year ended December 31, 1964, and each succeeding calendar year.

2. Section 180.4 is added to read as follows:

§ 180.4 Deduction of revenues from sources other than regulated transportation.

(a) In determining whether a proposed transaction is not subject to the provisions of section 5, Interstate Commerce Act, revenues shown to be derived from sources other than transportation subject to part II of said Act shall be deducted from the revenues computed under § 180.3.

(b) Applicants shall show the amounts which they claim should be deducted, the sources from which the revenues were derived, and the circumstances under which transportation performed is claimed not to have been subject to such part, in transfer proceedings under Part 179 of this chapter or in support of a motion for dismissal of proceedings under this part.

(c) Applicants shall not be required to show that the revenues computed under § 180.3 were derived from transportation subject to part II.

Effective date. These amendments shall become effective on the date of publication in the FEDERAL REGISTER.

It is further ordered, That notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register.

(Sec. 5, 24 Stat. 380, as amended; secs. 204, 206, 209, 211, and 212(b), 49 Stat. 546, 551, 552, 554, and 555, as amended; 49 U.S.C. 5, 304, 306, 309, 311, and 312)

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7032; Filed, June 24, 1966; 8:50 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

GROUP 3100—PUBLIC DOMAIN LEASING

[Circular 2208]

PART 3140—POTASSIUM PERMITS AND LEASES

PART 3150—SODIUM PERMITS AND LEASES: USE PERMITS

PART 3160—PHOSPHATE LEASES: PROSPECTING PERMITS AND USE PERMITS

Lease Bond

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Mineral Leasing Act of February 25, 1920 (30 U.S.C. sec. 181 et seq.), and section 2470 of the Revised Statutes, 43 CFR 3143.2–2, 3153.2–2, and 3162.2 are each amended as set forth below.

These amendments are not published as a "proposed rule making" because they are not of a controversial nature and would confer an elective benefit upon lessees and permittees of the enumerated minerals. The amendments will become effective at the beginning of the calendar day in which they are published in the FEDERAL REGISTER.

1. The heading to Part 3150 is amended to read as set forth above.

2. Sections 3143.2–2, 3153.2–2, and 3162.2 are amended to read:

§ 3143.2–2 Lease bond.

A compliance bond of not less than $5,000 will be required prior to the issuance of a lease. In lieu of such bond the lessee may furnish (a) a collective bond in an amount not less than the total minimum coverage required if separate bonds for each lease were furnished, or (b) a statewide bond of not less than $25,000 which shall cover all leases and permits issued under this part. The right is reserved to require an increase in the amount of any bond furnished in any case where the Bureau of Land Management deems it proper to do so.

§ 3153.2–2 Lease bond.

A compliance bond of not less than $5,000 will be required prior to the issuance of a lease. In lieu of such bond the lessee may furnish (a) a collective bond in an amount not less than the total minimum coverage required if separate bonds for each lease were furnished, or (b) a statewide bond of not less than $25,000 which shall cover all leases and permits issued under this part. The right is reserved to require an increase in the amount of any bond furnished in any case where the Bureau of Land Management deems it proper to do so.

§ 3162.2 Lease bond.

A compliance bond of not less than $5,000 will be required prior to the issuance of a lease. In lieu of such bond the lessee may furnish (a) a collective bond in an amount not less than the total minimum coverage required if separate bonds for each lease were furnished, or (b) a statewide bond of not less than $25,000 which shall cover all leases and permits issued under this part. The right is reserved to require an increase in the amount of any bond furnished in any case where the Bureau of Land Management deems it proper to do so.

STEWART L. UDALL, *Secretary of the Interior.*

JUNE 20, 1966.

[F.R. Doc. 66-6990; Filed, June 24, 1966; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 45—OLEOMARGARINE, MARGARINE

Confirmation of Effective Date of Standard of Identity

In the matter of amending the definition and standard of identity for oleomargarine, margarine (21 CFR 45.1) to permit optional use of water in lieu of dairy and soybean ingredients, to permit use of safe and suitable artificial flavorings, and to require label declaration of all ingredients used:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that no objections were filed to the order in the above-

identified matter published in the FEDERAL REGISTER of April 6, 1966 (31 F.R. 5433).

An association representing dairy interests submitted a letter protesting the order; however, after evaluation of this letter it is concluded that it does not constitute an objection within the meaning of section 701(e)(2) of the act and, therefore, does not justify staying the order and scheduling a hearing.

Accordingly, the amendments promulgated by the subject order became effective June 5, 1966.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: June 21, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-7016; Filed, June 24, 1966; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

AMPROLIUM, ETC.

The Commissioner of Food and Drugs, having evaluated the data submitted in petitions filed by Merck Sharp & Dohme Research Laboratories (FAP 5C1790, 5D1796), division of Merck & Co., Inc., Rahway, N.J., 07065, and Elanco Products Co. (FAP 5D1763), a Division of Eli Lilly & Co., Indianapolis, Ind., 46206, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of amprolium, alone or in combination with secondary ingredients, for the prevention of coccidiosis caused by *E. tenella*, and to provide for the safe use of a combination of amprolium plus ethopabate and tylosin for growth promotion and feed efficiency. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Part 121 is amended in the following respects:

§ 121.208 [Amended]

1. In § 121.208 *Chlortetracycline*, items 2a, 5a, and 6a in table 1 of paragraph (d) are amended in the "Limitations" and "Indications for use" columns by changing "or 3.1" to read "3.1, or 4.1."

2. In § 121.210, table 1 of paragraph (c) is amended as follows:

a. In the "Principal ingredient" column of item 2.6m, "2.1" is changed to read "2.1 or 2.2."

b. The following new items are added to the table:

§ 121.210 Amprolium.

* * * * * *

(c) * * *

TABLE 1—AMPROLIUM IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
4.1 Amprolium	72.6–113.5 (0.008%–0.0125%)			For broiler chickens	Prevention of coccidiosis caused by *E. tenella* only.
4.2 Amprolium	72.6–113.5 (0.008%–0.0125%)	Arsanilic acid	90 (0.01%)	For broiler chickens; withdraw 5 days before slaughter.	Prevention of coccidiosis caused by *E. tenella* only; growth promotion and feed efficiency; improving pigmentation.
4.3 Amprolium	72.6–113.5 (0.008%–0.0125%)	3-Nitro-4-hydroxyphenylarsonic acid.	22.7–45.4 (0.0025%–0.005%)	do	Do.
a. 4.1	72.6–113.5	Penicillin	2.4–50	As procaine penicillin	Growth promotion and feed efficiency.
b. 4.1	72.6–113.5	Penicillin plus bacitracin.	3.6–50	Not less than 0.6 gm. of penicillin nor less than 3.0 gm. of bacitracin; as procaine penicillin plus bacitracin, bacitracin methylene disalicylate, manganese bacitracin, or zinc bacitracin.	Do.
c. 4.1	72.6–113.5	Penicillin plus streptomycin.	14.4–50	As procaine penicillin plus streptomycin sulfate; 14.4–50 gm. of combination containing 16.7% of penicillin.	Growth promotion and feed efficiency.
d. 4.1	72.6–113.5	Streptomycin	30–50	As streptomycin sulfate.	Do.
e. 4.1	72.6–113.5	Bacitracin	4–50	As bacitracin, bacitracin methylene disalicylate, manganese bacitracin, or zinc bacitracin.	Do.
f. 4.1	72.6–113.5	Chlortetracycline	10–50	As chlortetracycline hydrochloride.	Do.
g. 4.1	72.6–113.5	Bacitracin	50–100	As bacitracin, bacitracin methylene disalicylate, or zinc bacitracin.	Prevention of chronic respiratory disease (air-sac infection) and blue comb (nonspecific infectious enteritis).
h. 4.1	72.6–113.5	Bacitracin	100–200	do	Treatment of chronic respiratory disease (air-sac infection) and blue comb (non-specific infectious enteritis).
i. 4.1	72.6–113.5	Chlortetracycline	50–200	As prescribed in § 121.208(d), table 1, items 2, 5, 6.	§ 121.208(d), table 1, items 2, 5, 6.
j. 4.1	72.6–113.5	Penicillin plus streptomycin.	90–180	§ 121.256(d), table 1, item 5.1.	§ 121.256(d), table 1, item 5.1.
k. 4.1	72.6–113.5	Penicillin plus streptomycin.	90	For chicks; § 121.256 (d) table 1, item 8.1.	§ 121.256(d), table 1, item 8.1.
l. 4.1	72.6–113.5	Oxytetracycline	50–200	§ 121.251(d), table 1, items 1, 2, 4, 6, 8, 10, 12.	§ 121.251(d), table 1, items 1, 2, 4, 6, 8, 10, 12.
m. 4.1	72.6–113.5	Tylosin	4–50	As tylosin phosphate	Growth promotion and feed efficiency.
n. 4.1	72.6–113.5	Sodium arsanilate	90	Withdraw 5 days before slaughter.	Growth promotion and feed efficiency; improving pigmentation.
o. 4.1	72.6–113.5	Oleandomycin	2	Regulation limited to holders of approved new-drug applications.	Growth promotion and feed efficiency.
p. 4.1	72.6–113.5	Tylosin plus penicillin.	3.2–50	3.2–50 gm. of combination containing a ratio of 1.2 parts of penicillin to 2 parts of tylosin; as procaine penicillin plus tylosin phosphate.	Do.
q. 4.1	72.6–113.5	Hygromycin B	8.0–12.0		§ 121.213(d), table 1, item 1.

* * * * * * *

§ 121.213 [Amended]

3. In § 121.213 *Hygromycin B*, subitem o of item 1 in table 1 of paragraph (d) is amended in the "Limitations" and "Indications for use" columns by changing "or 3.1" to read "3.1, or 4.1."

4. In § 121.232, subitems 2.2a and 6.2a in table 1 of paragraph (d) are amended by revising the text in the "Limitations" and "Indications for use" columns to read as follows:

§ 121.232 Bacitracin.

* * * * *

(d) * * *

TABLE 1—BACITRACIN IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
2.2 * * * a. * * *	* * *	* * *	* * *	§ 121.210, table 1, items 2.1, 3.1, 4.1.	§ 121.210, table 1, items 2.1, 3.1, 4.1.
* * *	* * *	* * *	* * *	* * *	* * *
6.2 * * * a. * * *	* * *	* * *	* * *	§ 121.210, table 1, items 2.1, 3.1, 4.1.	§ 121.210, table 1, items 2.1, 3.1, 4.1.

* * * * * * *

5. In § 121.233, subitems 2.2a and 6.2a in table 1 of paragraph (d) are amended by revising the text in the "Limitations" and "Indications for use" columns to read as follows:

§ 121.233 Zinc bacitracin.

* * * * * * *

(d) * * *

TABLE 1—ZINC BACITRACIN IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
2.2 * * * a. * * *	* * *	* * *	* * *	§121.210, table 1, items 2.1, 3.1, 4.1.	§121.210, table 1, items 2.1, 3.1, 4.1.
* * *	* * *	* * *	* * *	* * *	* * *
6.2 * * * a. * * *	* * *	* * *	* * *	§121.210, table 1, items 2.1, 3.1, 4.1.	§121.210, table 1, items 2.1, 3.1, 4.1.

* * * * * * *

§ 121.251 [Amended]

6. In § 121.251 *Oxytetracycline*, items 2a, 4a, 6a, 8a, 10a, and 12a of table 1 in paragraph (d) are amended in the "Limitations" and "Indications for use" columns by changing "3.1" to read "3.1, 4.1."

7. In § 121.252, items 2.2a and 7.2a in table 1 of paragraph (d) are amended by revising the text in the "Limitations" and "Indications for use" columns to read as follows:

§ 121.252 Bacitracin methylene disalicylate.

* * * * * *

(d) * * *

TABLE 1.—BACITRACIN METHYLENE DISALICYLATE IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
2.2 * * * a. * * *	* * *	* * *	* * *	§ 121.210, table 1, items 2.1, 3.1, 4.1.	121.210, table 1, items 2.1, 3.1, 4.1.
* * *	* * *	* * *	* * *	* * *	* * *
7.2 * * * a. * * *	* * *	* * *	* * *	§ 121.210, table 1, items 2.1, 3.1, 4.1.	§ 121.210, table 1, items 2.1, 3.1, 4.1.

* * * * * * *

8. Section 121.253 is amended by adding to the table in paragraph (c) a new item 1.7, as follows:

§ 121.253 Arsanilic acid.

* * * * * *

(c) * * *

ACID ARSANILIC IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
1.7 Arsanilic acid	90 (0.01%)	Amprolium	72.6–113.5 (0.008%–0.0125%)	For broiler chickens; withdraw 5 days before slaughter.	Growth promotion and feed efficiency; improving pigmentation; prevention of coccidiosis caused by *E. tenella* only.

* * * * * * *

§ 121.254 [Amended]

9. In § 121.254 *Sodium arsanilate*, item 1a in the table in paragraph (c) is amended in the "Limitations" and "Indications for use" columns by changing "3.1" to read "3.1, 4.1."

§ 121.256 [Amended]

10. In § 121.256 *Procaine penicillin*, items 5.1a and 8.1a in table 1 in paragraph (d) are amended in the "Limitations" and "Indications for use" columns by changing "and 3.1" to read "3.1, and 4.1."

§ 121.262 [Amended]

11. In § 121.262 *3-Nitro-4-hydroxyphenylarsonic acid*, item 1.4k in table 1 in paragraph (c) is amended in the "Limitations" and "Indications for use" columns by changing "3.1" to read "3.1, 4.1."

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: June 15, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6880; Filed, June 24, 1966; 8:45 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

EMULSIFIERS AND/OR SURFACE-ACTIVE AGENTS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6B1871) filed by Atlas Chemical Industries, Inc., Wilmington, Del., 19899, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of additional substances as emulsifiers and/or surface-active agents in the manufacture of articles intended for use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.2541(c) is amended by alphabetically inserting in the list of substances five new items, as follows:

§ 121.2541 Emulsifiers and/or surface-active agents.

• • • • •

(c) List of substances:

• • • • •

Polysorbate 20 (polyoxyethylene (20) sorbitan monolaurate) meeting the following specifications: Saponification number 40–50, acid number 0–2, hydroxyl number 60–108, oxyethylene content 70–74 percent.
Polysorbate 60 (polyoxyethylene (20) sorbitan monostearate) conforming to the identity prescribed in § 121.1030.
Polysorbate 65 (polyoxyethylene (20) sorbitan tristearate) conforming to the identity prescribed in § 121.1008.
Polysorbate 80 conforming to the identity prescribed in § 121.1009.
Sorbitan monostearate conforming to the identity prescribed in § 121.1029.

• • • • •

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1))

Dated: June 13, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6999; Filed, June 24, 1966; 8:47 a.m.]

SUBCHAPTER C—DRUGS

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

Penicillin-Streptomycin-(Dihydrostreptomycin-)Neomycin in Oil (Ointment)

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), the antibiotic drug regulations are amended to change the maximum expiration date for the subject drug from 24 months to up to 36 months within certain conditions. Accordingly, § 146a.89(b)(1) is amended to read as follows:

§ 146a.89 Penicillin-streptomycin-neomycin in oil; penicillin-dihydrostreptomycin-neomycin in oil; penicillin-streptomycin-neomycin ointment; penicillin-dihydrostreptomycin-neomycin ointment.

• • • • •

(b)(1) Its expiration date shall be 12 months after the month during which the batch was certified, except that the expiration date shall be 18 months, 24 months, 30 months, or 36 months after the month during which the batch was certified if the person who requests certification has submitted to the Commissioner results of tests and assays showing that such drug as prepared by him is stable for such period of time.

• • • • •

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since the changes are such that they cannot be applied to any specific product unless and until its manufacturer has supplied adequate data regarding that article.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: June 17, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7000; Filed, June 24, 1966; 8:47 a.m.]

PART 148i—NEOMYCIN SULFATE

Sterile Neomycin Sulfate and Polymyxin B Sulfate Solution

Pursuant to the authority provided in the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated by the Secretary of Health, Education, and Welfare to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), Part 148i is amended by adding thereto the following new section to provide for tests and methods of assay and certification of the subject antibiotic drug:

§ 148i.46 Sterile neomycin sulfate and polymyxin B sulfate solution.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Sterile neomycin sulfate and polymyxin B sulfate solution is an aqueous solution containing in each milliliter 40 milligrams of neomycin and 200,000 units of polymyxin B. It is sterile. Its pH is not less than 5.0 and not more than 6.0. The neomycin sulfate used conforms to the standards prescribed by § 148i.1(a)(1) (i), (iv), (vi), and (vii). The polymyxin B sulfate used conforms to the standards prescribed by § 148p.1(a)(1) (i), (iv), (vi), (vii), and (ix) of this chapter. Each other substance used, if its name is recognized in the U.S.P. or the N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Labeling.* In addition to being labeled in accordance with the requirements of § 148.3 of this chapter, the labeling shall include a statment to the effect that the drug is to be diluted for use as a urinary bladder irrigant and is not for injection. Its expiration date is 12 months.

(3) *Requests for certification; samples.* In addition to the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(*a*) The neomycin sulfate used in making the batch for potency, toxicity, pH, and identity.

(*b*) The polymyxin B sulfate used in making the batch for potency, toxicity, pH, residue on ignition, and identity.

(*c*) The batch for neomycin content, polymyxin B content, pH, and sterility.

(ii) Samples required:

(*a*) The neomycin sulfate used in making the batch: Ten packages, each containing approximately 300 milligrams.

(*b*) The polymyxin B sulfate used in making the batch: Ten packages, each containing approximately 300 milligrams.

(*c*) The batch:

(*1*) For all tests except sterility: A minimum of six immediate containers.

(*2*) For sterility testing: Twenty immediate containers, collected at regular intervals throughout each filling operation.

(4) *Fees.* $4.00 for each package in the samples submitted in accordance with subparagraph (3)(ii) (*a*) and (*b*) of this paragraph; $5.00 for each immediate container in the sample submitted in accordance with subparagraph (3)(ii) (*c*)(*1*) of this paragraph; $12.00 for all immediate containers in the sample submitted in accordance with subparagraph (3)(ii)(*c*)(*2*) of this paragraph; and $24.00 for all containers in the sample submitted for any repeat sterility test, if necessary, in accordance with § 141.2 of this chapter.

(b) *Tests and methods of assay—(1) Potency—(i) Neomycin content.* Proceed as directed in § 148i.1(b)(1), except prepare the sample as follows: Remove an accurately measured portion and dilute with 0.1*M* potassium phosphate buffer, pH 8.0, to the proper prescribed reference concentration. The neomycin content is satisfactory if it is not less than 90 percent nor more than 130 percent of the number of milligrams of neomycin that it is represented to contain.

(ii) *Polymyxin B content.* Remove an accurately measured portion and dilute with 10-percent potassium phosphate buffer, pH 6.0, to a reference concentration of 10 units of polymyxin B per milliliter. Proceed as directed in § 148p.1(b)(1) of this chapter, except add to each concentration of the polymyxin B standard curve a quantity of neomycin to yield the same concentration of neomycin as that present when the sample is diluted to contain 10 units of polymyxin B per milliliter. The polymyxin B content is satisfactory if it is not less than 90 percent nor more than 130 percent of the number of units of polymyxin B that it is represented to contain.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(1) of that section.

(3) *pH.* Proceed as directed in § 141a.5(b) of this chapter, using the undiluted sample.

This order provides for the certification of a new antibiotic drug product that has been found to be safe and efficacious for use. Since no points of controversy are presented and since it is in the public interest not to delay in issuing this regulation, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: June 20, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7001; Filed, June 24, 1966; 8:47 a.m.]

(f) *Additional reports in absence of an undertaking.* Food processors who per-

9. It is proposed that the amendment to the Appendix would read as follows:

(F) Enter the quantity on hand at the end of the reporting period.

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 777]

PROCESSOR WHEAT MARKETING CERTIFICATES

Notice of Proposed Rule Making

Notice is hereby given pursuant to section 4a Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003), that the Agricultural Stabilization and Conservation Service proposes to issue Amendment 8 to the Processor Wheat Marketing Certificate Regulations (29 F.R. 6271 and 7983) as amended (29 F.R. 11642, 13471, 17086, 30 F.R. 5358, 8385 and 9299, 31 F.R. 4271 and 194).

Consideration will be given to all written comments or suggestions in connection with the proposed amendment filed, in duplicate, with the Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250, during the 5-day period beginning with the date this notice is published in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection in the Office of the Director at the above address during regular business hours (7 CFR 1.27(b)).

The proposed amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (secs. 379a to 379j, 52 Stat. 31, as amended; 7 U.S.C. 1379a to 1379j), to provide miscellaneous changes in the Processor Wheat Marketing Certificate Regulations as follows:

(1) The amendment defines "Shrinkage."

(2) It provides that a plant producing cereal products may be considered a separate plant.

(3) It provides that the cost of certificates for the marketing year beginning July 1, 1966, shall be 75 cents per bushel.

(4) The amendment provides that interest charges will not apply to the extent delay in acquiring and surrendering certificates results from the processor relying in good faith on advice from an authorized official of the Department.

(5) It changes the conversion factor for flour (including clears), which is to be used in determining certificate liability for processors reporting on the conversion factor basis to reflect the average experience of processors reporting on this basis as of July 1, 1965.

(6) The amendment changes the language of § 777.19(e) to provide that the refund rate shall continue to be based on the conversion factor for flour determined from the experience of all processors on a national basis.

(7) It clarifies requirements as to information to be included in processing reports by processors acquiring and surrendering certificates in the absence of an undertaking.

(8) Appendix V has been added to provide instructions for preparation of Form CCC–161–1, Industrial Users Production Report and Claim for Refund Form, which is to be completed by users who produce nonfood products only.

(9) Other miscellaneous changes are also made.

It is proposed that the amendment to the Processor Wheat Marketing Certificate Regulations would read as follows:

1. Section 777.3(g) is changed by adding subparagraph (5), effective with the processing report period beginning July 1, 1964, and by adding a new paragraph (x) to read as follows:

§ 777.3 Definitions.

* * * * *

(g) * * * (5) any such unit in which cereal products are produced may be considered a separate plant.

* * * * *

(x) "Shrinkage" as used herein, means that loss in weight resulting from normal handling of wheat, including the loss in moisture content, which occurs after the wheat is weighed and unloaded into the plant (including the servicing elevator(s)) and until it is removed for milling (i.e., prior to tempering) or other disposition. Shrinkage shall not include the loss of weight resulting from artificial drying, screening, or cleaning, nor shall it include any loss of weight to the extent it is offset by any residue which is recovered in the form of sweepings, bin cleanout, or in similar operations.

§ 777.4 [Amended]

2. Section 777.4(a) is amended to change the last sentence to read: "The cost of domestic certificates for the marketing years beginning July 1, 1965, and July 1, 1966, shall be 75 cents per bushel."

§ 777.5 [Amended]

3. Section 777.5(a) is amended to change the second sentence to read as follows: "Any such person who begins such processing operations subsequent to May 20, 1964, and who is not registered, shall register not later than the date he commences operations or such later date as may be approved in writing by the Director for good cause shown."

4. Section 777.11 is amended by adding a new paragraph (f) to read as follows:

§ 777.11 Time and manner of acquiring and surrendering certificates.

* * * * *

(f) *Inapplicability of interest.* Interest charges under this section will not apply to the extent it is established to the satisfaction of the Administrator, ASCS, that a delay in the acquisition and surrender of certificates resulted from reliance in good faith upon action or advice of an authorized official of the Department. Any processor who wishes to apply for relief under this section shall submit a request in writing supported by documentary evidence necessary to substantiate the basis on which the application is made.

§ 777.13 [Amended]

5. Section 777.13 is amended by adding the title, General, to paragraph (a) and by adding a new paragraph (b) as follows:

(b) *Additional reports in absence of an undertaking.* Food processors purchasing certificates in accordance with § 777.11(c) shall supplement each Form CCC–160 with a statement showing: (1) The quantity (in cwt.) and name of food products processed in the reporting period covered by the form, (2) the quantity (in cwt.) and name of food products sold and removed for sale or consumption during such period, (3) the reporting period in which the food product(s) specified in subparagraph (2) of this paragraph were processed, and (4) the wheat equivalent in bushels of such food product(s) calculated by using the actual conversion factor experienced in the reporting period in which processed (bushels of wheat processed into food products divided by cwt. of food products produced). The processor's first Form CCC–160 for a period not covered by an undertaking shall also include a statement showing the quantity of food products remaining in inventory from the previous reporting period(s) and the wheat equivalent of such product(s). For the purpose of determining the report period in which a food product was processed, sales and removals shall be applied to quantities processed on a first produced, first sold and removed basis. The face value of the certificates and the interest charges shall be shown separately on the report.

§ 777.14 [Amended]

6. Section 777.14(c) is amended by changing the conversion factor for the product described below as follows:

A *Food product*	B *Bushels of wheat equivalent per 100 pounds of product (conversion factor)*
Flour (including clears) derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing a 72-percent extraction operation	2.300

7. Section 777.14 is amended by adding a new paragraph (f) as follows:

(f) *Additional reports in absence of an undertaking.* Food processors who purchase certificates in accordance with § 777.11(c) shall supplement each Form CCC–159 with a statement showing (1) the quantity (in cwt.) and name of food products sold and removed for sale or consumption during the period covered by the form, (2) the quantity of wheat used in the production of such food products, (3) the conversion factor(s) used in making such determination, and (4) the reporting period in which the food products were processed. The processor's first Form CCC–159 not covered by an undertaking shall include a statement, showing the product, and the wheat equivalent in bushels of the products in inventory at the beginning of the period. For the purpose of determining the report period in which a product was processed, sales and removals shall be applied to quantities processed on a first produced, first sold and removed basis. The face value of the certificates and the interest charges shall be shown separately on the report.

8. Section 777.19 (c) and (e) is amended to read as follows:

§ 777.19 Industrial users of flour second clears.

* * * * *

(c) *Reports and claims for refund.* The industrial user shall submit claims for refund to the Commodity Office on Form CCC–161, Industrial Users Production Report and Claim for Refund, except that industrial users producing nonfood products only from flour second clears and nonqualifying clears may submit claims for any reporting period described in paragraph (d) of this section in which such production occurred on Form CCC–161–1, Industrial Users Production Report and Claim for Refund (for users who produce nonfood products only). These forms shall be used by the industrial user to report all products manufactured from flour second clears and nonqualifying clears in a plant during a reporting period. Production reports on Form CCC–161 or Form CCC–161–1 must be submitted for each reporting period after the period covered by the first claim for refund even though the period may not involve a claim for refund. Payment will not be made of any claim until the Commodity Office has received from the industrial user Forms CCC–161 or Forms CCC–161–1 covering all prior reporting periods for which the user must file a report. Where reference is made to Form CCC–161 in this section (except in paragraph (h)(3) of this section), it shall also be deemed to refer to Form CCC–161–1.

* * * * *

(e) *Refund rate.* The refund rate shall be determined on the basis of the conversion factor 2.283 multiplied by the applicable certificate cost rounded to the nearest cent; i.e., $1.71 per cwt. for the marketing years beginning July 1, 1965, and July 1, 1966.

* * * * *

9. It is proposed that the amendment to the Appendix would read as follows:

a. Appendix II (16) is amended to read as follows:

(16) Enter in Item 7D the face value of wheat marketing certificates (domestic) required. Obtain the amount by multiplying the quantity shown in Item 6 by the applicable cost of certificates as specified in § 777.4(a).

b. Appendix III (16) is amended to read as follows:

(16) Enter in Item 9D the face value of wheat marketing certificates (domestic) required. Obtain the amount by multiplying the quantity shown in Item 7C by the applicable cost of certificates as specified in § 777.4(a).

c. Appendix IV is amended by changing paragraph (5) to read:

(5) *Amount of refund claimed.* Enter amount determined by multiplying Item 4K by the applicable refund rate as specified in § 777.19(e).

d. Appendix V is added to read as follows:

APPENDIX V—PROCESSOR WHEAT MARKETING CERTIFICATE REGULATIONS

INSTRUCTIONS FOR PREPARATION OF INDUSTRIAL USERS PRODUCTION REPORT AND CLAIM FOR REFUND FORMS (FOR USERS WHO PRODUCE NONFOOD PRODUCTS ONLY)

Industrial users manufacturing nonfood products only, who wish to claim refund of the cost of domestic certificates purchased by processors to cover wheat used in processing flour second clears used in a product not for human consumption may submit such claims on Form CCC–161–1, Industrial Users Production Report and Claim for Refund (for users who produce nonfood products only), to the Kansas City Commodity Office as provided in § 777.19. A copy of each Form CCC–161–1, shall be retained by the industrial user. Instructions for the completion of Form CCC–161–1 are as follows:

(The numbers and letters listed below correspond with the numbers and letters on the form.)

(1) *Heading.* (A) Enter name and mailing address.

(B) Enter the industrial user number assigned on Registration Form CCC–149.

(C) Enter the marketing year. Prepare separate Form CCC–161–1 for each marketing year. July 1 begins the marketing year. The marketing year shown on Form CCC–165 and/or CCC–165–1 shall determine the marketing year under which the flour second clears are to be reported.

(D) Enter the reporting period dates. (See § 777.19(d).)

(2) *Inventory of flour second clears.* Enter in hundredweights.

(A) Enter the quantity on hand at the end of the preceding reporting period. Bring forward from Item 2F of the preceding Form CCC–161–1.

(B) Enter the quantity received at the plant during the reporting period covered by the report. Such quantity must not be in excess of the quantity shown on Forms CCC–165 and/or CCC–165–1. If during one reporting period there are received flour second clears identifiable to more than one marketing year, separate Forms CCC–161–1 for each marketing year must be prepared.

(C) Enter the total of Items 2A and 2B.

(D) Enter the quantity of shipments which did not enter production.

(E) Enter the quantity which was a casualty loss and did not enter production. (See § 777.16.)

(F) Enter the quantity on hand at the end of the reporting period.

(G) Enter the total of Items 2D through 2F.

(H) Enter the difference between Items 2C and 2G.

(3) *Kind of clears used.* Enter in hundredweight the kind of clears used during the reporting period. If more than one Form CCC–161–1 is submitted because of the use (during the same reporting period) of clears identified to more than one marketing year, prorate the quantity of each kind of clears used between the marketing years according to the percentage relationship between the quantities shown in Item 2H of the report for each separate marketing year report. Enter the prorated quantities.

(A) Enter the quantity of flour second clears used which were produced from (1) hard wheat, (2) soft wheat, (3) Durum, or (4) if blended clears are received and used, enter the quantity used. (5) Enter the total of (1), (2), (3), and (4). The quantities shown in (1), (2), (3), and (4) must be on the basis of information as to type of wheat and/or clears shown on the Forms CCC–165 and CCC–165–1. The total must agree with the quantity shown in Item 2H.

(B) Enter the quantity of (1) imported clears and (2) other nonqualifying clears.

(4) *Products manufactured from clears.* (A) List the products not for human consumption produced during the production period in whole or in part from flour second clears and nonqualifying clears. Enter the weight of the clears used to produce the products not for human consumption.

(B) Enter the total of the weights shown under Item 4A.

(C) Enter the quantity shown in Item 2H.

(D) Enter the quantity shown in Item 2E.

(E) Enter total of Items 4C and 4D.

(5) *Amount of refund claimed.* Enter amount determined by multiplying Item 4E by the refund rate. The refund rate for the marketing year beginning July 1, 1966, is $1.71 per hundredweight.

(6) *Certification.* The certificate shall be dated and executed by an authorized official of the industrial user.

Signed in Washington, D.C., on June 21, 1966.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 66–7010; Filed, June 24, 1966; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66–SW–32]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate a transition area at Cherokee Village, Ark.

It is proposed to designate the Cherokee Village, Ark., transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Cherokee Village RBN (latitude 36°15'55" N., longitude 91°33'45" W.); within 6 miles southeast and 5 miles northwest of a 226° bearing (220° magnetic) from the RBN extending from the 7-mile radius area to 12 miles southwest of the RBN.

Designation of the Cherokee Village, Ark., transition area would provide airspace protection for aircraft executing the instrument approach and departure procedure proposed for the Cherokee Village Airport.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Post Office Box 1689, Forth Worth, Tex., 76101. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on June 16, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 66-6976; Filed, June 24, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 21, 87, 89, 91, 93]

[Docket No. 16406; FCC 66-508]

REALLOCATION AND ACCESS TO FREQUENCY BANDS

Termination of Proposed Rule Making

Report and order. In the matter of amendment of Parts 2, 21, 87, 89, 91, and 93 of the Commission's rules to reallocate, in Hawaii only, the 6525–6575 Mc/s band from the mobile to the fixed service and to permit access to the frequency bands 6525–6575 and 6575–6875 Mc/s by stations in the Domestic Public Radio Service in that State; docket No. 16406, RM–836.

1. The Commission, on January 5, 1966, adopted a notice of proposed rule making in this matter (FCC 66–8) which was published in the FEDERAL REGISTER on January 12, 1966 (31 F.R. 353). The time for filing comments and reply comments has now expired and no requests for extension of those times have been received. Comments and reply comments in the proceeding were filed by each of the following parties:

Hawaiian Telephone Co. (Hawaiian).
Central Committee on Communication Facilities of the American Petroleum Institute (API).
National Committee for Utilities Radio (NCUR).
Hawaiian Electric Company, Inc. (Hawaiian Electric).
Board of Water Supply of the City and County of Honolulu (Honolulu).

On April 18, 1966, Honolulu also filed a petition for leave to file further reply comments accompanied by said further reply comments. In response, Hawaiian, on April 29, 1966, filed an answer and alternative response to the aforementioned petition and further reply comments. These filings have been carefully considered by the Commission in arriving at conclusions contained herein.

2. The notice of proposed rule making was issued in response to a petition for rule making (RM–836) which was filed on August 11, 1965, by Hawaiian to provide alternate spectrum availability in those areas of the State of Hawaii where operation of the earth station of the Communications Satellite Corporation (Comsat) would, on the basis of calculations, constitute a source of potential interference to existing or proposed fixed stations in the Domestic Public Radio Services operating in the presently allocated frequency band 5925–6425 Mc/s. The Commission proposed to reallocate, in Hawaii only, the 6525–6575 Mc/s band from the mobile to the fixed service and to make that band and the 6575–6875 Mc/s band available to stations in the domestic fixed public service on a coequal shared basis with those classes of stations to which the bands are currently allocated. In other words, sharing in the two bands would be between operational fixed stations, and stations in the domestic fixed public service, with international control stations also sharing the 6575–6875 Mc/s band. Use of the two bands by stations in the domestic fixed public service would be permitted, however, only in those cases where it was demonstrated that shared use of the frequency band 5925–6425 Mc/s between stations in the domestic public radio services and the Communication-Satellite Service was not feasible.

3. In their comments, NCUR, Honolulu and Hawaiian Electric opposed the shared use of the 6575–6875 Mc/s band, alleging principally that petitioner (Hawaiian) had not shown that other means of meeting its common carrier communication requirements were impractical. Further, they believed, assuming arguendo that all alternate avenues of approach have been examined and found to be impractical, an allocation of the frequencies as was proposed is not necessary and would establish an undesirable precedent, particularly in view of the limited applicability of the intended relief. API, while favoring the requested relief, also opposed the proposed method of obtaining that relief. NCUR, Honolulu, Hawaiian Electric and API suggested that a case-by-case approach to the problem with a view toward providing the relief on a rule waiver basis would be more appropriate. These views were reiterated in reply comments filed by the same four entities. Hawaiian, of course, supported the proposal and, in addition, offered a frequency assignment plan which, it was purported, would minimize coordination problems and maximize frequency utilization in the proposed bands.

4. In response to the statement advanced in the Hawaiian petition that little use is presently being made of the 6575–6875 Mc/s band, Hawaiian Electric and Honolulu each submitted plans for expansion of their present microwave systems and of other foreseeable needs for radio channels in this order of the spectrum to meet requirements not yet finalized.

5. With respect to the proposal to reallocate the 6525–6575 Mc/s band from the mobile to the fixed service, NCUR and API noted the concurring statement of Commissioner Cox wherein he would have preferred to retain the band for mobile operation. Significant, however, was the complete lack of opposition to the proposal and the absence of any indication of forseeable mobile demands.

6. In their reply comments, Hawaiian purported to show: (1) Why a waiver of the rules would not provide sufficient protection to the facilities which Hawaiian intends to establish; and (2) why alternate frequencies or methods of providing relief are not available or practicable.

7. It appears probable that harmful interference will occur between the Comsat earth station at Paumalu, Oahu, Hawaii, and existing or proposed point-to-point microwave stations operating in its proximity in the 5925–6425 Mc/s band. This has been recognized not only by Comsat in its application for the Paumalu site (FCC File No. 5–CSG–P–66) and by the Commission (report and order, Docket No. 15722, FCC 65–416; 30 F.R. 7153), but also by API which "* * * favors granting the relief requested by the Hawaiian Telephone Co." Depending upon the nature of the ultimate satellite system, the possibility of interference may be increased—particularly if other than a synchronous system is established thereby necessitating tracking over a large arc of the sky. It is also apparent that Comsat will, in the not too distant future, require access to all, or nearly all, of the two 500 Mc/s segments provided in the 3700–4200 Mc/s and 5925–6425 Mc/s bands.

8. In view of the terrain limitations of Oahu, adequate geographical separation is not feasible; therefore, it is necessary to consider other means of providing protection from harmful interference possibilities. NCUR, Hawaiian Electric and Honolulu suggest the use of the 2000 Mc/s or 11,000 Mc/s domestic fixed public bands or consideration of the sparsely occupied 6875–7125 Mc/s Broadcast Auxiliary band in Hawaii.

9. The Commission, in Docket No. 14712, divided the 2110–2200 Mc/s band between domestic fixed public service and operational fixed stations primarily to meet demands for "skinny route" microwave systems. In order to provide the facilities necessary to meet the circuit demands envisioned, it would not only be necessary to waive the 800 kc/s band width limitation imposed on assignments in the 2110–2200 Mc/s band, but it would also be necessary to occupy nearly all of the two segments now allocated to operational fixed stations. In view of the probable needs for "skinny" route systems by both domestic fixed public and operational fixed entities, particularly in Hawaii, and the fact that presently available type accepted equipment is not capable of providing more than 120 circuits per pair of R.F. channels, the 2000 Mc/s band does not appear to provide an adequate alternative.

10. The Commission agrees with Honolulu and NCUR that the Broadcast Auxiliary Services in Hawaii are making little use of the 6875–7125 Mc/s band at present. It should be noted, however, that the band is allocated for both fixed and mobile operations. Under the suggested use, necessary coordination between domestic fixed public stations and the mobile broadcast remote pickup stations would be extremely difficult, if not impossible and, in order to provide assurance of relatively interference-free operation, a reallocation of a large portion of the band to exclusively fixed services would be necessary. In view of the limited requirement demonstrated by Hawaiian, consideration of such a reallocation does not appear to be justified.

11. The Commission, therefore, appears to have three possible solutions to the problem. They are: (a) Require Hawaiian to use the 10700–11700 Mc/s common carrier band; (b) require Hawaiian to operate in cross-band (6525–6875 Mc/s/10700–11700 Mc/s) diversity mode, or (c) restrict Hawaiian's operation to the 6525–6875 Mc/s band as was originally proposed or to a portion thereof. The Commission concurs with NCUR, Honolulu and Hawaiian Electric that the showing made by Hawaiian of outage calculations based simply on rainfall predictions in the area of proposed operation is not conclusive proof that the 10700–11700 Mc/s common carrier band is unsuitable. We do, however, believe that such operation may be marginal, particularly during periods of high rainfall.

12. The concept and use of crossband diversity has only recently been authorized by the Commission for common carrier operations. In this connection, all authorizations for crossband diversity have been conditioned upon determinations to be made as a result of proceedings in Docket No. 15130 which is currently outstanding. This proceeding—a notice of inquiry entitled, "In the Matter of Reliability and Related Design Parameters of Microwave Radio Relay Communication Systems and Resultant Impact on Spectrum Utilization" (FCC 63–682; 28 F.R. 7869)—was instituted to obtain data regarding propagation effects in the microwave bands and to determine the effect each of various methods of protection has against those effects in trying to achieve a higher degree of reliability. One of the topics under consideration and analysis in that proceeding is the effect of rainfall on attenuation and reliability at 11,000 Mc/s.

13. In the Commission's opinion, the above considerations and uncertainties detract from using either the 10,700–11,700 Mc/s band exclusively or of using crossband diversity in order to meet Hawaiian's needs. Further, because the Communication-Satellite system requires the highest degree of reliability with minimal introduction of noise at any one point in the system and because the terrestrial facilities in question must be used to accommodate all types of communications carried by the Comsat system, the Commission believes that it should provide a higher degree of reliability than appears possible at 11 Gc/s.

14. Although reallocation of the 6525–6575 Mc/s band from the mobile to the fixed service in Hawaii only was, except as indicated in paragraph 5, supra, not opposed nor was any indication of foreseeable mobile demands expressed, neither was there a need expressed for additional fixed spectrum at this time by the private users. Accordingly, that portion of the proposal is not being considered further in this proceeding.

15. In view of the above, the Commission has determined that, all things considered, relief should be provided from within the 6575–6875 Mc/s band, at least pending determinations to be made as a result of Docket No. 15130 proceedings and all authorizations to the domestic fixed public service in those bands will be so conditioned. At such time as determinations pertinent to, and affecting Hawaiian's need for access to the 6575–6875 Mc/s band have been made in Docket No. 15130, the Commission may reexamine its decision in this matter. While it is recognized that demands by operational fixed stations will increase, the application of judicious engineering and close coordination and cooperation should permit accommodation of those demands for some time to come. Should those demands exceed the capacity of the present spectrum, however, the Commission will consider appropriate measures for relief. In this connection, Honolulu raised the possibility that Hawaiian would require frequency diversity, thus doubling the number of frequencies required. It should be pointed out that any expansion of the proposed operations would be conducted on a module basis; i.e., one protection channel for up to three working channels in the 6 Gc/s band. Therefore, frequency demands should not be as heavy as Honolulu fears.

16. Having decided to provide the necessary relief for the domestic fixed public service from within the 6575–6875 Mc/s band as was originally requested by Hawaiian in their petition, the means by which access to the band should be provided (i.e., footnote to the Table of Frequency Allocations or on a case-by-case rule waiver basis) is the sole remaining question. Although ample precedent has been established for amending Commission rules to permit special access to frequency bands not allocated to a particular service, the restricted area in which frequency relief is required coupled with the two conditions imposed upon use of the 6575–6875 Mc/s band (showing of probable interference from ComSat and determinations from Docket 15130) typify the case in which the waiver approach to solution of the problem appears most appropriate. This is particularly true in view of the possible outcome of Docket 15130 which could nullify any gain in posture which a reallocation might bring. Contrary to Hawaiian's fears, assignments by rule waiver do not necessarily impose a secondary status upon their assignment, unless they are so conditioned, nor would such procedures impose additional administrative burdens upon the applicant in view of the showing required under either method when applying for a frequency authorization.

17. Hawaiian, in their reply comments, opposed the waiver approach because, it was alleged, a lack of "notice" of a pending application for a 6 Gc/s frequency assignment would ensue. It should be pointed out, however, that all applications for new or modified microwave facilities in the band are placed on Public Notice, thereby affording an opportunity for comment by any party who feels he may be injured by a grant of the application. Accordingly, this argument must be rejected.

18. In view of the above, the Commission believes the limited requirement for access to the 6575–6875 Mc/s operational fixed band on a geographical basis, the indeterminate traffic handling requirements, the uncertainty with respect to a future need to accommodate other than synchronous satellites and the uncertainty with respect to potential use of the 11 Gc/s band combine to militate against a reallocation of the 6575–6875 Mc/s band at this time. The Commission will, however, continue to consider requests for rule waiver on case-by-case bases similar to those for which authorizations are presently outstanding.

19. The Commission therefore believes the public interest will not be served by adopting the rules as were proposed. *Accordingly, it is ordered*, This 14th day of June 1966, that the petition (RM–836) filed by the Hawaiian Telephone Company is hereby denied and this proceeding is hereby terminated.

Adopted: June 14, 1966.

Released: June 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–7019; Filed, June 24, 1966; 8:49 a.m.]

[47 CFR Part 73]

[Docket No. 11279]

SUBSCRIPTION TELEVISION SERVICE

Order Extending Time for Submission of Technical Data

1. A party to this proceeding has requested informally that the time for filing detailed specifications of present or proposed systems for over-the-air subscription television, or for updating previous submissions, be extended from the present due date of June 22, 1966, for a period of thirty days to permit that party to prepare more informative material that will be helpful to the Commission.

2. Because of other commitments of the Commission engineering staff, it appears that such an extension will not unduly delay the progress of this proceeding. In view of this, and in view of the additional information that will thus be made available to the Commission, it appears in the public interest to extend the filing date, and the Commission will do so on its own motion.

3. In view of the foregoing: *It is ordered*, This 20th day of June 1966, that the time for submitting detailed specifications of present or proposed over-the-air subscription television systems or for updating previous submissions (as requested in paragraph 39 of the further notice of proposed rule making and notice of inquiry adopted in Docket No. 11279 on March 21, 1966 (3 F.C.C. 2d 1)), is extended from June 22, 1966, to and including July 25, 1966.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: June 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7020; Filed, June 24, 1966; 8:49 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Parts 170, 174]

WATCHES

Notice of Proposed Rule Making and Opportunity To Make Comments

Trade practice rules respecting the terms "waterproof," "shockproof," "nonmagnetic," and related designations, as applied to watches, watchcases, and watch movements; watchcases industry; notice of proceedings for the revision of trade practice rules and of opportunity to interested parties to present data, views, or other pertinent information relating thereto.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, and organizations and all other parties affected by or having an interest in proposed trade practice rules on the subjects listed below to present to the Commission their views concerning such proposed rules, including such pertinent information, suggestions, or objections as they may care to submit and to be heard in the premises.

(1) Use of the terms "gold electroplated" or "gold electroplate," as a marking on or as descriptive of, watchcases or parts thereof;

(2) Use of the terms "waterproof," "moistureproof," and terms of similar import, as descriptive of watches or watchcases;

(3) Use of the terms "shockproof," "shock protected," or any word or term of similar import, as descriptive of watches, watch cases, or watch movements.

Copies of the proposed rules may be obtained upon request to the Commission. Written data, views, suggested changes, or other pertinent information relating to the proposed rules may be submitted by letter, memorandum, brief, or other communication in duplicate not later than July 26, 1966, to the Chief, Division of Trade Practice Conferences and Guides, Bureau of Industry Guidance, Federal Trade Commission, Sixth Street and Pennsylvania Avenue NW., Washington, D.C., 20580.

Opportunity to orally present data, views, suggested changes, or other pertinent information relating to the proposed rules, will be afforded at a public hearing to be held on Tuesday, July 26, 1966, commencing at 10 a.m., e.d.t., in Room 532 of the Federal Trade Commission Building, Washington, D.C.

All comments received in the proceeding will be available for examination by interested parties at the Federal Trade Commission, Washington, D.C., and will be fully considered by the Commission.

These proceedings are authorized pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41–58, and provisions of Subpart F of Part 1 of the Commission's Procedures and Rules of Practice, 16 CFR 1.61–1.67.

Approved: June 13, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-7065; Filed, June 24, 1966; 8:51 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 170]

[Ex Parte No. MC-37 (Sub-No. 2)]

MINNEAPOLIS-ST. PAUL COMMERCIAL ZONE

Redefinition of Limits

JUNE 14, 1966.

Redefinition of the limits of the Minneapolis-St. Paul, Minn., commercial zone, heretofore defined in Ex Parte No. MC-37, Commercial Zones and Terminal Areas, 48 M.C.C. 441 at page 453.

At the request of interested persons, the time for filing written representations in favor of, or against, the proposed revision of the Minneapolis-St. Paul, Minn., commercial zone (31 F.R. 7841) is extended to August 8, 1966.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-7033; Filed, June 24, 1966; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[Antidumping—ATS 643.3–G]

THIOUREA FROM JAPAN

Antidumping Proceeding Notice

JUNE 21, 1966.

On May 11, 1966, the Commissioner of Customs received information in proper form pursuant to the provisions of § 14.6 (b) of the Customs Regulations indicating a possibility that thiourea imported from Japan is being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Thiourea is a chemical intermediate used in the manufacture of photographic chemicals, pharmaceuticals, textile chemicals, etc.

Ordinarily, merchandise is considered to be sold at less than fair value when the net, f.o.b. factory price for exportation to the United States is less than the net, f.o.b. factory price to purchasers in the home market, or, where appropriate, to purchasers in other countries, after due allowance is made, for differences in quantity and circumstances of sale.

A summary of the information received is as follows:

Based on documentation furnished by the complainant, the alleged price for home consumption in Japan is about 55 percent higher than the price for export to the United States.

In order to establish the validity of the information, the Bureau of Customs is instituting an inquiry pursuant to the provisions of § 14.6(d)(1)(ii), (2), and (3) of the Customs Regulations.

The information was submitted by the Elco Corp., Cleveland, Ohio.

This notice is published pursuant to § 14.6(d)(1)(i) of the Customs Regulations (19 CFR 14.6(d)(1)(i)).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-7012; Filed, June 24, 1966; 8:48 a.m.]

Office of Foreign Assets Control

IMPORTATION OF CERTAIN CHINESE-TYPE FOODSTUFFS DIRECTLY FROM TAIWAN (FORMOSA)

Available Certification by the Government of the Republic of China

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Republic of China under procedures agreed upon between that Government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan (Formosa) of the following additional commodity:

Foodstuffs, Chinese-type, canned, frozen, or otherwise prepared.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 66-7013; Filed, June 24, 1966; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES-0308; Survey Group 139]

FLORIDA

Notice of Filing of Plat of Survey

JUNE 20, 1966.

The plat of survey of fractional sections 30 and 31, T. 19 S., R. 21½ E., Tallahassee meridian, Florida, accepted on August 23, 1965, will be officially filed in this Office effective at 10 a.m., on July 18, 1966.

The lands are described as follows:

T. 19 S., R., 21½ E., Tallahassee meridian, Florida,
Sec. 30, lot 1 (1.16 acres), lot 2 (4.19 acres), lot 3 (7.23 acres), and lot 4 (10.11 acres);
Sec. 31, lot 1 (1.46 acres).

Containing an aggregate of 24.15 acres.

Subject to any existing valid rights and the requirements of applicable law, the lands described above are opened to filing of applications, selection and petition, on the effective date of the filing of the plat.

All inquiries relating to these lands should be sent to the Manager, Eastern States Land Office, Bureau of Land Management, Washington, D.C., 20240.

DORIS A. KOIVULA,
Manager, Land Office.

[F.R. Doc. 66-6991; Filed, June 24, 1966; 8:47 a.m.]

Geological Survey

[No. 133]

WYOMING

Coal Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

SIXTH PRINCIPAL MERIDIAN, WYOMING

COAL LANDS

T. 19 N., R. 79 W.,
Secs. 1 to 6, inclusive;
Sec. 7, NE¼NE¼;
Sec. 8, NE¼, N½NW¼;
Sec. 9, N½, NE¼SW¼, N½SE¼, SE¼SE¼;
Secs. 10 to 13, inclusive;
Sec. 14, NE¼, N½NW¼, N½SE¼, SE¼SE¼;
Sec. 15, NE¼NE¼;
Sec. 24, N½, E½SW¼, SE¼;
Sec. 25, N½NE¼, SE¼NE¼.

NONCOAL LANDS

T. 19 N., R. 79 W.,
Sec. 7, lots 1 to 4, inclusive, NW¼NE¼, S½NE¼, SE¼;
Sec. 8, S½NW¼, S½;
Sec. 9, NW¼SW¼, S½SW¼, SW¼SE¼;
Sec. 14, S½NW¼, SW¼, SW¼SE¼;
Sec. 15, NW¼NE¼; S½NE¼, W½, SE¼;
Secs. 16 to 23, inclusive;
Sec. 24, W½SW¼;
Sec. 25, SW¼NE¼, W½, SE¼;
Secs. 26 to 36, inclusive.

The area described aggregates 22,691 acres, more or less, of which about 8,216 acres are classified as coal lands and about 14,475 acres are classified as noncoal lands.

Dated: June 20, 1966.

R. H. LYDDAN,
Acting Director.

[F.R. Doc. 66-6988; Filed, June 24, 1966; 8:46 a.m.]

[No. 13]

WYOMING

Phosphate Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

SIXTH PRINCIPAL MERIDIAN, WYOMING

PHOSPHATE LANDS

T. 42 N., R. 118 W. (unsurveyed),
Sec. 4, S½SW¼;
Sec. 5, SE¼SW¼, S½SE¼;
Sec. 8, NE¼, NE¼NW¼, S½NW¼, N½SW¼, NW¼SE¼;
Sec. 9, NW¼NE¼, N½NW¼;
Sec. 30, SE¼SE¼;
Sec. 31, NE¼NE¼;
Sec. 32, NW¼NW¼;
Sec. 33, E½SW¼, SE¼;
Sec. 34, W½SW¼.

RECLASSIFIED PHOSPHATE LANDS FROM NONPHOSPHATE LANDS

Prior classification of the following lands as nonphosphate lands is hereby revoked and the lands are reclassified as phosphate lands:

T. 42 N., R. 118 W. (unsurveyed),
Sec. 4, SW¼SE¼;
Sec. 36, SE¼SW¼, SE¼.

NONPHOSPHATE LANDS

T. 42 N., R. 118 W. (unsurveyed),
Sec. 4, N½SW¼;
Sec. 5, N½SW¼, SW¼SW¼, N½SE¼;
Secs. 6 and 7;
Sec. 8, NW¼NW¼, S½SW¼, NE¼SE¼, S½SE¼;
Sec. 9, NE¼NE¼, S½N½, S½;
Sec. 16, N½, SW¼;
Secs. 17 to 20 inclusive;
Sec. 21, W½, SE¼;
Sec. 22, SW¼;
Sec. 27, W½;
Secs. 28 and 29;
Sec. 30, E½NE¼, NE¼SE¼;
Sec. 31, SE¼NE¼, E½SE¼;
Sec. 32, NE¼, NE¼NW¼, S½NW¼, S½;
Sec. 33, N½, W½SW¼;
Sec. 34, E½SW¼.

The area described aggregates 8,104 acres, more or less, of which about 1,123 acres are classified as phosphate lands; about 240 acres are reclassified phosphate lands that were formerly classified as nonphosphate lands; and about 6,741 acres are classified as nonphosphate lands.

Dated: June 20, 1966.

R. H. LYDDAN,
Acting Director.

[F.R. Doc. 66-6989; Filed, June 24, 1966; 8:46 a.m.]

Office of Saline Water

REDELEGATION OF AUTHORITY TO ACT AS CONTRACTING OFFICER

SECTION 1. *Redelegation of authority.* The authority delegated to the Director, Office of Saline Water provided by 211 DM 7.1 and 24 F.R. 7839, to enter into procurement contracts and amendments or modifications thereto is hereby redelegated to the Assistant Director, Research and the Assistant Director, Engineering and Development for procurement actions originating in their respective areas of responsibility.

SEC. 2. *Limitations.* This redelegation of authority does not include:

a. Contracts, grants, or amendments or modifications thereto having a value in excess of $100,000.

b. Procurement actions requiring or leading to construction and/or operation of pilot plants, test beds, prototype plants, or demonstration plants.

c. Procurement actions connected with international organizations, foreign countries, Federal, State, or municipal organizations.

d. Procurement actions related to area or general economic studies and surveys of water costs of saline water processes as compared with other standard methods of producing water.

e. The authority shall be exercised in accordance with applicable limitations in the Federal Property and Administrative Services Act of 1949, as amended, in accordance with applicable policies, procedures, and controls prescribed by the General Services Administration and the Department of the Interior, and programing, budgetary, and other limitations of the Office of Saline Water.

SEC. 3. *Redelegation.* The authority delegated in section 1 above may not be redelegated.

SEC. 4. *Effective date.* This notice shall become effective upon publication in the FEDERAL REGISTER.

FRANK C. DI LUZIO,
Director.

JUNE 14, 1966.

[F.R. Doc. 66-7018; Filed, June 24, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

OLIN

Notice of Filing of Petition for Food Additive

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6H2043) has been filed by Olin, 460 Park Avenue, New York, N.Y., 10022, proposing an amendment to § 121.2520 *Adhesives* by adding sodium 2-pyridinethiol-1-oxide as a preservative to the list of components of adhesives in paragraph (c).

Dated: June 20, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7002; Filed, June 24, 1966; 8:47 a.m.]

AMERICAN CYANAMID CO.

Notice of Filing of Petition Regarding Pesticide

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0498) has been filed by American Cyanamid Co., Post Office Box 400, Princeton, N.J., 08540, proposing the establishment of a tolerance for residues of the insecticide *O,O*-dimethyl *O*-p-(dimethylsulfamoyl)phenyl phosphorothioate in or on the meat, fat, and meat byproducts of cattle at 0.1 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is hydrolysis to *N,N*-dimethylphenol-4-sulfonamide which is then reacted with hexamethyldisilazane, and the resultant trimethylsilylether derivative is measured by gas chromatography.

Dated: June 20, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7003; Filed, June 24, 1966; 8:48 a.m.]

CIBA CORP.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0489) has been filed by CIBA Corp., Post Office Box 1105, Vero Beach, Fla., 32960, proposing the establishment of tolerances for residues of the herbicide 3-[p-(p-chlorophenoxy)phenyl]-1, 1-dimethylurea in or on the raw agricultural commodities named:

0.1 part per million in or on soybeans (dry).

0.05 part per million in or on soybean hay and strawberries.

The analytical procedure proposed in the petition is hydrolysis with strong alkali to *p*-chlorophenoxyaniline, followed by steam distillation. The *p*-chlorophenoxyaniline is diazotized and coupled with *N*-1-naphthylethylenediamine to form a colored compound which is determined spectrophotometrically at 578 millimicrons.

Dated: June 13, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7004; Filed, June 24, 1966; 8:48 a.m.]

E. I. DU PONT DE NEMOURS & CO., INC.

Notice of Filing of Petition Regarding Pesticide Diuron

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0495) has been filed by E. I. du Pont de Nemours & Co., Inc., Wilmington, Del., 19898, proposing the establishment of a tolerance of 1 part per million for residues of the herbicide diuron in or on the raw agricultural commodity bananas.

The analytical procedure proposed in the petition for determining residues of the herbicide is that of H. L. Pease published in the Journal of Agricultural and Food Chemistry, Vol. 10, 1962, p. 279.

Dated: June 13, 1966.

J. K. KIRK,
Assistant Commissioner for operations.

[F.R. Doc. 66-7005; Filed, June 24, 1966; 8:48 a.m.]

FREIBERG CORP.

Notice of Withdrawal of Petition for Food Additive Disodium EDTA

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Freiberg Corp., 149 Madison Avenue, New York, N.Y., 10016, has withdrawn its petition (FAP 5A1697), notice of which was published in the FEDERAL REGISTER of March 12, 1965 (30 F.R. 3360), proposing an amendment to § 121.1056 *Disodium EDTA* to provide for the safe use of disodium EDTA as an anticoagulant, at a level not in excess of 1.25 percent in spray-dried bovine plasma intended for use in meat emulsions.

The withdrawal of this petition is without prejudice to a future filing.

Dated: June 20, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7006; Filed, June 24, 1966; 8:48 a.m.]

KUREHA CHEMICAL INDUSTRY CO., LTD.

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Kureha Chemical Industry Co., Ltd., 320 Park Avenue, New York, N.Y., 10022, has withdrawn its petition (FAP 5B1648), notice of which was published in the FEDERAL REGISTER of September 28, 1965 (30 F.R. 12364), proposing the issuance of a regulation to provide for the use of vinyl chloride-cetyl vinyl ether copolymers in articles that contact food.

The withdrawal of this petition is without prejudice to a future filing.

Dated: June 20, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7007; Filed, June 24, 1966; 8:48 a.m.]

PENNSYLVANIA INDUSTRIAL CHEMICAL CORP.

Notice of Withdrawal of Petition for Food Additive Components of Paper and Paperboard

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Pennsylvania Industrial Chemical Corp., 120 State Street, Clairton, Pa., 15025, has withdrawn its petition (FAP 6B1929), notice of which was published in the FEDERAL REGISTER of February 22, 1966 (31 F.R. 3040), proposing that § 121.2526 *Components of paper and paperboard in contact with aqueous and fatty foods* be amended to provide for the safe use of alicyclic petroleum hydrocarbon resins as components of the food-contact surface of paper and paperboard intended for use in contact with foods of the types identified in paragraph (c), table 1, under types I, II, IV–B, VI, VII–B, and VIII.

The withdrawal of this petition is without prejudice to a future filing.

Dated: June 20, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7008; Filed, June 24, 1966; 8:48 a.m.]

SEYMOUR FOODS CO.

Notice of Filing of Petition for Food Additive Calcium Disodium EDTA

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6A2034) has been filed by Seymour Foods Co., Division of Norris Grain Co., 101 North Kansas Avenue, Topeka, Kans., 66603, proposing an amendment to § 121.1017 *Calcium disodium EDTA* to provide for the safe use of calcium disodium EDTA as a preservative in hard cooked egg food at a level not to exceed 200 parts per million by weight of the egg yolk portion of such food.

Dated: June 13, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7009; Filed, June 24, 1966; 8:48 a.m.]

CHAS. PFIZER & CO., INC.

Notice of Filing of Petition for Food Additive Sodium Stearyl Fumarate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6A2027) has been filed by Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y., 10017, proposing an amendment to § 121.1183 *Sodium stearyl fumarate* to provide for the safe use of sodium stearyl fumarate as a conditioning agent in dehydrated potatoes in an amount not to exceed 1 percent by weight thereof.

Dated: June 21, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7017; Filed, June 24, 1966; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 17424; Order E-23839]

EASTERN AIR LINES, INC.

Washington, D.C.-Bermuda Service Through Friendship International Airport; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 21st day of June 1966.

On May 23, 1966, Eastern Air Lines, Inc. (Eastern), filed an airport notice pursuant to § 203.5 of the economic regulations which states that it intends to inaugurate service between Washington, D.C., and Bermuda, territory of the United Kingdom, through Friendship International Airport, Baltimore, Md., on or after July 1, 1966.

Eastern is authorized under its certificate of public convenience and necessity for route FAM–33 to operate between Washington, D.C., and Bermuda. At present Eastern offers a daily round-trip flight between National Airport at Washington, D.C., and Bermuda. The carrier states that the proposed service will consist of two round trips on weekends and will be in addition to the service presently provided.

In support of the notice, Eastern states that the additional service through Friendship will offer greater convenience to a segment of the Washington area than service solely through National Airport; and that no other carrier is presently offering Bermuda service at Friendship. Eastern also asserts that international service at Friendship for Washington is in accord with past Board practice and precedents.

Eastern has applied for authority to include Washington, D.C./Baltimore, Md., among other points as an additional coterminal point on its route FAM–33, and this application is now pending before the Board in Docket 16093. Similarly, there is pending before the Board in Docket 15819 an application of Pan American World Airways, Inc., for authority to operate between Baltimore and Bermuda. Since these applications would involve the use of Friendship airport for the provision of Baltimore-Bermuda service, Eastern's airport notice may relate to questions that should be resolved pursuant to section 401 of the Act.

In consideration of the foregoing, and acting pursuant to section 203.5 of the economic regulations, we find that Eastern should show cause to the Board within 15 days of the effective date of this order why the airport notice herein should not be disapproved. This action precludes Eastern from inaugurating the proposed service pursuant to the airport notice. Eastern shall serve a responsive pleading, if any is filed, upon all carriers serving Washington and Baltimore, as

well as local civic authorities and bodies.[1]

Accordingly, it is ordered, That:

1. Eastern show cause within 15 days of the effective date of this order why the airport notice dated May 23, 1966, should not be disapproved;

2. Answers responsive to Eastern's pleading, if any, should be filed not later than 10 days after the date of Eastern's filing; and

3. A copy of this order shall be served upon all air carriers serving Washington and Baltimore, as well as local civic authorities and bodies.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-7014; Filed, June 24, 1966; 8:49 a.m.]

[Docket 17398, Order E-23842]

ISLAND MAIL, INC.

Establishment of Service Mail Rates; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 22d day of June 1966.

By petition filed June 9, 1966, Island Mail, Inc., requests the Board to establish final service mail rates for the transportation of all classes of mail by aircraft between Anacortes, Wash., and various points in San Juan Islands in Puget Sound.[1a]

Petitioner states, inter alia, that it is presently providing regularly scheduled services between the above-named points as an air taxi operator pursuant to Part 298 of the Board's economic regulations. It proposes to transport all classes of mail between the above-named points at an annual rate of $47,292.10. For this, petitioner proposes to transport any available preferential mail on each trip and will carry all mail within 24 hours after receipt from the Post Office Department on scheduled flight days. If flights are delayed by weather or other reasons Island Mail will notify all parties concerned of this fact, and if flights are precluded by weather petitioner will make alternative provisions for transportation by surface between the Post Office at Anacortes and Lopez, Shaw Island, East Sound, and Friday Harbor.

By answer filed on June 15, 1966, the Post Office Department states it considers the aforesaid annual rate to be fair and reasonable for these services. The Post Office indicates this service will replace a Power Boat Star Route contract which expires June 30, 1966. It is anticipated that the Department will tender 3,000 pounds of mixed mail of all classes to petitioner per day. The Post Office states that the petitioner's proposed services will serve an urgent need in this market.

The Board, therefore, finds it in the public interest to fix and determine the fair and reasonable rates of compensation to be paid to Island Mail, Inc., by the Postmaster General for the transportation of all classes of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the petition and other matters officially noticed, the Board proposes to issue an order to include the following findings and conclusions:

1. That the fair and reasonable final service mail rate to be paid to Island Mail, Inc., pursuant to section 406 of the Act for the transportation of all classes of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between Anacortes, Wash., and the Post Offices at Lopez Island, Shaw Island, East Sound, Friday Harbor, Blakely Island, Waldron Island, Decatur Island, Sinclair Island and Stuart Island shall be $47,292.10 annually;

2. The final service mail rate here fixed and determined is to be paid in its entirety by the Postmaster General; and

3. This rate shall apply to described mail services of Island Mail to the extent it is authorized to engage in air transportation and to provide such mail services as an air taxi operator pursuant to the provisions of Part 298 of the Board's economic regulations.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and pursuant to regulations promulgated in 14 CFR Part 302,

It is ordered, That:

1. All interested persons and particularly Island Mail, Inc., and the Postmaster General are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine and publish the final rates specified above as the fair and reasonable rate of compensation to be paid to Island Mail, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rates or to the other findings and conclusions proposed herein, notice thereof shall be filed within 5 days, and if notice is filed, written answer and supporting documents shall be filed within 10 days, after the date of service of this order;

3. If notice of objection is not filed within 5 days, or if notice is filed and answer is not filed within 10 days, after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rates specified herein;

4. If answer is filed presenting issues for hearing the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Island Mail, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-7015; Filed, June 24, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16657-16659; FCC 66M-882]

AMERICAN COLONIAL BROADCASTING CORP., ET AL.

Order Regarding Procedural Dates

In re applications of American Colonial Broadcasting Corp., Caguas, P.R., Docket No. 16657, File No. BPH-4890; Caguas Radio Corp., Caguas, P.R., Docket No. 16658, File No. BPH-4962; Francisco Pereira Casillas, Federico Virella, Hector Pereira Buonomo, and Pedro Luis Jimenez, doing business as Borinquen Broadcasting Co., Caguas, P.R., Docket No. 16659, File No. BPH-4971; for construction permits.

A prehearing conference having been held in the above-entitled proceeding on June 20, 1966, at which procedural matters were agreed to which should be formalized by order:

It is ordered, This 20th day of June 1966 that:

(1) The direct cases of the applicants shall be presented in the form of written sworn exhibits.

(2) An informal exchange of all engineering exhibits shall be made between the parties on July 26, 1966.

(3) All exhibits to be offered in the presentation of the direct affirmative cases shall be exchanged among the parties and copies supplied the Hearing Examiner on August 26, 1966.

(4) Notification of witnesses to be called for cross-examination shall be given on or before September 9, 1966.

It is further ordered, That the hearing herein presently scheduled for July 13, 1966 is continued to September 20, 1966, commencing at 10 a.m. in the offices of the Commission at Washington, D.C.

Released: June 21, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7021; Filed, June 24, 1966; 8:49 a.m.]

[1] The Board has under consideration a motion filed by Eastern seeking a hearing on its application to add Baltimore to its Bermuda route. Nothing in our action herein is intended to prejudice any decision which we might make on that motion.

[1a] The points to be served include Lopez Island, Shaw Island, East Sound, Friday Harbor, Blakely Island, Waldron Island, Decatur Island, Sinclair Island, and Stuart Island.

[Docket No. 16711; FCC 66M-890]

JACKSON TV CABLE CO.

Order Scheduling Hearing

In the matter of cease and desist order to be directed against Jackson TV Cable Co., owner and operator of a community antenna television system at Jackson, Mich.; Docket No. 16711.

It is ordered, This 21st day of June 1966, that Forest L. McClenning shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on August 2, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 13, 1966, commencing at 9 a.m.: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7022; Filed, June 24, 1966; 8:49 a.m.]

[Docket Nos. 16700, 16701; FCC 66M-887]

KENTUCKY CENTRAL TELEVISION, INC., AND WBLG-TV, INC.

Order Scheduling Hearing

In re applications of Kentucky Central Television, Inc., Lexington, Ky., Docket No. 16700, File No. BPCT-3569; WBLG-TV, Inc., Lexington, Ky., Docket No. 16701, File No. BPCT-3642; for construction permit for new television broadcast station:

It is ordered, This 22d day of June 1966, that Elizabeth C. Smith shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 26, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 14, 1966, commencing at 9 a.m.: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7023; Filed, June 24, 1966; 8:49 a.m.]

[Docket Nos. 16649, 16650; FCC 66M-885]

SEMO BROADCASTING CORP. AND SIKESTON COMMUNITY BROADCASTING CO.

Order Continuing Prehearing Conference

In re applications of Semo Broadcasting Corp., Sikeston, Mo., Docket No. 16649, File No. BPH-5087; Sikeston Community Broadcasting Co., Sikeston, Mo., Docket No. 16650, File No. BPH-5161; for construction permits.

On the oral request of counsel for applicant Semo Broadcasting Corp.: *It is ordered,* This 21st day of June 1966, that the prehearing conference scheduled for 9 a.m., June 23, 1966, at the Commission's offices, Washington, D.C., is hereby postponed and will be held on June 30 at the same time (9 a.m.) and place.

Released: June 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7024; Filed, June 24, 1966; 8:49 a.m.]

[Docket Nos. 16655, 16656; FCC 66M-886]

JONES T. SUDBURY AND NORTHWEST TENNESSEE BROADCASTING CO., INC.

Order Continuing Hearing

In re applications of Jones T. Sudbury, Martin, Tenn., Docket No. 16655, File No. BPH-5067; Northwest Tennessee Broadcasting Co., Inc., Martin, Tenn., Docket No. 16656, File No. BPH-5174; for construction permits.

Pursuant to agreements reached at the prehearing conference held on June 21, 1966, the evidentiary hearing in the above-entitled proceeding now scheduled for July 18, 1966, is continued to a date to be announced at the conclusion of the further prehearing conference to be held on Monday, July 18, 1966, beginning at 9 a.m. in the offices of the Commission, Washington, D.C.

It is so ordered, This the 21st day of June 1966.

Released: June 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7025; Filed, June 24, 1966; 8:50 a.m.]

[Docket Nos. 16702, 16703; FCC 66M-889]

T.V. BROADCASTERS, INC., AND TRI-CITY BROADCASTING CO., INC.

Order Scheduling Hearing

In re applications of T. V. Broadcasters, Inc., Vineland, N.J., Docket No. 16702, File No. BPCT-3539; Tri-City Broadcasting Co., Inc., Vineland, N.J., Docket No. 16703, File No. BPCT-3716; for construction permit for new television broadcast station.

It is ordered, This 21st day of June 1966, that H. Gifford Irion shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 14, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 15, 1966, commencing at 9 a.m.: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7026; Filed, June 24, 1966; 8:50 a.m.]

[Docket Nos. 16712, 16713; FCC 66M-888]

TREND RADIO, INC., AND JAMES BROADCASTING CO., INC.

Order Scheduling Hearing

In re applications of Trend Radio, Inc., Jamestown, N.Y., Docket No. 16712, File No. BPCT-3665; James Broadcasting Co., Inc., Jamestown, N.Y., Docket No. 16713, File No. BPCT-3694; for construction permits for new television broadcast station.

It is ordered, This 21st day of June 1966, that Chester F. Naumowicz, Jr., shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 12, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 14, 1966, commencing at 9 a.m.: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7027; Filed, June 24, 1966; 8:50 a.m.]

[Docket Nos. 16698, 16699; FCC 66M-876]

TRI-STATE BROADCASTERS, INC., AND EMMET RADIO CORP.

Order Scheduling Hearing

In re applications of Tri-State Broadcasters, Inc., Sioux Center, Iowa, Docket No. 16698, File No. BP-16461; Emmet Radio Corp., Estherville, Iowa, Docket No. 16699, File No. BP-16718; for construction permits.

It is ordered, This 20th day of June 1966, that Herbert Sharfman shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 20, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 19, 1966, commencing at 9 a.m.: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 21, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7028; Filed, June 24, 1966; 8:50 a.m.]

[Docket Nos. 16706-16708; FCC 66M-877]

WUST, INC. (WUST) ET AL.

Order Scheduling Hearing

In re applications of WUST, Inc. (WUST), Bethesda, Md., Docket No. 16706, File No. BP-14357, for construction permit; Atlantic Broadcasting Co. (WUST), Bethesda, Md., Docket No. 16707, File No. BR-1513, for renewal of license; and Bethesda-Chevy Chase Broadcasters, Inc., Bethesda, Md., Docket No. 16708, File No. BP-16319, for construction permit.

It is ordered, This 20th day of June 1966, that David I. Kraushaar shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 14, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 18, 1966, commencing at 9 a.m.: *And it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: June 21, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7029; Filed, June 24, 1966; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License 817]

PRESTO SHIPPING AGENCY, INC.

Order To Show Cause

On June 9, 1966, Glens Falls Insurance Company notified the Commission that the surety bond filed pursuant to section 44(c), Shipping Act, 1916 (46 U.S.C. 841b) by Presto Shipping Agency, Inc., 52 Broadway, New York, N.Y., 10004, would be canceled effective 12:01 a.m., July 9, 1966.

Section 44(c) of the Shipping Act, 1916 (46 U.S.C. 841b) and § 510.5(f) of General Order 4 (46 CFR) provide that no license shall remain in force unless such forwarder shall have furnished a bond.

Section 44(d) of the Shipping Act, 1916 (46 U.S.C. 841b) provides that licenses may, after notice and hearing, be suspended or revoked for willful failure to comply with any provision of the Act, or with any lawful rule of the Commission promulgated thereunder.

Therefore, it is ordered, That Presto Shipping Agency, Inc., on or before June 30, 1966, either (1) submit a valid bond effective on or before July 9, 1966, or (2) show cause in writing or request a hearing to be held at 10 a.m., on July 6, 1966, in Room 505, Federal Maritime Commission, 1321 H Street NW., Washington, D.C., 20573, to show cause why its license should not be suspended or revoked pursuant to section 44(d), Shipping Act, 1916.

It is further ordered, That the Director, Bureau of Domestic Regulation forthwith revoke license No. 817 if the licensee fails to comply with this order.

It is further ordered, That a copy of this order to show cause and all subsequent orders in this matter be served upon the licensee and be published in the FEDERAL REGISTER.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-6971; Filed, June 24, 1966; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-4820, etc.]

TEXACO INC. ET AL.

Findings and Order

JUNE 16, 1966.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, making successors co-respondents, redesignating proceedings, accepting agreements and undertakings for filing and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's Statement of General Policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that initial sales from the Permian Basin area of Texas and New Mexico are authorized to be made at or below the applicable area base rates and under the conditions prescribed in Opinion Nos. 468 and 468-A.

Ainslie Perrault (Operator), et al., Applicant in Docket No. CI63-355, proposes to continue the sale of natural gas as operator heretofore authorized in said docket and made pursuant to J. L. Mills, et al., FPC Gas Rate Schedule No. 1. Sales from the interests of Mills, the present operator, will be covered by Perrault's rate schedule. Said rate schedule will be redesignated as that of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI64-396. Applicant has submitted an agreement and undertaking to assure the refund of any amounts collected by him in excess of the amount determined to be just and reasonable in Docket No. RI64-396. Accordingly, Applicant will be made co-respondent in said proceeding, the proceeding will be redesignated, and the agreement and undertaking will be accepted for filing.

Bachus Oil Co., Applicant in Docket No. CI65-519, proposes to continue in part the sale of natural gas, inter alia, heretofore authorized in Docket No. G-9393 and made pursuant to the Atlantic Refining Co., FPC Gas Rate Schedule No. 127. The contract comprising said rate schedule will also be accepted for filing as the rate schedule of Applicant. At the time of the transfer of the producing properties, the then effective rate under said rate schedule was in effect subject to refund in Docket No. G-20305. Applicant has since filed an increase in rate which is effective subject to refund in Docket No. RI65-543. The proceeding in Docket No. G-20305 has been terminated except with respect to flow-through arrangements. Therefore, Applicant will be authorized to sell natural gas from the producing properties acquired from Atlantic; and the determination of a just and reasonable rate for sales during that period of time prior to the effectiveness of the increased rate being collected subject to refund in Docket No. RI65-543, which determination would normally be made in Docket No. G-20305 if the proceeding were still pending in said docket, will be made in the proceeding pending in Docket No. RI65-543. The agreement and undertaking heretofore filed in Docket No. RI65-543 will be construed to assure the refund of all amounts collected in excess of the amounts determined to be just and reasonable in said proceeding.

C. F. Raymond, Applicant in Docket No. CI66-933, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-10686 and made pursuant to Northwest Production Corp. (Operator), et al., FPC Gas Rate Schedule No. 1. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI64-398. Applicant has submitted an agreement and undertaking to assure the refund of any amounts collected by him in excess of the amount determined to be just and reasonable in Docket No. RI64-398[1]. Accordingly, Applicant will be made co-respondent in said proceeding, the proceeding will be redesignated, and the agreement and undertaking will be accepted for filing.

After due notice, a joint petition to intervene by Pacific Lighting Service & Supply Co., Southern California Gas Co. and Southern Counties Gas Co. of California and a notice of intervention by the Public Utilities Commission of the State of California were filed in Docket No. CI66-794, in the matter of the application filed February 28, 1966, in said docket. The joint petition to intervene and the notice of intervention have been withdrawn, and no other petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

[1] Applicant refers to Docket No. G-10686 rather than RI64-398 in the agreement and undertaking; however, it is apparent that Applicant intends to assure refunds in Docket No. RI64-398 and the instrument will be so construed.

At a hearing held on June 10, 1966, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-4820, G-5557, G-9991, G-10917, G-15917, G-16579, G-19109, G-19145, CI60-32, CI62-1251, CI63-318, CI63-355, CI64-357, CI64-670, CI64-1536, CI65-54, CI65-539, CI65-549, CI65-645, CI65-817, CI65-875, CI65-891, CI65-1175, and CI66-522 should be amended as hereinafter ordered and conditioned.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates issued in the following dockets should be amended to reflect the deletion of acreage where new certificates are issued herein to authorize service from the subject acreage:

Amend to delete acreage	*New certificates*
G-6323	CI66-773
G-9393	CI65-519
G-10686	CI66-933
G-13299	CI66-1003
G-13633	CI66-1005
G-18925	CI66-833
CI61-524	CI66-864
CI61-1822	CI65-519

(7) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described, in the tabulation herein and in the respective applications are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants herein relating to the abandonments hereinafter permitted and approved should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Ainslie Perrault (Operator), et al., and C. F. Raymond should be made co-respondents in the proceedings pending in Docket Nos. RI64-396 and RI64-398, respectively, that the proceedings should be redesignated accordingly, and that the agreements and undertakings submitted by them should be accepted for filing.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's Statement of General Policy 61-1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 7 and 12 in the attached tabulation.

(E) The certificate issued herein in Docket No. CI66-864 is subject to the conditions set forth in paragraphs (C), (D), and (E) of the order accompanying Opinion No. 353 (27 FPC 449).

(F) Certificates are issued herein to Applicants in Docket Nos. CI66-678, CI66-686, CI66-803, CI66-903, CI66-943, CI66-1014, CI66-1032, and CI66-1033 authorizing the continuance of the related sales which were initiated without Commission authorization.

(G) Applicants in Docket Nos. CI66-943, CI66-958 and CI66-1035 shall submit three copies of a billing statement for the first month of service.

(H) A certificate is issued herein to Sinclair Oil & Gas Company, in Docket No. CI66-806, authorizing Applicant to continue the sale of natural gas previously covered by the operator's certificate (Albert Gackle) in Docket No. G-10917. Within 45 days from the date of this order Sinclair shall file a rate schedule-quality statement in the form prescribed in Opinion No. 468-A.

(I) The certificate heretofore issued in Docket No. G-10917 is amended by deleting therefrom authorization to sell gas from the interest of Sinclair Oil & Gas Co.

(J) The certificate heretofore issued in Docket No. G-5557 is amended by changing the certificate holder to the successor in interest as indicated in the tabulation herein.

(K) The certificate heretofore issued in Docket No. G-9991 is amended to include the interests of the non-signatory coowners.

(L) The certificate heretofore issued in Docket No. CI63-355 is amended to reflect Ainslie Perrault as Operator in lieu of J. L. Mills, et al., of the properties involved.

(M) The certificate heretofore issued in Docket No. CI65–549 is amended by changing the name of the certificate holder from A. M. van Flick to Jennings Petroleum Corp., and A. M. van Flick, FPC Gas Rate Schedule No. 1 is redesignated as Jennings Petroleum Corp., FPC Gas Rate Schedule No. 2.

(N) The certificate heretofore issued in Docket No. CI65–1175 is amended to include oil well gas which was previously excluded from the contract.

(O) The certificates heretofore issued in Docket Nos. G–4820, G–15917, G–16579, G–19109, G–19145, CI60–32, CI62–1251, CI63–318, CI64–357, CI64–670, CI64–1536, CI65–54, CI65–539, CI65–549, CI65–645, CI65–817, CI65–875, CI65–891, and CI66–522 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(P) The certificates heretofore issued in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein to authorize service from the subject acreage:

Amend to delete acreage	*New certificates*
G–6333	CI66–773
G–9393	CI65–519
G–10686	CI66–933
G–13299	CI66–1003
G–13633	CI66–1005
G–18925	CI66–833
CI61–524	CI66–864
CI61–1822	CI65–519

(Q) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described and as more fully described in the respective applications herein are granted.

(R) The certificates heretofore issued in Docket Nos. G–5194, G–5442, G–5529, G–10925, G–11638, G–11771, G–13282, G–16459, G–18026, G–18962, G–19701, CI61–1356, CI62–642, and CI64–219 are terminated.

(S) The abandonment herein permitted and approved in Docket Nos. CI66–1020, CI66–1027, and CI66–1028 does not relieve Applicants therein from any refund obligations in the related rate suspension proceedings in Docket Nos. RI65–394, RI60–360, and RI60–245, respectively.

(T) Ainslie Perrault (Operator), et al., and C. F. Raymond shall be co-respondents in the proceedings pending in Docket Nos. RI64–396 and RI64–398, respectively; said proceedings are redesignated accordingly;[2] and the agreements and undertakings submitted by Perrault and Raymond in said proceedings are accepted for filing.

(U) Ainslie Perrault (Operator), et al., and C. F. Raymond shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreements and undertakings submitted by them in Docket Nos. RI64–396 and RI64–398 shall remain in full force and effect until discharged by the Commission.

(V) Applicants in Docket Nos. G–15917 and CI65–539 shall comply with the requirements of Opinion Nos. 468 and 468–A, and particularly,

(a) The initial rate for sales from the additional acreage shall be the applicable base area rate prescribed in Opinion No. 468, as modified by Opinion No. 468–A, or the applicable contract price, whichever is lower, and

(b) No increase in rate in excess of that provided in (a) above shall be filed before January 1, 1968.

(W) Within 45 days from the date of initial delivery Applicants in Docket Nos. G–15917 and CI65–539 shall file three copies of a rate schedule-quality statement in the form prescribed by Opinion No. 468–A.

(X) If the quality of the gas delivered by Applicants in Docket Nos. G–15917 and CI65–539 from the additional acreage deviates from the quality standards set forth in ordering paragraph (B) of Opinion No. 468 so as to require a downward adjustment of the existing rate, Applicants shall file a notice of change in rate pursuant to the provisions of Section 4 of the Natural Gas Act: *Provided, however*, That adjustments reflecting changes in B.t.u. content shall be computed by the applicable formula and charged without the filing of a notice of change in rate.

(Y) If a small producer certificate is hereafter denied in Docket No. CS66–119, Applicant in Docket No. CI66–773 shall file a rate schedule-quality statement in the form prescribed in Opinion No. 468–A within forty-five days of such determination.

(Z) Any rates collected on or after September 1, 1965, by Applicant in Docket No. CI66–773 in excess of the applicable area base rates prescribed in paragraphs (A) and (B) of Opinion No. 468, as modified by Opinion No. 468–A, shall be subject to refund under the conditions prescribed in paragraph (D) of Opinion No. 468.

(AA) The determination of a just and reasonable rate for sales by Applicant in Docket No. CI65–519 from producing properties acquired from The Atlantic Refining Company from August 1, 1963, to the effective date of such determination shall be made in the proceeding pending in Docket No. RI65–543. The agreement and undertaking heretofore filed in said proceeding shall be construed to assure the refund of all amounts collected in excess of the amounts determined to be just and reasonable in said proceeding.

(BB) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
G–4820 D 11–8–65	Texaco, Inc.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc.,[1] Santellana Field, Hidalgo County, Tex.	Amendatory agreement 8–1–65.[2 3]	54	6
G–5557 E 3–11–66	B & G Oil & Gas Co. (successor to Bernard S. Graves, et al.).	Consolidated Gas Supply Corp., De Kalb District, Gilmer County, W. Va.	Bernard S. Graves, et al., FPC GRS No. 1, Supplement Nos. 1–2.	1	1–2
			Notice of succession 3–2–66.	1	3
			Assignment 12–10–62.		
			Effective date: 12–10–62.		
			Assignment 8–13–63[3 5]	127	6
G–9393 D 12–20–63	The Atlantic Refining Co.	Cities Service Gas Co., Harditner Field, Barber County, Kans.	Letter agreement 2–21–66.[9]	44	9
G–9991 4–5–66[4 7]	Gulf Oil Corp. (Operator), et al.	Michigan Wisconsin Pipe Line Co., Nichols Field, Kiowa County, Kans.	Letter agreement 2–21–66.[9]	44	10
			Letter agreement 2–18–66.	44	11
			Letter agreement 2–22–66.	44	12
			Letter agreement 2–25–66.[10]	44	13
G–15917 C 2–4–66[7]	Amerada Petroleum Corp.[11]	El Paso Natural Gas Co., Justis Blinebry Field, Lea County, N. Mex.	Supplemental agreement 1–13–66.[10]	66	4
G–16579 C 3–31–66[12]	Riddell Petroleum Corp.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Amendatory agreement 3–11–66.	1	11
			Letter 5–6–66[10 13]	1	12

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[2] RI64–396 J. L. Mills, et al. and Ainslie Perrault (Operator), et al. RI64–398 Northwest Production Corp. (Operator), et al., and C. F. Raymond.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
CI65–601 O 4–6–66[7]	M. D. Carey, et al., d.b.a. Carey Oil Co., et al.	Consolidated Gas Supply Corp., Grant District, Doddridge County, W. Va.	Letter agreement 3–17–65.[2]	3	1
			Letter agreement 8–17–65.[2]	3	2
CI65–1175 3–29–66[7]	James H. Helland (Operator), et al.	United Gas Pipe Line Co., South Westside Cotton Creek Field Area, Goliad County, Tex.	Amendatory agreement 9–10–65.[2]	2	4
CI66–522 D 3–22–66 C 6–2–66[7]	Ventura Oil Co.	Equitable Gas Co., Buckhannon District, Upshur County, W. Va.	Letter agreement 2–17–66.[2]	3	2
			Letter agreement 4–6–66.[2]	3	3
CI66–673 A 1–26–66[3]	Russell Williamson, et al.	Kentucky-West Virginia Gas Co., Rockhouse Creek, Martin County, Ky.	Contract 4–14–47.	1	1
			Deed 4–30–53.	1	2
			Assignment 5–21–61.	1	3
CI66–686 A 1–27–66[3]	T. F. Harrington, et al.	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	Contract 9–29–54.	1	1
			Supplemental agreement 11–1–55.[2]	1	2
			Supplemental agreement 11–12–57.[2]	1	3
			Supplemental agreement 2–18–66.[2]	1	4
A CI66–773 F 2–21–66	George L. Buckles, et al. (successor to Amerada Petroleum Corp.).	El Paso Natural Gas Co., Langlie-Mattix Field, Lea County, N. Mex.	Contract 7–18–39.[2]	13	1
			Supplemental agreement 3–9–42.	13	2
			Letter agreement 12–6–44.	13	3
			Letter agreement 9–18–50.	13	4
			Supplemental agreement 1–17–61.	13	5
			Assignment 11–16–66.[2]	13	6
CI66–794 A 3–28–66[7]	Texaco Inc.	Transwestern Pipeline Co., Cree-Flowers and Mendota Fields, Roberts County, Tex. Mendota Field, Midland County, Tex.	Rate Schedule 9–1–65.	266	
			Contract 9–18–66.[10]		
CI66–690 (CI61–1356) B 2–28–66	Jake L. Hamon (Operator), et al.	Equitable Gas Co., Glenville District, Gilmer County, W. Va.	Notice of cancellation 2–4–66.[2]	30	1
CI66–808 A 2–24–66[3]	R. L. McKim, et al.	El Paso Natural Gas Co., Twin Mesa Pool, Lea County, N. Mex.	Notice of cancellation 2–2–66.[2]	62	6
CI66–904 (G–11636) B 3–3–66	Gulf Oil Corp. (Operator), et al.	Sinclair Oil & Gas Co.	Contract 2–1–56.	347	1
			Amendatory agreement 4–1–64.	347	2
CI66–906 A 3–2–66	Mobil Oil Corp.[2]	El Paso Natural Gas Co., Langlie Mattix Field, Lea County, N. Mex.	Amendatory agreement 4–1–64.	386	1
A CI66–833 (G–18925) F 2–4–66	Mobil Oil Corp.[2] (Operator), et al. (formerly Socony Mobil Oil Co., Inc.) (successor to Jake Jacobsen).	El Paso Natural Gas Co., Sprayberry Field, Midland County, Tex.	Amendatory agreement 10–26–59.[2]	386	1
			Assignment 3–1–62.[2]	386	3
			Assignment 3–1–64.[2]	386	4
			Assignment 4–4–64.[2]	386	5
			Quality statement 2–23–66.[2]	386	6
CI66–942 A 3–14–66[7]	Dalco Oil Co., et al.	Texas Gas Transmission Corp., Chemere Field, Lafourche and Ouachita Parishes, La.	Contract 2–24–66.[2]	2	
A CI66–864 (CI61–524) F 3–17–66	Sunray DX Oil Co. (successor to Shell Oil Co.).	Michigan Wisconsin Pipe Line Co., Woodward Area, Woodward County, Okla.	Contract 8–24–60.[14]	267	1
			Processing agreement 6–24–60.	267	
			Supplemental agreement 8–24–60.	267	2
			Assignment 4–2–64.[14]	267	3
			Assignment 5–24–66.[14]	267	4
			Effective date: 1–10–66.		

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
G–19109 C 4–14–66[7]	William G. Webb	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	Supplemental agreement 4–6–66.[2 15]	3	22
G–19145 C 4–14–66[7]	J. Glenn Turner	do.	Supplemental agreement 4–6–66.[2]	7	24
CI60–32 D 1–17–66	Texaco, Inc. (Operator), et al.	El Paso Natural Gas Co., LaBarge Field, Sublette County, Wyo.	Letter agreement 11–2–65.[2 15]	211	11
CI62–1251 C 4–25–66[13]	Joseph E. Seagram & Sons, Inc., Rich Oil Co. Texas Pacific Oil Co. (Operator), et al.	Arkansas Louisiana Gas Co., Wilburton Field, Latimer County, Okla.	Amendment 8–18–66.[15]	10	7
CI63–318 C 4–25–66[7]	Frank A. Schultz, et al.	El Paso Natural Gas Co., Basin Dakota and Blanco Mesaverde Fields, San Juan County, N. Mex.	Supplemental agreement 4–6–66.[10]	8	19
CI63–355 E 4–18–66[16]	Ainslie Perrault (Operator), et al. (formerly J. L. Mills, et al.).	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	J. L. Mills, et al., FPC GRS No. 1.	3	1
			Supplement No. 1.	3	
			Notice of change of Operator 4–14–66.	3	
CI64–357 C 4–25–66[7]	American Metal Climax, Inc. (Agent and Operator), et al.	Mountain Fuel Supply Co., Nichle Gulch Unit Area, Sweetwater County, Wyo.	Supplemental agreement 3–24–66.	5	5
CI64–544 A 11–4–63	Gulf Oil Corp.[16]	Northern Natural Gas Co. of America, Southeast Boyd Pool, Beaver County, Okla.	Ratification agreement 8–15–63.[15]	295	
			Contract 9–30–60.	295	1
CI64–670 C 4–27–66[13]	Marathon Oil Co.	Arkansas Louisiana Gas Co., Wilburton Field, Hanna-Upshur Area, Flore, and Pittsburg Counties, Okla.	Amendment 3–18–66.[15]	88	3
CI64–1536 C 4–8–66	Stonestreet Lands Co., Inc.	Consolidated Gas Supply Corp., Smithfield District, Doane County, W. Va.	Letter agreement 7–30–65.[15]	23	1
CI65–54 C 4–15–66[13]	Tenneco Oil Co. (Operator), et al.	Arkansas Louisiana Gas Co., South Milton Area, Le Flore County, Okla.	Amendment 3–21–66.[15]	168	1
A CI65–519 (G–9393) F 11–30–64 (CI61–1822)	Bachna Oil Co. (successor to The Atlantic Refining Co. and H. E. Bangert, et al.).	Cities Service Gas Co., Harditner Field, Barber County, Kans.	Contract 7–25–55.	5	1
			Assignment 8–19–63.[2]	5	
			Effective date: 8–1–63.	5	
			Contract 12–3–54.	6	1
			Letter agreement 6–27–59.	6	
			Assignment 7–1–63.[2]	6	2
			Effective date: 7–1–63.	6	
			Assignment 7–26–63.[2]	6	3
			Effective date: 8–1–63.	6	
CI65–539 C 3–11–66[7]	Union Oil Co. of California.[2]	Natural Gas Pipeline Co. of America, Walt Canyon Unit, Indian Basin Area, Eddy County, N. Mex.	Supplemental agreement 11–19–65.[2]	96	1
CI65–549 D 4–6–66 C 4–6–66[7]	Jennings Petroleum Corp.[2]	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	Letter agreement 1–24–66.[2]	2	1
			Letter agreement 2–4–66.[2]	2	2
CI65–645 C 4–8–66[7]	Trojan Coal & Petroleum Corp.	Consolidated Gas Supply Corp., Center District, Gilmer County, W. Va.	Letter agreement 2–15–66.[15]	2	1
CI65–817 D 4–7–66 C 4–7–66[7]	Jennings Petroleum Corp.[2]	Equitable Gas Co., Otter District, Webster County, W. Va.	Letter agreement 2–4–66.[2]	3	2
CI65–875 C 4–18–66[7]	CWM & VLM Trust.	El Paso Natural Gas Co., Basin Dakota and Blanco Mesaverde Fields, San Juan County, N. Mex.	Supplemental agreement 4–6–66.[2 15]	1	5

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
C166-868, A 3-24-66 [13]	Pan American Petroleum Corp. [14]	Natural Gas Pipeline Co. of America, Ivanhoe Field, Dewey County, Okla.	Contract 2-1-66	436	
C166-903, A 3-29-66 [7] [15]	Southwestern Development Co.	Carnegie Natural Gas Co., Union District, Ritchie County, W. Va.	Contract 9-24-64 [16]	9	
C166-913, (G-18459) B 3-31-66	Dalton H. Cobb	Pioneer Gathering, Inc., Crockett County, Tex.	Notice of cancellation 3-29-66 [1] [14]	1	1
C166-914, (G-5194) B 3-31-66	Buhl Stanley	Carnegie Natural Gas Co., Union District, Ritchie County, W. Va.	Notice of cancellation 3-29-66 [1] [14]	1	2
A C166-953, (G-10966) F 3-25-66	C. F. Raymond (successor to Northwest Production Corp.)	Elbert-Northwest, Inc. Co. Haskell Area, La Plata County, Colo.	Contract 6-15-56 [4]	4	
			Letter agreement 11-30-64	4	1
			Assignment 11-15-64 [17] [18]	4	2
C166-943, A 4-1-66 [7] [15]	Clarence Powell, et al., d.b.a. Morgans Run Gas Co.	Carnegie Natural Gas Co., Grant District, Doddridge County, W. Va.	Contract 8-12-57 [14]	7	
C166-944, A 4-7-66	Joseph S. Gruss	El Paso Natural Gas Co., Ignacio-Blanco Mesa Verde Field, La Plata County, Colo.	Contract 1-24-66 [19]	10	
C166-952, A 4-7-66	George Doleral, Jr.	Monsanto Co., et al. Powder Wash Field, Moffat County, Colo.	Ratified 1-28-66 [19] [21]	1	
C166-958, A 4-7-66	Quaker State Oil Refining Corp., et al.	Consolidated Gas Supply Corp., Glenn District, Gilmer County, W. Va.	Contract 3-25-66 [19]	16	
C166-963, A 4-11-66 [7]	George Longfellow	Equitable Gas Co., Washington District, Calhoun County, W. Va.	Contract 1-6-66 [19]	8	
C166-968, A 4-11-66 [7]	Ralph L. Warner, et al.	Equitable Gas Co., Glenville District, Gilmer County, W. Va.	Contract 3-8-66 [19]	5	
C166-969, A 3-30-66 [7]	Mesa Petroleum Co.	Panhandle Eastern Pipe Line Co., Northeast Seeling Field, Major County, Okla.	Contract 2-9-66 [19]	[11]	
C166-975, A 4-13-66 [13]	Pelludas Petroleum Co. (Operator), et al.	The Manufacturers Light & Heat Co., Meade District, Marshall County, W. Va.	Contract 4-1-66 [19]	1	
C166-980, A 4-8-66 [7]	Neville G. Penrose, et al.	El Paso Natural Gas Co., Ignacio-Blanco Field, La Plata County, Colo.	Contract 3-2-65 [19]	4	
C166-987, A 4-15-66 [7]	Southern Union Production Co. (successor to Sunray DX Oil Co.).	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Contract 2-9-57 [22]	19	
A C166-1003, (G-13290) F 4-18-66			Amendment 1-14-58	19	
			Amendatory agreement 7-1-65	19	
A C166-1005, (G-13633) F 4-18-66	G. H. Vaughn, Jr. and Jack C. Vaughn (successors to Union Producing Co.).	United Gas Pipe Line Co., Northeast Lisbon Field, Claiborne Parish, La.	Assignment 8-20-65 [14] [23]	19	
			Effective date: 8-20-65 [24]	19	
			Contract 8-9-65 [25]	6	
			Letter agreement 12-1-54	9	1
			Amendment 6-30-56	9	2
			Letter agreement	9	3
			Letter agreement 7-1-60	9	4
			Letter agreement 7-1-64	9	5
			Sublease 5-22-66 [7]	9	6
			Effective date: 3-22-66	9	
C166-1006, A 4-20-66 [7]	Yucca Petroleum Co.	Transwestern Pipeline Co., South Follett (Morrow) Field, Lipscomb County, Tex.	Contract 8-22-66 [19]	11	

See footnotes at end of table.

[1] Formerly Tennessee Gas Transmission Co.
[2] Deletes unproductive portion of Texaco's acreage in the A. E. Guerra lease.
[3] Effective date: Date of this order.
[4] Assignment of interest by Bernard S. Graves, et al., to B & G Oil & Gas Co.
[5] Assigns acreage to Bachus Oil Co. Bachus has filed to cover subject acreage in Docket No. C166-519.
[6] Amendment to the certificate filed to cover interests of nonsignatory coowners.
[7] Jan. 1, 1966, moratorium date pursuant to Commission's Statement of General Policy 61-1, as amended.
[8] Unilateral agreement by Max Beren.
[9] Unilateral agreement by J. A. Aylward.
[10] Effective date: Date of initial delivery (Applicant should advise the Commission as to such date).
[11] By letter filed Apr. 18, 1966, Applicant expressed willingness to accept authorization for the additional acreage containing conditions similar to those imposed by Opinion No. 468.
[12] July 1, 1967, moratorium date pursuant to Commission's Statement of General Policy 61-1, as amended.
[13] Provides for proportional downward B.t.u. adjustment for the amendatory agreement dated Mar. 11, 1966.
[14] Adds acreage and eliminates Favored Nations Clause applicable to liquids and the 1.0 cent per Mcf guarantee for liquids as to the subject acreage.
[15] Production of gas no longer economically feasible.
[16] Amendment to the certificate filed to reflect change in Operator; former operator (Mills) remains covered under rate schedule as an "et al." party.
[17] Omitted.
[18] By letter filed Jan. 8, 1964, Applicant advised willingness to accept a permanent certificate conditioned to the area ceiling price of 17.0 cents.
[19] Adopts a base contract dated Sept. 30, 1960 between buyer and Anadarko Production Co.
[20] To Bachus from the Atlantic Refining Co. Acreage presently covered by the Atlantic Refining Co., FPC GRS No. 127.
[21] To Bachus from H. E. Bangert. Bangert has no rate schedule on file to cover the assigned acreage.
[22] By letter dated May 4, 1966, Applicant expressed willingness to accept authorization for the additional acreage containing conditions similar to those imposed by Opinion No. 468.
[23] By letter dated May 25, 1966, Applicant requested the deletion of A. M. van Flick's name as Agent relative to Jennings Petroleum Corp.
[24] Deletes expired lease and adds corresponding renewal lease.
[25] Adds acreage and adds "et al." parties (Supp. Nos. 1 and 2 pertain to leases covering 124 and 167 acres, respectively).
[26] Amendment to the certificate filed to include oil well gas which was previously excluded.
[27] Amends contract to include oil well gas which was previously excluded.
[28] This is a June 7, 1954, sale.
[29] Service being rendered without prior authorization.
[30] Adds acreage.
[31] Between Amerada Petroleum Corp. and El Paso; on file as Amerada's FPC GRS No. 30 (provides for the sale of casinghead gas only).
[32] Partial assignment of acreage from Amerada to George L. Buckles, et al.
[33] Due to drop in formation pressure gas previously sold under this rate schedule is now sold under a percentage type contract.
[34] Source of gas depleted.
[35] Service currently being rendered under coowner's (Albert Gackle's) filings in Docket No. G-10917 and under Albert Gackle (Operator), et al., FPC GRS No. 10. Gackle has filed a small producer application (C866-10), which cannot cover Sinclair's interest. Sinclair proposes to establish its own filings to cover its share of the sale.
[36] Amends pricing provisions pertaining to Sinclair only.
[37] Applicant will make the subject sale at a rate of 14.5 cents per Mcf at 14.65 p.s.i.a. The predecessor's presently effective rate is 17.2295 cents per Mcf which is being collected subject to refund in Docket No. R160-104.
[38] Between Humble Oil & Refining Co. and El Paso (J. E. Connally, doing business as Connally Oil Co. (Operator), et al., FPC GRS No. 1).
[39] Eliminates Favored Nations Clause and includes a revised schedule of periodic increases.
[40] Assignment of interest in acreage from J. E. Connally to Jake Jacobsen (160 acres).
[41] Assignment of interest in acreage from J. E. Connally to Jake Jacobsen (480 acres).
[42] Adds an "Operations Under Unitization Agreement" to the contract.
[43] Assignment of interest in acreage from Jake Jacobsen to Socony (now Mobile Oil Corp.) (640 acres).
[44] Letters from buyer and seller stating that gas meets or exceeds, in all respects, quality standards for pipeline quality gas established in Opinion No. 468, as modified.
[45] On file as Shell Oil Co., FPC GRS No. 268.
[46] Assigns acreage from Shell Oil Co., to Tenneco Oil Co. (filing completed Apr. 25, 1966).
[47] Assigns acreage from Tenneco Oil Co. to Applicant.
[48] Contract price is 19.5 cents per Mcf, however, Applicant states willingness to accept a permanent certificate conditioned similar to the certificates issued under Opinion No. 353.
[49] By letter filed May 20, 1966, Applicant advised it would accept a permanent certificate conditioned to a 15-cent rate.
[50] Between Northwest Production Corp. and El Paso Natural Gas Co. (Northwest's FPC GRS No. 1).
[51] Assignment whereby C. F. Raymond, by virtue of rights gained under sublease and operating agreement, acquired an interest in certain acreage under the contract.
[52] Adopts terms and provisions of Apr. 3, 1954, contract between Mountain Fuel and Sinclair Oil & Gas Co., et al. (Apr. 3, 1954 contract attached to ratification agreement).
[53] Contract price is 17.0 cents per Mcf, however, Applicant states it will accept the area ceiling of 15.0 cents per Mcf.
[54] Basic contract between Sinclair Oil & Gas Co. and Michigan Wisconsin; on file as Sinclair Oil & Gas Co. FPC GRS No. 165.
[55] Assigns acreage from Sinclair Oil & Gas Co. to Sunray DX Oil Co.
[56] Assigns acreage from Sunray DX Oil Co. to Applicant.
[57] Sale made under Union Producing Co. (Operator), et al., FPC GRS No. 86.
[58] Farmout from Union Producing Co. to Applicant.
[59] Provides for the purchase of casinghead gas and gas well gas.
[60] Contract price is 19.5 cents per Mcf, however, Applicant states it will accept the area ceiling of 15.0 cents per Mcf.
[61] Rate of 12.0 cents in effect subject to refund in Docket No. RI65-394.
[62] Rate of 16.8 cents in effect subject to refund in Docket No. RI60-360. Last firm rate is 11.0 cents.
[63] Rate of 16.8 cents in effect subject to refund in Docket No. RI60-245. Last firm rate is 11.0 cents.

[F.R. Doc. 66-6851; Filed, June 24, 1966; 8:45 a.m.]

[Project 2589]

BOARD OF LIGHT AND POWER, CITY OF MARQUETTE, MICH.

Notice of Application for License for Constructed Project

JUNE 20, 1966.

Public notice is hereby given that application has been filed under The Federal Power Act (16 U.S.C. 791a–825r) by Board of Light and Power, City of Marquette, Mich. (correspondence to: Thomas Moore, Director, Board of Light and Power, City Hall, Marquette, Mich., 49855), for license for constructed Project No. 2589, known as the Marquette Project, located on Dead River, in the vicinity of Marquette, in Marquette County, Mich.

The existing project consists of three developments comprising: (1) *Development No. 1.* Upper Dam or No. 2 Dam, a concrete dam 425 feet long and 55 feet high having a spillway section 202 feet long creating a reservoir owned by the city of Marquette; a 72-inch diameter 2,700-foot long steel penstock conveying water to the turbine in Plant No. 1; Plant No. 1, being a powerhouse containing one 1,450-horsepower turbine connected to a 1,250 kw generator; appurtenant facilities; (2) *Development No. 2.* A woodstave pipeline from Dam No. 2 to a surge tank and two steel penstocks from the surge tank to Plant No. 2; Plant No. 2, being a powerhouse containing two 2,400 horsepower horizontal shaft turbines each connected to a 1,600 kw generator; and appurtenant facilities; and *Development No. 3.* Dam No. 3 (Lower Dam) 150 feet long and 20 feet high; a short section of steel penstock; Plant No. 3, being a powerhouse containing a 1,000 horsepower reaction type turbine connected to a 700 kw generator; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 10, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6977; Filed, June 24, 1966; 8:45 a.m.]

[Project 1998]

EDIBLE HERRING PRODUCTS, INC.

Notice of Application for New License for Constructed Project

JUNE 20, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Edible Herring Products, Inc. (correspondence to: Melville Monheimer, Secretary, Edible Herring Products, Inc., 510 Securities Building, Seattle, Wash., 98101), for a new license for constructed Project No. 1998, located on Big Port Walter Falls Creek, a tributary of Big Port Walter, in Sitka Precinct and Recording District, First Judicial Division, Alaska, on Baranof Island, and affecting lands of the United States within Tongass National Forest.

The existing project consists of: A timber dam about 25 feet long and 5 feet high; a wood flume 110 feet long; a woodstave pipeline approximately 2,060 feet long; a powerhouse containing a 100-horsepower waterwheel and a 50-kilowatt generator; 14 water wheels with total capacity of 298 horsepower, one of the water wheels is connected to a 19-kilowatt generator; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 10, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6978; Filed, June 24, 1966; 8:45 a.m.]

[Docket No. CP66-407]

MANUFACTURERS LIGHT & HEAT CO.

Notice of Application

JUNE 20, 1966.

Take notice that on June 8, 1966, the Manufacturers Light & Heat Co. (Applicant), 800 Union Trust Building, Pittsburgh, Pa., 15219, filed in Docket No. CP66-407 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon certain natural gas pipeline facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain pipeline facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate, (1) 1 mile of 8-inch pipeline as a replacement of its 1 mile, 6-inch Line No. 1058 in Buffalo District, Brooke County, W. Va.; (2) 2 miles of 6-inch pipeline as a replacement of a 2-mile section of its 4-inch Line No. 1144 in Magnolia and Proctor Districts, Wetzel County, W. Va.; and (3) a tap on its Line No. 1804 and 199 feet of 6-inch gas transmission pipeline in Elk Lick Township, Somerset County, Pa. Applicant also requests permission and approval to abandon, (1) 1.7 miles of its 8-inch Line No. 17 in Richhill Township, Green County, Pa., and (2) its entire Line No. 949, consisting of 1.1 miles of 2-inch pipeline in Liberty District, Marshall County, W. Va.

Applicant states that the pipelines are to be replaced and abandoned due to age and condition and to maintain dependable service.

The total estimated cost of Applicant's proposed construction is $129,400, which cost will be financed as a part of Applicant's 1966 construction program through the issuance and sale of installment promissory notes or common stock to its parent company, the Columbia Gas System, Inc.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 18, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6979; Filed, June 24, 1966; 8:45 a.m.]

[Docket No. CP66-404]

MONTANA-DAKOTA UTILITIES CO.

Notice of Application

JUNE 20, 1966.

Take notice that on June 7, 1966, Montana-Dakota Utilities Co. (Applicant), 831 Second Avenue South, Minneapolis, Minn., 55402, filed in Docket No. CP66-404 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities and service, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to abandon the following service and facilities:

(1) Abandon the sale of gas for resale to Ernest R. Jensen, Byron Gas Service, Byron, Wyo., under Rate Schedule G-1, FPC Gas Tariff Original Volume No. 4, and

(2) Abandon sales and metering facilities serving said Ernest R. Jensen and located in the N½, S. 33, T. 56 N., R. 97 W., Big Horn County, Wyo.

Applicant states that the reason for the proposed abandonment is that Ernest R. Jensen has secured a local supply of gas at a lesser rate than that charged by Applicant, and it is adequate to meet his needs. Applicant further states that the proposed abandonment of service will not have any adverse effect on Applicant's remaining customers by reason of the loss of revenue. The fact that Ernest R. Jensen can purchase an adequate supply of gas for his customers at a lesser rate will be beneficial to him and his customers.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act § 157.10) on or before July 13, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6980; Filed, June 24, 1966; 8:45 a.m.]

[Docket No. CP66-409]

NORTHERN NATURAL GAS CO.

Notice of Application

JUNE 20, 1966.

Take notice that on June 10, 1966, Northern Natural Gas Co. (Applicant) filed in Docket No. CP66-409 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the transportation and sale of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the following customers have requested increased contract demand volumes of natural gas.

Customer	Increased (Mcf)
Cedar Falls, Iowa	400
Elkhorn Valley Gas Co	50
Interstate Power Co	100
Iowa Electric Light and Power Co	6,535
Iowa Power and Light Co	4,500
Iron Ranges Natural Gas Co	275
Nebraska Natural Gas Co	300
North Central Public Service Co	450
North Central Public Service Corp	103
Osage, Iowa	100
Peoples Natural Gas Division	12,808
Pender, Nebr	50
Remsen, Iowa	25
Two Harbors, Minn	385
Wisconsin Southern Gas Co	150
Total net increase	26,231

The net increase shown in the above tabulation reflects decreases in the contract demand requested for specific communities by North Central Public Service Co., Peoples Natural Gas Division and Western Power & Gas Co., Inc. (which has a net increase of zero and is therefore not included in the tabulation).

Of the total requested increase of 26,231 Mcf in contract demand, 11,173 Mcf is for firm industrial service and the remaining 15,058 Mcf is requested to permit Applicant's utility customers to meet growth requirements of presently served communities.

Applicant proposes to construct and operate the following facilities in the States of Kansas, Nebraska, Iowa, and Minnesota, which will expand its system capacity to 2,280,125 Mcf of gas per day.

	Estimated Cost
Main Line Loops	$7,576,900
Branch Line	123,200
Sales Measuring Station	38,820
Plant Facilities	895,100
Interest and Overheads	388,530
Commission Fees	13,550
Total Estimated Project Cost	9,036,100

Applicant proposes to finance the construction from cash on hand, reserve accruals and retained earnings.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 18, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6981; Filed, June 24, 1966; 8:46 a.m.]

[Docket No. CP66-406]

NORTHERN UTILITIES, INC.

Notice of Application

JUNE 20, 1966.

Take notice that on June 8, 1966, Northern Utilities, Inc. (Applicant), Box 1091, Casper, Wyo., filed in Docket No. CP66-406 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the replacement of certain existing facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authority for the construction, operation and replacement of the following facilities:

(1) The construction of approximately 16 miles of 8-inch pipeline from a point near Atlantic-Richfield Co.'s (formerly Atlantic Refining Co.) Riverton Dome Gasoline Plant in Sec. 36, T. 1 S., R. 4 E. of Wind River Meridian, southeasterly to connect with Applicant's Sand Draw Field, all in Fremont County, Wyo., to replace the present pipeline between said two points, consisting of approximately 15 miles of 6-inch pipeline, approximately 3 miles of 6-inch loop pipeline, and approximately 3 miles of 4-inch loop pipeline; and

(2) The construction of approximately 1.30 miles of 16-inch pipeline loop, generally parallel to the present 12-inch pipeline, from a metering point near the Kansas-Nebraska Natural Gas Co. (Kansas-Nebraska) Compressor Station located east of Casper, Wyo., to a point on the north side of the North Platte River, including a new and separate crossing of said river, all in Natrona County, Wyo.

Applicant states that the instant proposal grows out of its acceptance of the notice given by Kansas-Nebraska, pursuant to paragraph (c) of section 1 of the transportation agreement between the parties dated September 14, 1965.

The application states that the proposed construction will increase the capacity of Applicant's transmission facilities from Riverton Dome Field to Sand Draw Field from approximately 9,400 Mcf of gas per day to approximately 35,000 Mcf of gas per day and will permit Applicant to transport and redeliver to Kansas-Nebraska at the inlet of the latter's Casper Compressor Station the annual volume of 20,000,000 Mcf which Kansas-Nebraska desires transported.

The total estimated cost of Applicant's proposed construction is $305,594, which cost will be financed from cash on hand and that generated from operations.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 18, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6982; Filed, June 24, 1966; 8:46 a.m.]

[Project 2578]

ORANGE & ROCKLAND UTILITIES, INC.

Notice of Application for License for Constructed Project

JUNE 20, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Orange & Rockland Utilities, Inc. (correspondence to: Richard D. Wilhite, Executive Vice President, Orange & Rockland Utilities, Inc., 10 North Broadway, Nyack, N.Y., 10960), for license for constructed Project No. 2578, known as the Mongaup project, located on Mongaup River and its tributary Black Brook in the region above Port Jervis and Mongaup, and near Forestburg and Mongaup Valley, Sullivan County, N.Y.

The existing Mongaup project consists of a dam on Mongaup River and a feeder development on Black Brook, and is described as follows: *The Mongaup River development.* (1) A concrete-gravity type dam about 45 feet high and 386 feet long, including an ogee spillway section 156 feet long, with crest at elevation 930 feet, topped by flashboards 5 feet high, and a 20-foot gatehouse section; (2) a reservoir at elevation 935 feet (normal full pond) about 2.5 miles long with a surface area of about 120 acres and a usable storage of 706 acre-feet with a maximum drawdown of 6 feet; (3) an 8-foot wood penstock about 2,650 feet long to a surge tank; (4) a 26-foot diameter steel surge tank 106 feet high; (5) four 5-foot penstocks of various lengths lead from distributor to powerhouse; (6) a 25 x 91-foot powerhouse with four vertical generating units each rated at 1,000 kw and totaling 4,000 kw; (7) portion of outdoor substation within project boundary; (8) an access road, and public recreation area with potential additional facilities to be portrayed 6 months hence in an Exhibit R incorporating the results of consultation with the staff of the Commission; and (9) appurtenant facilities. *The Black Brook feeder development.* (1) A concrete-gravity type feeder dam about 17 feet high and about 75 feet long including an 8-foot stop-log section, a 34-foot flashboard section, and a 13.5-foot gated-intake section; (2) a reservoir at elevation 948 feet (normal full pond) about 0.11 mile long with neglible pondage; (3) a 3-foot wood penstock about 371 feet long to a transition chamber, thence through a 4-foot diameter penstock about 3,880 feet long to 26-foot diameter steel surge tank of (4) above; and (4) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 10, 1966. The application is on file

with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6983; Filed, June 24, 1966; 8:46 a.m.]

[Docket No. CP66-408]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

JUNE 20, 1966.

Take notice that on June 9, 1966, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex., 77001, filed in Docket No. CP66-408 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the rendition of additional natural gas service to South Jersey Gas Co. (South Jersey), an existing customer, in the amount of 7,000 Mcf of gas per day under Applicant's Rate Schedule CD-3, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that South Jersey has requested the aforementioned additional service commencing July 1, 1966, in order to meet increased firm demands on its system and to accelerate returns of gas into underground storage for use in the coming winter.

The application states that no additional facilities are required in order to render the service proposed in the application.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 18, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6984; Filed, June 24, 1966; 8:46 a.m.]

[Docket No. CP66-410]

VALLEY GAS TRANSMISSION, INC.

Notice of Application

JUNE 20, 1966.

Take notice that on June 9, 1966, Valley Gas Transmission, Inc. (Applicant), Post Office Box 1188, Houston, Tex., 77001, filed in Docket No. CP66-410 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate jurisdictional facilities from time to time during the next 12 months as necessary to enable Applicant to connect its system with the facilities of an independent producer or other similar seller authorized by the Commission to make a sale of natural gas to Applicant for resale in interstate commerce.

Applicant states that the purpose of the instant application is to augment its ability to act with reasonable dispatch in contracting for and in connecting to its system new supplies of gas adjacent to its system necessary to enable it to continue to meet its presently authorized sales of natural gas.

The total estimated cost of Applicant's proposed construction is not to exceed $250,000, with no single project expenditure to exceed $50,000, and will be financed from cash on hand, from cash generated from normal operations, internal sources, and from financing already arranged.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 18, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6985; Filed, June 24, 1966; 8:46 a.m.]

[Docket No. CP66-411]

VICI PUBLIC WORKS AUTHORITY AND PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

JUNE 20, 1966.

Take notice that on June 13, 1966, the Vici Public Works Authority, Vici, Okla. (Applicant), filed in Docket No. CP66-411 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Panhandle Eastern Pipeline Co. (Respondent) to establish physical connection of its natural gas transmission facilities with the facilities proposed to be constructed by Applicant, and to sell and deliver natural gas to Applicant for resale and distribution in the town of Vici, Okla., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes that Respondent construct a tap at a point on its transportation line approximately 5,300 feet south of the town of Vici, Okla., and provide a regulation station at such point where said town would connect its transmission line.

Applicant proposes to install a 3-inch transmission pipeline extending 5,300 feet from Respondent's transportation pipeline to the southern limits of the town of Vici. Applicant further proposes to construct a natural gas distribution system and appurtenances in the town of Vici. Applicant states that the proposed transmission and distribution facilities will be owned and operated by the town of Vici.

The total estimated volumes of natural gas involved to meet Applicant's annual and peak day requirements for the initial 3 year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	39,047	44,702	49,826
Peak day (Mcf)	711	805	902

The total estimated cost of Applicant's proposed construction is $105,143.86, which cost will be financed through the issuance of revenue bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 18, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-6986; Filed, June 24, 1966; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

FIRST MONTANA BANK CORPORATION

Order Denying Application Under Bank Holding Company Act

In the matter of the application of First Montana Bank Corp., Great Falls, Mont., for approval of action to become a bank holding company through the acquisition of voting shares of Ravalli County Bank, Hamilton, Mont., and First State Bank of Stevensville Montana, Stevensville, Mont.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)) and § 222.4(a)(1) of Federal Reserve Regulation Y (12 CFR 222.4(a)(1)), an application by First Montana Bank Corp., Great Falls, Mont., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of 1,059 (85 percent) of the outstanding voting shares of Ravalli County Bank, Hamilton, Mont., and 414 (83 percent) of the outstanding voting shares of First State Bank of Stevensville Montana, Stevensville, Mont.

As required by section 3(b) of the Act, the Board notified the Montana Superintendent of Banks of the receipt of the application and requested his views and recommendation. The Superintendent replied that the Montana Banking Department could not endorse the proposal but that it would not officially disapprove it.

Notice of receipt of the application was published in the FEDERAL REGISTER on November 19, 1965 (30 F.R. 14510), which provided an opportunity for the filing of comments and views regarding the proposed acquisition, and the time for filing such comments and views has expired and all comments and views filed with the Board have been considered by it.

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is denied.

Dated at Washington, D.C., this 20th day of June 1966.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-6987; Filed, June 24, 1966; 8:46 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Minneapolis.

[2] Voting for this action: Chairman Martin, and Governors Robertson, Shepardson, Mitchell, Daane, and Brimmer. Absent and not voting: Governor Maisel.

stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 21, 1966, through June 30, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-6992; Filed, June 24, 1966; 8:47 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

JUNE 21, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value, of United Security Life Insurance Co., Birmingham, Ala., otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 22, 1966, through July 1, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-6993; Filed, June 24, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1372]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 22, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68732. By order of June 20, 1966, the Transfer Board approved the transfer to Rose Truck Lines, Camden, S.C., of the operating rights in certificates Nos. MC-103191 (Sub-No. 10) and MC-103191 (Sub-No. 11) issued to the Geo. A. Rheman Co., Inc., Charleston, S.C., authorizing the transportation of: Propane, butane, and liquified petroleum gas, in bulk in tank vehicles, between specified points in South Carolina, North Carolina, and Georgia. Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C., 29201, attorney for applicants.

No. MC-FC-68733. By order of June 20, 1966, the Transfer Board approved the transfer to A. Graziani & Sons, Inc., New Castle, Pa., of the permit in No. MC-1407, issued on November 4, 1965, to Viero Graziani, Fred Graziani, and Arthue Graziani, a partnership, doing business as A. Graziani & Sons, 1057 Butler Avenue, New Castle, Pa., authorizing the transportation, over irregular routes, of building and road construction materials, from Darlington and Hillsville, Pa., and points within 5 miles of Darlington and Hillsville, to points in Columbiana, Mahoning, and Trumbul Counties, Ohio. Joseph R. McFate, Rea & McFate, 519 L.S. & T. Building, New Castle, Pa., 16101, attorney for transferee.

No. MC-FC-68735. By order of June 20, 1966, the Transfer Board approved the transfer to Rocky M. Moore, doing business as Texas Continental Express, Dallas, Tex., of certificates in Nos. MC-117954 (Sub-No. 6) and MC-117954 Sub-No. 19), issued April 18, 1962, and March 21, 1966, respectively, to H. L. Herrin, Jr., New Orleans, La., authorizing the transportation of: Bananas, from Galveston, Tex., to points in Alabama, Arizona, Arkansas, California, Colorado, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming; and from Freeport, Tex., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas. Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La., attorney for applicants.

No. MC-FC-68847. By order of June 20, 1966, the Transfer Board approved the transfer to Jarvis Leasing and Transportation Co., a corporation, East Providence, R.I., of the operating rights in certificate No. MC-117204, issued December 17, 1958, to Harold J. Bowley, doing business as George H. Bowley & Son, Pawtucket, R.I., authorizing transportation, over irregular routes, of such commodities as are transported in dump trucks and which can be unloaded by dumping, between points in Providence County, R.I., on the one hand, and, on the other, points in Connecticut and Massachusetts within 25 miles of Rhode

Island. Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905, counsel for applicants.

No. MC-FC-68878. By order of June 20, 1966, the Transfer Board approved the transfer to Jess E. and Etta J. Darnall, a partnership, doing business as Jess E. Darnall Truck Service, Great Bend, Kans., of certificate No. MC-17095, issued September 20, 1940, to H. A. Newman, doing business as Newman Truck Service, Ellinwood, Kans., authorizing the transportation of machinery, materials, supplies and equipment incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery development, and production of natural gas and petroleum, over irregular routes, between points and places in Kansas and Oklahoma. Tudor W. Hampton, 1501 Kansas, Post Office Box 22, Great Bend, Kans., attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7034; Filed, June 24, 1966; 8:50 a.m.]

[3d Rev. S.O. 562; Pfahler's ICC Order 202-A]

SOO LINE RAILROAD CO.

Rerouting and Diversion of Traffic

Upon further consideration of Pfahler's ICC Order No. 202 (Soo Line Railroad Co.) and good cause appearing therefor:

It is ordered, That:

(a) Pfahler's ICC Order No. 202 be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 11:59 p.m., July 1, 1966.

It is further ordered, That a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 22, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 66-7035; Filed, June 24, 1966; 8:51 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

	Page
PROCLAMATION:	
3728	8277
3729	8567
3730	8569
3731	8571
EXECUTIVE ORDERS:	
11224 (superseded by EO 11285)	8211
11285	8211
11286	8279
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:	
Reorganization Plan No. 3 of 1966	8855
CHAPTER V:	
100	8556

5 CFR

	Page
213	7733, 7734, 7959, 8175, 8281, 8527, 8619, 8746, 8857.
302	8527
550	7881, 8585
831	8677
890	8491, 8678

7 CFR

	Page
0	8528
15	8175, 8586
26	8113
28	7734
51	8535
301	8586, 8857
319	8337
354	8113
401	8175
701	7735, 7814
722	8337, 8619, 8758
728	7814, 8337, 8678, 8758
730	8619
775	8339
778	7997
811	7999
817	8536
845	7815
850	8770
876	8857
893	7816
905	8114
908	7961, 8230, 8538, 8859
910	7962, 8045, 8231, 8303, 8538, 8591, 8860
911	7962, 8231, 8539
915	8592
916	8176, 8177
917	7963, 8114, 8177, 8231, 8232, 8303-8306, 8404, 8491.
918	7735
944	8000
970	8178
1038	8115
1039	8116
1074	8000
1099	7963
1125	8405
1421	7964, 8000, 8003, 8306, 8346
1427	8860
1443	8348

7 CFR—Continued

	Page
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
52	8542
725	8819
777	8878
817	8541
905	7971
906	8429
915	8181
994	8021
1001	7911, 8242
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131
1015	7911, 8242
1016	7911
1031	7831
1032	7831, 8634
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911, 8496
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1050	8634
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831

7 CFR—Continued

	Page
PROPOSED RULES—Continued	
1108	7831
1120	7831
1125	7757
1126	7831, 8431
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831, 8542
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
97	8020

10 CFR

	Page
1	8866
36	7959, 8417
40	7959
PROPOSED RULES:	
30	8595
32	8595

12 CFR

	Page
1	8060, 8521
204	8060
523	8771
530	8772
531	8772-8774
545	8353, 8774, 8775
555	8775
556	8776
561	8353, 8776
563	8004, 8776
570	8777
571	8004, 8777

13 CFR

	Page
PROPOSED RULES:	
107	8695

14 CFR

	Page
13	8353
39	7735, 7881, 7882, 8045, 8046, 8417, 8746, 8870.
61	8354
67	8355
71	7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492, 8575, 8620, 8621, 8679, 8747, 8749, 8750, 8870, 8871
73	7736, 7827, 7882
75	7736, 7827, 8047, 8418
91	8354
95	8281
97	7883, 8093, 8010, 8048, 8118, 8217, 8285, 8359, 8576, 8751.
145	8585
1200	8418
1204	8418

14 CFR—Continued

PROPOSED RULES:

21 ... 8075
39 ... 8498, 8833
47 ... 8077
61 ... 8438
71 ... 7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498, 8596, 8597, 8636, 8637, 8694, 8834, 8879.
73 ... 7977, 8375
75 ... 7762, 8242
91 ... 8026, 8438, 8440
93 ... 8078
207 ... 8438

15 CFR

201 ... 8679
230 ... 7737, 7819, 7968, 8680
372 ... 8213
373 ... 8213
374 ... 8213
375 ... 8213
376 ... 8213
377 ... 8213
379 ... 8213
382 ... 8213
385 ... 8213

PROPOSED RULES:

9 ... 7833

16 CFR

13 ... 7960, 7961, 8058–8060
15 ... 7737, 7806, 8233, 8403, 8492, 8521, 8585, 8621, 8871.

PROPOSED RULES:

45 ... 7757
57 ... 8243
170 ... 8882
174 ... 8882
192 ... 8244

17 CFR

211 ... 7821
230 ... 7738
239 ... 7738
240 ... 7740
250 ... 8233
276 ... 7821

PROPOSED RULES:

270 ... 7913

18 CFR

4 ... 8779
101 ... 7897
141 ... 7897
201 ... 7897
260 ... 7897

PROPOSED RULES:

8 ... 8376

20 CFR

404 ... 8367
602 ... 7966
604 ... 8281

PROPOSED RULES:

405 ... 7864, 8668

21 CFR

1 ... 8521
5 ... 8524
8 ... 8216, 8369
27 ... 8493
45 ... 8873
80 ... 8525
120 ... 7741
121 ... 8008, 8009, 8369, 8573, 8874, 8875
125 ... 8521
130 ... 8009
146a ... 8876
148i ... 8876

PROPOSED RULES:

17 ... 8497
27 ... 8497
53 ... 8594

22 CFR

41 ... 7741
42 ... 7741

24 CFR

0 ... 8781
200 ... 7743
203 ... 8539
207 ... 8539
220 ... 8539
221 ... 7743

25 CFR

41 ... 7744
42 ... 7745

26 CFR

1 ... 7789, 8680, 8785
301 ... 8785

29 CFR

0 ... 8306
1605 ... 8370

30 CFR

PROPOSED RULES:

27 ... 8630

31 CFR

128 ... 8179
202 ... 7899, 8234
203 ... 7899, 8234
500 ... 7745, 7899, 8586
520 ... 8404

32 CFR

1 ... 7807
3 ... 7807
4 ... 7810
7 ... 7811
8 ... 7812
16 ... 7814
30 ... 7814
40 ... 8621
273 ... 8007
502 ... 7966
1001 ... 8370
1003 ... 8311, 8371
1004 ... 8371
1007 ... 8371
1013 ... 8371
1014 ... 8371
1053 ... 8371
1250 ... 8061
2000 ... 8540

32A CFR

OIA (Ch. X):
OI REG. 1 ... 7745

33 CFR

202 ... 8403, 8690
203 ... 7827, 8312, 8573
204 ... 8129
208 ... 7751
401 ... 8062

36 CFR

221 ... 8180
251 ... 7899
261 ... 7902

38 CFR

17 ... 8064
21 ... 8292
36 ... 8745

39 CFR

13 ... 7752
22 ... 7752
25 ... 7752
27 ... 8234
41 ... 8234
43 ... 7752, 8235
46 ... 8235
51 ... 8236
52 ... 8236
53 ... 8236
55 ... 8236
56 ... 8236
58 ... 8237
61 ... 8237

41 CFR

1–3 ... 8116
1–5 ... 8621
1–12 ... 8592
4–1 ... 7819
4–6 ... 7819
4–50 ... 7902
8–1 ... 7820
8–2 ... 7820
9–12 ... 8237
101–15 ... 7752
101–17 ... 8117
101–47 ... 8540

42 CFR

57 ... 7755
76 ... 7902

PROPOSED RULES:

73 ... 8594

43 CFR

17a ... 8690
3120 ... 7806
3140 ... 8873
3150 ... 8873
3160 ... 8873

PUBLIC LAND ORDERS:

662 (revoked by PLO 4035) ... 8240
829 (revoked in part by PLO 4028) ... 8238
1775 (revoked in part by PLO 4027) ... 8238
3943 (revoked in part by PLO 4039) ... 8692
4023 ... 7969
4024 ... 7969
4025 ... 7969
4026 ... 8238
4027 ... 8238
4028 ... 8238
4029 ... 8238
4030 ... 8239
4031 ... 8239
4032 ... 8239
4033 ... 8293
4034 ... 8240
4035 ... 8240
4036 ... 8240
4037 ... 8241
4038 ... 8241
4039 ... 8692
4040 ... 8692
4041 ... 8693

PROPOSED RULES:

4 ... 8429
3130 ... 8181
3140 ... 8181
3150 ... 8181
3160 ... 8181
3180 ... 8181

45 CFR

801 ... 7755, 8623
1030 ... 8623

PROPOSED RULES:

170 ... 8544

46 CFR

146 ... 8295
173 ... 8539
202 ... 8065
262 ... 8494
281 ... 8494
308 ... 7970
533 ... 8815

PROPOSED RULES:

531 ... 8834

47 CFR

18 ... 7821
21 ... 7822
73 ... 7904, 8067, 8069–8073, 8623, 8625
74 ... 7822
87 ... 8627, 8628
91 ... 7822

PROPOSED RULES:

1 ... 7837
2 ... 8880
17 ... 8376
21 ... 7837, 8880
23 ... 7837
73 ... 7837, 7838, 8079–8081, 8132, 8637–8639, 8882.
74 ... 7837, 8026
81 ... 7837
87 ... 7837, 8880
89 ... 7837, 8640, 8880
91 ... 7837, 8640, 8880
93 ... 7837, 8640, 8880
95 ... 7837
97 ... 7837

48 CFR

203 ... 8540

49 CFR

6 ... 8573
95 ... 7806, 8064, 8816, 8872
170 ... 8312
180 ... 8872

PROPOSED RULES:

31 ... 8244
170 ... 7841, 8882
178 ... 8696
193 ... 7911

50 CFR

10 ... 8817
32 ... 7909, 8065, 8693, 8817
33 ... 7756, 7910, 7970

PROPOSED RULES:

26 ... 8819
32 ... 8694
33 ... 8694
401 ... 8130

DETROIT PUBLIC LIBRARY JUL 5 1966

SOCIOLOGY & ECONOMICS

FEDERAL

124

PART 1

DETROIT PUBLIC LIBRARY JUL 5 1966

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 124

Tuesday, June 28, 1966 • Washington, D.C.

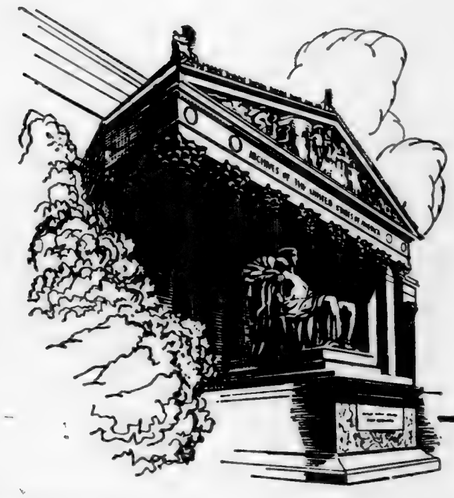
Pages 8903–8944

(Part II begins on page 8939)

Agencies in this issue—

Agricultural Research Service
Agriculture Department
Commerce Department
Consumer and Marketing Service
Customs Bureau
Engineers Corps
Federal Aviation Agency
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fiscal Service
Interstate Commerce Commission
Labor Department
Land Management Bureau
Public Health Service
Securities and Exchange Commission
Small Business Administration
Social Security Administration

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

How To Find U.S. Statutes and U.S. Code Citations

[Revised Edition—1965]

This pamphlet contains typical legal references which require further citing. The official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been included. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

This revised edition contains illustrations of principal finding aids and reflects the changes made in the new master table of statutes set out in the 1964 edition of the United States Code.

Price: 10 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

[Published by the Committee on the Judiciary, House of Representatives]

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL RESEARCH SERVICE
Rules and Regulations
Scabies in cattle; interstate shipment 8907

AGRICULTURE DEPARTMENT
See also Agricultural Research Service; Consumer and Marketing Service.
Notices
Designation of areas for emergency loans:
Nebraska 8928
West Virginia 8928

ARMY DEPARTMENT
See Engineers Corps.

COMMERCE DEPARTMENT
Notices
Saint Lawrence Seaway Development Corporation; organization and functions 8928

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Fresh pears grown in California; shipment limitations 8921
Lemons grown in California and Arizona; handling limitations 8921

CUSTOMS BUREAU
Notices
Oklahoma City, Oklahoma; designation as a customs port of entry 8928

DEFENSE DEPARTMENT
See Engineers Corps.

ENGINEERS CORPS
Rules and Regulations
Bridge regulations:
Indian River Inlet, Del 8907
Ortega River, Fla 8907

FEDERAL AVIATION AGENCY
Rules and Regulations
Airmen; certification 8913
Airworthiness standards and certification and operations; miscellaneous amendments 8911
Control zone:
Alteration 8910
Designation 8910
Restricted area/military climb corridor; revocation 8911
Restricted area; alteration 8910
Standard instrument approach procedures; miscellaneous amendments 8908
Transition area and Federal airways; alteration 8910
Transition areas and control zone; alteration and designation 8909
Proposed Rule Making
Federal airways; proposed alteration 8923
Federal airway segment; proposed revocation 8924
Federal airways, transition area and control zone; proposed alterations and designation 8923
Jet route; proposed extension 8924

FEDERAL MARITIME COMMISSION
Rules and Regulations
Conference agreement provisions relating to concerted activities 8915
Notices
Gemstone Shipping Corp., et al.; agreement filed for approval 8929

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Alabama-Tennessee Natural Gas Co 8929
Arkansas Louisiana Gas Co 8929
Plateau Natural Gas Co 8930

FEDERAL RESERVE SYSTEM
Notices
Barnett National Securities Corp.; order approving application 8930

FEDERAL TRADE COMMISSION
Rules and Regulations
Administrative opinions and rulings:
Clearance given for use of pseudonym for Doctor's real name on radio programs 8913
Functional discount to "premium" book jobbers 8913

FISCAL SERVICE
Rules and Regulations
Regulations governing U.S. savings bonds; correction 8914

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See also Public Health Service; Social Security Administration.

INTERIOR DEPARTMENT
See Land Management Bureau.

INTERSTATE COMMERCE COMMISSION
Rules and Regulations
Emergency equipment on all power units 8920
Motor carriers of household goods; practices (2 documents) 8915, 8916
Notices
Motor carrier temporary authority applications 8932

LABOR DEPARTMENT
Rules and Regulations
Adjustment assistance for workers after certification; correction 8915

LAND MANAGEMENT BUREAU
Rules and Regulations
Miscellaneous amendments to chapter 8914

PUBLIC HEALTH SERVICE
Proposed Rule Making
Biological products; correction 8923

SECURITIES AND EXCHANGE COMMISSION
Proposed Rule Making
Insider trading 8924
Notices
Hearings, etc.:
Columbia Gas of Pennsylvania, Inc 8930
Ohio Valley Electric Corp 8931

SMALL BUSINESS ADMINISTRATION
Proposed Rule Making
Small business size standards; definitions 8926
Notices
Alar Small Business Investment Corp.; order revoking license 8932
Manager, Disaster Branch Office, Topeka, Kansas; delegation of authority 8931

SOCIAL SECURITY ADMINISTRATION
Proposed Rule Making
Health insurance program for the aged; principals of reimbursement for services by hospital-based physicians 8940

TREASURY DEPARTMENT
See Customs Bureau; Fiscal Service.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

910 8921
917 8921

9 CFR

73 8907

13 CFR

PROPOSED RULES:
121 8926

14 CFR

25 8911
61 8913
63 8913
65 8913
71 (4 documents) 8909, 8910
73 (2 documents) 8910, 8911
97 8908
121 8911

PROPOSED RULES:
71 (3 documents) 8923, 8924
75 8924

16 CFR

15 (2 documents) 8913

17 CFR

PROPOSED RULES:
240 8924

20 CFR

PROPOSED RULES:
405 8940

31 CFR

315 8914

33 CFR

203 (2 documents) 8907

42 CFR

PROPOSED RULES:
73 8923

43 CFR

5400 8914
5430 8914
5440 8914

46 CFR

537 8915

48 CFR

411 8915

49 CFR

176 (2 documents) 8915, 8916
187 8919
193 8920

Rules and Regulations

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 73—SCABIES IN CATTLE

Interstate Shipment of Undiseased Cattle From Quarantined Area

Pursuant to section 3 of the Act of March 3, 1905, 33 Stat. 1265, as amended, sections 4 and 5 of the Act of May 29, 1884, 23 Stat. 32, as amended, and sections 1 and 2 of the Act of February 2, 1903, 32 Stat. 791–792, as amended (21 U.S.C. 111–113, 120, 121, 125), § 73.5 of the regulations relating to scabies in cattle (9 CFR 73.5) is hereby amended to read as follows:

§ 73.5 Interstate shipment of undiseased cattle from quarantined area; when permitted.

Cattle of any herd in any quarantined area, which herd is not diseased with scabies, may be shipped, transported, or otherwise moved interstate for any purpose upon inspection by a Division inspector when accompanied by a certificate from such inspector showing the cattle to be free from such disease or exposure thereto. When it is determined by the Director of the Division that all cattle of all herds in any quarantined area have been inspected for scabies by a Division or State inspector, that all the infected or exposed herds have been identified, and that all the infected herds have been dipped twice, and all the exposed herds have been dipped once, in a permitted dip as prescribed in § 73.10, under supervision of a Division or Division-approved inspector, cattle of herds in such area which are not diseased with or exposed to scabies may be moved interstate in accordance with this section, without further Division inspection or certification, directly to a public stockyard where Division inspection is maintained or directly to a slaughtering plant where Federal Meat Inspection is maintained. Information may be obtained from a Division inspector whether a determination as required by this section is currently applicable to authorize such movement. Cattle moved interstate under this section shall not be diverted en route and must be accompanied by a waybill or similar document, or a statement signed by the owner or shipper of the cattle, stating: (a) That the cattle are not known to be infected with scabies or exposed thereto; (b) the destination of the cattle and the name and address of the consignee; (c) the purpose for which the cattle are to be moved; (d) the number of the cattle; (e) the point from which the cattle are to be moved interstate; (f) that the cattle shall not be diverted en route; and (g) the name and address of the owner or shipper of the cattle.

(Sec. 3, 33 Stat. 1265, as amended, secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended; 21 U.S.C. 111–113, 120, 121, 125; 29 F.R. 16210, as amended, 30 F.R. 6799, as amended. Interpret or apply secs. 1, 2, 4, 33 Stat. 1264–1265, as amended; 21 U.S.C. 123, 124, 126)

The purpose of the amendment is to facilitate the interstate movement of undiseased cattle to certain public stockyards and slaughtering plants from quarantined areas where all cattle have been previously inspected, and other specified circumstances exist, by permitting such movement without additional Division inspection. It is believed this procedure will not endanger the health of other livestock inasmuch as such cattle will be subject to inspection under Federal supervision upon arrival at such public stockyards or slaughtering plants.

The amendment will not affect the right to move cattle interstate as authorized under other provisions of the regulations in 9 CFR Part 73 but will have the effect of further relieving the prohibition on such movement imposed by the scabies quarantine and should be made effective immediately to be of maximum benefit to persons subject to such prohibition. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. This amendment shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 22d day of June 1966.

R. J. ANDERSON,
Deputy Administrator,
Agricultural Research Service.

[F.R. Doc. 66–7062; Filed, June 27, 1966; 8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Indian River Inlet, Del.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.239 governing the operation of a drawbridge across Indian River Inlet, Del., is hereby revoked effective upon publication in the FEDERAL REGISTER, since the drawspan of the bridge has been removed, as follows:

§ 203.239 Indian River Inlet, Del.; State Highway Department bridge. [Revoked]

[Regs., June 11, 1966, 1507–32 (Indian River Inlet, Del.)–ENGCW–ON] (sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66–7038; Filed, June 27, 1966; 8:46 a.m.]

PART 203—BRIDGE REGULATIONS

Ortega River, Fla.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.431 is hereby amended changing the caption and revising paragraphs (a) and (d), effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.431 Ortega River, Fla.; Florida State Road Department bridge (Roosevelt Boulevard) near Jacksonville.

(a) Except as otherwise provided in paragraphs (b), (c), and (d) of this section, the owner of or agency controlling the bridge shall not be required to open the drawspan for the passage of vessels between 6:30 a.m. to 9:00 a.m., and between 3:30 p.m. and 5:00 p.m. except that during these closure periods the bridge shall be opened on the hour and half-hour to allow any accumulated vessels to pass.

* * * * *

(d) The draw shall be opened at any time for the passage of a vessel in an emergency caused by rough weather or otherwise to an extent sufficient to endanger life or property. Such an emergency shall be indicated by four blasts of a whistle, horn, or megaphone.

* * * * *

[Regs., June 7, 1966, Ortega River, Fla., ENGCW–ON] (Secs. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66–7039; Filed, June 27, 1966; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 7439; Amdt. 489]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
CLE RBn	Gilbert RBn	Direct	3000	T-dn**	300-1	300-1	200-½
CLE VOR	Louis Int (final)	Direct	3000	C-dn	400-1	500-1	500-1½
Sharon Int	Louis Int (final)	Direct	3000	S-dn-5R*%	200-½	200-½	200-½
Louis Int (11.8-mile DME Fix)	Gilbert RBn (final) (7-mile DME Fix)	Direct	2700	A-dn	600-2	600-2	600-2
Vermillion Int	Gilbert RBn	Via STG VOR R 309° and ILS 5R front crs.	3000				
Mentor Int	Gilbert RBn	Via CLE R 072° and ILS 5R front crs.	3000				

Radar available.
Procedure turn SE side of crs, 234° Outbnd, 054° Inbnd, 2700′ within 10 miles of Gilbert RBn.
Crs and distance, Gilbert RBn to airport, 054°—6.8 miles.
Minimum altitude at glide slope interception Inbnd, 2700′.
Altitude of glide slope and distance to approach end of runway at OM, 1787′—3.5 miles; at MM, 966′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make left-climbing turn to 3000′, intercept and proceed Outbnd on Strongsville R 345° to Crib Int, hold SE, 1-minute right turns, 345° Inbnd.
CAUTION: Towers, 1971′ approximately 6 miles ESE of airport. Pole, 818′, 1175′ out, 755′ right of centerline, Runway 5R.
NOTE: DME indication at Gilbert RBn 7 miles, at OM, 3.7 miles. DME should not be used to determine aircraft position over MM, runway threshold, or runway touchdown point. DME located at glide slope site.
*400-¾ required with glide slope inoperative. 400-½ authorized, except for 4-engine turbojet aircraft, with operative ALS.
**RVR, 2400′ authorized Runway 5R.
%RVR, 2400′, descent below 992′ not authorized unless approach lights are visible.

City, Cleveland; State, Ohio; Airport name, Cleveland Hopkins International; Elev., 792′; Fac Class., ILS; Ident., I-CLE; Procedure No. ILS-5R, Amdt. 3; Eff. date, 2 July 66; Sup. Amdt. No. 2; Dated, 17 Apr. 65

Mentor Int	Stadium RBn (8.1-mile DME Fix)	Direct	3000	T-dn	300-1	300-1	200-½
Cleveland RBn	Stadium RBn	Direct	3000	C-d	700-1	700-1	700-1½
Sharon Int	Stadium RBn	Via STG VOR R 183° and STG VOR R 036°.	3000	C-n	700-2	700-2	700-2
				S-d-23L	700-1	700-1	700-1
				S-n-23L	700-2	700-2	700-2
Vermillion Int	Stadium RBn	Via CLE RBn	3000	A-dn	800-2	800-2	800-2
				If 4-mile Radar Fix (5.3-mile DME Fix) is received, the following minimums apply:			
				C-dn	400-1	500-1	500-1½
				S-dn-23L*	400-1	400-1	400-1

Radar available.
Procedure turn N side of NE crs, 054° Outbnd, 234° Inbnd, 3000′ within 10 miles of SUM RBn.
Minimum altitude over Stadium RBn on final approach crs, 3000′.
Crs and distance, Stadium RBn to airport, 234°—6.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.8 miles after passing Stadium RBn or 4 miles after passing 4-mile Radar Fix (5.3-mile DME Fix), make right-climbing turn to 3000′, proceed direct to Cleveland VOR, hold SW, 1-minute, right turns, 069° Inbnd.
NOTES: (1) No glide slope or markers. (2) Minimum altitude, 1500′ after SUM RBn Inbnd until 4-mile Radar Fix (5.3-mile DME Fix) is received. (3) Four-mile Radar Fix not provided by ATC unless weather is 700-2 or below.
CAUTION: TV towers, 1971′ approximately 6 miles ESE of airport. DME indication at SUM 8.1 miles; at 4-mile Radar Fix—5.3 miles. DME should not be used to determine aircraft position over the runway threshold or touchdown point. DME located at glide slope site.
*400-¼ authorized, except for turbojet aircraft, with operative high-intensity runway lights.

City, Cleveland; State, Ohio; Airport name, Cleveland Hopkins; Elev., 792′; Fac. Class., ILS; Ident., I-CLE; Procedure No. ILS-23L (back crs), Amdt. 1; Eff. date, 2 July 66; Sup. Amdt. No. Orig.; Dated, 21 Nov. 64

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Stonewall Int (11.9-mile DME Fix)	LOM (final) (4.8-mile DME Fix)	Direct	1600	T-dn*	300-1	300-1	200-1½
		Direct	1600	C-dn	500-1	500-1	500-1½
				S-dn-1R*	200-½	200-½	200-1½
				A-dn	600-2	600-2	600-2

Radar available.
Procedure turn W side of crs, 186° Outbnd, 006° Inbnd, 1600′ within 10 miles. Procedure turn must be authorized by ATC.
Minimum altitude at glide slope intercept ion Inbnd, 1600′.
Altitude of glide slope and distance to approach end of runway at OM, 1507′—4.6 miles; at MM, 515′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing LOM, proceed direct to Pooles-ville RBn. Hold N. 186° bearing Inbnd, 2800′, 1-minute right turns.
NOTE: DME should not be used to determine aircraft position over MM, runway threshold, or runway touchdown point. DME located at glide slope site.
*RVR, 2000′ authorized for 4-engine turbojets; RVR, 1800′ authorized all other aircraft Runway 1R. Descent below 513′ not authorized unless ALS visible.

City, Washington, D.C.; Airport Name, Dulles International; Elev., 313′; Fac. Class., ILS; Ident., I-DIA; Procedure No. ILS-1R, Amdt. 4; Eff. date, 2 July 66; Sup. Amdt. No. 3; Dated, 14 May 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958 (49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775))

Issued in Washington, D.C., on June 13, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-6643; Filed, June 27, 1966; 8:45 a.m.]

[Airspace Docket No. 65-SO-80]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Areas and Control Zone, and Designation of Control Zone

On May 11, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 6908) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Charleston, S.C., and Myrtle Beach, S.C., transition areas, Myrtle Beach control zone, and designate a part-time control zone at the Crescent Beach/Myrtle Beach Airport.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

1. Section 71.171 (31 F.R. 2065) is amended as follows:

a. The Myrtle Beach, S.C., control zone is amended to read:

MYRTLE BEACH AFB, S.C.

Within a 5-mile radius of Myrtle Beach AFB (latitude 33°40′45″ N., longitude 78°55′45″ W.); within 2 miles each side of the Myrtle Beach TACAN 160° and 355° radials, extending from the 5-mile radius zone to 8 miles S and 8 miles N of the TACAN; within 2 miles each side of the 167° bearing from the Conway RBN, extending from the 5-mile radius zone to the RBN.

b. The following control zone is added:

CRESCENT BEACH/MYRTLE BEACH, S.C.

Within a 5-mile radius of Crescent Beach/Myrtle Beach Airport (latitude 33°48′40″ N., longitude 78°43′30″ W.); within 2 miles each side of the Myrtle Beach VORTAC 052° radial, extending from the 5-mile radius zone to 8 miles NE of the VORTAC; within 2 miles each side of the Myrtle Beach VORTAC 214° radial, extending from the 5-mile radius zone to 8 miles SW of the VORTAC. This control zone is effective during specific dates and/or times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

2. Section 71.181 (31 F.R. 2149) is amended as follows:

a. The Charleston, S.C., transition area is amended to read:

CHARLESTON, S.C.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Charleston AFB/Municipal Airport (latitude 32°53′55″ N., longitude 80°02′20″ W.); within 8 miles SW and 5 miles NE of the Charleston ILS localizer NW course, extending from the OM to 12 miles NW of the OM; within 8 miles SW and 5 miles NE of the Charleston VORTAC 332° radial, extending from the VORTAC to 12 miles NW of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the INT of the SE boundary of V-3 and latitude 33°30′00″ N., thence E to latitude 33°11′55″ N., longitude 79°08′00″ W., to latitude 32°58′30″ N., longitude 79°18′00″ W., to latitude 32°50′40″ N., longitude 79°23′15″ W., thence clockwise along the arc of a 38-mile radius circle centered on the Charleston VORTAC, to and W along a line 5 miles S of and parallel to the Charleston VORTAC 100° radial to a point 3 nmi E of the shoreline, thence SW along a line 3 nmi from the shoreline to latitude 32°29′30″ N., longitude 80°12′00″ W., thence to latitude 32°45′50″ N., longitude 80°30′30″ W., to latitude 32°44′00″ N., longitude 80°43′25″ W., thence to the INT of the SE boundary of V-3 and latitude 32°44′00″ N., thence NE along the SE boundary of V-3 to the point of beginning; and that airspace extending upward from 1,700 feet MSL bounded on the E by B-437 on the S by the 1,200-foot floor portion of the Charleston transition area, and on the NW by the SE boundary of V-3, excluding the portion that coincides with the Florence, S.C., transition area.

b. The Myrtle Beach, S.C., transition area is amended to read:

MYRTLE BEACH, S.C.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Myrtle Beach AFB (latitude 33°40′45″ N., longitude 78°55′45″ W.); within a 6-mile radius of Crescent Beach/Myrtle Beach Airport (latitude 33°48′40″ N., longitude 78°43′30″ W.); within 2 miles each side of the Myrtle Beach VORTAC 052° radial, extending from the 6-mile radius area to 8 miles NE of the VORTAC; within 2 miles each side of the Myrtle Beach VORTAC 214° radial, extending from the 6-mile radius area to 14 miles SW of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the INT of the E boundary of V-437E and a line 5 miles S of and parallel to the Florence, S.C., VORTAC 068° radial, thence E to latitude 34°18′-40″ N., longitude 79°11′00″ W., thence along a line extending from latitude 34°18′40″ N., longitude 79°11′00″ W., through latitude 34°17′45″ N., longitude 78°25′30″ W., to the E boundary of V-213, to latitude 33°58′30″ N., longitude 78°10′45″ W., to latitude 33°-40′10″ N., longitude 78°40′15″ W., thence clockwise along the arc of a 15-mile radius circle centered on the Myrtle Beach TACAN, to latitude 33°27′40″ N., longitude 78°55′-20″ W., thence to latitude 33°19′40″ N., longitude 79°02′10″ W., to latitude 33°11′55″ N., longitude 79°08′00″ W., to latitude 33°-20′00″ N., longitude 79°39′20″ W., thence N along the E boundary of V-437E to the point of beginning; and that airspace extending upward from 2,700 feet MSL bounded on the N by the arc of a 35-mile radius circle centered on Grannis Field, Fayetteville, N.C. (latitude 34°59′25″ N., longitude 78°-52′50″ W.) on the E by the 2,700-foot MSL floor portion of the Goldsboro, N.C., transition area, on the S by the 1,200-foot floor portion of the Myrtle Beach transition area, on the W by V-437E and V-3E, excluding the portion that coincides with the Florence, S.C., transition area.

(Secs. 307(a), 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510; E.O. 10654 (24 F.R. 9565))

Issued in Washington, D.C., on June 21, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-7040; Filed, June 27, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-30]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area and Federal Airways

On April 29, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 6514) stating that the Federal Aviation Agency proposed to alter controlled airspace in the Lincoln, Nebr., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

The Lincoln Airport coordinates recited in the notice of proposed rule making have been changed slightly in this final rule. Since this change is minor in nature and imposes no additional burden on anyone, it is being made in the rule without notice and public procedure.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

(1) In § 71.181 (31 F.R. 2149), the Lincoln, Nebr., transition area is amended to read:

LINCOLN, NEBR.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Lincoln Airport (latitude 41°50'55" N., longitude 96°45'05" W.) and within the area bounded by a line 5 miles west of and parallel to the Lincoln ILS localizer south course clockwise along a 17-mile arc centered on the Lincoln Airport to a line 2 miles east of and parallel to the Lincoln VORTAC 015° radial, within 5 miles west and 9 miles east of the Lincoln ILS localizer south course extending from the 9-mile radius to 13 miles south of the ILS OM; and that airspace extending upward from 1200 feet above the surface bounded on the east by longitude 96°23'00" W., on the south by the north edge of V-216, on the west by longitude 97°02'00" W., a 29-mile arc centered on the Lincoln Airport and a line 8 miles NW of and parallel to the Lincoln VORTAC 040° radial, and on the northeast by a 30-mile arc centered on the Lincoln VORTAC and the area within 6 miles S and 5 miles N of the Lincoln VORTAC 267° radial extending from the 29-mile arc to 34 miles W of the VORTAC.

(2) In § 71.123 (31 F.R. 2020), V-71 is amended by deleting from the text, "Via Int. of Pawnee City 334° and Raymond, Nebr. 146° radials; to Raymond", and substituting therefor, "Via Int. of Pawnee City 334° and Lincoln, Nebr., 146° radials; to Lincoln".

(3) In § 71.123 (31 F.R. 2026), V-138 is amended by deleting from the text, "Via Int. of Grand Island 099° and Raymond, Nebr. 267° radials; Raymond; Int. of Raymond 040° and Neola, Iowa 251° radials; Neola; to Fort Dodge, Iowa", and substituting therefor, "Via Int. of Grand Island 099° and Lincoln, Nebr. 267° radials; Lincoln; Int. of Lincoln 040° and Neola, Iowa 251° radials; Neola; to Fort Dodge, Iowa".

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 16, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66-7041; Filed, June 27, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-54]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Manchester, N.H., control zone (31 F.R. 2110 as amended 31 F.R. 6864).

The Manchester, N.H., control zone is presently effective from 0600 to 2300 hours, local time. Commencing on July 1, 1966, the Air Force will require 24-hour use of Grenier Field within the control zone. Therefore, the control zone will be changed to a full-time control zone until 0001 e.s.t., February 1, 1967, at which time it will revert to a 0600 to 2300 hours schedule.

For the reasons stated above, the Administrator finds that a situation exists requiring immediate action in the interest of safety and notice and public procedure hereon are contrary to the public interest and that good cause exists for making this amendment effective on less than 30 days notice.

Effective 0001 e.s.t. on July 1, 1966, § 71.171 of Part 71 of the Federal Aviation Regulations is amended by deleting in the Manchester, N.H., control zone the words "effective from 0600 to 2300 hours, local time, daily" and insert in lieu thereof a period followed by the words "On and after 0001 e.s.t., February 1, 1967, the zone will be effective from 0600 to 2300 hours, local time, daily."

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on June 20, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-7042; Filed, June 27, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-24]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone

On April 28, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 6429) stating that the Federal Aviation Agency proposed to designate a control zone at Bremerton, Wash.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., August 18, 1966, as hereinafter set forth:

In § 71.171 (31 F.R. 2065) the following control zone is added:

BREMERTON, WASH.

Within a 5-mile radius of the Kitsap County Airport (latitude 47°29'35" N., longitude 122°45'35" W.), and within 2 miles each side of the 209° bearing from the Kitsap RBN (latitude 47°29'48" N., longitude 122°45'36" W.), extending from the 5-mile radius zone to 8 miles SW of the RBN. This control zone will be effective during the time established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on June 17, 1966.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 66-7043; Filed, June 27, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-40]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment is to reduce the ceiling of Restricted Area R-4106 at North Eastham, Mass.

The Department of the Navy has informed the Federal Aviation Agency that it no longer has an operational requirement for the airspace above 2,000 feet MSL within R-4106. Accordingly, action is taken herein to lower the ceiling of R-4106 to 2,000 feet MSL.

Since this amendment reduces the burden on the public, notice and public procedure hereon is unnecessary and this amendment may be made effective on less than 30 days notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 73.41 (31 F.R. 2317) Restricted Area R-4106 is amended by deleting from the text "*designated altitudes.* Surface to 3,000 feet MSL" and substituting therefor "*Designated altitudes.* Surface to 2,000 feet MSL".

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 22, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-7044; Filed, June 27, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SO-48]

PART 73—SPECIAL USE AIRSPACE

Revocation of Restricted Area/Military Climb Corridor

The purpose of this amendment to Part 73 is to revoke the Homestead Air Force Base, Fla., Restricted Area/Military Climb Corridor, R-2917.

A proposal to revoke R-2917 was received from the Department of the Air Force on June 10, 1966. The Air Force stated that the current procedures for departing interceptor aircraft use radar vectoring and a radar handoff from the FAA radar controller to the Air Defense Command intercept director. These procedures have provided excellent service with minimal delays. Further, the absence of established procedures for use of the climb corridor and reliance on the procedures outlined make it apparent that the originally stated requirements no longer justify assignment of special use airspace.

Since this restricted area/military climb corridor was designated solely for use of the military, revocation thereof will reduce the burden on the public. Therefore, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 73.29 (31 F.R. 2305), R-2917 Homestead AFB, Fla., Restricted Area/Military Climb Corridor is revoked.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 21, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-7045; Filed, June 27, 1966; 8:45 a.m.]

[Docket Nos. 7438, 7172; Amdts. 25-9, 121-20]

PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Miscellaneous Amendments

Requirements for emergency evacuation ropes at certain exists and for megaphones aboard aircraft; postponement of effective dates for cockpit voice recorders and certain emergency lighting requirements; and miscellaneous amendments affecting emergency evacuation requirements.

The purpose of this amendment is to make certain changes in the emergency evacuation equipment requirements of Parts 25 and 121 of the Federal Aviation Regulations, to postpone the effective date of some of these requirements, and to postpone the effective date of the requirement for cockpit voice recorders on large turbine engine powered airplanes.

The portions of this amendment relating to megaphones and emergency evacuation ropes are based on a notice of proposed rule making (Notice No. 66-13) issued on April 4, 1966, and published in the FEDERAL REGISTER on April 7, 1966 (31 F.R. 5495). The comments received in response to that notice generally concurred with the proposals contained therein. One comment, while agreeing that at times ropes from over wing exits can become entangled and impede evacuation, nevertheless felt that the Agency should require the use of ropes for all over wing exits for ditching purposes. The Agency believes that, pending completion of the current task force study discussed in Notice 66-13, both Parts 25 and 121 should be amended to restore the Part 25 requirement that existed before Amendment 25-1. Therefore, ropes or some other assisting means will be required at all exits more than 6 feet from the ground except over the wing exits. In addition, while the preamble to Notice 66-13 indicated that Part 25 would be amended to reinstate the requirement that existed before Amendment 25-1, the Agency believes that the 400-pound static load test and attachment requirements contained in that amendment should be retained. Therefore, for the reasons set forth in Notice 66-13, §§ 25.809(f) and 121.310(a) are amended to substantially reinstate the requirements for means to assist passengers in an emergency evacuation that existed before the adoption of Amendments 25-1 and 121-2, with the modifications mentioned above. In addition § 121.310(h) is amended to clarify the megaphone location requirement in Part 121.

Paragraph (b)(2) of § 121.310 requires that each passenger exit marking and locating sign required by paragraph (b)(1) "must have white letters 1 inch high on a red background 2 inches high, be self or electrically illuminated, and have a minimum luminescence (brightness) of at least 160 microlamberts." The Agency has discovered that in at least one airplane type the retrofitting necessary to comply with this requirement for over-the-wing exit signs would result in the placing of the sign at such an angle that part of the advantage gained by the larger sign is offset by decreased visibility. Accordingly, this section is amended to permit approval of a deviation from the 2 inch background requirement so that a slightly smaller but more effective sign could be approved where literal compliance would be impractical. Since the Agency still believes that the required exit marking signs are necessary it will approve deviations only where it can be shown that strict compliance with the requirement is impractical, and where the proposed configuration provides at least an equivalent level of safety.

A large number of Part 121 operators planned to comply with this exit marking and locating sign requirement by installing radioactive signs. The Agency has been informed by the airlines that because of the large number of orders placed with a few vendors, the vendors will be unable to deliver all the equipment in time to make installations before the July 1 compliance date. Therefore, since numerous airplanes will not be retrofitted by July 1 and would have to be grounded thereafter, the Agency believes that a postponement until September 15, 1966, is warranted. For the interim period the requirements of § 121.309(g) are being extended.

In establishing the original minimum brightness level for exit marking signs in §§ 25.811(d) and 121.310(b)(2) the Agency recognized that radioactive signs deteriorate. Therefore, while a minimum brightness level of 100 microlamberts was considered adequate for safe operations, the Agency established an installation minimum of 160 microlamberts. It was intended that this would be an adequate "manufacturing" minimum that would allow for a reasonable lifespan before a sign would deteriorate to a point where it would become inadequate and require replacement. However, since the 160 microlambert figure was specified in both Parts 25 and 121 without further qualification, this intent was not carried out. Therefore, § 121.310(b)(2) is being amended to make it clear that all retrofit and replacement signs must be manufactured to the minimum specified in FAR Part 25. This figure (160 microlamberts) reflects present state of the art deterioration factors and insures that the signs installed in new aircraft and those purchased for retrofitting or replacement will have a reasonable lifespan. However, since the Agency considers a brightness level below 100 microlamberts inadequate for safety, Part 121 is being amended to require replacement of a sign that deteriorates below this level. Since the basic purpose of the 160 microlambert figure is to insure a reasonable useful life before deterioration to the 100 microlambert level, the Agency would also consider as meeting an equivalent level of safety under Part 25, a sign manufactured to an initial brightness level below 160 microlamberts but with a useful life (i.e., above the 100 microlambert level) at least equal to the useful life of signs presently being manufactured to or above the 160 microlambert level.

Section 121.310(c)(2) requires that after June 30, 1966, each passenger-carrying airplane must have a source of light, independent of the main lighting system, to provide enough general lighting in the passenger cabin so that the average illumination, when measured at 40 inch intervals at seat armrest height on the centerline of the main passenger aisle, is at least 0.05 foot-candles. Prior to the adoption of this requirement, the Agency-industry task force had found that the general emergency lighting in several of the then newer turbine engine powered airplanes was of a desirable minimum level and in fact met the 0.05 foot-candle requirement. Based on

these findings the Part 121 operators

cussed above is included to permit ex-

tion of passengers. During flight the

engine powered airplanes beyond Sep-

in the public interest to allow for the

facts presented by this request, it would

FEDERAL REGISTER, VOL. 31, NO. 124—TUESDAY, JUNE 28, 1966

these findings the Part 121 operators owning these aircraft types did not arrange for any retrofitting to meet the general illumination requirements. Within the past several weeks it was discovered that due to a combination of lighting deterioration (aging), and the soiling of cabin interiors this requirement is no longer met by these airplanes. While the affected airplane manufacturers immediately started preparing the engineering data to accomplish the necessary changes, the required installations cannot be accomplished before July 1, 1966. For the foregoing reasons, the Agency is postponing the compliance date of § 121.310 (c) and (d) from July 1, 1966, to September 15, 1966. For the interim period the requirements of § 121.309(h) are being extended.

While these extensions should allow sufficient time for the necessary retrofitting, the Agency realizes that the changes required to bring all of the affected airplanes up to the general lighting minimum of § 121.310(c)(2) and to obtain the necessary signs to comply with paragraph (b) could cause a problem for some operators with large fleets. Therefore, a provision is included whereby such an operator can obtain a further extension, not beyond December 1, 1966, from the FAA Air Carrier District Office charged with the overall inspection of its operations.

On June 26, 1964, the Agency adopted amendments to former Civil Air Regulations Parts 40, 41, and 42 (29 F.R. 8401) requiring each air carrier and commercial operator to install a cockpit voice recorder on each large turbine engine powered airplane to be operated under those parts after July 1, 1966. This requirement was recodified as § 121.359 of the Federal Aviation Regulations. Until recently, it appeared that the airlines would meet the compliance date. However, several airlines found that their recorder installations had to be modified to fully meet the requirement of § 25.1457 (d)(2) that an automatic means be provided to stop each erasure feature from functioning at the instant of crash impact. The airlines affected petitioned the Agency for exemptions in order to avoid the grounding of airplanes after July 1, 1966, while the modifications were being made. In addition, recently several airlines discovered that one model voice recorder failed after from 30 to 70 hours of operation. The manufacturer of the affected recorder has corrected this problem. However, those voice recorders already delivered will have to be returned to the factory for repair and the manufacturer indicates that, despite its efforts to accomplish this work on an expedited basis, it will require at least 60 days after the July 1 compliance date to complete this work. Therefore, in order to provide the additional time necessary to accomplish the work required to correct these problems, the Agency is postponing the compliance date in § 121.359 for large turbine engine powered airplanes from July 1, 1966, to September 15, 1966. A provision similar to that discussed above is included to permit extensions beyond September 15, but not beyond December 1, 1966, where an operator is able to show that for reasons beyond its control it is unable to comply by the earlier date.

Interested persons have been afforded an opportunity to participate in that portion of this amendment relating to emergency evacuation ropes and megaphone requirements, and due consideration has been given to all relevant matter presented. The portion of this amendment not proposed in Notice 66-13 imposes no additional burden on any person and in view of the imminence of the effective date of the affected sections, I find that notice and public procedure thereon are impractical, and that good cause exists for making this amendment effective on less than 30 day's notice.

In consideration of the foregoing, Parts 25 and 121 of the Federal Aviation Regulations are amended as follows, effective June 30, 1966.

1. Paragraph (f) of § 25.809 is amended to read as follows:

§ 25.809 Emergency exit arrangement.

* * * * *

(f) Each landplane emergency exit (other than over the wing) more than 6 feet from the ground with the airplane on the ground and the landing gear extended must have an approved means to assist the occupants in descending to the ground. The assisting means for a floor level passenger emergency exit must be a slide, or an equivalent approved device. If the assisting means is a rope or an approved device equivalent to a rope, it must be—

(1) Attached to the fuselage structure at or above the top of the emergency exit opening, or, for a device at a pilot's emergency exit window, at another approved location if the stowed device, or its attachment, would reduce the pilot's view in flight; and

(2) Able (with its attachment) to withstand a 400-pound static load.

* * * * *

§ 121.309 [Amended]

2. Paragraphs (f), (g), and (h) of § 121.309 are amended by striking out in each paragraph the date "July 1, 1966" and inserting the date "September 16, 1966" in place thereof and § 121.319 is amended by striking out the word "No" and inserting the words "Until September 16, 1966, no" in place thereof.

§ 121.310 [Amended]

3. Section 121.310 is amended—

(a) By amending paragraph (a) to read as follows:

(a) *Means for emergency evacuation.* After September 15, 1966, each passenger-carrying landplane emergency exit (other than over the wing) more than 6 feet from the ground with the airplane on the ground and the landing gear extended must have an approved means to assist the occupants in descending to the ground. The assisting means for a floor level emergency exit must be a slide or equivalent approved device suitable for rapid evacuation of passengers. During flight the slide, or equivalent approved device, must be kept readily accessible for immediate installation and use. This paragraph does not apply to the rear window emergency exit of DC-3 airplanes operated with no more than 35 occupants including crewmembers and, no more than four exits authorized for passenger use.

(b) By amending the opening sentence of paragraphs (b), (c), and (d) by striking out in each paragraph the date "June 30, 1966" and inserting the date "September 15, 1966" in place thereof; and by amending subparagraph (2) of paragraph (b) to read as follows:

(2) Each passenger emergency exit marking and each locating sign must have white letters 1 inch high on a red background 2 inches high, be self or electrically illuminated, and must be manufactured to meet the requirements of § 25.811(d) of this chapter. No sign may continue to be used if its luminescence (brightness) decreases below 100 microlamberts. The colors may be reversed if it increases the emergency illumination of the passenger compartment. However, the Administrator may authorize deviation from the 2 inch background requirements if he finds that special circumstances exist that make compliance impractical and that the proposed deviation provides an equivalent level of safety.

(c) By amending subparagraphs (1) and (2) of paragraph (h) to read as follows:

(1) One megaphone on each airplane with a seating capacity of more than 60 and less than 100 passengers, at the most rearward location in the passenger cabin where it would be readily accessible to a normal flight attendant seat.

(2) Two megaphones on each airplane with a seating capacity of more than 99 passengers, one installed at the forward end and the other at the most rearward location in the passenger cabin where it would be readily accessible to a normal flight attendant seat.

(4) By adding a new subparagraph (i) to read as follows:

(i) *Extension of compliance date.* Notwithstanding paragraphs (b) and (c) of this section, a certificate holder may obtain an extension for compliance with the requirements stated therein beyond September 15, 1966, but not beyond December 1, 1966, from the FAA Air Carrier District Office charged with the overall inspection of its operations, if it shows that due to circumstances beyond its control it cannot comply by the earlier date.

4. Paragraph (a) of § 121.359 is amended by striking out the date "June 30, 1966," and by inserting the date "September 15, 1966," in place thereof and by adding a flush sentence at the end thereof to read as follows:

§ 121.359 Cockpit voice recorders.

(a) * * *

A certificate holder may obtain an extension for compliance with the requirements of this paragraph for turbine engine powered airplanes beyond September 15, 1966, but not beyond December 1, 1966, from the FAA Air Carrier District Office charged with the overall inspection of its operations, if it shows that due to circumstances beyond its control it cannot comply by the earlier date.

* * * * *

(Secs. 313(a), 601, 603, 604, Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1423, 1424))

Issued in Washington, D.C., on June 23, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-7119; Filed, June 27, 1966; 8:48 a.m.]

[Docket No. 7395; Amdts. 61-21, 63-4, 65-8]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

Prerequisites for Written Tests; Postponement of Effective Date

On May 27, 1966 (31 F.R. 7609), the Agency published amendents to Parts 61, 63, and 65 of the Federal Aviation Regulations to remove from the airman certification regulations all requirements that applicants for airman certificates meet aeronautical experience requirements before taking the prescribed written tests, and to remove the requirement that an applicant for an airline transport pilot certificate must meet the general eligibility requirements (other than age) before taking the written test. The amendments were to become effective on June 26, 1966.

The amendments did not make any substantive changes in the requirements for any airman certificate. Their intent was to provide more flexibility in the order in which certain parts of the airman tests could be taken by applicants. The Agency had determined, in conformity with its policy of providing the best possible service to the public, and in order to reduce the required extent of applicants travel for certification purposes that the showing of technical qualifying experience is necessary only before the prescribed oral, practical, or flight test required.

Since the publication of the amendments, the Agency has received several communications from certificated schools and airmen indicating that there may have been some misunderstanding of their effect on the character of airman standards. Although no specific examples have been furnished to show that the amendments would result in the lowering of substantive standards, the comments appeared to express apprehension that such might be the result.

In view of this possible misunderstanding, the Agency has determined that an extension of their effective date would be in the public interest to allow for the furnishing of any specific examples of possible adverse effect of the amendments on the quality of airmen certification.

In view of the imminence of the effective date of the subject amendments, I find that notice and public procedure hereon are impracticable, and that good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, the effective date of Amendments 61-21, 63-4, and 65-8 is changed from June 26, 1966, to August 15, 1966.

(Secs. 313(a) and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a) and 1421)

Issued in Washington, D.C., on June 24, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-7140; Filed, June 27, 1966; 9:51 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Functional Discount to "Premium" Book Jobbers

§ 15.67 Functional discount to "premium" book jobbers.

(a) The Federal Trade Commission has advised a publisher of soft cover books that its proposed plan—if implemented as outlined—to grant an extra discount to "premium jobbers" would not violate the law.

(b) The publisher distributes its books through retailers, wholesalers, and book jobbers, and grants identical discounts to the latter two who are in competition with each other.

(c) According to the plan as submitted to the Commission, the publisher proposes to grant an extra discount to all premium jobbers who sell books to institutional customers (savings banks, insurance companies, industrial corporations, etc.) for use as promotion pieces, premiums, or prizes on a giveaway basis. To the extent that any premium jobber also sells to the regular trade in competion with other wholesalers and retailers, the publisher will either refuse to fill orders or grant only a normal wholesale discount.

(d) The proposed extra discount, the Commission advised, "is obviously functional in nature" and while the Clayton Act, as amended by the Robinson-Patman Act, "does not mention functional pricing the Commission has held that a seller is not forbidden to sell at different prices to buyers in different functional classes provided that injury as contemplated in the law does not result * * *. Applying the law to the facts presented by this request, it would appear that the granting of the extra discount to the premium jobbers would not result in a violation of law if the facts are exactly as represented * * * and if the proposal is implemented precisely as outlined."

(e) The "discount must be granted only for those sales made to the institutional customers described who use the books as giveaways and not for resale" and the "discount must be made available" to all customers of the publisher who in fact compete with each other in the resale of the publisher's books to institutional accounts, the Commission continued.

(f) It cautioned, however, that if the publisher should classify "certain distributors or wholesalers as premium jobbers and permits no one else to sell to the institutional customers, which could be accomplished by granting the extra discount only to those so classified, a serious question could be raised if the so-called premium jobbers also sell to regular retailers in competition with other wholesalers."

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: June 27, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-6996; Filed, June 27, 1966; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Clearance Given for Use of Pseudonym for Doctor's Real Name on Radio Programs

§ 15.68 Clearance given for use of pseudonym for doctor's real name on radio programs.

(a) The Federal Trade Commission has issued an advisory opinion that it would not object to the use of a pseudonym in lieu of the doctor's real name on radio programs under the following circumstances.

(b) The requesting party proposes to produce two radio feature programs offering medical advice to be written and supervised by licensed physicians whose ethics prohibit the use of their real names. Both programs will be sponsored commercially but the commercials will be separated distinctly and clearly from the medical advice being given, and there will be no endorsement, express or implied, of the product by the doctor.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: June 27, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-6997; Filed, June 27, 1966; 8:45 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 315—REGULATIONS GOVERNING U.S. SAVINGS BONDS

Miscellaneous Amendments

Correction

In F.R. Doc. 66-5893, appearing at page 7680 of the issue for Saturday, May 28, 1966, the following corrections are made:

1. The text of § 315.7(b)(4) which precedes the first example should read as follows:

(4) *Trustees or life tenants under wills, deeds of trust, agreements, or similar instruments.* A bond may be registered in the name and title of the trustee (or trustees) of a duly constituted trust estate, or in the name of a life tenant, followed by an adequate identifying reference to the authority governing the trust or life tenancy. Examples:

2. In the first example under § 315.7(b)(4)(ii), the number reading "12-345678" should read "12-3456789".

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

SUBCHAPTER E—FOREST MANAGEMENT (5000)

[Circular 2209]

PART 5400—FOREST PRODUCTS DISPOSALS; GENERAL

PART 5430—PRESALE PREPARATION, ADVERTISEMENT AND CONTRACT PREPARATION

PART 5440—SALES ADMINISTRATION

Miscellaneous Amendments

On pages 4805 and 4806 of the FEDERAL REGISTER of March 22, 1966, there was published a notice of proposed rule making involving amendments of Parts 5400, 5430, and 5440. Interested parties were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed regulations. After consideration of the comments received interpretive language was added to § 5443.1 *Time;* and §§ 5437.1(b) *Bonding requirements* and 5441.2(c)(2) *Payment* were liberalized to provide the timber sale purchaser with the option of electing to cut against the increased performance bond during the life of the contract. The amendments as proposed are hereby adopted subject to the following changes:

1. The third sentence of paragraph (b) of § 5437.1 is revised to read "The adjusted bond must be approved by the authorized officer in writing prior to cutting any timber under the adjusted bond."

2. The second sentence of paragraph (c)(2) of § 5441.2 is revised to read, "If cutting is permitted before payment as provided by § 5437.1(b) of this chapter, payment by installment shall be made prior to the skidding, yarding, or removal of the timber sold."

3. The following sentence is added after the first sentence in § 5443.1, "Market fluctuations are not cause for consideration of contract extensions."

Effective date. The effect of these amendments will be to relax existing regulations and provide for a clearer interpretation of them. Accordingly, as it is in the best public interest to make these amendments effective with the contracting period beginning with the fiscal year, these amendments will become effective July 1, 1966, except as to sales of timber advertised prior thereto.

Final rules read as set forth below.

JOHN A. CARVER, JR.,
Under Secretary of the Interior.

JUNE 23, 1966.

Subpart 5400—Forest Product Disposals; General

1. Section 5400.0-5 is amended by clarifying the wording of paragraphs (a) and (f) and the deletion of the paragraph defining "Logging unit" to read as follows:

§ 5400.0-5 Definitions.

Except as the context may otherwise indicate, as the terms are used in Parts 5410-5450 of this chapter and in contracts issued thereunder:

(a) "Bureau" means the Bureau of Land Management, Department of the Interior.

(b) "Director" means the Director of the Bureau of Land Management.

(c) "Authorized Officer" means an employee of the Bureau of Land Management, to whom has been delegated the authority to take action.

(d) "O. and C. Lands" means the Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands and other lands administered by the Bureau of Land Management under the provisions of the Act of August 28, 1937 (50 Stat. 874).

(e) "Public Lands" means the public domain and its surface resources under the jurisdiction of the Bureau of Land Management and lands from which the vegetative resources may be sold in accordance with the provisions of § 5400.0-3(a)(2)(ii).

(f) "Timber" means standing trees, downed trees or logs which are capable of being measured in board feet.

(g) "Other vegetative resources" means all vegetative material which cannot be measured in units of board feet of timber.

(h) "Set-aside" means a designation of timber for sale which is limited to bidding by small business concerns as defined by the Small Business Administration in its regulations (13 CFR Part 121) under the authority of section 15 of the Small Business Act of July 18, 1958 (72 Stat. 384).

(i) "Third party scaling" means the measurement of logs by a scaling organization, other than a Government agency, approved by the Bureau.

(j) "Sale value" means the contract value of the stumpage sold under the contract.

Subpart 5433—Bids and Awards of Contract

2. Section 5433.1 is amended by deleting paragraph (b) from § 5433.1 and incorporating it in § 5436.1; § 5433.1 will then read as follows:

§ 5433.1 Qualification of bidders and purchasers.

A bidder or purchaser for the sale of timber must be (a) an individual who is a citizen of the United States, (b) a partnership composed wholly of such citizens, or (c) an unincorporated association composed wholly of such citizens, or (d) a corporation authorized to transact business in the states in which the timber is located. A bidder must also have submitted a deposit in advance, as required by § 5433.2. To qualify for bidding to purchase set-aside timber, the bidder must accompany his deposit with a self-certification statement that he is qualified as a small business concern as defined by the Small Business Administration (13 CFR Part 121).

Subpart 5436—Contract Forms

3. Section 5436.1 is amended by the addition of paragraph (b) requiring a bidder to notify the authorized officer of his intent to apply for an SBA road construction loan, and is intended to facilitate action on the loan application rather than being a bid qualification. As so amended § 5436.1 reads as follows:

§ 5436.1 Provisions.

(a) All sales shall be made on contract forms approved by the Director. The authorized officer may include additional provisions in the contract to cover conditions peculiar to the sale area, such as road construction, logging methods, silvicultural practices, reforestation, snag felling, slash disposal, fire prevention, fire control, and protection of improvements, watersheds, and recreational values. Such additional provisions shall be made available for inspection by prospective bidders during the advertising period.

(b) Where a timber sale notice provides that the successful bidder may use a Small Business Administration road construction loan, and the bidder has reason to believe that he qualifies for such road construction loan under SBA regulations (13 CFR PART 121), the bidder shall submit to the authorized officer a statement of his intention to file with SBA for such SBA road construction loan. The purpose of the filing is to facilitate action by the Authorized officer and the Small Business Administration on the loan application.

Subpart 5437—Performance Bonds

4. Section 5437.1 is amended by rewording paragraph (b) to delete reference to a logging unit and permit cutting of timber against the increase in value of the minimum performance bond. It will also permit payment for timber so cut in the regular installment manner. As amended § 5437.1(b) reads as follows:

§ 5437.1 Requirements.

* * * * *

(b) The authorized officer may permit the cutting of timber before payment of the second or subsequent installments as provided in this paragraph. The purchaser must increase the minimum performance bond required by paragraph (a) of this section by an amount equal to one or more installment payments. The adjusted bond must be approved by the authorized officer in writing prior to cutting any timber under the adjusted bond. The unenhanced value of timber allowed to be cut in advance of payment is limited to the amount of the increase over and above the minimum performance bond required by paragraph (a) of this section and in no event shall the unenhanced value of the timber cut exceed 50 percent of the total contract purchase price. The increased amount of the bond shall be used to assure payment for such timber. Timber cut pursuant to this paragraph may be paid by installments. Upon payment, the increased amount of the bond may be applied to other timber sold under the contract to permit its cutting in advance of payment.

* * * * *

Subpart 5441—Contract Performance

5. Section 5441.2 is amended to conform to the provisions of 5437.1 by rewording paragraph (c)(2) to require installment payment prior to removal of timber cut against the bond. Paragraph (d) is reworded to require payment in full prior to expiration of the time for cutting and removal. As so amended, § 5441.2 (c)(2) and (d) read as follows:

§ 5441.2 Payment.

* * *

(c) * * *

(2) Payment in advance of skidding, yarding or removal. The first installment shall be paid in the same manner as provided in subparagraph (1) of this paragraph. If cutting is permitted before payment, as provided by § 5437.1(b) of this chapter, payment by installment shall be made prior to the skidding, yarding, or removal of the timber sold. Each subsequent installment shall be due and payable without notice when the sale value of the timber skidded, yarded or removed equals the sum of all the payments minus the first installment.

(d) The total amount of the contract purchase price must be paid prior to expiration of the time for cutting and removal under the contract. For a cruise sale the purchaser shall not be entitled to a refund even though the amount of timber cut, removed, or designated for cutting may be less than the estimated total volume shown in the contract. For a scale sale, if it is determined after all designated timber has been cut and measured that the total payments made under the contract exceed the total sale value of the timber measured, such excess shall be refunded to the purchaser within 60 days after such determination is made.

Subpart 5443—Extension of Contracts

6. Section 5443.1 is amended to permit receipt of application for contract extension prior to the expiration of the time for cutting and removal. As amended § 5443.1 reads as follows:

§ 5443.1 Time.

If the purchaser shows that his delay in cutting or removal was due to causes beyond his control and without his fault or negligence, the authorized officer may grant an extension of time, not to exceed one year, upon written request of the purchaser. Market fluctuations are not cause for consideration of contract extensions. Additional extensions may be granted upon written request of the purchaser. Written requests for extension must be received prior to the expiration of the time for cutting and removal. No extension may be granted without reappraisal as provided in § 5443.2.

7. Section 5443.2(b) is amended to permit the authorized officer to waive the payment in full requirement as a condition of granting a contract extension. As so amended § 5443.2(b) reads as follows:

§ 5443.2 Reappraisal.

* * * * *

(b) For a cruise sale the timber sold remaining on the contract area shall be reappraised for the purpose of computing the reappraised total purchase price. The reappraised total purchase price shall not be less than the total purchase price established by the contract or last extension. The authorized officer may require that the reappraised total purchase price shall be paid in advance as a condition of granting an extension.

* * * * *

[F.R. Doc. 66-7077; Filed, June 27, 1966; 8:48 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 16; Amdt. 2]

PART 537—CONFERENCE AGREEMENT PROVISIONS RELATING TO CONCERTED ACTIVITIES

Resubmission of Current Agreements

Take notice that the Federal Maritime Commission has amended its Part 537 of Title 46 CFR, Conference Agreement Provisions Relating to Concerted Activities, to provide that modifications to agreements made to comply with Part 537 shall be filed with the Commission on or before September 1, 1966, instead of July 1, 1966, as specified in Amendment 1 to the original order.

Therefore, pursuant to sections 15, 21, and 43 of the Shipping Act, 1916 (75 Stat. 763-4; 39 Stat. 736; 75 Stat. 766), Title 46 CFR, is hereby amended as follows:

In § 537.10(a) strike the date "July 1, 1966," and substitute therefor "September 1, 1966."

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-7094; Filed, June 27, 1966; 8:48 a.m.]

Title 48—TRADE AGREEMENTS AND ADJUSTMENT ASSISTANCE PROGRAMS

Chapter IV—Department of Labor

PART 411—ADJUSTMENT ASSISTANCE FOR WORKERS AFTER CERTIFICATION

Inequality and Disqualification; Correction

The document revising Part 411 of Chapter IV of Title 48 of the Code of Federal Regulations, published in the FEDERAL REGISTER on April 5, 1966, at 31 F.R. 5355, is corrected by changing the reference in paragraph 1 from "(e)" to "(f)" and by changing the designation of the paragraph in § 411.5 therein amended from "(e)" to "(f)", effective immediately.

Signed at Washington, D.C., this 16th day of June 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66-7055; Filed, June 27, 1966; 8:46 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[Ex Parte No. MC-19]

PART 176—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE

Practices of Motor Common Carriers of Household Goods

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 13th day of June, A.D. 1966.

It appearing, that a notice of proposed rulemaking, dated July 15, 1957, and published at 22 F.R. 6065 on August 1, 1957, was issued in the above-entitled proceeding, contemplating modification

of section 176.1 (49 CFR 176.1) of the regulations established in 17 M.C.C. 467, regarding the operations of motor common carriers of household goods;

It further appearing, that on June 19, 1961, the Commission made and filed its report and order in the above-entitled proceeding (86 M.C.C. 293), adopting certain additions to section 176.1 of said regulations, which report and order was vacated by the U.S. District Court for the Southern District of California in Civil Action No. 1108-61-HW, Movers Conference of America v. United States, by judgment entered April 2, 1962 (205 F. Supp. 82);

It further appearing, that on May 6, 1964, the Commission made and filed its report on further consideration and order in the above-entitled proceeding (95 M.C.C. 252), modifying the additions to section 176.1 of said regulations, which report and order was vacated by the said district court by judgment entered January 3, 1966, modified, upon stipulation of the parties, by judgment entered June 7, 1966.

And it further appearing, that upon further consideration of the record in the above-entitled proceeding, of the rules and regulations heretofore prescribed herein, of the representations filed pursuant to said notice of proposed rulemaking, and of the above-cited district court's decisions and orders; and good cause appearing therefor;

It is ordered, That the order of May 6, 1964, be, and it is hereby, vacated and set aside, and that the above-entitled proceeding be, and it is hereby, reopened for further consideration;

It is further ordered, That § 176.1 of the said regulations be, and it is hereby, revised to read as follows:

§ 176.1 Definitions.

As used in this part:

(a) *Household goods.* The term "household goods" means (1) personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; (2) furniture, fixtures, equipment, and the property of stores, offices, museums, institutions, hospitals, or other establishments, when a part of the stock, equipment, or supply of such stores, offices, museums, institutions, hospitals, or other establishments; and (3) articles, including objects of art, displays, and exhibits, which because of their unusual nature or value require the specialized handling and equipment usually employed in moving household goods.

(b) *Interpretation of the definition in paragraph (a) of this section.* Subparagraph (1) of paragraph (a) of this section shall not be construed to include property moving from a factory or store, except such property as the householder has purchased with intent to use in his dwelling and which is transported at the request of, and the transportation charges paid to the carrier by, the householder. Subparagraph (2) of paragraph (a) of this section shall not be construed to include the stock-in-trade of any establishment, whether consignor or consignee, other than used furniture and used fixtures, except when transported as an incident to the removal of the establishment, or a portion thereof, from one location to another. Subparagraph (3), of paragraph (a) of this section shall not be construed to include any article, whether crated or uncrated, which does not, because of its unusual nature or value, require the specialized handling and equipment usually employed in moving household goods.

(c) *Other terms.* Where any other terms used in the regulations in this part are defined in section 203(a) of Part II of the Interstate Commerce Act, such definition shall be controlling. Where terms are used in the regulations in this part which are neither defined herein nor in said section 203(a), they shall have the ordinary, practical meaning of such terms.

It is further ordered, That the rule herein prescribed be, and it is hereby, set to become effective August 1, 1966.

It is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

(49 Stat. 546, as amended; 49 U.S.C. 304. Interpret or apply 49 Stat. 558, as amended; 49 U.S.C. 316; 49 Stat. 560, as amended; 49 U.S.C. 317)

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7071; Filed, June 27, 1966; 8:47 a.m.]

[Ex Parte No. MC-19; Ex Parte No. MC-61; Released Rates Order No. MC-506]

MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS

The following amendments are made to Parts 176 and 187 of Chapter I of Title 49 of the Code of Federal Regulations:

PART 176—GOODS IN INTERSTATE OR FOREIGN COMMERCE

Ex Parte No. MC-19, Practices of Motor Common Carriers of Household Goods; Ex Parte No. MC-61; Released Rates of Motor Common Carriers of Household Goods:

At a general session of the interstate commerce commission, held at its office in Washington, D.C., on the 7th day of June 1966.

It appearing that on April 30, 1964, the Commission entered an order amending, renumbering, and revising Part 176, Transportation of Household Goods in Interstate or Foreign Commerce (49 CFR 176) and directed that the rules and regulations promulgated therein become effective on July 10, 1964;

It further appearing that on April 30, 1964, the Commission entered Released Rates Order No. MC-505 on the record made in Ex Parte No. MC-61, Released Rates of Motor Common Carriers of Household Goods, and directed that Released Rates Order Nos. MC-2-B of April 21, 1953, MC-309 of March 28, 1950, MC-330 of May 22, 1951, MC-362 of May 24, 1954, and MC-429 of September 26, 1958, be rescinded effective July 10, 1964;

It further appearing that the proceedings in Ex Parte No. MC-19, Practices of Motor Common Carriers of Household Goods, and Ex Parte No. MC-61, Released Rates of Motor Common Carriers of Household Goods were ordered discontinued;

It further appearing that by order dated June 26, 1964, the Commission directed its two orders of April 30, 1964, in Ex Parte Nos. MC-19 and MC-61 to be modified so as to postpone their effective dates from July 10, 1964, to November 10, 1964;

It further appearing that in response to petitions of various parties for limited reconsideration, the proceedings were reopened, and that Released Rates Order No. MC-505 entered in Ex Parte No. MC-61, and the regulations prescribed in our order dated April 30, 1964, entered in Ex Parte No. MC-19, were revised by orders dated October 9, 1964, entered in the respective proceedings;

It further appearing that on appeal of our orders dated April 30, and October 9, 1964, the Court set aside, in part, these orders, and remanded the proceedings to the Commission, whereupon by order of September 7, 1965, we vacated these orders, and reopened the proceedings for further consideration;

And it further appearing that the Commission, on the date hereof, has made and filed its report herein setting forth the basis for its conclusions and findings therein, which report and the prior reports in 17 M.C.C. 467, 47 M.C.C. 119, 48 M.C.C. 247, 53 M.C.C. 177, 71 M.C.C. 113, 95 M.C.C. 138, and 96 M.C.C. 196, are hereby referred to and made a part hereof:

It is ordered, That the following sections of Part 176, be and they are hereby, revised and modified so as to read as set forth in the order entered herein on October 9, 1964 (96 M.C.C. 202) (29 F.R. 15289), and are set forth below:

Sections 176.3(c), 176.7, 176.8, §176.9 (b) and (c) are revoked and §176.9(d) is renumbered as §176.9(b), §176.10 (a) and (c), §176.10(d) is renumbered as §176.10(f), new rules numbered §176.10 (d), (e), and (g) are added, §176.12, except as amended hereinafter, and a new rule numbered §176.14 is added.

It is further ordered, That the paragraphs of § 176.12 entitled "Transportation rates and released values" and "Carrier Responsibility for Loss and Damage" be, and they are hereby, amended to read as set forth below.

Amend § 176.3(c) to read as follows:

§ 176.3 Determination of weights.

* * * * *

(c) *Driver's weight certificate.* Whenever weights are required to be obtained pursuant to these rules, the carrier shall cause to be executed a weight certificate for each shipment, in the form specified below, at the time the last necessary weight is obtained, and the original or a copy of such certificate shall be carried in the vehicle transporting the shipment and shall be displayed upon request of the party paying the carrier's charges. The original or a true copy of such certificate shall be maintained by the carrier as part of its record of shipment.

DRIVER'S WEIGHT CERTIFICATE

Date _____

Name of carrier _____
Vehicle identification _____
Name of shipper _____
Origin of shipment _____
Destination of shipment _____
Gross weight of loaded vehicle without the crew thereon _____ pounds.
Tare weight of vehicle without the crew thereon, including full fuel tank and all necessary pads, chains, dollies, hand trucks, and other equipment _____ pounds.
Net weight of the shipment _____ pounds.
The above gross and tare weights were obtained at scales—

Gross:
_____ (Name of scale owner)
_____ (Location)

Tare:
_____ (Name of scale owner)
_____ (Location)

as shown by attached weight ticket(s) prepared by the weighmaster.

(Attach only gross weight ticket if tare weight is obtained from a weight ticket on shipments listed below.)

List of shipments, if any, on vehicle at time above weights were obtained:

Shipper	*Net Weight*
_____	_____
_____	_____
_____	_____

I certify the above entries are true and correct.

_____ (Driver's signature)

2. Amend §§ 176.7 and 176.8 to read as follows:

§ 176.7 Selling of insurance to shippers prohibited.

No such common carrier or any employee, agent, or representative thereof, shall sell, or offer to sell, or procure for any shipper, any kind of insurance, under any type of policy, covering loss or damage to a shipment or shipments of household goods to be transported in interstate or foreign commerce by such carrier, but this section shall not preclude such a carrier from procuring in its own name insurance covering its liability for such loss or damage.

§ 176.8 Receipt or bill of lading; information thereon.

(a) *Issuance of a receipt or bill of lading.* No such common carrier shall issue a receipt or bill of lading for household goods to be transported in interstate or foreign commerce prior to receiving such household goods for such transportation; but common carriers must issue such receipt or bill of lading when such household goods are received.

(b) *Information required on receipt or bill of lading.* Whenever a receipt or bill of lading is issued in compliance with paragraph (a) of this section, the carrier shall cause to be included therein the following information:

(1) The name of the motor carrier (not the agent's name) which will transport the shipment; if shipment is to be interlined, the names of the connecting carriers provided they are known when the shipment is received.

(2) The name, address, and telephone number of the office of the carrier that should be contacted in relation to the shipment, should there be a need for such contact.

(3) The name, address, and telephone number of a person to whom notification provided for in paragraph (c) of this section shall be given, except when this cannot be obtained from the shipper.

(4) The preferred delivery date or the period of time within which delivery of the shipment may be expected to be made at destination.

(c) *Notification of delay in delivery.* Whenever a carrier is unable to make delivery of a shipment of household goods on the date or during the period specified in the receipt or bill of lading, the carrier shall notify the shipper, or person designated by the shipper, by telegram or telephone, at the carrier's expense, of the date on which delivery of the shipment will be made; such notification to be given not less than 24 hours prior to the date or during the period shown on the receipt or bill of lading except when the circumstances causing the delay occur at a later time, in which case the notice shall be given as soon as possible but in no event more than 24 hours after the occurrence: *Provided*, That the requirement of this paragraph shall not apply where the carrier is unable to obtain from the shipper an address or telephone number for such notification.

3. In § 176.9, paragraph (b) *Insurance policy* and paragraph (c) *Advertisement of insurance* are revoked and paragraph (d) *Filing tariffs and evidence of insurance prerequisite to advertising that "all loads are insured"* is renumbered as paragraph (b).

4. In § 176.10, amend paragraphs (a) and (c), redesignate paragraph (d) as paragraph (f), and add new paragraphs (d), (e), and (g). The amended and added paragraphs read as follows:

§ 176.10 Estimates of charges.

(a) *Estimates by the carrier.* Whenever an estimate of the charges for a proposed service shall be given by a carrier to a prospective shipper of household goods, the estimate shall be made only after a visual inspection of the goods by the estimator. Such estimate shall be in the form[1] hereinafter set forth, and across the top of each form there shall be imprinted, in red letters not less than one-half inch high, the words "Estimated Cost of Services." The form shall be fully executed as appropriate in each case in accordance with the instructions therein. The original or a true legible copy of each estimate form prepared in accordance with this paragraph shall be delivered to the shipper; and a copy thereof shall be maintained by the carrier as part of its record of shipment. The shipper shall not be permitted or required to sign the "Estimated Cost of Services" form.

* * * * *

(c) *Specific request of shipper for notification.* Whenever the shipper specifically requests notification of the actual weight and charges on a shipment, the carrier shall comply with such request immediately upon determining the actual weight and charges, by telephone or telegraph if so requested. Such notification shall be at the carrier's expense in instances in which notification would be required under paragraph (d) of this section and in all other instances unless the carrier provides in its tariff that the actual cost of such notification shall be collected from the shipper. Such notification shall be made no later than 24 hours prior to the time the shipment is offered for delivery except where the shipment is in transit less than 24 hours.

(d) *Notification to shipper where charges exceed estimate.* Whenever actual charges on any shipment exceed by more than 10 percent or $25, whichever is greater, any estimate of charges given by the carrier to the shipper, immediately upon determining the actual charges, the carrier shall notify the shipper of the amount thereof by telegram or telephone at the carrier's expense. Such notice shall be made no later than 24 hours prior to the time the shipment is offered for delivery, except where the shipment is in transit less than 24 hours; *Provided*, That this paragraph shall not apply (1) where credit is to be extended by the carrier, and (2) where the shipper has not supplied, upon request by the carrier, an address or telephone number at which the communication would be received.

(e) *Report of underestimates.* Every motor common carrier of household goods shall file each month with the Interstate Commerce Commission, Washington, D.C., 20423, a report of all instances during the preceding month where the actual charges for services rendered exceeded the estimates of such charges by 10 percent or more, with an explanation of reasons for the variances.

* * * * *

(g) *Order for services shall not show charges or estimates.* There shall not be shown on any form in the nature of a "Moving Order" or "Order for Service" which may be used by carriers of household goods any charges or estimates of charges nor any reference to any estimate of charges given to the shipper.

5. Amend § 176.12 to read as follows:

§ 176.12 Information for prospective shippers.

(a) *Summary of information.* During the course of the first interview with every prospective shipper, every carrier of household goods shall cause to be given to the prospective shipper a summary of information in the form specified below. Such summary shall be

[1] Form filed as part of F.R. Doc. 66-11608.

printed on one sheet in not less than eight-point bold or full-faced type, and shall contain only the heading "Important notice to shippers of household goods" and the information shown below under that heading. The carrier's name, address, and telephone number may be shown on the sheet if that is desired. If no personal interview is had with a shipper, the carrier shall cause such summary to be mailed to the shipper on or prior to the day on which the order for service is placed. The carrier shall make an appropriate notation on the receipt or bill or lading that such summary has been furnished.

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

The Interstate Commerce Commission requires that this notice and accompanying general information be furnished to all prospective shippers of household goods in interstate or foreign commerce.

Estimates. Carriers cannot determine exactly what your move will cost you until all packing has been completed and the goods are loaded on a vehicle and weighed. They make estimates to try to approximate the cost for you. To get a reasonably accurate estimate you must show the estimator everything you intend to ship. An estimate is not a bid nor a contract, and choosing the carrier submitting the lowest estimate will not assure you the lowest cost move. Regardless of any estimate, the actual weight of your goods and the actual amount of packing and other services performed by the carrier will determine the final amount you must pay for your moving. All estimates are now required to be in writing. Do not accept any verbal approximation of the charges.

Carrier responsibility for loss and damage. At its lowest rates, the carrier's responsibility for loss or damage caused by it is limited to 60 cents per pound per article for the actual weight of each lost or damaged article. Many articles are worth more than this, and some are worth a great deal more. If you wish to be paid full value for lost or damaged items, you must declare a lump sum value and pay an extra charge depending upon the value you declare. The charge is 50 cents for each $100 of value declared. The carrier will then be fully liable up to the amount you declare, for loss or damage to any articles unless due to an excepted cause as provided in its tariff.

If you declare a lump sum value but your declaration is for a total value less than $1.25 for each pound of weight in the shipment, your declaration will be automatically increased to the latter amount in order to protect both you and the carrier from an excessive underestimate.

Notification of charges and delay. The carrier is required to notify you by telegram or telephone of any delays in delivery. Also of the amount of the charges if you request it or if they exceed the estimate by more than 10 percent or $25 whichever is greater. Be sure to give the carrier an address or telephone number where such messages can be sent.

Packing. Many articles must be packed in barrels, cartons, or crates so that they can be handled safely. Wardrobes are usually supplied for garments. There is a charge per container for these services. You may do your own packing. However, the carrier is not responsible for damage resulting from faulty packing you perform. The carrier will unpack containers it has packed, if you wish, but not those you have packed. Be sure mechanisms of refrigerators, washers, etc., are serviced to prevent damage during movement.

Payment and delivery. The carrier will require payment in cash, money order, or certified check before unloading your goods unless credit arrangements were made beforehand. Be prepared in case the actual charges demanded at this time are greater than what was estimated.

Lost or damage articles. Be sure to check your goods as they are delivered. Note any lost articles or damage on the receipt which you will sign upon completion of the delivery. If other loss or damage is discovered later, notify the carrier immediately. A claim can be filed later.

Additional information. More detailed information is provided in a general information statement which the carrier must provide when you place an order for service.

(b) *Statement of general information.* Whenever the carrier receives an order for service, written or orally, it shall furnish the shipper immediately a printed statement, in not less than eight-point type, containing the information set forth below. Such statement in every instance shall be placed in the hands of the shipper prior to the time the goods are loaded. The carrier shall make an appropriate notation on the receipt or bill of lading that such statement has been furnished.

GENERAL INFORMATION FOR SHIPPERS OF HOUSEHOLD GOODS

This statement is of importance to you as a shipper of household goods and is being furnished by the carrier pursuant to a requirement of the Interstate Commerce Commission. It relates to the transportation of household goods, in interstate or foreign commerce by motor carriers frequently called "Movers" but here called carriers. Some carriers perform the transportation themselves. Others act as agents for the carriers which do the actual hauling. In some instances, the transportation is arranged by brokers. You should be sure to obtain the complete and correct name, home address, and telephone number of the carrier which is to transport your shipment, and keep that carrier informed as to how and where you may be reached at all times until the shipment is delivered. Before completing arrangements for the shipment of your household goods, all of the information herein should be considered carefully by you.

Estimates. Regardless of any prior estimate received, for the carriage of your shipment, you will be obligated to pay transportation charges and other charges computed in accordance with tariffs filed by the carrier with the Interstate Commerce Commission. The total charges which you must pay may be more, or less, than the estimate received from the carrier, and as explained under "Payment of charges—freight bill," the charges generally must be in cash or by money order or certified check at the time of delivery. Having additional funds on hand when the van arrives at destination can spare you considerable difficulty.

Tariffs. These are publications, in book form, containing the rates, charges, and rules of the carriers. The tariffs of all carriers are not the same, but all of them are open to public inspection and may be examined at the carrier's office. All tariffs contain rules and regulations, and those in the tariff of the carrier serving you must be applied in determining the charges on your shipment. Among the rules and regulations normally appearing in published tariffs will be found special provisions applicable to "Shipments picked up or delivered at more than one place"; "Packing and marking"; "Diversion of shipments en route"; and "Additional services", the charges for which are called accessorial charges, and which include services such as packing, unpacking, the furnishing of boxes or other containers, and carrying pianos up or down steps. The tariff of the carrier serving you will also probably have rules relating to the subjects which follow.

Preparing articles for shipment. Some articles such as stoves, refrigerators, and washing machines may require disconnection and usually require special servicing to protect their mechanisms during movement. It is your responsibility to have this done. Some carriers upon your request will arrange to have this servicing done at your expense. You should arrange to take down all blinds, draperies, window cornices, mirrors, and other items attached to the walls, and to take up carpets which are tacked down. The charge for such service is not included in the transportation charge and will be performed by the carrier only at an extra per-hour charge. Under no circumstances should you pack jewelry, money, or valuable papers with your other belongings, or pack any matches, inflammables, or other dangerous articles.

Transportation rates and released values. Rates are stated in amounts per hundred pounds, depending upon the distance involved. The carrier's charges also vary according to the released or declared value of the shipment. The carrier's tariff provides that as its lowest rates the carrier's responsibility for loss or damage caused by it is limited to 60 cents per pound per article for the actual weight of each lost or damaged article. Many articles are worth more than this, and some are worth a great deal more. If you wish to be paid full value for lost or damaged items, you must declare a lump sum value and pay an extra charge depending upon the value you declare. The charge is 50 cents for each $100 of value declared. The carrier will then be fully liable up to the amount you declare, for loss or damage to any articles unless due to an excepted cause as provided in its tariff.

If you declare a lump sum value but your declaration is for a total value less than $1.25 for each pound of weight in the shipment, your declaration will be automatically increased to the latter amount in order to protect both you and the carrier from an excessive underestimate.

Weights. The transportation charges will be determined on the basis of the weight of your shipment. Ordinarily, the carrier will weigh its empty or partially loaded vehicle prior to the loading of your goods. After loading, it will again weigh the vehicle and determine the weight of your shipment. If your shipment weighs less than 1,000 pounds, the carrier may weigh it prior to loading.

If you so request, the carrier will notify you by telegraph or telephone of the weight of your shipment and the charges as soon as the weight has been determined. This may or may not be at your expense. However, where it develops that the actual charges exceed by more than 10 percent or $25, whichever is greater, an estimate of charges given to you by the carrier, the carrier is required to notify you immediately of the amount of the actual charges, by telegraph or telephone at the carrier's expense.

If you question the weight reported by the carrier, you may request that the shipment be reweighed prior to delivery. Reweighing will be accompanied only where it is practicable to do so. An extra charge may be made for reweighing, but only if the difference between the two net weights obtained does not exceed 100 pounds (if your shipment weighs 5,000 pounds or less) or does not exceed 2 percent of the lower net weight (if your shipment weighs more than 5,000 pounds). The lower of the two net weights must be used in determining the charges.

Exclusive use of the vehicle. If you do not desire to have the goods belonging to someone else transported with your shipment, you may direct the carrier to grant you the exclusive use of the vehicle. In such event, however, the charges will probably be much greater.

Expedited service. Carriers are not ordinarily required to make delivery on a certain date or within a definite period of time, but only within a reasonable time. However, their tariffs generally contain a rule to the effect that, upon request of the shipper, goods weighing more than a designated weight—usually 5,000 pounds—will be delivered on or before the date specified by the shipper. Such expedited service on shipments weighing less than that amount usually may be obtained only by paying charges based on 5,000 pounds.

Preferred delivery date—delay. Unless expedited service is to be rendered, as mentioned just above, the carrier is not obligated to deliver your goods on any particular day, but only to deliver within a reasonable time. However, when the goods are loaded, the carrier must specify on the bill of lading the delivery date (or period) which you prefer. If the carrier finds that it cannot deliver by that date it is required to notify you by telegraph or telephone at least 24 hours in advance if that is possible, or as soon thereafter as possible.

Small shipments. If your shipment weighs less than the minimum weight prescribed in the carrier's tariff, it will be subject to the minimum charge provided therein. If your shipment weighs substantially less than the minimum weight prescribed by the carrier, you should give consideration to the possibility that it may be shipped more reasonably by other means of transportation, even considering the expense of crating.

Storage in transit. If you desire your household goods to be stored in transit, and delivered at a later date, you may usually obtain such service upon specific request. The length of time a shipment may be stored in transit is limited by the carrier's tariff, and additional charges are normally made for such service. At the end of the designated storage-in-transit period, and in the absence of final delivery instructions, the shipment will be placed in permanent storage, and the carrier's liability in respect thereof will cease. Any further service must be made the subject of a separate contract with the warehouseman. If you do not specifically request storage-in-transit from the carrier, but arrange with someone other than the carrier to pick up your goods for storage, you will be required to pay such other person for such service. Some warehouses make separate charges for checking goods out of storage, and collect dock charges from carriers for the space occupied by their vehicles while being loaded. Such charges are passed on to the shipper.

Bill of lading. Before your shipment leaves point of origin, you should obtain from the carrier a bill of lading or receipt, signed by you and the carrier. Be sure that this shows the carrier's name and address and the telephone number at which you can reach the carrier; an address and telephone number furnished by you to which the carrier can send messages regarding your shipment; the location to which your goods are moving; the date of loading and the preferred date of delivery; and the declared or released valuation of the goods.

Payment of charges—freight bill. Unless you have made arrangements beforehand for credit, the carrier will require payment in cash or by money order or certified check, before unloading. Be prepared with sufficient funds to pay the actual charges, which may be greater than what was estimated.

When paying charges, you should obtain a receipt for the amount paid setting forth the gross and tare weights of the vehicle; the net weight of your shipment; the mileage; the applicable rate per 100 pounds; and the charges for transportation, additional protection, and any accessorial services performed. Such receipt is called a freight bill or expense bill.

Expedited service. Carriers are not ordinarily required to make delivery on a certain date or within a definite period of time, but only within a reasonable time. However, their tariffs generally contain a rule to the effect that, upon request of the shipper, goods weighing more than a designated weight—usually 5,000 pounds—will be delivered on or before the date specified by the shipper. Such expedited service on shipments weighing less than that amount usually may be obtained only by paying charges based on 5,000 pounds.

Preferred delivery date—delay. Unless expedited service is to be rendered, as mentioned just above, the carrier is not obligated to deliver your goods on any particular day, but only to deliver within a reasonable time. However, when the goods are loaded, the carrier must specify on the bill of lading the delivery date (or period) which you prefer. If the carrier finds that it cannot deliver by that date it is required to notify you by telegraph or telephone at least 24 hours in advance if that is possible, or as soon thereafter as possible.

Small shipments. If your shipment weighs less than the minimum weight prescribed in the carrier's tariff, it will be subject to the minimum charge provided therein. If your shipment weighs substantially less than the minimum weight prescribed by the carrier, you should give consideration to the possibility that it may be shipped more reasonably by other means of transportation, even considering the expense of crating.

Storage in transit. If you desire your household goods to be stored in transit, and delivered at a later date, you may usually obtain such service upon specific request. The length of time a shipment may be stored in transit is limited by the carrier's tariff, and additional charges are normally made for such service. At the end of the designated storage-in-transit period, and in the absence of final delivery instructions, the shipment will be placed in permanent storage, and the carrier's liability in respect thereof will cease. Any further service must be made the subject of a separate contract with the warehouseman. If you do not specifically request storage-in-transit from the carrier, but arrange with someone other than the carrier to pick up your goods for storage, you will be required to pay such other person for such service. Some warehouses make separate charges for checking goods out of storage, and collect dock charges from carriers for the space occupied by their vehicles while being loaded. Such charges are passed on to the shipper.

Bill of lading. Before your shipment leaves point of origin, you should obtain from the carrier a bill of lading or receipt, signed by you and the carrier. Be sure that this shows the carrier's name and address and the telephone number at which you can reach the carrier; an address and telephone number furnished by you to which the carrier can send messages regarding your shipment; the location to which your goods are moving; the date of loading and the preferred date of delivery; and the declared or released valuation of the goods.

Payment of charges—freight bill. Unless you have made arrangements beforehand for credit, the carrier will require payment in cash or by money order or certified check, before unloading. Be prepared with sufficient funds to pay the actual charges, which may be greater than what was estimated.

When paying charges, you should obtain a receipt for the amount paid setting forth the gross and tare weights of the vehicle; the net weight of your shipment; the mileage; the applicable rate per 100 pounds; and the charges for transportation, additional protection, and any accessorial services performed. Such receipt is called a freight bill or expense bill.

Loss or damage. In the event of loss or damage to the shipment be sure you describe such loss or damage by making notations on the carrier's inventory of articles or delivery receipt. If the driver should refuse to permit you to make such notations, you should immediately report the circumstances and the condition of the articles in writing to the home office of the carrier. The notations made at the time of delivery does not constitute filing a claim in writing. The notation is made to support a claim to be filed later. If loss or damage did occur, you should then immediately address a letter to the home office of the carrier and describe the loss and damage. List the articles separately and show the weight of each damaged article, if you declared a released value of 60 cents per pound per article. Obtain and present to the carrier itemized estimates of cost of necessary repairs or replacement. Give the date of your move, the origin and destination of the shipment, and the carrier's order number.

All claims for loss or damage must be filed with the carrier, in writing. The carrier is required to acknowledge claims within 30 days and to either pay, decline, or make a firm compromise settlement offer within 120 days of receipt. If some reason beyond the carrier's control delays action on your claim for a longer time, the carrier is required to notify you then as to its status and each 30 days thereafter until final action is taken.

The Interstate Commerce Commission has no authority to compel carriers to settle claims for loss or damage and will not undertake to determine whether the basis for, or the amount of, such claims is proper, nor will it attempt to determine the carrier liable for such loss or damage. If the carrier will not voluntarily pay such claims, the shipper may contact the Interstate Commerce Commission for the name of the insurance company providing the required cargo insurance. The insurance company may be willing to settle a claim even if the carrier is not. The shipper may also commence a suit in a court of law. The names of the carrier's agents for service of process in each State may be obtained by writing the Interstate Commerce Commission, Washington, D.C., 20423.

6. Add a new rule numbered § 176.14 to read as follows:

§ 176.14 Claims for loss or damage.

(a) *Acknowledgment of claims.* Every common carrier of household goods which receives a written claim for loss of or damage to property transported by it shall acknowledge receipt of such claim in writing to the claimant within 30 calendar days after its receipt by the carrier or the carrier's agent. The carrier shall at the time such claim is received, cease the date of receipt to be recorded on the claim.

(b) *Handling by carrier.* Every such carrier which receives a written claim for loss or damage to household goods transported by it shall pay, decline, or make a firm compromise settlement offer in writing to the claimant within 120 days after receipt of the claim by the carrier or its agent; *Provided*, That, if for reasons beyond the control of the carrier the claim cannot be processed and disposed of within 120 days after the receipt thereof, the carrier shall at that time and the expiration of each succeeding thirty-day period while the claim remains pending, advise the claimant in writing of the status of the claim and the reasons for the delay in making final disposition thereof, and send a copy of such letter to the District Supervisor, Interstate Commerce Commission, Bureau of Motor Carriers, of the area in which the carrier has its principal place of business.

(c) *Register of loss and damage claims.* Every common carrier of household goods shall maintain a freight claim register, showing for each cargo loss and damage claim received, the claim number, date, and amount; the waybill or expense bill number and date; name of claimant; kind of commodity; date claim was paid; total amount paid; or date claim was disallowed and reasons; amount of salvage recovered, if any; amounts reimbursed by insurance companies, connecting carriers, or others, and the amount absorbed by the carriers. Each claim received shall be entered in the register and should be supported by the complete file of claim papers. However, if the claim papers are retained by insurance companies, connecting carriers, or others, the carrier's records should contain an acknowledgment from the party retaining the claim file that the papers are in its possession.

It is further ordered, That the rules herein prescribed and the released rates order attached hereto, be, and they are hereby, prescribed to become effective on September 30, 1966, and will apply only on household goods removed from the shipper's premises on and after the effective date.

It is further ordered, That these proceedings in Ex Parte No. MC-19, Practices of Motor Common Carrier of Household Goods, and Ex Parte No. MC-61, Released Rates of Motor Common Carriers of Household Goods, be, and they are hereby, discontinued.

And it is further ordered, That notice of this order shall be given to the general public by depositing of a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

(Secs. 204, 216, 217, 219, 220, 223, 49 Stat. 546, as amended, 556, as amended, 560, as amended, 568, as amended, 565 as amended; 49 U.S.C. 304, 316, 317, 319, 320, 323.)

PART 187—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS

Released Rates Order No. MC-505, Released Rates of Motor Common Carriers of Household Goods:

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 7th day of June 1966.

Upon further consideration of the record in Ex Parte No. MC-61, Released Rates of Motor Common Carriers of Household Goods, the Commission, on the date hereof, has made and filed its report herein setting forth the basis for its conclusions and findings therein, which report is hereby referred to and made a part hereof:

It is ordered, That § 187.201 (49 CFR 187.201) be, and it is hereby, amended to read as follows:

§ 187.201 Released rates on household goods.

(a) *Establishment authorized; rate bases.* Subject to the conditions specified in succeeding paragraphs of this section, each motor common carrier authorized to perform the specialized service of a household goods carrier be, and it is hereby, authorized to establish and maintain by filing and posting in the manner required by the Interstate Commerce Act, commodity rates for the transportation in interstate or foreign commerce, and charges for accessorial services in connection therewith, of household goods, as defined by the Commission, said rates and charges to be applicable only when the value of the property as declared by the shipper in writing, or agreed upon in writing as the released value thereof is as follows:

Released values and liability limitations	Transportation rate basis	Storage in transit rate basis
Released to a value not exceeding 60 cents per pound per article for the actual weight of any article or articles in a shipment.	Base transportation rate.....	Base storage rate.
Released to a declared lump sum value for an entire shipment. However, if the value declared is less than $1.25 times the actual weight (in pounds) of the shipment, such declaration will be ineffective, and the shipment will be deemed instead to have been released to a declared lump sum value equal to $1.25 times the actual total weight (in pounds) of the shipment.	Base transportation rate plus a valuation charge of 50 cents for each $100, or fraction thereof, of the released value of the entire shipment.	110 percent of the base storage rate for the first 60-day period of storage. Thereafter, 100 percent of the base storage rate for each storage period of 30 days, or fraction thereof.

No rule of coresponsibility may be employed to reduce the liability of the carrier for loss, damage, or delay to the property. The total parts comprising any article knocked down or taken apart for handling or loading shall constitute one article for the purpose of determining the carrier's liability as provided above.

(b) *Changes in rates or released valuations.* Changes may be made in the rates or charges established under the authority of this order but the released values provided in this section may not be decreased, nor may the value charges as specified in this section be increased without specific authority of the Commission.

(c) *Statement on bills of lading.* The bill of lading issued for any shipment accepted for transportation and storage at released rates and charges established and maintained under authority of this order, shall have printed in distinctive color in boldface, type on the face thereof a statement reading as follows:

Unless the shipper expressly releases the shipment to a value of 60 cents per pound per article, the carrier's maximum liability for loss and damage shall be either the lump sum value declared by the shipper or an amount equal to $1.25 for each pound of weight in the shipment, whichever is greater.

The release of value must be entered in the following form directly below and immediately following the foregoing statement, and must be completed only by the person signing it.

The shipment will move subject to the rules and conditions of the carrier's tariff. Shipper hereby releases the entire shipment to a value not exceeding----------

---

(To be completed by the person signing below)

NOTICE: The shipper signing this contract must insert in the space above, in his own handwriting, either his declaration of the actual value of the shipment, or the words, "60 cents per pound per article." Otherwise, the shipment will be deemed released to a maximum value equal to $1.25 times the weight of the shipment in pounds.

(Shipper)

(Date)

(d) *Statement in tariffs.* Tariffs containing rates or charges established under authority of this order shall specifically provide the carrier's maximum liability for loss of or damage to property shall be the lump sum value declared or an amount equal to $1.25 times the weight of the shipment in pounds, whichever is greater, unless the shipper expressly releases the shipment to a value of 60 cents per pound per article, in which case the carrier's liability shall not exceed that value. Tariffs shall provide that in the event shipper does not declare a lump sum value or release the shipment to a value of 60 cents per pound per article the shipment will be deemed released to a lump sum value equal to $1.25 times the total weight of the shipment (in pounds). No rule of coresponsibility may be employed. Such tariffs shall show the following notation:

Rates or charges herein based on released value have been authorized by the Interstate Commerce Commission in Released Rates Order No. ------ of ---------- subject to complaint or suspension.

(e) *Limitation of authority.* This section does not constitute authority for the establishment of released rates or charges on any description of traffic other than herein specifically indicated, nor on traffic originating in an adjacent foreign country destined to points in the United States.

(f) *Lawfulness of rates.* The Commission does not hereby approve the lawfulness, except under sections 20(11) and 219 of the Interstate Commerce Act, of any rate or charge which may be filed under authority of this section.

It is further ordered, That Released Rates Orders Nos. MC-2-B of April 21, 1953, MC-309 of March 28, 1950, MC-330 of May 22, 1951, MC-362 of May 24, and MC-429 of September 26, 1958, be and they are hereby, rescinded as of the date this order is to become effective.

(Sec. 204, 49 Stat. 546, as amended, 49 U.S.C. 304, interpret or apply sec. 219, as amended, 220, as amended; 49 U.S.C. 319, 20).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7073; Filed, June 27, 1966, 8:48 a.m.]

[Ex Parte No. MC-40]

PART 193—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

Emergency Equipment on All Power Units

At a session of the Interstate Commerce Commission, Motor Carrier Safety Board, held at its office in Washington, D.C., on the 14th day of June 1966.

The matter of parts and accessories necessary for safe operation under the Motor Carrier Safety Regulations, prescribed by order of April 14, 1952, is amended, being under consideration; and

It appearing, that continuing study of accident experience, observations by our staff, and expressions of many informed persons concerned with highway safety, support the need for improved and more effective warning devices to be carried on vehicles for use in event of breakdown or other stopping on or near the traveled portion of highways; that some time will be required for determination of appropriate performance standards for such improved devices, and that in the interim period optional use of a device extensively used in European countries and in some Canadian provinces should be authorized in addition to presently authorized devices.

It appearing, that representations have been made to the Commission to the effect that a traffic hazard warning device in the form of an equilateral triangle with red reflective surfaces affords to drivers a more meaningful indication of a hazard than currently authorized devices; that such triangular devices have been authorized for use in certain countries other than the United States, and some Canadian provinces and, consequently, are recognized as warning devices internationally; and that such triangular devices, made to afford reflective capabilities not less than the reflective requirements of present regulations may properly be authorized for optional use at least until such time as more adequate standards for hazard warning devices are promulgated and adopted after prescribed rule making procedures;

It further appearing, that pursuant to section 4(a) of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1003) for good cause it is found that notice of proposed rule making is unnecessary;

Upon consideration of the record and good cause appearing therefor;

It is ordered, That paragraph (l), and subparagraphs (1) and (2) thereof, of § 193.95 of Title 49, Code of Federal Regulations be, and they are hereby amended to read as follows:

§ 193.95 Emergency equipment on all power units.

On every bus, truck, truck-tractor, and every driven vehicle in driveaway-towaway operation, there shall be:

* * * * *

(l) *Requirements for red emergency reflectors.* Each red emergency reflector, whether triangular or of other design, shall conform to the following requirements:

(1) *Reflecting surfaces required.* Each reflector shall either be composed of not less than two approximately parallel reflecting elements on each side, front and back, or be an equilateral triangle, with one point upward, with sides not less than 18 inches in length and not less than 2 inches in width, with reflecting surfaces on each leg of the triangle, front and back. The area within the sides of the triangle shall be open.

(2) *Reflecting surfaces, candlepower.* The aggregate candlepower output of all the reflecting elements or surfaces in one direction shall not be less than 12 when tested in a perpendicular position with observation at one-third degree when tested as specified for Class A reflex reflectors in the Photometric Test contained in the SAE Recommended Practice [1] "Reflex Reflectors."

* * * * *

(Sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304)

It is further ordered, That this order shall become effective June 30, 1966, and shall continue in effect until further order of the Commission.

And it is further ordered, That notice of this order shall be given to motor carriers and the general public by depositing a copy thereof in the Office of the Secretary of the Interstate Commerce Commission, Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission, Motor Carrier Safety Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7072; Filed, June 27, 1966; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 219, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.519 (Lemon Reg. 219, 31 F.R. 8538) are hereby amended to read as follows:

§ 910.519 Lemon Regulation 219.

* * * * *

(b) *Order.* (1) * * *

(ii) District 2: 381,300 cartons.

* * * * *

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 23, 1966.

FLOYD F. HEDLUND, *Director, Fruit and Vegetable Division, Consumer and Marketing Service.*

[F.R. Doc. 66-7064; Filed, June 27, 1966; 8:47 a.m.]

[Pear Reg. 1]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Limitation of Shipments

§ 917.389 Pear Regulation 1.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917, 30 F.R. 15990), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Pear Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of pears, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Pear Commodity Committee on June 22, 1966; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information concerning the committee's recommendation for regulation, including the effective time recommended, has been disseminated among handlers of such pears; shipments of the current crop of such pears are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recomendations of the committee; and compliance with this section will not require any special preparation on the part of person subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 29, 1966, and ending at 12:01 a.m., P.s.t., January 1, 1967, no handler shall ship:

(i) Any box or other container of pears of the Bartlett, Max-Red, or Rosired varieties unless (*a*) all such pears grade at least U.S. No. 2 and (*b*) at least 85 percent, by count, of such pears grade at least U.S. No. 1;

(ii) Any box or other container of pears of the Bartlett, Max-Red, or Rosired varieties unless such pears are of a size not smaller than the size known commercially as size 165: *Provided*, That a handler may ship, during any day from any shipping point, a quantity of such pears which are smaller than the size known commercially as size 165 if (*a*) such smaller pears are not smaller than the size known commercially as size 180 and (*b*) the quantity of such smaller pears shipped from such shipping point does not, at the end of any day during the aforesaid period, exceed 5.27 percent of such handler's total shipments of such pears, shipped from the same shipping point, which are not smaller than the size known commercially as size 165; or

(iii) Any box or other container of pears of any variety unless such box or

[1] See footnote 1 to § 193.24(c).

other container is stamped or otherwise marked, in plain sight and in plain letters, on one outside end with the name of the variety, if known, or when the variety is not known, the words "unknown variety."

(2) *Definitions.* (i) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(ii) "Size known commercially as size 165" means a size of pear that will pack a standard pear box, packed in accordance with the specifications of a standard pack, with 165 pears and with the 22 smallest pears weighing not less than 5¾ pounds.

(iii) "Size known commercially as size 180" means a size of pear that will pack a standard pear box, packed in accordance with the specifications of a standard pack, with 5 tiers, each tier having 6 rows with 6 pears in each row, and with the 21 smallest pears weighing not less than 5 pounds.

(iv) "Standard pear box" means the container so designated in section 828.3 of the Agricultural Code of California.

(v) "U.S. No. 1," "U.S. No. 2," and "standard pack" shall have the same meaning as when used in the U.S. Standards for Pears (Summer and Fall), 7 CFR 51.1260–51.1280.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 27, 1966.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–7177; Filed, June 27, 1966; 11:42 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 73]

BIOLOGICAL PRODUCTS

Notice of Proposed Rule Making

Correction

In F.R. Doc. 66–6750 appearing in the issue for Tuesday, June 21, 1966, at page 8594, the following changes should be made:

1. In § 73.116(e), the second sentence should read "In addition the label or a package enclosure shall include the identification and source of the virus or viruses contained in the vaccine, the tissue medium on which the virus or viruses were propagated, stabilizers and preservatives, if any, and the type and calculated maximum amount of antibiotics."

2. In § 73.140, the paragraph designated "(e)" should read "(c)". Also in the paragraph following the designated paragraph (c), 5th sentence, the word "evidence" should read "evidences", and in the last sentence, the word "systems" should read "system".

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66–CE–31]

FEDERAL AIRWAYS

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would realign V–170 from the Worthington, Minn., VOR via the Fairmont, Minn., VOR to the Mankato, Minn., VOR, and realign V–219 from the Sioux City, Iowa, VOR via the Fairmont VOR to the Mankato VOR. In addition, it is proposed to designate the floors of these segments at 1,200 feet above the surface (AGL).

The proposed realignment of V–219 would provide better access to Spencer, Iowa, and Fairmont airports and would permit V–219 to be designated via the alignment of V–170 from Fairmont to Mankato. The alteration of V–170 would involve only a minor change in alignment as it is presently aligned over the Fairmont airport. The floors of 1,200 feet above the surface for these segments are required for climb from the airports to the minimum en route altitudes.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 21, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–7046; Filed, June 27, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65–PC–3]

FEDERAL AIRWAYS, TRANSITION AREA, AND CONTROL ZONE

Proposed Alterations and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Regulations that would alter the controlled airspace in Hawaii as follows:

1. V–5 would be realigned from the Kona VORTAC to the intersection of the Kona 338° True (327° M) and Maui VORTAC 179° True (168° M) radials, including a west alternate from the Kona VORTAC via the intersection of Kona 323° True (312° M) and Maui 179° True (168° M) radials, to the intersection of the Maui 179° True (168° M) and Kona 338° True (327° M) radials, excluding the airspace below 1,200 feet above the surface.

2. The segment of V–11 southwest of the Upolu Point VOR would be realigned from the intersection of the Kona 323° True (312° M) and Upolu Point 211° True (200° M) radials, to Upolu Point, excluding the airspace below 1,200 feet above the surface.

3. The Kailua, Kona transition area would be redescribed as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Kona Airport (latitude 19°38'49" N., longitude 156°00'45" W.), and within 2 miles each side of the Kona VORTAC 323° True radial, extending from the 5-mile radius area to the intersection of the Kona VORTAC 323° and Upolu Point VOR 207° True radials; and that airspace extending upward from 1,200 feet above the surface bounded on the northeast by V–5W and the arc of a 5-mile radius circle centered on the Kona Airport, on the south by a line 5 miles south of and parallel to the Kona VORTAC 281° True radial, and on the west by the arc of a 25-mile radius circle centered on the Kona VORTAC.

4. The Kailua, Kona control zone would be designated within a 5-mile radius of the Kona Airport, and within 2 miles each side of the Kona VORTAC 323° True radial, extending from the 5-mile radius zone to the intersection of the Kona VORTAC 323° and Upolu Point VOR 207° True radials. This control zone would be effective from 0730 to 2215 hours, l.s.t. daily, June 15 through September 6, and 0730 to 1830 hours, l.s.t. daily, September 7 through June 14, annually.

The Kona VORTAC (latitude 19°39'27" N., longitude 156°01'39" W.) will be commissioned soon. A new public use VOR/DME instrument approach procedure to the Kona Airport is proposed.

The proposed realignment of the airways would provide greater flexibility to their use to and from Kona. The proposed control zone and amended transition area would provide controlled airspace for aircraft executing prescribed instrument approach and departure procedures for the Kona Airport.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services

over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Pacific Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 4009, Honolulu, Hawaii, 96812. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on June 21, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-7047; Filed, June 27, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SO-36]

FEDERAL AIRWAY SEGMENT

Proposed Revocation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would revoke VOR Federal airway No. 3 west alternate segment between Jacksonville, Fla., and Brunswick, Ga.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency is considering the revocation of V-3W from Jacksonville to Brunswick. It has been determined that this airway segment is no longer required for air traffic control purposes. The latest peak day en route traffic survey showed only one aircraft utilized this west alternate airway segment. Therefore, it appears that the retention of this airway segment is unjustified as a continued assignment of controlled airspace.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 21, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-7048; Filed, June 27, 1966; 8:46 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 66-CE-43]

JET ROUTE

Proposed Extension

The Federal Aviation Agency is considering an amendment to Part 75 of the Federal Aviation Regulations which would extend Jet Route No. 102 from Hill City, Kans., direct to Omaha, Nebr.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

This proposed amendment would facilitate flight planning by providing a designated route for aircraft operating between Hill City and Omaha.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 21, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-7049; Filed, June 27, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release Nos. 34-7905, IC4627]

INSIDER TRADING

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to adopt a new Rule 16d-1 (17 CFR 240.16d-1) under the Securities Exchange Act of 1934. The rule is proposed for the purpose of defining the terms "securities held in an investment account" and "transactions made in the ordinary course of business and incident to the establishment or maintenance of a primary or secondary market" as used in section 16(d) of the Exchange Act, and to specify certain terms and conditions with respect to the availability of the exemption from sections 16 (b) and (c) of the Exchange Act under section 16(d).

Section 16 of the Exchange Act and the rules thereunder set forth the insider reporting and trading provisions which are applicable to any person owning beneficially, directly or indirectly, more than 10 percent of a class of equity security registered pursuant to section 12 of the Act and to any director or officer of the issuer of such securities.[1] In addition, under section 30(f) of the Investment Company Act of 1940, the provisions of section 16 are applicable to any person owning beneficially, directly or indirectly, 10 percent of any class of outstanding securities (other than short-term paper) issued by a registered closed-end investment company, and

[1] For the purpose of determining if a broker-dealer is a beneficial owner of more than 10 percent of a registered class of equity security, all of the class which the dealer beneficially owns is to be included, whether or not such securities are maintained in an investment account.

also to any person who is an officer, director, member of an advisory board, investment adviser, or affiliated person of an investment adviser of such a company, with respect to transactions in any securities (other than short-term paper) of such an issuer. The exemption provided by new section 16(d) is available with respect to transactions in the securities of a registered closed-end investment company; however, for ease of presentation, further reference to the provisions of section 16 will be limited to persons covered by the Exchange Act only.

Section 16(a) requires such directors, officers, and beneficial owners to file an initial report on Form 3 (listed and described at 17 CFR 249.103) stating the amount of each class of the issuer's equity securities, whether or not registered, which are beneficially owned by such person at the time the issuer's securities are registered, or at the time a person becomes such an officer, director, or beneficial owner following registration.[2] Thereafter, each such person must report on Form 4 (listed and described at 17 CFR 249.104) any change in his beneficial ownership of the issuer's equity securities within 10 days after the end of each calendar month in which any change occurs. Such directors, officers, or beneficial owners who have an interest in a broker or dealer must report all of the issuer's equity securities which are owned by such broker or dealer and all transactions in such securities by the broker or dealer. He may, if he wishes, indicate in the report the extent of his interest in the broker or dealer.

In general, section 16(b) allows recovery by or on behalf of the issuer of any profit realized by such directors, officers, or beneficial owners in the purchase and sale, or sale and purchase, of any of the issuer's equity securities, whether or not registered, within a period of less than 6 months, including the purchase or sale of such securities by a broker or dealer in which such persons have a beneficial interest.

Section 16(c) prohibits the sale by such directors, officers, or beneficial owners of any equity security of such issuer if the person selling the security or his principal (1) does not own the security sold, or (2) if owning the security does not promptly deliver it against such sale—sometimes referred to as selling against the box.

New section 16(d) exempts from section 16 (b) and (c) (but not section 16(a)) the purchase and sale, or sale and purchase, of a security by a dealer in the ordinary course of business and incident to the establishment or maintenance by him of a primary or secondary market for such security other than on an exchange. The exemption is not available however, with respect to the sale of any specific security that is, or has at any time since its purchase, been held by the dealer in an investment account.

Proposed Rule 16d-1 would define the term "securities held in an investment account" as used in section 16(d) of the Act to mean securities which the dealer has identified on his records as being held in an investment account, securities acquired in other than market-making transactions and securities held by the dealer more than 5 business days after the dealer ceases to maintain a market in the securities.

The acquisition of securities held in this account would not be exempt from section 16(b) even though the acquisition was made in a market-making transaction.

Proposed Rule 16d-1 would define the term "transactions made in the ordinary course of business and incident to the establishment or maintenance of a primary or secondary market" as used in section 16(d) of the Act, and referred to in the rule as "market-making transactions," to mean both retail and interdealer transaction in securities which are sold, or acquired and held for sale, in the ordinary course of business and incident to the establishment or maintenance of a market in the security, and it would require that the dealer maintain a continuous interdealer market in the securities on each business day for a period of at least 45 consecutive calendar days. Such continuous period may include days before and/or after the day of the transaction for which exemption is claimed, but must include the day of the transaction.

During this period the dealer must publish bona fide bid and offer quotations for the security in an interdealer quotation service on at least 3 of each 5 consecutive business days he maintains a market. He must also, on each of the business days he maintains a market, furnish bona fide bid and offer quotations to other brokers or dealers on request and must execute, in reasonable amounts (generally 100 shares), all orders received from such brokers and dealers at his quoted prices.

Although a dealer is required to execute transactions at his quoted prices in reasonable amounts only, the dealer would be required to continue to furnish bona fide quotations on request and continue to execute all orders received without regard to the amount of his prior purchases or sales. Bona fide bid and offer quotations are defined in the proposed rule to mean quotations which the dealer has reason to believe are competitive with the bid and offer prices for the security being quoted by other market-makers, if any. A dealer's prices ordinarily would be deemed to be competitive if they are within the range of prices quoted by his competitors, if they are at normal price spreads between the bid and offer quotation and if they are quotations at which the dealer can reasonably expect to make purchases from, or sales to, other dealers.

The proposed rule, however, would provide an exception from the requirement to quote both bid and offer prices, and to execute orders received, when the dealer has a reasonable basis to believe that such action would result in the violation of law. This exception is provided to allow a dealer who has not maintained a market for 45 or more consecutive calendar days to withdraw a bid or offer quotation, or both, to comply with another provision of law and still retain the exemption from section 16 (b) and (c) in accordance with the provisions of proposed Rule 16d-1. A dealer who has maintained a market for the requisite period of time could, if he chose, terminate his market for the security. If the dealer again established a market for the security, he would be required to maintain the market for a new period of at least 45 consecutive calendar days to obtain for subsequent transactions the exemption provided by the proposed rule.

The rule also would not require the dealer to publish or furnish an offer quotation when he does not hold securities otherwise than in his investment account and securities are not reasonably available. Securities would not be regarded as reasonably available if there is no other dealer maintaining a market in the security who is offering the securities. In addition, the rule would not require the dealer to furnish quotations to, or execute transactions with, another dealer if he does not have reasonable assurance of prompt payment or delivery of securities by the other dealer. Further, the rule would allow the dealer to withdraw a bid or offer and not execute transactions whenever the Commission finds, on written request or on its own motion, that such action is not inconsistent with the public interest. Such Commission orders may grant relief retroactively. This provision would allow the dealer to seek permission to withdraw his bid or offer and cease executing transactions for reasons beyond his control and would allow the Commission an opportunity to keep apprised of continuing problems which may indicate the desirability of amending the rule.

To allow dealers an opportunity to sell securities acquired in market-making transactions, or to purchase securities to cover short sales made in market-making transactions, the rule would provide dealers with an exemption from section 16(b) for 5 business days after he ceases to maintain a market in the securities to execute these transactions. Dealers should note that securities not sold within this 5-day period would thereafter be included as securities held in an investment account and that purchases to cover short sales made before the dealer ceased maintaining a market for more than 5 business days would not be deemed to be market-making transactions.

It should also be noted that section 16(d) provides an exemption from section 16(b) of the Act only if securities are both purchased and sold, or sold and purchased, in market-making transactions exempted by section 16(d) and any Commission rules or regulations. Consequently, a dealer cannot avoid section 16(b) liability by selling in market-making transactions securities which he

[2] Such report must be filed within 10 days after registration is effective or within 10 days after the person becomes a director, officer, or beneficial owner.

acquired in nonmarket-making transac-

(b) The term "transactions made in the ordinary course of business and inci-

organization, recapitalization, or involuntary exchange shall be exempt from

The present definition of a small business manufacturer primarily engaged

500 employees. Further, the larger companies in the 500 to 999 employee group

It is proposed to change the definition of a small business manufacturer primarily engaged in SIC Industry 2321,

acquired in nonmarket-making transactions, or by selling in nonmarket-making transactions securities acquired in market-making transactions. Both the purchase and sale, or sale and purchase, must be made in exempt market-making transactions if either transaction is to be exempt from section 16(b). The proposed rule would: *Provide, however*, That the acquisition or disposition of securities held in the investment account would not be matched against a disposition or acquisition made in market-making transactions for the purpose of section 16(b). To avoid inadvertent liability, dealers should be cautious to follow this rule carefully since securities which are not acquired in market-making transactions would be deemed by definition to be securities held in an investment account. Consequently, the acquisition could be matched against any sale of securities held in that account within 6 months. Dealers should also note that the nonmarket-making sale of securities acquired in market-making transactions could be matched against any purchase of securities within 6 months, whether for the investment account, or in market-making transactions.

The proposed rule would also provide an exemption from section 16(b) for any acquisition or disposition of securities in a merger, consolidation, reorganization, recapitalization, or involuntary exchange if the securities given in exchange were acquired and at all times held for sale in market-making transactions at the time of the exchange.

Finally, the proposed rule would specifically provide that its provisions shall apply only to transactions made after the rule is adopted by the Commission.

Dealers who may be in a control relationship with the issuer of the securities for which exemption under the proposed rule is sought should note that proposed Rule 16d–1 does not provide an exemption from the registration requirements of section 5 of the Securities Act of 1933 and that persons acquiring securities from the dealer with a view to distribution may be underwriters. The Commission is presently considering the applicability of section 5 to market-making transactions by a dealer in a control relationship with the issuer. Dealers should consider the effect of section 5 and violations thereof before maintaining a market.

The text of the proposed rule, which would be adopted pursuant to sections 3(b), 16(b), 16(d), and 23(a) of the Securities Exchange Act of 1934, is as follows:

§ 240.16d–1 Definition of terms used in section 16(d).

(a) The term "securities held in an investment account" as used in section 16(d) of the Act means securities which are identified on the records of the dealer as being held in an investment account, securities not acquired in market-making transactions and securities held more than 5 business days after the dealer ceases to maintain a market in the securities.

(b) The term "transactions made in the ordinary course of business and incident to the establishment or maintenance of a primary or secondary market," as used in section 16(d) of the Act, and referred to as "market-making transactions" in this section, means retail and interdealer transactions in securities sold, or acquired and at all times held for sale, in the ordinary course of business, and not then or theretofore held in an investment account, if such transactions are incident to the establishment or maintenance of a market in the security: *Provided*, That, the dealer maintains a continuous interdealer market for his own account in such securities on each business day for a period of at least 45 consecutive calendar days, including the day of the transaction for which exemption is claimed, (1) by publishing bona fide bid and offer quotations for the security in an interdealer quotation service on at least 3 of each 5 consecutive business days, and (2) by furnishing bona fide bid and offer quotations on request and executing in reasonable amounts such orders as are received from other brokers or dealers, except to the extent that the dealer has a reasonable basis to believe that such action would result in a violation of law. An acquisition shall not be deemed a market-making transaction, however, if the securities acquired are used to cover a short sale of securities made before the dealer ceased maintaining a market in the security for more than 5 business days.

(c) The disposition of securities acquired in market-making transactions and the acquisition of securities to cover a short sale made in market-making transactions shall be exempt from section 16(b) of the Act for 5 business days after the dealer ceases to maintain a market in the security.

(d) Notwithstanding the provisions of paragraph (b) of this section, a dealer (1) shall not be required to furnish quotations to, or execute transactions with, another dealer without reasonable assurance of prompt payment or delivery of securities from such other dealer, (2) shall not be required to publish or furnish an offer quotation whenever the dealer does not hold securities otherwise than in an investment account and securities are not reasonably available, and (3) shall not be required to publish or furnish quotations or execute transactions during any period allowed by the Commission, on written request or on its own motion, either unconditionally or on specified terms and conditions as not inconsistent with the public interest and protection of investors.

(e) The acquisition or disposition of securities in market making transactions shall not be matched against the disposition or acquisition of securities held in an investment account for the purpose of determining liability under section 16(b) of the Act and such transactions shall be exempt from section 16(b) of the Act for such purpose.

(f) The acquisition or disposition of securities in a merger, consolidation, reorganization, recapitalization, or involuntary exchange shall be exempt from section 16(b) of the Act if the securities given in exchange were acquired and held for sale in accordance with the requirements of this section at the time of the exchange.

(g) Definition: The term "bona fide bid and offer quotations" as used in this section shall mean quotations which the dealer has reason to believe are competitive with the quotations of other dealers, if any.

(h) This section shall apply only to transactions entered into after ---------

NOTE: Section 16(d) of the Act requires that securities be both purchased and sold, or sold and purchased, in transactions meeting the requirements of this section to obtain exemption from section 16(b) of the Act. This section does not change that requirement except that paragraph (d) provides that market-making transactions shall not be matched against transactions in securities held in an investment account for the purpose of section 16(b). For example, the nonmarket-making sale of securities acquired in a transaction meeting the requirements of this section if not placed in the investment account, could be matched against any purchase, whether it meets the requirements of this section or is for the investment account. Similarly, covering a short sale made in a market-making transaction with securities acquired in nonmarket-making transactions would result in the loss of the market-making exemption for the sale.

(Secs. 3(b), 16(b), 16(d) and 23(a); 48 Stat. 882, 896, and 901, as amended; 15 U.S.C. 78c, 78p and 78w)

All interested persons are invited to submit their views and comments on the proposed rules in writing to the Securities and Exchange Commission, Washington, D.C., 20549, on or before July 18, 1966. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission, June 16, 1966.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F.R. Doc. 66–7056; Filed, June 27, 1966; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

[Rev. 6]

SMALL BUSINESS SIZE STANDARDS

Definition of Small Business Manufacturer Primarily Engaged in the Men's Dress Shirts and Nightwear Industry

Notice is hereby given that the Administrator of the Small Business Administration proposes to amend the Small Business Size Standards (Revision 6) by establishing a new definition of a small business manufacturer primarily engaged in SIC Industry 2321, men's dress shirts and nightwear, for the purpose of receiving financial assistance.

The present definition of a small business manufacturer primarily engaged in the men's dress shirts and nightwear industry, SIC 2321, is a concern which is independently owned and operated, not dominant in its field of operation, and together with its affiliates, employs no more than 250 employees.

The latest available statistics show that 738 companies in this industry added $421,876,000 to the value of the materials used in manufacturing men's dress shirts and nightwear. Fourteen companies with over 2,500 employees accounted for approximately 33 percent of the value added, whereas the 45 companies with between 250 to 499 employees accounted for approximately 10 percent of the value added. Of these concerns, the majority individually accounted for less than one-half of 1 percent of the total value added for the industry.

There are 21 companies with between 500 and 999 employees, which companies also account for approximately 10 percent of the value added. Therefore, it appears that the production of individual companies in this group is far greater than that of companies with less than 500 employees. Further, the larger companies in the 500 to 999 employee group are more diversified and have greater financial resources. Further, SBA has been asked to take cognizance of the fact that some companies in the 250–499 size category who are unable to receive financial assistance from private credit sources at reasonable rates are also unable to obtain public financing through stock flotations, etc.

Therefore, it is proposed to establish a size standard of 500 employees for manufacturing concerns primarily engaged in SIC Industry No. 2321, men's dress shirts and nightwear.

Interested persons may file with the Small Business Administration within 15 days after publication in the FEDERAL REGISTER written statements of facts, opinions or arguments concerning the new definition.

All correspondence shall be addressed to:

Office of Economic Analysis,
Small Business Administration,
811 Vermont Avenue NW.,
Washington, D.C., 20416

It is proposed to change the definition of a small business manufacturer primarily engaged in SIC Industry 2321, men's dress shirts and nightwear for the purpose of receiving financial assistance as follows:

The Small Business Size Standards Regulation (Revision 5), (30 F.R. 2247), as amended (30 F.R. 4252, 6778, 15323, 8825, 12640, 9055, 15323, 31 F.R. 4340, 7375) is hereby further amended by revising the size standard in Schedule A for SIC 2321 to read as follows:

Census classification code	Industry	Employment standard (number of employees)
2321	Men's dress shirts and nightwear.	500

Dated: June 17, 1966.

BERNARD L. BOUTIN, *Administrator*.

[F.R. Doc. 66–7059; Filed, June 27, 1966; 8:46 a.m.]

The Advisory Board appointed pursu-

FEDERAL POWER COMMISSION

[Docket Nos. CP66–197, CP66–211]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[T.D. 66-132]

OKLAHOMA CITY, OKLA.

Designation as a Customs Port of Entry

JUNE 23, 1966.

By virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR, Ch. II), and pursuant to authorization given to me by Treasury Department Order No. 190, Revision 4 (30 F.R. 15769), Oklahoma City, Okla., is designated as a customs port of entry in the customs district of Houston, Tex., effective as of July 1, 1966.

Notice of the proposed designation of Oklahoma City, Okla., as a customs port of entry was published in the FEDERAL REGISTER on May 10, 1966 (31 F.R. 6871), pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). No objections were received.

The designation of Oklahoma City, Okla., as a port of entry is based upon a determination that a sufficient need exists to justify such action in order to provide for convenient compliance with customs requirements. It is, therefore, desirable to make the customs port of entry available to the public as soon as possible, and pursuant to the provisions of section 4(c) of the Administrative Procedure Act (5 U.S.C. 1003 (c)), good cause is found for making this designation effective less than 30 days after publication.

[SEAL] JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 66-7067; Filed, June 27, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

NEBRASKA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Nebraska natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

NEBRASKA

Box Butte.	Logan.
Dundy.	McPherson.
Frontier.	Morrill.
Hayes.	Pawnee.
Hitchcock.	Red Willow.
Lincoln.	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 23d day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-7069; Filed, June 27, 1966; 8:47 a.m.]

WEST VIRGINIA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of West Virginia a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

WEST VIRGINIA

Berkeley.	Morgan.
Jefferson.	Wayne.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 23d day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-7070; Filed, June 27, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 185]

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Organization and Functions

The following order was issued by the Secretary of Commerce on June 16, 1966. This material supersedes the material appearing at 28 F.R. 1378 of February 13, 1963.

SECTION 1. *Purpose.*

The purpose of this order is to provide for the necessary direction and supervision of the St. Lawrence Seaway Development Corporation by the Secretary of Commerce pursuant to Executive order of the President.

SEC. 2. *General.*

.01 The St. Lawrence Seaway Development Corporation was created by Public Law 83-358 of May 13, 1954, which provides in section 1, "There is hereby created, subject to the direction and supervision of the President, or the head of such agency as he may designate, a body corporate to be known as the St. Lawrence Seaway Development Corporation." By Executive Order 10534 of June 9, 1954, as amended by Executive Order 10771 of June 23, 1958, the President designated the Secretary of Commerce to direct and supervise the Corporation, except that the Secretary of Defense shall direct and supervise the Corporation's functions which directly and exclusively concern construction of the St. Lawrence River navigation project.

.02 The St. Lawrence Seaway Development Corporation shall be under the policy direction and general supervision of the Under Secretary of Commerce for Transportation.

.03 The provisions of this Department order are applicable to all functions and activities of the Corporation except such construction functions and activities as are subject to the direction and supervision of the Secretary of Defense under said Executive order.

SEC. 3. *Functions and responsibilities.*

.01 The functions of the Corporation are set forth in Public Law 83-358, 68 Stat. 92 (33 U.S.C. 981 et seq.) which also provides for the positions of Administrator and Deputy Administrator, and the duties of such positions.

.02 In the conduct of its activities the Corporation shall comply with Department orders and administrative orders. The Administrator is hereby authorized to exercise any authorities delegated to the head of a primary operating unit by Department orders or administrative orders necessary to the performance by the Administrator of his duties.

.03 Each officer or employee of the Department who performs a function assigned by a Department order or administrative order which affects the activities of primary operating units of the Department shall also perform such functions with respect to the Corporation's activities. Within the scope of his authority any such officer or employee may, where warranted, grant an exception to the provisions of a Department order or administrative order.

SEC. 4. *Advisory Board.*

The Advisory Board appointed pursuant to the provisions of 33 U.S.C. 982(c) serves in an advisory capacity to the Administrator. Its functions shall be carried out in accord with appropriate administrative arrangements established by the Administrator.

Effective date: June 16, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-7066; Filed, June 27, 1966; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

GEMSTONE SHIPPING CORP., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Gerald B. Greenwald, Nixon, Mudge, Rose, Guthrie and Alexander, 839 17th Street, NW., Washington, D.C., 20006.

Agreement 9557, between Gemstone Shipping Corp., Goldstone Shipping Corp., Starstone Shipping Corp., Silverstone Shipping Corp., and ItalPacific Line, Inc., all corporations organized and existing under the laws of the Republic of Liberia, provides for the operation and exclusive control by ItalPacific Line, Inc., of the vessels of the Stone Corporations in the trades of the Mediterranean/North Pacific Coast Freight Conference and the Pacific Coast European Freight Conference as a Joint Service under the trade name of "ItalPacific Line", in accordance with the terms and conditions set forth therein.

Dated: June 22, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-7068; Filed, June 27, 1966; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP61-311]

ARKANSAS LOUISIANA GAS CO.

Notice of Petitions To Amend

JUNE 21, 1966.

Take notice that on June 6, and June 7, 1966, Arkansas Louisiana Gas Co. (Petitioner), Post Office Drawer 1126, Shreveport, La., 71102, filed in Docket No. CP61-311 petitions to amend the order issued in said docket on November 21, 1961, and amended on July 23, 1962, July 22, 1963, September 4, 1964, and September 13, 1965, requesting an increase from 8,125,000 Mcf to 9,300,000 Mcf of gas in the annual volume which may be sold and delivered by Petitioner to Texas Eastern Transmission Corp. (Texas Eastern) during the period ending July 22, 1966, and requesting authorization to continue the sale of gas contemplated in the original order issued in the instant docket until July 22, 1967, all as more fully set forth in the petitions to amend which are on file with the Commission and open to public inspection.

The original certificate issued in the instant docket on November 21, 1961, authorized Petitioner to sell gas to Texas Eastern at two points of delivery where the pipeline systems of the two companies intersect in Harrison County, Tex., and Grant County, Ark., for a period of 1 year from the date of first delivery of gas. Gas was first delivered on July 22, 1961. Petitioner has subsequently filed petitions to amend the original order issued in the instant docket, the last of which resulted in an order of the Commission dated September 13, 1965, authorizing Petitioner to deliver 8,125,000 Mcf of gas to Texas Eastern during the period ending July 22, 1966.

In its filing dated June 7, 1966, Petitioner states that it desires to deliver the additional gas called for by Texas Eastern during the remainder of June and that part of July ending July 22, 1966, because this is the off-peak summer season on Applicant's system and the delivery of these additional volumes of gas will assist Petitioner with its take obligations in various fields from which it will withdraw the additional gas to be delivered.

In its filing dated June 6, 1966, Petitioner states that it has extended its contract with Texas Eastern to July 22, 1966, for the continued sale of gas as contemplated in the original order issued in the instant docket. Petitioner further states that the extension contract also increases the price per Mcf from 16 cents to 18 cents per Mcf.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 18, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7050; Filed, June 27, 1966; 8:46 a.m.]

[Docket Nos. CP65-197, CP66-211]

ALABAMA-TENNESSEE NATURAL GAS CO.

Notice of Amendment of Application and Change of Date of Hearing

JUNE 21, 1966.

Take notice that on June 14, 1966, Alabama-Tennessee Natural Gas Co., Applicant, filed herein an amendment to its application for a certificate of public convenience and necessity filed in Docket No. CP66-211 on December 30, 1965, as supplemented on March 7, 1966.

By said amendment, Applicant proposes to construct and operate (a) approximately 8.3 miles of 6⅝-inch O.D. lateral pipeline paralleling Applicant's existing 3½-inch O.D. lateral pipeline from its 10-inch main line to its delivery point for the city of Athens in Limestone County, Ala.; (b) an additional 350 hp. unit in its existing compressor station located in Limestone County, Ala., and (c) a meter station to be located on Applicant's main transmission pipeline west of Decatur in Morgan County, Ala., for the purpose of rendering initial gas service to Amoco Chemicals Corp.

The total estimated cost of the proposed facilities is $418,000, which will be financed by short term bank loans, which applicant expects to repay out of the proceeds from the sale of bonds in connection with the financing of future construction.

Applicant states that the proposed facilities will increase Applicant's daily system delivery capability from 112,340 Mcf, as authorized in Docket No. CP65-197, to 118,570 Mcf per day. Applicant further states that the proposed increase in Applicant's daily system delivery capability will enable Applicant to serve its existing customers with an increase of 4,410 Mcf per day in their requirements for the winter heating season of 1966-1967 on a continuing long-term basis, will provide sufficient pipeline capacity for the delivery of 300 Mcf per day to Amoco Chemicals Corp. on a firm basis, and will provide 3,000 Mcf per day of unallocated capacity for future market requirements.

Protests or petitions to intervene to said amended application may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 8, 1966.

Take further notice that the date of hearing on said applications in Docket Nos. CP65-197 and CP66-211 now set to begin on June 28, 1966, is hereby continued to begin on July 12, 1966, at 10 a.m., e.d.s.t. in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by said applications.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7051; Filed, June 27, 1966; 8:46 a.m.]

[Docket No. CP65-418]

PLATEAU NATURAL GAS CO.[1]

Notice of Petition To Amend

JUNE 21, 1966.

Take notice that on June 6, 1966, Plateau Natural Gas Co. (Petitioner) filed in Docket No. CP65-418 a petition to amend the order issued to Kansas-Colorado Utilities, Inc., (KCU) in said docket on August 15, 1965, by deleting the authorization to construct and operate 16 natural gas meter stations in Dallam and Hartley Counties, Tex., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that the original application filed June 28, 1965, in Docket No. CP65-418, proposed to make a technical correction between the interstate operations of KCU and the intrastate operations of Petitioner, the parent company, by transferring certain intrastate irrigation systems from KCU to Petitioner. That proposal required the installation of the 16 meter stations.

Petitioner then considered merging the two companies, and pursuant to the Commission's order issued January 25, 1966, in Docket No. CP66-154 KCU was merged into Plateau. As a result, KCU is no longer making sales of natural gas for resale to Petitioner. Petitioner states that there is no requirement for the meter stations and requests that the authorization therefor be deleted from the order issued in Docket No. CP65-418.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 14, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7052; Filed, June 27, 1966; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

BARNETT NATIONAL SECURITIES CORP.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Barnett National Securities Corp., Jacksonville, Fla., for approval of the acquisition of voting shares of The First Bank & Trust Co. of Pensacola, Pensacola, Fla.

There has come before the Board of Governors, pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)) and § 222.4(a)(2) of Federal Reserve Regulation Y (12 CFR 222.4(a)(2)), an application on behalf of Barnett National Securities Corp., Jacksonville, Fla., a registered bank holding company, for the Board's approval of the acquisition of 80 percent or more of the outstanding voting shares of The First Bank & Trust Co. of Pensacola, Pensacola, Fla.

As required by section 3(b) of the Act, the Board notified the Florida State Commissioner of Banking of receipt of the application and requested his views and recommendation thereon. The Comptroller of the State of Florida, acting also as State Commissioner of Banking, made no recommendation in response to the Board's request, but did advise of his action approving the proposed transfer of Bank's ownership to Applicant. Notice of receipt of the application was published in the FEDERAL REGISTER on April 14, 1966 (31 F.R. 5778), which provided an opportunity for submission of comments and views regarding the application. Time for filing such comments and views has expired and all comments and views filed with the Board have been considered by it.

It is ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is approved: *Provided, that*, The acquisition so approved shall not be consummated (a) within 7 calendar days after the date of this order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 21st day of June, 1966.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-7054; Filed, June 27, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4396]

COLUMBIA GAS OF PENNSYLVANIA, INC. AND COLUMBIA GAS SYSTEM, INC.

Notice of Proposed Issue and Sale of Installment Notes by Subsidiary Company to Holding Company

JUNE 22, 1966.

Notice is hereby given that the Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its wholly owned gas utility subsidiary company, Columbia Gas of Pennsylvania, Inc. ("Columbia of Pennsylvania"), 120 East 41st Street, New York, N.Y., 10017, have filed a joint application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9, 10, and 12(f) of the Act and Rule 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application, which is summarized below, for a complete statement of the transactions proposed.

Columbia of Pennsylvania proposes to issue and sell to Columbia, and Columbia proposes to acquire, its installment promissory notes in the aggregate principal amount of $962,500. The installment notes are to be unsecured and nonregistered and will be dated when issued. The principal amounts will be due in 25 equal annual installments on January 15 of each of the years 1967 to 1991, inclusive. Interest is to be paid semiannually at the rate of 4.9 percent per annum, which is approximately equal to the cost of money to Columbia with respect to its most recent sale of debentures. (See Holding Company Act Release No. 15315 (Sept. 23, 1965).)

On May 31, 1966, Columbia of Pennsylvania acquired all the assets, properties, franchises, and business of Central Pennsylvania Gas Co. ("Central Pennsylvania") and assumed certain of its indebtedness. (See Holding Company Act Release No. 15473 (May 17, 1966)). The proceeds of the proposed installment notes are to be used by Columbia of Pennsylvania to retire the following outstanding assumed indebtedness: $650,000 principal amount of 6 percent First Mortgage Bonds due September 1, 1978, plus a redemption premium of $32,500, and 5½ percent Demand Notes and 6 percent Promissory Note, in the principal amounts of $245,000 and $35,000, respectively.

Expenses to be incurred in connection with the proposed transactions are estimated at $150 for Columbia and $550 for Columbia of Pennsylvania. It is stated that the sale of the proposed installment notes is subject to the authorization of the Public Utility Commission of the Commonwealth of Pennsylvania, the State commission of the State in which Columbia of Pennsylvania is organized and doing business. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than July 14, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-7057; Filed, June 27, 1966; 8:46 a.m.]

[File Nos. 70-4391, 68-182]

OHIO VALLEY ELECTRIC CORP.

Notice of Proposed Retirement of Debt Securities and Proposed Modification of Mortgage and Deed of Trust and Order Authorizing Solicitation of Consents in Connection Therewith

JUNE 22, 1966.

Notice is hereby given that Ohio Valley Electric Corp. ("OVEC"), Post Office Box 468, Piketon, Ohio, 45661, an exempt holding company and an electric utility subsidiary company of American Electric Power Co., Inc., Ohio Edison Co., and Allegheny Power System, Inc., all registered holding companies, had filed two declarations with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), one declaration proposing the partial retirement by OVEC of its bonds and notes and the modification of the mortgage securing the bonds; and the other proposing the solicitation of consents of the bondholders and noteholders to such transactions. OVEC has designated sections 6(a), 7, 12(c), and 12(e) of the Act, and Rules 42 and 62 promulgated thereunder, as applicable to the proposed transactions. All interested persons are referred to the declarations, which are summarized below, for a complete statement of the proposed transactions.

OVEC, and its wholly-owned electric utility subsidiary company, Indiana-Kentucky Electric Corporation ("IKEC"), were organized in 1952 principally to generate and supply the power requirements of the Atomic Energy Commission at its Portsmouth Area Project in Ohio. All of OVEC's common stock is owned by seven public-utility companies and the three registered holding companies named above. IKEC's outstanding bonds, all owned by OVEC, are pledged as collateral for OVEC's bonded indebtedness.

In 1962, OVEC and IKEC commenced legal actions against certain manufacturers of electrical equipment, asserting, that such manufacturers, in violation of the Federal antitrust laws, had overcharged OVEC and IKEC in the sale of certain electrical equipment. In November 1965, settlements were reached with two of the manufacturers for a total of $17,748,000, of which $6,225,000 is payable in five equal annual installments (the first installment having been paid in December 1965), with interest to be paid on the remaining installments at the rate of 4½ percent per annum. Settlement agreements also have been reached with four other manufacturers for an aggregate amount of approximately $625,000, while actions remain pending against two others.

OVEC proposes to apply $10,970,000 of the $17,748,000 and, in its discretion, such additional and other like recoveries as may become available, to the partial retirement, without premium, of its following indebtedness outstanding at May 1, 1966: (a) $233,619,000 principal amount of 3¾ percent First Mortgage and Collateral Trust Bonds, due 1982 ("Bonds"), under a Mortgage and Deed of Trust ("Mortgage") to The Chase Manhattan Bank (National Association) and Carl E. Buckley, trustees, dated as of July 1, 1953, as amended, which Bonds are held by 42 institutional investors; (b) $7,598,573 principal amount of notes due January 1, 1967 ("Notes"), under a bank credit agreement dated July 20, 1953, as amended, which Notes are held by 12 financial institutions; (c) $8,702,000 principal amount of Subordinated Notes, which are held by OVEC's common stockholders.

OVEC has allocated $9,403,000 of the $10,970,000 to the redemption of Bonds, the amount thus allocated having been determined on the basis of the 6-to-1 ratio in which Bonds and Notes were originally issued by OVEC. Of the balance, OVEC has allocated $730,000 to the prepayment of Notes and $837,000 to the prepayment of Subordinated Notes, in proportion to the respective principal amounts of Notes and Subordinate Notes currently outstanding.

OVEC proposes to solicit consents of the holders of its Bonds and Notes in connection with the foregoing transactions. It is further proposed, upon securing the necessary consents, to modify the Mortgage so as: (1) To permit the proceeds of antitrust claims to be applied to the redemption, without premium, of Bonds and other indebtedness, in the ratio of not less than 6 dollars principal amount of Bonds to 1 dollar principal amount of other indebtedness; (2) to reduce the total amount of the remaining sinking fund installments required by the Mortgage by an amount equal to the total amount of the Bonds which OVEC redeems with such proceeds; and (3) to permit in all cases bondholder consent to modification of the Mortgage in writing in lieu of a meeting.

The fees and expenses incurred and to be incurred in connection with the proposed transactions are to be filed by amendment. The declarations state that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

OVEC proposes to solicit the consent of the holders of the Bonds and Notes to carry out the proposed transactions, and has filed its solicitation material. OVEC requests that the effectiveness of its declaration with respect to the solicitation be accelerated as provided in Rule 62.

Notice is further given that any interested person may, not later than July 14, 1966, request in writing that a hearing be held with respect to the proposed retirement of debt securities and modification of the Mortgage, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

It appearing to the Commission that OVEC's declaration regarding the proposed solicitation of consents should be permitted to become effective forthwith pursuant to Rule 62 and that jurisdiction should be reserved with respect to the expenses thereof:

It is ordered, That the declaration regarding the proposed solicitation of consents, be, and hereby is, permitted to become effective forthwith pursuant to Rule 62, and that jurisdiction be, and it hereby is, reserved with respect to the expenses thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-7058; Filed, June 27, 1966; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30, Kansas City Regional Office, Disaster 1, Revision 1]

MANAGER OF DISASTER BRANCH OFFICE; TOPEKA, KANS.

Delegations Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 F.R. 3252; as amended by 30 F.R. 13556; 30 F.R. 14062; and 30 F.R. 7537; there is hereby redelegated to the Manager of the Topeka, Kans., Disaster Branch Office the following authority:

A. *Financial assistance.*

1. To approve and decline disaster loans in an amount not exceeding $350,000.

[1] Successor to Kansas-Colorado Utilities, Inc.

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Atlanta.

[2] Voting for this action: Chairman Martin, and Governors Shepardson, Mitchell, Daane, Mainel, and Brimmer. Absent and not voting: Governor Robertson.

2. To execute loan authorizations for Washington, area, and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

(Name), *Administrator,*
By ----------
Manager, Disaster Branch Office

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as acting manager of the disaster branch office.

Effective date: June 15, 1966.

C. I. MOYER,
Regional Director,
Kansas City Regional Office.

[F.R. Doc. 66-7060; Filed, June 27, 1966; 8:47 a.m.]

[License 02-0020]

ALAR SMALL BUSINESS INVESTMENT CORP.

Order Revoking License

Whereas, Alar Small Business Investment Corp. was incorporated under the laws of the State of New York solely to perform the functions of a small business investment company.

Whereas, Alar Small Business Investment Corp. was licensed by the Small Business Administration as a small business investment company.

Whereas, section 308 of the Small Business Investment Act of 1958, as amended: provides, that the license of a small business investment company may be forfeited if said small business investment company is determined and adjudged by a Court of the United States to have violated, or failed to comply with, the provisions of the Small Business Investment Act.

Whereas, the United States District Court for the Southern District of New York by its order dated June 1, 1966, in United States of America v. Alar Small Business Investment Corp., Action No. 66 CIV. 279, determined and adjudged noncompliance with and violations of the Act and the regulations promulgated thereunder, to wit:

1. Alar Small Business Investment Corp. has violated § 107.302 of the regulations governing operations of small business investment corporations in that its retained earnings deficit exceeds 50 percent of its combined paid-in capital and paid-in surplus.

2. Alar Small Business Investment Corp. has violated § 107.711 of the regulations by failing to obtain and keep in effect a Broker's Blanket Bond since the cancellation of its bond became effective January 13, 1966.

3. Alar Small Business Investment Corp. has violated § 107.802 of the regulations by failing to file an annual audited financial report as of March 31, 1965, and a semiannual financial report as of September 30, 1965.

4. Alar Small Business Investment Corp. has violated the provisions of § 107.801 of the regulations by failing to furnish its books and records for inspection and examination by the Small Business Administration in response to the request of the Administration on December 8, 1964, and on several occasions thereafter.

Now, therefore, as Deputy Administrator for Investment of the Small Business Administration and by the authority vested in me by the Small Business Investment Act of 1958, as amended, I hereby revoke License No. 02-0020 issued to Alar Small Business Investment Corp., and cause notice of this revocation to be published in the FEDERAL REGISTER.

Dated: June 22, 1966.

SMALL BUSINESS ADMINISTRATION,
RICHARD E. KELLEY,
Deputy Administrator for Investment.

[F.R. Doc. 66-7061; Filed, June 27, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 201]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 23, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 263 (Sub-No. 169 TA), filed June 20, 1966. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Post Office Box 1649, Pocatello, Idaho, 83201. Applicant's representative: Maurice H. Greene, Post Office Box 1554, Boise, Idaho, 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from McDermitt, Nev., to Burns, Oreg., and return over same route, from McDermitt over U.S. Highway 95 to junction U.S. Highway 95 and Oregon Highway 78 to Burns Junction, Oreg.; thence over Oregon Highway 78 to Burns, returning over the same route, serving all intermediate points on Oregon Highway 78, for 180 days. Supporting shippers: Mr. and Mrs. Clarence J. Eckstein, Burns Junction Cafe & Service, Jordan Valley, Oreg., 97910; Burns Garage, Burns, Oreg., 97720; Tiller Furniture, 543 North Broadway, Burns, Oreg.; Harney County Farm Supply, Burns, Oreg.; Al's Furniture, Burns, Oreg.; Johnson Motors, Post Office Box 111, Burns, Oreg.; Burns Department Store, Burns, Oreg.; Nyleen's Western Store, Burns, Oreg. Send protests to: C. W. Campbell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 203 Eastman Building, Boise, Idaho, 83702.

No. MC 20992 (Sub-No. 14 TA), filed June 20, 1966. Applicant: DOTSETH TRUCK LINE, INC., Knapp, Wis. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn., 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oil storage tanks and truck compartment tanks and accessories* when moving in the same vehicle, and the *return of damaged, defective, and traded-in shipments of the above tanks*, all of which do not require special equipment, from Minneapolis, Minn., to points in Wisconsin, Indiana, and Michigan, for 180 days. Supporting shipper: Brown Steel Tank Co., 2901 Fourth Street Southeast, Minneapolis, Minn., 55414. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 32882 (Sub-No. 35 TA), filed June 17, 1966. Applicant: MITCHELL BROS. TRUCK LINES, 2300 Northwest 30th Avenue, Portland, Oreg. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Oreg., 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between points in Oregon and points in Nevada, for 180 days. Supporting shippers: Robert F. Higgins, Director of Trade Relations, Medford Corp., Post Office Box 550, Medford, Oreg.; Charles Fox, Vice President, Western Lumber Co. of Central Point, Willow Springs Road, Central Point, Oreg.; O. E. Crick, President, United Lumber Sales, Inc., 2625 Dickerson Road, Reno, Nev.; Winston Logan, General Manager, Home Lumber & Supply Co., 250 Chism Street, Reno, Nev.; Donald Moses, President, Wholesale Distributors, Inc., 275 Chism Street, Carson City, Nev.; Richard Petty, Sales Manager, Norco Distributing Co., 1329 Fee Drive, Sacramento, Calif.; Robert M. Scholz, Manager, United States Plywood Corp., 6779 "Q" Street, San Francisco, Calif.; S. S. Gabbert, President, Gabbert Lumber Sales, Inc., 7050 San Joaquin Street, Sacramento, Calif.; Harold Knecht, Manager, National Wholesale Co., 2831 Watt Avenue, Sacramento, Calif.; John Bozich, Manager, Capitol Plywood of Sacramento, 160 Commerce Circle, Sacramento, Calif.; Robert W. Glatt, Sales Representative, R. F. Nikkel Co. of Sacramento, 3382 El Camino Avenue, Sacramento, Calif. Send protests to: S. F. Martin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 66562 (Sub-No. 2181 TA), filed June 17, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: John H. Engel, 2413 Broadway, Kansas City, Mo., 64108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between Clarksville, Ark., and Fort Smith, Ark., from Clarksville, over U.S. Highway 64 to Fort Smith, Ark., and return over the same route, serving the intermediate point of Alma, Ark., for 150 days. Supporting shippers: The application is supported by statements from 12 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 76177 (Sub-No. 306 TA), filed June 20, 1966. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32d Street, Birmingham, Ala., 35233. Applicant's representative: Harold G. Hernly, 711 Fourteenth Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, blasting materials, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsites of the MacMillan-Bloedell United, Inc. and Harmac Alabama, Inc. as off-route points in connection with regular-route operations between Selma, and Mobile, Ala., located on the Alabama River 8 miles from Camden, Ala., for 180 days. Supporting shipper: MacMillan, Bloedel, and Powell River Ltd., 1199 West Pender Street, Vancouver 1, Canada. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, South 20th Building, 908 South 20th Street, Birmingham, Ala., 35205.

No. MC 99467 (Sub-No. 2 TA), filed June 17, 1966. Applicant: MID-SOUTH TRANSPORTS, INC., 109 McLemore Street West, Post Office Box 2854, De Soto Station, Memphis, Tenn., 38106. Applicant's representative: Don Piper (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods, commodities in bulk and those requiring special equipment), serving Scotts Hill and Sardis, Tenn., as off-route points to be served from points on applicant's existing routes, with this authority to be used in connection with all of applicant's existing authority, over regular routes, for 150 days. Supporting shippers: Apparel Manufacturing Co., of Jackson, Scotts Hill, Tenn.; Bucks Lumber Co., Scott's Hill, Tenn.; Dr. Patrick W. O'Keeffe, D.O., Physician and Surgeon, Sardis, Tenn.; Troy Vandyke, Troy Vandyke Grocery, Sardis, Tenn. Send protests to: W. W. Garland, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 390 Federal Office Building, 167 North Main Street, Memphis, Tenn., 38103.

No. MC 102616 (Sub-No. 804 TA), filed June 17, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Applicant's representative: S. E. Smith (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid asphalt*, in bulk, from North Charleroi, Pa., to points in Webster and Braxton Counties, W. Va., and points in Upshur, Lewis, and Gilmer Counties, W. Va., south of U.S. Highway 33, for 180 days. Supporting shipper: American Oil Co., Post Office Box 6110-A, Chicago, Ill., 60680. Send protests to: Robert W. Ritenour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 218 Central Industrial Building, 100 North Cameron Street, Harrisburg, Pa., 17101.

No. MC 107002 (Sub-No. 314 TA), filed June 20, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, W. S. Highway 80 West, Jackson, Miss., 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid plastic*, in bulk, in tank vehicles, from Hattiesburg, Miss., to Memphis, Tenn.; Bastrop, La.; Crossett, Ark.; and Naheola, Ala., for 180 days. Supporting shipper: Hercules, Inc., Traffic Department, Wilmington, Del., 19899. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 107002 (Sub-No. 315 TA), filed June 20, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, W. S. Highway 80 West, Jackson, Miss., 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plasticizer, synthetic plastic*, in bulk, in tank vehicles, from Aberdeen, Miss., to Plano and Longview, Tex., for 180 days. Supporting shipper: Enjay Chemical Co., a division of Humble Oil & Refining Co., 60 West 49th Street, New York, N.Y., 10020. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 107002 (Sub-No. 316 TA), filed June 20, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, W. S. Highway 80 West, Jackson, Miss., 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid plastics*, in bulk, in tank vehicles, from Hattiesburg, Miss., to Springhill, La., for 180 days. Supporting shipper: Hercules Inc., Traffic Department, Wilmington, Del., 19899. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 108449 (Sub-No. 237 TA), filed June 20, 1966. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn., 55113. Applicant's representative: W. A. Mylenbeck (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand*, in bulk, from Minneapolis, Minn., to Fargo, N. Dak., for 150 days. Supporting shipper: Minnesota Silica Sand Co., 43d Avenue NE., and N. P. Tracks, Minneapolis 21, Minn. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 109376 (Sub-No. 6 TA), filed June 20, 1966. Applicant: E. R. SKINNER, doing business as E. R. SKINNER TRANSFER, Reedsburg, Wis., 53959. Applicant's representative: Claude J. Jasper, Suite 301, Provident Building, 111 South Fairchild Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cans and can ends*, from Love's Park, Ill. (a suburb of Rockford, Ill.), to Sauk City and Reedsburg, Wis., for 150 days. Supporting shippers: Sauk City Canning Co., Sauk City, Wis., 53583; National Can Corp., 5959 South Cicero Avenue, Chicago, Ill., 60638; Reedsburg Foods Corp., Reedsburg, Wis., 53959. Send protests to: C. W. Buckner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis., 53703.

No. MC 113047 (Sub-No. 6 TA), filed June 20, 1966. Applicant: BUANNO TRANSPORTATION CO., INC., Rural Delivery 1, Fort Johnson, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer and ale*, bottles and barrels, from Natick, Mass., to Gloversville, N.Y., and *empty barrels and bottles*, on return, for 180 days. Supporting shipper: Cordone's, Inc., 211 North Main Street, Gloversville, N.Y. Send protests to: Wilmot E. James, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 518 Federal Building, Albany, N.Y., 12207.

No. MC 114533 (Sub-No. 142 TA), filed June 20, 1966. Applicant: B. D. C. CORPORATION, 4970 South Archer Avenue, Chicago, Ill., 60632. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Papers used in the processing of data by computing machines, punch cards, magnetic encoded documents, magnetic tape, punch paper tape, printed reports, and documents and office records*, between Schiller Park, Ill., on the one hand, and, on the other, North Manchester and Winamac, Ind., for 150 days. Restriction: The service to the authorized herein will be subject to the following conditions: The service shall be limited to the transportation of shipments each weighing 100 pounds or less. The carrier shall not transport more than one shipment from one consignor at one location to one consignee at one location on any 1 day. Supporting shipper: Controls Co. of America, Appliance & Automotive Division, 9655 Soreng Avenue, Schiller Park, Ill., 60176. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Room 1086, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604. NOTE: Applicant is presently authorized under MC 114533, Sub 24, to transport the commodities involved herein within the territory sought to be served herein, limited to shipments of packages each weighing 25 pounds or less. The purpose of this application is to increase the maximum weight of the shipments sought to be transported to 100 pounds.

No. MC 119543 (Sub-No. 4 TA), filed June 20, 1966. Applicant: HENRY N. LANCIANI, Leominster Road, Sterling, Mass., 01453. Mail address: R.F.D. Leominster, Mass. Applicant's representative: Arthur A. Wentzell, Post Office Box 720, Worcester, Mass., 01601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, in dump semitrailers, from New Haven, Conn., to Amesbury, Beverly, Boston, Lawrence, Lowell, Lynn, North Andover, and Quincy, Mass. for 180 days. Supporting shipper: The Connecticut Coke Co., New Haven 6, Conn. Send protests to: Joseph W. Balin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 338, Federal Building, Springfield, Mass., 01103.

No. MC 123085 (Sub-No. 2 TA), filed June 17, 1966. Applicant: J. RINDNER TRUCKING CORP., 80 Henrietta Avenue, Oceanside, N.Y., 11572. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bottles and closures*, between Farmingdale, N.Y., on the one hand, and, on the other, points in the New York, N.Y., commercial zone, for 150 days. Supporting shipper: Richford Corp., 3618 Oceanside Road, Oceanside, N.Y., 11572. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 124363 (Sub-No. 7 TA), filed June 20, 1966. Applicant: DENVER-PACIFIC EXPRESS, INC., 3737 Blake Street, Denver, Colo., 80205. Applicant's representative: John D. Pressley (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, from Colorado Springs and Denver, Colo., to points in Utah, Idaho, Oregon, and Washington, return with *exempt commodities*, for 180 days. Supporting shipper: Johnson Food Co., Post Office Box 665, Colorado Springs, Colo. Send protests to: Herbert C. Ruoff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo., 80202.

No. MC 124796 (Sub-No. 19 TA), filed June 17, 1966. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 7236 East Slauson Avenue, Los Angeles, Calif., 90022. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Upholstery or carpet tacking rims or strips and nails; adhesive cement; iron or steel doors and hardware therefor; mechanic hand tools; advertising materials and racks or stands therefor*, from Vancouver, Wash., to points in Alabama, Arizona, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, and Wisconsin, for 180 days. Supporting shipper: Roberts Consolidated Industries, Inc., 600 North Baldwin Park Boulevard, City of Industry, Calif., 91747. Send protests to: John E. Nance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 126266 (Sub-No. 2 TA), filed June 20, 1966. Applicant: MAX I. DUDLEY, doing business as DUDLEY BOAT & TRAILER TRANSPORT, 34622 West Valley Highway, Auburn, Wash. Applicant's representative: Joseph O. Earp, 411 Lyon Building, Seattle, Wash., 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, from points in California to points in Washington and to Portland, Oreg., for 150 days. Supporting shippers: Glasspar Co., 19101 Newport Avenue, Santa Ana, Calif., 92705; Jensen Marine Corp., 1781 Placentia Avenue, Costa Mesa, Calif.; Wesco Marine, 120 West Providencia, Burbank, Calif.; Ware House of Boats, Inc., 7001 Seaview Avenue NW., Seattle, Wash., 98107. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash., 98101.

No. MC 126745 (Sub-No. 17 TA), filed June 21, 1966. Applicant: SOUTHERN COURIERS, INC., 222-17 Northern Boulevard, Bayside, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, audit and accounting media* (excluding plant removals), between Memphis, Tenn., on the one hand, and, on the other, points in Mississippi on and north of U.S. Highway 80; points in Arkansas; and points in Missouri on and south of Missouri Highway 84, (2) *lithographed and/or printed unused personalized checks, and related unused miscellaneous bank documents*, (a) between Nashville, Tenn., on the one hand, and, on the other, points in Alabama on and north of U.S. Highway 80; (b) between Memphis, Tenn., on the one hand, and, on the other, points in Mississippi on and north of U.S. Highway 80, points in Arkansas and points in Missouri on and south of Missouri Highway 84, (3) *radiopharmaceuticals, radioactive drugs and medical isotopes*, between Atlanta, Ga., on the one hand, and, on the other, points in Alabama and Tennessee, for 180 days. Supporting shippers: Checks, Inc., Post Office Box 2632, Memphis, Tenn., 38102; Electronic Systems, Inc., 1205 First National Bank Building, Memphis, Tenn.; John H. Harland Co., Post Office Box 13085, Atlanta, Ga., 30324; Nuclear Consultants, Box 6172, Lambert Field, St. Louis, Mo., 63145; Southern Statistical Co., Post Office Box 167, Memphis, Tenn. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 11361.

No. MC 127777 (Sub-No. 5 TA), filed June 20, 1966. Applicant: MOBILE HOME EXPRESS, INC., Post Office Box 253, Oak Glen Station, Lansing, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, eleven feet, six inches and over in width in the initial movements by tow-away or truck-away method, from Schult Mobile Home Factory, Middlebury, Ind., to points in Illinois, Wisconsin, Ohio, Michigan, Kentucky, Pennsylvania, West Virginia, and Tennessee, for 150 days. Supporting shipper: Schult Mobile Homes Corp., Route No. U.S. 20, Post Office Box 130, Elkhart, Ind., 46515. Send protests

to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Room 1086, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 128056 (Sub-No. 1 TA), filed June 21, 1966. Applicant: MAC ROSE TRUCKING CORP. (N.Y. CORP.), doing business as M. STREICHLER TRUCKING CO., 512 West 19 Street, New York, N.Y., 10011. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Infants, children's and boy's shirts, sweaters, pants, pajamas, and swim wear*, from New Hyde Park, N.Y., to New York, N.Y., for 180 days. Supporting shipper: Donmoor, Inc., 34 West 33d Street, New York, N.Y. Send protests to: Paul W. Assenza, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 128263 TA (Correction), filed May 31, 1966, published FEDERAL REGISTER issue of June 11, 1966, and republished as corrected this issue. Applicant: DON TRIPP TRUCKING, Box 38, Lolo, Mont., 59847. Applicant's representative: Robert P. Ryan, 805 Midland Bank Building, Billings, Mont., 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and plywood*, from points in Montana west of the Continental Divide, and from points in Glacier County, Mont., to points in Minnesota, Iowa, Douglas County, Nebr., Lake and Porter Counties, Ind., Jo Daviess, Stephenson, Carroll, Winnebago, Boone, McHenry, Lake, Ogle, De Kalb, Kane, Du Page, Cook, Will, Kendall, Grundy, La Salle, Lee, Bureau, Whiteside, Rock Island, and Henry Counties, Ill., Douglas, Burnett, Washburn, Barron, Polk, Chippewa, Dunn, St. Croix, Pierce, Pepin, Waushara, Marquette, Green Lake, Columbia, Outagamie, Winnebago, Sheboygan, Fond du Lac, Dodge, Jefferson, Milwaukee, Walworth, Dane, Green, Eau Claire, Buffalo, Trempealeau, Jackson, La Crosse, Monroe, Juneau, Adams, Sauk, Richland, Vernon, Crawford, Grant, Iowa, Lafayette, Brown, Kewaunee, Manitowoc, Calumet, Washington, Ozaukee, Waukesha, Racine, Kenosha, and Rock Counties, Wis.; upon return, applicant proposes to transport *prepared roofing and prepared roofing rolls, building and roofing felt paper, asbestos felt roofing paper, asbestos and asphalt shingles and siding, roofing cement, roofing nails, and roof coatings*, from Minneapolis and St. Paul, Minn., to points in Montana, for 180 days. Supporting shippers: Montana Lumber Sales, Inc., Post Office Box 785, Missoula, Mont., 59801; Prentice Lumber Co., Inc., Post Office Box 59, Missoula, Mont., 59801; Lyman Lumber Co., Excelsior, Minn., 55331; Midway-Platt Co., 630 North Prior Avenue, St. Paul, Minn., 55104; Del Conner Lumber, Inc., Darby, Mont., 59829; The Ruberoid Co., South Bound Brook, N.J., 08880; The B. F. Nelson Manufacturing Co., 401 Main Street Northeast, Minneapolis, Minn., 55413. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, U.S. Post Office Building, Billings, Mont., 59101. NOTE: The purpose of this republication is to name the commodities proposed to be transported, inadvertently omitted from previous publication.

No. MC 128324 TA, filed June 20, 1966. Applicant: OAKES TRUCKING, INC., 22 Huntington Avenue, Kings Park, N.Y. Applicant's representative: Patrick J. Gallagher, 100 North Village Avenue, Rockville Center, N.Y., 11570. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Utility poles*, from Cranford, N.J., to points in Brooklyn, Queens, Nassau, and Suffolk Counties, N.Y., for 150 days. Supporting shipper: Taylor-Piedmont Co., Post Office Box 183, Cranford, N.J., 07016. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 107 TA), filed June 20, 1966. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago, Ill., 60603. Applicant's representative: J. E. Adkins, 219 East Short Street, Lexington, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between Campbellsville, Ky., and Columbia, Ky., via Greensburg, Ky., serving all intermediate points, from Campbellsville, over U.S. Highway 68 to its junction with Kentucky Highway 61; thence over Kentucky Highway 61 to Columbia, and return over the same route, for 180 days. Supported by: Robert W. Upton, President, Chamber of Commerce, Greensburg, Ky.; City Appliance Co., Public Square, Greensburg, Ky.; Carnella Williams, 109 River View Street, Greensburg, Ky.; Dr. Denver Wells, Public Square, Greensburg, Ky.; Dr. Herman Judd, Public Square, Greensburg, Ky.; George Upton, Upton Department Store, Greensburg, Ky. Send protests to: R. W. Schneiter, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 207 Exchange Building, 147 North Upper Street, Lexington, Ky., 40507.

No. MC 1515 (Sub-No. 108 TA), filed June 20, 1966. Applicant: GREYHOUND LINES, INC., Southern Greyhound Lines Division, 140 South Dearborn Street, Chicago, Ill., 60603. Applicant's representative: J. E. Adkins, 219 East Short Street, Lexington, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between Bowling Green, Ky., and Scottsville, Ky., over U.S. Highway 231, serving all intermediate points, for 180 days. Supported by: J. M. Gilliam, Chamber of Commerce, Scottsville, Ky.; P. G. Graves, Scottsville, Ky.; Mrs. James Pardue, Scottsville, Ky.; Lester McGuffey, Scottsville, Ky.; William S. Harper, Harper Ford Sales, 608 East Main Street, Scottsville, Ky.; Billy N. Law, Scottsville, Ky. Send protests to: R. W. Schneiter, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 207 Exchange Building, 147 North Upper Street, Lexington, Ky., 40507.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-7074; Filed, June 27, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

Page

PROCLAMATION:
3728 8277
3729 8567
3730 8569
3731 8571

EXECUTIVE ORDERS:
11224 (superseded by EO 11285) 8211
11285 8211
11286 8279

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 3 of 1966 8855

CHAPTER V:
100 8556

5 CFR

213 7733, 7734, 7959, 8175, 8281, 8527, 8619, 8746, 8857.
302 8527
550 7881, 8585
831 8677
890 8491, 8678

7 CFR

0 8528
15 8175, 8586
26 8113
28 7734
51 8535
301 8586, 8857
319 8337
354 8113
401 8175
701 7735, 7814
722 8337, 8619, 8758
728 7814, 8337, 8678, 8758
730 8619
775 8339
778 7997
811 7999
817 8536
845 7815
850 8770
876 8857
893 7816
905 8114
908 7961, 8230, 8538, 8859
910 7962, 8045, 8231, 8303, 8538, 8591, 8860, 8921.
911 7962, 8231, 8539
915 8592
916 8176, 8177
917 7963, 8114, 8177, 8231, 8232, 8303–8306, 8404, 8491, 8921.
918 7735
944 8000
970 8178
1038 8115
1039 8116
1074 8000
1099 7963
1125 8405
1421 7964, 8000, 8003, 8306, 8346
1427 8860
1443 8348

7 CFR—Continued

Page

1483 7817
1486 7735

PROPOSED RULES:
51 7757
52 8542
725 8819
777 8878
817 8541
905 7971
906 8429
915 8181
994 8021
1001 7911, 8242
1002 7911
1003 7911
1004 7911
1005 7911
1008 7911
1009 7911
1011 7911
1012 7911
1013 7829, 7911, 8131
1015 7911, 8242
1016 7911
1031 7831
1032 7831, 8634
1033 7911
1034 7911
1035 7911
1036 7911
1038 7831, 7971
1039 7831, 7972
1040 7911
1041 7911, 8496
1043 7911
1044 7831
1045 7831
1046 7911
1047 7911
1048 7911
1049 7911
1050 8634
1051 7831
1061 7831
1062 7831
1063 7831
1064 7831
1065 7757
1066 7757
1067 7831
1068 7757
1069 7757
1070 7831
1071 7831
1073 7831
1074 7831
1075 7757
1076 7757
1078 7831
1079 7831
1090 7911
1094 7831
1096 7831
1097 7831
1098 7911
1099 7758, 7831
1101 7911
1102 7831
1103 7831
1104 7831
1106 7831
1108 7831

7 CFR—Continued

Page

PROPOSED RULES—Continued
1120 7831
1125 7757
1126 7831, 8431
1127 7831
1128 7831
1129 7831
1130 7831
1131 7757
1132 7831
1133 7757, 7831, 8542
1134 7757
1136 7757
1137 7757
1138 7757

8 CFR

212 8045
214 8045
236 8045

9 CFR

73 8907
97 8020

10 CFR

1 8866
36 7959, 8417
40 7959

PROPOSED RULES:
30 8595
32 8595

12 CFR

1 8060, 8521
204 8060
523 8771
530 8772
531 8772–8774
545 8353, 8774, 8775
555 8775
556 8776
561 8353, 8776
563 8004, 8776
570 8777
571 8004, 8777

13 CFR

PROPOSED RULES:
107 8695
121 8926

14 CFR

13 8353
25 8911
39 7735, 7881, 7882, 8045, 8046, 8417, 8746, 8870.
61 8354, 8913
63 8913
65 8913
67 8355
71 7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492, 8575, 8620, 8621, 8679, 8747, 8749, 8750, 8870, 8871, 8909, 8910.
73 7736, 7827, 7882, 8910, 8911
75 7736, 7827, 8047, 8418
91 8354
95 8281

14 CFR—Continued

Page

97 7883, 7893, 8010, 8048, 8118, 8217, 8285, 8358, 8576, 8751, 8908.
121 8911
145 8585
1200 8418
1204 8418

PROPOSED RULES:
21 8075
39 8498, 8833
47 8077
61 8438
71 7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498, 8596, 8597, 8636, 8637, 8694, 8834, 8879, 8923, 8924.
73 7977, 8375
75 7762, 8242, 8924
91 8026, 8438, 8440
93 8078
207 8438

15 CFR

201 8679
230 7737, 7819, 7968, 8680
372 8213
373 8213
374 8213
375 8213
376 8213
377 8213
379 8213
382 8213
385 8213

PROPOSED RULES:
9 7833

16 CFR

13 7960, 7961, 8058–8060
15 7737, 7806, 8233, 8403, 8492, 8521, 8585, 8621, 8871, 8913.

PROPOSED RULES:
45 7757
57 8243
170 8882
174 8882
192 8244

17 CFR

211 7821
230 7738
239 7738
240 7740
250 8233
276 7821

PROPOSED RULES:
240 8924
270 7913

18 CFR

4 8779
101 7897
141 7897
201 7897
260 7897

PROPOSED RULES:
8 8376

20 CFR

404 8367
602 7966
604 8281

PROPOSED RULES:
405 7864, 8668, 8940

21 CFR

Page

1 8521
5 8524
8 8216, 8369
27 8493
45 8873
80 8525
120 7741
121 8008, 8009, 8369, 8573, 8874, 8875
125 8521
130 8009
146a 8876
148i 8876

PROPOSED RULES:
17 8497
27 8497
53 8594

22 CFR

41 7741
42 7741

24 CFR

0 8781
200 7743
203 8539
207 8539
220 8539
221 7743

25 CFR

41 7744
42 7745

26 CFR

1 7789, 8680, 8785
301 8785

29 CFR

0 8306
1605 8370

30 CFR

PROPOSED RULES:
27 8630

31 CFR

128 8179
202 7899, 8234
203 7899, 8234
315 8914
500 7745, 7899, 8586
520 8404

32 CFR

1 7807
3 7807
4 7810
7 7811
8 7812
16 7814
30 7814
40 8621
273 8007
502 7966
1001 8370
1003 8311, 8371
1004 8371
1007 8371
1013 8371
1014 8371
1053 8371
1250 8061
2000 8540

32A CFR

OIA (Ch. X):
OI REG. 1 7745

33 CFR

Page

202 8403, 8690
203 7827, 8312, 8573, 8907
204 8129
208 7751
401 8062

36 CFR

221 8180
251 7899
261 7902

38 CFR

17 8064
21 8292
36 8745

39 CFR

13 7752
22 7752
25 7752
27 8234
41 8234
43 7752, 8235
46 8235
51 8236
52 8236
53 8236
55 8236
56 8236
58 8237
61 8237

41 CFR

1–3 8116
1–5 8621
1–12 8592
4–1 7819
4–6 7819
4–50 7902
8–1 7820
8–2 7820
9–12 8237
101–15 7752
101–17 8117
101–47 8540

42 CFR

57 7755
76 7902

PROPOSED RULES:
73 8594, 8923

43 CFR

17a 8690
3120 7806
3140 8873
3150 8873
3160 8873
5400 8914
5430 8914
5440 8914

PUBLIC LAND ORDERS:
662 (revoked by PLO 4035) 8240
829 (revoked in part by PLO 4028) 8238
1775 (revoked in part by PLO 4027) 8238
3943 (revoked in part by PLO 4039) 8692
4023 7969
4024 7969
4025 7969
4026 8238
4027 8238
4028 8238
4029 8238
4030 8239
4031 8239

43 CFR—Continued Page

PUBLIC LAND ORDERS—Continued

4032 ... 8239
4033 ... 8293
4034 ... 8240
4035 ... 8240
4036 ... 8240
4037 ... 8241
4038 ... 8241
4039 ... 8692
4040 ... 8692
4041 ... 8693

PROPOSED RULES:

4 ... 8429
3130 ... 8161
3140 ... 8161
3150 ... 8181
3160 ... 8181
3180 ... 8181

45 CFR

801 ... 7755, 8623
1030 ... 8623

PROPOSED RULES:

170 ... 8544

46 CFR

146 ... 8295
173 ... 8539
202 ... 8065
262 ... 8494
281 ... 8494
308 ... 7970
533 ... 8815
537 ... 8915

PROPOSED RULES:

531 ... 8834

47 CFR

18 ... 7821
21 ... 7822
73 ... 7904, 8067, 8069–8073, 8623, 8625
74 ... 7822
87 ... 8627, 8628
91 ... 7822

PROPOSED RULES:

1 ... 7837
2 ... 8880
17 ... 8376
21 ... 7837, 8880
23 ... 7837
73 ... 7837, 7838, 8079–8081, 8132, 8637–8639, 8882.
74 ... 7837, 8026
81 ... 7837
87 ... 7837, 8880
89 ... 7837, 8640, 8880
91 ... 7837, 8640, 8880
93 ... 7837, 8640, 8880

47 CFR—Continued Page

PROPOSED RULES—Continued

95 ... 7837
97 ... 7837

48 CFR

203 ... 8540
411 ... 8915

49 CFR

6 ... 8573
95 ... 7806, 8064, 8816, 8872
170 ... 8312
176 ... 8915, 8916
180 ... 8872
187 ... 8919
193 ... 8920

PROPOSED RULES:

31 ... 8244
170 ... 7841, 8882
178 ... 8696
193 ... 7911

50 CFR

10 ... 8817
32 ... 7909, 8065, 8693, 8817
33 ... 7756, 7910, 7970

PROPOSED RULES:

26 ... 8819
32 ... 8694
33 ... 8694
401 ... 8130

VOL

31

12

124

PART 2

FEDERAL REGISTER

VOLUME 31 • NUMBER 124

Tuesday, June 28, 1966 • Washington, D.C.

PART II

Department of Health, Education, and Welfare

•

Social Security Administration

•

Health Insurance Program for the Aged

Proposed Principles of Reimbursement for Services by Hospital-Based Physicians



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 405]

HEALTH INSURANCE PROGRAM FOR THE AGED

Proposed Principles of Reimbursement for Services by Hospital-Based Physicians

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form are proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations (§ 405.480 et seq.) relate to the principles of reimbursement for services by hospital-based physicians for covered services furnished to beneficiaries under Title XVIII of the Social Security Act.

The proposed regulations set forth the principles that will be followed in determining whether the Hospital Insurance Benefits program or the Supplementary Medical Insurance Benefits program is responsible for reimbursement for the services performed by physicians who have a contractual relationship to a hospital—i.e., hospital-based physicians—and the bases for determining the amount to be paid under the supplementary medical insurance program.

There are also published herewith illustrative methods for applying the principles described in §§ 405.480 through 405.488 of the proposed regulations relating to payments for services performed by "hospital-based physicians" in situations where, under existing arrangements between hospitals and physicians, a combined charge is made to patients for both the physician and the hospital service.

Prior to the final adoption of the proposed regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C., 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed Federal Health Insurance for the Aged regulations are to be issued under the authority contained in sections 1102, 1814(b), 1833(a), 1861(v), and 1871, 49 Stat. 647, as amended, 79 Stat. 296, 79 Stat. 302, 79 Stat. 322, 79 Stat. 331; 42 U.S.C. 1302, 1395 et seq.

Dated: June 24, 1966.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: June 24, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[Regulations No. 5]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED (1965 ——)

Subpart D—Principles of Reimbursement for Provider Costs and for Services by Hospital-Based Physicians

Subpart D of Part 405, Chapter III, Title 20, is amended by adding thereto §§ 405.480 through 405.488, to read as follows:

§ 405.480 Determining reimbursement for services performed by hospital-based physicians.

(a) *General.* The Health Insurance for the Aged Act establishes two separate health insurance programs for the elderly. One provides hospital insurance protection to nearly all the aged financed largely through social security taxes. The other provides supplementary medical insurance to aged people who enroll and agree to pay $3-per-month premiums, amounts that are matched from Federal general revenues (see Subpart B of this part).

(b) *Sources of benefit payments.* Under the law, benefit payments for the services of physicians (except for services of residents and interns under professionally-approved training programs) furnished to individual patients will be under the supplementary medical insurance program (see Subpart B of this part). However, some of the services which hospital-based physicians perform are clearly not furnished to an individual patient. To the extent that the cost of such services is borne by the hospital, reimbursement will be made to the hospital under the hospital insurance program (see Subpart A of this part).

(c) *Hospital-based physician defined.* The principles set forth in §§ 405.480–405.488 deal exclusively with physicians who have a financial relationship with a hospital—who, typically are salaried or who received compensation from or through the hospital under billing arrangements such that the hospital either in its own right or as agent for the physician collects the funds and remits to the physician an agreed amount or an agreed portion of the collections. These principles establish criteria for distinguishing between services of physicians the cost of which are borne by hospitals and are reimbursable under the hospital insurance program and physicians' services to patients reimbursed under the supplementary medical insurance program. The principles also establish a basis for determining the reasonable charges for physicians' services to patients in situations where, under existing arrangements between hospitals and physicians, charges to patients have not separately identified charges for physicians' services and charges for hospital services. Where, as is frequently the case in the arrangements between certain hospital-based physicians (e.g., surgeons) and teaching hospitals, the charges for the physicians' services to the patient are separately identified, the determination of the reasonable charges for such services will take into account customary charges of such physicians so established.

(d) *Arrangements for services of hospital-based physicians.* (1) Hospitals in the United States have in force a wide variety of arrangements for the compensation of hospital-based physicians. The Health Insurance for the Aged program does not require change in the substance of these arrangements, whether the arrangements call for compensation by way of salary, or a percentage, or in any other manner, or whether payments are received by the hospital (either in its own right or as agent for the physician) or are received directly by the physician.

(2) In many cases, a physician contracts with a hospital to provide only his own professional services, the hospital assuming the cost of supporting personnel (who, in this case, are hospital employees) and bearing the expense of furnishing space, supplies, and the like. Sometimes, however, the physician assumes some or all of these costs. In some instances, the arrangement may constitute a concession or lease, the physician employing the supporting personnel and bearing all other expenses including a payment to the hospital for the use of space.

(e) *Types of services rendered.* Many hospitals retain physicians on a full-time basis, at least in the fields of pathology, physiatry, anesthesiology, and radiology, and in many instances (especially in teaching hospitals) in other fields of medical specialization as well. The functions of these physicians vary widely. In some cases they devote full time to education or administration. Conversely, some are exclusively concerned with patient care. Any one of these physicians may be engaged in a variety of activities including teaching, research, administration, supervision of professional or technical personnel, service on hospital committees, and other hospital-wide activities, as well as direct personal health services to individual patients. Sometimes the hospital's arrangement is made with a group of physicians who assume joint responsibility for discharging agreed-upon duties.

(f) *Provisions for remuneration.* The compensation to the physician generally is either on a salary basis, a percent of the gross income received from the patients for the particular services (usually a group of related services—all those performed in a radiology department, for example), or a percent of the net income (gross income less related expenses) received from patients, or some modification or combination of these (such as percentage with a guaranteed minimum). Generally the hospital collects the charges for the services of these physicians and their supporting personnel, acting in some cases in its own right, in some as agent for the physician.

(g) *Identification of types of services for purposes of program payments.* However the billing is handled and whatever the method of distributing the proceeds between the hospital and the physician, it has been the almost universal practice to make a single charge to the patient for each of these services. In order to make payments under Title XVIII of the Act, however, it will be necessary, where billing is by or through the hospital, to distinguish between the medical and surgical services rendered by a physician to a patient, on the one hand, and the hospital services and the other professional services, on the other. This will be necessary because the payments will come from different trust funds, the payments will usually be handled by different intermediaries, and the methods of determining the two payments will differ materially. Thus, there will be two sources of payment under the health insurance program for services furnished to beneficiaries covered under Title XVIII of the Act whereas, under present practices, there is ordinarily a single source. The hospital and the physician will be free, however, if they wish, to pool the two payments where received by the hospital in its own right or as agent for the physician and to distribute the proceeds in accordance with their preexisting arrangement, or in any other way on which they may agree.

§ 405.481 Noninterference by Federal Government.

It is not the function of the health insurance programs established under Title XVIII of the Act to determine the arrangement which a hospital and a hospital-based physician may enter into for the compensation of the physician. The Secretary will not specify or influence the provisions of the contract or arrangement between hospitals and hospital-based physicians. The hospital and physician can continue to negotiate all aspects of their arrangement to their mutual satisfaction.

§ 405.482 Program payments for physicians' services to hospitals and to individual patients.

(a) *Principle.* Whatever the arrangement may be between hospital and physician, the law requires that medical and surgical services rendered to a covered individual by a hospital-based physician be reimbursed only under the supplementary medical insurance program—Part B of Title XVIII of the Act. The costs to a hospital for services furnished in a hospital by a physician which are not professional services to a patient will be included in the reasonable cost reimbursement under the hospital insurance program—Part A of Title XVIII of the Act.

(b) *Physicians' services to patients.* Title XVIII of the Act specifically excludes from hospital cost reimbursement the cost of medical or surgical services provided by a physician, resident, or intern except for those services rendered by interns or residents in approved teaching programs. Therefore, compensation paid by the hospital to the hospital-based physician cannot be included in hospital reimbursable cost to the extent that it represents compensation for physicians' services described in § 405.483. Physicians' services, as defined in section 1861(q) of the Act means "professional services performed by physicians, including surgery, consultation, and home, office, and institutional calls * * *."

§ 405.483 Physician service under Part B.

(a) *Principle.* A professional service rendered by a physician to a patient that can be reimbursed only under the supplementary medical insurance program (Part B of Title XVIII of the Act) means an identifiable service requiring performance by a physician in person, which contributes to the diagnosis of the condition of the patient with respect to whom the charge under the supplementary medical insurance program is to be recognized, or contributes to the treatment of such patient.

(b) *Recordation of charges on item-by-item basis.* The professional component of the hospital-based physician's services for which reimbursement must be made under Part B of Title XVIII of the Act, the supplementary medical insurance program is only that part of his professional services with respect to which he is personally involved in the provision of services to individual patients as distinct from other professional services he may render in the hospital setting, such as teaching, research, and administration. Compliance with this principle for various types of services rendered by hospital-based physicians normally will require (1) determination with respect to each separate service or type of service rendered, of what part may properly be charged under the supplementary medical insurance program, (2) compilation of the results of these determinations in the form of a schedule either of amounts or percentages applicable to separate services or types of services, and (3) recordation of such charges on an item-by-item basis for each service rendered to a patient.

(c) *Optional method of recordation and billing for pathology and radiology laboratory services.* (1) Application of the general rule may present special problems in the case of pathology laboratory services (and radiology services) in hospitals because of the high volume of individual procedures, the variation in the extent of involvement in services on the part of technicians and others and on the part of the pathologist, and the difficulty in distinguishing between professional activities which are of general benefit to all patients and those performed directly for an identifiable patient. Where the pathologist participates personally in some procedures and not in others by virtue of quality control activities or because his professional concern is directed to the result in a given case, it may be difficult to ascertain the presence or absence of a specific quantum of professional activity in an individual case. Moreover, the assigning of the appropriate amount of "professional component" to a particular procedure or test of a particular patient receiving the benefit of the physician's personal service, as defined in paragraph (a) of this section, may not only result in inequality of charges among patients but also may present an undue task of recordation. Administratively costly and impractical requirements could ensue in collecting the data needed for presentation of bills involving minimal charges on an item-by-item basis to individual patients. For these reasons, it may frequently not be administratively practical for the pathologist, the hospital and the Part B carrier to keep track of appropriate professional charges on an item-by-item and patient-by-patient basis.

(2) On the average an individual entitled to Part B benefits under Title XVIII of the Social Security Act (in connection with a hospital stay, or in connection with a series of outpatient diagnostic tests) will have multiple laboratory procedures which in the aggregate permit the assumption that at some point with respect to at least some of the laboratory services there has been "an identifiable service requiring performance of a physician in person."

(3) In order to facilitate administration, provide a better cost control, and to assure a practical basis for handling charges to individual patients for such services, an optional method of recordation and billing may be elected upon agreement by the physician and the hospital. Under this optional method, the professional component of pathological or radiological services would be determined for all medicare patients through application of a uniform percentage to the total charges for such services, with the percentage used being designed to produce in the aggregate a measurement of the professional component which would not be significantly different in amount from that produced by the method of itemization of detailed measurement of such components reflecting variation in the factor of personal participation of the physician in each individual procedure for each individual patient. The percentage factor will be considered reasonable if it can be shown that it does not result from attributing as medical services to patients the costs of teaching, research, administration, and other services that are clearly reimbursable under the hospital insurance program.

(4) Election to use the optional method does not alter the applicability of the principles as the basic criterion for distinguishing professional services chargeable under the supplementary medical insurance program from those reimbursable under the hospital insurance program.

§ 405.484 Hospital-physician agreements for physician compensation.

(a) *Principle.* For purposes of reimbursement, the Secretary will respect, within reasonable limits, an agreement between a hospital and a physician concerning the portion of the physician's compensation which, if he is engaged in the care of individual patients, is to be attributed to such care, and the portion which is to be attributed to service to the institution. If they fail to agree, or if their agreement appears unreasonable, it will be the function of the fiscal intermediary handling payments under the

hospital insurance program and the carrier handling payments under the supplementary medical insurance program to resolve the issue—by negotiation if possible, otherwise by time studies or other suitable methods. The amount attributed to the care of patients will, to the extent of services rendered to supplementary medical insurance beneficiaries (identified in accordance with § 405.483), be recognized as proper charges to such patients, reimbursable under the supplementary medical insurance program. The amount attributed to service to the institution will be recognized as a hospital cost under the hospital insurance program.

(b) *Scope and effect of agreement.* Typically, contracts between hospital-based physicians and hospitals provide for the payment of an aggregate amount (in the form of a salary, a percentage arrangement, or on some other basis) to the physician for all of his services within the institution without a service-by-service itemization. Where the physician is on salary and normally spends full time in administration of departmental affairs, the full salary may be considered a hospital cost item and the hospital insurance program established under Title XVIII will bear its proportionate share of such cost. Where a salaried physician devotes only part of his time to institutional affairs and also renders an appreciable volume of personal patient care, only part of his salary may be attributed to hospital costs since the law requires that "medical or surgical services" must be excluded in determining hospital costs under the hospital insurance program.

(c) *Allocation of compensation by parties.* An agreement by the parties that a certain portion of the physician's compensation will be excluded from hospital costs and will be charged to those patients who are identified in accordance with § 405.483 will be respected unless, because of the small portion of time the physician devotes to the personal care of patients, such an agreement could lead to unreasonable charges to such patients.

§ 405.485 Schedules of charges for Part B physician's services.

(a) *Principle.* Once the portion of a physician's compensation attributable to professional services to supplementary medical insurance beneficiaries has been determined, a schedule of charges can be developed. To be deemed reasonable the charges should be designed to yield him in the aggregate, as nearly as may be possible, an amount equal to such portion of his compensation. As among the patients to be charged (identified in accordance with § 405.483), the allocation of charges may be based on a schedule of relative values, on a uniform percentage of the charges made by the hospital or the physician to other patients for both professional and supporting components of the services, or on another method approved by the carrier as equitable.

(b) *Development of schedules.* Since the present almost universal practice does not separate the professional services to individual patients from the other components of hospital-based physicians' services for purposes of determining the manner or amount of his compensation, it is necessary to devise a method for making this separation. The approach set forth in this section starts with the assumption that the present level of compensation of hospital-based physicians is reasonable. The assumption, of course, is open to challenge in any given case, and the carriers must deal with such challenges on the basis of prevailing rates of compensation in comparable institutions. Over a period of time the schedules of charges will be subject to revision in the light of changes in the prevailing levels of compensation.

§ 405.486 Effect of physician's assumption of operating costs.

(a) *Principle.* Where a hospital-based physician himself bears some or all of the costs of operation of a hospital department and bills his patients directly rather than through the hospital, the reasonable charges for his services recognized under the supplementary medical insurance program will reflect the costs so borne by him. Where all the costs are to be borne by the physician, charges heretofore established for such services by agreement between the physician and the hospital may be acceptable as reasonable charges for purposes of the supplementary medical insurance program, but they will require adjustment either upward or downward if the hospital has been bearing a cost significantly greater or less than its share of the proceeds of such charges.

(b) *Billing for physician services.* (1) Where billing for in-hospital services of physicians is by or through the hospital, the supporting component of the services must be paid for under the hospital insurance program, even though the physician bears some or all of such costs under a concession or lease or other arrangement. (Under a billing procedure by which the hospital bills both the hospital portion of the charges and the physician's reasonable charges, the name of the physician need not be shown on the bill, although the amount of the charge which is compensable under the supplementary medical insurance program should be so identified.) In such a case, the hospital will be expected to make an appropriate payment to the physician on account of the costs borne by him.

(2) Where the physician bills the patient directly, on the other hand, costs of operating the hospital department which are borne by the physician will be reflected in his reasonable charges which are compensable under the supplementary medical insurance program; the hospital will receive reimbursement through the hospital insurance program for those costs which it incurs. Where a hospital initially pays some or all of the operating expenses of a hospital department (e.g., pays the salaries of nonprofessional personnel and purchases supplies and equipment), even though subsequently those items and services for which it pays the operating expenses are return for an agreed upon payment by the physician to the hospital, such operating costs are reimbursable under the hospital insurance program as hospital costs, and are not to be reflected in the reasonable charges of the physician. Any payments received by the hospital under such an arrangement would be treated as a reduction of allowable costs of the hospital reimbursable through the hospital insurance program.

(3) The objective in determining reasonable charges where the physician bills patients directly is the same as that expressed in § 405.485(a); to bring about as little change as possible (in the normal case) in the compensation the physician receives for his professional services in the hospital.

(4) Where a hospital has been receiving, as its portion of the receipts for such services, significantly more or less than the costs the hospital has incurred in the provision of the services, this excess or shortage should not be transferred from the hospital to the physician merely because he decides to bill his patients directly. Since payment to the hospital is made on the basis of its reasonable costs for all hospital services, the transfer of such excess or shortage to the physician necessarily would alter the total cost of patient hospital and medical care—a result which the legislation was not intended to bring about. The reasonable charges of a physician who enters into a lease or similar arrangement with a hospital under which the physician assumes the costs of operating the department and bills the patients directly would be based upon the remuneration he received for his services prior to the leasing arrangement plus his reasonable costs of operation as reflected by the hospital's cost experience in providing such services. Reasonable charges, so determined, would be subject to appropriate future adjustment to take into account changing economic factors.

(5) Since physicians' charges generally are to be judged on the basis of prevailing practices in the community, it may be argued that the charges of a hospital-based physician who elects to bill his patients directly should be measured by the charges of nonhospital laboratories, clinics, and the like for similar services. The situations, however, are frequently not comparable because of the large volume, and consequent low unit cost, of a laboratory that performs all of the services required in a hospital. Although charges prevailing in nonhospital laboratories are to be taken into account, they will not be guides for determining reasonable charges in situations where they would produce an unreasonable result.

(6) Also, tangentially related to the issue of billing for in-hospital services of physicians is the question of billing for diagnostic or therapeutic items or services not furnished in a hospital department, but under arrangements made by the hospital with outside laboratories for such items or services. Many hospitals, especially smaller hospitals, do not maintain full laboratory facilities. Such institutions frequently enter into arrangements with independent laboratories for the performance of diagnostic procedures, as, for example, in the field of pathology. In such instances, typically, the laboratory bills the hospital for the services performed, and the hospital, under present practices, bills the patient. It would appear that services performed under such an arrangement would be included as inpatient hospital services, and the cost thereof—that is, the cost the hospital incurs in paying the laboratory's charges for the services—would, if reasonable, be reimbursable under the hospital insurance program.

§ 405.487 Maintenance of records.

(a) *Principle.* Hospitals and hospital-based physicians will be required to keep records and furnish information to substantiate the agreements they enter into with respect to the allocation of the compensation of the physicians.

(b) *Rationale to support agreements for allocation of compensation.* (1) Where the agreement between the hospital and the physician allocates the physician's compensation between services covered under the hospital insurance program and those covered under the supplementary medical insurance program reasonably, it will generally be accepted if the parties concerned furnish an acceptable rationale for the allocation. Such allocation (made in accordance with § 405.484) should be capable of substantiation by the hospital and the physician. If either the Part A intermediary or Part B carrier believes that the rationale does not justify the allocation, it will notify the other so that coordinated action, if necessary, can be undertaken.

(2) Under these principles, it is recognized that a physician who serves two or more hospitals may under his agreements have significantly different allocations and consequently significantly different charges for the same service in the different hospitals served by him.

§ 405.488 Application of principles.

(a) Nothing in the foregoing principles restricts the right of the physician (in the absence of his acceptance of an assignment by the patient) to determine the amount of his charge to the patient for his services, or restricts the hospital and the physician in providing for such disposition of the payments received from the health insurance programs and the beneficiaries under the programs as they may agree upon.

(b) The total costs of services to inpatients and outpatients prior to the inauguration of this program should not be increased solely by reason of the requirement for division of payments for such services between the hospital insurance program and the supplementary medical insurance program.

(c) The foregoing principles will, to the extent they are applicable, also govern reimbursement in cases where physicians have a financial arrangement of the kind referred to in § 405.480(c) with an extended care facility or home health agency and where a hospital-based physician provides services to the hospital's outpatients.

ILLUSTRATION OF METHODOLOGY FOR APPLICATION OF THE PRINCIPLES FOR REIMBURSEMENT OF HOSPITAL-BASED PHYSICIANS' SERVICES DESCRIBED IN PROPOSED §§ 405.480 THROUGH 405.488, SUBPART D OF PART 405, TITLE 20, CFR

The methodology is described in a setting in which there is a single physician in the hospital's pathology or radiology or other department. Where there is more than one physician in a particular department, the term "physician" should be read as "physicians," and where quantitative factors are stated or derived they should be combined for all such physicians.

(a) *Separating hospital payments to physicians into the Part A and Part B components as the basis for determining Part B charges.* (1) Whether the physician and hospital agree to utilize the item-by-item recordation and billing method described § 405.483(b) or the optional method described in § 405.483(c), it is necessary to establish the basis for determining the amount of Part B charges. For this, the first step is to ascertain the total amount the physician is to be paid by and through the hospital during the coming year under the arrangement as agreed by the parties. Where the physician's compensation is a percentage either of gross or net departmental income or figured on some other basis under which the amount of his compensation is not fixed in advance, the amount of total payments to the physician from and through the hospital can be properly estimated by adjusting the amount of payments to him for the previous year to take account of anticipated changes in the volume and character of the procedures to be performed and other factors that will affect income. Once the physician's total income from and through the hospital is ascertained, it is immaterial to the determination of the Part B charges whether the payment to him is made as a salary, as a percentage-of-gross income, or as payment from the hospital under some other arrangement.

(2) Next, any amounts that the physician may receive as reimbursement for costs he bears in furnishing supplies, employing personnel and meeting other expenses are to be subtracted from the amount of payments to him to ascertain the physician's compensation for his personal services for the year. The costs that are subtracted are reimbursable as hospital costs and not to be taken into account in determining the physician's Part B charge, as explained in § 405.486(a).

(3) From the physician's compensation for his personal services, as derived in accordance with subparagraphs (1) and (2) of this paragraph, there must be subtracted compensation for the portion of the time the physician spends in the hospital performing research, teaching, administration, and other activities which are not personal services to individual patients and which, therefore, do not meet the criteria prescribed in the first sentence of § 405.483(a). To ascertain the amount of the physician's compensation for such services, it would be appropriate to consider the compensation for them to be paid in proportion to the time he devotes to them. For example, a finding that 15 percent of a physician's time in the hospital is spent in teaching, 30 percent performing administrative services, and 20 percent performing autopsies and other activities not identified as services to individual patients would indicate that the remaining 35 percent of his compensation for personal services is properly attributable to services for individual patients for which a Part B charge may be made when furnished to Part B beneficiaries. The amount so determined, while relating to Part B type services to all patients will nevertheless serve as the basis for establishing the amount of charges for physician's services to Part B beneficiaries in accordance with either of the procedures set forth, respectively, in paragraph (b) and (d) of this section.

(b) *Determining the Part B charge for individual procedures under the item-by-item approach.* (1) Under the item-by-item approach described in § 405.483(b), an evaluation must be made of each separate procedure or type of procedure to determine that part, if any, that is a service rendered in person by the physician to the individual patient for which a charge may be made under Part B. Section 405.485(b) stipulates that in developing a schedule of Part B charges, the schedule must be developed in such a way as to yield an amount of charges which, in the aggregate, equals the physician's compensation for personal services to individual patients, the calculation of which is described in paragraph (a)(3) above.

One acceptable methodology for developing a schedule of itemized Part B charges complying with the principle of §§ 405.485 (b) and 405.488 is outlined below:

(i) Each procedure that involves a significant element of the physician's services to individual patients would be assigned a numerical value equal to the portion of the customary amount billed by the hospital for the procedure which recognizes such element in due measure. For example, if the customary charge for procedure X has been $5 and one-half the charge expresses the portion that is for the physician's services in person to individual patients when the procedure is performed, a numerical value of 2.5 (one-half of $5.00) would be assigned to the procedure. A procedure that does not have a significant Part B component would not be assigned a numerical value.

(ii) The numerical value for each procedure is then multiplied by the number of times it is estimated that the procedure will be performed during the coming year. The amount of the physician's total compensation for Part B type services, as ascertained in accordance with paragraph (a)(3) above, is then divided by the sum of these products to yield the monetary value of each single unit of numerical value assigned to the respective procedures.

(iii) The monetary value of a single unit of numerical value is then multiplied by the numerical value that has been assigned to each procedure, and the product represents the Part B component—that is, the amount chargeable under Part B for the procedure.

An alternative methodology for arriving at a schedule of Part B charges for each such procedure (e.g., a biopsy or bone marrow study) would be to assign to each procedure a percentage of the physician compensation found, in accordance with paragraph (a), above, to be attributable to services to patients. The amount of compensation allocated in this manner to each procedure, when divided by the projected number of times the procedure is performed, would yield the amount of Part B charge for each such procedure included in the schedule.

Whatever methodology is used, rounding of the resulting amounts would be deemed appropriate under a consistent method designed not to affect significantly the aggregate amount of the Part B charges.

(2) The schedule of Part B charges so developed by the hospital and physician is to be submitted by the parties to the Part A intermediary and the Part B carrier together with data on the determination described in paragraph (a)(3) above and a brief description of the derivation of the schedule. In addition, the following infor-

mation should be submitted for the procedures listed on the schedule:

(i) The estimated number of times the procedure will be performed in the hospital during the 12-month period for which the schedule is applicable. (Comparable data for a representative past period—e.g., a year—should also be submitted with an explanation of any significant deviations.)

(ii) The customary amount billed by the hospital for the procedure, inclusive of both Part B and Part A portions of the service involved in the procedure.

(c) *Approval of schedule of Part B charges determined on an item-by-item basis.* The Part B carrier would approve the schedule of Part B charges if it, with the advice of the Part A intermediary, concurred in the physician's and hospital's determination under paragraph (a)(3) above concerning the portion of the physician's compensation for personal services in the coming year which is attributable to Part B type services and provided that such portion of compensation, plus, in cases where the physician bills directly, the portion attributable to costs of operation of the hospital department borne by him, if any (see sec. 405.486), approximates the sum of the products of (1) the number of the individual procedures, as described in subsection (b) (2)(i), and (2) the Part B charges for each such procedure.

(d) *Computing the Part B component under the optional method.* (1) Where, because of the high volume of low-cost procedures or the lack of necessary statistical data, it would not be feasible for the physician and hospital to comply with the requirements of the item-by-item method, the optional method described in § 405.483(c) would be applicable. The uniform percentage, described in § 405.483(c)(3), that is applied to the total charges for procedures for a medicare patient which involved the hospital-based physician's service is computed by dividing the physician's compensation for Part B type services, as ascertained in accordance with paragraph (a)(3) above, by the hospital's total billings for all such procedures to be rendered for patients in the coming year. This latter amount can properly be estimated by adjusting data on such billings for the previous year to take account of anticipated changes in the volume and of the procedures to be performed during the coming year and other factors that will affect the amount billed.

(2) The schedule of the customary amounts billed by the hospital for the procedure and the uniform percentage as computed will be submitted by the hospital and the physician to the Part A intermediary and the Part B carrier together with a brief description of the derivation of the uniform percentage. Explanation accompanying the submission should include:

(i) An estimate of the amount that would result from the application of the uniform percentage in the coming year if applied to the aggregate amount billed by the hospital for all procedures rendered by the department.

(ii) An estimate of the physician's compensation for Part B type services for the coming year (as described in paragraph (a) above).

(e) *Approval of schedule of Part B charges computed under the optional method.* The Part B carrier would approve the uniform percentage computed in accordance with subsection (d) if it, with the advice of the Part A intermediary, concurred in the physician's and hospital's determinations under subsections (d)(2)(i) and (d)(2)(ii) and provided that the respective amounts so determined are not significantly different.

[F.R. Doc. 66-7143; Filed, June 27, 1966; 10:17 a.m.]

DETROIT PUBLIC LIBRARY JUL 5 1966 ROOM SOCIOLOGY & ECONOMICS

DETROIT PUBLIC LIBRARY JUL 5 1966 ROOM

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 31 • NUMBER 125

Wednesday, June 29, 1966 • Washington, D.C.

Pages 8945–8990

Agencies in this issue—

Agriculture Department
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Commerce Department
Comptroller of the Currency
Consumer and Marketing Service
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Food and Drug Administration
Health, Education, and Welfare Department
Housing and Urban Development Department
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Bureau of Standards
National Park Service
Securities and Exchange Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

125

Subscriptions Now Being Accepted

SLIP LAWS

89th Congress, 2d Session
1966

Separate prints of Public Laws, published immediately after enactment, with marginal annotations and legislative history references.

Subscription Price:

$12.00 per Session

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURE DEPARTMENT
See also Consumer and Marketing Service.
Notices
Texas; designation and extension of areas for emergency loans... 8963

CIVIL AERONAUTICS BOARD
Rules and Regulations
Air carriers; free transportation of employees of other carriers (2 documents)... 8951, 8952
Notices
Air Transport Association; agreement relating to charge for in-flight entertainment on flights within U.S... 8969
Hearings, etc.:
Allegheny Airlines... 8970
Japan Air Lines Co., Ltd... 8972
Northeast Airlines, Inc... 8972
Southeast Airlines, Inc., and American Air Taxi, Inc... 8973

CIVIL SERVICE COMMISSION
Rules and Regulations
Excepted service:
Air Force Department... 8949
Housing and Home Finance Agency and Housing and Urban Development Department... 8949

COAST GUARD
Rules and Regulations
Public contracts and property management; contracting officer's decision under a disputes clause... 8954

COMMERCE DEPARTMENT
See also Maritime Administration; National Bureau of Standards.
Notices
National Bureau of Standards; Center for Computer Sciences and Technology; functions... 8961

COMPTROLLER OF THE CURRENCY
Rules and Regulations
Changes in capital structure; exchange of shares... 8951

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Milk in Inland Empire marketing area; order amending order... 8950
Potatoes, Irish, grown in Idaho and Oregon; shipments limitation... 8949
Proposed Rule Making
Milk in Southeastern Florida marketing area; decision... 8956

FEDERAL COMMUNICATIONS COMMISSION
Notices
Communications Satellite Corp.; furnishing of satellite services and channels... 8977
Canadian broadcasting stations; changes, proposed changes, and corrections in assignments... 8978
Canadian-U.S.A. VHF TV broadcast stations; 1961 working arrangement; amendment... 8978
Hearings, etc.:
American Telephone and Telegraph Co., et al... 8974
Black Hawk Broadcasting Co. (KWWL-TV)... 8975
Cirilli, Arthur A., et al... 8974
Lafayette Broadcasting Co., Inc., and State Line Broadcasting Co., Inc... 8977
Northern Indiana Broadcasters, Inc... 8977

FEDERAL MARITIME COMMISSION
Proposed Rule Making
Practices of independent ocean freight forwarders, ocean freight brokers, and oceangoing common carriers; extension of time... 8958
Notices
Agreements filed for approval:
Bahama Islands rate agreement... 8979
Gulf/Mediterranean Ports Conference... 8979
Italy, France, Spain and Portugal/North Pacific Freight Pool and Mediterranean/North Pacific Coast Freight Conference; limited remand... 8979

FEDERAL POWER COMMISSION
Notices
Petroleum, Inc., et al.; applications... 8962

FOOD AND DRUG ADMINISTRATION
Rules and Regulations
Drug Abuse Control Bureau; delegations of authority, and organization... 8953
Food additives; components of paper and paperboard in contact with dry food... 8953
Notices
Micro Tracers, Inc.; withdrawal of petition for food additive... 8963
Temporary tolerance; establishment... 8964

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See also Food and Drug Administration.
Notices
Public Health Service; interim organization and delegation of functions... 8964

HOUSING AND URBAN DEVELOPMENT DEPARTMENT
Notices
Authority:
Delegations; Assistant Secretary and Deputy Assistant Secretary for Renewal and Housing Assistance (3 documents)... 8964, 8967, 8968
Redelegations:
Deputy Assistant Secretary for Housing Assistance and General Deputy, Housing Assistance Administration... 8969
Deputy Assistant Secretary for Housing Assistance et al... 8968
Deputy Assistant Secretary for Renewal et al... 8965
Regional administrators and deputy regional administrators (2 documents)... 8966, 8969

INTERIOR DEPARTMENT
See Land Management Bureau; National Park Service.

INTERSTATE COMMERCE COMMISSION
Rules and Regulations
Car service; Norfolk and Western Railway Co. authorized to operate over trackage of Chesapeake and Ohio Railway Co.; expiration date... 8954
Notices
Fourth section applications for relief... 8982
Motor carrier:
Alternate route deviation notices... 8962
Applications and certain other proceedings... 8983
Intrastate applications... 8987
Temporary authority applications... 8986
Transfer proceedings... 8987
Lyrla, Keith H.; statement of changes in financial interests... 8988

LAND MANAGEMENT BUREAU
Rules and Regulations
Idaho; public land order withdrawing land for national forest recreation areas and campgrounds; correction... 8954
Notices
Florida; filing of plat of survey... 8961

MARITIME ADMINISTRATION
Notices
List of free world and Polish flag vessels arriving in Cuba since Jan. 1, 1963... 8959

(Continued on next page)

NATIONAL BUREAU OF STANDARDS

Rules and Regulations

Standard reference materials; rubber compounding materials.. 8952

NATIONAL PARK SERVICE

Rules and Regulations

Yellowstone National Park, Wyoming; boating..... 8954

SECURITIES AND EXCHANGE COMMISSION

Rules and Regulations

Conduct of members and employees, present and former; outside or private employment..... 8952

Notices

Hearings, etc.:

Dorachel Fund, Inc..... 8979
Estate of William G. Maguire and Missouri-Kansas Pipe Line Co..... 8980
Jersey Central Power & Light Co..... 8981
Mohawk Airlines, Inc..... 8981
National Aviation Corp..... 8981
Pennsylvania Gas and Water Co..... 8982

TREASURY DEPARTMENT

See Coast Guard; Comptroller of the Currency.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

5 CFR

213 (2 documents)..... 8949

7 CFR

945..... 8949
1133..... 8950
PROPOSED RULES:
1013..... 8956

12 CFR

14..... 8951

14 CFR

214..... 8951
295..... 8952

15 CFR

230..... 8952

17 CFR

200..... 8952

21 CFR

2..... 8953
121..... 8953

36 CFR

7..... 8954

41 CFR

11–1..... 8954

43 CFR

PUBLIC LAND ORDERS:
4032 (corrected)..... 8954

46 CFR

PROPOSED RULES:
510..... 8958

49 CFR

95..... 8954

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of the Air Force

Section 213.3109 is amended to show that positions on the cable ship, Basil O. Lanoir, are excepted under Schedule A. Effective on publication in the FEDERAL REGISTER, a new subparagraph (1) is added to paragraph (b) of § 213.3109 as set out below.

§ 213.3109 Department of the Air Force.

* * * * *

(b) *General.* (1) Positions on the cable ship operated by the Air Force Communications Service.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–7120; Filed, June 28, 1966; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Housing and Home Finance Agency and Department of Housing and Urban Development

§ 213.3344 [Amended]

1. Section 213.3344 is amended to show that the positions of Congressional Liaison Officer, three Assistants to the Congressional Liaison Officer, and Secretary to the Congressional Liaison Officer are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraphs (14), (21), and (31) of paragraph (a) of § 213.3344 are revoked.

2. Section 213.3384 is amended to show that the positions of one Congressional Liaison Assistant and one Secretary to the Congressional Liaison Officer are excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraphs (14) and (15) are added to paragraph (a) of § 213.3384 as set out below.

§ 213.3384 Department of Housing and Urban Development.

(a) *Office of the Secretary.* * * *

(14) One Congressional Liaison Assistant.

(15) One Secretary to the Congressional Liaison Officer.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–7121; Filed, June 28, 1966; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 945—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Limitation of Shipments

Findings: (a) Pursuant to Marketing Agreement No. 98 and Order No. 945, as amended (7 CFR Part 945), regulating the handling of Irish potatoes grown in the production area defined therein, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674) and upon the basis of recommendations and information submitted by the Idaho-Eastern Oregon Potato Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the limitation of shipments regulation as hereinafter established, limiting the grade, size, and quality of such potatoes will tend to effectuate the declared policy of the act and thereby maintaining orderly marketing conditions and tending to increase returns to producers of such potatoes.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, and engage in public rule making procedure, and postpone the effective date of this regulation until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) producers and handlers have operated under the marketing order program since 1948; (2) the regulation establishes the same grade, size, quality, and maturity regulations which were made effective July 1, 1965, at the beginning of last season; (3) regulations (§ 945.324) are in effect at this time which continue through June 30, 1966; (4) information regarding the committee's recommendation has been disseminated to producers and handlers in the production area; and (5) to maximize benefits to growers of the 1966 crop Idaho-E. Oregon potatoes by making this regulation effective as of July 1, 1966.

§ 945.325 Limitation of shipments.

During the period from July 1, 1966, through June 30, 1967, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a) and (b) of this section, or unless such potatoes are handled in accordance with paragraphs (c), (d), and (e) of this section.

(a) *Minimum quality requirements*—(1) *Grade.* All varieties—U.S. No. 2, or better grade.

(2) *Size*—(i) *Round red varieties.* 1⅞ inches minimum diameter. (ii) *All other varieties.* 2 inches minimum diameter or 4 ounces minimum weight. (iii) *All varieties.* Size B if U.S. No. 1, or better grade.

(3) *Cleanliness*—(i) *Kennebec variety.* Not more than "slightly dirty." (ii) *All other varieties.* "Generally fairly clean."

(b) *Minimum maturity requirements*—(1) *White Rose variety.* "Moderately skinned" which means that not more than 10 percent of the potatoes in any lot may have more than one-half of the skin missing or "feathered."

(2) *All other varieties.* "Slightly skinned" which means that not more than 10 percent of the potatoes in any lot may have more than one-fourth of the skin missing or "feathered."

(3) *Exceptions.* (i) Subject to compliance with subdivision (iii) of this subparagraph any lot of potatoes not exceeding a total of 50 hundredweight of each variety may be handled for any producer without regard to the foregoing maturity requirements.

(ii) If an officially inspected lot of potatoes meets the foregoing maturity requirements, but fails to meet the grade and size requirements, the lot may be regraded. If, after regrading, such lot then meets the grade and size requirements but fails to meet the maturity requirements, as indicated by the applicable Federal-State inspection certificate, such lot if not exceeding 100 hundredweight shall be exempt from the foregoing maturity requirements; *Provided,* That the handler complies with subdivision (iii) of this paragraph.

(iii) Prior to each shipment of potatoes exempt from the foregoing maturity requirements, the handler thereof shall report to the committee the name and address of the producer of such potatoes, and each such shipment shall be handled as an identifiable entity.

(c) *Special purpose shipments.* (1) The minimum grade, size, cleanliness, and maturity requirements set forth in paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for any of the following purposes:

(i) Certified seed;
(ii) Charity;
(iii) Starch;
(iv) Canning or freezing;

(v) Dehydration;
(vi) Experimentation.

"(2) The minimum grade, size, cleanliness, and maturity requirements set forth in paragraphs (a) and (b) of this section shall be applicable to shipments of potatoes for each of the following purposes:

(i) Export: *Provided*, That potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than U.S. No. 2; and

(ii) Potato chipping or prepeeling: *Provided*, That potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than Idaho Utility, or Oregon Utility grade.

(d) *Safeguards.* Each handler making shipments of potatoes for starch, canning or freezing, dehydration, experimentation, export, potato chipping, or for prepeeling pursuant to paragraph (c) of this section shall:

(1) First, apply to the committee for and obtain a Certificate of Privilege to make each shipment;

(2) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;

(3) At the time of applying to the committee for a Certificate of Privilege, or promptly thereafter, furnish the committee with a receiver's or buyer's certification that the potatoes so handled are to be used only for the purpose stated in the application and that such receiver will complete and return to the committee such periodic receiver's reports that the committee may require;

(4) Mail to the office of the committee a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment;

(5) Bill each shipment directly to the applicable processor or receiver.

(e) *Minimum quantity exception.* Each handler may ship up to, but not to exceed, 5 hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any portion of a shipment that exceeds 5 hundredweight of potatoes.

(f) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "Size B," "fairly clean," and "slightly dirty" shall have the same meaning as when used in the United States Standards for potatoes (§§ 51.1540–51.1556 of this title), including the tolerances set forth therein. The term "generally fairly clean" means that at least 90 percent of the potatoes in a given lot are "fairly clean." The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (U.S. Standards for Grades of Peeled Potatoes §§ 52.2421–52.2433 of this title). The terms "Idaho Utility grade" and "Oregon Utility grade" shall have the same meanings as when used in the respective standards for potatoes for the respective States. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 98 and this part (Order No. 945), both as amended.

(g) *Applicability to imports.* Pursuant to section 608e–1 of the Act and § 980.1 of this chapter, *Import regulations*, Irish potatoes imported into the United States during the period July 1 through September 30, 1966, shall meet the grade, size, quality and maturity requirements specified in paragraphs (a) and (b) of this section. From October 1, 1966, through June 30, 1967, imports of long varieties of potatoes shall meet the grade, size, quality and maturity requirements applicable to long varieties specified in paragraphs (a) and (b) of this section.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 24, 1966.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–7122; Filed, June 28, 1966; 8:48 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 133]

PART 1133—MILK IN INLAND EMPIRE MARKETING AREA

Order Amending Order

§ 1133.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Inland Empire marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective upon publication in the FEDERAL REGISTER. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued May 27, 1966, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued June 15, 1966. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective upon publication in the FEDERAL REGISTER, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Inland Empire marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, as follows:

Revise § 1133.12(c) (1) and (2) to read as follows:

§ 1133.12 Producer milk.

* * * * * *

(c) * * *

(1) A cooperative association may divert for its account, pursuant to paragraph (b)(1) of this section, the milk of any member producer eligible for diversion. The total quantity of milk so diverted, however, may not exceed 15 percent in the months of September, October, and November, 25 percent in the months of December, January, February, March, and August, and 35 percent in the months of April, May, June, and July, of its total member milk received at all pool plants and diverted therefrom during the month. Two or more cooperative associations may have their allowable diversions computed on the basis of the combined deliveries of milk by their member producers if each association has filed in writing with the market administrator a request for such computation;

(2) A handler operating a pool plant may divert for his account, pursuant to paragraph (a)(2) of this section, milk of any producer eligible for diversion, other than a member of a cooperative association which diverts milk pursuant to subparagraph (1) of this paragraph. The total quantity of milk so diverted, however, may not exceed 15 percent in the months of September, October, and November, 25 percent in the months of December, January, February, March, and August, and 35 percent in the months of April, May, June, and July, of the milk received at and diverted from such pool plant during the month from producers who are not members of a cooperative association which diverts milk pursuant to subparagraph (1) of this paragraph;

* * * * * *

(Sec. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 24, 1966.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 66–7090; Filed, June 28, 1966; 8:46 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 14—CHANGES IN CAPITAL STRUCTURE

Exchange of Shares

This amendment is issued pursuant to the authority contained in the national banking laws (R.S. 324, as amended; 12 U.S.C. 1, and R.S. 5142, as amended; 12 U.S.C. 57) and requires that certain information be submitted to the Comptroller in support of an application for his approval for the issuance of additional stock for use in certain transactions. Since the amendment is procedural in nature and outlines generally information required by the Comptroller for the exercise of his statutory duties, and relaxes a restriction, notice and public procedure thereon are unnecessary, impracticable and contrary to the public interest. Accordingly, this amendment will become effective upon publication.

Chapter I, Title 12, Part 14, of the Code of Federal Regulations of the United States of America is amended by adding a new § 14.2a as follows:

§ 14.2a Stock for stock exchange.

Any national banking association which, under R.S. 5142; 12 U.S.C. 57, and § 14.2, makes application to the Comptroller of the Currency for approval to increase its authorized common capital stock or to issue shares of its common capital stock from the category of authorized but unissued stock for the purpose of acquiring the capital stock of another bank, must submit to the Comptroller in Washington, D.C., information relating to the following:

(a) The financial history and condition of the banks concerned;

(b) The adequacy of the capital structure of the acquiring bank;

(c) The future earnings prospects of the banks concerned;

(d) The general character of their management;

(e) The convenience, needs, and welfare of the communities and the area concerned;

(f) Whether or not the effect of such acquisition would be to expand the size of the banks involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Dated: June 23, 1966.

[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 66–7117; Filed, June 28, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER–466]

PART 214—TERMS, CONDITIONS, AND LIMITATIONS OF FOREIGN AIR CARRIER PERMITS AUTHORIZING CHARTER TRANSPORTATION ONLY

Free Transportation of Employees of Other Carriers

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on June 24, 1966.

The Board has published in 31 F.R. 5381, and circulated to the industry in EDR–99, dated March 29, 1966, Docket 17166, a notice of proposed rule making with respect to Parts 214 and 295 (14 CFR Parts 214, 295), which proposed to permit foreign air carriers authorized to engage in charter operations only, as well as transatlantic supplemental air carriers, to furnish free and reduced rate air transportation to employees of other carriers in certain circumstances.

Four comments have been received by the Board urging adoption of the proposed amendments.[1] The carriers assert that the proposed amendments will give them the same authority now enjoyed by other carriers in this respect, and also will permit them to possess a far greater flexibility for positioning their flying crews than they presently enjoy. We are of the view that the carriers' reasons are sound.

One carrier, Sudflug, requests that the amendments be broadened so as to include the families of the employees of other carriers, as well as the employees themselves. However, in our view, there is considerably less necessity for providing free transportation for family members than for the carriers' employees. The ability to exchange free transportation privileges with other carriers is highly desirable to permit the charter carriers to position their crews expeditiously and economically. On the other hand, time is a much less critical factor in the case of transporting families of employees in connection with station changes. The employee can be transferred first and his family follow at its leisure on a later flight of the employee's own carrier. Thus, the requested exchange of free transportation is more in the nature of a fringe benefit than one arising from the administrative needs of the carrier. For these reasons, we are denying Sudflug's request.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 214 of the Economic Regulations (14 CFR Part 214), effective July 29, 1966, by amending the last proviso of § 214.2(b) with respect to the definition of "charter flight" to read as follows:

§ 214.2 Definitions.

* * * * * *

(b) "Charter flight" means air transportation performed by a direct foreign air carrier on a time, mileage or trip basis where * * *

Provided further, That with the consent of the charterer, the direct foreign air carrier may utilize any unused space for the transportation of (i) the carrier's own personnel and property and/or (ii) the directors, officers and employees of an air carrier or another foreign air carrier traveling pursuant to a pass interchange arrangement.

* * * * * *

[1] These comments were filed by four carriers: World Airways, Inc., Saturn Airways, Inc., Caledonian Airways, Ltd., and Sudflug, Suddeutsche Fluggesellschaft mbH.

(Secs. 204(a), 402, 403, Federal Aviation Act of 1958, 72 Stat. 743; 49 U.S.C. 1324, 72 Stat. 757; 49 U.S.C. 1372, 72 Stat. 758, as amended by 74 Stat. 445; 49 U.S.C. 1373)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-7109; Filed, June 28, 1966; 8:47 a.m.]

[Reg. ER-467]

PART 295—TRANSATLANTIC SUPPLEMENTAL AIR TRANSPORTATION

Free Transportation of Employees of Other Carriers

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on June 24, 1966.

On March 29, 1966, the Board issued a notice of proposed rule making with respect to Parts 214 and 295 (14 CFR Parts 214, 295), EDR-99, Docket 17166, which proposed to permit foreign air carriers authorized to engage in charter operations only, as well as transatlantic supplemental air carriers, to furnish free and reduced rate air transportation to employees of other carriers in certain circumstances.

In response to the notice, four comments were received by the Board urging adoption of the proposed amendments, with two being submitted by supplemental air carriers. For the reasons stated by these carriers, which we believe to be valid, and which are set forth in Regulation ER-466 published simultaneously herewith, we have determined to amend Part 295 so as to authorize the transatlantic supplemental air carriers to furnish free and reduced transportation to employees of other air carriers under certain conditions.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 295 (14 CFR Part 295), effective July 29, 1966, by amending the last sentence of § 295.2(b) with respect to the definition of "charter flight" to read as follows:

§ 295.2 Definitions.

* * * * *

(b) "Charter flight" means air transportation performed by a direct air carrier on a time, mileage or trip basis where (1) the entire capacity of one or more aircraft has been engaged for the movement of persons and their personal baggage—

* * * * *

With the consent of the charterer, the direct air carrier may utilize any unused space for the transportation of (1) the carrier's own personnel and property and/or (ii) the directors, officers and employees of a foreign air carrier or another air carrier traveling pursuant to a pass interchange arrangement.

* * * * *

(Sec. 204(a), 401(d)(3), 403, Federal Aviation Act of 1958, 72 Stat. 743; 49 U.S.C. 1324, 72 Stat. 754, as amended by 76 Stat. 143; 49 U.S.C. 1371, 72 Stat. 758, as amended by 74 Stat. 445; 49 U.S.C. 1373)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-7110; Filed, June 28, 1966; 8:47 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Subpart M—Regulation Concerning Conduct of Members and Employees and Former Members and Employees of the Commission

OUTSIDE OR PRIVATE EMPLOYMENT

Pursuant to and in conformity with sections 201 through 209 of Title 18 of the United States Code, Executive Order No. 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, paragraph (c) of § 200.735-4 of Chapter II of Title 17 of the Code of Federal Regulations is amended by adding immediately following the first sentence thereof a new sentence which reads as follows: "Acceptance of a forwarding fee shall be deemed to be within the foregoing prohibition."

As so amended, paragraph (c) of § 200.735-4 of this chapter shall read:

§ 200.735-4 Outside or private employment.

* * * * *

(c) No employee shall appear in court or on a brief in a representative capacity (with or without compensation) or otherwise accept or perform legal, accounting, engineering or similar professional work, unless specifically authorized to do so by the Commission. Acceptance of a forwarding fee shall be deemed to be within the foregoing prohibition. As a matter of general policy, outside or private professional work or practice by the staff is discouraged and only in unusual cases or circumstances will it be authorized.

* * * * *

The present footnote numbered "3" to said paragraph (c) of § 200.735-4 is retained unchanged.

(E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR 1965 Supp.; 5 CFR 735.104; secs. 19, 23, 48 Stat. 85, 901, as amended, 15 U.S.C. 77s, 78w; sec. 20, 49 Stat. 833, 15 U.S.C. 79t; sec. 319, 53 Stat. 1173, 15 U.S.C. 77sss; secs. 38, 211, 54 Stat. 841, 855, 15 U.S.C. 80a-37, 80b-11)

This amendment was approved by the Civil Service Commission on June 20, 1966, and by the Securities and Exchange Commission on June 23, 1966.

Since the foregoing amendment relates solely to the Commission's internal management and personnel, the Commission finds that the procedures specified in section 4 of the Administrative Procedure Act are unnecessary.

Effective date. This amendment shall become effective upon publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVIL L. DUBOIS, *Secretary.*

JUNE 23, 1966.

[F.R. Doc. 66-7080; Filed, June 28, 1966; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER B—STANDARD REFERENCE MATERIALS

PART 230—STANDARD REFERENCE MATERIALS

Subpart D—Standards of Certified Properties and Purity

STANDARD RUBBERS AND RUBBER COMPOUNDING MATERIALS

Under the provisions of 15 U.S.C. 275a and 277, the following amendment relating to standard reference materials issued by the National Bureau of Standards is effective upon publication in the FEDERAL REGISTER. The amendment renews and revises standard reference material 375e.

The following amends Title 15 CFR Part 230.

Section 230.8-6 *Standard rubbers and rubber compounding materials* (b) *Rubber compounding materials* is amended to renew and revise standard 375e as follows:

Sample Nos.	Kind	Approximate weight in grams	Price
375f.	Channel Black	7,000	$16.00

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: May 25, 1966.

A. V. ASTIN, *Director.*

[F.R. Doc. 66-7075; Filed, June 28, 1966; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority

Subpart M—Organization

BUREAU OF DRUG ABUSE CONTROL

The administrative functions, practices, and procedures regulations are amended as set forth below to prescribe redelegations of authority from the Commissioner of Food and Drugs to the Director of the Bureau of Drug Abuse Control and to list the field stations of that Bureau. Accordingly, under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), and pursuant to section 3(a)(1) of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1002), Part 2 is amended in the following respects:

1. Section 2.121 (31 F.R. 3008) is amended by revising paragraph (b) (1) and (4), by adding a new paragraph (b)(5), and by revising paragraphs (c), (d), and (e). The affected portions read as follows:

§ 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

* * * * *

(b) *Designations to hold informal hearings in districts.* (1) The Director of the Bureau of Regulatory Compliance is authorized to designate officers and employees to hold informal hearings under sections 305, 404(b), and 801(a) of the Federal Food, Drug, and Cosmetic Act, sections 7 and 14 of the Federal Hazardous Substances Labeling Act, and section 5 of the Federal Import Milk Act; and the Director of the Bureau of Drug Abuse Control is authorized to designate officers and employees to hold informal hearings under sections 305 and 801(a) of the Federal Food, Drug, and Cosmetic Act. These employees are delegated authority contemplated by section 1, 43 Stat. 803 (5 U.S.C. 521), section 13 of Reorganization Plan No. 1 of 1953, and section 7(b) of the Administrative Procedure Act (60 Stat. 241; 5 U.S.C. 1006) to administer to or take from any person an oath, affirmation, affidavit, or deposition for use in any prosecution or proceeding under or in the enforcement of any law as cited in this paragraph.

* * * * *

(4) The official credentials denominated as Form FD-200A, Form FD-200B, Form FD-200C, and Form FD-200D, described in subparagraphs (2), (3), and (5) of this paragraph are all superimposed with the seal of the Department of Health, Education, and Welfare, with blue imprint.

(5) Duly appointed and authorized agents of the Food and Drug Administration and all officers and employees of the Food and Drug Administration who have been issued the official credentials denominated as Form FD-200A entitled "Identification Record," which bears the description and photograph of the bearer, his signature, identification number, and the date of issuance, and Form FD-200D entitled "Specification of Agent Authority," which contains the name of and describes the general authority of the bearer, and the signature of the Commisisoner of Food and Drugs:

(i) Have been designated by the Commissioner of Food and Drugs to conduct examinations, inspections, and investigations; to collect and obtain samples; to have access to and to copy and verify records; and to supervise compliance operations, for the enforcement of the Federal Food, Drug, and Cosmetic Act, as amended. Further, they are specifically designated in accordance with section 702(e) of said act (21 U.S.C. 372(e)) to carry firearms, make arrests, execute seizures, and to perform certain other functions, all as set forth in said section.

(ii) Have been designated by the Commissioner of Food and Drugs to administer oaths and affirmations, under the Act of January 31, 1925, Chapter 124, section 1, 43 Stat. 803 (5 U.S.C. 521) and sections 12 to 15 of Reorganization Plan No. IV, effective June 30, 1940, and Reorganization Plan No. 1 of 1953, sections 1 to 9, effective April 11, 1953.

(c) *Authorization of officials to request samples of imports.* (1) The Director of the Bureau of Regulatory Compliance may authorize officials to request, pursuant to section 801(a) of the Federal Food, Drug, and Cosmetic Act, and section 14 of the Hazardous Substances Labeling Act, from the Secretary of the Treasury samples of foods, drugs, devices, cosmetics, or hazardous substances imported or offered for import, in order to determine whether such articles are in compliance with those acts.

(2) The Director of the Bureau of Drug Abuse Control may authorize officials to request, pursuant to section 801(a) of the Federal Food, Drug, and Cosmetic Act, from the Secretary of the Treasury samples of depressant or stimulant drugs imported or offered for import, in order to determine whether such articles are in compliance with that act.

(d) *Certification of true copies and use of Department seal.* The Director of the Bureau of Regulatory Compliance and the Director of the Bureau of Drug Abuse Control may certify true copies of documents and cause the seal of the Department of Health, Education, and Welfare to be affixed to such copies.

(e) *Delegations regarding disclosure of official records.* The Director of the Bureau of Regulatory Compliance, the Director of the Division of Case Supervision of that Bureau, the Director of the Bureau of Drug Abuse Control, and the Directors of the Division of Case Assistance and the Division of Investigations of that Bureau are authorized to make determinations to disclose official records and information in accordance with § 4.1 of this chapter.

* * * * *

2. The heading of § 2.173 *Field offices* (31 F.R. 3008) is changed to read as follows:

§ 2.173 District offices.

3. The following new section is added:

§ 2.174 Bureau of Drug Abuse Control field stations.

Food and Drug Administration, 441 West Peachtree Street, Atlanta, Ga., 30308.
Food and Drug Administration, 401 Water Street, Baltimore, Md., 21202.
Food and Drug Administration, 114 Federal Street, Boston, Mass., 02110.
Food and Drug Administration, U.S. Custom House, 610 South Canal Street, Chicago, Ill., 60607.
Food and Drug Administration, 1012 Commerce Street, Dallas, Tex., 75207.
Food and Drug Administration, 1826 California Street, Denver, Colo., 80202.
Food and Drug Administration, U.S. Courthouse, 811 Grand Avenue, Kansas City, Mo., 64106.
Food and Drug Administration, U.S. Courthouse, 312 North Spring Street, Los Angeles, Calif., 90012.
Food and Drug Administration, 346 Broadway, New York, N.Y., 10013.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a); sec. 3(a)(1), 60 Stat. 238; 5 U.S.C. 1002)

Dated: June 27, 1966.

J. K. KIRK, *Acting Commissioner of Food and Drugs.*

[F.R. Doc. 66-7178; Filed, June 28, 1966; 8:50 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH DRY FOOD

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6B1984) filed by E. I. du Pont de Nemours & Co., Inc., 1007 Market Street, Wilmington, Del., 19898, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of potassium titanate fibers as a component of paper and paperboard intended for use in contact with dry food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR

2.120; 31 F.R. 3008), § 121.2571(b)(2) is amended by inserting alphabetically in the list of substances a new item as follows:

§ 121.2571 Components of paper and paperboard in contact with dry food.

• • • • • •

(b) • • •

(2) • • •

List of substances	Limitations
• • •	• • •
Potassium titanate fibers produced by calcining titanium dioxide, potassium chloride, and potassium carbonate, such that the finished crystalline fibers have a nominal diameter of 0.20–0.25 micron, a length-to-diameter ratio of approximately 25:1 or greater, and consist principally of $K_2Ti_4O_9$ and $K_2Ti_6O_{13}$.	

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: June 22, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7092; Filed, June 28, 1966; 8:46 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Yellowstone National Park, Wyo.; Boating

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), 245 DM-1 (27 F.R. 6395), National Park Service Order No. 34 (31 F.R. 4255) Regional Director, Midwest Region, Order No. 4 (31 F.R. 5769), as amended, that § 7.13 of Title 36, Code of Federal Regulations, is amended as set forth below. The purpose of this amendment is to delete the prohibition against the operation of sailboats on park waters, and to delete the requirement that certain boats be operated only within one-quarter mile from the shore of any lake.

Inasmuch as the following amendment relaxes certain existing special regulations, it is exempt from the requirements as to advance publication of the Administrative Procedure Act, and shall become effective immediately upon publication in the FEDERAL REGISTER in order to give the public the benefits of its provisions as soon as possible.

Subparagraphs (3) and (6) of paragraph (d) of § 7.13 are deleted in their entirety.

§ 7.13 Yellowstone National Park.

• • • • • •

(d) *Boats*—• • •

(3) *Size and type limitation.* [Deleted]

• • • • • •

(6) *Special limits for small boats.* [Deleted]

• • • • • •

JOHN S. MCLAUGHLIN,
Superintendent, Yellowstone National Park.

[F.R. Doc. 66-7079; Filed, June 28, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 11—Coast Guard, Department of the Treasury

[CGFR-66-35]

PART 11-1—GENERAL

Subpart 11-1.3—General Policies

CONTRACTING OFFICER'S DECISION UNDER A DISPUTES CLAUSE

Pursuant to authority vested in me as Commandant, U.S. Coast Guard, by Treasury Department Order 167-17 (20 F.R. 4976) and Treasury Department Order 167-50 (28 F.R. 530):

Section 11-1.318 is added to read as follows:

§ 11-1.318 Contracting officer's decision under a disputes clause.

(a) When a final decision of the contracting officer concerns a dispute that is or may be subject to the Disputes Clause, include the following as the last paragraph in the decision in lieu of the paragraph set forth in § 1-1.318(a) of this title.

This is the final decision of the contracting officer. You may, in accordance with the provisions of the Disputes Clause, appeal from this decision. The notice of appeal must be in writing and the original with four copies must be mailed to or otherwise furnished to the contracting officer within thirty days from the date of receipt of this decision. Such notice should indicate that an appeal is intended, refer to this decision, identify the subject contract by number and furnish the name and duty station of the Government contracting officer. The Coast Guard Board of Contract Appeals is the duly authorized representative of the Secretary of the Treasury for hearing, considering and determining disputes arising under the Disputes Clause. The rules of the Coast Guard Board of Contract Appeals, a copy which is enclosed, are set forth in 41 CFR 11-60.

(b) See Chapter 1 of this title.

Dated: June 21, 1966.

[SEAL] W. J. SMITH,
Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 66-7118; Filed, June 28, 1966; 8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4032]

[Idaho 017100; 017101]

IDAHO

Withdrawal for National Forest Recreation Areas and Campgrounds

Correction

In F.R. Doc. 66-6432, appearing at page 8239 of the issue for Saturday, June 11, 1966, the second entry for section 26, under Wilderness Gateway Recreation Area, should be deleted and the following substituted therefor:

Sec. 34, N½NE¼NE¼, SW¼NE¼NE¼, NW¼NE¼, N½SW¼NE¼, SE¼SW¼NE¼, W½SE¼NE¼, E½NE¼NW¼ and NE¼SE¼NW¼.

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 958; Amdt. 2]

PART 95—CAR SERVICE

Norfolk & Western Railway Co. Authorized To Operate Over Trackage of Chesapeake & Ohio Railway Co.

At a session of the Interstate Commerce Commission, division 3, held at its office in Washington, D.C., on the 23d day of June A.D. 1966.

Upon further consideration of Service Order No. 958 (30 F.R. 2712, 16114) and good cause appearing therefore:

It is ordered, That:

Section 95.958 (Service Order No. 958) is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 95.958 Service Order No. 958.

• • • • • •

(e) *Expiration date.* This section shall expire at 11:59 p.m., December 31, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1966.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, division 3.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-7100; Filed, June 28, 1966; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1013]

[Docket No. AO–286–A8]

MILK IN SOUTHEASTERN FLORIDA MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order (Partial)

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Fort Lauderdale, Fla., on March 3–4, 1966, pursuant to notice thereof issued on February 10, 1966 (31 F.R. 2730).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator on May 27, 1966 (31 F.R. 7829; F.R. Doc. 66–6046) filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (31 F.R. 7829; F.R. Doc. 66–6046) are hereby approved and adopted and are set forth in full herein:

The material issues on the record of the hearing relate to:

1. Expansion of the marketing area.
2. Class prices.
3. Butterfat differentials.
4. Location differentials.
5. Classification.
6. Enabling a cooperative to be the handler on bulk tank milk.
7. Diversion of producer milk.
8. Miscellaneous and conforming changes.

This decision is concerned only with a portion (Class I price) of Issue 2. The remainder of that issue and all other issues at the hearing will be considered in a further decision.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

2. *Class prices*—(a) *Class I price.* The Class I price through June 1967 should be computed by adding $3.20 to a basic formula price. The Minnesota-Wisconsin manufacturing milk price series, which is the basic formula for determining the Class I price for Tampa Bay and 65 other Federal milk orders, should be the basic formula for the Southeastern Florida order.

The method of adding a differential to a basic formula price in determining the Class I price gives appropriate consideration to the economic factors underlying changes in the general level of prices for milk and manufactured dairy products. Basically, prices for milk used for fluid purposes have a direct relationship to the prices paid for milk used for manufacturing purposes.

A differential over manufacturing milk prices is necessary to cover the extra costs of meeting quality requirements in the production of market milk and transportation costs to the fluid market and to furnish the necessary incentive for dairy farmers to produce and deliver adequate supplies for the needs of the market.

Producers proposed that the Class I price be computed by adding a specific differential to the Minnesota-Wisconsin manufacturing milk price series. This series is based on prices paid at a large number of manufacturing plants in the two states. Plant operators report the total pounds of manufacturing grade milk received from farmers, the total butterfat content and the total dollars paid to dairy farmers for such milk f.o.b. plants. These prices are reported on a current month basis and the announced Minnesota-Wisconsin price is available by the fifth day of the following month. The various Federal order markets in which the Minnesota-Wisconsin price series is used as a basic formula price include markets that serve as sources of supplemental milk for Southeastern Florida handlers.

The Class I price is now obtained by adding or subtracting a monthly supply-demand adjustment to $6.625. The price thus obtained may not, however, exceed by more than $4.00 the Midwest condensery price or be less than that price plus $2.75. For the 4 years through December 1965, the Southeastern Florida Class I price averaged $6.37. For 1962, it was $6.38; $6.39 in 1963; $6.33 in 1964; and $6.39 in 1965.

Producers proposed that the Class I price be the Minnesota-Wisconsin price for the preceding month plus an average differential of $3.30. Such differential would be $3.15 March through July and $3.40 August through February. As proposed by producers, the supply-demand provisions of the order would be discontinued. Producers claim that their proposed Class I price, which is 30 cents above Tampa Bay, is necessary to maintain an appropriate alinement with the Tampa Bay Class I price. In further support of an increased Class I price, producers state that their cost prices f.o.b. the Southeastern Florida market for supplemental milk supplies in the past year were higher than the order Class I prices.

Handlers opposed any change in the Class I pricing provisions that would increase the level of the Class I price. They contend that the supplies of milk for the market are generally ample and that there has been no perceptible decline in production relative to the market's Class I requirements. Handlers also pointed out that relatively negligible quantities of milk were imported from outside sources on an annual basis to meet the market's Class I needs. In response to producers' claim that the importation of supplies indicated that production for the market was not adequate, handlers argue that the increased production on an annual basis locally to replace the imports would be uneconomical for producers. They stated further that producers are aware of this and consider it to be in their best interest to maintain the current rate of production relative to the market's requirements. Handlers had no objection to using the Minnesota-Wisconsin milk price series as the basic formula price, providing the Class I price would be no higher than the Minnesota-Wisconsin price for the preceding month plus $3.00 modified by the present supply-demand provisions of the order.

The present method of determining the Southeastern Florida Class I price is inappropriate under current marketing conditions. Maintaining a stated amount ($6.625) as a basic Class I price fails to give consideration to the basic economic factors affecting milk prices. Class I prices in nearby Tampa Bay and in other Federal orders (including those that serve as alternative sources of supply for Southeastern Florida handlers) are based on the market prices of manufacturing grade milk. As the prices for manufacturing milk increase, as they have in recent months, the increase is reflected in the Class I prices in practically all Federal orders except Southeastern Florida.

On an annual basis, the Minnesota-Wisconsin series as a basic formula was relatively stable from 1962, when it averaged $3.12, to 1965 when it was $3.26. Since the fall of 1965, however, when production nationally declined precipitously, the Minnesota-Wisconsin price, as did other manufacturing milk prices, rose sharply. For December 1965 and January and February 1966, the Minnesota-Wisconsin prices of $3.47, $3.47, and $3.58 averaged 25 cents above the $3.29, $3.25, and $3.22 prices for the corresponding months a year earlier. These prices, as all other Minnesota-Wisconsin prices referred to herein, are on a 3.5-percent butterfat basis.

Since the Class I price for the current month is announced by the fifth day of the month, the basic formula price should be the Minnesota-Wisconsin price for the preceding month. For the 4-year period ending November 1965, the Minnesota-Wisconsin price averaged $3.16. As a

basic formula for the 4 years, it would have averaged $3.12 in 1962, $3.10 in 1963, $3.17 in 1964, and $3.26 in 1965. The Southeastern Florida Class I price averaged $6.37 for the same 4-year period. If the Minnesota-Wisconsin price plus $3.20 as herein proposed were the effective Class I price in 1962 through 1965, it would have obtained an average price of $6.36, approximately the same as the average order price for the 4-year period.

The $3.20 Class I differential herein proposed is 20 cents above the comparable differential in the Tampa Bay order. However, the Tampa Bay order provides that its Class I price may not be higher than the Southeastern Florida Class I price for the same month. Because of the recent sharp increase in the Minnesota-Wisconsin price series (on which the Tampa Bay Class I price is based) the Tampa Bay Class I price, since its inception, has been the same as the Southeastern Florida Class I price. Southeastern Florida producers claim that it is inappropriate to maintain the prices in these two orders at the same level. Tampa Bay, they state, is closer to the alternative sources of supply, from which supplemental milk must be obtained, and argue that this justifies Southeastern Florida Class I price 30 cents higher than that for Tampa Bay.

The Southeastern Florida Class I price must give appropriate recognition to the competition of Southeastern Florida and Tampa Bay handlers, both in the procurement of supplies and in Class I sales. A majority of the milk under both the Southeastern Florida and Tampa Bay orders is produced in an area that is about equally accessible to both markets. Hence, a Southeastern Florida Class I price that is too low in relation to the Tampa Bay Class I price would place Southeastern Florida handlers at a disadvantage in keeping producers in this area where the milksheds for the two markets overlap. Likewise, a wide difference between the Southeastern Florida and Tampa Bay Class I prices would give an unwarranted advantage to handlers in the "under-priced" market.

The Tampa Bay marketing area's being closer to alternative sources of supply does not per se justify a substantially higher Southeastern Florida Class I price. On the other hand, a disparate difference between the Class I price in these markets over an extended period of time could result in chaotic marketing conditions in the area. The 30-cent spread between the Tampa Bay and Southeastern Florida Class I price requested by producers would tend to contribute to this end.

In urging that the present supply-demand provisions be eliminated from the order, producers emphasized that a supply-demand formula should be based on the producer deliveries and Class I sales for a larger region than the Southeastern Florida market, such as the aggregate receipts and sales for Southeastern Florida and Tampa Bay. The Tampa Bay order has been fully effective only since January of this year. Hence, adequate data are not yet available on which to base a supply-demand formula that would be applicable to that order. Consideration was given to this fact when establishing the Class I pricing provisions in the Tampa Bay order. It was concluded at that time that a supply-demand formula should not be incorporated into the order before at least 1 year's data on supply and sales had been accumulated. For that reason, the Tampa Bay Class I price was made effective for only the first 18 months of the order, through June 1967. It is appropriate, therefore, that the proposed Southeastern Florida Class I price not be made applicable beyond that month. This will make it possible to consider comprehensively the Class I pricing structure of the two orders at a public hearing to provide for Class I pricing after June 1967. At that time, sufficient data will be available to give adequate consideration to a single supply-demand formula for the two orders.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The party prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Southeastern Florida Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Southeastern Florida Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of April 1966, is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Southeastern Florida marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on June 24, 1966.

JOHN A. BAKER,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Southeastern Florida Marketing Area

§ 1013.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

(a) *Findings upon the basis of the*

Order relative to handling. It is there-

manufacturing grade milk, f.o.b. plants

Notices

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Southeastern Florida marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Southeastern Florida marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator on May 27, 1966 and published in the FEDERAL REGISTER on June 2, 1966 (31 F.R. 7829; F.R. Doc. 66-6046), shall be and are the terms and provisions of this order, and are set forth in full herein:

1. In § 1013.50, paragraphs (b) and (c) are revoked and paragraph (a) is revised to read as follows:

§ 1013.50 Class prices.

* * * * *

(a) *Class I price.* From the effective date of this paragraph through June 1967, the Class I price shall be the basic formula price for the preceding month plus $3.20.

(b) [Revoked].

(c) [Revoked].

* * * * *

2. Add a new § 1013.50-a to read as follows:

§ 1013.50-a Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential (rounded to the nearest one-tenth cent) at the rate of the Chicago butter price times 0.12 and rounded to the nearest cent.

[F.R. Doc. 66-7091; Filed, June 28, 1966; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 510]

[Docket No. 66-31]

PRACTICES OF INDEPENDENT OCEAN FREIGHT FORWARDERS, OCEAN FREIGHT BROKERS, AND OCEAN-GOING COMMON CARRIERS

Notice of Extension of Time

JUNE 24, 1966.

Notice is hereby given that the Federal Maritime Commission has extended until the close of business July 8, 1966, the time for interested parties to answer the "Reply to Comments" filed by the Commission's Office of Hearing Counsel in the above docketed proceeding.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-7116; Filed, June 28, 1966; 8:48 a.m.]

Notices

DEPARTMENT OF COMMERCE

Maritime Administration

[Report 73]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through June 14, 1966, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Total, all flags (252 ships)	1,795,195
British (73 ships)	545,604
**Agate (trips to Cuba under ex-name, Dairen—British).	
**Amalia (now Maltese).	
**Amazon River (now River—sold to Dutch breakers)	7,234
Antarctica	8,785
Arctic Ocean	8,791
Ardenode	7,036
Ardgem	6,981
**Ardmore (now Kali Elpis—British)	4,664
Ardpatrick	7,054
Ardrosmore	5,820
Ardrowan	7,300
Ardsirod	7,025
Ardtara	5,795
**Arlington Court (now Southgate—British).	
Athelcrown (tanker)	11,149
Athelduke (tanker)	9,089
Atheliknight (tanker)	9,087
Athelmere (tanker)	7,524
Athelmonarch (tanker)	11,182
**Athelsultan (tanker—broken up)	9,149
Avisfaith	7,868
Baxtergate	8,813
Cheung Chau	8,566
Chipbee (sold for scrap)	7,271
**Cosmo Trader (trips to Cuba under ex-name, Ivy Fair—British).	
**Dairen (now Agate—British)	4,939
**East Breeze (now Phoenician Dawn—British)	8,708
Eastfortune	8,789
Elicos	7,134
Formentor	8,424
Fortune Enterprise	7,284
**Free Enterprise (now Cypriot).	
**Free Merchant (now Cypriot).	
**Garthdale (now Jeb Lee—British)	7,542
Grosvenor Mariner	7,026
Hazelmoor	7,907
Helka	2,111
Hemisphere	8,718
Ho Fung	7,121
Inchstaffa	5,255
Inchstuart	7,043
Ivy Fair (now Cosmo Trader—British—broken up)	7,201
**Jeb Lee (trip to Cuba under ex-name, Garthdale—British).	
Jollity	8,660
**Kali Elpis (trips to Cuba under ex-name, Ardmore—British).	
Kinross	5,388
La Hortensia	9,486
Linkmoor	8,236
Magister	2,339
Nancy Dee	6,597
Nebula	8,924
**Newdene (now Free Navigator—Cypriot).	
**Newforest (now Cypriot).	
Newgate	6,743
Newglade	7,368
**Newgrove (now Cypriot).	
Newheath	7,643
Newhill	7,855
Newlane	7,043
**Newmeadow (now Cypriot).	
Newmoat	7,151
Newmoor	7,168
Nils Amelon	6,281
Oceantramp	6,185
Oceantravel	10,477
Peony	9,037
**Phoenician Dawn (trips to Cuba under ex-name, East Breeze—British).	
**Redbrook (now E. Evangelia—Greek)	7,388
Ruthy Ann	7,361
**St. Antonio (now Maltese).	
Sandsend	7,236
Santa Granda	7,229
Sea Amber	10,421
Sea Coral	10,421
Sea Empress	8,941
Seasage	4,330
Shienfoon	7,127
**Shun Fung (wrecked)	7,148
**Soclyve (now Maltese).	
**Southgate (previous trips to Cuba under ex-name, Arlington Court—British)	9,662
Stanwear	8,108
Suva Breeze (now Cathay Trader—Panamanian)	4,970
**Swift River (now Kallithea—Cypriot).	
**Timios Stavros (now Maltese flag—previous trips to Cuba—Greek).	
Venice	8,611
Vercharmian	7,265
Vergmont	7,381
Yungfutary	5,388
Yunglutaton	5,414
Zela M.	7,237
Lebanese (55 ships)	374,134
Aiolos II	7,256
Ais Giannis	6,997
**Akamas (now Cypriot).	
Al Amin	7,186
Alaska	6,989
Anthas	7,044
Antonis	6,259
**Ares (constructive total loss)	4,557
Areti	7,176
Aristefs	6,995
Astir	5,324
Athamas	4,729
**Carnation (sold Spanish breakers)	4,884
Claire	5,411
Cris	6,032
Dimos	7,187
**E. Myrtidiotissa (aground, Trips to Cuba under ex-name, Kalliopi D. Lemos—Lebanese).	
**Free Trader (now Cypriot).	
Georgios M. II	5,028
Giannis	5,270
Giorgos Tsakiroglou	7,240
Granikos	7,282
Ilena	5,925
Ioannis Aspiotis	7,297
**Kalliopi D. Lemos (now E. Myrtidiotissa—Lebanese)	5,103
Katerina	9,357
Leftric	7,176
Malou	7,145
Mantric	7,255
**Maria Despina (broken in two)	7,254
Maria Renee	7,203
Marichristina	7,124
**Marymark (sold German shipbreakers)	4,383
Mersinidi	6,782
Mousse	9,307
Nictric	7,296
Noelle	7,251
**Noemi (aground)	7,070
Olga	7,199
Panagos	7,133
Parmarina	6,721
**Razani (broken up)	7,253
**Reneka (now San Carlo—Panamanian flag)	7,250
Rio	7,194
**St. Anthony (broken up)	5,349
St. Nicolas	7,165
San Spyridon	7,260
**Sheik Boutros (trips to Cuba under ex-name, Cavtat—Yugoslav).	
Stevo	7,066
Taxiarhis	7,349
Tertric	7,045
Theodoros Lemos	7,198
Tony	7,176
Toula	6,426
Troyan	7,243
Vassiliki	7,192
Vastric	6,751
Vergolivada	6,339
Yanxilas	10,051
Greek (36 ships)	268,450
Agios Therapon	5,617
Akastos	7,331
Alice	7,189
**Ambassade (sold Hongkong ship breakers)	5,600
Americana	7,104
Anacreon	7,359
**Anatoli (now Sunrise—Cypriot).	
**Andromachi (previous trips to Cuba under ex-name, Penelope—Greek)	6,712

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

Flag of Registry and Name of Ship	Gross Tonnage
Greek—Continued	
**Antonia (now Amfithea—Cypriot)	9,744
Apollon	7,216
Athanassios K	7,064
Barbarino	7,249
Calliopi Michalos	8,418
**Embassy (broken up)	
**E. Evangelia (trips to Cuba under ex-name, Redbrook—British)	10,865
Eftychia	7,244
**Flora M. (now Liberian)	
**Gloria (now Helen—Greek)	
**Helen (previous trips to Cuba under ex-name, Gloria—Greek)	7,128
Irena	7,232
Istros II	7,275
**Kapetan Kostis (broken up)	5,032
**Kyra Harikila (broken up)	6,888
**Maria Theresa (now Ingrid Anne—South African)	7,245
Marigo	7,147
**Maroudio (now Thalie—Panamanian)	7,369
**Mastro-Stelios II (now Wendy H.—South African)	7,282
**Nicolaos F. (previous trip to Cuba under ex-name, Nicolaos Frangistas—Greek)	7,199
**Nicolaos Frangistas (now Nicolaos F.—Greek)	
Nikolis M	7,176
**Pamit (now Bambero—Liberian)	3,929
Pantanassa	7,131
Paxoi	7,144
**Penelope (now Andromachi—Greek)	
**Presvia (broken up)	10,820
Redestos	5,911
Roula Maria (tanker)	10,608
**Seirios (broken up)	7,239
Sophia	7,030
**Stylianos N. Vlassopulos (now Antonia II—Cypriot)	7,303
**Timios Stavros (formerly British flag now Maltese)	
Tina	7,362
Western Trader	9,268
Polish (18 ships)	136,680
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin	9,148
Chorzow	7,237
Energetyk	10,843
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
Huta Zgoda	6,840
Hutnik	10,897
Kopalnia Bobrek	7,221
Kopalnia Czeladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Piast	3,184
Transportowiec	10,880
Cypriot (17 ships)	114,825
Acme	7,159
Adelphos Petrakis	7,170
**Akamas (previous trips to Cuba—Lebanese)	7,285
**Aktor (sunk)	6,993
Amfiali	7,110
**Amfithea (previous trip to Cuba under ex-name, Antonia—Greek)	5,171

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

Flag of Registry and Name of Ship	Gross Tonnage
Cypriot—Continued	
**Antonia II (trip to Cuba under ex-name, Stylianos N. Vlassopulos—Greek)	7,247
Artemida	5,949
El Toro	
**Free Enterprise (previous trips to Cuba—British)	6,807
**Free Merchant (previous trips to Cuba—British)	5,237
**Free Navigator (previous trips to Cuba under ex-name, Newdene—British)	7,181
**Free Trader (previous trips to Cuba—Lebanese)	7,067
**Kallithea (previous trips to Cuba under ex-name, Swift River—British)	7,251
**Newforest (previous trips to Cuba—British)	7,185
**Newgrove (previous trips to Cuba—British and Haitian)	7,172
**Newmeadow (previous trips to Cuba—British)	5,654
**Sunrise (previous trips to Cuba under ex-name, Anatoli—Greek)	7,187
Italian (15 ships)	123,058
Achille	6,950
Agostino Bertani	8,380
**Andrea Costa (tanker—broken up)	10,440
Aspromonte	7,154
Caprera	7,189
*Elia (tanker)	11,377
**Geremia (previous trips to Cuba under ex-name, Mariasusanna—Italian)	2,479
Giuseppe Giulietti (tanker)	17,519
**Graziella Zeta (trips to Cuba under ex-name, Montiron—Italian)	1,595
**Mariasusanna (now Geremia—Italian)	7,173
**Montiron (now Graziella Zeta—Italian)	8,427
Nazareno	9,284
Nino Bixio	12,461
San Francesco	9,278
San Nicola (tanker)	3,352
Santa Lucia	
**Somalia (now Chenchang—Nationalist Chinese)	
Yugoslav (9 ships)	60,800
Bar	7,233
**Cavtat (now Sheik Boutros—Lebanese)	7,266
Cetinje	7,200
Dugi Otok	6,997
Kolasin	7,217
Mojkovac	7,125
Plod	3,657
Promina	6,960
**Trebisnjica (wrecked)	7,145
French (8 ships)	41,476
Arsinoe (tanker—sunk)	10,426
Circe	2,874
Enee	1,232
Foulaya	3,739
Mungo	4,820
Nelee	2,874
**Neve (now Drameoumar—Guinean)	852
*Senanque (tanker)	14,659

*Added to Rept. No. 72, appearing in the FEDERAL REGISTER issue of June 4, 1966.

Flag of Registry and Name of Ship	Gross Tonnage
Moroccan (5 ships)	35,828
Atlas	10,392
**Banora (sunk)	3,082
Marrakech	3,214
Mauritanie	10,392
Toubkal	8,748
Maltese (5 ships)	33,788
**Amalia (previous trips to Cuba—British)	7,304
Ispahan	7,156
**St. Antonio (broken up, previous trip to Cuba—British)	6,704
**Socilyve (previous trips to Cuba—British)	7,291
**Timios Stavros (previous trips to Cuba—British and Greek)	5,333
Finnish (4 ships)	32,919
Augusta Paulin	7,096
**Hermia (trip to Cuba under ex-name, Amfred—Swedish)	
Margrethe Paulin	7,251
Ragni Paulin	6,823
Sword (tanker)	11,749
Netherlands (2 ships)	999
Meike	500
Tempo	499
Norwegian (2 ships)	10,002
Ole Bratt	5,252
**Tine (now Jezreel—Panamanian flag—wrecked)	4,750
Swedish (2 ships)	9,318
**Amfred (now Hermia—Finnish)	2,828
**Dagmar (now Bali Mariner—Panamanian)	6,490
Monaco (1 ship)	7,314
Saint Lys	7,314
Guinean:	
**Drameoumar (trip to Cuba under ex-name, Neve—French)	
Haitian:	
**Newgrove (now Cypriot)	
Liberian:	
**Bambero (trips to Cuba under ex-name, Pamit—Greek)	
**Flora M. (trips to Cuba—Greek)	
Nationalist Chinese:	
**Chenchang (trip to Cuba under ex-name, Somalia—Italian)	
Panamanian:	
**Bali Mariner (trips to Cuba under ex-name, Dagmar—Swedish)	
**Jezreel (trip to Cuba under ex-name, Tine—Norwegian—wrecked)	
**Cathay Trader (trips to Cuba under ex-name, Suva Breeze—British)	
**San Carlo (trip to Cuba under ex-name, Reneka—Lebanese)	
**Thalie (trip to Cuba under ex-name, Maroudio—Greek)	
South African:	
**Wendy H. (trip to Cuba under ex-name, Mastro-Stelios II—Greek)	
**Ingrid Anne (trip to Cuba under ex-name, Maria Theresa—Greek)	

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessels under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c) and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of Registry and Name of Ship	Gross tonnage
a. Since last report:	
Cypriot (2 ships)	12,417
Alexandros	7,245
Ledra (ex-name San John—Lebanese)	5,172
Lebanese (2 ships)	10,373
Agia Sophia	3,106
San George	7,267

b. Previous reports:	Number of ships
Flag of registry (total)	91
British	39
Danish	1
Finnish	2
French	1
German (West)	1
Greek	25
Israeli	1
Italian	5
Japanese	1
Kuwaiti	1
Lebanese	3
Norwegian	4
Spanish	6
Swedish	1

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through June 14, 1966.

Flag of registry	Number of trips										Total
	1963	1964	1965	1966							
				Jan.	Feb.	Mar.	Apr.	May	June		
British	133	180	125	5	11	11	11	9	1		497
Lebanese	64	91	68	3	3	4	3	1			239
Greek	99	27	23	5	2	2	3				159
Italian	16	20	24	2			2	1			65
Yugoslav	12	11	15		2	1	2	1			44
Cypriot		1	17	1	6	4	2	1			32
French	8	9	9					1			27
Spanish	8	17									25
Norwegian	14	10									24
Moroccan	9	13	1								23
Finnish	1	4	5	1	2		2	1			16
Maltese		2	6	1							9
Netherlands		4	2								6
Swedish	3	3									6
Kuwaiti		2	1								3
Israeli			2								2
Danish	1										1
German (West)	1										1
Haitian			1								1
Japanese	1										1
Monacan				1							1
Subtotal	370	394	390	16	27	22	27	15	1	1,162	
Polish	18	16	12		2	1	1	1		51	
Grand total	388	410	402	16	29	23	28	16	1	1,213	

NOTE: Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data become available.

By order of the Deputy Maritime Administrator.

Dated: June 21, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-7179; Filed, June 28, 1966; 8:50 a.m.]

Office of the Secretary

[Dept. Order 90-B; Amdt. 1]

NATIONAL BUREAU OF STANDARDS

Organization and Functions

The material appearing at 31 FR 8083-8086 of June 8, 1966, is hereby amended as follows:

Department Order 90-B of May 16, 1966, is hereby amended as follows:

SECTION 9. *Institute for applied technology.* Paragraph .05 is amended to read:

".05 The Center for Computer Sciences and Technology conducts research and provides technical services to the Administrator of General Services (with respect to his responsibilities under Public Law 89-306) and to other Government agencies on request designed to aid in improving cost effectiveness in the conduct of their programs through the selection, acquisition, and effective utilization of automatic data processing equipment. The major functions of the Center in the automatic data processing field involve: (a) Providing advisory and consultative services to executive agencies on the methods for developing information systems based on the use of computers and the programing and languages thereof; (b) undertaking research in computer sciences and techniques, including system design, oriented primarily toward Government applications; (c) providing day-to-day guidance and monitorship of an executive branch program for supporting the development, measurement, and testing of voluntary commercial standards for automatic data processing equipment, techniques, and computer languages; and (d) improving compatability in automatic data processing equipment procured by the Federal Government by recommending uniform Federal standards for automatic data processing equipment, techniques, and computer languages. Functions of the organization units of the Center are:"

(Subparagraphs .05a through .05h, remain unchanged.)

Effective date: June 17, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-7076; Filed, June 28, 1966; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES 0309; Survey Group 140]

FLORIDA

Notice of Filing of Plat of Survey

JUNE 22, 1966.

The plat of survey of fractional section 1, T. 39 S., R. 23½ E., Tallahassee Meridian, Fla., accepted on August 23, 1965, will be officially filed in this office effective at 10 a.m., on August 1, 1966.

The land is described as:

T. 39 S., R. 23½ E., Tallahassee Meridian, Florida, fractional sec. 1,

Containing 35.58 acres.

Subject to any valid existing rights and the requirements of applicable law, the land described above is opened to filing of application, selection and petition, on the effective date of the filing of the plat.

All inquiries relating to the land should be sent to the Manager, Eastern States Land Office, Bureau of Land Management, Washington, D.C., 20240.

DORIS A. KOIVULA,
Manager, Land Office.

[F.R. Doc. 66-7078; Filed, June 28, 1966; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G–3673, etc.]

PETROLEUM, INC. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates and Pending Certificate Application [1]

JUNE 21, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 14, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G–3673 D 6–13–66	Petroleum, Inc., 300 West Douglas, Wichita, Kans., 67202.	Cities Service Gas Co., Hugoton Field, Kearney County, Kans.	Assigned	.....
G–8582 D 6–13–66	....do....	Kansas-Nebraska Natural Gas Co., Inc., Hugoton Field, Finney County, Kans.	Assigned	.....
G–8880 C 6–13–66	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla., 74102.	Texas Eastern Transmission Corp., Thomaston Field, De Witt County, Tex.	[2] 14.3733	14.65
G–10474 D 6–13–66	Petroleum, Inc.	Northern Natural Gas Co., Hugoton Field, Finney County, Kans.	Assigned	.....
G–16139 D 4–4–66	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla., 74102 (partial abandonment).	Transwestern Pipeline Co., acreage in Ochiltree County, Tex.	Depleted	.....
G–16218 D 4–4–66	Gulf Oil Corp. (Operator), et al. (partial abandonment).	Transwestern Pipeline Co., Laverne Field, Harper County, Okla.	Uneconomical	.....
G–17951 [3] D 2–14–66	Tidewater Oil Co., Post Office Box 1404, Houston, Tex., 77001 (partial abandonment).	Transwestern Pipeline Co., Southwest Como Field, Beaver County, Okla.	Uneconomical	.....
G–18141 C 4–21–66	Southern Petroleum Exploration, Inc., Post Office Box 192, Sistersville, W. Va., 26175.	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	13.0	15.025
CI61–752 D 6–3–66 [4]	Atlantic Richfield Co., [5] Post Office Box 2819, Dallas, Tex., 75221.	Michigan Wisconsin Pipe Line Co., Woodward Area Field, Major and Woodward Counties, Okla.	Assigned	.....
CI61–752 D 6–6–66 [4]	....do....	Michigan Wisconsin Pipe Line Co., Woodward Area Field, Woodward County, Okla.	Assigned	.....
CI62–1308 D 6–8–66	The R. W. Rine Drilling Co. (Operator and Agent), et al., 420 Union Center Bldg., Wichita, Kans., 67202 (partial abandonment).	Panhandle Eastern Pipe Line Co., Council Grove Field, Pratt County, Kans.	Depleted	.....
CI63–1162 D 6–13–66	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001.	Northern Natural Gas Co., Como Area, Beaver County, Okla.	Assigned	.....
CI64–175 C 6–13–66	Pan American Petroleum Corp. (Operator), et al., Post Office Box 591, Tulsa, Okla., 74102.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI65–258 D 6–6–66	Tidewater Oil Co., Post Office Box 1404, Houston, Tex., 77001 (partial abandonment).	Lone Star Gas Co., East Cruce Field, Stephens County, Okla.	[6]	.....
CI65–872 C 12–6–65	Texas American Oil Corp., 300 Wall St., Midland Savings Bldg., Midland, Tex., 79701.	Northern Natural Gas Co., Ozona (Canyon) Southwest Field, Crockett County, Tex.	16.0	14.65
CI65–872 C 1–26–66 as amended 5–3–66	....do....	Northern Natural Gas Co., Ozona Canyon Sand Field, Crockett County, Tex.	16.0	14.65
CI66–471 A 12–6–65	....do....	Northern Natural Gas Co., Ozona (Canyon) Southwest Field, Crockett County, Tex.	16.0	14.65
CI66–595 C 6–13–66	Sydney Spofforth, 339 West Jefferson St., Joliet, Ill., 60435.	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI66–603 A 1–10–66 [7]	Carl M. McKnown, et al., Spencer, W. Va.	Equitable Gas Co., Glenville District, Gilmer County, W. Va.	16.0	15.325
CI66–895 [8] A 3–25–66	The Estate of Ralph Lowe, et al., [9] c/o Charles L. Morgan, attorney, Midland Tower Bldg., Post Office Box 832, Midland, Tex., 79701.	Northern Natural Gas Co., Coyanosa Field, Pecos County, Tex.	16.5	14.65
CI66–1240 A 5–31–66 [7]	Rhoades Oil Co., 900 Mid-Continent Bldg., Tulsa, Okla., 74101.	Lone Star Gas Co., acreage in Garvin County, Okla.	7.0	14.65
CI66–1241 A 5–31–66 [7]	....do....	....do....	7.0	14.65
CI66–1249 A 6–8–66	Tuferhoff Development Co., Willard E. Ferrell, agent, Post Office Box 5066, Philadelphia, Pa., 19111.	Equitable Gas Co., Union District, Ritchie County, W. Va.	25.0	15.325
CI66–1250 A 6–8–66	Columbian Fuel Corp., et al., 401 Dewey Ave., Bartlesville, Okla., 74004.	Consolidated Gas Supply Corp., acreage in Jefferson County, Pa.	27.5	15.325
CI66–1251 A 6–8–66	F. M. Chisler, Fairview, W. Va., 26570.	Harry C. Boggs Natural Gas Co., Birch District, Braxton County and Washington District, Calhoun County, W. Va.	22.0	15.325
CI66–1253 A 6–7–66	Kingwood Oil Co., 1470 First National Bldg., Oklahoma City, Okla.	Northern Natural Gas Co., North Ivanhoe Field, Beaver County, Okla.	17.0	14.65
CI66–1254 B 6–3–66	Northern Natural Gas Producing Co., Post Office Box 2444, Houston, Tex., 77001.	El Paso Natural Gas Co., Ingham (Devonian) Field, Crockett County, Tex.	Depleted	.....
CI66–1255 A 6–6–66	J. M. Huber Corp., 2401 East Second Ave., Denver, Colo., 80206.	Panhandle Eastern Pipe Line Co., Mocane Field, Beaver County, Okla.	17.0	14.65
CI66–1256 A 6–6–66	Wood Oil Co., 800 Midstates Bldg., Tulsa, Okla., 74103.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[10] 17.0	14.65
CI66–1257 A 6–9–66	Jake L. Hamon (Operator) et al., 3900 Republic National Bank Tower, Post Office Box 663, Dallas, Tex., 75221.	United Gas Pipe Line Co., Northwest Corpus Channel Field, Nueces County, Tex.	16.0	14.65
CI66–1258 A 6–9–66	Gulf Oil Corp. (Operator), et al., Post Office Box 1589, Tulsa, Okla., 74102.	Michigan Wisconsin Pipe Line Co., Northeast Cheyenne Valley Field, Major County, Okla.	[11] 17.0	14.65
CI66–1259 A 6–9–66	Atlantic Richfield Co., [5] Post Office Box 2819, Dallas, Tex., 75221.	Trunkline Gas Co., East Bancroft Field, Beauregard Parish, La.	17.0	15.025

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66–1260 A 6–10–66	Tenneco Oil Co., Post Office Box 2511, Houston, Tex., 77001.	Tennessee Gas Transmission Co., [12] South Borosa Field, Starr County, Tex.	[13] 14.6	14.65
CI66–1261 A 6–10–66	....do....	El Paso Natural Gas Co., Jicarilla Area, Rio Arriba County, N. Mex.	12.0	15.025
CI66–1262 A 6–13–66	Barnwell Production Co., Post Office Box 1748, Shreveport, La., 75701.	Arkansas Louisiana Gas Co., Excelsior Field, Marion County, Tex.	12.8	14.65
CI66–1263 A 6–13–66	Texaco Inc. (Operator), et al., Post Office Box 52332, Houston, Tex., 77052.	Southern Natural Gas Co., South Pass Block 27 and Garden Island Bay Fields, Plaquemines Parish, La.	19.0	15.025
CI66–1264 A 6–13–66	Shell Oil Co., 50 West 50th St., New York, N.Y., 10020.	Panhandle Eastern Pipe Line Co., Northeast Gage and Tangier Fields, Ellis and Woodward Counties, Okla.	[14] 17.0	14.65
CI66–1265 A 6–13–66	James Zallea, et al., 4404 Emerson Rd., Wilmington, Del., 19802.	El Paso Natural Gas Co., Mesa Verde Formation, Rio Arriba County, N. Mex.	[15] 12.0	15.025
CI66–1266 A 6–13–66	An-Son Corp., 3814 North Santa Fe, Oklahoma City, Okla., 73118.	Northern Natural Gas Co., Mocane-Laverne Field, Beaver County, Okla.	17.0	14.65
CI66–1267 A 6–13–66	Continental Oil Co., Post Office Box 2197, Houston, Tex., 77001.	Arkansas Louisiana Gas Co., Danville Area, Bienville Parish, La.	[16] 18.333	15.025
CI66–1272 A 6–13–66	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla., 74102.	Texas Gas Transmission Corp., West Arcadia Field, Bienville Parish, La.	[16] 18.26	15.025
CI66–1273 A 6–14–66	Helen H. Feldman, Gertrude M. Reilly, and Raymond J. Gertz, Trustees, Estate of Joseph Feldman, 8150 Beverly Boulevard, Los Angeles, Calif, 90048.	Mississippi River Transmission Corp., Hico-Knowles Field, Lincoln Parish, La.	[16] 11.57	15.025
CI66–1278 A 6–15–66	Shell Oil Co., 50 West 50th St., New York, N.Y., 10020.	Northern Natural Co., Ellwood, Catesby, Chaney, and Checkerboard Fields, Ellis, County, Okla.	[17] 17.0	14.65
CI66–1279 A 6–15–66	Edwin L. Cox, Operator, 38th Floor, First National Bank Bldg., Dallas, Tex., 75202.	Valley Gas Transmission, Inc., Sejita Field Area, Duval County, Tex.	15.0	14.65
CI66–1280 A 6–15–66	Phillips Petroleum Co., Bartlesville, Okla., 74003.	Southern Natural Gas Co., Kelly Field, Jackson Parish, La.	16.0	15.025
CI66–1281 A 6–14–66	Apache Corp., 823 South Detroit, Tulsa, Okla., 74102.	Transwestern Pipeline Co., Mammoth Creek Southwest Field, Lipscomb County, Tex.	17.0	14.65
CI66–1282 (G–8789) F 6–3–66	Edwin L. Cox, Operator (successor to Colorado Oil & Gas Co.).	Colorado Interstate Gas Co., Greenwood Area, Morton County, Kans.	17.0	14.65
CI66–1283 A 6–14–66	Shell Oil Co.	Cities Service Gas Co., South Bishop Field, Ellis County, Okla.	17.0	14.65
CI66–1284 A 6–14–66	Texaco Inc., Post Office Box 52332, Houston, Tex., 77052.	Kansas-Nebraska Natural Gas Co., Inc., Arrow Field, Washington County, Colo.	[18] 10.0	16.4
CI66–1285 A 6–10–66	C. C. Coulston, d.b.a., Coulston Drilling Co., Box 1243, Tyler, Tex., 75701.	Arkansas Louisiana Gas Co., Excelsior Field, Marion County, Tex.	12.8	14.65
CI66–1286 A 6–10–66	Robert P. Lammerts, 125 Park Ave., Oklahoma City, Okla., 73102.	Panhandle Eastern Pipe Line Co., Mocane-Laverne Area, Beaver County, Okla.	17.0	14.65

[1] Rate in effect subject to refund in Docket No. RI63–415.
[2] No permanent certificate issued—temporary authorization granted only.
[3] Formerly the Atlantic Refining Co.
[4] Deletes acreage assigned to Pan American Petroleum Corp.
[5] Deletes acreage assigned to Socony Mobil Oil Co., Inc. (now Mobil Oil Corp.).
[6] Deletes acreage from which low pressure gas will not deliver into Buyer's line.
[7] This is a June 7, 1966 sale.
[8] By letter filed May 2, 1966 Applicant agreed to accept permanent certificate conditioned as Opinion No. 468, as modified by Opinion No. 468–A.
[9] Subject to upward and downward B.t.u. adjustment.
[10] Includes 2.0 cents per Mcf upward B.t.u. adjustment.
[11] Now Tennessee Gas Pipeline Co., a division of Tenneco Inc.
[12] Plus adjustment for B.t.u. content.
[13] Includes 1.0 cent per Mcf minimum guarantee for liquids.
[14] Includes 1.333 cents tax reimbursement.
[15] Includes 1.75 cents per Mcf tax reimbursement.
[16] Includes 1.0 cent per Mcf tax reimbursement.
[17] Buyer has the right to temporarily deduct 7.0 cents per Mcf from the total price until such time as certain facilities constructed by Buyer are amortized.
[18] Buyer has the right to temporarily deduct 7.0 cents per Mcf from the total price until such time as certain facilities constructed by Buyer are amortized.

[F.R. Doc. 66–7053; Filed, June 28, 1966; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

TEXAS

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Texas natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

TEXAS	
Briscoe.	Chambers.
Brooks.	

It has also been determined that in the hereinafter-named counties in the State of Texas the above-mentioned natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Texas	*Present designation*
Austin	30 F.R. 12302.
Brazos	31 F.R. 719.
Brazoria	30 F.R. 11534.
Calhoun	30 F.R. 11977.
Childress	30 F.R. 9886—30 F.R. 9887.
Collingsworth	30 F.R. 11112.
Duval	30 F.R. 8861.
Galveston	30 F.R. 11534.
Grimes	31 F.R. 719.
Hall	30 F.R. 9886—30 F.R. 9887.
Harris	30 F.R. 15333.
Hunt	30 F.R. 10864.
Jackson	30 F.R. 9886—30 F.R. 9887.
Jim Wells	30 F.R. 8861.
Kleberg	30 F.R. 11112.
Liberty	30 F.R. 11112.
Madison	31 F.R. 719.
Montgomery	30 F.R. 11534.
Navarro	30 F.R. 13907.
Swisher	31 F.R. 2912.
Waller	30 F.R. 13021.
Washington	30 F.R. 13021.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 24th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–7123; Filed, June 28, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

MICRO TRACERS, INC.

Notice of Withdrawal of Petition for Food Additives Graphite-Base Microtracers

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulation (21 CFR 121.52), Micro Tracers, Inc., 554 Fulton Street, San Francisco, Calif., 94102, has withdrawn its petition (FAP 5C1550), notice of which was published in the FEDERAL REGISTER of October 31, 1964 (29 F.R. 14862), proposing the issuance of a regulation to provide for the safe use of FD&C color-impregnated graphite in amounts not to exceed 50 parts per million of graphite in complete feeds for the quality control of mixed animal feeds.

The withdrawal of this petition is based upon a conclusion that the addi-

tive is generally recognized as safe under the proposed conditions of use.

Dated: June 23, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7093; Filed, June 28, 1966; 8:46 a.m.]

DIMETHYL PHOSPHATE OF 3-HYDROXY-N-METHYL-CIS-CROTONAMIDE

Notice of Establishment of Temporary Tolerance

Notice is given that at the request of the Shell Chemical Co., 1700 K Street NW., Washington, D.C., 20006, a temporary tolerance of 0.20 part per million is established for residues of the insecticide dimethyl phosphate of 3-hydroxy-*N*-methyl-*cis*-crotonamide and its cholinesterase-inhibitory conversion products in or on sugarcane. The Commissioner of Food and Drugs has determined that this temporary tolerance will protect the public health.

A condition under which this temporary tolerance is established is that the insecticide will be used in accord with the terms of the experimental permit issued by the U.S. Department of Agriculture.

This temporary tolerance expires June 23, 1967.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)), and delegated by him to the Commissioner (21 CFR 2.120; 31 F.R. 3008).

Dated: June 23, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7096; Filed, June 28, 1966; 8:46 a.m.]

Office of the Secretary

PUBLIC HEALTH SERVICE

Interim Organization and Delegation of Functions

Pending the reorganization of the Public Health Service under and pursuant to the authority contained in Reorganization Plan No. 3 of 1966, and until superseded or otherwise modified by the Secretary of Health, Education, and Welfare:

1. There are hereby reestablished in the Public Health Service the following agencies and offices:

(a) The Bureau of Medical Services and the office of Chief of such Bureau;

(b) The Bureau of State Services and the office of Chief of such Bureau;

(c) The National Institutes of Health and the office of Director of such Institutes; and

(d) The Office of the Surgeon General and the office held by the Deputy Surgeon General.

2. All persons holding the offices reestablished by paragraph 1 of this order on the day before the effective date of Reorganization Plan No. 3 shall continue to hold such offices until otherwise directed; and such offices are hereby recreated in the same grade and pay grade previously assigned to them. All other special temporary positions in the grade of Assistant Surgeon General created before the effective date of such plan are hereby recreated in the same pay grade previously assigned to them.

3. All functions of the Public Health Service, the Surgeon General, and other officers, employees, and agencies of or in the Public Health Service which were delegated and assigned to them and were being carried out by them on the day preceding the effective date of said Reorganization Plan No. 3 of 1966, and which by virtue of said plan were transferred to the Secretary of Health, Education, and Welfare, are hereby delegated or assigned to each such officer, employee, or agency from whom the function was transferred, to be carried out by such officer, employee, or agency in the same manner, to the same extent and subject to the same limitations which were applicable to such authority on the day preceding the effective date of such Reorganization Plan.

4. All regulations, rules, or orders heretofore issued by or under the authority of the Surgeon General or of any officer, employee, or agency of the Public Health Service are hereby continued in force and effect.

5. All delegations to the Surgeon General, to the Public Health Service, or to any officer, employee, or agency thereof, of authority vested in the Secretary other than by virtue of Reorganization Plan No. 3 of 1966, are hereby confirmed and continued.

6. This order shall be effective on the effective date of Reorganization Plan No. 3 of 1966.

Dated: June 24, 1966.

[SEAL] JOHN W. GARDNER,
Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-7099; Filed, June 28, 1966; 8:46 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

ASSISTANT SECRETARY AND DEPUTY ASSISTANT SECRETARY FOR RENEWAL AND HOUSING ASSISTANCE

Delegations of Authority

SECTION A. *Authority delegated with respect to specific programs.* The Assistant Secretary for Renewal and Housing Assistance is hereby authorized to exercise the powers and authorities of the Secretary of Housing and Urban Development with respect to the programs and matters listed below except as specified under this section A and as additionally excepted under section B:

1. Slum Clearance and Urban Renewal Program under Title I of the Housing Act of 1949, as amended (42 U.S.C. 1450–1468), section 312 of the Housing Act of 1954 (42 U.S.C. 1450 note), and section 53 of the Alaska Omnibus Act (Public Law 88–451, 78 Stat. 506) except:

a. The powers and authorities set forth in subsection 106(a) of the Housing Act of 1949, as amended (42 U.S.C. 1456(a)).

b. Power and authority to execute legends on bonds, notes, or other obligations evidencing loans made pursuant to Title I, indicating acceptance of such instruments and payments therefor.

2. Open-Space Land and Urban Beautification Programs under Title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500–1500e), except the authority to:

a. Approve the conversion of open-space land to other uses under section 704 (42 U.S.C. 1500c).

b. Provide technical assistance and undertake studies and publish information under sectfon 708 (42 U.S.C. 1500d).

3. Rehabilitation Loan Program under section 312 of the Housing Act of 1964, as amended (42 U.S.C. 1452b), except the powers and authorities under subsection 402(a) of the Housing Act of 1950, as amended (12 U.S.C. 1749a(a)).

4. Neighborhood Facilities Grant Program under sections 703 and 705 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3103 and 3105).

5. Compensation of condemnees under Title IV of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071 et seq.) to the extent applicable to matters delegated herein.

SEC. B. *Additional authority excepted.* There are further excepted from the authority delegated under section A the power and authority to:

1. Establish the rate of interest on Federal loans or advances.

2. Issue notes or other obligations for purchase by the Secretary of the Treasury.

3. Sue or be sued.

SEC. C. *Additional authority delegated.* The Assistant Secretary for Renewal and Housing Assistance is further authorized to:

1. Exercise the powers and authorities of the Secretary under subsection 220(d)(1)(A) of the National Housing Act, as amended (12 U.S.C. 1715k(d)(1)(A)), including the making of certifications to the Federal Housing Commissioner.

2. Make such rules and regulations as may be necessary to carry out the powers and authorities delegated herein.

3. Redelegate to Regional Administrators, Deputy Regional Administrators, and other Regional Office officials any of the powers and authorities delegated herein except the power and authority to:

a. Determine that the objectives of an Urban Renewal Plan could not be achieved through rehabilitation of the project area, under subsection 110(c) of the Housing Act of 1949, as amended (42 U.S.C. 1460(c)).

b. Make rules and regulations.

4. Authorize further redelegations by Regional Administrators and by Deputy Regional Administrators of any of the powers and authorities redelegated to them by the Assistant Secretary for Renewal and Housing Assistance or by the Deputy Assistant Secretary for Renewal and Housing Assistance.

5. Redelegate to the Deputy Assistant Secretary for Renewal and to the General Deputy, Renewal Projects Administration, the powers and authorities delegated in section A and subsection C1 above with respect to the following programs and matters except as stated in this subsection C5:

a. Slum Clearance and Urban Renewal Program under Title I of the Housing Act of 1949, as amended (42 U.S.C. 1450–1468), section 312 of the Housing Act of 1954 (42 U.S.C. 1450 note), and section 53 of the Alaska Omnibus Act (Public Law 88–451, 78 Stat. 506) except the power and authority to:

i. Exercise the powers and authorities set forth in subsection 106(b) of the Housing Act of 1949, as amended (42 U.S.C. 1456(b)).

ii. Determine that a workable program for community improvement meets the requirements of subsection 101(c) of the Housing Act of 1949, as amended (42 U.S.C. 1451(c)), and certify that Federal assistance of the types enumerated in said subsection 101(c) may be made available in the community; and make determinations with respect to workable programs under subsection 101(e) (42 U.S.C. 1451(e)).

iii. Determine that the relocation requirements of subsection 105(c)(1) of the Housing Act of 1949, as amended (42 U.S.C. 1455(c)(1)), have been met.

iv. Make certifications to the Federal Housing Commissioner pursuant to subsection 220(d)(1)(A) of the National Housing Act, as amended (12 U.S.C. 1715k(d)(1)(A)).

v. Make allocations of loan funds, other than for early land acquisition pursuant to the third sentence of subsection 102(a) of the Housing Act of 1949, as amended (42 U.S.C. 1452(a)).

vi. Find that a State or local low-rent housing program in connection with which urban renewal project land is to be used as a site for a State or locally assisted low-rent housing project has the same general purposes as the Federal low-rent program, and find that under such State or local program there are assurances equivalent to those under the Federal program that the local contribution to such project will be made during the entire period the project is used as low-rent housing, pursuant to section 107 of the Housing Act of 1949, as amended (42 U.S.C. 1457).

vii. Determine interest rates for computing amounts in lieu of carrying charges to be included in Gross Project Cost with respect to local expenditures for project undertakings, under subsection 110(e) of the Housing Act of 1949, as amended (42 U.S.C. 1460(e)).

viii. Determine that the objectives of an Urban Renewal Plan could not be achieved through rehabilitation of the project area, under subsection 110(c) of the Housing Act of 1949, as amended (42 U.S.C. 1460(c)).

b. Rehabilitation Loan Program under section 312 of the Housing Act of 1964, as amended (42 U.S.C. 1452b), except the power and authority to delegate to or use as agent any Federal or local public or private agency or organization pursuant to subsection 312(f) (42 U.S.C. 1452b(f)).

c. Compensation of condemnees under Title IV of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071) to the extent applicable to the matters redelegated.

d. *Additional authority excepted.* There are further excepted from the authority to redelegate to the Deputy Assistant Secretary for Renewal and to the General Deputy, Renewal Projects Administration, the power and authority to:

i. Make reservations or allocations of grant funds.

ii. Authorize contracts and commitments for Federal loan or grant assistance and amendatory contracts which provide for an increase in the Federal loan amount or the total Federal grant amount set forth in a contract (other than loan contracts for early land acquisition pursuant to the third sentence of subsec. 102(a) of the Housing Act of 1949, as amended (42 U.S.C. 1452(a)), and waivers of contract provisions).

iii. Suspend or terminate Federal loan or grant assistance.

iv. Make determinations with respect to noncompliances or defaults under contracts for Federal loan or grant assistance.

v. Make rules and regulations.

6. Redelegate to the Director, Office of Urban Neighborhood Services, the powers and authorities delegated in section A above with respect to the following programs and matters except as stated in this subsection C6:

a. Open-Space Land and Urban Beautification Programs under Title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500–1500e), except authority to set further terms and conditions for assistance under Title VII, pursuant to subsection 702(d) (42 U.S.C. 1500a(d)).

b. Neighborhood Facilities Grant Program under sections 703 and 705 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3103 and 3105).

c. Compensation of condemnees under Title IV of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071) to the extent applicable to the matters redelegated.

d. *Additional authority excepted.* There are further excepted from the authority to redelegate to the Director, Office of Urban Neighborhood Services, the powers and authorities stated in items "1" through "v" of subsection "5d" above (in this sec. C).

SEC. D. *Authority delegated to Deputy Assistant Secretary for Renewal and Housing Assistance.* The Deputy Assistant Secretary for Renewal and Housing Assistance is hereby authorized to exercise the powers and authorities delegated to the Assistant Secretary for Renewal and Housing Assistance under sections A and C except the power and authority to:

1. Determine that the objectives of an Urban Renewal Plan could not be achieved through rehabilitation of the project area, under subsection 110(c) of the Housing Act of 1949, as amended (42 U.S.C. 1460(c)).

2. Make rules and regulations.

SEC. E. *Additional authority delegated to Assistant Secretary for Renewal and Housing Assistance.* The Assistant Secretary for Renewal and Housing Assistance is further authorized to designate the official or officials to serve as Acting Assistant Secretary for Renewal and Housing Assistance during the absence of the Assistant Secretary, and to designate or provide for the designation of officials or individuals to serve in an "Acting" capacity during the absence of any other official or during a vacancy in any other office within the Assistant Secretary's organization.

SEC. F. *Existing delegations and redelegations.* Notwithstanding the delegations herein and redelegations hereunder, delegations to Regional Administrators and redelegations thereunder in effect on June 30, 1966, with respect to the programs and matters listed herein will continue in effect until expressly modified or revoked.

Effective date. These delegations of authority shall be effective as of July 1, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-7128; Filed, June 28, 1966; 8:49 a.m.]

DEPUTY ASSISTANT SECRETARY FOR RENEWAL ET AL.

Redelegations of Authority

Deputy Assistant Secretary for Renewal, General Deputy, Renewal Projects Administration Director, Office of Urban Neighborhood Services.

SECTION A. *Authority Redelegated to Deputy Assistant Secretary for Renewal and General Deputy, Renewal Projects Administration.* The Deputy Assistant Secretary for Renewal and the General Deputy, Renewal Projects Administration, each is hereby authorized to exercise the powers and authorities of the Secretary of Housing and Urban Development with respect to the programs and matters listed below except as specified under this section A and as additionally excepted under section C:

1. Slum Clearance and Urban Renewal Program under Title I of the Housing Act of 1949, as amended (42 U.S.C. 1450–1468), section 312 of the Housing Act of 1954 (42 U.S.C. 1450 note), and section 53 of the Alaska

Omnibus Act (Public Law 88–451, 78 Stat. 506), except the power and authority to:

a. Exercise the powers and authorities set forth in subsections 106 (a) and (b) of the Housing Act of 1949, as amended (42 U.S.C. 1456 (a) and (b)).

b. Execute legends on bonds, notes, or other obligations evidencing loans made pursuant to Title I, indicating acceptance of such instruments and payments therefor.

c. Determine that a workable program for community improvement meets the requirements of subsection 101(c) of the Housing Act of 1949, as amended (42 U.S.C. 1451(c)), and certify that Federal assistance of the types enumerated in subsection 101(c) may be made available in the community; and make determinations with respect to workable programs under subsection 101(e) (42 U.S.C. 1451 (e)).

d. Determine that the relocation requirements of subsection 105(c)(1) of the Housing Act of 1949, as amended (42 U.S.C. 1455(c)(1)), have been met.

e. Make certifications to the Federal Housing Commissioner pursuant to subsection 220(d)(1)(A) of the National Housing Act, as amended (12 U.S.C. 1715k(d)(1)(A)).

f. Make allocations of loan funds, other than for early land acquisition pursuant to the third sentence of subsection 102(a) of the Housing Act of 1949, as amended (42 U.S.C. 1452(a)).

g. Find that a State or local low-rent housing program in connection with which urban renewal project land is to be used as a site for a State or locally assisted low-rent housing project has the same general purposes as the Federal low-rent program, and find that under such State or local program there are assurances equivalent to those under the Federal program that the local contribution to such project will be made during the entire period the project is used as low-rent housing, pursuant to section 107 of the Housing Act of 1949, as amended (42 U.S.C. 1457).

h. Determine interest rates for computing amounts in lieu of carrying charges to be included in Gross Project Cost with respect to local expenditures for project undertakings, pursuant to subsection 110(e) of the Housing Act of 1949, as amended (42 U.S.C. 1460(e)).

i. Determine that the objectives of an Urban Renewal Plan could not be achieved through rehabilitation of the project area, under subsection 110(c) of the Housing Act of 1949, as amended (42 U.S.C. 1460(c)).

2. Rehabilitation Loan Program under section 312 of the Housing Act of 1964, as amended (42 U.S.C. 1452b), except the power and authority to:

a. Delegate to or use as agent any Federal or local public or private agency or organization pursuant to section 312(f) (42 U.S.C. 1452b(f)).

b. Exercise the powers and authorities under subsection 402(a) of the Housing Act of 1950, as amended (12 U.S.C. 1749 (a)).

3. Compensation of condemnees under Title IV of the Housing and Urban Development Act of 1965 (42 U.S.C. 307 et seq.) to the extent applicable to the matters redelegated in this Section A.

SEC. B. *Authority Redelegated to Director, Office of Urban Neighborhood Services.* The Director, Office of Urban Neighborhood Services, is hereby authorized to exercise the powers and authorities of the Secretary of Housing and Urban Development with respect to the programs and matters listed below except as specified under this section B and as additionally excepted under section C:

1. Open-Space Land and Urban Beautification Programs under Title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500–1500e), except the power and authority to:

a. Approve the conversion of open-space land to other uses under section 704 (42 U.S.C. 1500c).

b. Provide technical assistance and undertake studies and publish information under section 708 (42 U.S.C. 1500d).

c. Determine further terms and conditions under subsection 702(d) (42 U.S.C. 1500a(d)).

2. Neighborhood Facilities Grant Program under sections 703 and 705 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3103 and 3105).

3. Compensation of condemnees under Title IV of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071 et seq.) to the extent applicable to matters redelegated in this section B.

SEC. C. *Additional Authority Excepted.* There are further excepted from the authority redelegated under sections A and B the power and authority to:

1. Establish the rate of interest on Federal loans and advances.

2. Issue notes or other obligations for purchase by the Secretary of the Treasury.

3. Sue or be sued.

4. Make reservations or allocations of grant funds.

5. Authorize contracts and commitments for Federal loan or grant assistance and amendatory contracts which provide for an increase in the Federal loan amount or the total Federal grant amount set forth in a contract (other than loan contracts for early land acquisition pursuant to the third sentence of subsection 102(a) of the Housing Act of 1949, as amended (42 U.S.C. 1452(a)), and waivers of contract provisions).

6. Suspend or terminate Federal loan or grant assistance.

7. Make determinations with respect to noncompliances or defaults under contracts for Federal loan or grant assistance.

8. Make rules and regulations.

SEC. D. *Additional Authority Delegated.* The Deputy Assistant Secretary for Renewal and the Director, Office of Urban Neighborhood Services, each is further authorized to:

1. Designate the official or officials to act for him in his absence.

2. Designate the official or officials to serve in an "Acting" capacity during the absence of any official reporting directly to him or during a vacancy in any such office.

Effective date. These redelegations of authority shall be effective July 1, 1966.

DON HUMMEL,
Assistant Secretary for Renewal and Housing Assistance.

[F.R. Doc. 66–7130; Filed, June 28, 1966; 8:49 a.m.]

REGIONAL ADMINISTRATORS AND DEPUTY REGIONAL ADMINISTRATORS

Redelegations of Authority

SECTION A. *Authority redelegated with respect to specific programs.* Each Regional Administrator and each Deputy Regional Administrator of the Department of Housing and Urban Development is hereby authorized to exercise the powers and authorities of the Secretary of Housing and Urban Development with respect to the programs and matters listed below except as specified under this section A and as additionally excepted under section B:

1. Slum Clearance and Urban Renewal Program under Title I of the Housing Act of 1949, as amended (42 U.S.C. 1450–1468), and section 312 of the Housing Act of 1954 (42 U.S.C. 1450 note) except the power and authority to:

a. Exercise the powers and authorities set forth in subsection 106(a) of the Housing Act of 1949, as amended (42 U.S.C. 1456a).

b. Execute legends on bonds, notes, or other obligations evidencing loans made pursuant to Title I, indicating acceptance of such instruments and payments therefor.

c. Determine that a workable program for community improvement meets the requirements of subsection 101(c) of the Housing Act of 1949, as amended (42 U.S.C. 1451(c)), and certify that Federal assistance of the types enumerated in subsection 101(c) may be made available in the community; and make determinations with respect to workable programs under subsection 101(e) (42 U.S.C. 1451(e)).

d. Determine that the relocation requirements of subsections 105(c)(1) of the Housing Act of 1949, as amended (42 U.S.C. 1455(c)(1)), have been met.

e. Exercise the powers and authorities of the Secretary under subsection 220(d)(1)(A) of the National Housing Act, as amended (12 U.S.C. 1715k(d)(1)(A)).

f. Find that a State or local low-rent housing program in connection with which urban renewal project land is to be used as a site for a State or locally assisted low-rent housing project has the same general purposes as the Federal low-rent program, and find that under such State or local program there are assurances equivalent to those under the Federal program that the local contribution to such project will be made during the entire period the project is used as low-rent housing, pursuant to section 107 of the Housing Act of 1949, as amended (42 U.S.C. 1457).

g. Approve applications for Federal loan or grant assistance, and make allocations of funds and authorize contracts and commitments therefor.

h. Make reservations of capital grant funds.

i. Suspend or terminate Federal loan or grant assistance, except the cancellation of reservations of capital grant funds in connection with the termination of Federal assistance under a contract for an advance.

j. Make determinations with respect to noncompliances or defaults under contracts for Federal loan or grant assistance.

k. Approve the following documents:

i. Final Project Reports.

ii. Redevelopment Plans, Urban Renewal Plans, or Development Plans for educational institutions or hospitals under section 112 of the Housing Act of 1949, as amended (42 U.S.C. 1463), except revisions in approved plans which do not involve actions reserved to the Secretary or Assistant Secretary.

l. Make determinations with respect to the eligibility of and percentage of allowance for noncash local grants-in-aid, except revisions in an approved percentage of allowance which do not involve actions reserved to the Secretary or Assistant Secretary.

m. Make determinations with respect to the uncollectibility of Federal advances, in accordance with subsection 103(b) of the Housing Act of 1949, as amended (42 U.S.C. 1453(b)).

n. Determine interest rates for computing amounts in lieu of carrying charges to be included in Gross Project Cost with respect to local expenditures for project undertakings, under subsection 110(e) of the Housing Act of 1949, as amended (42 U.S.C. 1460(e)).

o. Make determinations that the objectives of an Urban Renewal Plan could not be achieved through rehabilitation of the project area, under subsection 110(c) of the Housing Act of 1949, as amended (42 U.S.C. 1460(c)).

2. Open-Space Land and Urban Beautification Programs under Title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500–1500e), except the power and authority to:

a. Approve the conversion of open-space land to other uses under section 704 (42 U.S.C. 1500c).

b. Provide technical assistance and undertake studies and publish information under section 708 (42 U.S.C. 1500d).

c. Determine further terms and conditions under subsection 702(d) (42 U.S.C. 1500a(d)).

d. Make a grant of more than 50 percent under section 706 (42 U.S.C. 1500c–2).

3. Rehabilitation Loan Program under section 312 of the Housing Act of 1964, as amended (42 U.S.C. 1452b), except the power and authority to:

a. Delegate to or use as agent any Federal or local public or private agency or organization pursuant to subsection 312(f) (42 U.S.C. 1452b(f)).

b. Exercise the powers and authorities under subsection 402(a) of the Housing Act of 1950, as amended (12 U.S.C. 1749a (a)).

4. Neighborhood Facilities Grant Program under sections 703 and 705 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3103 and 3105), except the power and authority to make reservations and allocations of grant funds and authorize contracts.

5. Compensation of condemnees under Title IV of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071 et seq.) to the extent applicable to matters redelegated herein.

SEC. B. *Additional authority excepted.* There is further excepted from the authority redelegated under section A the power and authority to:

1. Establish the rate of interest on Federal loans and advances.

2. Issue notes or other obligations for purchase by the Secretary of the Treasury.

3. Sue or be sued.

4. Make rules and regulations.

SEC. C. *Additional authority redelegated.* Each Regional Administrator and each Deputy Regional Administrator is further authorized to redelegate to one or more employees under his jurisdiction the powers and authorities redelegated in section A except the power and authority to authorize loans, grants, and advances and to amend or modify the terms thereof: *Provided*, That the foregoing exception shall not be applicable with respect to the Rehabilitation Loan Program.

SEC. D. *Additional authority redelegated for Region VI.* The Regional Administrator and the Deputy Regional Administrator, Region VI, each is further authorized to make the determinations provided for in section 53 of the Alaska Omnibus Act (Public Law 88–451, 78 Stat. 506) that:

a. The proposed urban renewal project will aid the community in which it is located in reconstruction and redevelopment made necessary by the 1964 earthquake and subsequent seismic waves.

b. A major portion of the project area either has been rendered unusable as a result of the 1964 earthquake and subsequent seismic waves or is needed in order adequately to provide new locations for persons, businesses, and facilities displaced by the earthquake.

SEC. E. *Existing redelegations.* Unless and until modified or revoked by the Regional Administrator or Deputy Regional Administrator, each Regional officer and employee subordinate to the Regional Administrator is hereby authorized to exercise the authority redelegated to him by the Regional Administrator under redelegations in effect on June 30, 1966, with respect to the programs and matters listed under the redelegations herein.

Effective date. These redelegations of authority shall be effective as of July 1, 1966.

DON HUMMEL,
Assistant Secretary for Renewal and Housing Assistance.

[F.R. Doc. 66–7134; Filed, June 28, 1966; 8:50 a.m.]

ASSISTANT SECRETARY AND DEPUTY ASSISTANT SECRETARY FOR RENEWAL AND HOUSING ASSISTANCE

Delegations of Authority

SECTION A. *Authority delegated to Assistant Secretary for Renewal and Housing Assistance.* The Assistant Secretary for Renewal and Housing Assistance is hereby authorized to exercise the following powers and authorities:

1. All the powers and authorities of the Secretary of Housing and Urban Development with respect to the low-rent public housing program under the U.S. Housing Act of 1937, as amended (42 U.S.C. 1401 et seq.), including the powers and authorities of the Secretary under Title IV of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071 et seq.) insofar as related to such program, and all other powers and authorities of the Public Housing Administration and of the head and other officers and offices of the Public Housing Administration transferred to and vested in the Secretary by section 5(a) of the Department of Housing and Urban Development Act, Public Law 89–174, 79 Stat. 667, 5 U.S.C. 624–624f; except power and authority to establish the rate of interest on Federal loans.

2. Power and authority to exercise the authority referred to in subsection 1(1) of Executive Order 11196, to approve the undertaking of any annual contribution, grant, or loan, or any contract for any annual contribution, grant, or loan.

3. Power and authority to exercise the authority referred to in subsection 1(2) of Executive Order 11196, to approve the amending or superseding of any contract for annual contributions or loans, or both, so that the going Federal rate on the basis of which such annual contributions or the interest rate on the loans, or both, respectively, are fixed shall mean the going Federal rate on the date of approval of the amending or superseding contract.

4. Power and authority to make such rules and regulations as may be necessary to carry out the powers, authorities, functions, and duties delegated herein.

5. Power and authority to redelegate to each Housing Assistance Regional Director and to other officials and individuals in each Housing Assistance Regional Office, any of the powers, authorities, functions, and duties delegated herein except the powers and authorities stated in "2", "3", and "4" above.

6. Power and authority to redelegate to the Deputy Assistant Secretary for Housing Assistance, to the General Deputy, Housing Assistance Administration, and to other officials in the Housing Assistance Administration (except in Regional Offices) any of the powers, authorities, functions, and duties delegated herein except the powers and authorities stated in "2", "3", and "4" above, and except further the following:

a. With respect to low-rent housing in private accommodations pursuant to

section 23 of the United States Housing Act of 1937, as amended (42 U.S.C. 1421b), approval of Federal commitments to pay annual contributions for leases entered into or extending more than 10 years beyond the date of the annual contributions contract.

b. Finding pursuant to section 15(5) of the U.S. Housing Act of 1937, as amended (42 U.S.C. 1415(5)), that in the geographical area of any project (a) it is not feasible under otherwise applicable cost limitations to construct the project without sacrifice of sound standards of construction, design, and livability and (b) there is an acute need for the housing; and prescribing room cost limitations in excess of the limitations that would otherwise be applicable to such project.

c. Suspension, reduction, or cancellation of dwelling units covered by Program Reservations, Preliminary Loan Contracts, or Annual Contributions Contracts when initiated by the Federal Government.

d. Termination of Preliminary Loan Contracts and Annual Contributions Contracts when initiated by the Federal Government.

e. Invoking any remedy on behalf of the Federal Government upon default or breach by a local housing authority in any of the terms, covenants, or conditions of an Annual Contributions Contract.

f. Approval of local housing authorities' disposition or other removal of low-rent housing units in operation from the federally aided low-rent housing program.

g. Approval of local housing authorities' disposition of excess land, including utilization of such land for a new project.

h. Debarring contractors from contracting with the Federal Government or with local housing authorities, and authorizing exceptions therefrom.

SEC. B. *Authority delegated to Deputy Assistant Secretary for Renewal and Housing Assistance.* The Deputy Assistant Secretary for Renewal and Housing Assistance is hereby authorized to exercise all the powers and authorities delegated to the Assistant Secretary for Renewal and Housing Assistance in section A above except the powers and authorities set forth in subsections "2," "3," and "4" of section A.

SEC. C. *Redelegations of authority.* Power and authority to redelegate, as stated in subsections "5" and "6" of section A above, shall include power and authority to redelegate by continuing in effect in the respective officials and individuals of the Housing Assistance Administration (including Housing Assistance Regional Offices) the powers and authorities vested in them as Public Housing Commissioner and other officials and employees of the Public Housing Administration pursuant to Department Interim Order II (31 F.R. 815-16). As to any such powers and authorities so continued in effect, wherever the title "Regional Director" appears such title shall be deemed to refer to "Housing Assistance Regional Director"; references to "Regional Offices" shall be deemed to be references to "Housing Assistance Regional Offices"; references to the "PHA" and the "Public Housing Administration" shall be deemed to be references to the "Department of Housing and Urban Development," the "Secretary of Housing and Urban Development," or the Federal Government, as may be appropriate; and references to powers, duties, functions and authorities vested in the "Commissioner" shall be taken to mean powers, duties, functions and authorities vested in the Secretary of Housing and Urban Development.

Effective date. These delegations of authority shall be effective as of July 1, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-7135; Filed, June 28, 1966; 8:50 a.m.]

DEPUTY ASSISTANT SECRETARY FOR HOUSING ASSISTANCE ET AL.

Redelegations of Authority

Deputy Assistant Secretary for Housing Assistance and Other Officials in Housing Assistance Administration.

SECTION A. The Deputy Assistant Secretary for Housing Assistance and the General Deputy, Housing Assistance Administration, each is hereby authorized to exercise all the powers and authorities of the Secretary vested in the Public Housing Commissioner pursuant to Department Interim Order II (31 F.R. 815-16), except the following:

1. With respect to low-rent housing in private accommodations pursuant to section 23 of the United States Housing Act of 1937, as amended (42 U.S.C. 1421b), approval of Federal commitments to pay annual contributions for leases entered into or extending more than 10 years beyond the date of the annual contributions contract.

2. Finding pursuant to section 15(5) of the United States Housing Act of 1937, as amended (42 U.S.C. 1415(5)), that in the geographical area of any project (a) it is not feasible under otherwise applicable cost limitations to construct the project without sacrifice of sound standards of construction, design, and livability and (b) there is an acute need for the housing; and prescribing room cost limitations in excess of the limitations that would otherwise be applicable to such project.

3. Suspension, reduction, or cancellation of dwelling units covered by Program Reservations, Preliminary Loan Contracts, or Annual Contributions Contracts when initiated by the Federal Government.

4. Termination of Preliminary Loan Contracts and Annual Contributions Contracts when initiated by the Federal Government.

5. Invoking any remedy on behalf of the Federal Government upon default or breach by a local housing authority in respect to the terms, convenants, or conditions of an Annual Contributions Contract.

6. Approval of local housing authorities' disposition or other removal of low-rent housing units in operation from the federally-aided low-rent housing program.

7. Approval of local housing authorities' disposition of excess land, including utilization of such land for a new project.

8. Debarring contractors from contracting with the Federal Government or with local housing authorities, and authorizing exceptions therefrom.

9. Establishing the rate of interest on Federal loans.

10. Making rules and regulations.

SEC. B. The powers and authorities vested in officials of the Public Housing Administration other than the Public Housing Commissioner, Deputy Commissioner, and Regional Office officials and employees pursuant to Department Interim Order II (31 F.R. 815-16) except any such powers and authorities as may be listed in items 1 through 10 under Section A above, shall continue to be vested in such officials as officials of the Housing Assistance Administration.

SEC. C. The powers and authorities vested in Regional Directors and other Regional Office officials and employees of the Public Housing Administration pursuant to Department Interim Order II (31 F.R. 815-16) shall continue to be vested in such officials and employees as Housing Assistance Regional Office officials and employees, except power and authority to establish the rate of interest on Federal loans and to make rules and regulations.

Effective date. These redelegations of authority shall be effective as of July 1, 1966.

DON HUMMEL,
Assistant Secretary for Renewal and Housing Assistance.

[F.R. Doc. 66-7136; Filed, June 28, 1966; 8:50 a.m.]

ASSISTANT SECRETARY AND DEPUTY ASSISTANT SECRETARY FOR RENEWAL AND HOUSING ASSISTANCE

Delegations of Authority

SECTION A. *Authority Delegated with Respect to Specific Programs.* The Assistant Secretary for Renewal and Housing Assistance and the Deputy Assistant Secretary for Renewal and Housing Assistance each is hereby authorized to exercise the powers and authorities of the Secretary of Housing and Urban Development with respect to the following programs, except as stated in section B.

1. College Housing Program under Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c).

2. Program of Housing for the Elderly or Handicapped under section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q).

SEC. B. *Authority Excepted.* There is hereby excepted from the authority delegated in section A the power and authority to:

1. Establish the rate of interest on Federal loans.

2. Issue notes and obligations for purchase by the Secretary of the Treasury.

3. Sue and be sued.

4. In the case of the Deputy Assistant Secretary for Renewal and Housing Assistance: Make rules and regulations.

5. Exercise the powers and authorities set forth in section 402(a) of the Housing Act of 1950, as amended (12 U.S.C. 1749a(a)).

SEC. C. *Additional Authority Delegated.* The Assistant Secretary for Renewal and Housing Assistance and the Deputy Assistant Secretary for Renewal and Housing Assistance each is further authorized to:

1. Redelegate to Regional Administrators and to Deputy Regional Administrators any of the powers and authorities delegated herein except power and authority to make rules and regulations.

2. Authorize further redelegations by Regional Administrators and Deputy Regional Administrators of any of the powers and authorities redelegated to them by the Assistant Secretary for Renewal and Housing Assistance or by the Deputy Assistant Secretary for Renewal and Housing Assistance.

3. Redelegate to the Deputy Assistant Secretary for Housing Assistance and to the General Deputy, Housing Assistance Administration, any of the powers and authorities delegated herein except the power and authority to:

a. Makes rules and regulations.

b. Approve applications and authorize loans.

SEC. D. *Existing Delegations and Redelegations.* Notwithstanding the delegations herein and redelegations hereunder, delegations to Regional Administrators and redelegations thereunder in effect on June 30, 1966, under the authority of Department Interim Order II (31 F.R. 815-16) with respect to the programs listed herein will continue in effect until expressly modified or revoked.

SEC. E. *Amendments of Previous Delegations and Redelegations of Authority.*

1. The delegations of authority to the Assistant Secretary for Metropolitan Development and the Deputy Assistant Secretary for Metropolitan Development effective as of May 18, 1966 (31 F.R. 7358-9) are hereby amended by deleting the following from the list of programs under section A thereof:

9. College Housing Program under Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c).

10. Program of Housing for the Elderly or Handicapped under section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q).

2. The redelegations of authority from the Assistant Secretary for Metropolitan Development to Regional Administrators and Deputy Regional Administrators effective as of May 18, 1966 (31 F.R. 7359-60) are hereby amended by deleting from the list of programs under section A thereof the programs identified in subsection 1 of this section E.

Effective date. These delegations of authority and amendments of previous delegations and redelegations of authority shall be effective as of July 1, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-7137; Filed, June 28, 1966; 8:50 a.m.]

REGIONAL ADMINISTRATORS AND DEPUTY REGIONAL ADMINISTRATORS

Redelegations of Authority

SECTION A. *Authority Redelegated With Respect to Specific Programs.* Each Regional Administrator and each Deputy Regional Administrator of the Department of Housing and Urban Development is hereby authorized to exercise the powers and authorities of the Secretary of Housing and Urban Development listed below with respect to the programs listed:

1. College Housing Program under Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c):

a. Approve applications, authorize loans, and execute loan agreements, involving loans for student and/or faculty housing and for other educational facilities.

b. Amend or modify any such loan agreement.

c. Redelegate to the Regional Director of Community Facilities the authority delegated herein except the authority to approve applications, authorize loans and amend or modify the terms thereof.

2. Program of Housing for the Elderly or Handicapped under section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q):

a. Execute loan agreements and regulatory agreements and amendments or modifications of loan agreements and regulatory agreements.

b. Authorize an increase of not to exceed 10 percent in the amount of the loan and authorize such amendment of the loan agreement as is necessary to effectuate the authorized increase in the amount of the loan.

c. Execute amendments or modifications of notes, mortgages, and other collateral security instruments.

d. Redelegate to the Regional Director of Community Facilities the authority delegated herein except the authority to authorize an increase in the amount of the loan.

SEC. B. *Additional Authority Redelegated for Region VI.* The Regional Administrator and the Deputy Regional Administrator, Region VI, each is further authorized to redelegate to the Director for Northwest Operations, Region VI, any of the authority delegated herein.

Effective date. These redelegations of authority shall be effective as of July 1, 1966.

DON HUMMEL,
Assistant Secretary for Renewal and Housing Assistance.

[F.R. Doc. 66-7138; Filed, June 28, 1966; 8:50 a.m.]

DEPUTY ASSISTANT SECRETARY FOR HOUSING ASSISTANCE AND GENERAL DEPUTY, HOUSING ASSISTANCE ADMINISTRATION

Redelegations of Authority

SECTION A. *Authority Redelegated With Respect to Specific Programs.* The Deputy Assistant Secretary for Housing Assistance and the General Deputy, Housing Assistance Administration, each is hereby authorized to exercise the powers and authorities of the Secretary of Housing and Urban Development with respect to the following programs, except as stated in section B:

1. College Housing Program under Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c).

2. Program of Housing for the Elderly or Handicapped under section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q).

SEC. B. *Authority Excepted.* There is hereby excepted from the authority redelegated in section A the power and authority to:

1. Establish the rate of interest on Federal loans.

2. Issue notes and obligations for purchase by the Secretary of the Treasury.

3. Sue and be sued.

4. Make rules and regulations.

5. Approve applications and authorize loans.

6. Exercise the powers and authorities of the Secretary under subsection 402(a) of the Housing Act of 1950, as amended (12 U.S.C. 1749a(a)).

Effective date. These redelegations of authority shall be effective as of July 1, 1966.

DON HUMMEL,
Assistant Secretary for Renewal and Housing Assistance.

[F.R. Doc. 66-7139; Filed, June 28, 1966; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 16503; Order No. E-23850]

AIR TRANSPORT ASSOCIATION

Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of June 1966.

Agreement adopted by certain members of the Air Transport Association relating to a charge for in-flight entertainment on flights between points within the continental United States; Docket 16503, Agreement C.A.B. 18922.

There has been filed with the Board for approval pursuant to section 412 of the Act an agreement entered into by 12 air carrier members of the Air Transport Association [1] relating to a charge for

[1] Allegheny, American, Bonanza, Braniff, Delta, Eastern, National, Northeast, Ozark, Trans-Texas, Trans World, and United Air Lines. In addition, Continental has submitted a letter of understanding for informational purposes, but not for Board approval, in this docket.

in-flight entertainment on domestic flights. Essentially, the agreement provides that the parties thereto will charge each passenger being furnished visual in-flight entertainment through the use of a headset or other device for listening to the audio portion of the visual in-flight entertainment the sum of $2 in all classes of service furnished or operated by such air carrier party between points in the 48 contiguous United States. The agreement is a public document and may be inspected by any interested person in the Docket Section of the Civil Aeronautics Board, Washington, D.C.

A petition for leave to file comments has been filed by Consolidated Electrodynamics Corp., a subsidiary of Bell & Howell Co., manufacturers of equipment for projection of motion pictures, including specialized equipment for such projection in passenger aircraft. In addition, Inflight Motion Pictures, Inc., has submitted a letter requesting an opportunity to be heard on the agreement, and Video Flight, Inc., and Sony Corp. of America have sent telegraphic requests to file comments and to present oral arguments concerning the agreement.

The Board has determined to afford interested persons an opportunity to present written argument in support of, or in opposition to, Board approval of the captioned agreement. These comments should be especially directed to the following points: (1) The need for an agreed charge for domestic visual in-flight entertainment and the public interest considerations which require approval or disapproval of the agreement; (2) carrier parties to the agreement should include data showing the current costs of providing various types of in-flight entertainment in total as well as the costs per seat, per passenger, and per user; (3) the effect of a $2 charge upon the passenger acceptance or rejection of visual in-flight entertainment on domestic flights of various durations, including the level of participation estimated at a $2 charge and how this compares with the current passenger/user ratio; and (4) whether a charge of less than $2 would maximize revenues.

The comments of interested persons should be filed within 20 days after the date of service of this order, and reply comments may be filed within 10 days thereafter. In addition, the Board will hear oral argument on the agreement at a time and place hereafter to be designated. Any documents filed in this docket should comply with Part 302 of the Board's procedural regulations, and should be served upon all carrier parties to the agreement as well as counsel for Consolidated Electrodynamics Corp., Inflight Motion Pictures, Inc., Video Flight, Inc., and Sony Corp. of America.

Accordingly, pursuant to the Federal Aviation Act of 1958,

It is ordered, That:

1. Any air carrier party to Agreement C.A.B. 18922, Docket 16503, or any interested person, may, within 20 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of, or in opposition to, Board approval of the agreement;

2. Within 10 days after the filing of comments in accordance with paragraph 1 above, any air carrier party or any interested person may file reply comments which shall be limited in scope to matters raised by the comments of other persons;

3. The Board will hear oral argument on the agreement at a time and place hereafter to be designated; and

4. Except to the extent granted herein, the petition and requests of Consolidated Electrodynamics Corp., Inflight Motion Pictures, Inc., Video Flight, Inc., and Sony Corp. of America are denied.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-7111; Filed, June 28, 1966; 8:47 a.m.]

[Docket 17436; Order No. E-23856]

ALLEGHENY AIRLINES

Order Instituting Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of June 1966.

Several years ago the Board initiated a program for the systematic review of the route structures of the local service carriers with a view toward possible realignment of these route systems to enable the carriers to provide more economical service and to improve service convenience to the public. As a result a number of local service route realignment cases have been initiated. Pursuant to this program the route system of Allegheny Airlines, Inc. (Allegheny), has been analyzed and we have determined that a route realignment investigation for this carrier should be instituted. At the present time liberalized operating authority and improved route structure for Allegheny on the eastern part of its system, which is primarily north-south oriented, are being considered in the pending Allegheny Airlines, Inc., Segment 8 Renewal and Route Realignment Investigation, Docket 16474 and the New York-Florida Renewal Case, Docket 12285. However, neither of these cases involves issues related to the western part of the carrier's system. This is the area to which we intend to direct our attention in the instant investigation. Hence, the three cases will give us the opportunity to review Allegheny's entire system, and to make such changes in the carrier's operating authority, and in the authority of other carriers which adversely affects Allegheny, as are required by the public interest.

Our preliminary review of Allegheny's route system indicates that there is substantial room for improvement. While the carrier serves a densely populated, highly industrial area, its service is blanketed by trunkline competition,[1] its scheduling flexibility is inhibited by duplicative designation of points on several of its segments, it serves smaller points which are also served, or which possibly could be served more effectively, by other local service carriers, and it appears that its authority in certain markets may be unnecessarily restricted by conditions which no longer serve the purpose for which they were intended. Generally, it is to these matters which the instant investigation will be directed. More specifically, the issues to be considered in this proceeding are discussed in detail below.

Our review of Allegheny's system indicates that the mid-Pennsylvania area appears to have a potential for improvement in the carrier's presently authorized operations, particularly with respect to the cities of Allentown and Harrisburg. For example, the addition of Allentown, the only city in Pennsylvania receiving scheduled air service which is not served by Allegheny, to that carrier's system suggests itself as a possible means of strengthening the carrier and improving public service without adversely affecting any other carrier. Allentown is presently served by United and TWA, both services being provided on segments between New York and Pittsburgh,[2] and we do not believe that a third carrier is required in Allentown-New York-Pittsburgh markets at this time. However, we will consider the feasibility of certificating Allentown on Allegheny's system in such a manner as to provide for the operation of single-plane service between Allentown and Boston, Buffalo, Cleveland, and Detroit via Allegheny intermediate points. These terminals are within Allentown's top seven communities of interest.[3]

Harrisburg presents a different situation for Allegheny. The carrier has authority to serve the city, and is the predominant carrier in the important Harrisburg-New York and Harrisburg-Pittsburgh markets. However, TWA has unrestricted authority in both of these markets. While we do not intend to limit Harrisburg's long-haul service, we would like to have the opportunity to explore whether TWA's Harrisburg authority should be conditioned so as to preserve Allegheny's position in the local markets. Therefore, we will look into the feasibility of imposing a long-haul restriction on TWA's flights serving Harrisburg and whether such a restriction will make additional traffic and revenue available to Allegheny without depriving Harrisburg of its long-haul truckline service.

[1] During the first quarter of 1964, of 53 markets generating over 1,000 passengers, Allegheny experienced effective competition in 21, which accounted for 51 percent of its total traffic. In 4 of these markets, Allegheny carried 10 percent or less, in 3, its participation ranged between 11 percent and 30 percent and in 14, Allegheny carried more than 30 percent of the traffic.

[2] United's service is via Allentown, while TWA's serves Allentown and Harrisburg.

[3] In 1964, Allentown generated 9,040 passengers to Cleveland, 3,970 to Detroit, 1,380 to Buffalo, and 1,020 to Boston.

Our review of Allegheny's segment load factors reveals that its poorest traffic generation is realized over segment 4.[4] Because United offers six daily Buffalo-Pittsburgh nonstop flights in each direction, and because of a one-stop restriction in Allegheny's certificate[5] Allegheny is, as a practical matter, precluded from participating in the terminal-to-terminal traffic, and must rely on the intermediates for traffic support. This support is difficult to obtain since only Oil City-Franklin receives its service exclusively over this segment. Jamestown and Bradford are authorized on segment 7 as well as segment 4, and generate their greatest traffic on services operated between Detroit/Cleveland and New York. Accordingly, this inherent weakness of segment 4 appears to impose a disproportionate drain on subsidy.

In order to provide the opportunity to alleviate this problem, we propose to place in issue in this investigation various available alternatives which appear to be preferable to the existing situation. Thus, we will include as an issue the possible imposition of a long-haul restriction on United's flights between Pittsburgh and Buffalo in connection with the possible grant of nonstop authority in such market to Allegheny.[6] Additionally, in connection with segment realignment, we will consider on which segment Jamestown and Bradford can receive their most effective service in the interests of the cities and the carrier.

Finally, in the interests of making a complete evaluation of the problems relating to segment 4, we will consider the possibility of providing service to the intermediate points on such segment by other local service carriers but in a different manner than at present. For example, Lake Central Airlines, Inc. (Lake Central), now provides service between Erie and Pittsburgh and could with very little circuity mileage serve Oil City-Franklin on these flights. Also, while Allegheny could continue to provide Jamestown and Bradford with east-west service over its segment 7, the north-south needs of these points might be appropriately served by Mohawk Airlines, Inc. (Mohawk), on its existing flights between Pittsburgh and Syracuse.[7] We wish to make it clear that regardless of the ultimate disposition of the intermediate points on the present segment 4, Allegheny will retain its Buffalo authority.[8]

This type of investigation provides the appropriate vehicle for conforming the route description contained in a carrier's certificate to its traffic flow and its operations. Our preliminary review of Allegheny's routes indicates that the six Allegheny segments[9] on which we are focusing herein logically may be consolidated into a lesser number consistent with the general nature of the carrier's operations. The common certification of many points on segments 3, 6, and 7 attests to the validity of this conclusion. Therefore, we will include such realignment issues in this proceeding.[10]

We have also considered the question of modification or amendment of certain specific point-to-point restrictions on nonstop and limited-stop service which are included as conditions in Allegheny's certificate. Our examination indicates that these restrictions, which prohibit nonstop service by Allegheny between specified points, generally apply to long-haul, high-density markets. Such markets usually have a large quantity of competitive nonstop trunkline service and the inclusion of issues of additional nonstop service therein by Allegheny would result in an unnecessary broadening of this investigation. However, our examination reveals that several Baltimore markets do not fall into this category since they are neither high-density nor the recipients of a large volume of service. These markets are Baltimore-Pittsburgh, Baltimore-Cleveland and Baltimore-Detroit. The inclusion of issues of new nonstop authority in the Baltimore-Cleveland and Baltimore-Detroit markets would involve consolidation of a number of pending applications by various carriers for similar authority and would doubtless lead to an undue enlargement of the intended scope of this case, and considerable delay in getting Allegheny the relief contemplated by this case. However, the inclusion of an issue relating to additional nonstop service in the Baltimore-Pittsburgh market would not likely have that effect. We will include such an issue in order to provide the opportunity to determine whether intensive development of this market by a local service carrier will benefit the carrier financially and redound to the public benefit.

We will also consider liberalized authority for Allegheny and Mohawk in the Pittsburgh-Hartford/Springfield market. In the TWA/Allegheny/ Mohawk Transfer Case,[11] the certificate issued to Allegheny restricted its authority in the Pittsburgh-Hartford/Springfield market to one-stop service. Mohawk's certificate issued contemporaneously contained a similar restriction in this market. TWA, the only other carrier serving the Pittsburgh-Hartford market, offers only a single round trip per day with propeller equipment. Our records indicate that in calendar year 1964 there were approximately 21,000 local passengers in this market. In view of the size of this market and the minimal volume of service being provided by TWA, we believe it would be appropriate to include an issue in this proceeding as to the removal of the non-stop restriction in the certificate of Allegheny and/or Mohawk.

With respect to the certificate restrictions contained in condition 4, we will consider whether such restrictions should be modified so as to permit one-stop service between the following pairs of points: Detroit-Philadelphia/Camden; Detroit-Washington; Detroit-Baltimore; Cleveland-Philadelphia/Camden; Cleveland-Washington and Cleveland-Baltimore. The Board does not intend to consider changes in the present conditions of Allegheny's certificate which insure the provision of an effective pattern of service to the intermediate points between these city pairs. Also, in this connection we will consider whether condition 4(c) should be modified so as to permit a two-stop Detroit-New York/Newark service under the same condition.[12]

Finally, we have reviewed all of the outstanding Allegheny applications for certificate amendment. We have concluded that certain of them are, in whole or in part, so closely related to our basic objective of exploring avenues for improving and strengthening local service responsiveness to the needs of the public that they should be included in this investigation.[13] We will not consolidate any applications which are, or may be, involved in other proceedings, nor those which would have a significant competitive impact.

Obviously, the Board will consider whether any of the authority awarded or modified in this case shall be eligible for subsidy.

While this investigation is intended to be a review of Allegheny's system, we anticipate, because of possible competitive implications, that there will be participation by numerous other carriers. However, we wish to make it clear that this investigation will be limited to issues designated herein and we will not con-

[4] Segment 4 extends between Buffalo and Pittsburgh, via the intermediate points Jamestown, Bradford, and Oil City-Franklin. Allegheny's average load factor over the segment is about 20 percent.

[5] Allegheny is required to schedule service to at least one of the intermediates on flights operated between Pittsburgh and Buffalo by condition 5(b) of its certificate.

[6] We will consolidate herein so much of Allegheny's application in Docket 14865 as requests nonstop authority between Pittsburgh and Buffalo.

[7] Mohawk is presently certificated at Jamestown and has a station there. Mohawk previously served Bradford as a stub-end segment from Elmira-Corning. This service was suspended Apr. 25, 1954, by Order E-8268, Apr. 19, 1954, and terminated in the Mohawk Airlines, Inc., "Use it or Lose it" Investigation (Docket 14041). Initial Decision issued Mar. 4, 1964 (Board review not requested).

[8] While we are unable to foresee what effect the proposed segment realignment and consolidation and intercarrier transfers will have on the resulting segmentation of Allegheny's route, we contemplate the continuation of Buffalo as one of the termini and/or intermediate points on the carrier's system.

[9] Segments 2 and 8 are excluded.

[10] We do not propose by this realignment to affect Allegheny's basic authority, but rather to eliminate duplicate authority and unnecessary restrictions and conditions.

[11] Orders E-20661, Apr. 7, 1964; E-22663, Sept. 16, 1965.

[12] Allegheny is presently authorized by exemption to provide such two-stop service pending final decision in Docket 13846. (Order E-17297, eff. Aug. 9, 1961.) Docket 12846 involves an application for one-stop service and will not be heard in this case.

[13] Docket 12847, Hagerstown-Harrisburg on segment 3; Docket 14090, Hazelton on segment 7; Docket 15239, Dubois as a separate point on segment 6. We will also consider permanent flagstop authority for Allegheny as a replacement for the temporary flagstop authority awarded the carrier in Order E-9836, effective Feb. 10, 1956.

sider in this proceeding the new or previously filed route applications of any other carrier for new authority or any other certificate modifications except as now contemplated in this order of investigation.

Contemporaneously with this order we are issuing our opinion and order on reconsideration in United Deletion of Route 34 Points, Docket 11614. The scope of the proceeding herein is influenced by the finality of the issues decided in that case. Consequently, we are making the instant order effective after that order shall have become final.

Accordingly, it is ordered,

1. That an investigation to be known as the Allegheny Airlines Route 97 Investigation be, and it hereby is, instituted in Docket 17436 pursuant to section 401(g) of the Act to determine whether the public convenience and necessity require the alteration, amendment, or modification of the certificate of public convenience and necessity of:

A. *Allegheny Airlines, Inc.* (1) To add the point Allentown-Bethlehem-Easton to such segments as would be necessary to permit single-plane service from such point to Cleveland, Detroit, Buffalo, and Boston;

(2) To remove as much of condition 5(b) as prohibits nonstop service between Pittsburgh, on the one hand, and Buffalo, Baltimore, and Hartford-Springfield, on the other;

(3) To revise condition 4 so as to authorize two-stop service between Detroit and New York/Newark and one-stop service between Detroit and Philadelphia-Camden; Detroit and Washington; Detroit and Baltimore; Cleveland and Philadelphia-Camden; Cleveland and Baltimore; and Cleveland and Washington;

(4) To add Jamestown, Bradford, and/or Oil City/Franklin as intermediate points on an Allegheny segment other than segment 4;

(5) To delete any or all of the intermediate points on segment 4 if such point or points are certificated in this case for service on the system of another carrier, or on another Allegheny segment;

(6) To consider the realignment of segments 1, 3, 4, 5, 6, and 7 in such manner as to permit increased flexibility in flight scheduling and greater operational efficiency and economy;

(7) To include permanent flagstop authority of the same type now temporarily authorized for Allegheny by Order E–9836, effective February 10, 1956.

B. *Lake Central Airlines, Inc.* (1) To add the point Oil City-Franklin, Pa., to segment 11 of Route 88;

C. *Mohawk Airlines, Inc.* (1) To add the points Bradford, Pa., and Jamestown, N.Y., to segment 8 of Route 94;

(2) To remove so much of condition 4(b) as prohibits nonstop service between Pittsburgh, on the one hand, and Springfield-Westfield, on the other;

D. *Trans World Airlines, Inc.* (1) To impose a long-haul restriction on flights serving Harrisburg, Pa.;

E. *United Air Lines, Inc.* (1) To impose a long-haul restriction on flights operated between Pittsburgh and Buffalo;

2. That there be, and they hereby are, consolidated for hearing and decision herewith Docket 12847; so much of Docket 14865 as requests nonstop authority between Pittsburgh and Buffalo; and Dockets 14990 and 15239;

3. That the remainder of Docket 14865 be and it hereby is dismissed without prejudice;

4. That the issues in this case shall include consideration of whether any new or modified authority granted to local service carriers herein will be granted with or without subsidy eligibility;

5. That a copy of this order shall be served upon Allegheny Airlines, Inc., Mohawk Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., and Lake Central Airlines, Inc., all of whom shall be made parties to this proceeding;

6. That a copy of this order shall also be served upon Northeast Airlines, Inc., North Central Airlines, Inc., all cities authorized to receive air service from Allegheny Airlines, Inc., and the Aeronautics Commissions or Department of each State served by Allegheny Airlines, Inc., and

7. This order shall become effective 70 days after service or at such other date as the Board may by order prescribe.

8. That petitions for reconsideration and motions for consolidation or expansion of the scope of this proceeding shall be filed within 15 days after this order shall have become effective.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66–7112; Filed, June 28, 1966; 8:48 a.m.]

[Docket 17106]

JAPAN AIR LINES COMPANY, LTD.

Notice of Oral Argument

Notice is hereby given that an oral argument on the above-entitled application is assigned to be held on July 13, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut Avenue and Florida Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., June 23, 1966.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 66–7113; Filed, June 28, 1966; 8:48 a.m.]

[Docket 17437; Order No. E–23849]

NORTHEAST AIRLINES, INC.

Proposed Jet Fares; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of June 1966.

On May 24, 1966, Northeast Airlines, Inc. (Northeast), filed tariff revisions,[1] which are marked to become effective June 24, 1966, proposing to establish (1) fares designated as jet first-class and jet deluxe first-class between Bangor, on the one hand, and Boston and New York, on the other, and (2) a seating configuration for its leased CV–880 jet aircraft to provide the proposed jet service. The proposed jet fares are as follows:

	Deluxe first-class	First-class
Bangor-Boston	$22.25	$29.35
Bangor-New York	38.60	34.60

The proposed seating configuration provides for four seats abreast and five seats abreast for deluxe first-class and regular first-class service, respectively, at a uniform seat pitch of 38 inches. Lounge seats are provided for the deluxe first-class service but not for the first-class service. The proposed tariffs do not bear an expiration date. No complaints have been filed.

In support of its proposal, the carrier states that the revisions are issued for the purpose of adding fares for new jet service between Bangor and Boston, or New York; that it plans to inaugurate jet service to these cities on June 24, 1966, with flights between Bangor-New York, Bangor-Boston, Bangor-Philadelphia, and Bangor-Miami; and that this service will be the start of its plans to bring the jet age to Northern New England as well as continue Northeast's improvement of New England service. Further, the carrier states that at present, the service is only planned for weekends; and that as new equipment becomes available, it plans to expand the jet service to this area. Finally, Northeast contends that its New England service will ultimately be provided with DC–9 aircraft but will inaugurate service with Convair 880 jet aircraft in order to afford the New England residents, as well as the tourists, the most attractive service as soon as possible.

The jet fares proposed for the deluxe first-class service are $3.05 and $6.10 in excess of the present first-class piston fares applicable to Boston and New York, respectively. These amounts are considerably in excess of the surcharges heretofore permitted for jet service. While the service to be provided with four-abreast seating has been designated as deluxe first-class service by the carrier, no information has been submitted which would support considering this service on any different basis than a first-class service. Accordingly, we conclude that there is no basis for the carrier increasing its fares for its service with four-abreast seating in excess of the normal surcharge which the Board has heretofore permitted for first-class jet service.[2]

The service designated as "first-class" would be provided with five-abreast seating and there appears to be nothing to distinguish this service from what is usually designated as coach service. In fact, the carrier utilizes this aircraft in other markets in this configuration in services designated as first-class and coach.[3] The proposed fares for the "first-class" service appear excessive for the services proposed, and would equal what could be considered as acceptable for a service with four-abreast seating configuration. We cannot accept, therefore, without investigation, the proposed fares for the service designated as first-class. The fares for such a service should bear the same relationship to the higher quality service as jet coach fares generally bear to jet first-class fares.

Upon consideration of all relevant facts and other matters of record, the Board finds that the proposed deluxe first-class and first-class jet fares may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, and that such fares should be suspended and investigated. The Board would be willing to consider more reasonable jet first-class and coach fares between Bangor and other points on Northeast's routes, however, if such a proposal were based upon the normal surcharge formula used by the domestic trunkline carriers and supported by an adequate statement of justification.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions described in Appendix A[4] attached hereto, and rules, regulations, and practices affecting such fares and provisions, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A hereto are suspended and their use deferred to and including September 21, 1966, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding ordered herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be filed with the tariffs and shall be served upon Northeast Airlines, Inc., who is hereby made a party to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[5]

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66–7114; Filed, June 28, 1966; 8:48 a.m.]

[Dockets 17316, 17345; Order No. E–23858]

SOUTHEAST AIRLINES, INC., AND AMERICAN AIR TAXI, INC.

Establishment of Nonpriority Mail Rates; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of June 1966.

By petitions filed May 11 and May 20, 1966, Southeast Airlines, Inc., and American Air Taxi, Inc., respectively, requested the Board to establish final service mail rates for the transportation of nonpriority mail by aircraft between (1) Key West and Miami and (2) Marathon and Key West, and Marathon and Miami. For these services both petitioners requested the Board to establish the same rates as were established in the Nonpriority Mail Rate Case[1] for the transportation of nonpriority mail between points within the 48 contiguous States.

Subject to the provisions of Part 298 the petitioners are authorized to engage in air transportation, including the carriage of mail, at service rates established by the Board. By Order E–23031, December 23, 1965, service rates at the domestic multielement level were established for the transportation of mail by air between Miami and Key West,[2] between Marathon and Miami, and between Marathon and Key West. The Post Office Department has indicated an interest in extending its use of the services of both petitioners to include the air transportation of nonpriority mail and filed answers supporting the establishment of a final nonpriority mail rate on these routes for both petitioners.

Since there is not presently a nonpriority mail rate in effect for these carriers, the Board has decided to fix and determine the fair and reasonable rates of compensation to be paid to Southeast and American by the Postmaster General for the air transportation of nonpriority mail. The rates being fixed herein are nonpriority mail rates which are currently in effect for similar services provided by the certificated route carriers. These rates are considered fair and reasonable by the carriers and by the Post Office Department, and their establishment and use will improve the postal service between these points and assist the carriers in providing better service to the public. The mail transportation services provided by petitioners are authorized pursuant to, and in accordance with, the provisions of Part 298 of the Board's economic regulations under which air taxi operators may engage in air transportation, and are to be effective for these air taxi operators so long as they have authority to transport mail pursuant to Part 298 of the Board's economic regulations and Order E–22901, November 18, 1965.

Upon consideration of the petitions, the answers of the Post Office Department, and other matters officially noticed, the Board proposes to issue an order to include the following findings and conclusions:

1. The Board has established a service mail rate which has been and continues to be applicable to the certificated domestic trunkline and local service carriers as the fair and reasonable rate of compensation paid them for the transportation of nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith over their respective systems;[3]

2. A final service mail rate for air transportation of nonpriority mail at the same level as that established for the certificated domestic trunkline and local service carriers is fair and reasonable for American Air Taxi, Inc., and Southeast Airlines, Inc., to the extent they are authorized to engage in air transportation as air taxi operators in conformity with the provisions of Part 298 of the Board's Economic Regulations;

3. The fair and reasonable final service mail rates to be paid to Southeast Airlines, Inc., and American Air Taxi, Inc., pursuant to section 406 of the Federal Aviation Act of 1958 for the transportation of nonpriority mail by aircraft, the facilities used and useful therfor, and the services connected therwith between (1) Miami and Key West, Fla., and (2) between Key West and Marathon and Miami and Marathon, Fla., are the multielement rates established by the Board in Order E–17255, July 31, 1961; and

4. The aforesaid rates of compensation shall be service mail rates paid in their entirety by the Postmaster General.

---

[1] Revisions to Airline Tariff Publishers, Inc., agent, C.A.B. Nos. 44 and 65, bearing a filing date of May 24, 1966.

[2] The surcharges of $1.05 and $2.10 for Boston and New York applicable to the service with five-abreast seating would appear as acceptable surcharges for the service with four seats abreast.

[3] The Board believes that the terms "deluxe first-class" bears a connotation of a service of a significantly higher quality than "first-class," similar to the term "first-class" denoting a higher quality of service than coach. As indicated, the carrier has given no basis for concluding that the services to be provided with four- and five-abreast seating configurations are of a higher quality than the first-class and coach service which the carrier is providing with this aircraft in other markets. Absent a showing of a basis for using these descriptions applicable to higher grade service the Board considers that such proposed designations are not warranted.

[4] Filed as part of the original document.

[5] Dissenting statement of Members Gillilland and Adams dissenting filed as part of original document.

[1] 34 C.A.B. 143, 1961.

[2] Order E–22901, Nov. 18, 1965, authorized Southeast and American to engage in transportation of mail by air between Key West and Miami. The certificated route carrier (National) serving this market did not provide sufficient flights to meet the requirements of the Post Office Department and raised no objection to the additional service to be provided by Southeast and American Air Taxi.

[3] Nonpriority Mail Rate Case, Order E–17255, July 31, 1961.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and pursuant to regulations promulgated in 14 CFR Part 302,

It is ordered, That:

1. All interested persons, and particularly Southeast Airlines, Inc., American Air Taxi, Inc., National Airlines, Inc., and the Postmaster General, are directed to show cause why the Board should not adopt the aforegoing proposed findings and conclusions, and fix, determine and publish the final service rates specified above as the fair and reasonable rates of compensation to be paid to Southeast Airlines, Inc., and American Air Taxi, Inc., as air taxi operators engaging in air transportation pursuant to Part 298 of the Board's economic regulations for the transportation of nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rates or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days, after the date of service of this order;

3. If notice of objection is not filed within 10 days, or if notice is filed and answer is not filed within 30 days, after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fixing and determining the final rates specified herein;

4. If answer is filed, the issues involved in determining the fair and reasonable final rates shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order be served upon Southeast Airlines, Inc., American Air Taxi, Inc., National Airlines, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-7115; Filed, June 28, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16476-16478; FCC 66-550]

ARTHUR A. CIRILLI, ET AL.

Memorandum Opinion and Order Amending Designation Order

In re applications of Arthur A. Cirilli, trustee in bankruptcy (WIGL), Superior, Wis., Docket No. 16476, File No. BR-4080, for renewal of license of Station WIGL; Quality Radio, Inc. (WAKX), Superior, Wis., Docket No. 16477, File No. BP-16497, for construction permit; Arthur A. Cirilli, trustee in bankruptcy (Assignor), and D. L. K. Broadcasting Co., Inc. (Assignee), Docket No. 16478, File No. BAL-5627, BALRE-1336, for assignment of license of Station WIGL.

1. The Commission has before it for consideration: (a) A petition, filed March 30, 1966, by Quality Radio, Inc. (Quality), requesting partial reconsideration of our designation order (FCC 66-183, released March 1, 1966); (b) an opposition, filed April 13, 1966, by the Broadcast Bureau; and (c) a reply, filed April 20, 1966, by Quality.

2. As set forth in our Memorandum Opinion and Order, 2 FCC 2d 692, released March 1, 1966, designating the above-captioned applications for hearing, the application of Quality for a construction permit will be considered comparatively with that of D. L. K. Broadcasting Co., Inc. (DLK), for assignment of license of Station WIGL.

3. Quality seeks reconsideration of our designation order to the extent that, in the event Quality receives a grant, its construction permit would include a condition precluding presunrise operation pending final action in a rule-making proceeding, Docket No. 14419. Quality contends that the presunrise condition should be deleted, because no such condition is to be imposed upon DLK in the event of a grant of DLK's application. We agree that under the peculiar circumstances of this comparative case, basic fairness warrants our placing both applicants on equal footings with respect to prospective presunrise operation. We are, therefore, deleting from the order of designation the presunrise condition specified therein as to Quality.

4. *Accordingly, it is ordered*, This 22d day of June 1966, that the petition for partial reconsideration, filed on March 30, 1966, by Quality Radio, Inc. is granted, and that the presunrise condition contained in our Memorandum Opinion and Order, 2 FCC 2d 692, released March 1, 1966, is deleted.

Released: June 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7125; Filed, June 28, 1966; 8:49 a.m.]

[Docket No. 16258; FCC 66M-893]

AMERICAN TELEPHONE & TELEGRAPH CO., ET AL.

Memorandum Opinion and Order

In the matter of American Telephone & Telegraph Co., and the Associated Bell System Cos., Docket No. 16258; charges for interstate and foreign communication service.

1. On June 16, 1966, Edward Lamb Enterprises, Inc. and CATV, Inc., filed a document in this proceeding entitled "Comments of Edward Lamb Enterprises, Inc. and CATV, Inc. as Parties Desiring to be Heard in the Above-Designated Matter." The document recites certain transactions allegedly had by, and between, Edward Lamb Enterprises, Inc. and CATV, Inc., on the one hand, and the Ohio Bell Telephone Co., on the other hand, and asserts, in substance, that the Ohio Bell Telephone Co. has breached certain contracts or agreements it had with these entities and that it has discriminated against them. In this connection the "commenting parties" request that they be permitted to attend and give evidence in the hearings in this proceeding.

2. The subject document makes no specific reference to any section of the Communications Act, or to any provision of the Commission's rules and regulations, and it does not clearly reflect what its procedural basis may be.[1]

3. If the filing entities intend that this document be a request for leave to intervene in this proceeding, such request is deficient for its failure to comply with the requirements of § 1.223 of the Commission's rules. It has not been timely filed; no good cause has been shown for its late filing; and it fails utterly to inform the Commission as to the manner in which the proposed presentation will assist the Commission in the resolution of the issues in this proceeding. Indeed, on its face, it is apparent that the matters on which a showing is proposed have no relation to the issues in this proceeding and are not relevant, material, or competent with respect thereto.

4. If the document is designed to be a notification of a desire by nonparties to participate in this proceeding, pursuant to the provisions of § 1.225 of our rules, it is deficient for the reason last above stated, i.e., the matters therein related are not relevant, material, or competent to any issue in this proceeding.

5. Finally, if it is intended that the subject document be accorded the status of a formal or informal complaint under the provisions of section 208 of the Communications Act, and our § 1.711, et seq., it is defective in that it is incorrectly captioned in the instant proceeding and it does not, in other respects, comply with the foregoing cited applicable rules.[2]

6. Accordingly, for the reasons stated above: *It is ordered*, This 22d day of June 1966, that the document entitled "Comments of Edward Lamb Enterprises, Inc. and CATV, Inc. as Parties Desiring To Be Heard in the Above-Designated Matter" is stricken from the docket in this proceeding.

Released: June 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7126; Filed, June 28, 1966; 8:49 a.m.]

[1] The certificate of service accompanying the document indicates that it has been served upon the Secretary of the Commission, the Ohio Bell Telephone Co. and the American Telephone & Telegraph Co. Such service does not comport with the requirements of the Commission's rules, or the practices pertaining in this proceeding, and such service is inadequate and deficient because of failure to serve all of the parties to this proceeding. However, in view of the disposition hereinafter made of this document, there is no need to labor this point further.

[2] In adverting to the possibility that this document may be intended to be a complaint, we are not ruling or suggesting, at this time, that such complaint would properly lie before this Commission. That determination would be made only upon consideration of the substance of any complaint properly filed.

[Docket No. 16722; FCC 66-559]

BLACK HAWK BROADCASTING CO. (KWWL-TV)

Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In re application of Black Hawk Broadcasting Co. (KWWL-TV), Waterloo, Iowa, Docket No. 16722, File No. BPCT-3606; for construction permit.

1. The Commission has before it for consideration the above-captioned application of Black Hawk Broadcasting Co. for a construction permit to make changes in the facilities of Television Broadcast Station KWWL-TV, Channel 7, Waterloo, Iowa; a petition to deny, filed by WMT-TV, Inc., licensee of Television Broadcast Station WMT-TV, Channel 2, Cedar Rapids, Iowa; informal objections, filed pursuant to § 1.587 of the Commission's rules by The Association of Maximum Service Telecasters, Inc. (AMST), and various related pleadings.[1]

2. The applicant is authorized to operate Station KWWL-TV with effective radiated visual power of 316 kw and antenna height above average terrain of 1,130 feet from a site approximately 7 miles southwest of Independence, Iowa (approximately 17 miles from Waterloo, Iowa, and 35 miles from Cedar Rapids) using an omnidirectional antenna. The present site is 172 miles from cochannel Station KHQA-TV, Hannibal, Mo., a minimum separation of 170 miles being required under our rules.[2] The applicant requests a construction permit to reduce effective radiated visual power to 83.1 kw (average horizonal; 121 kw maximum), increased antenna height above average terrain to 2,075 feet, change transmitter site to a point 10.5 miles southeasterly toward Cedar Rapids, Iowa, about midway between Cedar Rapids and Waterloo (approximately 26 miles from the center of each city), near the present site of the Station WMT-TV tower, directionalize the antenna with a null toward Station KHQA-TV, and make other changes. Operating as proposed, Station KWWL-TV would be 164 miles from Station KHQA-TV and there would, therefore, be a mileage shortage of approximately 6 miles. The applicant, by petition filed July 26, 1965, has requested a waiver of § 73.610 of the rules to permit operation at substandard spacing.[3]

3. Applicant contends that its move to a short-spaced site is necessitated by a number of factors beyond its control. It is alleged that, because of terrain features, it is not competitive with the Cedar Rapids stations and in order to be competitive, it must deliver both Waterloo and Cedar Rapids. The applicant alleges that it is unable to increase tower height at its present location because a proposal to increase tower height at its present site was rejected by the Federal Aviation Agency in 1960. The applicant proposes to afford "equivalent protection" to cochannel Station KHQA-TV by directionalizing the antenna. The applicant also points out that because it proposes to move close to the Station WMT-TV tower, a grant of its proposal would promote the "antenna farm" concept. For these reasons, the applicant contends that a waiver of the separation requirements is warranted.

4. Station KWWL-TV presently provides predicted principal city signals to both Waterloo and Cedar Rapids. Operating as proposed, the signal strength in Cedar Rapids would be increased (but to a level slightly above that provided by Station WMT-TV and substantially below that provided by Station KCRG-TV, Channel 9, Cedar Rapids, Iowa), but signal strength in Waterloo would be decreased. The applicant would, nevertheless, continue to provide a signal strength of at least 88.5 dbu to all of Waterloo.[4] There would be an area containing 156,461 persons who would receive applicant's predicted Grade B signal for the first time, but 7,096 persons would lose a predicted Grade B signal now being received from Station KWWL-TV. Everyone in the loss area would continue to receive at least two other predicted Grade B signals. In the gain area, 321 persons would be included within a second predicted Grade B contour for the first time and 16,435 persons would be included within a third predicted Grade B contour. The remaining 140,000 persons in the gain area already are included within at least three predicted Grade B contours.

5. Petitioner claims standing in this proceeding as a "party in interest" within the meaning of section 309(d) of the Communications Act of 1934, as amended, on the basis that it competes for viewers and advertising revenues with the applicant in Waterloo and Cedar Rapids, Iowa, and that a grant of the application would cause petitioner economic injury. We find that the petitioner has standing. Federal Communications Commission v. Sanders Bros. Radio Station, 309 U.S. 470, 60 S. Ct. 639, 9 RR 2008. AMST does not claim standing as a "party in interest," but rather as an informal objector, and its pleadings will be considered on this basis.

6. Petitioner and the objector dispute the validity of the reasons given by the applicant as requiring it to relocate at a short-spaced site. It is contended that no showing has been made that an increase in tower height at the present site is not possible[5] and that the applicant's conclusion that it is not competitive with the Cedar Rapids stations because of terrain factors is unsupported by the facts. It is also alleged that the applicant has not shown that it cannot operate from some other site which would conform to the spacing requirements and still achieve its objective. There is, it is alleged, such an area within which the applicant could locate with a high tower, meet all spacing requirements, not increase existing overlap of the predicted Grade B contours of its commonly owned stations, and still achieve its purposes. Petitioner points out that most of the gain area is already well served; there would be a loss area; and there would be a diminution of signal strength in Waterloo. In addition, the petitioner has raised questions concerning the efforts, if any, which the applicant has made to ascertain the programing tastes, needs and interests of the new area to be served, and the impact which a grant of the application would have on the development of UHF television broadcasting in the new area. These factors, petitioner contends, require dismissal or designation of the application for hearing.

7. The applicant contends that Federal Aviation Agency approval could not be obtained in the alternate area for a tower of the height which would be necessary. The boundaries of the area are in dispute. The applicant, however, does not dispute the existence of an alternate area from which it could operate, if FAA approval were obtained, and still comply with all of our rules. The question which is thus presented is whether consideration of an alternative is warranted under these circumstances.

8. In WKYR, Inc. (WKYR), FCC 63-893, 1 RR 2d 314, affirmed sub nom Allegany County Broadcasting Corp. et al. v. Federal Communications Commission, —— U.S. App. D.C. ——, 348 F. 2d 788, 5 RR 2d 2067, we said that:

[1] The pleadings filed in this proceeding are listed below. On Dec. 15, 1965, the applicant filed a "Motion for Leave to File Additional Pleading" (listed as (j) below and filed a pleading in connection therewith. This motion will be denied and the associated pleading will be dismissed as having been filed in violation of § 1.45 of the Commission's rules. Springfield Telecasting Co., FCC 64-387 released May 4, 1964; FCC 64R-471, 3 RR 2d 727. Pleadings filed in connection therewith will be dismissed as moot.

[2] Station KHQA-TV is in Zone I; Station KWWL-TV is in Zone II. Section 73.610(b)(2) of the rules provides that, in such cases, the minimum cochannel mileage separation shall be that of the zone requiring the lower separation. Zone I is the zone having the lower separation.

[3] Applicant is also the licensee of Television Broadcast Station KMMT, Channel 6, Austin, Minn. Overlap of the predicted Grade B contours of these commonly-owned stations presently exists, but the proposed operation would not increase the existing overlap.

[4] Section 73.685(a) of the rules requires a minimum field intensity signal of 77 dbu over the entire principal community.

[5] Petitioner contends that that determination was not a final one and that conditions since 1960 may have changed substantially.

The Commission's consistent policy has been, however, that an application which is otherwise in the public interest, and meets the requirements of the rules, should be granted without regard to possible superior proposals which might have been advanced.

We then stated, in a footnote, that:

> Where a particular proposal is inherently deficient, consideration of an alternative may be warranted, as in Beaumont Broadcasting Corp. v. Federal Communications Commission, 91 U.S. App. D.C. 111, 202 F 2d 306.

Here we have a proposal which is inconsistent with our separation requirements and an alternative has been suggested which, it is alleged, would enable the applicant to achieve its purposes without operating in derogation of our rules. Clearly, the proposal before us is an "inherently deficient" one warranting consideration of alternatives. We are of the view that the applicant has made a sufficient threshold showing in its request for waiver to warrant our designating the application for hearing rather than dismissing it. United States et al. v. Storer Broadcasting Co., 351 U.S. 192, 76 S. Ct. 763, 13 RR 2161.

9. With respect to the applicant's argument that its proposal would promote the "antenna farm" concept, it should be noted that in our notice of proposed rule making in Docket No. 16030 (FCC 65-458, 1 R.R. 67:1)[5] we emphasized our concern with the integrity of the minimum spacing requirements and stated that if a particular station could not locate in a designated "antenna farm" consistent with the mileage separation requirements, the establishment of that "antenna farm" was not to be interpreted as an indication that the Commission would condone a mileage shortage to enable that station to locate on the "farm". We will, therefore, specify an issue to determine whether circumstances exist which would warrant a waiver of the mileage separation rules.

10. Lee Broadcasting Corp., licensee of Television Broadcast Station KHQA-TV the cochannel station in Hannibal, Mo., filed a "Statement" on October 11, 1965, containing an agreement between Lee and the applicant in which each undertook to install and maintain precision offset equipment. Lee would not oppose a grant of the application if "equivalent protection" were provided and certain specified conditions were met.[7] Whatever the position of the cochannel station with respect to its willingness to accept "equivalent protection", it is the Commission's responsibility to determine whether such a solution would be in the public interest.

11. Petitioner has also raised a "Suburban" question[8] with respect to the efforts, if any, made by the applicant to ascertain the programing tastes, needs and interests of the proposed gain area. The applicant responded that it submitted a comprehensive showing, with its 1964 renewal application, of its continuing efforts to ascertain the needs and interests of its coverage area. Although the applicant will provide a predicted Grade B signal to Dubuque (population 56,600) and Muscatine, Iowa (population 20,997) for the first time, there is no indication that it has made any effort to ascertain the programing tastes, needs and interests of these communities. It is well established that where, as here, an applicant proposes to provide service to new areas, the applicant is required to demonstrate that it has made efforts to ascertain the programing tastes, needs and interests of those areas. Where this has not been done, an issue is warranted. Wometco Enterprises, Inc. v. Federal Communications Commission, 114 U.S. App. D.C. 261, 314 F 2d. 266, 24 RR 2072; Louisiana Television Broadcasting Corporation v. Federal Communications Commission, —— U.S. App. D.C. ——, 347 F 2d. 808, 5 RR 2d 2025. See also KTBS, Inc., FCC 63-359, 25 RR 301; Television Broadcasters, Inc. (KBMT), FCC 65-379, 5 RR 2d 155.

12. Petitioner also alleges that a grant of the application would have an adverse impact on the development of UHF television broadcasting in the new area proposed to be served. Station KWWL-TV would include Dubuque, Iowa, within its predicted Grade B signal for the first time and its predicted Grade B contour would fall within 7 or 8 miles of Davenport, Iowa. There are two UHF television broadcast channels allocated to each of these communities, but there are no stations authorized to operate on any of them, although there is an application pending for Channel 18 in Davenport, Dubuque, Iowa, is included within the predicted Grade B contours of the following stations:

KCRG-TV, Channel 9, Cedar Rapids, Iowa (ABC).
WMT-TV, Channel 2, Cedar Rapids, Iowa (CBS).
WISC-TV, Channel 3, Madison, Wis. (CBS).

Davenport, Iowa, is included within the predicted principal city contours of the following stations:

WQAD-TV, Channel 8, Moline, Ill. (ABC).
WHBF-TV, Channel 4, Rock Island, Ill. (CBS).
WOC-TV, Channel 6, Davenport, Iowa (NBC).

13. At the present time, in addition to the stations listed above, whose predicted principal city contours encompass all of Davenport, the predicted Grade B contours of Stations WMT-TV and KCRG-TV fall within 30 miles of Davenport. We think that it is evident, under these circumstances, that the proposed operation would have little, if any, effect upon the development of UHF television broadcasting in the area. This is not a situation where we need fear that the incursion of a VHF signal for the first time or the introduction of the signals of a network-affiliated VHF station would jeopardize the opportunities for competition among a greater number of stations. Cf. Selma Television, Inc., FCC 65-216, 5 RR 2d 714. Neither is this a situation where the growth and development or continued existence of an operating UHF television station may be imperiled (cf. KTIV Television Co. (KTIV), FCC 64-212, 2 RR 2d 95), or where an authorized UHF television station's ability to complete construction and begin operation might be adversely affected (cf. Central Coast Television (KCOY-TV), FCC 66-48, released January 18, 1966). The foregoing facts persuade us that an issue with respect to UHF impact would not be warranted in this case.

14. The applicant points out the advantages which would accrue to the public interest if the application were granted, e.g., a new Grade B service to a substantial number of persons, increased signal strength in Cedar Rapids, promotion of the "antenna farm" concept. There would, however, be certain disadvantages (exclusive of those flowing from operation in derogation of the separation requirements) which we must weigh against the gains to determine whether the public interest would be served by a grant of the application. Television Corporation of Michigan, Inc. v. Federal Communications Commission, 111 U.S. App. D.C. 101, 294 F 2d. 730, 21 RR 2107. For example, there will be a diminution of signal strength in Waterloo and there will be a loss area. Accordingly, we will specify an issue with respect to the gains and losses.

15. Having considered all of the matters raised by the pleadings, we find that, except as indicated by the issues specified below, the applicant is qualified to construct and operate as proposed. The Commission, however, is unable to make the statutory finding that a grant of the application would serve the public interest, convenience and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below.

Accordingly, it is ordered, That the petition to deny filed herein by WMT-TV, Inc., and the informal objections filed by the Association of Maximum Service Telecasters, Inc., are granted to the extent indicated herein and are otherwise denied.

It is further ordered, That the motion for leave to file additional pleadings, filed by Black Hawk Broadcasting Co., is denied, and the pleading filed pursuant thereto is dismissed as having been filed in violation of §1.45 of the Commission's rules. The pleadings filed in connection therewith are dismissed as moot.

It is further ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned application of Black Hawk Broadcasting Co. is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether there is an area within which the applicant could locate its transmitter in conformity with all of the requirements of the Commission's rules and provide service to the public equivalent to that proposed in the application.

[5] The Commission has not yet acted on the "antenna farm" proposal.

[7] AMST insists that the specified conditions would be, in any event, inadequate to assure "equivalent protection."

[8] Patrick Henry et al. v. Federal Communications Commission, 112 U.S. App. D.C. 257, 302 F 2d. 191, 23 RR 2016.

2. To determine the areas and populations which may be expected to gain or lose television service or signal strength by the proposed operation of Television Broadcast Station KWWL-TV, and the other television broadcast services available to such areas.

3. To determine the efforts made by the applicant to ascertain the programing tastes, needs and interests of the area proposed to be served and the manner in which the applicant will meet those tastes, needs and interests.

4. To determine whether circumstances exist which would warrant a waiver of § 73.610(a) of the Commission's rules and, if so, to determine the necessary conditions to be met in order to assure that "equivalent protection" will be provided to Station KHQA-TV, Hannibal, Mo., on the basis of the standards set forth in Docket No. 13340.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience and necessity.

It is further ordered, That WMT-TV, Inc., and, on the Commission's own motion, The Association of Maximum Service Telecasters, Inc., are made parties respondent herein.

It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof with respect to Issue 1 herein is hereby placed upon the parties respondent.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and the parties respondent herein, pursuant to § 1.221 (c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to § 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594(a) of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: June 22, 1966.

Released: June 24, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

Pleadings filed herein:

(a) Petition for Waiver of section 73.610 of Commission's rules and regulations, filed July 26, 1965, by Black Hawk Broadcasting Co.

(b) Petition to Dismiss, or In The Alternative, To Deny, filed October 11, 1965, by WMT-TV, Inc.

(c) Objections, filed October 11, 1965, by The Association of Maximum Service Telecasters, Inc. (AMST).

(d) Statement of Lee Broadcasting Corp., filed October 11, 1965.

(e) MST Response to Statement of Lee Broadcasting Corp., filed November 15, 1965, by AMST.

(f) Opposition, filed November 15, 1965, by Black Hawk Broadcasting Co., to (b) and (c), above.

(g) Comments by Black Hawk Broadcasting Co., Re MST Response, filed November 24, 1965, in connection with (e), above.

(h) Reply to Opposition of Black Hawk Broadcasting Co., filed December 6, 1965, by AMST.

(i) WMT-TV Reply to Opposition of KWWL-TV, filed December 6, 1965.

(j) Motion for Leave to File Additional Pleading, filed December 15, 1965, by Black Hawk Broadcasting Co.

(k) Opposition to "Motion for Leave to File Additional Pleading" and, In The Alternative, Response on the Merits to Black Hawk's "Answers," filed December 27, 1965, by WMT-TV, Inc.

(l) Reply by Black Hawk Broadcasting Co. to Opposition, filed January 6, 1966, to (k), above.

(m) Response of WMT-TV, filed January 12, 1966, by WMT-TV, to (l), above.

[F.R. Doc. 66-7127; Filed, June 28, 1966; 8:49 a.m.]

[Docket Nos. 16653, 16654; FCC 66M-896]

LAFAYETTE BROADCASTING CO., INC., AND STATE LINE BROADCASTING CO., INC.

Order Continuing Hearing

In re applications of Lafayette Broadcasting Co., Inc., Lafayette, Tenn., Docket No. 16653, File No. BPH-5009; State Line Broadcasting Co., Inc., Scottsville, Ky., Docket No. 16654, File No. BPH-5119; for construction permits.

A conference is scheduled to be held at 9 a.m., June 23, 1966, looking toward hearing in the above-entitled proceeding. Today counsel for Lafayette called and said that he had been informed that an agreement had been reached between the applicants under which one undertook to dismiss its application.

It appearing that the chances are good that hearing in this case will become moot: *It is therefore ordered,* This 22d day of June 1966, that the prehearing conference now scheduled to be held at 9 a.m., June 23, 1966, is canceled, and the hearing now scheduled for July 18, 1966, is continued to September 1, 1966.

Released: June 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7129; Filed, June 28, 1966; 8:49 a.m.]

[Docket No. 14855; FCC 66M-894]

NORTHERN INDIANA BROADCASTERS, INC.

Order After Prehearing Conference

In re application of Northern Indiana Broadcasters, Inc., Mishawaka, Ind., Docket No. 14855, File No. BP-14771; for construction permit.

Pursuant to agreements reached at a conference held on June 22, 1966, the following schedule will govern future trial of this proceeding:

(1) On or before September 6, 1966, applicant will provide other parties with copies of the engineering portion and that portion of its direct presentation that relates to its own program proposals;

(2) Hearing will be held on September 26, 1966.

So ordered, This 22d day of June 1966.

Released: June 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7131; Filed, June 28, 1966; 8:49 a.m.]

[FCC 66-563]

COMMUNICATIONS SATELLITE CORP. (COMSAT)

Order Regarding Furnishing of Satellite Services and Channels

JUNE 23, 1966.

The Commission announced today that other than communications common carriers, persons, and entities, including the U.S. Government, may obtain telecommunications channels or services directly from the Communications Satellite Corporation (Comsat) only in those instances where appropriate authorization has been issued by the Commission upon a finding that there are unique or exceptional circumstances warranting such authorization.

The Commission reached this determination at a Special Meeting relating to its proceeding, In the Matter of Authorized Entities and Authorized Users Under the Communications Satellite Act of 1962 (Docket No. 16058).

In reaching its decision, the Commission considered the provisions of the Communications Satellite Act of 1962, its legislative history and the various briefs and comments filed in the proceeding. The Commission concluded that, in keeping with the intent of Congress, Comsat, which was established pursuant to the Act, was to have as its principal operating function the furnishing, for hire, of communication satellite channels and services to communications common carriers, who in turn would employ such facilities to furnish service to the public and the Government. The Commission further concluded that it would be in derogation of the policy of the Act, destructive of fair competition, and incompatible with the maintenance of a sound commercial telecommunications system for Comsat to compete with carriers that are re-

quired to secure international circuits from it in furnishing communications services to the public and the Government; and, therefore, that Comsat should be limited to furnishing services to others than carriers in only those cases where there are unique or exceptional circumstances warranting the authorization.

The Commission noted that the Communications Satellite Act permits Comsat to contract with authorized users, including the Government, for the services of the satellite system. The crucial question to be determined, therefore, is how and under what circumstances such contracts may be entered into. In this connection, the Commission noted that a controlling factor is the express policy of the Act that the Commission should "insure that any economies made possible by a communications satellite system are appropriately reflected in rates for public communication services."

The Commission believes that if the Government or others were to obtain all services and, particularly, individual channels or groups of channels in the satellite system, without any restriction, directly from Comsat, there would be serious adverse effects upon the well-being of the commercial telecommunications industry and the general public it serves. Thus, the Commission pointed out that because the Government is a principal source of overseas traffic and revenues to the common carriers, substantial diversion of Government telecommunications business to Comsat could seriously jeopardize the viability of those carriers who are expected to maintain and operate an efficient network of both cables and satellite circuits serving the general public at reasonable rates. Accordingly, it will be the policy of the Commission to authorize Comsat to furnish the services in the system, or to lease channels directly to the Government only when it is clearly established that there are unique and exceptional circumstances. A current example of such circumstances is the authorization given to Comsat to provide the services of a specially created system directly to the Government to meet the unique needs of NASA's Apollo Program.

The Commission also announced that, in furtherance of the aforementioned statutory policy with respect to rates, it expects the common carriers promptly to give further review to their current rate schedules and file revisions which fully reflect the economies made available through the leasing of circuits in the satellite system. Failure of the carriers to do so promptly and effectively, the Commission stated, will require the Commission to take such actions as are appropriate.

The Commission made this announcement in advance of issuing the text of its formal decision because of the great importance of this matter and the desirability of early clarification which it deemed to be in the public interest.

Adopted: June 23, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7132; Filed, June 28, 1966; 8:49 a.m.]

[Supp. 5]

CANADIAN-U.S.A. VHF TELEVISION BROADCAST STATIONS

Working Arrangement for Allocation Under 1952 Agreement

JUNE 22, 1966.

Amendment of Table A of the 1961 working arrangement for allocation of VHF television broadcast stations under the Canadian-U.S.A., Television Agreement of 1952:

Pursuant to an exchange of correspondence between the Department of Transport of Canada and the Federal Communications Commission, Table A, Annex I of the Television Working Arrangement under the Canadian-U.S.A. Television Agreement has been amended as follows:

City	Channel No.	
	Delete	Add
St. Catharines, Ontario.	49—	27[1]
Manitouwadge, Ontario.	9—	8+.
Wawa, Ontario		9+ (limitation to protect CBFOT, Ch. 9, Timmins, Ontario, and a cochannel allocation at Elliot Lake, Ontario.
Marathon, Ontario		11—
White River, Ontario		12— (limitation to protect CBFOT-1, Kapuskasing, Ontario, and a cochannel allocation at Sault Ste. Marie, Ontario).
Courtenay, British Columbia.	(2) 9—	9— (limitation 8.9 kw average in accordance with submitted directional antenna pattern and 483 feet to protect KSTS-TV, Ch. 9 Seattle, Wash.).

[1] Channel offset designation to be supplied at later date.
[2] Limitation 1 dbk, 500 feet.

Further amendments to Table A will be issued as public notices in the form of numbered supplements.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7133; Filed, June 28, 1966; 8:50 a.m.]

[Canadian Change List 213]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections in Assignments

JUNE 14, 1966.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph No. 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
		1230 kilocycles				
CFLK (assignment of call letters).	Kapuskasing, Ontario	0.10 kw	ND	U	IV	
		1330 kilocycles				
CKKR (assignment of call letters).	Rosetown, Saskatchewan.	10 kw	DA-1	U	III	
		1340 kilocycles				
CFLH (assignment of call letters).	Hearst, Ontario	0.10 kw	ND	U	IV	
		1400 kilocycles				
CKCB (PO: 1400 kc 0.25 kw ND).	Collingwood, Ontario	1 kw D/0.25 kw N.	ND	U	IV	E.I.O. 6-14-67.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-7124; Filed, June 28, 1966; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 1208]

ITALY, FRANCE, SPAIN, AND PORTUGAL/NORTH PACIFIC FREIGHT POOL AND MEDITERRANEAN/NORTH PACIFIC COAST FREIGHT CONFERENCE

Order Granting Limited Remand

In the matter of agreement 9229—Italy, France, Spain, and Portugal/North Pacific Freight Pool and agreement 8090, as amended—Mediterranean/North Pacific Coast Freight Conference.

This proceeding was instituted to determine the approvability of Agreement No. 9229, a proposed pooling agreement between common carriers serving the trade from Italian, French, and Spanish ports to ports on the Pacific Coast of the United States and Canada. At the time the proposed pooling agreement was filed, the four parties to this agreement were d'Amico Societa di Navigazione S.p.A., Italia Societa Per Azione di Navigazione, Italnavi Societa di Navigazione per Azioni and Zim Israel Navigation Co., Ltd. During the course of the proceeding, Italnavi discontinued its service and withdrew from the proposed agreements.

In his Initial Decision, the Examiner approved the pooling agreements, subject to certain modifications, including the changes required as a result of the withdrawal of Italnavi.

In their Exceptions to the Examiner's Initial Decision, Hearing Counsel contend that, since the filing of the pooling agreement and as a result of Italnavi's withdrawal, circumstances have changed to such an extent that the agreement for which approval is sought is not the current agreement of the parties. Consequently, they urge the Commission to remand the proceeding to the Examiner in order to afford Respondents opportunity to file their entire pooling agreement and to afford Hearing Counsel opportunity to test the lawfulness thereof. In their Reply to Exceptions, Respondents have advised that they are in accord with Hearing Counsel's suggestion to remand. Respondents have advised in their Reply to Exceptions that negotiations are still continuing with respect to membership in the pool and the respective shares to be alloted each member.

In testing the lawfulness of the modifications to be filed, it may be that Hearing Counsel will desire to introduce further evidence. To afford him this opportunity and further so that the Commission will have the benefit of an Initial Decision on the forthcoming modifications to the agreement,

It is ordered, That this proceeding be, and hereby is, remanded to the Examiner in order that he may determine the approvability of the pooling agreement after all its effective terms have been filed and after opportunity for hearing.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-7095; Filed, June 28, 1966; 8:46 a.m.]

BAHAMA ISLANDS RATE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. W. C. Rebenack, Freight Traffic Manager, United Fruit Co. Steamship Service, Pier 3, North River, New York, N.Y., 10006.

Agreement 9558, between Atlantic Lines, Ltd., Blue Ribbon Line, Ltd., and United Fruit Co., common carriers operating in the trade between ports in the Bahama Islands and U.S. Atlantic and Gulf ports, provides that the parties will confer and discuss with each other the rates, charges, classifications and related tariff matters to be charged or observed by them in the above trade in order to promote commerce and stability in such trade in accordance with the terms and conditions set forth in the agreement.

Dated: June 24, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-7096; Filed, June 28, 1966; 8:46 a.m.]

GULF/MEDITERRANEAN PORTS CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. John T. Crook, Chairman, Gulf/Mediterranean Ports Conference, Suite 927, Whitney Building, New Orleans, La., 70130.

Agreement 134-29, between the members of the Gulf/Mediterranean Ports Conference, modifies the basic agreement to (1) provide for the appointment of a Chairman in addition to a Secretary, the Secretary to perform the function of the Chairman in his absence, (2) provide that all meetings of the parties shall be held at the Conference office in New Orleans unless another place of meeting is agreed upon in advance by a two-thirds vote of the parties, (3) revoke the right of Conference members at New Orleans and at Galveston to exercise independent action and to deal with outside competition at New Orleans, Sabine District ports and at Gulf ports east of New Orleans, and at Galveston, Gulf ports west of Sabine District ports, and (4) make such other changes which are consistent with the foregoing and which will bring the agreement into conformity with General Order 18 (46 CFR Part 537).

Dated: June 24, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-7097; Filed, June 28, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811-872]

DORACHEL FUND, INC.

Notice of Filing of Application for Order Declaring That It Has Ceased To Be an Investment Company

JUNE 23, 1966.

Notice is hereby given that the Dorachel Fund, Inc. ("applicant"), 199 Main Street, White Plains, N.Y., has filed an application pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order declaring that it has ceased to be an investment company as defined in the Act.

The applicant was incorporated on March 6, 1959 under the laws of the State of New York. It was authorized to issue 100,000 shares of $1 par value stock.

Pursuant to section 8(a) of the Act a notification of registration on Form N-8A was filed with the Commission March 24, 1959. The applicant, however, never filed a registration statement on Form N-8B-1.

The applicant never made any public offering of its shares of stock after it was formed, and never engaged in the business for which it was formed. It has never received any cash or securities, or acquired any other assets.

The applicant has no creditors and at no time pledged its credit for or on account of any matter.

Notice is further given that any interested person may, not later than July 15, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–7081; Filed, June 28, 1966; 8:45 a.m.]

[812–1958]

ESTATE OF WILLIAM G. MAGUIRE AND MISSOURI-KANSAS PIPE LINE CO.

Notice of Filing of Application

JUNE 23, 1966.

Notice is hereby given that Estate of William G. Maguire ("Estate"), c/o Hays, Sklar & Herzberg, 200 Park Avenue, New York, N.Y., 10017, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting from the provisions of section 17(a) of the Act an exchange of shares of common and Class B stock of Missouri-Kansas Pipe Line Co. ("Mokan"), 1 Chase Manhattan Plaza, New York, N.Y., 10005, for shares of common stock of Panhandle Eastern Pipe Line Co. ("Panhandle") and Hugoton Production Co. ("Hugoton"). Since 1949, Mokan has offered pursuant to shareholder approval to repurchase its own common stock and Class B stock in exchange for shares of Panhandle and Hugoton, its only portfolio securities. The present exchange offer consists of 9 shares of Mokan common stock or 180 shares of Mokan Class B stock for 34.85 shares of Panhandle common stock and 4½ shares of Hugoton common stock. Mokan is a registered nondiversified closed-end management investment company under the Investment Company Act of 1940 ("Act").

The Estate owns 38,170 shares of Mokan common stock and 104,637 shares of Mokan Class B stock, constituting approximately 14 percent and 41 percent, respectively, of the outstanding shares. The Estate is, therefore, an affiliated person of Mokan as defined in section 2(a)(3) of the Act. The Estate proposes to accept the exchange offer and sell all its Mokan common and Class B stock to Mokan in exchange for shares of Panhandle and Hugoton. Section 17, as here pertinent, makes it unlawful for an affiliated person of a registered investment company to sell to or buy from such company any security or property unless exempted by the Commission pursuant to section 17(b) thereof. Under section 17(b) of the Act, the Commission shall grant an exemption from the prohibitions of section 17(a) of the Act if it finds that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any persons concerned, that the proposed transaction is consistent with the policy of the registered investment company concerned, as recited in the registration statement and reports filed under the Act, and with the general purposes of the Act. All interested persons are referred to the application filed with the Commission for a full statement of the representations therein which are summarized below.

The exchange offer is the subject of a registration statement under the Securities Act of 1933 (File No. 2–22351) which became effective May 11, 1966. It is stated therein that taking Panhandle common stock owned by Mokan at $38.75 per share, the last reported sale price on the New York Stock Exchange, and Hugoton common stock owned by Mokan at $44.75 per share, the last reported bid price in the over-the-counter market, on December 31, 1965, and after providing for Federal income taxes applicable to the unrealized appreciation (amounting to $40.69 per share of Mokan common stock and $2.03 per share of Mokan Class B stock), the indicated asset value on December 31, 1965 was approximately $133.06 per share of Mokan common stock and approximately $6.65 per share of Mokan Class B stock. Assuming distribution in kind on liquidation and without providing for Federal income taxes applicable to the unrealized appreciation, the corresponding figures as of the same date were approximately $173.75 per share of Mokan common stock and $8.68 per share of Mokan Class B stock. The price range of Mokan common and Class B stock in the over-the-counter market for the period 1961–1966 (through March 31, 1966) is as follows:

Period	Common stock		Class B stock	
	High	Low	High	Low
1961	$112	$90	$5.50	$4.25
1962	138	92	7.10	5.25
1963	175	138	8.25	6.75
1964	177	147½	8.85	7.35
1965	199	164½	9.375	8.125
1966 (through 3–31–66)	184	149	9.125	7.375

The bid prices in the over-the-counter market on March 31, 1966, were $161 per share of common stock and $8.05 per share of Class B stock.

The Estate desires to effect the exchange in order to take advantage of the alternate valuation provisions of the Internal Revenue Code.

The Estate believes that the terms of the proposed exchange, and in particular the ratio of stock of Mokan to be exchanged for the stock of Panhandle and Hugoton, are reasonable and fair and do not involve overreaching on the part of any person concerned; that the proposed exchange is consistent with the policy of Mokan and that the proposed exchange is consistent with the general purposes of the Act.

Notice is further given that any interested person may, not later than July 7, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or of law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–7082; Filed, June 28, 1966; 8:45 a.m.]

[File No. 70–4395]

JERSEY CENTRAL POWER & LIGHT CO.

Notice of Proposed Issue and Sale of Principal Amount of First Mortgage Bonds

JUNE 23, 1966.

Notice is hereby given that Jersey Central Power & Light Co. ("Jersey Central"), Madison Avenue at Punch Bowl Road, Morristown, N.J., 07960, an electric utility subsidiary company of General Public Utilities Corp., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Jersey Central proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, $30,000,000 principal amount of First Mortgage Bonds, ——% Series due August 1, 1996. The interest rate (which will be a multiple of ⅛ of 1 percent and the price, exclusive of accrued interest (which will be not less than 100 percent nor more than 102.75 percent of the principal amount thereof), will be determined by the competitive bidding. The bonds will be issued under a mortgage and deed of trust dated as of March 1, 1946, between Jersey Central and First National City Bank, successor Trustee, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated August 1, 1966.

The proceeds (other than premium, if any, and accrued interest) received from the issue and sale of the bonds will be used by Jersey Central to finance, in part, the cost of its 1966 construction program, estimated at $73,600,000, and to pay bank loans incurred for construction purposes. The premium, if any, from the sale of the bonds will be used for payment of the expenses of the proposed transaction and for other corporate purposes.

The fees and expenses to be paid by Jersey Central in connection with the issue and sale of the bonds are estimated at $86,000 including counsel fees of $18,000, and accountant's fees of $4,250. A statement of the counsel fees for the underwriters, to be paid by the successful bidders, will be supplied by amendment.

It is stated that the Public Utility Commission of New Jersey has jurisdiction over the proposed issue and sale of bonds by Jersey Central, and no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than July 19, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–7083; Filed, June 28, 1966; 8:45 a.m.]

[File No. 1–4198]

MOHAWK AIRLINES, INC.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

JUNE 23, 1966.

In the matter of application of the Philadelphia-Baltimore-Washington Stock Exchange; for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

Mohawk Airlines, Inc., File 1–4198.

Upon receipt of a request, on or before July 9, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66–7084; Filed, June 28, 1966; 8:45 a.m.]

[File No. 812–1962]

NATIONAL AVIATION CORP.

Notice of Filing of Application for Order for Exemption To Permit Purchase of Securities During an Underwriting

JUNE 23, 1966.

Notice is hereby given that National Aviation Corp. ("Applicant"), 111 Broadway, New York, N.Y., 10006, a closed-end, nondiversified management investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 10(f) of ("Act") for an order of the Commission exempting from the provisions of section 10(f) a proposed purchase by the Applicant at the public offering price of up to $2,000,000 principal amount of the convertible subordinated debentures due July 1, 1991 of Douglas Aircraft Co., Inc. ("Debentures"). The proposed purchase is of a portion of a $75,000,000 offering of Debentures expected to be offered to the public as soon as the registration statement Form S–1 of Douglas Aircraft Co., Inc., filed June 7, 1966, shall be made effective pursuant to section 8(a) of the Securities Act of 1933. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

The firm of Hornblower & Weeks-Hemphill Noyes, is a principal underwriter for the issue. Howard E. Buhse, a director of Applicant, is a partner of that firm. Section 10(f) of the Act, as here pertinent, provides that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate any security (except a security of which such company is the issuer) if a director of the registered investment company is an affiliate of a principal underwriter of such security. Since one of the Applicant's directors is an affiliated person of one of the principal underwriters offering Debentures, the purchase thereof by the Applicant is prohibited. The Commission may exempt a transaction from this prohibition if and to the extent that such exemption is consistent with the protection of investors.

The Applicant in support of its application asserts that the proposed purchase of Debentures is consistent with Applicant's investment objectives and policies and is not proposed for the purpose of stimulating the market in the Debentures or for the purpose of relieving the underwriters of securities otherwise unmarketable, that it will not purchase the Debentures from Hornblower & Weeks-Hemphill Noyes, that the terms of the purchase, if consummated, are fair and

reasonable, and that the amount paid will not exceed 2.2 percent of Applicant's assets as of June 3, 1966.

Notice is further given that any interested person may, not later than July 5, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-7085; Filed, June 28, 1966; 8:45 a.m.]

[File No. 1-3490]

PENNSYLVANIA GAS AND WATER CO.

Notice of Application To Withdraw From Listing and Registration

JUNE 23, 1966.

The above named issuer has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the Philadelphia-Baltimore-Washington Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

The reasons advanced by the Board of Directors for the application are as stated in the Company's proxy statement dated April 29, 1966, which is on file with the Commission and has been disseminated to stockholders. The delisting of the common stock of the Company was approved by stockholders on June 1, 1966, in accordance with the rules of the Exchange.

Any interested person may, on or before July 9, 1966, submit by letter to the Secretary of the Securities and Exchange Commission, Washington 25, D.C., facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. An order granting the application will be issued after the date mentioned above, on the basis of the application and any other information furnished to the Commission, unless it orders a hearing on the matter.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-7086; Filed, June 28, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 24, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40557—*Sulphur from Queen City, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-8857), for interested rail carriers. Rates on crude and refined sulphur, in carloads, from Queen City, Tex., to points in official and southern territories.

Grounds for relief—Market competition.

Tariff—Supplement 299 to Southwestern Freight Bureau, agent, tariff ICC 4177.

FSA No. 40558—*Fertilizer solutions to points in Wyoming.* Filed by Southwestern Freight Bureau, agent (No. B-8863), for interested rail carriers. Rates on fertilizer solutions, in carloads, from points in southwestern territory, to points in Wyoming.

Grounds for relief—Market competition.

Tariff—Supplement 6 to Southwestern Freight Bureau, agent, tariff ICC 4682.

FSA No. 40559—*Sand to Cranston, R.I.* Filed by Southwestern Freight Bureau, agent (No. B-8864), for interested rail carriers. Rates on sand, in carloads, from specified points in Missouri and Oklahoma, also Guion, Ark., and Brady, Tex., to Cranston, R.I.

Grounds for relief—Market competition.

Tariff—Supplement 107 to Southwestern Freight Bureau, agent, tariff ICC 4565.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7101; Filed, June 28, 1966; 8:47 a.m.]

[Notice 401]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 24, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 1187 (Deviation No. 6), CUSHMAN MOTOR DELIVERY COMPANY, INC., 1480 W. Kinzie Street, Chicago, Ill., 60622, filed June 16, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Detroit, Mich., over U.S. Highway 25 to junction Interstate Highway 75, approximately 4 miles north of Flat Rock, Mich., thence over Interstate Highway 75 to Toledo, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: From Detroit, Mich., over U.S. Highway 24 (also over U.S. Highway 25) to Toledo, Ohio, and return over the same routes.

No. MC 2002 (Deviation No. 1), PHILIPP TRANSIT LINES, INC., Post Office Box 335, Highway 100 East, Washington, Mo., 63090, filed June 17, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Warrenton, Mo., and St. Louis, Mo., over Interstate Highway 70, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Warrenton, Mo., over Missouri Highway 47 to junction Missouri Highway 100, thence over Missouri Highway 100 to junction U.S. Highway 50, thence over U.S. Highway 50 to St. Louis, Mo., and return over the same route.

No. MC 28478 (Deviation No. 6), GREAT LAKES EXPRESS CO., 172 Davenport Street, Saginaw, Mich., 48605, filed June 20, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 20 and combined Ohio Highways 10 and 82, over combined Ohio Highways 10 and 82 to junction Ohio Highway 57, thence over Ohio Highway 57 to junction Ohio Highway 82, thence over Ohio Highway 82 to Cuyahoga County, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Toledo, Ohio over Ohio Highway 51 to junction U.S. Highway 20, thence over U.S. Highway 20 to Cleveland, Ohio, and return over the same route.

No. MC 32838 (Deviation No. 2), SCHERFF'S TRUCK LINE, INC., 305 East Main Street, California, Mo., 65018, filed June 20, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Jefferson City, Mo., over U.S. Highway 54 to junction Interstate Highway 70, thence over Interstate Highway 70 to St. Louis, Mo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Jefferson City, Mo., over U.S. Highway 50 via Rosebud, Mo., to junction U.S. Highway 66 at or near Gray Summit, Mo., thence over U.S. Highway 66 (portion formerly shown as City U.S. Highway 66) to East St. Louis, Ill., and thence over city streets to National City, Ill., and return over the same route.

No. MC 32838 (Deviation No. 3), SCHERFF'S TRUCK LINE, INC., 305 East Main Street, California, Mo., 65018, filed June 20, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., over Interstate Highway 70 to junction U.S. Highway 65, thence over U.S. Highway 65 to Sedalia, Mo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Union, Mo., over U.S. Highway 50 to Kansas City, Kans., and return over the same route.

No. MC 44592 (Sub-No. 1) (Deviation No. 11), MIDDLE ATLANTIC TRANSPORTATION CO., INC., 976 West Main Street, Post Office Box 1296, New Britain, Conn., 06053, filed June 20, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Dayton, Ohio, over U.S. Highway 35 to junction Interstate Highway 71, thence over Interstate Highway 71 to Columbus, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Dayton, Ohio, over Ohio Highway 4 to junction U.S. Highway 40, thence over U.S. Highway 40 to Columbus, Ohio, and return over the same route.

No. MC 109265 (Deviation No. 6), W. L. MEAD, INC., Post Office Box 31, Cleveland Road, Norwalk, Ohio, 44857, filed June 17, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Findlay, Ohio, over Interstate Highway 75 (Freeway) to Dayton, Ohio, (2) from Zanesville, Ohio, over Interstate Highway 70 (Freeway) to Columbus, Ohio, and (3) from junction Interstate Highways 80 and 90 (Toll Road) and Ohio Highway 8, Interchange No. 12, over Interstate Highways 80 and 90 to Chicago, Ill., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Boston, Mass., over U.S. Highway 20 via Worcester, Mass., Albany, Waterloo, and Depew, N.Y., and Cleveland, Ohio, to Norwalk, Ohio, thence over unnumbered highway to North Fairfield, Ohio, thence over unnumbered highway to Delphi, Ohio, thence over U.S. Highway 224 to Attica, Ohio, thence over Ohio Highway 4 to Marion, Ohio, thence over U.S. Highway 23 to Columbus, Ohio, (2) from Attica, Ohio, over U.S. Highway 224 to Findlay, Ohio, and (3) from Zanesville, Ohio, over U.S. Highway 40 to junction Ohio Highway 440 (formerly portion U.S. Highway 40), thence over Ohio Highway 440 to Jacksontown, Ohio, thence over Ohio Highway 13 to Newark, Ohio, thence over Ohio Highway 16 to Columbus, Ohio, thence over U.S. Highway 40 via West Jefferson, Ohio, to Springfield, Ohio, thence over unnumbered highway (formerly portion Ohio Highway 4) via Enon, Ohio, to junction Ohio Highway 444 (formerly portion Ohio Highway 4), near Fairborn, Ohio, thence over Ohio Highway 444 to junction unnumbered highway (formerly portion Ohio Highway 4), thence over unnumbered highway via Riverside, Ohio, to Dayton, Ohio, thence over U.S. Highway 25 to junction unnumbered highway (formerly portion U.S. Highway 25), thence over unnumbered highway via Troy, Piqua, Sidney, Anna, Botkins, Wapakoneta, and Cridersville, Ohio, to Lima, Ohio, thence over U.S. Highway 30S to Delphos, Ohio, thence over U.S. Highway 30 via Van Wert, Ohio, to junction City U.S. Highway 30 (formerly portion U.S. Highway 30), thence over City U.S. Highway 30 via Fort Wayne, Ind., to junction U.S. Highway 30, thence over U.S. Highway 30 to junction unnumbered highway (formerly portion U.S. Highway 30), thence over unnumbered highway via Columbia City, Ind., to junction U.S. Highway 30, thence over U.S. Highway 30 via Valparaiso, Ind., to junction Alternate U.S. Highway 30, thence over Alternate U.S. Highway 30 to Chicago, Ill., and return over the same routes.

By the Commission.

[SEAL] H. NEAL GARSON, *Secretary.*

[F.R. Doc. 66-7102; Filed, June 28, 1966; 8:47 a.m.]

[Notice 939]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 24, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 2510 (Sub-No. 30) (Republication), filed February 7, 1966, published FEDERAL REGISTER issue of March 3, 1966, and republished, this issue. Applicant: ZIFFRIN TRUCK LINES, INC., 1120 South Division Street, Indianapolis, Ind. Applicant's representative: Ferdinand Born, 1017–19 Chamber of Commerce Building, Indianapolis, Ind. By application filed February 7, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over regular routes, of the commodities to and from the point indicated below, subject to the restriction that the commodities to be transported have had or will have an immediately prior or subsequent movement under the billing of the New York Central Railroad. An Order of the Commission, Operating Rights Board No. 1, dated June 14, 1966, and served June 21, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, livestock, commodities in bulk, and those requiring special equipment), serving the facilities of the New York Central Railroad, known as the Big Four Yards, east of Indiana Highway 267, south of U.S. Highway 36, and north of U.S. Highway 40, in Henricks County, Ind., as an offroute point in connection with the car-

rier's presently authorized regular-route operations to and from Indianapolis, Ind., restricted to the transportation of traffic having an immediately prior or subsequent movement by rail; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 110098 (Sub-No. 74) (Republication), filed January 20, 1966, published FEDERAL REGISTER issue of February 3, 1966, and republished, this issue. Applicant: ZERO REFRIGERATED LINES, 815 Merida Street, Box 7249, Station A, San Antonio, Tex. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha 2, Nebr. By application filed January 20, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of cream or liquid cream substitutes, sterilized, plain, sweetened, or flavored, in hermetically sealed containers, in boxes, from and to the points indicated below. An order of the Commission, Operating Rights Board No. 1, dated June 14, 1966, and served June 22, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of (1) *liquid dairy cream substitutes*, in containers, and (2) *dairy cream*, in containers, in mixed loads with the commodity specified in (1) above, from Gustine, Calif., to points in Arizona, New Mexico, Oklahoma, Texas, and Louisiana; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 125194 (Sub-No. 6) (Republication), filed March 3, 1966, published FEDERAL REGISTER issue of March 31, 1966, and republished, this issue. Applicant: STATE LINE DAIRY, INC., 1015 State Line Road, Niles, Mich. Applicant's representative: William L. Carney, 105 East Jennings Avenue, South Bend, Ind. By application filed March 3, 1966, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of dairy products and diet dairy products from the site of State Line Dairy, Inc., at Niles, Mich., to (1) points in Elkhart, Lagrange, St. Joseph, and Steuben Counties, Ind., and (2) restaurants, lunchrooms, and commissaries located on the Indiana East-West Toll Road (Interstate Highways 80 and 90), except those in the counties named above, and returned and rejected shipments on return. An order of the Commission, Operating Rights Board No. 1, dated June 14, 1966, and served June 22, 1966, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of *dairy products and vegetable fat substitutes therefor*, from Milwaukee, Wis., to points in Elkhart, Lagrange, St. Joseph, Steuben, La Porte, Porter, and Lake Counties, Ind., under a continuing contract with the Borden Co., of Flemington, N.J., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; that an appropriate permit should be issued, subject to the conditions (1) that applicant shall conduct separately its for-hire carrier operations and its other business activities, (2) that it shall maintain separate accounts and records therefor, and (3) that it shall not transport property as both a private and for-hire carrier in the same vehicle and at the same time. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

NOTICE OF FILING OF PETITION

Nos. MC 118803 and MC 118803 (Sub-No. 1) (Notice of filing of petition for modification of permits), filed June 3, 1966. Petitioner: ATLANTIC TRUCK LINES, INC., Paterson, N.J. Petitioner's representative: Arthur H. Priest, 71-23 Austin Street, Forest Hills, N.Y., 11375. Petitioner states that it holds authority from this Commission in Nos. MC 118803 and MC 118803 (Sub-No. 1), issued February 12, 1964, and August 19, 1964, respectively, authorizing it to conduct operations for L. Bieler & Sons, Inc., and National Elbow & Fitting Corp., both of Long Island City, N.Y. Petitioner further states that on or about December 1, 1966, the above-named shippers will conduct manufacturing operations at their new plant, now being built, located at Hauppauge, Suffolk County, N.Y. The shippers will also conduct manufacturing operations at their Long Island City, N.Y., plant on a curtailed basis. By the instant petition, petitioner seeks to add Hauppauge, Suffolk County, N.Y., as a point from which petitioner may conduct operations for both of the above-named shippers, on and after December 1, 1966, to the considered destination territory set forth in permits Nos. MC 118803 and MC 118803 (Sub-No. 1). Petitioner states it is not seeking through this petition any additional destination territory, nor to serve any additional shippers. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATION FOR CERTIFICATE OR PERMIT WHICH IS TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 109397 (Sub-No. 141) (Amendment), filed April 27, 1966, published FEDERAL REGISTER issue of May 18, 1966, amended June 6, 1966, and republished as amended, this issue. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's representative: Max G. Morgan, 443-54 American Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General freight*, within a 50-mile radius of 464 West 24th Place, Chicago, Ill., to or from any point outside of such authorized area of operation in Illinois for a shipper or shippers within such area, (2) *general commodities moving on Government bills of lading*, between points in Illinois, and (3) *classes A, B, and C explosives and dangerous articles*, between points in Illinois. NOTE: The purpose of this republication is to redescribe (1) above. This application is directly related to Docket No. MC-F-9411 published May 4, 1966. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-9453. Authority sought for purchase by SOUTH BEND FREIGHT LINE, INC., 1200 South Olive Street, South Bend, Ind., 46624, of the operating rights of RONALD W. WHITEFORD, doing business as INDIANA-MICHIGAN EXPRESS, 2120 West Sample, South Bend, Ind., 46621, and for acquisition by ALBERT SCHULMAN, 19649 Ireland Road, South Bend, Ind., LOUIS H. SCHULMAN and EDITH SCHULMAN, both of 1421 Northside Boulevard, South Bend, Ind., JENNIE COHEN, 901 West Mishawaka Boulevard, Mishawaka, Ind., and ARTHUR SCHULMAN, 1028 Rose-

mary Lane, South Bend, Ind., of control of such rights through the purchase. Applicants' attorney: Harold E. Marks, 208 South La Salle Street, Chicago, Ill., 60604. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Benton Harbor, Mich., and South Bend, Ind., serving certain specified intermediate and off-route points, restricted to northbound traffic only; and *household goods*, over irregular routes, between Benton Harbor, Mich., on the one hand, and, on the other, Michigan City and Gary, Ind., and Chicago, Ill. Vendee is authorized to operate as a *common carrier* in Illinois and Indiana. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9454. Authority sought for purchase by PUGET SOUND TRUCK LINES, INC., Pier 62, Seattle 1, Wash., of the operating rights and certain property of HAMILTON TRUCKING SERVICE, INC., 1430 30th Northeast, Bellevue, Wash., and for acquisition by PUGET SOUND FREIGHT LINES, and, in turn by C. H. CARLANDER, H. E. LOVEJOY, J. KNOX WOODRUFF, JEAN LOVEJOY, L. S. CARLANDER, R. G. JOSCELYN, all of Pier 62, Seattle 1, Wash., and G. W. FOSS, 705 Dock Street, Tacoma, Wash., of control of such rights and property through the purchase. Applicants' attorney: Clyde H. MacIver, 2112 Washington Building, Post Office Box 340, Seattle, Wash. Operating rights sought to be transferred: *Machinery, contractors' equipment*, and *structural steel*, as a *common carrier*, over irregular routes, between points in King County, Wash., on the one hand, and, on the other, points in Washington, between points in King County, Wash., on the one hand, and, on the other, points in Oregon and Idaho, and certain specified points in California and Montana; *prefabricated buildings*, from Richmond, Calif., to points in King County, Wash.; and *heavy machinery* which because of size or weight requires the use of special equipment, from points in Snohomish, Skagit, and Whatcom Counties, Wash., to ports of entry on the United States-Canada international boundary at or near Blaine and Sumas, Wash., Restriction: The authority granted immediately above is restricted against combination with any other authority held by carrier, to operate in the United States in interstate or foreign commerce, in order to render a service between points other than as authorized herein. Vendee is authorized to operate as a *common carrier* in Washington, Oregon, and Idaho. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9455. Authority sought for purchase by WHITFIELD TRANSPORTATION, INC., 300 North Clark Road, Post Office Box 9897, El Paso, Tex., 79989, of a portion of the operating rights and certain property of NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo., 80223, and for acquisition by W. E. WHITFIELD, H. C. WHITFIELD, and M. E. WHITFIELD, all of 240 West Amador Road, Las Cruces, N. Mex., of control of such rights and property through the purchase. Applicants' attorney: O. Russell Jones, Post Office Box 2228, Santa Fe, N. Mex. Operating rights sought to be transferred: *General commodities*, excepting among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Artesia, N. Mex., and junction U.S. Highway 82 (formerly New Mexico Highway 83) and U.S. Highway 54, serving all intermediate points, and the site of the U.S. Government Solar Furnace, approximately 3.5 miles north of Cloudcroft, N. Mex., as a noff-route point. Restriction: The authority granted herein, to the extent that it authorizes transportation of classes A and B explosives, shall be limited, in point of time, to a period expiring June 14, 1970; serving off-route points in New Mexico east of U.S. Highway 285 and within 30 miles of Carlsbad, N. Mex., in connection with carrier's regular route operations between El Paso, Tex., and Artesia, N. Mex.; between Tularosa, N. Mex., and Vaughn, N. Mex., serving all intermediate points; *general commodities*, excepting among others, household goods, but not excepting commodities in bulk, between Roswell, N. Mex., and Artesia, N. Mex., serving certain intermediate points; *general commodities*, except those of unusual value, livestock, commodities requiring special State license, cotton, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Hagerman, N. Mex., and Roswell, N. Mex., serving all intermediate points; *general commodities*, except liquids in bulk and classes A and B explosives and other dangerous articles, between El Paso, Tex., and Artesia, N. Mex., serving all intermediate points; and *dangerous explosives* and *other dangerous articles* (classes A, B, and C), between El Paso, Tex., and Artesia, N. Mex., serving the off-route points in New Mexico east of U.S. Highway 285 and within 25 miles of Carlsbad; between Tularosa, N. Mex., and Vaughn, N. Mex., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Texas, New Mexico, Utah, Colorado, Arizona, California, Wyoming, Idaho, and Nevada. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9456. Authority sought for merger into CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa., of the operating rights and property of FORBES TRUCKING CO., INC., 10 Morton Street, Carlton Hill, N.J., and for acquisition by S. F. NINESS, also of Downingtown, Pa., of control of such rights and property through the transaction. Applicants' attorneys: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C., 20005, and Edwin H. Van Deusen, 520 East Lancaster Avenue, Downingtown, Pa., 19335. Operating rights sought to be merged: *Bulk commodities*, in tank vehicles, except classes A and B explosives, as a *common carrier*, over irregular routes, between certain specified points in New Jersey, on the one hand, and, on the other, New York, N.Y., and certain other specified points in New York; *animal, vegetable, mineral*, and *fish oil, chemicals, soap and soap products*, and *glycerin*, in special equipment (including tank vehicles), between certain specified points in New Jersey, on the one hand, and, on the other, New York, N.Y., and certain other specified points in New York; *animal, vegetable, mineral*, and *fish oil, chemicals, soap and soap products*, and *glycerin*, between certain specified points in New Jersey, on the one hand, and, on the other, certain specified points in Pennsylvania and New York; *dry sugar*, in bulk, from New York, N.Y., to points in Connecticut, and Pennsylvania, certain specified points in New Jersey, and certain specified points in New York; and *sugar*, dry, in bulk, in tank vehicles, from Philadelphia, Pa., to points in New Jersey. CHEMICAL LEAMAN TANK LINES, INC., is authorized to operate as a *common carrier* in all States in the United States (except Alaska, Hawaii, Idaho, Montana, Nevada, North Dakota, South Dakota, Utah, and Wyoming), and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: CHEMICAL LEAMAN TANK LINES, INC., controls FORBES TRUCKING CO., INC., pursuant to authority granted June 15, 1964, by the Commission, Finance Board No. 1.

No. MC-F-9457. Authority sought for purchase by INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind., of the operating rights of SOUTHERN SHIPPERS, INC., Post Office Box 1542, Highway 11 North, Hattiesburg, Miss., and for acquisition by RODNEY TETRAULT, also of 2404 North Broadway, Muncie, Ind., JOHN HARTMEYER, 13th and North Elm Streets, Muncie, Ind., and LILLIAN TETRAULT, Mattews, Ind., of control of such rights through the purchase. Applicants' attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Operating rights sought to be transferred: *Bananas*, as a *common carrier*, over irregular routes, from Mobile, Ala., and New Orleans, La., to Little Rock, Ark., Atlanta, Ga., Indianapolis and Terre Haute, Ind., Louisville, Ky., Grenada, Miss., St. Louis, Mo., Cincinnati, Columbus, and Defiance, Ohio, San Antonio, Tex., Huntington, W. Va., and points in Illinois and Tennessee. Restriction: The service authorized herein is subject to the following conditions: Carrier's operations shall be conducted separately from its other business activities, carrier shall maintain separate accounts and records therefor, and carrier shall not transport property both as a for-hire carrier and as a private carrier at the same time in the same vehicle; from Gulfport, Miss., to points in Alabama (except Montgomery), Arkansas, Georgia (except Atlanta and points within 15 miles of Atlanta), Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Ohio, Tennessee, Texas, Virginia, and

West Virginia. Vendee is authorized to operate as a *common carrier* in Indiana, Alabama, Florida, Georgia, Louisiana, Massachusetts, Mississippi, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Kentucky, Maryland, Missouri, Connecticut, Maine, Illinois, Delaware, New Hampshire, Vermont, Iowa, Ohio, Kansas, Nebraska, Oklahoma, Wisconsin, Michigan, Minnesota, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7103; Filed, June 23, 1966; 8:47 a.m.]

[Notice 202]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 24, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 21170 (Sub-No. 243 TA), filed June 22, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa, 50158. Applicant's representative: William C. Harris (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Egypt, Hamlin, Holley, Lyons, Newark, Penn Yan, Red Creek, Rushville, Waterloo and Williamson, N.Y., to points in Illinois, Indiana, Michigan, and Missouri, for 180 days. Supporting shippers: Duffy-Mott Co., Inc., 370 Lexington Avenue, New York, N.Y.; Comstock Foods, Newark, N.Y., 14513; Greenwood's, Waterloo, N.Y. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 71902 (Sub-No. 68 TA), filed June 22, 1966. Applicant: UNITED TRANSPORTS, INC., 4900 North Santa Fe Street, Post Office Box 9547, Oklahoma City 18, Okla. Applicant's representative: Roy Woods, Sr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, via truckaway and driveaway methods, from the plantsite of Cord Automobile Co., Tulsa, Okla., to points in the United States except Alaska and Hawaii, for 180 days. Supporting shipper: Cord Automobile Co., James E. Dixon, Comptroller, 9260 East Broken Arrow Expressway, Tulsa, Okla. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla., 73102.

No. MC 89693 (Sub-No. 36 TA), filed June 22, 1966. Applicant: HARMS PACIFIC TRANSPORT, INC., 1430 130th Avenue NE., Post Office Box 66, Bellevue, Wash., 98004. Applicant's representative: H. E. Barker (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from Tacoma, Wash., to points in Idaho, in and north of Idaho County, for 150 days. Supporting shipper: Pacific Lime Inc., 1220 Alexander Avenue, Tacoma, Wash., 98402. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 6130 Arcade Building, 1319 Second Avenue, Seattle, Wash., 98101.

No. MC 103993 (Sub-No. 260 TA), filed June 21, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind., 46515. Applicant's representative: Bill R. Privitt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from Hillsboro, Ohio, to points in Kentucky, Illinois, Michigan, and Indiana, for 180 days. Supporting shipper: Heddy Mobile Homes Manufacturing, Rural Route 4, Hillsboro, Ohio, 45133. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 114389 (Sub-No. 10 TA), filed June 22, 1966. Applicant: GALE B. ALEXANDER, 120 South Ward Street, Ottumwa, Iowa. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa, 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Peoria, Ill., to Kirksville, Mo., and *empty containers*, on return, for 180 days. Supporting shipper: North Missouri Beverage Co., Inc., Kirksville, Mo. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 119573 (Sub-No. 9 TA), filed June 22, 1966. Applicant: WATKINS TRUCKING, INC., 207 Trenton Avenue, Uhrichsville, Ohio, 44683. Applicant's representative: Richard H. Brandon, 810 Hartman Building, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and fittings for plastic pipe*, from Carrollton, Ohio, Uhrichsville, Ohio, and points within 5 miles of Uhrichsville, and Midvale, Ohio, to points in Vermont: *clay products*, from Carrollton, Ohio, to points in Vermont, for 150 days. Supporting shipper: Evanite Plastic Co., Division of The Evans Brick & Pipe Co., Inc., Uhrichsville, Ohio, 44683. Send protests to: J. A. Niggemyer, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 531 Hawley Building, Wheeling, W. Va., 26003.

No. MC 126565 (Sub-No. 5 TA), filed June 22, 1966. Applicant: RICHARD F. McCURDY, JR., doing business as J. M. TRUCKING, 7823 Fourth Place, Downey, Calif. Applicant's representatives: Murchison & Stebbins, Suite 211, Allen Paris Building, 211 South Beverly Drive, Beverly Hills, Calif., 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat and bone scraps*, in bulk, in dump vehicles, from points in Maricopa, Pima, and Pinal Counties, Ariz., to points in Los Angeles, Orange, Riverside, San Bernardino, and San Diego Counties, Calif., (2) *expanded clay*, in bulk, in dump vehicles, from points in Ventura and San Bernardino Counties, Calif., to points in Yuma, Pinal, and Maricopa Counties, Ariz., (3) *ore, metallic*, in bulk, in dump vehicles, from points in Pinal County, Ariz., to points in Mojave County, Ariz., traversing California for operating convenience, and from Mojave, Pinal, Maricopa, Pima, and Yuma Counties, Ariz., to points in California, for 180 days. Supporting shippers: Maricopa Tallow Works, Inc., Tempe, Ariz., 85282; Ridgelite Products, 650 South Grand Avenue, Los Angeles, Calif., 90017; Nelson S. Wirick, Post Office Box 7479, Phoenix, Ariz., 85016. Send protests to: John E. Nance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 127431 (Sub-No. 6 TA), filed June 22, 1966. Applicant: CAROLINA-VIRGINIA COURIERS, INC., 222-17 Northern Boulevard, Bayside, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents and written instruments, including originals and copies of checks, drafts, notes, money orders, travelers, checks and canceled bonds and accounting papers relating thereto, including originals and copies of cash letters, letters of transmittal, summary sheets, adding machine tapes, deposit records, withdrawal slips and debit and credit records* (except coin, currency, bullion, and negotiable securities), between Charlotte, N.C., on the one hand, and, on the other, points in South Carolina, for 180 days. Supporting shippers: Bank of Greer, Greer, S.C.; Blacksburg State Bank, Blacksburg, S.C.; the County Bank, Greenwood, S.C.; the First Commercial National Bank of South Carolina, Spartanburg, S.C.; the First National Bank of South Carolina, Anderson, S.C.; First Union National Bank of North Carolina, Charlotte, N.C.; North Carolina National Bank, Charlotte, N.C.; the South Carolina National Bank, Greenwood, S.C.; State Bank & Trust Co., Anderson, S.C. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 128139 (Sub-No. 1 TA), filed June 21, 1966. Applicant: WILLIAM V. MURPHY, doing business as MERCURY TRANSPORT, Stapleton International Airport, Denver, Colo., 80207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Freight (general commodities)*, having immediately prior or subsequent movement by air, between Martin Marietta Corp., plantsite, Waterton, Colo., and Stapleton International Airport, Denver, Colo., for 180 days. Supporting shipper: Martin Co., Post Office Box 179, Denver, Colo., 80201. Send protests to: Luther H. Oldham, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo., 80202.

No. MC 128254 (Sub-No. 1 TA), filed June 22, 1966. Applicant: THEODORE SAVAGE, 1601 Warren Lane, Huntington Beach, Calif., 92647. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Freight*, all kinds, with subsequent or prior movement by air, between Los Angeles International Airport, Los Angeles, Calif., and San Diego, Calif., over Interstate Highways 5 and 405, for 180 days. Supporting shipper: WTC Air Freight, 10326 Aviation Boulevard, Los Angeles International Airport, Los Angeles, Calif. Send protests to: W. J. Huetig, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 128326 TA, filed June 22, 1966. Applicant: SANTEE TRANSPORT COMPANY, 1308 34th Street, Tampa, Fla. Applicant's representative: W. B. Stephens (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drained fruit, fruit peel, and fruit cake mix* other than candied, crystallized, glazed or stuffed, in containers, boxes, cans, jars, barrels, or cartons, from Plant City, Fla., to points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Paradise Fruit Co., Inc., Plant City, Fla. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1621, 51 Southwest First Avenue, Miami, Fla., 33130.

No. MC 128330 TA, filed June 22, 1966. Applicant: MORRIS JACOBS, doing business as MORRIS JACOBS TRUCKING, 50-22 72d Street, Woodside, N.Y. Applicant's representative: Jesse Sobol, 150 Broadway, New York, N.Y., 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Freezers, refrigerator-freezer combinations, refrigeration, refrigerator dairy wall cases, milk cases, ice cream machines, and custard machines*, from points in New York, to points in New Jersey, Connecticut, and Bally, Pa., for 180 days. Supporting shippers: Mann Refrigeration Co., Inc., 440 Lafayette Street, New York, N.Y., 10003; Peoples Foods, Inc., 855 West Merrick Road, Valley Stream, N.Y.; Natpac, Inc., 105-32 Crossbay Boulevard, Ozone Park, N.Y. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

MOTOR CARRIERS OF PASSENGERS

No. MC 128329 TA, filed June 22, 1966. Applicant: SINGERMAN BUS CORP., Three Railroad Place, Maspeth, N.Y., 11378. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, between the plantsite of Fedders Corp., Maspeth, N.Y., on the one hand, and, on the other, the plantsite of Fedders Corp., Edison, N.Y., for 180 days. Supporting shipper: Fedders Corp., Maspeth, N.Y. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7104; Filed, June 28, 1966; 8:47 a.m.]

[Notice 1373]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 24, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68869. By order of June 23, 1966, the Transfer Board approved the transfer to Boyd Naegeli, Inc., South Houston, Tex., of the operating rights of G & P Trucking Co., a corporation, Houston, Tex., in certificate of registration, issued June 10, 1964, authorizing the transportation of oilfield equipment and pipe, when moving as oilfield equipment, pipe when it is to be used in the construction and maintenance of pipelines, trenching machines and other types of machinery, equipment, and commodities, when not moving as oilfield equipment, between all points in Texas. Joe G. Fender, 2033 Norfolk Street, Houston 6, Tex., attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7105; Filed, June 28, 1966; 8:47 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JUNE 24, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. 15798, filed June 15, 1966. Applicant: GADSDEN TRUCK LINE, INC., 1711 Mount Zion Avenue, Gadsden, Ala. Certificate of public convenience and necessity sought to operate a freight service as follows: transporting *general commodities*, over a regular route as follows: From Birmingham to Attalla, Ala., over Interstate Highway 59, thence over U.S. Highway 278 to the Alabama-Georgia State line, and return over the same routes, serving the points and places now authorized to be served under

regular route portion of APSC Certificate No. 795.

HEARING: Not set. For this information contact the Secretary of the Alabama Commission, Post Office Box 991, Montgomery, Ala., 36102. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala., 36102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7106; Filed, June 28, 1966; 8:47 a.m.]

KEITH H. LYRLA

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Office of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086, 21 F.R. 3475, 9198, 22 F.R. 3777, 9450, 23 F.R. 3798, 9501, 24 F.R. 4187, 9502, 25 F.R. 102, 26 F.R. 1692, 6284, 27 F.R. 634, 6409, 28 F.R. 197, 7059, 29 F.R. 585, 8388, 30 F.R. 769, 8145, and 17186) during the period from January 1, 1966, through June 30, 1966.

Change of title effective June 1, 1966—Vice President and Comptroller.

Ownership of Illinois Central Industries, Inc.; 500 shares.

Dated: June 20, 1966.

K. H. LYRLA.

[F.R. Doc. 66-7108; Filed, June 28, 1966; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

	Page
PROCLAMATION:	
3728	8277
3729	8567
3730	8569
3731	8571
EXECUTIVE ORDERS:	
11224 (superseded by EO 11285)	8211
11285	8211
11286	8279
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:	
Reorganization Plan No. 3 of 1966	8855
CHAPTER V:	
100	8556

5 CFR

	Page
213	7733, 7734, 7959, 8175, 8281, 8527, 8619, 8746, 8857, 8949.
302	8527
550	7881, 8585
831	8677
890	8491, 8678

7 CFR

	Page
0	8528
15	8175, 8586
26	8113
28	7734
51	8535
301	8586, 8857
319	8337
354	8113
401	8175
701	7735, 7814
722	8337, 8619, 8758
728	7814, 8337, 8678, 8758
730	8619
775	8339
778	7997
811	7999
817	8536
845	7815
850	8770
876	8857
893	7816
905	8114
908	7961, 8230, 8538, 8859
910	7962, 8045, 8231, 8303, 8538, 8591, 8860, 8921.
911	7962, 8231, 8539
915	8592
916	8176, 8177
917	7963, 8114, 8177, 8231, 8232, 8303–8306, 8404, 8491, 8921.
918	7735
944	8000
945	8949
970	8178
1038	8115
1039	8116
1074	8000
1099	7963
1125	8405
1133	8950
1421	7964, 8000, 8003, 8306, 8346
1427	8860
1443	8348
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
52	8542
725	8819
777	8878
817	8541
905	7971
906	8429
915	8181
994	8021
1001	7911, 8242
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131, 8956
1015	7911, 8242
1016	7911
1031	7831
1032	7831, 8634
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911, 8496
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1050	8634
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831, 8431
1127	7831
1128	7831
1129	7831
1130	7831
1131	7757
1132	7831
1133	7757, 7831, 8542
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
73	8907
97	8020

10 CFR

	Page
1	8866
36	7959, 8417
40	7959
PROPOSED RULES:	
30	8595
32	8595

12 CFR

	Page
1	8060, 8521
14	8951
204	8060
523	8771
530	8772
531	8772–8774
545	8353, 8774, 8775
555	8775
556	8776
561	8353, 8776
563	8004, 8776
570	8777
571	8004, 8777

13 CFR

	Page
PROPOSED RULES:	
107	8695
121	8926

14 CFR

	Page
13	8353
25	8911
39	7735, 7881, 7882, 8045, 8046, 8417, 8746, 8870.
61	8354, 8913
63	8913
65	8913
67	8355
71	7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492, 8575, 8620, 8621, 8679, 8747, 8749, 8750, 8870, 8871, 8909, 8910.
73	7736, 7827, 7882, 8910, 8911
75	7736, 7827, 8047, 8418
91	8354
95	8281
97	7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359, 8576, 8751, 8908.
121	8911
145	8585
214	8951
295	8952
1200	8418
1204	8418
PROPOSED RULES:	
21	8075
39	8498, 8833
47	8077
61	8438
71	7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498, 8596, 8597, 8636, 8637, 8694, 8834, 8879, 8923, 8924.
73	7977, 8375
75	7762, 8242, 8924
91	8026, 8438, 8440
93	8078
207	8438

15 CFR

	Page
201	8679
230	7737, 7819, 7968, 8680, 8952
372	8213
373	8213
374	8213
375	8213
376	8213
377	8213
379	8213
382	8213
385	8213
PROPOSED RULES:	
9	7833

16 CFR

	Page
13	7960, 7961, 8058–8060
15	7737, 7806, 8233, 8403, 8492, 8521, 8585, 8621, 8871, 8913.
PROPOSED RULES:	
45	7757
57	8243
170	8882
174	8882
192	8244

17 CFR

	Page
200	8952
211	7821
230	7738
239	7738
240	7740
250	8233
276	7821
PROPOSED RULES:	
240	8924
270	7913

18 CFR

	Page
4	8779
101	7897
141	7897
201	7897
260	7897
PROPOSED RULES:	
8	8376

20 CFR

	Page
404	8367
602	7966
604	8281
PROPOSED RULES:	
405	7864, 8668, 8940

21 CFR

	Page
1	8521
2	8953
5	8524
8	8216, 8369
27	8493
45	8873
80	8525
120	7741
121	8008, 8009, 8369, 8573, 8874, 8875, 8953
125	8521
130	8009
146a	8876
148i	8876
PROPOSED RULES:	
17	8497
27	8497
53	8594

22 CFR

	Page
41	7741
42	7741

24 CFR

	Page
0	8781
200	7743
203	8539
207	8539
220	8539
221	7743

25 CFR

	Page
41	7744
42	7745

26 CFR

	Page
1	7789, 8680, 8785
301	8785

29 CFR

	Page
0	8306
1605	8370

30 CFR

	Page
PROPOSED RULES:	
27	8630

31 CFR

	Page
128	8179
202	7899, 8234
203	7899, 8234
315	8914
500	7745, 7899, 8586
520	8404

32 CFR

	Page
1	7807
3	7807
4	7810
7	7811
8	7812
16	7814
30	7814
40	8621
273	8007
502	7966
1001	8370
1003	8311, 8371
1004	8371
1007	8371
1013	8371
1014	8371
1053	8371
1250	8061
2000	8540

32A CFR

	Page
OIA (Ch. X):	
OI REG. 1	7745

33 CFR

	Page
202	8403, 8690
203	7827, 8312, 8573, 8907
204	8129
208	7751
401	8062

36 CFR

	Page
7	8954
221	8180
251	7899
261	7902

38 CFR

	Page
17	8064
21	8292
36	8745

39 CFR

	Page
13	7752
22	7752
25	7752
27	8234
41	8234
43	7752, 8235
46	8235
51	8236
52	8236
53	8236
55	8236
56	8236
58	8237
61	8237

41 CFR

	Page
1–3	8116
1–5	8621
1–12	8592
4–1	7819
4–6	7819
4–50	7902
8–1	7820
8–2	7820
9–12	8237
11–1	8954
101–15	7752
101–17	8117
101–47	8540

42 CFR

	Page
57	7755
76	7902
PROPOSED RULES:	
73	8594, 8923

43 CFR

	Page
17a	8690
3120	7806
3140	8873
3150	8873
3160	8873
5400	8914
5430	8914
5440	8914
PUBLIC LAND ORDERS:	
662 (revoked by PLO 4035)	8240
829 (revoked in part by PLO 4028)	8238
1775 (revoked in part by PLO 4027)	8238
3943 (revoked in part by PLO 4039)	8692
4023	7969
4024	7969
4025	7969
4026	8238
4027	8238
4028	8238
4029	8238
4030	8239
4031	8239
4032	8239
Corrected	8954
4033	8293
4034	8240
4035	8240
4036	8240
4037	8241
4038	8241
4039	8692
4040	8692
4041	8693
PROPOSED RULES:	
4	8429
3130	8181
3140	8181
3150	8181
3160	8181
3180	8181

45 CFR

	Page
801	7755, 8623
1030	8623
PROPOSED RULES:	
170	8544

46 CFR

	Page
146	8295
173	8539
202	8065
262	8494
281	8494
308	7970

46 CFR—Continued

	Page
533	8815
537	8915
PROPOSED RULES:	
510	8958
531	8834

47 CFR

	Page
18	7821
21	7822
73	7904, 8067, 8069–8073, 8623, 8625
74	7822
87	8627, 8628
91	7822
PROPOSED RULES:	
1	7837
2	8880
17	8376
21	7837, 8880
23	7837
73	7837, 7838, 8079–8081, 8132, 8637–8639, 8882.
74	7837, 8026
81	7837
87	7837, 8880
89	7837, 8640, 8880
91	7837, 8640, 8880
93	7837, 8640, 8880
95	7837
97	7837

48 CFR

	Page
203	8540
411	8915

49 CFR

	Page
6	8573
95	7806, 8064, 8816, 8872, 8954
170	8312
176	8915, 8916
180	8872
187	8919
193	8920
PROPOSED RULES:	
31	8244
170	7841, 8882
178	8696
193	7911

50 CFR

	Page
10	8817
32	7909, 8065, 8693, 8817
33	7756, 7910, 7970
PROPOSED RULES:	
26	8819
32	8694
33	8694
401	8130

DETROIT PUBLIC LIBRARY JUL 5 1966

DETROIT PUBLIC LIBRARY JUL 5 1966

FEDERAL REGISTER

VOLUME 31 • NUMBER 126

Thursday, June 30, 1966 • Washington, D.C.

Pages 8991–9038

Agencies in this issue—

The President
Agriculture Department
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Consumer and Marketing Service
Education Office
Emergency Planning Office
Equal Employment Opportunity Commission
Federal Aviation Agency
Federal Home Loan Bank Board
Federal Housing Administration
Federal Maritime Commission
Federal Power Commission
Food and Drug Administration
General Services Administration
Indian Affairs Bureau
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Securities and Exchange Commission
Small Business Administration
Tariff Commission

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

126

5-Year Compilations of Presidential Documents

Supplements to Title 3 of the Code of Federal Regulations

The Supplements to Title 3 of the Code of Federal Regulations contain the full text of proclamations, Executive orders, reorganization plans, trade agreement letters, and certain administrative orders issued by the President and published in the Federal Register during the period June 2, 1938–December 31, 1963. Tabular finding aids and subject indexes are included. The individual volumes are priced as follows:

1938–1943 Compilation—$3.00
1943–1948 Compilation—$7.00
1949–1953 Compilation—$7.00
1954–1958 Compilation—$4.00
1959–1963 Compilation—$6.00

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

EXECUTIVE ORDER

Award and presentation of the National Medal of Science 8995

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT

See also Consumer and Marketing Service.

Notices

Virginia; designation and extension of areas for emergency loans 9027

ATOMIC ENERGY COMMISSION

Rules and Regulations

Statement of organization, delegations and general information; miscellaneous amendments 8999

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
Exclusion of government transportation requests from youth fare plans 9029
International Air Transport Association 9028
National Airlines, Inc., et al 9028

CIVIL SERVICE COMMISSION

Rules and Regulations

Excepted service:
Interior Department, et al 9005
Labor Department 9005

COAST GUARD

Notices

New London Harbor closed to navigation during launching of "Will Rogers" 9026

COMMERCE DEPARTMENT

See International Commerce Bureau.

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Milk in northwestern Ohio marketing area; order suspending certain provisions 8999

Proposed Rule Making

Irish potatoes grown in Colorado; proposed limitation of shipments 9007

EDUCATION OFFICE

Rules and Regulations

Low-interest loans to students; adjusted family income 9003

EMERGENCY PLANNING OFFICE

Rules and Regulations

Federal disaster assistance; grant in lieu of temporary housing or other emergency shelter 9005

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Rules and Regulations

Procedural regulations; notices to be posted 9004

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directives; Fairchild Model F-27 Series airplanes 9000
Alterations:
Control zone and transition area 9000
Federal airways and reporting point 9000
Jet routes 9000
Alteration of Federal airways and revocation of reporting points 9001

Proposed Rule Making

Proposed alterations:
Control zone and transition area (2 documents) 9009, 9010
Federal airways (3 documents) 9008, 9009, 9012
Transition area (3 documents) 9010, 9011

FEDERAL HOME LOAN BANK BOARD

Rules and Regulations

Distribution of earnings at variable rates 9006
Use of five percent six month savings account certificates 9005

FEDERAL HOUSING ADMINISTRATION

Rules and Regulations

Assistant Commissioner-Comptroller and Deputy; delegations of basic authority and functions 9006

FEDERAL MARITIME COMMISSION

Notices

Latin American Shipping Co., Inc.; order to show cause 9029
Seaport Shipping Corp., et al.; agreements filed for approval 9029

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Crawford Oil & Gas Reserves, Inc., et al 9030
El Paso Natural Gas Co. (2 documents) 9031
Ford Motor Co 9031
Lake Superior District Power Co 9032
Mobil Oil Corp 9032
Northern Natural Gas Co 9032
Panhandle Eastern Pipe Line Co 9032
Southern Natural Gas Co 9033
Standard Oil Company of Texas 9033
Transcontinental Gas Pipe Line Corp 9034
United Gas Pipe Line Co 9034
United Natural Gas Co 9034
United Natural Gas Co., and Manufacturers Light and Heat Co 9034
Western Transmission Corp 9035
Wisconsin Public Service Corp 9035

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Ferbam; tolerances for residues 9001

Proposed Rule Making

Cobaltous salts; proposal to revoke food additive regulation 9008

Notices

CIPC (isopropyl *N*-(3-chlorophenyl) carbamate); notice of establishment of temporary tolerance 9027
Petitions filed regarding food additives:
Monsanto Co 9028
Smith & Walton, Ltd 9028
Thompson-Hayward Chemical Co 9028

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Motor equipment management; miscellaneous amendments 9003

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Education Office; Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See Federal Housing Administration.

(*Continued on next page*)

INDIAN AFFAIRS BUREAU

Proposed Rule Making

San Carlos Indian Irrigation Project, Arizona; assessments, joint works 9007

INTERIOR DEPARTMENT

See Indian Affairs Bureau; Land Management Bureau.

INTERNATIONAL COMMERCE BUREAU

Rules and Regulations

Exports of copper, second half of calendar year, 1966 9001

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief 9023

Motor carrier:

Broker, water carrier and freight forwarder applications 9013

Temporary authority applications 9024

Transfer proceedings 9025

Rates on household goods; applicability 9024

LAND MANAGEMENT BUREAU

Notices

Alaska; proposed withdrawal and reservation of lands 9026

Idaho; filing of protraction diagrams 9026

Utah District Managers, et al.; delegation of purchasing authority 9027

SECURITIES AND EXCHANGE COMMISSION

Notices

Elkton Co.; order suspending trading 9035

SMALL BUSINESS ADMINISTRATION

Notices

Area administrators; delegation of authority 9035

TARIFF COMMISSION

Notices

Workers' petition for determination of eligibility to apply for adjustment assistance; notice of investigation 9036

TREASURY DEPARTMENT

See Coast Guard.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

EXECUTIVE ORDER:
10910 (amended by EO 11287) 8995
10961 (revoked by EO 11287) 8995
11287 8995

5 CFR

213 (2 documents) 9005

7 CFR

1041 8999
PROPOSED RULES:
948 9007

10 CFR

1 8999

12 CFR

531 9005
545 9006

14 CFR

39 9000
71 (3 documents) 9000, 9001
75 9000
PROPOSED RULES:
71 (8 documents) 9008–9012

15 CFR

384 9001

21 CFR

120 9001
PROPOSED RULES:
121 9008

24 CFR

200 9005

25 CFR

PROPOSED RULES:
221 9007

29 CFR

1601 9004

32 CFR

1710 9005

41 CFR

101–38 9003

45 CFR

177 9003

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11287

AWARD AND PRESENTATION OF THE NATIONAL MEDAL OF SCIENCE

By virtue of the authority vested in me by the Act of August 25, 1959, entitled "An Act To Establish a National Medal of Science To Provide Recognition for Individuals Who Make Outstanding Contributions in the Physical, Biological, Mathematical, and Engineering Sciences," 73 Stat. 431 (hereinafter referred to as the Act), and as President of the United States, it is ordered as follows:

SECTION 1. *Award of Medal.* (a) The President shall award the National Medal of Science (hereinafter referred to as the Medal) established by the Act, the specifications of which are prescribed by Executive Order No. 10910 of January 17, 1961, as amended, on the basis of recommendations received by him in accordance with the provisions of this Order to individuals who in his judgment are deserving of special recognition by reason of their outstanding contributions to knowledge in the physical, biological, mathematical, or engineering sciences.

(b) The following-described criteria shall govern the award of the Medal—

(1) Not more than twenty individuals shall be awarded the Medal in any one calendar year.

(2) No individual shall be awarded the Medal unless, at the time such award is made, he:

(A) is a citizen or other national of the United States; or

(B) is an alien lawfully admitted to the United States for permanent residence who (i) has filed a petition for naturalization in the manner prescribed by Section 334(b) of the Immigration and Nationality Act, and (ii) is not permanently ineligible to become a citizen of the United States.

(3) Notwithstanding the provisions of paragraph (2) of this subsection, the Medal may be awarded posthumously, but only to individuals who, at the time of their death, met the conditions set forth in paragraph (2). The Medal shall not be awarded to any individual after the fifth anniversary of the day of his death.

(c) Each Medal awarded shall be suitably inscribed. Each individual awarded the Medal shall also receive a citation descriptive of the award.

(d) The presentation of the Medal shall be made in accordance with Section 2(d) of the Act.

SEC. 2. *The President's Committee.* (a) There is hereby established the President's Committee on the National Medal of Science (hereinafter referred to as the Committee), which shall be composed of twelve appointive members and one ex officio member and shall assist the President, as provided in this order, in connection with the carrying out of the Act.

(b) Each appointive member of the Committee shall be appointed by the President from among appropriately qualified citizens of the United States. Except as otherwise provided in subsection (e) of this Section, each such member shall be so appointed for a term of three years or for the balance of the unexpired term of his predecessor, whichever is appropriate. Members may be reappointed to serve one additional term of three years. As nearly as practicable, the appointive members of the Committee shall comprise a cross section of the major fields of science and engineering.

(c) The President of the National Academy of Sciences shall be an ex officio member of the Committee.

(d) The President shall from time to time designate one of the members of the Committee as chairman thereof.

(e) Of the persons first designated as members of the Committee under the provisions of subsection (b) of this Section, four shall be designated to serve until December 31, 1966, four shall be designated to serve until December 31, 1967, and four shall be designated to serve until December 31, 1968.

SEC. 3. *Preliminary procedure.* (a) The Committee shall receive, on behalf of the President, (1) the recommendations made by the National Academy of Sciences respecting the award of the Medal pursuant to the provisions of Section 2(a) of the Act, and (2) such similar recommendations as may be made by any other nationally representative scientific or engineering organization or other qualified source. Each such recommendation shall include or be accompanied by such appropriate supporting material as the Committee may from time to time specify.

(b) On the basis of such criteria, information, and evidence as it may deem appropriate, and subject to the provisions of Section 1 of this Order, the Committee shall designate, from among the individuals who are recommended in accordance with Section 3(a) of this Order, those individuals whom the Committee recommends for the award of the Medal and shall transmit the names of those individuals to the President, together with its recommendations. In so transmitting its recommendations, the Committee (1) shall include expressions of its views concerning, and such other information as may be pertinent to, its recommendations, and (2) may arrange the names of all or some of the recommended individuals in a sequence deemed by it to indicate the order of precedence in which the individuals involved deserve to receive the Medal.

(c) Each recommendation respecting the award of the Medal to an individual which is transmitted to the President by the Committee shall be accompanied by a draft of a citation describing the contributions which are being recognized by the award.

SEC. 4. *Time of awards and recommendations.* (a) Unless otherwise directed by the President, announcement of the award of the Medal shall be made during the last sixty days of each calendar year and ceremonies for presentation of the Medal shall be held during the first ninety days of the calendar year following the announcement of the award.

(b) Recommendations for awards of the Medals shall be submitted to the Committee, pursuant to Section 3(a) of this Order, by the first day of July of the year in which it is proposed that they be announced by the President. Recommendations of the Committee shall be delivered to the President by the fifteenth day of October of the year in which it is proposed that they be announced. Awards of the Medal may be based upon recommendations of the Committee or upon such other information and evidence as the President deems appropriate.

SEC. 5. *Services and expenses.* (a) The National Science Foundation is authorized to provide such assistance as may be necessary and appropriate to carry out the purposes of this Order.

(b) The members of the Committee shall serve without compensation, but the National Science Foundation is authorized to reimburse them for travel expenses and to pay them per diem in lieu of subsistence as authorized for persons serving without compensation (5 U.S.C. 73b–2).

SEC. 6. *Prior orders.* (a) Subject to the provisions of this Order, the President's Committee on the National Medal of Science established by Section 2 of this Order shall be deemed to constitute a continuation of the Committee of the same name established by Executive Order No. 10961 of August 21, 1961. The latter Order is hereby revoked.

(b) Executive Order No. 10910 of January 17, 1961, is hereby amended by deleting from its title the words "AND AWARD", and by deleting the last two sentences of Section 1, and all of Section 2, thereof.

LYNDON B. JOHNSON

THE WHITE HOUSE,
June 28, 1966.

[F.R. Doc. 66–7270; Filed, June 29, 1966; 10:51 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order No. 41]

PART 1041—MILK IN NORTHWESTERN OHIO MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Northwestern Ohio marketing area (7 CFR Part 1041) it is hereby found and determined that:

(a) The following provisions of § 1041.51(a) of the order do not tend to effectuate the declared policy of the Act for the month of July 1966:

(1) The text preceding paragraph (a)(1) which reads "In the first 18 months beginning with the month in which this section becomes effective,"; and

(2) The words "through June 1966" in the proviso in the text preceding paragraph (a)(1).

(b) Thirty days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing in the marketing area.

(2) On the basis of evidence adduced at a public hearing held in Stony Ridge, Ohio, on June 1, 1966, this suspension continues the Class I price provision of the order which otherwise would expire on June 30, 1966. It also extends through July this year (the last month of the normally low seasonal Class I differential) a temporary 22-cent Class I price increase which was provided for the period of April 10 through June 30 by an April 10 amendment to the order. Because of the June 30 expiration date of the Class I price provision the July price was not increased at the time of the earlier amendment when a similar temporary increase was made effective in other markets (e.g., Northeastern Ohio) having seasonal Class I price differentials.

(3) It is appropriate to suspend the termination date of the Northwestern Ohio Class I price provision in order to insure the continuation of pricing after June 30, 1966 and to continue the temporary price increase in July pending appropriate amendment action applicable to subsequent periods.

The price level to be effective for July is necessary in order to insure an adequate supply of milk for the market. Producers in Northwestern Ohio can readily sell their milk to other nearby Federal order markets, particularly the Northeastern Ohio market, if prices in those markets become relatively more favorable. The Class I price in the Northeastern Ohio market was increased 22 cents from April 10 through July by temporary amendment to that order. If the Northwestern Ohio order Class I price were not held in appropriate relationship to the Northeastern Ohio order price, blend prices to producers of the Northwestern Ohio market would not be competitive with the minimum prices required to be paid by competing Northeastern Ohio handlers during the month of July.

(4) This suspension order does not require of persons affected substantial or extensive prepartion prior to the effective date.

Therefore, good cause exists for making this order effective for the month of July 1966.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the month of July 1966.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date. July 1, 1966.

Signed at Washington, D.C., on June 28, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66-7249; Filed, June 29, 1966; 9:17 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 1—STATEMENT OF ORGANIZATION, DELEGATIONS, AND GENERAL INFORMATION

Location of Principal Offices

Notice is hereby given of the amendment of the Statement of Organization, Delegations and General Information of the U.S. Atomic Energy Commission, 10 CFR Part 1, published in the FEDERAL REGISTER on December 29, 1961 (26 F.R. 12729–12745), as amended.

The present amendment sets out corrected street addresses and mail addresses of the U.S. Atomic Energy Commission Headquarters, field offices, and Compliance offices.

Because this amendment relates to matters of internal management, general notice of proposed rule making and public procedure thereon are unnecessary.

Pursuant to the Atomic Energy Act of 1954, as amended, the Administrative Procedure Act of 1946, and 1 CFR 17.2, the following amendment of 10 CFR Part 1 is published as a document subject to codification to be effective upon publication in the FEDERAL REGISTER.

Section 1.6 is amended to read as follows:

§ 1.6 Location of principal offices.

(a) The agency Headquarters is located at Germantown, Md. As a part of the Headquarters, pursuant to the Act, office facilities are maintained within the District of Columbia at 1717 H Street NW., for the service of process and papers and for other functions. In addition, and as a part of the Headquarters, office facilities of the regulatory staff are maintained at 4915 St. Elmo Avenue, Bethesda, Md. The mail address of Headquarters is Washington, D.C., 20545.

(b) The major operating field offices are located as follows (see Subpart C of this part):

(1) Albuquerque Operations Office, Post Office Box 5400, Albuquerque, N. Mex., 87115.

(2) Brookhaven Office, Upton, N.Y., 11973.

(3) Chicago Operations Office, 9800 South Cass Avenue, Argonne, Ill., 60439.

(4) Grand Junction Office, Post Office Box 2567, Grand Junction, Colo., 81501.

(5) Idaho Operations Office, Post Office Box 2108, Idaho Falls, Idaho, 83401.

(6) Nevada Operations Office, Post Office Box 1676, Las Vegas, Nev., 89101.

(7) New York Operations Office, 376 Hudson Street, New York, N.Y., 10014.

(8) Oak Ridge Operations Office, Post Office Box E, Oak Ridge, Tenn., 37830.

(9) Pittsburgh Naval Reactors Office, Post Office Box 109, West Mifflin, Pa., 15122.

(10) Richland Operations Office, Post Office Box 550, Richland, Wash., 99352.

(11) San Francisco Operations Office, 2111 Bancroft Way, Berkeley, Calif., 94704.

(12) Savannah River Operations Office, Post Office Box A, Aiken, S.C., 29801.

(13) Schenectady Naval Reactors Office, Post Office Box 1069, Schenectady, N.Y., 12301.

(c) The Compliance Regional Offices are located as follows (see § 1.101):

(1) Region I, Division of Compliance, USAEC, 376 Hudson Street, New York, N.Y., 10014.

(2) Region II, Division of Compliance, USAEC, 50 Seventh Street NE., Atlanta, Ga., 30323.

(3) Region III, Division of Compliance, USAEC, Suite 410, Oakbrook Professional Building, Oakbrook, Ill., 60521.

(4) Region IV, Division of Compliance, USAEC, 10395 West Colfax, Denver, Colo., 80215.

(5) Region V, Division of Compliance, USAEC, 2111 Bancroft Way, Berkeley, Calif., 94704.

(Sec. 161, 68 Stat. 948, as amended; 42 U.S.C. 2201; sec. 3, 60 Stat. 238; 5 U.S.C. 1002)

Dated at Germantown, Md., this 23d day of June 1966.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 66-7144; Filed, June 29, 1966; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7237; Amdt. 39-252]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Model F-27 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring rewiring of the flap asymmetry system on Fairchild Model F-27 Series airplanes was published in 31 F.R. 4895.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One comment was directed to failures of the flap asymmetry switches due to internal wiring destruction caused by corrosion. This AD is not directed to failures caused by corrosion, but a design deficiency of the flap asymmetry switch in that it would not continuously detect an asymmetric condition as the asymmetry increased above the 3 degree setting. Compliance with this AD will provide a positive lockout of the indication and will provide the ability to test the functioning of the flap asymmetry circuit in the cockpit. Another comment was directed at the testing of the system at each crew change. The procedure outlined in the manufacturer's service bulletin is a one-time test to insure that the system has been properly wired and will properly function. Another comment stated that the switch cannot be located on all airplanes as indicated in the service bulletin. The AD requires rewiring of the asymmetry system in accordance with the manufacturer's service bulletin or an equivalent. An alternate location for the switch may be used if approved by the Chief of Engineering and Manufacturing Branch, FAA Eastern Region.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

FAIRCHILD. Applies to Models F-27, F-27A, F-27B, F-27F, F-27G and F-27J airplanes, Serial Numbers 1 through 122, equipped with center hinge wing flap asymmetry switches, P/N 658-001.

Compliance required within the next 300 hours' time in service after the effective date of this AD unless already accomplished.

To prevent failure of the flap asymmetry switch to continuously detect an asymmetric condition as the asymmetry increases above the 3-degree setting, accomplish the following:

(a) Rewire asymmetry system in accordance with Fairchild-Hiller Service Bulletin No. 27-43, dated December 23, 1965, or later FAA-approved revision, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(b) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the compliance time specified in this AD if the request contains substantiating data to justify the increase for that operator.

This amendment becomes effective July 30, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 23, 1966.

James F. Rudolph,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-7146; Filed, June 29, 1966; 8:45 a.m.]

[Airspace Docket No. 65-SO-64]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways and Reporting Point

On March 23, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4842) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter V-39, V-213 and the Bolton Intersection in the vicinity of Myrtle Beach, S.C.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. Due consideration was given to all comments received. The Air Transport Association of America in commenting on the notice, requested that V-39 be realigned from Fayetteville, N.C., direct to Myrtle Beach. Consideration of this request will be the subject of subsequent rule-making procedures. No other comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

1. Section 71.123 (31 F.R. 2009, 6487) is amended as follows:

a. In V-39 all before "(Dock INT)" is deleted and "From Myrtle Beach, S.C., via INT Myrtle Beach 031° and Fayetteville, N.C., 163° radials" is substituted therefor.

b. In V-213 "via INT of Kinston, N.C., 214°" is deleted and "via INT Myrtle Beach 031°" is substituted therefor.

2. In § 71.203 (31 F.R. 227) Bolton INT is amended to read as follows:

Bolton INT: INT Myrtle Beach, S.C., 031° and Wilmington, N.C., 276° radials.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 22, 1966.

T. McCormack,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 66-7147; Filed, June 29, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-125]

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Routes

On April 2, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5328), stating that the Federal Aviation Agency was considering realignment of several jet routes east of Los Angeles, Calif., and the inclusion of the Ontario, Calif., VORTAC in the jet route structure.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 18, 1966, as hereinafter set forth.

Section 75.100 (31 F.R 2346, 2777, 2888) is amended as follows:

1. In Jet Route No. 4 "the INT of the Los Angeles 099° and the Blythe, Calif., 272° radials" is deleted and "Ontario, Calif.; INT of the Ontario 094° and the Blythe, Calif., 282° radials" is substituted therefor.

2. In Jet Routes Nos. 10, 74, 78, and 134 "the INT of the Los Angeles 089° and the Parker, Calif., 258° radials" is deleted and "Ontario, Calif.; INT of the Ontario 094° and the Parker, Calif., 261° radials" is substituted therefor.

3. In Jet Routes Nos. 60 and 64 "Hector, Calif.;" is deleted and "Ontario, Calif.; Hector, Calif.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 24, 1966.

W. R. Andrews,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 66-7141; Filed, June 29, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SW-34]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the Brownsville, Tex., control zone and the Brownsville, Tex., transition area which contains reference to the Brownsville RBN. This action is necessary since the Brownsville RBN is scheduled for decommissioning in the near future. Therefore, action is taken herein to alter the descriptions of the Brownsville control zone and transition area by substituting the geographical coordinates of the RBN site (latitude 25°56'50" N., longitude 97°26'15" W.), for references to the RBN. Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedures hereon are unnecessary and the amendment may be made effective immediately.

Subsequent action will be taken to revoke controlled airspace no longer required after the Brownsville RBN has been decommissioned.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In §§ 71.171 (31 F.R. 2074), 71.181 (31 F.R. 2165) the Brownsville, Tex., control zone and transition area are amended as follows: "latitude 25°56'50" N., longitude 97°26'15" W." is substituted for "the Brownsville RBN" and "the RBN" wherever either appears.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on June 23, 1966.

A. L. Coulter,
Acting Director, Southwest Region.

[F.R. Doc. 66-7184; Filed, June 29, 1966; 8:48 a.m.]

[Airspace Docket No. 66-AL-11]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways and Revocation of Reporting Points

The purpose for these amendments to Part 71 of the Federal Aviation Regulations is to realign VOR Federal airways Nos. 440 and 510 northwest of Anchorage, Alaska, and to revoke the Puntilla Intersection as a domestic VOR reporting point.

V-440 is designated, in part, from Anchorage, Alaska; INT Anchorage 309° and McGrath, Alaska 122° radials; McGrath. V-510 is designated, in part, from McGrath, Alaska, via INT of McGrath 122° and Big Lake, Alaska, 294° radials; Big Lake.

Realignment of VOR Federal airway No. 440 will allow the MEA to be lowered from 11,000 feet to 10,000 feet MSL between the Puntilla and Friday Intersections. Additionally, the realignment will coincide with Jet Route No. 111 en route radials and thereby facilitate transition between the jet route and low altitude airway. As the segment of V-510 predicated on the McGrath VOR is codesignated with V-440, the realignment of V-440 will require an alteration of V-510.

It has been determined that the Puntilla INT is no longer required as a designated reporting point for air traffic control purposes. Accordingly, action is taken herein to revoke it.

Since these amendments are minor in nature in that they involve a realignment of only 1 degree for the airways, and the revocation of a reporting point reduces a burden upon the public, the Administrator has determined that notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 15, 1966, as hereinafter set forth.

1. Section 71.125 (31 F.R. 2045) is amended as follows:

a. In V-440 "INT Anchorage 309° and McGrath, Alaska, 122° radials; McGrath;" is deleted and "McGrath, Alaska;" is substituted therefor.

b. In V-510 "INT of McGrath 122°" is deleted and "INT of McGrath 123°" is substituted therefor.

2. Section 71.211 (31 F.R. 2289) is amended as follows: "Puntilla INT: INT Anchorage 309° Talkeetna, Alaska, 262° radials." is revoked as a domestic reporting point.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 24, 1966.

W. R. Andrews,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 66-7185; Filed, June 29, 1966; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Ferbam; Tolerances for Residues

A petition (PP 6F0475) was filed with the Food and Drug Administration by E. I. du Pont de Nemours & Co., Inc., Wilmington, Del., 19898, proposing the establishment of a tolerance of 7 parts per million for residues of the fungicide ferbam (ferric dimethyldithiocarbamate), calculated as zinc ethylenebisdithiocarbamate, in or on citrus fruits.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purpose for which a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material, it is concluded that the tolerance established by this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), § 120.114 *Ferbam; tolerances for residues* is amended by inserting alphabetically in the list of raw agricultural commodities under "7 parts per million:" a new commodity "citrus fruits,".

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the ground for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: June 24, 1966.

J. K. Kirk,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-7197; Filed, June 29, 1966; 8:50 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10th Gen. Rev. of Export Regs., Amdt. 19]

PART 384—GENERAL ORDERS

Exports of Copper, Second Half of Calendar Year 1966

Part 384 of Title 15 of the Code of Federal Regulations is amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

Effective date: June 24, 1966.

Sherman R. Abrahamson,
Acting Director,
Office of Export Control.

Section 384.7 *Extension of copper export controls* is amended to read as follows:

§ 384.7 Exports of copper, second half of calendar year 1966.[1]

The demand for copper and copper products still exceeds the supply of these

[1] The reporting requirements contained herein have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

commodities both in the United States and abroad. In view of this imbalance, the Office of Export Control finds it necessary to continue short supply controls over the export of these commodities during the second half of calendar year 1966.

(a) *Establishment of licensing quotas.* The following export licensing quotas are established for the second half of calendar year 1966:

Commodity	Quota
(a) Copper scrap, as follows:	
Copper metalliferous ash and residues (Export Control Commodity No. 28401);	
Copper and copper-base alloy waste and scrap, including copper alloy waste and scrap of less than 40 percent copper content where copper is the component of chief weight (Export Control Commodity No. 28402);	16,500 copper content short tons.
Nickel waste and scrap containing 50 percent or more copper irrespective of nickel content (Export Control Commodity No. 28403).[1]	
(b) Refined copper including remelted, in cathodes, billets, ingots (except copper-base alloy ingots), wire bars, and other crude forms (Export Control Commodity No. 68212).[2]	25,000 copper content short tons.
(c) Copper-base alloy ingots composed essentially of copper with one or more other metals, for example: Beryllium copper ingots, devarda alloy ingots, guinea alloy ingots, ounce metal ingots, etc. (Export Control Commodity No. 68212).	1,000 copper content short tons.
(d) Semifabricated copper products and master alloys of copper, as follows:[3]	9,000 copper content short tons.

Export Control Commodity No. and Commodity Description

68213 Master alloys of copper.
68221 Bars, rods, angles, shapes, sections, and wire of copper or copper-base alloy.
68222 Plates, sheets, and strips of copper or copper-base alloy.
68223 Copper foil.
68223 Paper backed copper foil.
68224 Copper and copper alloy powders and flakes.
68225 Tubes, pipes, and blanks therefor, and hollow bars of copper or copper-base alloy.
69892 Copper and copper-base alloy castings and forgings.
72310 Wire and cable coated with, or insulated with, fluorocarbon polymers or copolymers.
72310 Coaxial-type communications cable as follows: (a) Containing fluorocarbon polymers or copolymers, (b) using a mineral insulator dielectric, (c) using a dielectric aired by discs, beads, spiral, screw, or any other means, (d) designed for pressurization or use with a gas dielectric, or (e) intended for submarine laying.
72310 Other coaxial cable.
72310 Communications cable containing more than one pair of conductors of which any one of the conductors, single or stranded, has a diameter exceeding 0.9 mm. (0.035 inch), as follows: (a) Cable in which the nominal mutual capacitance of paired circuits is less than 53 nanofarads/mile (33 nanofarads/KM), except conventional paper and air dielectric types, (b) submarine cable, or (c) cable containing fluorocarbon polymers or copolymers.
72310 Other communications cable containing more than one pair of conductors and containing any conductor, single or stranded, exceeding 0.9 mm. in diameter.
72310 Other copper or copper-base alloy insulated wire and cable.

[1] Nickel waste and scrap was not under short supply export controls during the previous licensing period.

[2] Shipments of refined copper produced from foreign-origin copper raw materials, and refined copper produced from material which was declared as an offset against an equivalent quantity of foreign-origin copper raw materials entered into the United States under a U.S. Customs Import Entry made within three months preceding the date of the license application, will be licensed without a charge against the quota.

[3] Shipments of semifabricated copper products and master alloys of copper under United States military contracts or under contracts financed by the Agency for International Development will be licensed without a charge against the quota.

(b) *Submission of statement of past participation and notification of exporter's share of quota.* Exporters are not required to submit new Statements of Past Participation in Exports for any of the four licensing quotas described above, except as follows:

(1) Any exporter whose previously submitted Statement for copper scrap did not include his exports of nickel waste and scrap containing 50 percent or more copper may submit an amended Statement no later than July 1, 1966, to include such nickel waste and scrap.

(2) Any exporter who failed to submit a Statement during the previous licensing period for any of the four licensing quotas described above, but who exported such commodities during the applicable base period may now submit a Statement covering such exports. These Statements shall be submitted no later than July 1, 1966. After evaluating all Statements of Past Participation in Exports, the Office of Export Control will notify each exporter of his share of the quota. Except for the copper scrap quota described in paragraph (a) of this section, the notification to the exporter will not place any country limitations on his share of the licensing quota. However, on notifications dividing the copper scrap quota, 75 percent of each exporter's share of the quota will be earmarked for designated countries, while 25 percent of each exporter's share of the quota will not be so restricted.

(c) *Certain copper scrap licensed exquota.* An application for a license to export copper scrap that, because of contamination or any other reason, cannot be processed commercially in the United States will be considered for licensing without a charge against the export quota. Such an application shall be accompanied by copies of letters received by the applicant from recognized copper scrap processors rejecting the processing of the scrap described on the application. In addition, the applicant shall include on an attachment to the application:

(1) An explanation of the difficulty in processing the scrap in the United States;

(2) An analysis of the metal content; and

(3) The following certification:

I (We) certify that to my (our) best knowledge and belief the copper scrap described on this application cannot be processed commercially in the United States.

(d) *Licensing of semifabricated copper products and master alloys of copper.* As set forth in paragraph (a) of this section, a licensing quota of 9,000 copper content short tons has been established for semifabricated copper products and master alloys of copper. Experience in the licensing of these commodities during the previous licensing period indicates that an allocation of this quota solely on the basis of each exporter's shipments during calendar years 1964 and 1965 does not reflect sufficiently the current export requirements. Therefore, 65 percent or 5,850 copper content short tons of the quota will be allocated in accordance with the Past Participation in Exports licensing method. The remaining portion of the quota (3,150 copper content short tons) will be reserved for both historical and nonhistorical exporters to meet essential export requirements that cannot be satisfied under the Past Participation in Exports licensing method. It is pointed out that the submission of applications for licenses to export semifabricated copper products and master alloys of copper is not subject to time schedules and may be submitted at any time.

(e) *Licensing of other copper commodities.* The quotas set forth in paragraph (a) of this section for copper scrap, refined copper, and copper-base alloy ingots will be licensed entirely in accordance with the Past Participation in Exports licensing method described in § 373.8 of this chapter. An exporter who qualifies as a "historical exporter" under the Past Participation in Exports licensing method may submit his applications as soon as he receives his notice of entitlement but not later than November 30, 1966. An exporter who does not qualify as a "historical exporter" shall submit his applications during the period of July 1 through July 31, 1966.

(f) *Added licensing requirements for nickel alloy waste and scrap.* Effective July 1, 1966, (1) a validated license is required for exports of the following commodity to Country Groups T and V; and (2) a GLV Dollar Value Limit of $100 is established for exports under General License GLV of the following commodity to Country Groups T and V, except Southern Rhodesia:

Nickel alloy waste and scrap containing 50 percent or more copper, irrespective of nickel content (Export Control Commodity No. 28403).

Any shipment removed from general license as a result of the change set forth above which was on dock for lading, on lighter, laden aboard an exporting carrier, or intransit to a port of exit pursuant to actual orders for export prior to 12:01 a.m., July 1, 1966, may be exported under the previous general license provisions up to and including July 25, 1966. Any such shipment not laden aboard the exporting carrier on or before July 25, 1966, requires a validated license for export.

(g) *Other licensing provisions unchanged.* Exporters are reminded that all other special copper provisions continue in effect.

[F.R. Doc. 66-7203; Filed, June 29, 1966; 8:50 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER G—TRANSPORTATION AND MOTOR VEHICLES

PART 101–38—MOTOR EQUIPMENT MANAGEMENT

Code Designations; Exemptions; Use, Rotation, and Storage of Government Motor Vehicles

This amendment adds agency code designations for the Corps of Engineers, Civil Works, and the Department of Housing and Urban Development; restates the exemption of certain Department of Agriculture motor vehicles; deletes Subpart 101–38.10 relative to use standards for Government-owned motor vehicles; and adds a new Subpart 101–38.11 relative to storage of Government vehicles. The use standards deleted by this amendment will be replaced by average use goals for application on an agency fleet basis. These goals will be published in a GSA bulletin.

The table of contents of Part 101–38 is amended to read as follows:

Subpart 101–38.10 [Reserved]

Subpart 101–38.11—Storage of Government Motor Vehicles

Sec.
101–38.1100 Scope of subpart.
101–38.1101 Applicability.
101–38.1102 Storage facilities.
101–38.1103 Determining type of storage.

Subparts 101–38.12—101–38.48 [Reserved]

AUTHORITY: The provisions of this Subpart 101–38.11 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

Subpart 101–38.3—Official Government Tags

Section 101–38.304–1 is amended by the addition of the following agency code designations in alphabetical order:

§ 101–38.304–1 Code designations.

* * * * * *

Corps of Engineers, Civil Works ..... CE
Housing and Urban Development, Department of ..... H

* * * * * *

Subpart 101–38.6—Exemptions From Use of Official U.S. Government Tags and Other Identification

Section 101–38.602(b) is revised to read as follows:

§ 101–38.602 Unlimited exemptions.

* * * * * *

(b) *Department of Agriculture.* Those motor vehicles used for investigative or law enforcement purposes as required in the official functions of the Department. These include vehicles used in the enforcement of the Packers and Stockyard Act of 1921, as amended, and the Federal Meat Inspection Act, as amended.

* * * * * *

Subpart 101–38.10 is deleted as follows:

Subpart 101–38.10 [Reserved]

Subpart 101–38.11 is added to read as follows:

Subpart 101–38.11—Storage of Government Motor Vehicles

§ 101–38.1100 Scope of subpart.

This subpart prescribes guidelines covering storage facilities for Government motor vehicles.

§ 101–38.1101 Applicability.

This subpart is applicable to all Government-owned, -rented, and -leased motor vehicles of a holding agency located in the United States, its Territories, or possessions.

§ 101–38.1102 Storage facilities.

Government-owned, -rented, and -leased motor vehicles of a holding agency shall be stored in facilities which provide protection from pilferage or damage. In the interest of economy, open storage should be used whenever practicable and feasible.

§ 101–38.1103 Determining type of storage.

The determination as to whether or not it is "practicable or feasible" to use open storage space or a particular type of storage space at a particular location must be for agency determination after considering the nature of program demands or special requirements at that location.

Subparts 101–38.12—101–38.48 [Reserved]

Effective date. These regulations are effective July 1, 1966, but may be observed earlier.

Dated: June 23, 1966.

J. E. MOODY,
Acting Administrator of General Services.

[F.R. Doc. 66-7204; Filed, June 29, 1966; 8:50 a.m.]

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 177—FEDERAL, STATE, AND PRIVATE PROGRAMS OF LOW-INTEREST LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Adjusted Family Income

Section 177.3 dealing with the determination of adjusted family income is hereby amended (1) by providing that in no event shall the adjusted family income be considered to be less than $15,000 if the total adjusted gross income of the family less the amount allowable on account of exemptions exceeds $20,000; (2) by eliminating the deduction of $1,000 for members of the family (other than the borrower) who are in college; and (3) by deleting the provisions dealing with changes in circumstances, establishing as the relevant income period the immediately preceding tax year and making other changes of a technical nature. As so amended section 177.3 reads as follows:

§ 177.3 Adjusted family income.

Whether the adjusted family income of a student borrower at the time of execution of the note or other written agreement evidencing the loan is less than $15,000 shall be determined pursuant to paragraphs (a), (b), and (c) of this section: *Provided, however,* That in no event will the adjusted family income of a student borrower be considered to be less than $15,000 if for the immediately preceding tax year the sum of the income, if any, described in subparagraphs (2) and (3) of paragraph (a) of this section and the adjusted gross incomes, as defined in section 62 of the Internal Revenue Code, of such student borrower and his spouse and parents (to the extent consideration of their income is not excluded under paragraph (b) of this section) less the amounts allowable on account of exemptions for such individuals for such year pursuant to section 151 of the Internal Revenue Code, exceeds $20,000.

(a) *Computation.* In general, adjusted family income will be computed by adding (1) the sum of the taxable incomes, as defined in section 63 of the Internal Revenue Code, of the student

FEDERAL REGISTER paragraph (f) is added

borrower, his spouse, and his parents for the tax year immediately preceding the execution of the note or written agreement evidencing the loan; (2) the income of such individuals for such year from interest which is excluded for income tax purposes by section 103 of the Internal Revenue Code; and (3) income for such year not subject to taxation under the Internal Revenue Code, by virtue of its origin and the residency of the borrower, his spouse or his parents (e.g., income earned abroad by U.S. citizens residing abroad, or income earned in Puerto Rico by bona fide residents of Puerto Rico (subchapter (N) of Chapter 1 of the Internal Revenue Code)) which shall be computed in accordance with criteria approved by the Commissioner.

(b) *Exclusion of income of parents or spouse in exceptional circumstances.* However, the income of a parent, or parents living together, shall be excluded from consideration under paragraph (a) of this section if the borrower is not and, during the 12 months preceding the determination, has not been (1) residing with, (2) claimed as a dependent for Federal income tax purposes by, nor (3) the recipient of an amount in excess of $500 from, such parent or parents. The income of a spouse shall also be excluded from such consideration where there has been a legal separation approved by a court or a separation which has, in fact, existed for 12 months or more.

(c) *Method of determination.* The determination of the adjusted family income of a student borrower shall be made on the basis of information submitted on forms supplied or approved by the Commissioner. The determination shall be made by the lender at the time each advance of funds is made: *Provided, however,* That the submission of new information need not be required with respect to any advance of funds made within the same tax year in which a determination was last made.

Effective date. This amendment shall become effective with respect to determinations of adjusted family income made after the date of publication in the FEDERAL REGISTER.

(Sec. 428, 77 Stat. 1240, 20 U.S.C. 1078)

Dated: June 17, 1966.

[SEAL] HAROLD HOWE, II,
U.S. Commissioner of Education.

Approved: June 28, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-7234; Filed, June 29, 1966; 8:50 a.m.]

Title 29—LABOR

Chapter XIV—Equal Employment Opportunity Commission

PART 1601—PROCEDURAL REGULATIONS

Notices To Be Posted

This regulation prescribes the form for the notice which is required to be posted by section 711 of Title VII and consists of a revision of the form presently in use. Since the general content of the notice is specified by the statute and since it is in the public interest that such notices be posted as soon as possible, it is hereby determined that notice and public procedure hereon are impracticable, unnecessary and contrary to the public interest.

Section 1601.27 of Part 1601 of the regulations of the Commission is revised to read as follows:

§ 1601.27 **Notices to be posted.**

(a) Every employer, employment agency, labor organization, and joint labor-management committee controlling an apprenticeship or other training program, as the case may be, shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, members, and trainees are customarily posted the following notice:

Equal Employment Opportunity is the Law

DISCRIMINATION is PROHIBITED

BY THE CIVIL RIGHTS ACT OF 1964 AND BY EXECUTIVE ORDER NUMBER 11246

Title VII of the Civil Rights Act of 1964—*Administered by*

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Prohibits discrimination because of RACE, COLOR, RELIGION, SEX or NATIONAL ORIGIN

By EMPLOYERS with 75 or more employees, by LABOR ORGANIZATIONS with a hiring hall or 75 or more members, by EMPLOYMENT AGENCIES, and by JOINT LABOR-MANAGEMENT COMMITTEES FOR APPRENTICESHIP OR TRAINING. After July 1, 1967, employers and labor organizations with 50 or more employees or members will be covered; after July 1, 1968, those with 25 or more will be covered

ANY PERSON who believes he or she has been discriminated against SHOULD CONTACT

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
1800 G Street NW.
Washington, D.C. 20506

Executive Order Number 11246—*Administered by*

THE OFFICE OF FEDERAL CONTRACT COMPLIANCE

Prohibits discrimination because of RACE, COLOR, CREED or NATIONAL ORIGIN, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

By all FEDERAL GOVERNMENT CONTRACTORS AND SUBCONTRACTORS, and by CONTRACTORS PERFORMING WORK UNDER A FEDERALLY ASSISTED CONSTRUCTION CONTRACT, regardless of the number of employees in either case

ANY PERSON who believes he or she has been discriminated against SHOULD CONTACT

THE OFFICE OF FEDERAL CONTRACT COMPLIANCE
U.S. Department of Labor
Washington, D.C. 20210

(b) Copies of such notice may be obtained on request from the Commission.

(c) Section 711(b) of Title VII makes failure to comply with this section punishable by a fine of not more than $100 for each separate offense.

This revision becomes effective July 2, 1966.

Signed at Washington, D.C., this 23d day of June 1966.

LUTHER HOLCOMB,
Acting Chairman.

[F.R. Doc. 66-7088; Filed, June 29, 1966; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XVII—Office of Emergency Planning

PART 1710—FEDERAL DISASTER ASSISTANCE

Grant in Lieu of Temporary Housing or Other Emergency Shelter

The amendment to § 1710.10(d), adding subparagraph (3), published in the FEDERAL REGISTER on February 25, 1966, at page 3121, is hereby revoked.

Dated: June 20, 1966.

FARRIS BRYANT,
Director,
Office of Emergency Planning.

[F.R. Doc. 66-7145; Filed, June 29, 1966; 8:45 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations of Basic Authority and Functions

ASSISTANT COMMISSIONER - COMPTROLLER AND DEPUTY

In § 200.77, paragraph (n) is amended to read as follows:

§ 200.77 **Assistant Commissioner-Comptroller and Deputy.**

* * * * *

(n) To keep or cause to be kept under his direction the seal of the Administration; to certify as to delegations of authority by the Commissioner, and as to the truth or accuracy of copies of original papers or documents in the possession of FHA; to prepare and execute notarized affidavits for the use of U.S. Attorneys in presenting the fiscal status of Commissioner-held mortgages at foreclosure trials; and to maintain the Archives files of FHA.

* * * * *

(Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61, as amended; sec. 712, 26 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Issued at Washington, D.C., June 27, 1966.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 66-7194; Filed, June 29, 1966; 8:49 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Departments of Interior, Agriculture, and Office of Economic Opportunity

1. Section 213.3212 is amended to show that the Schedule B provision covering certain positions on the staff of Job Corps camps has been extended until December 31, 1966. Effective on publication in the FEDERAL REGISTER, paragraph (b) of § 213.3212 is amended as set out below.

§ 213.3212 **Department of the Interior.**

* * * * *

(b) To the extent and in the occupations set by the Commission, positions on the staff of the Job Corps camps established by Title I of the Economic Opportunity Act of 1964, when it is determined that existing registers are not appropriate or do not permit appointment expeditiously. This authority may not be used after December 31, 1966.

2. Section 213.3213 is amended to show that the Schedule B provision covering certain positions on the staff of the Job Corps camps has been extended until December 31, 1966. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3213 is amended as set out below.

§ 213.3213 **Department of Agriculture.**

(a) To the extent and in the occupations set by the Commission, positions on the staff of the Job Corps camps established under Title I of the Economic Opportunity Act of 1964, when it is determined that existing registers are not appropriate or do not permit appointment expeditiously. This authority may not be used after December 31, 1966.

3. Section 213.3273 is amended to show that the Schedule B provision covering certain positions concerned with the administration and implementation of the Office of Economic Opportunity Program has been extended until December 31, 1966. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3273 is amended as set out below.

§ 213.3273 **Office of Economic Opportunity.**

(a) To the extent and in the occupations set by the Commission, positions concerned with the administration and implementation of the Office of Economic Opportunity program when it is determined that existing registers are not appropriate or do not permit appointment expeditiously. This authority may not be used after December 31, 1966.

* * * * *

4. Section 213.3273 is amended to show that 50 positions at grades GS-9 through GS-15 in the central and regional offices of the Office of Economic Opportunity are excepted under Schedule B until June 30, 1968. Effective on publication in the FEDERAL REGISTER, paragraph (f) is added under § 213.3273 as set out below.

§ 213.3273 **Office of Economic Opportunity.**

* * * * *

(f) Not to exceed 50 positions at GS-9 through GS-15 in new, experimental programs or special projects when it is determined that existing registers are not appropriate or do not permit appointment expeditiously. This authority may not be used after June 30, 1968.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-7248; Filed, June 29, 1966; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

Department of Labor

Section 213.3215 is amended to show that 40 positions of Manpower Development Specialist are continued in Schedule B until June 30, 1967. Effective on publication in the FEDERAL REGISTER, paragraph (a) of section 213.3215 is amended as set out below.

§ 213.3215 **Department of Labor.**

(a) Not to exceed 40 positions of Manpower Development Specialist at grades GS-12 through GS-15 for employment in the Neighborhood Youth Corps. This authority may not be used after June 30, 1967.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-7250; Filed, June 29, 1966; 10:09 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 20,035]

PART 531—STATEMENTS OF POLICY

Use of 5 Percent 6-Month Savings Account Certificates

JUNE 28, 1966.

Resolved that, the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising and codifying its statement of policy on the use of 5 percent 6-month savings account certificates, adopted by the Board

on May 16, 1966, and duly published in the FEDERAL REGISTER on May 20, 1966 (31 F.R. 7361), and for the purpose of effecting such revision and such codification, hereby amends Part 531 of the regulations for the Federal Home Loan Bank System (12 CFR Part 531) by adding, immediately after § 531.7, a new section, § 531.8, to read as follows:

§ 531.8 Use of 5 percent 6-month savings account certificates.

The Federal Home Loan Bank Board has approved a 6-month certificate, in the minimum amount of $1,000 and multiples thereof bearing a rate of 5 percent per annum for use by Federal savings and loan associations and has determined that the use of such certificates by Federal associations and state-chartered members of the Federal Home Loan Bank System is, under present economic conditions, consistent with the purposes of the Federal Home Loan Bank Act. Accordingly, any member of the Federal Home Loan Bank System may, after July 1, 1966, use a 6-month certificate in the minimum amount of $1,000 and multiples thereof on which earnings will be paid at the rate of 5 percent per annum, without being subject to restrictions on credit from its Federal Home Loan Bank.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-7244; Filed, June 29, 1966; 8:50 a.m.]

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 20,034]

PART 545—OPERATIONS

Distribution of Earnings at Variable Rates; Accounts Evidenced by Separate Certificates

JUNE 28, 1966.

Whereas by Federal Home Loan Bank Board Resolution No. 19,992, dated June 20, 1966, and duly published in the FEDERAL REGISTER on June 24, 1966 (31 F.R. 8775) this Board resolved to amend § 545.3-1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.3-1), effective July 1, 1966; and

Whereas, for the reasons hereinafter set forth, the Board has determined that such amendment should be superseded by the amendment hereinafter set forth;

Now, Therefore, it is hereby resolved that the amendment adopted on June 20, 1966, and published in the FEDERAL REGISTER at 31 F.R. 8775 is hereby superseded by the following amendment which shall be effective July 1, 1966.

Subparagraph (2) of paragraph (b), and paragraph (g) of § 545.3-1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.-3-1) are hereby amended to read as follows:

§ 545.3-1 Distribution of earnings at variable rates.

* * * * *

(b) *Eligibility requirements.* * * *

(2) *Accounts evidenced by separate certificates.* (i) A savings account which is evidence by a separate certificate, as provided in paragraph (c) of this section, issued and dated on or after the date of such resolution, may receive earnings on the amount of such certificate at a rate higher than the regular rate, but not in excess of 5 percent per annum if such account is maintained at not less than $1,000 for a continuous period of not less than 6 months commencing on the date of such certificate.

(ii) No such certificate shall be issued pursuant to this subparagraph (2) for any amount that is not an integral multiple of $1,000. If such savings account is evidenced by more than one separate certificate, the provisions of this subparagraph (2) shall be as fully applicable to each such certificate as if each such certificate evidenced a separate savings account.

* * * * *

(g) *Exception.* No Federal association may make or provide for any distribution of earnings pursuant to this section at any time unless its regular rate is 5 percent per annum or less.

It is hereby further resolved that, as the foregoing amendment is designed to permit Federal savings and loan associations to adjust their operations as of the beginning of the next quarterly dividend period to changed economic conditions emerging during the current quarterly period, the Board hereby finds that notice and public procedure on the said amendment are impracticable under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) and section 4(a) of the Administrative Procedure Act.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 66-7245; Filed, June 29, 1966; 8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 221]

SAN CARLOS INDIAN IRRIGATION PROJECT, ARIZ.

Assessments, Joint Works

Pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (80 Stat. 238), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs, September 14, 1946 (11 F.R. 10297), notice is hereby given of the intention to modify § 221.63 *Assessments, Joint Works* (a) of Title 25, Code of Federal Regulations, dealing with operation and maintenance assessments against the irrigable lands of the San Carlos Irrigation Project, Arizona, by increasing the annual basic assessment from $170,000 to $180,000 per annum and the rate of assessment from $1.70 to $1.80 per acre for each acre of land. The revised section will read as follows:

§ 221.63 Assessments, joint works.

(a) Pursuant to the Act of Congress approved June 7, 1924 (43 Stat. 476), and supplementary acts, the repayment contracts of June 8, 1931, as amended, between the United States and the San Carlos Irrigation and Drainage District, and in accordance with applicable provisions of the order of the Secretary of the Interior of June 15, 1938 (§§ 221.69a–221.69m), the cost of the operation and maintenance of the joint works of the San Carlos Indian Irrigation Project for the fiscal year 1968 is estimated to be $180,000 and the rate of assessment for the said fiscal year and subsequent fiscal years until further order, is hereby fixed at $1.80 for each acre of land.

The foregoing changes are to become effective for the fiscal year 1968 and continue thereafter until further notice; the assessment for that part payable by the San Carlos Irrigation and Drainage District being due in advance of such fiscal year on March 1; for that part payable for the 50,000 acres of Indian land will be provided in §§ 221.110 to 221.116 inclusive of 25 CFR.

It is the policy of the Department of the Interior whenever practicable to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to W. Wade Head, Area Director, Phoenix Area Office, Post Office Box 7007, Phoenix, Ariz., within thirty (30) days from date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

GEORGE W. HEDDEN, *Acting Area Director.*

[F.R. Doc. 66-7171; Filed, June 29, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 948]

[Area No. 1]

IRISH POTATOES GROWN IN COLORADO

Limitation of Shipments

Consideration is being given to the issuance of the limitation of shipments regulation for Area No. 1 Colorado, hereinafter set forth, which was recommended by the Area No. 1 Committee, established pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948), regulating the handling of Irish potatoes grown in the State of Colorado. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit data, views, or arguments in connection with this proposal may file the same in quadruplicate with the Hearing Clerk, Room 112, U.S. Department of Agriculture, Washington, D.C., 20250, not later than 10 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposed regulation is as follows:

§ 948.351 Limitation of shipments.

During the period July 18, 1966, through June 30, 1967, no person may handle any lot of potatoes grown in Area No. 1 unless such potatoes meet the requirements of paragraphs (a) and (b) of this section, or unless such potatoes are handled in accordance with the provisions of paragraph (c), (d), and (e) of this section.

(a) *Minimum grade and size requirements*—(1) *Round varieties.* U.S. No. 2, or better grade, 2 inches minimum diameter.

(2) *Long varieties.* U.S. No. 2, or better grade, 2 inches minimum diameter or 4 ounces minimum weight.

(3) *All varieties.* Size B, if U.S. No. 1 or better grade.

(b) *Minimum maturity (skinning) requirements—All varieties.* Not more than "moderately skinned."

(c) *Special purpose shipments.* (1) The quality and maturity requirements set forth in paragraphs (a) and (b) of this section and the inspection and assessment requirements of this part shall not be applicable to potatoes handled for livestock feed.

(2) Potatoes may be handled for chipping or shoestrings if such potatoes meet the grade and size requirements of paragraph (a) of this section except for scab. The maturity requirements of paragraph (b) of this section shall not apply to such potatoes handled for chipping or shoestrings.

(3) The quality and maturity requirements of paragraphs (a) and (b) of this section shall not be applicable to the handling of potatoes for seed as defined in § 948.6 of this part but any lot of potatoes handled for seed shall be subject to assessments.

(d) *Safeguards.* (1) Each handler of potatoes which do not meet the quality and maturity requirements of paragraphs (a) and (b) of this section and which are handled pursuant to paragraph (c) of this section for any of the special purposes set forth therein shall, prior to handling, apply for and obtain a Certificate of Privilege from the committee, which shall require among other things, the handler to furnish such reports and documents as the committee may require showing that the potatoes so handled were utilized for the purpose specified in the Certificate of Privilege.

(e) *Exception to regulations.* The requirements of this part shall not apply to the handling of potatoes grown in the Counties of Dolores, La Plata and Montezuma during the effective period of this section.

(f) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "moderately skinned," "scab" and "Size B" shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.-1540–51.1556 of this title), including the tolerances set forth therein. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 27, 1966.

FLOYD F. HEDLUND, *Director, Fruit and Vegetable Division, Consumer and Marketing Service.*

[F.R. Doc. 66-7195; Filed, June 29, 1966; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

COBALTOUS SALTS

Proposed Revocation of Food Additive Regulation

An order was published in the FEDERAL REGISTER of August 31, 1963 (28 F.R. 11454), that provided for the use of cobaltous salts in fermented malt beverages by adding to Part 121, the food additive regulations, a new § 121.1142 *Cobaltous salts*. This regulation was amended to increase the amount of cobalt permitted in such beverages from 1.2 to 1.5 parts per million by an order published in the FEDERAL REGISTER of August 31, 1965 (30 F.R. 11171).

It has come to the attention of the Commissioner of Food and Drugs that questions have been raised concerning the safety of the compounds. It is also reported that shipments and use of the compounds in fermented malt beverages have been discontinued. Since data are not available to answer the questions raised, it is proposed that Part 121 be amended by revoking § 121.1142.

This proposal is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409, 72 Stat. 1785; 21 U.S.C. 348) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008).

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: June 23, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7198; Filed, June 29, 1966; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66-SO-92]

FEDERAL AIRWAYS

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of segments of Federal airways in the Miami, Fla., flight advisory area.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency proposes to redesignate the floors of Federal airway segments as hereinafter set forth.

1. Blue 19 From the Key West, Fla., RBN 1,200 feet AGL via the INT of Key West RBN 037° and the Perrine, Fla., RBN 232° True bearings, 1,200 feet AGL to the Perrine RBN.

2. Blue 48 From the INT of the Bimini, Bahamas, RBN 216° and the Miami, Fla., RBN 145° True bearings, 1,200 feet AGL to the Miami RBN.

3. V-3 From Key West, Fla., 1,200 feet AGL via the INT Key West 086° and Miami, Fla., 205° True radials; 1,200 feet AGL INT Miami 205° and Biscayne Bay, Fla., 262° True radials; 1,200 feet AGL Biscayne Bay; 1,200 feet AGL Palm Beach, Fla., including a 1,200 feet AGL E alternate via INT Biscayne Bay 021° and Palm Beach 166° True radials; 1,200 feet AGL Vero Beach, Fla., including a 1,200 feet AGL E alternate via INT Palm Beach 358° and Vero Beach 143° True radials; 1,200 feet AGL to Daytona Beach, Fla.

4. V-7 From Miami, Fla., 1,200 feet AGL to Fort Myers, Fla.

5. V-35 From Key West, Fla., 1,200 feet AGL via INT Key West 086° and Bimini, Bahamas, 215° True radials; 1,200 feet AGL INT Bimini 215° and Miami, Fla., 147° True radials; 1,200 feet AGL Miami; 1,200 feet AGL INT Miami 269° and Fort Myers, Fla., 137° True radials, including a 1,200 feet AGL W alternate from INT of Miami 147° radial and Miami International Airport Runway 9 left ILS localizer W course to INT Miami 269° and Fort Myers 137° True radials via INT Miami International Airport Runway 9 left ILS localizer W course and Fort Myers 137° True radial; 1,200 feet AGL to Fort Myers.

6. V-51 From Key West, Fla., 1,200 feet AGL via INT Miami, Fla., 222° and Biscayne Bay, Fla., 262° True radials; 1,200 feet AGL Biscayne Bay; 1,200 feet AGL Miami; 1,200 feet AGL Pahokee, Fla.; 1,200 feet AGL INT Pahokee 009° and Vero Beach, Fla., 193° radials; 1,200 feet AGL Vero Beach, including a 1,200 feet AGL E alternate from Biscayne Bay to Vero Beach via INT Biscayne Bay 346° and Vero Beach 178° True radials; 1,200 feet AGL to Daytona Beach, Fla.

7. V-97 From Miami, Fla., 1,200 feet AGL to La Belle, Fla.

8. V-152 From St. Petersburg, Fla., 1,200 feet AGL via Orlando, Fla., including a 1,200 feet AGL N alternate via INT St. Petersburg 040° and Orlando 258° True radials and also a 1,200 feet AGL S alternate via Lakeland, Fla.; 1,200 feet AGL to Daytona Beach, Fla., including a 1,200 feet AGL S alternate via INT Orlando 049° and Daytona Beach 161° radials.

9. V-157 From Key West, Fla., 1,200 feet AGL via Miami, Fla.; 1,200 feet AGL La Belle, Fla., including a 1,200 feet AGL W alternate from INT Miami 222° and Fort Myers, Fla., 137° True radials to La Belle via INT Fort Myers 137° and La Belle 162° True radials; 1,200 feet AGL Lakeland, Fla.; 1,200 feet AGL to Ocala, Fla.

10. V-159 From Miami, Fla., 1,200 feet AGL via INT Miami 346° and Palm Beach, Fla., 219° True radials; 1,200 feet AGL Palm Beach, including a 1,200 feet AGL E alternate from Miami direct to Palm Beach; 1,200 feet AGL INT Palm Beach 314° and Vero Beach, Fla., 178° True radials; 1,200 feet AGL Vero Beach; 1,200 feet AGL Orlando, Fla., including a 1,200 feet AGL E alternate via INT Vero Beach 341° and Orlando 123° True radials; 1,200 feet AGL to Ocala, Fla., including a 1,200 feet AGL W alternate via INT Orlando 283° and Ocala 156° True radials.

11. V-225 From Key West, Fla., 30 miles, 1,200 feet AGL, 72 miles, 1,700 feet AGL, 1,200 feet AGL Fort Myers, Fla., including an E alternate 30 miles, 1,200 feet AGL, 77 miles, 1,700 feet AGL, 1,200 feet AGL; 1,200 feet AGL La Belle, Fla.; 1,200 feet AGL to Vero Beach, Fla. The portion of the E alternate outside the United States has no upper limit.

12. V-267 From Biscayne Bay, Fla., 1,200 feet AGL via Miami, Fla., 1,200 feet AGL Pahokee, Fla., including a 1,200 feet AGL E alternate from Biscayne Bay to Pahokee via INT Biscayne Bay 346° and Pahokee 143° True radials; 1,200 feet AGL Orlando, Fla.; 1,200 feet AGL Jacksonville, Fla., including a 1,200 feet AGL E alternate from Orlando to INT Daytona Beach, Fla., 308° and Jacksonville 174° True radials via Daytona Beach.

13. V-295 From Biscayne Bay, Fla., 1,200 feet AGL via INT Biscayne Bay 021° and Vero Beach, Fla., 143° True radials; 1,200 feet AGL Vero Beach; 1,200 feet AGL INT Vero Beach 296° and Orlando, Fla., 161° True radials; 1,200 feet AGL Orlando, including a 1,200 feet AGL E alternate from Vero Beach to Orlando via INT Vero Beach 341° and Orlando 099° True radials; 1,200 feet AGL INT Orlando 283° and Cross City, Fla., 150° True radials; 1,200 feet AGL to Cross City. The portion outside the United States has no upper limit.

14. V-441 From St. Petersburg, Fla., 1,200 feet AGL via INT St. Petersburg 010° and Ocala, Fla., 213° True radials; 1,200 feet AGL to Ocala, including a 1,200 feet AGL E alternate via INT St. Petersburg 040° and Ocala 171° True radials.

15. V-492 From La Belle, Fla., 1,200 feet AGL via Pahokee, Fla., 1,200 feet AGL to Palm Beach, Fla., including a 1,200 feet AGL S alternate from La Belle to Palm Beach via INT La Belle 112° and Palm Beach 252° True radials, and also a 1,200 feet AGL N alternate from La Belle to Palm Beach via INT La Belle 043° and Palm Beach 314° True radials.

Floors of 1,200 feet above the surface are proposed for the preponderance of the airway segments considered herein to preserve established cardinal altitudes. The floor for a segment of V-225 and V-225 east alternate from Key West to Fort Myers could be established at 3,000 feet MSL for en route purposes. However, a portion of control area associated with these airway segments is used to protect a 2,000-foot MSL holding pattern at Pavilion Intersection. Accordingly, the floors of these segments of V-225 are proposed at 1,700 feet above the surface. This would provide protection for the holding pattern and improve aeronautical chart legibility as this segment of V-225 east alternate forms the western boundary of the 1,700 feet above the surface Miami transition area. This area is also used for radar vectors below the MEA of V-225. The floor of V-35 is presently designated at 2,000 feet MSL for the offshore portion, by agreement with the Department of Defense. As V-35 forms the southern and eastern boundary of the Miami transition area, which has a 1,200 feet above the surface floor, it is proposed to establish the floor of this airway segment at 1,200 feet above the surface. This would improve aeronautical chart legibility by providing a common floor of controlled airspace south and southwest of Miami. This airspace is also used for radar vectors below the MEA of the airway.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on June 23, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-7149; Filed, June 29, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-35]

FEDERAL AIRWAY

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would realign VOR Federal airway No. 100 segment from Keeler, Mich., with a floor of 1,200 feet above the surface, via Litchfield, Mich., to Carleton, Mich., at which point it would terminate.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

This proposed airway realignment would shorten the en route mileage for this preferred route utilized for the movement of traffic between the Chicago and Detroit terminal areas.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 23, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-7150; Filed, June 29, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-42]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration; Supplemental Notice

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Jamestown, N. Dak., terminal area.

In a notice of proposed rule making published in the FEDERAL REGISTER on June 8, 1966 (31 F.R. 8077), the Federal Aviation Agency proposed, in part, to alter the Jamestown, N. Dak., transition area by redesignating it as follows:

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Jamestown Municipal Airport (latitude 46°55'48" N., longitude 98°40'42" W.); and that airspace extending upward from 1,200 feet above the surface within a 14-mile radius of Jamestown Municipal Airport.

Subsequent to publication of the notice of proposed rule making, it has been determined that two new instrument approach procedures to be established at Jamestown, N. Dak., must be revised in order to provide the necessary controlled airspace protection. The revision will not affect the control zone and transition area with a floor of 700 feet above the surface as proposed in the original notice. The revision would make the radius of the proposed 1,200-foot floor transition area larger than originally proposed in order to provide controlled airspace protection for the DME arcs which have been modified in the latest approach procedures.

In view of the foregoing, the proposed notice is amended to propose that the Jamestown transition area be redesignated as follows:

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Jamestown Municipal Airport (latitude 46°55'48" N., longitude 98°40'42" W.); and that airspace extending upward from 1,200 feet above the surface within a 17-mile radius of Jamestown Municipal Airport.

Specific details of the new procedures upon which the action proposed herein was based may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the

office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 17, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66-7151; Filed, June 29, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-53]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Eau Claire, Wis., terminal area.

The Eau Claire, Wis., transition area is presently designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Eau Claire Municipal Airport (latitude 44°-51'47" N., longitude 91°21'13" W.), and within 2 miles each side of the Eau Claire VOR 011° radial, extending from the 7-mile radius area to 8 miles N of the VOR, and within 2 miles each side of the 319° bearing from the Eau Claire Municipal Airport, extending from the 7-mile radius to 8 miles NW of the airport; and that airspace extending upward from 1,200 feet above the surface within 8 miles W and 5 miles E of the Eau Claire 011° radial, extending from the VOR to 13 miles N and within 8 miles SW and 5 miles NE of the 319° bearing from Eau Claire Municipal Airport, extending from the airport to 12 miles NW, and within 8 miles S and 5 miles N of the 274° bearing from Eau Claire Municipal Airport to 12 miles W.

Since the designation of the Eau Claire transition area, the VOR approach procedure has been modified to include the use of a DME arc. This DME arc at the present time is not completely contained within existing airspace. Therefore, a modification of the Eau Claire, Wis., transition area is necessary to include this arc.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Eau Claire, Wis., terminal area, including the necessity of expanding the controlled airspace to include the DME arc, proposes the following airspace action:

Alter the Eau Claire, Wis., transition area by redesignating it as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Eau Claire Municipal Airport (latitude 44°-51'47" N., longitude 91°29'13" W.); and within 2 miles each side of the Eau Claire VOR 011° radial, extending from the 7-mile radius area to 8 miles N of the VOR; and within 2 miles each side of the 319° bearing from the Eau Claire Municipal Airport, extending from the 7-mile radius area to 8 miles NW of the airport; and that airspace extending upward from 1,200 feet above the surface within 8 miles S and 5 miles N of the 274° bearing from the Eau Claire Municipal Airport, extending from the airport to 12 miles W of the airport; and within the arc of a 14-mile radius circle centered on the Eau Claire VOR, extending from the Eau Claire VOR 258° radial clockwise to the Eau Claire VOR 091° radial.

The foregoing proposed transition area does not change the 700-foot floor portion of this transition area.

The proposed modified 1,200-foot floor transition area would provide controlled airspace protection for the portions of the prescribed public and special instrument approach procedures which are executed at and above 1,500 feet above the surface. It would also provide this protection for aircraft holding at Eau Claire.

The floors of the airways that traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

The actions proposed herein were developed to accommodate a revised approach procedure. No additional procedural revisions would be required by the proposed actions.

Specific details of this proposal and the approach procedure for which it was designed may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 16, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66-7152; Filed, June 29, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-55]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace at Pierre, S. Dak.

The following controlled airspace is presently designated in the Pierre, S. Dak., terminal area:

(1) The Pierre, S. Dak., control zone is designated as that airspace within a 5-mile radius of Pierre Municipal Airport (latitude 44°22'50" N., longitude 100°17'15" W.).

(2) The Pierre, S. Dak., transition area is designated as that airspace extending upward from 700 feet above the surface within a 8-mile radius of Pierre Municipal Airport (latitude 44°22'50" N., longitude 100°17'15" W.), within 2 miles each side of the Pierre VOR 077° radial, extending from the 8-mile radius area to 12 miles E of the VOR; and that airspace extending upward from 1,200 feet above the surface within 4 miles E and 3 miles W of the Pierre VOR 357° radial, extending from the VOR to 8 miles N of the VOR, and within the area east of the Pierre VOR bounded on the N by a line 5 miles N of, and parallel to, the Pierre VOR 057° radial, on the E by the arc of a 30-mile radius circle centered on the Pierre VOR, and on the S by a line 5 miles S of, and parallel to, the Pierre VOR 077° radial.

The Pierre VOR has been converted to a VORTAC, and the VOR jet penetration procedure has been changed. In addition, the VOR instrument approach procedure for Pierre Municipal Airport is being modified to utilize the DME capability at Pierre and a new DME/VOR approach procedure is being prescribed for said airport. As a result, and having completed a comprehensive review of airspace requirements at Pierre, S. Dak., the Federal Aviation Agency proposes to alter the control zone and transition area at Pierre, S. Dak., as follows:

(1) Redesignate the Pierre, S. Dak., control zone as that airspace within a 5-mile radius of Pierre Municipal Airport (latitude 44°22'50" N., longitude 100°17'15" W.); and within 2 miles each side of the Pierre VOR 266° radial, extending from the 5-mile radius zone to the VOR.

(2) Redesignate the Pierre, S. Dak., transition area as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Pierre Municipal Airport (latitude 44°22'50" N., longitude 100°17'15" W.); within 2 miles each side of the Pierre VOR 086° radial, extending from the 8-mile radius area to 12 miles E of the VOR; and within 2 miles each side of the Pierre VOR 266° radial, extending from the 8-mile radius area to 20 miles W of the VOR; and that airspace extending upward from 1,200 feet above the surface within 5 miles S and 8 miles N of the Pierre VOR 086° and 266° radials, extending from 3 miles W to 12 miles E of the VOR; within the arc of a 29-mile radius circle centered on the Pierre VOR; extending clockwise from a line 5 miles NW of and parallel to the Pierre VOR 056° radial to a line 5 miles S of and parallel to the Pierre VOR 086° radial; and within the arc of a 24-mile radius circle centered on the Pierre VOR, extending clockwise from a line 6 miles S of and parallel to the Pierre VOR 253° radial to the Pierre VOR 302° radial.

The altered proposed control zone would provide controlled airspace protection for arriving and departing aircraft in the Pierre terminal area during descent from 1,000 feet above the surface and during climb to 700 feet above the surface.

The altered proposed 700-foot floor transition area would provide controlled airspace protection for aircraft executing the prescribed instrument approach procedures for Pierre Municipal Airport during descent from 1,500 to 1,000 feet above the surface and for departing aircraft during climb from 700 to 1,200 feet above the surface.

The altered proposed 1,200-foot floor transition area would provide controlled airspace protection for the portions of the prescribed instrument approach procedures at Pierre Municipal Airport executed at and above 1,500 feet above the surface. It would also provide controlled airspace for aircraft holding at the Pierre VOR.

The floors of the airways that traverse the transition areas proposed herein would automatically coincide with the floors of the transition areas.

Since the actions proposed herein were developed to provide protection for new and revised instrument approach procedures, no procedural changes would be effected.

Specific details of this proposal and the procedures for which it was developed to protect, may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo., 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 16, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66-7153; Filed, June 29, 1966; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-56]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the Glasgow, Mont., terminal area.

The following controlled airspace is presently designated in the Glasgow, Mont., terminal area:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Glasgow Municipal Airport, Glasgow, Mont. (latitude 48°12'54" N., longitude 106°-37'06" W.); and within 2 miles each side of the 100° and 279° bearings from the airport, extending from the 5-mile radius to 8 miles E and W of the airport.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Glasgow, Mont., terminal area, as the result of the development of an instrument approach procedure for the Glasgow Municipal Airport, proposes to take the following airspace action:

Redesignate the transition area in the Glasgow, Mont., terminal area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of Glasgow Municipal Airport (latitude 48°12'54" N., longitude 106°37'06" W.); within 2 miles each side of the 100° and 279° bearings from Glasgow Municipal Airport, extending from the 5-mile radius area to 8 miles E and W of the airport and within 2 miles each side of the Glasgow AFB VOR 197° radial extending from the 5-mile radius area to the arc of a 9-mile radius circle centered on Glasgow AFB (latitude 48°25'00" N., longitude 106°31'40" W.).

The proposed instrument approach procedure will become effective concurrently with the designation of the above controlled airspace.

The proposed transition area will provide controlled airspace protection for aircraft executing the prescribed public VOR instrument approach procedure during descent from 1,500 feet above the surface to the minimum altitude.

The transition area proposed herein was developed for a new approach procedure. Therefore, no procedural changes wil be required as the result of this proposal.

No airways traverse the transition area proposed herein.

Specific details of this proposal may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo., 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 17, 1966.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 66-7154; Filed, June 29, 1966; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SO-53]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Kinston, N.C., transition area.

The Kinston, N.C., transition area is described in § 71.181 (31 F.R. 2149).

The Kinston, N.C., transition area would be redesignated as that airspace extending upward from 700 feet above the surface within a 5-mile radius of Stallings Field (latitude 35°19'40" N., longitude 77°37'05" W.); within 2 miles each side of the 047° radial of the Kinston VORTAC extending from the 5-mile radius area to 8 miles NE of the VORTAC; within 2 miles each side of the 225° radial of the Kinston VORTAC, extending from the 5-mile radius area to 11 miles SW of the VORTAC.

The proposed alteration of the transition area is needed for the protection of IFR operations at Stallings Field. A prescribed instrument approach procedure utilizing the 225° radial of the Kin-

ston VORTAC is proposed in conjunction with the alteration of this transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on June 22, 1966.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 66-7155; Filed, June 29, 1966; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-WE-38]

FEDERAL AIRWAYS

Proposed Alteration

The Federal Aviation Agency (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter segments of VOR Federal airway Nos. 210 and 257.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The FAA proposes to commission a VOR navigational aid in the vicinity of Grand Canyon, Ariz., at latitude 35°57'-38'' N., longitude 112°08'50'' W. Associated with the commissioning of this VOR, the FAA proposes alteration to the following VOR Federal airways:

1. Realign V-210 segment from Peach Springs, Ariz., via Grand Canyon, Ariz., to Tuba City, Ariz.

2. Realign V-257 segment from Prescott, Ariz., via intersection of Prescott 003° (349° M) and Grand Canyon, Ariz., 211° True (196° M) radials; Grand Canyon; to Bryce Canyon, Utah.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 24, 1966.

W. R. ANDREWS,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-7186; Filed, June 29, 1966; 8:49 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice 940]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JUNE 24, 1966.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

[1] Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 1824 (Sub-No. 37), filed June 17, 1966. Applicant PRESTON TRUCKING COMPANY, INC., 151 Easton Boulevard, Preston, Md., 21655. Applicant's representative: William J. Little, 1513 Fidelity Building, Baltimore, Md., 21201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods, dessert toppings*, in cans (aerated or nonaerated), boxes or fruit tins, *coffee whitener*, in cartons, plastic bottles for use in tea, coffee, cereals, and cooking in dry form when shipped in small quantities, not to exceed 10 percent of the truckload, *bakery goods, such as eclairs, chocolate rolls*, in boxes not to exceed 10 percent of the truckload, from Buffalo, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Pennsylvania, Rhode Island, and Vermont, and (2) *foods*, cooked, cured, or preserved, frozen and *bakery goods*, frozen, from Fredonia, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Pennsylvania, Rhode Island, and Vermont. NOTE: Applicant states it intends to use Buffalo, N.Y., as a connecting point and territory to be served would be applicant's presently authorized territory in New Jersey, Maryland, Delaware, District of Columbia, and Virginia. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Washington, D.C.

No. MC 5267 (Sub-No. 16) filed June 3, 1966. Applicant: ATWOOD TRUCK LINE, INC., Route 1, Fort Morgan, Colo. Applicant's representative: Marion F. Jones, 420 Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, (1) from Lyons, Colo., and points within 10 miles thereof, to points in Utah, Wyoming, Nebraska, and Kansas, and (2) from points in Fremont County, Colo., to points in New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 13250 (Sub-No. 84), filed June 14, 1966. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, Post Office Box 16190, Houston, Tex. 77022. Applicant's representative: Thomas E. James, 721 Brown Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in Indiana, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, Louisiana, Arkansas, Missouri, Illinois, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, California, Nevada, Iowa, and Wisconsin, and (2) *articles used in the manufacture of iron and steel and iron and steel articles, and commodities used in the maintenance of steel plants*, from points in Indiana, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, Louisiana, Arkansas, Missouri, Illinois, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, California, Nevada, Iowa, and Wisconsin, to points in Putnam County, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 19945 (Sub-No. 24), filed June 17, 1966. Applicant: BEHNKEN TRUCK SERVICE, INC., Route 13, New Athens, Ill. Applicant's representative: Ernest A. Brooks, II, 1301 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from East St. Louis, Ill., and 5 miles thereof, and Cairo, Ill., to points in Kentucky on and west of U.S. Highway 27; points in Tennessee on and west of U.S. Highway 231; and points in Arkansas on and east of U.S. Highway 65. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 29566 (Sub-No. 120), filed June 16, 1966. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans., 66105. Applicant's representative: Vernon M. Masters (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products*, and *meat byproducts*, and *articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Guymon, Okla., to points in Arkansas, Illinois, Iowa, Kansas, Minnesota,

Missouri, Nebraska, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Chicago, Ill.

No. MC 30887 (Sub-No. 146), filed June 13, 1966. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Box 55, Reisterstown, Md., 21136. Applicant's representatives: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C., 20005, and W. Wilson Corroum (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Latex*, in bulk, between points in Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, and the District of Columbia. NOTE: Applicant states that no duplicating authority is sought, and that it agrees to request the Commission to cancel any present authority granted in this application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 35320 (Sub-No. 89), filed June 13, 1966. Applicant: T.I.M.E. FREIGHT, INC., 2598 74th Street, Post Office Box 1120, Lubbock, Tex., 79408. Applicant's representatives: W. D. Benson, Jr., 9th Floor, Citizens Tower, Lubbock, Tex., 79401, and Frank M. Garrison, Post Office Box 1120, Lubbock, Tex., 79408. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, inflammable articles, livestock, commodities in bulk, and those requiring special equipment), between Chicago, Ill., and St. Louis, Mo., over U.S. Highway 66 with joinder at St. Louis, and return over the same route, serving no intermediate points and as an alternate route for operating convenience only, restricted to the transportation of traffic moving to, or from Lubbock, Tex., or points on its authority west thereof. NOTE: Applicant states no duplicate authority is sought. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., Dallas, Tex., or any other point convenient to the Commission.

No. MC 48958 (Sub-No. 92), filed June 8, 1966. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Robert W. Wright, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, intoxicating liquors, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Chicago, Ill., and Amarillo, Tex., (1) over U.S. Highway 66, (2) from Chicago, over Interstate Highway 55 to St. Louis, Mo., thence over Interstate Highway 44 to Oklahoma City, Okla., thence over Interstate Highway 40 to Amarillo, and return over the same routes, serving no intermediate points in (1) and (2) above, (3) also from junction U.S. Highway 66, Interstate Highways 55 and 270 (approximately 3 miles northwest of Troy, Ill.), thence over Interstate Highway 270 to junction U.S. Bypass 66 and 67, thence over U.S. Bypass 66 and 67 to junction U.S. Highway 66 and Interstate Highway 44 near Kirkwood, Mo., and return over the same route, serving no intermediate points, and serving junction U.S. Highway 66, Interstate Highways 55 and 270, also U.S. Bypass 66 and 67, U.S. Highway 66 and Interstate Highway 44 as points of joinder only, and (4) also from junction U.S. Highway 66 and Interstate Highways 55 and 270 (approximately 3 miles northwest of Troy, Ill.), thence over Interstate Highways 270 and 244 to junction U.S. Highway 66 and Interstate Highway 44 near Kirkwood, Mo., and return over the same route, serving no intermediate points, and serving the two junctions as points of joinder only; as alternate routes for operating convenience only in connection with (1) through (4) above. NOTE: Applicant states it cannot serve any point on U.S. Highway 66 in Illinois, therefore alternate route must begin or end at Chicago, Ill. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., Amarillo, Tex., or Chicago, Ill.

No. MC 49387 (Sub-No. 32), filed June 13, 1966. Applicant: ORSCHELN BROS. TRUCK LINES, INC., Highway 24 East, Moberly, Mo. Applicant's representative: G. M. Rebman, 314 North Broadway, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), between St. Louis, Mo., and Springfield, Ill.; (1) from St. Louis, Mo., over Interstate Highway 270 to junction U.S. Highway 66 (partially Interstate Highway 55) east of St. Louis, Mo., thence over U.S. Highway 66 (partially Interstate Highway 55) to junction U.S. Highway 36 at Springfield, Ill., and (2) from St. Louis, Mo., over U.S. Highway 66 (partially Interstate Highway 55) to junction U.S. Highway 36 at Springfield, Ill., and return over the same routes as described in (1) and (2) above, serving junction U.S. Highway 66 (partially Interstate Highway 55) and U.S. Highway 36 at Springfield, Ill., for joinder purposes only, as alternate routes in connection with applicant's presently authorized operations between Chicago, Ill., and St. Louis, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., Chicago, Ill., or Washington, D.C.

No. MC 50002 (Sub-No. 52), filed June 16, 1966. Applicant: T. CLARENCE BRIDGE AND HENRY W. BRIDGE, a partnership, doing business as BRIDGE BROTHERS, Bridge and Anderson Streets, Post Office Box 929, Lamar, Colo., 81052. Applicant's representative: C. Zimmerman, 503 Schweiter Building, Wichita, Kans., 67202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial chemicals, feed urea, fertilizer ingredients, and fertilizers, including but not limited to anhydrous ammonia*, in bulk, from Sioux City, Iowa, and points within 20 miles thereof, to points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: Applicant states that it will tack at Sioux City, Iowa, in order to serve points in Minnesota, North Dakota, South Dakota, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Sioux City or Des Moines, Iowa, or Omaha, Nebr.

No. MC 57880 (Sub-No. 9), filed June 6, 1966. Applicant: ASHTON TRUCKING CO., a corporation, 1201 North Broadway, Monte Vista, Colo. Applicant's representative: Alvin J. Meiklejohn, Jr., 420 Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, (1) from Lyons, Colo., and points within 10 miles thereof, to points in Utah, Wyoming, Nebraska, and Kansas, and (2) from points in Fremont County, Colo., to points in New Mexico. NOTE: Applicant holds contract carrier authority under MC 62538, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 60253 (Sub-No. 22), filed May 19, 1966. Applicant: AGNES METZ, (MARION S. REVETT, MABLE A. BOREL and ARTHUR CLINE, EXECUTORS), doing business as ARLINGTON TRUCK COMPANY, 524 Oregon Road, Toledo, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Automobile, plate and laminated glass, and machinery, equipment, materials and supplies used in connection with the manufacture, processing and transportation of plate and laminated glass, and glass building materials*, between Brackenridge, Pa., and Toledo, Ohio, (2) *machinery, equipment, materials and supplies used in connection with the manufacture, processing and transportation of plate and laminated glass and glass building materials* from Toledo, Ohio, to Brackenridge, Pa., and *automobile, plate and laminated glass, and machinery, equipment, materials and supplies used in connection with the manufacture, processing and transportation of automobile, plate and laminated glass, and machinery, equipment, materials and supplies used in connection with the manufacture, processing and transportation of automobile, plate and laminated glass,* between Brackenridge, Pa., on the one hand, and, on the other, Detroit, Flint, Ionia, Lansing, Marysville, Otterburn, Pontiac, Swartz Creek, and Willow Run, Mich., and Euclid, Lordstown, and Springfield, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Toledo, Ohio, or a nearby locale.

No. MC 61396 (Sub-No. 165), filed June 13, 1966. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in packages and in bulk, in tank or other bulk-type carrying vehicles, which has had a prior movement by either water or rail, from Selma, Jefferson County, Mo.; Vidalia and Monroe, La., to points in Arkansas, Alabama, Louisiana, and Mississippi. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 68183 (Sub-No. 23), filed June 15, 1966. Applicant: YANKEE LINES, INC., 1400 East Archwood Avenue, Akron, Ohio, 44306. Applicant's representative: A. David Milliner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and steel mill equipment, materials and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: Applicant states it would tack at common Ohio points. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Pittsburgh, Pa., or Washington, D.C.

No. MC 75185 (Sub-No. 268), filed June 15, 1966. Applicant: SERVICE TRUCKING CO., INC., Preston Road, Post Office Box 276, Federalsburg, Md., 21632. Applicant's representative: James W. Lawson, 1000 Sixteenth Street, NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen eggs, dressed and frozen poultry, butter, cheese, and oleomargarine*, from Chicago, Ill., to points in Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 77424 (Sub-No. 24), filed May 19, 1966. Applicant: WENHAM TRANSPORTATION, INC., 3200 East 79th Street, Cleveland, Ohio, 44104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel products, and steel mill equipment, materials and supplies*, between points in the Chicago, Ill., commercial zone, Chicago Heights, Joliet, Waukegan, Ill., Burns Harbor and Portage, Ind., on the one hand, and, on the other, points in Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 80428 (Sub-No. 58) (Amendment), filed May 19, 1966, published FEDERAL REGISTER issue of June 23, 1966, amended June 16, 1966, and republished as amended this issue. Applicant: McBRIDE TRANSPORTATION, INC., Main and Nelson Streets, Goshen, N.Y. Applicant's representative: Robert V. Gianniny, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, *feed grade urea*, dry, from Olean, N.Y., to points in Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the ports of entry on the international boundary line between the United States and Canada, located in New York, and *refused, rejected, and returned commodities*, on return. NOTE: The purpose of this republication is to redescribe the commodities. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83539 (Sub-No. 188), filed June 6, 1966. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Dallas, Tex., 75222. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Electrical transformers, circuit breakers, switchgear, insulators, air switches, laminations sheet steel* for magnetic cores and parts of these items, which by reason of size or weight require the use of special equipment, (2) *electrical transformers, circuit breakers, switchgear, air switches, laminations sheet steel* for magnetic cores, and insulators and parts of these items, which do not require the use of special equipment when moving in the same vehicle at the same time with the commodities in (1) above, and (3) *transformer oil*, in containers, *paint*, in containers, *fans, copper bar and pipe, and iron and steel forms* used in or on the commodities named in (1) above, and *related products*, when transported in mixed loads with the commodities named in (1) and (2) above, from Canonsburg, Pa., to points in Arkansas, Louisiana, Oklahoma, Texas, and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 87123 (Sub-No. 2), filed June 13, 1966. Applicant: ROSE HARE, doing business as MAX KAFER EXPRESS, 218 West 37th Street, New York, N.Y. Applicant's representative: Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Wearing apparel and piece goods*, serving points in Essex, Hudson, Bergen, and Passaic Counties, N.J., as off-route points over its regular route. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 89340 (Sub-No. 2) (Correction), filed April 26, 1966, published FEDERAL REGISTER issue of May 12, 1966, under Docket No. MC 102682 (Sub-No. 250), and republished as corrected this issue. Applicant: HUGHES TRANSPORTATION, INC., Meeting Street Road, Charleston, S.C. Applicant's representative: Frank B. Hand, Jr., 921 17th Street NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: (1) *Steel bar joists and long spans*, (2) *steel nuts, bolts, washers, and plates* when transported with commodities in (1) as a part of the same shipment, from Congaree, S.C., to points in Louisiana, Oklahoma, Kansas, Missouri, Colorado, Nebraska, Iowa, Minnesota, Mississippi, Tennessee, Illinois, Wisconsin, Michigan, Indiana, Kentucky, Alabama, Ohio, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Pennsylvania, New Jersey, Rhode Island, Delaware, Connecticut, Massachusetts, New York, Vermont, New Hampshire, Maine, Arkansas, and the District of Columbia, and (3) *steel bars, rods, flats, and rounds*, from Charleston, S.C., to Congaree, S.C. NOTE: Applicant states service to be performed under a contract with Congaree Iron & Steel Co., Inc. of Congaree, S.C. The purpose of this republication is to assign a new docket number for contract carrier authority in lieu of common carrier authority No. MC 102682, Sub-No. 250. Applicant is authorized to operate as a common carrier in MC 102682, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 93393 (Sub-No. 11), filed June 14, 1966. Applicant: EDWIN H. NELSON AND ALFRED S. NELSON, a partnership, doing business as NIGHTWAY TRANSPORTATION CO., 4106 South Emerald Avenue, Chicago, Ill., 60609. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Lemont and Chicago, Ill., to points in Indiana, Ohio, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103993 (Sub-No. 259), filed June 19, 1966. Applicant: MORGAN

DRIVE-AWAY, INC., 2800 West Lexing-

ate as a *common carrier*, by motor vehi-

as a contract carrier in MC 112750, there-

wicz, Madison Building, 1155 15th Street

DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind., 46515. Applicant's representative: James E. Lesh, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Special purpose trailers and trailers designed to be drawn by passenger automobiles*, in initial movements, from points in New Haven County, Conn., to points in the United States (excluding Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at New Haven or Hartford, Conn.

No. MC 105375 (Sub-No. 26), filed June 10, 1966. Applicant: DAHLEN TRANSPORT OF IOWA, INC., 875 North Prior Avenue, St. Paul, Minn., 55104. Applicant's representative: Leonard Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from the Mid-America Pipeline Co. terminal located at or near Dubuque, Iowa, to points in Minnesota, Illinois, and Wisconsin. NOTE: Applicant states that it intends to tack the above proposed authority with that authority previously granted in MC 105375, Subs 18 and 20, wherein applicant is authorized to serve points in the States of Nebraska, Illinois, Iowa, Kansas, Minnesota, Missouri, North Dakota, South Dakota, Indiana, Kentucky, Michigan, Ohio, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 107322 (Sub-No. 91), filed June 14, 1966. Applicant: BELL TRANSPORTATION COMPANY, 1406 Hays Street, Post Office Box 8598, Houston, Tex., 77009. Applicant's representative: Thomas E. James, 721 Brown Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in Nevada, New Mexico, Texas, Oklahoma, Kansas, Arkansas, Louisiana, Illinois, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Indiana, Ohio, Pennsylvania, New York, Iowa, Wisconsin, Montana, Utah, and Wyoming, and (2) *articles used in the manufacture of iron and steel and iron and steel articles, and commodities used in the maintenance of steel plants*, from points in Nevada, New Mexico, Texas, Oklahoma, Kansas, Arkansas, Louisiana, Illinois, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Indiana, Ohio, Pennsylvania, New York, Iowa, Wisconsin, Montana, Utah, and Wyoming, to points in Putnam County, Ill. NOTE: Applicant states it seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107403 (Sub-No. 684), filed June 16, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa., 19050. Applicant's representative: C. W. Zook (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from the plantsite of The Glidden Co., Macco Chemical Division, Sprowl Road, Huron, Ohio, to points in Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, New York, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin. NOTE: Applicant states this proposed authority could or would be tacked with authorized operating authority at Philadelphia, Pa., Natrium, W. Va., and Huron, Ohio. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107636 (Sub-No. 9), filed June 13, 1966. Applicant: M. M. CAMPION AND GEORGE KINGSHOTT, doing business as C & K TRANSPORT, Box 427, New Buffalo, Mich. Applicant's representative: Quentin A. Ewert, 117 West Allegan Street, Lansing, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, quick or hydrated, in bulk, from Buffington, Ind., to points in Illinois, Iowa, Kentucky, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, West Virginia, and Wisconsin. NOTE: Applicant states in the authority herein, service will be with Marblehead Lime Co. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., or Chicago, Ill.

No. MC 107871 (Sub-No. 50), filed June 6, 1966. Applicant: BONDED FREIGHTWAYS, INC., 441 Kirkpatrick Street West, Post Office Box 1012, Syracuse, N.Y., 13201. Applicant's representative: Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y., 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, and *urea*, dry, in bulk, from Olean, N.Y., to points in Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and ports of entry on the international boundary line between the United States and Canada located in New York, and *returned shipments* on return. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., New York, N.Y., or Syracuse, N.Y.

No. MC 108046 (Sub-No. 3), filed May 17, 1966. Applicant: CURATOLA BROS. TRUCKING, INC., 142–82 Rockaway Boulevard, South Ozone Park, N.Y. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum ladders*, set up and loose, from Amityville, N.Y., to points in New York, New Jersey, Pennsylvania, Maryland, Delaware, the District of Columbia, Connecticut, New Hampshire, Vermont, Rhode Island, Massachusetts, Virginia, and Maine, and *returned shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 109223 (Sub-No. 2), filed June 13, 1966. Applicant: McFARREN CARTAGE CO., INC., 140 Twelfth Street, Detroit, Mich., 48216. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich., 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh, cooked, and canned meats*, in pool car lots, pool truck lots, and in top of flatcar service, from Detroit, Mich., to points in Michigan, on and south of Michigan Highway 55, under contract or contracts with Armour & Co., Dubuque Packing Co., Hygrade Food Products Corp., and John Morrell & Co. NOTE: Applicant states authorized authority in MC 109223 will be canceled when proposed authority is granted. If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 109397 (Sub-No. 143), filed June 13, 1966. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's representative: Max G. Morgan, 450 American National Building, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sponge rubber products* (except commodities in bulk, in tank vehicles), from the plantsite of Sponge Cushion, Inc., at Morris, Ill., to points in Ohio, Wyoming, and South Dakota, and (2) *raw materials* used in the manufacture of sponge rubber products (except commodities in bulk, in tank vehicles), from points in Ohio, Wyoming, and South Dakota, to the plantsite of Sponge Cushion, Inc., at Morris, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 109595 (Sub-No. 8), filed June 20, 1966. Applicant: REX TRANSPORTATION CO., a corporation, 34350 Goddard Road, Romulus, Mich., 48174. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Constructional materials* in bulk, from the Flexiflo Rail Motor Interchange facilities on the lines of the New York Central Railroad located in Avon, Ind. (exclusive of team tracks and other public facilities) to points in Indiana, Illinois, Kentucky, and Ohio, west of U.S. Highway 21, restricted to shipments having a prior rail movement. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109677 (Sub-No. 30), filed June 20, 1966. Applicant: FORT EDWARD EXPRESS CO., INC., Route 9, Saratoga Road, Fort Edward, N.Y. Applicant's representative: Robert V. Glanniny, 900 Midtown Tower, Rochester, N.Y., 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Selkirk, N.Y., to Auburn and Brewer, Maine. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110093 (Sub-No. 2), filed June 17, 1966. Applicant: MARCHESI TRANSPORTATION COMPANY, INC., 118 Pearl Street, Woburn, Mass. Applicant's representative: John F. Curley, 33 Broad Street, Boston, Mass., 02109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hide fleshings, chrome splits, and lime pieces*, from Lebanon, N.H., to Woburn, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Lebanon, N.H.

No. MC 111467 (Sub-No. 11), filed June 16, 1966. Applicant: ARTHUR J. PAPE, doing business as ART PAPE TRANSFER, 1381 Rockdale Road, Dubuque, Iowa, 52001. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, dry, in bags and in bulk (except in tank vehicles), from Dubuque and Clinton, Iowa, to points in Illinois, on and north of U.S. Highway 136 and points in Wisconsin, on and south of U.S. Highway 10, and points in Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 111729 (Sub-No. 154) (Amendment), filed May 18, 1966, published FEDERAL REGISTER issue of June 23, 1966, amended June 21, 1966, and republished as amended this issue. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies (consisting of labels, envelopes, and packaging materials), and advertising literature shipped therewith* (except motion picture film used primarily for commercial theater and television exhibition), between Alexandria, Va., on the one hand, and, on the other, points in Frederick and Wicomico Counties, Md., (2) *checks, business papers, records and audit and accounting media of all kinds* (except cash letters), between Philadelphia, Pa., on the one hand, and, on the other, points in New Castle County, Del., and points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Warren, and Salem Counties, N.J., and (3) *dentures, articulators, impressions, models, bites, and products relating to restorative dentistry*, between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., and points in Nassau and Suffolk Counties, N.Y. NOTE: Applicant is authorized to operate as a contract carrier in MC 112750, therefore, dual operations may be involved. The purpose of this republication is to broaden the destination points in (2) above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111812 (Sub-No. 348), filed June 13, 1966. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Eau Claire and Whitehall, Wis., and St. Paul, Minn., to points in Illinois, Indiana, Iowa, Maine, Maryland, Minnesota, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, South Dakota, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., Chicago, Ill., or Madison, Wis.

No. MC 111812 (Sub-No. 349), filed June 16, 1966. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Sioux Falls, S. Dak., 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen, from Egypt, Lyons, Newark, Red Creek, Penn Yan, and Rushville, N.Y., to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Milan, Ill. NOTE: Applicant states that no duplicating authority sought herein. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 111812 (Sub-No. 350), filed June 16, 1966. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods* and (2) *frozen fish*, when moving in the same vehicle with frozen foods; (a) from Appleton and Milwaukee, Wis., Traverse City, Mich., and Fredonia and Dundee, N.Y., to Sioux Falls, S. Dak.; and (b) from New Bedford and Boston, Mass., and Cleveland, Ohio, to Sioux Falls, S. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113410 (Sub-No. 60), filed June 10, 1966. Applicant: DAHLEN TRANSPORT, INC., 875 North Prior Avenue, St. Paul, Minn., 55104. Applicant's representative: Leonard Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from the Mid-America Pipeline Co. Terminal at or near Vernon Center, Minn., to points in Iowa, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant states it proposes to tack the authority sought herein with presently held authority in MC 113410 Sub 7, Sub 15, and Sub 24, wherein it is authorized to conduct operations in the States of Iowa, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 113678 (Sub-No. 257), filed June 13, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pickles*, in containers, from Denver, Colo., to points in Arizona, California, Utah, Texas, Nevada, New Mexico, Kansas, and Nebraska. NOTE: Applicant states it intends to tack with authorized authority in MC 113678 Sub 12 at Denver, Colo., to all points applied for in this application. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Lincoln, Nebr.

No. MC 113981 (Sub-No. 7), filed June 14, 1966. Applicant: V. J. HUNT, doing business as VEGAS TRUCKING & MOVING CO., 2853 Cedar Street, Las Vegas, Nev., 89104. Applicant's representative: William J. Lippman, 1824 R Street NW., Washington, D.C., 20009. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and classes A and B explosives), between junction Nevada Highway 538 and unnumbered county road approximately 15 miles southeast of Pahrump, Nev., and Tecopa, Calif., from junction Nevada Highway 538 and unnumbered county road approximately 15 miles southeast of Pahrump, over unnumbered county road to the California-Nevada State line, thence over unnumbered Inyo County, Calif., road to Tecopa, and return over the same route, serving the off-route points of Hidden Hills Ranch and the Spring Valley Ranches and all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Las Vegas, Nev.

No. MC 114091 (Sub-No. 74), filed June 17, 1966. Applicant: HUFF TRANSPORT CO., INC., 4125 Algonquin Parkway, Louisville, Ky. Applicant's representative: Rudy Yessin, Box 457, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphoric acid*, from the plantsite of Hooker Chemical Co., at or near Columbia, Tenn., to points in Illinois, Indiana, Iowa, Kentucky, Missouri, and Ohio. NOTE: If a hearing is deemed

necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 114098 Sub-No. 48), filed May 19, 1966. Applicant: LOWTHER TRUCKING COMPANY, a corporation, 521 Penman Street, Charlotte, N.C., 28201. Applicant's representative: H. Overton Kemp, Room 101, 327 North Tryon Street, Charlotte, N.C., 28202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, veneer, and other wood composition boards or sheets*, in flatbed vehicles, between points in North Carolina. NOTE: Applicant states that it proposes to tack with authority in Sub-23, at Black Mountain, N.C., and Sub 39, at Conway, N.C. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 114106 (Sub-No. 52), filed June 10, 1966. Applicant: MAYBELLE TRANSPORT COMPANY, a corporation, 1820 South Main Street, Lexington, N.C., 27292. Applicant's representative: William P. Sullivan, 1825 Jefferson Place, N.W., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, in bulk and in mixed loads of bulk and packages, from points in Spartanburg County, S.C., to points in West Virginia, Virginia, Tennessee, North Carolina, South Carolina, and Georgia. NOTE: Applicant holds contract carrier authority in MC 115176 Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114132 (Sub-No. 3), filed June 6, 1966. Applicant: CHURN'S TRUCK LINE, INCORPORATED, 1530 Azalea Garden Road, Norfolk, Va. Applicant's representative: William J. Augello, Jr., 2 West 45th Street, New York, N.Y., 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish meal*, from points in Delaware, Maryland (except Baltimore), New Jersey (except points in the commercial zone of Philadelphia), New York (except New York City), and points in Pennsylvania east of U.S. Highway 15 (except Philadelphia). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114194 (Sub-No. 135) filed June 13, 1966. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill., 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement flue dust and kiln dust*, dry, in bulk, from Selma, Jefferson County, Mo., to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 114604 (Sub-No. 7), filed May 18, 1966. Applicant: CAUDELL TRANSFER COMPANY, a corporation, 1230 Murphy Avenue, SW., Atlanta, Ga. Applicant's representative: Jacob P. Billig, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), (A) between Atlanta, Ga., and Savannah Beach, Ga.: (1) From Atlanta, over Interstate Highway 20 to Covington, Ga., thence over Georgia Highway 142 to junction Georgia Highway 16, thence over Georgia Highway 16 to Eatonton, Ga., thence over U.S. Highway 441 to Irwinton, Ga., thence over Georgia Highway 57 ot Swainsboro, Ga., thence over U.S. Highway 80 to Savannah, Ga., and thence over U.S. Highway 80 (also Georgia Highway 26) to Savannah Beach, Ga.; and (2) from Atlanta, over Interstate Highway 75 to Macon, Ga., thence over Interstate Highway 16 to Savannah, Ga., thence over U.S. Highway 80 (also Georgia Highway 26) to Savannah Beach, Ga.; and return over the same routes, serving no intermediate points except those between Savannah and Savannah Beach, Ga., and serving Wilmington Island, Ga., as an off-route point; (B) (1) between Atlanta, Ga., and Forsyth, Ga., over U.S. Highway 41; (2) between Macon, Ga., and Swainsboro, Ga., over U.S. Highway 80; (3) between Swainsboro, Ga., and junction Interstate Highway 16 and U.S. Highway 1, over U.S. Highway 1; the routes in (B) above being sought for operating convenience only, in connection with service over the routes described in (A) above; and (C) between Savannah and Savannah Beach, Ga., over U.S. Highway 80 (also Georgia Highway 26), serving all intermediate points, and Wilmington Island, Ga., as an off-route point. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 115018 (Sub-No. 12), filed June 15, 1966. Applicant: LEWIS W. OWEN, Lawrenceville, Va. Applicant's representative: Jno. C. Goddin, Insurance Building, 10 South 10th Street, Richmond, Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wooden crates, assembled and partly assembled, pallets, racks, assembled and partly assembled*, and *skids and wooden crate material*, from Smoky Ordinary, Va., to points in Ohio, Connecticut, Maryland, Delaware, Pennsylvania, New Jersey, New York, Indiana, North Carolina, Tennessee, and the District of Columbia; and (2) *box shooks*, from Smoky Ordinary, Va., to points in New York (excluding New York, N.Y.). NOTE: Applicant states that the authority sought herein will be under contract with Abell Lumber Corp. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 115876 (Sub-No. 11), filed June 2, 1966. Applicant: ERWIN HURNER, 2605 South Rivershore Drive, Moorhead, Minn., 56560. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and articles dealt in by wholesale beverage distributors*, from Milwaukee, Wis., and Detroit, Mich., to Moorhead, Minn., and Fargo, N. Dak. NOTE: Applicant states that the proposed operations will be under contract with Persellin Distributing Co., Moorhead, Minn. Applicant holds common carrier authority in certificate No. MC 117148, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Fargo, N. Dak.

No. MC 115921 (Sub-No. 4), filed June 15, 1966. Applicant: CHEMICAL SALT SERVICE, INC., 64 Waltham Avenue, Springfield, Mass. Applicant's representative: William L. Mobley, 1694 Main Street, Springfield, Mass., 01103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Calcium chloride*, from Westfield, Mass., to points in Connecticut, Maine, New Hampshire, Rhode Island, and Vermont, under a continuing contract with The Chemical Corp., Springfield, Mass. NOTE: Applicant is also authorized to conduct operations as a common carrier in certificate No. MC 123645; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Springfield or Boston, Mass.

No. MC 115931 (Sub-No. 14), filed June 17, 1966. Applicant: BABCOCK & LEE TRANSPORTATION, INC., 1002 Third Avenue North, Billings, Mont., 59103. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk or in bags, from points in Carbon County, Mont., to points in Colorado, Idaho, Montana, North Dakota, South Dakota, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 115946 (Sub-No. 35), filed June 17, 1966. Applicant: GAY TRUCKING COMPANY, a corporation, Post Office Box 7055, Savannah, Ga., 31408. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, insulating and roofing materials, and supplies and accessories* used in their installation, from points in Chatham County, Ga., to points in North Carolina and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 116474 (Sub-No. 6), filed June 17, 1966. Applicant: LEAVITT'S FREIGHT SERVICE, INC., Route 1, Box 170B, Springfield, Oreg. Applicant's representative: Earl V. White, 2130 Southwest Fifth Avenue, Portland, Oreg., 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Laminated wood products, prefabricated wood timbers, trusses and beams*, and *accessories* used in the erection, construction and completion of the foregoing when shipped therewith, from Drain, Oreg., to points in Nevada. NOTE: Applicant states in the authority herein, service will be with Duco-Lam, Inc. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 116858 (Sub-No. 6), filed June 15, 1966. Applicant: J. & M. LEASING CORP., 43–06 54th Road, Maspeth, N.Y. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is distributed by a premium-stamp redemption center in redemption of premium stamps, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, from the site of the warehouse of Sperry & Hutchinson Co. at Metuchen, N.J., to stores of that company in Broome County, N.Y., Franklin, Cumberland, and Centre Counties, Pa., and Washington, County, Md., *returned shipments* of the commodities specified above and *premium stamp books with stamps attached*, on return. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 117370 (Sub-No. 12), filed June 17, 1966. Applicant: STAFFORD TRUCKING INC., 2155 Holly Hock Lane, Elm Grove, Wis., 53122. Applicant's representative: John W. Lavender, Box 603, Ottawa, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, and household goods as defined by the Commission), between Putnam County, Ill., and points in the United States except Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119211 (Sub-No. 9), filed June 16, 1966. Applicant: MAU TRUCKING, INC., Early, Iowa. Applicant's representative: Donald E. Leonard, Box 2028, 605 South 14th, Lincoln, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from Sioux City, Iowa, to points in Minnesota, Nebraska, and South Dakota, under continuing contract with Kent Feed Co., Sioux City, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Chicago, Ill.

No. MC 119767 (Sub-No. 178), filed June 13, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Offal*, derived from the slaughter and processing of livestock, poultry, and/or fish (except in bulk, in tank vehicles), from Winneconne, Wis., to points in Minnesota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Madison, Wis., or Minneapolis, Minn.

No. MC 119864 (Sub-No. 28) (Correction), filed May 19, 1966, published FEDERAL REGISTER June 16, 1966, and republished as corrected this issue. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and food preparations*, from points in Ohio, to points in Wisconsin. NOTE: The purpose of this republication is to show the correct docket number assigned thereto, as shown above. Previous publication indicated the application had been assigned No. MC 119815 Sub 7, which was in error. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 123393 (Sub-No. 135), filed June 13, 1966. Applicant: BILYEU REFRIGERATED TRANSPORT CORP., 2105 East Dale Street, Springfield, Mo., 65803. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Food products*, and (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with food products, from points in Washington County, Ark., to points in Kansas and Missouri. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, or St. Louis, Mo.

No. MC 124504 (Sub-No. 5), filed June 13, 1966. Applicant: EDWARD JOHNSON, 371 Hancock Street, Brooklyn, N.Y. Applicant's representative: A. David Millner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Waste or scrap metals, metals, and metal articles*, (1) from New York, N.Y., and Stamford, Conn., to points in Bergen, Passaic, Hudson, Essex, Middlesex, Somerset, Hunterdon, Mercer, Morris, Union, and Warren Counties, N.J.; and (2) from New York, N.Y., and Jersey City and Newark, N.J., to Bridgeport, Danbury, and New Haven, Conn.; restricted to service to be performed under contract with Schiavone-Bonomo Corp. of Jersey City, N.J. NOTE: Applicant states that present authority partially duplicates that sought, but that one is point-to-point, and the other is countywide authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 124983 (Sub-No. 6), filed June 8, 1966. Applicant: CLARENCE NEWLUN, doing business as NEWLUN TRANSPORT SERVICE, 119 Lincoln Road, North Pekin, Ill. Applicant's representative: Donald S. Manion, 53 West Jackson Boulevard, Chicago, Ill., 60604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and supplies*, between points in Indiana, Illinois, Iowa, and Wisconsin, under contract or contracts with The Borden Co. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Peoria, or Springfield, Ill.

No. MC 125777 (Sub-No. 94) (Amendment), filed April 25, 1966, published FEDERAL REGISTER issue of May 12, 1966, amended June 17, 1966, and republished as amended, this issue. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, in dump vehicles, from Wedron and Troy Grove, Ill., to points in Pennsylvania and Nebraska. NOTE: The purpose of this republication is to redescribe applicant's operations. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126600 (Sub-No. 1), filed June 20, 1966. Applicant: EHRSAM TRANSPORT, INC., 108 North Factory, Enterprise, Kans. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Forest products, lumber products, and exempt commodities* when shipped in mixed shipments of forest products and lumber products, from points in Washington, Oregon, Idaho, California, and Arizona, to points in Kansas, Nebraska, Missouri, Oklahoma, Texas, and Iowa, under contract or contracts with J. B. Ehrsam & Sons Manufacturing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans., or Kansas City, Mo.

No. MC 127186 (Sub-No. 2), filed June 8, 1966. Applicant: PAUL P. LANIER, Box 492, Ironton, Ohio, 45638. Applicant's representative: Earl N. Merwin, 85 East Gay Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by vehicle, over irregular routes, transporting: *Expanded plastic*, in high cube closed van equipment, from points in Hamilton Township, Lawrence County, Ohio, to points in Florida, Louisiana, and Mississippi, under a continuing contract with Dow Chemical Co. of Midland, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Columbus, Ohio.

No. MC 127545 (Sub-No. 2) (Amendment), filed April 11, 1966, published FEDERAL REGISTER issue of April 28, 1966, amended and republished, this issue. Applicant: UNITED STATES ISOTHERMIC TRANSPORT, INC., 4055 Ponce De Leon Boulevard, Coral Gables, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Beef*, fresh, in vehicles equipped with me-

chanical refrigeration, restricted to the transportation of shipments having a subsequent movement by water in foreign commerce, and (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203 (b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with (1) above, from points in Texas, to New York City, N.Y. NOTE: The purpose of this republication is to remove the limitations as to the manner in which the proposed operation will be conducted. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 127705 (Sub-No. 1), filed May 19, 1966. Applicant: KREVDA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Glass containers*, (1) (a) from the plantsite and warehouses of Knox Glass, Inc., at Knox, Parker, Marienville, and Sheffield, Pa., to points in New York on and west of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 11 to Binghamton, N.Y., thence along New York Highway 12 to Clayton, N.Y., points in Ohio, and the plantsite of Knox Glass, Inc., at Gas City, Ind., and (b) from the plantsite of Knox Glass, Inc., at Gas City, Ind., to Redgranite, Bonduel, Oconto, Genoa City, and Milwaukee, Wis.; St. Louis and Kansas City, Mo.; Grand Rapids, Paw Paw, Taylor, Mattawan, and Imlay City, Mich.; Iowa City, Iowa, Bardstown, Covington, Taylor, and Clermont, Ky.; Meriden, Conn.; Milford, Del.; Baltimore, Md.; Boston and Swansea, Mass.; Blasdell, Ripley, and Westfield, N.Y.; and to points in Illinois, Ohio, Pennsylvania, and New Jersey.

Restriction: The proposed service above will be subject to the following conditions: Authority to operate from Knox, Parker, and Marienville, Pa., to points in that part of Ohio, on, east, and north of U.S. Highway 250, and to points in that part of New York, on and west of New York Highway 16, will be limited to a service in the transportation of shipments moving in the same vehicle and at the same time with shipments originating at Sheffield, Pa., (2) from Parker, Knox, Marienville, and Sheffield, Pa., to points in Illinois, Indiana, the Lower Peninsula of Michigan, and that part of Ohio, on and west of U.S. Highway 21 (except Cleveland, Ohio), (3) from Gas City, Ind., to Owensboro, Ky., (4) from Sheffield, Pa., to points in that part of New York, on and east of a line beginning at the New York-Pennsylvania State line and exending along U.S. Highway 11 to junction New York Highway 12, and thence along New York Highway 12 to Clayton, N.Y., (5) from Kane, Pa., to points in Illinois, Indiana, Michigan, Ohio, and West Virginia, (6) from points in Elk Township, Clarion County, Pa., to points in Indiana, Ohio, Illinois, Michigan, Wisconsin, Kentucky, and St. Louis, Mo., and points in New York, on and west of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 11 to Binghamton, N.Y., and thence along New York Highway 12 to Clayton, N.Y., (7) from Marion, Ind., to points in the Lower Peninsula of Michigan, and (8) from Knox, Parker, Marienville, and points in Elk Township, Clarion County, Pa., to Des Moines, Iowa.

(B) *Glass containers*, from Sheffield, Marienville, Parker, Knox, and Kane, Pa., to points in Wisconsin, and *pallets and skids*, on return, (C) *glass containers*, from Kane, Knox, Sheffield, Marienville, and Parker, Pa., to points in Kentucky and St. Louis, Mo., and *materials and supplies used in the manufacture of glass containers*, on return, (D) *machinery and tank blocks used in the manufacture of glass containers*, between Marienville, Pa., on the one hand, and, on the other, Danielson, Conn.; Baltimore, Md.; Gas City, Ind.; Atlanta, Ga.; Jackson, Miss.; and Palestine, Tex.; and (E) *glass containers and empty packing cartons*, from Knox, Marienville, Parkers Landing, and Oil City, Pa., to points in that part of Ohio, north and east of U.S. Highway 250, that part of West Virginia, north of U.S. Highway 40, and that part of New York, west of New York Highway 16, and *empty packing cartons*, on return. NOTE: Applicant states it presently holds, or has applied for, contract carrier authority in MC 123934 and Subs covering the commodities and territory sought herein, and the contract carrier authority will be surrendered in the event this application is granted. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 128192 (Sub-No. 2), filed June 8, 1966. Applicant: DAVID W. MASSENBURG AND C. L. DAVIS, doing business as CHARLESTON REFRIGERATED DELIVERY CO., Meggett, S.C., 29460. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C., 29201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses* as defined by appendix I to the Report of *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from Charleston, S.C., to points in Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, and Jasper Counties, S.C. NOTE: Applicant states in the authority sought herein, its service will be performed under contracts with John Morrell & Co. and the Rath Packing Co. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C., or Charlotte, N.C.

No. MC 128194 (Amendment), filed May 9, 1966, published in FEDERAL REGISTER issue of June 23, 1966, amended and republished as amended, this issue. Applicant: BACON TRANSPORT COMPANY, a corporation, Refinery and Industrial Road, Post Office Box 1134, Ardmore, Okla. Applicant's representative: Arthur L. Claussen, 303 New England Building, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Industrial asphalt*, from Augusta and El Dorado, Kans., to points in the Kansas City, Mo., commercial zone. NOTE: The purpose of this republication is to change from regular to irregular routes. If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC 128267 (Correction), filed May 19, 1966, published FEDERAL REGISTER, issue of June 16, 1966, and republished as corrected this issue. Applicant: FLIGHT-LINE AIR FREIGHT, INC., 166–68 West Building, Washington National Airport, Washington, D.C. Applicant's representative: Harry C. Ames, Jr., Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Washington National Airport, and Gravelly Point, Va., on the one hand, and, on the other, Harrisonburg, Staunton, Lexington, Buena Vista, Lynchburg, Charlottesville, and Waynesboro, Va., restricted to traffic having a prior or subsequent movement by air. NOTE: The purpose of this republication is to show the correct docket number assigned thereto. FEDERAL REGISTER publication indicated No. MC 128267 (Sub-No. 1), which was in error. The correct number assigned is No. MC 128267. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128271, filed May 20, 1966. Applicant: RICHARD L. HEILMAN, doing business as HI-CUBE TRANSPORTATION COMPANY, 2104 North 31st Street, Milwaukee, Wis., 53208. Applicant's representative: Norman C. Fritz, 720 Clinton Street, Waukesha, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Water heaters, storage*, and O/T storage and/or *parts* thereof, *also hot water storage tanks* when used in connection with such water heaters between Kankakee, Ill., on the one hand, and, on the other, Washington, D.C., New York, N.Y., and points in Nassau, Suffolk, Orange, Putnam, Westchester, Rockland, and Dutchess Counties, N.Y., points in Philadelphia, Delaware, Chester, Montgomery, Bucks, Lancaster, Berks, Lehigh, and Northampton Counties, Pa., and points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, Maryland, Delaware, and New Jersey, under a continuing contract or contracts with A. O. Smith Corp., of Milwaukee, Wis. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., Chicago, Ill., or Springfield, Ill.

No. MC 128281 (Correction), filed May 19, 1966, published FEDERAL REGISTER

issue of June 9, 1966, under Docket No. MC 60879 (Sub-No. 3), corrected and republished this issue. Applicant: F. T. TRUCKING CO., INC., Post Office Box 33, Bremen Station, St. Louis, Mo., 63160. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum scrap, dross, residues, ingots, shot, and billets*, between points in Iowa, Kansas, Oklahoma, Indiana, Kentucky, Texas, Ohio, Louisiana, Missouri, Arkansas, Wisconsin, Illinois, Minnesota, Michigan, Pennsylvania, West Virginia, Tennessee, Georgia, Alabama, and Mississippi. NOTE: Applicant states the proposed operation will be performed under a continuing contract or contracts with United States Reduction Co. of East Chicago, Ind. Applicant holds common carrier authority in MC 60879, therefore, dual operations may be involved. The purpose of this republication is to show the correct Docket No. MC 128281 in lieu of No. MC 60879 (Sub-No. 3) as previously published. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 128286, filed May 19, 1966. Applicant: WILSON W. REARICK, Star Route, Apollo, Pa. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Refractory products and refractory materials* (except refractory and firebrick), between Latrobe and Somerset, Pa., on the one hand, and, on the other, points in New York, Maryland, Ohio, Alabama, Delaware, Illinois, Indiana, Kentucky, and West Virginia, under contract or continuing contract with Bognar & Co., Inc., Union Mining Co., Union Refractories, Inc., and Union Fire Brick Co., Pittsburgh, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 128303, filed May 31, 1966. Applicant: CECIL W. BARCLAY, Route 6, Richmond, Ky., 40475. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Formula agricultural feed for livestock*, to be hauled only on applicant's 2½ ton truck, from Cincinnati, Ohio, to Richmond and Berea, Ky. NOTE: Applicant states that the proposed operations will be under contract with Southern States Cooperative (Richmond, Ky., Service) and Harrison Farm Supply Store, Berea, Ky. If a hearing is deemed necessary, applicant requests it be held at Richmond or Lexington, Ky.

No. MC 128309, filed June 6, 1966. Applicant: ELDON TROMBLY AND RONALD J. SPOOR, a partnership, doing business as ELLENBURG TRUCKING CO., Ellenburg Deport, Clinton County, N.Y. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y., 12207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, in bulk, and in bags, from St. Albans, Vt., to points in Clinton, Essex, Franklin, and St. Lawrence Counties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 128312, filed June 6, 1966. Applicant: SIDNEY SCHWARTZ, doing business as SCHWARTZ TRUCKING COMPANY, 344 West Broadway, New York, N.Y. Applicant's representative: Arthur Liberstein, 160 Broadway, New York, N.Y., 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Record changers and component parts thereof*, between points in the New York, N.Y., commercial zone, on the one hand, and, on the other, Blauvelt, Farmingdale, and Port Washington, N.Y., under continuing contracts with BSR (USA), Ltd., Benjamin Electronic Sound Corp., and Harben Electronics Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128315, filed June 6, 1966. Applicant: CLINT LUKE, INCORPORATED, 138 Manchester Street, Highland Park, Mich., 48203. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, pharmaceuticals, toiletries, and drugstore sundries*, from Highland Park, Mich., to points in Lucas and Wood Counties, Ohio, and *pallets, boxes, empty containers, returned, refused, and rejected shipments* on return. NOTE: Applicant states in the authority herein, service will be with McKesson & Robbins, Inc. If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 128317, filed June 14, 1966. Applicant: ROY FRANK DANCE, doing business as DANCE'S TRUCK LINE, Post Office Box 237, Arcadia, La. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rough and dressed lumber*, from points in that part of Texas, on, east, and south of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line, points in that part of Arkansas, on and south of U.S. Highway 70, and points in that part of Mississippi, on and south of U.S. Highway 78, to Arcadia, La.; (2) *finished lumber*, (a) from Ada and Heflin, La., to points in that part of Texas, on, east, and south of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line, points in that part of Arkansas, south of U.S. Highway 70, points in that part of Mississippi, on and south of U.S. Highway 78, and (b) from Danville and Hunt, La., to points in that part of Texas, on, east, and south of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line, points in that part of Arkansas, on and south of U.S. Highway 70, points in Shelby County, Tenn., and points in that part of Mississippi, on and south of U.S. Highway 78; (3) *rough or dressed lumber*, (a) from Ada and Heflin, La., to points in that part of Texas, west and north of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line, and (b) from Danville and Hunt, La., to points in that part of Texas, west and north of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line; and (4) *wooden farm implement parts*, from Arcadia, La., to Memphis, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128319, filed June 13, 1966. Applicant: RALPH DOWDA, Route 2, Box 204, Centre, Ala., 35960. Applicant's representative: Al Schumaker, 190 East Main Street, Centre, Ala., 35960. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods, classes A and B explosives, and commodities requiring special equipment), between Centre, Ala., and Rome, Ga.; from Centre over Alabama Highway 9 to the Alabama-Georgia State line, thence over Georgia Highway 20 to Rome, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 128320, filed June 13, 1966. Applicant: ART QUIRING, 2301 Washington Street, Hamburg, Iowa. Applicant's representative: Donald E. Leonard, Box 2028, 605 South 14th Street, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, from points in Washington, Oregon, California, and Idaho, to points in Iowa, under a continuing contract with Hoxie Institutional Wholesale Co., Des Moines, Iowa. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

MOTOR CARRIERS OF PASSENGERS

No. MC 13300 (Sub-No. 82), filed June 10, 1966. Applicant: CAROLINA COACH COMPANY, a corporation, 1201 South Blount Street, Raleigh, N.C., 27602. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express and newspapers* in the same vehicle with passengers, between Rocky Mount, N.C., and Wilson, N.C., from Rocky Mount over U.S. Highway 301 to junction North Carolina Highway 42, and thence over North Carolina Highway 42 to Wilson, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 66810 (Sub-No. 19) (Correction), filed June 2, 1966, published FEDERAL REGISTER issue of June 23, 1966, and republished as corrected, this issue. Applicant: PEORIA-ROCKFORD BUS COMPANY, a corporation, 1034 South Seminary Street, Rockford, Ill. Applicant's representative: Louis R. Gentill, 38 South Dearborn Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, air express and air freight*, in the same vehicle with passengers, between Rockford, Ill., and O'Hare International Airport, Chicago, Ill.; (1) from the Faust Hotel, corner of North Fourth Street and East State Street in the City of Rockford, Ill., thence in an easterly direction over East State Street and U.S. Highway 20 to junction Illinois Northwest Tollway (Interstate Highway 90) at a point 7 miles east of Rockford, thence over Illinois Northwest Tollway (Interstate Highway 90) in a southeasterly direction to the entrance of O'Hare International Airport, thence over the O'Hare International Airport road in a westerly direction to the Airport Terminal Building, and (2) from the O'Hare International Airport Terminal Building, over the Airport road in an easterly direction to the Tri-State Tollway (Interstate Highway 294), thence over the Tri-State Tollway (Interstate Highway 294) in a northerly direction to the Northwest Tollway (Interstate Highway 90), thence over the Northwest Tollway (Interstate Highway 90) in a northwesterly direction to junction U.S. Highway 20 at a point 7 miles east of Rockford, thence over U.S. Highway 20 and East State Street in Rockford, in a westerly direction to East Jefferson Street, thence over East Jefferson Street in a northwesterly direction to North Fourth Street, thence over North Fourth Street in a southwesterly direction to the Faust Hotel at the corner of North Fourth Street and East State Street in Rockford, Ill., serving no intermediate points in (1) and (2) above. NOTE: Common control may be involved. The purpose of this republication is to show applicant does not intend to serve any intermediate points. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109598 (Sub-No. 41), filed June 8, 1966. Applicant: CAROLINA SCENIC STAGES, 417 West Fifth Street, Charlotte, N.C., 28201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Light express, newspapers, and mail in the same vehicle with passengers*, between points on Hilton Head Island, S.C., and Savannah, Ga., from points on Hilton Head Island, over unnumbered highways to the new James F. Byrnes Crossing, thence over South Carolina Highway 46 via Bluffton, S.C., to junction South Carolina Highway 170, thence over South Carolina Highway 170 to junction U.S. Highway 17, thence over U.S. Highway 17 to junction Alternate U.S. Highway 17, thence over Alternate U.S. Highway 17 to Savannah, and return over the same route, serving all intermediate points except those intermediate to Savannah and junction South Carolina Highways 46 and 170. NOTE: Applicant states that he presently holds authority under MC 109598, Sub 40, for transportation of passengers and their baggage over this same route. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Savannah, Ga., or Hilton Head Island, S.C.

No. MC 128212 (Correction), filed May 16, 1966, published FEDERAL REGISTER issue of June 23, 1966, and republished as corrected, this issue. Applicant: CREST TRANSIT CORP., 38 Lyncrest Avenue, New City, N.Y. Applicant's representative: Robert E. Goldstein, 8 West 40th Street, New York, N.Y., 10018. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between junction U.S. Highway 202 and New York Highway 45 and New York, N.Y.; from junction U.S. Highway 202 and New York Highway 45 at Mt. Ivy, N.Y., south on New York Highway 45 to Maple Avenue, thence west on Maple Avenue to New York Highway 306, thence south on New York Highway 306 to Second Street, thence west on Second Street to Saddle River Road, thence south on Saddle River Road to East Allendale Avenue, thence east on East Allendale Avenue to East Saddle River Road, thence south on East Saddle River Road to Lower Cross Road, thence west on Lower Cross Road to West Saddle River Road, thence south on West Saddle River Road to Race Track Road, thence west on Race Track Road to New York Highway 17, thence over New York Highway 17 to New York Highway 80, thence over New York Highway 80 to George Washington Bridge Plaza to New York, N.Y., and return over the same route, serving all intermediate points except between Lake Street and Saddle River Road in upper Saddle River and Saddle River Road and East Allendale Avenue, and (2) also between junction New York Highway 45 and Eckerson Road and Maple Avenue and New York Highway 306; from junction New York Highway 45 and Eckerson Road at Hillcrest, N.Y., west on Eckerson Road to Union Avenue, thence south on Union Avenue to Myrtle Avenue, thence south on Myrtle Avenue to Maple Avenue, thence west on Maple Avenue to New York Highway 306, and return over the same route, serving all intermediate points. The operations above shall be restricted against the transportation of passengers between the junction of Race Track Road at New York Highway 17, at or near Waldwick, N.Y., on the one hand, and, on the other, New York, N.Y. NOTE: The purpose of this republication is to show applicant intends to serve all intermediate points in (2) above. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128239, filed May 19, 1966. Applicant: BILLY R. HALLUM, doing business as TRI STATE TRANSIT CO., 1934 South Florida, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, and light freight, express, mail, and newspapers* in the same vehicle with passengers, in special operations, between points in Shelby County, Tenn.; De Soto County, Miss.; and Crittenden County, Ark. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

APPLICATIONS FOR BROKERAGE LICENSES

No. MC 12988 (Correction), filed March 25, 1966, published FEDERAL REGISTER issue of April 21, 1966, and republished as corrected this issue. Applicant: TRANSPORTATION ASSOCIATES, INC., 131 West Main Street, Riverhead, L.I., N.Y. Applicant's representative: Jay D. Harris, 149 Broadway, New York 6, N.Y. For a license (BMC 5) to engage in operations as a *broker* at the following points in Suffolk County: Bay Shore, Port Jefferson, Huntington Station, Southampton, Riverhead, Smithtown, and Patchogue, Long Island, N.Y., in arranging for the transportation, in interstate or foreign commerce, of *passengers and their baggage*, as individuals or in groups, in special and charter operations, in round trip all-expense tours, beginning and ending at points in Suffolk County, N.Y., and extending to points in the United States including Alaska and Hawaii. NOTE: The purpose of this republication is to include certain points applicant desires to engage in arranging for transportation that was omitted.

No. MC 130001 (Correction), filed May 27, 1966, published FEDERAL REGISTER issue of June 23, 1966, and republished as corrected, this issue. Applicant: VALUE VACATIONS INC., 13455 Ventura Boulevard, Sherman Oaks, Calif., 91403. For a license (BMC 5) to engage in operations as a *broker* at Sherman Oaks, Calif., in arranging for the transportation, in interstate or foreign commerce, of *passengers and their baggage*, as individuals or in groups, in special and charter operations, in all-expense tours, (1) between Los Angeles, Calif., and points in the United States, and (2) between New York, N.Y., and points in the United States. NOTE: The purpose of this republication is to include New York, N.Y., as an origin point.

No. MC 130003, filed June 13, 1966. Applicant: THE DUNBAR TRANSFER COMPANY, a corporation, 59 East Cedar Street, Newington, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. For a license (BMC 4) to engage in operations as a *broker* at Newington, Conn., in arranging for the transportation by motor vehicle in interstate or foreign commerce of *General commodities, including household goods*, limited to relocation jobs, between points in the United States.

APPLICATIONS OF FREIGHT FORWARDERS

No. FF-266 (Sub-No. 1), HAWAIIAN EXPRESS SERVICE, INC.—EXTENSION—NORTH CALIFORNIA, filed June 15, 1966. Applicant: HAWAIIAN EXPRESS SERVICE, INC., 646 First Street, San Francisco, Calif. Applicant's representative: Daniel W. Baker, 405 Montgomery Street, San Francisco, Calif., 94104. Authority sought under section 410, Part IV of the Interstate Commerce Act to extend operations as a freight forwarder in interstate or foreign commerce, through use of the facilities of common carriers by railroad, express, water or motor vehicle, in the transportation of *general commodities* between points in California north of San Luis Obispo, Kern, and San Bernardino Counties, and points in Hawaii.

No. FF-335 D-CON SERVICES, INC., FREIGHT FORWARDER APPLICATION, filed June 17, 1966. Applicant: D-CON SERVICES, INC., 231 South Harbaugh Street, Detroit, Mich. Applicant's representative: Ronald N. Cobert, Madison Building, Washington, D.C., 20005. Authority sought under Part IV of the Interstate Commerce Act as a freight forwarder in interstate or foreign commerce, in the transpotration of *general commodities* from New York, N.Y., to Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 17002 (Sub-No. 36), filed June 14, 1966. Applicant: CASE DRIVEWAY, INC., 6001 U.S. Highway 60, East, Post Office Box 1156, Huntington, W. Va., 25705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except those commodities which, because of size or weight, require special equipment, and except those articles of iron and steel which are building materials), from Huntington, W. Va., to points in Connecticut, Maine, Massachusetts, New Hampshire, and Vermont. NOTE: Applicant states that it will tack at Huntington, W. Va., with existing authority from points in Ohio, Kentucky, and West Virginia.

No. MC 47142 (Sub-No. 91), filed June 17, 1966. Applicant: C. I. WHITTEN TRANSFER COMPANY, a corporation, 200 19th Street, Huntington, W. Va., 25719. Applicant's representative: Charles O. Gillogly, 1028 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives, and blasting agents, blasting materials, and blasting supplies*, from Holston Army Ammunition Plant, Kingsport, Tenn., to United States Powder Co. (Division of Commercial Solvents Corp.) plantsite, Ordill, Ill.

No. MC 109095 (Sub-No. 17), filed June 15, 1966. Applicant: ANDERSON MOTOR SERVICE, INC., 1516 East 14th Street, St. Louis, Mo., 63106. Applicant's representative: G. F. Gunn, Jr., 314 North Broadway, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between junction U.S. Highway 20 and U.S. Highway 250, at or near Norwalk, Ohio, and junction U.S. Highway 250 and U.S. Highway 224, over U.S. Highway 250, serving junction U.S. Highway 20 and U.S. Highway 250 at or near Norwalk, Ohio, and junction U.S. Highway 250 and U.S. Highway 224, for joinder purposes only; and (2) between junction U.S. Highway 20 and Ohio Highway 18 and junction U.S. Highway 42 and Ohio Highway 18 at or near Medina, Ohio, over Ohio Highway 18, serving junction Ohio Highway 18 and U.S. Highway 20, and junction Ohio Highway 18 and U.S. Highway 42, at or near Medina, Ohio, for joinder purposes only; as alternate routes in connection with applicant's regular route operations between Fort Wayne, Ind., and Akron, Ohio.

No. MC 127950, filed February 3, 1966. Applicant: RALPH SCHMIDTKNECHT, doing business as LONG PRAIRIE DRAY LINE, 17 Second North, Long Prairie, Minn. Applicant's representative: Donald A. Gray, Reichert Building, Long Prairie, Minn. 56347. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment), between Sauk Centre, Minn., and Long Prairie, Minn., over U.S. Highway 71, serving no intermediate points, such service to be substituted motor for rail as to traffic having a prior or subsequent rail haul moving between the stations of the Great Northern Railway Co. at the above-described points.

No. MC 128313, filed June 6, 1966. Applicant: TEMPO TRUCKING, INC., 2101 Kenskill Avenue, Washington Court House, Ohio. Applicant's representative: A. Alvis Layne, 948 Pennsylvania Building, Washington, D.C., 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pork*, fresh prepared, and processed, from the plantsite of Sugar Creek Packing Co., Inc., at Washington Court House, Ohio, and commercial storage facilities in Ohio, to points in the United States (except Alaska, Hawaii, North Dakota, South Dakota, Montana, Idaho, Wyoming, Nevada, Arizona, Maine, New Hampshire, Vermont, and the District of Columbia), under a continuing contract with Sugar Creek Packing Co., Inc., of Washington Court House, Ohio.

No. MC 128318, filed June 10, 1966. Applicant: BIGGS TRUCKING, INC., 8110 La Porte Road, Houston, Tex., 77012. Applicant's representative: Joe G. Fender, 2033 Norfolk Street, Houston, Tex., 77012. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Potash*, dry, in bulk, from points in New Mexico to Greenville, Plainview, and Houston, Tex.; Chickasha, Okla.; and Crowley, La.; and (2) *fertilizers and fertilizer ingredients*, dry, in sacks and bags, and in bulk, from Greenville, Plainview, and Houston, Tex.; Chickasha, Okla.; and Crowley, La.; to points in Arizona, Arkansas, California, Colorado, Florida, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Tennessee, and Texas; under contract with The Best Fertilizers Co.

MOTOR CARRIER OF PASSENGERS

No. MC 127932 (Sub-No. 1), filed May 11, 1966. Applicant: JOHN C. WHITE, doing business as WHITE BUS LINES, Post Office Box 195, McVeigh, Ky. Applicant's representative: Charles E. Anderson, 1421 Kanawha Valley Building, Charleston, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between McVeigh, Ky., and Williamson, W. Va., as follows: from McVeigh, over Kentucky Highway 199 to Hudely, Ky., thence over U.S. Highway 119 to Williamson, thence return over U.S. Highway 119 to South Williamson, Ky., thence over Kentucky Highway 292 to Appalachian Regional Hospital, thence return over said route to Williamson, and return over the same route, serving all intermediate points.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-7107; Filed, June 29, 1966; 8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 27, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40560—*Tin or terne plate to Fairfield and Greens, Ala.* Filed by O. W. South, Jr., agent (No. A4907), for interested rail carriers. Rates on tin or terne plate and tin mill black plate, in carloads, from St. Louis, Mo., East St. Louis and Granite City, Ill., to Fairfield and Greens, Ala.

Grounds for relief—Market competition.

Tariff—Supplement 73 to Southern Freight Association, agent, tariff ICC S-502.

FSA No. 40561—*Substituted service—B&O for IML Freight, Inc., et al.* Filed by Central States Motor Freight Bureau, Inc., agent (No. 106), for interested carriers. Rates on property loaded in trailers and transported on railroad flat-

cars, between East St. Louis, and Chicago, Ill., and Pittsburgh, Pa., on the one hand, and Indianapolis and Jeffersonville, Ind., Cincinnati, Ohio, and Pittsburgh, Pa., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief—Motortruck competition.

Tariff—Supplement 4 to Central States Motor Freight Bureau, Inc., agent, tariff MF-ICC 1165.

FSA No. 40562—*Class and commodity rates from and to Boulogne, Fla.* Filed by O. W. South, Jr., agent (No. A4908), for interested rail carriers. Rates on property moving on class and commodity rates, between Boulogne, Fla., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief—New station and grouping.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7187; Filed, June 29, 1966; 8:49 a.m.]

[Docket No. 33622]

APPLICABILITY OF RATES ON HOUSEHOLD GOODS

Order. At a general session of the Interstate Commerce Commission held at its office in Washington, D.C., on the 18th day of March A.D. 1966.

Upon consideration of the record in the above-entitled proceeding and the judgment of the U.S. Court of Appeals for the Seventh Circuit, entered January 14, 1966, in No. 15071, September term, 1965, National Van Lines, Inc. v. United States; and good cause appearing therefor:

It is ordered, That the report and order of the Commission, entered in the above-entitled proceeding on February 7, 1962 (315 ICC 537), be, and they are hereby, vacated and set aside, and

It is further ordered, That the said proceeding be, and it is hereby, discontinued.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7188; Filed, June 29, 1966; 8:49 a.m.]

[Notice 203]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 27, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 30073 (Sub-No. 18 TA), filed June 23, 1966. Applicant: JOHNSON FREIGHT LINES COMPANY, INC., 248 Chester Avenue SE., Post Office Box 1918, Atlanta, Ga., 30316. Applicant's representative: M. T. Schumacher, Suite 69: 1375 Peachtree Street NE., Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the plantsite of Trinity Carpet Co., located on Georgia Highway 52 approximately 3 miles west of Chatsworth, Ga., as an off-route point in connection with applicant's authorized regular route operations to, from, and through Dalton, Ga., for 150 days. Supporting shipper: Trinity Carpets, Inc., Chatsworth, Ga. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308.

No. MC 52657 (Sub-No. 646 TA), filed June 23, 1966. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, Ill., 60620. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, in secondary movements by the truckaway method, from Little Ferry (Ridgefield), N.J., to points in Connecticut, New Jersey, New York, and Rhode Island; from Pittsburgh, Pa., to points in Maryland, Ohio, Pennsylvania, and West Virginia; and from Earnest (Norristown), Pa., to points in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia, for 180 days. Supporting shipper: American Motors Corp., 14250 Plymouth Road, Detroit, Mich., 48232. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 107403 (Sub-No. 685 TA), filed June 23, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa., 19050. Applicant's representative: C. W. Zook (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sea water*, in bulk, in tank vehicles, from Indian River Inlet, Del., to Baltimore, Md., for 120 days. Supporting shipper: W. R. Grace & Co., Research Division, Post Office Box 3461, Baltimore, Md., 21226. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 109689 (Sub-No. 176 TA), filed June 23, 1966. Applicant: W. S. HATCH CO., 643 South 800 West Street, Woods Cross, Utah, 84087, Post Office Box 1825, Salt Lake City, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Soda ash*, in bulk, from Stauffer, Wyo., to Beloit, Kans., for 180 days. Supporting shipper: Stauffer Chemical Co., 636 California Street, San Francisco, Calif., 94119. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah, 84111.

No. MC 110354 (Sub-No. 11 TA), filed June 23, 1966. Applicant: V-KAP TRUCKING, INC., Box 706, Fairport-Nursery Road, Painesville, Ohio. Applicant's representative: Richard H. Brandon, 810 Hartman Building, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chlorine*, in containers, from Painesville, Ohio, and points within 5 miles thereof to Parkersburg, W. Va.; and return movement of *empty containers for liquid chlorine* from Parkersburg, W. Va., to Painesville, Ohio, and points within 5 miles thereof, for 180 days. Supporting shipper: Diamond Alkali Co., Union Commerce Building, Cleveland, Ohio, 44115. Send protests to: G. J. Baccei, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 435 Federal Building, Cleveland, Ohio, 44114.

No. MC 116273 (Sub-No. 72 TA), filed June 23, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero 50, Ill. Applicant's representative: Robert G. Paluch (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank or hopper type vehicles, and *plastic liners*, in mixed loads, from Detroit, Mich., and points in its commercial zone, to points in Michigan and Ohio, for 180 days. Supporting shipper: Eastman Chemical Products, Inc., Kingsport, Tenn., 37662. Send protests to: Raymond E. Mauk, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 219 South Dearborn Street, Room 1086, Chicago, Ill., 60604.

No. MC 123061 (Sub-No. 33 TA), filed June 23, 1966. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah, 84104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, between Montana, Wyo., and points in Colorado, for 180 days. Supporting shippers: Foster Wholesale, division of Foster Lumber Co., 1617 Baltimore Avenue, Kansas City, Mo., 64108; St. Regis Paper Co., 1019 Pacific Avenue, Tacoma, Wash., 98401. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah, 84111.

No. MC 128333 TA, filed June 23, 1966. Applicant: LES CALKINS TRUCKING, INC., Post Office Box 736, Lodi, Calif. Applicant's representative: Martin J. Rosen, 140 Montgomery Street, San Francisco, Calif., 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, crushed rock, cement, sand and gravel*, in bulk, between Klamath Falls, Oreg., and 30-mile radius thereof, on the one hand, and Tule Lake, Calif., and 30-mile radius thereof, on the other hand, for 180 days. Supporting shipper: Paselk & Young, Inc., 37350 Sequoia Road, Fremont, Calif. Send protests to: Howard O. Gaston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif., 94102.

No. MC 128334 TA, filed June 23, 1966. Applicant: WILLIAM G. MADDUX, 714 East Seventh Street, Hopkinsville, Ky., 42240. Applicant's representative: A. O. Buck, 500 Court Square Building, 300 James Robertson Parkway, Nashville, Tenn., 37201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from the plant of W. R. Grace & Co., at Hopkinsville, Ky., to points in Tennessee on and west of U.S. Highway 127, for 180 days. Supporting shipper: Mr. O. D. Shepherd, assistant traffic supervisor, W. R. Grace & Co., Nitrogen Products Division, Lock Box 2208, Decatur, Ill., 62526. Send protests to: Wayne L. Merlatt, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky., 40202.

MOTOR CARRIERS OF PASSENGERS

No. MC 72349 (Sub-No. 27 TA) (correction), filed May 20, 1966, published FEDERAL REGISTER, issue of May 28, 1966, and republished as corrected this issue. Applicant: EASTERN MASSACHUSETTS STREET RAILWAY COMPANY, 1442 Main Street, Brockton, Mass. Applicant's representative: Neal Holland, State Street Bank Building, 225 Franklin Street, Boston, Mass., 02110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in special operations in round-trip, sightseeing, all-expense pleasure tours, beginning and ending at Lawrence, Lowell, Lynn, Quincy, and Brockton, Mass., and extending to District of Columbia, and points in Connecticut, Delaware, Maine, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and return, for 180 days. Supporting shippers: The application is supported by statements by 56 shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Richard D. Mansfield, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 30 Federal Street, Boston, Mass., 02110. NOTE: The purpose of this republication is to add the State of New York, which was inadvertently omitted from previous publication.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7189; Filed, June 29, 1966; 8:49 a.m.]

[Notice 1374]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 27, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68789. By order of June 22, 1966, the Transfer Board approved the transfer to Vincent Snyder and Dale Snyder, a partnership, doing business as Breda Truck Line, Breda, Iowa, 51436, of the operating rights of Lyle R. Babe, doing business as Babe Truck Line, Breda, Iowa, 51436, in certificate No. MC-2775, issued March 24, 1964, authorizing the transportation, over regular routes of livestock and agricultural products, from Arcadia, Iowa, to Omaha, Nebr., and building materials, feed, including mineral feeds, farm machinery and parts, hardware, twine, lubricating oils, and greases, wire, and fencing, from Omaha, Nebr., to Arcadia, Iowa.

No. MC-FC-68837. By order of June 23, 1966, the Transfer Board approved the transfer to Wilcox Travel Agency, Inc., Asheville, N.C., of License No. MC-12742 (Sub-No. 1), issued January 9, 1964, to Herman Wallace Wilcox, doing business as Herman W. Wilcox Travel Agency, Boone, N.C., authorizing brokerage operations in connection with the arrangement of transportation of passengers and their baggage, in round-trip tours, beginning and ending at Boone, N.C., and points within 50 miles thereof (except Bristol, Tenn.-Va.), and extending to points in Virginia, Florida, New York, and the District of Columbia. Harry DuMont, Post Office Box 7526, Asheville, N.C., attorney for applicants.

No. MC-FC-68848. By order of June 22, 1966, the Transfer Board approved the transfer to Joe Feagin, Bob G. Noles, and Sue Nan Feagin Noles, a partnership, doing business as Greenwood Storage & Trucking Co., Greenwood, Miss., of the operating rights in permit No. MC-124361, issued June 18, 1964, to Joe Feagin, doing business as Greenwood Storage & Trucking Co., Greenwood, Miss., authorizing the transportation, over irregular routes, of dry fertilizer, in bags, from El Dorado, Ark., Sheffield, Ala., and Sterlington and Avondale, La., to Greenwood, Miss., and from Greenwood, Miss., to points in specified areas in Arkansas and Louisiana. Harold D. Miller, Jr., 700 Petroleum Building, Post Office Box 1250, Jackson, Miss., 39205, attorney for applicants.

No. MC-FC-68871. By order of June 23, 1966, the Transfer Board approved the transfer to William W. Hardy, Jr., and Douglas Louderback, a partnership, doing business as Alar Freight Lines, Drexel Hill, Pa., in certificate of registration No. MC-99853 (Sub-No. 1), issued August 2, 1965, David L. Schmidt, doing business as Grimestone Express, Secane, Pa., authorizing the transportation of property between Philadelphia and Marcus Hook, Delaware County, and intermediate points via Chester Pike and Wilmington Pike; between Philadelphia and Ridley Park, Delaware County, and intermediate points via Parker Avenue, and between Philadelphia and Morton, Delaware County, and intermediate points via Baltimore Pike. C. Norwood Wherry, County Building, Media, Pa., 19063, attorney for applicants.

No. MC-FC-68873. By order of June 23, 1966, the Transfer Board approved the transfer to Munter Delivery, Inc., Buffalo, N.Y., of certificate of registration No. MC-98000 (Sub-No. 1), issued November 6, 1963, to Adelbert I. Munter, doing business as Munter's Delivery, Buffalo, N.Y., evidencing a right to engage in transportation in interstate or foreign commerce of: General commodities, between specified points in New York. Thomas J. Runfola, 631 Niagara Street, Buffalo, N.Y., 14201, attorney for applicants.

No. MC-FC-68875. By order of June 23, 1966, the Transfer Board approved the transfer to Goulding's Monument Valley Tours, a Utah corporation, Kayenta, Ariz., of the operating rights in certificate No. MC-119035, issued April 27, 1960, to Harry T. Goulding, doing business as Goulding's Trading Post and Lodge, Kayenta, Ariz., authorizing the transportation of: Passengers and their baggage, in special operations between specified points in Arizona, and Utah, Miss Irene Warr, 419 Judge Building, Salt Lake City, Utah, 84111, attorney for applicants.

No. MC-FC-68876. By order of June 22, 1966, the Transfer Board approved the transfer to Gordon Van Offeren,

doing business as Van Offeren Trucking, Upton, Wyo., of certificate No. MC-109796, issued December 27, 1950, to A. J. Altizer and Leroy Cure, a partnership, doing business as C. & A. Trucking Co., Sundance, Wyo., and acquired by transferor, Wakefield Trucking Service, pursuant to No. MC-FC-67457 consummated June 7, 1965, authorizing the transportation over irregular routes of livestock, between points in Crook, Campbell, and Weston Counties, Wyo., on the one hand, and, on the other, points in South Dakota; emigrant movables, between points in Crook, Campbell, and Weston Counties, Wyo., on the one hand, and, on the other, points in South Dakota, Nebraska, and Montana, within 150 miles of Sundance, Wyo.; feed, agricultural implements, and building materials, from points in South Dakota to points in Crook, Campbell, and Weston Counties, Wyo.; grain, from points in Crook, Campbell, and Weston Counties, Wyo., to points in South Dakota; and lumber, from points in Crook, Campbell, and Weston Counties, Wyo., to points in South Dakota and Nebraska. Robert S. Stauffer, 1510 East 20th Street, Cheyenne, Wyo., 82001, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-7190; Filed, June 29, 1966; 8:49 a.m.]

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 66-39]

"WILL ROGERS"

New London Harbor Closed to Navigation During Launching

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by Treasury Department Order 120 dated July 31, 1950 (15 F.R. 6521), and Executive Order 10173, as amended by Executive Orders 10277, 10352, and 11249, I hereby affirm for publication in the FEDERAL REGISTER the order of I. J. Stephens, Rear Admiral, U.S. Coast Guard, Commander, Third Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

SPECIAL NOTICE NEW LONDON HARBOR

Pursuant to the request of the Commander, Submarine Force, U.S. Atlantic Fleet, U.S. Navy and acting under the authority of the Act of June 15, 1917 (40 Stat. 220) as amended, and the regulations in Part 6, Chapter I, Title 33, Code of Federal Regulations, I hereby establish a Security Zone in the waters of New London Harbor, New London, Conn., between the latitudes of 41 degrees 20 minutes 32 seconds north, and 41 degrees 21 minutes 03 seconds north, from 1215 eastern daylight saving time, on Thursday, 7 July 1966, until the "Will Rogers" is made fast to the wetdock at the Electric Boat Division of the General Dynamics Corp., Groton, Conn. The launching of the "Will Rogers" is scheduled for 12:45 eastern daylight saving time, on Thursday, 7 July 1966. The northern and southern limits of this area will be marked by ranges located on the eastern shore. Coast Guard vessels will be anchored off these ranges between the shore line and the main ship channel.

No person or vessel shall enter this Security Zone without the permission of the Captain of the Port, New London, Conn. No person shall board or take or place any article or thing on board any vessel in this Security Zone without the permission of the Captain of the Port, New London, Conn. No person shall take or place any article or thing upon any waterfront facility in this zone without such permission. This order will be enforced by the Captain of the Port, New London, Conn., and by U.S. Coast Guard vessels under his command. The aid of other Federal, State, and Municipal agencies may be enlisted to assist in the enforcement of this order.

Penalties for violation of the above order: Section 2, Title II of the Act of June 15, 1917 as amended, 50 U.S.C. 192, provides as follows:

"If any owner, agent, master, officer or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this title, or obstructs or interferes with the exercise of any power conferred by this title * * *. Or if any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this title, or knowingly obstructs or interferes with the exercise of any power conferred by this title, he shall be punished by imprisonment for not more than ten years and may, at the discretion of the court, be fined not more than $10,000."

Dated: June 23, 1966.

[SEAL] W. J. SMITH,
Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 66-7180; Filed, June 29, 1966; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Fairbanks 035286]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 24, 1966.

The Bureau of Land Management, Department of the Interior has filed application, Serial Number Fairbanks 035286, for withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws, but not from leasing under the mineral leasing laws or selection by the State of Alaska under the provisions of the Act of July 7, 1958 (72 Stat. 339, 340). The applicant desires the land for development of recreation sites.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the Manager, Fairbanks District and Land Office, Bureau of Land Management, Department of the Interior, Post Office Box 1150, Fairbanks, Alaska.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also consider adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

Moose Creek. A parcel of land situated on the south side of the Steese Highway between the Steese and the Chatanika River at Mile Post 49. The area is more particularly described as Protracted T. 5 N., R. 4 E. of the Fairbanks Meridian, 8½ of section 28 and N½N½ section 33. To include approximately 480 acres.

Grouse Creek. A parcel of land situated on the south side of the Steese Highway between the Steese and the Chatanika River at Mile Post 51. The area is more particularly described as Protracted T. 5 N., R. 4 E., Fairbanks Meridian, E½SE¼, SE¼NE¼, section 27, SW¼SW¼, N½SW¼, SW¼NE¼, NW¼SE¼, S½NW¼, section 26, to include approximately 400 acres.

Perhaps Creek. A parcel of land situated on the south side of the Steese Highway between the Steese Highway and the Chatanika River at Mile Post 56. The area is more particularly described as Protracted T. 5 N., R. 5 E., Fairbanks Meridian, SW¼ of section 17; the N½N½NW¼, section 20, to include approximately 200 acres.

U.S. Creek. A parcel of land situated on the south side of the Steese Highway between the Steese and the Chatanika River at Mile 57. The area is more particularly described as Protracted T. 5 N., R. 5 E., Fairbanks Meridian, S½SE¼, section 9; NE¼, E½NE¼, NE¼SW¼, N½SE¼, section 16, to include approximately 440 acres.

Cripple Creek. A parcel of land on the south side of the Steese Highway between the Steese and the Chatanika River at Mile Post 61. The area is more particularly described as Protracted T. 5 N., R. 5 E., Fairbanks Meridian, S½NE¼, N½SE¼, section 11; SW¼NW¼, NW¼SW¼, section 12, to include approximately 240 acres.

The above areas total about 1,760 acres.

LYLE F. JONES,
Acting State Director.

[F.R. Doc. 66-7183; Filed, June 29, 1966; 8:48 a.m.]

IDAHO

Notice of Filing of Idaho Protraction Diagrams

JUNE 23, 1966.

Notice is hereby given that effective at and after 10 a.m. on July 28, 1966, the following protraction diagrams are officially filed of record in the Idaho Land Office, Room 327, Federal Building, Boise, Idaho, 83701. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the lands for all authorized uses. Until this date and time the diagrams have been placed in open files and are available to the public for information only.

IDAHO PROTRACTION DIAGRAMS

Nos. 59, 61, 105.

BOISE MERIDIAN

Approved June 8, 1966

No. 59

T. 17 N., R. 10 E.
T. 18 N., Rs. 10, 11 and 12 E.

No. 61

Ts. 16 and 17 N., Rs. 21 and 22 E.

No. 105

Ts. 9, 10, 11, 12 and 13 N., Rs. 45 and 46 E.

ORVAL G. HADLEY,
Manager, Land Office, Boise, Idaho.

[F.R. Doc. 66-7172; Filed, June 29, 1966; 8:48 a.m.]

UTAH DISTRICT MANAGERS, ET AL.

Notice of Delegation of Purchasing Authority

JUNE 22, 1966.

Pursuant to authority contained in Order No. 698 of Director, Bureau of Land Management, dated August 2, 1962, and Amendment No. 1 dated August 31, 1962, I hereby redelegate to the following listed officers of the Bureau of Land Management for the State of Utah, effective this date, authority to enter into contracts for construction, supplies, services (including rental of equipment), and to make open market purchases within the limitation here indicated:

District Managers:	
Contracts for construction, services, and supplies.	$2,000 per contract.
Open market purchase	$1,000 per purchase.
State Administrative Officer:	
Open market purchase	$1,000 per purchase.
Cadastral Engineering Survey Party Chiefs:	
Open market purchase	$200 per purchase.

And pursuant to authority contained in Order No. 698, Amendment No. 4, dated June 12, 1963, I hereby redelegate to the following listed employees of the Bureau of Land Management for the State of Utah, effective this date, authority to make open market purchases in situations of emergency and when the government's interests will be facilitated, in amounts not to exceed $100, for supplies, materials, and services within the limitation here indicated:

Other employees of Utah State Office. Division Chiefs, Realty Specialists, Mining Engineers, Natural Resource Specialists, Recreation Specialist, and Resource Utilization Specialist.

Other employees of District Offices. Area Managers, Lands and Minerals Examiners, Realty Specialists.

This authority shall be exercised in accordance with applicable limitations set forth in the Federal Property and Administration Services Act of 1949, as amended, and in accordance with applicable policies, procedures, and controls prescribed by the General Services Administration.

R. D. NIELSON,
State Director.

[F.R. Doc. 66-7173; Filed, June 29, 1966; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

VIRGINIA

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Virginia a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

VIRGINIA

WISE

It also has been determined that in the hereinafter-named counties in the State of Virginia natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Virginia	*Original designation*
Alleghany	31 F.R. 542
Amelia	31 F.R. 542
Amherst	31 F.R. 542
Appomattox	31 F.R. 542
Bath	31 F.R. 542
Bedford	31 F.R. 542
Bland	31 F.R. 542
Botetourt	31 F.R. 542
Brunswick	31 F.R. 542
Buckingham	31 F.R. 542
Campbell	31 F.R. 542
Caroline	31 F.R. 542
Charlotte	31 F.R. 542
Chesterfield	31 F.R. 542
Clarke	31 F.R. 542
Craig	31 F.R. 542
Culpeper	31 F.R. 542
Cumberland	31 F.R. 542
Dinwiddie	31 F.R. 542
Essex	31 F.R. 542
Fairfax	31 F.R. 542
Fauquier	31 F.R. 542
Floyd	31 F.R. 542
Frederick	31 F.R. 542
Giles	31 F.R. 542
Gloucester	31 F.R. 542
Greensville	31 F.R. 542
Halifax	31 F.R. 542
King and Queen	31 F.R. 542
King George	31 F.R. 542
King William	31 F.R. 542
Lancaster	31 F.R. 542
Loudoun	31 F.R. 542
Lunenburg	31 F.R. 542
Madison	31 F.R. 542
Mathews	31 F.R. 542
Mecklenburg	31 F.R. 542
Middlesex	31 F.R. 542
Montgomery	31 F.R. 542
Northumberland	31 F.R. 542
Nottoway	31 F.R. 542
Page	31 F.R. 542
Patrick	31 F.R. 542
Powhatan	31 F.R. 542
Prince Edward	31 F.R. 542
Prince George	31 F.R. 542
Prince William	31 F.R. 542
Pulaski	31 F.R. 542
Rappahannock	31 F.R. 542
Richmond	31 F.R. 542
Rockbridge	31 F.R. 542
Rockingham	31 F.R. 542
Shenandoah	31 F.R. 542
Stafford	31 F.R. 542
Surrey	31 F.R. 542
Sussex	31 F.R. 542
Warren	31 F.R. 542
Westmoreland	31 F.R. 542
Wythe	31 F.R. 542

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 27th day of June 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-7196; Filed, June 29, 1966; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CIPC (ISOPROPYL *N*-(3-CHLOROPHENYL) CARBAMATE)

Notice of Establishment of Temporary Tolerance

Notice is given that at the request of the Pittsburgh Plate Glass Co., 1 Gateway Center, Pittsburgh, Pa., 15200, a temporary tolerance is established for residues of CIPC (isopropyl *N*-(3-chlorophenyl) carbamate) in or on sweet potatoes at 50 parts per million from postharvest application as a sprout inhibitor. The Commissioner of Food and Drugs has determined that this temporary tolerance will protect the public health.

A condition under which this temporary tolerance is established is that the sprout inhibitor will be used in accord with the experimental permit issued by the U.S. Department of Agriculture. Distribution will be under the Pittsburgh Plate Glass Company name.

This temporary tolerance expires June 23, 1967.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)), and delegated by him to the

Commissioner (21 CFR 2.120; 31 F.R. 3008).

Dated: June 23, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7199; Filed, June 29, 1966; 8:50 a.m.]

MONSANTO CO.

Notice of Withdrawal of Petition for Food Additive Dicyclohexyl Phthalate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo., 63166, has withdrawn its petition (FAP 6B1978), notice of which was published in the FEDERAL REGISTER of March 15, 1966 (31 F.R. 4423), proposing an amendment to § 121.2569 *Resinous and polymeric coatings for polyolefin films* to provide for the use of dicyclohexyl phthalate as a plasticizer in resinous and polymeric coatings for polyolefin food-contact films.

The withdrawal of this petition is without prejudice to a future filing.

Dated: June 23, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7200; Filed, June 29, 1966; 8:50 a.m.]

SMITH & WALTON, LTD.

Notice of Filing of Petition for Food Additive

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 4B1512) has been filed by Smith & Walton, Ltd., Haltwhistle, Northumberland, England, proposing an amendment to § 121.2592 *Rosins and rosin derivatives* to provide for the safe use of citric acid-modified rosin as a component of coatings for cellophane food-contact film.

Dated: June 23, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7201; Filed, June 29, 1966; 8:50 a.m.]

THOMPSON-HAYWARD CHEMICAL CO.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0500) has been filed by Thompson-Hayward Chemical Co., Post Office Box 2383, Kansas City, Kans., 66110, proposing the establishment of a tolerance for residues of the herbicide dichlobenil at 0.1 part per million and its metabolite 2,6-dichlorobenzoic acid at 0.5 part per million in or on the raw agricultural commodities: Apples, avocados, blackberries, blueberries, cherries, citrus, cranberries, grapes, mangoes, peaches, pears, plums, and raspberries.

The analytical methods proposed in the petition for determining residues of this herbicide are microcoulometric and electron-capture gas chromatographic procedures.

Dated: June 23, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7202; Filed, June 29, 1966; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 15353; Order No. E-23857]

INTERNATIONAL AIR TRANSPORT ASSN.

Agreement Relating to Fare Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of June 1966.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA). It has been assigned the above-designated CAB Agreement number.

The agreement, promulgated in IATA Memorandum TC1/Resolution 604, would revalidate that resolution permitting the offering of family fares between the United States and Mexico/Cuba. The resolution was inadvertently omitted from the Panama City Conference resolutions filed with the Board for approval.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act.

Accordingly, it is ordered:

That Agreement C.A.B. 18919 is approved.

Any air carrier party to the agreement, or any interested persons, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-7192; Filed, June 29, 1966; 8:49 a.m.]

[Docket 17400; Order No. E-23852]

NATIONAL AIRLINES INC., ET AL.

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of June 1966.

Exclusion of travel pursuant to government transportation requests from youth fare plans proposed by National Airlines, Inc., Western Air Lines, Inc., and Northwest Airlines, Inc., Docket 17400.

National Airlines, Inc. (National), Western Air Lines, Inc. (Western), and Northwest Airlines, Inc. (Northwest), have proposed tariff revisions,[1] to their effective standby youth fare plans. These revisions, which are marked to become effective June 30, July 6, and July 10, 1966, would exclude from the operation of these youth fare tariffs transportation pursuant to U.S. Government Transportation Requests. In addition, Western would exclude transportation pursuant to state or other political subdivision transportation requests.

No complaints have been filed.

During May 1966, several trunkline carriers[2] filed tariff changes which would have prevented the United States from utilizing the youth fare plans of these carriers when travel was performed pursuant to a Government Transportation Request. Two of the carriers (United and Braniff) would also have excluded state or other political subdivisions from the use of youth fares. The Board noted that a serious question of discrimination is presented by the proposals without apparent justification and that these tariff proposals may also be unduly preferential, unduly prejudicial, unjust and unreasonable, and ordered them suspended pending investigation.[3] Since the National, Western, and Northwest proposals raise the same issues, the Board has concluded that these proposals also should be investigated and suspended pending investigation. For the same reason the Board has concluded that the investigation ordered herein should be consolidated with the investigation heretofore ordered in Docket 17400.[4]

[1] To National Airlines, Inc., Local and Joint Standby Tariff, CAB No. 95. To Western Air Lines, Inc., Local Standby Tariff No. 2, CAB No. 36. To Northwest Airlines, Inc., Local Standby Fares Tariff No. 1, CAB No. 345.

[2] Delta Air Lines, Inc., Trans World Airlines, Inc., American Airlines, Inc., United Air Lines, Inc., and Braniff Airways, Inc.

[3] Order E-23801, Docket 17400, June 9, 1966.

[4] A prehearing conference in Docket 17400 is scheduled to be held on June 30, 1966, at 10 a.m., in Room 211 at the Washington, D.C., offices of the Board.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a), 404, and 1002 thereof, and § 302.12, Title 14 of the Code of Federal Regulations,

It is ordered, That:

1. An investigation is instituted to determine whether the provisions of the Exception to Rule No. 2(B)(2) on 5th Revised Page 4 of National Airlines, Inc.'s CAB No. 95, the Exception to Rule No. 2B(2) on 10th Revised Page 5 of Northwest Airlines, Inc.'s CAB No. 345, and Rule No. 2(B)(2) on 2nd Revised Page 5 of Western Air Lines, Inc.'s CAB No. 36, and rules, regulations, or practices affecting such provisions are, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and if found to be unlawful to determine and prescribe the lawful provisions and rules, regulations, and practices affecting such provisions;

2. Pending hearing and decision by the Board, the provisions described in Ordering paragraph 1 are suspended to and including September 27, 1966, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The investigation ordered herein be consolidated for hearing with the investigation ordered in Docket 17400.

4. Copies of this order be filed with the aforesaid tariffs and be served upon National Airlines, Inc., Western Air Lines, Inc., and Northwest Airlines, Inc., which are hereby made parties to this proceeding, and also be served upon Delta Air Lines, Inc., Trans World Airlines, Inc., American Airlines, Inc., United Air Lines, Inc., and Braniff Airways, Inc., which are also parties to the proceedings in Docket 17400.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[5]

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-7193; Filed, June 29, 1966; 8:49 a.m.]

[Docket 17400]

EXCLUSION OF GOVERNMENT TRANSPORTATION REQUESTS FROM YOUTH FARE PLANS

Notice Postponing Prehearing Conference

Pursuant to the request of the Bureau of Economics, the prehearing conference in the above-entitled proceeding presently scheduled for June 30, 1966, is hereby postponed indefinitely.

Dated at Washington, D.C., June 24, 1966.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 66-7191; Filed, June 29, 1966; 8:49 a.m.]

[5] Dissent of Member John G. Adams filed as part of the original document.

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License 920]

LATIN AMERICAN SHIPPING CO., INC.

Order To Show Cause

On June 15, 1966, the National Union Insurance Cos., notified the Commission that the surety bond filed pursuant to section 44(c), Shipping Act, 1916 (46 U.S.C. 841b) by Latin American Shipping Co., Inc., 1101-02 Chamber of Commerce Building, 141 Northeast Third Avenue, Miami, Fla., 33132, would be canceled effective 12:01 a.m., July 15, 1966.

Section 44(c) of the Shipping Act, 1916 (46 U.S.C. 841b) and § 510.5(f) of General Order 4 (46 CFR) provide that no license shall remain in force unless such forwarder shall have furnished a bond.

Section 44(d) of the Shipping Act, 1916 (46 U.S.C. 841b) provides that licenses may, after notice and hearing, be suspended or revoked for willful failure to comply with any provision of the Act, or with any lawful rule of the Commission promulgated thereunder.

Therefore, it is ordered, That Latin American Shipping Co., Inc., on or before July 8, 1966, either (1) submit a valid bond effective on or before July 15, 1966, or (2) show cause in writing or request a hearing to be held at 10 a.m., on July 12, 1966, in Room 505, Federal Maritime Commission, 1321 H Street NW., Washington, D.C., 20573, to show cause why its license should not be suspended or revoked pursuant to section 44(d), Shipping Act, 1916.

It is further ordered, That the Director, Bureau of Domestic Regulation, forthwith revoke License No. 920, if the licensee fails to comply with this order.

It is further ordered, That a copy of this order to show cause and all subsequent orders in this matter be served upon the licensee and be published in the FEDERAL REGISTER.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-7181; Filed, June 29, 1966; 8:48 a.m.]

SEAPORT SHIPPING CO., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following freight forwarder cooperative working agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working agreements under which the parties may perform freight forwarding services for each other. Forwarding and service fees are to be agreed upon on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

Seaport Shipping Co. (Seattle), Seattle, Wash., and Encargos International, New York, N.Y. ---------- FF-3044
Wm. H. Muller Shipping Corp., New York, N.Y. (Branch), and Seaway Forwarding, Cleveland, Ohio ---------- FF-3048
Rohner, Gehrig & Co., Inc., New York, N.Y., and Davies, Turner & Co., Chicago, Ill. ---------- FF-3050
Gallagher & Ascher Co., Chicago, Ill., and Inter-Hemisphere Service, Co., New York, N.Y. ---------- FF-3051
Mohegan International Corp., of La., New Orleans, La., and Del Mar Shipping Corp., Los Angeles, Calif ---------- FF-3052
Mohegan International Corp., New York, N.Y., and Del Mar Shipping Corp., Los Angeles, Calif ---------- FF-3053
William H. Masson, Inc., Baltimore, Md., and M. G. Maher & Co., Inc., New Orleans, La ---------- FF-3054
T. J. Hanson, Inc., Beaumont, Texas, and J. D. Smith Inter-Ocean, Inc., New York, N.Y. ---------- FF-3055
Samuel Shapiro & Co., Inc., Baltimore, Md., and Air-Sea Forwarders, Inc., Los Angeles, Calif ---------- FF-3057
Freedman & Slater, Inc., New York, N.Y., and Advance Shipping Co., Houston, Tex ---------- FF-3058
Davidson Forwarding Co., Inc., Washington, D.C., and Samuel Shapiro & Co., Inc., Baltimore, Md. ---------- FF-3059
J. D. Smith Inter-Ocean, Inc., New York, N.Y., and The Svensson Shipping Agency, Inc., Duluth, Minn. ---------- FF-3060
Cobal International, Inc., New York, N.Y., and R. B. Comar, Inc., Charleston, S.C. ---------- FF-3062
Hudson Shipping Co., Inc., New York, N.Y., and Air-Sea Forwarding Service, Inc., Miami, Fla ---------- FF-3063
Natural, Nydegger Transport Corp., New York, N.Y., and Seaway Forwarding Co., Cleveland, Ohio ---------- FF-3065
J. T. Steeb & Co., Inc., Portland, Oreg., and American Union Transport Forwarding, Inc., New York, N.Y. ---------- FF-3066

Agreement No. FF-3049 between C. S. Greene & Co., Inc., Chicago, Ill., and Presto Shipping Agency, Inc., New York, N.Y., is a cooperative working arrangement whereunder forwarding and service fees are: Passing shipper's export declation only, $3.50; passing shipper's export declaration, ordering freight to pier, issuing bills of lading for direct release, $7.50; passing shipper's export declaration, ordering freight to pier, issuing bill of lading and preparation consular invoice, $11.50. Special services remain subject to negotiation and agreement on each transaction. Ocean freight com-

pensation is to be retained by the originating forwarder.

Agreement No. FF-3056 between The W. P. Neth Co., Inc., New York, N.Y., and Gallagher & Ascher Co., Chicago, Ill., is a cooperative working arrangement whereunder The W. P. Neth Co., Inc., will pay a specific sum to Gallagher & Ascher Co. for the single service of clearing Export Declarations out of the port of Chicago on their behalf. (All other services to be performed by The W. P. Neth Co., Inc., in New York.) Both parties agree that ocean freight brokerage is not to be divided, but is to be retained by The W. P. Neth Co., Inc.

Agreement No. FF-3061 between Penson Forwarding Corp., New York, N.Y. (Branches) and Chas. Kurz Co., Philadelphia, Pa., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage will be retained by the originating forwarder.

Agreement No. FF-3064 between Lunham & Reeve, Inc., New York, N.Y., and Coastal Forwarders, Charleston, S.C., is a cooperative working arrangement whereunder forwarding and service fees are $3.00 for passing shipper's export declaration only—additional services, if any, as agreed. Special services remain subject to negotiation and agreement on each transaction. Ocean freight brokerage; 100 percent to be collected by Lunham & Reeve, Inc., or Coastal Forwarders, whichever originates the shipment.

Dated: June 27, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-7182; Filed, June 29, 1966; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI66-415 etc.]

CRAWFORD OIL & GAS RESERVES, INC., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

JUNE 23, 1966.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8, 1.37(f)) on or before August 10, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-415	Crawford Oil & Gas Reserves, Inc., 4612 South Harvard, Tulsa, Okla.	1	2	Oklahoma Natural Gas Gathering Corp.[3] (Ringwood Field, Major County, Okla.) (Oklahoma "Other" Area).	[2] $1,440	5-26-66	[4] 5-31-66	[5] 6-1-66	11.0	[6] [7] 12.0	
RI66-416	Cleary Petroleum Inc. (Operator), et al., 310 Kennac Bldg., Oklahoma City, Okla., 73102.	17	3	Oklahoma Natural Gas Gathering Corp.[3] (Ringwood Area, Major County, Okla.) (Oklahoma "Other" Area).	4,536	5-27-66	[4] 5-31-66	[5] 6-1-66	11.0	[6] [7] 12.0	

[3] Oklahoma Natural Gas Gathering Corp. classified as a pipeline company in its certificate (C161-1408) for resale of gas to Cities Service Gas Co. at an initial rate of 17.5 cents per Mcf. Buyer has filed a related increase to 18.5 cents per Mcf which is suspended in Docket No. RP66-19 until June 1, 1966. National Fuels Corp. purchases extracted liquids on percentage basis.

[2] Respondent states that service will commence on May 25, 1966, and he therefore does not know volumes on which to base revenues (volumes from sample billing statement used herein).

[4] Effective date is due to partial waiver of the 30-day notice requirement.

[5] The suspension period is limited to 1 day.

[6] Periodic rate increase.

[7] Pressure base is 14.65 p.s.i.a.

Crawford Oil & Gas Reserves, Inc. (Crawford), and Cleary Petroleum, Inc. (Operator), et al. (Cleary), filed their initial service certificate applications in Docket Nos. CI66-614 and CI66-857 and the related contracts after January 1, 1966, after the price had escalated to 12 cents per Mcf. Respondents were issued conditioned temporary certificates at 11 cents and were advised that they could file a rate increase to 12 cents and request a shortened suspension period to coincide with the suspension period of the buyer, Oklahoma Natural Gas Gathering Corp. (Oklahoma Natural). Cleary has requested an effective date to coincide with Oklahoma Natural's suspension period (June 1, 1966), in Docket No. RP66-19. In this situation, we believe that it would be in the public interest that the 30-day notice requirement provided in section 4(d) of the Natural Gas Act be waived to permit Crawford and Cleary's proposed rate increases to become effective as of June 1, 1966, subject to refund, as ordered herein.

Crawford and Cleary propose periodic increases in rate from 11 cents to 12 cents per Mcf, amounting to approximately $5,976 annually, for wellhead sales of gas to Oklahoma Natural from the Ringwood Field.

[1] Does not consolidate for hearing or dispose of the several matters herein.

Major County, Okla. The gas is gathered, compressed and processed through the Ringwood Gasoline Plant and the residue gas transported by Oklahoma Natural from the plant outlet some 26 miles for delivery and resale to Cities Service Gas Co. Oklahoma Natural, which was classified as a pipeline in Docket No. CI61-1408, has filed a related increase to 18.5 cents per Mcf which was suspended in Docket No. RP66-19 until June 1, 1966. Crawford and Cleary's proposed rates exceed the applicable area increased rate ceiling of 11 cents per Mcf for the area involved. Under the circumstances, we believe that Crawford and Cleary's proposed rate increases should be suspended for one day from May 31, 1966.

[F.R. Doc. 66-7176; Filed, June 29, 1966; 8:48 a.m.]

[Docket No. CP62-265]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

JUNE 23, 1966.

Take notice that on June 13, 1966, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP62-265 a petition to amend the order issued in said docket on May 16, 1963, and amended on July 2, 1963, April 28, 1964, and July 28, 1965, requesting authorization to operate certain facilities presently installed, the construction and operation of which were not heretofore authorized by the said order issued May 16, 1963, in Docket No. CP62-265, as amended, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By order issued in the instant docket, as amended, Petitioner was issued a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the sale and delivery of natural gas to California-Pacific Utilities Co. for transportation to and resale and general distribution in Grants Pass, Oreg., and 15 other southern Oregon communities.

On May 5, 1966, Petitioner filed in the instant docket its statement of cost of authorized facilities in conformity with said order issued May 16, 1963, as amended, and § 157.20(c)(4) of the Commission's regulations under the Natural Gas Act. The foregoing statement reflected that seven submerged river crossings were installed as opposed to five submerged river crossings originally proposed to be installed as set forth in Exhibit K, Schedule 2, Page 7 of 10, of Petitioner's original application in the instant proceeding. Additionally, the foregoing statement reflected that 126.9 miles of 10¾-inch O.D. pipeline had been installed, whereas the original application in the instant proceeding reflected a total of 121.6 miles proposed to be installed.

By letter dated May 17, 1966, Petitioner was requested to submit a petition to amend the certificate issued in the instant docket in order to conform the certificate with the actual installations. Accordingly, Petitioner requests authorization to operate those facilities actually installed and described above, the construction and operation of which were not heretofore authorized by the subject order, as amended. Total lateral pipeline facilities authorized for operation upon grant of this petition, upon combination with these facilities authorized for construction and operation heretofore are described as follows:

Approximately 6.05 miles of 16-inch O.D. 0.281-inch w.t. and 126.9 miles of 10¾-inch O.D., 0.188-inch w.t. pipeline, including 7 submerged river crossings, together with standard appurtenances necessary for the operation of such facilities, extending from a point of connection with Petitioner's existing Portland to Eugene, Oreg., pipeline, immediately upstream of the Eugene-Springfield Meter Station, in a southerly direction to a point of termination in the vicinity of Grants Pass, Oreg.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 21, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7156; Filed, June 29, 1966; 8:46 a.m.]

[Docket No. CP66-6]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

JUNE 23, 1966.

Take notice that on June 13, 1966, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP66-6 a petition to amend the order issued in said docket on September 24, 1965, and amended on January 24, 1966, and May 31, 1966, requesting the deletion of the volumetric condition as set forth in ordering paragraph (A) of said order as amended on May 31, 1966, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the order issued in the instant docket on September 24, 1965, as amended, Petitioner was authorized, inter alia, to sell and deliver natural gas to The Washington Water Power Co. (Water Power) for resale and distribution in the community of Wallace, Idaho, and to Intermountain Gas Co. (Intermountain) for resale and distribution in the communities of Ketchum and Iona, Idaho, and their respective environs.

Petitioner states that it is advised that Water Power and Intermountain have been granted franchises for the aforesaid communities in conformity with the condition set forth in ordering paragraph (D) of the subject order. However, Petitioner requests that the volumetric condition set forth in ordering paragraph (A) of the subject order be deleted. Said paragraph reads as follows:

The certificate of public convenience and necessity issued in Docket No. CP66-6 on September 24, 1965, and amended on January 24, 1966, is further amended by authorizing Petitioner to sell and deliver up to 151 Mcf of natural gas per day to Intermountain for resale and distribution in the village of Iona, Idaho, and environs, all as more fully set forth in the petition to amend.

In support of its request, Petitioner states that the natural gas proposed to be sold and delivered to Intermountain for resale and distribution in Iona, Idaho, is to be utilized for residential and commercial purposes and to its knowledge no industrial consumption is involved. Petitioner further states that in view of this situation it believes that a volumetric condition in this instance is inappropriate and, in all probability, was not intended. Accordingly, Petitioner requests that the Commission delete said volumetric condition.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 20, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7157; Filed, June 29, 1966; 8:46 a.m.]

[Project 2575]

FORD MOTOR CO.

Notice of Application for License for Constructed Project

JUNE 24, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Ford Motor Co. (correspondence to: C. J. Fellrath, Secretary, Ford Motor Co., the American Road, Dearborn, Mich., 48127), for a license for constructed Project No. 2575, known as the Rawsonville project, located on Huron River, in the region of Ypsilanti and Rawsonville, in Washtenaw County, Mich.

The existing Rawsonville project consists of: (1) An earth dam 54.5 feet high and 1,765 feet long in two sections flanking a concrete multiple arch spillway and forebay section about 211 feet long; (2) a reservoir at elevation 685 feet about 3.5 miles long with a surface area of about 970 acres and total volume of 16,500 acre-feet; (3) a brick powerhouse with two generating units, 800 and 1,600 kva, respectively, totaling 2,400 kva or, at 0.8 power factor, 1,920 kw; (4) duplicate 4.8 kv transmission circuits and generation control cable about 3 miles long including underground and overhead lines between the powerhouse and the substation at the Applicant's Ypsilanti Plant, with a portion carried on the Detroit Edison-owned and maintained poleline (only applicant-owned transmission lines are included in the project); and (5) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8

or 1.10). The last day upon which protests or petitions may be filed is August 11, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7158; Filed, June 29, 1966; 8:46 a.m.]

[Docket Nos. G-2584 etc.]

MOBIL OIL CORP.

Notice of Change in Name

JUNE 22, 1966.

Take notice that on May 25, 1966, Mobil Oil Corp. filed a notice of change in name to advise the Commission that its corporate name had been changed from Socony Mobil Oil Co., Inc., effective May 18, 1966, all as more fully set forth in the notice which is on file with the Commission and open to public inspection.

Mobil Oil Corp. requests that its certificates and rate schedules and the proceedings in which it is applicant, respondent, and intervener be appropriately redesignated.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 15, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7159; Filed, June 29, 1966; 8:46 a.m.]

[Docket No. CP65-196]

NORTHERN NATURAL GAS CO.

Notice of Petition To Amend

JUNE 23, 1966.

Take notice that on June 16, 1966, Northern Natural Gas Co. (Petitioner), 2223 Dodge Street, Omaha, Nebr., 68102, filed in Docket No. CP65-196 a petition to amend the order issued in said docket on May 25, 1966 (Opinion No. 491), requesting authority to revise the mainline facilities authorized therein, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the order issued on May 25, 1966, in the instant docket, Petitioner was authorized to construct and operate certain natural gas facilities to initiate natural gas service to 131 communities in Iowa, Minnesota, Nebraska, and Wisconsin.

Petitioner states that in viewing its construction program as a single larger increment in capacity, rather than several smaller increments, it became apparent that certain economies of construction could be realized by taking advantage of larger units of horsepower and larger diameter looplines. Accordingly, Petitioner requests that the order issued in the subject docket be revised to delete therefrom the following facilities:

11 miles of 30-inch loop pipeline north of Ogden, Iowa.
7.6 miles of 30-inch loop pipeline north of Mullinville, Kan.
2,000 hp. addition at Ogden, Iowa.
4,000 hp. addition at Beatrice, Nebr.

By the instant filing, Petitioner proposes the construction and operation of the following revised facilities:

9.1 miles of 30-inch loop pipeline north of Clifton, Kans.
7.5 miles of 36-inch loop pipeline north of Mullinville, Kans.
3,165 hp. addition at Ventura, Iowa.

The Commission's order also authorized the construction and operation of 7.5 miles of 30-inch loop pipeline northeast of the Palmyra, Nebr., Compressor Station, which Petitioner will construct as proposed.

The cost of the revised facilities is estimated to be $2,949,200 as compared to a cost of $3,567,700 excluding interest and overheads, estimated for the facilities for which Petitioner now seeks to delete from the subject order.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 22, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7160; Filed, June 29, 1966; 8:46 a.m.]

[Project 2587]

LAKE SUPERIOR DISTRICT POWER CO.

Notice of Application for License for Constructed Project

JUNE 24, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Lake Superior District Power Co. (correspondence to: Martin E. Juhl, President, Lake Superior District Power Co., 101 West Second Street, Ashland, Wis., 54806), for a license for constructed Project No. 2587, known as Superior Falls Hydroelectric Station, located on Montreal River in the township of Saxon, Iron County, Wis., and in the township of Ironwood, Gogebic County, Mich.

The existing Superior Falls Hydroelectric Station consists of: (1) A reservoir of approximately 22 acres; (2) a reinforced concrete gravity type dam anchored into underlying rock, 240 feet long and 28 feet above the river bed at its crest; (3) five flood gates, two 16 feet by 16 feet, and three 9 feet by 12 feet; (4) a 7-foot diameter redwood pipeline 1,700 feet long; (5) a redwood surge tank; (6) two 54-inch steel penstocks conveying water to the turbines; (7) a reinforced concrete powerhouse containing two 1,250-horsepower turbines each connected to a 660 kw generator; (8) a 33 kv transmission line approximately 3 miles long, connecting to the applicant's Saxon Falls-Ironwood transmission line; and (9) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 11, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7161; Filed, June 29, 1966; 8:46 a.m.]

[Docket No. CP66-228]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Petition To Amend

JUNE 22, 1966.

Take notice that on June 6, 1966, Panhandle Eastern Pipe Line Co. (Petitioner), Post Office Box 1348, Kansas City, Mo., 64141, filed in Docket No. CP66-228 a petition to amend the certificate of public convenience and necessity issued in said docket on April 29, 1966, by authorizing the construction and operation of approximately 31.7 miles of natural gas pipeline, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner proposes to construct and operate approximately 31.7 miles of 6-inch to 12-inch pipeline through Ellis and Woodward Counties, Okla., from a point on the supply pipeline previously certificated in the order of April 29, 1966, connecting at approximately the midpoint between the origin of the certificated pipeline and Petitioner's existing Western Oklahoma supply pipeline. Petitioner states that the northward extension proposed in the instant filing will enable it to connect new natural gas supply sources recently contracted for in the Gage and Tangier Fields in Ellis and Woodward Counties.

Petitioner states that natural gas contracts which have been negotiated by it with the following producers have been executed since the filing of the application which led to the order issued April 29, 1966.

Producer	Date	Field
Atlantic Richfield Co.	May 5, 1966	Tangier Northwest.
J. M. Huber Corp..	Apr. 26, 1966	Gage Southeast.
		Gage Northeast.
		Gage Southeast.
Shell Oil Co.....	Apr. 15, 1966	Tangier Northwest.
Sunray DX Oil Co...	May 13, 1966	Tangier Northwest.

Petitioner states that the additional supply pipeline facilities proposed will permit it to attach the volumes of natural gas committed under the above contracts and will further stimulate the development of additional supplies for delivery to Petitioner's customers.

The estimated cost of the facilities to be constructed pursuant to the proposed amendment is $941,000, which will be financed from general corporate sources and will not require any new permanent financing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 14, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7162; Filed, June 29, 1966; 8:47 a.m.]

[Docket No. CP66-413]

SOUTHERN NATURAL GAS CO.

Notice of Application

JUNE 22, 1966.

Take notice that on June 13, 1966, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, Ala., 35202, filed in Docket No. CP66-413 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of natural gas to Trunkline Gas Co. (Trunkline) from acreage in the Lou Ella Field, Jim Wells, San Patricio, and Live Oak Counties, Tex., pursuant to a Gas Purchase Contract dated March 22, 1955 (the contract), between Trunkline and A. W. Gregg Gregg), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has acquired its interest in acreage covered by the contract through an assignment by Gregg to Lower Nueces River Water Supply District (District) dated April 14, 1958, and a subsequent assignment by District to Applicant dated March 21, 1966. Applicant further states that the contract provides for the sale and delivery to Trunkline of all gas produced or saved from the leases covered by the contract.

The Commission has previously issued certificates of public convenience and necessity authorizing the sale and delivery of gas to Trunkline under the contract in the following dockets:

(1) A. W. Gregg, Docket No. G-8993, issued on April 22, 1956, contract designated A. W. Gregg's FPC Gas Rate Schedule No. 1,

(2) Lower Nueces River Water Supply District, Docket No. G-15135, contract and assignment dated April 14, 1958, designated as Lower Nueces River Water Supply District FPC Gas Rate Schedule No. 1.

The application states that all gas to be sold under the certificate requested by the instant application will be delivered to Trunkline at the existing delivery point in the field, as specified under the contract. Applicant does not propose to construct any new facilities or to expand any existing facilities in connection with the proposed sale to Trunkline.

Applicant states that the price, effective January 1, 1965, for all gas delivered under the contract is 14 cents per Mcf at 14.65 p.s.i.a. Applicant further states that in addition to such price, it is entitled under the contract to a dehydration charge of one-fourth cent per Mcf and to reimbursement for 25 percent of any increase in taxes in effect on March 1, 1952.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7163; Filed, June 29, 1966; 8:47 a.m.]

[Docket No. RI66-417]

STANDARD OIL COMPANY OF TEXAS

Order Providing for Hearing on and Suspension of Proposed Change in Rate

JUNE 23, 1966.

On May 23, 1966, Standard Oil Company of Texas, a division of Chevron Oil Co. (Standard)[1] tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated May 16, 1966.
Purchaser and producing area: Northern Natural Gas Co. (Yates Gasoline Plant, Pecos County, Tex.) (R.R. District No. 8) (Permian Basin Area).
Rate schedule designation: Supplement No. 2 to Standard's FPC Gas Rate Schedule No. 33.[2]
Effective date: July 1, 1966.[3]
Amount of annual increase: $570.
Effective rate: 14 cents per Mcf.[4]
Proposed rate: 15 cents per Mcf.[5]
Pressure base: 14.65 p.s.i.a.

Standard, a producer-respondent in the Permian Basin Opinion No. 468, proposes a periodic rate increase from 14.0 cents to 15.0 cents per Mcf, amounting to $570 annually, for a sale of residue gas derived from casinghead gas to Northern Natural Gas Co. in the Permian Basin Area of Texas.

Standard has filed a rate schedule-quality statement for the subject sale in compliance with Opinion No. 468. Such quality statement shows the gas meets the pipeline quality standards of Opinion No. 468, as amended, and was accepted by the Commission's order issued June 13, 1966, in Area Rate Proceeding, et al. (Permian Basin Area), Docket Nos. AR61-1, et al. The applicable area base ceiling for the sale in question is 14.5 cents per Mcf as prescribed in the Permian Basin Opinion Nos. 468 and 468-A. Since Standard's proposed rate exceeds the applicable area base rate of 14.5 cents per Mcf, we conclude that such rate should be suspended as ordered herein for 5 months from July 1, 1966, the contractually provided effective date.

Except for the stay of the moratorium in Opinion No. 468, Standard's rate increase filing would be rejectable. If the moratorium is ultimately upheld upon judicial review, the filing will be rejected ab initio.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 2 to Standard's FPC Gas Rate Schedule No. 33 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Standard's FPC Gas Rate Schedule No. 33.

(B) Pending such hearing and decision thereon, Supplement No. 2 to Standard's FPC Gas Rate Schedule No. 33 is hereby suspended and the use thereof deferred until December 1, 1966, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

[1] Address is: Post Office Box 1249, Houston, Tex., 77001, Attention: C. W. Proctor, Esq.
[2] Contract dated Feb. 1, 1962, and covers a sale or residue gas derived from casinghead gas.
[3] The stated effective date is the contractually provided effective date.
[4] Initial rate.
[5] Periodic rate increase.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8, 1.37(f)) on or before August 15, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-7164; Filed, June 29, 1966; 8:47 a.m.]

[Docket No. CP65-181 (Phase II)]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Extension for Serving Testimony and Postponing Hearing

JUNE 24, 1966.

On June 20, 1966, the Department of Health, Education, and Welfare, and on June 22, 1966, the city of New York, filed motions to extend the time for service and filing of evidence as provided by the Commission's order of April 29, 1966, as amended May 15, 1966, in Columbia Gulf Transmission Co., et al., Docket Nos. CP65-102, et al.

Notice is hereby given that the date for filing and service by all parties of direct evidence is extended to September 20, 1966. The hearing previously scheduled to commence July 12, 1966, is postponed to October 4, 1966, at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

By direction of the Commission.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-7165; Filed, June 29, 1966; 8:47 a.m.]

[Docket No. CP66-415]

UNITED GAS PIPE LINE CO.

Notice of Application

JUNE 22, 1966.

Take notice that on June 15, 1966, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La., 71102, filed in Docket No. CP66-415 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate the following facilities:

Approximately 2.2 miles of 2-inch pipeline beginning at approximately milepost 136.44 on Applicant's 30-inch offshore to Kosciusko main pipeline and extending in a generally western direction to end at the sales meter station at a point in Sec. 51, T. 2 S., R. 7 E., Tangipahoa Parish, La.

Applicant states that the facilities are proposed in order to provide for the sale and delivery of natural gas to Kentwood Brick & Tile Manufacturing Co., Inc., Tangipahoa Parish, La., to meet the fuel requirements of Kentwood's brick and tile plant to be located near Kentwood, Tangipahoa Parish, La. Applicant further states that during the third year of its contract with Kentwood it will sell to this customer approximately 206,000 Mcf of natural gas.

The total estimated cost of Applicant's proposed construction is $45,823, which cost will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-7166; Filed, June 29, 1966; 8:47 a.m.]

[Docket No. CP66-414]

UNITED NATURAL GAS CO.

Notice of Application

JUNE 22, 1966.

Take notice that on June 14, 1966, United Natural Gas Co. (Applicant), 308 Seneca Street, Oil City, Pa., 16301, filed in Docket No. CP66-414 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain underground storage facilities at the Ellisburg Storage Pool in Potter County, Pa., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to inject an additional 2,900 Mcf of Base Storage Gas and add a 1,000 horsepower compressor unit at its Ellisburg Compressor Station. Applicant states that the additional base gas and horsepower will increase its deliverability by 18,000 Mcf per day. Applicant further states that the proposed facilities are needed to meet the peak day requirements of its wholesale and retail customers beginning with the 1966-1967 winter season.

The total estimated cost of the proposed additional base gas is $1,100,000, and the construction of the proposed additional 1,000 horsepower compressor unit is estimated to cost $400,000. Applicant proposes to finance this project with funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-7167; Filed, June 29, 1966; 8:47 a.m.]

[Docket No. CP64-67]

UNITED NATURAL GAS CO. AND MANUFACTURERS LIGHT & HEAT CO.

Notice of Petition To Amend

JUNE 23, 1966.

Take notice that on June 15, 1966, United Natural Gas Co. (United) and The Manufacturers Light & Heat Co. (Manufacturers), 800 Union Trust Building, Pittsburgh, Pa., 15219, collectively referred to as Petitioners, filed in Docket No. CP64-67 a joint petition to amend the order issued in said docket on March 25, 1964, so as to permit Petitioners to establish a new delivery point for an existing gas exchange arrangement, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Specifically, Petitioners request authority to change an existing point of delivery from a point near Medix Run, Benezett Township, Elk County, Pa., on United's Line F-100, to a new delivery point on the same line in adjoining Gibson Township, Cameron County, Pa.

On March 25, 1964, in the instant docket, Petitioners were issued a certificate of public convenience and necessity authorizing the exchange and delivery of natural gas between the parties at a point in Brush Valley Township, Indiana County, Pa.

Petitioners state that in bypassing United's Medix Run Compressor Station and redelivering the same volumes of gas to United at the proposed new delivery point on United's Line No. F-100, Manufacturers will save an estimated $6,000 per month which is the approximate amount now being paid to United for compression services. Petitioners further state that this arrangement will enable Petitioners to continue producing and marketing volumes of remaining gas reserves that could otherwise be too costly to produce and market.

Petitioners state that in order to effectuate the proposed change in Manufacturers' delivery point to United, United will use an existing 4-inch tap on its Line No. F-100 and Manufacturers will move the meter used at the present delivery point and install it at the new delivery point, together with installing the necessary materials and fittings required to connect Manufacturers' existing production facilities to the existing tap on Line No. F-100.

The total estimated cost to Manufacturers for installing the proposed meter and connecting facilities is $5,500.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 22, 1966.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-7168; Filed, June 29, 1966; 8:47 a.m.]

[Docket No. CP66-416]

WESTERN TRANSMISSION CORP.

Notice of Application

JUNE 22, 1966.

Take notice that on June 15, 1966, Western Transmission Corp. (Applicant), 1907 Chamber of Commerce Building, Houston, Tex., 77002, filed in Docket No. CP66-416 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas gathering facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate 9.2 miles of 4-inch pipeline installed on the surface and appurtenant facilities to enable it to take into its certificated main gathering system and to deliver to Colorado Interstate Gas Co. (CIG) natural gas to be produced from the Cherokee Creek Unit area in Carbon County, Wyo., and purchased from U.S. Natural Gas Corp. (U.S. Natural). Applicant states that the sales of natural gas proposed by the instant application have previously been certificated by Commission Opinion No. 429 issued May 26, 1964, in Docket No. CP63-329, et al.

The total estimated cost of Applicant's proposed facilities is $129,900, which cost will be financed out of previously available working capital.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-7169; Filed, June 29, 1966; 8:47 a.m.]

[Project 2581]

WISCONSIN PUBLIC SERVICE CORP.

Notice of Application for License for Constructed Project

JUNE 24, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Wisconsin Public Service Corp. (correspondence to: C. A. McKenna, Secretary, Wisconsin Public Service Corp., 1029 North Marshall Street, Milwaukee, Wis., 53201), for a license for constructed Project No. 2581, known as the Peshtigo project on the Peshtigo River in the town of Peshtigo, in Marinette County, Wis.

The existing Peshtigo project consists of: (1) A concrete gravity-type dam 358.5 feet long and about 20 feet high in four sections; (a) ogee-overflow section 61 feet long, (b) tainter gate section 105 feet long with six gates about 15 feet long and 12.2 feet high, (c) gravity section 96 feet long, including a log sluice 4 feet wide and 4.25 feet deep, (d) a powerhouse section 96.5 feet long at east bank; (2) a reservoir at about elevation 602 feet above sea level and 5 miles long with an area of about 460 acres; (3) a concrete-brick powerhouse in two sections, (a) east section with generating unit No. 1, rated at 224 kw and flume provision for two more units, and (b) west section with generating unit No. 4, rated at 360 kw, totaling 584 kw; and (4) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 10, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-7170; Filed, June 29, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 14-1]

ELKTON CO.

Order Suspending Trading

JUNE 24, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 1 cent par value, of the Elkton Co. otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 27, 1966, through July 6, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-7174; Filed, June 29, 1966; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30, Rev. 10, Amdt. 5]

AREA ADMINISTRATORS

Delegation of Authority To Conduct Program Activities in Area Offices

Pursuant to the authority vested in the Administrator by the Small Business Act, 72 Stat. 384, as amended; the Small Business Investment Act of 1958, 72 Stat. 689,

as amended; Title IV of the Economic Opportunity Act of 1964, and Delegation of Authority No. 29, F.R. 14764; Delegation of Authority No. 30 (Revision 10), 30 F.R. 972, as amended, 30 F.R. 2742, 11984, 12434 and 31 F.R. 6761 is further amended by revising Item I.D. 3 to read as follows:

I. • • •

D. *Admtnistration.* • • •

3. To (a) purchase office supplies and equipment including office machines, and rent regular office equipment and furnishings.

• • • • •

Effective date: July 1, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-7175; Filed, June 29, 1966; 8:48 a.m.]

TARIFF COMMISSION

[APTA-W-3]

WORKERS' PETITION FOR DETERMINATION OF ELGIBILITY TO APPLY FOR ADJUSTMENT ASSISTANCE

Notice of Investigation

Upon receipt on June 21, 1966, of a request therefor from the Automotive Agreement Adjustment Assistance Board, the Tariff Commission instituted an investigation pursuant to section 302(e), Automotive Products Trade Act of 1965, with respect to a petition filed with the Board by the International Association of Bridge, Structural and Ornamental Iron Workers, AFL-CIO, of Birmingham, Ala., on behalf of a group of workers of the Fram Corporation of Birmingham, Ala. The petition alleged in effect that by reason of the phasing out of production of carburetor air filters at the Birmingham facility of the Fram Corp. and transfer of production to the Chatham, Ontario plant of the Fram Corp. subsidiary, Canadian Filters, Ltd., dislocation of a group of workers has occurred and the dislocation of a remaining group of workers is threatened, and that the operation of the United States-Canadian Automotive Agreement has been the primary factor in causing such dislocation and threat of dislocation. The Commission is conducting the investigation to provide a factual record on the basis of which the Board may make the determinations required by section 302 of the Act.

Petitioner has not requested a public hearing. A hearing will be held on request of any other party showing a proper interest in the subject matter of the investigation, provided the request is filed with the Secretary of the Tariff Commission within 10 days after this notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the office of the Secretary, U.S. Tariff Commission, Eighth and E Street NW., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: June 24, 1966.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 66-7142; Filed, June 29, 1966; 8:45 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR

	Page
PROCLAMATION:	
3728	8277
3729	8567
3730	8569
3731	8571
EXECUTIVE ORDERS:	
11224 (superseded by EO 11285)	8211
11285	8211
11286	8279
11287	8995
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:	
Reorganization Plan No. 3 of 1966	8855
CHAPTER V:	
100	8556

5 CFR

	Page
213	7733, 7734, 7959, 8175, 8281, 8527, 8619, 8746, 8857, 8949, 9005.
302	8527
550	7881, 8585
831	8677
890	8491, 8678

7 CFR

	Page
0	8528
15	8175, 8586
26	8113
28	7734
51	8535
301	8586, 8857
319	8337
354	8113
401	8175
701	7735, 7814
722	8337, 8619, 8758
728	7814, 8337, 8678, 8758
730	8619
775	8339
778	7997
811	7999
817	8536
845	7815
850	8770
876	8857
893	7816
905	8114
908	7961, 8230, 8538, 8859
910	7962, 8045, 8231, 8303, 8538, 8591, 8860, 8921.
911	7962, 8231, 8539
915	8592
916	8176, 8177
917	7963, 8114, 8177, 8231, 8232, 8303–8306, 8404, 8491, 8921.
918	7735
944	8000
945	8949
970	8178
1038	8115
1039	8116
1041	8999
1074	8000
1099	7963
1125	8405
1133	8950
1421	7964, 8000, 8003, 8306, 8346
1427	8860

7 CFR—Continued

	Page
1443	8348
1483	7817
1486	7735
PROPOSED RULES:	
51	7757
52	8542
725	8819
777	8878
817	8541
905	7971
906	8429
915	8181
948	9007
994	8021
1001	7911, 8242
1002	7911
1003	7911
1004	7911
1005	7911
1008	7911
1009	7911
1011	7911
1012	7911
1013	7829, 7911, 8131, 8956
1015	7911, 8242
1016	7911
1031	7831
1032	7831, 8634
1033	7911
1034	7911
1035	7911
1036	7911
1038	7831, 7971
1039	7831, 7972
1040	7911
1041	7911, 8496
1043	7911
1044	7831
1045	7831
1046	7911
1047	7911
1048	7911
1049	7911
1050	8634
1051	7831
1061	7831
1062	7831
1063	7831
1064	7831
1065	7757
1066	7757
1067	7831
1068	7757
1069	7757
1070	7831
1071	7831
1073	7831
1074	7831
1075	7757
1076	7757
1078	7831
1079	7831
1090	7911
1094	7831
1096	7831
1097	7831
1098	7911
1099	7758, 7831
1101	7911
1102	7831
1103	7831
1104	7831
1106	7831
1108	7831
1120	7831
1125	7757
1126	7831, 8431
1127	7831
1128	7831
1129	7831
PROPOSED RULES—Continued	
1130	7831
1131	7757
1132	7831
1133	7757, 7831, 8542
1134	7757
1136	7757
1137	7757
1138	7757

8 CFR

	Page
212	8045
214	8045
236	8045

9 CFR

	Page
73	8907
97	8020

10 CFR

	Page
1	8866, 8999
36	7959, 8417
40	7959
PROPOSED RULES:	
30	8595
32	8595

12 CFR

	Page
1	8060, 8521
14	8951
204	8060
523	8771
530	8772
531	8772–8774, 9005
545	8353, 8774, 8775, 9006
555	8775
556	8776
561	8353, 8776
563	8004, 8776
570	8777
571	8004, 8777

13 CFR

	Page
PROPOSED RULES:	
107	8695
121	8926

14 CFR

	Page
13	8353
25	8911
39	7735, 7881, 7882, 8045, 8046, 8417, 8746, 8870, 9000.
61	8354, 8913
63	8913
65	8913
67	8355
71	7736, 7827, 8046, 8047, 8117, 8178, 8179, 8357, 8358, 8492, 8575, 8620, 8621, 8679, 8747, 8749, 8750, 8870, 8871, 8909, 8910, 9000, 9001.
73	7736, 7827, 7882, 8910, 8911
75	7736, 7827, 8047, 8418, 9000
91	8354
95	8281
97	7883, 7893, 8010, 8048, 8118, 8217, 8285, 8359, 8576, 8751, 8908.
121	8911
145	8585
214	8951
295	8952
1200	8418
1204	8418
PROPOSED RULES:	
21	8075
39	8498, 8833
47	8077
61	8438

14 CFR—Continued

	Page
PROPOSED RULES—Continued	
71	7760–7762, 7836, 7975–7977, 8025, 8077, 8078, 8182, 8183, 8242, 8372–8375, 8498, 8596, 8597, 8636, 8637, 8694, 8834, 8879, 8923, 8924, 9008–9012.
73	7977, 8375
75	7762, 8242, 8924
91	8026, 8438, 8440
93	8078
207	8438

15 CFR

	Page
201	8679
230	7737, 7819, 7968, 8680, 8952
372	8213
373	8213
374	8213
375	8213
376	8213
377	8213
379	8213
382	8213
384	9001
385	8213
PROPOSED RULES:	
9	7833

16 CFR

	Page
13	7960, 7961, 8058–8060
15	7737, 7806, 8233, 8403, 8492, 8521, 8585, 8621, 8871, 8913.
PROPOSED RULES:	
45	7757
57	8243
170	8882
174	8882
192	8244

17 CFR

	Page
200	8952
211	7821
230	7738
239	7738
240	7740
250	8233
276	7821
PROPOSED RULES:	
240	8924
270	7913

18 CFR

	Page
4	8779
101	7897
141	7897
201	7897
260	7897
PROPOSED RULES:	
8	8376

20 CFR

	Page
404	8367
602	7966
604	8281
PROPOSED RULES:	
405	7864, 8668, 8940

21 CFR

	Page
1	8521
2	8953
5	8524
8	8216, 8369
27	8493
45	8873
80	8525
120	7741, 9001
121	8008, 8009, 8369, 8573, 8874, 8875, 8953
125	8521

21 CFR—Continued Page

130 8009
146a 8876
148i 8876
PROPOSED RULES:
17 8497
27 8497
53 8594
121 9008

22 CFR

41 7741
42 7741

24 CFR

0 8781
200 7743, 9005
203 8539
207 8539
220 8539
221 7743

25 CFR

41 7744
42 7745
PROPOSED RULES:
221 9007

26 CFR

1 7789, 8680, 8785
301 8785

29 CFR

0 8306
1601 9004
1605 8370

30 CFR

PROPOSED RULES:
27 8630

31 CFR

128 8179
202 7899, 8234
203 7899, 8234
315 8914
500 7745, 7699, 8586
520 8404

32 CFR

1 7807
3 7807
4 7810
7 7811
8 7812
16 7814
30 7814
40 8621
273 8007
502 7966
1001 8370
1003 8311, 8371
1004 8371
1007 8371
1013 8371
1014 8371
1053 8371
1250 8061
1710 9005
2000 8540

32A CFR

OIA (Ch. X):
OI REG. 1 7745

33 CFR

202 8403, 8690
203 7827, 8312, 8573, 8907
204 8129
208 7751
401 8062

36 CFR

7 8954
221 8180

36 CFR—Continued Page

251 7899
261 7902

38 CFR

17 8064
21 8292
36 8745

39 CFR

13 7752
22 7752
25 7752
27 8234
41 8234
43 7752, 8235
46 8235
51 8236
52 8236
53 8236
55 8236
56 8236
58 8237
61 8237

41 CFR

1-3 8116
1-5 8621
1-12 8592
4-1 7819
4-6 7819
4-50 7902
8-1 7820
8-2 8237
9-12 8954
11-1 7752
101-15 8117
101-17 9003
101-38 8540
101-47

42 CFR

57 7755
76 7902
PROPOSED RULES:
73 8594, 8923

43 CFR

17a 8690
3120 7806
3140 8873
3150 8873
3160 8873
5400 8914
5430 8914
5440 8914
PUBLIC LAND ORDERS:
662 (revoked by PLO 4035) 8240
829 (revoked in part by PLO 4028) 8238
1775 (revoked in part by PLO 4027) 8238
3943 (revoked in part by PLO 4039) 8692
4023 7969
4024 7969
4025 7969
4026 8238
4027 8238
4028 8238
4029 8238
4030 8239
4031 8239
4032 8239
Corrected 8954
4033 8293
4034 8240
4035 8240
4036 8240
4037 8241
4038 8241
4039 8692
4040 8692

43 CFR—Continued Page

PUBLIC LAND ORDERS—Continued
4041 8693
PROPOSED RULES:
4 8429
3130 8181
3140 8181
3150 8181
3160 8181
3180 8181

45 CFR

177 9003
801 7755, 8623
1030 8623
PROPOSED RULES:
170 8544

46 CFR

146 8295
173 8539
202 8065
262 8494
281 8494
308 7970
533 8815
537 8915
PROPOSED RULES:
510 8958
531 8834

47 CFR

18 7821
21 7822
73 7904, 8067, 8069-8073, 8623, 8625
74 7822
87 8627, 8628
91 7822
PROPOSED RULES:
1 7837
2 8880
17 8376
21 7837, 8880
23 7837
73 7837, 7838, 8079-8081, 8132, 8637-8639, 8882.
74 7837, 8026
81 7837
87 7837, 8880
89 7837, 8640, 8880
91 7837, 8640, 8880
93 7837, 8640, 8880
95 7837
97 7837

48 CFR

203 8540
411 8915

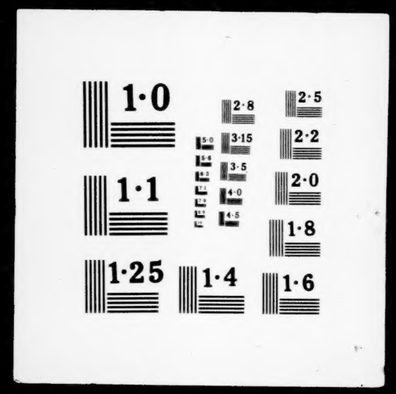
49 CFR

6 8573
95 7806, 8064, 8816, 8872, 8954
170 8312
176 8915, 8916
180 8872
187 8919
193 8920
PROPOSED RULES:
31 8244
170 7841, 8882
178 8696
193 7911

50 CFR

10 8817
32 7909, 8065, 8693, 8817
33 7756, 7910, 7970
PROPOSED RULES:
26 8819
32 8694
33 8694
401 8130

RESOLUTION CHART



100 MILLIMETERS

INSTRUCTIONS Resolution is expressed in terms of the lines per millimeter recorded by a particular film under specified conditions. Numerals in chart indicate the number of lines per millimeter in adjacent "T-shaped" groupings.

In microfilming, it is necessary to determine the reduction ratio and multiply the number of lines in the chart by this value to find the number of lines recorded by the film. As an aid in determining the reduction ratio, the line above is 100 millimeters in length. Measuring this line in the film image and dividing the length into 100 gives the reduction ratio. Example: the line is 20 mm. long in the film image, and $100/20 = 5$.

Examine "T-shaped" line groupings in the film with microscope, and note the number adjacent to finest lines recorded sharply and distinctly. Multiply this number by the reduction factor to obtain resolving power in lines per millimeter. Example: 7.9 group of lines is clearly recorded while lines in the 10.0 group are not distinctly separated. Reduction ratio is 5, and $7.9 \times 5 = 39.5$ lines per millimeter recorded satisfactorily. $10.0 \times 5 = 50$ lines per millimeter which are not recorded satisfactorily. Under the particular conditions, maximum resolution is between 39.5 and 50 lines per millimeter.

Resolution, as measured on the film, is a test of the entire photographic system, including lens, exposure, processing, and other factors. These rarely utilize maximum resolution of the film. Vibrations during exposure, lack of critical focus, and exposures yielding very dense negatives are to be avoided.